

HOUSE JOURNAL  
OF THE  
SIXTY-EIGHTH LEGISLATURE  
OF THE  
STATE OF WASHINGTON  
AT  
OLYMPIA, THE STATE CAPITOL

2024 Regular Session  
Convened January 8, 2024  
Adjourned Sine Die March 7, 2024



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**Laurie Jenkins**, Speaker  
**Tina Orwall**, Speaker Pro Tempore  
**Bernard Dean**, Chief Clerk

Compiled and edited by Gary Holt, House Journal Clerk

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## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## FIRST DAY

House Chamber, Olympia, Monday, January 8, 2024

The House was called to order at 12:00 p.m. by Speaker Jinkins for the 2024 Regular Session of the 68th Legislature.

The flags were escorted to the rostrum by the Washington State Patrol Honor Guard, commanded by Sergeant William Rutherford, and comprised of Trooper Heather Axeman, Trooper Geoffrey Bridges, Trooper Michael Sessions, and Trooper Dean Gallagher. The Pledge of Allegiance was led by Speaker Jinkins.

The National Anthem was performed by Tacoma singer and songwriter Evan Purcell.

The prayer was offered by Rabbi Seth Goldstein from Temple Beth Hatfiloh of Olympia and Imam Omar Kaddoura from the Islamic Center Of Olympia.

The Squaxin Island Canoe Family performed welcome songs and shared a blessing. Squaxin Island Chair, Kris Peters, welcomed members to the ancestral homeland of the Squaxin Island people and thanked them for their service.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SECRETARY OF STATE**

January 8, 2024

To the Honorable Members of the Washington State House of Representatives  
Legislative Building  
Olympia, Washington

Pursuant to Article II, Section 1 of the Washington State Constitution and RCW 29A.72.230, I hereby attach a true and correct copy of initiatives, provisional certification letters, ballot title wording, and summaries for the following Initiatives to the Legislature:

Initiative to the Legislature No. 2081

Initiative to the Legislature No. 2109

Initiative to the Legislature No. 2111

Initiative to the Legislature No. 2113

Initiative to the Legislature No. 2117

Initiative to the Legislature No. 2124

Sincerely,

Steve Hobbs  
Secretary of State

**MESSAGE FROM THE KITSAP COUNTY**

A RESOLUTION NO. 158-2023

APPOINTING GREG NANCE TO REPRESENT  
LEGISLATIVE DISTRICT NO. 23 IN THE WASHINGTON  
STATE HOUSE, FILLING A VACANCY LEFT BY THE  
RESIGNATION OF DREW HANSEN.

WHEREAS, Drew Hansen, Representative for the 23rd Legislative District, Washington State Senate, submitted his resignation to the office effective August 24, 2023; and

WHEREAS, the Washington State Constitution, Article II, Section 15, provides that vacancies that occur in either house of the legislature shall be filled by appointment by the county legislative authority of the county in which the vacancy occurs; and

WHEREAS, Article II, Section 15 of the Constitution further provides that the person appointed to fill the vacancy must be from the same legislative district and the same political party as the legislator whose office has been vacated, and shall be one of the three persons who shall be nominated by the county central committee of that party; and

WHEREAS, the Kitsap County Democratic Central Committee has submitted the names of three nominees of the vacancy in the Washington State House for consideration by the Kitsap County Board of Commissioners; and

WHEREAS, the Board of Commissioners has held, in an open public meeting, interviews with each of the three candidates on September 15, 2023; and

WHEREAS, the Board of Commissioners has, in an open public meeting, voted on the appointment of a person to fill the vacancy in the Washington State House, Legislative District No. 23.

**NOW THEREFORE IT IS HEREBY RESOLVED****Section 1.**

Greg Nance is one of the three nominees recommended by the Kitsap County Democratic Central Committee and is qualified to fill the vacancy in the Washington State House, Legislative District No. 23.

**Section 2.**

Greg Nance is hereby appointed to the Washington State House, Legislative District No. 23, to fill the vacancy created by the resignation of Representative Drew Hansen to serve until a successor is elected at the 2024 general election. The appointment of Greg Nance is effective September 18, 2023.

**Section 3.**

The Clerk of the Board is hereby directed to provide a copy of this Resolution to the individual appointed, the Governor of the State of Washington, the Secretary of the Senate, and the Chair of the Kitsap County Democratic Central Committee.

ADOPTED this 18th day of September, 2023.

BOARD OF COUNTY COMMISSIONERS  
KITSAP COUNTY, WASHINGTON  
Charlotte Garrido, Chair  
KATHERINE T. WALTERS, Commissioner  
Christine Rolfes, Commissioner

Attest:

Dana Daniels, Clerk of the Board

**SPEAKER'S REMARKS**



Speaker Jinkins: “Thank you, Chair Peters, for welcoming us to the ancestral homeland of the Squaxin Island people. We are honored to have you joining us for opening day of the 2024 session. And celebrate the government-to-government relationship we have with Washington’s sovereign tribes.

Thank you, Rabbi Goldstein and Imam Kaddoura for being here today and lifting us all with your shared words of guidance and reflection. And thank you, Evan, for that glorious rendition of our national anthem.

I want to say a special welcome to the newest member of our body, Representative Nance. Thank you for your willingness to serve the people of your community. And for bringing the dedication and commitment you’ve poured into your other successful endeavors here to our collective work in The People’s House.

I also want to recognize the new Minority Leader, as well as the new Deputy Minority Leader. Drew and Mike, it was great to spend time with each of you in your districts. And I look forward to continuing to work with both of you in your new leadership roles.

Before I go into my remarks, I want to recognize the global context of this moment. The world is smaller every day. And things happening on the other side of the world can have just as big of an impact on us as the things that happen in our own communities. I know that I, and many others in this chamber, have felt this deeply over the last few months. We have seen how anti-Semitism anywhere leads to increased attacks against our Jewish community members and their places of worship. We have seen how the rise in Islamophobia, and the xenophobia closely tied to it, leads to attacks on our Islamic, Muslim, and Sikh community members and their places of worship. Here, we have worked together to strengthen our hate crime laws and increase security for non-profits, including religious organizations. And we will continue to fight anti-Semitism, Islamophobia, xenophobia, anti-Asian hate, anti-Blackness and the other social ills that put the safety and prosperity of Washingtonians at risk.

Members of the House, people of the great state of Washington – I stand before you today both optimistic and determined about the next 60 days. And, on this auspicious day, I mustn’t go one moment longer without proclaiming GO DAWGS!

When I was first chosen as Speaker-elect by my caucus, I set out across the state to visit every House member in every district before the 2020 session. My biggest takeaway from those visits was that we are all committed to making things better for the people we serve. That shared commitment helped our state fare better than most during a global pandemic, and we should be proud of that. Last year I again traveled the state to meet with as many of you as possible. And my optimism and determination are a result of the connections made in those visits. Whether it was a cup of coffee, a meal, a walk, or a tour of a noteworthy location in your districts, some common themes emerged in these visits that underscore how interconnected we are as Washingtonians. I don’t think there’s a district in this state where I haven’t visited a restaurant, a diner, or a coffee shop of some sort. Many of you chose to meet me in one of these locations over the last few months. And I saw time and again how deeply rooted you all are in your communities by the informal interactions with constituents while we were out. Like with Representative Klicker in Walla Walla. And with Representative Reed in Seattle’s Belltown neighborhood.

We keep hearing our state has the strongest economy in the nation. In fact, we were just recently ranked as the number one economy again by WalletHub. And maybe you’ve questioned those rankings at some point. But I can tell you unequivocally; after seeing establishments in every corner of the state bustling with customers, I feel very positive about the strength of our economy. I’m glad we made record investments in relief for sectors hit hard by the pandemic. Like our hospitality-related businesses. But we know our top ranking doesn’t tell the whole story. And doesn’t speak for everyone in our state.

In my visits with you, I heard over and over the ongoing challenges of housing, homelessness, and the divide between families who can afford to buy multi-million dollar homes, and those who cannot afford any home at all. Last year, we took some big bipartisan steps to address the housing shortage in our state. We passed a middle housing bill. We eased barriers to accessory

dwelling units. We put the dream of homeownership within reach of folks who were historically excluded from it. And we made big investments in our Housing Trust Fund to build more affordable housing across our state.

But those aren’t the only steps we need to take. Those victories didn’t do anything for the constituent I met at one of my coffee hours this summer. She is a retired senior citizen, single, living on a fixed income. And her rent has gone up 70 percent over the last two years. 70 PERCENT! She doesn’t know if she can even afford to stay in her home. And isn’t sure where she’ll go if she can’t. Across Washington, people are facing skyrocketing rents. They are stressed. They are afraid. And they are asking us to help. We should help them with more predictability and stability. We can’t let them down.

Our economy may be strong, but there are too many families struggling to find childcare. And even if they do find it, they often can’t afford it. The childcare crisis is bad for both workers and employers in Washington, because even though our economy is creating good-paying jobs, without access to child care, too many qualified workers can’t fill or keep those jobs. That’s bad news for the workforce shortages we’re already grappling with.

Housing and childcare are integral to having a strong economy. I know this. You all know this. And that’s why we’re going to make sure every Washingtonian has stable, secure housing. And every working parent can access quality, affordable childcare. I hope you’re all with me on this.

When I came to your districts, several of you invited me into your homes and shared a meal with me. Which was a special treat. Some of you, like Representative Wylie, cooked one of the best dinners I’ve ever had. Some of you, like Representative Connors, made me a delicious breakfast. Some of you, like Representative McEntire, invited me to your family dinner. Where I was served a dish that’s now become a staple in my family too. And some of you, like Representative Kretz and his wife, served my wife and me the best darn slice of apple cake we’ve ever had. By the way, Joel – my wife still raves to this day about the coffee you served us a few years ago. So between that, the apple cake and the beautiful land you live on, you’re guaranteed we’ll be back again.

Sitting around your family tables, meeting your spouses, having good food and good conversation together, it was clear to me how interconnected we all are. But right now, across Washington, too many families are missing someone who isn’t there because they’re struggling with a behavioral health challenge. And they cannot access the treatment they need to get well. We’re all too aware of the toll of the opioid crisis. And how fentanyl is killing Washingtonians. Including an alarming increase in fentanyl poisonings and deaths in children. That’s why we are going to expand access to behavioral health by investing in our workforce, and expanding community-based care and inpatient treatment in our communities.

I’m excited our UW behavioral health teaching hospital is coming online in June, which will increase available bed capacity, and be a boon to training our behavioral health workforce. Thank you, Frank, for making this happen five years ago. It’s incredibly gratifying to see it come to fruition.

We’re going to address the opioid crisis and prevent toxic drug poisonings by ramping up opioid education and awareness for young people. Ensuring overdose reversal medications are widely available. And increasing safety and supports for families impacted by the fentanyl crisis. Expanding treatment, both inpatient services and low barrier access to outpatient services. And enhancing access to recovery supports. So people can stay healthy and rebuild their lives. Tribal communities have been the most severely impacted by fentanyl and its devastation. No community wants to be at the forefront of this crisis, but Tribes are also leading the way with model programs that remove barriers to treatment. And we would be wise to listen to their voices and learn from their approach. Thank you, Representative Lekanoff, for bringing us together.

I had a lot of great food in your districts, but I also had some good exercise. These excursions reinforced for me how beautiful and special our state is. I walked along Puget Sound from the Port of Seattle to the Olympic Sculpture Park with Representative Berry. Representative Callan took me to see Jakob Two Trees, the amazing, 14-foot troll statue along the Rainier Trail near Issaquah. Representatives Griffey and Couture took me on a tour of a

sawmill that is one of the district's major employers. Underscoring the importance of healthy forests for both our environment and our economy. And while it was too far to walk, I saw some of the most gorgeous, remote areas of our state while driving the back roads from Pomeroy to Colfax when going from visiting Representative Dye to visiting Representative Schmick.

I came to Washington 36 years ago to attend law school as a young Midwesterner who grew up in a farming community. Seeing the different regions of our state, each with its own distinctive beauty, and finishing the 505 miles of Washington's portion of the Pacific Crest Trail this past year, has made me fall in love where we live all over again. I'm so proud of the progress we've made to protect our state from the impacts of climate change. And I'm determined we are not going back on that progress. We're not going back on rebates for electric heat pumps and weatherization grants. We're not going back on converting school buses from noisy, dirty diesel to electric. We're not going back on addressing rising asthma rates in our children. Washingtonians know climate change is real. They know it is a threat. They want us to take this threat seriously and act to protect their families, their homes, their communities, their health, their quality of life, and the strong economy we have. The very air we breathe is at stake if we don't protect our investments in a cleaner, better future for our state. So, we're going to protect those and keep moving forward on climate.

Speaking of not going backwards, I want to be clear that as long as I'm Speaker of this House, we will protect every person's bodily autonomy. When the decisions you make for yourself do not impact the health or safety of others, no one but you should be making them. When the US Supreme Court overturned *Roe v. Wade*, I said this state would remain a beacon of light and hope for all impacted by this terrible decision. That is exactly what we are for patients coming here from states with draconian anti-choice laws. Desperately seeking reproductive health care. These are laws that deny care to women. Even at the cost of their lives! Not in Washington state. Not only will we be here to help you get the reproductive or gender-affirming care you need, we've also made sure other states can't punish you for coming here to seek that legal and necessary care.

This may seem like a lot to tackle for a short session. But everything is interconnected. Housing and behavioral health. Childcare and workforce. Climate and the economy.

Our challenges don't exist in siloes. And we cannot solve them in siloes. We only have 60 days, but I'm optimistic and determined. We talked about our mutual challenges when I visited your districts. And I invite you all to work together with me on solutions.

Let's protect renters from skyrocketing rents. Let's help working families access childcare. Let's help people access behavioral health care. Let's prevent fentanyl deaths in our communities. Let's protect our hard-won investments in clean air and clean energy innovation. And continue to act on climate. And tell me what won't work in your districts. I've been to your communities. I know that while we're all interconnected, different regions face unique challenges and sometimes a one-size-fits-all solution won't work. Let's talk about that. We're not always going to agree, and that's OK. We just need to keep moving forward because Washingtonians expect progress. So let's make it happen. Go Dawgs!"

#### POINT OF PERSONAL PRIVILEGE

Representative Stokesbary: "Madame Speaker, it's a privilege to be standing here today, representing Washington's 31st Legislative District for the 2024 session. And it's an honor that my colleagues on this side of the aisle have elected me as their caucus leader.

I'm so proud to represent Washington House Republicans—a group of 40 men and women who are deeply committed to improving the lives of their constituents.

We wouldn't be here for the next 60 days, away from our family, friends and community if we didn't believe in Washington's tremendous potential.

And make no mistake, Washington has tremendous potential. We have incredible natural resources, we have financial capital, we

have human capital. All of the ingredients to make Washington the best place to live, work and raise a family.

But in too many ways, our beloved Washington state is going in the wrong direction.

There is a catalogue of crises facing our great state. We have the fourth highest homeless rate in the country. We had the highest cost of gas in the country at one point last year. And Seattle has the ninth highest cost of living in the country. We have the 4th highest combined sales tax rate in the country. We set a new record for violent crime in 2023 and are second in the country for property crime. We are the 3rd most expensive state to buy a home. We had the largest increase in drug overdose deaths of any state over the past year. We are 35th in the nation for business climate, down from number fifteen in 2022. 70% of K-12 students are failing math standards and 50% are failing reading standards.

Madame Speaker, it's time for a change. It's time to fix Washington. It's not just me saying that. It's not just House Republicans. The issues I just listed are exactly what respondents to last week's Crosscut/Elway survey identified were the most important issues the Legislature should focus on during this session: Homelessness; Cost of living; Taxes; Crime; Housing; Drugs; the Economy; Education.

We must fix these crises, and fix Washington.

Now, I recognize that it is easy for a minority caucus to do nothing more than criticize the majority. Tautologically, the votes of minority legislators are not necessary to form a governing majority.

But Madame Speaker, House Republicans here in Washington want to help resolve the numerous crises confronting our state. Most of our constituents don't care if something is a Democratic idea or a Republican idea. They just want good ideas. And I am here to share just some of the meaningful, constructive policy solutions that members of my caucus stand ready to offer this session.

We must fix the public safety crisis. Over the past five years, criminal activity has exploded in Washington: Homicide is up 96% since 2019; We rank number three for automobile theft, number two for property crime, and number one for retail theft; 61% of violent crimes go unsolved. Perhaps no surprise when our state ranks dead last in police officers per capita. We should provide recruitment and retention bonuses for police officers to improve both manpower and morale. We should toughen penalties for concealment and organized retail theft—topics Rep. Griffey has been working on for years—so that law enforcement has the tools to go after property crime. And most importantly, we should bring to the floor HB 1363, which has dozens of co-sponsors in both of our caucuses, reinstating vehicular pursuit laws so that officers can track down the perpetrators of these crimes.

Fix the drug crisis. Tragically, Washington is at the epicenter of the fentanyl crisis. As I mentioned, Washington experienced the largest increase in drug overdose deaths of any state this past year. The amount of fentanyl seized by the DEA in our state has increased 1670% since 2019. Opioid deaths have more than doubled since 2019.

While many House Republicans voted for a landmark drug possession law during a special session last May, that legislation is aimed at individual drug users, many of whom are suffering from substance use disorder. But just because we increasingly recognize that drug addiction is as much a health issue as a criminal one, surely we can recognize that the manufacturers and distributors of these deadly drugs do not deserve an open hand. Representative Mosbrucker has introduced legislation to enhance penalties for fentanyl distribution, to reduce the flow of illegal drugs through our state. Representative Maycumber is working on legislation to establish a new Bureau of Narcotics within the State Patrol to fight sophisticated drug trafficking rings that operate across local government jurisdictional boundaries. And Representative Graham has a bill that would make it a crime to expose children and vulnerable adults to fentanyl and other controlled substances.

Fix the affordability crisis. High taxes and burdensome regulations have driven up the cost of living for middle-class families in Washington. Housing and transportation cost 30% more in Washington compared to the national average. Our state has the fourth highest combined sales tax rate in the country, which disproportionately hurts low-income families.

And thanks to the Climate Commitment Act (CCA), Washington drivers currently pay the third highest gas prices in the nation. Representative Connors has introduced a bill to provide a one-time rebate to drivers, funded by surplus CCA revenue, to help offset the high price of gas caused by the CCA. Washington remains one of the only states in the country to have not enacted broad-based tax relief since the pandemic began. This will be the first, and hopefully last time I suggest we follow the lead of states like New York and California, but they managed to cut taxes. So we should be able to as well. Representative Orcutt is proposing a 0.5% reduction in the state sales tax, which will primarily benefit lower-income families and will help make our state's tax system more fair.

Fix the housing and homelessness crisis. Thanks to years of irrational land use policy and costly building regulations, Washington has the fewest number of housing units per household of any state. As a result, we rank as the third most expensive state to buy a home, 88% of families can no longer afford a median priced home, half of all renters are cost burdened paying more than 30% of their income toward rent. As housing costs go up, even the most affordable housing becomes unattainable for many individuals. Further fueling the homelessness crisis. Washington now has the fourth largest homeless population in the country and it's continuing to climb. Growing at an unprecedented rate of 11% in 2023. While we work our way out of this housing and homelessness crisis, we must require that cities and counties remove encampments near schools, parks, playground, and childcare centers. And give them the tools to do so. Then we must increase the supply of all types of housing. To that end, Representative Cheney has introduced legislation to incentivize landlords to voluntarily lower or freeze rental costs. Thereby creating stable and affordable housing through a new tax credit program. Representative Connors has a bill to provide downpayment assistance to nurses, doctors, firefighters, police, childcare workers and other critical professions that need to be able to afford housing in our state. Representative Jacobsen introduced a bill, drawn from her experience on the Puyallup City Council, to authorize cities and counties to create a simple housing permit process for affordable housing units in certain areas.

Fix the education crisis. Despite over 50% of the state near general fund budget going to K-12, academic performance is plummeting. According to OSPI's own report card, currently 70% of students are failing math standards and 50% are failing reading standards. Tragically, the scores are even worse for minority and low-income children who fell further behind their peers during the prolonged school closures. Over the past few years, public schools have lost over 60,000 students. Suggesting that families are not satisfied with the education they are receiving. Representative Rude is working on legislation to put tutors in every school and more paraeducators in classrooms because we know that high-dosage tutoring is the most effective intervention to get students back on track. Representative Corry has introduced a bill to fund literacy coaches in elementary schools, prioritizing low-income students and those who have fallen furthest behind their peers, since we know that 3rd grade reading ability is often a leading indicator of academic success or failure. Last session this body passed a bill sponsored by Representative McEntire that would have created a new grant program to help school districts in economically disadvantaged areas build new schools because all children deserve access to a world-class education, regardless of income. We should pass that bill again this session.

And we should not be so vain as to insist that public schools are the only environment worthy of our support. Nor should we be so vacuous as to believe that supporting one student's needs means depriving other students who have different needs. Representative Eslick has introduced a bill that would fund education savings accounts for students who are low-income, eligible for special education, or in persistently failing schools, so that all children can exercise the privilege of attending private school or homeschool. Not just those who can afford it.

Fix the childcare crisis. After a decade of excessive regulations, Washington's childcare system is broken. There are massive childcare deserts across our state and 63% of children under five don't have access to nearby childcare. And most families that are able to find childcare can't afford it. Our state has the ninth most expensive infant care in the nation. The average

family spends over 35% of their income to send two children to childcare. Many of our members are proud to cosponsor HB 1716, which would provide a B&O tax credit to employers that voluntarily provide childcare assistance to employees to help ensure parents can remain in the workforce. Representative Chambers is developing a proposal to extend paid family leave benefits to new moms for six months. Which is good for babies and mothers and will also reduce pressure on a grossly overextended infant childcare market. Representatives Couture and Jacobsen have bills that would relax licensing, regulatory and zoning requirements for providers in childcare deserts to ensure children have access to care and parents can get to work. No matter where they live.

Now, I recognize that this is a short, supplemental session. Even if we could all agree on not just the symptoms, but the treatment, it would be difficult to comprehensively address these problems in the next 60 days. But that doesn't mean we shouldn't try. To paraphrase President Kennedy, 'we should seek solutions to these issues. Not because they are easy. But because they are hard.' Over the next 60 days, we must have the honesty to admit when we were wrong and the humility to consider new approaches. And meanwhile, we must avoid the hubris to think that good intentions are a sufficient condition for good policies.

So I'll end where I began. Washington state is full of potential. And none of us would be here if we didn't think we could help. But there is a catalogue of crises confronting our great state. It's time for a change, Madame Speaker. Let's fix Washington."

There being no objection, the House advanced to the fourth order of business.

#### INTRODUCTION & FIRST READING

HB 1862 by Representatives Leavitt, Barnard, Tharinger, Graham, Couture, Duerr, Barkis, Bronoske, Slatter, Chapman, Simmons, Jacobsen, Timmons, Callan, Street, Sandlin, Donaghy, Doglio, Goodman, Caldier, Robertson, Hutchins, Reeves, Lekanoff, Riccelli, Hackney, Pollet and Shavers

AN ACT Relating to providing tax exemptions for the assistance of disabled veterans and members of the armed forces of the United States of America; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; creating a new section; providing an effective date; and providing expiration dates.

Referred to Committee on Finance.

HB 1863 by Representatives Christian, Hutchins, Graham, Couture and Griffey

AN ACT Relating to payment for surveys of state-owned aquatic lands by current or prospective lessees of such lands; and amending RCW 79.105.120.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 1864 by Representatives Christian, Sandlin, Couture and Griffey

AN ACT Relating to limiting the monetary assistance an indigent person may receive from the ignition interlock device revolving account program; and amending RCW 46.20.385.

Referred to Committee on Transportation.

HB 1865 by Representatives Christian, Dye, Graham, Couture and Schmidt

AN ACT Relating to modifying enforcement of motor vehicle liability insurance and fiscal responsibilities; amending RCW 46.30.020 and 46.55.113; adding a new section to chapter 43.59 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 1866 by Representatives Ortiz-Self, Eslick, Berry, Cortes, Morgan, Ramel, Duerr, Ramos, Reed, Simmons, Ormsby, Fey, Timmons, Callan, Street, Donaghy, Paul, Gregerson, Doglio, Fosse, Stonier, Mena, Reeves, Lekanoff, Riccelli, Santos, Hackney, Pollet, Davis and Shavers

AN ACT Relating to the academic and support needs of children of seasonal farmworkers; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 1867 by Representatives Walen, Chapman and Santos

AN ACT Relating to eliminating the estate tax filing requirement for certain estates involving a qualifying familial residence; amending RCW 83.100.050; and creating new sections.

Referred to Committee on Finance.

HB 1868 by Representatives Walen, Berry, Ramel, Duerr, Slatter, Reed, Kloba, Macri, Street, Gregerson, Hackney, Pollet and Davis

AN ACT Relating to reducing emissions from outdoor power equipment; amending RCW 70A.65.260; adding a new section to chapter 70A.15 RCW; adding a new section to chapter 43.21A RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Environment & Energy.

HB 1869 by Representatives Leavitt, Maycumber, Ryu, Graham, Christian, Rule, Couture, Bronoske, Slatter, Chambers, Reeves, Reed, Chapman, Ormsby, Barnard, Timmons, Sandlin, Orwall, Goodman, Caldier, Riccelli, Hackney, Shavers and Griffey

AN ACT Relating to keeping our Washington guard strong act; adding new sections to chapter 38.24 RCW; and creating a new section.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 1870 by Representatives Barnard, Ryu, Leavitt, Connors, Couture, Schmidt, Duerr, Slatter, Reed, Chapman, Graham, Ormsby, Timmons, Donaghy, Paul, Doglio, Reeves, Hackney and Griffey

AN ACT Relating to promoting economic development by increasing opportunities for local communities to secure federal funding; amending RCW 43.330.070, 43.330.088, and 43.330.260; and creating a new section.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 1871 by Representatives Walsh, Graham, Couture, Jacobsen, Sandlin, Caldier, Hutchins and Griffey

AN ACT Relating to the Washington state ferries' treatment of employees and applicants without consideration of COVID-19 vaccines; and adding a new section to chapter 47.60 RCW.

Referred to Committee on Transportation.

HB 1872 by Representatives Graham, Walsh, Volz, Christian, Couture, Barkis, Robertson, Jacobsen, Sandlin, Caldier and Griffey

AN ACT Relating to establishing accountability requirements for homeless housing grant programs; and adding a new section to chapter 43.185C RCW.

Referred to Committee on Capital Budget.

HB 1873 by Representatives Ortiz-Self, Couture, Taylor, Reed, Simmons, Doglio, Orwall, Wylie, Reeves and Pollet

AN ACT Relating to office of public defense social service workers for parents in child welfare cases; adding a new section to chapter 2.70 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 1874 by Representatives Walen, Robertson, Ryu, Morgan, Leavitt, Ortiz-Self, Ramel, Duerr, Ramos, Slatter, Reed, Ormsby, Timmons, Callan, Peterson, Street, Sandlin, Paul, Doglio, Thai, Wylie, Reeves and Hackney

AN ACT Relating to protecting consumers from predatory loans; amending RCW 31.04.015, 31.04.025, 31.04.027, and 31.04.035; and creating a new section.

Referred to Committee on Consumer Protection & Business.

HB 1875 by Representatives Couture, Rule, Schmidt, Low, Reed, Griffey, Timmons, Sandlin, Caldier, Reeves and Hackney

AN ACT Relating to increasing protections for child welfare workers; amending RCW 9A.36.031 and 74.14B.010; reenacting and amending RCW 74.14B.005; and adding a new section to chapter 74.14B RCW.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 1876 by Representatives Springer, McEntire, Reeves and Thai

AN ACT Relating to confidential fisheries information collected by other states and maintaining that confidentiality under the public records act; amending RCW 42.56.430 and 42.56.430; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on State Government & Tribal Relations.

HB 1877 by Representatives Lekanoff, Stearns, Ortiz-Self, Ramel, Ramos, Cortes, Reed, Ormsby, Macri, Street, Paul, Gregerson, Doglio, Callan, Orwall, Mena, Wylie, Reeves, Pollet, Davis and Shavers

AN ACT Relating to improving the Washington state behavioral health system for better coordination and recognition with the Indian behavioral health system; amending RCW 71.34.020, 71.34.020, 71.05.148, 71.34.815, 71.05.150, 71.05.150, 71.34.710, 71.34.710, 71.05.195, 71.05.201, 71.05.212, 71.05.212, 71.05.214, 71.05.217, 71.05.435, 71.05.458, 71.05.590, 71.05.590, 71.05.620, 71.34.780, 71.34.780, 71.05.730, 71.24.030, 71.24.045, 70.02.230, 70.02.240, and 70.02.260; reenacting and amending RCW 71.05.020, 71.05.020, and 70.02.010; adding new sections to chapter 71.05 RCW; adding new sections to chapter 71.34 RCW; providing an effective date; providing contingent effective dates; providing an expiration date; and providing contingent expiration dates.

Referred to Committee on Civil Rights & Judiciary.

HB 1878 by Representatives Low, Schmidt, Leavitt, Eslick, Stearns, Robertson, Sandlin, Couture, Waters, Connors, McClintock, Slatter, Graham, Jacobsen, Davis and Griffey

AN ACT Relating to preserving seniority for state employees who are reemployed; and adding a new section to chapter 41.04 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 1879 by Representatives Lekanoff, Santos, Ryu, Tharinger, Ortiz-Self, Ramel, Cortes, Morgan, Reed, Ormsby, Timmons, Callan, Peterson, Chopp, Donaghy, Gregerson, Doglio, Fosse, Orwall, Bergquist, Stonier, Mena, Wylie, Reeves, Riccelli, Pollet, Shavers and Davis

AN ACT Relating to naming the curriculum used to inform students about tribal history, culture, and government after John McCoy (Iulilaš); amending RCW 28A.320.170, 28A.300.444, and 28A.715.005; and adding new sections to chapter 28A.320 RCW.

Referred to Committee on Education.

HB 1880 by Representatives McClintock, Duerr, Ryu, Leavitt, Waters, Reed, Cheney and Reeves

AN ACT Relating to architecture licensing examinations; and amending RCW 18.08.360.

Referred to Committee on Consumer Protection & Business.

HB 1881 by Representatives Harris, Bateman, Leavitt, Duerr, Reed, Ormsby, Sandlin, Wylie and Davis

AN ACT Relating to establishing a uniform standard for creating an established relationship for the purposes of coverage of audio-only telemedicine services by expanding the time in which a health care provider has seen the patient and removing the expiration of provisions allowing for the use of real-time interactive appointments using both audio and video technology; amending RCW 41.05.700 and 48.43.735; and reenacting and amending RCW 74.09.325.

Referred to Committee on Health Care & Wellness.

HB 1882 by Representatives Farivar, Berry, Alvarado, Ramel, Gregerson, Bateman, Reed, Chapman, Simmons, Ormsby, Street, Fosse, Orwall, Berg, Wylie, Reeves, Riccelli and Davis

AN ACT Relating to giving cities and towns the freedom to switch their general elections to even-numbered years to take advantage of higher and more diverse voter turnout; amending RCW 29A.04.330, 35.17.020, 35.18.270, 35.23.051, 35.27.090, 35.30.080, and 35A.02.050; and creating new sections.

Referred to Committee on State Government & Tribal Relations.

HB 1883 by Representatives Walen, Cheney, Leavitt, Duerr, McClintock, Reed, Barnard, Sandlin, Goodman, Wylie, Reeves, Santos and Hackney

AN ACT Relating to employer tax incentives for paying wages to employees during juror service; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; and creating a new section.

Referred to Committee on Finance.

HB 1884 by Representatives Harris, Thai, Walen, Tharinger, Ryu, Ortiz-Self, Leavitt, Slatter, Bateman, Orwall, Reed, Ormsby, Kloba, Stonier, Wylie, Reeves, Pollet and Davis

AN ACT Relating to coverage of prescription drugs for advanced metastatic cancer; adding a new section to chapter 48.43 RCW; adding a new section to chapter 41.05 RCW; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health Care & Wellness.

HB 1885 by Representatives Mena, Ramos, Gregerson, Stearns, Ortiz-Self, Bateman, Alvarado, Callan, Senn, Reed, Reeves, Ormsby, Peterson, Kloba, Macri, Street, Chopp, Doglio, Fosse, Orwall, Goodman, Thai, Riccelli, Pollet and Shavers

AN ACT Relating to strengthening campaign finance disclosure by prohibiting campaign contributions and expenditures by foreign-influenced corporations; amending RCW 42.17A.005, 42.17A.240, 42.17A.250, and 42.17A.265; adding new sections to chapter 42.17A RCW; creating a new section; repealing RCW 42.17A.417 and 42.17A.418; and providing an effective date.

Referred to Committee on State Government & Tribal Relations.

HB 1886 by Representatives Walen, Robertson, Berg, Reeves and Santos

AN ACT Relating to prearrangement funeral services; and amending RCW 18.39.010 and 18.39.250.

Referred to Committee on Consumer Protection & Business.

HB 1887 by Representatives Chapman, Walen and Reeves

AN ACT Relating to mitigating the consumer impacts of the climate commitment act by creating greater administrability of emissions exemptions and improving the transparency and business practices under the act; amending RCW 70A.65.010, 70A.65.070, 70A.65.150, 70A.65.080, 46.17.350, 46.17.355, and 70A.65.100; adding new sections to chapter 70A.65 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Environment & Energy.

HB 1888 by Representatives Mosbrucker, Davis, Leavitt, Schmidt, Graham, Barnard, Rule, Cheney, Fosse, Goodman, Wylie, Hutchins, Reeves and Riccelli

AN ACT Relating to newborn safe transfer; amending RCW 13.34.360; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 1889 by Representatives Walen, Taylor, Leavitt, Slatter, Ramel, Duerr, Ryu, Ramos, Bateman, Reeves, Reed, Ormsby, Callan, Peterson, Kloba, Macri, Street, Doglio, Bergquist, Mena, Goodman, Thai, Santos, Hackney, Pollet, Fosse, Davis and Senn

AN ACT Relating to allowing persons to receive professional licenses and certifications regardless of immigration or citizenship status; amending RCW 18.170.030, 18.165.030, 18.53.060, 18.185.020, 18.185.250, 19.230.040, and 19.230.090; reenacting and amending RCW 18.130.040; adding a new section to chapter 18.118 RCW; adding a new section to chapter 28A.410 RCW; and adding a new section to chapter 28A.413 RCW.

Referred to Committee on Consumer Protection & Business.

HB 1890 by Representatives Alvarado, Klicker, Peterson, Bateman, Connors, Macri, Corry, Barkis, Berry, Morgan, Leavitt, Tharinger, Reed, Ormsby, Barnard, Street, Gregerson, Reeves and Chopp

AN ACT Relating to housing authorities; and amending RCW 35.82.300.

Referred to Committee on Local Government.

HB 1891 by Representatives Eslick, Couture, Graham, Barnard, Cheney, Sandlin, Caldier, Reeves and Griffey

AN ACT Relating to maintaining the safety of children when a parent has a substance use disorder; amending RCW 13.34.145; and reenacting and amending RCW 13.34.138.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 1892 by Representatives Leavitt, Alvarado, Bateman, Peterson, Shavers, Reed, Fosse, Hackney, Barkis, Low, Eslick, Callan, Abbarno, Taylor, Klicker, Connors, Walen, Reeves, Ryu, Berry, Cortes, Stearns, Slatter, Duerr, Bronoske, Ramos, Ormsby, Barnard, Fey, Timmons, Kloba, Macri, Street, Chopp, Paul, Gregerson, Sandlin, Orwall, Bergquist, Goodman, Ortiz-Self, Nance, Santos and Pollet

AN ACT Relating to the workforce housing accelerator program; and adding a new chapter to Title 43 RCW.

Referred to Committee on Housing.

HB 1893 by Representatives Doglio, Berry, Fosse, Reeves, Farivar, Hackney, Ryu, Ortiz-Self, Orwall, Callan, Macri, Goodman, Senn, Slatter, Riccelli, Tharinger, Bronoske, Ramel, Wylie, Pollet, Cortes, Chopp, Bergquist, Berg, Fey, Donaghy, Reed, Street, Stonier, Kloba, Leavitt, Mena, Simmons, Morgan, Alvarado, Walen, Taylor, Peterson, Ormsby, Stearns, Thai, Bateman, Duerr, Ramos, Rule, Gregerson, Lekanoff, Nance, Santos, Shavers and Davis

AN ACT Relating to unemployment insurance benefits for striking or lockout workers; amending RCW 50.20.090; reenacting and amending RCW 50.29.021; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 1894 by Representatives Walen, Street, Reed and Reeves

AN ACT Relating to nontax statutes administered by the department of revenue modifying provisions of the business licensing service program concerning fee change notice requirements, the administration of the business license account balance, and the handling fee exemption for the local government nonresident business license endorsement; and amending RCW 19.02.075 and 35.90.070.

Referred to Committee on Finance.

HB 1895 by Representatives Thai, Connors, Corry, Ryu, Ortiz-Self, Ramel, Ormsby, Doglio, Fosse, Orwall, Paul, Reeves, Lekanoff, Tharinger and Riccelli

AN ACT Relating to modifying the working families' tax credit by clarifying the refundable nature of the credit, the application requirements, and the eligibility verification process; reenacting and amending RCW 82.08.0206; and creating a new section.

Referred to Committee on Finance.

HB 1896 by Representatives Ryu, Volz, Steele, Reed, Rule, Sandlin and Reeves

AN ACT Relating to simplifying the funding provisions of the statewide tourism marketing account; amending RCW 82.08.225; and providing an effective date.

Referred to Committee on Finance.

HB 1897 by Representatives Springer, Hackney, Rule, Doglio, Walen, Timmons, Reeves, Chapman, Entenman, Senn, Slatter, Fey, Bateman, Duerr, Berg, Riccelli, Simmons, Stearns, Leavitt, Rude, Connors, Ybarra, Corry, Steele, Low, Barnard, Taylor, Schmidt, Barkis, Jacobsen, Sandlin, Harris, Wylie and Griffey

AN ACT Relating to enrichment funding for charter public schools; amending RCW 28A.710.280; and creating a new section.

Referred to Committee on Appropriations.

HB 1898 by Representatives Schmidt, Fosse, Connors, Berry, Bronoske, Abbarno, Ormsby, Volz, Leavitt, Low, Reed, Graham, Kloba and Reeves

AN ACT Relating to unemployment insurance benefit charging; amending RCW 50.12.200; and reenacting and amending RCW 50.29.021.

Referred to Committee on Labor & Workplace Standards.

HB 1899 by Representatives Volz, Schmidt, Chapman, Graham, Rule, Leavitt, Waters, Low, Christian, Couture, McClintock, Barnard, Jacobsen, Timmons, Schmick, Dent, Cheney, Sandlin and Griffey

AN ACT Relating to facilitating reconstruction of communities damaged or destroyed by wildfires; amending RCW 19.27.074, 19.27.095, 19.27A.015, 19.27A.025, and 19.27A.270; adding a new section to chapter 19.27 RCW; creating a new section; providing expiration dates; and declaring an emergency.

Referred to Committee on Local Government.

HB 1900 by Representatives Fey, Reeves, Walen, Rule, Chapman, Bronoske, Wylie, Low, Ryu, Leavitt, Ramos, Callan, Kloba, Berg, Thai, Pollet and Shavers

AN ACT Relating to implementing strategies to achieve higher recycling rates within Washington's existing solid waste management system; amending RCW 70A.245.010, 70A.245.020, 70A.245.030, 70A.245.040, 70A.245.060, 70A.245.090, 70A.245.110, 70A.245.120, 70A.245.100, 70A.245.110, and 70A.65.260; reenacting and amending RCW 43.21B.110; adding new sections to chapter 70A.245 RCW; adding a new chapter to Title 70A RCW; creating new sections; and prescribing penalties.

Referred to Committee on Environment & Energy.

HB 1901 by Representatives Springer, Schmidt, Berry, Ormsby and Reeves

AN ACT Relating to removing the sunset on changes to the unemployment insurance voluntary contribution program; and amending RCW 50.29.026.

Referred to Committee on Labor & Workplace Standards.

HB 1902 by Representatives Berry, Walen, Reed, Nance, Farivar, Doglio, Alvarado, Peterson, Pollet, Duerr, Davis, Hackney, Senn, Stonier, Fitzgibbon, Street, Callan, Reeves, Simmons, Taylor, Mena, Goodman, Thai, Ryu, Tharinger, Ramel, Ramos, Slatter, Cortes, Bateman, Ormsby, Fey, Macri, Gregerson, Orwall, Bergquist, Berg, Ortiz-Self, Lekanoff and Fosse

AN ACT Relating to enhancing requirements for the purchase or transfer of firearms by requiring a permit to purchase firearms, specifying standards for firearms safety training

programs, and specifying circumstances where a firearm transfer may be delayed; amending RCW 9.41.090, 9.41.1132, 43.43.590, 9.41.049, 9.41.097, 9.41.0975, 9.41.110, 9.41.270, 9.41.280, 9.41.282, 9.41.284, 9.41.345, 9.41.800, 9.41.801, 9.41.802, 9.41.804, 9.41.815, 7.105.305, 7.105.330, 7.105.335, 7.105.340, 7.105.350, 7.105.570, 10.31.100, 10.99.030, 11.130.257, 26.09.060, 71.05.182, and 72.23.080; reenacting and amending RCW 9.41.047, 7.105.310, and 10.99.040; adding new sections to chapter 9.41 RCW; adding a new section to chapter 43.43 RCW; and providing an effective date.

Referred to Committee on Civil Rights & Judiciary.

HB 1903 by Representatives Berry, Taylor, Stonier, Fitzgibbon, Reed, Street, Callan, Walen, Peterson, Fosse, Reeves, Simmons, Kloba, Mena, Senn, Hackney, Goodman, Thai, Ryu, Cortes, Tharinger, Alvarado, Ramel, Duerr, Ramos, Bateman, Ormsby, Fey, Rule, Macri, Gregerson, Doglio, Orwall, Bergquist, Berg, Farivar, Ortiz-Self, Lekanoff, Nance, Riccelli, Pollet and Davis

AN ACT Relating to reporting lost or stolen firearms; amending RCW 7.80.120; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Civil Rights & Judiciary.

HB 1904 by Representatives Walsh, Barkis, Sandlin, Robertson, Hutchins and Couture

AN ACT Relating to using climate commitment act revenues to pay for hybrid electric ferries; amending RCW 70A.65.240 and 70A.65.260; reenacting and amending RCW 70A.65.250; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1905 by Representatives Mena, Senn, Berry, Cortes, Morgan, Ortiz-Self, Ramel, Ramos, Bateman, Reed, Ormsby, Callan, Kloba, Macri, Street, Gregerson, Doglio, Orwall, Bergquist, Goodman, Reeves, Lekanoff, Hackney, Fosse, Pollet, Davis and Simmons

AN ACT Relating to including protected classes in the Washington equal pay and opportunities act; and amending RCW 49.58.005, 49.58.010, 49.58.020, and 49.58.030.

Referred to Committee on Labor & Workplace Standards.

HB 1906 by Representatives Chapman, Barkis, Bronoske, Reed, Ryu and Reeves

AN ACT Relating to the vessel length requirement in obtaining nonresident vessel permits; amending RCW 88.02.620; and providing an expiration date.

Referred to Committee on Transportation.

HB 1907 by Representatives Tharinger, Riccelli, Reed, Ormsby, Callan, Gregerson and Reeves

AN ACT Relating to creating a medical assistant-EMT certification; amending RCW 18.360.010, 18.360.020, 18.360.030, 18.360.040, and 18.360.050; and reenacting and amending RCW 18.120.020 and 18.130.040.

Referred to Committee on Health Care & Wellness.

HB 1908 by Representatives Barnard, Fitzgibbon, Duerr, Ramos, Slatter, Graham, Ormsby, Fey, Kloba, Gregerson, Paul, Wylie, Tharinger, Nance and Hackney

AN ACT Relating to supporting the clean energy transition by providing a framework for financial assistance to utility-scale emission-reducing electricity generation or storage projects;

adding a new section to chapter 43.330 RCW; and creating new sections.

Referred to Committee on Environment & Energy.

HB 1909 by Representatives Low, Ramel, Schmidt, Timmons and Schmick

AN ACT Relating to the membership of the pharmacy quality assurance commission; and amending RCW 18.64.001.

Referred to Committee on Health Care & Wellness.

HB 1910 by Representatives Walen, McClintock, Chapman, Cheney, Reeves and Hackney

AN ACT Relating to pawnbroker fees and interest rates; and amending RCW 19.60.060 and 19.60.061.

Referred to Committee on Consumer Protection & Business.

HB 1911 by Representatives Taylor, Cheney, Ortiz-Self, Reed, Simmons, Ormsby, Reeves, Fosse and Davis

AN ACT Relating to activities in which the office of public defense may engage without violating the prohibition on providing direct representation of clients; reenacting and amending RCW 2.70.020; and adding a new section to chapter 2.70 RCW.

Referred to Committee on Civil Rights & Judiciary.

HB 1912 by Representatives Chapman, Waters, Schmidt, Barnard, Rule, Kloba, Sandlin, Wylie, Reeves and Tharinger

AN ACT Relating to requiring state agencies to share information to encourage rural economic development; adding a new section to chapter 43.330 RCW; and adding a new section to chapter 49.04 RCW.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 1913 by Representatives Cortes, Ryu, Reed, Reeves and Pollet

AN ACT Relating to expiring a tax preference; amending RCW 82.04.44525; and providing an expiration date.

Referred to Committee on Finance.

HB 1914 by Representatives Couture, McClintock, Schmidt, Waters, Barkis, Rude, Klicker, Chambers, Eslick, Reed, Graham, Jacobsen, Cheney, Sandlin, Caldier, Hutchins, Corry, Pollet and Griffey

AN ACT Relating to improving the education of students with varying abilities by enhancing special education services; amending RCW 43.06B.010, 28A.155.040, 28A.155.090, and 28A.155.100; and adding new sections to chapter 28A.155 RCW.

Referred to Committee on Education.

HB 1915 by Representatives Rude, Stonier, Connors, Riccelli, Couture, Senn, McEntire, Santos, Steele, Bergquist, Harris, Walen, McClintock, Eslick, Cheney, Thai, Ortiz-Self, Bronoske, Leavitt, Corry, Tharinger, Low, Ryu, Christian, Slatter, Schmidt, Ramel, Barkis, Ramos, Cortes, Morgan, Reed, Graham, Ormsby, Barnard, Jacobsen, Fey, Timmons, Callan, Rule, Street, Chopp, Doglio, Sandlin, Goodman, Caldier, Berg, Robertson, Wylie, Hutchins, Reeves, Lekanoff, Shavers, Davis and Griffey

AN ACT Relating to making financial education instruction a graduation prerequisite and a required component of public

education; amending RCW 28A.300.468; adding a new section to chapter 28A.230 RCW; and creating a new section.

Referred to Committee on Education.

HB 1916 by Representatives Senn, Couture, Leavitt, Taylor, Paul, Callan, Ramos, Cortes, Reed, Fey, Timmons, Street, Doglio, Simmons, Wylie, Reeves, Alvarado, Nance, Riccelli, Fosse, Pollet and Shavers

AN ACT Relating to funding for the early support for infants and toddlers program; and amending RCW 43.216.580.

Referred to Committee on Appropriations.

HB 1917 by Representatives Leavitt, Ybarra, Ryu, Volz, Schmidt, Christian, Slatter, Bateman, Chambers, Reeves, Reed, Graham, Simmons, Jacobsen, Timmons, Macri, Gregerson, Caldier, Tharinger, Nance, Riccelli, Harris and Shavers

AN ACT Relating to the physician assistant compact; adding a new section to chapter 42.56 RCW; and adding a new chapter to Title 18 RCW.

Referred to Committee on Postsecondary Education & Workforce.

HB 1918 by Representatives Ryu, Volz, Ramos, Reed, Ormsby, Callan, Orwall, Wylie and Hackney

AN ACT Relating to limiting the annual percentage rate for payday lending to 36 percent and making other modifications to small loans under the payday lending laws; amending RCW 31.45.010, 31.45.073, and 31.45.105; and adding a new section to chapter 31.45 RCW.

Referred to Committee on Consumer Protection & Business.

HB 1919 by Representatives Bronoske, Corry, Leavitt, Reed and Tharinger

AN ACT Relating to modifying the process by which a private moorage facility may sell an abandoned vessel for failure to pay moorage fees; and amending RCW 88.26.020.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 1920 by Representatives Robertson, Reeves, Ryu and Graham

AN ACT Relating to modifying the public accountancy act; amending RCW 18.04.015, 18.04.025, 18.04.105, 18.04.180, 18.04.183, 18.04.195, 18.04.205, 18.04.215, 18.04.295, 18.04.345, 18.04.350, 18.04.380, 18.04.390, 18.04.405, and 18.04.430; and decodifying RCW 18.04.910 and 18.04.911.

Referred to Committee on Consumer Protection & Business.

HB 1921 by Representatives Duerr, Walen, Ryu, Berry, Ramos, Ramel, Reed, Leavitt, Kloba, Donaghy, Gregerson, Thai, Reeves, Fosse and Pollet

AN ACT Relating to prohibiting the use of certain substances in food; adding a new section to chapter 15.130 RCW; and providing an effective date.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 1922 by Representatives Couture, McClintock, Christian, Leavitt, Rude, Schmidt, Waters, Connors, Barnard, Callan, Rule, Cheney, Sandlin, Harris, Riccelli, Pollet, Davis and Griffey

AN ACT Relating to establishing a grant program for the purchase and installation of vape detectors in public schools; and adding a new section to chapter 28A.210 RCW.

Referred to Committee on Education.

HB 1923 by Representatives Couture, McClintock, Christian, Schmidt, Waters, Rude, Chambers, Klicker, Low, Graham, Cheney, Caldier, Hutchins and Corry

AN ACT Relating to funded special education enrollment; amending RCW 28A.150.390; and adding a new section to chapter 28A.155 RCW.

Referred to Committee on Education.

HB 1924 by Representatives Shavers, Ryu, Barnard, Stearns and Wylie

AN ACT Relating to promoting the integration of fusion technology within state clean energy policies; amending RCW 43.394.020 and 43.157.010; and adding a new section to chapter 43.21F RCW.

Referred to Committee on Environment & Energy.

HB 1925 by Representatives Shavers, Leavitt, Ramel, Reed, Simmons, Timmons, Donaghy, Reeves, Riccelli, Davis and Paul

AN ACT Relating to expanding the veterans service officer program to increase veteran support statewide; amending RCW 43.60A.230 and 43.60A.235; and adding a new section to chapter 43.60A RCW.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 1926 by Representatives Couture, Doglio, Leavitt, Robertson, Stokesbary, Walen, Low, Griffey, Ramos, Klicker, Sandlin, Eslick, Reed, Christian, Graham and Fosse

AN ACT Relating to supervision compliance credit; and amending RCW 9.94A.717.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 1927 by Representatives Bronoske, Berry, Ortiz-Self, Reed, Ormsby, Kloba, Doglio, Lekanoff, Fosse and Pollet

AN ACT Relating to reducing the number of days that a worker's temporary total disability must continue to receive industrial insurance compensation for the day of an injury and the three-day period following the injury; amending RCW 51.32.090 and 51.32.090; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Workplace Standards.

HB 1928 by Representatives Ryu, Robertson and Reed

AN ACT Relating to regulating service contracts and protection product guarantees; and amending RCW 48.110.050, 48.110.055, 48.110.060, 48.110.073, 48.110.075, 48.110.110, and 48.110.140.

Referred to Committee on Consumer Protection & Business.

HB 1929 by Representatives Cortes, Eslick, Ortiz-Self, Leavitt, Duerr, Ramel, Slatter, Taylor, Orwall, Ryu, Reed, Simmons, Ormsby, Fey, Callan, Peterson, Timmons, Kloba, Macri, Street, Gregerson, Doglio, Paul, Chopp, Mena, Goodman, Lekanoff, Reeves, Fosse, Pollet and Davis



AN ACT Relating to supporting young adults following inpatient behavioral health treatment; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1930 by Representatives Entenman, Ramel, Morgan, Reed, Ormsby and Thai

AN ACT Relating to obtaining and sharing investigative information and aligning provisions with current operations and practices of the office of independent investigations; amending RCW 43.102.010, 43.102.050, 43.102.080, 43.102.100, 43.102.120, and 43.102.800; and providing an expiration date.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 1931 by Representatives Leavitt, Waters, Slatter, Ramel, Reed, Simmons, Ormsby, Doglio, Paul, Goodman, Lekanoff, Reeves, Hackney and Davis

AN ACT Relating to financial aid grants for incarcerated students; and amending RCW 72.09.460.

Referred to Committee on Postsecondary Education & Workforce.

HB 1932 by Representatives Gregerson, Farivar, Peterson, Alvarado, Berry, Ramel, Stearns, Mena, Bateman, Reed, Simmons, Ormsby, Macri, Street, Orwall, Goodman, Berg, Lekanoff, Reeves, Nance, Riccelli and Fosse

AN ACT Relating to shifting general elections for local governments to even-numbered years to increase voter participation; amending RCW 29A.04.330, 35.17.020, 35.18.270, 35.23.051, 35.27.090, 35.30.080, and 35A.02.050; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 1933 by Representatives Gregerson, Kretz, Fitzgibbon, Morgan, Paul, Berry, Duerr, Ramel, Klicker, Reed, Simmons, Ormsby, Peterson, Kloba, Macri, Street, Doglio, Bergquist, Riccelli, Fosse and Shavers

AN ACT Relating to supporting the servicing and right to repair of certain products with digital electronics in a secure and reliable manner to increase access and affordability for Washingtonians; and adding a new chapter to Title 19 RCW.

Referred to Committee on Consumer Protection & Business.

HB 1934 by Representatives Couture, Slatter, Volz, Waters, Rude, Hutchins, Walen, Sandlin, Schmidt, Duerr, Ramos, Ramel, Callan, Kloba, Street, Donaghy, Cheney, Goodman, Ortiz-Self, Reeves, Riccelli and Pollet

AN ACT Relating to establishing an artificial intelligence task force; creating new sections; and providing an expiration date.

Referred to Committee on Consumer Protection & Business.

HB 1935 by Representatives Bergquist, McEntire, Ryu, Ramel, Reed, Ormsby, Doglio, Paul, Hackney and Pollet

AN ACT Relating to promoting resource conservation practices that include student education and leadership opportunities in public schools; adding new sections to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Education.

HB 1936 by Representatives Shavers, Ramel and Timmons

AN ACT Relating to tax incentives for farmers; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Finance.

HB 1937 by Representatives Shavers, Duerr, Morgan, Graham, Ormsby, Kloba, Reeves and Davis

AN ACT Relating to requiring certain health care providers to report suspected victims of human trafficking to law enforcement; adding new sections to chapter 18.36A RCW; adding new sections to chapter 18.57 RCW; adding a new section to chapter 18.71 RCW; adding new sections to chapter 18.71A RCW; adding new sections to chapter 18.79 RCW; adding new sections to chapter 18.88A RCW; adding a new section to chapter 70.41 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1938 by Representatives Shavers, Ramel, Reed and Callan

AN ACT Relating to increasing the accessibility of academic reengagement opportunities for eligible students; and amending RCW 28A.175.100, 28A.175.105, and 28A.175.115.

Referred to Committee on Education.

HB 1939 by Representatives Orwall, Rule, Leavitt, Slatter, Bateman, Reed, Jacobsen, Callan, Macri, Donaghy, Doglio, Goodman, Reeves, Riccelli, Shavers and Hackney

AN ACT Relating to adopting the social work licensure compact; adding a new chapter to Title 18 RCW; creating a new section; and providing a contingent effective date.

Referred to Committee on Postsecondary Education & Workforce.

HB 1940 by Representatives Fosse, Berry, Ramel, Cortes, Reed, Simmons, Ormsby, Peterson, Ortiz-Self, Bronoske, Street, Chapman, Doglio, Ryu, Chopp, Goodman, Wylie, Alvarado, Stonier, Reeves, Bateman, Nance, Riccelli, Hackney, Macri and Pollet

AN ACT Relating to protecting the rights of workers exercising their right to refrain from attending meetings or listening to their employer's speech on political or religious matters; adding new sections to chapter 49.44 RCW; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 1941 by Representatives Couture, Schmidt, Reed, Graham, Barnard, Kloba, Cheney, Riccelli, Pollet, Griffey and Jacobsen

AN ACT Relating to providing for health home services for medicaid-eligible children with medically complex conditions; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1942 by Representatives Fosse, Schmidt, Reed, Simmons, Ormsby, Rule, Macri and Ortiz-Self

AN ACT Relating to clarifying employment standards for long-term care individual providers; amending RCW 49.46.800, 74.39A.009, and 74.39A.500; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 1943 by Representatives Leavitt, Jacobsen, Ryu, Rule, Christian, Couture, Bronoske, Slatter, Chambers, Reeves, Reed, Graham, Timmons, Orwall, Paul, Riccelli and Shavers

AN ACT Relating to the Washington national guard postsecondary education grant program; and amending RCW 28B.103.010, 28B.103.020, and 28B.103.030.

Referred to Committee on Postsecondary Education & Workforce.

HB 1944 by Representatives Orwall, Ryu, Ortiz-Self, Berry, Ramos, Slatter, Reed, Graham, Simmons, Ormsby, Callan, Street, Paul, Goodman, Lekanoff, Reeves, Riccelli, Pollet, Davis and Bergquist

AN ACT Relating to establishing a running start for the trades grant program; adding a new section to chapter 28A.630 RCW; and providing an expiration date.

Referred to Committee on Education.

HB 1945 by Representatives Alvarado, Gregerson, Ryu, Ortiz-Self, Leavitt, Senn, Berry, Ramel, Slatter, Cortes, Morgan, Reed, Simmons, Ormsby, Callan, Peterson, Rule, Kloba, Macri, Street, Chopp, Doglio, Fosse, Mena, Bergquist, Goodman, Tharinger, Thai, Riccelli and Hackney

AN ACT Relating to streamlining and enhancing program access for persons eligible for food assistance; amending RCW 43.216.1368, 43.216.505, 43.216.578, and 43.216.578; reenacting and amending RCW 43.216.505; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 1946 by Representatives Eslick, Leavitt, Ryu, Slatter, Duerr, Ramos, Senn, Reed, Graham, Callan, Timmons, Macri, Paul, Harris, Lekanoff, Riccelli, Pollet and Davis

AN ACT Relating to creating the Washington health corps behavioral health scholarship program; amending RCW 28B.115.030, 28B.115.080, 28B.115.090, 28B.115.120, and 28B.115.135; and reenacting and amending RCW 28B.115.070.

Referred to Committee on Postsecondary Education & Workforce.

HB 1947 by Representatives Street, Couture, Ryu, Gregerson, Reed, Ormsby and Reeves

AN ACT Relating to governance of technology services in state government; amending RCW 43.105.006, 43.105.007, 43.105.020, 43.105.025, 43.105.052, 43.105.054, 43.105.220, 43.105.240, 43.105.245, 43.105.255, 43.105.265, 43.105.285, 43.105.287, 43.105.342, 43.105.359, 43.105.369, 43.105.375, 43.105.385, 43.105.450, 43.105.331, 2.36.054, 2.36.057, 2.36.0571, 2.68.060, 19.27.076, 29A.08.760, 38.52.040, 39.26.090, 39.26.100, 39.26.235, 40.14.020, 40.26.020, 41.05.031, 41.06.070, 41.06.094, 41.06.142, 41.07.020, 42.17A.060, 42.17A.705, 43.41.391, 43.41.440, 43.41.442, 43.41.444, 43.63A.550, 43.70.054, 43.88.090, 43.88.092, 43.371.090, 43.42A.030, 43.41.430, 43.330.534, 43.371.020, 44.68.065, 46.20.037, 46.20.157, 70A.02.110, and 71.24.898; reenacting and amending RCW 39.94.040, 43.88.160, and 50A.25.070; adding a new section to chapter 38.52 RCW; recodifying RCW 43.105.331; and repealing RCW 41.06.101 and 43.105.205.

Referred to Committee on State Government & Tribal Relations.

HB 1948 by Representatives Ybarra, Fitzgibbon, Reed, Graham, Ormsby, Doglio and Pollet

AN ACT Relating to ensuring that methods for calculating the electric load of utilities under the energy independence act do not have the effect of discouraging voluntary investments in renewable power; amending RCW 19.285.030; and reenacting and amending RCW 19.285.040.

Referred to Committee on Environment & Energy.

HB 1949 by Representatives Leavitt, Schmidt, Ryu, Callan, Doglio, Reed, Ormsby, Fosse, Reeves and Davis

AN ACT Relating to including in the public safety employees' retirement system specified competency restoration workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings; amending RCW 41.37.010; adding a new section to chapter 41.37 RCW; and providing an effective date.

Referred to Committee on Appropriations.

HB 1950 by Representatives Slatter, Ybarra, Reed, Jacobsen, Pollet, Leavitt, Ortiz-Self, Ramos, Morgan, Simmons, Ormsby, Callan, Street, Paul, Goodman, Thai, Lekanoff, Reeves and Riccelli

AN ACT Relating to the public service loan forgiveness program; and amending RCW 41.04.045, 41.04.055, and 43.41.425.

Referred to Committee on Postsecondary Education & Workforce.

HB 1951 by Representatives Shavers, Ryu, Ramel, Gregerson, Macri, Duerr and Pollet

AN ACT Relating to promoting ethical artificial intelligence by protecting against algorithmic discrimination; and adding a new chapter to Title 19 RCW.

Referred to Committee on Civil Rights & Judiciary.

HB 1952 by Representatives Volz, Ryu, Christian, Couture, Schmidt, Ramel, Graham, Schmick and Davis

AN ACT Relating to long-term community recovery after disasters; and amending RCW 38.52.030.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 1953 by Representatives Entenman, Jacobsen, Leavitt, Reed, Ormsby, Callan and Reeves

AN ACT Relating to improving access to department of licensing issued documents by clarifying the application requirements for a minor, modifying the requirements for at-cost identicards, and studying the feasibility of reduced-fee identicards; amending RCW 46.20.075, 46.20.100, and 46.20.117; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

HB 1954 by Representatives Riccelli, Bateman, Ramel, Reed, Simmons, Ormsby, Macri, Doglio, Thai, Lekanoff and Reeves

AN ACT Relating to harmonizing statutory language relating to lawful participation in reproductive health care services or gender-affirming treatment; and amending RCW 18.130.450.

Referred to Committee on Health Care & Wellness.

HB 1955 by Representatives Barnard, Doglio, Ramos, Reeves and Hackney

AN ACT Relating to repealing the greenhouse gas content disclosure provision; amending RCW 19.405.020; and repealing RCW 19.405.070.

Referred to Committee on Environment & Energy.

HB 1956 by Representatives Leavitt, Griffey, Ryu, Couture, Ramel, Slatter, Reed, Ormsby, Barnard, Callan, Timmons, Kloba, Cheney, Doglio, Paul, Berg, Lekanoff, Reeves, Riccelli, Wylie, Hackney, Pollet and Shavers

AN ACT Relating to fentanyl and other substance use prevention education; and adding new sections to chapter 28A.170 RCW.

Referred to Committee on Education.

HB 1957 by Representatives Riccelli, Macri, Ryu, Leavitt, Senn, Reed, Ormsby, Callan, Doglio, Fosse, Goodman, Lekanoff, Wylie, Pollet and Davis

AN ACT Relating to preserving coverage of preventive services without cost sharing; and amending RCW 48.43.047.

Referred to Committee on Health Care & Wellness.

HB 1958 by Representatives Berry, Orwall, Ryu, Fitzgibbon, Leavitt, Ramel, Reed, Simmons, Ormsby, Fosse, Lekanoff, Reeves, Pollet, Davis and Doglio

AN ACT Relating to nonconsensual removal of or tampering with a sexually protective device; adding a new chapter to Title 7 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Civil Rights & Judiciary.

HB 1959 by Representatives Walen, Ryu, Berry, Ramel, Reed, Ormsby, Doglio, Fosse, Lekanoff, Tharinger, Riccelli, Wylie, Pollet and Davis

AN ACT Relating to extending certain requirements in the state paid family and medical leave program to employers with fewer than 50 employees; amending RCW 50A.10.030 and 50A.24.010; and providing an effective date.

Referred to Committee on Labor & Workplace Standards.

HB 1960 by Representatives Stonier, Santos, Pollet, Doglio, Hackney, Callan, Riccelli, Berg, Street, Farivar, Rule, Shavers, Reeves, Ortiz-Self, Harris, Reed, Ryu, Leavitt, Berry, Duerr, Senn, Ramel, Slatter, Morgan, Fey, Timmons, Fosse, Goodman, Thai, Alvarado, Lekanoff and Davis

AN ACT Relating to increasing prototypical school staffing to better meet student needs; amending RCW 28A.150.260, 28A.150.260, and 28A.400.007; creating a new section; providing effective dates; and providing an expiration date.

Referred to Committee on Appropriations.

HB 1961 by Representatives Low, Walen, Leavitt, Eslick, Sandlin, Paul, Couture, Ramel, Ramos, Bateman, Graham, Cheney, Riccelli, Pollet and Shavers

AN ACT Relating to animal cruelty in the first degree; and reenacting and amending RCW 9.94A.515.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 1962 by Representatives Low, Cheney, Ryu, Leavitt, Couture, Ramos, Morgan, Reeves, Rule, Graham, Jacobsen, Kloba, Sandlin, Hutchins, Paul, Riccelli, Wylie and Fosse

AN ACT Relating to improving voter registration list accuracy by improving voter address change processes for county election offices and voters; amending RCW 29A.08.410, 29A.08.620, and 29A.08.640; repealing RCW 29A.08.420; and providing an effective date.

Referred to Committee on State Government & Tribal Relations.

HB 1963 by Representatives Ramos, Fitzgibbon, Ryu, Berry, Duerr, Reed, Callan, Donaghy and Hackney

AN ACT Relating to prohibiting license plate covers; amending RCW 46.16A.200; and adding a new section to chapter 46.16A RCW.

Referred to Committee on Transportation.

HB 1964 by Representatives Ramos, Robertson, Reeves and Hackney

AN ACT Relating to enhancing prorate and fuel tax collections by improving taxpayer compliance, providing additional enforcement mechanisms, and protecting confidential taxpayer information; amending RCW 46.87.020, 46.87.080, 46.87.350, 82.38.020, 82.38.072, 82.38.120, 82.38.140, 82.38.170, 82.38.220, 82.38.260, 82.38.270, 82.38.380, 82.42.118, and 82.42.210; reenacting and amending RCW 82.42.010; adding new sections to chapter 82.38 RCW; adding new sections to chapter 82.42 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

HB 1965 by Representatives Chapman and McEntire

AN ACT Relating to the allocation of allowances under chapter 70A.65 RCW, the Washington climate commitment act; and amending RCW 70A.65.120.

Referred to Committee on Environment & Energy.

HB 1966 by Representatives Walen, Christian, Leavitt, Chapman, Jacobsen, Sandlin and Shavers

AN ACT Relating to exempting manufacturing machinery and equipment from real estate excise tax; amending RCW 82.45.032; creating a new section; and providing an effective date.

Referred to Committee on Finance.

HB 1967 by Representatives Jacobsen, Couture, Graham and Caldier

AN ACT Relating to excluding any person who is convicted of a hit and run resulting in death from being eligible for a first-time offender waiver; and amending RCW 9.94A.650.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 1968 by Representatives Bateman, Ryu, Leavitt, Duerr, Morgan, Reed, Ormsby, Sandlin, Reeves and Davis

AN ACT Relating to requiring semiautomatic external defibrillators at fitness centers; adding a new section to chapter 70.54 RCW; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1969 by Representatives Alvarado, Ramos, Senn, Bateman, Reed, Simmons, Ormsby, Callan, Macri, Doglio, Fosse, Ortiz-Self, Lekanoff, Reeves, Riccelli, Pollet and Davis

AN ACT Relating to expanding the definition of family member for individual providers; amending RCW 18.88B.041, 74.39A.076, and 74.39A.341; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1970 by Representatives McClintock, Couture, Waters, Graham, Cheney, Sandlin, Harris and Caldier

AN ACT Relating to improving communication between the department of children, youth, and families and caregivers; adding a new section to chapter 74.13 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 1971 by Representatives Dent, Griffey, Chapman, Dye and Sandlin

AN ACT Relating to a rangeland fire protection association pilot project; adding new sections to chapter 76.04 RCW; creating a new section; and providing expiration dates.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 1972 by Representatives Simmons, Harris, Reed, Ormsby and Riccelli

AN ACT Relating to increasing the licensure fees that support the Washington physicians health program; amending RCW 18.71.310, 18.71A.020, 18.57.015, 18.22.250, 18.32.534, and 18.92.047; creating a new section; and providing an effective date.

Referred to Committee on Appropriations.

HB 1973 by Representatives Abbarno, Couture, Klicker, Chambers, Robertson, Eslick, Low, Christian, Jacobsen, Callan and Harris

AN ACT Relating to special education safety net awards; amending RCW 28A.150.392; and creating a new section.

Referred to Committee on Education.

HB 1974 by Representatives Abbarno, Bronoske and Doglio

AN ACT Relating to the disposition of human remains; and reenacting and amending RCW 68.50.230.

Referred to Committee on Civil Rights & Judiciary.

HB 1975 by Representatives Ortiz-Self, Ryu, Berry, Ramel, Reed, Simmons, Ormsby, Fey, Kloba, Macri, Street, Fosse, Bergquist, Reeves, Wylie and Pollet

AN ACT Relating to relieving individuals from paying interest on certain unemployment insurance overpayment assessments; amending RCW 50.20.190; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 1976 by Representatives Fosse, Doglio, Fitzgibbon, Ramel, Reed, Lekanoff, Reeves and Pollet

AN ACT Relating to changing the incentive structure for tier 1 and tier 2 buildings; and amending RCW 19.27A.220.

Referred to Committee on Environment & Energy.

HB 1977 by Representatives Abbarno, Low, Reed and Doglio

AN ACT Relating to designating Tenino sandstone as the state rock; adding a new section to chapter 1.20 RCW; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 1978 by Representatives Rule, Volz, Ryu, Ramel, Ormsby and Reeves

AN ACT Relating to the addition of special purpose and junior taxing districts to the intrastate mutual aid system; and amending RCW 38.56.020.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 1979 by Representatives Paul, Leavitt, Duerr, Reed, Ormsby, Callan, Kloba, Doglio, Fosse, Ortiz-Self, Hackney and Shavers

AN ACT Relating to reducing the cost of inhalers and epinephrine autoinjectors; and amending RCW 48.43.780.

Referred to Committee on Health Care & Wellness.

HB 1980 by Representatives Reed, Pollet, Berry, Macri and Street

AN ACT Relating to ground emergency medical transportation services; and amending RCW 41.05.730.

Referred to Committee on Health Care & Wellness.

HB 1981 by Representatives Barnard, Stearns, Leavitt, Couture, Connors, Dye, Sandlin and Hackney

AN ACT Relating to incentivizing clean nuclear energy manufacturing through preferential business and occupation tax rates; amending RCW 82.04.260; reenacting and amending RCW 82.04.260; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 1982 by Representatives Waters, Shavers, Ryu, Couture, Ramos, McClintock, Callan, Cheney, Doglio, Sandlin, Paul, Harris, Berg, Tharinger, Riccelli and Santos

AN ACT Relating to the authority of the community economic revitalization board with respect to loans and grants to political subdivisions and federally recognized Indian tribes for broadband; amending RCW 43.160.020; adding a new section to chapter 43.160 RCW; and creating a new section.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 1983 by Representatives Simmons, Goodman, Reed and Davis

AN ACT Relating to the criminal justice treatment account; and amending RCW 71.24.580.

Referred to Committee on Appropriations.

HB 1984 by Representatives McEntire, Chapman, Ryu and Reed

AN ACT Relating to designating the Pacific razor clam as the state clam; adding a new section to chapter 1.20 RCW; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 1985 by Representatives Timmons, Leavitt, Fitzgibbon, Ryu, Ramos, Ramel, Bateman, Ormsby, Jacobsen, Callan, Rule, Kloba, Street, Doglio, Fosse, Paul, Bergquist, Goodman, Ortiz-Self, Lekanoff, Reeves, Nance, Riccelli, Hackney, Pollet and Shavers

AN ACT Relating to providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1; and amending RCW 41.32.4992 and 41.40.1987.

Referred to Committee on Appropriations.

HB 1986 by Representatives Abbarno, Bronoske, Berry, Schmidt, Ramel, Reed, Graham, Timmons, Lekanoff, Reeves, Nance, Riccelli, Wylie and Hackney

AN ACT Relating to adding purposes for the use of existing firefighter safety funding; and amending RCW 51.04.175.

Referred to Committee on Labor & Workplace Standards.

HB 1987 by Representatives Low, Ramel, Ryu, Eslick, Timmons, Paul, Ramos, Reed, Chapman, Ormsby, Graham, Doglio, Sandlin, Lekanoff, Tharinger and Santos

AN ACT Relating to the use of moneys from the rural public facilities sales and use tax for affordable workforce housing infrastructure and facilities; and amending RCW 82.14.370.

Referred to Committee on Local Government.

HB 1988 by Representatives Simmons, Couture, Ramel, Reed and Reeves

AN ACT Relating to enhancing poverty reduction, equity, and access efforts by establishing the customer voice council and strengthening community partnerships; and amending RCW 74.08A.280.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 1989 by Representatives Barkis, Low, Jacobsen, Graham, Sandlin, Bergquist, Robertson and Hutchins

AN ACT Relating to a graffiti abatement and reduction program; and adding a new section to chapter 47.01 RCW.

Referred to Committee on Transportation.

HB 1990 by Representatives Ryu, Reed, Ormsby and Donaghy

AN ACT Relating to the Washington state aerial imagery program; adding new sections to chapter 43.105 RCW; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 1991 by Representatives Fosse, Berry, Ramel, Reed, Ormsby, Ryu, Callan, Kloba, Doglio, Chopp, Paul, Berg, Lekanoff, Nance, Riccelli, Cortes and Pollet

AN ACT Relating to paid sick leave; and amending RCW 49.46.210.

Referred to Committee on Labor & Workplace Standards.

HB 1992 by Representatives Timmons, Lekanoff, Ramel, Fosse and Reeves

AN ACT Relating to adding an additional superior court judge in Whatcom county; and amending RCW 2.08.063.

Referred to Committee on Civil Rights & Judiciary.

HB 1993 by Representatives Timmons, Lekanoff, Ramel and Reeves

AN ACT Relating to water rights adjudication commissioners and referees; amending RCW 4.48.020 and 90.03.160; and adding new sections to chapter 90.03 RCW.

Referred to Committee on Civil Rights & Judiciary.

HB 1994 by Representatives Farivar, Goodman, Reed, Alvarado, Ramos, Cortes, Morgan, Reeves, Simmons, Ormsby, Macri, Street, Fosse and Pollet

AN ACT Relating to judicial dismissal of a misdemeanor following completion of court-ordered conditions; and adding a new chapter to Title 10 RCW.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 1995 by Representatives Simmons, Ramel, Reed, Ormsby, Peterson, Street, Doglio and Davis

AN ACT Relating to providing gate money to individuals releasing from custody prior to the expiration of their sentence; and amending RCW 72.02.100 and 72.66.070.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 1996 by Representatives Robertson, Chapman and Graham

AN ACT Relating to establishing the Washington recreational vehicle manufacturer and dealer law; reenacting and amending RCW 46.96.020; adding a new chapter to Title 46 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1997 by Representatives Ryu, Leavitt, Reed, Kloba, Reeves, Pollet and Davis

AN ACT Relating to gubernatorial appointments for the state parks and recreation commission; and amending RCW 79A.05.015.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 1998 by Representatives Gregerson, Barkis, Leavitt, Rule, Ryu, Reed, Morgan, Fitzgibbon, Berry, Duerr, Bronoske, Ramos, Ramel, Bateman, Peterson, Chambers, Taylor, Simmons, Ormsby, Graham, Callan, Macri, Donaghy, Doglio, Mena, Nance, Riccelli, Cortes, Santos, Pollet and Davis

AN ACT Relating to legalizing inexpensive housing choices through co-living housing; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Housing.

HB 1999 by Representatives Orwall, Leavitt, Ryu, Duerr, Ramos, Morgan, Taylor, Ormsby, Graham, Callan, Rule, Street, Lekanoff, Reeves, Shavers and Davis

AN ACT Relating to fabricated intimate or sexually explicit images and depictions; amending RCW 9.68A.011, 9.68A.055, 9.68A.080, 9.68A.107, 9.68A.110, 9.68A.120, 9.68A.170, 9.68A.180, 9.68A.190, 9A.86.010, 9A.86.020, 7.110.010, 7.110.020, 7.110.030, 7.110.050, and 7.110.060;

reenacting and amending RCW 9.94A.515; adding new sections to chapter 9.68A RCW; adding a new section to chapter 9A.86 RCW; adding a new section to chapter 7.110 RCW; and prescribing penalties.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2000 by Representatives Mena, Berry, Ramel, Low, Walen, Ryu, Timmons, Reed, Cheney, Nance, Cortes, Santos and Hackney

AN ACT Relating to renewing Washington's international leadership; amending RCW 43.290.005, 43.290.020, 43.330.065, 43.15.050, 43.15.060, and 43.15.090; adding new sections to chapter 43.290 RCW; adding a new section to chapter 44.04 RCW; and repealing RCW 43.15.085.

Referred to Committee on State Government & Tribal Relations.

HB 2001 by Representatives Simmons, Farivar, Reed, Ormsby, Peterson, Macri, Street, Stearns, Santos and Pollet

AN ACT Relating to providing judicial discretion to modify sentences in the interests of justice; amending RCW 10.73.100; adding a new section to chapter 9.94A RCW; and creating new sections.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2002 by Representatives Low, Cheney, Couture, Schmidt, Waters, Sandlin, Christian, McClintock, Barkis, Barnard, Graham, Harris, Hutchins and Caldier

AN ACT Relating to criminal penalties for the knowing or intentional use of fentanyl or methamphetamine in a public space with another person; amending RCW 69.50.4013 and 9.94A.518; adding a new section to chapter 69.50 RCW; and prescribing penalties.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2003 by Representatives Connors, Leavitt, Klicker, Couture, Schmidt, Chapman, Graham, Peterson, Sandlin, Reeves and Shavers

AN ACT Relating to an exemption to the leasehold excise tax for leases on public lands; adding a new section to chapter 82.29A RCW; and creating new sections.

Referred to Committee on Finance.

HB 2004 by Representatives McEntire, Leavitt, Couture, Slatter, Ryu, Senn, Graham, Callan, Sandlin and Shavers

AN ACT Relating to early registration at institutions of higher education for eligible veterans, national guard members, active duty military members, and their spouses, domestic partners, and dependents; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Postsecondary Education & Workforce.

HB 2005 by Representatives McClintock, Couture, Waters, Reed, Cheney and Sandlin

AN ACT Relating to including weighted grade point averages on high school transcripts; amending RCW 28A.230.125; and creating a new section.

Referred to Committee on Education.

HB 2006 by Representatives Peterson, Mena, Ryu, Ramel, Cortes, Reed, Ormsby, Kloba, Cheney, Doglio, Goodman, Thai, Ortiz-Self, Lekanoff, Hackney and Davis

AN ACT Relating to court interpreters; amending RCW 2.43.010, 2.43.030, 2.43.050, 2.43.060, 2.43.080, 2.43.070, 2.43.040, 2.43.090, 2.56.030, 7.105.245, 13.04.043, and 2.42.120; reenacting and amending RCW 2.43.020; adding new sections to chapter 2.43 RCW; and recodifying RCW 2.43.040 and 2.43.080.

Referred to Committee on Civil Rights & Judiciary.

HB 2007 by Representatives Peterson, Gregerson, Alvarado, Berry, Senn, Morgan, Leavitt, Reed, Ormsby, Kloba, Macri, Doglio, Bergquist, Goodman, Ortiz-Self, Santos and Hackney

AN ACT Relating to expanding time limit exemptions applicable to cash assistance programs; and amending RCW 74.08A.010.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2008 by Representatives Klicker, Peterson, Leavitt, Connors, Ramel, Robertson, Low, Gregerson, Ramos, Eslick, Bateman, Bronoske, Barkis, Barnard, Graham, Callan, Timmons, Macri, Hutchins, Lekanoff, Paul, Nance, Riccelli and Santos

AN ACT Relating to creating a task force on housing cost driver analysis; creating a new section; and providing an expiration date.

Referred to Committee on Housing.

HB 2009 by Representatives Mosbrucker, Goodman, Leavitt, Ramos, Jacobsen, Graham, Cheney, Gregerson, Orwall, Riccelli and Davis

AN ACT Relating to the use of dental records in missing person investigations; amending RCW 68.50.310 and 68.50.320; adding a new section to chapter 18.32 RCW; and creating a new section.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2010 by Representatives Rule, Mosbrucker, Ryu, Eslick, Chambers, Barnard, Graham, Cheney, Doglio, Sandlin, Orwall, Caldier, Reeves and Hackney

AN ACT Relating to keeping children safe from family violence; adding new sections to chapter 26.09 RCW; and creating a new section.

Referred to Committee on Civil Rights & Judiciary.

HB 2011 by Representatives Peterson, Reed, Kloba, Pollet, Ramel, Lekanoff, Doglio, Nance, Riccelli and Macri

AN ACT Relating to enhancing consumer protections for automobile insurance coverage; and adding new sections to chapter 48.18 RCW.

Referred to Committee on Consumer Protection & Business.

HB 2012 by Representatives Street, Alvarado, Ryu, Ramel, Bateman, Reed, Peterson, Doglio, Lekanoff, Santos, Chopp and Hackney

AN ACT Relating to eligibility for a property tax exemption for nonprofits providing affordable rental housing built with city and county funds; amending RCW 84.36.560; and creating new sections.

Referred to Committee on Finance.

HB 2013 by Representatives Volz, Fitzgibbon, Leavitt, Couture, Ryu, Bronoske, Ramos, Ramel, Ormsby, Jacobsen, Graham, Doglio, Sandlin, Fosse, Robertson, Nance, Riccelli and Reeves

AN ACT Relating to paying state retirement benefits until the end of the month in which the retiree or beneficiary dies; adding a new section to chapter 41.50 RCW; creating a new section; and providing an effective date.

Referred to Committee on Appropriations.

HB 2014 by Representatives Volz, Donaghy, Leavitt, Couture, Ryu, Reed, Ormsby, Graham, Sandlin, Jacobsen, Schmidt, Harris, Steele, Fey, Riccelli, Low, Reeves, Paul, Macri and Shavers

AN ACT Relating to the definition of veteran and restoring honor to veterans; amending RCW 41.04.005, 41.04.007, 2.48.070, 2.48.090, 9.46.070, 28A.230.120, 28B.15.012, 28B.15.621, 28B.102.020, 41.04.010, 41.06.133, 41.08.040, 41.12.040, 43.24.130, 43.60A.190, 43.70.270, 46.18.270, 46.18.280, 46.18.295, 46.20.027, 46.20.161, 72.36.030, 73.08.005, 73.16.120, 77.32.480, and 84.39.020; adding a new section to chapter 73.04 RCW; adding a new section to chapter 43.60A RCW; creating a new section; and repealing RCW 2.48.100 and 73.04.042.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 2015 by Representatives Senn, Schmick, Ryu, Reed, Ormsby, Callan, Macri, Doglio, Lekanoff, Reeves and Tharinger

AN ACT Relating to incentivizing adult family homes to increase bed capacity to seven or eight beds; amending RCW 70.128.066 and 70.128.070; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 2016 by Representatives McClintock, Couture, Ryu, Waters, Senn, Callan, Doglio and Reeves

AN ACT Relating to allowing certain minors to contract for housing and utilities; adding a new section to chapter 26.28 RCW; and creating a new section.

Referred to Committee on Civil Rights & Judiciary.

HB 2017 by Representatives McClintock, Callan, Leavitt, Couture, Schmidt, Waters, Barkis, Christian, Ramos, Ramel, Reeves, Santos and Hackney

AN ACT Relating to school districts with aged facilities and a history of capital bond failure; amending RCW 28A.525.159; adding a new section to chapter 28A.525 RCW; and creating a new section.

Referred to Committee on Capital Budget.

HB 2018 by Representatives McClintock, Couture, Waters, Rude, Reed, Cheney, Doglio and Caldier

AN ACT Relating to improving student outcomes by restricting mobile device use by public school students; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.345 RCW; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.710 RCW; adding a new section to chapter 28A.715 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Education.

HB 2019 by Representatives Stearns, Fosse, Berry, Ryu, Ramos, Ramel, Cortes, Morgan, Simmons, Reed, Ormsby, Peterson, Callan, Timmons, Kloba, Street, Donaghy, Gregerson, Orwall, Goodman, Ortiz-Self, Lekanoff, Riccelli, Reeves, Santos, Hackney, Pollet and Davis

AN ACT Relating to establishing a Native American apprentice assistance program; reenacting and amending RCW 43.79A.040, 43.79A.040, and 43.79A.040; adding a new chapter to Title 28B RCW; creating a new section; providing effective dates; and providing expiration dates.

Referred to Committee on Postsecondary Education & Workforce.

HB 2020 by Representatives Timmons, Abbarno, Leavitt, Ryu, Ramel, Reed, Ormsby, Rule, Donaghy, Doglio, Cheney, Reeves, Wylie, Paul and Shavers

AN ACT Relating to creating a state administered public infrastructure assistance program within the emergency management division; amending RCW 38.52.010 and 38.52.030; and creating a new section.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 2021 by Representatives Senn, Walen, Berry, Fitzgibbon, Ryu, Duerr, Ramel, Reed, Ormsby, Peterson, Callan, Macri, Gregerson, Farivar, Alvarado, Lekanoff, Doglio, Riccelli, Reeves, Wylie, Santos, Hackney and Pollet

AN ACT Relating to the disposition of privately owned firearms in the custody of state or local government entities or law enforcement agencies; and amending RCW 9.41.098.

Referred to Committee on Civil Rights & Judiciary.

HB 2022 by Representatives Reed, Berry, Ryu, Ormsby, Reeves and Santos

AN ACT Relating to construction crane safety; amending RCW 49.17.400, 49.17.420, and 49.17.440; adding new sections to chapter 49.17 RCW; adding a new section to chapter 36.70B RCW; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 2023 by Representatives Shavers, Ramel, Reed, Ormsby, Callan, Timmons, Berg, Lekanoff, Doglio, Reeves and Santos

AN ACT Relating to improving meaningful access to elections by increasing language assistance; and adding a new section to chapter 29A.04 RCW.

Referred to Committee on State Government & Tribal Relations.

HB 2024 by Representatives Shavers, Rule, Paul, Caldier and Wylie

AN ACT Relating to flexible work policies for law enforcement officers and participation in the law enforcement officers' and firefighters' retirement system plan 2; amending RCW 41.26.030 and 41.26.030; reenacting and amending RCW 10.93.020; adding a new section to chapter 49.28 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2025 by Representatives Reed, Paul and Pollet

AN ACT Relating to modifying placement and salary matching requirements for the state work-study program; and amending RCW 28B.12.030, 28B.12.040, and 28B.12.050.

Referred to Committee on Postsecondary Education & Workforce.

HB 2026 by Representatives Doglio, Bateman, Ryu, Ramel, Reed and Kloba

AN ACT Relating to rental income received by people eligible for certain property tax exemption programs; amending RCW 84.36.383; and creating new sections.

Referred to Committee on Finance.

HB 2027 by Representatives Doglio, Fosse, Farivar, Reeves, Gregerson, Reed, Ormsby, Peterson, Ryu, Macri, Fitzgibbon, Thai and Cortes

AN ACT Relating to certification, background checks, and training requirements for sheriffs, police chiefs, marshals, reserve officers, and volunteers; amending RCW 43.101.095, 43.101.105, 35.21.333, 35.21.334, 35.23.021, 35.27.070, 35.61.370, 35.88.020, 35A.11.110, 35A.12.020, 36.28.010, 36.28.025, 36.28.090, 14.08.120, 53.08.280, and 81.60.010; reenacting and amending RCW 43.101.200 and 10.93.020; adding a new section to chapter 36.32 RCW; and creating a new section.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2028 by Representatives Santos, Robertson, Ryu, Reeves, Chapman, Orwall and Sandlin

AN ACT Relating to manufacturer and new dealer franchise agreements; and amending RCW 46.70.011, 46.70.180, 46.96.010, 46.96.105, 46.96.140, 46.96.185, and 46.96.230.

Referred to Committee on Consumer Protection & Business.

HB 2029 by Representatives Rule, Leavitt, Ryu, Ramel, Slatter, Reed, Ormsby, Peterson, Callan, Timmons, Donaghy, Cheney, Doglio, Riccelli, Reeves, Wylie, Pollet, Shavers and Davis

AN ACT Relating to opioid overdose reversal medication in high schools; and amending RCW 28A.210.390 and 28A.210.395.

Referred to Committee on Education.

HB 2030 by Representatives Simmons, Gregerson, Bateman, Ormsby, Peterson, Mena, Street and Doglio

AN ACT Relating to revoking a person's voting rights only when convicted of a state crime punishable by death; amending RCW 29A.04.079, 29A.08.520, 29A.08.230, 29A.08.810, 29A.40.091, 29A.68.020, 10.64.140, 72.09.275, and 2.36.070; adding a new section to chapter 29A.08 RCW; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 2031 by Representatives Abbarno, Berry, Rude, Reed, Graham, Timmons, Donaghy, Fosse, Doglio, Riccelli and Reeves

AN ACT Relating to recognizing posttraumatic stress disorder as an occupational disease for county coroners, examiners, and investigative personnel; and amending RCW 51.08.142.

Referred to Committee on Labor & Workplace Standards.

HB 2032 by Representatives Cheney, Low, Ramos and Graham

AN ACT Relating to reducing the size of yard signs that are exempt from certain political advertising disclosure requirements; and amending RCW 42.17A.320.

Referred to Committee on State Government & Tribal Relations.

HB 2033 by Representatives Cheney, Hutchins, Couture, Waters, Connors, Barkis, Christian, Klicker, Barnard, Graham and Jacobsen

AN ACT Relating to creating a rent relief incentive program; adding a new section to chapter 43.31 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Housing.

HB 2034 by Representatives Cheney, Taylor, Leavitt, Ramos, Reed and Reeves

AN ACT Relating to requiring counties and cities to provide the administrative office of the courts with notice of court reorganizations; and amending RCW 3.50.010, 3.50.060, 3.50.805, 3.50.810, 35.20.010, and 39.34.180.

Referred to Committee on Civil Rights & Judiciary.

HB 2035 by Representatives McClintock, Stonier, Couture, Schmidt, Waters, Ramos, Reed, Jacobsen, Callan, Cheney, Sandlin, Riccelli, Reeves and Santos

AN ACT Relating to the restrictions on the working conditions and hours of sixteen- and seventeen-year olds meeting certain criteria; and adding a new section to chapter 49.12 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 2036 by Representatives Walen, Morgan, Berry, Fitzgibbon, Ryu, Duerr, Farivar, Reeves, Simmons, Reed, Ormsby, Taylor, Alvarado, Peterson, Gregerson, Goodman, Thai, Lekanoff, Doglio and Macri

AN ACT Relating to workplace safety and operational standards for adult entertainment establishments; amending RCW 49.17.470; adding new sections to chapter 49.44 RCW; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 2037 by Representatives Couture, Senn, Leavitt, Fitzgibbon, Rude, Hutchins, Low, Christian, Ramel, Ryu, Ormsby, Barnard, Graham, Callan, Macri, Cheney, Sandlin, Goodman, Caldier, Nance, Riccelli, Reeves, Paul, Pollet, Griffey and Davis

AN ACT Relating to Holocaust and genocide education in public schools; amending RCW 28A.300.115; adding new sections to chapter 28A.230 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Education.

HB 2038 by Representatives McClintock, Couture, Waters, Rude, Jacobsen, Cheney and Griffey

AN ACT Relating to collecting data on student transfers and withdrawals from public schools and school districts; amending RCW 28A.200.010; adding a new section to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Education.



HB 2039 by Representatives Fitzgibbon, Ramel, Reed, Ormsby, Fosse and Duerr

AN ACT Relating to modifying the appeals process for environmental and land use matters; amending RCW 34.05.518, 36.70C.150, 90.58.180, 70A.230.080, 70A.300.120, 70A.430.070, and 86.16.081, and 86.16.081; reenacting and amending RCW 43.21B.110 and 43.21B.300; adding a new section to chapter 43.21B RCW; and providing an effective date.

Referred to Committee on Environment & Energy.

HB 2040 by Representatives Connors, Dye, Couture, Christian, Chambers, Stokesbary, Eslick, Klicker, Barkis, Graham, Schmidt and Hutchins

AN ACT Relating to carbon auction rebate payments; amending RCW 82.38.030; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Transportation.

HB 2041 by Representatives Riccelli, Schmick, Simmons, Reed, Schmidt, Macri and Lekanoff

AN ACT Relating to physician assistant collaborative practice; amending RCW 18.71A.020, 18.71A.025, 18.71A.030, 18.71A.050, 18.71A.090, 18.71A.120, 18.71A.150, 51.28.100, 10.77.175, 18.71.030, 7.68.030, 51.04.030, 71.05.215, 71.05.217, 71.05.585, 71.32.110, 71.32.140, 71.32.250, 71.34.020, 71.34.020, 71.34.755, and 74.09.497; reenacting and amending RCW 18.71A.010, 69.50.101, 71.05.020, 71.05.020, 71.34.750, 71.34.750, and 9.41.010; adding a new section to chapter 18.71A RCW; adding a new section to chapter 48.43 RCW; creating a new section; providing effective dates; providing contingent effective dates; providing an expiration date; and providing contingent expiration dates.

Referred to Committee on Health Care & Wellness.

HB 2042 by Representatives Corry, Connors, Barnard, Graham, Sandlin and Dent

AN ACT Relating to requiring applicants seeking energy facility site certification for an energy facility that generates electricity using renewable resources to provide evidence of an adequate water supply for the project; and amending RCW 80.50.060.

Referred to Committee on Environment & Energy.

HB 2043 by Representatives Corry, Caldier and Reeves

AN ACT Relating to removing the requirement that a theater may have no more than 120 seats per screen to qualify for a spirits, beer, and wine theater license; and amending RCW 66.24.655.

Referred to Committee on Regulated Substances & Gaming.

HB 2044 by Representatives Duerr, Senn, Fitzgibbon, Alvarado, Ryu, Taylor, Callan, Berry, Gregerson, Reed, Macri, Chopp, Bergquist, Goodman, Pollet, Kloba and Davis

AN ACT Relating to standardizing limitations on voter-approved property tax levies; and amending RCW 84.55.050.

Referred to Committee on Finance.

HB 2045 by Representatives Waters, Chapman, Timmons, Harris and Reeves

AN ACT Relating to the creation of an adopt a fish barrier program; amending RCW 47.40.105; adding a new section to chapter 77.95 RCW; and creating a new section.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2046 by Representatives Dent, Schmick, Jacobsen, Graham, Sandlin, Tharinger and Caldier

AN ACT Relating to establishing alternative requirements for child care providers in underresourced areas; amending RCW 43.216.250, 43.216.255, and 43.216.290; and adding new sections to chapter 43.216 RCW.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2047 by Representatives Dent, Davis, Jacobsen, Graham and Sandlin

AN ACT Relating to allowing employers to screen candidates for cannabis use when hiring for certain positions involving services to persons with substance use disorder; and amending RCW 49.44.240.

Referred to Committee on Labor & Workplace Standards.

HB 2048 by Representatives Mosbrucker, Goodman, Graham, Doglio and Davis

AN ACT Relating to supervision of domestic violence in criminal sentencing; and amending RCW 9.94A.030, 9.94A.500, 9.94A.501, 9.94A.502, and 9.94A.525.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2049 by Representatives Berry, Doglio, Fitzgibbon, Ramel, Duerr, Mena, Ryu, Bateman, Slatter, Gregerson, Simmons, Peterson, Macri, Street, Alvarado, Fosse, Pollet and Kloba

AN ACT Relating to improving Washington's solid waste management outcomes; amending RCW 70A.245.010, 70A.245.020, 70A.245.030, 70A.245.040, 70A.245.090, 70A.245.100, 70A.245.120, 70A.245.060, 70A.205.005, 70A.205.010, 70A.205.045, 81.77.030, 81.77.160, and 81.77.185; reenacting and amending RCW 43.21B.110 and 43.21B.300; adding a new section to chapter 70A.245 RCW; adding a new section to chapter 81.77 RCW; adding new chapters to Title 70A RCW; repealing RCW 70A.245.110; prescribing penalties; providing effective dates; and providing an expiration date.

Referred to Committee on Environment & Energy.

HB 2050 by Representatives Goehner, Barkis, Christian, Jacobsen, Graham, Cheney, Sandlin, Caldier, Hutchins and Couture

AN ACT Relating to the posting of information about government policies that impact motor vehicle fuel price at fuel pumps; and adding a new section to chapter 82.38 RCW.

Referred to Committee on Transportation.

HB 2051 by Representatives Walen, Ryu, Ramel, Duerr, Macri, Doglio, Reeves, Hackney, Pollet and Kloba

AN ACT Relating to reducing emissions from small off-road engines; amending RCW 70A.65.260; adding a new section to chapter 70A.30 RCW; adding a new section to chapter 43.21A RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Environment & Energy.

HB 2052 by Representatives Callan, Riccelli, Leavitt, Berry, Duerr, Reed, Ormsby, Ortiz-Self, Fosse, Doglio, Reeves, Paul, Pollet and Davis

AN ACT Relating to increasing the availability of baby diaper changing stations; and adding a new section to chapter 19.27 RCW.

Referred to Committee on Local Government.

HB 2053 by Representatives Stonier, Steele, Ramos, Corry, Reed, Ormsby, Callan, Timmons, Ortiz-Self, Fosse, Doglio, Riccelli, Cortes, Reeves and Paul

AN ACT Relating to establishing the ninth grade success grant program; adding a new section to chapter 28A.175 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 2054 by Representatives Farivar, Ormsby, Fitzgibbon, Ryu, Senn, Ramel, Berry, Duerr, Reed, Simmons, Peterson, Callan, Macri, Street, Mena, Bergquist, Alvarado, Lekanoff, Fosse, Doglio, Santos, Reeves, Hackney and Pollet

AN ACT Relating to bulk purchases and transfers of firearms; and adding a new section to chapter 9.41 RCW.

Referred to Committee on Civil Rights & Judiciary.

HB 2055 by Representatives Stearns, Orwall, Ramel, Simmons, Reed, Ormsby, Goodman, Doglio, Reeves and Davis

AN ACT Relating to the creation of a gambling treatment diversion court pilot program to be conducted by the administrative office of the courts; and adding a new section to chapter 2.30 RCW.

Referred to Committee on Civil Rights & Judiciary.

HB 2056 by Representatives Goodman, Cheney and Reeves

AN ACT Relating to information sharing and limited investigative authority of supreme court bailiffs; amending RCW 10.97.050; and adding a new section to chapter 2.04 RCW.

Referred to Committee on Civil Rights & Judiciary.

HB 2057 by Representatives Ryu, Leavitt, Simmons, Reed, Ormsby, Donaghy, Doglio, Riccelli, Reeves, Paul, Shavers and Davis

AN ACT Relating to creating a pilot project to assist incarcerated veterans' transition to civilian life; adding a new section to chapter 73.08 RCW; and providing an expiration date.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 2058 by Representatives Riccelli, Rude, Leavitt, Ramel, Berry, Duerr, Slatter, Morgan, Simmons, Reed, Ormsby, Fey, Peterson, Callan, Macri, Gregerson, Chopp, Stonier, Goodman, Berg, Thai, Alvarado, Street, Lekanoff, Paul, Fosse, Doglio, Santos, Timmons, Reeves, Hackney, Tharinger, Shavers, Pollet and Kloba

AN ACT Relating to increasing student access to free meals served at public schools; amending RCW 28A.150.260, 28A.235.135, 28A.235.160, 28A.235.250, 28A.235.270, 28A.235.285, and 28A.405.415; creating new sections; repealing RCW 28A.235.260; and providing an effective date.

Referred to Committee on Education.

HB 2059 by Representatives Stearns, Ramos, Senn, Ramel, Morgan, Peterson, Callan, Gregerson, Santos and Reeves

AN ACT Relating to the sale of halal food products; amending RCW 15.130.140; adding a new chapter to Title 69 RCW; and prescribing penalties.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2060 by Representatives Couture and Griffey

AN ACT Relating to creating a license to authorize the consumption of liquor by members of private clubs in restricted areas of certain premises otherwise open to the general public; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Regulated Substances & Gaming.

HB 2061 by Representatives Bronoske, Ramel, Berry, Reed, Fosse, Lekanoff, Pollet and Kloba

AN ACT Relating to defining an employee of a health care facility for purposes of mandatory overtime provisions; and amending RCW 49.28.130.

Referred to Committee on Labor & Workplace Standards.

HB 2062 by Representatives Schmidt, Ramos and Cheney

AN ACT Relating to exemption of certain personnel of the department of social and health services from civil service; and amending RCW 41.06.076.

Referred to Committee on Labor & Workplace Standards.

HB 2063 by Representatives Wylie, Ryu, Reed, Fosse, Reeves, Paul and Shavers

AN ACT Relating to an exemption from the real estate excise tax for transfers of property to qualifying low-income first-time homebuyers; amending RCW 82.45.010 and 82.45.010; creating a new section; providing effective dates; and providing an expiration date.

Referred to Committee on Finance.

HB 2064 by Representatives Wylie, Fosse, Paul, Shavers and Pollet

AN ACT Relating to providing for an exemption from the real estate excise tax for transfers of property to qualifying low-income first-time homebuyers; amending RCW 82.45.010; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 2065 by Representatives Stearns, Hackney, Ramel, Simmons, Reed, Ormsby, Street, Gregerson, Doglio, Lekanoff, Fosse, Santos, Reeves and Pollet

AN ACT Relating to recalculating sentencing ranges for currently incarcerated individuals whose offender score was increased by juvenile convictions no longer scorable under current law and allowing them to apply for resentencing without scoring those juvenile convictions; adding a new section to chapter 9.94A RCW; and creating a new section.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2066 by Representatives Riccelli, Macri, Ramel, Simmons, Reed, Ormsby, Fosse, Lekanoff and Doglio

AN ACT Relating to addressing affordability through health care provider contracting; and adding a new chapter to Title 19 RCW.

Referred to Committee on Health Care & Wellness.

HB 2067 by Representatives Riccelli, Stonier, Leavitt, Reed, Ormsby, Callan and Reeves

AN ACT Relating to screening newborn infants for congenital cytomegalovirus; and amending RCW 70.83.020.

Referred to Committee on Health Care & Wellness.

HB 2068 by Representatives Mena, Doglio, Berry, Reed, Ramel, Macri, Berg, Duerr, Slatter and Street

AN ACT Relating to the environmental impacts of fashion; reenacting and amending RCW 43.21B.110 and 43.21B.300; adding a new chapter to Title 70A RCW; and prescribing penalties.

Referred to Committee on Environment & Energy.

HB 2069 by Representatives Mosbrucker, Doglio and Reeves

AN ACT Relating to the sale of biogenic carbon dioxide and other coproducts of biogas processing; and amending RCW 54.04.190.

Referred to Committee on Environment & Energy.

HB 2070 by Representatives Mena, Pollet, Fitzgibbon, Berry, Simmons, Reed, Ormsby, Ramel, Fey, Street, Slatter, Ortiz-Self, Alvarado, Doglio, Cortes, Riccelli, Santos, Reeves and Macri

AN ACT Relating to integrating environmental justice considerations into certain project decisions; adding new sections to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Environment & Energy.

HB 2071 by Representatives Duerr, Bateman, Fitzgibbon, Berry, Reed, Ormsby, Ramel, Pollet and Kloba

AN ACT Relating to residential housing regulations; adding new sections to chapter 19.27 RCW; adding new sections to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Housing.

HB 2072 by Representatives Farivar, Taylor, Ryu, Reeves, Slatter, Reed, Ormsby, Ramel, Macri, Goodman, Fosse, Riccelli and Hackney

AN ACT Relating to the antitrust penalties improvement act; amending RCW 19.86.140; and creating new sections.

Referred to Committee on Civil Rights & Judiciary.

HB 2073 by Representatives Slatter, Fitzgibbon, Berry, Reed, Ramel, Doglio, Hackney and Pollet

AN ACT Relating to emissions of greenhouse gases from sources other than methane and carbon dioxide; amending RCW 70A.45.010 and 70A.15.2200; adding a new section to chapter 43.21A RCW; creating new sections; and providing an expiration date.

Referred to Committee on Environment & Energy.

HB 2074 by Representatives Dye, Dent, Jacobsen, Graham and Sandlin

AN ACT Relating to limiting the application of certain civil penalties to protect landowners from incurring penalties based on the actions of the landowner's lessee; and amending RCW 90.03.600.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2075 by Representatives Lekanoff, Stearns, Reed, Ortiz-Self and Reeves

AN ACT Relating to licensing of Indian health care providers as establishments; and amending RCW 71.12.460.

Referred to Committee on Health Care & Wellness.

HB 2076 by Representatives Orwall, Mosbrucker, Leavitt, Barnard, Graham, Rule, Cheney, Reeves and Hackney

AN ACT Relating to addressing crimes involving human trafficking or sexual exploitation; amending RCW 9A.40.100; adding a new section to chapter 7.68 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2077 by Representatives Reed, Bergquist and Pollet

AN ACT Relating to making higher education more accessible by modifying the Washington guaranteed admissions program and requiring student notifications; and adding new sections to chapter 28A.150 RCW.

Referred to Committee on Education.

HB 2078 by Representatives Schmidt, Riccelli, Low, Christian, Klicker, Reed, Ormsby, Ybarra, Cheney and McClintock

AN ACT Relating to improving school safety by extending and increasing penalties for interference by, or intimidation by threat of, force or violence at schools and school-related athletic activities; amending RCW 28B.10.570 and 28B.10.571; creating a new section; and prescribing penalties.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2079 by Representatives Schmidt, Riccelli, Low, Christian, Klicker, Ormsby, McClintock and Couture

AN ACT Relating to improving school safety by extending and increasing penalties for interference by, or intimidation by threat of, force or violence at schools and athletic activities; amending RCW 28A.635.090 and 28A.635.100; creating a new section; and prescribing penalties.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2080 by Representatives Leavitt, Taylor, Couture, Bronoske, Callan, Rule, Eslick, Orwall, Ortiz-Self, Reed, Barnard, Jacobsen, Chopp, Calder, Simmons, Hutchins, Barkis, Goodman, Nance, Farivar, Macri, Shavers, Kloba and Davis

AN ACT Relating to establishing day habilitation services for persons with developmental disabilities; and adding a new section to chapter 71A.12 RCW.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2081 by Representatives Hackney, Walen, Taylor, Reeves, Leavitt, Gregerson, Orwall, Reed, Berry, Callan, Macri and Chopp

AN ACT Relating to regulating home equity sharing agreements under the consumer loan act; amending RCW 31.04.015 and 31.04.102; and adding a new section to chapter 31.04 RCW.

Referred to Committee on Consumer Protection & Business.

HB 2082 by Representatives Fosse, Low, Fitzgibbon, Berry, Reed, Ramel, Tharinger, Reeves, Paul and Kloba

AN ACT Relating to assessing the needs of the electrical transmission industry; and creating a new section.

Referred to Committee on Postsecondary Education & Workforce.

HB 2083 by Representatives Ryu, Volz, Walen, Ramel, Reed, Ormsby, Timmons, Riccelli and Fosse

AN ACT Relating to making modifications to small loans under payday lending laws; amending RCW 31.45.010, 31.45.073, and 31.45.105; adding a new section to chapter 31.45 RCW; and declaring an emergency.

Referred to Committee on Consumer Protection & Business.

HB 2084 by Representatives Fosse, Low, Berry, Leavitt, Simmons, Reed, Ormsby, Street, Bronoske, Ryu, Chapman, Wylie, Doglio, Cortes, Paul, Reeves and Davis

AN ACT Relating to establishing an oversight committee to improve construction-related training and pathways to state registered apprenticeships in state correctional facilities; adding a new section to chapter 43.06C RCW; and creating a new section.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2085 by Representatives Nance, Doglio, Simmons, Reed, Ramel, Timmons, Thai, Lekanoff, Riccelli and Reeves

AN ACT Relating to modifying the department of fish and wildlife's habitat recovery pilot program; and amending RCW 77.55.480.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2086 by Representatives Entenman, Goodman, Fitzgibbon, Berry, Reed, Ormsby, Street, Doglio, Farivar and Kloba

AN ACT Relating to updating processes of the office of independent investigations by changing authority to obtain and share investigative information and aligning with current operations and practices; amending RCW 43.102.010, 43.102.050, 43.102.080, 43.102.100, 43.102.120, and 43.102.800; and providing an expiration date.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2087 by Representatives Schmidt, Leavitt, Connors, Christian, Walen, Chambers, Ybarra, Jacobsen, Graham, Tharinger, Schmick and Couture

AN ACT Relating to establishing procedures for submitting and reviewing objections regarding the formation and revision of apprenticeship programs and standards; adding a new section to chapter 49.04 RCW; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 2088 by Representatives Orwall, Reed, Ormsby, Ramel, Macri, Cheney, Lekanoff, Riccelli, Wylie and Reeves

AN ACT Relating to extending liability protections for responders dispatched from mobile rapid response crisis teams and community-based crisis teams; and amending RCW 71.24.907.

Referred to Committee on Civil Rights & Judiciary.

HB 2089 by Representatives Tharinger, Leavitt, Callan, Reeves and Hackney

AN ACT Relating to the capital budget; amending RCW 70A.65.240 and 70A.65.305; amending 2023 c 474 ss 1013, 1022, 1025, 1032, 6076, 1038, 1045, 1046, 1047, 1054, 1055, 1061, 1065, 1070, 2026, 6148, 2031, 2035, 2044, 2046, 3046, 6352, 3080, 3083, 3130, 5001, 5002, 5003, 5005, 5006, 5008, 5013, 5014, 5015, 5031, 5032, 5033, 5056, 5072, 6236, 5082, 5085, 5086, 5087, 5089, 6002, 6029, 6043, 6061, 6068, 6097, 6104, 6105, 6135, 6164, 6165, 6179, 6228, 6336, 6337, 6366, 6376, 6392, 6460, 6496, 8001, and 8002 (uncodified); reenacting and amending RCW 43.155.050; adding new sections to 2023 c 474 (uncodified); creating new sections; repealing 2023 c 474 ss 6343, 6489, and 6490 (uncodified); and declaring an emergency.

Referred to Committee on Capital Budget.

HB 2090 by Representatives Bateman, Doglio, Reed, Riccelli and Reeves

AN ACT Relating to modifying the number of county commissioner members on local boards of health for nonhome rule charter counties with five county commissioners; and amending RCW 70.05.030.

Referred to Committee on Local Government.

HB 2091 by Representatives Bronoske, Griffey, Leavitt, Fitzgibbon, Chapman, Reed, Ormsby, Ramel, Callan, Rule, Timmons, Bergquist, Goodman, Rude, Fosse, Nance, Ryu, Schmidt, Stearns, Waters, Paul, Reeves and Kloba

AN ACT Relating to establishing a fallen firefighter memorial; adding new sections to chapter 43.34 RCW; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 2092 by Representatives Callan, McClintock, Berry, Senn, Reed, Ormsby, Chopp, Cheney, Fosse, Nance, Doglio, Reeves, Hackney, Pollet and Davis

AN ACT Relating to school construction assistance program funding for preschool and before-and-after school care program enrollments; amending RCW 28A.525.162 and 28A.515.320; and creating new sections.

Referred to Committee on Capital Budget.

HB 2093 by Representatives Griffey, Leavitt, Bronoske, Couture, Robertson, Klicker, Sandlin, Stokesbary, Chambers, Eslick, Graham, Barnard, Jacobsen, Cheney, Caldier and Hutchins

AN ACT Relating to improving community safety and justice in the civil commitment of sexually violent predators; amending RCW 71.09.020, 71.09.020, 71.09.090, 71.09.092, 71.09.092, 71.09.096, 71.09.096, 71.09.097, 71.09.097, and 9.94A.717; adding new sections to chapter 71.09 RCW; providing an effective date; and providing expiration dates.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2094 by Representatives Alvarado, Berry, Ryu, Senn, Reed, Gregerson, Ormsby, Ramel, Macri, Street, Chopp, Mena, Goodman, Doglio, Cortes, Pollet and Kloba

AN ACT Relating to improving consumer protection on gift certificates; amending RCW 19.240.005, 19.240.010, and 19.240.020; and providing an effective date.

Referred to Committee on Consumer Protection & Business.

HB 2095 by Representatives Alvarado, Berry, Ryu, Senn, Reed, Gregerson, Ormsby, Ramel, Macri, Street, Chopp, Mena, Goodman, Berg, Doglio, Cortes, Wylie, Pollet and Kloba

AN ACT Relating to gift certificates as unclaimed property; amending RCW 19.240.005, 63.30.010, and 63.30.280; adding a new section to chapter 63.30 RCW; and creating a new section.

Referred to Committee on Finance.

HB 2096 by Representatives Leavitt, Couture, Bronoske, Robertson, Klicker, Sandlin, Stokesbary, Chambers, Eslick, Graham, Barnard, Jacobsen and Calder

AN ACT Relating to ensuring adequate notice to and consideration of local communities when establishing housing options for individuals qualifying for a less restrictive alternative placement; and amending RCW 71.09.097 and 71.09.096.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2097 by Representatives Berry, Ortiz-Self, Reed, Simmons, Ormsby, Ramel, Fosse, Goodman, Lekanoff, Doglio, Pollet and Kloba

AN ACT Relating to assisting workers in recovering wages owed; amending RCW 49.48.040; adding new sections to chapter 49.48 RCW; and providing expiration dates.

Referred to Committee on Labor & Workplace Standards.

HB 2098 by Representatives Taylor, Mena, Ryu, Chapman, Simmons, Reed, Ormsby, Macri, Thai, Doglio, Wylie, Reeves and Gregerson

AN ACT Relating to expressly authorizing the women's commission to solicit gifts, grants, and endowments from public or private sources; and amending RCW 43.119.050.

Referred to Committee on State Government & Tribal Relations.

HB 2099 by Representatives Farivar, Cortes, Pollet, Reed, Simmons, Ormsby, Ramel, Gregerson, Goodman, Calder, Stonier, Paul, Jacobsen, Nance, Wylie, Street, Reeves, Macri, Davis and Ryu

AN ACT Relating to state identification cards for persons in state custody or care; amending RCW 72.09.270, 46.20.035, 46.20.117, and 46.20.286; adding a new section to chapter 72.09 RCW; adding a new section to chapter 70.48 RCW; adding a new section to chapter 72.23 RCW; and providing an effective date.

Referred to Committee on State Government & Tribal Relations.

HB 2100 by Representatives Farivar, Fosse, Berry, Reed, Ormsby, Nance, Reeves and Pollet

AN ACT Relating to reducing the impacts of mass layoffs by identifying demographic disparities and educating employees of relief options; adding new sections to chapter 50.12 RCW; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 2101 by Representatives Rule, Timmons, Senn, Leavitt, Cheney, Tharinger, Riccelli, Reeves and Shavers

AN ACT Relating to eliminating child care licensing fees; and amending RCW 43.216.300 and 43.216.305.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2102 by Representatives Berry, Reed, Ormsby, Nance and Pollet

AN ACT Relating to establishing requirements for the disclosure of health care information for qualifying persons to receive paid family and medical leave benefits; amending RCW 70.02.030; and adding a new section to chapter 70.02 RCW.

Referred to Committee on Health Care & Wellness.

HB 2103 by Representatives Orwall, Fitzgibbon, Gregerson, Santos and Reeves

AN ACT Relating to mitigating harm and improving equity in large port districts; amending RCW 53.36.020, 53.54.010, 53.54.020, 53.54.040, and 70A.65.260; adding a new section to chapter 53.54 RCW; adding a new section to chapter 53.36 RCW; adding a new section to chapter 43.330 RCW; adding a new section to chapter 53.20 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 2104 by Representatives Ormsby, Bergquist, Macri, Orwall and Reeves

AN ACT Relating to fiscal matters; amending RCW 43.101.220, 69.50.540, and 70A.65.300; amending 2023 c 475 ss 101, 102, 103, 104, 105, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 401, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 515, 516, 517, 518, 519, 520, 521, 522, 523, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 701, 702, 703, 704, 705, 715, 726, 727, 734, 735, 738, 740, 801, 802, 803, 805, 908, 909, and 911 (uncodified); reenacting and amending RCW 70A.65.250; adding new sections to 2023 c 475 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2105 by Representatives Fitzgibbon, Tharinger, Chapman, Doglio and Reeves

AN ACT Relating to ensuring the protection of instream resources in connection with the issuance of water right permits in water resource inventory areas in which minimum instream flows are not being met; and amending RCW 90.54.020 and 90.03.247.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2106 by Representative Schmick

AN ACT Relating to library districts with an annexed city or town; amending RCW 27.12.320; and adding a new section to chapter 27.12 RCW.

Referred to Committee on Local Government.

HB 2107 by Representatives Maycumber, Chapman, Rude, Volz, Ormsby, Dent, Sandlin, Doglio and Kloba

AN ACT Relating to enabling the preservation of cultural treaty harvesting rights of Indian tribes by providing free licenses issued under Title 77 RCW to tribal members; amending RCW 77.32.480; and creating a new section.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2108 by Representatives Donaghy, Orcutt, Timmons, Springer, Reeves and Chapman

AN ACT Relating to creating the state department of natural resources' Smokey Bear special license plates; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.425; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 2109 by Representatives Ryu, Eslick, Reed and Reeves

AN ACT Relating to the regulation of permanent cosmetics; amending RCW 18.16.010, 18.16.020, 18.16.030, 18.16.050, 18.16.060, 18.16.100, 18.16.130, 18.16.170, 18.16.190, 18.16.200, 18.16.260, 18.16.290, 18.16.900, 18.300.010, 5.40.050, 18.235.020, 26.28.085, 70.54.320, 70.54.330, 70.54.340, 70.54.350, 43.24.150, and 74.08.580; reenacting and amending RCW 82.04.050; adding new sections to chapter 18.16 RCW; and providing an effective date.

Referred to Committee on Consumer Protection & Business.

HB 2110 by Representatives Nance, Simmons, Callan, Lekanoff and Reeves

AN ACT Relating to reorganizing statutory requirements governing high school graduation by reordering requirements, making nonsubstantive revisions, and removing expired provisions; amending RCW 28A.230.090, 28A.655.260, 28A.230.212, 28A.230.300, 28A.230.320, 28A.150.220, 28A.300.900, 28A.300.750, and 28A.305.130; reenacting and amending RCW 28A.655.250; adding new sections to chapter 28A.230 RCW; and recodifying RCW 28A.320.208, 28A.655.250, and 28A.655.260.

Referred to Committee on Education.

HB 2111 by Representatives Nance, Senn, Simmons, Callan, Tharinger, Lekanoff, Wylie and Reeves

AN ACT Relating to clarifying requirements for subsidized child care; amending RCW 43.216.1368, 43.216.1364, and 43.216.145; reenacting and amending RCW 43.216.136; adding new sections to chapter 43.216 RCW; recodifying RCW 43.216.136, 43.216.1364, 43.216.1368, 43.216.139, 43.216.141, 43.216.143, 43.216.145, 43.216.730, and 43.216.749; and repealing RCW 43.216.725 and 43.216.137.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2112 by Representatives Nance, Leavitt, Simmons, Reed, Ormsby, Callan, Rule, Orwall, Paul, Timmons, Lekanoff, Riccelli, Wylie, Reeves, Shavers, Pollet, Kloba and Davis

AN ACT Relating to opioid and fentanyl prevention education and awareness at institutions of higher education; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Postsecondary Education & Workforce.

HB 2113 by Representatives Bateman, Macri, Peterson, Alvarado, Leavitt, Bronoske, Ramel, Fitzgibbon, Berry, Reed, Ormsby, Taylor, Gregerson, Street, Mena, Tharinger, Berg, Lekanoff, Riccelli and Cortes

AN ACT Relating to compliance with the housing element requirements of the growth management act; amending RCW 36.70A.290 and 36.70A.320; reenacting and amending RCW 36.70A.280, 36.70A.130, and 43.21C.495; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Housing.

HB 2114 by Representatives Alvarado, Macri, Ramel, Peterson, Mena, Slatter, Farivar, Taylor, Doglio, Cortes, Fitzgibbon, Gregerson, Berry, Senn, Reed, Bateman, Ortiz-Self, Simmons, Ormsby, Street, Chopp, Orwall, Bergquist, Berg, Wylie, Stonier, Lekanoff, Fosse, Riccelli, Pollet, Kloba and Davis

AN ACT Relating to improving housing stability for tenants subject to the residential landlord-tenant act and the manufactured/mobile home landlord-tenant act by limiting rent and fee increases, requiring notice of rent and fee increases, limiting fees and deposits, establishing a landlord resource center and associated services, authorizing tenant lease termination, creating parity between lease types, and providing for attorney general enforcement; amending RCW 59.18.140, 59.18.200, 59.18.650, 59.18.270, 59.18.170, 59.20.090, 59.20.170, 59.20.060, and 59.20.030; adding new sections to chapter 59.18 RCW; adding new sections to chapter 59.20 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Housing.

HB 2115 by Representatives Thai, Slatter, Senn, Chapman, Reed, Ramel, Macri, Gregerson, Doglio, Fosse, Riccelli, Wylie and Reeves

AN ACT Relating to prescription labels for medications used for abortion; and amending RCW 18.64.246 and 69.41.050.

Referred to Committee on Health Care & Wellness.

HB 2116 by Representatives Thai, Slatter, Senn, Reed, Ormsby, Macri, Gregerson, Fosse and Wylie

AN ACT Relating to expanding prescriptive authority for pharmacists; amending RCW 18.64.011 and 69.41.030; reenacting and amending RCW 69.50.101; adding a new section to chapter 18.64 RCW; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 2117 by Representatives Barnard, Donaghy, Graham, Dent, Bronoske and Reeves

AN ACT Relating to authorizing authorities to address aerial firefighting aspects as part of permitting processes for communities at risk of wildfires; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; adding a new section to chapter 80.50 RCW; and creating new sections.

Referred to Committee on Environment & Energy.

HB 2118 by Representatives Walen, Berry, Senn, Reed, Ormsby, Ramel, Peterson, Macri, Farivar, Doglio, Wylie, Reeves, Hackney, Pollet, Kloba and Davis

AN ACT Relating to protecting the public from gun violence by establishing additional requirements for the business operations of licensed firearms dealers; amending RCW 9.41.110; and providing an effective date.

Referred to Committee on Civil Rights & Judiciary.

HB 2119 by Representatives Riccelli, Taylor, Leavitt, Simmons, Reed, Ormsby, Macri, Fosse, Tharinger, Doglio, Wylie, Reeves and Pollet

AN ACT Relating to protecting consumers from garnishment of earnings for judgments arising from medical debt; and amending RCW 6.27.010, 6.27.020, 6.27.060, 6.27.140, and 6.27.150.

Referred to Committee on Civil Rights & Judiciary.

HB 2120 by Representatives Barnard, Shavers, Graham and Wylie

AN ACT Relating to tax preferences for clean energy manufacturers; amending RCW 84.25.110; and creating a new section.

Referred to Committee on Finance.

HB 2121 by Representatives Taylor, Pollet, Reed, Callan, Simmons, Farivar and Reeves

AN ACT Relating to the burden of proof for special education due process hearings; and adding a new section to chapter 28A.155 RCW.

Referred to Committee on Education.

HB 2122 by Representatives Thai, Harris, Simmons, Reed and Wylie

AN ACT Relating to wellness programs for certain health care professionals; amending RCW 18.130.020 and 18.130.070; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health Care & Wellness.

HB 2123 by Representatives Orwall, Reed, Berry, Taylor, Slatter, Simmons, Ormsby, Ramel, Jacobsen, Fey, Ryu, Street, Bronoske, Paul, Berg, Timmons, Fosse, Tharinger, Nance, Doglio, Reeves, Pollet, Davis and Cortes

AN ACT Relating to establishing a summer running start for the trades grant program; adding a new section to chapter 28A.630 RCW; and providing an expiration date.

Referred to Committee on Education.

HB 2124 by Representatives Eslick, Senn, Leavitt, Chapman, Reed, Ramel, Callan, Rule, Goodman, Tharinger, Wylie, Timmons, Stonier, Reeves and Kloba

AN ACT Relating to supporting and expanding access to child care and early learning programs; amending RCW 43.216.1364 and 43.216.775; and reenacting and amending RCW 43.216.136.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2125 by Representatives Ortiz-Self, Simmons, Reed, Jacobsen, Fosse, Nance, Reeves and Pollet

AN ACT Relating to the eligibility of state-mandated benefits for contingent faculty at community and technical colleges; and amending RCW 28B.50.489, 28B.50.4891, and 41.05.065.

Referred to Committee on Postsecondary Education & Workforce.

HB 2126 by Representatives Low, Peterson, Connors, Leavitt, Chapman, Barkis, Reed, Ormsby, Graham, Gregerson, Sandlin, Tharinger, Couture and Kloba

AN ACT Relating to creating opportunities for affordable housing by authorizing detached accessory dwelling units in rural areas; amending RCW 36.70A.696, 36.70A.177, and 36.70A.210; reenacting and amending RCW 36.70A.130; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Housing.

HB 2127 by Representatives Schmidt, Berry, Leavitt, Reed, Ormsby, Graham and Pollet

AN ACT Relating to increasing incentives to return to work in workers' compensation; amending RCW 51.32.090, 51.32.095, 51.32.096, and 51.32.250; and providing an effective date.

Referred to Committee on Labor & Workplace Standards.

HB 2128 by Representatives Schmick, Graham, Macri, Harris, Jacobsen and Hutchins

AN ACT Relating to the modernization of the certificate of need program; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 2129 by Representatives Ramel, Mena, Simmons, Reed, Street, Orwall, Doglio and Kloba

AN ACT Relating to promoting the development of geothermal energy resources; amending RCW 79.13.530; adding a new section to chapter 43.92 RCW; adding a new section to chapter 43.31 RCW; and creating a new section.

Referred to Committee on Environment & Energy.

HB 2130 by Representatives Pollet, Couture, Reed, Callan, Orwall, Paul, Caldier, Doglio, Reeves and Kloba

AN ACT Relating to extending special education services to students with disabilities until the end of the school year in which the student turns 22; amending RCW 28A.155.020, 28A.150.220, 28A.155.170, 28A.155.220, 28A.190.030, 28A.225.160, 28A.225.230, 28A.225.240, 72.40.040, and 72.40.060; and creating a new section.

Referred to Committee on Education.

HB 2131 by Representatives Ramel, Slatter, Simmons, Reed, Riccelli, Doglio and Hackney

AN ACT Relating to promoting the establishment of thermal energy networks; amending RCW 80.04.010 and 80.28.110; adding new sections to chapter 80.28 RCW; adding a new section to chapter 43.31 RCW; adding a new section to chapter 44.28 RCW; adding a new section to chapter 54.16 RCW; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Environment & Energy.

HB 2132 by Representatives Schmick, Graham and Dent

AN ACT Relating to reducing training costs for small county offices of coroners or medical examiners; and amending RCW 36.24.205, 36.24.210, and 43.101.480.

Referred to Committee on Local Government.

HB 2133 by Representatives Klicker, Fey, Rude, Connors, Low, Schmidt, Chambers, Sandlin, Bronoske, Leavitt, Dye, Barnard, Graham, Wylie, Timmons and Couture

AN ACT Relating to protecting the safety and security of students and maintaining order within public school buses by designating trespassing on a public school bus as a felony offense; reenacting and amending RCW 9.94A.515; adding a new section to chapter 9A.52 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2134 by Representatives Fey, Timmons, Paul, Wylie and Reeves

AN ACT Relating to transportation funding and appropriations; amending 2023 c 472 ss 101, 103, 104, 105, 106, 108, 109, 110, 114, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 301, 302, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 601, 606, and 609 (uncodified); adding new sections to 2023 c 472 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

HB 2135 by Representatives Stearns, Lekanoff, Reed, Ormsby, Street, Orwall, Doglio and Reeves

AN ACT Relating to including federally recognized tribes as part of the Washington emergency management division emergency worker program; and amending RCW 38.52.010 and 38.52.180.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 2136 by Representatives Ormsby, Schmidt, Doglio, Farivar, Berry, Simmons, Reed, Ramel, Mena, Goodman, Berg, Fosse, Reeves, Pollet and Kloba

AN ACT Relating to prevailing wage sanctions, penalties, and debarment; amending RCW 39.12.010; adding a new section to chapter 39.12 RCW; creating a new section; and providing an effective date.

Referred to Committee on Labor & Workplace Standards.

HB 2137 by Representatives Berg, Orcutt, Sandlin, Doglio, Dent and Reeves

AN ACT Relating to technical changes to allowable exemptions from charges for tourism promotion area assessments; amending RCW 35.101.055; and creating a new section.

Referred to Committee on Local Government.

HB 2138 by Representatives Rule, Barkis, Senn, Simmons, Ramel, Paul, Riccelli, Doglio and Reeves

AN ACT Relating to promoting outdoor learning in state parks; amending RCW 79A.05.030 and 79A.05.035; and creating a new section.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 2139 by Representatives Ramos, Callan and Reeves

AN ACT Relating to the rental of self-service storage facilities; and adding a new section to chapter 19.150 RCW.

Referred to Committee on Consumer Protection & Business.

HB 2140 by Representatives Griffey, Couture, Jacobsen, Graham and Sandlin

AN ACT Relating to modifying laws related to adverse possession to protect legal owners of property; amending RCW 7.28.050 and 7.28.083; creating a new section; and repealing RCW 7.28.100.

Referred to Committee on Civil Rights & Judiciary.

HB 2141 by Representatives Donaghy, Low, Simmons, Ormsby and Barkis

AN ACT Relating to promoting affordable housing in unincorporated areas within urban growth areas of large counties; amending RCW 84.14.040 and 84.14.060; and creating a new section.

Referred to Committee on Housing.

HB 2142 by Representatives Corry, Callan, Couture and Reeves

AN ACT Relating to creating a reading coaches grant program; adding a new section to chapter 28A.630 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 2143 by Representatives Ramel, Hackney, Berg, Fosse, Duerr and Reeves

AN ACT Relating to providing information related to the human rights records of nations that export crude oil to Washington; adding a new section to chapter 28B.20 RCW; adding a new section to chapter 43.21A RCW; and creating a new section.

Referred to Committee on Environment & Energy.

HB 2144 by Representatives Stonier, Berry, Taylor, Reed, Ramel, Peterson, Callan, Macri, Street, Gregerson, Berg, Fosse, Doglio, Pollet, Kloba and Davis

AN ACT Relating to providing for a deposit return program for qualifying beverage containers to be implemented by a distributor responsibility organization; amending RCW 82.19.050 and 70A.245.100; adding a new section to chapter 82.04 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; adding a new chapter to Title 70A RCW; creating a new section; prescribing penalties; and providing an expiration date.

Referred to Committee on Environment & Energy.

HB 2145 by Representatives Simmons, Senn, Callan, Reeves and Kloba

AN ACT Relating to medically necessary treatment of a mental health or substance use disorder; amending RCW 48.43.005; reenacting and amending RCW 41.05.017; adding new sections to chapter 48.43 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Health Care & Wellness.



HB 2146 by Representatives Rule, Connors, Callan, Reeves and Davis

AN ACT Relating to supporting students who are chronically absent and at risk for not graduating high school; adding a new section to chapter 28A.310 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Education.

HB 2147 by Representatives Dent, Chapman, Schmick and Reeves

AN ACT Relating to agriculture pest and disease response; amending RCW 17.24.171; adding new sections to chapter 43.23 RCW; and creating new sections.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2148 by Representatives Reeves, Timmons, Doglio, Callan and Pollet

AN ACT Relating to a comparable wage analysis of public school staff compensation; adding a new section to chapter 50.38 RCW; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 2149 by Representatives Reeves, Doglio, Tharinger and Pollet

AN ACT Relating to consumer personal information; and adding a new chapter to Title 19 RCW.

Referred to Committee on Consumer Protection & Business.

HB 2150 by Representatives Reeves, Reed and Tharinger

AN ACT Relating to processes regarding the disqualification of candidates who are ineligible for office; amending RCW 29A.24.075, 29A.56.031, and 29A.56.320; and adding a new chapter to Title 29A RCW.

Referred to Committee on State Government & Tribal Relations.

HB 2151 by Representatives Reeves, Chapman and Kloba

AN ACT Relating to reassigning the accreditation of private cannabis testing laboratories from the department of ecology to the department of agriculture; reenacting and amending RCW 69.50.348; creating a new section; repealing RCW 43.21A.736; providing an effective date; and declaring an emergency.

Referred to Committee on Regulated Substances & Gaming.

HB 2152 by Representatives Thai, Mosbrucker, Reed, Ormsby, Taylor, Farivar, Goodman, Paul, Fosse and Davis

AN ACT Relating to updating terminology related to criminal insanity and competency to stand trial; amending RCW 10.77.050, 10.77.060, 10.77.065, 10.77.068, 10.77.072, 10.77.084, 10.77.0845, 10.77.074, 10.77.075, 10.77.078, 10.77.0885, 10.77.089, 10.77.092, 10.77.093, 10.77.0942, 10.77.095, 10.77.145, 10.77.200, 10.77.202, 10.77.250, 10.77.255, 10.77.270, 10.77.310, 10.77.320, 10.77.940, 4.24.550, 7.68.250, 9.41.098, 9.94B.080, 9.98.010, 9A.12.010, 10.01.160, 41.37.010, 46.20.031, 70.02.230, 70.74.360, 70.74.370, 71.05.212, 71.05.212, 71.05.217, 71.05.280, 71.05.290, 71.05.300, 71.05.940, 71.09.010, 71.09.025, 71.09.030, 71.09.060, and 71A.12.025; reenacting and amending RCW 10.77.010, 10.77.086, 10.77.088, 10.97.030, 9.41.040, 9.41.047, 70.02.010, 71.05.020, 71.05.020, and 74.13.075; creating a new section; and providing a contingent effective date.

Referred to Committee on Civil Rights & Judiciary.

HB 2153 by Representatives Ryu, Ormsby, Cheney, Reeves, Pollet and Davis

AN ACT Relating to deterring the theft of catalytic converters; amending RCW 19.290.010, 19.290.020, 19.290.030, 19.290.040, 19.290.050, 19.290.060, 19.290.080, 19.290.220, 19.290.240, 46.79.010, 46.80.080, 46.80.210, and 9A.82.010; reenacting and amending RCW 46.80.010 and 9.94A.515; adding a new section to chapter 19.290 RCW; adding a new section to chapter 46.70 RCW; adding new sections to chapter 46.79 RCW; adding a new section to chapter 46.80 RCW; adding new sections to chapter 43.43 RCW; adding new sections to chapter 9A.82 RCW; creating a new section; prescribing penalties; providing effective dates; and declaring an emergency.

Referred to Committee on Consumer Protection & Business.

HB 2154 by Representatives Reeves, Reed, Simmons, Ormsby, Ramel, Street, Doglio and Pollet

AN ACT Relating to modifying the definition of persistent offender to exclude convictions for offenses committed by someone under the age of 18 and providing for resentencing; amending RCW 9.94A.030; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2155 by Representatives Reeves, Slatter, Reed and Ormsby

AN ACT Relating to creating the Washington credential registry; and adding a new section to chapter 28C.18 RCW.

Referred to Committee on Postsecondary Education & Workforce.

HB 2156 by Representatives Reeves, Doglio and Pollet

AN ACT Relating to solar consumer protections; adding a new section to chapter 80.60 RCW; and adding a new chapter to Title 19 RCW.

Referred to Committee on Consumer Protection & Business.

HB 2157 by Representatives Harris, Stonier, Reed, Ormsby, Macri, Ortiz-Self and Reeves

AN ACT Relating to updating the definition of "vaccine" in RCW 70.290.010 to include all federal food and drug administration-approved immunizations recommended by the centers for disease control and prevention; amending RCW 70.290.010; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 2158 by Representatives Connors, Reeves, Klicker, Barkis, Barnard, Graham and Hutchins

AN ACT Relating to expanding urban growth area boundaries for residential development; amending RCW 36.70A.110; reenacting and amending RCW 36.70A.130; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Housing.

HB 2159 by Representatives Eslick, Schmidt and Tharinger

AN ACT Relating to establishing a pathway for qualifying to become a journey level electrician based on experience working with a small electrical contractor; and amending RCW 19.28.006, 19.28.191, and 19.28.161.

Referred to Committee on Labor & Workplace Standards.

HB 2160 by Representatives Reed, Fey, Mena, Alvarado, Berry, Bateman, Ormsby, Ramel, Macri, Street, Peterson, Gregerson, Ryu, Cortes, Riccelli, Doglio and Pollet

AN ACT Relating to promoting community and transit-oriented housing development; amending RCW 36.70A.500, 36.70A.620, and 43.21C.229; reenacting and amending RCW 36.70A.030; adding a new section to chapter 47.01 RCW; adding a new section to chapter 36.70A RCW; adding a new section to chapter 44.28 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.32 RCW; and creating a new section.

Referred to Committee on Housing.

HB 2161 by Representatives Peterson, Reed, Macri, Chopp, Alvarado, Lekanoff and Pollet

AN ACT Relating to streamlining enforcement of tenant protections; adding a new section to chapter 59.18 RCW; adding a new section to chapter 59.20 RCW; adding a new chapter to Title 59 RCW; and repealing RCW 59.18.080 and 59.20.240.

Referred to Committee on Housing.

HB 2162 by Representatives Chambers, Leavitt, Graham and Shavers

AN ACT Relating to establishing a voluntary exemption from the payment of premiums to the long-term services and supports trust program for employees who are active duty service members engaged in off-duty civilian employment; and amending RCW 50B.04.055.

Referred to Committee on Health Care & Wellness.

HB 2163 by Representative Steele

AN ACT Relating to advertising by liquor licensees who currently have privileges to conduct tastings or provide free or complimentary amounts of beer, wine, spirits, or other liquor; amending RCW 66.20.400, 66.24.175, 66.24.363, and 66.24.590; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Regulated Substances & Gaming.

HB 2164 by Representatives Pollet, Slatter, Leavitt, Reed and Reeves

AN ACT Relating to postsecondary education consumer protections; and amending RCW 28B.85.020, 28B.85.070, 28B.85.090, and 28B.85.095.

Referred to Committee on Postsecondary Education & Workforce.

HB 2165 by Representatives Kloba, Waters and Reeves

AN ACT Relating to the authority of the department of natural resources to determine recreational use fees for activities on agency-managed public lands; and amending RCW 4.24.210.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2166 by Representatives Paul and Shavers

AN ACT Relating to increasing access to portable orders for life-sustaining treatment; and amending RCW 43.70.480 and 70.122.130.

Referred to Committee on Health Care & Wellness.

HB 2167 by Representatives Paul, Leavitt, Callan, Rule, Timmons, Lekanoff, Fosse and Shavers

AN ACT Relating to retirement benefit eligibility for law enforcement officers' and firefighters' retirement system plan 2 retirees that separate from service and choose to work in eligible positions on a part-time basis; amending RCW 41.26.030, 41.26.030, and 41.26.500; providing an effective date; and providing an expiration date.

Referred to Committee on Appropriations.

HB 2168 by Representatives Alvarado, Bronoske, Berry, Reed, Nance, Fosse and Pollet

AN ACT Relating to the duties of industrial insurance self-insured employers and third-party administrators; amending RCW 51.14.080 and 51.14.180; creating a new section; and providing an effective date.

Referred to Committee on Labor & Workplace Standards.

HB 2169 by Representatives Mosbrucker, Goodman, Leavitt, Simmons, Ormsby, Graham, Callan, Rule, Cheney and Davis

AN ACT Relating to a pilot program creating a healthier environment for correctional officers, department of corrections staff, and individuals within a correctional facility; adding a new section to chapter 72.09 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2170 by Representatives Gregerson, Ormsby, Macri, Bergquist, Berg and Reeves

AN ACT Relating to making expenditures from the budget stabilization account for declared catastrophic events; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2171 by Representatives Leavitt, Waters, Slatter, Simmons, Reed, Ramel, Doglio, Reeves and Davis

AN ACT Relating to financial aid grants for incarcerated students; and amending RCW 72.09.460.

Referred to Committee on Postsecondary Education & Workforce.

HB 2172 by Representatives Harris, Wylie, Reed and Ormsby

AN ACT Relating to providing for the use of vacant state agency property by a local government during an emergency; adding a new section to chapter 43.17 RCW; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.38 RCW.

Referred to Committee on Housing.

HB 2173 by Representatives Ybarra, Dye, Fitzgibbon and Doglio

AN ACT Relating to executive sessions by publicly owned natural gas utilities under the open public meetings act in order to comply with the climate commitment act; reenacting and amending RCW 42.30.110; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 2174 by Representatives Pollet, Bergquist, Reed, Berry, Timmons, Chapman, Ryu, Peterson, Callan, Berg, Paul, Wylie, Alvarado, Farivar, Nance, Macri, Reeves and Davis

AN ACT Relating to funded special education enrollment; amending RCW 28A.150.390; and creating a new section.

Referred to Committee on Education.

HB 2175 by Representative Caldier

AN ACT Relating to removing the enrollment limit for special education funding; and amending RCW 28A.150.390.

Referred to Committee on Appropriations.

HB 2176 by Representatives Caldier and Reeves

AN ACT Relating to improving access to patient care by increasing preventive dental care; amending RCW 18.260.090; and adding new sections to chapter 18.260 RCW.

Referred to Committee on Health Care & Wellness.

HB 2177 by Representatives Simmons and Goodman

AN ACT Relating to the membership and operation of the sex offender policy board; and amending RCW 9.94A.8673.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2178 by Representatives Goodman, Simmons and Doglio

AN ACT Relating to establishing a pathway off lifetime community custody for individuals with sex offense convictions; amending RCW 9.94A.507 and 9.94A.670; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2179 by Representatives Couture, Eslick, Graham, Hutchins and Griffey

AN ACT Relating to local licensing and regulation of child care providers; reenacting and amending RCW 43.216.010; adding new sections to chapter 43.216 RCW; repealing RCW 43.216.695; providing an effective date; and providing expiration dates.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2180 by Representatives Callan, Bergquist, Reed, Ormsby, Ramel, Stonier, Paul, Alvarado, Farivar, Fosse and Reeves

AN ACT Relating to increasing the special education enrollment funding cap; and amending RCW 28A.150.390.

Referred to Committee on Appropriations.

HB 2181 by Representatives Waters and Chapman

AN ACT Relating to the pipe tobacco excise tax rate; and amending RCW 82.26.010 and 82.26.020.

Referred to Committee on Finance.

HB 2182 by Representatives Reeves, Cheney, Leavitt, Reed, Callan and Sandlin

AN ACT Relating to the creation of a data dashboard to track policies, funding, and program and health outcomes related to the sale, consumption, and use of regulated substances; and adding a new section to chapter 66.08 RCW.

Referred to Committee on Regulated Substances & Gaming.

HB 2183 by Representatives Walsh, Graham, Cheney, Caldier and Couture

AN ACT Relating to prohibiting elected officials from including their name on remittances resulting from a lawsuit; and adding a new section to chapter 2.28 RCW.

Referred to Committee on Civil Rights & Judiciary.

HB 2184 by Representatives Taylor, Rude, Senn, Leavitt, Simmons, Reed, Graham, Callan, Macri, Chopp, Barkis, Fosse, Couture, Goodman, Nance, Springer, Riccelli, Farivar, Reeves and Davis

AN ACT Relating to authorizing payment for parental caregivers of minor children with developmental disabilities; adding a new section to chapter 71A.12 RCW; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2185 by Representatives Dent, Senn, Reed, Graham, Tharinger and Reeves

AN ACT Relating to the oversight board for children, youth, and families; amending RCW 43.216.015, 2.30.100, 43.06A.030, 43.216.395, and 74.13B.020; reenacting and amending RCW 44.04.260; adding a new section to chapter 44.04 RCW; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2186 by Representatives Senn, Taylor, Simmons, Reed and Ormsby

AN ACT Relating to deferred adjudications for juveniles; and amending RCW 13.40.127.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2187 by Representatives Dent, Chapman, Graham and Cheney

AN ACT Relating to promoting access to water for family farms; and amending RCW 90.54.020.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2188 by Representatives Bronoske, Leavitt, Ormsby, Callan, Taylor, Mena, Ryu, Jacobsen, Orwall, Caldier, Wylie, Goodman, Stonier, Paul, Fosse, Nance, Macri and Reeves

AN ACT Relating to changing the health insurance subsidy rate for retired state employees and retired or disabled school employees; amending RCW 41.05.085; and providing an effective date.

Referred to Committee on Appropriations.

HB 2189 by Representatives Kloba, Chapman, Ramel, Fitzgibbon, Eslick, Doglio and Pollet

AN ACT Relating to eliminating the transportation electrification fee for certain hybrid vehicles; amending RCW

46.17.324; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

HB 2190 by Representatives Walen and Reeves

AN ACT Relating to commissioning a study relating to improving the public records act; creating a new section; and providing an expiration date.

Referred to Committee on State Government & Tribal Relations.

HB 2191 by Representatives Timmons, Duerr, Reed, Ramel and Reeves

AN ACT Relating to adding two voting members that are transit users to the governing body of public transportation benefit areas; amending RCW 36.57A.050; and providing an effective date.

Referred to Committee on Local Government.

HB 2192 by Representatives Farivar, Cheney, Bergquist, Reed, Simmons, Ormsby, Ramel, Callan, Macri, Fosse, Stonier, Mena, Berg, Timmons, Riccelli, Reeves and Pollet

AN ACT Relating to celebrating national voter registration day; amending RCW 28A.230.150; adding a new section to chapter 28A.230 RCW; and creating a new section.

Referred to Committee on Education.

HB 2193 by Representatives Sandlin, Graham, Klicker, Dent and Low

AN ACT Relating to the new environmental restoration accelerator for salmon recovery; adding a new section to chapter 43.31 RCW; and adding a new section to chapter 44.28 RCW.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2194 by Representatives Kloba, Wylie, Doglio, Goodman, Macri, Berry, Reed, Ormsby, Peterson, Fitzgibbon, Simmons, Fosse and Waters

AN ACT Relating to legalizing the home cultivation of cannabis by persons who are 21 years of age and older; amending RCW 69.50.4013 and 69.50.401; reenacting and amending RCW 69.50.505 and 69.50.101; and prescribing penalties.

Referred to Committee on Regulated Substances & Gaming.

HJR 4208 by Representatives Ramos, Senn, Ramel, Ormsby, Fosse, Doglio, Reeves and Davis

Removing gendered terms from the Constitution.

Referred to Committee on State Government & Tribal Relations.

HCR 4405 by Representatives Sandlin, Chandler, Dent, Timmons, Eslick, Chambers, Christian, Corry, Couture, Connors, Low, Ramos, Ormsby, Barnard and Reeves

Naming the new Irving R. Newhouse Building.

Referred to Committee on State Government & Tribal Relations.

HCR 4406

Calling a Joint Session of the Legislature.

HCR 4407

Establishing cutoff dates for the consideration of legislation during the 2024 regular session of the sixty-eighth legislature.

HCR 4408

Specifying the status of bills, resolutions, and memorials.

Referred to Committee on Rules.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4406 and HOUSE CONCURRENT RESOLUTION NO. 4407 were read the first time, and under suspension of the rules, were placed on the second reading calendar.

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4652**, by Representatives Fitzgibbon and Steele

BE IT RESOLVED, That a committee consisting of two members of the House of Representatives be appointed by the Speaker of the House to notify the Governor that the House is organized and ready to conduct business.

Representatives Fitzgibbon and Steele spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4652 was adopted.

There being no objection, the House advanced to the sixth order of business.

### SECOND READING

**HOUSE CONCURRENT RESOLUTION NO. 4406**, by Representatives Fitzgibbon and Steele

**Calling a Joint Session of the Legislature.**

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

Representative Fitzgibbon spoke in favor of the adoption of the concurrent resolution.

HOUSE CONCURRENT RESOLUTION NO. 4406 was adopted.

**HOUSE CONCURRENT RESOLUTION NO. 4407**, by Representatives Fitzgibbon and Steele

**Establishing cutoff dates for the consideration of legislation during the 2024 regular session of the sixty-eighth legislature.**

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

Representative Fitzgibbon spoke in favor of the adoption of the concurrent resolution.

HOUSE CONCURRENT RESOLUTION NO. 4407 was adopted.

With the consent of the House, the bills previously acted upon were immediately transmitted to the Senate.

There being no objection, the House reverted to the third order of business.

#### MESSAGE FROM THE SENATE

Monday, January 8, 2024

Mme. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8411

and the same is herewith transmitted.

Sarah Bannister, Secretary

There being no objection, the House advanced to the fourth order of business.

#### FIRST SUPPLEMENTAL INTRODUCTION & FIRST READING

SCR 8411 by Senators Pedersen, Short and Nobles

Specifying the status of bills, resolutions, and memorials.

There being no objection, SENATE CONCURRENT RESOLUTION NO. 8411 was read the first time, and under suspension of the rules, was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

#### SECOND READING

**SENATE CONCURRENT RESOLUTION NO. 8411, by Senators Pedersen, Short and Nobles**

**Specifying the status of bills, resolutions, and memorials.**

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

Representative Fitzgibbon spoke in favor of the adoption of the concurrent resolution.

SENATE CONCURRENT RESOLUTION NO. 8411 was adopted.

With the consent of the House, SENATE CONCURRENT RESOLUTION NO. 8411 was immediately transmitted to the Senate.

There being no objection, the House reverted to the fourth order of business.

#### MOTION

With the consent of the House, the remaining measures listed on today's introduction sheet will be considered first reading under the fourth order of business and be referred to the committees so designated, with the follow exceptions: HOUSE BILL NO. 1872, HOUSE BILL NO. 1896, and HOUSE BILL NO. 1980 are

referred to Appropriations; HOUSE BILL NO. 1916 is referred to Human Services, Youth & Early Learning; HOUSE BILL NO. 1951 and HOUSE BILL NO. 1996 are referred to Consumer Protection & Business; HOUSE BILL NO. 1972 is referred to Health Care & Wellness; HOUSE BILL NO. 2062 is referred to State Government & Tribal Relations; and HOUSE BILL NO. 2148 is referred to Education.

There being no objection, the House advanced to the eighth order of business.

#### MOTIONS

With the consent of the House, the following bills are referred from the Rules committee to the following committees:

Returning to Agriculture & Natural Resources:  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1789

Returning to Appropriations:  
SECOND SUBSTITUTE HOUSE BILL NO. 1579

Returning to Capital Budget:  
SUBSTITUTE HOUSE BILL NO. 1506

Returning to Civil Rights & Judiciary:  
SECOND SUBSTITUTE HOUSE BILL NO. 1025

Returning to Community Safety, Justice & Reentry:  
SUBSTITUTE HOUSE BILL NO. 1108  
HOUSE BILL NO. 1150  
SUBSTITUTE HOUSE BILL NO. 1160  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1189  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1387  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1555

Returning to Consumer Protection & Business:  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1392  
SECOND SUBSTITUTE HOUSE BILL NO. 1648

Returning to Education:  
SECOND SUBSTITUTE HOUSE BILL NO. 1239  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1479  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1565

Returning to Environment & Energy:  
SUBSTITUTE HOUSE BILL NO. 1185  
SUBSTITUTE HOUSE BILL NO. 1365  
SUBSTITUTE HOUSE BILL NO. 1381  
SUBSTITUTE HOUSE BILL NO. 1427  
SECOND SUBSTITUTE HOUSE BILL NO. 1433  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1584

Returning to Finance:  
SUBSTITUTE HOUSE BILL NO. 1182  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1371  
HOUSE BILL NO. 1422  
SUBSTITUTE HOUSE BILL NO. 1596

Returning to Health Care & Wellness:  
HOUSE BILL NO. 1269  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1547  
SUBSTITUTE HOUSE BILL NO. 1588  
SUBSTITUTE HOUSE BILL NO. 1776

Returning to Housing:  
SUBSTITUTE HOUSE BILL NO. 1026  
SUBSTITUTE HOUSE BILL NO. 1133  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1167  
HOUSE BILL NO. 1252  
HOUSE BILL NO. 1401

Returning to Human Services, Youth & Early Learning:  
 SUBSTITUTE HOUSE BILL NO. 1098  
 SECOND SUBSTITUTE HOUSE BILL NO. 1405  
 SUBSTITUTE HOUSE BILL NO. 1439  
 SUBSTITUTE HOUSE BILL NO. 1685

Returning to Labor & Workplace Standards:  
 HOUSE BILL NO. 1566

Returning to Local Government:  
 SUBSTITUTE HOUSE BILL NO. 1351

Returning to Postsecondary Education & Workforce:  
 SECOND SUBSTITUTE HOUSE BILL NO. 1338

Returning to Regulated Substances & Gaming:  
 HOUSE BILL NO. 1249  
 SUBSTITUTE HOUSE BILL NO. 1299  
 HOUSE BILL NO. 1650

Returning to State Government & Tribal Relations:  
 SUBSTITUTE HOUSE BILL NO. 1692

Returning to Transportation:  
 HOUSE BILL NO. 1364  
 HOUSE BILL NO. 1488  
 HOUSE BILL NO. 1489  
 HOUSE BILL NO. 1518  
 SUBSTITUTE HOUSE BILL NO. 1647  
 HOUSE BILL NO. 1660  
 SUBSTITUTE HOUSE BILL NO. 1829  
 SUBSTITUTE HOUSE BILL NO. 1833

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 1228, and the bill was referred to the Committee on Education.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the 3rd Reading calendar:

SUBSTITUTE HOUSE BILL NO. 1012  
 HOUSE BILL NO. 1455  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1245

The Sergeant at Arms announced that the House delegation to the Governor had returned. The delegation was escorted to the rostrum and Representatives Nance and McClintock reported to the body.

There being no objection, the House advanced to the seventh order of business.

### THIRD READING

**SUBSTITUTE HOUSE BILL NO. 1012, by House Committee on Appropriations (originally sponsored by Leavitt, Robertson, Ryu, Simmons, Reed, Ramel, Lekanoff, Pollet, Callan, Doglio, Orwall, Macri, Timmons, Donaghy, Reeves, Wylie, Bronoske, Paul, Springer and Thai)**

#### Addressing the response to extreme weather events.

The bill was read the third time.

Representative Leavitt spoke in favor of the passage of the bill.

Representative Volz spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1012.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1012, and the bill passed the House by the following vote: Yeas, 68; Nays, 30; Absent, 0; Excused, 0

Voting Yea: Representatives Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Caldier, Chambers, Chandler, Christian, Connors, Corry, Couture, Dent, Dye, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Maycumber, McEntire, Orcutt, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

SUBSTITUTE HOUSE BILL NO. 1012, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1455, by Representatives Stonier, Berry, Farivar, Rude, Fey, Reed, Morgan, Thai, Fosse, Pollet, Macri and Bateman**

#### Eliminating child marriage.

The bill was read the third time.

Representatives Stonier and Walsh spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1455.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1455, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

HOUSE BILL NO. 1455, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1245, by House Committee on Housing (originally sponsored by Barkis, Robertson, Wylie, Fitzgibbon, Peterson, Walsh, Chambers, Kloba, Gregerson, Graham, Waters, Reed, Walen, Christian, Riccelli, Macri, Bateman and Doglio)**

#### Increasing housing options through lot splitting.

The bill was read the third time.

Representatives Barkis, Peterson and Goehner spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1245.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1245, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Callan, Fey, Ramos and Senn

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1245, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

**COMMITTEE APPOINTMENT(S)**

Representative Abbarno is appointed to the Civil Rights & Judiciary Committee and is removed from the Labor & Workplace Standards Committee.

Representative Callan is appointed to the Appropriations Committee and is removed from the Education Committee.

Representative Nance is appointed to the Education, Postsecondary Education & Workforce, and Transportation Committees.

Representative Rude is appointed to the Labor & Workplace Standards Committee and is removed from the Civil Rights & Judiciary Committee.

Representative Rule is appointed Vice Chair of the Human Services, Youth, & Early Learning Committee.

Representative Taylor is appointed Chair of Civil Rights & Judiciary Committee and is removed from the Transportation Committee.

Representative Taylor is removed from the position of Vice Chair of the Human Services, Youth & Early Learning Committee and otherwise remains a member of the committee.

Representative Wilcox is appointed to the Innovation, Community & Economic Development, & Veterans Committee and is removed from the Labor & Workplace Standards Committee.

Representative Ybarra is appointed to the Labor & Workplace Standards Committee and is removed from the Innovation, Community & Economic Development, & Veterans Committee.

On motion of Representative Fitzgibbon, the House adjourned until 9:55 a.m., Tuesday, January 9, 2024, the 2nd Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## SECOND DAY

House Chamber, Olympia, Tuesday, January 9, 2024

The House was called to order at 9:55 a.m. by the Speaker.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SENATE**

Monday, January 8, 2024

Mme. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4406  
HOUSE CONCURRENT RESOLUTION NO. 4407

and the same is herewith transmitted.

Sarah Bannister, Secretary

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HB 2195 by Representatives Callan, Eslick, Senn, Chopp, Ramel, Paul, Reeves, Ormsby, Hackney, Reed, Fosse, Doglio, Goodman and Davis

AN ACT Relating to strengthening the early learning facilities grant and loan program by revising criteria and providing resources to the Ruth LeCocq Kagi early learning facilities development account; amending RCW 43.31.577, 82.87.030, and 43.31.575; adding a new section to chapter 43.31 RCW; and providing effective dates.

Referred to Committee on Capital Budget.

HB 2196 by Representatives Donaghy, Berry, Ormsby and Davis

AN ACT Relating to alcohol concentration; amending RCW 46.61.502, 46.61.504, 46.61.5055, 46.61.506, 46.20.308, and 46.20.3101; adding a new section to chapter 43.59 RCW; adding a new section to chapter 66.44 RCW; adding a new section to chapter 66.08 RCW; creating a new section; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2197 by Representatives Orwall, Pollet, Berry, Fey, Reed, Fosse, Macri and Davis

AN ACT Relating to the availability of prevention services under medical assistance programs; adding a new section to chapter 74.09 RCW; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Health Care & Wellness.

HB 2198 by Representatives Reeves, Walen, Ramel, Springer, Reed, Pollet and Leavitt

AN ACT Relating to mitigating the impact of rising school facility temperatures resulting from climate change; amending RCW 28A.150.290; adding a new section to chapter 28A.150 RCW; creating a new section; and providing an effective date.

Referred to Committee on Education.

HB 2199 by Representatives Orcutt, Fitzgibbon, Reed, Doglio and Leavitt

AN ACT Relating to creating business and occupation and public utility tax exemptions for certain amounts received as the result of receipt, generation, purchase, sale, transfer, or retirement of allowances, offset credits, or price ceiling units under the climate commitment act; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 2200 by Representatives Macri, Ormsby and Reed

AN ACT Relating to accounts; amending RCW 82.45.240 and 27.34.400; reenacting and amending RCW 43.79A.040, 43.79A.040, 43.84.092, and 43.84.092; adding a new section to chapter 41.05 RCW; adding a new section to chapter 70A.535 RCW; creating new sections; repealing RCW 43.83.330, 43.83.350, 27.34.410, 43.79.487, 70A.305.140, 43.79.530, 43.41.444, and 43.79.515; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2201 by Representatives Doglio, Fitzgibbon, Berry, Ramel, Reeves, Duerr, Hackney, Reed, Goodman and Pollet

AN ACT Relating to facilitating linkage of Washington's carbon market with the California-Quebec carbon market; amending RCW 70A.65.010, 70A.65.060, 70A.65.070, 70A.65.080, 70A.65.100, 70A.65.110, 70A.65.170, 70A.65.200, 70A.65.310, and 70A.15.2200; creating a new section; prescribing penalties; and providing a contingent effective date.

Referred to Committee on Environment & Energy.

HB 2202 by Representatives Couture, Griffey and Hutchins

AN ACT Relating to providing a state program of assistance for local government indigent public defense and law enforcement costs; adding new sections to chapter 36.26 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 2203 by Representatives Ryu, Walen, Paul, Reeves, Ormsby, Hackney, Fey, Reed, Taylor, Doglio, Donaghy, Goodman, Leavitt and Davis



AN ACT Relating to creating a pilot project to assist incarcerated veterans; adding a new section to chapter 43.60A RCW; and providing an expiration date.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 2204 by Representatives Waters and Wylie

AN ACT Relating to the creation of a special liquor permit to authorize the sale of liquor by a manufacturer of liquor at another licensed premises during an emergency; and amending RCW 66.20.010.

Referred to Committee on Regulated Substances & Gaming.

HB 2205 by Representatives Cheney, Couture, Hutchins and Graham

AN ACT Relating to establishing protections for citizens participating in the initiative and referendum process; and adding a new section to chapter 29A.84 RCW.

Referred to Committee on State Government & Tribal Relations.

HB 2206 by Representatives Cheney, Low, Couture and Hutchins

AN ACT Relating to establishing secure online access to the voter registration database; amending RCW 29A.08.125; and providing an effective date.

Referred to Committee on State Government & Tribal Relations.

HB 2207 by Representatives Ramos, Low, Chapman, Couture and Reed

AN ACT Relating to providing tools designed to reduce the impacts of unlawful solid waste dumping; amending RCW 70A.200.060, 7.84.100, 70A.200.140, 70A.305.180, and 79.100.030; reenacting and amending RCW 79.100.010; adding a new section to chapter 79.100 RCW; and creating a new section.

Referred to Committee on Environment & Energy.

HB 2208 by Representatives Harris and Bateman

AN ACT Relating to providing flexibility in calculation of nursing rates for the purposes of implementing new centers for medicare and medicaid services data; amending RCW 74.46.485, 74.46.496, and 74.46.501; and reenacting and amending RCW 74.46.020.

Referred to Committee on Health Care & Wellness.

HB 2209 by Representatives Thai, Ryu, Gregerson, Senn, Santos, Ramel, Reeves, Morgan, Reed, Fosse, Cortes, Macri, Doglio, Paul, Pollet and Riccelli

AN ACT Relating to celebrating lunar new year; reenacting and amending RCW 1.16.050; adding a new section to chapter 43.117 RCW; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 2210 by Representatives Dye, Couture, Graham, Fosse, Springer and Davis

AN ACT Relating to establishing a wild horse holding and training program at a state corrections center; and creating new sections.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2211 by Representatives Stearns, Orwall, Gregerson, Chapman, Hackney, Fosse and Goodman

AN ACT Relating to granting local taxing authority to fund criminal justice; amending RCW 82.14.450 and 82.14.340; and declaring an emergency.

Referred to Committee on Local Government.

HB 2212 by Representatives Rule, Leavitt, Hackney, Pollet, Timmons, Kloba and Callan

AN ACT Relating to increasing allocations for principals, assistant principals, and other certificated building-level administrators; amending RCW 28A.150.260; and providing an effective date.

Referred to Committee on Appropriations.

HB 2213 by Representatives Cheney, Taylor, Duerr and Graham

AN ACT Relating to defects and omissions in the laws that have been identified by the justices of the supreme court or judges of the superior courts pursuant to Article IV, section 25 of the state Constitution; amending RCW 10.116.030, 13.04.030, 21.20.380, and 29A.80.061; reenacting and amending RCW 10.95.030; creating a new section; repealing RCW 9.68.060, 9.68.070, and 9.68.090; and repealing 2020 c 1 ss 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 (uncodified).

Referred to Committee on Civil Rights & Judiciary.

HB 2214 by Representatives Slatter, Bergquist, Chopp, Ramel, Reeves, Paul, Morgan, Gregerson, Ormsby, Alvarado, Reed, Fosse, Macri, Goodman, Pollet, Leavitt, Timmons, Davis, Riccelli and Duerr

AN ACT Relating to permitting beneficiaries of public assistance programs to automatically qualify as income-eligible for the purpose of receiving the Washington college grant; and amending RCW 28B.92.200 and 28B.92.225.

Referred to Committee on Postsecondary Education & Workforce.

HB 2215 by Representatives Slatter, Berg, Senn, Walen, Ramel, Reeves, Reed, Fosse and Pollet

AN ACT Relating to enrichment levies; amending RCW 84.52.0531; and creating a new section.

Referred to Committee on Appropriations.

HB 2216 by Representatives Cheney, Leavitt, Walen, Santos, Couture, Graham, Reed, Rude and Davis

AN ACT Relating to reducing barriers to state employment by eliminating two-year and four-year degree requirements that are unnecessary; amending RCW 41.06.157; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 2217 by Representatives Cortes, Senn, Santos, Ormsby, Reed, Fosse, Doglio and Pollet

AN ACT Relating to authority over individuals found guilty of or accused of criminal offenses that occurred when the individual was under age 18; amending RCW 13.40.300 and 13.40.110; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2218 by Representatives Cortes, Chopp, Ramel, Santos, Reeves, Fey, Callan, Alvarado, Reed, Fosse, Tharinger, Doglio, Goodman, Pollet, Timmons and Davis

AN ACT Relating to the provision of extended foster care services to youth ages 18 to 21; amending RCW 13.34.267, 74.13.031, and 74.13.336; reenacting and amending RCW 13.34.030 and 74.13.020; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2219 by Representatives Hackney, Bateman, Chapman, Barkis, Gregerson, Reed, Fosse, Doglio, Pollet and Callan

AN ACT Relating to providing tax relief for nonprofit development of affordable housing; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; providing an effective date; and providing expiration dates.

Referred to Committee on Finance.

HB 2220 by Representatives Rule, Hackney, Hutchins and Cheney

AN ACT Relating to violent offenses; and amending RCW 9.94A.030 and 10.19.055.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2221 by Representatives Orwall, Santos, Reeves, Donaghy and Davis

AN ACT Relating to establishing a work group to address the shortage of qualified and certified American sign language interpreters and protactile sign language interpreters in the state of Washington; adding a new section to chapter 43.20A RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2222 by Representatives Hackney, Rule, Hutchins and Cheney

AN ACT Relating to updating the endangerment with a controlled substance statute; and amending RCW 9A.42.100.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2223 by Representatives Rule, Eslick, Gregerson, Reeves, Reed, Doglio and Kloba

AN ACT Relating to protecting school libraries by increasing librarians in public schools; amending RCW 28A.150.260 and 28A.400.007; and providing an effective date.

Referred to Committee on Appropriations.

HB 2224 by Representatives Rule and Graham

AN ACT Relating to the risks, strengths, and needs assessment tool used in the risk assessment process when investigating alleged child abuse and neglect referrals; amending RCW 26.44.030; creating a new section; and providing an expiration date.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2225 by Representatives Thai, Santos, Ormsby and Reed

AN ACT Relating to giving people with criminal records who are rehabilitated a fresh start in occupational licensing in Washington; and amending RCW 18.400.020, 18.400.030, and 9.96A.020.

Referred to Committee on Consumer Protection & Business.

HB 2226 by Representatives Ortiz-Self, Berry, Gregerson, Ramel, Santos, Reeves, Reed and Davis

AN ACT Relating to collecting data on the H-2A worker program and from certain hand harvesters; amending RCW 50.75.020; and adding new sections to chapter 50.75 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 2227 by Representative Ortiz-Self

AN ACT Relating to vacating convictions for driving under the influence, actual physical control of a motor vehicle while under the influence, or an offense considered a prior offense to such convictions; and amending RCW 9.96.060.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2228 by Representative Christian

AN ACT Relating to decreasing the minimum density requirements for middle housing; amending RCW 36.70A.635; and reenacting and amending RCW 36.70A.030.

Referred to Committee on Housing.

HB 2229 by Representative Christian

AN ACT Relating to coordination and collaboration of homeless services; adding new sections to chapter 43.185C RCW; creating a new section; and providing effective dates.

Referred to Committee on Housing.

HB 2230 by Representatives Peterson, Eslick, Gregerson, Ramel, Reed and Waters

AN ACT Relating to promoting economic inclusion by creating the economic security for all grant program; adding a new chapter to Title 43 RCW; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2231 by Representatives Walen, Chapman, Hackney, Springer and Goodman

AN ACT Relating to incentivizing cities and counties to attract and retain commissioned law enforcement officers; reenacting and amending RCW 43.101.200; adding new sections to chapter 82.14 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 2232 by Representatives Doglio, Mena, Berry, Bateman, Ramel, Ormsby, Reed, Fosse, Macri, Pollet, Peterson and Duerr

AN ACT Relating to petroleum products supply and pricing; amending RCW 19.86.140 and 42.56.330; adding a new chapter to Title 19 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Environment & Energy.

HB 2233 by Representatives Couture, Griffey, Connors, Klicker, Hutchins, Jacobsen and Graham

AN ACT Relating to providing an appropriate response to the use and presence of controlled substances by parents to protect children; amending RCW 13.34.050, 26.44.050, 26.44.056, and 26.44.030; and reenacting and amending RCW 13.34.065.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2234 by Representatives Ybarra and Couture

AN ACT Relating to energy assistance for low-income households; and amending RCW 19.405.120.

Referred to Committee on Environment & Energy.

HB 2235 by Representatives Dye and Couture

AN ACT Relating to improving publicly available data on Washington state's water quality to improve salmon recovery and the prioritization of salmon recovery projects; amending RCW 90.48.580; adding a new section to chapter 90.48 RCW; and creating a new section.

Referred to Committee on Environment & Energy.

HB 2236 by Representatives Shavers, Santos, Reed and Goodman

AN ACT Relating to expanding and strengthening career and technical education core plus programs; adding a new section to chapter 28A.700 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Education.

HB 2237 by Representatives Taylor and Walen

AN ACT Relating to limitations in parenting plans; amending RCW 26.09.191; and adding a new section to chapter 26.09 RCW.

Referred to Committee on Civil Rights & Judiciary.

HB 2238 by Representatives Thai, Berry, Bateman, Ramel, Santos, Reeves, Duerr, Reed, Fosse, Macri, Doglio, Goodman, Pollet, Kloba and Davis

AN ACT Relating to imposing a new tax on ammunition; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; and providing an effective date.

Referred to Committee on Finance.

HB 2239 by Representatives Timmons, Eslick, Callan, Ramel, Reeves, Reed, Doglio, Leavitt and Davis

AN ACT Relating to supporting student well-being through instruction in social-emotional skills; amending RCW 28A.300.288; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.630 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 2240 by Representatives Taylor, Timmons, Gregerson, Senn, Chopp, Reed, Cortes and Macri

AN ACT Relating to clarifying the process for redacting void covenants from recorded property documents; and amending RCW 49.60.227.

Referred to Committee on Civil Rights & Judiciary.

HB 2241 by Representatives Jacobsen and Christian

AN ACT Relating to prohibiting puberty blocking medications, cross-sex hormones, and gender transition surgeries for minors; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health Care & Wellness.

HB 2242 by Representatives Orwall, Pollet, Ramel, Callan, Fosse, Leavitt, Davis and Morgan

AN ACT Relating to supporting sexual assault survivors at institutions of higher education; amending RCW 28B.110.020; adding new sections to chapter 28B.112 RCW; and creating a new section.

Referred to Committee on Postsecondary Education & Workforce.

HB 2243 by Representatives Reeves, Waters, Chapman, Walen, Reed, Springer and Doglio

AN ACT Relating to creating the children's social equity land trust; amending RCW 43.216.602 and 79.02.010; reenacting and amending RCW 79.64.110; and adding a new chapter to Title 79 RCW.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2244 by Representatives Reeves, Walen, Senn, Ramel, Chapman, Chopp, Ormsby, Reed, Fosse, Leavitt, Davis and Riccelli

AN ACT Relating to improving retirement security for Washingtonians by establishing Washington saves, an automatic enrollment individual retirement savings account program, and updating the Washington retirement marketplace statute; amending RCW 43.330.732 and 43.330.735; reenacting and amending RCW 43.79A.040 and 43.79A.040; adding a new chapter to Title 19 RCW; creating a new section; decodifying RCW 43.330.730; prescribing penalties; providing effective dates; and providing an expiration date.

Referred to Committee on Labor & Workplace Standards.

HB 2245 by Representatives Bronoske, Eslick, Ramel, Senn, Reed, Macri, Leavitt and Davis

AN ACT Relating to establishing co-response services and training as an essential component of the crisis care continuum; amending RCW 71.24.905; reenacting RCW 71.24.025; adding new sections to chapter 71.24 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 2246 by Representatives Bateman, Low, Gregerson, Bronoske, Robertson, Reeves, Paul, Reed and Doglio

AN ACT Relating to vacation leave accrual for state employees; amending RCW 43.01.044, 41.40.010, and 43.43.120; and reenacting and amending RCW 43.01.040.

Referred to Committee on Labor & Workplace Standards.

HB 2247 by Representatives Bateman, Bronoske, Simmons, Duerr, Callan, Reed, Macri, Doglio, Leavitt and Davis

AN ACT Relating to addressing behavioral health provider shortages; amending RCW 18.19.020, 18.83.020, 18.83.050,

18.83.080, 18.83.105, 18.83.110, 18.83.115, 18.83.135, 18.83.170, 18.83.180, 18.83.190, 18.83.210, 18.225.145, 18.225.180, 48.43.045, and 74.09.522; reenacting and amending RCW 18.205.095 and 18.225.090; creating new sections; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 2248 by Representatives Bateman, Callan, Fey, Reed, Doglio, Leavitt and Davis

AN ACT Relating to providing support to individuals with traumatic brain injuries; and amending RCW 74.31.020, 74.31.030, and 74.31.050.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2249 by Representative Dye

AN ACT Relating to ensuring transparency regarding the impacts of allowing general market participants, including financial speculators, to participate in climate commitment act markets; amending RCW 70A.65.090 and 70A.65.220; adding a new section to chapter 70A.65 RCW; and creating a new section.

Referred to Committee on Environment & Energy.

HB 2250 by Representatives Gregerson, Walen, Mena, Ramel, Duerr, Peterson, Reed, Berry, Berg, Stonier, Callan, Ryu, Chapman, Bateman, Reeves, Paul, Ormsby, Fosse, Cortes, Macri, Doglio and Goodman

AN ACT Relating to increasing representation and voter participation in local elections; amending RCW 29A.60.221, 29A.52.112, 29A.52.220, 29A.24.010, 36.32.040, 36.32.050, 35A.12.040, 28A.343.320, 29A.04.410, 29A.12.080, and 29A.36.121; reenacting and amending RCW 29A.36.170; adding a new section to chapter 29A.52 RCW; adding a new section to chapter 29A.04 RCW; adding a new section to chapter 52.14 RCW; adding a new section to chapter 53.12 RCW; creating new sections; repealing RCW 29A.04.127; and providing an expiration date.

Referred to Committee on State Government & Tribal Relations.

HB 2251 by Representatives Cortes, Eslick, Ormsby, Reed and Fosse

AN ACT Relating to the disposition of unenforceable legal financial obligations other than restitution imposed by a court or an agent of the court against a juvenile prior to July 1, 2023; amending RCW 13.40.192; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2252 by Representatives Klicker, Leavitt, Sandlin, Reed, Fosse, Graham and Taylor

AN ACT Relating to allowing small business establishments in residential zones; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

HB 2253 by Representatives Hackney, Doglio, Ryu, Orwall, Duerr, Berry, Ramel, Paul, Springer, Macri, Bergquist, Pollet and Tharinger

AN ACT Relating to fair access to community solar; amending RCW 80.28.370, 80.28.375, and 82.16.182; adding new sections to chapter 80.28 RCW; and creating a new section.

Referred to Committee on Environment & Energy.

HB 2254 by Representatives Walen, Reeves, Reed and Springer

AN ACT Relating to implementing recommendations of the 2023 child support schedule work group; amending RCW 26.19.065, 26.19.071, 26.19.080, 26.09.170, 26.23.050, 74.20A.055, 74.20A.056, 74.20A.059, and 26.19.020; reenacting and amending RCW 26.09.004; adding new sections to chapter 26.09 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Civil Rights & Judiciary.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 2244 which was referred to the Committee on Consumer Protection and Business.

There being no objection, the House advanced to the eighth order of business.

### MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the 3rd Reading calendar:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1705  
     HOUSE BILL NO. 1471  
     SECOND SUBSTITUTE HOUSE BILL NO. 1332  
     SUBSTITUTE HOUSE BILL NO. 1241  
     HOUSE BILL NO. 1146  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1362  
     SUBSTITUTE HOUSE BILL NO. 1105  
     SUBSTITUTE HOUSE BILL NO. 1717  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1113  
     SECOND ENGROSSED HOUSE BILL NO. 1757

### SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE CONCURRENT RESOLUTION NO. 4406  
 HOUSE CONCURRENT RESOLUTION NO. 4407

### MOTION

There being no objection, the Committee on Health Care & Wellness was relieved of HOUSE BILL NO. 2208, and the bill was referred to the Committee on Appropriations.

There being no objection, the House reverted to the first order of business.

### JOINT SESSION

Pursuant to House Concurrent Resolution No. 4406, the Senate appeared at the doors of the House of Representatives and requested admission to the Chamber. The Sergeant at Arms of the House, Mr. Johnny Alexander, and the Sergeant at Arms of the Senate, Mr. Andy Staubitz, escorted the President of the Senate, Lieutenant Governor Denny Heck, Senator Karen Keiser, Senator Shelly Short and Senator Bob Hasegawa to seats at the Rostrum. The Senators were invited to seats within the Chamber.

The Speaker of the House called upon the President of the Senate, Lieutenant Governor Denny Heck, to preside over the Joint Session.

The President of the Senate, Lieutenant Governor Heck, called the Joint Session to order. The Clerk called the roll of House members. The Clerk called the roll of Senate members. A quorum of the Legislature was declared to be present.

President Heck: "This Joint Session has been convened to receive the state of the state message from His Excellency, Governor Jay Inslee."

#### APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a special committee to escort the State Supreme Court Justices to the House Chamber: Representatives Alvarado and Barnard and Senators Torres and Trudeau.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a special committee to escort the statewide elected officials to the House Chamber: Representatives Cheney and Reeves and Senators Hansen and Linda Wilson.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a special committee to advise His Excellency, Governor Jay Inslee, that the Joint Session had assembled and to escort the Governor to the House Chamber: Representatives Connors and Fitzgibbon and Senators Kauffman and Fortunato.

Sergeant at Arms Alexander announced the arrival of the Justices of the State Supreme Court at the Chamber door. The special committee consisting of Representatives Alvarado and Barnard and Senators Torres and Trudeau escorted the Chief Justice and Justices to seats at the front of the House Chamber. The members of the Supreme Court were introduced by the President: Chief Justice Steven Gonzalez, Associate Chief Justice Charles Johnson, Justice Barbara Madsen, Justice Debra Stephens, Justice Sheryl Gordon-McCloud and Justice Raquel Montoya-Lewis.

Sergeant at Arms Alexander announced the arrival of the statewide elected officials at the Chamber door. The special committee consisting of Representatives Cheney and Reeves and Senators Hansen and Linda Wilson escorted the statewide elected officials to seats at the front of the House Chamber. The statewide elected officials were introduced by the President: Secretary of State Steve Hobbs, State Treasurer Mike Pellicciotti, State Auditor Pat McCarthy, Attorney General Bob Ferguson, Superintendent of Public Instruction Chris Reykdal, Insurance Commissioner Mike Kreidler and Commissioner of Public Lands Hilary Franz.

The President of the Senate introduced officers and members of the Consular Association of Washington: Gwyn Kutz, Canada; Floribert Mubalama, Democratic Republic of the Congo; Mark Gantar, Federal Democratic Republic of Ethiopia; Pedro Costa, Federative Republic of Brazil; Katalin Pearman, Hungary; Elisabetta Valentini, Italian Republic; Mark Schleck, Kingdom of Denmark; Luis Esteban, Kingdom of Spain; Viggo Forde, Norway; Eva Kammel, Republic of Austria; Anders Barria Roman, Republic of Chile; Paul Raidna, Republic of Estonia; Matti Suokko, Republic of Finland; Carlos José Arroyave Prera, Republic of Guatemala; Eunji Seo, Republic of Korea; Miguel A. Velasquez, Republic of Peru; Teresa Indelak Davis, Republic of Poland; Philippe Goetschel, Swiss Confederation; Daniel Chen, Taipei Economic and Cultural Center; Valeriy Goloborodko, Ukraine; and Robin Twyman, United Kingdom of Great Britain and Northern Ireland.

The President of the Senate acknowledged the following people in the gallery: First Lady, Trudi Inslee; the Honorable Gary Locke, 21st Governor of Washington State and former Ambassador to China; Tulalip Tribes Chair Teri Gobin; Tulalip Tribes Vice Chair Misty Napeahi and Tumwater Mayor Debbie Sullivan.

Sergeant at Arms Alexander announced the arrival of His Excellency, Governor Jay Inslee at the Chamber door. The special committee consisting of Representatives Connors and Fitzgibbon and Senators Kauffman and Fortunato escorted Governor Inslee to the Rostrum where he was introduced by the President.

The Washington State Patrol Honor Guard, commanded by Lieutenant Matt Fehler, presented the Colors. The Honor Guard was comprised of Trooper Heather Axtman, Trooper Dean Gallanger, Trooper Kyle Flaig and Trooper Michael Sessions.

The National Anthem was performed by Bobby Ray and Shalah Rose McCarthy from Kitsap County.

The President of the Senate led the Joint Session in the Pledge of Allegiance.

The prayer was offered by Reverend Dee Eisenhauer, Eagle Harbor Congregational Church, Bainbridge Island.

The President of the Senate introduced the Honorable Jay Inslee, Governor of the State of Washington.

#### STATE OF THE STATE

Governor Inslee: "Good afternoon. I would like to thank the Reverend Dee Eisenhauer for the invocation. And Bobby Ray and Shalah 'Rose' McCarthy for their wonderful voices.

Mr. President, Madame Speaker, Mr. Chief Justice, distinguished justices of the court, members of the Legislature, Tribal leaders, local leaders, members of the Consular Corps, and my fellow Washingtonians. I come to you as a governor, as a granddad, and as a Washingtonian. To thank you and your families for your contributions to our efforts. My staff and their families deserve credit as well. Particularly my family and a very special person to me - Trudi. I love seeing the childcare center she inspired us to build for our Capitol families. Among many causes she's advocated for as First Spouse. I love you Trudi and I'm not alone.

Let's cut to the chase. I'm happy to report we have been, we are, and we will always be the strongest state in the nation. In fact, the state of our state is stronger than ever. For over a decade, we've advanced nation-leading policies to support working families. Grown our economy. And acted boldly to protect our state's iconic spaces and salmon. We've advanced equity. Built more housing. Fought for a woman's right to choose. And ushered in a clean energy economy. In an era of tremendous transition and change, Washington has emerged as a beacon of progress in this nation. This year, we are going to make sure that light shines brighter.

This is my eleventh time addressing this chamber. And I have a bigger audience each year. There are one million more Washingtonians today than when I took office. Because Washington is the place to be. I welcome our new Washingtonians who have seen the genius and promise of our state. The minimum wage was nine dollars in 2013 and today it's over sixteen dollars. Wages overall have grown by thirty nine percent - double the national rate. Our GDP has grown forty five percent. From five hundred twenty-eight billion dollars in 2013 to seven hundred sixty-eight billion dollars today. And we're among the few states that rank as both a top state for business and for workers.

As we contemplate this next year and the work ahead, I think back to my dad, who coached track at Sealth High School. He told his runners to imagine the finish line was 10 yards beyond the finish line. My father always said, and this is what sticks with me, "Fellas, run through the tape!" so they wouldn't let up before the race was over. We are going to run through the tape this year. Just as I know you'll give this state your best work, I'll give mine. This is not a farewell speech. These are not famous last words. I'm not riding into the sunset. Winston Churchill said, 'This is not time for ease and comfort. It is time to dare and endure.'

We will not relent to our greatest challenges. We will not go backward. This is the Evergreen State. And the Ever Forward State. And we're going ever forward on our evergreen agenda. Climate change is our present challenge. But climate collapse does

not have to be inevitable. This Legislature put us on a clear - and necessary - path to slash greenhouse gases 95% by 2050. We will hold our ground.

Any delay would be a betrayal of our children's future. We are on the razor's edge between promise and peril. We know this when historic floods gut homes that stood for generations. Or when wildfires force the evacuation of entire towns like Medical Lake last year. And the need for climate action is felt daily for Washingtonians living with pollution. There are neighborhoods today in Washington where people are dying two and a half years younger on average because of pollution. This pollution is harmful to the lives of Washingtonians in communities like Everett, Wenatchee, Mattawa, Spokane, the Tri-Cities, the Yakima Valley, Shoreline, South King County, and Tacoma. There are neighborhoods in these communities where people are forced to live sicker and die younger because of this pollution.

We have made a solemn oath to our children, and their children. And in that noble mission we will neither flag nor fail. We will go on to give them the grandest of blessings. A healthy Washington. Instead of taking rank with defeatists who live in the grey twilight of pessimism. Thanks to this Legislature's budget priorities, we can help more people like Elisa Garcia, a farmworker in Toppenish. Her home was one of 32 in Yakima County that had rooftop solar installed. Thanks to a state program specifically geared toward farmworkers. Her home now produces 100% of its energy from her own roof. Her family's energy bills are zero. And it would not have been possible without this Legislature. Elisa and her daughter, Jasmin, are here with us today. Thank you, both.

You're going to hear many more stories this year and beyond about how our climate policies are making life better for Washington families. The Climate Commitment Act (CCA) is letting us invest in work that reduces pollution and creates good-paying jobs. It's funding electric school buses. Eight million free transit rides for youth and counting. Filtration systems in schools so students can breathe when there's wildfire smoke outside. And public chargers for electric vehicles. This is money going right back to Washington families. It's not going off to Houston or other oil hubs with the oil industry's record \$200 billion in profits in 2022.

Now we have more we can give back to our communities. I'm proposing a \$200 utility bill credit for one out of every three households in Washington. That's nearly two million low- and moderate-income Washingtonians. We will help thousands more families install energy-efficient heat pumps that cut emissions and energy bills. This law also makes it easier to invest in our infrastructure, including hybrid-electric ferries, and safer bike and pedestrian routes. From sustainable aviation fuels and EV battery manufacturing in Moses Lake to electric buses in Ferndale. We're attracting and creating thousands of good-paying jobs in clean energy and clean technology. And as fossil fuel jobs go away, we're training those workers - the folks who worked at places like TransAlta - for jobs in this new clean energy economy. These jobs are coming on quickly. The new Pacific Northwest federal hydrogen hub will create 8,000 jobs alone for the production and distribution of green hydrogen to reduce pollution. Here's something else about the fossil fuel industry. For decades, we've been subjected to the rollercoaster of gas prices. We're going to do something about price transparency in Washington this session. I understand why people are frustrated about gas prices. The oil and gas industry's books are closed to the public. It's time for transparency and accountability.

I believe this Legislature is capable of even more extraordinary achievements. Because I've seen it happen every year I've been here. Don't forget moments like 2018, the end of the McCleary saga, when we moved heaven and earth to fulfill our paramount duty of funding education in the state of Washington.

Now I hope you'll join me by increasing pay for 32,000 paraeducators by three dollars an hour. Again raising the cap on special education funding. And creating incentives for more teachers to serve special needs students. And once students have graduated, they now have more pathways than ever. This Legislature has created one of the most generous college financial aid programs in the country. But college isn't the only pathway to success. Which is why we've also greatly increased support for apprenticeships.

Bryan Orihuela of Auburn was going to be an engineer. But then he was in a traumatic car accident. Followed by high medical bills. He had to leave college. Fortunately, he got connected to Computing for All's pre-apprenticeship program, which this Legislature helped support with Career Connect Washington grants. Now he's a developer at a mental health app. And Bryan is also here today. Bryan, thank you.

This Legislature cares about people. I know that because of what you've done. This state saved thousands upon thousands of lives when COVID struck. We are now just one of a handful of states with the tools to curb excessive drug costs. We have more ways to grow our health care workforce. We've passed the nation's best Paid Family Medical Leave program. In fact, I heard a story about this just the other day when I biked up to the Town & Country market on Bainbridge to get some maple bars for my grandkids. This woman behind the counter said, 'Governor, I have to tell you something' - and my fellow electeds know when a constituent leads with something cryptic that you could be in for anything.

But she said, 'Governor, I had a broken wrist last year and I couldn't do my job. And the only thing that kept my family afloat was that Paid Family Medical Leave law.' I hope you're all having these conversations in your districts as well, because your policies are making an enormous difference in people's lives.

Protecting access to health care is helping Washingtonians like Sheena and John Wilson from Mount Vernon. Sheena's husband John was diagnosed with cancer. Sheena expected their health costs would go up to \$3,000 a month. Until she accessed the benefits of our Cascade Care public option. Her family now pays \$108 a month and the most they'll pay out-of-pocket this year for her husband's cancer treatment is \$2,500 total. John and Sheena are here with us today from Mount Vernon. Thank you both and good luck, too.

Our policies change lives when they're focused on the people we're here to serve. We give people the chance to succeed. People-focused policies are also how we're addressing homelessness. Some think we can just wave a wand and those living in homelessness will disappear. But this is the real world. And we have an honest solution: Build housing and connect people to the right services. And they will succeed. This time last year a woman named Starr Draper found herself in a right-of-way encampment at First Avenue and Michigan Street in Seattle. No one can live in danger and expect their conditions to improve. No one can be swept from one dark corner to another and expect life to get better. We must lift people up and give them the tools, the services and the power of community necessary to get life on track. State and local collaboration got Starr on her journey to wellness. Starr said this program 'renewed my trust.' She's got work. She's got a safe, private place to live. And Starr is here today. Thank you for inspiring us.

Washingtonians can see that dozens of encampments along our highways are gone. And that'll continue if we make the necessary investments. And they're going to see thousands more new housing units. Thanks to our work as well. I want to thank this Legislature for going big on housing last session and trusting that it was a necessary decision to put one billion dollars toward new housing already this biennium.

These aren't the only ways we're making life safer for Washingtonians while I've been in office. We all want to take steps to increase public safety- it's not just one thing, but many approaches.

This Legislature was bold enough to stand up to the NRA and pass some of the best gun reforms in America. It did not matter how many defeats we had to take. We finally banned assault weapons in this state. Gun reform is public safety. Washington state also needs more police officers. And that's what this budget would do. My budget funds more state troopers and forensic scientists, an organized retail theft task force, and more funding for drug trafficking investigations. We're removing barriers to careers in policing by establishing training centers all over the state. Where more recruits are getting some of the best training in the country. Including de-escalation training. We're joined today by the Pasco Police Department's own Claudia Fuentes. Claudia would not be a police officer today if this Legislature had not invested in more Criminal Justice Training Centers like in Pasco. It was impossible for a parent to spend four and a half months

away from home for training in Burien. But because we invested in these training centers, Officer Fuentes got to go home from the academy every night. And because she had this resource, the people of Pasco are safer. Thank you, Claudia.

We must also continue improving behavioral health services in our state. I recently met someone whose family was devastated by fentanyl. Who called it 'the nuclear weapon of drugs.' We propose \$64 million in new spending to fight against opioids and fentanyl. We're going to invest in education, community health hubs, overdose prevention, treatment access, and recovery supports. We're going to support people with stories like Holle Edwards, a member of the Swinomish Tribe whose life languished in addiction to meth and heroin before she got help at local resource centers. Holle got her life back. And she's now a recovery counselor helping people on the same journey at a wellness center in Anacortes.

Holle is here today with her uncle, Swinomish Chair Steve Edwards. Thanks for what you do. Not just for tribal members but our whole community.

This Legislature works wonders when it embraces ambition. We've passed the two biggest transportation funding packages in state history during my time in office - Connecting Washington and Move Ahead Washington. Yet we know we still face questions about how to meet our obligations.

I don't expect we'll have all the answers this year. But there are things we can do in the next 60 days. Which includes helping our ferry system. We're already investing in cleaner, more efficient ferries. And I've directed State Ferries to look for ways to expedite boat construction. But we also must do everything possible to increase staffing and build new boats faster.

We've pursued some of the most transformative policies in the nation in my time in office. For example, I'm proud the leaders of our state are under no illusion that social justice issues were settled 60 years ago with the Civil Rights Act. We will continue advancing social justice. We have made equity a part of everything we do in state government with environmental justice policies such as the HEAL Act and a new agency, the Office of Equity. We must sustain our progress against racism's pernicious influence on the past and present. The work for a more perfect union continues.

Before I close, I want to say there are two grave threats in the United States and in our state today. One threat is to the basic tenants and blessings of democracy. The other is the ongoing assault on a woman's right of choice. We have not forgotten the U.S. Supreme Court's frightening decision to eliminate *Roe v. Wade*. Fundamentally, this is an issue of freedom. Freedom of choice when facing one of the most intimate and personal decisions in life. Most in this room are committed to protecting that right. But none of us will hold these seats forever. We must face the reality that there are forces in our nation and in our own state intent on destroying the right of choice. We need to join eight other states - states like Ohio, Alaska and Illinois - and enshrine reproductive freedom in the constitution this session.

I look forward to working with all of you to advance this amendment.

I want to share with you why I'm optimistic about this session. If I have learned anything with each subsequent legislative session, it's that Washingtonians are always capable of doing more than others thought we could. When I took office, we had audacious goals that defied the odds to become reality. I had confidence we could tackle these challenges because I've always believed in the unique talent and ambitions of Washingtonians. Washingtonians have more resilience. More love for our state. And more endurance to push toward the sunny uplands of the future than any other people on the planet.

The next two months, we're going to make this state better at mental health. Safer against opioids. More supportive for educators and students. And more committed to our climate. We've made hope for the future possible because Washingtonians are never restricted by the past or the bog of the status quo.

Inevitably, we will always be called upon to do more for the people of Washington. No matter the challenge, we will always do more than we thought possible. It is our honor to be Washingtonians. It is our privilege to do this work. And it is our destiny to succeed. Run. Through. The. Tape."

The President of the Senate thanked the Governor for his remarks.

The President of the Senate called upon the special committee consisting of Representatives Connors and Fitzgibbon and Senators Kauffman and Fortunato to escort His Excellency, Governor Inslee from the Chamber and the Governor retired from the House Chamber.

The President of the Senate called upon the special committee consisting of Representatives Cheney and Reeves and Senators Hansen and Linda Wilson to escort the statewide elected officials from the Chamber and the statewide elected officials retired from the House Chamber.

The President of the Senate called upon the special committee consisting of Representatives Alvarado and Barnard and Senators Torres and Trudeau to escort the Justices of the Supreme Court from the Chamber and the Justices of the Supreme Court retired from the House Chamber.

On the motion of Representative Fitzgibbon, the Joint Session was dissolved. The President of the Senate thanked the Speaker and the House for their hospitality and returned the gavel to the Speaker. The Speaker assumed the chair.

The Speaker called upon the Sergeant at Arms of the House and the Sergeant at Arms of the Senate to escort the President of the Senate, Lieutenant Governor Denny Heck, and members of the Washington State Senate from the House Chamber.

On motion of Representative Fitzgibbon, the House adjourned until 10:30 a.m., Wednesday, January 10, 2024, the 3rd Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## THIRD DAY

House Chamber, Olympia, Wednesday, January 10, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Corbin Ho and Audrey Lee. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Harris, 17th district.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SENATE**

Tuesday, January 9, 2024

Mme. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4406  
HOUSE CONCURRENT RESOLUTION NO. 4407

and the same are herewith transmitted.

Sarah Bannister, Secretary

**MESSAGE FROM THE SENATE**

Tuesday, January 9, 2024

Mme. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 8411

and the same is herewith transmitted.

Sarah Bannister, Secretary

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HB 2255 by Representatives Waters, Wylie, Kloba, Davis and Cheney

AN ACT Relating to detecting and preventing the illegal inversion and diversion of cannabis and cannabis products into and out of Washington's regulated cannabis system; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Regulated Substances & Gaming.

HB 2256 by Representatives Callan, Eslick, Senn, Davis, Paul, Thai, Ormsby, Pollet and Macri

AN ACT Relating to the children and youth behavioral health work group; amending RCW 74.09.4951; and providing an expiration date.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2257 by Representatives Goehner, Peterson, Low, Chapman, Davis, Steele, Ramel, Doglio, Berg and Timmons

AN ACT Relating to supporting back country search and rescue organizations and volunteers through the creation of the back country search and rescue grant program; amending RCW 38.52.010 and 38.52.020; and adding a new section to chapter 38.52 RCW.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 2258 by Representatives Ormsby, Riccelli, Leavitt and Simmons

AN ACT Relating to providing funding for municipalities participating in the regional 911 emergency communications system; adding a new section to chapter 82.14B RCW; and providing an effective date.

Referred to Committee on Local Government.

HB 2259 by Representatives Rule and Caldier

AN ACT Relating to addressing threats of harm to children by modifying the child removal standard related to another person's use or possession of a high potency synthetic opioid, modifying home visiting programs, and modifying the risk assessment process for at-risk families; amending RCW 13.34.130, 26.44.030, 43.216.130, 43.216.157, and 43.216.159; reenacting and amending RCW 13.34.030 and 13.34.065; creating new sections; and providing an expiration date.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2260 by Representatives Waters, Reeves, Leavitt, Kloba and Cheney

AN ACT Relating to establishing civil penalties for the unlawful sale or supply of alcohol to minors; amending RCW 66.44.270; creating a new section; and prescribing penalties.

Referred to Committee on Regulated Substances & Gaming.

HB 2261 by Representative Reeves

AN ACT Relating to a tax preference requirement for employee student loans; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Finance.

HB 2262 by Representatives Street, Fitzgibbon, Slatter, Kloba, Ortiz-Self, Ramel, Peterson, Doglio, Thai, Ryu, Cortes, Pollet, Morgan, Simmons and Macri



AN ACT Relating to reducing rolling resistance of motor vehicle replacement tires; adding a new section to chapter 46.37 RCW; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 2263 by Representatives Stonier, Harris, Alvarado and Tharinger

AN ACT Relating to assisted living facilities delivering permanent supportive housing services; amending RCW 18.20.020, 18.20.030, 18.20.300, 18.20.310, 18.20.330, 18.20.320, 18.20.350, 18.20.360, 74.39A.009, and 74.39A.032; reenacting and amending RCW 36.70A.030; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 2264 by Representatives Caldier, Schmidt and Abbarno

AN ACT Relating to excluding certain family home-based child care providers from the list of agencies subject to licensure and regulation by the department of children, youth, and families; and reenacting and amending RCW 43.216.010.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2265 by Representatives Doglio and Walen

AN ACT Relating to encouraging and protecting the sport of rock climbing by establishing climbing facility regulations and requirements; amending RCW 67.42.010 and 18.235.020; and adding a new chapter to Title 18 RCW.

Referred to Committee on Civil Rights & Judiciary.

HB 2266 by Representatives Stonier, Berry, Leavitt, Davis, Alvarado, Ramel, Peterson, Doglio, Ormsby, Fosse, Morgan, Simmons and Macri

AN ACT Relating to addressing sanitary conditions for construction workers who menstruate or express milk; adding a new section to chapter 49.17 RCW; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

HB 2267 by Representatives McEntire, Morgan, Ybarra, Stonier, Harris, Ormsby, Chapman, Senn, Davis, Thai, Santos, Callan, Cortes, Pollet and Simmons

AN ACT Relating to providing public school students with opportunities for cultural expression at commencement ceremonies; adding a new section to chapter 28A.600 RCW; and creating a new section.

Referred to Committee on Education.

HB 2268 by Representatives Cheney, Harris, Walsh, McEntire, Waters, McClintock, Abbarno and Orcutt

AN ACT Relating to restricting toll collection on the Interstate 5 bridge over the Columbia river until a new bridge is open for travel; amending RCW 47.56.902; creating a new section; and providing a contingent effective date.

Referred to Committee on Transportation.

HB 2269 by Representatives Cheney, Walsh, Low, Couture, Orcutt, Gochner, Sandlin, Waters, Barnard, Klicker, Volz, Hutchins, Chapman and Caldier

AN ACT Relating to a sales and use tax exemption for clay targets used by nonprofit gun clubs; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Finance.

HB 2270 by Representatives Morgan, Macri, Peterson, Gregerson, Ryu, Reeves, Callan, Bateman, Ormsby, Street, Cortes, Ramel, Kloba, Wylie, Fey, Leavitt, Donaghy, Thai, Goodman, Mena, Taylor, Duerr, Riccelli, Berry, Reed, Santos, Entenman, Ortiz-Self, Simmons, Bergquist, Stonier, Fosse, Timmons, Chapman, Stearns, Nance, Chopp, Shavers, Slatter, Doglio, Pollet, Tharinger, Walen, Bronoske, Orwall, Fitzgibbon, Davis, Alvarado and Paul

AN ACT Relating to creating a Washington state department of housing; creating new sections; and providing an expiration date.

Referred to Committee on Housing.

HB 2271 by Representatives Chambers, Springer, Abbarno, Walen, Jacobsen, Riccelli, Santos, Macri and Walsh

AN ACT Relating to promoting access to information regarding the long-term services and supports trust program; and adding a new section to chapter 50B.04 RCW.

Referred to Committee on Health Care & Wellness.

HB 2272 by Representatives Macri, Chopp, Kloba, Davis, Thai, Riccelli and Pollet

AN ACT Relating to addressing recommendations of the long-term services and supports trust commission by increasing access to benefits, establishing a voluntary private market supplemental long-term care insurance option, creating a pilot project to assess the long-term services and supports trust program, and making operational changes to streamline and enhance fairness in the administration of the long-term services and supports trust program; amending RCW 50B.04.010, 50B.04.020, 50B.04.030, 50B.04.055, 50B.04.060, 50B.04.070, 50B.04.085, and 50B.04.100; reenacting and amending RCW 50B.04.050; adding new sections to chapter 50B.04 RCW; adding a new section to chapter 48.83 RCW; adding a new chapter to Title 48 RCW; creating new sections; repealing RCW 50B.04.040; providing a contingent effective date; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 2273 by Representatives Donaghy, Ryu, Ramel and Timmons

AN ACT Relating to conducting a study of functional recovery building code standards; and creating new sections.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 2274 by Representatives Donaghy, Connors, Walen, Ramel and Barnard

AN ACT Relating to establishing consumer protections for owners of solicited real estate; and adding a new chapter to Title 61 RCW.

Referred to Committee on Consumer Protection & Business.

HB 2275 by Representatives Reeves and Morgan

AN ACT Relating to senior independent living facilities; adding a new section to chapter 19.27 RCW; adding a new chapter to Title 70 RCW; and providing an expiration date.

Referred to Committee on Housing.

HB 2276 by Representatives Berg, Macri, Chopp, Street, Slatter, Reed, Ramel, Farivar, Alvarado, Kloba, Mena, Ormsby, Riccelli, Senn, Davis, Tharinger, Cortes, Stonier, Ortiz-Self, Fitzgibbon, Thai, Peterson, Fosse, Gregerson, Simmons, Taylor, Doglio, Pollet, Bateman, Lekanoff, Goodman, Berry, Santos, Wylie, Bergquist, Fey, Duerr, Ryu, Morgan and Nance

AN ACT Relating to increasing the supply of affordable and workforce housing by reducing taxes on real property sales under \$3,025,000, modifying the state and local real estate excise tax, and imposing a surcharge on the transfer of multimillion dollar properties; amending RCW 82.45.060, 82.45.010, and 82.45.010; adding new sections to chapter 82.45 RCW; creating new sections; providing effective dates; and providing an expiration date.

Referred to Committee on Finance.

HB 2277 by Representatives Kloba, Pollet, Slatter, Duerr, Ramel, Ryu, Fosse, Cortes, Morgan and Nance

AN ACT Relating to licensing of business entities engaged in the act of brokering data; amending RCW 18.235.020; adding a new chapter to Title 19 RCW; creating a new section; and providing an effective date.

Referred to Committee on Consumer Protection & Business.

HB 2278 by Representatives Thai and Senn

AN ACT Relating to modifying the capital gains tax under chapter 82.87 RCW and related statutes by closing loopholes, repealing and replacing the business and occupation tax credit with a capital gains tax credit, clarifying ambiguities and making technical corrections in a manner that is not estimated to affect state or local tax collections, treating spouses and domestic partners more consistently, modifying and adding definitions, creating a good faith penalty waiver, and modifying the publication schedule for inflation adjustments; amending RCW 82.04.4497, 82.87.020, 82.87.040, 82.87.050, 82.87.070, 82.87.080, 82.87.110, 82.87.120, 82.87.150, 82.32.060, 82.32.090, and 82.32.105; reenacting and amending RCW 82.32.050; adding a new section to chapter 82.87 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 2279 by Representatives Farivar, Couture, Kloba, Taylor, Cheney, Peterson, Caldier, Barnard, Simmons and Macri

AN ACT Relating to utilization of developmental disabilities waivers; adding new sections to chapter 71A.10 RCW; and providing an expiration date.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2280 by Representatives Rule, Nance, Chapman, Davis, Paul, Ramel, Tharinger, Riccelli, Callan, Pollet and Simmons

AN ACT Relating to establishing a statewide network for student mental and behavioral health to maintain, expand, and provide oversight to Washington's school-based mental and behavioral health system for children and adolescents across the state; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28A.310 RCW; and creating a new section.

Referred to Committee on Education.

HB 2281 by Representatives Macri, Couture, Fitzgibbon, Ramel, Peterson, Ormsby, Fosse and Simmons

AN ACT Relating to the limited legalization of psilocybin services; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Health Care & Wellness.

HB 2282 by Representatives Morgan, Reeves, Berg, Street, Donaghy, Taylor, Davis, Alvarado, Ramel, Peterson, Doglio, Ormsby, Riccelli, Callan, Pollet, Simmons and Macri

AN ACT Relating to identifying African American studies curricula for students in grades seven through 12; creating new sections; and providing an expiration date.

Referred to Committee on Education.

HB 2283 by Representatives Volz, Rule, Senn, Davis, Ramel, Bronoske, Low, Schmidt, Doglio, Ormsby, Riccelli, Chapman and Timmons

AN ACT Relating to allowing state employees living in an emergency or disaster area to receive shared leave; and amending RCW 41.04.665.

Referred to Committee on State Government & Tribal Relations.

HB 2284 by Representatives Pollet, Couture, Jacobsen, Peterson, Doglio, Ryu and Nance

AN ACT Relating to using evidence-based instructional practices in reading and writing literacy for public elementary students; amending RCW 28A.320.202, 28A.300.530, 28A.300.570, 28A.300.720, 28A.320.260, 28A.415.265, 28A.655.230, 28A.655.235, and 28B.10.033; adding new sections to chapter 28A.410 RCW; adding a new section to chapter 28A.710 RCW; adding a new section to chapter 28A.715 RCW; adding a new section to chapter 28A.230 RCW; creating new sections; recodifying RCW 28A.320.202 and 28B.10.033; repealing RCW 28A.300.290, 28A.300.300, 28A.300.330, 28A.300.340, 28A.410.285, 28A.415.350, 28A.415.360, and 28A.415.400; and providing an expiration date.

Referred to Committee on Education.

HB 2285 by Representatives Riccelli, Schmick, Bronoske, Leavitt, Kloba, Davis, Ramel, Peterson, Doglio, Ormsby, Fosse, Pollet, Simmons and Macri

AN ACT Relating to protecting consumers from charges for out-of-network health care services by prohibiting balance billing for ground ambulance services and addressing coverage of transports to treatment for emergency medical conditions; amending RCW 48.43.005, 48.49.003, 48.49.060, 48.49.070, 48.49.090, 48.49.100, and 48.49.130; adding new sections to chapter 48.49 RCW; adding new sections to chapter 18.73 RCW; adding a new section to chapter 48.43 RCW; creating a new section; and repealing RCW 48.49.190.

Referred to Committee on Health Care & Wellness.

HB 2286 by Representatives Wilcox, Kretz, Dent, Cheney, Barkis and Barnard

AN ACT Relating to creating a capital grant program to support recovery of salmon and steelhead stocks; adding a new section to chapter 77.85 RCW; and creating a new section.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2287 by Representatives Farivar, Goodman, Simmons, Chopp, Nance, Street, Davis, Ortiz-Self, Ramel, Peterson and Ormsby

AN ACT Relating to creating an advisory board to the office of the corrections ombuds; adding a new section to chapter 43.06C RCW; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 2288 by Representatives Schmick and Dent

AN ACT Relating to promoting Washington agriculture through regulatory reforms; and amending RCW 90.48.120.

Referred to Committee on Environment & Energy.

HB 2289 by Representatives Wilcox, Chapman, Kretz, Walen, Dent, Barkis and Barnard

AN ACT Relating to providing a sales and use tax exemption for inputs required for salmon recovery projects; adding a new section to chapter 82.12 RCW; and creating a new section.

Referred to Committee on Finance.

HB 2290 by Representatives Dye, Wilcox, Chapman, Kretz, Barkis and Barnard

AN ACT Relating to providing funding for salmon recovery through a fee assessed on municipal discharges of untreated sewage into Puget Sound; adding a new section to chapter 90.48 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment & Energy.

HB 2291 by Representatives Wilcox, Chapman, Dent and Barnard

AN ACT Relating to conducting a review of Washington's riparian programs; creating a new section; and providing an expiration date.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2292 by Representatives Dent, Chapman, Kretz, Barkis and Barnard

AN ACT Relating to hatchery improvement; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2293 by Representatives Wilcox, Chapman, Kretz, Dent, Barkis and Barnard

AN ACT Relating to studying the effects of avian predation of salmon; adding a new section to chapter 77.12 RCW; and providing an expiration date.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2294 by Representatives Wilcox, Chapman, Kretz and Barnard

AN ACT Relating to the salmon recovery account; amending RCW 77.85.170; and creating a new section.

Referred to Committee on Appropriations.

HJM 4003 by Representatives Street, Mena, Reeves, Thai, Macri, Reed, Pollet, Slatter, Kloba, Farivar, Cortes, Ramel, Santos, Doglio, Berry, Duerr, Taylor, Peterson, Wylie, Ryu, Goodman, Ormsby, Simmons, Berg and Ortiz-Self

Requesting that the United States join in developing a Fossil Fuel Nonproliferation Treaty.

Referred to Committee on Environment & Energy.

HJM 4004 by Representatives Street, Macri, Mena, Reed, Pollet, Nance, Reeves, Slatter, Fitzgibbon, Farivar, Stearns, Cortes, Ramel, Santos, Doglio, Berry, Duerr, Taylor, Alvarado, Callan, Peterson, Entenman, Senn, Ryu, Goodman, Ormsby, Fosse, Simmons and Stonier

Requesting that the District of Columbia be granted statehood.

Referred to Committee on State Government & Tribal Relations.

There being no objection, the bills and memorials listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 2287 which was referred to the Committee on Community Safety, Justice, & Reentry.

There being no objection, the House advanced to the seventh order of business.

### THIRD READING

**HOUSE BILL NO. 1471, by Representatives Stearns, Ramos, Gregerson and Ryu**

**Modifying state procurement procedures for competitive, sole source, convenience, and emergency goods and services contracts.**

The bill was read the third time.

Representatives Stearns and Abbarno spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1471.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1471, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Chandler

HOUSE BILL NO. 1471, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE HOUSE BILL NO. 1113, by House Committee on Education (originally sponsored by Harris, Santos and Stonier)**

**Reviewing reprimands for professional educators.**

The bill was read the third time.

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 1113 was returned to second reading for the purpose of amendment.

Representative Harris moved the adoption of amendment (781):

On page 1, line 7, after "1," strike "2024" and insert "2025"

On page 1, line 14, after "1," strike "2026" and insert "2027"

On page 2, line 4, after "on" strike "June 30" and insert "August 1"

Representatives Harris and Santos spoke in favor of the adoption of the amendment.

Amendment (781) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Harris and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1113.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1113, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1113, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE HOUSE BILL NO. 1105, by House Committee on State Government & Tribal Relations (originally sponsored by Kloba, Abbarno and Thai)**

**Requiring public agencies to provide notice for public comment that includes the last date by which such public comment must be submitted.**

The bill was read the third time.

Representatives Kloba and Abbarno spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1105.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1105, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

SUBSTITUTE HOUSE BILL NO. 1105, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652, by House Committee on Appropriations (originally sponsored by Taylor, Couture and Rule)**

**Concerning child support pass through.**

The bill was read the third time.

Representatives Taylor and Couture spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1652.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1652, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Caldier, McEntire and Walsh

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277, by House Committee on Education (originally sponsored by Donaghy, Harris, Slatter, Kloba, Reeves, Reed, Ormsby and Pollet)**

**Improving the consistency and quality of the implementation of the fundamental course of study for paraeducators.**

The bill was read the third time.

Representatives Donaghy and Rude spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1277.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1277, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Gochner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10:30 a.m., Thursday, January 11, 2024, the 4th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## FOURTH DAY

House Chamber, Olympia, Thursday, January 11, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Joanna Spilker and Hayden Steele. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Norma Hissong, Baha'is of Olympia

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

**MOTIONS**

There being no objection, the Committee on Education was relieved of HOUSE BILL NO. 2077, and the bill was referred to the Committee on Postsecondary Education & Workforce.

There being no objection, the Committee on Local Government was relieved of HOUSE BILL NO. 2191, and the bill was referred to the Committee on Transportation.

There being no objection, the Committee on Rules was relieved of the following bill and the bill was placed on the 3rd Reading calendar:

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589**

There being no objection, the House reverted to the fourth order of business.

**INTRODUCTION & FIRST READING**

HB 2295 by Representatives Bateman, Hutchins, Riccelli, Bronoske, Reed, Orwall, Davis, Tharinger, Simmons, Callan and Macri

AN ACT Relating to establishing a regulatory structure for licensed acute care hospitals to provide hospital at-home services; amending RCW 70.127.040 and 70.38.111; adding a new section to chapter 70.41 RCW; adding a new section to chapter 70.126 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 2296 by Representatives Griffey, Wylie, Couture, Harris and Leavitt

AN ACT Relating to extending the comprehensive plan revision schedule for select local governments; and reenacting and amending RCW 36.70A.130.

Referred to Committee on Local Government.

HB 2297 by Representatives Orwall, Hackney, Duerr, Berry, Ramel, Goodman, Riccelli, Simmons, Pollet and Doglio

AN ACT Relating to requiring the installation of solar energy systems on new school buildings; adding a new section to chapter 19.27A RCW; and creating a new section.

Referred to Committee on Capital Budget.

HB 2298 by Representatives Reeves and Doglio

AN ACT Relating to establishing a climate resilience and environmental equity campus; amending RCW 43.52.391; adding a new section to chapter 43.30 RCW; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Postsecondary Education & Workforce.

HB 2299 by Representatives Street, Walen, Reed, Tharinger and Simmons

AN ACT Relating to the authority of the department of natural resources to lease trust assets for the benefit of trust beneficiaries and the state; and amending RCW 79.13.010, 79.13.030, 79.13.060, 79.13.110, 79.13.120, 79.13.130, and 79.13.140.

Referred to Committee on Capital Budget.

HB 2300 by Representatives Dent, Reeves, Eslick and Jacobsen

AN ACT Relating to child care provider qualifications; amending RCW 43.216.755; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2301 by Representatives Doglio, Fitzgibbon, Duerr, Berry, Ramel, Ormsby, Peterson, Pollet, Macri, Cortes, Shavers, Leavitt and Kloba

AN ACT Relating to improving the outcomes associated with waste material management systems, including products affecting organic material management systems; amending RCW 70A.207.020, 70A.214.100, 70A.205.540, 70A.205.545, 15.130.300, 15.130.550, 70A.455.040, 70A.455.070, 70A.455.090, 15.04.420, and 43.19A.150; reenacting and amending RCW 70A.455.020; adding new sections to chapter 70A.207 RCW; adding a new section to chapter 43.23 RCW; adding new sections to chapter 70A.205 RCW; adding a new section to chapter 15.130 RCW; adding new sections to chapter 70A.455 RCW; adding a new section to chapter 19.27 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Environment & Energy.

HB 2302 by Representatives Dent, Chapman, Davis and Timmons

AN ACT Relating to extending the pesticide application safety committee; amending RCW 70.104.110; amending 2019 c 327 s 1 (uncodified); and providing expiration dates.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2303 by Representatives Goodman, Simmons and Peterson

AN ACT Relating to modification of conditions of community custody; amending RCW 9.94A.704, 9.94A.709, 9.94A.730, 9.95.420, 9.95.435, and 10.73.100; reenacting and

amending RCW 10.95.030; creating a new section; and declaring an emergency.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2304 by Representatives Pollet, Reed, Walen, Ramel, Simmons, Fosse, Macri, Ryu and Leavitt

AN ACT Relating to the Washington national primate research center at the University of Washington; and adding a new section to chapter 28B.20 RCW.

Referred to Committee on Postsecondary Education & Workforce.

HB 2305 by Representatives Lekanoff, Goodman, Reed, Ramel, Davis and Pollet

AN ACT Relating to tribal warrants; and adding a new chapter to Title 10 RCW.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2306 by Representatives Steele and Callan

AN ACT Relating to allowing main street programs to use remaining main street tax credits after a certain date; and amending RCW 82.73.030.

Referred to Committee on Finance.

HB 2307 by Representatives Schmick and Jacobsen

AN ACT Relating to limiting vexatious claims by modifying administrative and judicial review processes for public records requests and responses; and amending RCW 42.56.520 and 42.56.550.

Referred to Committee on State Government & Tribal Relations.

HB 2308 by Representatives Walen, Hutchins, Robertson, Santos, Barkis and Shavers

AN ACT Relating to housing affordability tax incentives for existing structures; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new chapter to Title 84 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Housing.

HB 2309 by Representatives Bergquist, Ybarra, Reed, Waters, Pollet, McEntire, Paul, Slatter, Entenman, Santos, Ramel, Riccelli, Timmons and Callan

AN ACT Relating to establishing the Washington 13 free guarantee, which provides free access to community and technical colleges; amending RCW 28A.230.212; reenacting and amending RCW 43.88C.010; adding a new section to chapter 28A.230 RCW; adding a new chapter to Title 28B RCW; creating new sections; and providing an expiration date.

Referred to Committee on Postsecondary Education & Workforce.

HB 2310 by Representatives McEntire, Chambers, Barnard, Jacobsen, Schmidt, Chandler, Leavitt, Simmons, Nance, Orwall, Eslick, McClintock, Mosbrucker, Connors, Rude, Klicker, Couture, Robertson, Walsh, Morgan, Orcutt, Santos, Bateman, Davis, Barkis, Slatter, Ormsby, Tharinger, Riccelli, Rule, Timmons, Paul, Peterson, Street, Macri and Doglio

AN ACT Relating to creating the Julia Butler Hansen state park heritage center; and adding a new chapter to Title 79A RCW.

Referred to Committee on Capital Budget.

HB 2311 by Representatives Davis, Maycumber, Paul, Robertson, Callan, Mosbrucker, Goodman, Griffey, Stearns, Reed, Ryu, Couture, Ramel, Ortiz-Self, Eslick, Bateman, Riccelli, Timmons, Simmons, Fosse, Peterson, Pollet and Shavers

AN ACT Relating to supporting first responder wellness and peer support; amending RCW 5.60.060; amending 2023 c 475 s 218 (uncodified); adding new sections to chapter 43.101 RCW; and providing an expiration date.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2312 by Representatives Nance, Corry, Reed, Ramel, Ortiz-Self, Simmons, Peterson and Pollet

AN ACT Relating to the authority of the commissioner of public lands to enter into tribal interlocal agreements; and amending RCW 7.84.140 and 43.12.065.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2313 by Representatives Gregerson, Ryu, Reed, Ortiz-Self, Morgan, Davis, Ormsby, Bergquist, Simmons, Street, Pollet, Shavers and Doglio

AN ACT Relating to furthering digital equity and opportunity in Washington; amending RCW 43.330.532, 43.330.534, 43.330.539, 43.330.5393, 43.330.5395, 43.330.412, and 28A.650.065; and reenacting and amending RCW 43.330.530.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 2314 by Representatives Thai, Farivar, Reed, Ortiz-Self, Davis, Simmons and Pollet

AN ACT Relating to statewide health care coordination and communication regarding individuals housed in confinement settings; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health Care & Wellness.

HB 2315 by Representatives Caldier, Bronoske, Couture, Ortiz-Self, Jacobsen and Davis

AN ACT Relating to required instruction for high school students in cardiopulmonary resuscitation and the use of automated external defibrillators; and amending RCW 28A.230.179.

Referred to Committee on Education.

HB 2316 by Representatives Couture, Simmons, Reed and Ormsby

AN ACT Relating to membership in the public employees' retirement system for certain part-time bus drivers employed full-time by the federal government; and amending RCW 41.40.023.

Referred to Committee on Appropriations.

HB 2317 by Representatives Orcutt, Eslick and Jacobsen

AN ACT Relating to increasing the gross revenue threshold for unlicensed bingo, raffles, and amusement games

conducted by charitable or nonprofit organizations; and amending RCW 9.46.0315, 9.46.0321, and 9.46.110.

Referred to Committee on Regulated Substances & Gaming.

**HB 2318** by Representatives Orcutt, Wylie, Cheney and Abbarno

AN ACT Relating to state route number 501; and amending RCW 47.17.640.

Referred to Committee on Transportation.

**HB 2319** by Representatives Davis, Macri, Mosbrucker, Griffey, Stearns, Fosse, Ramel, Simmons, Nance, Kloba, Farivar, Bateman, Reed, Ryu, Chopp, Ortiz-Self, Eslick, Jacobsen, Goodman, Alvarado, Peterson, Pollet and Shavers

AN ACT Relating to substance use disorder treatment; amending RCW 71.24.037, 41.05.526, 48.43.761, and 71.24.618; adding new sections to chapter 71.24 RCW; adding a new section to chapter 28B.20 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

**HB 2320** by Representatives Davis, Eslick, Bergquist, Callan, Dent, Dye, Senn, Leavitt, Harris, Ryu, Walen, Peterson, Pollet and Ramel

AN ACT Relating to reducing the public health harms associated with high THC cannabis products by raising awareness, implementing and studying health interventions, and increasing the minimum legal age of sale of high THC cannabis products to prevent psychosis; amending RCW 69.50.357; adding a new section to chapter 28B.20 RCW; creating new sections; prescribing penalties; and providing an expiration date.

Referred to Committee on Regulated Substances & Gaming.

**HB 2321** by Representatives Bateman, Barkis, Duerr, Reed and Pollet

AN ACT Relating to modifying middle housing requirements and the definitions of transit stop; amending RCW 36.70A.635, 36.70A.620, and 36.70A.696; and reenacting and amending RCW 36.70A.030.

Referred to Committee on Housing.

**HB 2322** by Representatives Senn, Thai, Reed, Ryu, Alvarado, Ramel, Riccelli, Paul and Pollet

AN ACT Relating to creating a tax preference child care requirement; adding a new section to chapter 82.04 RCW; and creating a new sections.

Referred to Committee on Finance.

**HB 2323** by Representatives Peterson, Reed, Ramel, Morgan, Bateman, Davis, Simmons, Pollet and Macri

AN ACT Relating to requiring landlords to report on-time rent payments to consumer reporting agencies; adding a new section to chapter 59.18 RCW; and adding a new section to chapter 59.20 RCW.

Referred to Committee on Housing.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the seventh order of business.

### THIRD READING

**HOUSE BILL NO. 1146, by Representatives Paul, Steele, Ramel, Taylor, Callan, Rude, Timmons, Chopp, Lekanoff, Duerr, Ramos, Shavers, Stonier, Pollet, Santos, Riccelli and Ormsby**

**Notifying high school students and their families about available dual credit programs and any available financial assistance.**

The bill was read the third time.

Representatives Paul and Rude spoke in favor of the passage of the bill.

### MOTION

On motion of Representative Ramel, Representative Ryu was excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1146.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1146, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Ryu

HOUSE BILL NO. 1146, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE HOUSE BILL NO. 1717, by House Committee on Appropriations (originally sponsored by Rule, Corry, Paul, Stonier, Chapman, Duerr and Timmons)**

**Supporting innovation at associate development organizations.**

The bill was read the third time.

Representatives Rule and Corry spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1717.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1717, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner,



Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Dent, McEntire, Schmick and Walsh

Excused: Representative Ryu

SUBSTITUTE HOUSE BILL NO. 1717, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE HOUSE BILL NO. 1241, by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Leavitt, Reeves, Reed, Morgan and Bronoske)**

**Addressing harassment.**

The bill was read the third time.

Representatives Leavitt, Mosbrucker and Wilcox spoke in favor of the passage of the bill.

Representatives Walsh and Christian spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1241.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1241, and the bill passed the House by the following vote: Yeas, 86; Nays, 11; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chandler, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rule, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Chambers, Christian, Graham, Jacobsen, McEntire, Orcutt, Rude, Sandlin, Schmidt, Volz and Walsh

Excused: Representative Ryu

SUBSTITUTE HOUSE BILL NO. 1241, having received the necessary constitutional majority, was declared passed.

**ENGROSSED HOUSE BILL NO. 1757, by Representatives Corry, Springer, Chapman, Dent and Schmidt**

**Providing a sales and use tax remittance to qualified farmers.**

The bill was read the third time.

There being no objection, the rules were suspended, and ENGROSSED HOUSE BILL NO. 1757 was returned to second reading for the purpose of amendment.

Representative Corry moved the adoption of amendment (780):

On page 1, line 21, after "January 1," strike "2029" and insert "2030"

On page 2, beginning on line 1, after "farmer"" strike "has the same meaning as" and insert "means a farmer performing custom farming services or farm management services, as those terms are defined"

On page 2, line 11, after "effect" strike "August 1, 2023" and insert "July 1, 2024"

Representatives Corry and Berg spoke in favor of the adoption of the amendment.

Amendment (780) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Corry and Berg spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Engrossed House Bill No. 1757.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed House Bill No. 1757, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Pollet

Excused: Representative Ryu

SECOND ENGROSSED HOUSE BILL NO. 1757, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:55 a.m., Friday, January 12, 2024, the 5th Day of the 2024 Regular Session.

Laurie Jinkins, Speaker

Bernard Dean, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## FIFTH DAY

House Chamber, Olympia, Friday, January 12, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Bronoske presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SECRETARY OF STATE**CERTIFICATION OF INITIATIVE TO THE  
LEGISLATURE 1-2113

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2113 to be examined in the following manner:

1. It was determined that 434,594 signatures were submitted by the sponsors of the initiative. A random sample of 13,038 signatures was taken from those submitted;

2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,579 valid signatures, 2,447 signatures that were invalid and 12 pairs of duplicated signatures in the sample;

3. We calculated an allowance for the chance error of sampling 74 by multiplying the square root of the number of invalid signatures by 1.5;

4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (84,039) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;

5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (26,039) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;

6. We determined the expected number of duplicate pairs of signatures in the sample (23) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;

7. We determined the acceptable number of duplicate pairs of signatures in the sample (15) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and

8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample. Therefore, I hereby declare Initiative to the Legislature No. 2113 to contain sufficient signatures.

Therefore, I hereby declare Initiative to the Legislature No. 2113 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 11th day of January, 2024.

Steve Hobbs  
Secretary of State

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HB 2324 by Representatives Maycumber, Robertson, Couture, Chambers, Cheney and Stokesbary

AN ACT Relating to narcotics enforcement; adding a new section to chapter 43.43 RCW; repealing RCW 43.43.600, 43.43.610, 43.43.620, 43.43.630, 43.43.640, 43.43.650, and 43.43.655; and making appropriations.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2325 by Representatives Fitzgibbon, Riccelli, Berry, Walen, Gregerson, Bateman, Doglio, Nance, Ramel, Macri, Pollet and Ormsby

AN ACT Relating to state legislative employee collective bargaining; amending RCW 44.90.020, 44.90.030, 44.90.050, 44.90.060, 44.90.070, 44.90.080, and 44.90.090; adding new sections to chapter 44.90 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

HB 2326 by Representatives Doglio, Duerr, Nance, Stokesbary, Pollet and Reed

AN ACT Relating to advanced placement, international baccalaureate, and Cambridge international exams; amending RCW 28A.600.280; and adding a new section to chapter 28A.600 RCW.

Referred to Committee on Appropriations.

HB 2327 by Representatives Gregerson, Ryu, Davis, Doglio, Cortes, Macri, Ramel and Ormsby

AN ACT Relating to providing a revenue stream to fund digital equity programs; amending RCW 82.32.145 and 80.36.710; adding a new section to chapter 82.08 RCW; adding a new section to chapter 28A.650 RCW; adding a new chapter to Title 82 RCW; creating a new section; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 2328 by Representatives Low, Bronoske, Duerr, Rule, Chambers, Berry, Bateman, Doglio, Nance, Timmons, Reed, Riccelli, Springer and Ramel

AN ACT Relating to continued health benefits during paid family and medical leave for firefighters of small fire districts; and amending RCW 50A.35.020.

Referred to Committee on Labor & Workplace Standards.

HB 2329 by Representatives Macri, Peterson, Alvarado, Chopp, Bateman, Pollet, Reed and Ramel

AN ACT Relating to conducting a study of the insurance market for housing providers receiving housing trust fund resources; creating new sections; and providing an expiration date.

Referred to Committee on Consumer Protection & Business.

HB 2330 by Representatives Reeves, Ryu, Timmons, Reed, Springer and Ramel

AN ACT Relating to wildfire risk; amending RCW 48.14.020; adding a new section to chapter 48.18 RCW; adding a new chapter to Title 48 RCW; and making an appropriation.

Referred to Committee on Consumer Protection & Business.

HB 2331 by Representatives Stonier, Macri, Davis, Pollet, Reed and Ramel

AN ACT Relating to modifying requirements for public school instructional materials and supplemental instructional materials by prohibiting improper exclusions of certain materials, establishing complaint procedures, and promoting culturally and experientially representative materials; amending RCW 28A.320.230 and 28A.642.020; adding new sections to chapter 28A.320 RCW; and adding a new section to chapter 28A.642 RCW.

Referred to Committee on Education.

HB 2332 by Representatives Couture, Griffey, Hutchins, Christian, Robertson, Rude, Volz, Schmidt, Walsh, Chambers, Corry, Eslick, Barkis, Sandlin, Goehner, Nance, Cheney and Dent

AN ACT Relating to criminal justice and the recovery of firearms used in the commission of a crime; amending RCW 82.14.310, 82.14.320, and 82.14.330; and adding a new section to chapter 10.85 RCW.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2333 by Representatives Reeves, Walen, Chapman, Springer and Ramel

AN ACT Relating to assessing the carbon sequestration potential of state-owned lands for the purpose of generating offset credits under the climate commitment act; amending RCW 70A.65.210; and creating a new section.

Referred to Committee on Environment & Energy.

HB 2334 by Representatives Reeves, Walen, Morgan, Chapman and Cheney

AN ACT Relating to transferring the licensing and regulating of the production, processing, and testing of cannabis products from the Washington state liquor and cannabis board to the department of agriculture; amending RCW 69.50.325, 69.50.326, 69.50.331, 69.50.334, 69.50.335, 69.50.339, 69.50.342, 69.50.345, 69.50.351, 69.50.363, 69.50.366, 69.50.372, 69.50.395, 69.50.530, 69.50.540, 69.50.564, 69.50.565, 69.50.580, and 69.50.585; reenacting and amending RCW 69.50.101 and 69.50.348; adding a new section to chapter 69.50 RCW; and providing an effective date.

Referred to Committee on Regulated Substances & Gaming.

HB 2335 by Representatives Santos, Lekanoff, Nance and Reed

AN ACT Relating to state-tribal education compacts; and amending RCW 28A.715.010 and 28A.715.020.

Referred to Committee on Education.

HB 2336 by Representatives Morgan, Dent, Chapman, Kloba, Orcutt, Ormsby, Wylie, Doglio, Fey, Street, Stearns, Riccelli, Gregerson, Mena, Walen, Peterson, Berg, Fosse, Davis, Reed, Duerr, Entenman, Leavitt, Springer, Ryu, Waters, Ortiz-Self, Bronoske, Bateman, Simmons, Berry, Kretz, Schmick, Ramel, Macri, Caldier, Abbarno, Cheney, Goehner, Jacobsen, Klicker, Eslick, Barnard, Walsh, McEntire, Bergquist, Sandlin, Christian, Nance and Pollet

AN ACT Relating to assessing the suitability of lands in Washington for agricultural and renewable energy purposes; adding a new section to chapter 43.23 RCW; and creating a new section.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2337 by Representatives Stonier, Volz, Bronoske, Griffey, Leavitt, Bateman, Nance and Ramel

AN ACT Relating to employees of the law enforcement officers' and firefighters' plan 2 retirement board; and amending RCW 41.06.070 and 41.26.717.

Referred to Committee on Appropriations.

HB 2338 by Representatives Bergquist, Volz, Bronoske, Griffey, Rule, Leavitt, Bateman, Nance, Pollet and Ramel

AN ACT Relating to the law enforcement officers' and firefighters' retirement system plan 2; amending RCW 41.26.048, 41.26.030, 41.26.030, 41.50.130, and 41.26.470; adding a new section to chapter 41.26 RCW; providing effective dates; and providing an expiration date.

Referred to Committee on Appropriations.

HB 2339 by Representatives Chambers, Riccelli, Schmick and Bateman

AN ACT Relating to certification renewal for home care aides and nursing assistants; and amending RCW 18.88B.031 and 18.88A.130.

Referred to Committee on Postsecondary Education & Workforce.

HB 2340 by Representatives Harris, Shavers, Walen, Chambers, Leavitt, Nance and Timmons

AN ACT Relating to reducing department of licensing fees for Washington residents who have served in the military; amending RCW 46.20.202 and 41.04.007.

Referred to Committee on Transportation.

HB 2341 by Representatives Springer, Chapman, Morgan, Stokesbary, Timmons and Ramel

AN ACT Relating to directing the University of Washington to conduct a study on the cumulative effects of offshore wind development on the oceanographic processes of the Pacific Ocean; and creating new sections.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2342 by Representatives Stonier, Timmons, Chopp, Davis, Farivar, Doglio, Cortes, Pollet, Reed, Riccelli and Ramel

AN ACT Relating to providing dependent youth with financial education and support; adding a new section to chapter 74.13 RCW; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2343 by Representatives Donaghy and Duerr

AN ACT Relating to reimbursement by property owners for street, road, and water or sewer projects; amending RCW 57.22.020, 35.91.020, and 35.72.020.

Referred to Committee on Local Government.

HB 2344 by Representatives Donaghy and Duerr

AN ACT Relating to the effective date of the filing of a notice of intention with a boundary review board; amending RCW 36.93.100; and adding a new section to chapter 36.93 RCW.

Referred to Committee on Local Government.

HB 2345 by Representatives Barkis, Walen, Hutchins, Chambers, Connors, Jacobsen and Cheney

AN ACT Relating to preparing for revisions to the residential landlord-tenant act by creating a task force and establishing prohibitions on the adoption of new local regulations on the residential landlord-tenant relationship during the task force study period; creating new sections; and providing expiration dates.

Referred to Committee on Housing.

HB 2346 by Representatives Santos, Riccelli, Gregerson and Macri

AN ACT Relating to updating the name, authority, membership, and duties of the governor's interagency coordinating council on health disparities; amending RCW 43.20.270, 43.20.275, 43.20.280, 41.05.840, and 70.41.470; reenacting and amending RCW 43.20.025; and repealing RCW 44.28.810.

Referred to Committee on State Government & Tribal Relations.

HB 2347 by Representatives Reeves, Harris, Chambers, Davis, Bateman, Doglio, Macri and Reed

AN ACT Relating to website information published by the department of social and health services regarding adult family homes; and amending RCW 70.128.280.

Referred to Committee on Health Care & Wellness.

HB 2348 by Representatives Street, Chopp, Taylor, Fitzgibbon, Berry, Orwall, Davis, Alvarado, Farivar, Macri, Ryu, Riccelli and Ormsby

AN ACT Relating to county hospital funding; amending RCW 36.62.010, 36.62.090, 84.52.043, 84.52.043, 84.52.010, and 84.52.010; providing an effective date; and providing an expiration date.

Referred to Committee on Local Government.

HB 2349 by Representatives Stonier, Schmidt, Doglio and Reed

AN ACT Relating to strengthening pay transparency requirements; and amending RCW 49.58.110.

Referred to Committee on Labor & Workplace Standards.

HB 2350 by Representatives Simmons, Stonier, Davis, Doglio, Macri, Reed and Springer

AN ACT Relating to birth doulas; amending RCW 18.47.010 and 18.47.030; and adding a new section to chapter 18.47 RCW.

Referred to Committee on Health Care & Wellness.

HB 2351 by Representatives Riccelli, Chapman, Bateman, Tharinger, Macri, Ryu, Gregerson, Simmons, Leavitt, Davis, Doglio, Nance, Low, Pollet, Reed, Ramel and Ormsby

AN ACT Relating to establishing the essential worker health care program; amending RCW 48.125.030; adding a new section to chapter 43.20A RCW; adding new sections to chapter 48.02 RCW; and creating new sections.

Referred to Committee on Health Care & Wellness.

HB 2352 by Representatives Berg, Waters, Leavitt, Riccelli, Slatter, Goodman, Ormsby, Wylie, Mena, Cortes, Taylor, Farivar, Fosse, Ramel, Street, Reed, Morgan, Ryu, Corry, Bronoske, Nance and Stokesbary

AN ACT Relating to creating the college athlete protection act; reenacting and amending RCW 43.79A.040, 43.79A.040, and 43.79A.040; adding a new chapter to Title 28B RCW; prescribing penalties; providing effective dates; and providing expiration dates.

Referred to Committee on Postsecondary Education & Workforce.

HB 2353 by Representatives Nance, Duerr, Simmons, Lekanoff, Shavers, McEntire, Hutchins, Griffey, Barkis, Couture, Morgan, Leavitt, Cheney and Reed

AN ACT Relating to promoting affordable housing in unincorporated areas within urban growth areas of counties; amending RCW 84.14.040 and 84.14.060; and creating a new section.

Referred to Committee on Housing.

HB 2354 by Representatives Street, Orcutt, Bronoske, Robertson, Chambers, Callan, Bateman, Doglio and Reed

AN ACT Relating to creating an option for impacted taxing districts to provide a portion of their new revenue to support any tax increment area proposed within their jurisdiction and clarifying that a tax increment area must be dissolved when all bond obligations are paid; and amending RCW 39.114.020 and 39.114.050.

Referred to Committee on Local Government.

HB 2355 by Representatives Nance, Ybarra and Reed

AN ACT Relating to establishing a primary certification process for magnetic resonance imaging technologists; amending RCW 18.84.080, 18.84.030, and 18.84.130; and reenacting and amending RCW 18.84.020.

Referred to Committee on Health Care & Wellness.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10:30 a.m., Monday, January 15, 2024, the 8th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## EIGHTH DAY

House Chamber, Olympia, Monday, January 15, 2024

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Josiah Flores and Katherine Nienaber. The Speaker led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Carey Anderson, First African Methodist Episcopal Church, Seattle.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

"Lift Every Voice and Sing" and "We're Blessed" was performed by the Praise and Worship Team Ministry of the First African Methodist Episcopal Church, Seattle.

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4653**, by Representatives Jinkins, Stokesbary, Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Gochner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, and Ybarra

WHEREAS, Today, we join with people in every corner of the great state of Washington and throughout the United States of America to honor the life and legacy of the Reverend Dr. Martin Luther King, Jr.; and

WHEREAS, Dr. King was born on January 15, 1929, in Atlanta, Georgia, and on June 18, 1953, he and Coretta Scott were married in Marion, Alabama; and

WHEREAS, He dedicated his life's work to gain civil and economic rights for all; and

WHEREAS, We remember his Letter to Birmingham, which includes the words, "Nonviolent direct action seeks to create such a crisis and establish such creative tension that a community that has consistently refused to negotiate is forced to confront the issue"; and

WHEREAS, People around the world still use his nonviolent philosophy as a guide to make lasting changes, following the words of Dr. King, "Injustice anywhere is a threat to justice everywhere"; and

WHEREAS, His belief in equality and opportunity for all was not restricted to the cessation of racial injustice, it also extended to the necessity of economic justice for all people, so that all may live free of the afflictions of poverty; and

WHEREAS, Dr. King propelled the truths of segregation and racial injustice to the forefront of American conversation at dinner tables across the country, helping to bring an end to unjust laws, and fulfilling the promise of a democracy for every American; and

WHEREAS, The Civil Rights Act of 1964 and the Voting Rights Act of 1965 became law thanks to the blood, sweat, and tears shed by Dr. King and his supporters from every community in the United States; and

WHEREAS, We remember Dr. King's steadfast commitment to the ideals of impartiality and opportunity for all in the face of tyranny, cruelty, and mistreatment by those in power; and

WHEREAS, He received the Nobel Peace Prize in 1964, the youngest man to ever be selected for this extraordinary honor; and

WHEREAS, Despite Dr. King's assassination on April 4, 1968, his legacy of compassion and nonviolence lived on through his followers and his wife, Coretta Scott King; and

WHEREAS, It is fitting to honor Dr. King's historic advocacy for equal treatment of all people during a time of tremendous racial tension;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize the importance of the life of Dr. King and exalt his dedicated work and embrace the ideals of equality and equity for all people.

Representative Cheney moved adoption of HOUSE RESOLUTION NO. 4653.

Representatives Cheney, Entenman, McClintock and Street spoke in favor of the adoption of the resolution.

**MOTION**

On motion of Representative Chambers, Representatives Kretz, Steele and McEntire were excused.

HOUSE RESOLUTION NO. 4653 was adopted.

**SPEAKER'S PRIVILEGE**

The Speaker recognized Corey Strozier, Tacoma School Board Vice President; Lisa Keating, Tacoma School Board Member and Dr. Karen Johnson who were in the wings and asked the Chamber to acknowledge them.

The Speaker called upon Representative Bronoske to preside.

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HI 2113 by People of the State of Washington

Concerning vehicular pursuits by peace officers.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2356 by Representatives Fey, Nance and Pollet

AN ACT Relating to speed safety camera systems; amending RCW 46.16A.120, 46.20.270, 46.63.110, and 46.63.200; and prescribing penalties.

Referred to Committee on Transportation.

HB 2357 by Representatives Fey, Barkis, Hutchins, Robertson, Leavitt, Schmidt, Shavers, Nance, Bronoske, Paul, Timmons and Caldier

AN ACT Relating to establishment of a state patrol longevity bonus; amending RCW 43.43.120; adding a new section to chapter 43.43 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Transportation.

HB 2358 by Representatives Barkis, Hackney, Robertson, Hutchins, Abbarno, Low, Walsh, Orcutt, Schmidt, Volz, Klicker, Goehner, Griffey, Corry, Chambers, Couture, Connors, Maycumber, Graham, Harris, McEntire, Caldier, McClintock, Wilcox, Eslick, Jacobsen, Mosbrucker, Chandler, Schmick, Dent, Christian, Sandlin, Waters, Cheney, Stokesbary, Steele, Barnard, Chapman, Leavitt, Bronoske and Nance

AN ACT Relating to people intentionally obstructing highways; adding a new section to chapter 46.61 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2359 by Representatives Peterson, Donaghy, Reed, Ramel and Simmons

AN ACT Relating to vehicle impounds; amending RCW 46.55.090, 46.55.120, 46.55.130, 46.55.140, 46.55.230, and 46.53.010; reenacting and amending RCW 46.55.010; and adding a new section to chapter 46.55 RCW.

Referred to Committee on Transportation.

HB 2360 by Representatives Slatter, Gregerson, Morgan, Leavitt, Berry, Davis, Nance, Reed, Ramel, Simmons, Paul, Ormsby and Pollet

AN ACT Relating to creating the Washington digital empowerment and workforce inclusion act; adding new sections to chapter 28C.18 RCW; and creating a new section.

Referred to Committee on Postsecondary Education & Workforce.

HB 2361 by Representatives Riccelli, Macri, Nance, Reed, Simmons and Ormsby

AN ACT Relating to phasing in the requirement that only standardized health plans may be offered on the health benefit exchange; amending RCW 43.71.095; and adding a new section to chapter 43.71 RCW.

Referred to Committee on Health Care & Wellness.

HB 2362 by Representatives Orcutt and Pollet

AN ACT Relating to modifying joint legislative audit and review committee studies by extending the sunset act, allowing the extension of timelines for conducting studies, and removing barriers to continuing the sustainable harvest study; and amending RCW 43.131.900, 76.04.516, and 44.28.083.

Referred to Committee on State Government & Tribal Relations.

HB 2363 by Representatives Chambers, Walen, Robertson, Morgan and Reed

AN ACT Relating to authorizing off-site and pop-up retail sales, service, and consumption of alcohol; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Regulated Substances & Gaming.

HB 2364 by Representatives Fey and Schmidt

AN ACT Relating to minor league baseball players subject to the terms of a collective bargaining agreement regarding

employment status; amending RCW 49.46.010, 49.46.070, and 49.12.050; and reenacting and amending RCW 49.12.187.

Referred to Committee on Labor & Workplace Standards.

HB 2365 by Representatives Barnard, Taylor, Robertson, Leavitt, Callan, Davis, Farivar, Nance, Reed, Jacobsen, Simmons, Goodman, Caldier, Pollet and Santos

AN ACT Relating to increasing access to respite care for those with intellectual or developmental disabilities and their caregivers; adding a new section to chapter 71A.12 RCW; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2366 by Representatives Chambers, Chapman, Dent and Jacobsen

AN ACT Relating to spring blade knives; amending RCW 9.41.250, 9.41.280, 9.41.282, 10.31.100, and 43.216.760; reenacting and amending RCW 9.41.300; repealing RCW 9.41.251; prescribing penalties; and providing an effective date.

Referred to Committee on Civil Rights & Judiciary.

HB 2367 by Representatives Dye, Graham, Schmidt and Caldier

AN ACT Relating to the crime of endangerment with a controlled substance; and amending RCW 9A.42.100.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2368 by Representatives Gregerson, Eslick, Thai, Low, Senn, Leavitt, Davis, Farivar, Nance, Reed, Doglio, Ramel, Simmons, Ormsby, Street, Goodman, Timmons, Pollet and Santos

AN ACT Relating to assisting refugees and immigrants by describing the role of the office of refugee and immigrant assistance within the department of social and health services in administering federal funding regarding refugee support services and authorizing the office of refugee and immigrant assistance within the department of social and health services to administer services to immigrants; and adding a new chapter to Title 74 RCW.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2369 by Representatives Couture and Griffey

AN ACT Relating to creating a permit to authorize the consumption of liquor by members of private clubs in restricted areas of certain premises otherwise open to the general public; and amending RCW 66.20.010.

Referred to Committee on Regulated Substances & Gaming.

HB 2370 by Representatives Schmick, Leavitt, Schmidt, Chapman and Doglio

AN ACT Relating to increasing student access to traffic safety education in rural school districts; and adding a new section to chapter 28A.220 RCW.

Referred to Committee on Education.

HB 2371 by Representatives Cheney and Walen

AN ACT Relating to clarifying the rules surrounding the removal of political advertising; amending RCW 29A.84.040; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 2372 by Representatives Lekanoff, Stearns, Leavitt, Davis, Nance, Reed, Chopp, Ormsby and Pollet

AN ACT Relating to transferring public property to Washington state federally recognized tribes for facilities to provide alcohol and substance use disorder prevention, treatment, and aftercare programs and services, and for behavioral health and related programs and services; adding a new section to chapter 39.33 RCW; and creating a new section.

Referred to Committee on Capital Budget.

HB 2373 by Representatives Ramos and Nance

AN ACT Relating to modifying the adopt-a-highway program to further the purpose of civic engagement and collaboration; amending RCW 47.40.100; and creating new sections.

Referred to Committee on Transportation.

HB 2374 by Representatives Pollet, Reed, Bergquist, Callan, Farivar, Ryu, Berry, Nance, Tharinger, Doglio, Slatter, Simmons, Paul, Street, Goodman and Macri

AN ACT Relating to establishing the Washington promise program, which provides for affordable access to community and technical colleges; amending RCW 28B.50.536, 28A.230.310, 28A.230.212, and 28B.77.300; reenacting and amending RCW 43.88C.010; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28A.230 RCW; adding a new chapter to Title 28B RCW; creating new sections; and providing an expiration date.

Referred to Committee on Postsecondary Education & Workforce.

HB 2375 by Representatives Goehner, Bateman, Orcutt, Simmons, Davis, Sandlin, Rude, Wilcox, Barkis, Schmidt, Steele, Barnard, Shavers, Christian, Reed, Tharinger and Caldier

AN ACT Relating to including an accessory dwelling unit under property that qualifies for the senior citizens property tax exemption; amending RCW 84.36.383; and creating new sections.

Referred to Committee on Finance.

HB 2376 by Representatives Robertson, Stokesbary, Dent, Ybarra and Caldier

AN ACT Relating to the regulatory obligations of certain public entities, including municipal gas utilities, under the climate commitment act; amending RCW 70A.65.130; and reenacting and amending RCW 42.30.110.

Referred to Committee on Environment & Energy.

HB 2377 by Representatives Stonier, Bronoske, Reed and Simmons

AN ACT Relating to the regulation of laser hair removal; and adding a new chapter to Title 18 RCW.

Referred to Committee on Health Care & Wellness.

HB 2378 by Representatives Tharinger, Macri, Bateman, Harris, Reed, Doglio and Pollet

AN ACT Relating to facility fees charged by certain affiliated health care providers; and amending RCW 70.01.040.

Referred to Committee on Health Care & Wellness.

HJM 4005 by Representatives Reeves, Ryu, Morgan, Shavers and Walen

Affirming Washington's commitment to the Blueprint for an AI Bill of Rights.

Referred to Committee on Consumer Protection & Business.

## MOTIONS

Representative Fitzgibbon moved that the measures printed on today's introductions sheet be considered first reading under the fourth order of business and be referred to the committees so designated.

Representative Stokesbary moved to amend the motion to add instructions to the Community Safety, Justice, and Reentry Committee to promptly hold a public hearing on HI 2113 with public notice requirements in House Rule 26(A).

## POINT OF ORDER

Representative Stonier requested a Point of Order on the motion to amend as out of order under the House Rules and Joint Rule 16.

## SPEAKER'S RULING

"Neither the House Rules nor the Joint Rules adopted by this body permit directing a committee and its operations upon introduction, first reading, and referral of measures.

The House Rules and Joint Rule 16 do respectively "require" referring measures to the "appropriate" or "proper" committee.

Had the motion challenged the committee to which the measure is sought to be referred, that motion would have been in order. That is not the subject of the motion to amend here.

The Speaker therefore finds that under the House Rules and Joint Rule 16, the motion to amend is out of order.

The point of order is well taken."

## MOTION

Representative Stokesbary moved to suspend the rules to allow a motion to refer HI 2113 to the Community Safety, Justice, and Reentry Committee with instructions to promptly hold a public hearing on HI 2113 with the public notice requirements in House Rule 26(A).

Representative Stokesbary spoke in favor of the motion to suspend the rules.

Representative Fitzgibbon spoke against of the motion to suspend the rules.

An electronic roll call was requested on the motion to suspend the House Rules.

## ROLL CALL

The Speaker (Representative Bronoske presiding) stated the question before the House to be the adoption of the motion to suspend the House Rules to allow a motion to refer HI 2113 to the Community Safety, Justice, and Reentry Committee with instructions to hold a public hearing consistent with the public notice requirements in House Rule 26(A) and the motion to suspend the House Rules was not adopted by the following vote: Yeas, 38; Nays, 58; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry,



Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representatives McEntire and Steele

Representative Fitzgibbon spoke in favor of the original motion to refer the measures listed on the day's introduction sheet, under the fourth order of business, to the committees so designated.

The motion to refer was adopted, and the measures listed on the day's introduction sheet, under the fourth order of business, were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

January 12, 2024

HB 1880 Prime Sponsor, Representative McClintock: Concerning architecture licensing examinations. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Corry; Donaghy; Hackney; Sandlin; Santos and Volz.

Referred to Committee on Rules for second reading

January 12, 2024

HB 1972 Prime Sponsor, Representative Simmons: Increasing the licensure fees that support the Washington physicians health program. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

January 11, 2024

HB 1998 Prime Sponsor, Representative Gregerson: Concerning co-living housing. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Hutchins; Low; Reed and Taylor.

Referred to Committee on Rules for second reading

January 12, 2024

HB 2000 Prime Sponsor, Representative Mena: Renewing Washington's international leadership. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Gregerson; Low and Mena.

MINORITY recommendation: Do not pass. Signed by Representative Christian, Assistant Ranking Minority Member.

Referred to Committee on Appropriations

January 12, 2024

HB 2032 Prime Sponsor, Representative Cheney: Reducing the size of yard signs that are exempt from certain political advertising disclosure requirements. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., Tuesday, January 16, 2024, the 9th Day of the 2024 Regular Session.

Laurie Jinkins, Speaker

Bernard Dean, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## NINTH DAY

House Chamber, Olympia, Tuesday, January 16, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HB 2380 by Representatives Shavers, Harris, Robertson, Chapman, Lekanoff, Paul, Reed, Ramel, Cortes, Fosse, Farivar, Eslick, Goodman, Jacobsen, Leavitt and Pollet

AN ACT Relating to increasing compensation for Washington paraeducators; adding new sections to chapter 28A.400 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 2381 by Representatives McEntire, Shavers and Chapman

AN ACT Relating to increasing eligibility for economy and efficiency flexible school calendar waivers; and amending RCW 28A.150.222.

Referred to Committee on Education.

HB 2382 by Representatives Berry, Lekanoff, Reed, Bronoske, Fosse, Pollet and Ormsby

AN ACT Relating to death benefits applicable to drivers of transportation network companies; amending RCW 51.16.250; and adding a new section to chapter 51.32 RCW.

Referred to Committee on Labor & Workplace Standards.

HB 2383 by Representatives Eslick, Taylor and Jacobsen

AN ACT Relating to reporting on dependency outcomes; amending RCW 13.34.820 and 13.34.035; and creating a new section.

Referred to Committee on Civil Rights & Judiciary.

HB 2384 by Representatives Donaghy, Fitzgibbon, Walen and Pollet

AN ACT Relating to automated traffic safety cameras; amending RCW 46.16A.120, 46.63.030, 46.63.075, and 46.68.480; adding new sections to chapter 46.63 RCW; and repealing RCW 46.63.170.

Referred to Committee on Transportation.

HB 2385 by Representatives Hutchins, Paul, Low, Robertson, Timmons, Barkis, Donaghy, Lekanoff, Caldier, Couture and Shavers

AN ACT Relating to fuel purchasing for the state ferry system; and amending RCW 47.60.830.

Referred to Committee on Transportation.

HB 2386 by Representatives Hutchins, Timmons, Robertson, Donaghy, Low, Paul, Barkis, Lekanoff, Caldier, Couture, Shavers and Rule

AN ACT Relating to off-duty traffic control provided by Washington state patrol officers; and adding a new section to chapter 43.43 RCW.

Referred to Committee on Transportation.

HB 2387 by Representatives Rude, Corry, Sandlin, Caldier, Couture, Connors, Chambers and Stokesbary

AN ACT Relating to increasing classified allocations to improve student outcomes; amending RCW 28A.150.260; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Appropriations.

HB 2388 by Representatives Hackney, Reed and Pollet

AN ACT Relating to promoting equitable economic and technological advancement through the clean energy fund; and adding a new chapter to Title 43 RCW.

Referred to Committee on Capital Budget.

HB 2389 by Representatives Abbarno and Barkis

AN ACT Relating to service of notice by mail in cases involving forcible entry and forcible and unlawful detainer; and amending RCW 59.12.040.

Referred to Committee on Housing.

HB 2390 by Representatives Shavers and Rule

AN ACT Relating to penalties related to eluding police vehicles and resisting arrest; amending RCW 46.55.113, 46.55.360, 46.55.370, 13.40.040, 9.94A.501, 9.94A.701, 9.94A.703, and 13.40.210; adding a new section to chapter 46.61 RCW; and adding a new section to chapter 10.21 RCW.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2391 by Representatives Leavitt, Lekanoff, Ramel, Bronoske, Eslick and Timmons

AN ACT Relating to county ferries; amending RCW 36.54.010 and 39.04.010; and providing an effective date.

Referred to Committee on Local Government.

HB 2392 by Representatives Ryu, Reed, Morgan, Santos, Bronoske and Leavitt

AN ACT Relating to designating kimchi day; reenacting and amending RCW 1.16.050; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 2393 by Representatives Dent, Springer, Chapman, Couture and Christian

AN ACT Relating to establishing tax exemptions for unleaded aircraft fuel; amending RCW 82.42.030, 82.21.040, and 82.23A.030; reenacting and amending RCW 82.42.010; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.23B RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Transportation.

HB 2394 by Representatives Duerr, Reed, Fitzgibbon and Ramel

AN ACT Relating to streamlining certain decisions pertaining to the development or extension of a trail or path from the state environmental policy act; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Local Government.

HB 2395 by Representatives Griffey, Davis, Lekanoff, Couture and Jacobsen

AN ACT Relating to improving public safety by deterring assaults involving strangulation or suffocation; amending RCW 9A.36.021; and creating a new section.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2396 by Representatives Mosbrucker, Davis, Couture, Rule, Barkis, Jacobsen and Pollet

AN ACT Relating to fentanyl and other synthetic opioids; adding new sections to chapter 43.70 RCW; adding a new section to chapter 70.48 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 2397 by Representatives Stonier, Reed, Fosse, Macri and Pollet

AN ACT Relating to assisted living facilities that are owned or operated by affordable housing providers; amending RCW 18.20.020 and 74.39A.032; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 2398 by Representatives Walsh, Couture, Eslick and Jacobsen

AN ACT Relating to requiring parent representation on instructional materials committees; amending RCW 28A.320.230; and creating a new section.

Referred to Committee on Education.

HB 2399 by Representatives Walsh and Jacobsen

AN ACT Relating to requiring formal complaint systems for public school libraries; adding a new section to chapter 28A.320 RCW; and creating a new section.

Referred to Committee on Education.

HB 2400 by Representative Orcutt

AN ACT Relating to an adopt-a-waterway program; and adding a new section to chapter 79A.05 RCW.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 2401 by Representatives Duerr, Doglio, Berry, Fitzgibbon, Ramel and Pollet

AN ACT Relating to providing for the responsible management of refrigerant gases with a higher global warming potential than carbon dioxide that are used in appliances or other infrastructure; amending RCW 70A.65.260; reenacting and amending RCW 43.21B.110 and 43.21B.300; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 70A RCW; and prescribing penalties.

Referred to Committee on Environment & Energy.

HB 2402 by Representatives Dent, Chapman, Griffey, Couture and Bronoske

AN ACT Relating to the fire service training account; and amending RCW 43.43.944.

Referred to Committee on Appropriations.

HB 2403 by Representatives Farivar, Alvarado, Reed, Berry, Ortiz-Self, Donaghy, Fitzgibbon, Bronoske, Walen, Fosse, Goodman, Macri, Pollet and Ormsby

AN ACT Relating to protecting cats and dogs by requiring kennels to meet certain fire safety standards; and adding a new section to chapter 19.27 RCW.

Referred to Committee on Local Government.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

January 12, 2024

HB 1898 Prime Sponsor, Representative Schmidt: Concerning unemployment insurance benefit charging. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

January 12, 2024

HB 1901 Prime Sponsor, Representative Springer: Removing the sunset on changes to the unemployment insurance voluntary contribution program. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

January 12, 2024

- HB 1917 Prime Sponsor, Representative Leavitt: Adopting the physician assistant compact. Reported by Committee on Postsecondary Education & Workforce  
 Jacobsen; Klicker; Leavitt; Nance; Pollet; Schmidt and Timmons.  
 Referred to Committee on Appropriations  
 January 12, 2024
- MAJORITY recommendation: Do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Chandler; Jacobsen; Klicker; Leavitt; Nance; Pollet; Schmidt and Timmons.  
 Referred to Committee on Rules for second reading  
 January 12, 2024
- HB 1920 Prime Sponsor, Representative Robertson: Modifying the public accountancy act. Reported by Committee on Consumer Protection & Business  
 MAJORITY recommendation: Do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Corry; Donaghy; Hackney; Sandlin; Santos and Volz.  
 Referred to Committee on Rules for second reading  
 January 12, 2024
- HB 1932 Prime Sponsor, Representative Gregerson: Shifting general elections for local governments to even-numbered years to increase voter participation. Reported by Committee on State Government & Tribal Relations  
 MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Gregerson; Low and Mena.  
 MINORITY recommendation: Do not pass. Signed by Representatives Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member.  
 Referred to Committee on Rules for second reading  
 January 12, 2024
- HB 1939 Prime Sponsor, Representative Orwall: Adopting the social work licensure compact. Reported by Committee on Postsecondary Education & Workforce  
 MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Chandler; Jacobsen; Klicker; Leavitt; Nance; Pollet; Schmidt and Timmons.  
 Referred to Committee on Rules for second reading  
 January 12, 2024
- HB 1943 Prime Sponsor, Representative Leavitt: Modifying the Washington national guard postsecondary education grant program. Reported by Committee on Postsecondary Education & Workforce  
 MAJORITY recommendation: Do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Chandler;
- HB 1957 Prime Sponsor, Representative Riccelli: Preserving coverage of preventive services without cost sharing. Reported by Committee on Health Care & Wellness  
 MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.  
 MINORITY recommendation: Do not pass. Signed by Representative Graham.  
 Referred to Committee on Rules for second reading  
 January 12, 2024
- HB 1962 Prime Sponsor, Representative Low: Improving voter registration list accuracy by improving voter address change processes for county election offices and voters. Reported by Committee on State Government & Tribal Relations  
 MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.  
 Referred to Committee on Rules for second reading  
 January 12, 2024
- HB 1969 Prime Sponsor, Representative Alvarado: Expanding the definition of family member for individual providers. Reported by Committee on Health Care & Wellness  
 MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.  
 Referred to Committee on Appropriations  
 January 11, 2024
- HB 2008 Prime Sponsor, Representative Klicker: Creating a task force on housing cost driver analysis. Reported by Committee on Housing  
 MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Hutchins; Low; Reed and Taylor.  
 Referred to Committee on Appropriations  
 January 12, 2024

HB 2015 Prime Sponsor, Representative Senn: Concerning incentivizing adult family homes to increase bed capacity to seven or eight beds. Reported by Committee on Health Care & Wellness

HOUSE BILL NO. 1054  
SUBSTITUTE HOUSE BILL NO. 1121  
SECOND SUBSTITUTE HOUSE BILL NO. 1151  
HOUSE BILL NO. 1507  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508  
HOUSE BILL NO. 1530  
SECOND SUBSTITUTE HOUSE BILL NO. 1618  
SUBSTITUTE HOUSE BILL NO. 1851  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1037  
SUBSTITUTE HOUSE BILL NO. 1044  
HOUSE BILL NO. 1330

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

There being no objection, the House adjourned until 10:30 a.m., Wednesday, January 17, 2024, the 10th Day of the 2024 Regular Session.

Referred to Committee on Rules for second reading

LAURIE JINKINS, Speaker

January 12, 2024

BERNARD DEAN, Chief Clerk

HB 2034 Prime Sponsor, Representative Cheney: Requiring counties and cities to provide the administrative office of the courts with notice of court reorganizations. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Walsh, Ranking Minority Member; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

Referred to Committee on Rules for second reading

January 12, 2024

HCR 4405 Prime Sponsor, Representative Sandlin: Naming the new Irving R. Newhouse Building. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Capital Budget

There being no objection, the bills and resolution listed on the day's committee reports under the fifth order of business were referred to the committee so designated.

There being no objection, the House advanced to the eighth order of business.

**MOTIONS**

There being no objection, the Committee on Finance was relieved of ENGROSSED SUBSTITUTE HOUSE BILL NO. 1371, and the bill was referred to the Committee on Rules.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1226  
SECOND SUBSTITUTE HOUSE BILL NO. 1272  
SUBSTITUTE HOUSE BILL NO. 1637  
HOUSE BILL NO. 1726  
SUBSTITUTE HOUSE BILL NO. 1818  
HOUSE BILL NO. 1468  
HOUSE BILL NO. 1635

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the 3rd Reading calendar:

SECOND SUBSTITUTE HOUSE BILL NO. 1010

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## TENTH DAY

House Chamber, Olympia, Wednesday, January 17, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Sophie Sikorra and William Harper. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Elizabeth Bretschneider, Lacey Stake, the Church of Jesus Christ of Latter Day Saints.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

**SPEAKER'S PRIVILEGE**

The Speaker (Representative Orwall presiding) recognized guests seated in the gallery from Pacific NorthWest Economic Region: Rick Glumac, PNWER President, BC Chantelle de Jonge, PNWER Alberta delegate Garth Rowswell, PNWER Alberta delegate Matt Morrison, CEO, PNWER Brandon Hardenbrook, COO, PNWER Bruce Agnew, Director, PNWER RIA.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SECRETARY OF STATE****CERTIFICATION OF INITIATIVE TO THE LEGISLATURE 1-2117**

Pursuant to Article It, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2117 to be examined in the following manner:

1. It was determined that 466,072 signatures were submitted by the sponsors of the initiative. A random sample of 13,983 signatures was taken from those submitted;

2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,863 valid signatures, 3,105 signatures that were invalid and 15 pairs of duplicated signatures in the sample;

3. We calculated an allowance for the chance error of sampling (84) by multiplying the square root of the number of invalid signatures by 1.5;

4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (106,280) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;

5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (35,276) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;

6. We determined the expected number of duplicate pairs of signatures in the sample (32) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;

7. We determined the acceptable number of duplicate pairs of signatures in the sample (22) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and

8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample. Therefore, I hereby declare Initiative to the Legislature No. 2117 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 16th day of January, 2024.

Steve Hobbs  
Secretary of State

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HI 2117 by People of the State of Washington

Concerning carbon tax credit trading.

Referred to Committee on Environment & Energy.

HB 2404 by Representatives Rule, Stokesbary, Jacobsen and Nance

AN ACT Relating to promoting learning recovery programs in public schools; adding a new section to chapter 28A.655 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 2405 by Representatives Duerr, Doglio, Ramel and Berry

AN ACT Relating to sustainability factors in investment strategies and proxy voting by the Washington state investment board; amending RCW 43.33A.110, 43.33A.140, and 43.33A.150; adding a new section to chapter 43.09 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 2406 by Representatives Connors, Rude, Hutchins, Walen, Klicker, Caldier, Ybarra, Chapman, Jacobsen, Barkis, Paul, Eslick, Taylor, Dent, Sandlin, Schmidt, Nance, Springer and Graham

AN ACT Relating to establishing a work group to assess the restrictions on the employment of 16 and 17 year olds; and creating new sections.

Referred to Committee on Labor & Workplace Standards.

HB 2407 by Representatives Couture, Rule, Senn, Caldier and Jacobsen

AN ACT Relating to increasing protections for child welfare workers; amending RCW 74.14B.010; reenacting and amending RCW 74.14B.005; and adding a new section to chapter 74.14B RCW.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2408 by Representatives Lekanoff, Orwall, Davis, Ramel and Nance

AN ACT Relating to methods of communication used by the technology platform designed for the behavioral health crisis response and suicide prevention system; and reenacting and amending RCW 71.24.890.

Referred to Committee on Health Care & Wellness.

HB 2409 by Representatives Corry and Barkis

AN ACT Relating to underground facilities and safe excavation practices; and amending RCW 19.122.020, 19.122.030, 19.122.040, and 19.122.130.

Referred to Committee on Local Government.

HB 2410 by Representatives Ybarra and Caldier

AN ACT Relating to jet fuel; amending RCW 82.04.287, 82.04.436, and 70A.535.150; creating new sections; and providing an effective date.

Referred to Committee on Finance.

HB 2411 by Representatives Callan, Berg and Ortiz-Self

AN ACT Relating to school districts' authority to contract indebtedness for school construction; and amending RCW 28A.530.080.

Referred to Committee on Capital Budget.

HB 2412 by Representatives Schmidt, Berry, Timmons, Fitzgibbon, Street and Bergquist

AN ACT Relating to making technical corrections to plumbing supervision and trainee hours reporting; amending RCW 18.106.070; and reenacting and amending RCW 18.106.010.

Referred to Committee on Labor & Workplace Standards.

HB 2413 by Representatives Walen, Hutchins, Ryu and Springer

AN ACT Relating to affordable and supportive housing sales and use taxes and encouraging investments in affordable homeownership unit development; and amending RCW 82.14.540.

Referred to Committee on Local Government.

HB 2414 by Representatives Mena, Morgan, Chapman, Reed, Stearns, Ramos, Cortes, Street, Farivar, Simmons, Taylor, Alvarado, Entenman, Bateman, Gregerson, Ormsby, Fey, Fosse, Macri, Thai, Pollet, Chopp, Bergquist, Slatter, Berg, Doglio, Lekanoff, Nance, Donaghy, Ramel, Hackney and Davis

AN ACT Relating to prohibiting the use of hog-tying; reenacting and amending RCW 10.120.010; adding a new section to chapter 10.120 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Community Safety, Justice, & Reentry.

## MOTIONS

Representative Fitzgibbon moved that the measures printed on today's introductions sheet be considered first reading under the fourth order of business and be referred to the committees so designated.

Representative Stokesbary moved to suspend the House Rules to allow a motion to refer HI 2117 to the Environment and Energy Committee with instructions to the committee to promptly hold a public hearing consistent with the public notice requirements in House Rule 26(A).

On motion of Representative Griffey, Representative Corry was excused.

An electronic roll call was requested on the motion to suspend the House Rules.

## ROLL CALL

The Speaker (Representative Bronoske presiding) stated the question before the House to be the adoption of the motion to suspend the House Rules to allow a motion to refer HI 2117 to the Environment & Energy Committee with instructions to hold a public hearing consistent with the public notice requirements in House Rule 26(A) and the motion to amend was not adopted by the following vote: Yeas, 39; Nays, 58; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox, Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representative Corry

Representative Fitzgibbon spoke in favor of the original motion to refer the measures listed on the day's introduction sheet, under the fourth order of business, to the committees so designated.

The motion to refer was adopted and the measures listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

January 12, 2024

HB 1916

Prime Sponsor, Representative Senn: Concerning funding for the early support for infants and toddlers program. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self; Taylor and Walsh.

Referred to Committee on Appropriations

January 12, 2024

HB 1946 Prime Sponsor, Representative Eslick: Creating the Washington health corps behavioral health scholarship program. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Chandler; Jacobsen; Klicker; Leavitt; Nance; Pollet; Schmidt and Timmons.

Referred to Committee on Appropriations

January 12, 2024

HB 1950 Prime Sponsor, Representative Slatter: Concerning the public service loan forgiveness program. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Chandler; Jacobsen; Klicker; Leavitt; Nance; Pollet; Schmidt and Timmons.

Referred to Committee on Rules for second reading

January 12, 2024

HB 2004 Prime Sponsor, Representative McEntire: Providing early registration at institutions of higher education for military students. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Chandler; Jacobsen; Klicker; Leavitt; Nance; Pollet; Schmidt and Timmons.

Referred to Committee on Rules for second reading

January 12, 2024

HB 2006 Prime Sponsor, Representative Peterson: Concerning court interpreters. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Abbarno; and Cheney.

Referred to Committee on Appropriations

January 12, 2024

HB 2056 Prime Sponsor, Representative Goodman: Concerning information sharing and limited investigative authority of supreme court bailiffs. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; and Abbarno.

Referred to Committee on Rules for second reading

January 12, 2024

HB 2101 Prime Sponsor, Representative Rule: Eliminating child care licensing fees. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh.

Referred to Committee on Appropriations

January 12, 2024

HB 2111 Prime Sponsor, Representative Nance: Clarifying requirements for subsidized child care. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self; Taylor and Walsh.

Referred to Committee on Rules for second reading

January 12, 2024

HB 2124 Prime Sponsor, Representative Eslick: Supporting and expanding access to child care and early learning programs. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives Couture, Assistant Ranking Minority Member; and Walsh.

Referred to Committee on Appropriations

January 15, 2024

HB 2160 Prime Sponsor, Representative Reed: Promoting community and transit-oriented housing development. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Bateman; Chopp; Entenman; Reed and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives Klicker, Ranking Minority Member;



Connors, Assistant Ranking Minority Member; Hutchins; and Low.

MINORITY recommendation: Without recommendation.  
Signed by Representative Barkis.

Referred to Committee on Capital Budget

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

## SECOND READING

**HOUSE BILL NO. 1726, by Representatives Bronoske, Robertson, Griffey, Rule, Leavitt, Schmidt, Chapman, Ryu, Reeves, Graham, Ormsby, Paul and Reed**

**Concerning the director of fire protection's administration and reimbursement of fire service-related training programs.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bronoske and Abbarno spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1726.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1726, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Corry

HOUSE BILL NO. 1726, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1818, by Representatives Tharinger and Chapman**

**Concerning the exclusion of compensating tax when land is sold to a governmental entity intending to manage the land similarly to designated forestland or timberland.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1818 was substituted for House Bill No. 1818 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1818 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1818.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1818, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Corry

SUBSTITUTE HOUSE BILL NO. 1818, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

## THIRD READING

**SUBSTITUTE HOUSE BILL NO. 1121, by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman, Leavitt, Reeves, Lekanoff and Wylie)**

**Concerning the uniform child abduction prevention act.**

The bill was read the third time.

Representatives Goodman and Cheney spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1121.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1121, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt,

Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Corry

SUBSTITUTE HOUSE BILL NO. 1121, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1330, by Representatives Christian, Pollet, Schmidt, Couture, Low and Doglio**

**Adjusting the threshold for requiring candidate contribution certifications relating to foreign nationals.**

The bill was read the third time.

Representatives Christian and Ramos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1330.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1330, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Paul and Santos

Excused: Representative Corry

HOUSE BILL NO. 1330, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10:30 a.m., Thursday, January 18, 2024, the 11th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## ELEVENTH DAY

House Chamber, Olympia, Thursday, January 18, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Joel Flores and Sienna Shadd. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by John Schmit, Longview Stake President, the Church of Jesus Christ of Latter Day Saints.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HB 2415 by Representatives Cortes, Ramel and Pollet

AN ACT Relating to expanding economic assistance for individuals who are eligible for temporary assistance for needy families; amending RCW 74.08A.210; and providing an effective date.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2416 by Representatives Graham and Riccelli

AN ACT Relating to changing the legal title for advanced practice nurses; amending RCW 18.79.030, 18.79.040, 18.79.050, 18.79.060, 18.79.070, 18.79.110, 18.79.160, 18.79.170, 18.79.180, 18.79.200, 18.79.230, 18.79.240, 18.79.250, 18.79.256, 18.79.260, 18.79.270, 18.79.290, 18.79.400, 18.79.800, and 18.79.810; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 2417 by Representatives Barnard and Hackney

AN ACT Relating to establishing the development of renewable energy for Washington revolving loan program and account; reenacting and amending RCW 43.84.092, 43.84.092, and 43.84.092; adding new sections to chapter 43.21F RCW; creating a new section; providing effective dates; and providing expiration dates.

Referred to Committee on Capital Budget.

HB 2418 by Representatives Berg, Ramel, Shavers and Pollet

AN ACT Relating to increasing the working families' tax credit to reflect the economic burden of property taxes incorporated into rental amounts charged to residential tenants; reenacting and amending RCW 82.08.0206; and creating new sections.

Referred to Committee on Finance.

HB 2419 by Representatives Berg, Ramel, Shavers and Pollet

AN ACT Relating to providing housing safety, security, and protection by creating the homeowner relief property tax

exemption; amending RCW 84.48.010; adding new sections to chapter 84.36 RCW; creating new sections; and providing a contingent effective date.

Referred to Committee on Finance.

HB 2420 by Representatives Donaghy and Ramel

AN ACT Relating to law enforcement training; amending RCW 43.101.230; reenacting and amending RCW 43.101.200; and providing an effective date.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2421 by Representatives Gregerson, Klicker, Ramel, Duerr and Pollet

AN ACT Relating to the sale or lease of manufactured/mobile home communities and the property on which they sit; and amending RCW 59.20.030, 59.20.325, 59.20.330, 59.20.335, 59.21.030, and 59.21.040.

Referred to Committee on Housing.

HB 2422 by Representatives Corry and Walen

AN ACT Relating to expanding affordable housing incentives available to rural counties; amending RCW 84.14.010, 84.14.020, 84.14.021, 84.14.030, and 84.14.060; and creating new sections.

Referred to Committee on Finance.

HB 2423 by Representatives Kretz, Springer, Schmick and Dent

AN ACT Relating to gray wolf management; adding a new section to chapter 77.36 RCW; creating a new section; and providing an expiration date.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2424 by Representatives Kretz, Lekanoff, Springer, Schmick, Dent and Chapman

AN ACT Relating to updating cooperative agreements between the state and federally recognized tribes for the successful collaborative management of Washington's wildlife resources; and creating new sections.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2425 by Representatives Rule, Reeves, Hackney, Ryu, Chapman, Wilcox, Walen and Leavitt

AN ACT Relating to enacting the home affordability sustainment act, a rental support program; and adding a new chapter to Title 43 RCW.

Referred to Committee on Housing.

HB 2426 by Representatives Rule and Chapman

AN ACT Relating to protecting and preserving the Puget Sound salmon purse seine fishing industry; adding a new section to chapter 77.12 RCW; creating new sections; making an appropriation; and providing expiration dates.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2427 by Representatives Klicker, Rude and Springer

AN ACT Relating to recognizing the Walla Walla valley historical society as a trustee of the state; and amending RCW 27.34.020 and 27.34.010.

Referred to Committee on State Government & Tribal Relations.

HB 2428 by Representatives Klicker, Rude and Springer

AN ACT Relating to allowing cities to voluntarily share certain sales and use tax revenue; amending RCW 82.14.032; and adding a new section to chapter 39.34 RCW.

Referred to Committee on Local Government.

HB 2429 by Representatives Ramel and Pollet

AN ACT Relating to the process to make recommendations for a project by the energy facility site evaluation council; and amending RCW 80.50.030, 80.50.071, 80.50.080, 80.50.090, and 80.50.100.

Referred to Committee on Environment & Energy.

HB 2430 by Representatives Springer, Wilcox, Jacobsen, Chambers, Caldier, Reeves, Chapman, Berg, Orcutt, Walen, Schmick, Barkis, Rule, Leavitt, Gregerson, Wylie, Barnard and Farivar

AN ACT Relating to waiving business licensing handling and delinquency fees for eligible businesses; amending RCW 19.02.075 and 19.02.085; and creating a new section.

Referred to Committee on Consumer Protection & Business.

HB 2431 by Representatives Ramos and Chapman

AN ACT Relating to expanding the locations where a person can be guilty of unlawful transit conduct to include the Washington state ferries; and amending RCW 9.91.025.

Referred to Committee on Community Safety, Justice, & Reentry.

HJR 4209 by Representatives Berg and Pollet

Concerning a constitutional amendment providing for a residential real property exemption from property taxes levied for state purposes.

Referred to Committee on Finance.

There being no objection, the bills and resolution listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

**REPORTS OF STANDING COMMITTEES**

January 15, 2024

HB 1249 Prime Sponsor, Representative Corry:  
Regarding limits on the sale and possession

of retail cannabis products. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; Cheney; Morgan; Orwall; Reeves and Waters.

Referred to Committee on Rules for second reading

January 15, 2024

HB 1299 Prime Sponsor, Representative Chambers:  
Concerning workforce development in the beverage alcohol industry. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; Cheney; Morgan; Orwall; Reeves and Waters.

Referred to Committee on Rules for second reading

January 16, 2024

HB 1869 Prime Sponsor, Representative Leavitt:  
Enacting the keeping our Washington guard strong act. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Chambers; Christian; Cortes; Paul; Senn; Shavers; Street; Waters and Wilcox.

Referred to Committee on Appropriations

January 16, 2024

HB 1870 Prime Sponsor, Representative Barnard:  
Promoting economic development by increasing opportunities for local communities to secure federal funding. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Chambers; Christian; Cortes; Paul; Senn; Shavers; Street; Waters and Wilcox.

Referred to Committee on Appropriations

January 16, 2024

HB 1925 Prime Sponsor, Representative Shavers:  
Expanding the veterans service officer program to increase veteran support statewide. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Chambers; Christian; Cortes; Paul; Senn; Shavers; Street; Waters and Wilcox.

Referred to Committee on Appropriations

January 16, 2024

HB 1978 Prime Sponsor, Representative Rule: Adding special purpose and junior taxing districts to the intrastate mutual aid system. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Chambers; Christian; Cortes; Paul; Senn; Shavers; Street; Waters and Wilcox.

Referred to Committee on Rules for second reading

January 16, 2024

HB 1982 Prime Sponsor, Representative Waters: Concerning the authority of the community economic revitalization board with respect to loans and grants to political subdivisions and federally recognized Indian tribes for broadband. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Chambers; Christian; Cortes; Paul; Senn; Shavers; Street; Waters and Wilcox.

Referred to Committee on Capital Budget

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

### MOTION

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 1450, and the bill was referred to the Committee on Health Care & Wellness.

There being no objection, the House adjourned until 9:55 a.m., Friday, January 19, 2024, the 12th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## TWELFTH DAY

House Chamber, Olympia, Friday, January 19, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Bronoske presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4655**, by Representatives Senn, Couture, Pollet, Rude, Goodman, Callan, Street, Reed, Timmons, Santos, Macri, and Schmick

WHEREAS, The Holocaust Center for Humanity is a Seattle-based organization dedicated to teaching and honoring the history, stories, and lessons of the Holocaust; and

WHEREAS, Dee Simon has worked at the Holocaust Center for Humanity as the Chief Executive Officer since 2006; and

WHEREAS, Dee's mother, Frieda Soury, was a Holocaust survivor born in 1929 in Ostrava, Czechoslovakia to a Jewish father and a non-Jewish mother. She was designated a "mischling" (half-Jewish) by the Nazis and deported to the concentration camp of Theresienstadt in 1943, liberated in 1945. Frieda moved to Israel when she was 18 and later immigrated to the United States with her husband and three children. She passed away in 2022; and

WHEREAS, Dee discussed and shared stories of her mother's resilience and determination, along with how it shaped her own passion to become an impactful Washingtonian; and

WHEREAS, under Dee's leadership, the organization has transformed from a small resource center to a nationally recognized education and advocacy center of excellence; and

WHEREAS, Dee spearheaded the capital campaign to create the current museum space in Seattle to advance their work for the community of Washington State and beyond; and

WHEREAS, Dee helped start and implement the Law Enforcement and Society (LEAS) program in Seattle, and a robust statewide educator and law enforcement training program around antisemitism and bias; and

WHEREAS, During her tenure, Dee worked with the Washington State Legislature to pass a formal curriculum recommendation and funding of Holocaust education that trains over 800 teachers in 229 schools each year; and

WHEREAS, Dee will retire from the Holocaust Center for Humanity in the summer of 2024; and

WHEREAS, International Holocaust Remembrance Day is January 27th, 2024;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize the outstanding accomplishments and contributions of Dee Simon to the State of Washington.

With the consent of the House, HOUSE RESOLUTION NO. 4655 was adopted.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4657**, by Representative Couture

WHEREAS, Washington's deepest gratitude is owed to the members of the greatest generation who served courageously in World War II, having fought valiantly in defense of our nation and the freedom of all people; and

WHEREAS, Belonging to the remnant of that generation is Harvey J. Drahos: Father, friend, soldier, scholar, pilot, philanthropist, police officer, community leader, chiropractor, search and rescue operator, and leader; and

WHEREAS, Mr. Drahos was born January 5, 1923, in Cedar Rapids, Iowa; and

WHEREAS, Mr. Drahos enlisted in the United States Army on March 24, 1943, serving in the 96th Infantry Division, 382nd Infantry Regiment, S-Company during the Battle of Leyte, Philippines and the Battle of Okinawa, Japan where he was wounded and at the time of his honorable discharge in February of 1946, he had earned numerous medals including Bronze Star, Purple Heart, Good Conduct Medal, American Campaign Medal, Asiatic-Pacific Campaign Medal, World War II Victory Medal, as well as Combat Infantry Badge, World War II Honorable Service Button, and Presidential Unit Citation; and

WHEREAS, Upon returning to civilian life, Mr. Drahos demonstrated his characteristic diligence and perseverance as he took jobs from gas station attendant to City of Los Angeles Motorcycle Officer in the Hollywood Division prior to attending university; and

WHEREAS, Upon attending university in Barstow, California, Mr. Drahos initially earned an advanced chiropractic degree, but would soon earn Disaster Administrator Certificate, and go on to pursue a Juris Doctorate; and

WHEREAS, Mr. Drahos has dedicated his life to service and the betterment of his community through participation in San Bernadino Disaster Relief, Red Cross, Rotary, Kiwanis, Giant Inter-Club in Las Vegas, United States Air Force Auxiliary Search and Rescue Pilot, Certified Public Administration, Radiological Defense Officer, and offering legal coaching to veterans; and

WHEREAS, Mr. Drahos has previously been recognized by the City of Lacey, United States Representative Marilyn Strickland, and the administration of President Ronald Reagan for his lifetime of work and continued dedication to our nation;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives express its thanks and appreciation to Mr. Harvey Drahos, without whom Washington state and the Nation as a whole could not be successful; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Harvey J. Drahos.

With the consent of the House, HOUSE RESOLUTION NO. 4657 was adopted.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4658**, by Representative Schmick

WHEREAS, After serving as mayor of Pullman for 20 years, Glenn Johnson has retired from city hall; and

WHEREAS, Glenn Johnson moved to Pullman in 1979 from Sacramento, California, to teach at Washington State University Edward R. Murrow college of communication, and became very involved with various organizations, which included volunteering at Pullman regional hospital; and

WHEREAS, As mayor, he helped with the initiation of project downtown, a city-led revitalization project to upgrade Main Street's utilities, roads, sidewalks, and public spaces; and

WHEREAS, Glenn Johnson is not just known for being the Pullman mayor and a distinguished professor at Washington State University for 35 years, but for being the "voice of the Cougs" as the public-address announcer at Washington State University sporting events for more than 40 years; and

WHEREAS, His catchphrase at Washington State University home football games "and that's another Cougar first down!" became so popular that Cougar fans routinely said it in unison; and

WHEREAS, Glenn Johnson also is a trustee of the community colleges of Spokane; and

WHEREAS, Glenn Johnson is a recipient of the Honorary Alumnus award, which is considered the highest honor from the Washington State University alumni association for non-alumni friends who have given special service to the university, and appropriately was presented with that honor while announcing at a Cougar basketball game; and

WHEREAS, The Washington State University foundation presented him with its outstanding service award in 2013, while the Pullman chamber of commerce has honored him with the Marshall A. Neill community service award in 2001 and as member of the year in 1997; and

WHEREAS, Glenn Johnson in 2008 received the 2008 Edward L. Bliss award for distinguished broadcast journalism education, which honors an electronic journalism educator who has made a significant and lasting contribution to the field in the areas of teaching, service, and scholarship; and

WHEREAS, Glenn Johnson has been a selfless leader who always dedicated his success to the people around him;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor and congratulate Glenn Johnson not only for serving two decades as Pullman mayor, but also for his ongoing service as the voice of the Cougars. Go Cougs!; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk to Glenn Johnson.

With the consent of the House, HOUSE RESOLUTION NO. 4658 was adopted.

#### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4659**, by Representatives Kretz, Davis, and Maycumber

WHEREAS, January 18th has been specified as a National Day of Action for Stalking Awareness and January has been recognized as National Stalking Awareness Month by the Stalking Prevention, Awareness, and Resource Center, established by a grant funded by the United States Department of Justice; and

WHEREAS, This body reaffirms the inherent right of every human being to live in peace without the fear of being stalked, harassed, and violated; and

WHEREAS, We recognize stalking as a deeply traumatic victimization in its own right and often intersects with sexual violence, physical violence, and even homicide; and

WHEREAS, According to the National Intimate Partner and Sexual Violence Survey, one in three women and one in six men have been stalked at some point in their lives; and

WHEREAS, According to the National Coalition Against Domestic Violence, 76 percent of women murdered by an intimate partner were stalked first, while 85 percent of women who survived murder attempts were stalked; and

WHEREAS, 54 percent of femicide victims reported stalking to the police before they were killed by their stalkers and one in seven stalking victims has been forced to move because of their victimization; and

WHEREAS, According to the United States Department of Justice report "Socio-emotional Impact of Violent Crime," victims often face nonphysical challenges, such as the possibility of trauma and posttraumatic stress or socio-emotional problems, affecting their ability to trust or function day to day; and

WHEREAS, According to the Centers for Disease Control and Prevention, stalking is a public health problem that affects millions of people in the United States; and

WHEREAS, The impact of all crime often affects more than just the direct victims, devastating thousands of these victims' families and friends across Washington as well; and

WHEREAS, The Washington State House of Representatives recognize the importance of honoring victims regardless of the manner, size, or type of crime committed against them because of the adversity they face and the resilience they exemplify;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize the plight of those affected and victimized by the crime of stalking and further resolve to stand

with the victims who have been brave enough to tell their stories, those who are no longer alive to do so, and those who might gain the courage to do so in the future.

With the consent of the House, HOUSE RESOLUTION NO. 4659 was adopted.

There being no objection, the House advanced to the third order of business.

#### MESSAGE FROM THE SECRETARY OF STATE

##### CERTIFICATION OF INITIATIVE TO THE LEGISLATURE 1-2081

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2081 to be examined in the following manner:

1. It was determined that 449,646 signatures were submitted by the sponsors of the initiative. A random sample of 13,490 signatures was taken from those submitted;

2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,937 valid signatures, 2,529 signatures that were invalid and 24 pairs of duplicated signatures in the sample;

3. We calculated an allowance for the chance error of sampling (75) by multiplying the square root of the number of invalid signatures by 1.5;

4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (86,810) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;

5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (38,320) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;

6. We determined the expected number of duplicate pairs of signatures in the sample (34) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;

7. We determined the acceptable number of duplicate pairs of signatures in the sample (25) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and

8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 2081 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 18th day of January, 2024.

Steve Hobbs  
Secretary of State

#### MESSAGE FROM THE SENATE

Wednesday, January 17, 2024

Mme. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5056  
 SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5150  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5299  
 SUBSTITUTE SENATE BILL NO. 5376  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5424  
 ENGROSSED SENATE BILL NO. 5462  
 SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5580  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5589  
 SENATE BILL NO. 5631  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5640  
 SUBSTITUTE SENATE BILL NO. 5648  
 ENGROSSED SENATE JOINT MEMORIAL NO. 8006

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HB 2432 by Representatives Walsh and McEntire

AN ACT Relating to public facility district taxing authority; and amending RCW 82.14.390 and 82.14.485.

Referred to Committee on Local Government.

HB 2433 by Representative Orcutt

AN ACT Relating to administration of the southwest Washington fair by the Lewis county board of county commissioners; and amending RCW 36.90.010, 36.90.020, 36.90.030, 36.90.050, and 36.90.070.

Referred to Committee on Local Government.

HB 2434 by Representative Wilcox

AN ACT Relating to eliminating the fish and wildlife commission in order to redirect efforts towards fishing and hunting culture for tribal and nontribal persons; amending RCW 43.300.010, 43.300.020, 77.04.055, and 77.04.080; creating a new section; repealing RCW 43.300.040, 77.04.020, 77.04.030, 77.04.040, and 77.04.060; and providing an effective date.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2435 by Representative Walsh

AN ACT Relating to banning TikTok in Washington; adding a new chapter to Title 19 RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Consumer Protection & Business.

HB 2436 by Representative Corry

AN ACT Relating to creating a local sales and use tax; amending RCW 82.08.020; and adding a new section to chapter 82.14 RCW.

Referred to Committee on Local Government.

HB 2437 by Representatives Santos, Wylie and Reeves

AN ACT Relating to incentivizing retirement savings options for Washington businesses and their employees; reenacting and amending RCW 43.79A.040, 43.79A.040, and 43.79A.040; adding a new chapter to Title 19 RCW; creating a new section; providing effective dates; and providing expiration dates.

Referred to Committee on Consumer Protection & Business.

HB 2438 by Representatives Dent and Chapman

AN ACT Relating to dashboard camera recordings; and amending RCW 9.73.090 and 42.56.240.

Referred to Committee on Civil Rights & Judiciary.

HB 2439 by Representatives Volz, Graham, Walsh, Schmick, Schmidt, Barkis, Hutchins, Dent, Low, Harris, Kretz, Chandler, Caldier, Steele, Orcutt, Christian, McEntire, Sandlin, Rude, Waters, McClintock, Mosbrucker, Robertson, Maycumber, Stokesbary, Wilcox, Ybarra, Chambers, Connors, Dye, Barnard, Eslick, Abbarno, Cheney, Goehner, Klicker, Jacobsen, Griffey, Couture and Corry

AN ACT Relating to prohibiting the state, cities, counties, and other political subdivisions from imposing any taxes calculated based on personal income; and adding a new section to chapter 1.20 RCW.

Referred to Committee on Finance.

HB 2440 by Representative Springer

AN ACT Relating to the administration of the board of tax appeals; and amending RCW 82.03.020, 82.03.070, 82.03.090, 82.03.150, 82.03.160, 82.03.170, and 82.03.050.

Referred to Committee on Finance.

HJM 4006 by Representatives McEntire, Orcutt, Abbarno and Walsh

Requesting that a portion of State Route No. 6 be designated "The Washington State Patrol Trooper Justin R. Schaffer Memorial Highway."

Referred to Committee on Transportation.

There being no objection, the bills and memorial listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

**REPORTS OF STANDING COMMITTEES**

January 16, 2024

HB 1879

Prime Sponsor, Representative Lekanoff: Naming the curriculum used to inform students about tribal history, culture, and government after John McCoy (Iulilaš). Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Rules for second reading

January 15, 2024



HB 1892 Prime Sponsor, Representative Leavitt: Concerning the workforce housing accelerator program. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Hutchins; Low; Reed and Taylor.

Referred to Committee on Capital Budget

January 16, 2024

HB 1924 Prime Sponsor, Representative Shavers: Promoting the integration of fusion technology within state clean energy policies. Reported by Committee on Environment & Energy

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Berry; Duerr; Fey; Goehner; Sandlin; Slatter and Street.

MINORITY recommendation: Without recommendation. Signed by Representative Ramel.

Referred to Committee on Rules for second reading

January 16, 2024

HB 1948 Prime Sponsor, Representative Ybarra: Ensuring that methods for calculating the electric load of utilities under the energy independence act do not have the effect of discouraging voluntary investments in renewable power. Reported by Committee on Environment & Energy

MAJORITY recommendation: Do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Berry; Duerr; Fey; Goehner; Ramel; Sandlin; Slatter and Street.

Referred to Committee on Rules for second reading

January 17, 2024

HB 1952 Prime Sponsor, Representative Volz: Concerning long-term community recovery after disasters. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Chambers; Christian; Cortes; Paul; Senn; Shavers; Street; Waters and Wilcox.

Referred to Committee on Appropriations

January 16, 2024

HB 1976 Prime Sponsor, Representative Fosse: Changing the incentive structure for tier 1 and tier 2 buildings. Reported by Committee on Environment & Energy

MAJORITY recommendation: Do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Berry; Duerr; Fey; Goehner; Ramel; Sandlin; Slatter and Street.

Referred to Committee on Appropriations

January 16, 2024

HB 2020 Prime Sponsor, Representative Timmons: Creating a state administered public infrastructure assistance program within the emergency management division. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Chambers; Christian; Cortes; Paul; Senn; Shavers; Street; Waters and Wilcox.

Referred to Committee on Appropriations

January 18, 2024

HB 2043 Prime Sponsor, Representative Corry: Concerning spirits, beer, and wine theater licenses. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Caldier; Cheney; Morgan; Orwall; Reeves and Waters.

Referred to Committee on Appropriations

January 16, 2024

HB 2114 Prime Sponsor, Representative Alvarado: Improving housing stability for tenants subject to the residential landlord-tenant act and the manufactured/mobile home landlord-tenant act by limiting rent and fee increases, requiring notice of rent and fee increases, limiting fees and deposits, establishing a landlord resource center and associated services, authorizing tenant lease termination, creating parity between lease types, and providing for attorney general enforcement. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Bateman; Chopp; Entenman; Reed and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Hutchins; and Low.

Referred to Committee on Appropriations

January 17, 2024

HB 2135 Prime Sponsor, Representative Stearns: Including federally recognized tribes as part of the Washington emergency management division emergency worker program. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Chambers; Christian; Cortes; Paul; Senn; Shavers; Street; Waters and Wilcox.

Referred to Committee on Rules for second reading

January 18, 2024

HB 2141 Prime Sponsor, Representative Donaghy: Promoting affordable housing in unincorporated areas within urban growth areas of large counties. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Entenman; Hutchins; Low; Reed and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Chopp.

Referred to Committee on Finance

January 16, 2024

HB 2171 Prime Sponsor, Representative Leavitt: Addressing financial aid grants for incarcerated students. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Chandler; Jacobsen; Klicker; Leavitt; McEntire; Nance; Paul; Pollet; Schmidt and Timmons.

Referred to Committee on Appropriations

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10:30 a.m., Monday, January 22, 2024, the 15th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## FIFTEENTH DAY

House Chamber, Olympia, Monday, January 22, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Quinn Funke and Ellyson Switzer. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Tammy Stampfli, Chaplain, South Sound Hospice.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HI 2081 by People of the State of Washington

Concerning parental rights relating to their children's public school education.

Referred to Committee on Education.

HB 2441 by Representatives Corry, Slatter, Stokesbary, Leavitt and Jacobsen

AN ACT Relating to a pilot program eliminating college in the high school fees for private not-for-profit four-year institutions; adding a new section to chapter 28B.10 RCW; and providing an expiration date.

Referred to Committee on Appropriations.

HB 2442 by Representatives Hutchins, Hackney, Caldier, Couture, Griffey, Shavers and Connors

AN ACT Relating to the Washington state law enforcement memorial; and adding a new section to chapter 79.24 RCW.

Referred to Committee on Capital Budget.

HB 2443 by Representatives Nance, McClintock, McEntire, Reed, Pollet, Low, Leavitt, Ramel and Paul

AN ACT Relating to improving equitable access to postsecondary education by improving data sharing between the office of the superintendent of public instruction, the Washington student achievement council, and institutions of higher education; and amending RCW 28B.10.041 and 28A.150.515.

Referred to Committee on Postsecondary Education & Workforce.

HB 2444 by Representatives Kloba, Berry and Pollet

AN ACT Relating to automated vehicles; and adding new sections to chapter 46.92 RCW.

Referred to Committee on Civil Rights & Judiciary.

HB 2445 by Representatives Ryu and Tharinger

AN ACT Relating to leasing authority of the state parks and recreation commission; and amending RCW 79A.05.025 and 79A.05.030.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

HB 2446 by Representatives Paul, Dent and Ramel

AN ACT Relating to investing in reforestation efforts following landscape-scale forest disturbances; amending RCW 70A.65.270; adding a new section to chapter 76.14 RCW; creating a new section; and making appropriations.

Referred to Committee on Capital Budget.

HB 2447 by Representatives Senn, Callan, Ramel and Pollet

AN ACT Relating to supporting children, families, and child welfare workers by improving services and clarifying the child welfare process in circumstances involving high-potency synthetic opioids; amending RCW 13.34.050, 13.34.130, 26.44.050, 26.44.056, 26.44.030, and 2.56.230; reenacting and amending RCW 13.34.030 and 13.34.065; adding a new section to chapter 13.34 RCW; adding new sections to chapter 43.216 RCW; adding a new section to chapter 74.14B RCW; adding new sections to chapter 41.05 RCW; adding a new section to chapter 43.330 RCW; adding a new section to chapter 74.13 RCW; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2448 by Representatives Mosbrucker and Nance

AN ACT Relating to expanding grant access opportunities for public schools; and adding a new section to chapter 28A.300 RCW.

Referred to Committee on Appropriations.

HB 2449 by Representatives Hutchins, Corry, Schmick, Stokesbary, Christian, Connors, Jacobsen, Sandlin, Schmidt, Goehner, Eslick, Volz, Rude, Klicker, Cheney and Caldier

AN ACT Relating to increasing access to health care by dedicating a percentage of the cannabis tax revenue to medicaid rate increases for professional health care services; amending RCW 69.50.540; reenacting and amending RCW 43.84.092, 43.84.092, and 43.84.092; adding a new chapter to Title 74 RCW; providing effective dates; and providing expiration dates.

Referred to Committee on Appropriations.

HB 2450 by Representatives Hutchins, Barkis, Jacobsen and Cheney

AN ACT Relating to ensuring the timely and balanced use of impact fees; and amending RCW 82.02.050, 82.02.070, and 82.02.080.

Referred to Committee on Local Government.

HB 2451 by Representatives Hutchins, Barkis, Jacobsen and Cheney

AN ACT Relating to increasing the consistency and transparency of impact fees; amending RCW 82.02.050, 82.02.070, 43.31.980, 36.70A.070, and 64.06.070; and adding a new section to chapter 64.06 RCW.

Referred to Committee on Local Government.

HB 2452 by Representatives Barkis and Leavitt

AN ACT Relating to addressing the impacts of certain codes on manufactured housing inventory; amending RCW 19.27.560; creating new sections; and declaring an emergency.

Referred to Committee on Housing.

HJR 4210 by Representatives Lekanoff, Pollet and Ramel

Adding a new section to the Washington state Constitution regarding the conservation and protection of the state's natural resources.

Referred to Committee on Environment & Energy.

HJR 4211 by Representatives Hutchins, Cheney, Connors, Klicker, Rude, Barkis, McClintock, Waters, Volz, Schmidt, Corry, Sandlin, Barnard, Couture, Christian, Walsh, Griffey, Steele, Stokesbary, Caldier, Robertson, Chambers, Graham, Maycumber, McEntire, Ybarra, Harris, Schmick, Mosbrucker, Eslick, Jacobsen, Dent, Abbarno, Goehner, Wilcox, Chandler, Orcutt and Low

Amending the Constitution to eliminate line item vetoes.

Referred to Committee on State Government & Tribal Relations.

SSB 5056 by Senate Committee on Law & Justice (originally sponsored by Padden, Fortunato, Gildon and Wilson, L.)

AN ACT Relating to a special allegation for habitual property offenders; reenacting and amending RCW 9.94A.533; adding a new section to chapter 9.94A RCW; creating a new section; and prescribing penalties.

Referred to Committee on Community Safety, Justice, & Reentry.

2ESSB 5150 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Shewmake)

AN ACT Relating to the beef commission's levied assessment; and amending RCW 16.67.120.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

ESSB 5299 by Senate Committee on Law & Justice (originally sponsored by Braun, Rolfes, Conway, Holy, Mullet, Torres, Wagoner, Warnick, Wilson, C. and Wilson, L.)

AN ACT Relating to law enforcement officer protection; amending RCW 9A.36.031, 9.94A.831, and 10.118.030; and prescribing penalties.

Referred to Committee on Community Safety, Justice, & Reentry.

SSB 5376 by Senate Committee on Labor & Commerce (originally sponsored by Stanford, Rivers, Keiser, Saldaña and Wilson, C.)

AN ACT Relating to the sale of cannabis waste; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Regulated Substances & Gaming.

ESSB 5424 by Senate Committee on Labor & Commerce (originally sponsored by Lovick, Holy, Dhingra, Frame, Keiser, Kuderer, Shewmake, Stanford, Valdez, Warnick and Wellman)

AN ACT Relating to flexible work for general and limited authority Washington peace officers; amending RCW 41.26.030; reenacting and amending RCW 10.93.020; and adding a new section to chapter 49.28 RCW.

Referred to Committee on Community Safety, Justice, & Reentry.

ESB 5462 by Senators Lias, Wilson, C., Kuderer, Lovelett, Nguyen, Pedersen, Randall, Saldaña and Valdez

AN ACT Relating to promoting inclusive learning standards and instructional materials in public schools; amending RCW 28A.150.230, 28A.320.230, 28A.655.070, 28A.710.040, and 28A.715.020; adding a new section to chapter 28A.345 RCW; and creating a new section.

Referred to Committee on Education.

2E2SSB 5580 by Senate Committee on Ways & Means (originally sponsored by Muzzall, Cleveland, Braun, Rivers, Warnick, Hasegawa, Kuderer, Lovelett, Randall, Shewmake and Wilson, J.)

AN ACT Relating to improving maternal health outcomes; amending RCW 74.09.830; and adding new sections to chapter 74.09 RCW.

Referred to Committee on Health Care & Wellness.

ESSB 5589 by Senate Committee on Law & Justice (originally sponsored by Stanford)

AN ACT Relating to probate; amending RCW 11.54.010, 11.54.030, 11.54.020, 11.54.040, 11.54.050, 11.54.060, 11.76.110, and 11.76.120; adding new sections to chapter 11.54 RCW; creating a new section; recodifying RCW 11.54.030; repealing RCW 11.54.070 and 11.54.080; and providing an effective date.

Referred to Committee on Civil Rights & Judiciary.

SB 5631 by Senators Torres, Saldaña, Billig, Frame, Hunt, Lovelett, Nobles, Pedersen, Randall, Schoesler, Shewmake, Trudeau, Valdez, Warnick and Wilson, C.

AN ACT Relating to requiring state agencies to clearly identify programs and services which accept applicants with deferred action for childhood arrival status; adding a new section to chapter 43.17 RCW; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

ESSB 5640 by Senate Committee on Housing (originally sponsored by Hunt, Kuderer and Wilson, C.)

AN ACT Relating to establishing an independent living residents' rights work group; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

SSB 5648 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Wellman, Randall, Nguyen, Nobles and Wilson, C.)

AN ACT Relating to including state-tribal education compact schools and charter schools as entities able to receive waivers from the state board of education and the office of the superintendent of public instruction under the authority of RCW 28A.300.750; and amending RCW 28A.300.750.

Referred to Committee on Education.

ESJM 8006 by Senators Hasegawa, Cleveland, Billig, Kuderer, Lovelett, Nguyen, Shewmake, Stanford, Valdez and Wilson, C.

Requesting that the federal government create a universal health care program.

Referred to Committee on Health Care & Wellness.

### MOTIONS

Representative Fitzgibbon moved that the measures printed on today's introductions sheet be considered first reading under the fourth order of business and be referred to the committees so designated, with the exception of House Bill No. 2449 which is referred to the Committee on Appropriations.

Representative Maycumber moved to suspend the House Rules to allow a motion to refer HI 2081 to the Education Committee with instructions to the committee to promptly hold a public hearing consistent with the public notice requirements in House Rule 26(A).

On motion of Representative Griffey, Representative Steele was excused.

An electronic roll call was requested on the motion to suspend the House Rules.

### ROLL CALL

The Speaker (Representative Bronoske presiding) stated the question before the House to be the adoption of the motion to suspend the House Rules to allow a motion to refer HI 2081 to the Education Committee with instructions to hold a public hearing consistent with the public notice requirements in House Rule 26(A) and the motion to suspend the House Rules was not adopted by the following vote: Yeas, 39; Nays, 58; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representative Steele

Representative Fitzgibbon spoke in favor of the original motion to refer the measures listed on the day's introduction sheet, under the fourth order of business, to the committees so designated, except House Bill No. 2449 which is referred to the Committee on Appropriations.

The motion to refer was adopted, and the measures listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 2449 which was referred to the Committee on Appropriations.

There being no objection, the House advanced to the fifth order of business.

### REPORTS OF STANDING COMMITTEES

January 18, 2024

HB 1608 Prime Sponsor, Representative Bronoske: Expanding access to anaphylaxis medications in schools. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Rules for second reading

January 18, 2024

HB 1798 Prime Sponsor, Representative Doglio: Concerning allowed earned release time for certain offenses and enhancements. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Do not pass. Signed by Representatives Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; and Graham.

Referred to Committee on Appropriations

January 18, 2024

HB 1862 Prime Sponsor, Representative Leavitt: Providing tax exemptions for the assistance of disabled veterans and members of the armed forces of the United States of America. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

Referred to Committee on Rules for second reading

January 18, 2024

HB 1867 Prime Sponsor, Representative Walen: Eliminating the estate tax filing requirement for certain estates involving a qualifying familial residence. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking

Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

January 18, 2024

Referred to Committee on Rules for second reading

HB 1914

Prime Sponsor, Representative Couture: Improving the education of students with varying abilities by enhancing special education services. Reported by Committee on Education

January 19, 2024

HB 1886 Prime Sponsor, Representative Walen: Concerning prearrangement funeral services. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; Bergquist; Couture; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

MAJORITY recommendation: Do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu; Sandlin; Santos and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative McEntire, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

Referred to Committee on Appropriations

January 18, 2024

HB 1894 Prime Sponsor, Representative Walen: Modifying provisions of the business licensing service program. Reported by Committee on Finance

January 18, 2024

HB 1926

Prime Sponsor, Representative Couture: Concerning supervision compliance credit. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Rules for second reading

Referred to Committee on Rules for second reading

January 17, 2024

HB 1906 Prime Sponsor, Representative Chapman: Changing the vessel length requirement in obtaining nonresident vessel permits. Reported by Committee on Transportation

January 19, 2024

HB 1947

Prime Sponsor, Representative Street: Concerning the governance of technology services in state government, including eliminating the office of the chief information officer and renaming the consolidated technology services agency. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz; Walsh and Wylie.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

Referred to Committee on Appropriations

January 19, 2024

HB 1912 Prime Sponsor, Representative Chapman: Requiring state agencies to share information to encourage economic development. Reported by Committee on Innovation, Community & Economic Development, & Veterans

January 19, 2024

HB 1954

Prime Sponsor, Representative Riccelli: Harmonizing language relating to reproductive health care services and gender-affirming treatment. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Christian; Cortes; Paul; Senn; Shavers; Street and Waters.

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske; Davis; Macri; Orwall; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Without recommendation. Signed by Representatives Chambers; and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Caldier; Graham; Harris; and Mosbrucker.

Referred to Committee on Appropriations

Referred to Committee on Rules for second reading

January 18, 2024

HB 1961 Prime Sponsor, Representative Low: Concerning animal cruelty in the first degree. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Rules for second reading

January 18, 2024

HB 1994 Prime Sponsor, Representative Farivar: Concerning judicial dismissal of a misdemeanor following completion of court-ordered conditions. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Do not pass. Signed by Representatives Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; and Graham.

Referred to Committee on Rules for second reading

January 19, 2024

HB 2023 Prime Sponsor, Representative Shavers: Improving meaningful access to elections by increasing language assistance. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Appropriations

January 18, 2024

HB 2058 Prime Sponsor, Representative Riccelli: Increasing student access to free meals served at public schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Appropriations

January 19, 2024

HB 2098 Prime Sponsor, Representative Taylor: Authorizing the women's commission to solicit gifts, grants, and endowments from public or private sources. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney,

Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

January 19, 2024

HB 2115 Prime Sponsor, Representative Thai: Concerning prescription labels for medications used for abortion. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske; Davis; Harris; Macri; Orwall; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Caldier; and Graham.

MINORITY recommendation: Without recommendation. Signed by Representative Mosbrucker.

Referred to Committee on Rules for second reading

January 19, 2024

HB 2125 Prime Sponsor, Representative Ortiz-Self: Concerning the eligibility of state-mandated benefits for contingent faculty at community and technical colleges. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Chandler; Jacobsen; Klicker; Leavitt; Nance; Paul; Pollet; Schmidt and Timmons.

Referred to Committee on Appropriations

January 18, 2024

HB 2126 Prime Sponsor, Representative Low: Authorizing accessory dwelling units in rural areas. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Hutchins; Low; Reed and Taylor.

Referred to Committee on Rules for second reading

January 18, 2024

HB 2144 Prime Sponsor, Representative Stonier: Providing for a deposit return program for qualifying beverage containers to be implemented by a distributor responsibility organization. Reported by Committee on Environment & Energy

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Berry; Duerr; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Dye, Ranking Minority Member; Ybarra,

Assistant Ranking Minority Member; Abbarno; Fey; and Sandlin.

MINORITY recommendation: Without recommendation. Signed by Representatives Barnard; and Goehner.

Referred to Committee on Finance

January 19, 2024

HB 2147 Prime Sponsor, Representative Dent: Concerning agriculture pest and disease response. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Appropriations

January 19, 2024

HB 2155 Prime Sponsor, Representative Reeves: Creating the Washington credential registry. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Jacobsen; Leavitt; Nance; Paul; Pollet; Schmidt and Timmons.

MINORITY recommendation: Without recommendation. Signed by Representatives Chandler; and Klicker.

Referred to Committee on Appropriations

January 19, 2024

HB 2157 Prime Sponsor, Representative Harris: Updating the definition of "vaccine" in RCW 70.290.010 to include all federal food and drug administration-approved immunizations recommended by the centers for disease control and prevention. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske; Davis; Harris; Macri; Orwall; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Caldier; and Graham.

MINORITY recommendation: Without recommendation. Signed by Representative Mosbrucker.

Referred to Committee on Rules for second reading

January 18, 2024

HB 2172 Prime Sponsor, Representative Harris: Providing for the use of vacant state agency property by a local government during an emergency. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Low; Reed and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Hutchins.

MINORITY recommendation: Without recommendation. Signed by Representative Connors, Assistant Ranking Minority Member.

Referred to Committee on Capital Budget

January 19, 2024

HB 2209 Prime Sponsor, Representative Thai: Celebrating lunar new year. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the seventh order of business.

### THIRD READING

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589, by House Committee on Environment & Energy (originally sponsored by Doglio, Fitzgibbon, Berry, Alvarado, Bateman, Ramel, Peterson, Lekanoff, Hackney, Macri and Kloba)**

**Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future.**

The bill was read the third time.

The striking amendment (782) was ruled out of order.

Representatives Doglio and Reeves spoke in favor of the passage of the bill.

Representatives Abbarno, Orcutt, Corry, Volz, Christian, Wilcox and Dye spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1589.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1589, and the bill passed the House by the following vote: Yeas, 52; Nays, 45; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Stearns, Stonier, Street, Taylor, Thai, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt,



Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Springer, Stokesbary, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Steele

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1054, by Representatives Walen, Simmons, Ryu, Bateman, Ramel, Doglio, Macri, Gregerson, Springer, Thai, Kloba and Donaghy**

**Addressing the authority of owners' associations in common interest communities to regulate or limit occupancy by unrelated persons.**

The bill was read the third time.

Representatives Walen and Hutchins spoke in favor of the passage of the bill.

Representative Klicker spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1054.

#### **ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1054, and the bill passed the House by the following vote: Yeas, 68; Nays, 29; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Chopp, Christian, Corry, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hutchins, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Chandler, Cheney, Connors, Couture, Dent, Dye, Goehner, Graham, Griffey, Harris, Jacobsen, Klicker, Kretz, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Steele

HOUSE BILL NO. 1054, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

#### **MOTION**

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 1976, and the bill was referred to the Committee on Rules.

There being no objection, the House adjourned until 9:55 a.m., Tuesday, January 23, 2024, the 16th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## SIXTEENTH DAY

House Chamber, Olympia, Tuesday, January 23, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HB 2453 by Representatives Hutchins, Barkis, Robertson, Chapman, Klicker, Leavitt, Christian, Connors and Waters

AN ACT Relating to creating a housing gap voucher program; adding a new section to chapter 43.31 RCW; adding a new section to chapter 44.28 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Housing.

HB 2454 by Representatives Ybarra and Chapman

AN ACT Relating to extending an existing hazardous substance tax exemption for certain agricultural crop protection products that are temporarily warehoused but not otherwise used, manufactured, packaged, or sold in the state of Washington; amending RCW 82.21.040; and amending 2015 3rd sp.s. c 6 s 1901 (uncodified).

Referred to Committee on Finance.

HB 2455 by Representatives Gregerson, Pollet and Macri

AN ACT Relating to providing local governments options regarding elections for competing ballot measures; amending RCW 29A.36.071; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 2456 by Representatives Timmons, Berry, Doglio, Walen, Ramel, Santos and Pollet

AN ACT Relating to ensuring connectivity for Washington wildlife through safe passages; reenacting and amending RCW 43.84.092, 43.84.092, and 43.84.092; adding new sections to chapter 47.04 RCW; adding a new section to chapter 77.36 RCW; adding a new section to chapter 46.68 RCW; adding a new section to chapter 77.04 RCW; creating a new section; providing effective dates; and providing expiration dates.

Referred to Committee on Transportation.

HB 2457 by Representatives Davis, Ryu, Rule, Santos, Chopp, Barkis and Pollet

AN ACT Relating to emergency housing for domestic violence survivors; adding new sections to chapter 43.280 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Housing.

HB 2458 by Representatives Rule, Hutchins, Doglio, Rude, Caldier, Timmons, Paul, Couture, Ryu, Peterson, Ortiz-Self and Bateman

AN ACT Relating to making experience factor adjustments for certificated instructional staff; amending RCW 28A.150.412; and creating a new section.

Referred to Committee on Appropriations.

HB 2459 by Representatives Gregerson, Ramos and Pollet

AN ACT Relating to requiring public investment impact disclosures for certain alternative measures proposed by the legislature to initiatives to the legislature; and amending RCW 29A.72.027.

Referred to Committee on State Government & Tribal Relations.

HB 2460 by Representatives Connors, Barkis and Hutchins

AN ACT Relating to evictions of residential tenants after a property owner elects to sell a unit or apartment in a common interest community; and amending RCW 59.18.650.

Referred to Committee on Housing.

HB 2461 by Representatives Morgan, Chapman and Ramel

AN ACT Relating to promoting organic agriculture; amending RCW 15.86.070; creating new sections; and providing an expiration date.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2462 by Representatives Taylor, Santos and Pollet

AN ACT Relating to addressing the anesthesia workforce shortage by reducing barriers and expanding educational opportunities to increase the supply of certified registered nurse anesthetists in Washington; creating new sections; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 2463 by Representatives Lekanoff and Pollet

AN ACT Relating to conducting a review of salmon planning and recovery efforts; creating a new section; and providing an expiration date.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

HB 2464 by Representatives Connors, Peterson and Barkis

AN ACT Relating to increasing affordable homeownership opportunities by allowing the development of manufactured/mobile home communities outside of urban growth areas and allowing the siting of manufactured/mobile homes within manufactured/mobile home communities; amending RCW 36.70A.350, 36.70A.110, 36.70A.067, 35A.21.312, and

36.01.225; reenacting and amending RCW 35.21.684; and creating a new section.

Referred to Committee on Housing.

**HB 2465** by Representatives Ramel, Goehner and Bateman

AN ACT Relating to streamlining the state building code council operating procedures by establishing criteria for statewide amendments to the state building code; amending RCW 19.27.031, 19.27.070, 19.27.074, 19.27A.025, 19.27A.045, and 19.27.015; and adding new sections to chapter 19.27 RCW.

Referred to Committee on Local Government.

**HB 2466** by Representatives Fosse, Bronoske and Bateman

AN ACT Relating to addressing ambulance wait times for patient transfer from emergency medical services to hospital staff; amending RCW 70.168.020; and adding a new section to chapter 70.41 RCW.

Referred to Committee on Health Care & Wellness.

**HB 2467** by Representatives Macri, Chopp, Thai, Bateman and Pollet

AN ACT Relating to increasing access to the long-term services and supports trust program by allowing participants who move out-of-state the option of maintaining benefit eligibility or opting out, and by prohibiting discrimination including based upon race, gender, age, or preexisting condition; amending RCW 50B.04.010, 50B.04.020, 50B.04.060, 50B.04.070, and 50B.04.100; reenacting and amending RCW 50B.04.050; adding new sections to chapter 50B.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health Care & Wellness.

**HB 2468** by Representatives Jacobsen, Chambers, Alvarado, Griffey, Senn, Corry, Stokesbary, Couture and Bateman

AN ACT Relating to siting of child care facilities; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.70 RCW; and creating a new section.

Referred to Committee on Local Government.

**HB 2469** by Representatives Davis, Griffey, Ryu, Bronoske, Santos, Chopp and Barkis

AN ACT Relating to involuntary treatment; amending RCW 2.28.210, 71.05.150, 71.05.150, 71.05.240, 71.05.240, 71.05.245, 71.05.201, 71.05.203, 71.34.710, and 71.34.710; adding a new section to chapter 71.05 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Civil Rights & Judiciary.

**HB 2470** by Representatives Davis, Walen, Ryu and Taylor

AN ACT Relating to creating a local sales and use tax to address gender-based violence; adding a new section to chapter 82.14 RCW; and creating a new section.

Referred to Committee on Local Government.

**HB 2471** by Representatives Kloba and Robertson

AN ACT Relating to increasing defined benefit accrual for specified years of service in the state retirement systems; and

amending RCW 41.32.760, 41.32.840, 41.35.400, 41.35.620, 41.40.620, and 41.40.790.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

**REPORTS OF STANDING COMMITTEES**

January 18, 2024

**2SHB 1433** Prime Sponsor, Appropriations: Concerning energy labeling of residential buildings. Reported by Committee on Environment & Energy

MAJORITY recommendation: The third substitute bill be substituted therefor and the third substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Barnard; Berry; Duerr; Fey; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Abbarno; and Sandlin.

MINORITY recommendation: Without recommendation. Signed by Representatives Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; and Goehner.

Referred to Committee on Rules for second reading

January 19, 2024

**HB 1439** Prime Sponsor, Representative Goodman: Addressing child exposure to violence. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Couture, Assistant Ranking Minority Member; Callan; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives Dent; and Walsh.

Referred to Committee on Rules for second reading

January 18, 2024

**HB 1650** Prime Sponsor, Representative Wylie: Requiring voter approval for local government prohibitions on cannabis businesses. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Morgan; Orwall and Reeves.

MINORITY recommendation: Without recommendation. Signed by Representatives Chambers, Ranking Minority Member; Caldier; Cheney; and Waters.

Referred to Committee on Appropriations

January 19, 2024

HB 1890 Prime Sponsor, Representative Alvarado:  
Concerning housing authorities. Reported by  
Committee on Local Government

MAJORITY recommendation: Do pass. Signed by  
Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner,  
Ranking Minority Member; Jacobsen, Assistant Ranking  
Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

January 18, 2024

HB 1895 Prime Sponsor, Representative Thai:  
Modifying the working families' tax credit  
by clarifying the refundable nature of the  
credit, the application requirements, and the  
eligibility verification process. Reported by  
Committee on Finance

MAJORITY recommendation: Do pass. Signed by  
Representatives Berg, Chair; Street, Vice Chair; Orcutt,  
Ranking Minority Member; Jacobsen, Assistant Ranking  
Minority Member; Barnard; Chopp; Ramel; Santos; Springer;  
Thai; Walen; Wilcox and Wylie.

Referred to Committee on Rules for second reading

January 19, 2024

HB 1903 Prime Sponsor, Representative Berry:  
Reporting lost or stolen firearms. Reported  
by Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be  
substituted therefor and the substitute bill do pass. Signed by  
Representatives Taylor, Chair; Farivar, Vice Chair; Cheney;  
Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Do not pass. Signed by  
Representatives Walsh, Ranking Minority Member; Graham,  
Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation.  
Signed by Representative Abbarno.

Referred to Committee on Rules for second reading

January 19, 2024

HB 1905 Prime Sponsor, Representative Mena:  
Including protected classes in the  
Washington equal pay and opportunities act.  
Reported by Committee on Labor &  
Workplace Standards

MAJORITY recommendation: The substitute bill be  
substituted therefor and the substitute bill do pass. Signed by  
Representatives Berry, Chair; Fosse, Vice Chair; Bronoske;  
Doglio; Ormsby; Ortiz-Self and Rude.

MINORITY recommendation: Without recommendation.  
Signed by Representatives Schmidt, Ranking Minority  
Member; and Ybarra.

Referred to Committee on Appropriations

January 19, 2024

HB 1910 Prime Sponsor, Representative Walen:  
Concerning pawnbroker fees and interest  
rates. Reported by Committee on Consumer  
Protection & Business

MAJORITY recommendation: The substitute bill be  
substituted therefor and the substitute bill do pass. Signed by  
Representatives Walen, Chair; Reeves, Vice Chair; Robertson,  
Ranking Minority Member; McClintock, Assistant Ranking  
Minority Member; Chapman; Connors; Donaghy; Hackney;  
Ryu; Sandlin; Santos and Volz.

Referred to Committee on Rules for second reading

January 19, 2024

HB 1911 Prime Sponsor, Representative Taylor:  
Concerning activities in which the office of  
public defense may engage without violating  
the prohibition on providing direct  
representation of clients. Reported by  
Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be  
substituted therefor and the substitute bill do pass. Signed by  
Representatives Taylor, Chair; Farivar, Vice Chair; Walsh,  
Ranking Minority Member; Graham, Assistant Ranking  
Minority Member; Cheney; Entenman; Goodman; Peterson;  
Thai and Walen.

Referred to Committee on Rules for second reading

January 18, 2024

HB 1913 Prime Sponsor, Representative Cortes:  
Expiring the international services tax  
preference. Reported by Committee on  
Finance

MAJORITY recommendation: Do pass. Signed by  
Representatives Berg, Chair; Street, Vice Chair; Chopp;  
Ramel; Santos; Springer; Thai; Walen and Wylie.

MINORITY recommendation: Do not pass. Signed by  
Representatives Orcutt, Ranking Minority Member; Jacobsen,  
Assistant Ranking Minority Member; and Wilcox.

MINORITY recommendation: Without recommendation.  
Signed by Representative Barnard.

Referred to Committee on Rules for second reading

January 19, 2024

HB 1927 Prime Sponsor, Representative Bronoske:  
Reducing the number of days that a worker's  
temporary total disability must continue to  
receive industrial insurance compensation for  
the day of an injury and the three-day period  
following the injury. Reported by Committee  
on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by  
Representatives Berry, Chair; Fosse, Vice Chair; Bronoske;  
Doglio; Ormsby; Ortiz-Self and Rude.

MINORITY recommendation: Without recommendation.  
Signed by Representatives Schmidt, Ranking Minority  
Member; and Ybarra.

Referred to Committee on Rules for second reading

January 19, 2024

HB 1942 Prime Sponsor, Representative Fosse:  
Clarifying employment standards for long-  
term care individual providers. Reported by  
Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Appropriations

January 18, 2024

HB 1949 Prime Sponsor, Representative Leavitt: Including in the public safety employees' retirement system specified competency restoration workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chandler; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

January 18, 2024

HB 1955 Prime Sponsor, Representative Barnard: Repealing the greenhouse gas content disclosure provision. Reported by Committee on Environment & Energy

MAJORITY recommendation: Do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Berry; Duerr; Fey; Goehner; Lekanoff; Ramel; Sandlin; Slatter and Street.

Referred to Committee on Rules for second reading

January 19, 2024

HB 1958 Prime Sponsor, Representative Berry: Concerning nonconsensual removal of or tampering with a sexually protective device. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; and Cheney.

Referred to Committee on Rules for second reading

January 17, 2024

HB 1963 Prime Sponsor, Representative Ramos: Prohibiting license plate covers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority

Member; Low, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Hackney; Klicker; Mena; Nance; Ramel; Ramos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Robertson, Assistant Ranking Minority Member; Orcutt; Volz; and Walsh.

MINORITY recommendation: Without recommendation. Signed by Representatives Hutchins, Assistant Ranking Minority Member; Griffey; and Schmidt.

Referred to Committee on Rules for second reading

January 17, 2024

HB 1964 Prime Sponsor, Representative Ramos: Enhancing prorated and fuel tax collections by improving taxpayer compliance, providing additional enforcement mechanisms, and protecting confidential taxpayer information. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Doglio; Duerr; Entenman; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Dent; Goehner; and Walsh.

Referred to Committee on Rules for second reading

January 19, 2024

HB 1975 Prime Sponsor, Representative Ortiz-Self: Relieving individuals from paying interest on certain unemployment insurance overpayment assessments. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

January 19, 2024

HB 1987 Prime Sponsor, Representative Low: Concerning the use of moneys from the rural public facilities sales and use tax for affordable workforce housing infrastructure and facilities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Finance

January 19, 2024

HB 1990 Prime Sponsor, Representative Ryu: Concerning the Washington state aerial imagery program. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Appropriations

January 18, 2024

HB 2009 Prime Sponsor, Representative Mosbrucker: Facilitating the use of dental records in missing person investigations. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Appropriations

January 19, 2024

HB 2019 Prime Sponsor, Representative Stearns: Establishing a Native American apprentice assistance program. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Chandler; Klicker; Leavitt; Nance; Paul; Pollet and Timmons.

MINORITY recommendation: Without recommendation. Signed by Representatives Jacobsen; and Schmidt.

Referred to Committee on Appropriations

January 19, 2024

HB 2021 Prime Sponsor, Representative Senn: Concerning the disposition of privately owned firearms in the custody of state or local government entities or law enforcement agencies. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Do not pass. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Abbarno; and Cheney.

Referred to Committee on Rules for second reading

January 19, 2024

HB 2022 Prime Sponsor, Representative Reed: Concerning construction crane safety. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Without recommendation. Signed by Representatives Schmidt, Ranking Minority Member; Rude; and Ybarra.

Referred to Committee on Appropriations

January 19, 2024

HB 2025 Prime Sponsor, Representative Reed: Modifying placement and salary matching requirements for the state work-study program. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Jacobsen; Klicker; Leavitt; Nance; Paul; Pollet; Schmidt and Timmons.

MINORITY recommendation: Do not pass. Signed by Representative Chandler.

Referred to Committee on Appropriations

January 19, 2024

HB 2031 Prime Sponsor, Representative Abbarno: Recognizing posttraumatic stress disorder as an occupational disease for county coroners, examiners, and investigative personnel. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

January 19, 2024

HB 2041 Prime Sponsor, Representative Riccelli: Concerning physician assistant collaborative practice. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Davis; Harris; Macri; Orwall; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Without recommendation. Signed by Representatives Caldier; Graham; and Mosbrucker.

Referred to Committee on Rules for second reading

January 18, 2024

HB 2048 Prime Sponsor, Representative Mosbrucker: Concerning supervision of domestic violence in criminal sentencing. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant

Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Appropriations

January 18, 2024

HB 2049 Prime Sponsor, Representative Berry: Improving Washington's solid waste management outcomes. Reported by Committee on Environment & Energy

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Berry; Duerr; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Fey; Goehner; and Sandlin.

Referred to Committee on Appropriations

January 18, 2024

HB 2071 Prime Sponsor, Representative Duerr: Concerning residential housing regulations. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Barkis; Bateman; Chopp; Entenman; Hutchins; Reed and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; and Low.

Referred to Committee on Appropriations

January 19, 2024

HB 2072 Prime Sponsor, Representative Farivar: Concerning penalties relating to antitrust actions. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; and Abbarno.

Referred to Committee on Rules for second reading

January 19, 2024

HB 2075 Prime Sponsor, Representative Lekanoff: Concerning licensing of Indian health care providers as establishments. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Rules for second reading

January 18, 2024

HB 2086 Prime Sponsor, Representative Entenman: Updating processes of the office of independent investigations by changing authority to obtain and share investigative information and aligning with current operations and practices. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Do not pass. Signed by Representative Graham.

MINORITY recommendation: Without recommendation. Signed by Representatives Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

January 19, 2024

HB 2090 Prime Sponsor, Representative Bateman: Modifying local board of health county commissioner membership. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

January 19, 2024

HB 2099 Prime Sponsor, Representative Farivar: Concerning state identification cards for persons in state custody or care. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Appropriations

January 19, 2024

HB 2137 Prime Sponsor, Representative Berg: Concerning technical changes to allowable exemptions for tourism promotion area assessments. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

January 19, 2024

HB 2164 Prime Sponsor, Representative Pollet:  
Providing postsecondary education consumer  
protections. Reported by Committee on  
Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by  
Representatives Slatter, Chair; Entenman, Vice Chair; Reed,  
Vice Chair; Ybarra, Ranking Minority Member; Waters,  
Assistant Ranking Minority Member; Jacobsen; Klicker;  
Leavitt; Nance; Paul; Pollet; Schmidt and Timmons.

MINORITY recommendation: Do not pass. Signed by  
Representative Chandler.

Referred to Committee on Rules for second reading

January 19, 2024

HB 2184 Prime Sponsor, Representative Taylor:  
Authorizing payment for parental caregivers  
of minor children with developmental  
disabilities. Reported by Committee on  
Human Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be  
substituted therefor and the substitute bill do pass. Signed by  
Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice  
Chair; Couture, Assistant Ranking Minority Member; Callan;  
Dent; Goodman; Ortiz-Self; Taylor and Walsh.

Referred to Committee on Appropriations

January 18, 2024

HB 2210 Prime Sponsor, Representative Dye:  
Establishing a wild horse holding and  
training program at a state corrections center.  
Reported by Committee on Community  
Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by  
Representatives Goodman, Chair; Mosbrucker, Ranking  
Minority Member; Griffey, Assistant Ranking Minority  
Member; Davis; Farivar; Fosse and Graham.

Referred to Committee on Appropriations

January 19, 2024

HB 2273 Prime Sponsor, Representative Donaghy:  
Conducting a study of functional recovery  
building code standards. Reported by  
Committee on Innovation, Community &  
Economic Development, & Veterans

MAJORITY recommendation: Do pass. Signed by  
Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice  
Chair; Volz, Ranking Minority Member; Barnard, Assistant  
Ranking Minority Member; Caldier; Chambers; Christian;  
Cortes; Paul; Senn; Shavers; Street; Waters and Wilcox.

Referred to Committee on Appropriations

There being no objection, the bills listed on the day's  
committee reports under the fifth order of business were referred to  
the committees so designated.

There being no objection, the House advanced to the eighth  
order of business.

#### MOTION

There being no objection, the Committee on Rules was  
relieved of the following bills and the bills were placed on the  
second reading calendar:

HOUSE BILL NO. 1097  
HOUSE BILL NO. 1445  
HOUSE BILL NO. 1510  
HOUSE BILL NO. 1608  
HOUSE BILL NO. 1867  
HOUSE BILL NO. 1880  
HOUSE BILL NO. 1895  
HOUSE BILL NO. 1898  
HOUSE BILL NO. 1917  
HOUSE BILL NO. 1920  
HOUSE BILL NO. 1926  
HOUSE BILL NO. 1932  
HOUSE BILL NO. 1939  
HOUSE BILL NO. 1950  
HOUSE BILL NO. 1954  
HOUSE BILL NO. 1955  
HOUSE BILL NO. 1961  
HOUSE BILL NO. 1964  
HOUSE BILL NO. 2004  
HOUSE BILL NO. 2015  
HOUSE BILL NO. 2032  
HOUSE BILL NO. 2111  
HOUSE BILL NO. 2126  
HOUSE BILL NO. 2209

There being no objection, the House adjourned until 10:30  
a.m., Wednesday, January 24, 2024, the 17th Day of the 2024  
Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk



## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## SEVENTEENTH DAY

House Chamber, Olympia, Wednesday, January 24, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by the Washington National Guard Color Guard comprised of Master Sergeant Jacob Dille, Sergeant First Class Alex Lacayo, Airmen First Class Andrew Tillotson, and Staff Sergeant Gabriel Gomez. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance.

The National Anthem was performed by Sergeant Tricia Scheer, vocalist with the 133rd Washington Army National Guard Band.

The prayer was offered by Representative Mari Leavitt, 28th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4661**, by Representatives Jinkins, Stokesbary, Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, and Ybarra

WHEREAS, The Washington National Guard, with more than eight thousand serving members, continues to showcase their loyalty in service to their state and the country as guardians of American interests at home and abroad; and

WHEREAS, These steadfast leaders imbue their historic duty by volunteering their time and putting aside their personal lives to support their country, their state, and those in need; and

WHEREAS, The Guard, through its diligent counsel, continues to respect the principles of diversity, equity, and inclusion as Washington state seeks to move beyond the global Coronavirus pandemic without forgetting the most vulnerable; and

WHEREAS, The Guard displays the value of selfless service by being ready to respond to floods, wildfires, and other natural disasters, as the Washington National Guard showcased in their relief efforts in Lewis County and Leavenworth, helping communities deal with rising water levels and record snow fall; and

WHEREAS, The Guard continues to honor the sanctity of our democracy by providing additional security to guard against cyber threats to elections; and

WHEREAS, Integrity continues to float atop the Washington National Guard's principle concerns as evidenced by the wide range of educational services and youth and community activities the Guard has long committed to providing to enrich the quality and prosperity of life in the evergreen state; and

WHEREAS, Washington National Guard soldiers continue to personify the value of personal courage by providing critical support to missions both foreign and domestic and bravely putting their lives on the line to protect our freedoms, safeguard our lives, and ensure the continued prosperity of our democracy; and

WHEREAS, These citizen soldiers in the Washington National Guard, who reside in every legislative district, provide the leadership and value-driven service that protects Washington state and allows the economy to thrive, distributing much needed resources to the citizens and communities that inhabit this most prosperous and environmentally conscious state — a beacon for the nation;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state House of Representatives extend its sincerest appreciation to our soldiers in the Washington National Guard and to the passionate devotion of their families and dedicated employers, whose assistance ensures the Guard's missions are always completed with direct leadership and unremitted personal courage; and

BE IT FURTHER RESOLVED, That the House of Representatives duly recognize the value of a strong Washington National Guard to the strength, stability, and economic vitality of this state, not only through its vital state emergency and disaster relief mission, but also through its value-driven community services that continue to benefit local communities, providing access to education, productive employment, and helping individuals live healthy, meaningful lives; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Adjutant General of the Washington National Guard, the Governor of the state of Washington, and the Secretaries of the United States Army and Air Force.

Representative Bronoske moved adoption of HOUSE RESOLUTION NO. 4661.

Representatives Bronoske and Christian spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4661 was adopted.

**SPEAKER'S PRIVILEGE**

The Speaker (Representative Orwall presiding) recognized Major General Bret Daugherty, the Adjutant General; Members of the National Guard seated in the galleries, and World War II Veteran Harvey J. Drahos, who was recognized by House Resolution No. 4657.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

There being no objection, the House advanced to the third order of business.

**MESSAGES FROM THE SECRETARY OF STATE****CERTIFICATION OF INITIATIVE TO THE LEGISLATURE 1-2109**

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2109 to be examined in the following manner:

1. It was determined that 436,747 signatures were submitted by the sponsors of the initiative. A random sample of 13,095 signatures was taken from those submitted;

2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,752 valid signatures, 2,324 signatures that were invalid and 19 pairs of duplicated signatures in the sample;

3. We calculated an allowance for the chance error of sampling (72) by multiplying the square root of the number of invalid signatures by 1.5;

4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (79,872) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;

5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (32,086) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;

6. We determined the expected number of duplicate pairs of signatures in the sample (29) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;

7. We determined the acceptable number of duplicate pairs of signatures in the sample (20) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and

8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 2109 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 23rd day of January, 2024.

Steve Hobbs  
Secretary of State

#### CERTIFICATION OF INITIATIVE TO THE LEGISLATURE 1-2111

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2111 to be examined in the following manner:

1. It was determined that 448,158 signatures were submitted by the sponsors of the initiative. A random sample of 13,445 signatures was taken from those submitted;

2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,868 valid signatures, 2,566 signatures that were invalid and 11 pairs of duplicated signatures in the sample;

3. We calculated an allowance for the chance error of sampling (76) by multiplying the square root of the number of invalid signatures by 1.5;

4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (88,064) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;

5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (35,578) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;

6. We determined the expected number of duplicate pairs of signatures in the sample (32) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;

7. We determined the acceptable number of duplicate pairs of signatures in the sample (23) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and

8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 2111 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 24th day of January, 2024.

Steve Hobbs  
Secretary of State

There being no objection, the House advanced to the fourth order of business.

#### INTRODUCTION & FIRST READING

HI 2109 by People of the State of Washington

Concerning taxes on long-term capital assets.

Referred to Committee on Finance.

HB 2472 by Representatives Hutchins, Nance, Couture, Griffey, Simmons, Caldier, Chambers and Cheney

AN ACT Relating to providing state matching funds for programs supported by the county sales and use tax for chemical dependency, mental health treatment, and therapeutic courts; amending RCW 82.14.460; and creating a new section.

Referred to Committee on Appropriations.

HB 2473 by Representatives Farivar, Fosse, Walen, Thai, Macri, Peterson, Pollet, Kloba, Nance, Ramel and Davis

AN ACT Relating to transparency, public safety, and independent oversight of the city, county, and regional jail system in Washington state; amending RCW 70.48.510; and adding a new chapter to Title 43 RCW.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2474 by Representatives Peterson, Alvarado, Gregerson, Berry, Leavitt, Fosse, Macri, Nance, Chopp and Bateman

AN ACT Relating to compliance with siting requirements for transitional housing, permanent supportive housing, indoor

emergency shelters, and indoor emergency housing; and amending RCW 35.21.683 and 35A.21.430.

Referred to Committee on Housing.

HJR 4212 by Representatives Maycumber, Walsh and McClintock

Enshrining the right to hunt and fish in the state Constitution.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

### MOTIONS

Representative Fitzgibbon moved that the measures printed on today's introductions sheet be considered first reading under the fourth order of business and be referred to the committees so designated, with the exception of House Bill No. 2472 which is referred to the Committee on Appropriations.

Representative Steele moved to suspend the House Rules to allow a motion to refer HI 2109 to the Finance Committee with instructions to the committee to promptly hold a public hearing consistent with the public notice requirements in House Rule 26(A).

On motion of Representative Griffey, Representatives Wilcox and Sandlin were excused.

On motion of Representative Ramel, Representative Entenman was excused.

An electronic roll call was requested on the motion to suspend the House Rules.

### ROLL CALL

The Speaker (Representative Bronoske presiding) stated the question before the House to be the adoption of the motion to suspend the House Rules to allow a motion to refer HI 2109 to the Finance Committee with instructions to hold a public hearing consistent with the public notice requirements in House Rule 26(A) and the motion to suspend the House Rules was not adopted by the following vote: Yeas, 38; Nays, 57; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie, and Mme. Speaker

Excused: Representatives Entenman, Sandlin, and Wilcox

Representative Fitzgibbon spoke in favor of the original motion to refer the measures listed on the day's introduction sheet, under the fourth order of business, to the committees so designated, except House Bill No. 2472 which is referred to the Committee on Appropriations.

The motion to refer was adopted and the measures listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 2472 which was referred to the Committee on Appropriations

There being no objection, the House advanced to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

January 19, 2024

HB 1685

Prime Sponsor, Representative Rule: Concerning resource and assessment centers. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh.

Referred to Committee on Rules for second reading

January 19, 2024

HB 1928

Prime Sponsor, Representative Ryu: Regulating service contracts and protection product guarantees. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Donaghy; Hackney; Ryu; Sandlin and Santos.

MINORITY recommendation: Without recommendation. Signed by Representatives Chapman; Connors; and Volz.

Referred to Committee on Rules for second reading

January 19, 2024

HB 2007

Prime Sponsor, Representative Peterson: Expanding time limit exemptions applicable to cash assistance programs. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Callan; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives Couture, Assistant Ranking Minority Member; Dent; and Walsh.

Referred to Committee on Appropriations

January 19, 2024

HB 2014

Prime Sponsor, Representative Volz: Concerning the definition of veteran and restoring honor to veterans. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Chambers; Christian; Cortes; Paul; Senn; Shavers; Street; Waters and Wilcox.

Referred to Committee on Appropriations

January 19, 2024

HB 2118 Prime Sponsor, Representative Walen: Protecting the public from gun violence by establishing additional requirements for the business operations of licensed firearms dealers. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Do not pass. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; and Abbarno.

MINORITY recommendation: Without recommendation. Signed by Representative Cheney.

Referred to Committee on Rules for second reading

January 19, 2024

HB 2156 Prime Sponsor, Representative Reeves: Providing solar consumer protections. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu; Sandlin; Santos and Volz.

Referred to Committee on Rules for second reading

January 19, 2024

HB 2256 Prime Sponsor, Representative Callan: Addressing the children and youth behavioral health work group. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Walsh.

Referred to Committee on Rules for second reading

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

## SECOND READING

**HOUSE BILL NO. 1226, by Representatives Chapman and Fitzgibbon**

**Providing for recreational licensing of smelt, crawfish, and carp.**

The bill was read the second time.

Representative Orcutt moved the adoption of amendment (787):

On page 1, beginning on line 16, after "A" strike all material through "a))" on line 18 and insert "recreational fishing ((~~or shellfish~~) license is not required for ((~~carp~~) freshwater smelt, ((~~and crawfish~~)) and a"

Representatives Orcutt, Dent and Walsh spoke in favor of the adoption of the amendment.

Representative Chapman spoke against the adoption of the amendment.

Amendment (787) was not adopted.

Representative Dent moved the adoption of amendment (788):

On page 1, beginning on line 16, after "A" strike all material through "a))" on line 18 and insert "recreational fishing or shellfish license is not required for carp((~~freshwater smelt~~)) and crawfish, and a"

Representatives Dent and Orcutt spoke in favor of the adoption of the amendment.

Representative Springer spoke against the adoption of the amendment.

Amendment (788) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Chapman spoke in favor of the passage of the bill.

Representatives Dent and Orcutt spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1226.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1226, and the bill passed the House by the following vote: Yeas, 56; Nays, 39; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters and Ybarra

Excused: Representatives Entenman, Sandlin and Wilcox

HOUSE BILL NO. 1226, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1637, by Representatives Orwall, Pollet and Fitzgibbon**

**Prohibiting excessive fees or other charges for locating or recovering foreclosure surplus funds and other unclaimed property.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1637 was substituted for House Bill No. 1637 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1637 was read the second time.

Representative Orwall moved the adoption of the striking amendment (792):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 63.30 RCW to read as follows:

(1) It is unlawful for any person to seek or receive from any person or contract with any person for any fee or compensation for locating or purporting to locate any property which he or she knows has been reported or paid or delivered to the department of revenue pursuant to this chapter, or funds held by a court or county, that are proceeds from a foreclosure for delinquent property taxes, assessments, or other liens, or, funds that are otherwise held by a county because of a person's failure to claim funds held as reimbursement for unowed taxes, fees, or other government charges, in excess of five percent of the value thereof returned to such owner.

(2) The legislature finds that the practices covered by this section are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Any violation of this section is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW. Remedies provided by chapter 19.86 RCW are cumulative and not exclusive.

(3)(a) This section applies retroactively to January 1, 2023, and prospectively beginning with the effective date of this section.

(b) This section applies to all civil actions and proceedings commenced prior to January 1, 2023, in which a claim or cause of action was asserted pursuant to RCW 63.29.350, repealed in section 1505, chapter 225, Laws of 2022 and in which the requested remedies are limited to civil remedies. Any such action or proceeding that may have been dismissed as a result of the repeal of former RCW 63.29.350 is saved. Upon the motion of a plaintiff in any such action, the court shall reinstate the action and allow the plaintiff to proceed with the action under this section.

(c) This section applies to all claims and causes of action based on conduct that occurred prior to January 1, 2023, and that violated former RCW 63.29.350. Any such claim or cause of action that could have been commenced under former RCW 63.29.350 and that has been extinguished by the repeal of RCW 63.29.350 may proceed under this section, provided that it is not barred by any applicable statute of limitations.

NEW SECTION. **Sec. 2.** A new section is added to chapter 63.30 RCW to read as follows:

Any person who violates section 1(1) of this act is guilty of a misdemeanor and shall be fined not less than the amount of the fee or charge he or she has sought or received or contracted for, and not more than 10 times such amount, or imprisoned for not more than 30 days, or both.

**Sec. 3.** RCW 63.30.790 and 2022 c 225 s 1302 are each amended to read as follows:

(1) Subject to subsection (2) of this section, an agreement under RCW 63.30.780 is void if it is entered into during the period beginning on the date the property was paid or delivered by a holder to the administrator and ending 24 months after the payment or delivery.

(2) If a provision in an agreement described in subsection (1) of this section applies to mineral proceeds for which compensation is to be paid to the other person based in whole or in part on a part of the underlying minerals or mineral proceeds not then presumed abandoned, the provision is void regardless of when the agreement was entered into.

(3) An agreement under subsection (1) of this section which provides for compensation in an amount that ~~((is unconscionable))~~ exceeds five percent of the value of the property reasonably expected to be recovered is unenforceable ~~((except by the apparent owner. An apparent owner that believes the compensation the apparent owner has agreed to pay is unconscionable or the administrator, acting on behalf of an apparent owner, or both, may file an action in superior court to reduce the compensation to the maximum amount that is not unconscionable))~~.

(4) An apparent owner or the administrator may assert that an agreement described in this section is void on a ground other than it provides for payment of ~~((unconscionable))~~ compensation in an amount that exceeds five percent of the value of the property reasonably expected to be recovered.

(5) This section does not apply to an apparent owner's agreement with an attorney to pursue a claim for recovery of specifically identified property held by the administrator or to contest the administrator's denial of a claim for recovery of the property."

Correct the title.

Representatives Orwall and Walsh spoke in favor of the adoption of the striking amendment.

**MOTION**

On motion of Representative Ramel, Representatives Davis and Macri were excused.

The striking amendment (792) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall and Walsh spoke in favor of the passage of the bill.

**MOTIONS**

On motion of Representative Griffey, Representative Chambers was excused.

On motion of Representative Ramel, Representative Lekanoff was excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1637.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1637, and the bill passed the House by the following vote: Yeas, 91; Nays, 0; Absent, 0; Excused, 7

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springier, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chambers, Davis, Entenman, Lekanoff, Macri, Sandlin and Wilcox

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1637, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1272, by Representatives Bergquist, Volz, Reeves, Gregerson, Christian, Riccelli and Schmidt**

**Concerning publishing, formatting, and distribution of the state and local voters' pamphlets.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1272 was substituted for House Bill No. 1272 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1272 was read the second time.

Representative Bergquist moved the adoption of the striking amendment (790):

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 29A.32.010 and 2003 c 111 s 801 are each amended to read as follows:

The secretary of state shall, whenever at least one statewide measure or office is scheduled to appear on the general election ballot, print and distribute a voters' pamphlet.

The secretary of state shall distribute the voters' pamphlet to each household in the state, to public libraries, and to any other locations ~~((he or she))~~ the secretary deems appropriate. The secretary of state shall also produce ~~((taped))~~ recorded or Braille transcripts of the voters' pamphlet, publicize their availability, and mail without charge a copy to any person who requests one.

The secretary of state may make the material required to be distributed by this chapter available to the public in electronic form. The secretary of state may provide the material in electronic form to ~~((computer bulletin boards))~~ web based, print, and broadcast news media ~~((community computer networks))~~ and similar services at the cost of reproduction or transmission of the data.

**Sec. 2.** RCW 29A.32.020 and 2003 c 111 s 802 are each amended to read as follows:

No person or entity may publish or distribute any campaign material that is deceptively similar in design or appearance to a voters' pamphlet that was published by the secretary of state during the ~~((ten))~~ 10-year period before the publication or distribution of the campaign material by the person or entity. The secretary of state shall take reasonable measures to prevent or to stop violations of this section. Such measures may include, among others, petitioning the superior court for a temporary restraining order or other appropriate injunctive relief. In addition, the secretary may request the superior court to impose a civil fine on a violator of this section. The court is authorized to levy on and recover from each violator a civil fine not to exceed the greater of: (1) ~~((Two dollars))~~ \$5 for each copy of the deceptive material distributed, or (2) ~~((one thousand dollars))~~ \$10,000. In addition, the violator is liable for the state's legal expenses and other costs resulting from the violation. Any funds recovered under this section must be transmitted to the state treasurer for deposit in the general fund.

**Sec. 3.** RCW 29A.32.031 and 2023 c 109 s 8 are each amended to read as follows:

The voters' pamphlet published or distributed under RCW 29A.32.010 must contain:

(1) Information about each ballot measure initiated by or referred to the voters for their approval or rejection as required by RCW 29A.32.070;

(2) In even-numbered years, statements, if submitted, from candidates for the office of president and vice president of the United States, United States senator, United States representative, governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, commissioner of public lands, superintendent

of public instruction, insurance commissioner, state senator, state representative, justice of the supreme court, judge of the court of appeals, or judge of the superior court. Candidates may also submit campaign contact information and a photograph not more than five years old in a format that the secretary of state determines to be suitable for reproduction in the voters' pamphlet;

(3) In odd-numbered years, ~~((if) statements, if submitted, from candidates for any office ((voted upon statewide)) listed in subsection (2) of this section that appears on the ballot due to a vacancy ((, then statements and photographs for candidates for any vacant office listed in subsection (2) of this section must appear)). Candidates may also submit campaign contact information and a photograph not more than five years old in a format that the secretary of state determines to be suitable for reproduction in the voters' pamphlet;~~

(4) Contact information for the public disclosure commission established under RCW 42.17A.100, including the following statement: "For a list of the people and organizations that donated to state and local candidates and ballot measure campaigns, visit [www.pdc.wa.gov](http://www.pdc.wa.gov)." The statement must be placed in a prominent position, such as ~~((on the cover or on))~~ the first two pages of the voters' pamphlet. The secretary of state may substitute such language as is necessary for accuracy and clarity and consistent with the intent of this section;

(5) Contact information for major political parties;

(6) A brief statement explaining the deletion and addition of language for proposed measures under RCW 29A.32.080;

(7) A list of all student engagement hubs as designated under RCW 29A.40.180;

(8) A page providing information about how to access the internet presentation of the information created in RCW 44.48.160 about the state budgets, including a uniform resource locator, a quick response code, and a phone number for the legislative information center. The uniform resource locator and quick response codes will lead the voter to the internet information required in RCW 44.48.160; and

(9) Any additional information pertaining to elections as may be required by law or in the judgment of the secretary of state is deemed informative to the voters.

**Sec. 4.** RCW 29A.32.060 and 2015 c 171 s 2 are each amended to read as follows:

Committees shall write and submit arguments advocating the approval or rejection of each statewide ballot issue and rebuttals of those arguments. The secretary of state, the presiding officer of the senate, and the presiding officer of the house of representatives shall appoint the initial two members of each committee. In making these committee appointments the secretary of state and presiding officers of the senate and house of representatives shall consider legislators, sponsors of initiatives and referendums, and other

interested groups known to advocate or oppose the ballot measure. Committees must have the explanatory and fiscal impact statements available before preparing their arguments.

The initial two members may select up to four additional members, and the committee shall elect a chairperson. The remaining committee member or members may fill vacancies through appointment.

After the committee submits its initial argument statements to the secretary of state, the secretary of state shall transmit the statements to the opposite committee. The opposite committee may then prepare rebuttal arguments. Rebuttals may not interject new points.

The voters' pamphlet may contain only text argument statements prepared according to this section. ~~((Arguments may contain graphs and charts supported by factual statistical data and pictures or other illustrations. Cartoons))~~ Graphs, charts, photographs, cartoons, or caricatures are not permitted.

**Sec. 5.** RCW 29A.32.070 and 2023 c 109 s 2 are each amended to read as follows:

The secretary of state shall determine the format and layout of the voters' pamphlet published under RCW 29A.32.010. The secretary of state shall print the pamphlet in clear, readable type on a size, quality, and weight of paper that in the judgment of the secretary of state best serves the voters. The pamphlet must contain a table of contents. Measures and arguments must be printed in the order specified by RCW 29A.72.290.

The secretary of state's name may not appear in the voters' pamphlet in ~~((his or her))~~ an official capacity if the secretary is a candidate for office during the same year. ~~((His or her))~~ The secretary's name may only be included as part of the information normally included for candidates.

The voters' pamphlet must provide the following information for each statewide issue on the ballot:

(1) The legal identification of the measure by serial designation or number;

(2) The official ballot title of the measure;

(3) A statement prepared by the attorney general explaining the law as it presently exists;

(4) A statement prepared by the attorney general explaining the effect of the proposed measure if it becomes law;

(5) The fiscal impact statement prepared under RCW 29A.72.025;

(6) The total number of votes cast for and against the measure in the senate and house of representatives, if the measure has been passed by the legislature;

(7) An argument advocating the voters' approval of the measure together with any statement in rebuttal of the opposing argument;

(8) An argument advocating the voters' rejection of the measure together with any statement in rebuttal of the opposing argument;

(9) Each argument or rebuttal statement must be followed by the names of the

committee members who submitted them, and may be followed by a telephone number that citizens may call to obtain information on the ballot measure;

(10) The full text of the measure.

**Sec. 6.** RCW 29A.32.090 and 2009 c 222 s 3 are each amended to read as follows:

(1) ~~((#))~~ All statements, arguments, and photographs submitted are subject to review and approval, and must conform to the criteria in this section. A statement or photograph may be rejected if in the opinion of the secretary of state any argument or statement offered for inclusion in the voters' pamphlet in support of or opposition to a measure or candidate does not comply with the standards contained in this section or administrative rules or contains obscene matter or matter that is otherwise prohibited by law from distribution through the mail((7)). A person or committee that has submitted a statement or photograph rejected by the secretary may edit their statement or petition the superior court of Thurston county for a judicial determination that the photograph, argument, or statement ((may be rejected)) complies with the standards and is acceptable for publication ((or edited to delete the matter)). The court shall not enter such an order unless it concludes that the matter is compliant, not obscene, or not otherwise prohibited for distribution through the mail. The court may award reasonable attorneys' fees and costs to a person or committee who receives such an order.

(2) Candidate statements may not:

(a) Ask for contributions; or

(b) Make commercial solicitations.

(3) Statements and arguments submitted in support of or opposition to a measure, or in reply to the opposing statement, may not:

(a) Ask for contributions; or

(b) Make commercial solicitations.

(4) A ~~((candidate's))~~ statement submitted for inclusion in the voters' pamphlet shall not contain false or misleading statements ~~((about the candidate's opponent))~~ that constitute libel or defamation per se. A false or misleading statement shall be considered "libel or defamation per se" if the statement tends to expose the ~~((candidate))~~ opposition to hatred, contempt, ridicule, or obloquy, or to deprive him or her of the benefit of public confidence or social intercourse, or to injure him or her in his or her business or occupation. If a candidate believes his or her opponent has libeled or defamed him or her, the candidate may commence an action under subsection ~~((3))~~ (5) of this section.

~~((3))~~ (5)(a) A person who believes that he or she may be defamed by an argument or statement offered for inclusion in the voters' pamphlet in support of or opposition to a measure or candidate may petition the superior court of Thurston county for a judicial determination that the argument or statement may be rejected for publication or edited to delete the defamatory statement.

(b) The court shall not enter such an order unless it concludes that the statement is untrue and that the petitioner has a very

substantial likelihood of prevailing in a defamation action.

(c) An action under this subsection ~~((3))~~ (5) must be filed and served no later than the tenth day after the deadline for the submission of the argument or statement to the secretary of state.

(d) If the secretary of state notifies a person named or identified in an argument or statement of the contents of the argument or statement within three days after the deadline for submission to the secretary, then neither the state nor the secretary is liable for damages resulting from publication of the argument or statement unless the secretary publishes the argument or statement in violation of an order entered under this section. Nothing in this section creates a duty on the part of the secretary of state to identify, locate, or notify the person.

~~((4))~~ (6) Parties to a dispute under this section may agree to resolve the dispute by rephrasing the argument or statement, even if the deadline for submission to the secretary has elapsed, unless the secretary determines that the process of publication is too far advanced to permit the change. The secretary shall promptly provide any such revision to any committee entitled to submit a rebuttal argument. If that committee has not yet submitted its rebuttal, its deadline to submit a rebuttal is extended by five days. If it has submitted a rebuttal, it may revise it to address the change within five days of the filing of the revised argument with the secretary.

~~((5))~~ (7) In an action under this section the committee or candidate must be named as a defendant, and may be served with process by certified mail directed to the address contained in the secretary's records for that party. The secretary of state shall be a nominal party to an action brought under subsection ~~((3))~~ (5) of this section, solely for the purpose of determining the content of the voters' pamphlet. The superior court shall give such an action priority on its calendar.

**Sec. 7.** RCW 29A.32.121 and 2004 c 271 s 168 are each amended to read as follows:

(1) The maximum number of words for statements submitted by candidates is as follows: State representative, ~~((one hundred))~~ 100 words; state senator, judge of the superior court, judge of the court of appeals, justice of the supreme court, and all state offices voted upon throughout the state, except that of governor, ~~((two hundred))~~ 200 words; president and vice president, United States senator, United States representative, and governor, ~~((three hundred))~~ 300 words.

(2) Arguments written by committees under RCW 29A.32.060 may not exceed ~~((two hundred fifty))~~ 250 words in length.

(3) Rebuttal arguments written by committees may not exceed ~~((seventy-five))~~ 75 words in length.

(4) The secretary of state or county auditor shall allocate space in the pamphlet based on the number of candidates or nominees for each office.



**Sec. 8.** RCW 29A.32.210 and 2020 c 337 s 6 are each amended to read as follows:

Before any primary or general election, or any special election held under RCW 29A.04.321 or 29A.04.330, each county auditor shall print and distribute a local voters' pamphlet. The pamphlet shall provide information on all measures and candidates appearing on ballots within that (~~jurisdiction~~) county. The format of any local voters' pamphlet shall, whenever applicable, comply with the provisions of this chapter regarding the publication of the state candidates' and voters' pamphlets.

**Sec. 9.** RCW 29A.32.220 and 2003 c 111 s 814 are each amended to read as follows:

(1) Not later than ~~((ninety))~~ 90 days before the publication and distribution of a local voters' pamphlet by a county, the county auditor shall notify each city, town, or special taxing district (~~located wholly~~) with issues or offices appearing on ballots within that county that a pamphlet will be produced.

(2) ~~((If a))~~ All voters' ~~((pamphlet is))~~ pamphlets published by the county ~~((for a primary or general election, the pamphlet shall be published for))~~ pursuant to RCW 29A.32.210 must include the elective offices and ballot measures of the county and ~~((for))~~ the elective offices and ballot measures of each unit of local government ~~((located entirely))~~ within the county which will appear on the ballot at that primary or election. ~~((However, the offices and measures of a first-class or code city shall not be included in the pamphlet if the city publishes and distributes its own voters' pamphlet for the primary or election for its offices and measures. The offices and measures of any other town or city are not required to appear in the county's pamphlet if the town or city is obligated by ordinance or charter to publish and distribute a voters' pamphlet for the primary or election for its offices and measures and it does so.))~~

If the required appearance in a county's voters' pamphlet of the offices or measures of a unit of local government would create undue financial hardship for the unit of government, the legislative authority of the unit may petition the legislative authority of the county to waive this requirement. The legislative authority of the county may provide such a waiver if it does so not later than ~~((sixty))~~ 60 days before the publication of the pamphlet and it finds that the requirement would create such hardship.

(3) If a city, town, or district is located within more than one county, ~~((the respective county auditors may enter into an interlocal agreement to permit the distribution of each county's local voters' pamphlet into those parts of the city, town, or district located outside of that county))~~ all appropriate information for that jurisdiction must appear in the local voters' pamphlet for each of the counties containing the jurisdiction. Arguments, candidate statements, and photographs must be submitted to the county auditor of the county that accepted any resolutions or

candidate filings for that jurisdiction. The auditor that receives this information shall provide it to the other county auditors after reviewing and accepting the submissions.

~~((4) If a first-class or code city authorizes the production and distribution of a local voters' pamphlet, the city clerk of that city shall notify any special taxing district located wholly within that city that a pamphlet will be produced. Notification shall be provided in the manner required or provided for in subsection (1) of this section.~~

~~(5) A unit of local government located within a county and the county may enter into an interlocal agreement for the publication of a voters' pamphlet for offices or measures not required by subsection (2) of this section to appear in a county's pamphlet.)~~

**Sec. 10.** RCW 29A.32.230 and 2023 c 394 s 10 are each amended to read as follows:

~~((The))~~ (1) The secretary of state, in consultation with county ~~((auditor or, if applicable, the city clerk of a first-class or code city))~~ auditors, shall ~~((, in consultation with the participating jurisdictions,))~~ adopt and publish administrative rules necessary to facilitate ~~((the provisions of any ordinance authorizing))~~ production of a local voters' pamphlet. ~~((Any amendment to such a rule shall also be adopted and published. Copies of the rules shall identify the date they were adopted or last amended and shall be made available to any person upon request. One copy of the rules adopted by a county auditor and one copy of any amended rules shall be submitted to the county legislative authority. One copy of the rules adopted by a city clerk and one copy of any amended rules shall be submitted to the city legislative authority.))~~ These rules shall include but not be limited to the following:

~~((1) Deadlines for decisions by cities, towns, or special taxing districts on being included in the pamphlet;~~

~~(2))~~ (a) Limits on the length and deadlines for submission of arguments for and against each measure;

~~((3))~~ (b) The basis for rejection of any explanatory or candidates' statement or argument deemed to be ~~((libelous or otherwise inappropriate. Any statements by a candidate shall be limited to those about the candidate himself or herself))~~ noncompliant with this section or administrative rules adopted in accordance with this section;

~~((4))~~ (c) Limits on the length of candidates' statements;

~~((5))~~ (d) Deadlines for submission of candidates' statements not sooner than 11 days following the deadline for filing declarations of candidacy under RCW 29A.24.050;

~~((6))~~ (e) Standards related to acceptable candidate photographs;

(f) Standards related to statements for and against any measure; and

(g) An appeal process in the case of the rejection of any statement or argument.

(2) Candidate statements may not:

- (a) Ask for contributions; or  
 (b) Make commercial solicitations.

(3) Statements and arguments submitted in support of or opposition to a measure, or in reply to the opposing statement, may not:

- (a) Ask for contributions; or  
 (b) Make commercial solicitations.

(4) The county auditor shall adopt and publish local administrative rules necessary to facilitate production of a local voters' pamphlet. Copies of the rules must identify the date they were adopted or last amended and must be made available to any person upon request.

**Sec. 11.** RCW 29A.32.241 and 2020 c 208 s 12 are each amended to read as follows:

(1) The local voters' pamphlet shall include but not be limited to the following:

(a) Appearing on the cover, the words "official local voters' pamphlet," the name of the jurisdiction producing the pamphlet, and the date of the election or primary;

(b) A list of jurisdictions that have measures or candidates in the pamphlet;

(c) Information on how a person may register to vote and obtain a ballot;

(d) Candidate statements and photographs;

(e) The text of each measure accompanied by an explanatory statement prepared by the prosecuting attorney for any county measure or by the attorney for the jurisdiction submitting the measure if other than a county measure. All explanatory statements for city, town, or district measures not approved by the attorney for the jurisdiction submitting the measure shall be reviewed and approved by the county prosecuting attorney or city attorney, when applicable, before inclusion in the pamphlet;

~~((e))~~ (f) The arguments for and against each measure submitted by committees selected pursuant to RCW 29A.32.280; and

~~((f))~~ (g) A list of all student engagement hubs in the county as designated under RCW 29A.40.180 ~~((, and~~

~~(g) For partisan primary elections, information on how to vote the applicable ballot format and an explanation that minor political party candidates and independent candidates will appear only on the general election ballot)).~~

(2) The county auditor's name may not appear in the local voters' pamphlet in ~~((his or her))~~ an official capacity if the county auditor is a candidate for office during the same year. ~~((His or her))~~ The auditor's name may only be included as part of the information normally included for candidates.

**Sec. 12.** RCW 29A.32.250 and 2003 c 111 s 817 are each amended to read as follows:

~~((If the legislative authority of a county or first-class or code city provides for the inclusion of candidates in the local voters' pamphlet, the pamphlet))~~ Local voters' pamphlets shall include ((the)) candidate statements ((from candidates)) accepted by the county auditor and may also include ((those)) candidates' photographs accepted by the county auditor.

**Sec. 13.** RCW 29A.32.260 and 2022 c 193 s 2 are each amended to read as follows:

As soon as practicable before the primary, special election, or general election, the county auditor ~~((, or if applicable, the city clerk of a first-class or code city, as appropriate,))~~ shall mail the local voters' pamphlet to every residence in each jurisdiction ~~((that has included information))~~ within the county that is participating in the associated primary or election and for which election information is included in the pamphlet. The county auditor ~~((or city clerk, as appropriate,))~~ may choose to mail the pamphlet to each registered voter in each jurisdiction ~~((that has included information in the pamphlet))~~ within the county that is participating in the associated primary or election and for which election information is included in the pamphlet, if in ((his or her)) the auditor's judgment, a more economical and effective distribution of the pamphlet would result. The county auditor shall either mail or send a printable electronic version of the state and local voters' pamphlets to any service or overseas voter registered in the jurisdiction who has requested them.

**Sec. 14.** RCW 29A.32.280 and 2015 c 146 s 3 are each amended to read as follows:

(1) For each measure from a unit of local government ~~((that is))~~ included in a local voters' pamphlet, the legislative authority of that jurisdiction shall, not later than the resolution deadline, formally appoint a committee to prepare arguments advocating voters' approval of the measure and shall formally appoint a committee to prepare arguments advocating voters' rejection of the measure.

(2) The authority shall appoint persons that reside within the jurisdictional boundaries and are known to favor the measure to serve on the committee advocating approval and shall, whenever possible, appoint persons that reside within the jurisdictional boundaries and are known to oppose the measure to serve on the committee advocating rejection.

(3) Each committee shall have not more than three members, however, a committee may seek the advice of any person or persons.

(4) If the legislative authority of a unit of local government fails to make such appointments by the prescribed deadline, the county auditor shall ~~((whenever possible make the appointments))~~ issue a media release and publish information on the auditor's election website announcing the opportunity to form committees and provide statements. If the legislative authority is unable to make appointments, the auditor shall make appointments on a first-come, first-served basis if qualified committee members contact the auditor by the appropriate deadline.

(5) If no statement is produced, the auditor shall include a statement in the pamphlet stating that no person in the jurisdiction contacted the auditor to provide a statement, and there are no statements for that measure.

NEW SECTION. **Sec. 15.** This act takes effect January 1, 2025."

Correct the title.

Representatives Bergquist and Abbarno spoke in favor of the adoption of the striking amendment.

The striking amendment (790) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Bergquist spoke in favor of the passage of the bill.

Representative Abbarno spoke against the passage of the bill.

### **MOTION**

On motion of Representative Ramel, Representative Fey was excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1272.

### **ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1272, and the bill passed the House by the following vote: Yeas, 57; Nays, 33; Absent, 0; Excused, 8

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chandler, Chapman, Chopp, Cortes, Doglio, Donaghy, Duerr, Eslick, Farivar, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Harris, Kloba, Leavitt, Low, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Goehner, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters and Ybarra

Excused: Representatives Chambers, Davis, Entenman, Fey, Lekanoff, Macri, Sandlin and Wilcox

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10:30 a.m., Thursday, January 25, 2024, the 18th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## EIGHTEENTH DAY

House Chamber, Olympia, Thursday, January 25, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Gabriel Guerra and Ainsley Reece. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Stephanie Johnson, Mountain View Church, Tumwater.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HI 2111 by People of the State of Washington

Concerning taxes on personal income.

Referred to Committee on Finance.

HB 2475 by Representatives Lekanoff, Goodman, Ramel and Nance

AN ACT Relating to basic law enforcement academy; and amending RCW 43.101.190.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2476 by Representatives Macri, Riccelli, Ramel and Thai

AN ACT Relating to creating a covered lives assessment professional services rate account; adding a new section to chapter 48.02 RCW; adding a new chapter to Title 74 RCW; creating a new section; and providing contingent expiration dates.

Referred to Committee on Appropriations.

HB 2477 by Representatives Walsh and Cheney

AN ACT Relating to expanding the circumstances that may constitute a major violation of the uniform controlled substances act; and amending RCW 9.94A.535.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2478 by Representatives Hackney, Goodman and Pollet

AN ACT Relating to postconviction review, clemency, and pardons; amending RCW 9.94A.501, 9.94A.565, 9.94A.633, 9.94A.728, and 9.94A.880; reenacting and amending RCW 9.94A.885; adding new sections to chapter 9.94A RCW; and creating a new section.

Referred to Committee on Community Safety, Justice, & Reentry.

HB 2479 by Representative Rule

AN ACT Relating to home visiting; and amending RCW 43.216.130, 43.216.157, and 43.216.159.

Referred to Committee on Human Services, Youth, & Early Learning.

HB 2480 by Representatives Klicker, Paul, Shavers, Nance and Cheney

AN ACT Relating to the liability of owners or others in possession of land and water areas for injuries to recreational users; and amending RCW 4.24.210.

Referred to Committee on Civil Rights & Judiciary.

HB 2481 by Representatives Volz, Bergquist, Robertson and Macri

AN ACT Relating to waiving health benefit premiums in the public employees' benefits board; and reenacting and amending RCW 41.05.080.

Referred to Committee on Appropriations.

**MOTIONS**

Representative Fitzgibbon moved that the measures printed on today's introductions sheet be considered first reading under the fourth order of business and be referred to the committees so designated.

Representative Abbarno moved to suspend the House Rules to allow a motion to refer HI 2111 to the Finance Committee with instructions to the committee to promptly hold a public hearing consistent with the public notice requirements in House Rule 26(A).

On motion of Representative Griffey, Representatives Corry, Sandlin and Volz were excused.

On motion of Representative Leavitt, Representatives Gregerson and Entenman were excused.

An electronic roll call was requested on the motion to suspend the House Rules.

**ROLL CALL**

The Speaker (Representative Bronoske presiding) stated the question before the House to be the adoption of the motion to suspend the House Rules to allow a motion to refer HI 2111 to the Finance Committee with instructions to hold a public hearing consistent with the public notice requirements in House Rule 26(A) and the motion to suspend the House Rules was not adopted by the following vote: Yeas, 37; Nays, 56; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox, and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Farivar, Fey, Fitzgibbon, Fosse,

Goodman, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie, and Mme. Speaker

Excused: Representatives Corry, Entenman, Gregerson, Sandlin, and Volz

Representative Fitzgibbon spoke in favor of the original motion to refer the measures listed on the day's introduction sheet, under the fourth order of business, to the committees so designated.

The motion to refer was adopted, and the measures listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

### REPORTS OF STANDING COMMITTEES

January 23, 2024

HB 1997 Prime Sponsor, Representative Ryu: Concerning gubernatorial appointments for the state parks and recreation commission. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Chambers; Christian; Cortes; Paul; Senn; Shavers; Street; Waters and Wilcox.

Referred to Committee on Rules for second reading

January 23, 2024

HB 2012 Prime Sponsor, Representative Street: Concerning eligibility for a property tax exemption for nonprofits providing affordable rental housing built with city and county funds. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Orcutt, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative Jacobsen, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

January 23, 2024

HB 2026 Prime Sponsor, Representative Doglio: Concerning rental income received by people eligible for certain property tax exemption programs. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt,

Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

Referred to Committee on Rules for second reading

January 23, 2024

HB 2044 Prime Sponsor, Representative Duerr: Standardizing limitations on voter-approved property tax levies. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Chopp; Ramel; Santos; Springer; Thai; Walen and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; and Wilcox.

Referred to Committee on Rules for second reading

January 22, 2024

HB 2151 Prime Sponsor, Representative Reeves: Reassigning the accreditation of private cannabis testing laboratories from the department of ecology to the department of agriculture. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; Cheney; Morgan; Orwall; Reeves and Waters.

Referred to Committee on Appropriations

January 23, 2024

HB 2203 Prime Sponsor, Representative Ryu: Creating a pilot project to assist incarcerated veterans. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Cortes; Paul; Senn; Shavers and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Volz, Ranking Minority Member; Caldier; Chambers; Christian; Waters; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Barnard, Assistant Ranking Minority Member.

Referred to Committee on Appropriations

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the seventh order of business.

### THIRD READING

**HOUSE BILL NO. 1530, by Representatives Cortes, Mena, Simmons, Ryu, Davis and Fosse**

**Expanding eligibility for employment of certain law enforcement and prosecutor office positions.**

The bill was read the third time.

Representatives Cortes and Mosbrucker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1530.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1530, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Corry, Entenman, Gregerson, Sandlin and Volz

HOUSE BILL NO. 1530, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE HOUSE BILL NO. 1044, by House Committee on Capital Budget (originally sponsored by McEntire, Graham, Couture, Sandlin, Walsh, Rude, Caldier and Santos)**

**Providing capital financial assistance to small school districts with demonstrated funding challenges.**

The bill was read the third time.

Representatives McEntire, Tharinger, Maycumber and Ybarra spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1044.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1044, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Corry, Entenman, Gregerson, Sandlin and Volz

SUBSTITUTE HOUSE BILL NO. 1044, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE HOUSE BILL NO. 1851, by House Committee on Appropriations (originally sponsored by Callan, Macri, Bergquist and Gregerson)**

**Implementing the first approach skills training program.**

The bill was read the third time.

Representative Callan spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1851.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1851, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Corry, Entenman, Gregerson, Sandlin and Volz

SUBSTITUTE HOUSE BILL NO. 1851, having received the necessary constitutional majority, was declared passed.

**SECOND SUBSTITUTE HOUSE BILL NO. 1618, by House Committee on Appropriations (originally sponsored by Farivar, Simmons, Wylie, Berry, Walen, Fosse, Morgan, Macri, Pollet, Doglio, Reed, Caldier and Orwall)**

**Concerning the statute of limitations for childhood sexual abuse.**

The bill was read the third time.

There being no objection, the rules were suspended, and SECOND SUBSTITUTE HOUSE BILL NO. 1618 was returned to second reading for the purpose of amendment.

Representative Abbarno moved the adoption of the striking amendment (789):

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 4.16.340 and 1991 c 212 s 2 are each amended to read as follows:

(1) All claims or causes of action based on intentional conduct brought by any person for recovery of damages for injury suffered as a result of childhood sexual abuse that occurred before June 6, 2024, shall be commenced within the later of the following periods:

(a) Within three years of the act alleged to have caused the injury or condition;

(b) Within three years of the time the victim discovered or reasonably should have discovered that the injury or condition was caused by said act; or

(c) Within three years of the time the victim discovered that the act caused the injury for which the claim is brought:

PROVIDED, That the time limit for commencement of an action under this section is tolled for a child until the child reaches the age of eighteen years.

(2) The victim need not establish which act in a series of continuing sexual abuse or exploitation incidents caused the injury complained of, but may compute the date of discovery from the date of discovery of the last act by the same perpetrator which is part of a common scheme or plan of sexual abuse or exploitation.

(3) The knowledge of a custodial parent or guardian shall not be imputed to a person under the age of eighteen years.

(4) For purposes of this section, "child" means a person under the age of eighteen years.

(5) As used in this section, "childhood sexual abuse" means any act committed by the defendant against a complainant who was less than eighteen years of age at the time of the act and which act would have been a violation of chapter 9A.44 RCW or RCW 9.68A.040 or prior laws of similar effect at the time the act was committed.

(6) There shall be no time limit for bringing any claims or causes of action based on intentional conduct brought by any person for recovery of damages for injury suffered as a result of childhood sexual abuse when the act of childhood sexual abuse occurs on or after June 6, 2024.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representatives Abbarno and Farivar spoke in favor of the adoption of the striking amendment.

The striking amendment (789) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farivar, Walsh and Graham spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1618.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1618, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Corry, Entenman, Gregerson, Sandlin and Volz

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1618, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1037, by House Committee on Civil Rights & Judiciary (originally sponsored by Walsh)**

#### Concerning family burial grounds.

The bill was read the third time.

Representatives Walsh and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1037.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1037, and the bill passed the House by the following vote: Yeas, 92; Nays, 1; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Tharinger  
Excused: Representatives Corry, Entenman, Gregerson, Sandlin and Volz

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1037, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

#### SECOND READING

**HOUSE BILL NO. 1954, by Representatives Riccelli, Bateman, Ramel, Reed, Simmons, Ormsby, Macri, Doglio, Thai, Lekanoff and Reeves**

**Harmonizing language relating to reproductive health care services and gender-affirming treatment.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Riccelli (again) spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1954.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1954, and the bill passed the House by the following vote: Yeas, 56; Nays, 37; Absent, 0; Excused, 5

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Corry, Entenman, Gregerson, Sandlin and Volz

HOUSE BILL NO. 1954, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1898, by Representatives Schmidt, Fosse, Connors, Berry, Bronoske, Abbarno, Ormsby, Volz, Leavitt, Low, Reed, Graham, Kloba and Reeves**

#### Concerning unemployment insurance benefit charging.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmidt and Berry spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1898.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1898, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai,

Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Corry, Entenman, Gregerson, Sandlin and Volz

HOUSE BILL NO. 1898, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1608, by Representatives Bronoske, Simmons, Duerr, Ramel, Wylie, Paul, Jacobsen, Macri, Kloba, Leavitt and Reed**

#### Expanding access to anaphylaxis medications in schools.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1608 was substituted for House Bill No. 1608 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1608 was read the second time.

Representative Bronoske moved the adoption of amendment (804):

On page 1, line 7, after "designee" strike "shall" and insert ", if a licensed health professional with the authority to prescribe epinephrine, shall, as is consistent with the exercise of sound professional judgment,"

On page 2, line 2, after "(~~autoinjectors~~)" insert ", including, but not limited to, the secretary of health or the secretary's designee in accordance with section 1 of this act,"

Representatives Bronoske and Rude spoke in favor of the adoption of the amendment.

Amendment (804) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bronoske and Rude spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1608.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1608, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker



Excused: Representatives Corry, Entenman, Gregerson, Sandlin and Volz

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1608, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1950, by Representatives Slatter, Ybarra, Reed, Jacobsen, Pollet, Leavitt, Ortiz-Self, Ramos, Morgan, Simmons, Ormsby, Callan, Street, Paul, Goodman, Thai, Lekanoff, Reeves and Riccelli**

**Concerning the public service loan forgiveness program.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Slatter and Jacobsen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1950.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1950, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Corry, Entenman, Gregerson, Sandlin and Volz

HOUSE BILL NO. 1950, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2032, by Representatives Cheney, Low, Ramos and Graham**

**Reducing the size of yard signs that are exempt from certain political advertising disclosure requirements.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cheney and Ramos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2032.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2032, and the bill passed the House by the following vote: Yeas, 91; Nays, 2; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives McEntire and Walsh

Excused: Representatives Corry, Entenman, Gregerson, Sandlin and Volz

HOUSE BILL NO. 2032, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1097, by Representatives Walen, Goodman, Leavitt, Ramel, Peterson, Fitzgibbon, Macri, Simmons, Reeves, Thai, Gregerson, Stonier, Pollet, Kloba, Santos and Ormsby**

**Concerning the sale of cosmetics tested on animals.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1097 was substituted for House Bill No. 1097 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1097 was read the second time.

Representative Walen moved the adoption of amendment (801):

On page 2, line 3, after "January 1," strike "2024" and insert "2025"

On page 2, at the beginning of line 11, strike "2024" and insert "2025"

On page 2, line 13, after "January 1," strike "2024" and insert "2025"

On page 2, line 17, after "January 1," strike "2024" and insert "2025"

On page 3, line 23, after "January 1," strike "2024" and insert "2025"

On page 3, line 24, after "January 1," strike "2024" and insert "2025"

On page 3, line 25, after "January 1," strike "2024" and insert "2025"

On page 3, line 28, after "January 1," strike "2024" and insert "2025"

On page 3, line 29, after "January 1," strike "2024" and insert "2025"

On page 3, line 30, after "January 1," strike "2024" and insert "2025"

On page 4, line 11, after "January 1," strike "2024" and insert "2025"

Representatives Walen and Robertson spoke in favor of the adoption of the amendment.

Amendment (801) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walen and Robertson spoke in favor of the passage of the bill.

Representative Jacobsen spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1097.

### **ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1097, and the bill passed the House by the following vote: Yeas, 90; Nays, 3; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Jacobsen, Orcutt and Walsh

Excused: Representatives Corry, Entenman, Gregerson, Sandlin and Volz

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1097, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:55 a.m., Friday, January 26, 2024, the 19th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## NINETEENTH DAY

House Chamber, Olympia, Friday, January 26, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Bronoske presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SECRETARY OF STATE****CERTIFICATION OF INITIATIVE TO THE LEGISLATURE I-2124**

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2124 to be examined in the following manner:

1. It was determined that 427,481 signatures were submitted by the sponsors of the initiative. A random sample of 12,825 signatures was taken from those submitted;

2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,552 valid signatures, 2,259 signatures that were invalid and 14 pairs of duplicated signatures in the sample;

3. We calculated an allowance for the chance error of sampling (71) by multiplying the square root of the number of invalid signatures by 1.5;

4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (77,673) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;

5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (25,292) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;

6. We determined the expected number of duplicate pairs of signatures in the sample (23) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;

7. We determined the acceptable number of duplicate pairs of signatures in the sample (15) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and

8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 2124 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 25th day of January, 2024.

Steve Hobbs  
Secretary of State

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HB 2482 by Representatives Harris, Santos and Stonier

AN ACT Relating to reinstating semiconductor tax incentives; amending RCW 82.04.2404, 82.08.9651, and 82.12.9651; reenacting and amending RCW 82.32.790, 82.04.426, 82.04.448, 82.08.965, 82.08.970, 82.12.965, 82.12.970, and 84.36.645; adding a new section to chapter 82.04 RCW; creating new sections; providing a contingent effective date; providing expiration dates; providing contingent expiration dates; and declaring an emergency.

Referred to Committee on Finance.

HB 2483 by Representatives Chapman, Shavers and Kloba

AN ACT Relating to biochar production from agricultural and forestry biomass; amending RCW 70A.15.1030, 70A.15.5090, 70A.15.5120, and 70A.15.5140; and creating a new section.

Referred to Committee on Environment & Energy.

HB 2484 by Representatives Fitzgibbon, Berry and Reeves

AN ACT Relating to exempting certain collective bargaining activities by legislative employees from state ethics restrictions; amending RCW 42.52.020 and 42.52.160; and adding a new section to chapter 44.90 RCW.

Referred to Committee on State Government & Tribal Relations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

**REPORTS OF STANDING COMMITTEES**

January 23, 2024

HB 1062

Prime Sponsor, Representative Peterson:  
Concerning deception by law enforcement officers during custodial interrogations. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Do not pass. Signed by Representatives Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; and Graham.

Referred to Committee on Appropriations

January 22, 2024

2SHB 1579 Prime Sponsor, Appropriations: Establishing a mechanism for independent prosecutions within the office of the attorney general of criminal conduct arising from police use of force. Reported by Committee on Appropriations

MAJORITY recommendation: The third substitute bill be substituted therefor and the third substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Chandler; Dye; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

January 24, 2024

HB 1896 Prime Sponsor, Representative Ryu: Simplifying the funding provisions of the statewide tourism marketing account. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Chandler.

Referred to Committee on Rules for second reading

January 24, 2024

HB 1919 Prime Sponsor, Representative Bronoske: Modifying the process by which a private moorage facility may sell an abandoned vessel for failure to pay moorage fees. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Orcutt; Schmick and Springer.

Referred to Committee on Rules for second reading

January 24, 2024

HB 1940 Prime Sponsor, Representative Fosse: Protecting the rights of workers to refrain

from attending meetings or listening to their employer's speech on political or religious matters. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representative Schmidt, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Rude; and Ybarra.

Referred to Committee on Rules for second reading

January 24, 2024

HB 1979 Prime Sponsor, Representative Paul: Reducing the cost of inhalers and epinephrine autoinjectors. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Rules for second reading

January 24, 2024

HB 1986 Prime Sponsor, Representative Abbarno: Adding purposes for the use of existing firefighter safety funding. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

January 24, 2024

HB 1996 Prime Sponsor, Representative Robertson: Establishing the Washington recreational vehicle manufacturer and dealer law. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Corry; Hackney; Ryu; Santos and Volz.

Referred to Committee on Rules for second reading

January 24, 2024

HB 2036 Prime Sponsor, Representative Walen: Concerning workplace safety and operational standards for adult entertainment establishments. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt, Ranking Minority Member; and Rude.

MINORITY recommendation: Without recommendation. Signed by Representative Ybarra.

Referred to Committee on Rules for second reading

January 23, 2024

HB 2039 Prime Sponsor, Representative Fitzgibbon: Modifying the appeals process for environmental and land use matters. Reported by Committee on Environment & Energy

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Ybarra, Assistant Ranking Minority Member; Berry; Duerr; Fey; Goehner; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Without recommendation. Signed by Representatives Dye, Ranking Minority Member; Abbarno; Barnard; and Sandlin.

Referred to Committee on Rules for second reading

January 24, 2024

HB 2045 Prime Sponsor, Representative Waters: Creating an adopt a fish barrier program. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Orcutt; Schmick and Springer.

Referred to Committee on Rules for second reading

January 24, 2024

HB 2059 Prime Sponsor, Representative Stearns: Concerning the sale of halal foods. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Orcutt; Schmick and Springer.

Referred to Committee on Rules for second reading

January 23, 2024

HB 2073 Prime Sponsor, Representative Slatter: Concerning emissions of greenhouse gases from sources other than methane and carbon dioxide. Reported by Committee on Environment & Energy

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Doglio, Chair; Mena, Vice Chair; Dye, Ranking Minority Member; Abbarno; Barnard; Berry; Duerr; Fey; Goehner; Lekanoff; Ramel; Sandlin; Slatter and Street.

MINORITY recommendation: Without recommendation. Signed by Representative Ybarra, Assistant Ranking Minority Member.

Referred to Committee on Appropriations

January 23, 2024

HB 2082 Prime Sponsor, Representative Fosse: Assessing the needs of the electrical transmission industry. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Jacobsen; Klicker; Leavitt; McEntire; Nance; Paul; Pollet; Schmidt and Timmons.

MINORITY recommendation: Without recommendation. Signed by Representative Chandler.

Referred to Committee on Appropriations

January 24, 2024

HB 2097 Prime Sponsor, Representative Berry: Assisting workers in recovering wages owed. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

January 24, 2024

HB 2112 Prime Sponsor, Representative Nance: Concerning opioid and fentanyl prevention education and awareness at institutions of higher education. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Slatter, Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Chandler; Jacobsen; Klicker; Leavitt; McEntire; Nance; Paul; Pollet; Schmidt and Timmons.

Referred to Committee on Appropriations

January 23, 2024

HB 2113 Prime Sponsor, Representative Bateman: Concerning compliance with the housing element requirements of the growth management act. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member;

Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Reed and Taylor.

January 23, 2024

MINORITY recommendation: Without recommendation. Signed by Representatives Hutchins; and Low.

HB 2204 Prime Sponsor, Representative Waters: Creating a special liquor permit. Reported by Committee on Regulated Substances & Gaming

Referred to Committee on Appropriations

January 24, 2024

HB 2122 Prime Sponsor, Representative Thai: Concerning wellness programs for certain health care professionals. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; Cheney; Morgan; Orwall; Reeves and Waters.

Referred to Committee on Rules for second reading

January 23, 2024

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske; Davis; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

HB 2214 Prime Sponsor, Representative Slatter: Permitting beneficiaries of public assistance programs to automatically qualify as income-eligible for the purpose of receiving the Washington college grant. Reported by Committee on Postsecondary Education & Workforce

MINORITY recommendation: Without recommendation. Signed by Representatives Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Caldier; and Graham.

Referred to Committee on Rules for second reading

January 24, 2024

HB 2127 Prime Sponsor, Representative Schmidt: Concerning workers' compensation incentives to return to work. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Chandler; Leavitt; Nance; Paul; Pollet; Schmidt and Timmons.

MINORITY recommendation: Without recommendation. Signed by Representatives Jacobsen; Klicker; and McEntire.

Referred to Committee on Appropriations

January 23, 2024

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

January 23, 2024

HB 2131 Prime Sponsor, Representative Ramel: Promoting the establishment of thermal energy networks. Reported by Committee on Environment & Energy

HB 2255 Prime Sponsor, Representative Waters: Concerning inversion and diversion of cannabis. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; Cheney; Morgan; Orwall; Reeves and Waters.

Referred to Committee on Rules for second reading

January 23, 2024

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Berry; Duerr; Fey; Goehner; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Without recommendation. Signed by Representative Sandlin.

Referred to Committee on Capital Budget

January 23, 2024

HB 2163 Prime Sponsor, Representative Steele: Concerning liquor licensee advertising. Reported by Committee on Regulated Substances & Gaming

HB 2260 Prime Sponsor, Representative Waters: Establishing civil penalties for the unlawful sale or supply of alcohol to minors. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; Cheney; Morgan; Orwall; Reeves and Waters.

Referred to Committee on Rules for second reading

January 25, 2024

MAJORITY recommendation: Do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; Cheney; Morgan; Orwall; Reeves and Waters.

Referred to Committee on Rules for second reading

HB 2321 Prime Sponsor, Representative Bateman: Modifying middle housing requirements and the definitions of transit stop. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Hutchins; Low; Reed and Taylor.

Referred to Committee on Rules for second reading

January 24, 2024

HB 2336 Prime Sponsor, Representative Morgan: Assessing the suitability of lands in Washington for agricultural and renewable energy purposes. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Orcutt; Schmick and Springer.

Referred to Committee on Capital Budget

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10:30 a.m., Monday, January 29, 2024, the 22nd Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

TWENTY SECOND DAY

House Chamber, Olympia, Monday, January 29, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Zoe Shah and Tylor McAlpine. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Frankie Coleman, Sinclair Missionary Baptist Church, Bremerton.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HI 2124 by People of the State of Washington

Concerning state long-term care insurance.

Referred to Committee on Health Care & Wellness.

HB 2485 by Representatives Barkis, Fey and Schmidt

AN ACT Relating to the establishment of an automated highway speed safety camera pilot program; creating a new section; and providing an expiration date.

Referred to Committee on Transportation.

HB 2486 by Representative Wylie

AN ACT Relating to extending the commute trip reduction tax credit program; amending RCW 82.70.020, 82.70.040, and 82.70.900; creating a new section; repealing 2022 c 182 s 503 (uncodified); and providing an expiration date.

Referred to Committee on Finance.

**MOTIONS**

Representative Fitzgibbon moved that the measures printed on today's introductions sheet be considered first reading under the fourth order of business and be referred to the committees so designated.

Representative Abbarno moved to suspend the House Rules to allow a motion to refer HI 2124 to the Health Care and Wellness Committee with instructions to the committee to promptly hold a public hearing consistent with the public notice requirements in House Rule 26(A).

On motion of Representative Griffey, Representatives Corry and Wilcox were excused.

An electronic roll call was requested on the motion to suspend the House Rules.

**ROLL CALL**

The Speaker (Representative Bronoske presiding) stated the question before the House to be the adoption of the motion to suspend the House Rules to allow a motion to refer HI 2124 to the

Health Care and Wellness Committee with instructions to hold a public hearing consistent with the public notice requirements in House Rule 26(A) and the motion to suspend the House Rules was not adopted by the following vote: Yeas, 37; Nays, 59; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chandler, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representatives Corry and Wilcox

Representative Fitzgibbon spoke in favor of the original motion to refer the measures listed on the day's introduction sheet, under the fourth order of business, to the committees so designated.

The motion to refer was adopted, and the measures listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

**REPORTS OF STANDING COMMITTEES**

January 26, 2024

HB 1338

Prime Sponsor, Representative Reeves: Concerning education and vocational programs in state correctional institutions. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: The third substitute bill be substituted therefor and the third substitute bill do pass. Signed by Representatives Slatter, Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Chandler; Jacobsen; Klicker; Leavitt; McEntire; Nance; Paul; Pollet; Schmidt and Timmons.

Referred to Committee on Rules for second reading

January 26, 2024

HB 1876

Prime Sponsor, Representative Springer: Concerning confidential fisheries information collected by other states and maintaining that confidentiality under the public records act. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney,



Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson and Mena.

Referred to Committee on Rules for second reading

January 24, 2024

HB 1909 Prime Sponsor, Representative Low: Adjusting the membership of the pharmacy quality assurance commission. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Calder; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Rules for second reading

January 25, 2024

HB 1915 Prime Sponsor, Representative Rude: Making financial education instruction a graduation prerequisite and a required component of public education. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Appropriations

January 24, 2024

HB 1929 Prime Sponsor, Representative Cortes: Supporting young adults following inpatient behavioral health treatment. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Calder; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

January 25, 2024

HB 1956 Prime Sponsor, Representative Leavitt: Addressing fentanyl and other substance use prevention education. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Appropriations

January 24, 2024

HB 1983

Prime Sponsor, Representative Simmons: Concerning the criminal justice treatment account. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chandler; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

January 24, 2024

HB 2102

Prime Sponsor, Representative Berry: Establishing requirements for the disclosure of health care information for qualifying persons to receive paid family and medical leave benefits. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Calder; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Rules for second reading

January 24, 2024

HB 2109

Prime Sponsor, Representative Ryu: Regulating permanent cosmetics. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Corry; Hackney; Ryu; Santos and Volz.

Referred to Committee on Appropriations

January 25, 2024

HB 2110

Prime Sponsor, Representative Nance: Reorganizing statutory requirements governing high school graduation. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Rules for second reading

January 25, 2024

HB 2201

Prime Sponsor, Representative Doglio: Facilitating linkage of Washington's carbon market with the California-Quebec carbon market. Reported by Committee on Environment & Energy

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Berry; Duerr; Fey; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Dye, Ranking Minority Member; Abbarno; Barnard; and Goehner.

Referred to Committee on Appropriations

January 25, 2024

HB 2236 Prime Sponsor, Representative Shavers: Expanding and strengthening career and technical education core plus programs. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Bergquist; Nance; Ortiz-Self; Pollet; Stonier and Timmons.

MINORITY recommendation: Do not pass. Signed by Representatives Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Couture; Eslick; Harris; McClintock; and Steele.

Referred to Committee on Appropriations

January 24, 2024

HB 2245 Prime Sponsor, Representative Bronoske: Establishing co-response services and training as an essential component of the crisis care continuum. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

January 26, 2024

HB 2257 Prime Sponsor, Representative Goehner: Supporting back country search and rescue organizations and volunteers through the creation of the back country search and rescue grant program. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Christian; Cortes; Shavers; Street and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Senn.

Referred to Committee on Appropriations

January 25, 2024

HB 2267 Prime Sponsor, Representative McEntire: Providing public school students with opportunities for cultural expression at

commencement ceremonies. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2346 Prime Sponsor, Representative Santos: Updating the governor's interagency coordinating council on health disparities. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Gregerson and Mena.

MINORITY recommendation: Without recommendation. Signed by Representatives Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2459 Prime Sponsor, Representative Gregerson: Requiring public investment impact disclosures for certain alternative measures proposed by the legislature to initiatives to the legislature. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Gregerson and Mena.

MINORITY recommendation: Do not pass. Signed by Representatives Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; and Low.

Referred to Committee on Rules for second reading

**FIRST SUPPLEMENTAL REPORT OF STANDING COMMITTEES**

January 26, 2024

HB 1692 Prime Sponsor, Representative Bergquist: Creating student advisory groups. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Gregerson and Mena.

MINORITY recommendation: Do not pass. Signed by Representative Christian, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative Cheney, Ranking Minority Member.

Referred to Committee on Rules for second reading

January 26, 2024

HB 1835 Prime Sponsor, Representative Kretz: Defining frontier counties. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Christian; Cortes; Senn; Shavers; Street and Wilcox.

Referred to Committee on Rules for second reading

January 26, 2024

HB 1889 Prime Sponsor, Representative Walen: Allowing persons to receive professional licenses and certifications regardless of immigration or citizenship status. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Chapman; Donaghy; Hackney; Ryu and Santos.

MINORITY recommendation: Do not pass. Signed by Representatives Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Connors; and Volz.

Referred to Committee on Rules for second reading

January 26, 2024

HB 1945 Prime Sponsor, Representative Alvarado: Streamlining and enhancing program access for persons eligible for food assistance. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Walsh.

MINORITY recommendation: Without recommendation. Signed by Representative Dent.

Referred to Committee on Appropriations

January 26, 2024

HB 1970 Prime Sponsor, Representative McClintock: Improving communication between the department of children, youth, and families and caregivers. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh.

Referred to Committee on Appropriations

January 25, 2024

HB 1985 Prime Sponsor, Representative Timmons: Providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chandler; Chopp; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Schmick; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2062 Prime Sponsor, Representative Schmidt: Concerning exemption of certain personnel of the department of social and health services from civil service. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson and Mena.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2088 Prime Sponsor, Representative Orwall: Extending liability protections for responders dispatched from mobile rapid response crisis teams and community-based crisis teams. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Graham, Assistant Ranking Minority Member; Abbarno; Cheney; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh, Ranking Minority Member.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2138 Prime Sponsor, Representative Rule: Promoting outdoor learning in state parks. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Christian; Cortes; Senn; Shavers; Street and Wilcox.

Referred to Committee on Appropriations

January 26, 2024

HB 2152 Prime Sponsor, Representative Thai: Updating terminology related to criminal insanity and competency to stand trial. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Do not pass. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Abbarno; and Cheney.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2166 Prime Sponsor, Representative Paul: Increasing access to portable orders for life-sustaining treatment. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

January 25, 2024

HB 2170 Prime Sponsor, Representative Gregerson: Making expenditures from the budget stabilization account for declared catastrophic events. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Couture, Assistant Ranking Minority Member; Chandler; Dye; Rude; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Harris; and Schmick.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2185 Prime Sponsor, Representative Dent: Concerning the oversight board for children, youth, and families. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self; Taylor and Walsh.

Referred to Committee on Appropriations

January 25, 2024

HB 2191 Prime Sponsor, Representative Timmons: Adding two voting members that are transit users to the governing body of public transportation benefit areas. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Berry; Chapman; Cortes; Doglio; Duerr; Hackney; Mena; Nance; Ramel; Ramos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Hutchins, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Dent; Orcutt; and Walsh.

MINORITY recommendation: Without recommendation. Signed by Representatives Barkis, Ranking Minority Member; Low, Assistant Ranking Minority Member; Bronoske; Goehner; Griffey; Klicker; and Schmidt.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2221 Prime Sponsor, Representative Orwall: Establishing an American sign language and protactile sign language interpreter work group. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Walsh.

Referred to Committee on Appropriations

January 26, 2024

HB 2242 Prime Sponsor, Representative Orwall: Supporting sexual assault survivors at institutions of higher education. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Slatter, Chair; Reed, Vice Chair; Waters, Assistant Ranking Minority Member; Jacobsen; Leavitt; Nance; Paul; Pollet; Schmidt and Timmons.

MINORITY recommendation: Without recommendation. Signed by Representatives Ybarra, Ranking Minority Member; Chandler; Klicker; and McEntire.

Referred to Committee on Appropriations

January 26, 2024

HB 2248

Prime Sponsor, Representative Bateman: Providing support to individuals with traumatic brain injuries. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives Dent; and Walsh.

Referred to Committee on Appropriations

January 26, 2024

HB 2254

Prime Sponsor, Representative Walen: Implementing recommendations of the 2023 child support schedule work group. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Abbarno; Cheney; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2258

Prime Sponsor, Representative Ormsby: Providing funding for municipalities participating in the regional 911 emergency communications system. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Berg and Riccelli.

MINORITY recommendation: Do not pass. Signed by Representatives Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; and Griffey.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2296

Prime Sponsor, Representative Griffey: Extending the comprehensive plan revision schedule for select local governments. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2339

Prime Sponsor, Representative Chambers: Adjusting certification renewal for home care aides and nursing assistants. Reported

by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Slatter, Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Chandler; Jacobsen; Klicker; McEntire; Nance; Paul; Pollet; Schmidt and Timmons.

MINORITY recommendation: Without recommendation. Signed by Representative Leavitt.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2344

Prime Sponsor, Representative Donaghy: Concerning the effective date of the filing of a notice of intention with a boundary review board. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2348

Prime Sponsor, Representative Street: Concerning county hospital funding. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Berg; Griffey and Riccelli.

MINORITY recommendation: Without recommendation. Signed by Representative Jacobsen, Assistant Ranking Minority Member.

Referred to Committee on Finance

January 26, 2024

HB 2355

Prime Sponsor, Representative Nance: Establishing a primary certification process for magnetic resonance imaging technologists. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Stonier; Thai and Tharinger.

Referred to Committee on Rules for second reading

January 24, 2024

HB 2360

Prime Sponsor, Representative Slatter: Creating the Washington digital empowerment and workforce inclusion act. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Slatter, Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Chandler; Jacobsen; Leavitt; Nance; Paul; Pollet; Schmidt and Timmons.

MINORITY recommendation: Without recommendation. Signed by Representatives Klicker; and McEntire.

Referred to Committee on Appropriations

January 26, 2024

HB 2383 Prime Sponsor, Representative Eslick: Reporting on dependency outcomes. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; and Cheney.

Referred to Committee on Appropriations

January 26, 2024

HB 2391 Prime Sponsor, Representative Leavitt: Concerning county ferries. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2400 Prime Sponsor, Representative Orcutt: Establishing an adopt-a-waterway program. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Christian; Cortes; Senn; Shavers; Street and Wilcox.

Referred to Committee on Appropriations

January 26, 2024

HB 2408 Prime Sponsor, Representative Lekanoff: Concerning methods of communication used by the technology platform designed for the behavioral health crisis response and suicide prevention system. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis;

Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

January 26, 2024

HB 2416 Prime Sponsor, Representative Graham: Changing the legal title for advanced practice nurses. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Stonier; Thai and Tharinger.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2445 Prime Sponsor, Representative Ryu: Concerning the leasing authority of the state parks and recreation commission. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Christian; Cortes; Senn; Shavers; Street and Wilcox.

Referred to Committee on Rules for second reading

January 26, 2024

HJM 4005 Prime Sponsor, Representative Reeves: Affirming Washington's commitment to the Blueprint for an AI Bill of Rights. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: Do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Chapman; Donaghy; Hackney; Ryu and Santos.

MINORITY recommendation: Do not pass. Signed by Representative Volz.

MINORITY recommendation: Without recommendation. Signed by Representatives Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; and Connors.

Referred to Committee on Rules for second reading

There being no objection, the bills and memorial listed on the day's committee reports and supplemental committee reports under the fifth order of business were referred to the committees so designated.

The Speaker assumed the chair.

There being no objection, the House advanced to the sixth order of business.

**SECOND READING**

**HOUSE BILL NO. 1895, by Representatives Thai, Connors, Corry, Ryu, Ortiz-Self, Ramel, Ormsby, Doglio, Fosse, Orwall, Paul, Reeves, Lekanoff, Tharinger and Riccelli**

**Modifying the working families' tax credit by clarifying the refundable nature of the credit, the application requirements, and the eligibility verification process.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Thai and Orcutt spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1895.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1895, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Corry and Wilcox

HOUSE BILL NO. 1895, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1964, by Representatives Ramos, Robertson, Reeves and Hackney**

**Enhancing prorate and fuel tax collections by improving taxpayer compliance, providing additional enforcement mechanisms, and protecting confidential taxpayer information.**

The bill was read the second time.

Representative Goehner moved the adoption of amendment (802):

On page 27, after line 30, insert the following:

**"NEW SECTION. Sec. 21.** A new section is added to chapter 82.38 RCW to read as follows:

(1) The joint legislative audit and review committee must evaluate the effectiveness of the prorate and fuel tax discovery team established in section 13 of this act by determining whether the adjusted average annual revenue ratio meets or exceeds 0.5 percent in the first five complete fiscal years following the enactment of section 13 of this act.

(2) The department must provide the information that the joint legislative audit and review committee determines is necessary for the completion of the evaluation required under this section to the committee.

(3) For the purposes of this section:

(a) "Adjusted average annual revenue ratio" means the ratio of the annual revenue collected by the prorate and fuel tax discovery team, including from fuel tax collections and penalties, during the four highest revenue collection fiscal years in the period described in subsection (1) of this section to the sum of the other annual fuel tax collections by the department for the corresponding fiscal years.

(b) "Other annual fuel tax collections" means the annual revenue collections by the department excluding annual revenue collected by the prorate and fuel tax discovery team.

**NEW SECTION. Sec. 22.** Sections 10, 12, 13, 15, and 20 of this act expire if the joint legislative audit and review committee determines that the adjusted average annual revenue ratio is below 0.5 percent.

**NEW SECTION. Sec. 23.** If sections 10, 12, 13, 15, and 20 of this act expire, the joint legislative audit and review committee must provide written notice of the expiration to the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the joint legislative audit and review committee."

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Representatives Goehner and Orcutt spoke in favor of the adoption of the amendment.

Representative Donaghy spoke against the adoption of the amendment.

Amendment (802) was not adopted.

Representative Ramos moved the adoption of amendment (820):

On page 27, after line 30, insert the following:

**"NEW SECTION. Sec. 21.** The department of licensing must evaluate the revenue impacts and costs of implementing and maintaining the prorate and fuel tax discovery team established in section 13 of this act. The evaluation must include the total amount of fuel taxes, fees, and penalties collected by the department as a result of the activities of the prorate and fuel tax discovery team, as well as all associated expenditures resulting from the department's expanded enforcement efforts. The department must submit a report with the results of this evaluation to the transportation committees of the legislature by November 1, 2028."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Ramos and Robertson spoke in favor of the adoption of the amendment.

Amendment (820) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ramos and Robertson spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 1964.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1964, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Dye, Kretz, McEntire and Walsh  
Excused: Representatives Corry and Wilcox

ENGROSSED HOUSE BILL NO. 1964, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2111, by Representatives Nance, Senn, Simmons, Callan, Tharinger, Lekanoff, Wylie and Reeves**

#### Clarifying requirements for subsidized child care.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Nance and Couture spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 2111.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2111, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Corry and Wilcox

HOUSE BILL NO. 2111, having received the necessary constitutional majority, was declared passed.

#### POINT OF PERSONAL PRIVILEGE

Representative Simmons congratulated Representative Nance on the passage of his first bill through the House and asked the Chamber to acknowledge his accomplishment.

The Speaker called upon Representative Bronoske to preside.

#### SECOND READING

**HOUSE BILL NO. 2015, by Representatives Senn, Schmick, Ryu, Reed, Ormsby, Callan, Macri, Doglio, Lekanoff, Reeves and Tharinger**

**Concerning incentivizing adult family homes to increase bed capacity to seven or eight beds.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2015 was substituted for House Bill No. 2015 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2015 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Senn and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2015.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2015, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Corry and Wilcox

SUBSTITUTE HOUSE BILL NO. 2015, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1955, by Representatives Barnard, Doglio, Ramos, Reeves and Hackney**

**Repealing the greenhouse gas content disclosure provision.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.



Representatives Barnard and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1955.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1955, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Corry and Wilcox

HOUSE BILL NO. 1955, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1961, by Representatives Low, Walen, Leavitt, Eslick, Sandlin, Paul, Couture, Ramel, Ramos, Bateman, Graham, Cheney, Riccelli, Pollet and Shavers**

#### Concerning animal cruelty in the first degree.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Low and Stearns spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1961.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1961, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Chapman

Excused: Representatives Corry and Wilcox

HOUSE BILL NO. 1961, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1939, by Representatives Orwall, Rule, Leavitt, Slatter, Bateman, Reed, Jacobsen, Callan, Macri, Donaghy, Doglio, Goodman, Reeves, Riccelli, Shavers and Hackney**

#### Adopting the social work licensure compact.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1939 was substituted for House Bill No. 1939 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1939 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall and Couture spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1939.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1939, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Corry and Wilcox

SUBSTITUTE HOUSE BILL NO. 1939, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1917, by Representatives Leavitt, Ybarra, Ryu, Volz, Schmidt, Christian, Slatter, Bateman, Chambers, Reeves, Reed, Graham, Simmons, Jacobsen, Timmons, Macri, Gregerson, Calder, Tharinger, Nance, Riccelli, Harris and Shavers**

#### Adopting the physician assistant compact.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Leavitt and Ybarra spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1917.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1917, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Corry and Wilcox

HOUSE BILL NO. 1917, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1920, by Representatives Robertson, Reeves, Ryu and Graham**

**Modifying the public accountancy act.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Robertson and Reeves spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1920.

### **ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1920, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Corry and Wilcox

HOUSE BILL NO. 1920, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:55 a.m., Tuesday, January 30, 2024, the 23rd Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## TWENTY THIRD DAY

House Chamber, Olympia, Tuesday, January 30, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4654**, by Representatives Ortiz-Self and Goodman

WHEREAS, The National Conference of State Legislatures (NCSL) was founded in 1975 and has evolved during the past half-century to become the premier organization solely dedicated to serving state and territorial legislators and legislative staff; and

WHEREAS, It was created from the merger of three organizations that served or represented state legislatures and that shared the belief that legislative service is one of democracy's worthiest pursuits; and

WHEREAS, NCSL is a bipartisan organization with three objectives: To advance the effectiveness, independence, and integrity of state legislatures; to foster interstate communication and cooperation; and to ensure states a strong, cohesive voice in the federal system; and

WHEREAS, Our nation's state legislatures are America's laboratories of democracy and have continually shown that they are the bodies to tackle emerging challenges, and state legislatures are where people from very different backgrounds, representing very different communities, can come together and find common ground; and

WHEREAS, NCSL has facilitated the exchange of ideas, provided critical research and information, and encouraged a rigorous review of complex issues confronting our communities, states, and nation; and

WHEREAS, NCSL strives to strengthen the bonds between America's state legislatures and the international community;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the state of Washington, That the members of this legislative body recognize and commend the National Conference of State Legislatures for their superb leadership and their commitment to the legislative institution; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the National Conference of State Legislatures.

With the consent of the House, HOUSE RESOLUTION NO. 4654 was adopted.

There being no objection, the House advanced to the fourth order of business.

## INTRODUCTION &amp; FIRST READING

HB 2487 by Representatives Lekanoff, Shavers and Nance

AN ACT Relating to education and assistance for displaced farmworkers; adding a new section to chapter 28B.12 RCW; adding a new section to chapter 28C.04 RCW; adding a new section to chapter 28B.145 RCW; adding a new section to chapter 28B.50 RCW; adding a new section to chapter 28B.117 RCW; adding a new section to chapter 28B.115 RCW; adding a new section to chapter 28B.103 RCW; adding a new section to chapter 28B.122 RCW; and adding a new chapter to Title 28B RCW.

Referred to Committee on Postsecondary Education & Workforce.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

January 26, 2024

HB 1648 Prime Sponsor, Representative Reeves: Concerning ticket sales. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: The third substitute bill be substituted therefor and the third substitute bill do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Chapman; Donaghy; Hackney; Ryu and Santos.

MINORITY recommendation: Do not pass. Signed by Representatives Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Connors; and Volz.

Referred to Committee on Appropriations

January 26, 2024

HB 1893 Prime Sponsor, Representative Doglio: Concerning unemployment insurance benefits for striking or lockout workers. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt, Ranking Minority Member; Rude; and Ybarra.

Referred to Committee on Appropriations

January 26, 2024

HB 1899 Prime Sponsor, Representative Volz: Facilitating reconstruction of communities damaged or destroyed by wildfires. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Berg; Griffey and Riccelli.

MINORITY recommendation: Without recommendation. Signed by Representative Jacobsen, Assistant Ranking Minority Member.

Referred to Committee on Appropriations

January 26, 2024

HB 1959 Prime Sponsor, Representative Walen: Extending parts of the paid family and medical leave program to employers with fewer than 50 employees. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt, Ranking Minority Member; Rude; and Ybarra.

Referred to Committee on Appropriations

January 26, 2024

HB 1991 Prime Sponsor, Representative Fosse: Concerning paid sick leave. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2100 Prime Sponsor, Representative Farivar: Reducing the impacts of mass layoffs. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2136 Prime Sponsor, Representative Ormsby: Concerning prevailing wage sanctions, penalties, and debarment. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2226 Prime Sponsor, Representative Ortiz-Self: Concerning collecting data on the H-2A worker program and from certain hand harvesters. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt, Ranking Minority Member; Rude; and Ybarra.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2237 Prime Sponsor, Representative Taylor: Concerning limitations in parenting plans. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Abbarno; Cheney; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2252 Prime Sponsor, Representative Klicker: Allowing small business establishments in residential zones. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

January 26, 2024

HB 2325 Prime Sponsor, Representative Fitzgibbon: Concerning state legislative employee collective bargaining. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt, Ranking Minority Member; Rude; and Ybarra.

Referred to Committee on Appropriations

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10:30 a.m., Wednesday, January 31, 2024, the 24th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## TWENTY FOURTH DAY

House Chamber, Olympia, Wednesday, January 31, 2024

January 29, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Sam Browne and Sophia Long. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Carla Spaccarotelli, Lutheran Minister and Hospital Chaplain at Providence St. Peter and Centralia Hospitals.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

**SPEAKER'S PRIVILEGE**

The Speaker (Representative Orwall presiding) announced that on January 30th, the House adopted House Resolution No. 4654 recognizing the National Conference of State Legislatures (NCSL) and its upcoming 50th anniversary. Joining us in the gallery is Holly South from the National Conference of State Legislatures. The Speaker is pleased to welcome her to the House today.

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HB 2488 by Representatives Dent, Dye, Eslick, Christian and Schmidt

AN ACT Relating to protecting the free exercise of religion from executive overreach during gubernatorial proclamations; and amending RCW 43.06.220.

Referred to Committee on State Government & Tribal Relations.

HB 2489 by Representatives Orcutt, Donaghy and Schmidt

AN ACT Relating to creating several new special license plates; reenacting and amending RCW 46.17.220, 46.18.200, 46.68.420, and 46.68.425; adding new sections to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 2490 by Representative Hackney

AN ACT Relating to the fee disposition for the Seattle Sounders FC special license plate; reenacting and amending RCW 46.68.420; and providing an effective date.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

**REPORTS OF STANDING COMMITTEES**HB 1185

Prime Sponsor, Representative Hackney: Reducing environmental impacts associated with lighting products. Reported by Committee on Environment & Energy

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Berry; Duerr; Fey; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Abbarno; Barnard; Goehner; and Sandlin.

Referred to Committee on Rules for second reading

January 29, 2024

HB 1228

Prime Sponsor, Representative Ortiz-Self: Building a multilingual, multiliterate Washington through dual and tribal language education. Reported by Committee on Education

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Appropriations

January 29, 2024

HB 1365

Prime Sponsor, Representative Dye: Improving Puget Sound water quality. Reported by Committee on Environment & Energy

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Doglio, Chair; Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Berry; Duerr; Fey; Goehner; Lekanoff; Ramel; Sandlin; Slatter and Street.

MINORITY recommendation: Without recommendation. Signed by Representative Mena, Vice Chair.

Referred to Committee on Capital Budget

January 29, 2024

HB 1396

Prime Sponsor, Representative Goodman: Concerning persons sentenced for aggravated first degree murder committed prior to reaching 21 years of age. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Do not pass. Signed by Representatives Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; and Graham.

Referred to Committee on Rules for second reading

January 29, 2024

E2SHB 1565 Prime Sponsor, Appropriations: Supporting and strengthening the professional education workforce. Reported by Committee on Education

MAJORITY recommendation: The third substitute bill be substituted therefor and the third substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; Bergquist; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Stonier and Timmons.

MINORITY recommendation: Do not pass. Signed by Representative Steele.

MINORITY recommendation: Without recommendation. Signed by Representatives McEntire, Assistant Ranking Minority Member; and Couture.

Referred to Committee on Rules for second reading

January 30, 2024

HB 1752 Prime Sponsor, Representative Dye: Modifying the application of the annual consumptive quantity calculation to change applications related to certain water rights held by the United States bureau of reclamation. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Rules for second reading

January 29, 2024

HB 1935 Prime Sponsor, Representative Bergquist: Promoting resource conservation practices that include student education and leadership opportunities in public schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; McEntire, Assistant Ranking Minority Member; Bergquist; Eslick; Harris; Nance; Ortiz-Self; Pollet; Stonier and Timmons.

MINORITY recommendation: Do not pass. Signed by Representatives Rude, Ranking Minority Member; Couture; McClintock; and Steele.

Referred to Committee on Appropriations

January 30, 2024

HB 1992 Prime Sponsor, Representative Timmons: Adding an additional superior court judge in

Whatcom county. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

Referred to Committee on Appropriations

January 29, 2024

HB 1999 Prime Sponsor, Representative Orwall: Concerning fabricated intimate or sexually explicit images and depictions. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2001 Prime Sponsor, Representative Simmons: Providing judicial discretion to modify sentences in the interests of justice. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Do not pass. Signed by Representatives Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; and Graham.

Referred to Committee on Appropriations

January 30, 2024

HB 2003 Prime Sponsor, Representative Connors: Concerning an exemption to the leasehold excise tax for leases on public lands. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Chopp.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2006 Prime Sponsor, Representative Peterson: Concerning court interpreters. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair;

Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chambers, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Chandler; Dye; and Schmick.

MINORITY recommendation: Without recommendation. Signed by Representatives Connors, Assistant Ranking Minority Member; Rude; and Sandlin.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2037 Prime Sponsor, Representative Couture: Concerning Holocaust and genocide education in public schools. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2070 Prime Sponsor, Representative Mena: Integrating environmental justice considerations into certain project decisions. Reported by Committee on Environment & Energy

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Ybarra, Assistant Ranking Minority Member; Berry; Duerr; Fey; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Dye, Ranking Minority Member; Abbarno; Goehner; and Sandlin.

MINORITY recommendation: Without recommendation. Signed by Representative Barnard.

Referred to Committee on Appropriations

January 30, 2024

HB 2074 Prime Sponsor, Representative Dye: Limiting the application of certain civil penalties to protect landowners from incurring penalties based on the actions of the landowner's lessee. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kretz; Lekanoff; Orcutt; Schmick and Springer.

MINORITY recommendation: Without recommendation. Signed by Representative Kloba.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2084 Prime Sponsor, Representative Fosse: Establishing an oversight committee to improve construction-related training and pathways to state registered apprenticeships in state correctional facilities. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Without recommendation. Signed by Representative Graham.

Referred to Committee on Appropriations

January 30, 2024

HB 2120 Prime Sponsor, Representative Barnard: Concerning tax preferences for clean energy manufacturers. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2130 Prime Sponsor, Representative Pollet: Extending special education services. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Appropriations

January 29, 2024

HB 2169 Prime Sponsor, Representative Mosbrucker: Concerning a pilot program creating a healthier environment for correctional officers, department of corrections staff, and individuals within a correctional facility. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Appropriations

January 29, 2024

HB 2194 Prime Sponsor, Representative Kloba: Legalizing the home cultivation of cannabis. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Cheney; Morgan; Orwall and Waters.

MINORITY recommendation: Do not pass. Signed by Representatives Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; and Reeves.

Referred to Committee on Appropriations

January 30, 2024

HB 2199 Prime Sponsor, Representative Orcutt: Creating business and occupation and public utility tax exemptions for certain amounts received as the result of receipt, generation, purchase, sale, transfer, or retirement of allowances, offset credits, or price ceiling units under the climate commitment act. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2239 Prime Sponsor, Representative Timmons: Supporting student well-being through instruction in social-emotional skills. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Bergquist; Eslick; Harris; Nance; Ortiz-Self; Pollet; Stonier and Timmons.

MINORITY recommendation: Do not pass. Signed by Representatives Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Couture; and Steele.

MINORITY recommendation: Without recommendation. Signed by Representative McClintock.

Referred to Committee on Appropriations

January 29, 2024

HB 2275 Prime Sponsor, Representative Reeves: Concerning senior independent living facilities. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Hutchins; Low; Reed and Taylor.

Referred to Committee on Appropriations

January 30, 2024

HB 2302 Prime Sponsor, Representative Dent: Extending the pesticide application safety

committee. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2308 Prime Sponsor, Representative Walen: Concerning housing affordability tax incentives for existing structures. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Entenman; Hutchins; Low; Reed and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Chopp.

Referred to Committee on Finance

January 29, 2024

HB 2311 Prime Sponsor, Representative Davis: Supporting first responder wellness and peer support. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Appropriations

January 25, 2024

HB 2318 Prime Sponsor, Representative Orcutt: Concerning state route number 501. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Walsh and Wylie.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2320 Prime Sponsor, Representative Davis: Concerning high THC cannabis products. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns,



Vice Chair; Chambers, Ranking Minority Member; Calder; Morgan; Orwall; Reeves and Waters.

MINORITY recommendation: Without recommendation. Signed by Representatives Robertson, Assistant Ranking Minority Member; and Cheney.

Referred to Committee on Appropriations

January 29, 2024

HB 2331 Prime Sponsor, Representative Stonier: Modifying requirements for public school instructional and supplemental instructional materials. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Bergquist; Nance; Ortiz-Self; Pollet; Stonier and Timmons.

MINORITY recommendation: Do not pass. Signed by Representatives Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Couture; Eslick; McClintock; and Steele.

MINORITY recommendation: Without recommendation. Signed by Representative Harris.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2333 Prime Sponsor, Representative Reeves: Assessing the carbon sequestration potential of state-owned lands for the purpose of generating offset credits under the climate commitment act. Reported by Committee on Environment & Energy

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Berry; Duerr; Fey; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; and Sandlin.

MINORITY recommendation: Without recommendation. Signed by Representative Goehner.

Referred to Committee on Capital Budget

January 29, 2024

HB 2401 Prime Sponsor, Representative Duerr: Providing for the responsible management of refrigerant gases with a higher global warming potential than carbon dioxide that are used in appliances or other infrastructure. Reported by Committee on Environment & Energy

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Dye, Ranking Minority Member; Abbarno; Berry; Duerr; Fey; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Without recommendation. Signed by Representatives Ybarra, Assistant Ranking Minority Member; Barnard; Goehner; and Sandlin.

Referred to Committee on Appropriations

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

## SECOND READING

**HOUSE BILL NO. 1880, by Representatives McClintock, Duerr, Ryu, Leavitt, Waters, Reed, Cheney and Reeves**

**Concerning architecture licensing examinations.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1880 was substituted for House Bill No. 1880 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1880 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McClintock and Duerr spoke in favor of the passage of the bill.

## MOTION

On motion of Representative Griffey, Representative Corry was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1880.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1880, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Corry

SUBSTITUTE HOUSE BILL NO. 1880, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1867, by Representatives Walen, Chapman and Santos**

**Eliminating the estate tax filing requirement for certain estates involving a qualifying familial residence.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Berg and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1867.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1867, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Corry

HOUSE BILL NO. 1867, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2209, by Representatives Thai, Ryu, Gregerson, Senn, Santos, Ramel, Reeves, Morgan, Reed, Fosse, Cortes, Macri, Doglio, Paul, Pollet and Riccelli**

#### Celebrating lunar new year.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Thai and Low spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2209.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2209, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Orcutt

Excused: Representative Corry

HOUSE BILL NO. 2209, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1635, by Representatives Mosbrucker, Walsh and Eslick**

**Limiting liability arising from the use of trained police dogs.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Mosbrucker and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1635.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1635, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Corry

HOUSE BILL NO. 1635, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

### THIRD READING

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1362, by House Committee on State Government & Tribal Relations (originally sponsored by Stearns, Reeves, Abbarno, Gregerson, Lekanoff and Tharinger)**

**Improving government efficiency related to reports by state agencies by eliminating reports, changing the frequency of reports, and providing an alternative method for having information publicly available in place of reports.**

The bill was read the third time.

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 1362 was returned to second reading for the purpose of amendment.

Representative Stearns moved the adoption of the striking amendment (795):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** INTENT AND FINDINGS. (1) The legislature finds that requiring state agencies to report to the legislature is an important method of providing information and keeping the legislature informed on the implementation and impacts of legislation. Some reports provide information that is no longer relevant or useful to the legislature, which can be discerned by the lack of interest in the report. There are other reports that are redundant as the information is provided through other means. In addition, preparing reports is time consuming, and there may be better, more efficient mechanisms for sharing information with legislators as well as the public, such as posting the information on agency websites. Finally, some reports are required on a more frequent basis than is necessary, as the information does not change to an extent that merits the increased frequency.

(2) In order to improve agency efficiency and still ensure that information is publicly available and provided to the legislature as needed, it is the intent of this act to eliminate reports that no longer serve a relevant purpose, change reporting frequency where warranted, and provide alternative mechanisms in place of submitting reports where appropriate.

**PART I  
MODIFICATIONS TO REPORTS**

**Sec. 2.** RCW 28A.180.020 and 2017 c 123 s 1 are each amended to read as follows:

The superintendent of public instruction shall review annually the transitional bilingual instruction program and shall submit a report of such review to the legislature on or before ~~((February))~~ March 1st of each year.

**Sec. 3.** RCW 28A.230.150 and 2018 c 109 s 3 are each amended to read as follows:

(1) On January 16th of each year or the preceding Friday when January 16th falls on a nonschool day, there shall be observed within each public school "Temperance and Good Citizenship Day." Annually the state superintendent of public instruction shall duly prepare and publish for circulation among the teachers of the state a program for use on such day embodying topics pertinent thereto and may from year to year designate particular laws for special observance.

(2) Each year on "Temperance and Good Citizenship Day," social studies teachers must, as resources allow, coordinate a voter registration event in each history or social studies class attended by high school seniors. This event is part of the future voter program. Teachers must make voter sign up and registration available to all students.

(3) County auditors may, as resources allow, help coordinate elements of the future voter program, and participate in voter registration events for students on "Temperance and Good Citizenship Day."

(4) On each temperance and good citizenship day all students who will be

eighteen years of age or older by the time of the next general election will be given the opportunity to register to vote online in the classroom. Paper registration must also be made available in the classroom. Students who do not possess a state identicard or driver's license must be provided a paper registration form. The event must include adequate time for students to complete the registration process in class.

(5) The superintendent of public instruction, in consultation with the secretary of state, must update and distribute youth voter registration materials annually, by December 1st, for eligible students to register to vote at school. Electronic notification of the availability of the materials must be distributed to high school principals and secondary social studies and history teachers.

(6) The superintendent of public instruction must consult with the secretary of state to provide registration methods that enable the electronic collection of information on the number of students who registered to vote on "Temperance and Good Citizenship Day," with the goal of achieving at least fifty thousand new voter registrations for seventeen and eighteen year olds annually, beginning in January 2020.

(7) Beginning March 1, 2020, and annually thereafter by May 1st, the superintendent of public instruction must report on yearly progress toward the goal established in subsection ~~((+5))~~ (6) of this section, including the number of ~~((seventeen))~~ 17 and ~~((eighteen))~~ 18 year olds registered to vote by county and recommendations for increasing youth voter registration, to the governor and the appropriate standing committees of the legislature in accordance with RCW 43.01.036.

(8) For the purposes of this section:

(a) "Future voter program" refers to the information that may be collected by a number of processes about a future voter. Information that is otherwise disclosable under chapter 29A.08 RCW cannot be disclosed on the future voter until the person reaches age eighteen, except for the purpose of processing and delivering ballots.

(b) "Sign up" means the act of providing information relevant to eventual official voter registration, prior to such time that he or she will be eighteen years of age by the next election.

**Sec. 4.** RCW 28A.300.476 and 2022 c 109 s 2 are each amended to read as follows:

(1) By February 1, 2023, and by ~~((February))~~ March 1st every odd-numbered year thereafter, the office of the superintendent of public instruction shall submit, in accordance with RCW 43.01.036, to the appropriate committees of the legislature a report analyzing the implementation of RCW 28A.150.260(5)(b), related to physical, social, and emotional support staff.

(2) For the analysis, the office of the superintendent of public instruction must use personnel data reported on or around

October 1st of the report year and the prior year, and any other relevant data.

(3) Except as provided in subsection (4) of this section, the report must:

(a) Compare the staffing units provided for nurses, social workers, psychologists, counselors, classified staff providing student and staff safety, and parent involvement coordinators under RCW 28A.150.260(5) to the actual school district staffing levels for physical, social, and emotional support staff, disaggregate by school district; and

(b) Analyze trends with respect to: (i) Employed staff and contract staff; and (ii) the percentage of staff with a valid educational staff associate certificate. These trends must be disaggregated by assignment duty code, as well as analyzed year over year and by school district size and geography.

(4) For the report due February 1, 2023, the office of the superintendent of public instruction is required to complete the analysis described in subsection (3) of this section only to the extent that relevant data are available.

(5) For the purposes of this section, "physical, social, and emotional support staff" or "staff" has the same meaning as in RCW 28A.150.260(5)(b).

(6) This section expires June 30, 2030.

**Sec. 5.** RCW 28A.300.615 and 2020 c 8 s 3 are each amended to read as follows:

(1) By ~~((October))~~ March 1st of each year, a school district must report to the office of the superintendent of public instruction:

(a) The number of substitute teachers hired per school year;

(b) The number of hours worked by each substitute teacher;

(c) The number of substitute teachers that received benefits under the school employees' benefits board;

(d) The full daily compensation rate per substitute teacher; and

(e) The reason for hiring the substitute teacher.

(2) By ~~((January))~~ May 1st of each year, the office of the superintendent of public instruction must post on its website the information identified in subsection (1) of this section.

**Sec. 6.** RCW 28A.655.090 and 2019 c 252 s 120 are each amended to read as follows:

(1) By September 10, 1998, and by ~~((September 10th))~~ October 1st each year thereafter, the superintendent of public instruction shall report to schools, school districts, and the legislature on the results of the statewide student assessment.

(2) The reports shall include the assessment results by school and school district, and include changes over time. For the statewide student assessment, results shall be reported as follows:

(a) The percentage of students meeting the standards;

(b) The percentage of students performing at each level of the assessment;

(c) Disaggregation of results by at least the following subgroups of students: White, Black, Hispanic, American Indian/Alaskan

Native, Asian, Pacific Islander/Hawaiian Native, low income, transitional bilingual, migrant, special education, and, beginning with the 2009-10 school year, students covered by section 504 of the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794); and

(d) A learning improvement ~~((index))~~ indicator that shows changes in student performance within the different levels of student learning reported on the statewide student assessment.

(3) The reports shall contain data regarding the different characteristics of schools, such as poverty levels, percent of English as a second language students, dropout rates, attendance, percent of students in special education, and student mobility so that districts and schools can learn from the improvement efforts of other schools and districts with similar characteristics.

~~((4))~~ ~~((The reports shall contain student scores on mandated tests by comparable Washington schools of similar characteristics.~~

~~((5))~~ The reports shall contain information on public school choice options available to students, including vocational education.

~~((6))~~ (5) The reports shall be posted on the superintendent of public instruction's internet website.

~~((7))~~ (6) To protect the privacy of students, the results of schools and districts that test fewer than ten students in a grade level shall not be reported. In addition, in order to ensure that results are reported accurately, the superintendent of public instruction shall maintain the confidentiality of statewide data files until the superintendent determines that the data are complete and accurate.

~~((8))~~ (7) The superintendent of public instruction shall monitor the percentage and number of special education and limited English-proficient students exempted from taking the assessments by schools and school districts to ensure the exemptions are in compliance with exemption guidelines.

**Sec. 7.** RCW 28A.655.260 and 2023 c 349 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall collect the following information from school districts: Which of the graduation pathways under RCW 28A.655.250 are available to students at each of the school districts; and the number of students using each graduation pathway for graduation purposes. This information shall be reported ~~((annually))~~ to the education committees of the legislature beginning January 10, 2021, and by March 10th each year thereafter. To the extent feasible, data on student participation in each of the graduation pathways shall be disaggregated by race, ethnicity, gender, and receipt of free or reduced-price lunch.

(2) The state board of education shall review and monitor the implementation of the graduation pathway options to ensure school district compliance with requirements established under RCW 28A.655.250 and subsection (3) of this section. The reviews

and monitoring required by this subsection may be conducted concurrently with other oversight and monitoring conducted by the state board of education. The information shall be collected annually and reported to the education committees of the legislature by January 10, 2025, and biennially thereafter.

(3)(a) At least annually, school districts shall examine data on student groups participating in and completing each graduation pathway option offered by the school district. At a minimum, the data on graduation pathway participation and completion must be disaggregated by the student groups described in RCW 28A.300.042 (1) and (3), and by:

(i) Gender;

(ii) Students who are the subject of a dependency proceeding pursuant to chapter 13.34 RCW;

(iii) Students who are experiencing homelessness as defined in RCW 28A.300.542((4))~~(6)~~; and

(iv) Multilingual/English learners.

(b) If the results of the analysis required under (a) of this subsection show disproportionate participation and completion rates by student groups, then the school district shall identify reasons for the observed disproportionality and implement strategies as appropriate to ensure the graduation pathway options are equitably available to all students in the school district.

**Sec. 8.** RCW 43.43.545 and 2020 c 26 s 6 are each amended to read as follows:

(1) The Washington state patrol shall create and operate a statewide sexual assault kit tracking system. The Washington state patrol may contract with state or nonstate entities including, but not limited to, private software and technology providers, for the creation, operation, and maintenance of the system.

(2) The statewide sexual assault kit tracking system must:

(a) Track the location and status of sexual assault kits throughout the criminal justice process, including the initial collection in examinations performed at medical facilities, receipt and storage at law enforcement agencies, receipt and analysis at forensic laboratories, and storage and any destruction after completion of analysis;

(b) Designate sexual assault kits as unreported or reported;

(c) Indicate whether a sexual assault kit contains biological materials collected for the purpose of forensic toxicological analysis;

(d) Allow medical facilities performing sexual assault forensic examinations, law enforcement agencies, prosecutors, the Washington state patrol bureau of forensic laboratory services, and other entities having custody of sexual assault kits to update and track the status and location of sexual assault kits;

(e) Allow victims of sexual assault to anonymously track or receive updates regarding the status of their sexual assault kits; and

(f) Use electronic technology or technologies allowing continuous access.

(3) The Washington state patrol may use a phased implementation process in order to launch the system and facilitate entry and use of the system for required participants. The Washington state patrol may phase initial participation according to region, volume, or other appropriate classifications. All entities having custody of sexual assault kits shall fully participate in the system no later than June 1, 2018. The Washington state patrol shall submit a report on the current status and plan for launching the system, including the plan for phased implementation, to the joint legislative task force on sexual assault forensic examination best practices, the appropriate committees of the legislature, and the governor no later than January 1, 2017.

(4) The Washington state patrol shall submit ~~((a semiannual))~~ an annual report on the statewide sexual assault kit tracking system to the joint legislative task force on sexual assault forensic examination best practices, the appropriate committees of the legislature, and the governor. The Washington state patrol may publish the current report on its website. The first report is due ~~((July 31, 2018))~~ January 31, 2025, and subsequent reports are due January 31st ~~((and July 31st))~~ of each year. The report must include the following:

(a) The total number of sexual assault kits in the system statewide and by jurisdiction;

(b) The total and semiannual number of sexual assault kits where forensic analysis has been completed statewide and by jurisdiction;

(c) The number of sexual assault kits added to the system in the reporting period statewide and by jurisdiction;

(d) The total and semiannual number of sexual assault kits where forensic analysis has been requested but not completed statewide and by jurisdiction;

(e) The average and median length of time for sexual assault kits to be submitted for forensic analysis after being added to the system, including separate sets of data for all sexual assault kits in the system statewide and by jurisdiction and for sexual assault kits added to the system in the reporting period statewide and by jurisdiction;

(f) The average and median length of time for forensic analysis to be completed on sexual assault kits after being submitted for analysis, including separate sets of data for all sexual assault kits in the system statewide and by jurisdiction and for sexual assault kits added to the system in the reporting period statewide and by jurisdiction;

(g) The total and semiannual number of sexual assault kits destroyed or removed from the system statewide and by jurisdiction;

(h) The total number of sexual assault kits, statewide and by jurisdiction, where forensic analysis has not been completed and six months or more have passed since those sexual assault kits were added to the system; and

(i) The total number of sexual assault kits, statewide and by jurisdiction, where forensic analysis has not been completed and one year or more has passed since those sexual assault kits were added to the system.

(5) For the purpose of reports under subsection (4) of this section, a sexual assault kit must be assigned to the jurisdiction associated with the law enforcement agency anticipated to receive the sexual assault kit or otherwise having custody of the sexual assault kit.

(6) Any public agency or entity, including its officials and employees, and any hospital and its employees providing services to victims of sexual assault may not be held civilly liable for damages arising from any release of information or the failure to release information related to the statewide sexual assault kit tracking system, so long as the release was without gross negligence.

(7) The Washington state patrol shall adopt rules as necessary to implement this section.

(8) For the purposes of this section:

(a) "Reported sexual assault kit" means a sexual assault kit where a law enforcement agency has received a related report or complaint alleging a sexual assault or other crime has occurred;

(b) "Sexual assault kit" includes all evidence collected during a sexual assault medical forensic examination; and

(c) "Unreported sexual assault kit" means a sexual assault kit where a law enforcement agency has not received a related report or complaint alleging a sexual assault or other crime has occurred.

**Sec. 9.** RCW 43.63A.510 and 2018 c 217 s 1 are each amended to read as follows:

(1) The department must work with the designated agencies to identify, catalog, and recommend best use of under-utilized, state-owned land and property suitable for the development of affordable housing for very low-income, low-income or moderate-income households. The designated agencies must provide an inventory of real property that is owned or administered by each agency and is vacant or available for lease or sale. The department must work with the designated agencies to include in the inventories a consolidated list of any property transactions executed by the agencies under the authority of RCW 39.33.015, including the property appraisal, the terms and conditions of sale, lease, or transfer, the value of the public benefit, and the impact of transaction to the agency. The inventories with revisions must be provided to the department by November 1st of each year.

(2) The department must consolidate inventories into two groups: Properties suitable for consideration in affordable housing development; and properties not suitable for consideration in affordable housing development. In making this determination, the department must use industry accepted standards such as: Location, approximate lot size, current land use designation, and current zoning

classification of the property. The department shall provide a recommendation, based on this grouping, ~~((to the office of financial management and appropriate policy and fiscal committees of the legislature))~~ by posting the information on the department's website by December 1st of each year.

(3) Upon written request, the department shall provide a copy of the inventory of state-owned and publicly owned lands and buildings to parties interested in developing the sites for affordable housing.

(4) As used in this section:

(a) "Affordable housing" means residential housing that is rented or owned by a person who qualifies as a very low-income, low-income, or moderate-income household or who is from a special needs population, and whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income.

(b) "Very low-income household" means a single person, family, or unrelated persons living together whose income is at or below fifty percent of the median income, adjusted for household size, for the county where the affordable housing is located.

(c) "Low-income household" means a single person, family, or unrelated persons living together whose income is more than fifty percent but is at or below eighty percent of the median income where the affordable housing is located.

(d) "Moderate-income household" means a single person, family, or unrelated persons living together whose income is more than eighty percent but is at or below one hundred fifteen percent of the median income where the affordable housing is located.

(e) "Affordable housing development" means state-owned real property appropriate for sale, transfer, or lease to an affordable housing developer capable of:

(i) Receiving the property within one hundred eighty days; and

(ii) Creating affordable housing units for occupancy within thirty-six months from the time of transfer.

(f) "Designated agencies" means the Washington state patrol, the state parks and recreation commission, and the departments of natural resources, social and health services, corrections, and enterprise services.

**Sec. 10.** RCW 43.280.100 and 2013 c 121 s 7 are each amended to read as follows:

(1) The department of commerce shall annually prepare and ~~((submit an annual report to the legislature))~~ post, on the department's website, the amount of revenue collected by local jurisdictions under RCW 9.68A.105, 9A.88.120, or 9A.88.140 and the expenditure of that revenue.

(2) Any funds remitted to the department of commerce pursuant to RCW 9.68A.105, 9A.88.120, or 9A.88.140 shall be spent on the fulfillment of the duties described in subsection (1) of this section. Any remaining funds may be spent on the administration of grants for services for victims of the commercial sex trade, consistent with this chapter.

**Sec. 11.** RCW 48.43.0128 and 2021 c 280 s 3 are each amended to read as follows:

(1) A health carrier offering a nongrandfathered health plan or a plan deemed by the commissioner to have a short-term limited purpose or duration, or to be a student-only plan that is guaranteed renewable while the covered person is enrolled as a regular, full-time undergraduate student at an accredited higher education institution may not:

(a) In its benefit design or implementation of its benefit design, discriminate against individuals because of their age, expected length of life, present or predicted disability, degree of medical dependency, quality of life, or other health conditions; and

(b) With respect to the health plan or plan deemed by the commissioner to have a short-term limited purpose or duration, or to be a student-only plan that is guaranteed renewable while the covered person is enrolled as a regular, full-time undergraduate student at an accredited higher education institution, discriminate on the basis of race, color, national origin, disability, age, sex, gender identity, or sexual orientation.

(2) Nothing in this section may be construed to prevent a carrier from appropriately utilizing reasonable medical management techniques.

(3) For health plans issued or renewed on or after January 1, 2022:

(a) A health carrier may not deny or limit coverage for gender-affirming treatment when that treatment is prescribed to an individual because of, related to, or consistent with a person's gender expression or identity, as defined in RCW 49.60.040, is medically necessary, and is prescribed in accordance with accepted standards of care.

(b) A health carrier may not apply categorical cosmetic or blanket exclusions to gender-affirming treatment. When prescribed as medically necessary gender-affirming treatment, a health carrier may not exclude as cosmetic services facial feminization surgeries and other facial gender-affirming treatment, such as tracheal shaves, hair electrolysis, and other care such as mastectomies, breast reductions, breast implants, or any combination of gender-affirming procedures, including revisions to prior treatment.

(c) A health carrier may not issue an adverse benefit determination denying or limiting access to gender-affirming services, unless a health care provider with experience prescribing or delivering gender-affirming treatment has reviewed and confirmed the appropriateness of the adverse benefit determination.

(d) Health carriers must comply with all network access rules and requirements established by the commissioner.

(4) For the purposes of this section, "gender-affirming treatment" means a service or product that a health care provider, as defined in RCW 70.02.010, prescribes to an individual to treat any condition related to the individual's gender identity and is prescribed in accordance with generally accepted standards of care. Gender-affirming treatment must be covered in a manner

compliant with the federal mental health parity and addiction equity act of 2008 and the federal affordable care act. Gender-affirming treatment can be prescribed to two spirit, transgender, nonbinary, intersex, and other gender diverse individuals.

(5) Nothing in this section may be construed to mandate coverage of a service that is not medically necessary.

(6) By December 1, 2022, the commissioner, in consultation with the health care authority and the department of health, must issue a report on geographic access to gender-affirming treatment across the state. The report must include the number of gender-affirming providers offering care in each county, the carriers and medicaid managed care organizations those providers have active contracts with, and the types of services provided by each provider in each region. The commissioner must update the report ((biannually))biennially and post the report on its website.

(7) The commissioner shall adopt any rules necessary to implement subsections (3), (4), and (5) of this section.

(8) Unless preempted by federal law, the commissioner shall adopt any rules necessary to implement subsections (1) and (2) of this section, consistent with federal rules and guidance in effect on January 1, 2017, implementing the patient protection and affordable care act.

**Sec. 12.** RCW 61.24.163 and 2023 c 206 s 5 are each amended to read as follows:

(1) The foreclosure mediation program established in this section applies only to borrowers who have been referred to mediation by a housing counselor or attorney. The referral to mediation may be made any time after a notice of default has been issued but no later than 90 days prior to the date of sale listed in the notice of trustee's sale. If an amended notice of trustee's sale is recorded after the trustee sale has been stayed pursuant to RCW 61.24.130, the borrower may be referred to mediation no later than 25 days prior to the date of sale listed in the amended notice of trustee's sale. If the borrower has failed to elect to mediate within the applicable time frame, the borrower and the beneficiary may, but are under no duty to, agree in writing to enter the foreclosure mediation program. The mediation program under this section is not governed by chapter 7.07 RCW and does not preclude mediation required by a court or other provision of law.

(2) A housing counselor or attorney referring a borrower to mediation shall send a notice to the borrower and the department, stating that mediation is appropriate.

(3) Within 10 days of receiving the notice, the department shall:

(a) Send a notice to the beneficiary, the borrower, the housing counselor or attorney who referred the borrower, and the trustee stating that the parties have been referred to mediation. The notice must include the statements and list of documents and information described in subsections (4) and (5) of this section and a statement

explaining each party's responsibility to pay the mediator's fee; and

(b) Select a mediator and notify the parties of the selection.

(4) Within 23 days of the department's notice that the parties have been referred to mediation, the borrower shall transmit the documents required for mediation to the mediator and the beneficiary. The required documents include an initial homeowner financial information worksheet as required by the department. The worksheet must include, at a minimum, the following information:

(a) The borrower's current and future income;

(b) Debts and obligations;

(c) Assets;

(d) Expenses;

(e) Tax returns for the previous two years;

(f) Hardship information;

(g) Other applicable information commonly required by any applicable federal mortgage relief program.

(5) Within 20 days of the beneficiary's receipt of the borrower's documents, the beneficiary shall transmit the documents required for mediation to the mediator and the borrower. The required documents include:

(a) An accurate statement containing the balance of the loan within 30 days of the date on which the beneficiary's documents are due to the parties;

(b) Copies of the note and deed of trust;

(c) Proof that the entity claiming to be the beneficiary is the owner of any promissory note or obligation secured by the deed of trust. Sufficient proof may be a copy of the declaration described in RCW 61.24.030(7)(a);

(d) The best estimate of any arrearage and an itemized statement of the arrearages;

(e) An itemized list of the best estimate of fees and charges outstanding;

(f) The payment history and schedule for the preceding twelve months, or since default, whichever is longer, including a breakdown of all fees and charges claimed;

(g) All borrower-related and mortgage-related input data used in any net present values analysis. If no net present values analysis is required by the applicable federal mortgage relief program, then the input data required under the federal deposit insurance corporation and published in the federal deposit insurance corporation loan modification program guide, or if that calculation becomes unavailable, substantially similar input data as determined by the department;

(h) An explanation regarding any denial for a loan modification, forbearance, or other alternative to foreclosure in sufficient detail for a reasonable person to understand why the decision was made;

(i) Appraisal or other broker price opinion most recently relied upon by the beneficiary not more than 90 days old at the time of the scheduled mediation; and

(j) The portion or excerpt of the pooling and servicing agreement or other investor restriction that prohibits the beneficiary from implementing a modification, if the beneficiary claims it cannot implement a

modification due to limitations in a pooling and servicing agreement or other investor restriction, and documentation or a statement detailing the efforts of the beneficiary to obtain a waiver of the pooling and servicing agreement or other investor restriction provisions.

(6) Within 70 days of receiving the referral from the department, the mediator shall convene a mediation session in the county where the property is located, unless the parties agree on another location. The parties may agree to extend the time in which to schedule the mediation session. If the parties agree to extend the time, the beneficiary shall notify the trustee of the extension and the date the mediator is expected to issue the mediator's certification.

(7)(a) The mediator may schedule phone conferences, consultations with the parties individually, and other communications to ensure that the parties have all the necessary information and documents to engage in a productive mediation.

(b) The mediator must send written notice of the time, date, and location of the mediation session to the borrower, the beneficiary, and the department at least 30 days prior to the mediation session. At a minimum, the notice must contain:

(i) A statement that the borrower may be represented in the mediation session by an attorney or other advocate;

(ii) A statement that a person with authority to agree to a resolution, including a proposed settlement, loan modification, or dismissal or continuation of the foreclosure proceeding, must be present either in person or on the telephone or videoconference during the mediation session; and

(iii) A statement that the parties have a duty to mediate in good faith and that failure to mediate in good faith may impair the beneficiary's ability to foreclose on the property or the borrower's ability to modify the loan or take advantage of other alternatives to foreclosure.

(8)(a) The borrower, the beneficiary or authorized agent, and the mediator must meet in person for the mediation session. However, a person with authority to agree to a resolution on behalf of the beneficiary may be present over the telephone or videoconference during the mediation session.

(b) After the mediation session commences, the mediator may continue the mediation session once, and any further continuances must be with the consent of the parties.

(9) The participants in mediation must address the issues of foreclosure that may enable the borrower and the beneficiary to reach a resolution, including but not limited to reinstatement, modification of the loan, restructuring of the debt, or some other workout plan. To assist the parties in addressing issues of foreclosure, the mediator may require the participants to consider the following:

(a) The borrower's current and future economic circumstances, including the borrower's current and future income, debts, and obligations for the previous 60 days or



greater time period as determined by the mediator;

(b) The net present value of receiving payments pursuant to a modified mortgage loan as compared to the anticipated net recovery following foreclosure;

(c) Any affordable loan modification calculation and net present value calculation when required under any federal mortgage relief program and any modification program related to loans insured by the federal housing administration, the veterans administration, and the rural housing service. If such a calculation is not provided or required, then the beneficiary must provide the net present value data inputs established by the federal deposit insurance corporation and published in the federal deposit insurance corporation loan modification program guide or other net present value data inputs as designated by the department. The mediator may run the calculation in order for a productive mediation to occur and to comply with the mediator certification requirement; and

(d) Any other loss mitigation guidelines to loans insured by the federal housing administration, the veterans administration, and the rural housing service, if applicable.

(10) A violation of the duty to mediate in good faith as required under this section may include:

(a) Failure to timely participate in mediation without good cause;

(b) Failure of the borrower or the beneficiary to provide the documentation required before mediation or pursuant to the mediator's instructions;

(c) Failure of a party to designate representatives with adequate authority to fully settle, compromise, or otherwise reach resolution with the borrower in mediation; and

(d) A request by a beneficiary that the borrower waive future claims he or she may have in connection with the deed of trust, as a condition of agreeing to a modification, except for rescission claims under the federal truth in lending act. Nothing in this section precludes a beneficiary from requesting that a borrower dismiss with prejudice any pending claims against the beneficiary, its agents, loan servicer, or trustee, arising from the underlying deed of trust, as a condition of modification.

(11) If the mediator reasonably believes a borrower will not attend a mediation session based on the borrower's conduct, such as the lack of response to the mediator's communications, the mediator may cancel a scheduled mediation session and send a written cancellation to the department and the trustee and send copies to the parties. The beneficiary may proceed with the foreclosure after receipt of the mediator's written confirmation of cancellation.

(12) Within seven business days after the conclusion of the mediation session, the mediator must send a written certification to the department and the trustee and send copies to the parties of:

(a) The date, time, and location of the mediation session;

(b) The names of all persons attending in person and by telephone or videoconference, at the mediation session;

(c) Whether a resolution was reached by the parties, including whether the default was cured by reinstatement, modification, or restructuring of the debt, or some other alternative to foreclosure was agreed upon by the parties;

(d) Whether the parties participated in the mediation in good faith; and

(e) If a written agreement was not reached, a description of any net present value test used, along with a copy of the inputs, including the result of any net present value test expressed in a dollar amount.

(13) If the parties are unable to reach an agreement, the beneficiary may proceed with the foreclosure after receipt of the mediator's written certification.

(14)(a) The mediator's certification that the beneficiary failed to act in good faith in mediation constitutes a defense to the nonjudicial foreclosure action that was the basis for initiating the mediation. In any action to enjoin the foreclosure, the beneficiary is entitled to rebut the allegation that it failed to act in good faith.

(b) The mediator's certification that the beneficiary failed to act in good faith during mediation does not constitute a defense to a judicial foreclosure or a future nonjudicial foreclosure action if a modification of the loan is agreed upon and the borrower subsequently defaults.

(c) If an affordable loan modification is not offered in the mediation or a written agreement was not reached and the mediator's certification shows that the net present value of the modified loan exceeds the anticipated net recovery at foreclosure, that showing in the certification constitutes a basis for the borrower to enjoin the foreclosure.

(15) The mediator's certification that the borrower failed to act in good faith in mediation authorizes the beneficiary to proceed with the foreclosure.

(16)(a) If a borrower has been referred to mediation before a notice of trustee sale has been recorded, a trustee may not record the notice of sale until the trustee receives the mediator's certification stating that the mediation has been completed. If the trustee does not receive the mediator's certification, the trustee may record the notice of sale after 10 days from the date the certification to the trustee was due. If, after a notice of sale is recorded under this subsection (16)(a), the mediator subsequently issues a certification finding that the beneficiary violated the duty of good faith, the certification constitutes a basis for the borrower to enjoin the foreclosure.

(b) If a borrower has been referred to mediation after the notice of sale was recorded, the sale may not occur until the trustee receives the mediator's certification stating that the mediation has been completed.

(17) A mediator may charge reasonable fees as authorized by this subsection or as authorized by the department. Unless the fee

is waived, the parties agree otherwise, or the department otherwise authorizes, a foreclosure mediator's fee may not exceed \$400 for preparing, scheduling, and conducting a mediation session lasting between one hour and three hours. For a mediation session exceeding three hours, the foreclosure mediator may charge a reasonable fee, as authorized by the department. The mediator must provide an estimated fee before the mediation, and payment of the mediator's fee must be divided equally between the beneficiary and the borrower. The beneficiary and the borrower must tender the loan mediator's fee within 30 calendar days from receipt of the department's letter referring the parties to mediation or pursuant to the mediator's instructions.

(18) ~~((Beginning December 1, 2012, and every year thereafter, the))~~The department shall report annually ~~((to the legislature or))~~by posting the following information on the department's website:

(a) The performance of the program, including the numbers of borrowers who are referred to mediation by a housing counselor or attorney;

(b) The results of the mediation program, including the number of mediations requested by housing counselors and attorneys, the number of certifications of good faith issued, the number of borrowers and beneficiaries who failed to mediate in good faith, and the reasons for the failure to mediate in good faith, if known, the numbers of loans restructured or modified, the change in the borrower's monthly payment for principal and interest and the number of principal write-downs and interest rate reductions, and, to the extent practical, the number of borrowers who report a default within a year of restructuring or modification;

(c) The information received by housing counselors regarding outcomes of foreclosures; and

(d) Any recommendations for changes to the statutes regarding the mediation program.

(19) This section does not apply to certain federally insured depository institutions, as specified in RCW 61.24.166.

**Sec. 13.** RCW 70A.420.050 and 2020 c 20 s 1274 are each amended to read as follows:

The department shall adopt rules to:

(1) Establish procedures and requirements for the accreditation of lead-based paint activities training programs including, but not limited to, the following:

- (a) Training curriculum;
- (b) Training hours;
- (c) Hands-on training;
- (d) Trainee competency and proficiency;
- (e) Training program quality control;
- (f) Procedures for the reaccreditation of training programs;

(g) Procedures for the oversight of training programs; and

(h) Procedures for the suspension, revocation, or modification of training program accreditations, or acceptance of training offered by an accredited training provider in another state or Indian tribe

authorized by the environmental protection agency;

(2) Establish procedures for the purposes of certification, for the acceptance of training offered by an accredited training provider in a state or Indian tribe authorized by the environmental protection agency;

(3) Certify individuals involved in lead-based paint activities to ensure that certified individuals are trained by an accredited training program and possess appropriate educational or experience qualifications for certification;

(4) Establish procedures for recertification;

(5) Require the conduct of lead-based paint activities in accordance with work practice standards;

(6) Establish procedures for the suspension, revocation, or modification of certifications;

(7) Establish requirements for the administration of third-party certification exams;

(8) Use laboratories accredited under the environmental protection agency's national lead laboratory accreditation program;

(9) Establish work practice standards for the conduct of lead-based paint activities, as defined in RCW 70A.420.020;

(10) Establish an enforcement response policy that shall include:

(a) Warning letters, notices of noncompliance, notices of violation, or the equivalent;

(b) Administrative or civil actions, including penalty authority, including accreditation or certification suspension, revocation, or modification; and

(c) Authority to apply criminal sanctions or other criminal authority using existing state laws as applicable.

The department shall prepare and ~~((submit))~~post on the department's website, on a biennial ~~((report to the legislature regarding))~~basis, the program's status, its costs, and the number of persons certified by the program.

**Sec. 14.** RCW 72.09.620 and 1999 c 324 s 7 are each amended to read as follows:

The secretary shall ~~((report))~~ annually ~~((to the legislature))~~post on the department's website on the number of offenders considered for an extraordinary medical placement, the number of offenders who were granted such a placement, the number of offenders who were denied such a placement, the length of time between initial consideration and the placement decision for each offender who was granted an extraordinary medical placement, the number of offenders granted an extraordinary medical placement who were later returned to total confinement, and the cost savings realized by the state.

**Sec. 15.** RCW 77.135.090 and 2014 c 202 s 111 are each amended to read as follows:

(1) If the director finds that there exists an imminent danger of a prohibited level 1 or level 2 species detection that seriously endangers or threatens the environment, economy, human health, or well-

being of the state of Washington, the director must ask the governor to order, under RCW 43.06.010(14), emergency measures to prevent or abate the prohibited species. The director's findings must contain an evaluation of the effect of the emergency measures on environmental factors such as fish listed under the endangered species act, economic factors such as public and private access, human health factors such as water quality, or well-being factors such as cultural resources.

(2) If an emergency is declared pursuant to RCW 43.06.010(14), the director may consult with the invasive species council to advise the governor on emergency measures necessary under RCW 43.06.010(14) and this section, and make subsequent recommendations to the governor. The invasive species council must involve owners of the affected water body or property, state and local governments, federal agencies, tribes, public health interests, technical service providers, and environmental organizations, as appropriate.

(3) Upon the governor's approval of emergency measures, the director may implement these measures to prevent, contain, control, or eradicate invasive species that are the subject of the emergency order, notwithstanding the provisions of chapter 15.58 or 17.21 RCW or any other statute. These measures, after evaluation of all other alternatives, may include the surface and aerial application of pesticides.

(4) The director must continually evaluate the effects of the emergency measures and report these to the governor at ~~((intervals of not less than))~~ least every ten days, except for those measures taken in response to emergency proclamation 22-02, green crab infestation. The director must report the effects of the emergency measures taken in response to emergency proclamation 22-02, green crab infestation, to the governor at least monthly. The director must immediately advise the governor if the director finds that the emergency no longer exists or if certain emergency measures should be discontinued.

## PART II REPEAL OF REPORTS

**Sec. 16.** RCW 28A.230.095 and 2011 c 185 s 5 are each amended to read as follows:

(1) By the end of the 2008-09 school year, school districts shall have in place in elementary schools, middle schools, and high schools assessments or other strategies chosen by the district to assure that students have an opportunity to learn the ~~((essential academic learning requirements))~~ state learning standards in social studies, the arts, and health and fitness. Social studies includes history, geography, civics, economics, and social studies skills. Health and fitness includes, but is not limited to, mental health and suicide prevention education. ~~((Beginning with the 2008-09 school year, school districts shall annually submit an implementation verification report to the office of the superintendent of public~~

~~instruction--))~~ The office of the superintendent of public instruction may not require school districts to use a classroom-based assessment in social studies, the arts, and health and fitness to meet the requirements of this section and shall clearly communicate to districts their option to use other strategies chosen by the district.

(2) Beginning with the 2008-09 school year, school districts shall require students in the seventh or eighth grade, and the ~~((eleventh))~~ 11th or ~~((twelfth))~~ 12th grade to each complete at least one classroom-based assessment in civics. Beginning with the 2010-11 school year, school districts shall require students in the fourth or fifth grade to complete at least one classroom-based assessment in civics. The civics assessment may be selected from a list of classroom-based assessments approved by the office of the superintendent of public instruction. ~~((Beginning with the 2008-09 school year, school districts shall annually submit implementation verification reports to the office of the superintendent of public instruction documenting the use of the classroom-based assessments in civics.~~

~~((3) Verification reports shall require school districts to report only the information necessary to comply with this section--))~~

**Sec. 17.** RCW 28A.300.530 and 2009 c 546 s 2 are each amended to read as follows:

~~((1))~~ Within available resources, the office of the superintendent of public instruction, in consultation with the school districts that participated in the Lorraine Wojahn dyslexia pilot program, and with an international nonprofit organization dedicated to supporting efforts to provide appropriate identification of and instruction for individuals with dyslexia, shall:

~~((a))~~ (1) Develop an educator training program to enhance the reading, writing, and spelling skills of students with dyslexia. The training program must provide research-based, multisensory literacy intervention professional development in the areas of dyslexia and intervention implementation. The program shall be posted on the website of the office of the superintendent of public instruction. The training program may be regionally delivered through the educational service districts. The educational service districts may seek assistance from the international nonprofit organization to deliver the training; and

~~((b))~~ (2) Develop a dyslexia handbook to be used as a reference for teachers and parents of students with dyslexia. The handbook shall be modeled after other state dyslexia handbooks, and shall include guidelines for school districts to follow as they identify and provide services for students with dyslexia. Additionally, the handbook shall provide school districts, and parents and guardians with information regarding the state's relevant statutes and their relation to federal special education laws. The handbook shall be posted on the

website of the office of the superintendent of public instruction.

~~((2) Beginning September 1, 2009, and annually thereafter, each educational service district shall report to the office of the superintendent of public instruction the number of individuals who participate in the training developed and offered by the educational service district. The office of the superintendent of public instruction shall report that information to the legislative education committees.))~~

**Sec. 18.** RCW 28A.305.035 and 2006 c 263 s 103 are each amended to read as follows:

~~((1) By October 15th of each even-numbered year, the state board of education and the professional educator standards board shall submit a joint report to the legislative education committees, the governor, and the superintendent of public instruction. The report shall address the progress the boards have made and the obstacles they have encountered, individually and collectively, in the work of achieving the goals in RCW 28A.150.210.~~

(2)) The state board of education shall include the chairs and ranking minority members of the legislative education committees in board communications so that the legislature can be kept apprised of the discussions and proposed actions of the board.

**Sec. 19.** RCW 28A.305.130 and 2021 c 111 s 10 are each amended to read as follows:

The purpose of the state board of education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability framework that creates a unified system of increasing levels of support for schools in order to improve student academic achievement; provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles; and promote achievement of the goals of RCW 28A.150.210. In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Hold regularly scheduled meetings at such time and place within the state as the board shall determine and may hold such special meetings as may be deemed necessary for the transaction of public business;

(2) Form committees as necessary to effectively and efficiently conduct the work of the board;

(3) Seek advice from the public and interested parties regarding the work of the board;

(4) For purposes of statewide accountability:

(a) Adopt and revise performance improvement goals in reading, writing, science, and mathematics, by subject and grade level, once assessments in these subjects are required statewide; academic and technical skills, as appropriate, in secondary career and technical education programs; and student attendance, as the board deems appropriate to improve student

learning. The goals shall be consistent with student privacy protection provisions of RCW 28A.655.090 ~~((7))~~ (6) and shall not conflict with requirements contained in Title I of the federal elementary and secondary education act of 1965, or the requirements of the Carl D. Perkins vocational education act of 1998, each as amended. The goals may be established for all students, economically disadvantaged students, limited English proficient students, students with disabilities, and students who are not meeting academic standards as defined in RCW 28A.165.015, disaggregated as described in RCW 28A.300.042(1) for student-level data. The board may establish school and school district goals addressing high school graduation rates and dropout reduction goals for students in grades seven through twelve. The board shall adopt the goals by rule. However, before each goal is implemented, the board shall present the goal to the education committees of the house of representatives and the senate for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature;

(b) (i) (A) Identify the scores students must achieve in order to meet the standard on the statewide student assessment, and the SAT or the ACT if used to demonstrate career and college readiness under RCW 28A.655.250. The board shall also determine student scores that identify levels of student performance below and beyond the standard. The board shall set such performance standards and levels in consultation with the superintendent of public instruction and after consideration of any recommendations that may be developed by any advisory committees that may be established for this purpose;

(B) To permit the legislature to take any statutory action it deems warranted before modified or newly established scores are implemented, the board shall notify the education committees of the house of representatives and the senate of any scores that are modified or established under (b) (i) (A) of this subsection on or after July 28, 2019. The notifications required by this subsection (4) (b) (i) (B) must be provided by November 30th of the year proceeding the beginning of the school year in which the modified or established scores will take effect;

(ii) The legislature intends to continue the implementation of chapter 22, Laws of 2013 2nd sp. sess. when the legislature expressed the intent for the state board of education to identify the student performance standard that demonstrates a student's career and college readiness for the eleventh grade consortium-developed assessments. Therefore, by December 1, 2018, the state board of education, in consultation with the superintendent of public instruction, must identify and report to the governor and the education policy and fiscal committees of the legislature on the equivalent student performance standard that a tenth grade student would need to achieve on the state assessments to be on track to

be career and college ready at the end of the student's high school experience;

(iii) The legislature shall be advised of the initial performance standards and any changes made to the elementary, middle, and high school level performance standards. The board must provide an explanation of and rationale for all initial performance standards and any changes, for all grade levels of the statewide student assessment. If the board changes the performance standards for any grade level or subject, the superintendent of public instruction must recalculate the results from the previous ten years of administering that assessment regarding students below, meeting, and beyond the state standard, to the extent that this data is available, and post a comparison of the original and recalculated results on the superintendent's website; and

(c) Annually review the assessment reporting system to ensure fairness, accuracy, timeliness, and equity of opportunity, especially with regard to schools with special circumstances and unique populations of students, and a recommendation to the superintendent of public instruction of any improvements needed to the system(~~(, and~~

~~(d) Include in the biennial report required under RCW 28A.305.035, information on the progress that has been made in achieving goals adopted by the board));~~

(5) Accredit, subject to such accreditation standards and procedures as may be established by the state board of education, all private schools that apply for accreditation, and approve, subject to the provisions of RCW 28A.195.010, private schools carrying out a program for any or all of the grades kindergarten through twelve. However, no private school may be approved that operates a kindergarten program only and no private school shall be placed upon the list of accredited schools so long as secret societies are knowingly allowed to exist among its students by school officials;

(6) Articulate with the institutions of higher education, workforce representatives, and early learning policymakers and providers to coordinate and unify the work of the public school system;

(7) Hire an executive director and an administrative assistant to reside in the office of the superintendent of public instruction for administrative purposes. Any other personnel of the board shall be appointed as provided by RCW 28A.300.020. The board may delegate to the executive director by resolution such duties as deemed necessary to efficiently carry on the business of the board including, but not limited to, the authority to employ necessary personnel and the authority to enter into, amend, and terminate contracts on behalf of the board. The executive director, administrative assistant, and all but one of the other personnel of the board are exempt from civil service, together with other staff as now or hereafter designated as exempt in accordance with chapter 41.06 RCW; and

(8) Adopt a seal that shall be kept in the office of the superintendent of public instruction.

**Sec. 20.** RCW 28A.410.210 and 2017 3rd sp.s. c 26 s 2 are each amended to read as follows:

The purpose of the Washington professional educator standards board is to establish policies and requirements for the preparation and certification of educators that provide standards for competency in professional knowledge and practice in the areas of certification; a foundation of skills, knowledge, and attitudes necessary to help students with diverse needs, abilities, cultural experiences, and learning styles meet or exceed the learning goals outlined in RCW 28A.150.210; knowledge of research-based practice; and professional development throughout a career. The Washington professional educator standards board shall:

(1) Establish policies and practices for the approval of programs of courses, requirements, and other activities leading to educator certification including teacher, school administrator, and educational staff associate certification;

(2) Establish policies and practices for the approval of the character of work required to be performed as a condition of entrance to and graduation from any educator preparation program including teacher, school administrator, and educational staff associate preparation program as provided in subsection (1) of this section;

(3) Establish a list of accredited institutions of higher education of this and other states whose graduates may be awarded educator certificates as teacher, school administrator, and educational staff associate and establish criteria and enter into agreements with other states to acquire reciprocal approval of educator preparation programs and certification, including teacher certification from the national board for professional teaching standards;

(4) Establish policies for approval of nontraditional educator preparation programs;

(5) Conduct a review of educator program approval standards at least every five years, beginning in 2006, to reflect research findings and assure continued improvement of preparation programs for teachers, administrators, and school specialized personnel;

(6) Specify the types and kinds of educator certificates to be issued and conditions for certification in accordance with subsection (1) of this section, RCW 28A.410.251, and 28A.410.010;

(7) Apply for and receive federal or other funds on behalf of the state for purposes related to the duties of the board;

(8) Adopt rules under chapter 34.05 RCW that are necessary for the effective and efficient implementation of this chapter;

(9) Maintain data concerning educator preparation programs and their quality, educator certification, educator employment trends and needs, and other data deemed relevant by the board;

(10) Serve as an advisory body to the superintendent of public instruction on issues related to educator recruitment, hiring, mentoring and support, professional growth, retention, educator evaluation including but not limited to peer evaluation, and revocation and suspension of licensure;

~~(11) ((Submit, by October 15th of each even-numbered year and in accordance with RCW 43.01.036, a joint report with the state board of education to the legislative education committees, the governor, and the superintendent of public instruction. The report shall address the progress the boards have made and the obstacles they have encountered, individually and collectively, in the work of achieving the goals set out in RCW 28A.150.210;~~

~~(12))~~ Establish the prospective teacher assessment system for basic skills and subject knowledge that shall be required to obtain residency certification pursuant to RCW 28A.410.220 through 28A.410.240; and

~~((13))~~ (12) Conduct meetings under the provisions of chapter 42.30 RCW.

**Sec. 21.** RCW 28A.320.196 and 2022 c 75 s 4 are each amended to read as follows:

(1) Subject to funds appropriated specifically for this purpose, the academic acceleration incentive program is established as provided in this section. The intent of the legislature is that the funds awarded under the program be used to support teacher training, curriculum, technology, examination fees, textbook fees, and other costs associated with offering dual credit courses to high school students, including transportation for running start students to and from the institution of higher education as defined in RCW 28A.600.300.

(2) The office of the superintendent of public instruction shall allocate half of the funds appropriated for the purposes of this section on a competitive basis to provide one-time grants for high schools to expand the availability of dual credit courses. To be eligible for a grant, a school district must have adopted an academic acceleration policy as provided under RCW 28A.320.195. In making grant awards, the office of the superintendent of public instruction must give priority to grants for high schools with a high proportion of low-income students and high schools seeking to develop new capacity for dual credit courses rather than proposing marginal expansion of current capacity.

(3) The office of the superintendent of public instruction shall allocate half of the funds appropriated for the purposes of this section to school districts as an incentive award for each student who earned dual high school and college credit, as described under subsection (4) of this section, for courses offered by the district's high schools during the previous school year. School districts must distribute the award to the high schools that generated the funds. The award amount for low-income students eligible to participate in the federal free and reduced-price meals program who earn dual credits must be set at ~~((one hundred twenty-~~

~~five))~~ 125 percent of the base award for other students. A student who earns more than one dual credit in the same school year counts only once for the purposes of the incentive award.

(4) For the purposes of this section, the following students are considered to have earned dual high school and college credit in a course offered by a high school:

(a) Students who achieve a score of three or higher on an AP examination;

(b) Students who achieve a score of four or higher on an examination of the international baccalaureate diploma programme;

(c) Students who successfully complete a Cambridge advanced international certificate of education examination;

(d) Students who successfully complete a course through the college in the high school program under RCW 28A.600.287 and are awarded credit by the partnering institution of higher education; and

(e) Students who satisfy the dual enrollment and class performance requirements to earn college credit through a career and technical education course.

(5) If a high school provides access to online courses for students to earn dual high school and college credit at no cost to the student, such a course is considered to be offered by the high school.

~~((6) The office of the superintendent of public instruction shall report to the education policy committees and the fiscal committees of the legislature, by January 1st of each year, information about the demographics of the students earning dual credits in the schools receiving grants under this section for the prior school year. Demographic data shall be disaggregated pursuant to RCW 28A.300.042.)~~

**Sec. 22.** RCW 28B.77.220 and 2013 c 23 s 61 are each amended to read as follows:

(1) The council must convene work groups to develop transfer associate degrees that will satisfy lower division requirements at public four-year institutions of higher education for specific academic majors. Work groups must include representatives from the state board for community and technical colleges and the council of presidents, as well as faculty from two and four-year institutions. Work groups may include representatives from independent four-year institutions.

(2) Each transfer associate degree developed under this section must enable a student to complete the lower-division courses or competencies for general education requirements and preparation for the major that a direct-entry student would typically complete in the first-year student and sophomore years for that academic major.

(3) Completion of a transfer associate degree does not guarantee a student admission into an institution of higher education or admission into a major, minor, or professional program at an institution of higher education that has competitive admission standards for the program based on grade point average or other performance criteria.

(4) During the 2004-05 academic year, the work groups must develop transfer degrees for elementary education, engineering, and nursing. As necessary based on demand or identified need, the council must convene additional groups to identify and develop additional transfer degrees. The council must give priority to majors in high demand by transfer students and majors that the general direct transfer agreement associate degree does not adequately prepare students to enter automatically upon transfer.

(5) The council, in collaboration with the intercollege relations commission, must collect and maintain lists of courses offered by each community and technical college and public four-year institution of higher education that fall within each transfer associate degree.

(6) The council must monitor implementation of transfer associate degrees by public four-year institutions to ensure compliance with subsection (2) of this section.

~~((7) Beginning January 10, 2005, the council must submit a progress report on the development of transfer associate degrees to the higher education committees of the house of representatives and the senate. The first progress report must include measurable benchmark indicators to monitor the effectiveness of the initiatives in improving transfer and baseline data for those indicators before the implementation of the initiatives. Subsequent reports must be submitted by January 10th of each odd-numbered year and must monitor progress on the indicators, describe development of additional transfer associate degrees, and provide other data on improvements in transfer efficiency.))~~

**Sec. 23.** RCW 43.21A.150 and 2017 c 47 s 2 are each amended to read as follows:

~~((1))~~ The director, whenever it is lawful and feasible to do so, shall consult and cooperate with the federal government, as well as with other states and Canadian provinces, in the study and control of environmental problems. On behalf of the department, the director is authorized to accept, receive, disburse, and administer grants or other funds or gifts from any source, including private individuals or agencies, the federal government, and other public agencies, for the purpose of carrying out the provisions of this chapter.

~~((2)(a) Beginning December 31, 2017, the director must list on the department's website information regarding the current interagency agreements to which the department is a party or in which the department is a participant.~~

~~(b) The list must identify each agreement, the type of agreement, parties to the agreement, the effective date of the agreement, and a brief description of the agreement. The list must include all interagency agreements involving the department and other state agencies, local governments, special purpose districts, the federal government and federal government agencies, and the agencies of other states.~~

~~(c) For the initial list, the department must by December 31, 2017, list all grant~~

~~agreements and federal agreements where information is readily extractable from the department's data systems. For those data systems that, because of their age, require programming support to extract and format data for publishing to the internet, the department must complete listing the required information according to the following schedule:~~

~~(i) By June 30, 2018, all contract, loan, and grant agreements;~~

~~(ii) By December 31, 2018, all agreements pertaining to funds receivable for work performed by the department, leases, and nonfinancial interagency agreements.~~

~~(d) Beginning December 1, 2018, the department must annually update the website to include new interagency agreements that the department has entered into and must identify the agreements that have been updated within the past year.~~

~~(e) For the purposes of this section, the term "interagency agreement" includes but is not limited to memoranda of understanding, grant contracts, and advisory or nonbinding agreements.~~

~~(f) For purposes of this section, the information posted on the department's website is considered to function as a report to the legislature because the report acts as a mechanism of keeping the legislature apprised of the department's interagency agreements.))~~

**Sec. 24.** RCW 43.60A.240 and 2020 c 56 s 2 are each amended to read as follows:

(1) The position of lesbian, gay, bisexual, transgender, and queer coordinator is created within the department.

(2) The duties of the lesbian, gay, bisexual, transgender, and queer coordinator include, but are not limited to:

(a) Conducting outreach to, and providing assistance designed for the unique needs of, veterans who are lesbian, gay, bisexual, transgender, and queer, and to the spouses and dependents of such veterans;

(b) Providing assistance to veterans who are lesbian, gay, bisexual, transgender, and queer in applying for an upgrade to the character of a discharge from service or a change in the narrative reason for a discharge from service;

(c) Providing assistance in applying for and obtaining veterans' benefits and benefits available through other programs that provide services and resources to veterans who are lesbian, gay, bisexual, transgender, and queer, and to the spouses and dependents of such veterans;

(d) Providing assistance to veterans who are lesbian, gay, bisexual, transgender, and queer in applying for, and in appealing any denial of, federal and state veterans' benefits and aid that such veterans, and the spouses and dependents of such veterans, may be entitled to; and

(e) Developing and distributing informational materials to veterans who are lesbian, gay, bisexual, transgender, and queer, and to the spouses and dependents of such veterans, regarding veterans' benefits and other benefit programs that provide services and resources to veterans who are lesbian, gay, bisexual, transgender, and

queer, and to the spouses and dependents of such veterans.

~~((3) No later than December 15, 2021, the department must prepare and submit a report to the governor, the joint committee on veterans' and military affairs, and the appropriate standing committees of the legislature regarding the implementation and status of the position of lesbian, gay, bisexual, transgender, and queer coordinator created under subsection (1) of this section. The report must include, at a minimum, information regarding the following:~~

- ~~(a) The number of veterans served;~~
- ~~(b) The type of assistance provided;~~
- ~~(c) Recommendations for the improvement and expansion of the services provided by the coordinator; and~~
- ~~(d) Recommendations for legislative changes.)~~

**Sec. 25.** RCW 43.61.040 and 1977 c 75 s 60 are each amended to read as follows:

The director of veterans affairs shall make such rules and regulations as may be necessary to carry out the purposes of this chapter. The department shall furnish information, advice, and assistance to veterans and coordinate all programs and services in the field of veterans' claims service, education, health, vocational guidance and placement, and services not provided by some other agency of the state or by the federal government. ~~((The director shall submit a report of the departments' activities hereunder each year to the governor.))~~

**Sec. 26.** RCW 43.63A.068 and 2018 c 58 s 3 are each amended to read as follows:

(1)(a) The department of commerce shall establish an advisory committee to monitor, guide, and report on recommendations relating to policies and programs for children and families with incarcerated parents.

(b) The advisory committee shall include representatives of the department of corrections, the department of social and health services, the department of children, youth, and families, the office of the superintendent of public instruction, representatives of the private nonprofit and business sectors, child advocates, representatives of Washington state Indian tribes as defined under the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), court administrators, the administrative office of the courts, the Washington association of sheriffs and police chiefs, jail administrators, the office of the governor, and others who have an interest in these issues.

(c) The advisory committee shall:

(i) Gather the data collected by the departments as required in RCW 72.09.495, 74.04.800, 43.216.060, and 28A.300.520;

(ii) Monitor and provide consultation on the implementation of recommendations contained in the 2006 children of incarcerated parents report;

(iii) Identify areas of need and develop recommendations for the legislature, the department of social and health services,

the department of corrections, the department of children, youth, and families, and the office of the superintendent of public instruction to better meet the needs of children and families of persons incarcerated in department of corrections facilities; and

(iv) Advise the department of commerce regarding community programs the department should fund with moneys appropriated for this purpose in the operating budget. The advisory committee shall provide recommendations to the department regarding the following:

- (A) The goals for geographic distribution of programs and funding;
- (B) The scope and purpose of eligible services and the priority of such services;
- (C) Grant award funding limits;
- (D) Entities eligible to apply for the funding;
- (E) Whether the funding should be directed towards starting or supporting new programs, expanding existing programs, or whether the funding should be open to all eligible services and providers; and
- (F) Other areas the advisory committee determines appropriate.

~~((d) The children of incarcerated parents advisory committee shall update the legislature and governor biennially on committee activities, with the first update due by January 1, 2010.))~~

(2) The department of commerce shall select community programs or services to receive funding that focus on children and families of inmates incarcerated in a department of corrections facility and sustaining the family during the period of the inmate's incarceration.

(a) Programs or services which meet the needs of the children of incarcerated parents should be the greatest consideration in the programs that are identified by the department.

(b) The department shall consider the recommendations of the advisory committee regarding which services or programs the department should fund.

(c) The programs selected shall collaborate with an agency, or agencies, experienced in providing services to aid families and victims of sexual assault and domestic violence to ensure that the programs identify families who have a history of sexual assault or domestic violence and ensure the services provided are appropriate for the children and families.

**Sec. 27.** RCW 43.105.369 and 2016 c 195 s 2 are each amended to read as follows:

(1) The office of privacy and data protection is created within the office of the state chief information officer. The purpose of the office of privacy and data protection is to serve as a central point of contact for state agencies on policy matters involving data privacy and data protection.

(2) The director shall appoint the chief privacy officer, who is the director of the office of privacy and data protection.

(3) The primary duties of the office of privacy and data protection with respect to state agencies are:



(a) To conduct an annual privacy review;  
 (b) To conduct an annual privacy training for state agencies and employees;  
 (c) To articulate privacy principles and best practices;  
 (d) To coordinate data protection in cooperation with the agency; and  
 (e) To participate with the office of the state chief information officer in the review of major state agency projects involving personally identifiable information.

(4) The office of privacy and data protection must serve as a resource to local governments and the public on data privacy and protection concerns by:

(a) Developing and promoting the dissemination of best practices for the collection and storage of personally identifiable information, including establishing and conducting a training program or programs for local governments; and

(b) Educating consumers about the use of personally identifiable information on mobile and digital networks and measures that can help protect this information.

(5) By December 1, 2016, and every four years thereafter, the office of privacy and data protection must prepare and submit to the legislature a report evaluating its performance. The office of privacy and data protection must establish performance measures in its 2016 report to the legislature and, in each report thereafter, demonstrate the extent to which performance results have been achieved. These performance measures must include, but are not limited to, the following:

(a) The number of state agencies and employees who have participated in the annual privacy training;

(b) A report on the extent of the office of privacy and data protection's coordination with international and national experts in the fields of data privacy, data protection, and access equity;

(c) A report on the implementation of data protection measures by state agencies attributable in whole or in part to the office of privacy and data protection's coordination of efforts; and

(d) A report on consumer education efforts, including but not limited to the number of consumers educated through public outreach efforts, as indicated by how frequently educational documents were accessed, the office of privacy and data protection's participation in outreach events, and inquiries received back from consumers via telephone or other media.

(6) Within one year of June 9, 2016, the office of privacy and data protection must submit to the joint legislative audit and review committee for review and comment the performance measures developed under subsection (5) of this section and a data collection plan.

~~((7) The office of privacy and data protection shall submit a report to the legislature on the: (a) Extent to which telecommunications providers in the state are deploying advanced telecommunications capability; and (b) existence of any inequality in access to advanced telecommunications infrastructure~~

~~experienced by residents of tribal lands, rural areas, and economically distressed communities. The report may be submitted at a time within the discretion of the office of privacy and data protection, at least once every four years, and only to the extent the office of privacy and data protection is able to gather and present the information within existing resources.))~~

**Sec. 28.** RCW 47.01.330 and 2005 c 318 s 2 are each amended to read as follows:

(1) The secretary shall establish an office of transit mobility. The purpose of the office is to facilitate the integration of decentralized public transportation services with the state transportation system. The goals of the office of transit mobility are: (a) To facilitate connection and coordination of transit services and planning; and (b) maximizing opportunities to use public transportation to improve the efficiency of transportation corridors.

(2) The duties of the office include, but are not limited to, the following:

(a) Developing a statewide strategic plan that creates common goals for transit agencies and reduces competing plans for cross-jurisdictional service;

(b) Developing a park and ride lot program;

(c) Encouraging long-range transit planning;

(d) Providing public transportation expertise to improve linkages between regional transportation planning organizations and transit agencies;

(e) Strengthening policies for inclusion of transit and transportation demand management strategies in route development, corridor plan standards, and budget proposals;

(f) Recommending best practices to integrate transit and demand management strategies with regional and local land use plans in order to reduce traffic and improve mobility and access;

(g) Producing recommendations for the public transportation section of the Washington transportation plan; and

(h) Participating in all aspects of corridor planning, including freight planning, ferry system planning, and passenger rail planning.

(3) In forming the office, the secretary shall use existing resources to the greatest extent possible.

(4) The office of transit mobility shall establish measurable performance objectives for evaluating the success of its initiatives and progress toward accomplishing the overall goals of the office.

~~((5) The office of transit mobility must report quarterly to the secretary, and annually to the transportation committees of the legislature, on the progress of the office in meeting the goals and duties provided in this section.))~~

**Sec. 29.** RCW 54.16.425 and 2021 c 294 s 4 are each amended to read as follows:

(1) Property owned by a public utility district that is exempt from property tax under RCW 84.36.010 is subject to an annual

payment in lieu of property taxes if the property consists of a broadband infrastructure used in providing retail telecommunications services.

(2) (a) The amount of the payment must be determined jointly and in good faith negotiation between the public utility district that owns the property and the county or counties in which the property is located.

(b) The amount agreed upon may not exceed the property tax amount that would be owed on the property comprising the broadband infrastructure used in providing retail telecommunications services as calculated by the department of revenue. The public utility district must provide information necessary for the department of revenue to make the required valuation under this subsection. The department of revenue must provide the amount of property tax that would be owed on the property to the county or counties in which the broadband infrastructure is located on an annual basis.

(c) If the public utility district and a county cannot agree on the amount of the payment in lieu of taxes, either party may invoke binding arbitration by providing written notice to the other party. In the event that the amount of payment in lieu of taxes is submitted to binding arbitration, the arbitrators must consider the government services available to the public utility district's broadband infrastructure used in providing retail telecommunications services. The public utility district and county must each select one arbitrator, the two of whom must pick a third arbitrator. Costs of the arbitration, including compensation for the arbitrators' services, must be borne equally by the parties participating in the arbitration.

(3) By April 30th of each year, a public utility district must remit the annual payment to the county treasurer of each county in which the public utility district's broadband infrastructure used in providing retail telecommunications services is located in a form and manner required by the county treasurer.

(4) The county must distribute the amounts received under this section to all property taxing districts, including the state, in appropriate tax code areas in the same proportion as it would distribute property taxes from taxable property.

~~((5) By December 1, 2019, and annually thereafter, the department of revenue must submit a report to the appropriate legislative committees detailing the amount of payments made under this section and the amount of property tax that would be owed on the property comprising the broadband infrastructure used in providing retail telecommunications services.))~~

**Sec. 30.** RCW 72.09.765 and 2020 c 319 s 4 are each amended to read as follows:

(1) Any contract to provide inmates with access to telecommunication services and electronic media services in state correctional facilities shall be made publicly available and posted on the department's website.

(2) The information in this subsection from the contract shall be prominently displayed on the department's public website:

(a) Rates for facilitating telecommunication services including, but not limited to, phone calls, video visitation, videograms and video clips, emails, and accessing music and entertainment;

(b) Fees charged for money transfers and transactions, maintenance of financial accounts, and any other fee charged to the user to facilitate the money transfer or online deposit account; and

(c) All fees or costs charged to the inmate or customer in exchange for use of telecommunication or electronic media services through the contract.

(3) By July 1st of each year, the contractor that provides inmates with access to telecommunication services and electronic media services under subsection (1) of this section shall report to the department the following information:

(a) A summary of services offered at each correctional facility;

(b) Rates charged for, or associated with, providing each type of service including, but not limited to, monthly financial account maintenance fees, transaction fees associated with money transfers, per call and connection surcharges, bill statement fees, and refund fees;

(c) A total accounting of commissions provided to the department or correctional facility;

(d) A summary and accounting of services used by inmates categorized as indigent;

(e) One-time and ongoing costs incurred for installing and maintaining hardware;

(f) Average customer service response time rates per facility and the average time taken to resolve an issue or provide a refund for defective services; and

(g) An accounting of all revenues or losses incurred by the contractor by quarter.

~~(4) ((By November 1st of each year, and in compliance with RCW 43.01.036, the department shall report to the governor and legislature on contracts for telecommunication services and electronic media services under this section and the contractor's annual compliance with this section.))~~

(5)) This section applies to any contract in effect on June 11, 2020, and to any renegotiation, renewal, or extension of such contract.

**Sec. 31.** RCW 77.32.555 and 2015 c 254 s 1 are each amended to read as follows:

(1) In addition to the fees authorized in this chapter, the department shall include a surcharge to fund biotoxin testing and monitoring by the department of health of beaches used for recreational shellfishing, and to fund monitoring by the Olympic region harmful algal bloom program of the Olympic natural resources center at the University of Washington. The surcharge on recreational shellfish licenses cannot be increased more than one dollar and can only be increased

when the surcharge for commercial shellfish licenses is increased. A surcharge of four dollars applies to resident and nonresident shellfish and seaweed licenses as authorized by RCW 77.32.520(3) (a) and (b); a surcharge of three dollars applies to resident and nonresident adult combination licenses as authorized by RCW 77.32.470(2)(a); a surcharge of three dollars applies to annual resident and nonresident razor clam licenses as authorized by RCW 77.32.520(4); and a surcharge of two dollars applies to the three-day razor clam license authorized by RCW 77.32.520(5). Amounts collected from these surcharges must be deposited in the biotoxin account created in subsection (3) of this section. The department may not use any amounts collected from these surcharges to pay for its administrative costs.

(2) Any moneys from surcharges remaining in the general fund—local account after the 2007-2009 biennium must be transferred to the biotoxin account created in subsection (3) of this section and be credited to the appropriate institution. ~~((The department of health and the University of Washington shall, by December 1st of each year, provide a letter to the relevant legislative policy and fiscal committees on the status of expenditures. This letter shall include, but is not limited to, the annual appropriation amount, the amount not expended, account fund balance, and reasons for not spending the full annual appropriation.))~~

(3) The biotoxin account is created in the state treasury to be administered by the department of health. All moneys received under subsection (1) of this section must be deposited in the account and used by the department of health and the University of Washington as required by subsection (1) of this section. Of the moneys deposited into the account, one hundred fifty thousand dollars per year must be made available to the University of Washington to implement subsection (1) of this section. Moneys in the account may be spent only after appropriation.

**Sec. 32.** RCW 82.14.470 and 2011 c 363 s 4 are each amended to read as follows:

(1)(a)(i) Moneys collected from the taxes imposed under RCW 82.14.465 may be used only for the following purposes:

(A) Principal and interest payments on bonds issued to finance or refinance public improvements in a benefit zone under the authority of RCW 39.100.060;

(B) Principal and interest payments on other bonds issued by the local government to finance public improvements; or

(C) Payments for public improvement costs.

(ii) Moneys collected and used as provided in (a)(i) of this subsection must be matched with an amount from local public sources dedicated, as further provided in RCW 82.14.465 (4)(c)(ii) and (7)(k), through December 31st of the previous calendar year to finance public improvements authorized under chapter 39.100 RCW.

(b) Local public sources are dedicated to finance public improvements if they: (i) Are actually expended to pay public improvement costs or debt service on bonds issued for

public improvements; or (ii) are required by law or an agreement to be used exclusively to pay public improvement costs or debt service on bonds issued for public improvements.

(c) A city, town, or county is not required to expend taxes imposed under RCW 82.14.465 in the fiscal year in which the taxes are received.

(2) A local government must inform the department by the first day of March of the amount of local public sources allocated to the preceding calendar year to finance public improvements authorized under chapter 39.100 RCW.

(3) If a local government fails to comply with subsection (2) of this section, no tax may be imposed under RCW 82.14.465 in the subsequent fiscal year.

(4)(a) A local government must provide a report to the department and the state auditor by March 1st of each year. A local government must make a good faith effort to provide information required for the report.

(b) The report must contain the following information:

(i) The amount of tax allocation revenues, taxes under RCW 82.14.465, and local public sources received by the local government during the preceding calendar year, and a summary of how these revenues were expended; and

(ii) The names of any businesses known to the local government that have located within the benefit zone as a result of the public improvements undertaken by the local government and financed in whole or in part with hospital benefit zone financing.

~~((5) The department must make a report available to the public and the legislature by June 1st of each year. The report must include a list of public improvements undertaken by local governments and financed in whole or in part with hospital benefit zone financing, and it must also include a summary of the information provided to the department by local governments under subsection (4) of this section.))~~

**Sec. 33.** RCW 82.32.765 and 2016 c 207 s 5 are each amended to read as follows:

~~((1))~~ A sponsoring local government receiving a project award under RCW 39.104.100 must provide a report to the department by March 1st of each year beginning March 1st after the project award has been approved. The report must contain the following information:

~~((a))~~ (1) The amounts of local property tax allocation revenues received in the preceding calendar year broken down by sponsoring local government and participating taxing district;

~~((b))~~ (2) The amount of state property tax allocation revenues estimated to have been received by the state in the preceding calendar year;

~~((c))~~ (3) The amount of local sales and use tax and other revenue from local public sources dedicated by any participating local government used for the payment of bonds under RCW 39.104.110 and public improvement costs within the revitalization area on a pay-as-you-go basis in the preceding calendar year;

~~((d))~~(4) The amount of local sales and use tax dedicated by the sponsoring local government, as it relates to the sponsoring local government's local sales and use tax increment, used for the payment of bonds under RCW 39.104.110 and public improvement costs within the revitalization area on a pay-as-you-go basis;

~~((e))~~(5) The amounts, other than those listed in ~~((a) through (d) of this)~~ subsections (1) through (4) of this section, from local public sources, broken down by type or source, used for payment of bonds under RCW 39.104.110 or public improvement costs within the revitalization area on a pay-as-you-go basis in the preceding calendar year;

~~((f))~~(6) The anticipated date when bonds under RCW 39.104.110 are expected to be retired;

~~((g))~~(7) The names of any businesses locating within the revitalization area as a result of the public improvements undertaken by the sponsoring local government and financed in whole or in part with local revitalization financing;

~~((h))~~(8) An estimate of the cumulative number of permanent jobs created in the revitalization area as a result of the public improvements undertaken by the sponsoring local government and financed in whole or in part with local revitalization financing;

~~((i))~~(9) An estimate of the average wages and benefits received by all employees of businesses locating within the revitalization area as a result of the public improvements undertaken by the sponsoring local government and financed in whole or in part with local revitalization financing;

~~((j))~~(10) A list of public improvements financed by bonds issued under RCW 39.104.110 and the date on which the bonds are anticipated to be retired;

~~((k))~~(11) That the sponsoring local government is in compliance with RCW 39.104.030;

~~((l))~~(12) At least once every three years, updated estimates of the amounts of state and local sales and use tax increments estimated to have been received since the approval of the project award under RCW 39.104.100;

~~((m))~~(13) The amount of revenues from local public sources that (i) were expended in prior years for the payment of bonds under RCW 39.104.110 and public improvement costs within the revitalization area on a pay-as-you-go basis in prior calendar years that were in excess of the project award amount for that year and are carried forward for dedication in future years, (ii) are deemed dedicated to payment of bonds or public improvement costs in the calendar year for which the report is prepared, and (iii) remain available for dedication in future years; and

~~((n))~~(14) Any other information required by the department to enable the department to fulfill its duties under this chapter and RCW 82.14.510.

~~((2))~~ The department must make a report available to the public and the legislature by June 1st of each year. The report must include a summary of the information

~~provided to the department by sponsoring local governments under subsection (1) of this section.)~~

NEW SECTION. **Sec. 34.** The following acts or parts of acts are each repealed:

(1) RCW 13.32A.045 (Family reconciliation services—Data) and 2020 c 51 s 4;

(2) RCW 19.02.055 (Agency duties—Information—Certification) and 2013 c 111 s 2;

(3) RCW 19.280.060 (Department's duties—Report to the legislature) and 2015 3rd sp.s. c 19 s 10, 2013 c 149 s 4, & 2006 c 195 s 6;

(4) RCW 43.31.980 (Impact fee annual report) and 2015 c 241 s 4; and

(5) RCW 62A.9A-527 (Duty to report) and 2000 c 250 s 9A-527."

Correct the title.

Representatives Stearns and Cheney spoke in favor of the adoption of the striking amendment.

The striking amendment (795) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stearns and Cheney spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Substitute House Bill No. 1362.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 1362, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Corry

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1362, having received the necessary constitutional majority, was declared passed.

**SECOND SUBSTITUTE HOUSE BILL NO. 1332, by House Committee on Appropriations (originally sponsored by Lekanoff, Berry, Ramel, Rude, Reed, Donaghy, Pollet and Macri)**

**Supporting public school instruction in tribal sovereignty and federally recognized Indian tribes.**

The bill was read the third time.

There being no objection, the rules were suspended, and SECOND SUBSTITUTE HOUSE BILL NO. 1332 was returned to second reading for the purpose of amendment.

Representative Santos moved the adoption of the striking amendment (793):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.300.105 and 2011 c 270 s 2 are each amended to read as follows:

(1) To the extent funds are available, an Indian education division, to be known as the office of Native education, is created within the office of the superintendent of public instruction. The superintendent shall appoint an individual to be responsible for the office of Native education.

(2) To the extent state funds are available, with additional support of federal and local funds where authorized by law, the office of Native education shall:

(a) Provide assistance to school districts in meeting the educational needs of American Indian and Alaska Native students;

(b) Facilitate the development and implementation of curricula and instructional materials in native languages, culture and history, and the concept of tribal sovereignty pursuant to RCW 28A.320.170;

(c) Provide assistance to districts in the acquisition of funding to develop curricula and instructional materials in conjunction with native language practitioners and tribal elders;

(d) Coordinate technical assistance for public schools that serve American Indian and Alaska Native students;

(e) Seek funds to develop, in conjunction with the Washington state native American education advisory committee, and implement the following support services for the purposes of both increasing the number of American Indian and Alaska Native teachers and principals and providing continued professional development for educational assistants, teachers, and principals serving American Indian and Alaska Native students:

- (i) Recruitment and retention;
- (ii) Academic transition programs;
- (iii) Academic financial support;
- (iv) Teacher preparation;
- (v) Teacher induction; and
- (vi) Professional development;

(f) Facilitate the inclusion of native language programs in school districts' curricula;

(g) Work with all relevant agencies and committees to highlight the need for accurate, useful data that is appropriately disaggregated to provide a more accurate picture regarding American Indian and Alaska Native students; and

(h) Report to the governor, the legislature, and the governor's office of Indian affairs on an annual basis, beginning in December 2012, regarding the state of Indian education and the implementation of all state laws regarding Indian education,

specifically noting system successes and accomplishments, deficiencies, and needs. The reports issued in 2024 through 2027, must also include: Information about consultations and collaborations between school districts and federally recognized Indian tribes under RCW 28A.320.170, including tribal perspectives on the implementation of the required curriculum; and recommendations for promoting tribal consultation efforts with school districts.

**Sec. 2.** RCW 28A.320.170 and 2015 c 198 s 2 are each amended to read as follows:

~~(1) (a) ((Beginning July 24, 2015, when a school district board of directors reviews or adopts its social studies curriculum, it))~~ By September 1, 2024, school districts shall incorporate the curriculum referenced in (c) of this subsection (1) into their social studies curricula. Instruction provided in accordance with this subsection (1) (a) must be incorporated into all classes teaching United States history, United States government, or civics in grades nine through 12, and provided no less than:

(i) Once to students while they are in any of the grades of kindergarten through three;

(ii) Once to students while they are in grades four or five; and

(iii) Twice to students while they are in any of the grades of six through eight.

(b) By September 1, 2026, school districts shall incorporate ((curricula)) materials about the history, culture, and government of the nearest federally recognized Indian tribe or tribes, ((so that students)) including federally recognized Indian tribes whose traditional lands and territories included parts of Washington, but that now reside in Oregon, Idaho, and British Columbia, into their social studies curricula for the purpose of giving students the opportunity to learn about the unique heritage and experience of their closest federally recognized tribal neighbors. School districts, before incorporating the required materials into their social studies curricula, shall consult with the nearest federally recognized Indian tribe or tribes about strategies and practices for effectively implementing this subsection (1) (b).

~~((b))~~ (c) School districts shall meet the requirements of this section by using curriculum developed and made available free of charge by the office of the superintendent of public instruction and may modify that curriculum in order to incorporate elements that have a regionally specific focus or to incorporate the curriculum into existing curricular materials.

(2) As ((they)) school districts conduct regularly scheduled reviews and revisions of their social studies and history curricula, ((school districts)) they shall consult and collaborate with any federally recognized Indian tribe within their district, and with neighboring Indian tribes, including federally recognized Indian tribes whose traditional lands and territories included parts of Washington, but that now reside in Oregon, Idaho, and British Columbia, to

incorporate expanded and improved curricular materials about Indian tribes, and to create programs of classroom and community cultural exchanges.

(3)(a) School districts shall collaborate with the office of Native education established in RCW 28A.300.105 within the office of the superintendent of public instruction and the office of the superintendent of public instruction on curricular areas regarding tribal government and history that are statewide in nature, such as the concept of tribal sovereignty and the history of federal policy towards federally recognized Indian tribes.

(b) ~~The ((program of Indian education within the))~~ office of the superintendent of public instruction, through the office of Native education, shall ((help)):

(i) Assist local school districts to identify federally recognized Indian tribes whose reservations are in whole or in part within the boundaries of the district ((and/or)), and those that are nearest to the school district, including federally recognized Indian tribes whose traditional lands and territories included parts of Washington, but that now reside in Oregon, Idaho, and British Columbia; and

(ii) Collaborate with tribes that may have unique consultation challenges under this section, such as consulting with a large number of school districts or with school districts that have large student enrollments.

(4)(a) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, for the 2024-25 and 2025-26 school years, shall administer grants to school districts for implementing the requirements of this section, including costs for collaboration with federally recognized Indian tribes, which may comprise reimbursements to tribes for collaboration-related costs, and costs for curriculum design and implementation.

(b) In implementing this subsection (4), the office of the superintendent of public instruction shall establish limits on the percentage of grant funds that a school district may retain for administrative purposes.

**NEW SECTION. Sec. 3.** A new section is added to chapter 28A.305 RCW to read as follows:

Beginning in the 2024-25 school year, the state board of education, in coordination with the office of native education established in RCW 28A.300.105, shall implement a system of annual monitoring and evaluations of school district compliance with RCW 28A.320.170(1). The monitoring and evaluations, which may be conducted concurrently with other oversight and monitoring conducted by the state board of education, must include collected information for each school district about:

(1) Collaborations with the nearest federally recognized Indian tribes;

(2) The grade levels in which the curriculum is taught;

(3) The courses for which credit may be awarded and the number of students enrolled

in, and having received credit for, those courses during the preceding school year;

(4) Summaries of the curriculum implementation process; and

(5) The availability and implementation of applicable professional development.

(6) Beginning in 2025 and concluding in 2028, the state board of education, in accordance with RCW 43.01.036, shall annually provide a report to the education committees of the legislature that summarizes school district compliance with RCW 28A.320.170(1). The reports required by this subsection may be incorporated within other oversight and monitoring reports produced by the state board of education.

(7) This section expires September 1, 2028.

**NEW SECTION. Sec. 4.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representatives Santos and Rude spoke in favor of the adoption of the striking amendment.

The striking amendment (793) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lekanoff and Rude spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1332.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1332, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Corry

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1332, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

**MOTION**

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 2048, and the bill was referred to the Committee on Rules.

The Speaker (Representative Orwall presiding) called upon Representative Fitzgibbon to preside.

There being no objection, the House reverted to the fifth order of business.

**FIRST SUPPLEMENTAL REPORT OF STANDING COMMITTEES**

January 30, 2024

HB 1877 Prime Sponsor, Representative Lekanoff: Improving the Washington state behavioral health system for better coordination and recognition with the Indian behavioral health system. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

Referred to Committee on Appropriations

January 30, 2024

HB 1922 Prime Sponsor, Representative Couture: Establishing a grant program for the purchase and installation of vape detectors in public schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Pollet; Steele and Timmons.

MINORITY recommendation: Without recommendation. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Ortiz-Self; and Stonier.

Referred to Committee on Appropriations

January 30, 2024

HB 1967 Prime Sponsor, Representative Jacobsen: Excluding any person who is convicted of a hit and run resulting in death from being eligible for a first-time offender waiver. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Rules for second reading

January 29, 2024

HB 1972 Prime Sponsor, Representative Simmons: Increasing the licensure fees that support the

Washington physicians health program.  
Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chandler; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2055 Prime Sponsor, Representative Stearns: Creating a gambling treatment diversion court pilot program to be conducted by the administrative office of the courts. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

Referred to Committee on Appropriations

January 30, 2024

HB 2061 Prime Sponsor, Representative Bronoske: Defining an employee of a health care facility for purposes of mandatory overtime provisions. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2076 Prime Sponsor, Representative Orwall: Addressing crimes involving human trafficking or sexual exploitation. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Appropriations

January 30, 2024

HB 2091 Prime Sponsor, Representative Bronoske: Establishing a fallen firefighter memorial. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney,

Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Capital Budget

January 30, 2024

HB 2165 Prime Sponsor, Representative Kloba: Concerning the authority of the department of natural resources to determine recreational use fees for activities on agency-managed public lands. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2182 Prime Sponsor, Representative Reeves: Creating a data dashboard to track use of regulated substances. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; Cheney; Morgan; Orwall; Reeves and Waters.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2213 Prime Sponsor, Representative Cheney: Concerning defects and omissions in the laws that have been identified by the justices of the supreme court or judges of the superior courts pursuant to Article IV, section 25 of the state Constitution. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Do not pass. Signed by Representative Graham, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh, Ranking Minority Member.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2230 Prime Sponsor, Representative Peterson: Promoting economic inclusion by creating the economic security for all grant program. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Walsh.

Referred to Committee on Appropriations

January 30, 2024

HB 2246 Prime Sponsor, Representative Bateman: Concerning vacation leave accrual for state employees. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Appropriations

January 30, 2024

HB 2266 Prime Sponsor, Representative Stonier: Concerning sanitary conditions for construction workers who menstruate or express milk. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representative Schmidt, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Rude; and Ybarra.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2287 Prime Sponsor, Representative Farivar: Creating an advisory board to the office of the corrections ombuds. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Without recommendation. Signed by Representatives Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; and Graham.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2293 Prime Sponsor, Representative Wilcox: Studying the effects of avian predation of salmon. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Rules for second reading



January 29, 2024

HB 2303 Prime Sponsor, Representative Goodman: Modifying conditions of community custody. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Do not pass. Signed by Representative Graham.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2313 Prime Sponsor, Representative Gregerson: Furthering digital equity and opportunity in Washington. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Cortes; Paul; Senn; Shavers and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Volz, Ranking Minority Member; Caldier; Chambers; Christian; and Waters.

MINORITY recommendation: Without recommendation. Signed by Representative Barnard, Assistant Ranking Minority Member.

Referred to Committee on Appropriations

January 30, 2024

HB 2362 Prime Sponsor, Representative Orcutt: Modifying provisions on joint legislative audit and review committee studies. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2363 Prime Sponsor, Representative Chambers: Authorizing off-site and pop-up retail sales, service, and consumption of alcohol. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; Cheney; Morgan and Waters.

MINORITY recommendation: Without recommendation. Signed by Representatives Orwall; and Reeves.

Referred to Committee on Appropriations

January 30, 2024

HB 2371 Prime Sponsor, Representative Cheney: Clarifying the rules surrounding the removal of political advertising. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2382 Prime Sponsor, Representative Berry: Concerning death benefits applicable to drivers of transportation network companies. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Without recommendation. Signed by Representatives Schmidt, Ranking Minority Member; Rude; and Ybarra.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2389 Prime Sponsor, Representative Abbarno: Addressing service of notice by mail in cases involving forcible entry and forcible and unlawful detainer. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Hutchins; Low; Reed and Taylor.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2390 Prime Sponsor, Representative Shavers: Concerning penalties related to eluding police vehicles and resisting arrest. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Fosse; Graham and Ramos.

MINORITY recommendation: Do not pass. Signed by Representatives Simmons, Vice Chair; and Farivar.

Referred to Committee on Appropriations

January 30, 2024

HB 2392 Prime Sponsor, Representative Ryu: Designating kimchi day. Reported by Committee on State Government & Tribal Relations

Referred to Committee on Appropriations

January 31, 2024

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

HB 1574 Prime Sponsor, Representative Rule: Supporting Washington agriculture by capturing methane and reducing greenhouse gas emissions. Reported by Committee on Agriculture & Natural Resources

Referred to Committee on Rules for second reading

January 30, 2024

HB 2464 Prime Sponsor, Representative Connors: Concerning the development of new manufactured/mobile homes and new manufactured/mobile home communities. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Appropriations

January 30, 2024

MAJORITY recommendation: Do pass. Signed by Representatives Peterson, Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Entenman; Hutchins; Low and Taylor.

HB 1800 Prime Sponsor, Representative Barkis: Concerning criminal penalties and restitution for graffiti. Reported by Committee on Community Safety, Justice, & Reentry

MINORITY recommendation: Without recommendation. Signed by Representatives Alvarado, Vice Chair; Chopp; and Reed.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Rules for second reading

**SECOND SUPPLEMENTAL REPORT OF STANDING COMMITTEES**

Referred to Committee on Rules for second reading

January 30, 2024

HB 1239 Prime Sponsor, Representative Santos: Establishing a simple and uniform system for complaints related to, and instituting a code of educator ethics for, conduct within or involving public elementary and secondary schools. Reported by Committee on Education

HB 2038 Prime Sponsor, Representative McClintock: Collecting data on student transfers and withdrawals from public schools and school districts. Reported by Committee on Education

MAJORITY recommendation: The third substitute bill be substituted therefor and the third substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Stonier and Timmons.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Rules for second reading

January 30, 2024

MINORITY recommendation: Do not pass. Signed by Representative Steele.

HB 2069 Prime Sponsor, Representative Mosbrucker: Concerning the sale of biogenic carbon dioxide and other coproducts of biogas processing. Reported by Committee on Environment & Energy

MINORITY recommendation: Without recommendation. Signed by Representative Rude, Ranking Minority Member.

Referred to Committee on Appropriations

January 30, 2024

HB 1450 Prime Sponsor, Representative Stonier: Concerning coverage for biomarker testing. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Berry; Duerr; Fey; Goehner; Lekanoff; Ramel; Sandlin; Slatter and Street.

Referred to Committee on Rules for second reading

January 30, 2024

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

HB 2079

Prime Sponsor, Representative Schmidt: Improving school safety by extending and increasing penalties for interference by, or intimidation by threat of, force or violence at schools and athletic activities. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Rules for second reading

January 29, 2024

HB 2180

Prime Sponsor, Representative Callan: Increasing the special education enrollment funding cap. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chandler; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2197

Prime Sponsor, Representative Orwall: Concerning the availability of prevention services under medical assistance programs. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

January 30, 2024

HB 2216

Prime Sponsor, Representative Cheney: Reducing barriers to state employment by eliminating two-year and four-year degree requirements that are unnecessary. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2224

Prime Sponsor, Representative Rule: Incorporating a risks, strengths, and needs

assessment tool in the risk assessment process when investigating alleged child abuse and neglect referrals. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives Dent; and Walsh.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2301

Prime Sponsor, Representative Doglio: Improving the outcomes associated with waste material management systems, including products affecting organic material management systems. Reported by Committee on Environment & Energy

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Ybarra, Assistant Ranking Minority Member; Barnard; Berry; Duerr; Fey; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Without recommendation. Signed by Representatives Dye, Ranking Minority Member; Abbarno; Goehner; and Sandlin.

Referred to Committee on Appropriations

January 30, 2024

HB 2335

Prime Sponsor, Representative Santos: Concerning state-tribal education compacts. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2381

Prime Sponsor, Representative McEntire: Increasing eligibility for economy and efficiency flexible school calendar waivers. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2463 Prime Sponsor, Representative Lekanoff:  
Conducting a review of salmon planning and  
recovery efforts. Reported by Committee on  
Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by  
Representatives Chapman, Chair; Morgan, Vice Chair;  
Reeves, Vice Chair; Dent, Ranking Minority Member;  
Chandler, Assistant Ranking Minority Member; Kloba; Kretz;  
Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Appropriations

January 30, 2024

HB 2467 Prime Sponsor, Representative Macri:  
Increasing access to the long-term services  
and supports trust. Reported by Committee  
on Health Care & Wellness

MAJORITY recommendation: The substitute bill be  
substituted therefor and the substitute bill do pass. Signed by  
Representatives Riccelli, Chair; Bateman, Vice Chair;  
Bronoske; Davis; Harris; Macri; Mosbrucker; Orwall;  
Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Without recommendation.  
Signed by Representatives Schmick, Ranking Minority  
Member; Hutchins, Assistant Ranking Minority Member;  
Caldier; Graham; and Maycumber.

Referred to Committee on Rules for second reading

**THIRD SUPPLEMENTAL REPORT OF STANDING  
COMMITTEES**

January 29, 2024

HB 1368 Prime Sponsor, Representative Senn:  
Requiring and funding the purchase of zero  
emission school buses. Reported by  
Committee on Appropriations

MAJORITY recommendation: The second substitute bill be  
substituted therefor and the second substitute bill do pass and  
do not pass the substitute bill by Committee on Environment  
& Energy. Signed by Representatives Ormsby, Chair;  
Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice  
Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff;  
Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer;  
Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by  
Representatives Chambers, Assistant Ranking Minority  
Member; Connors, Assistant Ranking Minority Member;  
Couture, Assistant Ranking Minority Member; Chandler;  
Dye; Harris; Rude; Sandlin; and Schmick.

Referred to Committee on Rules for second reading

January 30, 2024

E2SHB 1479 Prime Sponsor, Appropriations: Concerning  
restraint or isolation of students in public  
schools and educational programs. Reported  
by Committee on Education

MAJORITY recommendation: The third substitute bill be  
substituted therefor and the third substitute bill do pass.  
Signed by Representatives Santos, Chair; Shavers, Vice  
Chair; Rude, Ranking Minority Member; McEntire, Assistant  
Ranking Minority Member; Bergquist; Couture; Eslick;  
McClintock; Nance; Ortiz-Self; Pollet; Stonier and Timmons.

MINORITY recommendation: Do not pass. Signed by  
Representatives Harris; and Steele.

Referred to Committee on Appropriations

January 31, 2024

HB 1655 Prime Sponsor, Representative Harris:  
Concerning provider contract compensation.  
Reported by Committee on Health Care &  
Wellness

MAJORITY recommendation: The substitute bill be  
substituted therefor and the substitute bill do pass. Signed by  
Representatives Riccelli, Chair; Bateman, Vice Chair;  
Bronoske; Davis; Harris; Macri; Maycumber; Mosbrucker;  
Orwall; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Without recommendation.  
Signed by Representatives Schmick, Ranking Minority  
Member; Hutchins, Assistant Ranking Minority Member;  
Caldier; and Graham.

Referred to Committee on Appropriations

January 31, 2024

HB 1934 Prime Sponsor, Representative Couture:  
Establishing an artificial intelligence task  
force. Reported by Committee on Consumer  
Protection & Business

MAJORITY recommendation: The substitute bill be  
substituted therefor and the substitute bill do pass. Signed by  
Representatives Walen, Chair; Reeves, Vice Chair; Robertson,  
Ranking Minority Member; McClintock, Assistant Ranking  
Minority Member; Connors; Donaghy; Hackney; Sandlin and  
Volz.

MINORITY recommendation: Do not pass. Signed by  
Representative Santos.

MINORITY recommendation: Without recommendation.  
Signed by Representatives Chapman; and Ryu.

Referred to Committee on Appropriations

January 31, 2024

HB 1941 Prime Sponsor, Representative Couture:  
Providing for health home services for  
medicaid-eligible children with medically  
complex conditions. Reported by Committee  
on Health Care & Wellness

MAJORITY recommendation: The substitute bill be  
substituted therefor and the substitute bill do pass. Signed by  
Representatives Riccelli, Chair; Bateman, Vice Chair;  
Schmick, Ranking Minority Member; Hutchins, Assistant  
Ranking Minority Member; Bronoske; Caldier; Davis;  
Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall;  
Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

January 31, 2024

HB 1971 Prime Sponsor, Representative Dent:  
Concerning a rangeland fire protection  
association pilot project. Reported by  
Committee on Agriculture & Natural  
Resources

MAJORITY recommendation: The substitute bill be  
substituted therefor and the substitute bill do pass. Signed by

Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Orcutt; Schmick and Springer.

MINORITY recommendation: Without recommendation. Signed by Representative Lekanoff.

Referred to Committee on Appropriations

January 31, 2024

HB 1974 Prime Sponsor, Representative Abbarno: Disposing of human remains. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Walsh, Ranking Minority Member; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representative Graham, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2018 Prime Sponsor, Representative McClintock: Improving student outcomes by restricting mobile device use by public school students. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Pollet; Steele and Timmons.

MINORITY recommendation: Without recommendation. Signed by Representatives Ortiz-Self; and Stonier.

Referred to Committee on Appropriations

January 31, 2024

HB 2028 Prime Sponsor, Representative Santos: Concerning manufacturer and new dealer franchise agreements. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: Do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu; Sandlin; Santos and Volz.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2052 Prime Sponsor, Representative Callan: Increasing the availability of baby diaper changing stations. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2065 Prime Sponsor, Representative Stearns: Recalculating sentencing ranges for currently incarcerated individuals whose offender score was increased by juvenile convictions. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Do not pass. Signed by Representatives Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; and Graham.

Referred to Committee on Appropriations

January 31, 2024

HB 2081 Prime Sponsor, Representative Hackney: Regulating home equity sharing agreements under the consumer loan act. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu; Sandlin; Santos and Volz.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2117 Prime Sponsor, Representative Barnard: Authorizing authorities to address aerial firefighting aspects as part of permitting processes for communities at risk of wildfires. Reported by Committee on Environment & Energy

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Duerr; Fey; Goehner; Lekanoff; Sandlin; Slatter and Street.

MINORITY recommendation: Without recommendation. Signed by Representatives Berry; and Ramel.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2128 Prime Sponsor, Representative Schmick: Modernizing the certificate of need program. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

January 30, 2024

HB 2153 Prime Sponsor, Representative Ryu:  
Deterring the theft of catalytic converters.  
Reported by Committee on Consumer  
Protection & Business

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu; Sandlin and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative Santos.

Referred to Committee on Transportation

January 31, 2024

HB 2173 Prime Sponsor, Representative Ybarra:  
Concerning executive sessions by publicly  
owned natural gas utilities under the open  
public meetings act in order to comply with  
the climate commitment act. Reported by  
Committee on State Government & Tribal  
Relations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2178 Prime Sponsor, Representative Goodman:  
Establishing a pathway off lifetime  
community custody for individuals with sex  
offense convictions. Reported by Committee  
on Community Safety, Justice, & Reentry

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Do not pass. Signed by Representatives Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; and Graham.

Referred to Committee on Appropriations

January 30, 2024

HB 2207 Prime Sponsor, Representative Ramos:  
Providing tools designed to reduce the  
impacts of unlawful solid waste dumping.  
Reported by Committee on Environment &  
Energy

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Abbarno; Berry; Duerr; Fey; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Barnard; Goehner; and Sandlin.

Referred to Committee on Appropriations

January 30, 2024

HB 2217 Prime Sponsor, Representative Cortes:  
Concerning authority over individuals found  
guilty of or accused of criminal offenses that  
occurred when the individual was under age  
18. Reported by Committee on Human  
Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Callan; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives Couture, Assistant Ranking Minority Member; and Walsh.

MINORITY recommendation: Without recommendation. Signed by Representatives Rule, Vice Chair; Eslick, Ranking Minority Member; and Dent.

Referred to Committee on Appropriations

January 31, 2024

HB 2243 Prime Sponsor, Representative Reeves:  
Creating the children's social equity land  
trust. Reported by Committee on Agriculture  
& Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Lekanoff and Springer.

MINORITY recommendation: Without recommendation. Signed by Representatives Orcutt; and Schmick.

Referred to Committee on Capital Budget

January 30, 2024

HB 2247 Prime Sponsor, Representative Bateman:  
Addressing behavioral health provider  
shortages. Reported by Committee on Health  
Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

January 31, 2024

HB 2250 Prime Sponsor, Representative Gregerson:  
Increasing representation and voter  
participation in local elections. Reported by  
Committee on State Government & Tribal  
Relations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Gregerson and Mena.

MINORITY recommendation: Without recommendation. Signed by Representatives Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; and Low.

January 31, 2024

Referred to Committee on Rules for second reading

January 31, 2024

HB 2265 Prime Sponsor, Representative Doglio: Establishing climbing facility regulations and requirements. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; and Cheney.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2270 Prime Sponsor, Representative Morgan: Creating a Washington state department of housing. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Bateman; Chopp; Entenman; Reed and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Hutchins; and Low.

Referred to Committee on Appropriations

January 30, 2024

HB 2271 Prime Sponsor, Representative Chambers: Promoting access to information regarding the long-term services and supports trust program. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

January 31, 2024

HB 2274 Prime Sponsor, Representative Donaghy: Establishing consumer protections for owners of solicited real estate. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu; Sandlin; Santos and Volz.

Referred to Committee on Rules for second reading

HB 2279

Prime Sponsor, Representative Farivar: Concerning utilization of developmental disabilities waivers. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self; Taylor and Walsh.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2283 Prime Sponsor, Representative Volz: Allowing state employees living in an emergency or disaster area to receive shared leave. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2286 Prime Sponsor, Representative Wilcox: Creating a capital grant program to support recovery of salmon and steelhead stocks. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Capital Budget

January 30, 2024

HB 2295 Prime Sponsor, Representative Bateman: Concerning hospital at-home services. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2309 Prime Sponsor, Representative Bergquist: Establishing the Washington 13 free guarantee. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed,

Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Leavitt; McEntire; Nance; Paul; Pollet and Timmons.

mitigation. Reported by Committee on Consumer Protection & Business

MINORITY recommendation: Do not pass. Signed by Representatives Chandler; and Jacobsen.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu; Sandlin; Santos and Volz.

MINORITY recommendation: Without recommendation. Signed by Representatives Klicker; and Schmidt.

Referred to Committee on Rules for second reading

Referred to Committee on Appropriations

January 31, 2024

January 31, 2024

HB 2319 Prime Sponsor, Representative Davis: Concerning substance use disorder treatment. Reported by Committee on Health Care & Wellness

HB 2347 Prime Sponsor, Representative Reeves: Concerning adult family home information. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Without recommendation. Signed by Representatives Schmick, Ranking Minority Member; and Harris.

Referred to Committee on Rules for second reading

Referred to Committee on Appropriations

January 31, 2024

January 30, 2024

HB 2323 Prime Sponsor, Representative Peterson: Requiring landlords to report on-time rent payments to consumer reporting agencies. Reported by Committee on Housing

HB 2354 Prime Sponsor, Representative Street: Creating an option for impacted taxing districts to provide a portion of their new revenue to support any tax increment area proposed within their jurisdiction. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Bateman; Chopp; Entenman; Reed and Taylor.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

MINORITY recommendation: Do not pass. Signed by Representatives Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; and Hutchins.

Referred to Committee on Finance

MINORITY recommendation: Without recommendation. Signed by Representatives Leavitt, Vice Chair; Barkis; and Low.

January 30, 2024

Referred to Committee on Rules for second reading

HB 2361 Prime Sponsor, Representative Riccelli: Phasing in the requirement that only standardized health plans may be offered on the health benefit exchange. Reported by Committee on Health Care & Wellness

January 30, 2024

HB 2329 Prime Sponsor, Representative Macri: Conducting a study of the insurance market for housing providers receiving housing trust fund resources. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske; Davis; Macri; Orwall; Simmons; Stonier; Thai and Tharinger.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu and Santos.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Caldier; Graham; Maycumber; and Mosbrucker.

MINORITY recommendation: Without recommendation. Signed by Representatives Sandlin; and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative Harris.

Referred to Committee on Rules for second reading

Referred to Committee on Appropriations

January 31, 2024

January 30, 2024

HB 2330 Prime Sponsor, Representative Reeves: Addressing wildfire protection and



HB 2365 Prime Sponsor, Representative Barnard: Increasing access to respite care for those with intellectual or developmental disabilities and their caregivers. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self; Taylor and Walsh.

Referred to Committee on Appropriations

January 31, 2024

HB 2368 Prime Sponsor, Representative Gregerson: Assisting refugees and immigrants. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives Couture, Assistant Ranking Minority Member; and Walsh.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2396 Prime Sponsor, Representative Mosbrucker: Concerning fentanyl and other synthetic opioids. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2398 Prime Sponsor, Representative Walsh: Requiring parent representation on instructional materials committees. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Steele; Stonier and Timmons.

MINORITY recommendation: Without recommendation. Signed by Representatives Ortiz-Self; and Pollet.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2407 Prime Sponsor, Representative Couture: Increasing protections for child welfare workers. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self; Taylor and Walsh.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2409 Prime Sponsor, Representative Corry: Addressing underground facilities and safe excavation practices. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2415 Prime Sponsor, Representative Cortes: Expanding economic assistance for individuals who are eligible for temporary assistance for needy families. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2424 Prime Sponsor, Representative Kretz: Updating cooperative agreements between the state and federally recognized tribes for the successful collaborative management of Washington's wildlife resources. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba; Kretz; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2428 Prime Sponsor, Representative Klicker: Allowing cities to voluntarily share certain sales and use tax revenue. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2430 Prime Sponsor, Representative Springer: Waiving business licensing handling and delinquency fees for eligible businesses. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: Do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu; Sandlin; Santos and Volz.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2433 Prime Sponsor, Representative Orcutt: Concerning administration of the southwest Washington fair by the Lewis county board of county commissioners. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2437 Prime Sponsor, Representative Santos: Incentivizing retirement savings options for Washington businesses and their employees. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu; Sandlin; Santos and Volz.

Referred to Committee on Appropriations

January 30, 2024

HB 2447 Prime Sponsor, Representative Senn: Supporting children and families. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Walsh.

MINORITY recommendation: Without recommendation. Signed by Representative Dent.

Referred to Committee on Appropriations

January 30, 2024

HB 2452 Prime Sponsor, Representative Barkis: Addressing the impacts of certain codes on

manufactured housing inventory. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Hutchins; Low; Reed and Taylor.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2455 Prime Sponsor, Representative Gregerson: Providing local governments options regarding elections for competing ballot measures. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Gregerson; Low and Mena.

MINORITY recommendation: Do not pass. Signed by Representative Christian, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative Cheney, Ranking Minority Member.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2465 Prime Sponsor, Representative Ramel: Streamlining the state building code council operating procedures by establishing criteria for statewide amendments to the state building code. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

January 30, 2024

HB 2474 Prime Sponsor, Representative Peterson: Concerning compliance with siting requirements for transitional housing, permanent supportive housing, indoor emergency shelters, and indoor emergency housing. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Bateman; Chopp; Entenman; Reed and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Hutchins.

MINORITY recommendation: Without recommendation. Signed by Representatives Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; and Low.

Referred to Committee on Appropriations

There being no objection, the bills listed on the day's first, second, and third supplemental committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:55 a.m., Thursday, February 1, 2024, the 25th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

TWENTY FIFTH DAY

House Chamber, Olympia, Thursday, February 1, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4656**, by Representative Thai

WHEREAS, More than 877,500 Americans die of heart disease, stroke, or other cardiovascular diseases every year. Heart disease and stroke are the first and fifth leading causes of death in the United States; and

WHEREAS, The centers for disease control and prevention (CDC) estimates that someone in the United States has a heart attack every 40 seconds, but 80 percent of heart attacks are preventable; and

WHEREAS, The CDC's Million Hearts Program is a national initiative to prevent 1,000,000 heart attacks and strokes between 2022 and 2027; and

WHEREAS, The CDC views high cholesterol as a modifiable risk factor for cardiovascular disease, including heart attack and stroke; and

WHEREAS, The American heart association explains that cardiovascular disease can refer to a number of conditions, including heart disease, atherosclerosis, heart attack, stroke, heart failure, arrhythmia, and heart valve problems; and

WHEREAS, Among Washington's 35 years of age and older population, men are hospitalized for heart attacks at nearly twice the rate of women; and

WHEREAS, Heart disease is the second leading cause of death in Washington; and

WHEREAS, One in five women die of heart disease in Washington; and

WHEREAS, One in four men die of heart disease in Washington; and

WHEREAS, Air pollution is one of many factors that impacts heart health. Exposure to fine particle pollution contributes to cardiovascular disease and death. People who breathe in higher levels of fine particle pollution over a long time have more heart problems, like heart attacks, than people who breathe in less of this kind of pollution; and

WHEREAS, Researchers with the family heart foundation found that despite the availability of effective treatments for high cholesterol, 71 percent of hypercholesterolemia patients at high risk for heart attack and stroke never achieve low-density lipoprotein levels below recommended thresholds; and

WHEREAS, The LDL-C action summit, a consortium of the nation's leading cardiovascular stakeholder groups, seeks to cut cardiovascular events in half by 2030; and

WHEREAS, February was first proclaimed national heart health month by United States president Lyndon B. Johnson in 1964 to focus on cardiovascular health, raise awareness about the risks of heart disease, and highlight the possible steps that can be adopted to save the lives of those countless people and address the unequal burden of heart disease in overburdened communities;

NOW, THEREFORE, BE IT RESOLVED, That the Washington House of Representatives urge health care providers to educate the public and treat all cardiovascular disease patients in accordance with American college of cardiology treatment guidelines; and

BE IT FURTHER RESOLVED, That the members of this chamber recognize February as heart health month in Washington state.

With the consent of the House, HOUSE RESOLUTION NO. 4656 was adopted.

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4663**, by Representative McClintock

WHEREAS, Colleen O'Neal, a dedicated and retired educator with over thirty years of experience as a teacher, principal, and education advocate, has made significant contributions to the field of education; and

WHEREAS, Upon her retirement in 2015, Colleen O'Neal assumed the role of President of the Battle Ground Education Foundation, demonstrating her commitment to rebuilding the foundation to better serve the students at Battle Ground Public Schools; and

WHEREAS, During her tenure at Battle Ground Public Schools, she served for 28 years as both a teacher and principal, leaving a lasting impact on the community and its educational system; and

WHEREAS, Under her leadership, significant strides were made toward eliminating student lunch debt, and ensuring all students have equal access to meals; and

WHEREAS, Colleen O'Neal has been instrumental in efforts to routinely pay off thousands of dollars in student lunch debt each year, focusing primarily on students with reduced lunch plans, and aiding children in need; and

WHEREAS, Colleen O'Neal's efforts in the Battle Ground Public School district helped support the community, with the purchase of two Automated External Defibrillators (AEDs), ensuring that each school is equipped with these life-saving devices; and

WHEREAS, The provision of AEDs, which are crucial for responding to medical emergencies, highlights Colleen O'Neal's foresight in recognizing and addressing the health and safety needs of the school community; and

WHEREAS, The impactful contributions of Colleen extend beyond health and safety measures to include support for literacy programs, the Family and Community Resource Center, and unified sports, all testament to Colleen O'Neal's comprehensive approach to supporting education;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor Colleen O'Neal for her exemplary service, her deep commitment to the Battle Ground Public Schools, and her significant contributions to the community of Washington State; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Colleen O'Neal.

With the consent of the House, HOUSE RESOLUTION NO. 4663 was adopted.

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4664**, by Representative Maycumber

WHEREAS, Cardiovascular disease is the leading cause of death in women, claiming more lives than all forms of cancer

combined and yet only 44% of women recognize that cardiovascular disease is their greatest health threat; and

WHEREAS, Among females 20 years and older, nearly 45% are living with some form of cardiovascular disease and less than half of women entering pregnancy in the United States have optimal cardiovascular health; and

WHEREAS, Cardiovascular disease is the leading cause of maternal death in the United States, or more simply put, heart disease is the number 1 killer of new moms; and

WHEREAS, Overall, 10% to 20% of women will have a health issue during pregnancy, and high blood pressure, preeclampsia, and gestational diabetes during pregnancy greatly increase a women's risk for developing cardiovascular disease later in life; and

WHEREAS, Most cardiac and stroke events can be prevented through education and lifestyle changes, such as moving more, eating smart, and managing blood pressure; and

WHEREAS, In 2020, stroke caused the deaths of 90,627 females, approximately 56.5% of total stroke deaths; and

WHEREAS, Women are often less likely to receive bystander CPR because rescuers often fear accusations of inappropriate touching, sexual assault, or injuring the victim; and

WHEREAS, There are significant biological differences between men and women, and clinical trials have not always adequately enrolled women or analyzed sex-specific differences in the data; and, as of 2020, only 38% of cardiovascular clinical research trial participants are women; and

WHEREAS, Since 2004, increased efforts have been made by researchers, organizations, and policymakers to raise awareness of clinical care gaps of women's greatest health threat, cardiovascular disease;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize the plight and courage of women with cardiovascular disease during this month of February, first proclaimed by President Lyndon B. Johnson in 1964 as National Heart Health month.

With the consent of the House, HOUSE RESOLUTION NO. 4664 was adopted.

#### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4665**, by Representatives Walen, Gregerson, Berry, Ramel, Ryu, Leavitt, Robertson, Orwall, Santos, Klicker, Duerr, Senn, Christian, Barnard, Mosbrucker, Cory, Rude, Barkis, Nance, Goehner, Callan, Macri, Bronoske, Thai, and Stokesbary

WHEREAS, The people of Washington state share a rich cultural history and a strong bond with our global neighbors in Taiwan and the more than 100,000 Taiwanese Americans from Taiwan living and working in Washington state; and

WHEREAS, Taiwanese Americans living in Washington have profoundly impacted our state and continue to further the democratic values that define us as a beacon of opportunity and prosperity; and

WHEREAS, Washingtonians recognize the generations of resilience, sacrifice, and hope demonstrated by Taiwanese immigrants living in Washington and their descendants in their innumerable contributions to our communities; and

WHEREAS, The people of Washington state enjoy a more vibrant heritage and economy from the bilateral cultivation of these deep ties with the people of Taiwan; and

WHEREAS, Taiwan has ranked among the top three importers of Washington sweet cherries, potatoes, and beef; and

WHEREAS, The people of Washington state value the investment of Taiwanese companies in Washington state's workforce, helping to create more than 15,000 skilled labor jobs in industries ranging from semiconductor technology, airlines, and harbor shipping to the development and manufacture of high-quality fiber optic components and video microscopes;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize the importance of a strong and enduring partnership between the people of Washington state and the people of Taiwan.

With the consent of the House, HOUSE RESOLUTION NO. 4665 was adopted.

There being no objection, the House advanced to the third order of business.

#### MESSAGE FROM THE SENATE

Wednesday, January 31, 2024

Mme. Speaker:

The Senate has passed:

SENATE BILL NO. 5647  
 SUBSTITUTE SENATE BILL NO. 5785  
 ENGROSSED SENATE BILL NO. 5790  
 SUBSTITUTE SENATE BILL NO. 5794  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5801  
 SUBSTITUTE SENATE BILL NO. 5808  
 SENATE BILL NO. 5842  
 ENGROSSED SENATE BILL NO. 5856  
 SENATE BILL NO. 5883  
 SENATE BILL NO. 5913  
 SENATE BILL NO. 5921  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5974  
 SUBSTITUTE SENATE BILL NO. 5998  
 SENATE CONCURRENT RESOLUTION NO. 8414

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

#### INTRODUCTION & FIRST READING

HB 2491 by Representative Fey

AN ACT Relating to modifying allowable terms for the lease of unused highway land; and amending RCW 47.12.120.

Referred to Committee on Transportation.

HB 2492 by Representatives Nance, Ramel, Berry, Couture, Shavers, Eslick, Pollet, Street, Alvarado, McEntire, Simmons, Mena, Chapman, Reed, Griffey, Senn, Slatter, Ramos and Walsh

AN ACT Relating to the creation of the Washington state ferries 75 commission; creating new sections; and providing an expiration date.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

#### MOTION

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 1915, and the bill was referred to the Committee on Rules.

There being no objection, the House adjourned until 9:55 a.m., Friday, February 2, 2024, the 26th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

TWENTY SIXTH DAY

House Chamber, Olympia, Friday, February 2, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Bronoske presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

**HOUSE RESOLUTION NO. 2024-4662**, by Representatives Chambers, Robertson, Bronoske, Mena, Jacobsen, Barkis, Hutchins, and Stokesbary

WHEREAS, For 91 years the annual Daffodil Festival has been a cherished tradition for the people of Pierce county; and

WHEREAS, The Daffodil Festival has been an anticipated event that continues to bring communities together to celebrate unity within our diverse community; and

WHEREAS, Since its inception in the 1920s as a modest garden party, it has grown into the festival that we all know and love today and this year celebrates its 91st anniversary; and

WHEREAS, Each year, 24 young women pass through a rigorous selection process to represent their schools as well as Pierce county communities through ambassadorship, community service, and civic pride; and

WHEREAS, Members of the Daffodil Festival royal court serve as role models for youth around our region. Their volunteerism, civic responsibility, and willingness to be ambassadors for Pierce county serve as a light for youth to look up to; and

WHEREAS, This year's Daffodil Festival royal court includes: Addie Fowler, Bonney Lake High School; Addison Muse, Stadium High School; Addison Ogden, Emerald Ridge High School; Alejandra Gonzalez, Puyallup High School; Amanda Peterson, Lincoln High School; Chai Hill, Clover Park High School; Faletle Moliga, Mount Tacoma High School; Hannah Zaragoza, Eatonville High School; Kaylie Dickerson, Graham-Kapowsin High School; Kemoni Brouillard, Washington High School; Kendra Hemmen, White River High School; Khushi Verma, Spanaway Lake High School; Leilani Campos-Ramos, Harrison Preparatory School; Lillian Bagley, Franklin Pierce High School; Lillian Ecklund, Curtis High School; Maria Cortez, Foss High School; Mikayla Jeffries, Orting High School; Olivia Ballard, Fife High School; Patricia Page, Lakes High School; Rejae Williams, Rogers High School; Shelby-Lynn Jaconson-Harkin, Bethel High School; Siana Farina, Silas High School; Taiah Mitchell, Chief Leschi Schools; and Zoë Roberts, Sumner High School;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and honor the many contributions made to our state by the Daffodil Festival, its organizers, and its royal court for the past 91 years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the 2024 Daffodil Festival officers and to the 24 members of the 2024 Daffodil Festival royalty.

With the consent of the House, HOUSE RESOLUTION NO. 4662 was adopted.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

Wednesday, January 24, 2024

Mme. Speaker:

The Senate has passed:

- ENGROSSED SUBSTITUTE SENATE BILL NO. 5010
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5271
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5334
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5481
- SENATE BILL NO. 5508
- SUBSTITUTE SENATE BILL NO. 5588
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5690
- SUBSTITUTE SENATE BILL NO. 5787
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5788
- SUBSTITUTE SENATE BILL NO. 5815
- ENGROSSED SENATE BILL NO. 5824
- SUBSTITUTE SENATE BILL NO. 5835
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5890
- SUBSTITUTE SENATE BILL NO. 5936

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

MESSAGE FROM THE SENATE

Wednesday, January 31, 2024

Mme. Speaker:

The Senate has passed:

- SENATE BILL NO. 5647
- SUBSTITUTE SENATE BILL NO. 5785
- ENGROSSED SENATE BILL NO. 5790
- SUBSTITUTE SENATE BILL NO. 5794
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5801
- SUBSTITUTE SENATE BILL NO. 5808
- SENATE BILL NO. 5842
- ENGROSSED SENATE BILL NO. 5856
- SENATE BILL NO. 5883
- SENATE BILL NO. 5913
- SENATE BILL NO. 5921
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5974
- SUBSTITUTE SENATE BILL NO. 5998
- SENATE CONCURRENT RESOLUTION NO. 8414

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2493 by Representative Caldier

AN ACT Relating to ready-to-serve alcoholic beverages; and amending RCW 66.04.010 and 82.08.150.

Referred to Committee on Regulated Substances & Gaming.

SB 5647 by Senators Torres, Conway, King, Lovelett, Wilson, C. and Wilson, J.

AN ACT Relating to providing substitute teachers and other temporary employees necessary information about school

safety policies and procedures; and amending RCW 28A.320.125 and 28A.300.630.

Referred to Committee on Education.

SSB 5785 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Warnick, Shewmake, Liias, Mullet, Nobles, Saldaña and Van De Wege)

AN ACT Relating to department of fish and wildlife authority with regard to certain nonprofit and volunteer organizations; and adding a new section to chapter 77.12 RCW.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

ESB 5790 by Senators Dhingra, Wellman, Kuderer, Nobles, Trudeau, Hunt, Fortunato, Hasegawa, Lovick, Saldaña, Stanford, Valdez, Van De Wege and Wilson, C.

AN ACT Relating to bleeding control equipment in schools; and adding a new section to chapter 28A.320 RCW.

Referred to Committee on Education.

SSB 5794 by Senate Committee on Labor & Commerce (originally sponsored by King, Keiser and Nobles)

AN ACT Relating to architecture licensing examinations; amending RCW 18.08.360; and providing an effective date.

Referred to Committee on Consumer Protection & Business.

ESSB 5801 by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Dozier, Pedersen, Hunt, Mullet and Wilson, J.)

AN ACT Relating to the uniform special deposits act; adding a new chapter to Title 30A RCW; and providing an effective date.

Referred to Committee on Consumer Protection & Business.

SSB 5808 by Senate Committee on Labor & Commerce (originally sponsored by Van De Wege, Lovick, Conway, Trudeau, Nguyen, Kuderer, Randall, Dhingra, Hunt, Valdez, Keiser, Stanford, Liias, Hasegawa, Shewmake, Mullet, Nobles and Salomon)

AN ACT Relating to granting interest arbitration to certain public safety telecommunicators; and amending RCW 41.56.030.

Referred to Committee on Labor & Workplace Standards.

SB 5842 by Senators Kuderer, Frame, Dhingra, Hasegawa, Hunt, Nobles, Wellman and Wilson, C.

AN ACT Relating to restricting the use of social security numbers by insurance companies for the purpose of determining child support debt; and amending RCW 26.23.037.

Referred to Committee on Civil Rights & Judiciary.

ESB 5856 by Senators Hunt, Kuderer, Nobles, Valdez and Wilson, C.

AN ACT Relating to voter registration challenges; and amending RCW 29A.08.810, 29A.08.820, 29A.08.835, and 29A.08.840.

Referred to Committee on State Government & Tribal Relations.

SB 5883 by Senators Trudeau, Braun, Dhingra, Frame, Hasegawa, Kauffman, Nobles, Saldaña, Valdez and Wilson, C.

AN ACT Relating to the burden of proof for special education due process hearings; and adding a new section to chapter 28A.155 RCW.

Referred to Committee on Education.

SB 5913 by Senators Valdez, MacEwen, Hunt and Nobles

AN ACT Relating to communication between employees of state institutions of higher education and student athletes regarding name, image, and likeness use; and adding a new section to chapter 42.52 RCW.

Referred to Committee on State Government & Tribal Relations.

SB 5921 by Senators Stanford, Van De Wege, Conway, Hasegawa, Liias, Nguyen, Nobles, Trudeau and Valdez

AN ACT Relating to tribal representation on the state conservation commission; and amending RCW 89.08.030.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

ESSB 5974 by Senate Committee on Human Services (originally sponsored by Frame, Saldaña, Dhingra, Hasegawa, Kuderer, Nguyen, Nobles, Trudeau and Wilson, C.)

AN ACT Relating to the disposition of unenforceable legal financial obligations other than restitution imposed by a court or an agent of the court against a juvenile prior to July 1, 2023; amending RCW 13.40.192; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

SSB 5998 by Senate Committee on Law & Justice (originally sponsored by Hansen, Billig, Dhingra, Nguyen and Saldaña)

AN ACT Relating to timing of eligibility for vacation of nonfelony convictions; and amending RCW 9.96.060.

Referred to Committee on Community Safety, Justice, & Reentry.

SCR 8414 by Senators Lovick, Torres, Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Holy, Hunt, Keiser, Kuderer, Liias, Lovelett, Muzzall, Nguyen, Nobles, Pedersen, Rivers, Saldaña, Shewmake, Stanford, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Creating a joint select committee on civic health.

Referred to Committee on State Government & Tribal Relations.

There being no objection, the bills and resolution listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

February 1, 2024

HB 1936

Prime Sponsor, Representative Shavers:  
Concerning tax incentives for farmers.  
Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Ramel; Santos; Springer; Walen and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representative Chopp.

Referred to Committee on Appropriations

January 31, 2024

HB 1953 Prime Sponsor, Representative Entenman: Improving access to department of licensing issued documents by clarifying the application requirements for a minor, modifying the requirements for at-cost identicards, and studying the feasibility of reduced-fee identicards. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Berry; Bronoske; Chapman; Cortes; Doglio; Duerr; Entenman; Hackney; Mena; Nance; Ramel; Ramos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Volz; and Walsh.

MINORITY recommendation: Without recommendation. Signed by Representatives Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Dent; Goehner; Griffey; Klicker; Orcutt; and Schmidt.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2316 Prime Sponsor, Representative Couture: Concerning membership in the public employees' retirement system for certain part-time bus drivers employed full-time by the federal government. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chandler; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2356 Prime Sponsor, Representative Fey: Concerning speed safety camera systems. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson,

Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz; Walsh and Wylie.

Referred to Committee on Rules for second reading

February 1, 2024

HB 2375 Prime Sponsor, Representative Goehner: Including an accessory dwelling unit under property that qualifies for the senior citizens property tax exemption. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Walen; Wilcox and Wylie.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2456 Prime Sponsor, Representative Timmons: Ensuring connectivity for Washington wildlife through safe passages. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Berry; Bronoske; Cortes; Doglio; Duerr; Entenman; Hackney; Mena; Nance; Ramel; Ramos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey; Klicker; Orcutt; Schmidt; Volz; and Walsh.

MINORITY recommendation: Without recommendation. Signed by Representatives Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Chapman; Dent; and Goehner.

Referred to Committee on Appropriations

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Representative Orwall presiding) called upon Representative Fitzgibbon to preside.

There being no objection, the House advanced to the eighth order of business.

**MOTIONS**

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 2217, and the bill was referred to the Committee on Rules.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

- HOUSE BILL NO. 1153
- HOUSE BILL NO. 1185
- SECOND SUBSTITUTE HOUSE BILL NO. 1433
- SECOND SUBSTITUTE HOUSE BILL NO. 1579
- HOUSE BILL NO. 1692
- HOUSE BILL NO. 1889



HOUSE BILL NO. 1890  
HOUSE BILL NO. 1911  
HOUSE BILL NO. 1924  
HOUSE BILL NO. 1949  
HOUSE BILL NO. 1958  
HOUSE BILL NO. 1972  
HOUSE BILL NO. 1976  
HOUSE BILL NO. 1979  
HOUSE BILL NO. 1985  
HOUSE BILL NO. 1998  
HOUSE BILL NO. 2006  
HOUSE BILL NO. 2059  
HOUSE BILL NO. 2088  
HOUSE BILL NO. 2097  
HOUSE BILL NO. 2156  
HOUSE BILL NO. 2164  
HOUSE BILL NO. 2165  
HOUSE BILL NO. 2182  
HOUSE BILL NO. 2226  
HOUSE BILL NO. 1903  
HOUSE BILL NO. 1927  
HOUSE BILL NO. 1978  
HOUSE BILL NO. 1991  
HOUSE BILL NO. 2086  
HOUSE BILL NO. 2258  
HOUSE BILL NO. 2266  
HOUSE BILL NO. 2335  
HOUSE BILL NO. 1752  
HOUSE BILL NO. 1800  
HOUSE BILL NO. 1909  
HOUSE BILL NO. 1948  
HOUSE BILL NO. 1962  
HOUSE BILL NO. 1986  
HOUSE BILL NO. 2037  
HOUSE BILL NO. 2045  
HOUSE BILL NO. 2048  
HOUSE BILL NO. 2062  
HOUSE BILL NO. 2074  
HOUSE BILL NO. 2120  
HOUSE BILL NO. 2127  
HOUSE BILL NO. 2199  
HOUSE BILL NO. 2204  
HOUSE BILL NO. 2216  
HOUSE BILL NO. 2260  
HOUSE BILL NO. 2371

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541  
ENGROSSED HOUSE BILL NO. 1714

There being no objection, the House adjourned until 9:55 a.m., Monday, February 5, 2024, the 29th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

TWENTY NINTH DAY

House Chamber, Olympia, Monday, February 5, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Bronoske presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

**HOUSE RESOLUTION NO. 2024-4660**, by Representatives Thai, Kloba, Bronoske, Duerr, Taylor, Orwall, Ramel, Berry, Ryu, Stonier, Gregerson, Peterson, Mena, Cortes, Santos, Robertson, Callan, Senn, Ortiz-Self, Slatter, Street, Fosse, Macri, Bateman, and Doglio

WHEREAS, On this 10th day of February in 2024, the people of the great state of Washington unite to celebrate Lunar New Year, joining to distinguish Asian American joy, cultures, and beautiful diversity; and

WHEREAS, The Lunar New Year begins on the first new moon of the lunisolar calendar; and

WHEREAS, This year is designated as the Year of the Dragon, the animal characterized by its strength, determination, and resilient nature, bringing symbols of boldness, courage, and growth to the year; and

WHEREAS, Washington acknowledges both the rich heritage and collective trauma of our Asian American Native Hawaiian Pacific Islander ancestors; and

WHEREAS, We deeply appreciate the many contributions of the Asian American Native Hawaiian Pacific Islander community that have made Washington a vibrant place for us all to call home, through building and supporting their communities despite perpetual discriminations and violence they may have faced in the past and present; and

WHEREAS, We highlight the solidarity and strength of the Asian American Native Hawaiian Pacific Islander community rooted in the culture that respects its ancestry and supports its descendants; and

WHEREAS, The Lunar New Year is a time to reflect, to celebrate family and community, to learn and understand the past as we look towards renewal and growth; and

WHEREAS, We step into the Year of the Dragon not just as individuals, but as family united in compassion and community stewardship;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives stand with the Asian American Native Hawaiian Pacific Islander community in times of crisis and in times of celebration, we come together now to reflect on the year past and envision new beginnings in acknowledgement of the Lunar New Year.

With the consent of the House, HOUSE RESOLUTION NO. 4660 was adopted.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

Friday, February 2, 2024

Mme. Speaker:

The Senate has passed:

SENATE BILL NO. 5419

ENGROSSED SENATE BILL NO. 5632  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5670  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5796  
 SUBSTITUTE SENATE BILL NO. 5806  
 SUBSTITUTE SENATE BILL NO. 5840  
 SENATE BILL NO. 5843  
 SUBSTITUTE SENATE BILL NO. 5917  
 SUBSTITUTE SENATE BILL NO. 5919  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5995  
 SENATE BILL NO. 6088  
 SENATE BILL NO. 6271

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2494 by Representatives Bergquist, Rude, Simmons, Senn, Pollet, Callan, Paul, Macri, Stonier and Gregerson

AN ACT Relating to state funding for operating costs in schools; amending RCW 28A.150.260; creating a new section; and providing an effective date.

Referred to Committee on Appropriations.

ESSB 5010 by Senate Committee on Law & Justice (originally sponsored by Wilson, L., Holy, Wilson, J., Braun, Schoesler, King, Short, Fortunato, Padden, Torres, Dozier, Gildon, Rolfes, Wagoner and Warnick)

AN ACT Relating to updating the endangerment with a controlled substance statute to include fentanyl or synthetic opioids; and amending RCW 9A.42.100.

Referred to Committee on Community Safety, Justice, & Reentry.

ESB 5032 by Senators Padden, Lovick, Conway, Dhingra, Kuderer, Liias, Wagoner and Wilson, L.

AN ACT Relating to extending the felony driving under the influence lookback to 15 years while providing additional treatment options through the creation of a drug offender sentencing alternative for driving under the influence; amending RCW 9.94A.030, 9.94A.190, 9.94A.501, 9.94A.505, 9.94A.525, 9.94A.633, 9.94A.6332, 9.94A.660, 9.94A.701, 46.61.502, 46.61.5055, and 46.61.504; adding a new section to chapter 9.94A RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Community Safety, Justice, & Reentry.

SB 5180 by Senators Hunt, Hawkins and Mullet

AN ACT Relating to the interstate teacher mobility compact; and adding a new chapter to Title 28A RCW.

Referred to Committee on Postsecondary Education & Workforce.

ESSB 5271 by Senate Committee on Health & Long Term Care (originally sponsored by Cleveland, Robinson, Kuderer, Nobles, Wellman and Wilson, C.)

AN ACT Relating to protecting patients in facilities regulated by the department of health by establishing uniform enforcement tools; amending RCW 18.46.010, 18.46.050, 18.46.130, 70.42.010, 70.42.130, 70.42.180, 70.127.010, 70.127.170, 70.127.213, 70.230.010, 70.230.070, 71.12.710, 71.12.500, 70.38.025, 70.38.111, 70.38.260, 70.170.020, 18.64.005, 18.64.011, 18.64.047, 18.64.165, 18.64A.020, 18.64A.060, 69.45.080, 69.43.100, 69.43.140, 69.50.302, 69.50.303, 69.50.304, 69.50.310, 69.50.320, and 69.41.080; reenacting and amending RCW 71.12.455, 71.24.025, and 71.24.037; adding a new section to chapter 18.46 RCW; adding new sections to chapter 70.42 RCW; adding new sections to chapter 70.127 RCW; adding a new section to chapter 70.230 RCW; adding a new section to chapter 71.12 RCW; adding a new section to chapter 71.24 RCW; adding new sections to chapter 18.64 RCW; adding a new section to chapter 69.38 RCW; adding a new section to chapter 69.45 RCW; repealing RCW 18.64.200, 18.64.390, and 69.50.305; and prescribing penalties.

Referred to Committee on Health Care & Wellness.

ESSB 5334 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Lovelett, Kuderer, Frame, Hasegawa, Nguyen, Nobles and Wilson, C.)

AN ACT Relating to providing a local government option for the funding of essential affordable housing programs; amending RCW 67.28.181 and 82.14.410; and adding a new section to chapter 67.28 RCW.

Referred to Committee on Local Government.

ESSB 5368 by Senate Committee on Labor & Commerce (originally sponsored by Keiser, King, Conway, Schoesler, Randall, Torres and Wilson, C.)

AN ACT Relating to establishing equitable access to the workers' compensation stay-at-work program by allowing employers to offer off-site light duty return to work opportunities to injured workers; amending RCW 51.32.090; creating a new section; and providing an effective date.

Referred to Committee on Labor & Workplace Standards.

ESSB 5481 by Senate Committee on Health & Long Term Care (originally sponsored by Cleveland and Pedersen)

AN ACT Relating to the uniform law commission's uniform telehealth act; amending RCW 28B.20.830; adding a new chapter to Title 18 RCW; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

SB 5508 by Senators Short, Shewmake, Warnick, Wilson, J. and Wilson, L.

AN ACT Relating to promoting local agriculture through greenhouses; amending RCW 19.27.015 and 19.27.065; and creating a new section.

Referred to Committee on Local Government.

SSB 5588 by Senate Committee on Law & Justice (originally sponsored by Nobles, Wagoner, Dhingra, Lovelett, Pedersen, Saldaña, Wellman and Wilson, C.)

AN ACT Relating to the mental health sentencing alternative; and amending RCW 9.94A.695.

Referred to Committee on Community Safety, Justice, & Reentry.

ESSB 5690 by Senate Committee on Human Services (originally sponsored by Dhingra, Nobles, Saldaña and Wilson, C.)

AN ACT Relating to conditional release transition teams; amending RCW 10.77.110, 10.77.150, 10.77.175, and 10.77.160; and reenacting and amending RCW 10.77.010.

Referred to Committee on Community Safety, Justice, & Reentry.

SSB 5787 by Senate Committee on Law & Justice (originally sponsored by Pedersen, Padden, Mullet, Nobles and Salomon)

AN ACT Relating to the uniform electronic estate planning documents act; amending RCW 1.80.020; and adding a new chapter to Title 11 RCW.

Referred to Committee on Civil Rights & Judiciary.

ESSB 5788 by Senate Committee on Law & Justice (originally sponsored by Pedersen, Wagoner, Kuderer, Mullet and Saldaña)

AN ACT Relating to accessibility for service animals in training; amending RCW 49.60.214 and 49.60.215; and reenacting and amending RCW 49.60.040.

Referred to Committee on Civil Rights & Judiciary.

SB 5800 by Senators Wilson, C., Torres, Billig, Kuderer, Mullet, Nobles and Shewmake

AN ACT Relating to improving access to department of licensing issued documents by clarifying the application requirements for a minor, modifying the requirements for at-cost identicards, and studying the feasibility of reduced-fee identicards; amending RCW 46.20.075, 46.20.100, and 46.20.117; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

SSB 5804 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Kuderer, Wellman, Dhingra, Frame, Hasegawa, Hunt, Lias, Lovelett, Nguyen, Nobles, Stanford, Valdez and Wilson, C.)

AN ACT Relating to opioid overdose reversal medication in public schools; and amending RCW 28A.210.390 and 28A.210.395.

Referred to Committee on Education.

SB 5805 by Senators Frame, Boehnke, Kuderer, Nguyen, Nobles, Trudeau and Wilson, C.

AN ACT Relating to developing a schedule for court appointment of attorneys for children and youth in dependency and termination proceedings; and amending RCW 13.34.212.

Referred to Committee on Human Services, Youth, & Early Learning.

SSB 5815 by Senate Committee on Health & Long Term Care (originally sponsored by Muzzall, Conway, Dhingra, Holy, Padden, Rivers and Wagoner)

AN ACT Relating to the physician assistant compact; adding a new section to chapter 42.56 RCW; and adding a new chapter to Title 18 RCW.

Referred to Committee on Postsecondary Education & Workforce.

ESB 5824 by Senators Hunt, Keiser, Kuderer, Liias and Nobles

AN ACT Relating to the dissolution of libraries and library districts; and amending RCW 27.12.320.

Referred to Committee on State Government & Tribal Relations.

SSB 5835 by Senate Committee on State Government & Elections (originally sponsored by Wilson, L., Dozier, Gildon, Mullet and Wilson, J.)

AN ACT Relating to transparency in rule making; and amending RCW 34.05.270.

Referred to Committee on State Government & Tribal Relations.

SSB 5841 by Senate Committee on Law & Justice (originally sponsored by Lovick, Boehnke, Braun, Dhingra, Hasegawa, Kuderer, Liias, Lovelett, McCune, Padden, Randall and Valdez)

AN ACT Relating to requiring individuals convicted of offenses related to driving under the influence to pay financial support to minor children and dependents when the offense results in the death or disability of a parent; and amending RCW 9.94A.753.

Referred to Committee on Community Safety, Justice, & Reentry.

SSB 5880 by Senate Committee on Health & Long Term Care (originally sponsored by Muzzall)

AN ACT Relating to establishing a primary certification process for magnetic resonance imaging technologists; amending RCW 18.84.080, 18.84.030, and 18.84.130; and reenacting and amending RCW 18.84.020.

Referred to Committee on Health Care & Wellness.

SB 5884 by Senators Trudeau, Pedersen, Dhingra, Hasegawa, Lovelett, Nobles, Saldaña, Salomon, Stanford and Valdez

AN ACT Relating to court-ordered restitution in environmental criminal cases; adding a new section to chapter 90.48 RCW; adding a new section to chapter 70A.15 RCW; adding a new section to chapter 70A.300 RCW; and prescribing penalties.

Referred to Committee on Environment & Energy.

SB 5886 by Senators Braun, Keiser, Nobles and Van De Wege

AN ACT Relating to adding purposes for the use of existing firefighter safety funding; and amending RCW 51.04.175.

Referred to Committee on Labor & Workplace Standards.

SB 5887 by Senators Stanford, Dozier, Conway and Mullet

AN ACT Relating to modifying the public accountancy act; amending RCW 18.04.015, 18.04.025, 18.04.105, 18.04.180, 18.04.183, 18.04.195, 18.04.205, 18.04.215, 18.04.295, 18.04.345, 18.04.350, 18.04.380, 18.04.390, 18.04.405, and 18.04.430; and decodifying RCW 18.04.910 and 18.04.911.

Referred to Committee on Consumer Protection & Business.

ESSB 5890 by Senate Committee on State Government & Elections (originally sponsored by Valdez, Hunt, Dhingra, Kuderer, Nguyen, Nobles and Pedersen)

AN ACT Relating to reducing ballot rejection rates through updates to ballot curing, canvassing, reporting, and outreach processes; amending RCW 29A.60.165, 29A.40.091, 29A.60.140, 29A.08.210, and 29A.08.210; reenacting and amending RCW 29A.40.110; adding a new section to chapter 29A.08 RCW; adding new sections to chapter 29A.60 RCW; providing an effective date; and providing expiration dates.

Referred to Committee on State Government & Tribal Relations.

SSB 5936 by Senate Committee on Health & Long Term Care (originally sponsored by Conway, Dozier, Frame, Hasegawa, Kuderer, Nobles, Rivers and Salomon)

AN ACT Relating to convening a work group to design a palliative care benefit for fully insured health plans; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

SB 5982 by Senators Cleveland, Robinson, Keiser, Dhingra, Van De Wege, Conway, Frame, Kuderer, Liias, Mullet, Nobles, Salomon, Trudeau, Valdez and Wellman

AN ACT Relating to updating the definition of "vaccine" in RCW 70.290.010 to include all federal food and drug administration-approved immunizations recommended by the centers for disease control and prevention; amending RCW 70.290.010; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

ESSB 5985 by Senate Committee on Law & Justice (originally sponsored by Hansen, Dhingra, Frame, Hasegawa, Hunt, Kuderer, Liias, Lovick, Nguyen, Pedersen, Stanford, Trudeau, Valdez, Wellman and Wilson, C.)

AN ACT Relating to the firearms background check program; amending RCW 9.41.049, 9.41.111, 9.41.114, 9.41.350, 43.43.823, and 43.43.580; reenacting and amending RCW 9.41.010; and providing a contingent effective date.

Referred to Committee on Civil Rights & Judiciary.

SSB 6053 by Senate Committee on Higher Education & Workforce Development (originally sponsored by Holy, Lovick, Mullet, Nguyen, Shewmake, Valdez and Wilson, C.)

AN ACT Relating to improving equitable access to postsecondary education by improving data sharing between the office of the superintendent of public instruction, the Washington student achievement council, and institutions of higher education; and amending RCW 28B.10.041 and 28A.150.515.

Referred to Committee on Postsecondary Education & Workforce.

SJM 8007 by Senators Kauffman, Hasegawa and Hunt

Requesting Congress to fully fund 40 percent of the costs of IDEA.

Referred to Committee on Education.

SJM 8008 by Senator Wilson, J.

Designating mileposts 45 to 51 of state route number 6 as the Washington state patrol trooper Justin R. Schaffer memorial highway.

Referred to Committee on Transportation.

There being no objection, the bills and memorials listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

January 31, 2024

HB 1947 Prime Sponsor, Representative Street: Concerning the governance of technology services in state government, including eliminating the office of the chief information officer and renaming the consolidated technology services agency. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on State Government & Tribal Relations be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chandler; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

Referred to Committee on Rules for second reading

January 31, 2024

HB 2385 Prime Sponsor, Representative Hutchins: Concerning fuel purchasing for the state ferry system. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz; Walsh and Wylie.

Referred to Committee on Rules for second reading

January 31, 2024

HJM 4006 Prime Sponsor, Representative McEntire: Requesting that a portion of State Route No. 6 be designated "The Washington State Patrol Trooper Justin R. Schaffer Memorial Highway." Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz; Walsh and Wylie.

Referred to Committee on Rules for second reading

There being no objection, the bills and memorial listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

#### MOTION

There being no objection, the Committee on Community Safety, Justice, & Reentry was relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 5690, and the bill was referred to the Committee on Civil Rights & Judiciary.

The Speaker (Representative Bronoske presiding) called upon Representative Stonier to preside.

There being no objection, the House reverted to the fifth order of business.

#### FIRST SUPPLEMENTAL REPORT OF STANDING COMMITTEES

February 2, 2024

HB 1365 Prime Sponsor, Representative Dye: Improving Puget Sound water quality. Reported by Committee on Capital Budget

MAJORITY recommendation: The second substitute bill by Committee on Environment & Energy be substituted therefor and the second substitute bill do pass. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Alvarado; Bateman; Cheney; Christian; Dye; Eslick; Farivar; Fosse; Kloba; Kretz; Maycumber; Morgan; Mosbrucker; Orwall; Peterson; Reed; Rule; Sandlin; Shavers; Stearns and Waters.

Referred to Committee on Rules for second reading

February 2, 2024

HB 1892 Prime Sponsor, Representative Leavitt: Concerning the workforce housing accelerator program. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill by Committee on Housing be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Alvarado; Bateman; Cheney; Christian; Dye; Eslick; Farivar; Fosse; Kloba; Kretz; Maycumber; Morgan; Mosbrucker; Orwall; Peterson; Reed; Rule; Sandlin; Shavers; Stearns and Waters.

Referred to Committee on Rules for second reading

February 3, 2024

HB 1905 Prime Sponsor, Representative Mena: Including protected classes in the Washington equal pay and opportunities act. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Labor & Workplace Standards be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli;

Rude; Ryu; Sandlin; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

leadership. Reported by Committee on Appropriations

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Schmick; Stokesbary; and Wilcox.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on State Government & Tribal Relations. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chandler; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

Referred to Committee on Rules for second reading

Referred to Committee on Rules for second reading

February 1, 2024

February 2, 2024

HB 1943 Prime Sponsor, Representative Leavitt: Modifying the Washington national guard postsecondary education grant program. Reported by Committee on Appropriations

HB 2022 Prime Sponsor, Representative Reed: Concerning construction crane safety. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chandler; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Labor & Workplace Standards. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

MINORITY recommendation: Without recommendation. Signed by Representatives Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Rude; Sandlin; and Schmick.

February 1, 2024

February 2, 2024

HB 1946 Prime Sponsor, Representative Eslick: Creating the Washington health corps behavioral health scholarship program. Reported by Committee on Appropriations

HB 2091 Prime Sponsor, Representative Bronoske: Establishing a fallen firefighter memorial. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chandler; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MAJORITY recommendation: The substitute bill by Committee on State Government & Tribal Relations be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Alvarado; Bateman; Cheney; Christian; Dye; Eslick; Farivar; Fosse; Kloba; Kretz; Maycumber; Morgan; Mosbrucker; Orwall; Peterson; Reed; Rule; Sandlin; Shavers; Stearns and Waters.

Referred to Committee on Rules for second reading

Referred to Committee on Rules for second reading

February 2, 2024

February 2, 2024

HB 1982 Prime Sponsor, Representative Waters: Concerning the authority of the community economic revitalization board with respect to loans and grants to political subdivisions and federally recognized Indian tribes for broadband. Reported by Committee on Capital Budget

HB 2099 Prime Sponsor, Representative Farivar: Concerning state identification cards for persons in state custody or care. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Alvarado; Bateman; Cheney; Christian; Dye; Eslick; Farivar; Fosse; Kloba; Kretz; Maycumber; Morgan; Mosbrucker; Orwall; Peterson; Reed; Rule; Sandlin; Shavers; Stearns and Waters.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on State Government & Tribal Relations. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member;

Referred to Committee on Rules for second reading

January 31, 2024

HB 2000 Prime Sponsor, Representative Mena: Renewing Washington's international

Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Stokesbary.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Couture, Assistant Ranking Minority Member; and Schmick.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2112 Prime Sponsor, Representative Nance: Concerning opioid and fentanyl prevention education and awareness at institutions of higher education. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Postsecondary Education & Workforce. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 2, 2024

HB 2131 Prime Sponsor, Representative Ramel: Promoting the establishment of thermal energy networks. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill by Committee on Environment & Energy be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Alvarado; Bateman; Cheney; Christian; Eslick; Farivar; Fosse; Kloba; Kretz; Maycumber; Morgan; Mosbrucker; Orwall; Peterson; Reed; Rule; Shavers; Stearns and Waters.

MINORITY recommendation: Do not pass. Signed by Representatives Steele, Assistant Ranking Minority Member; Dye; and Sandlin.

Referred to Committee on Rules for second reading

February 2, 2024

HB 2195 Prime Sponsor, Representative Callan: Strengthening the early learning facilities grant and loan program by revising criteria and providing resources to the Ruth LeCocq Kagi early learning facilities development account. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Alvarado; Bateman; Eslick; Farivar; Fosse; Kloba; Morgan; Orwall; Peterson; Reed; Rule; Shavers and Stearns.

MINORITY recommendation: Do not pass. Signed by Representatives Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Cheney; Christian; Dye; Kretz; Maycumber; and Sandlin.

MINORITY recommendation: Without recommendation. Signed by Representatives Mosbrucker; and Waters.

Referred to Committee on Rules for second reading

February 2, 2024

HB 2372 Prime Sponsor, Representative Lekanoff: Transferring public property to Washington state federally recognized tribes for facilities to provide alcohol and substance use disorder prevention, treatment, and aftercare programs and services, and for behavioral health and related programs and services. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Alvarado; Bateman; Farivar; Fosse; Kloba; Morgan; Orwall; Peterson; Reed; Rule; Shavers and Stearns.

MINORITY recommendation: Do not pass. Signed by Representative Steele, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Cheney; Christian; Dye; Eslick; Kretz; Maycumber; Mosbrucker; Sandlin; and Waters.

Referred to Committee on Rules for second reading

February 2, 2024

HB 2411 Prime Sponsor, Representative Callan: Adjusting school districts' authority to contract indebtedness for school construction. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Alvarado; Bateman; Farivar; Fosse; Kloba; Morgan; Orwall; Peterson; Reed; Rule; Shavers and Stearns.

MINORITY recommendation: Do not pass. Signed by Representatives Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Cheney; Christian; Dye; Eslick; Kretz; Maycumber; Mosbrucker; and Sandlin.

MINORITY recommendation: Without recommendation. Signed by Representative Waters.

Referred to Committee on Rules for second reading

February 2, 2024

HCR 4405 Prime Sponsor, Representative Sandlin: Naming the new Irving R. Newhouse Building. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Abbarno, Ranking Minority Member;

McClintock, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Alvarado; Bateman; Cheney; Christian; Dye; Eslick; Farivar; Fosse; Kloba; Kretz; Maycumber; Morgan; Mosbrucker; Orwall; Peterson; Reed; Rule; Sandlin; Shavers; Stearns and Waters.

of tax appeals. Reported by Committee on Finance

Referred to Committee on Rules for second reading

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Barnard; Chopp; Ramel; Santos; Springer; Thai and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; and Wilcox.

**SECOND SUPPLEMENTAL REPORT OF STANDING COMMITTEES**

February 1, 2024

HB 1078 Prime Sponsor, Representative Duerr: Concerning urban forest management ordinances. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Local Government. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Chandler; Dye; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Harris.

Referred to Committee on Rules for second reading

Referred to Committee on Rules for second reading

February 2, 2024

HB 2446 Prime Sponsor, Representative Paul: Investing in reforestation efforts following landscape-scale forest disturbances. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Alvarado; Bateman; Cheney; Christian; Dye; Eslick; Farivar; Fosse; Kloba; Kretz; Maycumber; Morgan; Mosbrucker; Orwall; Peterson; Reed; Rule; Sandlin; Shavers; Stearns and Waters.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2454 Prime Sponsor, Representative Ybarra: Extending an existing hazardous substance tax exemption for certain agricultural crop protection products that are temporarily warehoused but not otherwise used, manufactured, packaged, or sold in the state of Washington. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Santos; Springer; Thai; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Ramel.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2114 Prime Sponsor, Representative Alvarado: Improving housing stability for tenants subject to the residential landlord-tenant act and the manufactured/mobile home landlord-tenant act by limiting rent and fee increases, requiring notice of rent and fee increases, limiting fees and deposits, establishing a landlord resource center and associated services, authorizing tenant lease termination, creating parity between lease types, and providing for attorney general enforcement. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Harris; Rude; Sandlin; Schmick; and Wilcox.

Referred to Committee on Rules for second reading

**THIRD SUPPLEMENTAL REPORT OF STANDING COMMITTEES**

February 5, 2024

HB 1893 Prime Sponsor, Representative Doglio: Concerning unemployment insurance benefits for striking or lockout workers. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Labor & Workplace Standards be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter and Stonier.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member;

February 5, 2024

HB 2440 Prime Sponsor, Representative Springer: Concerning the administration of the board



Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Harris; Rude; Sandlin; Schmick; Springer; Stokesbary; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Tharinger.

Referred to Committee on Rules for second reading

February 2, 2024

HB 1916 Prime Sponsor, Representative Senn: Concerning funding for the early support for infants and toddlers program. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 1942 Prime Sponsor, Representative Fosse: Clarifying employment standards for long-term care individual providers. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Labor & Workplace Standards be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Sandlin.

Referred to Committee on Rules for second reading

February 3, 2024

HB 1952 Prime Sponsor, Representative Volz: Concerning long-term community recovery after disasters. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1987 Prime Sponsor, Representative Low: Concerning the use of moneys from the rural public facilities sales and use tax for affordable workforce housing infrastructure and facilities. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Barnard; Chopp; Ramel; Santos; Springer; Thai; Wilcox and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2020 Prime Sponsor, Representative Timmons: Creating a state administered public infrastructure assistance program within the emergency management division. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Innovation, Community & Economic Development, & Veterans be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2049 Prime Sponsor, Representative Berry: Improving Washington's solid waste management outcomes. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment & Energy. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer and Stonier.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Harris; Rude; Sandlin; Schmick; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Tharinger.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2144 Prime Sponsor, Representative Stonier: Providing for a deposit return program for qualifying beverage containers to be implemented by a distributor responsibility organization. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill by Committee on Environment & Energy be substituted therefor and the substitute bill do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Chopp; Ramel; Santos; Springer; Thai and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; and Wilcox.

Referred to Committee on Rules for second reading

February 2, 2024

HB 2160 Prime Sponsor, Representative Reed: Promoting community and transit-oriented housing development. Reported by Committee on Capital Budget

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Housing. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Alvarado; Bateman; Farivar; Fosse; Kloba; Morgan; Orwall; Peterson; Reed; Rule; Shavers and Stearns.

MINORITY recommendation: Do not pass. Signed by Representatives Abbarno, Ranking Minority Member; Steele, Assistant Ranking Minority Member; Christian; Dye; Eslick; Kretz; Maycumber; and Sandlin.

MINORITY recommendation: Without recommendation. Signed by Representatives McClintock, Assistant Ranking Minority Member; Cheney; Mosbrucker; and Waters.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2236 Prime Sponsor, Representative Shavers: Expanding and strengthening career and technical education core plus programs. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2306 Prime Sponsor, Representative Steele: Allowing main street programs to use remaining main street tax credits after a certain date. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Wilcox and Wylie.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2308 Prime Sponsor, Representative Walen: Concerning housing affordability tax incentives for existing structures. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Housing. Signed by Representatives Berg, Chair; Street, Vice Chair; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Orcutt, Ranking Minority Member; and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2322 Prime Sponsor, Representative Senn: Creating a tax preference child care requirement. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representative Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2348 Prime Sponsor, Representative Street: Concerning county hospital funding. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Chopp; Ramel; Santos; Springer; Thai and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2354 Prime Sponsor, Representative Street: Creating an option for impacted taxing districts to provide a portion of their new revenue to support any tax increment area proposed within their jurisdiction. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Local Government. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Wilcox and Wylie.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2386 Prime Sponsor, Representative Hutchins: Addressing off-duty traffic control provided by Washington state patrol officers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz; Walsh and Wylie.

Referred to Committee on Rules for second reading

February 2, 2024

HB 2481 Prime Sponsor, Representative Volz: Waiving health benefit premiums in the public employees' benefits board. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2482 Prime Sponsor, Representative Harris: Reinstating semiconductor tax incentives. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Wilcox and Wylie.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2490 Prime Sponsor, Representative Hackney: Changing the fee disposition for the Seattle Sounders FC special license plate. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson,

Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz; Walsh and Wylie.

Referred to Committee on Rules for second reading

#### FOURTH SUPPLEMENTAL REPORT OF STANDING COMMITTEES

February 5, 2024

HB 1062 Prime Sponsor, Representative Peterson: Concerning deception by law enforcement officers during custodial interrogations. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Safety, Justice, & Reentry. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Corry, Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Couture, Assistant Ranking Minority Member; Dye; Sandlin; Stokesbary; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Macri, Vice Chair; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; and Schmick.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1228 Prime Sponsor, Representative Ortiz-Self: Building a multilingual, multiliterate Washington through dual and tribal language education. Reported by Committee on Appropriations

MAJORITY recommendation: The third substitute bill be substituted therefor and the third substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1239 Prime Sponsor, Representative Santos: Establishing a simple and uniform system for complaints related to, and instituting a code of educator ethics for, conduct within or involving public elementary and secondary schools. Reported by Committee on Appropriations

MAJORITY recommendation: The fourth substitute bill be substituted therefor and the fourth substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Couture,

Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Ryu; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Rude; and Sandlin.

Referred to Committee on Rules for second reading

February 5, 2024

E2SHB 1479 Prime Sponsor, Appropriations: Concerning restraint or isolation of students in public schools and educational programs. Reported by Committee on Appropriations

MAJORITY recommendation: The fourth substitute bill be substituted therefor and the fourth substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Chambers, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Corry, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Connors, Assistant Ranking Minority Member; Dye; Harris; and Stokesbary.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1551 Prime Sponsor, Representative Pollet: Reducing lead in cookware. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment & Energy. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1648 Prime Sponsor, Representative Reeves: Concerning ticket sales. Reported by Committee on Appropriations

MAJORITY recommendation: The third substitute bill by Committee on Consumer Protection & Business be substituted therefor and the third substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Schmick; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Rude; Sandlin; Stokesbary; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Berg; and Harris.

Referred to Committee on Rules for second reading

February 3, 2024

HB 1798 Prime Sponsor, Representative Doglio: Concerning allowed earned release time for certain offenses and enhancements. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Safety, Justice, & Reentry. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1870 Prime Sponsor, Representative Barnard: Promoting economic development by increasing opportunities for local communities to secure federal funding. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1877 Prime Sponsor, Representative Lekanoff: Improving the Washington state behavioral health system for better coordination and recognition with the Indian behavioral health system. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Civil Rights & Judiciary. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking

Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1899 Prime Sponsor, Representative Volz: Facilitating reconstruction of communities damaged or destroyed by wildfires. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Local Government. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 1929 Prime Sponsor, Representative Cortes: Supporting young adults following inpatient behavioral health treatment. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1934 Prime Sponsor, Representative Couture: Establishing an artificial intelligence task force. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Consumer Protection & Business. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Ryu.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1935 Prime Sponsor, Representative Bergquist: Promoting resource conservation practices that include student education and leadership opportunities in public schools. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Chambers, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Sandlin; Schmick; and Stokesbary.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1941 Prime Sponsor, Representative Couture: Providing for health home services for medicaid-eligible children with medically complex conditions. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1945 Prime Sponsor, Representative Alvarado: Streamlining and enhancing program access for persons eligible for food assistance. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Human Services, Youth, & Early Learning be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1956 Prime Sponsor, Representative Leavitt: Addressing fentanyl and other substance use prevention education. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1960 Prime Sponsor, Representative Stonier: Increasing prototypical school staffing to better meet student needs. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1969 Prime Sponsor, Representative Alvarado: Expanding the definition of family member for individual providers. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 1970 Prime Sponsor, Representative McClintock: Improving communication between the department of children, youth, and families and caregivers. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Human Services, Youth, & Early Learning be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet;

Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1989 Prime Sponsor, Representative Barkis: Creating a graffiti abatement and reduction program. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Ramel; Ramos; Schmidt; Volz and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Orcutt; and Walsh.

Referred to Committee on Rules for second reading

February 5, 2024

HB 1992 Prime Sponsor, Representative Timmons: Adding an additional superior court judge in Whatcom county. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2001 Prime Sponsor, Representative Simmons: Providing judicial discretion to modify sentences in the interests of justice. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Safety, Justice, & Reentry. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2007

Prime Sponsor, Representative Peterson:  
Expanding time limit exemptions applicable  
to cash assistance programs. Reported by  
Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2009

Prime Sponsor, Representative Mosbrucker:  
Facilitating the use of dental records in  
missing person investigations. Reported by  
Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 2, 2024

HB 2014

Prime Sponsor, Representative Volz:  
Concerning the definition of veteran and  
restoring honor to veterans. Reported by  
Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Innovation, Community & Economic Development, & Veterans. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2019

Prime Sponsor, Representative Stearns:  
Establishing a Native American apprentice  
assistance program. Reported by Committee  
on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet;

Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2023

Prime Sponsor, Representative Shavers:  
Improving meaningful access to elections by  
increasing language assistance. Reported by  
Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Dye; Rude; and Sandlin.

MINORITY recommendation: Without recommendation. Signed by Representatives Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; and Schmick.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2025

Prime Sponsor, Representative Reed:  
Modifying placement and salary matching  
requirements for the state work-study  
program. Reported by Committee on  
Appropriations

MAJORITY recommendation: The substitute bill by Committee on Postsecondary Education & Workforce be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2065

Prime Sponsor, Representative Stearns:  
Recalculating sentencing ranges for currently  
incarcerated individuals whose offender  
score was increased by juvenile convictions.  
Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Safety, Justice, & Reentry. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Sandlin; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; and Rude.

MINORITY recommendation: Without recommendation. Signed by Representatives Harris; Schmick; and Stokesbary.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2071 Prime Sponsor, Representative Duerr: Concerning residential housing regulations. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Housing. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Connors, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Couture, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Chambers, Assistant Ranking Minority Member; Dye; Sandlin; Schmick; and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2073 Prime Sponsor, Representative Slatter: Concerning emissions of greenhouse gases from sources other than methane and carbon dioxide. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment & Energy. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Ryu; Sandlin; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Rude; and Schmick.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2076 Prime Sponsor, Representative Orwall: Addressing crimes involving human trafficking or sexual exploitation. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Community Safety, Justice, & Reentry be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet;

Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2084 Prime Sponsor, Representative Fosse: Establishing an oversight committee to improve construction-related training and pathways to state registered apprenticeships in state correctional facilities. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Safety, Justice, & Reentry. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2109 Prime Sponsor, Representative Ryu: Regulating permanent cosmetics. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Consumer Protection & Business. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2113 Prime Sponsor, Representative Bateman: Concerning compliance with the housing element requirements of the growth management act. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Housing. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Rude; Sandlin; and Schmick.

MINORITY recommendation: Without recommendation. Signed by Representatives Connors, Assistant Ranking Minority Member; Harris; and Wilcox.



Referred to Committee on Rules for second reading

February 5, 2024

HB 2124 Prime Sponsor, Representative Eslick: Supporting and expanding access to child care and early learning programs. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Human Services, Youth, & Early Learning. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Ryu; Sandlin; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Rude; and Schmick.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2128 Prime Sponsor, Representative Schmick: Modernizing the certificate of need program. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2147 Prime Sponsor, Representative Dent: Concerning agriculture pest and disease response. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2151 Prime Sponsor, Representative Reeves: Reassigning the accreditation of private cannabis testing laboratories from the department of ecology to the department of

agriculture. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Regulated Substances & Gaming. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2153 Prime Sponsor, Representative Ryu: Deterring the theft of catalytic converters. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill by Committee on Consumer Protection & Business be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz; Walsh and Wylie.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2166 Prime Sponsor, Representative Paul: Increasing access to portable orders for life-sustaining treatment. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2197 Prime Sponsor, Representative Orwall: Concerning the availability of prevention services under medical assistance programs. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye;

Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

eligible for the purpose of receiving the Washington college grant. Reported by Committee on Appropriations

Referred to Committee on Rules for second reading

February 5, 2024

HB 2201 Prime Sponsor, Representative Doglio: Facilitating linkage of Washington's carbon market with the California-Quebec carbon market. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment & Energy. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2207 Prime Sponsor, Representative Ramos: Providing tools designed to reduce the impacts of unlawful solid waste dumping. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Environment & Energy be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 2, 2024

HB 2210 Prime Sponsor, Representative Dye: Establishing a wild horse holding and training program at a state corrections center. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2214 Prime Sponsor, Representative Slatter: Permitting beneficiaries of public assistance programs to automatically qualify as income-

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Postsecondary Education & Workforce. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chambers, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Rude; Sandlin; Schmick; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Connors, Assistant Ranking Minority Member; and Harris.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2230 Prime Sponsor, Representative Peterson: Promoting economic inclusion by creating the economic security for all grant program. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Human Services, Youth, & Early Learning be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; and Stokesbary.

MINORITY recommendation: Without recommendation. Signed by Representative Schmick.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2239 Prime Sponsor, Representative Timmons: Supporting student well-being through instruction in social-emotional skills. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Couture, Assistant Ranking Minority Member; Dye; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member;

Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; and Harris.

rescue grant program. Reported by Committee on Appropriations

Referred to Committee on Rules for second reading

February 3, 2024

HB 2245 Prime Sponsor, Representative Bronoske: Establishing co-response services and training as an essential component of the crisis care continuum. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2246 Prime Sponsor, Representative Bateman: Concerning vacation leave accrual for state employees. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2247 Prime Sponsor, Representative Bateman: Addressing behavioral health provider shortages. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2257 Prime Sponsor, Representative Goehner: Supporting back country search and rescue organizations and volunteers through the creation of the back country search and

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2270 Prime Sponsor, Representative Morgan: Creating a Washington state department of housing. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Housing. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Rude; Sandlin; Schmick; and Stokesbary.

MINORITY recommendation: Without recommendation. Signed by Representatives Harris; and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2271 Prime Sponsor, Representative Chambers: Promoting access to information regarding the long-term services and supports trust program. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2273 Prime Sponsor, Representative Donaghy: Conducting a study of functional recovery building code standards. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair;

Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2301 Prime Sponsor, Representative Doglio: Improving the outcomes associated with waste material management systems, including products affecting organic material management systems. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment & Energy. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2311 Prime Sponsor, Representative Davis: Supporting first responder wellness and peer support. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Safety, Justice, & Reentry. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2313 Prime Sponsor, Representative Gregerson: Furthering digital equity and opportunity in Washington. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Innovation, Community & Economic Development, & Veterans. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Harris; and Stokesbary.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Rude; Sandlin; Schmick; and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2319 Prime Sponsor, Representative Davis: Concerning substance use disorder treatment. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick; Stokesbary; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2320 Prime Sponsor, Representative Davis: Concerning high THC cannabis products. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Regulated Substances & Gaming. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2325 Prime Sponsor, Representative Fitzgibbon: Concerning state legislative employee collective bargaining. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Labor & Workplace Standards. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2329 Prime Sponsor, Representative Macri: Conducting a study of the insurance market for housing providers receiving housing trust fund resources. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Consumer Protection & Business be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2357 Prime Sponsor, Representative Fey: Establishing a state patrol longevity bonus. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz; Walsh and Wylie.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2373 Prime Sponsor, Representative Ramos: Modifying the adopt-a-highway program to further the purpose of civic engagement and collaboration. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Cortes; Dent; Doglio; Duerr; Entenman; Hackney; Mena; Nance; Orcutt; Ramel; Ramos; Walsh and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Chapman; and Volz.

MINORITY recommendation: Without recommendation. Signed by Representatives Goehner; Griffey; Klicker; and Schmidt.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2383 Prime Sponsor, Representative Eslick: Reporting on dependency outcomes. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Civil Rights & Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2384 Prime Sponsor, Representative Donaghy: Concerning automated traffic safety cameras. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Hackney; Mena; Nance; Ramel; Ramos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Robertson, Assistant Ranking Minority Member; Goehner; Griffey; Klicker; Orcutt; Schmidt; Volz; and Walsh.

MINORITY recommendation: Without recommendation. Signed by Representatives Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2401 Prime Sponsor, Representative Duerr: Providing for the responsible management of refrigerant gases with a higher global warming potential than carbon dioxide that are used in appliances or other infrastructure. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment & Energy. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Dye.

Referred to Committee on Rules for second reading

February 3, 2024

HB 2408

Prime Sponsor, Representative Lekanoff: Concerning methods of communication used by the technology platform designed for the behavioral health crisis response and suicide prevention system. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2441

Prime Sponsor, Representative Corry: Establishing a pilot program eliminating college in the high school fees for private not-for-profit four-year institutions. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2447

Prime Sponsor, Representative Senn: Supporting children and families. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Human Services, Youth, & Early Learning. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Rude; Ryu; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Dye; Sandlin; and Stokesbary.

MINORITY recommendation: Without recommendation. Signed by Representatives Connors, Assistant Ranking Minority Member; Harris; and Schmick.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2458

Prime Sponsor, Representative Rule: Making experience factor adjustments for certificated instructional staff. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2474

Prime Sponsor, Representative Peterson: Concerning compliance with siting requirements for transitional housing, permanent supportive housing, indoor emergency shelters, and indoor emergency housing. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2485

Prime Sponsor, Representative Barkis: Establishing an automated highway speed safety camera pilot program. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Doglio; Duerr; Entenman; Goehner; Hackney; Mena; Nance; Ramel; Ramos; Schmidt and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Orcutt.

MINORITY recommendation: Without recommendation. Signed by Representatives Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Dent; Griffey; Klicker; Volz; and Walsh.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2489

Prime Sponsor, Representative Orcutt: Creating several new special license plates. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2491 Prime Sponsor, Representative Fey:  
Modifying allowable terms for the lease of  
unused highway land. Reported by  
Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Doglio; Duerr; Entenman; Hackney; Mena; Nance; Ramel; Ramos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Goehner; Griffey; Klicker; Orcutt; Schmidt; Volz; and Walsh.

MINORITY recommendation: Without recommendation. Signed by Representatives Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; and Dent.

Referred to Committee on Rules for second reading

February 5, 2024

HB 2494 Prime Sponsor, Representative Bergquist:  
Increasing state funding for operating costs  
in schools. Reported by Committee on  
Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Couture, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

There being no objection, the bills and resolution listed on the day's first, second, third and fourth supplemental committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

### MOTIONS

There being no objection, the Committee on Human Services, Youth, & Early Learning was relieved of SENATE BILL NO. 5805, and the bill was referred to the Committee on Civil Rights & Judiciary.

There being no objection, the Committee on Postsecondary Education & Workforce was relieved of SENATE BILL NO. 5180, and the bill was referred to the Committee on Education.

There being no objection, the House adjourned until 9:00 a.m., Tuesday, February 6, 2024, the 30th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## THIRTIETH DAY

House Chamber, Olympia, Tuesday, February 6, 2024

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Dhruv Setty and Amelia Eslinger. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Patrick Garlock, Tacoma Washington Stake, The Church of Jesus Christ of Latter Day Saints.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

SB 5419 by Senators Gildon, Billig, Liias, Mullet and Wilson, C.

AN ACT Relating to removing the requirement that the Washington state institute of public policy conduct an outcome evaluation of case aides who provide short-term relief for certain foster families; and amending RCW 74.13.270.

Referred to Committee on Human Services, Youth, & Early Learning.

ESB 5632 by Senators Keiser, Cleveland, Conway, Hasegawa, Hunt, Kuderer, Lovelett, Stanford, Valdez and Wilson, C.

AN ACT Relating to protecting the health care of workers exercising their right to participate in a labor dispute; adding a new section to chapter 49.64 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

E2SSB 5670 by Senate Committee on Ways & Means (originally sponsored by Hawkins, Randall, Holy, Kuderer, Nguyen, Nobles, Saldaña and Wilson, L.)

AN ACT Relating to permitting 10th grade students to participate in running start in online settings; amending RCW 28A.600.320 and 28A.600.330; and reenacting and amending RCW 28A.600.310.

Referred to Committee on Education.

ESSB 5796 by Senate Committee on Law & Justice (originally sponsored by Pedersen, Rivers, Kuderer, Nobles and Shewmake)

AN ACT Relating to common interest communities; amending RCW 64.90.085, 64.90.105, 64.90.300, 64.90.310, 64.90.450, 64.90.480, 64.90.520, 64.90.010, 64.90.065, 64.90.100, 64.90.225, 64.90.240, 64.90.260, 64.90.270, 64.90.285, 64.90.290, 64.90.405, 64.90.410, 64.90.420, 64.90.425, 64.90.445, 64.90.455, 64.90.485, 64.90.485, 64.90.495, 64.90.510, 64.90.515, 64.90.570, 64.90.605, 64.90.610, 64.90.635, 64.90.640, 7.60.110, 18.85.151, 36.70A.699, 43.185B.020, 46.61.419, 58.17.040, 59.18.200, 59.18.650, 61.24.030, 61.24.031, 61.24.040, 61.24.165,

61.24.190, 64.35.105, 64.35.405, 64.35.505, 64.35.610, 64.50.010, 64.50.040, 64.50.050, 64.55.005, 64.55.010, 64.55.070, 64.55.090, 64.55.120, 64.55.130, 64.60.010, 64.70.020, 82.02.020, 82.04.4298, 64.32.260, 64.34.076, 64.38.095, 64.90.075, 64.90.080, and 64.90.095; reenacting and amending RCW 7.60.025 and 64.06.005; adding new sections to chapter 64.90 RCW; recodifying RCW 64.90.075, 64.90.080, and 64.90.095; repealing RCW 64.32.010, 64.32.020, 64.32.030, 64.32.040, 64.32.050, 64.32.060, 64.32.070, 64.32.080, 64.32.090, 64.32.100, 64.32.110, 64.32.120, 64.32.130, 64.32.140, 64.32.150, 64.32.160, 64.32.170, 64.32.180, 64.32.190, 64.32.200, 64.32.210, 64.32.220, 64.32.230, 64.32.240, 64.32.250, 64.32.260, 64.32.270, 64.32.280, 64.32.290, 64.32.300, 64.32.310, 64.32.320, 64.32.330, 64.32.900, 64.32.910, 64.32.920, 64.34.005, 64.34.010, 64.34.020, 64.34.030, 64.34.040, 64.34.050, 64.34.060, 64.34.070, 64.34.073, 64.34.076, 64.34.080, 64.34.090, 64.34.100, 64.34.110, 64.34.120, 64.34.200, 64.34.202, 64.34.204, 64.34.208, 64.34.212, 64.34.216, 64.34.220, 64.34.224, 64.34.228, 64.34.232, 64.34.236, 64.34.240, 64.34.244, 64.34.248, 64.34.252, 64.34.256, 64.34.260, 64.34.264, 64.34.268, 64.34.272, 64.34.276, 64.34.278, 64.34.280, 64.34.300, 64.34.304, 64.34.308, 64.34.312, 64.34.316, 64.34.320, 64.34.324, 64.34.328, 64.34.332, 64.34.336, 64.34.340, 64.34.344, 64.34.348, 64.34.352, 64.34.354, 64.34.356, 64.34.360, 64.34.364, 64.34.368, 64.34.372, 64.34.376, 64.34.380, 64.34.382, 64.34.384, 64.34.386, 64.34.388, 64.34.390, 64.34.392, 64.34.394, 64.34.395, 64.34.396, 64.34.397, 64.34.398, 64.34.400, 64.34.405, 64.34.410, 64.34.415, 64.34.417, 64.34.418, 64.34.420, 64.34.425, 64.34.430, 64.34.435, 64.34.440, 64.34.442, 64.34.443, 64.34.445, 64.34.450, 64.34.452, 64.34.455, 64.34.460, 64.34.465, 64.34.470, 64.34.900, 64.34.910, 64.34.930, 64.34.931, 64.34.940, 64.34.950, 64.38.005, 64.38.010, 64.38.015, 64.38.020, 64.38.025, 64.38.028, 64.38.030, 64.38.033, 64.38.034, 64.38.035, 64.38.040, 64.38.045, 64.38.050, 64.38.055, 64.38.057, 64.38.060, 64.38.062, 64.38.065, 64.38.070, 64.38.075, 64.38.080, 64.38.085, 64.38.090, 64.38.095, 64.38.100, 64.38.110, 64.38.120, 64.38.130, 64.38.140, 64.38.150, 64.38.160, 58.19.010, 58.19.020, 58.19.030, 58.19.045, 58.19.055, 58.19.120, 58.19.130, 58.19.140, 58.19.180, 58.19.185, 58.19.190, 58.19.265, 58.19.270, 58.19.280, 58.19.300, 58.19.920, 58.19.940, 64.04.055, and 64.90.090; providing effective dates; and providing an expiration date.

Referred to Committee on Housing.

SSB 5806 by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Kuderer, Hunt, Dhingra, Hasegawa and Nobles)

AN ACT Relating to the confidentiality of insurance company data; and amending RCW 48.02.065.

Referred to Committee on Consumer Protection & Business.

SSB 5840 by Senate Committee on Law & Justice (originally sponsored by Padden, Pedersen and Kuderer)

AN ACT Relating to the acknowledgment of leases; and amending RCW 59.04.010 and 64.04.010.

Referred to Committee on Housing.



SB 5843 by Senators Nguyen, Boehnke, Hasegawa, Hunt, Kuderer, Mullet, Nobles, Randall and Valdez

AN ACT Relating to security breaches of election systems and election-related systems; amending RCW 29A.12.180, 29A.12.200, 29A.40.100, 29A.40.160, 29A.60.200, 29A.84.550, 29A.84.560, 29A.84.720, and 29A.84.050; adding a new section to chapter 29A.84 RCW; and prescribing penalties.

Referred to Committee on State Government & Tribal Relations.

SSB 5917 by Senate Committee on Law & Justice (originally sponsored by Billig, Dhingra, Pedersen, Trudeau, Hasegawa, Kuderer, Liias, Lovick, Mullet, Nguyen, Nobles, Salomon, Valdez and Wilson, C.)

AN ACT Relating to criminal penalties for bias-motivated defacement of private or public property; and amending RCW 9A.36.080.

Referred to Committee on Community Safety, Justice, & Reentry.

SSB 5919 by Senate Committee on Environment, Energy & Technology (originally sponsored by King)

AN ACT Relating to the sale of biogenic carbon dioxide and other coproducts of biogas processing; and amending RCW 54.04.190.

Referred to Committee on Environment & Energy.

ESSB 5995 by Senate Committee on Labor & Commerce (originally sponsored by Saldaña, Valdez, Kauffman, Trudeau, Hasegawa, Keiser, Kuderer, Nguyen, Nobles and Wilson, C.)

AN ACT Relating to creating a professional license for spoken language interpreters and translators; amending RCW 43.24.150; and adding a new chapter to Title 18 RCW.

Referred to Committee on Consumer Protection & Business.

SB 6088 by Senators Conway, King, Lovick and Nguyen

AN ACT Relating to minor league baseball players subject to the terms of a collective bargaining agreement regarding employment status; amending RCW 49.46.010, 49.46.070, and 49.12.050; and reenacting and amending RCW 49.12.187.

Referred to Committee on Labor & Workplace Standards.

SB 6271 by Senators Keiser, Stanford, Kuderer and Mullet

AN ACT Relating to modifying the cannabis excise tax to consider THC concentration; adding a new section to chapter 69.50 RCW; and providing an expiration date.

Referred to Committee on Regulated Substances & Gaming.

There being no objection, the House advanced to the sixth order of business.

## SECOND READING

**HOUSE BILL NO. 1927, by Representatives Bronoske, Berry, Ortiz-Self, Reed, Ormsby, Kloba, Doglio, Lekanoff, Fosse and Pollet**

**Reducing the number of days that a worker's temporary total disability must continue to receive industrial insurance compensation for the day of an injury and the three-day period following the injury.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Bronoske spoke in favor of the passage of the bill.

Representative Schmidt spoke against the passage of the bill.

## MOTION

On motion of Representative Griffey, Representative Chandler was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1927.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1927, and the bill passed the House by the following vote: Yeas, 60; Nays, 37; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Corry, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

HOUSE BILL NO. 1927, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1972, by Representatives Simmons, Harris, Reed, Ormsby and Riccelli**

**Increasing the licensure fees that support the Washington physicians health program.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bateman and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1972.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1972, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris,

Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1972, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1909, by Representatives Low, Ramel, Schmidt, Timmons and Schmick**

**Adjusting the membership of the pharmacy quality assurance commission.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1909 was substituted for House Bill No. 1909 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1909 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Low and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1909.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1909, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1909, having received the necessary constitutional majority, was declared passed.

**SECOND SUBSTITUTE HOUSE BILL NO. 1579, by House Committee on Appropriations (originally sponsored by Stonier, Bateman, Lekanoff, Reed, Pollet and Macri)**

**Establishing a mechanism for independent prosecutions within the office of the attorney general of criminal conduct arising from police use of force.**

The bill was read the second time.

There being no objection, Third Substitute House Bill No. 1579 was substituted for Second Substitute House Bill No. 1579 and the third substitute bill was placed on the second reading calendar.

THIRD SUBSTITUTE HOUSE BILL NO. 1579 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier, Goodman and Hackney spoke in favor of the passage of the bill.

Representatives Mosbrucker, Walsh, Graham, Abbarno, Chambers, Ybarra, Maycumber, McEntire, Wilcox, Klicker, Jacobsen, Christian, Griffey and Goehner spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Third Substitute House Bill No. 1579.

#### ROLL CALL

The Clerk called the roll on the final passage of Third Substitute House Bill No. 1579, and the bill passed the House by the following vote: Yeas, 53; Nays, 44; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Bronoske, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

THIRD SUBSTITUTE HOUSE BILL NO. 1579, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2127, by Representatives Schmidt, Berry, Leavitt, Reed, Ormsby, Graham and Pollet**

**Concerning workers' compensation incentives to return to work.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2127 was substituted for House Bill No. 2127 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2127 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmidt and Berry spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2127.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2127, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2127, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the third order of business.

**MESSAGE FROM THE SENATE**

Tuesday, February 6, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5592  
 SUBSTITUTE SENATE BILL NO. 5709  
 SUBSTITUTE SENATE BILL NO. 5812  
 SENATE BILL NO. 5970  
 SENATE BILL NO. 5979  
 SENATE BILL NO. 6028  
 SUBSTITUTE SENATE BILL NO. 6060  
 SENATE BILL NO. 6079  
 SENATE BILL NO. 6094  
 SENATE BILL NO. 6166  
 SENATE BILL NO. 6178  
 SUBSTITUTE SENATE BILL NO. 6186

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the seventh order of business.

**THIRD READING**

**ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541, by House Committee on Appropriations (originally sponsored by Farivar, Couture, Mena, Pollet, Taylor, Ortiz-Self, Street, Thai, Reed, Waters, Fosse, Caldier, Simmons, Davis, Alvarado, Schmidt, Ryu, Griffey, Ramel, Barnard, Orwall, Hackney, Bergquist, Walen, Berry, Tharinger, Peterson, Goodman, Volz, Eslick, Stonier, Gregerson, Riccelli, Ormsby, Kloba, Doglio, Bateman, Macri and Duerr)**

**Establishing the nothing about us without us act.**

The bill was read the third time.

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541 was returned to second reading for the purpose of amendment.

Representative Farivar moved the adoption of amendment (791):

On page 1, line 14, after "with" insert "direct"

On page 2, line 30, after "experience" strike "and "lived experience""

On page 3, line 4, after "legislative" strike "entities" and insert "entity"

On page 3, line 7, after "disenfranchisement" strike ",,"

On page 3, line 8, after "factors" strike ",,"

On page 3, line 12, after "policy" strike "decision making" and insert "making processes"

On page 3, beginning on line 37, after "to" strike "section 5 of this act" and insert "section 117, chapter 475, Laws of 2023"

On page 4, line 7, after "section," strike "beginning January 1, 2025,"

On page 5, beginning on line 16, strike all of section 5

ReNUMBER the remaining sections consecutively and correct any internal references accordingly.

On page 7, after line 2, insert the following:

**"Sec. 7.** RCW 43.03.220 and 2022 c 245 s 2 are each amended to read as follows:

(1) Any part-time board, commission, council, committee, or other similar group which is established by the executive, legislative, or judicial branch to participate in state government and which functions primarily in an advisory, coordinating, or planning capacity shall be identified as a class one group. Unless otherwise identified in law, all newly formed and existing groups are a class one group.

(2) Absent any other provision of law to the contrary, a stipend may be provided to a member of a class one group in accordance with this subsection.

(a) Subject to available funding, an agency may provide a stipend to individuals who are low income or have direct lived experience to support their participation in class one groups when the agency determines such participation is desirable in order to implement the principles of equity described in RCW 43.06D.020, provided that the individuals are not otherwise compensated for their attendance at meetings.

(b) Stipends shall not exceed \$200 for each day during which the member attends an official meeting or performs statutorily prescribed duties approved by the chairperson of the group.

(c) Individuals eligible for stipends under this section are eligible for reasonable allowances for child and adult care reimbursement, lodging, and travel

expenses as provided in RCW 43.03.050 and 43.03.060 in addition to stipend amounts.

(d) Nothing in this subsection creates an employment relationship, or any membership or qualification in any state or other publicly supported retirement system, for this or any other title due to the payment of a stipend, lodging and travel expenses, or child care expenses provided under this section where such a relationship, membership, or qualification did not already exist.

(e) As allowable by federal and state law, state agencies will minimize, to the greatest extent possible, the impact of stipends and reimbursements on public assistance eligibility and benefit amounts.

(3) Except for members who qualify for a stipend under subsection (2) of this section, no person designated as a member of a class one board, commission, council, committee, or similar group may receive an allowance for subsistence, lodging, or travel expenses if the allowance cost is funded by the state general fund. Exceptions may be granted under RCW 43.03.049. Class one groups, when feasible, shall use an alternative means of conducting a meeting that does not require travel while still maximizing member and public participation and may use a meeting format that requires members to be physically present at one location only when necessary or required by law.

(4) Class one groups that are funded by sources other than the state general fund are encouraged to reduce travel, lodging, and other costs associated with conducting the business of the group including use of other meeting formats that do not require travel.

(5) Agencies exercising their authority to provide stipends and allowances under this section must follow the guidelines established by the office of equity pursuant to RCW 43.03.270.

(6) For purposes of this section:

(a) "~~(Lived)~~ Direct lived experience" means direct personal experience in the subject matter being addressed by the board, commission, council, committee, or other similar group.

(b) "Low income" means an individual whose income is not more than 400 percent of the federal poverty level, adjusted for family size."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 7, line 3, after "through" strike "4 and 7" and insert "6"

On page 7, beginning on line 5, strike all of section 9

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Farivar and Cheney spoke in favor of the adoption of the amendment.

Amendment (791) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farivar and Cheney spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Second Substitute House Bill No. 1541.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Second Substitute House Bill No. 1541, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hutchins, Klicker, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Christian, Corry, Dent, Graham, Harris, Jacobsen, Kretz, Maycumber, McClintock, McEntire, Schmidt, Volz, Walsh and Waters

Excused: Representative Chandler

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541, having received the necessary constitutional majority, was declared passed.

**ENGROSSED HOUSE BILL NO. 1714, by Representatives Stonier, Senn, Callan, Kloba, Santos, Bergquist and Timmons**

**Allowing school districts to apply for financial literacy education professional development grants.**

The bill was read the third time.

Representatives Stonier and Rude spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1714.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1714, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele,

Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED HOUSE BILL NO. 1714, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, by House Committee on Appropriations (originally sponsored by Macri, Riccelli, Simmons, Fitzgibbon, Berry, Alvarado, Bateman, Ormsby, Doglio, Reed, Callan, Stonier, Tharinger and Bergquist)**

**Improving consumer affordability through the health care cost transparency board.**

The bill was read the third time.

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508 was returned to second reading for the purpose of amendment.

Representative Macri moved the adoption of the striking amendment (799):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 70.390.040 and 2020 c 340 s 4 are each amended to read as follows:

(1) The board shall establish an advisory committee on data issues and ~~((an))~~ a health care stakeholder advisory committee ~~((of health care providers and carriers))~~. The board may establish other advisory committees as it finds necessary. Any other standing advisory committee established by the board shall include members representing the interests of consumer, labor, and employer purchasers, at a minimum, and may include other stakeholders with expertise in the subject of the advisory committee, such as health care providers, payers, and health care cost researchers.

(2) Appointments to the advisory committee on data issues shall be made by the board. Members of the committee must have expertise in health data collection and reporting, health care claims data analysis, health care economic analysis, ~~((and))~~ actuarial analysis, or other relevant expertise related to health data.

(3) Appointments to the health care stakeholder advisory committee ~~((of health care providers and carriers))~~ shall be made by the board and must include the following membership:

(a) One member representing hospitals and hospital systems, selected from a list of three nominees submitted by the Washington state hospital association;

(b) One member representing federally qualified health centers, selected from a list of three nominees submitted by the Washington association for community health;

(c) One physician, selected from a list of three nominees submitted by the Washington state medical association;

(d) One primary care physician, selected from a list of three nominees submitted by the Washington academy of family physicians;

(e) One member representing behavioral health providers, selected from a list of

three nominees submitted by the Washington council for behavioral health;

(f) One member representing pharmacists and pharmacies, selected from a list of three nominees submitted by the Washington state pharmacy association;

(g) One member representing advanced registered nurse practitioners, selected from a list of three nominees submitted by ARNPs united of Washington state;

(h) One member representing tribal health providers, selected from a list of three nominees submitted by the American Indian health commission;

(i) One member representing a health maintenance organization, selected from a list of three nominees submitted by the association of Washington health care plans;

(j) One member representing a managed care organization that contracts with the authority to serve medical assistance enrollees, selected from a list of three nominees submitted by the association of Washington health care plans;

(k) One member representing a health care service contractor, selected from a list of three nominees submitted by the association of Washington health care plans;

(l) One member representing an ambulatory surgery center selected from a list of three nominees submitted by the ambulatory surgery center association; ~~((and))~~

(m) Three members, at least one of whom represents a disability insurer, selected from a list of six nominees submitted by America's health insurance plans;

(n) At least two members representing the interests of consumers, selected from a list of nominees submitted by consumer organizations;

(o) At least two members representing the interests of labor purchasers, selected from a list of nominees submitted by the Washington state labor council; and

(p) At least two members representing the interests of employer purchasers, including at least one small business representative, selected from a list of nominees submitted by business organizations. The members appointed under this subsection (3)(p) may not be directly or indirectly affiliated with an employer which has income from health care services, health care products, health insurance, or other health care sector-related activities as its primary source of revenue.

**Sec. 2.** RCW 70.390.050 and 2020 c 340 s 5 are each amended to read as follows:

(1) The board has the authority to establish and appoint advisory committees, in accordance with the requirements of RCW 70.390.040, and shall seek input and recommendations from ~~((the))~~ relevant advisory committees ~~((on topics relevant to the work of the board))~~.

(2) The board shall:

(a) Determine the types and sources of data necessary to annually calculate total health care expenditures and health care cost growth, ~~((and to))~~ establish the health care cost growth benchmark, and analyze the impact of cost drivers on health care spending, including execution of any necessary access and data security

agreements with the custodians of the data. The board shall first identify existing data sources, such as the statewide health care claims database established in chapter 43.371 RCW and prescription drug data collected under chapter 43.71C RCW, and primarily rely on these sources when possible in order to minimize the creation of new reporting requirements. The board may use data received from existing data sources including, but not limited to, publicly available information filed by carriers under Title 48 RCW and data collected under chapters 43.70, 43.71, 43.71C, 43.371, and 70.405 RCW, in its analyses and discussions to the same extent that the custodians of the data are permitted to use the data. As appropriate to promote administrative efficiencies, the board may share its data with the prescription drug affordability board under chapter 70.405 RCW and other health care cost analysis efforts conducted by the state;

(b) Determine the means and methods for gathering data to annually calculate total health care expenditures and health care cost growth, and to establish the health care cost growth benchmark. The board must select an appropriate economic indicator to use when establishing the health care cost growth benchmark. The activities may include selecting methodologies and determining sources of data. The board shall ~~((accept))~~ solicit and consider recommendations from the advisory committee on data issues and the health care stakeholder advisory committee ((of health care providers and carriers)) regarding the value and feasibility of reporting various categories of information under (c) of this subsection, such as urban and rural, public sector and private sector, and major categories of health services, including prescription drugs, inpatient treatment, and outpatient treatment;

(c) Annually calculate total health care expenditures and health care cost growth:

(i) Statewide and by geographic rating area;

(ii) For each health care provider or provider system and each payer, taking into account the health status of the patients of the health care provider or the enrollees of the payer, utilization by the patients of the health care provider or the enrollees of the payer, intensity of services provided to the patients of the health care provider or the enrollees of the payer, and regional differences in input prices. The board must develop an implementation plan for reporting information about health care providers, provider systems, and payers;

(iii) By market segment;

(iv) Per capita; and

(v) For other categories, as recommended by the advisory committees in (b) of this subsection, and approved by the board;

(d) Annually establish the health care cost growth benchmark for increases in total health expenditures. The board, in determining the health care cost growth benchmark, shall begin with an initial implementation that applies to the highest cost drivers in the health care system and develop a phased plan to include other

components of the health system for subsequent years;

(e) Beginning in 2023, analyze the impacts of cost drivers to health care and incorporate this analysis into determining the annual total health care expenditures and establishing the annual health care cost growth benchmark. The cost drivers may include, to the extent such data is available:

(i) Labor, including but not limited to, wages, benefits, and salaries;

(ii) Capital costs, including but not limited to new technology;

(iii) Supply costs, including but not limited to prescription drug costs;

(iv) Uncompensated care;

(v) Administrative and compliance costs;

(vi) Federal, state, and local taxes;

(vii) Capacity, funding, and access to postacute care, long-term services and supports, and housing; ~~((and))~~

(viii) Regional differences in input prices; ~~((and~~

~~((f)))~~ (ix) Financial earnings of health care providers and payers, including information regarding profits, assets, accumulated surpluses, reserves, and investment income, and similar information;

(x) Utilization trends and adjustments for demographic changes and severity of illness;

(xi) New state health insurance benefit mandates enacted by the legislature that require carriers to reimburse the cost of specified procedures or prescriptions; and

(xii) Other cost drivers determined by the board to be informative to determining annual total health care expenditures and establishing the annual health care cost growth benchmark; and

(f) Release reports in accordance with RCW 70.390.070.

**Sec. 3.** RCW 70.390.070 and 2020 c 340 s 7 are each amended to read as follows:

~~((1) By August 1, 2021, the board shall submit a preliminary report to the governor and each chamber of the legislature. The preliminary report shall address the progress toward establishment of the board and advisory committees and the establishment of total health care expenditures, health care cost growth, and the health care cost growth benchmark for the state, including proposed methodologies for determining each of these calculations. The preliminary report shall include a discussion of any obstacles related to conducting the board's work including any deficiencies in data necessary to perform its responsibilities under RCW 70.390.050 and any supplemental data needs.~~

~~((2) Beginning August 1, 2022))~~ By December 1st of each year, the board shall submit annual reports to the governor and each chamber of the legislature. ((The first annual report shall determine the total health care expenditures for the most recent year for which data is available and shall establish the health care cost growth benchmark for the following year.)) The annual reports may include policy recommendations applicable to the board's activities and analysis of its work,

including any recommendations related to lowering health care costs, focusing on private sector purchasers, and the establishment of a rating system of health care providers and payers.

**NEW SECTION. Sec. 4.** A new section is added to chapter 70.390 RCW to read as follows:

(1) At least biennially, the board shall conduct a survey of underinsurance among Washington residents.

(a) The survey shall be conducted among a representative sample of Washington residents. Analysis of the survey results shall be disaggregated to the greatest extent feasible by demographic factors such as race, ethnicity, gender and gender identity, age, disability status, household income level, type of insurance coverage, geography, and preferred language. In addition, the survey shall be designed to allow for the analyses of the aggregate impact of out-of-pocket costs and premiums according to the standards in (b) of this subsection as well as the share of Washington residents who delay or forego care due to cost.

(b) The board shall measure underinsurance as the share of Washington residents whose out-of-pocket costs over the prior 12 months, excluding premiums, are equal to:

(i) For persons whose household income is over 200 percent of the federal poverty level, 10 percent or more of household income;

(ii) For persons whose household income is less than 200 percent of the federal poverty level, five percent or more of household income; or

(iii) For any income level, deductibles constituting five percent or more of household income.

(c) Beginning in 2026, the board may implement improvements to the measure of underinsurance defined in (b) of this subsection, such as a broader health care affordability index that considers health care expenses in the context of other household expenses.

(2) At least biennially, the board shall conduct a survey of insurance trends among employers and employees. The survey must be conducted among a representative sample of Washington employers and employees.

(3) The board may conduct the surveys through the authority, by contract with a private entity, or by arrangement with another state agency conducting a related survey.

(4) Beginning in 2025, analysis of the survey results shall be included in the annual report required by RCW 70.390.070.

**NEW SECTION. Sec. 5.** A new section is added to chapter 70.390 RCW to read as follows:

(1) No later than December 1, 2024, and annually thereafter, the board shall hold a public hearing related to discussing the growth in total health care expenditures in relation to the health care cost growth benchmark in the previous performance period, in accordance with the open public

meetings act, chapter 42.30 RCW. The agenda and any materials for this hearing must be made available to the public at least 14 days prior to the hearing.

(2) (a) Except as provided in (b) of this subsection, to the extent data permits, the hearing must include the public identification of any payers or health care providers for which health care cost growth in the previous performance period exceeded the health care cost growth benchmark.

(b) Provider groups with fewer than 10,000 unique attributed lives shall be exempt from identification under (a) of this subsection.

(3) At the hearing, the board:

(a) May require testimony by payers or health care providers that have substantially exceeded the health care cost growth benchmark in the previous calendar year to better understand the reasons for the excess health care cost growth and measures that are being undertaken to restore health care cost growth within the limits of the benchmark;

(b) Shall invite testimony from health care stakeholders, other than payers and health care providers, including health care consumers, business interests, and labor representatives; and

(c) Shall provide an opportunity for public comment.

**NEW SECTION. Sec. 6.** A new section is added to chapter 43.71C RCW to read as follows:

Information collected pursuant to this chapter may be shared with the health care cost transparency board established under chapter 70.390 RCW, subject to the same disclosure restrictions applicable under this chapter.

**Sec. 7.** RCW 70.405.030 and 2022 c 153 s 3 are each amended to read as follows:

By June 30, 2023, and annually thereafter, utilizing data collected pursuant to ~~((chapter) chapters 43.71C, 43.371, and 70.390 RCW, ((the all-payer health care claims database,))~~) or other data deemed relevant by the board, the board must identify prescription drugs that have been on the market for at least seven years, are dispensed at a retail, specialty, or mail-order pharmacy, are not designated by the United States food and drug administration under 21 U.S.C. Sec. 360bb as a drug solely for the treatment of a rare disease or condition, and meet the following thresholds:

(1) Brand name prescription drugs and biologic products that:

(a) Have a wholesale acquisition cost of \$60,000 or more per year or course of treatment lasting less than one year; or

(b) Have a price increase of 15 percent or more in any 12-month period or for a course of treatment lasting less than 12 months, or a 50 percent cumulative increase over three years;

(2) A biosimilar product with an initial wholesale acquisition cost that is not at least 15 percent lower than the reference biological product; and

(3) Generic drugs with a wholesale acquisition cost of \$100 or more for a 30-day supply or less that has increased in price by 200 percent or more in the preceding 12 months."

Correct the title.

Representatives Macri and Schmick spoke in favor of the adoption of the striking amendment.

The striking amendment (799) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Macri and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Substitute House Bill No. 1508.

### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 1508, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Corry, McEntire and Walsh

Excused: Representative Chandler

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377, by House Committee on Education (originally sponsored by Santos, Reed and Ortiz-Self)**

**Posting of approved courses and providers of continuing education.**

The bill was read the third time.

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377 was returned to second reading for the purpose of amendment.

Representative Santos moved the adoption of the striking amendment (829):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.410.277 and 2021 c 77 s 1 are each amended to read as follows:

(1) The Washington professional educator standards board must adopt rules for renewal

of administrator certificates and teacher certificates that meet the continuing education requirements of this section.

(2) To renew an administrator certificate on or after July 1, 2023, continuing education must meet the following requirements: 10 percent must focus on equity-based school practices, 10 percent must focus on the national professional standards for education leaders, and five percent must focus on government-to-government relationships with federally recognized tribes.

(3) To renew a teacher certificate on or after July 1, 2023, 15 percent of continuing education must focus on equity-based school practices. This subsection (3) does not apply to a person renewing both a teacher certificate and an administrator certificate.

~~(4) (a) ((Except as provided under (b) of this subsection (4), continuing education must be provided by one or more of the following entities, if they are an approved clock hour provider:~~

~~(i) The office of the superintendent of public instruction;~~

~~(ii) A school district;~~

~~(iii) An educational service district;~~

~~(iv) A Washington professional educator standards board-approved administrator or teacher preparation program;~~

~~(v) The association of Washington school principals; or~~

~~(vi) The Washington education association.~~

~~(b) Continuing)) To meet the requirements of subsection (2) of this section, continuing education related to government-to-government relationships with federally recognized tribes must be provided by one or more subject matter experts approved by the governor's office on Indian affairs in collaboration with the tribal leaders congress on education and the office of Native education in the office of the superintendent of public instruction.~~

~~((4-5)) (b) The office of the superintendent of public instruction and the Washington professional educator standards board must maintain a list of subject matter experts approved under (a) of this subsection on their respective websites.~~

~~(5) An entity providing an administrator or teacher continuing education program focused on equity-based school practices or the national professional standards for education leaders must publicly post the learning objectives of the program on its website.~~

~~(6) Continuing education focused on equity-based school practices must be aligned with the standards ((for cultural competency developed) of practice developed by the Washington professional educator standards board under RCW 28A.410.260.~~

**NEW SECTION. Sec. 2.** A new section is added to chapter 28A.410 RCW to read as follows:

(1) As required by this section, the office of the superintendent of public instruction shall audit approved providers of administrator or teacher continuing education programs focused on equity-based



school practices or the national professional standards for education leaders.

(2) (a) Except as provided in (b) of this subsection, the office of the superintendent of public instruction must audit a representative sample of each of the following categories of approved providers each year:

(i) Washington professional educator standards board-approved educator preparation programs and other college and university programs;

(ii) School districts, public schools, educational service districts, and any other local, state, or federal agencies;

(iii) Private schools approved by the state board of education under RCW 28A.305.130; and

(iv) Any other organizations or entities.

(b) If an organization or entity is not an approved provider prior to the effective date of this section, the office of the superintendent of public instruction must audit the provider within two years of initial approval by the Washington professional educator standards board.

(3) The purpose of audits is to confirm that approved providers are meeting provider approval standards under chapter 181-85 WAC, including whether the provider is in substantial compliance with the requirements of RCW 28A.410.277.

(4) For the purposes of this section, "approved provider" and "provider" have the same meaning as "approved in-service education agency" in WAC 181-85-045, but apply only to providers of administrator or teacher continuing education programs focused on either equity-based school practices or the national professional standards for education leaders.

(5) This section expires June 30, 2034."

Correct the title.

Representative Rude moved the adoption of amendment (836) to the striking amendment (829):

On page 2, line 10 of the striking amendment, after "website," insert "If the entity does not have a website, it must post the learning objectives of the program in a conspicuous place in the entity's main office and submit a copy of the learning objectives to the Washington professional educator standards board."

Representatives Rude and Santos spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (836) to the striking amendment (829) was adopted.

Representatives Santos and Rude spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (829), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos and Rude spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Substitute House Bill No. 1377.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 1377, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

#### SECOND READING

**HOUSE BILL NO. 1800, by Representatives Barkis, Donaghy, Eslick, Fey, Barnard, Robertson, Stokesbary, Chambers, Abbarno, Christian and McClintock**

**Concerning criminal penalties and restitution for graffiti.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1800 was substituted for House Bill No. 1800 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1800 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Barkis, Goodman and Eslick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1800.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1800, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner,

Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1800, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1890, by Representatives Alvarado, Klicker, Peterson, Bateman, Connors, Macri, Corry, Barkis, Berry, Morgan, Leavitt, Tharinger, Reed, Ormsby, Barnard, Street, Gregerson, Reeves and Chopp**

**Concerning housing authorities.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Alvarado and Goehner spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1890.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1890, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1890, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1924, by Representatives Shavers, Ryu, Barnard, Stearns and Wylie**

**Promoting the integration of fusion technology within state clean energy policies.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1924 was substituted for House Bill No. 1924 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1924 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Shavers, Dye and McEntire spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1924.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1924, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Pollet and Ramel

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1924, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2048, by Representatives Mosbrucker, Goodman, Graham, Doglio and Davis**

**Concerning supervision of domestic violence in criminal sentencing.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2048 was substituted for House Bill No. 2048 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2048 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Mosbrucker and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2048.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2048, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan,

Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2048, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2062, by Representatives Schmidt, Ramos and Cheney**

**Concerning exemption of certain personnel of the department of social and health services from civil service.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmidt and Ramos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2062.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2062, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2062, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2165, by Representatives Kloba, Waters and Reeves**

**Concerning the authority of the department of natural resources to determine recreational use fees for activities on agency-managed public lands.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2165 was substituted for House Bill No. 2165 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2165 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kloba and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2165.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2165, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2165, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1911, by Representatives Taylor, Cheney, Ortiz-Self, Reed, Simmons, Ormsby, Reeves, Fosse and Davis**

**Concerning activities in which the office of public defense may engage without violating the prohibition on providing direct representation of clients.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1911 was substituted for House Bill No. 1911 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1911 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Taylor spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1911.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1911, and the bill passed the House by the following vote: Yeas, 79; Nays, 18; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Cheney, Chopp, Connors, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin,

Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Chambers, Christian, Corry, Couture, Graham, Jacobsen, Kretz, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Schmidt, Volz and Walsh

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1911, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2260, by Representatives Waters, Reeves, Leavitt, Kloba and Cheney**

**Establishing civil penalties for the unlawful sale or supply of alcohol to minors.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Waters and Stearns spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2260.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2260, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2260, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1979, by Representatives Paul, Leavitt, Duerr, Reed, Ormsby, Callan, Kloba, Doglio, Fosse, Ortiz-Self, Hackney and Shavers**

**Reducing the cost of inhalers and epinephrine autoinjectors.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1979 was substituted for House Bill No. 1979 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1979 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Paul and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1979.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1979, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1979, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1985, by Representatives Timmons, Leavitt, Fitzgibbon, Ryu, Ramos, Ramel, Bateman, Ormsby, Jacobsen, Callan, Rule, Kloba, Street, Doglio, Fosse, Paul, Bergquist, Goodman, Ortiz-Self, Lekanoff, Reeves, Nance, Riccelli, Hackney, Pollet and Shavers**

**Providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1985 was substituted for House Bill No. 1985 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1985 was read the second time.

Representative Chambers moved the adoption of the striking amendment (840):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 41.32 RCW to read as follows:

(1) Beginning July 1, 2024, and every year thereafter, the department shall determine the following information for each plan 1 retired member or beneficiary whose retirement allowance has been in effect for at least one year:

(a) The original dollar amount of the retirement allowance as of June 30, 2024, or the effective date of retirement, whichever is later;

(b) The index for the calendar year prior to July 1, 2022, or the effective date of the retirement allowance, whichever is later, to be known as "index A";

(c) The index for the calendar year prior to the date of determination, to be known as "index B"; and

(d) The ratio obtained when index B is divided by index A.

(2) The value of the ratio obtained is the annual adjustment to the original retirement allowance and must be applied beginning with the July payment. In no event, however, may the annual adjustment:

(a) Produce a retirement allowance which is lower than the original retirement allowance;

(b) Exceed three percent in the initial annual adjustment; or

(c) Differ from the previous year's annual adjustment by more than three percent.

(3) For the purposes of this section, "index" means, for any calendar year, that year's average consumer price index, Seattle, Washington area for urban wage earners and clerical workers, all items, compiled by the bureau of labor statistics, United States department of labor.

NEW SECTION. **Sec. 2.** A new section is added to chapter 41.40 RCW to read as follows:

(1) Beginning July 1, 2023, and every year thereafter, the department shall determine the following information for each plan 1 retired member or beneficiary whose retirement allowance has been in effect for at least one year:

(a) The original dollar amount of the retirement allowance as of June 30, 2023, or the effective date of retirement, whichever is later;

(b) The index for the calendar year prior to July 1, 2022, or the effective date of the retirement allowance, whichever is later, to be known as "index A";

(c) The index for the calendar year prior to the date of determination, to be known as "index B"; and

(d) The ratio obtained when index B is divided by index A.

(2) The value of the ratio obtained is the annual adjustment to the original retirement allowance and must be applied beginning with the July payment. In no event, however, may the annual adjustment:

(a) Produce a retirement allowance which is lower than the original retirement allowance;

(b) Exceed three percent in the initial annual adjustment; or

(c) Differ from the previous year's annual adjustment by more than three percent.

(3) For the purposes of this section, "index" means, for any calendar year, that year's average consumer price index, Seattle, Washington area for urban wage earners and clerical workers, all items, compiled by the bureau of labor statistics, United States department of labor."

Correct the title.

Representatives Chambers and Corry spoke in favor of the adoption of the striking amendment.

Representative Senn spoke against the adoption of the striking amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of the striking amendment (840) and the amendment was not adopted by the following vote: Yeas, 43; Nays, 54; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Excused: Representative Chandler

The striking amendment (840) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Timmons and Chambers spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1985.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1985, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1985, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2182, by Representatives Reeves, Cheney, Leavitt, Reed, Callan and Sandlin**

**Creating a data dashboard to track use of regulated substances.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2182 was substituted for House Bill No. 2182 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2182 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reeves and Chambers spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2182.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2182, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2182, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1153, by Representatives Peterson, Fitzgibbon, Berry, Walen, Bateman, Goodman, Leavitt, Macri, Gregerson, Stonier, Pollet and Fosse**

#### Prohibiting octopus farming.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Peterson spoke in favor of the passage of the bill.

Representatives McEntire, Dent and Graham spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1153.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1153, and the bill passed the House by the following vote: Yeas, 70; Nays, 27; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Chopp, Connors, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Harris, Hutchins, Kloba, Leavitt, Lekanoff, Low, Macri, Maycumber, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier,

Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Cheney, Christian, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Jacobsen, Klicker, Kretz, McClintock, McEntire, Orcutt, Robertson, Schmick, Schmidt, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

HOUSE BILL NO. 1153, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1978, by Representatives Rule, Volz, Ryu, Ramel, Ormsby and Reeves**

**Adding special purpose and junior taxing districts to the intrastate mutual aid system.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rule and Volz spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1978.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1978, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1978, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1986, by Representatives Abbarno, Bronoske, Berry, Schmidt, Ramel, Reed, Graham, Timmons, Lekanoff, Reeves, Nance, Riccelli, Wylie and Hackney**

**Adding purposes for the use of existing firefighter safety funding.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Abbarno and Berry spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1986.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1986, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1986, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:00 a.m., Wednesday, February 7, 2024, the 31st Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## THIRTY FIRST DAY

House Chamber, Olympia, Wednesday, February 7, 2024

The House was called to order at 9:00 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Zoey Glaros and Aidan Stevens. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Tito Lyro, Bible Presbyterian Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

**SPEAKER'S PRIVILEGE**

The Speaker (Representative Bronoske presiding) recognized Speaker Emeritus Clyde Ballard who was present in the House Chamber.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SENATE**

Tuesday, February 6, 2024

Mme. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5291  
 ENGROSSED SENATE BILL NO. 5363  
 ENGROSSED SENATE BILL NO. 5590  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 5635  
 SUBSTITUTE SENATE BILL NO. 5786  
 SENATE BILL NO. 5792  
 SENATE BILL NO. 5821  
 SUBSTITUTE SENATE BILL NO. 5834  
 SUBSTITUTE SENATE BILL NO. 5931  
 SUBSTITUTE SENATE BILL NO. 5935  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5983  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6009  
 SUBSTITUTE SENATE BILL NO. 6015  
 SENATE BILL NO. 6017  
 SUBSTITUTE SENATE BILL NO. 6025  
 SUBSTITUTE SENATE BILL NO. 6047  
 SENATE BILL NO. 6084  
 ENGROSSED SENATE BILL NO. 6089  
 SENATE BILL NO. 6133  
 SUBSTITUTE SENATE BILL NO. 6150  
 SUBSTITUTE SENATE BILL NO. 6164  
 SENATE BILL NO. 6181  
 SUBSTITUTE SENATE BILL NO. 6227  
 SUBSTITUTE SENATE BILL NO. 6278  
 ENGROSSED SENATE JOINT MEMORIAL NO. 8005  
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8009

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Tuesday, February 6, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5592  
 SUBSTITUTE SENATE BILL NO. 5709  
 SUBSTITUTE SENATE BILL NO. 5812  
 SENATE BILL NO. 5970  
 SENATE BILL NO. 5979  
 SENATE BILL NO. 6028  
 SUBSTITUTE SENATE BILL NO. 6060  
 SENATE BILL NO. 6079  
 SENATE BILL NO. 6094  
 SENATE BILL NO. 6166  
 SENATE BILL NO. 6178  
 SUBSTITUTE SENATE BILL NO. 6186

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Tuesday, February 6, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1964

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**HB 2495 by Representatives Rude, Macri and Walen

AN ACT Relating to rules of the liquor and cannabis board regarding clothing and conduct of licensees, employees, patrons, and persons at liquor licensed establishments; and creating new sections.

Referred to Committee on Regulated Substances & Gaming.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the sixth order of business.

**SECOND READING**

**HOUSE BILL NO. 1998, by Representatives Gregerson, Barkis, Leavitt, Rule, Ryu, Reed, Morgan, Fitzgibbon, Berry, Duerr, Bronoske, Ramos, Ramel, Bateman, Peterson, Chambers, Taylor, Simmons, Ormsby, Graham, Callan, Macri, Donaghy, Doglio, Mena, Nance, Riccelli, Cortes, Santos, Pollet and Davis**



**Concerning co-living housing.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1998 was substituted for House Bill No. 1998 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1998 was read the second time.

Representative Couture moved the adoption of the striking amendment (807):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature makes the following findings:

(a) Washington state is experiencing a housing affordability crisis;

(b) Co-living housing is a type of housing that can provide rental homes affordable to people with moderate to low incomes without requiring any public funding, and rents in newly constructed, market-rate co-living housing in the Puget Sound region can be affordable to people with incomes as low as 50 percent of area median income;

(c) Co-living housing is a residential development with sleeping units that are independently rented and provide living and sleeping space, in which residents share kitchen facilities with residents of other units in the building;

(d) Co-living housing historically provided a healthy inventory of rental homes on the lowest rung of the private housing market, comprising up to 10 percent of housing in some cities;

(e) Starting in the mid-20th century, local governments began adopting restrictive zoning and other rules that increasingly prohibited co-living housing, or made it impractical to build or operate, and its numbers plummeted;

(f) Today, many cities and counties outright prohibit co-living housing on most of their residential land, or they enforce any number of restrictions that make it effectively impossible to build new co-living housing or to convert existing buildings into co-living housing;

(g) Co-living housing provides options for people who:

(i) Wish to lower their housing expenses by paying less for a smaller home;

(ii) Prefer a living arrangement with shared community spaces that facilitate social connections;

(iii) Wish to trade off location for space and, by living in a small home, also get to live in a high opportunity neighborhood they could not otherwise afford; or

(iv) Want a low-cost, more private alternative to having a roommate in a traditional rental;

(h) Many communities throughout Washington face a severe shortage of workforce housing, and co-living housing provides housing affordable to that income range and below, without public funding;

(i) Co-living housing reduces pressure on the limited amount of publicly funded affordable housing by providing housing that is affordable to lower income residents who might otherwise wait years for subsidized housing;

(j) Co-living housing works best for single-person households, but the housing for singles that it provides reduces demand for family-sized rentals from singles who would otherwise group together to rent large homes;

(k) Co-living housing provides a good option for seniors, especially those who want to downsize, or those who desire a living arrangement that is more social than a standard apartment. When located in walkable neighborhoods, co-living housing gives mobility options to seniors who can no longer drive;

(l) Co-living housing is well-suited for the conversion of office buildings to housing, because it typically requires less plumbing and fixtures for kitchens and bathrooms;

(m) Co-living housing is well-suited for very low-income people, supportive and recovery housing, and "housing first" homes for the formerly homeless;

(n) State building codes have established minimum sizes and other standards to ensure that co-living housing meets modern health and safety standards;

(o) Creating co-living housing near transit hubs, employment centers, and public amenities can help the state achieve its greenhouse gas reduction goals by increasing walkability, shortening household commutes, curtailing sprawl, and reducing the pressure to develop natural and working lands; and

(p) Co-living housing, because the units are small, is inherently more energy efficient than standard apartments, both saving residents money and reducing the state's energy demand.

(2) Therefore, the legislature intends to allow the creation of co-living housing as a means to address the need for additional affordable housing options for a diversity of Washington residents.

**NEW SECTION. Sec. 2.** A new section is added to chapter 36.70A RCW to read as follows:

(1) Cities and counties planning under this chapter must allow co-living housing as a permitted use on any lot located within an urban growth area that allows at least six multifamily residential units, including on a lot zoned for mixed use development.

(2) A city or county subject to the provisions of this section may not require co-living housing to:

(a) Contain room dimensional standards larger than that required by the state building code, including dwelling unit size, sleeping unit size, room area, and habitable space;

(b) Provide a mix of unit sizes or number of bedrooms; or

(c) Include other uses.

(3)(a) A city or county subject to the provisions of this section also may not require co-living housing to:

(i) Provide off-street parking within one-half mile walking distance of a major transit stop; or

(ii) Provide more than 0.25 off-street parking spaces per sleeping unit.

(b) The provisions of (a) of this subsection do not apply:

(i) If a city or county submits to the department an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of (a) of this subsection will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location. The department must develop guidance to assist cities and counties on items to include in the study; or

(ii) To portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

(4) A city or county may not require through development regulations any standards for co-living housing that are more restrictive than those that are required for other types of multifamily residential uses in the same zone.

(5) A city or county may only require a review, notice, or public meeting for co-living housing that is required for other types of residential uses in the same location, unless otherwise required by state law including, but not limited to, shoreline regulations under chapter 90.58 RCW.

(6) A city or county may not exclude co-living housing from participating in affordable housing incentive programs under RCW 36.70A.540.

(7) A city or county may not treat a sleeping unit in co-living housing as more than one-quarter of a dwelling unit for purposes of calculating dwelling unit density.

(8) A city or county may not treat a sleeping unit in co-living housing as more than one-half of a dwelling unit for purposes of calculating fees for utility connections.

(9)(a) A city or county subject to the requirements of this section must adopt or amend by ordinance and incorporate into their development regulations, zoning regulations, and other official controls the requirements of this section to take effect no later than December 31, 2025.

(b) In any city or county that has not adopted or amended ordinances, regulations, or other official controls as required under this section, the requirements of this section supersede, preempt, and invalidate any conflicting local development regulations.

(10) Any action taken by a city or county to comply with the requirements of this section is not subject to legal challenge under this chapter or chapter 43.21C RCW.

(11) For the purposes of this section, the following definitions apply:

(a) "Co-living housing" means a residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and

residents share kitchen facilities with other sleeping units in the building. Local governments may use other names to refer to co-living housing including, but not limited to, congregate living facilities, single room occupancy, rooming house, boarding house, lodging house, and residential suites.

(b) "Major transit stop" means:

(i) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;

(ii) Commuter rail stops;

(iii) Stops on rail or fixed guideway systems, including transitways;

(iv) Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or

(v) Stops for a bus or other transit mode providing actual fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays."

Correct the title.

Representatives Couture, Peterson and Barkis spoke in favor of the adoption of the striking amendment.

#### MOTIONS

On motion of Representative Leavitt, Representative Fitzgibbon was excused.

On motion of Representative Griffey, Representative Chandler was excused.

The striking amendment (807) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Barkis and Gregerson spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1998.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1998, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Fitzgibbon

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1998, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2086, by Representatives Entenman, Goodman, Fitzgibbon, Berry, Reed, Ormsby, Street, Doglio, Farivar and Kloba**

**Updating processes of the office of independent investigations by changing authority to obtain and share investigative information and aligning with current operations and practices.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2086 was substituted for House Bill No. 2086 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2086 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Entenman and Mosbrucker spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2086.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2086, and the bill passed the House by the following vote: Yeas, 66; Nays, 30; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fosse, Goehner, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Christian, Connors, Corry, Couture, Dye, Eslick, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Orcutt, Robertson, Schmidt, Stokesbary, Volz, Walsh, Waters and Wilcox

Excused: Representatives Chandler and Fitzgibbon

SUBSTITUTE HOUSE BILL NO. 2086, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2226, by Representatives Ortiz-Self, Berry, Gregerson, Ramel, Santos, Reeves, Reed and Davis**

**Concerning collecting data on the H-2A worker program and from certain hand harvesters.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2226 was substituted for House Bill No. 2226 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2226 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self and Ortiz-Self (again) spoke in favor of the passage of the bill.

Representatives Ybarra and Corry spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2226.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2226, and the bill passed the House by the following vote: Yeas, 54; Nays, 42; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Springer, Steele, Stokesbary, Volz, Walen, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Fitzgibbon

SUBSTITUTE HOUSE BILL NO. 2226, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2074, by Representatives Dye, Dent, Jacobsen, Graham and Sandlin**

**Limiting the application of certain civil penalties to protect landowners from incurring penalties based on the actions of the landowner's lessee.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dye and Morgan spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2074.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2074, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Fitzgibbon

HOUSE BILL NO. 2074, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1958, by Representatives Berry, Orwall, Ryu, Fitzgibbon, Leavitt, Ramel, Reed, Simmons, Ormsby, Fosse, Lekanoff, Reeves, Pollet, Davis and Doglio**

**Concerning nonconsensual removal of or tampering with a sexually protective device.**

The bill was read the second time.

Representative Walsh moved the adoption of amendment (844):

On page 2, line 3, after "dam," strike "or any other physical barrier" and insert "intrauterine device, any hormonal birth control method, or any other"

On page 2, beginning on line 4, after "infection." strike all material through "method." on line 6

Representative Caldier spoke in favor of the adoption of the amendment.

Representative Berry spoke against the adoption of the amendment.

Amendment (844) was not adopted.

Representative Walsh moved the adoption of amendment (845):

On page 2, line 14, after "(i)" strike "Removed" and insert "Knowingly and intentionally removed"

Representative Walsh spoke in favor of the adoption of the amendment.

Representative Farivar spoke against the adoption of the amendment.

Amendment (845) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Berry spoke in favor of the passage of the bill.

Representatives Caldier and Jacobsen spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1958.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1958, and the bill passed the House by the following vote: Yeas, 64; Nays, 33; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Barkis, Barnard, Caldier, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker,

Kretz, Low, McEntire, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters and Ybarra  
Excused: Representative Chandler

HOUSE BILL NO. 1958, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1976, by Representatives Fosse, Doglio, Fitzgibbon, Ramel, Reed, Lekanoff, Reeves and Pollet**

**Changing the incentive structure for tier 1 and tier 2 buildings.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fosse and Dye spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1976.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1976, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1976, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2059, by Representatives Stearns, Ramos, Senn, Ramel, Morgan, Peterson, Callan, Gregerson, Santos and Reeves**

**Concerning the sale of halal foods.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stearns and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2059.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2059, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2059, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1949, by Representatives Leavitt, Schmidt, Ryu, Callan, Doglio, Reed, Ormsby, Fosse, Reeves and Davis**

**Including in the public safety employees' retirement system specified competency restoration workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Leavitt and Couture spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1949.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1949, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1949, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2371, by Representatives Cheney and Walen**

**Clarifying the rules surrounding the removal of political advertising.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cheney and Ramos spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2371.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2371, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2371, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2335, by Representatives Santos, Lekanoff, Nance and Reed**

**Concerning state-tribal education compacts.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2335 was substituted for House Bill No. 2335 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2335 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos and Rude spoke in favor of the passage of the bill.

**MOTION**

On motion of Representative Ramel, Representatives Reeves and Taylor were excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2335.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2335, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye,

Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Reeves and Taylor

SUBSTITUTE HOUSE BILL NO. 2335, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2004, by Representatives McEntire, Leavitt, Couture, Slatter, Ryu, Senn, Graham, Callan, Sandlin and Shavers**

**Providing early registration at institutions of higher education for military students.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McEntire and Leavitt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2004.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2004, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Reeves and Taylor

HOUSE BILL NO. 2004, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2097, by Representatives Berry, Ortiz-Self, Reed, Simmons, Ormsby, Ramel, Fosse, Goodman, Lekanoff, Doglio, Pollet and Kloba**

**Assisting workers in recovering wages owed.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2097 was substituted for House Bill No. 2097 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2097 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Berry and Schmidt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2097.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2097, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Reeves and Taylor

SUBSTITUTE HOUSE BILL NO. 2097, having received the necessary constitutional majority, was declared passed.

There being no objection, the House deferred action on HOUSE BILL NO. 2156, and the bill held its place on the second reading calendar.

**HOUSE BILL NO. 1510, by Representatives Santos, Chopp, Fitzgibbon and Pollet**

**Establishing permanent funding for community preservation and development authorities approved through RCW 43.167.060.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1510 was substituted for House Bill No. 1510 and the bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1510 was read the second time.

With the consent of the House, amendment (785) was withdrawn.

Representative Santos moved the adoption of the striking amendment (805):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 82.08 RCW to read as follows:

(1) Beginning January 1, 2025, 30 percent of the revenue of the tax imposed on each retail sale occurring at a qualified facility pursuant to this chapter must be deposited into the community preservation and development authority account under RCW 43.167.040. The revenue shall be deposited

equally between the operating subaccount and the capital subaccount.

(2)(a) By November 1st and by May 1st of each year, the department must calculate the amount of sales and use tax collected as the result of retail sales at a qualified facility during the previous six months. The department must determine the appropriate amount to be deposited into the community preservation and development authority accounts based on the provisions of subsection (1) of this section.

(b) The department must notify the state treasurer of the amount of revenue required to be transferred to the community preservation and development authority account by December 1st and by June 1st each year. The treasurer must deposit those funds into the community preservation and development authority account under RCW 43.167.040 by December 31st and June 30th each year.

(3) "Qualified facility" is a facility located in a county with a community preservation and development authority that:

(a) Has a seating capacity of at least 68,000 fixed seats in an open-air stadium and has related event space of at least 300,000 square feet; or (b) has a seating capacity of at least 47,000 seats for its main use and a retractable roof.

**NEW SECTION. Sec. 2.** A new section is added to chapter 82.12 RCW to read as follows:

The provisions of section 1 of this act apply throughout this chapter.

**NEW SECTION. Sec. 3.** A new section is added to chapter 43.167 RCW to read as follows:

(1) It is the legislature's specific public policy objective to provide funding pursuant to section 1 of this act to the community preservation and development authorities, as created in this chapter, to promote and enhance the health, safety, and economic well-being of communities adversely impacted by the construction of, or on-going operation of, multiple major public facilities, public works, and capital projects. It is the intent of the legislature for the joint legislative audit and review committee to conduct a review of the funding and provide its findings to the legislature by December 1, 2033.

(2) The legislature intends to extend the expiration date of this funding if the review finds that the community preservation and development authority:

(a) Increases the economic vitality of the area by providing assistance to struggling small businesses in the area and assisting in the repair of unreinforced masonry that allows businesses to remain in place, increases the safety of residents, and promotes the conversion of unused and underutilized properties to benefit the community;

(b) Enhances the livability of the community by assisting in addressing the litter and debris in streets and alleys and provide remediation to address the impacts of homelessness; and

(c) Addresses housing needs, including funding new low-income and workforce housing units, as well as funding locally based street outreach to support interventions for unhoused residents.

(3) In order to obtain the data necessary to perform the review in subsection (2) of this section, the joint legislative audit and review committee may refer to any data collected by the state.

**NEW SECTION. Sec. 4.** A new section is added to chapter 43.167 RCW to read as follows:

Any community preservation and development authority organized pursuant to this chapter must submit a biennial report to the appropriate committees of the legislature on their strategic plan, use of funding, and impacts on the community by November 1st of each odd-numbered year.

**NEW SECTION. Sec. 5.** This act expires January 1, 2036."

Correct the title.

Representatives Santos and Goehner spoke in favor of the adoption of the striking amendment.

The striking amendment (805) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos and Goehner spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1510.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1510, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Kloba

Excused: Representatives Chandler, Reeves and Taylor

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1510, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2120, by Representatives Barnard, Shavers, Graham and Wylie**

**Concerning tax preferences for clean energy manufacturers.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Barnard and Berg spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2120.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2120, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Pollet

Excused: Representatives Chandler, Reeves and Taylor

HOUSE BILL NO. 2120, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2045, by Representatives Waters, Chapman, Timmons, Harris and Reeves**

**Creating an adopt a fish barrier program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2045 was substituted for House Bill No. 2045 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2045 was read the second time.

With the consent of the House, amendments (843) and (846) were withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Waters and Morgan spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2045.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2045, and the bill passed the House by the following vote: Yeas, 93; Nays, 2; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Ramos and Reed

Excused: Representatives Chandler, Reeves and Taylor

SUBSTITUTE HOUSE BILL NO. 2045, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

There being no objection, the House adjourned until 9:00 a.m., Thursday, February 8, 2024, the 32nd Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk



## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## THIRTY SECOND DAY

House Chamber, Olympia, Thursday, February 8, 2024

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Skyler Sherard and Zach Guzzo. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Geoff Browning, Retired Presbyterian Pastor and Chaplain at Stanford.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

## INTRODUCTION &amp; FIRST READING

HB 2496 by Representatives Nance, Hutchins and Simmons

AN ACT Relating to Washington state ferries captains; and amending RCW 47.64.340.

Referred to Committee on Transportation.

SSB 5291 by Senate Committee on Labor & Commerce (originally sponsored by Schoesler, Dozier, Mullet, King, Wagoner, Liias and Rolfes)

AN ACT Relating to the timely issuance of certain liquor licenses, renewals, and endorsements; and amending RCW 66.24.010.

Referred to Committee on Regulated Substances & Gaming.

ESB 5363 by Senators MacEwen and Stanford

AN ACT Relating to cannabis retailer advertising; and amending RCW 69.50.369.

Referred to Committee on Regulated Substances & Gaming.

ESB 5590 by Senators Wilson, L., Hunt, Braun, Dozier, Hawkins, Kuderer, Lovick, Wellman and Wilson, J.

AN ACT Relating to creating Mount St. Helens special license plates; reenacting and amending RCW 46.18.200, 46.17.220, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

ESB 5592 by Senators Hunt, Cleveland, Conway, Lovick, Randall, Valdez, Van De Wege and Wilson, C.

AN ACT Relating to requiring semiautomatic external defibrillators at fitness centers; and adding a new section to chapter 70.54 RCW.

Referred to Committee on Health Care & Wellness.

E2SSB 5635 by Senate Committee on Ways & Means (originally sponsored by Braun, Dhingra, Frame, Wilson, C. and Wilson, L.)

AN ACT Relating to enhancing victims' rights; amending RCW 7.69.030; and creating a new section.

Referred to Committee on Community Safety, Justice, & Reentry.

SSB 5709 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Torres, Hunt, Schoesler and Dozier)

AN ACT Relating to irrigation district elections; amending RCW 87.03.031, 87.03.032, 87.03.033, 87.03.045, 87.03.051, 87.03.071, 87.03.075, 87.03.085, and 87.03.105; adding new sections to chapter 87.03 RCW; and prescribing penalties.

Referred to Committee on State Government & Tribal Relations.

SSB 5786 by Senate Committee on Law & Justice (originally sponsored by Pedersen, Padden, Mullet, Nobles and Salomon)

AN ACT Relating to making updates to the Washington business corporation act; amending RCW 23B.07.250, 23B.07.270, 23B.08.080, 23B.08.240, 23B.09.030, 23B.10.030, 23B.12.020, 23B.13.020, 23B.13.200, 23B.13.210, 23B.13.220, 23B.17.015, 23B.25.100, and 23B.25.130; reenacting and amending RCW 23B.01.400; adding a new chapter to Title 23B RCW; and repealing RCW 23B.11.010, 23B.11.020, 23B.11.030, 23B.11.035, 23B.11.040, 23B.11.045, 23B.11.050, 23B.11.060, 23B.11.070, 23B.11.080, 23B.11.090, 23B.11.100, and 23B.11.110.

Referred to Committee on Civil Rights & Judiciary.

SSB 5792 by Senators Padden, Pedersen, Billig, Mullet and Wilson, J.

AN ACT Relating to exempting buildings with 12 or fewer units that are no more than three stories so long as one story is utilized for either parking or retail, from the definition of multiunit residential building; and amending RCW 64.55.010.

Referred to Committee on Housing.

SSB 5812 by Senate Committee on Transportation (originally sponsored by Wilson, J., Nguyen, Lovick and McCune)

AN ACT Relating to responding to electric vehicle fires; and creating a new section.

Referred to Committee on Transportation.

SB 5821 by Senators Muzzall, Randall, Kuderer and Rivers

AN ACT Relating to establishing a uniform standard for creating an established relationship for the purposes of coverage of audio-only telemedicine services by expanding the time in which a health care provider has seen the patient and removing the expiration of provisions allowing for the use of real-time interactive appointments using both audio and video technology; amending RCW 41.05.700 and 48.43.735; and reenacting and amending RCW 74.09.325.

Referred to Committee on Health Care & Wellness.

SSB 5834 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Short, Lovelett, Billig, Gildon, Mullet, Padden and Torres)

AN ACT Relating to urban growth areas; and amending RCW 36.70A.110.

Referred to Committee on Local Government.

SSB 5931 by Senate Committee on Environment, Energy & Technology (originally sponsored by Salomon, Kauffman, Billig, Frame, Lovelett, Pedersen, Shewmake and Wellman)

AN ACT Relating to addressing 6PPD in motorized vehicle tires through safer products for Washington; amending RCW 70A.350.010 and 70A.350.050; adding a new section to chapter 70A.350 RCW; and creating a new section.

Referred to Committee on Environment & Energy.

SSB 5935 by Senate Committee on Labor & Commerce (originally sponsored by Stanford, Keiser, Conway, Dhingra, Frame, Kuderer, Liias, Nobles and Saldaña)

AN ACT Relating to noncompetition covenants; and amending RCW 49.62.005, 49.62.010, 49.62.020, 49.62.050, 49.62.080, and 49.62.090.

Referred to Committee on Labor & Workplace Standards.

SB 5970 by Senator Hunt

AN ACT Relating to modifying the number of county commissioner members on local boards of health for nonhome rule charter counties with five county commissioners; and amending RCW 70.05.030.

Referred to Committee on Local Government.

SB 5979 by Senators Keiser, Conway, Saldaña, Randall, Kuderer, Liias, Kauffman, Van De Wege, Hasegawa, Nobles, Valdez and Wilson, C.

AN ACT Relating to accrued leave for construction workers; amending RCW 49.46.210; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

ESSB 5983 by Senate Committee on Health & Long Term Care (originally sponsored by Liias, Rivers, Dhingra, Nobles, Pedersen, Robinson and Van De Wege)

AN ACT Relating to implementing recommendations from the 2022 sexually transmitted infection and hepatitis B virus legislative advisory group for the treatment of syphilis; amending RCW 18.360.050; adding a new section to chapter 74.09 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

ESSB 6009 by Senate Committee on Law & Justice (originally sponsored by Trudeau, Lovick, Frame, Hasegawa, Nguyen, Nobles, Saldaña, Stanford, Valdez, Wellman and Wilson, C.)

AN ACT Relating to prohibiting the use of hog-tying; adding a new section to chapter 10.116 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Community Safety, Justice, & Reentry.

SSB 6015 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Shewmake, Kuderer and Liias)

AN ACT Relating to parking configurations for residential uses; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government.

SB 6017 by Senators Shewmake, King, Liias and Nobles

AN ACT Relating to expanding the use of the border area fuel tax; amending RCW 82.47.030; and creating a new section.

Referred to Committee on Transportation.

SSB 6025 by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Stanford, Dhingra, Frame, Hasegawa, Kuderer, Nguyen, Saldaña, Trudeau, Valdez and Wilson, C.)

AN ACT Relating to protecting consumers from predatory loans; amending RCW 31.04.025, 31.04.027, and 31.04.035; and creating a new section.

Referred to Committee on Consumer Protection & Business.

SB 6028 by Senators Braun, Keiser, Conway, Dozier, Kuderer, Mullet, Nguyen, Nobles, Stanford and Wilson, L.

AN ACT Relating to relieving individuals from paying interest on certain unemployment insurance overpayment assessments; amending RCW 50.20.190; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

SSB 6047 by Senate Committee on State Government & Elections (originally sponsored by Warnick, Boehnke and Short)

AN ACT Relating to executive sessions under the open public meetings act in order to comply with the climate commitment act; reenacting and amending RCW 42.30.110; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

SSB 6060 by Senate Committee on Labor & Commerce (originally sponsored by Nguyen, Hasegawa, Keiser, Saldaña, Stanford, Valdez and Wilson, C.)

AN ACT Relating to the acceptance of electronic signatures by the public employment relations commission for new organizing petitions; amending RCW 41.56.060; and adding a new section to chapter 41.58 RCW.

Referred to Committee on Labor & Workplace Standards.

SB 6079 by Senators Boehnke and Wilson, C.

AN ACT Relating to making juvenile detention records available to managed health care systems; and reenacting and amending RCW 13.50.010.

Referred to Committee on Human Services, Youth, & Early Learning.

SB 6084 by Senators Wagoner and Lovick

AN ACT Relating to providing collector vehicles the ability to tow trailers; and amending RCW 46.18.220.

Referred to Committee on Transportation.

ESB 6089 by Senators King, Keiser and Mullet

AN ACT Relating to eliminating certain minimum requirement equivalencies for electrical inspectors; and amending RCW 19.28.321.

Referred to Committee on Labor & Workplace Standards.

SB 6094 by Senator Robinson

AN ACT Relating to aligning statutory language concerning the retired state employee and retired or disabled school employee health insurance subsidy with the historical interpretation and implementation of the relevant subsidy language in the operating budget; and amending RCW 41.05.085.

Referred to Committee on Appropriations.

SB 6133 by Senators McCune, Keiser and Padden

AN ACT Relating to deterring robberies from cannabis retail establishments; amending RCW 9.94A.832; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Community Safety, Justice, & Reentry.

SSB 6150 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Cleveland, MacEwen and Rivers)

AN ACT Relating to extending the comprehensive plan revision schedule for select local governments; and reenacting and amending RCW 36.70A.130.

Referred to Committee on Local Government.

SSB 6164 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Wagoner)

AN ACT Relating to county emergency management plans; and amending RCW 38.52.070.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

SB 6166 by Senators Saldaña, Torres, Hasegawa, Nobles and Valdez

AN ACT Relating to extending the pesticide application safety committee; amending RCW 70.104.110; amending 2019 c 327 s 1 (uncodified); and providing expiration dates.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

SB 6178 by Senators Randall, Torres, Nobles, Trudeau, Kuderer, Dhingra, Saldaña, Shewmake and Wilson, C.

AN ACT Relating to aligning the legend drug act to reflect the prescriptive authority for licensed midwives; and amending RCW 69.41.010 and 69.41.030.

Referred to Committee on Health Care & Wellness.

SB 6181 by Senator Liias

AN ACT Relating to law enforcement officer definition; amending RCW 43.101.010; and reenacting and amending RCW 10.93.020.

Referred to Committee on Community Safety, Justice, & Reentry.

SSB 6186 by Senate Committee on Human Services (originally sponsored by Kauffman, Dhingra, Hasegawa, Valdez and Wilson, C.)

AN ACT Relating to disclosure of recipient information to the Washington state patrol for purposes of locating missing and murdered indigenous women and other missing and murdered indigenous persons; and amending RCW 74.04.062.

Referred to Committee on State Government & Tribal Relations.

SSB 6227 by Senate Committee on Law & Justice (originally sponsored by Dhingra, Cleveland, Hasegawa, Keiser, Nobles, Randall, Torres and Wilson, C.)

AN ACT Relating to allowing entry of a civil protection order to protect victims when a person is found not guilty by reason of insanity; amending RCW 10.77.110 and 7.105.450; and adding a new section to chapter 10.77 RCW.

Referred to Committee on Civil Rights & Judiciary.

SSB 6278 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Liias, Muzzall, Billig, Nobles, Saldaña and Valdez)

AN ACT Relating to promoting organic agriculture; amending RCW 15.86.070; creating new sections; and providing an expiration date.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

ESJM 8005 by Senators Hasegawa and Wilson, C.

Addressing "de-risking" by financial institutions.

Referred to Committee on Consumer Protection & Business.

SSJM 8009 by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Hasegawa, Wagoner, Dozier, Fortunato, Frame and Stanford)

Concerning the federal harbor maintenance tax.

Referred to Committee on Finance.

There being no objection, the bills and memorials listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

#### **SPEAKER'S PRIVILEGE**

The Speaker (Representative Orwall presiding) in accordance with House Rule 18(C), announced that beginning today, the House would be operating under the "Three Minute Rule" for debate.

There being no objection, the House advanced to the sixth order of business.

#### **SECOND READING**

**HOUSE BILL NO. 2072, by Representatives Farivar, Taylor, Ryu, Reeves, Slatter, Reed, Ormsby, Ramel, Macri, Goodman, Fosse, Riccelli and Hackney**

**Concerning penalties relating to antitrust actions.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2072 was substituted for House Bill No. 2072 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2072 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Farivar spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

### MOTIONS

On motion of Representative Ramel, Representative Simmons was excused.

On motion of Representative Griffey, Representative Chandler was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2072.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2072, and the bill passed the House by the following vote: Yeas, 59; Nays, 37; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hutchins, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Chambers, Chapman, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Simmons

SUBSTITUTE HOUSE BILL NO. 2072, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2135, by Representatives Stearns, Lekanoff, Reed, Ormsby, Street, Orwall, Doglio and Reeves**

**Including federally recognized tribes as part of the Washington emergency management division emergency worker program.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stearns, Volz and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2135.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2135, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2135, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2110, by Representatives Nance, Simmons, Callan, Lekanoff and Reeves**

**Reorganizing statutory requirements governing high school graduation.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Nance and Couture spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2110.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2110, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2110, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2381, by Representatives McEntire, Shavers and Chapman**

**Increasing eligibility for economy and efficiency flexible school calendar waivers.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2381 was substituted for House Bill No. 2381 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2381 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McEntire and Shavers spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2381.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2381, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2381, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 2428, by Representatives Klicker, Rude and Springer

##### Allowing cities to voluntarily share certain sales and use tax revenue.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2428 was substituted for House Bill No. 2428 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2428 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Klicker and Duerr spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2428.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2428, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner,

Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2428, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 2075, by Representatives Lekanoff, Stearns, Reed, Ortiz-Self and Reeves

##### Concerning licensing of Indian health care providers as establishments.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2075 was substituted for House Bill No. 2075 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2075 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lekanoff and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2075.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2075, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2075, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 2224, by Representatives Rule and Graham

##### Incorporating a risks, strengths, and needs assessment tool in the risk assessment process when investigating alleged child abuse and neglect referrals.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2224 was substituted for House Bill No. 2224 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2224 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rule, Eslick and Couture spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2224.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2224, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Christian, Jacobsen, Sandlin and Walsh

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2224, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 2415, by Representatives Cortes, Ramel and Pollet

**Expanding economic assistance for individuals who are eligible for temporary assistance for needy families.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cortes and Eslick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2415.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2415, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner,

Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Caldier, Jacobsen, McEntire, Rude and Walsh

Excused: Representative Chandler

HOUSE BILL NO. 2415, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 1752, by Representatives Dye, Dent, Graham and Eslick

**Modifying the application of the annual consumptive quantity calculation to change applications related to certain water rights held by the United States bureau of reclamation.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dye and Chapman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1752.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1752, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1752, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 1932, by Representatives Gregerson, Farivar, Peterson, Alvarado, Berry, Ramel, Stearns, Mena, Bateman, Reed, Simmons, Ormsby, Macri, Street, Orwall, Goodman, Berg, Lekanoff, Reeves, Nance, Riccelli and Fosse

**Shifting general elections for local governments to even-numbered years to increase voter participation.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1932 was substituted for House Bill No. 1932 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1932 was read the second time.

With the consent of the House, amendments (806) and (819) were withdrawn.

Representative Low moved the adoption of amendment (814):

On page 2, line 8, after "governments" inserted "located wholly or partially within a county with at least 1.5 million people"

On page 3, line 25, after "(6)" strike "A city, town, or special purpose district" and insert "An eligible jurisdiction"

On page 3, line 31, after "(a)" strike "A city, town, or special purpose district" and insert "An eligible jurisdiction"

On page 3, line 38, after "(b)" strike "A city, town, or special purpose district" and insert "An eligible jurisdiction"

On page 4, line 6, after "(c)" strike "A city, town, or special purpose district" and insert "An eligible jurisdiction"

On page 4, beginning on line 10, after "electors of" strike "a city, town, or special purpose district" and insert "an eligible jurisdiction"

On page 4, beginning on line 14, after "for the" strike "city, town, or special purpose district" and insert "eligible jurisdiction"

On page 4, after line 16, insert the following:

"(f) For purposes of this section, "eligible jurisdiction" means a city, town, or special purpose district that is wholly or partially located in a county with a population of at least 1.5 million people."

Representative Low spoke in favor of the adoption of the amendment.

Representative Mena spoke against the adoption of the amendment.

Amendment (814) was not adopted.

Representative Gregerson moved the adoption of amendment (810):

On page 4, beginning on line 9, after "(d)" strike all material through "revocable" on line 12 and insert "If a city, town, or special purpose district repeals an ordinance, charter amendment, or policy that moved its elections to even-numbered years, the jurisdiction shall transition back to odd-numbered year elections by electing each position to one term that is one year shorter in duration than provided by law. After conclusion of that term, beginning in an odd-numbered year, elections for positions must be for their prescribed term lengths"

Representatives Gregerson and Low spoke in favor of the adoption of the amendment.

Amendment (810) was adopted.

Representative Orcutt moved the adoption of amendment (811):

On page 11, after line 5, insert the following:

**"Sec. 10.** RCW 84.55.050 and 2021 c 296 s 14 are each amended to read as follows:

(1) Subject to any otherwise applicable statutory dollar rate limitations, regular property taxes may be levied by or for a taxing district in an amount exceeding the limitations provided for in this chapter if such levy is authorized by a proposition approved by a majority of the voters of the taxing district voting on the proposition at a general election held within the district or at a special election within the taxing district called by the district for the purpose of submitting such proposition to the voters. Any election held pursuant to this section shall be held not more than 12 months prior to the date on which the proposed levy is to be made, except as provided in subsection (2) of this section. If the taxing district holds its regular elections in even-numbered years under RCW 29A.04.330(6), the election may be held only at a general election in an even-numbered year. The ballot of the proposition shall state the dollar rate proposed and shall clearly state the conditions, if any, which are applicable under subsection (4) of this section.

(2)(a) Subject to statutory dollar limitations, a proposition placed before the voters under this section may authorize annual increases in levies for multiple consecutive years, up to six consecutive years, during which period each year's authorized maximum legal levy shall be used as the base upon which an increased levy limit for the succeeding year is computed, but the ballot proposition must state the dollar rate proposed only for the first year of the consecutive years and must state the limit factor, or a specified index to be used for determining a limit factor, such as the consumer price index, which need not be the same for all years, by which the regular tax levy for the district may be increased in each of the subsequent consecutive years. Elections for this purpose must be held at a primary or general election. The title of each ballot measure must state the limited purposes for which the proposed annual increases during the specified period of up to six consecutive years shall be used.

(b)(i) Except as otherwise provided in this subsection (2)(b), funds raised by a levy under this subsection may not supplant existing funds used for the limited purpose specified in the ballot title. For purposes of this subsection, existing funds means the actual operating expenditures for the calendar year in which the ballot measure is approved by voters. Actual operating expenditures excludes lost federal funds, lost or expired state grants or loans, extraordinary events not likely to reoccur, changes in contract provisions beyond the control of the taxing district receiving the

services, and major nonrecurring capital expenditures.

(ii) The supplanting limitations in (b) (i) of this subsection do not apply to levies approved by the voters in calendar years 2009, 2010, 2011, 2015, 2016, 2017, 2018, 2019, 2020, 2021, and 2022, in any county with a population of 1,500,000 or more. This subsection (2)(b)(ii) only applies to levies approved by the voters after July 26, 2009.

(iii) The supplanting limitations in (b) (i) of this subsection do not apply to levies approved by the voters in calendar year 2009 and thereafter in any county with a population less than 1,500,000. This subsection (2)(b)(iii) only applies to levies approved by the voters after July 26, 2009.

(3) After a levy authorized pursuant to this section is made, the dollar amount of such levy may not be used for the purpose of computing the limitations for subsequent levies provided for in this chapter, unless the ballot proposition expressly states that the levy made under this section will be used for this purpose.

(4) If expressly stated, a proposition placed before the voters under subsection (1) or (2) of this section may:

(a) Use the dollar amount of a levy under subsection (1) of this section, or the dollar amount of the final levy under subsection (2) of this section, for the purpose of computing the limitations for subsequent levies provided for in this chapter;

(b) Limit the period for which the increased levy is to be made under (a) of this subsection;

(c) Limit the purpose for which the increased levy is to be made under (a) of this subsection, but if the limited purpose includes making redemption payments on bonds;

(i) For the county in which the state capitol is located, the period for which the increased levies are made may not exceed 25 years; and

(ii) For districts other than a district under (c)(i) of this subsection, the period for which the increased levies are made may not exceed nine years;

(d) Set the levy or levies at a rate less than the maximum rate allowed for the district;

(e) Provide that the exemption authorized by RCW 84.36.381 will apply to the levy of any additional regular property taxes authorized by voters; or

(f) Include any combination of the conditions in this subsection.

(5) Except as otherwise expressly stated in an approved ballot measure under this section, subsequent levies shall be computed as if:

(a) The proposition under this section had not been approved; and

(b) The taxing district had made levies at the maximum rates which would otherwise have been allowed under this chapter during the years levies were made under the proposition.

**Sec. 11.** RCW 84.52.052 and 2004 c 129 s 22 are each amended to read as follows:

The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW 84.52.043 shall not prevent the levy of additional taxes by any taxing district, except school districts and fire protection districts, in which a larger levy is necessary in order to prevent the impairment of the obligation of contracts. As used in this section, the term "taxing district" means any county, metropolitan park district, park and recreation service area, park and recreation district, water-sewer district, solid waste disposal district, public facilities district, flood control zone district, county rail district, service district, public hospital district, road district, rural county library district, island library district, rural partial-county library district, intercounty rural library district, cemetery district, city, town, transportation benefit district, emergency medical service district with a population density of less than one thousand per square mile, cultural arts, stadium, and convention district, ferry district, city transportation authority, or regional fire protection service authority.

Any such taxing district may levy taxes at a rate in excess of the rate specified in RCW 84.52.050 through 84.52.056 and 84.52.043, or 84.55.010 through 84.55.050, when authorized so to do by the voters of such taxing district in the manner set forth in Article VII, section 2(a) of the Constitution of this state at a special or general election to be held in the year in which the levy is made.

A special election may be called and the time therefor fixed by the county legislative authority, or council, board of commissioners, or other governing body of any such taxing district, by giving notice thereof by publication in the manner provided by law for giving notices of general elections, at which special election the proposition authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote "yes" and those opposed thereto to vote "no." If the taxing district holds its regular elections in even-numbered years under RCW 29A.04.330(6), the election may be held only at a general election in an even-numbered year.

**Sec. 12.** RCW 84.52.053 and 2018 c 266 s 306 are each amended to read as follows:

(1) The limitations imposed by RCW 84.52.050 through 84.52.056, and 84.52.043 shall not prevent the levy of taxes by school districts, when authorized so to do by the voters of such school district in the manner and for the purposes and number of years allowable under Article VII, section 2(a) and Article IX, section 1 of the Constitution of this state. Elections for such taxes shall be held in the year in which the levy is made or, in the case of propositions authorizing two-year through four-year levies for enrichment funding for a school district, authorizing two-year levies for transportation vehicle funds established in RCW 28A.160.130 or



authorizing two-year through six-year levies to support the construction, modernization, or remodeling of school facilities, which includes the purposes of RCW 28A.320.330(2)(f) and (g), in the year in which the first annual levy is made.

(2)(a) Once additional tax levies have been authorized for enrichment funding for a school district for a two-year through four-year period as provided under subsection (1) of this section, no further additional tax levies for enrichment funding for the district for that period may be authorized, except for additional levies to provide for subsequently enacted increases affecting the district's maximum levy.

(b) Notwithstanding (a) of this subsection, any school district that is required to annex or receive territory pursuant to a dissolution of a financially insolvent school district pursuant to RCW 28A.315.225 may call either a replacement or supplemental levy election within the school district, including the territory annexed or transferred, as follows:

(i) An election for a proposition authorizing two-year through four-year levies for enrichment funding for a school district may be called and held before the effective date of dissolution to replace existing enrichment levies and to provide for increases due to the dissolution.

(ii) An election for a proposition authorizing additional tax levies may be called and held before the effective date of dissolution to provide for increases due to the dissolution.

(iii) In the event a replacement levy election under (b)(i) of this subsection is held but does not pass, the affected school district may subsequently hold a supplemental levy election pursuant to (b)(ii) of this subsection if the supplemental levy election is held before the effective date of dissolution. In the event a supplemental levy election is held under (b)(ii) of this subsection but does not pass, the affected school district may subsequently hold a replacement levy election pursuant to (b)(i) of this subsection if the replacement levy election is held before the effective date of dissolution. Failure of a replacement levy or supplemental levy election does not affect any previously approved and existing enrichment levy within the affected school district or districts.

(c) For the purpose of applying the limitation of this subsection (2), a two-year through six-year levy to support the construction, modernization, or remodeling of school facilities shall not be deemed to be a tax levy for enrichment funding for a school district.

(3) A special election may be called and the time therefor fixed by the board of school directors, by giving notice thereof by publication in the manner provided by law for giving notices of general elections, at which special election the proposition authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote "yes" and those opposed thereto to vote "no." If the school district holds its regular elections in even-numbered years

under RCW 29A.04.330(6), the election may be held only at a general election in an even-numbered year.

(4)(a) Beginning September 1, 2018, school districts may use enrichment levies solely to enrich the state's statutory program of basic education as authorized under RCW 28A.150.276.

(b) Beginning with propositions for enrichment levies for collection in calendar year 2020 and thereafter, a district must receive approval of an enrichment levy expenditure plan from the superintendent of public instruction under RCW 28A.505.240 before submission of the proposition to the voters.

**Sec. 13.** RCW 84.52.069 and 2018 c 136 s 1 are each amended to read as follows:

(1) As used in this section, "taxing district" means a county, emergency medical service district, city or town, public hospital district, urban emergency medical service district, regional fire protection service authority, or fire protection district.

(2)(a) Except as provided in subsection (10) of this section, a taxing district may impose additional regular property tax levies in an amount equal to fifty cents or less per thousand dollars of the assessed value of property in the taxing district. The tax is imposed ~~((+))~~(i) each year for six consecutive years, ~~((+))~~(ii) each year for ten consecutive years, or ~~((+))~~(iii) permanently. Except as otherwise provided in this subsection, a permanent tax levy under this section, or the initial imposition of a six-year or ten-year levy under this section, must be specifically authorized by a majority of at least three-fifths of the registered voters thereof approving a proposition authorizing the levies submitted at a general or special election, at which election the number of persons voting "yes" on the proposition must constitute three-fifths of a number equal to forty percent of the total number of voters voting in such taxing district at the last preceding general election when the number of registered voters voting on the proposition does not exceed forty percent of the total number of voters voting in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the registered voters thereof voting on the proposition when the number of registered voters voting on the proposition exceeds forty percent of the total number of voters voting in such taxing district in the last preceding general election. The subsequent approval of a six-year or ten-year tax levy under this section must be specifically authorized by a majority of the registered voters thereof approving a proposition authorizing the levies submitted at a general or special election. If the entire region comprising a newly formed regional fire protection service authority was subject to the levy authorized under this section immediately prior to the creation of the authority under chapter 52.26 RCW, the initial imposition of a six-year or ten-year tax levy under this section may be approved by a majority of the

registered voters thereof approving the creation of the authority and the related service plan. Ballot propositions must conform with RCW 29A.36.210. A taxing district may not submit to the voters at the same election multiple propositions to impose a levy under this section.

(b) If a taxing district holds its regular elections in even-numbered years under RCW 29A.04.330(6), an election under this section may be held only at a general election in an even-numbered year.

(3) A taxing district imposing a permanent levy under this section must provide for separate accounting of expenditures of the revenues generated by the levy. The taxing district must maintain a statement of the accounting which must be updated at least every two years and must be available to the public upon request at no charge.

(4) (a) A taxing district imposing a permanent levy under this section must provide for a referendum procedure to apply to the ordinance or resolution imposing the tax. This referendum procedure must specify that a referendum petition may be filed at any time with a filing officer, as identified in the ordinance or resolution. Within ten days, the filing officer must confer with the petitioner concerning form and style of the petition, issue the petition an identification number, and secure an accurate, concise, and positive ballot title from the designated local official. The petitioner has thirty days in which to secure the signatures of not less than fifteen percent of the registered voters of the taxing district, as of the last general election, upon petition forms which contain the ballot title and the full text of the measure to be referred. The filing officer must verify the sufficiency of the signatures on the petition and, if sufficient valid signatures are properly submitted, must certify the referendum measure to the next election within the taxing district if one is to be held within one hundred eighty days from the date of filing of the referendum petition, or at a special election to be called for that purpose in accordance with RCW 29A.04.330. However, if the taxing district holds its regular elections in even-numbered years under RCW 29A.04.330(6), an election under this section may be held only at a general election in an even-numbered year.

(b) The referendum procedure provided in this subsection (4) is exclusive in all instances for any taxing district imposing the tax under this section and supersedes the procedures provided under all other statutory or charter provisions for initiative or referendum which might otherwise apply.

(5) Any tax imposed under this section may be used only for the provision of emergency medical care or emergency medical services, including related personnel costs, training for such personnel, and related equipment, supplies, vehicles and structures needed for the provision of emergency medical care or emergency medical services.

(6) If a county levies a tax under this section, no taxing district within the county may levy a tax under this section. If

a regional fire protection service authority imposes a tax under this section, no other taxing district that is a participating fire protection jurisdiction in the regional fire protection service authority may levy a tax under this section. No other taxing district may levy a tax under this section if another taxing district has levied a tax under this section within its boundaries: PROVIDED, That if a county levies less than fifty cents per thousand dollars of the assessed value of property, then any other taxing district may levy a tax under this section equal to the difference between the rate of the levy by the county and fifty cents: PROVIDED FURTHER, That if a taxing district within a county levies this tax, and the voters of the county subsequently approve a levying of this tax, then the amount of the taxing district levy within the county must be reduced, when the combined levies exceed fifty cents. Whenever a tax is levied countywide, the service must, insofar as is feasible, be provided throughout the county: PROVIDED FURTHER, That no countywide levy proposal may be placed on the ballot without the approval of the legislative authority of a majority of at least seventy-five percent of all cities exceeding a population of fifty thousand within the county: AND PROVIDED FURTHER, That this section and RCW 36.32.480 may not prohibit any city or town from levying an annual excess levy to fund emergency medical services: AND PROVIDED, FURTHER, That if a county proposes to impose tax levies under this section, no other ballot proposition authorizing tax levies under this section by another taxing district in the county may be placed before the voters at the same election at which the county ballot proposition is placed: AND PROVIDED FURTHER, That any taxing district emergency medical service levy that is limited in duration and that is authorized subsequent to a county emergency medical service levy that is limited in duration, expires concurrently with the county emergency medical service levy. A fire protection district that has annexed an area described in subsection (10) of this section may levy the maximum amount of tax that would otherwise be allowed, notwithstanding any limitations in this subsection (6).

(7) The limitations in RCW 84.52.043 do not apply to the tax levy authorized in this section.

(8) If a ballot proposition approved under subsection (2) of this section did not impose the maximum allowable levy amount authorized for the taxing district under this section, any future increase up to the maximum allowable levy amount must be specifically authorized by the voters in accordance with subsection (2) of this section at a general or special election.

(9) The limitation in RCW 84.55.010 does not apply to the first levy imposed pursuant to this section following the approval of such levy by the voters pursuant to subsection (2) of this section.

(10) For purposes of imposing the tax authorized under this section, the boundary of a county with a population greater than one million five hundred thousand does not include all of the area of the county that is located within a city that has a boundary

in two counties, if the locally assessed value of all the property in the area of the city within the county having a population greater than one million five hundred thousand is less than two hundred fifty million dollars.

(11) For purposes of this section, the following definitions apply:

(a) "Fire protection jurisdiction" means a fire protection district, city, town, Indian tribe, or port district; and

(b) "Participating fire protection jurisdiction" means a fire protection district, city, town, Indian tribe, or port district that is represented on the governing board of a regional fire protection service authority.

**Sec. 14.** RCW 84.52.130 and 2002 c 180 s 2 are each amended to read as follows:

The limitations imposed by RCW 84.52.050 through 84.52.056, and 84.52.043 shall not prevent the levy of taxes by a fire protection district, when authorized so to do by the voters of a fire protection district in the manner and for the purposes and number of years allowable under Article VII, section 2(a) of the Constitution of this state. Elections for taxes shall be held in the year in which the levy is made, or in the case of propositions authorizing two-year through four-year levies for maintenance and operation support of a fire district, or authorizing two-year through six-year levies to support the construction, modernization, or remodeling of fire district facilities, in the year in which the first annual levy is made. Once additional tax levies have been authorized for maintenance and operation support of a fire protection district for a two-year through four-year period, no further additional tax levies for maintenance and operation support of the district for that period may be authorized.

A special election may be called and the time fixed by the fire protection district commissioners, by giving notice by publication in the manner provided by law for giving notices of general elections, at which special election the proposition authorizing the excess levy shall be submitted in a form as to enable the voters favoring the proposition to vote "yes" and those opposed to vote "no."

If the fire protection district holds its regular elections in even-numbered years under RCW 29A.04.330(6), the election may be held only at a general election in an even-numbered year.

**Sec. 15.** RCW 84.52.135 and 2004 c 80 s 1 are each amended to read as follows:

(1) A county with a population of ninety thousand or less may impose additional regular property tax levies in an amount equal to fifty cents or less per thousand dollars of the assessed value of property in the county in accordance with the terms of this section.

(2) The tax proposition may be submitted at a general or special election. If the county holds its regular elections in even-numbered years under RCW 29A.04.330(6), the

election may be held only at a general election in an even-numbered year.

(3) The tax may be imposed each year for six consecutive years when specifically authorized by the registered voters voting on the proposition, subject to the following:

(a) If the number of registered voters voting on the proposition does not exceed forty percent of the total number of voters voting in the taxing district at the last general election, the number of persons voting "yes" on the proposition shall constitute at least three-fifths of a number equal to forty percent of the total number of voters voting in the taxing district at the last general election.

(b) If the number of registered voters voting on the proposition exceeds forty percent of the total number of voters voting in the taxing district at the last preceding general election, the number of persons voting "yes" on the proposition shall be at least three-fifths of the registered voters voting on the proposition.

(4) Ballot propositions shall conform with RCW 29A.36.210.

(5) Any tax imposed under this section shall be used exclusively for criminal justice purposes.

(6) The limitations in RCW 84.52.043 do not apply to the tax authorized in this section.

(7) The limitation in RCW 84.55.010 does not apply to the first tax levy imposed pursuant to this section following the approval of the levy by the voters pursuant to subsection (3) of this section."

Correct the title.

Representatives Orcutt and Wilcox spoke in favor of the adoption of the amendment.

Representative Ramos spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 40 - YEAS; 57 - NAYS.

Amendment (811) was not adopted.

Representative Jacobsen moved the adoption of amendment (809):

On page 11, after line 5, insert the following:

**Sec. 10.** RCW 28A.535.030 and 2015 c 53 s 16 are each amended to read as follows:

At the time of the adoption of the resolution provided for in RCW 28A.535.020, the board of directors shall direct the school district superintendent to give notice to the county auditor of the suggested time and purpose of such election, and specifying the amount and general character of the indebtedness proposed to be ratified. If a school district holds its regular elections in even-numbered years under RCW 29A.04.330(6), the election may be held only at a general election in an even-numbered year. Such superintendent shall also cause written or printed notices to be posted in at least five places in such school district at least twenty days before

such election. In addition to his or her other duties relating thereto, the county auditor shall give notice of such election as provided for in RCW 29A.52.355."

Correct the title.

Representative Jacobsen spoke in favor of the adoption of the amendment.

Representative Callan spoke against the adoption of the amendment.

Amendment (809) was not adopted.

Representative Gregerson moved the adoption of amendment (812):

On page 11, after line 5, insert the following:

"**Sec. 10.** RCW 3.50.050 and 1984 c 258 s 107 are each amended to read as follows:

The legislative authority of the city or town may, by ordinance, provide that the position of municipal judge within the city or town shall be an elective position. The ordinance shall provide for the qualifications of the municipal judge which shall be the same as the qualifications necessary for the appointment thereof; and further, shall provide that the municipal judge shall be elected in the same manner as other elective city officials are elected to office, and that the term of the municipal judge shall be for a term of four years commencing on January 1, 1986, and every four years thereafter. Term lengths for municipal judges may be modified to comply with RCW 29A.04.330(6)."

Correct the title.

Representatives Gregerson and Cheney spoke in favor of the adoption of the amendment.

Amendment (812) was adopted.

Representative Low moved the adoption of amendment (815):

On page 11, after line 5, insert the following:

"**NEW SECTION. Sec. 10.** (1) Subject to the availability of amounts appropriated for this specific purpose, county auditors may seek reimbursement for costs necessitated by a jurisdiction switching to even-numbered year elections as a result of this act that are incurred for:

(a) Retaining staff; and

(b) Software or hardware purchases or upgrades.

(2) The office of the secretary of state shall pay within thirty days after the receipt of a properly executed and documented voucher for such expenses and the entry of an allotment from specifically appropriated funds for this purpose until those funds are exhausted."

Correct the title.

Representatives Low and Cheney spoke in favor of the adoption of the amendment.

Representative Farivar spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 41 - YEAS; 56 - NAYS.

Amendment (815) was not adopted.

Representative Christian moved the adoption of amendment (817):

On page 11, after line 5, insert the following:

"**NEW SECTION. Sec. 10.** The public disclosure commission must conduct a study to examine the difference in the amount of campaign contributions for local government races in jurisdictions that choose to switch their elections from odd-numbered to even-numbered years. The study shall compare the percentage of campaign contributions for local government races in the jurisdiction between the last three elections before and the first election after the switch, as compared to the total amount of campaign contributions in that year's elections statewide. The study shall be submitted in a report to the legislature, due by April 1 in the year following the jurisdiction's first even-year election."

Correct the title.

Representatives Christian and Orcutt spoke in favor of the adoption of the amendment.

Representative Mena spoke against the adoption of the amendment.

Amendment (817) was not adopted.

Representative Christian moved the adoption of amendment (818):

On page 11, after line 5, insert the following:

"**NEW SECTION. Sec. 10.** The office of the secretary of state must conduct a study to examine the difference in the number of undervotes in jurisdictions that choose to switch their elections from odd-numbered to even-numbered years. The study shall compare the percentage of undervotes in the jurisdiction between the last three elections before and the first election after the switch. The study shall be submitted in a report to the legislature, due by April 1 in the year following the jurisdiction's first even-year election."

Correct the title.

Representatives Christian, Orcutt and Low spoke in favor of the adoption of the amendment.

Representative Farivar spoke against the adoption of the amendment.

Amendment (818) was not adopted.

Representative Low moved the adoption of amendment (855):

On page 11, after line 5, insert the following:

"**NEW SECTION. Sec. 10.** (1) The Washington state association of county auditors must submit a report to the legislature detailing

the impacts on a county when a city, town, or special purpose district switches its elections to even-numbered years under this act. This report is required only in an election cycle in which at least two counties have a jurisdiction in them that has switched to even-numbered year elections.

(2) The report must include an analysis of:

(a) Impacts to county auditor's office staff levels and retainment in an impacted county;

(b) Whether election costs to the county increased or decreased;

(c) Any technical problems that occurred as a result of the switch to even-numbered year elections; and

(d) Any necessary changes to hardware or software due to changes in ballot length as a result of the switch.

(3) The report must be sent to the relevant committees of the legislature, in compliance with RCW 43.01.036, by January 1 following an even-numbered year election in which at least two counties had a jurisdiction switch to even-numbered year elections."

Correct the title.

Representative Low spoke in favor of the adoption of the amendment.

Representative Gregerson spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 40 - YEAS; 57 - NAYS.

Amendment (855) was not adopted.

Representative Christian moved the adoption of amendment (816):

On page 3, beginning on line 28, after "following" strike "adoption of an ordinance or policy, or"

On page 3, beginning on line 31, after "(a)" strike all material through "(b)" on line 38

On page 4, at the beginning of line 6, strike "(c)" and insert "(b)"

On page 4, at the beginning of line 9, strike "(d)" and insert "(c)"

On page 4, at the beginning of line 13, strike "(e)" and insert "(d)"

Representatives Christian and Cheney spoke in favor of the adoption of the amendment.

Representative Mena spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 41 - YEAS; 56 - NAYS.

Amendment (816) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Gregerson, Mena and Paul spoke in favor of the passage of the bill.

Representatives Low, Christian, Orcutt, Corry, Chambers, McEntire, Schmick, Cheney, Hutchins, Couture and Maycumber spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1932.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1932, and the bill passed the House by the following vote: Yeas, 52; Nays, 45; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Bronoske, Caldier, Chambers, Chapman, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Morgan, Mosbrucker, Orcutt, Reeves, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox, Wylie and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1932, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the third order of business.

### MESSAGE FROM THE SENATE

Thursday, February 8, 2024

Mme. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5306  
 SENATE BILL NO. 5818  
 SENATE BILL NO. 5852  
 SECOND SUBSTITUTE SENATE BILL NO. 5882  
 SENATE BILL NO. 5885  
 SENATE BILL NO. 5897  
 SUBSTITUTE SENATE BILL NO. 5986  
 SUBSTITUTE SENATE BILL NO. 6020  
 SENATE BILL NO. 6080  
 SENATE BILL NO. 6148  
 SUBSTITUTE SENATE BILL NO. 6197  
 SENATE BILL NO. 6283  
 SUBSTITUTE SENATE BILL NO. 6301  
 SENATE BILL NO. 6308

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

### MESSAGE FROM THE SENATE

Wednesday, February 7, 2024

Mme. Speaker:

The Senate has passed:

SENATE BILL NO. 5184  
 ENGROSSED SENATE BILL NO. 5340  
 SUBSTITUTE SENATE BILL NO. 5427  
 SUBSTITUTE SENATE BILL NO. 5649  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5778  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5793  
 SUBSTITUTE SENATE BILL NO. 5798  
 SECOND SUBSTITUTE SENATE BILL NO. 5811  
 SENATE BILL NO. 5825  
 SENATE BILL NO. 5862  
 SENATE BILL NO. 5881  
 SUBSTITUTE SENATE BILL NO. 5920  
 SUBSTITUTE SENATE BILL NO. 5925  
 SUBSTITUTE SENATE BILL NO. 5940  
 SECOND SUBSTITUTE SENATE BILL NO. 6006  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6007  
 SENATE BILL NO. 6027  
 SUBSTITUTE SENATE BILL NO. 6056  
 SUBSTITUTE SENATE BILL NO. 6059  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6061  
 SUBSTITUTE SENATE BILL NO. 6100  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6101  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6105  
 ENGROSSED SENATE BILL NO. 6120  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6127  
 SUBSTITUTE SENATE BILL NO. 6140  
 ENGROSSED SENATE BILL NO. 6151  
 SUBSTITUTE SENATE BILL NO. 6157  
 SENATE BILL NO. 6202  
 SENATE BILL NO. 6234  
 ENGROSSED SENATE BILL NO. 6246  
 SUBSTITUTE SENATE BILL NO. 6256  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6286  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6291  
 SENATE BILL NO. 6298

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the sixth order of business.

## SECOND READING

**HOUSE BILL NO. 1975, by Representatives Ortiz-Self, Ryu, Berry, Ramel, Reed, Simmons, Ormsby, Fey, Kloba, Macri, Street, Fosse, Bergquist, Reeves, Wylie and Pollet**

**Relieving individuals from paying interest on certain unemployment insurance overpayment assessments.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self and Schmidt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1975.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1975, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1975, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1892, by Representatives Leavitt, Alvarado, Bateman, Peterson, Shavers, Reed, Fosse, Hackney, Barkis, Low, Eslick, Callan, Abbarno, Taylor, Klicker, Connors, Walen, Reeves, Ryu, Berry, Cortes, Stearns, Slatter, Duerr, Bronoske, Ramos, Ormsby, Barnard, Fey, Timmons, Kloba, Macri, Street, Chopp, Paul, Gregerson, Sandlin, Orwall, Bergquist, Goodman, Ortiz-Self, Nance, Santos and Pollet**

**Concerning the workforce housing accelerator program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1892 was substituted for House Bill No. 1892 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1892 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Leavitt and Klicker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1892.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1892, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1892, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2191, by Representatives Timmons, Duerr, Reed, Ramel and Reeves**

**Adding two voting members that are transit users to the governing body of public transportation benefit areas.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2191 was substituted for House Bill No. 2191 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2191 was read the second time.

Representative Paul moved the adoption of amendment (848):

On page 1, line 15, after "area" strike ", as well as two other appointed members" and insert ". Two other transit-using members may be appointed to the governing body of such area, pursuant to subsection (3)(b) of this section"

On page 3, line 20, after "governing" strike "board" and insert "body"

Representatives Paul and Volz spoke in favor of the adoption of the amendment.

Amendment (848) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Timmons spoke in favor of the passage of the bill.

Representative Volz spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2191.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2191, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Bronoske, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2191, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1948, by Representatives Ybarra, Fitzgibbon, Reed, Graham, Ormsby, Doglio and Pollet**

**Ensuring that methods for calculating the electric load of utilities under the energy independence act do not have the effect of discouraging voluntary investments in renewable power.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ybarra and Doglio spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1948.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1948, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1948, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1947, by Representatives Street, Couture, Ryu, Gregerson, Reed, Ormsby and Reeves**

**Concerning the governance of technology services in state government, including eliminating the office of the chief information officer and renaming the consolidated technology services agency.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1947 was substituted for House Bill No. 1947 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1947 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Street and Couture spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1947.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1947, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1947, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2356, by Representatives Fey, Nance and Pollet**

**Concerning speed safety camera systems.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2356 was substituted for House Bill No. 2356 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2356 was read the second time.

Representative Fey moved the adoption of amendment (870):

On page 8, line 16, after "department" insert "of transportation"

Representatives Fey and Barkis spoke in favor of the adoption of the amendment.

Amendment (870) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and Barkis spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2356.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2356, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli,

Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2356, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2102, by Representatives Berry, Reed, Ormsby, Nance and Pollet**

**Establishing requirements for the disclosure of health care information for qualifying persons to receive paid family and medical leave benefits.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2102 was substituted for House Bill No. 2102 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2102 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Berry and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2102.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2102, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2102, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1905, by Representatives Mena, Senn, Berry, Cortes, Morgan, Ortiz-Self, Ramel, Ramos, Bateman, Reed, Ormsby, Callan, Kloba, Macri, Street, Gregerson, Doglio, Orwall, Bergquist, Goodman, Reeves, Lekanoff, Hackney, Fosse, Pollet, Davis and Simmons**

**Including protected classes in the Washington equal pay and opportunities act.**

The bill was read the second time.



There being no objection, Substitute House Bill No. 1905 was substituted for House Bill No. 1905 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1905 was read the second time.

Representative Schmidt moved the adoption of amendment (863):

On page 3, line 6, after "(1)" insert "(a)"

On page 3, line 13, after "49.58.070" insert ", subject to (b) of this subsection"

On page 3, after line 15, insert the following:

"(b) For claims alleging discrimination based on the employee's membership in a protected class, other than gender, the remedy provided in RCW 49.58.070 is not available unless the employee has exhausted the administrative remedy under RCW 49.58.060 and has not accepted any monetary settlement."

On page 4, line 31, after "49.58.070." insert "However, for claims alleging discrimination based on the employee's membership in a protected class, other than gender, the remedy provided in RCW 49.58.070 is not available unless the employee has exhausted the administrative remedy under RCW 49.58.060 and has not accepted any monetary settlement."

Representative Schmidt spoke in favor of the adoption of the amendment.

Representative Berry spoke against the adoption of the amendment.

Amendment (863) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Mena spoke in favor of the passage of the bill.

Representative Schmidt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1905.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1905, and the bill passed the House by the following vote: Yeas, 63; Nays, 34; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Griffey, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dye, Eslick, Goehner, Graham, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire,

Mosbrucker, Orcutt, Robertson, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters and Wilcox  
Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1905, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1692, by Representatives Bergquist, Christian, Gregerson, Santos, Pollet, Macri and Simmons**

**Creating student advisory groups.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1692 was substituted for House Bill No. 1692 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1692 was read the second time.

With the consent of the House, amendments (847) and (842) were withdrawn.

Representative Bergquist moved the adoption of the striking amendment (877):

Strike everything after the enacting clause and insert the following:

NEW SECTION. **Sec. 1.** The legislature finds that people participating in their government is an essential part of developing public policy. Familiarizing students with their representative government's policy development process increases social responsibility and civic awareness that will benefit them now as students and later as adults, while improving our state. The legislature further finds that policymakers can benefit from the input of students presently in our kindergarten through grade 12 school system and those attending a community or technical college, sharing insights and ideas on education and other issues affecting youth in our state. Therefore, the legislature intends to establish student councils, including 49 legislative district student councils each representing one legislative district to ensure proportional and geographical representation, to allow students to learn about and participate in our representative democracy and share policy ideas with their state elected officials.

NEW SECTION. **Sec. 2.** (1) A legislative district student council is established in each legislative district. Legislative district student councils are informal nonpartisan advisory bodies that may examine issues affecting youth and education and make recommendations to the legislative youth advisory council on those issues.

(2) The office of the superintendent of public instruction shall select a statewide organization that provides leadership opportunities to students to complete the following tasks, consistent with the provisions of this act, by August 1, 2025:

(a) Develop processes and procedures that may be used to set up legislative district student councils;

(b) Contribute to the development of an application and selection process that may be used to select student members to serve on the council, including for the position of chair for each legislative district student council;

(c) Develop model practices regarding increasing student engagement; and

(d) Distribute information to students in qualifying schools about participating in a legislative district student council, including the application process and timeline.

(3) Each legislative district student council is composed of no more than seven student members as follows:

(a) One chair for each legislative district student council. The organization selected in subsection (2) of this section shall select the initial chairs for councils in legislative districts no later than October 1, 2025. Subsequent chairs shall be selected no later than June 1, 2027, and each June 1st every two years thereafter.

(b) One vice chair for each legislative district student council. The youth civic engagement council member from the respective legislative district shall serve as the vice chair for that district's legislative district student council.

(c) To the greatest extent possible, the Washington state school directors' association shall select up to two student board representatives from each legislative district who attend a qualifying school that serves students in any of grades nine through 12 and are members of the Washington state school directors' association's student representatives network to be members in that district's legislative district student council.

(d)(i) At least three additional members who are under the age of 21 at the start of their term and attend either a qualifying school that serves students in any of grades nine through 12 or a community or technical college that is located within that student council's legislative district.

(ii) Factors to consider for selection of the members described in this subsection (3)(d) include:

(A) Balancing representation among the various grades, with at least one student being in grade 11 and one being in grade 12; and

(B) Selecting students who have demonstrated a commitment to civic education through current participation in another local youth council.

(iii)(A) For the selection of initial members described in this subsection (3)(d) for new legislative district student councils, a committee consisting of the chairs of each legislative district student council shall meet for the purpose of selecting members for each legislative district student council from the applications submitted. Initial members must be selected by November 15, 2025.

(B) Subsequent selection of members described in this subsection (3)(d) shall be the responsibility of each legislative district student council and must occur no later than October 1, 2027, and on October 1st every two years thereafter.

(4) To the greatest extent feasible, the members of each legislative district student council must attend either a qualifying school that serves students in any of grades nine through 12 or a community or technical college that is in their council's legislative district. If there are no applicants from a legislative district, eligible students who attend a qualifying school that serves students in any of grades nine through 12 or a community or technical college located in an adjacent legislative district may be selected for membership.

(5) Membership terms are as follows:

(a) Of the chairs initially selected, each chair shall serve two-year terms, except that students who are in grade 12 shall serve a one-year term but may serve the full two-year term if they attend a community or technical college within the student council's legislative district in the following year. The term of each subsequent chair shall be two years, and qualifying chairs may be selected for subsequent two-year terms.

(b) Of the members initially selected to serve on a legislative district student council, two members shall serve one-year terms, and all other members shall serve two-year terms. Members initially selected to serve on a legislative district student council who are in grade 12 shall serve a one-year term but may serve the full two-year term if they attend a community or technical college within the student council's legislative district in the following year. The term of each subsequent eligible member shall be two years, and members may be selected for subsequent two-year terms.

(c) In the case of a vacancy, the selection of a student member to fill the remainder of an unexpired term must be conducted in the same manner as the original appointment.

(6) Each student council may not conduct more than four in-person meetings, with one of the in-person meetings occurring in person in Olympia on the day of youth civic education organized by the legislative youth advisory council, in collaboration with the student representative network, pursuant to RCW 43.15.095(6)(e). The student councils are encouraged to use technology, such as remote videoconferencing technology, to conduct additional virtual meetings.

(7) The legislature, any agency of the legislature, and any official or employee of such office or agency is immune from liability for any injury that is incurred by or caused by a member of the legislative district student council and that occurs while the member of the council is performing duties of the council. The immunity provided by this subsection does not apply to an injury intentionally caused by the act or omission of an employee or official of the office of the legislature or any agency of the legislature.

(8) When engaging in outreach and recruiting efforts to educate students and schools about opportunities to participate in a legislative district student council, and when creating an application and selection process as described in subsection (2) of this section, the lieutenant

governor, the organization selected in subsection (2) of this section, and the Washington state school directors' association, as applicable, shall comply with the principles of the state pro-equity antiracism plan and playbook developed by the office of equity to bridge opportunity gaps, reduce disparities, and increase diversity of student membership.

(9) As used in this section:

(a) "Qualifying school" means a public school as defined in RCW 28A.150.010, a private school approved under chapter 28A.195 RCW, or home-based instruction as defined in RCW 28A.225.010.

(b) "Student board representative" has the same meaning as in section 4 of this act.

**NEW SECTION.**

**Sec. 3.**

(1) The organization selected in section 2(2) of this act shall, by December 31, 2025, and in compliance with RCW 43.01.036, submit a report to the legislature that details the following:

(a) The number of legislative district student councils that have been established pursuant to section 2 of this act;

(b) The legislative district of each legislative district student council;

(c) A list of schools represented on legislative district student councils;

(d) Grade levels represented on legislative district student councils; and

(e) The demographics of student members on each legislative district student council. The data must be disaggregated by categories listed in RCW 28A.642.010 and by legislative district student council.

(2) This section expires January 31, 2026.

**NEW SECTION.**

**Sec. 4.**

A new section is added to chapter 28A.345 RCW to read as follows:

(1) The Washington state school directors' association shall form a student representative network to examine issues important to youth and engage student school board representatives in the legislative process.

(2) Subject to the supervision of the Washington state school directors' association, the duties of the student representative network are as follows:

(a) Advise the legislature through feedback and testimony on proposed and pending legislation, including policy matters relating to youth;

(b) Advise the standing committees of the legislature and study commissions, committees, and task forces through feedback and testimony on issues relating to youth;

(c) Collaborate with the legislative youth advisory council established under RCW 43.15.095 to organize an in-person annual day of youth civic education in Olympia;

(d) Develop and assemble resources for new and existing student board representatives;

(e) Provide writing, photos, and other content for the Washington state school directors' association publications in consultation with Washington state school directors' association staff;

(f) Collaborate with the Washington state school directors' association standing committees, advisory committees, task forces, and caucuses as invited; and

(g) Provide additional student voices at Washington state school directors' association events in consultation with Washington state school directors' association staff.

(3) When acting on behalf of the student representative network, advocacy position and policy recommendations from network members shall be in accordance with the Washington state school directors' association's approved positions. When acting on behalf of individual school districts, legislative district student councils, or the legislative youth advisory council established under RCW 43.15.095, advocacy positions and policy recommendations made by network members are considered independent from the Washington state school directors' association.

(4) In supporting the student representative network, the Washington state school directors' association shall provide network members with the ability to learn about education policy issues and determine best practices for establishing and supporting student councils. Additionally, the Washington state school directors' association shall facilitate a connection between network members and the legislators in their legislative districts.

(5) All student board representatives are members of the student representative network. The Washington state school directors' association shall engage in outreach annually to each school district to provide information about the student representative network. To the greatest extent feasible, the Washington state school directors' association shall identify at least one student board representative from each legislative district to participate in the student representative network. In legislative districts where there are no established student board representatives, the Washington state school directors' association shall communicate with school districts to create awareness of and share best practices about the role and to encourage participation.

(6) The Washington state school directors' association shall invite legislators to participate in the student representative network in an advisory capacity.

(7) The student representative network shall meet at least four times per year. The number of in-person meetings may not exceed four.

(8) The Washington state school directors' association, the legislature, any agency of the legislature, and any official or employee of such office or agency is immune from liability for any injury that is incurred by or caused by a member of the student representative network and that occurs while the member of the network is performing duties of the network or is otherwise engaged in activities or receiving services for which reimbursement is allowed under RCW 43.15.095(8). The immunity provided by this subsection does not apply to an injury intentionally caused by the act

or omission of an employee or official of the Washington state school directors' association, the legislature, or any agency of the legislature.

(9) In compliance with RCW 43.01.036, the student representative network, in consultation and with the support of Washington state school directors' association staff, shall report on December 1st of each year to the appropriate committees of the legislature on the number of student board representatives in Washington and the activities of the network.

(10) As used in this section, "student board representative" means a student who is recognized by their local school board as a representative of the student body serving on that board.

**Sec. 5.** RCW 43.15.095 and 2022 c 96 s 6 are each amended to read as follows:

(1) The legislative youth advisory council is established to examine issues of importance to youth, including but not limited to education, employment, strategies to increase youth participation in state and municipal government, safe environments for youth, substance abuse, emotional and physical health, foster care, poverty, homelessness, and youth access to services on a statewide and municipal basis.

(2) The council consists of at least ~~((twenty-two))~~ 22 members as provided in this subsection who, at the time of appointment, are ~~((aged))~~ age ~~((fourteen to eighteen))~~ 14 to 18. The council shall select a chair from among its members.

(3) Members shall serve two-year terms and, if eligible, may be reappointed for subsequent two-year terms.

(4) (a) Students may apply annually to be considered for participation in the program by completing an online application form and submitting the application to the legislative youth advisory council. The council may develop selection criteria and an application review process. The council shall recommend candidates whose names will be submitted to the office of the lieutenant governor for final selection. The office of the lieutenant governor shall notify all applicants of the final selections.

(b) The office of the lieutenant governor shall make the application available on the lieutenant governor's website.

(5) Information about participating in the legislative youth advisory council, including the application process and timeline, shall be distributed by the Washington state school directors' association.

(6) Subject to the supervision of the office of the lieutenant governor, the council shall have the following duties:

(a) Advising the legislature on proposed and pending legislation, including state budget expenditures and policy matters relating to youth;

(b) Advising the standing committees of the legislature and study commissions, committees, and task forces regarding issues relating to youth;

(c) Conducting periodic seminars for its members regarding leadership, government, and the legislature;

(d) Accepting and soliciting for grants and donations from public and private sources to support the activities of the council; ~~((and))~~

(e) In coordination with the student representative network, organizing an in-person annual day of youth civic education in Olympia;

(f) In collaboration with the youth civic engagement caucus, organizing a virtual town hall meeting within the three-month period preceding the commencement of the legislative session; and

(g) Reporting annually by December 1st to the legislature on its activities, including proposed legislation that implements recommendations of the council.

~~((46))~~ (7) In carrying out its duties under this section, the council must meet at least three times per year. The council is encouraged to use technology, such as remote videoconferencing technology, to facilitate members' participation in meetings. The council is encouraged to invite local state legislators to participate in the meetings. The council is encouraged to poll other students in order to get a broad perspective on various policy issues. The council is encouraged to use technology to conduct polling.

~~((47))~~ (8) Members may be reimbursed as provided in RCW 43.03.050 and 43.03.060.

~~((48))~~ (9) The office of the lieutenant governor shall provide administration, supervision, and facilitation support to the council. In facilitating the program, the office of the lieutenant governor may collaborate with the Washington state leadership board established in RCW 43.388.010. The senate and house of representatives may provide policy and fiscal briefings and assistance with drafting proposed legislation. The senate and the house of representatives shall each develop internal policies relating to staff assistance provided to the council. Such policies may include applicable internal personnel and practices guidelines, resource use and expense reimbursement guidelines, and applicable ethics mandates. Provision of funds, resources, and staff, as well as the assignment and direction of staff, remains at all times within the sole discretion of the chamber making the provision.

~~((49))~~ (10) The office of the lieutenant governor, the legislature, any agency of the legislature, and any official or employee of such office or agency ~~((are))~~ is immune from liability for any injury that is incurred by or caused by a member of the legislative youth advisory council and that occurs while the member of the council is performing duties of the council or is otherwise engaged in activities or receiving services for which reimbursement is allowed under subsection ~~((47))~~ (8) of this section. The immunity provided by this subsection does not apply to an injury intentionally caused by the act or omission of an employee or official of the office of the lieutenant governor, the legislature, or any agency of the legislature.

NEW SECTION. **Sec. 6.** (1) A youth civic engagement caucus is established to examine issues of importance to youth, including but not limited to education, employment, strategies to increase youth participation in state and municipal government, safe environments for youth, substance abuse, emotional and physical health, foster care, poverty, homelessness, and youth access to services on a statewide and municipal basis.

(2) The office of the superintendent of public instruction shall select a statewide organization that provides leadership opportunities to students to create model processes and procedures that may be used to establish and maintain the youth civic engagement caucus. The model processes and procedures must be completed by September 1, 2025.

(3) Membership terms are as follows:

(a) The caucus consists of up to 49 members, with one member from each legislative district, who are sixth, seventh, or eighth grade students who attend a qualifying school, as defined in section 2 of this act, in the legislative district.

(b) The initial members on the caucus shall be equally balanced between sixth and seventh grade students to the greatest extent feasible. Sixth graders initially selected to the caucus shall serve three-year terms. Seventh graders initially selected to the caucus shall serve two-year terms, commencing October 1, 2025. All students subsequently selected to the caucus shall serve two-year terms, commencing each June 1st every two years thereafter.

(4) Members of the caucus shall serve as the vice chair for the legislative district student council of the member's respective legislative district.

(5) The caucus shall advise the legislature on proposed and pending legislation, including policy matters relating to youth.

(6) In carrying out its duties under this section, the caucus must meet at least four times per year, including:

(a) Collaborating with the legislative youth advisory council to play an active role in organizing action day, the annual day of civic youth education in Olympia under RCW 43.15.095(6)(e); and

(b) Collaborating with the legislative youth advisory council to organize a virtual town hall meeting within the three-month period preceding the commencement of the legislative session.

(7) The caucus is encouraged to use technology, such as remote videoconferencing technology, to facilitate members' participation in meetings. The caucus is encouraged to invite local state legislators to participate in the meetings. The caucus is encouraged to poll other students in order to get a broad perspective on various policy issues. The caucus is encouraged to use technology to conduct polling.

(8) When engaging in outreach and recruiting efforts to educate students and schools about opportunities to participate in the youth civic engagement caucus, the lieutenant governor and the organization selected in subsection (2) of this section, as applicable, shall comply with the

principles of the state pro-equity antiracism plan and playbook developed by the office of equity to bridge opportunity gaps, reduce disparities, and increase diversity of student membership.

NEW SECTION. **Sec. 7.** Sections 2 and 6 of this act constitute a new chapter in Title 44 RCW."

Correct the title.

Representatives Bergquist and Cheney spoke in favor of the adoption of the striking amendment.

The striking amendment (877) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Cheney spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1692.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1692, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hutchins, Jacobsen, Kloba, Kretz, Leavitt, Lekanoff, Macri, Maycumber, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Corry, Harris, Klicker, Low, McClintock, McEntire, Orcutt, Robertson, Stokesbary, Walsh, Waters and Wilcox

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1692, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2216, by Representatives Cheney, Leavitt, Walen, Santos, Couture, Graham, Reed, Rude and Davis**

**Reducing barriers to state employment by eliminating two-year and four-year degree requirements that are unnecessary.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2216 was substituted for House Bill No. 2216 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2216 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cheney and Ramos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2216.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2216, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Caldier  
Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2216, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1982, by Representatives Waters, Shavers, Ryu, Couture, Ramos, McClintock, Callan, Cheney, Doglio, Sandlin, Paul, Harris, Berg, Tharinger, Riccelli and Santos**

**Concerning the authority of the community economic revitalization board with respect to loans and grants to political subdivisions and federally recognized Indian tribes for broadband.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Waters and Ryu spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1982.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1982, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli,

Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1982, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2061, by Representatives Bronoske, Ramel, Berry, Reed, Fosse, Lekanoff, Pollet and Kloba**

**Defining an employee of a health care facility for purposes of mandatory overtime provisions.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2061 was substituted for House Bill No. 2061 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2061 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bronoske and Schmidt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2061.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2061, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2061, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2112, by Representatives Nance, Leavitt, Simmons, Reed, Ormsby, Callan, Rule, Orwall, Paul, Timmons, Lekanoff, Riccelli, Wylie, Reeves, Shavers, Pollet, Kloba and Davis**

**Concerning opioid and fentanyl prevention education and awareness at institutions of higher education.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2112 was substituted for House Bill No. 2112 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2112 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Nance and Ybarra spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2112.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2112, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Orcutt, Sandlin and Walsh

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2112, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

### THIRD READING

**SECOND SUBSTITUTE HOUSE BILL NO. 1391, by House Committee on Appropriations (originally sponsored by Ramel, Doglio, Duerr, Berry, Pollet and Reed)**

**Concerning energy in buildings.**

The bill was read the third time.

Representative Ramel spoke in favor of the passage of the bill.

Representatives Dye and Abbarno spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1391.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1391, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter,

Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 1391, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

### SECOND READING

**HOUSE BILL NO. 1967, by Representatives Jacobsen, Couture, Graham and Caldier**

**Excluding any person who is convicted of a hit and run resulting in death from being eligible for a first-time offender waiver.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jacobsen and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1967.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1967, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Walen

Excused: Representative Chandler

HOUSE BILL NO. 1967, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1915, by Representatives Rude, Stonier, Connors, Riccelli, Couture, Senn, McEntire, Santos, Steele, Bergquist, Harris, Walen, McClintock, Eslick, Cheney, Thai, Ortiz-Self, Bronoske, Leavitt, Corry, Tharinger, Low, Ryu, Christian, Slatter, Schmidt, Ramel, Barkis, Ramos, Cortes, Morgan, Reed, Graham, Ormsby, Barnard, Jacobsen, Fey, Timmons, Callan, Rule, Street, Chopp, Doglio, Sandlin, Goodman, Caldier, Berg, Robertson, Wylie, Hutchins, Reeves, Lekanoff, Shavers, Davis and Griffey**

**Making financial education instruction a graduation prerequisite and a required component of public education.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1915 was substituted for House Bill No. 1915 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1915 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rude and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1915.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1915, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1915, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

**SECOND READING**

**HOUSE BILL NO. 2164, by Representatives Pollet, Slatter, Leavitt, Reed and Reeves**

**Providing postsecondary education consumer protections.**

The bill was read the second time.

Representative Pollet moved the adoption of amendment (858):

On page 7, after line 13, insert the following:

**"NEW SECTION. Sec. 5.** The council may utilize its authority to waive state requirements for institutions participating in interstate reciprocity agreements for online or distance education if:

(1) Such waivers are consistent with federal regulations and requirements for state authorization pursuant to 34 C.F.R. Sec. 600.2 and 600.9, including preserving

Washington's authorization to administer federal financial aid programs; and  
(2) The council finds that the institutions' authorizations are consistent with the council's policies for protection of Washington resident student consumers."

Correct the title.

Representatives Pollet and Ybarra spoke in favor of the adoption of the amendment.

Amendment (858) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet and Ybarra spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2164.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed House Bill No. 2164, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED HOUSE BILL NO. 2164, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2321, by Representatives Bateman, Barkis, Duerr, Reed and Pollet**

**Modifying middle housing requirements and the definitions of transit stop.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2321 was substituted for House Bill No. 2321 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2321 was read the second time.

Representative Bateman moved the adoption of amendment (868):

On page 5, line 36, after "routes" insert "including those stops that are under construction"

On page 12, line 7, after "lots" insert "parcels, and tracts"



On page 15, line 7, after "lots" insert ", parcels, and tracts"

On page 15, beginning on line 12, strike all of subsection (14)

Representatives Bateman and Barkis spoke in favor of the adoption of the amendment.

Amendment (868) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bateman and Barkis spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2321.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2321, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stokesbary, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives McEntire, Schmick and Walsh  
Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2321, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2372, by Representatives Lekanoff, Stearns, Leavitt, Davis, Nance, Reed, Chopp, Ormsby and Pollet**

**Transferring public property to Washington state federally recognized tribes for facilities to provide alcohol and substance use disorder prevention, treatment, and aftercare programs and services, and for behavioral health and related programs and services.**

The bill was read the second time.

Representative Cheney moved the adoption of amendment (866):

On page 2, line 19, after "than" strike "25" and insert "50"

Representatives Cheney and Lekanoff spoke in favor of the adoption of the amendment.

Amendment (866) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lekanoff, Lekanoff (again) and Barkis spoke in favor of the passage of the bill.

Representative Abbarno spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2372.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2372, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Christian, Dye, Goehner, Graham, Jacobsen, Klicker, McClintock, McEntire, Orcutt, Schmick, Steele, Volz, Walsh and Waters

Excused: Representative Chandler

ENGROSSED HOUSE BILL NO. 2372, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2302, by Representatives Dent, Chapman, Davis and Timmons**

**Extending the pesticide application safety committee.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent and Chapman spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2302.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2302, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons,

Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2302, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1983, by Representatives Simmons, Goodman, Reed and Davis**

**Concerning the criminal justice treatment account.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Simmons and Jacobsen spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1983.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1983, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1983, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2031, by Representatives Abbarno, Berry, Rude, Reed, Graham, Timmons, Donaghy, Fosse, Doglio, Riccelli and Reeves**

**Recognizing posttraumatic stress disorder as an occupational disease for county coroners, examiners, and investigative personnel.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Abbarno and Fosse spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2031.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2031, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2031, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2137, by Representatives Berg, Orcutt, Sandlin, Doglio, Dent and Reeves**

**Concerning technical changes to allowable exemptions for tourism promotion area assessments.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Berg and Goehner spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2137.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2137, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2137, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1963, by Representatives Ramos, Fitzgibbon, Ryu, Berry, Duerr, Reed, Callan, Donaghy and Hackney**

**Prohibiting license plate covers.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Ramos spoke in favor of the passage of the bill.

Representative Hutchins spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1963.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1963, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

HOUSE BILL NO. 1963, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2347, by Representatives Reeves, Harris, Chambers, Davis, Bateman, Doglio, Macri and Reed**

**Concerning adult family home information.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2347 was substituted for House Bill No. 2347 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2347 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reeves and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2347.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2347, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt,

Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2347, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1957, by Representatives Riccelli, Macri, Ryu, Leavitt, Senn, Reed, Ormsby, Callan, Doglio, Fosse, Goodman, Lekanoff, Wylie, Pollet and Davis**

**Preserving coverage of preventive services without cost sharing.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1957 was substituted for House Bill No. 1957 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1957 was read the second time.

Representative Riccelli moved the adoption of amendment (876):

On page 1, line 6, after "A" insert "nongrandfathered"

On page 2, line 15, after "A" insert "nongrandfathered"

On page 2, line 19, after "A" insert "nongrandfathered"

On page 2, line 23, after "A" insert "nongrandfathered"

On page 3, beginning on line 23, after "rules" strike all material through "section" on line 27 and insert "necessary to implement this section, consistent with federal statutes, rules, and guidance in effect on January 8, 2024. The insurance commissioner may also adopt rules related to any future preventive services recommendations and guidelines issued by the United States preventive health services task force, the advisory committee on immunization practices of the centers for disease control, and the health resources services administration"

Representatives Riccelli and Schmick spoke in favor of the adoption of the amendment.

Amendment (876) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1957.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1957, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1946, by Representatives Eslick, Leavitt, Ryu, Slatter, Duerr, Ramos, Senn, Reed, Graham, Callan, Timmons, Macri, Paul, Harris, Lekanoff, Riccelli, Pollet and Davis**

**Creating the Washington health corps behavioral health scholarship program.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Eslick and Leavitt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1946.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1946, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1946, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2156, by Representatives Reeves, Doglio and Pollet**

**Providing solar consumer protections.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2156 was substituted for House Bill No. 2156 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2156 was read the second time.

Representative Hutchins moved the adoption of amendment (878):

On page 8, beginning on line 34, strike all of section 5

Re-number the remaining sections consecutively and correct any internal references accordingly.

On page 9, line 4, after "through" strike "5" and insert "4"

Representative Corry spoke in favor of the adoption of the amendment.

Representative Walen spoke against the adoption of the amendment.

Amendment (878) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reeves and Corry spoke in favor of the passage of the bill.

#### MOTION

On motion of Representative Ramel, Representative Lekanoff was excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2156.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2156, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Lekanoff

SUBSTITUTE HOUSE BILL NO. 2156, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1248, by Representatives Stonier, Harris, Senn, Simmons, Ryu, Reeves, Bergquist, Eslick, Pollet and Reed**

**Concerning pupil transportation.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1248 was substituted for House Bill No. 1248 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1248 was read the second time.

With the consent of the House, amendment (786) was withdrawn.

Representative Berg moved the adoption of the striking amendment (887):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature recognizes that school bus drivers play a crucial role in ensuring students' safe passage to and from school, preventing absences, and extending a positive school climate beyond the classroom. By delivering this essential service, school bus drivers provide a significant time and convenience benefit to thousands of Washington families, remove cars from the road, reduce overall emissions, and increase traffic safety. However, a recent national survey revealed that 94 percent of bus contractors experience driver shortages, with 21 percent reporting their shortages as severe. With this act, the state of Washington intends to encourage the retention of bus drivers who provide vital services to local communities.

**Sec. 2.** RCW 28A.160.140 and 1990 c 33 s 140 are each amended to read as follows:

(1) As a condition of entering into a pupil transportation services contract with a private nongovernmental entity, each school district shall engage in an open competitive process at least once every five years. This requirement shall not be construed to prohibit a district from entering into a pupil transportation services contract of less than five years in duration with a district option to renew, extend, or terminate the contract, if the district engages in an open competitive process at least once every five years after July 26, 1987.

(2)(a) A school district may only enter into, renew, or extend a pupil transportation services contract with a private nongovernmental entity if that entity provides the following to, or on behalf of, its employees who choose to opt in for coverage:

(i) An employer health benefits contribution equal to the employer payment dollar amount in effect for the first year of the contract for health care benefit rates (cockle rates), published annually by the health care authority, for the school employees' benefits board program for school employees; and

(ii) An amount equivalent to the salaries of the employees of the private nongovernmental entity multiplied by the employer normal cost contribution rate determined under the entry age cost method for the school employees' retirement system,

as published in the most recent actuarial valuation report from the office of the state actuary for the first year of the contract.

(b) All pupil transportation service contracts entered into or modified after the effective date of this section must include a detailed explanation of any contract cost increase by year, expenditure type, and amount, including any increases in cost that result from providing the benefits required under this section.

(3) As used in this section:  
 ((41)) (a) "Employees" means in-state employees of the private nongovernmental entity working sufficient compensated hours performing services pursuant to the contract with the school district to meet the eligibility requirements for the school employees' benefits board program if the employees were directly employed by a school district;

(b) "Open competitive process" means either one of the following, at the choice of the school district:

((4a)) (i) The solicitation of bids or quotations and the award of contracts under RCW 28A.335.190; or

((4b)) (ii) The competitive solicitation of proposals and their evaluation consistent with the process and criteria recommended or required, as the case may be, by the office of financial management for state agency acquisition of personal service contractors;

((42)) (c) "Pupil transportation services contract" means a contract for the operation of privately owned or school district owned school buses, and the services of drivers or operators, management and supervisory personnel, and their support personnel such as secretaries, dispatchers, and mechanics, or any combination thereof, to provide students with transportation to and from school on a regular basis; and

((43)) (d) "School bus" means a motor vehicle as defined in RCW 46.04.521 and under the rules of the superintendent of public instruction.

**NEW SECTION. Sec. 3.** A new section is added to chapter 28A.160 RCW to read as follows:

(1) A school district that experiences an increase in costs to a pupil transportation services contract as compared to prior year contract costs as a result of the provisions in RCW 28A.160.140 is eligible for supplemental transportation allocations as described in this section.

(2) Beginning September 1, 2024, school districts that provide pupil transportation through a contract with a nongovernmental entity under RCW 28A.160.140 must annually provide the office of the superintendent of public instruction with the following information:

(a) A breakdown of the total contract cost increase, including a detailed explanation of the increase by expenditure type demonstrating dollar equivalency as required in RCW 28A.160.140(2)(a)(i) and percentage equivalency as required in RCW 28A.160.140(2)(a)(ii), as defined by the office of the superintendent of public instruction, and amount;

(b) A breakdown of cost from the contractor that shows the cost to provide health care and pension benefits to employees prior to the effective date of this section and the cost to provide health care and pension benefits to employees after the implementation of benefits as described in RCW 28A.160.140;

(c) The amount of funding received through transportation allocations under RCW 28A.160.150 through 28A.160.192 prior to the implementation of school employee benefits under chapter 41.05 RCW and the amount of funding received through the same transportation allocations for the period immediately following the implementation of school employee benefits under chapter 41.05 RCW, to determine the amount of funding for health care that is already being included in allocations.

(3) The office of the superintendent of public instruction may suspend the reporting requirements under subsection (2) of this section on or after September 1, 2027, for districts that do not request supplemental transportation allocations under this section.

(4) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction must reimburse a school district for the increased cost that is directly attributable to increased benefits as required under this act, using the following formula: The total contract cost increase, less any amounts not attributable to benefits required under RCW 28A.160.140, less the amount the allocation was increased based on the actual cost increase through the transportation funding formula."

Correct the title.

Representative Walsh moved the adoption of amendment (890) to the striking amendment (887):

On page 1, beginning on line 3 of the striking amendment, strike all material through the end of the striking amendment and insert the following:

" **NEW SECTION. Sec. 1.** A new section is added to chapter 28A.160 RCW to read as follows:

(1) The superintendent of public instruction must provide transportation safety net awards to school districts with a convincingly demonstrated need for additional transportation funding for special passengers. Transportation safety net awards shall only be provided when a school district's allowable transportation expenditures attributable to serving special passengers exceeds the amount provided under RCW 28A.160.180 and any excess transportation costs reimbursed by federal, state, tribal, or local child welfare agencies.

(2) For the purposes of this section, "special passengers" include:

(a) Students eligible for and receiving special education that require transportation as a related service of their individualized education program;

(b) Homeless students requiring transportation under the McKinney-Vento act,

reauthorized as Title X, Part C, of the no child left behind act, P.L. 107-110, in January 2002; and

(c) Foster students receiving transportation as required under section 1112(c)(5)(B) of the every student succeeds act, P.L. 114-95.

(3) To be eligible for additional transportation safety net award funding, the school district must report, in accordance with statewide accounting guidance, the amount of the excess costs and the specific activities or services provided to special passengers that created the excess costs.

(4) The superintendent of public instruction must establish rules and processes for transportation safety net applications and awards. The omnibus appropriations act must specify the total amount available for transportation safety net awards. Total awards may not exceed the amount appropriated. The superintendent of public instruction must submit to the office of financial management, and the education and fiscal committees of the legislature, the total demonstrated need and awards by school district.

(5) Charter schools established under chapter 28A.710 RCW and state-tribal compact schools established under chapter 28A.715 RCW are eligible for awards under this section.

(6) Transportation safety net awards allocated under this section are not part of the state's program of basic education.

**Sec. 2.** RCW 28A.160.193 and 2018 c 266 s 103 are each amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, a transportation alternate funding grant program is created.

(2) As part of the award process for the grants, the superintendent of public instruction must include a review of the school district's efficiency rating, key performance indicators, and local school district characteristics such as unique geographic constraints, low enrollment, geographic density of students, ~~((the percentage of students served under the McKinney-Vento homeless assistance act from outside the district,))~~ or whether the district is a nonhigh district."

Correct the title.

Representatives Caldier, Walsh and Couture spoke in favor of the adoption of the amendment to the striking amendment.

Representative Stonier spoke against the adoption of the amendment to the striking amendment.

Amendment (890) to the striking amendment (887) was not adopted.

Representative Stonier spoke in favor of the adoption of the striking amendment.

Representatives Walsh, Caldier, Couture and Christian spoke against the adoption of the striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Bronoske presiding) divided the House. The result was 56 - YEAS; 38 - NAYS.

The striking amendment (887) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Stonier spoke in favor of the passage of the bill.

Representatives Caldier, Walsh and Couture spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1248.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1248, and the bill passed the House by the following vote: Yeas, 57; Nays, 39; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Lekanoff

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2318, by Representatives Orcutt, Wylie, Cheney and Abbarno**

**Concerning state route number 501.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt and Fey spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2318.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2318, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Macri,

Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Lekanoff

HOUSE BILL NO. 2318, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2088, by Representatives Orwall, Reed, Ormsby, Ramel, Macri, Cheney, Lekanoff, Riccelli, Wylie and Reeves**

**Extending liability protections for responders dispatched from mobile rapid response crisis teams and community-based crisis teams.**

The bill was read the second time.

Representative Orwall moved the adoption of amendment (854):

On page 2, line 13, after "crisis," insert "and which is done or omitted in good faith within the scope of the individual's employment responsibilities."

Representatives Orwall and Walsh spoke in favor of the adoption of the amendment.

Amendment (854) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2088.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2088, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Lekanoff

ENGROSSED HOUSE BILL NO. 2088, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

#### SECOND READING

**HOUSE BILL NO. 2091, by Representatives Bronoske, Griffey, Leavitt, Fitzgibbon, Chapman, Reed, Ormsby, Ramel, Callan, Rule, Timmons, Bergquist, Goodman, Rude, Fosse, Nance, Ryu, Schmidt, Stearns, Waters, Paul, Reeves and Kloba**

**Establishing a fallen firefighter memorial.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2091 was substituted for House Bill No. 2091 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2091 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bronoske and Cheney spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2091.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2091, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Lekanoff

SUBSTITUTE HOUSE BILL NO. 2091, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2056, by Representatives Goodman, Cheney and Reeves**

**Concerning information sharing and limited investigative authority of supreme court bailiffs.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2056 was substituted for House Bill No. 2056 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2056 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Goodman spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2056.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2056, and the bill passed the House by the following vote: Yeas, 69; Nays, 27; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hutchins, Kloba, Leavitt, Low, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Christian, Connors, Corry, Dent, Dye, Graham, Harris, Jacobsen, Klicker, Kretz, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Lekanoff

SUBSTITUTE HOUSE BILL NO. 2056, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2396, by Representatives Mosbrucker, Davis, Couture, Rule, Barkis, Jacobsen and Pollet**

**Concerning fentanyl and other synthetic opioids.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2396 was substituted for House Bill No. 2396 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2396 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Mosbrucker and Riccelli spoke in favor of the passage of the bill.

**MOTION**

On motion of Representative Ramel, Representative Fitzgibbon was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2396.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2396, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons,



Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Fitzgibbon and Lekanoff

SUBSTITUTE HOUSE BILL NO. 2396, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

### SECOND READING

**HOUSE BILL NO. 1999, by Representatives Orwall, Leavitt, Ryu, Duerr, Ramos, Morgan, Taylor, Ormsby, Graham, Callan, Rule, Street, Lekanoff, Reeves, Shavers and Davis**

**Concerning fabricated intimate or sexually explicit images and depictions.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1999 was substituted for House Bill No. 1999 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1999 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall and Mosbrucker spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1999.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1999, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Fitzgibbon and Lekanoff

SUBSTITUTE HOUSE BILL NO. 1999, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

### THIRD READING

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1371, by House Committee on Finance (originally sponsored by Barkis, Leavitt, Orcutt, Fey, Barnard, Chapman, Low, Connors, Goehner, Chambers, Chandler, Couture, Griffey, Hutchins, Robertson, Volz, Walsh, Christian, Doglio, Schmick and Gregerson)**

**Providing incentives to improve freight railroad infrastructure.**

The bill was read the third time.

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 1371 was returned to second reading for the purpose of amendment.

Representative Barkis moved the adoption of the striking amendment (783):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that railroads play a crucial role in economic development, serving nearly every industrial, wholesale, retail, and resource-based sector in Washington's economy. The legislature further finds that freight railroad infrastructure is an essential link in the supply chain and provides an efficient way to connect Washington's economy to national and international markets. The legislature further finds that maintenance and improvements to the railroad system are needed to support modern 286,000 pound railcars, foster economic development, increase infrastructure resiliency, avoid supply chain disturbances, and meet carbon reduction goals for transportation greenhouse gases. The legislature intends to provide incentives to the rail industry that can lead to a more effective short line rail system.

**NEW SECTION. Sec. 2.** A new section is added to chapter 82.04 RCW to read as follows:

(1) A credit is allowed against taxes due under this chapter for expenditures made by an eligible taxpayer pursuant to subsection (2) of this section. The credit is subject to a maximum annual credit amount set forth in subsection (3) of this section.

(2) Qualified expenditures incurred by an eligible taxpayer may be used to generate a credit for the following amounts:

(a) For qualified short line railroad maintenance expenditures, a credit is allowed against the taxes due under this chapter in an amount equal to 50 percent of the qualified short line railroad maintenance expenditures. The amount of the credit earned in a calendar year may not exceed an amount equal to \$3,500 multiplied by the number of miles of railroad track owned or leased in the state by the eligible taxpayer as of the close of the calendar year.

(b) For qualified new rail development expenditures, a credit is allowed against the taxes due under this chapter in an amount equal to 50 percent of the new rail development expenditures of an eligible taxpayer.

(c) For qualified railroad modernization and rehabilitation expenditures, a credit is allowed against the taxes due under this chapter in an amount equal to 50 percent of the qualified railroad modernization and rehabilitation expenditures by an eligible taxpayer.

(3) The total credit amount approved under subsection (2) of this section and section 6(2) of this act may not exceed \$1,000,000 for each eligible taxpayer in a calendar year. Credits are available on a first-in-time basis. The department must disallow any credits, or portions thereof, that would cause the total amount of credits approved under subsection (2) of this section and section 6(2) of this act to exceed \$15,000,000 during any calendar year.

(4) The credit claimed may not exceed the tax that would otherwise be due under this chapter. Refunds may not be granted in the place of credits. Any amount of credit earned under this section not claimed by the taxpayer in one calendar year may be carried forward for no more than five calendar years immediately following the year that the credit was earned.

(5)(a) An eligible taxpayer may transfer all or a portion of the credit approved under this section to any taxpayer subject to the tax imposed under this chapter at any time during the calendar year in which the credit is approved by the department and for five calendar years following the year that the credit is approved.

(b) To transfer all or any portion of an approved credit, the taxpayer originally allowed the credit, and the subsequent transferee, must jointly file a credit transfer application with the department. The application must include:

(i) The names, addresses, and taxpayer identification numbers of the parties to the transfer;

(ii) The amount of the credit being transferred;

(iii) The year the credit was originally approved by the department for use by the transferring taxpayer;

(iv) The tax year or years for which the credit may be claimed; and

(v) Any other information or documents the department may require.

(c) No credit or portion thereof may be transferred more than once.

(6) The department must administer the credit. To claim or transfer a credit under this section, the taxpayer applying must complete an application for credit based on qualified expenditures incurred by the eligible taxpayer the previous calendar year. The department must rule on applications within 60 days of receipt. The department may extend the time of processing an application upon notice to the taxpayer and by providing the taxpayer an explanation on why the application processing cannot be completed on time.

(7) For purposes of this section, the following definitions apply:

(a) "Class I railroad" means a railroad that is classified by the United States surface transportation board as a class I railroad, as defined in 49 C.F.R. Sec. 1201.1-1(a), as in effect on January 1, 2024.

(b) "Eligible taxpayer" means:

(i) Any railroad subject to the tax under this chapter that is classified by the United States surface transportation board as a class II or class III railroad, as defined in 49 C.F.R. Sec. 1201.1-1(a), as in effect on January 1, 2024;

(ii) Any railroad owned by a port, city, or county in the state of Washington; or

(iii) Any owner or lessee of rail siding, industrial spur, or industry track, if the rail siding, industrial spur, or industry track is located on or adjacent to a class II or class III railroad in the state of Washington.

(c) "Industrial spur" means a secondary track used by railroads and customers at a location to load and unload railcars without interfering with other railroad operations.

(d) "Qualified new rail development expenditures" means expenditures for new rail development by an eligible taxpayer, which includes the construction of new track, industrial leads, switches, industrial spurs, sidings, rail loading docks, and transloading structures involved with providing rail services to new customer locations or existing customer expansions in the state by an eligible taxpayer.

(e) "Qualified railroad modernization and rehabilitation expenditures" means expenditures by an eligible taxpayer to upgrade less than 90 pound rail and switches, 286,000 pound capacity rail upgrades to the mainline track, rail and tie replacement projects, track capacity enhancements, bridge rehabilitation or bridge replacement projects, natural disaster projects, or other track-related projects determined to enhance or modernize the existing track infrastructure in the state by an eligible taxpayer.

(f) "Qualified short line railroad maintenance expenditures" means expenditures for railroad infrastructure maintenance including, but not limited to, rail, ties, tie plates, joint bars, fasteners, switches, ballast, subgrade, roadbed, bridges, industrial leads, sidings, signs, safety barriers, crossing signals and gates, and related track structures owned or leased by a class II or class III railroad.

(g) "Siding" means a short section of track, distinct from a mainline, branch line, or spur, connected by switches to a main track and used for storage, passing, or other purposes.

(8) Qualified expenditures, as defined in subsection (7)(d), (e), and (f) of this section, do not include expenditures used to generate a federal tax credit or expenditures funded by a state or federal grant.

(9) This section does not apply to class I railroads or short line railroads owned by a class I railroad or any of its subsidiaries.

(10) No person may claim a credit against taxes due under both this chapter and chapter 82.16 RCW for the same qualified expenditures.

(11) To claim a credit under this chapter, a taxpayer must electronically file with the department all returns, forms, and other information the department requires in an electronic format as provided and approved by the department. Any return, form, or information required to be filed in an electronic format under this section is not filed until received by the department in an electronic format. For purposes of this subsection, "returns" has the same meaning as "return" in RCW 82.32.050.

(12) The ability to earn credits for qualifying expenditures under this section expires January 1, 2036. No credit may be claimed on tax returns filed for reporting periods beginning on or after January 1, 2042.

NEW SECTION. **Sec. 3.** A new section is added to chapter 82.04 RCW to read as follows:

(1) Any company that recycles railroad material is eligible for a credit as provided in this section if, on or after the effective date of this section, the company transfers to an eligible taxpayer rail, ties, tie plates, joint bars, fasteners, switches, ballast, or other equipment or materials that are part of the rail infrastructure to be installed on tracks used by class II and class III railroads.

(2) The credit is equal to the fair market value of the donated materials used for track maintenance, expansion, or modernization. Materials must be given to a qualifying recipient without consideration to receive a credit. The department must provide in rule a standard for determining the fair market value of donated materials under this section.

(3)(a) A company that recycles railroad material may transfer all or a portion of the credit earned under this section to any taxpayer subject to the tax imposed under this chapter at any time during the year in which the credit is earned and five years following the year that the credit is earned.

(b) To transfer all or any portion of a credit earned, the taxpayer originally allowed the credit and the subsequent transferee must jointly file a credit transfer application with the department. The application must include:

(i) The names, addresses, and taxpayer identification numbers of the parties to the transfer;

(ii) The amount of the credit being transferred;

(iii) The year the credit was originally earned by the transferring taxpayer;

(iv) The tax year or years for which the credit may be claimed; and

(v) Any other information or documents the department may require.

(c) No credit or portion thereof may be transferred more than once.

(d) No credit transfer applications under (b) of this subsection (3) may be submitted for qualifying materials donated after December 31, 2036.

(4) The department must administer the credit.

(5) The credit claimed may not exceed the tax that would otherwise be due under this chapter. Refunds may not be granted in the place of credits. Any amount of credit earned under this section not claimed by the person in one calendar year may be carried forward for no more than five calendar years immediately following the year that the credit was earned.

(6) For purposes of this section, the following definitions apply:

(a) "Class I railroad" means a railroad that is classified by the United States

surface transportation board as a class I railroad, as defined in 49 C.F.R. Sec. 1201.1-1(a), as in effect on January 1, 2024.

(b) "Eligible taxpayer" means:

(i) Any railroad subject to the tax under this chapter that is classified by the United States surface transportation board as a class II or class III railroad, as defined in 49 C.F.R. Sec. 1201.1-1(a), as in effect on January 1, 2024;

(ii) Any railroad owned by a port, city, or county in the state of Washington; or

(iii) Any owner or lessee of rail siding, industrial spur, or industry track, if the rail siding, industrial spur, or industry track is located on or adjacent to a class II or class III railroad in the state of Washington.

(c) "Industrial spur" means a secondary track used by railroads and customers at a location to load and unload railcars without interfering with other railroad operations.

(d) "Siding" means a short section of track, distinct from a mainline, branch line, or spur, connected by switches to a main track and used for storage, passing, or other purposes.

(7) Credit under this section may not be earned for donations to short line railroads owned by a class I railroad or any of its subsidiaries.

(8) No person may claim a credit against taxes due under both this chapter and chapter 82.16 RCW for the same donated materials.

(9) To claim a credit under this chapter, a person must electronically file with the department all returns, forms, and other information the department requires in an electronic format as provided and approved by the department. Any return, form, or information required to be filed in an electronic format under this section is not filed until received by the department in an electronic format. For purposes of this subsection, "returns" has the same meaning as "return" in RCW 82.32.050.

(10) The ability to earn credits for qualifying expenditures under this section expires January 1, 2036. No credit may be claimed on tax returns filed for reporting periods beginning on or after January 1, 2042.

NEW SECTION. **Sec. 4.** A new section is added to chapter 82.08 RCW to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales of materials required for track maintenance to:

(a) Owners and operators of class II or class III railroads;

(b) Any railroad or freight rail facility owned by a port, city, or county in the state of Washington; or

(c) Any owner or lessee of a rail siding, industrial spur, or industry track, if the rail siding, industrial spur, or industry track is located on or adjacent to a class II or class III railroad in the state of Washington.

(2) Sellers making tax-exempt sales under this section must obtain an exemption certificate from the buyer in a form and

manner prescribed by the department. The seller must retain a copy of the exemption certificate for the seller's files. Instead of an exemption certificate, a seller may capture the relevant data elements as allowed under the streamlined sales and use tax agreement.

(3) For the purposes of this section, the following definitions apply:

(a) "Class I railroad" means a railroad that is classified by the United States surface transportation board as a class I railroad, as defined in 49 C.F.R. Sec. 1201.1-1(a), as in effect on January 1, 2024.

(b) "Class II or class III railroad" means railroads that are classified by the United States surface transportation board as a class II or class III railroad, as defined in 49 C.F.R. Sec. 1201.1-1(a), as in effect on January 1, 2024.

(c) "Freight rail facilities" means the infrastructure used to transport freight by rail, specifically to rail yards, terminals, sidings, and marshalling yards that play an important role in the transportation and distribution and shipping of goods over long distances.

(d) "Industrial spur" means a secondary track used by railroads and customers at a location to load and unload railcars without interfering with other railroad operations.

(e) "Materials required for track maintenance" means the following items when used for purposes of track maintenance: Rail, ties, tie plates, joint bars, fasteners, switches, ballast, subgrade, roadbed, bridges, industrial leads, sidings, signs, safety barriers, crossing signals and gates, and track.

(f) "Siding" means a short section of track, distinct from a mainline, branch line, or spur, connected by switches to a main track and used for storage, passing, or other purposes.

(4) This section does not apply to class I railroads or short line railroads owned by a class I railroad or any of its subsidiaries.

(5) This section expires January 1, 2036.

**NEW SECTION. Sec. 5.** A new section is added to chapter 82.12 RCW to read as follows:

(1) The provisions of this chapter do not apply to the use of materials required for track maintenance by:

(a) Owners and operators of class II or class III railroads;

(b) Any railroad or freight rail facility owned by a port, city, or county in the state of Washington; or

(c) Any owner or lessee of a rail siding, industrial spur, or industry track, if the rail siding, industrial spur, or industry track is located on or adjacent to a class II or class III railroad in the state of Washington.

(2) For purposes of this section, the following definitions apply:

(a) "Class I railroad" means a railroad that is classified by the United States surface transportation board as a class I railroad, as defined in 49 C.F.R. Sec.

1201.1-1(a), as in effect on January 1, 2024.

(b) "Class II or class III railroad" means railroads that are classified by the United States surface transportation board as a class II or class III railroad, as defined in 49 C.F.R. Sec. 1201.1-1(a), as in effect on January 1, 2024.

(c) "Freight rail facilities" means the infrastructure used to transport freight by rail, specifically to rail yards, terminals, sidings, and marshalling yards that play an important role in the transportation and distribution and shipping of goods over long distances.

(d) "Industrial spur" means a secondary track used by railroads and customers at a location to load and unload railcars without interfering with other railroad operations.

(e) "Materials required for track maintenance" has the same meaning as in section 4 of this act.

(f) "Siding" means a short section of track, distinct from a mainline, branch line, or spur, connected by switches to a main track and used for storage, passing, or other purposes.

(3) This section does not apply to class I railroads or short line railroads owned by a class I railroad or any of its subsidiaries.

(4) This section expires January 1, 2036.

**NEW SECTION. Sec. 6.** A new section is added to chapter 82.16 RCW to read as follows:

(1) A credit is allowed against taxes due under this chapter for expenditures made by an eligible taxpayer pursuant to subsection (2) of this section. The credit is subject to a maximum annual credit amount set forth in subsection (3) of this section.

(2) Qualified expenditures incurred by an eligible taxpayer may be used to generate a credit for the following amounts:

(a) For qualified short line railroad maintenance expenditures, a credit is allowed against the taxes due under this chapter in an amount equal to 50 percent of the qualified short line railroad maintenance expenditures. The amount of the credit earned in a calendar year may not exceed an amount equal to \$3,500 multiplied by the number of miles of railroad track owned or leased in the state by the eligible taxpayer as of the close of the calendar year.

(b) For qualified new rail development expenditures, a credit is allowed against the taxes due under this chapter in an amount equal to 50 percent of the new rail development expenditures of an eligible taxpayer.

(c) For qualified railroad modernization and rehabilitation expenditures, a credit is allowed against the taxes due under this chapter in an amount equal to 50 percent of the qualified railroad modernization and rehabilitation expenditures by an eligible taxpayer.

(3) The total credit amount approved under subsection (2) of this section and section 2(2) of this act may not exceed \$1,000,000 for each eligible taxpayer in a calendar year. Credits are available on a

first-in-time basis. The department must disallow any credits, or portions thereof, that would cause the total amount of credits approved under subsection (2) of this section and section 2(2) of this act to exceed \$15,000,000 during any calendar year.

(4) The credit claimed may not exceed the tax that would otherwise be due under this chapter. Refunds may not be granted in the place of credits. Any amount of credit earned under this section not claimed by the taxpayer in one calendar year may be carried forward for no more than five calendar years immediately following the year that the credit was earned.

(5) (a) An eligible taxpayer may transfer all or a portion of the credit approved under this section to any taxpayer subject to the tax imposed under this chapter at any time during the calendar year in which the credit is approved by the department and five calendar years following the year that the credit is approved.

(b) To transfer all or any portion of an approved credit, the taxpayer originally allowed the credit and the subsequent transferee must jointly file a credit transfer application with the department. The application must include:

(i) The names, addresses, and taxpayer identification numbers of the parties to the transfer;

(ii) The amount of the credit being transferred;

(iii) The year the credit was originally approved by the department for use by the transferring taxpayer;

(iv) The tax year or years for which the credit may be claimed; and

(v) Any other information or documents the department may require.

(c) No credit or portion thereof may be transferred more than once.

(6) The department must administer the credit. To claim or transfer a credit under this section, the taxpayer applying must complete an application for credit based on qualified expenditures incurred by the eligible taxpayer the previous calendar year. The department must rule on applications within 60 days of receipt. The department may extend the time of processing any application upon notice to the taxpayer and by providing the taxpayer an explanation on why the application processing cannot be completed on time.

(7) For the purposes of this section, the following definitions apply:

(a) "Class I railroad" means a railroad that is classified by the United States surface transportation board as a class I railroad, as defined in 49 C.F.R. Sec. 1201.1-1(a), as in effect on January 1, 2024.

(b) "Eligible taxpayer" means:

(i) Any railroad subject to the tax under this chapter that is classified by the United States surface transportation board as a class II or class III railroad, as defined in 49 C.F.R. Sec. 1201.1-1(a), as in effect on January 1, 2024;

(ii) Any railroad owned by a port, city, or county in the state of Washington; or

(iii) Any owner or lessee of rail siding, industrial spur, or industry track, if the rail siding, industrial spur, or industry

track is located on or adjacent to a class II or class III railroad in the state of Washington.

(c) "Industrial spur" means a secondary track used by railroads and customers at a location to load and unload railcars without interfering with other railroad operations.

(d) "Qualified new rail development expenditures" means expenditures for new rail development by an eligible taxpayer, which includes the construction of new track, industrial leads, switches, industrial spurs, sidings, rail loading docks, and transloading structures involved with providing rail services to new customer locations or existing customer expansions in the state by an eligible taxpayer.

(e) "Qualified railroad modernization and rehabilitation expenditures" means expenditures by an eligible taxpayer to upgrade less than 90 pound rail and switches, 286,000 pound capacity rail upgrades to the mainline track, rail and tie replacement projects, track capacity enhancements, bridge rehabilitation or bridge replacement projects, natural disaster projects, or other track-related projects determined to enhance or modernize the existing track infrastructure in the state by an eligible taxpayer.

(f) "Qualified short line railroad maintenance expenditures" means expenditures for railroad infrastructure maintenance including, but not limited to, rail, ties, tie plates, joint bars, fasteners, switches, ballast, subgrade, roadbed, bridges, industrial leads, sidings, signs, safety barriers, crossing signals and gates, and related track structures owned or leased by a class II or class III railroad.

(g) "Siding" means a short section of track, distinct from a mainline, branch line, or spur, connected by switches to a main track and used for storage, passing, or other purposes.

(8) Qualified expenditures, as defined in subsection (7)(d), (e), and (f) of this section, do not include expenditures used to generate a federal tax credit or expenditures funded by a state or federal grant.

(9) This section does not apply to class I railroads or short line railroads owned by a class I railroad or any of its subsidiaries.

(10) No person may claim a credit against taxes due under both this chapter and chapter 82.04 RCW for the same qualified expenditures.

(11) To claim a credit under this chapter, a taxpayer must electronically file with the department all returns, forms, and other information the department requires in an electronic format as provided and approved by the department. Any return, form, or information required to be filed in an electronic format under this section is not filed until received by the department in an electronic format. For purposes of this subsection, "returns" has the same meaning as "return" in RCW 82.32.050.

(12) The ability to earn credits for qualifying expenditures under this section expires January 1, 2036. No credit may be claimed on tax returns filed for reporting

periods beginning on or after January 1, 2042.

**NEW SECTION. Sec. 7.** A new section is added to chapter 82.16 RCW to read as follows:

(1) Any company that recycles railroad material is eligible for a credit as provided in this section if, on or after the effective date of this section, the company transfers to an eligible taxpayer rail, ties, tie plates, joint bars, fasteners, switches, ballast, or other equipment or materials that are part of the rail infrastructure to be installed on tracks used by class II and class III railroads.

(2) The credit is equal to the fair market value of the donated materials used for track maintenance, expansion, or modernization. Materials must be given to a qualifying recipient without consideration to receive a credit. The department must provide in rule a standard for determining the fair market value of donated materials under this section.

(3)(a) A company that recycles railroad material may transfer all or a portion of the credit earned under this section to any taxpayer subject to the tax imposed under this chapter at any time during the year in which the credit is earned and five years following the year that the credit is earned.

(b) To transfer all or any portion of a credit earned, the taxpayer originally allowed the credit and the subsequent transferee must jointly file a credit transfer application with the department. The application must include:

(i) The names, addresses, and taxpayer identification numbers of the parties to the transfer;

(ii) The amount of the credit being transferred;

(iii) The year the credit was originally earned by the transferring taxpayer;

(iv) The tax year or years for which the credit may be claimed; and

(v) Any other information or documents the department may require.

(c) No credit or portion thereof may be transferred more than once.

(d) No credit transfer applications under (b) of this subsection (3) may be submitted for qualifying materials donated after December 31, 2036.

(4) The department must administer the credit.

(5) The credit claimed may not exceed the tax that would otherwise be due under this chapter. Refunds may not be granted in the place of credits. Any amount of credit earned under this section not claimed by the person in one calendar year may be carried forward for no more than five calendar years immediately following the year that the credit was earned.

(6) For purposes of this section, the following definitions apply:

(a) "Class I railroad" means a railroad that is classified by the United States surface transportation board as a class I railroad, as defined in 49 C.F.R. Sec. 1201.1-1(a), as in effect on January 1, 2024.

(b) "Eligible taxpayer" means:

(i) Any railroad subject to the tax under this chapter that is classified by the United States surface transportation board as a class II or class III railroad, as defined in 49 C.F.R. Sec. 1201.1-1(a), as in effect on January 1, 2024;

(ii) Any railroad owned by a port, city, or county in the state of Washington; or

(iii) Any owner or lessee of rail siding, industrial spur, or industry track, if the rail siding, industrial spur, or industry track is located on or adjacent to a class II or class III railroad in the state of Washington.

(c) "Industrial spur" means a secondary track used by railroads and customers at a location to load and unload railcars without interfering with other railroad operations.

(d) "Siding" means a short section of track, distinct from a mainline, branch line, or spur, connected by switches to a main track and used for storage, passing, or other purposes.

(7) Credit under this section may not be earned for donations to short line railroads owned by a class I railroad or any of its subsidiaries.

(8) No person may claim a credit against taxes due under both this chapter and chapter 82.04 RCW for the same donated materials.

(9) To claim a credit under this chapter, a person must electronically file with the department all returns, forms, and other information the department requires in an electronic format as provided and approved by the department. Any return, form, or information required to be filed in an electronic format under this section is not filed until received by the department in an electronic format. For purposes of this subsection, "returns" has the same meaning as "return" in RCW 82.32.050.

(10) The ability to earn credits for qualifying expenditures under this section expires January 1, 2036. No credit may be claimed on tax returns filed for reporting periods beginning on or after January 1, 2042.

**NEW SECTION. Sec. 8.** (1) This section is the tax preference performance statement for the tax preferences contained in chapter . . . , Laws of 2024 (this act). This performance statement is only intended to be used for subsequent evaluation of the tax preferences. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes the tax preferences in this act as ones intended to accomplish a general purpose, as indicated in RCW 82.32.808(2)(f).

(3) It is the legislature's specific public policy objective to promote economic development and reduce impacts of freight transportation on roads and the environment.

(4) In conducting its review under this section, the joint legislative audit and review committee should consider, among other measures:

(a) The total miles capable of transporting 286,000 pound railcars;

(b) The number of miles of track rehabilitated to 90 pound rail or greater;

(c) The number of ties replaced;

(d) The amount of ballast replaced;

(e) The number of bridges returned from out of service or able to operate heavier loaded equipment;

(f) The number of switches installed;

(g) Any related safety benefits of addressing at-grade crossings;

(h) The number of rail cars from increased economic activity;

(i) Any improvement in federal railroad administration track classification designation up to and including class II track and the ability to operate at greater speeds;

(j) The amount of steel or ties made obsolete pursuant to section 2 of this act that are reused by a class II or class III railroad, as defined in section 5 of this act, within Washington;

(k) The number of prevailing wage jobs associated with new rail development, modernization, and rehabilitation projects by taxpayers using the tax preferences under this act; and

(l) The number of additional rail cars utilizing class I railroads as a result of new development, modernization, and rehabilitation projects by taxpayers using the tax preferences under this act.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may refer to any data collected by the state.

NEW SECTION. **Sec. 9.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void.

NEW SECTION. **Sec. 10.** Sections 4, 5, and 8 of this act take effect August 1, 2024.

NEW SECTION. **Sec. 11.** Sections 3 and 7 of this act take effect July 1, 2025.

NEW SECTION. **Sec. 12.** Sections 2 and 6 of this act take effect January 1, 2025."

Correct the title.

Representative Barkis moved the adoption of amendment (882) to the striking amendment (783):

On page 6, beginning on line 39 of the striking amendment, after "credits" strike "for qualifying expenditures under this section expires January 1, 2036" and insert "under this section expires January 1, 2037"

On page 14, beginning on line 28 of the striking amendment, after "credits" strike "for qualifying expenditures under this section expires January 1, 2036" and insert "under this section expires January 1, 2037"

Representatives Barkis and Leavitt spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (882) to the striking amendment (783) was adopted.

Representatives Barkis and Leavitt spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (783), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Barkis, Leavitt and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Engrossed Substitute House Bill No. 1371.

### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 1371, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Fitzgibbon and Lekanoff

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1371, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

### MOTIONS

There being no objection, the Committee on State Government & Tribal Relations was relieved of SUBSTITUTE SENATE BILL NO. 6186, and the bill was referred to the Committee on Community Safety, Justice, & Reentry.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1901  
HOUSE BILL NO. 2214  
HOUSE BILL NO. 2136  
HOUSE BILL NO. 1994  
HOUSE BILL NO. 2217  
HOUSE BILL NO. 2348  
HOUSE BILL NO. 2019  
HOUSE BILL NO. 2357  
HOUSE BILL NO. 1877  
HOUSE BILL NO. 1956  
HOUSE BILL NO. 1992  
HOUSE BILL NO. 2065  
HOUSE BILL NO. 2201  
HOUSE BILL NO. 2247

HOUSE BILL NO. 2270  
HOUSE BILL NO. 1893  
HOUSE BILL NO. 2020  
HOUSE BILL NO. 1453  
HOUSE BILL NO. 1929  
HOUSE BILL NO. 1997  
HOUSE BILL NO. 2384  
HOUSE BILL NO. 1228  
HOUSE BILL NO. 1945  
HOUSE BILL NO. 2025  
HOUSE BILL NO. 2311  
HOUSE BILL NO. 2320  
HOUSE BILL NO. 2401  
HOUSE BILL NO. 1916  
HOUSE BILL NO. 2239  
HOUSE BILL NO. 2355  
HOUSE BILL NO. 2355  
HOUSE BILL NO. 2482  
HOUSE BILL NO. 2044  
HOUSE BILL NO. 1835  
HOUSE BILL NO. 1952  
HOUSE BILL NO. 1974  
HOUSE BILL NO. 1987  
HOUSE BILL NO. 1989  
HOUSE BILL NO. 2014  
HOUSE BILL NO. 2069  
HOUSE BILL NO. 2255  
HOUSE BILL NO. 2416  
HOUSE BILL NO. 2424  
HOUSE BILL NO. 2433

There being no objection, the Committee on Rules was relieved of the following bill and the bill was placed on the 3rd Reading calendar:

SUBSTITUTE HOUSE BILL NO. 1268

There being no objection, the House adjourned until 9:30 a.m., Friday, February 9, 2024, the 33rd Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk



## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## THIRTY THIRD DAY

House Chamber, Olympia, Friday, February 9, 2024

The House was called to order at 9:30 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Nicholas Williams and Sienna Mayo. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Goehner, 12th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker assumed the chair.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SENATE**

Thursday, February 8, 2024

Mme. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5660  
 SUBSTITUTE SENATE BILL NO. 5774  
 SECOND SUBSTITUTE SENATE BILL NO. 5784  
 SUBSTITUTE SENATE BILL NO. 5802  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 5838  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 5908  
 SUBSTITUTE SENATE BILL NO. 5953  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5973  
 SUBSTITUTE SENATE BILL NO. 6108  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6264

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

SB 5184 by Senators Rivers, Cleveland, Braun, Dhingra, Mullet, Muzzall and Rolfes

AN ACT Relating to licensure of anesthesiologist assistants; amending RCW 18.130.040, 18.130.040, and 18.120.020; adding a new chapter to Title 18 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

ESB 5340 by Senator King

AN ACT Relating to limits on the sale and possession of retail cannabis products; and amending RCW 69.50.360 and 69.50.4013.

Referred to Committee on Regulated Substances & Gaming.

SSB 5427 by Senate Committee on Ways & Means (originally sponsored by Valdez, Billig, Cleveland, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovelett, Lovick, Saldaña, Salomon, Stanford and Wilson, C.)

AN ACT Relating to supporting people who have been targeted or affected by hate crimes and bias incidents by establishing a reporting hotline and tracking hate crimes and bias incidents; amending RCW 42.56.240; adding a new section to chapter 43.10 RCW; creating new sections; and providing an effective date.

Referred to Committee on Civil Rights & Judiciary.

SSB 5649 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Braun)

AN ACT Relating to improvements to residential structures to reduce risk of flood damage; amending RCW 86.16.041; and creating a new section.

Referred to Committee on Local Government.

ESSB 5778 by Senate Committee on Labor & Commerce (originally sponsored by Keiser, Lovick, Conway, Trudeau, Stanford, Randall, Shewmake, Dhingra, Van De Wege, Nguyen, Valdez, Kauffman, Hasegawa, Lovelett, Lias, Frame, Hunt, Cleveland, Kuderer, Nobles, Salomon and Wilson, C.)

AN ACT Relating to protecting the rights of workers exercising their right to refrain from attending meetings or listening to their employer's speech on political or religious matters; adding new sections to chapter 49.44 RCW; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

ESSB 5793 by Senate Committee on Labor & Commerce (originally sponsored by Saldaña, Keiser, Kuderer, Lovelett, Nobles, Stanford, Valdez and Wilson, C.)

AN ACT Relating to paid sick leave; amending RCW 49.46.210; creating a new section; and providing an effective date.

Referred to Committee on Labor & Workplace Standards.

SSB 5798 by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Kuderer, Shewmake, Hasegawa and Wellman)

AN ACT Relating to extending the required notice of cancellation or nonrenewal of certain types of insurance policies to 60 days; amending RCW 48.18.290, 48.18.2901, 48.18.291, and 48.18.292; creating a new section; and providing an effective date.

Referred to Committee on Consumer Protection & Business.

SB 5811 by Senators Kauffman, Wilson, C., Cleveland, Dhingra, Frame, Hasegawa, Keiser, Lias, Lovelett, Nguyen, Nobles, Shewmake, Trudeau and Wellman

AN ACT Relating to expanding the definition of family member for individual providers; amending RCW 18.88B.041, 74.39A.076, and 74.39A.341; and providing an effective date.

Referred to Committee on Health Care & Wellness.

2SSB 5825 by Senate Committee on Ways & Means (originally sponsored by Pedersen and Padden)

AN ACT Relating to guardianship and conservatorship; amending RCW 11.130.090, 11.130.100, 11.130.270, 11.130.280, 11.130.315, 11.130.320, 11.130.345, 11.130.365, 11.130.380, 11.130.425, 11.130.430, 11.130.435, and 11.130.530; adding a new section to chapter 11.130 RCW; and adding a new section to chapter 2.72 RCW.

Referred to Committee on Civil Rights & Judiciary.

SB 5862 by Senators Fortunato, McCune, Padden, Warnick and Wilson, L.

AN ACT Relating to hunting and fishing licenses for nonresident college students; and amending RCW 77.32.480.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

SB 5881 by Senators MacEwen, Conway and Robinson

AN ACT Relating to membership in the public employees' retirement system for certain part-time bus drivers employed full-time by the federal government; and amending RCW 41.40.023.

Referred to Committee on Appropriations.

SSB 5920 by Senate Committee on Health & Long Term Care (originally sponsored by Padden, Fortunato, Keiser, Warnick and Wilson, L.)

AN ACT Relating to lifting certificate of need requirements for the construction of psychiatric hospitals and the addition of psychiatric beds; amending RCW 70.38.111, 70.38.260, and 70.38.270; and providing expiration dates.

Referred to Committee on Health Care & Wellness.

SSB 5925 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Torres, Lovelett, Short and Van De Wege)

AN ACT Relating to fire protection district commissioner per diem compensation; and reenacting and amending RCW 52.14.010.

Referred to Committee on Local Government.

SSB 5940 by Senate Committee on Health & Long Term Care (originally sponsored by Van De Wege, Hasegawa, Keiser, Lovick, Muzzall and Wagoner)

AN ACT Relating to creating a medical assistant-EMT certification; amending RCW 18.360.010, 18.360.020, 18.360.030, 18.360.040, and 18.360.050; and reenacting and amending RCW 18.120.020 and 18.130.040.

Referred to Committee on Health Care & Wellness.

2SSB 6006 by Senate Committee on Ways & Means (originally sponsored by Dhingra, Wagoner, Braun, Conway, Frame, Hasegawa, Keiser, Kuderer, Liias, McCune, Nguyen, Nobles, Salomon, Stanford, Torres, Valdez and Wilson, C.)

AN ACT Relating to supporting victims of human trafficking and sexual abuse; amending RCW 26.44.020, 26.44.030, 74.13.031, 7.105.100, 7.105.110, 7.105.225, 7.105.405, 7.105.500, 7.68.060, 9A.44.120, 9A.44.150, 9A.82.100, 10.97.130, and 42.56.240; reenacting and amending RCW 13.34.030, 7.105.010, and 9A.04.080; adding a new section to chapter 26.44 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Community Safety, Justice, & Reentry.

ESSB 6007 by Senate Committee on Labor & Commerce (originally sponsored by Conway, Keiser, Hasegawa, Dhingra, Randall, Saldaña, Liias, Hunt, Nguyen, Kuderer, Van De Wege, Frame, Nobles, Pedersen, Salomon, Shewmake, Stanford, Trudeau, Valdez and Wilson, C.)

AN ACT Relating to employment standards for grocery workers; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Labor & Workplace Standards.

SB 6027 by Senators Stanford, Kuderer and Nobles

AN ACT Relating to the insurer holding company act; and amending RCW 48.31B.005, 48.31B.025, and 48.31B.038.

Referred to Committee on Consumer Protection & Business.

SSB 6056 by Senate Committee on Labor & Commerce (originally sponsored by Torres, Wilson, C. and Wilson, L.)

AN ACT Relating to human trafficking awareness training requirements; amending RCW 70.62.260; adding a new section to chapter 70.62 RCW; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

SSB 6059 by Senate Committee on Housing (originally sponsored by Frame, McCune, Keiser, Kuderer, Randall, Saldaña, Valdez, Van De Wege, Wellman and Wilson, C.)

AN ACT Relating to the sale or lease of manufactured/mobile home communities and the property on which they sit; and amending RCW 59.20.030, 59.20.325, 59.20.330, 59.20.335, 59.20.080, 59.21.030, and 59.21.040.

Referred to Committee on Housing.

ESSB 6061 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Lovelett and Salomon)

AN ACT Relating to exemptions for housing development under the state environmental policy act; amending RCW 43.21C.229; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Local Government.

SSB 6100 by Senate Committee on Ways & Means (originally sponsored by Robinson and Nguyen)

AN ACT Relating to making expenditures from the budget stabilization account for declared catastrophic events; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Appropriations.

ESSB 6101 by Senate Committee on Health & Long Term Care (originally sponsored by Cleveland, Rivers, Hasegawa,

Kuderer, Randall, Robinson, Salomon, Van De Wege and Wellman)

AN ACT Relating to establishing a regulatory structure for licensed acute care hospitals to provide hospital at-home services; amending RCW 70.127.040 and 70.38.111; adding a new section to chapter 70.41 RCW; adding a new section to chapter 70.126 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

ESSB 6105 by Senate Committee on Labor & Commerce (originally sponsored by Saldaña, Trudeau, Nguyen, Hunt, Lovelett, Pedersen and Wilson, C.)

AN ACT Relating to creating safer working conditions in adult entertainment establishments; amending RCW 49.17.470; adding a new section to chapter 49.46 RCW; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Labor & Workplace Standards.

ESB 6120 by Senators Van De Wege, Braun and Short

AN ACT Relating to the Wildland Urban Interface Code; amending RCW 19.27.031, 19.27.074, and 19.27.560; and declaring an emergency.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

ESSB 6127 by Senate Committee on Health & Long Term Care (originally sponsored by Lias, Rivers, Muzzall, Randall, Frame, Hasegawa, Kuderer, Lovick, Nobles and Pedersen)

AN ACT Relating to increasing access to human immunodeficiency virus postexposure prophylaxis drugs or therapies; amending RCW 70.41.480; reenacting and amending RCW 41.05.017; adding a new section to chapter 70.41 RCW; adding a new section to chapter 48.43 RCW; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health Care & Wellness.

SSB 6140 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Short, Lovelett, Braun and Kuderer)

AN ACT Relating to limited areas of more intensive rural development; and amending RCW 36.70A.070.

Referred to Committee on Local Government.

ESB 6151 by Senators Randall, Wilson, C., Nobles, Trudeau, Kuderer, Dhingra, Frame, Hasegawa, Keiser, Lias, Saldaña, Stanford and Valdez

AN ACT Relating to the provision of an ultrasound; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health Care & Wellness.

SSB 6157 by Senate Committee on State Government & Elections (originally sponsored by Lovick, Hasegawa, Hunt, Kuderer, Saldaña, Salomon, Torres, Trudeau, Valdez and Wilson, C.)

AN ACT Relating to reforming civil service to permit deferred action for childhood arrivals recipients to apply for civil service and incorporate civil service advantage for bilingual and multilingual applicants, applicants with higher education, and applicants with prior work experience in social services; amending RCW 9.41.060, 9.41.171, 41.08.070, 41.12.070, 41.14.100, 77.15.075, and 43.101.095; adding a new section to chapter 41.04 RCW; and adding a new section to chapter 10.93 RCW.

Referred to Committee on State Government & Tribal Relations.

SB 6202 by Senators Kauffman and Lovelett

AN ACT Relating to technical changes to allowable exemptions from charges for tourism promotion area assessments; amending RCW 35.101.055; and creating a new section.

Referred to Committee on Local Government.

SB 6234 by Senators Wilson, L., Hasegawa and Lovick

AN ACT Relating to screening newborn infants for branched-chain ketoacid dehydrogenase kinase deficiency; creating new sections; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

ESB 6246 by Senators Dhingra, Kuderer, Nobles, Saldaña, Valdez, Wellman and Wilson, C.

AN ACT Relating to the transmission of information relating to firearm prohibitions for persons committed for mental health treatment; amending RCW 9.41.049 and 70.02.260; and reenacting and amending RCW 9.41.047, 10.77.086, and 10.77.088.

Referred to Committee on Civil Rights & Judiciary.

SSB 6256 by Senate Committee on Labor & Commerce (originally sponsored by Stanford, Conway, Hasegawa, Kuderer, Nobles, Saldaña and Valdez)

AN ACT Relating to solar consumer protections; and adding a new chapter to Title 19 RCW.

Referred to Committee on Consumer Protection & Business.

ESSB 6286 by Senate Committee on Ways & Means (originally sponsored by Rivers, Cleveland, Dhingra, Dozier, Nobles, Padden, Robinson, Wellman and Wilson, L.)

AN ACT Relating to addressing the anesthesia workforce shortage by reducing barriers and expanding educational opportunities to increase the supply of certified registered nurse anesthetists in Washington; creating new sections; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

ESSB 6291 by Senate Committee on State Government & Elections (originally sponsored by Wilson, L., Lovick, Dozier and Short)

AN ACT Relating to streamlining the state building code council operating procedures by establishing criteria for statewide amendments to the state building code; amending RCW 19.27.031, 19.27.070, 19.27.074, 19.27A.025, 19.27A.045, and 19.27.015; and adding new sections to chapter 19.27 RCW.

Referred to Committee on Local Government.

SB 6298 by Senators Frame, Kauffman, Hunt, Kuderer, Lias, Lovick, Nobles, Shewmake, Valdez and Wellman

AN ACT Relating to the duty of the clergy to report child abuse or neglect; and amending RCW 26.44.020 and 26.44.030.

Referred to Committee on Human Services, Youth, & Early Learning.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

### SECOND READING

**HOUSE BILL NO. 2022, by Representatives Reed, Berry, Ryu, Ormsby, Reeves and Santos**

#### Concerning construction crane safety.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2022 was substituted for House Bill No. 2022 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2022 was read the second time.

Representative Schmidt moved the adoption of amendment (864):

On page 3, beginning on line 28, after "(1)" strike all material through "49.17.140." on page 8, line 25, and insert "The department shall establish, by rule, a crane operation permit program for tower cranes used in construction. In establishing rules, the department must consult nationally recognized crane standards along with construction safety experts partnering with the appropriate business and labor representatives.

(2) The department must adopt rules no later than January 1, 2026."

Representative Schmidt spoke in favor of the adoption of the amendment.

Representative Berry spoke against the adoption of the amendment.

Amendment (864) was not adopted.

### MOTION

On motion of Representative Griffey, Representative Chandler was excused.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reed and Wilcox spoke in favor of the passage of the bill.

Representative Schmidt spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 2022.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2022, and the bill passed the House by the following vote: Yeas, 77; Nays, 20; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Corry, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney,

Hutchins, Jacobsen, Kloba, Leavitt, Lekanoff, Low, Macri, Maycumber, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barnard, Christian, Connors, Couture, Dye, Graham, Griffey, Harris, Klicker, Kretz, McClintock, McEntire, Orcutt, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh and Waters

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2022, having received the necessary constitutional majority, was declared passed.

The Speaker called upon Representative Bronoske to preside.

### SECOND READING

**HOUSE BILL NO. 1889, by Representatives Walen, Taylor, Leavitt, Slatter, Ramel, Duerr, Ryu, Ramos, Bateman, Reeves, Reed, Ormsby, Callan, Peterson, Kloba, Macri, Street, Doglio, Bergquist, Mena, Goodman, Thai, Santos, Hackney, Pollet, Fosse, Davis and Senn**

**Allowing persons to receive professional licenses and certifications regardless of immigration or citizenship status.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1889 was substituted for House Bill No. 1889 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1889 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Walen spoke in favor of the passage of the bill.

Representative Robertson spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1889.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1889, and the bill passed the House by the following vote: Yeas, 66; Nays, 31; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Calder, Chambers, Christian, Connors, Corry, Couture, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Schmick, Schmidt, Steele, Stokesbary, Volz and Walsh

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1889, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2131, by Representatives Ramel, Slatter, Simmons, Reed, Riccelli, Doglio and Hackney**

**Promoting the establishment of thermal energy networks.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2131 was substituted for House Bill No. 2131 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2131 was read the second time.

Representative Dye moved the adoption of amendment (891):

On page 10, line 35, after "(3)" insert "exclusively upon petition of a gas company, and"

On page 10, line 36, after "serve" insert "gas to customers that have access to the gas company's thermal energy network"

Representatives Dye and Ramel spoke in favor of the adoption of the amendment.

Amendment (891) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ramel, Dye and Sandlin spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2131.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2131, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2131, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2287, by Representatives Farivar, Goodman, Simmons, Chopp, Nance, Street, Davis, Ortiz-Self, Ramel, Peterson and Ormsby**

**Creating an advisory board to the office of the corrections ombuds.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2287 was substituted for House Bill No. 2287 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2287 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Farivar spoke in favor of the passage of the bill.

Representative Mosbrucker spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2287.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2287, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2287, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2199, by Representatives Orcutt, Fitzgibbon, Reed, Doglio and Leavitt**

**Creating business and occupation and public utility tax exemptions for certain amounts received as the result of receipt, generation, purchase, sale, transfer, or retirement of allowances, offset credits, or price ceiling units under the climate commitment act.**

The bill was read the second time.

With the consent of the House, amendment (857) was withdrawn.

Representative Walsh moved the adoption of amendment (879):

On page 1, line 11, after "received" insert "by a covered entity, opt-in entity, or entity that receives no-cost allowances, as defined in chapter 70A.65 RCW,"

On page 1, line 19, after "received" insert "by a covered entity, opt-in entity, or entity that receives no-cost allowances, as defined in chapter 70A.65 RCW,"

Representatives Walsh and Fitzgibbon spoke in favor of the adoption of the amendment.

Amendment (879) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt and Fitzgibbon spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2199.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2199, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED HOUSE BILL NO. 2199, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2361, by Representatives Riccelli, Macri, Nance, Reed, Simmons and Ormsby**

**Phasing in the requirement that only standardized health plans may be offered on the health benefit exchange.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2361 was substituted for House Bill No. 2361 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2361 was read the second time.

With the consent of the House, amendment (892) was withdrawn.

Representative Riccelli moved the adoption of the striking amendment (859):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.71.095 and 2021 c 246 s 7 are each amended to read as follows:

(1) The exchange, in consultation with the commissioner, the authority, an independent actuary, and other stakeholders, must establish up to three standardized health plans for each of the bronze, silver, and gold levels.

(a) The standardized health plans must be designed to reduce deductibles, make more services available before the deductible, provide predictable cost sharing, maximize subsidies, limit adverse premium impacts, reduce barriers to maintaining and improving health, and encourage choice based on value, while limiting increases in health plan premium rates.

(b) The exchange may update the standardized health plans annually.

(c) The exchange must provide a notice and public comment period before finalizing each year's standardized health plans.

(d) The exchange must provide written notice of the standardized health plans to licensed health carriers by January 31st before the year in which the health plans are to be offered on the exchange. The exchange may make modifications to the standardized plans after January 31st to comply with changes to state or federal law or regulations.

(2)(a) Beginning January 1, 2021, any health carrier offering a qualified health plan on the exchange must offer the silver and gold standardized health plans established under this section on the exchange in each county where the carrier offers a qualified health plan. If a health carrier offers a bronze health plan on the exchange, it must offer the bronze standardized health plans established under this section on the exchange in each county where the carrier offers a qualified health plan.

(b)(i) ~~Until December 31, ((2022, a health carrier offering a standardized health plan under this section may also offer nonstandardized health plans on the exchange. Beginning January 1, 2023,)) 2025,~~ a health carrier offering a standardized health plan under this section may also offer up to two nonstandardized gold health plans, two nonstandardized bronze health plans, one nonstandardized silver health plan, one nonstandardized platinum health plan, and one nonstandardized catastrophic health plan in each county where the carrier offers a qualified health plan.

(ii) ~~((The exchange, in consultation with the office of the insurance commissioner, shall analyze the impact to exchange consumers of offering only standard plans beginning in 2025 and submit a report to the appropriate committees of the legislature by December 1, 2023. The report must include an analysis of how plan choice and affordability will be impacted for exchange consumers across the state, including an analysis of offering a bronze standardized high deductible health plan compatible with a health savings account, and a gold standardized health plan closer in actuarial value to the silver standardized health plan.))~~ Beginning January 1, 2026:

(A) A health carrier offering a standardized health plan under this section may also offer one nonstandardized gold health plan, one nonstandardized bronze

health plan, one nonstandardized platinum health plan, and one nonstandardized catastrophic health plan in each county where the carrier offers a qualified health plan; and

(B) Nonstandardized silver plans may not be offered on the exchange.

(iii) The actuarial value of nonstandardized silver health plans offered on the exchange may not be less than the actuarial value of the standardized silver health plan with the lowest actuarial value.

(c) A health carrier offering a standardized health plan on the exchange under this section must continue to meet all requirements for qualified health plan certification under RCW 43.71.065 including, but not limited to, requirements relating to rate review and network adequacy.

(3) The exchange must annually review whether standardized health plans continue to maximize federal funding, ensure plan choice for individuals with health conditions, and respond to market conditions using the consultation process under subsection (1) of this section.

**NEW SECTION. Sec. 2.** A new section is added to chapter 43.71 RCW to read as follows:

(1) The exchange shall evaluate the effects on exchange consumers and health carriers of prohibiting nonstandardized silver plans on the exchange and reexamine whether moving toward a standardized market could provide a better customer experience with minimal market disruption. If the exchange finds that moving toward a standardized market remains advisable, it shall recommend a plan to the legislature on how to standardize the exchange market using a phased approach. The plan must include any additional authority the exchange requires to develop standardized plans at other actuarial value levels. The exchange shall report its findings and recommendations to the appropriate committees of the legislature no later than December 1, 2026.

(2) This section expires January 1, 2027."

Correct the title.

Representative Hutchins moved the adoption of amendment (894) to the striking amendment (859):

On page 2, line 1 of the striking amendment, after "(b)(i)" strike "Until December 31, ((2022)" and insert "~~((Until December 31, 2022"~~

On page 2, at the beginning of line 4 of the striking amendment, strike "~~2023~~) 2025," and insert "~~2023~~) Except as provided in (ii) of this subsection,"

On page 2, line 20 of the striking amendment, after "2026" insert ", in the five most populous counties in the state"

Representatives Hutchins and Schmick spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Bateman and Riccelli spoke against the adoption of the amendment to the striking amendment.

Amendment (894) to the striking amendment (859) was not adopted.

Representative Hutchins moved the adoption of amendment (893) to the striking amendment (859):

On page 3, line 14 of the striking amendment, after "1," strike "2026" and insert "2028"

On page 3, line 15 of the striking amendment, after "January 1," strike "2027" and insert "2029"

Representatives Hutchins and Riccelli spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (893) to the striking amendment (859) was adopted.

Representative Riccelli spoke in favor of the adoption of the striking amendment as amended.

Representative Schmick spoke against the adoption of the striking amendment as amended.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 57 - YEAS; 39 - NAYS.

The striking amendment (859), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Riccelli spoke in favor of the passage of the bill.

Representatives Schmick, Caldier and Hutchins spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2361.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2361, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2361, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1300, by Representatives Orwall, Mosbrucker, Graham, Jacobsen, Lekanoff, Macri and Reed**

**Concerning fraud in assisted reproduction.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1300 was substituted for House Bill No. 1300 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1300 was read the second time.

Representative Orwall moved the adoption of the striking amendment (895):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds it unconscionable that health care providers or others may misrepresent the source of the human reproductive material provided to assisted reproduction patients. In such cases, false information leaves the children conceived through assisted reproduction without accurate information about their identity, family medical history, and true genetic parentage.

**Sec. 2.** RCW 9A.36.031 and 2013 c 256 s 1 are each amended to read as follows:

(1) A person is guilty of assault in the third degree if he or she, under circumstances not amounting to assault in the first or second degree:

(a) With intent to prevent or resist the execution of any lawful process or mandate of any court officer or the lawful apprehension or detention of himself, herself, or another person, assaults another; or

(b) Assaults a person employed as a transit operator or driver, the immediate supervisor of a transit operator or driver, a mechanic, or a security officer, by a public or private transit company or a contracted transit service provider, while that person is performing his or her official duties at the time of the assault; or

(c) Assaults a school bus driver, the immediate supervisor of a driver, a mechanic, or a security officer, employed by a school district transportation service or a private company under contract for transportation services with a school district, while the person is performing his or her official duties at the time of the assault; or

(d) With criminal negligence, causes bodily harm to another person by means of a weapon or other instrument or thing likely to produce bodily harm; or

(e) Assaults a firefighter or other employee of a fire department, county fire marshal's office, county fire prevention bureau, or fire protection district who was performing his or her official duties at the time of the assault; or

(f) With criminal negligence, causes bodily harm accompanied by substantial pain

that extends for a period sufficient to cause considerable suffering; or

(g) Assaults a law enforcement officer or other employee of a law enforcement agency who was performing his or her official duties at the time of the assault; or

(h) Assaults a peace officer with a projectile stun gun; or

(i) Assaults a nurse, physician, or health care provider who was performing his or her nursing or health care duties at the time of the assault. For purposes of this subsection: "Nurse" means a person licensed under chapter 18.79 RCW; "physician" means a person licensed under chapter 18.57 or 18.71 RCW; and "health care provider" means a person certified under chapter 18.71 or 18.73 RCW who performs emergency medical services or a person regulated under Title 18 RCW and employed by, or contracting with, a hospital licensed under chapter 70.41 RCW; or

(j) Assaults a judicial officer, court-related employee, county clerk, or county clerk's employee, while that person is performing his or her official duties at the time of the assault or as a result of that person's employment within the judicial system. For purposes of this subsection, "court-related employee" includes bailiffs, court reporters, judicial assistants, court managers, court managers' employees, and any other employee, regardless of title, who is engaged in equivalent functions; or

(k) Assaults a person located in a courtroom, jury room, judge's chamber, or any waiting area or corridor immediately adjacent to a courtroom, jury room, or judge's chamber. This section shall apply only: (i) During the times when a courtroom, jury room, or judge's chamber is being used for judicial purposes during court proceedings; and (ii) if signage was posted in compliance with RCW 2.28.200 at the time of the assault; or

(l) **Implants his or her gametes or reproductive material into a patient without the patient's written consent. For the purposes of this subsection, "gamete" means sperm, egg, or any part of a sperm or egg, and "reproductive material" means a human gamete or a human organism at any stage of development from fertilized ovum to embryo.**

(2) Assault in the third degree is a class C felony.

**Sec. 3.** RCW 18.130.180 and 2023 c 192 s 2 and 2023 c 122 s 4 are each reenacted and amended to read as follows:

Except as provided in RCW 18.130.450, the following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder of the crime



described in the indictment or information, and of the person's violation of the statute on which it is based. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(2) Misrepresentation or concealment of a material fact in obtaining a license or in reinstatement thereof;

(3) All advertising which is false, fraudulent, or misleading;

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

(5) Suspension, revocation, or restriction of the individual's license to practice any health care profession by competent authority in any state, federal, or foreign jurisdiction, a certified copy of the order, stipulation, or agreement being conclusive evidence of the revocation, suspension, or restriction;

(6) The possession, use, prescription for use, or distribution of controlled substances or legend drugs in any way other than for legitimate or therapeutic purposes, diversion of controlled substances or legend drugs, the violation of any drug law, or prescribing controlled substances for oneself;

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

(8) Failure to cooperate with the disciplining authority by:

(a) Not furnishing any papers, documents, records, or other items;

(b) Not furnishing in writing a full and complete explanation covering the matter contained in the complaint filed with the disciplining authority;

(c) Not responding to subpoenas issued by the disciplining authority, whether or not the recipient of the subpoena is the accused in the proceeding; or

(d) Not providing reasonable and timely access for authorized representatives of the disciplining authority seeking to perform practice reviews at facilities utilized by the license holder;

(9) Failure to comply with an order issued by the disciplining authority or a stipulation for informal disposition entered into with the disciplining authority;

(10) Aiding or abetting an unlicensed person to practice when a license is required;

(11) Violations of rules established by any health agency;

(12) Practice beyond the scope of practice as defined by law or rule;

(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession;

(14) Failure to adequately supervise auxiliary staff to the extent that the consumer's health or safety is at risk;

(15) Engaging in a profession involving contact with the public while suffering from a contagious or infectious disease involving serious risk to public health;

(16) Promotion for personal gain of any unnecessary or inefficacious drug, device, treatment, procedure, or service;

(17) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(18) The offering, undertaking, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine, or the treating, operating, or prescribing for any health condition by a method, means, or procedure which the licensee refuses to divulge upon demand of the disciplining authority;

(19) The willful betrayal of a practitioner-patient privilege as recognized by law;

(20) Violation of chapter 19.68 RCW or a pattern of violations of RCW 41.05.700(8), 48.43.735(8), 48.49.020, 48.49.030, 71.24.335(8), or 74.09.325(8);

(21) Interference with an investigation or disciplinary proceeding by willful misrepresentation of facts before the disciplining authority or its authorized representative, or by the use of threats or harassment against any patient or witness to prevent them from providing evidence in a disciplinary proceeding or any other legal action, or by the use of financial inducements to any patient or witness to prevent or attempt to prevent him or her from providing evidence in a disciplinary proceeding;

(22) Current misuse of:

(a) Alcohol;

(b) Controlled substances; or

(c) Legend drugs;

(23) Abuse of a client or patient or sexual contact with a client or patient;

(24) Acceptance of more than a nominal gratuity, hospitality, or subsidy offered by a representative or vendor of medical or health-related products or services intended for patients, in contemplation of a sale or for use in research publishable in professional journals, where a conflict of interest is presented, as defined by rules of the disciplining authority, in consultation with the department, based on recognized professional ethical standards;

(25) Violation of RCW 18.130.420;

(26) Performing conversion therapy on a patient under age eighteen;

(27) Violation of RCW 18.130.430;

(28) Violation of RCW 18.130.460; or

(29) Implanting the license holder's own gametes or reproductive material into a

patient without the patient's written consent.

**NEW SECTION. Sec. 4.** (1) By August 1, 2024, and within existing resources, the department of health must convene a work group of stakeholders to evaluate the issue of fraud in assisted reproduction in Washington and make recommendations to the governor and the appropriate committees of the legislature for addressing fraud in assisted reproduction.

(2) The work group must, at minimum, consist of stakeholders representing each of the following:

(a) The Washington association of prosecuting attorneys;

(b) Victims of crimes related to fraud in assisted reproduction;

(c) A statewide association representing physicians;

(d) A national organization focused on the advancement of the science and practice of reproductive medicine;

(e) Health care providers;

(f) Fertility clinics;

(g) Gamete banks; and

(h) Any other entities that the department of health determines should participate in the work group.

(3) After being convened, the work group must continue to meet at least once every two months to evaluate and make recommendations related to the following subjects:

(a) Conduct that may constitute fraud in assisted reproduction;

(b) Whether particular forms of fraud in assisted reproduction should be subject to increased regulation and enforcement, including consideration of whether to:

(i) Expand related professional disciplinary actions;

(ii) Expand related criminal penalties;

(iii) Provide additional civil causes of action or remedies to donors and patients who are harmed;

(iv) Extend related statutes of limitations; and

(v) Make any other relevant changes to support effective regulation and enforcement;

(c) Whether certain information about the identity and background of donors should be protected or shared, and with whom that information should be protected from or shared with;

(d) Whether to allow or prohibit anonymous donations;

(e) Whether there should be any limits on how frequently the same person may provide donations of reproductive material;

(f) Current regulations on assisted reproduction services offered by health care providers, fertility clinics, and gamete banks in Washington, including existing enforcement mechanisms;

(g) Approaches other jurisdictions have undertaken to address fraud in assisted reproduction, including any legislative efforts to address fraud in assisted reproduction in those jurisdictions;

(h) Resources for victims of fraud in assisted reproduction; and

(i) Any other relevant factors or considerations.

(4) The department of health must issue a final report containing the work group's findings and recommendations to the governor and the appropriate committees of the legislature by October 1, 2025.

(5) This section expires January 1, 2026."

Correct the title.

Representatives Orwall and Mosbrucker spoke in favor of the adoption of the striking amendment.

The striking amendment (895) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall, Mosbrucker and Connors spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1300.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1300, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1300, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1962, by Representatives Low, Cheney, Ryu, Leavitt, Couture, Ramos, Morgan, Reeves, Rule, Graham, Jacobsen, Kloba, Sandlin, Hutchins, Paul, Riccelli, Wylie and Fosse**

**Improving voter registration list accuracy by improving voter address change processes for county election offices and voters.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Low and Ramos spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1962.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1962, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1962, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2115, by Representatives Thai, Slatter, Senn, Chapman, Reed, Ramel, Macri, Gregerson, Doglio, Fosse, Riccelli, Wylie and Reeves**

**Concerning prescription labels for medications used for abortion.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2115 was substituted for House Bill No. 2115 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2115 was read the second time.

With the consent of the House, amendment (853) was withdrawn.

Representative Thai moved the adoption of amendment (871):

On page 1, beginning on line 4, strike all of section 1

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 2, at the beginning of line 25, strike "prescriber's" and insert "practitioner's"

On page 2, line 26, after "include" strike "a prescriber's national provider identifier or" and insert "the prescribing and dispensing"

On page 2, line 27, after "name of the" strike "prescriber" and insert "practitioner"

Correct the title.

Representative Thai spoke in favor of the adoption of the amendment as amended.

Representative Connors moved the adoption of amendment (898) to amendment (871):

On page 1, beginning on line 6 of the amendment, after "page 2," strike all material through "practitioner's" on line 7 and insert "beginning on line 24, after "at" strike "a prescriber's request" and insert "the request of a practitioner employed by the prescribing and dispensing health care facility"

Representatives Connors and Riccelli spoke in favor of the adoption of the amendment to the amendment.

Amendment (898) to amendment (871) was adopted.

Representative Thai moved the adoption of amendment (871):

On page 1, beginning on line 4, strike all of section 1

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 2, at the beginning of line 25, strike "prescriber's" and insert "practitioner's"

On page 2, line 26, after "include" strike "a prescriber's national provider identifier or" and insert "the prescribing and dispensing"

On page 2, line 27, after "name of the" strike "prescriber" and insert "practitioner"

Correct the title.

Representatives Thai and Schmick spoke in favor of the adoption of the amendment as amended.

Amendment (871), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Thai, Caldier and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2115.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2115, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Kloba, Leavitt, Lekanoff, Macri, McClintock, McEntire, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger,

Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Christian, Corry, Dent, Dye, Jacobsen, Klicker, Kretz, Low, Maycumber, Mosbrucker, Orcutt, Schmidt and Walsh

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2115, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Substitute House Bill No. 2115.

Representative Graham, 6th District

#### SECOND READING

**HOUSE BILL NO. 1943, by Representatives Leavitt, Jacobsen, Ryu, Rule, Christian, Couture, Bronoske, Slatter, Chambers, Reeves, Reed, Graham, Timmons, Orwall, Paul, Riccelli and Shavers**

**Modifying the Washington national guard postsecondary education grant program.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Leavitt and Jacobsen spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1943.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1943, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1943, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2034, by Representatives Cheney, Taylor, Leavitt, Ramos, Reed and Reeves**

**Requiring counties and cities to provide the administrative office of the courts with notice of court reorganizations.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cheney and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2034.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2034, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2034, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

There being no objection, the House reverted to the third order of business.

#### MESSAGE FROM THE SENATE

Thursday, February 8, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5241  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5849  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5968

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

#### MESSAGE FROM THE SENATE

Friday, February 9, 2024

Mme. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5780  
SENATE BILL NO. 5938  
SUBSTITUTE SENATE BILL NO. 6036  
SECOND SUBSTITUTE SENATE BILL NO. 6228

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the sixth order of business.

## SECOND READING

**SECOND SUBSTITUTE HOUSE BILL NO. 1433, by House Committee on Appropriations (originally sponsored by Duerr, Ramel, Fitzgibbon, Berry, Reed and Doglio)**

### Concerning energy labeling of residential buildings.

The bill was read the second time.

There being no objection, Third Substitute House Bill No. 1433 was substituted for Second Substitute House Bill No. 1433 and the third substitute bill was placed on the second reading calendar.

THIRD SUBSTITUTE HOUSE BILL NO. 1433 was read the second time.

Representative Duerr moved the adoption of amendment (884):

On page 2, line 7, after "(3)" insert "In order to minimize the financial impacts on low-income home sellers associated with a requirement to obtain a home energy performance report, neither a city nor a county may require a home energy performance report until the city or county has first conducted an analysis of such financial impacts and adopted a program to mitigate such financial impacts, including the subsidization of the cost of home energy performance reports for low-income home sellers.

(4) "

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Duerr and Connors spoke in favor of the adoption of the amendment.

Amendment (884) was adopted.

Representative Goehner moved the adoption of amendment (899):

On page 2, line 7, after "(3)" insert "Neither a city nor a county may require a home energy performance report for any residence that, at the time of being listed for sale, is subject to a property tax exemption pursuant to RCW 84.36.381.

(4) "

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Goehner and Abbarno spoke in favor of the adoption of the amendment.

Representative Duerr spoke against the adoption of the amendment.

An electronic roll call was requested.

## ROLL CALL

The Clerk called the roll on the adoption of amendment (899) and the amendment was not adopted by the following vote: Yeas, 45; Nays, 52; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Excused: Representative Chandler

Amendment (899) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Duerr and Doglio spoke in favor of the passage of the bill.

Representatives Connors, Abbarno, Christian, Wilcox, Ybarra, Cheney, Corry, Harris and Walsh spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Third Substitute House Bill No. 1433.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Third Substitute House Bill No. 1433, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Bronoske, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1433, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1992, by Representatives Timmons, Lekanoff, Ramel, Fosse and Reeves**

**Adding an additional superior court judge in Whatcom county.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Timmons and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1992.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1992, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Chapman  
Excused: Representative Chandler

HOUSE BILL NO. 1992, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2320, by Representatives Davis, Eslick, Bergquist, Callan, Dent, Dye, Senn, Leavitt, Harris, Ryu, Walen, Peterson, Pollet and Ramel**

#### Concerning high THC cannabis products.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2320 was substituted for House Bill No. 2320 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2320 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Davis, Chambers, Dent, Wylie and Dye spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2320.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2320, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low,

Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Cheney, McEntire, Robertson, Walsh and Ybarra  
Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2320, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1945, by Representatives Alvarado, Gregerson, Ryu, Ortiz-Self, Leavitt, Senn, Berry, Ramel, Slatter, Cortes, Morgan, Reed, Simmons, Ormsby, Callan, Peterson, Rule, Kloba, Macri, Street, Chopp, Doglio, Fosse, Mena, Bergquist, Goodman, Tharinger, Thai, Riccelli and Hackney**

#### Streamlining and enhancing program access for persons eligible for food assistance.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1945 was substituted for House Bill No. 1945 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1945 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Alvarado and Couture spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1945.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1945, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Graham, McEntire and Walsh  
Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1945, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2316, by Representatives Couture, Simmons, Reed and Ormsby**

**Concerning membership in the public employees' retirement system for certain part-time bus drivers employed full-time by the federal government.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Couture and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2316.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2316, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2316, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2252, by Representatives Klicker, Leavitt, Sandlin, Reed, Fosse, Graham and Taylor**

**Allowing small business establishments in residential zones.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2252 was substituted for House Bill No. 2252 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2252 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Klicker and Duerr spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2252.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2252, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris,

Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2252, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

### THIRD READING

**SUBSTITUTE HOUSE BILL NO. 1493, by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Goodman)**

**Concerning impaired driving.**

The bill was read the third time.

There being no objection, the rules were suspended, and SUBSTITUTE HOUSE BILL NO. 1493 was returned to second reading for the purpose of amendment.

Representative Goodman moved the adoption of amendment (886):

On page 13, after line 24, insert the following:

"(c) This definition applies for the purpose of a personal driver's license only and does not apply to violations related to a commercial motor vehicle under RCW 46.25.090."

On page 27, beginning on line 18, strike all of section 7

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 49, after line 4, insert the following:

"NEW SECTION. Sec. 10. This act takes effect January 1, 2026."

Correct the title.

Representatives Goodman and Mosbrucker spoke in favor of the adoption of the amendment.

Amendment (886) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman, Mosbrucker and Cheney spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1493.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1493, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1493, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1507, by Representatives Entenman, Ramel, Alvarado, Orwall, Reeves, Doglio, Pollet, Macri, Morgan and Bergquist**

**Concerning fair housing training for officers or board members in common interest communities.**

The bill was read the third time.

Representatives Entenman and Connors spoke in favor of the passage of the bill.

Representatives Harris and Christian spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1507.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1507, and the bill passed the House by the following vote: Yeas, 74; Nays, 23; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Cheney, Chopp, Connors, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hutchins, Klicker, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Chambers, Christian, Corry, Dent, Eslick, Graham, Harris, Jacobsen, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Robertson, Rude, Sandlin, Stokesbary, Volz, Walsh, Waters and Ybarra

Excused: Representative Chandler

HOUSE BILL NO. 1507, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

There being no objection, the House reverted to the sixth order of business.

#### SECOND READING

**HOUSE BILL NO. 2041, by Representatives Riccelli, Schmick, Simmons, Reed, Schmidt, Macri and Lekanoff**

**Concerning physician assistant collaborative practice.**

The bill was read the second time.

Representative Riccelli moved the adoption of amendment (872):

On page 6, line 37, after "retain" strike "sole professional and personal" and insert "~~((professional and personal))~~"

On page 11, line 13, after "employers" insert ", who are billing on behalf of the physician assistant,"

On page 11, line 14, after "assistants." insert "A carrier may not impose a practice, education, or collaboration requirement that is inconsistent with or more restrictive than state laws or regulations governing physician assistants."

Representatives Riccelli and Schmick spoke in favor of the adoption of the amendment.

Amendment (872) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2041.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2041, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Caldier, Dye, McEntire, Orcutt and Walsh

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2041, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2021, by Representatives Senn, Walen, Berry, Fitzgibbon, Ryu, Duerr, Ramel, Reed, Ormsby, Peterson, Callan, Macri, Gregerson, Farivar, Alvarado, Lekanoff, Doglio, Riccelli, Reeves, Wylie, Santos, Hackney and Pollet**



**Concerning the disposition of privately owned firearms in the custody of state or local government entities or law enforcement agencies.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2021 was substituted for House Bill No. 2021 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2021 was read the second time.

Representative Walsh moved the adoption of amendment (867):

On page 3, beginning on line 37, strike all of subsection (e)

Representative Walsh spoke in favor of the adoption of the amendment.

Representative Taylor spoke against the adoption of the amendment.

Amendment (867) was not adopted.

Representative Cheney moved the adoption of amendment (865):

On page 4, line 2, after "program" strike "may" and insert "shall"

Representatives Cheney and Senn spoke in favor of the adoption of the amendment.

Amendment (865) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Senn spoke in favor of the passage of the bill.

Representatives Walsh and Graham spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2021.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2021, and the bill passed the House by the following vote: Yeas, 68; Nays, 29; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Harris, Hutchins, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Chambers, Chapman, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Graham, Griffey, Jacobsen, Klicker, Kretz, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2021, having received the necessary constitutional majority, was declared passed.

**RECONSIDERATION**

There being no objection, the House immediately reconsidered the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 2021 passed the House.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2021, on reconsideration.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2021, and the bill passed the House by the following vote: Yeas, 68; Nays, 29; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Harris, Hutchins, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Graham, Griffey, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2021, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2000, by Representatives Mena, Berry, Ramel, Low, Walen, Ryu, Timmons, Reed, Cheney, Nance, Cortes, Santos and Hackney**

**Renewing Washington's international leadership.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2000 was substituted for House Bill No. 2000 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2000 was read the second time.

With the consent of the House, amendments (880) and (907) were withdrawn.

Representative Cheney moved the adoption of amendment (927):

On page 4, after line 33, insert the following:

"(3) A foreign jurisdiction may not be designated as a jurisdiction of strategic importance under this section if it is subject to United States government sanctions for, or has been identified by the United States department of state as being engaged in, state-sponsored terrorism."

Representatives Cheney and Ramos spoke in favor of the adoption of the amendment.

Amendment (927) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Mena and Low spoke in favor of the passage of the bill.

Representative Goehner spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2000.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2000, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hutchins, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Caldier, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Goehner, Graham, Griffey, Harris, Jacobsen, Klicker, Kretz, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2000, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2266, by Representatives Stonier, Berry, Leavitt, Davis, Alvarado, Ramel, Peterson, Doglio, Ormsby, Fosse, Morgan, Simmons and Macri**

**Concerning sanitary conditions for construction workers who menstruate or express milk.**

The bill was read the second time.

Representative Schmidt moved the adoption of the striking amendment (896):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** In addition to the primary safety and health hazards faced by all construction workers, there are safety and health issues specific to construction workers who menstruate and/or express milk. As an ongoing effort to address labor shortages in the construction industry, as well as to continue recruiting and retaining underrepresented workers in the construction trades, the legislature intends to address some of the basic barriers faced by these construction workers.

**NEW SECTION. Sec. 2.** A new section is added to chapter 49.17 RCW to read as follows:

(1) The director shall adopt rules, pursuant to this section, to address safety and health issues specific to workers performing construction industry activities who menstruate or express milk, or both. The rules must be included in the rules governing construction safety standards.

(2) The rules adopted pursuant to this section must require employers in the construction industry to provide reasonable accommodations for workers performing construction activities who menstruate. Reasonable accommodations means providing:

(a) A minimum size bathroom that is equivalent to a standard sized portable chemical toilet, or access to a permanent structure with a bathroom. The bathroom must have an internal latch to be secured from inadvertent entry;

(b) Adequate time to accommodate for multiple layers of clothing while using the bathroom; and

(c) An adequate and convenient supply of menstrual hygiene products available at no cost to the workers. Menstrual hygiene products must either be located in all gender-neutral bathrooms and bathrooms designated for workers who menstruate, or provided in kits for each worker who needs such product.

(3) The rules adopted pursuant to this section must require employers in the construction industry to provide reasonable accommodations for workers performing construction activities to express milk. Reasonable accommodations means providing:

(a) Flexible work scheduling, including scheduling breaks and permitting work patterns that provide time for the expression of milk;

(b) A location, other than a bathroom, that is convenient and sanitary for the worker to express milk. The location must be private, free from intrusion, and lockable;

(c) Convenient hygienic refrigeration on the worksite for the storage of milk; and

(d) A convenient water source for the worker to clean and wash hands and milk expression equipment. The water source must be in a private location near the location where milk is expressed.

(4) On multi-employer worksites, each employer is responsible for ensuring that facilities for their own workers are provided."

Correct the title.

Representative Berry moved the adoption of amendment (917) to the striking amendment (896):

On page 1, line 15 of the striking amendment, after "construction" strike "industry"

On page 1, line 17 of the striking amendment, after "standards" insert "and must be applicable only to employers in the construction industry"

On page 1, line 22 of the striking amendment, after "bathroom" insert ", accessible on the jobsite,"

Representatives Berry and Schmidt spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (917) to the striking amendment (896) was adopted.

Representative Schmidt moved the adoption of amendment (897) to the striking amendment (896):

On page 2, beginning on line 1 of the striking amendment, after "(3)" strike all material through "provided" on line 17 and insert "On multi-employer worksites, each employer is responsible for ensuring that facilities for their own workers are provided."

(4) The department and the office of the attorney general shall work together to educate employers on current state and federal laws regarding employers providing accommodations to employees expressing milk.

(5) The department shall create a workgroup consisting of construction employers and construction employees to review what has been successful and what challenges exist regarding accommodations for workers expressing milk on construction jobsites. The workgroup must compile its findings and submit a report to the appropriate committees of the legislature by December 1, 2024"

Representative Schmidt spoke in favor of the adoption of the amendment to the striking amendment.

Representative Berry spoke against the adoption of the amendment to the striking amendment.

Amendment (897) to the striking amendment (896) was not adopted.

Representative Reeves moved the adoption of amendment (921) to the striking amendment (896):

On page 2, line 17 of the striking amendment, after "provided." insert the following:

"(5)(a) Until thirty days after the date the department's adopted rule is filed with the code reviser, or July 1, 2025, whichever date is later, the department may not impose any monetary penalties for violations of this section. This subsection does not prohibit the department from receiving complaints, conducting inspections, issuing citations with no assessed penalty, and fixing reasonable time for abatement of the violation.

(b) When the department's final rules under this section are published by the code reviser in the state register, the department, in partnership with relevant labor organizations and the office of minority and women's business enterprises, shall conduct educational outreach to construction employers on the rights and responsibilities established in this section."

Representatives Reeves and Schmidt spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (921) to the striking amendment (896) was adopted.

Representatives Schmidt and Berry spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (896), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier, Barnard, Walsh and Ybarra spoke in favor of the passage of the bill.

Representatives Schmidt and Jacobsen spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 2266.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2266, and the bill passed the House by the following vote: Yeas, 84; Nays, 13; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Cheney, Chopp, Connors, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Chapman, Christian, Corry, Couture, Dye, Jacobsen, Klicker, McEntire, Orcutt, Schmick, Schmidt, Volz and Walen

Excused: Representative Chandler

ENGROSSED HOUSE BILL NO. 2266, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed House Bill No. 2266.  
Representative Mosbrucker, 14th District

The Speaker called upon Representative Bronoske to preside.

### SECOND READING

**HOUSE BILL NO. 2283, by Representatives Volz, Rule, Senn, Davis, Ramel, Bronoske, Low, Schmidt, Doglio, Ormsby, Riccelli, Chapman and Timmons**

**Allowing state employees living in an emergency or disaster area to receive shared leave.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2283 was substituted for House Bill No. 2283 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2283 was read the second time.

With the consent of the House, amendment (900) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Volz, Ramos and Low spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2283.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2283, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2283, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2270, by Representatives Morgan, Macri, Peterson, Gregerson, Ryu, Reeves, Callan, Bateman, Ormsby, Street, Cortes, Ramel, Kloba, Wylie, Fey, Leavitt, Donaghy, Thai, Goodman, Mena, Taylor, Duerr, Riccelli, Berry, Reed, Santos, Entenman, Ortiz-Self, Simmons, Bergquist, Stonier, Fosse, Timmons, Chapman, Stearns, Nance, Chopp, Shavers, Slatter, Doglio, Pollet, Tharinger, Walen, Bronoske, Orwall, Fitzgibbon, Davis, Alvarado and Paul**

#### Creating a Washington state department of housing.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2270 was substituted for House Bill No. 2270 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2270 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Morgan spoke in favor of the passage of the bill.

Representative Klicker spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2270.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2270, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self,

Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2270, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2099, by Representatives Farivar, Cortes, Pollet, Reed, Simmons, Ormsby, Ramel, Gregerson, Goodman, Caldier, Stonier, Paul, Jacobsen, Nance, Wylie, Street, Reeves, Macri, Davis and Ryu**

#### Concerning state identification cards for persons in state custody or care.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2099 was substituted for House Bill No. 2099 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2099 was read the second time.

Representative Walsh moved the adoption of amendment (874):

On page 3, line 16, after "photo;" strike "and"

On page 3, line 19, after "license" insert "; and  
(D) Ensure that the identicard or driver's license includes a person's status as a sexually violent predator if the person has been found by a court to be a sexually violent predator under chapter 71.09 RCW"

On page 7, after line 7, insert the following:

"(d) If applicable, the identicard must include the person's status as a sexually violent predator as provided in subsection (6) of this section."

On page 7, line 38, after "(6)" insert "An identicard issued in accordance with section 1(6)(a)(iii) or section 7 of this act must include a person's status as a sexually violent predator if the person has been found by a court to be a sexually violent predator under chapter 71.09 RCW.  
(7)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 8, after line 15, insert the following:

"**Sec. 5.** RCW 46.20.161 and 2021 c 158 s 7 are each amended to read as follows:

(1) The department, upon receipt of a fee of seventy-two dollars, unless the driver's license is issued for a period other than eight years, in which case the fee shall be

nine dollars for each year that the license is issued, which includes the fee for the required photograph, shall issue to every qualifying applicant a driver's license. A driver's license issued to a person under the age of eighteen is an intermediate license, subject to the restrictions imposed under RCW 46.20.075, until the person reaches the age of eighteen.

(2) The license must include:

(a) A distinguishing number assigned to the licensee;

(b) The name of record;

(c) Date of birth;

(d) Washington residence address;

(e) Photograph;

(f) A brief description of the licensee;

(g) Either a facsimile of the signature of the licensee or a space upon which the licensee shall write the licensee's usual signature with pen and ink immediately upon receipt of the license;

(h) If applicable, the person's status as a veteran as provided in subsection (4) of this section; and

(i) If applicable, a medical alert designation as provided in subsection (5) of this section.

(j) If applicable, a person's status as a sexually violent predator as provided in subsection (6) of this section.

(3) No license is valid until it has been signed by the licensee.

(4)(a) A veteran, as defined in RCW 41.04.007, or an individual who otherwise meets the criteria of RCW 41.04.007 but who has received a general discharge under honorable conditions, may apply to the department to obtain a veteran designation on a driver's license issued under this section by providing:

(i) A United States department of veterans affairs identification card or proof of service letter;

(ii) A United States department of defense discharge document, DD Form 214 or DD Form 215, as it exists on June 7, 2018, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, or equivalent or successor discharge paperwork, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the armed forces of the United States;

(iii) A national guard state-issued report of separation and military service, NGB Form 22, as it exists on June 7, 2018, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, or equivalent or successor discharge paperwork, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's active duty or reserve service in the national guard; or

(iv) A United States uniformed services identification card, DD Form 2, that displays on its face that it has been issued to a retired member of any of the armed forces of the United States, including the national guard and armed forces reserves.

(b) The department may permit a veteran, as defined in RCW 41.04.007, or an individual who otherwise meets the criteria of RCW 41.04.007 but who has received a

general discharge under honorable conditions, to submit an alternate form of documentation to apply to obtain a veteran designation on a driver's license, as specified by rule, that requires a discharge status of "honorable" or "general under honorable conditions" and that establishes the person's service as required under RCW 41.04.007.

(5) Any person may apply to the department to obtain a medical alert designation, a developmental disability designation, or a deafness designation on a driver's license issued under this chapter by providing:

(a) Self-attestation that the individual:

(i) Has a medical condition that could affect communication or account for a driver health emergency;

(ii) Is deaf or hard of hearing; or

(iii) Has a developmental disability as defined in RCW 71A.10.020;

(b) A statement from the person that they have voluntarily provided the self-attestation and other information verifying the condition; and

(c) For persons under eighteen years of age or who have a developmental disability, the signature of a parent or legal guardian.

(6) A driver's license issued in accordance with section 1(6)(a)(iii) of this act must include a person's status as a sexually violent predator if the person has been found by a court to be a sexually violent predator under chapter 71.09 RCW.

~~((4))~~(7) A self-attestation or data contained in a self-attestation provided under this section:

(a) Shall not be disclosed;

(b) Is for the confidential use of the director, the chief of the Washington state patrol, and law enforcement and emergency medical service providers as designated by law; and

(c) Is subject to the privacy protections of the driver's privacy protection act, 18 U.S.C. Sec. 2725."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 9, line 19, after "46.20.035(1);" strike "and"

On page 9, line 21, after "identocard" insert "; and"

(d) Ensure that the identocard includes a person's status as a sexually violent predator if the person has been found by a court to be a sexually violent predator under chapter 71.09 RCW"

Correct the title.

Representatives Walsh, Couture, Griffey, Orcutt, Robertson, Christian, Chambers and Graham spoke in favor of the adoption of the amendment.

Representative Goodman spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Bronoske presiding) divided the House. The result was 40 - YEAS; 50 - NAYS.

Amendment (874) was not adopted.

Representative Farivar moved the adoption of amendment (860):

On page 8, line 29, after "(1)" strike "Using" and insert "By July 1, 2025, using"

Representatives Farivar and Couture spoke in favor of the adoption of the amendment.

Amendment (860) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farivar, Chambers and Jacobsen spoke in favor of the passage of the bill.

Representatives Couture, Graham, Cheney, Griffey and Dent spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2099.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2099, and the bill passed the House by the following vote: Yeas, 62; Nays, 35; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Jacobsen, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2099, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2019, by Representatives Stearns, Fosse, Berry, Ryu, Ramos, Ramel, Cortes, Morgan, Simmons, Reed, Ormsby, Peterson, Callan, Timmons, Kloba, Street, Donaghy, Gregerson, Orwall, Goodman, Ortiz-Self, Lekanoff, Riccelli, Reeves, Santos, Hackney, Pollet and Davis**

**Establishing a Native American apprentice assistance program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2019 was substituted for House Bill No. 2019 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2019 was read the second time.

Representative Rude moved the adoption of amendment (889):

On page 2, line 12, after "tribe" strike "located within Washington" and insert "as defined in RCW 43.376.010"

Representatives Rude and Stearns spoke in favor of the adoption of the amendment.

Amendment (889) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stearns and Ybarra spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2019.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2019, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2019, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2214, by Representatives Slatter, Bergquist, Chopp, Ramel, Reeves, Paul, Morgan, Gregerson, Ormsby, Alvarado, Reed, Fosse, Macri, Goodman, Pollet, Leavitt, Timmons, Davis, Riccelli and Duerr**

**Permitting beneficiaries of public assistance programs to automatically qualify as income-eligible for the purpose of receiving the Washington college grant.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2214 was substituted for House Bill No. 2214 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2214 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Slatter and Ybarra spoke in favor of the passage of the bill.

Representatives Chambers and Christian spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2214.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2214, and the bill passed the House by the following vote: Yeas, 68; Nays, 29; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Corry, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Harris, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Maycumber, McClintock, McEntire, Orcutt, Robertson, Rude, Sandlin, Steele, Volz and Walsh

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2214, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 2255, by Representatives Waters, Wylie, Kloba, Davis and Cheney

##### Concerning inversion and diversion of cannabis.

The bill was read the second time.

Representative Waters moved the adoption of amendment (828):

On page 2, line 20, after "(3)" insert "The board shall regularly ensure that all cannabis licensees and third-party testing laboratories comply with any requirement of the board for the reporting of data or events to the cannabis central reporting system.

(4)"

Representatives Waters and Wylie spoke in favor of the adoption of the amendment.

Amendment (828) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Waters and Wylie spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2255.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2255, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED HOUSE BILL NO. 2255, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 2433, by Representative Orcutt

##### Concerning administration of the southwest Washington fair by the Lewis county board of county commissioners.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt, Duerr, Abbarno and Corry spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2433.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2433, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2433, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

There being no objection, the House advanced to the eighth order of business.

#### MOTIONS

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1239

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1479  
 HOUSE BILL NO. 1876  
 HOUSE BILL NO. 1942  
 HOUSE BILL NO. 1969  
 HOUSE BILL NO. 2012  
 HOUSE BILL NO. 2039  
 HOUSE BILL NO. 2049  
 HOUSE BILL NO. 2071  
 HOUSE BILL NO. 2084  
 HOUSE BILL NO. 2151  
 HOUSE BILL NO. 2160  
 HOUSE BILL NO. 2166  
 HOUSE BILL NO. 2180  
 HOUSE BILL NO. 2207  
 HOUSE BILL NO. 2236  
 HOUSE BILL NO. 2245  
 HOUSE BILL NO. 2246  
 HOUSE BILL NO. 2254  
 HOUSE BILL NO. 2256  
 HOUSE BILL NO. 2330  
 HOUSE BILL NO. 2354  
 HOUSE BILL NO. 2408  
 HOUSE BILL NO. 2458  
 HOUSE BILL NO. 2467  
 HOUSE BILL NO. 2494  
 HOUSE BILL NO. 1941  
 HOUSE BILL NO. 1970  
 HOUSE BILL NO. 2003  
 HOUSE BILL NO. 2117  
 HOUSE BILL NO. 2128  
 HOUSE BILL NO. 2210  
 HOUSE BILL NO. 2271  
 HOUSE BILL NO. 2293  
 HOUSE BILL NO. 2441  
 HOUSE BILL NO. 2454  
 HOUSE BILL NO. 2001

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

HOUSE BILL NO. 1052  
 SUBSTITUTE HOUSE BILL NO. 1104  
 SECOND SUBSTITUTE HOUSE BILL NO. 1205

There being no objection, the Committee on Agriculture & Natural Resources was relieved of ENGROSSED SENATE BILL NO. 6120, and the bill was referred to the Committee on Local Government.

There being no objection, the House reverted to the sixth order of business.

## SECOND READING

**HOUSE BILL NO. 1956, by Representatives Leavitt, Griffey, Ryu, Couture, Ramel, Slatter, Reed, Ormsby, Barnard, Callan, Timmons, Kloba, Cheney, Doglio, Paul, Berg, Lekanoff, Reeves, Riccelli, Wylie, Hackney, Pollet and Shavers**

**Addressing fentanyl and other substance use prevention education.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1956 was substituted for House Bill No. 1956 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1956 was read the second time.

Representative Santos moved the adoption of amendment (936):

On page 3, beginning on line 32, after "(1)" strike all material through "section" on page 4, line 7 and insert "The office of the superintendent of public instruction shall collaborate with the department of health, the health care authority, other state agencies, and educational service districts to develop school and classroom materials on the lethality of fentanyl and other opioids in coordination with the public health campaign created in section 2 of this act. The office of the superintendent of public instruction must make these materials available to school districts and public schools.

(2) By December 1, 2025, the office of the superintendent of public instruction shall adjust the state health and physical education learning standards for middle and high school students to add opioids to the list of drugs included in drug-related education and update the school and classroom materials developed under subsection (1) of this section to reflect the adjusted standards required by this subsection (2). The office of the superintendent of public instruction must make these materials available to school districts and public schools"

Representatives Santos and Rude spoke in favor of the adoption of the amendment.

Amendment (936) was adopted.

Representative Leavitt moved the adoption of amendment (850):

On page 4, after line 16, insert the following:

"NEW SECTION. Sec. 7. This act may be known and cited as the Lucas Petty act."

Correct the title.

Representatives Leavitt and Rude spoke in favor of the adoption of the amendment.

Amendment (850) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Leavitt, Rude and Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1956.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1956, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low,



Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1956, having received the necessary constitutional majority, was declared passed.

#### SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) asked the Chamber to recognize the parents of Lucas Petty who were seated in the House Gallery.

#### SECOND READING

**HOUSE BILL NO. 1997, by Representatives Ryu, Leavitt, Reed, Kloba, Reeves, Pollet and Davis**

**Concerning gubernatorial appointments for the state parks and recreation commission.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1997 was substituted for House Bill No. 1997 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1997 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ryu and Volz spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1997.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1997, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives McEntire and Walsh

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1997, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2401, by Representatives Duerr, Doglio, Berry, Fitzgibbon, Ramel and Pollet**

**Providing for the responsible management of refrigerant gases with a higher global warming potential than carbon dioxide that are used in appliances or other infrastructure.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2401 was substituted for House Bill No. 2401 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2401 was read the second time.

Representative Doglio moved the adoption of the striking amendment (905):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1. INTENT.** (1) The legislature finds that hydrofluorocarbons are climate pollutants that pose significant threats to our environment. Although hydrofluorocarbons currently represent a small portion of the state's greenhouse gas emissions, emissions of hydrofluorocarbons have been rapidly increasing in the United States and worldwide, and they are hundreds to thousands of times more potent at trapping heat than carbon dioxide. Preventing the release of hydrofluorocarbons is among the highest global impact measures to address the climate crisis.

(2) In 2019 and 2021, the legislature took significant steps towards reducing greenhouse gas emissions from hydrofluorocarbons by transitioning to the use of less damaging hydrofluorocarbons or other suitable substitutes in several new end-uses including their largest end-uses where they are used as refrigerants as well instituting a statewide refrigerant management program. However, significant sources of hydrofluorocarbons and refrigerant emissions in Washington remain unaddressed because vast quantities of refrigerants are contained inside the installed base of heating and cooling equipment beyond those covered by the statewide refrigerant management program. There is a dire need for improving life-cycle refrigerant management to prevent those refrigerants from being emitted into the atmosphere.

(3) On a national and global scale, the United States has begun implementing a phasedown of hydrofluorocarbons. The United States has ratified the global Kigali amendment to the Montreal protocol, an international agreement to phase down the production and consumption of hydrofluorocarbons by 85 percent by 2036. Domestically, in 2020, the United States congress enacted the American innovation and manufacturing act which closely matches the Kigali amendment's phase-down schedule. Any state actions that complement the phasedown by reducing demand of newly produced hydrofluorocarbons will help actualize the vast climate benefits expected from the American innovation and manufacturing act and the Kigali amendment.

(4) As in any circular economy, an important lever for reducing demand for new

or virgin material is to maximize the recovery, recycling, reclaiming, and reuse of existing material. The same principle can be successfully applied to refrigerants. However, the current state regulatory environment notably lacks a mechanism to ensure that refrigerants and greenhouse gases are recovered, reclaimed, and put back into the economy for reuse. Recognizing the benefits of minimizing refrigerant releases and maximizing reclamation, the United States environmental protection agency has recently proposed rules to require the use of reclaimed refrigerants in various sectors, including commercial and industrial refrigeration as well as air conditioners and heat pumps. Due to those pending federal regulations requiring the use of reclaimed refrigerants, it is in the state's interest to incentivize a refrigerant recovery, reclamation, and recycling program to ensure an adequate supply of refrigerant chemicals exists for Washington users as the transition to chemicals with lower climate-polluting risks takes place.

(5) Implementation of extended producer responsibility schemes in Washington and other leading states, including a financial incentive payment to be paid to service technicians and others for recovered gas, will incentivize a greater supply of used fluorinated refrigerants removed from equipment, which can then be reclaimed and reused. Increasing the supply of reclaimed refrigerants available to fulfill the demand for refrigerants in existing and new equipment will support smooth implementation of federal regulations under the American innovation and manufacturing act. It will also increase the supply of refrigerants for ramping new heat pump adoption to decarbonize the building stock. Overall, greater reclamation of hydrofluorocarbons will not only prevent direct greenhouse gas emissions but also support the state's building electrification and heat pump adoption goals.

(6) Once the need for reclaimed refrigerants has passed in the future, the most polluting refrigerant chemicals should be safely destroyed.

**NEW SECTION. Sec. 2. DEFINITIONS.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1)(a) "Bulk" means a covered refrigerant of any amount that is in a container for the transportation or storage of that substance such as cylinders, drums, ISO tanks, and small cans.

(b) A covered refrigerant that must first be transferred from a container to another container, vessel, or piece of equipment in order to realize its intended use is a bulk substance.

(c) A covered refrigerant contained in a manufactured product such as an appliance, an aerosol can, or a foam is not a bulk substance.

(2) "Covered refrigerant" means any fluorinated regulated refrigerant or substitute, as those terms are defined in chapter 70A.60 RCW, that are used for heat

transfer purposes to provide a cooling or heating effect.

(3) "Department" means the Washington state department of ecology.

(4)(a) "Destruction" means the expiration of a covered refrigerant to the destruction and removal efficiency actually achieved.

(b) Technologies used for destruction of covered refrigerants should be limited to the federally approved list of destruction technologies maintained under 40 C.F.R. Sec. 84.2 as it existed as of January 1, 2024.

(5) "Distributor" or "wholesaler" means any person or entity engaged in the distribution, wholesale sale, sale, or other commercial furnishing of any covered refrigerant or precharged equipment, except for service technicians transferring refrigerant to end-user consumers as part of a service call.

(6) "Partner participant" means an entity that is not a producer but is a part of the supply chain of covered refrigerants. "Partner participants" includes, but is not limited to, refrigerant distributors, wholesalers, reclaimers, and service technicians.

(7)(a) "Precharged equipment" means any appliance or refrigeration, air conditioning, or heat pump equipment or other equipment containing a quantity of covered refrigerant already added or charged into the equipment or appliance prior to installation in the field.

(b) "Precharged equipment" does not include equipment that does not contain any covered refrigerant already added or charged into the equipment prior to installation in the field, or that solely contains refrigerants other than covered refrigerants.

(c) "Precharged equipment" does not include equipment that contains only a covered refrigerant that is certified to be the responsibility of another producer under subsection (8)(b) or (c) of this section.

(8)(a) "Producer" includes:

(i) With respect to covered refrigerants, the person or entity who is the first point of sale for covered refrigerants that are sold, offered for sale, distributed, or otherwise entered into commerce in or into Washington;

(ii) With respect to precharged equipment:

(A) If the precharged equipment is sold under the brand of the precharged equipment manufacturer, the producer is the person that manufactures the precharged equipment;

(B) If the precharged equipment is sold under a retail brand or under a brand owned by a person other than the manufacturer, the producer is the brand owner;

(C) If there is no person to which (a)(ii)(A) or (B) of this subsection applies, the producer is the person that is the licensee of a brand or trademark under which the precharged equipment is used in a commercial enterprise, sold, offered for sale, or distributed in or into this state, whether or not the trademark is registered in this state;

(D) If there is no person described in (a)(ii)(A) through (C) of this subsection within the United States, the producer is the person who is the importer of record for

the precharged equipment into the United States for use in a commercial enterprise that sells, offers for sale, or distributes the precharged equipment in this state;

(E) If there is no person described in (a)(ii)(A) through (D) of this subsection with a commercial presence within the state, the producer is the person who first sells, offers for sale, or distributes the precharged equipment in or into this state.

(b) A person is the "producer" as defined in (a) of this subsection except where another person has mutually signed an agreement with a producer as defined in (a) of this subsection that contractually assigns responsibility to the producer, and the person has joined a registered refrigerant stewardship organization as the responsible producer for that covered refrigerant, precharged equipment, or refrigerant contained in the precharged equipment. In the event that another person is assigned responsibility as the producer under this subsection (8)(b), the producer under (a) of this subsection must provide written certification of that contractual agreement to the refrigerant stewardship organization and to the department.

(c) "Producer" does not include any person who only manufactures, sells, offers for sale, distributes, or imports into the state precharged equipment if the gas contained in the precharged equipment is supplied by a producer that has joined a registered refrigerant stewardship organization as the producer for that precharged equipment and the covered refrigerant contained in the precharged equipment under this chapter. Such a producer of gas that is included in precharged equipment must provide written certification of that membership to both the producer of the precharged equipment and the refrigerant stewardship organization of which the gas producer is a member.

(9) "Reclaimer" means any person undertaking reclamation of covered refrigerants in compliance with federal requirements, including recordkeeping and reporting and all other requirements stipulated under 40 C.F.R. Sec. 84, as it existed as of January 1, 2024.

(10) "Reclamation" or "reclaim" means the reprocessing of a recovered covered refrigerant or substitute to recover usable products or regenerate the material, including to at least the purity specified in the air conditioning, heating, and refrigeration institute (AHRI) standard 700-2016 and verifying this purity using the analytical methodology prescribed in the standard, and meets the reclamation standard of containing no greater than 15 percent virgin or new material by weight.

(11) "Recovery" means the process by which a regulated refrigerant is:

(a) Removed, in any condition, from equipment in a manner consistent with 40 C.F.R. 82.158, as it existed as of January 1, 2024, or in a manner consistent with federal regulations updated after January 1, 2024, and subsequently adopted by the department by rule; and

(b) Stored in an external container, with or without testing or processing of the regulated refrigerant.

(12) "Recovery rate" means the proportion of the total amount of recovered covered refrigerant that is collected and subsequently undergoes reclamation or destruction as a fraction of the estimated total amount of covered refrigerant that is available for recovery from equipment in a given year, as calculated by the refrigerant stewardship organization and approved by the department.

(13) "Refrigerant stewardship organization" means a producer that directly implements a stewardship plan under this chapter or a nonprofit entity formed to implement a stewardship plan under this chapter, including the collection and management of covered refrigerants, and the disbursement of funds to incentivize enhanced refrigerant recovery, reclamation, and destruction.

(14) "Retail establishment" means a person who sells precharged equipment containing covered refrigerants in or into this state or offers or otherwise makes available covered precharged equipment to a customer, including other businesses, for use in this state.

(15) "Service technician" means any person certified by the United States environmental protection agency under section 608 or 609, as appropriate, of the federal clean air act, as it existed as of January 1, 2024, or the federal American innovation and manufacturing act of 2020, as it existed as of January 1, 2024.

**NEW SECTION. Sec. 3. REQUIREMENT THAT PRODUCERS IMPLEMENT A PROGRAM.** (1) Beginning January 1, 2025, any producer who sells, or otherwise enters into commerce, bulk covered refrigerants or precharged equipment containing a covered refrigerant into the state of Washington must register with the department through a refrigerant stewardship organization. Beginning January 1, 2025, each producer must participate in a refrigerant stewardship organization and appropriately fund the operations of the refrigerant stewardship organization.

(2) Beginning July 1, 2025, a producer that does not participate in a registered refrigerant stewardship organization is prohibited from selling bulk covered refrigerants or precharged equipment in or into Washington.

(3) By December 1, 2027, in order to be eligible to receive an incentive payment from a refrigerant stewardship organization consistent with section 8 of this act, each entity that is not a producer but sells, resells, distributes, or otherwise enters into commerce bulk covered refrigerants after the first point of sale must register with a refrigerant stewardship organization as a partner participant in the refrigerant stewardship organization. A partner participant may include, but is not limited to, refrigerant distributors, wholesalers, reclaimers, and service technicians. Partner participants are not required to fund a refrigerant stewardship organization, but may be recipients of financial incentives aimed at enhancing refrigerant recovery. In order to be eligible to receive a financial incentive payment, partner participants must

keep records and report information to a refrigerant stewardship organization in the manner necessary to enable the refrigerant stewardship organization to fulfill its reporting requirements to the department under section 10 of this act.

(4) Beginning January 1, 2028, producers, through a refrigerant stewardship organization, shall implement the plan approved by the department as outlined in section 4 of this act.

**NEW SECTION. Sec. 4. STEWARDSHIP PLAN COMPONENTS.** (1) By May 1, 2027, a refrigerant stewardship organization or organizations must submit a plan to the department for review and approval. Within 120 days of submission, the department must review and may approve a plan provided it contains and adequately addresses the following components:

(a) Includes contact information for each producer in the plan;

(b) (i) Identifies the brands and equipment models of each producer of precharged equipment containing covered refrigerants participating in the plan; and

(ii) Identifies the producers for each type of bulk covered refrigerant manufactured, imported, or distributed into the state;

(c) Proposes the implementation mechanisms through which the program expects to meet the requirements of the performance assessment established in section 5 of this act and describes the methods used to calculate whether the program is achieving its performance targets, including a specific description of the data sources and calculations to be relied upon in calculating a recovery rate for department approval;

(d) Includes a detailed and comprehensive list of promotion activities to be undertaken as part of the educational and outreach program required in section 7 of this act;

(e) Describes the mechanisms used for the collection and consolidation of recovered covered refrigerants, as well as destruction of any recovered covered refrigerants collected by the program that are deemed to be contaminated to be reclaimed by a reclaimer certified by the United States environmental protection agency, consistent with section 6 of this act, including the financial incentives described in section 8 of this act that are to be paid to persons that furnish covered refrigerants recovered from equipment in the state;

(f) Identifies proposed transporters, processors, and facilities to be used by the program for the reclamation, destruction, and final disposition of covered refrigerants that are deemed too contaminated to be reclaimed by a reclaimer certified by the United States environmental protection agency;

(g) Describes the financing methods to implement the plan, consistent with section 8 of this act, including how producer fees and fee modulation will incorporate incentives for the recovery and collection of covered refrigerants in a manner that prioritizes the reclamation and reuse of

those covered refrigerants and minimizes their emissions;

(h) The performance targets established consistent with section 5 of this act;

(i) A description of safety procedures or best management practices that must be used by collection sites;

(j) An analysis of how the program will achieve the required convenience standards; and

(k) Additional information determined by the department to be necessary to ensure effective implementation of the requirements of this chapter by the refrigerant stewardship organization and effective oversight of refrigerant stewardship organization activities by the department.

(2) The department may:

(a) Amend the plan submitted for approval under subsection (1) of this section if necessary to render the plan in compliance with a significant requirement of this chapter; and

(b) Require a refrigerant stewardship organization to implement the amended plan.

(3) A refrigerant stewardship organization must submit an updated plan to the department for approval no less frequently than every five years. In addition, if required by the department, a refrigerant stewardship organization must submit a new plan to the department for approval:

(a) When there is a change to the method of financing plan implementation under section 8 of this act; and

(b) If there are significant changes to the methods of collection or end-of-life management under section 6 of this act that are not covered by the plan.

**NEW SECTION. Sec. 5. PERFORMANCE MEASUREMENTS.** (1) In plans submitted under section 4 of this act, a refrigerant stewardship organization shall set, and the department must review and may approve, reasonable binding interim annual performance targets in addition to and in advance of the 2032 recovery rate target.

(2) A refrigerant stewardship organization must propose and achieve an annual recovery rate of at least 70 percent in calendar year 2032 of implementation and every subsequent year.

(3) The department may adjust the target annual recovery rates and other performance targets in subsequent years beyond 2032 with the goal of optimizing refrigerant recovery and end-of-life management outcomes.

(4) The department may specify any additional reporting requirements required for the calculation of recovery rates and other performance targets consistent with this section that are above and beyond the reporting requirements listed in section 10 of this act.

(5) By October 1st of each year following the submission of an annual report under section 10 of this act, and based on the data reported to the department by refrigerant stewardship organizations as outlined in section 10 of this act, the department shall publish an annual report assessing the performance of refrigerant stewardship organizations. The annual report

must include an evaluation of the recovery rates and other performance targets achieved by the program and any recommendations for continued improvement in the quantities of covered refrigerants collected, reclaimed, or destroyed.

**NEW SECTION. Sec. 6. COLLECTION AND MANAGEMENT.** (1) A refrigerant stewardship organization must provide for the collection of all covered refrigerants recovered by any person from within the state of Washington. A collection site may not charge a collection fee at the time when covered refrigerants are returned to the collection site and a financial incentive must be paid to a service technician who recovers the covered refrigerant, consistent with section 8 of this act.

(2) At a minimum, a refrigerant stewardship organization must provide statewide opportunities for the collection of bulk covered refrigerant through:

(a) At least one permanent collection site in each county unless granted an infeasibility waiver from this requirement by the department; and

(b) Existing commercial sites operated by distributors and wholesalers of covered refrigerants who participate in a refrigerant stewardship organization. Distributors and wholesalers must offer such sites as program collection sites for recovered bulk covered refrigerants.

(3) Other entities including, but not limited to, the following may serve as collection sites:

(a) A retail establishment that sells precharged equipment containing covered refrigerants may elect to serve as a collection site; and

(b) Local governments or nonprofit organizations that operate household hazardous waste facilities or other solid waste facilities may elect for these facilities to serve as collection sites under the program.

(4) A refrigerant stewardship organization and any person hired by the refrigerant stewardship organization to carry out services related to refrigerant recovery or collection must manage covered refrigerants in a manner consistent with best practices consistent with federal refrigerant management regulations under sections 608 and 609 of the clean air act (40 C.F.R. Part 82) and WAC 173-443-205, as they existed as of January 1, 2024, or as updated by the department by rule after that date in order to maintain consistency with updated federal regulations, that minimize the release into the environment and in compliance with all applicable state rules and federal regulations.

(5) A refrigerant stewardship organization may suspend or terminate a collection site that does not adhere to the collection site criteria in the approved plan or that poses an immediate health or safety concern. A refrigerant stewardship organization must notify the department upon suspending or terminating a collection site.

**NEW SECTION. Sec. 7. EDUCATION AND OUTREACH.** (1) A refrigerant stewardship

organization must carry out promotional activities in support of plan implementation including, but not limited to:

(a) The development and maintenance of a website;

(b) The development and placement of graphic advertisements for use on social media or other relevant media platforms;

(c) The development of promotional materials about the program to be used by the refrigerant stewardship organization, government agencies, and nonprofit organizations, businesses, and others;

(d) Educational promotional materials targeted towards service technicians made available at each collection site used by the refrigerant stewardship organization; and

(e) Educational materials to be used at the point of sale for precharged equipment.

(2) During the first year of program implementation and every five years thereafter, a refrigerant stewardship organization must carry out a survey of the program's partner participants awareness to determine the effectiveness of the requirements of the program and awareness of the program established under this chapter. A refrigerant stewardship organization must share the results of the awareness surveys with the department, who may choose to make the information public.

(3) If multiple refrigerant stewardship organizations are implementing plans approved by the department, the refrigerant stewardship organizations must coordinate in carrying out their education and outreach responsibilities under this section and must include in their annual reports to the department a summary of their coordinated education and outreach efforts.

**NEW SECTION. Sec. 8. FINANCIAL REQUIREMENTS.** (1) A refrigerant stewardship organization must ensure adequate funding is available to fully implement its stewardship plan, including the implementation of aspects of the plan addressing:

(a) The collection of recovered covered refrigerants;

(b) Education and outreach;

(c) Annual reporting to the department;

(d) The payments of a financial incentive to persons with a United States environmental protection agency refrigerant certification under section 608 or 609 of the federal clean air act or the American innovation and manufacturing act of 2020, as they existed as of January 1, 2024, that furnish recovered covered refrigerants to the program for collection;

(e) The payments for services rendered by distributors, wholesalers, or any persons providing collection sites for recovered covered refrigerants; and

(f) The payment of administrative fees to the department.

(2)(a) A refrigerant stewardship organization must develop and implement a system to collect charges from participating producers to cover the costs of plan implementation in an equitable, environmentally sound, and socially just manner. Except as provided in (f) of this subsection, a refrigerant stewardship

organization's system of charges must utilize a standard per-mass unit assessment applied based on the volume of covered refrigerants introduced into Washington.

(b) The system of charges must apply equally regardless of whether that refrigerant is contained in precharged equipment or manufactured, imported, distributed, or sold directly onto the market as bulk covered refrigerants. For precharged equipment, the system of charges may rely on reasonable estimations of refrigerant volumes contained in the precharged equipment.

(c) To allow a refrigerant stewardship organization to establish an equitable and reasonable system of charges for producers of precharged equipment and bulk covered refrigerants, and to allow the refrigerant stewardship organization to calculate recovery rates for purposes of section 5 of this act, a refrigerant stewardship organization may require a producer to provide product specifications and product sale and distribution volumes in or into Washington for precharged equipment and bulk covered refrigerants.

(d) In the plan proposed to the department, the refrigerant stewardship organization must propose an initial rate per pound of covered refrigerant to calculate the charges due from producers in the first year of the program, consistent with the requirements of this section. The department may approve the proposed rate of the refrigerant stewardship organization if it determines, based on consideration of the experiences of other jurisdictions that have implemented similar programs, that the proposed rate will be sufficient for the refrigerant stewardship organization to achieve the performance targets established in section 5 of this act and to carry out the other obligations of the refrigerant stewardship organization under this chapter.

(e) For each year beginning in 2029, the charges due from producers may be adjusted as follows:

(i) A refrigerant stewardship organization may propose to the department to adjust the initial per pound rate based on the performance assessment described in section 5 of this act, and the department may review and make a determination whether to approve the adjustment; or

(ii) The department may of its own volition adjust the rate based on the performance assessment described in section 5 of this act.

(f) Applicable no earlier than in calendar year 2031 of program operations, and using the process specified in (e) of this subsection, a refrigerant stewardship organization's system of charges may utilize an assessment that is weighted based on the global warming potential of each covered refrigerant, with a proportionally higher fee being assessed for gases with comparatively higher global warming potential.

(3) The system of charges must use ecomodulated fees to encourage the use of design attributes that reduce the environmental impacts of covered refrigerants. Examples of ecomodulated fees include, but are not limited to:

(a) Encouraging designs or business models intended to facilitate recovery, reclamation, and reuse of refrigerants;

(b) Encouraging the use of reclaimed refrigerants; and

(c) Encouraging a sliding scale of fees based upon refrigerant global warming potential.

(4) A refrigerant stewardship organization is responsible for all costs of recovered covered refrigerant collection, education, administration, and agency reimbursement in accordance with best environmental management practices.

(5) A refrigerant stewardship organization is not authorized to reduce or cease collection, education and outreach, or other activities implemented under an approved plan based on the achievement of program performance targets or achieving a level of programmatic efficacy that is higher than that required in section 5 of this act.

(6)(a) To encourage persons to manage recovered covered refrigerants through the program and to ensure that the program targets established in section 5 of this act are achieved, a refrigerant stewardship organization must propose in its plan, and carry out in its program, the payment of a financial incentive for each mass unit, such as pound of covered refrigerant, that a partner participant registered with the refrigerant stewardship organization furnishes to the program for management. Financial incentive payments must be made, where appropriate, to the employer of the person furnishing the covered refrigerant to the program for management, as long as the employer of the person furnishing the covered refrigerant provides a payment mechanism in which no less than 90 percent of the value of the financial incentive is received by the person furnishing the refrigerant to the program. Persons receiving financial incentives must possess a refrigerant certification under section 608 or 609 of the federal clean air act or the American innovation and manufacturing act of 2020, as they existed as of January 1, 2024. This financial incentive is not required to be consistent with the amount specified in subsection (2) of this section. A refrigerant stewardship organization must demonstrate to the department that the amount of the financial incentive for each unit of covered refrigerant will be sufficient to incentivize the use of the program by service technicians or other persons with unwanted recovered covered refrigerant, to discourage illegal dumping or venting of refrigerants or other pollutants, and must be in addition to any other incentive payments offered for the same covered refrigerants or precharged equipment through utility rebate, energy efficiency, or other programs.

(b) The financial incentives offered through the program may vary as appropriate to ensure the achievement of the performance targets established in section 5 of this act in an efficient manner. In developing the financial incentives, a refrigerant stewardship organization may consider any combination of the following:

(i) The volume of recovered covered refrigerant furnished by a partner participant;

(ii) The type and purity of recovered covered refrigerant; and

(iii) Whether the recovered covered refrigerant has been collected and furnished to the program in a manner that minimizes the costs and environmental impacts of managing that refrigerant and whether it has been collected and furnished in a manner that facilitates the reuse of the refrigerant rather than its destruction, where appropriate.

(c) If the department determines that a refrigerant stewardship organization has not met a performance target established in section 5 of this act, the department may require the refrigerant stewardship organization to increase the value of the financial incentive established under this subsection.

(d) The refrigerant stewardship organization may retain a cash reserve on a year-over-year basis in order to ensure the refrigerant stewardship organization's ability to pay financial incentives in future years for the covered refrigerant furnished to the program.

(7) A refrigerant stewardship organization must reimburse demonstrable costs incurred at a collection site as a result of a serving as a collection site for the program including, but not limited to, associated labor costs, transportation costs, and other costs associated with safety, accessibility, and operation of the collection site. A refrigerant stewardship organization may provide additional supports to facilitate the recovery of covered refrigerants including, but not limited to, assistance for service technicians in obtaining equipment to facilitate recovery of covered refrigerants.

(8) (a) It is the intent of the legislature to not incentivize refrigerant destruction under this chapter in the initial years of program implementation.

(b) As federal programs under the American innovation in manufacturing act, including those in 40 C.F.R. Part 84, and similar state programs phase down the use of hydrofluorocarbon refrigerants, the department may evaluate the benefits of incentivizing destruction, and on or after January 1, 2035, the department may by rule set an incentive for destruction of covered refrigerants that may not be used for any carbon credits or other greenhouse gas offset credits, including under chapter 70A.65 RCW.

(9) If more than one refrigerant stewardship organization is registered within the state, each refrigerant stewardship organization must coordinate with other refrigerant stewardship organizations to provide reimbursement, to ensure that covered refrigerants are not reported as supplied or managed by more than one refrigerant stewardship organization, and to ensure that one or more of the registered refrigerant stewardship organizations do not inequitably subsidize the operations of other registered refrigerant stewardship organizations through the overpayment of financial

incentives to service technicians and other persons relative to that refrigerant stewardship organization or refrigerant stewardship organization's share of covered refrigerants that it is responsible for in the state.

**NEW SECTION. Sec. 9. ROLE OF RETAIL ESTABLISHMENTS SELLING PRECHARGED EQUIPMENT.**

(1) Beginning July 1, 2028, retail establishments may not sell, offer for sale, otherwise make available for sale, install, or otherwise furnish to customers precharged equipment containing a covered refrigerant unless the producer responsible for the precharged equipment participates in a refrigerant stewardship organization.

(2) A retail establishment is in compliance with the requirements of subsection (1) of this section and is not subject to penalties as long as the website made available by the department under section 12 of this act lists, as of the date the precharged equipment is made available for retail sale, the producer responsible for the brand and appliance model of the precharged appliance, sold by the retail establishment as being a participant in an approved plan or the implementer of an approved plan.

(3) A retail establishment that sells precharged equipment containing covered refrigerant is not required to make retail locations available to serve as collection sites or services for a program operated by a refrigerant stewardship organization. However, a retail establishment that agrees to make a retail location available to serve as a collection site or otherwise offers refrigerant recovery services for a program must comply with the requirements for collection sites and service providers, consistent with section 6 of this act.

(4) A retail establishment selling or offering precharged equipment containing covered refrigerant for sale in Washington must provide information to customers, provided to the retail establishment by each refrigerant stewardship organization, regarding available end-of-life management options for covered refrigerants collected by the refrigerant stewardship organization. The information that a refrigerant stewardship organization must make available to retail establishments and refrigerant service providers must include, but is not limited to, in-store signage, written materials, and other promotional materials that retail establishments and refrigerant service providers must use to inform customers of the available end-of-life management options for covered refrigerants collected by the refrigerant stewardship organization. All materials developed by a refrigerant stewardship organization under this subsection must:

(a) Inform customers regarding the climate impacts of refrigerants;

(b) Encourage customers to choose a service technician participating in the program and encourage customers to confirm with their service technician that the customer's refrigerants will be reclaimed; and

(c) Identify the prohibitions under federal law and chapters 70A.15 and 70A.60 RCW on the willful release of refrigerants.

(5) Retail establishments, refrigerant service providers, producers, or refrigerant stewardship organizations may not charge a point-of-sale fee to consumers to cover the administrative or operational costs of the refrigerant stewardship organization or the program.

**NEW SECTION. Sec. 10. REPORTING AND RECORDKEEPING REQUIREMENTS FOR THE REFRIGERANT STEWARDSHIP ORGANIZATION, PRODUCERS, AND PARTICIPANTS.** (1) By June 1, 2029, and each June 1st thereafter, a refrigerant stewardship organization must submit an annual report to the department covering the preceding calendar year of program implementation. The report must include:

(a) An independent financial audit of a program implemented by the refrigerant stewardship organization, including a breakdown of the program's expenses, such as collection, storage, transportation, and other operational activities in support of the program;

(b) A summary financial statement documenting the financing of the refrigerant stewardship organization program and an analysis of program costs and expenditures, including an analysis of the program's expenses, such as collection, storage, transportation, and other activities in support of the program;

(c) On an annual basis, key quantitative data regarding program operations, including:

(i) The quantity of each type of covered refrigerant, whether in bulk or contained inside precharged equipment, sold into the state of Washington by each producer;

(ii) The quantity of each type of recovered covered refrigerant and the management outcomes of those recovered covered refrigerants as to reclamation, destruction, or transportation for those purposes, or any maintained stocks; and

(iii) A calculation of the recovery rate and other performance targets established under section 5 of this act, including the sources of data relied upon in the recovery rate calculation;

(d) For each facility used as a collection site, the name and address of the facility with links to appropriate websites where there are existing websites associated with a location;

(e) A summary of the activities carried out at the collection sites;

(f) A summary of the education and outreach activities supporting plan implementation, including a summary of coordinated education and outreach efforts with refrigerant stewardship organizations if multiple refrigerant stewardship organizations have formed, and the results of awareness surveys;

(g) Any changes to:

(i) The list of producers participating, including producers of precharged equipment;

(ii) Collection infrastructure, including the list of collection sites;

(iii) Recovery rates and progress towards performance targets; and

(iv) The program necessary to continue progress towards performance targets; and

(h) Any other information about program operations required to be included in the annual report in rules adopted by the department.

(2) On March 1st, June 1st, September 1st, and December 1st of each year in which a refrigerant stewardship organization implements a program, a refrigerant stewardship organization must submit to the department an updated list of participating producers of covered refrigerants and precharged equipment, and the brands and models for precharged equipment, to be posted on the department's website.

(3) The partner participants in a refrigerant stewardship organization, such as distributors and wholesalers of bulk covered refrigerants or precharged equipment, are required to keep records of information needed by the refrigerant stewardship organization to fulfill the refrigerant stewardship organization's reporting requirements listed in this section and to aid the performance assessment requirements listed in section 5 of this act. To the extent feasible, recordkeeping and reporting requirements applicable to partner participants must be harmonized with the recordkeeping and reporting requirements under chapter 70A.60 RCW and required by the United States environmental protection agency. Partner participants must report information to a refrigerant stewardship organization in a form and manner prescribed by the refrigerant stewardship organization, and consistent with the following:

(a) By March 31st of each year a refrigerant stewardship organization implements a program, distributors and wholesalers must report to each refrigerant stewardship organization quantities and types of covered refrigerants sold to them by each producer participating in that refrigerant stewardship organization and subsequently resold by them for use in the state of Washington, and not neighboring states, in the prior year;

(b) Distributors and wholesalers must keep the same records outlined in (a) of this subsection for a period of five years;

(c) Distributors and wholesalers must require attestation from any service technician or other individual returning recovered covered refrigerant that the refrigerant came from the state of Washington. At minimum, the attestation must include quantities and types of refrigerants recovered at each location inside of Washington, as well as the address of the recovery;

(d) The department may require a refrigerant stewardship organization to submit any of the records listed in (a) through (c) of this subsection at any time.

**NEW SECTION. Sec. 11. PROTECTION OF CONFIDENTIAL AND BUSINESS SENSITIVE INFORMATION.** A refrigerant stewardship organization may request that the information or records be made available



only for the confidential use of the department, the director of the department, or the appropriate division of the department. The director of the department must give consideration to the request and if this action is not detrimental to the public interest and is otherwise in accordance with the policies and purposes of chapter 43.21A RCW, the director must grant the request for the information to remain confidential as authorized in RCW 43.21A.160.

**NEW SECTION. Sec. 12. ROLES AND RESPONSIBILITIES OF DEPARTMENT OF ECOLOGY SECTION.** (1) The department must implement, administer, and enforce this chapter. By December 31, 2026, the department shall adopt rules as necessary to implement, administer, and enforce this chapter. If, after January 1, 2024, the United States environmental protection agency updates the federal standards referenced in section 2 of this act, including the provisions referenced in the definitions of "reclaimer," "service technician," "recovery," and "destruction" in section 2 of this act, the department must notify the appropriate committees of the legislature and recommend appropriate changes to the definitions in section 2 of this act in order to maintain consistency with federal law.

(2)(a) By April 1, 2027, and every April 1st thereafter, the department must:

(i) Identify the projected annual costs to implement, administer, and enforce this chapter;

(ii) Determine a total annual fee payment to be paid by each refrigerant stewardship organization that is adequate to cover, but not exceed, the costs identified in (a)(i) of this subsection;

(iii) By December 31, 2026, adopt rules to equitably determine the annual fee payment by a refrigerant stewardship organization; and

(iv) Send notice to a refrigerant stewardship organization of fee amounts due consistent with rules adopted under (a)(iii) of this subsection.

(b) The department must:

(i) Apply any remaining annual payment funds from the current year to the annual payment for the coming fiscal year, if the collected annual payment exceeds the costs identified under (a)(ii) of this subsection for a given year; and

(ii) Increase annual payments for the coming fiscal year to cover the costs identified under (a)(ii) of this subsection, if the collected annual payment was less than the amount required to cover those costs for a given year.

(3)(a) The department must review new, updated, and revised plans submitted by a refrigerant stewardship organization. The department must:

(i) Make new, updated, and revised plans available for public review and comment for at least 30 days prior to the department's approval decision;

(ii) Review new, updated, and revised refrigerant stewardship organization plans

within 120 days of receipt of a complete plan;

(iii) Make a determination as to whether or not to approve a plan, plan update, or plan revision and notify the refrigerant stewardship organization of the:

(A) Determination of approval if a plan provides for a program that meets the requirements of this chapter, taking into consideration comments received under (a)(i) of this subsection; or

(B) Reasons for not approving a plan. A refrigerant stewardship organization must submit a new or revised plan within 60 days after receipt of the letter of disapproval. In the event that a new or revised plan submitted by a refrigerant stewardship organization does not sufficiently meet the requirements of this chapter, including any deficiencies identified in the initial letter of disapproval, the department may:

(I) Use the enforcement powers specified in section 13 of this act; or

(II) Amend the contents of the insufficient new or revised plan in a manner that ensures that the plan meets the requirements of this chapter and the department may require the refrigerant stewardship organization to implement the plan as amended by the department.

(b) The approval of a plan by the department does not relieve producers participating in the plan from responsibility for fulfilling the requirements of this chapter.

(4) The department must review annual reports submitted by a refrigerant stewardship organization as required in section 10 of this act. The department must:

(a) Make annual reports available for public review and comment for at least 30 days upon the receipt of the annual report by the department;

(b) Review the annual report within 120 days of receipt of a complete annual report;

(c) Make a determination as to whether or not an annual report meets the requirements of section 10 of this act and notify a refrigerant stewardship organization of the:

(i) Determination of approval of the annual report; or

(ii) Reasons for not approving the annual report. The refrigerant stewardship organization must submit a revised annual report within 60 days after receipt of the letter of disapproval;

(d) Notify a refrigerant stewardship organization if the annual report demonstrates that the program and activities to implement the plan fail to achieve the performance targets approved by the department or otherwise fail to achieve significant requirements under this chapter.

(5) Consistent with section 6 of this act, the department may grant an infeasibility waiver temporarily exempting, for the duration of a plan, a refrigerant stewardship organization from the requirement to provide a permanent collection site in each county. The department may only grant an exemption if the refrigerant stewardship organization demonstrates that no refrigerant distributor, wholesaler, or service provider exists to service a collection site, no local government or retail establishment has

voluntarily elected to serve as a collection site, and that access to collection services by persons in possession of recovered covered refrigerants will not be substantially affected by the lack of a permanent collection site in a low population density county. The refrigerant stewardship organization, if granted an infeasibility waiver under this section must, at minimum, hold at least two collection events each year in any counties covered by the infeasibility waiver.

(6) The department must maintain a public website that:

(a) Lists details of each refrigerant stewardship organization along with its member producers, participants, and the covered refrigerants and brands and models precharged equipment that are included under the refrigerant stewardship organization's plan; and

(b) Makes available each plan and annual report received by the department under this chapter.

(7) If multiple refrigerant stewardship organizations form to implement plans, and if requested by the refrigerant stewardship organizations, the department may serve as a coordinating body or oversee coordination of refrigerant stewardship organization plans.

**NEW SECTION. Sec. 13. PENALTIES.**

(1) (a) The department may administratively impose a civil penalty of up to \$1,000 per violation per day on any person who violates this chapter and up to \$10,000 per violation per day for the second and each subsequent violation.

(b) Prior to imposing penalties under this subsection, the department must provide a person with a written warning for the first violation by the person of the requirements of this chapter. The written warning must inform the person that the person must participate in an approved plan or otherwise come into compliance with the requirements of this chapter within 30 days of the notice. A person that violates a provision of this chapter after the initial written warning may be assessed a penalty as provided in this subsection.

(2) Upon the department notifying a refrigerant stewardship organization that it has not met a significant requirement of this chapter, the department may, in addition to assessing the penalties provided in subsection (1) of this section, take any combination of the following actions:

(a)(i) Issue corrective action orders to a producer or a refrigerant stewardship organization;

(ii) Issue orders to a refrigerant stewardship organization to provide for the continued implementation of the program in the absence of an approved plan;

(b) Revoke the refrigerant stewardship organization's plan approval and require the refrigerant stewardship organization to implement its contingency plan;

(c) Require a refrigerant stewardship organization to revise or resubmit a plan within a specified time frame; or

(d) Require additional reporting related to compliance with the significant

requirement of this chapter that was not met.

(3) Prior to taking the actions described in subsection (2)(b) of this section, the department must provide a refrigerant stewardship organization with an opportunity to respond to or rebut the written finding upon which the action is predicated.

(4) Any person who incurs a penalty under subsection (1) of this section or an order under subsection (2) of this section may appeal the penalty or order to the pollution control hearings board established in chapter 43.21B RCW.

(5) Penalties levied under this section must be deposited in the model toxics control operating account created in RCW 70A.305.180.

**NEW SECTION. Sec. 14. ANTITRUST PROTECTIONS.** Producers and a refrigerant stewardship organization, acting on behalf of producers that prepare, submit, and implement a refrigerant stewardship organization plan pursuant to this chapter and who are thereby subject to regulation by the department, are hereby granted immunity from state laws relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade and commerce, for the limited purpose of planning, reporting, and operating the stewardship program, including:

(1) The creation, implementation, or management of the refrigerant stewardship organization and any plan regardless of whether it is submitted, denied, or approved;

(2) The cost and structure of a refrigerant stewardship organization plan; and

(3) The types or quantities of covered refrigerants being recycled or otherwise managed pursuant to this chapter.

**NEW SECTION. Sec. 15. RESPONSIBLE REFRIGERANT DISPOSAL ACCOUNT.**

The responsible refrigerant disposal account is created in the custody of the state treasurer. All receipts from section 12 of this act must be deposited into the account. Expenditures from the account may be used only for administering, implementing, and enforcing the requirements of this chapter. Moneys in the account may not be diverted for any purpose or activity other than those specified in this section. Only the director of ecology or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

**NEW SECTION. Sec. 16. PROHIBITION ON THE USES OF FUNDS.** A refrigerant stewardship organization may not use funds collected for purposes of implementing a plan required under this chapter associated with:

(1) The payment of an administrative penalty levied;

(2) Administrative appeals of orders or penalties;

(3) Litigation between the refrigerant stewardship organization and the state;

(4) Compensation of a person whose position is primarily representing the refrigerant stewardship organization relative to the passage, defeat, approval, or modification of legislation that is being considered by a government entity; or

(5) Paid advertisements related to encouraging the passage, defeat, approval, or modification of legislation that is being considered during an upcoming or current legislative session or was considered during the previous legislative session.

**NEW SECTION. Sec. 17. LIMITATION OF CHAPTER.** Nothing in this chapter changes or limits the applicability of the requirements of chapter 70A.15, 70A.60, or 70A.300 RCW to covered refrigerants.

**NEW SECTION. Sec. 18.** A new section is added to chapter 82.04 RCW to read as follows:

**BUSINESS AND OCCUPATION TAX EXEMPTION.**

(1) This chapter does not apply to:

(a) Receipts of a refrigerant stewardship organization formed under chapter 70A.---RCW (the new chapter created in section 21 of this act) from charges to participating producers under a stewardship plan as provided in section 8 of this act;

(b) Charges to producers by a refrigerant stewardship organization formed under chapter 70A.---RCW (the new chapter created in section 21 of this act) under a stewardship plan as provided in section 8 of this act; or

(c) Financial incentive payments received by partner participants under section 8 of this act.

(2) This section is not subject to the requirements of RCW 82.32.805 and 82.32.808 and is not subject to an expiration date.

(3) The definitions in section 2 of this act apply throughout this section unless the context clearly requires otherwise.

**Sec. 19.** RCW 43.21B.110 and 2023 c 455 s 5, 2023 c 434 s 20, 2023 c 344 s 5, and 2023 c 135 s 6 are each reenacted and amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70A.15 RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70A.15.3160, 70A.300.090, 70A.20.050, 70A.530.040, 70A.350.070, 70A.515.060, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.245.130, 70A.245.140, 70A.65.200, 70A.455.090, 70A.550.030, 70A.555.110, 70A.560.020, section 13 of this act, 76.09.170, 77.55.440, 78.44.250, 88.46.090, 90.03.600,

90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 43.27A.190, 70A.15.2520, 70A.15.3010, 70A.300.120, 70A.350.070, 70A.245.020, 70A.65.200, 70A.555.110, 70A.560.020, section 13 of this act, 86.16.020, 88.46.070, 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, or a decision to approve or deny an application for a solid waste permit exemption under RCW 70A.205.260.

(d) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70A.205 RCW.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70A.226.090.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820, and decisions of the department regarding waste-derived soil amendments under RCW 70A.205.145.

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW, to issue a stop work order, to issue a notice to comply, to issue a civil penalty, or to issue a notice of intent to disapprove applications.

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(n) Decisions of the department of ecology that are appealable under RCW 70A.245.020 to set recycled minimum postconsumer content for covered products or to temporarily exclude types of covered products in plastic containers from minimum postconsumer recycled content requirements.

(o) Orders by the department of ecology under RCW 70A.455.080.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70A.15.3010, 70A.15.3070, 70A.15.3080, 70A.15.3090, 70A.15.3100, 70A.15.3110, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

**Sec. 20.** RCW 43.21B.300 and 2023 c 455 s 6, 2023 c 434 s 21, and 2023 c 135 s 7 are each reenacted and amended to read as follows:

(1) Any civil penalty provided in RCW 18.104.155, 70A.15.3160, 70A.205.280, 70A.300.090, 70A.20.050, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.245.130, 70A.245.140, 70A.65.200, 70A.455.090, 70A.555.110, 70A.560.020, section 13 of this act, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102 and chapter 70A.355 RCW shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the penalty from the department or the local air authority, describing the violation with reasonable particularity. For penalties issued by local air authorities, within 30 days after the notice is received, the person incurring the penalty may apply in writing to the authority for the remission or mitigation of the penalty. Upon receipt of the application, the authority may remit or mitigate the penalty upon whatever terms the authority in its discretion deems proper. The authority may ascertain the facts regarding all such applications in such reasonable manner and under such rules as it may deem proper and shall remit or mitigate the penalty only upon a demonstration of extraordinary circumstances such as the presence of information or factors not considered in setting the original penalty.

(2) Any penalty imposed under this section may be appealed to the pollution control hearings board in accordance with this chapter if the appeal is filed with the hearings board and served on the department or authority 30 days after the date of receipt by the person penalized of the notice imposing the penalty or 30 days after the date of receipt of the notice of

disposition by a local air authority of the application for relief from penalty.

(3) A penalty shall become due and payable on the later of:

(a) 30 days after receipt of the notice imposing the penalty;

(b) 30 days after receipt of the notice of disposition by a local air authority on application for relief from penalty, if such an application is made; or

(c) 30 days after receipt of the notice of decision of the hearings board if the penalty is appealed.

(4) If the amount of any penalty is not paid to the department within 30 days after it becomes due and payable, the attorney general, upon request of the department, shall bring an action in the name of the state of Washington in the superior court of Thurston county, or of any county in which the violator does business, to recover the penalty. If the amount of the penalty is not paid to the authority within 30 days after it becomes due and payable, the authority may bring an action to recover the penalty in the superior court of the county of the authority's main office or of any county in which the violator does business. In these actions, the procedures and rules of evidence shall be the same as in an ordinary civil action.

(5) All penalties recovered shall be paid into the state treasury and credited to the general fund except those penalties imposed pursuant to RCW 18.104.155, which shall be credited to the reclamation account as provided in RCW 18.104.155(7), RCW 70A.15.3160, the disposition of which shall be governed by that provision, RCW 70A.245.040 and 70A.245.050, which shall be credited to the recycling enhancement account created in RCW 70A.245.100, RCW 70A.300.090, 70A.555.110, ~~((and))~~ 70A.560.020, and section 13 of this act, which shall be credited to the model toxics control operating account created in RCW 70A.305.180, RCW 70A.65.200, which shall be credited to the climate investment account created in RCW 70A.65.250, RCW 90.56.330, which shall be credited to the coastal protection fund created by RCW 90.48.390, and RCW 70A.355.070, which shall be credited to the underground storage tank account created by RCW 70A.355.090.

NEW SECTION. **Sec. 21.** Sections 1 through 17 of this act constitute a new chapter in Title 70A RCW.

NEW SECTION. **Sec. 22.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Representatives Doglio and Dye spoke in favor of the adoption of the striking amendment.

The striking amendment (905) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Duerr spoke in favor of the passage of the bill.

Representatives Dye, McEntire, Couture, Christian and Ybarra spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2401.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2401, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2401, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2348, by Representatives Street, Chopp, Taylor, Fitzgibbon, Berry, Orwall, Davis, Alvarado, Farivar, Macri, Ryu, Riccelli and Ormsby**

**Concerning county hospital funding.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2348 was substituted for House Bill No. 2348 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2348 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Street and Goehner spoke in favor of the passage of the bill.

Representatives Orcutt and Jacobsen spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2348.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2348, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Kloba, Kretz, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Bronoske, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2348, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2136, by Representatives Ormsby, Schmidt, Doglio, Farivar, Berry, Simmons, Reed, Ramel, Mena, Goodman, Berg, Fosse, Reeves, Pollet and Kloba**

**Concerning prevailing wage sanctions, penalties, and debarment.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2136 was substituted for House Bill No. 2136 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2136 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ormsby and Schmidt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2136.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2136, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barnard, McEntire, Mosbrucker and Walsh

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2136, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 2136.  
Representative Mosbrucker, 14th District

## SECOND READING

**HOUSE BILL NO. 1835, by Representatives Kretz, Chapman, Maycumber, Tharinger, Harris and Dent**

### Defining frontier counties.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1835 was substituted for House Bill No. 1835 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1835 was read the second time.

Representative Kretz moved the adoption of amendment (912):

On page 1, at the beginning of line 11, strike "less" and insert "fewer"

On page 1, line 13, after "of" strike "20 or less" and insert "21 or fewer"

On page 1, at the beginning of line 15, strike "between 21 and" and insert "of more than 21 but fewer than"

On page 3, at the beginning of line 14, strike "less" and insert "fewer"

On page 3, line 16, after "of" strike "20 or less" and insert "21 or fewer"

On page 3, at the beginning of line 18, strike "between 21 and" and insert "of more than 21 but fewer than"

On page 3, at the beginning of line 36, strike "less" and insert "fewer"

On page 3, line 38, after "of" strike "20 or less" and insert "21 or fewer"

On page 4, at the beginning of line 1, strike "between 21 and" and insert "of more than 21 but fewer than"

Representatives Kretz and Ryu spoke in favor of the adoption of the amendment.

Amendment (912) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kretz, Ryu, Volz and Dye spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1835.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1835, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Berg, Slatter and Timmons

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1835, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1368, by Representatives Senn, Fey, Berry, Doglio, Peterson, Chapman, Fosse, Slatter, Gregerson, Callan, Lekanoff, Ramel, Stonier, Street, Santos, Fitzgibbon, Berg, Reed, Simmons, Bergquist, Goodman, Pollet, Cortes, Macri and Leavitt**

### Requiring and funding the purchase of zero emission school buses.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1368 was substituted for House Bill No. 1368 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1368 was read the second time.

Representative Senn moved the adoption of the striking amendment (903):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that zero emission vehicle technology is crucial to protecting Washington's children from the health impacts of fossil fuel emissions and to limiting the long-term impacts of climate change on our planet. Spurred by a supportive regulatory environment, the state has made great advances in recent years that have improved the performance and reduced the costs of such vehicles. With the recent deployment of financial incentives for clean transportation technology under the federal bipartisan infrastructure law of 2021, the inflation reduction act of 2022, and state funding for early adopters of zero emission buses that began being made available in the 2023 enacted budgets, the costs and performance of zero emission vehicles, including zero emission school buses, are forecast to continue to improve in coming years. Zero emission school buses on the market today feature reduced fuel, operations, and maintenance costs compared to their fossil-fueled counterparts.

(2) Zero emission school buses and the related reduction of diesel exhaust will also have significant public health benefits for children, school staff, bus drivers, and communities, and decrease inequities.

Residents in overburdened parts of Washington facing poor air quality are disproportionately communities of color, rural, and low-income and suffer from increased health risks, higher medical bills, are living sicker and dying younger, emphasizing the need for cleaner air and environmental justice.

(3) Further, the legislature finds that school districts need funding support to enable the transition to zero emission buses, including accurately reflecting the costs of zero emission buses in the state's reimbursement schedule for school buses. Zero emission buses are intended to include both battery electric technologies and hydrogen fuel cell technologies.

(4) Therefore, it is the intent of the legislature to help transition school districts, charter schools, and state-tribal education compact schools to using only zero emission school buses.

(5) During this transition, it is the intent of the legislature to prioritize grants to communities that are already bearing the most acute harms of air pollution, and to replace the oldest diesel vehicles that were manufactured under outdated and less protective federal emission standards. During the time leading up to an eventual phase out of fossil fuel powered school buses, electric utilities are encouraged to plan and take steps to ensure any service upgrades necessary to support the onboarding of zero emission fleets of school buses, including by making use of the grid modernization grant program administered by the department of commerce. Schools and school districts receiving zero emission school buses funded through the program created in this act are encouraged to coordinate with electric utilities to utilize the vehicles to support electric system reliability and capacity through vehicle-to-grid integration when the buses are not in service.

**NEW SECTION. Sec. 2.** A new section is added to chapter 70A.15 RCW to read as follows:

(1) The department must administer the zero emission school bus grant program within the clean diesel grant program for buses, infrastructure, and related costs.

(2)(a) Appropriations to this grant program are provided solely for grants to transition from fossil-fuel school buses to zero emission vehicles. Eligible uses of grant funds include the planning and acquisition of zero emission school bus vehicles for student transportation, planning, design, and construction of associated fueling and charging infrastructure, including infrastructure to allow the use of zero emission buses in cold weather and other challenging operational conditions, the scrapping of old diesel school buses, and training drivers, mechanics, and facility operations personnel to operate and maintain the zero emission buses and infrastructure.

(b) Grant recipients may combine grant funds awarded under this section with any other source of funding in order to secure all funds needed to fully purchase each zero

emission vehicle and any associated charging infrastructure.

(c) Grants issued under this section are in addition to payments made under the depreciation schedule adopted by the office of the superintendent of public instruction. Grants may only be issued until the school bus depreciation schedule established in RCW 28A.160.200 is adjusted to fund the cost of zero emission bus purchases at which time the department must transition the program established in this section to focus solely on electric vehicle charging infrastructure grants.

(3) When selecting grant recipients, the department must prioritize, in descending order of priority:

(a) School bus routes currently using school buses manufactured prior to 2007 and serving overburdened communities, including communities of color, rural, and low-income communities, highly impacted by air pollution identified by the department under RCW 70A.65.020(1);

(b) School bus routes serving overburdened communities, including communities of color, rural, and low-income communities, highly impacted by air pollution identified by the department under RCW 70A.65.020(1);

(c) If funds remain after reviewing grant applications meeting the criteria of (a) of this subsection, the replacement of school buses manufactured prior to 2007; and

(d) If funds remain after reviewing grant applications meeting the criteria of (a), (b), or (c) of this subsection, to applicants that demonstrate an unsuccessful application to receive federal funding for zero emission school bus purposes prior to January 1, 2024.

(4) The department must distribute no less than 90 percent of the funds appropriated under this section to grant recipients. Amounts retained by the department may only be used as follows:

(a) Up to three and one-half percent of funds appropriated under this section for administering the grant program; and

(b) Up to six and one-half percent of funds appropriated under this section to provide technical assistance to grant applicants including, but not limited to, assistance in evaluating charging infrastructure and equipment and in coordinating with electric utility service adequacy.

(5) By June 1, 2025, the department in consultation with the superintendent of public instruction must submit a report to the governor and the relevant policy and fiscal committees of the legislature providing an update on the status of implementation of the grant program under this section and a summary of recommendations and implementation considerations for transitioning the zero emission school bus grant program from competitive school bus vehicle depreciation schedule established in RCW 28A.160.200.

(6) For the purposes of this section, "zero emission vehicles" means a vehicle that produces zero exhaust emission of any air pollutant and any greenhouse gas other than water vapor.

**Sec. 3.** RCW 28A.160.140 and 1990 c 33 s 140 are each amended to read as follows:

(1) As a condition of entering into a pupil transportation services contract with a private nongovernmental entity, each school district shall engage in an open competitive process at least once every ~~((five))~~15 years. This requirement shall not be construed to prohibit a district from entering into a pupil transportation services contract of less than ~~((five))~~15 years in duration with a district option to renew, extend, or terminate the contract, if the district engages in an open competitive process at least once every ~~((five))~~15 years ~~((after July 26, 1987))~~.

(2)(a) Beginning September 1, 2030, 75 percent of newly-acquired school buses used for pupil transportation services contracts under this section must be school buses that are zero emission vehicles, as defined in section 2 of this act.

(b) Once zero emission school bus total cost of ownership as defined by rule making authorized in RCW 28A.160.195(7) is determined to be at or below the total cost of ownership as defined by rule making authorized in RCW 28A.160.195(7) of diesel school buses, newly-acquired school buses used for pupil transportation services contracts under this section must be school buses that are zero emission vehicles, as defined in section 2 of this act.

(c) If zero emission school bus total cost of ownership is determined to be at or below the total cost of ownership of diesel school buses under (b) of this subsection, prior to September 1, 2030, the provisions of (b) of this subsection take precedence over the provisions of (a) of this subsection.

(3) As used in this section:

~~((1))~~(a) "Open competitive process" means either one of the following, at the choice of the school district:

~~((a))~~(i) The solicitation of bids or quotations and the award of contracts under RCW 28A.335.190; or

~~((b))~~(ii) The competitive solicitation of proposals and their evaluation consistent with the process and criteria recommended or required, as the case may be, by the office of financial management for state agency acquisition of personal service contractors;

~~((2))~~(b) "Pupil transportation services contract" means a contract for the operation of privately owned or school district owned school buses, and the services of drivers or operators, management and supervisory personnel, and their support personnel such as secretaries, dispatchers, and mechanics, or any combination thereof, to provide students with transportation to and from school on a regular basis; and

~~((3))~~(c) "School bus" means a motor vehicle as defined in RCW 46.04.521 and under the rules of the superintendent of public instruction.

**Sec. 4.** RCW 28A.160.195 and 2005 c 492 s 1 are each amended to read as follows:

(1) The superintendent of public instruction, in consultation with the regional transportation coordinators of the educational service districts, shall

establish a minimum number of school bus categories considering the capacity and type of vehicles required by school districts in Washington. Once zero emission school bus total cost of ownership as defined by rule making authorized in subsection (7) of this section is determined to be at or below the total cost of ownership as defined by rule making authorized in subsection (7) of this section of diesel school buses, these school bus categories must solely include school buses that meet the definition of zero emission vehicle in section 2 of this act, except as necessary to reimburse diesel school buses purchased prior to the determination, and except for use cases where needs, including the mileage needs of bus routes, are not capable of being met by the technological capabilities of zero emission buses available to school districts for acquisition. The superintendent, in consultation with the regional transportation coordinators of the educational service districts, shall establish competitive specifications for each category of school bus. The categories shall be developed to produce minimum long-range operating costs, including costs of equipment and all costs in operating the vehicles. The competitive specifications shall meet federal motor vehicle safety standards, minimum state specifications as established by rule by the superintendent, and supported options as determined by the superintendent in consultation with the regional transportation coordinators of the educational service districts. The superintendent may solicit and accept price quotes for a rear-engine category school bus that shall be reimbursed at the price of the corresponding front engine category.

(2) After establishing school bus categories and competitive specifications, the superintendent of public instruction shall solicit competitive price quotes for base buses from school bus dealers, which must include the solicitation of competitive price quotes for zero emission buses that meet the definition of zero emission vehicle in section 2 of this act, to be in effect for one year and shall establish a list of all accepted price quotes in each category obtained under this subsection. The superintendent shall also solicit price quotes for optional features and equipment.

(3) The superintendent shall base the level of reimbursement to school districts and educational service districts for school buses on the lowest quote for the base bus in each category. School districts and educational service districts shall be reimbursed for buses purchased only through a lowest-price competitive bid process conducted under RCW 28A.335.190 or through the state bid process established by this section. Once school bus categories include only school buses that meet the definition of zero emission as required in subsection (1) of this section, reimbursements must reflect for the full cost of zero emission buses, excluding operating costs covered under this chapter and infrastructure eligible for grants under section 2 of this act.

(4) Notwithstanding RCW 28A.335.190, school districts and educational service



districts may purchase at the quoted price directly from any dealer who is on the list established under subsection (2) of this section. School districts and educational service districts may make their own selections for school buses, but shall be reimbursed at the rates determined under subsection (3) of this section and RCW 28A.160.200. District-selected options shall not be reimbursed by the state.

(5) This section does not prohibit school districts or educational service districts from conducting their own competitive bid process.

(6) Nothing in this section prohibits the use of externally vented fuel-operated passenger heaters from November 15th through March 15th annually until other viable alternatives become available.

(7)(a) The superintendent of public instruction ~~((may))~~ must adopt rules under chapter 34.05 RCW to implement this section.

(b) The department of ecology, in consultation with the superintendent of public instruction, must adopt rules to establish the formulas used to calculate the total cost of ownership for school buses. Prior to the establishment of total cost of ownership rules, the superintendent of public instruction must, in consultation with the department of ecology publish optional preliminary guidance that school districts, including those contracting for pupil transportation services, may follow.

**NEW SECTION. Sec. 5.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) By November 15, 2024, the office of the superintendent of public instruction, in consultation with the department of ecology, must carry out a survey of school districts, charter schools, and state-tribal education compact schools focused on the uptake and total cost of ownership of zero emission school buses. The office of the superintendent of public instruction must submit a report to the legislature summarizing their findings by December 1, 2024.

(2) The survey required under this section must collect information from each school district and school on:

(a) Current zero emission vehicle charging and refueling capacity and infrastructure;

(b) Whether, assuming the availability of grant funds and depreciation schedule payments to cover the full cost of a vehicle, including the total cost of ownership of the vehicle, the school district or school would anticipate applying for funds to support zero emission school bus or bus infrastructure purchases in the next two years, and in the next five years;

(c) For any schools or school districts still using a school bus after the end of its applicable depreciation schedule, whether the bus was manufactured prior to 2007, and an explanation of why the school or school district has continued to use the bus past the end of its depreciation schedule;

(d) Responses to preliminary guidance from the office of the superintendent of

public instruction for calculating total cost of ownership and whether the school district or school utilizes the preliminary guidance or uses a different calculation methodology; and

(e) Any other survey information deemed helpful by the department of ecology or the office of the superintendent of public instruction to facilitating the transition to zero emission vehicles.

(3) For purposes of this section, "zero emission vehicle" has the same meaning as in section 2 of this act."

Correct the title.

Representative Connors moved the adoption of amendment (920) to the striking amendment (903):

On page 4, line 36 of the striking amendment, after "(3)" insert the following:

"(a) An extension to the deadline requirements under subsection (2) of this section may be requested by a school district with mileage needs for their bus routes that are unable to be met by the average daily mileage achieved under actual use conditions in Washington for zero emission school buses.

(b) The requirements of subsection (2) of this section do not prohibit the use of externally vented fuel-operated passenger heaters from November 15 through March 15 annually until other viable alternatives become available.

(4)"

Representatives Connors and Mena spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (920) to the striking amendment (903) was adopted.

Representative Ybarra moved the adoption of amendment (911) to the striking amendment (903):

On page 7, line 9 of the striking amendment, after "buses." insert "Formulas for total cost of ownership must include the costs of bus garages if the bus manufacturer recommends overnight indoor bus storage during cold weather."

Representative Ybarra spoke in favor of the adoption of the amendment to the striking amendment.

Representative Senn spoke against the adoption of the amendment to the striking amendment.

Amendment (911) to the striking amendment (903) was not adopted.

Representative Senn moved the adoption of amendment (904) to the striking amendment (903):

On page 4, beginning on line 20 of the striking amendment, after "(2)" strike all material through "(b)" on line 24

On page 4, beginning on line 31, strike all of subsection (c)

Representatives Senn and Dye spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (904) to the striking amendment (903) was adopted.

Representative Senn spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (903), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Senn spoke in favor of the passage of the bill.

Representative Dye spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1368.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1368, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1368, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1903, by Representatives Berry, Taylor, Stonier, Fitzgibbon, Reed, Street, Callan, Walen, Peterson, Fosse, Reeves, Simmons, Kloba, Mena, Senn, Hackney, Goodman, Thai, Ryu, Cortes, Tharinger, Alvarado, Ramel, Duerr, Ramos, Bateman, Ormsby, Fey, Rule, Macri, Gregerson, Doglio, Orwall, Bergquist, Berg, Farivar, Ortiz-Self, Lekanoff, Nance, Riccelli, Pollet and Davis**

#### Reporting lost or stolen firearms.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1903 was substituted for House Bill No. 1903 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1903 was read the second time.

Representative Rude moved the adoption of amendment (881):

On page 1, line 10, after "occurred" strike "within 24 hours" and insert "as soon

as practicable, but no more than one business day,"

On page 2, line 3, after "who" insert "willfully"

On page 2, after line 5, insert the following:

"(4) For the purposes of this section, "loss" means the firearm is in a location unknown to the owner and the owner has reason to believe the firearm is in a location not under the control of the owner."

Representatives Rude and Walsh spoke in favor of the adoption of the amendment.

Representative Berry spoke against the adoption of the amendment.

Amendment (881) was not adopted.

Representative Walsh moved the adoption of amendment (861):

On page 1, line 10, after "within" strike "24 hours" and insert "seven days"

Representatives Walsh and Christian spoke in favor of the adoption of the amendment.

Representative Farivar spoke against the adoption of the amendment.

Amendment (861) was not adopted.

Representative Griffey moved the adoption of amendment (851):

On page 3, after line 4, insert the following:

"NEW SECTION. Sec. 3. A new section is added to chapter 10.85 RCW to read as follows:

(1) The firearm bounty program is established to encourage persons to submit information to law enforcement to locate lost or stolen firearms that have been used in the commission of a crime. Any person who submits information to any peace officer, as defined in RCW 10.120.010, or to any agency with primary territorial jurisdiction, as defined in RCW 10.93.020, or to an entity that then forwards such information to a peace officer or such agency, that relates to the location of a lost or stolen firearm that has been used in the commission of a felony firearm offense is eligible to receive up to a \$500 cash reward if that firearm is recovered. If the felony firearm offense related to the located firearm resulted in a criminal conviction, the person that submitted information relating to the location of the firearm is eligible to receive up to a \$5,000 cash reward. A reward may not be paid to any law enforcement officer, any person that has an outstanding warrant, or to any federal, state, or local government or agency employee for information obtained by the individual in the normal course of their employment.

(2) The cash rewards authorized by this section shall be in accordance with RCW 10.85.050 and paid by the city or county

associated with the peace officer or agency with primary territorial jurisdiction that recovered the firearm. Cities and counties may pay the cash rewards authorized in this section from funds received from the county criminal justice assistance account created in RCW 82.14.310 and the municipal criminal justice assistance account created in RCW 82.14.320.

**Sec. 4.** RCW 82.14.310 and 2022 c 157 s 21 are each amended to read as follows:

(1) The county criminal justice assistance account is created in the state treasury. Beginning in fiscal year 2000, the state treasurer must transfer into the county criminal justice assistance account from the general fund the sum of \$23,200,000 divided into four equal deposits occurring on July 1, October 1, January 1, and April 1. For each fiscal year thereafter, the state treasurer must increase the total transfer by the fiscal growth factor, as defined in RCW 43.135.025, forecast for that fiscal year by the office of financial management in November of the preceding year.

(2) The moneys deposited in the county criminal justice assistance account for distribution under this section, less any moneys appropriated for purposes under subsections (4) and (5) of this section, must be distributed at such times as distributions are made under \*RCW 82.44.150 and on the relative basis of each county's funding factor as determined under this subsection.

(a) A county's funding factor is the sum of:

(i) The population of the county, divided by 1,000, and multiplied by two-tenths;

(ii) The crime rate of the county, multiplied by three-tenths; and

(iii) The annual number of criminal cases filed in the county superior court, for each 1,000 in population, multiplied by five-tenths.

(b) Under this section and RCW 82.14.320 and 82.14.330:

(i) The population of the county or city is as last determined by the office of financial management;

(ii) The crime rate of the county or city is the annual occurrence of specified criminal offenses, as calculated in the most recent annual report on crime in Washington state as published by the Washington association of sheriffs and police chiefs, for each 1,000 in population;

(iii) The annual number of criminal cases filed in the county superior court must be determined by the most recent annual report of the courts of Washington, as published by the administrative office of the courts;

(iv) Distributions and eligibility for distributions in the 1989-1991 biennium must be based on 1988 figures for both the crime rate as described under (b)(ii) of this subsection and the annual number of criminal cases that are filed as described under (b)(iii) of this subsection. Future distributions must be based on the most recent figures for both the crime rate as described under (b)(ii) of this subsection and the annual number of criminal cases that

are filed as described under (b)(iii) of this subsection.

(3) Moneys distributed under this section must be expended exclusively for criminal justice purposes. Except after May 13, 2021, through December 31, 2023, these funds may not be used to replace or supplant existing funding. Criminal justice purposes are defined as activities that substantially assist the criminal justice system, which may include circumstances where ancillary benefit to the civil or juvenile justice system occurs, and which includes (a) domestic violence services such as those provided by domestic violence programs, community advocates, and legal advocates, as defined in RCW 70.123.020, and (b) ~~((during the 2001-2003 fiscal biennium, juvenile dispositional hearings relating to petitions for at-risk youth, truancy, and children in need of services))~~ payments made pursuant to section 3 of this act. Existing funding for purposes of this subsection is defined as calendar year 1989 actual operating expenditures for criminal justice purposes. Calendar year 1989 actual operating expenditures for criminal justice purposes exclude the following: Expenditures for extraordinary events not likely to reoccur, changes in contract provisions for criminal justice services, beyond the control of the local jurisdiction receiving the services, and major nonrecurring capital expenditures.

(4) Not more than five percent of the funds deposited to the county criminal justice assistance account may be available for appropriations for enhancements to the state patrol crime laboratory system and the continuing costs related to these enhancements. Funds appropriated from this account for such enhancements may not supplant existing funds from the state general fund.

(5) Each fiscal biennium, the sum of \$510,000, may be appropriated for the Washington state patrol to provide investigative assistance and report services to assist local law enforcement agencies to prosecute criminals.

**Sec. 5.** RCW 82.14.320 and 2021 c 296 s 3 are each amended to read as follows:

(1) The municipal criminal justice assistance account is created in the state treasury. Beginning in fiscal year 2000, the state treasurer must transfer into the municipal criminal justice assistance account for distribution under this section from the general fund the sum of \$4,600,000 divided into four equal deposits occurring on July 1, October 1, January 1, and April 1. For each fiscal year thereafter, the state treasurer must increase the total transfer by the fiscal growth factor, as defined in RCW 43.135.025, forecast for that fiscal year by the office of financial management in November of the preceding year.

(2) No city may receive a distribution under this section from the municipal criminal justice assistance account unless:

(a) The city has a crime rate in excess of 125 percent of the statewide average as calculated in the most recent annual report on crime in Washington state as published by

the Washington association of sheriffs and police chiefs;

(b) The city has levied the tax authorized in RCW 82.14.030(2) at the maximum rate or the tax authorized in RCW 82.46.010(3) at the maximum rate; and

(c) The city has a per capita yield from the tax imposed under RCW 82.14.030(1) at the maximum rate of less than 150 percent of the statewide average per capita yield for all cities from such local sales and use tax.

(3) The moneys deposited in the municipal criminal justice assistance account for distribution under this section, less any moneys appropriated for purposes under subsection (7) of this section, must be distributed at such times as distributions are made under RCW 82.44.150. The distributions must be made as follows:

(a) Unless reduced by this subsection, 30 percent of the moneys must be distributed ratably based on population as last determined by the office of financial management to those cities eligible under subsection (2) of this section that have a crime rate determined under subsection (2)(a) of this section which is greater than 175 percent of the statewide average crime rate. No city may receive more than 50 percent of any moneys distributed under this subsection (~~((1)(3))~~) (3)(a) but, if a city distribution is reduced as a result of exceeding the 50 percent limitation, the amount not distributed must be distributed under (b) of this subsection.

(b) The remainder of the moneys, including any moneys not distributed in subsection (2)(a) of this section, must be distributed to all cities eligible under subsection (2) of this section ratably based on population as last determined by the office of financial management.

(4) No city may receive more than 30 percent of all moneys distributed under subsection (3) of this section.

(5) Notwithstanding other provisions of this section, the distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), must be made to the county in which the city is located.

(6) Moneys distributed under this section must be expended exclusively for criminal justice purposes. Except after May 13, 2021, through December 31, 2023, these funds may not be used to replace or supplant existing funding. Criminal justice purposes are defined as activities that substantially assist the criminal justice system, which may include circumstances where ancillary benefit to the civil justice system occurs, and which includes (~~(domestic)~~): (a) Domestic violence services such as those provided by domestic violence programs, community advocates, and legal advocates, as defined in RCW 70.123.020(, and); (b) payments made pursuant to section 3 of this act, and (c) publications and public educational efforts designed to provide information and assistance to parents in dealing with runaway or at-risk youth. Existing funding for purposes of this subsection is defined as calendar year 1989

actual operating expenditures for criminal justice purposes. Calendar year 1989 actual operating expenditures for criminal justice purposes exclude the following: Expenditures for extraordinary events not likely to reoccur, changes in contract provisions for criminal justice services, beyond the control of the local jurisdiction receiving the services, and major nonrecurring capital expenditures.

(7) Not more than five percent of the funds deposited to the municipal criminal justice assistance account may be available for appropriations for enhancements to the state patrol crime laboratory system and the continuing costs related to these enhancements. Funds appropriated from this account for such enhancements may not supplant existing funds from the state general fund.

(8) During the 2011-2013 fiscal biennium, the amount that would otherwise be transferred into the municipal criminal justice assistance account from the general fund under subsection (1) of this section must be reduced by 3.4 percent.

**Sec. 6.** RCW 82.14.330 and 2021 c 296 s 4 are each amended to read as follows:

(1)(a) Beginning in fiscal year 2000, the state treasurer must transfer into the municipal criminal justice assistance account for distribution under this section from the general fund the sum of \$4,600,000 divided into four equal deposits occurring on July 1, October 1, January 1, and April 1. For each fiscal year thereafter, the state treasurer must increase the total transfer by the fiscal growth factor, as defined in RCW 43.135.025, forecast for that fiscal year by the office of financial management in November of the preceding year. The moneys deposited in the municipal criminal justice assistance account for distribution under this section, less any moneys appropriated for purposes under subsection (4) of this section, must be distributed to the cities of the state as follows:

(i) 20 percent appropriated for distribution must be distributed to cities with a three-year average violent crime rate for each 1,000 in population in excess of 150 percent of the statewide three-year average violent crime rate for each 1,000 in population. The three-year average violent crime rate must be calculated using the violent crime rates for each of the preceding three years from the annual reports on crime in Washington state as published by the Washington association of sheriffs and police chiefs. Moneys must be distributed under this subsection (1)(a) ratably based on population as last determined by the office of financial management, but no city may receive more than one dollar per capita. Moneys remaining undistributed under this subsection at the end of each calendar year must be distributed to the criminal justice training commission to reimburse participating city law enforcement agencies with 10 or fewer full-time commissioned patrol officers the cost of temporary replacement of each officer who is enrolled in basic law

enforcement training, as provided in RCW 43.101.200.

(ii) 16 percent must be distributed to cities ratably based on population as last determined by the office of financial management, but no city may receive less than \$1,000.

(b) The moneys deposited in the municipal criminal justice assistance account for distribution under this subsection (1) must be distributed at such times as distributions are made under \*RCW 82.44.150.

(c) Moneys distributed under this subsection (1) must be expended exclusively for criminal justice purposes. Except after May 13, 2021, through December 31, 2023, these funds may not be used to replace or supplant existing funding. Criminal justice purposes are defined as activities that substantially assist the criminal justice system, which may include circumstances where ancillary benefit to the civil justice system occurs, and which includes domestic violence services such as those provided by domestic violence programs, community advocates, and legal advocates, as defined in RCW 70.123.020; and payments made pursuant to section 3 of this act. Existing funding for purposes of this subsection is defined as calendar year 1989 actual operating expenditures for criminal justice purposes. Calendar year 1989 actual operating expenditures for criminal justice purposes exclude the following: Expenditures for extraordinary events not likely to reoccur, changes in contract provisions for criminal justice services, beyond the control of the local jurisdiction receiving the services, and major nonrecurring capital expenditures.

(2)(a) In addition to the distributions under subsection (1) of this section:

(i) 10 percent must be distributed on a per capita basis to cities that contract with another governmental agency for the majority of the city's law enforcement services. Cities that subsequently qualify for this distribution must notify the department of commerce by November 30th for the upcoming calendar year. The department of commerce must provide a list of eligible cities to the state treasurer by December 31st. The state treasurer must modify the distribution of these funds in the following year. Cities have the responsibility to notify the department of commerce of any changes regarding these contractual relationships. Adjustments in the distribution formula to add or delete cities may be made only for the upcoming calendar year; no adjustments may be made retroactively.

(ii) The remaining 54 percent must be distributed to cities and towns by the state treasurer on a per capita basis. These funds must be used for: (A) Innovative law enforcement strategies; (B) programs to help at-risk children or child abuse victim response programs; and (C) programs designed to reduce the level of domestic violence or to provide counseling for domestic violence victims.

(b) The moneys deposited in the municipal criminal justice assistance account for distribution under this subsection (2), less any moneys appropriated for purposes under

subsection (4) of this section, must be distributed at the times as distributions are made under \*RCW 82.44.150. Moneys remaining undistributed under this subsection at the end of each calendar year must be distributed to the criminal justice training commission to reimburse participating city law enforcement agencies with 10 or fewer full-time commissioned patrol officers the cost of temporary replacement of each officer who is enrolled in basic law enforcement training, as provided in RCW 43.101.200.

(c) If a city is found by the state auditor to have expended funds received under this subsection (2) in a manner that does not comply with the criteria under which the moneys were received, the city is ineligible to receive future distributions under this subsection (2) until the use of the moneys are justified to the satisfaction of the director or are repaid to the state general fund.

(3) Notwithstanding other provisions of this section, the distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), must be made to the county in which the city is located.

(4) Not more than five percent of the funds deposited to the municipal criminal justice assistance account may be available for appropriations for enhancements to the state patrol crime laboratory system and the continuing costs related to these enhancements. Funds appropriated from this account for such enhancements may not supplant existing funds from the state general fund.

(5) During the 2011-2013 fiscal biennium, the amount that would otherwise be transferred into the municipal criminal justice assistance account from the general fund under subsection (1) of this section must be reduced by 3.4 percent."

Correct the title.

Representatives Griffey, Couture and Walsh spoke in favor of the adoption of the amendment.

Representative Hackney spoke against the adoption of the amendment.

An electronic roll call was requested.

#### ROLL CALL

The Clerk called the roll on the adoption of amendment (851) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, Calder, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Gregerson, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Lekanoff, Low, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Paul, Robertson, Rude, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Hackney, Kloba, Macri, Morgan, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli,

Rule, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representative Chandler

Amendment (851) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Berry spoke in favor of the passage of the bill.

Representatives Walsh, McEntire, Abbarno, Christian, Griffey, Dent and Couture spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1903.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1903, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1903, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2217, by Representatives Cortes, Senn, Santos, Ormsby, Reed, Fosse, Doglio and Pollet**

**Concerning authority over individuals found guilty of or accused of criminal offenses that occurred when the individual was under age 18.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2217 was substituted for House Bill No. 2217 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2217 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Cortes spoke in favor of the passage of the bill.

Representatives Couture and Cheney spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2217.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2217, and the bill passed the House by the following vote: Yeas, 54; Nays, 43; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Bronoske, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2217, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1974, by Representatives Abbarno, Bronoske and Doglio**

**Disposing of human remains.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1974 was substituted for House Bill No. 1974 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1974 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Abbarno and Entenman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1974.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1974, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1974, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

## SECOND READING

**HOUSE BILL NO. 2355, by Representatives Nance, Ybarra and Reed**

**Establishing a primary certification process for magnetic resonance imaging technologists.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2355 was substituted for House Bill No. 2355 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2355 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Nance and Hutchins spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2355.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2355, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2355, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1877, by Representatives Lekanoff, Stearns, Ortiz-Self, Ramel, Ramos, Cortes, Reed, Ormsby, Macri, Street, Paul, Gregerson, Doglio, Callan, Orwall, Mena, Wylie, Reeves, Pollet, Davis and Shavers**

**Improving the Washington state behavioral health system for better coordination and recognition with the Indian behavioral health system.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1877 was substituted for House Bill No. 1877 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1877 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lekanoff and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1877.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1877, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 1877, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2020, by Representatives Timmons, Abbarno, Leavitt, Ryu, Ramel, Reed, Ormsby, Rule, Donaghy, Doglio, Cheney, Reeves, Wylie, Paul and Shavers**

**Creating a state administered public infrastructure assistance program within the emergency management division.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2020 was substituted for House Bill No. 2020 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2020 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Timmons, Abbarno and Volz spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2020.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2020, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner,

Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2020, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2025, by Representatives Reed, Paul and Pollet**

**Modifying placement and salary matching requirements for the state work-study program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2025 was substituted for House Bill No. 2025 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2025 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reed and Ybarra spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2025.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2025, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives McEntire and Walsh

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2025, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1453, by Representatives Wylie, Chapman and Kloba**

**Providing a tax exemption for medical cannabis patients.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1453 was substituted for House Bill No. 1453 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1453 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wylie and Orcutt spoke in favor of the passage of the bill.

Representatives Caldier and Christian spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1453.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1453, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Connors, Corry, Cortes, Couture, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barnard, Caldier, Chopp, Christian, Davis, Dent, Dye, Graham, Hutchins, Mosbrucker, Senn and Volz

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1453, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1901, by Representatives Springer, Schmidt, Berry, Ormsby and Reeves**

**Removing the sunset on changes to the unemployment insurance voluntary contribution program.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer and Schmidt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1901.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1901, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan,



Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1901, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2037, by Representatives Couture, Senn, Leavitt, Fitzgibbon, Rude, Hutchins, Low, Christian, Ramel, Ryu, Ormsby, Barnard, Graham, Callan, Macri, Cheney, Sandlin, Goodman, Caldier, Nance, Riccelli, Reeves, Paul, Pollet, Griffey and Davis**

**Concerning Holocaust and genocide education in public schools.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2037 was substituted for House Bill No. 2037 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2037 was read the second time.

With the consent of the House, amendment (835) was withdrawn.

Representative Alvarado moved the adoption of amendment (943):

On page 2, line 28, after "Holocaust" insert ",""

On page 2, at the beginning of line 29, strike "and"

On page 2, line 31, after "history" insert "," particularly including diasporic communities with lived experiences of surviving, being made refugee by, or otherwise being directly impacted by genocide, and a public institution of higher education with expertise in advancing knowledge about the Holocaust, genocide, and crimes against humanity that includes curriculum development and teacher training""

On page 3, line 1, after "(4)" insert "Screening criteria designed to eliminate bias in instructional materials must be used when selecting curricula and materials to implement this section."

(5)"

Renumber the remaining subsection consecutively and correct any internal references accordingly.

On page 3, line 34, after "(2)" insert "Screening criteria designed to eliminate bias in instructional materials must be used when selecting curricula and materials to implement this section."

(3)"

On page 3, on line 36, after "Holocaust" strike "and" and insert ",""

On page 3, line 39, after "history" insert "," particularly including diasporic communities with lived experiences of surviving, being made refugee by, or otherwise being directly impacted by genocide, and a public institution of higher education with expertise in advancing knowledge about the Holocaust, genocide, and crimes against humanity that includes curriculum development and teacher training""

On page 4, after line 10, insert the following:

**"NEW SECTION. Sec. 4.** (1) By September 30, 2025, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction must report to the appropriate committees of the legislature how the agency will meaningfully include or has meaningfully included diasporic communities with lived experiences of surviving, being made refugee by, or otherwise being directly impacted by genocide when collaborating with organizations as required by RCW 28A.300.115(2). The office of the superintendent of public instruction must provide an interim update on their progress to the appropriate committees of the legislature by January 15, 2025.

(2) The office of the superintendent of public instruction must include in the report:

(a) The stakeholders, organizations, and institutions with which the office of the superintendent of public instruction has collaborated or plans to collaborate in developing best practices and guidelines for high quality instruction, and in supporting teachers in implementing these best practices and guidelines, as required by RCW 28A.300.115(2);

(b) The questions solicited and the feedback received in the collaboration process;

(c) The methods by which organizations were identified for collaboration; and

(d) Any other relevant information about the collaboration process.

(3) This section expires July 1, 2026."

Renumber the remaining section consecutively and correct any internal references accordingly.

Correct the title.

Representative Alvarado spoke in favor of the adoption of the amendment.

#### MOTION

Representative Fitzgibbon moved that the House adjourn until 10:00 a.m., Saturday, February 10, 2024, the 34th Day of the 2024 Regular Session.

An electronic roll call was requested.

#### ROLL CALL

The Clerk called the roll on the motion to adjourn and the motion was adopted by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes,

Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

The House adjourned until 10:00 a.m., Saturday, February 10, 2024, the 34th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## THIRTY FOURTH DAY

House Chamber, Olympia, Saturday, February 10, 2024

The House was called to order at 10:00 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Jon Miles and Forest Bailey. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Davis from the 32nd Legislative District

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker assumed the chair.

There being no objection, the House advanced to the sixth order of business.

The House resumed consideration of SUBSTITUTE HOUSE BILL NO. 2037 on second reading.

## SECOND READING

**SUBSTITUTE HOUSE BILL NO. 2037, by House Committee on Education (originally sponsored by Couture, Senn, Leavitt, Fitzgibbon, Rude, Hutchins, Low, Christian, Ramel, Ryu, Ormsby, Barnard, Graham, Callan, Macri, Cheney, Sandlin, Goodman, Caldier, Nance, Riccelli, Reeves, Paul, Pollet, Griffey and Davis)**

**Concerning Holocaust and genocide education in public schools.**

Representative Alvarado moved the adoption of amendment (943):

On page 2, line 28, after "Holocaust" insert ",""

On page 2, at the beginning of line 29, strike "and"

On page 2, line 31, after "history" insert "," particularly including diasporic communities with lived experiences of surviving, being made refugee by, or otherwise being directly impacted by genocide, and a public institution of higher education with expertise in advancing knowledge about the Holocaust, genocide, and crimes against humanity that includes curriculum development and teacher training""

On page 3, line 1, after "(4)" insert "Screening criteria designed to eliminate bias in instructional materials must be used when selecting curricula and materials to implement this section."

(5)"

Re-number the remaining subsection consecutively and correct any internal references accordingly.

On page 3, line 34, after "(2)" insert "Screening criteria designed to eliminate bias in instructional materials must be used when selecting curricula and materials to implement this section."

(3)"

On page 3, on line 36, after "Holocaust" strike "and" and insert ","

On page 3, line 39, after "history" insert "," particularly including diasporic communities with lived experiences of surviving, being made refugee by, or otherwise being directly impacted by genocide, and a public institution of higher education with expertise in advancing knowledge about the Holocaust, genocide, and crimes against humanity that includes curriculum development and teacher training""

On page 4, after line 10, insert the following:

"NEW SECTION. Sec. 4. (1) By September 30, 2025, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction must report to the appropriate committees of the legislature how the agency will meaningfully include or has meaningfully included diasporic communities with lived experiences of surviving, being made refugee by, or otherwise being directly impacted by genocide when collaborating with organizations as required by RCW 28A.300.115(2). The office of the superintendent of public instruction must provide an interim update on their progress to the appropriate committees of the legislature by January 15, 2025.

(2) The office of the superintendent of public instruction must include in the report:

(a) The stakeholders, organizations, and institutions with which the office of the superintendent of public instruction has collaborated or plans to collaborate in developing best practices and guidelines for high quality instruction, and in supporting teachers in implementing these best practices and guidelines, as required by RCW 28A.300.115(2);

(b) The questions solicited and the feedback received in the collaboration process;

(c) The methods by which organizations were identified for collaboration; and

(d) Any other relevant information about the collaboration process.

(3) This section expires July 1, 2026."

Re-number the remaining section consecutively and correct any internal references accordingly.

Correct the title.

Representatives Alvarado and Fitzgibbon spoke in favor of the adoption of the amendment.

Representative Stokesbary spoke against the adoption of the amendment.

#### MOTION

On motion of Representative Griffey, Representatives Chandler and Graham were excused.

Amendment (943) was adopted.

Representative Couture moved the adoption of amendment (839):

On page 3, line 3, after "section" strike "on an annual basis" and insert "~~(on an annual basis)~~"

On page 3, beginning on line 4, after "must" strike all material through "learning" on line 6 and insert "develop and update as needed, in collaboration with the organizations described in subsection (2) of this section, and electronically publish, guidance on vertical alignment, materials, and training"

On page 3, line 12, after "(1)(a)" strike "Beginning" and insert "In addition to the requirements in section 1 of this act, beginning"

On page 3, beginning on line 14, after "public" strike "middle schools, junior high schools, and high schools" and insert "schools that serve students in any of grades six through twelve"

On page 4, line 1, after "Develop" strike "and annually update" and insert ", update as needed,"

On page 4, line 3, after "section;" strike "and"

On page 4, line 5, after "guidelines" strike all material through "must" on line 6 and insert "; and (iii) Develop,"

On page 4, line 8, after "and" strike "professional learning" and insert "training"

Representatives Couture and Santos spoke in favor of the adoption of the amendment.

Amendment (839) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Couture, Senn and Stokesbary spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2037.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2037, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Graham

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2037, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1929, by Representatives Cortes, Eslick, Ortiz-Self, Leavitt, Duerr, Ramel, Slatter, Taylor, Orwall, Ryu, Reed, Simmons, Ormsby, Fey, Callan, Peterson, Timmons, Kloba, Macri, Street, Gregerson, Doglio, Paul, Chopp, Mena, Goodman, Lekanoff, Reeves, Fosse, Pollet and Davis**

**Supporting young adults following inpatient behavioral health treatment.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1929 was substituted for House Bill No. 1929 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1929 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cortes, Eslick and Christian spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 1929.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1929, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons,

Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 1929, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2311, by Representatives Davis, Maycumber, Paul, Robertson, Callan, Mosbrucker, Goodman, Griffey, Stearns, Reed, Ryu, Couture, Ramel, Ortiz-Self, Eslick, Bateman, Riccelli, Timmons, Simmons, Fosse, Peterson, Pollet and Shavers**

**Supporting first responder wellness and peer support.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2311 was substituted for House Bill No. 2311 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2311 was read the second time.

Representative Davis moved the adoption of the striking amendment (938):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall convene a task force on first responder wellness in Washington state. To the extent possible, the membership of the task force should include representatives that reflect the diversity of the first responder professions, including diversity in geography, gender, sexuality, and race.

(2) The first responder wellness task force shall be cochaired by the executive director of the commission, or the executive director's designee, and a representative of the fire service, and consist of the following additional membership:

(a) Two members from each of the following professions:

(i) Emergency medical services frontline providers;

(ii) Emergency dispatchers; and

(iii) Jail corrections officers;

(b) One member from each of the following entities:

(i) The Washington council of police and sheriffs;

(ii) The Washington state fraternal order of police;

(iii) The Washington state patrol troopers association;

(iv) The Washington state patrol lieutenants and captains association;

(v) The Washington association of sheriffs and police chiefs;

(vi) The Washington state council of firefighters;

(vii) The Washington fire chiefs association;

(viii) The Washington state firefighters' association;

(ix) The department of labor and industries;

(x) The state board for volunteer firefighters and reserve officers;

(xi) The state chapter of the association of public safety communications officials;

(xii) The state chapter of the national emergency number association; and

(xiii) International brotherhood of teamsters local 117;

(c) Two members representing the interests of tribal law enforcement officers and agencies;

(d) Two members representing the interests of tribal first responders;

(e) Two members from the Washington association of coroners and medical examiners;

(f) One member from the University of Washington department of psychiatry and behavioral sciences, who has implemented a regional state-funded law enforcement officer wellness program;

(g) One member from the Washington federation of state employees, representing the interests of the department of corrections' community corrections officers;

(h) The chief of the Washington state patrol, or the chief's designee;

(i) The secretary of the department of corrections, or the secretary's designee; and

(j) Any other members that the commission determines should participate in the task force to represent the interests of first responders.

(3) The commission shall convene the initial meeting of the task force no later than December 1, 2024.

(4) At a minimum, the task force shall meet quarterly.

(5) The task force shall:

(a) Monitor the implementation of this act;

(b) Evaluate the findings and recommendations of the task force on law enforcement officer mental health and wellness in Washington state as established under chapter 327, Laws of 2020 (SSB 6570), and determine ways in which the task force on first responder wellness may continue developing upon the recommendations of the task force on law enforcement officer mental health and wellness; and

(c) Make recommendations to improve first responder wellness across the first responder professions in the state.

(6)(a) The task force shall also develop and publish model policies for first responder peer support services tailored to the following first responder professions:

(i) Law enforcement officers;

(ii) Firefighters;

(iii) Emergency medical services frontline providers;

(iv) Emergency dispatchers;

(v) Corrections officers; and

(vi) Coroners and medical examiners.

(b) The task force must design the model policies to support efforts to establish and expand peer support services opportunities and networks for the professions specified under (a) of this subsection, and to develop best practices and resources for peer supporters from those professions.

(c) In developing the model policies, the task force must obtain the services of an organization with expertise in peer emotional support and peer workforce development to provide technical assistance.

(d) The task force must publish the model policies by December 31, 2025.

(7) Beginning December 1, 2025, the task force shall submit an annual report to the legislature on the status of its work.

(8) This section expires December 31, 2028.

NEW SECTION. **Sec. 2.** A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall contract with an organization with expertise in peer emotional support and peer workforce development to develop and administer a 40-hour training program for first responder peer supporters. The contracting organization must have prior experience developing peer support training for first responders in the state.

(2) The contracting organization must engage in in-depth consultation with law enforcement officers, corrections officers, firefighters, emergency services dispatchers or recordkeepers, and emergency medical personnel when developing the training program, and compensate the first responders for their consultation.

(3) A portion of the training program's curriculum must be relevant to all first responder professions, and a portion must be specifically curated to address the unique needs of each first responder profession.

(4) The contracting organization must complete development of the training program and begin administering it by August 1, 2025.

(5) The contracting organization must utilize current or retired first responders as cotrainers to deliver the training program.

(6) For the purposes of this section:

(a) "First responder" has the same meaning as defined in RCW 5.60.060; and

(b) "Peer supporter" has the same meaning as defined in RCW 5.60.060.

NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall contract with an organization with expertise in mental health and substance use disorder counseling and treatment of first responders to develop and administer training for mental health and substance use disorder professionals to engender familiarity and cultural competency in the treatment of first responder clients.

(2) The contracting organization must consult with mental health professionals, substance use disorder professionals, law enforcement officers, corrections officers, firefighters, emergency services dispatchers or recordkeepers, and emergency medical personnel when developing the training.

(3) The contracting organization may develop the training to have in-person, virtual, and hybrid participation options to expand availability and accessibility of the training.

(4) The commission must direct the contracting organization to offer a set number of training opportunities annually as determined by the commission, provided free of charge, to mental health and substance use disorder professionals who are interested in treating first responder clients.

(5) For the purposes of this section, "first responder" has the same meaning as defined in RCW 5.60.060.

NEW SECTION. **Sec. 4.** A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall contract with an organization that provides free and confidential crisis response and referral services for Washington state active and retired first responders and their families, to develop and maintain:

(a) A first responder peer support network, which may include individual and group support options to help first responder peer supporters address the vicarious trauma and secondary traumatic stress incurred by performing their peer support duties; and

(b) A directory of licensed mental health and substance use disorder professionals who have cultural competency, experience, and training with treating first responders, which must indicate whether such professionals have completed the training established under section 3 of this act.

(2) The commission may also contract with an organization with expertise in peer emotional support and peer workforce development to provide technical assistance in developing the first responder peer support network described in subsection (1) (a) of this section.

(3) For the purposes of this section:

(a) "First responder" has the same meaning as defined in RCW 5.60.060; and

(b) "Peer supporters" has the same meaning as defined in RCW 5.60.060.

NEW SECTION. **Sec. 5.** A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall establish and administer a grant program to provide funding to first responder entities and agencies for the implementation or expansion of peer support services programs.

(2) Any first responder entity or agency that receives funding through the grant program must:

(a) Ensure that every peer supporter designated by the entity or agency enrolls in and completes the 40-hour training program established under section 2 of this act after it is made available;

(b) Compensate every peer supporter designated by the entity or agency for their services in that role; and

(c) Provide information to every peer supporter designated by the entity or agency about the first responder peer support network established under section 4(1)(a) of this act.

(3) For the purposes of this section:

(a) "First responder" has the same meaning as defined in RCW 5.60.060; and

(b) "Peer supporter" has the same meaning as defined in RCW 5.60.060.

**Sec. 6.** RCW 5.60.060 and 2023 c 202 s 2 are each amended to read as follows:

(1) A spouse or domestic partner shall not be examined for or against his or her spouse or domestic partner, without the consent of the spouse or domestic partner; nor can either during marriage or during the domestic partnership or afterward, be without the consent of the other, examined as to any communication made by one to the other during the marriage or the domestic partnership. But this exception shall not apply to a civil action or proceeding by one against the other, nor to a criminal action or proceeding for a crime committed by one against the other, nor to a criminal action or proceeding against a spouse or domestic partner if the marriage or the domestic partnership occurred subsequent to the filing of formal charges against the defendant, nor to a criminal action or proceeding for a crime committed by said spouse or domestic partner against any child of whom said spouse or domestic partner is the parent or guardian, nor to a proceeding under chapter 71.05 or 71.09 RCW: PROVIDED, That the spouse or the domestic partner of a person sought to be detained under chapter 71.05 or 71.09 RCW may not be compelled to testify and shall be so informed by the court prior to being called as a witness.

(2)(a) An attorney or counselor shall not, without the consent of his or her client, be examined as to any communication made by the client to him or her, or his or her advice given thereon in the course of professional employment.

(b) A parent or guardian of a minor child arrested on a criminal charge may not be examined as to a communication between the child and his or her attorney if the communication was made in the presence of the parent or guardian. This privilege does not extend to communications made prior to the arrest.

(3) A member of the clergy, a Christian Science practitioner listed in the Christian Science Journal, or a priest shall not, without the consent of a person making the confession or sacred confidence, be examined as to any confession or sacred confidence made to him or her in his or her professional character, in the course of discipline enjoined by the church to which he or she belongs.

(4) Subject to the limitations under RCW 71.05.217 (6) and (7), a physician or surgeon or osteopathic physician or surgeon or podiatric physician or surgeon shall not, without the consent of his or her patient, be examined in a civil action as to any

information acquired in attending such patient, which was necessary to enable him or her to prescribe or act for the patient, except as follows:

(a) In any judicial proceedings regarding a child's injury, neglect, or sexual abuse or the cause thereof; and

(b) Ninety days after filing an action for personal injuries or wrongful death, the claimant shall be deemed to waive the physician-patient privilege. Waiver of the physician-patient privilege for any one physician or condition constitutes a waiver of the privilege as to all physicians or conditions, subject to such limitations as a court may impose pursuant to court rules.

(5) A public officer shall not be examined as a witness as to communications made to him or her in official confidence, when the public interest would suffer by the disclosure.

(6)(a) A peer ~~((support group counselor))~~ supporter shall not, without consent of the peer support ~~((group client))~~ services recipient making the communication, be compelled to testify about any communication made to the ~~((counselor))~~ peer supporter by the peer support ~~((group client))~~ services recipient while receiving ~~((counseling))~~ individual or group services. The ~~((counselor))~~ peer supporter must be designated as such by ~~((the))~~ their employing agency ~~((employing the peer support group client))~~ prior to ~~((the incident that results in counseling))~~ providing peer support services. The privilege only applies when the communication was made to the ~~((counselor))~~ peer supporter while acting in his or her capacity as a peer ~~((support group counselor))~~ supporter. The privilege applies regardless of whether the peer support services recipient is an employee of the same agency as the peer supporter. Peer support services may be coordinated or designated among first responder agencies pursuant to chapter 10.93 RCW, interlocal agreement, or other similar provision, provided however that a written agreement is not required for the privilege to apply. The privilege does not apply if the ~~((counselor))~~ peer supporter was an initial responding first responder, department of corrections staff person, or jail staff person; a witness; or a party to the incident which prompted the delivery of peer support ~~((group counseling))~~ services to the peer support ((group client)) services recipient.

(b) For purposes of this section:

(i) "First responder" means:

(A) A law enforcement officer;

(B) A limited authority law enforcement officer;

(C) A firefighter;

(D) An emergency services dispatcher or recordkeeper;

(E) Emergency medical personnel, as licensed or certified by this state; ~~((or))~~

(F) A member or former member of the Washington national guard acting in an emergency response capacity pursuant to chapter 38.52 RCW; or

(G) A coroner or medical examiner, or a coroner's or medical examiner's agent or employee.

(ii) "Law enforcement officer" means a general authority Washington peace officer as defined in RCW 10.93.020.

(iii) "Limited authority law enforcement officer" means a limited authority Washington peace officer as defined in RCW 10.93.020 who is employed by the department of corrections, state parks and recreation commission, department of natural resources, liquor and cannabis board, or Washington state gambling commission.

(iv) "Peer support (~~group client~~) services recipient" means:

(A) A first responder;

(B) A department of corrections staff person; or

(C) A jail staff person.

(v) "Peer (~~support~~ ~~group counselor~~) supporter" means:

(A) A first responder, retired first responder, department of corrections staff person, or jail staff person or a civilian employee of a first responder entity or agency, local jail, or state agency who has received training to provide emotional and moral support and (~~counseling~~) services to a peer support (~~group client~~) services recipient who needs those services as a result of an incident or incidents in which the peer support (~~group client~~) services recipient was involved while acting in his or her official capacity or to deal with other stress that is impacting the peer support services recipient's performance of official duties; or

(B) A nonemployee (~~counselor~~) who has been designated by the first responder entity or agency, local jail, or state agency to provide emotional and moral support and counseling to a peer support (~~group client~~) services recipient who needs those services as a result of an incident or incidents in which the peer support (~~group client~~) services recipient was involved while acting in his or her official capacity.

(7) A sexual assault advocate may not, without the consent of the victim, be examined as to any communication made between the victim and the sexual assault advocate.

(a) For purposes of this section, "sexual assault advocate" means the employee or volunteer from a community sexual assault program or underserved populations provider, victim assistance unit, program, or association, that provides information, medical or legal advocacy, counseling, or support to victims of sexual assault, who is designated by the victim to accompany the victim to the hospital or other health care facility and to proceedings concerning the alleged assault, including police and prosecution interviews and court proceedings.

(b) A sexual assault advocate may disclose a confidential communication without the consent of the victim if failure to disclose is likely to result in a clear, imminent risk of serious physical injury or death of the victim or another person. Any sexual assault advocate participating in good faith in the disclosing of records and communications under this section shall have immunity from any liability, civil, criminal, or otherwise, that might result

from the action. In any proceeding, civil or criminal, arising out of a disclosure under this section, the good faith of the sexual assault advocate who disclosed the confidential communication shall be presumed.

(8) A domestic violence advocate may not, without the consent of the victim, be examined as to any communication between the victim and the domestic violence advocate.

(a) For purposes of this section, "domestic violence advocate" means an employee or supervised volunteer from a community-based domestic violence program or human services program that provides information, advocacy, counseling, crisis intervention, emergency shelter, or support to victims of domestic violence and who is not employed by, or under the direct supervision of, a law enforcement agency, a prosecutor's office, or the child protective services section of the department of children, youth, and families as defined in RCW 26.44.020.

(b) A domestic violence advocate may disclose a confidential communication without the consent of the victim if failure to disclose is likely to result in a clear, imminent risk of serious physical injury or death of the victim or another person. This section does not relieve a domestic violence advocate from the requirement to report or cause to be reported an incident under RCW 26.44.030(1) or to disclose relevant records relating to a child as required by RCW 26.44.030(15). Any domestic violence advocate participating in good faith in the disclosing of communications under this subsection is immune from liability, civil, criminal, or otherwise, that might result from the action. In any proceeding, civil or criminal, arising out of a disclosure under this subsection, the good faith of the domestic violence advocate who disclosed the confidential communication shall be presumed.

(9) A mental health counselor, independent clinical social worker, or marriage and family therapist licensed under chapter 18.225 RCW may not disclose, or be compelled to testify about, any information acquired from persons consulting the individual in a professional capacity when the information was necessary to enable the individual to render professional services to those persons except:

(a) With the written authorization of that person or, in the case of death or disability, the person's personal representative;

(b) If the person waives the privilege by bringing charges against the mental health counselor licensed under chapter 18.225 RCW;

(c) In response to a subpoena from the secretary of health. The secretary may subpoena only records related to a complaint or report under RCW 18.130.050;

(d) As required under chapter 26.44 or 74.34 RCW or RCW 71.05.217 (6) or (7); or

(e) To any individual if the mental health counselor, independent clinical social worker, or marriage and family therapist licensed under chapter 18.225 RCW reasonably believes that disclosure will avoid or minimize an imminent danger to the health or safety of the individual or any



other individual; however, there is no obligation on the part of the provider to so disclose.

(10) An individual who acts as a sponsor providing guidance, emotional support, and counseling in an individualized manner to a person participating in an alcohol or drug addiction recovery fellowship may not testify in any civil action or proceeding about any communication made by the person participating in the addiction recovery fellowship to the individual who acts as a sponsor except with the written authorization of that person or, in the case of death or disability, the person's personal representative.

(11)(a) Neither a union representative nor an employee the union represents or has represented shall be examined as to, or be required to disclose, any communication between an employee and union representative or between union representatives made in the course of union representation except:

(i) To the extent such examination or disclosure appears necessary to prevent the commission of a crime that is likely to result in a clear, imminent risk of serious physical injury or death of a person;

(ii) In actions, civil or criminal, in which the represented employee is accused of a crime or assault or battery;

(iii) In actions, civil or criminal, where a union member is a party to the action, the union member may obtain a copy of any statement previously given by that union member concerning the subject matter of the action and may elicit testimony concerning such statements. The right of the union member to obtain such statements, or the union member's possession of such statements, does not render them discoverable over the objection of the union member;

(iv) In actions, regulatory, civil, or criminal, against the union or its affiliated, subordinate, or parent bodies or their agents; or

(v) When an admission of, or intent to engage in, criminal conduct is revealed by the represented union member to the union representative.

(b) The privilege created in this subsection (11) does not apply to any record of communications that would otherwise be subject to disclosure under chapter 42.56 RCW.

(c) The privilege created in this subsection (11) may not interfere with an employee's or union representative's applicable statutory mandatory reporting requirements, including but not limited to duties to report in chapters 26.44, 43.101, and 74.34 RCW.

(d) For purposes of this subsection:

(i) "Employee" means a person represented by a certified or recognized union regardless of whether the employee is a member of the union.

(ii) "Union" means any lawful organization that has as one of its primary purposes the representation of employees in their employment relations with employers, including without limitation labor organizations defined by 29 U.S.C. Sec. 152(5) and 5 U.S.C. Sec. 7103(a)(4), representatives defined by 45 U.S.C. Sec.

151, and bargaining representatives defined in RCW 41.56.030, and employee organizations as defined in RCW 28B.52.020, 41.59.020, 41.80.005, 41.76.005, 47.64.011, and 53.18.010.

(iii) "Union representation" means action by a union on behalf of one or more employees it represents in regard to their employment relations with employers, including personnel matters, grievances, labor disputes, wages, rates of pay, hours of employment, conditions of work, or collective bargaining.

(iv) "Union representative" means a person authorized by a union to act for the union in regard to union representation.

(v) "Communication" includes any oral, written, or electronic communication or document containing such communication.

NEW SECTION. **Sec. 7.** Section 6 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

NEW SECTION. **Sec. 8.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representatives Davis and Mosbrucker spoke in favor of the adoption of the striking amendment.

The striking amendment (938) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Davis, Corry, Griffey and Maycumber spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2311.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2311, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2311, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1185, by Representatives Hackney, Duerr, Berry, Ramel, Fitzgibbon, Doglio and Pollet**

**Reducing environmental impacts associated with lighting products.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1185 was substituted for House Bill No. 1185 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1185 was read the second time.

Representative Ybarra moved the adoption of amendment (888):

Beginning on page 1, line 14, strike all of sections 1 through 17 and insert the following:

"NEW SECTION. Sec. 1. By December 1, 2026, the department of ecology must carry out a small business economic impact statement, consistent with the requirements of RCW 19.85.030, that examines the impacts of a potential prohibition on the sale of mercury-containing lights to begin January 1, 2029. Nothing in this section provides authority for the department of ecology to prohibit the sale of mercury-containing lights."

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Beginning on page 30, line 32, after "beginning" strike all material through "2029" on page 31, line 29 and insert "January 1, 2035"

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Representatives Ybarra, Harris, Dye and Christian spoke in favor of the adoption of the amendment.

Representative Hackney spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 41 - YEAS; 51 - NAYS.

Amendment (888) was not adopted.

Representative Ybarra moved the adoption of amendment (914):

Beginning on page 19, line 33, after "2015," strike all material through "year." on page 20, line 5 and insert "and each year thereafter, each stewardship organization shall pay to the department an annual fee equivalent to (~~three thousand dollars~~) \$3,000 for each participating producer to

cover the department's administrative and enforcement costs."

On page 25, beginning on line 20, after "chapter." strike all material through "~~chapter-)~~" on line 27 and insert "The department may not retain fees in excess of the estimated amount necessary to cover the agency's administrative costs over the coming year related to the mercury light stewardship program under this chapter. Beginning with the state fiscal year 2018, by October 1st after the closing of each state fiscal year, the department shall refund any fees collected in excess of its estimated administrative costs to any approved stewardship organization under this chapter."

Representatives Ybarra, Dye, Harris and Christian spoke in favor of the adoption of the amendment.

Representative Hackney spoke against the adoption of the amendment.

Amendment (914) was not adopted.

Representative Ybarra moved the adoption of amendment (915):

Beginning on page 27, line 32, after "(1)" strike all material through "70A.505.050" on page 28, line 10 and insert "An exemption from the taxes imposed in this chapter is provided for:

(a) Producers, with respect to environmental handling charges added to the purchase price of mercury-containing lights either by the producer or a retailer pursuant to an agreement with the producer;

(b) Retailers, with respect to environmental handling charges added to the purchase price of mercury-containing lights sold at retail, including the portion of environmental handling charges retained as reimbursement for any costs associated with the collection and remittance of the charges; and

(c) Stewardship organizations, with respect to environmental handling charges received from producers and retailers and to the receipts from charges to participating producers"

Representatives Ybarra, Hackney and Dye spoke in favor of the adoption of the amendment.

Amendment (915) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Hackney spoke in favor of the passage of the bill.

Representatives Dye, Christian, Walsh and Orcutt spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1185.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1185, and the bill passed the House by the following vote: Yeas, 52; Nays, 45; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Bronoske, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Springer, Steele, Stokesbary, Volz, Walen, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1185, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1879, by Representatives Lekanoff, Santos, Ryu, Tharinger, Ortiz-Self, Ramel, Cortes, Morgan, Reed, Ormsby, Timmons, Callan, Peterson, Chopp, Donaghy, Gregerson, Doglio, Fosse, Orwall, Bergquist, Stonier, Mena, Wylie, Reeves, Riccelli, Pollet, Shavers and Davis**

**Naming the curriculum used to inform students about tribal history, culture, and government after John McCoy (Iulilas).**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lekanoff, Low and Santos spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1879.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1879, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1879, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1989, by Representatives Barkis, Low, Jacobsen, Graham, Sandlin, Bergquist, Robertson and Hutchins**

**Creating a graffiti abatement and reduction program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1989 was substituted for House Bill No. 1989 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1989 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Barkis, Paul, Christian, Hutchins and Harris spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1989.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1989, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Thai  
Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1989, having received the necessary constitutional majority, was declared passed.

The Speaker called upon Representative Bronoske to preside.

#### SECOND READING

**HOUSE BILL NO. 2331, by Representatives Stonier, Macri, Davis, Pollet, Reed and Ramel**

**Modifying requirements for public school instructional and supplemental instructional materials.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2331 was substituted for House Bill No. 2331 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2331 was read the second time.

With the consent of the House, amendment (951) was withdrawn.

Representative Christian moved the adoption of amendment (950):

On page 3, line 4, after "subsection;" strike "and"

On page 3, line 13, after "superintendent" insert "; and

(f) Provide that decisions made by a superintendent under (e) of this subsection (1) may only be issued after a public hearing evaluating the materials that are the subject of the requested review as required by RCW 28A.150.230(2)(g) has been completed"

On page 5, line 18, after "superintendent" insert ". Decisions made by a superintendent under this subsection (1) (a)(v)(D) may only be issued after a public hearing evaluating the materials that are the subject of the complaint as required by RCW 28A.150.230(2)(g) has been completed"

Representative Christian spoke in favor of the adoption of the amendment.

Representative Stonier spoke against the adoption of the amendment.

Amendment (950) was not adopted.

Representative Griffey moved the adoption of amendment (947):

On page 3, line 10, after "subsection" strike "are final and not subject to appeal" and insert "may be appealed to the school district board of directors"

On page 5, beginning on line 14, after "subsection" strike all material through "appeal" on line 15 and insert "may be appealed to the school district board of directors"

On page 5, beginning on line 34, after "28A.640.010" strike all material through "section," on line 35 and insert ", but"

Representatives Griffey and Stonier spoke in favor of the adoption of the amendment.

Amendment (947) was adopted.

Representative Corry moved the adoption of amendment (957):

On page 3, beginning on line 10, after "appeal." strike all material through "superintendent." on line 13

On page 5, beginning on line 15, after "appeal" strike all material through "superintendent" on line 18

Representative Corry spoke in favor of the adoption of the amendment.

Representative Stonier spoke against the adoption of the amendment.

Amendment (957) was not adopted.

Representative Walsh moved the adoption of amendment (948):

On page 4, line 5, after "materials" insert ", which must be based on, in order

of priority, instructional value, age-appropriateness, inclusivity, and cultural appropriateness for the community"

Representative Walsh spoke in favor of the adoption of the amendment.

Representative Stonier spoke against the adoption of the amendment.

Amendment (948) was not adopted.

With the consent of the House, amendment (935) was withdrawn.

Representative Walsh moved the adoption of amendment (1012):

On page 4, line 13, after "of" strike "representative" and insert "~~((representative))~~: Representative"

On page 4, line 15, after "committees" strike ", and, in the case of districts which" and insert "~~((, and, in the case of districts which))~~; one or more parents of enrolled students, with the parent members equaling less than one-half of the total membership of the committee; and in the case of districts that"

On page 4, beginning on line 19, after "children." strike all material through "membership of" on line 21 and insert "~~((The committee may include parents at the school board's discretion: PROVIDED, That parent members shall make up less than one-half of the total membership of))~~ School districts shall develop and implement comprehensive outreach programs to parents of enrolled students in the district for the purpose of recruiting parent members for instructional materials committees;

(iv) Instructional materials committees that are unable to recruit at least one parent of an enrolled student to serve on the committee must, while they are without a parent member, report quarterly to the school district board of directors and the public on their efforts to recruit one or more parents to serve on"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Walsh and Stonier spoke in favor of the adoption of the amendment.

Amendment (1012) was adopted.

Representative McClintock moved the adoption of amendment (953):

On page 5, beginning on line 32, beginning with "materials" strike all material through "a" on line 33 and insert "equal representations of materials on the study of the role and contributions of individuals or groups that are part of a protected class under chapter 28A.642 or 28A.640 RCW for each"

Representative McClintock spoke in favor of the adoption of the amendment.

Representative Stonier spoke against the adoption of the amendment.

Amendment (953) was not adopted.

Representative Harris moved the adoption of amendment (949):

On page 6, after line 10, insert the following:

**"NEW SECTION. Sec. 4.** A new section is added to chapter 28A.345 RCW to read as follows:

By December 1, 2024, the Washington state school directors' association shall create a form for instructional materials committees to use when making recommendations under RCW 28A.320.230. The form must delineate each protected class in chapter 28A.640 and 28A.642 RCW and direct instructional materials committees, for each recommended instructional material, to indicate for which protected class or classes the recommended material applies. The form must also indicate whether the recommended material was adopted by the school district board of directors.

**NEW SECTION. Sec.** A new section is added to chapter 28A.320 RCW to read as follows:

(1) School district boards of directors, on or before June 15, 2025, and annually thereafter, shall provide completed versions of the forms required by section 4 of this act to the office of the superintendent of public instruction. The superintendent of public instruction, on or before December 15, 2025, and annually thereafter, shall provide a report summarizing the data from the completed forms to:

(a) The educational opportunity gap oversight and accountability committee established in RCW 28A.300.136;

(b) The office of the education ombuds established in RCW 43.06B.010; and

(c) The appropriate committees of the legislature, in accordance with RCW 43.01.036.

(2) Annual reports required by this section shall include an analysis of any disproportionality in recommendations of instructional materials committees, and subsequent adoption decisions of school district boards of directors, for the purpose of determining whether each protected class under RCW 28A.642.010 and 28A.640.010 is equitably addressed in recommendations of instructional materials committees and decisions by school district boards of directors to adopt or decline the recommendations."

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Representative Harris spoke in favor of the adoption of the amendment.

Representative Stonier spoke against the adoption of the amendment.

Amendment (949) was not adopted.

Representative Couture moved the adoption of amendment (952):

On page 6, after line 10, insert the following:

**"NEW SECTION. Sec. 4.** A new section is added to chapter 28A.320 RCW to read as follows:

(1) Each school district board of directors shall ensure that members of instructional materials committees established under RCW 28A.320.230, teacher-librarians, principals, and school district superintendents are annually informed of the provisions of chapter 9.68 RCW.

(2) For the purposes of this section, "teacher-librarian" has the same meaning as in RCW 28A.320.240."

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Representative Couture spoke in favor of the adoption of the amendment.

Representative Stonier spoke against the adoption of the amendment.

Amendment (952) was not adopted.

Representative Rude moved the adoption of the striking amendment (960):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 28A.320 RCW to read as follows:

(1)(a) Except as provided otherwise by this section, a school district board of directors may not refuse to approve, or prohibit the use of, any textbook, instructional material, supplemental instructional material, or other curriculum for student instruction on the basis that it relates to or includes the study of the role and contributions of any individual or group who is part of a protected class under chapter 28A.640 or 28A.642 RCW.

(b) Subsection (1)(a) of this section does not apply if the content of the material relating to the role and contributions of an individual or group violates the provisions of chapter 28A.640 or 28A.642 RCW, including containing bias against any individual or group who is part of a protected class under chapter 28A.640 or 28A.642 RCW.

(2)(a) Beginning June 1, 2025, and annually thereafter, each school district board of directors shall report to the office of the superintendent of public instruction on actions taken by the school district during the preceding school year to incorporate materials on the study of the role and contributions of individuals or groups that are part of a protected class under chapter 28A.640 or 28A.642 RCW into their instructional materials and supplemental instructional materials.

(b) Beginning December 15, 2025, and annually thereafter, the office of the superintendent of public instruction, in

accordance with RCW 43.01.036, shall provide a report to appropriate committees of the legislature summarizing the reports provided by school district boards of directors under (a) of this subsection.

(3) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts."

Correct the title.

Representative Rude spoke in favor of the adoption of the striking amendment.

Representative Stonier spoke against the adoption of the striking amendment.

The striking amendment (960) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos, Macri, Berg and Stonier spoke in favor of the passage of the bill.

Representatives Rude, Abbarno and Ybarra spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2331.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2331, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1249, by Representatives Corry and Reeves**

**Regarding limits on the sale and possession of retail cannabis products.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1249 was substituted for House Bill No. 1249 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1249 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Corry and Kloba spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1249.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1249, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Bateman, Berg, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barnard, Bergquist, Christian, Davis, Dent, Dye, Eslick, Leavitt and Mosbrucker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1249, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2014, by Representatives Volz, Donaghy, Leavitt, Couture, Ryu, Reed, Ormsby, Graham, Sandlin, Jacobsen, Schmidt, Harris, Steele, Fey, Riccelli, Low, Reeves, Paul, Macri and Shavers**

**Concerning the definition of veteran and restoring honor to veterans.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2014 was substituted for House Bill No. 2014 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2014 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Donaghy and Volz spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2014.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2014, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2014, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the fourth order of business.

#### INTRODUCTION & FIRST READING

HB 2497 by Representatives Nance, Fitzgibbon, Fey, Abbarno, Peterson, McEntire, Shavers, Street, Pollet, Mena, Berry, Ramos, Slatter, Tharinger, Farivar, Reed, Senn, Walsh, Callan, Davis, Lekanoff, Chapman, Kloba, Donaghy, Simmons, Alvarado, Ryu and Leavitt

AN ACT Relating to creating the Washington state ferries 75 work group; creating new sections; and providing an expiration date.

Referred to Committee on Transportation.

SSB 5306 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Short, Van De Wege, Nobles and Stanford)

AN ACT Relating to authorizing the department of fish and wildlife to establish disease interdiction and control check stations; and adding a new chapter to Title 77 RCW.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

2SSB 5660 by Senate Committee on Ways & Means (originally sponsored by Boehnke, Dhingra, Saldaña, Wellman and Wilson, C.)

AN ACT Relating to establishing a mental health advance directive effective implementation work group; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

SSB 5774 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Billig, Hawkins, Wilson, C., Wellman, Dozier, Frame, Kuderer, Lovick, Mullet, Nguyen, Nobles, Padden, Salomon and Shewmake)

AN ACT Relating to increasing the capacity to conduct timely fingerprint-based background checks for prospective child care employees and other programs; amending RCW 43.216.270 and 74.15.030; creating a new section; and declaring an emergency.

Referred to Committee on Human Services, Youth, & Early Learning.

2SSB 5784 by Senate Committee on Ways & Means (originally sponsored by Van De Wege, Muzzall, Mullet, Nobles, Wagoner and Warnick)

AN ACT Relating to deer and elk damage to commercial crops; amending RCW 77.36.080, 77.36.100, and 77.36.130; adding a new section to chapter 77.36 RCW; creating new sections; and providing an expiration date.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

SSB 5802 by Senate Committee on Ways & Means (originally sponsored by Muzzall, Hasegawa, Lovelett, Nobles, Rivers and Robinson)

AN ACT Relating to providing flexibility in calculation of nursing rates for the purposes of implementing new centers for medicare and medicaid services data; amending RCW 74.46.485, 74.46.496, and 74.46.501; and reenacting and amending RCW 74.46.020.

Referred to Committee on Appropriations.

SB 5818 by Senators Van De Wege, Mullet, Nguyen, Salomon, Liias, Randall, Hasegawa, Kauffman, Dhingra, Stanford, Nobles and Saldaña

AN ACT Relating to authorizing an exemption to the seashore conservation area for a qualified infrastructure project; amending RCW 79A.05.630; and declaring an emergency.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

E2SSB 5838 by Senate Committee on Ways & Means (originally sponsored by Nguyen, Conway, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Muzzall, Nobles, Saldaña, Salomon, Stanford, Torres, Valdez and Wellman)

AN ACT Relating to establishing an artificial intelligence task force; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Consumer Protection & Business.

SB 5852 by Senators Braun, Mullet, Short, Torres and Wilson, L.

AN ACT Relating to special education safety net awards; amending RCW 28A.150.392; and creating a new section.

Referred to Committee on Education.

2SSB 5882 by Senate Committee on Ways & Means (originally sponsored by Stanford, Wellman, Hunt, Pedersen, Wilson, C., Conway, Hasegawa, Kuderer, Nobles, Salomon, Shewmake, Valdez and Van De Wege)

AN ACT Relating to increasing prototypical school staffing to better meet student needs; amending RCW 28A.150.260 and 28A.400.007; creating a new section; and providing an effective date.

Referred to Committee on Appropriations.

SB 5885 by Senator Torres

AN ACT Relating to procedures for certificates of annexation submitted to the office of financial management; and amending RCW 35.13.260 and 35A.14.700.

Referred to Committee on Local Government.

SB 5897 by Senators Mullet and Wilson, L.

AN ACT Relating to nontax statutes administered by the department of revenue modifying provisions of the business licensing service program concerning fee change notice requirements, the administration of the business license account balance, and the handling fee exemption for the local government nonresident business license endorsement; and amending RCW 19.02.075 and 35.90.070.

Referred to Committee on Finance.

E2SSB 5908 by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Frame, Billig, Dhingra, Hasegawa, Hunt, Kuderer, Lias, Lovelett, Lovick, Nguyen, Nobles, Stanford, Trudeau and Valdez)

AN ACT Relating to the provision of extended foster care services to youth ages 18 to 21; amending RCW 13.34.267, 74.13.031, and 74.13.336; reenacting and amending RCW 13.34.030 and 74.13.020; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

SSB 5953 by Senate Committee on Human Services (originally sponsored by Wilson, C., Frame, Hasegawa, Kuderer, Lovelett, Nguyen, Nobles, Salomon, Trudeau and Valdez)

AN ACT Relating to financial aid grants for incarcerated students; and amending RCW 72.09.460 and 72.09.465.

Referred to Committee on Postsecondary Education & Workforce.

ESSB 5973 by Senate Committee on Law & Justice (originally sponsored by Lias, Nguyen, Kuderer, Mullet, Nobles, Shewmake and Valdez)

AN ACT Relating to heat pumps in common interest communities; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; creating a new section; prescribing penalties; and providing a contingent expiration date.

Referred to Committee on Housing.

SSB 5986 by Senate Committee on Ways & Means (originally sponsored by Cleveland, Muzzall, Hasegawa, Kuderer, Mullet, Nobles, Randall, Salomon, Valdez and Wellman)

AN ACT Relating to protecting consumers from charges for out-of-network health care services by prohibiting balance billing for ground ambulance services and addressing coverage of transports to treatment for emergency medical conditions; amending RCW 48.43.005, 48.49.003, 48.49.060, 48.49.070, 48.49.090, 48.49.100, and 48.49.130; adding new sections to chapter 48.49 RCW; adding new sections to chapter 18.73 RCW; adding a new section to chapter 48.43 RCW; creating a new section; and repealing RCW 48.49.190.

Referred to Committee on Health Care & Wellness.

SSB 6020 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Muzzall, Braun and Lovelett)

AN ACT Relating to establishing a Puget Sound nonspot shrimp pot fishery license; amending RCW 77.70.005, 77.70.410, 77.70.420, and 77.65.220; and adding a new section to chapter 77.70 RCW.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

SB 6080 by Senators Boehnke, Dozier, Mullet and Shewmake

AN ACT Relating to simplifying the funding provisions of the statewide tourism marketing account; amending RCW 82.08.225; and providing an effective date.

Referred to Committee on Appropriations.

SSB 6108 by Senate Committee on Labor & Commerce (originally sponsored by King, Stanford and Mullet)

AN ACT Relating to retainage on private construction projects; and amending RCW 60.30.010 and 60.30.020.

Referred to Committee on Labor & Workplace Standards.

SB 6148 by Senators Rivers, Braun, Dozier, Frame, Hasegawa and Wilson, C.

AN ACT Relating to establishing maternal and perinatal quality of care metrics for Washingtonians on medicaid; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

SSB 6197 by Senate Committee on Ways & Means (originally sponsored by Holy, Conway, Van De Wege, Fortunato, Hasegawa, Kuderer, Mullet, Nobles and Valdez)

AN ACT Relating to the law enforcement officers' and firefighters' retirement system plan 2; amending RCW 41.26.048, 41.26.030, 41.26.030, 41.50.130, and 41.26.470; adding a new section to chapter 41.26 RCW; providing effective dates; and providing an expiration date.

Referred to Committee on Appropriations.

ESSB 6264 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Wellman, Hasegawa, Nobles, Saldaña and Wilson, C.)

AN ACT Relating to supporting the implementation of competency-based education; amending RCW 28A.230.125; adding a new chapter to Title 28A RCW; and repealing RCW 28A.300.810.

Referred to Committee on Education.

SB 6283 by Senators Nobles, Billig, Shewmake, Holy, King, Lias, Lovick, Wilson, C., Wilson, J., Valdez, Kauffman, Hawkins, Lovelett, Padden, Fortunato, Cleveland, Trudeau, Frame, Hasegawa, Kuderer, Saldaña and Stanford

AN ACT Relating to eliminating the expiration date for the Sandy Williams connecting communities program; and amending RCW 47.04.380.

Referred to Committee on Transportation.

SSB 6301 by Senate Committee on Ways & Means (originally sponsored by Lovick, Dhingra, Boehnke, Hunt, Kuderer, Lovelett, MacEwen, Mullet, Padden, Shewmake, Warnick and Wilson, J.)

AN ACT Relating to basic law enforcement academy; and amending RCW 43.101.190.

Referred to Committee on Community Safety, Justice, & Reentry.

SB 6308 by Senators Dhingra, Robinson, Kuderer, Nobles and Trudeau



AN ACT Relating to extending timelines for implementation of the 988 system; amending RCW 71.24.892 and 71.24.908; reenacting and amending RCW 71.24.890; and providing an expiration date.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker assumed the chair.

There being no objection, the House advanced to the eighth order of business.

### MOTIONS

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

	HOUSE BILL NO. 1761
	HOUSE BILL NO. 1870
	HOUSE BILL NO. 1899
	HOUSE BILL NO. 1996
	HOUSE BILL NO. 2009
	HOUSE BILL NO. 2124
	HOUSE BILL NO. 2173
	HOUSE BILL NO. 2257
	HOUSE BILL NO. 2375
	HOUSE BILL NO. 2368
	HOUSE BILL NO. 2301
	HOUSE BILL NO. 2230
	HOUSE BILL NO. 2007
	HOUSE BILL NO. 1862
	HOUSE BILL NO. 2392
	HOUSE BILL NO. 1935
	HOUSE BILL NO. 1551
	HOUSE BILL NO. 2411
	HOUSE BILL NO. 2295
	HOUSE BILL NO. 1894
ENGROSSED SECOND SUBSTITUTE	HOUSE BILL NO. 1565
	HOUSE BILL NO. 2445
	HOUSE BILL NO. 1934
	HOUSE BILL NO. 2147
	HOUSE BILL NO. 2389
	HOUSE BILL NO. 2481
	HOUSE BILL NO. 2474
	HOUSE BILL NO. 2153
	HOUSE BILL NO. 2195
	HOUSE BILL NO. 2303
	HOUSE BILL NO. 1304
	HOUSE BILL NO. 2455
	HOUSE BILL NO. 2440
	HOUSE BILL NO. 2430
	HOUSE BILL NO. 2073
	HOUSE BILL NO. 1919
	HOUSE BILL NO. 1906

There being no objection, the Committee on Rules was relieved of the following bill and the bill was placed on the third reading calendar:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282

There being no objection, the House adjourned until 9:00 a.m., Monday, February 12, 2024, the 36th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

THIRTY SIXTH DAY

House Chamber, Olympia, Monday, February 12, 2024

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Will Cummings and Iila Kennelly. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Lekanoff, 40th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

Friday, February 9, 2024

Mme. Speaker:

The Senate has passed:

SENATE BILL NO. 5160  
SECOND SUBSTITUTE SENATE BILL NO. 5444  
SUBSTITUTE SENATE BILL NO. 5722  
SENATE BILL NO. 5789  
SENATE BILL NO. 5799  
ENGROSSED SENATE BILL NO. 5816  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5853  
SUBSTITUTE SENATE BILL NO. 5857  
SENATE BILL NO. 5860  
SUBSTITUTE SENATE BILL NO. 5869  
SENATE BILL NO. 5904  
SECOND SUBSTITUTE SENATE BILL NO. 5943  
SENATE BILL NO. 5952  
ENGROSSED SENATE BILL NO. 6095  
SENATE BILL NO. 6173  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6251  
SUBSTITUTE SENATE BILL NO. 6277

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

MESSAGE FROM THE SENATE

Friday, February 9, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5891  
ENGROSSED SENATE BILL NO. 5997  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6038  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6109  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6175  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

MESSAGE FROM THE SENATE

Thursday, February 8, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 6098

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2498 by Representatives Barkis, Hutchins, Chapman, Stokesbary, Corry, Caldier, Low, Robertson, Goehner, Dent, Schmidt, Klicker, Walsh, Griffey, Harris, Couture, Waters, Connors, Cheney, Volz, Wilcox, Chambers, McEntire, Ybarra, Maycumber and Steele

AN ACT Relating to declaring the ferry system to be in a state of emergency to authorize expedient actions; amending RCW 47.56.030, 47.60.010, 47.60.810, 47.60.315, and 47.60.826; adding a new section to chapter 47.60 RCW; creating a new section; repealing RCW 47.60.838; and declaring an emergency.

Referred to Committee on Transportation.

HB 2499 by Representative Dye

AN ACT Relating to preserving the productive potential of agricultural land; and adding a new chapter to Title 70A RCW.

Referred to Committee on Environment & Energy.

ESB 5241 by Senators Randall, Rolfes, Kuderer, Trudeau, Pedersen, Shewmake, Hunt, Saldaña, Kauffman, Valdez, Lovick, Robinson, Lovelett, Liias, Frame, Nguyen, Stanford and Wilson, C.

AN ACT Relating to material changes to the operations and governance structure of participants in the health care marketplace; amending RCW 19.390.010, 19.390.020, 19.390.030, 19.390.040, 19.390.050, 19.390.080, and 19.390.070; adding new sections to chapter 19.390 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Civil Rights & Judiciary.

2SSB 5780 by Senate Committee on Ways & Means (originally sponsored by Torres, Dhingra, Padden, Boehnke, Wilson, L., Braun, Frame, Hasegawa, Kuderer, Lovick, Mullet, Nguyen, Warnick and Wilson, J.)

AN ACT Relating to encouraging participation in public defense and prosecution professions; adding new sections to chapter 2.70 RCW; adding new sections to chapter 43.101 RCW; and creating a new section.

Referred to Committee on Civil Rights & Judiciary.

E2SSB 5849 by Senate Committee on Ways & Means (originally sponsored by Wellman, Nobles, Boehnke, Frame, Hasegawa, Hunt, Kuderer, Nguyen, Shewmake, Trudeau and Wilson, C.)

AN ACT Relating to a computer science competency graduation requirement; amending RCW 28A.655.070; adding a new section to chapter 28A.230 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

SB 5938 by Senators Wilson, C., Lovelett, Frame, Hasegawa, Kuderer, Nguyen, Nobles and Wellman

AN ACT Relating to modifying the community parenting alternative for eligible participants in the residential parenting program at the department of corrections; and amending RCW 9.94A.6551.

Referred to Committee on Human Services, Youth, & Early Learning.

ESSB 5968 by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Stanford, Dhingra, Frame, Hasegawa, Kuderer, Saldaña, Trudeau, Valdez and Wilson, C.)

AN ACT Relating to regulating home equity sharing agreements under the consumer loan act; and amending RCW 31.04.015, 31.04.027, 31.04.102, and 31.04.105.

Referred to Committee on Consumer Protection & Business.

SSB 6036 by Senate Committee on Ways & Means (originally sponsored by Muzzall, Braun, Liias, Nobles and Van De Wege)

AN ACT Relating to agriculture pest and disease response; amending RCW 17.24.171; adding new sections to chapter 43.23 RCW; and creating a new section.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

2SSB 6228 by Senate Committee on Ways & Means (originally sponsored by Dhingra, Hasegawa, Kuderer, Lovelett, Nobles, Randall, Shewmake, Valdez and Wilson, C.)

AN ACT Relating to treatment of substance use disorders; amending RCW 41.05.526, 48.43.761, 71.24.618, 18.225.145, and 43.70.250; reenacting and amending RCW 18.205.095; adding new sections to chapter 71.24 RCW; adding a new section to chapter 41.05 RCW; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of SENATE BILL NO. 5938 which was referred to the Committee on Community Safety, Justice and Reentry.

There being no objection, the House advanced to the sixth order of business.

## SECOND READING

**HOUSE BILL NO. 1228, by Representatives Ortiz-Self, Ybarra, Thai, Simmons, Reeves, Reed, Orwall, Ormsby, Taylor, Leavitt, Kloba, Doglio, Berry, Fey, Davis, Ramel, Callan, Bergquist, Fosse, Pollet, Lekanoff, Slatter, Macri, Alvarado, Stonier, Gregerson and Santos**

**Building a multilingual, multiliterate Washington through dual and tribal language education.**

The bill was read the second time.

There being no objection, Third Substitute House Bill No. 1228 was substituted for House Bill No. 1228 and the third substitute bill was placed on the second reading calendar.

THIRD SUBSTITUTE HOUSE BILL NO. 1228 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self and Rude spoke in favor of the passage of the bill.

## MOTIONS

On motion of Representative Griffey, Representatives Chandler and Ybarra were excused.

On motion of Representative Ramel, Representatives Entenman, Rule, Santos, Simmons, Thai and Stearns were excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Third Substitute House Bill No. 1228.

## ROLL CALL

The Clerk called the roll on the final passage of Third Substitute House Bill No. 1228, and the bill passed the House by the following vote: Yeas, 90; Nays, 0; Absent, 0; Excused, 8

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Ryu, Sandlin, Schmick, Schmidt, Senn, Shavers, Slatter, Springer, Steele, Stokesbary, Stonier, Street, Taylor, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie and Mme. Speaker

Excused: Representatives Chandler, Entenman, Rule, Santos, Simmons, Stearns, Thai and Ybarra

THIRD SUBSTITUTE HOUSE BILL NO. 1228, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2239, by Representatives Timmons, Eslick, Callan, Ramel, Reeves, Reed, Doglio, Leavitt and Davis**

**Supporting student well-being through instruction in social-emotional skills.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2239 was substituted for House Bill No. 2239 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2239 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Timmons, Stonier and Eslick spoke in favor of the passage of the bill.

Representatives McEntire, Christian, Abbarno, Walsh and Hutchins spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2239.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2239, and the bill passed the House by the following vote: Yeas, 60; Nays, 35; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters and Wilcox

Excused: Representatives Chandler, Rule and Ybarra

SECOND SUBSTITUTE HOUSE BILL NO. 2239, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1916, by Representatives Senn, Couture, Leavitt, Taylor, Paul, Callan, Ramos, Cortes, Reed, Fey, Timmons, Street, Doglio, Simmons, Wylie, Reeves, Alvarado, Nance, Riccelli, Fosse, Pollet and Shavers**

**Concerning funding for the early support for infants and toddlers program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1916 was substituted for House Bill No. 1916 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1916 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Senn and Couture spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1916.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1916, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie and Mme. Speaker

Excused: Representatives Chandler, Rule and Ybarra

SUBSTITUTE HOUSE BILL NO. 1916, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2482, by Representatives Harris, Santos and Stonier**

**Reinstating semiconductor tax incentives.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2482 was substituted for House Bill No. 2482 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2482 was read the second time.

With the consent of the House, amendment (955) was withdrawn.

Representative Harris moved the adoption of amendment (954):

On page 2, line 8, after "~~dollars~~)" strike "\$1,000,000,000" and insert "\$500,000,000"

Representatives Harris and Wylie spoke in favor of the adoption of the amendment.

Amendment (954) was adopted.

Representative Harris moved the adoption of amendment (956):

On page 8, beginning on line 34, after "(4)" strike all material through "(5)" on page 9, line 1

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 10, beginning on line 12, after "(4)" strike all material through "(5)" on line 18

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Representatives Harris and Wylie spoke in favor of the adoption of the amendment.

Amendment (956) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Harris, Wylie and Christian spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2482.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2482, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie and Mme. Speaker

Excused: Representatives Chandler and Ybarra

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2482, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the third order of business.

### MESSAGE FROM THE SENATE

Monday, February 12, 2024

Mme. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5667  
SENATE BILL NO. 5837  
SUBSTITUTE SENATE BILL NO. 5934  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6039  
SUBSTITUTE SENATE BILL NO. 6163  
SUBSTITUTE SENATE BILL NO. 6269

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the sixth order of business.

### SECOND READING

**HOUSE BILL NO. 2247, by Representatives Bateman, Bronoske, Simmons, Duerr, Callan, Reed, Macri, Doglio, Leavitt and Davis**

**Addressing behavioral health provider shortages.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2247 was substituted for House Bill No. 2247 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2247 was read the second time.

With the consent of the House, amendments (913) and (922) were withdrawn.

Representative Bateman moved the adoption of amendment (925):

On page 11, line 10, after "secretary" insert "in consultation with the committee"

On page 11, line 39, after "secretary" insert "in consultation with the committee"

On page 13, line 2, after "secretary" insert "in consultation with the committee"

On page 13, line 30, after "secretary" insert "in consultation with the committee"

On page 15, line 7, after "secretary" insert "in consultation with the committee"

On page 15, line 9, after "secretary" insert "in consultation with the committee"

On page 17, after line 19, insert the following:

"NEW SECTION. Sec. 20. (1) The secretary of health shall study and make recommendations on changing the disciplining authority for professions regulated under chapter 18.225 RCW from the secretary of health to separate boards or commissions for each profession.

(2) The secretary of health's findings and recommendations must, at a minimum, include the following:

(a) Whether the disciplining authority for each profession should be a board or a commission;

(b) The recommended membership of each board or commission, which must include:

(i) A majority of members who are members of the regulated professions; and

(ii) At least one public member;

(c) An estimate of the fiscal impact of changing the disciplining authority for the professions; and

(d) A transition plan for changing the disciplining authorities, including recommended statutory changes.

(3) When formulating the findings and recommendations, the secretary of health must consult with organizations representing the professions regulated under chapter 18.225 RCW.

(4) The secretary of health shall report the findings and recommendations to the appropriate committees of the legislature no later than July 1, 2025.

(5) This section expires August 1, 2025."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Bateman and Schmick spoke in favor of the adoption of the amendment.

Amendment (925) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bateman and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2247.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2247, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2247, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2357, by Representatives Fey, Barkis, Hutchins, Robertson, Leavitt, Schmidt, Shavers, Nance, Bronoske, Paul, Timmons and Caldier**

**Establishing a state patrol longevity bonus.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2357 was substituted for House Bill No. 2357 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2357 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey, Barkis, Orcutt, Goehner and Christian spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2357.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2357, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier,

Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2357, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2330, by Representatives Reeves, Ryu, Timmons, Reed, Springer and Ramel**

**Addressing wildfire protection and mitigation.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2330 was substituted for House Bill No. 2330 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2330 was read the second time.

Representative Reeves moved the adoption of amendment (928):

On page 1, line 19, after "(e)" insert "One representative from local emergency management as nominated by the Washington state emergency management council; (f) "

Reletter the remaining subsections consecutively and correct any internal references accordingly.

On page 2, line 9, after "(2)" insert "Staff support for the work group must be provided by the office of the insurance commissioner." (3) "

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Reeves spoke in favor of the adoption of the amendment.

Amendment (928) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Reeves spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2330.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2330, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives McEntire and Walsh

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2330, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1876, by Representatives Springer, McEntire, Reeves and Thai**

**Concerning confidential fisheries information collected by other states and maintaining that confidentiality under the public records act.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Springer spoke in favor of the passage of the bill.

Representative Abbarno spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1876.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1876, and the bill passed the House by the following vote: Yeas, 86; Nays, 11; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McEntire, Mena, Morgan, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Christian, Corry, Dye, Harris, Jacobsen, McClintock, Mosbrucker, Schmidt, Walsh and Waters

Excused: Representative Chandler

HOUSE BILL NO. 1876, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2416, by Representatives Graham and Riccelli**

**Changing the legal title for advanced practice nurses.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Graham and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2416.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2416, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2416, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1987, by Representatives Low, Ramel, Ryu, Eslick, Timmons, Paul, Ramos, Reed, Chapman, Ormsby, Graham, Doglio, Sandlin, Lekanoff, Tharinger and Santos**

**Concerning the use of moneys from the rural public facilities sales and use tax for affordable workforce housing infrastructure and facilities.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Low, Ramel, Goehner, Wilcox and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1987.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1987, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul,

Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1987, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2071, by Representatives Duerr, Bateman, Fitzgibbon, Berry, Reed, Ormsby, Ramel, Pollet and Kloba**

**Concerning residential housing regulations.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2071 was substituted for House Bill No. 2071 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2071 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Duerr spoke in favor of the passage of the bill.

Representative Klicker spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2071.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2071, and the bill passed the House by the following vote: Yeas, 63; Nays, 34; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Chopp, Connors, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hutchins, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Chambers, Cheney, Christian, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters and Ybarra

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2071, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2012, by Representatives Street, Alvarado, Ryu, Ramel, Bateman, Reed, Peterson, Doglio, Lekanoff, Santos, Chopp and Hackney**

**Concerning eligibility for a property tax exemption for nonprofits providing affordable rental housing built with city and county funds.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2012 was substituted for House Bill No. 2012 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2012 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Street spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2012.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2012, and the bill passed the House by the following vote: Yeas, 69; Nays, 28; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Chopp, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hutchins, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Cheney, Christian, Connors, Corry, Dent, Dye, Graham, Harris, Jacobsen, Klicker, Kretz, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh, Waters and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2012, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2039, by Representatives Fitzgibbon, Ramel, Reed, Ormsby, Fosse and Duerr**

**Modifying the appeals process for environmental and land use matters.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2039 was substituted for House Bill No. 2039 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2039 was read the second time.

Representative Fitzgibbon moved the adoption of the striking amendment (939):

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 34.05.518 and 2021 c 305 s 2 are each amended to read as follows:

(1) (a) The final decision of an administrative agency in an adjudicative proceeding under this chapter may be directly reviewed by the court of appeals ((upon)) either: (i) Upon certification by the superior court pursuant to this ((section)) subsection and subsections (2)



and (3) of this section; or (ii) if the final decision is from an environmental board as identified in RCW 43.21B.005 and the final decision relates to a clean energy project as defined in RCW 43.158.010, pursuant to subsection (4) of this section.

~~((Transfer of cases pursuant to this section does not require the filing of a motion for discretionary review with the court of appeals.))~~ (b) The superior court may certify cases for transfer to the court of appeals upon finding that:

~~((a))~~ (i) All parties have consented to the transfer to the court of appeals and agreed that the judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

~~((b))~~ (ii) One or more of the parties have not consented to the transfer, but the superior court finds that transfer would serve the interest of justice, would not cause substantial prejudice to any party, including any unrepresented party, and further finds that:

~~((i))~~ (A) The judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

~~((ii))~~ (B) The superior court has completed any necessary supplementation of the record pursuant to RCW 34.05.562, such that only issues of law remain for determination.

(2) If the superior court certifies a final decision of an administrative agency in an adjudicative proceeding, the superior court shall transfer the matter to the court of appeals as a direct appeal.

(3) A party contesting a superior court decision granting or denying certification for direct review may file a motion for discretionary review with the court of appeals.

(4) (a) For the appeal of a permit related to a clean energy project, as defined in RCW 43.158.010, that is the subject of a final adjudicative decision of an environmental board, as identified in RCW 43.21B.005, upon a motion filed by any party to the appeal, the superior court shall certify a case for transfer to the court of appeals upon a finding that:

(i) The judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

(ii) The superior court has completed any necessary supplementation of the record pursuant to RCW 34.05.562.

(b) If the superior court certifies a final decision of an administrative agency in an adjudicative proceeding, the superior court shall transfer the matter to the court of appeals as a direct appeal.

(c) A party contesting a superior court decision granting or denying certification for direct review may file a motion for discretionary review with the court of appeals. Where a contesting party demonstrates that substantial prejudice would result from direct review by the court of appeals, the court of appeals may remand to the superior court.

(5) Transfer of cases pursuant to this section does not require the filing of a motion for discretionary review with the court of appeals.

**Sec. 2.** RCW 34.05.518 and 2021 c 305 s 5 are each amended to read as follows:

(1) The final decision of an administrative agency in an adjudicative proceeding under this chapter may be directly reviewed by the court of appeals either (a) upon certification by the superior court pursuant to subsection (2) of this section ~~((or))~~; (b) if the final decision is from an environmental board as ~~((defined in))~~ identified in RCW 43.21B.005 and the final decision relates to a clean energy project as defined in RCW 43.158.010, pursuant to subsection (3) of this section ~~((, upon acceptance by the court of appeals after a certificate of appealability has been filed by the environmental board that rendered the final decision))~~; or (c) if the final decision is from an environmental board identified in RCW 43.21B.005 and the final decision does not relate to a clean energy project as defined in RCW 43.158.010, pursuant to subsection (4) of this section. Transfer of a case pursuant to subsections (3) or (4) of this section does not require the filing of a motion for discretionary review with the court of appeals.

(2) (a) For direct review upon certification by the superior court, an application for direct review must be filed with the superior court within thirty days of the filing of the petition for review in superior court. The superior court may certify a case for direct review only if the judicial review is limited to the record of the agency proceeding and the court finds that:

~~((a))~~ (i) Fundamental and urgent issues affecting the future administrative process or the public interest are involved which require a prompt determination;

~~((b))~~ (ii) Delay in obtaining a final and prompt determination of such issues would be detrimental to any party or the public interest;

~~((c))~~ (iii) An appeal to the court of appeals would be likely regardless of the determination in superior court; and

~~((d))~~ (iv) The appellate court's determination in the proceeding would have significant precedential value.

(b) Procedures for certification shall be established by court rule.

(3) (a) ~~For the~~ ~~((purposes of direct review of final decisions of environmental boards, environmental boards include those boards identified in RCW 43.21B.005 and the growth management hearings board as identified in RCW 36.70A.250.~~

~~(b) An environmental board may issue a certificate of appealability if it finds that delay in obtaining a final and prompt determination of the issues would be detrimental to any party or the public interest and either:~~

~~(i) Fundamental and urgent statewide or regional issues are raised; or~~

~~(ii) The proceeding is likely to have significant precedential value.~~

~~(4) The environmental board shall state in the certificate of appealability which criteria it applied, explain how that criteria was met, and file with the certificate a copy of the final decision.~~

~~(5) For an appellate court to accept direct review of a final decision of an environmental board, it shall consider the same criteria outlined in subsection (3) of this section.~~

~~(6) The procedures for direct review of final decisions of environmental boards include:~~

~~(a) Within thirty days after filing the petition for review with the superior court, a party may file an application for direct review with the superior court and serve the appropriate environmental board and all parties of record. The application shall request the environmental board to file a certificate of appealability.~~

~~(b) If an issue on review is the jurisdiction of the environmental board, the board may file an application for direct review on that issue.~~

~~(c) The environmental board shall have thirty days to grant or deny the request for a certificate of appealability and its decision shall be filed with the superior court and served on all parties of record.~~

~~(d) If a certificate of appealability is issued, the parties shall have fifteen days from the date of service to file a notice of discretionary review in the superior court, and the notice shall include a copy of the certificate of appealability and a copy of the final decision.~~

~~(e) If the appellate court accepts review, the certificate of appealability shall be transmitted to the court of appeals as part of the certified record.~~

~~(f) If a certificate of appealability is denied, review shall be by the superior court. The superior court's decision may be appealed to the court of appeals.) appeal of a permit related to a clean energy project, as defined in RCW 43.158.010, that is the subject of a final adjudicative decision of an environmental board, as identified in RCW 43.21B.005, upon a motion filed by any party to the appeal, the superior court shall certify a case for transfer to the court of appeals upon a finding that:~~

~~(i) The judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or~~

~~(ii) The superior court has completed any necessary supplementation of the record pursuant to RCW 34.05.562.~~

~~(b) If the superior court certifies a final decision of an administrative agency in an adjudicative proceeding, the superior court shall transfer the matter to the court of appeals as a direct appeal.~~

~~(c) A party contesting a superior court decision granting or denying certification for direct review may file a motion for discretionary review with the court of appeals. Where a contesting party demonstrates that substantial prejudice would result from direct review by the court of appeals, the court of appeals may remand to superior court.~~

~~(4)(a) The final adjudicative decision of an environmental board, as identified in RCW~~

43.21B.005, that does not relate to a clean energy project as defined in RCW 43.158.010, may be directly reviewed by the court of appeals upon certification by the superior court pursuant to this subsection. The superior court shall certify cases for transfer to the court of appeals upon finding that:

(i) All parties have consented to the transfer to the court of appeals and agreed that the judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

(ii) One or more of the parties have not consented to the transfer, but the superior court finds that transfer would serve the interest of justice, would not cause substantial prejudice to any party, including any unrepresented party, and further finds that:

(A) The judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

(B) The superior court has completed any necessary supplementation of the record pursuant to RCW 34.05.562, such that only issues of law remain for determination.

(b) If the superior court certifies a final decision of an administrative agency in an adjudicative proceeding, the superior court shall transfer the matter to the court of appeals as a direct appeal.

(c) A party contesting a superior court decision granting or denying certification for direct review may file a motion for discretionary review with the court of appeals. Where a contesting party demonstrates that substantial prejudice would result from direct review by the court of appeals, the court of appeals may remand to the superior court.

NEW SECTION. Sec. 3. A new section is added to chapter 43.21B RCW to read as follows:

(1) Where multiple permits for the same underlying clean energy project, as defined in RCW 43.158.010, are appealed to one or more of the environmental boards, as identified in RCW 43.21B.005, the presiding officer shall consolidate the appeals for hearing when one or more of the following criteria are met:

(a) When appeals for the permits related to the same underlying project are either:

(i) Filed within 60 days of each other; or

(ii) If the permits are not filed within 60 days of each other and the environmental board issues a stay of the appeal of the permit pursuant to RCW 43.21B.320 following the applicant's request. Such a stay must include a stay of the construction of the project pending appeal, to allow other anticipated appeals of permits for the same underlying project to be filed with the environmental boards to accommodate consolidation pursuant to this section, but the environmental board may set a deadline after which an appeal may proceed in the absence of other permit appeals in order to ensure efficient resolution of appeals; or

(b) The presiding officer determines that the following three criteria have been met:

(i) Consolidation will expedite disposition of the appeals;

(ii) Consolidation will avoid duplication of testimony; and

(iii) Consolidation will not prejudice the rights of the parties.

(2) When all appeals of individual permits consolidated pursuant to this section are within the jurisdiction of the pollution control hearings board, the pollution control hearings board shall retain jurisdiction over the consolidated matter. When all appeals of individual permits consolidated pursuant to this section are within the jurisdiction of the shorelines hearings board, the shorelines hearings board shall retain jurisdiction over the consolidated matter. When appeals to the pollution control hearings board and appeals to the shorelines hearings board are consolidated pursuant to this section, the following applies:

(a) The consolidated appeals must be heard by the pollution control hearings board;

(b) The pollution control hearings board must issue its decision on the consolidated appeal within 240 days, which must be measured from the date that the last of the consolidated appeals was filed; and

(c) The time period in (b) of this subsection may be extended on motion from a party or by the pollution control hearings board upon a showing that the consolidated appeal raises issues of unique complexity and that delay is not against the public interest. In no case may the time period in (b) of this subsection be extended for a period greater than 30 days unless the time period is waived by all parties.

**Sec. 4.** RCW 90.58.180 and 2011 c 277 s 4 are each amended to read as follows:

(1)(a) Any person aggrieved by the granting, denying, or rescinding of a permit on shorelines of the state pursuant to RCW 90.58.140 may seek review from the shorelines hearings board by filing a petition for review within ~~((twenty-one))~~21 days of the date of filing of the decision as defined in RCW 90.58.140(6).

(b) Within seven days of the filing of any petition for review with the board as provided in this section pertaining to a final decision of a local government, the petitioner shall serve copies of the petition on the department, the office of the attorney general, and the local government. The department and the attorney general may intervene to protect the public interest and ensure that the provisions of this chapter are complied with at any time within ~~((fifteen))~~15 days from the date of the receipt by the department or the attorney general of a copy of the petition for review filed pursuant to this section. The shorelines hearings board shall schedule review proceedings on the petition for review without regard as to whether the period for the department or the attorney general to intervene has or has not expired.

(2) The department or the attorney general may obtain review of any final

decision granting a permit, or granting or denying an application for a permit issued by a local government by filing a written petition with the shorelines hearings board and the appropriate local government within ~~((twenty-one))~~21 days from the date the final decision was filed as provided in RCW 90.58.140(6).

(3) The review proceedings authorized in subsections (1) and (2) of this section are subject to the provisions of chapter 34.05 RCW pertaining to procedures in adjudicative proceedings. Judicial review of such proceedings of the shorelines hearings board is governed by chapter 34.05 RCW. The board shall issue its decision on the appeal authorized under subsections (1) and (2) of this section within ~~((one hundred eighty))~~180 days after the date the petition is filed with the board or a petition to intervene is filed by the department or the attorney general, whichever is later. The time period may be extended by the board for a period of ~~((thirty))~~30 days upon a showing of good cause or may be waived by the parties.

(4) Any person may appeal any rules, regulations, or guidelines adopted or approved by the department within ~~((thirty))~~30 days of the date of the adoption or approval. The board shall make a final decision within ~~((sixty))~~60 days following the hearing held thereon.

(5) The board shall find the rule, regulation, or guideline to be valid and enter a final decision to that effect unless it determines that the rule, regulation, or guideline:

(a) Is clearly erroneous in light of the policy of this chapter; or

(b) Constitutes an implementation of this chapter in violation of constitutional or statutory provisions; or

(c) Is arbitrary and capricious; or

(d) Was developed without fully considering and evaluating all material submitted to the department during public review and comment; or

(e) Was not adopted in accordance with required procedures.

(6) If the board makes a determination under subsection (5)(a) through (e) of this section, it shall enter a final decision declaring the rule, regulation, or guideline invalid, remanding the rule, regulation, or guideline to the department with a statement of the reasons in support of the determination, and directing the department to adopt, after a thorough consultation with the affected local government and any other interested party, a new rule, regulation, or guideline consistent with the board's decision.

(7) A decision of the board on the validity of a rule, regulation, or guideline shall be subject to review in superior court, if authorized pursuant to chapter 34.05 RCW. A petition for review of the decision of the shorelines hearings board on a rule, regulation, or guideline shall be filed within ~~((thirty))~~30 days after the date of final decision by the shorelines hearings board.

(8) Where multiple permits for the same underlying clean energy project, as defined in RCW 43.158.010, have been appealed to one

or more of the environmental boards, as identified in RCW 43.21B.005, the presiding officer shall consolidate the appeals, including appeals to the shorelines hearings board, pursuant to section 3 of this act.

**Sec. 5.** RCW 43.21B.110 and 2023 c 455 s 5, 2023 c 434 s 20, 2023 c 344 s 5, and 2023 c 135 s 6 are each reenacted and amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70A.15 RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to chapter 70A.230 RCW and RCW 18.104.155, 70A.15.3160, 70A.300.090, 70A.20.050, 70A.205.280, 70A.355.070, 70A.430.070, 70A.500.260, 70A.505.100, 70A.505.110, 70A.530.040, 70A.350.070, 70A.515.060, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.245.130, 70A.245.140, 70A.65.200, 70A.455.090, 70A.550.030, 70A.555.110, 70A.560.020, 76.09.170, 77.55.440, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 18.104.130, 43.27A.190, 70A.15.2520, 70A.15.3010, 70A.15.4530, 70A.15.6010, 70A.205.280, 70A.214.140, 70A.300.120, 70A.350.070, 70A.245.020, 70A.65.200, 70A.555.110, 70A.560.020, 86.16.020, 88.46.070, 90.03.665, 90.14.130, 90.46.250, 90.48.120, ((and))90.48.240, 90.56.330, and 90.64.040.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, ~~((or))~~ a decision to approve or deny a solid waste management plan under RCW 70A.205.055, approval or denial of an application for a ((solid waste permit exemption))beneficial use determination under RCW 70A.205.260, an application for a change under RCW 90.03.383, or a permit to distribute reclaimed water under RCW 90.46.220.

(d) Decisions of local health departments regarding the ~~((grant))~~granting or denial of solid waste permits pursuant to chapter 70A.205 RCW, including appeals by the department as provided in RCW 70A.205.130.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70A.226.090.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820 (~~and~~

~~decisions of the department regarding waste-derived soil amendments under RCW 70A.205.145)).~~

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026 as provided in RCW 90.64.028.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW, to issue a stop work order, to issue a notice to comply, to issue a civil penalty, or to issue a notice of intent to disapprove applications.

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(n) Decisions of the department of ecology that are appealable under RCW 70A.245.020 to set recycled minimum postconsumer content for covered products or to temporarily exclude types of covered products in plastic containers from minimum postconsumer recycled content requirements.

(o) Orders by the department of ecology under RCW 70A.455.080.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW, except where appeals to the pollution control hearings board and appeals to the shorelines hearings board have been consolidated pursuant to section 3 of this act.

(b) Hearings conducted by the department pursuant to RCW 70A.15.3010, 70A.15.3070, 70A.15.3080, 70A.15.3090, 70A.15.3100, 70A.15.3110, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

**Sec. 6.** RCW 43.21B.300 and 2023 c 455 s 6, 2023 c 434 s 21, and 2023 c 135 s 7 are each reenacted and amended to read as follows:

(1) Any civil penalty provided in RCW 18.104.155, 70A.15.3160, 70A.205.280, 70A.230.080, 70A.300.090, 70A.20.050, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.245.130, 70A.245.140, 70A.65.200, 70A.430.070, 70A.455.090, 70A.500.260, 70A.505.110, 70A.555.110, 70A.560.020, 86.16.081, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102 and chapter 70A.355 RCW shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the penalty from the department or the local air authority, describing the violation with reasonable particularity. For penalties issued by local air authorities, within 30 days after the notice is received, the person incurring the penalty may apply in writing to the authority for the remission or mitigation of the penalty. Upon receipt of the application, the authority may remit or mitigate the penalty upon whatever terms the authority in its discretion deems proper. The authority may ascertain the facts regarding all such applications in such reasonable manner and under such rules as it may deem proper and shall remit or mitigate the penalty only upon a demonstration of extraordinary circumstances such as the presence of information or factors not considered in setting the original penalty.

(2) Any penalty imposed under this section may be appealed to the pollution control hearings board in accordance with this chapter if the appeal is filed with the hearings board and served on the department or authority 30 days after the date of receipt by the person penalized of the notice imposing the penalty or 30 days after the date of receipt of the notice of disposition by a local air authority of the application for relief from penalty.

(3) A penalty shall become due and payable on the later of:

(a) 30 days after receipt of the notice imposing the penalty;

(b) 30 days after receipt of the notice of disposition by a local air authority on application for relief from penalty, if such an application is made; or

(c) 30 days after receipt of the notice of decision of the hearings board if the penalty is appealed.

(4) If the amount of any penalty is not paid to the department within 30 days after it becomes due and payable, the attorney general, upon request of the department, shall bring an action in the name of the state of Washington in the superior court of Thurston county, or of any county in which the violator does business, to recover the penalty. If the amount of the penalty is not paid to the authority within 30 days after it becomes due and payable, the authority may bring an action to recover the penalty in the superior court of the county of the authority's main office or of any county in which the violator does business. In these actions, the procedures and rules of

evidence shall be the same as in an ordinary civil action.

(5) All penalties recovered shall be paid into the state treasury and credited to the general fund except ~~((those penalties imposed pursuant to RCW 18.104.155, which shall be credited to the reclamation account as provided in RCW 18.104.155(7), RCW 70A.15.3160, the disposition of which shall be governed by that provision, RCW 70A.245.040 and 70A.245.050, which shall be credited to the recycling enhancement account created in RCW 70A.245.100, RCW 70A.300.090, 70A.555.110, and 70A.560.020, which shall be credited to the model toxics control operating account created in RCW 70A.305.180, RCW 70A.65.200, which shall be credited to the climate investment account created in RCW 70A.65.250, RCW 90.56.330, which shall be credited to the coastal protection fund created by RCW 90.48.390, and RCW 70A.355.070, which shall be credited to the underground storage tank account created by RCW 70A.355.090))~~ the following:

(a) Penalties imposed pursuant to RCW 18.104.155 must be credited to the reclamation account as provided in RCW 18.104.155(7);

(b) Penalties imposed pursuant to RCW 70A.15.3160 must be disposed of pursuant to RCW 70A.15.3160;

(c) Penalties imposed pursuant to RCW 70A.230.080, 70A.300.090, 70A.430.070, 70A.555.110, and 70A.560.020 must be credited to the model toxics control operating account created in RCW 70A.305.180;

(d) Penalties imposed pursuant to RCW 70A.245.040 and 70A.245.050 must be credited to the recycling enhancement account created in RCW 70A.245.100;

(e) Penalties imposed pursuant to RCW 70A.500.260 must be deposited into the electronic products recycling account created in RCW 70A.500.130;

(f) Penalties imposed pursuant to RCW 70A.65.200 must be credited to the climate investment account created in RCW 70A.65.250;

(g) Penalties imposed pursuant to RCW 90.56.330 must be credited to the coastal protection fund established in RCW 90.48.390; and

(h) Penalties imposed pursuant to RCW 70A.355.070 must be credited to the underground storage tank account created in RCW 70A.355.090.

**Sec. 7.** RCW 70A.230.080 and 2020 c 20 s 1245 are each amended to read as follows:

A violation of this chapter is punishable by a civil penalty not to exceed ~~((one thousand dollars))~~ \$1,000 for each violation in the case of a first violation. Repeat violators are liable for a civil penalty not to exceed ~~((five thousand dollars))~~ \$5,000 for each repeat violation. Penalties collected under this section must be deposited in the model toxics control operating account created in RCW 70A.305.180. The penalties provided in this section must be imposed pursuant to RCW 43.21B.300 and may be appealed to the pollution control hearings board.

**Sec. 8.** RCW 70A.300.120 and 2012 c 117 s 417 are each amended to read as follows:

(1) Whenever on the basis on any information the department determines that a person has violated or is about to violate any provision of this chapter, the department may issue an order requiring compliance either immediately or within a specified period of time. The order shall be delivered by registered mail or personally to the person against whom the order is directed.

(2) Any person who fails to take corrective action as specified in a compliance order shall be liable for a civil penalty of not more than ~~((ten thousand dollars))~~ \$10,000 for each day of continued noncompliance. In addition, the department may suspend or revoke any permits and/or certificates issued under the provisions of this chapter to a person who fails to comply with an order directed against him or her.

(3) Any order or penalty may be appealed pursuant to RCW ~~((43.21B.310))~~ 43.21B.300.

**Sec. 9.** RCW 70A.430.070 and 2020 c 20 s 1409 are each amended to read as follows:

(1) A manufacturer of products that are restricted under this chapter must notify persons that sell the manufacturer's products in this state about the provisions of this chapter no less than ~~((ninety))~~ 90 days prior to the effective date of the restrictions.

(2) A manufacturer that produces, sells, or distributes a product prohibited from manufacture, sale, or distribution in this state under this chapter must recall the product and reimburse the retailer or any other purchaser for the product.

(3) A manufacturer of products in violation of this chapter is subject to a civil penalty not to exceed ~~((five thousand dollars))~~ \$5,000 for each violation in the case of a first offense. Manufacturers who are repeat violators are subject to a civil penalty not to exceed ~~((ten thousand dollars))~~ \$10,000 for each repeat offense. Penalties collected under this section must be deposited in the model toxics control operating account created in RCW 70A.305.180. The penalties provided in this section must be imposed pursuant to RCW 43.21B.300 and may be appealed to the pollution control hearings board.

(4) Retailers who unknowingly sell products that are restricted from sale under this chapter are not liable under this chapter.

(5) The sale or purchase of any previously owned products containing a chemical restricted under this chapter made in casual or isolated sales as defined in RCW 82.04.040, or by a nonprofit organization, is exempt from this chapter.

**Sec. 10.** RCW 86.16.081 and 1995 c 403 s 634 are each amended to read as follows:

(1) Except as provided in RCW 43.05.060 through 43.05.080 and 43.05.150, the attorney general or the attorney for the local government shall bring such injunctive, declaratory, or other actions as are necessary to ensure compliance with this chapter.

(2) Any person who fails to comply with this chapter shall also be subject to a civil penalty not to exceed ~~((one thousand dollars))~~ \$1,000 for each violation. Each violation or each day of noncompliance shall constitute a separate violation.

(3) The penalty provided for in this section ~~((shall))~~ must be imposed by a notice in writing ~~((, either by certified mail with return receipt requested or by personal service, to the person incurring the same from the department or local government, describing the violation with reasonable particularity and ordering))~~ and must be imposed consistent with the procedures of RCW 43.21B.300. The notice in writing must also order the act or acts constituting the violation or violations to cease and desist or, in appropriate cases, ((requiring)) must require necessary corrective action to be taken within a specific and reasonable time.

(4) Any penalty imposed pursuant to this section by the department shall be subject to review by the pollution control hearings board under chapter 43.21B RCW. Any penalty imposed pursuant to this section by local government shall be subject to review by the local government legislative authority. Any penalty jointly imposed by the department and local government shall be appealed to the pollution control hearings board under chapter 43.21B RCW.

NEW SECTION. Sec. 11. Section 1 of this act expires July 1, 2026.

NEW SECTION. Sec. 12. Section 2 of this act takes effect July 1, 2026.

NEW SECTION. Sec. 13. RCW 70A.205.145 (Exemption from solid waste permit requirements—Waste-derived soil amendments—Application—Revocation of exemption—Appeal) and 2020 c 20 s 1175, 2016 c 119 s 7, & 1998 c 36 s 18 are each repealed."

Correct the title.

Representative Fitzgibbon spoke in favor of the adoption of the striking amendment.

Representative Dye spoke against the adoption of the striking amendment.

The striking amendment (939) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Fitzgibbon spoke in favor of the passage of the bill.

Representative Dye spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2039.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2039, and the bill passed the House by the following vote: Yeas, 64; Nays, 33; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Hutchins, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Graham, Griffey, Harris, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Rude, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2039, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2246, by Representatives Bateman, Low, Gregerson, Bronoske, Robertson, Reeves, Paul, Reed and Doglio**

**Concerning vacation leave accrual for state employees.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bateman and Low spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2246.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2246, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2246, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1942, by Representatives Fosse, Schmidt, Reed, Simmons, Ormsby, Rule, Macri and Ortiz-Self**

**Clarifying employment standards for long-term care individual providers.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1942 was substituted for House Bill No. 1942 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1942 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fosse and Schmidt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1942.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1942, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1942, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2003, by Representatives Connors, Leavitt, Klicker, Couture, Schmidt, Chapman, Graham, Peterson, Sandlin, Reeves and Shavers**

**Concerning an exemption to the leasehold excise tax for leases on public lands.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2003 was substituted for House Bill No. 2003 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2003 was read the second time.

Representative Connors moved the adoption of amendment (883):

On page 1, line 17, after "(3)" insert "Affordable housing for low-income households must be prioritized by the department of natural resources and the lessee when receiving the exemption under this section.

(4) "

Representatives Connors and Berg spoke in favor of the adoption of the amendment.

Amendment (883) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Connors and Berg spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2003.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2003, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives McEntire and Walsh  
Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2003, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1970, by Representatives McClintock, Couture, Waters, Graham, Cheney, Sandlin, Harris and Calder**

**Improving communication between the department of children, youth, and families and caregivers.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1970 was substituted for House Bill No. 1970 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1970 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McClintock, Cortes and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1970.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1970, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder,

Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1970, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

### SECOND READING

**HOUSE BILL NO. 2118, by Representatives Walen, Berry, Senn, Reed, Ormsby, Ramel, Peterson, Macri, Farivar, Doglio, Wylie, Reeves, Hackney, Pollet, Kloba and Davis**

**Protecting the public from gun violence by establishing additional requirements for the business operations of licensed firearms dealers.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2118 was substituted for House Bill No. 2118 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2118 was read the second time.

With the consent of the House, amendment (813) was withdrawn.

Representative Walen moved the adoption of the striking amendment (837):

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 9.41.110 and 2023 c 161 s 8 are each amended to read as follows:

(1) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any pistol without being licensed as provided in this section.

(2) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any firearm other than a pistol without being licensed as provided in this section.

(3) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any ammunition without being licensed as provided in this section.

(4) The duly constituted licensing authorities of any city, town, or political subdivision of this state shall grant licenses in forms prescribed by the director of licensing effective for not more than one year from the date of issue permitting the



licensee to sell firearms within this state subject to the following conditions, for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in this chapter. A licensing authority shall forward a copy of each license granted to the department of licensing. The department of licensing shall notify the department of revenue of the name and address of each dealer licensed under this section. Any law enforcement agency acting within the scope of its jurisdiction may investigate a breach of the licensing conditions established in this chapter.

(5)(a) A licensing authority shall, within ~~((thirty))~~ 30 days after the filing of an application of any person for a dealer's license, determine whether to grant the license. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card, or has not been a resident of the state for the previous consecutive ~~((ninety))~~ 90 days, the licensing authority shall have up to ~~((sixty))~~ 60 days to determine whether to issue a license. No person shall qualify for a license under this section without first receiving a federal firearms license and undergoing fingerprinting and a background check. In addition, no person ineligible to possess a firearm under RCW 9.41.040 or ineligible for a concealed pistol license under RCW 9.41.070 shall qualify for a dealer's license.

(b) A dealer shall require every employee who may sell a firearm in the course of his or her employment to undergo fingerprinting and a background check in advance of engaging in the sale or transfer of firearms and to undergo a background check annually thereafter. An employee must be at least 21 years of age, eligible to possess a firearm, and must not have been convicted of a crime that would make the person ineligible for a concealed pistol license, before being permitted to sell a firearm. Every employee shall comply with requirements concerning purchase applications and restrictions on delivery of firearms that are applicable to dealers.

(6) As a condition of licensure, a dealer shall annually certify to the licensing authority, in writing and under penalty of perjury, that the dealer is in compliance with each licensure requirement established in this section.

(7)(a) Except as otherwise provided in (b) of this subsection, the business shall be carried on only in the building designated in the license. For the purpose of this section, advertising firearms for sale shall not be considered the carrying on of business.

(b) A dealer may conduct business temporarily at a location other than the building designated in the license, if the temporary location is within Washington state and is the location of a gun show sponsored by a national, state, or local organization, or an affiliate of any such organization, devoted to the collection, competitive use, or other sporting use of firearms in the community. Nothing in this subsection ~~((+6))~~ (7)(b) authorizes a dealer

to conduct business in or from a motorized or towed vehicle.

In conducting business temporarily at a location other than the building designated in the license, the dealer shall comply with all other requirements imposed on dealers by RCW 9.41.090, 9.41.100, and this section. The license of a dealer who fails to comply with the requirements of RCW 9.41.080 and 9.41.090 and subsection ~~((+8))~~ (16) of this section while conducting business at a temporary location shall be revoked, and the dealer shall be permanently ineligible for a dealer's license.

~~((+7))~~ (8) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises in the area where firearms are sold, or at the temporary location, where it can easily be read.

~~((+8))~~ (9)(a) The business building location designated in the license shall be secured:

(i) With at least one of the following features designed to prevent unauthorized entry, which must be installed on each exterior door and window of the place of business:

(A) Bars or grates;

(B) Security screens; or

(C) Commercial grade metal doors; and

(ii) With a security alarm system that is:

(A) Properly installed and maintained in good condition;

(B) Monitored by a remote central station that can contact law enforcement in the event of an alarm;

(C) Capable of real-time monitoring of all exterior doors and windows, and all areas where firearms are stored; and

(D) Equipped with, at minimum, detectors that can perceive entry, motion, and sound.

(b) It is not a violation of this subsection if any security feature or system becomes temporarily inoperable through no fault of the dealer.

(10)(a) Dealers shall secure each firearm during business hours, except when the firearm is being shown to a customer, repaired, or otherwise worked on, in a manner that prevents a customer or other member of the public from accessing or using the firearm, which may include keeping the firearm in a locked container or in a locked display case.

(b) Other than during business hours, all firearms shall be secured (i) on the dealer's business premises in a locked fireproof safe or vault, (ii) in a room or building that meets all requirements of subsection (9)(a) of this section, or (iii) in a secured and locked area under the dealer's control while the dealer is conducting business at a temporary location.

(11)(a) A dealer shall ensure that its business location designated in the license is monitored by a digital video surveillance system that meets all of the following requirements:

(i) The system shall clearly record images and, for systems located inside the premises, audio, of the area under surveillance;

(ii) Each camera shall be permanently mounted in a fixed location. Cameras shall be placed in locations that allow the camera

to clearly record activity occurring in all areas described in (a)(iii) of this subsection and reasonably produce recordings that allow for the clear identification of any person;

(iii) The areas recorded shall include, but are not limited to, all of the following:

(A) Interior views of all exterior doors, windows, and any other entries or exits to the premises;

(B) All areas where firearms are displayed; and

(C) All points of sale, sufficient to identify the parties involved in the transaction;

(iv) The system shall be capable of recording 24 hours per day at a frame rate no less than 15 frames per second, and must either (A) record continuously or (B) be activated by motion and remain active for at least 15 seconds after motion ceases to be detected;

(v) The media or device on which recordings are stored shall be secured in a manner to protect the recording from tampering, unauthorized access or use, or theft;

(vi) Recordings shall be maintained for a minimum of two years;

(vii) Recorded images shall clearly and accurately display the date and time;

(viii) The system shall be equipped with a failure notification system that provides notification to the licensee of any interruption or failure of the system or storage device.

(b) A licensed dealer shall not use, share, allow access to, or otherwise release surveillance recordings, to any person except as follows:

(i) A dealer shall allow access to the system or release recordings to any person pursuant to search warrant or other court order.

(ii) A dealer may allow access to the system or release recordings to any person in response to an insurance claim or as part of the civil discovery process including, but not limited to, in response to subpoenas, request for production or inspection, or other court order.

(c) The dealer shall post a sign in a conspicuous place at each entrance to the premises that states in block letters not less than one inch in height: "THESE PREMISES ARE UNDER VIDEO AND AUDIO SURVEILLANCE. YOUR IMAGE AND CONVERSATIONS MAY BE RECORDED."

(d) This section does not preclude any local authority or local governing body from adopting or enforcing local laws or policies regarding video surveillance that do not contradict or conflict with the requirements of this section.

(e) It is not a violation of this subsection if the surveillance system becomes temporarily inoperable through no fault of the dealer.

(12) A dealer shall:

(a) Promptly review and respond to all requests from law enforcement agencies and officers, including trace requests and requests for documents and records, as soon as practicably possible and no later than 24 hours after learning of the request;

(b) Promptly notify local law enforcement agencies and the bureau of alcohol, tobacco, firearms and explosives of any loss, theft, or unlawful transfer of any firearm or ammunition as soon as practicably possible and no later than 24 hours after the dealer knows or should know of the reportable event.

(13) A dealer shall:

(a) Establish and maintain a book, or if the dealer should choose, an electronic-based record of purchase, sale, inventory, and other records at the dealer's place of business and shall make all such records available to law enforcement upon request. Such records shall at a minimum include the make, model, caliber or gauge, manufacturer's name, and serial number of all firearms that are acquired or disposed of not later than one business day after their acquisition or disposition;

(b) Maintain monthly backups of the records required by (a) of this subsection in a secure container designed to prevent loss by fire, theft, or flood. If the dealer chooses to maintain an electronic-based record system, those records shall be backed up on an external server or over the internet at the close of each business day;

(c) Account for all firearms acquired but not yet disposed of through an inventory check prepared each month and maintained in a secure location;

(d) Maintain and make available at any time to government law enforcement agencies and to the manufacturer of the weapon or its designee, firearm disposition information, including the serial numbers of firearms sold, dates of sale, and identity of purchasers;

(e) Retain all bureau of alcohol, tobacco, firearms and explosives form 4473 transaction records on the dealer's business premises in a secure container designed to prevent loss by fire, theft, or flood;

(f) Maintain for six years copies of trace requests received, including notations for trace requests received by phone for six years;

(g) Provide annual reporting to the Washington state attorney general concerning trace requests, including at a minimum the following:

(i) The total number of trace requests received;

(ii) For each trace, the make and model of the gun and date of sale; and

(iii) Whether the dealer was inspected by the bureau of alcohol, tobacco, firearms and explosives, and copies of any reports of violations or letters received from the bureau of alcohol, tobacco, firearms and explosives.

(14) The attorney general may create, publish, and require firearm dealers to file a uniform form for all annual dealer reports required by subsection (13)(g) of this section.

(15) A dealer shall carry a general liability insurance policy providing at least \$1,000,000 of coverage per incident.

(16)(a) No firearm may be sold: (i) In violation of any provisions of this chapter; nor (ii) under any circumstances unless the purchaser is personally known to the dealer

or shall present clear evidence of his or her identity.

(b) A dealer who sells or delivers any firearm in violation of RCW 9.41.080 is guilty of a class C felony. In addition to any other penalty provided for by law, the dealer is subject to mandatory permanent revocation of his or her dealer's license and permanent ineligibility for a dealer's license.

(c) The license fee for pistols shall be one hundred twenty-five dollars. The license fee for firearms other than pistols shall be one hundred twenty-five dollars. The license fee for ammunition shall be one hundred twenty-five dollars. Any dealer who obtains any license under subsection (1), (2), or (3) of this section may also obtain the remaining licenses without payment of any fee. The fees received under this section shall be deposited in the state general fund.

~~((9))~~ (17) (a) A true record shall be made of every pistol or semiautomatic assault rifle sold, in a book kept for the purpose, the form of which may be prescribed by the director of licensing and shall be personally signed by the purchaser and by the person effecting the sale, each in the presence of the other, and shall contain the date of sale, the caliber, make, model and manufacturer's number of the weapon, the name, address, occupation, and place of birth of the purchaser, and a statement signed by the purchaser that he or she is not ineligible under state or federal law to possess a firearm. The dealer shall retain the transfer record for six years.

(b) The dealer shall transmit the information from the firearm transfer application through secure automated firearms e-check (SAFE) to the Washington state patrol firearms background check program. The Washington state patrol firearms background check program shall transmit the application information for pistol and semiautomatic assault rifle transfer applications to the director of licensing daily. The original application shall be retained by the dealer for six years.

~~((10))~~ (18) Subsections (2) through ~~((9))~~ (17) of this section shall not apply to sales at wholesale.

~~((11))~~ (19) Subsections (6) and (9) through (15) of this section shall not apply to dealers with a sales volume of \$1,000 or less per month on average over the preceding 12 months. A dealer that previously operated under this threshold and subsequently exceeds it must comply with the requirements of subsections (6) and (9) through (15) of this section within one year of exceeding the threshold.

(20) The dealer's licenses authorized to be issued by this section are general licenses covering all sales by the licensee within the effective period of the licenses. The department shall provide a single application form for dealer's licenses and a single license form which shall indicate the type or types of licenses granted.

~~((12))~~ (21) Except as otherwise provided in this chapter, every city, town, and political subdivision of this state is prohibited from requiring the purchaser to

secure a permit to purchase or from requiring the dealer to secure an individual permit for each sale.

NEW SECTION. **Sec. 2.** This act takes effect July 1, 2025.

NEW SECTION. **Sec. 3.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Representative Walsh moved the adoption of amendment (1053) to the striking amendment (837):

On page 4, beginning on line 4 of the striking amendment, after "record images" strike all material through "audio," on line 5

On page 5, beginning on line 5 of the striking amendment, after "VIDEO" strike all material through "CONVERSATIONS" on line 6 and insert "SURVEILLANCE. YOUR IMAGE"

Representative Walsh spoke in favor of the adoption of the amendment to the striking amendment.

Representative Walen spoke against the adoption of the amendment to the striking amendment.

Amendment (1053) to the striking amendment (837) was not adopted.

Representative Walsh moved the adoption of amendment (923) to the striking amendment (837):

On page 4, line 25 of the striking amendment, after "years" insert "for all recordings of areas where firearms are displayed and points of sale, and for a minimum of 45 days for all recordings of interior views of exterior doors, windows, and any other entries or exits"

Representatives Walsh and Walen spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (923) to the striking amendment (837) was adopted.

Representative Walsh moved the adoption of amendment (1052) to the striking amendment (837):

On page 3, beginning on line 35 of the striking amendment, after "secured (i)" strike all material through "(ii)" on line 36

On page 3, line 37 of the striking amendment, after "section, or" strike "(iii)" and insert "(ii)"

Representative Walsh spoke in favor of the adoption of the amendment to the striking amendment.

Representative Walen spoke against the adoption of the amendment to the striking amendment.

Amendment (1052) to the striking amendment (837) was not adopted.

Representatives Walen and Walsh spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (837), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walen and Walen (again) spoke in favor of the passage of the bill.

Representatives Walsh, Christian, Schmick, Eslick, Connors, Jacobsen, Corry, Dye, Graham, Dent, Waters, Maycumber and Sandlin spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2118.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2118, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2118, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2384, by Representatives Donaghy, Fitzgibbon, Walen and Pollet**

**Concerning automated traffic safety cameras.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2384 was substituted for House Bill No. 2384 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2384 was read the second time.

With the consent of the House, amendment (1006) was withdrawn.

Representative Donaghy moved the adoption of the striking amendment (967):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 46.63 RCW to read as follows:

The definitions in this section apply throughout this section and sections 2 through 6 of this act unless the context clearly requires otherwise.

(1) "Automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system, a railroad grade crossing control system, or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the front or rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal or an activated railroad grade crossing control signal, or exceeds a speed limit as detected by a speed measuring device. "Automated traffic safety camera" also includes a device used to detect stopping at intersection or crosswalk violations; stopping when traffic obstructed violations; public transportation only lane violations; and stopping or traveling in restricted lane violations.

(2) "Hospital speed zone" means the marked area within hospital property and extending 300 feet from the border of the hospital property (a) consistent with hospital use; and (b) where signs are posted to indicate the location is within a hospital speed zone, where "hospital" has the same meaning as in RCW 70.41.020.

(3) "Public park speed zone" means the marked area within public park property and extending 300 feet from the border of the public park property (a) consistent with active park use; and (b) where signs are posted to indicate the location is within a public park speed zone.

(4) "Public transportation vehicle" means any motor vehicle, streetcar, train, trolley vehicle, ferry boat, or any other device, vessel, or vehicle that is owned or operated by a transit authority or an entity providing service on behalf of a transit authority that is used for the purpose of carrying passengers and that operates on established routes. "Transit authority" has the same meaning as provided in RCW 9.91.025.

(5) "School speed zone" has the same meaning as described in RCW 46.61.440 (1) and (2).

(6) "School walk zone" means a roadway identified under RCW 28A.160.160 or roadways within a one-mile radius of a school that students use to travel to school by foot, bicycle, or other means of active transportation.

(7) "Work zone" means an area of any city or county roadway with construction, maintenance, or utility work with a duration of 30 calendar days or more. A work zone is identified by the placement of temporary traffic control devices that may include signs, channelizing devices, barriers, pavement markings, and/or work vehicles with warning lights. It extends from the first warning sign or high intensity rotating, flashing, oscillating, or strobe lights on a vehicle to the end road work sign or the

last temporary traffic control device or vehicle.

**NEW SECTION. Sec. 2.** A new section is added to chapter 46.63 RCW to read as follows:

(1) Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

(2) Cities and counties may authorize the use of traffic safety cameras through an ordinance adopted by the local legislative authority.

(3) The local legislative authority must prepare an analysis of the locations within the jurisdiction where automated traffic safety cameras are proposed to be located before adding traffic safety cameras or relocating any existing camera to a new location within the jurisdiction. The analysis must include equity considerations including the impact of the camera placement on livability, accessibility, economics, education, and environmental health, and shall consider the outcome of that analysis when identifying where to locate an automated traffic safety camera. The analysis must also show a demonstrated need for traffic cameras based on rates of collision and documented traffic reports showing near collisions, and on anticipated or actual ineffectiveness or infeasibility of other mitigation measures.

(4) Automated traffic safety cameras may not be used on an on-ramp to a limited access facility as defined in RCW 47.52.010.

(5) A city may use automated traffic safety cameras to enforce traffic ordinances in this section on state highways that are also classified as city streets under chapter 47.24 RCW.

(6)(a) At a minimum, a local ordinance adopted pursuant to this section must contain the restrictions described in this section and provisions for public notice and signage. Cities and counties using automated traffic safety cameras before July 24, 2005, are subject to the restrictions described in this section, but are not required to adopt an authorizing ordinance.

(b)(i) Cities and counties using automated traffic safety cameras must post an annual report on the city or county's website of the number of traffic crashes that occurred at each location where an automated traffic safety camera is located, as well as the number of notices of infraction issued for each camera. Beginning December 1, 2025, the annual report must include the percentage of revenues received from fines issued from automated traffic safety camera infractions that were used to pay for the costs of the automated traffic safety camera program and must describe the uses of revenues that exceeded the costs of operation and administration of the automated traffic safety camera program by the city or county.

(ii) The Washington traffic safety commission must provide an annual report to the transportation committees of the legislature, and post the report to its

website for public access, beginning December 1, 2025, that includes aggregated information on the use of automated traffic safety cameras in the state that includes an assessment of the impact of their use, information required in city and county annual reports under (b)(i) of this subsection, and information on the number of automated traffic safety cameras in use by type and location, with an analysis of camera placement in the context of area demographics and household incomes. Cities and counties using automated traffic safety cameras must provide the commission with the data it requests for the report required under this subsection in a form and manner specified by the commission.

(7) All locations where an automated traffic safety camera is used on roadways or intersections must be clearly marked by placing signs at least 30 days prior to activation of the camera in locations that clearly indicate to a driver either that: (a) The driver is within an area where automated traffic safety cameras are authorized; or (b) the driver is entering an area where violations are enforced by an automated traffic safety camera. The signs must be readily visible to a driver approaching an automated traffic safety camera. Signs placed in automated traffic safety camera locations after June 7, 2012, must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW.

(8) Automated traffic safety cameras may only record images of the vehicle and vehicle license plate and only while an infraction is occurring. The image must not reveal the face of the driver or of passengers in the vehicle. The primary purpose of camera placement is to record images of the vehicle and vehicle license plate when an infraction is occurring. Cities and counties must consider installing automated traffic safety cameras in a manner that minimizes the impact of camera flash on drivers.

(9) A notice of infraction must be mailed to the registered owner of the vehicle within 14 days of the violation, or to the renter of a vehicle within 14 days of establishing the renter's name and address under subsection (18) of this section. The notice of infraction must include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

(10) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(d) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (18) of this section. If appropriate under the circumstances, a renter identified under subsection (18)(a) of this section is responsible for an infraction.

(11) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images, or any other personally identifying data prepared under this section are for the exclusive use of authorized city or county employees in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image, or any other personally identifying data may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.

(12) If a county or city has established an automated traffic safety camera program as authorized under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment.

(13)(a) Except as provided in (c) of this subsection, a county or a city may only use revenue generated by an automated traffic safety camera program as authorized under this section for traffic safety purposes including, but not limited to, projects designed to implement the complete streets approach as defined in RCW 47.04.010, changes in physical infrastructure to reduce speeds through road design, changes to improve safety for active transportation users, improve access and safety for road users with mobility, sight, or other disabilities, and for the cost to administer, install, operate, and maintain the automated traffic safety cameras, including the cost of processing infractions.

(b) The automated traffic safety camera program revenue used by a county or city for traffic safety purposes must include the use of revenue in census tracts of the city or county that have household incomes in the lowest quartile determined by the most currently available census data and areas that experience rates of injury crashes that are above average for the city or county. Funding contributed from traffic safety program revenue must be, at a minimum, proportionate to the share of the population of the county or city who are residents of these low-income communities and communities experiencing high injury crash rates. This share must be directed to investments that provide direct and meaningful traffic safety benefits to these communities. Revenue used to administer, install, operate, and maintain automated traffic safety cameras,

including the cost of processing infractions, are excluded from determination of the proportionate share of revenues under this subsection (13)(b).

(c) Jurisdictions that have automated traffic safety camera programs in effect prior to the effective date of this section, for which an ordinance in effect as of January 1, 2024, directs the manner in which revenue generated from automated traffic safety cameras authorized under section 3 or 5(2)(c) of this act must be used, may continue to allocate revenue for these infractions in accordance with that ordinance, as well as for the purposes established in (a) and (b) of this subsection.

(14) A county or city may adopt the use of an online ability-to-pay calculator to process and grant requests for reduced fines or reduced civil penalties for automated traffic safety camera violations.

(15) Registered owners of vehicles who receive notices of infraction for automated traffic safety camera-enforced infractions and are recipients of public assistance under Title 74 RCW or participants in the Washington women, infants, and children program, and who request reduced penalties for infractions detected through the use of automated traffic safety camera violations, must be granted reduced penalty amounts of 25 percent of what would otherwise be assessed. Registered owners of vehicles who receive notices of infraction must be provided with information on their eligibility and the opportunity to apply for a reduction in penalty amounts through the mail or internet.

(16) Infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras under this section must be processed in the same manner as parking infractions, including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(2). The amount of the fine issued for an infraction generated through the use of an automated traffic safety camera may not exceed the amount of a fine issued for other parking infractions within the jurisdiction. However, the amount of the fine issued for a traffic control signal violation detected through the use of an automated traffic safety camera may not exceed the monetary penalty for a violation of RCW 46.61.050 as provided under RCW 46.63.110, including all applicable statutory assessments; and the amount of fine issued for other automated traffic safety camera violations detected through the use of an automated traffic safety camera may not exceed two-thirds of the monetary penalty for a violation of an unscheduled infraction as prescribed by the supreme court in accordance with RCW 46.63.110(3), including two-thirds of all applicable statutory assessments.

(17) In addition to the penalty amounts for automated traffic safety camera infractions authorized in subsection (16) of this section, automated traffic safety camera infraction penalties must also include the fee specified in RCW

46.63.110(7)(c) to be deposited in the traumatic brain injury account created in RCW 74.31.060. This fee is waived for registered owners of vehicles granted the penalty reduction specified in subsection (15) of this section.

(18) If the registered owner of the vehicle is a rental car business, the law enforcement agency must, before a notice of infraction being issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 18 days of receiving the written notice, provide to the issuing agency by return mail:

(a) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

(b) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(c) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty. Timely mailing of this statement to the issuing law enforcement agency relieves a rental car business of any liability under this chapter for the notice of infraction.

**NEW SECTION. Sec. 3.** A new section is added to chapter 46.63 RCW to read as follows:

(1) Automated traffic safety cameras may be used to detect stoplight violations, subject to section 2 of this act.

(2) Automated traffic safety cameras used to detect stoplight violations are restricted to intersections of two or more arterials with traffic control signals that have yellow change interval durations in accordance with RCW 47.36.022, which interval durations may not be reduced after placement of the camera.

**NEW SECTION. Sec. 4.** A new section is added to chapter 46.63 RCW to read as follows:

(1) Automated traffic safety cameras may be used to detect railroad grade crossing violations, subject to section 2 of this act.

(2) Automated traffic safety cameras at rail crossings may be used only to detect instances when a vehicle fails to stop when facing an activated railroad grade crossing control signal.

**NEW SECTION. Sec. 5.** A new section is added to chapter 46.63 RCW to read as follows:

(1) Automated traffic safety cameras may be used to detect speed violations, subject to section 2 of this act.

(2) Automated traffic safety cameras may be used to detect speed violations within the following locations:

- (a) Hospital speed zones;
- (b) Public park speed zones;
- (c) School speed zones;
- (d) School walk zones;

(e) Work zones on city streets, including on state highways also classified as city streets under chapter 47.24 RCW, and county roads as defined in RCW 46.04.150; and

(f) State highways within city limits that are classified as city streets under chapter 47.24 RCW.

(3) In addition to the automated traffic safety cameras that may be authorized for specified zones or roads in subsection (2) of this section, the local legislative authority may authorize the use of one additional automated traffic safety camera per 10,000 population to detect speed violations in locations deemed by the local legislative authority to experience higher crash risks due to excessive vehicle speeds. For automated traffic safety cameras authorized to detect speed violations as part of a pilot program prior to the effective date of this section, the location must be deemed by a local legislative authority to have experienced higher crash risks due to excessive vehicle speeds prior to installation of the automated traffic safety camera.

**NEW SECTION. Sec. 6.** A new section is added to chapter 46.63 RCW to read as follows:

(1) Subject to section 2 of this act, automated traffic safety cameras may be used in cities with populations of 10,000 residents or greater to detect one or more of the following violations:

(a) Stopping when traffic obstructed violations;

(b) Stopping at intersection or crosswalk violations;

(c) Public transportation only lane violations; or

(d) Stopping or traveling in restricted lane violations.

(2) A transit authority may not take disciplinary action regarding a warning or infraction issued pursuant to this section against an employee who was operating a public transportation vehicle at the time the violation that was the basis of the warning or infraction was detected.

**Sec. 7.** RCW 46.16A.120 and 2012 c 83 s 5 are each amended to read as follows:

(1) Each court and government agency located in this state having jurisdiction over standing, stopping, and parking violations, the use of a photo toll system under RCW 46.63.160, the use of automated traffic safety cameras under ((RCW 46.63.170)) sections 2 through 6 of this act, and the use of automated school bus safety cameras under RCW 46.63.180 may forward to the department any outstanding:

(a) Standing, stopping, and parking violations;

(b) Civil penalties for toll nonpayment detected through the use of photo toll systems issued under RCW 46.63.160;

(c) Automated traffic safety camera infractions issued under RCW 46.63.030(1)

(d); and

(d) Automated school bus safety camera infractions issued under RCW 46.63.030(1) (e).

(2) Violations, civil penalties, and infractions described in subsection (1) of this section must be reported to the department in the manner described in RCW 46.20.270(3).

(3) The department shall:

(a) Record the violations, civil penalties, and infractions on the matching vehicle records; and

(b) Send notice approximately ~~((one hundred twenty))~~ 120 days in advance of the current vehicle registration expiration date to the registered owner listing the dates and jurisdictions in which the violations, civil penalties, and infractions occurred, the amounts of unpaid fines and penalties, and the surcharge to be collected. Only those violations, civil penalties, and infractions received by the department ~~((one hundred twenty))~~ 120 days or more before the current vehicle registration expiration date will be included in the notice. Violations, civil penalties, and infractions received by the department later than ~~((one hundred twenty))~~ 120 days before the current vehicle registration expiration date that are not satisfied will be delayed until the next vehicle registration expiration date.

(4) The department, county auditor or other agent, or subagent appointed by the director shall not renew a vehicle registration if there are any outstanding standing, stopping, and parking violations, and other civil penalties issued under RCW 46.63.160 for the vehicle unless:

(a) The outstanding standing, stopping, or parking violations and civil penalties were received by the department within ~~((one hundred twenty))~~ 120 days before the current vehicle registration expiration;

(b) There is a change in registered ownership; or

(c) The registered owner presents proof of payment of each violation, civil penalty, and infraction provided in this section and the registered owner pays the surcharge required under RCW 46.17.030.

(5) The department shall:

(a) Forward a change in registered ownership information to the court or government agency who reported the outstanding violations, civil penalties, or infractions; and

(b) Remove the outstanding violations, civil penalties, and infractions from the vehicle record.

**Sec. 8.** RCW 46.63.030 and 2023 c 17 s 1 are each amended to read as follows:

(1) A law enforcement officer has the authority to issue a notice of traffic infraction:

(a) When the infraction is committed in the officer's presence, except as provided in RCW 46.09.485;

(b) When the officer is acting upon the request of a law enforcement officer in whose presence the traffic infraction was committed;

(c) If an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver

of a motor vehicle involved in the accident has committed a traffic infraction;

(d) When the infraction is detected through the use of an automated traffic safety camera under ~~((RCW 46.63.170))~~ sections 2 through 6 of this act. A trained and authorized civilian employee of a general authority Washington law enforcement agency, as defined in RCW 10.93.020, or an employee of a local public works or transportation department performing under the supervision of a qualified traffic engineer and designated by a city or county, has the authority to review infractions detected through the use of an automated traffic safety camera under sections 2 through 6 of this act and to issue notices of infraction consistent with section 2(9) of this act. These employees must be sufficiently trained and certified in reviewing infractions and issuing notices of infraction by qualified peace officers or by traffic engineers employed in the jurisdiction's public works or transportation department. Nothing in this subsection impairs decision and effects collective bargaining rights under chapter 41.56 RCW;

(e) When the infraction is detected through the use of an automated school bus safety camera under RCW 46.63.180; or

(f) When the infraction is detected through the use of a speed safety camera system under RCW 46.63.200.

(2) A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.

(3) If any motor vehicle without a driver is found parked, standing, or stopped in violation of this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution, the officer finding the vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of traffic infraction.

(4) In the case of failure to redeem an abandoned vehicle under RCW 46.55.120, upon receiving a complaint by a registered tow truck operator that has incurred costs in removing, storing, and disposing of an abandoned vehicle, an officer of the law enforcement agency responsible for directing the removal of the vehicle shall send a notice of infraction by certified mail to the last known address of the person responsible under RCW 46.55.105. The notice must be entitled "Littering—Abandoned Vehicle" and give notice of the monetary penalty. The officer shall append to the notice of infraction, on a form prescribed by the department of licensing, a notice indicating the amount of costs incurred as a result of removing, storing, and disposing of the abandoned vehicle, less any amount realized at auction, and a statement that monetary penalties for the infraction will not be considered as having been paid until the monetary penalty payable under this chapter has been paid and the court is satisfied that the person has made



restitution in the amount of the deficiency remaining after disposal of the vehicle.

**Sec. 9.** RCW 46.63.075 and 2023 c 17 s 2 are each amended to read as follows:

(1) In a traffic infraction case involving an infraction detected through the use of an automated traffic safety camera under ~~((RCW 46.63.170))~~ sections 2 through 6 of this act, detected through the use of a speed safety camera system under RCW 46.63.200, or detected through the use of an automated school bus safety camera under RCW 46.63.180, proof that the particular vehicle described in the notice of traffic infraction was in violation of any such provision of sections 2 through 6 of this act or RCW ~~((46.63.170,))~~ 46.63.200~~((,))~~ and 46.63.180, together with proof that the person named in the notice of traffic infraction was at the time of the violation the registered owner of the vehicle, constitutes in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred.

(2) This presumption may be overcome only if the registered owner states, under oath, in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner.

**Sec. 10.** RCW 46.68.480 and 2023 c 431 s 8 are each amended to read as follows:

The Cooper Jones active transportation safety account is created in the state treasury. All ~~((receipts from penalties collected under RCW 46.63.170))~~ funds designated by the legislature shall be deposited into the account. Expenditures from the account may be used only to fund grant projects or programs for bicycle, pedestrian, and nonmotorist safety improvement administered by the Washington traffic safety commission. By December 1, 2024, and every two years thereafter, the commission shall report to the transportation committees of the legislature regarding the activities funded from the account. The account is subject to allotment procedures under chapter 43.88 RCW. Moneys in the account may be spent only after appropriation.

**Sec. 11.** RCW 46.63.110 and 2023 c 388 s 2 are each amended to read as follows:

(1)(a) A person found to have committed a traffic infraction shall be assessed a monetary penalty. No penalty may exceed \$250 for each offense unless authorized by this chapter or title.

(b) The court may waive or remit any monetary penalty, fee, cost, assessment, or other monetary obligation associated with a traffic infraction unless the specific monetary obligation in question is prohibited from being waived or remitted by state law.

(2) The monetary penalty for a violation of (a) RCW 46.55.105(2) is \$250 for each offense; (b) RCW 46.61.210(1) is \$500 for

each offense. No penalty assessed under this subsection (2) may be reduced.

(3) The supreme court shall prescribe by rule a schedule of monetary penalties for designated traffic infractions. This rule shall also specify the conditions under which local courts may exercise discretion in assessing fines and penalties for traffic infractions. The legislature respectfully requests the supreme court to adjust this schedule every two years for inflation.

(4) There shall be a penalty of \$25 for failure to respond to a notice of traffic infraction except where the infraction relates to parking as defined by local law, ordinance, regulation, or resolution or failure to pay a monetary penalty imposed pursuant to this chapter. A local legislative body may set a monetary penalty not to exceed \$25 for failure to respond to a notice of traffic infraction relating to parking as defined by local law, ordinance, regulation, or resolution. The local court, whether a municipal, police, or district court, shall impose the monetary penalty set by the local legislative body.

(5) Monetary penalties provided for in chapter 46.70 RCW which are civil in nature and penalties which may be assessed for violations of chapter 46.44 RCW relating to size, weight, and load of motor vehicles are not subject to the limitation on the amount of monetary penalties which may be imposed pursuant to this chapter.

(6) Whenever a monetary penalty, fee, cost, assessment, or other monetary obligation is imposed by a court under this chapter, it is immediately payable and is enforceable as a civil judgment under Title 6 RCW. If the court determines that a person is not able to pay a monetary obligation in full, the court shall enter into a payment plan with the person in accordance with RCW 46.63.190 and standards that may be set out in court rule.

(7) In addition to any other penalties imposed under this section and not subject to the limitation of subsection (1) of this section, a person found to have committed a traffic infraction shall be assessed:

(a) A fee of \$5 per infraction. Under no circumstances shall this fee be reduced or waived. Revenue from this fee shall be forwarded to the state treasurer for deposit in the emergency medical services and trauma care system trust account under RCW 70.168.040;

(b) A fee of \$10 per infraction. Under no circumstances shall this fee be reduced or waived. Revenue from this fee shall be forwarded to the state treasurer for deposit in the general fund; and

(c) A fee of \$5 per infraction. Under no circumstances shall this fee be reduced or waived, except as provided in section 2 of this act. Revenue from this fee shall be forwarded to the state treasurer for deposit in the traumatic brain injury account established in RCW 74.31.060.

(8)(a) In addition to any other penalties imposed under this section and not subject to the limitation of subsection (1) of this section, a person found to have committed a traffic infraction other than of RCW 46.61.527 or 46.61.212 shall be assessed an additional penalty of \$24. The court may not

reduce, waive, or suspend the additional penalty unless the court finds the offender to be indigent. If a court authorized community restitution program for offenders is available in the jurisdiction, the court shall allow offenders to offset all or a part of the penalty due under this subsection (8) by participation in the court authorized community restitution program.

(b) \$12.50 of the additional penalty under (a) of this subsection shall be remitted to the state treasurer. The remaining revenue from the additional penalty must be remitted under chapters 2.08, 3.46, 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted under this subsection to the state treasurer must be deposited as follows: \$8.50 in the state general fund and \$4 in the driver licensing technology support account created under RCW 46.68.067. The moneys deposited into the driver licensing technology support account must be used to support information technology systems used by the department to communicate with the judicial information system, manage driving records, and implement court orders. The balance of the revenue received by the county or city treasurer under this subsection must be deposited into the county or city current expense fund. Moneys retained by the city or county under this subsection shall constitute reimbursement for any liabilities under RCW 43.135.060.

(9) If a legal proceeding, such as garnishment, has commenced to collect any delinquent amount owed by the person for any penalty imposed by the court under this section, the person may request a payment plan pursuant to RCW 46.63.190.

(10) The monetary penalty for violating RCW 46.37.395 is: (a) \$250 for the first violation; (b) \$500 for the second violation; and (c) \$750 for each violation thereafter.

(11) The additional monetary penalty for a violation of RCW 46.20.500 is not subject to assessments or fees provided under this section.

(12) The additional monetary fine for a violation of RCW 46.61.110, 46.61.145, 46.61.180, 46.61.185, 46.61.190, and 46.61.205 is not subject to assessments or fees provided under this section.

(13) The additional monetary penalties for a violation of RCW 46.61.165 are not subject to assessments or fees provided under this section.

**NEW SECTION. Sec. 12.** RCW 46.63.170 (Automated traffic safety cameras—Definition) and 2022 c 182 s 424, 2022 c 182 s 423, 2020 c 224 s 1, 2015 3rd sp.s. c 44 s 406, 2015 1st sp.s. c 10 s 702, & 2013 c 306 s 711 are each repealed."

Correct the title.

Representative Hutchins moved the adoption of amendment (1009) to the striking amendment (967):

On page 3, line 8, after "RCW." insert "A city government must notify the department of transportation when it installs an automated traffic safety camera to enforce

traffic ordinances as authorized in this subsection."

Representatives Hutchins and Donaghy spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1009) to the striking amendment (967) was adopted.

Representative Barkis moved the adoption of amendment (997) to the striking amendment (967):

On page 5, line 3, after "(11)" insert "(a)"

On page 5, line 9, after "section" insert ", except as provided in (b) and (c) of this subsection"

On page 5, line 13, after "section" insert ", except as provided in (b) and (c) of this subsection.

(b) Pursuant to a lawfully issued search warrant, any records, photographs, microphotographs, and electronic images prepared under this section shall be made available to law enforcement and all restrictions on their use, as set forth in (a) of this subsection, shall not apply.

(c) Pursuant to a subpoena for producing evidence or permitting inspection in a criminal case in which the court has made a finding of materiality, any records, photographs, microphotographs, and electronic images prepared under this section shall be made available to prosecuting attorneys and defense lawyers and all restrictions on their use, as set forth in (a) of this subsection, shall not apply"

Representatives Barkis, Griffey, Hutchins, Corry, Couture, Christian and Goehner spoke in favor of the adoption of the amendment to the striking amendment.

Representative Fey spoke against the adoption of the amendment to the striking amendment.

Amendment (997) to the striking amendment (967) was not adopted.

Representative Robertson moved the adoption of amendment (1007) to the striking amendment (967):

On page 8, line 29, after "46.04.150" insert ", except that a notice of infraction may only be issued if an automated traffic safety camera captures a speed violation when workers are present"

Representatives Robertson and Timmons spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1007) to the striking amendment (967) was adopted.

Representative Low moved the adoption of amendment (1060) to the striking amendment (967):

On page 9, after line 5, insert the following:

"(4) Notices of infraction for automated traffic safety camera-detected speed violations may not be issued to the registered vehicle owner of:

(a) A law enforcement or marked fire department vehicle equipped with emergency lights and siren; or

(b) An ambulance licensed by the department of health and equipped with emergency lights and siren."

Representatives Low and Donaghy spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1060) to the striking amendment (967) was adopted.

Representative Volz moved the adoption of amendment (1000) to the striking amendment (967):

On page 9, at the beginning of line 8, strike "(1)"

On page 9, at the beginning of line 11, strike "(a)" and insert "(1)"

On page 9, at the beginning of line 12, strike "(b)" and insert "(2)"

On page 9, at the beginning of line 13, strike "(c)" and insert "(3)"

On page 9, at the beginning of line 14, strike "(d)" and insert "(4)"

On page 9, beginning on line 15, strike all of subsection (2)

Correct any internal references accordingly.

Representative Volz spoke in favor of the adoption of the amendment to the striking amendment.

Representative Fey spoke against the adoption of the amendment to the striking amendment.

Amendment (1000) to the striking amendment (967) was not adopted.

Representative Griffey moved the adoption of amendment (1002) to the striking amendment (967):

Beginning on page 5, line 32, after "(b)" strike all material through "(c)" on page 6, line 8

Correct any internal references accordingly.

On page 6, line 15, after "(a)" strike "and (b)"

Representatives Griffey and Goehner spoke in favor of the adoption of the amendment to the striking amendment.

Representative Donaghy spoke against the adoption of the amendment to the striking amendment.

Amendment (1002) to the striking amendment (967) was not adopted.

Representative Walsh moved the adoption of amendment (998) to the striking amendment (967):

On page 6, beginning on line 20, strike all of subsection (15)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 7, beginning on line 15, after "74.31.060." strike all material through "section." on line 17

Representatives Walsh, Hutchins and Christian spoke in favor of the adoption of the amendment to the striking amendment.

Representative Donaghy spoke against the adoption of the amendment to the striking amendment.

Amendment (998) to the striking amendment (967) was not adopted.

Representative Donaghy spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (967), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Donaghy spoke in favor of the passage of the bill.

Representatives Walsh, Graham, Christian and Goehner spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2384.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2384, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2384, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 2069, by Representatives Mosbrucker, Doglio and Reeves

#### Concerning the sale of biogenic carbon dioxide and other coproducts of biogas processing.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2069 was substituted for House Bill No. 2069 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2069 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Mosbrucker and Doglio spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2069.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2069, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2069, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 2166, by Representatives Paul and Shavers

#### Increasing access to portable orders for life-sustaining treatment.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2166 was substituted for House Bill No. 2166 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2166 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Paul and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2166.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2166, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner,

Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2166, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 2207, by Representatives Ramos, Low, Chapman, Couture and Reed

#### Providing tools designed to reduce the impacts of unlawful solid waste dumping.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2207 was substituted for House Bill No. 2207 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2207 was read the second time.

Representative Ramos moved the adoption of the striking amendment (919):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that, despite a modern waste disposal infrastructure, the occurrences of unlawful solid waste dumping are an increasing problem on open spaces such as privately and publicly owned forestlands. This irresponsible waste dumping, which often includes hazardous materials, asbestos, derelict boats, junk vehicles, appliances, furniture, and household garbage not only creates significant costs for the landowner, but also creates immediate, and sometimes lasting, environmental and habitat damage and degradation of recreational and aesthetic opportunities.

(2) The legislature further finds that the current enforcement system, which relies on the criminalization of illegal dumping, may not be the most effective, efficient, or just penalty system. Converting all but the most egregious illegal dumping from a criminal act to a civil infraction creates a system of deterrence and penalties that better reflects the magnitude of the act, avoids criminal records for individuals who may be unable to afford appropriate waste management options, and reduces the burden on local criminal justice systems and infrastructures.

(3) The legislature further finds that appropriate waste disposal can create a financial barrier for some individuals. In an effort to divert illegal dumping, a portion of the existing litter cleanup restitution payment should be diverted from direct payments to landowners to funding efforts to mitigate the costs of proper

disposal, restitution, or environmental damages.

**Sec. 2.** RCW 70A.200.060 and 2003 c 337 s 3 are each amended to read as follows:

(1) It is a violation of this section to ~~((abandon))~~:

(a) Abandon a junk vehicle upon any property ~~((. In addition, no person shall throw))~~:

(b) Throw, drop, deposit, discard, or otherwise dispose of litter upon any public property in the state or upon private property in this state not owned by him or her or in the waters of this state whether from a vehicle or otherwise including but not limited to any public highway, public park, beach, campground, forestland, recreational area, trailer park, highway, road, street, or alley except:

~~((+a))~~ (i) When the property is designated by the state or its agencies or political subdivisions for the disposal of garbage and refuse, and the person is authorized to use such property for that purpose;

~~((b))~~ (ii) Into a litter receptacle in a manner that will prevent litter from being carried away or deposited by the elements upon any part of the private or public property or waters.

(2) ~~((+a))~~ Except as provided in subsection ~~((+4))~~ (7) of this section, it is a class 3 civil infraction as provided in RCW 7.80.120 for a person to litter in an amount less than or equal to one cubic foot.

~~((b))~~ (3) It is a ~~((misdemeanor for a person to litter in an amount greater than one cubic foot but less than one cubic yard.~~

~~The person shall also pay a litter cleanup restitution payment equal to twice the actual cost of cleanup, or fifty dollars per cubic foot of litter, whichever is greater. The court shall distribute one-half of the restitution payment to the landowner)~~ natural resource infraction under chapter 7.84 RCW for a person to litter in an amount greater than one cubic foot but less than 10 cubic yards and a gross misdemeanor for a person to litter more than 10 cubic yards.

(4)(a) A person found liable under this section shall, in addition to the penalties provided for gross misdemeanors, or for natural resource infractions as provided in RCW 7.84.100, also pay a litter cleanup restitution payment equal to four times the actual cost of cleanup. The court shall distribute one-half of the restitution payment to the waste reduction, recycling, and litter control account created in RCW 70A.200.140 and one-half of the restitution payment to the law enforcement agency investigating the incident.

(b) The court may, in addition to or in lieu of part or all of the cleanup restitution payment, order the person to pick up and remove litter from the property, with prior permission of the legal owner or, in the case of public property, of the agency managing the property.

(c) The court may suspend or modify the litter cleanup restitution payment for a first-time offender under this section, if

the person cleans up and properly disposes of the litter.

~~((c) It is a gross misdemeanor for a person to litter in an amount of one cubic yard or more. The person shall also pay a litter cleanup restitution payment equal to twice the actual cost of cleanup, or one hundred dollars per cubic foot of litter, whichever is greater. The court shall distribute one-half of the restitution payment to the landowner and one-half of the restitution payment to the law enforcement agency investigating the incident. The court may, in addition to or in lieu of part or all of the cleanup restitution payment, order the person to pick up and remove litter from the property, with prior permission of the legal owner or, in the case of public property, of the agency managing the property. The court may suspend or modify the litter cleanup restitution payment for a first-time offender under this section, if the person cleans up and properly disposes of the litter.~~

~~((d))~~ (5) If a junk vehicle is abandoned in violation of this section, RCW 46.55.230 governs the vehicle's removal, disposal, and sale, and the penalties that may be imposed against the person who abandoned the vehicle.

~~((+3))~~ (6) If the violation occurs in a state park, the court shall, in addition to any other penalties assessed, order the person to perform ~~((twenty-four))~~ 24 hours of community restitution in the state park where the violation occurred if the state park has stated an intent to participate as provided in RCW 79A.05.050.

~~((+4))~~ (7) It is a class 1 civil infraction as provided in RCW 7.80.120 for a person to discard, in violation of this section, potentially dangerous litter in any amount.

**Sec. 3.** RCW 7.84.100 and 2020 c 268 s 1 are each amended to read as follows:

(1) A person found to have committed an infraction shall be assessed a monetary penalty. No penalty may exceed ~~((five hundred dollars))~~ \$500 for each offense unless specifically authorized by statute.

(2) The supreme court may prescribe by rule a schedule of monetary penalties for designated infractions. The legislature requests the supreme court to adjust this schedule every two years for inflation. ~~((The))~~ Except as otherwise provided, the maximum penalty imposed by the schedule shall be ~~((five hundred dollars))~~ \$500 per infraction and the minimum penalty imposed by the schedule shall be ~~((ten dollars))~~ \$10 per infraction. This schedule may be periodically reviewed by the legislature and is subject to its revision.

(3) Penalties for violations of RCW 70A.200.060 that are natural resource infractions are as follows:

(a) Up to \$250 for a person found liable of littering between one cubic foot and one cubic yard of material;

(b) Up to \$750 for a person found liable of littering more than one cubic yard and less than seven cubic yards of material;

(c) Up to \$1,000 for a person found liable of littering between seven and 10 cubic yards of material.

(4) Whenever a monetary penalty is imposed by a court under this chapter, it is immediately payable. If the person is unable to pay at that time, the court may, in its discretion, grant an extension of the period in which the penalty may be paid.

~~((4+))~~ (5) (a) The county treasurer shall remit ~~((seventy-five))~~ 75 percent of the money received under RCW 79A.80.080(5) to the state treasurer.

(b) Money remitted under this subsection to the state treasurer must be deposited in the recreation access pass account established under RCW 79A.80.090. The balance of the noninterest money received by the county treasurer must be deposited in the county current expense fund.

**Sec. 4.** RCW 70A.200.140 and 2022 c 297 s 963 are each amended to read as follows:

(1) There is hereby created an account within the state treasury to be known as the waste reduction, recycling, and litter control account. Moneys in the account may be spent only after appropriation. Expenditures from the waste reduction, recycling, and litter control account shall be used as follows:

(a) ~~((Forty))~~ 40 percent of receipts from taxes imposed in RCW 82.19.010 to the department of ecology, primarily for use by the departments of ecology, natural resources, revenue, transportation, and corrections, and the parks and recreation commission, for litter collection programs under RCW 70A.200.170. The amount to the department of ecology shall also be used for a central coordination function for litter control efforts statewide; to support employment of youth in litter cleanup as intended in RCW 70A.200.020, and for litter pick up using other authorized agencies; and for statewide public awareness programs under RCW 70A.200.150(7). The amount to the department shall also be used to defray the costs of administering the funding, coordination, and oversight of local government programs for waste reduction, litter control, recycling, and composting so that local governments can apply one hundred percent of their funding to achieving program goals. The amount to the department of revenue shall be used to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

(b) (i) ~~((Twenty))~~ 20 percent of receipts from taxes imposed in RCW 82.19.010 to the department for local government funding programs for waste reduction, litter control, recycling activities, and composting activities by cities and counties under RCW 70A.200.190, to be administered by the department of ecology; (ii) any unspent funds under (b) (i) of this subsection may be used to create and pay for a matching fund competitive grant program to be used by local governments for the development and implementation of contamination reduction and outreach plans for inclusion in comprehensive solid waste management plans or by local governments and nonprofit organizations for local or statewide

education programs designed to help the public with litter control, waste reduction, recycling, and composting of primarily the products taxed under chapter 82.19 RCW. Recipients under this subsection include programs to reduce wasted food and food waste that are designed to achieve the goals established in RCW 70A.205.715(1) and that are consistent with the plan developed in RCW 70A.205.715(3). Grants must adhere to the following requirements: (A) No grant may exceed ~~((sixty thousand dollars))~~ \$60,000; (B) grant recipients shall match the grant funding allocated by the department by an amount equal to ~~((twenty-five))~~ 25 percent of eligible expenses. A local government's share of these costs may be met by cash or contributed services; (C) the obligation of the department to make grant payments is contingent upon the availability of the amount of money appropriated for this subsection (1)(b); and (D) grants are managed under the guidelines for existing grant programs; ~~((and))~~

(c) ~~((Forty))~~ 40 percent of receipts from taxes imposed in RCW 82.19.010 to the department of ecology to: (i) Implement activities under RCW 70A.200.150 for waste reduction, recycling, and composting efforts; (ii) provide technical assistance to local governments and commercial businesses to increase recycling markets and recycling and composting programs primarily for the products taxed under chapter 82.19 RCW designed to educate citizens about waste reduction, litter control, and recyclable and compostable products and programs; (iii) increase access to waste reduction, composting, and recycling programs, particularly for food packaging and plastic bags and appropriate composting techniques; and (iv) for programs to reduce wasted food and food waste that are designed to achieve the goals established in RCW 70A.205.715(1) and that are consistent with the plan developed in RCW 70A.205.715(3); and

(d) 100 percent of receipts from litter cleanup restitution payments as provided in RCW 70A.200.060(4) and of fines and bail forfeitures received under this chapter, in addition to any legislative appropriations made to the account for these specific purposes, to the department to award grants to local governments or nonprofit organizations designed to reduce illegal dumping on public or private forestlands or other open spaces. The grants must be awarded for project descriptions aimed at reducing outdoor dumping or reducing the cost of legal waste disposal, such as education campaigns, free or reduced-cost collection days, income-based waste disposal coupons or vouchers, communication and funding partnerships with other entities such as landowners or collection companies, funding emphasis enforcement, funding information rewards, mitigation money to assist landowners with removing large items or a substantial quantity of illegally dumped material, and other measures reasonably targeted at reducing illegal dumping. The department may implement this subsection (1)(d) by including any funding and activities in existing or related programs managed by the department and may use a portion of receipts from the litter

cleanup restitution payments for administration of the grants required by this section.

(2) All taxes imposed in RCW 82.19.010 ~~((and fines and bail forfeitures))~~ collected or received pursuant to this chapter shall be deposited in the waste reduction, recycling, and litter control account and used for the programs under subsection (1) (a) through (c) of this section. Except as provided in this chapter and chapters 7.80 and 7.84 RCW, all fines and bail forfeitures collected or received pursuant to this chapter must be deposited in the waste reduction, recycling, and litter control account and used for the programs under subsection (1)(d) of this section.

(3) Not less than five percent and no more than ~~((ten))~~ 10 percent of the amount appropriated into the waste reduction, recycling, and litter control account every biennium shall be reserved for capital needs, including the purchase of vehicles for transporting crews and for collecting litter and solid waste. Capital funds shall be distributed among state agencies and local governments according to the same criteria provided in RCW 70A.200.170 for the remainder of the funds, so that the most effective waste reduction, litter control, recycling, and composting programs receive the most funding. The intent of this subsection is to provide funds for the purchase of equipment that will enable the department to account for the greatest return on investment in terms of reaching a zero litter goal.

(4) Funds in the waste reduction, recycling, and litter control account, collected under chapter 82.19 RCW, must be prioritized for the products identified under RCW 82.19.020 solely for the purposes of recycling, composting, and litter collection, reduction, and control programs.

~~((5) During the 2021-2023 fiscal biennium, Washington State University may use funds in the waste reduction, recycling, and litter control account, collected under chapter 82.19 RCW, to conduct an organic waste study.~~

~~((6) During the 2021-2023 fiscal biennium, and as an exception to the distribution of expenditures otherwise required in this section, the department of ecology may use funds in the waste reduction, recycling, and litter control account to continue a series of food waste reduction campaigns, to continue to invest in litter prevention campaigns, to conduct a recycling study, and to increase litter control on state highways.))~~

**Sec. 5.** RCW 70A.305.180 and 2023 c 475 s 940 are each amended to read as follows:

(1) The model toxics control operating account is hereby created in the state treasury.

(2) Moneys in the model toxics control operating account must be used only to carry out the purposes of this chapter, including but not limited to the following:

(a) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical

assistance, and public education required under chapter 70A.300 RCW;

(b) The state's responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70A.205 RCW;

(c) The hazardous waste clean-up program required under this chapter;

(d) State matching funds required under federal cleanup law;

(e) Financial assistance for local programs and plans, including local solid waste financial assistance, in accordance with chapters 70A.405, 70A.205, 70A.214, 70A.224, and 70A.300 RCW;

(f) State government programs for the safe reduction, recycling, or disposal of paint and hazardous wastes from households, small businesses, and agriculture;

(g) Oil and hazardous materials spill prevention, preparedness, training, and response activities;

(h) Water and environmental health protection and monitoring programs;

(i) Programs authorized under chapter 70A.135 RCW;

(j) A public participation program;

(k) Development and demonstration of alternative management technologies designed to carry out the hazardous waste management priorities of RCW 70A.300.260;

(l) State agriculture and health programs for the safe use, reduction, recycling, or disposal of pesticides;

(m) Funding requirements to maintain receipt of federal funds under the federal solid waste disposal act (42 U.S.C. Sec. 6901 et seq.);

(n) Air quality programs and actions for reducing public exposure to toxic air pollution;

(o) Petroleum-based plastic or expanded polystyrene foam debris clean-up activities in fresh or marine waters; and

(p) For the 2021-2023 fiscal biennium, and solely to continue the policy of previous biennia, forest practices at the department of natural resources.

(3) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in model toxics control operating account may be spent only after appropriation by statute.

(4) One percent of the moneys collected under RCW 82.21.030, plus any additional amounts appropriated by the legislature, must be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. Eligible grants may include efforts to reduce illegal dumping of hazardous materials or petroleum-containing products on public and private land. No grant may exceed ~~((sixty thousand dollars))~~ \$60,000. Grants may be renewed annually. Moneys appropriated for public participation that

are not expended at the close of any biennium revert to the model toxics control operating account.

(5) The department must adopt rules for grant or loan issuance and performance.

(6) During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the model toxics control operating account to the state general fund.

**Sec. 6.** RCW 7.84.140 and 2011 c 320 s 13 are each amended to read as follows:

(1) The director chosen by the state parks and recreation commission, the commissioner of public lands, and the director of the department of fish and wildlife are each authorized to delegate and accept enforcement authority over natural resource infractions to or from the other agencies through an agreement entered into under the interlocal cooperation act, chapter 39.34 RCW.

(2) Any person specified in RCW 70A.200.050 may initiate enforcement of RCW 70A.200.060 for those infractions that are natural resource infractions under this chapter, with or without an interlocal agreement under this section.

**Sec. 7.** RCW 7.84.020 and 2012 c 176 s 2 are each amended to read as follows:

The definition in this section applies throughout this chapter unless the context clearly requires otherwise.

"Infraction" means an offense which, by the terms of Title 76, 77, 79, or 79A RCW or RCW 7.84.030(2) (b) or 70A.200.060, and rules adopted under these titles and sections, is declared not to be a criminal offense or a civil infraction and is subject to the provisions of this chapter.

**Sec. 8.** RCW 70A.200.070 and 1996 c 263 s 2 are each amended to read as follows:

The director may prescribe the procedures for the collection of penalties, costs, and other charges allowed by chapters 7.80 and 7.84 RCW for violations of this chapter. Any person specified in RCW 70A.200.050 that is also a general peace officer authorized to take actions specified in RCW 7.84.030, including detentions for a reasonable period and investigations, may take those actions with respect to littering infractions under this chapter."

Correct the title.

Representatives Ramos and Dye spoke in favor of the adoption of the striking amendment.

The striking amendment (919) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ramos, Dye and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2207.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2207, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2207, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

#### SECOND READING

**HOUSE BILL NO. 2245, by Representatives Bronoske, Eslick, Ramel, Senn, Reed, Macri, Leavitt and Davis**

**Establishing co-response services and training as an essential component of the crisis care continuum.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2245 was substituted for House Bill No. 2245 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2245 was read the second time.

Representative Bronoske moved the adoption of amendment (969):

On page 2, line 16, after "work" insert ", in consultation with the authority,"

On page 2, line 27, after "department" insert "and the authority"

On page 2, line 35, after "work" insert ", in consultation with the authority,"

On page 12, line 17, after "behavioral" strike "or mental"

Representatives Bronoske and Schmick spoke in favor of the adoption of the amendment.

Amendment (969) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.



Representatives Bronoske and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2245.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2245, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2245, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2467, by Representatives Macri, Chopp, Thai, Bateman and Pollet**

**Increasing access to the long-term services and supports trust.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2467 was substituted for House Bill No. 2467 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2467 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Macri spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2467.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2467, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2467, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2271, by Representatives Chambers, Springer, Abbarno, Walen, Jacobsen, Riccelli, Santos, Macri and Walsh**

**Promoting access to information regarding the long-term services and supports trust program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2271 was substituted for House Bill No. 2271 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2271 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chambers and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2271.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2271, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2271, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1941, by Representatives Couture, Schmidt, Reed, Graham, Barnard, Kloba, Cheney, Riccelli, Pollet, Griffey and Jacobsen**

**Providing for health home services for medicaid-eligible children with medically complex conditions.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1941 was substituted for House Bill No. 1941 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1941 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Couture and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1941.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1941, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 1941, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

### THIRD READING

**HOUSE BILL NO. 1052, by Representatives Ramel, Lekanoff, Bateman, Reed, Pollet, Walen, Doglio and Kloba**

**Providing a property tax exemption for qualified real and personal property owned or used by a nonprofit entity in providing qualified housing funded in whole or part through a local real estate excise tax.**

The bill was read the third time.

Representative Ramel spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1052.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1052, and the bill passed the House by the following vote: Yeas, 71; Nays, 26; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Cheney, Chopp, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hutchins, Kloba, Leavitt, Lekanoff, Low, Macri, McClintock,

Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Chambers, Christian, Connors, Corry, Dent, Dye, Harris, Jacobsen, Klicker, Kretz, Maycumber, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

HOUSE BILL NO. 1052, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1052.

Representative Graham, 6th District

There being no objection, the House advanced to the eighth order of business.

### MOTION

There being no objection, the Committee on Civil Rights & Judiciary was relieved of SECOND SUBSTITUTE SENATE BILL NO. 5660, and the bill was referred to the Committee on Health Care & Wellness.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

There being no objection, the House reverted to the third order of business.

### MESSAGE FROM THE SENATE

Monday, February 12, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5213  
 SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5284  
 SECOND SUBSTITUTE SENATE BILL NO. 5591  
 SUBSTITUTE SENATE BILL NO. 5803  
 SUBSTITUTE SENATE BILL NO. 5873  
 SENATE BILL NO. 5889  
 SUBSTITUTE SENATE BILL NO. 6099  
 SUBSTITUTE SENATE BILL NO. 6106  
 SUBSTITUTE SENATE BILL NO. 6115  
 SUBSTITUTE SENATE BILL NO. 6146  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6179  
 SUBSTITUTE SENATE BILL NO. 6192  
 SENATE BILL NO. 6238  
 SENATE BILL NO. 6263

and the same are herewith transmitted.

Sarah Bannister, Secretary

There being no objection, the House advanced to the eighth order of business.

### MOTIONS

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 2382  
 HOUSE BILL NO. 2122

HOUSE BILL NO. 2076  
 HOUSE BILL NO. 2197  
 HOUSE BILL NO. 2313  
 HOUSE BILL NO. 1439  
 HOUSE BILL NO. 2023  
 HOUSE BILL NO. 2098  
 HOUSE BILL NO. 2273  
 HOUSE BILL NO. 2344  
 HOUSE BILL NO. 2329  
 HOUSE BILL NO. 2306

There being no objection, the Committee on Rules was relieved of the following bill and the bill was placed on the third reading calendar:

SUBSTITUTE HOUSE BILL NO. 1768

There being no objection, the House reverted to the seventh order of business.

### THIRD READING

**SUBSTITUTE HOUSE BILL NO. 1104, by House Committee on Transportation (originally sponsored by Goodman, Wylie, Davis and Ormsby)**

**Concerning eligibility and requirements for deferred prosecutions.**

The bill was read the third time.

With the consent of the House, amendment (800) was withdrawn.

Representative Goodman spoke in favor of the passage of the bill.

Representatives Mosbrucker, Cheney, Walsh, Harris, Christian, Abbarno, Jacobsen, Orcutt and Maycumber spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1104.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1104, and the bill passed the House by the following vote: Yeas, 53; Nays, 44; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Senn, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1104, having received the necessary constitutional majority, was declared passed.

**SECOND SUBSTITUTE HOUSE BILL NO. 1205, by House Committee on Appropriations (originally sponsored by Taylor, Reed and Senn)**

**Responsibility for providing service by publication of a summons or notice in dependency and termination of parental rights cases.**

The bill was read the third time.

Representatives Taylor and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1205.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1205, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 1205, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

### SECOND READING

**HOUSE BILL NO. 2474, by Representatives Peterson, Alvarado, Gregerson, Berry, Leavitt, Fosse, Macri, Nance, Chopp and Bateman**

**Concerning compliance with siting requirements for transitional housing, permanent supportive housing, indoor emergency shelters, and indoor emergency housing.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2474 was substituted for House Bill No. 2474 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2474 was read the second time.

With the consent of the House, amendments (937) and (1023) were withdrawn.

Representative Peterson moved the adoption of the striking amendment (1015):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 35.21 RCW to read as follows:

(1) The department of commerce shall provide services to facilitate the timely resolution of disputes between a city and:

(a) An applicant seeking a project permit or development agreement to site or construct permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters; or

(b) A developer for permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters that alleges a zoning ordinance or development regulations adopted by the city prevents the siting of housing or shelter in violation of RCW 35.21.683, 36.130.020, or, if applicable, 36.70A.070(2)(c).

(2) A city, an applicant, or a developer as specified in subsection (1) of this section may request the department of commerce provide facilitation services to resolve issues of concern with a proposed development of permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters.

(3) If dispute resolution is unsuccessful, the city must submit the project permit application, any development agreement, any zoning ordinance and related development regulations, or any other relevant documents, including a statement of the reason for any denial, rescission, or conditions of approval, the requirements necessary to fulfill the development agreement or development regulations, or how the adopted ordinance and development regulations comply with RCW 35.21.683, to the department of commerce for review.

(4)(a) If the department of commerce finds that the final decision on the project permit application, a development agreement, or another permitting process violates RCW 35.21.683, 36.130.020, or, if applicable, 36.70A.070(2)(c), the department shall reverse the final decision and return it to the city for approval, modification, or further proceedings.

(b) If the department of commerce finds that a zoning ordinance or development regulations adopted by the city prevents the siting of housing or shelter in violation of RCW 35.21.683, 36.130.020, or, if applicable, 36.70A.070(2)(c), the department must issue a determination of noncompliance.

(5)(a) The final decision of the department of commerce under subsection (4)(a) of this section may be appealed as a land use decision under chapter 36.70C RCW by the city, the applicant, or any other person with standing under RCW 36.70C.060.

(b) The final decision of the department of commerce under subsection (4)(b) of this section may be appealed to the growth management hearings board by filing a petition as provided in RCW 36.70A.290.

(6)(a) The department shall notify the state treasurer if a city fails to:

(i) Issue a project permit application, a development agreement, or another permit or process decision within 30 days of a determination of noncompliance under subsection (4)(a) of this section; or

(ii) Amend its zoning ordinance and related development regulations to comply with RCW 35.21.683, 36.130.020, and, if applicable, 36.70A.070(2)(c) within 30 days

of a determination of noncompliance under subsection (4)(b) of this section.

(b) Upon notification, the state treasurer shall withhold the following revenues to which a city is entitled: (i) The motor vehicle fuel tax, as provided in chapter 82.38 RCW; (ii) the transportation improvement account, as provided in RCW 47.26.084; (iii) the rural arterial trust account, as provided in RCW 36.79.150; (iv) the sales and use tax, as provided in chapter 82.14 RCW; (v) the liquor profit tax, as provided in RCW 66.08.190; and (vi) the liquor excise tax, as provided in RCW 82.08.170.

(c) The state treasurer shall resume distributions of revenues withheld under (b) of this subsection when the city issues the project permit application or amends its zoning ordinance and related development regulations.

(7) An applicant submitting a project permit application, a development agreement, or other documents for permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters may submit a copy of the project permit application, development agreement, or other documents to the department of commerce. An applicant also may request a review of any denial, rescission, or conditions for approval by a city.

(8) The department of commerce may adopt any rules necessary to implement this section.

(9) This section expires July 1, 2029.

**NEW SECTION. Sec. 2.** A new section is added to chapter 35A.21 RCW to read as follows:

(1) The department of commerce shall provide services to facilitate the timely resolution of disputes between a code city and:

(a) An applicant seeking a project permit or development agreement to site or construct permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters; or

(b) A developer for permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters that alleges a zoning ordinance or development regulations adopted by the code city prevents the siting of housing or shelter in violation of RCW 35A.21.430, 36.130.020, or, if applicable, 36.70A.070(2)(c).

(2) A code city, an applicant, or a developer as specified in subsection (1) of this section may request the department of commerce provide facilitation services to resolve issues of concern with a proposed development of permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters.

(3) If dispute resolution is unsuccessful, the code city must submit the project permit application, any development agreement, any zoning ordinance and related development regulations, or any other relevant documents, including a statement of the reason for any denial, rescission, or conditions of approval, the requirements necessary to fulfill the development

agreement or development regulations, or how the adopted ordinance and development regulations comply with RCW 35A.21.430, to the department of commerce for review.

(4)(a) If the department of commerce finds that the final decision on the project permit application, a development agreement, or another permitting process violates RCW 35A.21.430, 36.130.020, or, if applicable, 36.70A.070(2)(c), the department shall reverse the final decision and return it to the code city for approval, modification, or further proceedings.

(b) If the department of commerce finds that a zoning ordinance or development regulations adopted by the code city prevents the siting of housing or shelter in violation of RCW 35A.21.430, 36.130.020, or, if applicable, 36.70A.070(2)(c), the department must issue a determination of noncompliance.

(5)(a) The final decision of the department of commerce under subsection (4)(a) of this section may be appealed as a land use decision under chapter 36.70C RCW by the code city, the applicant, or any other person with standing under RCW 36.70C.060.

(b) The final decision of the department of commerce under subsection (4)(b) of this section may be appealed to the growth management hearings board by filing a petition as provided in RCW 36.70A.290.

(6)(a) The department shall notify the state treasurer if a code city fails to:

(i) Issue a project permit application, a development agreement, or another permit or process decision within 30 days of a determination of noncompliance under subsection (4)(a) of this section; or

(ii) Amend its zoning ordinance and related development regulations to comply with RCW 35A.21.430, 36.130.020, and, if applicable, 36.70A.070(2)(c) within 30 days of a determination of noncompliance under subsection (4)(b) of this section.

(b) Upon notification, the state treasurer shall withhold the following revenues to which a code city is entitled:

(i) The motor vehicle fuel tax, as provided in chapter 82.38 RCW; (ii) the transportation improvement account, as provided in RCW 47.26.084; (iii) the rural arterial trust account, as provided in RCW 36.79.150; (iv) the sales and use tax, as provided in chapter 82.14 RCW; (v) the liquor profit tax, as provided in RCW 66.08.190; and (vi) the liquor excise tax, as provided in RCW 82.08.170.

(c) The state treasurer shall resume distributions of revenues withheld under (b) of this subsection when the code city issues the project permit application or amends its zoning ordinance and related development regulations.

(7) An applicant submitting a project permit application, a development agreement, or other documents for permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters may submit a copy of the project permit application, development agreement, or other documents to the department of commerce. An applicant also may request a review of any denial, rescission, or conditions for approval by a code city.

(8) The department of commerce may adopt any rules necessary to implement this section.

(9) This section expires July 1, 2029."

Correct the title.

Representative Connors moved the adoption of amendment (1021) to the striking amendment (1015):

On page 2, beginning on line 16 of the striking amendment, strike all of subsection (6)

Re-number the remaining subsections consecutively and correct any internal references accordingly.

On page 4, beginning on line 14 of the striking amendment, strike all of subsection (6)

Re-number the remaining subsections consecutively and correct any internal references accordingly.

Representatives Connors and Hutchins spoke in favor of the adoption of the amendment to the striking amendment.

Representative Peterson spoke against the adoption of the amendment to the striking amendment.

Amendment (1021) to the striking amendment (1015) was not adopted.

Representatives Connors and Peterson spoke in favor of the adoption of the striking amendment.

The striking amendment (1015) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Peterson spoke in favor of the passage of the bill.

Representatives Klicker, Jacobsen, Chambers, Barkis, Abbarno, Hutchins and Christian spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2474.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2474, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Wylie and Mmc. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin,

Schmick, Schmidt, Senn, Steele, Stokesbary, Volz, Walen, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2474, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2128, by Representatives Schmick, Graham, Macri, Harris, Jacobsen and Hutchins**

**Modernizing the certificate of need program.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2128 was substituted for House Bill No. 2128 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2128 was read the second time.

Representative Schmick moved the adoption of amendment (862):

On page 1, line 16, after "(e)" insert "The secretary of the department of social and health services, or the secretary's designee;  
(f)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 3, line 10, after "determinations" insert "and the average review timeline for a decision"

On page 4, at the beginning of line 7, strike "overutilization" and insert "duplication or oversaturation"

Representatives Schmick and Riccelli spoke in favor of the adoption of the amendment.

Amendment (862) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick, Riccelli and Jacobsen spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2128.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2128, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul,

Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2128, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1239, by Representatives Santos, Kloba, Morgan, Ramel and Pollet**

**Establishing a simple and uniform system for complaints related to, and instituting a code of educator ethics for, conduct within or involving public elementary and secondary schools.**

The bill was read the second time.

There being no objection, Fourth Substitute House Bill No. 1239 was substituted for House Bill No. 1239 and the fourth substitute bill was placed on the second reading calendar.

FOURTH SUBSTITUTE HOUSE BILL NO. 1239 was read the second time.

Representative Rude moved the adoption of amendment (873):

On page 5, line 6, after "(b)" insert "actually or substantially"

Representatives Rude and Santos spoke in favor of the adoption of the amendment.

Amendment (873) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos and Rude spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Fourth Substitute House Bill No. 1239.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Fourth Substitute House Bill No. 1239, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Christian, Klicker, Orcutt and Walsh

Excused: Representative Chandler

ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO. 1239, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2293, by Representatives Wilcox, Chapman, Kretz, Dent, Barkis and Barnard**

**Studying the effects of avian predation of salmon.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2293 was substituted for House Bill No. 2293 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2293 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wilcox, Reeves, Ybarra, Dent, Sandlin, Orcutt and Barkis spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2293.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2293, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2293, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2084, by Representatives Fosse, Low, Berry, Leavitt, Simmons, Reed, Ormsby, Street, Bronoske, Ryu, Chapman, Wylie, Doglio, Cortes, Paul, Reeves and Davis**

**Establishing an oversight committee to improve construction-related training and pathways to state registered apprenticeships in state correctional facilities.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2084 was substituted for House Bill No. 2084 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2084 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fosse, Mosbrucker, Orcutt, Schmidt, Klicker, Chambers and Christian spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2084.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2084, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2084, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2408, by Representatives Lekanoff, Orwall, Davis, Ramel and Nance**

**Concerning methods of communication used by the technology platform designed for the behavioral health crisis response and suicide prevention system.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2408 was substituted for House Bill No. 2408 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2408 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lekanoff and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2408.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2408, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli,

Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2408, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2204, by Representatives Waters and Wylie**

**Creating a special liquor permit.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Waters and Wylie spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2204.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2204, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1

Voting Yeas: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Sandlin, Santos, Schmick, Schmidt, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nays: Representatives Davis, Ramos, Ryu, Senn and Thai

Excused: Representative Chandler

HOUSE BILL NO. 2204, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2044, by Representatives Duerr, Senn, Fitzgibbon, Alvarado, Ryu, Taylor, Callan, Berry, Gregerson, Reed, Macri, Chopp, Bergquist, Goodman, Pollet, Kloba and Davis**

**Standardizing limitations on voter-approved property tax levies.**

The bill was read the second time.

Representative Orcutt moved the adoption of the striking amendment (1049):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 84.55.050 and 2021 c 296 s 14 are each amended to read as follows:

(1) Subject to any otherwise applicable statutory dollar rate limitations, regular property taxes may be levied by or for a

taxing district in an amount exceeding the limitations provided for in this chapter if such levy is authorized by a proposition approved by a majority of the voters of the taxing district voting on the proposition at a general election held within the district or at a special election within the taxing district called by the district for the purpose of submitting such proposition to the voters. Any election held pursuant to this section shall be held not more than 12 months prior to the date on which the proposed levy is to be made, except as provided in subsection (2) of this section. The ballot of the proposition shall state the dollar rate proposed and shall clearly state the conditions, if any, which are applicable under subsection (4) of this section.

(2)(a) Subject to statutory dollar limitations, a proposition placed before the voters under this section may authorize annual increases in levies for multiple consecutive years, up to six consecutive years, during which period each year's authorized maximum legal levy shall be used as the base upon which an increased levy limit for the succeeding year is computed, but the ballot proposition must state the dollar rate proposed only for the first year of the consecutive years and must state the limit factor, or a specified index to be used for determining a limit factor, such as the consumer price index, which need not be the same for all years, by which the regular tax levy for the district may be increased in each of the subsequent consecutive years. Elections for this purpose must be held at a primary or general election. The title of each ballot measure must state the limited purposes for which the proposed annual increases during the specified period of up to six consecutive years shall be used.

~~((b) ((i) Except as otherwise provided in this subsection (2)(b), funds) Funds raised by a levy under this subsection may not supplant existing funds used for the limited purpose specified in the ballot title. For purposes of this subsection, existing funds means the actual operating expenditures for the calendar year in which the ballot measure is approved by voters. Actual operating expenditures excludes lost federal funds, lost or expired state grants or loans, extraordinary events not likely to reoccur, changes in contract provisions beyond the control of the taxing district receiving the services, and major nonrecurring capital expenditures.~~

~~((ii) The supplanting limitations in (b) (i) of this subsection do not apply to levies approved by the voters in calendar years 2009, 2010, 2011, 2015, 2016, 2017, 2018, 2019, 2020, 2021, and 2022, in any county with a population of 1,500,000 or more. This subsection (2)(b)(ii) only applies to levies approved by the voters after July 26, 2009.~~

~~((iii) The supplanting limitations in (b) (i) of this subsection do not apply to levies approved by the voters in calendar year 2009 and thereafter in any county with a population less than 1,500,000. This subsection (2)(b)(iii) only applies to levies approved by the voters after July 26, 2009.)~~



(3) After a levy authorized pursuant to this section is made, the dollar amount of such levy may not be used for the purpose of computing the limitations for subsequent levies provided for in this chapter, unless the ballot proposition expressly states that the levy made under this section will be used for this purpose.

(4) If expressly stated, a proposition placed before the voters under subsection (1) or (2) of this section may:

(a) Use the dollar amount of a levy under subsection (1) of this section, or the dollar amount of the final levy under subsection (2) of this section, for the purpose of computing the limitations for subsequent levies provided for in this chapter;

(b) Limit the period for which the increased levy is to be made under (a) of this subsection;

(c) Limit the purpose for which the increased levy is to be made under (a) of this subsection, but if the limited purpose includes making redemption payments on bonds;

(i) For the county in which the state capitol is located, the period for which the increased levies are made may not exceed 25 years; and

(ii) For districts other than a district under (c)(i) of this subsection, the period for which the increased levies are made may not exceed nine years;

(d) Set the levy or levies at a rate less than the maximum rate allowed for the district;

(e) Provide that the exemption authorized by RCW 84.36.381 will apply to the levy of any additional regular property taxes authorized by voters; or

(f) Include any combination of the conditions in this subsection.

(5) Except as otherwise expressly stated in an approved ballot measure under this section, subsequent levies shall be computed as if:

(a) The proposition under this section had not been approved; and

(b) The taxing district had made levies at the maximum rates which would otherwise have been allowed under this chapter during the years levies were made under the proposition."

Correct the title.

Representatives Orcutt and Orcutt (again) spoke in favor of the adoption of the striking amendment.

Representative Berg spoke against the adoption of the striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Bronoske presiding) divided the House. The result was 37 - YEAS; 51 - NAYS.

The striking amendment (1049) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Duerr spoke in favor of the passage of the bill.

Representatives Orcutt and Harris spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2044.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2044, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, McEntire, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Calder, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

HOUSE BILL NO. 2044, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2256, by Representatives Callan, Eslick, Senn, Davis, Paul, Thai, Ormsby, Pollet and Macri**

**Addressing the children and youth behavioral health work group.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2256 was substituted for House Bill No. 2256 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2256 was read the second time.

Representative Callan moved the adoption of amendment (1054):

On page 3, beginning on line 39, after "(k)" strike all material through "date" on page 4, line 5 and insert "The terms for work group members appointed under subsection (d) of this subsection after the effective date of this section may not exceed three years. Work group members appointed under subsection (d) of this subsection before the effective date of this section may remain in their positions until January 1, 2027, but their terms may not go beyond that date"

Representatives Callan and Eslick spoke in favor of the adoption of the amendment.

Amendment (1054) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Callan, Eslick, Callan (again), Abbarno, Eslick (again) and Dent spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2256.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2256, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Graham, Jacobsen, McEntire and Walsh

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2256, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2254, by Representatives Walen, Reeves, Reed and Springer**

**Implementing recommendations of the 2023 child support schedule work group.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2254 was substituted for House Bill No. 2254 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2254 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Walen spoke in favor of the passage of the bill.

Representatives Walsh and Christian spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2254.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2254, and the bill passed the House by the following vote: Yeas, 64; Nays, 33; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves,

Riccelli, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Sandlin, Steele, Stokesbary, Walsh, Waters and Wilcox

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2254, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2151, by Representatives Reeves, Chapman and Kloba**

**Reassigning the accreditation of private cannabis testing laboratories from the department of ecology to the department of agriculture.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2151 was substituted for House Bill No. 2151 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2151 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reeves and Chambers spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2151.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2151, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Christian

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2151, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2354, by Representatives Street, Orcutt, Bronoske, Robertson, Chambers, Callan, Bateman, Doglio and Reed**

**Creating an option for impacted taxing districts to provide a portion of their new revenue to support any tax increment area proposed within their jurisdiction.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2354 was substituted for House Bill No. 2354 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2354 was read the second time.

Representative Street moved the adoption of the striking amendment (972):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 39.114.010 and 2023 c 354 s 1 are each amended to read as follows:

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

(1) "Assessed value of real property" means the valuation of taxable real property as placed on the last completed assessment roll prepared pursuant to Title 84 RCW.

(2) "Increment area" means the geographic area within which regular property tax revenues are to be apportioned to pay public improvement costs, as authorized under this chapter.

(3) "Increment value" means 100 percent of any increase in the true and fair value of real property in an increment area that is placed on the tax rolls after the increment area takes effect. The increment value shall not be less than zero.

(4) "Local government" means any city, town, county, port district, or any combination thereof.

(5) "Ordinance" means any appropriate method of taking legislative action by a local government, including a resolution adopted by a port district organized under Title 53 RCW.

(6) "Public improvement costs" means the costs of:

(a) Design, planning, acquisition, required permitting, required environmental studies and mitigation, seismic studies or surveys, archaeological studies or surveys, land surveying, site acquisition, including appurtenant rights and site preparation, construction, reconstruction, rehabilitation, improvement, expansion, and installation of public improvements, and other directly related costs;

(b) Relocating, maintaining, and operating property pending construction of public improvements;

(c) Relocating utilities as a result of public improvements;

(d) Financing public improvements, including capitalized interest for up to six months following completion of construction, legal and other professional services, taxes, insurance, principal and interest costs on general indebtedness issued to finance public improvements, and any necessary debt service reserves;

(e) Expenses incurred in revaluing real property for the purpose of determining the tax allocation base value by a county assessor under chapter 84.41 RCW and expenses incurred by a county treasurer under chapter 84.56 RCW in apportioning the

taxes and complying with this chapter and other applicable law. For purposes of this subsection (6) (e), "expenses incurred" means actual staff and software costs directly related to the implementation and ongoing administration of increment areas under this chapter; ~~((and))~~

(f) Administrative expenses and feasibility studies reasonably necessary and related to these costs, including related costs that may have been incurred before adoption of the ordinance authorizing the public improvements and the use of tax increment financing to fund the costs of the public improvements; and

(g) Funding for mitigation to impacted taxing districts as allowed in RCW 39.114.020.

(7) "Public improvements" means:

(a) Infrastructure improvements owned by a state or local government within or outside of and serving the increment area and real property owned or acquired by a local government within the increment area including:

(i) Street and road construction;

(ii) Water and sewer system construction, expansion, and improvements;

(iii) Sidewalks and other nonmotorized transportation improvements and streetlights;

(iv) Parking, terminal, and dock facilities;

(v) Park and ride facilities or other transit facilities;

(vi) Park and community facilities and recreational areas;

(vii) Stormwater and drainage management systems;

(viii) Electric, broadband, or rail service;

(ix) Mitigation of brownfields; or

(b) Expenditures for any of the following purposes:

(i) Purchasing, rehabilitating, retrofitting for energy efficiency, and constructing housing for the purpose of creating or preserving long-term affordable housing;

(ii) Purchasing, rehabilitating, retrofitting for energy efficiency, and constructing child care facilities serving children and youth that are low-income, homeless, or in foster care;

(iii) Providing maintenance and security for the public improvements;

(iv) Historic preservation activities authorized under RCW 35.21.395; or

(v) Relocation and construction of a government-owned facility, with written permission from the agency owning the facility and the office of financial management.

(8) "Real property" means:

(a) Real property as defined in RCW 84.04.090; and

(b) Privately owned or used improvements located on publicly owned land that are subject to property taxation or leasehold excise tax.

(9) "Regular property taxes" means regular property taxes as defined in RCW 84.04.140, except: (a) Regular property taxes levied by port districts or public utility districts to the extent necessary for the payments of principal and interest

on general obligation debt; and (b) regular property taxes levied by the state for the support of the common schools under RCW 84.52.065. Regular property taxes do not include excess property tax levies that are exempt from the aggregate limits for junior and senior taxing districts as provided in RCW 84.52.043. "Regular property taxes" does not include excess property taxes levied by local school districts.

(10) "Tax allocation base value" means the assessed value of real property located within an increment area for taxes imposed in the year in which the increment area takes effect.

(11) "Tax allocation revenues" means those revenues derived from the imposition of regular property taxes on the increment value.

(12) "Taxing district" means a governmental entity that levies or has levied for it regular property taxes upon real property located within a proposed or approved increment area.

**Sec. 2.** RCW 39.114.020 and 2023 c 354 s 2 are each amended to read as follows:

(1) A local government may designate an increment area under this chapter and use the tax allocation revenues to pay public improvement costs, subject to the following conditions:

(a) The local government must adopt an ordinance designating an increment area within its boundaries and describing the public improvements proposed to be paid for, or financed with, tax allocation revenues;

(b) The local government may not designate increment area boundaries such that the entirety of its territory falls within an increment area;

(c) The increment area may not have an assessed valuation of more than \$200,000,000 or more than 20 percent of the sponsoring jurisdiction's total assessed valuation, whichever is less, when the ordinance is passed. If a sponsoring jurisdiction creates two increment areas, the total combined assessed valuation in both of the two increment areas may not equal more than \$200,000,000 or more than 20 percent of the sponsoring jurisdiction's total assessed valuation, whichever is less, when the ordinances are passed creating the increment areas;

(d) A local government can create no more than two active increment areas at any given time and they may not physically overlap by including the same land in more than one increment area at any time;

(e) The ordinance must set a sunset date for the increment area, which may be no more than 25 years after the first year in which tax allocation revenues are collected from the increment area;

(f) The ordinance must identify the public improvements to be financed and indicate whether the local government intends to issue bonds or other obligations, payable in whole or in part, from tax allocation revenues to finance the public improvement costs, and must estimate the maximum amount of obligations contemplated;

(g) The ordinance must provide that the increment area takes effect on June 1st

following the adoption of the ordinance in (a) of this subsection;

(h) The sponsoring jurisdiction may not add additional public improvements to the project after adoption of the ordinance creating the increment area or change the boundaries of the increment area. The sponsoring jurisdiction may expand, alter, or add to the original public improvements when doing so is necessary to assure the originally approved improvements can be constructed or operated;

(i) The ordinance must impose a deadline by which commencement of construction of the public improvements shall begin, which deadline must be at least five years into the future and for which extensions shall be made available for good cause; and

(j) The local government must make a finding that:

(i) The public improvements proposed to be paid or financed with tax allocation revenues are expected to encourage private development within the increment area and to increase the assessed value of real property within the increment area;

(ii) Private development that is anticipated to occur within the increment area as a result of the proposed public improvements will be permitted consistent with the permitting jurisdiction's applicable zoning and development standards;

(iii) The private development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future without the proposed public improvements; and

(iv) The increased assessed value within the increment area that could reasonably be expected to occur without the proposed public improvements would be less than the increase in the assessed value estimated to result from the proposed development with the proposed public improvements.

(2) In considering whether to designate an increment area, the legislative body of the local government must prepare a project analysis that shall include, but need not be limited to, the following:

(a) A statement of objectives of the local government for the designated increment area;

(b) A statement as to the property within the increment area, if any, that the local government may intend to acquire;

(c) The duration of the increment area;

(d) Identification of all parcels to be included in the area;

(e) A description of the expected private development within the increment area, including a comparison of scenarios with the proposed public improvements and without the proposed public improvements;

(f) A description of the public improvements, estimated public improvement costs, and the estimated amount of bonds or other obligations expected to be issued to finance the public improvement costs and repaid with tax allocation revenues;

(g) The assessed value of real property listed on the tax roll as certified by the county assessor under RCW 84.52.080 from within the increment area and an estimate of the increment value and tax allocation revenues expected to be generated;

(h) An estimate of the job creation reasonably expected to result from the public improvements and the private development expected to occur in the increment area; and

(i) An assessment of any impacts and any necessary mitigation to address the impacts identified on the following:

(i) Affordable and low-income housing;

(ii) The local business community;

(iii) The local school districts; and

(iv) The local fire service, public hospital service, and emergency medical services.

(3) The local government may charge a private developer, who agrees to participate in creating the increment area, a fee sufficient to cover the cost of the project analysis and establishing the increment area, including staff time, professionals and consultants, and other administrative costs related to establishing the increment area.

(4) Nothing in this section prohibits a local government from entering into an agreement under chapter 39.34 RCW with another local government for the administration or other activities related to tax increment financing authorized under this section.

(5) (a) If the project analysis indicates that an increment area will impact at least 20 percent of the assessed value in a public hospital district, fire protection district, or regional fire protection service authority, or if the public hospital district's or the fire service agency's annual report, or other governing board-adopted capital facilities plan, demonstrates an increase in the level of service directly related to the increased development in the increment area, the local government must ((negotiate)) enter into negotiations for a mitigation plan with the impacted public hospital district, fire protection district, or regional fire protection service authority to address level of service issues in the increment area.

(b) If the parties cannot agree pursuant to (a) of this subsection (5), the parties must proceed to arbitration to determine the appropriate mitigation plan. The board of arbitrators must consist of three persons: One appointed by the local government seeking to designate the increment area and one appointed by the junior taxing district, both of whom must be appointed within 60 days of the date when arbitration is requested, and a third arbitrator who must be appointed by agreement of the other two arbitrators within 90 days of the date when arbitration is requested. If the two are unable to agree on the appointment of the third arbitrator within this 90-day period, then the third arbitrator must be appointed by a judge in the superior court of the county within which the largest portion of the increment area is located. The determination by the board of arbitrators is binding on both the local government seeking to impose the increment area and the junior taxing district.

(6) The local government may reimburse the assessor and treasurer for their costs as provided in RCW 39.114.010(6)(e).

(7) Prior to the adoption of an ordinance authorizing creation of an increment area, the local government must:

(a) Hold at least two public briefings for the community solely on the tax increment project that include the description of the increment area, the public improvements proposed to be financed with the tax allocation revenues, and a detailed estimate of tax revenues for the participating local governments and taxing districts, including the amounts allocated to the increment public improvements. The briefings must be announced at least two weeks prior to the date being held, including publishing in a legal newspaper of general circulation and posting information on the local government website and all local government social media sites, and must occur no earlier than 90 days after submitting the project analysis to the office of the treasurer and all local governments and taxing districts impacted by the increment area; ((and))

(b) Submit the project analysis to all local governments and taxing districts impacted by the increment area no less than 90 days prior to the adoption of the ordinance; and

(c) Submit the project analysis to the office of the treasurer for review and consider any comments that the treasurer may provide upon completion of their review of the project analysis as provided under this subsection. The treasurer must complete the review within 90 days of receipt of the project analysis and may consult with other agencies and outside experts as necessary. Upon completing their review, the treasurer must promptly provide to the local government any comments regarding suggested revisions or enhancements to the project analysis that the treasurer deems appropriate based on the requirements in subsection (2) of this section.

**Sec. 3.** RCW 39.114.040 and 2023 c 354 s 3 are each amended to read as follows:

The local government designating the increment area must:

(1) Provide written notice to the governing body of each taxing district within which the increment area is located a minimum of 90 days before submitting the project analysis to the office of the treasurer as required in RCW 39.114.020(7)(c).

(2) Publish notice in a legal newspaper of general circulation within the jurisdiction of the local government at least two weeks before the date on which the ordinance authorizing creation of an increment area is adopted that describes the public improvements, describes the boundaries of the increment area, and identifies the location and times where the ordinance and other public information concerning the public improvement may be inspected; and

((2)) (3) Deliver a certified copy of the adopted ordinance to the county treasurer, the county assessor, and the governing body of each taxing district within which the increment area is located at the respective addresses specified

pursuant to RCW 42.56.040 within 10 days of the date on which the ordinance was adopted."

Correct the title.

Representatives Street and Orcutt spoke in favor of the adoption of the striking amendment.

The striking amendment (972) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Street and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2354.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2354, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Steele  
Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2354, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2441, by Representatives Corry, Slatter, Stokesbary, Leavitt and Jacobsen**

**Establishing a pilot program eliminating college in the high school fees for private not-for-profit four-year institutions.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2441 was substituted for House Bill No. 2441 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2441 was read the second time.

With the consent of the House, amendment (1008) was withdrawn.

Representative Corry moved the adoption of amendment (1068):

On page 1, line 9, after "select" strike "three" and insert "a"

On page 1, line 10, after "four-year" strike "institutions" and insert "institution"

On page 1, at the beginning of line 11, insert "with a main campus located in Yakima county"

On page 1, line 11, after "who" strike "serve" and insert "serves"

On page 1, line 15, after "pilot" strike "institutions" and insert "institution"

On page 1, line 16, after "by" strike "a" and insert "the"

On page 2, line 1, after "(a) The" strike "three pilot institutions" and insert "pilot institution"

On page 2, line 25, after "December 31," strike "2028" and insert "2030"

Representatives Corry and Pollet spoke in favor of the adoption of the amendment.

Amendment (1068) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Corry and Pollet spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2441.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2441, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2441, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

### SECOND READING

**HOUSE BILL NO. 2295, by Representatives Bateman, Hutchins, Riccelli, Bronoske, Reed, Orwall, Davis, Tharinger, Simmons, Callan and Macri**

**Concerning hospital at-home services.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2295 was substituted for House Bill No. 2295 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2295 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bateman and Hutchins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2295.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2295, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cory, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2295, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2065, by Representatives Stearns, Hackney, Ramel, Simmons, Reed, Ormsby, Street, Gregerson, Doglio, Lekanoff, Fosse, Santos, Reeves and Pollet**

**Recalculating sentencing ranges for currently incarcerated individuals whose offender score was increased by juvenile convictions.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2065 was substituted for House Bill No. 2065 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2065 was read the second time.

Representative Davis moved the adoption of amendment (1057):

On page 2, line 35, after "incarcerated" insert ". A petitioner's significant disciplinary record may be overcome by a substantial period free from significant infractions that precedes the petition"

On page 3, beginning on line 4, after "determines" strike all material through

"incarcerated" on line 7 and insert "there is evidence of an extraordinary adverse impact of the petitioner's release on the victim or survivors of the victim of the crime for which the petitioner is presently incarcerated, with special consideration given to the impact of release on any victims of sex offenses or domestic violence offenses committed against an intimate partner"

On page 3, line 19, after "(3)" insert "If the court denies a petition filed pursuant to this section and declines to set a hearing, or grants a hearing but declines to modify the petitioner's sentence at the hearing, the petitioner may, upon a showing of a change in circumstances, file a new petition no earlier than three years after the date the court denied the previous petition or declined to modify the petitioner's sentence, unless the court authorizes the petitioner to file a new petition at an earlier date. If the court denies the petition or declines to modify the petitioner's sentence, the court shall state the basis for its decision on the record. The petitioner may appeal the denial of a hearing or an order entered pursuant to a resentencing hearing, provided, however, that denying a petition filed pursuant to this section shall not reopen the petitioner's conviction or sentence to any other challenges that would otherwise be barred.

(4) "

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 3, line 24, after "(4)" insert "Any incarcerated individual who is eligible to file a petition under this section and unable to afford counsel is entitled to have counsel appointed, at no cost to the individual, to represent the individual for the petition and proceedings under this section, unless the individual expressly waives the right to counsel after being fully advised of this right by the court. The right to appointed counsel under this subsection does not establish a right to appointed counsel for any appeal or second or subsequent petition under this act.

(5) "

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Davis spoke in favor of the adoption of the amendment.

Representative Mosbrucker spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 57 - YEAS; 39 - NAYS.

Amendment (1057) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Stearns spoke in favor of the passage of the bill.

Representative Mosbrucker spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2065.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2065, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Calder, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2065, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2301, by Representatives Doglio, Fitzgibbon, Duerr, Berry, Ramel, Ormsby, Peterson, Pollet, Macri, Cortes, Shavers, Leavitt and Kloba**

**Improving the outcomes associated with waste material management systems, including products affecting organic material management systems.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2301 was substituted for House Bill No. 2301 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2301 was read the second time.

Representative Doglio moved the adoption of the striking amendment (968):

Strike everything after the enacting clause and insert the following:

#### "PART 1 INTENT

NEW SECTION. **Sec. 101.** INTENT. (1) The legislature finds:

(a) Washington is now experiencing the effects of a climate crisis: Hotter summers with record-breaking temperatures, devastating fires, drought conditions, and

rising sea levels that erode our coastlines and are causing some communities to move upland;

(b) Methane is a potent greenhouse gas and landfills are documented by the United States environmental protection agency to be the 3rd largest human-made source, with food, yard waste, and other plant-based organic material degrading in landfills to methane;

(c) Food waste is a major issue in the United States and globally, that, according to the food and agriculture organization of the United Nations, unwanted and discarded food squanders resources, including water, land, energy, labor, and capital, estimated that one-third of the food produced in the world for human consumption, about 1,300,000,000 tons, is lost or wasted every year, and the food loss and waste in industrialized countries equates to a value of approximately \$680,000,000,000;

(d) The Harvard University food law and policy clinic has estimated that 40 percent of the food supply in the United States is not eaten and that according to the United States environmental protection agency and the United States department of agriculture, food loss and waste is the single largest component of disposed municipal solid waste in the United States;

(e) In 2015, that the administrator of the United States environmental protection agency and the secretary of the United States department of agriculture announced a national goal of reducing food waste by 50 percent by the year 2030. In 2019, Washington established the same goal in RCW 70A.205.715;

(f) Compost and other products of organic material management facilities have beneficial applications and can improve soil health, water quality, and other environmental outcomes. However, in order for the products of organic material management facilities to lead to improved environmental outcomes and for the economics of the operations of these facilities to pencil out, it is important that inbound sources of organic material waste are free of plastic contamination, pesticides, and other materials that will reduce compost quality; and

(g) Farmers, processors, retailers, and food banks in Washington are leaders in addressing this issue, and in 2022, with the enactment of chapter 180, Laws of 2022 (Engrossed Second Substitute House Bill No. 1799), Washington took significant steps towards the improvement of organic material management systems.

(2) It is the legislature's intent to provide additional tools and financial resources to build on this progress in coming years by:

(a) Creating a variety of grant programs to support food waste reduction, food rescue, and other organic material management system improvements, including grants to support the implementation of new policy requirements related to organic material management;

(b) Amending solid waste management requirements in support of improved organic material management outcomes, including through the statewide standardization of



colors and labels for organic, recycling, and garbage bins, and amending the organic material management service requirements in local jurisdictions and that apply to businesses;

(c) Making changes to product degradability labeling requirements;

(d) Amending the state building code in support of organic material management; and

(e) Continuing to discuss how to maximize donations of food from generators of unwanted edible food.

(3) It is the legislature's intent for the following management option preferences to apply to the management of food under this act, including the provisions of law being amended by this act, in order of most preferred to least preferred:

(a) Prevents wasted food;

(b) Donates or upcycles food;

(c) Feeds animals or leaves food unharvested;

(d) Composts or anaerobically digests materials with beneficial use of the compost, digestate, or biosolids;

(e) Anaerobically digests materials with the disposal of digestate or biosolids, or applies material to the land; and

(f) Sends materials down the drain, to landfills, or incinerates material, with or without accompanying energy recovery.

**PART 2  
FUNDING FOR SUSTAINABLE FOOD MANAGEMENT  
PRIORITIES**

NEW SECTION. **Sec. 201.** A new section is added to chapter 70A.207 RCW to read as follows:

**CENTER FOR SUSTAINABLE FOOD MANAGEMENT GRANTS.** (1) The department, through the center, must develop and administer grant programs to support activities that reduce emissions from landfills and waste-to-energy facilities through the diversion of organic materials and food waste prevention, rescue, and recovery. The department must seek stakeholder input in the design, criteria, and logistics associated with each grant program. The department must allocate grant funding across the eligible categories specified in subsection (2) of this section in a manner consistent with legislative appropriations, and that achieves the following priorities:

(a) Maximizing greenhouse gas emission reductions;

(b) Eliminating barriers to the rescue and consumption of edible food that would otherwise be wasted;

(c) Developing stable funding programs for the department to administer and stable funding opportunities for potential fund recipients to be aware of; and

(d) Preferences the following management options, in order of most preferred to least preferred:

(i) Prevents wasted food;

(ii) Donates or upcycles food;

(iii) Feeds animals or leaves food unharvested;

(iv) Composts or anaerobically digests materials with beneficial use of the compost, digestate, or biosolids;

(v) Anaerobically digests materials with the disposal of digestate or biosolids, or applies material to the land;

(vi) Sends materials down the drain, to landfills, or incinerates material, with or without accompanying energy recovery.

(2) Subject to the availability of amounts appropriated for this specific purpose, grants under this section may be awarded to the following categories of activities:

(a) Projects to prevent the surplus of unsold, uneaten food from food businesses or to standardize and improve the operating procedures associated with food donations, including efforts to standardize collection bins, provide staff training for food donors or food rescue organizations, or make other changes to increase the efficiency or efficacy of food donation procedures. Local governments, federally recognized Indian tribes and federally recognized Indian tribal government entities, nonprofit organizations, and generators of unwanted edible food are eligible applicants for grants under this subsection. Equipment and infrastructure purchases, training costs, costs associated with the development and deployment of operating protocols, and employee staff time reimbursement are eligible uses of grant funding under this subsection;

(b) (i) Projects to improve and reduce the transportation of donated foods and management of cold chains across the donated food supply chain, including through food rescue organizations. Local governments, federally recognized Indian tribes and federally recognized Indian tribal government entities, nonprofit organizations, transporters of unwanted edible food, and generators of unwanted edible food are eligible applicants for grants under this subsection. Eligible uses of grant funding under this subsection include the acquisition of vehicles, cold-storage equipment, real estate, and technology to support donated food storage and transportation system improvements.

(ii) Grants under this subsection (2) (b) may not be used for the purchase or lease of equipment that relies on a fuel source other than electricity or the purchase or lease of vehicles other than zero-emission vehicles;

(c) (i) Grant programs to support the establishment and expansion of wasted food reduction programs to benefit vulnerable communities. This grant program must be developed in consultation with the department of health and food policy stakeholders.

(ii) Nonprofit organizations, businesses, associations, federally recognized Indian tribes and federally recognized Indian tribal government entities, and local governments are eligible to receive grants under this subsection. Eligible uses of the funds may include community food hub development projects, cold food storage capacity, refrigerated transport capacity, convenings to inform innovation in wasted food reduction in retail and food service establishments, and pilot projects to reduce wasted food. No more than 20 percent of funds allocated under this subsection (2) (c)

may be awarded to a single grant recipient; and

(d) Food waste tracking and analytics pilot project grants. Local governments, federally recognized Indian tribes and federally recognized Indian tribal government entities, nonprofit organizations, transporters of unwanted edible food, and generators of unwanted edible food are eligible applicants for grants under this subsection. Eligible uses of grant funding under this subsection include staff time and technology to improve food waste prevention or improve tracking of food donations through the food supply chain and to provide data useful to enabling more efficient and effective outcomes for the provision of food available for rescue.

(3) The department may establish additional eligibility criteria or application process requirements beyond those described in subsection (2) of this section for a category or categories of activity. The department may, as a condition of the award of a grant under this section, require the reporting of information to the department regarding the outcomes of the funded activities.

(4) The department may award grants to eligible applicants meeting the minimum qualifying criteria on a competitive basis, or to applicants on a noncompetitive basis, or both. Within each category of activity described in subsection (2) of this section, the department must prioritize grant applications that benefit overburdened communities as defined in RCW 70A.02.010 as identified by the department in accordance with RCW 70A.02.050.

**NEW SECTION. Sec. 202.** A new section is added to chapter 70A.207 RCW to read as follows:

**SUSTAINABLE FOOD MANAGEMENT POLICY IMPLEMENTATION GRANTS.** (1) The department, through the center, must develop and administer grant programs to support the implementation of the requirements of this act and chapter 180, Laws of 2022, with priority given to grants that support the implementation of RCW 70A.205.540 and 70A.205.545. Eligible recipients of grants under this section may include businesses that are subject to organic material management requirements, local governments, federally recognized Indian tribes and federally recognized Indian tribal government entities, nonprofit organizations, or organic material management facilities. Eligible expenses by grant recipients include education, outreach, technical assistance, indoor and outdoor infrastructure, transportation and processing infrastructure, and enforcement costs.

(2) The department may not require, as a condition of financial assistance under this section, that matching funds be made available by a local government recipient. The department must provide assistance to each local government that demonstrates eligibility for grant assistance under this section.

**Sec. 203.** RCW 70A.207.020 and 2022 c 180 s 402 are each amended to read as follows:

**CENTER FOR SUSTAINABLE FOOD MANAGEMENT DUTIES.** (1) The Washington center for sustainable food management is established within the department (~~to begin operations by January 1, 2024~~).

(2) The purpose of the center is to help coordinate statewide food waste reduction.

(3) The center may perform the following activities:

(a) Coordinate the implementation of the plan;

(b) Draft plan updates and measure progress towards actions, strategies, and the statewide goals established in RCW 70A.205.007 and 70A.205.715(1);

(c) Maintain a website with current food waste reduction information and guidance for food service establishments, consumers, food processors, hunger relief organizations, and other sources of food waste;

(d) Provide staff support to multistate food waste reduction initiatives in which the state is participating;

(e) Maintain the consistency of the plan and other food waste reduction activities with the work of the Washington state conservation commission's food policy forum;

(f) Facilitate and coordinate public-private and nonprofit partnerships focused on food waste reduction, including through voluntary working groups;

(g) Collaborate with federal, state, and local government partners on food waste reduction initiatives;

(h) Develop and maintain maps or lists of locations of the food systems of Washington that identify food flows, where waste occurs, and opportunities to prevent food waste;

(i) (i) Collect and maintain data on food waste and wasted food in a manner that is generally consistent with the methods of collecting and maintaining such data used by federal agencies or in other jurisdictions, or both, to the greatest extent practicable;

(ii) Develop measurement methodologies and tools to uniformly track food donation data, food waste prevention data, and associated climate impacts resultant from food waste reduction efforts;

(j) Research and develop emerging organic materials and food waste reduction markets;

(k) (i) Develop and maintain statewide food waste reduction and food waste contamination reduction campaigns, in consultation with other state agencies and other stakeholders, including the development of waste prevention and food waste recovery promotional materials for distribution. These promotional materials may include online information, newsletters, bulletins, or handouts that inform food service establishment operators about the protections from civil and criminal liability under federal law and under RCW 69.80.031 when donating food; and

(ii) Develop guidance to support the distribution of promotional materials, including distribution by:

(A) Local health officers, at no cost to regulated food service establishments, including as part of normal, routine

inspections of food service establishments; and

(B) State agencies, including the department of health and the department of agriculture, in conjunction with their statutory roles and responsibilities in regulating, monitoring, and supporting safe food supply chains and systems;

(l) Distribute and monitor grants dedicated to food waste prevention, rescue, and recovery, which must include the programs described in sections 201 and 202 of this act; ((and))

(m) Provide staff support to the work group created in section 702 of this act; and

(n) Research and provide education, outreach, and technical assistance to local governments in support of the adoption of solid waste ordinances or policies that establish a financial disincentive for the generation of organic waste and for the ultimate disposal of organic materials in landfills.

(4) The department may enter into an interagency agreement with the department of health, the department of agriculture, or other state agencies as necessary to fulfill the responsibilities of the center.

(5) The department may adopt any rules necessary to implement this chapter including, but not limited to, measures for the center's performance.

**NEW SECTION. Sec. 204.** A new section is added to chapter 43.23 RCW to read as follows:

WASHINGTON COMMODITIES DONATION GRANT PROGRAM. (1) The department must implement the Washington commodities donation grant program established in this section. The purpose of the program is to procure Washington grown produce, grains, and protein otherwise at risk of ending up as food waste for distribution to hunger relief organizations for use in Washington state.

(2) The program established in this section must, to the extent practicable:

(a) Rely upon existing infrastructure and similar grant programs currently being implemented in Washington, in order to maximize the beneficial impacts of the program in the short-term, and to expeditiously enable the distribution of grants under this section;

(b) Be designed to achieve efficiencies of scale by the grant recipients carrying out food acquisitions and distributions and to target large volume food acquisition opportunities;

(c) Give priority to recipient organizations that have at least five years of experience coordinating the collection and transportation of donated agricultural products to food bank distributors, food bank distribution centers, or both, for redistribution to local hunger relief agencies; and

(d) Provide for equitable benefits experienced from the program by food producers of varying sizes and types, including minority and vulnerable farmers, including veterans, women, and federally recognized Indian tribes.

(3) The department must issue grants under this section to one or more nonprofit organizations to acquire food directly from food producers located in Washington. A recipient nonprofit organization may use funds under this section to compensate food producers donating commodities for pick and pack out costs incurred associated with the production of a food product, including costs of food product inputs and harvest, and for their marginal postharvest logistical and administrative costs that facilitate the acquisition and distribution of the food product by grant recipients.

(4) An organization that receives funds under this section must report the results of the project to the department in a manner prescribed by the department.

(5) It is the intent of the legislature to consistently and sustainably allocate at least \$25,000,000 per biennium, continuing over multiple biennia, to the program established in this section.

**Sec. 205.** RCW 70A.214.100 and 2008 c 178 s 1 are each amended to read as follows:

WASTE NOT WASHINGTON AWARDS. (1) The office of waste reduction shall develop, in consultation with the superintendent of public instruction, an awards program to achieve waste reduction and recycling in public schools, and to encourage waste reduction and recycling in private schools, grades kindergarten through high school. The office shall develop guidelines for program development and implementation. Each public school shall, and each private school may, implement a waste reduction and recycling program conforming to guidelines developed by the office.

(2) For the purpose of granting awards, the office may group all participating schools into not more than three classes, based upon student population, distance to markets for recyclable materials, and other criteria, as deemed appropriate by the office. Except as otherwise provided, five or more awards may be granted to each of the three classes. Each award shall be no more than ((five thousand dollars))\$5,000 until 2026, and no more than \$10,000 beginning January 1, 2026. Awards shall be granted each year to the schools that achieve the greatest levels of waste reduction and recycling. A single award of not less than ((five thousand dollars))\$5,000 until 2026 or \$10,000 beginning in 2026 may be presented to the school having the best recycling program as measured by the total amount of materials recycled, including materials generated outside of the school. A single award of not less than ((five thousand dollars))\$5,000 until 2026 or \$10,000 beginning in 2026 may be presented to the school having the best waste reduction program as determined by the office. It is the intent of the legislature to consistently and sustainably allocate at least \$1,000,000 per biennium, continuing over multiple biennia and starting in calendar year 2026, to the awards program established in this section.

(3) The superintendent of public instruction shall distribute guidelines and other materials developed by the office to

implement programs to reduce and recycle waste generated in administrative offices, classrooms, laboratories, cafeterias, and maintenance operations.

**PART 3  
AMENDMENTS TO SOLID WASTE LAWS**

**Sec. 301.** RCW 70A.205.540 and 2022 c 180 s 102 are each amended to read as follows:

MANDATED ORGANICS MANAGEMENT. (1) ((Beginning January 1, 2027, in)) Except as provided in subsection (3) of this section, in each jurisdiction that implements a local solid waste plan under RCW 70A.205.040:

(a) ((Source-separated)) Beginning April 1, 2027, source-separated organic solid waste collection services ((must)) are required to be provided ((at least every other week or at least 26 weeks annually)) year-round to:

(i) All residents; and

(ii) Nonresidential customers that generate more than .25 cubic yards per week of organic materials for management; ((and))

(b) (i) The department may, by waiver, reduce the collection frequency requirements in (a) of this subsection for the collection of dehydrated food waste or to address food waste managed through other circumstances or technologies that will reduce the volume or odor, or both, of collected food waste.

(ii) All organic solid waste collected from residents and businesses under ((+a-ef)) this subsection must be managed through organic materials management;

(c) Beginning April 1, 2030, the source-separated organic solid waste collection services specified in (a) of this subsection must be provided to customers on a nonelective basis, except that a jurisdiction may grant an exemption to a customer that certifies to the jurisdiction that the customer is managing organic material waste on-site or self-hauling its own organic material waste for organic materials management;

(d) Beginning April 1, 2030, each jurisdiction's source-separated organic solid waste collection service must include the acceptance of food waste year-round. The jurisdiction may choose to collect food waste source-separated from other organic materials or may collect food waste commingled with other organic materials; and

(e) Beginning April 1, 2030, all persons, when using curbside collection for disposal, may use only source-separated organic solid waste collection services to discard unwanted organic materials. By January 1, 2027, the department must adopt standards under which local jurisdictions may exempt persons from this requirement if organic materials will be managed through an alternative mechanism that provides equal or better environmental outcomes. Nothing in this section precludes the ability of a person to use on-site composting, the diversion of organic materials to animal feed, self-haul organic materials to a facility, or other means of beneficially managing unwanted organic materials.

(2) A jurisdiction may charge and collect fees or rates for the services provided

under subsection (1) of this section, consistent with the jurisdiction's authority to impose fees and rates under chapters 35.21, 35A.21, 36.58, and 36.58A RCW.

(3) (a) Except as provided in (d) of this subsection, the requirements of this section do not apply in a jurisdiction if the department determines that the following apply:

(i) The jurisdiction disposed of less than 5,000 tons of solid waste in the most recent year for which data is available; or

(ii) The jurisdiction has a total population of less than 25,000 people ((+or

~~(iii) The jurisdiction has a total population between 25,000 and 50,000 people and curbside organic solid waste collection services are not offered in any area within the jurisdiction, as of July 1, 2022)).~~

(b) The requirements of this section do not apply:

(i) In census tracts that have a population density of less than 75 people per square mile that are serviced by the jurisdiction and located in unincorporated portions of a county, as determined by the department, in counties not planning under chapter 36.70A RCW; ((and))

(ii) In census tracts that have a population density of greater than 75 people per square mile, where the census tract includes jurisdictions that meet any of the conditions in (a) (i) and (ii) of this subsection, that are serviced by the jurisdiction and located in unincorporated portions of a county, as determined by the department, in counties not planning under chapter 36.70A RCW;

(iii) Outside of urban growth areas designated pursuant to RCW 36.70A.110 in unincorporated portions of a county planning under chapter 36.70A RCW;

(iv) Inside of unincorporated urban growth areas for jurisdictions planning under chapter 36.70A RCW that meet any of the conditions in (a) (i) and (ii) of this subsection; and

(v) In unincorporated urban growth areas in counties with an unincorporated population of less than 25,000 people.

(c) In addition to the exemptions in (a) and (b) of this subsection, the department may issue a renewable waiver to jurisdictions or portions of a jurisdiction under this subsection for up to five years, based on consideration of factors including the distance to organic materials management facilities, the sufficiency of the capacity to manage organic materials at facilities to which organic materials could feasibly and economically be delivered from the jurisdiction, and restrictions in the transport of organic materials under chapter 17.24 RCW. The department may adopt rules to specify the type of information that a waiver applicant must submit to the department and to specify the department's process for reviewing and approving waiver applications.

(d) Beginning January 1, 2030, the department may adopt a rule to require that the provisions of this section apply in the jurisdictions identified in (b) and (c) of this subsection, but only if the department determines that the goals established in RCW

70A.205.007(1) have not or will not be achieved.

(4) Any city that newly begins implementing an independent solid waste plan under RCW 70A.205.040 after July 1, 2022, must meet the requirements of subsection (1) of this section.

(5) Nothing in this section affects the authority or duties of the department of agriculture related to pest and noxious weed control and quarantine measures under chapter 17.24 RCW.

(6) No penalty may be assessed on an individual or resident for the improper disposal of organic materials under subsection (1) of this section in a noncommercial or residential setting.

**Sec. 302.** RCW 70A.205.545 and 2022 c 180 s 201 are each amended to read as follows:

BUSINESS DIVERSION. (1)(a) Beginning July 1, 2023, and each July 1st thereafter, the department must determine which counties and any cities preparing independent solid waste management plans:

(i) Provide for businesses to be serviced by providers that collect food waste and organic material waste for delivery to solid waste facilities that provide for the organic materials management of organic material waste and food waste; and

(ii) Are serviced by solid waste facilities that provide for the organic materials management of organic material waste and food waste and have year-round capacity to process and are willing to accept increased volumes of organic materials deliveries.

(b)(i) The department must determine and designate that the restrictions of this section apply to businesses in a jurisdiction unless the department determines that the businesses in some or all portions of the city or county have:

(A) No available businesses that collect and deliver organic materials to solid waste facilities that provide for the organic materials management of organic material waste and food waste; or

(B) No available capacity at the solid waste facilities to which businesses that collect and deliver organic materials could feasibly and economically deliver organic materials from the jurisdiction.

(ii)(A) In the event that a county or city provides a written ((notification)) request and supporting evidence to the department ((indicating)) determining that the criteria of (b)(i)(A) of this subsection are met, and the department confirms this determination, then the restrictions of this section apply only in those portions of the jurisdiction that have available service-providing businesses.

(B) In the event that a county or city provides a written ((notification)) request and supporting evidence to the department ((indicating)) determining that the criteria of (b)(i)(B) of this subsection are met, and the department confirms this determination, then the restrictions of this section do not apply to the jurisdiction.

(c) The department must make the result of the annual determinations required under this section available on its website.

(d) The requirements of this section may be enforced by jurisdictional health departments consistent with this chapter, except that:

(i) A jurisdictional health department may not charge a fee to permit holders to cover the costs of the jurisdictional health department's administration or enforcement of the requirements of this section; and

(ii) Prior to issuing a penalty under this section, a jurisdictional health department must provide at least two written notices of noncompliance with the requirements of this section to the owner or operator of a business subject to the requirements of this section.

(2)(a)(i) Beginning January 1, 2024, a business that generates at least eight cubic yards of organic material waste per week must arrange for organic materials management services specifically for organic material waste;

(ii) Beginning January 1, 2025, a business that generates at least four cubic yards of organic material waste per week must arrange for organic materials management services specifically for organic material waste; and

(iii) Beginning January 1, 2026, a business that generates at least ((four cubic yards of solid)) 96 gallons of organic material waste per week shall arrange for organic materials management services specifically for organic material waste, unless the department determines, by rule, that additional reductions in the landfilling of organic materials would be more appropriately and effectively achieved, at reasonable cost to regulated businesses, through the establishment of a different volumetric threshold of ((solid waste or)) organic waste material ((waste)) than the threshold of ((four cubic yards of solid)) 96 gallons of organic material waste per week.

(b) The following wastes do not count for purposes of determining waste volumes in (a) of this subsection:

(i) Wastes that are managed on-site by the generating business;

(ii) Wastes generated from the growth and harvest of food or fiber that are managed off-site by another business engaged in the growth and harvest of food or fiber;

(iii) Wastes that are managed by a business that enters into a voluntary agreement to sell or donate organic materials to another business for off-site use; ((and))

(iv) Wastes generated in exceptional volumes as a result of a natural disaster or other infrequent and unpreventable event; and

(v) Wastes generated as a result of a food safety event, such as a product recall, that is due to foreign material or adverse biological activity that requires landfill destruction rather than organic material management.

(3) A business may fulfill the requirements of this section by:

(a) Source separating organic material waste from other waste, subscribing to a service that includes organic material waste

collection and organic materials management, and using such a service for organic material waste generated by the business;

(b) Managing its organic material waste on-site or self-hauling its own organic material waste for organic materials management;

(c) Qualifying for exclusion from the requirements of this section consistent with subsection (1)(b) of this section; or

(d) For a business engaged in the growth, harvest, or processing of food or fiber, entering into a voluntary agreement to sell or donate organic materials to another business for off-site use.

(4)(a) A business generating organic material waste shall arrange for any services required by this section in a manner that is consistent with state and local laws and requirements applicable to the collection, handling, or recycling of solid and organic material waste.

(b) Nothing in this section requires a business to dispose of materials in a manner that conflicts with federal or state public health or safety requirements. Nothing in this section requires businesses to dispose of wastes generated in exceptional volumes as a result of a natural disaster or other infrequent and unpreventable event through the options established in subsection (3) of this section. Nothing in this section prohibits a business from disposing of nonfood organic materials that are not commingled with food waste by using the services of an organic materials management facility that does not accept food waste.

(5) When arranging for gardening or landscaping services, the contract or work agreement between a business subject to this section and a gardening or landscaping service must require that the organic material waste generated by those services be managed in compliance with this chapter.

(6)(a) This section does not limit the authority of a local governmental agency to adopt, implement, or enforce a local organic material waste recycling requirement, or a condition imposed upon a self-hauler, that is more stringent or comprehensive than the requirements of this chapter.

(b) This section does not modify, limit, or abrogate in any manner any of the following:

(i) A franchise granted or extended by a city, county, city and county, or other local governmental agency;

(ii) A contract, license, certificate, or permit to collect solid waste previously granted or extended by a city, county, city and county, or other local governmental agency;

(iii) The right of a business to sell or donate its organic materials; and

(iv) A certificate of convenience and necessity issued to a solid waste collection company under chapter 81.77 RCW.

(c) Nothing in this section modifies, limits, or abrogates the authority of a local jurisdiction with respect to land use, zoning, or facility siting decisions by or within that local jurisdiction.

(d) Nothing in this section changes or limits the authority of the Washington utilities and transportation commission to regulate collection of solid waste,

including curbside collection of residential recyclable materials, nor does this section change or limit the authority of a city or town to provide the service itself or by contract under RCW 81.77.020.

(7) The definitions in this subsection apply throughout this section unless the context clearly indicates otherwise.

(a)(i) "Business" means a commercial or public entity including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for-profit or nonprofit entity.

(ii) "Business" does not include a multifamily residential entity.

(b) "Food waste" has the same meaning as defined in RCW 70A.205.715.

NEW SECTION. Sec. 303. A new section is added to chapter 70A.205 RCW to read as follows:

BIN COLORS. (1) Except as provided in (a) and (b) of this subsection, the requirements of this section apply to containers purchased on or after July 1, 2026.

(a) A jurisdiction or solid waste collection company is not required to replace functional containers with a volume of less than one cubic yard or a plastic container of any size, including containers purchased prior to July 1, 2026, that do not comply with the color requirements of this section prior to the end of the useful life of those containers or prior to January 1, 2036, whichever comes first.

(b) A jurisdiction or solid waste collection company is not required to replace functional nonplastic containers with a volume of at least one cubic yard that existed and were in service as of July 1, 2026. However, a functional nonplastic container that existed as of July 1, 2026, must be repainted in a manner that matches the appropriate color requirements of this section on the earlier of:

(i) When it is next repainted; or

(ii)(A) By January 1, 2030, for collection containers owned by a person other than a jurisdiction that undertakes solid waste collection; or

(B) At the end of the useful life of the container owned by a jurisdiction that undertakes solid waste collection, or upon the distribution of sufficient funds under section 202 of this act to the jurisdiction to cover applicable container repainting costs of the jurisdiction.

(2) In each jurisdiction planning under this chapter, indoor or outdoor containers provided for collection services, including multifamily, commercial, government and other public places, institutional, and curbside residential collection services must be provided in a color-coded manner consistent with the requirements of this section in order to reduce contamination:

(a)(i) In a jurisdiction where source-separated recyclable materials and source-separated organic materials are collected separately, a gray or black container may be used only for the collection of solid waste that is not a source-separated recyclable material or a source-separated organic material;

(ii) In a jurisdiction where source-separated recyclable materials or organic materials are not collected separately, a gray or black container may be used for any solid waste, including organic material or recyclable material that is not separately collected in the jurisdiction.

(b) A blue container may be used only for source-separated recyclable materials. The contents of the blue container must be transported to a facility that recovered the materials designated for collection in the blue container.

(c) A green or brown container may be used only for source-separated organic materials and must be transported, directly or indirectly, to an organic materials management facility.

(d) A color other than green, brown, blue, black, or gray may be used only in accordance with any rules adopted by the department.

(e) By rule, the department may determine the appropriate container or containers to be used for materials that could conceivably be placed in multiple containers specified in (a) through (d) of this subsection.

(f) The color-coding requirements for solid waste collection containers under this section do not apply to containers with a volume of at least 10 cubic yards that:

(i) Are used on a temporary basis by multiple customers of a jurisdiction or solid waste collection company; and

(ii) Are alternately used for temporary periods for multiple types of solid waste depending on the specific needs of the customer.

(3) By January 1, 2025, all containers for collection services must bear a clear and conspicuous label on each container or lid specifying what materials are allowed to be placed in each container. The requirements of this subsection may be satisfied by:

(a) A label placed on a container that includes either language or graphic images, or both, that indicate the primary materials accepted and the primary materials prohibited in that container; or

(b) Imprinted text or graphic images that indicate the primary materials accepted and the primary materials prohibited in that container.

(4) The department may provide model labeling text and graphic images for optional use by local governments and solid waste collection companies that meets the requirements of this section.

(5) A jurisdiction or solid waste collection company may comply with the requirements of this section by providing a container or containers that are split or divided into segregated sections, instead of an entire container, as long as the lids of the separate sections of a split container comply with the container color requirements and material limitations specified in this section.

(6) Carpets, noncompostable paper, and hazardous wood waste may not be collected in a green or brown container. Hazardous wood waste may not be collected in a blue container. The department may adopt rules to prohibit additional waste stream

contaminants from being placed in a green or brown container or a blue container.

(7) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a)(i) "Blue container" means:

(A) A container with a volume of less than one cubic yard where the body of the container is blue in color and the lid is blue in color; and

(B) A container with a volume of at least one cubic yard where the body of the container is blue in color and the lid is blue or black in color.

(ii) Hardware, such as hinges and wheels on a blue container, may be any color.

(iii) Unless a local government implementing a solid waste plan under this chapter requires uniform blue painting of the entire container, the body of a blue container may contain an area, on one side of the container, composed of any color measuring no more than two feet by two feet to display any combination of the name, logo, or branding of the container owner, solid waste collection company, or government entity associated with the container.

(b)(i) "Green or brown container" means:

(A) A container with a volume of less than one cubic yard where the body of the container is green or brown in color and the lid is green or brown in color; and

(B) A container with a volume of at least one cubic yard where the body of the container is green or brown in color and the lid is green, brown, or black in color.

(ii) Hardware, such as hinges and wheels on a green or brown container, may be any color.

(iii) Unless a local government implementing a solid waste plan under this chapter requires uniform green or brown painting of the entire container, the body of a green or brown container may contain an area, on one side of the container, composed of any color measuring no more than two feet by two feet to display any combination of the name, logo, or branding of the container owner, solid waste collection company, or government entity associated with the container.

(c)(i) "Gray or black container" means:

(A) A container with a volume of less than one cubic yard where the body of the container is entirely gray or black in color and the lid is gray or black in color; and

(B) A container with a volume of at least one cubic yard where the body of the container is gray or black in color and the lid is gray or black in color.

(ii) Hardware, such as hinges and wheels, on a gray or black container may be any color.

(iii) Unless a local government implementing a solid waste plan under this chapter requires uniform gray or black painting of an entire container, the body of a gray or black container may contain an area, on one side of the container, composed of any color measuring no more than two feet by two feet to display any combination of the name, logo, or branding of the container owner, solid waste collection company, or government entity associated with the container.

(iv) A galvanized metal container that is unpainted and gray or silver in appearance is considered to be a gray container for purposes of this section.

**PART 4  
STATUS ASSESSMENT OF PRODUCE STICKER TECHNOLOGIES**

**NEW SECTION. Sec. 401. STATUS ASSESSMENT OF PRODUCE STICKER TECHNOLOGIES.**

(1) The department of ecology, in consultation with the department of agriculture, must carry out a study and submit a brief summary report to the legislature by September 1, 2025, addressing the status of produce sticker technologies, including produce sticker options that do not contain plastic stickers or adhesives or that otherwise meet compostability standards.

(2) The study required under this section must, at minimum, compare and consider the following features of produce stickers and adhesives:

- (a) Compostability, including toxic or hazardous substance content;
- (b) Performance;
- (c) Printability; and
- (d) Cost.

(3) In carrying out the study, input and information must be solicited and evaluated from:

- (a) Produce producers and packers;
- (b) Sticker and adhesive producers;
- (c) Other states, countries, or subnational jurisdictions that have adopted standards restricting plastic produce stickers; and
- (d) Other technical experts.

**PART 5  
PRODUCT DEGRADABILITY RESTRICTIONS**

**Sec. 501.** RCW 70A.455.040 and 2022 c 180 s 803 are each amended to read as follows:

**FIBER-BASED SUBSTRATES.** (1) A product labeled as "compostable" that is sold, offered for sale, or distributed for use in Washington by a producer must:

- (a) Meet ASTM standard specification D6400;
- (b) Meet ASTM standard specification D6868; or
- (c) Be comprised only of wood, which includes renewable wood, or a fiber-based substrate ~~((only))that contains:~~

(i) Greater than 99 percent fiber by weight; and

(ii) No plastic or polymer wax additives or plastic or wax coatings or adhesives that do not meet ASTM standard specification D6868.

(2) A product described in subsection (1) (a) or (b) of this section must:

- (a) Meet labeling requirements established under the United States federal trade commission's guides; and
- (b) Feature labeling that:

- (i) Meets industry standards for being distinguishable upon quick inspection in both public sorting areas and in processing facilities;

(ii) Uses a logo indicating the product has been certified by a recognized third-party independent verification body as meeting the ASTM standard specification;

(iii) Displays the word "compostable," where possible, indicating the product has been tested by a recognized third-party independent body and meets the ASTM standard specification; and

(iv) Uses green, beige, or brown labeling, color striping, or other green, beige, or brown symbols, colors, tinting, marks, or design patterns that help differentiate compostable items from noncompostable items.

**Sec. 502.** RCW 70A.455.070 and 2022 c 180 s 806 are each amended to read as follows:

**FILM TINTING.** (1) A producer of plastic film bags sold, offered for sale, or distributed for use in Washington that does not meet the applicable ASTM standard specifications provided in RCW 70A.455.050 is:

(a) Prohibited from using tinting, color schemes, labeling, or terms that are required of products that meet the applicable ASTM standard specifications under RCW 70A.455.050;

(b) Discouraged from using labeling, images, and terms that may reasonably be anticipated to confuse consumers into believing that noncompostable products are compostable; and

(c) Encouraged to use labeling, images, and terms to help consumers identify noncompostable bags as either: (i) Suitable for recycling; or (ii) necessary to dispose as waste.

(2) A producer of food service products, or plastic film products other than plastic film bags subject to subsection (1) of this section, sold, offered for sale, or distributed for use in Washington that does not meet the applicable ASTM standard specifications provided in RCW 70A.455.060 is:

(a) Prohibited from using labeling, or terms that are required of products that meet the applicable ASTM standard specifications under RCW 70A.455.060;

(b) Discouraged from using labeling, images, and terms that may reasonably be anticipated to confuse consumers into believing that noncompostable products are compostable; and

(c) Encouraged to use tinting, coloration, labeling, images, and terms to help consumers identify film products and food service packaging as either: (i) Suitable for recycling; or (ii) necessary to dispose as waste.

(3) For the purposes of this section only:

(a) "Tinting" means the addition of color to a film, usually by means of dye or stain, that filters light and makes the film appear a certain color; and

(b)(i) The prohibition in subsection (1) (a) of this section on "color schemes" on plastic film bags does not preclude the use of:



(A) Green, brown, or beige stripes that are smaller than .25 inch wide and used as visual aids; and

(B) Green, brown, or beige lettering or logos that are used solely for brand identity purposes.

(ii) The prohibition in subsection (1)(a) of this section on color schemes on plastic film bags does prohibit the use of botanical motifs, such as leaves or vines that are colored green, brown, or beige, or any combination of these colors or shapes.

**NEW SECTION. Sec. 503.** A new section is added to chapter 70A.455 RCW to read as follows:

**HOME COMPOSTABLE LABELING.** A producer may only label a product as being "home compostable" if:

(1) The product has been tested and meets ASTM standards D6400 or D6868 for industrial composting settings;

(2) A third-party certifier has verified that the product meets ASTM standards for industrial composting;

(3) The product is otherwise labeled in a manner consistent with the requirements of this chapter, including RCW 70A.455.030, 70A.455.040, or 70A.455.050, as appropriate;

(4) The product is not labeled "home compostable only" or in a manner that otherwise implies that the product is not capable of being composted in industrial compost settings; and

(5) The producer has valid and reproducible scientific evidence to support their claim that a product is home compostable, consistent with federal trade commission guidelines.

**Sec. 504.** RCW 70A.455.090 and 2022 c 180 s 808 are each amended to read as follows:

**CONCURRENT ENFORCEMENT OF DEGRADABILITY LABELING REQUIREMENTS BY CITIES AND COUNTIES.** (1)(a) The department and cities and counties have concurrent authority to enforce this chapter and to issue and collect civil penalties for a violation of this chapter, subject to the conditions in this section and RCW 70A.455.100. An enforcing government entity may impose a civil penalty in the amount of up to \$2,000 for the first violation of this chapter, up to \$5,000 for the second violation of this chapter, and up to \$10,000 for the third and any subsequent violation of this chapter. If a producer has paid a prior penalty for the same violation to a different government entity with enforcement authority under this subsection, the penalty imposed by a government entity is reduced by the amount of the payment.

(b) The enforcement of this chapter must be based primarily on complaints filed with the department and cities and counties. The department must establish a forum for the filing of complaints. Cities, counties, or any person may file complaints with the department using the forum, and cities and counties may review complaints filed with the department via the forum. The forum established by the department may include a complaint form on the department's website, a telephone hotline, or a public outreach

strategy relying upon electronic social media to receive complaints that allege violations. The department, in collaboration with the cities and counties, must provide education and outreach activities to inform retail establishments, consumers, and producers about the requirements of this chapter.

(c) A city or county that chooses to enforce the requirements of this chapter within their jurisdiction must notify the department with a letter of intent that includes:

(i) The start and any end date of the local jurisdiction's enforcement activities;

(ii) The geographic boundaries within which the enforcement activities are planned; and

(iii) Any technical assistance, education, or enforcement tools that the city or county would like to request from the department in support of local enforcement activities.

(2) Penalties issued by the department are appealable to the pollution control hearings board established in chapter 43.21B RCW.

(3) The remedies provided by this section are not exclusive and are in addition to the remedies that may be available pursuant to chapter 19.86 RCW or other consumer protection laws, if applicable.

(4) In addition to penalties recovered under this section, the enforcing city or county may recover reasonable enforcement costs and attorneys' fees from the liable producer.

## **PART 6 COMPOST PURCHASES**

**Sec. 601.** RCW 15.04.420 and 2022 c 180 s 502 are each amended to read as follows:

**COMPOST REIMBURSEMENT PROGRAM ELIGIBILITY AMENDMENT.** (1)(a) Subject to the availability of amounts appropriated for this specific purpose, the department must establish and implement a compost reimbursement program to reimburse farming operations in the state for purchasing and using compost products that were not generated by the farming operation, including transportation, spreading equipment, labor, fuel, and maintenance costs associated with spreading equipment. The grant reimbursements under the program begin July 1, 2023.

(b) For the purposes of this program, "farming operation" means: A commercial agricultural, silvicultural, or aquacultural facility or pursuit, including the care and production of livestock and livestock products, poultry and poultry products, apiary products, and plant and animal production for nonfood uses; the planting, cultivating, harvesting, and processing of crops; and the farming or ranching of any plant or animal species in a controlled salt, brackish, or freshwater environment.

(2) To be eligible to participate in the reimbursement program, a farming operation must complete an eligibility review with the department prior to transporting or applying any compost products for which reimbursement is sought under this section. The purpose of

the review is for the department to ensure that the proposed transport and application of compost products is consistent with the department's agricultural pest control rules established under chapter 17.24 RCW. A farming operation must also verify that it will allow soil sampling to be conducted by the department upon request before compost application and until at least 10 years after the last grant funding is used by the farming operation, as necessary to establish a baseline of soil quality and carbon storage and for subsequent department evaluations to assist the department's reporting requirements under subsection (8) of this section.

(3) The department must create a form for eligible farming operations to apply for cost reimbursement for costs from purchasing and using compost from facilities with solid waste handling permits or that are permit exempt, including transportation, equipment, spreading, and labor costs. Compost must meet the applicable requirements for compost established by the department of ecology under chapter 70A.205 RCW. The department must prioritize applicants who purchase and use compost containing food waste feedstocks, where it is practicable for the applicant to purchase and use compost containing food waste feedstocks. All applications for cost reimbursement must be submitted on the form along with invoices, receipts, or other documentation acceptable to the department of the costs of purchasing and using compost products for which the applicant is requesting reimbursement, as well as a brief description of what each purchased item will be used for. The department may request that an applicant provide information to verify the source, size, sale weight, or amount of compost products purchased and the cost of transportation, equipment, spreading, and labor. The applicant must also declare that it is not seeking reimbursement for purchase or labor costs for:

(a) Its own compost products; or

(b) Compost products that it has transferred, or intends to transfer, to another individual or entity, whether or not for compensation.

(4) A farming operation may submit only one application per fiscal year in which the program is in effect for purchases made and usage costs incurred during the fiscal year that begins on July 1st and ends on June 30th. Applications for reimbursement must be filed before the end of the fiscal year in which purchases were made and usage costs incurred.

(5) The department must distribute reimbursement funds, subject to the following limitations:

(a) A farming operation is not eligible to receive reimbursement if the farming operation's application was not found eligible for reimbursement by the department under subsection (2) of this section prior to the transport or use of compost;

(b) A farming operation is not eligible to receive reimbursement for more than 50 percent of the costs it incurs each fiscal year for the purchase and use of compost products, including transportation, equipment, spreading, and labor costs;

~~(c) ((A farming operation is not eligible to receive more than \$10,000 per fiscal year))The department must attempt to achieve fair distribution of reimbursement funding across different farm size categories, based on acreage categories determined by the department, and which is not to exceed a maximum of \$20,000 per fiscal year for the largest farming operation category determined by the department;~~

(d) A farming operation is not eligible to receive reimbursement for its own compost products or compost products that it has transferred, or intends to transfer, to another individual or entity, whether or not for compensation; and

(e) A farming operation is not eligible to receive reimbursement for compost products that were not purchased from a facility with a solid waste handling permit or a permit-exempt facility.

(6) The applicant shall indemnify and hold harmless the state and its officers, agents, and employees from all claims arising out of or resulting from the compost products purchased that are subject to the compost reimbursement program under this section.

(7) There is established within the department a compost reimbursement program manager position. The compost reimbursement program manager must possess knowledge and expertise in the area of program management necessary to carry out the duties of the position, which are to:

(a) Facilitate the division and distribution of available costs for reimbursement; and

(b) Manage the day-to-day coordination of the compost reimbursement program.

(8) In compliance with RCW 43.01.036, the department must submit an annual report to the appropriate committees of the legislature by January 15th of each year of the program in which grants have been issued or completed. The report must include:

(a) The amount of compost for which reimbursement was sought under the program;

(b) The qualitative or quantitative effects of the program on soil quality and carbon storage; and

(c) A periodically updated evaluation of the benefits and costs to the state of expanding or furthering the strategies promoted in the program.

**Sec. 602.** RCW 43.19A.150 and 2022 c 180 s 701 are each amended to read as follows:

COMPOST PROCUREMENT REPORTING AMENDMENT.

(1) By January 1, 2023, the following cities or counties shall adopt a compost procurement ordinance to implement RCW 43.19A.120:

(a) Each city or county with a population greater than 25,000 residents as measured by the office of financial management using the most recent population data available; and

(b) Each city or county in which organic material collection services are provided under chapter 70A.205 RCW.

(2) A city or county that newly exceeds a population of 25,000 residents after January 1, 2023, as measured by the office of financial management, must adopt an

ordinance under this subsection no later than 12 months after the office of financial management's determination that the local government's population has exceeded 25,000.

(3) In developing a compost procurement ordinance, each city and county shall plan for the use of compost in the following categories:

- (a) Landscaping projects;
- (b) Construction and postconstruction soil amendments;
- (c) Applications to prevent erosion, filter stormwater runoff, promote vegetation growth, or improve the stability and longevity of roadways; and
- (d) Low-impact development and green infrastructure to filter pollutants or keep water on-site, or both.

(4) Each city or county that adopts an ordinance under subsection (1) or (2) of this section must develop strategies to inform residents about the value of compost and how the jurisdiction uses compost in its operations in the jurisdiction's comprehensive solid waste management plan pursuant to RCW 70A.205.045.

(5) By ~~((December))~~ March 31, ~~((2024))~~ 2025, and each ~~((December))~~ March 31st ~~((of even-numbered years))~~ thereafter, each city or county that adopts an ordinance under subsection (1) or (2) of this section must submit a report covering the previous year's compost procurement activities to the department of ecology that contains the following information:

(a) The total tons of organic material diverted throughout the year and the facility or facilities used for processing;

(b) The volume and cost of compost purchased throughout the year; and

(c) The source or sources of the compost.

(6) Cities and counties that are required to adopt an ordinance under subsection (1) or (2) of this section shall give priority to purchasing compost products from companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs and meet quality standards comparable to standards adopted by the department of transportation or adopted by rule by the department of ecology.

(7) Cities and counties may enter into collective purchasing agreements if doing so is more cost-effective or efficient.

(8) Nothing in this section requires a compost processor to:

(a) Enter into a purchasing agreement with a city or county;

(b) Sell finished compost to meet this requirement; or

(c) Accept or process food waste or compostable products.

## **PART 7 MISCELLANEOUS**

NEW SECTION. **Sec. 701.** A new section is added to chapter 19.27 RCW to read as follows:

STATE BUILDING CODE COUNCIL AMENDMENT. The governing body of each county or city is authorized to amend requirements in the

state building code, as it applies within the jurisdiction of the county or city, that apply to providing for the storage of solid waste by requiring multifamily residential buildings to:

(1) Provide adequate space for the collocation of organic material waste and recycling collection containers with garbage containers, or in the absence of collocation, requiring the posting of signage notifying residents of where organic material waste and recycling containers are located;

(2) Identify organic material waste collection containers with appropriate and accurate signage and color to differentiate between organic material waste, recycling, and garbage collection containers; and

(3) Distribute annual waste sorting educational materials to all residents.

NEW SECTION. **Sec. 702.** WORK GROUP TO STUDY FOOD DONATION BY BUSINESSES. (1) The department of ecology's center for sustainable food management created in chapter 70A.207 RCW must convene a work group to address mechanisms to improve the rescue of edible food waste from commercial generators, including food service, retail establishments, and processors that generate excess supply of edible food. The work group must consider:

(a) Logistics to phase in edible food donation programs, including incentives;

(b) The food recovery network systems necessary to support increased donation of edible food by commercial generators;

(c) Assess asset gaps and food infrastructure development needs. The work group must also facilitate the creation of networks and partnerships to address gaps and needs and develop innovative partnerships and models where appropriate; and

(d) Actions taken, costs, and lessons learned by other jurisdictions in the United States that have enacted policies focused on reducing edible commercially generated food waste and from voluntary pilot projects carried out by commercial generators of food waste.

(2) The department of ecology must submit a report to the legislature by September 1, 2025, containing the recommendations of the work group. The work group shall make recommendations using consensus-based decision making. All meetings of the work group must be carried out in a virtual-only format. The report must include recommendations where general stakeholder consensus has been achieved and note varied opinions where stakeholder consensus has not been achieved.

(3) The department of ecology must select at least one member to the work group from each of the following:

(a) Cities, including both small and large cities and cities located in urban and rural counties, which may be represented by an association that represents cities in Washington;

(b) Counties, including both small and large counties and urban and rural counties, which may be represented by an association that represents county solid waste managers in Washington;

(c) An environmental nonprofit organization that specializes in waste and recycling issues;

(d) A statewide organization representing hospitality businesses;

(e) A retail grocery association;

(f) The department of ecology;

(g) Two different nonprofit organizations that specialize in food recovery and hunger issues;

(h) Three different hunger relief organizations that represent diverse needs from throughout the state;

(i) The department of agriculture;

(j) The office of the superintendent of public instruction;

(k) The department of health;

(l) One large and one small food distribution company;

(m) An organization representing food processors;

(n) A technology company currently focused on food rescue in Washington; and

(o) Two open seats for appointed members of the work group to nominate for department of ecology appointment if gaps in membership are identified.

**NEW SECTION. Sec. 703. SEVERABILITY CLAUSE.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 704.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representative Dye moved the adoption of amendment (1011) to the striking amendment (968):

On page 2, line 34 of the striking amendment, after "food" insert ", including continuing to discuss how to support agricultural food producers to ensure seasonal, perishable, picked food is not wasted"

On page 8, line 34 of the striking amendment, after "(3)" insert "(a)"

On page 9, after line 3 of the striking amendment, insert the following:

"(b) To help reduce pick and pack costs, agricultural food producers that have donated agricultural products to food bank distributors, food bank distribution centers, or both, are eligible to participate in the pilot program established in section 703 of this act."

On page 30, after line 37 of the striking amendment, insert the following:

**"NEW SECTION. Sec. 703.** A new section is added to chapter 43.23 RCW to read as follows:

**HARVEST SUPPORT PILOT PROGRAM FOR AGRICULTURAL PRODUCERS.** (1)(a) The five-year harvest support pilot program, administered

by the department, is created for agricultural producers that meet the criteria under subsection (2) of this section.

(b) The purpose of the pilot program is to better understand the nexus between unharvested agricultural products that result in food waste and the cost barriers to harvesting faced by agricultural producers due to overtime pay requirements. The ultimate goal of the pilot program is to reduce the amount of waste caused by unharvested agricultural products.

(2)(a) To be eligible under the pilot program, an agricultural producer must have donated agricultural products to food bank distributors, food bank distribution centers, or both, within the period between January 1, 2017, through the effective date of this section.

(b) The agricultural producer must be able to show proof of its donations upon request.

(3)(a) Until the expiration of the pilot program, an agricultural producer participating in the pilot program may select any 12 weeks in a calendar year as special circumstance weeks for labor demand. During each of the selected 12 weeks, the agricultural producer may employ agricultural employees for up to 50 hours before the requirement to pay overtime under RCW 49.46.130 applies.

(b) In addition to the records required to be kept under RCW 49.30.020, an agricultural producer must maintain records of which special circumstance weeks were utilized.

(c) An agricultural producer must provide an annual initial disclosure of a good-faith estimate of the selected 12 weeks to the agricultural producer's agricultural employees at least 30 days in advance of the first expected special circumstance week, or upon hiring for those who start work fewer than 30 days in advance. For agricultural employees employed under, and in compliance with federal requirements for, temporary work visas, the disclosure of a good-faith estimate must be made no later than the date of the worker's visa application, contemporaneous with required federal preemployment written disclosures to visa workers ordinarily due by the date of the worker's visa application.

(4) The department shall submit reports, beginning December 1, 2025, and each year thereafter, to the appropriate committees of the legislature. The reports shall include, at a minimum, the following information:

(a) The number of agricultural producers participating in the pilot program;

(b) A list of the special circumstances weeks selected for each commodity donated; and

(c) The type and volume of food donations from participating agricultural producers.

(5) This section expires on December 31, 2029.

**Sec. 704.** RCW 49.46.130 and 2021 c 249 s 2 are each amended to read as follows:

(1) Except as otherwise provided in this section, no employer shall employ any of his or her employees for a workweek longer than forty hours unless such employee receives

compensation for his or her employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he or she is employed.

(2) This section does not apply to:

(a) Any person exempted pursuant to RCW 49.46.010(3). The payment of compensation or provision of compensatory time off in addition to a salary shall not be a factor in determining whether a person is exempted under RCW 49.46.010(3)(c);

(b) Employees who request compensating time off in lieu of overtime pay;

(c) Any individual employed as a seaman whether or not the seaman is employed on a vessel other than an American vessel;

(d) Seasonal employees who are employed at concessions and recreational establishments at agricultural fairs, including those seasonal employees employed by agricultural fairs, within the state provided that the period of employment for any seasonal employee at any or all agricultural fairs does not exceed fourteen working days a year;

(e) Any individual employed as a motion picture projectionist if that employee is covered by a contract or collective bargaining agreement which regulates hours of work and overtime pay;

(f) An individual employed as a truck or bus driver who is subject to the provisions of the Federal Motor Carrier Act (49 U.S.C. Sec. 3101 et seq. and 49 U.S.C. Sec. 10101 et seq.), if the compensation system under which the truck or bus driver is paid includes overtime pay, reasonably equivalent to that required by this subsection, for working longer than forty hours per week;

(g) Any individual employed as an agricultural employee. This exemption from subsection (1) of this section applies only until December 31, 2021;

(h) Any industry in which federal law provides for an overtime payment based on a workweek other than forty hours. However, the provisions of the federal law regarding overtime payment based on a workweek other than forty hours shall nevertheless apply to employees covered by this section without regard to the existence of actual federal jurisdiction over the industrial activity of the particular employer within this state. For the purposes of this subsection, "industry" means a trade, business, industry, or other activity, or branch, or group thereof, in which individuals are gainfully employed (section 3(h) of the Fair Labor Standards Act of 1938, as amended (Public Law 93-259));

(i) Any hours worked by an employee of a carrier by air subject to the provisions of subchapter II of the Railway Labor Act (45 U.S.C. Sec. 181 et seq.), when such hours are voluntarily worked by the employee pursuant to a shift-trading practice under which the employee has the opportunity in the same or in other workweeks to reduce hours worked by voluntarily offering a shift for trade or reassignment; and

(j) Any individual licensed under chapter 18.85 RCW unless the individual is providing real estate brokerage services under a written contract with a real estate firm which provides that the individual is an

employee. For purposes of this subsection (2)(j), "real estate brokerage services" and "real estate firm" mean the same as defined in RCW 18.85.011.

(3) No employer shall be deemed to have violated subsection (1) of this section by employing any employee of a retail or service establishment for a workweek in excess of the applicable workweek specified in subsection (1) of this section if:

(a) The regular rate of pay of the employee is in excess of one and one-half times the minimum hourly rate required under RCW 49.46.020; and

(b) More than half of the employee's compensation for a representative period, of not less than one month, represents commissions on goods or services.

In determining the proportion of compensation representing commissions, all earnings resulting from the application of a bona fide commission rate is to be deemed commissions on goods or services without regard to whether the computed commissions exceed the draw or guarantee.

(4) No employer of commissioned salespeople primarily engaged in the business of selling automobiles, trucks, recreational vessels, recreational vessel trailers, recreational vehicle trailers, recreational campers, manufactured housing, or farm implements to ultimate purchasers shall violate subsection (1) of this section with respect to such commissioned salespeople if the commissioned salespeople are paid the greater of:

(a) Compensation at the hourly rate, which may not be less than the rate required under RCW 49.46.020, for each hour worked up to forty hours per week, and compensation of one and one-half times that hourly rate for all hours worked over forty hours in one week; or

(b) A straight commission, a salary plus commission, or a salary plus bonus applied to gross salary.

(5) No public agency shall be deemed to have violated subsection (1) of this section with respect to the employment of any employee in fire protection activities or any employee in law enforcement activities (including security personnel in correctional institutions) if: (a) In a work period of twenty-eight consecutive days the employee receives for tours of duty which in the aggregate exceed two hundred forty hours; or (b) in the case of such an employee to whom a work period of at least seven but less than twenty-eight days applies, in his or her work period the employee receives for tours of duty which in the aggregate exceed a number of hours which bears the same ratio to the number of consecutive days in his or her work period as two hundred forty hours bears to twenty-eight days; compensation at a rate not less than one and one-half times the regular rate at which he or she is employed.

~~(6) ((a) Beginning January 1, 2022, any agricultural employee shall not be employed for more than 55 hours in any one workweek unless the agricultural employee receives one and one-half times that agricultural employee's regular rate of pay for all hours worked over 55 in any one workweek.~~

~~(b) Beginning January 1, 2023, any agricultural employee shall not be employed for more than 48 hours in any one workweek unless the agricultural employee receives one and one-half times that agricultural employee's regular rate of pay for all hours worked over 48 in any one workweek.~~

(e)) Beginning January 1, 2024, any agricultural employee shall not be employed for more than 40 hours in any one workweek unless the agricultural employee receives one and one-half times that agricultural employee's regular rate of pay for all hours worked over 40 in any one workweek, except as provided under section 703 of this act.

(7) (a) No damages, statutory or civil penalties, attorneys' fees and costs, or other type of relief may be granted against an employer to an agricultural or dairy employee seeking unpaid overtime due to the employee's historical exclusion from overtime under subsection (2)(g) of this section, as it existed on November 4, 2020.

(b) This subsection applies to all claims, causes of actions, and proceedings commenced on or after November 5, 2020, regardless of when the claim or cause of action arose. To this extent, this subsection applies retroactively, but in all other respects it applies prospectively.

(c) This subsection does not apply to dairy employees entitled to back pay or other relief as a result of being a member in the class of plaintiffs in *Martinez-Cuevas v. DeRuyter Bros. Dairy*, 196 Wn.2d 506 (2020).

(8) For the purposes of this section, "agricultural employee" means any individual employed: (a) On a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; (b) in packing, packaging, grading, storing or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; or (c) [in] commercial canning, commercial freezing, or any other commercial processing, or with respect to services performed in connection with the cultivation, raising, harvesting, and processing of oysters or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption. An agricultural employee does not include a dairy employee.

(9) For the purposes of this section, "dairy employee" includes any employee engaged in dairy cattle and milk production activities described in code 112120 of the North American industry classification system."

Renumber the remaining sections consecutively and correct any internal references accordingly.

## POINT OF ORDER

Representative Stonier requested a scope and object ruling on amendment (1011) to the striking amendment (968) to SECOND SUBSTITUTE HOUSE BILL NO. 2301.

## SPEAKER'S RULING

"House Bill 2301 addresses food waste reduction and food security in several ways. It establishes a grant program to incentivize the diversion of organic materials away from landfills and towards food rescue programs and organic management facilities.

It also amends and establishes requirements related to organic material collection, disposal bins, and composting procurement programs, and authorizes cities and counties to amend building code requirements related to solid waste storage for multi-family residential buildings.

Amendment (1011) is an amendment to striking amendment (968). The amendment creates a pilot program for agricultural producers aimed at exploring the connection between unharvested agricultural products that result in food waste and the cost barriers to harvesting faced by agricultural producers related to overtime laws.

The amendment also modifies the state Minimum Wage Act's overtime protections that apply to all agricultural workers. It exempts employer producers participating in the pilot program from paying overtime to agricultural employees who work more than 40 hours and up to 50 hours per week for as many as 12 weeks.

The bill before us relates to food waste reduction and food security, whereas the amendment relates to overtime laws.

The Speaker therefore finds and rules that the amendment is outside the scope and object of the bill.

The point of order is well taken."

Representative Dye moved the adoption of amendment (1001) to the striking amendment (968):

On page 30, line 33 of the striking amendment, after "(n)" insert "An organization representing food producers; (o)"

Renumber the remaining subsections and correct any internal references accordingly.

Representatives Dye and Doglio spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1001) to the striking amendment (968) was adopted.

Representatives Doglio and Dye spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (968), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Doglio spoke in favor of the passage of the bill.

Representatives Dye, Wilcox, Abbarno and Christian spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2301.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2301, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2301, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 1304, by Representatives Hackney and Walen

#### Regulating electric security alarm systems.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1304 was substituted for House Bill No. 1304 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1304 was read the second time.

With the consent of the House, amendments (779) and (832) were withdrawn.

Representative Hackney moved the adoption of the striking amendment (924):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that recent changes in alarm system technology can be beneficial for protecting property owners from ongoing theft, and help to minimize the demand on local government policing and judicial resources. The legislature further finds that state and local building codes related to electric security alarm systems vary widely from jurisdiction to jurisdiction and that a uniform definition and application of a statewide standard for installation of such systems would be beneficial to industrial and commercial property owners statewide. It is, therefore, the intent of the legislature to establish a statewide standard for the installation and operation of electric security alarm systems to streamline

adoption and provide certainty for installation of such systems.

**NEW SECTION. Sec. 2.** A new section is added to chapter 35.21 RCW to read as follows:

(1) Cities and towns may not adopt or enforce any ordinance, land use regulation, or building code for manufacturing, industrial, or outdoor storage property that:

(a) Prohibits the installation or use of an electric security alarm system;

(b) Imposes installation or operational requirements inconsistent with IEC standards or this section for an electric security alarm system fence energizers and electric fences;

(c) Requires a property setback for an electric security alarm system or its ancillary components beyond the distance required by IEC standards for separation from an external fence that surrounds the perimeter of the outdoor storage property, including any existing nonconforming or grandfathered fence; or

(d) Requires a permit of any type other than a security alarm permit for the installation or use of an electric security alarm system or imposes a fee for such a permit of more than \$1,000. Nothing in this section precludes a city or town from regulating or requiring a permit for a nonelectric perimeter fence or wall.

(2) A city or town that has, prior to January 1, 2024, adopted an ordinance, land use regulation, or building code that permits electric security alarm systems in accordance with IEC standards in commercial and industrial zones within the city or town is not subject to the requirements of this section.

(3) For the purposes of this section:

(a) "Electric security alarm system" means an outdoor alarm system and ancillary components, including a fence-like wiring structure, placed behind an existing nonelectric fence that:

(i) Interfaces with an alarm system in a manner that enables the fence to cause the connected alarm system to transmit a signal intended to detect and alert the property owner of an intrusion or burglary;

(ii) Has an energizer that is driven by battery of no more than 12 volts of direct current and that does not produce an electric charge on contact that exceeds energizer characteristics set for electric fence energizers by IEC standards;

(iii) Is surrounded by a nonelectric perimeter fence or wall that is at least five feet in height;

(iv) Is 10 feet in height or two feet higher than the height of the nonelectric perimeter fence or wall, whichever is greater; and

(v) Is marked with conspicuous warning signs that are located on the fence at not more than 30-foot intervals and that read: "WARNING: ELECTRIC FENCE."

(b) "IEC standards" means the international electrotechnical commission standard 60335-2-76, as most recently published on or before January 1, 2021.

(c) "Outdoor storage property" means a commercial property, regardless of zoning designation, that is legally authorized to store, park, service, sell, or rent vehicles, vessels, equipment, materials, freight, or utility infrastructure within an outdoor lot or yard that is surrounded by a nonelectric perimeter fence or wall.

**NEW SECTION. Sec. 3.** A new section is added to chapter 35A.21 RCW to read as follows:

(1) Code cities may not adopt or enforce any ordinance, land use regulation, or building code for manufacturing, industrial, or outdoor storage property that:

(a) Prohibits the installation or use of an electric security alarm system;

(b) Imposes installation or operational requirements inconsistent with IEC standards or this section for an electric security alarm system fence energizers and electric fences;

(c) Requires a property setback for an electric security alarm system or its ancillary components beyond the distance required by IEC standards for separation from an external fence that surrounds the perimeter of the outdoor storage property, including any existing nonconforming or grandfathered fence; or

(d) Requires a permit of any type other than a security alarm permit for the installation or use of an electric security alarm system or imposes a fee for such a permit of more than \$1,000. Nothing in this section precludes a code city from regulating or requiring a permit for a nonelectric perimeter fence or wall.

(2) A code city that has, prior to January 1, 2024, adopted an ordinance, land use regulation, or building code that permits electric security alarm systems in accordance with IEC standards in commercial and industrial zones within the code city is not subject to the requirements of this section.

(3) For the purposes of this section:

(a) "Electric security alarm system" means an outdoor alarm system and ancillary components, including a fence-like wiring structure, placed behind an existing nonelectric fence that:

(i) Interfaces with an alarm system in a manner that enables the fence to cause the connected alarm system to transmit a signal intended to detect and alert the property owner of an intrusion or burglary;

(ii) Has an energizer that is driven by battery of no more than 12 volts of direct current and that does not produce an electric charge on contact that exceeds energizer characteristics set for electric fence energizers by IEC standards;

(iii) Is surrounded by a nonelectric perimeter fence or wall that is at least five feet in height;

(iv) Is 10 feet in height or two feet higher than the height of the nonelectric perimeter fence or wall, whichever is greater; and

(v) Is marked with conspicuous warning signs that are located on the fence at not more than 30-foot intervals and that read: "WARNING: ELECTRIC FENCE."

(b) "IEC standards" means the international electrotechnical commission standard 60335-2-76, as most recently published on or before January 1, 2021.

(c) "Outdoor storage property" means a commercial property, regardless of zoning designation, that is legally authorized to store, park, service, sell, or rent vehicles, vessels, equipment, materials, freight, or utility infrastructure within an outdoor lot or yard that is surrounded by a nonelectric perimeter fence or wall.

**NEW SECTION. Sec. 4.** A new section is added to chapter 36.01 RCW to read as follows:

(1) Counties may not adopt or enforce any ordinance, land use regulation, or building code for manufacturing, industrial, or outdoor storage property that:

(a) Prohibits the installation or use of an electric security alarm system;

(b) Imposes installation or operational requirements inconsistent with IEC standards or this section for an electric security alarm system fence energizers and electric fences;

(c) Requires a property setback for an electric security alarm system or its ancillary components beyond the distance required by IEC standards for separation from an external fence that surrounds the perimeter of the outdoor storage property, including any existing nonconforming or grandfathered fence; or

(d) Requires a permit of any type other than a security alarm permit for the installation or use of an electric security alarm system or imposes a fee for such a permit of more than \$1,000. Nothing in this section precludes a county from regulating or requiring a permit for a nonelectric perimeter fence or wall.

(2) A county that has, prior to January 1, 2024, adopted an ordinance, land use regulation, or building code that permits electric security alarm systems in accordance with IEC standards in commercial and industrial zones within the county is not subject to the requirements of this section.

(3) For the purposes of this section:

(a) "Electric security alarm system" means an outdoor alarm system and ancillary components, including a fence-like wiring structure, placed behind an existing nonelectric fence that:

(i) Interfaces with an alarm system in a manner that enables the fence to cause the connected alarm system to transmit a signal intended to detect and alert the property owner of an intrusion or burglary;

(ii) Has an energizer that is driven by battery of no more than 12 volts of direct current and that does not produce an electric charge on contact that exceeds energizer characteristics set for electric fence energizers by IEC standards;

(iii) Is surrounded by a nonelectric perimeter fence or wall that is at least five feet in height;

(iv) Is 10 feet in height or two feet higher than the height of the nonelectric perimeter fence or wall, whichever is greater; and



(v) Is marked with conspicuous warning signs that are located on the fence at not more than 30-foot intervals and that read: "WARNING: ELECTRIC FENCE."

(b) "IEC standards" means the international electrotechnical commission standard 60335-2-76, as most recently published on or before January 1, 2021.

(c) "Outdoor storage property" means a commercial property, regardless of zoning designation, that is legally authorized to store, park, service, sell, or rent vehicles, vessels, equipment, materials, freight, or utility infrastructure within an outdoor lot or yard that is surrounded by a nonelectric perimeter fence or wall.

NEW SECTION. **Sec. 5.** A new section is added to chapter 19.27 RCW to read as follows:

(1) By July 1, 2025, the state building code council shall adopt or amend rules as necessary to provide that electric security alarm systems are not considered structures under the state building code when placed behind an existing perimeter fence in compliance with sections 2, 3, and 4 of this act.

(2) For the purposes of this section, "electric security alarm system" has the same meaning as in section 2 of this act."

Correct the title.

Representatives Hackney and Goehner spoke in favor of the adoption of the striking amendment.

The striking amendment (924) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hackney, Goehner and Chambers spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1304.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1304, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Donaghy, Duerr, Dye, Eslick, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Berry, Doglio, Entenman, Farivar, Harris, Kloba, Ramos and Stonier

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1304, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2424, by Representatives Kretz, Lekanoff, Springer, Schmick, Dent and Chapman**

**Updating cooperative agreements between the state and federally recognized tribes for the successful collaborative management of Washington's wildlife resources.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2424 was substituted for House Bill No. 2424 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2424 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kretz and Chapman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2424.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2424, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Berry, Farivar and Reed

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2424, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2147, by Representatives Dent, Chapman, Schmick and Reeves**

**Concerning agriculture pest and disease response.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2147 was substituted for House Bill No. 2147 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2147 was read the second time.

Representative Dent moved the adoption of amendment (1058):

On page 2, at the beginning of line 5, strike "moneys appropriated to the account

by the legislature" and insert "moneys received pursuant to section 3 of this act, moneys appropriated to the account by the legislature,"

On page 2, after line 21, insert the following:

**"NEW SECTION. Sec. 3.** Upon the issuance of a declaration of emergency under RCW 17.24.171 or a quarantine order under RCW 16.36.010 or 17.24.041, the state treasurer shall transfer from the general fund to the agricultural pest and disease response account created in section 2 of this act those amounts necessary to bring the balance of the agricultural pest and disease response account to \$2,000,000, based upon the determination of the transfer amount from the office of financial management. The office of financial management must determine the fund balance of the agricultural pest and disease response account as of the previous fiscal month before the issuance of a declaration of emergency or a quarantine order. The office of financial management must promptly notify the state treasurer and the department of the account balance and the necessary transfer amount once a determination is made. A transfer based on the determination by the office of financial management may be made only once every fiscal year."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 3, line 23, after "**Sec. 4.**" strike "Section 2 of this act is" and insert "Sections 2 and 3 of this act are"

Correct the title.

Representative Dent spoke in favor of the adoption of the amendment.

Representative Ormsby spoke against the adoption of the amendment.

Amendment (1058) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent, Chapman and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2147.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2147, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goeher, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan,

Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2147, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1893, by Representatives Doglio, Berry, Fosse, Reeves, Farivar, Hackney, Ryu, Ortiz-Self, Orwall, Callan, Macri, Goodman, Senn, Slatter, Riccelli, Tharinger, Bronoske, Ramel, Wylie, Pollet, Cortes, Chopp, Bergquist, Berg, Fey, Donaghy, Reed, Street, Stonier, Kloba, Leavitt, Mena, Simmons, Morgan, Alvarado, Walen, Taylor, Peterson, Ormsby, Stearns, Thai, Bateman, Duerr, Ramos, Rule, Gregerson, Lekanoff, Nance, Santos, Shavers and Davis**

**Concerning unemployment insurance benefits for striking or lockout workers.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1893 was substituted for House Bill No. 1893 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1893 was read the second time.

Representative Schmidt moved the adoption of amendment (963):

On page 2, line 14, after "(3)" strike "(a)"

On page 2, line 15, beginning with "~~((when))~~" strike all material through "50.20.010." on line 19 and insert "when the strike ~~((or lockout))~~ is terminated."

On page 2, beginning on line 20, strike all of section 2

Renumber the remaining section consecutively and correct any internal references accordingly. Correct the title.

Representative Schmidt spoke in favor of the adoption of the amendment.

Representative Berry spoke against the adoption of the amendment.

Amendment (963) was not adopted.

Representative Cheney moved the adoption of amendment (964):

On page 2, line 16, after "strike" insert ", provided that the strike is not prohibited by federal or state law or court order"

Representatives Cheney and Berry spoke in favor of the adoption of the amendment.

Amendment (964) was adopted.

Representative Connors moved the adoption of amendment (966):

On page 2, after line 19, insert the following:

"(4) For any individual unemployed due to a strike at the separating employer's factory, establishment or other premises at which the individual is or was last employed, the department may not waive the requirement for the individual to be available for work and actively seeking work under RCW 50.20.010 in order to be eligible for benefits under this title."

Representative Connors spoke in favor of the adoption of the amendment.

Representative Fosse spoke against the adoption of the amendment.

Amendment (966) was not adopted.

Representative Rude moved the adoption of amendment (970):

On page 2, line 19, after "50.20.010" insert "and any benefits must be calculated in accordance with this chapter. However, if an individual is unemployed due to a strike at the separating employer's factory, establishment, or other premises at which the individual is or was last employed, the individual may receive weekly benefits for no more than four calendar weeks, subject to other limitations provided in this title"

Representatives Rude and Doglio spoke in favor of the adoption of the amendment.

Amendment (970) was adopted.

Representative Doglio moved the adoption of amendment (1026):

On page 3, line 5, after "(x);" strike "or" and insert "~~(e)~~"

On page 3, line 11, after "emergency" insert "; or

(iv) The individual's unemployment is due to a strike at the separating employer's factory, establishment, or other premises at which the individual is or was last employed"

On page 4, beginning on line 33, strike all of subsection (k)

Representative Doglio spoke in favor of the adoption of the amendment.

Representatives Schmidt and Corry spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 51 - YEAS; 42 - NAYS.

Amendment (1026) was adopted.

Representative Walsh moved the adoption of amendment (971):

On page 4, beginning on line 33, strike all of subsection (k)

On page 6, after line 39, insert the following:

"(6) If an individual's unemployment is due to a strike at the separating employer's factory, establishment, or other premises at which the individual is or was last employed, the benefit payments may not be charged to the experience rating account of any employer, and may not be factored into the social cost factor for the total taxable payroll for purposes of RCW 50.29.025. The benefit payments must be paid in accordance with section 4 of this act."

NEW SECTION. Sec. 3. A new section is added to chapter 50.16 RCW to read as follows:

The striking worker benefit account is created in the custody of the state treasurer. Funds in the account must consist of all contributions collected under section 4 of this act, appropriations and transfers by the legislature, and all other funding directed for deposit into the account. Expenditures from the account may be used only for providing benefits under section 5 of this act. Only the commissioner or the commissioner's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

NEW SECTION. Sec. 4. A new section is added to chapter 50.24 RCW to read as follows:

The department shall adopt rules establishing requirements for collecting contributions from employees who are members of collective bargaining units to be deposited into the fund under section 3 of this act for the purposes of paying benefits under section 5 of this act. The department shall establish a rate for contributions based on an estimate of the benefits projected to be paid to striking workers under section 5 of this act. The rate must be based on a percentage of monthly dues paid to bargaining unit representatives.

NEW SECTION. Sec. 5. A new section is added to chapter 50.20 RCW to read as follows:

If an individual's unemployment is due to a strike at the separating employer's factory, establishment, or other premises at which the individual is or was last employed, those benefit payments must be paid from the account under section 3 of this act. Benefits are subject to the availability of funds."

Renumber the remaining section consecutively and correct any internal references accordingly. Correct the title.

Representatives Walsh and Corry spoke in favor of the adoption of the amendment.

Representative Berry spoke against the adoption of the amendment.

Amendment (971) was not adopted.

Representative Abbarno moved the adoption of amendment (961):

On page 4, beginning on line 33, strike all of subsection (k)

On page 6, after line 39, insert the following:

"(6) If an individual's unemployment is due to a strike at the separating employer's factory, establishment, or other premises at which the individual is or was last employed, the benefit payments may not be charged to the experience rating account of any employer, and may not be factored into the social cost factor for the total taxable payroll for purposes of RCW 50.29.025. The benefit payments must be paid in accordance with section 4 of this act."

**NEW SECTION. Sec. 3.** A new section is added to chapter 50.16 RCW to read as follows:

The striking worker benefit account is created in the custody of the state treasurer. Funds in the account must consist of appropriations and transfers by the legislature and all other funding directed for deposit into the account. Expenditures from the account may be used only for providing benefits under section 4 of this act. Only the commissioner or the commissioner's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

**NEW SECTION. Sec. 4.** A new section is added to chapter 50.20 RCW to read as follows:

If an individual's unemployment is due to a strike at the separating employer's factory, establishment, or other premises at which the individual is or was last employed, those benefit payments must be paid from the account under section 3 of this act. Benefits are subject to the availability of amounts appropriated for this specific purpose."

Renumber the remaining section consecutively and correct any internal references accordingly. Correct the title.

Representative Abbarno spoke in favor of the adoption of the amendment.

Representative Ortiz-Self spoke against the adoption of the amendment.

Amendment (961) was not adopted.

Representative Volz moved the adoption of amendment (965):

On page 6, after line 39, insert the following:

**"NEW SECTION. Sec. 3.** A new section is added to chapter 50.20 RCW to read as follows:

If an individual receives benefits under this title while being unemployed due to a strike at the separating employer's factory, establishment, or other premises and the individual subsequently receives retroactive wages from the separating employer for any week for which he or she received benefits under this title, the department shall issue

an overpayment assessment to recover the corresponding benefits as provided under RCW 50.20.190."

Renumber the remaining section consecutively and correct any internal references accordingly. Correct the title.

Representatives Volz and Doglio spoke in favor of the adoption of the amendment.

Amendment (965) was adopted.

Representative Corry moved the adoption of amendment (1014):

On page 7, after line 10, insert the following:

**"NEW SECTION. Sec. 4.** (1) This act takes effect on the date certification is received under this section.

(2) The commissioner of the employment security department shall send written certification to the chief clerk of the house of representatives, the secretary of the senate, and the office of the code reviser if the commissioner finds that the balance of the unemployment insurance trust fund account is projected to cover at least 24 months of benefits."

Correct the title.

Representative Corry spoke in favor of the adoption of the amendment.

Representative Fosse spoke against the adoption of the amendment.

Amendment (1014) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Doglio spoke in favor of the passage of the bill.

Representatives Schmidt, Cheney, Abbarno, Corry and Stokesbary spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1893.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1893, and the bill passed the House by the following vote: Yeas, 53; Nays, 44; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Stearns, Stonier, Street, Taylor, Tharinger, Timmons, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Entenman, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude,

Sandlin, Schmick, Schmidt, Springer, Steele, Stokesbary, Thai,  
Volz, Walen, Walsh, Waters, Wilcox and Ybarra  
Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1893,  
having received the necessary constitutional majority, was declared  
passed.

There being no objection, the House adjourned until 10:00  
a.m., Tuesday, February 13, 2024, the 37th Day of the 2024  
Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## THIRTY SEVENTH DAY

House Chamber, Olympia, Tuesday, February 13, 2024

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Nikita Sharma and Luke Fazio. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Kellen Corliss, Tumwater United Methodist Church.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

SB 5160 by Senators Torres, Boehnke, Fortunato, Holy, Rolfes, Schoesler, Shewmake, Warnick and Wilson, L.

AN ACT Relating to organized retail theft; amending RCW 9A.56.350; and prescribing penalties.

Referred to Committee on Community Safety, Justice, & Reentry.

2SSB 5444 by Senate Committee on Ways & Means (originally sponsored by Valdez, Hunt, Kuderer, Nguyen, Pedersen and Saldaña)

AN ACT Relating to restricting the possession of weapons, excluding carrying a pistol by a person licensed to carry a concealed pistol, on the premises of libraries, zoos, aquariums, and transit facilities; and reenacting and amending RCW 9.41.300.

Referred to Committee on Civil Rights & Judiciary.

SSB 5722 by Senate Committee on Law & Justice (originally sponsored by Kuderer, King, Dhingra, Fortunato and Wilson, C.)

AN ACT Relating to photographs, microphotographs, and electronic images from traffic safety cameras and toll systems; amending RCW 46.63.170, 46.63.170, and 46.63.160; providing an effective date; and providing an expiration date.

Referred to Committee on Community Safety, Justice, & Reentry.

SB 5789 by Senators Mullet, Schoesler, Dozier, Nobles, Pedersen and Torres

AN ACT Relating to the sales and use tax for school construction assistance program capital projects; and amending RCW 28A.525.166.

Referred to Committee on Capital Budget.

SB 5799 by Senators Wilson, C., Trudeau, Dhingra, Hasegawa, Liias, Nobles, Salomon, Shewmake, Van De Wege and Wellman

AN ACT Relating to the sale of halal food products; amending RCW 15.130.140; adding a new chapter to Title 69 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

ESB 5816 by Senators Van De Wege, Trudeau, Mullet and Nguyen

AN ACT Relating to alcohol server permits; and amending RCW 66.20.310.

Referred to Committee on Regulated Substances & Gaming.

E2SSB 5853 by Senate Committee on Ways & Means (originally sponsored by Dhingra, Wagoner, Frame, Hasegawa, Kuderer, Lovelett, Lovick, Muzzall, Nguyen, Nobles, Shewmake, Stanford, Torres, Valdez and Wilson, C.)

AN ACT Relating to extending the crisis relief center model to provide behavioral health crisis services for minors; amending RCW 71.24.916, 71.34.020, 71.34.020, 71.34.351, 71.34.375, and 71.34.430; reenacting and amending RCW 71.24.025; adding a new section to chapter 71.34 RCW; and providing a contingent effective date.

Referred to Committee on Human Services, Youth, & Early Learning.

SSB 5857 by Senate Committee on State Government & Elections (originally sponsored by Hunt and Nobles)

AN ACT Relating to reorganizing statutes on campaign disclosure and contribution; amending RCW 42.17A.001, 42.17A.010, 42.17A.020, 42.17A.055, 42.17A.060, 42.17A.065, 42.17A.100, 42.17A.105, 42.17A.110, 42.17A.120, 42.17A.125, 42.17A.135, 42.17A.140, 42.17A.145, 42.17A.150, 42.17A.160, 42.17A.200, 42.17A.205, 42.17A.207, 42.17A.210, 42.17A.215, 42.17A.220, 42.17A.225, 42.17A.230, 42.17A.235, 42.17A.240, 42.17A.250, 42.17A.255, 42.17A.260, 42.17A.265, 42.17A.270, 42.17A.300, 42.17A.305, 42.17A.310, 42.17A.315, 42.17A.320, 42.17A.330, 42.17A.335, 42.17A.340, 42.17A.345, 42.17A.350, 42.17A.400, 42.17A.405, 42.17A.410, 42.17A.415, 42.17A.417, 42.17A.418, 42.17A.420, 42.17A.425, 42.17A.430, 42.17A.435, 42.17A.440, 42.17A.442, 42.17A.445, 42.17A.450, 42.17A.455, 42.17A.460, 42.17A.465, 42.17A.470, 42.17A.475, 42.17A.480, 42.17A.485, 42.17A.490, 42.17A.495, 42.17A.500, 42.17A.550, 42.17A.555, 42.17A.565, 42.17A.570, 42.17A.575, 42.17A.603, 42.17A.610, 42.17A.615, 42.17A.620, 42.17A.625, 42.17A.630, 42.17A.635, 42.17A.640, 42.17A.645, 42.17A.650, 42.17A.655, 42.17A.700, 42.17A.705, 42.17A.710, 42.17A.715, 42.17A.750, 42.17A.755, 42.17A.760, 42.17A.765, 42.17A.770, 42.17A.775, 42.17A.780, 42.17A.785, 42.62.040, 15.89.070, 19.09.020, 28A.600.027, 28B.15.610, 28B.133.030, 29A.32.031, 29A.84.250, 35.02.130, 35.21.759, 36.70A.200, 42.36.040, 42.52.150, 42.52.180, 42.52.185, 42.52.380, 42.52.560, 42.52.806, 43.03.305, 43.17.320, 43.52A.030, 43.59.156, 43.60A.175, 43.166.030, 43.167.020, 43.384.060, 44.05.020, 44.05.080, 53.57.060, 68.52.220, 70A.02.120, 79A.25.830, and 82.04.759; reenacting and amending RCW 42.17A.130, 42.17A.560, 42.17A.600, 42.17A.605, 15.65.280, 15.66.140, 15.115.140, and

42.52.010; adding a new title to the Revised Code of Washington to be codified as Title 29B RCW; creating new sections; recodifying RCW 42.17A.001, 42.17A.010, 42.17A.020, 42.17A.055, 42.17A.060, 42.17A.065, 42.17A.100, 42.17A.105, 42.17A.110, 42.17A.120, 42.17A.125, 42.17A.130, 42.17A.135, 42.17A.140, 42.17A.145, 42.17A.150, 42.17A.160, 42.17A.200, 42.17A.205, 42.17A.207, 42.17A.210, 42.17A.215, 42.17A.220, 42.17A.225, 42.17A.230, 42.17A.235, 42.17A.240, 42.17A.250, 42.17A.255, 42.17A.260, 42.17A.265, 42.17A.270, 42.17A.300, 42.17A.305, 42.17A.310, 42.17A.315, 42.17A.320, 42.17A.330, 42.17A.335, 42.17A.340, 42.17A.345, 42.17A.350, 42.17A.400, 42.17A.405, 42.17A.410, 42.17A.415, 42.17A.417, 42.17A.418, 42.17A.420, 42.17A.425, 42.17A.430, 42.17A.435, 42.17A.440, 42.17A.442, 42.17A.445, 42.17A.450, 42.17A.455, 42.17A.460, 42.17A.465, 42.17A.470, 42.17A.475, 42.17A.480, 42.17A.485, 42.17A.490, 42.17A.495, 42.17A.500, 42.17A.550, 42.17A.555, 42.17A.560, 42.17A.565, 42.17A.570, 42.17A.575, 42.17A.600, 42.17A.603, 42.17A.605, 42.17A.610, 42.17A.615, 42.17A.620, 42.17A.625, 42.17A.630, 42.17A.635, 42.17A.640, 42.17A.645, 42.17A.650, 42.17A.655, 42.17A.700, 42.17A.705, 42.17A.710, 42.17A.715, 42.17A.750, 42.17A.755, 42.17A.760, 42.17A.765, 42.17A.770, 42.17A.775, 42.17A.780, 42.17A.785, 42.62.020, 42.62.030, and 42.62.040; repealing RCW 42.17A.005 and 42.62.010; providing an effective date; and providing an expiration date.

Referred to Committee on State Government & Tribal Relations.

SB 5860 by Senators Fortunato and Padden

AN ACT Relating to spring blade knives; amending RCW 9.41.250, 9.41.280, 9.41.282, 10.31.100, and 43.216.760; reenacting and amending RCW 9.41.300; repealing RCW 9.41.251; prescribing penalties; and providing an effective date.

Referred to Committee on Civil Rights & Judiciary.

SSB 5869 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Short, Lovelett, Dozier, Nobles, Shewmake, Torres, Wagoner and Warnick)

AN ACT Relating to rural fire district stations; amending RCW 58.17.040; and creating a new section.

Referred to Committee on Local Government.

ESSB 5891 by Senate Committee on Law & Justice (originally sponsored by Boehnke, Lovick, Keiser, Lias, Mullet, Torres, Wagoner, Warnick, Wilson, C. and Wilson, J.)

AN ACT Relating to protecting the safety and security of students and maintaining order within school buses by designating trespassing on a school bus as a felony offense; reenacting and amending RCW 9.94A.515; adding a new section to chapter 9A.52 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Community Safety, Justice, & Reentry.

SB 5904 by Senators Nobles, Hansen, Dhingra, Frame, Hasegawa, Kuderer, Lias, Lovelett, Nguyen, Randall, Stanford, Trudeau, Valdez and Wilson, C.

AN ACT Relating to extending the terms of eligibility for the Washington college grant program, Washington college bound scholarship program, passport to college promise program, and passport to apprenticeship opportunities program; and amending RCW 28B.92.200, 28B.118.010, 28B.118.005, and 28B.117.030.

Referred to Committee on Postsecondary Education & Workforce.

2SSB 5943 by Senate Committee on Ways & Means (originally sponsored by Gildon, Boehnke, Hasegawa and Wilson, C.)

AN ACT Relating to conducting a feasibility study regarding a resource data tool to connect Washington residents to services and resources; adding new sections to chapter 43.20A RCW; and providing an expiration date.

Referred to Committee on Human Services, Youth, & Early Learning.

SB 5952 by Senators Schoesler, Keiser and Dozier

AN ACT Relating to aligning deputy inspector credentials with national standards; and amending RCW 70.79.120.

Referred to Committee on Labor & Workplace Standards.

ESB 5997 by Senators King, Keiser, Frame, Saldaña, Valdez and Wagoner

AN ACT Relating to making technical corrections to plumbing supervision and trainee hours reporting; amending RCW 18.106.070; and reenacting and amending RCW 18.106.010.

Referred to Committee on Labor & Workplace Standards.

ESSB 6038 by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Lovelett, Keiser, Kuderer, Lias, Nguyen, Nobles, Randall, Salomon, Valdez and Wellman)

AN ACT Relating to reducing the costs associated with providing child care; amending RCW 82.04.2905, 43.216.300, and 43.216.305; adding a new section to chapter 82.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Human Services, Youth, & Early Learning.

ESB 6095 by Senators Robinson and Valdez

AN ACT Relating to establishing clear authority for the secretary of health to issue standing orders; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Health Care & Wellness.

ESB 6098 by Senators Robinson and Nguyen

AN ACT Relating to accounts; amending RCW 82.45.240 and 27.34.400; reenacting and amending RCW 43.79A.040, 43.79A.040, 43.84.092, and 43.84.092; adding a new section to chapter 41.05 RCW; adding a new section to chapter 70A.535 RCW; creating new sections; repealing RCW 43.83.330, 43.83.350, 27.34.410, 43.79.487, 70A.305.140, 43.79.530, 43.41.444, and 43.79.515; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Appropriations.

E2SSB 6109 by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Boehnke, Braun, Gildon, Hasegawa, Kuderer, Lias, Lovelett, Lovick, Nguyen, Nobles, Saldaña, Short, Warnick and Wilson, J.)

AN ACT Relating to supporting children, families, and child welfare workers by improving services and clarifying the child removal process in circumstances involving high-potency synthetic opioids; amending RCW 13.34.050,

13.34.130, 26.44.050, 26.44.056, and 2.56.230; reenacting and amending RCW 13.34.030 and 13.34.065; adding new sections to chapter 43.216 RCW; adding a new section to chapter 41.05 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Human Services, Youth, & Early Learning.

SB 6173 by Senators Nobles, Trudeau, Kuderer, Lovelett, Mullet, Nguyen, Randall, Torres and Wilson, C.

AN ACT Relating to affordable and supportive housing sales and use taxes and encouraging investments in affordable homeownership unit development; and amending RCW 82.14.540.

Referred to Committee on Local Government.

E2SSB 6175 by Senate Committee on Ways & Means (originally sponsored by Trudeau, Billig, Frame, Kuderer, Mullet, Nguyen, Nobles, Randall, Saldaña, Valdez and Wilson, C.)

AN ACT Relating to providing a sales and use tax incentive for existing structures; adding a new chapter to Title 82 RCW; and providing expiration dates.

Referred to Committee on Housing.

E2SSB 6194 by Senate Committee on Ways & Means (originally sponsored by Stanford, Saldaña, Cleveland, Conway, Dhingra, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Nobles, Randall, Trudeau, Valdez, Van De Wege and Wilson, C.)

AN ACT Relating to state legislative employee collective bargaining; amending RCW 44.90.020, 44.90.030, 44.90.050, 44.90.060, 44.90.070, 44.90.080, 44.90.090, 42.52.020, and 42.52.160; adding new sections to chapter 44.90 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

E2SSB 6251 by Senate Committee on Ways & Means (originally sponsored by Dhingra, Keiser, Kuderer, Lovelett, Lovick, Nguyen, Nobles, Robinson, Saldaña, Trudeau, Valdez, Wellman, Wilson, C. and Wilson, J.)

AN ACT Relating to coordination of regional behavioral health crisis response services; amending RCW 71.24.045; reenacting and amending RCW 71.24.025 and 71.24.890; and adding a new section to chapter 71.24 RCW.

Referred to Committee on Health Care & Wellness.

SSB 6277 by Senate Committee on Transportation (originally sponsored by Liias, King, Hunt, Nobles and Shewmake)

AN ACT Relating to creating a new statutory framework for the use of public-private partnerships for transportation projects; amending RCW 47.56.030, 47.56.031, and 70A.15.4030; adding a new section to chapter 47.10 RCW; adding a new chapter to Title 47 RCW; repealing RCW 47.29.010, 47.29.020, 47.29.030, 47.29.040, 47.29.050, 47.29.060, 47.29.070, 47.29.080, 47.29.090, 47.29.100, 47.29.110, 47.29.120, 47.29.130, 47.29.140, 47.29.150, 47.29.160, 47.29.170, 47.29.180, 47.29.190, 47.29.200, 47.29.210, 47.29.220, 47.29.230, 47.29.240, 47.29.250, 47.29.260, 47.29.270, 47.29.280, and 47.29.290; and providing an effective date.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

## SECOND READING

**HOUSE BILL NO. 2236, by Representatives Shavers, Santos, Reed and Goodman**

**Expanding and strengthening career and technical education core plus programs.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2236 was substituted for House Bill No. 2236 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2236 was read the second time.

With the consent of the House, amendment (1051) was withdrawn.

Representative Shavers moved the adoption of amendment (1070):

On page 2, line 27, after "education" strike "core plus"

On page 3, line 1, after "education" strike "core plus"

On page 3, at the beginning of line 4, insert "lead or"

On page 3, line 8, after "program" insert ", that reflect consideration of the provisions in section 3(3)(c)(i) through (x) of this act,"

On page 3, line 10, after "the" strike "2025-26" and insert "2027-28"

On page 3, line 37, after "education" strike "core plus advancement"

On page 4, line 17, after "education" strike "core plus advancement"

On page 4, line 24, after "education" insert "core plus"

On page 5, line 26, after "programs." insert "In making recommendations in accordance with this subsection (3)(c), the task force must consider, at a minimum, the following:

- (i) Curricula and instructional hours that lead or articulate to industry-recognized nondegree credentials;
- (ii) Curricula provided without cost to educators;
- (iii) Academic course equivalencies;
- (iv) Courses and course sequencing;
- (v) The development, maintenance, and expansion of industry, labor, and community partnerships;
- (vi) Program credentials;
- (vii) Training and professional development for educators and counselors;
- (viii) Alignment with postsecondary education and training programs;
- (ix) The promotion of student, family, and community awareness of career and technical education core plus programs,



including instructional offerings and potential work placement opportunities; and

(x) The development and expansion of a cohort of employers willing to hire and place students that have successfully completed career and technical education core plus programs."

Representatives Shavers and Rude spoke in favor of the adoption of the amendment.

Amendment (1070) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Shavers and Rude spoke in favor of the passage of the bill.

### MOTION

On motion of Representative Griffey, Representative Chandler was excused.

Representative Santos spoke in favor of the passage of the bill.

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2236 was returned to second reading for the purpose of amendment.

There being no objection, Substitute House Bill No. 2236 was substituted for Engrossed Second Substitute House Bill No. 2236 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2236 was read the second time.

With the consent of the House, amendment (1051) was withdrawn.

Representative Shavers moved the adoption of amendment (1070):

On page 2, line 27, after "education" strike "core plus"

On page 3, line 1, after "education" strike "core plus"

On page 3, at the beginning of line 4, insert "lead or"

On page 3, line 8, after "program" insert ", that reflect consideration of the provisions in section 3(3)(c)(i) through (x) of this act,"

On page 3, line 10, after "the" strike "2025-26" and insert "2027-28"

On page 3, line 37, after "education" strike "core plus advancement"

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On page 5, line 26, after "programs." insert "In making recommendations in accordance with this subsection (3)(c), the

task force must consider, at a minimum, the following:

(i) Curricula and instructional hours that lead or articulate to industry-recognized nondegree credentials;

(ii) Curricula provided without cost to educators;

(iii) Academic course equivalencies;

(iv) Courses and course sequencing;

(v) The development, maintenance, and expansion of industry, labor, and community partnerships;

(vi) Program credentials;

(vii) Training and professional development for educators and counselors;

(viii) Alignment with postsecondary education and training programs;

(ix) The promotion of student, family, and community awareness of career and technical education core plus programs, including instructional offerings and potential work placement opportunities; and

(x) The development and expansion of a cohort of employers willing to hire and place students that have successfully completed career and technical education core plus programs."

Representatives Shavers and Rude spoke in favor of the adoption of the amendment.

Amendment (1070) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Shavers, Rude and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2236.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2236, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2236, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2001, by Representatives Simmons, Farivar, Reed, Ormsby, Peterson, Macri, Street, Stearns, Santos and Pollet**

**Providing judicial discretion to modify sentences in the interests of justice.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2001 was substituted for House Bill No. 2001 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2001 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Simmons and Davis spoke in favor of the passage of the bill.

Representatives Mosbrucker, Caldier, Waters, Jacobsen, Christian, Cheney, Abbarno, Walsh, Graham, Couture, Hutchins, Harris, Volz and Maycumber spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2001.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2001, and the bill passed the House by the following vote: Yeas, 51; Nays, 46; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Bronoske, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2001, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2180, by Representatives Callan, Bergquist, Reed, Ormsby, Ramel, Stonier, Paul, Alvarado, Farivar, Fosse and Reeves****Increasing the special education enrollment funding cap.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2180 was substituted for House Bill No. 2180 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2180 was read the second time.

Representative Couture moved the adoption of the striking amendment (959):

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 28A.150.390 and 2023 c 417 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall submit to each regular session of the legislature during an odd-numbered year a programmed budget request for special education programs for students with disabilities. Funding for programs operated by local school districts shall be on an excess cost basis from appropriations provided by the legislature for special education programs for students with disabilities and shall take account of state funds accruing through RCW 28A.150.260 (4) (a), (5), (6), and (8) and 28A.150.415.

(2) The excess cost allocation to school districts shall be based on the following:

(a) A district's annual average head count enrollment of students ages three and four and those five year olds not yet enrolled in kindergarten who are eligible for and receiving special education, multiplied by the district's base allocation per full-time equivalent student, multiplied by 1.2;

(b) (i) Subject to the limitation in (b) (ii) of this subsection (2) and subject to adjustments under section 2 of this act, a district's annual average enrollment of resident students who are eligible for and receiving special education, excluding students ages three and four and those five year olds not yet enrolled in kindergarten, multiplied by the district's base allocation per full-time equivalent student, multiplied by the special education cost multiplier rate of:

(A) ~~((Beginning in the 2020-21 school year, either:~~

~~(I) 1.0075 for students eligible for and receiving special education and reported to be in the general education setting for 80 percent or more of the school day; or~~

~~(II) 0.995 for students eligible for and receiving special education and reported to be in the general education setting for less than 80 percent of the school day;~~

~~(B) Beginning in the 2023-24 school year, either:~~

~~(I)) 1.12 for students eligible for and receiving special education and reported to be in the general education setting for 80 percent or more of the school day; or~~

~~((II)) (B) 1.06 for students eligible for and receiving special education and reported to be in the general education setting for less than 80 percent of the school day.~~

(ii) ~~((If)) (A) Except as provided in (b) (ii) (B) of this subsection, if the enrollment percent exceeds ((15 percent)) the funded enrollment limit, the excess cost allocation calculated under (b) (i) of this subsection must be adjusted by multiplying the allocation by ((15 percent)) the funded enrollment limit divided by the enrollment percent.~~

(B) School districts with fewer than 2,500 full-time equivalent students, school districts that received safety net awards under RCW 28A.150.392(2)(f) in the prior school year, and school districts where at least 10 percent of enrollment is identified as having a military parent are not subject to a funded enrollment limit.

(3) As used in this section:

(a) "Base allocation" means the total state allocation to all schools in the district generated by the distribution formula under RCW 28A.150.260 (4)(a), (5), (6), and (8) and the allocation under RCW 28A.150.415, to be divided by the district's full-time equivalent enrollment.

(b) "Basic education enrollment" means enrollment of resident students including nonresident students enrolled under RCW 28A.225.225 and students from nonhigh districts enrolled under RCW 28A.225.210 and excluding students residing in another district enrolled as part of an interdistrict cooperative program under RCW 28A.225.250.

(c) "Enrollment percent" means the district's resident annual average enrollment of students who are eligible for and receiving special education, excluding students ages three and four and those five year olds not yet enrolled in kindergarten and students enrolled in institutional education programs, as a percent of the district's annual average full-time equivalent basic education enrollment.

(d) "Funded enrollment limit" means:

(i) In the 2023-24 school year, 15 percent;

(ii) In the 2024-25 school year, 15.5 percent;

(iii) In the 2025-26 and 2026-27 school years, 16 percent; and

(iv) Beginning in the 2027-28 school year, all students eligible for and receiving special education must generate excess cost allocations under this section.

**NEW SECTION. Sec. 2.** A new section is added to chapter 28A.155 RCW to read as follows:

(1)(a) As part of its monitoring of special education programs, the office of the superintendent of public instruction must determine whether school districts and charter schools are overidentifying students as eligible for special education or overproviding special education services to students beyond what is required by their individualized education programs.

(b) If a school district or charter school is determined to be overidentifying students as eligible for special education or overproviding special education services to students beyond what is required by their individualized education programs, then the office of the superintendent of public instruction must intervene and establish a corrective action plan with the school district or charter school.

(c) The office of the superintendent of public instruction must communicate any determination resulting in a corrective action plan under this subsection to the state auditor.

(2) In the school year following a determination resulting in a corrective action under subsection (1) of this section, the state auditor must audit for compliance with the corrective action plan and part B of the federal individuals with disabilities education act a school district or charter school with an enrollment percent for special education that exceeds 16 percent.

The state auditor must report the audit findings to the office of the superintendent of public instruction.

(3) If the state auditor finds that a school district or charter school audited as required by subsection (2) of this section has not timely implemented corrective actions identified by the office of the superintendent of public instruction, the office of the superintendent of public instruction must adjust the excess cost allocation calculated under RCW 28A.150.390(2)(b)(i) by multiplying the allocation by 16 percent divided by the enrollment percent of the school district or charter school if the enrollment percent exceeds 16 percent.

(4) As used in this section, "enrollment percent" has the same meaning as in RCW 28A.150.390."

Correct the title.

Representatives Couture, Corry, Ybarra and Walsh spoke in favor of the adoption of the striking amendment.

Representative Pollet spoke against the adoption of the striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 42 - YEAS; 53 - NAYS.

The striking amendment (959) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Callan, Couture and Christian spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2180.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2180, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2180, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2257, by Representatives Goehner, Peterson, Low, Chapman, Davis, Steele, Ramel, Doglio, Berg and Timmons**

**Supporting back country search and rescue organizations and volunteers through the creation of the back country search and rescue grant program.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goehner and Ryu spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2257.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2257, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2257, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2195, by Representatives Callan, Eslick, Senn, Chopp, Ramel, Paul, Reeves, Ormsby, Hackney, Reed, Fosse, Doglio, Goodman and Davis**

**Strengthening the early learning facilities grant and loan program by revising criteria and providing resources to the Ruth LeCocq Kagi early learning facilities development account.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2195 was substituted for House Bill No. 2195 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2195 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Callan and Tharinger spoke in favor of the passage of the bill.

Representatives Abbarno and Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2195.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2195, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2195, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2440, by Representative Springer**

**Concerning the administration of the board of tax appeals.**

The bill was read the second time.

Representative Orcutt moved the adoption of amendment (1076):

On page 2, line 1, after "(3)" insert "Persons currently or formerly employed by a county assessor are not eligible to be appointed to the board.  
(4)."

Representative Orcutt spoke in favor of the adoption of the amendment.

Representative Berg spoke against the adoption of the amendment.

Amendment (1076) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Berg spoke in favor of the passage of the bill.

Representatives Orcutt and Christian spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2440.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2440, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier,

Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Caldier, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Graham, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

HOUSE BILL NO. 2440, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2230, by Representatives Peterson, Eslick, Gregerson, Ramel, Reed and Waters**

**Promoting economic inclusion by creating the economic security for all grant program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2230 was substituted for House Bill No. 2230 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2230 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Peterson and Eslick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2230.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2230, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Jacobsen, McEntire, Orcutt and Walsh

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2230, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2296, by Representatives Griffey, Wylie, Couture, Harris and Leavitt**

**Extending the comprehensive plan revision schedule for select local governments.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2296 was substituted for House Bill No. 2296 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2296 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Griffey and Duerr spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2296.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2296, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Fey

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2296, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

#### THIRD READING

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282, by House Committee on Capital Budget (originally sponsored by Duerr, Hackney, Berry, Ramel, Doglio, Reed and Pollet)**

**Requiring environmental and labor reporting for public building construction and renovation material.**

The bill was read the third time.

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282 was returned to second reading for the purpose of amendment.

Representative Duerr moved the adoption of the striking amendment (1066):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds and declares that:

(1) Washington state, through its extensive purchasing power, can reduce embodied carbon in the built environment, improve human and environmental health, grow economic competitiveness, and promote high labor standards in manufacturing by incorporating climate and other types of pollution impacts and the quality of working conditions into the procurement process.

(2) Washington state is home to multiple world-class manufacturers that are investing heavily in reducing the carbon intensity of their products and that provide family-wage jobs that are the foundation for a fair and robust economy. Washington's procurement practices should encourage manufacturers and others to meet high environmental and labor standards and reduce their environmental footprint.

(3) The private sector is increasingly demanding low carbon building materials that support good jobs in manufacturing. This market demand has rapidly accelerated innovation and led to increased production of low carbon building materials. As one of the largest consumers of building materials, Washington state has an opportunity to leverage its purchasing power to do even more to send a clear signal to the market of the growing demand for low carbon building materials.

(4) With its low carbon electric grid and highly skilled workforce, Washington state is well-positioned to capture the growing demand for low carbon building materials and create and sustain a new generation of good, high-wage clean manufacturing jobs.

(5) Washington has demonstrated a deep commitment to ensuring that the transition to a low carbon economy is fair and creates family-wage jobs. Both the clean energy transformation act and the climate commitment act tie public investments in infrastructure to reducing greenhouse gas emissions and to high road construction labor standards. Integrating manufacturing working conditions into the procurement process reaffirms and is consistent with the state's commitment to a fair transition.

(6) A robust state and domestic supply of low carbon materials is critical for building a fair economy and meeting the needs of the low carbon transition, including securing the clean energy supply chain.

(7) Environmental product declarations are the best available tool for reporting product-specific environmental impacts using a life-cycle assessment and informing the procurement of low carbon building materials. Environmental product declarations cannot be used to compare products across different product categories or different functional units.

(8) The buy clean and buy fair policies established in this act are critical to reduce embodied carbon in the built environment, a goal identified by the Washington state 2021 energy strategy to meet the state's greenhouse gas emission limits, governor Inslee's Executive Order 20-01 on state efficiency and environmental performance, and the Pacific coast collaborative's pathbreaking low carbon construction task force.

(9) Reducing embodied carbon in the built environment requires a holistic, comprehensive approach that includes designing buildings with a lower-embodied carbon footprint and making lower carbon products. Policies like the buy clean and buy fair policies established in this act are an important tool for increasing the manufacture of lower carbon products.

(10) The 2021-2023 biennium budgets made critical progress on the buy clean and buy fair policies in this act by funding the creation of a publicly accessible database to facilitate reporting and promote transparency on building materials purchased for state-funded infrastructure projects and two large buy clean and buy fair pilot projects. This ongoing work to create a database to facilitate reporting of environmental impacts and labor conditions from pilot projects has provided a strong foundation to inform future work on buy clean and buy fair policies.

(11) Providing financial assistance to small manufacturers to support the production of environmental product declarations will help small manufacturers offset costs they might incur when pursuing state contracting as a result of the requirements of this act.

**NEW SECTION. Sec. 2.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Actual production facilities" means the final manufacturing facility and the facilities at which production processes occur that contribute to 70 percent or more of the product's cradle-to-gate global warming potential, as reflected in the environmental product declaration.

(2) "Awarding authority" means:

(a) Institutions of higher education as defined in RCW 28B.92.030;

(b) The department of enterprise services, the department of natural resources, the state parks and recreation commission, the department of fish and wildlife, and the department of transportation; and

(c) Any other state government agency that receives funding from the omnibus capital appropriations act for a public works project contracted directly by the state agency.

(3) "Covered product" includes:

(a) Structural concrete products, including ready mix, shotcrete, precast, and concrete masonry units;

(b) Reinforcing steel products, specifically rebar and posttensioning tendons;

(c) Structural steel products, specifically hot rolled sections, hollow sections, metal deck, and plate; and

(d)(i) Engineered wood products, such as cross-laminated timber per ANSI form no. PRG 320, glulam beams, laminated veneer lumber, parallel strand lumber, dowel laminated timber, nail laminated timber, glulam laminated timber, prefabricated wood joists per ASTM D5055, wood structural panel per product standard 1 or product standard 2, solid sawn lumber per product standard 20, structural composite lumber per ASTM D5456, and structural sawn lumber.

(ii) For the purposes of this subsection (3)(d):

(A) "ANSI" means the American national standards institute.

(B) "ASTM" means the American society for testing and materials.

(C) "Product standard" means a voluntary product standard published by the United States department of commerce national institute of standards and technology.

(4) "Covered project" means:

(a) A construction project larger than 50,000 gross square feet as defined in the Washington state building code, chapter 51-50 WAC; or

(b) A building renovation project where the cost is greater than 50 percent of the assessed value and the project is larger than 50,000 gross square feet of occupied or conditioned space as defined in the Washington state building code, chapter 51-50 WAC.

(5) "Department" means the department of commerce.

(6) "Employee" means any individual who is in an employment relationship with the organization.

(7) (a) "Environmental product declaration" means a type III environmental product declaration, as defined by the international organization for standardization standard 14025 or similarly robust life-cycle assessment methods that have uniform standards in data collection consistent with the international organization for standardization standard 14025, industry acceptance, and integrity. When available, the environmental product declaration must be supply chain specific.

(b) For the purposes of this subsection, "supply chain specific" means an environmental product declaration that includes supply chain specific data for production processes that contribute 70 percent or more of a product's cradle-to-gate global warming potential, as defined in international organization for standardization standard 21930, and reports the overall percentage of supply chain specific data included.

(8) "Full time" means an employee in a position that:

(a) The employer intends to be filled for at least 52 consecutive weeks or 12 consecutive months, excluding any leaves of absence; and

(b) Requires the employee to work, excluding overtime hours, 35 hours per week for 52 consecutive weeks, 455 hours a quarter, or 1,820 hours during a period of 12 consecutive months.

(9) "Health product declaration" means a supply chain specific health product declaration, as defined by the health product declaration open standard maintained by the health product declaration collaborative, that has robust methods for product manufacturers and their ingredient suppliers to uniformly report and disclose information about product contents and associated health information.

(10) "Part time" means an employee in a position that:

(a) The employer intends to be filled for at least 52 consecutive weeks or 12 consecutive months, excluding any leaves of absence; and

(b) Working hours are less than those required for a full-time employee, as defined in this section.

(11) "Product and facility specific report" means an environmental product

declaration whereby the environmental impacts can be attributed to a single manufacturer and a specific manufacturing or production facility.

(12) (a) "Scope 2 greenhouse gas emissions" are indirect greenhouse gas emissions associated with the purchase of electricity, steam, heat, or cooling.

(b) For purposes of this section, "greenhouse gas" has the same meaning as in RCW 70A.45.010.

(13) "Supplier code of conduct" means a policy created by a manufacturer that outlines steps taken to ensure that its suppliers adhere to ethical practices, such as compliance with child and forced labor laws, antidiscrimination practices, freedom of association, and safe workplace conditions.

(14) "Temporary" means an employee in a position that is intended to be filled for a period of less than 52 consecutive weeks or 12 consecutive months. Positions in seasonal employment are temporary positions.

(15) "Total case incident rate" means the number of work-related injuries per 100 full-time workers during a one-year period, as defined by the occupational safety and health administration. Total case incident rate is calculated by multiplying the number of occupational safety and health administration recordable injuries and illnesses by 200,000 and dividing by number of hours worked by all employees.

(16) "Working conditions" means the average number of employees by employment type: Full time, part time, and temporary.

**NEW SECTION. Sec. 3.** (1) (a) Beginning July 1, 2025, an awarding authority must require in all newly executed construction contracts that the selected firm for a construction contract for a covered project larger than 100,000 gross square feet submit the following data for each covered product used before substantial completion, including at a minimum:

- (i) Product quantity;
- (ii) A current environmental product declaration;
- (iii) Health product declaration, if any, completed for the product;
- (iv) Manufacturer name and location, including state or province and country;
- (v) Supplier code of conduct, if any; and
- (vi) Office of minority and women-owned business enterprises certification, if any.

(b) Beginning July 1, 2027, an awarding authority must require in all newly executed construction contracts that the selected firm for a construction contract for a covered project submit the data required by (a) of this subsection for each covered product used before substantial completion.

(c) The selected firm for a contract for a covered project shall provide the data required by this subsection for at least 90 percent of the cost of each of the covered products used in the project.

(2) The selected firm for a contract for a covered project is required to collect and submit from product suppliers the information required in subsection (1) (a) (ii) through (vi) of this section. The

selected firm is not required to verify the information received from product suppliers.

(3)(a) Beginning July 1, 2025, an awarding authority must require in all newly executed construction contracts that the selected firm for a construction contract for a covered project larger than 100,000 gross square feet to ask their suppliers to report for each covered product used before substantial completion, including at a minimum:

(i) Names and locations, including state or province and country, of the actual production facilities; and

(ii) Working conditions at the actual production facilities for all employees, full-time employees, part-time employees, and temporary employees. In cases in which the supplier does not have this information, the selected firm for a contract for a covered project must ask suppliers to provide a report on steps taken to reasonably obtain the data and provide suppliers' self-reports to the awarding authority.

(b) Beginning July 1, 2027, an awarding authority must require in all newly executed construction contracts that the successful bidder for a construction contract for a covered project to meet the requirements of (a) of this subsection for each covered product used before substantial completion.

(c) The selected firm is not required to verify the information reported by product suppliers pursuant to this subsection.

(d) The selected firm for a contract for a covered project shall meet the requirement in (a) of this subsection for at least 90 percent of the cost of each of the covered products used in the project.

(4) If a supply chain specific environmental product declaration is not available, a product and facility specific report may be submitted.

(5) This section does not apply to a covered product for a particular covered project if the awarding authority determines, upon written justification provided to the department, that the requirements in this section would cause a significant delay in completion, significant increase in overall project cost, or result in only one product supplier being able to provide the covered product.

(6) An awarding authority must include the information and reporting requirements in this section in a specification for bids for a covered project.

(7) Subject to funds appropriated for this specific purpose, the department may provide financial assistance to small businesses, as defined in RCW 19.85.020, to help offset the costs to the small business of producing an environmental product declaration required under this section. Such financial assistance supports the production of environmental product declarations and achievement of reductions of embodied carbon in the built environment while ensuring that small manufacturers are not put at a competitive disadvantage in state contracting as a result of the requirements of this chapter.

(8) Compliance with the requirements in this section may not be used as a basis for a waiver from apprenticeship utilization

requirements in any other statute, rule, regulation, or law.

**NEW SECTION. Sec. 4.** By July 1, 2025, and to the extent practicable, specifications for a bid or proposal for a project contract by an awarding authority may only include performance-based specifications for concrete used as a structural material. Awarding authorities may continue to use prescriptive specifications on structural elements to support special designs and emerging technology implementation.

**NEW SECTION. Sec. 5.** (1) The department must continue to develop, maintain, and refine the publicly accessible database funded by the 2021-2023 omnibus operating appropriations act and created by the department in conjunction with the University of Washington college of built environments for selected firms for contracts for covered projects to submit the data required in section 3 of this act to the department and to promote transparency. The department may consult with the University of Washington college of built environments.

(2) The database maintained pursuant to subsection (1) of this section must publish global warming potential as reported in the environmental product declarations.

(3) By July 1, 2025, the department must:

(a) Further elaborate covered product definitions using applicable material industry standards;

(b) Develop measurement and reporting standards to ensure that data is consistent and comparable, including standards for reporting product quantities;

(c) Create model language for specifications, bid documents, and contracts to support the implementation of section 3 of this act; and

(d) Produce an educational brief that:

(i) Provides an overview of embodied carbon;

(ii) Describes the appropriate use of environmental product declarations, including the necessary preconditions for environmental product declarations to be comparable;

(iii) Outlines reporting standards, including covered product definitions, standards for reporting product quantities, and working conditions;

(iv) Describes the data collection and reporting process for all information required in section 3 (1)(a) and (3)(a) of this act;

(v) Provides instructions for the use of the database; and

(vi) Lists applicable product category rules for covered products.

(4) The department may contract for the use of nationally or internationally recognized databases of environmental product declarations for purposes of implementing this section.

**NEW SECTION. Sec. 6.** (1) By December 1, 2024, the department must convene a



technical work group that includes the following representatives:

(a) One industry professional in design, one industry professional in structural design, one industry professional in specification, and one industry professional in construction who are recommended by leading associations of Washington business;

(b) Two representatives each from Washington manufacturers of:

(i) Steel;

(ii) Wood; and

(iii) Concrete;

(c) A representative from the department of enterprise services;

(d) A representative from the department of transportation;

(e) A representative from the department of ecology;

(f) One representative each from three environmental groups that focus on embodied carbon and climate change;

(g) Three representatives from labor unions, including two from unions that represent manufacturing workers and one representative from the building and construction trades;

(h) A representative from the minority and women-owned business community;

(i) A representative from the University of Washington college of built environments; and

(j) Representatives of other agencies and independent experts as necessary to meet the objectives of the technical work group as described in this section.

(2) The department may form subgroups with members who have subject matter expertise or industry experience to develop technical information, recommendations, and analysis specific to individual material types, and the feasibility of supply chain specific environmental product declarations. The recommendations must, where possible, align with state and national principles and laws for environmental product declaration development.

(3) The department may contract with the University of Washington college of built environments in convening the technical work group.

(4) The purpose of the technical work group is to identify opportunities for and barriers to growth of the use and production of low carbon materials, promote high labor standards in manufacturing, and preserve and expand low carbon materials manufacturing in Washington.

(5) By September 1, 2025, the technical work group must submit a report to the legislature and the governor that includes:

(a) A low carbon materials manufacturing plan that recommends policies to preserve and grow the in-state manufacturing of low carbon materials and accelerate industrial decarbonization. For this plan, the technical work group must:

(i) Examine barriers and opportunities to maintain and grow a robust in-state supply of low carbon building materials including, but not limited to, state and domestic supply of raw materials and other supply chain challenges, regulatory barriers, competitiveness of local and domestic manufacturers, cost, and data availability

from local, state, national, and foreign product suppliers; and

(ii) Identify opportunities to encourage the continued conversion to lower carbon cements, including the use of performance-based specifications and allowing Type 1-L cement in specifications for public projects;

(b) Recommendations for consistent treatment in the reporting for covered products; and

(c) Consideration of how additional information relevant to reducing embodied carbon through strategies including, but not limited to, product life-cycle assessments could be incorporated into future reporting.

(6) (a) By September 1, 2026, the technical work group must submit a report on policy recommendations, including any statutory changes needed, to the legislature and the governor. The report must consider policies to expand the use and production of low carbon materials, preserve and expand low carbon materials manufacturing in Washington, including opportunities to encourage continued conversion to lower carbon blended cements in public projects, and support living wage manufacturing jobs.

(b) For this report, the technical work group must:

(i) Summarize data collected pursuant to section 3 of this act, the case study analysis funded by the 2021-2023 omnibus operating appropriations act, and the pilot projects funded by the 2021-2023 omnibus capital appropriations act. The summary must include product quantities, global warming potential, health product declarations, supplier codes of conduct, and any obstacles to the implementation of this chapter;

(ii) Evaluate options for collecting reported working condition information from product suppliers, including hourly wages, employee benefits, and total case incident rates, and for aligning these reporting requirements with existing reporting requirements for preferential tax rates, credits, exemptions, and deferrals;

(iii) Make recommendations for improving environmental production declaration data quality including, but not limited to, integrating reporting on variability in facility, product, and upstream data for key processes;

(iv) Make recommendations for consideration of scope 2 greenhouse gas emissions mitigation through green power purchases, such as energy attribute certificates and power purchase agreements;

(v) Identify barriers and opportunities to the effective use of the database maintained under section 5 of this act and the data collected pursuant to this chapter;

(vi) Identify emerging and foreseeable trends in local, state, federal, and private policy on embodied carbon and the procurement and use of low carbon materials and opportunities to promote consistency across public and private embodied carbon and low carbon materials policies, rules, and regulations; and

(vii) Recommend approaches to designing lower embodied carbon state building projects.

(7)(a) The department may update reporting standards and requirements based on input from the technical work group.

(b) The department must provide updated guidance on reporting standards by January 1, 2027.

(8) This section expires January 1, 2028.

**Sec. 7.** RCW 43.88.0301 and 2021 c 54 s 4 are each amended to read as follows:

(1) The office of financial management must include in its capital budget instructions (~~(, beginning with its instructions for the 2003-05 capital budget,)~~) a request for "yes" or "no" answers for the following additional informational questions from capital budget applicants for all proposed major capital construction projects valued over (~~(10 million dollars)~~) \$10,000,000 and required to complete a predesign:

(a) For proposed capital projects identified in this subsection that are located in or serving city or county planning under RCW 36.70A.040:

(i) Whether the proposed capital project is identified in the host city or county comprehensive plan, including the capital facility plan, and implementing rules adopted under chapter 36.70A RCW;

(ii) Whether the proposed capital project is located within an adopted urban growth area:

(A) If at all located within an adopted urban growth area boundary, whether a project facilitates, accommodates, or attracts planned population and employment growth;

(B) If at all located outside an urban growth area boundary, whether the proposed capital project may create pressures for additional development;

(b) For proposed capital projects identified in this subsection that are requesting state funding:

(i) Whether there was regional coordination during project development;

(ii) Whether local and additional funds were leveraged;

(iii) Whether environmental outcomes and the reduction of adverse environmental impacts were examined.

(2) For projects subject to subsection (1) of this section, the office of financial management shall request the required information be provided during the predesign process of major capital construction projects to reduce long-term costs and increase process efficiency.

(3) The office of financial management, in fulfilling its duties under RCW 43.88.030(6) to create a capital budget document, must take into account information gathered under subsections (1) and (2) of this section in an effort to promote state capital facility expenditures that minimize unplanned or uncoordinated infrastructure and development costs, support economic and quality of life benefits for existing communities, and support local government planning efforts.

(4) The office of community development must provide staff support to the office of financial management and affected capital budget applicants to help collect data

required by subsections (1) and (2) of this section.

(5) The office of financial management must include in its capital budget instructions, beginning with the instructions for the 2025-2027 biennium, information informing awarding authorities, as defined in section 2 of this act, of the requirements of chapter 39.--- RCW (the new chapter created in section 9 of this act), including the data and information requirements in section 3 of this act.

NEW SECTION. **Sec. 8.** This act may be known and cited as the buy clean and buy fair Washington act.

NEW SECTION. **Sec. 9.** Sections 2 through 6 of this act constitute a new chapter in Title 39 RCW.

NEW SECTION. **Sec. 10.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Representative Duerr moved the adoption of amendment (1075) to the striking amendment (1066):

On page 5, line 24 of the striking amendment, after "full-time" insert "equivalent"

On page 9, line 24 of the striking amendment, after "department" strike "may form" and insert "intends formation of"

Representatives Duerr and Abbarno spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1075) to the striking amendment (1066) was adopted.

Representatives Duerr and Steele spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (1066), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Duerr spoke in favor of the passage of the bill.

Representatives Steele, Dye and Maycumber spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Substitute House Bill No. 1282.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 1282, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

There being no objection, the House reverted to the third order of business.

#### MESSAGE FROM THE SENATE

Monday, February 12, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5937  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6031  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6058  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6069  
 ENGROSSED SENATE BILL NO. 6072  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6110  
 SECOND SUBSTITUTE SENATE BILL NO. 6187

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the eighth order of business.

#### MOTION

There being no objection, the Committee on Rules was relieved of the following bill placed on the second reading calendar:

HOUSE BILL NO. 2213

There being no objection, the House reverted to the sixth order of business.

#### SECOND READING

**HOUSE BILL NO. 1551, by Representatives Pollet, Doglio, Fitzgibbon, Berry, Gregerson, Fosse and Bateman**

**Reducing lead in cookware.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1551 was substituted for House Bill No. 1551 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1551 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet and Dye spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1551.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1551, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 1551, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2153, by Representatives Ryu, Ormsby, Cheney, Reeves, Pollet and Davis**

**Deterring the theft of catalytic converters.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2153 was substituted for House Bill No. 2153 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2153 was read the second time.

Representative Ryu moved the adoption of amendment (1063):

On page 10, beginning on line 33, after "must" strike all material through "type" on line 34 and insert "provide the consumer a disclosure written in a typeface that is at least as large as the typeface used in the standard text of the document that contains the disclosure and that is boldfaced, capitalized, underlined, or otherwise set out from the surrounding material so as to be conspicuous"

On page 11, beginning on line 3, strike all of subsection (3)

On page 18, beginning on line 10, strike all of section 22 and insert the following:

"**Sec. 22.** RCW 46.12.560 and 2011 c 114 s 7 are each amended to read as follows:

(1)(a) Before accepting an application for a certificate of title, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to provide a certificate of vehicle inspection completed by the Washington state patrol or other authorized inspector if the vehicle:

(i) Was declared a total loss or salvage vehicle under the laws of this state;

(ii) Has been rebuilt after the certificate of title was returned to the department under RCW 46.12.600 and the vehicle was not kept by the registered owner at the time of the vehicle's destruction or declaration as a total loss; or

(iii) Is presented with documents from another state showing that the vehicle was a total loss or salvage vehicle and has not been reissued a valid registration certificate from that state after the declaration of total loss or salvage.

(b) A vehicle presented for inspection must have all damaged major component parts replaced or repaired to meet all requirements in law and rule before the Washington state patrol will inspect the vehicle. The inspection must verify that the vehicle identification number is genuine and agrees with the number shown on the certificate of title and registration certificate.

(c) A Washington state patrol vehicle identification number specialist must ensure that all major component parts used for the reconstruction of a salvage or rebuilt vehicle were obtained legally, and must securely attach a marking at the driver's door latch pillar indicating the vehicle was previously destroyed or declared a total loss. It is a class C felony for a person to remove the marking indicating that the vehicle was previously destroyed or declared a total loss.

(2) A person presenting a vehicle for inspection under subsection (1) of this section must provide original invoices for new and used parts from:

(a) A vendor that is registered with the department of revenue or a comparable agency in the jurisdiction where the major component parts were purchased for the collection of retail sales or use taxes. The invoices must include:

(i) The name and address of the business;

(ii) A description of the part or parts sold;

(iii) The date of sale; and

(iv) The amount of sale to include all taxes paid unless exempted by the department of revenue or a comparable agency in the jurisdiction where the major component parts were purchased;

(b) A vehicle wrecker licensed under chapter 46.80 RCW or a comparable business in the jurisdiction outside Washington state where the major component part was purchased; and

(c) Private individuals. The private individual must have the certificate of title to the vehicle where the parts were taken from unless the parts were obtained from a parts car owned by a collector. Bills of sale for parts must be notarized and include:

(i) The names and addresses of the sellers and purchasers;

(ii) A description of the vehicle and the part or parts being sold, including the make, model, year, and identification or serial number;

(iii) The date of sale; and

(iv) The purchase price of the vehicle part or parts.

(3) A person presenting a vehicle for inspection under this section who is unable to provide an acceptable release of interest or proof of ownership for a vehicle or major component part as described in this section shall apply for an ownership in doubt application described in RCW 46.12.680.

(4)(a) Before accepting an application for a certificate of title, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to provide a certificate of vehicle inspection completed by the Washington state patrol or other authorized inspector when the application is for a vehicle being titled for the first time as:

(i) Assembled;

(ii) Glider kit;

(iii) Homemade;

(iv) Kit vehicle;

(v) Street rod vehicle;

(vi) Custom vehicle; or

(vii) Subject to ownership in doubt under RCW 46.12.680.

(b) The inspection must verify that the vehicle identification number is genuine and agrees with the number shown on the certificate of title and registration certificate.

(5)(a) Before accepting an application for a certificate of title, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to provide a certificate of vehicle inspection completed by the Washington state patrol when the application is for a vehicle with a vehicle identification number that has been:

(i) Altered;

(ii) Defaced;

(iii) Obliterated;

(iv) Omitted;

(v) Removed; or

(vi) Otherwise absent.

(b) The application must include payment of the fee required in RCW 46.17.135.

(c) The Washington state patrol shall assign a new vehicle identification number to the vehicle and place or stamp the new number in a conspicuous position on the vehicle.

(d) The department shall use the new vehicle identification number assigned by the Washington state patrol as the official vehicle identification number assigned to the vehicle.

(6) The department may adopt rules as necessary to implement this section.

(7) Nothing in this section creates a requirement for the Washington state patrol to inspect attached catalytic converters as major component parts."

On page 33, line 7, after "months" strike "shall" and insert "may, at the discretion of the court,"

On page 47, line 14, after "**Sec. 30.**" strike "Except for section 22 of this act, this" and insert "This"

Correct the title.

Representatives Ryu and Robertson spoke in favor of the adoption of the amendment.

Amendment (1063) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ryu and Robertson spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2153.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2153, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2153, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2411, by Representatives Callan, Berg and Ortiz-Self**

**Adjusting school districts' authority to contract indebtedness for school construction.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2411 was substituted for House Bill No. 2411 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2411 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Callan spoke in favor of the passage of the bill.

Representative Abbarno spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2411.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2411, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2411, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2210, by Representatives Dye, Couture, Graham, Fosse, Springer and Davis**

**Establishing a wild horse holding and training program at a state corrections center.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dye and Goodman spoke in favor of the passage of the bill.

Representative Dent spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2210.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2210, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Dent and Kretz

Excused: Representative Chandler

HOUSE BILL NO. 2210, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2079, by Representatives Schmidt, Riccelli, Low, Christian, Klicker, Ormsby, McClintock and Couture**

**Improving school safety by extending and increasing penalties for interference by, or intimidation by threat of, force or violence at schools and athletic activities.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2079 was substituted for House Bill No. 2079 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2079 was read the second time.

Representative Senn moved the adoption of amendment (908):

On page 2, beginning on line 35, after "RCW 28A.600.015." strike all material through "months." on line 39

With the consent of the House, Representative Senn withdrew amendment (908).

Representative Schmidt moved the adoption of amendment (1084):

On page 2, beginning on line 19, strike all of sections 2 and 3 and insert the following:

**"NEW SECTION. Sec. 2.** A new section is added to chapter 28A.635 RCW to read as follows:

(1) Signage must be posted notifying the public of the offenses and possible penalties under RCW 28A.635.090 and 28A.635.100.

(2) The signage must be prominently displayed at any entrance to a public school gymnasium or auditorium and wherever other public notices are placed at public school athletic fields.

(3) The office of the superintendent of public instruction shall develop a standard signage form notifying the public of the offenses and possible penalties under RCW 28A.635.090 and 28A.635.100.

(4) As used in this section, "public school" has the same meaning as in RCW 28A.150.010."

Correct the title.

Representatives Schmidt and Goodman spoke in favor of the adoption of the amendment.

Amendment (1084) was adopted.

Representative Schmidt moved the adoption of amendment (849):

On page 3, after line 24, insert the following:

**"NEW SECTION. Sec. 4.** A new section is added to chapter 28A.635 RCW to read as follows:

(1) Signage must be posted notifying the public of the offenses and possible

penalties under RCW 28A.635.090 and 28A.635.100.

(2) The signage must be prominently displayed at any entrance to a public school gymnasium or auditorium and wherever other public notices are placed at public school athletic fields.

(3) The office of the superintendent of public instruction shall develop a standard signage form notifying the public of the offenses and possible penalties under RCW 28A.635.090 and 28A.635.100.

(4) As used in this section, "public school" has the same meaning as in RCW 28A.150.010."

Correct the title.

With the consent of the House, Representative Schmidt withdrew amendment (849).

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmidt and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2079.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2079, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2079, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2009, by Representatives Mosbrucker, Goodman, Leavitt, Ramos, Jacobsen, Graham, Cheney, Gregerson, Orwall, Riccelli and Davis**

**Facilitating the use of dental records in missing person investigations.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2009 was substituted for House Bill No. 2009 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2009 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Mosbrucker, Goodman and Lekanoff spoke in favor of the passage of the bill.

### MOTION

On motion of Representative Ramel, Representative Duerr was excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2009.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2009, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Duerr

SUBSTITUTE HOUSE BILL NO. 2009, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2160, by Representatives Reed, Fey, Mena, Alvarado, Berry, Bateman, Ormsby, Ramel, Macri, Street, Peterson, Gregerson, Ryu, Cortes, Riccelli, Doglio and Pollet**

**Promoting community and transit-oriented housing development.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2160 was substituted for House Bill No. 2160 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2160 was read the second time.

Representative Maycumber moved the adoption of amendment (1033):

On page 12, line 14, after "(5)" insert "(a)"

On page 12, after line 23, insert the following:

"(b) For the purposes of this subsection (5), "affordable housing" means residential housing with a monthly cost, including utilities other than telephone, that does not exceed 30 percent of the monthly income of a household whose income is no more than 80 percent of the median household income adjusted for household size, for the county where the household is located, as reported

by the United States department of housing and urban development."

Representatives Hutchins and Peterson spoke in favor of the adoption of the amendment.

Amendment (1033) was adopted.

Representative Hutchins moved the adoption of amendment (1047):

On page 12, beginning on line 38, strike all of subsection (8)

Re-number the remaining subsections consecutively and correct any internal references accordingly.

On page 13, beginning on line 20, after "meets" strike all material through "and" on line 21

On page 16, beginning on line 8, after "(A)" strike all material through "(B)" on line 13

Re-number the remaining subsection consecutively and correct any internal references accordingly.

On page 17, beginning on line 30, after "of" strike all material through "(c)" on line 35 and insert "allowing an additional 1.5 floor area ratio for any building in a station area for which all units are affordable housing for at least 50 years or are dedicated to permanent supportive housing as required under section 3 of this act; and

(b)"

With the consent of the House, Representative Hutchins withdrew amendment (1047).

Representative Connors moved the adoption of amendment (1031):

On page 13, line 7, after "2024;" strike "or"

On page 13, line 17, after "(8)(c)" insert "; or

(d) The city submits evidence to the department showing that it has sufficient housing capacity to meet the projected need in its housing element until its next comprehensive plan update under RCW 36.70A.130"

Representative Connors spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (1031) was not adopted.

Representative Hutchins moved the adoption of amendment (1035):

On page 19, beginning on line 27, strike all of subsection (4)

Representative Hutchins spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (1035) was not adopted.

Representative Klicker moved the adoption of the striking amendment (1036):

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec.** (1) The University of Washington's Runstad department of real estate shall conduct a study of the feasibility of a statewide transit-oriented development requirement. The study must include:

(a) A review and analysis of provisions for transit-oriented development included in comprehensive plans and development regulations by cities subject to the requirement under RCW 36.70A.130 to update their comprehensive plans by December 31, 2024;

(b) A comparison of the transit-oriented development density, regulations, and affordability requirements for each city reviewed; and

(c) The convening of an expert panel on transit-oriented development that includes representatives from local government, transit agencies, affordable housing advocacy organizations, and both non-profit and for-profit developers.

(2) By November 1, 2025, and in compliance with RCW 43.01.036, the Runstad department of real estate shall submit a report to the appropriate committees of the legislature that includes a comparison of transit-oriented development practices in Washington cities and any recommendations for statewide transit-oriented development policies.

(3) This section expires December 1, 2025."

Correct the title.

Representative Klicker spoke in favor of the adoption of the striking amendment.

Representative Peterson spoke against the adoption of the striking amendment.

The striking amendment (1036) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Reed spoke in favor of the passage of the bill.

Representative Barkis spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2160.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2160, and the bill passed the

House by the following vote: Yeas, 56; Nays, 40; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Duerr

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2160, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2007, by Representatives Peterson, Gregerson, Alvarado, Berry, Senn, Morgan, Leavitt, Reed, Ormsby, Kloba, Macri, Doglio, Bergquist, Goodman, Ortiz-Self, Santos and Hackney**

**Expanding time limit exemptions applicable to cash assistance programs.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2007 was substituted for House Bill No. 2007 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2007 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Peterson and Eslick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2007.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2007, and the bill passed the House by the following vote: Yeas, 85; Nays, 11; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Corry, Cortes, Couture, Davis, Doglio, Donaghy, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Caldier, Christian, Connors, Dent, Dye, Jacobsen, Klicker, McEntire, Rude, Schmick and Walsh  
Excused: Representatives Chandler and Duerr

SUBSTITUTE HOUSE BILL NO. 2007, having received the necessary constitutional majority, was declared passed.



**HOUSE BILL NO. 2375, by Representatives Goehner, Bateman, Orcutt, Simmons, Davis, Sandlin, Rude, Wilcox, Barkis, Schmidt, Steele, Barnard, Shavers, Christian, Reed, Tharinger and Caldier**

**Including an accessory dwelling unit under property that qualifies for the senior citizens property tax exemption.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goehner and Berg spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2375.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2375, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Pollet

Excused: Representatives Chandler and Duerr

HOUSE BILL NO. 2375, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2368, by Representatives Gregerson, Eslick, Thai, Low, Senn, Leavitt, Davis, Farivar, Nance, Reed, Doglio, Ramel, Simmons, Ormsby, Street, Goodman, Timmons, Pollet and Santos**

**Assisting refugees and immigrants.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2368 was substituted for House Bill No. 2368 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2368 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Gregerson and Eslick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2368.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2368, and the bill passed the House by the following vote: Yeas, 61; Nays, 35; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh and Ybarra

Excused: Representatives Chandler and Duerr

SUBSTITUTE HOUSE BILL NO. 2368, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2329, by Representatives Macri, Peterson, Alvarado, Chopp, Bateman, Pollet, Reed and Ramel**

**Conducting a study of the insurance market for housing providers receiving housing trust fund resources.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2329 was substituted for House Bill No. 2329 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2329 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Macri and Robertson spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2329.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2329, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Duerr

SUBSTITUTE HOUSE BILL NO. 2329, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2124, by Representatives Eslick, Senn, Leavitt, Chapman, Reed, Ramel, Callan, Rule, Goodman, Tharinger, Wylie, Timmons, Stonier, Reeves and Kloba**

**Supporting and expanding access to child care and early learning programs.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2124 was substituted for House Bill No. 2124 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2124 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Eslick and Senn spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2124.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2124, and the bill passed the House by the following vote: Yeas, 74; Nays, 22; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Davis, Doglio, Donaghy, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Harris, Kloba, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barkis, Caldier, Christian, Couture, Dent, Dye, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Maycumber, McEntire, Mosbrucker, Robertson, Rude, Schmick, Steele, Stokesbary, Volz and Walsh

Excused: Representatives Chandler and Duerr

SECOND SUBSTITUTE HOUSE BILL NO. 2124, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2213, by Representatives Cheney, Taylor, Duerr and Graham**

**Concerning defects and omissions in the laws that have been identified by the justices of the supreme court or judges of the superior courts pursuant to Article IV, section 25 of the state Constitution.**

The bill was read the second time.

With the consent of the House, amendment (1059) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walsh and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2213.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2213, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Graham  
Excused: Representative Chandler

HOUSE BILL NO. 2213, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the third order of business.

**MESSAGE FROM THE SENATE**

Tuesday, February 13, 2024

Mme. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5829  
SENATE BILL NO. 5836  
SUBSTITUTE SENATE BILL NO. 5902  
SUBSTITUTE SENATE BILL NO. 5972  
SENATE BILL NO. 6013  
SUBSTITUTE SENATE BILL NO. 6121  
SUBSTITUTE SENATE BILL NO. 6125  
SUBSTITUTE SENATE BILL NO. 6162  
SENATE BILL NO. 6222

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the sixth order of business.

**SECOND READING**

**HOUSE BILL NO. 2382, by Representatives Berry, Lekanoff, Reed, Bronoske, Fosse, Pollet and Ormsby**

**Concerning death benefits applicable to drivers of transportation network companies.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2382 was substituted for House Bill No. 2382 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2382 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Berry spoke in favor of the passage of the bill.

Representatives Schmidt and Abbarno spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2382.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2382, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2382, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2494, by Representatives Bergquist, Rude, Simmons, Senn, Pollet, Callan, Paul, Macri, Stonier and Gregerson**

#### Increasing state funding for operating costs in schools.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2494 was substituted for House Bill No. 2494 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2494 was read the second time.

Representative Bergquist moved the adoption of amendment (1013):

On page 6, line 19, after "~~((2017-18))~~" strike "2024-25" and insert "2023-24"

On page 6, line 25, after "~~((130.76))~~" strike "\$183.27" and insert "\$178.98"

On page 6, line 26, after "~~((355.30))~~" strike "\$441.26" and insert "\$430.26"

On page 6, line 27, after "~~((140.39))~~" strike "\$168.43" and insert "\$164.48"

On page 6, line 28, after "~~((278.05))~~" strike "\$334.38" and insert "\$326.54"

On page 6, line 29, after "~~((20.00))~~" strike "\$23.20" and insert "\$22.65"

On page 6, line 31, after "~~((21.71))~~" strike "\$30.05" and insert "\$28.94"

On page 6, line 32, after "~~((176.01))~~" strike "\$211.16" and insert "\$206.22"

On page 6, line 33, after "~~((121.94))~~" strike "\$150.29" and insert "\$146.37"

On page 6, line 35, after "~~((2014-15))~~" strike "2024-25" and insert "2023-24"

On page 7, line 6, after "~~((36.35))~~" strike "\$45.11" and insert "\$44.05"

On page 7, line 7, after "~~((39.02))~~" strike "\$49.21" and insert "\$48.06"

On page 7, line 8, after "~~((77.28))~~" strike "\$96.37" and insert "\$94.07"

On page 7, line 9, after "~~((5.56))~~" strike "\$6.15" and insert "\$6.05"

On page 7, line 11, after "~~((6.04))~~" strike "\$8.20" and insert "\$8.01"

On page 10, beginning on line 27, after "**Sec. 3.**" strike "Section 2 of this act takes effect September 1, 2024" and insert the following:

"The state must provide the full school year amount for materials, supplies, and operating costs provided in this act for the 2023-24 school year. The first month's distribution of additional amounts provided under this act in the 2023-24 school year must be a proportion of the total annual additional amount provided in this act equal to the sum of the proportional shares under RCW 28A.510.250 from September 2023 to the first month's distribution.

This section expires September 1, 2024"

Representatives Bergquist and Rude spoke in favor of the adoption of the amendment.

Amendment (1013) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Rude spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2494.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2494, and the bill passed the House by the following vote: Yeas, 80; Nays, 17; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Harris, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves,

Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Calder, Christian, Corry, Couture, Graham, Griffey, Hutchins, Jacobsen, McEntire, Schmidt, Steele, Volz, Walsh, Waters and Wilcox

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2494, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2389, by Representatives Abbarno and Barkis**

**Addressing service of notice by mail in cases involving forcible entry and forcible and unlawful detainer.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2389 was substituted for House Bill No. 2389 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2389 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Abbarno and Peterson spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2389.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2389, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2389, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1479, by House Committee on Appropriations (originally sponsored by Callan, Santos, Goodman, Ramel, Ormsby and Pollet)**

**Concerning restraint or isolation of students in public schools and educational programs.**

The bill was read the second time.

There being no objection, Fourth Substitute House Bill No. 1479 was substituted for Engrossed Second Substitute House Bill

No. 1479 and the fourth substitute bill was placed on the second reading calendar.

FOURTH SUBSTITUTE HOUSE BILL NO. 1479 was read the second time.

Representative Callan moved the adoption of the striking amendment (1074):

Strike everything after the enacting clause and insert the following:

"PURPOSE OF ACT

NEW SECTION. **Sec. 1.** The purposes of this act are to: Protect students from physically harmful and emotionally traumatic practices of chemical restraint, mechanical restraint, and isolation; prohibit the use of physical restraint imposed solely for purposes of student discipline or staff convenience; improve the safety and well-being of all staff and students by increasing the training and technical assistance provided to staff; and enhance the public accountability of school districts and other providers of public educational services.

DEFINITIONS

NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.600 RCW to read as follows:

The definitions in this section apply throughout RCW 28A.600.485, 28A.600.486, 28A.155.210, and sections 4, 7 through 9, and 13 through 18 of this act unless the context clearly requires otherwise.

(1) "Behavioral intervention plan" means the individualized plan developed for a student and implemented by staff for the purpose of changing, replacing, modifying, or eliminating a student's behavior or behaviors of concern.

(2) "Chemical restraint" means a drug or chemical administered by staff to a student to control the student's behavior or restrict the student's freedom of movement that is not: (a) Prescribed by a licensed health professional acting within the scope of the practice of that health profession for the standard treatment of a student's medical or psychiatric condition; (b) administered by a licensed health professional acting within the scope of the practice of that health profession or administered by designated staff delegated and trained by the licensed health professional under RCW 28A.210.260; or (c) administered in accordance with the student's medical or psychiatric treatment plan.

(3) "Educational service" means instruction and other activities delivered or sponsored by a school district or other provider of public educational services, for example: General education services; special education services; medical services; safety and security services; transportation services; and any developmental, corrective, or other supportive services necessary for a student eligible for special education

services to benefit from special education services.

(4) "Functional behavioral assessment" means the process or evaluation used by staff to understand the cause or purpose of a student's specific behavior or behaviors of concern in a specific environment.

(5) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote.

(6) "Intensive crisis prevention and response training" means a training program approved by the office of the superintendent of public instruction under section 13(4) of this act.

(7) "Isolation," also known as seclusion, means the involuntary separation of a student from all other people, by staff, in a room or other enclosed area from which the student is not free to leave. "Isolation" does not include: (a) A time away, which is a student-selected behavior management technique that provides a student with an opportunity for self-calming, where the student is separated from others for a limited period, in a setting that is staff-monitored and from which the student may leave at any time; (b) staff temporarily confining a student alone in a classroom, office, or common area because the student's behavior poses an imminent likelihood of serious harm to the staff who had been in the room with the student, provided the student's confinement ends as soon as it is practicable for additional staff to intervene; or (c) a room clear, except as provided in rule by the office of the superintendent of public instruction.

(8) "Likelihood of serious harm" means a substantial risk that:

(a) Harm will be inflicted by the student upon his or her own person, as evidenced by threats or attempts to commit suicide, or inflict harm on oneself; or

(b) Harm will be inflicted by the student upon another, as evidenced by behavior that places another person or persons in reasonable fear of sustaining such harm.

(9) "Mechanical restraint" means staff use of a device to restrict a student's freedom of movement. "Mechanical restraint" does not include: (a) A device used by staff or a student: (i) As prescribed by a licensed health professional acting within the scope of the practice of that health profession; (ii) as documented in a student's individualized education program under Part B of the federal individuals with disabilities education act, Title 20 U.S.C. Sec. 1400 et seq. or a student's plan developed under section 504 of the rehabilitation act of 1973; or (iii) for a specific therapeutic, orthopedic, or medical purpose, when used for its designed purpose; or (b) the use of vehicle safety restraints when used as intended during the transport of a student in a vehicle.

(10) "Physical escort" means the temporary touching or holding of a student's hand, wrist, arm, shoulder, or back by staff for the purpose of directing the student to a safe or otherwise appropriate location.

(11) "Physical prompt" means a teaching technique used by staff that involves voluntary physical contact with a student

for the purpose of enabling the student to learn or model the physical movement necessary for the development of a desired competency.

(12) "Physical restraint" means physical contact by one or more staff that immobilizes or reduces the ability of a student to move the student's arms, legs, torso, or head freely. "Physical restraint" does not include chemical restraint, mechanical restraint, physical escort, or physical prompt.

(13) "Provider of public educational services" means any entity that directly operates, or provides educational services under contract to, an elementary or secondary school program that receives public funds from the office of the superintendent of public instruction. "Provider of public educational services" includes a school district, public school as defined in RCW 28A.150.010, an educational service district, an institutional education provider as defined in RCW 28A.190.005, a public agency or private entity providing educational services under contract with any other provider of public educational services, an authorized entity as defined in RCW 28A.300.690, and any providers of services in accordance with Part B of the federal individuals with disabilities education act, Title 20 U.S.C. Sec. 1400 et seq. In addition, "provider of public educational services" includes the state school for the blind and the center for deaf and hard of hearing youth established under RCW 72.40.010.

(14) "Restraint" includes chemical restraint, mechanical restraint, and physical restraint.

(15) "Room clear" means the procedure used by staff in an emergency to direct all students, except for any students causing the emergency, to leave a room. Except as provided in rule of the office of the superintendent of public instruction, a room clear is not isolation.

(16) "Staff" means an employee or contractor of a school district or other provider of public educational services. "Staff" does not include licensed or certified health professionals of inpatient health care facilities.

(17) "Student behavior management" means the knowledge and skills to:

(a) Implement proactive classroom management strategies that create a positive and safe learning environment;

(b) Recognize the emotional or behavioral distress of students and respond using evidence-based, trauma-informed behavioral health supports that are age and developmentally appropriate, are restorative, and consider any disabilities of the students;

(c) Understand and implement behavior management practices and positive behavioral supports within a multitiered system of supports; and

(d) Use evidence-based, trauma-informed, and student-centered approaches for de-escalating aggressive student behaviors that include problem solving and conflict resolution and are less restrictive than isolation or restraint.

(18) "Students" means children and youth served by a school district or other provider of public educational services.

#### USE OF STUDENT ISOLATION AND RESTRAINT

**Sec. 3.** RCW 28A.600.485 and 2015 c 206 s 3 are each amended to read as follows:

(1) ~~(The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.~~

(a) ~~"Isolation" means restricting the student alone within a room or any other form of enclosure, from which the student may not leave. It does not include a student's voluntary use of a quiet space for self-calming, or temporary removal of a student from his or her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavior intervention plan.~~

(b) ~~"Restraint" means physical intervention or force used to control a student, including the use of a restraint device to restrict a student's freedom of movement. It does not include appropriate use of a prescribed medical, orthopedic, or therapeutic device when used as intended, such as to achieve proper body position, balance, or alignment, or to permit a student to safely participate in activities.~~

(c) ~~"Restraint device" means a device used to assist in controlling a student, including but not limited to metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, pepper spray, tasers, or batons. Restraint device does not mean a seat harness used to safely transport students. This section shall not be construed as encouraging the use of these devices.~~

(2) ~~The provisions of this section apply to all students, including those who have an individualized education program or plan developed under section 504 of the rehabilitation act of 1973. The provisions of this section apply only to incidents of restraint or isolation that occur while a student is participating in school-sponsored instruction or activities.~~

(3) (a) ~~An individualized education program or plan developed under section 504 of the rehabilitation act of 1973 must not include the use of restraint or isolation as a planned behavior intervention unless a student's individual needs require more specific advanced educational planning and the student's parent or guardian agrees. All other plans may refer to the district policy developed under subsection (3)(b) of this section. Nothing in this section is intended to limit the provision of a free appropriate public education under Part B of the federal individuals with disabilities education improvement act or section 504 of the federal rehabilitation act of 1973.~~

(b) ~~Restraint or isolation of any student is permitted only when reasonably necessary to control spontaneous behavior that poses an imminent likelihood of serious harm, as defined in RCW 70.96B.010. Restraint or isolation must be closely monitored to prevent harm to the student, and must be discontinued as soon as the likelihood of serious harm has dissipated. Each school~~

~~district shall adopt a policy providing for the least amount of restraint or isolation appropriate to protect the safety of students and staff under such circumstances.~~

(4) ~~Following the release of a student from the use of restraint or isolation, the school must implement follow-up procedures. These procedures must include: (a) Reviewing the incident with the student and the parent or guardian to address the behavior that precipitated the restraint or isolation and the appropriateness of the response; and (b) reviewing the incident with the staff member who administered the restraint or isolation to discuss whether proper procedures were followed and what training or support the staff member needs to help the student avoid similar incidents.~~

(5) ~~Any school employee, resource officer, or school security officer who uses isolation or restraint on a student during school-sponsored instruction or activities must inform the building administrator or building administrator's designee as soon as possible, and within two business days submit a written report of the incident to the district office. The written report must include, at a minimum, the following information:~~

(a) ~~The date and time of the incident;~~

(b) ~~The name and job title of the individual who administered the restraint or isolation;~~

(c) ~~A description of the activity that led to the restraint or isolation;~~

(d) ~~The type of restraint or isolation used on the student, including the duration;~~

(e) ~~Whether the student or staff was physically injured during the restraint or isolation incident and any medical care provided; and~~

(f) ~~Any recommendations for changing the nature or amount of resources available to the student and staff members in order to avoid similar incidents.~~

(6) ~~The principal or principal's designee must make a reasonable effort to verbally inform the student's parent or guardian within twenty-four hours of the incident, and must send written notification as soon as practical but postmarked no later than five business days after the restraint or isolation occurred. If the school or school district customarily provides the parent or guardian with school-related information in a language other than English, the written report under this section must be provided to the parent or guardian in that language.~~

(7) (a) ~~Beginning January 1, 2016, and by January 1st annually, each school district shall summarize the written reports received under subsection (5) of this section and submit the summaries to the office of the superintendent of public instruction. For each school, the school district shall include the number of individual incidents of restraint and isolation, the number of students involved in the incidents, the number of injuries to students and staff, and the types of restraint or isolation used.~~

(b) ~~No later than ninety days after receipt, the office of the superintendent of public instruction shall publish to its website the data received by the districts. The office of the superintendent of public~~

instruction may use this data to investigate the training, practices, and other efforts used by schools and districts to reduce the use of restraint and isolation.)

**Application.** This section applies during the provision of educational services:

(a) To all students, including those who have an individualized education program or plan developed under section 504 of the rehabilitation act of 1973, of a school district or other provider of public educational services; and

(b) To all staff of a school district or other provider of public educational services, except for staff who are licensed or certified health professionals of an inpatient health care facility.

**(2) Prohibited isolation and restraint.**

(a) The staff of any school district or other provider of public educational services are prohibited from using the following interventions on any student during the provision of educational services:

(i) Chemical restraint;

(ii) Corporal punishment as prohibited by RCW 28A.150.300;

(iii) Isolation or physical restraint that is contraindicated based on the student's disability or health care needs or medical or psychiatric condition as documented in:

(A) An individual health plan or other health care management plan;

(B) A behavioral intervention plan;

(C) An individualized education program under Part B of the federal individuals with disabilities education act, Title 20 U.S.C. Sec. 1400 et seq.; or

(D) A plan developed under section 504 of the federal rehabilitation act of 1973;

(iv) Mechanical restraint;

(v) Physical restraint or physical escort that is life-threatening, restricts breathing, or restricts blood flow to the brain, including prone, supine, and wall restraints; and

(vi) Noxious spray and other aversive intervention as prohibited in rule of the office of the superintendent of public instruction.

(b) Except as authorized under subsection (4)(b) of this section, neither a student nor the student's parent or legal guardian may consent, or be asked to consent, to the use of interventions that are prohibited under this subsection (2).

**(3) Limited use of physical restraint.**

The staff of any school district or other provider of public educational services may physically restrain a student during the provision of educational services only when:

(a) The student's behavior poses an imminent likelihood of serious harm to the student or to others;

(b) Less restrictive interventions would be ineffective in stopping the imminent likelihood of serious harm to the student or to others;

(c) The least amount of force necessary is used to protect the student or another person from an imminent likelihood of serious harm to the student or to others; and

(d) The physical restraint of the student ends immediately upon the cessation of the

imminent likelihood of serious harm to the student or to others.

**(4) Limited use of isolation.** (a) Subject to the limitations in (b) of this subsection (4), the staff of any school district or other provider of public educational services may isolate a student during the provision of educational services only when:

(i) The student's behavior poses an imminent likelihood of serious harm to the student or to others;

(ii) Less restrictive interventions would be ineffective in stopping the imminent likelihood of serious harm to the student or to others;

(iii) The least amount of force necessary is used to protect the student or another person from an imminent likelihood of serious harm to the student or to others;

(iv) During isolation, the student is under the constant visual supervision of the staff;

(v) The isolation of the student ends immediately upon the cessation of the imminent likelihood of serious harm to the student or to others; and

(vi) Beginning August 1, 2029, the staff isolating the student has received intensive crisis prevention and response training.

(b) Except as provided in (c) of this subsection (4), beginning August 1, 2025, the staff of any school district or other provider of public educational services are prohibited from isolating any student in prekindergarten through grade five during the provision of educational services, unless requested by the parent or legal guardian of the student and unless authorized as follows:

(i) Two licensed health professionals, acting within the scope of practice for their health professions, have recommended and provided instructions for staff to isolate the student under specified circumstances and conditions that include the conditions described in (a) of this subsection (4). At least one of the licensed health professionals must not be an employee or contractor of the school district or provider of public educational services serving the student. For the purposes of this subsection (4)(b)(i), "licensed health professional" means a licensed behavior analyst, mental health counselor, osteopathic physician, physician, psychiatric nurse, psychiatric nurse practitioner, psychiatrist, or psychologist; and

(ii) The parent or legal guardian of the student provides uncoerced, fully informed, advanced, written consent for the staff to isolate the student as recommended under (b)(i) of this subsection (4).

(c)(i) Through July 31, 2029, or an exemption expiration date established by the office of the superintendent of public instruction, the limitations of (b) of this subsection (4) do not apply to any school district or other providers of public educational services serving students in any of grades prekindergarten through five that have claimed an exemption by August 1, 2025, using the process established under section 18 of this act. The purpose of the exemption is to delay the onset of the prohibition on isolating prekindergarten through grade five

students until staff have received student behavior management training and intensive crisis prevention and response training as described in the staff training plan prepared under section 8 of this act.

(ii) School districts and other providers of public educational services that claim an exemption must: (A) Engage with the technical assistance provided by the office of the superintendent of public instruction, and (B) provide the training described in the staff training plan prepared under section 8 of this act, as soon as practicable.

(5) Isolation rooms. (a) School districts and other providers of public educational services are prohibited from designing new construction or remodeling buildings to include a room or other enclosed area solely for purposes of isolating a student in any grade.

(b) Beginning August 1, 2029, school districts and other providers of public educational services are prohibited from approving, equipping, or constructing a room or other enclosed area solely for purposes of isolating a student in prekindergarten through grade five, except to comply with subsection (4)(b) of this section.

(c) The provisions of this subsection (5) do not apply to a state-operated psychiatric hospital that serves students.

(6) School resource officers. Nothing in this section prohibits a school resource officer as defined in RCW 28A.320.124 from carrying out the lawful duties of a commissioned law enforcement officer.

(7) Provision of free appropriate public education. Nothing in this section is intended to limit the provision of a free appropriate public education under Part B of the federal individuals with disabilities education improvement act or section 504 of the federal rehabilitation act of 1973.

(8) Definitions. The definitions in section 2 of this act apply to this section.

#### INCIDENT FOLLOW-UP PROCEDURES

NEW SECTION. Sec. 4. A new section is added to chapter 28A.600 RCW to read as follows:

This section applies to incidents of student isolation or restraint, whether prohibited or limited under RCW 28A.600.485, and to incidents of a room clear.

(1) **Notifications.** (a) As soon as practicable following the release of the student from isolation or restraint, and as soon as practicable following the return of students from a room clear, the staff who used, or directed the use of, isolation, restraint, or a room clear shall notify the principal, other building administrator, or designee, of the provider of public educational services about the incident.

(b) The principal, other building administrator, or designee of the provider of public educational services shall:

(i) Notify the student's parent or legal guardian about the incident, within 24 hours of the incident; and

(ii) Send written documentation, including the incident report prepared under subsection (3)(a) of this section, to the

parent or legal guardian, within three business days of the incident, and, when possible, send written documentation to the parent or legal guardian via email, on the same calendar day as the incident.

(c) With regard to use of isolation or restraint that is prohibited under RCW 28A.600.485(2), the principal, other building administrator, or designee, of the provider of public educational services shall notify the following people or entities about the incident in accordance with the applicable deadlines:

(i) The school district superintendent or other chief administrator of the provider of public educational services, within one business day of the incident;

(ii) The office of the superintendent of public instruction, within three business days of the incident; and

(iii) If the educational services are provided to the student who was isolated or restrained under a contract, the other party to the contract, within three business days of the incident.

(2) **Reviews.** (a) As soon as practicable, but no later than one week following submission of the incident report as required under subsection (3) of this section, the principal, other building administrator, or designee, of the provider of public educational services shall review the incident with the student and the student's parent or legal guardian to discuss relevant events that occurred before, during, and after the incident, and to inform the student's parent or legal guardian about behavioral intervention planning that must be completed under subsection (4) of this section.

(b) As soon as practicable, staff must provide the student with an opportunity to meet with a counselor, nurse, psychologist, or social worker to reflect, process, and recover from the incident.

(c)(i) As soon as practicable, a team of staff, including the staff who used, or directed the use of, isolation, restraint, or a room clear shall review the incident to, among other things:

(A) Provide the staff who used, or directed the use of, isolation, restraint, or a room clear with an opportunity to reflect on, process, and recover from the incident;

(B) Determine whether proper procedures were followed; and

(C) Identify additional training, coaching, or assistance that may support staff who used, or directed the use of, isolation, restraint, or a room clear, to use less restrictive interventions in similar situations in the future.

(ii) To the extent practicable, pertinent information from the incident review with the student and the student's parent or legal guardian under (a) of this subsection (2) must be considered by the incident review team.

(iii) Nothing in this subsection (2)(c) prevents an incident review team from conducting multiple incident reviews in the same review session.

(3) **Reports.** (a) For each student who was isolated, restrained, or caused an emergency that resulted in a room clear, the



principal, other building administrator, or designee shall work with the staff who used, or directed the use of, isolation, restraint, or room clear to prepare a written daily incident report that describes all incidents involving the student during the date for which the report applies. The daily incident reports must be submitted to the school district superintendent or other chief administrator of the provider of public educational services, within two business days of the date for which the report applies. At a minimum, the written report must include:

(i) The date, time, duration, and location of the incident or incidents;

(ii) Names and job titles of staff who used, or directed the use of, isolation, restraint, or room clear and of staff who observed the incident or incidents;

(iii) The type or description of restraint or isolation used per incident, if applicable;

(iv) A description of relevant events that occurred before, during, and after the incident or incidents, including any less restrictive interventions attempted, including any de-escalation attempts;

(v) Whether the student who was isolated, restrained, or caused the emergency that resulted in a room clear has either an individualized education program or a behavioral intervention plan and, if so, whether the program or plan was followed for each incident or incidents;

(vi) Information about any known physical injuries or psychological trauma experienced by students or staff due to the incident or incidents, including whether medical care was sought or received, and whether staff requested or used leave benefits;

(vii) Any recommendations to prevent similar, future incidents; and

(viii) Other information as required by rule of the office of the superintendent of public instruction.

(b) No less than monthly, the principal, other building administrator or designee, shall submit to the school district superintendent or other chief administrator of a provider of public educational services a summary of the outcomes of the team incident reviews under subsection (2)(c) of this section that describes any changes to the nature and amount of resources and supports available to students and staff needed to prevent similar, future incidents. For the prior month, or other relevant period, the summary must also include the number of team incident reviews conducted under subsection (2)(c) of this section and the number of incident reports submitted under (a) of this subsection (3). A summary does not have to be submitted in months that there are no incidents of student isolation or restraint or room clears.

(c) The school district superintendent or other chief administrator of a provider of public educational services shall prepare a summary of the daily incident reports submitted under (a) of this subsection (3), at least annually and as required by the school district board of directors or other governing body of a provider of public educational services. The summary must be disaggregated for purposes of trend

analyses, for example by the student categories and subcategories provided under RCW 28A.300.042 (1) and (3), student gender, students who are dependent pursuant to chapter 13.34 RCW, students who are homeless as defined in RCW 43.330.702, students who are multilingual/English learners, status as a student with a parent who is a member of the armed forces, by school or other applicable unit, by staff job title, by contractor, and by incident type.

(d) The school district superintendent or other chief administrator of a provider of public educational services must submit incident report summaries prepared under (b) and (c) of this subsection (3), at the time and in the manner required by the office of the superintendent of public instruction.

(4) **Behavioral intervention plan.** (a) As soon as practicable following the release of a student from isolation or restraint or the return of students following a room clear, staff shall, for the student who was isolated, restrained, or caused the emergency that resulted in a room clear:

(i) Complete a functional behavioral assessment, unless a functional behavioral assessment was previously completed for the student's behavior of concern; and

(ii) Develop a behavioral intervention plan or, if a behavioral intervention plan has already been developed, review the behavioral intervention plan and modify it as necessary to address the student's behavior of concern. When the student has an individualized education program, the behavioral intervention plan must be developed and modified in accordance with the student's individualized education program.

(b) Nothing in this subsection (4) limits behavioral intervention planning for students with individualized education programs under Part B of the federal individuals with disabilities education act, Title 20 U.S.C. Sec. 1400 et seq.

(5) **Definitions.** The definitions in section 2 of this act apply to this section.

#### POLICY AND PROCEDURES, AND TRAINING FOR SCHOOL BOARDS AND OTHER GOVERNING BODIES

**Sec. 5.** RCW 28A.600.486 and 2013 c 202 s 4 are each amended to read as follows:

~~((Parents and guardians of children who have individualized education programs or plans developed under section 504 of the rehabilitation act of 1973 must be provided a copy of the district policy on the use of isolation and restraint at the time that the program or plan is created.))~~ (1) (a) The school district board of directors or other governing body of a provider of public educational services shall adopt a student isolation and restraint policy and procedures that meets the requirements of this subsection. The procedures must comply with the requirements in RCW 28A.600.485 and section 4 of this act, and include a process for convening a team of staff to review incidents of student isolation and restraint and room clears using a systems improvement approach that focuses on supporting staff to use less restrictive interventions as alternatives to isolation and restraint.

(b) By August 1, 2025, and periodically thereafter, the school district board of directors or other governing body of a provider of public educational services shall review and revise, as necessary, its student isolation and restraint policy and procedures with input from staff, students, students' families, advocacy organizations, and other appropriate members of the community.

(c) Parents and guardians of children who have individualized education programs or plans developed under section 504 of the rehabilitation act of 1973 must be provided a copy of the policy and procedures adopted under this subsection (1) at the time that the program or plan is created.

(2) On an annual basis, the school district board of directors or other governing body of a provider of public educational services shall monitor the impact of the policy and procedures adopted under subsection (1) of this section by, at a minimum: (a) Performing trend analyses using the incident report summaries prepared by the school district superintendent or other chief administrator of the provider of public educational services under section 4(3) of this act; and (b) reviewing the staff training plan and updates prepared under section 8 of this act.

(3) If the policy and procedures adopted under subsection (1) of this section includes staff isolation of students in any of grades six through 12 under the conditions described in RCW 28A.600.485(4) (a), the school district board of directors or other governing body of a provider of public educational services must annually submit the policy and procedures at the time and in the manner required by the office of the superintendent of public instruction.

(4) Beginning in the 2024-25 school year, and every four years thereafter, each member of a school district board of directors or other governing body of a provider of public educational services shall complete the training program on student isolation and restraint provided at no cost as required under section 17 of this act.

(5) The definitions in section 2 of this act apply to this section.

**Sec. 6.** RCW 28A.155.210 and 2023 c 436 s 7 are each amended to read as follows:

(1) Parents and legal guardians of students who have individualized education programs must be provided a copy of the policy and procedures adopted in accordance with RCW 28A.600.486.

(2) A student's individualized education program must include procedures for notification of, and incident review with, a parent or legal guardian regarding the use of restraint or isolation under RCW 28A.600.485. If a student is placed in an authorized entity under RCW 28A.155.060, the student's individualized education program must also specify any additional procedures required to ensure the authorized entity fully complies with RCW 28A.600.485 and section 4 of this act.

(3) The definitions in section 2 of this act apply to this section.

#### STAFF TRAININGS

**NEW SECTION. Sec. 7.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) By January 1, 2025, the office of the superintendent of public instruction must develop and publish a model plan and guidance for staff training on student behavior management and intensive crisis prevention and response that school districts and other providers of public educational services must use when developing the staff training plan required by section 8 of this act. The model plan and guidance must be updated periodically to support best practices.

(2) The model plan and guidance required by subsection (1) of this section must:

(a) Propose training content, duration, and frequency categories by staff, program, activity, and duty codes for student behavior management training and for intensive crisis prevention and response training. Nothing in this subsection requires all staff to be trained on intensive crisis prevention and response;

(b) Describe best practices for connecting staff training on student behavior management and intensive crisis prevention and response to existing systems designed to support student learning, social-emotional well-being, and positive behavior in the classroom, for example: (i) Instruction in social-emotional learning that is consistent with learning standards and benchmarks adopted by the office of the superintendent of public instruction under RCW 28A.300.478; (ii) use of inclusionary practices; and (iii) implementation of the Washington integrated student supports protocol, established under RCW 28A.300.139, within a multitiered system of supports;

(c) Suggest options for compensating staff for training on student behavior management and intensive crisis prevention and response that include: (i) The professional learning days funded under RCW 28A.150.415; (ii) other staff training days funded in a biennial or supplemental operating budget; and (iii) federal funds;

(d) Include mechanisms that can be used to determine whether an entity under contract to provide educational services to students is providing training on student behavior management and intensive crisis prevention and response to the contractor's staff; and

(e) Describe any office of the superintendent of public instruction and education service district resources available to support staff training on student behavior management and intensive crisis prevention and response.

(3) The definitions in section 2 of this act apply to this section.

**NEW SECTION. Sec. 8.** A new section is added to chapter 28A.600 RCW to read as follows:

(1)(a) By August 1, 2025, the school district superintendent or other chief administrator of a provider of public educational services, or the school district board of directors or other governing body

of a provider of public educational services, shall prepare and submit to the office of the superintendent of public instruction a plan and timeline for staff training on student behavior management and intensive crisis management and response. The goal of the plan must be to reduce overall staff use of student isolation and restraint and to have highly trained staff available to isolate or restrain students when appropriate and in the safest possible manner. Nothing in this section requires all staff to be trained on intensive crisis prevention and response.

(b) By August 1, 2026, and by August 1st annually thereafter, an update on the implementation of its staff training plan must be submitted to the office of the superintendent of public instruction.

(c) The model plan and guidance for staff training on student behavior management and intensive crisis prevention and response developed as required by section 7 of this act must be considered prior to plan and update development under this subsection (1).

(d) The plan and each update must be informed by the resource and support needs identified in the team incident review summaries completed under section 4(3) of this act.

(2) The plan and each update must:

(a) Describe the student behavior management and intensive crisis prevention and response training that will be provided or made available to staff during the following school year, with training content, duration, and frequency differentiated by staff, program, activity, and duty codes. When applicable, the plan update must explain why the prior year's training was not provided or made available as planned;

(b) Specify the name of any intensive crisis prevention and response training programs provided or made available to staff, by staff, program, activity, and duty codes;

(c) Explain how staff who have received intensive crisis prevention and response training are made available to prevent isolation and restraint and to reduce the risk of imminent likelihood of serious harm in the safest possible manner; and

(d) Describe the mechanism used to determine whether an entity under contract to provide educational services to students is providing training to the contractor's staff as required by this section.

(3) Training must be prioritized to staff in the following order:

(a) First to staff providing educational services to students with disabilities in prekindergarten through grade five, with further prioritization informed by the team incident review summaries completed under section 4(3) of this act;

(b) Second to staff providing educational services to students with disabilities in grades six through 12; and

(c) Third to all other staff.

(4) The definitions in section 2 of this act apply to this section.

**NEW SECTION. Sec. 9.** A new section is added to chapter 28A.410 RCW to read as follows:

In establishing policies and requirements for the preparation and certification of educators under RCW 28A.410.210, the Washington professional educator standards board shall require that the programs of courses, requirements, and other activities leading to educator certification include the foundational knowledge and skills of student behavior management, as defined in section 2 of this act.

**Sec. 10.** RCW 28A.320.127 and 2016 c 48 s 1 are each amended to read as follows:

(1) Beginning in the 2014-15 school year, each school district must adopt a plan for recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance abuse, violence, youth suicide, and sexual abuse. The school district must annually provide the plan to all district staff.

(2) At a minimum the plan must address:

(a) Identification of training opportunities in recognition, screening, and referral that may be available for staff;

(b) How to use the expertise of district staff who have been trained in recognition, screening, and referral;

(c) How staff should respond to suspicions, concerns, or warning signs of emotional or behavioral distress in students in a manner that is age and developmentally appropriate and considers any disabilities of the students;

(d) Identification and development of partnerships with community organizations and agencies for referral of students to health, mental health, substance abuse, and social support services, including development of at least one memorandum of understanding between the district and such an entity in the community or region;

(e) Protocols and procedures for communication with parents and guardians, including the notification requirements under RCW 28A.320.160;

(f) How staff should implement trauma-informed and relationship-centered de-escalation approaches to respond to a crisis situation where a student is in imminent danger to himself or herself or others, including protocols to comply with student isolation and restraint requirements under RCW 28A.600.485;

(g) How the district will provide support to students and staff after an incident of violence, youth suicide, or allegations of sexual abuse;

(h) How staff should respond when allegations of sexual contact or abuse are made against a staff member, a volunteer, or a parent, guardian, or family member of the student, including how staff should interact with parents, law enforcement, and child protective services; and

(i) How the district will provide to certificated and classified staff the training on the obligation to report physical abuse or sexual misconduct required under RCW 28A.400.317.

(3) The plan under this section may be a separate plan or a component of another district plan or policy, such as the harassment, intimidation, and bullying prevention policy under RCW 28A.300.2851 or the comprehensive safe school plan required under RCW 28A.320.125.

**Sec. 11.** RCW 28A.413.050 and 2021 c 197 s 12 are each amended to read as follows:

(1) The board shall adopt state standards of practice for paraeducators that are based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014. These standards must include:

(a) Supporting instructional opportunities;

(b) Demonstrating professionalism and ethical practices;

(c) Supporting a positive and safe learning environment, including by assisting certificated staff with: (i) Responding to the emotional or behavioral distress of students in a manner that is age and developmentally appropriate and considers any disabilities of the students; (ii) implementing behavior management practices and positive behavioral supports; and (iii) using trauma-informed and relationship-centered approaches for de-escalating aggressive student behaviors that include problem solving and conflict resolution;

(d) Communicating effectively and participating in the team process; and

(e) The standards of practice developed by the Washington professional educator standards board under RCW 28A.410.260.

(2) By January 1, 2020, in order to ensure that paraeducators can recognize signs of emotional or behavioral distress in students and appropriately refer students for assistance and support, the board shall incorporate into the standards of practice for paraeducators adopted under subsection (1) of this section the social-emotional learning standards, benchmarks, and related competencies described in RCW 28A.410.270.

**Sec. 12.** RCW 28A.415.445 and 2021 c 197 s 8 are each amended to read as follows:

(1) Beginning in the 2020-21 school year, and every other school year thereafter, school districts must use one of the professional learning days funded under RCW 28A.150.415 to train school district staff in one or more of the following topics: Social-emotional learning, trauma-informed practices, using the model plan developed under RCW 28A.320.1271 related to recognition and response to emotional or behavioral distress, classroom management strategies that include positive behavioral supports and de-escalation strategies, consideration of adverse childhood experiences, mental health literacy, antibullying strategies, or culturally sustaining practices.

(2)(a) In the 2021-22 school year, school districts must use one of the professional learning days funded under RCW 28A.150.415 to train school district staff in one or more of the following topics: Cultural competency, diversity, equity, or inclusion.

(b) Beginning in the 2023-24 school year, and every other school year thereafter, school districts must use one of the professional learning days funded under RCW 28A.150.415 to provide to school district staff a variety of opportunities for training, professional development, and professional learning aligned with the cultural competency, equity, diversity, and inclusion standards of practice developed by the Washington professional educator standards board under RCW 28A.410.260. Alignment with the standards of practice must be evaluated using the rubrics developed under RCW 28A.410.260. The opportunities must also include training on multicultural education and principles of English language acquisition.

(3) For the purposes of this section:

(a) "Cultural competency," "diversity," "equity," and "inclusion" have the same meaning as in RCW 28A.415.443.

(b) "School district staff" includes classified staff, certificated instructional staff, certificated administrative staff, and superintendents.

#### STATE MONITORING AND TECHNICAL ASSISTANCE

**NEW SECTION. Sec. 13.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) As required by this section, the office of the superintendent of public instruction shall monitor and support the compliance of school districts and other providers of public educational services with requirements related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act.

(2) Within three months of receipt, the office of the superintendent of public instruction shall review each staff training plan and update submitted by a school district or other provider of public educational services under section 8 of this act.

(3) At least annually, the office of the superintendent of public instruction shall require school districts and other providers of public educational services to submit incident report summaries submitted under section 4(3) of this act. The office of the superintendent of public instruction shall publish the incident report data and summaries on its website within 90 days of receipt. The data must be published in a manner that allows trend analyses, including analysis of intersecting marginalized identities.

(4)(a) Ongoing technical assistance must be provided to school districts and other providers of public educational services to support compliance with the requirements related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act.

(b) At a minimum, this technical assistance must include publishing:

(i) Guidance related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4

and 8 of this act that is updated periodically to support best practices;

(ii) An approved list of intensive crisis prevention and response training programs that are evidence-based, trauma-informed, student-centered, and proactive. The school mental health assessment research and training center at the University of Washington and the state association for behavior analysis must be consulted during the program approval process;

(iii) A model plan and guidance for staff training on student behavior management developed as required by section 7 of this act; and

(iv) A daily incident report form that includes fields for the information required by section 4(3)(a) of this act.

(5) Prior to implementing the technical assistance, and periodically thereafter, the office of the superintendent of public instruction shall collaborate with statewide associations representing school administrators, classified staff, and certificated staff to conduct focus groups for the purpose of better understanding staff challenges related to implementation of student isolation and restraint and room clear requirements under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act.

(6) Annually by November 1st, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction shall report to the appropriate committees of the legislature with a summary of its activities to monitor and support the compliance of school districts and other providers of public educational services with requirements related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act. The report must describe the progress that school districts and other providers of public educational services have made towards providing training to staff as required by section 8 of this act. The report must also highlight exemplar school districts and other providers of public educational services using best practices to eliminate the use of isolation and restraint.

(7) The office of the superintendent of public instruction shall adopt rules under chapter 34.05 RCW for the implementation of this section, sections 2, 4, 7, 8, and 13 through 18 of this act, and RCW 28A.600.485, 28A.600.486, 28A.155.210, 28A.320.127, and 28A.415.445.

(8) The definitions in section 2 of this act apply to this section.

**NEW SECTION. Sec. 14.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall provide, or contract for the provision of, intensive crisis prevention and response training.

(2) The office of the superintendent of public instruction shall establish criteria for prioritizing provision of the training to staff in the following order:

(a) Staff in school districts and other providers of public educational services that claimed and were approved for an exemption from the prohibition on isolation of prekindergarten through grade five students under RCW 28A.600.485(4)(b), with further prioritization informed by the incident report summaries submitted under section 4(3) of this act;

(b) Staff in school districts and other providers of public educational services that submit policies and procedures that include staff isolation of students in any of grades six through 12 as required by RCW 28A.600.486(3), with further prioritization informed by the incident report summaries submitted under section 4(3) of this act; and

(c) Staff not otherwise included in (a) or (b) of this subsection (2) in school districts and other providers of public educational services with high incidents of isolation, restraint, room clears, and injuries.

(3) Training under this section must be provided to the principals and other building administrators while it is provided to the classified and certificated instructional staff.

(4) The definitions in section 2 of this act apply to this section.

#### REGIONAL COACHES

**NEW SECTION. Sec. 15.** A new section is added to chapter 28A.310 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall distribute funding to educational service districts for regional coaches to support school districts and other providers of public educational services to implement requirements related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act.

(2) Regional coaches must promote evidence-based, trauma-informed crisis prevention and response practices that are less restrictive than isolation and restraint, as well as classroom management techniques and the use of a multitiered system of supports. In addition, regional coaches must have received intensive crisis prevention and response training through a program approved by the office of the superintendent of public instruction under section 13(4) of this act.

(3) The duties of the regional coaches must include mentoring, observing classes, providing feedback, providing trainings, training others to be trainers and mentors, and supporting actions to nurture a positive social and emotional school and classroom climate as described in RCW 28A.345.085.

(4) An educational service district that receives funding under this section must prioritize coaching services to local school districts and other providers of public educational services using the criteria established by the office of the superintendent of public instruction to

prioritize provision of training under section 14 of this act.

(5) Educational service districts are encouraged to employ or contract with board certified behavior analysts to be regional coaches.

(6) The definitions in section 2 of this act apply to this section.

#### PLANS OF IMPROVEMENT

NEW SECTION. **Sec. 16.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) When a school district or other provider of public educational services is not making sufficient progress towards the goals established in its staff training plan submitted under section 8 of this act or when disparities in use of isolation or restraint are identified in its incident report summaries submitted under section 4(3) of this act, the office of the superintendent of public instruction shall place the school district or other provider of public educational services on a plan of improvement. Under a plan of improvement, the office of the superintendent of public instruction shall provide targeted technical assistance, including annual site visits, until the school district or other provider of public educational services makes sufficient progress towards providing required staff training, or eliminates disparities in use of isolation or restraint, or both.

(2) The definitions in section 2 of this act apply to this section.

#### TRAINING PROGRAM FOR GOVERNING BODIES

NEW SECTION. **Sec. 17.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) By November 1, 2024, the office of the superintendent of public instruction shall develop a training program for school district boards of directors and the governing bodies of other providers of public educational services to meet requirements related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act. The training program must be updated periodically.

(2) At a minimum, the training program must include the following content:

(a) The legal prohibitions and limitations on the use of isolation and restraint on students provided under RCW 28A.600.485;

(b) The social-emotional and physical impacts to students and staff resulting from the use of isolation and restraint rather than trauma-informed interventions, such as de-escalation strategies and student-centered, restorative practices;

(c) How to assess compliance with RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act;

(d) A summary of the resources available through the office of the superintendent of public instruction and the educational service districts;

(e) A review of the applicable model policy of the Washington state school directors' association;

(f) The model plan and guidance for staff training on student behavior management developed as required by section 7 of this act; and

(g) Options for supporting system improvement by reprioritizing resources.

(3) The training program must be developed and updated in partnership with the Washington state school directors' association.

(4) The training program must be made available at no cost and be easily accessible to school district boards of directors, the governing bodies of other providers of public educational services, and the Washington state school directors' association.

(5) The definitions in section 2 of this act apply to this section.

#### SUPPORT FOR THOSE CLAIMING A TEMPORARY EXEMPTION FROM ELEMENTARY ISOLATION PROHIBITIONS

NEW SECTION. **Sec. 18.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) (a) By November 1, 2024, the office of the superintendent of public instruction shall establish and implement a process for school districts and other providers of public educational services to claim an exemption from the prohibition on isolating prekindergarten through grade five students under RCW 28A.600.485(4). The office of the superintendent of public instruction must approve the exemption of each school district or other provider of public educational services that claims an exemption by August 1, 2025.

(b) Exemptions authorized under this section expire on July 31, 2029; however, the office of the superintendent of public instruction is authorized to extend the exemption expiration date for any school district or other provider of public educational services that claimed an exemption by August 1, 2025, until staff have received student behavior management and intensive crisis prevention and response training as described in the staff training plan prepared under section 8 of this act.

(2) The office of the superintendent of public instruction shall provide technical assistance to school districts and other providers of public educational services that claimed and were approved for an exemption. Technical assistance must include assisting with the preparation of a staff training plan, as required by section 8 of this act, that supports compliance with conditions and limitations on use of student isolation under RCW 28A.600.485(4) as soon as practicable.

(3) School districts and other providers of public educational services that claimed and were approved for an exemption must be prioritized for training under section 14 of this act and for regional coaching services under section 15 of this act.

(4) The definitions in section 2 of this act apply to this section.

(5) This section expires June 30, 2040.

PROFESSIONAL DEVELOPMENT REPORT

NEW SECTION. **Sec. 19.** (1) By December 1, 2025, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction must report to the appropriate committees of the legislature a description of the training provided under section 14 of this act, including with its progress on developing a staff training deployment strategy and assembling of a network of training providers, as well as its assessment of the need and demand for staff training in the coming biennium. In assessing the future need and demand, the office of the superintendent of public instruction must consider lessons learned from the demonstration projects and provision of staff training authorized in section 501(4)(mm), chapter 475, Laws of 2023, the number of exemptions claimed under section 18 of this act, and the number of policies and procedures submitted as required by RCW 28A.600.486. The report must identify the intensive crisis prevention and response training program providers approved under section 13(4) of this act and those used by school districts and other providers of public educational services. The report must also describe how the state trainings provided under section 14 of this act connect to related trainings, for example trainings on a multitiered system of supports.

(2) This section expires June 30, 2026.

EDUCATOR PREPARATION AND PARAEDUCATOR CERTIFICATE REPORT

NEW SECTION. **Sec. 20.** (1) By December 1, 2024, and in compliance with RCW 43.01.036, the Washington professional educator standards board and the paraeducator board must jointly submit to the appropriate committees of the legislature a plan for integrating into educator preparation programs the requirements in section 9 of this act and for integrating into paraeducator standards of practice the new requirements in RCW 28A.413.050.

(2) This section expires August 30, 2025.

ROOM CLEAR REPORT

NEW SECTION. **Sec. 21.** (1) The office of the superintendent of public instruction must contract with a research entity to study and report on the use of room clears in Washington. The research entity must analyze and report on the impacts of a room clear on the students involved, including those who are removed from the classroom. The report must, at a minimum, consider the impact of room clears on lost instructional time, student mental health, and social-emotional learning. The research entity must also identify and summarize best practices on the use of room clears. The report of the research entity must be submitted by the office of the superintendent of public

instruction to the appropriate committees of the legislature by September 1, 2025, in compliance with RCW 43.01.036.

(2) This section expires June 30, 2026.

REPORT ON PLACEMENT IN AUTHORIZED ENTITIES

**Sec. 22.** RCW 28A.155.250 and 2023 c 436 s 8 are each amended to read as follows:

(1) Beginning December 1, 2023, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction shall annually submit a report to the education committees of the legislature regarding placements of students with disabilities at authorized entities under RCW 28A.155.060. A summary of the report, including a link to the full report content, must also be posted on the office of the superintendent of public instruction's website. The report must include:

(a) The number of students with disabilities placed in in-state authorized entities and the number of students with disabilities placed in out-of-state authorized entities, disaggregated by placing school district;

(b) The academic progress of students receiving special education services from authorized entities, using the results of the two most recent state assessments;

~~((b))~~ (c) The graduation rates of students who have received special education services from authorized entities;

~~((c))~~ (d) The rate at which students receiving special education services from authorized entities return to their resident school districts;

~~((d))~~ (e) Data on student restraint and isolation incidents, discipline, and attendance at authorized entities; ~~(and~~

~~(e))~~ (f) A year-over-year analysis of placement rates in authorized entities that includes whether placement decisions are influenced by requirements related to student isolation and restraint under RCW 28A.600.485; and

(g) Any corrective action or change in an entity's authorization status, as ordered by the office of the superintendent of public instruction.

(2) The data published under subsection (1) of this section must be disaggregated by each authorized entity when it is possible to do so without disclosing, directly or indirectly, a student's personally identifiable information as protected under the federal family educational rights and privacy act (Title 20 U.S.C. Sec. 1232g).

(3) As used in this section, "authorized entity" has the same meaning as in RCW 28A.300.690.

REPEALER

NEW SECTION. **Sec. 23.** RCW 28A.415.330 (Professional development institutes—Managing disruptive students) and 1999 c 166 s 2 are each repealed.

NULL AND VOID

NEW SECTION. **Sec. 24.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representative Callan spoke in favor of the adoption of the striking amendment.

The striking amendment (1074) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Callan, Rude and Christian spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Fourth Substitute House Bill No. 1479.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Fourth Substitute House Bill No. 1479, and the bill passed the House by the following vote: Yeas, 79; Nays, 18; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Cheney, Chopp, Christian, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hutchins, Klicker, Kloba, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barkis, Barnard, Chambers, Connors, Corry, Dent, Dye, Graham, Harris, Jacobsen, Kretz, Maycumber, Mosbrucker, Orcutt, Schmick, Schmidt, Volz and Waters

Excused: Representative Chandler

ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO. 1479, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1870, by Representatives Barnard, Ryu, Leavitt, Connors, Couture, Schmidt, Duerr, Slatter, Reed, Chapman, Graham, Ormsby, Timmons, Donaghy, Paul, Doglio, Reeves, Hackney and Griffey**

**Promoting economic development by increasing opportunities for local communities to secure federal funding.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1870 was substituted for House Bill No. 1870 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1870 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Barnard and Ryu spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1870.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1870, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1870, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2303, by Representatives Goodman, Simmons and Peterson**

**Modifying conditions of community custody.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2303 was substituted for House Bill No. 2303 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2303 was read the second time.

Representative Goodman moved the adoption of amendment (885):

On page 6, line 19, after "offender," insert "following the offender's release from total confinement,"

On page 6, after line 34, insert the following:

"(e) A motion under this subsection may not reopen the offender's conviction to challenges that would otherwise be barred by RCW 10.73.090, 10.73.100, 10.73.140, or other procedural barriers."

On page 7, line 5, after "offender," insert "following the offender's release from total confinement,"

On page 7, after line 20, insert the following:

"(e) A motion under this subsection may not reopen the offender's conviction to challenges that would otherwise be barred by



RCW 10.73.090, 10.73.100, 10.73.140, or other procedural barriers."

Representatives Goodman and Mosbrucker spoke in favor of the adoption of the amendment.

Amendment (885) was adopted.

Representative Mosbrucker moved the adoption of amendment (1090):

On page 4, beginning on line 19, strike all of sections 2 and 3

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 16, beginning on line 1, strike all of section 8

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representative Mosbrucker spoke in favor of the adoption of the amendment.

Representative Goodman spoke against the adoption of the amendment.

Amendment (1090) was not adopted.

Representative Mosbrucker moved the adoption of amendment (941):

On page 6, line 30, after "every" strike "six-month" and insert "12-month"

On page 7, line 16, after "every" strike "six-month" and insert "12-month"

Representatives Mosbrucker and Goodman spoke in favor of the adoption of the amendment.

Amendment (941) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Goodman spoke in favor of the passage of the bill.

Representative Mosbrucker spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2303.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2303, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves,

Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2303, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2023, by Representatives Shavers, Ramel, Reed, Ormsby, Callan, Timmons, Berg, Lekanoff, Doglio, Reeves and Santos**

**Improving meaningful access to elections by increasing language assistance.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Shavers and Cheney spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2023.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2023, and the bill passed the House by the following vote: Yeas, 84; Nays, 13; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Christian, Couture, Dye, Graham, Griffey, Jacobsen, McEntire, Orcutt, Schmick, Schmidt, Volz and Walsh

Excused: Representative Chandler

HOUSE BILL NO. 2023, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2481, by Representatives Volz, Bergquist, Robertson and Macri**

**Waiving health benefit premiums in the public employees' benefits board.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Volz and Bergquist spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2481.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2481, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2481, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

### SECOND READING

**HOUSE BILL NO. 1906, by Representatives Chapman, Barkis, Bronoske, Reed, Ryu and Reeves**

**Changing the vessel length requirement in obtaining nonresident vessel permits.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1906 was substituted for House Bill No. 1906 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1906 was read the second time.

Representative Chapman moved the adoption of amendment (841):

On page 3, line 5, after "permit." insert "Until May 1, 2025, the department must process the application for a nonresident vessel permit, with respect to a vessel that exceeds 200 feet in length, as if the vessel were 200 feet in length."

On page 4, line 35, after "(D)" insert "(I)"

On page 4, line 35, after "length" insert ", except as provided in (a)(ii)(D)(II) of this subsection"

On page 4, line 37, after "foot" insert ". (II) Until May 1, 2025, the fee for vessels between 201 and 300 feet in length is the same as that for a vessel 200 feet in length"

Representatives Chapman and Barkis spoke in favor of the adoption of the amendment.

Amendment (841) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chapman and Barkis spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1906.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1906, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1906, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1996, by Representatives Robertson, Chapman and Graham**

**Establishing the Washington recreational vehicle manufacturer and dealer law.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1996 was substituted for House Bill No. 1996 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1996 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Robertson and Walen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1996.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1996, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors,

Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1996, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1919, by Representatives Bronoske, Corry, Leavitt, Reed and Tharinger**

**Modifying the process by which a private moorage facility may sell an abandoned vessel for failure to pay moorage fees.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1919 was substituted for House Bill No. 1919 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1919 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bronoske and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1919.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1919, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1919, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1468, by Representatives Goehner, Duerr, Jacobsen, Griffey, Barkis, Robertson, Hutchins, Chapman, Riccelli, Berg, Bateman and Pollet**

**Concerning impact fee deferrals.**

The bill was read the second time.

With the consent of the House, amendment (794) was withdrawn.

Representative Callan moved the adoption of amendment (1079):

Beginning on page 1, line 4, strike all of section 1 and insert the following:

**"Sec. 1.** RCW 82.02.050 and 2015 c 241 s 1 are each amended to read as follows:

(1) It is the intent of the legislature:

(a) To ensure that adequate facilities are available to serve new growth and development;

(b) To promote orderly growth and development by establishing standards by which counties, cities, and towns may require, by ordinance, that new growth and development pay a proportionate share of the cost of new facilities needed to serve new growth and development; and

(c) To ensure that impact fees are imposed through established procedures and criteria so that specific developments do not pay arbitrary fees or duplicative fees for the same impact.

(2) Counties, cities, and towns that are required or choose to plan under RCW 36.70A.040 are authorized to impose impact fees on development activity as part of the financing for public facilities, provided that the financing for system improvements to serve new development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees.

(3) ~~((a))~~ Counties, cities, and towns collecting impact fees must, by September 1, ~~((2016))~~2025, adopt and maintain a system for the deferred collection of impact fees for single-family detached and attached residential construction. The deferral system must include a process by which an applicant for a building permit for ~~((a))~~ single-family detached or attached residences may ~~((request a deferral of the full impact fee payment. The deferral system offered by a county, city, or town under this subsection (3) must include one or more of the following options:~~

~~((A)) Deferring collection of the impact fee payment until final inspection;~~

~~((B)) Deferring collection of the impact fee payment until certificate of occupancy or equivalent certification; or~~

~~((C)) Deferring collection of the impact fee payment until the time of closing of the first sale of the property occurring after the issuance of the applicable building permit.~~

~~((ii)) Counties, cities, and towns utilizing the deferral process required by this subsection (3)(a)) execute a promissory note in favor of the county, city, or town imposing the impact fee for the full value of the impact fees imposed. The note must come due at the time provided for in (b) of this subsection (3). The note must identify each impact fee that it covers and the total amount of fees that are due. The note must be recorded with the county auditor at the expense of the applicant. If lots have not been created on the subdivision, the note~~

must be recorded for the entire subdivision. The payment of the fees detailed in the promissory note is the legal responsibility of the applicant.

(b) The promissory note must include a provision for payment of the impact fee:

(i) At the time of the issuance of a certificate of occupancy or equivalent certification for the lot or unit;

(ii) At the time of the closing of the first sale of the lot or unit occurring after the issuance of the applicable building permit; or

(iii) At the time of final inspection.

(c)(i) If a county, city, or town has determined that payment of the impact fees is due at the time of the issuance of the certificate of occupancy or equivalent certification or at the time of the final inspection, the county, city, or town may withhold certification of final inspection, the certificate of occupancy, or equivalent certification until the impact fees have been paid in full. If the applicant has not paid in full by the time of the first sale of the lot or unit occurring after the issuance of the applicable building permit, then the impact fees are due immediately at the time of sale.

(ii) If the full impact fees have not been paid within one month of the sale of the first sale of the lot or unit occurring after the issuance of the applicable building permit, then the note bears interest at the rate provided for in RCW 82.32.050(2). The rate must be adjusted on the first day of January of each year for use in computing interest for that calendar year. The county treasurer must provide the county, city, or town covered by the promissory note with the variable rate on or before December 31st of the year preceding the year in which the rate applies.

(iii) In addition to the interest provided for in (c)(ii) of this subsection (3), if an applicant has not paid the impact fees in full within one month of the first sale of the lot or unit occurring after the issuance of the applicable building permit, the applicant must additionally be assessed a penalty of five percent of the total amount remaining due on the promissory note. If the promissory note has not been paid in full within two months of the time of the first sale of the lot or unit occurring after the issuance of the applicable building permit, the applicant must instead be assessed a penalty of 10 percent of the total amount remaining due on the promissory note. If the promissory note has not been paid in full within three months of the time of the first sale of the lot or unit occurring after the issuance of the applicable building permit, the applicant must instead be assessed a penalty of 20 percent of the total amount remaining due on the promissory note.

(iv) The interest and penalties provided for in this subsection (3)(c) are collectible only from the applicant and may not be a lien against the property sold by the applicant for which the impact fees were due. Owners of an applicant who has not paid the impact fees in full within one month of the first sale of the lot or unit occurring after the issuance of the applicable

building permit are personally liable for the full amount of the note, unless the sale has been recorded in the official county property record.

~~((iii))~~(d) The amount of impact fees that may be deferred under this subsection (3) must be determined by the fees in effect at the time the applicant applies for a deferral.

~~((iv))~~ Unless an agreement to the contrary is reached between the buyer and seller, the payment of impact fees due at closing of a sale must be made from the seller's proceeds. In the absence of an agreement to the contrary, the seller bears strict liability for the payment of the impact fees.

~~(b))~~(e) The applicant must provide written disclosure of a deferral agreement to a property buyer as required by chapter 64.06 RCW.

(f) The term of an impact fee deferral under this subsection (3) may not exceed ~~((eighteen))~~ 18 months from the date of building permit issuance.

~~((c))~~ Except as may otherwise be authorized in accordance with (f) of this subsection (3), an applicant seeking a deferral under this subsection (3) must grant and record a deferred impact fee lien against the property in favor of the county, city, or town in the amount of the deferred impact fee. The deferred impact fee lien, which must include the legal description, tax account number, and address of the property, must also be:

(i) In a form approved by the county, city, or town;

(ii) Signed by all owners of the property, with all signatures acknowledged as required for a deed, and recorded in the county where the property is located;

(iii) Binding on all successors in title after the recordation; and

(iv) Junior and subordinate to one mortgage for the purpose of construction upon the same real property granted by the person who applied for the deferral of impact fees.

(d)(i) If impact fees are not paid in accordance with a deferral authorized by this subsection (3), and in accordance with the term provisions established in (b) of this subsection (3), the county, city, or town may institute foreclosure proceedings in accordance with chapter 61.12 RCW.

(ii) If the county, city, or town does not institute foreclosure proceedings for unpaid school impact fees within forty-five days after receiving notice from a school district requesting that it do so, the district may institute foreclosure proceedings with respect to the unpaid impact fees.

(e)(i) Upon receipt of final payment of all deferred impact fees for a property, the county, city, or town must execute a release of deferred impact fee lien for the property. The property owner at the time of the release, at his or her expense, is responsible for recording the lien release.

(ii) The extinguishment of a deferred impact fee lien by the foreclosure of a lien having priority does not affect the obligation to pay the impact fees as a condition of final inspection, certificate

~~of occupancy, or equivalent certification, or at the time of closing of the first sale.~~

~~((f)) (g) A county, city, or town with an impact fee deferral process on or before April 1, 2015, is exempt from the requirements of this subsection (3) if the deferral process delays all impact fees and remains in effect after September 1, 2016.~~

~~((g) (i) Each applicant for a single-family residential construction permit, in accordance with his or her contractor registration number or other unique identification number, is entitled to annually receive deferrals under this subsection (3) for the first twenty single-family residential construction building permits per county, city, or town. A county, city, or town, however, may elect, by ordinance, to defer more than twenty single-family residential construction building permits for an applicant. If the county, city, or town collects impact fees on behalf of one or more school districts for which the collection of impact fees could be delayed, the county, city, or town must consult with the district or districts about the additional deferrals. A county, city, or town considering additional deferrals must give substantial weight to recommendations of each applicable school district regarding the number of additional deferrals. If the county, city, or town disagrees with the recommendations of one or more school districts, the county, city, or town must provide the district or districts with a written rationale for its decision.~~

~~((ii)) (h) For purposes of this subsection (3) ((g)), an "applicant" includes an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant.~~

~~((h) Counties, cities, and towns may collect reasonable administrative fees to implement this subsection (3) from permit applicants who are seeking to delay the payment of impact fees under this subsection (3).~~

~~(i) In accordance with RCW 44.28.812 and 43.31.980, counties, cities, and towns must cooperate with and provide requested data, materials, and assistance to the department of commerce and the joint legislative audit and review committee.)~~

~~(4) The impact fees:~~

~~(a) Shall only be imposed for system improvements that are reasonably related to the new development;~~

~~(b) Shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development; and~~

~~(c) Shall be used for system improvements that will reasonably benefit the new development.~~

~~(5) (a) Impact fees may be collected and spent only for the public facilities defined in RCW 82.02.090 which are addressed by a capital facilities plan element of a comprehensive land use plan adopted pursuant to the provisions of RCW 36.70A.070 or the provisions for comprehensive plan adoption contained in chapter 36.70, 35.63, or 35A.63 RCW. After the date a county, city, or town is required to adopt its development regulations under chapter 36.70A RCW, continued authorization to collect and~~

~~expend impact fees is contingent on the county, city, or town adopting or revising a comprehensive plan in compliance with RCW 36.70A.070, and on the capital facilities plan identifying:~~

~~(i) Deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time;~~

~~(ii) Additional demands placed on existing public facilities by new development; and~~

~~(iii) Additional public facility improvements required to serve new development.~~

~~(b) If the capital facilities plan of the county, city, or town is complete other than for the inclusion of those elements which are the responsibility of a special district, the county, city, or town may impose impact fees to address those public facility needs for which the county, city, or town is responsible."~~

Representatives Callan and Goehner spoke in favor of the adoption of the amendment.

Amendment (1079) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goehner and Duerr spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1468.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1468, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED HOUSE BILL NO. 1468, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1899, by Representatives Volz, Schmidt, Chapman, Graham, Rule, Leavitt, Waters, Low, Christian, Couture, McClintock, Barnard, Jacobsen, Timmons, Schmick, Dent, Cheney, Sandlin and Griffey**

**Facilitating reconstruction of communities damaged or destroyed by wildfires.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1899 was substituted for House Bill No. 1899 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1899 was read the second time.

Representative Volz moved the adoption of amendment (1062):

On page 1, line 18, after "making" strike "grants" and insert "disaster relief payments"

On page 2, line 2, after "state." insert "It is the intent of the legislature that the assistance provided in this act be considered disaster relief payments by the internal revenue service."

On page 2, line 7, after "a" strike "grant" and insert "disaster relief payment"

On page 2, line 10, after "of" strike "grant" and insert "disaster relief payment"

On page 2, line 14, after "that the" strike "grants" and insert "disaster relief payments"

On page 2, line 16, after "(2)" strike "Grants" and insert "Disaster relief payments"

On page 2, line 21, after "wildfires" strike "at the time the building was destroyed"

On page 2, line 30, after "(3)" strike "Grants" and insert "Disaster relief payments"

On page 2, line 35, after "awarding" strike "grants" and insert "disaster relief payments"

On page 2, line 38, after "awarding" strike "grants" and insert "disaster relief payments"

On page 3, line 1, after "award" strike "grants" and insert "disaster relief payments"

On page 3, line 3, after "with" strike "grants" and insert "disaster relief payments"

On page 3, after line 19, insert the following:

**NEW SECTION. Sec. 3.** A new section is added to chapter 19.27 RCW to read as follows:

(1) The provisions of this chapter do not apply to the permitting, repair, or reconstruction of a rebuilt residential building to the extent that they would require additional energy efficiencies or offsets on, restrict, or prohibit the construction or use of a propane tank as a secondary heating source for the rebuilt residential building. The provisions of this chapter shall apply to rebuilt residential

buildings in all other respects that do not conflict with this section.

(2) Counties and cities may not prohibit the construction or use of a propane tank as a secondary heating source in a rebuilt residential building.

(3) For the purposes of this section, "rebuilt residential building" means a residential building damaged or destroyed by wildfire between July 1, 2023, and September 1, 2023, in a location that was subject to an emergency declaration from the governor or a local government.

**Sec. 4.** RCW 19.27A.015 and 1990 c 2 s 2 are each amended to read as follows:

(1) Except as provided in \*RCW 19.27A.020((47)) (6) and in subsection (2) of this section, the Washington state energy code for residential buildings shall be the maximum and minimum energy code for residential buildings in each city, town, and county and shall be enforced by each city, town, and county no later than July 1, 1991. The Washington state energy code for nonresidential buildings shall be the minimum energy code for nonresidential buildings enforced by each city, town, and county.

(2) (a) The provisions of the Washington state energy code for residential structures shall not apply to the permitting, repair, or construction of rebuilt residential buildings to the extent that it would require additional energy efficiencies or offsets on, restrict, or prohibit the construction or use of a propane tank as a secondary heating source for the rebuilt residential building. The provisions of Washington state energy code for residential structures shall apply to rebuilt residential buildings in all other respects that do not conflict with this section.

(b) For the purposes of this section, "rebuilt residential building" has the same meaning as in section 3 of this act.

**NEW SECTION. Sec. 5.** Sections 3 and 4 of this act expire June 30, 2026."

Re-number the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Volz and Riccelli spoke in favor of the adoption of the amendment.

Amendment (1062) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Volz and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1899.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1899, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Ramel  
Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1899, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

There being no objection, the House reverted to the third order of business.

#### MESSAGE FROM THE SENATE

Tuesday, February 13, 2024

Mme. Speaker:

The Senate has passed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5546  
SENATE BILL NO. 5595  
ENGROSSED SENATE BILL NO. 5629  
SUBSTITUTE SENATE BILL NO. 5652  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5657  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5828  
SECOND SUBSTITUTE SENATE BILL NO. 5893  
SENATE BILL NO. 5903  
SENATE BILL NO. 5915  
SUBSTITUTE SENATE BILL NO. 5980  
SUBSTITUTE SENATE BILL NO. 6010  
SENATE BILL NO. 6030  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6040  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6068  
SUBSTITUTE SENATE BILL NO. 6154  
SUBSTITUTE SENATE BILL NO. 6198  
SENATE BILL NO. 6215  
SENATE BILL NO. 6229  
SENATE BILL NO. 6242  
SENATE BILL NO. 6247  
ENGROSSED SENATE BILL NO. 6296  
SUBSTITUTE SENATE BILL NO. 6302

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the sixth order of business.

#### SECOND READING

**HOUSE BILL NO. 2114, by Representatives Alvarado, Macri, Ramel, Peterson, Mena, Slatter, Farivar, Taylor, Doglio, Cortes, Fitzgibbon, Gregerson, Berry, Senn, Reed, Bateman,**

**Ortiz-Self, Simmons, Ormsby, Street, Chopp, Orwall, Bergquist, Berg, Wylie, Stonier, Lekanoff, Fosse, Riccelli, Pollet, Kloba and Davis**

**Improving housing stability for tenants subject to the residential landlord-tenant act and the manufactured/mobile home landlord-tenant act by limiting rent and fee increases, requiring notice of rent and fee increases, limiting fees and deposits, establishing a landlord resource center and associated services, authorizing tenant lease termination, creating parity between lease types, and providing for attorney general enforcement.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2114 was substituted for House Bill No. 2114 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2114 was read the second time.

With the consent of the House, amendments (1022), (1024), (1025), (1029), (1030), (1032), (1037), (1038), (1039), (1040), (1041), (1042), (1043), (1044), (1045), (1046), (1048), (1020), (1017), (1018) and (1019) were withdrawn.

Representative Reeves moved the adoption of amendment (1028):

On page 3, line 5, after "tenancy," insert "including short-term rentals and vacation rentals,"

On page 3, line 6, after "greater" insert "or lesser"

On page 11, at the beginning of line 34, insert "including short-term rentals and vacation rentals,"

On page 11, line 35, after "greater" insert "or lesser"

Representative Reeves spoke in favor of the adoption of the amendment.

Amendment (1028) was adopted.

Representative Reeves moved the adoption of amendment (1027):

On page 25, after line 25, insert the following:

**"NEW SECTION. Sec. 303.** (1) The department of commerce must contract with an independent third party, which may include educational institutions or private entities with subject matter expertise, to carry out a social vulnerability assessment of the impacts of this act. At a minimum, the assessment must consider the following:

(a) The impact of rent stabilization on extending tenancies due to rent capping.

(b) Whether there are social vulnerability impacts on cost burdened, immutable characteristic communities, or rural communities.

(c) Whether rent stabilization creates a disproportionate burden on new or transitioning renters as a result of current tenants' rent being capped.

(d) The impacts of rent stabilization on alternative rental markets such as short-term rentals.

(e) The impacts of rent stabilization on state-owned or state-run housing units.

(2) The assessment is due to the legislature no later than December 1, 2026, and shall be provided in compliance with RCW 43.01.036.

(3) This section expires July 1, 2027."

Correct the title.

Representative Reeves spoke in favor of the adoption of the amendment.

Amendment (1027) was adopted.

Representative Klicker moved the adoption of the striking amendment (1034):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.330 RCW to read as follows:

(1) The department must review the efficacy of the following mandates as applied to landlords and tenants subject to chapter 59.18 RCW or chapter 59.20 RCW:

(a) Prohibiting any increase in rent and fees in total during the first twelve months of a tenancy;

(b) Restricting increases in total rent and fees to seven percent or less during any twelve-month period following the initial twelve months of a tenancy; and

(c) Requiring landlords to provide tenants with at least 180 days notice before raising their rent and fees in total by three percent or more.

(2) The review must include a recommendation as to whether the provisions described in subsection (1) of this section should be enacted.

(3) By November 1, 2026, and in compliance with RCW 43.01.036, the department shall provide a report to the legislature and the governor based on the requirements of this section.

(4) This section expires July 1, 2027."

Correct the title.

Representatives Klicker and Barkis spoke in favor of the adoption of the striking amendment.

Representative Peterson spoke against the adoption of the striking amendment.

An electronic roll call was requested.

#### ROLL CALL

The Clerk called the roll on the adoption of the striking amendment (1034) and the amendment was not adopted by the following vote: Yeas, 42; Nays, 55; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walen, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson,

Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Wylie and Mme. Speaker  
Excused: Representative Chandler

The striking amendment (1034) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Alvarado, Macri, Ramel, Street and Stonier spoke in favor of the passage of the bill.

Representatives Corry, Christian, Abbarno, Connors, Klicker, Couture, Hutchins and Barkis spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2114.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2114, and the bill passed the House by the following vote: Yeas, 54; Nays, 43; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Bronoske, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walen, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114, having received the necessary constitutional majority, was declared passed.

#### SPEAKER'S PRIVILEGE

The Speaker thanked the members of the body for the robust debate as today was the last day to pass house of origin bills. The Speaker also acknowledged and thanked the entire legislative staff for all of their hard work and asked the Chamber to acknowledge them.

There being no objection, the House adjourned until 9:55 a.m., Wednesday, February 14, 2024, the 38th Day of the 2024 Regular Session.

Laurie Jinkins, Speaker

Bernard Dean, Chief Clerk



## THIRTY EIGHTH DAY

House Chamber, Olympia, Wednesday, February 14, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4668**, by Representative Ramos

WHEREAS, The students of the Tahoma High School enrolled in the "We the People: The Citizen and Constitution" program have consistently showcased their superior knowledge of the Constitution of the United States and the lessons instilled by our Founding Fathers; and

WHEREAS, On Saturday, January 6, 2024, the team from Tahoma High School won the state We the People competition, the school's 15th consecutive state championship and its 28th state championship in the last 30 years; and

WHEREAS, These students will represent The Evergreen State this spring at the 37th annual We the People finals in Washington, D.C., where they hope to go beyond their highly commendable top seven finish from the national competition in 2023; and

WHEREAS, The Tahoma High School We the People team is coached by Gretchen Wulfin, a distinguished educator whom was honored in 2011 with Washington's Civic Educator of the Year award and honored again in 2016 as one of Washington's Civic Educators of the Year, adding to the honors of her 16th year academic coaching career, where she has diligently expanded her students' knowledge of the United States Constitution and Bill of Rights, ensuring important principles and foundational ideas are passed on with both fervor and intellectual poise to the next generation; and

WHEREAS, Studies continue to show that students that participate in the We the People program imbue ideals of democracy and civic engagement, registering to vote at a higher rate than their high school counterparts and testing higher in examinations on civic knowledge and civic dispositions, including community involvement, tolerant political engagement, and respect for the due process of law; and

WHEREAS, The Tahoma High School We the People team, led with inspiring passion by their coach, continues to reflect the ideals of a holistic education, of which their distinguished record at the national level, having placed, in 2023, in the top 10 for the sixth consecutive year, is a sure sign of their commitment and success;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor Sophie Artemidze, Andrew Baker, Connor Baker, Harika Bavisetty, Rohan Boinpally, Yash Buddhdeo, Slayton Cooper, Kira Corona, Iris Guo, Cannon Harmer, Bill Hernandez, UJ Jeon, Norah Jose, Talal Kheiry, Olivia Kizer, Sydney Kortenkamp, Hannah McDunnah, Sadie McMillan, Tanner Pham, Aditya Rana, Tamar Rasmussen, Dillon Roper, Ivah Rude, Logan Sancewich, Himanjali Tavva, Sean Uy, and Nandini Yogi as "Warriors of the Constitution"; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the members of Tahoma High School's We the People team, team advisor Gretchen Wulfin, and Tahoma High School Principal Judy Beliveau to convey the respect of this body for a phenomenal job and continued success in their future endeavors.

With the consent of the House, HOUSE RESOLUTION NO. 4668 was adopted.

There being no objection, the House advanced to the fourth order of business.

## INTRODUCTION &amp; FIRST READING

E2SSB 5213 by Senate Committee on Ways & Means (originally sponsored by Kuderer, Short, Cleveland, Conway, Dhingra, Rolfes, Wellman and Wilson, C.)

AN ACT Relating to pharmacy benefit managers; amending RCW 48.200.020, 48.200.210, and 48.200.280; adding a new chapter to Title 48 RCW; recodifying RCW 48.200.210, 48.200.220, 48.200.230, 48.200.240, 48.200.250, 48.200.260, 48.200.270, 48.200.280, and 48.200.290; and providing an effective date.

Referred to Committee on Health Care & Wellness.

2ESSB 5284 by Senate Committee on State Government & Elections (originally sponsored by Nguyen, Billig, Frame, Hunt, Keiser, Kuderer, Shewmake and Wilson, C.)

AN ACT Relating to improving transparency in campaign finance disclosure; amending RCW 42.17A.005, 42.17A.205, 42.17A.207, 42.17A.235, 42.17A.240, 42.17A.250, 42.17A.255, 42.17A.260, 42.17A.265, 42.17A.305, and 42.17A.345; adding a new section to chapter 42.17A RCW; and repealing RCW 42.17A.418.

Referred to Committee on State Government & Tribal Relations.

2SSB 5591 by Senate Committee on Ways & Means (originally sponsored by Nobles, Mullet, Frame, Kuderer, Lovelett, Nguyen, Randall, Trudeau, Valdez and Wilson, C.)

AN ACT Relating to providing dependent youth with financial education and support; adding a new section to chapter 74.13 RCW; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

SSB 5667 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Muzzall, Van De Wege, Short, Wagoner and Wellman)

AN ACT Relating to eligibility, enrollment, and compensation of small forestland owners volunteering for participation in the forestry riparian easement program; and amending RCW 76.13.120 and 76.13.140.

Referred to Committee on Agriculture & Natural Resources.

SSB 5803 by Senate Committee on Ways & Means (originally sponsored by Conway, Boehnke, Dozier, Frame, Holy, Hunt, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Nobles, Padden, Stanford, Wagoner, Warnick and Wellman)

AN ACT Relating to the recruitment and retention of Washington National Guard members; and adding a new section to chapter 38.24 RCW.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

SB 5837 by Senators Valdez, Kuderer, Hasegawa, Hunt, Nobles and Trudeau

AN ACT Relating to codifying the state election database to publish, evaluate, and analyze certain election data; and adding a new section to chapter 29A.04 RCW.

Referred to Committee on State Government & Tribal Relations.

SSB 5873 by Senate Committee on Ways & Means (originally sponsored by Wellman, Wilson, C., Hasegawa, Hunt, Kuderer, Nguyen, Nobles, Trudeau and Valdez)

AN ACT Relating to providing adequate and predictable student transportation; amending RCW 28A.160.170 and 28A.160.140; and adding new sections to chapter 28A.160 RCW.

Referred to Committee on Appropriations.

SB 5889 by Senators Kauffman, Frame, Hasegawa, Keiser, Kuderer, Liias, Nguyen, Nobles, Shewmake, Stanford and Wilson, C.

AN ACT Relating to enhancing poverty reduction, equity, and access efforts by establishing the customer voice council and strengthening community partnerships; and amending RCW 74.08A.280.

Referred to Committee on Human Services, Youth, & Early Learning.

SSB 5934 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Padden, Van De Wege, Dhingra, Liias, Salomon and Warnick)

AN ACT Relating to pollinator habitat; amending RCW 64.38.057 and 64.90.512; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; and adding a new section to chapter 36.70 RCW.

Referred to Committee on Local Government.

ESSB 6039 by Senate Committee on Environment, Energy & Technology (originally sponsored by Lovelett, Shewmake, Dhingra, Frame, Hasegawa, Keiser, Liias, Nguyen, Nobles and Saldaña)

AN ACT Relating to promoting the development of geothermal energy resources; amending RCW 79.13.530; adding a new section to chapter 43.92 RCW; adding a new section to chapter 43.31 RCW; and creating a new section.

Referred to Committee on Environment & Energy.

SSB 6099 by Senate Committee on Ways & Means (originally sponsored by Braun, Kauffman and Mullet)

AN ACT Relating to creating the tribal opioid prevention and treatment account; amending RCW 43.79.483; reenacting and amending RCW 43.84.092 and 43.84.092; adding a new section to chapter 43.79 RCW; creating a new section; providing effective dates; and providing an expiration date.

Referred to Committee on Appropriations.

SSB 6106 by Senate Committee on Ways & Means (originally sponsored by Conway, Keiser, Robinson, Hunt, Dhingra, Frame, Holy, Kuderer, Lovick, Nobles, Valdez and Wilson, C.)

AN ACT Relating to including in the public safety employees' retirement system specified workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings; amending RCW 41.37.010; adding a new section to chapter 41.37 RCW; and providing an effective date.

Referred to Committee on Appropriations.

SSB 6115 by Senate Committee on Transportation (originally sponsored by King, Liias, Lovick, Nobles, Saldaña, Shewmake and Wilson, C.)

AN ACT Relating to speed safety camera systems; amending RCW 46.16A.120, 46.20.270, 46.63.110, and 46.63.200; and prescribing penalties.

Referred to Committee on Transportation.

SSB 6146 by Senate Committee on Law & Justice (originally sponsored by Dhingra, Kauffman, Robinson, Stanford, Hasegawa, Randall, Wellman, Kuderer, Lovelett, Nobles, Saldaña, Shewmake, Valdez and Wilson, C.)

AN ACT Relating to tribal warrants; and adding a new chapter to Title 10 RCW.

Referred to Committee on Community Safety, Justice, & Reentry.

SSB 6163 by Senate Committee on Environment, Energy & Technology (originally sponsored by Wilson, J., Lovelett, Hasegawa, Nobles and Saldaña)

AN ACT Relating to biosolids; amending RCW 70A.226.005, 70A.226.007, 70A.226.010, 70A.226.020, and 70A.226.030; and adding a new section to chapter 70A.226 RCW.

Referred to Committee on Environment & Energy.

ESSB 6179 by Senate Committee on Labor & Commerce (originally sponsored by MacEwen, Keiser and Nguyen)

AN ACT Relating to the use of biometric age verification by liquor licensees; amending RCW 66.20.170; and adding a new section to chapter 66.20 RCW.

Referred to Committee on Regulated Substances & Gaming.

SSB 6192 by Senate Committee on Labor & Commerce (originally sponsored by King, Stanford, Mullet and Nobles)

AN ACT Relating to additional work and change orders on public and private construction projects; and amending RCW 39.04.360.

Referred to Committee on Capital Budget.

SB 6238 by Senators Dozier, Conway, Fortunato, Hasegawa, Lovelett, Lovick, Torres, Wagoner, Warnick, Wilson, C. and Wilson, J.

AN ACT Relating to updating thresholds for the property tax exemption for widows and widowers of honorably discharged veterans; amending RCW 84.39.010; and creating a new section.

Referred to Committee on Finance.

SB 6263 by Senators Wilson, L., Boehnke, Cleveland, Conway, Keiser, Lovelett, Lovick, Rivers, Schoesler, Torres and Wellman

AN ACT Relating to death benefits provided by the 1955 act for firefighters' relief and pensions; and amending RCW 41.18.140.

Referred to Committee on Appropriations.

SSB 6269 by Senate Committee on State Government & Elections (originally sponsored by Valdez, Hunt, Kuderer, Nobles and Saldaña)

AN ACT Relating to establishing an alternative voter verification options pilot project; reenacting and amending RCW 29A.40.110; adding a new section to chapter 29A.40 RCW; and providing an expiration date.

Referred to Committee on State Government & Tribal Relations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10:30 a.m., Thursday, February 15, 2024, the 39th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## THIRTY NINTH DAY

House Chamber, Olympia, Thursday, February 15, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Anish Maheshwar and Heaven Castro. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Steve Imhof, Puyallup Community Baptist Church

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SENATE**

Tuesday, February 13, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5344  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5850  
 ENGROSSED SENATE BILL NO. 5906  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 5955  
 ENGROSSED SENATE BILL NO. 6087  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 6092  
 ENGROSSED SENATE BILL NO. 6167

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

2ESSB 5546 by Senate Committee on Labor & Commerce (originally sponsored by Shewmake, Lovick, Keiser, King, Stanford, Conway and Wilson, C.)

AN ACT Relating to establishing a Washington state cannabis commission; amending RCW 41.06.070; adding a new section to chapter 69.50 RCW; and adding a new chapter to Title 15 RCW.

Referred to Committee on Regulated Substances & Gaming.

SB 5595 by Senators Wilson, J., Rolfes, Holy, Wilson, L., Lovick, Nguyen, Randall, Wilson, C., Valdez, Kuderer, Torres, Pedersen, Dhingra, Lovelett, Padden, Keiser, Muzzall, Short, Robinson, Schoesler, Dozier, Wagoner, Billig, Van De Wege, Warnick, Fortunato, Rivers, Braun, King, Gildon, Boehnke, McCune, Shewmake, Saldaña, Cleveland, Trudeau, Frame, Conway, Hasegawa and Hunt

AN ACT Relating to the state nickname; adding a new section to chapter 1.20 RCW; and creating new sections.

Referred to Committee on State Government & Tribal Relations.

ESB 5629 by Senators Conway, Dhingra, Hasegawa, Nobles and Wilson, C.

AN ACT Relating to hepatitis B and hepatitis C screening and health care services; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5652 by Senate Committee on Transportation (originally sponsored by Lovick, Dozier, Hawkins, Hunt, Saldaña, Short and Stanford)

AN ACT Relating to compensation for tow truck operators for keeping the public roadways clear; and amending RCW 46.44.110.

Referred to Committee on Transportation.

ESSB 5657 by Senate Committee on State Government & Elections (originally sponsored by Wilson, J., Mullet and Wilson, L.)

AN ACT Relating to city and town permitting of kit homes; amending RCW 19.27.015; adding a new section to chapter 19.27 RCW; and creating a new section.

Referred to Committee on Housing.

ESSB 5828 by Senate Committee on Law & Justice (originally sponsored by Shewmake, Lovelett, Dhingra, Lovick and Nobles)

AN ACT Relating to water rights adjudication commissioners and referees; amending RCW 90.03.160; and adding new sections to chapter 90.03 RCW.

Referred to Committee on Civil Rights & Judiciary.

SSB 5829 by Senate Committee on Health & Long Term Care (originally sponsored by Frame, Rivers, Shewmake, Trudeau, Lovelett, Dhingra, Hasegawa, Kuderer, Liias, Nobles, Valdez and Wilson, C.)

AN ACT Relating to screening newborn infants for congenital cytomegalovirus; adding a new section to chapter 43.70 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

SB 5836 by Senators Wilson, L., Cleveland, Dhingra, Frame, Mullet, Padden and Rivers

AN ACT Relating to adding an additional superior court judge in Clark county; and amending RCW 2.08.062.

Referred to Committee on Civil Rights & Judiciary.

2SSB 5893 by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Kuderer, Frame, Hasegawa, Nguyen, Nobles, Trudeau and Wellman)

AN ACT Relating to providing gate money to incarcerated individuals at the department of corrections; and amending RCW 72.02.100, 72.66.070, and 72.09.480.

Referred to Committee on Community Safety, Justice, & Reentry.

SSB 5902 by Senate Committee on Ways & Means (originally sponsored by Van De Wege, Liias, Mullet, Nobles, Saldaña and Wagoner)

AN ACT Relating to reinvesting account revenue for the purpose of supporting the state park system; amending RCW 79A.05.170; reenacting and amending RCW 43.84.092, 43.84.092, 43.79A.040, 43.79A.040, and 43.79A.040; providing effective dates; and providing expiration dates.

Referred to Committee on Appropriations.

SB 5903 by Senators Wilson, C., Nobles, Frame, Hunt, Trudeau and Wellman

AN ACT Relating to representation in the educator preparation act; and amending RCW 28A.410.200.

Referred to Committee on Education.

SB 5915 by Senators Torres, Schoesler, Wagoner and Warnick

AN ACT Relating to extending an existing hazardous substance tax exemption for certain agricultural crop protection products that are temporarily warehoused but not otherwise used, manufactured, packaged, or sold in the state of Washington; amending RCW 82.21.040; and amending 2015 3rd sp.s. c 6 s 1901 (uncodified).

Referred to Committee on Finance.

E2SSB 5937 by Senate Committee on Ways & Means (originally sponsored by Dhingra, Braun, Hasegawa, Keiser, Kuderer, Liias, Lovellett, Lovick, Nguyen, Nobles, Stanford, Trudeau, Valdez, Wellman and Wilson, C.)

AN ACT Relating to supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses; amending RCW 7.68.020, 7.68.060, 7.68.066, 7.68.080, 7.68.094, 7.68.170, 7.68.803, 7.69.010, 7.69.030, 9A.44.020, 9A.44.040, and 13.40.210; reenacting and amending RCW 9A.04.080; adding a new section to chapter 7.68 RCW; adding new sections to chapter 9A.44 RCW; adding a new section to chapter 43.70 RCW; adding a new section to chapter 70.125 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Community Safety, Justice, & Reentry.

SSB 5972 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Liias, Van De Wege, Billig, Nobles, Pedersen and Salomon)

AN ACT Relating to the use of neonicotinoid pesticides; adding a new section to chapter 15.58 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

SSB 5980 by Senate Committee on Labor & Commerce (originally sponsored by Keiser, Conway, Liias, Van De Wege, Hasegawa, Nobles, Salomon and Valdez)

AN ACT Relating to the timeline for issuing a citation for a violation of the Washington industrial safety and health act; and amending RCW 49.17.120.

Referred to Committee on Labor & Workplace Standards.

SSB 6010 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Shewmake and Liias)

AN ACT Relating to streamlining certain decisions pertaining to the development or extension of a trail or path from the state environmental policy act; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Local Government.

SB 6013 by Senators Shewmake, Dhingra, Kuderer and Saldaña

AN ACT Relating to expanding the homeownership development property tax exemption to include real property sold to low-income households for building residences using mutual self-help housing construction; amending RCW 84.36.049; amending 2019 c 361 s 2 (uncodified); and creating a new section.

Referred to Committee on Finance.

SB 6030 by Senators Braun, Kuderer, Liias, Mullet, Wellman and Wilson, J.

AN ACT Relating to amending the county population threshold for counties that may exempt from taxation the value of accessory dwelling units to incentivize rental to low-income households; amending RCW 84.36.400; amending 2023 c 335 s 2 (uncodified); creating a new section; and providing an expiration date.

Referred to Committee on Finance.

ESSB 6031 by Senate Committee on Ways & Means (originally sponsored by Braun, Dozier, Kuderer, Rivers and Schoesler)

AN ACT Relating to modifying the student transportation allocation to accommodate multiple vehicle types for transporting students; and amending RCW 28A.160.150, 28A.160.170, 28A.160.180, and 28A.160.195.

Referred to Committee on Education.

ESSB 6040 by Senate Committee on State Government & Elections (originally sponsored by Valdez, Keiser, Conway, Hasegawa and Nobles)

AN ACT Relating to prompt payment in public works; amending RCW 39.04.250; and providing an effective date.

Referred to Committee on Capital Budget.

E2SSB 6058 by Senate Committee on Ways & Means (originally sponsored by Nguyen, Hunt, Kuderer, Liias, Mullet, Pedersen, Saldaña, Shewmake and Stanford)

AN ACT Relating to facilitating linkage of Washington's carbon market with the California-Quebec carbon market; amending RCW 70A.65.010, 70A.65.060, 70A.65.070, 70A.65.080, 70A.65.100, 70A.65.110, 70A.65.170, 70A.65.200, 70A.65.310, and 70A.15.2200; adding a new section to chapter 70A.65 RCW; creating a new section; prescribing penalties; and providing a contingent effective date.

Referred to Committee on Environment & Energy.

E2SSB 6068 by Senate Committee on Ways & Means (originally sponsored by Boehnke and Wilson, C.)

AN ACT Relating to reporting on dependency outcomes; amending RCW 13.34.820; and creating a new section.

Referred to Committee on Civil Rights & Judiciary.

ESSB 6069 by Senate Committee on Ways & Means (originally sponsored by Mullet, Valdez, Hunt, Lias, Nguyen, Saldaña and Van De Wege)

AN ACT Relating to improving retirement security for Washingtonians by establishing Washington saves, an automatic enrollment individual retirement savings account program, and updating the Washington retirement marketplace statute; amending RCW 43.330.732 and 43.330.735; reenacting and amending RCW 43.79A.040 and 43.79A.040; adding a new chapter to Title 19 RCW; creating a new section; decodifying RCW 43.330.730; prescribing penalties; providing effective dates; and providing an expiration date.

Referred to Committee on Consumer Protection & Business.

ESB 6072 by Senators Keiser, Conway, Dhingra, Kuderer, Lias, Salomon, Stanford, Wellman and Wilson, C.

AN ACT Relating to addressing recommendations of the long-term services and supports trust commission; amending RCW 50B.04.010, 50B.04.020, 50B.04.030, 50B.04.055, 50B.04.060, 50B.04.070, 50B.04.085, and 50B.04.100; reenacting and amending RCW 50B.04.050 and 50B.04.080; adding new sections to chapter 50B.04 RCW; adding a new section to chapter 48.83 RCW; adding a new chapter to Title 48 RCW; creating a new section; repealing RCW 50B.04.040; providing an effective date; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

ESSB 6110 by Senate Committee on Human Services (originally sponsored by Keiser, Lovick, Nobles, Van De Wege, Wagoner and Wilson, C.)

AN ACT Relating to modernizing the child fatality statute; and amending RCW 70.05.170.

Referred to Committee on Human Services, Youth, & Early Learning.

SSB 6121 by Senate Committee on Environment, Energy & Technology (originally sponsored by Van De Wege, Nobles and Randall)

AN ACT Relating to agricultural and forestry biomass; amending RCW 70A.15.1030, 70A.15.5090, 70A.15.5120, and 70A.15.5140; and creating a new section.

Referred to Committee on Environment & Energy.

SSB 6125 by Senate Committee on Ways & Means (originally sponsored by Kauffman, Frame, Wellman, Trudeau, Wilson, J., Conway, Kuderer, Lovick, Nguyen, Nobles, Saldaña, Valdez, Wagoner and Wilson, C.)

AN ACT Relating to preserving records and artifacts regarding the historical treatment of people with intellectual and developmental disabilities in Washington state; creating new sections; and providing an expiration date.

Referred to Committee on State Government & Tribal Relations.

SSB 6154 by Senate Committee on Law & Justice (originally sponsored by Torres and Mullet)

AN ACT Relating to updating process service requirements in Washington state for business entities and motorists; amending RCW 4.28.080, 4.28.100, and 46.64.040; and repealing RCW 4.28.090.

Referred to Committee on Civil Rights & Judiciary.

SSB 6162 by Senate Committee on Law & Justice (originally sponsored by Schoesler, Pedersen, Dozier, Keiser and Wellman)

AN ACT Relating to a penalty for excessive fees for locating abandoned property held by a county; adding a new section to chapter 63.30 RCW; and prescribing penalties.

Referred to Committee on Civil Rights & Judiciary.

2SSB 6187 by Senate Committee on Ways & Means (originally sponsored by Saldaña, Hasegawa, Torres, Trudeau, Valdez and Wilson, C.)

AN ACT Relating to the body scanner pilot program at the department of corrections; and amending RCW 72.09.775.

Referred to Committee on Community Safety, Justice, & Reentry.

SSB 6198 by Senate Committee on Ways & Means (originally sponsored by Holy, Conway, Van De Wege, Fortunato, Kuderer, Mullet, Nobles and Valdez)

AN ACT Relating to employees of the law enforcement officers' and firefighters' plan 2 retirement board; and amending RCW 41.26.717.

Referred to Committee on Appropriations.

SB 6215 by Senators Schoesler, Robinson and Mullet

AN ACT Relating to improving tax and revenue laws in a manner that is not estimated to affect state or local tax collections as reflected on any fiscal note for this act, including provisions easing compliance burdens for taxpayers, clarifying ambiguities, making technical corrections, and providing administrative efficiencies; amending RCW 28A.150.412, 82.04.759, 82.32.783, and 82.12.0266; adding a new section to chapter 82.46 RCW; repealing RCW 19.02.055; and providing an expiration date.

Referred to Committee on Finance.

SB 6222 by Senators Wagoner, Dhingra and Lovick

AN ACT Relating to the number of district court judges; and amending RCW 3.34.010 and 3.34.020.

Referred to Committee on Civil Rights & Judiciary.

SB 6229 by Senators Shewmake, Cleveland, King, Holy, Lias, Lovick and Nobles

AN ACT Relating to modifying match requirements for the green transportation capital grant program; and amending RCW 47.66.120.

Referred to Committee on Transportation.

SB 6242 by Senators Mullet and Lovick

AN ACT Relating to law enforcement training; reenacting and amending RCW 43.101.200; and providing an effective date.

Referred to Committee on Appropriations.

SB 6247 by Senators Hunt, Randall, Kuderer, Nobles, Saldaña, Valdez and Wilson, C.

AN ACT Relating to public employees' retirement system plan 2 service credit for officers of labor organizations; and amending RCW 41.40.710.

Referred to Committee on Appropriations.

ESB 6296 by Senators Boehnke and Dozier

AN ACT Relating to establishing a retail industry work group; creating a new section; and providing an expiration date.

Referred to Committee on Postsecondary Education & Workforce.

SSB 6302 by Senate Committee on Transportation (originally sponsored by Liias, King, Boehnke and Nobles)

AN ACT Relating to creating a Washington state supply chain competitiveness infrastructure program; reenacting and amending RCW 43.79A.040, 43.79A.040, and 43.79A.040; adding new sections to chapter 47.04 RCW; creating a new section; providing effective dates; and providing expiration dates.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of SENATE BILL NO. 6242 which was referred to the Committee on Appropriations and SENATE BILL NO. 6030 which was referred to the Committee on Finance.

The Speaker assumed the chair.

#### SIGNED BY THE SPEAKER

The Speaker signed the following bill:

ENGROSSED HOUSE BILL NO. 1964

The Speaker called upon Representative Orwall to preside.

There being no objection, the House advanced to the seventh order of business.

#### THIRD READING

**SUBSTITUTE HOUSE BILL NO. 1768, by House Committee on Finance (originally sponsored by Shavers, Barnard, Chapman and Ramel)**

**Exempting certain sales of electricity to qualifying green businesses from the public utilities tax.**

The bill was read the third time.

Representatives Shavers and Orcutt spoke in favor of the passage of the bill.

#### MOTIONS

On motion of Representative Connors, Representatives Chambers, Chandler, Corry, Griffey, Kretz, Volz and Wilcox were excused.

On motion of Representative Ramel, Representatives Entenman and Macri were excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1768.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1768, and the bill passed the House by the following vote: Yeas, 89; Nays, 0; Absent, 0; Excused, 9

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Leavitt, Lekanoff, Low, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker  
Excused: Representatives Chambers, Chandler, Corry, Entenman, Griffey, Kretz, Macri, Volz and Wilcox

SUBSTITUTE HOUSE BILL NO. 1768, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

#### SECOND READING

**HOUSE BILL NO. 1862, by Representatives Leavitt, Barnard, Tharinger, Graham, Couture, Duerr, Barkis, Bronoske, Slatter, Chapman, Simmons, Jacobsen, Timmons, Callan, Street, Sandlin, Donaghy, Doglio, Goodman, Caldier, Robertson, Hutchins, Reeves, Lekanoff, Riccelli, Hackney, Pollet and Shavers**

**Providing tax exemptions for the assistance of disabled veterans and members of the armed forces of the United States of America.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1862 was substituted for House Bill No. 1862 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1862 was read the second time.

Representative Leavitt moved the adoption of amendment (803):

On page 1, at the beginning of line 10, strike "and chapter . . . , Laws of 2024 (sections 2 and 3" and insert "through 4, chapter . . . , Laws of 2024 (sections 2 through 4"

On page 3, line 6, after "reservation" insert "sold to a disabled veteran or member of the armed forces"

Representative Leavitt spoke in favor of the adoption of the amendment.

Representative Orcutt spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 54 - YEAS; 33 - NAYS.

Amendment (803) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Leavitt and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1862.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1862, and the bill passed the House by the following vote: Yeas, 90; Nays, 0; Absent, 0; Excused, 8

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chambers, Chandler, Corry, Entenman, Griffey, Macri, Volz and Wilcox

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1862, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 2454, by Representatives Ybarra and Chapman

**Extending an existing hazardous substance tax exemption for certain agricultural crop protection products that are temporarily warehoused but not otherwise used, manufactured, packaged, or sold in the state of Washington.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ybarra and Berg spoke in favor of the passage of the bill.

Representative Ortiz-Self spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2454.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2454, and the bill passed the House by the following vote: Yeas, 64; Nays, 26; Absent, 0; Excused, 8

Voting Yea: Representatives Abbarno, Barkis, Barnard, Berg, Bergquist, Bronoske, Caldier, Callan, Chapman, Cheney, Christian, Connors, Couture, Davis, Dent, Doglio, Donaghy, Dye, Eslick, Fey, Fitzgibbon, Fosse, Goehner, Graham, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Nance, Orcutt, Ormsby, Paul, Reeves, Riccelli, Robertson, Rude, Rule, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Slatter, Springer, Stearns, Steele, Stokesbary, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Alvarado, Bateman, Berry, Chopp, Cortes, Doglio, Duerr, Farivar, Goodman, Gregerson, Kloba, Lekanoff, Mena, Morgan, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Ryu, Simmons, Stonier, Street and Taylor

Excused: Representatives Chambers, Chandler, Corry, Entenman, Griffey, Macri, Volz and Wilcox

HOUSE BILL NO. 2454, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 2306, by Representatives Steele and Callan

**Allowing main street programs to use remaining main street tax credits after a certain date.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2306 was substituted for House Bill No. 2306 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2306 was read the second time.

Representative Steele moved the adoption of amendment (1092):

On page 2, beginning on line 23, after "Pacific" strike all material through "\$250,000" on line 25 and insert "standard time, on December 31st of the same calendar year, the department must allow individual programs to use any remaining credits allowed under subsection (4) of this section. The total credits allowed under this chapter for each program under (a)(i) of this subsection and this subsection (a)(iii) may not exceed \$250,000 in a calendar year"

Representatives Steele and Berg spoke in favor of the adoption of the amendment.

Amendment (1092) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Steele and Berg spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2306.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2306, and the bill passed the House by the following vote: Yeas, 90; Nays, 0; Absent, 0; Excused, 8

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer,



Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker  
Excused: Representatives Chambers, Chandler, Corry, Entenman, Griffey, Macri, Volz and Wilcox

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2306, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

### SPEAKER'S PRIVILEGE

The Speaker is pleased to recognize Jeannie Allenbach, Victoria Harris, Aileen O'Connel and Jenna Pringle who are here visiting us today from the Gift of Life who were seated in the south gallery.

In recognition of Black History Month, the Speaker was pleased to welcome House Security staff member Garrett Cooper, who sang 'Lift Every Voice and Sing.'

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4667**, by Representatives Donaghy, Jinkins, Stokesbary, Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, and Ybarra

WHEREAS, Black History Month is celebrated in Washington state and around the nation due to the efforts of Dr. Carter Woodson, who in 1926 advocated that we set aside a special period in February to recognize the history, heritage, and achievements of black people in the United States; and

WHEREAS, Dr. Woodson chose February to celebrate black history to honor the birth month of the abolitionist Frederick Douglass and President Abraham Lincoln, who signed the Emancipation Proclamation; and

WHEREAS, By the time Woodson died in 1950, this week of history had become well established, and the civil rights movement of the 1960s only strengthened the effort to explore the contributions of African Americans; and

WHEREAS, In the bicentennial year of 1976, 50 years after Woodson gave birth to the idea, President Gerald Ford expanded the week to the month of February, urging all Americans to "seize the opportunity to honor the too-often neglected accomplishments of black Americans in every area of endeavor throughout our history"; and

WHEREAS, Much of the history of black Americans can be viewed through the lens of the long, hard struggle to reconcile the reality of slavery, Jim Crow, and segregation with the words and ideals written in the Declaration of Independence and the Bill of Rights; and

WHEREAS, Even today, almost 160 years after the last black slaves in America were emancipated, black Americans continue to struggle under the shadow of discrimination and injustice institutionalized in the past; and

WHEREAS, The Black History Month 2024 theme, "African Americans and the Arts," embraces the many impacts that black Americans have had on visual arts, music, cultural movements, and more; and

WHEREAS, Across centuries, black voices have risen in song across the hills, fields, and plains in music, and black fingers have picked out the melodies, harmonies, and rhythms of life stories, the

forced assimilation of gospel, to the blues, jazz, rock, rap, and soul of today; and

WHEREAS, Tangible expressions of history, family, hope, love, fear, pain, and dreams have been brought to life at the hands of black Americans in as many mediums as can be imagined; and

WHEREAS, Tales of tribulations and triumphs, love and loss, wild adventures, and moments of quiet reflection have been sketched and stamped across the pages of our nation's history; and

WHEREAS, Black Americans have stood up, spoken out and danced across grass, pavement, floors, stages, and screens, weaving vivid tales of joy, heartbreak, humor, and everything in between, shared raw, in shades of grey, or in full color; and

WHEREAS, Black artists of all kinds continue to leave a poignant, indelible impression on our souls, culture, and the world around us, regardless of expressive form; and

WHEREAS, Black history is American history. Black culture is American culture; and

WHEREAS, This Black History Month, and every month, is a time to learn about those who came before us, and keep pushing towards a brighter, more just future;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives celebrate Black History Month and recognize the legacy and innumerable contributions of black Americans to the lives of Washingtonians, not only in February but throughout the whole year; and

BE IT FURTHER RESOLVED, That the House of Representatives honor and thank all the black individuals who participated in the shaping of the United States, as well as all black and African American active duty military personnel and veterans and others who serve, and we encourage the celebration of Black History Month in our schools, universities, communities, and neighborhoods, to foster a better understanding of that history and its importance here in Washington and throughout this nation.

With the consent of the House, HOUSE RESOLUTION NO. 4667 was adopted.

There being no objection, the House adjourned until 9:55 a.m., Friday, February 16, 2024, the 40th Day of the 2024 Regular Session.

Laurie Jinkins, Speaker

Bernard Dean, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## FORTIETH DAY

House Chamber, Olympia, Friday, February 16, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Bronoske presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4666**, by Representatives Stearns, Chopp, Mosbrucker, Fitzgibbon, Pollet, Ryu, Leavitt, Goodman, and Callan

WHEREAS, The Burke Museum was founded in 1885 by the Young Naturalists' Society, a group of curious teenagers inspired by seeing Seattle transform before their eyes, and has built upon this legacy, collecting objects and artifacts that help us understand how the Northwest has grown and changed; and

WHEREAS, On March 6, 1899, the Washington State Legislature first designated the Burke Museum the State Museum of Washington as "a depository for the preservation and exhibition of documents and objects possessing an historical value, of materials illustrating the fauna, flora, anthropology, mineral wealth, and natural resources of the state, and for all documents and objects whose preservation will be of value to the student of history and the natural sciences"; and

WHEREAS, Since that time, the Burke Museum has had the great honor to share and care for more than 18 million fossils, cultural items, and specimens from the Pacific Northwest and beyond; and

WHEREAS, Today, the Burke Museum continues to serve Washington state by providing hands-on science and culture education, conducting original research and establishing baseline data, preserving our shared heritage, and providing tools for state and federal agencies; and

WHEREAS, The Burke Museum education programs use authentic materials and specimens to inspire learners of all ages to ask questions about the world around us, foster curiosity, and create wonder; and

WHEREAS, Students, researchers, artists, and community members draw on the collections to build knowledge of our world and address challenges facing communities in the Pacific Northwest and around the globe; and

WHEREAS, The Burke Museum's research and programs partner with institutions, communities, and people around the world to understand our past and create positive change in the future; and

WHEREAS, The Burke Museum maintains relationships with communities and tribes to preserve the ingenuity, creativity, science, and complex knowledge of natural and cultural resources, acknowledging they are the caretakers while tribes and community members are the experts; and

WHEREAS, Thousands of people have championed the work of the Burke Museum through the years, including visitors, tribal nations, and an inclusive group of researchers, enabling the museum to continue to share collections so all people can learn, be inspired, generate knowledge, feel joy, and heal;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize the cultural and scientific contributions of the Burke Museum and celebrate its 125th Anniversary as the official State Museum of Washington.

With the consent of the House, HOUSE RESOLUTION NO. 4666 was adopted.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4669**, by Representative Schmick

WHEREAS, Terry Cochran wrestled in high school for two years; and

WHEREAS, Terry Cochran was encouraged by Hall of Famer Joe Babbitt to start his career as a wrestling official while living in Eastern Washington; and

WHEREAS, Terry Cochran began officiating for the Whitman County Wrestling Officials Association in 1987 and quickly became very successful; and

WHEREAS, Terry Cochran was awarded the Washington State Outstanding Wrestling Official recognition in 2011; and

WHEREAS, The Whitman County Wrestling Officials Association only services a few schools, Terry also officiates for the Inland Empire Wrestling Officials Association and the Idaho District 2 Wrestling Officials Associations; and

WHEREAS, Terry Cochran has served in a leadership position starting in 1997, as the Whitman County Wrestling Association Assigning Secretary, a position he still holds; and

WHEREAS, Cochran has officiated in 30 Washington State Wrestling Tournaments and six Idaho State Wrestling Tournaments; and

WHEREAS, Over his 35-year officiating career, Cochran has officiated numerous league, district, and regional tournaments where he was the head official for many of those tournaments; and

WHEREAS, Terry Cochran also officiates USA Wrestling tournaments and officiated some college club wrestling from 2008-2013; and

WHEREAS, Terry Cochran proudly approached his officiating duties to highlight the athleticism and skills of the wrestlers, not to draw attention to the referee. He valued and officiated in a manner which emphasized safety for the wrestlers. He has garnered such respect that it is not uncommon for him to receive a handshake and words of appreciation from wrestlers he may run into off the mat; and

WHEREAS, Outside of officiating wrestling, Terry is an event volunteer for the Colfax Chamber of Commerce; Fire Commissioner for District 11 of Whitman County; member of the Steptoe Fire Department since 2015; and volunteer in the Beef Barn and at the Steptoe Food Booth at the Palouse Empire Fair for over 20 years; and

WHEREAS, As a Service Technician for Jones Truck and Implement, Cochran currently resides near Colfax, Washington, with his wife, Nancy. They have two adult children, Maggee and Ben, and five grandchildren: Waylon, Zaidee, Murphee, Case, and Loudon;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor and congratulate Terry Cochran; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Terry Cochran.

With the consent of the House, HOUSE RESOLUTION NO. 4669 was adopted.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4670**, by Representative Corry

WHEREAS, Upon earning his wings in December 1943, United States Army Air Forces veteran Captain Richard "Dick" Alan Nelms served in the European Theater during World War II

as a Boeing B-17 Flying Fortress copilot and pilot, assigned to the 447th Bomb Group, 8th Air Force, based out of Rattlesden, Suffolk County, England; and

WHEREAS, Dick Nelms flew 35 missions into Nazi-occupied territories, including Germany and France, sustaining combat damage in 25 of those missions, and helped create and coordinate food and supply drops to the Marquis Freedom Fighters in France and others; and

WHEREAS, Dick Nelms earned multiple awards of valor for his service, including the Distinguished Flying Cross, five Air Medals, the Presidential Unit Citation, the French Legion of Honor Medal, and received a Certificate of Special Recognition for participation in the Battle of Normandy and the liberation of France and Europe; and

WHEREAS, Following the war, Dick Nelms established a successful freelance commercial art business, including a job with the King County Library System in the 1970s, and served as an art director for the next 45 years in the Seattle area; and

WHEREAS, Dick Nelms was commissioned in 1967 to create a new Washington State Seal insignia, selecting a Gilbert Stuart portrait of George Washington for the design, which was accepted and made the official State Seal by the Legislature; and

WHEREAS, After launching his volunteer service at the Museum of Flight in March 2016, Dick Nelms has regularly shared personal stories of how he and his fellow pilots and servicemembers handled the fear and horrors of war with thousands of Museum visitors from around the globe, as well as his sense of pride for "putting a dent in Hitler's war machine"; and

WHEREAS, As part of his Museum volunteer work, Dick has shared his wartime experience in the local community and at engagements across the country with organizations, including schools, museums, community centers, Joint Base Lewis-McChord, and at the Air Force Ball celebrating the 70th Anniversary of the United States Air Force; and

WHEREAS, On February 17, 2023, Dick Nelms celebrated his 100th Birthday at The Museum of Flight;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor Mr. Dick Nelms for his significant contributions to our state and country.

With the consent of the House, HOUSE RESOLUTION NO. 4670 was adopted.

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4673**, by Representative Corry

WHEREAS, After first being elected to public office in 1967 and as mayor in 1979, Barbara Harrer has served the town of Harrah with dedication and honor for more than 50 years; and

WHEREAS, Barbara Harrer's unwavering commitment to the betterment of the town of Harrah during her exemplary career, over an unprecedented number of years, has helped to make Harrah what it is today; and

WHEREAS, The leadership and countless hours of selfless service Barbara Harrer has given the town of Harrah has continued to guide it through times of growth, change, and challenges, and has left an enduring imprint on its history; and

WHEREAS, Barbara Harrer is the longest serving mayor in Yakima county; and

WHEREAS, Under her leadership, Barbara Harrer has led Harrah through several innovative reforms that have dramatically improved the lives of residents and solidified a prosperous future for generations to come; and

WHEREAS, The unprecedented number of years Barbara Harrer has served the town of Harrah highlights not just her unwavering dedication, but also the trust and confidence continually bestowed upon her by the citizens of the town; and

WHEREAS, Over her historic career in public service, Barbara Harrer has consistently led by example in public service by demonstrating an unwavering commitment to fostering collaboration among diverse stakeholders and truly striving for the common good, which is a testament to her character and tremendous leadership; and

WHEREAS, In January 2024, at the age of 91, and after 56 years of dedicated public service, Barbara Harrer officially retired;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and honor Mrs. Barbara Harrer for her significant contributions to the town of Harrah, Yakima county, and Washington state.

With the consent of the House, HOUSE RESOLUTION NO. 4673 was adopted.

There being no objection, the House advanced to the fourth order of business.

### INTRODUCTION & FIRST READING

ESB 5344 by Senators Schoesler, Dozier, Braun, Wagoner, Warnick, MacEwen and Torres

AN ACT Relating to a public school revolving fund; amending RCW 43.84.092; adding new sections to chapter 43.79 RCW; and providing a contingent effective date.

Referred to Committee on Education.

ESSB 5850 by Senate Committee on Ways & Means (originally sponsored by Braun, Wellman, Frame, Hasegawa, Hunt, Kuderer, Mullet, Randall, Torres, Valdez and Wilson, C.)

AN ACT Relating to supporting students who are chronically absent and at risk for not graduating high school; adding a new section to chapter 28A.310 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Education.

ESB 5906 by Senators Wilson, L., Dozier, Gildon, Holy, Mullet, Torres, Warnick and Wilson, J.

AN ACT Relating to implementing a statewide drug overdose prevention and education campaign; adding a new section to chapter 43.70 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Appropriations.

E2SSB 5955 by Senate Committee on Ways & Means (originally sponsored by Keiser, Hasegawa, Kauffman, Nguyen and Wilson, C.)

AN ACT Relating to mitigating harm and improving equity in large port districts; amending RCW 53.54.020, 53.54.030, and 53.54.040; adding a new section to chapter 43.330 RCW; adding a new section to chapter 53.20 RCW; and creating a new section.

Referred to Committee on Local Government.

ESB 6087 by Senators King, Lovick and Mullet

AN ACT Relating to the fire service training account; and amending RCW 43.43.944.

Referred to Committee on Appropriations.

E2SSB 6092 by Senate Committee on Ways & Means (originally sponsored by Shewmake and Nguyen)

AN ACT Relating to disclosure of greenhouse gas emissions; adding a new section to chapter 70A.45 RCW; and creating a new section.

Referred to Committee on Environment & Energy.

ESB 6167 by Senator Hasegawa

AN ACT Relating to adopting the recommendations of the capital projects advisory review board regarding local government procurement rules among special purpose districts, first-class and second-class cities, and public utility districts; reenacting and amending RCW 54.04.070, 35.23.352, 35.22.620, 57.08.050, and 52.14.110; creating a new section; and providing an effective date.

Referred to Committee on Local Government.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

February 14, 2024

SB 5631 Prime Sponsor, Senator Torres: Requiring state agencies to clearly identify programs and services which accept applicants with deferred action for childhood arrival status. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Gregerson; Low and Mena.

MINORITY recommendation: Without recommendation. Signed by Representatives Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

February 15, 2024

SB 5884 Prime Sponsor, Senator Trudeau: Concerning court-ordered restitution in environmental criminal cases. Reported by Committee on Environment & Energy

MAJORITY recommendation: Do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Berry; Duerr; Fey; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Gohner; and Sandlin.

Referred to Committee on Rules for second reading

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10:30 a.m., Monday, February 19, 2024, the 43rd Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## FORTY THIRD DAY

House Chamber, Olympia, Monday, February 19, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present. The flags were escorted to the rostrum by the Nisei Veterans Committee Color Guard comprised of Dale Kaku, Vice Commander, Vietnam Veteran; Allen Nakamoto, Former Commander, Vietnam Veteran; Bob Nakamura, Vietnam Veteran; and Danny Ing, Iraqi Freedom Veteran, Nisei Veterans Committee. The Pledge of Allegiance was led by Alexander Bertelsen and Theo Kaku, Boy Scout Troop 252. The prayer was offered by Reverend Tadao Koyama, Tacoma Buddhist Temple.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4671**, by Representatives Jinkins, Stokesbary, Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, and Ybarra

WHEREAS, This day, February 19, 2024, the third Monday of February, we join states across the Union in celebrating Presidents' Day; and

WHEREAS, Presidents' Day was created in honor of two of our nation's greatest presidents' birthdays, George Washington and Abraham Lincoln; and

WHEREAS, George Washington, the namesake of our state, born February 22, 1732, led the Continental Army through the Revolutionary War, was one of the leaders of the Founding Fathers, and became the first president of our great nation in the only unanimous presidential election in our history; and

WHEREAS, Abraham Lincoln, born February 12, 1809, invented the first device to help ships cross sand bars, led the country through the turbulent times of the Civil War, wrote and delivered the historic Gettysburg Address, and was the architect of the Emancipation Proclamation; and

WHEREAS, Today we look back on all Presidents in their efforts to overcome the obstacles they faced, thereby protecting the freedoms ensured to us in the Constitution, lifting the nation up, and leading us towards a more perfect Union; and

WHEREAS, The House of Representatives acknowledge Congress' passage of the Uniform Monday Holiday Act of 1968, which recognizes the third Monday in February as Presidents' Day, a day to remember all those who have served as president and the effect those leaders had on us as a nation;

NOW, THEREFORE, BE IT RESOLVED, That on this 19th day of February 2024, the House of Representatives honor the first and sixteenth presidents for leaving a legacy of renowned leadership in turbulent times and their immeasurable contributions to the furtherment of liberty, equality, and justice in this country.

Representative Nance moved adoption of HOUSE RESOLUTION NO. 4671.

Representatives Nance and Barnard spoke in favor of the adoption of the resolution.

## MOTIONS

On motion of Representative Leavitt, Representative Reeves was excused.

On motion of Representative Griffey, Representatives Chandler, Kretz and Graham were excused.

HOUSE RESOLUTION NO. 4671 was adopted.

## SPEAKER'S PRIVILEGE

The Speaker (Representative Bronoske presiding) welcomed and recognized the following guests in attendance to observe Day of Remembrance: Secretary of State Steve Hobbs; Senator Bob Hasegawa; Dee Goto, Incarceree; Trudy Hayashida, Incarceree; Sam Owada, Incarceree, Consul General Makoto Iyori, Consulate General of Japan in Seattle; Japanese American Citizens League, Olympia Chapter; Japanese American Citizens League, Seattle Chapter; Japanese Community and Cultural Center of Washington; Japan America Society of the State of Washington; Japanese Business Association of Seattle; and the Japanese American Leadership Delegation.

The Speaker (Representative Bronoske presiding) recognized guests from the Republic of Korea: Jeonlabugdo Provincial Councilmembers and Chair, Kook Ju Yeong Eun, Chairperson; Lee Jeong Rin, Vice Chairperson; Kim Man Gi, Vice Chairperson; and Lee Byung Chul, Chairman of the Environmental Welfare Committee.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4672**, by Representatives Shavers, Stonier, Santos, Taylor, Jinkins, Stokesbary, Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Schmick, Schmidt, Senn, Simmons, Slatter, Springer, Stearns, Steele, Street, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, and Ybarra

WHEREAS, On February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, which authorized the United States military to forcibly remove and incarcerate more than 120,000 persons of Japanese ancestry from the West Coast, including 12,000 Japanese-American residents of Washington State; and

WHEREAS, The first civilian evacuation order gave Japanese-Americans from Bainbridge Island, Washington less than one week to leave behind homes, personal belongings, farms, businesses, friends, and family and report to detention centers like Camp Harmony on the grounds of the Washington State fair in Puyallup, where hastily converted horse stables housed the evacuated families; and

WHEREAS, These detention centers were temporary quarters for the evacuees while the United States military department constructed ten mass incarceration sites for Japanese-Americans located in remote inland areas of the United States; and

WHEREAS, This drastic policy of removal and relocation allegedly aimed to prevent acts of espionage and sabotage by Japanese-Americans who were deemed untrustworthy and disloyal to the United States; and

WHEREAS, On March 23, 1943, the War Department organized a segregated unit of Japanese-Americans, the 442nd Regimental Combat Team, most of whom reported for military duty from the concentration camps in which they and their families were held as prisoners surrounded by barbed wire and armed guards; and

WHEREAS, More than 12,000 volunteers responded to questions about their loyalty and patriotism by amassing a battle record unparalleled in United States military history with a casualty rate of 314 percent and earning a collective seven Presidential Unit Citations, 21 Medals of Honor, 29 Distinguished Service Crosses, one Distinguished Service Medal, 588 Silver Stars, more than 4,000 Bronze Stars, 22 Legion of Merit Medals, 145 Soldier's Medals, 9,486 Purple Hearts, 16 decorations from France and Italy, and, in 2010, the Congressional Gold Medal; and

WHEREAS, Equally loyal and patriotic Japanese-Americans fought to protect our constitutional rights and liberties through dissent, like University of Washington student and Auburn native Gordon Hirabayashi who was arrested, convicted, and imprisoned for defying the military curfew on select civilians and refusing to evacuate when ordered; and

WHEREAS, In 1982, the Congressional commission on wartime relocation and internment of civilians found "no military or security reason for the internment" of persons of Japanese ancestry, but determined the cause of the incarceration as "racial prejudice, war hysteria, and a failure of political leadership"; and

WHEREAS, Through this travesty of justice, Japanese-Americans suffered immense economic loss of property and assets, experienced immeasurable physical and psychological harm as individuals and collectively as a community, and were deprived of their constitutional liberties without due process of law; and

WHEREAS, In 1979, Washington State Congressman Mike Lowry introduced H.R. 5977 to provide reparations and an apology to the Japanese-American incarcerated, thus initiating a 10-year legislative quest that ended when President Ronald Reagan signed the Civil Liberties Act of 1988; and

WHEREAS, Vowing *Nidoto Nai Yoni* – Let it Not Happen Again, the Japanese-American community now wields the lessons of this experience to fight for equity and justice in solidarity with all Americans who seek to protect and preserve the civil liberties we are guaranteed;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives pause to acknowledge the 82nd anniversary of the signing of Executive Order 9066; to recognize and remember Japanese-American veterans, incarcerated, and civil rights activists from the State of Washington, and to reflect on, and honor the lessons, blessings, and responsibilities of the phrase, "...with liberty and justice for all"; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Nisei Veterans Committee, Densho, the Japanese-American Citizens League, the Japanese Cultural and Community Center of Washington State, and the Wing Luke Museum of the Asian Pacific American Experience.

Representative Shavers moved adoption of HOUSE RESOLUTION NO. 4672.

Representative Shavers: "Mr. Speaker, I've always believed that as public servants our duty is to solve tomorrow's problems today. To do that we must learn from the past so that we can act better for the future. Today we are gathered to reflect on the tragic injustice in our history. A dark aspect in our story. About the corrosive effects of hate on our democracy. We come together today to share in the story of pain and suffering of Japanese Americans wrongly incarcerated. The story of hope and resilience of families behind barbed wire and a country that rejected them. The stories of true patriotism of Japanese American service

members during World War II. We remember this day because their story is our combined American story. It is the story of progress - one because of countless acts of self-sacrifice, of resilience by extraordinary Japanese Americans. They knew but one loyalty and that loyalty was to the Stars and Stripes. To do their American part in every way possible. And to offer themselves to the service of their country by leading the movement to change themselves through protests and struggles in the courts and on the battlefields. The choices and actions of our great Japanese Americans during a time of pain and suffering reflect the best of America. And like many others, their story is my story. Giving people born of two worlds a chance to honor their sacrifice and to fight for a better, more inclusive future. Mr. Speaker, America is in a tumultuous time. A time of great polarization. A time of great suffering and pain. Of cynicism and hopelessness. And we ask ourselves, what can we do? Who do we look up to? Well, I point to this moment in American history. To the Japanese Americans who cared so much and who fought so hard for a democracy. Who believe in a country that gives hate no safe harbor. That dignity, honor and sacrifice is the antidote to fear and prejudice. Who believe that our nation no matter the stumbles can and will always live up to our principles of liberty and justice for all. So, Mr. Speaker today, let us honor and remember their bravery, sacrifice and spirit. Let us make this sacred pledge to keep fighting for an America that is free. A democracy that is not built on ethnicity or religion or geography. But a democracy that is built on an idea, 'Kuninot Tamani' - service to our country. Thank you."

Representative Chambers: "Thank you, Mr. Speaker. I rise today in support of House Resolution 4672. Almost 82 years ago, the lives of 120,000 Japanese Americans, 7400 whom called Washington home, were changed forever. 74 days after the attack on Pearl Harbor, reason succumbed to fear and America etched a dark chapter into the tapestry of its history. On February 19th, 1942, President Franklin Delano Roosevelt signed Executive Order 9066. With a stroke of his pen, the President robbed mothers, fathers, children, grandparents of their freedom. Uprooting them from their homes and putting them in camps surrounded by barbed wire and guards. They were guilty of nothing. Yet lost everything. All because of their heritage. Here in Washington, at the Puyallup Fairgrounds, known today as the Washington State Fair, a source of so much pride and joy for many, transformed into a prison. Euphemistically named Camp Harmony. Cramped into makeshift barracks on racetracks and under grandstands, families faced harsh conditions and humiliation. 437 long days. Work was hard. Privacy was non-existent. Food was basic. Sanitation was mediocre. This became the day-to-day reality for thousands. Men were assigned work details outside of the camp, clearing land, digging ditches, and working on nearby farms. Women worked in the camp, tending communal gardens. Sewing clothing for families and helping with meal preparation in the mess halls. Every task, the laborious and mundane, all a result of stolen freedom. Older children, often helped with chores and took care of younger siblings. Imagine how they would have long to spend their days playing and simply being kids. When the gates of the Puyallup Assembly Center, known as Camp Harmony, finally opened after those 437 long days, prisoners walked back out into the world, for many that hadn't changed, but for them had changed everything. Their experience left psychological scars. Anxieties about security. A sense of displacement. And a lingering fear of discrimination. While many were able to return to their jobs and homes, others struggled to rebuild their lives. Today we reflect on the pain of those who suffered while reaffirming our commitment to learn from the mistakes of the past.

The Japanese American Citizens League, with assistance from the capital budget funding, will soon construct a permanent remembrance gallery at the Washington State Fair in Puyallup. The name of every prisoner will be inscribed. Stories will be told through exhibits. And lessons will be illuminated for the more than one million visitors who come to the fairgrounds each year. This enduring tribute will offer a window of reflection and dialogue, cultivating empathy, inspiring action against discrimination in all its forms. As we reflect on this Day of Remembrance, I want to close with this. America, as imperfect as she is, is still the shining city on a hill for millions around the

world who risk everything to reach her shores. They don't come from a spotless past, but for the ideals woven into her fabric that are constantly moving us forward toward a more perfect union. Thank you for the opportunity to speak today in support of House Resolution 4672."

Representative Santos: "Thank you, Mr. Speaker. Once again, I am incredibly proud and privileged, and filled with gratitude, to stand before you to ask for your support for this resolution. I'm incredibly proud because, now I could be wrong, but I do believe that this is the longest continuously - perhaps only - legislative observance of Day of Remembrance in the country. We may not have celebrated in 2001, I really can't remember since there was a little thing called the Nisqually earthquake, but we have made a commitment in this chamber, in this legislature, each year to pause - even in our busiest moments like today, the day before policy cutoff for opposite house - to remember.

Why do we remember, Mr. Speaker? We remember because, as you've heard, there are lessons to be remembered. But Mr. Speaker, we pause, I pause because there are personal stories to be remembered and, each year, the number of World War II vets and former incarcerated that walk among us, dwindle. This is part of our history as Washington State and so today, Mr. Speaker, I'd like to share with you the names of some Washingtonians who have contributed significantly to my being here today to speak to you.

People like James Sakamoto. Now, he was a boxer. He was born in Seattle. He went to Bailey Gatzert Elementary school. He was also a newspaper publisher - and he did that while blind - but, most important, he was the founder of the precursor to the Japanese-American Citizens' League, which is the oldest Asian American civil rights organization in the country. Sadly, Mr. Sakamoto, after having an illustrious career both here and in New York, came back and was hit by a car and he died. But the Citizens League, the Japanese American Citizens League, left an imprint on our lives and on our nation.

People like Gordon Hirabayashi, you may have heard, also born in Seattle but a graduate of Auburn High School, who was a peaceful resistor to all of the orders - from curfew to evacuation to relocation. He was made famous because the U.S. Supreme Court denied him his fundamental birthrights as an American-born citizen by declaring him to be a criminal. And he had to live out his adult professional life in Canada. He was further made famous along with a trio of others for bringing what we call the *coram nobis* cases to the United States Supreme Court, where they were able to reverse those wrong-headed decisions of injustice.

People like William Nakamura, whose name graces our Seattle Federal Courthouse, and James Okubo, whose name is on the Medical and Dental center at JBLM. Both Congressional Medal of Honor winners. William, a graduate of Garfield High School, was a private first class who was killed in action on July 4, 1944, in Italy. James Okubo was born in Anacortes and was a graduate of Bellingham High School. When he went into the service, he had special skills that lent him to be a medical tech. He was able to return back from the war, settle, marry, raise a family. And he, too, lost his life in an auto accident.

I lift up to you, Mr. Speaker, the names of Henry Miyatake and Shoshuke Sasaki, men who were from Seattle - Henry being born in Seattle and Shoshuke immigrating to Seattle and graduating from Broadway High School - who were the architects of what was called the Seattle Plan. This was the first plan to designate the notion of compensation for injustices for wrongful imprisonment to Japanese Americans, eventually known as redress. I remember Shoshuke, who was very slight man, but who had a deep baritone voice, and it's not surprising to me that he became the spokesperson of what was to become the Seattle Evacuation Redress Committee.

Women, like Cherry Kinoshita, who was one of the early female presidents of the Japanese American Citizens League and a relentless, dogged champion of redress with all the members of Congress. Mr. Speaker, you might have some constituents like this who are very persistent about reaching out and touching you about the issues that they are passionate about. Cherry was one of these women who reached out regularly to Congressman Lowry and to all of the Nikkei members of Congress to pass the redress bill.

And Ruthann Kurose, Congressman Lowry's aide, who helped draft the redress plan and shepherd it through Congress. She is the

first Nikkei to serve as an aide in the halls of Congress. She was also a Garfield grad, but I might also add, as a practicing Quaker through her mother, was also a student at the Freedom Schools in the 1960s in Seattle.

And finally, Mr. Speaker, I would lift to your attention my first seatmate, the beloved Kip Tokuda, after whom we have named the Civil Liberties Public Education Fund because he was one of the first Members of this body to recognize civil liberties and Day of Remembrance here.

Mr. Speaker, that is why I stand today: to remember these nine people, eight of whom are no longer with us, because we cannot forget the stories that bring us as Washingtonians to our state Capitol in the name of liberty and justice for all; to remember, and to resist actions that belie our Constitution and those freedoms that we believe in, actions that I encounter daily when I am on the streets and being told to go back to where I come from. I come from this country, Mr. Speaker, just like a long list of Japanese Americans who believed in this country and believe that even though we are not perfect today, we can strive towards a more perfect union, and we can acknowledge our wrongs.

Mr. Speaker, my presence here today is an act of resistance on the part of an entire community, and so I ask you to remember on this Day of Remembrance that it's not enough to just set aside the time. It is also important that we act with these values in our heart and at the forefront of our minds.

Thank you, Mr. Speaker."

Representative Robertson: "Thank you, Mr. Speaker. Rising in support of House Resolution 4672. This is indeed an important day of reflection. For we must learn from our history, Mr. Speaker. So that we not repeat it. Let us start with July 4th, 1776. The land of immigrants. The land of freedom. Which welcomed those who were oppressed from all over the world. Looking for an opportunity and a unique country like none other. Then came some grave injustice based on fear and war. It was a test of our democracy for sure. Unfortunately, We as a country failed. Folks that were citizens, here legally, were interned and imprisoned and relocated by our president. Folks from all over the country, many, many from Washington State. 120,000 Japanese Americans were forced to relocate and imprisoned. Removed from their homes, their schools, their jobs, their communities, and yes, half of them were children. 12,000 of those were here, Washingtonians. Sadly, this is the historical part, our Congress, Mr. Speaker, abdicated their important responsibility and left it to a singular person to make that decision. The President of the United States. The President signed that order to relocate and intern citizens based solely on ethnicity. And unfortunately, our US Supreme Court, Mr. Speaker, failed us when on a divided decision, 6-3, they affirmed *Korematsu* versus US based on race and ancestry. They failed to recognize that *Korematsu* was a proud legal American. Locally, Shiyoji Kawabata was 12 years old and stripped from his Fife home along with his parents and they were all sent to Idaho. There were so many families in the Auburn community which I represent that were also moved to Idaho or to Puyallup or other places around the country based solely on their race and ethnicity. Communities like Thomas, which is down in northwest of Auburn, was full of our Japanese-American families. That community was devastated and it's never really recovered. Even after the economic loss, the physical harm, the psychological damage caused to the Japanese Americans, these families returned home to Auburn, Fife and Sumner. They were our neighbors. They're patriots. They came home. And from then on, they have been part of the fabric of our community. The good news is our country has learned and apologized for these misguided acts and our collective political failure. Grave injustices, atrocity, let us Mr. Speaker, let us apologize again. We remember today so that we not make the mistakes of the past. That we never abdicate our responsibility as a legislative body. That we are the check on the executive branch in an important, independent presence in our system of three branches of government. Yes, Mr. Speaker, that was the balance that our forefathers had envisioned. Only then, will we ensure that this never happens again. I urge your support of this resolution."

Representative Stonier: "Thank you, Mr. Speaker. I've had the opportunity to stand in honor of a house resolution, remembering Executive Order 9066 every year that I've been a

member of this body. To tell different chapters of my family story. The stories of my uncles who fought in the 442nd. Who brought home a flag that flew over their base camp. And to fly that flag over this state's Capitol with permission of the governor. Stories of my great grandfather's garden on Poplar Street in Oxnard, California, where Takasugi fruit and flower bloomed. And even now, remembering New Year's Day Japanese treats that we have every year at my house and watching my children, now both in college, snacking on those treats as I did when I was a toddler. But so many years passed after the internment, over 40 years until 1988, when the Civil Liberties Act finally acknowledged the injustice brought forth by our nation's leaders.

Mr. Speaker, in an earlier remark on the previous resolution, you heard of this question of celebration of presidents of years past. How do we explain that on days when we are expected to celebrate and revere leaders who have done us wrong to our young people? Well, truth matters. It means that our young people have to have the real honest truth about what did happen. Feature films have been made about the lies told leading up to the internment, false information, and political influence. Unfounded claims of espionage that led to many, including my family, to be interned.

Mr. Speaker, this past summer I had the opportunity to chaperone over 40 young people to Washington DC to learn about their nation's history and to be ambassadors of her future. We visited the national Japanese American Memorial. The teacher leading that trip asked students, 'why is it that you think this memorial is so far off the mall where all of the other visiting spots are for our trip?' And it was those young people that were able to say, maybe we're just not proud of this one at this point in history, as we are of some of the other memorials on the mall.'

Mr. Speaker, as an English teacher, I can remember the titles that my students wanted to read. The ones that were picked up the most when we were studying this time in history, titles like *Farewell to Manzanar*. Books like *Baseball Saved Us In Stealing Home*, strong connection to ways that young people survive the internment, *A Place To Call Home, So Far From the Sea* and George Takei's book, *They Called Us Enemy*. These are books that bring these stories to life. That teach our children the empathy. An opportunity to put themselves in a position where they might understand and take for a moment an opportunity to think about what it would be like to be in someone else's shoes. And to recognize that these things happen as a function of decisions made by our nation's leaders.

Mr. Speaker, doesn't it stand as true to you as it does to me that the way forward is by remembering and teaching out of our dark history and into a brighter one?

Mr. Speaker, doesn't it stand as true to you as it does to me that a day like today when we remember can be just as healing as it can bring hurt?

And doesn't it stand just as true to you, Mr. Speaker, as it does to me, that our injustices in this nation, are interwoven and so is the process of healing.

Thank you."

HOUSE RESOLUTION NO. 4672 was adopted.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SENATE**

Friday, February 16, 2024

Mme. Speaker:

The President has signed:

ENGROSSED HOUSE BILL NO. 1964

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fifth order of business.

**REPORTS OF STANDING COMMITTEES**

February 16, 2024

SB 5508 Prime Sponsor, Senator Short: Promoting local agriculture through greenhouses. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg and Riccelli.

Referred to Committee on Rules for second reading

February 16, 2024

ESSB 5801 Prime Sponsor, Business, Financial Services, Gaming & Trade: Concerning special deposits. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: Do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu; Sandlin and Santos.

Referred to Committee on Rules for second reading

February 16, 2024

SSB 5806 Prime Sponsor, Business, Financial Services, Gaming & Trade: Concerning the confidentiality of insurance company data. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: Do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu; Sandlin and Santos.

Referred to Committee on Rules for second reading

February 16, 2024

SB 5842 Prime Sponsor, Senator Kuderer: Restricting the use of social security numbers by insurance companies for the purpose of determining child support debt. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Walsh, Ranking Minority Member; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

Referred to Committee on Rules for second reading

February 16, 2024

SB 5885 Prime Sponsor, Senator Torres: Concerning procedures for certificates of annexation submitted to the office of financial management. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg and Riccelli.



Referred to Committee on Rules for second reading

February 16, 2024

ESSB 5890

Prime Sponsor, State Government & Elections: Reducing ballot rejection rates through updates to ballot curing, canvassing, reporting, and outreach processes. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 29A.60.165 and 2019 c 167 s 1 are each amended to read as follows:

(1) If the voter neglects to sign the ballot declaration, the auditor shall notify the voter by first-class mail and, if the auditor has a telephone number or email address on file for a voter, by telephone, text message, or email, and advise the voter both that their ballot is unsigned and of the correct procedures for completing the unsigned declaration. If the ballot is received within ~~((three))~~ five business days of the final meeting of the canvassing board, or the voter has been notified by first-class mail and has not responded at least ~~((three))~~ five business days before the final meeting of the canvassing board, then the auditor shall attempt to notify the voter by telephone, using the voter registration record information.

(2)(a) If the handwriting of the signature on a ballot declaration is not the same as the handwriting of the signature on the registration file, the auditor shall notify the voter by first-class mail, and, if the auditor has a telephone number or email address on file for a voter, by telephone, text message, or email, enclosing a copy of the declaration if notified by first-class mail or email, and advise the voter both that the signature on the ballot declaration does not match the signature on file and of the correct procedures for updating his or her signature on the voter registration file. If the ballot is received within ~~((three))~~ five business days of the final meeting of the canvassing board, or the voter has been notified by first-class mail and has not responded at least ~~((three))~~ five business days before the final meeting of the canvassing board, then the auditor shall attempt to notify the voter by telephone, text message, or email, using the voter registration record information.

(b) If the signature on a ballot declaration is not the same as the signature on the registration file because the voter's name ~~((is different))~~ has changed, the ballot may be counted as long as the handwriting is clearly the same. The auditor shall send the voter a change-of-name form under RCW 29A.08.440 and direct the voter to complete the form.

(c) If the signature on a ballot declaration is not the same as the signature on the registration file because the voter used initials or a common nickname, the

ballot may be counted as long as the surname and handwriting are clearly the same.

(3) If the auditor calls a voter who neglected to sign the ballot declaration or whose signature on the ballot declaration does not match the signature in the registration file and the voter does not answer, but voice mail is available, the auditor shall leave a voice mail message.

(4) An auditor who provides electronic means for submission of a ballot declaration signature shall establish appropriate privacy and security protocols that ensure that the information transmitted is received directly and securely by the auditor and is only used for the stated purposes of verifying the signature on the voter's ballot.

(5) If a voter's ballot is rejected in two consecutive primary or general elections due to a mismatched signature, the auditor must contact the voter by telephone, text message, or email, if the auditor has a telephone number or email address on file for the voter, and request that the voter update their signature for the voter's registration file.

(6) A voter may not cure a missing or mismatched signature for purposes of counting the ballot in a recount.

~~((4))~~ (7) A record must be kept of all ballots with missing and mismatched signatures. The record must contain the date on which the voter was contacted or the notice was mailed, as well as the date on which the voter submitted updated information. The record must be updated each day that ballots are processed under RCW 29A.60.160, each time a voter was contacted or the notice was mailed, and when the voter submitted updated information. The auditor shall send the record, and any updated records, to the secretary of state no later than forty-eight hours after the record is created or updated. The secretary of state shall make all records publicly available no later than twenty-four hours after receiving the record.

NEW SECTION. Sec. 2. A new section is added to chapter 29A.08 RCW to read as follows:

After certification of general, primary, and presidential primary election results, county auditors are encouraged to contact each registered voter to obtain an updated signature for the voter's registration file. Failure to respond to contact from the county auditor under this section shall not impact the voter's registration status. Any contact from a county auditor under this section must clearly state that the voter is not required to provide an updated signature and that providing an updated signature is not a requirement to vote in any future election.

NEW SECTION. Sec. 3. A new section is added to chapter 29A.60 RCW to read as follows:

(1) The secretary of state shall:

(a) Adopt and regularly review statewide standards for determining whether the voter's signature on the ballot declaration is the same as the signature of that voter

in the county's registration files as required by RCW 29A.40.110(3);

(b) Adopt, publish, and regularly update a training manual, reviewed by appropriate experts, for the use of local election personnel in implementing the standards adopted under (a) of this subsection; and

(c) Design and implement tools intended to confirm compliance with these standards. These tools shall be available to county auditors for compliance, and may include comparisons, at random intervals, of whether rejections of signatures on ballot declarations for failure to match the voter's signature in the county's registration files comply with the standards adopted under (a) of this subsection.

(2) All training materials for canvassing review board members and election personnel on the statewide standards for signature verification established in this section must be open to the public for observation.

**NEW SECTION. Sec. 4.** A new section is added to chapter 29A.60 RCW to read as follows:

The secretary of state shall design forms for voters to use in completing incomplete ballot declarations and forms to be used by voters in updating a voter's signature in the county's registration files in the various languages required of state agencies. The forms must include the oath and warning language used on voter registration forms. Each county auditor shall provide these forms on the auditor's website and in the auditor's office.

**NEW SECTION. Sec. 5.** A new section is added to chapter 29A.60 RCW to read as follows:

(1) Each county auditor shall develop a community outreach plan to educate voters about signature verification requirements and the importance of ballot signatures matching signatures in voter registration files. The outreach plan shall include materials for publication on the county auditor's website and distribution in communities throughout the county that clearly explain signature verification requirements and the process of updating signatures in voter registration files or curing challenged ballots under RCW 29A.60.165. Materials prepared under the outreach plan should be written clearly and in plain language. Materials must be produced in English, Spanish, and any other language required by the federal voting rights act. Materials prepared as part of the outreach plan should be informed by the data collected in the survey required by RCW 29A.60.300 and should target groups with higher rates of ballot rejection. The secretary of state may assist in preparation of materials for a county's outreach plan, including coordinating between multiple counties and providing information about statewide requirements.

(2) County auditors are encouraged to establish partnerships with trusted community organizations as part of the community outreach plan to maximize resources.

**Sec. 6.** RCW 29A.40.091 and 2021 c 10 s 3 are each amended to read as follows:

(1) The county auditor shall send each voter a ballot, a security envelope in which to conceal the ballot after voting, a larger envelope in which to return the security envelope, a declaration that the voter must sign, and instructions on how to obtain information about the election, how to mark the ballot, and how to return the ballot to the county auditor. The calendar date of the election must be prominently displayed in bold type, twenty-point font or larger, on the envelope sent to the voter containing the ballot and other materials listed in this subsection(+

~~(a) For all general elections in 2020 and after;~~

~~(b) For all primary elections in 2021 and after; and~~

~~(c) For all elections in 2022 and after).~~

(2) (a) The voter must swear under penalty of perjury that he or she meets the qualifications to vote, and has not voted in any other jurisdiction at this election. The declaration must clearly inform the voter that it is illegal to vote if he or she is not a United States citizen; it is illegal to vote if he or she is serving a sentence of total confinement under the jurisdiction of the department of corrections for a felony conviction or is currently incarcerated for a federal or out-of-state felony conviction; and it is illegal to cast a ballot or sign a ballot declaration on behalf of another voter. The ballot materials must provide space for the voter to sign the declaration, indicate the date on which the ballot was voted, and include a telephone number.

(b) By June 1, 2025, the declaration in (a) of this subsection must also clearly inform the voter that the signature on the declaration will be compared to the signature in the voter's registration file.

(3) For overseas and service voters, the signed declaration constitutes the equivalent of a voter registration. Return envelopes for overseas and service voters must enable the ballot to be returned postage free if mailed through the United States postal service, United States armed forces postal service, or the postal service of a United States foreign embassy under 39 U.S.C. 3406.

(4) The voter must be instructed to either return the ballot to the county auditor no later than 8:00 p.m. the day of the election or primary, or mail the ballot to the county auditor with a postmark no later than the day of the election or primary. Return envelopes for all election ballots must include prepaid postage. Service and overseas voters must be provided with instructions and a privacy sheet for returning the ballot and signed declaration by fax or email. A voted ballot and signed declaration returned by fax or email must be received by 8:00 p.m. on the day of the election or primary.

(5) The county auditor's name may not appear on the security envelope, the return envelope, or on any voting instructions or materials included with the ballot if he or

she is a candidate for office during the same year.

(6) For purposes of this section, "prepaid postage" means any method of return postage paid by the county or state.

**Sec. 7.** RCW 29A.40.091 and 2021 c 10 s 3 are each amended to read as follows:

(1) The county auditor shall send each voter a ballot, a security envelope in which to conceal the ballot after voting, a larger envelope in which to return the security envelope, a declaration that the voter must sign, and instructions on how to obtain information about the election, how to mark the ballot, and how to return the ballot to the county auditor. The calendar date of the election must be prominently displayed in bold type, twenty-point font or larger, on the envelope sent to the voter containing the ballot and other materials listed in this subsection((-

~~(a) For all general elections in 2020 and after;~~

~~(b) For all primary elections in 2021 and after; and~~

~~(c) For all elections in 2022 and after)).~~

(2) The voter must swear under penalty of perjury that he or she meets the qualifications to vote, and has not voted in any other jurisdiction at this election. The declaration must clearly inform the voter that it is illegal to vote if he or she is not a United States citizen; it is illegal to vote if he or she is serving a sentence of total confinement under the jurisdiction of the department of corrections for a felony conviction or is currently incarcerated for a federal or out-of-state felony conviction; ~~((and))~~ it is illegal to cast a ballot or sign a ballot declaration on behalf of another voter; and that the signature on the declaration will be compared to the signature in the voter's registration file. The ballot materials must provide space for the voter to sign the declaration, indicate the date on which the ballot was voted, and include a telephone number.

(3) For overseas and service voters, the signed declaration constitutes the equivalent of a voter registration. Return envelopes for overseas and service voters must enable the ballot to be returned postage free if mailed through the United States postal service, United States armed forces postal service, or the postal service of a United States foreign embassy under 39 U.S.C. 3406.

(4) The voter must be instructed to either return the ballot to the county auditor no later than 8:00 p.m. the day of the election or primary, or mail the ballot to the county auditor with a postmark no later than the day of the election or primary. Return envelopes for all election ballots must include prepaid postage. Service and overseas voters must be provided with instructions and a privacy sheet for returning the ballot and signed declaration by fax or email. A voted ballot and signed declaration returned by fax or email must be received by 8:00 p.m. on the day of the election or primary.

(5) The county auditor's name may not appear on the security envelope, the return envelope, or on any voting instructions or materials included with the ballot if he or she is a candidate for office during the same year.

(6) For purposes of this section, "prepaid postage" means any method of return postage paid by the county or state.

**Sec. 8.** RCW 29A.40.110 and 2011 c 349 s 18, 2011 c 348 s 4, and 2011 c 10 s 41 are each reenacted and amended to read as follows:

(1) The opening and subsequent processing of return envelopes for any primary or election may begin upon receipt. The tabulation of absentee ballots must not commence until after 8:00 p.m. on the day of the primary or election.

(2) All received return envelopes must be placed in secure locations from the time of delivery to the county auditor until their subsequent opening. After opening the return envelopes, the county canvassing board shall place all of the ballots in secure storage until processing. Ballots may be taken from the inner envelopes and all the normal procedural steps may be performed to prepare these ballots for tabulation.

(3) The canvassing board, or its designated representatives, shall examine the postmark on the return envelope and signature on the declaration before processing the ballot. The ballot must either be received no later than 8:00 p.m. on the day of the primary or election, or must be postmarked no later than the day of the primary or election. All personnel assigned to verify signatures must receive training on statewide standards for signature verification. The county auditor shall publish on its website the names of all canvassing board members who received training on statewide standards for signature verification and the dates on which the training was completed. Personnel shall verify that the voter's signature on the ballot declaration is the same as the signature of that voter in the registration files of the county. Verification may be conducted by an automated verification system approved by the secretary of state. A variation between the signature of the voter on the ballot declaration and the signature of that voter in the registration files due to the substitution of initials or the use of common nicknames is permitted so long as the surname and handwriting are clearly the same.

(4) If the postmark is missing or illegible, the date on the ballot declaration to which the voter has attested determines the validity, as to the time of voting, for that ballot. For overseas voters and service voters, the date on the declaration to which the voter has attested determines the validity, as to the time of voting, for that ballot. Any overseas voter or service voter may return the signed declaration and voted ballot by fax or email by 8:00 p.m. on the day of the primary or election, and the county auditor must use established procedures to maintain the secrecy of the ballot.

**Sec. 9.** RCW 29A.60.140 and 2008 c 308 s 1 are each amended to read as follows:

(1) Members of the county canvassing board are the county auditor, who is the chair, the county prosecuting attorney, and the chair of the county legislative body. If a member of the board is not available to carry out the duties of the board, then the auditor may designate a deputy auditor, the prosecutor may designate a deputy prosecuting attorney, and the chair of the county legislative body may designate another member of the county legislative body or, in a county with a population over one million, an employee of the legislative body who reports directly to the chair. An "employee of the legislative body" means an individual who serves in any of the following positions: Chief of staff; legal counsel; clerk of the council; policy staff director; and any successor positions to these positions should these original positions be changed. Any such designation may be made on an election-by-election basis or may be on a permanent basis until revoked by the designating authority. Any such designation must be in writing, and if for a specific election, must be filed with the county auditor not later than the day before the first day duties are to be undertaken by the canvassing board. If the designation is permanent until revoked by the designating authority, then the designation must be on file in the county auditor's office no later than the day before the first day the designee is to undertake the duties of the canvassing board. Members of the county canvassing board designated by the county auditor, county prosecuting attorney, or chair of the county legislative body shall complete training as provided in RCW 29A.04.540 and shall take an oath of office similar to that taken by county auditors and deputy auditors in the performance of their duties.

(2) The county canvassing board may adopt rules that delegate in writing to the county auditor or the county auditor's staff the performance of any task assigned by law to the canvassing board.

(3) The county canvassing board may not delegate the responsibility of certifying the returns of a primary or election, of determining the validity of challenged ballots, or of determining the validity of provisional ballots referred to the board by the county auditor.

(4) The county canvassing board shall adopt administrative rules to facilitate and govern the canvassing process in that jurisdiction.

(5) Meetings of the county canvassing board are public meetings under chapter 42.30 RCW. Meetings must be conducted at times and locations that are accessible to the public to ensure that the public is informed and able to attend or observe. The time and location of county canvassing board meetings must be published in accordance with chapter 42.30 RCW. All rules adopted by the county canvassing board must be adopted in a public meeting under chapter 42.30 RCW, and once adopted must be available to the public to review and copy under chapter 42.56 RCW.

**Sec. 10.** RCW 29A.08.210 and 2020 c 208 s 3 are each amended to read as follows:

An applicant for voter registration shall complete an application providing the following information concerning his or her qualifications as a voter in this state:

(1) The former address of the applicant if previously registered to vote;

(2) The applicant's full name;

(3) The applicant's date of birth;

(4) The address of the applicant's residence for voting purposes;

(5) The mailing address of the applicant if that address is not the same as the address in subsection (4) of this section;

(6) The sex of the applicant;

(7) The applicant's Washington state driver's license number, Washington state identification card number, or the last four digits of the applicant's social security number if he or she does not have a Washington state driver's license or Washington state identification card;

(8) A check box allowing the applicant to indicate that he or she is a member of the armed forces, national guard, or reserves, or that he or she is an overseas voter;

(9) A check box allowing the applicant to acknowledge that he or she is at least sixteen years old;

(10) Clear and conspicuous language, designed to draw the applicant's attention, stating that:

(a) The applicant must be a United States citizen in order to register to vote; and

(b) The applicant may register to vote if the applicant is at least sixteen years old and may vote if the applicant will be at least eighteen years old by the next general election, or is at least eighteen years old for special elections;

(11) A check box and declaration confirming that the applicant is a citizen of the United States;

(12) The following warning:

"If you knowingly provide false information on this voter registration form or knowingly make a false declaration about your qualifications for voter registration you will have committed a class C felony that is punishable by imprisonment for up to five years, a fine of up to ten thousand dollars, or both."

(13) The oath required by RCW 29A.08.230 and a space for the applicant's signatures. The secretary of state is encouraged to provide applications for voter registration with multiple signature blocks to assist in comparing signatures on ballot declarations; and

(14) Any other information that the secretary of state determines is necessary to establish the identity of the applicant and prevent duplicate or fraudulent voter registrations.

This information shall be recorded on a single registration form to be prescribed by the secretary of state.

**Sec. 11.** RCW 29A.08.210 and 2023 c 466 s 6 are each amended to read as follows:

An applicant for voter registration shall complete an application providing the following information concerning the

applicant's qualifications as a voter in this state:

- (1) The applicant's full name;
- (2) The applicant's date of birth;
- (3) The address of the applicant's residence for voting purposes;
- (4) The mailing address of the applicant if that address is not the same as the address in subsection (3) of this section;
- (5) The gender of the applicant;
- (6) The former address of the applicant if previously registered to vote;
- (7) The applicant's Washington state driver's license number, Washington state identification card number, or the last four digits of the applicant's social security number if the applicant does not have a Washington state driver's license or Washington state identification card;
- (8) A check box allowing the applicant to indicate membership in the armed forces, national guard, or reserves, or overseas voter status;
- (9) Clear and conspicuous language, designed to draw the applicant's attention, stating that:
  - (a) The applicant must be a United States citizen in order to register to vote; and
  - (b) The applicant may register to vote if the applicant is at least sixteen years old and may vote if the applicant will be at least eighteen years old by the next general election, or is at least eighteen years old for special elections;
- (10) A check box and declaration confirming that the applicant is a citizen of the United States;
- (11) The following warning:
 

"If you knowingly provide false information on this voter registration form or knowingly make a false declaration about your qualifications for voter registration you will have committed a class C felony that is punishable by imprisonment for up to five years, a fine of up to ten thousand dollars, or both."
- (12) The oath required by RCW 29A.08.230 and a space for the applicant's signatures. The secretary of state is encouraged to provide applications for voter registration with multiple signature blocks to assist in comparing signatures on ballot declarations; and
- (13) Any other information that the secretary of state determines is necessary to establish the identity of the applicant and prevent duplicate or fraudulent voter registrations.

This information shall be recorded on a single registration form to be prescribed by the secretary of state.

**NEW SECTION. Sec. 12.** A new section is added to chapter 29A.60 RCW to read as follows:

- (1) A work group is established to approve a uniform ballot envelope design to be used by all counties in each election beginning with the 2026 primary election.
- (2) The work group must be chaired by the secretary of state, or the secretary's designee, and include at a minimum the following members, appointed by the secretary of state:

(a) Two county auditors or their designees, with one auditor residing in western Washington and one auditor residing in eastern Washington;

(b) A representative from the University of Washington Evans school of public policy and governance;

(c) A representative from a nonprofit educational research organization with expertise in designing voting materials; and

(d) Other recognized experts and staff as deemed necessary by the work group's chair.

(3) This section expires January 1, 2027.

**NEW SECTION. Sec. 13.** Section 6 of this act expires June 1, 2025.

**NEW SECTION. Sec. 14.** Section 7 of this act takes effect June 1, 2025.

**NEW SECTION. Sec. 15.** Section 10 of this act expires July 15, 2024.

**NEW SECTION. Sec. 16.** Section 11 of this act takes effect July 15, 2024."

Correct the title.

Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

February 15, 2024

SSB 5931

Prime Sponsor, Environment, Energy & Technology: Addressing 6PPD in motorized vehicle tires through safer products for Washington. Reported by Committee on Environment & Energy

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that 6PPD is a chemical commonly used in motor vehicle tires to keep them flexible and prevent them from degrading quickly. 6PPD works by moving to the surface of the tire and forming a film that protects the tire. As the film breaks down, it produces 6PPD-quinone. When it rains, tire particles containing 6PPD-quinone are washed into streams, rivers, and other water bodies through stormwater runoff.

(2) The legislature also finds that 6PPD-quinone is directly linked to urban runoff mortality syndrome, a condition where Coho salmon die prior to spawning. 6PPD-quinone is known to be toxic to aquatic species and is the primary causal toxicant for Coho salmon. In June 2023, the department of ecology identified 6PPD as a draft priority chemical under safer products for Washington, cycle 2. Additionally, 6PPD has been identified as a hazardous substance under the model toxics control act and as a chemical of concern for sensitive populations and sensitive species.

(3) The legislature finds it important to reduce sources and uses of 6PPD in Washington to protect aquatic life, particularly salmon. Since 6PPD is ubiquitous in motorized vehicle tires, the legislature intends to identify 6PPD as a priority chemical and certain motorized vehicle tires containing 6PPD as priority consumer products under safer products for Washington.

**Sec. 2.** RCW 70A.350.010 and 2020 c 20 s 1451 are each amended to read as follows:

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

(1) "6PPD" means the chemical compound N-(1,3-dimethylbutyl)-N'-phenyl-p-phenylenediamine.

(2) "Consumer product" means any item, including any component parts and packaging, sold for residential or commercial use.

~~((2))~~ (3) "Department" means the department of ecology.

~~((3))~~ (4) "Director" means the director of the department.

~~((4))~~ (5) "Electronic product" includes personal computers, audio and video equipment, calculators, wireless phones, game consoles, and handheld devices incorporating a video screen that are used to access interactive software, and the peripherals associated with such products.

~~((5))~~ (6) "Inaccessible electronic component" means a part or component of an electronic product that is located inside and entirely enclosed within another material and is not capable of coming out of the product or being accessed during any reasonably foreseeable use or abuse of the product.

~~((6))~~ (7) "Manufacturer" means any person, firm, association, partnership, corporation, governmental entity, organization, or joint venture that produces a product or is an importer or domestic distributor of a product sold or offered for sale in or into the state.

~~((7))~~ (8) (a) "Motorized vehicle" means, for purposes of 6PPD as a priority chemical, a vehicle intended for on-highway or off-highway use.

(b) "Motorized vehicle" does not include, for purposes of 6PPD as a priority chemical, the tires equipped on the vehicle nor tires sold separately for replacement purposes.

(9) "Organohalogen" means a class of chemicals that includes any chemical containing one or more halogen elements bonded to carbon.

~~((8))~~ (10) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS chemicals" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

~~((9))~~ (11) "Phenolic compounds" means alkylphenol ethoxylates and bisphenols.

~~((10))~~ (12) "Phthalates" means synthetic chemical esters of phthalic acid.

~~((11))~~ (13) "Polychlorinated biphenyls" or "PCBs" means chemical forms that consist of two benzene rings joined together and containing one to ten chlorine atoms attached to the benzene rings.

~~((12))~~ (14) "Priority chemical" means a chemical or chemical class used as, used in, or put in a consumer product including:

(a) Perfluoroalkyl and polyfluoroalkyl substances;

(b) Phthalates;

(c) Organohalogen flame retardants;

(d) Flame retardants, as identified by the department under chapter 70A.430 RCW;

(e) Phenolic compounds;

(f) Polychlorinated biphenyls; ~~((13))~~

(g) 6PPD that is used in motorized vehicle tires or tires sold separately for replacement purposes. Nothing in this subsection (14)(g) limits the authority of the department under (h) of this subsection; or

(h) A chemical identified by the department as a priority chemical under RCW 70A.350.020.

~~((13))~~ (15) "Safer alternative" means an alternative that is less hazardous to humans or the environment than the existing chemical or chemical process. A safer alternative to a particular chemical may include a chemical substitute or a change in materials or design that eliminates the need for a chemical alternative.

~~((14))~~ (16) "Sensitive population" means a category of people that is identified by the department that may be or is disproportionately or more severely affected by priority chemicals, such as:

(a) Men and women of childbearing age;

(b) Infants and children;

(c) Pregnant women;

(d) Communities that are highly impacted by toxic chemicals;

(e) Persons with occupational exposure;

and

(f) The elderly.

~~((15))~~ (17) "Sensitive species" means a species or grouping of animals that is identified by the department that may be or is disproportionately or more severely affected by priority chemicals, such as:

(a) Southern resident killer whales;

(b) Salmon; and

(c) Forage fish.

**Sec. 3.** RCW 70A.350.050 and 2022 c 264 s 2 are each amended to read as follows:

(1)(a) By June 1, 2020, and consistent with RCW 70A.350.030, the department shall identify priority consumer products that are a significant source of or use of priority chemicals specified in RCW 70A.350.010~~((12))~~ (14) (a) through (f).

(b) By June 1, 2022, and consistent with RCW 70A.350.040, the department must determine regulatory actions regarding the priority chemicals and priority consumer products identified in (a) of this subsection. The deadline of June 1, 2022, does not apply to the priority consumer products identified in RCW 70A.350.090.

(c) By June 1, 2023, the department must adopt rules to implement regulatory actions determined under (b) of this subsection.

(2)(a) By June 1, 2024, and every five years thereafter, the department shall select at least five priority chemicals specified in RCW 70A.350.010~~((12))~~ (14) (a) through ~~((9))~~ (h) that are identified consistent with RCW 70A.350.020.

(b) By June 1, 2025, and every five years thereafter, the department must identify priority consumer products that contain any new priority chemicals after notifying the appropriate committees of the legislature, consistent with RCW 70A.350.030.

(c) By June 1, 2027, and every five years thereafter, the department must determine regulatory actions for any priority chemicals in priority consumer products identified under (b) of this subsection, consistent with RCW 70A.350.040.

(d) By June 1, 2028, and every five years thereafter, the department must adopt rules to implement regulatory actions identified under (c) of this subsection.

(3)(a) The designation of priority chemicals by the department does not take effect until the adjournment of the regular legislative session immediately following the identification of chemicals, in order to allow an opportunity for the legislature to add to, limit, or otherwise amend the list of priority chemicals to be considered by the department.

(b) The designation of priority consumer products by the department does not take effect until the adjournment of the regular legislative session immediately following the identification of priority consumer products, in order to allow an opportunity for the legislature to add to, limit, or otherwise amend the list of priority consumer products to be considered by the department.

(c) The determination of regulatory actions by the department does not take effect until the adjournment of the regular legislative session immediately following the determination by the department, in order to allow an opportunity for the legislature to add to, limit, or otherwise amend the regulatory determinations by the department.

(d) Nothing in this subsection (3) limits the authority of the department to:

(i) Begin to identify priority consumer products for a priority chemical prior to the effective date of the designation of a priority chemical;

(ii) Begin to consider possible regulatory actions prior to the effective date of the designation of a priority consumer product; or

(iii) Initiate a rule-making process prior to the effective date of a determination of a regulatory action.

(4)(a) When identifying priority chemicals and priority consumer products under this chapter, the department must notify the public of the selection, including the identification of the peer-reviewed science and other sources of information that the department relied upon, the basis for the selection, and a draft schedule for making determinations. The notice must be published in the Washington State Register. The department shall provide the public with an opportunity for review and comment on the regulatory determinations.

(b)(i) By June 1, 2020, the department must create a stakeholder advisory process to provide expertise, input, and a review of the department's rationale for identifying priority chemicals and priority consumer

products and proposed regulatory determinations. The input received from a stakeholder process must be considered and addressed when adopting rules.

(ii) The stakeholder process must include, but is not limited to, representatives from: Large and small business sectors; community, environmental, and public health advocacy groups; local governments; affected and interested businesses; an expert in scientific data analysis; and public health agencies.

**NEW SECTION. Sec. 4.** A new section is added to chapter 70A.350 RCW to read as follows:

For the purposes of the regulatory process established in this chapter, a motorized vehicle tire containing 6PPD that is equipped on or intended to be installed as a replacement tire on a motorized vehicle for on-highway use is a priority consumer product. For these priority products, the department must determine regulatory actions and adopt rules to implement those regulatory determinations consistent with the process established in RCW 70A.350.040 and 70A.350.050. In determining regulatory actions under this section, the department must specifically consider the effect of the regulatory actions on driver and passenger safety."

Correct the title.

Signed by Representatives Doglio, Chair; Mena, Vice Chair; Berry; Duerr; Fey; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Barnard; and Goehner.

MINORITY recommendation: Without recommendation. Signed by Representatives Abbarno; and Sandlin.

Referred to Committee on Rules for second reading

February 16, 2024

**SSB 5936**

Prime Sponsor, Health & Long Term Care: Convening a palliative care benefit work group. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Harris; Macri; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Rules for second reading

February 16, 2024

**SSB 5940**

Prime Sponsor, Health & Long Term Care: Creating a medical assistant-EMT certification. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Harris;

Macri; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

February 16, 2024

ESSB 5974 Prime Sponsor, Human Services: Concerning the disposition of unenforceable legal financial obligations other than restitution imposed by a court or an agent of the court against a juvenile prior to July 1, 2023. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Couture, Assistant Ranking Minority Member; Callan; Goodman; Ortiz-Self; Taylor and Walsh.

MINORITY recommendation: Without recommendation. Signed by Representatives Eslick, Ranking Minority Member; and Dent.

Referred to Committee on Rules for second reading

February 16, 2024

SB 5982 Prime Sponsor, Senator Cleveland: Updating the definition of "vaccine" in RCW 70.290.010 to include all federal food and drug administration-approved immunizations recommended by the centers for disease control and prevention. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske; Davis; Harris; Macri; Orwall; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Caldier; and Mosbrucker.

Referred to Committee on Rules for second reading

February 16, 2024

SSB 6025 Prime Sponsor, Business, Financial Services, Gaming & Trade: Protecting consumers from predatory loans. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: Do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu; Sandlin and Santos.

Referred to Committee on Appropriations

February 16, 2024

SSB 6047 Prime Sponsor, State Government & Elections: Concerning executive sessions under the open public meetings act in order to comply with the climate commitment act. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The climate commitment act requires some publicly owned natural gas and electric utilities and other government agencies to obtain greenhouse gas allowances to cover a portion of emissions. Because the allowance auctions must be carefully regulated to guard against market interference, market participants are strictly prohibited from disclosing any information about how they plan to participate in a specific auction. Investor-owned utilities, which are governed by a private board of directors, are able to keep this information confidential. In contrast, many public agencies are overseen by governing boards that are subject to the open public meetings act, which requires that deliberations be conducted in public. This act allows the governing body of a public agency to meet in executive session to consider the information necessary to comply with the climate commitment act's protection of all information necessary to participate in the greenhouse gas allowance market.

**Sec. 2.** RCW 42.30.110 and 2022 c 153 s 13 and 2022 c 115 s 12 are each reenacted and amended to read as follows:

(1) Nothing contained in this chapter may be construed to prevent a governing body from holding an executive session during a regular or special meeting:

(a)(i) To consider matters affecting national security;

(ii) To consider, if in compliance with any required data security breach disclosure under RCW 19.255.010 and 42.56.590, and with legal counsel available, information regarding the infrastructure and security of computer and telecommunications networks, security and service recovery plans, security risk assessments and security test results to the extent that they identify specific system vulnerabilities, and other information that if made public may increase the risk to the confidentiality, integrity, or availability of agency security or to information technology infrastructure or assets;

(b) To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price;

(c) To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. However, final action selling or leasing public property shall be taken in a meeting open to the public;

(d) To review negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs;

(e) To consider, in the case of an export trading company, financial and commercial information supplied by private persons to the export trading company;

(f) To receive and evaluate complaints or charges brought against a public officer or employee. However, upon the request of such officer or employee, a public hearing or a



meeting open to the public shall be conducted upon such complaint or charge;

(g) To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140(4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;

(h) To evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public;

(i) To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

This subsection (1)(i) does not permit a governing body to hold an executive session solely because an attorney representing the agency is present. For purposes of this subsection (1)(i), "potential litigation" means matters protected by RPC 1.6 or RCW 5.60.060(2)(a) concerning:

(i) Litigation that has been specifically threatened to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party;

(ii) Litigation that the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity; or

(iii) Litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency;

(j) To consider, in the case of the state library commission or its advisory bodies, western library network prices, products, equipment, and services, when such discussion would be likely to adversely affect the network's ability to conduct business in a competitive economic climate. However, final action on these matters shall be taken in a meeting open to the public;

(k) To consider, in the case of the state investment board, financial and commercial information when the information relates to the investment of public trust or retirement funds and when public knowledge regarding the discussion would result in loss to such funds or in private loss to the providers of this information;

(l) To consider proprietary or confidential nonpublished information related to the development, acquisition, or

implementation of state purchased health care services as provided in RCW 41.05.026;

(m) To consider in the case of the life sciences discovery fund authority, the substance of grant applications and grant awards when public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of this information;

(n) To consider in the case of a health sciences and services authority, the substance of grant applications and grant awards when public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of this information;

(o) To consider information regarding staff privileges or quality improvement committees under RCW 70.41.205;

(p) To consider proprietary or confidential data collected or analyzed pursuant to chapter 70.405 RCW;

(q) To consider greenhouse gas allowance auction bidding information that is prohibited from release or disclosure under RCW 70A.65.100(8).

(2) Before convening in executive session, the presiding officer of a governing body shall publicly announce the purpose for excluding the public from the meeting place, and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the presiding officer. The announced purpose of excluding the public must be entered into the minutes of the meeting required by RCW 42.30.035."

Correct the title.

Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

February 16, 2024

ESJM 8006

Prime Sponsor, Senator Hasegawa:  
Requesting that the federal government create a universal health care program.  
Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske; Davis; Macri; Orwall; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Caldier; Harris; and Mosbrucker.

Referred to Committee on Rules for second reading

There being no objection, the bills and memorial listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

**MOTIONS**

There being no objection, the Committee on Education was relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 6031, and the bill was referred to the Committee on Appropriations.

There being no objection, the Committee on Health Care & Wellness was relieved of ENGROSSED SENATE BILL NO. 5632, and the bill was referred to the Committee on Labor & Workplace Standards.

There being no objection, the House adjourned until 9:55 a.m., Tuesday, February 20, 2024, the 44th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## FORTY FOURTH DAY

House Chamber, Olympia, Tuesday, February 20, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker assumed the chair.

**SIGNED BY THE SPEAKER**

The Speaker signed the following bills:

HOUSE BILL NO. 1895  
HOUSE BILL NO. 1950

The Speaker called upon Representative Orwall to preside.

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4674**, by Representatives Jinkins, Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, and Wylie

WHEREAS, Congressman Derek Kilmer brought his dedication and an unwavering sense of duty to the United States house of representatives and the Washington state legislature; and

WHEREAS, Born and raised in Port Angeles to parents who were educators, Kilmer saw families losing jobs during the timber crisis and developed a lifelong interest in boosting rural economies; and

WHEREAS, After receiving his bachelor's degree from Princeton and doctorate from Oxford, he put his education to work as a lawmaker, focusing on building a better economy in timber and farm country, improving education, and protecting the waterways in Washington; and

WHEREAS, Kilmer represented the 26th legislative district in the Washington state house of representatives from 2005 until he joined the Washington state senate in 2007; and

WHEREAS, Kilmer faithfully represented Washington in the United States Congress, serving six terms in the United States house of representatives as a member of appropriations, the interior and environment subcommittee, defense subcommittee, and energy and water development subcommittee; and

WHEREAS, During his time as a lawmaker, Kilmer founded the Puget Sound recovery caucus, which brought more focus to restoring the region's waters; and

WHEREAS, Kilmer's reputation of being a fair and committed representative was well-known by the time he decided to run for Congress, with The Seattle Times dubbing Kilmer as, "a problem-solver who can be bi-partisan" and The News Tribune praising Kilmer for having an impressive understanding of business, job growth, and economic progress as a whole; and

WHEREAS, He chaired the select committee on the modernization of Congress, which passed more than 200 bipartisan recommendations to reform the budget process and improve staffing, civility, and collaboration; and

WHEREAS, Kilmer also served as co-chair of the bipartisan working group, a coalition of lawmakers from both parties working

to reduce partisanship and forge consensus on issues facing all our communities; and

WHEREAS, He received the Teddy Roosevelt courage award for his work on political reform and the bipartisan policy center's legislative action award for his commitment to building relationships and making Congress function for the people of the United States; and

WHEREAS, Kilmer created a new federal program, RECOMPETE, which will send \$1 billion to rural communities around the country, including here in Washington, and the program saw the highest number of applications of any economic development administration program in national history;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state house of representatives recognize and honor Derek Kilmer for his service to our state and to our nation.

With the consent of the House, HOUSE RESOLUTION NO. 4674 was adopted.

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4675**, by Representative McClintock

WHEREAS, The tradition of recognizing excellence within law enforcement ranks underscores the commitment to service and community protection, celebrating those who embody leadership, dedication, compassion, and hard work; and

WHEREAS, Deputy Rocky Futrell has set a high standard of service, becoming a paragon among peers and a valued member of the Clark County Sheriff's Office through his exemplary qualities and contributions; and

WHEREAS, Honored as the Deputy of the Year for 2023, Deputy Futrell's unwavering commitment and exceptional service to the community and his colleagues have been rightfully acknowledged and celebrated; and

WHEREAS, His roles as a Patrol Deputy, Field Training Officer, and Peer Support Team Member have significantly enhanced the morale and capabilities of the Office, showcasing his dedication and expertise; and

WHEREAS, Leading the Unnamed Aircraft Systems (UAS) Unit, Deputy Futrell oversaw 100 deployments, playing a pivotal role in the success of SWAT missions and critical incidents, thereby ensuring the safety and well-being of the community; and

WHEREAS, His adeptness in drone piloting led to more than 30 car recoveries and earned recognition for innovative use of technology in law enforcement, significantly impacting operational success and community safety; and

WHEREAS, His contributions to recruitment and social media outreach have bolstered community engagement and the operational efficiency of the Office, further demonstrating his multifaceted contributions; and

WHEREAS, Deputy Futrell's unwavering devotion to his roles as a dedicated husband and father exemplifies the depth of his character, reflecting a level of commitment and compassion that parallels his professional achievements and positively impacts the lives of his family and community;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and commend Deputy Rocky Futrell for his outstanding service, leadership, and dedication, acknowledging his significant achievements as the 2023 Deputy of the Year and expressing deep appreciation for his invaluable role within the Clark County Sheriff's Office and the community; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Deputy Rocky Futrell ensuring that the

recognition of his exemplary service and achievements is duly noted and celebrated.

HOUSE BILL NO. 1950

With the consent of the House, HOUSE RESOLUTION NO. 4675 was adopted.

and the same are herewith transmitted.

Sarah Bannister, Secretary

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4676**, by Representatives Chandler and Sandlin

There being no objection, the House advanced to the fifth order of business.

**REPORTS OF STANDING COMMITTEES**

February 16, 2024

WHEREAS, The National Park Service on January 3, 2024, placed the Filipino Hall of the Yakima Valley on the National Register of Historic Places, following the Washington State Department of Archaeology and Historic Preservation placement of the Hall on the Washington State Register of Historic Places in September 2023; and

2ESSB 5150 Prime Sponsor, Agriculture, Water, Natural Resources & Parks: Concerning the beef commission's levied assessment. Reported by Committee on Agriculture & Natural Resources

WHEREAS, The Filipino American National Historical Society has declared that the Filipino Hall of the Yakima Valley is the first such community hall built "from the ground up" expressly for the purpose of being a Filipino Community Hall; and

MAJORITY recommendation: Do pass as amended.

WHEREAS, The Filipino Hall of the Yakima Valley located in Wapato continues to be a place for gathering, a place for safety, and a beacon for organizing, for families of the Yakima Valley, the State of Washington, and the Pacific Northwest; and

Strike everything after the enacting clause and insert the following:

WHEREAS, Filipinos first entered the Yakima Valley in the 1910's, arriving in the United States seeking opportunities in "the land of milk and honey" and faced institutional and personal hardships; and

**"Sec. 1.** RCW 16.67.120 and 2002 c 313 s 83 are each amended to read as follows:

WHEREAS, The first anti-Filipino riots in the United States occurred in the Yakima Valley in 1927, and Filipinos were challenged by hostility: Anti-Alien Land and Anti-Miscegenation Laws, little immigration of Filipino women, the beginning of the Great Depression, and other obstacles; and

(1) There is hereby levied an assessment of ~~((one dollar))~~ up to \$2.50 per head to be implemented as prescribed in subsection (2) of this section on all Washington cattle sold in this state or elsewhere to be paid by the seller at the time of sale: PROVIDED, That if such sale is accompanied by a brand inspection by the department such an assessment may be collected at the same time, place and in the same manner as brand inspection fees. Such fees may be collected by the livestock ~~((services division))~~ identification program of the department and transmitted to the commission: PROVIDED FURTHER, That, if such sale is made without a brand inspection by the department the assessment shall be paid by the seller and transmitted directly to the commission by the ~~((fifteenth))~~ 15th day of the month following the month the transaction occurred.

WHEREAS, The Filipino Hall of the Yakima Valley was started in 1948 and had its Grand Opening on March 22, 1952; and

WHEREAS, The Yakima Valley was the home of legendary Filipino American Washingtonians including Roy Baldoz, Harry Bucsit, Julius Ruiz, Carlos Bulosan, Pedro Batin, Lorena Bucsit Silva, and Reynaldo Pascua; and

WHEREAS, The State of Washington has permanently declared October as Filipino American History Month;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize with pleasure the designation of the Filipino Hall of the Yakima Valley on the National Register of Historic Places; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives call upon all citizens of the State to join in celebrating the said designation; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be forwarded to the Filipino American Community of the Yakima Valley, to Rey Pascua, Trustee of the Filipino American Historical Society and Emeritus Commissioner of the Commission on Asian Pacific American Affairs, to Maricres Castro of Tacoma, Immigration and Refugee Affairs Commissioner for the City of Tacoma, and Allen Acosta of Olympia, Veterans Affairs Advocate, for distribution to Asian American and Pacific Islander organizations, governmental agencies, historical and higher education institutions, and the Superintendent of Public Instruction.

(2) (a) Beginning July 1, 2024, the assessment must be \$1.50 per head. \$0.50 of the \$1.50 assessment levied under this subsection may not be collected at the first point of sale of any calf identified with a green tag as identified in RCW 16.57.160.

(b) Beginning January 1, 2025, the assessment must be \$2.00 per head. \$1.00 of the \$2.00 assessment levied under this subsection may not be collected at the first point of sale of any calf identified with a green tag as identified in RCW 16.57.160.

(c) Beginning January 1, 2026, the assessment must be \$2.50 per head. \$1.50 of the \$2.50 assessment levied under this subsection may not be collected at the first point of sale of any calf identified with a green tag as identified in RCW 16.57.160.

With the consent of the House, HOUSE RESOLUTION NO. 4676 was adopted.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SENATE**

Monday, February 19, 2024

Mme. Speaker:

The Senate has passed:

(3) The procedures for collecting all state and federal assessments under this chapter shall be as required by the federal order and as described by rules adopted by the commission.

(4) The commission shall hold meetings in different geographic regions of the state throughout the year, with at least two meetings held east of the crest of the Cascade mountains. Geographic regions must

include the northeast, southeast, central southwest, and northwest regions of the state.

**NEW SECTION. Sec. 2.** A new section is added to chapter 16.67 RCW to read as follows:

The commission may fund, conduct, or otherwise participate in scientific research related to beef including, without limitation, to improve production, quality, transportation, processing, distribution, and environmental stewardship.

**NEW SECTION. Sec. 3.** A new section is added to chapter 16.67 RCW to read as follows:

(1) Of the assessments levied in RCW 16.67.120, a producer or owner of cattle from whom an assessment is collected, except for assessments collected at the first point of sale of green tag calves not subject to the assessment increases provided in RCW 16.67.120(2), has the right to request a refund of not more than \$1.00 per head beginning July 1, 2024, not more than \$1.50 per head beginning January 1, 2025, and not more than \$2.00 per head beginning January 1, 2026. Refund requests must be mailed to the commission within 90 calendar days of the assessment.

(2) The commission must process the requested refunds on a calendar quarterly basis. Any refund request that is received by the commission less than 15 days from the end of the calendar quarter must be paid at the end of the next quarter.

**Sec. 4.** RCW 16.67.200 and 2017 c 256 s 5 are each amended to read as follows:

(1) The budget required in RCW 16.67.090(8) must set forth the complete and detailed financial program of the commission, showing the revenues and expenditures of the commission. The budget must be explanatory, describing how the funding is used to administer and implement the commission's programs and priorities, and include the reasons for salient changes from the previous fiscal period in expenditure or revenue items. The budget must explain any major changes to financial policy and contain an outline of the proposed financial policies of the commission for the ensuing fiscal period and describe performance indicators that demonstrate measurable progress toward the commission's priorities.

(2) The budget must be sufficiently detailed to provide transparency for the commission's actions on behalf of the industry.

(3) The commission must submit to the legislature, in compliance with RCW 43.01.036, a concise yet detailed report of the commission's activities and expenditures after the completion of each fiscal year. The report must include an accounting of assessments collected pursuant to RCW 16.67.120 for the previous fiscal year, including a record of the amount collected, the amount spent, and the purposes for which the funds were used.

Correct the title.

Signed by Representatives Chapman, Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Kloba; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Appropriations

February 16, 2024

**ESSB 5690** Prime Sponsor, Human Services: Concerning conditional release transition teams. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 10.77.110 and 2000 c 94 s 14 are each amended to read as follows:

(1) If a defendant is acquitted of a crime by reason of insanity, and it is found that he or she is not a substantial danger to other persons, and does not present a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, the court shall direct the defendant's release. If it is found that such defendant is a substantial danger to other persons, or presents a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, the court shall order his or her hospitalization, or any appropriate alternative treatment less restrictive than detention in a state mental hospital, pursuant to the terms of this chapter.

(2) If the defendant has been found not guilty by reason of insanity and a substantial danger, or presents a substantial likelihood of committing criminal acts jeopardizing public safety or security, so as to require treatment then the secretary shall immediately cause the defendant to be evaluated to ascertain if the defendant ~~((is developmentally disabled))~~ has a developmental disability. When appropriate, and subject to available funds, the defendant may be committed to a program specifically reserved for the treatment and training of ~~((developmentally disabled))~~ persons with developmental disabilities. A person so committed shall receive habilitation services according to an individualized service plan specifically developed to treat the behavior which was the subject of the criminal proceedings. The treatment program shall be administered by developmental disabilities professionals and others trained specifically in the needs of ~~((developmentally disabled))~~ persons with developmental disabilities. The treatment program shall provide physical security to a degree consistent with the finding that the defendant is dangerous and may incorporate varying conditions of security and alternative sites when the dangerousness of any particular defendant makes this necessary. The department may limit

admissions to this specialized program in order to ensure that expenditures for services do not exceed amounts appropriated by the legislature and allocated by the department for such services. The department may establish admission priorities in the event that the number of eligible persons exceeds the limits set by the department.

(3) If it is found that such defendant is not a substantial danger to other persons, and does not present a substantial likelihood of committing criminal acts jeopardizing public safety or security, but that he or she is in need of control by the court or other persons or institutions, the court shall direct the defendant's conditional release to a less restrictive alternative under conditions that satisfy the minimum requirements of RCW 10.77.150 and 10.77.175.

**Sec. 2.** RCW 10.77.010 and 2023 c 453 s 2 and 2023 c 120 s 5 are each reenacted and amended to read as follows:

As used in this chapter:

(1) "Admission" means acceptance based on medical necessity, of a person as a patient.

(2) "Authority" means the Washington state health care authority.

(3) "Clinical intervention specialist" means a licensed professional with prescribing authority who is employed by or contracted with the department to provide direct services, enhanced oversight and monitoring of the behavioral health status of in-custody defendants who have been referred for evaluation or restoration services related to competency to stand trial and who coordinate treatment options with forensic navigators, the department, and jail health services.

(4) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less-restrictive setting.

(5) "Community behavioral health agency" has the same meaning as "licensed or certified behavioral health agency" defined in RCW 71.24.025.

(6) "Conditional release" means modification of a court-ordered commitment, which may be revoked upon violation of any of its terms. A conditional release includes partial conditional release where a person continues inpatient at a department institution or facility designated to provide treatment for persons acquitted as not guilty by reason of insanity under RCW 10.77.150, or conditional release to a less restrictive setting that meets the minimum requirements of RCW 10.77.150 and 10.77.175 where the person resides in the community.

(7) A "criminally insane" person means any person who has been acquitted of a crime charged by reason of insanity, and thereupon found to be a substantial danger to other persons or to present a substantial likelihood of committing criminal acts jeopardizing public safety or security unless kept under further control by the court or other persons or institutions.

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

(9) "Designated crisis responder" has the same meaning as provided in RCW 71.05.020.

(10) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter, pending evaluation.

(11) "Developmental disabilities professional" means a person who has specialized training and experience in directly treating or working with persons with developmental disabilities and is a psychiatrist or psychologist, or a social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary.

(12) "Developmental disability" means the condition as defined in RCW 71A.10.020.

(13) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order.

(14) "Furlough" means an authorized leave of absence for a resident of a state institution operated by the department designated for the custody, care, and treatment of the criminally insane, consistent with an order of conditional release from the court under this chapter, without any requirement that the resident be accompanied by, or be in the custody of, any law enforcement or institutional staff, while on such unescorted leave.

(15) "Genuine doubt as to competency" means that there is reasonable cause to believe, based upon actual interactions with or observations of the defendant or information provided by counsel, that a defendant is incompetent to stand trial.

(16) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct.

(17) "History of one or more violent acts" means violent acts committed during: (a) The 10-year period of time prior to the filing of criminal charges; plus (b) the amount of time equal to time spent during the 10-year period in a mental health facility or in confinement as a result of a criminal conviction.

(18) "Immediate family member" means a spouse, child, stepchild, parent, stepparent, grandparent, sibling, or domestic partner.

(19) "Incompetency" means a person lacks the capacity to understand the nature of the proceedings against him or her or to assist in his or her own defense as a result of mental disease or defect.

(20) "Indigent" means any person who is indigent as defined in RCW 10.101.010, or financially unable to obtain counsel or other necessary expert or professional services without causing substantial hardship to the person or his or her family.

(21) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other

professionals as a team, for an individual with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual release, and a projected possible date for release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences.

(22) "Professional person" means:

(a) A psychiatrist licensed as a physician and surgeon in this state who has, in addition, completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology or the American osteopathic board of neurology and psychiatry;

(b) A psychologist licensed as a psychologist pursuant to chapter 18.83 RCW;

(c) A psychiatric advanced registered nurse practitioner, as defined in RCW 71.05.020; or

(d) A social worker with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010.

(23) "Release" means legal termination of the court-ordered commitment under the provisions of this chapter.

(24) "Secretary" means the secretary of the department of social and health services or his or her designee.

(25) "Treatment" means any currently standardized medical or mental health procedure including medication.

(26) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by behavioral health administrative services organizations and their staffs, by managed care organizations and their staffs, and by treatment facilities. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health administrative services organizations, managed care organizations, or a treatment facility if the notes or records are not available to others.

(27) "Violent act" means behavior that: (a) (i) Resulted in; (ii) if completed as intended would have resulted in; or (iii) was threatened to be carried out by a person

who had the intent and opportunity to carry out the threat and would have resulted in, homicide, nonfatal injuries, or substantial damage to property; or (b) recklessly creates an immediate risk of serious physical injury to another person. As used in this subsection, "nonfatal injuries" means physical pain or injury, illness, or an impairment of physical condition. "Nonfatal injuries" shall be construed to be consistent with the definition of "bodily injury," as defined in RCW 9A.04.110.

**Sec. 3.** RCW 10.77.150 and 2023 c 120 s 8 are each amended to read as follows:

(1) Persons examined pursuant to RCW 10.77.140 may make application to the secretary for conditional release. The secretary shall, after considering the reports of experts or professional persons conducting the examination pursuant to RCW 10.77.140, forward to the court of the county which ordered the person's commitment the person's application for conditional release as well as the secretary's recommendations concerning the application ~~((and)).~~ The secretary's recommendation must include any proposed terms and conditions upon which the secretary reasonably believes the person can be conditionally released. ((Conditional release may also contemplate partial release for work, training, or educational purposes.)) Recommendations for terms and conditions for conditional release to a less restrictive alternative must ensure that the conditional release will satisfy the minimum requirements of this section and RCW 10.77.175. The department of corrections may provide information to the secretary as to the proposed terms and conditions for cases considered for unescorted access to the community or conditional release to a less restrictive alternative for which they have court-ordered supervision.

(2) In instances in which persons examined pursuant to RCW 10.77.140 have not made application to the secretary for conditional release, but the secretary, after considering the reports of experts or professional persons conducting the examination pursuant to RCW 10.77.140, reasonably believes the person may be conditionally released, the secretary may submit a recommendation for conditional release to the court of the county that ordered the person's commitment. The secretary's recommendation must include any proposed terms and conditions upon which the secretary reasonably believes the person may be conditionally released. ((Conditional release may also include partial release for work, training, or educational purposes.)) Recommendations for terms and conditions for conditional release to a less restrictive alternative must ensure that the conditional release will satisfy the minimum requirements of this section and RCW 10.77.175. The department of corrections may provide information to the secretary as to the proposed terms and conditions for cases considered for unescorted access to the community or conditional release to a less restrictive alternative for which they have court-ordered supervision. Notice of the

secretary's recommendation under this subsection must be provided to the person for whom the secretary has made the recommendation for conditional release and to his or her attorney.

(3) (a) The court of the county which ordered the person's commitment, upon receipt of an application or recommendation for conditional release with the secretary's recommendation for ~~((conditional release))~~ terms and conditions, shall within 30 days schedule a hearing. The court may schedule a hearing on applications recommended for disapproval by the secretary.

(b) The prosecuting attorney shall represent the state at such hearings and shall have the right to have the person examined by an expert or professional person of the prosecuting attorney's choice. If the committed person is indigent ~~((r))~~ and ~~((he or she))~~ so requests, the court shall assist the person in obtaining a qualified expert or professional person to examine the person on ~~((his or her))~~ the person's behalf. An expert or professional person obtained by an indigent person who is committed to state psychiatric care following acquittal by reason of insanity shall be compensated out of funds of the office of public defense as provided in policies and procedures under chapter 2.70 RCW, in a manner consistent with the rules of professional conduct and the standards for indigent defense.

(c) The issue to be determined at such a hearing is whether or not the person may be released conditionally ~~((to less restrictive alternative treatment under the supervision of a multidisciplinary transition team under conditions imposed by the court, including access to services under RCW 10.77.175 without substantial danger to other persons, or substantial likelihood of committing criminal acts jeopardizing public safety or security))~~ under conditions imposed by the court without substantial danger to other persons, or substantial likelihood of committing criminal acts jeopardizing public safety or security.

(d) In cases that come before the court under subsection (1) or (2) of this section, the court may deny conditional release ~~((to a less restrictive alternative))~~ only on the basis of substantial evidence. The court may modify the suggested terms and conditions on which the person is to be conditionally released. Pursuant to the determination of the court after hearing, the committed person shall thereupon be released on such conditions as the court determines to be necessary, or shall be remitted to the custody of the secretary.

(4) (a) If the order of conditional release provides for the conditional release of the person to a less restrictive alternative, ~~((including residential treatment or treatment in the community,))~~ the conditional release order ~~((must also))~~ shall include:

~~((a))~~ (i) A requirement for the committed person to be supervised by a multidisciplinary transition team, including a specially trained community corrections officer, a representative of the department of social and health services, and a representative of the community behavioral

health agency providing treatment to the person under RCW 10.77.175.

~~((i))~~ (A) The court may omit appointment of the representative of the community behavioral health agency if the conditional release order does not require participation in behavioral health treatment;

~~((ii))~~ (B) The court may omit the appointment of a community corrections officer if it makes a special finding that the appointment of a community corrections officer would not facilitate the success of the person, ~~((or))~~ and the safety of the person and the community;

~~((b))~~ (ii) A requirement for the person to comply with conditions of supervision established by the court which shall include at a minimum reporting as directed to a designated member of the transition team, remaining within prescribed geographical boundaries, and notifying the transition team prior to making any change in the person's address or employment. If the person is not in compliance with the court-ordered conditions of release, the community corrections officer or another designated transition team member shall notify the secretary or the secretary's designee; and

~~((c))~~ (iii) If the court requires participation in behavioral health treatment, the name of the licensed or certified behavioral health agency responsible for identifying the services the person will receive under RCW 10.77.175, and a requirement that the person cooperate with the services planned by the licensed or certified behavioral health agency. The licensed or certified behavioral health agency must comply with the reporting requirements of RCW 10.77.160, and must immediately report to the court, prosecutor, and defense counsel any substantial withdrawal or disengagement from medication or treatment, or any change in the person's mental health condition that renders him or her a potential risk to the public.

~~((5))~~ (b) The court may not order conditional release to a proposed less restrictive alternative unless conditions ensure the conditional release will satisfy the minimum requirements set forth in this section and RCW 10.77.175.

(5) The role of the transition team appointed under subsection (4) of this section shall be to facilitate the success of the person on the conditional release order by monitoring the person's progress in treatment, compliance with court-ordered conditions, and to problem solve around extra support the person may need or circumstances that may arise that threaten the safety of the person or the community. The transition team may develop a monitoring plan that may be carried out by any member of the team. The transition team shall meet according to a schedule developed by the team, and shall communicate as needed if issues arise that require the immediate attention of the team.

(6) The department of corrections shall collaborate with the department to develop specialized training for community corrections officers under this section. The lack of a trained community corrections officer must not be the cause of delay to entry of a conditional release order.



Another community corrections officer may be appointed if no specially trained officer is available.

(7) Any person, whose application for conditional release has been denied, may reapply after a period of six months from the date of denial, or sooner with the support of the department.

(8) A person examined under RCW 10.77.140 or the department may make a motion for ~~((limited))~~ partial conditional release under this section, on the grounds that there is insufficient evidence that the person may be released conditionally to less restrictive alternative treatment under subsection (3) (c) of this section, but the person would benefit from the opportunity to exercise increased privileges while remaining under the custody and supervision of the department and with the supervision of the department these increased privileges can be exercised without substantial danger to other persons or substantial likelihood of committing criminal acts jeopardizing public safety or security. The department may respond to a person's application for conditional release by instead supporting ~~((limited))~~ partial conditional release.

**Sec. 4.** RCW 10.77.175 and 2022 c 210 s 22 are each amended to read as follows:

(1) Conditional release planning should start at admission and proceed in coordination between the department and the person's managed care organization, or behavioral health administrative services organization if the person is not eligible for medical assistance under chapter 74.09 RCW. If needed, the department shall assist the person to enroll in medical assistance in suspense status under RCW 74.09.670. The state hospital liaison for the managed care organization or behavioral health administrative services organization shall facilitate conditional release planning in collaboration with the department.

(2) Less restrictive alternative treatment pursuant to a conditional release order, at a minimum, ~~((includes))~~ addresses the following services:

- (a) Assignment of a care coordinator;
- (b) An intake evaluation with the provider of the conditional treatment;
- (c) A psychiatric evaluation or a substance use disorder evaluation, or both;
- (d) A schedule of regular contacts with the provider of the less restrictive alternative treatment services for the duration of the order;
- (e) A transition plan addressing access to continued services at the expiration of the order;
- (f) An individual crisis plan;
- (g) Consultation about the formation of a mental health advance directive under chapter 71.32 RCW;
- (h) Appointment of a transition team under RCW 10.77.150; and
- (i) Notification to the care coordinator assigned in (a) of this subsection and to the transition team as provided in RCW 10.77.150 if reasonable efforts to engage the client fail to produce substantial compliance with court-ordered treatment conditions.

(3) Less restrictive alternative treatment pursuant to a conditional release order may additionally include requirements to participate in the following services:

- (a) Medication management;
- (b) Psychotherapy;
- (c) Nursing;
- (d) Substance use disorder counseling;
- (e) Residential treatment;
- (f) Partial hospitalization;
- (g) Intensive outpatient treatment;
- (h) Support for housing, benefits, education, and employment; and
- (i) Periodic court review.

(4) Nothing in this section prohibits items in subsection (2) of this section from beginning before the conditional release of the individual.

(5) If the person was provided with involuntary medication under RCW 10.77.094 or pursuant to a judicial order during the involuntary commitment period, the less restrictive alternative treatment pursuant to the conditional release order may authorize the less restrictive alternative treatment provider or its designee to administer involuntary antipsychotic medication to the person if the provider has attempted and failed to obtain the informed consent of the person and there is a concurring medical opinion approving the medication by a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, or physician or physician assistant in consultation with an independent mental health professional with prescribing authority.

(6) Less restrictive alternative treatment pursuant to a conditional release order must be administered by a provider that is certified or licensed to provide or coordinate the full scope of services required under the less restrictive alternative order and that has agreed to assume this responsibility.

(7) The care coordinator assigned to a person ordered to less restrictive alternative treatment pursuant to a conditional release order must, in collaboration with and on behalf of the transition team, submit an individualized plan for the person's treatment services to the court that entered the order. An initial plan must be submitted as soon as possible following the intake evaluation and a revised plan must be submitted upon any subsequent modification in which a type of service is removed from or added to the treatment plan.

(8) A care coordinator may disclose information and records related to mental health treatment under RCW 70.02.230(2)(k) for purposes of implementing less restrictive alternative treatment pursuant to a conditional release order.

(9) For the purpose of this section, "care coordinator" means a representative from the department of social and health services who coordinates the activities of less restrictive alternative treatment pursuant to a conditional release order. The care coordinator coordinates activities with the person's transition team that are necessary for enforcement and continuation of the conditional release order and is

responsible for coordinating service activities with other agencies ((and establishing and maintaining)). The transition teams establish and maintain a therapeutic relationship with the individual on a continuing basis.

**Sec. 5.** RCW 10.77.160 and 2010 c 263 s 6 are each amended to read as follows:

When a person conditionally released ((person)) to a less restrictive alternative is required by the terms of his or her conditional release to report to a physician, department of corrections community corrections officer, or medical or mental health practitioner on a regular or periodic basis, the physician, department of corrections community corrections officer, medical or mental health practitioner, or other such person shall monthly, for the first six months after release and semiannually thereafter, or as otherwise directed by the court, submit to the court, the secretary, the institution from which released, and to the prosecuting attorney of the county in which the person was committed, a report stating whether the person is adhering to the terms and conditions of his or her conditional release, and detailing any arrests or criminal charges filed and any significant change in the person's mental health condition or other circumstances. Such reports may be combined for members of a transition team under RCW 10.77.150 and submitted by a designated member unless otherwise directed by the court."

Correct the title.

Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Peterson and Walen.

MINORITY recommendation: Do not pass. Signed by Representatives Walsh, Ranking Minority Member; Abbarno; and Cheney.

Referred to Committee on Rules for second reading

February 16, 2024

SSB 5808 Prime Sponsor, Labor & Commerce: Granting interest arbitration to certain public safety telecommunicators. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

February 16, 2024

SSB 5815 Prime Sponsor, Health & Long Term Care: Adopting the physician assistant compact. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Jacobsen; Leavitt; McEntire; Nance; Paul; Pollet; Schmidt and Timmons.

Referred to Committee on Rules for second reading

February 16, 2024

SB 5886 Prime Sponsor, Senator Braun: Adding purposes for the use of existing firefighter safety funding. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

February 16, 2024

SSB 5935 Prime Sponsor, Labor & Commerce: Concerning noncompetition covenants. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt, Ranking Minority Member; Rude; and Ybarra.

Referred to Committee on Rules for second reading

February 16, 2024

SB 5970 Prime Sponsor, Senator Hunt: Modifying local board of health county commissioner membership. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg and Riccelli.

Referred to Committee on Rules for second reading

February 16, 2024

ESSB 6007 Prime Sponsor, Labor & Commerce: Concerning employment standards for grocery workers. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby; Ortiz-Self and Rude.

MINORITY recommendation: Without recommendation. Signed by Representatives Schmidt, Ranking Minority Member; and Ybarra.

Referred to Committee on Rules for second reading

February 16, 2024

SSB 6053 Prime Sponsor, Higher Education & Workforce Development: Improving equitable access to postsecondary education. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28B.10.041 and 2023 c 406 s 1 are each amended to read as follows:

(1) ~~((Institutions))~~ The Washington student achievement council and institutions of higher education must enter into data-sharing agreements with the office of the superintendent of public instruction to facilitate the transfer of high school student directory information collected under RCW 28A.150.515 for the purposes of informing Washington high school students of postsecondary financial aid and educational opportunities available in the state.

(2) Data-sharing agreements entered into under this section must provide for the ~~((sharing of))~~ education research and data center to share student enrollment and outcome information from institutions of higher education, including federally designated minority serving institutions of higher education that are participating in data-sharing agreements under subsection (4) of this section, to the office of the superintendent of public instruction. Information provided in accordance with this subsection (2) must include the statewide student identifier for each student. To the extent possible, the office of the superintendent of public instruction shall transmit student enrollment information to the enrolled students' host districts for the current year.

(3)(a) Data-sharing agreements entered into by a community college or technical college as defined in RCW 28B.50.030 are limited to informing Washington high school students of postsecondary educational opportunities available within a college's service district as enumerated in RCW 28B.50.040.

(b) The state board for community and technical colleges may coordinate with all of the community and technical colleges to develop a single data-sharing agreement between the community and technical colleges and the office of the superintendent of public instruction.

(4) Federally designated minority-serving institutions of higher education that are bachelor degree-granting institutions and not subject to subsection (1) of this section may enter into data-sharing agreements with the office of the superintendent of public instruction to facilitate the transfer of high school student directory information collected under RCW 28A.150.515 for the purpose of informing Washington high school students of postsecondary educational opportunities available in the state.

(5) Agreements entered into under this section must obligate the Washington student achievement council and institutions that will receive information through an agreement to maintain the statewide student identifier for each student.

(6) For the purposes of this section, "statewide student identifier" means the statewide student identifier required by RCW 28A.320.175 that is included in the

longitudinal student data system established under RCW 28A.300.500.

(7) For the purposes of this section, "directory information" has the same meaning as in RCW 28A.150.515.

Sec. 2. RCW 28A.150.515 and 2023 c 406 s 2 are each amended to read as follows:

(1) Beginning in 2024, each school district that operates a high school shall annually transmit directory information for all enrolled high school students to the office of the superintendent of public instruction by November 1st.

(2) The office of the superintendent of public instruction must hold the high school student directory information collected under this section and make the information available for the Washington student achievement council and institutions of higher education in accordance with RCW 28B.10.041.

(3) By no later than the beginning of the 2025-26 school year, the office of the superintendent of public instruction shall identify a process for making information provided in accordance with RCW 28B.10.041(2) on a student's enrollment in an institution of higher education available to the student's school district. The process identified under this subsection (3) must require that information provided to school districts include the statewide student identifier for each student.

(4) In transmitting student information under this section, school districts must comply with the consent procedures under RCW 28A.605.030, the federal family educational and privacy rights act of 1974 (20 U.S.C. Sec. 1232g), and all applicable rules and regulations.

(5) The student directory information data collected under this section is solely for the following purposes:

(a) Providing information related to college awareness and admissions at institutions of higher education in accordance with RCW 28B.10.041; ~~((and))~~

(b) Providing information related to postsecondary financial aid and educational opportunities in accordance with RCW 28B.10.041; and

(c) Providing enrollment and outcome information to the office of the superintendent of public instruction and to school districts related to students from their respective school district under subsection (3) of this section.

(6) For the purposes of this section:

(a) "Directory information" means the names, addresses, email addresses, and telephone numbers of students and their parents or legal guardians; and

(b) "Statewide student identifier" has the same meaning as in RCW 28B.10.041."

On page 1, line 4 of the title, after "education;" strike the remainder of the title and insert "and amending RCW 28B.10.041 and 28A.150.515."

Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Leavitt; Nance; Paul; Pollet and Timmons.

MINORITY recommendation: Without recommendation. Signed by Representatives Ybarra, Ranking Minority Member; Jacobsen; McEntire; and Schmidt.

Referred to Committee on Rules for second reading

February 16, 2024

SSB 6060

Prime Sponsor, Labor & Commerce: Concerning the acceptance of electronic signatures by the public employment relations commission for new organizing petitions. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

February 16, 2024

E2SSB 6109

Prime Sponsor, Ways & Means: Supporting children and families. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that since 2018 there has been a significant increase in the number of child fatalities and near fatalities involving fentanyl.

(2) The legislature finds that fentanyl and other highly potent synthetic opioids pose a unique and growing threat to the safety of children in Washington state. Fentanyl is a high-potency synthetic opioid and, according to the centers for disease control and prevention, is 50 times more potent than heroin and 100 times more potent than morphine. Even in very small quantities high-potency synthetic opioids may be lethal to a child.

(3) The legislature intends to provide clarity to judges, social workers, advocates, and families about the safety threat that high-potency synthetic opioids pose to vulnerable children. The legislature declares that the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids should be given great weight in determining whether a child is at risk of imminent physical harm due to child abuse or neglect.

(4) The legislature recognizes the challenges for recovery and rehabilitation regarding opioid use and resolves to increase services and supports. The legislature further resolves to increase training and resources for state and judicial employees to accomplish their mission and goals in a safe and effective manner.

(5) The legislature recognizes that supporting families in crisis with interventions and services, including

preventative services, voluntary services, and family assessment response, minimizes child trauma from further child welfare involvement and strengthens families.

**PART I  
HIGH-POTENCY SYNTHETIC OPIOIDS AND CHILD WELFARE**

**Sec. 101.** RCW 13.34.030 and 2021 c 304 s 1 and 2021 c 67 s 2 are each reenacted and amended to read as follows:

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

(1) "Abandoned" means when the child's parent, guardian, or other custodian has expressed, either by statement or conduct, an intent to forego, for an extended period, parental rights or responsibilities despite an ability to exercise such rights and responsibilities. If the court finds that the petitioner has exercised due diligence in attempting to locate the parent, no contact between the child and the child's parent, guardian, or other custodian for a period of three months creates a rebuttable presumption of abandonment, even if there is no expressed intent to abandon.

(2) "Child," "juvenile," and "youth" mean:

(a) Any individual under the age of eighteen years; or

(b) Any individual age eighteen to twenty-one years who is eligible to receive and who elects to receive the extended foster care services authorized under RCW 74.13.031. A youth who remains dependent and who receives extended foster care services under RCW 74.13.031 shall not be considered a "child" under any other statute or for any other purpose.

(3) "Current placement episode" means the period of time that begins with the most recent date that the child was removed from the home of the parent, guardian, or legal custodian for purposes of placement in out-of-home care and continues until: (a) The child returns home; (b) an adoption decree, a permanent custody order, or guardianship order is entered; or (c) the dependency is dismissed, whichever occurs first.

(4) "Department" means the department of children, youth, and families.

(5) "Dependency guardian" means the person, nonprofit corporation, or Indian tribe appointed by the court pursuant to this chapter for the limited purpose of assisting the court in the supervision of the dependency.

(6) "Dependent child" means any child who:

(a) Has been abandoned;  
(b) Is abused or neglected as defined in chapter 26.44 RCW by a person legally responsible for the care of the child;

(c) Has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development; or

(d) Is receiving extended foster care services, as authorized by RCW 74.13.031.

(7) "Developmental disability" means a disability attributable to intellectual disability, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary of the department of social and health services to be closely related to an intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities, which disability originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial limitation to the individual.

(8) "Educational liaison" means a person who has been appointed by the court to fulfill responsibilities outlined in RCW 13.34.046.

(9) "Experiencing homelessness" means lacking a fixed, regular, and adequate nighttime residence, including circumstances such as sharing the housing of other persons due to loss of housing, economic hardship, fleeing domestic violence, or a similar reason as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter I) as it existed on January 1, 2021.

(10) "Extended foster care services" means residential and other support services the department is authorized to provide under RCW 74.13.031. These services may include placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(11) "Guardian" means the person or agency that: (a) Has been appointed as the guardian of a child in a legal proceeding, including a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the legal right to custody of the child pursuant to such appointment. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under this chapter.

(12) "Guardian ad litem" means a person, appointed by the court to represent the best interests of a child in a proceeding under this chapter, or in any matter which may be consolidated with a proceeding under this chapter. A "court-appointed special advocate" appointed by the court to be the guardian ad litem for the child, or to perform substantially the same duties and functions as a guardian ad litem, shall be deemed to be guardian ad litem for all purposes and uses of this chapter.

(13) "Guardian ad litem program" means a court-authorized volunteer program, which is or may be established by the superior court of the county in which such proceeding is filed, to manage all aspects of volunteer guardian ad litem representation for children alleged or found to be dependent. Such management shall include but is not limited to: Recruitment, screening, training, supervision, assignment, and discharge of volunteers.

(14) "Guardianship" means a guardianship pursuant to chapter 13.36 RCW or a limited guardianship of a minor pursuant to RCW 11.130.215 or equivalent laws of another

state or a federally recognized Indian tribe.

(15) "High-potency synthetic opioid" means an unprescribed synthetic opioid classified as a schedule II controlled substance or controlled substance analog in chapter 69.50 RCW or by the pharmacy quality assurance commission in rule including, but not limited to, fentanyl.

(16) "Housing assistance" means appropriate referrals by the department or other agencies to federal, state, local, or private agencies or organizations, assistance with forms, applications, or financial subsidies or other monetary assistance for housing. For purposes of this chapter, "housing assistance" is not a remedial service or family reunification service as described in RCW 13.34.025(2).

~~((16))~~ (17) "Indigent" means a person who, at any stage of a court proceeding, is:

(a) Receiving one of the following types of public assistance: Temporary assistance for needy families, aged, blind, or disabled assistance benefits, medical care services under RCW 74.09.035, pregnant women assistance benefits, poverty-related veterans' benefits, food stamps or food stamp benefits transferred electronically, refugee resettlement benefits, medicaid, or supplemental security income; or

(b) Involuntarily committed to a public mental health facility; or

(c) Receiving an annual income, after taxes, of one hundred twenty-five percent or less of the federally established poverty level; or

(d) Unable to pay the anticipated cost of counsel for the matter before the court because his or her available funds are insufficient to pay any amount for the retention of counsel.

~~((17))~~ (18) "Nonminor dependent" means any individual age eighteen to twenty-one years who is participating in extended foster care services authorized under RCW 74.13.031.

~~((18))~~ (19) "Out-of-home care" means placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or placement in a home, other than that of the child's parent, guardian, or legal custodian, not required to be licensed pursuant to chapter 74.15 RCW.

~~((19))~~ (20) "Parent" means the biological or adoptive parents of a child, or an individual who has established a parent-child relationship under RCW 26.26A.100, unless the legal rights of that person have been terminated by a judicial proceeding pursuant to this chapter, chapter 26.33 RCW, or the equivalent laws of another state or a federally recognized Indian tribe.

~~((20))~~ (21) "Prevention and family services and programs" means specific mental health prevention and treatment services, substance abuse prevention and treatment services, and in-home parent skill-based programs that qualify for federal funding under the federal family first prevention services act, P.L. 115-123. For purposes of this chapter, prevention and family services and programs are not remedial services or family reunification services as described in RCW 13.34.025(2).

~~((21))~~ (22) "Prevention services" means preservation services, as defined in chapter 74.14C RCW, and other reasonably available services, including housing assistance, capable of preventing the need for out-of-home placement while protecting the child. Prevention services include, but are not limited to, prevention and family services and programs as defined in this section.

~~((22))~~ (23) "Qualified residential treatment program" means a program that meets the requirements provided in RCW 13.34.420, qualifies for funding under the family first prevention services act under 42 U.S.C. Sec. 672(k), and, if located within Washington state, is licensed as a group care facility under chapter 74.15 RCW.

~~((23))~~ (24) "Relative" includes persons related to a child in the following ways:

(a) Any blood relative, including those of half-blood, and including first cousins, second cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(b) Stepfather, stepmother, stepbrother, and stepsister;

(c) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law;

(d) Spouses of any persons named in (a), (b), or (c) of this subsection, even after the marriage is terminated;

(e) Relatives, as named in (a), (b), (c), or (d) of this subsection, of any half sibling of the child; or

(f) Extended family members, as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent who provides care in the family abode on a twenty-four hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4).

~~((24))~~ (25) "Shelter care" means temporary physical care in a facility licensed pursuant to RCW 74.15.030 or in a home not required to be licensed pursuant to RCW 74.15.030.

~~((25))~~ (26) "Sibling" means a child's birth brother, birth sister, adoptive brother, adoptive sister, half-brother, or half-sister, or as defined by the law or custom of the Indian child's tribe for an Indian child as defined in RCW 13.38.040.

~~((26))~~ (27) "Social study" means a written evaluation of matters relevant to the disposition of the case that contains the information required by RCW 13.34.430.

~~((27))~~ (28) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. Supervised independent living settings must be approved by the department or the court.

~~((28))~~ (29) "Voluntary placement agreement" means, for the purposes of extended foster care services, a written voluntary agreement between a nonminor dependent who agrees to submit to the care

and authority of the department for the purposes of participating in the extended foster care program.

**Sec. 102.** RCW 13.34.050 and 2021 c 211 s 6 are each amended to read as follows:

(1) The court may enter an order directing a law enforcement officer, probation counselor, or child protective services official to take a child into custody if: (a) A petition is filed with the juvenile court with sufficient corroborating evidence to establish that the child is dependent; (b) ~~((the allegations contained in the petition, if true, establish that there are reasonable grounds to believe that removal is necessary to prevent imminent physical harm to the child due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, or a pattern of severe neglect; and~~ (c)) an affidavit or declaration is filed by the department in support of the petition setting forth specific factual information evidencing insufficient time to serve a parent with a dependency petition and hold a hearing prior to removal; and (c) the allegations contained in the petition, if true, establish that there are reasonable grounds to believe that removal is necessary to prevent imminent physical harm to the child due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a pattern of severe neglect, or a high-potency synthetic opioid. The court shall give great weight to the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids in determining whether removal is necessary to prevent imminent physical harm to the child due to child abuse or neglect.

(2) Any petition that does not have the necessary affidavit or declaration demonstrating a risk of imminent harm requires that the parents are provided notice and an opportunity to be heard before the order may be entered.

(3) The petition and supporting documentation must be served on the parent, and if the child is in custody at the time the child is removed, on the entity with custody other than the parent. If the court orders that a child be taken into custody under subsection (1) of this section, the petition and supporting documentation must be served on the parent at the time of the child's removal unless, after diligent efforts, the parents cannot be located at the time of removal. If the parent is not served at the time of removal, the department shall make diligent efforts to personally serve the parent. Failure to effect service does not invalidate the petition if service was attempted and the parent could not be found.

**Sec. 103.** RCW 13.34.065 and 2021 c 211 s 9, 2021 c 208 s 1, and 2021 c 67 s 4 are each reenacted and amended to read as follows:

(1)(a) When a child is removed or when the petitioner is seeking the removal of a

child from the child's parent, guardian, or legal custodian, the court shall hold a shelter care hearing within 72 hours, excluding Saturdays, Sundays, and holidays. The primary purpose of the shelter care hearing is to determine whether the child can be immediately and safely returned home while the adjudication of the dependency is pending. The court shall hold an additional shelter care hearing within 72 hours, excluding Saturdays, Sundays, and holidays if the child is removed from the care of a parent, guardian, or legal custodian at any time after an initial shelter care hearing under this section.

(b) Any child's attorney, parent, guardian, or legal custodian who for good cause is unable to attend or adequately prepare for the shelter care hearing may request that the initial shelter care hearing be continued or that a subsequent shelter care hearing be scheduled. The request shall be made to the clerk of the court where the petition is filed prior to the initial shelter care hearing. Upon the request of the child's attorney, parent, guardian, or legal custodian, the court shall schedule the hearing within 72 hours of the request, excluding Saturdays, Sundays, and holidays. The clerk shall notify all other parties of the hearing by any reasonable means. If the parent, guardian, or legal custodian is not represented by counsel, the clerk shall provide information to the parent, guardian, or legal custodian regarding how to obtain counsel.

(2)(a) If it is likely that the child will remain in shelter care longer than 72 hours, the department shall submit a recommendation to the court as to the further need for shelter care in all cases in which the child will remain in shelter care longer than the 72 hour period. In all other cases, the recommendation shall be submitted by the juvenile court probation counselor.

(b) All parties have the right to present testimony to the court regarding the need or lack of need for shelter care.

(c) Hearsay evidence before the court regarding the need or lack of need for shelter care must be supported by sworn testimony, affidavit, or declaration of the person offering such evidence.

(3)(a) At the commencement of the hearing, the court shall notify the parent, guardian, or custodian of the following:

(i) The parent, guardian, or custodian has the right to a shelter care hearing;

(ii) The nature of the shelter care hearing, the rights of the parents, and the proceedings that will follow; and

(iii) If the parent, guardian, or custodian is not represented by counsel, the right to be represented. If the parent, guardian, or custodian is indigent, the court shall appoint counsel as provided in RCW 13.34.090; and

(b) If a parent, guardian, or legal custodian desires to waive the shelter care hearing, the court shall determine, on the record and with the parties present, whether such waiver is knowing and voluntary. A parent may not waive his or her right to the shelter care hearing unless he or she

appears in court, in person, or by remote means, and the court determines that the waiver is knowing and voluntary. Regardless of whether the court accepts the parental waiver of the shelter care hearing, the court must provide notice to the parents of their rights required under (a) of this subsection and make the finding required under subsection (4) of this section.

(4) At the shelter care hearing the court shall examine the need for shelter care and inquire into the status of the case. The paramount consideration for the court shall be the health, welfare, and safety of the child. At a minimum, the court shall inquire into the following:

(a) Whether the notice required under RCW 13.34.062 was given to all known parents, guardians, or legal custodians of the child. The court shall make an express finding as to whether the notice required under RCW 13.34.062 was given to the parent, guardian, or legal custodian. If actual notice was not given to the parent, guardian, or legal custodian and the whereabouts of such person is known or can be ascertained, the court shall order the department to make diligent efforts to advise the parent, guardian, or legal custodian of the status of the case, including the date and time of any subsequent hearings, and their rights under RCW 13.34.090;

(b) Whether the child can be safely returned home while the adjudication of the dependency is pending;

(c) What efforts have been made to place the child with a relative. The court shall ask the parents whether the department discussed with them the placement of the child with a relative or other suitable person described in RCW 13.34.130(1)(b) and shall determine what efforts have been made toward such a placement;

(d) What services were provided to the family to prevent or eliminate the need for removal of the child from the child's home. If the dependency petition or other information before the court alleges that experiencing homelessness or the lack of suitable housing was a significant factor contributing to the removal of the child, the court shall inquire as to whether housing assistance was provided to the family to prevent or eliminate the need for removal of the child or children;

(e) Is the placement proposed by the department the least disruptive and most family-like setting that meets the needs of the child;

(f) Whether it is in the best interest of the child to remain enrolled in the school, developmental program, or child care the child was in prior to placement and what efforts have been made to maintain the child in the school, program, or child care if it would be in the best interest of the child to remain in the same school, program, or child care;

(g) Appointment of a guardian ad litem or attorney;

(h) Whether the child is or may be an Indian child as defined in RCW 13.38.040, whether the provisions of the federal Indian child welfare act or chapter 13.38 RCW apply, and whether there is compliance with the federal Indian child welfare act and

chapter 13.38 RCW, including notice to the child's tribe;

(i) Whether, as provided in RCW 26.44.063, restraining orders, or orders expelling an allegedly abusive household member from the home of a nonabusive parent, guardian, or legal custodian, will allow the child to safely remain in the home;

(j) Whether any orders for examinations, evaluations, or immediate services are needed. The court may not order a parent to undergo examinations, evaluation, or services at the shelter care hearing unless the parent agrees to the examination, evaluation, or service;

(k) The terms and conditions for parental, sibling, and family visitation.

(5)(a) The court shall release a child alleged to be dependent to the care, custody, and control of the child's parent, guardian, or legal custodian unless the court finds there is reasonable cause to believe that:

(i) After consideration of the specific services that have been provided, reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home; and

(ii)(A) The child has no parent, guardian, or legal custodian to provide supervision and care for such child; or

(B)(I) Removal of the child is necessary to prevent imminent physical harm due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a high-potency synthetic opioid, or a pattern of severe neglect, notwithstanding an order entered pursuant to RCW 26.44.063. The evidence must show a causal relationship between the particular conditions in the home and imminent physical harm to the child. The existence of community or family poverty, isolation, single parenthood, age of the parent, crowded or inadequate housing, substance abuse, prenatal drug or alcohol exposure, mental illness, disability or special needs of the parent or child, or nonconforming social behavior does not by itself constitute imminent physical harm. The court shall give great weight to the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids when determining whether removal of the child is necessary to prevent imminent physical harm due to child abuse or neglect;

(II) It is contrary to the welfare of the child to be returned home; and

(III) After considering the particular circumstances of the child, any imminent physical harm to the child outweighs the harm the child will experience as a result of removal; or

(C) The parent, guardian, or custodian to whom the child could be released has been charged with violating RCW 9A.40.060 or 9A.40.070.

(b) If the court finds that the elements of (a)(ii)(B) of this subsection require removal of the child, the court shall further consider:

(i) Whether participation by the parents, guardians, or legal custodians in any prevention services would prevent or

eliminate the need for removal and, if so, shall inquire of the parent whether they are willing to participate in such services. If the parent agrees to participate in the prevention services identified by the court that would prevent or eliminate the need for removal, the court shall place the child with the parent. The court shall give great weight to the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids when deciding whether to place the child with the parent.

The court shall not order a parent to participate in prevention services over the objection of the parent, however, parents shall have the opportunity to consult with counsel prior to deciding whether to agree to proposed prevention services as a condition of having the child return to or remain in the care of the parent; and

(ii) Whether the issuance of a temporary order of protection directing the removal of a person or persons from the child's residence would prevent the need for removal of the child.

(c)(i) If the court does not release the child to his or her parent, guardian, or legal custodian, the court shall order placement with a relative or other suitable person as described in RCW 13.34.130(1)(b), unless the petitioner establishes that there is reasonable cause to believe that:

(A) Placement in licensed foster care is necessary to prevent imminent physical harm to the child due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a high-potency synthetic opioid, or a pattern of severe neglect, because no relative or other suitable person is capable of ensuring the basic safety of the child; or

(B) The efforts to reunite the parent and child will be hindered.

(ii) In making the determination in (c)(i) of this subsection, the court shall:

(A) Inquire of the petitioner and any other person present at the hearing for the child whether there are any relatives or other suitable persons who are willing to care for the child. This inquiry must include whether any relative or other suitable person:

(I) Has expressed an interest in becoming a caregiver for the child;

(II) Is able to meet any special needs of the child;

(III) Is willing to facilitate the child's sibling and parent visitation if such visitation is ordered by the court; and

(IV) Supports reunification of the parent and child once reunification can safely occur; and

(B) Give great weight to the stated preference of the parent, guardian, or legal custodian, and the child.

(iii) If a relative or other suitable person expressed an interest in caring for the child, can meet the child's special needs, can support parent-child reunification, and will facilitate court-ordered sibling or parent visitation, the following must not prevent the child's placement with such relative or other suitable person:



(A) An incomplete department or fingerprint-based background check, if such relative or other suitable person appears otherwise suitable and competent to provide care and treatment, but the background checks must be completed as soon as possible after placement;

(B) Uncertainty on the part of the relative or other suitable person regarding potential adoption of the child;

(C) Disbelief on the part of the relative or other suitable person that the parent, guardian, or legal custodian presents a danger to the child, provided the caregiver will protect the safety of the child and comply with court orders regarding contact with a parent, guardian, or legal custodian; or

(D) The conditions of the relative or other suitable person's home are not sufficient to satisfy the requirements of a licensed foster home. The court may order the department to provide financial or other support to the relative or other suitable person necessary to ensure safe conditions in the home.

(d) If the child was not initially placed with a relative or other suitable person, and the court does not release the child to his or her parent, guardian, or legal custodian, the department shall make reasonable efforts to locate a relative or other suitable person pursuant to RCW 13.34.060(1).

(e) If the court does not order placement with a relative or other suitable person, the court shall place the child in licensed foster care and shall set forth its reasons for the order. If the court orders placement of the child with a person not related to the child and not licensed to provide foster care, the placement is subject to all terms and conditions of this section that apply to relative placements.

(f) Any placement with a relative, or other suitable person approved by the court pursuant to this section, shall be contingent upon cooperation with the department's or agency's case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts, sibling contacts, and any other conditions imposed by the court. Noncompliance with the case plan or court order is grounds for removal of the child from the home of the relative or other suitable person, subject to review by the court.

(g) If the child is placed in a qualified residential treatment program as defined in this chapter, the court shall, within 60 days of placement, hold a hearing to:

(i) Consider the assessment required under RCW 13.34.420 and submitted as part of the department's social study, and any related documentation;

(ii) Determine whether placement in foster care can meet the child's needs or if placement in another available placement setting best meets the child's needs in the least restrictive environment; and

(iii) Approve or disapprove the child's placement in the qualified residential treatment program.

(h) Uncertainty by a parent, guardian, legal custodian, relative, or other suitable person that the alleged abuser has in fact abused the child shall not, alone, be the basis upon which a child is removed from the care of a parent, guardian, or legal custodian under (a) of this subsection, nor shall it be a basis, alone, to preclude placement with a relative or other suitable person under (c) of this subsection.

(i) If the court places with a relative or other suitable person, and that person has indicated a desire to become a licensed foster parent, the court shall order the department to commence an assessment of the home of such relative or other suitable person within 10 days and thereafter issue an initial license as provided under RCW 74.15.120 for such relative or other suitable person, if qualified, as a foster parent. The relative or other suitable person shall receive a foster care maintenance payment, starting on the date the department approves the initial license. If such home is found to be unqualified for licensure, the department shall report such fact to the court within one week of that determination. The department shall report on the status of the licensure process during the entry of any dispositional orders in the case.

(j) If the court places the child in licensed foster care:

(i) The petitioner shall report to the court, at the shelter care hearing, the location of the licensed foster placement the petitioner has identified for the child and the court shall inquire as to whether:

(A) The identified placement is the least restrictive placement necessary to meet the needs of the child;

(B) The child will be able to remain in the same school and whether any orders of the court are necessary to ensure educational stability for the child;

(C) The child will be placed with a sibling or siblings, and whether court-ordered sibling contact would promote the well-being of the child;

(D) The licensed foster placement is able to meet the special needs of the child;

(E) The location of the proposed foster placement will impede visitation with the child's parent or parents;

(ii) The court may order the department to:

(A) Place the child in a less restrictive placement;

(B) Place the child in a location in closer proximity to the child's parent, home, or school;

(C) Place the child with the child's sibling or siblings;

(D) Take any other necessary steps to ensure the child's health, safety, and well-being;

(iii) The court shall advise the petitioner that:

(A) Failure to comply with court orders while a child is in shelter care will be considered when determining whether reasonable efforts have been made by the department during a hearing under RCW 13.34.110; and

(B) Placement moves while a child is in shelter care will be considered when

determining whether reasonable efforts have been made by the department during a hearing under RCW 13.34.110.

(6) (a) A shelter care order issued pursuant to this section shall include the requirement for a case conference as provided in RCW 13.34.067. However, if the parent is not present at the shelter care hearing, or does not agree to the case conference, the court shall not include the requirement for the case conference in the shelter care order.

(b) If the court orders a case conference, the shelter care order shall include notice to all parties and establish the date, time, and location of the case conference which shall be no later than 30 days before the fact-finding hearing.

(c) The court may order another conference, case staffing, or hearing as an alternative to the case conference required under RCW 13.34.067 so long as the conference, case staffing, or hearing ordered by the court meets all requirements under RCW 13.34.067, including the requirement of a written agreement specifying the services to be provided to the parent.

(7) (a) (i) A shelter care order issued pursuant to this section may be amended at any time with notice and hearing thereon. The shelter care decision of placement shall be modified only upon a showing of change in circumstances. No child may be placed in shelter care for longer than thirty days without an order, signed by the judge, authorizing continued shelter care.

(ii) If the court previously ordered that visitation between a parent and child be supervised or monitored, there shall be a presumption that such supervision or monitoring will no longer be necessary following a continued shelter care order under (a) (i) of this subsection. To overcome this presumption, a party must provide a report to the court including evidence establishing that removing visit supervision or monitoring would create a risk to the child's safety, and the court shall make a determination as to whether visit supervision or monitoring must continue.

(b) (i) An order releasing the child on any conditions specified in this section may at any time be amended, with notice and hearing thereon, so as to return the child to shelter care for failure of the parties to conform to the conditions originally imposed.

(ii) The court shall consider whether nonconformance with any conditions resulted from circumstances beyond the control of the parent, guardian, or legal custodian and give weight to that fact before ordering return of the child to shelter care.

(8) The department and its employees shall not be held liable in any civil action for complying with an order issued under this section for placement: With a parent who has agreed to accept services, a relative, or a suitable person.

(9) (a) If a child is placed out of the home of a parent, guardian, or legal custodian following a shelter care hearing, the court shall order the petitioner to provide regular visitation with the parent, guardian, or legal custodian, and siblings.

Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and allowing family reunification. The court shall order a visitation plan individualized to the needs of the family with a goal of providing the maximum parent, child, and sibling contact possible.

(b) Visitation under this subsection shall not be limited as a sanction for a parent's failure to comply with recommended services during shelter care.

(c) Visitation under this subsection may only be limited where necessary to ensure the health, safety, or welfare of the child.

(d) The first visit must take place within 72 hours of the child being delivered into the custody of the department, unless the court finds that extraordinary circumstances require delay.

(e) If the first visit under (d) of this subsection occurs in an in-person format, this first visit must be supervised unless the department determines that visit supervision is not necessary.

**Sec. 104.** RCW 13.34.130 and 2019 c 172 s 12 are each amended to read as follows:

If, after a fact-finding hearing pursuant to RCW 13.34.110, it has been proven by a preponderance of the evidence that the child is dependent within the meaning of RCW 13.34.030 after consideration of the social study prepared pursuant to RCW 13.34.110 and after a disposition hearing has been held pursuant to RCW 13.34.110, the court shall enter an order of disposition pursuant to this section.

(1) The court shall order one of the following dispositions of the case:

(a) Order a disposition that maintains the child in his or her home, which shall provide a program designed to alleviate the immediate danger to the child, to mitigate or cure any damage the child has already suffered, and to aid the parents so that the child will not be endangered in the future. In determining the disposition, the court should choose services to assist the parents in maintaining the child in the home, including housing assistance, if appropriate, that least interfere with family autonomy and are adequate to protect the child.

(b) (i) Order the child to be removed from his or her home and into the custody, control, and care of a relative or other suitable person, the department, or agency responsible for supervision of the child's placement. If the court orders that the child be placed with a caregiver over the objections of the parent or the department, the court shall articulate, on the record, his or her reasons for ordering the placement. The court may not order an Indian child, as defined in RCW 13.38.040, to be removed from his or her home unless the court finds, by clear and convincing evidence including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

(ii) The department has the authority to place the child, subject to review and

approval by the court (A) with a relative as defined in RCW 74.15.020(2)(a), (B) in the home of another suitable person if the child or family has a preexisting relationship with that person, and the person has completed all required criminal history background checks and otherwise appears to the department to be suitable and competent to provide care for the child, or (C) in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW.

(iii) The department may also consider placing the child, subject to review and approval by the court, with a person with whom the child's sibling or half-sibling is residing or a person who has adopted the sibling or half-sibling of the child being placed as long as the person has completed all required criminal history background checks and otherwise appears to the department to be competent to provide care for the child.

(2) Absent good cause, the department shall follow the wishes of the natural parent regarding the placement of the child in accordance with RCW 13.34.260.

(3) The department may only place a child with a person not related to the child as defined in RCW 74.15.020(2)(a), including a placement provided for in subsection (1)(b)(iii) of this section, when the court finds that such placement is in the best interest of the child. Unless there is reasonable cause to believe that the health, safety, or welfare of the child would be jeopardized or that efforts to reunite the parent and child will be hindered, the child shall be placed with a person who is willing, appropriate, and available to care for the child, and who is: (I) Related to the child as defined in RCW 74.15.020(2)(a) with whom the child has a relationship and is comfortable; or (II) a suitable person as described in subsection (1)(b) of this section. The court shall consider the child's existing relationships and attachments when determining placement.

(4) If the child is placed in a qualified residential treatment program as defined in this chapter, the court shall, within sixty days of placement, hold a hearing to:

~~((i) [(a)])~~ (a) Consider the assessment required under RCW 13.34.420 and submitted as part of the department's social study, and any related documentation;

~~((ii) [(b)])~~ (b) Determine whether placement in foster care can meet the child's needs or if placement in another available placement setting best meets the child's needs in the least restrictive environment; and

~~((iii) [(e)])~~ (c) Approve or disapprove the child's placement in the qualified residential treatment program.

(5) When placing an Indian child in out-of-home care, the department shall follow the placement preference characteristics in RCW 13.38.180.

(6) Placement of the child with a relative or other suitable person as described in subsection (1)(b) of this section shall be given preference by the court. An order for out-of-home placement may be made only if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it

possible for the child to return home, specifying the services, including housing assistance, that have been provided to the child and the child's parent, guardian, or legal custodian, and that prevention services have been offered or provided and have failed to prevent the need for out-of-home placement, unless the health, safety, and welfare of the child cannot be protected adequately in the home, and that:

(a) There is no parent or guardian available to care for such child;

(b) The parent, guardian, or legal custodian is not willing to take custody of the child; or

(c) The court finds, by clear, cogent, and convincing evidence, a manifest danger exists that the child will suffer serious abuse or neglect if the child is not removed from the home and an order under RCW 26.44.063 would not protect the child from danger. The court shall give great weight to the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids, including fentanyl, when deciding whether a manifest danger exists.

(7) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section, the court shall consider whether it is in a child's best interest to be placed with, have contact with, or have visits with siblings.

(a) There shall be a presumption that such placement, contact, or visits are in the best interests of the child provided that:

(i) The court has jurisdiction over all siblings subject to the order of placement, contact, or visitation pursuant to petitions filed under this chapter or the parents of a child for whom there is no jurisdiction are willing to agree; and

(ii) There is no reasonable cause to believe that the health, safety, or welfare of any child subject to the order of placement, contact, or visitation would be jeopardized or that efforts to reunite the parent and child would be hindered by such placement, contact, or visitation. In no event shall parental visitation time be reduced in order to provide sibling visitation.

(b) The court may also order placement, contact, or visitation of a child with a stepbrother or stepsister provided that in addition to the factors in (a) of this subsection, the child has a relationship and is comfortable with the stepsibling.

(8) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section and placed into nonparental or nonrelative care, the court shall order a placement that allows the child to remain in the same school he or she attended prior to the initiation of the dependency proceeding when such a placement is practical and in the child's best interest.

(9) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section, the court may order that a petition seeking termination of the parent and child relationship be filed if the requirements of RCW 13.34.132 are met.

(10) If there is insufficient information at the time of the disposition hearing upon which to base a determination regarding the suitability of a proposed placement with a relative or other suitable person, the child shall remain in foster care and the court shall direct the department to conduct necessary background investigations as provided in chapter 74.15 RCW and report the results of such investigation to the court within thirty days. However, if such relative or other person appears otherwise suitable and competent to provide care and treatment, the criminal history background check need not be completed before placement, but as soon as possible after placement. Any placements with relatives or other suitable persons, pursuant to this section, shall be contingent upon cooperation by the relative or other suitable person with the agency case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts, sibling contacts, and any other conditions imposed by the court. Noncompliance with the case plan or court order shall be grounds for removal of the child from the relative's or other suitable person's home, subject to review by the court.

**Sec. 105.** RCW 26.44.050 and 2021 c 211 s 5 are each amended to read as follows:

(1) Except as provided in RCW 26.44.030(12), upon the receipt of a report alleging that abuse or neglect has occurred, the law enforcement agency or the department must investigate and provide the protective services section with a report in accordance with chapter 74.13 RCW, and where necessary to refer such report to the court.

(2) A law enforcement officer may take, or cause to be taken, a child into custody without a court order if there is probable cause to believe that taking the child into custody is necessary to prevent imminent physical harm to the child due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a high-potency synthetic opioid, or a pattern of severe neglect, and the child would be seriously injured or could not be taken into custody if it were necessary to first obtain a court order pursuant to RCW 13.34.050. The law enforcement agency or the department investigating such a report is hereby authorized to photograph such a child for the purpose of providing documentary evidence of the physical condition of the child.

**Sec. 106.** RCW 26.44.056 and 2021 c 211 s 4 are each amended to read as follows:

(1) An administrator of a hospital or similar institution or any physician, licensed pursuant to chapters 18.71 or 18.57 RCW, may detain a child without consent of a person legally responsible for the child whether or not medical treatment is required, if there is probable cause to believe that detaining the child is necessary to prevent imminent physical harm to the child due to child abuse or neglect,

including that which results from sexual abuse, sexual exploitation, a high-potency synthetic opioid, or a pattern of severe neglect, and the child would be seriously injured or could not be taken into custody if it were necessary to first obtain a court order under RCW 13.34.050: PROVIDED, That such administrator or physician shall notify or cause to be notified the appropriate law enforcement agency or child protective services pursuant to RCW 26.44.040. Such notification shall be made as soon as possible and in no case longer than ~~((seventy-two))~~ 72 hours. Such temporary protective custody by an administrator or doctor shall not be deemed an arrest. Child protective services may detain the child until the court assumes custody, but in no case longer than ~~((seventy-two))~~ 72 hours, excluding Saturdays, Sundays, and holidays.

(2) A child protective services employee, an administrator, doctor, or law enforcement officer shall not be held liable in any civil action for the decision for taking the child into custody, if done in good faith under this section.

**NEW SECTION. Sec. 107.** A new section is added to chapter 43.216 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, at least one legal liaison position shall be established within the department in each of its regions to work with both the department and the office of the attorney general for the purpose of assisting with the preparation of child abuse and neglect court cases.

(2)(a) To the extent possible, the workload of the legal liaisons shall be geographically divided to reflect where the highest risk and most vulnerable child abuse and neglect cases are filed.

(b) For the purpose of this subsection, "highest risk" and "most vulnerable" are determined by the age of the child and whether the child is particularly vulnerable given the child's medical or developmental conditions.

(3) The department may determine the necessary qualifications for the legal liaison positions established in this section.

**Sec. 108.** RCW 2.56.230 and 2008 c 279 s 2 are each amended to read as follows:

(1) A superior court may apply for grants from the family and juvenile court improvement grant program by submitting a local improvement plan with the administrator for the courts. To be eligible for grant funds, a superior court's local improvement plan must meet the criteria developed by the administrator for the courts and approved by the board for judicial administration. The criteria must be consistent with the principles adopted for unified family courts. At a minimum, the criteria must require that the court's local improvement plan meet the following requirements:

(a) Commit to a chief judge assignment to the family and juvenile court for a minimum of two years;

(b) Implementation of the principle of one judicial team hearing all of the proceedings in a case involving one family, especially in dependency cases;

(c) Require court commissioners and judges assigned to family and juvenile court to receive a minimum of thirty hours specialized training in topics related to family and juvenile matters within six months of assuming duties in family and juvenile court. Where possible, courts should utilize local, statewide, and national training forums. A judicial officer's recorded educational history may be applied toward the thirty-hour requirement. The topics for training must include:

- (i) Parentage;
- (ii) Adoption;
- (iii) Domestic relations;
- (iv) Dependency and termination of parental rights;
- (v) Child development;
- (vi) The impact of child abuse and neglect;
- (vii) Domestic violence;
- (viii) Substance ~~((abuse))~~ use disorder, including the risk and danger presented to children and youth;
- (ix) Mental health;
- (x) Juvenile status offenses;
- (xi) Juvenile offenders;
- (xii) Self-representation issues;
- (xiii) Cultural competency;
- (xiv) Roles of family and juvenile court judges and commissioners;
- (xv) How to apply the child safety framework to crucial aspects of dependency cases, including safety assessment, safety planning, and case planning; and
- (xvi) The legal standards for removal of a child based on abuse or neglect; and

(d) As part of the application for grant funds, submit a spending proposal detailing how the superior court would use the grant funds.

(2) Courts receiving grant money must use the funds to improve and support family and juvenile court operations based on standards developed by the administrator for the courts and approved by the board for judicial administration. The standards may allow courts to use the funds to:

(a) Pay for family and juvenile court training of commissioners and judges or pay for pro tem commissioners and judges to assist the court while the commissioners and judges receive training;

(b) Pay for the training of other professionals involved in child welfare court proceedings including, but not limited to, attorneys and guardians ad litem;

(c) Increase judicial and nonjudicial staff, including administrative staff to improve case coordination and referrals in family and juvenile cases, guardian ad litem volunteers or court-appointed special advocates, security, and other staff;

~~((e))~~ (d) Improve the court facility to better meet the needs of children and families;

~~((d))~~ (e) Improve referral and treatment options for court participants, including enhancing court facilitator programs and family treatment court and increasing the

availability of alternative dispute resolution;

~~((e))~~ (f) Enhance existing family and children support services funded by the courts and expand access to social service programs for families and children ordered by the court; and

~~((f))~~ (g) Improve or support family and juvenile court operations in any other way deemed appropriate by the administrator for the courts.

(3) The administrator for the courts shall allocate available grant moneys based upon the needs of the court as expressed in their local improvement plan.

(4) Money received by the superior court under this program must be used to supplement, not supplant, any other local, state, and federal funds for the court.

(5) Upon receipt of grant funds, the superior court shall submit to the administrator for the courts a spending plan detailing the use of funds. At the end of the fiscal year, the superior court shall submit to the administrator for the courts a financial report comparing the spending plan to actual expenditures. The administrator for the courts shall compile the financial reports and submit them to the appropriate committees of the legislature.

NEW SECTION. Sec. 109. A new section is added to chapter 43.70 RCW to read as follows:

(1) The department, in collaboration with the department of children, youth, and families and the poison information centers described under chapter 18.76 RCW, shall convene a work group on exposure of children to fentanyl to provide information for child welfare workers, juvenile courts, caregivers, and families regarding the risks of fentanyl exposure for children receiving child welfare services defined under RCW 74.13.020 or child protective services under RCW 26.44.020 and child welfare workers. The information shall be made publicly available and distributed to child welfare court professionals, including:

(a) Department of children, youth, and families employees supporting or providing child welfare services as defined in RCW 74.13.020 or child protective services as defined in RCW 26.44.020;

(b) Attorneys;

(c) Judicial officers; and

(d) Guardians ad litem.

(2) This section expires July 1, 2025.

NEW SECTION. Sec. 110. A new section is added to chapter 2.56 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the administrative office of the courts shall develop, deliver, and regularly update training regarding child safety and the risk and danger presented to children and youth by high-potency synthetic opioids and other substances impacting families.

(2) The training established in this section must be:

(a) Informed by the information developed under section 109 of this act; and

(b) Developed for and made available to judicial officers and system partners in the dependency court system.

**PART II  
SERVICES FOR FAMILIES**

NEW SECTION. **Sec. 201.** A new section is added to chapter 43.216 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the department shall establish a pilot program for contracted child care slots for infants in child protective services in locales with the historically highest rates of child welfare screened-in intake due to the exposure or presence of high-potency synthetic opioids in the home, which may be used as part of a safety plan. Unused slots under this section may be used for children who are screened in due to a parent's substance use disorder when the substance use disorder is related to a substance other than a high-potency synthetic opioid.

NEW SECTION. **Sec. 202.** A new section is added to chapter 43.216 RCW to read as follows:

(1) Home visiting established by RCW 43.216.130 has been shown to enhance child development and well-being by reducing the incidence of child abuse and neglect, promoting connection to community-based supports, and increasing school readiness for young children and their families.

(2) Subject to the availability of amounts appropriated for this specific purpose, the department shall enter into targeted contracts with existing home visiting programs established by RCW 43.216.130 in locales with the historically highest rates of child welfare screened-in intake to serve families.

(3) Targeted contracted home visiting slots for families experiencing high-potency synthetic opioid-related substance use disorder promotes expedited access to supports that enhance strengthened parenting skills and allows home visiting providers to have predictable funding. Any targeted contracted slots the department creates under this section must meet the requirements as provided for in this act.

(4) Only existing home visiting providers are eligible to be awarded targeted contracted slots. The targeted contracted slots are reserved for programs in locales with the historically highest rates of child welfare screened-in intakes.

(5) The department shall provide training specific to substance use disorders for the home visiting providers selected for this program.

(6) Families referred to home visiting services via the process established in subsection (8) of this section must be contacted by the contracted program within seven days of referral.

(7) The department shall award the contracted slots via a competitive process. The department shall pay providers for each targeted contracted slot using the rate

provided to existing home visiting providers.

(8) Eligible families shall be referred to the targeted contracted slots through a referral process developed by the department. The referral process shall include referrals from the department's child welfare staff as well as community organizations working with families meeting the criteria established in subsection (9) of this section.

(9) Priority for targeted contracted home visiting slots shall be given to:

(a) Families with child protective services open cases;

(b) Families with family assessment response open cases; and

(c) Families with family voluntary services open cases.

NEW SECTION. **Sec. 203.** A new section is added to chapter 41.05 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the authority shall expand specific treatment and services to children and youth with prenatal substance exposure who would benefit from evidence-based services impacting their behavioral and physical health.

(2) The authority shall contract for the services authorized in this section with behavioral health entities in a manner that allows leveraging of federal medicaid funds to pay for a portion of the costs.

(3) The authority shall consult with the department of children, youth, and families in the implementation of the program and services authorized under this section.

NEW SECTION. **Sec. 204.** (1) The department of children, youth, and families shall provide funding and support for two pilot programs to implement an evidence-based, comprehensive, intensive, in-home parenting services support model to serve children and families from birth to age 18 who are involved in child welfare, children's mental health, or juvenile justice systems.

(2) The pilot programs established in this section are intended to prevent or limit out-of-home placement through trauma-informed support to the child, caregivers, and families with three in-person, in-home sessions per week and provide on-call crisis support 24 hours a day, seven days a week.

(3) One pilot program established in this section will serve families west of the crest of the Cascade mountain range and one pilot program established in this section will serve families east of the crest of the Cascade mountain range. Each pilot program will build upon existing programs to avoid duplication of existing services available to children and families at risk of entering the child welfare system.

(4) This section expires July 1, 2026.

NEW SECTION. **Sec. 205.** (1) Subject to the availability of funds for this specific purpose, the department of health shall provide funding to support promotoras in at

least two communities. These promotoras shall provide culturally sensitive, lay health education for the Latinx community, and act as liaisons between their community, health professionals, and human and social service organizations.

(2) In determining which communities will be served by the promotoras under this section, the department of health shall provide funding to support one community west of the crest of the Cascade mountain range and one community east of the crest of the Cascade mountain range.

NEW SECTION. **Sec. 206.** A new section is added to chapter 74.13 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the department shall establish a pilot program to include third-party safety plan participants and public health nurses in child protective services safety planning. The pilot program established in this section must:

(1) Include contracts in up to four department offices for third-party safety plan participants and public health nurses to support child protective services workers in safety planning; and

(2) Provide support for cases involving high-potency synthetic opioids and families who do not have natural supports to aid in safety planning."

Correct the title.

Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Walsh.

MINORITY recommendation: Without recommendation. Signed by Representative Dent.

Referred to Committee on Appropriations

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

**MOTIONS**

There being no objection, the following bills listed on the second reading calendar were returned to the Rules Committee:

- HOUSE BILL NO. 1365
- HOUSE BILL NO. 1439
- HOUSE BILL NO. 1445
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1565
- HOUSE BILL NO. 1761
- HOUSE BILL NO. 1894
- HOUSE BILL NO. 1926
- HOUSE BILL NO. 1934
- HOUSE BILL NO. 1935
- HOUSE BILL NO. 1952
- HOUSE BILL NO. 1969
- HOUSE BILL NO. 1991
- HOUSE BILL NO. 1994

- HOUSE BILL NO. 2006
- HOUSE BILL NO. 2049
- HOUSE BILL NO. 2073
- HOUSE BILL NO. 2076
- HOUSE BILL NO. 2098
- HOUSE BILL NO. 2117
- HOUSE BILL NO. 2122
- HOUSE BILL NO. 2126
- HOUSE BILL NO. 2173
- HOUSE BILL NO. 2197
- HOUSE BILL NO. 2201
- HOUSE BILL NO. 2237
- HOUSE BILL NO. 2258
- HOUSE BILL NO. 2273
- HOUSE BILL NO. 2313
- HOUSE BILL NO. 2344
- HOUSE BILL NO. 2346
- HOUSE BILL NO. 2385
- HOUSE BILL NO. 2391
- HOUSE BILL NO. 2392
- HOUSE BILL NO. 2407
- HOUSE BILL NO. 2430
- HOUSE BILL NO. 2445
- HOUSE BILL NO. 2455
- HOUSE BILL NO. 2458

There being no objection, the following bills listed on the third reading calendar were returned to the Rules Committee:

- SECOND SUBSTITUTE HOUSE BILL NO. 1010
- SECOND SUBSTITUTE HOUSE BILL NO. 1151
- SUBSTITUTE HOUSE BILL NO. 1268
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1705

There being no objection, the House adjourned until 9:55 a.m., Wednesday, February 21, 2024, the 45th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

FORTY FIFTH DAY

House Chamber, Olympia, Wednesday, February 21, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

Tuesday, February 20, 2024

Mme. Speaker:

The President has signed:

HOUSE BILL NO. 1895  
HOUSE BILL NO. 1950

and the same are herewith transmitted.

Sarah Bannister, Secretary

The Speaker (Representative Orwall presiding) called upon Representative Fitzgibbon to preside.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 19, 2024

ESSB 5424 Prime Sponsor, Labor & Commerce:  
Concerning flexible work for general and limited authority Washington peace officers.  
Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 49.28 RCW to read as follows:

(1) Every general authority and limited authority Washington law enforcement agency may adopt a flexible work policy. The policy may allow for general authority and limited authority Washington peace officers to work at less than full time when feasible, such as supplementing work during peak hours with part-time officers. The flexible work policy may include alternative shift and work schedules that fit the needs of the law enforcement agency.

(2) The flexible work policy adopted in subsection (1) of this section may require an officer have a certain number of years of experience as a full-time officer or have additional training for the officer to work

part time or be eligible for any other types of flexible work.

(3) The flexible work policy adopted in subsection (1) of this section may not cause the layoff or otherwise displace any full-time officer.

(4) This section does not alter any existing collective bargaining unit, the provisions of any existing collective bargaining agreement, or the duty of a law enforcement agency to meet their duty to bargain under chapter 41.56 or 41.80 RCW. Full-time and part-time officers working for the same law enforcement agency who are covered by a collective bargaining agreement must be in the same bargaining unit.

(5) This section does not alter any laws or workplace policies relating to restrictions on secondary employment for general authority and limited authority Washington peace officers.

(6) For the purposes of this section, the definitions in this subsection apply.

(a) "General authority and limited authority Washington law enforcement agency" has the same meaning as "general authority Washington law enforcement agency" and "limited authority Washington law enforcement agency" as defined in RCW 10.93.020 (3) and (5), respectively.

(b) "General authority and limited authority Washington peace officers" has the same meaning as "general authority Washington peace officer" and "limited authority Washington peace officer" as defined in RCW 10.93.020 (4) and (6), respectively.

**Sec. 2.** RCW 10.93.020 and 2021 c 318 s 307 are each reenacted and amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Agency with primary territorial jurisdiction" means a city or town police agency which has responsibility for police activity within its boundaries; or a county police or sheriff's department which has responsibility with regard to police activity in the unincorporated areas within the county boundaries; or a statutorily authorized port district police agency or four-year state college or university police agency which has responsibility for police activity within the statutorily authorized enforcement boundaries of the port district, state college, or university.

(2) "Federal peace officer" means any employee or agent of the United States government who has the authority to carry firearms and make warrantless arrests and whose duties involve the enforcement of criminal laws of the United States.

(3) "General authority Washington law enforcement agency" means any agency,



department, or division of a municipal corporation, political subdivision, or other unit of local government of this state, and any agency, department, or division of state government, having as its primary function the detection and apprehension of persons committing infractions or violating the traffic or criminal laws in general, as distinguished from a limited authority Washington law enforcement agency, and any other unit of government expressly designated by statute as a general authority Washington law enforcement agency. The Washington state patrol and the department of fish and wildlife are general authority Washington law enforcement agencies.

(4) "General authority Washington peace officer" means any ~~((full-time,))~~ fully compensated and elected, appointed, or employed officer of a general authority Washington law enforcement agency who is commissioned to enforce the criminal laws of the state of Washington generally.

(5) "Limited authority Washington law enforcement agency" means any agency, political subdivision, or unit of local government of this state, and any agency, department, or division of state government, having as one of its functions the apprehension or detection of persons committing infractions or violating the traffic or criminal laws relating to limited subject areas, including but not limited to, the state departments of natural resources and social and health services, the state gambling commission, the state lottery commission, the state parks and recreation commission, the state utilities and transportation commission, the state liquor and cannabis board, the office of the insurance commissioner, the state department of corrections, and the office of independent investigations.

(6) "Limited authority Washington peace officer" means any ~~((full-time,))~~ fully compensated officer of a limited authority Washington law enforcement agency empowered by that agency to detect or apprehend violators of the laws in some or all of the limited subject areas for which that agency is responsible. A limited authority Washington peace officer may be a specially commissioned Washington peace officer if otherwise qualified for such status under this chapter.

(7) "Mutual law enforcement assistance" includes, but is not limited to, one or more law enforcement agencies aiding or assisting one or more other such agencies through loans or exchanges of personnel or of material resources, for law enforcement purposes.

(8) "Primary commissioning agency" means (a) the employing agency in the case of a general authority Washington peace officer, a limited authority Washington peace officer, a tribal peace officer from a federally recognized tribe, or a federal peace officer, and (b) the commissioning agency in the case of a specially commissioned Washington peace officer (i) who is performing functions within the course and scope of the special commission and (ii) who is not also a general authority Washington peace officer, a limited authority Washington peace officer, a tribal

peace officer from a federally recognized tribe, or a federal peace officer.

(9) "Primary function of an agency" means that function to which greater than fifty percent of the agency's resources are allocated.

(10) "Reserve officer" means any person who does not serve as a regularly employed, fully compensated peace officer of this state, but who, when called by an agency into active service, is fully commissioned on the same basis as regularly employed, fully compensated officers to enforce the criminal laws of this state.

~~(11) "Specially commissioned Washington peace officer," for the purposes of this chapter, means any officer, whether part-time or full-time, compensated or not, commissioned by a general authority Washington law enforcement agency to enforce some or all of the criminal laws of the state of Washington, who does not qualify under this chapter as a general authority Washington peace officer for that commissioning agency, specifically including reserve peace officers, and specially commissioned full-time, fully compensated peace officers duly commissioned by the states of Oregon or Idaho or any such peace officer commissioned by a unit of local government of Oregon or Idaho. ((A reserve peace officer is an individual who is an officer of a Washington law enforcement agency who does not serve such agency on a full-time basis but who, when called by the agency into active service, is fully commissioned on the same basis as full-time peace officers to enforce the criminal laws of the state.))~~

**Sec. 3.** RCW 41.26.030 and 2021 c 12 s 2 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) "Accumulated contributions" means the employee's contributions made by a member, including any amount paid under RCW 41.50.165(2), plus accrued interest credited thereon.

(2) "Actuarial reserve" means a method of financing a pension or retirement plan wherein reserves are accumulated as the liabilities for benefit payments are incurred in order that sufficient funds will be available on the date of retirement of each member to pay the member's future benefits during the period of retirement.

(3) "Actuarial valuation" means a mathematical determination of the financial condition of a retirement plan. It includes the computation of the present monetary value of benefits payable to present members, and the present monetary value of future employer and employee contributions, giving effect to mortality among active and retired members and also to the rates of disability, retirement, withdrawal from service, salary and interest earned on investments.

(4) (a) "Basic salary" for plan 1 members, means the basic monthly rate of salary or wages, including longevity pay but not including overtime earnings or special salary or wages, upon which pension or

retirement benefits will be computed and upon which employer contributions and salary deductions will be based.

(b) "Basic salary" for plan 2 members, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, and shall include wages and salaries deferred under provisions established pursuant to sections 403(b), 414(h), and 457 of the United States Internal Revenue Code, but shall exclude lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay. In any year in which a member serves in the legislature the member shall have the option of having such member's basic salary be the greater of:

(i) The basic salary the member would have received had such member not served in the legislature; or

(ii) Such member's actual basic salary received for nonlegislative public employment and legislative service combined. Any additional contributions to the retirement system required because basic salary under (b)(i) of this subsection is greater than basic salary under (b)(ii) of this subsection shall be paid by the member for both member and employer contributions.

(5)(a) "Beneficiary" for plan 1 members, means any person in receipt of a retirement allowance, disability allowance, death benefit, or any other benefit described herein.

(b) "Beneficiary" for plan 2 members, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(6)(a) "Child" or "children" means an unmarried person who is under the age of eighteen or mentally or physically disabled as determined by the department, except a person who is disabled and in the full time care of a state institution, who is:

(i) A natural born child;

(ii) A stepchild where that relationship was in existence prior to the date benefits are payable under this chapter;

(iii) A posthumous child;

(iv) A child legally adopted or made a legal ward of a member prior to the date benefits are payable under this chapter; or

(v) An illegitimate child legitimized prior to the date any benefits are payable under this chapter.

(b) A person shall also be deemed to be a child up to and including the age of twenty years and eleven months while attending any high school, college, or vocational or other educational institution accredited, licensed, or approved by the state, in which it is located, including the summer vacation months and all other normal and regular vacation periods at the particular educational institution after which the child returns to school.

(7) "Department" means the department of retirement systems created in chapter 41.50 RCW.

(8) "Director" means the director of the department.

(9) "Disability board" for plan 1 members means either the county disability board or

the city disability board established in RCW 41.26.110.

(10) "Disability leave" means the period of six months or any portion thereof during which a member is on leave at an allowance equal to the member's full salary prior to the commencement of disability retirement. The definition contained in this subsection shall apply only to plan 1 members.

(11) "Disability retirement" for plan 1 members, means the period following termination of a member's disability leave, during which the member is in receipt of a disability retirement allowance.

(12) "Domestic partners" means two adults who have registered as domestic partners under RCW 26.60.020.

(13) "Employee" means any law enforcement officer or firefighter as defined in subsections (17) and (19) of this section.

(14)(a) "Employer" for plan 1 members, means the legislative authority of any city, town, county, district, or regional fire protection service authority or the elected officials of any municipal corporation that employs any law enforcement officer and/or firefighter, any authorized association of such municipalities, and, except for the purposes of RCW 41.26.150, any labor guild, association, or organization, which represents the firefighters or law enforcement officers of at least seven cities of over 20,000 population and the membership of each local lodge or division of which is composed of at least sixty percent law enforcement officers or firefighters as defined in this chapter.

(b) "Employer" for plan 2 members, means the following entities to the extent that the entity employs any law enforcement officer and/or firefighter:

(i) The legislative authority of any city, town, county, district, public corporation, or regional fire protection service authority established under RCW 35.21.730 to provide emergency medical services as defined in RCW 18.73.030;

(ii) The elected officials of any municipal corporation;

(iii) The governing body of any other general authority law enforcement agency;

(iv) A four-year institution of higher education having a fully operational fire department as of January 1, 1996; or

(v) The department of social and health services or the department of corrections when employing firefighters serving at a prison or civil commitment center on an island.

(c) Except as otherwise specifically provided in this chapter, "employer" does not include a government contractor. For purposes of this subsection, a "government contractor" is any entity, including a partnership, limited liability company, for-profit or nonprofit corporation, or person, that provides services pursuant to a contract with an "employer." The determination whether an employer-employee relationship has been established is not based on the relationship between a government contractor and an "employer," but is based solely on the relationship between a government contractor's employee and an "employer" under this chapter.

(15) (a) "Final average salary" for plan 1 members, means (i) for a member holding the same position or rank for a minimum of twelve months preceding the date of retirement, the basic salary attached to such same position or rank at time of retirement; (ii) for any other member, including a civil service member who has not served a minimum of twelve months in the same position or rank preceding the date of retirement, the average of the greatest basic salaries payable to such member during any consecutive twenty-four month period within such member's last ten years of service for which service credit is allowed, computed by dividing the total basic salaries payable to such member during the selected twenty-four month period by twenty-four; (iii) in the case of disability of any member, the basic salary payable to such member at the time of disability retirement; (iv) in the case of a member who hereafter vests pursuant to RCW 41.26.090, the basic salary payable to such member at the time of vesting.

(b) "Final average salary" for plan 2 members, means the monthly average of the member's basic salary for the highest consecutive sixty service credit months of service prior to such member's retirement, termination, or death. Periods constituting authorized unpaid leaves of absence may not be used in the calculation of final average salary.

(c) In calculating final average salary under (a) or (b) of this subsection, the department of retirement systems shall include:

(i) Any compensation forgone by a member employed by a state agency or institution during the 2009-2011 fiscal biennium as a result of reduced work hours, mandatory or voluntary leave without pay, temporary reduction in pay implemented prior to December 11, 2010, or temporary layoffs if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer;

(ii) Any compensation forgone by a member employed by the state or a local government employer during the 2011-2013 fiscal biennium as a result of reduced work hours, mandatory leave without pay, temporary layoffs, or reductions to current pay if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer. Reductions to current pay shall not include elimination of previously agreed upon future salary increases; and

(iii) Any compensation forgone by a member employed by the state or a local government employer during the 2019-2021 and 2021-2023 fiscal biennia as a result of reduced work hours, mandatory leave without pay, temporary layoffs, furloughs, reductions to current pay, or other similar measures resulting from the COVID-19 budgetary crisis, if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer. Reductions to current pay shall not include elimination of previously agreed upon future salary increases.

(16) "Fire department" includes a fire station operated by the department of social and health services or the department of corrections when employing firefighters serving a prison or civil commitment center on an island.

(17) "Firefighter" means:

(a) Any person who is serving on a full time, fully compensated basis as a member of a fire department of an employer and who is serving in a position which requires passing a civil service examination for firefighter, and who is actively employed as such;

(b) Anyone who is actively employed as a full time firefighter where the fire department does not have a civil service examination;

(c) Supervisory firefighter personnel;

(d) Any full time executive secretary of an association of fire protection districts authorized under RCW 52.12.031. The provisions of this subsection (17)(d) shall not apply to plan 2 members;

(e) The executive secretary of a labor guild, association or organization (which is an employer under subsection (14) of this section), if such individual has five years previous membership in a retirement system established in chapter 41.16 or 41.18 RCW. The provisions of this subsection (17)(e) shall not apply to plan 2 members;

(f) Any person who is serving on a full time, fully compensated basis for an employer, as a fire dispatcher, in a department in which, on March 1, 1970, a dispatcher was required to have passed a civil service examination for firefighter;

(g) Any person who on March 1, 1970, was employed on a full time, fully compensated basis by an employer, and who on May 21, 1971, was making retirement contributions under the provisions of chapter 41.16 or 41.18 RCW; and

(h) Any person who is employed on a full-time, fully compensated basis by an employer as an emergency medical technician that meets the requirements of RCW 18.71.200 or 18.73.030 ~~((412))~~ (13), and whose duties include providing emergency medical services as defined in RCW 18.73.030.

(18) "General authority law enforcement agency" means any agency, department, or division of a municipal corporation, political subdivision, or other unit of local government of this state, and any agency, department, or division of state government, having as its primary function the detection and apprehension of persons committing infractions or violating the traffic or criminal laws in general, but not including the Washington state patrol. Such an agency, department, or division is distinguished from a limited authority law enforcement agency having as one of its functions the apprehension or detection of persons committing infractions or violating the traffic or criminal laws relating to limited subject areas, including but not limited to, the state departments of natural resources and social and health services, the state gambling commission, the state lottery commission, the state parks and recreation commission, the state utilities and transportation commission, the state liquor and cannabis board, and the state department of corrections. A general

authority law enforcement agency under this chapter does not include a government contractor.

(19) "Law enforcement officer" beginning January 1, 1994, means any person who is commissioned and employed by an employer on a full time, fully compensated basis to enforce the criminal laws of the state of Washington generally, with the following qualifications:

(a) No person who is serving in a position that is basically clerical or secretarial in nature, and who is not commissioned shall be considered a law enforcement officer;

(b) Only those deputy sheriffs, including those serving under a different title pursuant to county charter, who have successfully completed a civil service examination for deputy sheriff or the equivalent position, where a different title is used, and those persons serving in unclassified positions authorized by RCW 41.14.070 except a private secretary will be considered law enforcement officers;

(c) Only such full time commissioned law enforcement personnel as have been appointed to offices, positions, or ranks in the police department which have been specifically created or otherwise expressly provided for and designated by city charter provision or by ordinance enacted by the legislative body of the city shall be considered city police officers;

(d) The term "law enforcement officer" also includes the executive secretary of a labor guild, association or organization (which is an employer under subsection (14) of this section) if that individual has five years previous membership in the retirement system established in chapter 41.20 RCW. The provisions of this subsection (19)(d) shall not apply to plan 2 members; ~~(and)~~

(e) The term "law enforcement officer" also includes a person employed on or after January 1, 1993, as a public safety officer or director of public safety, so long as the job duties substantially involve only either police or fire duties, or both, and no other duties in a city or town with a population of less than ten thousand. The provisions of this subsection (19)(e) shall not apply to any public safety officer or director of public safety who is receiving a retirement allowance under this chapter as of May 12, 1993; and

(f) Beginning July 1, 2024, the term "law enforcement officer" also includes any person who is commissioned and employed by an employer on a fully compensated basis to enforce the criminal laws of the state of Washington generally, on a less than full-time basis, with the qualifications in (a) through (e) of this subsection.

(20) "Medical services" for plan 1 members, shall include the following as minimum services to be provided. Reasonable charges for these services shall be paid in accordance with RCW 41.26.150.

(a) Hospital expenses: These are the charges made by a hospital, in its own behalf, for

(i) Board and room not to exceed semiprivate room rate unless private room is required by the attending physician due to the condition of the patient.

(ii) Necessary hospital services, other than board and room, furnished by the hospital.

(b) Other medical expenses: The following charges are considered "other medical expenses," provided that they have not been considered as "hospital expenses".

(i) The fees of the following:

(A) A physician or surgeon licensed under the provisions of chapter 18.71 RCW;

(B) An osteopathic physician and surgeon licensed under the provisions of chapter 18.57 RCW;

(C) A chiropractor licensed under the provisions of chapter 18.25 RCW.

(ii) The charges of a registered graduate nurse other than a nurse who ordinarily resides in the member's home, or is a member of the family of either the member or the member's spouse.

(iii) The charges for the following medical services and supplies:

(A) Drugs and medicines upon a physician's prescription;

(B) Diagnostic X-ray and laboratory examinations;

(C) X-ray, radium, and radioactive isotopes therapy;

(D) Anesthesia and oxygen;

(E) Rental of iron lung and other durable medical and surgical equipment;

(F) Artificial limbs and eyes, and casts, splints, and trusses;

(G) Professional ambulance service when used to transport the member to or from a hospital when injured by an accident or stricken by a disease;

(H) Dental charges incurred by a member who sustains an accidental injury to his or her teeth and who commences treatment by a legally licensed dentist within ninety days after the accident;

(I) Nursing home confinement or hospital extended care facility;

(J) Physical therapy by a registered physical therapist;

(K) Blood transfusions, including the cost of blood and blood plasma not replaced by voluntary donors;

(L) An optometrist licensed under the provisions of chapter 18.53 RCW.

(21) "Member" means any firefighter, law enforcement officer, or other person as would apply under subsection (17) or (19) of this section whose membership is transferred to the Washington law enforcement officers' and firefighters' retirement system on or after March 1, 1970, and every law enforcement officer and firefighter who is employed in that capacity on or after such date.

(22) "Plan 1" means the law enforcement officers' and firefighters' retirement system, plan 1 providing the benefits and funding provisions covering persons who first became members of the system prior to October 1, 1977.

(23) "Plan 2" means the law enforcement officers' and firefighters' retirement system, plan 2 providing the benefits and funding provisions covering persons who first became members of the system on and after October 1, 1977.

(24) "Position" means the employment held at any particular time, which may or may not be the same as civil service rank.

(25) "Regular interest" means such rate as the director may determine.

(26) "Retiree" for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(27) "Retirement fund" means the "Washington law enforcement officers' and firefighters' retirement system fund" as provided for herein.

(28) "Retirement system" means the "Washington law enforcement officers' and firefighters' retirement system" provided herein.

(29)(a) "Service" for plan 1 members, means all periods of employment for an employer as a firefighter or law enforcement officer, for which compensation is paid, together with periods of suspension not exceeding thirty days in duration. For the purposes of this chapter service shall also include service in the armed forces of the United States as provided in RCW 41.26.190. Credit shall be allowed for all service credit months of service rendered by a member from and after the member's initial commencement of employment as a firefighter or law enforcement officer, during which the member worked for seventy or more hours, or was on disability leave or disability retirement. Only service credit months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter.

(i) For members retiring after May 21, 1971 who were employed under the coverage of a prior pension act before March 1, 1970, "service" shall also include (A) such military service not exceeding five years as was creditable to the member as of March 1, 1970, under the member's particular prior pension act, and (B) such other periods of service as were then creditable to a particular member under the provisions of RCW 41.18.165, 41.20.160, or 41.20.170. However, in no event shall credit be allowed for any service rendered prior to March 1, 1970, where the member at the time of rendition of such service was employed in a position covered by a prior pension act, unless such service, at the time credit is claimed therefor, is also creditable under the provisions of such prior act.

(ii) A member who is employed by two employers at the same time shall only be credited with service to one such employer for any month during which the member rendered such dual service.

(iii) Reduction efforts such as furloughs, reduced work hours, mandatory leave without pay, temporary layoffs, or other similar situations as contemplated by subsection (15)(c)(iii) of this section do not result in a reduction in service credit that otherwise would have been earned for that month of work, and the member shall receive the full service credit for the hours that were scheduled to be worked before the reduction.

(b)(i) "Service" for plan 2 members, means periods of employment by a member for one or more employers for which basic salary is earned for ninety or more hours per

calendar month which shall constitute a service credit month. Periods of employment by a member for one or more employers for which basic salary is earned for at least seventy hours but less than ninety hours per calendar month shall constitute one-half service credit month. Periods of employment by a member for one or more employers for which basic salary is earned for less than seventy hours shall constitute a one-quarter service credit month.

(ii) Members of the retirement system who are elected or appointed to a state elective position may elect to continue to be members of this retirement system.

(iii) Service credit years of service shall be determined by dividing the total number of service credit months of service by twelve. Any fraction of a service credit year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

(iv) If a member receives basic salary from two or more employers during any calendar month, the individual shall receive one service credit month's service credit during any calendar month in which multiple service for ninety or more hours is rendered; or one-half service credit month's service credit during any calendar month in which multiple service for at least seventy hours but less than ninety hours is rendered; or one-quarter service credit month during any calendar month in which multiple service for less than seventy hours is rendered.

(v) Reduction efforts such as furloughs, reduced work hours, mandatory leave without pay, temporary layoffs, or other similar situations as contemplated by subsection (15)(c)(iii) of this section do not result in a reduction in service credit that otherwise would have been earned for that month of work, and the member shall receive the full service credit for the hours that were scheduled to be worked before the reduction.

(30) "Service credit month" means a full service credit month or an accumulation of partial service credit months that are equal to one.

(31) "Service credit year" means an accumulation of months of service credit which is equal to one when divided by twelve.

(32) "State actuary" or "actuary" means the person appointed pursuant to RCW 44.44.010(2).

(33) "State elective position" means any position held by any person elected or appointed to statewide office or elected or appointed as a member of the legislature.

(34) "Surviving spouse" means the surviving widow or widower of a member. "Surviving spouse" shall not include the divorced spouse of a member except as provided in RCW 41.26.162.

**Sec. 4.** RCW 41.26.030 and 2023 c 77 s 1 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) "Accumulated contributions" means the employee's contributions made by a member,

including any amount paid under RCW 41.50.165(2), plus accrued interest credited thereon.

(2) "Actuarial reserve" means a method of financing a pension or retirement plan wherein reserves are accumulated as the liabilities for benefit payments are incurred in order that sufficient funds will be available on the date of retirement of each member to pay the member's future benefits during the period of retirement.

(3) "Actuarial valuation" means a mathematical determination of the financial condition of a retirement plan. It includes the computation of the present monetary value of benefits payable to present members, and the present monetary value of future employer and employee contributions, giving effect to mortality among active and retired members and also to the rates of disability, retirement, withdrawal from service, salary and interest earned on investments.

(4) (a) "Basic salary" for plan 1 members, means the basic monthly rate of salary or wages, including longevity pay but not including overtime earnings or special salary or wages, upon which pension or retirement benefits will be computed and upon which employer contributions and salary deductions will be based.

(b) "Basic salary" for plan 2 members, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, and shall include wages and salaries deferred under provisions established pursuant to sections 403(b), 414(h), and 457 of the United States Internal Revenue Code, but shall exclude lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay. In any year in which a member serves in the legislature the member shall have the option of having such member's basic salary be the greater of:

(i) The basic salary the member would have received had such member not served in the legislature; or

(ii) Such member's actual basic salary received for nonlegislative public employment and legislative service combined. Any additional contributions to the retirement system required because basic salary under (b)(i) of this subsection is greater than basic salary under (b)(ii) of this subsection shall be paid by the member for both member and employer contributions.

(5) (a) "Beneficiary" for plan 1 members, means any person in receipt of a retirement allowance, disability allowance, death benefit, or any other benefit described herein.

(b) "Beneficiary" for plan 2 members, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(6) (a) "Child" or "children" means an unmarried person who is under the age of eighteen or mentally or physically disabled as determined by the department, except a person who is disabled and in the full time care of a state institution, who is:

(i) A natural born child;

(ii) A stepchild where that relationship was in existence prior to the date benefits are payable under this chapter;

(iii) A posthumous child;

(iv) A child legally adopted or made a legal ward of a member prior to the date benefits are payable under this chapter; or

(v) An illegitimate child legitimized prior to the date any benefits are payable under this chapter.

(b) A person shall also be deemed to be a child up to and including the age of twenty years and eleven months while attending any high school, college, or vocational or other educational institution accredited, licensed, or approved by the state, in which it is located, including the summer vacation months and all other normal and regular vacation periods at the particular educational institution after which the child returns to school.

(7) "Department" means the department of retirement systems created in chapter 41.50 RCW.

(8) "Director" means the director of the department.

(9) "Disability board" for plan 1 members means either the county disability board or the city disability board established in RCW 41.26.110.

(10) "Disability leave" means the period of six months or any portion thereof during which a member is on leave at an allowance equal to the member's full salary prior to the commencement of disability retirement. The definition contained in this subsection shall apply only to plan 1 members.

(11) "Disability retirement" for plan 1 members, means the period following termination of a member's disability leave, during which the member is in receipt of a disability retirement allowance.

(12) "Domestic partners" means two adults who have registered as domestic partners under RCW 26.60.020.

(13) "Employee" means any law enforcement officer or firefighter as defined in subsections (17) and (19) of this section.

(14) (a) "Employer" for plan 1 members, means the legislative authority of any city, town, county, district, or regional fire protection service authority or the elected officials of any municipal corporation that employs any law enforcement officer and/or firefighter, any authorized association of such municipalities, and, except for the purposes of RCW 41.26.150, any labor guild, association, or organization, which represents the firefighters or law enforcement officers of at least seven cities of over 20,000 population and the membership of each local lodge or division of which is composed of at least sixty percent law enforcement officers or firefighters as defined in this chapter.

(b) "Employer" for plan 2 members, means the following entities to the extent that the entity employs any law enforcement officer and/or firefighter:

(i) The legislative authority of any city, town, county, district, public corporation, or regional fire protection service authority established under RCW 35.21.730 to provide emergency medical services as defined in RCW 18.73.030;

(ii) The elected officials of any municipal corporation;

(iii) The governing body of any other general authority law enforcement agency;

(iv) A four-year institution of higher education having a fully operational fire department as of January 1, 1996; or

(v) The department of social and health services or the department of corrections when employing firefighters serving at a prison or civil commitment center on an island.

(c) Except as otherwise specifically provided in this chapter, "employer" does not include a government contractor. For purposes of this subsection, a "government contractor" is any entity, including a partnership, limited liability company, for-profit or nonprofit corporation, or person, that provides services pursuant to a contract with an "employer." The determination whether an employer-employee relationship has been established is not based on the relationship between a government contractor and an "employer," but is based solely on the relationship between a government contractor's employee and an "employer" under this chapter.

(15)(a) "Final average salary" for plan 1 members, means (i) for a member holding the same position or rank for a minimum of twelve months preceding the date of retirement, the basic salary attached to such same position or rank at time of retirement; (ii) for any other member, including a civil service member who has not served a minimum of twelve months in the same position or rank preceding the date of retirement, the average of the greatest basic salaries payable to such member during any consecutive twenty-four month period within such member's last ten years of service for which service credit is allowed, computed by dividing the total basic salaries payable to such member during the selected twenty-four month period by twenty-four; (iii) in the case of disability of any member, the basic salary payable to such member at the time of disability retirement; (iv) in the case of a member who hereafter vests pursuant to RCW 41.26.090, the basic salary payable to such member at the time of vesting.

(b) "Final average salary" for plan 2 members, means the monthly average of the member's basic salary for the highest consecutive sixty service credit months of service prior to such member's retirement, termination, or death. Periods constituting authorized unpaid leaves of absence may not be used in the calculation of final average salary.

(c) In calculating final average salary under (a) or (b) of this subsection, the department of retirement systems shall include:

(i) Any compensation forgone by a member employed by a state agency or institution during the 2009-2011 fiscal biennium as a result of reduced work hours, mandatory or voluntary leave without pay, temporary reduction in pay implemented prior to December 11, 2010, or temporary layoffs if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer;

(ii) Any compensation forgone by a member employed by the state or a local government employer during the 2011-2013 fiscal biennium as a result of reduced work hours, mandatory leave without pay, temporary layoffs, or reductions to current pay if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer. Reductions to current pay shall not include elimination of previously agreed upon future salary increases; and

(iii) Any compensation forgone by a member employed by the state or a local government employer during the 2019-2021 and 2021-2023 fiscal biennia as a result of reduced work hours, mandatory leave without pay, temporary layoffs, furloughs, reductions to current pay, or other similar measures resulting from the COVID-19 budgetary crisis, if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer. Reductions to current pay shall not include elimination of previously agreed upon future salary increases.

(16) "Fire department" includes a fire station operated by the department of social and health services or the department of corrections when employing firefighters serving a prison or civil commitment center on an island.

(17) "Firefighter" means:

(a) Any person who is serving on a full time, fully compensated basis as a member of a fire department of an employer and who is serving in a position which requires passing a civil service examination for firefighter, and who is actively employed as such;

(b) Anyone who is actively employed as a full time firefighter where the fire department does not have a civil service examination;

(c) Supervisory firefighter personnel;

(d) Any full time executive secretary of an association of fire protection districts authorized under RCW 52.12.031. The provisions of this subsection (17)(d) shall not apply to plan 2 members;

(e) The executive secretary of a labor guild, association or organization (which is an employer under subsection (14) of this section), if such individual has five years previous membership in a retirement system established in chapter 41.16 or 41.18 RCW. The provisions of this subsection (17)(e) shall not apply to plan 2 members;

(f) Any person who is serving on a full time, fully compensated basis for an employer, as a fire dispatcher, in a department in which, on March 1, 1970, a dispatcher was required to have passed a civil service examination for firefighter;

(g) Any person who on March 1, 1970, was employed on a full time, fully compensated basis by an employer, and who on May 21, 1971, was making retirement contributions under the provisions of chapter 41.16 or 41.18 RCW; and

(h) Any person who is employed on a full-time, fully compensated basis by an employer as an emergency medical technician that meets the requirements of RCW 18.71.200 or 18.73.030(13), and whose duties include

providing emergency medical services as defined in RCW 18.73.030.

(18) "General authority law enforcement agency" means any agency, department, or division of a municipal corporation, political subdivision, or other unit of local government of this state, the government of a federally recognized tribe, and any agency, department, or division of state government, having as its primary function the detection and apprehension of persons committing infractions or violating the traffic or criminal laws in general, but not including the Washington state patrol. Such an agency, department, or division is distinguished from a limited authority law enforcement agency having as one of its functions the apprehension or detection of persons committing infractions or violating the traffic or criminal laws relating to limited subject areas, including but not limited to, the state departments of natural resources and social and health services, the state gambling commission, the state lottery commission, the state parks and recreation commission, the state utilities and transportation commission, the state liquor and cannabis board, and the state department of corrections. A general authority law enforcement agency under this chapter does not include a government contractor.

(19) "Law enforcement officer" beginning January 1, 1994, means any person who is commissioned and employed by an employer on a full time, fully compensated basis to enforce the criminal laws of the state of Washington generally, with the following qualifications:

(a) No person who is serving in a position that is basically clerical or secretarial in nature, and who is not commissioned shall be considered a law enforcement officer;

(b) Only those deputy sheriffs, including those serving under a different title pursuant to county charter, who have successfully completed a civil service examination for deputy sheriff or the equivalent position, where a different title is used, and those persons serving in unclassified positions authorized by RCW 41.14.070 except a private secretary will be considered law enforcement officers;

(c) Only such full time commissioned law enforcement personnel as have been appointed to offices, positions, or ranks in the police department which have been specifically created or otherwise expressly provided for and designated by city charter provision or by ordinance enacted by the legislative body of the city shall be considered city police officers;

(d) The term "law enforcement officer" also includes the executive secretary of a labor guild, association or organization (which is an employer under subsection (14) of this section) if that individual has five years previous membership in the retirement system established in chapter 41.20 RCW. The provisions of this subsection (19)(d) shall not apply to plan 2 members;

(e) The term "law enforcement officer" also includes a person employed on or after January 1, 1993, as a public safety officer or director of public safety, so long as the

job duties substantially involve only either police or fire duties, or both, and no other duties in a city or town with a population of less than ten thousand. The provisions of this subsection (19)(e) shall not apply to any public safety officer or director of public safety who is receiving a retirement allowance under this chapter as of May 12, 1993; (~~and~~)

(f) The term "law enforcement officer" also includes a person who is employed on or after January 1, 2024, on a full-time basis by the government of a federally recognized tribe within the state of Washington that meets the terms and conditions of RCW 41.26.565, is employed in a police department maintained by that tribe, and who is currently certified as a general authority peace officer under chapter 43.101 RCW; and

(g) Beginning July 1, 2024, the term "law enforcement officer" also includes any person who is commissioned and employed by an employer on a fully compensated basis to enforce the criminal laws of the state of Washington generally, on a less than full-time basis, with the qualifications in (a) through (e) of this subsection.

(20) "Medical services" for plan 1 members, shall include the following as minimum services to be provided. Reasonable charges for these services shall be paid in accordance with RCW 41.26.150.

(a) Hospital expenses: These are the charges made by a hospital, in its own behalf, for

(i) Board and room not to exceed semiprivate room rate unless private room is required by the attending physician due to the condition of the patient.

(ii) Necessary hospital services, other than board and room, furnished by the hospital.

(b) Other medical expenses: The following charges are considered "other medical expenses," provided that they have not been considered as "hospital expenses."

(i) The fees of the following:

(A) A physician or surgeon licensed under the provisions of chapter 18.71 RCW;

(B) An osteopathic physician and surgeon licensed under the provisions of chapter 18.57 RCW;

(C) A chiropractor licensed under the provisions of chapter 18.25 RCW.

(ii) The charges of a registered graduate nurse other than a nurse who ordinarily resides in the member's home, or is a member of the family of either the member or the member's spouse.

(iii) The charges for the following medical services and supplies:

(A) Drugs and medicines upon a physician's prescription;

(B) Diagnostic X-ray and laboratory examinations;

(C) X-ray, radium, and radioactive isotopes therapy;

(D) Anesthesia and oxygen;

(E) Rental of iron lung and other durable medical and surgical equipment;

(F) Artificial limbs and eyes, and casts, splints, and trusses;

(G) Professional ambulance service when used to transport the member to or from a



hospital when injured by an accident or stricken by a disease;

(H) Dental charges incurred by a member who sustains an accidental injury to his or her teeth and who commences treatment by a legally licensed dentist within ninety days after the accident;

(I) Nursing home confinement or hospital extended care facility;

(J) Physical therapy by a registered physical therapist;

(K) Blood transfusions, including the cost of blood and blood plasma not replaced by voluntary donors;

(L) An optometrist licensed under the provisions of chapter 18.53 RCW.

(21) "Member" means any firefighter, law enforcement officer, or other person as would apply under subsection (17) or (19) of this section whose membership is transferred to the Washington law enforcement officers' and firefighters' retirement system on or after March 1, 1970, and every law enforcement officer and firefighter who is employed in that capacity on or after such date.

(22) "Plan 1" means the law enforcement officers' and firefighters' retirement system, plan 1 providing the benefits and funding provisions covering persons who first became members of the system prior to October 1, 1977.

(23) "Plan 2" means the law enforcement officers' and firefighters' retirement system, plan 2 providing the benefits and funding provisions covering persons who first became members of the system on and after October 1, 1977.

(24) "Position" means the employment held at any particular time, which may or may not be the same as civil service rank.

(25) "Regular interest" means such rate as the director may determine.

(26) "Retiree" for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(27) "Retirement fund" means the "Washington law enforcement officers' and firefighters' retirement system fund" as provided for herein.

(28) "Retirement system" means the "Washington law enforcement officers' and firefighters' retirement system" provided herein.

(29) (a) "Service" for plan 1 members, means all periods of employment for an employer as a firefighter or law enforcement officer, for which compensation is paid, together with periods of suspension not exceeding thirty days in duration. For the purposes of this chapter service shall also include service in the armed forces of the United States as provided in RCW 41.26.190. Credit shall be allowed for all service credit months of service rendered by a member from and after the member's initial commencement of employment as a firefighter or law enforcement officer, during which the member worked for seventy or more hours, or was on disability leave or disability retirement. Only service credit months of service shall be counted in the computation

of any retirement allowance or other benefit provided for in this chapter.

(i) For members retiring after May 21, 1971 who were employed under the coverage of a prior pension act before March 1, 1970, "service" shall also include (A) such military service not exceeding five years as was creditable to the member as of March 1, 1970, under the member's particular prior pension act, and (B) such other periods of service as were then creditable to a particular member under the provisions of RCW 41.18.165, 41.20.160, or 41.20.170. However, in no event shall credit be allowed for any service rendered prior to March 1, 1970, where the member at the time of rendition of such service was employed in a position covered by a prior pension act, unless such service, at the time credit is claimed therefor, is also creditable under the provisions of such prior act.

(ii) A member who is employed by two employers at the same time shall only be credited with service to one such employer for any month during which the member rendered such dual service.

(iii) Reduction efforts such as furloughs, reduced work hours, mandatory leave without pay, temporary layoffs, or other similar situations as contemplated by subsection (15)(c)(iii) of this section do not result in a reduction in service credit that otherwise would have been earned for that month of work, and the member shall receive the full service credit for the hours that were scheduled to be worked before the reduction.

(b) (i) "Service" for plan 2 members, means periods of employment by a member for one or more employers for which basic salary is earned for ninety or more hours per calendar month which shall constitute a service credit month. Periods of employment by a member for one or more employers for which basic salary is earned for at least seventy hours but less than ninety hours per calendar month shall constitute one-half service credit month. Periods of employment by a member for one or more employers for which basic salary is earned for less than seventy hours shall constitute a one-quarter service credit month.

(ii) Members of the retirement system who are elected or appointed to a state elective position may elect to continue to be members of this retirement system.

(iii) Service credit years of service shall be determined by dividing the total number of service credit months of service by twelve. Any fraction of a service credit year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

(iv) If a member receives basic salary from two or more employers during any calendar month, the individual shall receive one service credit month's service credit during any calendar month in which multiple service for ninety or more hours is rendered; or one-half service credit month's service credit during any calendar month in which multiple service for at least seventy hours but less than ninety hours is rendered; or one-quarter service credit month during any calendar month in which

multiple service for less than seventy hours is rendered.

(v) Reduction efforts such as furloughs, reduced work hours, mandatory leave without pay, temporary layoffs, or other similar situations as contemplated by subsection (15)(c)(iii) of this section do not result in a reduction in service credit that otherwise would have been earned for that month of work, and the member shall receive the full service credit for the hours that were scheduled to be worked before the reduction.

(30) "Service credit month" means a full service credit month or an accumulation of partial service credit months that are equal to one.

(31) "Service credit year" means an accumulation of months of service credit which is equal to one when divided by twelve.

(32) "State actuary" or "actuary" means the person appointed pursuant to RCW 44.44.010(2).

(33) "State elective position" means any position held by any person elected or appointed to statewide office or elected or appointed as a member of the legislature.

(34) "Surviving spouse" means the surviving widow or widower of a member. "Surviving spouse" shall not include the divorced spouse of a member except as provided in RCW 41.26.162.

**Sec. 5.** RCW 43.101.010 and 2023 c 168 s 1 are each amended to read as follows:

When used in this chapter:

(1) "Applicant" means an individual who has received a conditional offer of employment with a law enforcement or corrections agency.

(2) "Chief for a day program" means a program in which commissioners and staff partner with local, state, and federal law enforcement agencies, hospitals, and the community to provide a day of special attention to chronically ill children. Each child is selected and sponsored by a law enforcement agency. The event, "chief for a day," occurs on one day, annually or every other year and may occur on the grounds and in the facilities of the commission. The program may include any appropriate honoring of the child as a "chief," such as a certificate swearing them in as a chief, a badge, a uniform, and donated gifts such as games, puzzles, and art supplies.

(3) "Commission" means the Washington state criminal justice training commission.

(4) "Convicted" means at the time a plea of guilty, nolo contendere, or deferred sentence has been accepted, or a verdict of guilty or finding of guilt has been filed, notwithstanding the pendency of any future proceedings, including but not limited to sentencing, posttrial or postfact-finding motions and appeals. "Conviction" includes all instances in which a plea of guilty or nolo contendere is the basis for conviction, all proceedings in which there is a case disposition agreement, and any equivalent disposition by a court in a jurisdiction other than the state of Washington.

(5) "Correctional personnel" means any employee or volunteer who by state, county,

municipal, or combination thereof, statute has the responsibility for the confinement, care, management, training, treatment, education, supervision, or counseling of those individuals whose civil rights have been limited in some way by legal sanction.

(6) "Corrections officer" means any corrections agency employee whose primary job function is to provide for the custody, safety, and security of adult persons in jails and detention facilities in the state. "Corrections officer" does not include individuals employed by state agencies.

(7) "Criminal justice personnel" means any person who serves as a peace officer, reserve officer, or corrections officer.

(8) "Finding" means a determination based on a preponderance of the evidence whether alleged misconduct occurred; did not occur; occurred, but was consistent with law and policy; or could neither be proven or disproven.

(9) "Law enforcement personnel" means any person elected, appointed, or employed as a general authority Washington peace officer as defined in RCW 10.93.020 or as a limited authority Washington peace officer as defined in RCW 10.93.020 who as a normal part of their duties has powers of arrest and carries a firearm. For the purposes of this chapter, "law enforcement personnel" does not include individuals employed by the department of corrections.

(10) "Peace officer" has the same meaning as a general authority Washington peace officer as defined in RCW 10.93.020. Commissioned officers of the Washington state patrol, whether they have been or may be exempted by rule of the commission from the basic training requirement of RCW 43.101.200, are included as peace officers for purposes of this chapter. Fish and wildlife officers with enforcement powers for all criminal laws under RCW 77.15.075 are peace officers for purposes of this chapter. Limited authority Washington peace officers as defined in RCW 10.93.020, who have powers of arrest and carry a firearm as part of their normal duty, are peace officers for purposes of this chapter. For the purposes of this chapter, "peace officer" does not include individuals employed by the department of corrections.

~~(11) "Reserve officer" ((means any person who does not serve as a peace officer of this state on a full-time basis, but who, when called by an agency into active service, is fully commissioned on the same basis as full-time officers to enforce the criminal laws of this state and includes:~~

~~(a)) has the same meaning as provided in RCW 10.93.020.~~

~~(12) "Specially commissioned Washington peace officer((s as defined))" has the same meaning as provided in RCW 10.93.020(~~

~~(b) Persons employed as security by public institutions of higher education as defined in RCW 28B.10.016; and~~

~~(c) Persons employed for the purpose of providing security in the K-12 Washington state public school system as defined in RCW 28A.150.010 and who are authorized to use force in fulfilling their responsibilities)).~~

~~((12)) (13) "Tribal police officer" means any person employed and commissioned~~

by a tribal government to enforce the criminal laws of that government.

NEW SECTION. **Sec. 6.** Section 3 of this act expires July 1, 2025.

NEW SECTION. **Sec. 7.** Section 4 of this act takes effect July 1, 2025."

Correct the title.

Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Appropriations

February 19, 2024

E2SSB 5635 Prime Sponsor, Ways & Means: Concerning victims' rights. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 7.69.030 and 2023 c 197 s 11 are each amended to read as follows:

(1) There shall be a reasonable effort made to ensure that victims, survivors of victims, and witnesses of crimes have the following rights, which apply to any adult or juvenile criminal proceeding and any civil commitment proceeding under chapter 71.09 RCW:

(a) With respect to victims of violent or sex crimes, to receive, at the time of reporting the crime to law enforcement officials, a written statement of the rights of crime victims as provided in this chapter. The written statement shall include the name, address, and telephone number of a county or local crime victim/witness program, if such a crime victim/witness program exists in the county;

(b) To be informed by local law enforcement agencies or the prosecuting attorney of the final disposition of the case in which the victim, survivor, or witness is involved;

(c) To be notified by the party who issued the subpoena that a court proceeding to which they have been subpoenaed will not occur as scheduled, in order to save the person an unnecessary trip to court;

(d) To receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available;

(e) To be informed of the procedure to be followed to apply for and receive any witness fees to which they are entitled;

(f) To be provided, whenever practical, a secure waiting area during court proceedings that does not require them to be in close proximity to defendants and families or friends of defendants;

(g) To have any stolen or other personal property expeditiously returned by law enforcement agencies or the superior court

when no longer needed as evidence. When feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis, and property of which ownership is disputed, shall be photographed and returned to the owner within ten days of being taken;

(h) To be provided with appropriate employer intercession services to ensure that employers of victims, survivors of victims, and witnesses of crime will cooperate with the criminal justice process or the civil commitment process under chapter 71.09 RCW in order to minimize an employee's loss of pay and other benefits resulting from court appearance;

(i) To access to immediate medical assistance and not to be detained for an unreasonable length of time by a law enforcement agency before having such assistance administered. However, an employee of the law enforcement agency may, if necessary, accompany the person to a medical facility to question the person about the criminal incident if the questioning does not hinder the administration of medical assistance. Victims of domestic violence, sexual assault, or stalking, as defined in RCW 49.76.020, shall be notified of their right to reasonable leave from employment under chapter 49.76 RCW;

(j) With respect to victims of violent and sex crimes, to have a crime victim advocate from a crime victim/witness program, or any other support person of the victim's choosing, present at any prosecutorial or defense interviews with the victim, and at any judicial proceedings related to criminal acts committed against the victim. This subsection applies if practical and if the presence of the crime victim advocate or support person does not cause any unnecessary delay in the investigation or prosecution of the case. The role of the crime victim advocate is to provide emotional support to the crime victim;

(k) With respect to victims and survivors of victims, to be physically present in court during trial, or if subpoenaed to testify, to be scheduled as early as practical in the proceedings in order to be physically present during trial after testifying and not to be excluded solely because they have testified;

(l) With respect to victims and survivors of victims in any felony case, any case involving domestic violence, or any final determination under chapter 71.09 RCW, to be informed by the prosecuting attorney of the date, time, and place of the trial and of the sentencing hearing or disposition hearing upon request by a victim or survivor;

(m) To submit a victim impact statement or report to the court, with the assistance of the prosecuting attorney if requested, which shall be included in all presentence reports and permanently included in the files and records accompanying the offender committed to the custody of a state agency or institution;

(n) With respect to victims and survivors of victims in any felony case or any case involving domestic violence, to present a

statement, personally or by representation, at the sentencing hearing; ~~(and)~~

(o) To have the victim's safety considered in bail determinations and any determinations of whether to impose other conditions of pretrial release;

(p) To have the written input of the victim or family of the victim considered at the court's discretion when setting a trial date: Provided, however, that such input may not impair the right of the state to present an effective prosecution or the right of the defendant to present an effective defense, and the court must explain the reason for any delay if the trial date cannot be set in a reasonable time frame;

(q) To be informed of victim notification services which may be available, and which can provide notification regarding the offender's place of incarceration, release from confinement, and of any escape; and

(r) With respect to victims and survivors of victims, to entry of an order of restitution by the court in all felony cases, even when the offender is sentenced to confinement, unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment.

(2) If a victim, survivor of a victim, or witness of a crime is denied a right under this section, the person may seek an order directing compliance by the relevant party or parties by filing a petition in the superior court in the county in which the crime occurred and providing notice of the petition to the relevant party or parties. Compliance with the right is the sole available remedy. The court shall expedite consideration of a petition filed under this subsection.

NEW SECTION. Sec. 2. The legislature intends to provide funding to the office of crime victims advocacy in an amount sufficient to support crime victim advocates and prosecutors in their work to ensure the rights granted to victims, survivors of victims, and witnesses of crimes in RCW 7.69.030 are protected."

Correct the title.

Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Appropriations

February 19, 2024

SB 5647 Prime Sponsor, Senator Torres: Providing temporary employees necessary information about school safety policies and procedures. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Rules for second reading

February 19, 2024

E2SSB 5670 Prime Sponsor, Ways & Means: Permitting 10th grade students to participate in running start in online settings. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Rules for second reading

February 19, 2024

ESB 5790 Prime Sponsor, Senator Dhingra: Concerning bleeding control equipment in schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Rules for second reading

February 19, 2024

SB 5792 Prime Sponsor, Senator Padden: Concerning the definition of multiunit residential buildings. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Hutchins; Low; Reed and Taylor.

Referred to Committee on Rules for second reading

February 19, 2024

ESSB 5796 Prime Sponsor, Law & Justice: Concerning common interest communities. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"PART I  
UNLAWFUL RESTRICTIONS IN GOVERNING DOCUMENTS**

NEW SECTION. Sec. 101. A new section is added to chapter 64.90 RCW to read as follows:

(1) The board of an association may, without a vote of the unit owners, amend the governing documents to remove an unlawful restriction.

(2) A unit owner may request, in a record that sufficiently identifies an unlawful restriction in the governing document, that the board exercise its authority under subsection (1) of this section. Not later

than 90 days after the board receives the request, the board shall determine reasonably and in good faith whether the governing document includes the unlawful restriction. If the board determines the governing document includes the unlawful restriction, the board not later than 90 days after the determination shall amend the governing document to remove the unlawful restriction.

(3) Notwithstanding any provision of the governing document or other law of this state, the board may execute an amendment under this section.

(4) An amendment under this section is effective notwithstanding any provision of the governing document or other law of this state that requires a vote of the unit owners to amend the governing document.

(5) For purposes of this section and section 102 of this act:

(a) "Amendment" means a document that removes an unlawful restriction.

(b) "Document" means a record recorded or eligible to be recorded in land records.

(c) "Remove" means eliminate any apparent or purportedly continuing effect on title to real property.

(d) "Unlawful restriction" means a prohibition, restriction, covenant, or condition in a governing document that purports to interfere with or restrict the transfer, use, or occupancy of a unit:

(i) On the basis of race, color, religion, national origin, sex, familial status, disability, or other personal characteristics; and

(ii) In violation of other law of this state or federal law.

**NEW SECTION. Sec. 102.** A new section is added to chapter 64.90 RCW to read as follows:

(1) An amendment under section 101 of this act must identify the association of owners, the real property affected, and the document containing the unlawful restriction. The amendment must include a conspicuous statement in substantially the following form:

"This amendment removes from this deed or other document affecting title to real property an unlawful restriction as defined under RCW 64.90.--- (section 101 of this act). This amendment does not affect the validity or enforceability of a restriction that is not an unlawful restriction."

(2) The amendment must be executed and acknowledged in the manner required for recordation of a document in the land records. The amendment must be recorded in the land records of each county in which the document containing the unlawful restriction is recorded.

(3) The amendment does not affect the validity or enforceability of any restriction that is not an unlawful restriction.

(4) The amendment or a future conveyance of the affected real property is not a republication of a restriction that otherwise would expire by passage of time under other law of this state.

## 2021 AMENDMENTS TO THE UNIFORM COMMON INTEREST OWNERSHIP ACT

**Sec. 201.** RCW 64.90.085 and 2018 c 277 s 118 are each amended to read as follows:

Amendments to this chapter apply to all common interest communities (~~except those that (1) were created prior to July 1, 2018, and (2) have not subsequently amended their governing documents to provide that this chapter will apply to the common interest community pursuant to RCW 64.90.095)~~ subject to this chapter, regardless of when the amendments become effective.

**Sec. 202.** RCW 64.90.105 and 2018 c 277 s 122 are each amended to read as follows:

This chapter does not apply to a common interest community located outside this state, but RCW 64.90.605 and 64.90.610, and, to the extent applicable, RCW 64.90.615 and 64.90.620, apply to a contract for the disposition of a unit in that common interest community signed in this state by any party unless exempt under RCW 64.90.600(2).

**Sec. 203.** RCW 64.90.300 and 2018 c 277 s 221 are each amended to read as follows:

(1) ~~((If the declaration provides that any of the powers described in RCW 64.90.405 are to be exercised by or may be delegated to a for-profit or nonprofit corporation or limited liability company that exercises those or other powers on behalf of one or more common interest communities or for the benefit of the unit owners of one or more common interest communities, all))~~ A declaration may:

(a) Delegate a power under RCW 64.90.405(1) from the unit owners association to a master association;

(b) Provide for exercise of the powers under RCW 64.90.405(1) by a master association that also serves as the unit owners association for the common interest community; and

(c) Reserve a special declarant right to make the common interest community subject to a master association.

(2) All provisions of this chapter applicable to unit owners associations apply to ((any such corporation or limited liability company)) the master association, except as modified by this section.

((2)) (3) A unit owners association may delegate a power under RCW 64.90.405(1) to a master association without amending the declaration. The board of the unit owners association shall give notice to the unit owners of a proposed delegation and include a statement that unit owners may object in a record to the delegation not later than 30 days after delivery of the notice. The delegation becomes effective if the board does not receive a timely objection from unit owners of units to which at least 10 percent of the votes in the association are allocated. If the board receives a timely objection by at least 10 percent of the votes, the delegation becomes effective only if the unit owners vote under RCW 64.90.455 to approve the delegation by a majority vote. The delegation is not effective until

the master association accepts the delegation.

(4) A delegation under subsection (1)(a) of this section may be revoked only by an amendment to the declaration.

(5) At a meeting of the unit owners which lists in the notice of the meeting the subject of delegation of powers from the board to a master association, the unit owners may revoke the delegation by a majority of the votes cast at the meeting. The effect of revocation on the rights and obligations of parties under a contract between a unit owners association and a master association is determined by law of this state other than this chapter.

(6) Unless it is acting in the capacity of ~~((an))~~ a unit owners association ~~((described in RCW 64.90.400)),~~ a master association may exercise the powers set forth in RCW 64.90.405(1)(b) only to the extent expressly permitted in the declarations of common interest communities that are part of the master association or expressly described in the delegations of power from those common interest communities to the master association.

~~((3)) If the declaration of any common interest community provides that the board may delegate certain powers to a master association, the board is not liable for the acts or omissions of the master association with respect to those powers following delegation.~~

~~(4)) (7) After a unit owners association delegates a power to a master association, the unit owners association, its board members, and its officers are not liable for an act or omission of the master association with respect to the delegated power.~~

(8) The rights and responsibilities of unit owners with respect to the unit owners association set forth in RCW 64.90.410, 64.90.445, 64.90.450, 64.90.455, 64.90.465, and 64.90.505 apply in the conduct of the affairs of a master association only to persons who elect the board of a master association, whether or not those persons are otherwise unit owners within the meaning of this chapter.

~~((5)) If a master association is also an association described in RCW 64.90.400, the organizational documents of the master association and the declaration of each common interest community, the powers of which are assigned by the declaration or delegated to the master association, may provide that)) (9) Not later than 90 days after termination of a period of declarant control of the master association, the board of the master association must be elected ~~((after the period of declarant control))~~ in ~~((any))~~ one of the following ways:~~

(a) ~~((All))~~ The unit owners of all common interest communities subject to the master association may elect all members of the master association's board; or

(b) ~~((All board members of all common interest communities subject to the master association may elect all members of the master association's board;~~

(c) ~~All))~~ The unit owners in, or the board of, each common interest community subject to the master association ~~((may))~~ elect ~~((specified))~~ one or more members of the master association's board ~~((; or~~

~~(d) All board members of each common interest community subject to the master association may elect specified members of the master association's board)) if the instruments governing the master association apportion the seats on the board to each common interest community in a manner roughly proportional to the number of units in each common interest community.~~

(10) A period of declarant control of the master association under subsection (9) of this section terminates not later than the earlier of:

(a) The termination under RCW 64.90.415 of all periods of declarant control of all common interest communities subject to the master association under RCW 64.90.415; or

(b) 60 days after conveyance to unit owners other than a declarant of 75 percent of the units that may be created in all common interest communities subject to the master association.

**Sec. 204.** RCW 64.90.310 and 2018 c 277 s 223 are each amended to read as follows:

(1) Any two or more common interest communities ~~((of the same form of ownership, by agreement of the unit owners as provided in subsection (2) of this section,))~~ may be merged or consolidated under subsection (2) of this section into a single common interest community by agreement of the unit owners or exercise of a special declarant right. In the event of a merger or consolidation, unless the agreement otherwise provides, the resultant common interest community is the legal successor, for all purposes, of all of the preexisting common interest communities, and the operations and activities of all associations of the preexisting common interest communities are merged or consolidated into a single association that holds all powers, rights, obligations, assets, and liabilities of all preexisting associations.

(2) An agreement of two or more common interest communities to merge or consolidate pursuant to subsection (1) of this section must be evidenced by an agreement prepared, executed, recorded, and certified by the president of the association of each of the preexisting common interest communities following approval by unit owners of units to which are allocated the percentage of votes in each common interest community required to terminate that common interest community. If a special declarant right is exercised in a common interest community, approval by the unit owners is not required and the declarant may execute the agreement on behalf of the common interest community. The agreement must be recorded in every county in which a portion of the common interest community is located and is not effective until recorded.

(3) Every merger or consolidation agreement, and every amendment providing for a merger or consolidation made by a declarant when exercising a special declarant right, must identify the declaration that will apply to the resultant common interest community and provide for the reallocation of allocated interests among the units of the resultant common

interest community either (a) by stating the reallocations or the formulas upon which they are based or (b) by stating the percentage of overall allocated interests of the resultant common interest community that are allocated to all of the units comprising each of the preexisting common interest communities, and providing that the portion of the percentages allocated to each unit formerly comprising a part of the preexisting common interest community is equal to the percentages of allocated interests allocated to that unit by the declaration of the preexisting common interest community.

**NEW SECTION. Sec. 205.** A new section is added to chapter 64.90 RCW to read as follows:

A unit owner or person claiming through a unit owner may not acquire title by adverse possession to, or an easement by prescription in, a common element in derogation of the title of another unit owner or the association.

**Sec. 206.** RCW 64.90.450 and 2018 c 277 s 311 are each amended to read as follows:

(1) Unless the organizational documents provide otherwise, a quorum is present throughout any meeting of the unit owners if at the beginning of the meeting persons entitled to cast ~~((twenty))~~ 20 percent of the votes in the association ~~((+))~~

~~((a) Are present))~~ attend in person ~~((or))~~, by proxy ~~((at the beginning of the meeting; or~~

~~((b) Have voted by absentee ballot; or~~

~~((c) Are present by any combination of (a) and (b) of this subsection)),~~ by means of communication under RCW 64.90.445(1) (e) or (f), or have voted by absentee ballot.

(2) Unless the organizational documents specify a larger number, a quorum of the board is present for purposes of determining the validity of any action taken at a meeting of the board only if individuals entitled to cast a majority of the votes on that board are present at the time a vote regarding that action is taken. If a quorum is present when a vote is taken, the affirmative vote of a majority of the board members present is the act of the board unless a greater vote is required by the organizational documents.

**Sec. 207.** RCW 64.90.480 and 2018 c 277 s 317 are each amended to read as follows:

(1)(a) Assessments for common expenses and those specially allocated expenses that are subject to inclusion in a budget must be made at least annually based on a budget adopted at least annually by the association in the manner provided in RCW 64.90.525.

(b) Assessments for common expenses and specially allocated expenses must commence on all units that have been created upon the conveyance of the first unit in the common interest community; however, the declarant may delay commencement of assessments for some or all common expenses or specially allocated expenses, in which event the declarant must pay all of the common expenses or specially allocated expenses that have been delayed. In a common interest

community in which units may be added pursuant to reserved development rights, the declarant may delay commencement of assessments for such units in the same manner.

(2) The declaration may provide that, upon closing of the first conveyance of each unit to a purchaser or first occupancy of a unit, whichever occurs first, the association may assess and collect a working capital contribution for such unit. The working capital contribution may be collected prior to the commencement of common assessments under subsection (1) of this section. A working capital contribution may not be used to defray expenses that are the obligation of the declarant.

(3) Except as provided otherwise in this section, all common expenses must be assessed against all the units in accordance with their common expense liabilities, subject to the right of the declarant to delay commencement of certain common expenses under subsections (1) and (2) of this section. Any past due assessment or installment of past due assessment bears interest at the rate established by the association pursuant to RCW 64.90.485.

(4) The declaration may provide that any of the following expenses of the association must be assessed against the units on some basis other than common expense liability. If and to the extent the declaration so provides, the association must assess:

(a) Expenses associated with the operation, maintenance, repair, or replacement of any specified limited common element against the units to which that limited common element is assigned, equally or in any other proportion that the declaration provides;

(b) Expenses specified in the declaration as benefiting fewer than all of the units or their unit owners exclusively against the units benefited in proportion to their common expense liability or in any other proportion that the declaration provides, but if the common expense is for the maintenance, repair, or replacement of a common element other than a limited common element, the expense may be assessed exclusively against them only if the declaration reasonably identifies the common expense by specific listing or category;

(c) The costs of insurance in proportion to risk; and

(d) The costs of one or more specified services or utilities in proportion to respective usage, whether metered, billed in bulk based on unit count, or reasonably estimated, or upon the same basis as such utility charges are made by the utility provider.

(5) Assessments to pay a judgment against the association may be made only against the units in the common interest community at the time the judgment was entered, in proportion to their common expense liabilities.

~~((6) ((To the extent that any expense of the association is caused by willful misconduct or gross negligence of any unit owner or that unit owner's tenant, guest, invitee, or occupant, the association may assess that expense against the unit owner's unit after notice and an opportunity to be~~

~~heard, even if the association maintains insurance with respect to that damage or common expense.)~~ The association may assess exclusively against a unit owner's unit common expenses, including expenses relating to damage to or loss of property, caused by the:

(a) Willful misconduct or gross negligence of the unit owner or the unit owner's tenant, guest, invitee, or occupant;

(b) Failure of the unit owner to comply with a maintenance standard prescribed by the declaration or a rule, if the standard contains a statement that an owner may be liable for damage or loss caused by failure to comply with the standard; or

(c) Negligence of the unit owner or the unit owner's tenant, guest, invitee, or occupant, if the declaration contains a statement that an owner may be liable for damage or loss caused by such negligence.

~~(7) ((If the declaration so provides, to the extent that any expense of the association is caused by the negligence of any unit owner or that unit owner's tenant, guest, invitee, or occupant, the association may assess that expense against the unit owner's unit after notice and an opportunity to be heard, to the extent of the association's deductible and any expenses not covered under an insurance policy issued to the association.))~~ Before an association makes an assessment under subsection (6) of this section, the association must give notice to the unit owner and provide an opportunity for a hearing. The assessment is limited to the expense the association incurred under subsection (6) of this section less any insured proceeds received by the association, whether the difference results from the application of a deductible or otherwise.

(8) In the event of a loss or damage to a unit that would be covered by the association's property insurance policy, excluding policies for earthquake, flood, or similar losses that have higher than standard deductibles, but that is within the deductible under that policy and if the declaration so provides, the association may assess the amount of the loss up to the deductible against that unit. This subsection does not prevent a unit owner from asserting a claim against another person for the amount assessed if that other person would be liable for the damages under general legal principles.

(9) If common expense liabilities are reallocated, assessments and any installment of assessments not yet due must be recalculated in accordance with the reallocated common expense liabilities.

**Sec. 208.** RCW 64.90.520 and 2018 c 277 s 325 are each amended to read as follows:

(1) Unit owners present in person, by proxy, by means of communication under RCW 64.90.445(1) (e) or (f), or by absentee ballot at any meeting of the unit owners at which a quorum is present, may remove any board member and any officer elected by the unit owners, with or without cause, if the number of votes in favor of removal cast by unit owners entitled to vote for election of the board member or officer proposed to be

removed is at least the lesser of (a) a majority of the votes in the association held by such unit owners or (b) two-thirds of the votes cast by such unit owners at the meeting, but:

(i) A board member appointed by the declarant may not be removed by a unit owner vote during any period of declarant control;

(ii) A board member appointed under RCW ~~((64.90.420(3)))~~ 64.90.410(7) may be removed only by the person that appointed that member; and

(iii) The unit owners may not consider whether to remove a board member or officer at a meeting of the unit owners unless that subject was listed in the notice of the meeting.

(2) At any meeting at which a vote to remove a board member or officer is to be taken, the board member or officer being considered for removal must have a reasonable opportunity to speak before the vote.

(3) At any meeting at which a board member or officer is removed, the unit owners entitled to vote for the board member or officer may immediately elect a successor board member or officer consistent with this chapter.

(4) The board may, without a unit owner vote, remove from the board a board member or officer elected by the unit owners if (a) the board member or officer is delinquent in the payment of assessments more than ~~((sixty))~~ 60 days and (b) the board member or officer has not cured the delinquency within ~~((thirty))~~ 30 days after receiving notice of the board's intent to remove the board member or officer. Unless provided otherwise by the governing documents, the board may remove an officer elected by the board at any time, with or without cause. The removal must be recorded in the minutes of the next board meeting.

**PART III  
ADDITIONAL AMENDMENTS TO CHAPTER 64.90  
RCW**

**Sec. 301.** RCW 64.90.010 and 2019 c 238 s 201 are each amended to read as follows:

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

(1) "Affiliate of a declarant" means any person who controls, is controlled by, or is under common control with a declarant. For purposes of this subsection:

(a) A person controls a declarant if the person:

(i) Is a general partner, managing member, officer, director, or employer of the declarant;

(ii) Directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, holds with power to vote, or holds proxies representing more than ~~((twenty))~~ 20 percent of the voting interest in the declarant;

(iii) Controls in any manner the election or appointment of a majority of the directors, managing members, or general partners of the declarant; or



(iv) Has contributed more than ~~((twenty))~~20 percent of the capital of the declarant.

(b) A person is controlled by a declarant if the declarant:

(i) Is a general partner, managing member, officer, director, or employer of the person;

(ii) Directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, holds with power to vote, or holds proxies representing more than ~~((twenty))~~20 percent of the voting interest in the person;

(iii) Controls in any manner the election or appointment of a majority of the directors, managing members, or general partners of the person; or

(iv) Has contributed more than ~~((twenty))~~20 percent of the capital of the person.

(c) Control does not exist if the powers described in this subsection (1) are held solely as security for an obligation and are not exercised.

(2) "Allocated interests" means the following interests allocated to each unit:

(a) In a condominium, the undivided interest in the common elements, the common expense liability, and votes in the association;

(b) In a cooperative, the common expense liability, the ownership interest, and votes in the association; and

(c) In a plat community and miscellaneous community, the common expense liability and the votes in the association, and also the undivided interest in the common elements if owned in common by the unit owners rather than an association.

(3) "Assessment" means all sums chargeable by the association against a unit, including any assessments levied pursuant to RCW 64.90.480, fines or fees levied or imposed by the association pursuant to this chapter or the governing documents, interest and late charges on any delinquent account, and all costs of collection incurred by the association in connection with the collection of a delinquent owner's account, including reasonable attorneys' fees.

(4) "Association" or "unit owners association" means the unit owners association organized under RCW 64.90.400 and, to the extent necessary to construe sections of this chapter made applicable to common interest communities pursuant to RCW 64.90.080 (as recodified by this act), 64.90.090, or 64.90.095 (as recodified by this act), the association organized or created to administer such common interest communities.

(5) "Ballot" means a record designed to cast or register a vote or consent in a form provided or accepted by the association.

(6) "Board" means the body, regardless of name, designated in the declaration, map, or organizational documents, with primary authority to manage the affairs of the association.

(7) "Common elements" means:

(a) In a condominium or cooperative, all portions of the common interest community other than the units;

(b) In a plat community or miscellaneous community, any real estate other than a unit within a plat community or miscellaneous community that is owned or leased either by the association or in common by the unit owners rather than an association; and

(c) In all common interest communities, any other interests in real estate for the benefit of any unit owners that are subject to the declaration.

(8) "Common expense" means any expense of the association, including allocations to reserves, allocated to all of the unit owners in accordance with common expense liability.

(9) "Common expense liability" means the liability for common expenses allocated to each unit pursuant to RCW 64.90.235.

(10) "Common interest community" means real estate described in a declaration with respect to which a person, by virtue of the person's ownership of a unit, is obligated to pay for a share of real estate taxes, insurance premiums, maintenance, or improvement of, or services or other expenses related to, common elements, other units, or other real estate described in the declaration. "Common interest community" does not include an arrangement described in RCW 64.90.110 or 64.90.115. A common interest community may be a part of another common interest community.

(11) "Condominium" means a common interest community in which portions of the real estate are designated for separate ownership and the remainder of the real estate is designated for common ownership solely by the owners of those portions. A common interest community is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

(12) "Condominium notice" means the notice given to tenants pursuant to subsection (13)(c) of this section.

(13)(a) "Conversion building" means a building:

(i) That at any time before creation of the common interest community was lawfully occupied wholly or partially by a tenant or subtenant for residential purposes pursuant to a rental agreement, oral or written, express or implied, who did not receive a condominium notice prior to entering into the rental agreement or lawfully taking occupancy, whichever event occurred first; or

(ii) That at any time within the ~~((twelve))~~12 months preceding the first acceptance of an agreement with the declarant to convey, or the first conveyance of, any unit in the building, whichever event occurred first, to any person who was not a declarant or dealer, or affiliate of a declarant or dealer, was lawfully occupied wholly or partially by a tenant or subtenant for residential purposes pursuant to a rental agreement, oral or written, express or implied, who did not receive a condominium notice prior to entering into the rental agreement or lawfully taking occupancy, whichever event occurred first.

(b) A building in a common interest community is a conversion building only if:

(i) The building contains more than two attached dwelling units as defined in RCW 64.55.010(1); and

(ii) Acceptance of an agreement to convey, or conveyance of, any unit in the building to any person who was not a declarant or dealer, or affiliate of a declarant or dealer, did not occur prior to July 1, 2018.

(c) The notice referred to in (a)(i) and (ii) of this subsection must be in writing and must state: "The unit you will be occupying is, or may become, part of a common interest community and subject to sale."

(14) "Convey" or "conveyance" means, with respect to a unit, any transfer of ownership of the unit, including a transfer by deed or by real estate contract and, with respect to a unit in a leasehold common interest community or a proprietary lease in a cooperative, a transfer by lease or assignment of the unit, but does not include the creation, transfer, or release of a security interest.

(15) "Cooperative" means a common interest community in which the real estate is owned by an association, each member of which is entitled by virtue of the member's ownership interest in the association and by a proprietary lease to exclusive possession of a unit.

(16) "Dealer" means a person who, together with such person's affiliates, owns or has a right to acquire either six or more units in a common interest community or ~~((fifty))~~ 50 percent or more of the units in a common interest community containing more than two units.

(17) "Declarant" means:

(a) Any person who executes as declarant a declaration;

(b) Any person who reserves or succeeds to any special declarant right in a declaration;

(c) Any person who exercises special declarant rights or to whom special declarant rights are transferred of record. The holding or exercise of rights to maintain sales offices, signs advertising the common interest community, and models, and related right of access, does not confer the status of being a declarant; or

(d) Any person who is the owner of a fee interest in the real estate that is subjected to the declaration at the time of the recording of an instrument pursuant to RCW 64.90.425 and who directly or through one or more affiliates is materially involved in the construction, marketing, or sale of units in the common interest community created by the recording of the instrument.

(18) "Declarant control" means the right of the declarant or persons designated by the declarant to appoint or remove any officer or board member of the association or to veto or approve a proposed action of any board or association, pursuant to RCW 64.90.415(1)(a).

(19) "Declaration" means the instrument, however denominated, that creates a common interest community, including any amendments to the instrument.

(20) "Development rights" means any right or combination of rights reserved by a declarant in the declaration to:

(a) Add real estate or improvements to a common interest community;

(b) Create units, common elements, or limited common elements within a common interest community;

(c) Subdivide or combine units or convert units into common elements;

(d) Withdraw real estate from a common interest community; or

(e) Reallocate limited common elements with respect to units that have not been conveyed by the declarant.

(21) "Effective age" means the difference between the useful life and remaining useful life.

(22) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

~~((23))~~ (23) "Electronic transmission" or "electronically transmitted" means any electronic communication (a) not directly involving the physical transfer of a record in a tangible medium and (b) that may be retained, retrieved, and reviewed by the sender and the recipient of the communication, and that may be directly reproduced in a tangible medium by a sender and recipient.

~~((23))~~ (24) "Eligible mortgagee" means the holder of a security interest on a unit that has filed with the secretary of the association a written request that it be given copies of notices of any action by the association that requires the consent of mortgagees.

~~((24))~~ (25) "Foreclosure" means a statutory forfeiture or a judicial or nonjudicial foreclosure of a security interest or a deed or other conveyance in lieu of a security interest.

~~((25))~~ (26) "Full funding plan" means a reserve funding goal of achieving ~~((one hundred))~~ 100 percent fully funded reserves by the end of the ~~((thirty))~~ 30-year study period described under RCW 64.90.550, in which the reserve account balance equals the sum of the estimated costs required to maintain, repair, or replace the deteriorated portions of all reserve components.

~~((26))~~ (27) "Fully funded balance" means the current value of the deteriorated portion, not the total replacement value, of all the reserve components. The fully funded balance for each reserve component is calculated by multiplying the current replacement cost of that reserve component by its effective age, then dividing the result by that reserve component's useful life. The sum total of all reserve components' fully funded balances is the association's fully funded balance.

~~((27))~~ (28) "Governing documents" means the organizational documents, map, declaration, rules, or other written instrument by which the association has the authority to exercise any of the powers provided for in this chapter or to manage, maintain, or otherwise affect the property under its jurisdiction.

~~((28))~~ (29) "Identifying number" means a symbol or address that identifies only one

unit or limited common element in a common interest community.

~~((29))~~ (30) "Leasehold common interest community" means a common interest community in which all or a portion of the real estate is subject to a lease the expiration or termination of which will terminate the common interest community or reduce its size.

~~((30))~~ (31) "Limited common element" means a portion of the common elements allocated by the declaration or by operation of RCW 64.90.210 (1)(b) or (3) for the exclusive use of one or more, but fewer than all, of the unit owners.

~~((31))~~ (32) "Map" means: (a) With respect to a plat community, the plat as defined in RCW 58.17.020 and complying with the requirements of Title 58 RCW, and (b) with respect to a condominium, cooperative, or miscellaneous community, a map prepared in accordance with the requirements of RCW 64.90.245.

~~((32))~~ (33) "Master association" means ~~(an organization described in RCW 64.90.300, whether or not it is also an association described in RCW 64.90.400):~~

(a) A unit owners association that serves more than one common interest community; or

(b) An organization that holds a power delegated under RCW 64.90.300(1)(a).

~~((33))~~ (34) "Miscellaneous community" means a common interest community in which units are lawfully created in a manner not inconsistent with chapter 58.17 RCW and that is not a condominium, cooperative, or plat community.

~~((34))~~ (35) "Nominal reserve costs" means that the current estimated total replacement costs of the reserve components are less than ~~((fifty))~~ 50 percent of the annual budgeted expenses of the association, excluding contributions to the reserve fund, for a condominium or cooperative containing horizontal unit boundaries, and less than ~~((seventy-five))~~ 75 percent of the annual budgeted expenses of the association, excluding contributions to the reserve fund, for all other common interest communities.

~~((35))~~ (36) "Organizational documents" means the instruments filed with the secretary of state to create an entity and the instruments governing the internal affairs of the entity including, but not limited to, any articles of incorporation, certificate of formation, bylaws, and limited liability company or partnership agreement.

~~((36))~~ (37) "Person" means an individual, corporation, business trust, estate, the trustee or beneficiary of a trust that is not a business trust, partnership, limited liability company, association, joint venture, public corporation, government, or governmental subdivision, agency, or instrumentality, or any other legal entity.

~~((37))~~ (38) "Plat community" means a common interest community in which units have been created by subdivision or short subdivision as both are defined in RCW 58.17.020 and in which the boundaries of units are established pursuant to chapter 58.17 RCW.

~~((38))~~ (39) "Proprietary lease" means a written and recordable lease that is

executed and acknowledged by the association as lessor and that otherwise complies with requirements applicable to a residential lease of more than one year and pursuant to which a member is entitled to exclusive possession of a unit in a cooperative. A proprietary lease governed under this chapter is not subject to chapter 59.18 RCW except as provided in the declaration.

~~((39))~~ (40) "Purchaser" means a person, other than a declarant or a dealer, which by means of a voluntary transfer acquires a legal or equitable interest in a unit other than as security for an obligation.

~~((40))~~ (41) "Qualified financial institution" means a bank, savings association, or credit union whose deposits are insured by the federal government.

~~((41))~~ (42) "Real estate" means any leasehold or other estate or interest in, over, or under land, including structures, fixtures, and other improvements and interests that by custom, usage, or law pass with a conveyance of land though not described in the contract of sale or instrument of conveyance. "Real estate" includes parcels with or without upper or lower boundaries and spaces that may be filled with air or water.

~~((42))~~ (43) "Real estate contract" has the same meaning as defined in RCW 61.30.010.

~~((43))~~ (44) "Record," when used as a noun, means information inscribed on a tangible medium or contained in an electronic transmission.

~~((44))~~ (45) "Remaining useful life" means the estimated time, in years, before a reserve component will require major maintenance, repair, or replacement to perform its intended function.

~~((45))~~ (46) "Replacement cost" means the estimated total cost to maintain, repair, or replace a reserve component to its original functional condition.

~~((46))~~ (47) "Reserve component" means a physical component of the common interest community which the association is obligated to maintain, repair, or replace, which has an estimated useful life of less than ~~((thirty))~~ 30 years, and for which the cost of such maintenance, repair, or replacement is infrequent, significant, and impractical to include in an annual budget.

~~((47))~~ (48) "Reserve study professional" means an independent person who is suitably qualified by knowledge, skill, experience, training, or education to prepare a reserve study in accordance with RCW 64.90.545 and 64.90.550. For the purposes of this subsection, "independent" means a person who is not an employee, officer, or director, and has no pecuniary interest in the declarant, association, or any other party for whom the reserve study is prepared.

~~((48))~~ (49) "Residential purposes" means use for dwelling or recreational purposes, or both.

~~((49))~~ (50) "Rule" means a policy, guideline, restriction, procedure, or regulation of an association, however denominated, that is not set forth in the declaration or organizational documents ~~((and governs the conduct of persons or the use or appearance of property)).~~

~~((50))~~ (51) "Security interest" means an interest in real estate or personal property, created by contract or conveyance that secures payment or performance of an obligation. "Security interest" includes a lien created by a mortgage, deed of trust, real estate contract, lease intended as security, assignment of lease or rents intended as security, pledge of an ownership interest in an association, and any other consensual lien or title retention contract intended as security for an obligation.

~~((51))~~ (52) "Special declarant rights" means rights reserved for the benefit of a declarant to:

(a) Complete any improvements the declarant is not obligated to make that are indicated on the map or described in the declaration or the public offering statement (~~(pursuant to RCW 64.90.610(1)(h))~~);

(b) Exercise any development right, pursuant to RCW 64.90.250;

(c) Maintain sales offices, management offices, signs advertising the common interest community, and models, pursuant to RCW 64.90.275;

(d) Use easements through the common elements for the purpose of making improvements within the common interest community or within real estate that may be added to the common interest community, pursuant to RCW 64.90.280;

(e) Make the common interest community subject to a master association, pursuant to RCW 64.90.300;

(f) Merge or consolidate a common interest community with another common interest community (~~(of the same form of ownership)~~), pursuant to RCW 64.90.310;

(g) Appoint or remove any officer or board member of the association or any master association or to veto or approve a proposed action of any board or association, pursuant to RCW 64.90.415(1);

(h) Control any construction, design review, or aesthetic standards committee or process, pursuant to RCW 64.90.505(3);

(i) Attend meetings of the unit owners and, except during an executive session, the board, pursuant to RCW 64.90.445;

(j) Have access to the records of the association to the same extent as a unit owner, pursuant to RCW 64.90.495.

~~((52))~~ (53) "Specially allocated expense" means any expense of the association, including allocations to reserves, allocated (~~(to some or all of the unit owners)~~) on a basis other than the common expense liability pursuant to RCW 64.90.480 (~~((4) through (8))~~).

~~((53))~~ (54) "Survey" has the same meaning as defined in RCW 58.09.020.

~~((54))~~ (55) "Tangible medium" means a writing, copy of a writing, facsimile, or a physical reproduction, each on paper or on other tangible material.

~~((55))~~ (56) "Timeshare" has the same meaning as defined in RCW 64.36.010.

~~((56))~~ (57) "Transition meeting" means the meeting held pursuant to RCW 64.90.415(4).

~~((57))~~ (58) (a) "Unit" means a physical portion of the common interest community designated for separate ownership or occupancy, the boundaries of which are described pursuant to RCW 64.90.225(1)(d).

(b) If a unit in a cooperative is owned by a unit owner or is sold, conveyed, voluntarily or involuntarily encumbered, or otherwise transferred by a unit owner, the interest in that unit that is owned, sold, conveyed, encumbered, or otherwise transferred is the right to possession of that unit under a proprietary lease, coupled with the allocated interests of that unit, and the association's interest in that unit is not affected.

(c) Except as provided in the declaration, a mobile home or manufactured home for which title has been eliminated pursuant to chapter 65.20 RCW is part of the unit described in the title elimination documents.

~~((58))~~ (59) (a) "Unit owner" means (i) a declarant or other person that owns a unit or (ii) a lessee of a unit in a leasehold common interest community whose lease expires simultaneously with any lease the expiration or termination of which will remove the unit from the common interest community, but does not include a person having an interest in a unit solely as security for an obligation.

(b) "Unit owner" also means the vendee, not the vendor, of a unit under a recorded real estate contract.

(c) In a condominium, plat community, or miscellaneous community, the declarant is the unit owner of any unit created by the declaration. In a cooperative, the declarant is treated as the unit owner of any unit to which allocated interests have been allocated until that unit has been conveyed to another person.

~~((59))~~ (60) "Useful life" means the estimated time during which a reserve component is expected to perform its intended function without major maintenance, repair, or replacement.

~~((60))~~ (61) "Writing" does not include an electronic transmission.

~~((61))~~ (62) "Written" means embodied in a tangible medium.

**Sec. 302.** RCW 64.90.065 and 2018 c 277 s 114 are each amended to read as follows:

(1) From time to time the dollar amount specified in RCW 64.90.075(4) (as recodified by this act) and 64.90.640(2) must change, as provided in subsections (2) and (3) of this section, according to and to the extent of changes in the consumer price index for urban wage earners and clerical workers: ~~((U.S.))~~ United States city average, all items 1967 = 100, compiled by the bureau of labor statistics, United States department of labor, (the "index"). The index for December 1979, which was 230, is the reference base index.

(2) The dollar amounts specified in RCW 64.90.075(4) (as recodified by this act) and 64.90.640(2) and any amount stated in the declaration pursuant to RCW 64.90.075(4) (as recodified by this act) and 64.90.640(2) must change on July 1st of each year if the percentage of change, calculated to the nearest whole percentage point, between the index at the end of the preceding year and the reference base index, is ~~((ten))~~ 10 percent or more, but: (a) The portion of the percentage change in the index in excess of

a multiple of ~~((ten))~~10 percent must be disregarded and the dollar amount may only change in multiples of ~~((ten))~~10 percent of the amount appearing in this chapter on July 1, 2018; (b) the dollar amount must not change if the amount required under this section is that currently in effect pursuant to this chapter as a result of earlier application of this section; and (c) the dollar amount must not be reduced below the amount appearing in this chapter on July 1, 2018.

(3) If the index is revised after December 1979, the percentage of change pursuant to this section must be calculated on the basis of the revised index. If the revision of the index changes the reference base index, a revised reference base index must be determined by multiplying the reference base index then applicable by the rebasing factor furnished by the bureau of labor statistics. If the index is superseded, the index referred to in this section is the one represented by the bureau of labor statistics as reflecting most accurately the changes in the purchasing power of the dollar for consumers.

**NEW SECTION. Sec. 303.** A new section is added to chapter 64.90 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, the governing documents may not vary a provision of this chapter that gives a right to or imposes an obligation or liability on a unit owner, declarant, association, or board.

(2) The governing documents may vary the following provisions as provided in the provision:

(a) RCW 64.90.020(1), concerning classification of a cooperative unit as real estate or personal property;

(b) RCW 64.90.030 (2) and (3), concerning reallocation of allocated interests and allocation of proceeds after a taking by eminent domain;

(c) RCW 64.90.075(4) (as recodified by this act), 64.90.095 (as recodified by this act), and 64.90.100, concerning elections regarding applicability of this chapter;

(d) RCW 64.90.210, concerning boundaries between units and common elements;

(e) RCW 64.90.240 (2) and (3), concerning reallocation of limited common elements;

(f) RCW 64.90.245(11), concerning horizontal boundaries of units;

(g) RCW 64.90.255, concerning alterations of units and common elements made by unit owners;

(h) RCW 64.90.260 (1) and (2), concerning relocation of boundaries between units;

(i) RCW 64.90.265 (1) and (2), concerning subdivision and combination of units;

(j) RCW 64.90.275, concerning sales offices, management offices, models, and signs maintained by a declarant;

(k) RCW 64.90.280 (1) and (3), concerning easements through, and rights to use, common elements;

(l) RCW 64.90.285 (1), (6), and (9), concerning the percentage of votes and consents required to amend the declaration;

(m) RCW 64.90.290 (1) and (8), concerning the percentage of votes required to

terminate a common interest community and priority of creditors of a cooperative;

(n) RCW 64.90.405 (2) (p), (4) (c), and (5) (c), concerning an association's assignment of rights to future income, the number of votes required to reject a proposal to borrow funds, and the right to terminate a lease or evict a tenant;

(o) RCW 64.90.410 (1) and (2), concerning the board acting on behalf of the association and the election of officers by the board;

(p) RCW 64.90.440 (1) and (4), concerning responsibility for maintenance, repair, and replacement of units and common elements and treatment of income or proceeds from real estate subject to development rights;

(q) RCW 64.90.445, concerning meetings;

(r) RCW 64.90.450, concerning quorum requirements for meetings;

(s) RCW 64.90.455, concerning unit owner voting;

(t) RCW 64.90.465 (1), (2), and (7), concerning the percentage of votes required to convey or encumber common elements and the effect of conveyance or encumbrance of common elements;

(u) RCW 64.90.470, concerning insurance for a nonresidential common interest community;

(v) RCW 64.90.475(2), concerning payment of surplus funds of the association;

(w) RCW 64.90.485 (7) and (20), concerning priority and foreclosure of liens held by two or more associations and additional remedies for collection of assessments as permitted by law;

(x) RCW 64.90.520(4), concerning the board's ability to remove an officer elected by the board;

(y) RCW 64.90.545(2), concerning applicability of reserve study requirements to certain types of common interest communities; and

(z) RCW 64.90.525(1), concerning the percentage of votes required to reject a budget.

**Sec. 304.** RCW 64.90.100 and 2018 c 277 s 121 are each amended to read as follows:

(1) A plat community, miscellaneous community, or cooperative in which all the units are restricted exclusively to nonresidential use is not subject to this chapter except to the extent the declaration provides that:

(a) This entire chapter applies to the community;

(b) RCW 64.90.010 through 64.90.325 and 64.90.900 apply to the community; or

(c) Only RCW 64.90.020, 64.90.025, and 64.90.030 apply to the community.

(2) A condominium in which all the units are restricted exclusively to nonresidential use is subject to this chapter, but the declaration may provide that only RCW 64.90.010 through ~~((64.90.330))~~64.90.325 and 64.90.900 apply to the community.

(3) If this entire chapter applies to a common interest community in which all the units are restricted exclusively to nonresidential use, the declaration may also require, subject to RCW 64.90.050, that:

(a) Any management, maintenance, operations, or employment contract, lease of

recreational or parking areas or facilities, and any other contract or lease between the association and a declarant or an affiliate of a declarant continues in force after the declarant turns over control of the association; and

(b) Purchasers of units must execute proxies, powers of attorney, or similar devices in favor of the declarant regarding particular matters enumerated in those instruments.

(4) A common interest community that contains both units restricted to nonresidential purposes and units that may be used for residential purposes is not subject to this chapter unless the units that may be used for residential purposes would comprise a common interest community subject to this chapter in the absence of such nonresidential units or the declaration provides that this chapter applies as provided in subsection (2) or (3) of this section.

**Sec. 305.** RCW 64.90.225 and 2019 c 238 s 206 are each amended to read as follows:

(1) The declaration must contain:

(a) The names of the common interest community and the association and, immediately following the initial recital of the name of the community, a statement that the common interest community is a condominium, cooperative, plat community, or miscellaneous community;

(b) A legal description of the real estate included in the common interest community;

(c) A statement of the number of units that the declarant has created and, if the declarant has reserved the right to create additional units, the maximum number of such additional units;

(d) In all common interest communities, a reference to the recorded map creating the units and common elements, if any, subject to the declaration, and in a common interest community other than a plat community, the identifying number of each unit created by the declaration, a description of the boundaries of each unit if and to the extent they are different from the boundaries stated in RCW 64.90.210(1)(a), and with respect to each existing unit, and if known at the time the declaration is recorded, the (i) approximate square footage, (ii) number of whole or partial bathrooms, (iii) number of rooms designated primarily as bedrooms, and (iv) level or levels on which each unit is located. The data described in this subsection (1)(d)(ii) and (iii) may be omitted with respect to units restricted to nonresidential use;

(e) A description of any limited common elements, other than those specified in RCW 64.90.210 (1)(b) and (3);

(f) A description of any real estate, except real estate subject to development rights, that may be allocated subsequently by the declarant as limited common elements, other than limited common elements specified in RCW 64.90.210 (1)(b) and (3), together with a statement that they may be so allocated;

(g) A description of any development right and any other special declarant rights

~~reserved by the declarant, ((and, if the boundaries of the real estate subject to those rights are fixed in the declaration pursuant to (h)(i) of this subsection, a description of the real property affected by those rights, and)) a time limit within which each of those rights must be exercised, and a legal description of the real property to which each development right applies;~~

(h) If any development right may be exercised with respect to different parcels of real estate at different times, a statement to that effect together with:

(i) Either a statement fixing the boundaries of those portions and regulating the order in which those portions may be subjected to the exercise of each development right or a statement that no assurances are made in those regards; and

(ii) A statement as to whether, if any development right is exercised in any portion of the real estate subject to that development right, that development right must be exercised in all or in any other portion of the remainder of that real estate;

(i) Any other conditions or limitations under which the rights described in (g) of this subsection may be exercised or will lapse;

(j) An allocation to each unit of the allocated interests in the manner described in RCW 64.90.235;

(k) Any restrictions on alienation of the units, including any restrictions on leasing that exceed the restrictions on leasing units that boards may impose pursuant to RCW 64.90.510(~~(+9)~~)(10)(c) and on the amount for which a unit may be sold or on the amount that may be received by a unit owner on sale, condemnation, or casualty loss to the unit or to the common interest community, or on termination of the common interest community;

(l) A cross-reference by recording number to the map for the units created by the declaration;

(m) Any authorization pursuant to which the association may establish and enforce construction and design criteria and aesthetic standards as provided in RCW 64.90.505;

(n) All matters required under RCW 64.90.230, 64.90.235, 64.90.240, 64.90.275, 64.90.280, and 64.90.410;

(o) A statement on the first page of the declaration whether the common interest community is subject to this chapter.

(2) All amendments to the declaration must contain a cross-reference by recording number to the declaration and to any prior amendments to the declaration. All amendments to the declaration adding units must contain a cross-reference by recording number to the map relating to the added units and set forth all information required under subsection (1) of this section with respect to the added units.

(3) The declaration may contain any other matters the declarant considers appropriate, including any restrictions on the uses of a unit or the number or other qualifications of persons who may occupy units.

**Sec. 306.** RCW 64.90.240 and 2018 c 277 s 209 are each amended to read as follows:

(1)(a) Except for the limited common elements described in RCW 64.90.210 (1)(b) and (3), the declaration must specify to which unit or units each limited common element is allocated.

(b) An allocation of a limited common element may not be altered without the consent of the owners of the units from which and to which the limited common element is allocated.

(2)(a) Except in the case of a reallocation being made by a declarant pursuant to a development right reserved in the declaration, a limited common element may be reallocated between units only with the approval of the board and by an amendment to the declaration executed by the unit owners between or among whose units the reallocation is made.

(b) The board must approve the request of the unit owner or owners under this subsection (2) within ~~((thirty))~~ 30 days, or within such other period provided by the declaration, unless the proposed reallocation does not comply with this chapter or the declaration. The failure of the board to act upon a request within such period is deemed an approval of the request. If approved, the unit owners must provide the proposed amendment to the association for review and approval before execution. The association may require revisions to ensure correctness, clarity, and compliance with this chapter or the declaration. Unless otherwise agreed by the unit owners and association, all costs of preparing, revising, executing, and recording the amendment shall be borne by the affected unit owners.

(c) ~~The ((amendment must be executed and recorded by the association and be recorded in the name of the common interest community))~~ unit owners executing the amendment shall provide a copy of the amendment to the association, and the association shall record the amendment in accordance with the requirements of subsection (4) of this section.

(3) ~~((Unless provided otherwise in the declaration, the unit owners of units to which at least sixty-seven percent of the votes are allocated, including the unit owner of the unit to which the common element or limited common element will be assigned or incorporated, must agree to reallocate a common element as a limited common element or to incorporate a common element or a limited common element into an existing unit. Such reallocation or incorporation must be reflected in an amendment to the declaration and the map.))~~

(a) A common element not previously allocated as a limited common element may be so allocated only by an amendment to the declaration. A unit owner may request the board to amend the declaration to allocate all or part of a common element as a limited common element for the exclusive use of the owner's unit. The board may prescribe in the amendment a condition or obligation, including an obligation to maintain the new limited common element or pay a fee or charge to the association.

(b) If the board approves the amendment, the board shall give notice to all unit owners of its action and include a statement that unit owners may object in a record to the amendment not later than 30 days after delivery of the notice. The amendment becomes effective if the board does not receive a timely objection.

(c) If the board receives a timely objection, the amendment becomes effective only if the unit owners of units to which at least 67 percent of the votes are allocated, including at least 67 percent of the votes that are allocated to units not owned by the declarant, vote under RCW 64.90.455 to approve the amendment.

(d) If the amendment becomes effective, the association and the owner of the benefited unit shall execute the amendment.

(4) The association shall record the amendment as provided in RCW 64.90.285. If the amendment changes information shown in a map concerning a common element or limited common element other than a common wall between units, the association shall prepare and record a revised map.

**Sec. 307.** RCW 64.90.260 and 2018 c 277 s 213 are each amended to read as follows:

(1) Subject to the provisions of the declaration, RCW 64.90.255, and other provisions of law, the boundaries between adjoining units may be relocated upon application to the board by the unit owners of those units and upon approval by the board pursuant to this section. The application must include plans showing the relocated boundaries and such other information as the board may require. If the unit owners of the adjoining units have specified a reallocation between their units of their allocated interests, the application must state the proposed reallocations. Unless the board determines, after receipt of all required information, that the reallocations are unreasonable or that the proposed boundary relocation does not comply with the declaration, RCW 64.90.255, or other provisions of law, the board must approve the application and prepare any amendments to the declaration and map in accordance with the requirements of subsection (3) of this section.

(2)(a) ~~((Subject to the provisions of the declaration and other provisions of law, boundaries between units and common elements may be relocated to incorporate common elements within a unit by an amendment to the declaration upon application to the association by the unit owner of the unit who proposes to relocate a boundary. The amendment may be approved only if the unit owner of the unit, the boundary of which is being relocated, and, unless the declaration provides otherwise, persons entitled to cast at least sixty-seven percent of the votes in the association, including sixty-seven percent of the votes allocated to units not owned by the declarant, agree.~~

(b) The association may require payment to the association of a one-time fee or charge or continuing fees or charges payable by the unit owners of the units whose boundaries are being relocated to include common elements)) The boundary of a unit may

be relocated only by an amendment to the declaration. A unit owner may request the board to amend the declaration to include all or part of a common element within the unit owner's unit. The board may prescribe in the amendment a fee or charge payable by the unit owner to the association in connection with the relocation.

(b) The board may approve the amendment only if the unit owners of units to which at least 67 percent of the votes are allocated, including at least 67 percent of the votes that are allocated to units not owned by the declarant, vote under RCW 64.90.455 to approve the amendment.

(3) ~~((a))~~ The association ~~((must prepare any))~~ and the owners of the units whose boundaries are relocated must execute an amendment ~~((to the declaration in accordance with the requirements of RCW 64.90.225 and any amendment to the map in accordance with the requirements of RCW 64.90.245))~~ under this section. The amendment must contain words of conveyance between the parties. The association shall record the amendment as provided in RCW 64.90.285. The association:

(a) In a condominium, plat community, or miscellaneous community shall prepare and record an amendment to the map necessary to show ~~((or describe))~~ the altered boundaries of affected units and their dimensions and identifying numbers; and

(b) In a cooperative shall prepare and record amendments to the declaration, including any amendment to the map necessary to show or describe the altered boundaries of affected units, and their dimensions and identifying numbers.

~~((b))~~ The amendment to the declaration must be executed by the unit owner of the unit, the boundaries of which are being relocated, and by the association, contain words of conveyance between them, and be recorded in the names of the unit owner or owners and the association, as grantor or grantee, as appropriate and as required under RCW 64.90.285(3). The amendments are effective upon recording.)

(4) All costs, including reasonable attorneys' fees, incurred by the association for preparing and recording amendments to the declaration and map under this section must be assessed to the unit, the boundaries of which are being relocated.

**Sec. 308.** RCW 64.90.270 and 2018 c 277 s 215 are each amended to read as follows:

~~((1))~~ The physical boundaries of a unit located in a building containing or comprising that unit constructed or reconstructed in substantial accordance with the map, or amendment to the map, are its boundaries rather than any boundaries shown on the map, regardless of settling or lateral movement of the unit or of any building containing or comprising the unit, or of any minor variance between boundaries of the unit or any building containing or comprising the unit shown on the map.

(2) This section does not relieve a unit owner from liability in case of the unit owner's willful misconduct or relieve a declarant or any other person from liability for failure to adhere to the map.) (1) Except as provided in subsection (2) of this

section, if the construction, reconstruction, or alteration of a building or the vertical or lateral movement of a building results in an encroachment due to a divergence between the existing physical boundaries of a unit and the boundaries described in the declaration under RCW 64.90.225(1)(d), the existing physical boundaries of the unit are its legal boundaries, rather than the boundaries described in the declaration.

(2) Subsection (1) of this section does not apply if the encroachment:

(a) Extends beyond five feet, as measured from any point on the common boundary along a line perpendicular to the boundary; or

(b) Results from willful misconduct of the unit owner that claims a benefit under subsection (1) of this section.

(3) This section does not relieve a declarant or other person of liability for failure to adhere to the map or a representation in the public offering statement.

**Sec. 309.** RCW 64.90.285 and 2019 c 238 s 208 are each amended to read as follows:

(1) (a) Except in cases of amendments that may be executed by: A declarant under subsection ~~((10))~~ (9) of this section, RCW 64.90.240(2), 64.90.245(12), 64.90.250, or 64.90.415(2)(d); the association under RCW 64.90.030, 64.90.230(5), ~~((64.90.240(3))~~) 64.90.260 ~~((1))~~, ~~((or))~~ 64.90.265, or section 101 of this act or subsection ~~((11))~~ (10) of this section; or certain unit owners under RCW 64.90.240(2) or (3), ~~((64.90.260(1))~~) 64.90.265(2), or 64.90.290(2), and except as limited by subsections (4), (6), (7), ~~((8))~~ and ~~((12))~~ (11) of this section, the declaration may be amended only by vote or agreement of unit owners of units to which at least ~~((sixty-seven))~~ 67 percent of the votes in the association are allocated, unless the declaration specifies a different percentage not to exceed ~~((ninety))~~ 90 percent for all amendments or for specific subjects of amendment. For purposes of this section, "amendment" means any change to the declaration, including adding, removing, or modifying restrictions contained in a declaration.

(b) If the declaration requires the approval of another person as a condition of its effectiveness, the amendment is not valid without that approval ~~((, however, any right of approval may not result in an expansion of special declarant rights reserved in the declaration or violate any other section of this chapter, including RCW 64.90.015, 64.90.050, 64.90.055, and 64.90.060))~~.

(2) In the absence of fraud, any action to challenge the validity of an amendment adopted by the association may not be brought more than one year after the amendment is recorded.

(3) Every amendment to the declaration must be recorded in every county in which any portion of the common interest community is located and is effective only upon recordation. An amendment ~~((, except an amendment pursuant to RCW 64.90.260(1))~~) must be indexed in the grantee's index in



the name of the common interest community and the association and in the grantor's index in the name of the parties executing the amendment.

(4) Except to the extent expressly permitted or required under this chapter, an amendment may not create or increase special declarant rights, increase the number of units, change the boundaries of any unit, or change the allocated interests of a unit without the consent of unit owners to which at least ~~((ninety))~~ 90 percent of the votes in the association are allocated, including the consent of any unit owner of a unit, the boundaries of which or allocated interest of which is changed by the amendment.

(5) Amendments to the declaration required to be executed by the association must be executed by any authorized officer of the association who must certify in the amendment that it was properly adopted.

~~(6) ((The declaration may require a higher percentage of unit owner approval for an amendment that is intended to prohibit or materially restrict the uses of units permitted under the applicable zoning ordinances, or to protect the interests of members of a defined class of owners, or to protect other legitimate interests of the association or its members. Subject to subsection (13) of this section, a declaration may not require, as a condition for amendment, approval by more than ninety percent of the votes in the association or by all but one unit owner, whichever is less. An amendment approved under this subsection must provide reasonable protection for a use permitted at the time the amendment was adopted.~~

~~(7))~~ The time limits specified in the declaration pursuant to RCW 64.90.225(1)(g) within which reserved development rights must be exercised may be extended, and additional development rights may be created, if persons entitled to cast at least ~~((eighty))~~ 80 percent of the votes in the association, including ~~((eighty))~~ 80 percent of the votes allocated to units not owned by the declarant, agree to that action. The agreement is effective ~~((thirty))~~ 30 days after an amendment to the declaration reflecting the terms of the agreement is recorded unless all the persons holding the affected special declarant rights, or security interests in those rights, record a written objection within the ~~((thirty))~~ 30-day period, in which case the amendment is void, or consent in writing at the time the amendment is recorded, in which case the amendment is effective when recorded.

~~((8))~~ (7) A provision in the declaration creating special declarant rights that have not expired may not be amended without the consent of the declarant.

~~((9))~~ (8) If any provision of this chapter or the declaration requires the consent of a holder of a security interest in a unit as a condition to the effectiveness of an amendment to the declaration, the consent is deemed granted if a refusal to consent in a record is not received by the association within ~~((sixty))~~ 60 days after the association delivers notice of the proposed amendment to the holder at an address for notice provided

by the holder or mails the notice to the holder by certified mail, return receipt requested, at that address. If the holder has not provided an address for notice to the association, the association must provide notice to the address in the security interest of record.

~~((10))~~ (9) Upon ~~((thirty))~~ 30-day advance notice to unit owners, the declarant may, without a vote of the unit owners or approval by the board, unilaterally adopt, execute, and record a corrective amendment or supplement to the governing documents to correct a mathematical mistake, an inconsistency, or a scrivener's error, or clarify an ambiguity in the governing documents with respect to an objectively verifiable fact including, without limitation, recalculating the undivided interest in the common elements, the liability for common expenses, or the number of votes in the unit owners association appertaining to a unit, within five years after the recordation or adoption of the governing document containing or creating the mistake, inconsistency, error, or ambiguity. Any such amendment or supplement may not materially reduce what the obligations of the declarant would have been if the mistake, inconsistency, error, or ambiguity had not occurred.

~~((11))~~ (10) Upon ~~((thirty))~~ 30-day advance notice to unit owners, the association may, upon a vote of two-thirds of the members of the board, without a vote of the unit owners, adopt, execute, and record an amendment to the declaration for the following purposes:

(a) To correct or supplement the governing documents as provided in subsection ~~((10))~~ (9) of this section;

~~((To remove language and otherwise amend as necessary to effect the removal of language purporting to forbid or restrict the conveyance, encumbrance, occupancy, or lease to: Individuals of a specified race, creed, color, sex, or national origin; individuals with sensory, mental, or physical disabilities; and families with children or any other legally protected classification;~~

~~((e))~~ To remove language and otherwise amend as necessary to effect the removal of language that purports to impose limitations on the power of the association beyond the limit authorized in RCW 64.90.405(3)(a) to deal with the declarant that are more restrictive than the limitations imposed on the power of the association to deal with other persons; and

~~((d))~~ (c) To remove any other language and otherwise amend as necessary to effect the removal of language purporting to limit the rights of the association or its unit owners in direct conflict with this chapter.

~~((12))~~ (11) If the declaration requires that amendments to the declaration may be adopted only if the amendment is signed by a specified number or percentage of unit owners and if the common interest community contains more than ~~((twenty))~~ 20 units, such requirement is deemed satisfied if the association obtains such signatures or the vote or agreement of unit owners holding such number or percentage.

~~((13))~~ (12) (a) If the declaration requires that amendments to the declaration may be adopted only by the vote or agreement of unit owners of units to which more than ~~((sixty-seven))~~ 67 percent of the votes in the association are allocated, and the percentage required is otherwise consistent with this chapter, the amendment is approved if:

(i) The approval of the percentage specified in the declaration is obtained;

(ii) (A) Unit owners of units to which at least ~~((sixty-seven))~~ 67 percent of the votes in the association are allocated vote for or agree to the proposed amendment;

(B) A unit owner does not vote against the proposed amendment; and

(C) Notice of the proposed amendment, including notice that the failure of a unit owner to object may result in the adoption of the amendment, is delivered to the unit owners holding the votes in the association that have not voted or agreed to the proposed amendment and no written objection to the proposed amendment is received by the association within ~~((sixty))~~ 60 days after the association delivers notice; or

(iii) (A) Unit owners of units to which at least ~~((sixty-seven))~~ 67 percent of the votes in the association are allocated vote for or agree to the proposed amendment;

(B) At least one unit owner objects to the proposed amendment; and

(C) Pursuant to an action brought by the association in the county in which the common interest community is situated against all objecting unit owners, the court finds, under the totality of circumstances including, but not limited to, the subject matter of the amendment, the purpose of the amendment, the percentage voting to approve the amendment, and the percentage objecting to the amendment, that the amendment is reasonable.

(b) If the declaration requires the affirmative vote or approval of any particular unit owner or class of unit owners as a condition of its effectiveness, the amendment is not valid without that vote or approval.

**Sec. 310.** RCW 64.90.290 and 2018 c 277 s 219 are each amended to read as follows:

(1) Except for a taking of all the units by condemnation, foreclosure against an entire cooperative of a security interest that has priority over the declaration, or in the circumstances described in RCW 64.90.325, a common interest community may be terminated only by agreement of unit owners of units to which at least ~~((eighty))~~ 80 percent of the votes in the association are allocated, ~~((or any larger percentage the declaration specifies))~~ including at least 80 percent of the votes allocated to units not owned by the declarant, and with any other approvals required by the declaration. The declaration may require a larger percentage of total votes in the association for approval, but termination requires approval by at least 80 percent of the votes allocated to units not owned by the declarant. The declaration may specify ~~((a))~~ smaller percentages only if

all of the units are restricted exclusively to nonresidential uses.

(2) An agreement to terminate must be evidenced by the execution of a termination agreement, or ratifications of the agreement, in the same manner as a deed, by the requisite number of unit owners. The termination agreement must specify a date after which the agreement is void unless it is recorded before that date. A termination agreement and all ratifications of the agreement must be recorded in every county in which a portion of the common interest community is situated and is effective only upon recordation. An agreement to terminate may only be amended by complying with the requirements of this subsection and subsection (1) of this section.

~~((3))~~ ~~((a))~~ In the case of a condominium, plat community, or miscellaneous community containing only units having horizontal boundaries between units, ~~a))~~ A termination agreement may provide ~~((that))~~ for the sale of some or all of the common elements and units of the common interest community ~~((must be sold))~~ following termination. If, pursuant to the agreement, any real estate in the common interest community is to be sold following termination, the termination agreement must set forth the minimum purchase price, manner of payment, and outside closing date, and may include any other terms of the sale.

~~((b))~~ In the case of a condominium, plat community, or miscellaneous community containing no units having horizontal boundaries between units, a termination agreement may provide for sale of the common elements that are not necessary for the habitability of a unit, but it may not require that any unit be sold following termination, unless the declaration as originally recorded provided otherwise or all the unit owners consent to the sale. If, pursuant to the agreement, any real estate in the common interest community is to be sold following termination, the termination agreement must set forth the minimum purchase price, manner of payment, and outside closing date, and may include any other terms of sale.

~~((c))~~ In the case of a condominium, plat community, or miscellaneous community containing some units having horizontal boundaries between units and some units without horizontal boundaries between units, a termination agreement may provide for sale of the common elements that are not necessary for the habitability of a unit, but it may not require that any unit be sold following termination, unless the declaration as originally recorded provided otherwise or all the unit owners of units in the building to be sold consent to the sale. If, pursuant to the agreement, any real estate in the common interest community is to be sold following termination, the termination agreement must set forth the minimum purchase price, manner of payment, and outside closing date, and may include any other terms of sale.)

(4) (a) The association, on behalf of the unit owners, may contract for the sale of real estate in a common interest community, but the contract is not binding on the unit owners until approved pursuant to

subsections (1) and (2) of this section. If any real estate is to be sold following termination, title to that real estate (~~upon termination,~~) not already owned by the association vests on termination in the association as trustee for the holders of all interests in the units. Thereafter, the association has all powers necessary and appropriate to effect the sale. Until the sale has been concluded and the proceeds of the sale distributed, the association continues in existence with all powers it had before termination.

(b) Proceeds of the sale must be distributed to unit owners and lienholders as their interests may appear, in accordance with subsections ~~((6) and)~~ (7), (8), (9), and (13) of this section. Unless otherwise specified in the termination agreement, as long as the association holds title to the real estate, each unit owner and the unit owner's successors in interest have an exclusive right to occupancy of the portion of the real estate that formerly constituted the unit. During the period of that occupancy, each unit owner and the unit owner's successors in interest remain liable for all assessments and other obligations imposed on unit owners under this chapter or the declaration.

~~(5) ((In a condominium, plat community, or miscellaneous community, if any portion of the real estate constituting the common interest community is not to be sold following termination, title to those portions of the real estate constituting the common elements and, in a common interest community containing units having horizontal boundaries between units described in the declaration, title to all the real estate containing such boundaries in the common interest community vests in the unit owners upon termination as tenants in common in proportion to their respective interests as provided in subsection (8) of this section, and liens on the units shift accordingly. While the tenancy in common exists, each unit owner and the unit owner's successors in interest have an exclusive right to occupancy of the portion of the real estate that formerly constituted the unit.)) Termination does not change title to a unit or common element not to be sold following termination unless the termination agreement otherwise provides.~~

(6) ~~((a))~~ Following termination of the common interest community, the proceeds of a sale of real estate, together with the assets of the association, are held by the association as trustee for unit owners and holders of liens on the units as their interests may appear.

~~((b))~~ (7) (a) Following termination of a condominium, plat community, or miscellaneous community, creditors of the association holding liens on the units that were recorded or perfected under RCW 4.64.020 before termination may enforce those liens in the same manner as any lienholder.

~~((e))~~ (b) All other creditors of the association are to be treated as if they had perfected liens on the units immediately before termination.

~~((7))~~ (8) In a cooperative, the declaration may provide that all creditors

of the association have priority over any interests of unit owners and creditors of unit owners. In that event, following termination, creditors of the association holding liens on the cooperative that were recorded or perfected under RCW 4.64.020 before termination may enforce their liens in the same manner as any lienholder, and any other creditor of the association is to be treated as if the creditor had perfected a lien against the cooperative immediately before termination. Unless the declaration provides that all creditors of the association have that priority:

(a) The lien of each creditor of the association that was perfected against the association before termination becomes, upon termination, a lien against each unit owner's interest in the unit as of the date the lien was perfected;

(b) Any other creditor of the association must be treated, upon termination, as if the creditor had perfected a lien against each unit owner's interest immediately before termination;

(c) The amount of the lien of an association's creditor described in (a) and (b) of this subsection against each of the unit owners' interest must be proportionate to the ratio that each unit's common expense liability bears to the common expense liability of all of the units;

(d) The lien of each creditor of each unit owner that was perfected before termination continues as a lien against that unit owner's unit as of the date the lien was perfected;

(e) The assets of the association must be distributed to all unit owners and all lienholders as their interests may appear in the order described in this subsection; and

(f) Creditors of the association are not entitled to payment from any unit owner in excess of the amount of the creditor's lien against that unit owner's interest.

~~((8))~~ (9) The respective interests of unit owners referred to in subsections (4), (5), (6), ~~((and))~~ (7), (8), and (13) of this section are as follows:

(a) Except as otherwise provided in ~~((b))~~ (d) of this subsection, the respective interests of unit owners are the fair market values of their units, allocated interests, and any limited common elements immediately before the termination, as determined by appraisal made by one or more independent appraisers selected by the association. The ~~((decision of the independent appraisers))~~ appraisal must be distributed to the unit owners and becomes final unless ~~((disapproved within thirty))~~:

(i) Disapproved not later than 30 days after distribution by unit owners of units to which ~~((twenty-five))~~ at least 25 percent of the votes in the association are allocated; or

(ii) A unit owner objects in a record not later than 30 days after distribution to the determination of value of the unit owner's unit.

(b) A unit owner that objects under (a) (ii) of this subsection may select an appraiser to represent the owner and make an appraisal of the unit owner's unit. If the association's appraisal and the unit owner's appraisal of the fair market value of the

unit owner's interest differ, a panel consisting of an appraiser selected by the association, the unit owner's appraiser, and a third appraiser mutually selected by the first two appraisers shall determine, by majority vote, the value of the unit owner's interest. The determination of value by the panel is final.

(c) The proportion of any unit owner's interest to that of all unit owners is determined by dividing the fair market value of that unit owner's unit and its allocated interests by the total fair market values of all the units and their allocated interests.

~~((b))~~(d) If any unit or any limited common element is destroyed to the extent that an appraisal of the fair market value of the unit or limited common element before destruction cannot be made, the interests of all unit owners are:

(i) In a condominium, their respective common element interests immediately before the termination;

(ii) In a cooperative, their respective ownership interests immediately before the termination; and

(iii) In a plat community or miscellaneous community, their respective common expense liabilities immediately before the termination.

~~((9))~~(10) In a condominium, plat community, or miscellaneous community, except as otherwise provided in subsection ~~((10))~~(11) of this section, foreclosure or enforcement of a lien or encumbrance against the entire common interest community does not terminate the common interest community, and foreclosure or enforcement of a lien or encumbrance against a portion of the common interest community, other than withdrawable real estate, does not withdraw that portion from the common interest community. Foreclosure or enforcement of a lien or encumbrance against withdrawable real estate, or against common elements that have been subjected to a security interest by the association under RCW 64.90.465, does not withdraw that real estate from the common interest community, but the person taking title to the real estate may require from the association, upon request, an amendment excluding the real estate from the common interest community.

~~((10))~~(11) In a condominium, plat community, or miscellaneous community, if a lien or encumbrance against a portion of the real estate comprising the common interest community has priority over the declaration and the lien or encumbrance has not been partially released, the parties foreclosing the lien or encumbrance, upon foreclosure, may record an instrument excluding the real estate subject to that lien or encumbrance from the common interest community.

~~((11))~~(12) The right of partition under chapter 7.52 RCW is suspended if an agreement to sell property is provided for in the termination agreement pursuant to subsection (3) ~~((a), (b), or (c))~~ of this section. The suspension of the right to partition continues unless a binding obligation to sell does not exist three months after the recording of the termination agreement, the binding sale agreement is terminated, or one year after

the termination agreement is recorded, whichever occurs first.

(13) A termination agreement complying with this section may provide for termination of fewer than all of the units in a common interest community, subject to the following:

(a) In addition to the approval required by subsection (1) of this section, the termination agreement must be approved by at least 80 percent of the votes allocated to the units being terminated;

(b) The termination agreement must reallocate under RCW 64.90.235 the allocated interests for the units that remain in the common interest community after termination;

(c) The aggregate values of the units and common elements being terminated must be determined under subsection (9) of this section. The termination agreement must specify the allocation of the proceeds of sale for the units and common elements being terminated and sold;

(d) Security interests and liens on remaining units and remaining common elements continue, and security interests and liens on units being terminated no longer extend to any remaining common elements;

(e) The unit owners association continues as the association for the remaining units; and

(f) The association shall record with the termination agreement under subsection (2) of this section an amendment to the declaration or an amended and restated declaration, and, if necessary, an amendment to the map or an amended and restated map.

**Sec. 311.** RCW 64.90.405 and 2019 c 238 s 209 are each amended to read as follows:

(1) An association must:  
 (a) Adopt organizational documents;  
 (b) Adopt budgets as provided in RCW 64.90.525;

(c) Impose assessments for common expenses and specially allocated expenses on the unit owners as provided in RCW ~~((64.90.080(1)))~~ 64.90.480(1) and 64.90.525;

(d) Prepare financial statements as provided in RCW 64.90.530; and

(e) Deposit and maintain the funds of the association in accounts as provided in RCW 64.90.530.

(2) Except as provided otherwise in subsection (4) of this section and subject to the provisions of the declaration, the association may:

(a) Amend organizational documents and adopt and amend rules;

(b) Amend budgets under RCW 64.90.525;

(c) Hire and discharge managing agents and other employees, agents, and independent contractors;

(d) Institute, defend, or intervene in litigation or in arbitration, mediation, or administrative proceedings or any other legal proceeding in its own name on behalf of itself or two or more unit owners on matters affecting the common interest community;

(e) Make contracts and incur liabilities subject to subsection (4) of this section;

(f) Regulate the use, maintenance, repair, replacement, and modification of common elements;

(g) Cause additional improvements to be made as a part of the common elements;

(h) Acquire, hold, encumber, and convey in its own name any right, title, or interest to real estate or personal property, but:

(i) Common elements in a condominium, plat community, or miscellaneous community may be conveyed or subjected to a security interest pursuant to RCW 64.90.465 only; and

(ii) Part of a cooperative may be conveyed, or all or part of a cooperative may be subjected to a security interest pursuant to RCW 64.90.465 only;

(i) Grant easements, leases, and licenses (, and concessions) through or over the common elements, but a grant to a unit owner that benefits the unit owner's unit is allowed only by reallocation under RCW 64.90.240(3) of the common elements to a limited common element, and petition for or consent to the vacation of streets and alleys. Notwithstanding the foregoing, a reallocation shall not be required in regard to the installation of an electric vehicle charging station on the common elements;

(j) Impose and collect any reasonable payments, fees, or charges for:

(i) The use, rental, or operation of the common elements, other than limited common elements described in RCW 64.90.210 (1)(b) and (3);

(ii) Services provided to unit owners; and

(iii) Moving in, moving out, or transferring title to units to the extent provided for in the declaration;

(k) Collect assessments and impose and collect reasonable charges for late payment of assessments;

(l) Enforce the governing documents and, after notice and opportunity to be heard, impose and collect reasonable fines for violations of the governing documents in accordance with a previously established schedule of fines adopted by the board of directors and furnished to the owners pursuant to the requirements for notice in RCW 64.90.505;

(m) Impose and collect reasonable charges for the preparation and recordation of amendments to the declaration, resale certificates required under RCW 64.90.640, lender questionnaires, or statements of unpaid assessments;

(n) Provide for the indemnification of its officers and board members, to the extent provided in RCW 23B.17.030;

(o) Maintain directors' and officers' liability insurance;

(p) Subject to subsection (4) of this section, assign its right to future income, including the right to receive assessments;

(q) Join in a petition for the establishment of a parking and business improvement area, participate in the ratepayers' board or other advisory body set up by the legislative authority for operation of a parking and business improvement area, and pay special assessments levied by the legislative authority on a parking and business improvement area encompassing the

condominium property for activities and projects that benefit the condominium directly or indirectly;

(r) Establish and administer a reserve account as described in RCW 64.90.535;

(s) Prepare a reserve study as described in RCW 64.90.545;

(t) Exercise any other powers conferred by the declaration or organizational documents;

(u) Exercise all other powers that may be exercised in this state by the same type of entity as the association;

(v) Exercise any other powers necessary and proper for the governance and operation of the association;

(w) Require that disputes between the association and unit owners or between two or more unit owners regarding the common interest community, other than those governed by chapter 64.50 RCW, be submitted to nonbinding alternative dispute resolution as a prerequisite to commencement of a judicial proceeding; and

(x) Suspend any right or privilege of a unit owner who fails to pay an assessment which suspension may be imposed for a reasonable amount of time not to exceed one business day after the association receives full payment of the delinquent assessment and the board has received confirmation of payment and cleared funds, but may not:

(i) Deny a unit owner or other occupant access to the owner's unit, or any limited common elements allocated only to that unit, or any common elements necessary to access the unit;

(ii) Suspend a unit owner's right to vote; or

(iii) Withhold services provided to a unit or a unit owner by the association if the effect of withholding the service would be to endanger the health, safety, or property of any person.

(3) The declaration may not limit the power of the association beyond the limit authorized in subsection (2)(w) of this section to:

(a) Deal with the declarant if the limit is more restrictive than the limit imposed on the power of the association to deal with other persons; or

(b) Institute litigation or an arbitration, mediation, or administrative proceeding against any person, subject to the following:

(i) The association must comply with chapter 64.50 RCW, if applicable, before instituting any proceeding described in chapter 64.50 RCW in connection with construction defects; and

(ii) The board must promptly provide notice to the unit owners of any legal proceeding in which the association is a party other than proceedings involving enforcement of rules or to recover unpaid assessments or other sums due the association.

(4) Any borrowing by an association that is to be secured by an assignment of the association's right to receive future income pursuant to subsection (2)(e) and (p) of this section requires ratification by the unit owners as provided in this subsection.

(a) The board must provide notice of the intent to borrow to all unit owners. The

notice must include the purpose and maximum amount of the loan, the estimated amount and term of any assessments required to repay the loan, a reasonably detailed projection of how the money will be expended, and the interest rate and term of the loan.

(b) In the notice, the board must set a date for a meeting of the unit owners, which must not be less than ~~((fourteen))~~ 14 and no more than ~~((fifty))~~ 50 days after mailing of the notice, to consider ratification of the borrowing.

(c) Unless at that meeting, whether or not a quorum is present, unit owners holding a majority of the votes in the association or any larger percentage specified in the declaration reject the proposal to borrow funds, the association may proceed to borrow the funds in substantial accordance with the terms contained in the notice.

(5) If a tenant of a unit owner violates the governing documents, in addition to exercising any of its powers against the unit owner, the association may:

(a) Exercise directly against the tenant the powers described in subsection (2)(1) of this section;

(b) After giving notice to the tenant and the unit owner and an opportunity to be heard, levy reasonable fines against the tenant and unit owner for the violation; and

(c) Enforce any other rights against the tenant for the violation that the unit owner as the landlord could lawfully have exercised under the lease or that the association could lawfully have exercised directly against the unit owner, or both; but the association does not have the right to terminate a lease or evict a tenant unless permitted by the declaration. The rights referred to in this subsection (5)(c) may be exercised only if the tenant or unit owner fails to cure the violation within ~~((ten))~~ 10 days after the association notifies the tenant and unit owner of that violation.

(6) Unless a lease otherwise provides, this section does not:

(a) Affect rights that the unit owner has to enforce the lease or that the association has under other law; or

(b) Permit the association to enforce a lease to which it is not a party in the absence of a violation of the governing documents.

(7) The board may determine whether to take enforcement action by exercising the association's power to impose sanctions or commencing an action for a violation of the governing documents, including whether to compromise any claim for unpaid assessments or other claim made by or against it.

(8) The board does not have a duty to take enforcement action if it determines that, under the facts and circumstances presented:

(a) The association's legal position does not justify taking any or further enforcement action;

(b) The covenant, restriction, or rule being enforced is, or is likely to be construed as, inconsistent with law;

(c) Although a violation may exist or may have occurred, it is not so material as to be objectionable to a reasonable person or

to justify expending the association's resources; or

(d) It is not in the association's best interests to pursue an enforcement action.

(9) The board's decision under subsections (7) and (8) of this section to not pursue enforcement under one set of circumstances does not prevent the board from taking enforcement action under another set of circumstances, but the board may not be arbitrary or capricious in taking enforcement action.

**Sec. 312.** RCW 64.90.410 and 2019 c 238 s 101 are each amended to read as follows:

(1)(a) Except as provided otherwise in the governing documents, subsection (4) of this section, or other provisions of this chapter, the board may act on behalf of the association.

(b) In the performance of their duties, officers and board members must exercise the degree of care and loyalty to the association required of an officer or director of a corporation organized, are subject to the conflict of interest rules governing directors and officers, and are entitled to the immunities from liability available to officers and directors under chapter 24.06 RCW. The standards of care and loyalty, and conflict of interest rules and immunities described in this section apply regardless of the form in which the association is organized.

(2)(a) Except as provided otherwise in RCW 64.90.300~~((+5))~~ (9), effective as of the transition meeting held in accordance with RCW 64.90.415(4), the board must be comprised of at least three members, at least a majority of whom must be unit owners. However, the number of board members need not exceed the number of units then in the common interest community.

(b) Unless the declaration or organizational documents provide for the election of officers by the unit owners, the board must elect the officers.

(c) Unless provided otherwise in the declaration or organizational documents, board members and officers must take office upon adjournment of the meeting at which they were elected or appointed or, if not elected or appointed at a meeting, at the time of such election or appointment, and must serve until their successor takes office.

(d) In determining the qualifications of any officer or board member of the association, "unit owner" includes, unless the declaration or organizational documents provide otherwise, any board member, officer, member, partner, or trustee of any person, who is, either alone or in conjunction with another person or persons, a unit owner.

(e) Any officer or board member of the association who would not be eligible to serve as such if he or she were not a board member, officer, partner in, or trustee of such a person is disqualified from continuing in office if he or she ceases to have any such affiliation with that person or that person would have been disqualified from continuing in such office as a natural person.

(3) Except when voting as a unit owner, the declarant may not appoint or elect any person or to serve itself as a voting, ex officio or nonvoting board member following the transition meeting.

(4) The board may not, without vote or agreement of the unit owners:

(a) Amend the declaration, except as provided in RCW 64.90.285;

(b) Amend the organizational documents of the association;

(c) Terminate the common interest community;

(d) Elect members of the board, but may fill vacancies in its membership not resulting from removal for the unexpired portion of any term or, if earlier, until the next regularly scheduled election of board members; or

(e) Determine the qualifications, powers, duties, or terms of office of board members.

(5) The board must adopt budgets as provided in RCW 64.90.525.

(6) Except for committees appointed by the declarant pursuant to special declarant rights, all committees of the association must be appointed by the board. Committees authorized to exercise any power reserved to the board must include at least two board members who have exclusive voting power for that committee. Committees that are not so composed may not exercise the authority of the board and are advisory only.

(7) A declaration may provide for the appointment of specified positions on the board by persons other than the declarant or an affiliate of the declarant during or after the period of declarant control. It also may provide a method for filling vacancies in those positions, other than by election by the unit owners. However, after the period of declarant control, appointed members:

(a) May not comprise more than one-third of the board; and

(b) Have no greater authority than any other board member.

**NEW SECTION. Sec. 313.** A new section is added to chapter 64.90 RCW to read as follows:

(1) Notwithstanding any contrary provision in the declaration or organizational documents, prior to an election of board members, the association must provide notice to all unit owners of the following:

(a) The number of board positions that may be filled;

(b) The qualifications to be a board candidate, if any; and

(c) The process, manner, and deadline for submitting nominations.

(2) If the board determines that any nominee is not a qualified candidate, the board shall notify the nominee of the basis for the disqualification, and the procedure for appealing the disqualification.

**Sec. 314.** RCW 64.90.420 and 2018 c 277 s 305 are each amended to read as follows:

(1) No later than ~~((thirty))~~30 days following the date of the transition meeting held pursuant to RCW 64.90.415(4), the declarant must deliver or cause to be

delivered to the board elected at the transition meeting all property of the unit owners and association as required by the declaration or this chapter including, but not limited to:

(a) The original or a copy of the recorded declaration and each amendment to the declaration;

(b) The organizational documents of the association;

(c) The minute books, including all minutes, and other books and records of the association;

(d) Current rules and regulations that have been adopted;

(e) Resignations of officers and members of the board who are required to resign because the declarant is required to relinquish control of the association;

(f) The financial records, including canceled checks, bank statements, and financial statements of the association, and source documents from the time of formation of the association through the date of transfer of control to the unit owners;

(g) Association funds or the control of the funds of the association;

(h) Originals or copies of any recorded instruments of conveyance for any common elements included within the common interest community but not appurtenant to the units;

(i) All tangible personal property of the association;

(j) Except for alterations to a unit done by a unit owner other than the declarant, a copy of the most recent plans and specifications used in the construction or remodeling of the common interest community, except for buildings containing fewer than three units;

(k) Originals or copies of insurance policies for the common interest community and association;

(l) Originals or copies of any certificates of occupancy that may have been issued for the common interest community;

(m) Originals or copies of any other permits obtained by or on behalf of the declarant and issued by governmental bodies applicable to the common interest community;

(n) Originals or copies of all written warranties that are still in effect for the common elements, or any other areas or facilities that the association has the responsibility to maintain and repair, from the contractor, subcontractors, suppliers, and manufacturers and all owners' manuals or instructions furnished to the declarant with respect to installed equipment or building systems;

(o) A roster of unit owners and eligible mortgagees and their addresses and telephone numbers, if known, as shown on the declarant's records and the date of closing of the first sale of each unit sold by the declarant;

(p) Originals or copies of any leases of the common elements and other leases to which the association is a party;

(q) Originals or photocopies of any employment contracts or service contracts in which the association is one of the contracting parties or service contracts in which the association or the unit owners have an obligation or a responsibility, directly or indirectly, to pay some or all

of the fee or charge of the person performing the service;

(r) Originals or copies of any qualified warranty issued to the association as provided for in RCW 64.35.505; ~~((and))~~

(s) Originals or copies of all other contracts to which the association is a party; and

(t) Originals or copies of the most recent reserve study prepared pursuant to RCW 64.90.545, if one exists.

(2) Within ~~((sixty))~~ 60 days of the transition meeting, the board must retain the services of a certified public accountant to audit the records of the association as the date of the transition meeting in accordance with generally accepted auditing standards unless the unit owners, other than the declarant, to which a majority of the votes are allocated elect to waive the audit. The cost of the audit must be a common expense unless otherwise provided in the declaration. The accountant performing the audit must examine supporting documents and records, including the cash disbursements and related paid invoices, to determine if expenditures were for association purposes and the billings, cash receipts, and related records to determine if the declarant was charged for and paid the proper amount of assessments.

~~((3))~~ A declaration may provide for the appointment of specified positions on the board by persons other than the declarant or an affiliate of the declarant during or after the period of declarant control. It also may provide a method for filling vacancies in those positions, other than by election by the unit owners. However, after the period of declarant control, appointed members:

(a) May not comprise more than one-third of the board; and

(b) Have no greater authority than any other board member.)

**Sec. 315.** RCW 64.90.425 and 2018 c 277 s 306 are each amended to read as follows:

(1) ~~((Except as provided in subsection (3) of this section, a special declarant right created or reserved under this chapter may be transferred only by an instrument effecting the transfer and executed by the transferor, to be recorded in every county in which any portion of the common interest community is located. The transferee must provide the association with a copy of the recorded instrument, but the failure to furnish the copy does not invalidate the transfer.~~

(2) Upon transfer of any special declarant right, the liability of a transferor declarant is as follows:

(a) A transferor is not relieved of any obligation or liability arising before the transfer and remains liable for such warranty obligations arising before the transfer imposed upon the transferor under this chapter. Lack of privity does not deprive any unit owner of standing to maintain an action to enforce any obligation of the transferor.

(b) If a successor to any special declarant right is an affiliate of a declarant the transferor is jointly and

severally liable with the successor for any obligations or liabilities of the successor relating to the common interest community.

~~((c))~~ If a transferor retains any special declarant rights, but transfers other special declarant rights to a successor who is not an affiliate of the declarant, the transferor is liable for any obligations or liabilities imposed on a declarant under this chapter or by the declaration relating to the retained special declarant rights, whether arising before or after the transfer.

~~((d))~~ A transferor is not liable for any act or omission or any breach of a contractual or warranty obligation by a successor declarant who is not an affiliate of the transferor.

~~((3))~~ Upon foreclosure of a security interest, sale by a trustee under an agreement creating a security interest, tax sale, judicial sale, or sale under bankruptcy code or receivership proceedings of any unit owned by a declarant or real property in a common interest community that is subject to any special declarant rights, a person acquiring title to the real property being foreclosed or sold succeeds to all of the special declarant rights related to that real property held by that declarant and to any rights reserved in the declaration pursuant to RCW 64.90.275 and held by that declarant to maintain models, sales offices, and signs except to the extent the judgment or instrument effecting the transfer states otherwise.

~~((4))~~ Upon foreclosure of a security interest, sale by a trustee under an agreement creating a security interest, tax sale, judicial sale, or sale under bankruptcy code or receivership proceedings of all interests in a common interest community owned by a declarant, any special declarant rights that are not transferred as stated in subsection (3) of this section terminate.

~~((5))~~ The liabilities and obligations of a person who succeeds to special declarant rights are as follows:

(a) A successor to any special declarant right who is an affiliate of a declarant is subject to all obligations and liabilities imposed on the transferor under this chapter or by the declaration.

(b) A successor to any special declarant right, other than a successor who is an affiliate of a declarant, is subject to the obligations and liabilities imposed under this chapter or the declaration:

(i) On a declarant that relate to the successor's exercise of special declarant rights; and

(ii) On the declarant's transferor, other than:

(A) Misrepresentations by any previous declarant;

(B) Any warranty obligations pursuant to RCW 64.90.670 (1) through (3) on improvements made or contracted for, or units sold by, a previous declarant or that were made before the common interest community was created;

(C) Breach of any fiduciary obligation by any previous declarant or the previous declarant's appointees to the board; or



~~(D) Any liability or obligation imposed on the transferor as a result of the transferor's acts or omissions after the transfer.~~

~~(e) A successor to only a right reserved in the declaration to maintain models, sales offices, and signs may not exercise any other special declarant right, and is not subject to any liability or obligation as a declarant, except the obligation to provide a public offering statement and any liability arising as a result of such reserved rights.~~

~~(6) This section does not subject any successor to a special declarant right to any claims against or other obligations of a transferor declarant, other than claims and obligations arising under this chapter or the declaration.) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.~~

~~(a) "Involuntary transfer" means a transfer by foreclosure of a mortgage, deed in lieu of foreclosure, tax sale, judicial sale, or sale in a bankruptcy or receivership proceeding of real estate owned by a declarant.~~

~~(b) "Nonaffiliate successor" means a person that succeeds to a special declarant right and is not an affiliate of the declarant that transferred the special declarant right to the person.~~

~~(2) A special declarant right is an interest in real estate. The interest is appurtenant to:~~

~~(a) All units owned by the declarant; and~~

~~(b) Real estate that is subject to a development right.~~

~~(3) A declarant that no longer owns a unit or a development right ceases to have any special declarant rights.~~

~~(4) A declarant may voluntarily transfer part or all of a special declarant right only by an instrument that describes the special declarant right being transferred. The transfer becomes effective when recorded in every county in which any portion of the common interest community is located.~~

~~(5) Except as otherwise provided in subsection (8), (9), (11), or (12) of this section, a successor to a special declarant right is subject to all obligations and liabilities imposed on the transferor by this chapter or the declaration.~~

~~(6) If a declarant transfers a special declarant right to an affiliate of the declarant, the transferor and the successor are jointly and severally liable for all obligations and liabilities imposed on either person by this chapter or the declaration. Lack of privity does not deprive a unit owner of standing to maintain an action to enforce any obligation or liability of the transferor or successor.~~

~~(7) A declarant that transfers a special declarant right to a nonaffiliate successor:~~

~~(a) Remains liable for an obligation or liability imposed by this chapter or the declaration, including a warranty obligation, that arose before the transfer; and~~

~~(b) Is not liable for an obligation or liability imposed on the successor by this chapter or the declaration that arose after the transfer.~~

(8) A nonaffiliate successor that succeeds to fewer than all special declarant rights held by the transferor is not subject to an obligation or liability that relates to a special declarant right not transferred to the successor.

(9) A nonaffiliate successor is not liable for an obligation or liability imposed by this chapter or the declaration that relates to:

(a) A misrepresentation by a previous declarant;

(b) A warranty obligation on an improvement made by a previous declarant or before the common interest community was created;

(c) Breach of a fiduciary obligation by a previous declarant or the previous declarant's appointees to the board; or

(d) An obligation or liability imposed on the transferor as a result of the transferor's act or omission after the transfer.

(10) If an involuntary transfer includes a special declarant right, the transferee may elect to acquire or reject the special declarant right. A transferee that elects to acquire the special declarant right is a successor declarant. The election is effective only if the judgment or instrument conveying title describes the special declarant right. If the judgment or instrument does not describe the special declarant right, the transferee will be presumed to have elected to accept the special declarant right.

(11) A successor to a special declarant right by an involuntary transfer may declare in a recorded instrument the successor's intent to hold the right solely for transfer to another person. After recording the instrument, the successor may not exercise a special declarant right, other than a right under RCW 64.90.415(1)(a) to control the board, and an attempt to exercise a special declarant right in violation of this subsection is void. A successor that complies with this subsection is not liable for an obligation or liability imposed by this chapter or the declaration other than liability for the successor's act or omission under RCW 64.90.415(1)(a).

(12) This section does not subject a successor to a special declarant right to a claim against or obligation of a transferor, other than a claim or obligation imposed by this chapter or the declaration.

**Sec. 316.** RCW 64.90.445 and 2021 c 227 s 13 are each amended to read as follows:

(1) The following requirements apply to unit owner meetings:

(a) A meeting of the association must be held at least once each year. Failure to hold an annual meeting does not cause a forfeiture or give cause for dissolution of the association and does not affect otherwise valid association acts.

(b) (i) An association must hold a special meeting of unit owners to address any matter affecting the common interest community or the association if its president, a majority of the board, or unit owners having at least ((twenty))20 percent, or any lower percentage specified in the organizational

documents, of the votes in the association request that the secretary call the meeting.

(ii) If the association does not provide notice to unit owners of a special meeting within ~~((thirty))~~ 30 days after the requisite number or percentage of unit owners request the secretary to do so, the requesting members may directly provide notice to all the unit owners of the meeting. ~~((Only matters described in the meeting notice required in (c) of this subsection may be considered at a special meeting.))~~ The unit owners may discuss at a special meeting a matter not described in the notice under (c) of this subsection but may not take action on the matter without the consent of all unit owners.

(c) An association must provide notice to unit owners of the time, date, and place of each annual and special unit owners meeting not less than ~~((fourteen))~~ 14 days and not more than ~~((fifty))~~ 50 days before the meeting date. Notice may be by any means described in RCW 64.90.515. The notice of any meeting must state the time, date, and place of the meeting and the items on the agenda, including:

(i) The text of any proposed amendment to the declaration or organizational documents;

(ii) Any changes in the previously approved budget that result in a change in the assessment obligations; and

(iii) Any proposal to remove a board member or officer.

(d) ~~((The minimum time to provide notice required in (c) of this subsection may be reduced or waived for a meeting called to deal with an emergency.~~

~~((e))~~ Unit owners must be given a reasonable opportunity at any meeting to comment regarding any matter affecting the common interest community or the association.

~~((f) Except as otherwise restricted by the declaration or organizational documents, meetings of unit owners may be conducted by telephonic, video, or other conferencing process, if the process is consistent with subsection (2)(i) of this section.))~~

(e) A meeting of unit owners is not required to be held at a physical location if:

(i) The meeting is conducted by a means of communication that enables owners in different locations to communicate in real time to the same extent as if they were physically present in the same location, provided that such means of communication must have an option for owners to communicate by telephone; and

(ii) The declaration or organizational documents do not require that the owners meet at a physical location.

(f) In the notice for a meeting held at a physical location, the board may notify all unit owners that they may participate remotely in the meeting by a means of communication described in (e) of this subsection.

(2) The following requirements apply to meetings of the board and committees authorized to act for the board:

(a) Meetings must be open to the unit owners except during executive sessions, but the board may expel or prohibit attendance by any person who, after warning by the

chair of the meeting, disrupts the meeting. The board and those committees may hold an executive session only during a regular or special meeting of the board or a committee. A final vote or action may not be taken during an executive session.

(b) An executive session may be held only to:

(i) Consult with the association's attorney concerning legal matters;

(ii) Discuss existing or potential litigation or mediation, arbitration, or administrative proceedings;

(iii) Discuss labor or personnel matters;

(iv) Discuss contracts, leases, and other commercial transactions to purchase or provide goods or services currently being negotiated, including the review of bids or proposals, if premature general knowledge of those matters would place the association at a disadvantage; or

(v) Prevent public knowledge of the matter to be discussed if the board or committee determines that public knowledge would violate the privacy of any person.

(c) For purposes of this subsection, a gathering of members of the board or committees at which the board or committee members do not conduct association business is not a meeting of the board or committee. Board members and committee members may not use incidental or social gatherings to evade the open meeting requirements of this subsection.

(d) During the period of declarant control, the board must meet at least four times a year. At least one of those meetings must be held at the common interest community or at a place convenient to the community. After the transition meeting, all board meetings must be at the common interest community or at a place convenient to the common interest community unless the unit owners amend the bylaws to vary the location of those meetings.

(e) At each board meeting, the board must provide a reasonable opportunity for unit owners to comment regarding matters affecting the common interest community and the association.

(f) Unless the meeting is included in a schedule given to the unit owners ~~((or the meeting is called to deal with an emergency))~~, the secretary or other officer specified in the organizational documents must provide notice of each board meeting to each board member and to the unit owners. The notice must be given at least ~~((fourteen))~~ 14 days before the meeting and must state the time, date, place, and agenda of the meeting.

(g) If any materials are distributed to the board before the meeting, the board must make copies of those materials reasonably available to the unit owners, except that the board need not make available copies of unapproved minutes or materials that are to be considered in executive session.

(h) Unless the organizational documents provide otherwise, fewer than all board members may participate in a regular or special meeting by or conduct a meeting through the use of any means of communication by which all board members participating can hear each other during the meeting. A board member participating in a

meeting by these means is deemed to be present in person at the meeting.

(i) Unless the organizational documents provide otherwise, the board may meet by participation of all board members by telephonic, video, or other conferencing process if:

(i) The meeting notice states the conferencing process to be used and provides information explaining how unit owners may participate in the conference directly or by meeting at a central location or conference connection; and

(ii) The process provides all unit owners the opportunity to hear or perceive the discussion and to comment as provided in (e) of this subsection.

(j) After the transition meeting, unit owners may amend the organizational documents to vary the procedures for meetings described in (i) of this subsection.

(k) ~~((Instead of))~~ Prior to the transition meeting, without a meeting, the board may act by unanimous consent as documented in a record by all its members. Actions taken by unanimous consent must be kept as a record of the association with the meeting minutes. After the transition meeting, the board may act by unanimous consent only to undertake ministerial actions, actions subject to ratification by the unit owners, or to implement actions previously taken at a meeting of the board.

(l) A board member who is present at a board meeting at which any action is taken is presumed to have assented to the action taken unless the board member's dissent or abstention to such action is lodged with the person acting as the secretary of the meeting before adjournment of the meeting or provided in a record to the secretary of the association immediately after adjournment of the meeting. The right to dissent or abstain does not apply to a board member who voted in favor of such action at the meeting.

(m) A board member may not vote by proxy or absentee ballot.

(n) Even if an action by the board is not in compliance with this section, it is valid unless set aside by a court. ~~((A challenge to the validity of an action of the board for failure))~~ An action seeking relief for failure of the board to comply with this section may not be brought more than ~~((ninety))~~ 90 days after the minutes of the board of the meeting at which the action was taken are approved or the record of that action is distributed to unit owners, whichever is later.

(3) Minutes of all unit owner meetings and board meetings, excluding executive sessions, must be maintained in a record. The decision on each matter voted upon at a board meeting or unit owner meeting must be recorded in the minutes.

**Sec. 317.** RCW 64.90.455 and 2018 c 277 s 312 are each amended to read as follows:

(1) ~~((Unit owners may vote at a meeting in person, by absentee ballot pursuant to subsection (3)(d) of this section, or by a proxy pursuant to subsection (5) of this section.))~~ Unit owners may vote at a meeting under subsection (2) or (3) of this section

or, when a vote is conducted without a meeting, by ballot in the manner provided in subsection (4) of this section.

~~(2) ((When a vote is conducted without a meeting, unit owners may vote by ballot pursuant to subsection (6) of this section.~~

~~(3))~~ At a meeting of unit owners the following requirements apply:

(a) ~~((Unit owners or their proxies who are present in person))~~ Unless the declaration or bylaws otherwise provide, and except as provided in subsection (9) of this section, unit owners or their proxy holders may vote by voice vote, show of hands, standing, written ballot, or any other method ~~((for determining the votes of unit owners, as designated by the person presiding))~~ authorized at the meeting.

(b) ~~((If only one of several unit owners of a unit is present, that unit owner is entitled to cast all the votes allocated to that unit. If more than one of the unit owners are present, the votes allocated to that unit may be cast only in accordance with the agreement of a majority in interest of the unit owners, unless the declaration expressly provides otherwise. There is a majority agreement if any one of the unit owners casts the votes allocated to the unit without protest being made promptly to the person presiding over the meeting by any of the other unit owners of the unit.))~~ If unit owners attend the meeting by a means of communication under RCW 64.90.445(1) (e) or (f), the association shall implement reasonable measures to verify the identity of each unit owner attending remotely.

(c) ~~((Unless a greater number or fraction of the votes in the association is required under this chapter or the declaration or organizational documents, a majority of the votes cast determines the outcome of any action of the association.~~

~~(d))~~ Whenever proposals or board members are to be voted upon at a meeting, a unit owner may vote by duly executed absentee ballot if:

(i) The name of each candidate and the text of each proposal to be voted upon are set forth in a writing accompanying or contained in the notice of meeting; and

(ii) A ballot is provided by the association for such purpose.

~~((4))~~ (d) When a unit owner votes by absentee ballot under (c) of this subsection, the association must be able to verify that the ballot is cast by the unit owner having the right to do so.

~~((5) Except as provided otherwise in))~~ (3) Unless the declaration or organizational documents otherwise provide, unit owners may vote by proxy subject to the following requirements ~~((apply with respect to proxy voting))~~:

(a) Votes allocated to a unit may be cast pursuant to a directed or undirected proxy duly executed by a unit owner in the same manner as provided in RCW 24.06.110.

(b) ~~((If a unit is owned by more than one person, each unit owner of the unit may vote or register protest to the casting of votes by the other unit owners of the unit through a duly executed proxy.))~~ When a unit owner votes by proxy, the association shall implement reasonable measures to verify the

identity of the unit owner and the proxy holder.

(c) A unit owner may revoke a proxy given pursuant to this section only by actual notice of revocation to the secretary or the person presiding over a meeting of the association or by delivery of a subsequent proxy. The death or disability of a unit owner does not revoke a proxy given by the unit owner unless the person presiding over the meeting has actual notice of the death or disability.

(d) A proxy is void if it is not dated or purports to be revocable without notice.

(e) Unless stated otherwise in the proxy, a proxy terminates ~~((eleven))~~ 11 months after its date of issuance.

~~((6))~~ (4) ~~((prohibited or limited by))~~ the declaration or organizational documents otherwise provide, an association may conduct a vote without a meeting. ~~((If that event, the))~~ The following requirements apply:

(a) The association must notify the unit owners that the vote will be taken by ballot without a meeting.

(b) The notice under (a) of this subsection must state:

(i) The time and date by which a ballot must be delivered to the association to be counted, which may not be fewer than ~~((fourteen))~~ 14 days after the date of the notice, and which deadline may be extended in accordance with (g) of this subsection;

(ii) ~~((The percent of votes necessary to meet the quorum requirements;~~

~~((iii))~~ The percent of votes necessary to approve each matter other than election of board members; and

~~((iv))~~ (iii) The time, date, and manner by which unit owners wishing to deliver information to all unit owners regarding the subject of the vote may do so.

(c) The association must deliver ~~((a ballot to every unit owner))~~ with the notice under (a) of this subsection:

(i) Instructions for casting a ballot;

(ii) A ballot in a tangible medium to every unit owner except a unit owner that has consented in a record to electronic voting; and

(iii) If the association allows electronic voting, instructions for electronic voting.

(d) The ballot must set forth each proposed action and provide an opportunity to vote for or against the action.

(e) A unit owner may revoke a ballot cast pursuant to this section ~~((may be revoked))~~ before the date and time under (b) of this subsection by which the ballot must be delivered to the association only by actual notice to the association of revocation. The death or disability of a unit owner does not revoke a ballot unless the association has actual notice of the death or disability prior to the date set forth in (b)(i) of this subsection.

(f) Approval by ballot pursuant to this subsection is valid only if the number of votes cast by ballot equals or exceeds the quorum required to be present at a meeting authorizing the action.

(g) If the association does not receive a sufficient number of votes to constitute a quorum or to approve the proposal by the

date and time established for return of ballots, the board may extend the deadline for a reasonable period not to exceed ~~((eleven))~~ 11 months upon further notice to all members in accordance with (b) of this subsection. In that event, all votes previously cast on the proposal must be counted unless subsequently revoked as provided in this section.

(h) A ballot or revocation is not effective until received by the association.

(i) The association must give notice to unit owners of any action taken pursuant to this subsection within a reasonable time after the action is taken.

(j) When an action is taken pursuant to this subsection, a record of the action, including the ballots or a report of the persons appointed to tabulate such ballots, must be kept with the minutes of meetings of the association.

~~((7))~~ (k) The association shall implement reasonable measures to verify that each ballot in a tangible medium and electronic ballot is cast by the unit owner having a right to do so.

(l) A unit owner consents to electronic voting by delivering to the association a record indicating such consent or by casting an electronic ballot.

(m) An association that allows electronic ballots shall create a record of electronic votes capable of retention, retrieval, and review.

(5) If the governing documents require that votes on specified matters affecting the common interest community be cast by lessees rather than unit owners of leased units:

(a) This section applies to lessees as if they were unit owners;

(b) Unit owners that have leased their units to other persons may not cast votes on those specified matters; and

(c) Lessees are entitled to notice of meetings, access to records, and other rights respecting those matters as if they were unit owners.

~~((8))~~ (6) Unit owners must also be given notice ~~((, in the manner provided in RCW 64.90.515,))~~ of all meetings at which lessees may be entitled to vote.

~~((9))~~ (7) In any vote of the unit owners, votes allocated to a unit owned by the association must be cast in the same proportion as the votes cast on the matter by unit owners other than the association.

(8) (a) Unless a different number or fraction of the votes in an association is required by this chapter or the declaration, a majority of the votes cast determines the outcome of a vote taken at a meeting or without a meeting.

(b) If a unit is owned by more than one person and:

(i) Only one owner casts a vote, that vote must be counted as casting all votes allocated to the unit by the declaration; and

(ii) More than one owner casts a vote for the unit, no vote from any owner of the unit may be counted unless the declaration provides a manner for allocating votes cast by multiple owners of a unit.

(9) Notwithstanding any other law or provision of the governing documents, the

following votes of unit owners shall be conducted by secret ballot: (a) Election of board members; (b) removal of board members or officers; (c) amendments to the declaration or governing documents; or (d) unit owner approval of an amendment to the declaration for the reallocation of a common element as a limited common element for the exclusive use of an owner's unit pursuant to RCW 64.90.240.

**Sec. 318.** RCW 64.90.485 and 2023 c 214 s 7 are each amended to read as follows:

(1) The association has a statutory lien on each unit for any unpaid assessment against the unit from the time such assessment is due.

(2) A lien under this section has priority over all other liens and encumbrances on a unit except:

(a) Liens and encumbrances recorded before the recordation of the declaration and, in a cooperative, liens and encumbrances that the association creates, assumes, or takes subject to;

(b) Except as otherwise provided in subsection (3) of this section, a security interest on the unit recorded before the date on which the unpaid assessment became due or, in a cooperative, a security interest encumbering only the unit owner's interest and perfected before the date on which the unpaid assessment became due; and

(c) Liens for real estate taxes and other state or local governmental assessments or charges against the unit or cooperative.

(3)(a) A lien under this section also has priority over the security interests described in subsection (2)(b) of this section to the extent of an amount equal to the following:

(i) The common expense assessments, excluding any amounts for capital improvements, based on the periodic budget adopted by the association pursuant to RCW 64.90.480(1), along with any specially allocated assessments that are properly assessable against the unit under such periodic budget, which would have become due in the absence of acceleration during the six months immediately preceding the institution of proceedings to foreclose either the association's lien or a security interest described in subsection (2)(b) of this section;

(ii) The association's actual costs and reasonable attorneys' fees incurred in foreclosing its lien but incurred after the giving of the notice described in (a)(iii) of this subsection; provided, however, that the costs and reasonable attorneys' fees that will have priority under this subsection (3)(a)(ii) shall not exceed \$2,000 or an amount equal to the amounts described in (a)(i) of this subsection, whichever is less;

(iii) The amounts described in (a)(ii) of this subsection shall be prior only to the security interest of the holder of a security interest on the unit recorded before the date on which the unpaid assessment became due and only if the association has given that holder not less than 60 days' prior written notice that the

owner of the unit is in default in payment of an assessment. The notice shall contain:

(A) Name of the borrower;

(B) Recording date of the trust deed or mortgage;

(C) Recording information;

(D) Name of condominium, unit owner, and unit designation stated in the declaration or applicable supplemental declaration;

(E) Amount of unpaid assessment; and

(F) A statement that failure to, within 60 days of the written notice, submit the association payment of six months of assessments as described in (a)(i) of this subsection will result in the priority of the amounts described in (a)(ii) of this subsection; and

(iv) Upon payment of the amounts described in (a)(i) and (ii) of this subsection by the holder of a security interest, the association's lien described in this subsection (3)(a) shall thereafter be fully subordinated to the lien of such holder's security interest on the unit.

(b) For the purposes of this subsection:

(i) "Institution of proceedings" means either:

(A) The date of recording of a notice of trustee's sale by a deed of trust beneficiary;

(B) The date of commencement, pursuant to applicable court rules, of an action for judicial foreclosure either by the association or by the holder of a recorded security interest; or

(C) The date of recording of a notice of intention to forfeit in a real estate contract forfeiture proceeding by the vendor under a real estate contract.

(ii) "Capital improvements" does not include making, in the ordinary course of management, repairs to common elements or replacements of the common elements with substantially similar items, subject to: (A) Availability of materials and products, (B) prevailing law, or (C) sound engineering and construction standards then prevailing.

(c) The adoption of a periodic budget that purports to allocate to a unit any fines, late charges, interest, attorneys' fees and costs incurred for services unrelated to the foreclosure of the association's lien, other collection charges, or specially allocated assessments assessed under RCW 64.90.480 (6) or (7) does not cause any such items to be included in the priority amount affecting such unit.

(4) Subsections (2) and (3) of this section do not affect the priority of mechanics' or material suppliers' liens to the extent that law of this state other than chapter 277, Laws of 2018 gives priority to such liens, or the priority of liens for other assessments made by the association.

(5) A lien under this section is not subject to chapter 6.13 RCW.

(6) If the association forecloses its lien under this section nonjudicially pursuant to chapter 61.24 RCW, as provided under subsection (13) of this section, the association is not entitled to the lien priority provided for under subsection (3) of this section, and is subject to the limitations on deficiency judgments as provided in chapter 61.24 RCW.

(7) Unless the declaration provides otherwise, if two or more associations have liens for assessments created at any time on the same property, those liens have equal priority as to each other, and any foreclosure of one such lien shall not affect the lien of the other.

(8) Recording of the declaration constitutes record notice and perfection of the statutory lien created under this section. Further notice or recordation of any claim of lien for assessment under this section is not required, but is not prohibited.

(9) A lien for unpaid assessments and the personal liability for payment of those assessments are extinguished unless proceedings to enforce the lien or collect the debt are instituted within six years after the full amount of the assessments sought to be recovered becomes due.

(10) This section does not prohibit actions against unit owners to recover sums for which subsection (1) of this section creates a lien or prohibit an association from taking a deed in lieu of foreclosure.

(11) The association upon written request must furnish to a unit owner or a mortgagee a statement signed by an officer or authorized agent of the association setting forth the amount of unpaid assessments or the priority amount against that unit, or both. The statement must be furnished within 15 days after receipt of the request and is binding on the association, the board, and every unit owner unless, and to the extent, known by the recipient to be false. The liability of a recipient who reasonably relies upon the statement must not exceed the amount set forth in any statement furnished pursuant to this section or RCW 64.90.640(1)(b).

(12) In a cooperative, upon nonpayment of an assessment on a unit, the unit owner may be evicted in the same manner as provided by law in the case of an unlawful holdover by a commercial tenant, and the lien may be foreclosed as provided under this section.

(13) The association's lien may be foreclosed in accordance with (a) and (b) of this subsection.

(a) In a common interest community other than a cooperative, the association's lien may be foreclosed judicially in accordance with chapter 61.12 RCW, subject to any rights of redemption under chapter 6.23 RCW.

(b) The lien may be enforced nonjudicially in the manner set forth in chapter 61.24 RCW for nonjudicial foreclosure of deeds of trust if the declaration: Contains a grant of the common interest community in trust to a trustee qualified under RCW 61.24.010 to secure the obligations of the unit owners to the association for the payment of assessments, contains a power of sale, provides in its terms that the units are not used principally for agricultural purposes, and provides that the power of sale is operative in the case of a default in the obligation to pay assessments. The association or its authorized representative may purchase the unit at the foreclosure sale and acquire, hold, lease, mortgage, or convey the unit. Upon an express waiver in the complaint of any right to a deficiency judgment in a

judicial foreclosure action, the period of redemption is eight months.

(c) In a cooperative in which the unit owners' interests in the units are real estate, the association's lien must be foreclosed in like manner as a mortgage on real estate or by power of sale under (b) of this subsection.

(d) In a cooperative in which the unit owners' interests in the units are personal property, the association's lien must be foreclosed in like manner as a security interest under chapter 62A.9A RCW.

(e) No member of the association's board, or their immediate family members or affiliates, are eligible to bid for or purchase, directly or indirectly, any interest in a unit at a foreclosure of the association's lien. For the purposes of this subsection, "immediate family member" includes spouses, domestic partners, children, siblings, parents, parents-in-law, and stepfamily members; and "affiliate" of a board member includes any person controlled by the board member, including any entity in which the board member is a general partner, managing member, majority member, officer, or director. Nothing in this subsection prohibits an association from bidding for or purchasing interest in a unit at a foreclosure of the association's lien.

(14) If the unit owner's interest in a unit in a cooperative is real estate, the following requirements apply:

(a) The association, upon nonpayment of assessments and compliance with this subsection, may sell that unit at a public sale or by private negotiation, and at any time and place. The association must give to the unit owner and any lessee of the unit owner reasonable notice in a record of the time, date, and place of any public sale or, if a private sale is intended, of the intention of entering into a contract to sell and of the time and date after which a private conveyance may be made. Such notice must also be sent to any other person that has a recorded interest in the unit that would be cut off by the sale, but only if the recorded interest was on record seven weeks before the date specified in the notice as the date of any public sale or seven weeks before the date specified in the notice as the date after which a private sale may be made. The notices required under this subsection may be sent to any address reasonable in the circumstances. A sale may not be held until five weeks after the sending of the notice. The association may buy at any public sale and, if the sale is conducted by a fiduciary or other person not related to the association, at a private sale.

(b) Unless otherwise agreed to or as stated in this section, the unit owner is liable for any deficiency in a foreclosure sale.

(c) The proceeds of a foreclosure sale must be applied in the following order:

- (i) The reasonable expenses of sale;
- (ii) The reasonable expenses of securing possession before sale; the reasonable expenses of holding, maintaining, and preparing the unit for sale, including payment of taxes and other governmental charges and premiums on insurance; and, to

the extent provided for by agreement between the association and the unit owner, reasonable attorneys' fees, costs, and other legal expenses incurred by the association;

(iii) Satisfaction of the association's lien;

(iv) Satisfaction in the order of priority of any subordinate claim of record; and

(v) Remittance of any excess to the unit owner.

(d) A good-faith purchaser for value acquires the unit free of the association's debt that gave rise to the lien under which the foreclosure sale occurred and any subordinate interest, even though the association or other person conducting the sale failed to comply with this section. The person conducting the sale must execute a conveyance to the purchaser sufficient to convey the unit and stating that it is executed by the person after a foreclosure of the association's lien by power of sale and that the person was empowered to make the sale. Signature and title or authority of the person signing the conveyance as grantor and a recital of the facts of nonpayment of the assessment and of the giving of the notices required under this subsection are sufficient proof of the facts recited and of the authority to sign. Further proof of authority is not required even though the association is named as grantee in the conveyance.

(e) At any time before the association has conveyed a unit in a cooperative or entered into a contract for its conveyance under the power of sale, the unit owners or the holder of any subordinate security interest may cure the unit owner's default and prevent sale or other conveyance by tendering the performance due under the security agreement, including any amounts due because of exercise of a right to accelerate, plus the reasonable expenses of proceeding to foreclosure incurred to the time of tender, including reasonable attorneys' fees and costs of the creditor.

(15) In an action by an association to collect assessments or to foreclose a lien on a unit under this section, the court may appoint a receiver to collect all sums alleged to be due and owing to a unit owner before commencement or during pendency of the action. The receivership is governed under chapter 7.60 RCW. During pendency of the action, the court may order the receiver to pay sums held by the receiver to the association for any assessments against the unit. The exercise of rights under this subsection by the association does not affect the priority of preexisting liens on the unit.

(16) Except as provided in subsection (3) of this section, the holder of a mortgage or other purchaser of a unit who obtains the right of possession of the unit through foreclosure is not liable for assessments or installments of assessments that became due prior to such right of possession. Such unpaid assessments are deemed to be common expenses collectible from all the unit owners, including such mortgagee or other purchaser of the unit. Foreclosure of a mortgage does not relieve the prior unit owner of personal liability for assessments

accruing against the unit prior to the date of such sale as provided in this subsection.

(17) In addition to constituting a lien on the unit, each assessment is the joint and several obligation of the unit owner of the unit to which the same are assessed as of the time the assessment is due. A unit owner may not exempt himself or herself from liability for assessments. In a voluntary conveyance other than by foreclosure, the grantee of a unit is jointly and severally liable with the grantor for all unpaid assessments against the grantor up to the time of the grantor's conveyance, without prejudice to the grantee's right to recover from the grantor the amounts paid by the grantee. Suit to recover a personal judgment for any delinquent assessment is maintainable in any court of competent jurisdiction without foreclosing or waiving the lien securing such sums.

(18) The association may from time to time establish reasonable late charges and a rate of interest to be charged, not to exceed the maximum rate calculated under RCW 19.52.020, on all subsequent delinquent assessments or installments of assessments. If the association does not establish such a rate, delinquent assessments bear interest from the date of delinquency at the maximum rate calculated under RCW 19.52.020 on the date on which the assessments became delinquent.

(19) The association is entitled to recover any costs and reasonable attorneys' fees incurred in connection with the collection of delinquent assessments, whether or not such collection activities result in a suit being commenced or prosecuted to judgment. The prevailing party is also entitled to recover costs and reasonable attorneys' fees in such suits, including any appeals, if it prevails on appeal and in the enforcement of a judgment.

(20) To the extent not inconsistent with this section, the declaration may provide for such additional remedies for collection of assessments as may be permitted by law.

(21)(a) When the association mails to the unit owner by first-class mail the first notice of delinquency for past due assessments to the unit address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

**THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY. BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress. REFER TO THE CONTACTS BELOW for sources of assistance.**

**SEEKING ASSISTANCE**

Housing counselors and legal assistance may be available at little or no cost to

you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: . . . . .  
Website: . . . . .

The United States Department of Housing and Urban Development

Telephone: . . . . .  
Website: . . . . .

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: . . . . .  
Website: . . . . .

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the unit owner, the association or the association's attorney shall mail the first preforeclosure notice to the unit owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (22)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(22) An association may not commence an action to foreclose a lien on a unit under this section unless:

(a) The unit owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) \$2,000 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (21)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the unit address and to any other address which the owner has provided to the association, a second notice of delinquency, which must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the owner pursuant to subsection (21)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first

preforeclosure notice required in subsection (21)(a) of this section is mailed;

(c) At least 180 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and

(d) The board approves commencement of a foreclosure action specifically against that unit.

(23) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.

**Sec. 319.** RCW 64.90.485 and 2023 c 214 s 8 are each amended to read as follows:

(1) The association has a statutory lien on each unit for any unpaid assessment against the unit from the time such assessment is due.

(2) A lien under this section has priority over all other liens and encumbrances on a unit except:

(a) Liens and encumbrances recorded before the recordation of the declaration and, in a cooperative, liens and encumbrances that the association creates, assumes, or takes subject to;

(b) Except as otherwise provided in subsection (3) of this section, a security interest on the unit recorded before the date on which the unpaid assessment became due or, in a cooperative, a security interest encumbering only the unit owner's interest and perfected before the date on which the unpaid assessment became due; and

(c) Liens for real estate taxes and other state or local governmental assessments or charges against the unit or cooperative.

(3)(a) A lien under this section also has priority over the security interests described in subsection (2)(b) of this section to the extent of an amount equal to the following:

(i) The common expense assessments, excluding any amounts for capital improvements, based on the periodic budget adopted by the association pursuant to RCW 64.90.480(1), along with any specially allocated assessments that are properly assessable against the unit under such periodic budget, which would have become due in the absence of acceleration during the six months immediately preceding the institution of proceedings to foreclose either the association's lien or a security interest described in subsection (2)(b) of this section;

(ii) The association's actual costs and reasonable attorneys' fees incurred in foreclosing its lien but incurred after the giving of the notice described in (a)(iii) of this subsection; provided, however, that the costs and reasonable attorneys' fees that will have priority under this subsection (3)(a)(ii) shall not exceed \$2,000 or an amount equal to the amounts described in (a)(i) of this subsection, whichever is less;

(iii) The amounts described in (a)(ii) of this subsection shall be prior only to the security interest of the holder of a security interest on the unit recorded before the date on which the unpaid assessment became due and only if the



association has given that holder not less than 60 days' prior written notice that the owner of the unit is in default in payment of an assessment. The notice shall contain:

(A) Name of the borrower;

(B) Recording date of the trust deed or mortgage;

(C) Recording information;

(D) Name of condominium, unit owner, and unit designation stated in the declaration or applicable supplemental declaration;

(E) Amount of unpaid assessment; and

(F) A statement that failure to, within 60 days of the written notice, submit the association payment of six months of assessments as described in (a)(i) of this subsection will result in the priority of the amounts described in (a)(ii) of this subsection; and

(iv) Upon payment of the amounts described in (a)(i) and (ii) of this subsection by the holder of a security interest, the association's lien described in this subsection (3)(a) shall thereafter be fully subordinated to the lien of such holder's security interest on the unit.

(b) For the purposes of this subsection:

(i) "Institution of proceedings" means either:

(A) The date of recording of a notice of trustee's sale by a deed of trust beneficiary;

(B) The date of commencement, pursuant to applicable court rules, of an action for judicial foreclosure either by the association or by the holder of a recorded security interest; or

(C) The date of recording of a notice of intention to forfeit in a real estate contract forfeiture proceeding by the vendor under a real estate contract.

(ii) "Capital improvements" does not include making, in the ordinary course of management, repairs to common elements or replacements of the common elements with substantially similar items, subject to: (A) Availability of materials and products, (B) prevailing law, or (C) sound engineering and construction standards then prevailing.

(c) The adoption of a periodic budget that purports to allocate to a unit any fines, late charges, interest, attorneys' fees and costs incurred for services unrelated to the foreclosure of the association's lien, other collection charges, or specially allocated assessments assessed under RCW 64.90.480 (6) or (7) does not cause any such items to be included in the priority amount affecting such unit.

(4) Subsections (2) and (3) of this section do not affect the priority of mechanics' or material suppliers' liens to the extent that law of this state other than chapter 277, Laws of 2018 gives priority to such liens, or the priority of liens for other assessments made by the association.

(5) A lien under this section is not subject to chapter 6.13 RCW.

(6) If the association forecloses its lien under this section nonjudicially pursuant to chapter 61.24 RCW, as provided under subsection (13) of this section, the association is not entitled to the lien priority provided for under subsection (3) of this section, and is subject to the

limitations on deficiency judgments as provided in chapter 61.24 RCW.

(7) Unless the declaration provides otherwise, if two or more associations have liens for assessments created at any time on the same property, those liens have equal priority as to each other, and any foreclosure of one such lien shall not affect the lien of the other.

(8) Recording of the declaration constitutes record notice and perfection of the statutory lien created under this section. Further notice or recordation of any claim of lien for assessment under this section is not required, but is not prohibited.

(9) A lien for unpaid assessments and the personal liability for payment of those assessments are extinguished unless proceedings to enforce the lien or collect the debt are instituted within six years after the full amount of the assessments sought to be recovered becomes due.

(10) This section does not prohibit actions against unit owners to recover sums for which subsection (1) of this section creates a lien or prohibit an association from taking a deed in lieu of foreclosure.

(11) The association upon written request must furnish to a unit owner or a mortgagee a statement signed by an officer or authorized agent of the association setting forth the amount of unpaid assessments or the priority amount against that unit, or both. The statement must be furnished within 15 days after receipt of the request and is binding on the association, the board, and every unit owner unless, and to the extent, known by the recipient to be false. The liability of a recipient who reasonably relies upon the statement must not exceed the amount set forth in any statement furnished pursuant to this section or RCW 64.90.640(1)(b).

(12) In a cooperative, upon nonpayment of an assessment on a unit, the unit owner may be evicted in the same manner as provided by law in the case of an unlawful holdover by a commercial tenant, and the lien may be foreclosed as provided under this section.

(13) The association's lien may be foreclosed in accordance with (a) and (b) of this subsection.

(a) In a common interest community other than a cooperative, the association's lien may be foreclosed judicially in accordance with chapter 61.12 RCW, subject to any rights of redemption under chapter 6.23 RCW.

(b) The lien may be enforced nonjudicially in the manner set forth in chapter 61.24 RCW for nonjudicial foreclosure of deeds of trust if the declaration: Contains a grant of the common interest community in trust to a trustee qualified under RCW 61.24.010 to secure the obligations of the unit owners to the association for the payment of assessments, contains a power of sale, provides in its terms that the units are not used principally for agricultural purposes, and provides that the power of sale is operative in the case of a default in the obligation to pay assessments. The association or its authorized representative may purchase the unit at the foreclosure sale and acquire, hold, lease, mortgage, or convey the unit.

Upon an express waiver in the complaint of any right to a deficiency judgment in a judicial foreclosure action, the period of redemption is eight months.

(c) In a cooperative in which the unit owners' interests in the units are real estate, the association's lien must be foreclosed in like manner as a mortgage on real estate or by power of sale under (b) of this subsection.

(d) In a cooperative in which the unit owners' interests in the units are personal property, the association's lien must be foreclosed in like manner as a security interest under chapter 62A.9A RCW.

(e) No member of the association's board, or their immediate family members or affiliates, are eligible to bid for or purchase, directly or indirectly, any interest in a unit at a foreclosure of the association's lien. For the purposes of this subsection, "immediate family member" includes spouses, domestic partners, children, siblings, parents, parents-in-law, and stepfamily members; and "affiliate" of a board member includes any person controlled by the board member, including any entity in which the board member is a general partner, managing member, majority member, officer, or director. Nothing in this subsection prohibits an association from bidding for or purchasing interest in a unit at a foreclosure of the association's lien.

(14) If the unit owner's interest in a unit in a cooperative is real estate, the following requirements apply:

(a) The association, upon nonpayment of assessments and compliance with this subsection, may sell that unit at a public sale or by private negotiation, and at any time and place. The association must give to the unit owner and any lessee of the unit owner reasonable notice in a record of the time, date, and place of any public sale or, if a private sale is intended, of the intention of entering into a contract to sell and of the time and date after which a private conveyance may be made. Such notice must also be sent to any other person that has a recorded interest in the unit that would be cut off by the sale, but only if the recorded interest was on record seven weeks before the date specified in the notice as the date of any public sale or seven weeks before the date specified in the notice as the date after which a private sale may be made. The notices required under this subsection may be sent to any address reasonable in the circumstances. A sale may not be held until five weeks after the sending of the notice. The association may buy at any public sale and, if the sale is conducted by a fiduciary or other person not related to the association, at a private sale.

(b) Unless otherwise agreed to or as stated in this section, the unit owner is liable for any deficiency in a foreclosure sale.

(c) The proceeds of a foreclosure sale must be applied in the following order:

(i) The reasonable expenses of sale;

(ii) The reasonable expenses of securing possession before sale; the reasonable expenses of holding, maintaining, and preparing the unit for sale, including

payment of taxes and other governmental charges and premiums on insurance; and, to the extent provided for by agreement between the association and the unit owner, reasonable attorneys' fees, costs, and other legal expenses incurred by the association;

(iii) Satisfaction of the association's lien;

(iv) Satisfaction in the order of priority of any subordinate claim of record; and

(v) Remittance of any excess to the unit owner.

(d) A good-faith purchaser for value acquires the unit free of the association's debt that gave rise to the lien under which the foreclosure sale occurred and any subordinate interest, even though the association or other person conducting the sale failed to comply with this section. The person conducting the sale must execute a conveyance to the purchaser sufficient to convey the unit and stating that it is executed by the person after a foreclosure of the association's lien by power of sale and that the person was empowered to make the sale. Signature and title or authority of the person signing the conveyance as grantor and a recital of the facts of nonpayment of the assessment and of the giving of the notices required under this subsection are sufficient proof of the facts recited and of the authority to sign. Further proof of authority is not required even though the association is named as grantee in the conveyance.

(e) At any time before the association has conveyed a unit in a cooperative or entered into a contract for its conveyance under the power of sale, the unit owners or the holder of any subordinate security interest may cure the unit owner's default and prevent sale or other conveyance by tendering the performance due under the security agreement, including any amounts due because of exercise of a right to accelerate, plus the reasonable expenses of proceeding to foreclosure incurred to the time of tender, including reasonable attorneys' fees and costs of the creditor.

(15) In an action by an association to collect assessments or to foreclose a lien on a unit under this section, the court may appoint a receiver to collect all sums alleged to be due and owing to a unit owner before commencement or during pendency of the action. The receivership is governed under chapter 7.60 RCW. During pendency of the action, the court may order the receiver to pay sums held by the receiver to the association for any assessments against the unit. The exercise of rights under this subsection by the association does not affect the priority of preexisting liens on the unit.

(16) Except as provided in subsection (3) of this section, the holder of a mortgage or other purchaser of a unit who obtains the right of possession of the unit through foreclosure is not liable for assessments or installments of assessments that became due prior to such right of possession. Such unpaid assessments are deemed to be common expenses collectible from all the unit owners, including such mortgagee or other purchaser of the unit. Foreclosure of a

mortgage does not relieve the prior unit owner of personal liability for assessments accruing against the unit prior to the date of such sale as provided in this subsection.

(17) In addition to constituting a lien on the unit, each assessment is the joint and several obligation of the unit owner of the unit to which the same are assessed as of the time the assessment is due. A unit owner may not exempt himself or herself from liability for assessments. In a voluntary conveyance other than by foreclosure, the grantee of a unit is jointly and severally liable with the grantor for all unpaid assessments against the grantor up to the time of the grantor's conveyance, without prejudice to the grantee's right to recover from the grantor the amounts paid by the grantee. Suit to recover a personal judgment for any delinquent assessment is maintainable in any court of competent jurisdiction without foreclosing or waiving the lien securing such sums.

(18) The association may from time to time establish reasonable late charges and a rate of interest to be charged, not to exceed the maximum rate calculated under RCW 19.52.020, on all subsequent delinquent assessments or installments of assessments. If the association does not establish such a rate, delinquent assessments bear interest from the date of delinquency at the maximum rate calculated under RCW 19.52.020 on the date on which the assessments became delinquent.

(19) The association is entitled to recover any costs and reasonable attorneys' fees incurred in connection with the collection of delinquent assessments, whether or not such collection activities result in a suit being commenced or prosecuted to judgment. The prevailing party is also entitled to recover costs and reasonable attorneys' fees in such suits, including any appeals, if it prevails on appeal and in the enforcement of a judgment.

(20) To the extent not inconsistent with this section, the declaration may provide for such additional remedies for collection of assessments as may be permitted by law.

(21) (a) When the association mails to the unit owner by first-class mail the first notice of delinquency for past due assessments to the unit address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

**THIS IS A NOTICE OF DELINQUENCY FOR PAST  
DUE ASSESSMENTS  
FROM THE UNIT OWNERS ASSOCIATION TO WHICH  
YOUR HOME BELONGS.**

**THIS NOTICE IS ONE STEP IN A PROCESS THAT  
COULD RESULT IN YOUR LOSING YOUR HOME.**

**CONTACT A HOUSING COUNSELOR OR AN ATTORNEY  
LICENSED IN WASHINGTON NOW** to assess your situation and refer you to mediation if you might benefit. **DO NOT DELAY.**

**BE CAREFUL** of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

**REFER TO THE CONTACTS BELOW** for sources of assistance.

**SEEKING ASSISTANCE**

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: . . . . .  
Website: . . . . .

The United States Department of Housing and Urban Development

Telephone: . . . . .  
Website: . . . . .

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: . . . . .  
Website: . . . . .

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the unit owner, the association or the association's attorney shall mail the first preforeclosure notice to the unit owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (22)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(22) An association may not commence an action to foreclose a lien on a unit under this section unless:

(a) The unit owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) \$2,000 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (21)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the unit address and to any other address which the owner has provided to the association, a second notice of delinquency, which must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the owner pursuant to subsection (21)(a) of this section. The

second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (21)(a) of this section is mailed;

(c) At least 90 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and

(d) The board approves commencement of a foreclosure action specifically against that unit.

(23) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.

**Sec. 320.** RCW 64.90.495 and 2023 c 409 s 4 are each amended to read as follows:

(1) An association must retain the following:

(a) The current budget, detailed records of receipts and expenditures affecting the operation and administration of the association, and other appropriate accounting records within the last seven years;

(b) Minutes of all meetings of its unit owners and board other than executive sessions, a record of all actions taken by the unit owners or board without a meeting, and a record of all actions taken by a committee in place of the board on behalf of the association;

(c) The names of current unit owners, addresses used by the association to communicate with them, and the number of votes allocated to each unit;

(d) Its original or restated declaration, organizational documents, all amendments to the declaration and organizational documents, and all rules currently in effect;

(e) All financial statements and tax returns of the association for the past seven years;

(f) A list of the names and addresses of its current board members and officers;

(g) Its most recent annual report delivered to the secretary of state, if any;

(h) Financial and other records sufficiently detailed to enable the association to comply with RCW 64.90.640;

(i) Copies of contracts to which it is or was a party within the last seven years;

(j) Materials relied upon by the board or any committee to approve or deny any requests for design or architectural approval for a period of seven years after the decision is made;

(k) Materials relied upon by the board or any committee concerning a decision to enforce the governing documents for a period of seven years after the decision is made;

(l) Copies of insurance policies under which the association is a named insured;

(m) Any current warranties provided to the association;

(n) Copies of all notices provided to unit owners or the association in accordance with this chapter or the governing documents; ~~((and))~~

(o) Ballots, proxies, absentee ballots, and other records related to voting by unit owners for one year after the election, action, or vote to which they relate;

(p) Originals or copies of any plans and specifications delivered by the declarant pursuant to RCW 64.90.420(1);

(q) Originals or copies of any instruments of conveyance for any common elements included within the common interest community but not appurtenant to the units delivered by the declarant pursuant to RCW 64.90.420(1); and

(r) Originals or copies of any permits or certificates of occupancy for the common elements in the common interest community delivered by the declarant pursuant to RCW 64.90.420(1).

(2)(a) Subject to subsections (3) through (5) of this section, and except as provided in (b) of this subsection, all records required to be retained by an association must be made available for examination and copying by all unit owners, holders of mortgages on the units, and their respective authorized agents as follows, unless agreed otherwise:

(i) During reasonable business hours and at the offices of the association or its managing agent, or at a mutually convenient time and location; and

~~((At the offices of the association or its managing agent))~~ Upon 10 days' notice unless the size of the request or need to redact information reasonably requires a longer time, but in no event later than 21 days without a court order allowing a longer time.

(b) The list of unit owners required to be retained by an association under subsection (1)(c) of this section is not required to ~~((be))~~:

(i) Be made available for examination and copying by holders of mortgages on the units; or

(ii) Contain the electronic addresses of unit owners who have elected to keep such addresses confidential pursuant to RCW 64.90.515(3)(a).

(3) Records retained by an association must have the following information redacted or otherwise removed prior to disclosure:

(a) Personnel and medical records relating to specific individuals;

(b) Contracts, leases, and other commercial transactions to purchase or provide goods or services currently being negotiated;

(c) Existing or potential litigation or mediation, arbitration, or administrative proceedings;

(d) Existing or potential matters involving federal, state, or local administrative or other formal proceedings before a governmental tribunal for enforcement of the governing documents;

(e) Legal advice or communications that are otherwise protected by the attorney-client privilege or the attorney work product doctrine, including communications with the managing agent or other agent of the association;

(f) Information the disclosure of which would violate a court order or law;

(g) Records of an executive session of the board;

(h) Individual unit files other than those of the requesting unit owner;

(i) Unlisted telephone number ~~((or))~~ of any unit owner or resident, electronic

address of any unit owner that elects to keep such electronic address confidential, or electronic address of any resident;

(j) Security access information provided to the association for emergency purposes; ~~((e\*))~~

(k) Agreements that for good cause prohibit disclosure to the members; or

(l) Any information which would compromise the secrecy of a ballot cast under RCW 64.90.455(9).

(4) In addition to the requirements in subsection (3) of this section, an association must, prior to disclosure of the list of unit owners required to be retained by an association under subsection (1)(c) of this section, redact or otherwise remove the address of any unit owner or resident who is known to the association to be a participant in the address confidentiality program described in chapter 40.24 RCW or any similar program established by law.

(5)(a) Except as provided in (b) of this subsection, an association may charge a reasonable fee for producing and providing copies of any records under this section and for supervising the unit owner's inspection.

(b) A unit owner is entitled to receive a free annual electronic or ~~((paper))~~ written copy of the list retained under subsection (1)(c) of this section from the association.

(6) A right to copy records under this section includes the right to receive copies by photocopying or other means, including through an electronic transmission if available upon request by the unit owner.

(7) An association is not obligated to compile or synthesize information.

(8) Information provided pursuant to this section may not be used for commercial purposes.

(9) An association's managing agent must deliver all of the association's original books and records to the association ~~((immediately))~~ upon termination of its management relationship with the association, or upon such other demand as is made by the board. Electronic records must be provided within five business days of termination or the board's demand and written records must be provided within 10 business days of termination or the board's demand. An association managing agent may keep copies of the association records at its own expense.

**NEW SECTION. Sec. 321.** A new section is added to chapter 64.90 RCW to read as follows:

(1) In this section, "emergency" means an event or condition or a state of emergency declared by a government for an area that includes the common interest community that constitutes an imminent:

(a) Threat to the health or safety of the public or residents of the common interest community;

(b) Threat to the habitability of units; or

(c) Risk of substantial economic loss to the association.

(2) In an emergency, this section governs the authority of a board to respond to the emergency. If another provision of this

chapter is inconsistent with this section, this section prevails.

(3) The board may call a unit owner's meeting to respond to an emergency by giving notice to the unit owners in a manner that is practicable and appropriate under the circumstances.

(4) The board may call a board meeting to respond to an emergency by giving notice to the unit owners and board members in a manner that is practicable and appropriate under the circumstances. A quorum is not required for a meeting under this subsection. After giving notice under this subsection, the board may take action by vote without a meeting.

(5) In an emergency, the board may, without regard to limitations in the governing documents, take action it considers necessary, as a result of the emergency, to protect the interests of the unit owners and other persons holding interests in the common interest community, acting in a manner reasonable under the circumstances.

(6) If, under subsection (5) of this section, the board determines by a two-thirds vote that a special assessment is necessary:

(a) The assessment becomes effective immediately or in accordance with the terms of the vote; and

(b) The board may spend funds paid on the assessment only in accordance with the action taken by the board.

(7) The board may use funds of the association, including reserves, to pay the reasonable costs of an action under subsection (5) of this section.

(8) After taking an action under this section, the board shall promptly notify the unit owners of the action in a manner that is practicable and appropriate under the circumstances.

**Sec. 322.** RCW 64.90.510 and 2018 c 277 s 323 are each amended to read as follows:

(1)(a) An association may not prohibit display of the flag of the United States, or the flag of Washington state, on or within a unit or a limited common element, except that an association may adopt reasonable restrictions pertaining to the time, place, or manner of displaying the flag of the United States necessary to protect a substantial interest of the association.

(b) The association may not prohibit the installation of a flagpole for the display of the flag of the United States, or the flag of Washington state, on or within a unit or a limited common element, except that an association may adopt reasonable rules and regulations pertaining to the location and the size of the flagpole.

(c) For purposes of this section, "flag of the United States" means the flag of the United States as described in 4 U.S.C. Sec. 1 et seq. that is made of fabric, cloth, or paper. "Flag of the United States" does not mean a flag, depiction, or emblem made of lights, paint, roofing, siding, paving materials, flora, or balloons, or of any similar building, landscaping, or decorative components.

(2) ~~((The))~~An association may not prohibit display of signs, including outdoor signs, regarding candidates for public or association office, or ballot issues, on or within a unit or limited common element, but ~~((the))~~an association may adopt reasonable rules ~~((governing))~~ pertaining to the ~~((time, place, size, number,))~~ placement and manner of those displays.

(3) The association may not prohibit the installation of a solar energy panel on or within a unit so long as the solar panel:

(a) Meets applicable health and safety standards and requirements imposed by state and local permitting authorities;

(b) If used to heat water, is certified by the solar rating certification corporation or another nationally recognized certification agency. Certification must be for the solar energy panel and for installation; and

(c) If used to produce electricity, meets all applicable safety and performance standards established by the national electric code, the institute of electrical and electronics engineers, accredited testing laboratories, such as underwriters laboratories, and, where applicable, rules of the utilities and transportation commission regarding safety and reliability.

(4) The association may not prohibit a unit owner from storing containers for municipal or private collection, such as compost, garbage, and recycling receptacles, in any private garage, side yard, or backyard reserved for the exclusive use of a unit. However, the association may adopt and enforce rules requiring that such receptacles be screened from view and establishing acceptable dates and times that such receptacles may be presented for collection.

(5) The governing documents may:

(a) Prohibit the visibility of any part of a roof-mounted solar energy panel above the roof line;

(b) Permit the attachment of a solar energy panel to the slope of a roof facing a street only if:

(i) The solar energy panel conforms to the slope of the roof; and

(ii) The top edge of the solar energy panel is parallel to the roof ridge; and

(c) Require:

(i) A solar energy panel frame, a support bracket, or any visible piping or wiring to be painted to coordinate with the roofing material;

(ii) A unit owner or resident to shield a ground-mounted solar energy panel if shielding the panel does not prohibit economic installation of the solar energy panel or degrade the operational performance quality of the solar energy panel by more than ~~((ten))~~ 10 percent; and

(iii) Unit owners or residents who install solar energy panels to indemnify or reimburse the association or its members for loss or damage caused by the installation, maintenance, or use of a solar energy panel.

~~((5))~~ (6) The governing documents may include other reasonable rules regarding the placement and manner of a solar energy panel.

~~((6))~~ (7) For purposes of this section, "solar energy panel" means a panel device or

system or combination of panel devices or systems that relies on direct sunlight as an energy source, including a panel device or system or combination of panel devices or systems that collects sunlight for use in:

(a) The heating or cooling of a structure or building;

(b) The heating or pumping of water;

(c) Industrial, commercial, or agricultural processes; or

(d) The generation of electricity.

~~((7))~~ (8) This section must not be construed to permit installation by a unit owner of a solar panel on or in common elements without approval of the board.

~~((8))~~ (9) Unit owners may peacefully assemble on the common elements to consider matters related to the common interest community, but the association may adopt rules governing the time, place, and manner of those assemblies.

~~((9))~~ (10) An association may adopt rules that affect the use or occupancy of or behavior in units that may be used for residential purposes, only to:

(a) Implement a provision of the declaration;

(b) Regulate any behavior in or occupancy of a unit that violates the declaration or adversely affects the use and enjoyment of other units or the common elements by other occupants; and

(c) Restrict the leasing of residential units to the extent those rules are reasonably designed to meet underwriting requirements of institutional lenders that regularly make loans secured by first mortgages on units in comparable common interest communities or that regularly purchase those mortgages.

**Sec. 323.** RCW 64.90.515 and 2018 c 277 s 324 are each amended to read as follows:

(1) Notice to the association, board, or any owner or occupant of a unit under this chapter must be provided in the form of a record.

(2) Notice provided in a tangible medium may be transmitted by mail, private carrier, or personal delivery; telegraph or teletype; or telephone, wire, or wireless equipment that transmits a facsimile of the notice.

(a) Notice in a tangible medium to an association may be addressed to the association's registered agent at its registered office, to the association at its principal office shown in its most recent annual report or provided by notice to the unit owners, or to the president or secretary of the association at the address shown in the association's most recent annual report or provided by notice to the unit owners.

(b) Notice in a tangible medium to a unit owner or occupant must be addressed to the unit address unless the unit owner or occupant has requested, in a record delivered to the association, that notices be sent to an alternate address or by other method allowed by this section and the governing documents.

(3) Notice may be provided in an electronic transmission as follows:

(a) Notice to unit owners or board members by electronic transmission is

effective only upon unit owners and board members who have consented, in the form of a record, to receive electronically transmitted notices under this chapter and have designated in the consent the address, location, or system to which such notices may be electronically transmitted, provided that such notice otherwise complies with any other requirements of this chapter and applicable law. An owner's consent under this subsection (3) (a), and any other notice in the form of a record delivered to the association from time to time, may indicate whether the owner elects to keep the owner's electronic address confidential and exempt from disclosure by the association pursuant to RCW 64.90.495(2). Failure to deliver such notice permits disclosure by the association.

(b) Notice to unit owners or board members under this subsection includes material that this chapter or the governing documents requires or permits to accompany the notice.

(c) A unit owner or board member who has consented to receipt of electronically transmitted notices may revoke this consent by delivering a revocation to the association in the form of a record.

(d) The consent of any unit owner or board member is revoked if: The association is unable to electronically transmit two consecutive notices given by the association in accordance with the consent, and this inability becomes known to the secretary of the association or any other person responsible for giving the notice. The inadvertent failure by the association to treat this inability as a revocation does not invalidate any meeting or other action.

(e) Notice to unit owners or board members who have consented to receipt of electronically transmitted notices may be provided by posting the notice on an electronic network and delivering to the unit owner or board member a separate record of the posting, together with comprehensible instructions regarding how to obtain access to the posting on the electronic network.

(f) Notice to an association in an electronic transmission is effective only with respect to an association that has designated in a record an address, location, or system to which the notices may be electronically transmitted.

(4) Notice may be given by any other method reasonably calculated to provide notice to the recipient.

(5) Notice is effective as follows:

(a) Notice provided in a tangible medium is effective as of the date of hand delivery, deposit with the carrier, or when sent by fax.

(b) Notice provided in an electronic transmission is effective as of the date it:

(i) Is electronically transmitted to an address, location, or system designated by the recipient for that purpose; or

(ii) Has been posted on an electronic network and a separate record of the posting has been sent to the recipient containing instructions regarding how to obtain access to the posting on the electronic network.

(6) The ineffectiveness of a good faith effort to deliver notice by an authorized

means does not invalidate action taken at or without a meeting.

(7) If this chapter prescribes different or additional notice requirements for particular circumstances, those requirements govern.

**Sec. 324.** RCW 64.90.570 and 2023 c 203 s 4 are each amended to read as follows:

(1) A unit owners association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, ~~((regulation,))~~ provision of a governing document, or master deed provision that effectively prohibits ~~((r))~~ or unreasonably restricts ~~((r or limits, directly or indirectly,))~~ the use of a unit as a licensed family care home child care operated by a family day care provider or as a licensed child day care center, except as provided in subsection (2) of this section.

(2) (a) Nothing in this section prohibits a unit owners association from imposing reasonable ~~((regulations))~~ rules on a family home child care or a child day care center including, but not limited to, architectural standards, as long as those ~~((regulations))~~ rules are identical to those applied to all other units ~~((within the same association))~~ restricted to similar uses within the same common interest community as the family home child care or the child day care center.

(b) An association may require that only a unit with direct access may be used as a family home child care or child day care center. ~~((Direct access must be either from the outside of the building if the common interest community is in a building,))~~ A unit has direct access if it is accessible from public property or through publicly accessible common elements.

(c) An association may adopt or enforce a restriction, covenant, condition, bylaw, rule, ~~((regulation,))~~ provision of a governing document, or master deed provision that requires a family home child care or a child day care center operating out of a unit within the association to:

(i) Be licensed under chapter 43.216 RCW;

(ii) Indemnify and hold harmless the association against all claims, whether brought by judicial or administrative action, relating to the operation of the family home child care or the child day care center, excluding claims arising ~~((in))~~ from the condition of a common element ~~((s))~~ that the association is solely responsible for maintaining ~~((under the governing documents));~~

(iii) Obtain a signed waiver of liability releasing the association from legal claims directly related to the operation of the family home child care or the child day care center from the parent, guardian, or caretaker of each child being cared for by the family home child care or the child day care center. However, an association may not require that a waiver of liability under this subsection be notarized; ~~((and))~~

(iv) Obtain day care insurance as defined in RCW 48.88.020 or provide self-insurance pursuant to chapter 48.90 RCW, consistent with the requirements in RCW 43.216.700; and

(v) Pay any costs or expenses, including insurance costs, arising from the operation of the facility.

(3) A unit owners association that willfully violates this section is liable to the family day care provider or the child day care center for actual damages, and shall pay a civil penalty to the family day care provider or the child day care center in an amount not to exceed \$1,000.

(4) For the purposes of this section, the terms "family day care provider" and "child day care center" have the same meanings as in RCW 43.216.010.

NEW SECTION. Sec. 325. A new section is added to chapter 64.90 RCW to read as follows:

(1) A unit owners association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, provision of a governing document, or master deed provision that effectively prohibits or unreasonably restricts the use of a unit as an adult family home, except as provided in subsection (2) of this section.

(2)(a) Nothing in this section prohibits a unit owners association from imposing reasonable rules on an adult family home including, but not limited to, architectural standards, as long as those rules are identical to those applied to all other units restricted to similar uses within the same common interest community as an adult family home.

(b) An association may require that only a unit with direct access may be used as an adult family home. A unit has direct access if it is accessible from public property or through publicly accessible common elements.

(c) An association may adopt or enforce a restriction, covenant, condition, bylaw, rule, provision of a governing document, or master deed provision that requires an adult family home operating out of a unit within the association to:

(i) Be licensed under chapter 70.128 RCW;

(ii) Indemnify and hold harmless the association against all claims, whether brought by judicial or administrative action, relating to the operation of the adult family home, excluding claims arising from the condition of a common element that the association is solely responsible for maintaining;

(iii) Obtain a signed waiver of liability releasing the association from legal claims directly related to the operation of an adult family home from each resident, or resident's guardian, being cared for by the adult family home. However, an association may not require that a waiver of liability under this subsection be notarized;

(iv) Obtain liability insurance as required by rule of the department of social and health services; and

(v) Pay any costs or expenses, including insurance costs, arising from the operation of the facility.

(3) A unit owners association that willfully violates this section is liable to the adult family home for actual damages, and shall pay a civil penalty to the adult family home in an amount not to exceed \$1,000.

(4) For the purposes of this section, "adult family home" has the same meaning as in RCW 70.128.010.

**Sec. 326.** RCW 64.90.600 and 2018 c 277 s 401 are each amended to read as follows:

(1) RCW 64.90.605 through 64.90.695 apply to all units subject to this chapter, except as provided in subsections (2) ~~((and (3)))~~ through (4) of this section.

(2) RCW 64.90.605 through 64.90.695 do not apply in the case of:

(a) A conveyance by gift, devise, or descent;

(b) A conveyance pursuant to court order;

(c) A conveyance by a government or governmental agency;

(d) A conveyance by foreclosure;

(e) A conveyance of all of the units in a common interest community in a single transaction;

(f) A conveyance to other than a purchaser;

(g) An agreement to convey that may be canceled at any time and for any reason by the purchaser without penalty;

(h) A conveyance of a unit restricted to nonresidential uses, except and to the extent otherwise agreed to in writing by the seller and purchaser of that unit.

(3) RCW 64.90.665, 64.90.670, 64.90.675, 64.90.680, 64.90.690, and 64.90.695 apply only to condominiums created under this chapter, and do not apply to other common interest communities.

(4) RCW 64.90.640 does not apply where the purchaser has expressly waived the receipt of a resale certificate and has not waived receipt of the seller disclosure statement under RCW 64.06.010.

**Sec. 327.** RCW 64.90.605 and 2023 c 337 s 7 are each amended to read as follows:

(1) Except as ~~((provided))~~ otherwise provided in subsection (2) of this section, a declarant ~~((required to deliver a public offering statement pursuant to subsection (3) of this section must))~~, before offering any interest in a unit to the public, shall prepare a public offering statement conforming to the requirements of RCW 64.90.610, 64.90.615, and 64.90.620.

(2) A declarant may transfer responsibility for preparation of all or a part of the public offering statement to a successor declarant or to a dealer who intends to offer units in the common interest community. In the event of any such transfer the transferor shall provide the transferee with any information necessary to enable the transferee to fulfill the requirements of subsection (1) of this section.

(3)(a) Any declarant or dealer who offers ~~((to convey))~~ a unit ~~((for the person's own account))~~ to a purchaser ~~((must provide the purchaser of the unit with a copy of))~~ shall deliver a public offering statement ((and all material amendments to the public offering statement before conveyance of that unit)) in the manner prescribed in RCW 64.90.635.

(b) Any agent, attorney, or other person assisting the declarant or dealer in preparing the public offering statement may



rely upon information provided by the declarant or dealer without independent investigation. The agent, attorney, or other person is not liable for any material misrepresentation in or omissions of material facts from the public offering statement unless the person had actual knowledge of the misrepresentation or omission at the time the public offering statement was prepared.

(c) The declarant or dealer who prepared all or part of the public offering statement is liable for any misrepresentation contained in the public offering statement or for any omission of material fact from the public offering statement if the declarant or dealer had actual knowledge of the misrepresentation or omission or, in the exercise of reasonable care, should have known of the misrepresentation or omission.

(4) If a unit is part of a common interest community and is part of any other real estate regime in connection with the sale of which the delivery of a public offering statement is required under the laws of this state, a single public offering statement conforming to the requirements of RCW 64.90.610, 64.90.615, and 64.90.620 as those requirements relate to each regime in which the unit is located, and to any other requirements imposed under the laws of this state, may be prepared and delivered in lieu of providing two or more public offering statements.

(5) A declarant or dealer is not required to (~~prepare and~~) deliver a public offering statement in connection with the sale of any unit (~~(owned by the declarant)~~), or to obtain for or provide to the purchaser a report or statement required under RCW 64.90.610(1)(oo), 64.90.620(1), or 64.90.655, upon the later of:

(a) The termination or expiration of all special declarant rights;

(b) The expiration of all periods within which claims or actions for a breach of warranty arising from defects involving the common elements under RCW 64.90.680 must be filed or commenced, respectively, by the association against the declarant; or

(c) The time when the declarant or dealer ceases to meet the definition of a dealer under RCW 64.90.010.

(6) After the last to occur of any of the events described in subsection (5) of this section, a declarant or dealer must deliver to the purchaser of a unit (~~(owned by the declarant)~~) a resale certificate under RCW 64.90.640(2) together with:

(a) The identification of any real property not in the common interest community that unit owners have a right to use and a description of the terms of such use;

(b) A brief description or a copy of any express construction warranties to be provided to the purchaser;

(c) A statement of any litigation brought by an owners<sup>(1)</sup> association, unit owner, or governmental entity in which the declarant or dealer or any affiliate of the declarant or dealer has been a defendant arising out of the construction, sale, or administration of any common interest community within the state of Washington within the previous five years, together

with the results of the litigation, if known;

(d) Whether timesharing is permitted or prohibited, and, if permitted, a statement that the purchaser of a timeshare unit is entitled to receive the disclosure document required under chapter 64.36 RCW; and

(e) Any other information and cross-references that the declarant or dealer believes will be helpful in describing the common interest community to the purchaser, all of which may be included or not included at the option of the declarant or dealer.

(7) A declarant or dealer is not liable to a purchaser for the failure or delay of the association to provide the resale certificate in a timely manner, but the purchase contract is voidable by the purchaser of a unit sold by the declarant or dealer until the resale certificate required under RCW 64.90.640(2) and the information required under subsection (6) of this section have been provided and for five days thereafter or until conveyance, whichever occurs first.

**Sec. 328.** RCW 64.90.610 and 2019 c 238 s 212 are each amended to read as follows:

(1) A public offering statement must contain the following information:

(a) The name and address of the declarant;

(b) The name and address or location of the management company, if any;

(c) The relationship of the management company to the declarant, if any;

(d) The name and address of the common interest community;

(e) A statement whether the common interest community is a condominium, cooperative, plat community, or miscellaneous community;

(f) A list, current as of the date the public offering statement is prepared, of up to the five most recent common interest communities in which at least one unit was sold by the declarant or an affiliate of the declarant within the past five years, including the names of the common interest communities and their addresses;

(g) The nature of the interest being offered for sale;

(h) A general description of the common interest community, including to the extent known to the declarant, the types and number of buildings that the declarant anticipates including in the common interest community and the declarant's schedule of commencement and completion of such buildings and principal common amenities;

(i) The status of construction of the units and common elements, including estimated dates of completion if not completed;

(j) The number of existing units in the common interest community;

(k) Brief descriptions of (i) the existing principal common amenities, (ii) those amenities that will be added to the common interest community, and (iii) those amenities that may be added to the common interest community;

(l) A brief description of the limited common elements, other than those described in RCW 64.90.210 (1)(b) and (3), that may be

allocated to the units being offered for sale;

(m) The identification of any rights of persons other than unit owners to use any of the common elements, and a description of the terms of such use;

(n) The identification of any real property not in the common interest community that unit owners have a right to use and a description of the terms of such use;

(o) Any services the declarant provides or expenses that the declarant pays that are not reflected in the budget, but that the declarant expects may become at any subsequent time a common expense of the association, and the projected common expense attributable to each of those services or expenses;

(p) An estimate of any assessment or payment required by the declaration to be paid by the purchaser of a unit at closing;

(q) A brief description of any liens or monetary encumbrances on the title to the common elements that will not be discharged at closing;

(r) A brief description or a copy of any express construction warranties to be provided to the purchaser;

(s) A statement, as required under RCW 64.35.210, as to whether the units or common elements of the common interest community are covered by a qualified warranty;

(t) If applicable to the common interest community, a statement whether the common interest community contains any multiunit residential building subject to chapter 64.55 RCW and, if so, whether:

(i) The building enclosure has been designed and inspected to the extent required under RCW 64.55.010 through 64.55.090; and

(ii) Any repairs required under RCW 64.55.090 have been made;

(u) A statement of any unsatisfied judgments or pending suits against the association and the status of any pending suits material to the common interest community of which the declarant has actual knowledge;

(v) A statement of any litigation brought by an owners(±) association, unit owner, or governmental entity in which the declarant or any affiliate of the declarant has been a defendant arising out of the construction, sale, or administration of any common interest community within the previous five years, together with the results of the litigation, if known;

(w) A brief description of:

(i) Any restrictions on use or occupancy of the units contained in the governing documents;

(ii) Any restrictions on the renting or leasing of units by the declarant or other unit owners contained in the governing documents;

(iii) Any rights of first refusal to lease or purchase any unit or any of the common elements contained in the governing documents; and

(iv) Any restriction on the amount for which a unit may be sold or on the amount that may be received by a unit owner on sale;

(x) A description of the insurance coverage provided for the benefit of unit owners;

(y) Any current or expected fees or charges not included in the common expenses to be paid by unit owners for the use of the common elements and other facilities related to the common interest community, together with any fees or charges not included in the common expenses to be paid by unit owners to any master or other association;

(z) The extent, if any, to which bonds or other assurances from third parties have been provided for completion of all improvements that the declarant is obligated to build pursuant to RCW 64.90.695;

(aa) In a cooperative, a statement whether the unit owners are entitled, for federal, state, and local income tax purposes, to a pass-through of any deductions for payments made by the association for real estate taxes and interest paid to the holder of a security interest encumbering the cooperative;

(bb) In a cooperative, a statement as to the effect on every unit owner's interest in the cooperative if the association fails to pay real estate taxes or payments due to the holder of a security interest encumbering the cooperative;

(cc) In a leasehold common interest community, a statement whether the expiration or termination of any lease may terminate the common interest community or reduce its size, the recording number of any such lease or a statement of where the complete lease may be inspected, the date on which such lease is scheduled to expire, a description of the real estate subject to such lease, a statement whether the unit owners have a right to redeem the reversion, a statement whether the unit owners have a right to remove any improvements at the expiration or termination of such lease, a statement of any rights of the unit owners to renew such lease, and a reference to the sections of the declaration where such information may be found;

(dd) A summary of, and information on how to obtain a full copy of, any reserve study and a statement as to whether or not it was prepared in accordance with RCW 64.90.545 and 64.90.550 or the governing documents;

(ee) A brief description of any arrangement described in RCW 64.90.110 binding the association;

(ff) The estimated current common expense liability for the units being offered;

(gg) Except for real property taxes, real property assessments and utility liens, any assessments, fees, or other charges known to the declarant and which, if not paid, may constitute a lien against any unit or common elements in favor of any governmental agency;

(hh) A brief description of any parts of the common interest community, other than the owner's unit, which any owner must maintain;

(ii) Whether timesharing is permitted or prohibited, and, if permitted, a statement that the purchaser of a timeshare unit is entitled to receive the disclosure document required under chapter 64.36 RCW;

(jj) If the common interest community is subject to any special declarant rights, the information required under RCW 64.90.615;

(kk) Any liens on real estate to be conveyed to the association required to be disclosed pursuant to RCW 64.90.650(3)(b);

(ll) A list of any physical hazards known to the declarant that particularly affect the common interest community or the immediate vicinity in which the common interest community is located and which are not readily ascertainable by the purchaser;

(mm) Any building code violation of which the declarant has actual knowledge and which has not been corrected;

(nn) If the common interest community contains one or more conversion buildings, the information required under RCW 64.90.620 and 64.90.655(6)(a);

(oo) If the public offering statement is related to conveyance of a unit in a multiunit residential building as defined in RCW 64.55.010, for which the final certificate of occupancy was issued more than ~~((sixty))~~ 60 calendar months prior to the preparation of the public offering statement either: A copy of a report prepared by an independent, licensed architect or engineer or a statement by the declarant based on such report that describes, to the extent reasonably ascertainable, the present condition of all structural components and mechanical and electrical installations of the conversion buildings material to the use and enjoyment of the conversion buildings;

(pp) Any other information and cross-references that the declarant believes will be helpful in describing the common interest community to the recipients of the public offering statement, all of which may be included or not included at the option of the declarant; ~~((and))~~

(qq) A description of any age-related occupancy restrictions affecting the common interest community; and

(rr) In a condominium, plat community, or miscellaneous community containing a unit not having horizontal boundaries described in the declaration, a statement whether the unit may be sold without consent of all the unit owners after termination of the common interest community under RCW 64.90.290.

(2) The public offering statement must begin with notices substantially in the following forms and in conspicuous type:

(a) "RIGHT TO CANCEL. (1) You are entitled to receive a copy of this public offering statement and all material amendments to this public offering statement before conveyance of your unit. Under RCW 64.90.635, you have the right to cancel your contract for the purchase of your unit within seven days after first receiving this public offering statement. If this public offering statement is first provided to you more than seven days before you sign your contract for the purchase of your unit, you have no right to cancel your contract. If this public offering statement is first provided to you seven days or less before you sign your contract for the purchase of your unit, you have the right to cancel, before conveyance of the unit, the executed contract by delivering, no later than the seventh day after first receiving this

public offering statement, a notice of cancellation pursuant to section (3) of this notice. If this public offering statement is first provided to you less than seven days before the closing date for the conveyance of your unit, you may, before conveyance of your unit to you, extend the closing date to a date not more than seven days after you first received this public offering statement, so that you may have seven days to cancel your contract for the purchase of your unit.

(2) You have no right to cancel your contract upon receipt of an amendment to this public offering statement; however, this does not eliminate any right to rescind your contract, due to the disclosure of the information in the amendment, that is otherwise available to you under generally applicable contract law.

(3) If you elect to cancel your contract pursuant to this notice, you may do so by hand-delivering notice of cancellation, or by mailing notice of cancellation by prepaid United States mail, to the seller at the address set forth in this public offering statement or at the address of the seller's registered agent for service of process. The date of such notice is the date of receipt, if hand-delivered, or the date of deposit in the United States mail, if mailed. Cancellation is without penalty, and all payments made to the seller by you before cancellation must be refunded promptly."

(b) "OTHER DOCUMENTS CREATING BINDING LEGAL OBLIGATIONS. This public offering statement is a summary of some of the significant aspects of purchasing a unit in this common interest community. The governing documents and the purchase agreement are complex, contain other important information, and create binding legal obligations. You should consider seeking the assistance of legal counsel."

(c) "OTHER REPRESENTATIONS. You may not rely on any statement, promise, model, depiction, or description unless it is (1) contained in the public offering statement delivered to you or (2) made in writing signed by the declarant or dealer or the declarant's or dealer's agent identified in the public offering statement. A statement of opinion, or a commendation of the real estate, its quality, or its value, does not create a warranty, and a statement, promise, model, depiction, or description does not create a warranty if it discloses that it is only proposed, is not representative, or is subject to change."

(d) "MODEL UNITS. Model units are intended to provide you with a general idea of what a finished unit might look like. Units being offered for sale may vary from the model unit in terms of floor plan, fixtures, finishes, and equipment. You are advised to obtain specific information about the unit you are considering purchasing."

(e) "RESERVE STUDY. The association [does] [does not] have a current reserve study. Any reserve study should be reviewed carefully. It may not include all reserve components that will require major maintenance, repair, or replacement in future years, and may not include regular contributions to a reserve account for the cost of such maintenance, repair, or

replacement. You may encounter certain risks, including being required to pay as a special assessment your share of expenses for the cost of major maintenance, repair, or replacement of a reserve component, as a result of the failure to: (1) Have a current reserve study or fully funded reserves, (2) include a component in a reserve study, or (3) provide any or sufficient contributions to a reserve account for a component."

(f) "DEPOSITS AND PAYMENTS. Only earnest money and reservation deposits are required to be placed in an escrow or trust account. Any other payments you make to the seller of a unit are at risk and may be lost if the seller defaults."

(g) "CONSTRUCTION DEFECT CLAIMS. Chapter 64.50 RCW contains important requirements you must follow before you may file a lawsuit for defective construction against the seller or builder of your home. Forty-five days before you file your lawsuit, you must deliver to the seller or builder a written notice of any construction conditions you allege are defective and provide your seller or builder the opportunity to make an offer to repair or pay for the defects. You are not obligated to accept any offer made by the builder or seller. There are strict deadlines and procedures under state law, and failure to follow them may affect your ability to file a lawsuit."

(h) "ASSOCIATION INSURANCE. The extent to which association insurance provides coverage for the benefit of unit owners (including furnishings, fixtures, and equipment in a unit) is determined by the provisions of the declaration and the association's insurance policy, which may be modified from time to time. You and your personal insurance agent should read the declaration and the association's policy prior to closing to determine what insurance is required of the association and unit owners, unit owners' rights and duties, what is and is not covered by the association's policy, and what additional insurance you should obtain."

(i) "QUALIFIED WARRANTY. Your unit [is] [is not] covered by a qualified warranty under chapter 64.35 RCW."

(j) "THIS UNIT IS LOCATED WITHIN A COMMON INTEREST COMMUNITY AND IS SUBJECT TO THE DECLARATION, BYLAWS, RULES, AND OTHER WRITTEN INSTRUMENTS GRANTING AUTHORITY TO THE ASSOCIATION AS ADOPTED (THE "GOVERNING DOCUMENTS")."

THE PURCHASER OF THIS UNIT WILL BE REQUIRED TO BE A MEMBER OF THE ASSOCIATION AND WILL BE SUBJECT TO THE GOVERNING DOCUMENTS.

THE GOVERNING DOCUMENTS WILL IMPOSE FINANCIAL OBLIGATIONS UPON THE OWNER OF THE UNIT, INCLUDING AN OBLIGATION TO PAY ASSESSMENTS TO THE ASSOCIATION WHICH MAY INCLUDE REGULAR AND SPECIAL ASSESSMENTS, FINES, FEES, INTEREST, LATE CHARGES, AND COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEYS' FEES.

THE ASSOCIATION HAS A STATUTORY LIEN ON EACH INDIVIDUAL UNIT FOR ANY UNPAID ASSESSMENT FROM THE TIME IT IS DUE. FAILURE TO PAY ASSESSMENTS COULD RESULT IN THE FILING OF A LIEN ON THE UNIT AND LOSS OF THE UNIT THROUGH FORECLOSURE.

THE GOVERNING DOCUMENTS MAY PROHIBIT OWNERS FROM MAKING CHANGES TO THE UNIT WITHOUT REVIEW AND THE APPROVAL OF THE ASSOCIATION, AND MAY ALSO IMPOSE RESTRICTIONS ON THE USE OF UNIT, DISPLAY OF SIGNS, CERTAIN BEHAVIORS, AND OTHER ITEMS.

PURCHASERS OF THIS UNIT SHOULD CAREFULLY REVIEW THE FINANCIAL OBLIGATIONS OF MEMBERS OF THE ASSOCIATION, THE CURRENT STATE OF THE ASSOCIATION'S FINANCES, THE CURRENT RESERVE STUDY, IF ANY, THE GOVERNING DOCUMENTS, AND THE OTHER INFORMATION AVAILABLE IN THE RESALE CERTIFICATE. THE GOVERNING DOCUMENTS CONTAIN IMPORTANT INFORMATION AND CREATE BINDING LEGAL OBLIGATIONS. YOU SHOULD CONSIDER SEEKING THE ASSISTANCE OF LEGAL COUNSEL."

(3) The public offering statement must include copies of each of the following documents: The declaration; the map; the organizational documents; the rules, if any; the current or proposed budget for the association; a dated balance sheet of the association; any inspection and repair report or reports prepared in accordance with the requirements of RCW 64.55.090; and any qualified warranty provided to a purchaser by a declarant together with a history of claims under the qualified warranty. If any of these documents are not in final form, the documents must be marked "draft" and, before closing the sale of a unit, the purchaser must be given notice of any material changes to the draft documents.

(4) A declarant must promptly amend the public offering statement to reflect any material change in the information required under this section.

**Sec. 329.** RCW 64.90.635 and 2018 c 277 s 408 are each amended to read as follows:

(1) A person required to deliver a public offering statement pursuant to 64.90.605(3) (a) shall provide a purchaser with a copy of the public offering statement and all amendments thereto before conveyance of the unit, and not later than the date of any contract of sale. The purchaser may cancel a contract for the purchase of the unit within seven days after first receiving the public offering statement. If the public offering statement is first provided to a purchaser more than seven days before execution of a contract for the purchase of a unit, the purchaser does not have the right under this section to cancel the executed contract. If the public offering statement is first provided to a purchaser seven days or less before the purchaser signs a contract for the purchase of a unit, the purchaser, before conveyance of the unit to the purchaser, may cancel the contract by delivering, no later than the seventh day after first receiving the public offering statement, a notice of cancellation, delivered pursuant to subsection (3) of this section. If the public offering statement is first provided to a purchaser less than seven days before the closing date for the conveyance of that unit, the purchaser may, before conveyance of the unit to the purchaser, extend the closing date to a date not more than seven days after the purchaser first received the public offering statement.

(2) A purchaser does not have the right under this section to cancel a contract upon receipt of an amendment to a public offering statement. This subsection ~~((must not be construed to))~~ does not eliminate any right that is otherwise available to the purchaser under generally applicable contract law to rescind the contract due to ~~((the disclosure of))~~ a material change in the information disclosed in the amendment.

(3) If a purchaser elects to cancel a contract under subsection (1) of this section, the purchaser may do so by hand-delivering notice of cancellation, or by mailing notice of cancellation by prepaid United States mail, to the declarant at the address set forth in the public offering statement or at the address of the declarant's registered agent for service of process. The date of such notice is the date of receipt of delivery, if hand-delivered, or the date of deposit in the United States mail, if mailed. Cancellation is without penalty, and all payments made to the seller by the purchaser before cancellation must be refunded promptly. There is no liability for failure to deliver any amendment unless such failure would have entitled the purchaser under generally applicable legal principles to cancel the contract for the purchase of the unit had the undisclosed information been evident to the purchaser before the closing of the purchase.

(4) The language of the notice required under RCW 64.90.610(2)(a) must not be construed to modify the rights set forth in this section.

**Sec. 330.** RCW 64.90.640 and 2022 c 27 s 6 are each amended to read as follows:

(1) Except in the case of a sale when delivery of a public offering statement is required, or unless exempt under RCW 64.90.600(2), or unless the purchaser has expressly waived receipt of the resale certificate under RCW 64.90.600(4) and has not waived receipt of the seller disclosure statement under RCW 64.06.010, a unit owner must furnish to a purchaser before execution of any contract for sale of a unit, or otherwise before conveyance, a resale certificate, signed by an officer or authorized agent of the association and based on the books and records of the association and the actual knowledge of the person signing the certificate, containing:

(a) A statement disclosing any right of first refusal or other restraint on the free alienability of the unit contained in the declaration;

(b) With respect to the selling unit owner's unit, a statement setting forth the amount of any assessment currently due, any delinquent assessments, and a statement of any special assessments that have been levied and have not been paid even though not yet due;

(c) A statement, which must be current to within 45 days, of any assessments against any unit in the condominium that are past due over 30 days;

(d) A statement, which must be current to within 45 days, of any monetary obligation of the association that is past due over 30 days;

(e) A statement of any other fees payable to the association by unit owners;

(f) A statement of any expenditure or anticipated repair or replacement cost reasonably anticipated to be in excess of five percent of the board-approved annual budget of the association, regardless of whether the unit owners are entitled to approve such cost;

(g) A statement whether the association does or does not have a reserve study prepared in accordance with RCW 64.90.545 and 64.90.550;

(h) The annual financial statement of the association, including the audit report if it has been prepared, for the year immediately preceding the current year;

(i) The most recent balance sheet and revenue and expense statement, if any, of the association;

(j) The current operating budget of the association;

(k) A statement of any unsatisfied judgments against the association and the status of any legal actions in which the association is a party or a claimant as defined in RCW 64.50.010;

(l) A statement describing any insurance coverage carried by the association and contact information for the association's insurance broker or agent;

(m) A statement as to whether the board has given or received notice in a record that any existing uses, occupancies, alterations, or improvements in or to the seller's unit or to the limited common elements allocated to the unit violate any provision of the governing documents;

(n) A statement of the number of units, if any, still owned by the declarant, whether the declarant has transferred control of the association to the unit owners, and the date of such transfer;

(o) A statement as to whether the board has received notice in a record from a governmental agency of any violation of environmental, health, or building codes with respect to the seller's unit, the limited common elements allocated to that unit, or any other portion of the common interest community that has not been cured;

(p) A statement of the remaining term of any leasehold estate affecting the common interest community and the provisions governing any extension or renewal of the leasehold estate;

(q) A statement of any restrictions in the declaration affecting the amount that may be received by a unit owner upon sale;

(r) In a cooperative, an accountant's statement, if any was prepared, as to the deductibility for federal income tax purposes by the unit owner of real estate taxes and interest paid by the association;

(s) A statement describing any pending sale or encumbrance of common elements;

(t) A statement disclosing the effect on the unit to be conveyed of any restriction ~~((s))~~ on the ~~((owner's))~~ right to use or occupy the unit ~~((or to))~~, including a restriction on a lease or other rental of the unit ~~((to another person))~~;

(u) A copy of the declaration, the organizational documents, the rules or regulations of the association, the minutes of board meetings and association meetings,

except for any information exempt from disclosure under RCW 64.90.495(3), for the last 12 months, a summary of the current reserve study for the association, and any other information reasonably requested by mortgagees of prospective purchasers of units. Information requested generally by the federal national mortgage association, the federal home loan bank board, the government national mortgage association, the veterans administration, or the department of housing and urban development is deemed reasonable if the information is reasonably available to the association;

(v) A statement whether the units or common elements of the common interest community are covered by a qualified warranty under chapter 64.35 RCW and, if so, a history of claims known to the association as having been made under any such warranty;

(w) A description of any age-related occupancy restrictions affecting the common interest community;

(x) A statement describing any requirements related to electric vehicle charging stations located in the unit or the limited common elements allocated to the unit, including application status, insurance information, maintenance responsibilities, and any associated costs; ((and))

(y) If the association does not have a reserve study that has been prepared in accordance with RCW 64.90.545 and 64.90.550 or its governing documents, the following disclosure:

"This association does not have a current reserve study. The lack of a current reserve study poses certain risks to you, the purchaser. Insufficient reserves may, under some circumstances, require you to pay on demand as a special assessment your share of common expenses for the cost of major maintenance, repair, or replacement of a common element."; and

(z) The resale certificate must include a notice in substantially the following form and in conspicuous type:

"THIS UNIT IS LOCATED WITHIN A COMMON INTEREST COMMUNITY AND IS SUBJECT TO THE DECLARATION, BYLAWS, RULES, AND OTHER WRITTEN INSTRUMENTS GRANTING AUTHORITY TO THE ASSOCIATION AS ADOPTED (THE "GOVERNING DOCUMENTS"). THE PURCHASER OF THIS UNIT WILL BE REQUIRED TO BE A MEMBER OF THE ASSOCIATION AND WILL BE SUBJECT TO THE GOVERNING DOCUMENTS. THE GOVERNING DOCUMENTS WILL IMPOSE FINANCIAL OBLIGATIONS UPON THE OWNER OF THE UNIT, INCLUDING AN OBLIGATION TO PAY ASSESSMENTS TO THE ASSOCIATION WHICH MAY INCLUDE REGULAR AND SPECIAL ASSESSMENTS, FINES, FEES, INTEREST, LATE CHARGES, AND COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEYS' FEES. THE ASSOCIATION HAS A STATUTORY LIEN ON EACH INDIVIDUAL UNIT FOR ANY UNPAID ASSESSMENT FROM THE TIME IT IS DUE. FAILURE TO PAY ASSESSMENTS COULD RESULT IN THE FILING OF A LIEN ON THE UNIT AND

LOSS OF THE UNIT THROUGH FORECLOSURE. THE GOVERNING DOCUMENTS MAY PROHIBIT OWNERS FROM MAKING CHANGES TO THE UNIT WITHOUT REVIEW AND THE APPROVAL OF THE ASSOCIATION, AND MAY ALSO IMPOSE RESTRICTIONS ON THE USE OF UNIT, DISPLAY OF SIGNS, CERTAIN BEHAVIORS, AND OTHER ITEMS. PURCHASERS OF THIS UNIT SHOULD CAREFULLY REVIEW THE FINANCIAL OBLIGATIONS OF MEMBERS OF THE ASSOCIATION, THE CURRENT STATE OF THE ASSOCIATION'S FINANCES, THE CURRENT RESERVE STUDY, IF ANY, THE GOVERNING DOCUMENTS, AND THE OTHER INFORMATION AVAILABLE IN THE RESALE CERTIFICATE. THE GOVERNING DOCUMENTS CONTAIN IMPORTANT INFORMATION AND CREATE BINDING LEGAL OBLIGATIONS. YOU SHOULD CONSIDER SEEKING THE ASSISTANCE OF LEGAL COUNSEL."

(2) The association, within 10 days after a request by a unit owner, and subject to the payment of any fees imposed pursuant to RCW 64.90.405(2)(m), must furnish a resale certificate signed by an officer or authorized agent of the association and containing the information necessary to enable the unit owner to comply with this section. For the purposes of this chapter, a reasonable charge for the preparation of a resale certificate may not exceed \$275. The association may charge a unit owner a nominal fee not to exceed \$100 for updating a resale certificate within six months of the unit owner's request. A unit owner is not liable to the purchaser for any erroneous information provided by the association and included in the certificate.

(3)(a) A purchaser is not liable for any unpaid assessment or fee greater than the amount set forth in the certificate prepared by the association.

(b) A unit owner is not liable to a purchaser for the failure or delay of the association to provide the certificate in a timely manner, but the purchase contract is voidable by the purchaser until the certificate has been provided and for five days thereafter or until conveyance, whichever occurs first.

**PART IV  
CONFORMING AMENDMENTS**

**Sec. 401.** RCW 7.60.025 and 2021 c 176 s 5201 and 2021 c 65 s 6 are each reenacted and amended to read as follows:

(1) A receiver may be appointed by the superior court of this state in the following instances, but except in any case in which a receiver's appointment is expressly required by statute, or any case in which a receiver's appointment is sought by a state agent whose authority to seek the appointment of a receiver is expressly conferred by statute, or any case in which a receiver's appointment with respect to real property is sought under (b)(ii) of this subsection, a receiver shall be appointed only if the court additionally determines that the appointment of a receiver is

reasonably necessary and that other available remedies either are not available or are inadequate:

(a) On application of any party, when the party is determined to have a probable right to or interest in property that is a subject of the action and in the possession of an adverse party, or when the property or its revenue-producing potential is in danger of being lost or materially injured or impaired. A receiver may be appointed under this subsection (1)(a) whether or not the application for appointment of a receiver is combined with, or is ancillary to, an action seeking a money judgment or other relief;

(b) Provisionally, after commencement of any judicial action or nonjudicial proceeding to foreclose upon any lien against or for forfeiture of any interest in real or personal property, on application of any person, when the interest in the property that is the subject of such an action or proceeding of the person seeking the receiver's appointment is determined to be probable and either:

(i) The property or its revenue-producing potential is in danger of being lost or materially injured or impaired; or

(ii) The appointment of a receiver with respect to the real or personal property that is the subject of the action or proceeding is provided for by agreement or is reasonably necessary to effectuate or enforce an assignment of rents or other revenues from the property. For purposes of this subsection (1)(b), a judicial action is commenced as provided in superior court civil rule 3(a), a nonjudicial proceeding is commenced under chapter 61.24 RCW upon the service of notice of default described in RCW 61.24.030(8), and a proceeding for forfeiture is commenced under chapter 61.30 RCW upon the recording of the notice of intent to forfeit described in RCW 61.30.060;

(c) After judgment, in order to give effect to the judgment;

(d) To dispose of property according to provisions of a judgment dealing with its disposition;

(e) To the extent that property is not exempt from execution, at the instance of a judgment creditor either before or after the issuance of any execution, to preserve or protect it, or prevent its transfer;

(f) If and to the extent that property is subject to execution to satisfy a judgment, to preserve the property during the pendency of an appeal, or when an execution has been returned unsatisfied, or when an order requiring a judgment debtor to appear for proceedings supplemental to judgment has been issued and the judgment debtor fails to submit to examination as ordered;

(g) Upon an attachment of real or personal property when the property attached is of a perishable nature or is otherwise in danger of waste, impairment, or destruction, or where the abandoned property's owner has absconded with, secreted, or abandoned the property, and it is necessary to collect, conserve, manage, control, or protect it, or to dispose of it promptly, or when the court determines that the nature of the property or the exigency of the case otherwise

provides cause for the appointment of a receiver;

(h) In an action by a transferor of real or personal property to avoid or rescind the transfer on the basis of fraud, or in an action to subject property or a fund to the payment of a debt;

(i) In an action against any person who is not an individual if the object of the action is the dissolution of that person, or if that person has been dissolved, or if that person is insolvent or is not generally paying the person's debts as those debts become due unless they are the subject of bona fide dispute, or if that person is in imminent danger of insolvency;

(j) In accordance with RCW 7.08.030 (4) and (6), in cases in which a general assignment for the benefit of creditors has been made;

(k) In quo warranto proceedings under chapter 7.56 RCW;

(l) As provided under RCW 11.64.022;

(m) In an action by the department of licensing under RCW 18.35.220(3) with respect to persons engaged in the business of dispensing of hearing aids, RCW 18.85.430 in the case of persons engaged in the business of a real estate broker, associate real estate broker, or real estate salesperson, or RCW 19.105.470 with respect to persons engaged in the business of camping resorts;

(n) In an action under RCW 18.44.470 or 18.44.490 in the case of persons engaged in the business of escrow agents;

(o) Upon a petition with respect to a nursing home in accordance with and subject to receivership provisions under chapter 18.51 RCW;

(p) In connection with a proceeding for relief with respect to a voidable transfer as to a present or future creditor under RCW 19.40.041 or a present creditor under RCW 19.40.051;

(q) Under RCW 19.100.210(1), in an action by the attorney general or director of financial institutions to restrain any actual or threatened violation of the franchise investment protection act;

(r) In an action by the attorney general or by a prosecuting attorney under RCW 19.110.160 with respect to a seller of business opportunities;

(s) In an action by the director of financial institutions under RCW 21.20.390 in cases involving actual or threatened violations of the securities act of Washington or under RCW 21.30.120 in cases involving actual or threatened violations of chapter 21.30 RCW with respect to certain businesses and transactions involving commodities;

(t) In an action for or relating to dissolution of a business corporation under RCW 23B.14.065, 23B.14.300, 23B.14.310, or 23B.14.320, for dissolution of a nonprofit corporation under RCW 24.03A.936, for dissolution of a mutual corporation under RCW 24.06.305, or in any other action for the dissolution or winding up of any other entity provided for by Title 23, 23B, 24, or 25 RCW;

(u) In any action in which the dissolution of any public or private entity is sought, in any action involving any

dispute with respect to the ownership or governance of such an entity, or upon the application of a person having an interest in such an entity when the appointment is reasonably necessary to protect the property of the entity or its business or other interests;

(v) Under RCW 25.05.215, in aid of a charging order with respect to a partner's interest in a partnership;

(w) Under and subject to RCW 30A.44.100, 30A.44.270, and 30A.56.030, in the case of a state commercial bank, RCW 30B.44B.100, in the case of a state trust company, RCW 32.24.070, 32.24.073, 32.24.080, and 32.24.090, in the case of a state savings bank;

(x) Under and subject to RCW 31.12.637 and 31.12.671 through 31.12.724, in the case of credit unions;

(y) Upon the application of the director of financial institutions under RCW 31.35.090 in actions to enforce chapter 31.35 RCW applicable to agricultural lenders, under RCW 31.40.120 in actions to enforce chapter 31.40 RCW applicable to entities engaged in federally guaranteed small business loans, under RCW 31.45.160 in actions to enforce chapter 31.45 RCW applicable to persons licensed as check cashers or check sellers, or under RCW 19.230.230 in actions to enforce chapter 19.230 RCW applicable to persons licensed under the uniform money services act;

(z) Under RCW 35.82.090 or 35.82.180, with respect to a housing project;

(aa) Under RCW 39.84.160 or 43.180.360, in proceedings to enforce rights under any revenue bonds issued for the purpose of financing industrial development facilities or bonds of the Washington state housing finance commission, or any financing document securing any such bonds;

(bb) Under and subject to RCW 43.70.195, in an action by the secretary of health or by a local health officer with respect to a public water system;

(cc) As contemplated by RCW 61.24.030, with respect to real property that is the subject of nonjudicial foreclosure proceedings under chapter 61.24 RCW;

(dd) As contemplated by RCW 61.30.030(3), with respect to real property that is the subject of judicial or nonjudicial forfeiture proceedings under chapter 61.30 RCW;

~~((Under RCW 64.32.200(2), in an action or proceeding commenced under chapter 61.12 or 61.24 RCW to foreclose upon a lien for common expenses against a dwelling unit subject to the horizontal property regimes act, chapter 64.32 RCW. For purposes of this subsection (1)(ee), a judicial action is commenced as provided in superior court civil rule 3(a) and a nonjudicial proceeding is commenced under chapter 61.24 RCW upon the service of notice of default described in RCW 61.24.030(8);~~

~~((ff) Under RCW 64.34.364(10), in an action or proceeding commenced under chapter 61.12 or 61.24 RCW by a unit owners' association to foreclose a lien for nonpayment of delinquent assessments against condominium units. For purposes of this subsection (1)(ff), a judicial action is commenced as provided in superior court~~

~~civil rule 3(a) and a nonjudicial proceeding is commenced under chapter 61.24 RCW upon the service of notice of default described in RCW 61.24.030(8);~~

~~((gg)) Under RCW 64.90.485(15), in an action by an association to collect assessments or to foreclose a lien on a unit;~~

~~((ff) Upon application of the attorney general under RCW 64.36.220(3), in aid of any writ or order restraining or enjoining violations of chapter 64.36 RCW applicable to timeshares;~~

~~((hh)) ((gg) Under RCW 70A.210.070(3), in aid of the enforcement of payment or performance of municipal bonds issued with respect to facilities used to abate, control, or prevent pollution;~~

~~((ii)) ((hh) Upon the application of the department of social and health services under RCW 74.42.580, in cases involving nursing homes;~~

~~((jj)) ((ii) Upon the application of the utilities and transportation commission under RCW 80.28.040, with respect to a water company or wastewater company that has failed to comply with an order of such commission within the time deadline specified therein;~~

~~((kk)) ((jj) Under RCW 87.56.065, in connection with the dissolution of an irrigation district;~~

~~((ll)) ((kk) Upon application of the attorney general or the department of licensing, in any proceeding that either of them are authorized by statute to bring to enforce Title 18 or 19 RCW; the securities act of Washington, chapter 21.20 RCW; the Washington commodities act, chapter 21.30 RCW; the land development act, chapter 58.19 RCW; or under chapter 64.36 RCW relating to the regulation of timeshares;~~

~~((mm)) ((ll) Upon application of the director of financial institutions in any proceeding that the director of financial institutions is authorized to bring to enforce chapters 31.35, 31.40, and 31.45 RCW; or~~

~~((nn)) ((mm) In such other cases as may be provided for by law, or when, in the discretion of the court, it may be necessary to secure ample justice to the parties.~~

(2) The superior courts of this state shall appoint as receiver of property located in this state a person who has been appointed by a federal or state court located elsewhere as receiver with respect to the property specifically or with respect to the owner's property generally, upon the application of the person or of any party to that foreign proceeding, and following the appointment shall give effect to orders, judgments, and decrees of the foreign court affecting the property in this state held by the receiver, unless the court determines that to do so would be manifestly unjust or inequitable. The venue of such a proceeding may be any county in which the person resides or maintains any office, or any county in which any property over which the receiver is to be appointed is located at the time the proceeding is commenced.

(3) At least seven days' notice of any application for the appointment of a receiver must be given to the owner of property to be subject thereto and to all



other parties in the action, and to other parties in interest as the court may require. If any execution by a judgment creditor under Title 6 RCW or any application by a judgment creditor for the appointment of a receiver, with respect to property over which the receiver's appointment is sought, is pending in any other action at the time the application is made, then notice of the application for the receiver's appointment also must be given to the judgment creditor in the other action. The court may shorten or expand the period for notice of an application for the appointment of a receiver upon good cause shown.

(4) The order appointing a receiver in all cases must reasonably describe the property over which the receiver is to take charge, by category, individual items, or both if the receiver is to take charge of less than all of the owner's property. If the order appointing a receiver does not expressly limit the receiver's authority to designated property or categories of property of the owner, the receiver is a general receiver with the authority to take charge over all of the owner's property, wherever located.

(5) The court may condition the appointment of a receiver upon the giving of security by the person seeking the receiver's appointment, in such amount as the court may specify, for the payment of costs and damages incurred or suffered by any person should it later be determined that the appointment of the receiver was wrongfully obtained.

**Sec. 402.** RCW 7.60.110 and 2011 c 34 s 4 are each amended to read as follows:

(1) Except as otherwise ordered by the court, the entry of an order appointing a general receiver or a custodial receiver with respect to all of a person's property shall operate as a stay, applicable to all persons, of:

(a) The commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the person over whose property the receiver is appointed that was or could have been commenced before the entry of the order of appointment, or to recover a claim against the person that arose before the entry of the order of appointment;

(b) The enforcement, against the person over whose property the receiver is appointed or any estate property, of a judgment obtained before the order of appointment;

(c) Any act to obtain possession of estate property from the receiver, or to interfere with, or exercise control over, estate property;

(d) Any act to create, perfect, or enforce any lien or claim against estate property except by exercise of a right of setoff, to the extent that the lien secures a claim against the person that arose before the entry of the order of appointment; or

(e) Any act to collect, assess, or recover a claim against the person that

arose before the entry of the order of appointment.

(2) The stay shall automatically expire as to the acts specified in subsection (1) (a), (b), and (e) of this section sixty days after the entry of the order of appointment unless before the expiration of the sixty-day period the receiver, for good cause shown, obtains an order of the court extending the stay, after notice and a hearing. A person whose action or proceeding is stayed by motion to the court may seek relief from the stay for good cause shown. Any judgment obtained against the person over whose property the receiver is appointed or estate property following the entry of the order of appointment is not a lien against estate property unless the receivership is terminated prior to a conveyance of the property against which the judgment would otherwise constitute a lien.

(3) The entry of an order appointing a receiver does not operate as a stay of:

(a) The continuation of a judicial action or nonjudicial proceeding of the type described in RCW 7.60.025(1) (b) ~~((τ))~~ or ~~((ff))~~, if the action or proceeding was initiated by the party seeking the receiver's appointment;

(b) The commencement or continuation of a criminal proceeding against the person over whose property the receiver is appointed;

(c) The commencement or continuation of an action or proceeding to establish paternity, or to establish or modify an order for alimony, maintenance, or support, or to collect alimony, maintenance, or support under any order of a court;

(d) Any act to perfect, or to maintain or continue the perfection of, an interest in estate property if the interest perfected would be effective against a creditor of the person over whose property the receiver is appointed holding at the time of the entry of the order of appointment either a perfected nonpurchase money security interest under chapter 62A.9A RCW against the property involved, or a lien by attachment, levy, or the like, whether or not such a creditor exists. If perfection of an interest would require seizure of the property involved or the commencement of an action, the perfection shall instead be accomplished by filing, and by serving upon the receiver, or receiver's counsel, if any, notice of the interest within the time fixed by law for seizure or commencement;

(e) The commencement or continuation of an action or proceeding by a governmental unit to enforce its police or regulatory power;

(f) The enforcement of a judgment, other than a money judgment, obtained in an action or proceeding by a governmental unit to enforce its police or regulatory power, or with respect to any licensure of the person over whose property the receiver is appointed;

(g) The exercise of a right of setoff, including but not limited to (i) any right of a commodity broker, forward contract merchant, stockbroker, financial institution, or securities clearing agency to set off a claim for a margin payment or settlement payment arising out of a commodity contract, forward contract, or

securities contract against cash, securities, or other property held or due from the commodity broker, forward contract merchant, stockbroker, financial institution, or securities clearing agency to margin, guarantee, secure, or settle the commodity contract, forward contract, or securities contract, and (ii) any right of a swap participant to set off a claim for a payment due to the swap participant under or in connection with a swap agreement against any payment due from the swap participant under or in connection with the swap agreement or against cash, securities, or other property of the debtor held by or due from the swap participant to guarantee, secure, or settle the swap agreement; or

(h) The establishment by a governmental unit of any tax liability and any appeal thereof.

**Sec. 403.** RCW 18.85.151 and 2012 c 126 s 1 are each amended to read as follows:

This chapter shall not apply to:

(1) Any person who purchases or disposes of property and/or a business opportunity for that individual's own account, or that of a group of which the person is a member, and their employees;

(2) Any duly authorized attorney-in-fact acting under a power of attorney without compensation;

(3) An attorney-at-law in the performance of the practice of law;

(4) Any receiver, trustee in bankruptcy, executor, administrator, guardian, personal representative, or any person acting under the order of any court, selling under a deed of trust, or acting as trustee under a trust;

(5) Any secretary, bookkeeper, accountant, or other office personnel who does not engage in any conduct or activity specified in any of the definitions under RCW 18.85.011;

(6) Employees of towns, cities, counties, or governmental entities involved in an acquisition of property for right-of-way, eminent domain, or threat of eminent domain;

(7) Only with respect to the rental or lease of individual storage space, any person who owns or manages a self-service storage facility as defined under chapter 19.150 RCW;

(8) Any person providing referrals to licensees who is not involved in the negotiation, execution of documents, or related real estate brokerage services, and compensation is not contingent upon receipt of compensation by the licensee or the real estate firm;

(9) Certified public accountants if they do not promote the purchase, listing, sale, exchange, optioning, leasing, or renting of a specific real property interest;

(10) Any natural persons or entities including title or escrow companies, escrow agents, attorneys, or financial institutions acting as escrow agents if they do not promote the purchase, listing, sale, exchange, optioning, leasing, or renting of a specific real property interest;

(11) Investment counselors if they do not promote the purchase, listing, sale,

exchange, optioning, leasing, or renting of a specific real property interest;

(12) Common interest community managers who, in an advisory capacity and for compensation or in expectation of compensation, provide management or financial services, negotiate agreements to provide management or financial services, or represent themselves as providing management or financial services to an association governed by chapter ~~((64.32, 64.34, or 64.38))~~ 64.90 RCW, if they do not promote the purchase, listing, sale, exchange, optioning, leasing, or renting of a specific real property interest. This subsection (12) applies regardless of whether a common interest community manager acts as an independent contractor to, employee of, general manager or executive director of, or agent of an association governed by chapter ~~((64.32, 64.34, or 64.38))~~ 64.90 RCW; and

(13) Any person employed or retained by, for, or on behalf of the owner or on behalf of a designated or managing broker if the person is limited in property management to any of the following activities:

(a) Delivering a lease application, a lease, or any amendment thereof to any person;

(b) Receiving a lease application, lease, or amendment thereof, a security deposit, rental payment, or any related payment for delivery to and made payable to the real estate firm or owner;

(c) Showing a rental unit to any person, or executing leases or rental agreements, and the employee or retaineer is acting under the direct instruction of the owner or designated or managing broker;

(d) Providing information about a rental unit, a lease, an application for lease, or a security deposit and rental amounts to any prospective tenant; or

(e) Assisting in the performance of property management functions by carrying out administrative, clerical, financial, or maintenance tasks.

**Sec. 404.** RCW 36.70A.699 and 2020 c 217 s 5 are each amended to read as follows:

Nothing in chapter 217, Laws of 2020 modifies or limits any rights or interests legally recorded in the governing documents of associations subject to chapter ~~((64.32, 64.34, 64.38, or 64.38))~~ 64.90 RCW.

**Sec. 405.** RCW 43.185B.020 and 2023 c 275 s 25 are each amended to read as follows:

(1) The department shall establish the affordable housing advisory board to consist of 25 members.

(a) The following 22 members shall be appointed by the governor:

(i) Two representatives of the residential construction industry;

(ii) Two representatives of the home mortgage lending profession;

(iii) One representative of the real estate sales profession;

(iv) One representative of the apartment management and operation industry;

(v) One representative of the for-profit housing development industry;

(vi) One representative of for-profit rental housing owners;

(vii) One representative of the nonprofit housing development industry;

(viii) One representative of homeless shelter operators;

(ix) One representative of lower-income persons;

(x) One representative of special needs populations;

(xi) One representative of public housing authorities as created under chapter 35.82 RCW;

(xii) Two representatives of the Washington association of counties, one representative shall be from a county that is located east of the crest of the Cascade mountains;

(xiii) Two representatives of the association of Washington cities, one representative shall be from a city that is located east of the crest of the Cascade mountains;

(xiv) One representative to serve as chair of the affordable housing advisory board;

(xv) One representative of organizations that operate site-based permanent supportive housing and deliver on-site supportive housing services;

(xvi) One representative at large;

(xvii) One representative from a unit owners<sup>(L)</sup> association as defined in RCW ((64.34.020 or) 64.90.010; and

(xviii) One representative from an interlocal housing collaboration as established under chapter 39.34 RCW.

(b) The following three members shall serve as ex officio, nonvoting members:

(i) The director or the director's designee;

(ii) The executive director of the Washington state housing finance commission or the executive director's designee; and

(iii) The secretary of social and health services or the secretary's designee.

(2)(a) The members of the affordable housing advisory board appointed by the governor shall be appointed for four-year terms, except that the chair shall be appointed to serve a two-year term. The terms of five of the initial appointees shall be for two years from the date of appointment and the terms of six of the initial appointees shall be for three years from the date of appointment. The governor shall designate the appointees who will serve the two-year and three-year terms. The members of the advisory board shall serve without compensation, but shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(b) The governor, when making appointments to the affordable housing advisory board, shall make appointments that reflect the cultural diversity of the state of Washington.

(3) The affordable housing advisory board shall serve as the department's principal advisory body on housing and housing-related issues, and replaces the department's existing boards and task forces on housing and housing-related issues.

(4) The affordable housing advisory board shall meet regularly and may appoint technical advisory committees, which may

include members of the affordable housing advisory board, as needed to address specific issues and concerns.

(5) The department, in conjunction with the Washington state housing finance commission and the department of social and health services, shall supply such information and assistance as are deemed necessary for the advisory board to carry out its duties under this section.

(6) The department shall provide administrative and clerical assistance to the affordable housing advisory board.

**Sec. 406.** RCW 46.61.419 and 2013 c 269 s 1 are each amended to read as follows:

State, local, or county law enforcement personnel may enforce speeding violations under RCW 46.61.400 on private roads within a community organized under chapter ((64.34, 64.32, or 64.38)) 64.90 RCW if:

(1) A majority of the ((homeowner's association's, association of apartment owners', or condominium)) unit owners association's board of directors votes to authorize the issuance of speeding infractions on its private roads, and declares a speed limit not lower than twenty miles per hour;

(2) A written agreement regarding the speeding enforcement is signed by the ((homeowner's association, association of apartment owners, or condominium)) unit owners association president and the chief law enforcement official of the city or county within whose jurisdiction the private road is located;

(3) The ((homeowner's association, association of apartment owners, or condominium)) unit owners association has provided written notice to all of the ((homeowners, apartment owners, or) unit owners describing the new authority to issue speeding infractions; and

(4) Signs have been posted declaring the speed limit at all vehicle entrances to the common interest community.

**Sec. 407.** RCW 58.17.040 and 2019 c 352 s 2 are each amended to read as follows:

The provisions of this chapter shall not apply to:

(1) Cemeteries and other burial plots while used for that purpose;

(2) Divisions of land into lots or tracts each of which is one-one hundred twenty-eighth of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land, unless the governing authority of the city, town, or county in which the land is situated shall have adopted a subdivision ordinance requiring plat approval of such divisions: PROVIDED, That for purposes of computing the size of any lot under this item which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the center line of the road or street and the side lot lines of the lot running perpendicular to such center line;

(3) Divisions made by testamentary provisions, or the laws of descent;

(4) Divisions of land into lots or tracts classified for industrial or commercial use

when the city, town, or county has approved a binding site plan for the use of the land in accordance with local regulations;

(5) A division for the purpose of lease when no residential structure other than mobile homes, tiny houses or tiny houses with wheels as defined in RCW 35.21.686, or travel trailers are permitted to be placed upon the land when the city, town, or county has approved a binding site plan for the use of the land in accordance with local regulations;

(6) A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site;

(7) Divisions of land into lots or tracts if: (a) Such division is the result of subjecting a portion of a parcel or tract of land to ~~((either))~~ chapter ~~((64.32 or 64.34))~~ 64.90 RCW subsequent to the recording of a binding site plan for all such land; (b) the improvements constructed or to be constructed thereon are required by the provisions of the binding site plan to be included in one or more condominiums, cooperatives, or owned by an association or other legal entity in which the owners of units therein or their owners~~((L))~~ associations have a membership or other legal or beneficial interest; (c) a city, town, or county has approved the binding site plan for all such land; (d) such approved binding site plan is recorded in the county or counties in which such land is located; and (e) the binding site plan contains thereon the following statement: "All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of the city, town, or county having jurisdiction over the development of such land, and in accordance with such other governmental permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. Upon completion, the improvements on the land shall be included in one or more condominiums, cooperatives, or owned by an association or other legal entity in which the owners of units therein or their owners~~((L))~~ associations have a membership or other legal or beneficial interest. This binding site plan shall be binding upon all now or hereafter having any interest in the land described herein." The binding site plan may, but need not, depict or describe the boundaries of the lots or tracts resulting from subjecting a portion of the land to ~~((either))~~ chapter ~~((64.32 or 64.34))~~ 64.90 RCW. A site plan shall be deemed to have been approved if the site plan was approved by a city, town, or county: (i) In connection with the final approval of a subdivision plat or planned unit development with respect to all of such land; or (ii) in connection with the issuance of building permits or final certificates of occupancy with respect to all of such land; or (iii) if not approved

pursuant to (i) and (ii) of this subsection (7)(e), then pursuant to such other procedures as such city, town, or county may have established for the approval of a binding site plan;

(8) A division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose. "Personal wireless services" means any federally licensed personal wireless service. "Facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures; and

(9) A division of land into lots or tracts of less than three acres that is recorded in accordance with chapter 58.09 RCW and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. For purposes of this subsection, "electric utility facilities" means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations. This subsection does not exempt a division of land from the zoning and permitting laws and regulations of cities, towns, counties, and municipal corporations. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility's existing and new customers. New customers are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed.

**Sec. 408.** RCW 59.18.200 and 2021 c 212 s 3 are each amended to read as follows:

(1)(a) When premises are rented for an indefinite time, with monthly or other periodic rent reserved, such tenancy shall be construed to be a tenancy from month to month, or from period to period on which rent is payable, and shall end by written notice of 20 days or more, preceding the end of any of the months or periods of tenancy, given by the tenant to the landlord.

(b) Any tenant who is a member of the armed forces, including the national guard and armed forces reserves, or that tenant's spouse or dependent, may end a rental agreement with less than 20 days' written notice if the tenant receives permanent change of station or deployment orders that do not allow a 20-day written notice.

(2)(a) Whenever a landlord plans to change to a policy of excluding children, the landlord shall give a written notice to a tenant at least 90 days before the tenancy ends to effectuate such change in policy. Such 90-day notice shall be in lieu of the notice required by subsection (1) of this section. However, if after giving the 90-day notice the change in policy is delayed, the

notice requirements of subsection (1) of this section shall apply unless waived by the tenant.

(b) Whenever a landlord plans to change any apartment or apartments to a condominium form of ownership, the landlord shall provide a written notice to a tenant at least 120 days before the tenancy ends, in compliance with RCW ~~((64.34.440(1)))~~ 64.90.655, to effectuate such change. The 120-day notice is in lieu of the notice required in subsection (1) of this section. However, if after providing the 120-day notice the change to a condominium form of ownership is delayed, the notice requirements in subsection (1) of this section apply unless waived by the tenant.

(c)(i) Whenever a landlord plans to demolish or substantially rehabilitate premises or plans a change of use of premises, the landlord shall provide a written notice to a tenant at least 120 days before the tenancy ends. This subsection (2)(c)(i) does not apply to jurisdictions that have created a relocation assistance program under RCW 59.18.440 and otherwise provide 120 days' notice.

(ii) For purposes of this subsection (2)(c):

(A) "Assisted housing development" means a multifamily rental housing development that either receives government assistance and is defined as federally assisted housing in RCW 59.28.020, or that receives other federal, state, or local government assistance and is subject to use restrictions.

(B) "Change of use" means: (I) Conversion of any premises from a residential use to a nonresidential use that results in the displacement of an existing tenant; (II) conversion from one type of residential use to another type of residential use that results in the displacement of an existing tenant, such as conversion to a retirement home, emergency shelter, or transient hotel; or (III) conversion following removal of use restrictions from an assisted housing development that results in the displacement of an existing tenant: PROVIDED, That displacement of an existing tenant in order that the owner or a member of the owner's immediate family may occupy the premises does not constitute a change of use.

(C) "Demolish" means the destruction of premises or the relocation of premises to another site that results in the displacement of an existing tenant.

(D) "Substantially rehabilitate" means extensive structural repair or extensive remodeling of premises that requires a permit such as a building, electrical, plumbing, or mechanical permit, and that results in the displacement of an existing tenant.

**Sec. 409.** RCW 59.18.650 and 2021 c 212 s 2 are each amended to read as follows:

(1)(a) A landlord may not evict a tenant, refuse to continue a tenancy, or end a periodic tenancy except for the causes enumerated in subsection (2) of this section and as otherwise provided in this subsection.

(b) If a landlord and tenant enter into a rental agreement that provides for the tenancy to continue for an indefinite period on a month-to-month or periodic basis after the agreement expires, the landlord may not end the tenancy except for the causes enumerated in subsection (2) of this section; however, a landlord may end such a tenancy at the end of the initial period of the rental agreement without cause only if:

(i) At the inception of the tenancy, the landlord and tenant entered into a rental agreement between six and 12 months; and

(ii) The landlord has provided the tenant before the end of the initial lease period at least 60 days' advance written notice ending the tenancy, served in a manner consistent with RCW 59.12.040.

(c) If a landlord and tenant enter into a rental agreement for a specified period in which the tenancy by the terms of the rental agreement does not continue for an indefinite period on a month-to-month or periodic basis after the end of the specified period, the landlord may end such a tenancy without cause upon expiration of the specified period only if:

(i) At the inception of the tenancy, the landlord and tenant entered into a rental agreement of 12 months or more for a specified period, or the landlord and tenant have continuously and without interruption entered into successive rental agreements of six months or more for a specified period since the inception of the tenancy;

(ii) The landlord has provided the tenant before the end of the specified period at least 60 days' advance written notice that the tenancy will be deemed expired at the end of such specified period, served in a manner consistent with RCW 59.12.040; and

(iii) The tenancy has not been for an indefinite period on a month-to-month or periodic basis at any point since the inception of the tenancy. However, for any tenancy of an indefinite period in existence as of May 10, 2021, if the landlord and tenant enter into a rental agreement between May 10, 2021, and three months following the expiration of the governor's proclamation 20-19.6 or any extensions thereof, the landlord may exercise rights under this subsection (1)(c) as if the rental agreement was entered into at the inception of the tenancy provided that the rental agreement is otherwise in accordance with this subsection (1)(c).

(d) For all other tenancies of a specified period not covered under (b) or (c) of this subsection, and for tenancies of an indefinite period on a month-to-month or periodic basis, a landlord may not end the tenancy except for the causes enumerated in subsection (2) of this section. Upon the end date of the tenancy of a specified period, the tenancy becomes a month-to-month tenancy.

(e) Nothing prohibits a landlord and tenant from entering into subsequent lease agreements that are in compliance with the requirements in subsection (2) of this section.

(f) A tenant may end a tenancy for a specified time by providing notice in writing not less than 20 days prior to the ending date of the specified time.

(2) The following reasons listed in this subsection constitute cause pursuant to subsection (1) of this section:

(a) The tenant continues in possession in person or by subtenant after a default in the payment of rent, and after written notice requiring, in the alternative, the payment of the rent or the surrender of the detained premises has remained uncomplied with for the period set forth in RCW 59.12.030(3) for tenants subject to this chapter. The written notice may be served at any time after the rent becomes due;

(b) The tenant continues in possession after substantial breach of a material program requirement of subsidized housing, material term subscribed to by the tenant within the lease or rental agreement, or a tenant obligation imposed by law, other than one for monetary damages, and after the landlord has served written notice specifying the acts or omissions constituting the breach and requiring, in the alternative, that the breach be remedied or the rental agreement will end, and the breach has not been adequately remedied by the date specified in the notice, which date must be at least 10 days after service of the notice;

(c) The tenant continues in possession after having received at least three days' advance written notice to quit after he or she commits or permits waste or nuisance upon the premises, unlawful activity that affects the use and enjoyment of the premises, or other substantial or repeated and unreasonable interference with the use and enjoyment of the premises by the landlord or neighbors of the tenant;

(d) The tenant continues in possession after the landlord of a dwelling unit in good faith seeks possession so that the owner or his or her immediate family may occupy the unit as that person's principal residence and no substantially equivalent unit is vacant and available to house the owner or his or her immediate family in the same building, and the owner has provided at least 90 days' advance written notice of the date the tenant's possession is to end. There is a rebuttable presumption that the owner did not act in good faith if the owner or immediate family fails to occupy the unit as a principal residence for at least 60 consecutive days during the 90 days immediately after the tenant vacated the unit pursuant to a notice to vacate using this subsection (2)(d) as the cause for the lease ending;

(e) The tenant continues in possession after the owner elects to sell a single-family residence and the landlord has provided at least 90 days' advance written notice of the date the tenant's possession is to end. For the purposes of this subsection (2)(e), an owner "elects to sell" when the owner makes reasonable attempts to sell the dwelling within 30 days after the tenant has vacated, including, at a minimum, listing it for sale at a reasonable price with a realty agency or advertising it for sale at a reasonable price by listing it on the real estate multiple listing service. There shall be a rebuttable presumption that the owner did not intend to sell the unit if:

(i) Within 30 days after the tenant has vacated, the owner does not list the single-family dwelling unit for sale at a reasonable price with a realty agency or advertise it for sale at a reasonable price by listing it on the real estate multiple listing service; or

(ii) Within 90 days after the date the tenant vacated or the date the property was listed for sale, whichever is later, the owner withdraws the rental unit from the market, the landlord rents the unit to someone other than the former tenant, or the landlord otherwise indicates that the owner does not intend to sell the unit;

(f) The tenant continues in possession of the premises after the landlord serves the tenant with advance written notice pursuant to RCW 59.18.200(2)(c);

(g) The tenant continues in possession after the owner elects to withdraw the premises to pursue a conversion pursuant to RCW ((~~64.34.440 or~~) 64.90.655;

(h) The tenant continues in possession, after the landlord has provided at least 30 days' advance written notice to vacate that:

(i) The premises has been certified or condemned as uninhabitable by a local agency charged with the authority to issue such an order; and (ii) continued habitation of the premises would subject the landlord to civil or criminal penalties. However, if the terms of the local agency's order do not allow the landlord to provide at least 30 days' advance written notice, the landlord must provide as much advance written notice as is possible and still comply with the order;

(i) The tenant continues in possession after an owner or lessor, with whom the tenant shares the dwelling unit or access to a common kitchen or bathroom area, has served at least 20 days' advance written notice to vacate prior to the end of the rental term or, if a periodic tenancy, the end of the rental period;

(j) The tenant continues in possession of a dwelling unit in transitional housing after having received at least 30 days' advance written notice to vacate in advance of the expiration of the transitional housing program, the tenant has aged out of the transitional housing program, or the tenant has completed an educational or training or service program and is no longer eligible to participate in the transitional housing program. Nothing in this subsection (2)(j) prohibits the ending of a tenancy in transitional housing for any of the other causes specified in this subsection;

(k) The tenant continues in possession of a dwelling unit after the expiration of a rental agreement without signing a proposed new rental agreement proffered by the landlord; provided, that the landlord proffered the proposed new rental agreement at least 30 days prior to the expiration of the current rental agreement and that any new terms and conditions of the proposed new rental agreement are reasonable. This subsection (2)(k) does not apply to tenants whose tenancies are or have become periodic;

(l) The tenant continues in possession after having received at least 30 days' advance written notice to vacate due to intentional, knowing, and material misrepresentations or omissions made on the

tenant's application at the inception of the tenancy that, had these misrepresentations or omissions not been made, would have resulted in the landlord requesting additional information or taking an adverse action;

(m) The tenant continues in possession after having received at least 60 days' advance written notice to vacate for other good cause prior to the end of the period or rental agreement and such cause constitutes a legitimate economic or business reason not covered or related to a basis for ending the lease as enumerated under this subsection (2). When the landlord relies on this basis for ending the tenancy, the court may stay any writ of restitution for up to 60 additional days for good cause shown, including difficulty procuring alternative housing. The court must condition such a stay upon the tenant's continued payment of rent during the stay period. Upon granting such a stay, the court must award court costs and fees as allowed under this chapter;

(n) (i) The tenant continues in possession after having received at least 60 days' written notice to vacate prior to the end of the period or rental agreement and the tenant has committed four or more of the following violations, other than ones for monetary damages, within the preceding 12-month period, the tenant has remedied or cured the violation, and the landlord has provided the tenant a written warning notice at the time of each violation: A substantial breach of a material program requirement of subsidized housing, a substantial breach of a material term subscribed to by the tenant within the lease or rental agreement, or a substantial breach of a tenant obligation imposed by law;

(ii) Each written warning notice must:

(A) Specify the violation;

(B) Provide the tenant an opportunity to cure the violation;

(C) State that the landlord may choose to end the tenancy at the end of the rental term if there are four violations within a 12-month period preceding the end of the term; and

(D) State that correcting the fourth or subsequent violation is not a defense to the ending of the lease under this subsection;

(iii) The 60-day notice to vacate must:

(A) State that the rental agreement will end upon the specified ending date for the rental term or upon a designated date not less than 60 days after the delivery of the notice, whichever is later;

(B) Specify the reason for ending the lease and supporting facts; and

(C) Be served to the tenant concurrent with or after the fourth or subsequent written warning notice;

(iv) The notice under this subsection must include all notices supporting the basis of ending the lease;

(v) Any notices asserted under this subsection must pertain to four or more separate incidents or occurrences; and

(vi) This subsection (2)(n) does not absolve a landlord from demonstrating by admissible evidence that the four or more violations constituted breaches under (b) of this subsection at the time of the violation

had the tenant not remedied or cured the violation;

(o) The tenant continues in possession after having received at least 60 days' advance written notice to vacate prior to the end of the rental period or rental agreement if the tenant is required to register as a sex offender during the tenancy, or failed to disclose a requirement to register as a sex offender when required in the rental application or otherwise known to the property owner at the beginning of the tenancy;

(p) The tenant continues in possession after having received at least 20 days' advance written notice to vacate prior to the end of the rental period or rental agreement if the tenant has made unwanted sexual advances or other acts of sexual harassment directed at the property owner, property manager, property employee, or another tenant based on the person's race, gender, or other protected status in violation of any covenant or term in the lease.

(3) When a tenant has permanently vacated due to voluntary or involuntary events, other than by the ending of the tenancy by the landlord, a landlord must serve a notice to any remaining occupants who had coresided with the tenant at least six months prior to and up to the time the tenant permanently vacated, requiring the occupants to either apply to become a party to the rental agreement or vacate within 30 days of service of such notice. In processing any application from a remaining occupant under this subsection, the landlord may require the occupant to meet the same screening, background, and financial criteria as would any other prospective tenant to continue the tenancy. If the occupant fails to apply within 30 days of receipt of the notice in this subsection, or the application is denied for failure to meet the criteria, the landlord may commence an unlawful detainer action under this chapter. If an occupant becomes a party to the tenancy pursuant to this subsection, a landlord may not end the tenancy except as provided under subsection (2) of this section. This subsection does not apply to tenants residing in subsidized housing.

(4) A landlord who removes a tenant or causes a tenant to be removed from a dwelling in any way in violation of this section is liable to the tenant for wrongful eviction, and the tenant prevailing in such an action is entitled to the greater of their economic and noneconomic damages or three times the monthly rent of the dwelling at issue, and reasonable attorneys' fees and court costs.

(5) Nothing in subsection (2)(d), (e), or (f) of this section permits a landlord to end a tenancy for a specified period before the completion of the term unless the landlord and the tenant mutually consent, in writing, to ending the tenancy early and the tenant is afforded at least 60 days to vacate.

(6) All written notices required under subsection (2) of this section must:

(a) Be served in a manner consistent with RCW 59.12.040; and

(b) Identify the facts and circumstances known and available to the landlord at the time of the issuance of the notice that support the cause or causes with enough specificity so as to enable the tenant to respond and prepare a defense to any incidents alleged. The landlord may present additional facts and circumstances regarding the allegations within the notice if such evidence was unknown or unavailable at the time of the issuance of the notice.

**Sec. 410.** RCW 61.24.030 and 2023 c 206 s 2 are each amended to read as follows:

It shall be requisite to a trustee's sale:

(1) That the deed of trust contains a power of sale;

(2) That the deed of trust contains a statement that the real property conveyed is not used principally for agricultural purposes; provided, if the statement is false on the date the deed of trust was granted or amended to include that statement, and false on the date of the trustee's sale, then the deed of trust must be foreclosed judicially. Real property is used for agricultural purposes if it is used in an operation that produces crops, livestock, or aquatic goods;

(3) That a default has occurred in the obligation secured or a covenant of the grantor, which by the terms of the deed of trust makes operative the power to sell;

(4) That no action commenced by the beneficiary of the deed of trust is now pending to seek satisfaction of an obligation secured by the deed of trust in any court by reason of the grantor's default on the obligation secured: PROVIDED, That (a) the seeking of the appointment of a receiver, or the filing of a civil case to obtain court approval to access, secure, maintain, and preserve property from waste or nuisance, shall not constitute an action for purposes of this chapter; and (b) if a receiver is appointed, the grantor shall be entitled to any rents or profits derived from property subject to a homestead as defined in RCW 6.13.010. If the deed of trust was granted to secure a commercial loan, this subsection shall not apply to actions brought to enforce any other lien or security interest granted to secure the obligation secured by the deed of trust being foreclosed;

(5) That the deed of trust has been recorded in each county in which the land or some part thereof is situated;

(6) That prior to the date of the notice of trustee's sale and continuing thereafter through the date of the trustee's sale, the trustee must maintain a street address in this state where personal service of process may be made, and the trustee must maintain a physical presence and have telephone service at such address;

(7)(a) That, for residential real property of up to four units, before the notice of trustee's sale is recorded, transmitted, or served, the trustee shall have proof that the beneficiary is the holder of any promissory note or other obligation secured by the deed of trust. A declaration by the beneficiary made under

the penalty of perjury stating that the beneficiary is the holder of any promissory note or other obligation secured by the deed of trust shall be sufficient proof as required under this subsection.

(b) Unless the trustee has violated his or her duty under RCW 61.24.010(4), the trustee is entitled to rely on the beneficiary's declaration as evidence of proof required under this subsection.

(c) This subsection (7) does not apply to association beneficiaries subject to chapter ((64.32, 64.34, or 64.38)) 64.90 RCW;

(8) That at least 30 days before notice of sale shall be recorded, transmitted or served, written notice of default and, for residential real property of up to four units, the beneficiary declaration specified in subsection (7)(a) of this section shall be transmitted by the beneficiary or trustee to the borrower and grantor at their last known addresses by both first-class and either registered or certified mail, return receipt requested, and the beneficiary or trustee shall cause to be posted in a conspicuous place on the premises, a copy of the notice, or personally served on the borrower and grantor. This notice shall contain the following information:

(a) A description of the property which is then subject to the deed of trust;

(b) A statement identifying each county in which the deed of trust is recorded and the document number given to the deed of trust upon recording by each county auditor or recording officer;

(c) A statement that the beneficiary has declared the borrower or grantor to be in default, and a concise statement of the default alleged;

(d) An itemized account of the amount or amounts in arrears if the default alleged is failure to make payments;

(e) An itemized account of all other specific charges, costs, or fees that the borrower, grantor, or any guarantor is or may be obliged to pay to reinstate the deed of trust before the recording of the notice of sale;

(f) A statement showing the total of (d) and (e) of this subsection, designated clearly and conspicuously as the amount necessary to reinstate the note and deed of trust before the recording of the notice of sale;

(g) A statement that failure to cure the alleged default within 30 days of the date of mailing of the notice, or if personally served, within 30 days of the date of personal service thereof, may lead to recordation, transmittal, and publication of a notice of sale, and that the property described in (a) of this subsection may be sold at public auction at a date no less than 120 days in the future, or no less than 150 days in the future if the borrower received a letter under RCW 61.24.031;

(h) A statement that the effect of the recordation, transmittal, and publication of a notice of sale will be to (i) increase the costs and fees and (ii) publicize the default and advertise the grantor's property for sale;

(i) A statement that the effect of the sale of the grantor's property by the trustee will be to deprive the grantor of



all their interest in the property described in (a) of this subsection;

(j) A statement that the borrower, grantor, and any guarantor has recourse to the courts pursuant to RCW 61.24.130 to contest the alleged default on any proper ground;

(k) In the event the property secured by the deed of trust is residential real property of up to four units, a statement, prominently set out at the beginning of the notice, which shall state as follows:

**"THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.**

You may be eligible for mediation in front of a neutral third party to help save your home.

**CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW** to assess your situation and refer you to mediation if you might benefit. Mediation **MUST** be requested between the time you receive the Notice of Default and no later than **90 calendar days BEFORE the date of sale** listed in the Notice of Trustee Sale. If an amended Notice of Trustee Sale is recorded providing a 45-day notice of the sale, mediation must be requested no later than **25 calendar days BEFORE the date of sale** listed in the amended Notice of Trustee Sale.

**DO NOT DELAY.** If you do nothing, a notice of sale may be issued as soon as 30 days from the date of this notice of default. The notice of sale will provide a minimum of 120 days' notice of the date of the actual foreclosure sale.

**BE CAREFUL** of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

**REFER TO THE CONTACTS BELOW** for sources of assistance.

**SEEKING ASSISTANCE**

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: . . . . .

Website: . . . . .

The United States Department of Housing and Urban Development

Telephone: . . . . .

Website: . . . . .

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: . . . . .

Website: . . . . ."

The beneficiary or trustee shall obtain the toll-free numbers and website information from the department for inclusion in the notice;

(l) In the event the property secured by the deed of trust is residential real property of up to four units, the name and address of the holder of any promissory note

or other obligation secured by the deed of trust and the name, address, and telephone number of a party acting as a servicer of the obligations secured by the deed of trust;

(m) For notices issued after June 30, 2018, on the top of the first page of the notice:

(i) The current beneficiary of the deed of trust;

(ii) The current mortgage servicer for the deed of trust; and

(iii) The current trustee for the deed of trust;

(9) That, for residential real property of up to four units, before the notice of the trustee's sale is recorded, transmitted, or served, the beneficiary has complied with RCW 61.24.031 and, if applicable, RCW 61.24.163;

(10) That, in the case where the borrower or grantor is known to the mortgage servicer or trustee to be deceased, the notice required under subsection (8) of this section must be sent to any spouse, child, or parent of the borrower or grantor known to the trustee or mortgage servicer, and to any owner of record of the property, at any address provided to the trustee or mortgage servicer, and to the property addressed to the heirs and devisees of the borrower.

(a) If the name or address of any spouse, child, or parent of such deceased borrower or grantor cannot be ascertained with use of reasonable diligence, the trustee must execute and record with the notice of sale a declaration attesting to the same.

(b) Reasonable diligence for the purposes of this subsection (10) means the trustee shall search in the county where the property is located, the public records and information for any obituary, will, death certificate, or case in probate within the county for the borrower and grantor;

(11) Upon written notice identifying the property address and the name of the borrower to the servicer or trustee by someone claiming to be a successor in interest to the borrower's or grantor's property rights, but who is not a party to the loan or promissory note or other obligation secured by the deed of trust, a trustee shall not record a notice of sale pursuant to RCW 61.24.040 until the trustee or mortgage servicer completes the following:

(a) Acknowledges the notice in writing and requests reasonable documentation of the death of the borrower or grantor from the claimant including, but not limited to, a death certificate or other written evidence of the death of the borrower or grantor. Other written evidence of the death of the borrower or grantor may include an obituary, a published death notice, or documentation of an open probate action for the estate of the borrower or grantor. The claimant must be allowed 30 days from the date of this request to present this documentation. If the trustee or mortgage servicer has already obtained sufficient proof of the borrower's death, it may proceed by acknowledging the claimant's notice in writing and issuing a request under (b) of this subsection.

(b) If the mortgage servicer or trustee obtains or receives written documentation of

the death of the borrower or grantor from the claimant, or otherwise independently confirms the death of the borrower or grantor, then the servicer or trustee must request in writing documentation from the claimant demonstrating the ownership interest of the claimant in the real property. A claimant has 60 days from the date of the request to present this documentation. Documentation demonstrating the ownership interest of the claimant in the real property includes, but is not limited to, one of the following:

(i) Excerpts of a trust document noting the claimant as a beneficiary of a trust with title to the real property;

(ii) A will of the borrower or grantor listing the claimant as an heir or devisee with respect to the real property;

(iii) A probate order or finding of heirship issued by any court documenting the claimant as an heir or devisee or awarding the real property to the claimant;

(iv) A recorded lack of probate affidavit signed by any heir listing the claimant as an heir of the borrower or grantor pursuant to the laws of intestacy;

(v) A deed, such as a personal representative's deed, trustee's deed issued on behalf of a trust, statutory warranty deed, transfer on death deed, or other deed, giving any ownership interest to the claimant resulting from the death of the borrower or grantor or executed by the borrower or grantor for estate planning purposes; and

(vi) Other proof documenting the claimant as an heir of the borrower or grantor pursuant to state rules of intestacy set forth in chapter 11.04 RCW.

(c) If the mortgage servicer or trustee receives written documentation demonstrating the ownership interest of the claimant prior to the expiration of the 60 days provided in (b) of this subsection, then the servicer or trustee must, within 20 days of receipt of proof of ownership interest, provide the claimant with, at a minimum, the loan balance, interest rate and interest reset dates and amounts, balloon payments if any, prepayment penalties if any, the basis for the default, the monthly payment amount, reinstatement amounts or conditions, payoff amounts, and information on how and where payments should be made. The mortgage servicers shall also provide the claimant application materials and information, or a description of the process, necessary to request a loan assumption and modification.

(d) Upon receipt by the trustee or the mortgage servicer of the documentation establishing claimant's ownership interest in the real property, that claimant shall be deemed a "successor in interest" for the purposes of this section.

(e) There may be more than one successor in interest to the borrower's property rights. The trustee and mortgage servicer shall apply the provisions of this section to each successor in interest. In the case of multiple successors in interest, where one or more do not wish to assume the loan as coborrowers or coapplicants, a mortgage servicer may require any nonapplicant successor in interest to consent in writing to the application for loan assumption.

(f) The existence of a successor in interest under this section does not impose an affirmative duty on a mortgage servicer or alter any obligation the mortgage servicer has to provide a loan modification to the successor in interest. If a successor in interest assumes the loan, he or she may be required to otherwise qualify for available foreclosure prevention alternatives offered by the mortgage servicer.

(g) (c), (e), and (f) of this subsection (11) do not apply to association beneficiaries subject to chapter (~~64.32, 64.34, or 64.38~~) 64.90 RCW; and

(12) Nothing in this section shall prejudice the right of the mortgage servicer or beneficiary from discontinuing any foreclosure action initiated under the deed of trust act in favor of other allowed methods for pursuit of foreclosure of the security interest or deed of trust security interest.

**Sec. 411.** RCW 61.24.031 and 2021 c 151 s 4 are each amended to read as follows:

(1)(a) A trustee, beneficiary, or authorized agent may not issue a notice of default under RCW 61.24.030(8) until: (i) Thirty days after satisfying the due diligence requirements as described in subsection (5) of this section and the borrower has not responded; or (ii) if the borrower responds to the initial contact, ninety days after the initial contact with the borrower was initiated.

(b) A beneficiary or authorized agent shall make initial contact with the borrower by letter to provide the borrower with information required under (c) of this subsection and by telephone as required under subsection (5) of this section. The letter required under this subsection must be mailed in accordance with subsection (5)(a) of this section and must include the information described in (c) of this subsection and subsection (5)(e)(i) through (iv) of this section.

(c) The letter required under this subsection, developed by the department pursuant to RCW 61.24.033, at a minimum shall include:

(i) A paragraph printed in no less than twelve-point font and bolded that reads:

"You must respond within thirty days of the date of this letter. IF YOU DO NOT RESPOND within thirty days, a notice of default may be issued and you may lose your home in foreclosure.

IF YOU DO RESPOND within thirty days of the date of this letter, you will have an additional sixty days to meet with your lender before a notice of default may be issued.

You should contact a housing counselor or attorney as soon as possible. Failure to contact a housing counselor or attorney may result in your losing certain opportunities, such as meeting with your lender or participating in mediation in front of a neutral third party. A housing counselor or attorney can help you work with your lender to avoid foreclosure.

If you filed bankruptcy or have been discharged in bankruptcy, this communication

is not intended as an attempt to collect a debt from you personally, but is notice of enforcement of the deed of trust lien against the property. If you wish to avoid foreclosure and keep your property, this notice sets forth your rights and options.";

(ii) The toll-free telephone number from the United States department of housing and urban development to find a department-approved housing counseling agency, the toll-free numbers for the statewide foreclosure hotline recommended by the housing finance commission, and the statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys;

(iii) A paragraph stating that a housing counselor may be available at little or no cost to the borrower and that whether or not the borrower contacts a housing counselor or attorney, the borrower has the right to request a meeting with the beneficiary; and

(iv) A paragraph explaining how the borrower may respond to the letter and stating that after responding the borrower will have an opportunity to meet with his or her beneficiary in an attempt to resolve and try to work out an alternative to the foreclosure and that, after ninety days from the date of the letter, a notice of default may be issued, which starts the foreclosure process.

(d) If the beneficiary has exercised due diligence as required under subsection (5) of this section and the borrower does not respond by contacting the beneficiary within thirty days of the initial contact, the notice of default may be issued. "Initial contact" with the borrower is considered made three days after the date the letter required in (b) of this subsection is sent.

(e) If a meeting is requested by the borrower or the borrower's housing counselor or attorney, the beneficiary or authorized agent shall schedule the meeting to occur before the notice of default is issued. An assessment of the borrower's financial ability to modify or restructure the loan obligation and a discussion of options must occur during the meeting scheduled for that purpose.

(f) The meeting scheduled to assess the borrower's financial ability to modify or restructure the loan obligation and discuss options to avoid foreclosure may be held telephonically, unless the borrower or borrower's representative requests in writing that a meeting be held in person. The written request for an in-person meeting must be made within thirty days of the initial contact with the borrower. If the meeting is requested to be held in person, the meeting must be held in the county where the property is located unless the parties agree otherwise. A person who is authorized to agree to a resolution, including modifying or restructuring the loan obligation or other alternative resolution to foreclosure on behalf of the beneficiary, must be present either in person or on the telephone or videoconference during the meeting.

(2) A notice of default issued under RCW 61.24.030(8) must include a declaration, as provided in subsection (9) of this section, from the beneficiary or authorized agent

that it has contacted the borrower as provided in subsection (1) of this section, it has tried with due diligence to contact the borrower under subsection (5) of this section, or the borrower has surrendered the property to the trustee, beneficiary, or authorized agent. Unless the trustee has violated his or her duty under RCW 61.24.010(4), the trustee is entitled to rely on the declaration as evidence that the requirements of this section have been satisfied, and the trustee is not liable for the beneficiary's or its authorized agent's failure to comply with the requirements of this section.

(3) If, after the initial contact under subsection (1) of this section, a borrower has designated a housing counseling agency, housing counselor, or attorney to discuss with the beneficiary or authorized agent, on the borrower's behalf, options for the borrower to avoid foreclosure, the borrower shall inform the beneficiary or authorized agent and provide the contact information to the beneficiary or authorized agent. The beneficiary or authorized agent shall contact the designated representative for the borrower to meet.

(4) The beneficiary or authorized agent and the borrower or the borrower's representative shall attempt to reach a resolution for the borrower within the ninety days from the time the initial contact is sent and the notice of default is issued. A resolution may include, but is not limited to, a loan modification, an agreement to conduct a short sale, or a deed in lieu of foreclosure transaction, or some other workout plan. Any modification or workout plan offered at the meeting with the borrower's designated representative by the beneficiary or authorized agent is subject to approval by the borrower.

(5) A notice of default may be issued under RCW 61.24.030(8) if a beneficiary or authorized agent has initiated contact with the borrower as required under subsection (1)(b) of this section and the failure to meet with the borrower occurred despite the due diligence of the beneficiary or authorized agent. Due diligence requires the following:

(a) A beneficiary or authorized agent shall first attempt to contact a borrower by sending, by both first-class and either registered or certified mail, return receipt requested, a letter to the address in the beneficiary's records for sending account statements to the borrower and to the address of the property encumbered by the deed of trust. The letter must be the letter described in subsection (1)(c) of this section.

(b)(i) After the letter has been sent, the beneficiary or authorized agent shall attempt to contact the borrower by telephone at least three times at different hours and on different days. Telephone calls must be made to the primary and secondary telephone numbers on file with the beneficiary or authorized agent.

(ii) A beneficiary or authorized agent may attempt to contact a borrower using an automated system to dial borrowers if the telephone call, when answered, is connected

to a live representative of the beneficiary or authorized agent.

(iii) A beneficiary or authorized agent satisfies the telephone contact requirements of this subsection (5)(b) if the beneficiary or authorized agent determines, after attempting contact under this subsection (5)(b), that the borrower's primary telephone number and secondary telephone number or numbers on file, if any, have been disconnected or are not good contact numbers for the borrower.

(iv) The telephonic contact under this subsection (5)(b) does not constitute the meeting under subsection (1)(f) of this section.

(c) If the borrower does not respond within fourteen days after the telephone call requirements of (b) of this subsection have been satisfied, the beneficiary or authorized agent shall send a certified letter, with return receipt requested, to the borrower at the address in the beneficiary's records for sending account statements to the borrower and to the address of the property encumbered by the deed of trust. The letter must include the information described in (e)(i) through (iv) of this subsection. The letter must also include a paragraph stating: "Your failure to contact a housing counselor or attorney may result in your losing certain opportunities, such as meeting with your lender or participating in mediation in front of a neutral third party."

(d) The beneficiary or authorized agent shall provide a means for the borrower to contact the beneficiary or authorized agent in a timely manner, including a toll-free telephone number or charge-free equivalent that will provide access to a live representative during business hours for the purpose of initiating and scheduling the meeting under subsection (1)(f) of this section.

(e) The beneficiary or authorized agent shall post a link on the home page of the beneficiary's or authorized agent's internet website, if any, to the following information:

(i) Options that may be available to borrowers who are unable to afford their mortgage payments and who wish to avoid foreclosure, and instructions to borrowers advising them on steps to take to explore those options;

(ii) A list of financial documents borrowers should collect and be prepared to present to the beneficiary or authorized agent when discussing options for avoiding foreclosure;

(iii) A toll-free telephone number or charge-free equivalent for borrowers who wish to discuss options for avoiding foreclosure with their beneficiary or authorized agent; and

(iv) The toll-free telephone number or charge-free equivalent made available by the department to find a department-approved housing counseling agency.

(6) Subsections (1) and (5) of this section do not apply if the borrower has surrendered the property as evidenced by either a letter confirming the surrender or delivery of the keys to the property to the trustee, beneficiary, or authorized agent.

(7) (a) This section applies only to deeds of trust that are recorded against residential real property of up to four units. This section does not apply to deeds of trust: (i) Securing a commercial loan; (ii) securing obligations of a grantor who is not the borrower or a guarantor; or (iii) securing a purchaser's obligations under a seller-financed sale.

(b) This section does not apply to association beneficiaries subject to chapter ~~((64.32, 64.34, or 64.38))~~ 64.90 RCW.

(8) As used in this section:

(a) "Department" means the United States department of housing and urban development.

(b) "Seller-financed sale" means a residential real property transaction where the seller finances all or part of the purchase price, and that financed amount is secured by a deed of trust against the subject residential real property.

(9) The form of declaration to be provided by the beneficiary or authorized agent as required under subsection (2) of this section must be in substantially the following form:

**"FORECLOSURE LOSS MITIGATION FORM**

**Please select applicable option(s) below.**

The undersigned beneficiary or authorized agent for the beneficiary hereby represents and declares under the penalty of perjury that [check the applicable box and fill in any blanks so that the beneficiary, authorized agent, or trustee can insert, on the beneficiary's behalf, the applicable declaration in the notice of default required under chapter 61.24 RCW]:

(1) [ ] The beneficiary or beneficiary's authorized agent has contacted the borrower under, and has complied with, RCW 61.24.031 (contact provision to "assess the borrower's financial ability to pay the debt secured by the deed of trust and explore options for the borrower to avoid foreclosure") and the borrower responded but did not request a meeting.

(2) [ ] The beneficiary or beneficiary's authorized agent has contacted the borrower as required under RCW 61.24.031 and the borrower or the borrower's designated representative requested a meeting. A meeting was held on (insert date, time, and location/telephonic here) in compliance with RCW 61.24.031.

(3) [ ] The beneficiary or beneficiary's authorized agent has contacted the borrower as required in RCW 61.24.031 and the borrower or the borrower's designated representative requested a meeting. A meeting was scheduled for (insert date, time, and location/telephonic here) and neither the borrower nor the borrower's designated representative appeared.

(4) [ ] The beneficiary or beneficiary's authorized agent has exercised due diligence to contact the borrower as required in RCW 61.24.031(5) and the borrower did not respond.

(5) [ ] The borrower has surrendered the secured property as evidenced by either a letter confirming the surrender or by delivery of the keys to the secured property to the beneficiary, the beneficiary's authorized agent or to the trustee.

Additional Optional Explanatory Comments:

..... "

Sec. 412. RCW 61.24.040 and 2023 c 206 s 3 are each amended to read as follows:

A deed of trust foreclosed under this chapter shall be foreclosed as follows:

(1) At least 90 days before the sale, or if a letter under RCW 61.24.031 is required, at least 120 days before the sale, the trustee shall:

(a) Record a notice in the form described in subsection (2) of this section in the office of the auditor in each county in which the deed of trust is recorded;

(b) To the extent the trustee elects to foreclose its lien or interest, or the beneficiary elects to preserve its right to seek a deficiency judgment against a borrower or grantor under RCW 61.24.100(3) (a), and if their addresses are stated in a recorded instrument evidencing their interest, lien, or claim of lien, or an amendment thereto, or are otherwise known to the trustee, cause a copy of the notice of sale described in subsection (2) of this section to be transmitted by both first-class and either certified or registered mail, return receipt requested, to the following persons or their legal representatives, if any, at such address:

(i) (A) The borrower and grantor;

(B) In the case where the borrower or grantor is deceased, to any successors in interest. If no successor in interest has been established, then to any spouse, child, or parent of the borrower or grantor, at the addresses discovered by the trustee pursuant to RCW 61.24.030(10);

(ii) The beneficiary of any deed of trust or mortgagee of any mortgage, or any person who has a lien or claim of lien against the property, that was recorded subsequent to the recordation of the deed of trust being foreclosed and before the recordation of the notice of sale;

(iii) The vendee in any real estate contract, the lessee in any lease, or the holder of any conveyances of any interest or estate in any portion or all of the property described in such notice, if that contract, lease, or conveyance of such interest or estate, or a memorandum or other notice thereof, was recorded after the recordation of the deed of trust being foreclosed and before the recordation of the notice of sale;

(iv) The last holder of record of any other lien against or interest in the property that is subject to a subordination to the deed of trust being foreclosed that was recorded before the recordation of the notice of sale;

(v) The last holder of record of the lien of any judgment subordinate to the deed of trust being foreclosed; and

(vi) The occupants of property consisting solely of a single-family residence, or a condominium, cooperative, or other dwelling unit in a multiplex or other building containing fewer than five residential units, whether or not the occupant's rental agreement is recorded, which notice may be a single notice addressed to "occupants" for

each unit known to the trustee or beneficiary;

(c) Cause a copy of the notice of sale described in subsection (2) of this section to be transmitted by both first-class and either certified or registered mail, return receipt requested, to the plaintiff or the plaintiff's attorney of record, in any court action to foreclose a lien or other encumbrance on all or any part of the property, provided a court action is pending and a lis pendens in connection therewith is recorded in the office of the auditor of any county in which all or part of the property is located on the date the notice is recorded;

(d) Cause a copy of the notice of sale described in subsection (2) of this section to be transmitted by both first-class and either certified or registered mail, return receipt requested, to any person who has recorded a request for notice in accordance with RCW 61.24.045, at the address specified in such person's most recently recorded request for notice;

(e) Cause a copy of the notice of sale described in subsection (2) of this section to be posted in a conspicuous place on the property, or in lieu of posting, cause a copy of said notice to be served upon any occupant of the property.

(2)(a) If foreclosing on a commercial loan under RCW 61.24.005(4), the title of the document must be "Notice of Trustee's Sale of Commercial Loan(s)";

(b) In addition to all other indexing requirements, the notice required in subsection (1) of this section must clearly indicate on the first page the following information, which the auditor will index:

(i) The document number or numbers given to the deed of trust upon recording;

(ii) The parcel number(s);

(iii) The grantor;

(iv) The current beneficiary of the deed of trust;

(v) The current trustee of the deed of trust; and

(vi) The current loan mortgage servicer of the deed of trust;

(c) Nothing in this section:

(i) Requires a trustee or beneficiary to cause to be recorded any new notice of trustee's sale upon transfer of the beneficial interest in a deed of trust or the servicing rights for the associated mortgage loan;

(ii) Relieves a mortgage loan servicer of any obligation to provide the borrower with notice of a transfer of servicing rights or other legal obligations related to the transfer; or

(iii) Prevents the trustee from disclosing the beneficiary's identity to the borrower and to county and municipal officials seeking to abate nuisance and abandoned property in foreclosure pursuant to chapter 35.21 RCW;

(d) The notice must be in substantially the following form:

NOTICE OF TRUSTEE'S SALE

Grantor: .....

Current beneficiary of the deed of trust: .....

Current trustee of the deed of trust: .....
Current mortgage servicer of the deed of trust: .....
Reference number of the deed of trust: .....
Parcel number(s): .....

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the . . . . day of . . . . , at the hour of . . . o'clock . . . M. at . . . . [street address and location if inside a building] in the City of . . . . , State of Washington, sell at public auction to the highest and best bidder, payable at the time of sale, the following described real property, situated in the County(ies) of . . . . , State of Washington, to-wit:

[If any personal property is to be included in the trustee's sale, include a description that reasonably identifies such personal property]

which is subject to that certain Deed of Trust dated . . . . , recorded . . . . , under Auditor's File No. . . . . , records of . . . . County, Washington, from . . . . as Grantor, to . . . . as Trustee, to secure an obligation in favor of . . . . as Beneficiary, the beneficial interest in which was assigned by . . . . under an Assignment recorded under Auditor's File No. . . . . [Include recording information for all counties if the Deed of Trust is recorded in more than one county.]

II.

No action commenced by the Beneficiary of the Deed of Trust is now pending to seek satisfaction of the obligation in any Court by reason of the Borrower's or Grantor's default on the obligation secured by the Deed of Trust.

[If there is another action pending to foreclose other security for all or part of the same debt, qualify the statement and identify the action.]

III.

The default(s) for which this foreclosure is made is/are as follows:

[If default is for other than payment of money, set forth the particulars]

Failure to pay when due the following amounts which are now in arrears:

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal \$ . . . . , together with interest as provided in the note or other instrument secured from the . . . . day of . . . . , and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

V.

The above-described real property will be sold to satisfy the expense of sale and the obligation secured by the Deed of Trust as provided by statute. The sale will be made without warranty, express or implied, regarding title, possession, or encumbrances on the . . . . day of . . . . . The default(s) referred to in paragraph III must be cured by the . . . . day of . . . . , . . . . (11 days before the sale date), to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time on or before the . . . . day of . . . . , . . . . (11 days before the sale date), the default(s) as set forth in paragraph III is/are cured and the Trustee's fees and costs are paid. The sale may be terminated any time after the . . . . day of . . . . , . . . . (11 days before the sale date), and before the sale by the Borrower, Grantor, any Guarantor, or the holder of any recorded junior lien or encumbrance paying the entire principal and interest secured by the Deed of Trust, plus costs, fees, and advances, if any, made pursuant to the terms of the obligation and/or Deed of Trust, and curing all other defaults.

VI.

A written notice of default was transmitted by the Beneficiary or Trustee to the Borrower and Grantor at the following addresses:

by both first-class and certified mail on the . . . . day of . . . . , . . . . , proof of which is in the possession of the Trustee; and the Borrower and Grantor were personally served on the . . . . day of . . . . , . . . . , with said written notice of default or the written notice of default was posted in a conspicuous place on the real property described in paragraph I above, and the Trustee has possession of proof of such service or posting.

VII.

The Trustee whose name and address are set forth below will provide in writing to anyone requesting it, a statement of all costs and fees due at any time prior to the sale.

VIII.

The effect of the sale will be to deprive the Grantor and all those who hold by, through or under the Grantor of all their interest in the above-described property.

IX.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the sale pursuant to RCW 61.24.130. Failure to bring such a lawsuit may result in a waiver of any proper grounds for invalidating the Trustee's sale.

[Add Part X to this notice if applicable under RCW 61.24.040(11)]

. . . . , Trustee

. . . }  
 . . . } Address  
 . . . }  
 . . . }  
 . . . }  
 . . . } Phone

be sold at auction on the . . . . day  
 of . . . . ., . . . .  
 To cure the default(s), you must bring  
 the payments current, cure any other  
 defaults, and pay accrued late charges and  
 other costs, advances, and attorneys' fees  
 as set forth below by the . . . . day  
 of . . . . ., . . . . [11 days before the  
 sale date]. To date, these arrears and costs  
 are as follows:

[Acknowledgment]

(3) If the borrower received a letter  
 under RCW 61.24.031, the notice specified in  
 subsection (2)(d) of this section shall also  
 include the following additional language:

**"THIS NOTICE IS THE FINAL STEP BEFORE THE  
 FORECLOSURE SALE OF YOUR HOME.**

You have only **until 90 calendar days BEFORE  
 the date of sale** listed in this Notice of  
 Trustee Sale to be referred to mediation. If  
 this is an amended Notice of Trustee Sale  
 providing a 45-day notice of the sale,  
 mediation must be requested no later than **25  
 calendar days BEFORE the date of sale** listed  
 in this amended Notice of Trustee Sale.

**DO NOT DELAY. CONTACT A HOUSING COUNSELOR OR  
 AN ATTORNEY LICENSED IN WASHINGTON NOW** to  
 assess your situation and refer you to  
 mediation if you are eligible and it may  
 help you save your home. See below for safe  
 sources of help.

**SEEKING ASSISTANCE**

Housing counselors and legal assistance may  
 be available at little or no cost to you. If  
 you would like assistance in determining  
 your rights and opportunities to keep your  
 house, you may contact the following:  
 The statewide foreclosure hotline for  
 assistance and referral to housing  
 counselors recommended by the Housing  
 Finance Commission  
 Telephone: . . . . .  
 Website: . . . . .  
 The United States Department of Housing and  
 Urban Development  
 Telephone: . . . . .  
 Website: . . . . .  
 The statewide civil legal aid hotline for  
 assistance and referrals to other housing  
 counselors and attorneys  
 Telephone: . . . . .  
 Website: . . . . ."

The beneficiary or trustee shall obtain  
 the toll-free numbers and website  
 information from the department for  
 inclusion in the notice;

(4) In addition to providing the borrower  
 and grantor the notice of sale described in  
 subsection (2) of this section, the trustee  
 shall include with the copy of the notice  
 which is mailed to the grantor, a statement  
 to the grantor in substantially the  
 following form:

**NOTICE OF FORECLOSURE**  
 Pursuant to the Revised Code of  
 Washington,  
 Chapter 61.24 RCW

The attached Notice of Trustee's Sale is  
 a consequence of default(s) in the  
 obligation to . . . . ., the Beneficiary  
 of your Deed of Trust and holder of the  
 obligation secured thereby. Unless the  
 default(s) is/are cured, your property will

	Estimated amount that will be due to reinstate on . . . .
Curren tly due to reinstate on . . . .	Estimated amount that will be due to reinstate on . . . .
. . . .	. . . .
. . . .	. . . .
. . . .	(11 days before the date set for sale)

Delinquent payments  
 from . . . .

. . . ., in  
 the

amount of  
 \$ . . . . /  
 mo.:

Late  
 charges in  
 the total  
 amount of:

\$ . . . .	\$ . . . .	\$ . . . .
. . . .	. . . .	Estimat ed Amounts

Attorneys' fees:	\$ . . . .	\$ . . . .
Trustee's fee:	\$ . . . .	\$ . . . .
Trustee's expenses: (Itemizatio n)		

Title report	\$ . . . .	\$ . . . .
Recording fees	\$ . . . .	\$ . . . .
Service/ Posting of Notices	\$ . . . .	\$ . . . .
Postage/ Copying expense	\$ . . . .	\$ . . . .
Publication	\$ . . . .	\$ . . . .

Telephone charges	\$ . . . .	\$ . . . .
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Inspection fees	\$ . . . .	\$ . . . .
. . . . .	\$ . . . .	\$ . . . .

.....	\$ . . .	\$ . . . .
TOTALS	\$ . . .	\$ . . . .

To pay off the entire obligation secured by your Deed of Trust as of the . . . . . day of . . . . . you must pay a total of \$ . . . . . in principal, \$ . . . . . in interest, plus other costs and advances estimated to date in the amount of \$ . . . . . From and after the date of this notice you must submit a written request to the Trustee to obtain the total amount to pay off the entire obligation secured by your Deed of Trust as of the payoff date.

As to the defaults which do not involve payment of money to the Beneficiary of your Deed of Trust, you must cure each such default. Listed below are the defaults which do not involve payment of money to the Beneficiary of your Deed of Trust. Opposite each such listed default is a brief description of the action necessary to cure the default and a description of the documentation necessary to show that the default has been cured.

Def ault	Description of Action Required to Cure and Documentation Necessary to Show Cure
..	.....
..	.....

You may reinstate your Deed of Trust and the obligation secured thereby at any time up to and including the . . . . . day of . . . . ., . . . . . [11 days before the sale date], by paying the amount set forth or estimated above and by curing any other defaults described above. Of course, as time passes other payments may become due, and any further payments coming due and any additional late charges must be added to your reinstating payment. Any new defaults not involving payment of money that occur after the date of this notice must also be cured in order to effect reinstatement. In addition, because some of the charges can only be estimated at this time, and because the amount necessary to reinstate or to pay off the entire indebtedness may include presently unknown expenditures required to preserve the property or to comply with state or local law, it will be necessary for you to contact the Trustee before the time you tender reinstatement or the payoff amount so that you may be advised of the exact amount you will be required to pay. Tender of payment or performance must be made to: . . . . ., whose address is . . . . ., telephone ( ) . . . . . AFTER THE . . . . . DAY OF . . . . ., YOU MAY NOT REINSTATE YOUR DEED OF TRUST BY PAYING THE BACK PAYMENTS AND COSTS AND FEES AND CURING THE OTHER DEFAULTS AS OUTLINED ABOVE. The Trustee will respond to any written request for current payoff or reinstatement amounts within 10 days of

receipt of your written request. In such a case, you will only be able to stop the sale by paying, before the sale, the total principal balance (\$ . . . . .) plus accrued interest, costs and advances, if any, made pursuant to the terms of the documents and by curing the other defaults as outlined above.

You may contest this default by initiating court action in the Superior Court of the county in which the sale is to be held. In such action, you may raise any legitimate defenses you have to this default. A copy of your Deed of Trust and documents evidencing the obligation secured thereby are enclosed. You may wish to consult a lawyer. Legal action on your part may prevent or restrain the sale, but only if you persuade the court of the merits of your defense. You may contact the Department of Financial Institutions or the statewide civil legal aid hotline for possible assistance or referrals.

The court may grant a restraining order or injunction to restrain a trustee's sale pursuant to RCW 61.24.130 upon five days notice to the trustee of the time when, place where, and the judge before whom the application for the restraining order or injunction is to be made. This notice shall include copies of all pleadings and related documents to be given to the judge. Notice and other process may be served on the trustee at:

NAME: . . . . .  
ADDRESS: . . . . .  
TELEPHONE NUMBER: . . . . .

If you do not reinstate the secured obligation and your Deed of Trust in the manner set forth above, or if you do not succeed in restraining the sale by court action, your property will be sold. The effect of such sale will be to deprive you and all those who hold by, through or under you of all interest in the property;

(5) In addition, the trustee shall cause a copy of the notice of sale described in subsection (2)(d) of this section (excluding the acknowledgment) to be published in a legal newspaper in each county in which the property or any part thereof is situated, once on or between the 35th and 28th day before the date of sale, and once on or between the 14th and seventh day before the date of sale;

(6) In the case where no successor in interest has been established, and neither the beneficiary nor the trustee are able to ascertain the name and address of any spouse, child, or parent of the borrower or grantor in the manner described in RCW 61.24.030(10), then the trustee may, in addition to mailing notice to the property addressed to the unknown heirs and devisees of the grantor, serve the notice of sale by publication in a newspaper of general circulation in the county or city where the property is located once per week for three consecutive weeks. Upon this service by publication, to be completed not less than 30 days prior to the date the sale is



conducted, all unknown heirs shall be deemed served with the notice of sale;

(7) (a) If a servicer or trustee receives notification by someone claiming to be a successor in interest to the borrower or grantor, as under RCW 61.24.030(11), after the recording of the notice of sale, the trustee or servicer must request written documentation within five days demonstrating the ownership interest, provided that, the trustee may, but is not required to, postpone a trustee's sale upon receipt of such notification by someone claiming to be a successor in interest.

(b) Upon receipt of documentation establishing a claimant as a successor in interest, the servicer must provide the information in RCW 61.24.030(11)(c). Only if the servicer or trustee receives the documentation confirming someone as successor in interest more than 45 days before the scheduled sale must the servicer then provide the information in RCW 61.24.030(11)(c) to the claimant not less than 20 days prior to the sale.

(c) (b) of this subsection (7) does not apply to association beneficiaries subject to chapter ~~((64.32, 64.34, or 64.38))~~ 64.90 RCW;

(8) On the date and at the time designated in the notice of sale, the trustee or its authorized agent shall sell the property at public auction to the highest bidder. The trustee may sell the property in gross or in parcels as the trustee shall deem most advantageous;

(9) The place of sale shall be at any designated public place within the county where the property is located and if the property is in more than one county, the sale may be in any of the counties where the property is located. The sale shall be on Friday, or if Friday is a legal holiday on the following Monday, and during the hours set by statute for the conduct of sales of real estate at execution;

(10) The trustee has no obligation to, but may, for any cause the trustee deems advantageous, continue the sale for a period or periods not exceeding a total of 120 days by (a) a public proclamation at the time and place fixed for sale in the notice of sale and if the continuance is beyond the date of sale, by giving notice of the new time and place of the sale by both first class and either certified or registered mail, return receipt requested, to the persons specified in subsection (1)(b)(i) and (ii) of this section to be deposited in the mail (i) not less than four days before the new date fixed for the sale if the sale is continued for up to seven days; or (ii) not more than three days after the date of the continuance by oral proclamation if the sale is continued for more than seven days, or, alternatively, (b) by giving notice of the time and place of the postponed sale in the manner and to the persons specified in subsection (1)(b), (c), (d), and (e) of this section and publishing a copy of such notice once in the newspaper(s) described in subsection (5) of this section, more than seven days before the date fixed for sale in the notice of sale. No other notice of the postponed sale need be given;

(11) The purchaser shall forthwith pay the price bid. On payment and subject to RCW 61.24.050, the trustee shall execute to the purchaser its deed. The deed shall recite the facts showing that the sale was conducted in compliance with all of the requirements of this chapter and of the deed of trust, which recital shall be prima facie evidence of such compliance and conclusive evidence thereof in favor of bona fide purchasers and encumbrancers for value, except that these recitals shall not affect the lien or interest of any person entitled to notice under subsection (1) of this section, if the trustee fails to give the required notice to such person. In such case, the lien or interest of such omitted person shall not be affected by the sale and such omitted person shall be treated as if such person was the holder of the same lien or interest and was omitted as a party defendant in a judicial foreclosure proceeding;

(12) The sale as authorized under this chapter shall not take place less than 190 days from the date of default in any of the obligations secured;

(13) If the trustee elects to foreclose the interest of any occupant or tenant of property comprised solely of a single-family residence, or a condominium, cooperative, or other dwelling unit in a multiplex or other building containing fewer than five residential units, the following notice shall be included as Part X of the Notice of Trustee's Sale:

#### X. NOTICE TO OCCUPANTS OR TENANTS

The purchaser at the trustee's sale is entitled to possession of the property on the 20th day following the sale, as against the grantor under the deed of trust (the owner) and anyone having an interest junior to the deed of trust, including occupants who are not tenants. After the 20th day following the sale the purchaser has the right to evict occupants who are not tenants by summary proceedings under chapter 59.12 RCW. For tenant-occupied property, the purchaser shall provide a tenant with written notice in accordance with RCW 61.24.060;

(14) Only one copy of all notices required by this chapter need be given to a person who is both the borrower and the grantor. All notices required by this chapter that are given to a general partnership are deemed given to each of its general partners, unless otherwise agreed by the parties.

**Sec. 413.** RCW 61.24.165 and 2023 c 206 s 6 are each amended to read as follows:

(1) RCW 61.24.163 applies only to deeds of trust that are recorded against residential real property of up to four units.

(2) RCW 61.24.163 does not apply to deeds of trust:

- (a) Securing a commercial loan;
- (b) Securing obligations of a grantor who is not the borrower or a guarantor;
- (c) Securing a purchaser's obligations under a seller-financed sale; or

(d) Where the grantor is a partnership, corporation, or limited liability company, or where the property is vested in a partnership, corporation, or limited liability company at the time the notice of default is issued.

(3) RCW 61.24.163 does not apply to association beneficiaries subject to chapter ~~((64.32, 64.34, or 64.38))~~ 64.90 RCW.

(4) For purposes of referral and mediation under RCW 61.24.163, a person may be referred to mediation if the borrower is deceased and the person is a successor in interest of the deceased borrower. The referring counselor or attorney must determine a person's eligibility under this section and indicate the grounds for eligibility on the referral to mediation submitted to the department. For the purposes of mediation under RCW 61.24.163, the person must be treated as a "borrower." This subsection does not impose an affirmative duty on the beneficiary to accept an assumption of the loan.

(5) For purposes of referral and mediation under RCW 61.24.163, a person may be referred to mediation if the person has been awarded title to the property in a proceeding for dissolution or legal separation. The referring counselor or attorney must determine the person's eligibility under this section and indicate the grounds for eligibility on the referral to mediation submitted to the department. For the purposes of mediation under RCW 61.24.163, the person must be treated as a "borrower." This subsection does not impose an affirmative duty on the beneficiary to accept an assumption of the loan.

**Sec. 414.** RCW 61.24.190 and 2023 c 206 s 8 are each amended to read as follows:

(1) Except as provided in subsections (6) and (7) of this section, beginning January 1, 2022, and every quarter thereafter, every beneficiary issuing notices of default, or causing notices of default to be issued on its behalf, on residential real property under this chapter must:

(a) Report to the department, on a form approved by the department, the total number of residential real properties for which the beneficiary has issued a notice of default during the previous quarter, together with the street address, city, and zip code;

(b) Remit the amount required under subsection (2) of this section; and

(c) Report and update beneficiary contact information for the person and work group responsible for the beneficiary's compliance with the requirements of the foreclosure fairness act created in this chapter.

(2) For each residential real property for which a notice of default has been issued, the beneficiary issuing the notice of default, or causing the notice of default to be issued on the beneficiary's behalf, shall remit \$250 to the department to be deposited, as provided under RCW 61.24.172, into the foreclosure fairness account. The \$250 payment is required per property and not per notice of default. The beneficiary shall remit the total amount required in a lump sum each quarter.

(3) Reporting and payments under subsections (1) and (2) of this section are due within 45 days of the end of each quarter.

(4) For purposes of this section, "residential real property" includes residential real property with up to four dwelling units, whether or not the property or any part thereof is owner occupied.

(5) The department, including its officials and employees, may not be held civilly liable for damages arising from any release of information or the failure to release information related to the reporting required under this section, so long as the release was without gross negligence.

(6) (a) Beginning on January 1, 2023, this section does not apply to any beneficiary or loan servicer that is a federally insured depository institution, as defined in 12 U.S.C. Sec. 461(b)(1)(A), and that certifies under penalty of perjury that it has issued, or has directed a trustee or authorized agent to issue, fewer than 250 notices of default in the preceding year.

(b) During the 2023 calendar year, this section does not apply to any beneficiary or loan servicer that is a federally insured depository institution, as defined in 12 U.S.C. Sec. 461(b)(1)(A), and that certifies under penalty of perjury that fewer than 50 notices of trustee's sale were recorded on its behalf in 2019.

(c) This subsection (6) applies retroactively to January 1, 2023, and prospectively beginning with May 1, 2023.

(7) This section does not apply to association beneficiaries subject to chapter ~~((64.32, 64.34, or 64.38))~~ 64.90 RCW.

**Sec. 415.** RCW 64.06.005 and 2019 c 238 s 214 are each reenacted and amended to read as follows:

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

(1) "Commercial real estate" has the same meaning as in RCW 60.42.005.

(2) "Improved residential property," "unimproved residential property," and "commercial real estate" do not include a condominium unit created under chapter 64.90 RCW on or after July 1, 2018, if the buyer of the unit entered into a contract to purchase the unit prior to July 1, 2018, and received a public offering statement pursuant to former chapter 64.34 RCW prior to July 1, 2018.

(3) "Improved residential real property" means:

(a) Real property consisting of, or improved by, one to four residential dwelling units;

(b) ~~((A residential condominium as defined in RCW 64.34.020(10), unless the sale is subject to the public offering statement requirement in the Washington condominium act, chapter 64.34 RCW;~~

~~(e))~~ A residential timeshare, as defined in RCW 64.36.010(11), unless subject to written disclosure under the Washington timeshare act, chapter 64.36 RCW;

~~((d))~~ (c) A mobile or manufactured home, as defined in RCW 43.22.335 or 46.04.302, that is personal property; or

((e)) (d) A residential common interest community as defined in RCW 64.90.010((10)) unless the sale is subject to the public offering statement requirement in the Washington uniform common interest ownership act, chapter 64.90 RCW.

(4) "Residential real property" means both improved and unimproved residential real property.

(5) "Seller disclosure statement" means the form to be completed by the seller of residential real property as prescribed by this chapter.

(6) "Unimproved residential real property" means property zoned for residential use that is not improved by one or more residential dwelling units, a residential condominium, a residential timeshare, or a mobile or manufactured home. It does not include commercial real estate or property defined as "timberland" under RCW 84.34.020.

**Sec. 416.** RCW 64.35.105 and 2023 c 337 s 1 are each amended to read as follows:

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

(1) "Affiliate" has the meaning in RCW 64.90.010.

(2) "Association" has the meaning in RCW 64.90.010.

(3) "Building envelope" means the assemblies, components, and materials of a building that are intended to separate and protect the interior space of the building from the adverse effects of exterior climatic conditions.

(4) "Common element" has the meaning in RCW 64.90.010.

(5) "Condominium" has the meaning in RCW 64.90.010.

(6) "Construction professional" has the meaning in RCW 64.50.010.

(7) "Conversion condominium" has the meaning in RCW 64.90.010.

(8) "Declarant" has the meaning in RCW 64.90.010.

(9) "Declarant control" has the meaning in RCW 64.90.010.

(10) "Defect" means any aspect of a condominium unit or common element which constitutes a breach of the implied warranties set forth in RCW ((64.34.445-~~or~~)) 64.90.670.

(11) "Limited common element" has the meaning in RCW 64.90.010.

(12) "Material" means substantive, not simply formal; significant to a reasonable person; not trivial or insignificant. When used with respect to a particular construction defect, "material" does not require that the construction defect render the unit or common element unfit for its intended purpose or uninhabitable.

(13) "Mediation" means a collaborative process in which two or more parties meet and attempt, with the assistance of a mediator, to resolve issues in dispute between them.

(14) "Mediation session" means a meeting between two or more parties to a dispute during which they are engaged in mediation.

(15) "Mediator" means a neutral and impartial facilitator with no decision-

making power who assists parties in negotiating a mutually acceptable settlement of issues in dispute between them.

(16) "Person" has the meaning in RCW 64.90.010.

(17) "Public offering statement" has the meaning in chapter 64.90 RCW.

(18) "Qualified insurer" means an entity that holds a certificate of authority under RCW 48.05.030, or an eligible insurer under chapter 48.15 RCW.

(19) "Qualified warranty" means an insurance policy issued by a qualified insurer that complies with the requirements of this chapter. A qualified warranty includes coverage for repair of physical damage caused by the defects covered by the qualified warranty, except to the extent of any exclusions and limitations under this chapter.

(20) "Resale certificate" means the statement to be delivered by the association under chapter 64.90 RCW.

(21) "Transition date" means the date on which the declarant is required to deliver to the association the property of the association under RCW 64.90.420.

(22) "Unit" has the meaning in RCW 64.90.010.

(23) "Unit owner" has the meaning in RCW 64.90.010.

**Sec. 417.** RCW 64.35.405 and 2004 c 201 s 501 are each amended to read as follows:

A qualified insurer may include any of the following provisions in a qualified warranty:

(1) If the qualified insurer makes a payment or assumes liability for any payment or repair under a qualified warranty, the owner and association must fully support and assist the qualified insurer in pursuing any rights that the qualified insurer may have against the declarant, and any construction professional that has contractual or common law obligations to the declarant, whether such rights arose by contract, subrogation, or otherwise.

(2) Warranties or representations made by a declarant which are in addition to the warranties set forth in this chapter are not binding on the qualified insurer unless and to the extent specifically provided in the text of the warranty; and disclaimers of specific defects made by agreement between the declarant and the unit purchaser under RCW ((64.34.450)) 64.90.675 act as an exclusion of the specified defect from the warranty coverage.

(3) An owner and the association must permit the qualified insurer or declarant, or both, to enter the unit at reasonable times, after reasonable notice to the owner and the association:

(a) To monitor the unit or its components;

(b) To inspect for required maintenance;

(c) To investigate complaints or claims; or

(d) To undertake repairs under the qualified warranty.

If any reports are produced as a result of any of the activities referred to in (a) through (d) of this subsection, the reports

must be provided to the owner and the association.

(4) An owner and the association must provide to the qualified insurer all information and documentation that the owner and the association have available, as reasonably required by the qualified insurer to investigate a claim or maintenance requirement, or to undertake repairs under the qualified warranty.

(5) To the extent any damage to a unit is caused or made worse by the unreasonable refusal of the association, or an owner or occupant to permit the qualified insurer or declarant access to the unit for the reasons in subsection (3) of this section, or to provide the information required by subsection (4) of this section, that damage is excluded from the qualified warranty.

(6) In any claim under a qualified warranty issued to the association, the association shall have the sole right to prosecute and settle any claim with respect to the common elements.

**Sec. 418.** RCW 64.35.505 and 2004 c 201 s 1001 are each amended to read as follows:

(1) If coverage under a qualified warranty is conditional on an owner undertaking proper maintenance, or if coverage is excluded for damage caused by negligence by the owner or association with respect to maintenance or repair by the owner or association, the conditions or exclusions apply only to maintenance requirements or procedures: (a) Provided to the original owner in the case of the unit warranty, and to the association for the common element warranty with an estimation of the required cost thereof for the common element warranty provided in the budget prepared by the declarant; or (b) that would be obvious to a reasonable and prudent layperson. Recommended maintenance requirements and procedures are sufficient for purposes of this subsection if consistent with knowledge generally available in the construction industry at the time the qualified warranty is issued.

(2) If an original owner or the association has not been provided with the manufacturer's documentation or warranty information, or both, or with recommended maintenance and repair procedures for any component of a unit, the relevant exclusion does not apply. The common element warranty is included in the written warranty to be provided to the association under RCW ((64.34.312)) 64.90.420.

**Sec. 419.** RCW 64.35.610 and 2004 c 201 s 1601 are each amended to read as follows:

A qualified warranty may include mandatory binding arbitration of all disputes arising out of or in connection with a qualified warranty. The provision may provide that all claims for a single condominium be heard by the same arbitrator, but shall not permit the joinder or consolidation of any other person or entity. The arbitration shall comply with the following minimum procedural standards:

(1) Any demand for arbitration shall be delivered by certified mail return receipt requested, and by ordinary first-class mail.

The party initiating the arbitration shall address the notice to the address last known to the initiating party in the exercise of reasonable diligence, and also, for any entity which is required to have a registered agent in the state of Washington, to the address of the registered agent. Demand for arbitration is deemed effective three days after the date deposited in the mail((+)).

(2) All disputes shall be heard by one qualified arbitrator, unless the parties agree to use three arbitrators. If three arbitrators are used, one shall be appointed by each of the disputing parties and the first two arbitrators shall appoint the third, who will chair the panel. The parties shall select the identity and number of the arbitrator or arbitrators after the demand for arbitration is made. If, within thirty days after the effective date of the demand for arbitration, the parties fail to agree on an arbitrator or the agreed number of arbitrators fail to be appointed, then an arbitrator or arbitrators shall be appointed under RCW 7.04.050 by the presiding judge of the superior court of the county in which the condominium is located((+)).

(3) In any arbitration, at least one arbitrator must be a lawyer or retired judge. Any additional arbitrator must be either a lawyer or retired judge or a person who has experience with construction and engineering standards and practices, written construction warranties, or construction dispute resolution. No person may serve as an arbitrator in any arbitration in which that person has any past or present financial or personal interest((+)).

(4) The arbitration hearing must be conducted in a manner that permits full, fair, and expeditious presentation of the case by both parties. The arbitrator is bound by the law of Washington state. Parties may be, but are not required to be, represented by attorneys. The arbitrator may permit discovery to ensure a fair hearing, but may limit the scope or manner of discovery for good cause to avoid excessive delay and costs to the parties. The parties and the arbitrator shall use all reasonable efforts to complete the arbitration within six months of the effective date of the demand for arbitration or, when applicable, the service of the list of defects in accordance with RCW 64.50.030((+)).

(5) Except as otherwise set forth in this section, arbitration shall be conducted under chapter 7.04 RCW, unless the parties elect to use the construction industry arbitration rules of the American arbitration association, which are permitted to the extent not inconsistent with this section. The expenses of witnesses including expert witnesses shall be paid by the party producing the witnesses. All other expenses of arbitration shall be borne equally by the parties, unless all parties agree otherwise or unless the arbitrator awards expenses or any part thereof to any specified party or parties. The parties shall pay the fees of the arbitrator as and when specified by the arbitrator((+)).

(6) Demand for arbitration given pursuant to subsection (1) of this section commences

a ((judicial)) proceeding for purposes of RCW ((64.34.452)) 64.90.680.

(7) The arbitration decision shall be in writing and must set forth findings of fact and conclusions of law that support the decision.

**Sec. 420.** RCW 64.50.010 and 2023 c 337 s 3 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Action" means any civil lawsuit or action in contract or tort for damages or indemnity brought against a construction professional to assert a claim, whether by complaint, counterclaim, or cross-claim, for damage or the loss of use of real or personal property caused by a defect in the construction of a residence or in the substantial remodel of a residence. "Action" does not include any civil action in tort alleging personal injury or wrongful death to a person or persons resulting from a construction defect.

(2) "Association" means an association, master association, or subassociation as defined and provided for in ((RCW 64.34.020(4), 64.34.276, 64.34.278, 64.38.010(12), and 64.90.010(4)) chapter 64.90 RCW.

(3) "Claimant" means a homeowner or association who asserts a claim against a construction professional concerning a defect in the construction of a residence or in the substantial remodel of a residence.

(4) "Construction defect professional" means an architect, builder, builder vendor, contractor, subcontractor, engineer, inspector, or such other person with verifiable training and experience related to the defects or conditions identified in any report included with a notice of claim as set forth in RCW 64.50.020(1)(a).

(5) "Construction professional" means an architect, builder, builder vendor, contractor, subcontractor, engineer, or inspector, including, but not limited to, a dealer as defined in RCW ((64.34.020) 64.90.010 and a declarant as defined in RCW ((64.34.020) 64.90.010, performing or furnishing the design, supervision, inspection, construction, or observation of the construction of any improvement to real property, whether operating as a sole proprietor, partnership, corporation, or other business entity.

(6) "Homeowner" means: (a) Any person, company, firm, partnership, corporation, or association who contracts with a construction professional for the construction, sale, or construction and sale of a residence; and (b) an "association" as defined in this section. "Homeowner" includes, but is not limited to, a subsequent purchaser of a residence from any homeowner.

(7) "Residence" means a single-family house, duplex, triplex, quadraplex, or a unit in a multiunit residential structure in which title to each individual unit is transferred to the owner under a condominium or cooperative system, and shall include common elements as defined in RCW

((64.34.020 and common areas as defined in RCW 64.38.010(4)) 64.90.010.

(8) "Serve" or "service" means personal service or delivery by certified mail to the last known address of the addressee.

(9) "Substantial remodel" means a remodel of a residence, for which the total cost exceeds one-half of the assessed value of the residence for property tax purposes at the time the contract for the remodel work was made.

**Sec. 421.** RCW 64.50.040 and 2023 c 337 s 5 are each amended to read as follows:

(1)(a) In the event the board ((~~of~~ directors)), pursuant to RCW ((64.34.304(1)-(d) or 64.38.020(4)) 64.90.405(2)(d), institutes an action asserting defects in the construction of two or more ((~~residences~~) units or common elements ((~~or common areas~~)), this section shall apply. For purposes of this section, "action" has the same meaning as set forth in RCW 64.50.010.

(b) The board ((~~of~~ directors)) shall substantially comply with the provisions of this section.

(2)(a) Prior to the service of the summons and complaint on any defendant with respect to an action governed by this section, the board ((~~of~~ directors)) shall mail or deliver written notice of the commencement or anticipated commencement of such action to each homeowner at the last known address described in the association's records.

(b) The notice required by (a) of this subsection shall state a general description of the following:

(i) The nature of the action and the relief sought;

(ii) To the extent applicable, the existence of the report required in RCW 64.50.020(1)(a), which shall be made available to each homeowner upon request;

(iii) A summary of the construction professional's response pursuant to RCW 64.50.020(3), if any; and

(iv) The expenses and fees that the board ((~~of~~ directors)) anticipates will be incurred in prosecuting the action.

(3) Nothing in this section may be construed to:

(a) Require the disclosure in the notice or the disclosure to a ((~~unit owner~~) homeowner of attorney-client communications or other privileged communications;

(b) Permit the notice to serve as a basis for any person to assert the waiver of any applicable privilege or right of confidentiality resulting from, or to claim immunity in connection with, the disclosure of information in the notice; or

(c) Limit or impair the authority of the board ((~~of~~ directors)) to contract for legal services, or limit or impair the ability to enforce such a contract for legal services.

**Sec. 422.** RCW 64.50.050 and 2002 c 323 s 6 are each amended to read as follows:

(1) The construction professional shall provide notice to each homeowner upon entering into a contract for sale, construction, or substantial remodel of a

residence, of the construction professional's right to offer to cure construction defects before a homeowner may commence litigation against the construction professional. Such notice shall be conspicuous and may be included as part of the underlying contract signed by the homeowner. In the sale of a condominium unit, the requirement for delivery of such notice shall be deemed satisfied if contained in a public offering statement delivered in accordance with chapter ~~((64.34))~~ 64.90 RCW.

(2) The notice required by this subsection shall be in substantially the following form:

CHAPTER 64.50 RCW CONTAINS IMPORTANT REQUIREMENTS YOU MUST FOLLOW BEFORE YOU MAY FILE A LAWSUIT FOR DEFECTIVE CONSTRUCTION AGAINST THE SELLER OR BUILDER OF YOUR HOME. FORTY-FIVE DAYS BEFORE YOU FILE YOUR LAWSUIT, YOU MUST DELIVER TO THE SELLER OR BUILDER A WRITTEN NOTICE OF ANY CONSTRUCTION CONDITIONS YOU ALLEGE ARE DEFECTIVE AND PROVIDE YOUR SELLER OR BUILDER THE OPPORTUNITY TO MAKE AN OFFER TO REPAIR OR PAY FOR THE DEFECTS. YOU ARE NOT OBLIGATED TO ACCEPT ANY OFFER MADE BY THE BUILDER OR SELLER. THERE ARE STRICT DEADLINES AND PROCEDURES UNDER STATE LAW, AND FAILURE TO FOLLOW THEM MAY AFFECT YOUR ABILITY TO FILE A LAWSUIT.

(3) This chapter shall not preclude or bar any action if notice is not given to the homeowner as required by this section.

**Sec. 423.** RCW 64.55.005 and 2019 c 238 s 216 are each amended to read as follows:

(1) (a) RCW 64.55.010 through 64.55.090 apply to any multiunit residential building for which the permit for construction or rehabilitative construction of such building was issued on or after August 1, 2005.

(b) RCW 64.55.010 and 64.55.090 apply to ~~((conversion condominiums as defined in RCW 64.34.020 or))~~ conversion buildings as defined in RCW 64.90.010 ~~((, provided that RCW 64.55.090 shall not apply to a condominium conversion for which a public offering statement had been delivered pursuant to chapter 64.34 RCW prior to August 1, 2005))~~.

(2) RCW 64.55.010 and 64.55.100 through 64.55.160 and ~~((64.34.415))~~ 64.90.620 apply to any action that alleges breach of an implied or express warranty under chapter ~~((64.34))~~ 64.90 RCW or that seeks relief that could be awarded for such breach, regardless of the legal theory pleaded, except that RCW 64.55.100 through 64.55.160 and ~~((64.34.415))~~ 64.90.620 shall not apply to:

(a) Actions filed or served prior to August 1, 2005;

(b) Actions for which a notice of claim was served pursuant to chapter 64.50 RCW prior to August 1, 2005;

(c) Actions asserting any claim regarding a building that is not a multiunit residential building;

(d) Actions asserting any claim regarding a multiunit residential building that was permitted on or after August 1, 2005, unless

the letter required by RCW 64.55.060 has been submitted to the appropriate building department or the requirements of RCW 64.55.090 have been satisfied.

(3) Other than the requirements imposed by RCW 64.55.010 through 64.55.090, nothing in this chapter amends or modifies the provisions of RCW ~~((64.34.050))~~ 64.90.025.

**Sec. 424.** RCW 64.55.010 and 2023 c 263 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in RCW ~~((64.34.020))~~ 64.90.010 and in this section apply throughout this chapter.

(1) "Attached dwelling unit" means any dwelling unit that is attached to another dwelling unit by a wall, floor, or ceiling that separates heated living spaces. A garage is not a heated living space.

(2) "Building enclosure" means that part of any building, above or below grade, that physically separates the outside or exterior environment from interior environments and which weatherproofs, waterproofs, or otherwise protects the building or its components from water or moisture intrusion. Interior environments consist of both heated and unheated enclosed spaces. The building enclosure includes, but is not limited to, that portion of roofs, walls, balcony support columns, decks, windows, doors, vents, and other penetrations through exterior walls, which waterproof, weatherproof, or otherwise protect the building or its components from water or moisture intrusion.

(3) "Building enclosure design documents" means plans, details, and specifications for the building enclosure that have been stamped by a licensed engineer or architect. The building enclosure design documents shall include details and specifications that are appropriate for the building in the professional judgment of the architect or engineer who prepared the same to waterproof, weatherproof, and otherwise protect the building or its components from water or moisture intrusion, including details of flashing, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane, and details around openings.

(4) "Developer" means:

(a) With respect to a condominium or a conversion condominium, the declarant; and

(b) With respect to all other buildings, an individual, group of individuals, partnership, corporation, association, municipal corporation, state agency, or other entity or person that obtains a building permit for the construction or rehabilitative reconstruction of a multiunit residential building. If a permit is obtained by service providers such as architects, contractors, and consultants who obtain permits for others as part of services rendered for a fee, the person for whom the permit is obtained shall be the developer, not the service provider.

(5) "Dwelling unit" has the meaning given to that phrase or similar phrases in the ordinances of the jurisdiction issuing the permit for construction of the building enclosure but if such ordinances do not

provide a definition, then "dwelling unit" means a residence containing living, cooking, sleeping, and sanitary facilities.

(6) "Multiunit residential building" means:

(a) A building containing more than two attached dwelling units, including a building containing nonresidential units if the building also contains more than two attached dwelling units, but excluding the following classes of buildings:

- (i) Hotels and motels;
- (ii) Dormitories;
- (iii) Care facilities;
- (iv) Floating homes;

(v) A building that contains attached dwelling units that are each located on a single platted lot, except as provided in (b) of this subsection;

(vi) A building in which all of the dwelling units are held under one ownership and is subject to a recorded irrevocable sale prohibition covenant; and

(vii) A building with 12 or fewer units that is no more than two stories.

(b) If the developer submits to the appropriate building department when applying for the building permit described in RCW 64.55.020 a statement that the developer elects to treat the improvement for which a permit is sought as a multiunit residential building for all purposes under this chapter, then "multiunit residential building" also means the following buildings for which such election has been made:

(i) A building containing only two attached dwelling units;

(ii) A building that does not contain attached dwelling units; and

(iii) Any building that contains attached dwelling units each of which is located on a single platted lot.

(7) "Party unit owner" means a unit owner who is a named party to an action subject to this chapter and does not include any unit owners whose involvement with the action stems solely from their membership in the association.

(8) "Qualified building inspector" means a person satisfying the requirements of RCW 64.55.040.

(9) "Rehabilitative construction" means construction work on the building enclosure of a multiunit residential building if the cost of such construction work is more than five percent of the assessed value of the building.

(10) "Sale prohibition covenant" means a recorded covenant that prohibits the sale or other disposition of individual dwelling units as or as part of a condominium for five years or more from the date of first occupancy except as otherwise provided in RCW 64.55.090, a certified copy of which the developer shall submit to the appropriate building department; provided such covenant shall not apply to sales or dispositions listed in RCW ((64.34.400)) 64.90.600(2). The covenant must be recorded in the county in which the building is located and must be in substantially the following form:

This covenant has been recorded in the real property records of . . . . . County, Washington, in satisfaction of the requirements of RCW 64.55.010

through 64.55.090. The undersigned is the owner of the property described on Exhibit A (the "Property"). Until termination of this covenant, no dwelling unit in or on the Property may be sold as a condominium unit except for sales or dispositions listed in RCW ((64.34.400)) 64.90.600(2).

This covenant terminates on the earlier of either: (a) Compliance with the requirements of RCW 64.55.090, as certified by the owner of the Property in a recorded supplement hereto; or (b) the fifth anniversary of the date of first occupancy of a dwelling unit as certified by the Owner in a recorded supplement hereto.

All title insurance companies and persons acquiring an interest in the Property may rely on the forgoing certifications without further inquiry in issuing any policy of title insurance or in acquiring an interest in the Property.

(11) "Stamped" means bearing the stamp and signature of the responsible licensed architect or engineer on the title page, and on every sheet of the documents, drawings, or specifications, including modifications to the documents, drawings, and specifications that become part of change orders or addenda to alter those documents, drawings, or specifications.

**Sec. 425.** RCW 64.55.070 and 2005 c 456 s 8 are each amended to read as follows:

(1) Nothing in this chapter and RCW ((64.34.073, 64.34.100(2), 64.34.410 (1)(nn) and (2), and 64.34.415(1)(b))) 64.90.610 (1)(t), (1)(oo), and (3) and 64.90.620(1)(c) is intended to, or does:

(a) Create a private right of action against any inspector, architect, or engineer based upon compliance or noncompliance with its provisions; or

(b) Create any independent basis for liability against an inspector, architect, or engineer.

(2) The qualified inspector, architect, or engineer and the developer that retained the inspector, architect, or engineer may contractually agree to the amount of their liability to the developer.

**Sec. 426.** RCW 64.55.090 and 2005 c 456 s 10 are each amended to read as follows:

(1) Except for sales or other dispositions listed in RCW ((64.34.400)) 64.90.600(2), no declarant may convey a condominium unit that may be occupied for residential use in a multiunit residential building without first complying with the requirements of RCW 64.55.005 through 64.55.080 unless the building enclosure of the building in which such unit is included is inspected by a qualified building enclosure inspector, and:

(a) The inspection includes such intrusive or other testing, such as the removal of siding or other building enclosure materials, that the inspector believes, in his or her professional judgment, is necessary to ascertain the

manner in which the building enclosure was constructed;

(b) The inspection evaluates, to the extent reasonably ascertainable and in the professional judgment of the inspector, the present condition of the building enclosure including whether such condition has adversely affected or will adversely affect the performance of the building enclosure to waterproof, weatherproof, or otherwise protect the building or its components from water or moisture intrusion. "Adversely affect" has the same meaning as provided in RCW ((64.34.445)) 64.90.670(7);

(c) The inspection report includes recommendations for repairs to the building enclosure that, in the professional judgment of the qualified building inspector, are necessary to: (i) Repair a design or construction defect in the building enclosure that results in the failure of the building enclosure to perform its intended function and allows unintended water penetration not caused by flooding; and (ii) repair damage caused by such a defect that has an adverse effect as provided in RCW ((64.34.445)) 64.90.670(7);

(d) With respect to a building that would be a multiunit residential building but for the recording of a sale prohibition covenant and unless more than five years have elapsed since the date such covenant was recorded, all repairs to the building enclosure recommended pursuant to (c) of this subsection have been made; and

(e) The declarant provides as part of the public offering statement, consistent with RCW ((64.34.410 (1)(nn) and (2) and 64.34.415(1)(b))) 64.90.610 (1)(t), (1)(oo), and (3) and 64.90.620(1)(c), an inspection and repair report signed by the qualified building enclosure inspector that identifies:

(i) The extent of the inspection performed pursuant to this section;

(ii) The information obtained as a result of that inspection; and

(iii) The manner in which any repairs required by this section were performed, the scope of those repairs, and the names of the persons performing those repairs.

(2) Failure to deliver the inspection and repair report in violation of this section constitutes a failure to deliver a public offering statement for purposes of chapter ((64.34)) 64.90 RCW.

**Sec. 427.** RCW 64.55.120 and 2005 c 456 s 13 are each amended to read as follows:

(1) The parties to an action subject to this chapter and RCW ((64.34.073, 64.34.100(2), 64.34.410 (1)(nn) and (2), and 64.34.415(1)(b))) 64.90.610 (1)(t), (1)(oo), and (3) and 64.90.620(1)(c) shall engage in mediation. Unless the parties agree otherwise, the mediation required by this section shall commence within seven months of the later of the filing or service of the complaint. If the parties cannot agree upon a mediator, the court shall appoint a mediator.

(2) Prior to the mediation required by this section, the parties and their experts shall meet and confer in good faith to attempt to resolve or narrow the scope of

the disputed issues, including issues related to the parties' repair plans.

(3) Prior to the mandatory mediation, the parties or their attorneys shall file and serve a declaration that:

(a) A decision maker with authority to settle will be available for the duration of the mandatory mediation; and

(b) The decision maker has been provided with and has reviewed the mediation materials provided by the party to which the decision maker is affiliated as well as the materials submitted by the opposing parties.

(4) Completion of the mediation required by this section occurs upon written notice of termination by any party. The provisions of RCW 64.55.160 shall not apply to any later mediation conducted following such notice.

**Sec. 428.** RCW 64.55.130 and 2005 c 456 s 14 are each amended to read as follows:

(1) If, after meeting and conferring as required by RCW 64.55.120(2), disputed issues remain, a party may file a motion with the court, or arbitrator if an arbitrator has been appointed, requesting the appointment of a neutral expert to address any or all of the disputed issues. Unless otherwise agreed to by the parties or upon a showing of exceptional circumstances, including a material adverse change in a party's litigation risks due to a change in allegations, claims, or defenses by an adverse party following the appointment of the neutral expert, any such motion shall be filed no later than sixty days after the first day of the meeting required by RCW 64.55.120(2). Upon such a request, the court or arbitrator shall decide whether or not to appoint a neutral expert or experts. A party may only request more than one neutral expert if the particular expertise of the additional neutral expert or experts is necessary to address disputed issues.

(2) The neutral expert shall be a licensed architect or engineer, or any other person, with substantial experience relevant to the issue or issues in dispute. The neutral expert shall not have been employed as an expert by a party to the present action within three years before the commencement of the present action, unless the parties agree otherwise.

(3) All parties shall be given an opportunity to recommend neutral experts to the court or arbitrator and shall have input regarding the appointment of a neutral expert.

(4) Unless the parties agree otherwise on the following matters, the court, or arbitrator if then appointed, shall determine:

(a) Who shall serve as the neutral expert;

(b) Subject to the requirements of this section, the scope of the neutral expert's duties;

(c) The number and timing of inspections of the property;

(d) Coordination of inspection activities with the parties' experts;

(e) The neutral expert's access to the work product of the parties' experts;



(f) The product to be prepared by the neutral expert;

(g) Whether the neutral expert may participate personally in the mediation required by RCW 64.55.120; and

(h) Other matters relevant to the neutral expert's assignment.

(5) Unless the parties agree otherwise, the neutral expert shall not make findings or render opinions regarding the amount of damages to be awarded, or the cost of repairs, or absent exceptional circumstances any matters that are not in dispute as determined in the meeting described in RCW 64.55.120(2) or otherwise.

(6) A party may, by motion to the court, or to the arbitrator if then appointed, object to the individual appointed to serve as the neutral expert and to determinations regarding the neutral expert's assignment.

(7) The neutral expert shall have no liability to the parties for the performance of his or her duties as the neutral expert.

(8) Except as otherwise agreed by the parties, the parties have a right to review and comment on the neutral expert's report before it is made final.

(9) A neutral expert's report or testimony is not entitled to any evidentiary presumption in any arbitration or court proceeding. Nothing in this chapter and RCW ((64.34.073, 64.34.100(2), 64.34.410(1)(a)) and (2), and 64.34.415(1)(b)) 64.90.610(1)(t), (1)(oo), and (3) and 64.90.620(1)(c) restricts the admissibility of such a report or testimony, provided it is within the scope of the neutral expert's assigned duties, and questions of the admissibility of such a report or testimony shall be determined under the rules of evidence.

(10) The court, or arbitrator if then appointed, shall determine the significance of the neutral expert's report and testimony with respect to parties joined after the neutral expert's appointment and shall determine whether additional neutral experts should be appointed or other measures should be taken to protect such joined parties from undue prejudice.

**Sec. 429.** RCW 64.60.010 and 2011 c 36 s 3 are each amended to read as follows:

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

(1) "Association" means: (~~(An association of apartment owners as defined in RCW 64.32.010; a)~~) A unit owners(±) association as defined in RCW ((64.34.020) 64.90.010; ((a homeowners' association as defined in RCW 64.38.010;)) a corporation organized pursuant to chapter 24.03A or 24.06 RCW for the purpose of owning real estate under a cooperative ownership plan; or a nonprofit or cooperative membership organization composed exclusively of owners of mobile homes, manufactured housing, timeshares, camping resort interests, or other interests in real property that is responsible for the maintenance, improvements, services, or expenses related to real property that is owned, used, or enjoyed in common by the members.

(2) "Payee" means the person or entity who claims the right to receive or collect a

private transfer fee payable under a private transfer fee obligation. A payee may or may not have a pecuniary interest in the private transfer fee obligation.

(3) "Private transfer fee" means a fee or charge payable upon the transfer of an interest in real property, or payable for the right to make or accept such transfer, regardless of whether the fee or charge is a fixed amount or is determined as a percentage of the value of the real property, the purchase price, or other consideration given for the transfer. The following are not private transfer fees for the purposes of this section:

(a) Any consideration payable by the grantee to the grantor for the interest in real property being transferred, including any subsequent additional consideration for the real property payable by the grantee based upon any subsequent appreciation, development, or sale of the real property, if such additional consideration is payable on a one-time basis only and the obligation to make such payment does not bind successors in title to the real property;

(b) Any commission payable to a licensed real estate broker for services rendered in connection with the transfer of real property pursuant to an agreement between the broker and the grantor or the grantee including, but not limited to, any subsequent additional commission for that transfer payable by the grantor or the grantee based upon any subsequent appreciation, development, or sale of the property;

(c) Any interest, charges, fees, or other amounts payable by a borrower to a lender pursuant to a loan secured by a mortgage against real property including, but not limited to, any fee payable to the lender for consenting to an assumption of the loan or a transfer of the real property subject to the mortgage, any fees or charges payable to the lender for estoppel letters or certificates, and any shared appreciation interest, profit participation, or other consideration, and payable to the lender in connection with the loan;

(d) Any rent, reimbursement, charge, fee, or other amount payable by a lessee or licensee to a lessor or licensor under a lease or license including, but not limited to, any fee payable to the lessor or licensor for consenting to an assignment, subletting, encumbrance, or transfer of the lease or license;

(e) Any consideration payable to the holder of an option to purchase an interest in real property or the holder of a right of first refusal or first offer to purchase an interest in real property for waiving, releasing, or not exercising the option or right upon the transfer of the real property to another person;

(f) Any tax, fee, charge, assessment, fine, or other amount payable to or imposed by a governmental authority;

(g) Any assessment, fee, charge, fine, dues, or other amount payable to an association pursuant to chapter ((64.32, 64.34, or 64.38)) 64.90 RCW, payable by a purchaser of a camping resort contract, as defined in RCW 19.105.300, or a timeshare, as defined in RCW 64.36.010, or payable

pursuant to a recorded servitude encumbering the real property being transferred, as long as no portion of the fee is required to be passed through or paid to a third party;

(h) Any fee payable, upon a transfer, to an organization qualified under section 501(c)(3) or 501(c)(4) of the internal revenue code of 1986, if the sole purpose of such organization is to support cultural, educational, charitable, recreational, conservation, or similar activities benefiting the real property being transferred and the fee is used exclusively to fund such activities;

(i) Any fee, charge, assessment, dues, fine, contribution, or other amount pertaining solely to the purchase or transfer of a club membership relating to real property owned by the member including, but not limited to, any amount determined by reference to the value, purchase price, or other consideration given for the transfer of the real property;

(j) Any fee charged by an association or an agent of an association to a transferor or transferee for a service rendered contemporaneously with the imposition of the fee, provided that the fee is not to be passed through to a third party other than an agent of the association.

(4) "Private transfer fee obligation" means an obligation arising under a declaration or covenant recorded against the title to real property, or under any other contractual agreement or promise, recorded or not, that requires or purports to require the payment of a private transfer fee upon a subsequent transfer of an interest in the real property.

(5) "Transfer" means the sale, gift, grant, conveyance, lease, license, assignment, inheritance, or other act resulting in a transfer of ownership interest in real property located in this state.

**Sec. 430.** RCW 64.70.020 and 2020 c 20 s 1064 are each amended to read as follows:

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

(1) "Activity or use limitations" means restrictions or obligations created under this chapter with respect to real property.

(2) "Agency" means either the department of ecology, the pollution liability insurance agency, or the United States environmental protection agency, whichever determines or approves the environmental response project pursuant to which the environmental covenant is created.

(3) ~~((+a)) "Common interest community" ((means a condominium, cooperative, or other real property with respect to which a person, by virtue of the person's ownership of a parcel of real property, is obligated to pay property taxes or insurance premiums, or for maintenance, or improvement of other real property described in a recorded covenant that creates the common interest community.~~

~~(b) "Common interest community" includes but is not limited to:~~

~~(i) An association of apartment owners as defined in RCW 64.32.010;~~

~~(ii) A unit owners' association as defined in RCW 64.34.020 and organized under RCW 64.34.300;~~

~~(iii) A master association as provided in RCW 64.34.276;~~

~~(iv) A subassociation as provided in RCW 64.34.278; and~~

~~(v) A homeowners' association as defined in RCW 64.38.010)) has the same meaning as in RCW 64.90.010.~~

(4) "Environmental covenant" means a servitude arising under an environmental response project that imposes activity or use limitations.

(5) "Environmental response project" means a plan or work performed for environmental remediation of real property and conducted:

(a) Under a federal or state program governing environmental remediation of real property, including chapters 43.21C, 64.44, 70A.205, 70A.388, 70A.300, 70A.305, 90.48, and 90.52 RCW;

(b) Incident to closure of a solid or hazardous waste management unit, if the closure is conducted with approval of an agency; or

(c) Under the state voluntary clean-up program authorized under chapter 70A.305 RCW or technical assistance program authorized under chapter 70A.330 RCW.

(6) "Holder" means the grantee of an environmental covenant as specified in RCW 64.70.030(1).

(7) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government, governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(8) "Record," used as a noun, means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(9) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

**Sec. 431.** RCW 82.02.020 and 2013 c 243 s 4 are each amended to read as follows:

Except only as expressly provided in chapters 67.28, 81.104, and 82.14 RCW, the state preempts the field of imposing retail sales and use taxes and taxes upon parimutuel wagering authorized pursuant to RCW 67.16.060, conveyances, and cigarettes, and no county, town, or other municipal subdivision shall have the right to impose taxes of that nature. Except as provided in RCW ((64.34.440)) 64.90.655 and 82.02.050 through 82.02.090, no county, city, town, or other municipal corporation shall impose any tax, fee, or charge, either direct or indirect, on the construction or reconstruction of residential buildings, commercial buildings, industrial buildings, or on any other building or building space or appurtenance thereto, or on the development, subdivision, classification, or reclassification of land. However, this section does not preclude dedications of

land or easements within the proposed development or plat which the county, city, town, or other municipal corporation can demonstrate are reasonably necessary as a direct result of the proposed development or plat to which the dedication of land or easement is to apply.

This section does not prohibit voluntary agreements with counties, cities, towns, or other municipal corporations that allow a payment in lieu of a dedication of land or to mitigate a direct impact that has been identified as a consequence of a proposed development, subdivision, or plat. A local government shall not use such voluntary agreements for local off-site transportation improvements within the geographic boundaries of the area or areas covered by an adopted transportation program authorized by chapter 39.92 RCW. Any such voluntary agreement is subject to the following provisions:

(1) The payment shall be held in a reserve account and may only be expended to fund a capital improvement agreed upon by the parties to mitigate the identified, direct impact;

(2) The payment shall be expended in all cases within five years of collection; and

(3) Any payment not so expended shall be refunded with interest to be calculated from the original date the deposit was received by the county and at the same rate applied to tax refunds pursuant to RCW 84.69.100; however, if the payment is not expended within five years due to delay attributable to the developer, the payment shall be refunded without interest.

No county, city, town, or other municipal corporation shall require any payment as part of such a voluntary agreement which the county, city, town, or other municipal corporation cannot establish is reasonably necessary as a direct result of the proposed development or plat.

Nothing in this section prohibits cities, towns, counties, or other municipal corporations from collecting reasonable fees from an applicant for a permit or other governmental approval to cover the cost to the city, town, county, or other municipal corporation of processing applications, inspecting and reviewing plans, or preparing detailed statements required by chapter 43.21C RCW, including reasonable fees that are consistent with RCW 43.21C.420(6), 43.21C.428, and beginning July 1, 2014, RCW 35.91.020.

This section does not limit the existing authority of any county, city, town, or other municipal corporation to impose special assessments on property specifically benefited thereby in the manner prescribed by law.

Nothing in this section prohibits counties, cities, or towns from imposing or permits counties, cities, or towns to impose water, sewer, natural gas, drainage utility, and drainage system charges. However, no such charge shall exceed the proportionate share of such utility or system's capital costs which the county, city, or town can demonstrate are attributable to the property being charged. Furthermore, these provisions may not be interpreted to expand or contract

any existing authority of counties, cities, or towns to impose such charges.

Nothing in this section prohibits a transportation benefit district from imposing fees or charges authorized in RCW 36.73.120 nor prohibits the legislative authority of a county, city, or town from approving the imposition of such fees within a transportation benefit district.

Nothing in this section prohibits counties, cities, or towns from imposing transportation impact fees authorized pursuant to chapter 39.92 RCW.

Nothing in this section prohibits counties, cities, or towns from requiring property owners to provide relocation assistance to tenants under RCW 59.18.440 and 59.18.450.

Nothing in this section limits the authority of counties, cities, or towns to implement programs consistent with RCW 36.70A.540, nor to enforce agreements made pursuant to such programs.

This section does not apply to special purpose districts formed and acting pursuant to Title 54, 57, or 87 RCW, nor is the authority conferred by these titles affected.

**Sec. 432.** RCW 82.04.4298 and 1980 c 37 s 18 are each amended to read as follows:

(1) In computing tax there may be deducted from the measure of tax amounts used solely for repair, maintenance, replacement, management, or improvement of the residential structures and (~~commonly held property~~) common elements, but excluding property where fees or charges are made for use by the public who are not guests accompanied by a member, which are derived by:

(a) A cooperative (~~housing association~~), corporation, or partnership from a person who resides in a structure owned by the cooperative (~~housing association~~), corporation, or partnership;

(b) (~~An association of owners of property as defined in RCW 64.32.010, as now or hereafter amended,~~) A condominium from a person who is (~~an apartment~~) a unit owner (~~as defined in RCW 64.32.010~~); or

(c) (~~An association of owners of residential property from a person who is a member of the association. "Association of owners of residential property" means any organization of all the owners of residential property in a defined area who all hold the same property in common within the area.~~) A plat community or miscellaneous community from a unit owner.

(2) For the purposes of this section (~~"commonly held property" includes areas required for common access such as reception areas, halls, stairways, parking, etc., and may include recreation rooms, swimming pools and small parks or recreation areas; but is not intended to include more grounds than are normally required in a residential area, or to include such extensive areas as required for golf courses, campgrounds, hiking and riding areas, boating areas, etc.~~) "common elements," "condominium," "cooperative," "plat community," and "miscellaneous community" have the meaning given in RCW 64.90.010.

(3) To qualify for the deductions under this section:

(a) The salary or compensation paid to officers, managers, or employees must be only for actual services rendered and at levels comparable to the salary or compensation of like positions within the county wherein the property is located;

(b) Dues, fees, or assessments in excess of amounts needed for the purposes for which the deduction is allowed must be rebated to the members of the association;

(c) Assets of the association or organization must be distributable to all members and must not inure to the benefit of any single member or group of members.

**Sec. 433.** RCW 64.32.260 and 2019 c 238 s 217 are each amended to read as follows:

(1) This chapter does not apply to common interest communities as defined in RCW 64.90.010:

(a) Created on or after July 1, 2018; or

(b) That have amended their governing documents to provide that chapter 64.90 RCW will apply to the common interest community pursuant to RCW 64.90.095 (as recodified by this act).

(2) Pursuant to RCW 64.90.080 (as recodified by this act), the following provisions of chapter 64.90 RCW apply, and any inconsistent provisions of this chapter do not apply, to a common interest community created before July 1, 2018:

(a) RCW 64.90.095 (as recodified by this act);

(b) RCW 64.90.405(1) (b) and (c);

(c) RCW 64.90.525; and

(d) RCW 64.90.545.

**Sec. 434.** RCW 64.34.076 and 2019 c 238 s 218 are each amended to read as follows:

(1) This chapter does not apply to common interest communities as defined in RCW 64.90.010:

(a) Created on or after July 1, 2018; or

(b) That have amended their governing documents to provide that chapter 64.90 RCW will apply to the common interest community pursuant to RCW 64.90.095 (as recodified by this act).

(2) Pursuant to RCW 64.90.080 (as recodified by this act), the following provisions of chapter 64.90 RCW apply, and any inconsistent provisions of this chapter do not apply, to a common interest community created before July 1, 2018:

(a) RCW 64.90.095 (as recodified by this act);

(b) RCW 64.90.405(1) (b) and (c);

(c) RCW 64.90.525; and

(d) RCW 64.90.545.

**Sec. 435.** RCW 64.38.095 and 2019 c 238 s 225 are each amended to read as follows:

(1) This chapter does not apply to common interest communities as defined in RCW 64.90.010:

(a) Created on or after July 1, 2018; or

(b) That have amended their governing documents to provide that chapter 64.90 RCW will apply to the common interest community pursuant to RCW 64.90.095 (as recodified by this act).

(2) Pursuant to RCW 64.90.080 (as recodified by this act), the following provisions of chapter 64.90 RCW apply, and any inconsistent provisions of this chapter do not apply, to a common interest community created before July 1, 2018:

(a) RCW 64.90.095 (as recodified by this act);

(b) RCW 64.90.405(1) (b) and (c);

(c) RCW 64.90.525; and

(d) RCW 64.90.545.

**PART V  
APPLICABILITY AND TRANSITION**

NEW SECTION. **Sec. 501.** The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective January 1, 2028:

(1) RCW 64.32.010 (Definitions) and 2021 c 227 s 1, 2008 c 114 s 3, 1987 c 383 s 1, 1981 c 304 s 34, 1965 ex.s. c 11 s 1, & 1963 c 156 s 1;

(2) RCW 64.32.020 (Application of chapter) and 1963 c 156 s 2;

(3) RCW 64.32.030 (Apartments and common areas declared real property) and 1963 c 156 s 3;

(4) RCW 64.32.040 (Ownership and possession of apartments and common areas) and 2012 c 117 s 197 & 1963 c 156 s 4;

(5) RCW 64.32.050 (Common areas and facilities) and 1965 ex.s. c 11 s 2 & 1963 c 156 s 5;

(6) RCW 64.32.060 (Compliance with covenants, bylaws, and administrative rules and regulations) and 2012 c 117 s 198 & 1963 c 156 s 6;

(7) RCW 64.32.070 (Liens or encumbrances—Enforcement—Satisfaction) and 2012 c 117 s 199 & 1963 c 156 s 7;

(8) RCW 64.32.080 (Common profits and expenses) and 1963 c 156 s 8;

(9) RCW 64.32.090 (Contents of declaration) and 1963 c 156 s 9;

(10) RCW 64.32.100 (Copy of survey map, building plans to be filed—Contents of plans) and 1987 c 383 s 2, 1965 ex.s. c 11 s 3, & 1963 c 156 s 10;

(11) RCW 64.32.110 (Ordinances, resolutions, or zoning laws—Construction) and 1963 c 156 s 11;

(12) RCW 64.32.120 (Contents of deeds or other conveyances of apartments) and 1999 c 233 s 9, 1965 ex.s. c 11 s 4, & 1963 c 156 s 12;

(13) RCW 64.32.130 (Mortgages, liens or encumbrances affecting an apartment at time of first conveyance) and 1963 c 156 s 13;

(14) RCW 64.32.140 (Recording) and 1963 c 156 s 14;

(15) RCW 64.32.150 (Removal of property from provisions of chapter) and 2008 c 114 s 2 & 1963 c 156 s 15;

(16) RCW 64.32.160 (Removal of property from provisions of chapter—No bar to subsequent resubmission) and 1963 c 156 s 16;

(17) RCW 64.32.170 (Records and books—Requirements for retaining—Availability for examination—Audits) and 2023 c 409 s 1, 1965 ex.s. c 11 s 5, & 1963 c 156 s 17;

(18) RCW 64.32.180 (Exemption from liability for contribution for common

expenses prohibited) and 2012 c 117 s 200 & 1963 c 156 s 18;

(19) RCW 64.32.190 (Separate assessments and taxation) and 1963 c 156 s 19;

(20) RCW 64.32.200 (Assessments for common expenses—Enforcement of collection—Liens and foreclosures—Liability of mortgagee or purchaser—Notice of delinquency—Second notice) and 2023 c 214 s 2, 2023 c 214 s 1, 2021 c 222 s 4, 2021 c 222 s 3, 2012 c 117 s 201, 1988 c 192 s 2, 1965 ex.s. c 11 s 6, & 1963 c 156 s 20;

(21) RCW 64.32.210 (Conveyance—Liability of grantor and grantee for unpaid common expenses) and 2012 c 117 s 202 & 1963 c 156 s 21;

(22) RCW 64.32.220 (Insurance) and 2012 c 117 s 203 & 1963 c 156 s 22;

(23) RCW 64.32.230 (Destruction or damage to all or part of property—Disposition) and 1965 ex.s. c 11 s 7 & 1963 c 156 s 23;

(24) RCW 64.32.240 (Actions) and 2012 c 117 s 204 & 1963 c 156 s 24;

(25) RCW 64.32.250 (Application of chapter, declaration and bylaws) and 1963 c 156 s 25;

(26) RCW 64.32.260 (Applicability to common interest communities) and 2019 c 238 s 217 & 2018 c 277 s 503;

(27) RCW 64.32.270 (Notice) and 2021 c 227 s 2;

(28) RCW 64.32.280 (Voting—In person, absentee ballots, proxies) and 2021 c 227 s 3;

(29) RCW 64.32.290 (Electric vehicle charging stations) and 2022 c 27 s 1;

(30) RCW 64.32.300 (Tenant screening) and 2023 c 23 s 1;

(31) RCW 64.32.310 (Licensed family home child care or licensed child day care center—Regulations—Liability) and 2023 c 203 s 1;

(32) RCW 64.32.320 (New declarations—Accessory dwelling units) and 2023 c 334 s 10;

(33) RCW 64.32.330 (New declaration minimum density) and 2023 c 332 s 11;

(34) RCW 64.32.900 (Short title) and 1963 c 156 s 26;

(35) RCW 64.32.910 (Construction of term "this chapter.") and 1963 c 156 s 27; and

(36) RCW 64.32.920 (Severability—1963 c 156) and 1963 c 156 s 28.

**NEW SECTION. Sec. 502.** The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective January 1, 2028:

(1) RCW 64.34.005 (Findings—Intent—2004 c 201) and 2004 c 201 s 1;

(2) RCW 64.34.010 (Applicability) and 2011 c 189 s 6;

(3) RCW 64.34.020 (Definitions) and 2021 c 227 s 4;

(4) RCW 64.34.030 (Variation by agreement) and 1989 c 43 s 1-104;

(5) RCW 64.34.040 (Separate interests—Taxation) and 1992 c 220 s 3 & 1989 c 43 s 1-105;

(6) RCW 64.34.050 (Local ordinances, regulations, and building codes—Applicability) and 1989 c 43 s 1-106;

(7) RCW 64.34.060 (Condemnation) and 1989 c 43 s 1-107;

(8) RCW 64.34.070 (Law applicable—General principles) and 1989 c 43 s 1-108;

(9) RCW 64.34.073 (Application of chapter 64.55 RCW) and 2005 c 456 s 21;

(10) RCW 64.34.076 (Application to common interest communities) and 2019 c 238 s 218 & 2018 c 277 s 504;

(11) RCW 64.34.080 (Contracts—Unconscionability) and 1989 c 43 s 1-111;

(12) RCW 64.34.090 (Obligation of good faith) and 1989 c 43 s 1-112;

(13) RCW 64.34.100 (Remedies liberally administered) and 2005 c 456 s 20, 2004 c 201 s 2, & 1989 c 43 s 1-113;

(14) RCW 64.34.110 (New declaration minimum density) and 2023 c 332 s 10;

(15) RCW 64.34.120 (New declaration—Accessory dwelling units) and 2023 c 334 s 9;

(16) RCW 64.34.200 (Creation of condominium) and 1992 c 220 s 4, 1990 c 166 s 2, & 1989 c 43 s 2-101;

(17) RCW 64.34.202 (Reservation of condominium name) and 1992 c 220 s 5;

(18) RCW 64.34.204 (Unit boundaries) and 1992 c 220 s 6 & 1989 c 43 s 2-102;

(19) RCW 64.34.208 (Declaration and bylaws—Construction and validity) and 1989 c 43 s 2-103;

(20) RCW 64.34.212 (Description of units) and 1989 c 43 s 2-104;

(21) RCW 64.34.216 (Contents of declaration) and 1992 c 220 s 7 & 1989 c 43 s 2-105;

(22) RCW 64.34.220 (Leasehold condominiums) and 1989 c 43 s 2-106;

(23) RCW 64.34.224 (Common element interests, votes, and expenses—Allocation) and 1992 c 220 s 8 & 1989 c 43 s 2-107;

(24) RCW 64.34.228 (Limited common elements) and 1992 c 220 s 9 & 1989 c 43 s 2-108;

(25) RCW 64.34.232 (Survey maps and plans) and 1997 c 400 s 2, 1992 c 220 s 10, & 1989 c 43 s 2-109;

(26) RCW 64.34.236 (Development rights) and 1989 c 43 s 2-110;

(27) RCW 64.34.240 (Alterations of units) and 1989 c 43 s 2-111;

(28) RCW 64.34.244 (Relocation of boundaries—Adjoining units) and 1989 c 43 s 2-112;

(29) RCW 64.34.248 (Subdivision of units) and 1989 c 43 s 2-113;

(30) RCW 64.34.252 (Monuments as boundaries) and 1989 c 43 s 2-114;

(31) RCW 64.34.256 (Use by declarant) and 1992 c 220 s 11 & 1989 c 43 s 2-115;

(32) RCW 64.34.260 (Easement rights—Common elements) and 1989 c 43 s 2-116;

(33) RCW 64.34.264 (Amendment of declaration) and 1989 c 43 s 2-117;

(34) RCW 64.34.268 (Termination of condominium) and 1992 c 220 s 12 & 1989 c 43 s 2-118;

(35) RCW 64.34.272 (Rights of secured lenders) and 1989 c 43 s 2-119;

(36) RCW 64.34.276 (Master associations) and 1989 c 43 s 2-120;

(37) RCW 64.34.278 (Delegation of power to subassociations) and 1992 c 220 s 13;

(38) RCW 64.34.280 (Merger or consolidation) and 1989 c 43 s 2-121;

- (39) RCW 64.34.300 (Unit owners' association—Organization) and 2021 c 176 s 5231, 1992 c 220 s 14, & 1989 c 43 s 3-101;
- (40) RCW 64.34.304 (Unit owners' association—Powers) and 2008 c 115 s 9, 1993 c 429 s 11, 1990 c 166 s 3, & 1989 c 43 s 3-102;
- (41) RCW 64.34.308 (Board of directors and officers) and 2019 c 238 s 219, 2011 c 189 s 2, 1992 c 220 s 15, & 1989 c 43 s 3-103;
- (42) RCW 64.34.312 (Control of association—Transfer) and 2004 c 201 s 10 & 1989 c 43 s 3-104;
- (43) RCW 64.34.316 (Special declarant rights—Transfer) and 1989 c 43 s 3-105;
- (44) RCW 64.34.320 (Contracts and leases—Declarant—Termination) and 1989 c 43 s 3-106;
- (45) RCW 64.34.324 (Bylaws) and 2004 c 201 s 3, 1992 c 220 s 16, & 1989 c 43 s 3-107;
- (46) RCW 64.34.328 (Upkeep of condominium) and 1989 c 43 s 3-108;
- (47) RCW 64.34.332 (Meetings) and 2021 c 227 s 5 & 1989 c 43 s 3-109;
- (48) RCW 64.34.336 (Quorums) and 1989 c 43 s 3-110;
- (49) RCW 64.34.340 (Voting—In person, absentee ballots, proxies) and 2021 c 227 s 6, 1992 c 220 s 17, & 1989 c 43 s 3-111;
- (50) RCW 64.34.344 (Tort and contract liability) and 1989 c 43 s 3-112;
- (51) RCW 64.34.348 (Common elements—Conveyance—Encumbrance) and 1989 c 43 s 3-113;
- (52) RCW 64.34.352 (Insurance) and 2021 c 227 s 7, 1992 c 220 s 18, 1990 c 166 s 4, & 1989 c 43 s 3-114;
- (53) RCW 64.34.354 (Insurance—Conveyance) and 1990 c 166 s 8;
- (54) RCW 64.34.356 (Surplus funds) and 1989 c 43 s 3-115;
- (55) RCW 64.34.360 (Common expenses—Assessments) and 1990 c 166 s 5 & 1989 c 43 s 3-116;
- (56) RCW 64.34.364 (Lien for assessments—Notice of delinquency—Second notice) and 2023 c 214 s 4, 2023 c 214 s 3, 2021 c 222 s 6, 2021 c 222 s 5, 2013 c 23 s 175, 1990 c 166 s 6, & 1989 c 43 s 3-117;
- (57) RCW 64.34.368 (Liens—General provisions) and 1989 c 43 s 3-118;
- (58) RCW 64.34.372 (Association records—Funds—Requirements for retaining) and 2023 c 409 s 2, 1992 c 220 s 19, 1990 c 166 s 7, & 1989 c 43 s 3-119;
- (59) RCW 64.34.376 (Association as trustee) and 1989 c 43 s 3-120;
- (60) RCW 64.34.380 (Reserve account—Reserve study—Annual update) and 2019 c 238 s 220, 2011 c 189 s 3, & 2008 c 115 s 1;
- (61) RCW 64.34.382 (Reserve study—Contents) and 2011 c 189 s 4 & 2008 c 115 s 2;
- (62) RCW 64.34.384 (Reserve account—Withdrawals) and 2011 c 189 s 5 & 2008 c 115 s 3;
- (63) RCW 64.34.386 (Reserve study—Demand by owners—Study not timely prepared) and 2008 c 115 s 4;
- (64) RCW 64.34.388 (Reserve study—Decision making) and 2008 c 115 s 5;
- (65) RCW 64.34.390 (Reserve study—Reserve account—Immunity from liability) and 2008 c 115 s 6;
- (66) RCW 64.34.392 (Reserve account and study—Exemption—Disclosure) and 2019 c 238 s 221 & 2009 c 307 s 1;
- (67) RCW 64.34.394 (Installation of drought resistant landscaping or wildfire ignition resistant landscaping) and 2020 c 9 s 3;
- (68) RCW 64.34.395 (Electric vehicle charging stations) and 2022 c 27 s 2;
- (69) RCW 64.34.396 (Notice) and 2021 c 227 s 8;
- (70) RCW 64.34.397 (Tenant screening) and 2023 c 23 s 2;
- (71) RCW 64.34.398 (Licensed family home child care or licensed child day care center—Regulations—Liability) and 2023 c 203 s 2;
- (72) RCW 64.34.400 (Applicability—Waiver) and 1992 c 220 s 20, 1990 c 166 s 9, & 1989 c 43 s 4-101;
- (73) RCW 64.34.405 (Public offering statement—Requirements—Liability) and 1989 c 43 s 4-102;
- (74) RCW 64.34.410 (Public offering statement—General provisions) and 2008 c 115 s 10, 2005 c 456 s 19, 2004 c 201 s 11, 2002 c 323 s 10, 1997 c 400 s 1, 1992 c 220 s 21, & 1989 c 43 s 4-103;
- (75) RCW 64.34.415 (Public offering statement—Conversion condominiums) and 2005 c 456 s 18, 1992 c 220 s 22, 1990 c 166 s 10, & 1989 c 43 s 4-104;
- (76) RCW 64.34.417 (Public offering statement—Use of single disclosure document) and 1990 c 166 s 11;
- (77) RCW 64.34.418 (Public offering statement—Contract of sale—Restriction on interest conveyed) and 1990 c 166 s 15;
- (78) RCW 64.34.420 (Purchaser's right to cancel) and 1989 c 43 s 4-106;
- (79) RCW 64.34.425 (Resale of unit) and 2022 c 27 s 5, 2011 c 48 s 1, 2008 c 115 s 11, 2004 c 201 s 4, 1992 c 220 s 23, 1990 c 166 s 12, & 1989 c 43 s 4-107;
- (80) RCW 64.34.430 (Escrow of deposits) and 1992 c 220 s 24 & 1989 c 43 s 4-108;
- (81) RCW 64.34.435 (Release of liens—Conveyance) and 1989 c 43 s 4-109;
- (82) RCW 64.34.440 (Conversion condominiums—Notice—Tenants—Relocation assistance) and 2022 c 165 s 5, 2008 c 113 s 1, 1992 c 220 s 25, 1990 c 166 s 13, & 1989 c 43 s 4-110;
- (83) RCW 64.34.442 (Conversion condominium projects—Report) and 2023 c 470 s 2108 & 2008 c 113 s 3;
- (84) RCW 64.34.443 (Express warranties of quality) and 1989 c 428 s 2;
- (85) RCW 64.34.445 (Implied warranties of quality—Breach) and 2004 c 201 s 5, 1992 c 220 s 26, & 1989 c 43 s 4-112;
- (86) RCW 64.34.450 (Implied warranties of quality—Exclusion—Modification—Disclaimer—Express written warranty) and 2004 c 201 s 6 & 1989 c 43 s 4-113;
- (87) RCW 64.34.452 (Warranties of quality—Breach—Actions for construction defect claims) and 2004 c 201 s 7, 2002 c 323 s 11, & 1990 c 166 s 14;
- (88) RCW 64.34.455 (Effect of violations on rights of action—Attorney's fees) and 1989 c 43 s 4-115;

(89) RCW 64.34.460 (Labeling of promotional material) and 1989 c 43 s 4-116;  
 (90) RCW 64.34.465 (Improvements—Declarant's duties) and 1989 c 43 s 4-117;  
 (91) RCW 64.34.470 (Conversion condominium notice) and 2022 c 165 s 3;  
 (92) RCW 64.34.900 (Short title) and 1989 c 43 s 1-101;  
 (93) RCW 64.34.910 (Section captions) and 1989 c 43 s 4-119;  
 (94) RCW 64.34.930 (Effective date—1989 c 43) and 1989 c 43 s 4-124;  
 (95) RCW 64.34.931 (Effective date—2004 c 201 §§ 1-13) and 2004 c 201 s 14;  
 (96) RCW 64.34.940 (Construction against implicit repeal) and 1989 c 43 s 1-109; and  
 (97) RCW 64.34.950 (Uniformity of application and construction) and 1989 c 43 s 1-110.

**NEW SECTION. Sec. 503.** The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective January 1, 2028:

(1) RCW 64.38.005 (Intent) and 1995 c 283 s 1;  
 (2) RCW 64.38.010 (Definitions) and 2023 c 337 s 2;  
 (3) RCW 64.38.015 (Association membership) and 1995 c 283 s 3;  
 (4) RCW 64.38.020 (Association powers) and 1995 c 283 s 4;  
 (5) RCW 64.38.025 (Board of directors—Standard of care—Restrictions—Budget—Removal from board) and 2021 c 176 s 5232, 2019 c 238 s 222, 2011 c 189 s 8, & 1995 c 283 s 5;  
 (6) RCW 64.38.028 (Removal of discriminatory provisions in governing documents—Procedure) and 2018 c 65 s 2 & 2006 c 58 s 2;  
 (7) RCW 64.38.030 (Association bylaws) and 1995 c 283 s 6;  
 (8) RCW 64.38.033 (Flag of the United States—Outdoor display—Governing documents) and 2004 c 169 s 1;  
 (9) RCW 64.38.034 (Political yard signs—Governing documents) and 2005 c 179 s 1;  
 (10) RCW 64.38.035 (Association meetings—Notice—Board of directors) and 2021 c 227 s 10, 2014 c 20 s 1, 2013 c 108 s 1, & 1995 c 283 s 7;  
 (11) RCW 64.38.040 (Quorum for meeting) and 1995 c 283 s 8;  
 (12) RCW 64.38.045 (Financial and other records—Property of association—Copies—Annual financial statement—Accounts—Requirements for retaining) and 2023 c 409 s 3 & 1995 c 283 s 9;  
 (13) RCW 64.38.050 (Violation—Remedy—Attorneys' fees) and 1995 c 283 s 10;  
 (14) RCW 64.38.055 (Governing documents—Solar panels) and 2009 c 51 s 1;  
 (15) RCW 64.38.057 (Governing documents—Drought resistant landscaping, wildfire ignition resistant landscaping) and 2020 c 9 s 2;  
 (16) RCW 64.38.060 (Adult family homes) and 2009 c 530 s 4;  
 (17) RCW 64.38.062 (Electric vehicle charging stations) and 2022 c 27 s 3;  
 (18) RCW 64.38.065 (Reserve account and study) and 2019 c 238 s 223 & 2011 c 189 s 9;

(19) RCW 64.38.070 (Reserve study—Requirements) and 2011 c 189 s 10;  
 (20) RCW 64.38.075 (Reserve account—Withdrawals) and 2011 c 189 s 11;  
 (21) RCW 64.38.080 (Reserve study—Demand for preparation and inclusion in budget) and 2011 c 189 s 12;  
 (22) RCW 64.38.085 (Reserve account and study—Liability) and 2011 c 189 s 13;  
 (23) RCW 64.38.090 (Reserve study—Exemptions) and 2019 c 238 s 224 & 2011 c 189 s 14;  
 (24) RCW 64.38.095 (Application to common interest communities) and 2019 c 238 s 225 & 2018 c 277 s 505;  
 (25) RCW 64.38.100 (Liens for unpaid assessments—Notice of delinquency—Second notice) and 2023 c 214 s 6, 2023 c 214 s 5, 2021 c 222 s 8, & 2021 c 222 s 7;  
 (26) RCW 64.38.110 (Notice) and 2023 c 470 s 3017 & 2021 c 227 s 11;  
 (27) RCW 64.38.120 (Voting—In person, absentee ballots, proxies) and 2021 c 227 s 12;  
 (28) RCW 64.38.130 (Tenant screening) and 2023 c 23 s 3;  
 (29) RCW 64.38.140 (Licensed family home child care or licensed child day care center—Regulations—Liability) and 2023 c 203 s 3;  
 (30) RCW 64.38.150 (New associations minimum density) and 2023 c 332 s 12; and  
 (31) RCW 64.38.160 (New associations—Accessory dwelling units) and 2023 c 334 s 11.

**NEW SECTION. Sec. 504.** The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective January 1, 2028:

(1) RCW 58.19.010 (Purpose) and 1992 c 191 s 1 & 1973 1st ex.s. c 12 s 1;  
 (2) RCW 58.19.020 (Definitions) and 1992 c 191 s 2, 1979 c 158 s 208, & 1973 1st ex.s. c 12 s 2;  
 (3) RCW 58.19.030 (Exemptions from chapter) and 1994 c 92 s 504, 1979 c 158 s 209, & 1973 1st ex.s. c 12 s 3;  
 (4) RCW 58.19.045 (Public offering statement—Developer's duties—Purchaser's rights) and 1992 c 191 s 4;  
 (5) RCW 58.19.055 (Public offering statement—Contents) and 1992 c 191 s 5;  
 (6) RCW 58.19.120 (Report of changes required—Amendments) and 1992 c 191 s 6 & 1973 1st ex.s. c 12 s 12;  
 (7) RCW 58.19.130 (Public offering statement form—Type and style restriction) and 1973 1st ex.s. c 12 s 13;  
 (8) RCW 58.19.140 (Public offering statement—Promotional use, distribution restriction—Holding out that state or employees, etc., approve development prohibited) and 1973 1st ex.s. c 12 s 14;  
 (9) RCW 58.19.180 (Unlawful to sell lots or parcels subject to blanket encumbrance which does not provide purchaser can obtain clear title—Alternatives) and 1992 c 191 s 7 & 1973 1st ex.s. c 12 s 18;  
 (10) RCW 58.19.185 (Requiring purchaser to pay additional sum to construct, complete or maintain development) and 1977 ex.s. c 252 s 1;  
 (11) RCW 58.19.190 (Advertising—Materially false, misleading, or deceptive

statements prohibited) and 1992 c 191 s 8 & 1973 1st ex.s. c 12 s 19;

(12) RCW 58.19.265 (Violations—Remedies—Attorneys' fees) and 1992 c 191 s 9;

(13) RCW 58.19.270 (Violations deemed unfair practice subject to chapter 19.86 RCW) and 1992 c 191 s 10 & 1973 1st ex.s. c 12 s 27;

(14) RCW 58.19.280 (Jurisdiction of superior courts) and 1973 1st ex.s. c 12 s 28;

(15) RCW 58.19.300 (Hazardous conditions—Notice) and 1992 c 191 s 11 & 1973 1st ex.s. c 12 s 30;

(16) RCW 58.19.920 (Liberal construction) and 1973 1st ex.s. c 12 s 33; and

(17) RCW 58.19.940 (Short title) and 1992 c 191 s 12 & 1973 1st ex.s. c 12 s 35.

**NEW SECTION. Sec. 505.** The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective January 1, 2028:

(1) RCW 64.04.055 (Deeds for conveyance of apartments under horizontal property regimes act) and 1963 c 156 s 29; and

(2) RCW 64.90.090 (Prior condominium statutes) and 2019 c 238 s 205 & 2018 c 277 s 119.

**Sec. 506.** RCW 64.90.075 and 2019 c 238 s 203 are each amended to read as follows:

(1) Except as provided otherwise in this section, RCW 64.90.080 (as recodified by this act), and section 507 of this act, this chapter applies to all common interest communities ~~((created within this state on or after July 1, 2018)).~~

(2) Before January 1, 2028, this chapter applies only to:

(a) A common interest community created on or after July 1, 2018; and

(b) A common interest community created before July 1, 2018, that amends its declaration to elect to be subject to this chapter.

(3) Chapters 58.19, 64.32, 64.34, and 64.38 RCW ~~((do)):~~

(a) Do not apply to common interest communities ~~((created on or after July 1, 2018))~~ subject to this chapter; and

(b) Apply to a common interest community created before July 1, 2018, only until the community becomes subject to this chapter.

~~((2))~~ (4)(a) Unless the declaration provides that this entire chapter is applicable, a plat community or miscellaneous community that is not subject to any development right is subject only to RCW 64.90.020, 64.90.025, and 64.90.030, if the community: ~~((a))~~ (i) Contains no more than ~~((twelve))~~ 12 units; and ~~((b))~~ (ii) provides in its declaration that the annual average assessment of all units restricted to residential purposes, exclusive of optional user fees and any insurance premiums paid by the association, may not exceed ~~((three hundred dollars))~~ \$300, as adjusted pursuant to RCW 64.90.065.

~~((3))~~ (b) The exemption provided in ~~((subsection (2) of))~~ this subsection applies only if:

~~((a))~~ (i) The declarant reasonably believes in good faith that the maximum

stated assessment will be sufficient to pay the expenses of the association for the community; and

~~((b))~~ (ii) The declaration provides that the assessment may not be increased above the limitation in ~~((subsection (2))~~ (a)(ii) of this subsection prior to the transition meeting without the consent of unit owners, other than the declarant, holding ~~((ninety))~~ 90 percent of the votes in the association.

~~((4) Except)~~ (5) Before January 1, 2028, except as otherwise provided in RCW 64.90.080, this chapter does not apply to any common interest community created within this state on or after July 1, 2018, if:

(a) That common interest community is made part of a common interest community created in this state prior to July 1, 2018, pursuant to a right expressly set forth in the declaration of the preexisting common interest community; and

(b) The declaration creating that common interest community expressly subjects that common interest community to the declaration of the preexisting common interest community pursuant to such right described in (a) of this subsection.

**NEW SECTION. Sec. 507.** (1) Except as provided in subsection (2) of this section, if a common interest community created before July 1, 2018, becomes subject to this chapter on January 1, 2028, or earlier, a provision of its governing documents inconsistent with this chapter is invalid unless:

(a) The provision is expressly permitted under section 303 of this act; or

(b) The common interest community is a plat community or miscellaneous community described in RCW 64.90.075(4) (as recodified by this act), or a nonresidential or mixed-use common interest community described in RCW 64.90.100.

(2) This chapter does not require a common interest community validly created before July 1, 2018, to:

(a) Comply with the requirements of this chapter for creation of a common interest community; or

(b) Prepare or amend the map.

(3) This chapter does not invalidate an action validly taken or transaction validly entered into before a common interest community becomes subject to this chapter.

**Sec. 508.** RCW 64.90.080 and 2019 c 238 s 204 are each amended to read as follows:

(1) Except for a plat community or miscellaneous community described in RCW 64.90.075(4) (as recodified by this act) and a nonresidential or mixed-use common interest community described in RCW 64.90.100, ~~((RCW 64.90.095, 64.90.405(1) (b) and (c), 64.90.525 and 64.90.545 apply))~~ the following sections apply to a common interest community created before July 1, 2018, and any inconsistent provisions of chapter 58.19, 64.32, 64.34, or 64.38 RCW do not apply~~((, to a common interest community created in this state before July 1, 2018)):~~

(a) RCW 64.90.095 (as recodified by this act);

(b) RCW 64.90.405(1) (b) and (c);



(c) RCW 64.90.525;

(d) RCW 64.90.545; and

(e) RCW 64.90.010, to the extent necessary to construe this subsection.

(2) Except to the extent provided in this subsection, the sections listed in subsection (1) of this section apply only to events and circumstances occurring on or after July 1, 2018, and do not invalidate existing provisions of the governing documents of those common interest communities existing on July 1, 2018. To protect the public interest, RCW 64.90.095 (as recodified by this act) and 64.90.525 supersede existing provisions of the governing documents of all plat communities and miscellaneous communities previously subject to chapter 64.38 RCW.

(3) This section does not apply to a common interest community that becomes subject to this chapter under RCW 64.90.075(1) (as recodified by this act) or by election under RCW 64.90.075(4) (as recodified by this act), 64.90.095(1)(b) (as recodified by this act), or 64.90.100.

**Sec. 509.** RCW 64.90.095 and 2018 c 277 s 120 are each amended to read as follows:

(1) The declaration of any common interest community created before July 1, 2018, or of a plat community or miscellaneous community described in RCW 64.90.075(4) (as recodified by this act) may be amended to (provide):

(a) Provide that all the sections listed in RCW 64.90.080(1) (as recodified by this act) apply to the common interest community; or

(b) Provide that this chapter will apply to the common interest community, regardless of what applicable law provided before chapter 277, Laws of 2018 was adopted.

(2) Except as provided otherwise in subsection (3) of this section or in RCW 64.90.285 ((9), (10), or (11)) (8), (9), or (10), an amendment under this section to the governing documents ((authorized under this section) of a common interest community created before July 1, 2018, must be adopted in conformity with any procedures and requirements for amending the instruments specified by those instruments and in conformity with the amendment procedures of this chapter. If the governing documents do not contain provisions authorizing amendment, the amendment procedures of this chapter apply. If an amendment grants to a person a right, power, or privilege permitted under this chapter, any correlative obligation, liability, or restriction in this chapter also applies to the person.

(3) Notwithstanding any provision in the governing documents of a common interest community that govern the procedures and requirements for amending the governing documents, an amendment under subsection (1) of this section may be made as follows:

(a) The board shall propose such amendment to the owners if the board deems it appropriate or if owners holding ((twenty)) 20 percent or more of the votes in the association request such an amendment in writing to the board;

(b) Upon satisfaction of the foregoing requirements, the board shall prepare a proposed amendment and shall provide the owners with a notice in a record containing the proposed amendment and at least ((thirty)) 30 days' advance notice of a meeting to discuss the proposed amendment;

(c) Following such meeting, the board shall provide the owners with a notice in a record containing the proposed amendment and a ballot to approve or reject the amendment;

(d) The amendment shall be deemed approved if owners holding at least ((thirty)) 30 percent of the votes in the association participate in the voting process, and at least ((sixty-seven)) 67 percent of the votes cast by participating owners are in favor of the proposed amendment.

**NEW SECTION. Sec. 510.** RCW 64.90.075, 64.90.080, and 64.90.095 are recodified as sections in chapter 64.90 RCW under the subchapter heading "APPLICABILITY AND TRANSITION."

**NEW SECTION. Sec. 511.** Section 507 of this act is added to chapter 64.90 RCW and codified with the subchapter heading "APPLICABILITY AND TRANSITION."

**NEW SECTION. Sec. 512.** (1) Section 319 of this act takes effect January 1, 2025.

(2) Sections 401 through 432 of this act take effect January 1, 2028.

**NEW SECTION. Sec. 513.** Section 318 of this act expires January 1, 2025."

Correct the title.

Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Reed and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Hutchins.

MINORITY recommendation: Without recommendation. Signed by Representative Low.

Referred to Committee on Rules for second reading

February 19, 2024

**SSB 5804**

Prime Sponsor, Early Learning & K-12 Education: Concerning opioid overdose reversal medication in public schools. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 28A.210.390 and 2019 c 314 s 39 are each amended to read as follows:

(1) For the purposes of this section:

(a) (~~("High school" means a school enrolling students in any of grades nine through twelve;~~

~~(b))~~ "Opioid overdose reversal medication" has the meaning provided in RCW 69.41.095;

~~((e))~~(b) "Opioid-related overdose" has the meaning provided in RCW 69.41.095; and

~~((d))~~(c) "Standing order" has the meaning provided in RCW 69.41.095.

(2)(a) For the purpose of assisting a person at risk of experiencing an opioid-related overdose, a ~~((high))~~public school may obtain and maintain opioid overdose reversal medication through a standing order prescribed and dispensed in accordance with RCW 69.41.095.

(b) Opioid overdose reversal medication may be obtained from donation sources, but must be maintained and administered in a manner consistent with a standing order issued in accordance with RCW 69.41.095.

(c) A school district (~~(with two thousand or more students))~~ must obtain and maintain at least one set of opioid overdose reversal medication doses in each of its ~~((high))~~public schools as provided in (a) and (b) of this subsection. A school district that demonstrates a good faith effort to obtain the opioid overdose reversal medication through a donation source, but is unable to do so, is exempt from the requirement in this subsection (2) (c).

(3)(a) The following personnel may distribute or administer the school-owned opioid overdose reversal medication to respond to symptoms of an opioid-related overdose pursuant to a prescription or a standing order issued in accordance with RCW 69.41.095: (i) A school nurse; (ii) a health care professional or trained staff person located at a health care clinic on public school property or under contract with the school district; or (iii) designated trained school personnel.

(b) Opioid overdose reversal medication may be used on school property, including the school building, playground, and school bus, as well as during field trips or sanctioned excursions away from school property. A school nurse or designated trained school personnel may carry an appropriate supply of school-owned opioid overdose reversal medication on field trips or sanctioned excursions.

(c) Public schools are encouraged to include opioid overdose reversal medication in each first aid kit maintained on school property and in any coach or sports first aid kits maintained by the public school, provided that these kits are not accessible to people other than school personnel who have been designated to distribute or administer opioid overdose reversal medication under this section.

(d) Public schools are encouraged to include at least one location of opioid overdose reversal medication on the school's emergency map.

(4) Training for school personnel who have been designated to distribute or administer opioid overdose reversal medication under this section must meet the requirements for training described in RCW 28A.210.395 and any rules or guidelines for

such training adopted by the office of the superintendent of public instruction. Each ~~((high))~~public school is encouraged to designate and train at least one school personnel to distribute and administer opioid overdose reversal medication if the ~~((high))~~public school does not have a full-time school nurse or trained health care clinic staff.

(5)(a) The liability of a person or entity who complies with this section and RCW 69.41.095 is limited as described in RCW 69.41.095.

(b) If a student is injured or harmed due to the administration of opioid overdose reversal medication that a practitioner, as defined in RCW 69.41.095, has prescribed and a pharmacist has dispensed to a school under this section, the practitioner and pharmacist may not be held responsible for the injury unless he or she acted with conscious disregard for safety.

(6) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW.

**Sec. 2.** RCW 28A.210.395 and 2019 c 314 s 40 are each amended to read as follows:

(1) For the purposes of this section:

(a) "Opioid overdose reversal medication" has the meaning provided in RCW 69.41.095; and

(b) "Opioid-related overdose" has the meaning provided in RCW 69.41.095.

(2)(a) To prevent opioid-related overdoses and respond to medical emergencies resulting from overdoses, by January 1, 2020, the office of the superintendent of public instruction, in consultation with the department of health and the Washington state school directors' association, shall develop opioid-related overdose policy guidelines and training requirements for public schools and school districts.

(b)(i) The opioid-related overdose policy guidelines and training requirements must include information about: The identification of opioid-related overdose symptoms; how to obtain and maintain opioid overdose reversal medication on school property issued through a standing order in accordance with RCW 28A.210.390; how to obtain opioid overdose reversal medication through donation sources; the distribution and administration of opioid overdose reversal medication by designated trained school personnel; free online training resources that meet the training requirements in this section; and sample standing orders for opioid overdose reversal medication.

(ii) The opioid-related overdose policy guidelines may: Include recommendations for the storage and labeling of opioid overdose reversal medications that are based on input from relevant health agencies or experts; and allow for opioid-related overdose reversal medications to be obtained, maintained, distributed, and administered by health care professionals and trained staff located at a health care clinic on public

school property or under contract with the school district.

(c) In addition to being offered by the school, training on the distribution or administration of opioid overdose reversal medication that meets the requirements of this subsection (2) may be offered by nonprofit organizations, higher education institutions, and local public health organizations.

(3) (a) By ~~((March 1, 2020))~~ September 1, 2024, the Washington state school directors' association must collaborate with the office of the superintendent of public instruction and the department of health to either update existing model policy or develop a new model policy that meets the requirements of subsection (2) of this section.

(b) ~~((Beginning with the 2020-21 school year, the following school))~~ School districts must adopt an opioid-related overdose policy ((: (a) [(i)] School districts with a school that obtains, maintains, distributes, or administers opioid overdose reversal medication under RCW 28A.210.390; and (b) [(ii)] school districts with two thousand or more students)) in accordance with RCW 28A.210.390.

(c) The office of the superintendent of public instruction and the Washington state school directors' association must maintain the model policy and procedure on each agency's website at no cost to school districts.

(4) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall develop and administer a grant program to provide funding to public schools ~~((with any of grades nine through twelve))~~ and public higher education institutions to purchase opioid overdose reversal medication and train personnel on the administration of opioid overdose reversal medication to respond to symptoms of an opioid-related overdose. The office must publish on its website a list of annual grant recipients, including award amounts."

Correct the title.

Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Rules for second reading

February 20, 2024

SB 5805

Prime Sponsor, Senator Frame: Developing a schedule for court appointment of attorneys for children and youth in dependency and termination proceedings. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 13.34.212 and 2021 c 210 s 6 are each amended to read as follows:

(1) (a) The court shall appoint an attorney for a child in a dependency proceeding six months after granting a petition to terminate the parent and child relationship pursuant to RCW 13.34.180 and when there is no remaining parent with parental rights.

(b) The court may appoint one attorney to a group of siblings, unless there is a conflict of interest, or such representation is otherwise inconsistent with the rules of professional conduct.

(c) Subject to availability of amounts appropriated for this specific purpose, the state shall pay the costs of legal services provided by an attorney appointed pursuant to (a) of this subsection if the legal services are provided in accordance with the rules of professional conduct, the standards of practice, caseload limits, and training guidelines adopted by the statewide children's representation work group pursuant to section 5, chapter 180, Laws of 2010 until such time that new recommendations are adopted by the children's representation work group established in section 9, chapter 210, Laws of 2021.

(d) The office of civil legal aid is responsible for implementation of (c) of this subsection as provided in RCW 2.53.045.

(e) Legal services provided by an attorney pursuant to (a) of this subsection do not include representation of the child in any appellate proceedings relative to the termination of the parent and child relationship.

(2) (a) The court may appoint an attorney to represent the child's position in any dependency action on its own initiative, or upon the request of a parent, the child, a guardian ad litem, a caregiver, or the department.

(b) (i) If the court has not already appointed an attorney for a child, or the child is not represented by a privately retained attorney:

(A) The child's caregiver, or any individual, may refer the child to an attorney for the purposes of filing a motion to request appointment of an attorney at public expense; or

(B) The child or any individual may retain an attorney for the child for the purposes of filing a motion to request appointment of an attorney at public expense.

(ii) Nothing in this subsection changes or alters the confidentiality provisions of RCW 13.50.100.

(c) The department and the child's guardian ad litem shall each notify a child of the child's right to request an attorney and shall ask the child whether the child wishes to have an attorney. The department and the child's guardian ad litem shall notify the child and make this inquiry immediately after:

(i) The date of the child's 12th birthday; or

(ii) Assignment of a case involving a child age 12 or older.

(d) The department and the child's guardian ad litem shall repeat the notification and inquiry at least annually and upon the filing of any motion or

petition affecting the child's placement, services, or familial relationships.

(e) The notification and inquiry is not required if the child has already been appointed an attorney.

(f) The department shall note in the child's individual service and safety plan, and the guardian ad litem shall note in his or her report to the court, that the child was notified of the right to request an attorney and indicate the child's position regarding appointment of an attorney.

(g) At the first regularly scheduled hearing after:

(i) The date of the child's 12th birthday; or

(ii) The date that a dependency petition is filed pursuant to this chapter on a child age 12 or older;

the court shall inquire whether the child has received notice of his or her right to request an attorney from the department and the child's guardian ad litem. The court shall make an additional inquiry at the first regularly scheduled hearing after the child's 15th birthday. No inquiry is necessary if the child has already been appointed an attorney.

(3) Subject to the availability of amounts appropriated for this specific purpose:

(a) Pursuant to the phase-in schedule set forth in (c) of this subsection (3), the court must appoint an attorney for every child in a dependency proceeding as follows:

(i) For a child under the age of eight, appointment must be made for the dependency and termination action upon the filing of a termination petition. Nothing in this subsection shall be construed to limit the ability of the court to appoint an attorney to represent the child's position in a dependency action on its own initiative, or upon the request of a parent, the child, a guardian ad litem, a caregiver, or the department, prior to the filing of a termination petition.

(ii) For a child between the ages of eight through 17, appointment must be made upon the filing of a new dependency petition at or before the commencement of the shelter care hearing.

(iii) For any pending or open dependency case where the child is unrepresented and is entitled to the appointment of an attorney under (a)(i) or (ii) of this subsection, appointment must be made at or before the next hearing if the child is eligible for representation pursuant to the phase-in schedule. At the next hearing, the court shall inquire into the status of attorney representation for the child, and if the child is not yet represented, appointment must be made at the hearing.

(b) Appointment is not required if the court has already appointed an attorney for the child, or the child is represented by a privately retained attorney.

(c) The statewide children's legal representation program shall develop a schedule for court appointment of attorneys for every child in dependency proceedings that will be phased in on a county-by-county basis over a ~~((six-year))~~ seven-year period. The schedule required under this

subsection must not add more than 1,250 cases each fiscal year and:

(i) ~~((Prioritize))~~ To the extent practicable, prioritize implementation in counties that have:

(A) No current practice of appointment of attorneys for children in dependency cases; or

(B) Significant prevalence of racial disproportionality or disparities in the number of dependent children compared to the general population, or both;

(ii) Include representation in at least:

(A) Three counties beginning July 1, 2022;

(B) Eight counties beginning January 1, 2023;

(C) Fifteen counties beginning January 1, 2024;

(D) Twenty counties beginning January 1, 2025;

(E) Thirty counties beginning January 1, 2026;

(F) Thirty-six counties beginning in January 1, 2027; and

(iii) Achieve full statewide implementation by January 1, ~~((2027))~~ 2028.

(d) In cases where the statewide children's legal representation program provides funding and where consistent with its administration and oversight responsibilities, the statewide children's legal representation program should prioritize continuity of counsel for children who are already represented at county expense when the statewide children's legal representation program becomes effective in a county. The statewide children's legal representation program shall coordinate with relevant county stakeholders to determine how best to prioritize this continuity of counsel.

(e) The statewide children's legal representation program is responsible for the recruitment, training, and oversight of attorneys providing standards-based representation pursuant to (a) and (c) of this subsection as provided in RCW 2.53.045 and shall ensure that attorneys representing children pursuant to this section provide legal services according to the rules of professional conduct, the standards of practice, caseload limits, and training guidelines adopted by the children's representation work group established in section 9, chapter 210, Laws of 2021.

(f) The statewide children's legal representation program shall coordinate with the Washington state bar association and local county bar associations regarding the advertising of contract attorney opportunities for providing legal representation pursuant to (a) and (c) of this subsection.

(g) The statewide children's legal representation program shall coordinate with the office of public defense regarding posting on the office of public defense website contract attorney opportunities for providing legal representation pursuant to (a) and (c) of this subsection."

Correct the title.

Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; and Cheney.

Referred to Committee on Rules for second reading

February 19, 2024

SB 5883 Prime Sponsor, Senator Trudeau: Concerning the burden of proof for special education due process hearings. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Stonier and Timmons.

MINORITY recommendation: Without recommendation. Signed by Representatives McEntire, Assistant Ranking Minority Member; and Steele.

Referred to Committee on Rules for second reading

February 19, 2024

SSB 5919 Prime Sponsor, Environment, Energy & Technology: Concerning the sale of biogenic carbon dioxide and other coproducts of biogas processing. Reported by Committee on Environment & Energy

MAJORITY recommendation: Do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Berry; Duerr; Lekanoff; Ramel; Sandlin; Slatter and Street.

Referred to Committee on Rules for second reading

February 19, 2024

ESSB 5973 Prime Sponsor, Law & Justice: Concerning heat pumps in common interest communities. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Hutchins; Low; Reed and Taylor.

Referred to Committee on Rules for second reading

February 20, 2024

ESB 5997 Prime Sponsor, Senator King: Making technical corrections to plumbing supervision and trainee hours reporting. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

February 20, 2024

SSB 6227 Prime Sponsor, Law & Justice: Allowing entry of a civil protection order to protect

victims when a person is found not guilty by reason of insanity. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; and Cheney.

Referred to Committee on Rules for second reading

February 19, 2024

SB 6271 Prime Sponsor, Senator Keiser: Modifying the cannabis excise tax to consider THC concentration. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; Cheney; Morgan; Orwall; Reeves and Waters.

Referred to Committee on Finance

February 20, 2024

ESSB 6291 Prime Sponsor, State Government & Elections: Streamlining the state building code council operating procedures by establishing criteria for statewide amendments to the state building code. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

February 19, 2024

SSB 6301 Prime Sponsor, Ways & Means: Concerning basic law enforcement academy. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Rules for second reading

February 19, 2024

SJM 8007 Prime Sponsor, Senator Kauffman: Requesting Congress to fully fund 40 percent of the costs of IDEA. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; Bergquist; Couture; Eslick; Harris; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

MINORITY recommendation: Do not pass. Signed by Representative McEntire, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative McClintock.

Referred to Committee on Rules for second reading

**FIRST SUPPLEMENTAL REPORT OF STANDING COMMITTEES**

February 20, 2024

ESSB 5271 Prime Sponsor, Health & Long Term Care: Protecting patients in facilities regulated by the department of health by establishing uniform enforcement tools. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske; Davis; Macri; Orwall; Stonier; Thai and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Caldier; Graham; and Maycumber.

MINORITY recommendation: Without recommendation. Signed by Representatives Harris; and Mosbrucker.

Referred to Committee on Appropriations

February 19, 2024

SSB 5291 Prime Sponsor, Labor & Commerce: Concerning liquor licenses. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 66.24.010 and 2019 c 370 s 1 are each amended to read as follows:

(1) Every license must be issued in the name of the applicant, and the holder thereof may not allow any other person to use the license.

(2) For the purpose of considering any application for a license, or the renewal of a license, the board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension, revocation, or renewal or denial thereof, of any license, the board may consider any prior criminal conduct of the applicant including an administrative violation history record with the board and a criminal history record information check. The board may submit the criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The

board must require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation. The provisions of RCW 9.95.240 and of chapter 9.96A RCW do not apply to such cases. Subject to the provisions of this section, the board may, in its discretion, grant or deny the renewal or license applied for. Denial may be based on, without limitation, the existence of chronic illegal activity documented in objections submitted pursuant to subsections (8)(d) and (12) of this section. Authority to approve an uncontested or unopposed license may be granted by the board to any staff member the board designates in writing. Conditions for granting such authority must be adopted by rule. No retail license of any kind may be issued to:

(a) A person doing business as a sole proprietor who has not resided in the state for at least one month prior to receiving a license, except in cases of licenses issued to dining places on railroads, boats, or aircraft;

(b) A copartnership, unless all of the members thereof are qualified to obtain a license, as provided in this section;

(c) A person whose place of business is conducted by a manager or agent, unless such manager or agent possesses the same qualifications required of the licensee;

(d) A corporation or a limited liability company, unless it was created under the laws of the state of Washington or holds a certificate of authority to transact business in the state of Washington.

(3)(a) The board may, in its discretion, subject to the provisions of RCW 66.08.150, suspend or cancel any license; and all rights of the licensee to keep or sell liquor thereunder must be suspended or terminated, as the case may be.

(b) The board must immediately suspend the license or certificate of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license or certificate is automatic upon the board's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(c) Upon written notification by the department of revenue in accordance with RCW 82.08.155 that a person is more than thirty days delinquent in reporting or remitting spirits taxes to the department, the board must suspend all spirits licenses held by that person. The board must also refuse to renew any existing spirits license of, or issue any new spirits license to, the person or any other applicant controlled directly or indirectly by that person. The board may not reinstate a person's spirits license or renew or issue a new spirits license to that person, or an applicant controlled directly or indirectly by that person, until such time as the department of revenue notifies the board that the person is current in reporting and remitting spirits taxes or

that the department consents to the reinstatement or renewal of the person's spirits license or the issuance of a new spirits license to the person. For purposes of this section: (i) "Spirits license" means any license issued by the board under the authority of this chapter that authorizes the licensee to sell spirits; and (ii) "spirits taxes" has the same meaning as in RCW 82.08.155.

(d) The board may request the appointment of administrative law judges under chapter 34.12 RCW who must have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under such rules and regulations as the board may adopt.

(e) Witnesses are allowed fees and mileage each way to and from any such inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.05.446. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

(f) In case of disobedience of any person to comply with the order of the board or a subpoena issued by the board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he or she may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, must compel obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(4) Upon receipt of notice of the suspension or cancellation of a license, the licensee must forthwith deliver up the license to the board. Where the license has been suspended only, the board must return the license to the licensee at the expiration or termination of the period of suspension. The board must notify all vendors in the city or place where the licensee has its premises of the suspension or cancellation of the license; and no employee may allow or cause any liquor to be delivered to or for any person at the premises of that licensee.

(5)(a) For the original issuance of a liquor license, including the approval of a conditional license as provided in (b) of this subsection, the board must set the expiration date of the license to the last day of the calendar month that is twelve months from the calendar month in which final approval of the license is granted. Upon renewal, the expiration date of the license, including licenses approved under (b) of this subsection, may subsequently be prorated as necessary in accordance with chapter 19.02 RCW.

(b)(i) When an applicant for a liquor license is qualified for approval of the license in every way except having executed a lease or purchase agreement for the

proposed licensed premises, the board must grant conditional approval to the applicant.

(ii) Upon notification to the board of execution of the lease or purchase agreement putting the applicant in control of the premises, the board must immediately grant final approval of the license issuance, and the licensee may immediately begin exercising all privileges provided under the license, except as otherwise provided under this title.

(iii) For the purposes of this title, the term "license" includes "conditional license."

(6) Every license issued under this section is subject to all conditions and restrictions imposed by this title or by rules adopted by the board. All conditions and restrictions imposed by the board in the issuance of an individual license may be listed on the face of the individual license along with the trade name, address, and expiration date. Conditions and restrictions imposed by the board may also be included in official correspondence separate from the license. All spirits licenses are subject to the condition that the spirits license holder must report and remit to the department of revenue all spirits taxes by the date due.

(7) Every licensee must post and keep posted its license, or licenses, and any additional correspondence containing conditions and restrictions imposed by the board in a conspicuous place on the premises.

(8)(a) Unless (b) of this subsection applies, before the board issues a new or renewal license to an applicant it must give notice of such application to the chief executive officer of the incorporated city or town, if the application is for a license within an incorporated city or town, or to the county legislative authority, if the application is for a license outside the boundaries of incorporated cities or towns.

(b) If the application for a special occasion license is for an event held during a county, district, or area fair as defined by RCW 15.76.120, and the county, district, or area fair is located on property owned by the county but located within an incorporated city or town, the county legislative authority must be the entity notified by the board under (a) of this subsection. The board must send a duplicate notice to the incorporated city or town within which the fair is located.

(c) The incorporated city or town through the official or employee selected by it, or the county legislative authority or the official or employee selected by it, has the right to file with the board within twenty days after the date of transmittal of such notice for applications, or at least thirty days prior to the expiration date for renewals, written objections against the applicant or against the premises for which the new or renewal license is asked. The board may extend the time period for submitting written objections.

(d) The written objections must include a statement of all facts upon which such objections are based, and in case written objections are filed, the city or town or county legislative authority may request and

the board may in its discretion hold a hearing subject to the applicable provisions of Title 34 RCW. If the board makes an initial decision to deny a license or renewal based on the written objections of an incorporated city or town or county legislative authority, the applicant may request a hearing subject to the applicable provisions of Title 34 RCW. If such a hearing is held at the request of the applicant, board representatives must present and defend the board's initial decision to deny a license or renewal.

(e) Upon the granting of a license under this title the board must send written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns. When the license is for a special occasion license for an event held during a county, district, or area fair as defined by RCW 15.76.120, and the county, district, or area fair is located on county-owned property but located within an incorporated city or town, the written notification must be sent to both the incorporated city or town and the county legislative authority.

(9)(a) Before the board issues any license to any applicant, it shall give (i) due consideration to the location of the business to be conducted under such license with respect to the proximity of churches, schools, and public institutions and (ii) written notice(~~(, with receipt verification,)~~) of the application to public institutions identified by the board as appropriate to receive such notice, churches, and schools within five hundred feet of the premises to be licensed. The board may not issue a liquor license for either on-premises or off-premises consumption covering any premises not now licensed, if such premises are within five hundred feet of the premises of any tax-supported public elementary or secondary school measured along the most direct route over or across established public walks, streets, or other public passageway from the main entrance of the school to the nearest public entrance of the premises proposed for license, and if, after receipt by the school of the notice as provided in this subsection, the board receives written objection, within twenty days after receiving such notice, from an official representative or representatives of the school within five hundred feet of said proposed licensed premises, indicating to the board that there is an objection to the issuance of such license because of proximity to a school. The board may extend the time period for submitting objections. For the purpose of this section, "church" means a building erected for and used exclusively for religious worship and schooling or other activity in connection therewith. For the purpose of this section, "public institution" means institutions of higher education, parks, community centers, libraries, and transit centers.

(b) No liquor license may be issued or reissued by the board to any motor sports facility or licensee operating within the

motor sports facility unless the motor sports facility enforces a program reasonably calculated to prevent alcohol or alcoholic beverages not purchased within the facility from entering the facility and such program is approved by local law enforcement agencies.

(c) It is the intent under this subsection (9) that a retail license may not be issued by the board where doing so would, in the judgment of the board, adversely affect a private school meeting the requirements for private schools under Title 28A RCW, which school is within five hundred feet of the proposed licensee. The board must fully consider and give substantial weight to objections filed by private schools. If a license is issued despite the proximity of a private school, the board must state in a letter addressed to the private school the board's reasons for issuing the license.

(10) The restrictions set forth in subsection (9) of this section do not prohibit the board from authorizing the assumption of existing licenses now located within the restricted area by other persons or licenses or relocations of existing licensed premises within the restricted area. In no case may the licensed premises be moved closer to a church or school than it was before the assumption or relocation.

(11)(a) Nothing in this section prohibits the board, in its discretion, from issuing a temporary retail or distributor license to an applicant to operate the retail or distributor premises during the period the application for the license is pending. The board may establish a fee for a temporary license by rule.

(b) A temporary license issued by the board under this section must be for a period not to exceed sixty days. A temporary license may be extended at the discretion of the board for additional periods of sixty days upon payment of an additional fee and upon compliance with all conditions required in this section.

(c) Refusal by the board to issue or extend a temporary license shall not entitle the applicant to request a hearing. A temporary license may be canceled or suspended summarily at any time if the board determines that good cause for cancellation or suspension exists. RCW 66.08.130 applies to temporary licenses.

(d) Application for a temporary license must be on such form as the board shall prescribe. If an application for a temporary license is withdrawn before issuance or is refused by the board, the fee which accompanied such application must be refunded in full.

(12) In determining whether to grant or deny a license or renewal of any license, the board must give substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises. "Chronic illegal activity" means (a) a pervasive pattern of activity that threatens



the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or (b) an unreasonably high number of citations for violations of RCW 46.61.502 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

(13) (a) Except as provided in (b) of this subsection, the board must issue a decision on an application for a liquor license, renewal, or endorsement under RCW 66.24.320 through 66.24.354, 66.24.400 through 66.24.455, 66.24.650, or 66.24.655 within 45 days of receiving the application and documentation under this section and related rules, or the application is approved by default.

(b) The board may extend the time period allowed in (a) of this subsection by an additional 30 days if it:

(i) Determines good cause for the extension exists, which may include time for the board to review objections to a liquor license, renewal, or endorsement under this section; and

(ii) Issues a temporary license to the applicant during the extension.

(c) If the board fails to issue a decision on an application within the additional 30 days allowed in (b) of this subsection, the temporary license must be converted into a permanent license and is approved by default.

(14) Any notifications required under this section may be issued concurrently.

(15) A spirits, beer, and wine restaurant licensed under RCW 66.24.400 or a beer and wine restaurant licensed under RCW 66.24.320 shall notify the board at least seven days before the licensee initially opens the licensee's premises to the general public. In accordance with RCW 66.24.410, any requirement in the board's rules for a spirits, beer, and wine restaurant or a beer and wine restaurant to be open to the public for a minimum number of hours per day, or days per week, begins applying when the licensee opts to initially open to the general public rather than when the license is granted.

**Sec. 2.** RCW 66.24.410 and 2011 c 195 s 2 are each amended to read as follows:

(1) "Spirituous liquor," as used in RCW 66.24.400 to 66.24.450, inclusive, means "liquor" as defined in RCW 66.04.010, except "wine" and "beer" sold as such.

(2) "Restaurant" as used in RCW 66.24.400 to 66.24.450, inclusive, means an establishment provided with special space and accommodations where, in consideration of payment, food, without lodgings, is habitually furnished to the public, not including drug stores and soda fountains: PROVIDED, That such establishments shall be

approved by the board and that the board shall be satisfied that such establishment is maintained in a substantial manner as a place for preparing, cooking and serving of complete meals. Requirements for complete meals shall be determined by the board in rules adopted pursuant to chapter 34.05 RCW. Requirements for hours of operation or days of operation that may be provided in rules of the board for restaurants are subject to RCW 66.24.010(15).

(3) "Hotel," "clubs," "wine" and "beer" are used in RCW 66.24.400 to 66.24.450, inclusive, with the meaning given in chapter 66.04 RCW."

Correct the title.

Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; Cheney; Morgan; Orwall; Reeves and Waters.

Referred to Committee on Appropriations

February 19, 2024

SSB 5376

Prime Sponsor, Labor & Commerce:  
Allowing the sale of cannabis waste.  
Reported by Committee on Regulated  
Substances & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 69.50 RCW to read as follows:

(1) A licensed cannabis producer and a licensed cannabis processor may sell cannabis waste to a person not licensed under this chapter if:

(a) The cannabis waste would not be designated as dangerous or hazardous waste under:

(i) Chapter 70A.300 RCW and rules adopted under that chapter; and

(ii) Cannabis waste disposal rules adopted by the board;

(b) The licensee notifies the board and the Washington state department of agriculture before the sale. Such notice must include information about the quantity and sale price of cannabis waste transferred and the name of the person or entity that purchased the cannabis waste; and

(c) The licensee makes all sales available to the public on an equal and nondiscriminatory basis.

(2) Cannabis waste not sold in accordance with subsection (1) of this section and not designated as dangerous or hazardous waste under chapter 70A.300 RCW, rules adopted pursuant to that chapter, or cannabis waste disposal rules adopted by the board must be rendered unusable before leaving a licensed producer, processor, or laboratory.

(3) For the purposes of this section, "cannabis waste" means solid waste generated during cannabis production or processing that has a THC concentration of 0.3 percent or less. "Cannabis waste" does not include

"hemp" or "industrial hemp" as those terms are defined in RCW 15.140.020.

(4) Nothing in this chapter prohibits producers or processors from selling cannabis waste to a person not licensed under this chapter if such transfer is pursuant to the requirements of this section.

(5) The board may adopt rules necessary to implement this section."

Correct the title.

Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; Cheney; Morgan; Orwall; Reeves and Waters.

Referred to Committee on Appropriations

February 20, 2024

SSB 5649

Prime Sponsor, Local Government, Land Use & Tribal Affairs: Concerning floodproofing improvements to residential structures undertaken in accordance with the Chehalis basin strategy. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that the office of Chehalis basin in the department of ecology is directed to aggressively pursue implementation of an integrated strategy for long-term flood damage reduction in the Chehalis river basin. The legislature recognizes that restrictions on improvements to residential structures located in floodways may impede the office's ability to successfully carry out the Chehalis basin strategy. Therefore, the legislature intends to create additional regulatory flexibility to allow substantial improvements to residential structures for the primary purpose of reducing risk of flood damage in floodways.

**Sec. 2.** RCW 86.16.041 and 2000 c 222 s 1 are each amended to read as follows:

(1) Beginning July 26, 1987, every county and incorporated city and town shall submit to the department of ecology any new floodplain management ordinance or amendment to any existing floodplain management ordinance. Such ordinance or amendment shall take effect ~~((thirty))~~30 days from filing with the department unless the department disapproves such ordinance or amendment within that time period.

(2) The department may disapprove any ordinance or amendment submitted to it under subsection (1) of this section if it finds that an ordinance or amendment does not comply with any of the following:

(a) Restriction of land uses within designated floodways including the prohibition of construction or reconstruction, repair, or replacement of residential structures, except for: (i) Repairs, reconstruction, or improvements to a structure which do not increase the ground

floor area; and (ii) repairs, reconstruction, or improvements to a structure the cost of which does not exceed ~~((fifty))~~50 percent of the market value of the structure either, (A) before the repair, reconstruction, or repair is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code or building enforcement official and which are the minimum necessary to ensure safe living conditions shall not be included in the ~~((fifty))~~50 percent determination. However, the floodway prohibition in this subsection does not apply to existing farmhouses in designated floodways that meet the provisions of subsection (3) of this section, ~~((or))~~ to ~~((substantially damaged))~~existing residential structures other than farmhouses that meet the depth and velocity and erosion analysis in subsection (4) of this section, or to structures identified as historic places;

(b) The minimum requirements of the national flood insurance program; and

(c) The minimum state requirements adopted pursuant to RCW 86.16.031(8) that are applicable to the particular county, city, or town.

(3) Repairs, reconstruction, replacement, or improvements to existing farmhouse structures located in designated floodways and which are located on lands designated as agricultural lands of long-term commercial significance under RCW 36.70A.170 shall be permitted subject to the following:

(a) The new farmhouse is a replacement for an existing farmhouse on the same farm site;

(b) There is no potential building site for a replacement farmhouse on the same farm outside the designated floodway;

(c) Repairs, reconstruction, or improvements to a farmhouse shall not increase the total square footage of encroachment of the existing farmhouse;

(d) A replacement farmhouse shall not exceed the total square footage of encroachment of the farmhouse it is replacing;

(e) A farmhouse being replaced shall be removed, in its entirety, including foundation, from the floodway within ~~((ninety))~~90 days after occupancy of a new farmhouse;

(f) For substantial improvements, and replacement farmhouses, the elevation of the lowest floor of the improvement and farmhouse respectively, including basement, is a minimum of one foot higher than the base flood elevation;

(g) New and replacement water supply systems are designed to eliminate or minimize infiltration of flood waters into the system;

(h) New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of flood water into the system and discharge from the system into the flood waters; and

(i) All other utilities and connections to public utilities are designed,

constructed, and located to eliminate or minimize flood damage.

(4)(a) For all substantially damaged residential structures other than farmhouses that are located in a designated floodway, the department, at the request of the town, city, or county with land use authority over the structure, is authorized to assess the risk of harm to life and property posed by the specific conditions of the floodway, and, based upon scientific analysis of depth, velocity, and flood-related erosion, may exercise best professional judgment in recommending to the permitting authority, repair, replacement, or relocation of such damaged structures. The effect of the department's recommendation, with the town, city, or county's concurrence, to allow repair or replacement of a substantially damaged residential structure within the designated floodway is a waiver of the floodway prohibition.

(b) For proposed projects that substantially improve residential structures in a designated floodway for the primary purpose of reducing risk of flood damage, the department, at the request of the town, city, or county with land use authority over the structures, is authorized to assess the risk of harm to life and property posed by the specific conditions of the floodway, and, based upon scientific analysis of depth, velocity, and flood-related erosion, may exercise best professional judgment in recommending to the permitting authority whether a project should proceed. The effect of the department's recommendation, with the town, city, or county's concurrence, to allow a project to proceed within the designated floodway is a waiver of the floodway prohibition.

(5) The department shall develop a rule or rule amendment guiding the assessment procedures and criteria described in subsections (3) and (4) of this section no later than December 31, 2000.

(6) For the purposes of this section, "farmhouse" means a single-family dwelling located on a farm site where resulting agricultural products are not produced for the primary consumption or use by the occupants and the farm owner."

Correct the title.

Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

February 20, 2024

**ESSB 5778** Prime Sponsor, Labor & Commerce: Protecting the rights of workers to refrain from attending meetings or listening to their employer's speech on political or religious matters. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt, Ranking Minority Member; Rude; and Ybarra.

Referred to Committee on Rules for second reading

February 19, 2024

**SSB 5840** Prime Sponsor, Law & Justice: Concerning leases. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Hutchins; Low; Reed and Taylor.

Referred to Committee on Rules for second reading

February 20, 2024

**SB 5904** Prime Sponsor, Senator Nobles: Extending the terms of eligibility for financial aid programs. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Jacobsen; Leavitt; Nance; Paul; Pollet; Schmidt and Timmons.

MINORITY recommendation: Without recommendation. Signed by Representatives Klicker; and McEntire.

Referred to Committee on Appropriations

February 20, 2024

**SSB 5925** Prime Sponsor, Local Government, Land Use & Tribal Affairs: Concerning fire protection district commissioner per diem compensation. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

February 20, 2024

**SSB 6164** Prime Sponsor, Local Government, Land Use & Tribal Affairs: Concerning county emergency management plans. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 38.52.070 and 2017 c 312 s 4 are each amended to read as follows:

(1) Each political subdivision of this state is hereby authorized and directed to establish a local organization or to be a member of a joint local organization for emergency management in accordance with the state comprehensive emergency management

plan and program: PROVIDED, That a political subdivision proposing such establishment shall submit its plan and program for emergency management to the state director and secure his or her recommendations thereon, and verification of consistency with the state comprehensive emergency management plan, in order that the plan of the local organization for emergency management may be coordinated with the plan and program of the state. Local comprehensive emergency management plans must specify the use of the incident command system for multiagency/multijurisdiction operations. No political subdivision may be required to include in its plan provisions for the emergency evacuation or relocation of residents in anticipation of nuclear attack. If the director's recommendations are adverse to the plan as submitted, and, if the local organization does not agree to the director's recommendations for modification to the proposal, the matter shall be referred to the council for final action. The director may authorize two or more political subdivisions to join in the establishment and operation of a joint local organization for emergency management as circumstances may warrant, in which case each political subdivision shall contribute to the cost of emergency management upon such fair and equitable basis as may be determined upon by the executive heads of the constituent subdivisions. If in any case the executive heads cannot agree upon the proper division of cost the matter shall be referred to the council for arbitration and its decision shall be final. When two or more political subdivisions join in the establishment and operation of a joint local organization for emergency management each shall pay its share of the cost into a special pooled fund to be administered by the treasurer of the most populous subdivision, which fund shall be known as the . . . . . emergency management fund. Each local organization or joint local organization for emergency management shall have a director who shall be appointed by the executive head of the political subdivision, and who shall have direct responsibility for the organization, administration, and operation of such local organization for emergency management, subject to the direction and control of such executive officer or officers. In the case of a joint local organization for emergency management, the director shall be appointed by the joint action of the executive heads of the constituent political subdivisions. Each local organization or joint local organization for emergency management shall perform emergency management functions within the territorial limits of the political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of this chapter.

(2) In carrying out the provisions of this chapter each political subdivision, in which any disaster as described in RCW 38.52.020 occurs, shall have the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons

and property, and providing emergency assistance to the victims of such disaster. Each political subdivision is authorized to exercise the powers vested under this section in the light of the exigencies of an extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements), including, but not limited to, budget law limitations, requirements of competitive bidding and publication of notices, provisions pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes, and the appropriation and expenditures of public funds.

(3)(a)(i) Each local organization or joint local organization for emergency management that produces a local comprehensive emergency management plan must include a communication plan for notifying significant population segments of life safety information during an emergency. Local organizations and joint local organizations are encouraged to consult with affected community organizations in the development of the communication plans. Communication plans must include an expeditious notification of citizens who can reasonably be determined to be at risk during a hazardous material spill or release pursuant to section 2 of this act.

~~((i))~~(ii) In developing communication plans, local organizations and joint organizations should consider, as part of their determination of the extent of the obligation to provide emergency notification to significant population segments, the following factors: The number or proportion of the limited English proficiency persons eligible to be served or likely to be encountered; the frequency with which limited English proficiency individuals come in contact with the emergency notification; the nature and importance of the emergency notification, service, or program to people's lives; and the resources available to the political subdivision to provide emergency notifications.

~~((ii))~~(iii) "Significant population segment" means, for the purposes of this subsection (3), each limited English proficiency language group that constitutes five percent or one thousand residents, whichever is less, of the population of persons eligible to be served or likely to be affected within a city, town, or county. The office of financial management forecasting division's limited English proficiency population estimates are the demographic data set for determining eligible limited English proficiency language groups.

(b) Local organizations and joint local organizations must submit the plans produced under (a) of this subsection to the Washington military department emergency management division, and must implement those plans. An initial communication plan must be submitted with the local organization or joint local organization's next local emergency management plan update following July 23, 2017, and subsequent

plans must be reviewed in accordance with the director's schedule.

(4) When conducting emergency or disaster after-action reviews, local organizations and joint local organizations must evaluate the effectiveness of communication of life safety information and must inform the emergency management division of the Washington military department of technological challenges which limited communications efforts, along with identifying recommendations and resources needed to address those challenges.

NEW SECTION. **Sec. 2.** A new section is added to chapter 70.136 RCW to read as follows:

(1) If a type 1 or 2 hazardous material spill or release occurs, the department of ecology must provide for at least one public meeting to inform the public about the hazardous material spill or release.

(2) A public meeting conducted under this section must allow for remote participation if technologically feasible and may be held jointly with the county legislative authority's regularly scheduled meeting as described in RCW 36.32.080 or a special meeting as provided in RCW 42.30.080.

(3) A public meeting conducted under this section must include:

(a) A representative from the department of ecology;

(b) A representative from the local organization for emergency services or management, as defined in RCW 38.52.010, in the jurisdiction where the spill or release occurred; and

(c) A representative for the party responsible for the hazardous material spill or release.

(4) For purposes of this section:

(a) A "type 1 hazardous material spill or release" is a spill or release of national significance, requiring the activation of the department of ecology's crisis management team, incident management team, command, and general staff; involvement of the governor's office and federal agency officials; establishment of area command; and active involvement of the department of ecology spills program manager. It may require the establishment of a national incident commander.

(b) A "type 2 hazardous material spill or release" is a large or major incident of long duration, requiring the activation of the department of ecology's crisis management team, incident management team, unified command at an appropriate command post, and most or all of the command and general staff positions. It may require other incident management teams, such as industry, federal, or local; cascading of resources from other states; and establishment of area command. The incident will go into multiple operational periods, and requires significant product spilled and numerous sensitive sites threatened. A written incident action plan will be required for each operational period."

Correct the title.

Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Caldier; Chambers; Christian; Cortes; Paul; Senn; Shavers; Street and Waters.

Referred to Committee on Rules for second reading

February 20, 2024

E2SSB 6194 Prime Sponsor, Ways & Means: Concerning state legislative employee collective bargaining. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 44.90.020 and 2022 c 283 s 3 are each amended to read as follows:

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

(1) "Collective bargaining" means the performance of the mutual obligations of the employer and the exclusive bargaining representative to meet at reasonable times, except that neither party may be compelled to negotiate during a legislative session or on committee assembly days, to confer and negotiate in good faith, and to execute a written agreement with respect to the subjects of bargaining specified under RCW 44.90.090. The obligation to bargain does not compel either party to agree to a proposal or to make a concession unless otherwise provided in this chapter.

(2) "Commission" means the legislative commission created in section 17 of this act at the public employment relations commission, until the legislative commission expires on December 31, 2029. After December 31, 2029, "commission" means the public employment relations commission created under RCW 41.58.010(1).

~~((2))~~(3) "Confidential employee" means an employee designated by the employer to assist in a confidential capacity, or serve as counsel to, persons who formulate, determine, and effectuate employer policies with regard to labor relations and personnel matters or who has authorized access to information relating to the effectuation or review of the employer's collective bargaining policies, strategies, or process to the extent that such access creates a conflict of interest, or who assists or aids an employee with managerial authority.

(4) "Director" means the director of the office of state legislative labor relations.

~~((3))~~(5) (a) "Employee" means:

(i) Any regular partisan employee of the house of representatives or the senate who is covered by this chapter; and

(ii) Any regular employee who is staff of the:

(A) Office of legislative support services;

(B) Legislative service center;

(C) Office of the code reviser who, during any legislative session, does not work full time on drafting and finalizing

legislative bills to be included in the Revised Code of Washington; and

(D) House of representatives and senate administrations.

(b) "Employee" also includes temporary staff hired to perform substantially similar work to that performed by employees included under (a) of this subsection.

(c) All other regular employees and temporary employees, including casual employees, interns, and pages, and employees in the office of program research and senate committee services work groups of the house of representatives and the senate are excluded from the definition of "employee" for the purposes of this chapter.

(6) "Employee organization" means any organization, union, or association in which employees participate and that exists for the purpose, in whole or in part, of collective bargaining with employers.

((+4-)) (7) "Employee with managerial authority" means any employee designated by the employer who, regardless of job title: (a) Directs the staff who work for a legislative chamber, caucus, agency, or subdivision thereof; (b) has substantial responsibility in personnel administration, or the preparation and administration of the employer's budgets; and (c) exercises authority that is not merely routine or clerical in nature and requires the use of independent judgment.

(8) "Employer" means:

(a) The chief clerk of the house of representatives, or the chief clerk's designee, for employees of the house of representatives;

(b) The secretary of the senate, or the secretary's designee, for employees of the senate; and

(c) The chief clerk of the house of representatives and the secretary of the senate, acting jointly, or their designees, for the regular employees who are staff of the office of legislative support services, the legislative service center, and the office of the code reviser.

(9) "Exclusive bargaining representative" means any employee organization that has been certified under this chapter as the representative of the employees in an appropriate bargaining unit.

((+5-)) (10) "Labor dispute" means any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment with respect to the subjects of bargaining provided in this chapter, regardless of whether the disputants stand in the proximate relation of employer and employee.

(11) "Legislative agencies" means the joint legislative audit and review committee, the statute law committee, the legislative ethics board, the legislative evaluation and accountability program committee, the office of the state actuary, the legislative service center, the office of legislative support services, the joint transportation committee, and the redistricting commission.

((+6-)) (12) "Office" means the office of state legislative labor relations.

(13) "Supervisor" means an employee designated by the employer to provide supervision to and have authority over legislative employees on an ongoing basis as part of the employee's regular and usual job duties. Supervision includes the authority to direct employees, approve and deny leave, and effectively recommend decisions to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, or to adjust employee grievances, when the exercise of the authority is not of a merely routine nature but requires the exercise of individual judgment.

NEW SECTION. Sec. 2. A new section is added to chapter 44.90 RCW to read as follows:

(1) This chapter does not apply to any legislative employee who has managerial authority, is a confidential employee, or who does not meet the definition of employee for the purpose of collective bargaining.

(2) This chapter also does not apply to:

(a) Elected or appointed members of the legislature;

(b) Any person appointed to office under statute, ordinance, or resolution for a specific term of office as a member of a multimember board, commission, or committee;

(c) Caucus chiefs of staff and caucus deputy chiefs of staff;

(d) The speaker's attorney, house counsel, and leadership counsel to the minority caucus of the house of representatives; and

(e) The counsel for the senate that provide direct legal advice to the administration of the senate.

(3) Notwithstanding any other provision of this chapter, the employer has the sole and exclusive authority to designate confidential employees, supervisors, and employees who have managerial authority, except that those designated employees may not, collectively, exceed 20 percent of the total employee positions of the employer.

**Sec. 3.** RCW 44.90.030 and 2022 c 283 s 2 are each amended to read as follows:

(1) The office of state legislative labor relations is created to assist the house of representatives, the senate, and legislative agencies in implementing and managing the process of collective bargaining for employees of the legislative branch of state government.

(2)(a) Subject to (b) of this subsection, the secretary of the senate and the chief clerk of the house of representatives shall employ a director of the office. The director serves at the pleasure of the secretary of the senate and the chief clerk of the house of representatives, who shall fix the director's salary.

(b) The secretary of the senate and the chief clerk of the house of representatives shall, before employing a director, consult with legislative employees, the senate facilities and operations committee, the house executive rules committee, and the human resources officers of the house of representatives, the senate, and legislative agencies.

(c) The director serves as the executive and administrative head of the office and may employ additional employees to assist in carrying out the duties of the office. The duties of the office include, but are not limited to, establishing bargaining teams and conducting negotiations on behalf of the employer.

~~((d) The director shall contract with an external consultant for the purposes of gathering input from legislative employees, taking into consideration RCW 42.52.020 and rules of the house of representatives and the senate. The gathering of input must be in the form of, at a minimum, surveys.~~

~~(3) The director, in consultation with the secretary of the senate, the chief clerk of the house of representatives, and the administrative heads of legislative agencies shall:~~

~~(a) Examine issues related to collective bargaining for employees of the house of representatives, the senate, and legislative agencies; and~~

~~(b) After consultation with the external consultant, develop best practices and options for the legislature to consider in implementing and administering collective bargaining for employees of the house of representatives, the senate, and legislative agencies.~~

~~(4) (a) By December 1, 2022, the director shall submit a preliminary report to the appropriate committees of the legislature that provides a progress report on the director's considerations.~~

~~(b) By October 1, 2023, the director shall submit a final report to the appropriate committees of the legislature. At a minimum, the final report must address considerations on the following issues:~~

~~(i) Which employees of the house of representatives, the senate, and legislative agencies for whom collective bargaining may be appropriate;~~

~~(ii) Mandatory, permissive, and prohibited subjects of bargaining;~~

~~(iii) Who would negotiate on behalf of the house of representatives, the senate, and legislative agencies, and which entity or entities would be considered the employer for purposes of bargaining;~~

~~(iv) Definitions for relevant terms;~~

~~(v) Common public employee collective bargaining agreement frameworks related to grievance procedures and processes for disciplinary actions;~~

~~(vi) Procedures related to the commission certifying exclusive bargaining representatives, determining bargaining units, adjudicating unfair labor practices, determining representation questions, and coalition bargaining;~~

~~(vii) The efficiency and feasibility of coalition bargaining;~~

~~(viii) Procedures for approving negotiated collective bargaining agreements;~~

~~(ix) Procedures for submitting requests for funding to the appropriate legislative committees if appropriations are necessary to implement provisions of the collective bargaining agreements; and~~

~~(x) Approaches taken by other state legislatures that have authorized collective bargaining for legislative employees.~~

~~(5) The report must include a summary of any statutory changes needed to address the considerations listed in subsection (4) of this section related to the collective bargaining process for legislative employees.))~~

NEW SECTION. Sec. 4. A new section is added to chapter 44.90 RCW to read as follows:

(1) As provided by this chapter, the commission or the court shall determine all questions described by this chapter as under the commission's authority. However, such authority may not result in an order or rule that intrudes upon or interferes with the legislature's core function of efficient and effective law making or the essential operation of the legislature, including that an order or rule may not:

(a) Modify any matter relating to the qualifications and elections of members of the legislature, or the holding of office of members of the legislature;

(b) Modify any matter relating to the legislature or each house thereof choosing its officers, adopting rules for its proceedings, selecting committees necessary for the conduct of business, considering or enacting legislation, or otherwise exercising the legislative power of this state;

(c) Modify any matter relating to legislative calendars, schedules, and deadlines of the legislature; or

(d) Modify laws, rules, policies, or procedures regarding ethics or conflicts of interest.

(2) No member of the legislature may be compelled by subpoena or other means to attend a proceeding related to matters covered by this chapter during a legislative session, committee assembly days, or for 15 days before commencement of each session.

Sec. 5. RCW 44.90.050 and 2022 c 283 s 5 are each amended to read as follows:

(1) Except as may be specifically limited by this chapter, legislative employees shall have the right to self-organization, to form, join, or assist employee organizations, and to bargain collectively through representatives of their own choosing for the purpose of collective bargaining free from interference, restraint, or coercion. Legislative employees shall also have the right to refrain from any or all such activities.

(2) Except as may be specifically limited by this chapter, the commission shall determine all questions pertaining to ascertaining exclusive bargaining representatives for legislative employees and collectively bargaining under this chapter. However, no employee organization shall be recognized or certified as the exclusive bargaining representative of a bargaining unit of employees of the legislative branch unless it receives the votes of a majority of employees in the petitioned for bargaining unit voting in a secret election ((by mail ballot)) administered by the commission. The commission's process must allow for an employee, group of employees, employee

organizations, employer, or their agents to have the right to petition on any question concerning representation.

~~(3) ((The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.))The commission must adopt rules that provide for at least the following:~~

- ~~(a) Secret balloting;~~
- ~~(b) Consulting with employee organizations;~~
- ~~(c) Access to lists of employees, job titles, work locations, and home mailing addresses;~~
- ~~(d) Absentee voting;~~
- ~~(e) Procedures for the greatest possible participation in voting;~~
- ~~(f) Campaigning on the employer's property during working hours; and~~
- ~~(g) Election observers.~~

~~(4)(a) If an employee organization has been certified as the exclusive bargaining representative of the employees of multiple bargaining units, the employee organization may act for and negotiate a master collective bargaining agreement that includes within the coverage of the agreement all covered employees in the bargaining units.~~

~~(b) If a master collective bargaining agreement is in effect for the newly certified exclusive bargaining representative, it applies to the bargaining unit for which the new certification has been issued. Nothing in this subsection (4)(b) requires the parties to engage in new negotiations during the term of that agreement.~~

~~(5) The certified exclusive bargaining representative is responsible for representing the interests of all the employees in the bargaining unit. This section may not be construed to limit an exclusive bargaining representative's right to exercise its discretion to refuse to process grievances of employees that are unmeritorious.~~

~~(6) No question concerning representation may be raised if:~~

- ~~(a) Fewer than 12 months have elapsed since the last certification or election; or~~
- ~~(b) A valid collective bargaining agreement exists covering the unit, except for that period of no more than 120 calendar days nor less than 90 calendar days before the expiration of the contract.~~

**NEW SECTION. Sec. 6.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission, after hearing upon reasonable notice to all interested parties, shall decide, in each application for certification as an exclusive bargaining representative, the unit appropriate for certification. In determining the new units or modifications of existing units, the commission must consider: The duties, skills, and working conditions of the

employees; the history of collective bargaining; the extent of organization among the employees; the desires of the employees; and the avoidance of excessive fragmentation. However, a unit is not appropriate if it includes:

(a) Both supervisors and nonsupervisory employees. A unit that includes only supervisors may be considered appropriate if a majority of the supervisory employees indicates by vote that they desire to be included in such a unit;

(b) Both house of representatives and senate employees;

(c) Both partisan and nonpartisan employees;

(d) Employees of the majority party caucus and the minority party caucus, unless a majority of the employees of each caucus indicate by vote that they desire to be included together in the same unit; or

(e) Employees of the legislative service center, office of legislative support services, and the office of the code reviser, in any combination with each other or in any combination with employees of the house of representatives or employees of the senate.

(2) If a single employee organization is the exclusive bargaining representative for two or more units, upon petition by the employee organization, the units may be consolidated into a single larger unit if the commission considers the larger unit to be appropriate. If consolidation is appropriate, the commission shall certify the employee organization as the exclusive bargaining representative of the new unit.

**NEW SECTION. Sec. 7.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The parties to a collective bargaining agreement must reduce the agreement to writing and both execute it.

(2) Except as provided in this chapter, a collective bargaining agreement must contain provisions that provide for a grievance procedure of all disputes arising over the interpretation or application of the collective bargaining agreement and that is valid and enforceable under its terms when entered into in accordance with this chapter.

(3) RCW 41.56.037 applies to this chapter.

(4)(a) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and an employee organization representing the same bargaining units, the effective date of the collective bargaining agreement may be the day after the termination of the previous collective bargaining agreement, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(b) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous



collective bargaining agreement between the employer and the exclusive bargaining representative representing different bargaining units, the effective date of the collective bargaining agreement may be the day after the termination date of whichever previous collective bargaining agreement covering one or more of the units terminated first, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(5) The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.

**Sec. 8.** RCW 44.90.060 and 2022 c 283 s 6 are each amended to read as follows:

~~((During a legislative session or committee assembly days, nothing))~~ Nothing contained in this chapter permits or grants to any legislative employee the right to strike, participate in a work stoppage, or refuse to perform their official duties.

**Sec. 9.** RCW 44.90.070 and 2022 c 283 s 7 are each amended to read as follows:

(1) Collective bargaining negotiations under this chapter must commence no later than July 1st of each even-numbered year after a bargaining unit has been certified.

(2) The duration of any collective bargaining agreement shall not exceed one fiscal biennium.

(3)(a) The director must submit ratified collective bargaining agreements, with cost estimates, to the employer by October 1st before the legislative session at which the request for funds is to be considered. The transmission by the legislature to the governor under RCW 43.88.090 must include a request for funds necessary to implement the provisions of all collective bargaining agreements covering legislative employees.

(b) If the legislature or governor fails to provide the funds for a collective bargaining agreement for legislative employees, either party may reopen all or part of the agreement or the exclusive bargaining representative may seek to implement the procedures provided for in section 10 of this act.

(4) Negotiation for economic terms will be by a coalition of all exclusive bargaining representatives. Any such provisions agreed to by the employer and the coalition must be included in all collective bargaining agreements negotiated by the parties. The director and the exclusive bargaining representative or representatives are authorized to enter into supplemental bargaining of bargaining unit specific issues for inclusion in the collective bargaining agreement, subject to the parties' agreement regarding the issues and procedures for supplemental bargaining. This subsection does not prohibit cooperation and

coordination of bargaining between two or more exclusive bargaining representatives.

(5) If a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties must immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

**NEW SECTION. Sec. 10.** A new section is added to chapter 44.90 RCW to read as follows:

(1) Should the parties fail to reach agreement in negotiating a collective bargaining agreement, either party may request of the commission the assistance of an impartial third party to mediate the negotiations. If a collective bargaining agreement previously negotiated under this chapter expires while negotiations are underway, the terms and conditions specified in the collective bargaining agreement remain in effect for a period not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(2) Nothing in this section may be construed to prohibit an employer and an exclusive bargaining representative from agreeing to substitute, at their own expense, their own procedure for resolving impasses in collective bargaining for that provided in this section or from agreeing to utilize for the purposes of this section any other governmental or other agency or person in lieu of the commission.

(3) The commission shall bear costs for mediator services.

**Sec. 11.** RCW 44.90.080 and 2022 c 283 s 8 are each amended to read as follows:

(1) It is an unfair labor practice for an employer in the legislative branch of state government:

(a) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed by this chapter;

(b) To dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it: PROVIDED, That subject to rules adopted by the commission, an employer shall not be prohibited from permitting employees to confer with it or its representatives or agents during working hours without loss of time or pay;

(c) To encourage or discourage membership in any employee organization by discrimination in regard to hire, tenure of employment, or any term or condition of employment;

(d) To discharge or discriminate otherwise against an employee because that employee has filed charges or given testimony under this chapter;

(e) To refuse to bargain collectively with the exclusive bargaining representatives of its employees.

(2) Notwithstanding any other law, the expression of any views, arguments, or opinions, or the dissemination thereof in any form, by a member of the legislature related to this chapter or matters within the scope of representation, shall not

constitute, or be evidence of, an unfair labor practice unless the employer has authorized the member to express that view, argument, or opinion on behalf of the employer or as an employer.

(3) It is an unfair labor practice for an employee organization:

(a) To restrain or coerce an employee in the exercise of the rights guaranteed by this chapter: PROVIDED, That this subsection shall not impair the right of an employee organization to prescribe its own rules with respect to the acquisition or retention of membership in the employee organization or to an employer in the selection of its representatives for the purpose of bargaining or the adjustment of grievances;

(b) To cause or attempt to cause an employer to discriminate against an employee in violation of subsection (1)(c) of this section;

(c) To discriminate against an employee because that employee has filed charges or given testimony under this chapter;

(d) To refuse to bargain collectively with an employer.

~~((3))~~(4) The expressing of any views, arguments, or opinion, or the dissemination thereof to the public, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under this chapter, if such expression contains no threat of reprisal or force or promise of benefit.

**NEW SECTION. Sec. 12.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission is empowered and directed to prevent any unfair labor practice and to issue appropriate remedial orders. However, a complaint may not be processed for any unfair labor practice occurring more than six months before the filing of the complaint with the commission or in Thurston county superior court. This power may not be affected or impaired by any means of adjustment, mediation, or conciliation in labor disputes that have been or may hereafter be established by law.

(2) Except as may be specifically limited by this chapter, if the commission or court determines that any person has engaged in or is engaging in an unfair labor practice, the commission or court shall issue and cause to be served upon the person an order requiring the person to cease and desist from such unfair labor practice, and to take such affirmative action as will effectuate the purposes and policy of this chapter, such as the payment of damages.

(3) The commission may petition the Thurston county superior court for the enforcement of its order and for appropriate temporary relief.

**Sec. 13.** RCW 44.90.090 and 2022 c 283 s 9 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, the matters subject to bargaining include wages, hours, terms and conditions of employment, and the negotiation of any question arising under a collective bargaining agreement.

(2) The employer shall not bargain over rights of management which, in addition to all powers, duties, and rights established by constitutional provision or statute, shall include, but not be limited to, the following:

(a) Any item listed in section 4(1) of this act;

~~((b))~~(b) The functions and programs of the employer, the use of technology, and the structure of the organization, including the size and composition of standing committees;

~~((c))~~(c) The employer's budget and the size of the employer's workforce, including determining the financial basis for layoffs;

~~((d))~~(d) The right to direct and supervise employees;

~~((e))~~(e) The hours of work during legislative session and the cutoff calendar for a legislative session. Bargaining over hours of work for periods when the legislature is not in session and bargaining over compensation for overtime are permitted, except that bargaining over compensation for overtime may only occur for agreements that take effect after July 1, 2027; ~~(and~~

~~((f))~~(f) The employer's authority to: (i) Lay off employees when there has been a change to the number of members in, or the makeup of, a caucus due to an election or appointment that necessitates a change in the number of staff; (ii) lay off an employee following an election, appointment, or resignation of a legislator; and (iii) terminate an employee for engaging in partisan activities that are incompatible with the employee's job duties or position;

(g) Health care benefits and other employee insurance benefits. The amount paid by a legislative employee for health care premiums must be the same as that paid by a represented state employee covered by RCW 41.80.020(3);

(h) The right to take whatever actions are deemed necessary to carry out the mission of the legislature and its agencies during emergencies;

(i) Employees' status as exempt from chapter 41.06 RCW and the federal fair labor standards act (Title 29 U.S.C. Sec. 203); and

(j) Retirement plans and retirement benefits.

~~((2))~~(3) Except for an applicable code of conduct policy adopted by a chamber of the legislature or a legislative agency, if a conflict exists between policies adopted by the legislature relating to wages, hours, and terms and conditions of employment and a provision of a collective bargaining agreement negotiated under this chapter, the collective bargaining agreement shall prevail. A provision of a collective bargaining agreement that conflicts with a statute or an applicable term of a code of conduct policy adopted by a chamber of the legislature or a legislative agency is invalid and unenforceable.

**NEW SECTION. Sec. 14.** A new section is added to chapter 44.90 RCW to read as follows:

(1) Upon authorization of an employee within the bargaining unit and after the

certification or recognition of the bargaining unit's exclusive bargaining representative, the employer must deduct from the payments to the employee the monthly amount of dues as certified by the secretary of the exclusive bargaining representative and must transmit the same to the treasurer of the exclusive bargaining representative.

(2) (a) An employee's written, electronic, or recorded voice authorization to have the employer deduct membership dues from the employee's salary must be made by the employee to the exclusive bargaining representative. If the employer receives a request for authorization of deductions, the employer must, as soon as practicable, forward the request to the exclusive bargaining representative.

(b) Upon receiving notice of the employee's authorization, the employer must deduct from the employee's salary membership dues and remit the amounts to the exclusive bargaining representative.

(c) The employee's authorization remains in effect until expressly revoked by the employee in accordance with the terms and conditions of the authorization.

(d) An employee's request to revoke authorization for payroll deductions must be in writing and submitted by the employee to the exclusive bargaining representative in accordance with the terms and conditions of the authorization.

(e) After the employer receives confirmation from the exclusive bargaining representative that the employee has revoked authorization for deductions, the employer must end the deduction no later than the second payroll after receipt of the confirmation.

(f) The employer must rely on information provided by the exclusive bargaining representative regarding the authorization and revocation of deductions.

**NEW SECTION. Sec. 15.** A new section is added to chapter 44.90 RCW to read as follows:

(1) If the parties to a collective bargaining agreement negotiated under this chapter agree to final and binding arbitration under grievance procedures allowed by section 7 of this act, the parties may agree on one or more permanent umpires to serve as arbitrator, or may agree on any impartial person to serve as arbitrator, or may agree to select arbitrators from any source available to them, including federal and private agencies, in addition to the staff and list of arbitrators maintained by the commission. If the parties cannot agree to the selection of an arbitrator, the commission must supply a list of names in accordance with the procedures established by the commission.

(2) The authority of an arbitrator shall be subject to the limits and restrictions specified under section 4 of this act.

(3) Except as limited by this chapter, an arbitrator may require any person to attend as a witness and to bring with them any book, record, document, or other evidence. The fees for such attendance must be paid by the party requesting issuance of the

subpoena and must be the same as the fees of witnesses in the superior court. Arbitrators may administer oaths. Subpoenas must issue and be signed by the arbitrator and must be served in the same manner as subpoenas to testify before a court of record in this state. If any person so summoned to testify refuses or neglects to obey such subpoena, upon petition authorized by the arbitrator, the superior court may compel the attendance of the person before the arbitrator or punish the person for contempt in the same manner provided for the attendance of witnesses or the punishment of them in the courts of this state.

(4) Except as limited by this chapter, the arbitrator shall appoint a time and place for the hearing and notify the parties thereof, and may adjourn the hearing from time to time as may be necessary, and, on application of either party and for good cause, may postpone the hearing to a time not extending beyond the date fixed by the collective bargaining agreement for making the award. The arbitration award must be in writing and signed by the arbitrator. The arbitrator must, promptly upon its rendition, serve a true copy of the award on each of the parties or their attorneys of record.

(5) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to submit a grievance for arbitration, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order compelling arbitration. Disputes concerning compliance with grievance procedures shall be reserved for determination by the arbitrator. Arbitration shall be ordered if the grievance states a claim that on its face is covered by the collective bargaining agreement. Doubts as to the coverage of the arbitration clause shall be resolved in favor of arbitration.

(6) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to comply with the award of an arbitrator determining a grievance arising under the collective bargaining agreement, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order enforcing the arbitration award.

**Sec. 16.** RCW 41.58.010 and 2012 c 117 s 89 are each amended to read as follows:

(1) There is hereby created the public employment relations commission (hereafter called the "commission") to administer the provisions of this chapter. ((The))Notwithstanding section 17 of this act, the commission shall consist of three members who shall be citizens appointed by the governor by and with the advice and consent of the senate. One of the original members shall be appointed for a term of three years, one for a term of four years, and one for a term of five years. Their successors shall be appointed for terms of

five years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he or she succeeds. Commission members shall be eligible for reappointment. The governor shall designate one member to serve as chair of the commission. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Commission members shall not be eligible for state retirement under chapter 41.40 RCW by virtue of their service on the commission.

(2) In making citizen member appointments initially, and subsequently thereafter, the governor shall be cognizant of the desirability of appointing persons knowledgeable in the area of labor relations in the state.

(3) A vacancy in the commission shall not impair the right of the remaining members to exercise all of the powers of the commission, and two members of the commission shall, at all times, constitute a quorum of the commission.

(4) The commission shall at the close of each fiscal year make a report in writing to the legislature and to the governor stating the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the commission, and an account of all moneys it has disbursed.

**NEW SECTION. Sec. 17.** A new section is added to chapter 41.58 RCW to read as follows:

(1)(a) There is established a legislative commission (hereafter called "the legislative commission") exclusively for the purpose of certification of bargaining representatives, adjusting and settling complaints, grievances, and disputes arising out of employer-employee relations, and otherwise carrying out the duties required of the commission under chapter 44.90 RCW.

(b) The legislative commission shall consist of three members who shall be appointed as follows:

(i) One member shall be appointed by the speaker of the house of representatives;

(ii) One member shall be appointed by the president of the senate;

(iii) By mutual consent, the two appointed members shall appoint the third member who shall be the chair of the legislative commission.

(c) All appointments must be made by September 30, 2024. The members of the legislative commission, and any person appointed to fill a vacancy, are appointed for the entire term until the legislative commission expires under subsection (9) of this section.

(d) Until all the members of the legislative commission are appointed, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

(2) The commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice

proceedings, mediation, and, if applicable, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the legislative commission.

(3) Unless specifically provided, the legislative commission shall not be considered part of the commission created under RCW 41.58.010(1). The powers and duties granted in this chapter to the commission created under RCW 41.58.010(1) do not apply to the legislative commission, unless specifically provided.

(4) A member of the legislative commission may be removed by the speaker of the house of representatives and the president of the senate acting jointly, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(5) In making their appointments, the speaker of the house of representatives and the president of the senate shall be cognizant of the desirability of appointing a person who is knowledgeable in the area of labor relations and of the legislature.

(6) Members of the legislative commission are not eligible for state retirement under chapter 41.40 RCW by virtue of the member's service as a commissioner.

(7) The compensation and travel reimbursement provision under RCW 41.58.015(1) shall apply to members of the legislative commission.

(8) The legislative commission shall at the close of each fiscal year make a report in writing to the legislature stating the cases it has heard and decisions it has rendered.

(9)(a) The legislative commission expires December 31, 2029.

(b) After December 31, 2029, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

**Sec. 18.** RCW 41.58.015 and 1984 c 287 s 71 are each amended to read as follows:

(1) Each member of the commission shall be compensated in accordance with RCW 43.03.250. Members of the commission shall also be reimbursed for travel expenses incurred in the discharge of their official duties on the same basis as is provided in RCW 43.03.050 and 43.03.060.

(2) The commission shall appoint an executive director whose annual salary shall be determined under the provisions of RCW 43.03.028. The executive director shall perform such duties and have such powers as the commission shall prescribe in order to implement and enforce the provisions of this chapter. In addition to the performance of administrative duties, the commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation of labor disputes, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement, and, in certain cases, fact-finding or arbitration

of disputes concerning the terms of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the commission. The executive director, with such assistance as may be provided by the attorney general and such additional legal assistance consistent with chapter 43.10 RCW, shall have authority on behalf of the commission, when necessary to carry out or enforce any action or decision of the commission, to petition any court of competent jurisdiction for an order requiring compliance with the action or decision.

(3)(a) The commission shall employ such employees as it may from time to time find necessary for the proper performance of its duties, consistent with the provisions of this chapter.

(b) The employees of the commission shall also provide staff support to the legislative commission in carrying out the legislative commission's duties under chapter 44.90 RCW until the legislative commission expires on December 31, 2029, under section 17 of this act.

(4) The payment of all of the expenses of the commission, including travel expenses incurred by the members or employees of the commission under its orders, shall be subject to the provisions of RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 19. A new section is added to chapter 44.90 RCW to read as follows:

(1) The following activities conducted by or on behalf of legislative employees related to collective bargaining under this chapter are exempt from the restrictions contained in RCW 42.52.020 and 42.52.160:

(a) Using paid time and public resources by an employee to negotiate or administer a collective bargaining agreement when the employee is assigned to negotiate or administer the collective bargaining agreement and the use of paid time and public resources does not include state-purchased supplies or equipment, does not interfere with or distract from the conduct of state business, and is consistent with the employer's policy on the use of paid time;

(b) Lobbying conducted by an employee organization, lobbyist, association, or third party on behalf of legislative employees concerning legislation that directly impacts legislative workplace conditions;

(c) Communication with a prospective employee organization during nonwork hours and without the use of public resources; or

(d) Conducting the day-to-day work of organizing and representing legislative employees in the workplace while serving in a legislative employee organization leadership position.

(2)(a) Nothing in this section affects the application of the prohibition against the use of special privileges under RCW 42.52.070, confidentiality requirements under RCW 42.52.050, or other applicable provisions of chapter 42.52 RCW to legislative employees.

(b) Nothing in this section permits any direct lobbying by a legislative employee.

(3) As used in this section, "lobby" and "lobbyist" have the meanings provided in RCW 42.17A.005.

**Sec. 20.** RCW 42.52.020 and 1996 c 213 s 2 are each amended to read as follows:

(1) No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.

(2) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

**Sec. 21.** RCW 42.52.160 and 2023 c 91 s 3 are each amended to read as follows:

(1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

(2) This section does not prohibit the use of public resources to benefit others as part of a state officer's or state employee's official duties. It is not a violation of this section for a legislator or an appropriate legislative staff designee to engage in activities listed under RCW 42.52.070(2) or 42.52.822.

(3) This section does not prohibit de minimis use of state facilities to provide employees with information about (a) medical, surgical, and hospital care; (b) life insurance or accident and health disability insurance; or (c) individual retirement accounts, by any person, firm, or corporation administering such program as part of authorized payroll deductions pursuant to RCW 41.04.020.

(4) The appropriate ethics boards may adopt rules providing exceptions to this section for occasional use of the state officer or state employee, of de minimis cost and value, if the activity does not result in interference with the proper performance of public duties.

(5) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

NEW SECTION. Sec. 22. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect May 1, 2024."

Correct the title.

Signed by Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Without recommendation. Signed by Representatives Schmidt, Ranking Minority Member; Rude; and Ybarra.

Referred to Committee on Appropriations

**SECOND SUPPLEMENTAL REPORT OF STANDING COMMITTEES**

February 20, 2024

SB 5180 Prime Sponsor, Senator Hunt: Adopting the interstate teacher mobility compact. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"ARTICLE I  
PURPOSE**

NEW SECTION. **Sec. 1.** The purpose of this compact is to facilitate the mobility of teachers across the member states, with the goal of supporting teachers through a new pathway to licensure. Through this compact, the member states seek to establish a collective regulatory framework that expedites and enhances the ability of teachers to move across state lines. This compact is intended to achieve the following objectives and should be interpreted accordingly. The member states hereby ratify the same intentions by subscribing hereto:

- (1) Create a streamlined pathway to licensure mobility for teachers;
- (2) Support the relocation of eligible military spouses;
- (3) Facilitate and enhance the exchange of licensure, investigative, and disciplinary information between the member states;
- (4) Enhance the power of state and district level education officials to hire qualified, competent teachers by removing barriers to the employment of out-of-state teachers;
- (5) Support the retention of teachers in the profession by removing barriers to relicensure in a new state; and
- (6) Maintain state sovereignty in the regulation of the teaching profession.

**ARTICLE II  
DEFINITIONS**

NEW SECTION. **Sec. 2.** As used in this compact, and except as otherwise provided, the following definitions shall govern the terms herein:

- (1) "Active military member" means any person with full-time duty status in the uniformed services of the United States, including members of the national guard and reserve.
- (2) "Adverse action" means any limitation or restriction imposed by a member state's licensing authority, such as revocation, suspension, reprimand, probation, or limitation on the licensee's ability to work as a teacher.

(3) "Bylaws" means those bylaws established by the commission.

(4) "Career and technical education license" means a current, valid authorization issued by a member state's licensing authority allowing an individual to serve as a teacher in prekindergarten through grade 12 public educational settings in a specific career and technical education area.

(5) "Charter member states" means a member state that has enacted legislation to adopt this compact where such legislation predates the initial meeting of the commission after the effective date of the compact.

(6) "Commission" means the interstate administrative body which membership consists of delegates of all states that have enacted this compact, and which is known as the interstate teacher mobility compact commission.

(7) "Commissioner" means the delegate of a member state.

(8) "Eligible license" means a license to engage in the teaching profession which requires at least a bachelor's degree and the completion of a state approved program for teacher licensure.

(9) "Eligible military spouse" means the spouse of any individual in full-time duty status in the active uniformed services of the United States, including members of the national guard and reserve on active duty moving as a result of a military mission or military career progression requirements or are on their terminal move as a result of separation or retirement (to include surviving spouses of deceased military members).

(10) "Executive committee" means a group of commissioners elected or appointed to act on behalf of, and within the powers granted to them by, the commission as provided for herein.

(11) "Licensing authority" means an official, agency, board, or other entity of a state that is responsible for the licensing and regulation of teachers authorized to teach in prekindergarten through grade 12 public educational settings.

(12) "Member state" means any state that has adopted this compact, including all agencies and officials of such a state.

(13) "Receiving state" means any state where a teacher has applied for licensure under this compact.

(14) "Rule" means any regulation promulgated by the commission under this compact, which shall have the force of law in each member state.

(15) "State" means a state, territory, or possession of the United States, and the District of Columbia.

(16) "State practice laws" means a member state's laws, rules, and regulations that govern the teaching profession, define the scope of such profession, and create the methods and grounds for imposing discipline.

(17) "State specific requirements" means a requirement for licensure covered in coursework or examination that includes content of unique interest to the state.

(18) "Teacher" means an individual who currently holds an authorization from a

member state that forms the basis for employment in the prekindergarten through grade 12 public schools of the state to provide instruction in a specific subject area, grade level, or student population.

(19) "Unencumbered license" means a current, valid authorization issued by a member state's licensing authority allowing an individual to serve as a teacher in prekindergarten through grade 12 public educational settings. An unencumbered license is not a restricted, probationary, provisional, substitute, or temporary credential.

**ARTICLE III  
LICENSURE UNDER THE COMPACT**

NEW SECTION. **Sec. 3.** (1) Licensure under this compact pertains only to the initial grant of a license by the receiving state. Nothing herein applies to any subsequent or ongoing compliance requirements that a receiving state might require for teachers.

(2) Each member state shall, in accordance with the rules of the commission, define, compile, and update as necessary, a list of eligible licenses and career and technical education licenses that the member state is willing to consider for equivalency under this compact and provide the list to the commission. The list shall include those licenses that a receiving state is willing to grant to teachers from other member states, pending a determination of equivalency by the receiving state's licensing authority.

(3) Upon the receipt of an application for licensure by a teacher holding an unencumbered eligible license, the receiving state shall determine which of the receiving state's eligible licenses the teacher is qualified to hold and shall grant such a license or licenses to the applicant. Such a determination shall be made in the sole discretion of the receiving state's licensing authority and may include a determination that the applicant is not eligible for any of the receiving state's eligible licenses. For all teachers who hold an unencumbered license, the receiving state shall grant one or more unencumbered license(s) that, in the receiving state's sole discretion, are equivalent to the license(s) held by the teacher in any other member state.

(4) For active military members and eligible military spouses who hold a license that is not unencumbered, the receiving state shall grant an equivalent license or licenses that, in the receiving state's sole discretion, is equivalent to the license or licenses held by the teacher in any other member state, except where the receiving state does not have an equivalent license.

(5) For a teacher holding an unencumbered career and technical education license, the receiving state shall grant an unencumbered license equivalent to the career and technical education license held by the applying teacher and issued by another member state, as determined by the receiving state in its sole discretion, except where a career and technical education teacher does

not hold a bachelor's degree and the receiving state requires a bachelor's degree for licenses to teach career and technical education. A receiving state may require career and technical education teachers to meet state industry recognized requirements, if required by law in the receiving state.

**ARTICLE IV  
LICENSURE NOT UNDER THE COMPACT**

NEW SECTION. **Sec. 4.** (1) Except as provided in section 3 of this act, nothing in this compact shall be construed to limit or inhibit the power of a member state to regulate licensure or endorsements overseen by the member state's licensing authority.

(2) When a teacher is required to renew a license received pursuant to this compact, the state granting such a license may require the teacher to complete state specific requirements as a condition of licensure renewal or advancement in that state.

(3) For the purposes of determining compensation, a receiving state may require additional information from teachers receiving a license under the provisions of this compact.

(4) Nothing in this compact shall be construed to limit the power of a member state to control and maintain ownership of its information pertaining to teachers, or limit the application of a member state's laws or regulations governing the ownership, use, or dissemination of information pertaining to teachers.

(5) Nothing in this compact shall be construed to invalidate or alter any existing agreement or other cooperative arrangement which a member state may already be a party to, or limit the ability of a member state to participate in any future agreement or other cooperative arrangement to:

(a) Award teaching licenses or other benefits based on additional professional credentials including, but not limited to, national board certification;

(b) Participate in the exchange of names of teachers whose license has been subject to an adverse action by a member state; or

(c) Participate in any agreement or cooperative arrangement with a nonmember state.

**ARTICLE V  
TEACHER QUALIFICATIONS AND REQUIREMENTS  
FOR LICENSURE  
UNDER THE COMPACT**

NEW SECTION. **Sec. 5.** (1) Except as provided for active military members or eligible military spouses in section 3(4) of this act, a teacher may only be eligible to receive a license under this compact where that teacher holds an unencumbered license in a member state.

(2) A teacher eligible to receive a license under this compact shall, unless otherwise provided for herein:

(a) Upon their application to receive a license under this compact, undergo a criminal background check in the receiving

state in accordance with the laws and regulations of the receiving state;

(b) Comply with any applicable conditions of employment in the receiving state; and

(c) Provide the receiving state with information in addition to the information required for licensure for the purposes of determining compensation, if applicable.

**ARTICLE VI  
DISCIPLINE/ADVERSE ACTIONS**

NEW SECTION. **Sec. 6.** (1) Nothing in this compact shall be deemed or construed to limit the authority of a member state to investigate or impose disciplinary measures on teachers according to the state practice laws thereof.

(2) Member states shall be authorized to receive, and shall provide, files and information regarding the investigation and discipline, if any, of teachers in other member states upon request. Any member state receiving such information or files shall protect and maintain the security and confidentiality thereof, in at least the same manner that it maintains its own investigatory or disciplinary files and information. Prior to disclosing any disciplinary or investigatory information received from another member state, the disclosing state shall communicate its intention and purpose for such disclosure to the member state which originally provided that information.

**ARTICLE VII  
ESTABLISHMENT OF THE INTERSTATE TEACHER  
MOBILITY  
COMPACT COMMISSION**

NEW SECTION. **Sec. 7.** (1) The interstate compact member states hereby create and establish a joint public agency known as the interstate teacher mobility compact commission:

(a) The commission is a joint interstate governmental agency comprised of states that have enacted the interstate teacher mobility compact.

(b) Nothing in this interstate compact shall be construed to be a waiver of sovereign immunity.

(2) Membership, voting, and meetings.

(a) Each member state shall have and be limited to one delegate to the commission, who shall be given the title of commissioner.

(b) The commissioner shall be the primary administrative officer of the state licensing authority or their designee.

(c) Any commissioner may be removed or suspended from office as provided by the law of the state from which the commissioner is appointed.

(d) The member state shall fill any vacancy occurring in the commission within 90 days.

(e) Each commissioner shall be entitled to one vote about the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission. A commissioner shall vote in person or by such

other means as provided in the bylaws. The bylaws may provide for commissioners' participation in meetings by telephone or other means of communication.

(f) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(g) The commission shall establish by rule a term of office for commissioners.

(3) The commission shall have the following powers and duties:

(a) Establish a code of ethics for the commission;

(b) Establish the fiscal year of the commission;

(c) Establish bylaws for the commission;

(d) Maintain its financial records in accordance with the bylaws of the commission;

(e) Meet and take such actions as are consistent with the provisions of this interstate compact, the bylaws, and rules of the commission;

(f) Promulgate uniform rules to implement and administer this interstate compact. The rules shall have the force and effect of law and shall be binding in all member states. In the event the commission exercises its rule-making authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted hereunder, then such an action by the commission shall be invalid and have no force and effect of law;

(g) Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any member state licensing authority to sue or be sued under applicable law shall not be affected;

(h) Purchase and maintain insurance and bonds;

(i) Borrow, accept, or contract for services of personnel including, but not limited to, employees of a member state, or an associated nongovernmental organization that is open to membership by all states;

(j) Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(k) Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve, or use, any property, real, personal, or mixed, provided that at all times the commission shall avoid any appearance of impropriety;

(l) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

(m) Establish a budget and make expenditures;

(n) Borrow money;

(o) Appoint committees, including standing committees composed of members and such other interested persons as may be designated in this interstate compact, rules, or bylaws;

(p) Provide and receive information from, and cooperate with, law enforcement agencies;



(q) Establish and elect an executive committee;

(r) Establish and develop a charter for an executive information governance committee to advise on facilitating exchange of information, use of information, data privacy, and technical support needs, and provide reports as needed;

(s) Perform such other functions as may be necessary or appropriate to achieve the purposes of this interstate compact consistent with the state regulation of teacher licensure; and

(t) Determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in the compact.

(4) The executive committee of the interstate teacher mobility compact commission.

(a) The executive committee shall have the power to act on behalf of the commission according to the terms of this interstate compact.

(b) The executive committee shall be composed of eight voting members: The commission chair, vice chair, and treasurer; and five members who are elected by the commission from the current membership:

(i) Four voting members representing geographic regions in accordance with commission rules; and

(ii) One at large voting member in accordance with commission rules.

(c) The commission may add or remove members of the executive committee as provided in commission rules.

(d) The executive committee shall meet at least once annually.

(e) The executive committee shall have the following duties and responsibilities:

(i) Recommend to the entire commission changes to the rules or bylaws, changes to the compact legislation, fees paid by interstate compact member states such as annual dues, and any compact fee charged by the member states on behalf of the commission;

(ii) Ensure commission administration services are appropriately provided, contractual or otherwise;

(iii) Prepare and recommend the budget;

(iv) Maintain financial records on behalf of the commission;

(v) Monitor compliance of member states and provide reports to the commission; and

(vi) Perform other duties as provided in rules or bylaws.

(f) Meetings of the commission.

(i) All meetings shall be open to the public, and public notice of meetings shall be given in accordance with commission bylaws.

(ii) The commission or the executive committee or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive committee or other committees of the commission must discuss:

(A) Noncompliance of a member state with its obligations under the compact;

(B) The employment, compensation, discipline, or other matters, practices, or procedures related to specific employees or

other matters related to the commission's internal personnel practices and procedures;

(C) Current, threatened, or reasonably anticipated litigation;

(D) Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

(E) Accusing any person of a crime or formally censuring any person;

(F) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(G) Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(H) Disclosure of investigative records compiled for law enforcement purposes;

(I) Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact;

(J) Matters specifically exempted from disclosure by federal or member state statutes; and

(K) Other matters as set forth by commission bylaws and rules.

(iii) If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

(iv) The commission shall keep minutes of commission meetings and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

(g) Financing of the commission.

(i) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(ii) The commission may accept all appropriate donations and grants of money, equipment, supplies, materials, and services, and receive, utilize, and dispose of the same, provided that at all times the commission shall avoid any appearance of impropriety or conflict of interest.

(iii) The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission, in accordance with the commission rules.

(iv) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(v) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to accounting procedures established under commission

bylaws. All receipts and disbursements of funds of the commission shall be reviewed annually in accordance with commission bylaws, and a report of the review shall be included in and become part of the annual report of the commission.

(h) Qualified immunity, defense, and indemnification.

(i) The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided, that nothing in this subsection (4)(h)(i) shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

(ii) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided, that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

(iii) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

**ARTICLE VIII  
RULE-MAKING**

NEW SECTION. **Sec. 8.** (1) The commission shall exercise its rule-making powers pursuant to the criteria set forth in this interstate compact and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(2) The commission shall promulgate reasonable rules to achieve the intent and

purpose of this interstate compact. In the event the commission exercises its rule-making authority in a manner that is beyond purpose and intent of this interstate compact, or the powers granted hereunder, then such an action by the commission shall be invalid and have no force and effect of law in the member states.

(3) If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

(4) Rules or amendments to the rules shall be adopted or ratified at a regular or special meeting of the commission in accordance with commission rules and bylaws.

(5) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule with 48 hours' notice, with opportunity to comment, provided that the usual rule-making procedures shall be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

- (a) Meet an imminent threat to public health, safety, or welfare;
- (b) Prevent a loss of commission or member state funds;
- (c) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
- (d) Protect public health and safety.

**ARTICLE IX  
FACILITATING INFORMATION EXCHANGE**

NEW SECTION. **Sec. 9.** (1) The commission shall provide for facilitating the exchange of information to administer and implement the provisions of this compact in accordance with the rules of the commission, consistent with generally accepted data protection principles.

(2) Nothing in this compact shall be deemed or construed to alter, limit, or inhibit the power of a member state to control and maintain ownership of its licensee information or alter, limit, or inhibit the laws or regulations governing licensee information in the member state.

**ARTICLE X  
OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT**

NEW SECTION. **Sec. 10.** (1) Oversight.

(a) The executive and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact shall have standing as statutory law.

(b) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the

principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct, or any such similar matter.

(c) All courts and all administrative agencies shall take judicial notice of the compact, the rules of the commission, and any information provided to a member state pursuant thereto in any judicial or quasi-judicial proceeding in a member state pertaining to the subject matter of this compact, or which may affect the powers, responsibilities, or actions of the commission.

(d) The commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the compact and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the commission service of process shall render a judgment or order void as to the commission, this compact, or promulgated rules.

(2) Default, technical assistance, and termination. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(a) Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default or any other action to be taken by the commission; and

(b) Provide remedial training and specific technical assistance regarding the default.

(3) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the commissioners of the member states, and all rights, privileges, and benefits conferred on that state by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(4) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, the state licensing authority, and each of the member states.

(5) A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(6) The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(7) The defaulting state may appeal the action of the commission by petitioning the United States district court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.

(8) Dispute resolution.

(a) Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

(b) The commission shall promulgate a rule providing for both binding and nonbinding alternative dispute resolution for disputes as appropriate.

(9) Enforcement.

(a) The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

(b) By majority vote, the commission may initiate legal action in the United States district court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

#### **ARTICLE XI EFFECTUATION, WITHDRAWAL, AND AMENDMENT**

NEW SECTION. **Sec. 11.** (1) The compact shall come into effect on the date on which the compact statute is enacted into law in the 10th member state.

(a) On or after the effective date of the compact, the commission shall convene and review the enactment of each of the charter member states to determine if the statute enacted by each such charter member state is materially different from the model compact statute.

(b) A charter member state whose enactment is found to be materially different from the model compact statute shall be entitled to the default process set forth in section 10 of this act.

(c) Member states enacting the compact subsequent to the charter member states shall be subject to the process set forth in section 7(3)(t) of this act to determine if their enactments are materially different from the model compact statute and whether they qualify for participation in the compact.

(2) If any member state is later found to be in default, or is terminated or withdraws from the compact, the commission shall remain in existence and the compact shall remain in effect even if the number of member states should be less than 10.

(3) Any state that joins the compact after the commission's initial adoption of

the rules and bylaws shall be subject to the rules and bylaws as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state, as the rules and bylaws may be amended as provided in this compact.

(4) Any member state may withdraw from this compact by enacting a statute repealing the same.

(a) A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

(b) Withdrawal shall not affect the continuing requirement of the withdrawing state's licensing authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

(5) This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

**ARTICLE XII  
CONSTRUCTION AND SEVERABILITY**

NEW SECTION. **Sec. 12.** This compact shall be liberally construed to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the Constitution of any member state or a state seeking membership in the compact, or of the United States or the applicability thereof to any other government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the Constitution of any member state, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

**ARTICLE XIII  
CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS**

NEW SECTION. **Sec. 13.** (1) Nothing herein shall prevent or inhibit the enforcement of any other law of a member state that is not inconsistent with the compact.

(2) Any laws, statutes, regulations, or other legal requirements in a member state in conflict with the compact are superseded to the extent of the conflict.

(3) All permissible agreements between the commission and the member states are binding in accordance with their terms.

NEW SECTION. **Sec. 14.** Sections 1 through 13 of this act constitute a new chapter in Title 28A RCW."

Correct the title.

Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

MINORITY recommendation: Without recommendation.  
Signed by Representative Harris.

Referred to Committee on Rules for second reading

February 21, 2024

SB 5184

Prime Sponsor, Senator Rivers: Concerning licensure of anesthesiologist assistants. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Anesthesiologist" means an actively practicing, board-eligible physician licensed under chapter 18.71 or 18.57 RCW who has completed a residency in anesthesiology approved by the American board of anesthesiology or the American osteopathic board of anesthesiology.

(2) "Anesthesiologist assistant" means a person who is licensed by the commission to assist in developing and implementing anesthesia care plans for patients under the supervision of an anesthesiologist or group of anesthesiologists approved by the commission to supervise such assistant.

(3) "Assists" means the anesthesiologist assistant personally performs those duties and responsibilities delegated by the anesthesiologist. Delegated services must be consistent with the delegating anesthesiologist's education, training, experience, and active practice. Delegated services must be of the type that a reasonable and prudent anesthesiologist would find within the scope of sound medical judgment to delegate.

(4) "Commission" means the Washington medical commission.

(5) "Practice medicine" has the meaning defined in RCW 18.71.011.

(6) "Secretary" means the secretary of health or the secretary's designee.

(7) "Supervision" means the immediate availability of the medically directing anesthesiologist for consultation and direction of the activities of the anesthesiologist assistant. A medically directing anesthesiologist is immediately available if they are in physical proximity that allows the anesthesiologist to reestablish direct contact with the patient to meet medical needs and any urgent or emergent clinical problems, and personally participating in the most demanding procedures of the anesthesia plan including, if applicable, induction and emergence. These responsibilities may also be met

through coordination among anesthesiologists of the same group or department.

NEW SECTION. **Sec. 2.** (1) The commission shall adopt rules fixing the qualifications and the educational and training requirements for licensure as an anesthesiologist assistant. The requirements shall include completion of an anesthesiologist assistant program accredited by the commission on accreditation of allied health education programs, or successor organization, and within one year successfully taking and passing an examination administered by the national commission for the certification of anesthesiologist assistants or other examination approved by the commission.

(2) Applicants for licensure shall file an application with the commission on a form prepared by the secretary with the approval of the commission, detailing the education, training, and experience of the applicant and such other information as the commission may require. The application shall be accompanied by a fee determined by the secretary as provided in RCW 43.70.250 and 43.70.280. Each applicant shall furnish proof satisfactory to the commission of the following:

(a) That the applicant has completed an accredited anesthesiologist assistant program approved by the commission and is eligible to take the examination approved by the commission; and

(b) That the applicant is physically and mentally capable of practicing as an anesthesiologist assistant with reasonable skill and safety. The commission may require an applicant to submit to such examination or examinations as it deems necessary to determine an applicant's physical or mental capability, or both, to safely practice as an anesthesiologist assistant.

(3)(a) The commission may approve, deny, or take other disciplinary action upon the application for a license as provided in the uniform disciplinary act, chapter 18.130 RCW.

(b) The license shall be renewed as determined under RCW 43.70.250 and 43.70.280. The commission shall request licensees to submit information about their current professional practice at the time of license renewal and licensees must provide the information requested.

(4) No person shall practice as an anesthesiologist assistant or represent that they are a "certified anesthesiologist assistant" or "anesthesiologist assistant" or "C.A.A." or "A.A." without a license granted by the commission.

NEW SECTION. **Sec. 3.** (1) The commission shall adopt rules establishing the requirements and limitations on the practice by and supervision of anesthesiologist assistants, including the number of anesthesiologist assistants an anesthesiologist may supervise concurrently. Unless approved by the commission, an anesthesiologist may not concurrently supervise more than four specific, individual anesthesiologist assistants at any one time.

(2) The commission may adopt rules for the arrangement of other anesthesiologists to serve as backup or on-call supervising anesthesiologists for multiple anesthesiologist assistants.

NEW SECTION. **Sec. 4.** (1) An anesthesiologist assistant may not exceed the scope of their supervising anesthesiologist's practice and may assist with those duties and responsibilities delegated to them by the supervising anesthesiologist, and for which they are competent to assist with based on their education, training, and experience. Duties which an anesthesiologist may delegate to an anesthesiologist assistant include but are not limited to:

(a) Assisting with preoperative anesthetic evaluations, postoperative anesthetic evaluations, and patient progress notes, all to be cosigned by the supervising anesthesiologist within 24 hours;

(b) Administering and assisting with preoperative consultations;

(c) Under the supervising anesthesiologist's consultation and direction, order perioperative pharmaceutical agents, medications, and fluids, to be used only at the facility where ordered, including but not limited to controlled substances, which may be administered prior to the cosignature of the supervising anesthesiologist. The supervising anesthesiologist may review and if required by the facility or institutional policy must cosign these orders in a timely manner;

(d) Changing or discontinuing a medical treatment plan, after consultation with the supervising anesthesiologist;

(e) Calibrating anesthesia delivery systems and obtaining and interpreting information from the systems and monitors, in consultation with an anesthesiologist;

(f) Assisting the supervising anesthesiologist with the implementation of medically accepted monitoring techniques;

(g) Assisting with basic and advanced airway interventions, including but not limited to endotracheal intubation, laryngeal mask insertion, and other advanced airways techniques;

(h) Establishing peripheral intravenous lines, including subcutaneous lidocaine use;

(i) Establishing radial and dorsalis pedis arterial lines;

(j) Assisting with general anesthesia, including induction, maintenance, and emergence;

(k) Assisting with procedures associated with general anesthesia, such as but not limited to gastric intubation;

(l) Administering intermittent vasoactive drugs and starting and titrating vasoactive infusions for the treatment of patient responses to anesthesia;

(m) Assisting with spinal and intravenous regional anesthesia;

(n) Maintaining and managing established neuraxial epidurals and regional anesthesia;

(o) Assisting with monitored anesthesia care;

(p) Evaluating and managing patient controlled analgesia, epidural catheters, and peripheral nerve catheters;

(q) Obtaining venous and arterial blood samples;

(r) Assisting with, ordering, and interpreting appropriate preoperative, point of care, intraoperative, or postoperative diagnostic tests or procedures as authorized by the supervising anesthesiologist;

(s) Obtaining and administering perioperative anesthesia and related pharmaceutical agents including intravenous fluids and blood products;

(t) Participating in management of the patient while in the preoperative suite and recovery area;

(u) Providing assistance to a cardiopulmonary resuscitation team in response to a life-threatening situation;

(v) Participating in administrative, research, and clinical teaching activities as authorized by the supervising anesthesiologist; and

(w) Assisting with such other tasks not prohibited by law under the supervision of a licensed anesthesiologist that an anesthesiologist assistant has been trained and is proficient to assist with.

(2) Nothing in this section shall be construed to prevent an anesthesiologist assistant from having access to and being able to obtain drugs as directed by the supervising anesthesiologist. An anesthesiologist assistant may not prescribe, order, compound, or dispense drugs, medications, or devices of any kind.

NEW SECTION.

**Sec. 5.**

No anesthesiologist who supervises a licensed anesthesiologist assistant in accordance with and within the terms of any permission granted by the commission is considered as aiding and abetting an unlicensed person to practice medicine. The supervising anesthesiologist and anesthesiologist assistant shall retain professional and personal responsibility for any act which constitutes the practice of medicine as defined in RCW 18.71.011 when performed by the anesthesiologist assistant.

NEW SECTION.

**Sec. 6.**

An anesthesiologist assistant may sign and attest to any certificates, cards, forms, or other required documentation that the anesthesiologist assistant's supervising anesthesiologist may sign, provided that it is within the anesthesiologist assistant's scope of practice.

NEW SECTION.

**Sec. 7.**

(1) The uniform disciplinary act, chapter 18.130 RCW, governs the issuance and denial of licenses and the discipline of licensees under this chapter.

(2) The commission shall consult with the board of osteopathic medicine and surgery when investigating allegations of unprofessional conduct against a licensee who has a supervising anesthesiologist license under chapter 18.57 RCW.

**Sec. 8.** RCW 18.130.040 and 2023 c 469 s 18, 2023 c 460 s 15, 2023 c 425 s 27, 2023 c 270 s 14, 2023 c 175 s 11, and 2023 c 123 s 21 are each reenacted and amended to read as follows:

(1) This chapter applies only to the secretary and the boards and commissions having jurisdiction in relation to the professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2)(a) The secretary has authority under this chapter in relation to the following professions:

(i) Dispensing opticians licensed and designated apprentices under chapter 18.34 RCW;

(ii) Midwives licensed under chapter 18.50 RCW;

(iii) Ocularists licensed under chapter 18.55 RCW;

(iv) Massage therapists and businesses licensed under chapter 18.108 RCW;

(v) Dental hygienists licensed under chapter 18.29 RCW;

(vi) Acupuncturists or acupuncture and Eastern medicine practitioners licensed under chapter 18.06 RCW;

(vii) Radiologic technologists certified and X-ray technicians registered under chapter 18.84 RCW;

(viii) Respiratory care practitioners licensed under chapter 18.89 RCW;

(ix) Hypnotherapists registered, agency affiliated counselors registered, certified, or licensed, and advisors and counselors certified under chapter 18.19 RCW;

(x) Persons licensed as mental health counselors, mental health counselor associates, marriage and family therapists, marriage and family therapist associates, social workers, social work associates—advanced, and social work associates— independent clinical under chapter 18.225 RCW;

(xi) Persons registered as nursing pool operators under chapter 18.52C RCW;

(xii) Nursing assistants registered or certified or medication assistants endorsed under chapter 18.88A RCW;

(xiii) Dietitians and nutritionists certified under chapter 18.138 RCW;

(xiv) Substance use disorder professionals, substance use disorder professional trainees, or co-occurring disorder specialists certified under chapter 18.205 RCW;

(xv) Sex offender treatment providers and certified affiliate sex offender treatment providers certified under chapter 18.155 RCW;

(xvi) Persons licensed and certified under chapter 18.73 RCW or RCW 18.71.205;

(xvii) Orthotists and prosthetists licensed under chapter 18.200 RCW;

(xviii) Surgical technologists registered under chapter 18.215 RCW;

(xix) Recreational therapists under chapter 18.230 RCW;

(xx) Animal massage therapists certified under chapter 18.240 RCW;

(xxi) Athletic trainers licensed under chapter 18.250 RCW;

(xxii) Home care aides certified under chapter 18.88B RCW;

(xxiii) Genetic counselors licensed under chapter 18.290 RCW;

(xxiv) Reflexologists certified under chapter 18.108 RCW;

(xxv) Medical assistants-certified, medical assistants-hemodialysis technician, medical assistants-phlebotomist, forensic phlebotomist, and medical assistants-registered certified and registered under chapter 18.360 RCW;

(xxvi) Behavior analysts, assistant behavior analysts, and behavior technicians under chapter 18.380 RCW;

(xxvii) Birth doula certified under chapter 18.47 RCW;

(xxviii) Music therapists licensed under chapter 18.233 RCW;

(xxix) Behavioral health support specialists certified under chapter 18.227 RCW; and

(xxx) Certified peer specialists and certified peer specialist trainees under chapter 18.420 RCW.

(b) The boards and commissions having authority under this chapter are as follows:

(i) The podiatric medical board as established in chapter 18.22 RCW;

(ii) The chiropractic quality assurance commission as established in chapter 18.25 RCW;

(iii) The dental quality assurance commission as established in chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW, licenses and registrations issued under chapter 18.260 RCW, licenses issued under chapter 18.265 RCW, and certifications issued under chapter 18.350 RCW;

(iv) The board of hearing and speech as established in chapter 18.35 RCW;

(v) The board of examiners for nursing home administrators as established in chapter 18.52 RCW;

(vi) The optometry board as established in chapter 18.54 RCW governing licenses issued under chapter 18.53 RCW;

(vii) The board of osteopathic medicine and surgery as established in chapter 18.57 RCW governing licenses issued under chapter 18.57 RCW;

(viii) The pharmacy quality assurance commission as established in chapter 18.64 RCW governing licenses issued under chapters 18.64 and 18.64A RCW;

(ix) The Washington medical commission as established in chapter 18.71 RCW governing licenses and registrations issued under chapters 18.71 ((and)) 18.71A ((RCW)) and 18.--- RCW (the new chapter created in section 10 of this act);

(x) The board of physical therapy as established in chapter 18.74 RCW;

(xi) The board of occupational therapy practice as established in chapter 18.59 RCW;

(xii) The board of nursing as established in chapter 18.79 RCW governing licenses and registrations issued under that chapter and under chapter 18.80 RCW;

(xiii) The examining board of psychology and its disciplinary committee as established in chapter 18.83 RCW;

(xiv) The veterinary board of governors as established in chapter 18.92 RCW;

(xv) The board of naturopathy established in chapter 18.36A RCW, governing licenses and certifications issued under that chapter; and

(xvi) The board of denturists established in chapter 18.30 RCW.

(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses. The disciplining authority may also grant a license subject to conditions.

(4) All disciplining authorities shall adopt procedures to ensure substantially consistent application of this chapter, the uniform disciplinary act, among the disciplining authorities listed in subsection (2) of this section.

**Sec. 9.** RCW 18.120.020 and 2023 c 460 s 14 and 2023 c 175 s 9 are each reenacted and amended to read as follows:

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

(1) "Applicant group" includes any health professional group or organization, any individual, or any other interested party which proposes that any health professional group not presently regulated be regulated or which proposes to substantially increase the scope of practice of the profession.

(2) "Certificate" and "certification" mean a voluntary process by which a statutory regulatory entity grants recognition to an individual who (a) has met certain prerequisite qualifications specified by that regulatory entity, and (b) may assume or use "certified" in the title or designation to perform prescribed health professional tasks.

(3) "Grandfather clause" means a provision in a regulatory statute applicable to practitioners actively engaged in the regulated health profession prior to the effective date of the regulatory statute which exempts the practitioners from meeting the prerequisite qualifications set forth in the regulatory statute to perform prescribed occupational tasks.

(4) "Health professions" means and includes the following health and health-related licensed or regulated professions and occupations: Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW; dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW; dental anesthesia assistants under chapter 18.350 RCW; dispensing opticians under chapter 18.34 RCW; hearing instruments under chapter 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and funeral directing under chapter 18.39 RCW; midwifery under chapter 18.50 RCW; nursing home administration under chapter 18.52 RCW; optometry under chapters 18.53 and 18.54 RCW; ophthalmologists under chapter 18.55 RCW; osteopathic medicine and surgery under chapter 18.57 RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine under chapters 18.71 and 18.71A RCW; emergency medicine under chapter 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses under chapter 18.79 RCW; psychologists under chapter 18.83 RCW;

registered nurses under chapter 18.79 RCW; occupational therapists licensed under chapter 18.59 RCW; respiratory care practitioners licensed under chapter 18.89 RCW; veterinarians and veterinary technicians under chapter 18.92 RCW; massage therapists under chapter 18.108 RCW; acupuncturists or acupuncture and Eastern medicine practitioners licensed under chapter 18.06 RCW; persons registered under chapter 18.19 RCW; persons licensed as mental health counselors, marriage and family therapists, and social workers under chapter 18.225 RCW; dietitians and nutritionists certified by chapter 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing assistants registered or certified under chapter 18.88A RCW; reflexologists certified under chapter 18.108 RCW; medical assistants-certified, medical assistants-hemodialysis technician, medical assistants-phlebotomist, forensic phlebotomist, and medical assistants-registered certified and registered under chapter 18.360 RCW; licensed behavior analysts, licensed assistant behavior analysts, and certified behavior technicians under chapter 18.380 RCW; music therapists licensed under chapter 18.233 RCW; ~~((and)) dental therapists licensed under chapter 18.265 RCW; and anesthesiologist assistants licensed under chapter 18.---~~ RCW (the new chapter created in section 10 of this act).

(5) "Inspection" means the periodic examination of practitioners by a state agency in order to ascertain whether the practitioners' occupation is being carried out in a fashion consistent with the public health, safety, and welfare.

(6) "Legislative committees of reference" means the standing legislative committees designated by the respective rules committees of the senate and house of representatives to consider proposed legislation to regulate health professions not previously regulated.

(7) "License," "licensing," and "licensure" mean permission to engage in a health profession which would otherwise be unlawful in the state in the absence of the permission. A license is granted to those individuals who meet prerequisite qualifications to perform prescribed health professional tasks and for the use of a particular title.

(8) "Practitioner" means an individual who (a) has achieved knowledge and skill by practice, and (b) is actively engaged in a specified health profession.

(9) "Professional license" means an individual, nontransferable authorization to carry on a health activity based on qualifications which include: (a) Graduation from an accredited or approved program, and (b) acceptable performance on a qualifying examination or series of examinations.

(10) "Public member" means an individual who is not, and never was, a member of the health profession being regulated or the spouse of a member, or an individual who does not have and never has had a material financial interest in either the rendering of the health professional service being regulated or an activity directly related to the profession being regulated.

(11) "Registration" means the formal notification which, prior to rendering services, a practitioner shall submit to a state agency setting forth the name and address of the practitioner; the location, nature and operation of the health activity to be practiced; and, if required by the regulatory entity, a description of the service to be provided.

(12) "Regulatory entity" means any board, commission, agency, division, or other unit or subunit of state government which regulates one or more professions, occupations, industries, businesses, or other endeavors in this state.

(13) "State agency" includes every state office, department, board, commission, regulatory entity, and agency of the state, and, where provided by law, programs and activities involving less than the full responsibility of a state agency.

NEW SECTION. **Sec. 10.** Sections 1 through 7 of this act constitute a new chapter in Title 18 RCW."

Correct the title.

Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Davis; Harris; Macri; Maycumber; Stonier; Thai and Tharinger.

MINORITY recommendation: Without recommendation. Signed by Representatives Bronoske; Caldier; Graham; Mosbrucker; Orwall; and Simmons.

Referred to Committee on Rules for second reading

February 21, 2024

E2SSB 5213 Prime Sponsor, Ways & Means: Concerning pharmacy benefit managers. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 48.200.020 and 2020 c 240 s 2 are each amended to read as follows:

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

(1) "Affiliate" or "affiliated employer" means a person who directly or indirectly through one or more intermediaries, controls or is controlled by, or is under common control with, another specified person.

(2) "Certification" has the same meaning as in RCW 48.43.005.

(3) "Employee benefits programs" means programs under both the public employees' benefits board established in RCW 41.05.055 and the school employees' benefits board established in RCW 41.05.740.

(4)(a) "Health care benefit manager" means a person or entity providing services to, or acting on behalf of, a health carrier or employee benefits programs, that directly or indirectly impacts the determination or utilization of benefits for, or patient access to, health care services, drugs, and supplies including, but not limited to:



(i) Prior authorization or preauthorization of benefits or care;

(ii) Certification of benefits or care;

(iii) Medical necessity determinations;

(iv) Utilization review;

(v) Benefit determinations;

(vi) Claims processing and repricing for services and procedures;

(vii) Outcome management;

(viii) ~~((Provider credentialing and recertification;~~

~~(ix))~~ Payment or authorization of payment to providers and facilities for services or procedures;

~~((x))~~ (ix) Dispute resolution, grievances, or appeals relating to determinations or utilization of benefits;

~~((xi))~~ (x) Provider network management;

or

~~((xii))~~ (xi) Disease management.

(b) "Health care benefit manager" includes, but is not limited to, health care benefit managers that specialize in specific types of health care benefit management such as pharmacy benefit managers, radiology benefit managers, laboratory benefit managers, and mental health benefit managers.

(c) "Health care benefit manager" does not include:

(i) Health care service contractors as defined in RCW 48.44.010;

(ii) Health maintenance organizations as defined in RCW 48.46.020;

(iii) Issuers as defined in RCW 48.01.053;

(iv) The public employees' benefits board established in RCW 41.05.055;

(v) The school employees' benefits board established in RCW 41.05.740;

(vi) Discount plans as defined in RCW 48.155.010;

(vii) Direct patient-provider primary care practices as defined in RCW 48.150.010;

(viii) An employer administering its employee benefit plan or the employee benefit plan of an affiliated employer under common management and control;

(ix) A union, either on its own or jointly with an employer, administering a benefit plan on behalf of its members;

(x) An insurance producer selling insurance or engaged in related activities within the scope of the producer's license;

(xi) A creditor acting on behalf of its debtors with respect to insurance, covering a debt between the creditor and its debtors;

(xii) A behavioral health administrative services organization or other county-managed entity that has been approved by the state health care authority to perform delegated functions on behalf of a carrier;

(xiii) A hospital licensed under chapter 70.41 RCW or ambulatory surgical facility licensed under chapter 70.230 RCW, to the extent that it performs provider credentialing or recertification, but no other functions of a health care benefit manager as described in subsection (4)(a) of this section;

(xiv) The Robert Bree collaborative under chapter 70.250 RCW;

(xv) The health technology clinical committee established under RCW 70.14.090;

~~((xvi))~~

(xvi) The prescription drug purchasing consortium established under RCW 70.14.060; or

(xvii) Any other entity that performs provider credentialing or recertification, but no other functions of a health care benefit manager as described in subsection (4)(a) of this section.

(5) "Health care provider" or "provider" has the same meaning as in RCW 48.43.005.

(6) "Health care service" has the same meaning as in RCW 48.43.005.

(7) "Health carrier" or "carrier" has the same meaning as in RCW 48.43.005.

(8) "Laboratory benefit manager" means a person or entity providing service to, or acting on behalf of, a health carrier, employee benefits programs, or another entity under contract with a carrier, that directly or indirectly impacts the determination or utilization of benefits for, or patient access to, health care services, drugs, and supplies relating to the use of clinical laboratory services and includes any requirement for a health care provider to submit a notification of an order for such services.

(9) "Mental health benefit manager" means a person or entity providing service to, or acting on behalf of, a health carrier, employee benefits programs, or another entity under contract with a carrier, that directly or indirectly impacts the determination of utilization of benefits for, or patient access to, health care services, drugs, and supplies relating to the use of mental health services and includes any requirement for a health care provider to submit a notification of an order for such services.

(10) "Network" means the group of participating providers, pharmacies, and suppliers providing health care services, drugs, or supplies to beneficiaries of a particular carrier or plan.

(11) "Person" includes, as applicable, natural persons, licensed health care providers, carriers, corporations, companies, trusts, unincorporated associations, and partnerships.

(12)(a) "Pharmacy benefit manager" means a person that contracts with pharmacies on behalf of ~~((an insurer, a third-party payer, or the prescription drug purchasing consortium established under RCW 70.14.060))~~ a health carrier, employee benefits program, or medicaid managed care program to:

(i) Process claims for prescription drugs or medical supplies or provide retail network management for pharmacies or pharmacists;

(ii) Pay pharmacies or pharmacists for prescription drugs or medical supplies;

(iii) Negotiate rebates, discounts, or other price concessions with manufacturers for drugs paid for or procured as described in this subsection;

(iv) ~~((Manage))~~ Establish or manage pharmacy networks; or

(v) Make credentialing determinations.

(b) "Pharmacy benefit manager" does not include a health care service contractor as defined in RCW 48.44.010.

(13)(a) "Radiology benefit manager" means any person or entity providing service to,

or acting on behalf of, a health carrier, employee benefits programs, or another entity under contract with a carrier, that directly or indirectly impacts the determination or utilization of benefits for, or patient access to, the services of a licensed radiologist or to advanced diagnostic imaging services including, but not limited to:

(i) Processing claims for services and procedures performed by a licensed radiologist or advanced diagnostic imaging service provider; or

(ii) Providing payment or payment authorization to radiology clinics, radiologists, or advanced diagnostic imaging service providers for services or procedures.

(b) "Radiology benefit manager" does not include a health care service contractor as defined in RCW 48.44.010, a health maintenance organization as defined in RCW 48.46.020, or an issuer as defined in RCW 48.01.053.

(14) "Utilization review" has the same meaning as in RCW 48.43.005.

(15) "Covered person" has the same meaning as in RCW 48.43.005.

(16) "Mail order pharmacy" means a pharmacy that primarily dispenses prescription drugs to patients through the mail or common carrier.

(17) "Pharmacy network" means the pharmacies located in the state or licensed under chapter 18.64 RCW and contracted by a pharmacy benefit manager to dispense prescription drugs to covered persons.

**Sec. 2.** RCW 48.200.030 and 2020 c 240 s 3 are each amended to read as follows:

(1) To conduct business in this state, a health care benefit manager must register with the commissioner and annually renew the registration.

(2) To apply for registration with the commissioner under this section, a health care benefit manager must:

(a) Submit an application on forms and in a manner prescribed by the commissioner and verified by the applicant by affidavit or declaration under chapter 5.50 RCW. Applications must contain at least the following information:

(i) The identity of the health care benefit manager and of persons with any ownership or controlling interest in the applicant including relevant business licenses and tax identification numbers, and the identity of any entity that the health care benefit manager has a controlling interest in;

(ii) The business name, address, phone number, and contact person for the health care benefit manager;

(iii) Any areas of specialty such as pharmacy benefit management, radiology benefit management, laboratory benefit management, mental health benefit management, or other specialty;

(iv) A copy of the health care benefit manager's certificate of registration with the Washington state secretary of state; and

~~((iv))~~ (v) Any other information as the commissioner may reasonably require.

(b) Pay an initial registration fee and annual renewal registration fee as established in rule by the commissioner. The fees for each registration must be set by the commissioner in an amount that ensures the registration, renewal, and oversight activities are self-supporting. If one health care benefit manager has a contract with more than one carrier, the health care benefit manager must complete only one application providing the details necessary for each contract.

(3) All receipts from fees collected by the commissioner under this section must be deposited into the insurance commissioner's regulatory account created in RCW 48.02.190.

(4) Before approving an application for or renewal of a registration, the commissioner must find that the health care benefit manager:

(a) Has not committed any act that would result in denial, suspension, or revocation of a registration;

(b) Has paid the required fees; and

(c) Has the capacity to comply with, and has designated a person responsible for, compliance with state and federal laws.

(5) Any material change in the information provided to obtain or renew a registration must be filed with the commissioner within thirty days of the change.

(6) Every registered health care benefit manager must retain a record of all transactions completed for a period of not less than seven years from the date of their creation. All such records as to any particular transaction must be kept available and open to inspection by the commissioner during the seven years after the date of completion of such transaction.

**Sec. 3.** RCW 48.200.050 and 2020 c 240 s 5 are each amended to read as follows:

(1) Upon notifying a carrier or health care benefit manager of an inquiry or complaint filed with the commissioner pertaining to the conduct of a health care benefit manager identified in the inquiry or complaint, the commissioner must provide notice of the inquiry or complaint (~~(concurrently))~~ to the health care benefit manager (~~(and)~~). Notice must also be sent to any carrier to which the inquiry or complaint pertains. The commissioner shall respond to and investigate complaints related to the conduct of a health care benefit manager subject to this chapter directly, without requiring that the complaint be pursued exclusively through a contracting carrier.

(2) Upon receipt of an inquiry from the commissioner, a health care benefit manager must provide to the commissioner within fifteen business days, in the form and manner required by the commissioner, a complete response to that inquiry including, but not limited to, providing a statement or testimony, producing its accounts, records, and files, responding to complaints, or responding to surveys and general requests. Failure to make a complete or timely response constitutes a violation of this chapter.

(3) Subject to chapter 48.04 RCW, if the commissioner finds that a health care benefit manager or any person responsible for the conduct of the health care benefit manager's affairs has:

(a) Violated any provision of this chapter or insurance law, or violated any rule, subpoena, or order of the commissioner or of another state's insurance commissioner;

(b) Failed to renew the health care benefit manager's registration;

(c) Failed to pay the registration or renewal fees;

(d) Provided incorrect, misleading, incomplete, or materially untrue information to the commissioner, to a carrier, or to a beneficiary;

(e) Used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, or financial irresponsibility in this state or elsewhere; or

(f) Had a health care benefit manager registration, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory; the commissioner may take any combination of the following actions against a health care benefit manager or any person responsible for the conduct of the health care benefit manager's affairs, other than an employee benefits program:

(i) Place on probation, suspend, revoke, or refuse to issue or renew the health care benefit manager's registration;

(ii) Issue a cease and desist order against the health care benefit manager (~~and~~), contracting carrier, or both;

(iii) Fine the health care benefit manager up to five thousand dollars per violation, and the contracting carrier is subject to a fine for acts conducted under the contract;

(iv) Issue an order requiring corrective action against the health care benefit manager, the contracting carrier acting with the health care benefit manager, or both the health care benefit manager and the contracting carrier acting with the health care benefit manager; and

(v) Temporarily suspend the health care benefit manager's registration by an order served by mail or by personal service upon the health care benefit manager not less than three days prior to the suspension effective date. The order must contain a notice of revocation and include a finding that the public safety or welfare requires emergency action. A temporary suspension under this subsection (3)(f)(v) continues until proceedings for revocation are concluded.

(4) A stay of action is not available for actions the commissioner takes by cease and desist order, by order on hearing, or by temporary suspension.

(5)(a) Health carriers and employee benefits programs are responsible for the compliance of any person or organization acting directly or indirectly on behalf of or at the direction of the carrier or program, or acting pursuant to carrier or program standards or requirements concerning the coverage of, payment for, or provision of health care benefits, services, drugs, and supplies.

(b) A carrier or program contracting with a health care benefit manager is responsible for the health care benefit manager's violations of this chapter, including a health care benefit manager's failure to produce records requested or required by the commissioner.

(c) No carrier or program may offer as a defense to a violation of any provision of this chapter that the violation arose from the act or omission of a health care benefit manager, or other person acting on behalf of or at the direction of the carrier or program, rather than from the direct act or omission of the carrier or program.

**Sec. 4.** RCW 48.200.210 and 2020 c 240 s 10 are each amended to read as follows:

The definitions in this section apply throughout this section and RCW 48.200.220 through 48.200.290 unless the context clearly requires otherwise.

(1) "Audit" means an on-site or remote review of the records of a pharmacy by or on behalf of an entity.

(2) "Claim" means a request from a pharmacy or pharmacist to be reimbursed for the cost of filling or refilling a prescription for a drug or for providing a medical supply or service.

(3) "Clerical error" means a minor error:

(a) In the keeping, recording, or transcribing of records or documents or in the handling of electronic or hard copies of correspondence;

(b) That does not result in financial harm to an entity; and

(c) That does not involve dispensing an incorrect dose, amount, or type of medication, failing to dispense a medication, or dispensing a prescription drug to the wrong person.

(4) "Entity" includes:

(a) A pharmacy benefit manager;

(b) An insurer;

(c) A third-party payor;

(d) A state agency; or

(e) A person that represents or is employed by one of the entities described in this subsection.

(5) "Fraud" means knowingly and willfully executing or attempting to execute a scheme, in connection with the delivery of or payment for health care benefits, items, or services, that uses false or misleading pretenses, representations, or promises to obtain any money or property owned by or under the custody or control of any person.

(6) "Pharmacist" has the same meaning as in RCW 18.64.011.

(7) "Pharmacy" has the same meaning as in RCW 18.64.011.

(8) "Third-party payor" means a person licensed under RCW 48.39.005.

**Sec. 5.** RCW 48.200.280 and 2020 c 240 s 15 are each amended to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "List" means the list of drugs for which (~~predetermined~~) reimbursement costs have been established (~~(, such as a maximum allowable cost or maximum allowable cost list or any other benchmark prices utilized~~

by the pharmacy benefit manager and must include the basis of the methodology and sources utilized) to determine (~~multisource generic drug~~) reimbursement amounts.

(b) "Multiple source drug" means (~~a therapeutically equivalent drug that is available from at least two manufacturers~~) any covered outpatient prescription drug for which there is at least one other drug product that is rated as therapeutically equivalent under the food and drug administration's most recent publication of "Approved Drug Products with Therapeutic Equivalence Evaluations"; is pharmaceutically equivalent or bioequivalent, as determined by the food and drug administration; and is sold or marketed in the state.

(c) (~~"Multisource generic drug" means any covered outpatient prescription drug for which there is at least one other drug product that is rated as therapeutically equivalent under the food and drug administration's most recent publication of "Approved Drug Products with Therapeutic Equivalence Evaluations;" is pharmaceutically equivalent or bioequivalent, as determined by the food and drug administration; and is sold or marketed in the state during the period.~~)

(~~d~~) "Network pharmacy" means a retail drug outlet licensed as a pharmacy under RCW 18.64.043 that contracts with a pharmacy benefit manager.

(~~e~~) (~~d~~) "Therapeutically equivalent" has the same meaning as in RCW 69.41.110.

(2) A pharmacy benefit manager:

(a) May not place a drug on a list unless there are at least two therapeutically equivalent multiple source drugs, or at least one generic drug available from only one manufacturer, generally available for purchase by network pharmacies from national or regional wholesalers;

(b) Shall ensure that all drugs on a list are readily available for purchase by pharmacies in this state from national or regional wholesalers that serve pharmacies in Washington;

(c) Shall ensure that all drugs on a list are not obsolete;

(d) Shall make available to each network pharmacy at the beginning of the term of a contract, and upon renewal of a contract, the sources utilized to determine the (~~predetermined~~) reimbursement costs for (~~multisource generic~~) multiple source drugs of the pharmacy benefit manager;

(e) Shall make a list available to a network pharmacy upon request in a format that is readily accessible to and usable by the network pharmacy;

(f) Shall update each list maintained by the pharmacy benefit manager every seven business days and make the updated lists, including all changes in the price of drugs, available to network pharmacies in a readily accessible and usable format;

(g) Shall ensure that dispensing fees are not included in the calculation of the (~~predetermined~~) reimbursement costs for (~~multisource generic~~) multiple source drugs;

(h) May not cause or knowingly permit the use of any advertisement, promotion,

solicitation, representation, proposal, or offer that is untrue, deceptive, or misleading;

(i) May not charge a pharmacy a fee related to the adjudication of a claim, credentialing, participation, certification, accreditation, or enrollment in a network including, but not limited to, a fee for the receipt and processing of a pharmacy claim, for the development or management of claims processing services in a pharmacy benefit manager network, or for participating in a pharmacy benefit manager network, and may not condition or link restrictions on fees related to credentialing, participation, certification, or enrollment in a pharmacy benefit manager's pharmacy network with a pharmacy's inclusion in the pharmacy benefit manager's pharmacy network for other lines of business;

(j) May not require accreditation standards inconsistent with or more stringent than accreditation standards established by a national accreditation organization;

(k) May not reimburse a pharmacy in the state an amount less than the amount the pharmacy benefit manager reimburses an affiliate for providing the same pharmacy services; (~~and~~)

(l) May not directly or indirectly retroactively deny or reduce a claim or aggregate of claims after the claim or aggregate of claims has been adjudicated, unless:

(i) The original claim was submitted fraudulently; or

(ii) The denial or reduction is the result of a pharmacy audit conducted in accordance with RCW 48.200.220; and

(m) May not exclude a pharmacy from their pharmacy network based solely on the pharmacy being newly opened or open less than a defined amount of time, or because a license or location transfer occurs, unless there is a pending investigation for fraud, waste, and abuse.

(3) A pharmacy benefit manager must establish a process by which a network pharmacy, or its representative, may appeal its reimbursement for a drug (~~subject to predetermined reimbursement costs for multisource generic drugs~~). A network pharmacy may appeal a (~~predetermined reimbursement cost~~) reimbursement amount paid by a pharmacy benefit manager for a (~~multisource generic~~) drug if the reimbursement for the drug is less than the net amount that the network pharmacy paid to the supplier of the drug. An appeal requested under this section must be completed within thirty calendar days of the pharmacy submitting the appeal. If after thirty days the network pharmacy has not received the decision on the appeal from the pharmacy benefit manager, then the appeal is considered denied.

The pharmacy benefit manager shall uphold the appeal of a pharmacy with fewer than fifteen retail outlets, within the state of Washington, under its corporate umbrella if the pharmacy or pharmacist can demonstrate that it is unable to purchase a therapeutically equivalent interchangeable product from a supplier doing business in

Washington at the pharmacy benefit manager's list price.

(4) Before a pharmacy or pharmacist files an appeal pursuant to this section, upon request by a pharmacy or pharmacist, a pharmacy benefit manager must provide a current and accurate list of bank identification numbers, processor control numbers, and pharmacy group identifiers for health plans and self-funded group health plans that have opted in to sections 5, 7, and 8 of this act pursuant to section 9 of this act with which the pharmacy benefit manager either has a current contract or had a contract that has been terminated within the past 12 months to provide pharmacy benefit management services.

(5) A pharmacy benefit manager must provide as part of the appeals process established under subsection (3) of this section:

(a) A telephone number at which a network pharmacy may contact the pharmacy benefit manager and speak with an individual who is responsible for processing appeals; and

(b) If the appeal is denied, the reason for the denial and the national drug code of a drug that has been purchased by other network pharmacies located in Washington at a price that is equal to or less than the ~~((predetermined))~~ reimbursement ~~((cost))~~ amount paid by the pharmacy benefit manager for the ~~((multisource generic))~~ drug. A pharmacy with ~~((fifteen))~~ 15 or more retail outlets, within the state of Washington, under its corporate umbrella may submit information to the commissioner about an appeal under subsection (3) of this section for purposes of information collection and analysis.

~~((5))~~ (6)(a) If an appeal is upheld under this section, the pharmacy benefit manager shall make a reasonable adjustment on a date no later than one day after the date of determination.

(b) If the request for an adjustment has come from a critical access pharmacy, as defined by the state health care authority by rule for purposes related to the prescription drug purchasing consortium established under RCW 70.14.060, the adjustment approved under (a) of this subsection shall apply only to critical access pharmacies.

~~((6))~~ (7) Beginning July 1, 2017, if a network pharmacy appeal to the pharmacy benefit manager is denied, or if the network pharmacy is unsatisfied with the outcome of the appeal, the pharmacy or pharmacist may dispute the decision and request review by the commissioner within thirty calendar days of receiving the decision.

(a) All relevant information from the parties may be presented to the commissioner, and the commissioner may enter an order directing the pharmacy benefit manager to make an adjustment to the disputed claim, deny the pharmacy appeal, or take other actions deemed fair and equitable. An appeal requested under this section must be completed within thirty calendar days of the request.

(b) Upon resolution of the dispute, the commissioner shall provide a copy of the decision to both parties within seven calendar days.

(c) The commissioner may authorize the office of administrative hearings, as provided in chapter 34.12 RCW, to conduct appeals under this subsection ~~((6))~~ (7).

(d) A pharmacy benefit manager may not retaliate against a pharmacy for pursuing an appeal under this subsection ~~((6))~~ (7).

(e) This subsection ~~((6))~~ (7) applies only to a pharmacy with fewer than fifteen retail outlets, within the state of Washington, under its corporate umbrella.

~~((7))~~ (8) This section does not apply to the state medical assistance program.

**NEW SECTION. Sec. 6.** A new section is added to chapter 48.200 RCW to read as follows:

(1) Each health care benefit manager must appoint the commissioner as its attorney to receive service of, and upon whom must be served, all legal process issued against it in this state for causes of action arising within this state. Service upon the commissioner as attorney constitutes service upon the health care benefit manager. Service of legal process against the health care benefit manager can be had only by service upon the commissioner, except actions upon contractor bonds pursuant to RCW 18.27.040, where service may be upon the department of labor and industries.

(2) With the appointment the health care benefit manager must designate by name, email address, and address the person to whom the commissioner must forward legal process so served upon them. The health care benefit manager may change the person by filing a new designation.

(3) The health care benefit manager must keep the designation, address, and email address filed with the commissioner current.

(4) The appointment of the commissioner as attorney is irrevocable, binds any successor in interest or to the assets or liabilities of the health care benefit manager, and remains in effect as long as there is in force in this state any contract made by the health care benefit manager or liabilities or duties arising therefrom.

(5) The service of process must be accomplished and processed in the manner prescribed under RCW 48.02.200.

**NEW SECTION. Sec. 7.** A new section is added to chapter 48.200 RCW to read as follows:

(1) A pharmacy benefit manager may not:

(a) Reimburse a network pharmacy an amount less than the contract price between the pharmacy benefit manager and the insurer, third-party payor, or the prescription drug purchasing consortium the pharmacy benefit manager has contracted with;

(b) Require a covered person to pay more at the point of sale for a covered prescription drug than is required under RCW 48.43.430; or

(c) Require or coerce a patient to use their owned or affiliated pharmacies.

(2) A pharmacy benefit manager shall:

(a) Apply the same utilization review, fees, days allowance, and other conditions upon a covered person when the covered person obtains a prescription drug from a

pharmacy that is included in the pharmacy benefit manager's pharmacy network, including mail order pharmacies;

(b) Permit the covered person to receive delivery or mail order of a prescription drug through any network pharmacy that is not primarily engaged in dispensing prescription drugs to patients through the mail or common carrier; and

(c) For new prescriptions issued after the effective date of this section, receive affirmative authorization from a covered person before filling prescriptions through a mail order pharmacy.

(3) If a covered person is using a mail order pharmacy, the pharmacy benefit manager shall:

(a) Allow for dispensing at local network pharmacies under the following circumstances to ensure patient access to prescription drugs:

(i) If the prescription is delayed more than one day after the expected delivery date provided by the mail order pharmacy; or

(ii) If the prescription drug arrives in an unusable condition; and

(b) Ensure patients have easy and timely access to prescription counseling by a pharmacist.

**NEW SECTION. Sec. 8.** A new section is added to chapter 48.200 RCW to read as follows:

(1) A pharmacy benefit manager may not retaliate against a pharmacist or pharmacy for disclosing information in a court, in an administrative hearing, or legislative hearing, if the pharmacist or pharmacy has a good faith belief that the disclosed information is evidence of a violation of a state or federal law, rule, or regulation.

(2) A pharmacy benefit manager may not retaliate against a pharmacist or pharmacy for disclosing information to a government or law enforcement agency, if the pharmacist or pharmacy has a good faith belief that the disclosed information is evidence of a violation of a state or federal law, rule, or regulation.

(3) A pharmacist or pharmacy shall make reasonable efforts to limit the disclosure of confidential and proprietary information.

(4) Retaliatory actions against a pharmacy or pharmacist include cancellation of, restriction of, or refusal to renew or offer a contract to a pharmacy solely because the pharmacy or pharmacist has:

(a) Made disclosures of information that the pharmacist or pharmacy believes is evidence of a violation of a state or federal law, rule, or regulation;

(b) Filed complaints with the plan or pharmacy benefit manager; or

(c) Filed complaints against the plan or pharmacy benefit manager with the commissioner.

**NEW SECTION. Sec. 9.** A new section is added to chapter 48.200 RCW to read as follows:

(1) Nothing in this act expands or restricts the entities subject to this chapter. Therefore, except as provided in subsection (2) of this section, this chapter continues to be inapplicable to a person or

entity providing services to, or acting on behalf of, a union or employer administering a self-funded group health plan governed by the provisions of the federal employee retirement income security act of 1974 (29 U.S.C. Sec. 1001 et seq.).

(2) Sections 5, 7, and 8 of this act apply to a pharmacy benefit manager's conduct pursuant to a contract with a self-funded group health plan governed by the provisions of the federal employee retirement income security act of 1974 (29 U.S.C. Sec. 1001 et seq.) only if the self-funded group health plan elects to participate in sections 5, 7, and 8 of this act. To elect to participate in these provisions, a self-funded group health plan or its administrator shall provide notice, on a periodic basis, to the commissioner in a manner and by a date prescribed by the commissioner, attesting to the plan's participation and agreeing to be bound by sections 5, 7, and 8 of this act. A self-funded group health plan or its administrator that elects to participate under this section, and any pharmacy benefit manager it contracts with, shall comply with sections 5, 7, and 8 of this act.

(3) The commissioner does not have enforcement authority related to a pharmacy benefit manager's conduct pursuant to a contract with a self-funded group health plan governed by the federal employee retirement income security act of 1974, 29 U.S.C. Sec. 1001 et seq., that elects to participate in sections 5, 7, and 8 of this act.

**Sec. 10.** RCW 41.05.017 and 2022 c 236 s 3, 2022 c 228 s 2, and 2022 c 10 s 2 are each reenacted and amended to read as follows:

Each health plan that provides medical insurance offered under this chapter, including plans created by insuring entities, plans not subject to the provisions of Title 48 RCW, and plans created under RCW 41.05.140, are subject to the provisions of RCW 48.43.500, 48.43.505, 48.43.535, 48.43.537, 48.43.545, 48.43.550, 48.43.555, 48.43.560, 48.43.565, 48.43.570, 48.43.575, 48.43.580, 48.43.585, 48.43.590, 48.43.595, 48.43.600, 48.43.605, 48.43.610, 48.43.615, 48.43.620, 48.43.625, 48.43.630, 48.43.635, 48.43.640, 48.43.645, 48.43.650, 48.43.655, 48.43.660, 48.43.665, 48.43.670, 48.43.675, 48.43.680, 48.43.685, 48.43.690, 48.43.695, 48.43.700, 48.43.705, 48.43.710, 48.43.715, 48.43.720, 48.43.725, 48.43.730, 48.43.735, 48.43.740, 48.43.745, 48.43.750, 48.43.755, 48.43.760, 48.43.765, 48.43.770, 48.43.775, 48.43.780, 48.43.785, 48.43.790, 48.43.795, 48.43.800, 48.43.805, 48.43.810, 48.43.815, 48.43.820, 48.43.825, 48.43.830, 48.43.835, 48.43.840, 48.43.845, 48.43.850, 48.43.855, 48.43.860, 48.43.865, 48.43.870, 48.43.875, 48.43.880, 48.43.885, 48.43.890, 48.43.895, 48.43.900, 48.43.905, 48.43.910, 48.43.915, 48.43.920, 48.43.925, 48.43.930, 48.43.935, 48.43.940, 48.43.945, 48.43.950, 48.43.955, 48.43.960, 48.43.965, 48.43.970, 48.43.975, 48.43.980, 48.43.985, 48.43.990, 48.43.995, 48.43.1000, 48.43.1005, 48.43.1010, 48.43.1015, 48.43.1020, 48.43.1025, 48.43.1030, 48.43.1035, 48.43.1040, 48.43.1045, 48.43.1050, 48.43.1055, 48.43.1060, 48.43.1065, 48.43.1070, 48.43.1075, 48.43.1080, 48.43.1085, 48.43.1090, 48.43.1095, 48.43.1100, 48.43.1105, 48.43.1110, 48.43.1115, 48.43.1120, 48.43.1125, 48.43.1130, 48.43.1135, 48.43.1140, 48.43.1145, 48.43.1150, 48.43.1155, 48.43.1160, 48.43.1165, 48.43.1170, 48.43.1175, 48.43.1180, 48.43.1185, 48.43.1190, 48.43.1195, 48.43.1200, 48.43.1205, 48.43.1210, 48.43.1215, 48.43.1220, 48.43.1225, 48.43.1230, 48.43.1235, 48.43.1240, 48.43.1245, 48.43.1250, 48.43.1255, 48.43.1260, 48.43.1265, 48.43.1270, 48.43.1275, 48.43.1280, 48.43.1285, 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MINORITY recommendation: Do not pass. Signed by Representatives Hutchins, Assistant Ranking Minority Member; and Harris.

MINORITY recommendation: Without recommendation. Signed by Representatives Bronoske; Graham; Mosbrucker; and Orwall.

Referred to Committee on Appropriations

February 20, 2024

**ESB 5241**

Prime Sponsor, Senator Randall: Concerning material changes to the operations and governance structure of participants in the health care marketplace. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** The legislature finds and declares that:

(1) The existence of accessible and affordable health care services that are responsive to the needs of the community is an important public policy goal.

(2) The COVID-19 pandemic laid bare both the crucial importance of our health care systems and the inequities that exist and exacerbate harm to marginalized communities, including in access to and delivery of affordable, quality care.

(3) Health entity mergers, acquisitions, and contracting affiliations impact cost, quality, and access to health care, and affect working conditions and employee benefits.

(4) Health entity mergers, acquisitions, and contracting affiliations have been shown to result in anticompetitive consequences, including higher prices and a lack of any meaningful choice among health care providers within a community or geographic region. These negative outcomes are exacerbated for those in rural areas with few health care providers.

(5) The legislature is committed to ensuring that Washingtonians have access to the full range of reproductive, end-of-life, and gender affirming health care services. Yet, Washingtonians continue to experience difficulty accessing gender affirming care, and health entity mergers and acquisitions in Washington state have resulted in material reductions in reproductive and end-of-life health care services, to the detriment of communities and patients.

(6) Health entity mergers, acquisitions, and contracting affiliations must improve rather than harm access to affordable quality health care.

**Sec. 2.** RCW 19.390.010 and 2019 c 267 s 1 are each amended to read as follows:

(1) It is the intent of the legislature to ensure that competition beneficial to consumers in health care markets across Washington remains vigorous and robust and that health care be affordable and accessible. The legislature supports ~~((that intent))~~ these intents through this chapter,

which provides the attorney general with notice of all material health care transactions in this state so that the attorney general has the information necessary to determine whether an investigation under the consumer protection act is warranted for potential anticompetitive conduct and consumer harm. This chapter is intended to supplement the federal Hart-Scott-Rodino antitrust improvements act, Title 15 U.S.C. Sec. 18a, by requiring notice of transactions not reportable under Hart-Scott-Rodino reporting thresholds and by providing the attorney general with a copy of any filings made pursuant to the Hart-Scott-Rodino act. In addition to ensuring vigorous and robust competition in health care markets, this chapter is also intended to ensure material change transactions result in the affected communities having the same or greater access to quality, affordable care, including emergency care, primary care, reproductive care, end-of-life care including services provided in accordance with chapter 70.245 RCW, and gender affirming care.

(2) Notwithstanding the language in this chapter regarding the attorney general's authority to determine the effect of a material change transaction on access to care, nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

**Sec. 3.** RCW 19.390.020 and 2019 c 267 s 2 are each amended to read as follows:

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

(1) "Acquisition" means an agreement, arrangement, or activity the consummation of which results in a person acquiring directly or indirectly the control of another person, and includes the acquisition of voting securities and noncorporate interests, such as assets, capital stock, membership interests, or equity interests.

(2) "Affiliate" means a person that directly, or indirectly through one or more intermediaries, controls or has ownership of, is controlled or owned by, or is under common control or ownership of a person. A provider organization that is not otherwise affiliated with a hospital or hospital system is not considered an affiliate of a hospital or hospital system solely on the basis that it contracts with the hospital or hospital system to provide facility-based services including, but not limited to, emergency, anesthesiology, pathology, radiology, or hospital services.

(3) "Carrier" means the same as in RCW 48.43.005.

~~((3))~~ (4) "Contracting affiliation" means the formation of a relationship between two or more entities that permits the entities to negotiate jointly with carriers or third-party administrators over

rates for professional medical services, or for one entity to negotiate on behalf of the other entity with carriers or third-party administrators over rates for professional medical services. "Contracting affiliation" does not include arrangements among entities under common ownership or arrangements where at least one entity in the arrangement is owned or operated by a state entity.

~~((4))~~(5) "Gender affirming care" means a service or product that a health care provider, as defined in RCW 70.02.010, prescribes to an individual to treat any condition related to the individual's gender identity and is prescribed in accordance with generally accepted standards of care. Gender affirming care must be covered in a manner compliant with the federal mental health parity and addiction equity act of 2008 and the federal patient protection and affordable care act of 2010. Gender affirming care can be prescribed to two spirit, transgender, nonbinary, intersex, and other gender diverse individuals.

(6) "Health care services" means medical, surgical, chiropractic, hospital, optometric, podiatric, pharmaceutical, ambulance, mental health, substance use disorder, therapeutic, preventative, diagnostic, curative, rehabilitative, palliative, custodial, and any other services relating to the prevention, cure, or treatment of illness, injury, or disease. Health care services may be provided virtually, on-demand, or in brick and mortar settings.

~~((5))~~ "Health care services revenue" means the total revenue received for health care services in the previous twelve months.

~~(6))~~(7) "Health care revenue" means combined Washington-derived revenue from health care services or administration from a party and all of its affiliates including, but not limited to, patient revenue and premiums paid to carriers, as applicable.

(8) "Health maintenance organization" means an organization receiving a certificate of registration pursuant to chapter 48.46 RCW which provides comprehensive health care services to enrolled participants of such organization on a group practice per capita prepayment basis or on a prepaid individual practice plan, except for an enrolled participant's responsibility for copayments and deductibles, either directly or through contractual or other arrangements with other institutions, entities, or persons, and which qualifies as a health maintenance organization pursuant to RCW 48.46.030 and 48.46.040.

~~((7))~~(9) "Hospital" means a facility licensed under chapter 70.41 or 71.12 RCW.

~~((8))~~(10) "Hospital system" means:

(a) A parent corporation of one or more hospitals and any entity affiliated with such parent corporation (~~through ownership or control~~); or

(b) A hospital and any entity affiliated with such hospital (~~through ownership~~).

~~((9))~~(11) "Merger" means a consolidation of two or more organizations, including two or more organizations joining through a common parent organization or two or more organizations forming a new

organization, but does not include a corporate reorganization.

~~((10))~~(12) "Person" means, where applicable, natural persons, corporations, trusts, and partnerships.

~~((11))~~(13) "Provider" means a natural person who practices a profession identified in RCW 18.130.040.

~~((12))~~(14) "Provider organization" means a corporation, partnership, business trust, association, or organized group of persons, whether incorporated or not, which is in the business of health care delivery or management and that represents seven or more health care providers in contracting with carriers or third-party administrators for the payments of health care services. A "provider organization" includes physician organizations, physician-hospital organizations, independent practice associations, provider networks, and accountable care organizations.

~~((13))~~(15) "Reproductive health care" means any medical services or treatments, including pharmaceutical and preventive care services or treatments, directly involved in the reproductive system and its processes, functions, and organs involved in reproduction, in all stages of life.

(16) "Successor persons" means persons formed by, resulting from, or surviving any material change transaction under this chapter.

(17) "Third-party administrator" means an entity that administers payments for health care services on behalf of a client in exchange for an administrative fee.

**Sec. 4.** RCW 19.390.030 and 2019 c 267 s 3 are each amended to read as follows:

(1) Not less than ~~((sixty))~~120 days prior to the effective date of any transaction that results in a material change, the parties to the transaction shall submit written notice to the attorney general of such material change transaction.

(2) For the purposes of this ~~((section))~~chapter, a material change transaction includes a merger, acquisition, or contracting affiliation (~~between~~):

(a) Between two or more ~~((entities))~~ of the following ~~((types))~~entities:

~~((a))~~(i) Hospitals;

~~((b))~~(ii) Hospital systems; or

~~((c))~~(iii) Provider organizations; or

(b) Between the following entities:

(i) An entity described in (a) of this subsection and a carrier or an insurance holding company system, as defined in RCW 48.31B.005; or

(ii) An entity described in (a) of this subsection and any other person or entity that has as its primary function the provision of health care services or that is a parent organization of, has control over, or governance of, an entity that has as its primary function the provision of health care services.

(3) A material change transaction includes proposed changes identified in subsection (2) of this section between ~~((a Washington entity and an out-of-state entity where the out-of-state entity generates ten million dollars or more in health care services revenue from patients residing in~~



~~Washington state, and the entities are of the types identified in subsection (2) of this section))~~ Washington entities. A material change transaction also includes transactions between Washington entities described in subsection (2)(a) of this section and out-of-state entities if the transaction will impact health care in Washington. Any party to a material change transaction that is licensed or operating in Washington state shall submit a notice as required under this section.

(4) For purposes of subsection (2) of this section, a merger, acquisition, or contracting affiliation between two or more ~~((hospitals, hospital systems, or provider organizations))~~ entities only qualifies as a material change transaction if the ((hospitals, hospital systems, or provider organizations)) entities did not previously have common ownership or a contracting affiliation.

**Sec. 5.** RCW 19.390.040 and 2019 c 267 s 4 are each amended to read as follows:

(1) ~~((The))~~ For material change transactions where none of the parties have generated \$25,000,000 or more in health care revenue in any of their preceding three fiscal years, the written notice provided by the parties, as required by RCW 19.390.030, must include:

(a) The names of the parties and their current business addresses;

(b) Identification of all locations where health care services are currently provided by each party and its affiliates;

(c) A brief description of the nature and purpose of the proposed material change transaction; and

(d) The anticipated effective date of the proposed material change transaction.

(2) For material change transactions where none of the parties are hospitals or hospital systems or an affiliate of a hospital or hospital system and all of the parties serve predominantly low-income, medically underserved individuals, and all of the parties had for each of their preceding three fiscal years at least 50 percent of their total patient revenue come from medicaid or local, state, or federal funding to provide care to uninsured or underinsured individuals, and the material change transaction would not result in materially lowering the overall level of care the successor persons' provide to individuals on medicaid or who are uninsured or underinsured, or cause, for the successor persons, the percentage of total patient revenue that comes from medicaid or local, state, or federal funding to provide care to uninsured or underinsured individuals to drop below 50 percent, the written notice provided by the parties, as required by RCW 19.390.030, must include:

(a) The information and documentation required under subsection (1)(a) through (d) of this section; and

(b) Documentation demonstrating that all the parties to the material change transaction had for each of their preceding three fiscal years at least 50 percent of their total patient revenue come from medicaid or local, state, or federal funding

to provide care to uninsured or underinsured individuals, and a statement from the parties describing how the material change transaction will result in the successor persons complying with the requirements under this subsection.

(3) For all material change transactions other than those specified under subsections (1) and (2) of this section, the written notice provided by the parties, as required by RCW 19.390.030, must include:

(a) The information and documentation required under subsection (1)(a) through (d) of this section;

(b) A copy of the material change transaction agreements;

(c) A copy of the organizational charts of the parties to the transaction and proposed organizational charts, if any, for after the closing of the transaction;

(d) Financial statements for the prior three fiscal years;

(e) If applicable, a copy of the notification and report form submitted to the federal trade commission and United States department of justice under the Hart-Scott-Rodino Act of 1976, and all rules and regulations promulgated thereunder, and any attachments thereto;

(f) If applicable, a statement from each of the parties' board of directors that explains the anticipated effect the material change transaction will likely have on delivery and cost of health-related services to the communities impacted by the material change transaction, and the basis for this opinion;

(g) If applicable, a copy of the two most recent community health needs assessments or any similar evaluations or assessments prepared by or for any entities that are the subject of the material change transaction;

(h) If applicable, a description of all charity care provided in the last three years, as well as denials, and the projected charity care for three years following the material change transaction by the parties to the material change transaction, or any successor persons. This description must include:

(i) Annual total charity care spending;

(ii) A description of how the amount of charity care spending was calculated;

(iii) The number of charity care denials and reasons for denial; and

(iv) A description of the policies, procedures, and eligibility requirements for the provision of charity care;

(i) If applicable, a description of the health care services currently provided at each hospital, hospital system, or provider organization that is the subject of the material change transaction;

(j) If applicable, a description of all services provided in the past three years by each hospital, hospital system, and provider organization that is the subject of the material change transaction to apple health patients, qualified health plan patients, and indigent patients;

(k) If applicable, all policies, procedures, and other training materials related to registration, admission, and collections, including upfront, point-of-service, and postservice billing and collections;

(l) If applicable, any updates to the following current policies for any hospital and, to the extent they exist, the following current policies for any party to the material change transaction that is the subject of the material change transaction: (i) Admission policies; (ii) nondiscrimination policies; (iii) end-of-life policies; (iv) reproductive health policies; and (v) the reproductive health care services form as required under RCW 70.41.520;

(m) If applicable, the following proposed policies that will apply after the material change transaction for any hospital or provider organization that is the subject of the material change transaction: (i) Admission policies; (ii) nondiscrimination policies; (iii) end-of-life policies; (iv) reproductive health policies; and (v) for hospitals, the reproductive health care services form as required under RCW 70.41.520;

(n) If applicable, and to the extent they exist, any policies concerning the information and referrals medical providers are required to provide or are restricted from providing to patients regarding end-of-life care, including services provided in accordance with chapter 70.245 RCW;

(o) If applicable, if the material change transaction will have any impact on reproductive health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, or any impact on the availability or accessibility of reproductive health care services in Washington state, a description of the reproductive health care services provided in the last three years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available reproductive health care services. This description must include the types and aggregate number of reproductive services provided in the last three years and those proposed to be provided after the material change transaction, including, but not limited to, information about contraception provision, pregnancy terminations, tubal ligations, and fertility treatments provided, and a description of how this information was compiled;

(p) If applicable, if the material change transaction will have any impact on end-of-life health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, including services provided in accordance with chapter 70.245 RCW, or any impact on the availability or accessibility of end-of-life health care services in Washington state, including services provided in accordance with chapter 70.245 RCW, a description of the end-of-life health care services provided in the last three years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available end-of-life care services. This description

must include the types and aggregate number of end-of-life services provided in the last three years and those proposed to be provided after the material change transaction including, but not limited to, information about the number of occasions in which doctors served as consulting or attending physicians at the hospital, hospital system, or provider organization under chapter 70.245 RCW, a description of the end-of-life health care services expected to be available at the hospitals, hospital systems, or provider organizations that are the subject of the material change transaction, and a description of how this information was compiled;

(q) If applicable, if the material change transaction will have any impact on gender-affirming health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, or any impact on the availability or accessibility of gender-affirming health care services in Washington state, a description of all gender-affirming health care services provided in the last three years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available gender-affirming care. This description must include the types and aggregate numbers of gender-affirming health care provided in the last three years and those proposed to be provided after the material change transaction including, but not limited to, facial gender-affirming care, body gender-affirming care, and primary sex characteristics care, and a description of how this information was compiled;

(r) A description of any anticipated changes in health care services provided by any party to the material change transaction after the transaction is completed. If anticipated alterations include a reduction, relocation, or elimination of a service, the following information should be included: (i) The need the population presently has for the service; and (ii) how the need will be adequately met by the proposed alteration or alternative arrangements designed to meet the identified need;

(s) A description of each measure proposed by the parties to mitigate or eliminate any potential adverse effect on the availability or accessibility of health care services to the affected communities that may result from the material change transaction;

(t) A description of any changes to sexual assault nurse examiner and forensic nurse examiner programs after the material change transaction at any hospital, hospital system, or provider organization that is the subject of the material change transaction and any measures proposed by the parties to mitigate or eliminate any potential adverse effects to these programs;

(u) A description of any community benefit program provided by any of the parties to the material change transaction during the past three years with an annual cost of at least \$10,000 and the annual cost of each program for the past five years;

(v) If applicable, a description of current policies and procedures on staffing for patient care areas; employee input on health quality and staffing issues; and employee wages, salaries, benefits, working conditions, and employment protections. This description must include a list of all existing staffing plans, policy and procedure manuals, employee handbooks, collective bargaining agreements, or similar employment-related documents;

(w) If applicable, all existing documents setting forth any guarantees made by any entity that would be taking over operation or control of a party to the material change transaction relating to employee job security and retraining, or the continuation of current staffing levels and policies, employee wages, salaries, benefits, working conditions, and employment protections;

(x) A statement as to whether, after the material change transaction, neutrality will be maintained through all communications and usage of funds regarding nonunion employees forming a union;

(y) For each hospital, hospital system, or provider organization that is the subject of the material change transaction, a statement as to whether any successor of the employer or union will be bound to any existing union certification and any existing collective bargaining agreement;

(z) A description of current debt collection practices and a description of any anticipated changes to debt collection practices following the material change transaction;

(aa) If applicable, a detailed statement and documents relating to the parties' plans for existing provider privileges after the material change transaction;

(bb) A detailed statement and documents relating to the parties' plans for ensuring safeguards to avoid conflict of interest in patient referral after the material change transaction;

(cc) A detailed statement and documents relating to the parties' commitment and plans to provide health care to the disadvantaged, the uninsured, and the underinsured, and how benefits to promote improved health in the affected community will be provided after the material change transaction; and

(dd) A list of the primary languages spoken by patients in the service area that is the subject of the material change transaction.

(4)(a) In cases of an extraordinary emergency situation that threatens access to health care services and has the potential to immediately harm consumers, the attorney general may limit the information otherwise required by subsection (3) of this section for the sole purpose of expediting the review process.

(b) If the parties to a material change transaction seek expedited review under (a) of this subsection, the parties shall provide documentation to the attorney general's office demonstrating the existence of an extraordinary emergency situation including a complete statement of facts, circumstances, and conditions which demonstrate the extraordinary emergency situation.

(c) The attorney general shall respond within 10 days to advise the parties as to whether any information otherwise required by subsection (3) of this section may be waived.

(d) Nothing in this subsection alters the preliminary or comprehensive review and oversight required under RCW 19.390.050, 19.390.070, and 19.390.080 and sections 7, 9 through 17, and 19 through 21 of this act.

(e) Nothing in this subsection alters the information collection requirements in other sections of this chapter including the requirement of a public hearing under section 12 of this act.

(5) The attorney general shall charge an applicant fee sufficient to cover the costs of implementing this chapter. Fees for a specific material change transaction review must be set relative to whether the review is preliminary or comprehensive.

(6) The attorney general may request additional information that is necessary to implement the goals of this chapter.

(7) Nothing in this section prohibits the parties to a material change transaction from voluntarily providing additional information to the attorney general.

**Sec. 6.** RCW 19.390.050 and 2019 c 267 s 5 are each amended to read as follows:

((The))For the purpose of conducting an investigation under chapter 19.86 RCW or federal antitrust laws, the attorney general shall make any requests for additional information from the parties under RCW 19.86.110 within ((thirty))30 days of the date notice is received under RCW 19.390.030 and 19.390.040. ((Nothing))Regardless of whether the attorney general requests additional information from the parties, nothing in this section precludes the attorney general from conducting an investigation or enforcing any state or federal ((antitrust)) laws at a later date.

**NEW SECTION. Sec. 7.** (1) The attorney general shall determine if the notice required under RCW 19.390.030 and 19.390.040 is complete for the purposes of review. If the attorney general determines that a notice is incomplete, it shall notify the parties within 15 working days after the date the notice was received stating the reasons for its determination of incompleteness.

(2) A completed notice shall be deemed received on the date when all the information required by RCW 19.390.040 has been submitted to the attorney general's office.

(3) For all material change transactions included under RCW 19.390.040(3), the attorney general shall, within five working days after receipt of a completed notice, include information about the notice on the attorney general's website and in a newspaper of general circulation in the county or counties where communities impacted by the material change transaction are located. In addition, the attorney general shall notify by first-class United States mail, email, or facsimile transmission, any person who has requested notice of the filing of such notices. The

information must state that a notice has been received, state the names of the parties to the material change transaction, describe the contents of the written notice in clear and simple terms, and state the date and process by which a person may submit written comments about the notice to the attorney general's office.

(4) The attorney general is not required to make public any information submitted pursuant to its investigative authority under chapter 19.86 RCW, or any information or analysis associated with an investigation under chapter 19.86 RCW.

**Sec. 8.** RCW 19.390.080 and 2019 c 267 s 8 are each amended to read as follows:

Any person who fails to comply with (~~any provision of this chapter~~) RCW 19.390.030 or 19.390.040 is liable to the state for a civil penalty of (~~not more than two hundred dollars per day for each day during which such person is in violation of this chapter~~) up to 15 percent of the value of the material change transaction, in the discretion of the attorney general.

**NEW SECTION. Sec. 9.** (1) No material change transaction under this chapter may take place if it would detrimentally affect the continued existence of accessible, affordable health care in Washington state for at least 10 years after the transaction occurs. To this end the material change transaction must result in the affected communities having the same or greater access to quality, affordable care, including but not limited to emergency care, primary care, reproductive health care, gender affirming care, and end-of-life care including services provided in accordance with chapter 70.245 RCW.

(2) The material change transaction must also result in:

(a) Reducing the growth in patient and health plan sponsor costs;

(b) Increasing access to services in medically underserved areas;

(c) Rectifying historical and contemporary factors contributing to a lack of health equities or access to services; or

(d) Improving health outcomes for residents of this state.

(3) The material change transaction must not result in the revocation of hospital privileges and must establish sufficient safeguards to maintain appropriate capacity for health provider education.

(4) The material change transaction must not result in a reduction in staffing capacity for the provision of medically necessary services to the extent such reductions would diminish patients' access to quality care.

(5) In determining whether a material change transaction fulfills the requirements of subsections (1) through (4) of this section, the attorney general shall take into consideration whether the material change transaction is necessary to maintain the solvency of an entity involved in the transaction. However, the attorney general may not determine that a material change transaction is necessary to maintain the solvency of an entity without first having

an independent contractor prepare a financial assessment of the entity. Such assessment must include possible alternatives to the material change transaction, and the likely impact of those alternatives, if implemented, on the entity's solvency.

(6) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

**NEW SECTION. Sec. 10.** (1) For all material change transactions included under RCW 19.390.040(3), the attorney general shall conduct a preliminary review of the completed notice to determine if the material change transaction will fulfill the requirements under section 9 of this act. The review must include, but is not limited to, an analysis of the information and documentation provided under RCW 19.390.040 and one public hearing.

(2) After conducting the preliminary review, if the attorney general determines that the material change transaction is likely to fulfill the requirements under section 9 of this act, the attorney general may not conduct a comprehensive review of the material change transaction as provided under sections 11, 13, and 14 of this act.

(3) The attorney general shall, within 60 days of receiving a completed notice, inform parties to a material change transaction as to whether a comprehensive review of the material change transaction is required as provided under sections 11, 13, and 14 of this act.

(4) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

**NEW SECTION. Sec. 11.** (1) For all material change transactions included under RCW 19.390.040(3) that are not limited to the preliminary review under section 10 of this act, the attorney general shall review the completed notice and conduct a comprehensive review. After conducting a comprehensive review, the attorney general shall within 120 days of receiving the completed notice:

(a) Approve the material change transaction in writing. The approval of a material change transaction pursuant to this chapter does not constitute approval for the purpose of RCW 19.86.170, or any other provision of state or federal consumer protection or antitrust law. Such approval pursuant to this chapter does not preclude the attorney general from taking any action to enforce state or federal consumer protection or antitrust law;

(b) Impose conditions or modifications on the material change transaction to ensure the requirements of section 9 of this act are met and that sufficient safeguards are in place to ensure communities have continued or improved access to affordable quality care. The imposition of such conditions or modifications shall be in writing and constitute a final decision subject to all appellate rights contained within this chapter; or

(c) Disapprove the material change transaction in writing with written justification, which shall constitute a final decision subject to all appellate rights contained within this act.

(2) Within 30 days after a final decision of the attorney general either denying or approving with modifications a material change transaction, any party to the material change transaction may appeal the decision to the superior court for review in accordance with RCW 34.05.570(4). An appeal to the superior court shall be to the superior court of a county in which the material change transaction is to have occurred or to the superior court for Thurston county. Such appeal shall be perfected by filing with the clerk of the court a notice of appeal and by serving a copy thereof by mail, or personally, on the attorney general or their appointed designee. The attorney general shall, in all cases within 15 days after the receipt of such notice of appeal, serve and file its notice of appearance and such appeal shall thereupon be deemed at issue. The attorney general shall serve upon the appealing party and file with the clerk of the court within 30 days of the filing of the appeal, a certified copy of the attorney general's official record which shall include the final decision, and all accompanying documents, subject to the same confidentiality protections provided to such documents in the underlying act. These shall become the record in the case subject to leave of the court. The superior court shall review the final decision of the attorney general, subject to the statutory requirements of the underlying act and chapter 34.05 RCW.

(3) The attorney general may not make its decision to disapprove the material change transaction subject to any condition not directly and rationally related to the requirements under section 9 of this act and any condition or modification must bear a direct and rational relationship to the notice under review and the requirements under section 9 of this act.

(4) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

**NEW SECTION. Sec. 12.** During the course of the preliminary review of notices of material change transactions under RCW 19.390.040(3), as provided under section 10

of this act, the attorney general shall conduct one or more public hearings, at least one of which must be in a county where one of the communities impacted by the material change transaction is located and must also allow individuals to participate remotely in the hearing. If a material change transaction undergoes the comprehensive review process as provided for under sections 11, 13, and 14 of this act, the attorney general may conduct additional public hearings. At the hearings, anyone may file written comments and exhibits or appear and make a statement. The attorney general may subpoena additional information or witnesses, require and administer oaths, require sworn statements, take depositions, and use related discovery procedures for purposes of the hearing and at any time prior to making a decision on the material change transaction.

(1) The first public hearing must be held no later than 30 days after the attorney general receives a completed notice.

(2) At least 15 days prior to the public hearing, the attorney general shall provide notice of the time and place of the hearing on its website and to any person who has requested notice of the hearing in writing.

(3)(a) At least 15 days prior to the public hearing, the parties to the material change transaction shall provide notice of the time and place of the hearing. The notice must be provided:

(i) Through publication in a newspaper of general circulation in the communities that will be impacted by the material change transaction;

(ii) At the public entrance and on the bulletin board designated for legal or public notices of any hospital, hospital system, provider organization, and other health care facility that is the subject of the material change transaction;

(iii) Prominently on the website available to the public of any hospital, hospital system, provider organization, and other health care facility that is the subject of the material change transaction; and

(iv) On the website available to the employees of any hospital, hospital system, provider organization, and other health care facility that is the subject of the material change transaction.

The notice of the time and place of the meeting must be provided in English and in the languages spoken in the county or counties in which the hospitals, hospital systems, provider organizations, or other health care facilities that are the subject of the material change transaction are located.

(b) For purposes of this section, "health care facility" means a hospital, clinic, nursing home, laboratory, office, or similar place where a health care provider provides health care to patients.

(4) Within 15 business days of the last hearing, the attorney general shall compile a summary report of each public hearing proceeding and post the summary report on its website.

(5) If during the course of the preliminary or comprehensive review, there is any change in the terms of the material

change transaction that materially alters any of the information that the parties to the material change transaction provided under RCW 19.390.040(3), the attorney general shall conduct an additional public hearing to ensure adequate public comment regarding the proposed change.

(6) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

**NEW SECTION. Sec. 13.** (1) For any material change transactions included under RCW 19.390.040(3), which are not limited to the preliminary review under section 10 of this act, the attorney general must hire an independent contractor to prepare a health equity assessment. The independent contractor shall be screened for any conflicts of interest in advance, agree to maintain confidentiality of information pursuant to this chapter, agree to charge a reasonable market-rate fee, and have necessary experience and expertise. In creating a health equity assessment, the independent contractor must engage with and provide input in the assessment from the department of health, local public health jurisdictions, emergency health care coalitions, health care entities, public health experts, organizations representing employees of the applicant, health care advocates, community members who reside in the service areas of the parties to the material change transaction, the parties to the material change transaction, and other individuals or organizations the attorney general, secretary of health, or independent contractor determine should be consulted. Any assessment conducted under this section must be completed 30 days prior to the attorney general's deadline to complete a review under section 10 of this act.

(2) The health equity assessment must contain information and data, including health services data, to better inform the attorney general as to whether the parties meet the requirements for a material change transaction under section 9 of this act.

(3) The health equity assessment must include, but is not limited to, the following information:

(a) An assessment of whether the material change transaction will improve or reduce access to health services in the communities impacted by the material change transaction including, but not limited to, emergency care services, primary care services, specialty services, reproductive health care services, gender affirming health care, and end-of-life services including services provided in accordance with chapter 70.245 RCW;

(b) An assessment of whether the material change transaction will reduce health disparities with particular reference to members of medically underserved groups in the parties' service areas;

(c) An assessment of the effect of the material change transaction on the affordability and provision of health care services to individuals eligible for medical assistance under chapter 74.09 RCW or medicare, indigent individuals, individuals with disabilities, women, racial and ethnic minorities, lesbian, gay, bisexual, transgender, gender diverse, or queer individuals, terminally ill individuals, and other underserved or marginalized populations;

(d) An assessment of the effect of the material change transaction on the level and type of charity care the parties to the material change transaction will provide;

(e) An assessment of the effect of the material change transaction on any community benefit program that the parties to the material change transaction have historically funded or operated;

(f) An assessment of the effect of the material change transaction on staffing for patient care and areas of patient care within facilities as it may affect availability of care, on the likely retention of employees as it may affect continuity of care, and on the rights of employees to provide input on health quality and staffing issues;

(g) An assessment of the effect of the material change transaction on the cost of patient care;

(h) An assessment of the prior performance of the parties to the material change transaction in meeting state and federal requirements to provide uncompensated care, community services, and access by minorities and people with disabilities to programs receiving federal financial assistance, including the existence of any civil rights access complaints against any of the parties, and how the material change transaction will impact the fulfillment of these requirements;

(i) An assessment of whether the material change transaction will have a positive or negative impact on effective communication between the hospitals, hospital systems, or provider organizations and people with limited English-speaking ability and those with speech, hearing, or visual impairments;

(j) An assessment of whether the material change transaction will reduce architectural barriers for people with mobility impairments with specific input from the department of health;

(k) A review of how the parties to the material change transaction will maintain or improve the quality of health services including a review of:

(i) Demographics of the parties' service areas;

(ii) Economic status of the population of the parties' services area;

(iii) Physician and professional staffing issues related to the material change transaction;

(iv) Availability of similar services at other institutions in or near the parties' services area; and

(v) Historical and projected market shares of hospitals, hospital systems, and provider organizations in the parties' service area;

(1) A financial and economic assessment that includes a description of current costs and competition in the relevant geographic and product market and any anticipated changes in such costs and competition as a result of the material change transaction; and

(m) A discussion of alternatives, and anticipated impacts of alternatives, to the material change transaction, including: (i) Closure of any of the health facilities that are the subject of the material change transaction; and (ii) recommendations for additional feasible mitigation measures that would reduce or eliminate any significant adverse effect on health care services and affordability identified in the health equity assessment.

(4) The information contained in the independent health equity assessment must be used by the attorney general's office in determining under section 11 of this act whether to impose conditions or modifications or disapprove the material change transaction.

(5) The health equity assessment must be posted on the attorney general's website.

**NEW SECTION. Sec. 14.** (1) The attorney general may at its discretion appoint a review board of stakeholders to conduct a comprehensive review and make recommendations as to whether a material change transaction under RCW 19.390.040(3), other than material change transactions limited to the preliminary review under section 10 of this act, fulfills the requirements under section 9 of this act.

(2) A review board convened by the attorney general under this section must consist of members of the communities affected by the material change transaction, consumer advocates, and health care experts.

(3) No more than one-third of the members of the review board may be representatives of institutional health care providers. The attorney general may not appoint to a review board an individual who is employed by or has a contract with a party to the material change transaction or is employed by a competitor that is of a similar size to a party to the material change transaction.

(4) A member of a review board shall file a notice of conflict of interest and the notice shall be made public.

**NEW SECTION. Sec. 15.** (1) The secretary of state may not accept any forms or documents in connection with any material change transaction if the attorney general, in accordance with section 11 of this act, disapproved the material change transaction or the parties to the material change transaction have not agreed to any conditions or modifications imposed by the attorney general in accordance with section 11 of this act.

(2) The attorney general may seek an injunction to prevent any material change transaction that has been disapproved by the attorney general in accordance with section 11 of this act or that does not incorporate any conditions or modifications imposed by the attorney general in accordance with section 11 of this act.

**NEW SECTION. Sec. 16.** For any material change transaction included under RCW 19.390.040(3), the following apply:

(1) Once a material change transaction is finalized the parties shall inform the attorney general in the form and manner prescribed by the attorney general.

(2) For at least 10 years, the attorney general shall monitor the parties' and any successor persons' ongoing compliance with this chapter.

(3) The attorney general shall, for 10 years, require annual reports from the parties to the material change transaction or any successor persons to ensure compliance with section 9 of this act and any conditions or modifications the attorney general imposed on the material change transaction. The attorney general may request information and documents and conduct on-site compliance audits.

(4) To effectively monitor ongoing compliance, the attorney general shall regularly provide the opportunity for the public to submit written comments, and may, in its discretion, contract with experts and consultants. Contract costs must not exceed an amount that is reasonable and necessary to conduct the review and evaluation.

(5) If the attorney general has reason to believe that the parties or successor persons' of a material change transaction no longer satisfy the requirements of section 9 of this act, or are not complying with any conditions or modifications imposed by the attorney general under section 11 of this act, the attorney general shall conduct an investigation. As part of the investigation the attorney general will provide public notice of the investigation and obtain input from community members impacted by the material change transaction. Following the investigation, the attorney general shall publish a report of its findings.

(6) If after the investigation, the attorney general determines that the parties or successor persons no longer satisfy the requirements of section 9 of this act, or are not complying with conditions or modifications imposed under section 11 of this act, the attorney general shall issue an order directing the parties or successor persons to come into compliance with this chapter and a timeline by which the parties must enter into compliance.

(7) If the parties or successor persons do not enter into compliance with the attorney general's order, the attorney general may impose civil fines of no less than \$10,000 per day until the parties or successor persons comply with the order, and may take legal action under section 17 of this act.

(8) The cost of the investigation and any on-site reviews related to determining the validity of the information will be borne by the parties to the material change transaction or successor persons.

(9) The attorney general may bill the parties or successor persons and the parties or successor persons billed by the attorney general shall promptly pay. If the parties or successor persons fail to pay within 30 days, the attorney general may assess a civil fine of five percent of the billed amount for each day the party does not pay.

NEW SECTION. Sec. 17. The attorney general has the authority to ensure compliance with commitments that inure to the public interest. The attorney general may take legal action to enforce this chapter, any conditions or modifications the attorney general imposes on a material change transaction, or any order the attorney general issues under section 16 of this act. The attorney general may obtain restitution, injunctive relief, civil penalties, disgorgement of profits, attorneys' fees, and such other relief as the court deems necessary to ensure compliance. The remedies provided under this chapter are in addition to any other remedy that may be available under any other provision of law.

**Sec. 18.** RCW 19.390.070 and 2019 c 267 s 7 are each amended to read as follows:

(1) Information submitted to the attorney general ~~((pursuant to this chapter))~~ under RCW 19.390.050 shall be maintained and used by the attorney general in the same manner and under the same protections as provided in RCW 19.86.110. The information, including documentary material, answers to written interrogatories, or transcripts of oral testimony produced pursuant to a demand or copies, must not, unless otherwise ordered by a superior court for good cause shown, be produced for inspection or copying pursuant to chapter 42.56 RCW by the person who produced the material, answered written interrogatories or gave oral testimony.

(2)(a) The parties to a material change transaction may designate portions of documents submitted pursuant RCW 19.390.040(3) and any documents thereafter submitted by the parties as confidential if the information is sensitive financial, commercial, or proprietary information or is protected from disclosure by state or federal law. The applicant shall provide two versions of any document designated as confidential. One shall be marked as "CONFIDENTIAL" and shall contain the full unredacted version of the document and shall be maintained as such by the attorney general. The second shall be marked as "PUBLIC" and shall contain a redacted version of the materials from which the confidential portions have been removed or obscured and shall be made available by the attorney general to the public, the entity providing the health care equity assessment pursuant to section 13 of this act, the entity providing the financial assessment pursuant to section 9 of this act, and the review board of stakeholders pursuant to section 14 of this act. An applicant claiming confidentiality in respect to documents shall include a redaction log that provides a reasonably detailed statement of the grounds on which confidentiality is claimed, citing the applicable basis for confidentiality of each portion.

(b) Confidential materials provided by a party to a material change transaction that is subject to review by the attorney general shall be maintained as confidential materials and not subject to disclosure under chapter 42.56 RCW.

(3) All materials provided during public hearings are considered public records for purposes of chapter 42.56 RCW.

(4) Nothing in this chapter limits the attorney general's authority under RCW 19.86.110 or 19.86.115. Nothing in this chapter expands the attorney general's authority under chapter 19.86 RCW, federal or state antitrust law, or any other law. Failure to comply with this chapter does not provide a private cause of action.

NEW SECTION. Sec. 19. No provision of chapter 19.390 RCW derogates from the common law or statutory authority of the attorney general.

NEW SECTION. Sec. 20. The attorney general may adopt rules necessary to implement chapter 19.390 RCW and may contract with and provide reasonable reimbursement to qualified persons to assist in determining whether parties or successor persons are in compliance with the requirements under this chapter.

NEW SECTION. Sec. 21. If a material change transaction is also subject to review under chapter 70.38 or 70.45 RCW, the review under those chapters shall be concurrent with the review under this chapter, to the extent practicable.

NEW SECTION. Sec. 22. Every four years, the attorney general shall commission a study of the impact of material change transactions in Washington state. The study must review material change transactions occurring during the previous four-year period and include an analysis of:

(1) The impact on costs to consumers and health sponsors for health care; and

(2) Any increases or decreases in the quality of care, including:

(a) Improvement or reductions in morbidity;

(b) Improvement or reductions in the management of population health;

(c) Improvement or reductions in access to emergency care services, primary care services, reproductive health care services, gender affirming care services, and end-of-life care services including services provided in accordance with chapter 70.245 RCW; and

(d) Changes to health and patient outcomes, particularly for underserved and uninsured individuals, recipients of medical assistance and other low-income individuals, and individuals living in rural areas, as measured by nationally recognized measures of the quality of health care, such as measures used or endorsed by the national committee for quality assurance, the national quality forum, the physician consortium for performance improvement, or the agency for health care research and quality.

(3) The attorney general shall commission the first study under this section no later than January 1, 2028.



NEW SECTION. **Sec. 23.** (1) By January, 2026, the attorney general shall complete a study on the impact of health care mergers and acquisitions in Washington state between health carriers as defined in RCW 48.43.005 and hospitals, hospital systems, or provider organizations. The study shall include:

(a) The impact on costs to consumers and health sponsors for health care; and

(b) Any increases or decreases in the quality of care, including:

(i) Improvement or reductions in morbidity;

(ii) Improvement or reductions in the management of population health;

(iii) Improvement or reductions in access to emergency care services, primary care services, reproductive health care services, gender affirming care services, and end-of-life care services including services provided in accordance with chapter 70.245 RCW; and

(iv) Changes to health and patient outcomes, particularly for underserved and uninsured individuals, recipients of medical assistance and other low-income individuals, and individuals living in rural areas, as measured by nationally recognized measures of the quality of health care, such as measures used or endorsed by the national committee for quality assurance, the national quality forum, the physician consortium for performance improvement, or the agency for health care research and quality.

(2) This section expires July 1, 2026.

NEW SECTION. **Sec. 24.** This act may be known and cited as the keep our care act.

NEW SECTION. **Sec. 25.** Sections 7, 9 through 17, and 19 through 24 of this act are each added to chapter 19.390 RCW.

NEW SECTION. **Sec. 26.** This act takes effect January 1, 2025.

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

Correct the title.

Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Peterson and Walen.

MINORITY recommendation: Do not pass. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; and Cheney.

MINORITY recommendation: Without recommendation. Signed by Representative Thai.

Referred to Committee on Appropriations

February 21, 2024

2ESSB 5284 Prime Sponsor, State Government & Elections: Concerning campaign finance disclosure. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Gregerson and Mena.

MINORITY recommendation: Without recommendation. Signed by Representatives Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; and Low.

Referred to Committee on Rules for second reading

February 20, 2024

ESSB 5299 Prime Sponsor, Law & Justice: Concerning law enforcement officer protection. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.36.031 and 2013 c 256 s 1 are each amended to read as follows:

(1) A person is guilty of assault in the third degree if he or she, under circumstances not amounting to assault in the first or second degree:

(a) With intent to prevent or resist the execution of any lawful process or mandate of any court officer or the lawful apprehension or detention of himself, herself, or another person, assaults another; or

(b) Assaults a person employed as a transit operator or driver, the immediate supervisor of a transit operator or driver, a mechanic, or a security officer, by a public or private transit company or a contracted transit service provider, while that person is performing his or her official duties at the time of the assault; or

(c) Assaults a school bus driver, the immediate supervisor of a driver, a mechanic, or a security officer, employed by a school district transportation service or a private company under contract for transportation services with a school district, while the person is performing his or her official duties at the time of the assault; or

(d) With criminal negligence, causes bodily harm to another person by means of a weapon or other instrument or thing likely to produce bodily harm; or

(e) Assaults a firefighter or other employee of a fire department, county fire marshal's office, county fire prevention bureau, or fire protection district who was performing his or her official duties at the time of the assault; or

(f) With criminal negligence, causes bodily harm accompanied by substantial pain that extends for a period sufficient to cause considerable suffering; or

(g) Assaults a law enforcement officer or other employee of a law enforcement agency who was performing his or her official duties at the time of the assault; or

(h) Assaults a law enforcement officer or other employee of a law enforcement agency who was off duty at the time of the assault,

but the assault was committed with the intent to specifically target the person due to their employment as a law enforcement professional; or

(i) Assaults a peace officer with a projectile stun gun; or

~~((i))~~ (j) Assaults a nurse, physician, or health care provider who was performing his or her nursing or health care duties at the time of the assault. For purposes of this subsection: "Nurse" means a person licensed under chapter 18.79 RCW; "physician" means a person licensed under chapter 18.57 or 18.71 RCW; and "health care provider" means a person certified under chapter 18.71 or 18.73 RCW who performs emergency medical services or a person regulated under Title 18 RCW and employed by, or contracting with, a hospital licensed under chapter 70.41 RCW; or

~~((j))~~ (k) Assaults a judicial officer, court-related employee, county clerk, or county clerk's employee, while that person is performing his or her official duties at the time of the assault or as a result of that person's employment within the judicial system. For purposes of this subsection, "court-related employee" includes bailiffs, court reporters, judicial assistants, court managers, court managers' employees, and any other employee, regardless of title, who is engaged in equivalent functions; or

~~((k))~~ (l) Assaults a person located in a courtroom, jury room, judge's chamber, or any waiting area or corridor immediately adjacent to a courtroom, jury room, or judge's chamber. This section shall apply only: (i) During the times when a courtroom, jury room, or judge's chamber is being used for judicial purposes during court proceedings; and (ii) if signage was posted in compliance with RCW 2.28.200 at the time of the assault.

(2) Assault in the third degree is a class C felony.

**Sec. 2.** RCW 9.94A.831 and 2009 c 141 s 1 are each amended to read as follows:

In a criminal case where:

(1) The defendant has been convicted of assaulting a law enforcement officer or other employee of a law enforcement agency who was performing his or her official duties at the time of the assault as provided under RCW 9A.36.031; and

(2) There has been a special allegation pleaded and proven beyond a reasonable doubt that the defendant intentionally committed the assault with a deadly weapon as defined in RCW 9A.04.110, or what appears to be a firearm;

the court shall make a finding of fact of the special allegation, or if a jury trial is had, the jury shall, if it finds the defendant guilty, also find a special verdict as to the special allegation.

**NEW SECTION. Sec. 3.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Fosse; Graham and Ramos.

MINORITY recommendation: Do not pass. Signed by Representative Farivar.

Referred to Committee on Rules for second reading

February 21, 2024

**SSB 5306**

Prime Sponsor, Agriculture, Water, Natural Resources & Parks: Authorizing the department of fish and wildlife to establish disease interdiction and control check stations. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Chapman, Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Kloba; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Rules for second reading

February 20, 2024

**ESSB 5334**

Prime Sponsor, Local Government, Land Use & Tribal Affairs: Providing a local government option for the funding of essential affordable housing programs. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 82.14 RCW to read as follows:

(1)(a) The legislative body of a county, city, or town is authorized to impose a special excise tax on the sale of or charge made for the furnishing of lodging of short-term rentals subject to tax under chapter 82.08 RCW, as provided in this section.

(b) The tax under this section applies exclusively to the sale of or charge made for the furnishing of lodging of short-term rentals facilitated through a short-term rental platform.

(c) The rate of tax under this section is imposed on the sale of, or charge made for, the furnishing of lodging of a short-term rental subject to tax under chapter 82.08 RCW. The rate of tax may not exceed 10 percent on the sale of or charge made for the furnishing of lodging of short-term rentals. The rate of tax under this section must not be imposed in increments of less than one percent. The department of revenue shall perform the collection of such taxes on behalf of a county, city, or town imposing the tax at no cost to the county, city, or town.

(d) Any county ordinance or resolution adopted under this section shall contain a provision allowing a credit against the county tax for the full amount of any city or town tax imposed under this section upon the same taxable event. The legislative

authority of any county or any city may impose the tax authorized in this section throughout the county for the county tax and in the corporate limits of the city for the city tax.

(e) The tax authorized in this section does not apply to the sale of, or charge made for, the furnishing of a room for lodging in a dwelling unit that is the primary residence of the owner and in which all rented rooms share a common entryway. A short-term rental platform must provide a means by which an owner can attest that a dwelling unit is the owner's primary residence and that all rooms rented in the dwelling unit share a common entryway. If the short-term rental platform collects and remits taxes on behalf of an owner, the owner must provide such an attestation to the short-term rental platform in order to qualify for this exemption. When collecting and remitting taxes on behalf of an owner, a short-term platform must notify the county, city, or town when an exemption applies under this section. Upon notification from a county, city, or town imposing the tax authorized in this section that the exemption does not apply to an owner's property, the short-term rental platform shall, if collecting and remitting taxes on the owner's behalf, collect and remit the tax authorized in this section.

(2)(a) The legislative body of a county, city, or town must adopt a resolution of intent to adopt legislation authorizing the tax under this section prior to imposing the tax under this section.

(b) Adoption of the resolution of intent and legislation requires simple majority approval of the enacting legislative authority.

(3)(a) Except as provided in (b) of this subsection, moneys collected from the special excise tax under this section must be deposited into a separate fund to be used exclusively for the following purposes:

(i) Acquiring, rehabilitating, or constructing affordable or workforce housing, which may include new units of affordable housing within an existing structure, or facilities providing supportive housing services;

(ii) Funding the operations and maintenance costs of units of affordable, workforce, or supportive housing;

(iii) Providing rental assistance to tenants; or

(iv) Funding the operations of social service organizations and nonprofit organizations dedicated to providing services and assistance related to attaining and maintaining housing including, but not limited to, employment assistance, utilities assistance, nutritional assistance, and child care assistance.

(b) A county, city, or town may retain up to five percent of the moneys collected under this section in each calendar year for the direct and indirect costs incurred in the administration of services and programs as provided in (a) of this subsection.

(c) A county, city, or town imposing the tax authorized under this section may enter into an interlocal agreement under chapter 39.34 RCW with another county, city, or town, to jointly undertake projects

satisfying the requirements of (b) of this subsection.

(4) Beginning the year after the special excise tax authorized in this section is first collected, a county, city, or town imposing the tax must publish an annual report by March 1st of each year detailing how the revenue from the tax was spent in the prior year. The report must be made available to the public. This may include posting the report on the county's, city's, or town's website.

(5) For the purposes of this section:

(a) "Operator" has the same meaning as in RCW 64.37.010.

(b) "Short-term rental" and "short-term rental platform" have the same meanings as in RCW 64.37.010.

**Sec. 2.** RCW 67.28.181 and 2015 3rd sp.s. c 24 s 703 are each amended to read as follows:

(1) The legislative body of any municipality may impose an excise tax on the sale of or charge made for the furnishing of lodging that is subject to tax under chapter 82.08 RCW. The rate of tax shall not exceed the lesser of two percent or a rate that, when combined with all other taxes imposed upon sales of lodging within the municipality under this chapter and chapters 36.100, ~~((67.407))~~ 82.08, and 82.14 RCW, equals twelve percent. A tax under this chapter shall not be imposed in increments smaller than tenths of a percent.

(2) Notwithstanding subsection (1) of this section:

(a) If a municipality was authorized to impose taxes under this chapter or RCW 67.40.100 or both with a total rate exceeding four percent before July 27, 1997, such total authorization shall continue through January 31, 1999, and thereafter the municipality may impose a tax under this section at a rate not exceeding the rate actually imposed by the municipality on January 31, 1999.

(b) If a city or town, other than a municipality imposing a tax under (a) of this subsection, is located in a county that imposed taxes under this chapter with a total rate of four percent or more on January 1, 1997, the city or town may not impose a tax under this section.

(c) If a city has a population of ~~((four hundred thousand))~~ 400,000 or more and is located in a county with a population of ~~((one million))~~ 1,000,000 or more, the rate of tax imposed under this chapter by the city shall not exceed the lesser of four percent or a rate that, when combined with all other taxes imposed upon sales of lodging in the municipality under this chapter and chapters 36.100, ~~((67.407))~~ 82.08, and 82.14 RCW, equals ~~((fifteen))~~ 15 and two-tenths percent.

(d) If a municipality was authorized to impose taxes under this chapter or RCW 67.40.100, or both, at a rate equal to six percent before January 1, 1998, the municipality may impose a tax under this section at a rate not exceeding the rate actually imposed by the municipality on January 1, 1998.

(3) Any county ordinance or resolution adopted under this section shall contain a provision allowing a credit against the county tax for the full amount of any city or town tax imposed under this section upon the same taxable event.

(4) In determining the effective combined rate of tax for purposes of the limit in subsections (1) and (2)(c) of this section, the tax rates under RCW 82.14.530 (~~(i)~~) and section 1 of this act are not included.

**Sec. 3.** RCW 82.14.410 and 2015 3rd sp.s. c 24 s 704 are each amended to read as follows:

(1) A local sales and use tax change adopted after December 1, 2000, must provide an exemption for those sales of lodging for which, but for the exemption, the total sales tax rate imposed on sales of lodging would exceed the greater of:

(a) Twelve percent; or

(b) The total sales tax rate that would have applied to the sale of lodging if the sale were made on December 1, 2000.

(2) For the purposes of this section:

(a) "Local sales and use tax change" is defined as provided in RCW 82.14.055.

(b) "Sale of lodging" means the sale of or charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property.

(c) "Total sales tax rate" means the combined rates of all state and local taxes imposed under this chapter and chapters 36.100, 67.28, (~~(67.407)~~) and 82.08 RCW, and any other tax authorized after March 29, 2001, if the tax is in the nature of a sales tax collected from the buyer, but excluding taxes imposed under RCW 81.104.170 before December 1, 2000, (~~and~~) taxes imposed under RCW 82.14.530, and taxes imposed under section 1 of this act."

Correct the title.

Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Berg and Riccelli.

MINORITY recommendation: Do not pass. Signed by Representatives Jacobsen, Assistant Ranking Minority Member; and Griffey.

MINORITY recommendation: Without recommendation. Signed by Representative Gohner, Ranking Minority Member.

Referred to Committee on Finance

February 20, 2024

ESB 5344 Prime Sponsor, Senator Schoesler: Establishing a public school revolving fund. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Capital Budget

February 20, 2024

ESB 5363 Prime Sponsor, Senator MacEwen: Concerning cannabis retailer advertising. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Robertson, Assistant Ranking Minority Member; Cheney; Reeves and Waters.

MINORITY recommendation: Without recommendation. Signed by Representatives Chambers, Ranking Minority Member; Caldier; and Orwall.

Referred to Committee on Rules for second reading

February 21, 2024

SB 5419 Prime Sponsor, Senator Gildon: Removing a Washington state institute of public policy outcome evaluation requirement. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self; Taylor and Walsh.

Referred to Committee on Rules for second reading

February 20, 2024

SSB 5427 Prime Sponsor, Ways & Means: Supporting people who have been targeted or affected by hate crimes and bias incidents by establishing a reporting hotline and tracking hate crimes and bias incidents. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; Cheney; and Entenman.

Referred to Committee on Appropriations

February 20, 2024

2SSB 5444 Prime Sponsor, Ways & Means: Restricting the possession of weapons, excluding carrying a pistol by a person licensed to carry a concealed pistol, on the premises of libraries, zoos, aquariums, and transit facilities. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Do not pass. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; and Cheney.

Referred to Committee on Rules for second reading

February 20, 2024

ESB 5462

Prime Sponsor, Senator Liias: Promoting inclusive learning standards and instructional materials in public schools. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature recognizes that Washington state law prohibits discrimination in public schools for certain protected classes. The legislature also acknowledges that school districts are required to adopt a policy related to the selection or removal of instructional materials. Under state rule, the instructional materials policy of each school district must establish and use appropriate screening criteria to identify and eliminate bias pertaining to protected classes.

(2) The legislature intends to expand these requirements by requiring school districts to adopt policies and procedures that incorporate adopting inclusive curricula and selecting inclusive instructional materials that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups. The legislature recognizes that inclusive curricula have been shown to often improve the mental health, academic performance, attendance rates, and graduation rates of marginalized communities. Research on students' sense of belonging and community in the school setting confirms that inclusive curricula and learning environments contribute to increased school motivation, participation, and achievement.

(3) The legislature intends to promote culturally and experientially representative learning opportunities for all students by directing the office of the superintendent of public instruction, when revising or developing state learning standards, to screen for inappropriate bias in the proposed state learning standards and to ensure that the histories, contributions, and perspectives of underrepresented peoples and communities are included in the standards.

(4) The legislature believes that promoting inclusive learning standards, curricula, and instructional materials will improve student achievement, attendance, parent and family engagement, and other dimensions that contribute to student success.

**NEW SECTION. Sec. 2.** A new section is added to chapter 28A.345 RCW to read as follows:

(1) By June 1, 2025, the Washington state school directors' association, with the assistance of the office of the superintendent of public instruction, must review and update a model policy and procedure regarding course design, selection, and adoption of instructional materials.

(2) The model policy and procedure must require that school district boards of directors, within available materials, adopt inclusive curricula and select diverse, equitable, inclusive, age-appropriate instructional materials that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups including, but not limited to, people from various racial, ethnic, and religious backgrounds, people with differing learning needs, people with disabilities, LGBTQ people as the term is defined in RCW 43.114.010, and people with various socioeconomic and immigration backgrounds.

(3) The model policy and procedure must require that, in adopting curricula and selecting instructional materials in accordance with this section, school district boards of directors must seek curricula and instructional materials that are as culturally and experientially diverse as possible, recognizing that the availability of materials that include the histories, contributions, and perspectives of historically marginalized groups may vary.

(4) By October 1, 2025, school district boards of directors must amend the policy and procedures required under RCW 28A.320.230 to incorporate the elements described in this section. For the purpose of documenting compliance with this section and assisting school districts in accordance with section 5 of this act, school district boards of directors, within 10 days of completing the policy and procedure updates required by this subsection (4), shall provide notice of the completed actions and electronic copies of the applicable policies and procedures to the office of the superintendent of public instruction.

(5) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020, and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts.

**Sec. 3.** RCW 28A.655.070 and 2019 c 252 s 119 are each amended to read as follows:

(1) The superintendent of public instruction shall develop state learning standards that identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, develop student assessments, and implement the accountability recommendations and requests regarding assistance, rewards, and recognition of the state board of education.

(2) The superintendent of public instruction shall:

(a) Periodically revise the state learning standards, as needed, based on the student learning goals in RCW 28A.150.210. Goals one and two shall be considered primary. To the maximum extent possible, the superintendent shall integrate goal four and the knowledge and skill areas in the other goals in the state learning standards; ((and))

(b) Include a screening for biased content in each development or revision of a state learning standard and ensure that the concepts of diversity, equity, and inclusion, as those terms are defined in RCW 28A.415.443, are incorporated into each new or revised state learning standard. In meeting the requirements of this subsection (2)(b), the superintendent of public instruction shall consult with the applicable commissions established in Title 43 RCW and other persons and organizations with relevant expertise; and

(c) Review and prioritize the state learning standards and identify, with clear and concise descriptions, the grade level content expectations to be assessed on the statewide student assessment and used for state or federal accountability purposes. The review, prioritization, and identification shall result in more focus and targeting with an emphasis on depth over breadth in the number of grade level content expectations assessed at each grade level. Grade level content expectations shall be articulated over the grades as a sequence of expectations and performances that are logical, build with increasing depth after foundational knowledge and skills are acquired, and reflect, where appropriate, the sequential nature of the discipline. The office of the superintendent of public instruction, within seven working days, shall post on its website any grade level content expectations provided to an assessment vendor for use in constructing the statewide student assessment.

(3)(a) In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of reading, writing, mathematics, and science for use in the elementary, middle, and high school years designed to determine if each student has mastered the state learning standards identified in subsection (1) of this section. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system may include a variety of assessment methods, including criterion-referenced and performance-based measures.

(b) Effective with the 2009 administration of the Washington assessment of student learning and continuing with the statewide student assessment, the superintendent shall redesign the assessment in the content areas of reading, mathematics, and science in all grades except high school by shortening test administration and reducing the number of short answer and extended response questions.

(c) By the 2014-15 school year, the superintendent of public instruction, in consultation with the state board of education, shall modify the statewide student assessment system to transition to assessments developed with a multistate consortium, as provided in this subsection:

(i) The assessments developed with a multistate consortium to assess student proficiency in English language arts and mathematics shall be administered beginning

in the 2014-15 school year, and beginning with the graduating class of 2020, the assessments must be administered to students in the tenth grade. The reading and writing assessments shall not be administered by the superintendent of public instruction or schools after the 2013-14 school year.

(ii) The high school assessments in English language arts and mathematics in (c) (i) of this subsection shall be used for the purposes of federal and state accountability and for assessing student career and college readiness.

(d) The statewide academic assessment system must also include the Washington access to instruction and measurement assessment for students with significant cognitive challenges.

(4) If the superintendent proposes any modification to the state learning standards or the statewide assessments, then the superintendent shall, upon request, provide opportunities for the education committees of the house of representatives and the senate to review the assessments and proposed modifications to the state learning standards before the modifications are adopted.

(5) The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not mastered the state learning standards at the appropriate periods in the student's educational development.

(6) By September 2007, the results for reading and mathematics shall be reported in a format that will allow parents and teachers to determine the academic gain a student has acquired in those content areas from one school year to the next.

(7) To assist parents and teachers in their efforts to provide educational support to individual students, the superintendent of public instruction shall provide as much individual student performance information as possible within the constraints of the assessment system's item bank. The superintendent shall also provide to school districts:

(a) Information on classroom-based and other assessments that may provide additional achievement information for individual students; and

(b) A collection of diagnostic tools that educators may use to evaluate the academic status of individual students. The tools shall be designed to be inexpensive, easily administered, and quickly and easily scored, with results provided in a format that may be easily shared with parents and students.

(8) To the maximum extent possible, the superintendent shall integrate knowledge and skill areas in development of the assessments.

(9) Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the state learning standards and assessments for goals one and two.

(10) The superintendent shall develop assessments that are directly related to the state learning standards, and are not biased toward persons with different learning

styles, racial or ethnic backgrounds, or on the basis of gender.

(11) The superintendent shall review available and appropriate options for competency-based assessments that meet the state learning standards. In accordance with the review required by this subsection, the superintendent shall provide a report and recommendations to the education committees of the house of representatives and the senate by November 1, 2019.

(12) The superintendent shall consider methods to address the unique needs of special education students when developing the assessments under this section.

(13) The superintendent shall consider methods to address the unique needs of highly capable students when developing the assessments under this section.

(14) The superintendent shall post on the superintendent's website lists of resources and model assessments in social studies, the arts, and health and fitness.

(15) The superintendent shall integrate financial education skills and content knowledge into the state learning standards pursuant to RCW 28A.300.460(2)(d).

(16)(a) The superintendent shall notify the state board of education in writing before initiating the development or revision of the state learning standards under subsections (1) and (2) of this section. The notification must be provided to the state board of education in advance for review at a regularly scheduled or special board meeting and must include the following information:

(i) The subject matter of the state learning standards;

(ii) The reason or reasons the superintendent is initiating the development or revision; and

(iii) The process and timeline that the superintendent intends to follow for the development or revision.

(b) The state board of education may provide a response to the superintendent's notification for consideration in the development or revision process in (a) of this subsection.

(c) Prior to adoption by the superintendent of any new or revised state learning standards, the superintendent shall submit the proposed new or revised state learning standards to the state board of education in advance in writing for review at a regularly scheduled or special board meeting. The state board of education may provide a response to the superintendent's proposal for consideration prior to final adoption.

(17) The state board of education may propose new or revised state learning standards to the superintendent. The superintendent must respond to the state board of education's proposal in writing.

(18) The superintendent shall produce and post on its website a schedule for the revision of state learning standards under subsection (2) of this section by September 1, 2025. In addition to notifying parents, schools, and the public of the schedule and timelines for revision, the website posting must be updated as necessary to inform persons of the status of any pending revisions, and of any plans or actions

related to developing new state learning standards under subsection (1) of this section.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.300 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, in collaboration with the statewide association of educational service districts, the legislative youth advisory council established under RCW 43.15.095, and the Washington state school directors' association, must create an open collection of educational resources for inclusive curricula. The office of the superintendent of public instruction must consult with the Washington state office of equity established in RCW 43.06D.020 and any other relevant state agencies when creating the open collection of educational resources.

(2) The open collection of educational resources must include resources that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.300 RCW to read as follows:

(1) The office of the superintendent of public instruction shall, as soon as is practicable, compile information received under section 2(4) of this act and, based on the received materials, prepare best practices and other informative materials to support school districts, charter schools, and state-tribal education compact schools in meeting the requirements of section 2 of this act.

(2) This section expires June 30, 2028."

Correct the title.

Signed by Representatives Santos, Chair; Shavers, Vice Chair; Bergquist; Nance; Ortiz-Self; Pollet; Stonier and Timmons.

MINORITY recommendation: Do not pass. Signed by Representatives Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Couture; Eslick; Harris; McClintock; and Steele.

Referred to Committee on Appropriations

February 21, 2024

ESSB 5481

Prime Sponsor, Health & Long Term Care: Concerning the uniform law commission's uniform telehealth act. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. SHORT TITLE. This act may be known and cited as the uniform telehealth act.

**NEW SECTION. Sec. 2. DEFINITIONS.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Disciplining authority" means an entity to which a state has granted the authority to license, certify, or discipline individuals who provide health care.

(2) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(3) "Health care" means care, treatment, or a service or procedure, to maintain, monitor, diagnose, or otherwise affect an individual's physical or behavioral health, injury, or condition.

(4) (a) "Health care practitioner" means:

(i) A physician licensed under chapter 18.71 RCW;

(ii) An osteopathic physician or surgeon licensed under chapter 18.57 RCW;

(iii) A podiatric physician and surgeon licensed under chapter 18.22 RCW;

(iv) An advanced registered nurse practitioner licensed under chapter 18.79 RCW;

(v) A naturopath licensed under chapter 18.36A RCW;

(vi) A physician assistant licensed under chapter 18.71A RCW; or

(vii) A person who is otherwise authorized to practice a profession regulated under the authority of RCW 18.130.040 to provide health care in this state, to the extent the profession's scope of practice includes health care that can be provided through telehealth.

(b) "Health care practitioner" does not include a veterinarian licensed under chapter 18.92 RCW.

(5) "Professional practice standard" includes:

(a) A standard of care;

(b) A standard of professional ethics; and

(c) A practice requirement imposed by a disciplining authority.

(6) "Scope of practice" means the extent of a health care practitioner's authority to provide health care.

(7) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any other territory or possession subject to the jurisdiction of the United States. The term includes a federally recognized Indian tribe.

(8) "Telecommunication technology" means technology that supports communication through electronic means. The term is not limited to regulated technology or technology associated with a regulated industry.

(9) "Telehealth" includes telemedicine and means the use of synchronous or asynchronous telecommunication technology by a practitioner to provide health care to a patient at a different physical location than the practitioner. "Telehealth" does not include the use, in isolation, of email, instant messaging, text messaging, or fax.

(10) "Telehealth services" means health care provided through telehealth.

**NEW SECTION. Sec. 3. SCOPE.** (1) This chapter applies to the provision of telehealth services to a patient located in this state.

(2) This chapter does not apply to the provision of telehealth services to a patient located outside this state.

**NEW SECTION. Sec. 4. TELEHEALTH AUTHORIZATION.** (1) A health care practitioner may provide telehealth services to a patient located in this state if the services are consistent with the health care practitioner's scope of practice in this state, applicable professional practice standards in this state, and requirements and limitations of federal law and law of this state.

(2) This chapter does not authorize provision of health care otherwise regulated by federal law or law of this state, unless the provision of health care complies with the requirements, limitations, and prohibitions of the federal law or law of this state.

(3) A practitioner-patient relationship may be established through telehealth. A practitioner-patient relationship may not be established through email, instant messaging, text messaging, or fax.

**NEW SECTION. Sec. 5. PROFESSIONAL PRACTICE STANDARD.** (1) A health care practitioner who provides telehealth services to a patient located in this state shall provide the services in compliance with the professional practice standards applicable to a health care practitioner who provides comparable in-person health care in this state. Professional practice standards and law applicable to the provision of health care in this state, including standards and law relating to prescribing medication or treatment, identity verification, documentation, informed consent, confidentiality, privacy, and security, apply to the provision of telehealth services in this state.

(2) A disciplining authority in this state shall not adopt or enforce a rule that establishes a different professional practice standard for telehealth services merely because the services are provided through telehealth or limits the telecommunication technology that may be used for telehealth services.

**NEW SECTION. Sec. 6. OUT-OF-STATE HEALTH CARE PRACTITIONER.** An out-of-state health care practitioner may provide telehealth services to a patient located in this state if the out-of-state health care practitioner:

(1) Holds a current license or certification required to provide health care in this state or is otherwise authorized to provide health care in this state, including through a multistate compact of which this state is a member; or

(2) Holds a license or certification in good standing in another state and provides the telehealth services:

(a) In the form of a consultation with a health care practitioner who has a



practitioner-patient relationship with the patient and who remains responsible for diagnosing and treating the patient in the state;

(b) In the form of a specialty assessment, diagnosis, or recommendation for treatment. This does not include the provision of treatment; or

(c) In the form of follow up by a primary care practitioner, mental health practitioner, or recognized clinical specialist to maintain continuity of care with an established patient who is temporarily located in this state and received treatment in the state where the practitioner is located and licensed.

**NEW SECTION. Sec. 7. LOCATION OF CARE—VENUE.** (1) The provision of a telehealth service under this chapter occurs at the patient's location at the time the service is provided.

(2) In a civil action arising out of a health care practitioner's provision of a telehealth service to a patient under this chapter, brought by the patient or the patient's personal representative, conservator, guardian, or a person entitled to bring a claim under the state's wrongful death statute, venue is proper in the patient's county of residence in this state or in another county authorized by law.

**NEW SECTION. Sec. 8. RULE-MAKING AUTHORITY.** Disciplining authorities may adopt rules to administer, enforce, implement, or interpret this chapter.

**NEW SECTION. Sec. 9. UNIFORMITY OF APPLICATION AND CONSTRUCTION.** In applying and construing this chapter, a court shall consider the promotion of uniformity of the law among jurisdictions that enact the uniform telehealth act.

**NEW SECTION. Sec. 10.** (1) Nothing in this act shall be construed to require a health carrier as defined in RCW 48.43.005, a health plan offered under chapter 41.05 RCW, or medical assistance offered under chapter 74.09 RCW to reimburse for telehealth services that do not meet statutory requirements for reimbursement of telemedicine services.

(2) This chapter does not permit a health care practitioner to bill a patient directly for a telehealth service that is not a permissible telemedicine service under chapter 48.43, 41.05, or 74.09 RCW without receiving patient consent to be billed prior to providing the telehealth service.

**Sec. 11.** RCW 28B.20.830 and 2021 c 157 s 9 are each amended to read as follows:

(1) The collaborative for the advancement of ~~((telemedicine))~~ telehealth is created to enhance the understanding and use of health services provided through ~~((telemedicine))~~ telehealth and other similar models in Washington state. The collaborative shall be hosted by the University of Washington telehealth services and shall be comprised of one member from

each of the two largest caucuses of the senate and the house of representatives, and representatives from the academic community, hospitals, clinics, and health care providers in primary care and specialty practices, carriers, and other interested parties.

(2) By July 1, 2016, the collaborative shall be convened. The collaborative shall develop recommendations on improving reimbursement and access to services, including originating site restrictions, provider to provider consultative models, and technologies and models of care not currently reimbursed; identify the existence of ~~((telemedicine))~~ telehealth best practices, guidelines, billing requirements, and fraud prevention developed by recognized medical and ~~((telemedicine))~~ telehealth organizations; and explore other priorities identified by members of the collaborative. After review of existing resources, the collaborative shall explore and make recommendations on whether to create a technical assistance center to support providers in implementing or expanding services delivered through ~~((telemedicine))~~ telehealth technologies.

(3) The collaborative must submit an initial progress report by December 1, 2016, with follow-up policy reports including recommendations by December 1, 2017, December 1, 2018, and December 1, 2021. The reports shall be shared with the relevant professional associations, governing boards or commissions, and the health care committees of the legislature.

(4) The collaborative shall study store and forward technology, with a focus on:

(a) Utilization;

(b) Whether store and forward technology should be paid for at parity with in-person services;

(c) The potential for store and forward technology to improve rural health outcomes in Washington state; and

(d) Ocular services.

(5) The meetings of the board shall be open public meetings, with meeting summaries available on a web page.

(6) The collaborative must study the need for an established patient/provider relationship before providing audio-only ~~((telemedicine))~~ telehealth, including considering what types of services may be provided without an established relationship. By December 1, 2021, the collaborative must submit a report to the legislature on its recommendations regarding the need for an established relationship for audio-only ~~((telemedicine))~~ telehealth.

(7) The collaborative must review the proposal authored by the uniform law commission for the state to implement a process for out-of-state health care providers to register with the disciplinary authority regulating their profession in this state allowing that provider to provide services through telehealth or store and forward technology to persons located in this state. By December 1, 2024, the collaborative must submit a report to the legislature on its recommendations regarding the proposal.

(8) The future of the collaborative shall be reviewed by the legislature with

consideration of ongoing technical assistance needs and opportunities. (~~The collaborative terminates December 31, 2023.~~)

(9) This section expires July 1, 2025.

**NEW SECTION. Sec. 12. SEVERABILITY.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 13.** Sections 1 through 10 of this act constitute a new chapter in Title 18 RCW."

Correct the title.

Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Rules for second reading

February 21, 2024

2E2SSB 5580 Prime Sponsor, Ways & Means: Improving maternal health outcomes. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 74.09 RCW to read as follows:

(1) By no later than January 1, 2026, the authority shall create a postdelivery and transitional care program that allows for extended postdelivery hospital care for people with a substance use disorder at the time of delivery. The authority shall:

(a) Allow for up to five additional days of hospitalization stay for the birth parent;

(b) Provide the birth parent access to integrated care and medical services including, but not limited to, access to clinical health, medication management, behavioral health, addiction medicine, specialty consultations, and psychiatric providers;

(c) Provide the birth parent access to social work support which includes coordination with the department of children, youth, and families to develop a plan for safe care;

(d) Allow dedicated time for health professionals to assist in facilitating early bonding between the birth parent and infant by helping the birth parent recognize and respond to their infant's cues; and

(e) Establish provider requirements and pay only those qualified providers for the services provided through the program.

(2) In administering the program, the authority shall seek any available federal financial participation under the medical assistance program, as codified at Title XIX

of the federal social security act, the state children's health insurance program, as codified at Title XXI of the federal social security act, and any other federal funding sources that are now available or may become available.

**NEW SECTION. Sec. 2.** A new section is added to chapter 74.09 RCW to read as follows:

(1) Subject to the amounts appropriated for this specific purpose, the authority shall update the maternity support services program to address perinatal outcomes and increase equity and healthier birth outcomes. By January 1, 2026, the authority shall:

(a) Update current screening tools to be culturally relevant, include current risk factors, ensure the tools address health equity, and include questions identifying various social determinants of health that impact a healthy birth outcome and improve health equity;

(b) Ensure care coordination, including sharing screening tools with the patient's health care providers as necessary;

(c) Develop a mechanism to collect the results of the maternity support services screenings and evaluate the outcomes of the program. At minimum, the program evaluation shall:

(i) Identify gaps, strengths, and weaknesses of the program; and

(ii) Make recommendations for how the program may improve to better align with the authority's maternal and infant health initiatives; and

(d) Increase the allowable benefit and reimbursement rates with the goal of increasing utilization of services to all eligible maternity support services clients who choose to receive the services.

(2) The authority shall adopt rules to implement this section.

**NEW SECTION. Sec. 3.** A new section is added to chapter 74.09 RCW to read as follows:

By November 1, 2024, the income standards for a pregnant person eligible for Washington apple health pregnancy coverage shall have countable income equal to or below 210 percent of the federal poverty level.

**Sec. 4.** RCW 74.09.830 and 2021 c 90 s 2 are each amended to read as follows:

(1) The authority shall extend health care coverage from 60 days postpartum to one year postpartum for pregnant or postpartum persons who, on or after the expiration date of the federal public health emergency declaration related to COVID-19, are receiving postpartum coverage provided under this chapter.

(2) By June 1, 2022, the authority must:

(a) Provide health care coverage to postpartum persons who reside in Washington state, have countable income equal to or below 193 percent of the federal poverty level, and are not otherwise eligible under Title XIX or Title XXI of the federal social security act; and

(b) Ensure all persons approved for pregnancy or postpartum coverage at any time are continuously eligible for postpartum coverage for 12 months after the pregnancy ends regardless of whether they experience a change in income during the period of eligibility.

(3) By November 1, 2024, the income standards for a postpartum person eligible for Washington apple health pregnancy or postpartum coverage shall have countable income equal to or below 210 percent of the federal poverty level.

(4) Health care coverage under this section must be provided during the 12-month period beginning on the last day of the pregnancy.

~~((4+))~~ (5) The authority shall not provide health care coverage under this section to individuals who are eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act. Health care coverage for these individuals shall be provided by a program that is funded by Title XIX or Title XXI of the federal social security act. Further, the authority shall make every effort to expedite and complete eligibility determinations for individuals who are presumptively eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act to ensure the state is receiving the maximum federal match. This includes, but is not limited to, working with the managed care organizations to provide continuous outreach in various modalities until the individual's eligibility determination is completed. Beginning January 1, 2022, the authority must submit quarterly reports to the caseload forecast work group on the number of individuals who are presumptively eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act but are awaiting for the authority to complete eligibility determination, the number of individuals who were presumptively eligible but are now receiving health care coverage with the maximum federal match under Title XIX or Title XXI of the federal social security act, and outreach activities including the work with managed care organizations.

~~((5+))~~ (6) To ensure continuity of care and maximize the efficiency of the program, the amount and scope of health care services provided to individuals under this section must be the same as that provided to pregnant and postpartum persons under medical assistance, as defined in RCW 74.09.520.

~~((6+))~~ (7) In administering this program, the authority must seek any available federal financial participation under the medical assistance program, as codified at Title XIX of the federal social security act, the state children's health insurance program, as codified at Title XXI of the federal social security act, and any other federal funding sources that are now available or may become available. This includes, but is not limited to, ensuring the state is receiving the maximum federal match for individuals who are presumptively eligible to receive health care coverage under Title XIX or Title XXI of the federal

social security act by expediting completion of the individual's eligibility determination.

~~((7+))~~ (8) Working with stakeholder and community organizations and the Washington health benefit exchange, the authority must establish a comprehensive community education and outreach campaign to facilitate applications for and enrollment in the program or into a more appropriate program where the state receives maximum federal match. Subject to the availability of amounts appropriated for this specific purpose, the education and outreach campaign must provide culturally and linguistically accessible information to facilitate participation in the program, including but not limited to enrollment procedures, program services, and benefit utilization.

~~((8+))~~ (9) Beginning January 1, 2022, the managed care organizations contracted with the authority to provide postpartum coverage must annually report to the legislature on their work to improve maternal health for enrollees, including but not limited to postpartum services offered to enrollees, the percentage of enrollees utilizing each postpartum service offered, outreach activities to engage enrollees in available postpartum services, and efforts to collect eligibility information for the authority to ensure the enrollee is in the most appropriate program for the state to receive the maximum federal match."

Correct the title.

Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

February 20, 2024

SSB 5588

Prime Sponsor, Law & Justice: Concerning the mental health sentencing alternative. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9.94A.695 and 2021 c 242 s 1 are each amended to read as follows:

(1) A defendant is eligible for the mental health sentencing alternative if:

(a) The defendant is convicted of a felony that is not a serious violent offense or sex offense;

(b) The defendant is diagnosed with a serious mental illness recognized by the diagnostic manual in use by mental health professionals at the time of sentencing;

(c) The defendant and the community would benefit from supervision and treatment, as determined by the judge; and

(d) The defendant is willing to participate in the sentencing alternative.

(2) A motion for a sentence under this section may be made by any party or the

court, but is contingent upon the defendant's agreement to participate in the sentencing alternative. To determine whether the defendant has a serious mental illness, the court may rely on information including reports completed pursuant to chapters 71.05 and 10.77 RCW, or other mental health professional as defined in RCW 71.05.020, or other information and records related to mental health services. Information and records relating to mental health services must be handled consistently with RCW 9.94A.500(2). If insufficient information is available to determine whether a defendant has a serious mental illness, the court may order an examination of the defendant.

(3) To assist the court in its determination, the department shall provide a written report, which shall be in the form of a presentence investigation. Such report may be ordered by the court on the motion of a party prior to conviction if such a report will facilitate negotiations. The court may waive the production of this report if sufficient information is available to the court to make a determination under subsection (4) of this section. The report must contain:

(a) A proposed treatment plan for the defendant's mental illness, including at a minimum:

(i) The name and address of ~~((the))~~ a treatment provider that ((has agreed)) is agreeing to provide treatment to the defendant, including an intake evaluation, a psychiatric evaluation, and development of an individualized plan of treatment which shall be submitted as soon as possible to the department and the court; and

(ii) An agreement by the treatment provider to monitor the progress of the defendant on the sentencing alternative and notify the department and the court at any time during the duration of the order if reasonable efforts to engage the defendant fail to produce substantial compliance with court-ordered treatment conditions;

(b) A proposed monitoring plan, including any requirements regarding living conditions, lifestyle requirements, and monitoring by family members and others;

(c) Recommended crime-related prohibitions and affirmative conditions; and

(d) A release of information, signed by the defendant, allowing the parties and the department to confirm components of the treatment and monitoring plan.

(4) After consideration of all available information and determining whether the defendant is eligible, the court shall consider whether the defendant and the community will benefit from the use of this sentencing alternative. The court shall consider the victim's opinion whether the defendant should receive a sentence under this section. If the sentencing court determines that a sentence under this section is appropriate, the court shall waive imposition of the sentence within the standard range. The court shall impose a term of community custody between 12 and 24 months if the midpoint of the defendant's standard range sentence is less than or equal to 36 months, and a term of community custody between 12 months and 36 months if the midpoint of the defendant's standard

range sentence is longer than 36 months. The actual length of community custody within these ranges shall be at the discretion of the court.

(5) If the court imposes an alternative sentence under this section, the department shall assign a community corrections officer to supervise the defendant. The department shall provide a community corrections officer assigned under this section with appropriate training in mental health to be determined by the department.

(6) ~~((a))~~ For a defendant participating in this sentencing alternative, the court and correctional facility may delay the defendant's release from total confinement in order to facilitate adherence to the defendant's treatment plan. This may include delaying release in order to:

(a) Allow a defendant to transfer directly to an inpatient treatment facility or supportive housing provider;

(b) Ensure appropriate transportation is established and available; or

(c) Release the defendant during business hours on a weekday when services are available.

(7) (a) The court may schedule progress hearings for the defendant to evaluate the defendant's progress in treatment and compliance with conditions of supervision.

(b) Before any progress hearing, the department and the treatment provider shall each submit a written report informing the parties of the defendant's progress and compliance with treatment, unless waived by the court. At the progress hearing, the court shall hear from the parties regarding the defendant's compliance and may modify the conditions of community custody if the modification serves the interests of justice and the best interests of the defendant.

~~((7))~~ (8) (a) If the court imposes this sentencing alternative, the court shall impose conditions under RCW 9.94A.703 that ~~((do not conflict))~~ are consistent with this section and may impose any additional conditions recommended by any of the written reports regarding the defendant.

(b) The court shall impose specific treatment conditions:

(i) Meet with treatment providers and follow the recommendations provided in the individualized treatment plan as initially constituted or subsequently modified by the treatment provider;

(ii) Take medications as prescribed, including monitoring of compliance with medication if needed;

(iii) Refrain from using alcohol and nonprescribed controlled substances if the defendant has a diagnosis of a substance use disorder. The court may order the department to monitor for the use of alcohol or nonprescribed controlled substances if the court prohibits use of those substances.

~~((8))~~ (9) Treatment issues arising during supervision shall be discussed collaboratively. The treatment provider, community corrections officer, and any representative of the person's medical assistance plan shall jointly determine intervention for violation of a treatment condition. The community corrections officer shall have the authority to address the violation independently if:

(a) The violation is safety related with respect to the defendant or others;

(b) The treatment violation consists of decompensation related to psychosis that presents a risk to the community or the defendant and cannot be mitigated by community intervention. The community corrections officer may intervene with available resources such as a designated crisis responder; or

(c) The violation relates to a standard condition for supervision.

~~((9))~~ (10) The community corrections officer, treatment provider, and any engaged representative of the defendant's medical assistance plan should collaborate prior to a progress update to the court. Required treatment interventions taken between court progress hearings shall be reported to the court as a part of the regular progress update to the court.

~~((10))~~ (11) The court may schedule a review hearing for a defendant under this sentencing alternative at any time to evaluate the defendant's progress with treatment or to determine if any violations have occurred.

(a) At a review hearing the court may modify the terms of the community custody or impose sanctions if the court finds that the conditions have been violated or that different or additional terms are in the best interest of the defendant.

(b) The court may order the defendant to serve a term of total or partial confinement for violating the terms of community custody or failing to make satisfactory progress in treatment.

~~((11))~~ (12) The court shall schedule a termination hearing one month prior to the end of the defendant's community custody. A termination hearing may also be scheduled if the department or the state reports that the defendant has violated the terms of community custody imposed by the court. At that hearing, the court may:

(a) Authorize the department to terminate the defendant's community custody status on the expiration date; or

(b) Continue the hearing to a date before the expiration date of community custody, with or without modifying the conditions of community custody; or

(c) Revoke the sentencing alternative and impose a term of total or partial confinement within the standard sentence range or impose an exceptional sentence below the standard sentencing range if compelling reasons are found by the court or the parties agree to the downward departure. The defendant shall receive credit for time served while actively supervised in the community against any term of total confinement. The court must issue written findings indicating a substantial and compelling reason to revoke this sentencing alternative.

~~((12))~~ (13) The health care authority shall directly reimburse behavioral health providers for:

(a) Conducting in-custody evaluations and developing treatment plans for individuals recommended for this sentencing alternative; and

(b) Monitoring the individual's compliance with this sentencing alternative,

including reporting to the court and the department of corrections.

(14) For the purposes of this section:

(a) "Behavioral health provider" has the same meaning as in RCW 71.24.025.

(b) "Serious mental illness" means a mental, behavioral, or emotional disorder resulting in a serious functional impairment, which substantially interferes with or limits one or more major life activities.

~~((b))~~ (c) "Victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a result of the crime charged. "Victim" also means a parent or guardian of a victim who is a minor child unless the parent or guardian is the perpetrator of the offense.

NEW SECTION. Sec. 2. A new section is added to chapter 71.24 RCW to read as follows:

Beginning January 1, 2025, the authority shall require that any contract with a managed care organization include a requirement that the managed care organization prioritize existing care coordination responsibilities, including in-custody mental health evaluations, treatment plan development, and same-day prescription access, for incarcerated individuals who are recommended for the mental health sentencing alternative under RCW 9.94A.695."

Correct the title.

Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Without recommendation. Signed by Representatives Mosbrucker, Ranking Minority Member; and Graham.

Referred to Committee on Appropriations

February 20, 2024

ESSB 5589 Prime Sponsor, Law & Justice: Concerning probate. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

February 21, 2024

2SSB 5591 Prime Sponsor, Ways & Means: Providing dependent youth with financial education and support. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that many youth exiting foster care have not been financially prepared for a successful transition to independence. The legislature finds that financial awareness can play a key role in ensuring safe and stable housing and long-term economic well-being. Therefore, the legislature resolves to create a program to aid young people in foster care with establishing private self-controlled accounts to promote successful transition from foster care into independence.

**NEW SECTION. Sec. 2.** A new section is added to chapter 74.13 RCW to read as follows:

(1) The department shall develop a financial savings program for eligible youth.

(a) The department shall provide an eligible youth with the opportunity to open a private self-controlled account with a financial institution. If interested, the eligible youth may open the account with assistance from any supportive adult, including but not limited to: Independent living service providers, caregivers, caseworkers, kinship and other family members, attorneys, and supportive adults in the community which may include mentors, teachers, and coaches. It is the department's responsibility to ensure that every eligible youth receives information about this program beginning at age 14, and to inquire as to whether a youth has established a private self-controlled account at the youth's shared planning meeting that is used to develop a transition plan, as provided for in this chapter. If it is determined that an eligible youth has not established a private self-controlled account at the time of the shared planning meeting, information on opening an account with a financial institution must be included in a youth's transition plan.

(b) As appropriate, the department shall engage various partners to work with young people to establish their accounts, including but not limited to independent living providers, established community-based organizations, foster parents and caregivers, foster care in-school support staff, and other direct service department staff.

(c) The department shall deposit a minimum of \$25 per month into an eligible youth's account as established under this program. The department shall make a first deposit within one month of the youth's opening of an account. Eligible youth may opt out of receiving minimum deposits under this section at any time. It is the department's responsibility to inform the eligible youth about the impact that deposits could have on public benefit eligibility.

(d) The department shall create an online platform to allow youth to establish their financial accounts.

(e) The program is to be operational by January 1, 2025, and fully implemented in all regions by July 1, 2028. The program shall be established and made fully

operational statewide in phases over the state fiscal years as follows:

(i) Over the 2024-2025 fiscal year, Spokane and Pierce counties;

(ii) Over the 2025-2026 fiscal year, the remaining counties in the department's regions 1 and 5;

(iii) Over the 2026-2027 fiscal year, regions 2 and 6; and

(iv) Over the 2027-2028 fiscal year, regions 3 and 4.

(f) The department shall conduct an annual electronic survey of 15 percent of eligible youth as a method of program evaluation.

(g) An eligible youth is a dependent youth ages 14 and up, including youth in extended foster care, and remains eligible to open an account with the financial support of the department until the dependency proceeding is dismissed.

(2)(a) The department shall convene a temporary advisory committee to advise on the development of the implementation plan of this program, collections and reports of data, expansion of partnerships with financial institutions and service providers, and review of communications and marketing materials. The department shall consult the temporary advisory committee regarding the financial savings program to ensure statewide access to a high quality, developmentally, and culturally appropriate program for eligible youth. The temporary advisory committee shall develop a survey for eligible youth to help determine the effectiveness of the program, including whether the eligible youth has established a self-controlled account. The department is encouraged to utilize existing resources readily available including those provided by the department of financial institutions, among other agencies and programs. Members of the temporary advisory committee shall include, but are not limited to: Current or former foster youth, current or former caregivers, including kinship caregivers, the financial education public-private partnership, financial institutions, and those with expertise in providing financial education or mentorship to youth ages 12 and up.

(b) By November 1, 2025, and in compliance with RCW 43.01.036, the department shall submit a report on the work of the advisory committee as well as the status of the program implementation to the appropriate committees of the legislature and the governor. By December 1, 2025, and annually thereafter, and in compliance with RCW 43.01.036, the department shall submit a report summarizing the results of the survey as provided for in subsection (1) of this section to the appropriate committees of the legislature.

**Sec. 3.** RCW 74.04.005 and 2023 c 418 s 1 are each amended to read as follows:

For the purposes of this title, unless the context indicates otherwise, the following definitions shall apply:

(1) "Aged, blind, or disabled assistance program" means the program established under RCW 74.62.030.

(2) "Applicant" means any person who has made a request, or on behalf of whom a request has been made, to any county or local office for assistance.

(3) "Authority" means the health care authority.

(4) "County or local office" means the administrative office for one or more counties or designated service areas.

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

(6) "Director" means the director of the health care authority.

(7) "Essential needs and housing support program" means the program established in RCW 43.185C.220.

(8) "Federal aid assistance" means the specific categories of assistance for which provision is made in any federal law existing or hereafter passed by which payments are made from the federal government to the state in aid or in respect to payment by the state for public assistance rendered to any category of needy persons for which provision for federal funds or aid may from time to time be made, or a federally administered needs-based program.

(9) "Income" means:

(a) All appreciable gains in real or personal property (cash or kind) or other assets, which are received by or become available for use and enjoyment by an applicant or recipient during the month of application or after applying for or receiving public assistance. The department may by rule and regulation exempt income received by an applicant for or recipient of public assistance which can be used by him or her to decrease his or her need for public assistance or to aid in rehabilitating him or her or his or her dependents, and must exempt funds deposited by the department of children, youth, and families into a dependent youth's independently controlled financial account opened under the program established in section 2 of this act, but such ((exemption)) exemptions shall not, unless otherwise provided in this title, exceed the exemptions of resources granted under this chapter to an applicant for public assistance. In addition, for cash assistance the department may disregard income pursuant to RCW 74.08A.230 and 74.12.350.

(b) If, under applicable federal requirements, the state has the option of considering property in the form of lump sum compensatory awards or related settlements received by an applicant or recipient as income or as a resource, the department shall consider such property to be a resource.

(10) "Need" means the difference between the applicant's or recipient's standards of assistance for himself or herself and the dependent members of his or her family, as measured by the standards of the department, and value of all nonexempt resources and nonexempt income received by or available to the applicant or recipient and the dependent members of his or her family.

(11) "Public assistance" or "assistance" means public aid to persons in need thereof for any cause, including services, medical care, assistance grants, disbursing orders,

work relief, benefits under RCW 74.62.030 and 43.185C.220, and federal aid assistance.

(12) "Recipient" means any person receiving assistance and in addition those dependents whose needs are included in the recipient's assistance.

(13) "Resource" means any asset, tangible or intangible, owned by or available to the applicant at the time of application, which can be applied toward meeting the applicant's need, either directly or by conversion into money or its equivalent. The department may by rule designate resources that an applicant may retain and not be ineligible for public assistance because of such resources. Exempt resources shall include, but are not limited to:

(a) A home that an applicant, recipient, or their dependents is living in, including the surrounding property;

(b) Household furnishings and personal effects;

(c) One motor vehicle, other than a motor home, that is used and useful;

(d) A motor vehicle necessary to transport a household member with a physical disability. This exclusion is limited to one vehicle per person with a physical disability;

(e) Retirement funds, pension plans, and retirement accounts;

(f) All other resources, including any excess of values exempted, not to exceed \$12,000 or other limit as set by the department, to be consistent with limitations on resources and exemptions necessary for federal aid assistance;

(g) Applicants for or recipients of benefits under RCW 74.62.030 and 43.185C.220 shall have their eligibility based on resource limitations consistent with the temporary assistance for needy families program rules adopted by the department; and

(h) If an applicant for or recipient of public assistance possesses property and belongings in excess of the ceiling value, such value shall be used in determining the need of the applicant or recipient, except that: (i) The department may exempt resources or income when the income and resources are determined necessary to the applicant's or recipient's restoration to independence, to decrease the need for public assistance, or to aid in rehabilitating the applicant or recipient or a dependent of the applicant or recipient; and (ii) the department may provide grant assistance for a period not to exceed nine months from the date the agreement is signed pursuant to this section to persons who are otherwise ineligible because of excess real property owned by such persons when they are making a good faith effort to dispose of that property if:

(A) The applicant or recipient signs an agreement to repay the lesser of the amount of aid received or the net proceeds of such sale;

(B) If the owner of the excess property ceases to make good faith efforts to sell the property, the entire amount of assistance may become an overpayment and a debt due the state and may be recovered pursuant to RCW 43.20B.630;

(C) Applicants and recipients are advised of their right to a fair hearing and

afforded the opportunity to challenge a decision that good faith efforts to sell have ceased, prior to assessment of an overpayment under this section; and

(D) At the time assistance is authorized, the department files a lien without a sum certain on the specific property.

(14) "Secretary" means the secretary of social and health services.

(15) "Standards of assistance" means the level of income required by an applicant or recipient to maintain a level of living specified by the department.

(16)(a) "Victim of human trafficking" means a noncitizen and any qualifying family members who have:

(i) Filed or are preparing to file an application for T nonimmigrant status with the appropriate federal agency pursuant to 8 U.S.C. Sec. 1101(a)(15)(T), as it existed on January 1, 2020;

(ii) Filed or are preparing to file an application with the appropriate federal agency for status pursuant to 8 U.S.C. Sec. 1101(a)(15)(U), as it existed on January 1, 2020; or

(iii) Been harmed by either any violation of chapter 9A.40 or 9.68A RCW, or both, or by substantially similar crimes under federal law or the laws of any other state, and who:

(A) Are otherwise taking steps to meet the conditions for federal benefits eligibility under 22 U.S.C. Sec. 7105, as it existed on January 1, 2020; or

(B) Have filed or are preparing to file an application with the appropriate federal agency for status under 8 U.S.C. Sec. 1158.

(b)(i) "Qualifying family member" means:

(A) A victim's spouse and children; and

(B) When the victim is under 21 years of age, a victim's parents and unmarried siblings under the age of 18.

(ii) "Qualifying family member" does not include a family member who has been charged with or convicted of attempt, conspiracy, solicitation, or commission of any crime referenced in this subsection or described under 8 U.S.C. Sec. 1101(a)(15)(T) or (U) as either existed on January 1, 2020, when the crime is against a spouse who is a victim of human trafficking or against the child of a victim of human trafficking.

(17) For purposes of determining eligibility for public assistance and participation levels in the cost of medical care, the department shall exempt restitution payments made to people of Japanese and Aleut ancestry pursuant to the Civil Liberties Act of 1988 and the Aleutian and Pribilof Island Restitution Act passed by congress, P.L. 100-383, including all income and resources derived therefrom.

(18) In the construction of words and phrases used in this title, the singular number shall include the plural, the masculine gender shall include both the feminine and neuter genders, and the present tense shall include the past and future tenses, unless the context thereof shall clearly indicate to the contrary."

Correct the title.

Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member;

Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self; Taylor and Walsh.

Referred to Committee on Appropriations

February 20, 2024

ESB 5592

Prime Sponsor, Senator Hunt: Requiring semiautomatic external defibrillator at fitness centers. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 70.54 RCW to read as follows:

(1) The owner of a fitness center shall acquire and maintain at least one semiautomatic external defibrillator on premises.

(2) The fitness center must comply with the requirements of RCW 70.54.310, including instruction of personnel on the use of the defibrillator, maintenance of the defibrillator, and notification of the local emergency medical services organization about the location of the defibrillator.

(3) An employee of a fitness center who has completed the instruction required under RCW 70.54.310 may render emergency care or treatment using a semiautomatic external defibrillator on the fitness center premises.

(4) A person who uses a semiautomatic external defibrillator at the scene of an emergency is immune from civil liability pursuant to RCW 70.54.310.

(5)(a) "Fitness center" means any premises used for recreation, instruction, training, physical exercise, body building, weight loss, figure development, martial arts, or other similar activity, that offers access on a membership basis.

(b) "Fitness center" does not include:

(i) Public common schools, private schools approved under RCW 28A.195.010, and public or private institutions of higher education;

(ii) facilities operated by bona fide nonprofit organizations which have been granted tax-exempt status by the internal revenue service, the functions of which as fitness centers are only incidental to their overall functions; and (iii) private facilities operated out of a home that do not offer memberships."

Correct the title.

Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Macri; Orwall; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Without recommendation. Signed by Representatives Schmick, Ranking Minority Member; Graham; Harris; Maycumber; and Mosbrucker.

Referred to Committee on Rules for second reading

February 21, 2024



2SSB 5660

Prime Sponsor, Ways & Means: Establishing a mental health advance directive effective implementation work group. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

Referred to Committee on Appropriations

February 21, 2024

SSB 5667

Prime Sponsor, Agriculture, Water, Natural Resources & Parks: Concerning eligibility, enrollment, and compensation of small forestland owners volunteering for participation in the forestry riparian easement program. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Chapman, Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Kloba; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Capital Budget

February 21, 2024

SSB 5709

Prime Sponsor, Local Government, Land Use & Tribal Affairs: Concerning irrigation district elections. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member and Low.

MINORITY recommendation: Do not pass. Signed by Representatives Gregerson; and Mena.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 5774

Prime Sponsor, Early Learning & K-12 Education: Increasing the capacity to conduct timely fingerprint-based background checks for prospective child care employees and other programs. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that accurate background checks play an important role in ensuring the safety of Washington families seeking child care services and for those involved in the child welfare system. The legislature finds that many areas of the state lack convenient access to fingerprinting services, thereby significantly delaying or inhibiting hiring and approval processes. The legislature finds that completing background checks more quickly will help address child care

workforce shortfalls by allowing providers to hire, train, and employ new staff. The legislature therefore intends to improve workforce stability by reducing processing times for background checks and directing the department of children, youth, and families to make fingerprinting services available at selected early learning and child welfare offices as provided in this act.

**Sec. 2.** RCW 43.216.270 and 2023 c 437 s 2 are each amended to read as follows:

(1) (a) In determining whether an individual is of appropriate character, suitability, and competence to provide child care and early learning services to children, the department may consider the history of past involvement of child protective services or law enforcement agencies with the individual for the purpose of establishing a pattern of conduct, behavior, or inaction with regard to the health, safety, or welfare of a child. No report of child abuse or neglect that has been destroyed or expunged under RCW 26.44.031 may be used for such purposes. No unfounded or inconclusive allegation of child abuse or neglect as defined in RCW 26.44.020 may be disclosed to a provider licensed under this chapter.

(b) The department may not deny or delay a license to provide child care and early learning services under this chapter to an individual solely because of a founded finding of physical abuse or negligent treatment or maltreatment involving the individual revealed in the background check process or solely because the individual's child was found by a court to be dependent as a result of a finding that the individual abused or neglected their child pursuant to RCW 13.34.030(6)(b) when that founded finding or court finding is accompanied by a certificate of parental improvement as defined in chapter 74.13 RCW related to the same incident.

(2) In order to determine the suitability of individuals newly applying for an agency license, new licensees, their new employees, and other persons who newly have unsupervised access to children in child care, shall be fingerprinted.

(a) The fingerprints shall be forwarded to the Washington state patrol and federal bureau of investigation for a criminal history record check.

(b) All individuals applying for first-time agency licenses, all new employees, and other persons who have not been previously qualified by the department to have unsupervised access to children in child care must be fingerprinted and obtain a criminal history record check pursuant to this section.

(c) The secretary shall use the fingerprint criminal history record check information solely for the purpose of determining eligibility for a license and for determining the character, suitability, and competence of those persons or agencies, excluding parents, not required to be licensed who are authorized to care for children.

(d) Criminal justice agencies shall provide the secretary such information as they may have and that the secretary may require for such purpose.

(e) No later than July 1, 2013, all agency licensees holding licenses prior to July 1, 2012, persons who were employees before July 1, 2012, and persons who have been qualified by the department before July 1, 2012, to have unsupervised access to children in child care, must submit a new background application to the department.

(f) The department shall issue a background check clearance card or certificate to the applicant if after the completion of a background check the department concludes the applicant is qualified for unsupervised access to children in child care. The background check clearance card or certificate is valid for five years from the date of issuance. A valid card or certificate must be accepted by a potential employer as proof that the applicant has successfully completed a background check as required under this chapter. For purposes of renewal of the background clearance card or certificate, all agency licensees holding a license, persons who are employees, and persons who have been previously qualified by the department, must submit a new background application to the department on a date to be determined by the department.

(g) The original applicant for an agency license, licensees, their employees, and other persons who have unsupervised access to children in child care shall submit a new background check application to the department, on a form and by a date as determined by the department.

(h) The applicant and agency shall maintain on-site for inspection a copy of the background check clearance card or certificate.

(i) Individuals who have been issued a background check clearance card or certificate shall report nonconviction and conviction information to the department within twenty-four hours of the event constituting the nonconviction or conviction information.

(j) The department shall investigate and conduct a redetermination of an applicant's or licensee's background clearance if the department receives a complaint or information from individuals, a law enforcement agency, or other federal, state, or local government agency. Subject to the requirements contained in RCW 43.216.325 and 43.216.327 and based on a determination that an individual lacks the appropriate character, suitability, or competence to provide child care or early learning services to children, the department may: (i) Invalidate the background card or certificate; or (ii) suspend, modify, or revoke any license authorized by this chapter.

(3) To satisfy the shared background check requirements of the department of children, youth, and families, the office of the superintendent of public instruction, and the department of social and health services, each department shall share federal fingerprint-based background check results as permitted under the law. The

purpose of this provision is to allow these departments to fulfill their joint background check responsibility of checking any individual who may have unsupervised access to vulnerable adults, children, or juveniles. These departments may not share the federal background check results with any other state agency or person.

(4) Individuals who have completed a fingerprint background check as required by the office of the superintendent of public instruction, consistent with RCW 28A.400.303, and have been continuously employed by the same school district or educational service district, can meet the requirements in subsection (2) of this section by providing a true and accurate copy of their Washington state patrol and federal bureau of investigation background check report results to the department or if the school district or the educational service district provides an affidavit to the department that the individual has been authorized to work by the school district or educational service district after completing a record check consistent with RCW 28A.400.303. The department may require that additional background checks be completed that do not require additional fingerprinting.

(5) Subject to the availability of amounts appropriated for this specific purpose and to help satisfy the background check requirements in this section, the department shall maintain the capacity to roll, print, or scan fingerprints in at least seven of the department's early learning and child welfare offices for the purposes of Washington state patrol and federal bureau of investigation fingerprint-based background checks. Office locations must:

(a) Be prioritized based on proximity to existing fingerprinting service capacity, regional demand, and criteria to enhance timely access;

(b) Provide staff support of a minimum of 0.5 full-time equivalent employees per office location; and

(c) Provide fingerprinting services solely for prospective and current child care employees, licensed group care employees, families, and relatives involved in child welfare.

**Sec. 3.** RCW 74.15.030 and 2019 c 470 s 20 are each amended to read as follows:

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

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

(2) In consultation with the children's services advisory committee, and with the

advice and assistance of persons representative of the various type agencies to be licensed, to adopt and publish minimum requirements for licensing applicable to each of the various categories of agencies to be licensed.

The minimum requirements shall be limited to:

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

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

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

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

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

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

(ii) Foster care and adoption placements; and

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

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

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

(h) The capacity to roll, print, or scan fingerprints in the department's early learning and child welfare offices for the purposes of Washington state patrol and federal bureau of investigation fingerprint-based background checks as provided in RCW 43.216.270(5);

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

~~((+))~~(j) The number of qualified persons required to render the type of care and treatment for which an agency seeks a license;

~~((+))~~(k) The safety, cleanliness, and general adequacy of the premises to provide for the comfort, care and well-being of children or expectant mothers;

~~((+))~~(l) The provision of necessary care, including food, clothing, supervision and discipline; physical, mental and social well-being; and educational, recreational and spiritual opportunities for those served;

~~((+))~~(m) The financial ability of an agency to comply with minimum requirements established pursuant to this chapter and RCW 74.13.031; and

~~((+))~~(n) The maintenance of records pertaining to the admission, progress, health and discharge of persons served;

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

(4) On reports of alleged child abuse and neglect, to investigate agencies in accordance with chapter 26.44 RCW, including agencies or facilities operated by the department of social and health services that receive children for care outside their own homes, child day-care centers, and family day-care homes, to determine whether the alleged abuse or neglect has occurred, and whether child protective services or referral to a law enforcement agency is appropriate;

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

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

(7) To inspect agencies periodically to determine whether or not there is compliance with this chapter and RCW 74.13.031 and the requirements adopted hereunder;

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

(9) To consult with public and private agencies in order to help them improve their methods and facilities for the care of children or expectant mothers.

NEW SECTION. **Sec. 4.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its

existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Walsh.

Referred to Committee on Appropriations

February 21, 2024

2SSB 5780 Prime Sponsor, Ways & Means: Encouraging participation in public defense and prosecution professions. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

Referred to Committee on Appropriations

February 21, 2024

2SSB 5784 Prime Sponsor, Ways & Means: Concerning deer and elk damage to commercial crops. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature has historically appropriated \$30,000 per fiscal year from the state general fund and \$120,000 per fiscal year from the fish, wildlife, and conservation account for the payment of claims for crop damage and tasked the department of fish and wildlife with prioritizing those claims within amounts appropriated. The legislature has never intended to assume responsibility for claims in excess of amounts appropriated in any fiscal year.

Claims awarded or agreed upon prior to the effective date of this section are in excess of amounts appropriated. The legislature intends to appropriate an additional \$184,000 for those claims. No further amounts will be appropriated for payment on those claims. Going forward, the legislature intends to prioritize claims in a more equitable manner that compensates claimants according to the percentage of their loss.

**Sec. 2.** RCW 77.36.080 and 2009 c 333 s 60 are each amended to read as follows:

(1) Unless the legislature declares an emergency under this section, the department may pay no more than ~~((thirty thousand dollars))~~ \$300,000 per fiscal year from the general fund for claims and assessment costs for damage to commercial crops caused by

wild deer or elk submitted under RCW 77.36.100.

(2)(a) The legislature may declare an emergency if weather, fire, or other natural events result in deer or elk causing excessive damage to commercial crops.

(b) After an emergency declaration, the department may pay as much as may be subsequently appropriated, in addition to the funds authorized under subsection (1) of this section, for claims and assessment costs under RCW 77.36.100. Such money shall be used to pay wildlife interaction claims only if the claim meets the conditions of RCW 77.36.100 and the department has expended all funds authorized under RCW 77.36.070 or subsection (1) of this section.

**Sec. 3.** RCW 77.36.100 and 2013 c 329 s 4 are each amended to read as follows:

(1)(a) Except as limited by RCW 77.36.070, 77.36.080, 77.36.170, and 77.36.180, the department shall offer to distribute money appropriated to pay claims to the owner of commercial crops for damage caused by wild deer or elk or to the owners of livestock that has been killed by bears, wolves, or cougars, or injured by bears, wolves, or cougars to such a degree that the market value of the livestock has been diminished. Payments for claims for damage to livestock are not subject to the limitations of RCW 77.36.070 and 77.36.080, but may not, except as provided in RCW 77.36.170 and 77.36.180, exceed the total amount specifically appropriated therefor.

(b) Owners of commercial crops or livestock are only eligible for a claim under this subsection if:

(i) The commercial crop owner satisfies the definition of "eligible farmer" in RCW 82.08.855;

(ii) The conditions of RCW 77.36.110 have been satisfied; and

(iii) The damage caused to the commercial crop or livestock satisfies the criteria for damage established by the commission under (c) of this subsection.

(c) The commission shall adopt and maintain by rule criteria that clarifies the damage to commercial crops and livestock qualifying for compensation under this subsection. An owner of a commercial crop or livestock must satisfy the criteria prior to receiving compensation under this subsection. The criteria for damage adopted under this subsection must include, but not be limited to, a required minimum economic loss to the owner of the commercial crop or livestock, which may not be set at a value of less than ~~((five hundred dollars))~~ \$500.

(2)(a) Subject to the availability of nonstate funds, nonstate resources other than cash, or amounts appropriated for this specific purpose, the department may offer to provide compensation to offset wildlife interactions to a person who applies to the department for compensation for damage to property other than commercial crops or livestock that is the result of a mammalian or avian species of wildlife on a case-specific basis if the conditions of RCW 77.36.110 have been satisfied and if the damage satisfies the criteria for damage

established by the commission under (b) of this subsection.

(b) The commission shall adopt and maintain by rule criteria for damage to property other than a commercial crop or livestock that is damaged by wildlife and may be eligible for compensation under this subsection, including criteria for filing a claim for compensation under this subsection.

(3)(a) To prevent or offset wildlife interactions, the department may offer materials or services to a person who applies to the department for assistance in providing mitigating actions designed to reduce wildlife interactions if the actions are designed to address damage that satisfies the criteria for damage established by the commission under this section.

(b) The commission shall adopt and maintain by rule criteria for mitigating actions designed to address wildlife interactions that may be eligible for materials and services under this section, including criteria for submitting an application under this section.

(4)(a) An owner who files a claim under this section may appeal the decision of the department pursuant to rules adopted by the commission if the claim:

~~((a)) (i)~~ Is denied; or

~~((b)) (ii)~~ Is disputed by the owner and the owner disagrees with the amount of compensation determined by the department.

(b) An appeal of a decision of the department addressing deer or elk damage to commercial crops is limited to \$30,000.

(5) ~~((The)) (a)~~ Consistent with this section, the commission shall adopt rules setting limits and conditions for the department's expenditures on claims and assessments for commercial crops, livestock, other property, and mitigating actions.

(b) Claims awarded or agreed upon that are unpaid due to being in excess of available funds in the current fiscal year are eligible for payment in the next state fiscal year.

(c) If additional funds are not appropriated by the legislature in the subsequent fiscal year specifically for unpaid claims, then no further payment may be made on the claim.

(d) Claims awarded or agreed upon during a fiscal year must be prioritized for payment based upon the highest percentage of loss, calculated by comparing agreed-upon or awarded commercial crop damages to the gross sales or harvested value of commercial crops for the previous tax year.

(e) The payment of a claim under this section is conditional on the availability of specific funding for this purpose and is not a guarantee of reimbursement.

**Sec. 4.** RCW 77.36.130 and 2013 c 329 s 5 are each amended to read as follows:

(1) Except as otherwise provided in this section and as limited by RCW 77.36.100, 77.36.070, 77.36.080, 77.36.170, and 77.36.180, the cash compensation portion of each claim by the department under this chapter is limited to the lesser of:

(a) The value of the damage to the property by wildlife, reduced by the amount of compensation provided to the claimant by any nonprofit organizations that provide compensation to private property owners due to financial losses caused by wildlife interactions. The value of killed or injured livestock may be no more than the market value of the lost livestock subject to the conditions and criteria established by rule of the commission; or

(b) ~~((Ten thousand dollars))~~ \$30,000.

~~(2) ((The department may offer to pay a claim for an amount in excess of ten thousand dollars to the owners of commercial crops or livestock filing a claim under RCW 77.36.100 only if the outcome of an appeal filed by the claimant under RCW 77.36.100 determines a payment higher than ten thousand dollars.~~

~~(3))~~ All payments of claims by the department under this chapter must be paid to the owner of the damaged property and may not be assigned to a third party.

~~((4))~~ (3) The burden of proving all property damage, including damage to commercial crops and livestock, belongs to the claimant.

**NEW SECTION. Sec. 5.** By December 1, 2024, the department of fish and wildlife shall review crop and livestock wildlife damage programs in other states and submit to the legislature a list of recommendations for changes to Washington statutes.

**NEW SECTION. Sec. 6.** A new section is added to chapter 77.36 RCW to read as follows:

(1) The department, in coordination, decision making, and stewardship with tribal comanagers, shall develop a three-year pilot program to collar elk within herds nearest agricultural lands within the department's south central management region. The pilot program must include elk herds that cause year-round damage or seasonal crop damage. The collaring of elk may include a data sharing agreement between the department, a technology company, and farmers to provide the farmers with knowledge of when elk are in the area or nearing private property when damage may occur to their crops. The use of the data agreement and the intent of the pilot project is to help farmers in training and education as a means to more effectively deploy hazing techniques in an effort to prevent crop, fence, and property damage from elk. Other tools may include damage permits issued to tribal and nontribal hunters to reduce the local population on private lands, as long as an agreement is signed by the landowner, tribal member, and the department.

(2) Subject to amounts appropriated for this specific purpose, the department shall make funding available to the Yakama nation wildlife staff to participate in the pilot project established in this section, including for collaring and monitoring the elk population. The department shall share GPS collar data with the Yakama nation wildlife resource management program to assist in management goals and objectives and to provide best management practices.

(3) The department must report back to the appropriate committees of the legislature by December 1, 2027, regarding the pilot program created in this section.

(4) This section expires July 1, 2028."

Correct the title.

Signed by Representatives Chapman, Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Kloba; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Appropriations

February 21, 2024

SSB 5785

Prime Sponsor, Agriculture, Water, Natural Resources & Parks: Concerning department of fish and wildlife authority with regard to certain nonprofit and volunteer organizations. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 77.12 RCW to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Nonprofit organization" means any:

(i) Organization described in section 501(c)(3) of the internal revenue code of 1986 (26 U.S.C. Sec. 501(c)(3)) and exempt from tax under section 501(a) of the internal revenue code; or

(ii) Not-for-profit organization that is organized and conducted for public benefit and operated primarily for charitable, civic, educational, religious, welfare, or health purposes.

(b) (i) "Volunteer" or "volunteer organization" means an individual or entity performing services for a nonprofit organization or a governmental entity who does not receive compensation, other than reasonable reimbursement or allowances for expenses actually incurred, or any other thing of value, in excess of \$500 per year.

(ii) "Volunteer" includes a volunteer serving as a director, officer, trustee, or direct service volunteer.

(2) The director is authorized to enter into those contracts, agreements, or other arrangements as are necessary to collaborate with volunteer organizations and nonprofit organizations to maintain, protect, and enhance department lands including, but not limited to, entering into:

(a) Agreements with nonprofit organizations and volunteer organizations for work; and

(b) Master agreements with nonprofit organizations and volunteer organizations, allowing for the issuing of work orders as needed pursuant to the terms of those master agreements.

(3) Agreements under this section are limited to a duration of five years and work valued at less than \$250,000 per year.

(4) The requirements of chapter 39.04 RCW do not apply to contracts, agreements, or other arrangements between the department and nonprofit organizations, volunteers, and volunteer organizations, for the purposes set forth in this section.

(5) Whenever volunteers or volunteer organizations are authorized to perform activities or carry out projects under this section or agreements entered into pursuant to this section, the volunteers or members of the volunteer organization may not be considered employees or agents of the department and the department is not subject to any liability whatsoever arising out of volunteer activities or projects. The liability of the department to volunteers and members of the volunteer organizations is limited in the same manner as provided for in RCW 4.24.210.

(6) (a) Nothing in this section shall diminish the responsibility of the department to protect the resources and access guaranteed to federally recognized Indian tribes in certain treaties made with the United States.

(b) Nothing in this section shall alter, diminish, or expand the rights of any federally recognized Indian tribe with treaty reserved rights."

Correct the title.

Signed by Representatives Chapman, Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Kloba; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Rules for second reading

February 20, 2024

SSB 5786

Prime Sponsor, Law & Justice: Making updates to the Washington business corporation act. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

February 20, 2024

SSB 5787

Prime Sponsor, Law & Justice: Enacting the uniform electronic estate planning documents act. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

February 21, 2024

ESSB 5788 Prime Sponsor, Law & Justice: Concerning service animal training. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Graham, Assistant Ranking Minority Member; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh, Ranking Minority Member.

Referred to Committee on Rules for second reading

February 20, 2024

ESSB 5793 Prime Sponsor, Labor & Commerce: Concerning paid sick leave. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 5798 Prime Sponsor, Business, Financial Services, Gaming & Trade: Extending certain insurance notice requirements. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 48.18.290 and 2006 c 8 s 212 are each amended to read as follows:

(1) Cancellation by the insurer of any policy which by its terms is cancellable at the option of the insurer, or of any binder based on such policy which does not contain a clearly stated expiration date, may be effected as to any interest only upon compliance with the following:

(a) For all insurance policies other than medical malpractice insurance policies or fire insurance policies canceled under RCW 48.53.040:

(i) The insurer must deliver or mail written notice of cancellation to the named insured at least ~~((forty-five))~~ 60 days before the effective date of the cancellation; and

(ii) The cancellation notice must include the insurer's actual reason for canceling the policy.

(b) For medical malpractice insurance policies:

(i) The insurer must deliver or mail written notice of the cancellation to the named insured at least ~~((ninety))~~ 90 days before the effective date of the cancellation; and

(ii) The cancellation notice must include the insurer's actual reason for canceling the policy and describe the significant risk factors that led to the insurer's underwriting action, as defined under RCW 48.18.547(1)(e).

(c) If an insurer cancels a policy described under (a) or (b) of this subsection for nonpayment of premium, the insurer must deliver or mail the cancellation notice to the named insured at least ~~((ten))~~ 10 days before the effective date of the cancellation.

(d) If an insurer cancels a fire insurance policy under RCW 48.53.040, the insurer must deliver or mail the cancellation notice to the named insured at least five days before the effective date of the cancellation.

(e) Like notice must also be so delivered or mailed to each mortgagee, pledgee, or other person shown by the policy to have an interest in any loss which may occur thereunder. For purposes of this subsection (1)(e), "delivered" includes electronic transmittal, facsimile, or personal delivery.

(2) The mailing of any such notice shall be effected by depositing it in a sealed envelope, directed to the addressee at his or her last address as known to the insurer or as shown by the insurer's records, with proper prepaid postage affixed, in a letter depository of the United States post office. The insurer shall retain in its records any such item so mailed, together with its envelope, which was returned by the post office upon failure to find, or deliver the mailing to, the addressee.

(3) The affidavit of the individual making or supervising such a mailing, shall constitute prima facie evidence of such facts of the mailing as are therein affirmed.

(4) The portion of any premium paid to the insurer on account of the policy, unearned because of the cancellation and in amount as computed on the pro rata basis, must be actually paid to the insured or other person entitled thereto as shown by the policy or by any endorsement thereon, or be mailed to the insured or such person as soon as possible, and no later than ~~((forty-five))~~ 45 days after the date of notice of cancellation to the insured for homeowners', dwelling fire, and private passenger auto. Any such payment may be made by cash, or by check, bank draft, or money order.

(5) This section shall not apply to contracts of life or disability insurance without provision for cancellation prior to the date to which premiums have been paid, or to contracts of insurance procured under the provisions of chapter 48.15 RCW.

Sec. 2. RCW 48.18.2901 and 2006 c 8 s 213 are each amended to read as follows:

(1) Each insurer must renew any insurance policy subject to RCW 48.18.290 unless one of the following situations exists:

(a)(i) For all insurance policies subject to RCW 48.18.290(1)(a):

(A) The insurer must deliver or mail written notice of nonrenewal to the named insured at least ~~((forty-five))~~ 60 days before the expiration date of the policy; and

(B) The notice must include the insurer's actual reason for refusing to renew the policy.

(ii) For medical malpractice insurance policies subject to RCW 48.18.290(1)(b):

(A) The insurer must deliver or mail written notice of the nonrenewal to the named insured at least ~~((ninety))~~ 90 days before the expiration date of the policy; and

(B) The notice must include the insurer's actual reason for refusing to renew the policy and describe the significant risk factors that led to the insurer's underwriting action, as defined under RCW 48.18.547(1)(e);

(b) At least ~~((twenty))~~ 20 days prior to its expiration date, the insurer has communicated, either directly or through its agent, its willingness to renew in writing to the named insured and has included in that writing a statement of the amount of the premium or portion thereof required to be paid by the insured to renew the policy, and the insured fails to discharge when due his or her obligation in connection with the payment of such premium or portion thereof;

(c) The insured has procured equivalent coverage prior to the expiration of the policy period;

(d) The contract is evidenced by a written binder containing a clearly stated expiration date which has expired according to its terms; or

(e) The contract clearly states that it is not renewable, and is for a specific line, subclassification, or type of coverage that is not offered on a renewable basis. This subsection (1)(e) does not restrict the authority of the insurance commissioner under this code.

(2) Any insurer failing to include in the notice required by subsection (1)(b) of this section the amount of any increased premium resulting from a change of rates and an explanation of any change in the contract provisions shall renew the policy if so required by that subsection according to the rates and contract provisions applicable to the expiring policy. However, renewal based on the rates and contract provisions applicable to the expiring policy shall not prevent the insurer from making changes in the rates and/or contract provisions of the policy once during the term of its renewal after at least ~~((twenty))~~ 20 days' advance notice of such change has been given to the named insured.

(3) Renewal of a policy shall not constitute a waiver or estoppel with respect to grounds for cancellation which existed before the effective date of such renewal, or with respect to cancellation of fire policies under chapter 48.53 RCW.

(4) "Renewal" or "to renew" means the issuance and delivery by an insurer of a contract of insurance replacing at the end of the contract period a contract of insurance previously issued and delivered by the same insurer, or the issuance and delivery of a certificate or notice extending the term of a contract beyond its policy period or term. However, (a) any contract of insurance with a policy period or term of six months or less whether or not made continuous for successive terms upon the payment of additional premiums shall for the purpose of RCW 48.18.290 and 48.18.293 through 48.18.295 be considered as if

written for a policy period or term of six months; and (b) any policy written for a term longer than one year or any policy with no fixed expiration date, shall, for the purpose of RCW 48.18.290 and 48.18.293 through 48.18.295, be considered as if written for successive policy periods or terms of one year.

(5) A midterm blanket reduction in rate, approved by the commissioner, for medical malpractice insurance shall not be considered a renewal for purposes of this section.

NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act apply to all affected policies issued or renewed on or after July 1, 2025.

NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act take effect July 1, 2025."

Correct the title.

Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; Chapman; Connors; Donaghy; Hackney; Ryu; Sandlin and Santos.

MINORITY recommendation: Do not pass. Signed by Representative Volz.

MINORITY recommendation: Without recommendation. Signed by Representatives McClintock, Assistant Ranking Minority Member; and Corry.

Referred to Committee on Rules for second reading

February 21, 2024

SB 5799 Prime Sponsor, Senator Wilson, C.: Concerning the sale of halal foods. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Chapman, Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Kloba; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 5803 Prime Sponsor, Ways & Means: Concerning the recruitment and retention of Washington national guard members. Reported by Committee on Innovation, Community & Economic Development, & Veterans

MAJORITY recommendation: Do pass. Signed by Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Caldier; Chambers; Christian; Cortes; Paul; Senn; Shavers; Street and Waters.

Referred to Committee on Appropriations

February 21, 2024

SB 5811 Prime Sponsor, Senator Kauffman: Expanding the definition of family member for individual providers. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.



Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 18.88B.041 and 2023 c 424 s 7 are each amended to read as follows:

(1) The following long-term care workers are not required to become a certified home care aide pursuant to this chapter:

(a) (i) (A) Registered nurses, licensed practical nurses, certified nursing assistants or persons who are in an approved training program for certified nursing assistants under chapter 18.88A RCW, medicare-certified home health aides, or other persons who hold a similar health credential, as determined by the secretary, or persons with special education training and an endorsement granted by the superintendent of public instruction, as described in RCW 28A.300.010, if the secretary determines that the circumstances do not require certification.

(B) A person who was initially hired as a long-term care worker prior to January 7, 2012, and who completes all of the training requirements in effect as of the date the person was hired.

(ii) Individuals exempted by (a) (i) of this subsection may obtain certification as a home care aide without fulfilling the training requirements in RCW 74.39A.074(1) (d)(ii) but must successfully complete a certification examination pursuant to RCW 18.88B.031.

(b) All long-term care workers employed by community residential service businesses.

(c) (i) An individual provider caring only for the individual provider's ~~((biological, step, or adoptive))~~ child or parent, including when related by marriage or domestic partnership; and

(ii) An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership.

(d) A person working as an individual provider who provides ~~((twenty))~~ 20 hours or less of nonrespite care for one person in any calendar month.

(e) A person working as an individual provider who only provides respite services and works less than ~~((three hundred))~~ 300 hours in any calendar year.

(f) A long-term care worker providing approved services only for a spouse or registered domestic partner, pursuant to the long-term services and supports trust program established in chapter 50B.04 RCW.

(g) A long-term care worker providing approved services only for a spouse or registered domestic partner and funded through the United States department of veterans affairs home and community-based programs.

(2) A long-term care worker exempted by this section from the training requirements contained in RCW 74.39A.074 may not be prohibited from enrolling in training pursuant to that section.

(3) The department shall adopt rules to implement this section.

**Sec. 2.** RCW 74.39A.076 and 2023 c 424 s 8 are each amended to read as follows:

(1) Beginning January 7, 2012, except for long-term care workers exempt from certification under RCW 18.88B.041(1) (a):

(a) A ~~((biological, step, or adoptive))~~ parent who is the individual provider only for the person's developmentally disabled ~~((son or daughter))~~ child, including when related by marriage or domestic partnership, must receive ~~((twelve))~~ 12 hours of training relevant to the needs of individuals with developmental disabilities within the first ~~((one hundred twenty))~~ 120 days after becoming an individual provider.

(b) A spouse or registered domestic partner who is a long-term care worker only for a spouse or domestic partner, pursuant to the long-term services and supports trust program established in chapter 50B.04 RCW, must receive ~~((fifteen))~~ 15 hours of basic training, and at least six hours of additional focused training based on the care-receiving spouse's or partner's needs, within the first ~~((one hundred twenty))~~ 120 days after becoming a long-term care worker.

(c) A person working as an individual provider who (i) provides respite care services only for individuals with developmental disabilities receiving services under Title 71A RCW or only for individuals who receive services under this chapter, and (ii) works ~~((three hundred))~~ 300 hours or less in any calendar year, must complete ~~((fourteen))~~ 14 hours of training within the first ~~((one hundred twenty))~~ 120 days after becoming an individual provider. Five of the ~~((fourteen))~~ 14 hours must be completed before becoming eligible to provide care, including two hours of orientation training regarding the caregiving role and terms of employment and three hours of safety training. The training partnership identified in RCW 74.39A.360 must offer at least ~~((twelve))~~ 12 of the ~~((fourteen))~~ 14 hours online, and five of those online hours must be individually selected from elective courses.

(d) Individual providers identified in (d) (i) or (ii) of this subsection must complete ~~((thirty-five))~~ 35 hours of training within the first ~~((one hundred twenty))~~ 120 days after becoming an individual provider. Five of the ~~((thirty-five))~~ 35 hours must be completed before becoming eligible to provide care. Two of these five hours shall be devoted to an orientation training regarding an individual provider's role as caregiver and the applicable terms of employment, and three hours shall be devoted to safety training, including basic safety precautions, emergency procedures, and infection control. Individual providers subject to this requirement include:

(i) (A) ~~((An))~~ Unless covered by (a) of this subsection, an individual provider caring only for the individual provider's ((biological, step, or adoptive)) child or parent ((unless covered by (a) of this subsection)), including when related by marriage or domestic partnership; ~~((and))~~

(B) An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership;

(ii) A person working as an individual provider who provides ~~((twenty))~~ 20 hours or less of care for one person in any calendar month; and

(iii) A long-term care worker providing approved services only for a spouse or registered domestic partner and funded through the United States department of veterans affairs home and community-based programs.

(2) In computing the time periods in this section, the first day is the date of hire.

(3) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

(4) If a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete training as required by this section, the department may adopt rules to allow long-term care workers additional time to complete the training requirements.

(a) Rules adopted under this subsection (4) are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that all long-term care workers who were unable to complete the training required in subsection (1) of this section have had adequate access to complete the required training, whichever is later. Once the department determines a rule adopted under this subsection (4) is no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of training compliance with subsection (1) of this section and provide the legislature with a report.

(5) The department shall adopt rules to implement this section.

**Sec. 3.** RCW 74.39A.341 and 2023 c 424 s 6 are each amended to read as follows:

(1) All long-term care workers shall complete ~~((twelve))~~ 12 hours of continuing education training in advanced training topics each year. This requirement applies beginning July 1, 2012.

(2) Completion of continuing education as required in this section is a prerequisite to maintaining home care aide certification under chapter 18.88B RCW.

(3) Unless voluntarily certified as a home care aide under chapter 18.88B RCW, subsection (1) of this section does not apply to:

(a) An individual provider caring only for his or her biological, step, or adoptive child;

(b) ~~((An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership;~~

~~((e))~~ Registered nurses and licensed practical nurses licensed under chapter 18.79 RCW;

~~((d))~~ (c) Before January 1, 2016, a long-term care worker employed by a community residential service business;

~~((e))~~ (d) A person working as an individual provider who provides ~~((twenty))~~ 20 hours or less of care for one person in any calendar month;

~~((f))~~ (e) A person working as an individual provider who only provides respite services and works less than ~~((three hundred))~~ 300 hours in any calendar year; or

~~((g))~~ (f) A person whose certificate has been expired for less than five years who seeks to restore the certificate to active status. The person does not need to complete continuing education requirements in order for their certificate to be restored to active status. Subsection (1) of this section applies to persons once the certificate has been restored to active status, beginning on the date the certificate is restored to active status.

(4) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

(5) Individual providers under RCW 74.39A.270 shall be compensated for training time required by this section.

(6) If a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete training as required by this section, the department may adopt rules to allow long-term care workers additional time to complete the training requirements.

(a) Rules adopted under this subsection (6) are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that all long-term care workers who were unable to complete the training required in this section have had adequate access to complete the required training, whichever is later. Once the department determines a rule adopted under this subsection (6) is no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of training compliance with subsection (1) of this section and provide the legislature with a report.

(7) The department of health shall adopt rules to implement subsection (1) of this section.

(8) The department shall adopt rules to implement subsection (2) of this section.

NEW SECTION. **Sec. 4.** Section 3 of this act takes effect January 1, 2025."

Correct the title.

Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske; Davis; Macri; Orwall; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Hutchins, Assistant Ranking Minority Member; Harris; and Maycumber.

MINORITY recommendation: Without recommendation. Signed by Representatives Schmick, Ranking Minority Member; Caldier; Graham; and Mosbrucker.

Referred to Committee on Appropriations

February 20, 2024

ESB 5816 Prime Sponsor, Senator Van De Wege: Concerning alcohol server permits. Reported by Committee on Regulated Substances & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier; Cheney; Orwall; Reeves and Waters.

Referred to Committee on Rules for second reading

February 20, 2024

SB 5821 Prime Sponsor, Senator Muzzall: Establishing a uniform standard for creating an established relationship for the purposes of coverage of audio-only telemedicine services. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Hutchins, Assistant Ranking Minority Member; Bronoske; Davis; Harris; Macri; Orwall; Simmons; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Caldier.

MINORITY recommendation: Without recommendation. Signed by Representatives Schmick, Ranking Minority Member; Graham; Maycumber; and Mosbrucker.

Referred to Committee on Rules for second reading

February 21, 2024

ESB 5824 Prime Sponsor, Senator Hunt: Concerning the dissolution of libraries and library districts. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

February 21, 2024

2SSB 5825 Prime Sponsor, Ways & Means: Concerning guardianship and conservatorship. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 11.130.090 and 2019 c 437 s 118 are each amended to read as follows:

(1) Any suitable person over the age of ~~((twenty-one))~~ 21 years, or any parent under the age of ~~((twenty-one))~~ 21 years or, if the petition is for appointment of a professional guardian or conservator, any individual or guardianship or conservatorship service that meets any certification requirements established by the administrator for the courts, may, if not otherwise disqualified, be appointed guardian or conservator of a person subject to guardianship, conservatorship, or both. A financial institution subject to the jurisdiction of the department of financial institutions and authorized to exercise trust powers, and a federally chartered financial institution when authorized to do so, may be appointed to act as a guardian or conservator of a person subject to guardianship, conservatorship, or both without having to meet the certification requirements established by the administrator for the courts. No person is qualified to serve as a guardian or conservator who is:

(a) Under ~~((eighteen))~~ 18 years of age except as otherwise provided herein;

(b)(i) Except as provided otherwise in (b)(ii) of this subsection, convicted of a crime involving dishonesty, neglect, or use of physical force or other crime relevant to the functions the individual would assume as guardian;

(ii) A court may, upon consideration of the facts, find that a relative convicted of a crime is qualified to serve as a guardian or conservator;

(c) A nonresident of this state who has not appointed a resident agent to accept service of process in all actions or proceedings with respect to the estate and caused such appointment to be filed with the court;

(d) A corporation not authorized to act as a fiduciary, guardian, or conservator in the state;

(e) A person whom the court finds unsuitable.

(2) If a guardian, or conservator is not a certified professional guardian, conservator, or financial institution authorized under this section, the guardian or conservator must complete any standardized training video or web cast for lay guardians or conservators made available by the administrative office of the courts and the superior court where the petition is filed unless granted a waiver by the court. The training video or web cast must be provided at no cost to the guardian, or conservator.

(a) If a petitioner requests the appointment of a specific individual to act as a guardian or conservator, the petition for guardianship or conservatorship must include evidence of the successful completion of the required training video or web cast by the proposed guardian or conservator. The superior court may defer

the completion of the training requirement to a date no later than ninety days after appointment if the petitioner requests expedited appointment due to emergent circumstances.

(b) If no person is identified to be appointed guardian or conservator at the time the petition is filed, then the court must require that the petitioner identify within ~~((fourteen))~~ 30 days from the filing of the petition a specific individual to act as guardian or conservator subject to the training requirements set forth herein. If the petitioner fails to identify a guardian or conservator within 30 days of filing, the court shall dismiss the guardianship or conservatorship.

**Sec. 2.** RCW 11.130.100 and 2020 c 312 s 304 are each amended to read as follows:

(1) Unless otherwise compensated or reimbursed, an attorney for a respondent in a proceeding under this chapter is entitled to reasonable compensation for services and reimbursement of reasonable expenses from the property of the respondent.

(2) Unless otherwise compensated or reimbursed, an attorney, or other person whose services resulted in an order beneficial to an individual subject to guardianship or conservatorship or for whom a protective arrangement under Article 5 of this chapter was ordered, is entitled to reasonable compensation for services and reimbursement of reasonable expenses from the property of the individual.

(3) Where the person subject to guardianship or conservatorship is a department of social and health services client, or health care authority client, and is required to contribute a portion of their income towards the cost of long-term care services or room and board, the amount of compensation or reimbursement shall not exceed the amount allowed by the department of social and health services or health care authority by rule.

(4) Where the person subject to guardianship or conservatorship receives guardianship, conservatorships, or other protective services from the office of public guardianship, the amount of compensation or reimbursement shall not exceed the amount allowed by the office of public guardianship.

(5) The court must approve compensation and expenses payable under this section before payment. Approval is not required before a service is provided or an expense is incurred.

(6) If the court dismisses a petition under this chapter and determines the petition was filed in bad faith, the court may assess the cost of any court-ordered professional evaluation, court-appointed attorney, or court visitor against the petitioner.

**Sec. 3.** RCW 11.130.270 and 2019 c 437 s 302 are each amended to read as follows:

(1) A person interested in an adult's welfare, including the adult for whom the order is sought, may petition for appointment of a guardian for the adult.

(2) A person interested in the welfare of a minor who, within 45 days of the filing of the petition, will attain the age of majority, may petition for appointment of a guardian for the minor. The minor may petition on the minor's own behalf.

(3) A petition under subsection (1) or (2) of this section must state the petitioner's name, principal residence, current street address, if different, relationship to the respondent, interest in the appointment, the name and address of any attorney representing the petitioner, and, to the extent known, the following:

(a) The respondent's name, age, principal residence, current street address, if different, and, if different, address of the dwelling in which it is proposed the respondent will reside if the petition is granted;

(b) The name and address of the respondent's:

(i) Spouse or domestic partner or, if the respondent has none, an adult with whom the respondent has shared household responsibilities for more than six months in the ~~((twelve))~~ 12-month period immediately before the filing of the petition;

(ii) Adult children or, if none, each parent and adult sibling of the respondent, or, if none, at least one adult nearest in kinship to the respondent who can be found with reasonable diligence; ~~((and))~~

(iii) Adult stepchildren whom the respondent actively parented during the stepchildren's minor years and with whom the respondent had an ongoing relationship in the two-year period immediately before the filing of the petition; and

(iv) Parents, if living and involved in the respondent's life;

(c) The name and current address of each of the following, if applicable:

(i) A person responsible for care of the respondent;

(ii) Any attorney currently representing the respondent;

(iii) Any representative payee appointed by the social security administration for the respondent;

(iv) A guardian or conservator acting for the respondent in this state or in another jurisdiction;

(v) A trustee or custodian of a trust or custodianship of which the respondent is a beneficiary;

(vi) Any fiduciary for the respondent appointed by the department of veterans affairs;

(vii) An agent designated under a power of attorney for health care in which the respondent is identified as the principal;

(viii) An agent designated under a power of attorney for finances in which the respondent is identified as the principal;

(ix) A person nominated as guardian by the respondent;

(x) A person nominated as guardian by the respondent's parent or spouse or domestic partner in a will or other signed record;

(xi) A proposed guardian and the reason the proposed guardian should be selected; and

(xii) A person known to have routinely assisted the respondent with decision making

during the six months immediately before the filing of the petition;

(d) The reason a guardianship is necessary, including a brief description of:

(i) The nature and extent of the respondent's alleged need;

(ii) Any protective arrangement instead of guardianship or other less restrictive alternatives for meeting the respondent's alleged need which have been considered or implemented;

(iii) If no protective arrangement instead of guardianship or other less restrictive alternatives have been considered or implemented, the reason they have not been considered or implemented; and

(iv) The reason a protective arrangement instead of guardianship or other less restrictive alternative is insufficient to meet the respondent's alleged need;

(e) Whether the petitioner seeks a limited guardianship or full guardianship;

(f) If the petitioner seeks a full guardianship, the reason a limited guardianship or protective arrangement instead of guardianship is not appropriate;

(g) If a limited guardianship is requested, the powers to be granted to the guardian;

(h) The name and current address, if known, of any person with whom the petitioner seeks to limit the respondent's contact;

(i) If the respondent has property other than personal effects, a general statement of the respondent's property, with an estimate of its value, including any insurance or pension, and the source and amount of other anticipated income or receipts; and

(j) Whether the respondent needs an interpreter, translator, or other form of support to communicate effectively with the court or understand court proceedings.

**Sec. 4.** RCW 11.130.280 and 2020 c 312 s 309 are each amended to read as follows:

(1) On receipt of a petition under RCW 11.130.270 for appointment of a guardian for an adult, the court shall appoint a court visitor. The court visitor must be an individual with training or experience in the type of abilities, limitations, and needs alleged in the petition.

(2) The court, in the order appointing a court visitor, shall specify the hourly rate the court visitor may charge for his or her services, and shall specify the maximum amount the court visitor may charge without additional court review and approval. The fee shall be charged to the person subject to a guardianship or conservatorship proceeding unless the court finds that such payment would result in substantial hardship upon such person, in which case the county shall be responsible for such costs: PROVIDED, That the court may charge such fee to the petitioner, the person subject to a guardianship or conservatorship proceeding, or any person who has appeared in the action; or may allocate the fee, as it deems just. If the petition is found to be frivolous or not brought in good faith, the court visitor fee shall be charged to the petitioner. The court shall not be required

to provide for the payment of a fee to any salaried employee of a public agency.

(3)(a) The court visitor appointed under subsection (1) of this section shall within five days of receipt of notice of appointment file with the court and serve, either personally or by certified mail with return receipt, the respondent or his or her legal counsel, the petitioner or his or her legal counsel, and any interested party entitled to notice under RCW 11.130.080 with a statement including: His or her training relating to the duties as a court visitor; his or her criminal history as defined in RCW 9.94A.030 for the period covering ~~((ten))~~ 10 years prior to the appointment; his or her hourly rate, if compensated; whether the court visitor has had any contact with a party to the proceeding prior to his or her appointment; and whether he or she has an apparent conflict of interest. Within three days of the later of the actual service or filing of the court visitor's statement, any party may set a hearing and file and serve a motion for an order to show cause why the court visitor should not be removed for one of the following three reasons:

(i) Lack of expertise necessary for the proceeding;

(ii) An hourly rate higher than what is reasonable for the particular proceeding; or

(iii) A conflict of interest.

(b) Notice of the hearing shall be provided to the court visitor and all parties. If, after a hearing, the court enters an order replacing the court visitor, findings shall be included, expressly stating the reasons for the removal. If the court visitor is not removed, the court has the authority to assess to the moving party attorneys' fees and costs related to the motion. The court shall assess attorneys' fees and costs for frivolous motions.

(4) A court visitor appointed under subsection (1) of this section shall interview the respondent in person and, in a manner the respondent is best able to understand:

(a) Explain to the respondent the substance of the petition, the nature, purpose, and effect of the proceeding, the respondent's rights at the hearing on the petition, the right to counsel of choice and to a jury trial, and the general powers and duties of a guardian;

(b) Determine whether the respondent would like to request the appointment of an attorney, and determine the respondent's views about the appointment sought by the petitioner, including views about a proposed guardian, the guardian's proposed powers and duties, and the scope and duration of the proposed guardianship; and

(c) Inform the respondent that all costs and expenses of the proceeding, including the respondent's attorney's fees, may be paid from the respondent's assets.

(5) If the respondent objects to the petition or requests appointment of an attorney, the court visitor shall petition the court to have an attorney appointed within five days of meeting the respondent.

(6) The court visitor appointed under subsection (1) of this section shall:

(a) Interview the petitioner and proposed guardian, if any;

(b) Visit the respondent's present dwelling and any dwelling in which it is reasonably believed the respondent will live if the appointment is made;

(c) Obtain information from any physician or other person known to have treated, advised, or assessed the respondent's relevant physical or mental condition; and

(d) Investigate the allegations in the petition and any other matter relating to the petition the court directs.

~~((6))~~ (7) A court visitor appointed under subsection (1) of this section shall file a report in a record with the court and provide a copy of the report to the respondent, petitioner, and any interested party entitled to notice under RCW 11.130.080 at least ~~((fifteen))~~ 15 days prior to the hearing on the petition filed under RCW 11.130.270, which must include:

(a) A summary of self-care and independent living tasks the respondent can manage without assistance or with existing supports, could manage with the assistance of appropriate supportive services, technological assistance, or supported decision making, and cannot manage;

(b) A recommendation regarding the appropriateness of guardianship, including whether a protective arrangement instead of guardianship or other less restrictive alternative for meeting the respondent's needs is available and:

(i) If a guardianship is recommended, whether it should be full or limited; and

(ii) If a limited guardianship is recommended, the powers to be granted to the guardian;

(c) A statement of the qualifications of the proposed guardian and whether the respondent approves or disapproves of the proposed guardian;

(d) A statement whether the proposed dwelling meets the respondent's needs and whether the respondent has expressed a preference as to residence;

(e) A statement whether the respondent declined a professional evaluation under RCW 11.130.290 and what other information is available to determine the respondent's needs and abilities without the professional evaluation;

(f) A statement whether the respondent is able to attend a hearing at the location court proceedings typically are held;

(g) A statement whether the respondent is able to participate in a hearing and which identifies any technology or other form of support that would enhance the respondent's ability to participate; and

(h) Any other matter the court directs.

~~((7))~~ (8) The appointment of a court visitor has no effect on the determination of the adult respondent's legal capacity and does not overcome the presumption of legal capacity or full legal and civil rights of the adult respondent.

**Sec. 5.** RCW 11.130.315 and 2019 c 437 s 311 are each amended to read as follows:

~~((1))~~ A guardian appointed under RCW 11.130.305 shall give the adult subject to guardianship and all other persons given

~~notice under RCW 11.130.275 a copy of the order of appointment, together with notice of the right to request termination or modification. The order and notice must be given not later than fourteen days after the appointment.~~

~~(2))~~ Not later than ~~((thirty))~~ 14 days after appointment of a guardian under RCW 11.130.305, the guardian shall give to the adult subject to guardianship and any other person entitled to notice under RCW 11.130.310 (5) or (6) or a subsequent order a copy of the order of appointment and a statement of the rights of the adult subject to guardianship and procedures to seek relief if the adult is denied those rights. The statement must be in at least sixteen-point font, in plain language, and, to the extent feasible, in a language in which the adult subject to guardianship is proficient. The statement must notify the adult subject to guardianship of the right to:

~~((a))~~ (1) Seek termination or modification of the guardianship, or removal of the guardian, and choose an attorney to represent the adult in these matters;

~~((b))~~ (2) Be involved in decisions affecting the adult, including decisions about the adult's care, dwelling, activities, or social interactions, to the extent reasonably feasible;

~~((c))~~ (3) Be involved in health care decision making to the extent reasonably feasible and supported in understanding the risks and benefits of health care options to the extent reasonably feasible;

~~((d))~~ (4) Be notified at least fourteen days before a change in the adult's primary dwelling or permanent move to a nursing home, mental health facility, or other facility that places restrictions on the individual's ability to leave or have visitors unless the change or move is proposed in the guardian's plan under RCW 11.130.340 or authorized by the court by specific order;

~~((e))~~ (5) Object to a change or move described in ~~((d) of this))~~ subsection (4) of this section and the process for objecting;

~~((f))~~ (6) Communicate, visit, or interact with others, including receiving visitors, and making or receiving telephone calls, personal mail, or electronic communications, including through social media, unless:

~~((i))~~ (a) The guardian has been authorized by the court by specific order to restrict communications, visits, or interactions;

~~((ii))~~ (b) A protective order or protective arrangement instead of guardianship is in effect that limits contact between the adult and a person; or

~~((iii))~~ (c) The guardian has good cause to believe restriction is necessary because interaction with a specified person poses a risk of significant physical, psychological, or financial harm to the adult, and the restriction is:

~~((A))~~ (i) For a period of not more than seven business days if the person has a relative or preexisting social relationship with the adult; or

~~((B))~~ (ii) For a period of not more than sixty days if the person does not have a

relative or preexisting social relationship with the adult;

~~((g))~~ (7) Receive a copy of the guardian's plan under RCW 11.130.340 and the guardian's report under RCW 11.130.345;

~~((h))~~ (8) Object to the guardian's plan or report; and

~~((i))~~ (9) Associate with persons of their choosing as provided in RCW 11.130.335(5).

**Sec. 6.** RCW 11.130.320 and 2020 c 312 s 204 are each amended to read as follows:

(1) A person interested in an adult's welfare, including the adult for whom the order is sought, may petition for appointment of an emergency guardian for the adult.

(2) An emergency petition under subsection (1) of this section must state the petitioner's name, principal residence, and current street address, if different, and ~~((f))~~ to the extent known, the following:

(a) The respondent's name, age, principal residence ~~((f))~~ and current street address, if different;

(b) The name and address of the respondent's:

(i) Spouse or domestic partner or, if the respondent has none, an adult with whom the respondent has shared household responsibilities for more than six months in the twelve-month period immediately before the filing of the emergency petition;

(ii) Adult children or, if none, each parent and adult sibling of the respondent, or, if none, at least one adult nearest in kinship to the respondent who can be found with reasonable diligence; and

(iii) Adult stepchildren whom the respondent actively parented during the stepchildren's minor years and with whom the respondent had an ongoing relationship in the two-year period immediately before the filing of the emergency petition;

(c) The name and current address of each of the following, if applicable:

(i) A person responsible for care of the respondent;

(ii) Any attorney currently representing the respondent;

(iii) Any representative payee appointed by the social security administration for the respondent;

(iv) A guardian or conservator acting for the respondent in this state or in another jurisdiction;

(v) A trustee or custodian of a trust or custodianship of which the respondent is a beneficiary;

(vi) Any fiduciary for the respondent appointed by the department of veterans affairs;

(vii) Any representative payee or authorized representative or protective payee;

(viii) An agent designated under a power of attorney for health care in which the respondent is identified as the principal;

(ix) An agent designated under a power of attorney for finances in which the respondent is identified as the principal;

(x) A person nominated as guardian by the respondent;

(xi) A person nominated as guardian by the respondent's parent or spouse or domestic partner in a will or other signed record;

(xii) A proposed emergency guardian, and the reason the proposed emergency guardian should be selected; and

(xiii) A person known to have routinely assisted the respondent with decision making during the six months immediately before the filing of the emergency petition;

(d) The reason an emergency guardianship is necessary, including a specific description of:

(i) The nature and extent of the emergency situation;

(ii) The nature and extent of the respondent's alleged emergency need that arose because of the emergency situation;

(iii) The substantial and irreparable harm to the respondent's health, safety, welfare, or rights that is likely to be prevented by the appointment of an emergency guardian;

(iv) All protective arrangements or other less restrictive alternatives that have been considered or implemented to meet the respondent's alleged emergency need instead of emergency guardianship;

(v) If no protective arrangements or other less restrictive alternatives have been considered or implemented instead of emergency guardianship, the reason they have not been considered or implemented; and

(vi) The reason a protective arrangement or other less restrictive alternative instead of emergency guardianship is insufficient to meet the respondent's alleged emergency need;

(e) The reason the petitioner believes that a basis for appointment of a guardian under RCW 11.130.265 exists;

(f) Whether the petitioner intends to also seek guardianship for an adult under RCW 11.130.270;

(g) The reason the petitioner believes that no other person appears to have authority and willingness to act to address the respondent's identified needs caused by the emergency circumstances;

(h) The specific powers to be granted to the proposed emergency guardian and a description of how those powers will be used to meet the respondent's alleged emergency need;

(i) If the respondent has property other than personal effects, a general statement of the respondent's property, with an estimate of its value, including any insurance or pension, and the source and amount of other anticipated income or receipts; and

(j) Whether the respondent needs an interpreter, translator, or other form of support to communicate effectively with the court or understand court proceedings.

(3) The requirements of RCW 11.130.090 apply to an emergency guardian appointed for an adult with the following exceptions for any proposed emergency guardian required to complete the training under RCW 11.130.090:

(a) The proposed emergency guardian shall present evidence of the successful completion of the required training video or web cast to the court no later than the

hearing on the petition for appointment of an emergency guardian for an adult; and

(b) The superior court may defer the completion of the training requirement to a date no later than fourteen days after appointment if the petitioner requests an extension of time to complete the training due to emergent circumstances beyond the control of ~~((the))~~ the petitioner.

(4) On its own after a petition has been filed under RCW 11.130.270, or on petition for appointment of an emergency guardian for an adult, the court may appoint an emergency guardian for the adult if the court makes specific findings based on clear and convincing evidence that:

(a) An emergency exists such that appointment of an emergency guardian is likely to prevent substantial and irreparable harm to the adult's physical health, safety, or welfare;

(b) The respondent's identified needs caused by the emergency cannot be met by a protective arrangement or other less restrictive alternative instead of emergency guardianship;

(c) No other person appears to have authority and willingness to act to address the respondent's identified needs caused by the emergency circumstances; and

(d) There is reason to believe that a basis for appointment of a guardian under RCW 11.130.265 exists.

(5) If the court acts on its own to appoint an emergency guardian after a petition has been filed under RCW 11.130.270, all requirements of this section shall be met.

(6) A court order appointing an emergency guardian for an adult shall:

(a) Grant only the specific powers necessary to meet the adult's identified emergency need and to prevent substantial and irreparable harm to the adult's physical health, safety, or welfare;

(b) Include a specific finding that clear and convincing evidence established that an emergency exists such that appointment of an emergency guardian is likely to prevent substantial and irreparable harm to the respondent's health, safety, or welfare;

(c) Include a specific finding that the identified emergency need of the respondent cannot be met by a protective arrangement instead of guardianship or other less restrictive alternative, including any relief available under chapter 74.34 RCW or use of appropriate supportive services, technological assistance, or supported decision making;

(d) Include a specific finding that clear and convincing evidence established the respondent was given proper notice of the hearing on the petition;

(e) State that the adult subject to emergency guardianship retains all rights the adult enjoyed prior to the emergency guardianship with the exception of the rights not retained during the period of emergency guardianship;

(f) Include the date that the sixty-day period of emergency guardianship ends, and the date the emergency guardian's report, required by this section, is due to the court; and

(g) Identify any person or notice party that subsequently is entitled to:

(i) Notice of the rights of the adult;

(ii) Notice of a change in the primary dwelling of the adult;

(iii) Notice of the removal of the guardian;

(iv) A copy of the emergency guardian's plan and the emergency guardian's report under this section;

(v) Access to court records relating to the emergency guardianship;

(vi) Notice of the death or significant change in the condition of the adult;

(vii) Notice that the court has limited or modified the powers of the emergency guardian; and

(viii) Notice of the removal of the emergency guardian.

(7) A spouse, a domestic partner, and adult children of an adult subject to emergency guardianship are entitled to notice under this section unless the court orders otherwise based on good cause. Good cause includes the court's determination that notice would be contrary to the preferences or prior directions of the adult subject to emergency guardianship or not in the best interest of the adult subject to the emergency guardianship.

(8) The duration of authority of an emergency guardian for an adult may not exceed sixty days, and the emergency guardian may exercise only the powers specified in the order of appointment. Upon a motion by the petitioner, adult subject to emergency guardianship, court visitor, or the emergency guardian, with notice served upon all applicable notice parties, the emergency guardian's authority may be extended once for not more than sixty days if the court finds that the conditions for appointment of an emergency guardian in subsection (4) of this section continue.

(9) Immediately on filing of a petition for appointment of an emergency guardian for an adult, the court shall appoint an attorney to represent the respondent in the proceeding. Except as otherwise provided in subsection (10) of this section, an order appointing an emergency guardian for the respondent may not be entered unless the respondent, the respondent's attorney, and the court visitor appointed under subsection (11) of this section have received a minimum of fourteen days' notice of the date, time, and place of a hearing on the petition. ~~((A))~~ The petitioner must cause a copy of the emergency petition and notice of a hearing on the petition ((must be served personally)) to be personally served on the respondent, the respondent's attorney, and the court visitor not more than two court days after the petition has been filed. The notice must inform the respondent of the respondent's rights at the hearing, including the right to an attorney and to attend the hearing. The notice must include a description of the nature, purpose, and consequences of granting the emergency petition. The court shall not grant the emergency petition if notice substantially complying with this subsection is not served on the respondent.

(10) The court may appoint an emergency guardian for an adult without notice to the



adult and any attorney for the adult only if the court finds from an affidavit or testimony that the respondent's physical health, safety, or welfare will be substantially harmed before a hearing with notice on the appointment can be held. If the court appoints an emergency guardian without giving notice under subsection (9) of this section, the court must:

(a) Give notice of the appointment not later than forty-eight hours after the appointment to:

- (i) The respondent;
- (ii) The respondent's attorney; and
- (iii) Any other person the court determines; and

(b) ~~((Hold))~~ Schedule and hold a hearing on the appropriateness of the appointment not later than five days after the appointment.

(11) On receipt of a petition for appointment of emergency guardian for an adult, the court shall appoint a court visitor. ~~((Notice))~~ The petitioner must cause notice of appointment of the court visitor ~~((must))~~ to be served upon the court visitor within two days of appointment. The court visitor must be an individual with training or experience in the type of abilities, limitations, and needs alleged in the emergency petition. The court, in the order appointing a court visitor, shall specify the hourly rate the ~~((court))~~ court visitor may charge for his or her services, and shall specify the maximum amount the court visitor may charge without additional court review and approval.

(a) The court visitor shall within two days of service of notice of appointment file with the court and serve, either personally or by certified mail with return receipt, the respondent or the respondent's legal counsel, the petitioner or the petitioner's legal counsel, and any notice party with a statement including the court visitor's: Training relating to the duties as a court visitor; criminal history as defined in RCW 9.94A.030 for the period covering ten years prior to the appointment; hourly rate, if compensated; contact, if any, with a party to the proceeding prior to appointment; and apparent or actual conflicts of interest.

(b) A court visitor appointed under this section shall use due diligence to attempt to interview the respondent in person and, in a manner the respondent is best able to understand:

(i) Explain to the respondent the substance of the emergency petition, the nature, purpose, and effect of the proceeding, the respondent's rights at the hearing on the petition, and the proposed specific powers and duties of the proposed guardian as stated in the emergency petition;

(ii) Determine the respondent's views about the emergency appointment sought by the petitioner, including views about a proposed emergency guardian, the emergency guardian's proposed powers and duties, and the scope and duration of the proposed emergency guardianship; and

(iii) Inform the respondent that all costs and expenses of the proceeding, including but not limited to the

respondent's attorneys' fees, the appointed guardian's fees, and the appointed guardian's attorneys' fees, will be paid from the respondent's assets upon approval by the court.

(c) The court visitor appointed under this section shall:

(i) Interview the petitioner and proposed emergency guardian;

(ii) Use due diligence to attempt to visit the respondent's present dwelling;

(iii) Use due diligence to attempt to obtain information from any physician or other person known to have treated, advised, or assessed the respondent's relevant physical or mental condition; and

(iv) Investigate the allegations in the emergency petition and any other matter relating to the emergency petition the court directs.

(d) A court visitor appointed under this section shall file a report in a record with the court and provide a copy of the report to the respondent, petitioner, and any notice party at least seven days prior to the hearing on the emergency petition, which must include:

(i) A summary of self-care and independent living tasks the respondent can manage without assistance or with existing supports, could manage with the assistance of appropriate supportive services, technological assistance, or supported decision making, and cannot manage;

(ii) A recommendation regarding the appropriateness of emergency guardianship, including whether a protective arrangement instead of guardianship or other less restrictive alternative for meeting the respondent's needs is available, and if an emergency guardianship is recommended;

(iii) A detailed summary of the alleged emergency and the substantial and irreparable harm to the respondent's health, safety, welfare, or rights that is likely to be prevented by the appointment of an emergency guardian;

(iv) A statement as to whether the alleged emergency and the respondent's alleged needs are likely to require an extension of sixty days as authorized under this section;

(v) The specific powers to be granted to the emergency guardian and how the specific powers will address the alleged emergency and the respondent's alleged need;

(vi) A recommendation regarding the appropriateness of an ongoing guardianship for an adult, including whether a protective arrangement instead of guardianship or other less restrictive alternative for meeting the respondent's needs is available;

(vii) A statement of the qualifications of the proposed emergency guardian and whether the respondent approves or disapproves of the proposed emergency guardian, and the reasons for such approval or disapproval;

(viii) A recommendation whether a professional evaluation under RCW 11.130.290 is necessary;

(ix) A statement whether the respondent is able to attend a hearing at the location court proceedings typically are held;

(x) A statement whether the respondent is able to participate in a hearing which

identifies any technology or other form of support that would enhance the respondent's ability to participate;

(xi) A statement, as needed when the petition seeks emergency authority to change the respondent's place of dwelling, as to whether the proposed dwelling meets the respondent's needs and whether the respondent has expressed a preference as to residence; and

(xii) Any other matter the court directs.

(12) An emergency guardian shall:

(a) Comply with the requirements of RCW 11.130.325, the requirements regarding the adult's right to association under RCW 11.130.335, and the requirements of this chapter that pertain to the rights of an adult subject to guardianship;

(b) Not have authority to make decisions or take actions that a guardian for an adult is prohibited by law from having; and

(c) Be subject to the same special limitations on a guardian's power that apply to a guardian for an adult.

(13) Appointment of an emergency guardian under this section is not a determination that a basis exists for appointment of a guardian under RCW 11.130.265.

(14) The court may remove an emergency guardian appointed under this section at any time.

(15) The emergency guardian shall file a report in a record with the court and provide a copy of the report to the adult subject to emergency guardianship, and any notice party no later than forty-five days after appointment. The report shall include specific and updated information regarding the emergency alleged in the emergency petition, the adult's emergency needs, all actions and decisions by the emergency guardian, and a recommendation as to whether a guardian for an adult should be appointed. If the appointment of the emergency guardian is extended for an additional sixty days, the emergency guardian shall file a second report in a record with the court and provide a copy of the report to the adult subject to emergency guardianship, and any notice party no later than forty-five days after extension of the appointment is granted by the court, which shall include the same information required for the first report. The emergency guardian shall make any other report the court requires.

(16) The court shall issue letters of emergency guardianship to the emergency guardian in compliance with RCW 11.130.040. Such letters shall be issued on an expedited basis.

**Sec. 7.** RCW 11.130.345 and 2020 c 312 s 208 are each amended to read as follows:

(1) A guardian for an adult shall file with the court by the date established by the court a report in a record regarding the condition of the adult and accounting for funds and other property in the guardian's possession or subject to the guardian's control. The guardian shall provide a copy of the report to the adult subject to guardianship and any other notice party.

(2) A report under subsection (1) of this section must state or contain:

(a) The mental, physical, and social condition of the adult;

(b) The living arrangements of the adult during the reporting period;

(c) A summary of the supported decision making, technological assistance, medical services, educational and vocational services, and other supports and services provided to the adult and the guardian's opinion as to the adequacy of the adult's care;

(d) A summary of the guardian's visits with the adult, including the dates of the visits;

(e) Action taken on behalf of the adult;

(f) The extent to which the adult has participated in decision making;

(g) If the adult is living in a care setting, whether the guardian considers the facility's current plan for support, care, treatment, or habilitation consistent with the adult's preferences, values, prior directions, and best interests;

(h) Anything of more than de minimis value which the guardian, any individual who resides with the guardian, or the spouse, domestic partner, parent, child, or sibling of the guardian has received from an individual providing goods or services to the adult. A professional guardian must abide by the standards of practice regarding the acceptance of gifts;

(i) If the guardian delegated a power to an agent, the power delegated and the reason for the delegation;

(j) Any business relation the guardian has with a person the guardian has paid or that has benefited from the property of the adult;

(k) A copy of the guardian's most recently approved plan under RCW 11.130.340 and a statement whether the guardian has deviated from the plan and, if so, how the guardian has deviated and why;

(l) Plans for future care and support of the adult;

(m) A recommendation as to the need for continued guardianship and any recommended change in the scope of the guardianship; and

(n) Whether any co-guardian or successor guardian appointed to serve when a designated event occurs is alive and able to serve.

(3) The court may appoint a court visitor to review a report submitted under this section or a guardian's plan submitted under RCW 11.130.340, interview the guardian or adult subject to guardianship, or investigate any other matter involving the guardianship.

(4) Notice of the filing under this section of a guardian's report, together with a copy of the report, must be given to the adult subject to guardianship and any other notice party. The notice and report must be given not later than fourteen days after the filing.

(5) The court shall establish procedures for monitoring a report submitted under this section and review each report to determine whether:

(a) The report provides sufficient information to establish the guardian has complied with the guardian's duties;

(b) The guardianship should continue; and

(c) The guardian's requested fees, if any, should be approved.

(6) If the court determines there is reason to believe a guardian for an adult has not complied with the guardian's duties or the guardianship should be modified or terminated, the court:

(a) Shall notify the adult, the guardian, and any other person entitled to notice under RCW 11.130.310(5) or a subsequent order;

(b) May require additional information from the guardian;

(c) May appoint a court visitor to interview the adult or guardian or investigate any matter involving the guardianship; and

(d) Consistent with this section and RCW 11.130.350, may hold a hearing to consider removal of the guardian, termination of the guardianship, or a change in the powers granted to the guardian or terms of the guardianship.

(7) If the court has reason to believe fees requested by a guardian for an adult are not reasonable, the court shall hold a hearing to determine whether to adjust the requested fees.

(8) A guardian for an adult must petition the court for approval of a report filed under this section. The court after review may approve the report. If the court approves the report, there is a rebuttable presumption the report is accurate as to a matter adequately disclosed in the report.

(9) If the court approves a report filed under this section, the order approving the report shall set the due date for the filing of the next report to be filed under this section. The court may set the review interval at annual, biennial, or triennial with the report due date to be within ninety days of the anniversary date of appointment. When determining the report interval, the court can consider: The length of time the guardian has been serving the person under guardianship; whether the guardian has timely filed all required reports with the court; whether the guardian is monitored by other state or local agencies; and whether there have been any allegations of abuse, neglect, or a breach of fiduciary duty against the guardian.

(10) If the court approves a report filed under this section, the order approving the report shall contain a guardianship summary or be accompanied by a guardianship summary in the form or substantially in the same form as set forth in RCW 11.130.665.

(11) If the court approves a report filed under this section, the order approving the report shall direct the clerk of the court to reissue letters of office in the form or substantially in the same form as set forth in RCW 11.130.660 to the guardian containing an expiration date which will be within ~~((one hundred twenty))~~ 180 days ~~((after the date the court directs the guardian file its next report))~~ of the anniversary date of appointment.

(12) Any requirement to establish a monitoring program under this section is subject to appropriation.

**Sec. 8.** RCW 11.130.365 and 2019 c 437 s 402 are each amended to read as follows:

(1) The following may petition for the appointment of a conservator:

(a) The individual for whom the order is sought;

(b) A person interested in the estate, financial affairs, or welfare of the individual, including a person that would be adversely affected by lack of effective management of property or financial affairs of the individual; or

(c) The guardian for the individual.

(2) A petition under subsection (1) of this section must state the petitioner's name, principal residence, current street address, if different, relationship to the respondent, interest in the appointment, the name and address of any attorney representing the petitioner, and, to the extent known, the following:

(a) The respondent's name, age, principal residence, current street address, if different, and, if different, address of the dwelling in which it is proposed the respondent will reside if the petition is granted;

(b) The name and address of the respondent's:

(i) Spouse or domestic partner or, if the respondent has none, an adult with whom the respondent has shared household responsibilities for more than six months in the twelve-month period before the filing of the petition;

(ii) Adult children or, if none, each parent and adult sibling of the respondent, or, if none, at least one adult nearest in kinship to the respondent who can be found with reasonable diligence; ~~((and))~~

(iii) Adult stepchildren whom the respondent actively parented during the stepchildren's minor years and with whom the respondent had an ongoing relationship during the two years immediately before the filing of the petition; and

(iv) Parents, if living and involved in the respondent's life;

(c) The name and current address of each of the following, if applicable:

(i) A person responsible for the care or custody of the respondent;

(ii) Any attorney currently representing the respondent;

(iii) The representative payee appointed by the social security administration for the respondent;

(iv) A guardian or conservator acting for the respondent in this state or another jurisdiction;

(v) A trustee or custodian of a trust or custodianship of which the respondent is a beneficiary;

(vi) The fiduciary appointed for the respondent by the department of veterans affairs;

(vii) An agent designated under a power of attorney for health care in which the respondent is identified as the principal;

(viii) An agent designated under a power of attorney for finances in which the respondent is identified as the principal;

(ix) A person known to have routinely assisted the respondent with decision making in the six-month period immediately before the filing of the petition;

(x) Any proposed conservator, including a person nominated by the respondent, if the respondent is twelve years of age or older; and

(xi) If the individual for whom a conservator is sought is a minor:

(A) An adult not otherwise listed with whom the minor resides; and

(B) Each person not otherwise listed that had primary care or custody of the minor for at least sixty days during the two years immediately before the filing of the petition or for at least seven hundred thirty days during the five years immediately before the filing of the petition;

(d) A general statement of the respondent's property with an estimate of its value, including any insurance or pension, and the source and amount of other anticipated income or receipts;

(e) The reason conservatorship is necessary, including a brief description of:

(i) The nature and extent of the respondent's alleged need;

(ii) If the petition alleges the respondent is missing, detained, or unable to return to the United States, the relevant circumstances, including the time and nature of the disappearance or detention and any search or inquiry concerning the respondent's whereabouts;

(iii) Any protective arrangement instead of conservatorship or other less restrictive alternative for meeting the respondent's alleged need which has been considered or implemented;

(iv) If no protective arrangement or other less restrictive alternatives have been considered or implemented, the reason it has not been considered or implemented; and

(v) The reason a protective arrangement or other less restrictive alternative is insufficient to meet the respondent's need;

(f) Whether the petitioner seeks a limited conservatorship or a full conservatorship;

(g) If the petitioner seeks a full conservatorship, the reason a limited conservatorship or protective arrangement instead of conservatorship is not appropriate;

(h) If the petition includes the name of a proposed conservator, the reason the proposed conservator should be appointed;

(i) If the petition is for a limited conservatorship, a description of the property to be placed under the conservator's control and any requested limitation on the authority of the conservator;

(j) Whether the respondent needs an interpreter, translator, or other form of support to communicate effectively with the court or understand court proceedings; and

(k) The name and address of an attorney representing the petitioner, if any.

minor or a parent of the minor about the petition or a related matter.

(2) If the respondent in a proceeding to appoint a conservator is an adult, the court shall appoint a court visitor. The duties and reporting requirements of the court visitor are limited to the relief requested in the petition. The court visitor must be an individual with training or experience in the type of abilities, limitations, and needs alleged in the petition.

(3) The court, in the order appointing court visitor, shall specify the hourly rate the court visitor may charge for his or her services, and shall specify the maximum amount the court visitor may charge without additional court review and approval. The fee shall be charged to the person subject to a guardianship or conservatorship proceeding unless the court finds that such payment would result in substantial hardship upon such person, in which case the county shall be responsible for such costs: PROVIDED, That the court may charge such fee to the petitioner, the person subject to a guardianship or conservatorship proceeding, or any person who has appeared in the action; or may allocate the fee, as it deems just. If the petition is found to be frivolous or not brought in good faith, the court visitor fee shall be charged to the petitioner. The court shall not be required to provide for the payment of a fee to any salaried employee of a public agency.

(4)(a) The court visitor appointed under subsection (1) or (2) of this section shall within five days of receipt of notice of appointment file with the court and serve, either personally or by certified mail with return receipt, the respondent or his or her legal counsel, the petitioner or his or her legal counsel, and any interested party entitled to notice under RCW 11.130.080 with a statement including: His or her training relating to the duties as a court visitor; his or her criminal history as defined in RCW 9.94A.030 for the period covering ten years prior to the appointment; his or her hourly rate, if compensated; whether the court visitor has had any contact with a party to the proceeding prior to his or her appointment; and whether he or she has an apparent conflict of interest. Within three days of the later of the actual service or filing of the court visitor's statement, any party may set a hearing and file and serve a motion for an order to show cause why the court visitor should not be removed for one of the following three reasons:

(i) Lack of expertise necessary for the proceeding;

(ii) An hourly rate higher than what is reasonable for the particular proceeding; or

(iii) A conflict of interest.

(b) Notice of the hearing shall be provided to the court visitor and all parties. If, after a hearing, the court enters an order replacing the court visitor, findings shall be included, expressly stating the reasons for the removal. If the court visitor is not removed, the court has the authority to assess to the moving party attorneys' fees and costs related to the motion. The court shall assess attorneys' fees and costs for frivolous motions.

**Sec. 9.** RCW 11.130.380 and 2020 c 312 s 310 are each amended to read as follows:

(1) If the respondent in a proceeding to appoint a conservator is a minor, the court may appoint a court visitor to investigate a matter related to the petition or inform the

(5) A court visitor appointed under subsection (2) of this section for an adult shall interview the respondent in person and in a manner the respondent is best able to understand:

(a) Explain to the respondent the substance of the petition, the nature, purpose, and effect of the proceeding, the respondent's rights at the hearing on the petition, the right to counsel of choice and to a jury trial, and the general powers and duties of a conservator;

(b) Determine whether the respondent would like to request the appointment of an attorney, and determine the respondent's views about the appointment sought by the petitioner, including views about a proposed conservator, the conservator's proposed powers and duties, and the scope and duration of the proposed conservatorship; and

(c) Inform the respondent that all costs and expenses of the proceeding, including respondent's attorneys' fees, may be paid from the respondent's assets.

(6) If the respondent objects to the petition or requests appointment of an attorney, the court visitor shall petition the court to have an attorney appointed within five days of meeting the respondent.

(7) A court visitor appointed under subsection (2) of this section for an adult shall:

(a) Interview the petitioner and proposed conservator, if any;

(b) Review financial records of the respondent, if relevant to the court visitor's recommendation under subsection ~~((7))~~ (8)(b) of this section;

(c) Investigate whether the respondent's needs could be met by a protective arrangement instead of conservatorship or other less restrictive alternative and, if so, identify the arrangement or other less restrictive alternative; and

(d) Investigate the allegations in the petition and any other matter relating to the petition the court directs.

~~((7))~~ (8) A court visitor appointed under subsection (2) of this section for an adult shall file a report in a record with the court and provide a copy of the report to the respondent, petitioner, and any interested party entitled to notice under RCW 11.130.080 at least fifteen days prior to the hearing on the petition filed under RCW 11.130.365, which must include:

(a) A recommendation:

(i) Regarding the appropriateness of conservatorship, or whether a protective arrangement instead of conservatorship or other less restrictive alternative for meeting the respondent's needs is available;

(ii) If a conservatorship is recommended, whether it should be full or limited;

(iii) If a limited conservatorship is recommended, the powers to be granted to the conservator, and the property that should be placed under the conservator's control; and

(iv) If a conservatorship is recommended, the amount of the bond or other verified receipt needed under RCW 11.130.445 and 11.130.500;

(b) A statement of the qualifications of the proposed conservator and whether the

respondent approves or disapproves of the proposed conservator;

(c) A statement whether the respondent declined a professional evaluation under RCW 11.130.390 and what other information is available to determine the respondent's needs and abilities without the professional evaluation;

(d) A statement whether the respondent is able to attend a hearing at the location court proceedings typically are held;

(e) A statement whether the respondent is able to participate in a hearing and which identifies any technology or other form of support that would enhance the respondent's ability to participate; and

(f) Any other matter the court directs.

~~((8))~~ (9) The appointment of a court visitor has no effect on the determination of the adult respondent's legal capacity and does not overcome the presumption of legal capacity or full legal and civil rights of the adult respondent.

**Sec. 10.** RCW 11.130.425 and 2020 c 312 s 216 are each amended to read as follows:

(1) ~~((A conservator appointed under RCW 11.130.420 shall give to the individual subject to conservatorship and to all other persons entitled to notice pursuant to an order under RCW 11.130.420(6) or a subsequent order a copy of the order of appointment, together with notice of the right to request termination or modification. The order and notice must be given not later than fourteen days after the appointment.~~

~~(2))~~ Not later than thirty days after appointment of a conservator under RCW 11.130.420, the conservator shall give to the individual subject to conservatorship and any other person entitled to notice under RCW 11.130.420 (6) and (7) a copy of the order of appointment and a statement of the rights of the individual subject to conservatorship and procedures to seek relief if the individual is denied those rights. The statement must be in plain language, in at least sixteen-point font, and to the extent feasible, in a language in which the individual subject to conservatorship is proficient. The statement must notify the individual subject to conservatorship of the right to:

(a) Seek termination or modification of the conservatorship, or removal of the conservator, and choose an attorney to represent the individual in these matters;

(b) Participate in decision making to the extent reasonably feasible;

(c) Receive a copy of the conservator's plan under RCW 11.130.510, the conservator's inventory under RCW 11.130.515, and the conservator's report under RCW 11.130.530; and

(d) Object to the conservator's inventory, plan, or report.

~~((3))~~ (2) If a conservator is appointed for the reasons stated in RCW 11.130.360(2)

(a)(ii) and the individual subject to conservatorship is missing, notice under this section to the individual is not required.

**Sec. 11.** RCW 11.130.430 and 2020 c 312 s 217 are each amended to read as follows:

(1) A person interested in an individual's welfare, including the individual for whom the order is sought, may petition for appointment of an emergency conservator for the individual.

(2) An emergency petition under subsection (1) of this section must state the petitioner's name, principal residence, and current street address, if different, and ~~((+))~~ to the extent known, the following:

(a) The respondent's name, age, principal residence ~~((+))~~ and current street address, if different;

(b) The name and address of the respondent's:

(i) Spouse or domestic partner or, if the respondent has none, an adult with whom the respondent has shared household responsibilities for more than six months in the twelve-month period immediately before the filing of the emergency petition;

(ii) Adult children or, if none, each parent and adult sibling of the respondent, or, if none, at least one adult nearest in kinship to the respondent who can be found with reasonable diligence; and

(iii) Adult stepchildren whom the respondent actively parented during the stepchildren's minor years and with whom the respondent had an ongoing relationship in the two-year period immediately before the filing of the emergency petition;

(c) The name and current address of each of the following, if applicable:

(i) A person responsible for care of the respondent;

(ii) Any attorney currently representing the respondent;

(iii) Any representative payee appointed by the social security administration for the respondent;

(iv) A guardian or conservator acting for the respondent in this state or in another jurisdiction;

(v) A trustee or custodian of a trust or custodianship of which the respondent is a beneficiary;

(vi) Any fiduciary for the respondent appointed by the department of veterans affairs;

(vii) Any representative payee or authorized representative or protective payee;

(viii) An agent designated under a power of attorney for health care in which the respondent is identified as the principal;

(ix) An agent designated under a power of attorney for finances in which the respondent is identified as the principal;

(x) A person nominated as conservator by the respondent;

(xi) A person nominated as conservator by the respondent's parent or spouse or domestic partner in a will or other signed record;

(xii) A proposed emergency conservator, and the reason the proposed emergency conservator should be selected; and

(xiii) A person known to have routinely assisted the respondent with decision making during the six months immediately before the filing of the emergency petition;

(d) The reason an emergency conservatorship is necessary, including a specific description of:

(i) The nature and extent of the emergency situation;

(ii) The nature and extent of the individual's alleged emergency need that arose because of the emergency situation;

(iii) The substantial and irreparable harm to the individual's property or financial interests that is likely to be prevented by the appointment of an emergency conservator;

(iv) All protective arrangements or other less restrictive alternatives that have been considered or implemented to meet the individual's alleged emergency needs instead of emergency conservatorship;

(v) If no protective arrangements or other less restrictive alternatives have been considered or implemented instead of emergency conservatorship, the reason they have not been considered or implemented; and

(vi) The reason a protective arrangement or other less restrictive alternative instead of emergency conservatorship is insufficient to meet the individual's alleged emergency need;

(e) The reason the petitioner believes that a basis for appointment of a conservator under RCW 11.130.360 exists;

(f) Whether the petitioner intends to also seek conservatorship for an individual under RCW 11.130.365;

(g) The reason the petitioner believes that no other person appears to have authority and willingness to act to address the individual's identified needs caused by the emergency circumstances;

(h) The specific powers to be granted to the proposed emergency conservator and a description of how those powers will be used to meet the individual's alleged emergency need;

(i) If the individual has property other than personal effects, a general statement of the individual's property, with an estimate of its value, including any insurance or pension, and the source and amount of other anticipated income or receipts; and

(j) Whether the individual needs an interpreter, translator, or other form of support to communicate effectively with the court or understand court proceedings.

(3) The requirements of RCW 11.130.090 apply to an emergency conservator appointed for an individual with the following exceptions for any proposed emergency conservator required to complete the training under RCW 11.130.090:

(a) The proposed emergency conservator shall present evidence of the successful completion of the required training video or web cast to the court no later than the hearing on the petition for appointment of an emergency conservator for an individual; and

(b) The superior court may defer the completion of the training requirement to a date no later than fourteen days after appointment if the petitioner requests an extension of time to complete the training due to emergent circumstances beyond the control of ~~((the))~~ the petitioner.

(4) On its own or on petition for appointment of an emergency conservator for an individual after a petition has been filed under RCW 11.130.365, the court may appoint an emergency conservator for the individual if the court makes specific findings based on clear and convincing evidence that:

(a) An emergency exists such that appointment of an emergency conservator is likely to prevent substantial and irreparable harm to the individual's property or financial interests;

(b) The individual's identified needs caused by the emergency cannot be met by a protective arrangement or other less restrictive alternative instead of emergency conservatorship;

(c) No other person appears to have authority and willingness to act to address the individual's identified needs caused by the emergency circumstances; and

(d) There is reason to believe that a basis for appointment of a conservator under RCW 11.130.360 exists.

(5) If the court acts on its own to appoint an emergency conservator after a petition has been filed under RCW 11.130.365, all requirements of this section shall be met.

(6) A court order appointing an emergency conservator for an individual shall:

(a) Grant only the specific powers necessary to meet the individual's identified emergency need and to prevent substantial and irreparable harm to the individual's property or financial interests;

(b) Include a specific finding that clear and convincing evidence established that an emergency exists such that appointment of an emergency conservator is likely to prevent substantial and irreparable harm to the individual's property or financial interests;

(c) Include a specific finding that the identified emergency need of the individual cannot be met by a protective arrangement instead of conservatorship or other less restrictive alternative, including any relief available under chapter 74.34 RCW or use of appropriate supportive services, technological assistance, or supported decision making;

(d) Include a specific finding that clear and convincing evidence established the adult respondent was given proper notice of the hearing on the petition;

(e) State that the individual subject to emergency conservatorship retains all rights the individual enjoyed prior to the emergency conservatorship with the exception of the rights not retained during the period of emergency conservatorship;

(f) Require the emergency conservator to furnish a bond or other security under RCW 11.130.445;

(g) Include the date that the sixty-day period of emergency conservatorship ends, and the date the emergency conservator's report, required by this section, is due to the court; and

(h) Identify any person or notice party that subsequently is entitled to:

(i) Notice of the rights of the individual;

(ii) Notice of a change in the primary dwelling of the individual;

(iii) Notice of the removal of the conservator;

(iv) A copy of the emergency conservator's plan and the emergency conservator's report under this section;

(v) Access to court records relating to the emergency conservatorship;

(vi) Notice of the death or significant change in the condition of the individual;

(vii) Notice that the court has limited or modified the powers of the emergency conservator; and

(viii) Notice of the removal of the emergency conservator.

(7) A spouse, a domestic partner, and adult children of an adult subject to emergency conservatorship are entitled to notice under this section unless the court orders otherwise based on good cause. Good cause includes the court's determination that notice would be contrary to the preferences or prior directions of the individual subject to emergency conservatorship or in the best interest of the individual.

(8) The duration of authority of an emergency conservator may not exceed sixty days and the emergency conservator may exercise only the powers specified in the order of appointment. Upon a motion by the emergency conservator, with notice served upon all applicable notice parties, the emergency conservator's authority may be extended once for not more than sixty days if the court finds that the conditions for appointment of an emergency conservator under subsection (4) of this section continue.

(9) Immediately on filing of a petition for an emergency conservator for an adult, the court shall appoint an attorney to represent the adult in the proceeding. An order appointing an emergency conservator for an adult may not be entered unless the adult respondent, the adult respondent's attorney, and the court visitor appointed under subsection (10) of this section have received a minimum of fourteen days' notice of the date, time, and place of a hearing on the petition. ((A)The petitioner must personally serve a copy of the emergency petition and notice of a hearing on the petition ((must be served personally)) on the adult respondent, the adult respondent's attorney, and the court visitor appointed under subsection (10) of this section not more than two court days after the petition has been filed. The notice must inform the respondent of the adult respondent's rights at the hearing, including the right to an attorney and to attend the hearing. The notice must include a description of the nature, purpose, and consequences of granting the emergency petition. The court shall not grant the emergency petition if notice substantially complying with this subsection is not served on the respondent.

(10)(a) On receipt of a petition for appointment of emergency conservator for an individual, the court:

(i) Shall appoint a court visitor if an emergency conservator is sought for an adult; or

(ii) May appoint a court visitor if an emergency conservator is sought for a minor.

(b) Notice of appointment of the court visitor must be served upon the court visitor within two days of appointment by the petitioner. The court visitor must be an individual with training or experience in the type of abilities, limitations, and needs alleged in the emergency petition. The court, in the order appointing a court visitor, shall specify the hourly rate the ~~((court))~~ court visitor may charge for his or her services, and shall specify the maximum amount the court visitor may charge without additional court review and approval.

(c) The court visitor shall within two days of service of notice of appointment file with the court and serve, either personally or by certified mail with return receipt, the respondent or the respondent's legal counsel, the petitioner or the petitioner's legal counsel, and any notice party with a statement including the court visitor's: Training relating to the duties as a court visitor; criminal history as defined in RCW 9.94A.030 for the period covering ten years prior to the appointment; hourly rate, if compensated; contact, if any, with a party to the proceeding prior to appointment; and apparent or actual conflicts of interest.

(d) A court visitor appointed under this section shall use due diligence to attempt to interview the adult respondent in person and, in a manner the individual is best able to understand:

(i) Explain to the adult respondent the substance of the emergency petition, the nature, purpose, and effect of the proceeding, the respondent's rights at the hearing on the petition, and the proposed specific powers and duties of the proposed conservator as stated in the emergency petition;

(ii) Determine the adult respondent's views about the emergency appointment sought by the petitioner, including views about a proposed emergency conservator, the emergency conservator's proposed powers and duties, and the scope and duration of the proposed emergency conservatorship; and

(iii) Inform the adult respondent that all costs and expenses of the proceeding, including but not limited to the adult respondent's attorneys' fees, the appointed conservator's fees, and the appointed conservator's attorneys' fees, will be paid from the individual's assets upon approval by the court.

(e) The court visitor appointed under this section shall:

(i) Interview the petitioner and proposed emergency conservator;

(ii) Use due diligence to attempt to visit the adult respondent's present dwelling;

(iii) Use due diligence to attempt to obtain information from any physician or other person known to have treated, advised, or assessed the adult respondent's relevant physical or mental condition; and

(iv) Investigate the allegations in the emergency petition and any other matter relating to the emergency petition the court directs.

(f) A court visitor appointed under this section shall file a report in a record with the court and provide a copy of the report to the petitioner, the adult subject to the emergency conservatorship, and any notice party at least seven days prior to the hearing on the emergency petition, which must include:

(i) A recommendation regarding the appropriateness of emergency conservatorship, including whether a protective arrangement instead of conservatorship or other less restrictive alternative for meeting the respondent's needs is available, and if an emergency conservatorship is recommended;

(ii) A detailed summary of the alleged emergency and the substantial and irreparable harm to the individual's property or finances that is likely to be prevented by the appointment of an emergency conservator;

(iii) A statement as to whether the alleged emergency and the respondent's alleged needs are likely to require an extension of sixty days as authorized under this section;

(iv) The specific powers to be granted to the emergency conservator and how the specific powers will address the alleged emergency and the respondent's alleged need;

(v) A recommendation regarding the appropriateness of an ongoing conservatorship for an individual, including whether a protective arrangement instead of conservatorship or other less restrictive alternative for meeting the respondent's needs is available;

(vi) A statement of the qualifications of the proposed emergency conservator and whether the respondent approves or disapproves of the proposed emergency conservator, and the reasons for such approval or disapproval;

(vii) A recommendation whether a professional evaluation under RCW 11.130.390 is necessary;

(viii) A statement whether the respondent is able to attend a hearing at the location court proceedings typically are held;

(ix) A statement whether the respondent is able to participate in a hearing which identifies any technology or other form of support that would enhance the respondent's ability to participate; and

(x) Any other matter the court directs.

(11) An emergency conservator shall:

(a) Comply with the requirements of RCW 11.130.505 and the requirements of this chapter that pertain to the rights of an individual subject to conservatorship;

(b) Not have authority to make decisions or take actions that a conservator for an individual is prohibited by law from having; and

(c) Be subject to the same special limitations on a conservator's power that apply to a conservator for an individual.

(12) Appointment of an emergency conservator under this section is not a determination that a basis exists for appointment of a conservator under RCW 11.130.360.

(13) The court may remove an emergency conservator appointed under this section at any time.



(14) The emergency conservator shall file a report in a record with the court and provide a copy of the report to the individual subject to emergency conservatorship, and any notice party no later than forty-five days after appointment. The report shall include specific and updated information regarding the emergency alleged in the emergency petition, the individual's emergency needs, all actions and decisions by the emergency conservator, and a recommendation as to whether a conservator for an individual should be appointed. If the appointment of the emergency conservator is extended for an additional sixty days, the emergency conservator shall file a second report in a record with the court and provide a copy of the report to the individual subject to emergency conservatorship, and any notice party no later than forty-five days after the emergency conservatorship is extended by the court, which shall include the same information required for the first report. The emergency conservator shall make any other report the court requires.

(15) The court shall issue letters of emergency conservatorship to the emergency conservator in compliance with RCW 11.130.040.

**Sec. 12.** RCW 11.130.435 and 2020 c 312 s 218 are each amended to read as follows:

(1) Except as otherwise ordered by the court, a conservator must give notice to persons entitled to notice under RCW 11.130.370(4) and receive specific authorization by the court before the conservator may exercise with respect to the conservatorship the power to:

(a) Make a gift, except a gift of de minimis value;

(b) Sell, encumber an interest in, or surrender a lease to the primary dwelling of the individual subject to conservatorship;

(c) Sell, or encumber an interest in, any other real estate;

(d) Convey, release, or disclaim a contingent or expectant interest in property, including marital property and any right of survivorship incident to joint tenancy or tenancy by the entirety;

(e) Exercise or release a power of appointment;

(f) Create a revocable or irrevocable trust of property of the conservatorship estate, whether or not the trust extends beyond the duration of the conservatorship, or revoke or amend a trust revocable by the individual subject to conservatorship;

(g) Exercise a right to elect an option or change a beneficiary under an insurance policy or annuity or surrender the policy or annuity for its cash value;

(h) Exercise a right to a quasi-community property share under RCW 26.16.230 or a right to an elective share under other law in the estate of a deceased spouse or domestic partner of the individual subject to conservatorship or renounce or disclaim a property interest;

(i) Grant a creditor priority for payment over creditors of the same or higher class if the creditor is providing property or services used to meet the basic living and

care needs of the individual subject to conservatorship and preferential treatment otherwise would be impermissible under RCW 11.130.555(5);

(j) Make, modify, amend, or revoke the will of the individual subject to conservatorship in compliance with chapter 11.12 RCW;

(k) Acquire or dispose of property, including real property in another state, for cash or on credit, at public or private sale, and manage, develop, improve, exchange, partition, change the character of, or abandon property. In all transactions involving the sale of real property, the conservator shall receive additional authority from the court as to the disposition of the proceedings from the sale of the real property;

(l) Make ordinary or extraordinary repairs or alterations in a building or other structure, demolish any improvement, or raze an existing or erect a new party wall or building;

(m) Subdivide or develop land, dedicate land to public use, make or obtain the vacation of a plat and adjust a boundary, adjust a difference in valuation of land, exchange or partition land by giving or receiving consideration, and dedicate an easement to public use without consideration;

(n) Enter for any purpose into a lease of property as lessor or lessee, with or without an option to purchase or renew, for a term within or extending beyond the term of the conservatorship; and

(o) Structure the finances of the individual subject to conservatorship to establish eligibility for a public benefit including by making gifts consistent with the individual's preferences, values, and prior directions, if the conservator's action does not jeopardize the individual's welfare and otherwise is consistent with the conservator's duties.

(2) In approving a conservator's exercise of a power listed in subsection (1) of this section, the court shall consider primarily the decision the individual subject to conservatorship would make if able, to the extent the decision can be ascertained.

(3) To determine under subsection (2) of this section the decision the individual subject to conservatorship would make if able, the court shall consider the individual's prior or current directions, preferences, opinions, values, and actions, to the extent actually known or reasonably ascertainable by the conservator. The court also shall consider:

(a) The financial needs of the individual subject to conservatorship and individuals who are in fact dependent on the individual subject to conservatorship for support, and the interests of creditors of the individual;

(b) Possible reduction of income, estate, inheritance, or other tax liabilities;

(c) Eligibility for governmental assistance;

(d) The previous pattern of giving or level of support provided by the individual;

(e) Any existing estate plan or lack of estate plan of the individual;

(f) The life expectancy of the individual and the probability the conservatorship will terminate before the individual's death; and

(g) Any other relevant factor.

(4) A conservator may not revoke or amend a power of attorney for finances executed by the individual subject to conservatorship. If a power of attorney for finances is in effect, a decision of the agent within the scope of the agent's authority takes precedence over that of the conservator, unless the court orders otherwise. The court has authority to revoke or amend any power of attorney executed by the adult.

**Sec. 13.** RCW 11.130.530 and 2020 c 312 s 222 are each amended to read as follows:

(1) A conservator shall file with the court by the date established by the court a report in a record regarding the administration of the conservatorship estate unless the court otherwise directs, on resignation or removal, on termination of the conservatorship, and at any other time the court directs.

(2) A report under subsection (1) of this section must state or contain:

(a) An accounting that lists property included in the conservatorship estate and the receipts, disbursements, liabilities, and distributions during the period for which the report is made;

(b) A list of the services provided to the individual subject to conservatorship;

(c) A copy of the conservator's most recently approved plan and a statement whether the conservator has deviated from the plan and, if so, how the conservator has deviated and why;

(d) A recommendation as to the need for continued conservatorship and any recommended change in the scope of the conservatorship;

(e) To the extent feasible, a copy of the most recent reasonably available financial statements evidencing the status of bank accounts, investment accounts, and mortgages or other debts of the individual subject to conservatorship with all but the last four digits of the account numbers and social security number redacted;

(f) Anything of more than de minimis value which the conservator, any individual who resides with the conservator, or the spouse, domestic partner, parent, child, or sibling of the conservator has received from a person providing goods or services to the individual subject to conservatorship;

(g) Any business relation the conservator has with a person the conservator has paid or that has benefited from the property of the individual subject to conservatorship; and

(h) Whether any co-conservator or successor conservator appointed to serve when a designated event occurs is alive and able to serve.

(3) The court may appoint a court visitor to review a report under this section or conservator's plan under RCW 11.130.510, interview the individual subject to conservatorship or conservator, or investigate any other matter involving the conservatorship. In connection with the report, the court may order the conservator

to submit the conservatorship estate to appropriate examination in a manner the court directs.

(4) Notice of the filing under this section of a conservator's report, together with a copy of the report, must be provided to the individual subject to conservatorship, a person entitled to notice under RCW 11.130.420(6) or a subsequent order, and other persons the court determines. The notice and report must be given not later than fourteen days after filing.

(5) The court shall establish procedures for monitoring a report submitted under this section and review each report at least annually to determine whether:

(a) The reports provide sufficient information to establish the conservator has complied with the conservator's duties;

(b) The conservatorship should continue; and

(c) The conservator's requested fees, if any, should be approved.

(6) If the court determines there is reason to believe a conservator has not complied with the conservator's duties or the conservatorship should not continue, the court:

(a) Shall notify the individual subject to conservatorship, the conservator, and any other person entitled to notice under RCW 11.130.420(6) or a subsequent order;

(b) May require additional information from the conservator;

(c) May appoint a court visitor to interview the individual subject to conservatorship or conservator or investigate any matter involving the conservatorship; and

(d) Consistent with RCW 11.130.565 and 11.130.570, may hold a hearing to consider removal of the conservator, termination of the conservatorship, or a change in the powers granted to the conservator or terms of the conservatorship.

(7) If the court has reason to believe fees requested by a conservator are not reasonable, the court shall hold a hearing to determine whether to adjust the requested fees.

(8) A conservator must petition the court for approval of a report filed under this section. The court after review may approve the report. If the court approves the report, there is a rebuttable presumption the report is accurate as to a matter adequately disclosed in the report.

(9) An order, after notice and hearing, approving an interim report of a conservator filed under this section adjudicates liabilities concerning a matter adequately disclosed in the report, as to a person given notice of the report or accounting.

(10) If the court approves a report filed under this section, the order approving the report shall set the due date for the filing of the next report to be filed under this section. The court may set the review at annual, biennial, or triennial intervals with the report due date to be within ninety days of the anniversary date of appointment. When determining the report interval, the court can consider: The length of time the conservator has been serving the person under conservatorship; whether the

conservator has timely filed all required reports with the court; whether the conservator is monitored by other state or local agencies; the income of the person subject to conservatorship; the value of the property of the person subject to conservatorship; the adequacy of the bond and other verified receipt; and whether there have been any allegations of abuse, neglect, or a breach of fiduciary duty against the conservator.

(11) If the court approves a report filed under this section, the order approving the report shall contain a conservatorship summary or accompanied by a conservatorship summary in the form or substantially in the same form as set forth in RCW 11.130.665.

(12) If the court approves a report filed under this section, the order approving the report shall direct the clerk of the court to reissue letters of office in the form or substantially in the same form as set forth in RCW 11.130.660 to the conservator containing an expiration date which will be within one hundred eighty days (~~after the date the court directs the conservator file its next report~~) of the anniversary date of appointment.

(13) An order, after notice and hearing, approving a final report filed under this section discharges the conservator from all liabilities, claims, and causes of action by a person given notice of the report and the hearing as to a matter adequately disclosed in the report.

(14) Any requirement to establish a monitoring program under this section is subject to appropriation.

**NEW SECTION. Sec. 14.** A new section is added to chapter 11.130 RCW to read as follows:

The court shall have authority to bring before it, in the manner prescribed by RCW 11.48.070, any person or persons suspected of having in their possession or having concealed, embezzled, conveyed, or disposed of any of the property of the estate of the individual subject to conservatorship subject to administration of this title.

**NEW SECTION. Sec. 15.** A new section is added to chapter 2.72 RCW to read as follows:

(1) Subject to the availability of funds appropriated for this specific purpose, the office shall contract with public or private entities or individuals to provide decision-making assistance services, prioritizing persons who are:

(a) Age 18 or older whose income does not exceed 400 percent of the federal poverty level determined annually by the United States department of health and human services or who are eligible to receive long-term care services through the Washington state department of social and health services;

(b) In an acute care hospital licensed under chapter 70.41 RCW, a psychiatric hospital licensed under chapter 71.12 RCW, or a state psychiatric hospital licensed under chapter 72.23 RCW, or in a location funded by such a hospital;

(c) Medically ready for discharge, or will soon be medically ready for discharge, to a postacute care or community setting; and

(d) Without a qualified person who is willing and able to serve as a decision maker.

(2) For decision-making assistance services provided pursuant to subsection (1) of this section, the office shall establish a streamlined process to review requests for decision-making assistance for persons who meet the requirement in subsection (1) of this section on a weekly basis.

(3) Subject to the availability of funds appropriated for this specific purpose, the office shall establish a navigator service to provide assistance and support for hospitals and persons in hospitals, including assistance to navigate options for guardianship, public conservatorship, decision-making assistance, and estate administration services as appropriate for the person.

(4) Subject to the availability of funds appropriated for this specific purpose, the office shall fund training for decision makers regarding considerations for specific populations, including behavioral health, involuntary treatment, disability, family law, and medicaid programs.

(5) Subject to the availability of funds appropriated for this specific purpose, the office shall offer low-barrier trainings to certified professional guardians on topics such as aging, mental health, and dementia.

**NEW SECTION. Sec. 16.** A new section is added to chapter 2.72 RCW to read as follows:

(1) By October 1, 2025, and annually thereafter, and in compliance with RCW 43.01.036, the office of public guardianship must submit a report to the legislature regarding the demand for the services provided by the office, barriers to service delivery, and outcomes achieved.

(2) The report required in subsection (1) of this section must contain, at a minimum, the following information for the year prior to the report:

(a) The number of contract service providers under contract with the office of public guardianship;

(b) The caseload of each contract service provider;

(c) The number of guardianships, conservatorships, and each of the less restrictive options supported by the office;

(d) The total number of persons prioritized pursuant to section 15 of this act;

(e) For each person prioritized pursuant to section 15 of this act, the number of days between when the person was deemed medically ready for discharge from a hospital to a postacute care or community setting and when the person was discharged from the hospital;

(f) A summary of postdischarge outcomes with regard to persons prioritized pursuant to section 15 of this act; and

(g) Policy recommendations for consideration by the legislature."

Correct the title.

Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member.

Referred to Committee on Appropriations

February 21, 2024

ESSB 5828 Prime Sponsor, Law & Justice: Concerning water rights adjudication commissioners and referees. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 5829 Prime Sponsor, Health & Long Term Care: Screening newborn infants for congenital cytomegalovirus. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 5834 Prime Sponsor, Local Government, Land Use & Tribal Affairs: Concerning urban growth areas. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Gohner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

February 20, 2024

SSB 5835 Prime Sponsor, State Government & Elections: Concerning transparency in rule making. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

February 21, 2024

SB 5836 Prime Sponsor, Senator Wilson, L.: Adding an additional superior court judge in Clark county. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

Referred to Committee on Appropriations

February 20, 2024

SB 5837 Prime Sponsor, Senator Valdez: Codifying the state election database to publish, evaluate, and analyze certain election data. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Gregerson and Mena.

MINORITY recommendation: Do not pass. Signed by Representative Christian, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Cheney, Ranking Minority Member; and Low.

Referred to Committee on Appropriations

February 21, 2024

E2SSB 5838 Prime Sponsor, Ways & Means: Establishing an artificial intelligence task force. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that artificial intelligence is a fast-evolving technology that holds extraordinary potential and has a myriad of uses for both the public and private sectors. Advances in artificial intelligence technology have led to programs that are capable of creating text, audio, and media that are difficult to distinguish from media created by a human. This technology has the potential to provide great benefits to people if used well and to cause great harm if used irresponsibly.

The legislature further finds that generative artificial intelligence has become widely available to consumers and has great potential to become a versatile tool for a wide audience. It can streamline tasks, save time and money for users, and facilitate further innovation. Artificial intelligence has the potential to help solve urgent challenges, while making our world more prosperous, productive, innovative, and secure when used responsibly.

Washington state is in a unique position to become a center for artificial intelligence and machine learning. When used irresponsibly, artificial intelligence has the potential to further perpetuate bias and harm to historically excluded groups. It is vital that the fundamental rights to privacy and freedom from discrimination are properly

safeguarded as society explores this emerging technology.

The federal government has not yet enacted binding regulations, however in July 2023, the federal government announced voluntary commitments by seven leading artificial intelligence companies, including three companies headquartered in Washington, to move toward safe, secure, and transparent development of artificial intelligence technology. The October 2023 executive order on the safe, secure, and trustworthy development and use of artificial intelligence builds on this work by directing developers of artificial intelligence systems to share their safety test results for certain highly capable models with the United States government.

Numerous businesses and agencies have developed principles for artificial intelligence. In Washington, Washington technology solutions (WaTech) developed guiding principles for artificial intelligence use by state agencies. These principles share common themes: Accountability, transparency, human control, privacy and security, advancing equity, and promoting innovation and economic development.

The legislature finds that the possible impacts of advancements in generative artificial intelligence for Washingtonians requires careful consideration in order to mitigate risks and potential harms, while promoting transparency, accountability, equity, and innovation that drives technological breakthroughs. On January 30, 2024, governor Inslee issued Executive Order 24-01 directing WaTech to identify generative artificial intelligence initiatives that could be implemented in state operations and issue guidelines for public sector procurement and usage.

**NEW SECTION. Sec. 2.** (1) Subject to the availability of amounts appropriated for this specific purpose, a task force to assess current uses and trends and make recommendations to the legislature regarding guidelines and potential legislation for the use of artificial intelligence systems is established.

(2) The task force is composed of an executive committee consisting of members as provided in this subsection.

(a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(c) The attorney general shall appoint the following members, selecting only individuals with experience in technology policy:

(i) One member from the office of the governor;

(ii) One member from the office of the attorney general;

(iii) One member from Washington technology solutions;

(iv) One member from the Washington state auditor;

(v) One member representing universities or research institutions that are experts in the design and effect of an algorithmic system;

(vi) One member representing private technology industry groups;

(vii) One member representing business associations;

(viii) One member representing community advocate organizations that represent communities that are disproportionately vulnerable to being harmed by algorithmic bias;

(ix) One member representing the LGBTQ+ community;

(x) One member representing statewide labor organizations; and

(xi) One member representing public safety.

(d) The task force may meet in person or by telephone conference call, videoconference, or other similar telecommunications method, or a combination of such methods.

(e) The executive committee may convene subcommittees to advise the task force on the recommendations and findings set out in subsection (4) of this section.

(i) The executive committee shall define the scope of activity and subject matter focus required of the subcommittees including, but not limited to: Education and workforce development; public safety and ethics; health care and accessibility; labor; government and public sector efficiency; state security and cybersecurity; consumer protection and privacy; and industry and innovation.

(ii) Subcommittees and their members may be invited to participate on an ongoing, recurring, or one-time basis.

(iii) The executive committee in collaboration with the attorney general shall appoint members to the subcommittees that must be comprised of industry participants, subject matter experts, representatives of federally recognized tribes, or other relevant stakeholders.

(iv) Each subcommittee must contain at least one member possessing relevant industry expertise and at least one member from an advocacy organization that represents communities that are disproportionately vulnerable to being harmed by algorithmic bias including, but not limited to: African American; Hispanic American; Native American; Asian American; Native Hawaiian and Pacific Islander communities; religious minorities; individuals with disabilities; and other vulnerable communities.

(v) Meeting summaries and reports delivered by the subcommittees to the executive committee must be made available on the attorney general's website within 30 days of delivery.

(3) The office of the attorney general must administer and provide staff support for the task force. The office of the attorney general may, when deemed necessary by the task force, retain consultants to provide data analysis, research, recommendations, training, and other services to the task force for the purposes provided in subsection (4) of this section. The office of the attorney general may work

with the task force to determine appropriate subcommittees as needed.

(4) The executive committee and subcommittees of the task force shall examine the development and use of artificial intelligence by private and public sector entities and make recommendations to the legislature regarding guidelines and potential legislation for the use and regulation of artificial intelligence systems to protect Washingtonians' safety, privacy, and civil and intellectual property rights. The task force findings and recommendations must include:

(a) A literature review of public policy issues with artificial intelligence, including benefits and risks to the public broadly, historically excluded communities, and other identifiable groups, racial equity considerations, workforce impacts, and ethical concerns;

(b) A review of existing protections under state and federal law for individual data and privacy rights, safety, civil rights, and intellectual property rights, and how federal, state, and local laws relating to artificial intelligence align, differ, conflict, and interact across levels of government;

(c) A recommended set of guiding principles for artificial intelligence use informed by standards established by relevant bodies;

(d) Identification of high-risk uses of artificial intelligence, including those that may negatively affect safety or fundamental rights;

(e) Opportunities to support and promote the innovation of artificial intelligence technologies through grants and incentives;

(f) Recommendations on appropriate uses of and limitations on the use of artificial intelligence by state and local governments and the private sector;

(g) Recommendations relating to the appropriate and legal use of training data;

(h) Racial equity issues posed by artificial intelligence systems and ways to mitigate the concerns to build equity into the systems;

(i) Civil liberties issues posed by artificial intelligence systems and civil rights and civil liberties protections to be incorporated into artificial intelligence systems;

(j) Recommendations as to how the state should educate the public on the development and use of artificial intelligence;

(k) A review of protections of personhood, including replicas of voice or likeness, in typical contract structures, and a review of artificial intelligence tools used to support employment decisions; and

(l) Proposed state guidelines for the use of artificial intelligence to inform the development, deployment, and use of artificial intelligence systems to:

(i) Retain appropriate human agency and oversight;

(ii) Be subject to internal and external security testing of systems before public release for high-risk artificial intelligence systems;

(iii) Protect data privacy and security;

(iv) Promote appropriate transparency for consumers when they interact with artificial intelligence systems or products created by artificial intelligence; and

(v) Ensure accountability, considering oversight, impact assessment, auditability, and due diligence mechanisms.

(5) The executive committee of the task force must hold its first meeting within 45 days of final appointments to the task force and must meet at least twice each year thereafter. The task force must submit reports to the governor and the appropriate committees of the legislature detailing its findings and recommendations. A preliminary report must be delivered by December 31, 2024, an interim report by December 1, 2025, and a final report by July 1, 2026. Meeting summaries must be posted to the website of the attorney general's office within 30 days of any meeting by the task force.

(6) Legislative members of the task force shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(7) To ensure that the task force has diverse and inclusive representation of those affected by its work, task force members, including subcommittee members, whose participation in the task force may be hampered by financial hardship and may be compensated as provided in RCW 43.03.220.

(8) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Artificial intelligence" means the use of machine learning and related technologies that use data to train statistical models for the purpose of enabling computer systems to perform tasks normally associated with human intelligence or perception, such as computer vision, speech or natural language processing, and content generation.

(b) "Generative artificial intelligence" means an artificial intelligence system that generates novel data or content based on a foundation model.

(c) "Machine learning" means the process by which artificial intelligence is developed using data and algorithms to draw inferences therefrom to automatically adapt or improve its accuracy without explicit programming.

(d) "Training data" means labeled data that is used to teach artificial intelligence models or machine learning algorithms to make proper decisions. Training data may include, but is not limited to, annotated text, images, video, or audio.

(9) This section expires June 30, 2027.

**NEW SECTION. Sec. 3.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its

existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; Donaghy; Hackney; Ryu and Santos.

MINORITY recommendation: Do not pass. Signed by Representatives Sandlin; and Volz.

MINORITY recommendation: Without recommendation. Signed by Representatives McClintock, Assistant Ranking Minority Member; Chapman; Connors; and Corry.

Referred to Committee on Appropriations

February 20, 2024

SB 5843 Prime Sponsor, Senator Nguyen: Concerning security breaches of election systems and election-related systems. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Gregerson and Mena.

MINORITY recommendation: Do not pass. Signed by Representative Christian, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Cheney, Ranking Minority Member; and Low.

Referred to Committee on Rules for second reading

February 20, 2024

E2SSB 5849 Prime Sponsor, Ways & Means: Concerning a computer science competency graduation requirement. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.230 RCW to read as follows:

(1)(a) Except as provided otherwise by this section, beginning with the graduating class of 2030, each student graduating from a public high school must demonstrate competency in the computer science state learning standards. Students may demonstrate this computer science competency graduation requirement through:

(i) Completion of a stand-alone computer science course aligned to the state learning standards;

(ii) Completion of a different subject matter course where the state computer science learning standards are embedded with other learning standards; or

(iii) A demonstration of competency of the foundational skills established in the computer science state learning standards.

(b) For purposes of (a)(iii) of this subsection, demonstration of competency

could include completion of a competency examination as established in RCW 28A.230.300 or any of the options allowed by the rules adopted by the state board of education under RCW 28A.230.090 that address mastery-based crediting, such as: (i) Completing a locally established portfolio or culminating project; (ii) participating in supervised work experience or other outside school experience; (iii) taking career and technical education classes; (iv) taking courses offered by regional or community centers or programs; (v) receiving credits earned at a postsecondary institution; or (vi) providing documentation of a prior learning activity that demonstrates proficiency of the identified learning standards. Any of the options used must include evidence that the student meets or exceeds the computer science state learning standards.

(c) Consideration of seat time or instructional hours is not required to demonstrate competency for purposes of this section.

(d) Students must be allowed to present multiple types of evidence for the demonstration of competency.

(2) Students may request a waiver for the requirements of subsection (1) of this section from their school principal if their high school and beyond plan delineates course taking and education or training and career goals for which demonstrated computer science competencies are not applicable. Principals who receive these waiver requests must approve them. Additionally, students in grade 12 who have not been able to demonstrate competency in the computer science state learning standards as required by this section because of previous residence outside the state may have the requirement of this section waived by their principal.

(3) Nothing in this section increases the number of high school credits required for graduation as established by the state board of education under RCW 28A.230.090.

(4)(a) The office of the superintendent of public instruction shall:

(i) Ensure that sufficient professional development opportunities are made available to educators for the purpose of assisting students in meeting the graduation requirement established in this section; and

(ii) Collect relevant disaggregated demographic data on the student completion of the computer science competency graduation requirement created under this section to assess if the requirement has created any negative impacts on any class of students including, but not limited to, students who are currently struggling in school, low-income, person of color, experiencing homelessness, or enrolled in a school or a school district with high rates of these students.

(b) Beginning December 1, 2030, and annually thereafter, the office of the superintendent of public instruction shall submit a report to the education committees of the legislature summarizing the data collected under this subsection.

**NEW SECTION. Sec. 2.** (1) The office of the superintendent of public instruction shall initiate a review and update of the state computer science learning standards for students in grades kindergarten through 12. In developing the update of the state computer science learning standards, the office of the superintendent of public instruction shall review computer science learning standards adopted by other states and consult with nonprofit organizations that have a demonstrated expertise in assisting states in developing computer science learning standards. In developing the state learning standards and supporting documents for grades nine through 12, the office of the superintendent of public instruction shall identify the standards considered to be foundational for graduation purposes as established in section 1 of this act.

(2) The state board of education shall collect information from school districts about the courses and other learning opportunities currently offered in computer science for high school students in their district, how the district already assesses or plans to assess competency of the computer science state learning standards, and what the district may need in order to ensure that students are ready for the graduation requirement established under section 1 of this act. The data collection required by this subsection may be conducted concurrently with other oversight and monitoring activities conducted by the state board of education. The state board of education shall report a summary of the information collected to the legislature by October 31, 2025, and shall include any recommendations on what actions the legislature could take to assist school districts in meeting the needs identified by school districts, including whether exploring options for increasing the number of educators endorsed to teach computer science is necessary.

(3) This section expires July 1, 2026.

**Sec. 3.** RCW 28A.655.070 and 2019 c 252 s 119 are each amended to read as follows:

(1) The superintendent of public instruction shall develop state learning standards that identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, develop student assessments, and implement the accountability recommendations and requests regarding assistance, rewards, and recognition of the state board of education.

(2) The superintendent of public instruction shall:

(a) Periodically revise the state learning standards, as needed, based on the student learning goals in RCW 28A.150.210. Goals one and two shall be considered primary. To the maximum extent possible, the superintendent shall integrate ~~((goal four))~~ technology literacy and fluency from goal three and the knowledge and skill areas in the other goals in the state learning standards; and

(b) Review and prioritize the state learning standards and identify, with clear

and concise descriptions, the grade level content expectations to be assessed on the statewide student assessment and used for state or federal accountability purposes. The review, prioritization, and identification shall result in more focus and targeting with an emphasis on depth over breadth in the number of grade level content expectations assessed at each grade level. Grade level content expectations shall be articulated over the grades as a sequence of expectations and performances that are logical, build with increasing depth after foundational knowledge and skills are acquired, and reflect, where appropriate, the sequential nature of the discipline. The office of the superintendent of public instruction, within seven working days, shall post on its website any grade level content expectations provided to an assessment vendor for use in constructing the statewide student assessment.

(3)(a) In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of reading, writing, mathematics, and science for use in the elementary, middle, and high school years designed to determine if each student has mastered the state learning standards identified in subsection (1) of this section. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system may include a variety of assessment methods, including criterion-referenced and performance-based measures.

(b) Effective with the 2009 administration of the Washington assessment of student learning and continuing with the statewide student assessment, the superintendent shall redesign the assessment in the content areas of reading, mathematics, and science in all grades except high school by shortening test administration and reducing the number of short answer and extended response questions.

(c) By the 2014-15 school year, the superintendent of public instruction, in consultation with the state board of education, shall modify the statewide student assessment system to transition to assessments developed with a multistate consortium, as provided in this subsection:

(i) The assessments developed with a multistate consortium to assess student proficiency in English language arts and mathematics shall be administered beginning in the 2014-15 school year, and beginning with the graduating class of 2020, the assessments must be administered to students in the tenth grade. The reading and writing assessments shall not be administered by the superintendent of public instruction or schools after the 2013-14 school year.

(ii) The high school assessments in English language arts and mathematics in (c) (i) of this subsection shall be used for the purposes of federal and state accountability and for assessing student career and college readiness.

(d) The statewide academic assessment system must also include the Washington



access to instruction and measurement assessment for students with significant cognitive challenges.

(4) If the superintendent proposes any modification to the state learning standards or the statewide assessments, then the superintendent shall, upon request, provide opportunities for the education committees of the house of representatives and the senate to review the assessments and proposed modifications to the state learning standards before the modifications are adopted.

(5) The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not mastered the state learning standards at the appropriate periods in the student's educational development.

(6) By September 2007, the results for reading and mathematics shall be reported in a format that will allow parents and teachers to determine the academic gain a student has acquired in those content areas from one school year to the next.

(7) To assist parents and teachers in their efforts to provide educational support to individual students, the superintendent of public instruction shall provide as much individual student performance information as possible within the constraints of the assessment system's item bank. The superintendent shall also provide to school districts:

(a) Information on classroom-based and other assessments that may provide additional achievement information for individual students; and

(b) A collection of diagnostic tools that educators may use to evaluate the academic status of individual students. The tools shall be designed to be inexpensive, easily administered, and quickly and easily scored, with results provided in a format that may be easily shared with parents and students.

(8) To the maximum extent possible, the superintendent shall integrate knowledge and skill areas in development of the assessments.

(9) Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the state learning standards and assessments for goals one and two.

(10) The superintendent shall develop assessments that are directly related to the state learning standards, and are not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(11) The superintendent shall review available and appropriate options for competency-based assessments that meet the state learning standards. In accordance with the review required by this subsection, the superintendent shall provide a report and recommendations to the education committees of the house of representatives and the senate by November 1, 2019.

(12) The superintendent shall consider methods to address the unique needs of special education students when developing the assessments under this section.

(13) The superintendent shall consider methods to address the unique needs of highly capable students when developing the assessments under this section.

(14) The superintendent shall post on the superintendent's website lists of resources and model assessments in social studies, the arts, and health and fitness.

(15) The superintendent shall integrate financial education skills and content knowledge into the state learning standards pursuant to RCW 28A.300.460(2)(d).

(16)(a) The superintendent shall notify the state board of education in writing before initiating the development or revision of the state learning standards under subsections (1) and (2) of this section. The notification must be provided to the state board of education in advance for review at a regularly scheduled or special board meeting and must include the following information:

(i) The subject matter of the state learning standards;

(ii) The reason or reasons the superintendent is initiating the development or revision; and

(iii) The process and timeline that the superintendent intends to follow for the development or revision.

(b) The state board of education may provide a response to the superintendent's notification for consideration in the development or revision process in (a) of this subsection.

(c) Prior to adoption by the superintendent of any new or revised state learning standards, the superintendent shall submit the proposed new or revised state learning standards to the state board of education in advance in writing for review at a regularly scheduled or special board meeting. The state board of education may provide a response to the superintendent's proposal for consideration prior to final adoption.

(17) The state board of education may propose new or revised state learning standards to the superintendent. The superintendent must respond to the state board of education's proposal in writing."

Correct the title.

Signed by Representatives Santos, Chair; Shavers, Vice Chair; Bergquist; Nance; Ortiz-Self; Pollet; Stonier and Timmons.

MINORITY recommendation: Do not pass. Signed by Representatives Harris; and Steele.

MINORITY recommendation: Without recommendation. Signed by Representatives Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Couture; Eslick; and McClintock.

Referred to Committee on Appropriations

February 20, 2024

ESSB 5850

Prime Sponsor, Ways & Means: Supporting students who are chronically absent and at risk for not graduating high school. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 28A.310 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, each educational service district must work in collaboration with the office of the superintendent of public instruction to develop and maintain the capacity to offer training and coaching for educators and other school district staff, including those designated under RCW 28A.225.026 to address excessive absenteeism and truancy, on the development of robust early warning systems to identify and locate students who are chronically absent and connect them with the necessary supports to reengage them in academic learning. The training and coaching must include collecting, analyzing, and reporting early warning data, including attendance and other relevant data.

(2) For the purposes of this section:

(a) "Necessary supports" may include engagement with families; academic, systemic, and economic supports; adequate and appropriate clothing; food and nutrition; transportation; connecting students to behavioral and physical health supports; and incentives and celebrations of students' attendance and engagement in the classroom.

(b) "Students who are chronically absent" means students who miss 10 percent or more of their school days for any reason including excused and unexcused absences and suspensions.

**Sec. 2.** RCW 28A.175.025 and 2007 c 408 s 2 are each amended to read as follows:

(1) Subject to the availability of funds appropriated for this specific purpose, the office of the superintendent of public instruction shall create a grant program and award grants to local partnerships of schools, families, and communities ~~((to begin the phase in of))~~ for a statewide comprehensive dropout prevention, intervention, and retrieval system including supports for students who are chronically absent. This program shall be known as the building bridges program.

~~((1))~~ (2) For purposes of RCW 28A.175.025 through 28A.175.075, a "building bridges program" means a local partnership of schools, families, and communities that either provides the supports under subsection (3) of this section or provides all of the following programs or activities under this subsection, or both:

(a) A system that identifies individual students at risk of dropping out from middle through high school based on local predictive data, including state assessment data starting in the fourth grade, and provides timely interventions for such students and for dropouts ~~((, including a plan for educational success as already required by the student learning plan as defined under RCW 28A.655.061))~~. Students identified shall include foster care youth, youth involved in the juvenile justice

system, and students receiving special education services under chapter 28A.155 RCW;

(b) Coaches or mentors for students as necessary;

(c) Staff responsible for coordination of community partners that provide a seamless continuum of academic and nonacademic support in schools and communities;

(d) Retrieval or reentry activities; and

(e) Alternative educational programming, including, but not limited to, career and technical education exploratory and preparatory programs and online learning opportunities.

~~((2) One of the grants awarded under this section shall be for a two-year demonstration project focusing on providing fifth through twelfth grade students with a program that utilizes technology and is integrated with state standards, basic academics, cross-cultural exposures, and age-appropriate preemployment training. The project shall:~~

~~(a) Establish programs in two western Washington and one eastern Washington urban areas;~~

~~(b) Identify at-risk students in each of the distinct communities and populations and implement strategies to close the achievement gap;~~

~~(c) Collect and report data on participant characteristics and outcomes of the project, including the characteristics and outcomes specified under RCW 28A.175.035(1)(c); and~~

~~(d) Submit a report to the legislature by December 1, 2009)~~

(3) When community-based organizations, tribes, and community and technical colleges are awarded grants to support students who are chronically absent under this section, grant funds may also be used for the following strategies and supports:

(a) Proactive engagement with all families about the impact of attendance on student outcomes;

(b) Clear, supportive, and solution-oriented communication with families and caregivers of students who are chronically absent;

(c) Visits to families of students who are chronically absent;

(d) Academic, systemic, and economic supports for the families of students who are chronically absent, including removing barriers to students attending school as well as tutoring and mentoring students who are reengaging in the classroom;

(e) Connecting students to behavioral and physical health supports; and

(f) Incentives and celebrations of students' improved attendance and engagement in the classroom.

(4) For the purposes of this section, "students who are chronically absent" has the same meaning as in section 1 of this act.

**Sec. 3.** RCW 28A.175.035 and 2011 c 288 s 9 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall:

(a) Identify criteria for grants and evaluate proposals for funding in

consultation with the workforce training and education coordinating board;

(b) Develop and monitor requirements for grant recipients to:

(i) Identify students who ~~((both fail the Washington assessment of student learning))~~ score below basic on the statewide student assessment as defined in RCW 28A.655.230 and drop out of school;

(ii) Identify their own strengths and gaps in services provided to youth;

(iii) Set their own local goals for program outcomes;

(iv) Use research-based and emerging best practices that lead to positive outcomes in implementing the building bridges program; and

(v) Coordinate an outreach campaign to bring public and private organizations together and to provide information about the building bridges program to the local community;

(c) In setting the requirements under (b) of this subsection, encourage creativity and provide for flexibility in implementing the local building bridges program;

(d) Identify and disseminate successful practices; and

(e) Develop requirements for grant recipients to collect and report data, including, but not limited to:

(i) The number of and demographics of students served including, but not limited to, information regarding a student's race and ethnicity, a student's household income, a student's housing status, whether a student is a foster youth or youth involved in the juvenile justice system, whether a student is disabled, and the primary language spoken at a student's home;

(ii) ~~((Washington assessment of student learning))~~ Statewide student assessment scores;

(iii) Dropout rates;

(iv) On-time graduation rates;

(v) Extended graduation rates;

(vi) Credentials obtained;

(vii) Absenteeism rates;

(viii) Truancy rates; and

(ix) Credit retrieval(~~+~~

~~(f) Contract with a third party to evaluate the infrastructure and implementation of the partnership including the leveraging of outside resources that relate to the goal of the partnership. The third party contractor shall also evaluate the performance and effectiveness of the partnerships relative to the type of entity, as identified in RCW 28A.175.045, serving as the lead agency for the partnership; and~~

~~(g) Report to the legislature by December 1, 2008).~~

(2) The office of the superintendent of public instruction may require the recipient of grant funding under RCW 28A.175.025 to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(3) In performing its duties under this section, the office of the superintendent of public instruction is encouraged to consult with the ~~((work group identified))~~ graduation: a team effort partnership advisory committee established in RCW 28A.175.075.

~~((+3))~~ (4) In selecting recipients for grant funds appropriated under RCW 28A.175.135, the office of the superintendent of public instruction shall use a streamlined and expedited application and review process for those programs that have already proven to be successful in dropout prevention.

**Sec. 4.** RCW 28A.175.105 and 2021 c 164 s 7 are each amended to read as follows:

The definitions in this section apply throughout RCW 28A.175.100 through 28A.175.110 unless the context clearly requires otherwise:

(1) "Dropout reengagement program" means an educational program that offers at least the following instruction and services:

(a) Academic instruction, including but not limited to preparation to earn a high school equivalency certificate as provided in RCW 28B.50.536 in accordance with rules adopted under RCW 28A.305.190, academic skills instruction, and college and work readiness preparation, that generates credits that can be applied to a high school diploma from the student's school district or from a community or technical college under RCW 28B.50.535 and has the goal of enabling the student to obtain the academic and work readiness skills necessary for employment or postsecondary study. A dropout reengagement program is not required to offer instruction in only those subject areas where a student is deficient in accumulated credits. Academic instruction must be provided by teachers certified by the Washington professional educator standards board or by instructors employed by a community or technical college whose required credentials are established by the college;

(b) Case management, academic and career counseling, and assistance with accessing services and resources that support at-risk youth and reduce barriers to educational success, such as:

(i) Academic related supports, such as covering test fees, calculators, and laboratory and other school supplies;

(ii) Nonacademic supports, such as adequate and appropriate clothing; adequate and reliable access to food and nutrition; and transportation, including bus passes, gas vouchers, and subsidized parking; and

(iii) Connecting students to behavioral and physical health supports; and

(c) If the program provider is a community or technical college, the opportunity for qualified students to enroll in college courses that lead to a postsecondary degree or certificate. The college may not charge an eligible student tuition for such enrollment.

(2) "Eligible student" means a student who:

(a) Is at least sixteen but less than twenty-one years of age at the beginning of the school year;

(b) Is not accumulating sufficient credits toward a high school diploma to reasonably complete a high school diploma from a public school before the age of twenty-one or is recommended for the program by case managers from the department of

social and health services or the juvenile justice system; and

(c) Is enrolled or enrolls in the school district in which the student resides, or is enrolled or enrolls in an institutional education program as defined in RCW 28A.190.005 or a nonresident school district under RCW 28A.225.220 through 28A.225.230.

(3) "Full-time equivalent eligible student" means an eligible student whose enrollment and attendance meet criteria adopted by the office of the superintendent of public instruction specifically for dropout reengagement programs. The criteria shall be:

(a) Based on the community or technical college credits generated by the student if the program provider is a community or technical college; and

(b) Based on a minimum amount of planned programming or instruction and minimum attendance by the student rather than hours of seat time if the program provider is a community-based organization.

**Sec. 5.** RCW 28A.175.110 and 2010 c 20 s 4 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall develop a model interlocal agreement and a model contract for the dropout reengagement system.

(2) The model interlocal agreement and contract shall, at a minimum, address the following:

(a) Responsibilities for identification, referral, and enrollment of eligible students;

(b) Instruction and services to be provided by a dropout reengagement program, as specified under RCW 28A.175.105;

(c) Responsibilities for data collection and reporting, including student transcripts and data required for the statewide student information system;

(d) Administration of the high school statewide student assessments;

(e) Uniform financial reimbursement rates per full-time equivalent eligible student enrolled in a dropout reengagement program, calculated and allocated as a statewide annual average of the basic education allocations generated under RCW 28A.150.260 for nonvocational students and including enhancements for vocational students where eligible students are enrolled in vocational courses in a program (~~and allowing for a uniform administrative fee to be retained by the district~~) to be shared between the parties to the interlocal agreement or contract, as agreed upon by the parties;

(f) Responsibilities for provision of special education or related services for eligible students with disabilities who have an individualized education program;

(g) Responsibilities for necessary accommodations and plans for students qualifying under section 504 of the rehabilitation act of 1973;

(h) Minimum instructional staffing ratios for dropout reengagement programs offered by community-based organizations, which are not required to be the same as for other basic education programs in school districts; and

(i) Performance measures that must be reported to the office of the superintendent

of public instruction in a common format for purposes of accountability, including longitudinal monitoring of student progress and postsecondary education and employment.

(3) Eligible students enrolled in a dropout reengagement program under RCW 28A.175.100, 28A.175.105, and this section are considered regularly enrolled students of the school district in which they are enrolled, except that the students shall not be included in the school district's enrollment for purposes of calculating compliance with RCW 28A.150.100."

Correct the title.

Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Appropriations

February 20, 2024

SB 5852

Prime Sponsor, Senator Braun: Concerning special education safety net awards. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Eslick; Harris; McClintock; Nance; Ortiz-Self; Pollet; Steele; Stonier and Timmons.

Referred to Committee on Appropriations

February 21, 2024

E2SSB 5853

Prime Sponsor, Ways & Means: Extending the crisis relief center model to provide behavioral health crisis services for minors. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives Dent; and Walsh.

Referred to Committee on Appropriations

February 21, 2024

ESB 5856

Prime Sponsor, Senator Hunt: Concerning voter registration challenges. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 29A.08.810 and 2023 c 466 s 28 are each amended to read as follows:

(1) Registration of a person as a voter is presumptive evidence of his or her right to vote. A challenge to the person's right

to vote must be based on personal knowledge of one of the following:

(a) The challenged voter has been convicted of a felony that includes serving a sentence of total confinement under jurisdiction of the department of corrections, or a felony conviction in another state's court or federal court and the voter is serving that sentence of total confinement and the person's voting rights have not been restored under RCW 29A.08.520;

(b) The challenged voter has been judicially declared ineligible to vote due to mental incompetency under RCW 29A.08.515;

(c) The challenged voter will not be 18 years of age by the next general election;

(d) The challenged voter is not a citizen of the United States; or

(e) The challenged voter resides at a different address than the residential address provided, and is not subject to RCW 29A.04.151 or 29A.08.112, in which case the challenger must either:

(i) Provide the challenged voter's actual residence on the challenge form; ((e))

(ii) Submit evidence that he or she exercised due diligence to verify that the challenged voter does not reside at the address provided. The challenger must, at minimum, provide evidence that the challenger personally:

(A) Sent a certified letter with return service requested to the challenged voter's residential address provided, and to the challenged voter's mailing address, if provided, using a form provided by the office of the secretary of state that includes the following disclaimer: "THIS FORM WAS NOT SENT BY THE GOVERNMENT AND ANY CLAIM WITHIN HAS NOT BEEN SUBSTANTIATED. YOU ARE NOT REQUIRED TO RESPOND TO THIS DOCUMENT TO MAINTAIN YOUR CURRENT VOTER REGISTRATION.";

(B) ((Searched local telephone directories, including online directories, to determine whether the voter maintains a telephone listing at any address in the county);

((C)) Searched county ((auditor)) property records to determine whether the challenged voter owns any property in the county; and

((D)) ((C) Searched the statewide voter registration database to determine if the voter is registered at any other address in the state((, and

(E) Searched the voter registration database of another state to determine if the voter is registered to vote in any other state;

(d) The challenged voter will not be eighteen years of age by the next general election; or

(e) The challenged voter is not a citizen of the United States); or

(iii) Search the voter registration of database of another state and determine that the challenged voter has registered to vote in another state more recently than the voter registered in Washington.

(2) A person's right to vote may be challenged by another registered voter or the county prosecuting attorney.

(3) The challenger must file a signed affidavit subject to the penalties of perjury swearing that, to his or her

personal knowledge and belief, having exercised due diligence to personally verify the evidence presented, the challenged voter either is not qualified to vote or does not reside at the address given on his or her voter registration record based on one of the reasons allowed in subsection (1) of this section. The challenger must provide the factual basis for the challenge, including any information required by subsection (1)((e))(e) of this section, in the signed affidavit. The challenger must submit the challenge to the county auditor using a form provided by the office of the secretary of state that outlines the reason for the challenge. The challenge may not be based on unsupported allegations or allegations by anonymous third parties. All documents pertaining to the challenge are public records.

(4) Challenges based on a felony conviction under RCW 29A.08.520 must be heard according to RCW 29A.08.520 and rules adopted by the secretary of state.

(5) Voters whose registration is inactive are not subject to voter registration challenges.

**Sec. 2.** RCW 29A.08.820 and 2023 c 466 s 29 are each amended to read as follows:

(1) Challenges must be filed with the county auditor of the county in which the challenged voter is registered no later than 45 days before the election. The county auditor or auditor's designee presides over the hearing.

(2) Challenges may be filed after 45 days before the election, only when the challenged voter registered to vote less than 60 days before the election, or changed residence less than 60 days before the election without updating the residence address of the voter's voter registration. A challenge may then be filed not later than 10 days before any primary or election, general or special, or within 10 days of the voter being added to the voter registration database, whichever is later.

(a) If the challenge is filed after 45 days before an election at which the challenged voter is eligible to vote, a notation of the challenge must be made immediately to the challenged voter's registration in the voter registration system, and the county canvassing board shall preside over the hearing.

(b) If the challenge is filed before the challenged voter's ballot is received, the ballot must be processed as a challenged ballot, and held until the challenge is resolved.

(c) If the challenge is filed after the challenged voter's ballot is received, the challenge cannot affect the current election. However, the process shall proceed until the challenge is resolved.

(3) The county auditor may dismiss the challenge if the challenged voter's registration is inactive.

(4) When a challenge is based on a voter residing at a different address than the one to which they are registered, prior to any hearing the county auditor shall attempt to determine the validity of the challenge

through one or more of the following methods:

(a) Contacting the challenged voter in order to:

(i) Update the voter's residence address for voting within the county or state;

(ii) Determine whether the voter no longer considers themselves a resident for voting purposes, and if so obtain a cancellation signed by the voter; or

(iii) Learn whether the voter is currently residing at a temporary address with the intent to return to the registered address;

(b) Search the statewide voter registration database to determine if the voter is registered at any other address within the state, and if so determine if any address is valid and obtain a cancellation of registration for any other address;

(c) Determine if the voter's registered address is permissible under RCW 29A.04.151 or 29A.08.112;

(d) Contact the department of licensing to determine the address provided on the voter's driver's license, identification card, and vehicle registrations, if any; or

(e) If the challenger provides an out-of-state address for the challenged voter, search the current official voter registration database for the jurisdiction of the address provided, or contact the election official's office in that jurisdiction and determine if the challenged voter has registered to vote in that jurisdiction more recently than the voter registered in Washington.

(5) If the county auditor is successful in determining the validity of the challenge through any of the methods contained in subsection (4) of this section the auditor shall dismiss the challenge and notify the challenger of the dismissal.

**Sec. 3.** RCW 29A.08.835 and 2023 c 466 s 30 are each amended to read as follows:

(1) ((The))For challenges that have not been dismissed for administrative reasons and that cannot be resolved under RCW 29A.08.820(4), the county auditor shall, within ((seventy-two hours))10 business days of receipt, publish on the auditor's internet website the ((entire content))affidavit of any voter challenge filed under this chapter ((29A.08 RCW)). Immediately after publishing any voter challenge, the county auditor shall notify any person who requests to receive such notifications on an ongoing basis.

(2) The information on the website may be removed 45 days following certification of an election. Information related to the challenge must be maintained by the county auditor for the appropriate retention period, and is subject to disclosure upon request.

**Sec. 4.** RCW 29A.08.840 and 2023 c 466 s 31 are each amended to read as follows:

(1) The county auditor shall determine within 10 business days of receipt of a challenge whether the challenge is in proper form and the factual basis meets the legal grounds for a challenge. If the challenge is not in proper form or the factual basis for

the challenge does not meet the legal grounds for a challenge, the county auditor may dismiss the challenge and, when permitted, shall notify the challenger of the reasons for the dismissal. A challenge is not in proper form if it is incomplete on its face or does not substantially comply with the form issued by the secretary of state as described in RCW 29A.08.810.

(2) If the challenge is in proper form and the factual basis meets the legal grounds for a challenge, and the challenge has not been dismissed for administrative reasons or resolved by the voter updating information, the county auditor must notify the challenged voter ((and provide a copy of the affidavit))via certified mail to the mailing address and residential address provided in the voter registration record. If the affidavit is returned as undeliverable, the county auditor shall move the challenged voter to an inactive status and send a confirmation notice pursuant to RCW 29A.08.030. The county auditor shall also provide to any person, upon request under chapter 42.56 RCW, a copy of all materials provided to the challenged voter, except that materials provided to a voter whose registered address is permissible under RCW 29A.04.151 or 29A.08.112 are exempt from disclosure under that chapter.

(a) If the challenge is to the residential address provided by the voter, the challenged voter must be provided notice of the exceptions allowed in RCW 29A.08.112 and 29A.04.151, and Article VI, section 4 of the state Constitution, ((and))or may update the residence address on the voter's voter registration, or reregister until 8:00 p.m. the day of the election.

(b) The county auditor must schedule a hearing and notify the challenger and the challenged voter of the time and place for the hearing.

(3) All notice must be by certified mail with return requested to the ((address))addresses provided in the voter registration record for residence and for mailing, and any other addresses at which the challenged voter is alleged to reside or the county auditor reasonably expects the voter to receive notice. The challenger and challenged voter may either appear in person or submit testimony by affidavit. Personal appearance may be accomplished using video telecommunications technology if the auditor or canvassing board chooses.

(4) The challenger has the burden to prove by clear and convincing evidence that the challenged voter's registration is improper. The challenged voter must be provided a reasonable opportunity to respond. If the challenge is to the residential address provided by the voter, the challenged voter may provide evidence that he or she resides at the location described in his or her voter's registration records, or meets one of the exceptions allowed in RCW 29A.08.112 or 29A.04.151, or Article VI, section 4 of the state Constitution. If either the challenger or challenged voter fails to appear at the hearing, the challenge must be resolved based on the available facts.

(5) If the challenge is based on an allegation under RCW 29A.08.810(1) (a), (b),

(c), or (d) (~~(e)~~) and the auditor, auditor's designee, or canvassing board sustains the challenge, the voter registration shall be canceled and any challenged ballot shall not be counted. If the challenge is based on an allegation under RCW 29A.08.810(1) (~~(e)~~) (e) and the auditor, auditor's designee, or canvassing board sustains the challenge prior to certification, the (~~board shall permit the voter~~) voter shall be permitted to correct the residence address on the voter registration and any races and ballot measures on any challenged ballot that the voter would have been qualified to vote for had the registration been correct shall be counted.

(6) If the challenger fails to prove by clear and convincing evidence that the registration is improper, the challenge must be dismissed and any pending challenged ballot must be accepted as valid. All challenged ballots must be resolved before certification of the election. The decision of the county auditor, auditor's designee, or canvassing board is final subject only to judicial review by the superior court under chapter 34.05 RCW.

**Sec. 5.** RCW 29A.24.075 and 2013 c 11 s 25 are each amended to read as follows:

(1) A person filing a declaration of candidacy for an office shall, at the time of filing, be a registered voter and possess the qualifications specified by law for persons who may be elected to the office.

(2) Excluding the office of precinct committee officer or a temporary elected position such as a charter review board member or freeholder, no person may file for more than one office.

(3) The name of a candidate for an office (~~shall~~) may not appear on a ballot for that office unless, except for judge of the superior court and as provided in RCW 3.50.057, the candidate is, at the time the candidate's declaration of candidacy is filed, properly registered to vote in the geographic area represented by the office. For the purposes of this section, each geographic area in which registered voters may cast ballots for an office is represented by that office. If a person elected to an office must be nominated from a district or similar division of the geographic area represented by the office, the name of a candidate for the office (~~shall~~) may not appear on a primary ballot for that office unless the candidate is, at the time the candidate's declaration of candidacy is filed, properly registered to vote in that district or division. The officer with whom declarations of candidacy must be filed under this title shall review each such declaration filed regarding compliance with this subsection.

(4) The filing officer may not submit the name of a candidate for an office for inclusion on the ballot if, pursuant to this section, at the time that the candidate's declaration of candidacy is filed, the candidate is not properly registered to vote in the geographic area represented by the office or does not possess the qualifications specified by law for persons

who may be elected to the office. If the filing officer finds that the candidate is unqualified to hold the office:

(a) In a case in which a primary must be conducted for the office and has already occurred:

(i) If ballots for the general election for the office have not been ordered by the county auditor, the candidate who received the third greatest number of votes for the office at the primary shall qualify as a candidate for general election and that candidate's name shall be printed on the ballot for the office in lieu of the name of the disqualified candidate.

(ii) If general election ballots for the office have been so ordered, votes cast for the disqualified candidate at the general election for the office may not be counted for that office.

(b) In a case in which a primary must be conducted for the office but has not yet occurred:

(i) If ballots for the primary election for the office have not been ordered by the county auditor, the name of the disqualified candidate may not appear on the primary election ballot for the office.

(ii) If primary election ballots for the office have been so ordered, votes cast for the disqualified candidate at the primary election for the office may not be counted for that office.

(c) In a case in which a primary is not conducted for the office:

(i) If ballots for the general election for the office have not been ordered by the county auditor, the name of the disqualified candidate may not appear on the general election ballot for the office.

(ii) If general election ballots for the office have been so ordered, votes cast for the disqualified candidate at the general election for the office may not be counted for that office.

(d) If the disqualified candidate is the only candidate to have filed for the office during a regular or special filing period for the office, a void in candidacy for the office exists.

(5) The requirements of voter registration and residence within the geographic area of a district do not apply to candidates for congressional office. Qualifications for the United States congress are specified in the United States Constitution.

**Sec. 6.** RCW 29A.36.101 and 2013 c 11 s 41 are each amended to read as follows:

Except as provided in RCW 29A.24.075, for the candidates for president and vice president, or for a partisan or nonpartisan office for which no primary is required, the names of all candidates who, under this title, filed a declaration of candidacy must appear on the appropriate ballot at the primary throughout the jurisdiction for which they filed."

Correct the title.

Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Gregerson and Mena.

MINORITY recommendation: Without recommendation.  
Signed by Representatives Christian, Assistant Ranking  
Minority Member; and Low.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 5857 Prime Sponsor, State Government &  
Elections: Reorganizing statutes on  
campaign disclosure and contribution.  
Reported by Committee on State  
Government & Tribal Relations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting  
clause and insert the following:

**"PART I  
NEW TITLE CREATED**

NEW SECTION. **Sec. 101.** This act is  
intended to make technical amendments to  
certain codified statutes that involve  
campaign disclosure and contribution. Any  
statutory changes made by this act should be  
interpreted as technical in nature and not  
interpreted to have any substantive, policy  
implications.

NEW SECTION. **Sec. 102.** A rule adopted  
under authority provided in chapter 42.17A  
RCW remains valid and is not affected by the  
recodification in this act.

NEW SECTION. **Sec. 103.** A new title is  
added to the Revised Code of Washington to  
be codified as Title 29B RCW.

**PART II  
DEFINITIONS SPLIT**

NEW SECTION. **Sec. 201.** Words and  
phrases as defined in this chapter, wherever  
used in this title, shall have the meaning  
as in this chapter ascribed to them, unless  
where used the context thereof shall clearly  
indicate to the contrary or unless otherwise  
defined in the chapter of which they are a  
part.

NEW SECTION. **Sec. 202.** "Actual  
malice" means to act with knowledge of  
falsity or with reckless disregard as to  
truth or falsity.

NEW SECTION. **Sec. 203.** "Agency"  
includes all state agencies and all local  
agencies. "State agency" includes every  
state office, department, division, bureau,  
board, commission, or other state agency.  
"Local agency" includes every county, city,  
town, municipal corporation, quasi-municipal  
corporation, or special purpose district, or  
any office, department, division, bureau,  
board, commission, or agency thereof, or  
other local public agency. "Agency" does not  
include a comprehensive cancer center  
participating in a collaborative arrangement

as defined in RCW 28B.10.930 that is  
operated in conformance with RCW 28B.10.930.

NEW SECTION. **Sec. 204.** "Authorized  
committee" means the political committee  
authorized by a candidate, or by the public  
official against whom recall charges have  
been filed, to accept contributions or make  
expenditures on behalf of the candidate or  
public official.

NEW SECTION. **Sec. 205.** "Ballot  
proposition" means any "measure" as defined  
by RCW 29A.04.091, or any initiative,  
recall, or referendum proposition proposed  
to be submitted to the voters of the state  
or any municipal corporation, political  
subdivision, or other voting constituency  
from and after the time when the proposition  
has been initially filed with the  
appropriate election officer of that  
constituency before its circulation for  
signatures.

NEW SECTION. **Sec. 206.** "Benefit"  
means a commercial, proprietary, financial,  
economic, or monetary advantage, or the  
avoidance of a commercial, proprietary,  
financial, economic, or monetary  
disadvantage.

NEW SECTION. **Sec. 207.** "Bona fide  
political party" means:

- (1) An organization that has been  
recognized as a minor political party by the  
secretary of state;
- (2) The governing body of the state  
organization of a major political party, as  
defined in RCW 29A.04.086, that is the body  
authorized by the charter or bylaws of the  
party to exercise authority on behalf of the  
state party; or
- (3) The county central committee or  
legislative district committee of a major  
political party. There may be only one  
legislative district committee for each  
party in each legislative district.

NEW SECTION. **Sec. 208.** "Books of  
account" means:

- (1) In the case of a campaign or  
political committee, a ledger or similar  
listing of contributions, expenditures, and  
debts, such as a campaign or committee is  
required to file regularly with the  
commission, current as of the most recent  
business day; or
- (2) In the case of a commercial  
advertiser, details of political advertising  
or electioneering communications provided by  
the advertiser, including the names and  
addresses of persons from whom it accepted  
political advertising or electioneering  
communications, the exact nature and extent  
of the services rendered, and the total cost  
and the manner of payment for the services.

NEW SECTION. **Sec. 209.** "Candidate"  
means any individual who seeks nomination  
for election or election to public office.  
An individual seeks nomination or election  
when the individual first:



(1) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the individual's candidacy for office;

(2) Announces publicly or files for office;

(3) Purchases commercial advertising space or broadcast time to promote the individual's candidacy; or

(4) Gives consent to another person to take on behalf of the individual any of the actions in subsection (1) or (3) of this section.

NEW SECTION. **Sec. 210.** "Caucus political committee" means a political committee organized and maintained by the members of a major political party in the state senate or state house of representatives.

NEW SECTION. **Sec. 211.** "Commercial advertiser" means any person that sells the service of communicating messages or producing material for broadcast or distribution to the general public or segments of the general public whether through brochures, fliers, newspapers, magazines, television, radio, billboards, direct mail advertising, printing, paid internet or digital communications, or any other means of mass communication used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

NEW SECTION. **Sec. 212.** "Commission" means the agency established under RCW 42.17A.100 (as recodified by this act).

NEW SECTION. **Sec. 213.** "Committee" unless the context indicates otherwise, includes a political committee such as a candidate, ballot proposition, recall, political, or continuing political committee.

NEW SECTION. **Sec. 214.** "Compensation" unless the context requires a narrower meaning, includes payment in any form for real or personal property or services of any kind. For the purpose of compliance with RCW 42.17A.710 (as recodified by this act), "compensation" does not include per diem allowances or other payments made by a governmental entity to reimburse a public official for expenses incurred while the official is engaged in the official business of the governmental entity.

NEW SECTION. **Sec. 215.** "Continuing political committee" means a political committee that is an organization of continuing existence not limited to participation in any particular election campaign or election cycle.

NEW SECTION. **Sec. 216.** (1) "Contribution" includes:

(a) A loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds,

or anything of value, including personal and professional services for less than full consideration;

(b) An expenditure made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a political or incidental committee, the person or persons named on the candidate's or committee's registration form who direct expenditures on behalf of the candidate or committee, or their agents;

(c) The financing by a person of the dissemination, distribution, or republication, in whole or in part, of broadcast, written, graphic, digital, or other form of political advertising or electioneering communication prepared by a candidate, a political or incidental committee, or its authorized agent;

(d) Sums paid for tickets to fund-raising events such as dinners and parties, except for the actual cost of the consumables furnished at the event.

(2) "Contribution" does not include:

(a) Accrued interest on money deposited in a political or incidental committee's account;

(b) Ordinary home hospitality;

(c) A contribution received by a candidate or political or incidental committee that is returned to the contributor within 10 business days of the date on which it is received by the candidate or political or incidental committee;

(d) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is of interest to the public, that is in a news medium controlled by a person whose business is that news medium, and that is not controlled by a candidate or a political or incidental committee;

(e) An internal political communication primarily limited to the members of or contributors to a political party organization or political or incidental committee, or to the officers, management staff, or stockholders of a corporation or similar enterprise, or to the members of a labor organization or other membership organization;

(f) The rendering of personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses personally incurred by volunteer campaign workers not in excess of \$50 personally paid for by the worker. "Volunteer services," for the purposes of this section, means services or labor for which the individual is not compensated by any person;

(g) Messages in the form of reader boards, banners, or yard or window signs displayed on a person's own property or property occupied by a person. However, a facility used for such political advertising for which a rental charge is normally made must be reported as an in-kind contribution and counts toward any applicable contribution limit of the person providing the facility;

(h) Legal or accounting services rendered to or on behalf of:

(i) A political party or caucus political committee if the person paying for the services is the regular employer of the person rendering such services; or

(ii) A candidate or an authorized committee if the person paying for the services is the regular employer of the individual rendering the services and if the services are solely for the purpose of ensuring compliance with state election or public disclosure laws; or

(i) The performance of ministerial functions by a person on behalf of two or more candidates or political or incidental committees either as volunteer services defined in (f) of this subsection or for payment by the candidate or political or incidental committee for whom the services are performed as long as:

(i) The person performs solely ministerial functions;

(ii) A person who is paid by two or more candidates or political or incidental committees is identified by the candidates and political committees on whose behalf services are performed as part of their respective statements of organization under RCW 42.17A.205 (as recodified by this act); and

(iii) The person does not disclose, except as required by law, any information regarding a candidate's or committee's plans, projects, activities, or needs, or regarding a candidate's or committee's contributions or expenditures that is not already publicly available from campaign reports filed with the commission, or otherwise engage in activity that constitutes a contribution under subsection (1) (b) of this section.

A person who performs ministerial functions under this subsection (2) (i) is not considered an agent of the candidate or committee as long as the person has no authority to authorize expenditures or make decisions on behalf of the candidate or committee.

(3) Contributions other than money or its equivalent are deemed to have a monetary value equivalent to the fair market value of the contribution. Services or property or rights furnished at less than their fair market value for the purpose of assisting any candidate or political committee are deemed a contribution. Such a contribution must be reported as an in-kind contribution at its fair market value and counts towards any applicable contribution limit of the provider.

NEW SECTION. **Sec. 217.** "Depository" means a bank, mutual savings bank, savings and loan association, or credit union doing business in this state.

NEW SECTION. **Sec. 218.** "Elected official" means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

NEW SECTION. **Sec. 219.** "Election" includes any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters. An election in which the qualifications for voting include other than those requirements set forth in Article VI,

section 1 (Amendment 63) of the Constitution of the state of Washington shall not be considered an election for purposes of this title.

NEW SECTION. **Sec. 220.** "Election campaign" means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition.

NEW SECTION. **Sec. 221.** "Election cycle" means the period beginning on the first day of January after the date of the last previous general election for the office that the candidate seeks and ending on December 31st after the next election for the office. In the case of a special election to fill a vacancy in an office, "election cycle" means the period beginning on the day the vacancy occurs and ending on December 31st after the special election.

NEW SECTION. **Sec. 222.** (1) "Electioneering communication" means any broadcast, cable, or satellite television, radio transmission, digital communication, United States postal service mailing, billboard, newspaper, or periodical that:

(a) Clearly identifies a candidate for a state, local, or judicial office either by specifically naming the candidate, or identifying the candidate without using the candidate's name;

(b) Is broadcast, transmitted electronically or by other means, mailed, erected, distributed, or otherwise published within 60 days before any election for that office in the jurisdiction in which the candidate is seeking election; and

(c) Either alone, or in combination with one or more communications identifying the candidate by the same sponsor during the 60 days before an election, has a fair market value or cost of \$1,000 or more.

(2) "Electioneering communication" does not include:

(a) Usual and customary advertising of a business owned by a candidate, even if the candidate is mentioned in the advertising when the candidate has been regularly mentioned in that advertising appearing at least 12 months preceding the candidate becoming a candidate;

(b) Advertising for candidate debates or forums when the advertising is paid for by or on behalf of the debate or forum sponsor, so long as two or more candidates for the same position have been invited to participate in the debate or forum;

(c) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is:

(i) Of interest to the public;

(ii) In a news medium controlled by a person whose business is that news medium; and

(iii) Not a medium controlled by a candidate or a political or incidental committee;

(d) Slate cards and sample ballots;

(e) Advertising for books, films, dissertations, or similar works (i) written

by a candidate when the candidate entered into a contract for such publications or media at least 12 months before becoming a candidate, or (ii) written about a candidate;

(f) Public service announcements;

(g) An internal political communication primarily limited to the members of or contributors to a political party organization or political or incidental committee, or to the officers, management staff, or stockholders of a corporation or similar enterprise, or to the members of a labor organization or other membership organization;

(h) An expenditure by or contribution to the authorized committee of a candidate for state, local, or judicial office; or

(i) Any other communication exempted by the commission through rule consistent with the intent of this title.

**NEW SECTION. Sec. 223.** "Expenditure" includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. "Expenditure" also includes a promise to pay, a payment, or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this title, agreements to make expenditures, contracts, and promises to pay may be reported as estimated obligations until actual payment is made. "Expenditure" shall not include the partial or complete repayment by a candidate or political or incidental committee of the principal of a loan, the receipt of which loan has been properly reported.

**NEW SECTION. Sec. 224.** "Final report" means the report described as a final report in RCW 42.17A.235(11)(a) (as recodified by this act).

**NEW SECTION. Sec. 225.** "Foreign national" means:

(1) An individual who is not a citizen of the United States and is not lawfully admitted for permanent residence;

(2) A government, or subdivision, of a foreign country;

(3) A foreign political party; and

(4) Any entity, such as a partnership, association, corporation, organization, or other combination of persons, that is organized under the laws of or has its principal place of business in a foreign country.

**NEW SECTION. Sec. 226.** "General election," for the purposes of RCW 42.17A.405 (as recodified by this act), means the election that results in the election of a person to a state or local office. It does not include a primary.

**NEW SECTION. Sec. 227.** "Gift" has the definition in RCW 42.52.010.

**NEW SECTION. Sec. 228.** "Immediate family" includes the spouse or domestic partner, dependent children, and other dependent relatives, if living in the household. For the purposes of the definition of "intermediary" in section 232 of this act, "immediate family" means an individual's spouse or domestic partner, and child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual and the spouse or the domestic partner of any such person and a child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual's spouse or domestic partner and the spouse or the domestic partner of any such person.

**NEW SECTION. Sec. 229.** "Incidental committee" means any nonprofit organization not otherwise defined as a political committee but that may incidentally make a contribution or an expenditure in excess of the reporting thresholds in RCW 42.17A.235 (as recodified by this act), directly or through a political committee. Any nonprofit organization is not an incidental committee if it is only remitting payments through the nonprofit organization in an aggregated form and the nonprofit organization is not required to report those payments in accordance with this title.

**NEW SECTION. Sec. 230.** "Incumbent" means a person who is in present possession of an elected office.

**NEW SECTION. Sec. 231.** (1) "Independent expenditure" means an expenditure that has each of the following elements:

(a) It is made in support of or in opposition to a candidate for office by a person who is not:

(i) A candidate for that office;

(ii) An authorized committee of that candidate for that office; and

(iii) A person who has received the candidate's encouragement or approval to make the expenditure, if the expenditure pays in whole or in part for political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office;

(b) It is made in support of or in opposition to a candidate for office by a person with whom the candidate has not collaborated for the purpose of making the expenditure, if the expenditure pays in whole or in part for political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office;

(c) The expenditure pays in whole or in part for political advertising that either specifically names the candidate supported or opposed, or clearly and beyond any doubt identifies the candidate without using the candidate's name; and

(d) The expenditure, alone or in conjunction with another expenditure or other expenditures of the same person in support of or opposition to that candidate, has a value of \$1,000 or more. A series of expenditures, each of which is under \$1,000, constitutes one independent expenditure if their cumulative value is \$1,000 or more.

(2) "Independent expenditure" does not include: Ordinary home hospitality; communications with journalists or editorial staff designed to elicit a news item, feature, commentary, or editorial in a regularly scheduled news medium that is of primary interest to the general public, controlled by a person whose business is that news medium, and not controlled by a candidate or a political committee; participation in the creation of a publicly funded voters' pamphlet statement in written or video form; an internal political communication primarily limited to contributors to a political party organization or political action committee, the officers, management staff, and stockholders of a corporation or similar enterprise, or the members of a labor organization or other membership organization; or the rendering of personal services of the sort commonly performed by volunteer campaign workers or incidental expenses personally incurred by volunteer campaign workers not in excess of \$250 personally paid for by the worker.

NEW SECTION. **Sec. 232.** (1) "Intermediary" means an individual who transmits a contribution to a candidate or committee from another person unless the contribution is from the individual's employer, immediate family, or an association to which the individual belongs.

(2) A treasurer or a candidate is not an intermediary for purposes of the committee that the treasurer or candidate serves.

(3) A professional fund-raiser is not an intermediary if the fund-raiser is compensated for fund-raising services at the usual and customary rate.

(4) A volunteer hosting a fund-raising event at the individual's home is not an intermediary for purposes of that event.

NEW SECTION. **Sec. 233.** "Legislation" means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter that may be the subject of action by either house or any committee of the legislature and all bills and resolutions that, having passed both houses, are pending approval by the governor.

NEW SECTION. **Sec. 234.** "Legislative office" means the office of a member of the state house of representatives or the office of a member of the state senate.

NEW SECTION. **Sec. 235.** "Lobby" and "lobbying" each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule,

standard, rate, or other legislative enactment of any state agency under the state administrative procedure act, chapter 34.05 RCW. Neither "lobby" nor "lobbying" includes an association's or other organization's act of communicating with the members of that association or organization.

NEW SECTION. **Sec. 236.** "Lobbyist" includes any person who lobbies either on the person's own or another's behalf.

NEW SECTION. **Sec. 237.** "Lobbyist's employer" means the person or persons by whom a lobbyist is employed and all persons by whom the lobbyist is compensated for acting as a lobbyist.

NEW SECTION. **Sec. 238.** "Ministerial functions" means an act or duty carried out as part of the duties of an administrative office without exercise of personal judgment or discretion.

NEW SECTION. **Sec. 239.** "Participate" means that, with respect to a particular election, an entity:

(1) Makes either a monetary or in-kind contribution to a candidate;

(2) Makes an independent expenditure or electioneering communication in support of or opposition to a candidate;

(3) Endorses a candidate before contributions are made by a subsidiary corporation or local unit with respect to that candidate or that candidate's opponent;

(4) Makes a recommendation regarding whether a candidate should be supported or opposed before a contribution is made by a subsidiary corporation or local unit with respect to that candidate or that candidate's opponent; or

(5) Directly or indirectly collaborates or consults with a subsidiary corporation or local unit on matters relating to the support of or opposition to a candidate including, but not limited to, the amount of a contribution, when a contribution should be given, and what assistance, services, or independent expenditures, or electioneering communications, if any, will be made or should be made in support of or opposition to a candidate.

NEW SECTION. **Sec. 240.** "Person" includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

NEW SECTION. **Sec. 241.** "Political advertising" includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, digital communication, or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes

or for financial or other support or opposition in any election campaign.

**NEW SECTION. Sec. 242.** "Political committee" means any person (except a candidate or an individual dealing with the candidate's or individual's own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

**NEW SECTION. Sec. 243.** "Primary," for the purposes of RCW 42.17A.405 (as recodified by this act), means the procedure for nominating a candidate to state or local office under chapter 29A.52 RCW or any other primary for an election that uses, in large measure, the procedures established in chapter 29A.52 RCW.

**NEW SECTION. Sec. 244.** "Public office" means any federal, state, judicial, county, city, town, school district, port district, special district, or other state political subdivision elective office.

**NEW SECTION. Sec. 245.** "Public record" has the definition in RCW 42.56.010.

**NEW SECTION. Sec. 246.** "Recall campaign" means the period of time beginning on the date of the filing of recall charges under RCW 29A.56.120 and ending 30 days after the recall election.

**NEW SECTION. Sec. 247.** "Remediable violation" means any violation of this title that:

(1) Involved expenditures or contributions totaling no more than the contribution limits set out under RCW 42.17A.405(2) (as recodified by this act) per election, or \$1,000 if there is no statutory limit;

(2) Occurred:

(a) More than 30 days before an election, where the commission entered into an agreement to resolve the matter; or

(b) At any time where the violation did not constitute a material violation because it was inadvertent and minor or otherwise has been cured and, after consideration of all the circumstances, further proceedings would not serve the purposes of this title;

(3) Does not materially harm the public interest, beyond the harm to the policy of this title inherent in any violation; and

(4) Involved:

(a) A person who:

(i) Took corrective action within five business days after the commission first notified the person of noncompliance, or where the commission did not provide notice and filed a required report within 21 days after the report was due to be filed; and

(ii) Substantially met the filing deadline for all other required reports within the immediately preceding 12-month period; or

(b) A candidate who:

(i) Lost the election in question; and

(ii) Did not receive contributions over 100 times the contribution limit in aggregate per election during the campaign in question.

**NEW SECTION. Sec. 248.** (1) "Sponsor," for purposes of an electioneering communications, independent expenditures, or political advertising, means the person paying for the electioneering communication, independent expenditure, or political advertising. If a person acts as an agent for another or is reimbursed by another for the payment, the original source of the payment is the sponsor.

(2) "Sponsor," for purposes of a political or incidental committee, means any person, except an authorized committee, to whom any of the following applies:

(a) The committee receives 80 percent or more of its contributions either from the person or from the person's members, officers, employees, or shareholders;

(b) The person collects contributions for the committee by use of payroll deductions or dues from its members, officers, or employees.

**NEW SECTION. Sec. 249.** "Sponsored committee" means a committee, other than an authorized committee, that has one or more sponsors.

**NEW SECTION. Sec. 250.** "State office" means state legislative office or the office of governor, lieutenant governor, secretary of state, attorney general, commissioner of public lands, insurance commissioner, superintendent of public instruction, state auditor, or state treasurer.

**NEW SECTION. Sec. 251.** "State official" means a person who holds a state office.

**NEW SECTION. Sec. 252.** "Surplus funds" mean, in the case of a political committee or candidate, the balance of contributions that remain in the possession or control of that committee or candidate subsequent to the election for which the contributions were received, and that are in excess of the amount necessary to pay remaining debts or expenses incurred by the committee or candidate with respect to that election. In the case of a continuing political committee, "surplus funds" mean those contributions remaining in the possession or control of the committee that are in excess of the amount necessary to pay all remaining debts or expenses when it makes its final report under RCW 42.17A.255 (as recodified by this act).

**NEW SECTION. Sec. 253.** "Technical correction" means the correction of a minor or ministerial error in a required report that does not materially harm the public interest and needs to be corrected for the report to be in full compliance with the requirements of this title.

NEW SECTION. **Sec. 254.** "Treasurer" and "deputy treasurer" mean the individuals appointed by a candidate or political or incidental committee, pursuant to RCW 42.17A.210 (as recodified by this act), to perform the duties specified in that section.

NEW SECTION. **Sec. 255.** "Violation" means a violation of this title that is not a remediable violation, minor violation, or an error classified by the commission as appropriate to address by a technical correction.

NEW SECTION. **Sec. 256.** Sections 201 through 255 of this act are each added to a new chapter in the new title created in section 103 of this act.

NEW SECTION. **Sec. 257.** RCW 42.17A.005 (Definitions) and 2022 c 71 s 14, 2020 c 152 s 2, & 2019 c 428 s 3 are each repealed.

**PART III  
RECODIFICATION**

NEW SECTION. **Sec. 301.** GENERAL PROVISIONS. RCW 42.17A.001, 42.17A.010, and 42.17A.020 are recodified as a new chapter in the new title created in section 103 of this act.

NEW SECTION. **Sec. 302.** ELECTRONIC ACCESS. RCW 42.17A.055, 42.17A.060, and 42.17A.065 are recodified as a new chapter in the new title created in section 103 of this act.

NEW SECTION. **Sec. 303.** ADMINISTRATION. RCW 42.17A.100, 42.17A.105, 42.17A.110, 42.17A.120, 42.17A.125, 42.17A.130, 42.17A.135, 42.17A.140, 42.17A.145, 42.17A.150, and 42.17A.160 are recodified as a new chapter in the new title created in section 103 of this act.

NEW SECTION. **Sec. 304.** CAMPAIGN FINANCE REPORTING. RCW 42.17A.200, 42.17A.205, 42.17A.207, 42.17A.210, 42.17A.215, 42.17A.220, 42.17A.225, 42.17A.230, 42.17A.235, 42.17A.240, 42.17A.250, 42.17A.255, 42.17A.260, 42.17A.265, and 42.17A.270 are recodified as a new chapter in the new title created in section 103 of this act.

NEW SECTION. **Sec. 305.** POLITICAL ADVERTISING AND ELECTIONEERING COMMUNICATIONS. RCW 42.17A.300, 42.17A.305, 42.17A.310, 42.17A.315, 42.17A.320, 42.17A.330, 42.17A.335, 42.17A.340, 42.17A.345, and 42.17A.350 are recodified as a new chapter in the new title created in section 103 of this act.

NEW SECTION. **Sec. 306.** CAMPAIGN CONTRIBUTION LIMITS AND OTHER RESTRICTIONS. RCW 42.17A.400, 42.17A.405, 42.17A.410, 42.17A.415, 42.17A.417, 42.17A.418,

42.17A.420, 42.17A.425, 42.17A.430, 42.17A.435, 42.17A.440, 42.17A.442, 42.17A.445, 42.17A.450, 42.17A.455, 42.17A.460, 42.17A.465, 42.17A.470, 42.17A.475, 42.17A.480, 42.17A.485, 42.17A.490, 42.17A.495, 42.17A.500, and 42.17A.550 are recodified as a new chapter in the new title created in section 103 of this act.

NEW SECTION. **Sec. 307.** PUBLIC OFFICIALS', EMPLOYEES', AND AGENCIES' CAMPAIGN RESTRICTIONS AND PROHIBITIONS—REPORTING. RCW 42.17A.555, 42.17A.560, 42.17A.565, 42.17A.570, and 42.17A.575 are recodified as a new chapter in the new title created in section 103 of this act.

NEW SECTION. **Sec. 308.** LOBBYING DISCLOSURE AND RESTRICTIONS. RCW 42.17A.600, 42.17A.603, 42.17A.605, 42.17A.610, 42.17A.615, 42.17A.620, 42.17A.625, 42.17A.630, 42.17A.635, 42.17A.640, 42.17A.645, 42.17A.650, and 42.17A.655 are recodified as a new chapter in the new title created in section 103 of this act.

NEW SECTION. **Sec. 309.** PERSONAL FINANCIAL AFFAIRS REPORTING BY CANDIDATES AND PUBLIC OFFICIALS. RCW 42.17A.700, 42.17A.705, 42.17A.710, and 42.17A.715 are recodified as a new chapter in the new title created in section 103 of this act.

NEW SECTION. **Sec. 310.** ENFORCEMENT. RCW 42.17A.750, 42.17A.755, 42.17A.760, 42.17A.765, 42.17A.770, 42.17A.775, 42.17A.780, and 42.17A.785 are recodified as a new chapter in the new title created in section 103 of this act.

NEW SECTION. **Sec. 311.** RCW 42.62.020, 42.62.030, and 42.62.040 are recodified as a new chapter in the new title created in section 103 of this act.

NEW SECTION. **Sec. 312.** RCW 42.62.010 and 2023 c 360 s 1 are each repealed.

**PART IV  
CONFORMING AMENDMENTS**

**Sec. 401.** RCW 42.17A.001 and 2019 c 428 s 2 are each amended to read as follows:

It is hereby declared by the sovereign people to be the public policy of the state of Washington:

(1) That political campaign and lobbying contributions and expenditures be fully disclosed to the public and that secrecy is to be avoided.

(2) That the people have the right to expect from their elected representatives at all levels of government the utmost of integrity, honesty, and fairness in their dealings.

(3) That the people shall be assured that the private financial dealings of their public officials, and of candidates for those offices, present no conflict of

interest between the public trust and private interest.

(4) That our representative form of government is founded on a belief that those entrusted with the offices of government have nothing to fear from full public disclosure of their financial and business holdings, provided those officials deal honestly and fairly with the people.

(5) That public confidence in government at all levels is essential and must be promoted by all possible means.

(6) That public confidence in government at all levels can best be sustained by assuring the people of the impartiality and honesty of the officials in all public transactions and decisions.

(7) That the concept of attempting to increase financial participation of individual contributors in political campaigns is encouraged by the passage of the Revenue Act of 1971 by the Congress of the United States, and in consequence thereof, it is desirable to have implementing legislation at the state level.

(8) That the concepts of disclosure and limitation of election campaign financing are established by the passage of the Federal Election Campaign Act of 1971 by the Congress of the United States, and in consequence thereof it is desirable to have implementing legislation at the state level.

(9) That small contributions by individual contributors are to be encouraged, and that not requiring the reporting of small contributions may tend to encourage such contributions.

(10) That the public's right to know of the financing of political campaigns and lobbying and the financial affairs of elected officials and candidates far outweighs any right that these matters remain secret and private.

(11) That, mindful of the right of individuals to privacy and of the desirability of the efficient administration of government, full access to information concerning the conduct of government on every level must be assured as a fundamental and necessary precondition to the sound governance of a free society.

The provisions of this ~~((chapter))~~title shall be liberally construed to promote complete disclosure of all information respecting the financing of political campaigns and lobbying, and the financial affairs of elected officials and candidates, and full access to public records so as to assure continuing public confidence of fairness of elections and governmental processes, and so as to assure that the public interest will be fully protected. In promoting such complete disclosure, however, this ~~((chapter))~~title shall be enforced so as to ensure that the information disclosed will not be misused for arbitrary and capricious purposes and to ensure that all persons reporting under this ~~((chapter))~~title will be protected from harassment and unfounded allegations based on information they have freely disclosed.

**Sec. 402.** RCW 42.17A.010 and 2002 c 43 s 4 are each amended to read as follows:

Elections of conservation district supervisors held pursuant to chapter 89.08 RCW shall not be considered general or special elections for purposes of the campaign disclosure and personal financial affairs reporting requirements of this ~~((chapter))~~title. Elected conservation district supervisors are not considered elected officials for purposes of the annual personal financial affairs reporting requirement of this ~~((chapter))~~title.

**Sec. 403.** RCW 42.17A.020 and 1973 c 1 s 4 are each amended to read as follows:

All statements and reports filed under this ~~((chapter))~~title shall be public records of the agency where they are filed, and shall be available for public inspection and copying during normal business hours at the expense of the person requesting copies, provided that the charge for such copies shall not exceed actual cost to the agency.

**Sec. 404.** RCW 42.17A.055 and 2019 c 428 s 4 are each amended to read as follows:

(1) For each required report, as technology permits, the commission shall make an electronic reporting tool available to all those who are required to file that report under this ~~((chapter))~~title.

(2) All persons required to file reports under this ~~((chapter))~~title must file them electronically where the commission has provided an electronic option. The executive director may make exceptions on a case-by-case basis for persons who lack the technological ability to file reports electronically.

(3) If the electronic filing system provided by the commission is inoperable for any period of time, the commission must keep a record of the date and time of each instance and post outages on its website. If a report is due on a day the electronic filing system is inoperable, it is not late if filed the first business day the system is back in operation. The commission must provide notice to all reporting entities when the system is back in operation.

(4) All persons required to file reports under this ~~((chapter))~~title shall, at the time of initial filing, provide the commission an email address, or other electronic contact information, that shall constitute the official address for purposes of all communications from the commission. The person required to file one or more reports must provide any new electronic contact information to the commission within ~~((ten))~~10 days, if the address has changed from that listed on the most recent report. Committees must provide the committee treasurer's electronic contact information to the commission. Committees must also provide any new electronic contact information for the committee's treasurer to the commission within ~~((ten))~~10 days of the change. The executive director may waive the electronic contact information requirement and allow use of a postal address, upon the showing of hardship.

**Sec. 405.** RCW 42.17A.060 and 2011 1st sp.s. c 43 s 732 are each amended to read as follows:

It is the intent of the legislature to ensure that the commission provide the general public timely access to all contribution and expenditure reports submitted by candidates, continuing political committees, bona fide political parties, lobbyists, and lobbyists' employers. The legislature finds that failure to meet goals for full and timely disclosure threatens to undermine our electoral process.

Furthermore, the legislature intends for the commission to consult with the office of the chief information officer as it seeks to implement chapter 401, Laws of 1999, and that the commission follow the standards and procedures established by the office of the chief information officer in chapter 43.105 RCW as they relate to information technology.

**Sec. 406.** RCW 42.17A.065 and 2019 c 428 s 5 are each amended to read as follows:

By July 1st of each year, the commission shall calculate the following performance measures, provide a copy of the performance measures to the governor and appropriate legislative committees, and make the performance measures available to the public:

- (1) The average number of days that elapse between the commission's receipt of reports filed under RCW 42.17A.205 (as recodified by this act), 42.17A.225 (as recodified by this act), 42.17A.235 (as recodified by this act), 42.17A.255 (as recodified by this act), 42.17A.265 (as recodified by this act), 42.17A.600 (as recodified by this act), 42.17A.615 (as recodified by this act), 42.17A.625 (as recodified by this act), and 42.17A.630 (as recodified by this act) and the time that the report, a copy of the report, or a copy of the data or information included in the report, is first accessible to the general public (a) in the commission's office, and (b) via the commission's website;
- (2) The percentage of filers pursuant to RCW 42.17A.055 (as recodified by this act) who have used: (a) Hard copy paper format; or (b) electronic format.

**Sec. 407.** RCW 42.17A.100 and 2019 c 428 s 6 are each amended to read as follows:

(1) The public disclosure commission is established. The commission shall be composed of five commissioners appointed by the governor, with the consent of the senate. The commission shall have the authority and duties as set forth in this ~~((chapter))~~ title. All appointees shall be persons of the highest integrity and qualifications. No more than three commissioners shall have an identification with the same political party.

(2) The term of each commissioner shall be five years, which may continue until a successor is appointed, but may not exceed an additional ~~((twelve))~~ 12 months. No commissioner is eligible for appointment to more than one full term. Any commissioner may be removed by the governor, but only

upon grounds of neglect of duty or misconduct in office.

(3)(a) During a commissioner's tenure, the commissioner is prohibited from engaging in any of the following activities, either within or outside the state of Washington:

- (i) Holding or campaigning for elective office;
- (ii) Serving as an officer of any political party or political committee;
- (iii) Permitting the commissioner's name to be used in support of or in opposition to a candidate or proposition;
- (iv) Soliciting or making contributions to a candidate or in support of or in opposition to any candidate or proposition;
- (v) Participating in any way in any election campaign; or
- (vi) Lobbying, employing, or assisting a lobbyist, except that a commissioner or the staff of the commission may lobby to the limited extent permitted by RCW 42.17A.635 (as recodified by this act) on matters directly affecting this ~~((chapter))~~ title.

(b) This subsection is not intended to prohibit a commissioner from participating in or supporting nonprofit or other organizations, in the commissioner's private capacity, to the extent such participation is not prohibited under (a) of this subsection.

(c) The provisions of this subsection do not relieve a commissioner of any applicable disqualification and recusal requirements.

(4) A vacancy on the commission shall be filled within ~~((thirty))~~ 30 days of the vacancy by the governor, with the consent of the senate, and the appointee shall serve for the remaining term of the appointee's predecessor. A vacancy shall not impair the powers of the remaining commissioners to exercise all of the powers of the commission.

(5) Three commissioners shall constitute a quorum. The commission shall elect its own chair and adopt its own rules of procedure in the manner provided in chapter 34.05 RCW.

(6) Commissioners shall be compensated in accordance with RCW 43.03.250 and shall be reimbursed for travel expenses incurred while engaged in the business of the commission as provided in RCW 43.03.050 and 43.03.060. The compensation provided pursuant to this section shall not be considered salary for purposes of the provisions of any retirement system created under the laws of this state.

**Sec. 408.** RCW 42.17A.105 and 2010 c 204 s 302 are each amended to read as follows:

The commission shall:

- (1) Develop and provide forms for the reports and statements required to be made under this ~~((chapter))~~ title;
- (2) Prepare and publish a manual setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make reports and statements under this ~~((chapter))~~ title;
- (3) Compile and maintain a current list of all filed reports and statements;
- (4) Investigate whether properly completed statements and reports have been



filed within the times required by this ((chapter))title;

(5) Upon complaint or upon its own motion, investigate and report apparent violations of this ((chapter))title to the appropriate law enforcement authorities;

(6) Conduct a sufficient number of audits and field investigations to provide a statistically valid finding regarding the degree of compliance with the provisions of this ((chapter))title by all required filers. Any documents, records, reports, computer files, papers, or materials provided to the commission for use in conducting audits and investigations must be returned to the candidate, campaign, or political committee from which they were received within one week of the commission's completion of an audit or field investigation;

(7) Prepare and publish an annual report to the governor as to the effectiveness of this ((chapter))title and its enforcement by appropriate law enforcement authorities;

(8) Enforce this ((chapter))title according to the powers granted it by law;

(9) Adopt rules governing the arrangement, handling, indexing, and disclosing of those reports required by this ((chapter))title to be filed with a county auditor or county elections official. The rules shall:

(a) Ensure ease of access by the public to the reports; and

(b) Include, but not be limited to, requirements for indexing the reports by the names of candidates or political committees and by the ballot proposition for or against which a political committee is receiving contributions or making expenditures;

(10) Adopt rules to carry out the policies of chapter 348, Laws of 2006. The adoption of these rules is not subject to the time restrictions of RCW 42.17A.110(1) (as recodified by this act);

(11) Adopt administrative rules establishing requirements for filer participation in any system designed and implemented by the commission for the electronic filing of reports; and

(12) Maintain and make available to the public and political committees of this state a toll-free telephone number.

**Sec. 409.** RCW 42.17A.110 and 2019 c 428 s 8 are each amended to read as follows:

In addition to the duties in RCW 42.17A.105 (as recodified by this act), the commission may:

(1) Adopt, amend, and rescind suitable administrative rules to carry out the policies and purposes of this ((chapter))title, which rules shall be adopted under chapter 34.05 RCW. Any rule relating to campaign finance, political advertising, or related forms that would otherwise take effect after June 30th of a general election year shall take effect no earlier than the day following the general election in that year;

(2) Appoint an executive director and set, within the limits established by the office of financial management under RCW 43.03.028, the executive director's compensation. The executive director shall

perform such duties and have such powers as the commission may prescribe and delegate to implement and enforce this ((chapter))title efficiently and effectively. The commission shall not delegate its authority to adopt, amend, or rescind rules nor may it delegate authority to determine that a violation of this ((chapter))title has occurred or to assess penalties for such violations;

(3) Prepare and publish reports and technical studies as in its judgment will tend to promote the purposes of this ((chapter))title, including reports and statistics concerning campaign financing, lobbying, financial interests of elected officials, and enforcement of this ((chapter))title;

(4) Conduct, as it deems appropriate, audits and field investigations;

(5) Make public the time and date of any formal hearing set to determine whether a violation has occurred, the question or questions to be considered, and the results thereof;

(6) Administer oaths and affirmations, issue subpoenas, and compel attendance, take evidence, and require the production of any records relevant to any investigation authorized under this ((chapter))title, or any other proceeding under this ((chapter))title;

(7) Adopt a code of fair campaign practices;

(8) Adopt rules relieving candidates or political committees of obligations to comply with election campaign provisions of this ((chapter))title, if they have not received contributions nor made expenditures in connection with any election campaign of more than five thousand dollars;

(9) Develop and provide to filers a system for certification of reports required under this ((chapter))title which are transmitted electronically to the commission. Implementation of the program is contingent on the availability of funds; and

(10) Make available and keep current on its website a glossary of all defined terms in this ((chapter))title and in rules adopted by the commission.

**Sec. 410.** RCW 42.17A.120 and 2019 c 428 s 10 are each amended to read as follows:

(1) The commission may suspend or modify any of the reporting requirements of this ((chapter))title if it finds that literal application of this ((chapter))title works a manifestly unreasonable hardship in a particular case and the suspension or modification will not frustrate the purposes of this ((chapter))title. The commission may suspend or modify reporting requirements only to the extent necessary to substantially relieve the hardship and only after a hearing is held and the suspension or modification receives approval. A suspension or modification of the financial affairs reporting requirements in RCW 42.17A.710 (as recodified by this act) may be approved for an elected official's term of office or for up to three years for an executive state officer. If a material change in the applicant's circumstances or relevant information occurs or has occurred,

the applicant must request a modification at least one month prior to the next filing deadline rather than at the conclusion of the term.

(2) A manifestly unreasonable hardship exists if reporting the name of an entity required to be reported under RCW 42.17A.710(1)(g)(ii) (as recodified by this act) would be likely to adversely affect the competitive position of any entity in which the person filing the report, or any member of the person's immediate family, holds any office, directorship, general partnership interest, or an ownership interest of ~~(ten)~~ 10 percent or more.

(3) Requests for reporting modifications may be heard in a brief adjudicative proceeding as set forth in RCW 34.05.482 through 34.05.494 and in accordance with the standards established in this section. The commission, the commission chair acting as presiding officer, or another commissioner appointed by the chair to serve as presiding officer, may preside over a brief adjudicatory proceeding. If a modification is requested by a filer because of a concern for personal safety, the information submitted regarding that safety concern shall not be made public prior to, or at, the hearing on the request. Any information provided or prepared for the modification hearing shall remain exempt from public disclosure under this ~~(chapter)~~ title and chapter 42.56 RCW to the extent it is determined at the hearing that disclosure of such information would present a personal safety risk to a reasonable person.

(4) If the commission, or presiding officer, grants a modification request, the commission or presiding officer may apply the modification retroactively to previously filed reports. In that event, previously reported information of the kind that is no longer being reported is confidential and exempt from public disclosure under this ~~(chapter)~~ title and chapter 42.56 RCW.

(5) Any citizen has standing to bring an action in Thurston county superior court to contest the propriety of any order entered under this section within one year from the date of the entry of the order.

(6) The commission shall adopt rules governing the proceedings.

**Sec. 411.** RCW 42.17A.125 and 2019 c 428 s 11 are each amended to read as follows:

At least once every five years, but no more often than every two years, the commission must consider whether to revise the monetary contribution limits and reporting thresholds and code values of this ~~(chapter)~~ title. If the commission chooses to make revisions, the revisions shall be only for the purpose of recognizing economic changes as reflected by an inflationary index recommended by the office of financial management, and may be rounded off to amounts as determined by the commission to be most accessible for public understanding. The revisions shall be guided by the change in the index for the period commencing with the month of December preceding the last revision and concluding with the month of December preceding the month the revision is

adopted. As to each of the three general categories of this ~~(chapter)~~ title, reports of campaign finance, reports of lobbyist activity, and reports of the financial affairs of elected and appointed officials, the revisions shall equally affect all thresholds within each category. The revisions authorized by this subsection shall reflect economic changes from the time of the last legislative enactment affecting the respective code or threshold.

Revisions made in accordance with this section shall be adopted as rules in accordance with chapter 34.05 RCW.

**Sec. 412.** RCW 42.17A.130 and 2010 c 205 s 8 and 2010 c 204 s 306 are each reenacted and amended to read as follows:

The attorney general, through his or her office, shall provide assistance as required by the commission to carry out its responsibilities under this ~~(chapter)~~ title. The commission may employ attorneys who are neither the attorney general nor an assistant attorney general to carry out any function of the attorney general prescribed in this ~~(chapter)~~ title.

**Sec. 413.** RCW 42.17A.135 and 2019 c 428 s 12 are each amended to read as follows:

(1) Except as provided in subsections (2), (3), and (7) of this section, the reporting provisions of this ~~(chapter)~~ title do not apply to:

(a) Candidates, elected officials, and agencies in political subdivisions with fewer than ~~(two thousand)~~ 2,000 registered voters as of the date of the most recent general election in the jurisdiction;

(b) Political committees formed to support or oppose candidates or ballot propositions in such political subdivisions; or

(c) Persons making independent expenditures in support of or opposition to such ballot propositions.

(2) The reporting provisions of this ~~(chapter)~~ title apply in any exempt political subdivision from which a "petition for disclosure" containing the valid signatures of ~~(fifteen)~~ 15 percent of the number of registered voters, as of the date of the most recent general election in the political subdivision, is filed with the commission. The commission shall by rule prescribe the form of the petition. After the signatures are gathered, the petition shall be presented to the auditor or elections officer of the county, or counties, in which the political subdivision is located. The auditor or elections officer shall verify the signatures and certify to the commission that the petition contains no less than the required number of valid signatures. The commission, upon receipt of a valid petition, shall order every known affected person in the political subdivision to file the initially required statement and reports within ~~(fourteen)~~ 14 days of the date of the order.

(3) The reporting provisions of this ~~(chapter)~~ title apply in any exempt political subdivision that by ordinance, resolution, or other official action has

petitioned the commission to make the provisions applicable to elected officials and candidates of the exempt political subdivision. A copy of the action shall be sent to the commission. If the commission finds the petition to be a valid action of the appropriate governing body or authority, the commission shall order every known affected person in the political subdivision to file the initially required statement and reports within ~~((fourteen))~~ 14 days of the date of the order.

(4) The commission shall void any order issued by it pursuant to subsection (2) or (3) of this section when, at least four years after issuing the order, the commission is presented a petition or official action so requesting from the affected political subdivision. Such petition or official action shall meet the respective requirements of subsection (2) or (3) of this section.

(5) Any petition for disclosure, ordinance, resolution, or official action of an agency petitioning the commission to void the exemption in RCW 42.17A.200(3) (as recodified by this act) shall not be considered unless it has been filed with the commission:

(a) In the case of a ballot proposition, at least ~~((sixty))~~ 60 days before the date of any election in which campaign finance reporting is to be required;

(b) In the case of a candidate, at least ~~((sixty))~~ 60 days before the first day on which a person may file a declaration of candidacy for any election in which campaign finance reporting is to be required.

(6) Any person exempted from reporting under this ~~((chapter))~~ title may at the person's option file the statement and reports.

(7) The reporting provisions of this ~~((chapter))~~ title apply to a candidate in any political subdivision if the candidate receives or expects to receive five thousand dollars or more in contributions.

**Sec. 414.** RCW 42.17A.140 and 2019 c 428 s 13 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the date of receipt of any properly addressed application, report, statement, notice, or payment required to be made under the provisions of this ~~((chapter))~~ title is the date shown by the post office cancellation mark on the envelope of the submitted material. The provisions of this section do not apply to reports required to be delivered under RCW 42.17A.265 (as recodified by this act) and 42.17A.625 (as recodified by this act).

(2) When a report is filed electronically with the commission, it is deemed to have been received on the file transfer date. The commission shall notify the filer of receipt of the electronically filed report. Such notification may be sent by mail or electronically. If the notification of receipt of the electronically filed report is not received by the filer, the filer may offer proof of sending the report, and such proof shall be treated as if it were a receipt sent by the commission. Electronic

filing may be used for purposes of filing the special reports required to be delivered under RCW 42.17A.265 (as recodified by this act) and 42.17A.625 (as recodified by this act).

**Sec. 415.** RCW 42.17A.145 and 1973 c 1 s 43 are each amended to read as follows:

Every report and statement required to be filed under this ~~((chapter))~~ title shall identify the person preparing it, and shall be certified as complete and correct, both by the person preparing it and by the person on whose behalf it is filed.

**Sec. 416.** RCW 42.17A.150 and 2010 c 205 s 9 are each amended to read as follows:

The commission must preserve statements or reports required to be filed under this ~~((chapter))~~ title for not less than ~~((ten))~~ 10 years.

**Sec. 417.** RCW 42.17A.160 and 2019 c 428 s 9 are each amended to read as follows:

(1) The commission may apply for and obtain a superior court order approving and authorizing a subpoena in advance of its issuance. The application may be made in Thurston county, the county where the subpoenaed person resides or is found, or the county where the subpoenaed documents, records, or evidence are located. The application must:

(a) State that an order is sought under this section;

(b) Adequately specify the documents, records, evidence, or testimony; and

(c) Include a declaration made under oath that an investigation is being conducted for a lawfully authorized purpose related to an investigation within the commission's authority and that the subpoenaed documents, records, evidence, or testimony are reasonably related to an investigation within the commission's authority.

(2) When an application under this section is made to the satisfaction of the court, the court must issue an order approving the subpoena. An order under this subsection constitutes authority of law for the agency to subpoena the documents, records, evidence, or testimony.

(3) The commission may seek approval and a court may issue an order under this section without prior notice to any person, including the person to whom the subpoena is directed and the person who is the subject of an investigation. An application for court approval is subject to the fee and process set forth in RCW 36.18.012(3).

**Sec. 418.** RCW 42.17A.200 and 2010 c 204 s 401 are each amended to read as follows:

The provisions of this ~~((chapter))~~ title relating to the financing of election campaigns shall apply in all election campaigns other than (1) for precinct committee officer; (2) for a federal elective office; and (3) for an office of a political subdivision of the state that does not encompass a whole county and that contains fewer than ~~((five thousand))~~ 5,000 registered voters as of the date of the most

recent general election in the subdivision, unless required by RCW 42.17A.135 (2) through (5) and (7) (as recodified by this act).

**Sec. 419.** RCW 42.17A.205 and 2019 c 428 s 14 are each amended to read as follows:

(1) Every political committee shall file a statement of organization with the commission. The statement must be filed within two weeks after organization or within two weeks after the date the committee first has the expectation of receiving contributions or making expenditures in any election campaign, whichever is earlier. A political committee organized within the last three weeks before an election and having the expectation of receiving contributions or making expenditures during and for that election campaign shall file a statement of organization within three business days after its organization or when it first has the expectation of receiving contributions or making expenditures in the election campaign.

(2) The statement of organization shall include but not be limited to:

(a) The name, address, and electronic contact information of the committee;

(b) The names, addresses, and electronic contact information of all related or affiliated committees or other persons, and the nature of the relationship or affiliation;

(c) The names, addresses, and titles of its officers; or if it has no officers, the names, addresses, and titles of its responsible leaders;

(d) The name, address, and electronic contact information of its treasurer and depository;

(e) A statement whether the committee is a continuing one;

(f) The name, office sought, and party affiliation of each candidate whom the committee is supporting or opposing, and, if the committee is supporting the entire ticket of any party, the name of the party;

(g) The ballot proposition concerned, if any, and whether the committee is in favor of or opposed to such proposition;

(h) What distribution of surplus funds will be made, in accordance with RCW 42.17A.430 (as recodified by this act), in the event of dissolution;

(i) Such other information as the commission may by rule prescribe, in keeping with the policies and purposes of this ~~(chapter)~~ title;

(j) The name, address, and title of any person who authorizes expenditures or makes decisions on behalf of the candidate or committee; and

(k) The name, address, and title of any person who is paid by or is a volunteer for a candidate or political committee to perform ministerial functions and who performs ministerial functions on behalf of two or more candidates or committees.

(3) No two political committees may have the same name.

(4) Any material change in information previously submitted in a statement of

organization shall be reported to the commission within the ~~((ten))~~ 10 days following the change.

(5) As used in this section, the "name" of a sponsored committee must include the name of the person who is the sponsor of the committee. If more than one person meets the definition of sponsor, the name of the committee must include the name of at least one sponsor, but may include the names of other sponsors. A person may sponsor only one political committee for the same elected office or same ballot proposition per election cycle.

**Sec. 420.** RCW 42.17A.207 and 2019 c 428 s 15 are each amended to read as follows:

(1)(a) An incidental committee must file a statement of organization with the commission within two weeks after the date the committee first:

(i) Has the expectation of making any expenditures aggregating at least twenty-five thousand dollars in a calendar year in any election campaign, or to a political committee; and

(ii) Is required to disclose a payment received under RCW 42.17A.240(2)(d) (as recodified by this act).

(b) If an incidental committee first meets the criteria requiring filing a statement of organization as specified in (a) of this subsection in the last three weeks before an election, then it must file the statement of organization within three business days.

(2) The statement of organization must include but is not limited to:

(a) The name, address, and electronic contact information of the committee;

(b) The names and addresses of all related or affiliated political or incidental committees or other persons, and the nature of the relationship or affiliation;

(c) The names, addresses, and titles of its officers; or if it has no officers, the names, addresses, and titles of its responsible leaders and the name of the person designated as the treasurer of the incidental committee;

(d) The name, office sought, and party affiliation of each candidate whom the committee is supporting or opposing if the committee contributes directly to a candidate and, if donating to a political committee, the name and address of that political committee;

(e) The ballot proposition concerned, if any, and whether the committee is in favor of or opposed to such proposition; and

(f) Such other information as the commission may by rule prescribe, in keeping with the policies and purposes of this ~~(chapter)~~ title.

(3) Any material change in information previously submitted in a statement of organization must be reported to the commission within the ~~((ten))~~ 10 days following the change.

**Sec. 421.** RCW 42.17A.210 and 2019 c 428 s 16 are each amended to read as follows:

(1) Each candidate, within two weeks after becoming a candidate, and each political committee, at the time it is required to file a statement of organization, shall designate and file with the commission the name and address of one legally competent individual, who may be the candidate, to serve as a treasurer.

(2) A candidate, a political committee, or a treasurer may appoint as many deputy treasurers as is considered necessary and shall file the names and addresses of the deputy treasurers with the commission.

(3) (a) A candidate or political committee may at any time remove a treasurer or deputy treasurer.

(b) In the event of the death, resignation, removal, or change of a treasurer or deputy treasurer, the candidate or political committee shall designate and file with the commission the name and address of any successor.

(4) No treasurer or deputy treasurer may be deemed to be in compliance with the provisions of this ~~((chapter))~~ title until the treasurer's or deputy treasurer's name, address, and electronic contact information is filed with the commission.

**Sec. 422.** RCW 42.17A.215 and 2019 c 428 s 17 are each amended to read as follows:

Each candidate and each political committee shall designate and file with the commission the name and address of not more than one depository for each county in which the campaign is conducted in which the candidate's or political committee's accounts are maintained and the name of the account or accounts maintained in that depository on behalf of the candidate or political committee. The candidate or political committee may at any time change the designated depository and shall file with the commission the same information for the successor depository as for the original depository. The candidate or political committee may not be deemed in compliance with the provisions of this ~~((chapter))~~ title until the information required for the depository is filed with the commission.

**Sec. 423.** RCW 42.17A.220 and 2018 c 304 s 5 are each amended to read as follows:

(1) All monetary contributions received by a candidate or political committee shall be deposited by candidates, political committee members, paid staff, or treasurers in a depository in an account established and designated for that purpose. Such deposits shall be made within five business days of receipt of the contribution. For online or credit card contributions, the contribution is considered received at the time the transfer is made from the merchant account to a candidate or political committee account, except that a contribution made to a candidate who is a state official or legislator outside the restriction period established in RCW 42.17A.560 (as recodified by this act), but transferred to the candidate's account within the restricted period, is considered received outside of the restriction period.

(2) Political committees that support or oppose more than one candidate or ballot proposition, or exist for more than one purpose, may maintain multiple separate bank accounts within the same designated depository for such purpose only if:

(a) Each such account bears the same name;

(b) Each such account is followed by an appropriate designation that accurately identifies its separate purpose; and

(c) Transfers of funds that must be reported under RCW 42.17A.240 ~~((+5))~~ (6) as recodified by this act are not made from more than one such account.

(3) Nothing in this section prohibits a candidate or political committee from investing funds on hand in a depository in bonds, certificates, or tax-exempt securities, or in savings accounts or other similar instruments in financial institutions, or in mutual funds other than the depository but only if:

(a) The commission is notified in writing of the initiation and the termination of the investment; and

(b) The principal of such investment, when terminated together with all interest, dividends, and income derived from the investment, is deposited in the depository in the account from which the investment was made and properly reported to the commission before any further disposition or expenditure.

(4) Accumulated unidentified contributions, other than those made by persons whose names must be maintained on a separate and private list by a political committee's treasurer pursuant to RCW 42.17A.240 (2) (as recodified by this act), in excess of one percent of the total accumulated contributions received in the current calendar year, or three hundred dollars, whichever is more, may not be deposited, used, or expended, but shall be returned to the donor if his or her identity can be ascertained. If the donor cannot be ascertained, the contribution shall escheat to the state and shall be paid to the state treasurer for deposit in the state general fund.

**Sec. 424.** RCW 42.17A.225 and 2019 c 428 s 18 are each amended to read as follows:

(1) In addition to the provisions of this section, a continuing political committee shall file and report on the same conditions and at the same times as any other committee in accordance with the provisions of RCW 42.17A.205 (as recodified by this act), 42.17A.210 (as recodified by this act), and 42.17A.220 (as recodified by this act).

(2) A continuing political committee shall file with the commission a report on the tenth day of each month detailing expenditures made and contributions received for the preceding calendar month. This report need only be filed if either the total contributions received or total expenditures made since the last such report exceed two hundred dollars. The report shall be on a form supplied by the commission and shall include the following information:

(a) The information required by RCW 42.17A.240 (as recodified by this act);

(b) Each expenditure made to retire previously accumulated debts of the committee identified by recipient, amount, and date of payments;

(c) Other information the commission shall prescribe by rule.

(3) If a continuing political committee makes a contribution in support of or in opposition to a candidate or ballot proposition within ~~((sixty))~~ 60 days before the date that the candidate or ballot proposition will be voted upon, the committee shall report pursuant to RCW 42.17A.235 (as recodified by this act).

(4)(a) A continuing political committee shall file reports as required by this ~~((chapter))~~ title until the committee has ceased to function and intends to dissolve, at which time, when there is no outstanding debt or obligation and the committee is concluded in all respects, a final report shall be filed. Upon submitting a final report, the continuing political committee so intending to dissolve must file notice of intent to dissolve with the commission and the commission must post the notice on its website.

(b) The continuing political committee may dissolve ~~((sixty))~~ 60 days after it files its notice to dissolve, only if:

(i) The continuing political committee does not make any expenditures other than those related to the dissolution process or engage in any political activity or any other activities that generate additional reporting requirements under this ~~((chapter))~~ title after filing such notice;

(ii) No complaint or court action, pursuant to this ~~((chapter))~~ title, is pending against the continuing political committee; and

(iii) All penalties assessed by the commission or court order have been paid by the continuing political committee.

(c) The continuing political committee must continue to report regularly as required under this ~~((chapter))~~ title until all the conditions under (b) of this subsection are resolved.

(d) Upon dissolution, the commission must issue an acknowledgment of dissolution, the duties of the treasurer shall cease, and there shall be no further obligations under this ~~((chapter))~~ title. Dissolution does not absolve the candidate or board of the committee from responsibility for any future obligations resulting from the finding after dissolution of a violation committed prior to dissolution.

(5) The treasurer shall maintain books of account, current within five business days, that accurately reflect all contributions and expenditures. During the ~~((ten))~~ 10 calendar days immediately preceding the date of any election that the committee has received any contributions or made any expenditures, the books of account shall be kept current within one business day and shall be open for public inspection in the same manner as provided for candidates and other political committees in RCW 42.17A.235(6) (as recodified by this act).

(6) All reports filed pursuant to this section shall be certified as correct by the treasurer.

(7) The treasurer shall preserve books of account, bills, receipts, and all other financial records of the campaign or political committee for not less than five calendar years following the year during which the transaction occurred.

**Sec. 425.** RCW 42.17A.230 and 2019 c 428 s 19 are each amended to read as follows:

(1) Fund-raising activities meeting the standards of subsection (2) of this section may be reported in accordance with the provisions of this section in lieu of reporting in accordance with RCW 42.17A.235 (as recodified by this act).

(2) Standards:

(a) The activity consists of one or more of the following:

(i) A sale of goods or services sold at a reasonable approximation of the fair market value of each item or service; or

(ii) A gambling operation that is licensed, conducted, or operated in accordance with the provisions of chapter 9.46 RCW; or

(iii) A gathering where food and beverages are purchased and the price of admission or the per person charge for the food and beverages is no more than twenty-five dollars; or

(iv) A concert, dance, theater performance, or similar entertainment event and the price of admission is no more than twenty-five dollars; or

(v) An auction or similar sale for which the total fair market value or cost of items donated by any person is no more than fifty dollars; and

(b) No person responsible for receiving money at the fund-raising activity knowingly accepts payments from a single person at or from such an activity to the candidate or committee aggregating more than fifty dollars unless the name and address of the person making the payment, together with the amount paid to the candidate or committee, are disclosed in the report filed pursuant to subsection (6) of this section; and

(c) Any other standards established by rule of the commission to prevent frustration of the purposes of this ~~((chapter))~~ title.

(3) All funds received from a fund-raising activity that conforms with subsection (2) of this section must be deposited in the depository within five business days of receipt by the treasurer or deputy treasurer.

(4) At the time reports are required under RCW 42.17A.235 (as recodified by this act), the treasurer or deputy treasurer making the deposit shall file with the commission a report of the fund-raising activity which must contain the following information:

(a) The date of the activity;

(b) A precise description of the fund-raising methods used in the activity; and

(c) The total amount of cash receipts from persons, each of whom paid no more than fifty dollars.

(5) The treasurer or deputy treasurer shall certify the report is correct.

(6) The treasurer shall report pursuant to RCW 42.17A.235 (as recodified by this act) and 42.17A.240 (as recodified by this act):

(a) The name and address and the amount contributed by each person contributing goods or services with a fair market value of more than fifty dollars to a fund-raising activity reported under subsection (4) of this section; and

(b) The name and address and the amount paid by each person whose identity can be ascertained, who made a contribution to the candidate or committee aggregating more than fifty dollars at or from such a fund-raising activity.

**Sec. 426.** RCW 42.17A.235 and 2019 c 428 s 20 are each amended to read as follows:

(1)(a) In addition to the information required under RCW 42.17A.205 (as recodified by this act) and 42.17A.210 (as recodified by this act), each candidate or political committee must file with the commission a report of all contributions received and expenditures made as a political committee on the next reporting date pursuant to the timeline established in this section.

(b) In addition to the information required under RCW 42.17A.207 (as recodified by this act) and 42.17A.210 (as recodified by this act), on the day an incidental committee files a statement of organization with the commission, each incidental committee must file with the commission a report of any election campaign expenditures under RCW 42.17A.240 (as recodified by this act), as well as the source of the ~~(ten)~~10 largest cumulative payments of ten thousand dollars or greater it received in the current calendar year from a single person, including any persons tied as the ~~(tenth)~~10th largest source of payments it received, if any.

(2) Each treasurer of a candidate or political committee, or an incidental committee, required to file a statement of organization under this ~~(chapter)~~title, shall file with the commission a report, for each election in which a candidate, political committee, or incidental committee is participating, containing the information required by RCW 42.17A.240 (as recodified by this act) at the following intervals:

(a) On the ~~(twenty-first)~~21st day and the seventh day immediately preceding the date on which the election is held; and

(b) On the ~~(tenth)~~10th day of the first full month after the election.

(3)(a) Each treasurer of a candidate or political committee shall file with the commission a report on the ~~(tenth)~~10th day of each month during which the candidate or political committee is not participating in an election campaign, only if the committee has received a contribution or made an expenditure in the preceding calendar month and either the total contributions received or total expenditures made since the last such report exceed two hundred dollars.

(b) Each incidental committee shall file with the commission a report on the

~~(tenth)~~10th day of each month during which the incidental committee is not otherwise required to report under this section only if the committee has:

(i) Received a payment that would change the information required under RCW 42.17A.240(2)(d) (as recodified by this act) as included in its last report; or

(ii) Made any election campaign expenditure reportable under RCW 42.17A.240 ~~((+6))~~(7) (as recodified by this act) since its last report, and the total election campaign expenditures made since the last report exceed two hundred dollars.

(4) The report filed ~~((twenty-one))~~21 days before the election shall report all contributions received and expenditures made as of the end of one business day before the date of the report. The report filed seven days before the election shall report all contributions received and expenditures made as of the end of one business day before the date of the report. Reports filed on the ~~((tenth))~~10th day of the month shall report all contributions received and expenditures made from the closing date of the last report filed through the last day of the month preceding the date of the current report.

(5) For the period beginning the first day of the fourth month preceding the date of the special election, or for the period beginning the first day of the fifth month before the date of the general election, and ending on the date of that special or general election, each Monday the treasurer for a candidate or a political committee shall file with the commission a report of each bank deposit made during the previous seven calendar days. The report shall contain the name of each person contributing the funds and the amount contributed by each person. However, persons who contribute no more than twenty-five dollars in the aggregate are not required to be identified in the report. A copy of the report shall be retained by the treasurer for the treasurer's records. In the event of deposits made by candidates, political committee members, or paid staff other than the treasurer, the copy shall be immediately provided to the treasurer for the treasurer's records. Each report shall be certified as correct by the treasurer.

(6)(a) The treasurer for a candidate or a political committee shall maintain books of account accurately reflecting all contributions and expenditures on a current basis within five business days of receipt or expenditure. During the ~~((ten))~~10 calendar days immediately preceding the date of the election the books of account shall be kept current within one business day. As specified in the political committee's statement of organization filed under RCW 42.17A.205 (as recodified by this act), the books of account must be open for public inspection by appointment at a place agreed upon by both the treasurer and the requestor, for inspections between 9:00 a.m. and 5:00 p.m. on any day from the ~~((tenth))~~10th calendar day immediately before the election through the day immediately before the election, other than Saturday, Sunday, or a legal holiday. It is a violation of this ~~((chapter))~~title for a

candidate or political committee to refuse to allow and keep an appointment for an inspection to be conducted during these authorized times and days. The appointment must be allowed at an authorized time and day for such inspections that is within ~~((forty-eight))~~ 48 hours of the time and day that is requested for the inspection. The treasurer may provide digital access or copies of the books of account in lieu of scheduling an appointment at a designated place for inspection. If the treasurer and requestor are unable to agree on a location and the treasurer has not provided digital access to the books of account, the default location for an appointment shall be a place of public accommodation selected by the treasurer within a reasonable distance from the treasurer's office.

(b) At the time of making the appointment, a person wishing to inspect the books of account must provide the treasurer the name and telephone number of the person wishing to inspect the books of account. The person inspecting the books of account must show photo identification before the inspection begins.

(c) A treasurer may refuse to show the books of account to any person who does not make an appointment or provide the required identification. The commission may issue limited rules to modify the requirements set forth in this section in consideration of other technology and best practices.

(7) Copies of all reports filed pursuant to this section shall be readily available for public inspection by appointment, pursuant to subsection (6) of this section.

(8) The treasurer or candidate shall preserve books of account, bills, receipts, and all other financial records of the campaign or political committee for not less than five calendar years following the year during which the transaction occurred or for any longer period as otherwise required by law.

(9) All reports filed pursuant to subsection (1) or (2) of this section shall be certified as correct by the candidate and the treasurer.

(10) Where there is not a pending complaint concerning a report, it is not evidence of a violation of this section to submit an amended report within ~~((twenty-one))~~ 21 days of filing an initial report if:

(a) The report is accurately amended;

(b) The amended report is filed more than ~~((thirty))~~ 30 days before an election;

(c) The total aggregate dollar amount of the adjustment for the amended report is within three times the contribution limit per election or two hundred dollars, whichever is greater; and

(d) The committee reported all information that was available to it at the time of filing, or made a good faith effort to do so, or if a refund of a contribution or expenditure is being reported.

(11)(a) When there is no outstanding debt or obligation, the campaign fund is closed, the campaign is concluded in all respects, and the political committee has ceased to function and intends to dissolve, the treasurer shall file a final report. Upon submitting a final report, the political committee so intending to dissolve must file

notice of intent to dissolve with the commission and the commission must post the notice on its website.

(b) Any political committee may dissolve ~~((sixty))~~ 60 days after it files its notice to dissolve, only if:

(i) The political committee does not make any expenditures other than those related to the dissolution process or engage in any political activity or any other activities that generate additional reporting requirements under this ~~((chapter))~~ title after filing such notice;

(ii) No complaint or court action under this ~~((chapter))~~ title is pending against the political committee; and

(iii) All penalties assessed by the commission or court order have been paid by the political committee.

(c) The political committee must continue to report regularly as required under this ~~((chapter))~~ title until all the conditions under (b) of this subsection are resolved.

(d) Upon dissolution, the commission must issue an acknowledgment of dissolution, the duties of the treasurer shall cease, and there shall be no further obligations under this ~~((chapter))~~ title. Dissolution does not absolve the candidate or board of the committee from responsibility for any future obligations resulting from the finding after dissolution of a violation committed prior to dissolution.

(12) The commission must adopt rules for the dissolution of incidental committees.

**Sec. 427.** RCW 42.17A.240 and 2020 c 152 s 3 are each amended to read as follows:

Each report required under RCW 42.17A.235 (1) through (4) (as recodified by this act) must be certified as correct by the treasurer and the candidate and shall disclose the following, except an incidental committee only must disclose and certify as correct the information required under subsections (2)(d) and (7) of this section:

(1) The funds on hand at the beginning of the period;

(2) The name and address of each person who has made one or more contributions during the period, together with the money value and date of each contribution and the aggregate value of all contributions received from each person during the campaign, or in the case of a continuing political committee, the current calendar year, with the following exceptions:

(a) Pledges in the aggregate of less than one hundred dollars from any one person need not be reported;

(b) Income that results from a fundraising activity conducted in accordance with RCW 42.17A.230 (as recodified by this act) may be reported as one lump sum, with the exception of that portion received from persons whose names and addresses are required to be included in the report required by RCW 42.17A.230 (as recodified by this act);

(c) Contributions of no more than twenty-five dollars in the aggregate from any one person during the election campaign may be reported as one lump sum if the treasurer maintains a separate and private list of the



name, address, and amount of each such contributor;

(d) Payments received by an incidental committee from any one person need not be reported unless the person is one of the committee's ~~((ten))~~10 largest sources of payments received, including any persons tied as the ~~((tenth))~~10th largest source of payments received, during the current calendar year, and the value of the cumulative payments received from that person during the current calendar year is ten thousand dollars or greater. For payments to incidental committees from multiple persons received in aggregated form, any payment of more than ten thousand dollars from any single person must be reported, but the aggregated payment itself may not be reported. The commission may suspend or modify reporting requirements for payments received by an incidental committee in cases of manifestly unreasonable hardship under this ~~((chapter))~~title;

(e) Payments from private foundations organized under section 501(c)(3) of the internal revenue code to an incidental committee do not have to be reported if:

(i) The private foundation is contracting with the incidental committee for a specific purpose other than election campaign purposes;

(ii) Use of the funds for election campaign purposes is explicitly prohibited by contract; and

(iii) Funding from the private foundation represents less than ~~((twenty-five))~~25 percent of the incidental committee's total budget;

(f) Commentary or analysis on a ballot proposition by an incidental committee is not considered a contribution if it does not advocate specifically to vote for or against the ballot proposition; and

(g) The money value of contributions of postage is the face value of the postage;

(3) Each loan, promissory note, or security instrument to be used by or for the benefit of the candidate or political committee made by any person, including the names and addresses of the lender and each person liable directly, indirectly or contingently and the date and amount of each such loan, promissory note, or security instrument;

(4) All other contributions not otherwise listed or exempted;

(5) A statement that the candidate or political committee has received a certification from any partnership, association, corporation, organization, or other combination of persons making a contribution to the candidate or political committee that:

(a) The contribution is not financed in any part by a foreign national; and

(b) Foreign nationals are not involved in making decisions regarding the contribution in any way;

(6) The name and address of each candidate or political committee to which any transfer of funds was made, including the amounts and dates of the transfers;

(7) The name and address of each person to whom an expenditure was made in the aggregate amount of more than fifty dollars during the period covered by this report,

the amount, date, and purpose of each expenditure, and the total sum of all expenditures. An incidental committee only must report on expenditures, made and reportable as contributions as defined in ~~((RCW 42.17A.005))~~section 216 of this act, to election campaigns. For purposes of this subsection, commentary or analysis on a ballot proposition by an incidental committee is not considered an expenditure if it does not advocate specifically to vote for or against the ballot proposition;

(8) The name, address, and electronic contact information of each person to whom an expenditure was made for soliciting or procuring signatures on an initiative or referendum petition, the amount of the compensation to each person, and the total expenditures made for this purpose. Such expenditures shall be reported under this subsection in addition to what is required to be reported under subsection (7) of this section;

(9) (a) The name and address of any person and the amount owed for any debt with a value of more than seven hundred fifty dollars that has not been paid for any invoices submitted, goods received, or services performed, within five business days during the period within ~~((thirty))~~30 days before an election, or within ~~((ten))~~10 business days during any other period.

(b) For purposes of this subsection, debt does not include regularly recurring expenditures of the same amount that have already been reported at least once and that are not late or outstanding;

(10) The surplus or deficit of contributions over expenditures;

(11) The disposition made in accordance with RCW 42.17A.430 (as recodified by this act) of any surplus funds; and

(12) Any other information required by the commission by rule in conformance with the policies and purposes of this ~~((chapter))~~title.

**Sec. 428.** RCW 42.17A.250 and 2020 c 152 s 4 are each amended to read as follows:

(1) An out-of-state political committee organized for the purpose of supporting or opposing candidates or ballot propositions in another state that is not otherwise required to report under RCW 42.17A.205 (as recodified by this act) through 42.17A.240 (as recodified by this act) shall report as required in this section when it makes an expenditure supporting or opposing a Washington state candidate or political committee. The committee shall file with the commission a statement disclosing:

(a) Its name and address;

(b) The purposes of the out-of-state committee;

(c) The names, addresses, and titles of its officers or, if it has no officers, the names, addresses, and the titles of its responsible leaders;

(d) The name, office sought, and party affiliation of each candidate in the state of Washington whom the out-of-state committee is supporting or opposing and, if the committee is supporting or opposing the entire ticket of any party, the name of the party;

(e) The ballot proposition supported or opposed in the state of Washington, if any, and whether the committee is in favor of or opposed to that proposition;

(f) The name and address of each person residing in the state of Washington or corporation that has a place of business in the state of Washington who has made one or more contributions in the aggregate of more than twenty-five dollars to the out-of-state committee during the current calendar year, together with the money value and date of the contributions;

(g) The name, address, and employer of each person or corporation residing outside the state of Washington who has made one or more contributions in the aggregate of more than two thousand five hundred fifty dollars to the out-of-state committee during the current calendar year, together with the money value and date of the contributions. Annually, the commission must modify the two thousand five hundred fifty dollar limit in this subsection based on percentage change in the implicit price deflator for personal consumption expenditures for the United States as published for the most recent ~~((twelve))~~ 12-month period by the bureau of economic analysis of the federal department of commerce;

(h) The name and address of each person in the state of Washington to whom an expenditure was made by the out-of-state committee with respect to a candidate or political committee in the aggregate amount of more than fifty dollars, the amount, date, and purpose of the expenditure, and the total sum of the expenditures;

(i) A statement that the out-of-state committee has received a certification from any partnership, association, corporation, organization, or other combination of persons making a contribution reportable under this section that:

(i) The contribution is not financed in any part by a foreign national; and

(ii) Foreign nationals are not involved in making decisions regarding the contribution in any way; and

(j) Any other information as the commission may prescribe by rule in keeping with the policies and purposes of this ~~((chapter))~~ title.

(2) Each statement shall be filed no later than the ~~((tenth))~~ 10th day of the month following any month in which a contribution or other expenditure reportable under subsection (1) of this section is made. An out-of-state committee incurring an obligation to file additional statements in a calendar year may satisfy the obligation by timely filing reports that supplement previously filed information.

**Sec. 429.** RCW 42.17A.255 and 2020 c 152 s 5 are each amended to read as follows:

(1) For the purposes of this section the term "independent expenditure" means any expenditure that is made in support of or in opposition to any candidate or ballot proposition and is not otherwise required to be reported pursuant to RCW 42.17A.225 (as recodified by this act), 42.17A.235 (as recodified by this act), and 42.17A.240 (as recodified by this act). "Independent

expenditure" does not include: An internal political communication primarily limited to the contributors to a political party organization or political action committee, or the officers, management staff, and stockholders of a corporation or similar enterprise, or the members of a labor organization or other membership organization; or the rendering of personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses personally incurred by volunteer campaign workers not in excess of fifty dollars personally paid for by the worker. "Volunteer services," for the purposes of this section, means services or labor for which the individual is not compensated by any person.

(2) Within five days after the date of making an independent expenditure that by itself or when added to all other such independent expenditures made during the same election campaign by the same person equals one hundred dollars or more, or within five days after the date of making an independent expenditure for which no reasonable estimate of monetary value is practicable, whichever occurs first, the person who made the independent expenditure shall file with the commission an initial report of all independent expenditures made during the campaign prior to and including such date.

(3) At the following intervals each person who is required to file an initial report pursuant to subsection (2) of this section shall file with the commission a further report of the independent expenditures made since the date of the last report:

(a) On the ~~((twenty-first))~~ 21st day and the seventh day preceding the date on which the election is held; and

(b) On the ~~((tenth))~~ 10th day of the first month after the election; and

(c) On the ~~((tenth))~~ 10th day of each month in which no other reports are required to be filed pursuant to this section. However, the further reports required by this subsection (3) shall only be filed if the reporting person has made an independent expenditure since the date of the last previous report filed.

The report filed pursuant to (a) of this subsection (3) shall be the final report, and upon submitting such final report the duties of the reporting person shall cease, and there shall be no obligation to make any further reports.

(4) All reports filed pursuant to this section shall be certified as correct by the reporting person.

(5) Each report required by subsections (2) and (3) of this section shall disclose for the period beginning at the end of the period for the last previous report filed or, in the case of an initial report, beginning at the time of the first independent expenditure, and ending not more than one business day before the date the report is due:

(a) The name, address, and electronic contact information of the person filing the report;

(b) The name and address of each person to whom an independent expenditure was made

in the aggregate amount of more than fifty dollars, and the amount, date, and purpose of each such expenditure. If no reasonable estimate of the monetary value of a particular independent expenditure is practicable, it is sufficient to report instead a precise description of services, property, or rights furnished through the expenditure and where appropriate to attach a copy of the item produced or distributed by the expenditure;

(c) The total sum of all independent expenditures made during the campaign to date;

(d) A statement from the person making an independent expenditure that:

(i) The expenditure is not financed in any part by a foreign national; and

(ii) Foreign nationals are not involved in making decisions regarding the expenditure in any way; and

(e) Such other information as shall be required by the commission by rule in conformance with the policies and purposes of this (~~chapter~~) title.

**Sec. 430.** RCW 42.17A.260 and 2020 c 152 s 6 are each amended to read as follows:

(1) The sponsor of political advertising shall file a special report to the commission within (~~(twenty-four)~~) 24 hours of, or on the first working day after, the date the political advertising is first published, mailed, or otherwise presented to the public, if the political advertising:

(a) Is published, mailed, or otherwise presented to the public within (~~(twenty-one)~~) 21 days of an election; and

(b) Either:

(i) Qualifies as an independent expenditure with a fair market value or actual cost of one thousand dollars or more, for political advertising supporting or opposing a candidate; or

(ii) Has a fair market value or actual cost of one thousand dollars or more, for political advertising supporting or opposing a ballot proposition.

(2) If a sponsor is required to file a special report under this section, the sponsor shall also deliver to the commission within the delivery period established in subsection (1) of this section a special report for each subsequent independent expenditure of any size supporting or opposing the same candidate who was the subject of the previous independent expenditure, supporting or opposing that candidate's opponent, or, in the case of a subsequent expenditure of any size made in support of or in opposition to a ballot proposition not otherwise required to be reported pursuant to RCW 42.17A.225 (as recodified by this act), 42.17A.235 (as recodified by this act), or 42.17A.240 (as recodified by this act), supporting or opposing the same ballot proposition that was the subject of the previous expenditure.

(3) The special report must include:

(a) The name and address of the person making the expenditure;

(b) The name and address of the person to whom the expenditure was made;

(c) A detailed description of the expenditure;

(d) The date the expenditure was made and the date the political advertising was first published or otherwise presented to the public;

(e) The amount of the expenditure;

(f) The name of the candidate supported or opposed by the expenditure, the office being sought by the candidate, and whether the expenditure supports or opposes the candidate; or the name of the ballot proposition supported or opposed by the expenditure and whether the expenditure supports or opposes the ballot proposition;

(g) A statement from the sponsor that:

(i) The political advertising is not financed in any part by a foreign national; and

(ii) Foreign nationals are not involved in making decisions regarding the political advertising in any way; and

(h) Any other information the commission may require by rule.

(4) All persons required to report under RCW 42.17A.225 (as recodified by this act), 42.17A.235 (as recodified by this act), 42.17A.240 (as recodified by this act), 42.17A.255 (as recodified by this act), and 42.17A.305 (as recodified by this act) are subject to the requirements of this section. The commission may determine that reports filed pursuant to this section also satisfy the requirements of RCW 42.17A.255 (as recodified by this act).

(5) The sponsor of independent expenditures supporting a candidate or opposing that candidate's opponent required to report under this section shall file with each required report an affidavit or declaration of the person responsible for making the independent expenditure that the expenditure was not made in cooperation, consultation, or concert with, or at the request or suggestion of, the candidate, the candidate's authorized committee, or the candidate's agent, or with the encouragement or approval of the candidate, the candidate's authorized committee, or the candidate's agent.

**Sec. 431.** RCW 42.17A.265 and 2020 c 152 s 7 are each amended to read as follows:

(1) Treasurers shall prepare and deliver to the commission a special report when a contribution or aggregate of contributions totals one thousand dollars or more, is from a single person or entity, and is received during a special reporting period.

(2) A political committee shall prepare and deliver to the commission a special report when it makes a contribution or an aggregate of contributions to a single entity that totals one thousand dollars or more during a special reporting period.

(3) An aggregate of contributions includes only those contributions made to or received from a single entity during any one special reporting period. Any subsequent contribution of any size made to or received from the same person or entity during the special reporting period must also be reported.

(4) Special reporting periods, for purposes of this section, include:

(a) The period beginning on the day after the last report required by RCW 42.17A.235

(as recodified by this act) and 42.17A.240 (as recodified by this act) to be filed before a primary and concluding on the end of the day before that primary;

(b) The period (~~(twenty-one)~~)21 days preceding a general election; and

(c) An aggregate of contributions includes only those contributions received from a single entity during any one special reporting period or made by the contributing political committee to a single entity during any one special reporting period.

(5) If a campaign treasurer files a special report under this section for one or more contributions received from a single entity during a special reporting period, the treasurer shall also file a special report under this section for each subsequent contribution of any size which is received from that entity during the special reporting period. If a political committee files a special report under this section for a contribution or contributions made to a single entity during a special reporting period, the political committee shall also file a special report for each subsequent contribution of any size which is made to that entity during the special reporting period.

(6) Special reports required by this section shall be delivered electronically, or in written form if an electronic alternative is not available.

(a) The special report required of a contribution recipient under subsection (1) of this section shall be delivered to the commission within (~~(forty-eight)~~)48 hours of the time, or on the first working day after: The contribution of one thousand dollars or more is received by the candidate or treasurer; the aggregate received by the candidate or treasurer first equals one thousand dollars or more; or any subsequent contribution from the same source is received by the candidate or treasurer.

(b) The special report required of a contributor under subsection (2) of this section or RCW 42.17A.625 (as recodified by this act) shall be delivered to the commission, and the candidate or political committee to whom the contribution or contributions are made, within (~~(twenty-four)~~)24 hours of the time, or on the first working day after: The contribution is made; the aggregate of contributions made first equals one thousand dollars or more; or any subsequent contribution to the same person or entity is made.

(7) The special report shall include:

(a) The amount of the contribution or contributions;

(b) The date or dates of receipt;

(c) The name and address of the donor;

(d) The name and address of the recipient;

(e) A statement that the candidate or political committee has received a certification from any partnership, association, corporation, organization, or other combination of persons making a contribution reportable under this section that:

(i) The contribution is not financed in any part by a foreign national; and

(ii) Foreign nationals are not involved in making decisions regarding the contribution in any way; and

(f) Any other information the commission may by rule require.

(8) Contributions reported under this section shall also be reported as required by other provisions of this (~~(chapter)~~)title.

(9) The commission shall prepare daily a summary of the special reports made under this section and RCW 42.17A.625 (as recodified by this act).

(10) Contributions governed by this section include, but are not limited to, contributions made or received indirectly through a third party or entity whether the contributions are or are not reported to the commission as earmarked contributions under RCW 42.17A.270 (as recodified by this act).

**Sec. 432.** RCW 42.17A.270 and 2010 c 204 s 416 are each amended to read as follows:

A political committee receiving a contribution earmarked for the benefit of a candidate or another political committee shall:

(1) Report the contribution as required in RCW 42.17A.235 (as recodified by this act) and 42.17A.240 (as recodified by this act);

(2) Complete a report, entitled "Earmarked contributions," on a form prescribed by the commission that identifies the name and address of the person who made the contribution, the candidate or political committee for whose benefit the contribution is earmarked, the amount of the contribution, and the date that the contribution was received; and

(3) Mail or deliver to the commission and the candidate or political committee benefiting from the contribution a copy of the "Earmarked contributions" report within two working days of receipt of the contribution.

(4) A candidate or political committee receiving notification of an earmarked contribution under subsection (3) of this section shall report the contribution, once notification of the contribution is received by the candidate or committee, in the same manner as any other contribution, as required by RCW 42.17A.235 (as recodified by this act) and 42.17A.240 (as recodified by this act).

**Sec. 433.** RCW 42.17A.300 and 2010 c 204 s 501 are each amended to read as follows:

(1) The legislature finds that:

(a) Timely disclosure to voters of the identity and sources of funding for electioneering communications is vitally important to the integrity of state, local, and judicial elections.

(b) Electioneering communications that identify political candidates for state, local, or judicial office and that are distributed (~~(sixty)~~)60 days before an election for those offices are intended to influence voters and the outcome of those elections.

(c) The state has a compelling interest in providing voters information about electioneering communications in political campaigns concerning candidates for state, local, or judicial office so that voters can be fully informed as to the: (i) Source of support or opposition to those candidates; and (ii) identity of persons attempting to influence the outcome of state, local, and judicial candidate elections.

(d) Nondisclosure of financial information about advertising that masquerades as relating only to issues and not to candidate campaigns fosters corruption or the appearance of corruption. These consequences can be substantially avoided by full disclosure of the identity and funding of those persons paying for such advertising.

(e) The United States supreme court held in *McConnell et al. v. Federal Elections Commission*, 540 U.S. 93, 124 S.Ct. 619, 157 L.Ed.2d 491 (2003) that speakers seeking to influence elections do not possess an inviolable free speech right to engage in electioneering communications regarding elections, including when issue advocacy is the functional equivalent of express advocacy. Therefore, such election campaign communications can be regulated and the source of funding disclosed.

(f) The state has a sufficiently compelling interest in preventing corruption in political campaigns to justify and restore contribution limits and restrictions on the use of soft money in RCW 42.17A.405 (as recodified by this act). Those interests include restoring restrictions on the use of such funds for electioneering communications, as well as the laws preventing circumvention of those limits and restrictions.

(2) Based upon the findings in this section, chapter 445, Laws of 2005 is narrowly tailored to accomplish the following and is intended to:

(a) Improve the disclosure to voters of information concerning persons and entities seeking to influence state, local, and judicial campaigns through reasonable and effective mechanisms, including improving disclosure of the source, identity, and funding of electioneering communications concerning state, local, and judicial candidate campaigns;

(b) Regulate electioneering communications that mention state, local, and judicial candidates and that are broadcast, mailed, erected, distributed, or otherwise published right before the election so that the public knows who is paying for such communications;

(c) Reenact and amend the contribution limits in RCW 42.17A.405 (7) and (15) (as recodified by this act) and the restrictions on the use of soft money, including as applied to electioneering communications, as those limits and restrictions were in effect following the passage of chapter 2, Laws of 1993 (Initiative Measure No. 134) and before the state supreme court decision in *Washington State Republican Party v. Washington State Public Disclosure Commission*, 141 Wn.2d 245, 4 P.3d 808 (2000). The commission is authorized to fully restore the implementation of the

limits and restrictions of RCW 42.17A.405 (7) and (15) (as recodified by this act) in light of *McConnell et al. v. Federal Elections Commission*, 540 U.S. 93, 124 S.Ct. 619, 157 L.Ed.2d 491 (2003). The United States supreme court upheld the disclosure and regulation of electioneering communications in political campaigns, including but not limited to issue advocacy that is the functional equivalent of express advocacy; and

(d) Authorize the commission to adopt rules to implement chapter 445, Laws of 2005.

**Sec. 434.** RCW 42.17A.305 and 2020 c 152 s 8 are each amended to read as follows:

(1) A payment for or promise to pay for any electioneering communication shall be reported to the commission by the sponsor on forms the commission shall develop by rule to include, at a minimum, the following information:

(a) Name and address of the sponsor;

(b) Source of funds for the communication, including:

(i) General treasury funds. The name and address of businesses, unions, groups, associations, or other organizations using general treasury funds for the communication, however, if a business, union, group, association, or other organization undertakes a special solicitation of its members or other persons for an electioneering communication, or it otherwise receives funds for an electioneering communication, that entity shall report pursuant to (b)(ii) of this subsection;

(ii) Special solicitations and other funds. The name, address, and, for individuals, occupation and employer, of a person whose funds were used to pay for the electioneering communication, along with the amount, if such funds from the person have exceeded two hundred fifty dollars in the aggregate for the electioneering communication;

(iii) A statement from the sponsor that:

(A) The electioneering communication is not financed in any part by a foreign national; and

(B) Foreign nationals are not involved in making decisions regarding the electioneering communication in any way; and

(iv) Any other source information required or exempted by the commission by rule;

(c) Name and address of the person to whom an electioneering communication related expenditure was made;

(d) A detailed description of each expenditure of more than one hundred dollars;

(e) The date the expenditure was made and the date the electioneering communication was first broadcast, transmitted, mailed, erected, distributed, or otherwise published;

(f) The amount of the expenditure;

(g) The name of each candidate clearly identified in the electioneering communication, the office being sought by each candidate, and the amount of the

expenditure attributable to each candidate; and

(h) Any other information the commission may require or exempt by rule.

(2) Electioneering communications shall be reported as follows: The sponsor of an electioneering communication shall report to the commission within ~~((twenty-four))~~ 24 hours of, or on the first working day after, the date the electioneering communication is broadcast, transmitted, mailed, erected, distributed, digitally or otherwise, or otherwise published.

(3) Electioneering communications shall be reported electronically by the sponsor using software provided or approved by the commission. The commission may make exceptions on a case-by-case basis for a sponsor who lacks the technological ability to file reports using the electronic means provided or approved by the commission.

(4) All persons required to report under RCW 42.17A.225 (as recodified by this act), 42.17A.235 (as recodified by this act), 42.17A.240 (as recodified by this act), and 42.17A.255 (as recodified by this act) are subject to the requirements of this section, although the commission may determine by rule that persons filing according to those sections may be exempt from reporting some of the information otherwise required by this section. The commission may determine that reports filed pursuant to this section also satisfy the requirements of RCW 42.17A.255 (as recodified by this act) and 42.17A.260 (as recodified by this act).

(5) Failure of any sponsor to report electronically under this section shall be a violation of this ~~((chapter))~~ title.

**Sec. 435.** RCW 42.17A.310 and 2010 c 204 s 503 are each amended to read as follows:

(1) An electioneering communication made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a candidate's authorized committee, or their agents is a contribution to the candidate.

(2) An electioneering communication made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a political committee or its agents is a contribution to the political committee.

(3) If an electioneering communication is not a contribution pursuant to subsection (1) or (2) of this section, the sponsor shall file an affidavit or declaration so stating at the time the sponsor is required to report the electioneering communication expense under RCW 42.17A.305 (as recodified by this act).

**Sec. 436.** RCW 42.17A.315 and 2010 c 204 s 504 are each amended to read as follows:

(1) The sponsor of an electioneering communication shall preserve all financial records relating to the communication, including books of account, bills, receipts, contributor information, and ledgers, for not less than five calendar years following the year in which the communication was

broadcast, transmitted, mailed, erected, or otherwise published.

(2) All reports filed under RCW 42.17A.305 (as recodified by this act) shall be certified as correct by the sponsor. If the sponsor is an individual using his or her own funds to pay for the communication, the certification shall be signed by the individual. If the sponsor is a political committee, the certification shall be signed by the committee treasurer. If the sponsor is another entity, the certification shall be signed by the individual responsible for authorizing the expenditure on the entity's behalf.

**Sec. 437.** RCW 42.17A.320 and 2019 c 261 s 3 are each amended to read as follows:

(1) All written political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name and address. All radio and television political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name. The use of an assumed name for the sponsor of electioneering communications, independent expenditures, or political advertising shall be unlawful. For partisan office, if a candidate has expressed a party or independent preference on the declaration of candidacy, that party or independent designation shall be clearly identified in electioneering communications, independent expenditures, or political advertising.

(2) In addition to the information required by subsection (1) of this section, except as specifically addressed in subsections (4) and (5) of this section, all political advertising undertaken as an independent expenditure or an electioneering communication by a person or entity other than a bona fide political party must include as part of the communication:

(a) The statement: "No candidate authorized this ad. It is paid for by (name, address, city, state)";

(b) If the sponsor is a political committee, the statement: "Top Five Contributors," followed by a listing of the names of the five persons making the largest contributions as determined by RCW 42.17A.350(1) (as recodified by this act); and if necessary, the statement "Top Three Donors to PAC Contributors," followed by a listing of the names of the three individuals or entities, other than political committees, making the largest aggregated contributions as determined by RCW 42.17A.350(2) (as recodified by this act); and

(c) If the sponsor is a political committee established, maintained, or controlled directly, or indirectly through the formation of one or more political committees, by an individual, corporation, union, association, or other entity, the full name of that individual or entity.

(3) The information required by subsections (1) and (2) of this section shall:

(a) Appear on the first page or fold of the written advertisement or communication in at least ~~((ten))~~ 10-point type, or in type at least ten percent of the largest size

type used in a written advertisement or communication directed at more than one voter, such as a billboard or poster, whichever is larger;

(b) Not be subject to the half-tone or screening process; and

(c) Be set apart from any other printed matter. No text may be before, after, or immediately adjacent to the information required by subsections (1) and (2) of this section.

(4) In an independent expenditure or electioneering communication transmitted via television or other medium that includes a visual image, the following statement must either be clearly spoken, or appear in print and be visible for at least four seconds, appear in letters greater than four percent of the visual screen height on a solid black background on the entire bottom one-third of the television or visual display screen, or bottom one-fourth of the screen if the sponsor does not have or is otherwise not required to list its top five contributors, and have a reasonable color contrast with the background: "No candidate authorized this ad. Paid for by (name, city, state)." If the advertisement or communication is undertaken by a nonindividual other than a party organization, then the following notation must also be included: "Top Five Contributors" followed by a listing of the names of the five persons making the largest aggregate contributions as determined by RCW 42.17A.350(1) (as recodified by this act); and if necessary, the statement "Top Three Donors to PAC Contributors," followed by a listing of the names of the three individuals or entities other than political committees making the largest aggregate contributions to political committees as determined by RCW 42.17A.350(2) (as recodified by this act). Abbreviations may be used to describe contributing entities if the full name of the entity has been clearly spoken previously during the broadcast advertisement.

(5) The following statement shall be clearly spoken in an independent expenditure or electioneering communication transmitted by a method that does not include a visual image: "No candidate authorized this ad. Paid for by (name, city, state)." If the independent expenditure or electioneering communication is undertaken by a nonindividual other than a party organization, then the following statement must also be included: "Top Five Contributors" followed by a listing of the names of the five persons making the largest contributions as determined by RCW 42.17A.350(1) (as recodified by this act); and if necessary, the statement "Top Three Donors to PAC Contributors," followed by a listing of the names of the three individuals or entities, other than political committees, making the largest aggregate contributions to political committees as determined by RCW 42.17A.350(2) (as recodified by this act). Abbreviations may be used to describe contributing entities if the full name of the entity has been clearly spoken previously during the broadcast advertisement.

(6) Political advertising costing one thousand dollars or more supporting or opposing ballot measures sponsored by a political committee must include the information on the top five contributors and top three contributors, other than political committees, as required by RCW 42.17A.350 (as recodified by this act). A series of political advertising sponsored by the same political committee, each of which is under one thousand dollars, must include the top five contributors and top three contributors, other than political committees, as required by RCW 42.17A.350 (as recodified by this act) once their cumulative value reaches one thousand dollars or more.

(7) Political yard signs are exempt from the requirements of this section that the sponsor's name and address, and the top five contributors and top three PAC contributors as required by RCW 42.17A.350 (as recodified by this act), be listed on the advertising. In addition, the public disclosure commission shall, by rule, exempt from the identification requirements of this section forms of political advertising such as campaign buttons, balloons, pens, pencils, sky-writing, inscriptions, and other forms of advertising where identification is impractical.

(8) For the purposes of this section, "yard sign" means any outdoor sign with dimensions no greater than eight feet by four feet.

**Sec. 438.** RCW 42.17A.330 and 2010 c 204 s 506 are each amended to read as follows:

At least one picture of the candidate used in any political advertising shall have been taken within the last five years and shall be no smaller than any other picture of the same candidate used in the same advertisement.

**Sec. 439.** RCW 42.17A.335 and 2009 c 222 s 2 are each amended to read as follows:

(1) It is a violation of this (~~chapter~~) title for a person to sponsor with actual malice a statement constituting libel or defamation per se under the following circumstances:

(a) Political advertising or an electioneering communication that contains a false statement of material fact about a candidate for public office;

(b) Political advertising or an electioneering communication that falsely represents that a candidate is the incumbent for the office sought when in fact the candidate is not the incumbent;

(c) Political advertising or an electioneering communication that makes either directly or indirectly, a false claim stating or implying the support or endorsement of any person or organization when in fact the candidate does not have such support or endorsement.

(2) For the purposes of this section, "libel or defamation per se" means statements that tend (a) to expose a living person to hatred, contempt, ridicule, or obloquy, or to deprive him or her of the benefit of public confidence or social

intercourse, or to injure him or her in his or her business or occupation, or (b) to injure any person, corporation, or association in his, her, or its business or occupation.

(3) It is not a violation of this section for a candidate or his or her agent to make statements described in subsection (1)(a) or (b) of this section about the candidate himself or herself because a person cannot defame himself or herself. It is not a violation of this section for a person or organization referenced in subsection (1)(c) of this section to make a statement about that person or organization because such persons and organizations cannot defame themselves.

(4) Any violation of this section shall be proven by clear and convincing evidence. If a violation is proven, damages are presumed and do not need to be proven.

**Sec. 440.** RCW 42.17A.340 and 2010 c 204 s 507 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the responsibility for compliance with RCW 42.17A.320 (as recodified by this act) through 42.17A.335 (as recodified by this act) shall be with the sponsor of the political advertising and not with the broadcasting station or other medium.

(2) If a broadcasting station or other medium changes the content of a political advertisement, the station or medium shall be responsible for any failure of the advertisement to comply with RCW 42.17A.320 (as recodified by this act) through 42.17A.335 (as recodified by this act) that results from that change.

**Sec. 441.** RCW 42.17A.345 and 2019 c 428 s 26 are each amended to read as follows:

(1) Each commercial advertiser who has accepted or provided political advertising or electioneering communications during the election campaign shall maintain current books of account and related materials as provided by rule that shall be open for public inspection during normal business hours during the campaign and for a period of no less than five years after the date of the applicable election. The documents and books of account shall specify:

(a) The names and addresses of persons from whom it accepted political advertising or electioneering communications;

(b) The exact nature and extent of the services rendered; and

(c) The total cost and the manner of payment for the services.

(2) At the request of the commission, each commercial advertiser required to comply with subsection (1) of this section shall provide to the commission copies of the information that must be maintained and be open for public inspection pursuant to subsection (1) of this section.

**Sec. 442.** RCW 42.17A.350 and 2019 c 261 s 2 are each amended to read as follows:

(1) For any requirement to include the top five contributors under RCW 42.17A.320 (as recodified by this act) or any other provision of this ~~(chapter)~~ title, the sponsor must identify the five persons or entities making the largest contributions to the sponsor in excess of the threshold aggregate value to be considered an independent expenditure in an election for public office under ~~((RCW 42.17A.005(29)(a)-(iv)))~~ section 231(1)(d) of this act reportable under this ~~(chapter)~~ title during the ~~((twelve))~~ 12-month period preceding the date on which the advertisement is initially to be published or otherwise presented to the public.

(2) If one or more of the top five contributors identified under subsection (1) of this section is a political committee, the top three contributors to each of those political committees during the same period must then be identified, and so on, until the individuals or entities other than political committees with the largest aggregate contributions to each political committee identified under subsection (1) of this section have also been identified. The sponsor must identify the three individuals or entities, not including political committees, who made the largest aggregate contributions to any political committee identified under subsection (1) of this section in excess of the threshold aggregate value to be considered an independent expenditure in an election for public office under ~~((RCW 42.17A.005(29)(a)-(iv)))~~ section 231(1)(d) of this act reportable under this ~~(chapter)~~ title during the same period, and the names of those individuals or entities must be displayed in the advertisement alongside the statement "Top Three Donors to PAC Contributors."

(3) Contributions to the sponsor or a political committee that are earmarked, tracked, and used for purposes other than the advertisement in question should not be counted in identifying the top five contributors under subsection (1) of this section or the top three contributors under subsection (2) of this section.

(4) The sponsor shall not be liable for a violation of this section that occurs because a contribution to any political committee identified under subsection (1) of this section has not been reported to the commission.

(5) The commission is authorized to adopt rules, as needed, to prevent ways to circumvent the purposes of the required disclosures in this section to inform voters about the individuals and entities sponsoring political advertisements.

**Sec. 443.** RCW 42.17A.400 and 2010 c 204 s 601 are each amended to read as follows:

(1) The people of the state of Washington find and declare that:

(a) The financial strength of certain individuals or organizations should not permit them to exercise a disproportionate or controlling influence on the election of candidates.

(b) Rapidly increasing political campaign costs have led many candidates to raise



larger percentages of money from special interests with a specific financial stake in matters before state government. This has caused the public perception that decisions of elected officials are being improperly influenced by monetary contributions.

(c) Candidates are raising less money in small contributions from individuals and more money from special interests. This has created the public perception that individuals have an insignificant role to play in the political process.

(2) By limiting campaign contributions, the people intend to:

(a) Ensure that individuals and interest groups have fair and equal opportunity to influence elective and governmental processes;

(b) Reduce the influence of large organizational contributors; and

(c) Restore public trust in governmental institutions and the electoral process.

**Sec. 444.** RCW 42.17A.405 and 2019 c 100 s 1 are each amended to read as follows:

(1) The contribution limits in this section apply to:

(a) Candidates for legislative office;

(b) Candidates for state office other than legislative office;

(c) Candidates for county office;

(d) Candidates for port district office;

(e) Candidates for city council office;

(f) Candidates for mayoral office;

(g) Candidates for school board office;

(h) Candidates for public hospital district board of commissioners in districts with a population over ~~((one hundred fifty thousand))~~ 150,000;

(i) Persons holding an office in (a) through (h) of this subsection against whom recall charges have been filed or to a political committee having the expectation of making expenditures in support of the recall of a person holding the office;

(j) Caucus political committees;

(k) Bona fide political parties.

(2) No person, other than a bona fide political party or a caucus political committee, may make contributions to a candidate for a legislative office, county office, city council office, mayoral office, school board office, or public hospital district board of commissioners that in the aggregate exceed eight hundred dollars or to a candidate for a public office in a port district or a state office other than a legislative office that in the aggregate exceed one thousand six hundred dollars for each election in which the candidate is on the ballot or appears as a write-in candidate. Contributions to candidates subject to the limits in this section made with respect to a primary may not be made after the date of the primary. However, contributions to a candidate or a candidate's authorized committee may be made with respect to a primary until ~~((thirty))~~ 30 days after the primary, subject to the following limitations: (a) The candidate lost the primary; (b) the candidate's authorized committee has insufficient funds to pay debts outstanding as of the date of the primary; and (c) the contributions may only be raised and spent to satisfy the

outstanding debt. Contributions to candidates subject to the limits in this section made with respect to a general election may not be made after the final day of the applicable election cycle.

(3) No person, other than a bona fide political party or a caucus political committee, may make contributions to a state official, a county official, a city official, a school board member, a public hospital district commissioner, or a public official in a port district against whom recall charges have been filed, or to a political committee having the expectation of making expenditures in support of the recall of the state official, county official, city official, school board member, public hospital district commissioner, or public official in a port district during a recall campaign that in the aggregate exceed eight hundred dollars if for a legislative office, county office, school board office, public hospital district office, or city office, or one thousand six hundred dollars if for a port district office or a state office other than a legislative office.

(4)(a) Notwithstanding subsection (2) of this section, no bona fide political party or caucus political committee may make contributions to a candidate during an election cycle that in the aggregate exceed (i) eighty cents multiplied by the number of eligible registered voters in the jurisdiction from which the candidate is elected if the contributor is a caucus political committee or the governing body of a state organization, or (ii) forty cents multiplied by the number of registered voters in the jurisdiction from which the candidate is elected if the contributor is a county central committee or a legislative district committee.

(b) No candidate may accept contributions from a county central committee or a legislative district committee during an election cycle that when combined with contributions from other county central committees or legislative district committees would in the aggregate exceed forty cents times the number of registered voters in the jurisdiction from which the candidate is elected.

(5)(a) Notwithstanding subsection (3) of this section, no bona fide political party or caucus political committee may make contributions to a state official, county official, city official, school board member, public hospital district commissioner, or a public official in a port district against whom recall charges have been filed, or to a political committee having the expectation of making expenditures in support of the state official, county official, city official, school board member, public hospital district commissioner, or a public official in a port district during a recall campaign that in the aggregate exceed (i) eighty cents multiplied by the number of eligible registered voters in the jurisdiction entitled to recall the state official if the contributor is a caucus political committee or the governing body of a state organization, or (ii) forty cents multiplied by the number of registered voters in the

jurisdiction from which the candidate is elected if the contributor is a county central committee or a legislative district committee.

(b) No official holding an office specified in subsection (1) of this section against whom recall charges have been filed, no authorized committee of the official, and no political committee having the expectation of making expenditures in support of the recall of the official may accept contributions from a county central committee or a legislative district committee during an election cycle that when combined with contributions from other county central committees or legislative district committees would in the aggregate exceed forty cents multiplied by the number of registered voters in the jurisdiction from which the candidate is elected.

(6) For purposes of determining contribution limits under subsections (4) and (5) of this section, the number of eligible registered voters in a jurisdiction is the number at the time of the most recent general election in the jurisdiction.

(7) Notwithstanding subsections (2) through (5) of this section, no person other than an individual, bona fide political party, or caucus political committee may make contributions reportable under this ~~(chapter)~~ title to a caucus political committee that in the aggregate exceed eight hundred dollars in a calendar year or to a bona fide political party that in the aggregate exceed four thousand dollars in a calendar year. This subsection does not apply to loans made in the ordinary course of business.

(8) For the purposes of RCW 42.17A.125 (as recodified by this act), 42.17A.405 (as recodified by this act) through 42.17A.415 (as recodified by this act), 42.17A.450 (as recodified by this act) through 42.17A.495 (as recodified by this act), 42.17A.500 (as recodified by this act), 42.17A.560 (as recodified by this act), and 42.17A.565 (as recodified by this act), a contribution to the authorized political committee of a candidate or of an official specified in subsection (1) of this section against whom recall charges have been filed is considered to be a contribution to the candidate or official.

(9) A contribution received within the ~~(twelve)~~ 12-month period after a recall election concerning an office specified in subsection (1) of this section is considered to be a contribution during that recall campaign if the contribution is used to pay a debt or obligation incurred to influence the outcome of that recall campaign.

(10) The contributions allowed by subsection (3) of this section are in addition to those allowed by subsection (2) of this section, and the contributions allowed by subsection (5) of this section are in addition to those allowed by subsection (4) of this section.

(11) RCW 42.17A.125 (as recodified by this act), 42.17A.405 (as recodified by this act) through 42.17A.415 (as recodified by this act), 42.17A.450 (as recodified by this act) through 42.17A.495 (as recodified by this act), 42.17A.500 (as recodified by this act), 42.17A.560 (as recodified by this

act), and 42.17A.565 (as recodified by this act) apply to a special election conducted to fill a vacancy in an office specified in subsection (1) of this section. However, the contributions made to a candidate or received by a candidate for a primary or special election conducted to fill such a vacancy shall not be counted toward any of the limitations that apply to the candidate or to contributions made to the candidate for any other primary or election.

(12) Notwithstanding the other subsections of this section, no corporation or business entity not doing business in Washington state, no labor union with fewer than ~~(ten)~~ 10 members who reside in Washington state, and no political committee that has not received contributions of ten dollars or more from at least ~~(ten)~~ 10 persons registered to vote in Washington state during the preceding ~~(one hundred eighty)~~ 180 days may make contributions reportable under this ~~(chapter)~~ title to a state office candidate, to a state official against whom recall charges have been filed, or to a political committee having the expectation of making expenditures in support of the recall of the official. This subsection does not apply to loans made in the ordinary course of business.

(13) Notwithstanding the other subsections of this section, no county central committee or legislative district committee may make contributions reportable under this ~~(chapter)~~ title to a candidate specified in subsection (1) of this section, or an official specified in subsection (1) of this section against whom recall charges have been filed, or political committee having the expectation of making expenditures in support of the recall of the official specified in subsection (1) of this section if the county central committee or legislative district committee is outside of the jurisdiction entitled to elect the candidate or recall the official.

(14) No person may accept contributions that exceed the contribution limitations provided in this section.

(15) The following contributions are exempt from the contribution limits of this section:

(a) An expenditure or contribution earmarked for voter registration, for absentee ballot information, for precinct caucuses, for get-out-the-vote campaigns, for precinct judges or inspectors, for sample ballots, or for ballot counting, all without promotion of or political advertising for individual candidates;

(b) An expenditure by a political committee for its own internal organization or fund-raising without direct association with individual candidates; or

(c) An expenditure or contribution for independent expenditures as defined in ~~(RCW 42.17A.005)~~ section 231 of this act or electioneering communications as defined in ~~(RCW 42.17A.005)~~ section 222 of this act.

**Sec. 445.** RCW 42.17A.410 and 2010 c 204 s 603 are each amended to read as follows:

(1) No person may make contributions to a candidate for judicial office that in the

aggregate exceed one thousand six hundred dollars for each election in which the candidate is on the ballot or appears as a write-in candidate. Contributions made with respect to a primary may not be made after the date of the primary. However, contributions to a candidate or a candidate's authorized committee may be made with respect to a primary until ~~((thirty))~~30 days after the primary, subject to the following limitations: (a) The candidate lost the primary; (b) the candidate's authorized committee has insufficient funds to pay debts outstanding as of the date of the primary; and (c) the contributions may only be raised and spent to satisfy the outstanding debt. Contributions made with respect to a general election may not be made after the final day of the applicable election cycle.

(2) This section through RCW 42.17A.490 (as recodified by this act) apply to a special election conducted to fill a vacancy in an office. However, the contributions made to a candidate or received by a candidate for a primary or special election conducted to fill such a vacancy will not be counted toward any of the limitations that apply to the candidate or to contributions made to the candidate for any other primary or election.

(3) No person may accept contributions that exceed the contribution limitations provided in this section.

(4) The dollar limits in this section must be adjusted according to RCW 42.17A.125 (as recodified by this act).

**Sec. 446.** RCW 42.17A.415 and 2011 c 60 s 25 are each amended to read as follows:

(1) Contributions to candidates for state office made and received before December 3, 1992, are considered to be contributions under ~~((RCW 42.17.640 through 42.17.790))~~ RCW 42.17A.125 (as recodified by this act), 42.17A.405 (as recodified by this act) through 42.17A.415 (as recodified by this act), 42.17A.450 (as recodified by this act) through 42.17A.495 (as recodified by this act), 42.17A.500 (as recodified by this act), 42.17A.560 (as recodified by this act), and 42.17A.565 (as recodified by this act). Monetary contributions that exceed the contribution limitations and that have not been spent by the recipient of the contribution by December 3, 1992, must be disposed of in accordance with RCW 42.17A.430 (as recodified by this act).

(2) Contributions to other candidates subject to the contribution limits of this ~~((chapter))~~ title made and received before June 7, 2006, are considered to be contributions under ~~((RCW 42.17.640 through 42.17.790))~~ RCW 42.17A.125 (as recodified by this act), 42.17A.405 (as recodified by this act) through 42.17A.415 (as recodified by this act), 42.17A.450 (as recodified by this act) through 42.17A.495 (as recodified by this act), 42.17A.500 (as recodified by this act), 42.17A.560 (as recodified by this act), and 42.17A.565 (as recodified by this act). Contributions that exceed the contribution limitations and that have not been spent by the recipient of the contribution by June 7, 2006, must be

disposed of in accordance with RCW 42.17A.430 (as recodified by this act) except for subsections (6) and (7) of that section.

**Sec. 447.** RCW 42.17A.417 and 2020 c 152 s 9 are each amended to read as follows:

(1) A foreign national may not make a contribution to any candidate or political committee, make an expenditure in support of or in opposition to any candidate or ballot measure, or sponsor political advertising or an electioneering communication.

(2) A person may not make a contribution to any candidate or political committee, make an expenditure in support of or in opposition to any candidate or ballot measure, or sponsor political advertising or an electioneering communication, if:

(a) The contribution, expenditure, political advertising, or electioneering communication is financed in any part by a foreign national; or

(b) Foreign nationals are involved in making decisions regarding the contribution, expenditure, political advertising, or electioneering communication in any way.

**Sec. 448.** RCW 42.17A.418 and 2020 c 152 s 10 are each amended to read as follows:

(1) Each candidate or political committee that has accepted a contribution, and each out-of-state committee that has accepted a contribution reportable under RCW 42.17A.250 (as recodified by this act), from a partnership, association, corporation, organization, or other combination of persons must receive a certification from each contributor that:

(a) The contribution is not financed in any part by a foreign national; and

(b) Foreign nationals are not involved in making decisions regarding the contribution in any way.

(2) The certifications must be maintained for a period of no less than three years after the date of the applicable election.

(3) At the request of the commission, each candidate or committee required to comply with subsection (1) of this section must provide to the commission copies of the certifications maintained under this section.

**Sec. 449.** RCW 42.17A.420 and 2019 c 428 s 27 are each amended to read as follows:

(1) It is a violation of this ~~((chapter))~~ title for any person to make, or for any candidate or political committee to accept from any one person, contributions reportable under RCW 42.17A.240 (as recodified by this act) in the aggregate exceeding fifty thousand dollars for any campaign for statewide office or exceeding five thousand dollars for any other campaign subject to the provisions of this ~~((chapter))~~ title within ~~((twenty-one))~~21 days of a general election. This subsection does not apply to:

(a) Contributions made by, or accepted from, a bona fide political party as defined in this ~~((chapter))~~ title, excluding the

county central committee or legislative district committee;

(b) Contributions made to, or received by, a ballot proposition committee; or

(c) Payments received by an incidental committee.

(2) Contributions governed by this section include, but are not limited to, contributions made or received indirectly through a third party or entity whether the contributions are or are not reported to the commission as earmarked contributions under RCW 42.17A.270 (as recodified by this act).

**Sec. 450.** RCW 42.17A.425 and 2010 c 204 s 605 are each amended to read as follows:

No expenditures may be made or incurred by any candidate or political committee unless authorized by the candidate or the person or persons named on the candidate's or committee's registration form. A record of all such expenditures shall be maintained by the treasurer.

No expenditure of more than fifty dollars may be made in currency unless a receipt, signed by the recipient and by the candidate or treasurer, is prepared and made a part of the campaign's or political committee's financial records.

**Sec. 451.** RCW 42.17A.430 and 2010 c 204 s 606 are each amended to read as follows:

The surplus funds of a candidate or a candidate's authorized committee may only be disposed of in any one or more of the following ways:

(1) Return the surplus to a contributor in an amount not to exceed that contributor's original contribution;

(2) Using surplus, reimburse the candidate for lost earnings incurred as a result of that candidate's election campaign. Lost earnings shall be verifiable as unpaid salary or, when the candidate is not salaried, as an amount not to exceed income received by the candidate for services rendered during an appropriate, corresponding time period. All lost earnings incurred shall be documented and a record thereof shall be maintained by the candidate or the candidate's authorized committee. The committee shall maintain a copy of this record in accordance with RCW 42.17A.235(6) (as recodified by this act);

(3) Transfer the surplus without limit to a political party or to a caucus political committee;

(4) Donate the surplus to a charitable organization registered in accordance with chapter 19.09 RCW;

(5) Transmit the surplus to the state treasurer for deposit in the general fund, the Washington state legacy project, state library, and archives account under RCW 43.07.380, or the legislative international trade account under RCW 43.15.050, as specified by the candidate or political committee; or

(6) Hold the surplus in the depository or depositories designated in accordance with RCW 42.17A.215 (as recodified by this act) for possible use in a future election campaign for the same office last sought by

the candidate and report any such disposition in accordance with RCW 42.17A.240 (as recodified by this act). If the candidate subsequently announces or publicly files for office, the appropriate information must be reported to the commission in accordance with RCW 42.17A.205 (as recodified by this act) through 42.17A.240 (as recodified by this act). If a subsequent office is not sought the surplus held shall be disposed of in accordance with the requirements of this section.

(7) Hold the surplus campaign funds in a separate account for nonreimbursed public office-related expenses or as provided in this section, and report any such disposition in accordance with RCW 42.17A.240 (as recodified by this act). The separate account required under this subsection shall not be used for deposits of campaign funds that are not surplus.

(8) No candidate or authorized committee may transfer funds to any other candidate or other political committee.

The disposal of surplus funds under this section shall not be considered a contribution for purposes of this ~~(chapter)~~ title.

**Sec. 452.** RCW 42.17A.435 and 1975 1st ex.s. c 294 s 8 are each amended to read as follows:

No contribution shall be made and no expenditure shall be incurred, directly or indirectly, in a fictitious name, anonymously, or by one person through an agent, relative, or other person in such a manner as to conceal the identity of the source of the contribution or in any other manner so as to effect concealment.

**Sec. 453.** RCW 42.17A.440 and 2010 c 204 s 607 are each amended to read as follows:

A candidate may not knowingly establish, use, direct, or control more than one political committee for the purpose of supporting that candidate during a particular election campaign. This does not prohibit: (1) In addition to a candidate's having his or her own political committee, the candidate's participation in a political committee established to support a slate of candidates that includes the candidate; or (2) joint fund-raising efforts by candidates when a separate political committee is established for that purpose and all contributions are disbursed to and accounted for on a pro rata basis by the benefiting candidates.

**Sec. 454.** RCW 42.17A.442 and 2011 c 145 s 5 are each amended to read as follows:

A political committee may make a contribution to another political committee only when the contributing political committee has received contributions of ten dollars or more each from at least ~~(ten)~~ 10 persons registered to vote in Washington state.

**Sec. 455.** RCW 42.17A.445 and 2022 c 174 s 1 are each amended to read as follows:

Contributions received and reported in accordance with RCW 42.17A.220 (as recodified by this act) through 42.17A.240 (as recodified by this act) and 42.17A.425 (as recodified by this act) may only be paid to a candidate, or a treasurer or other individual or expended for such individual's personal use under the following circumstances:

(1) Reimbursement for or payments to cover lost earnings incurred as a result of campaigning or services performed for the political committee. Lost earnings shall be verifiable as unpaid salary, or when the individual is not salaried, as an amount not to exceed income received by the individual for services rendered during an appropriate, corresponding time period. All lost earnings incurred shall be documented and a record shall be maintained by the candidate or the candidate's authorized committee in accordance with RCW 42.17A.235 (as recodified by this act).

(2) Reimbursement for direct out-of-pocket election campaign and postelection campaign related expenses made by the individual. For example, expenses for child care or other direct caregiving responsibilities may be reimbursed if they are incurred directly as a result of the candidate's campaign activities. To receive reimbursement from the political committee, the individual shall provide the political committee with written documentation as to the amount, date, and description of each expense, and the political committee shall include a copy of such information when its expenditure for such reimbursement is reported pursuant to RCW 42.17A.240 (as recodified by this act).

(3) Repayment of loans made by the individual to political committees shall be reported pursuant to RCW 42.17A.240 (as recodified by this act). However, contributions may not be used to reimburse a candidate for loans totaling more than four thousand seven hundred dollars made by the candidate to the candidate's own authorized committee.

**Sec. 456.** RCW 42.17A.450 and 2018 c 304 s 11 are each amended to read as follows:

(1) Contributions by spouses are considered separate contributions.

(2) Contributions by unemancipated children under ~~((eighteen))~~ 18 years of age are considered contributions by their parents and are attributed proportionately to each parent. Fifty percent of the contributions are attributed to each parent or, in the case of a single custodial parent, the total amount is attributed to the parent.

**Sec. 457.** RCW 42.17A.455 and 2010 c 204 s 609 are each amended to read as follows:

For purposes of this ~~((chapter))~~ title:

(1) A contribution by a political committee with funds that have all been contributed by one person who exercises exclusive control over the distribution of the funds of the political committee is a contribution by the controlling person.

(2) Two or more entities are treated as a single entity if one of the two or more entities is a subsidiary, branch, or department of a corporation that is participating in an election campaign or making contributions, or a local unit or branch of a trade association, labor union, or collective bargaining association that is participating in an election campaign or making contributions. All contributions made by a person or political committee whose contribution or expenditure activity is financed, maintained, or controlled by a trade association, labor union, collective bargaining organization, or the local unit of a trade association, labor union, or collective bargaining organization are considered made by the trade association, labor union, collective bargaining organization, or local unit of a trade association, labor union, or collective bargaining organization.

(3) The commission shall adopt rules to carry out this section and is not subject to the time restrictions of RCW 42.17A.110(1) (as recodified by this act).

**Sec. 458.** RCW 42.17A.460 and 1993 c 2 s 7 are each amended to read as follows:

All contributions made by a person or entity, either directly or indirectly, to a candidate, to a state official against whom recall charges have been filed, or to a political committee, are considered to be contributions from that person or entity to the candidate, state official, or political committee, as are contributions that are in any way earmarked or otherwise directed through an intermediary or conduit to the candidate, state official, or political committee. For the purposes of this section, "earmarked" means a designation, instruction, or encumbrance, whether direct or indirect, expressed or implied, or oral or written, that is intended to result in or does result in all or any part of a contribution being made to a certain candidate or state official. If a conduit or intermediary exercises any direction or control over the choice of the recipient candidate or state official, the contribution is considered to be by both the original contributor and the conduit or intermediary.

**Sec. 459.** RCW 42.17A.465 and 2010 c 204 s 610 are each amended to read as follows:

(1) A loan is considered to be a contribution from the lender and any guarantor of the loan and is subject to the contribution limitations of this ~~((chapter))~~ title. The full amount of the loan shall be attributed to the lender and to each guarantor.

(2) A loan to a candidate for public office or the candidate's authorized committee must be by written agreement.

(3) The proceeds of a loan made to a candidate for public office:

- (a) By a commercial lending institution;
- (b) Made in the regular course of business; and
- (c) On the same terms ordinarily available to members of the public, are not

subject to the contribution limits of this ((chapter)) title.

**Sec. 460.** RCW 42.17A.470 and 1993 c 2 s 13 are each amended to read as follows:

(1) A person, other than an individual, may not be an intermediary or an agent for a contribution.

(2) An individual may not make a contribution on behalf of another person or entity, or while acting as the intermediary or agent of another person or entity, without disclosing to the recipient of the contribution both his or her full name, street address, occupation, name of employer, if any, or place of business if self-employed, and the same information for each contributor for whom the individual serves as intermediary or agent.

**Sec. 461.** RCW 42.17A.475 and 2019 c 428 s 28 are each amended to read as follows:

(1) A person may not make a contribution of more than one hundred dollars, other than an in-kind contribution, except by a written instrument containing the name of the donor and the name of the payee.

(2) A political committee may not make a contribution, other than in-kind, except by a written instrument containing the name of the donor and the name of the payee.

**Sec. 462.** RCW 42.17A.480 and 1995 c 397 s 25 are each amended to read as follows:

A person may not solicit from a candidate for public office, political committee, political party, or other person money or other property as a condition or consideration for an endorsement, article, or other communication in the news media promoting or opposing a candidate for public office, political committee, or political party.

**Sec. 463.** RCW 42.17A.485 and 1995 c 397 s 26 are each amended to read as follows:

A person may not, directly or indirectly, reimburse another person for a contribution to a candidate for public office, political committee, or political party.

**Sec. 464.** RCW 42.17A.490 and 2010 c 204 s 612 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, a candidate for public office or the candidate's authorized committee may not use or permit the use of contributions, whether or not surplus, solicited for or received by the candidate or the candidate's authorized committee to further the candidacy of the individual for an office other than the office designated on the statement of organization. A contribution solicited for or received on behalf of the candidate is considered solicited or received for the candidacy for which the individual is then a candidate if the contribution is solicited or received

before the general election for which the candidate is a nominee or is unopposed.

(2) With the written approval of the contributor, a candidate or the candidate's authorized committee may use or permit the use of contributions, whether or not surplus, solicited for or received by the candidate or the candidate's authorized committee from that contributor to further the candidacy of the individual for an office other than the office designated on the statement of organization. If the contributor does not approve the use of his or her contribution to further the candidacy of the individual for an office other than the office designated on the statement of organization at the time of the contribution, the contribution must be considered surplus funds and disposed of in accordance with RCW 42.17A.430 (as recodified by this act).

**Sec. 465.** RCW 42.17A.495 and 2010 c 204 s 613 are each amended to read as follows:

(1) No employer or labor organization may increase the salary of an officer or employee, or compensate an officer, employee, or other person or entity, with the intention that the increase in salary, or the compensation, or a part of it, be contributed or spent to support or oppose a candidate, state official against whom recall charges have been filed, political party, or political committee.

(2) No employer or labor organization may discriminate against an officer or employee in the terms or conditions of employment for (a) the failure to contribute to, (b) the failure in any way to support or oppose, or (c) in any way supporting or opposing a candidate, ballot proposition, political party, or political committee. At least annually, an employee from whom wages or salary are withheld under subsection (3) of this section shall be notified of the provisions of this subsection.

(3) No employer or other person or entity responsible for the disbursement of funds in payment of wages or salaries may withhold or divert a portion of an employee's wages or salaries for contributions to political committees or for use as political contributions except upon the written request of the employee. The request must be made on a form prescribed by the commission informing the employee of the prohibition against employer and labor organization discrimination described in subsection (2) of this section. The employee may revoke the request at any time. At least annually, the employee shall be notified about the right to revoke the request.

(4) Each person or entity who withholds contributions under subsection (3) of this section shall maintain open for public inspection for a period of no less than three years, during normal business hours, documents and books of accounts that shall include a copy of each employee's request, the amounts and dates funds were actually withheld, and the amounts and dates funds were transferred to a political committee. Copies of such information shall be delivered to the commission upon request.

**Sec. 466.** RCW 42.17A.500 and 2007 c 438 s 1 are each amended to read as follows:

(1) A labor organization may not use agency shop fees paid by an individual who is not a member of the organization to make contributions or expenditures to influence an election or to operate a political committee, unless affirmatively authorized by the individual.

(2) A labor organization does not use agency shop fees when it uses its general treasury funds to make such contributions or expenditures if it has sufficient revenues from sources other than agency shop fees in its general treasury to fund such contributions or expenditures.

**Sec. 467.** RCW 42.17A.550 and 2008 c 29 s 1 are each amended to read as follows:

Public funds, whether derived through taxes, fees, penalties, or any other sources, shall not be used to finance political campaigns for state or school district office. A county, city, town, or district that establishes a program to publicly finance local political campaigns may only use funds derived from local sources to fund the program. A local government must submit any proposal for public financing of local political campaigns to voters for their adoption and approval or rejection.

**Sec. 468.** RCW 42.17A.555 and 2010 c 204 s 701 are each amended to read as follows:

No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities:

(1) Action taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal

opportunity for the expression of an opposing view;

(2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;

(3) Activities which are part of the normal and regular conduct of the office or agency.

(4) This section does not apply to any person who is a state officer or state employee as defined in RCW 42.52.010.

**Sec. 469.** RCW 42.17A.560 and 2006 c 348 s 5 and 2006 c 344 s 31 are each reenacted and amended to read as follows:

(1) During the period beginning on the thirtieth day before the date a regular legislative session convenes and continuing through the date of final adjournment, and during the period beginning on the date a special legislative session convenes and continuing through the date that session adjourns, no state official or a person employed by or acting on behalf of a state official or state legislator may solicit or accept contributions to a public office fund, to a candidate or authorized committee, or to retire a campaign debt. Contributions received through the mail after the thirtieth day before a regular legislative session may be accepted if the contribution is postmarked prior to the thirtieth day before the session.

(2) This section does not apply to activities authorized in RCW 43.07.370.

**Sec. 470.** RCW 42.17A.565 and 1995 c 397 s 24 are each amended to read as follows:

(1) No state or local official or state or local official's agent may knowingly solicit, directly or indirectly, a contribution to a candidate for public office, political party, or political committee from an employee in the state or local official's agency.

(2) No state or local official or public employee may provide an advantage or disadvantage to an employee or applicant for employment in the classified civil service concerning the applicant's or employee's:

- (a) Employment;
- (b) Conditions of employment; or
- (c) Application for employment,

based on the employee's or applicant's contribution or promise to contribute or failure to make a contribution or contribute to a political party or political committee.

**Sec. 471.** RCW 42.17A.570 and 2010 c 204 s 702 are each amended to read as follows:

After January 1st and before April 15th of each calendar year, the state treasurer, each county, public utility district, and port district treasurer, and each treasurer of an incorporated city or town whose population exceeds (~~one thousand~~) 1,000 shall file with the commission:

(1) A statement under oath that no public funds under that treasurer's control were invested in any institution where the treasurer or, in the case of a county, a

member of the county finance committee, held during the reporting period an office, directorship, partnership interest, or ownership interest; or

(2) A report disclosing for the previous calendar year: (a) The name and address of each financial institution in which the treasurer or, in the case of a county, a member of the county finance committee, held during the reporting period an office, directorship, partnership interest, or ownership interest which holds or has held during the reporting period public accounts of the governmental entity for which the treasurer is responsible; (b) the aggregate sum of time and demand deposits held in each such financial institution on December 31; and (c) the highest balance held at any time during such reporting period. The state treasurer shall disclose the highest balance information only upon a public records request under chapter 42.56 RCW. The statement or report required by this section shall be filed either with the statement required under RCW 42.17A.700 (as recodified by this act) or separately.

**Sec. 472.** RCW 42.17A.575 and 2010 c 204 s 703 are each amended to read as follows:

No state-elected official or municipal officer may speak or appear in a public service announcement that is broadcast, shown, or distributed in any form whatsoever during the period beginning January 1st and continuing through the general election if that official or officer is a candidate. If the official or officer does not control the broadcast, showing, or distribution of a public service announcement in which he or she speaks or appears, then the official or officer shall contractually limit the use of the public service announcement to be consistent with this section prior to participating in the public service announcement. This section does not apply to public service announcements that are part of the regular duties of the office that only mention or visually display the office or office seal or logo and do not mention or visually display the name of the official or officer in the announcement.

**Sec. 473.** RCW 42.17A.600 and 2019 c 469 s 2 and 2019 c 428 s 29 are each reenacted and amended to read as follows:

(1) Before lobbying, or within ~~((thirty))~~ 30 days after being employed as a lobbyist, whichever occurs first, unless exempt under RCW 42.17A.610 (as recodified by this act), a lobbyist shall register by filing with the commission a lobbyist registration statement, in such detail as the commission shall prescribe, that includes the following information:

(a) The lobbyist's name, permanent business address, electronic contact information, and any temporary residential and business addresses in Thurston county during the legislative session;

(b) The name, address and occupation or business of the lobbyist's employer;

(c) The duration of the lobbyist's employment;

(d) The compensation to be received for lobbying, the amount to be paid for expenses, and what expenses are to be reimbursed;

(e) Whether the lobbyist is employed solely as a lobbyist or whether the lobbyist is a regular employee performing services for the lobbyist's employer which include but are not limited to the influencing of legislation;

(f) The general subject or subjects to be lobbied;

(g) A written authorization from each of the lobbyist's employers confirming such employment;

(h) The name, address, and electronic contact information of the person who will have custody of the accounts, bills, receipts, books, papers, and documents required to be kept under this ~~((chapter))~~ title;

(i) If the lobbyist's employer is an entity (including, but not limited to, business and trade associations) whose members include, or which as a representative entity undertakes lobbying activities for, businesses, groups, associations, or organizations, the name and address of each member of such entity or person represented by such entity whose fees, dues, payments, or other consideration paid to such entity during either of the prior two years have exceeded five hundred dollars or who is obligated to or has agreed to pay fees, dues, payments, or other consideration exceeding five hundred dollars to such entity during the current year;

(j) An attestation that the lobbyist has read and completed a training course provided under RCW 44.04.390 regarding the legislative code of conduct and any policies related to appropriate conduct adopted by the senate or the house of representatives.

(2) Any lobbyist who receives or is to receive compensation from more than one person for lobbying shall file a separate notice of representation for each person. However, if two or more persons are jointly paying or contributing to the payment of the lobbyist, the lobbyist may file a single statement detailing the name, business address, and occupation of each person paying or contributing and the respective amounts to be paid or contributed.

(3) Whenever a change, modification, or termination of the lobbyist's employment occurs, the lobbyist shall file with the commission an amended registration statement within one week of the change, modification, or termination.

(4) Each registered lobbyist shall file a new registration statement, revised as appropriate, on the second Monday in January of each odd-numbered year. Failure to do so terminates the lobbyist's registration.

**Sec. 474.** RCW 42.17A.603 and 2019 c 469 s 4 are each amended to read as follows:

(1) A lobbyist who is registered under RCW 42.17A.600 (as recodified by this act) before December 31, 2019, is required to update the lobbyist's registration materials to include the attestation required by RCW 42.17A.600(1)(j) (as recodified by this act) by December 31, 2019.



(2) The commission shall revoke the registration of any lobbyist registered under RCW 42.17A.600 (as recodified by this act) who does not comply with subsection (1) of this section.

(3) The commission may not impose any other penalty on a lobbyist registered under RCW 42.17A.600 (as recodified by this act) for failure to comply with subsection (1) of this section.

(4) The commission shall collaborate with the chief clerk of the house of representatives and the secretary of the senate to develop a process to verify that lobbyists who submit an attestation under RCW 42.17A.600(1)(j) (as recodified by this act) have completed the training course provided under RCW 44.04.390.

**Sec. 475.** RCW 42.17A.605 and 2019 c 469 s 3 and 2019 c 428 s 30 are each reenacted and amended to read as follows:

Each lobbyist shall at the time the lobbyist registers submit electronically to the commission a recent photograph of the lobbyist of a size and format as determined by rule of the commission, together with the name of the lobbyist's employer, the length of the lobbyist's employment as a lobbyist before the legislature, a brief biographical description, and any other information the lobbyist may wish to submit not to exceed ~~((fifty))~~ 50 words in length. The photograph, information, and attestation submitted under RCW 42.17A.600(1)(j) (as recodified by this act) shall be published by the commission on its website.

**Sec. 476.** RCW 42.17A.610 and 2019 c 428 s 31 are each amended to read as follows:

The following persons and activities are exempt from registration and reporting under RCW 42.17A.600 (as recodified by this act), 42.17A.615 (as recodified by this act), and 42.17A.640 (as recodified by this act):

(1) Persons who limit their lobbying activities to appearing before public sessions of committees of the legislature, or public hearings of state agencies;

(2) Activities by lobbyists or other persons whose participation has been solicited by an agency under RCW 34.05.310(2);

(3) News or feature reporting activities and editorial comment by working members of the press, radio, digital media, or television and the publication or dissemination thereof by a newspaper, book publisher, regularly published periodical, radio station, digital platform, or television station;

(4) Persons who lobby without compensation or other consideration for acting as a lobbyist, if the person makes no expenditure for or on behalf of any member of the legislature or elected official or public officer or employee of the state of Washington in connection with such lobbying. The exemption contained in this subsection is intended to permit and encourage citizens of this state to lobby any legislator, public official, or state agency without incurring any registration or reporting obligation provided they do not exceed the

limits stated above. Any person exempt under this subsection (4) may at the person's option register and report under this ~~((chapter))~~ title;

(5) Persons who restrict their lobbying activities to no more than four days or parts of four days during any three-month period and whose total expenditures during such three-month period for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington in connection with such lobbying do not exceed twenty-five dollars. The commission shall adopt rules to require disclosure by persons exempt under this subsection or their employers or entities which sponsor or coordinate the lobbying activities of such persons if it determines that such regulations are necessary to prevent frustration of the purposes of this ~~((chapter))~~ title. Any person exempt under this subsection (5) may at the person's option register and report under this ~~((chapter))~~ title;

(6) The governor;

(7) The lieutenant governor;

(8) Except as provided by RCW 42.17A.635(1) (as recodified by this act), members of the legislature;

(9) Except as provided by RCW 42.17A.635(1) (as recodified by this act), persons employed by the legislature for the purpose of aiding in the preparation or enactment of legislation or the performance of legislative duties;

(10) Elected officials, and officers and employees of any agency reporting under RCW 42.17A.635(5) (as recodified by this act).

**Sec. 477.** RCW 42.17A.615 and 2019 c 428 s 32 are each amended to read as follows:

(1) Any lobbyist registered under RCW 42.17A.600 (as recodified by this act) and any person who lobbies shall file electronically with the commission monthly reports of the lobbyist's or person's lobbying activities. The reports shall be made in the form and manner prescribed by the commission and must be signed by the lobbyist. The monthly report shall be filed within ~~((fifteen))~~ 15 days after the last day of the calendar month covered by the report.

(2) The monthly report shall contain:

(a) The totals of all expenditures for lobbying activities made or incurred by the lobbyist or on behalf of the lobbyist by the lobbyist's employer during the period covered by the report. Expenditure totals for lobbying activities shall be segregated according to financial category, including compensation; food and refreshments; living accommodations; advertising; travel; contributions; and other expenses or services. Each individual expenditure of more than twenty-five dollars for entertainment shall be identified by date, place, amount, and the names of all persons taking part in the entertainment, along with the dollar amount attributable to each person, including the lobbyist's portion.

(b) In the case of a lobbyist employed by more than one employer, the proportionate amount of expenditures in each category

incurred on behalf of each of the lobbyist's employers.

(c) An itemized listing of each contribution of money or of tangible or intangible personal property, whether contributed by the lobbyist personally or delivered or transmitted by the lobbyist, to any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition, or for or on behalf of any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition. All contributions made to, or for the benefit of, any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition shall be identified by date, amount, and the name of the candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition receiving, or to be benefited by each such contribution.

(d) The subject matter of proposed legislation or other legislative activity or rule making under chapter 34.05 RCW, the state administrative procedure act, and the state agency considering the same, which the lobbyist has been engaged in supporting or opposing during the reporting period, unless exempt under RCW 42.17A.610(2) (as recodified by this act).

(e) A listing of each payment for an item specified in RCW 42.52.150(5) in excess of fifty dollars and each item specified in RCW 42.52.010(9) (d) and (f) made to a state elected official, state officer, or state employee. Each item shall be identified by recipient, date, and approximate value of the item.

(f) The total expenditures paid or incurred during the reporting period by the lobbyist for lobbying purposes, whether through or on behalf of a lobbyist or otherwise, for (i) political advertising as defined in ((RCW 42.17A.005))section 241 of this act; and (ii) public relations, telemarketing, polling, or similar activities if the activities, directly or indirectly, are intended, designed, or calculated to influence legislation or the adoption or rejection of a rule, standard, or rate by an agency under the administrative procedure act. The report shall specify the amount, the person to whom the amount was paid, and a brief description of the activity.

(3) Lobbyists are not required to report the following:

(a) Unreimbursed personal living and travel expenses not incurred directly for lobbying;

(b) Any expenses incurred for the lobbyist's own living accommodations;

(c) Any expenses incurred for the lobbyist's own travel to and from hearings of the legislature;

(d) Any expenses incurred for telephone, and any office expenses, including rent and salaries and wages paid for staff and secretarial assistance.

(4) The commission may adopt rules to vary the content of lobbyist reports to

address specific circumstances, consistent with this section. Lobbyist reports are subject to audit by the commission.

**Sec. 478.** RCW 42.17A.620 and 2010 c 204 s 805 are each amended to read as follows:

(1) When a listing or a report of contributions is made to the commission under RCW 42.17A.615(2)(c) (as recodified by this act), a copy of the listing or report must be given to the candidate, elected official, professional staff member of the legislature, or officer or employee of an agency, or a political committee supporting or opposing a ballot proposition named in the listing or report.

(2) If a state elected official or a member of the official's immediate family is identified by a lobbyist in a lobbyist report as having received from the lobbyist an item specified in RCW 42.52.150(5) or 42.52.010 ((+10+)) (9) (d) or (f), the lobbyist shall transmit to the official a copy of the completed form used to identify the item in the report at the same time the report is filed with the commission.

**Sec. 479.** RCW 42.17A.625 and 2010 c 204 s 806 are each amended to read as follows:

Any lobbyist registered under RCW 42.17A.600 (as recodified by this act), any person who lobbies, and any lobbyist's employer making a contribution or an aggregate of contributions to a single entity that is one thousand dollars or more during a special reporting period, as specified in RCW 42.17A.265 (as recodified by this act), before a primary or general election shall file one or more special reports in the same manner and to the same extent that a contributing political committee must file under RCW 42.17A.265 (as recodified by this act).

**Sec. 480.** RCW 42.17A.630 and 2019 c 428 s 33 are each amended to read as follows:

(1) Every employer of a lobbyist registered under this ((chapter))title during the preceding calendar year and every person other than an individual who made contributions aggregating to more than sixteen thousand dollars or independent expenditures aggregating to more than eight hundred dollars during the preceding calendar year shall file with the commission on or before the last day of February of each year a statement disclosing for the preceding calendar year the following information:

(a) The name of each state elected official and the name of each candidate for state office who was elected to the office and any member of the immediate family of those persons to whom the person reporting has paid any compensation in the amount of eight hundred dollars or more during the preceding calendar year for personal employment or professional services, including professional services rendered by a corporation, partnership, joint venture, association, union, or other entity in which

the person holds any office, directorship, or any general partnership interest, or an ownership interest of (~~ten~~)10 percent or more, the value of the compensation in accordance with the reporting provisions set out in RCW 42.17A.710(3) (as recodified by this act), and the consideration given or performed in exchange for the compensation.

(b) The name of each state elected official, successful candidate for state office, or members of the official's or candidate's immediate family to whom the person reporting made expenditures, directly or indirectly, either through a lobbyist or otherwise, the amount of the expenditures and the purpose for the expenditures. For the purposes of this subsection, "expenditure" shall not include any expenditure made by the employer in the ordinary course of business if the expenditure is not made for the purpose of influencing, honoring, or benefiting the elected official, successful candidate, or member of his immediate family, as an elected official or candidate.

(c) The total expenditures made by the person reporting for lobbying purposes, whether through or on behalf of a registered lobbyist or otherwise.

(d) All contributions made to a political committee supporting or opposing a candidate for state office, or to a political committee supporting or opposing a statewide ballot proposition. Such contributions shall be identified by the name and the address of the recipient and the aggregate amount contributed to each such recipient.

(e) The name and address of each registered lobbyist employed by the person reporting and the total expenditures made by the person reporting for each lobbyist for lobbying purposes.

(f) The names, offices sought, and party affiliations of candidates for state offices supported or opposed by independent expenditures of the person reporting and the amount of each such expenditure.

(g) The identifying proposition number and a brief description of any statewide ballot proposition supported or opposed by expenditures not reported under (d) of this subsection and the amount of each such expenditure.

(h) Any other information the commission prescribes by rule.

(2)(a) Except as provided in (b) of this subsection, an employer of a lobbyist registered under this (~~chapter~~)title shall file a special report with the commission if the employer makes a contribution or contributions aggregating more than one hundred dollars in a calendar month to any one of the following: A candidate, elected official, officer or employee of an agency, or political committee. The report shall identify the date and amount of each such contribution and the name of the candidate, elected official, agency officer or employee, or political committee receiving the contribution or to be benefited by the contribution. The report shall be filed on a form prescribed by the commission and shall be filed within (~~fifteen~~)15 days after the last day of the calendar month during which the contribution was made.

(b) The provisions of (a) of this subsection do not apply to a contribution that is made through a registered lobbyist and reportable under RCW 42.17A.425 (as recodified by this act).

**Sec. 481.** RCW 42.17A.635 and 2010 c 204 s 808 are each amended to read as follows:

(1) The house of representatives and the senate shall report annually: The total budget; the portion of the total attributed to staff; and the number of full-time and part-time staff positions by assignment, with dollar figures as well as number of positions.

(2) Unless authorized by subsection (3) of this section or otherwise expressly authorized by law, no public funds may be used directly or indirectly for lobbying. However, this does not prevent officers or employees of an agency from communicating with a member of the legislature on the request of that member; or communicating to the legislature, through the proper official channels, requests for legislative action or appropriations that are deemed necessary for the efficient conduct of the public business or actually made in the proper performance of their official duties. This subsection does not apply to the legislative branch.

(3) Any agency, not otherwise expressly authorized by law, may expend public funds for lobbying, but such lobbying activity shall be limited to (a) providing information or communicating on matters pertaining to official agency business to any elected official or officer or employee of any agency or (b) advocating the official position or interests of the agency to any elected official or officer or employee of any agency. Public funds may not be expended as a direct or indirect gift or campaign contribution to any elected official or officer or employee of any agency. For the purposes of this subsection, "gift" means a voluntary transfer of any thing of value without consideration of equal or greater value, but does not include informational material transferred for the sole purpose of informing the recipient about matters pertaining to official agency business. This section does not permit the printing of a state publication that has been otherwise prohibited by law.

(4) No elective official or any employee of his or her office or any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, in any effort to support or oppose an initiative to the legislature. "Facilities of a public office or agency" has the same meaning as in RCW 42.17A.555 (as recodified by this act) and 42.52.180. The provisions of this subsection shall not apply to the following activities:

(a) Action taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose an initiative to the legislature so long as (i) any required

notice of the meeting includes the title and number of the initiative to the legislature, and (ii) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(b) A statement by an elected official in support of or in opposition to any initiative to the legislature at an open press conference or in response to a specific inquiry;

(c) Activities that are part of the normal and regular conduct of the office or agency;

(d) Activities conducted regarding an initiative to the legislature that would be permitted under RCW 42.17A.555 (as recodified by this act) and 42.52.180 if conducted regarding other ballot measures.

(5) Each state agency, county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district that expends public funds for lobbying shall file with the commission, except as exempted by (d) of this subsection, quarterly statements providing the following information for the quarter just completed:

(a) The name of the agency filing the statement;

(b) The name, title, and job description and salary of each elected official, officer, or employee who lobbied, a general description of the nature of the lobbying, and the proportionate amount of time spent on the lobbying;

(c) A listing of expenditures incurred by the agency for lobbying including but not limited to travel, consultant or other special contractual services, and brochures and other publications, the principal purpose of which is to influence legislation;

(d) For purposes of this subsection, "lobbying" does not include:

(i) Requests for appropriations by a state agency to the office of financial management pursuant to chapter 43.88 RCW nor requests by the office of financial management to the legislature for appropriations other than its own agency budget requests;

(ii) Recommendations or reports to the legislature in response to a legislative request expressly requesting or directing a specific study, recommendation, or report by an agency on a particular subject;

(iii) Official reports including recommendations submitted to the legislature on an annual or biennial basis by a state agency as required by law;

(iv) Requests, recommendations, or other communication between or within state agencies or between or within local agencies;

(v) Any other lobbying to the extent that it includes:

(A) Telephone conversations or preparation of written correspondence;

(B) In-person lobbying on behalf of an agency of no more than four days or parts thereof during any three-month period by officers or employees of that agency and in-person lobbying by any elected official of such agency on behalf of such agency or in connection with the powers, duties, or compensation of such official. The total

expenditures of nonpublic funds made in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington may not exceed fifteen dollars for any three-month period. The exemption under this subsection (5)(d)(v)(B) is in addition to the exemption provided in (d)(v)(A) of this subsection;

(C) Preparation or adoption of policy positions.

The statements shall be in the form and the manner prescribed by the commission and shall be filed within one month after the end of the quarter covered by the report.

(6) In lieu of reporting under subsection (5) of this section, any county, city, town, municipal corporation, quasi municipal corporation, or special purpose district may determine and so notify the public disclosure commission that elected officials, officers, or employees who, on behalf of any such local agency, engage in lobbying reportable under subsection (5) of this section shall register and report such reportable lobbying in the same manner as a lobbyist who is required to register and report under RCW 42.17A.600 (as recodified by this act) and 42.17A.615 (as recodified by this act). Each such local agency shall report as a lobbyist employer pursuant to RCW 42.17A.630 (as recodified by this act).

(7) The provisions of this section do not relieve any elected official or officer or employee of an agency from complying with other provisions of this ~~(chapter)~~ title, if such elected official, officer, or employee is not otherwise exempted.

(8) The purpose of this section is to require each state agency and certain local agencies to report the identities of those persons who lobby on behalf of the agency for compensation, together with certain separately identifiable and measurable expenditures of an agency's funds for that purpose. This section shall be reasonably construed to accomplish that purpose and not to require any agency to report any of its general overhead cost or any other costs that relate only indirectly or incidentally to lobbying or that are equally attributable to or inseparable from nonlobbying activities of the agency.

The public disclosure commission may adopt rules clarifying and implementing this legislative interpretation and policy.

**Sec. 482.** RCW 42.17A.640 and 2023 c 413 s 1 are each amended to read as follows:

(1) Any person who has made expenditures, not reported by a registered lobbyist under RCW 42.17A.615 (as recodified by this act) or by a candidate or political committee under RCW 42.17A.225 (as recodified by this act) or 42.17A.235 (as recodified by this act), exceeding one thousand dollars in the aggregate within any three-month period or exceeding five hundred dollars in the aggregate within any one-month period in presenting a campaign to the public, a substantial portion of which is intended, designed, or calculated primarily to solicit, urge, or encourage the public to influence legislation, shall register and

report, as provided in subsection (2) of this section, as a sponsor of a grass roots lobbying campaign.

(2)(a) The sponsor shall register by filing with the commission a registration statement:

(i) Within 24 hours of the initial presentation of the campaign to the public during the period:

(A) Beginning on the 30th day before a regular legislative session convenes and continuing through the date of final adjournment of that session; or

(B) Beginning on the date that a special legislative session has been called or 30 days before the special legislative session is scheduled to convene, whichever is later, and continuing through the date of final adjournment of that session; or

(ii) Within five business days of the initial presentation of the campaign to the public during any other period.

(b) The registration must show, in such detail as the commission shall prescribe:

(i) The sponsor's name, address, and business or occupation and employer, and, if the sponsor is not an individual, the names, addresses, and titles of the controlling persons responsible for managing the sponsor's affairs;

(ii) The names, addresses, and business or occupation and employer of all persons organizing and managing the campaign, or hired to assist the campaign, including any public relations or advertising firms participating in the campaign, and the terms of compensation for all such persons;

(iii) Each source of funding for the campaign of \$25 or more, including:

(A) General treasury funds. The name and address of each business, union, group, association, or other organization using general treasury funds for the campaign; however, if such entity undertakes a special solicitation of its members or other persons for the campaign, or it otherwise receives funds for the campaign, that entity shall report pursuant to (b)(ii) of this subsection; and

(B) Special solicitations and other funds. The name, address, and, for individuals, occupation and employer, of a person whose funds were used to pay for the campaign, along with the amount;

(iv) The purpose of the campaign, including the specific legislation, rules, rates, standards, or proposals that are the subject matter of the campaign;

(v) The totals of all expenditures made or incurred to date on behalf of the campaign segregated according to financial category, including but not limited to the following: Advertising, segregated by media, and in the case of large expenditures (as provided by rule of the commission), by outlet; contributions; entertainment, including food and refreshments; office expenses including rent and the salaries and wages paid for staff and secretarial assistance, or the proportionate amount paid or incurred for lobbying campaign activities; consultants; and printing and mailing expenses; and

(vi) Such other information as shall be required by the commission by rule in

conformance with the policies and purposes of this (~~chapter~~) title.

(3) Every sponsor who has registered under this section shall file monthly reports with the commission by the (~~tenth~~) 10th day of the month for the activity during the preceding month. The reports shall update the information contained in the sponsor's registration statement and in prior reports and shall show contributions received and totals of expenditures made during the month, in the same manner as provided for in the registration statement.

(4) When the campaign has been terminated, the sponsor shall file a notice of termination with the final monthly report. The final report shall state the totals of all contributions and expenditures made on behalf of the campaign, in the same manner as provided for in the registration statement.

(5)(a) Any advertising or other mass communication produced as part of a campaign must include the following disclosures:

(i) All written communications shall include the sponsor's name and address. All radio and television communications shall include the sponsor's name. The use of an assumed name for the sponsor is unlawful;

(ii) If the sponsor is a political committee established, maintained, or controlled directly, or indirectly through the formation of one or more political committees, by an individual, corporation, union, association, or other entity, the communication must include the full name of that individual or entity; and

(iii) If the communication costs \$1,000 or more, the communication must include:

(A) The statement "Top Five Contributors," followed by a listing of the names of each of the five largest sources of funding of \$1,000 or more, as reported under subsection (2)(b) of this section, during the 12-month period preceding the date on which the advertisement is initially to be published or otherwise presented to the public; and

(B) If one of the "Top Five Contributors" listed includes a political committee, the statement "Top Three Donors to PAC Contributors," followed by a listing of the names of the three individuals or entities other than political committees making the largest aggregate contributions to political committees using the same methodology as provided in RCW 42.17A.350(2) (as recodified by this act).

(b) Abbreviations may be used to describe entities required to be listed under (a) of this subsection if the full name of the entity has been clearly spoken previously during the communication. The information required by (a) of this subsection shall:

(i) In a written communication:

(A) Appear on the first page or fold of the written advertisement or communication in at least 10-point type, or in type at least 10 percent of the largest size type used in a written communication directed at more than one voter, such as a billboard or poster, whichever is larger;

(B) Not be subject to the half-tone or screening process; and

(C) Be set apart from any other printed matter. No text may be before, after, or immediately adjacent to the information required by (a) of this subsection; or

(ii) In a communication transmitted via television or another medium that includes a visual image or audio:

(A) Be clearly spoken; or

(B) Appear in print and be visible for at least four seconds, appear in letters greater than four percent of the visual screen height on a solid black background on the entire bottom one-third of the television or visual display screen, or bottom one-fourth of the screen if the sponsor does not have or is otherwise not required to list its top five contributors, and have a reasonable color contrast with the background.

(6) The commission is authorized to adopt rules, as needed, to prevent ways to circumvent the purposes of the required disclosures in this section or otherwise in conformance with the policies and purposes of this ((chapter))title.

**Sec. 483.** RCW 42.17A.645 and 2010 c 204 s 810 are each amended to read as follows:

If any person registered or required to be registered as a lobbyist, or any employer of any person registered or required to be registered as a lobbyist, employs a member or an employee of the legislature, a member of a state board or commission, or a full-time state employee, and that new employee remains in the partial employ of the state, the new employer must file within ((fifteen))15 days after employment a statement with the commission, signed under oath, setting out the nature of the employment, the name of the person employed, and the amount of pay or consideration.

**Sec. 484.** RCW 42.17A.650 and 2010 c 204 s 811 are each amended to read as follows:

It is a violation of this ((chapter))title for any person to employ for pay or any consideration, or pay or agree to pay any consideration to, a person to lobby who is not registered under this ((chapter))title except upon the condition that such a person must register as a lobbyist as provided by this ((chapter))title.

**Sec. 485.** RCW 42.17A.655 and 2019 c 428 s 34 are each amended to read as follows:

(1) A person required to register as a lobbyist under RCW 42.17A.600 (as recodified by this act) shall substantiate financial reports required to be made under this ((chapter))title with accounts, bills, receipts, books, papers, and other necessary documents and records. All such documents must be obtained and preserved for a period of at least five years from the date of filing the statement containing such items and shall be made available for inspection by the commission at any time. If the terms of the lobbyist's employment contract require that these records be turned over to

the lobbyist's employer, responsibility for the preservation and inspection of these records under this subsection shall be with such employer.

(2) A person required to register as a lobbyist under RCW 42.17A.600 (as recodified by this act) shall not:

(a) Engage in any lobbying activity before registering as a lobbyist;

(b) Knowingly deceive or attempt to deceive a legislator regarding the facts pertaining to any pending or proposed legislation;

(c) Cause or influence the introduction of a bill or amendment to that bill for the purpose of later being employed to secure its defeat;

(d) Knowingly represent an interest adverse to the lobbyist's employer without full disclosure of the adverse interest to the employer and obtaining the employer's written consent;

(e) Exercise any undue influence, extortion, or unlawful retaliation upon any legislator due to the legislator's position or vote on any pending or proposed legislation;

(f) Enter into any agreement, arrangement, or understanding in which any portion of the lobbyist's compensation is or will be contingent upon the lobbyist's success in influencing legislation.

(3) A violation by a lobbyist of this section shall be cause for revocation of the lobbyist's registration, and may subject the lobbyist and the lobbyist's employer, if the employer aids, abets, ratifies, or confirms the violation, to other civil liabilities as provided by this ((chapter))title.

**Sec. 486.** RCW 42.17A.700 and 2019 c 428 s 35 are each amended to read as follows:

(1) After January 1st and before April 15th of each year, every elected official and every executive state officer who served for any portion of the preceding year shall electronically file with the commission a statement of financial affairs for the preceding calendar year or for that portion of the year served. Any official or officer in office for any period of time in a calendar year, but not in office as of January 1st of the following year, may electronically file either within ((sixty))60 days of leaving office or during the January 1st through April 15th reporting period of that following year. Such filing must include information for the portion of the current calendar year for which the official or officer was in office.

(2) Within two weeks of becoming a candidate, every candidate shall file with the commission a statement of financial affairs for the preceding ((twelve))12 months.

(3) Within two weeks of appointment, every person appointed to a vacancy in an elective office or executive state officer position during the months of January through November shall file with the commission a statement of financial affairs for the preceding ((twelve))12 months, except as provided in subsection (4) of this section. For appointments made in December,

the appointee must file the statement of financial affairs between January 1st and January 15th of the immediate following year for the preceding (~~twelve~~) 12-month period ending on December 31st.

(4) A statement of a candidate or appointee filed during the period from January 1st to April 15th shall cover the period from January 1st of the preceding calendar year to the time of candidacy or appointment if the filing of the statement would relieve the individual of a prior obligation to file a statement covering the entire preceding calendar year.

(5) No individual may be required to file more than once in any calendar year.

(6) Each statement of financial affairs filed under this section shall be sworn as to its truth and accuracy.

(7) Every elected official and every executive state officer shall file with their statement of financial affairs a statement certifying that they have read and are familiar with RCW 42.17A.555 (as recodified by this act) or 42.52.180, whichever is applicable.

(8) For the purposes of this section, the term "executive state officer" includes those listed in RCW 42.17A.705 (as recodified by this act).

(9) This section does not apply to incumbents or candidates for a federal office or the office of precinct committee officer.

**Sec. 487.** RCW 42.17A.705 and 2017 3rd sp.s. c 6 s 111 are each amended to read as follows:

For the purposes of RCW 42.17A.700 (as recodified by this act), "executive state officer" includes:

(1) The chief administrative law judge, the director of agriculture, the director of the department of services for the blind, the secretary of children, youth, and families, the director of the state system of community and technical colleges, the director of commerce, the director of the consolidated technology services agency, the secretary of corrections, the director of ecology, the commissioner of employment security, the chair of the energy facility site evaluation council, the director of enterprise services, the secretary of the state finance committee, the director of financial management, the director of fish and wildlife, the executive secretary of the forest practices appeals board, the director of the gambling commission, the secretary of health, the administrator of the Washington state health care authority, the executive secretary of the health care facilities authority, the executive secretary of the higher education facilities authority, the executive secretary of the horse racing commission, the executive secretary of the human rights commission, the executive secretary of the indeterminate sentence review board, the executive director of the state investment board, the director of labor and industries, the director of licensing, the director of the lottery commission, the director of the office of minority and women's business enterprises, the director of parks and recreation, the

executive director of the public disclosure commission, the executive director of the Puget Sound partnership, the director of the recreation and conservation office, the director of retirement systems, the director of revenue, the secretary of social and health services, the chief of the Washington state patrol, the executive secretary of the board of tax appeals, the secretary of transportation, the secretary of the utilities and transportation commission, the director of veterans affairs, the president of each of the regional and state universities and the president of The Evergreen State College, and each district and each campus president of each state community college;

(2) Each professional staff member of the office of the governor;

(3) Each professional staff member of the legislature; and

(4) Central Washington University board of trustees, the boards of trustees of each community college and each technical college, each member of the state board for community and technical colleges, state convention and trade center board of directors, Eastern Washington University board of trustees, Washington economic development finance authority, Washington energy northwest executive board, The Evergreen State College board of trustees, executive ethics board, fish and wildlife commission, forest practices appeals board, forest practices board, gambling commission, Washington health care facilities authority, student achievement council, higher education facilities authority, horse racing commission, state housing finance commission, human rights commission, indeterminate sentence review board, board of industrial insurance appeals, state investment board, commission on judicial conduct, legislative ethics board, life sciences discovery fund authority board of trustees, state liquor and cannabis board, lottery commission, Pacific Northwest electric power and conservation planning council, parks and recreation commission, Washington personnel resources board, board of pilotage commissioners, pollution control hearings board, public disclosure commission, public employees' benefits board, recreation and conservation funding board, salmon recovery funding board, shorelines hearings board, board of tax appeals, transportation commission, University of Washington board of regents, utilities and transportation commission, Washington State University board of regents, and Western Washington University board of trustees.

**Sec. 488.** RCW 42.17A.710 and 2023 c 462 s 502 are each amended to read as follows:

(1) The statement of financial affairs required by RCW 42.17A.700 (as recodified by this act) shall disclose the following information for the reporting individual and each member of the reporting individual's immediate family:

(a) Occupation, name of employer, and business address;

(b) Each bank account, savings account, and insurance policy in which a direct financial interest was held that exceeds twenty thousand dollars at any time during the reporting period; each other item of intangible personal property in which a direct financial interest was held that exceeds two thousand dollars during the reporting period; the name, address, and nature of the entity; and the nature and highest value of each direct financial interest during the reporting period;

(c) The name and address of each creditor to whom the value of two thousand dollars or more was owed; the original amount of each debt to each creditor; the amount of each debt owed to each creditor as of the date of filing; the terms of repayment of each debt; and the security given, if any, for each such debt. Debts arising from a "retail installment transaction" as defined in chapter 63.14 RCW (retail installment sales act) need not be reported;

(d) Every public or private office, directorship, and position held as trustee; except that an elected official or executive state officer need not report the elected official's or executive state officer's service on a governmental board, commission, association, or functional equivalent, when such service is part of the elected official's or executive state officer's official duties;

(e) All persons for whom any legislation, rule, rate, or standard has been prepared, promoted, or opposed for current or deferred compensation. For the purposes of this subsection, "compensation" does not include payments made to the person reporting by the governmental entity for which the person serves as an elected official or state executive officer or professional staff member for the person's service in office; the description of such actual or proposed legislation, rules, rates, or standards; and the amount of current or deferred compensation paid or promised to be paid;

(f) The name and address of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from whom compensation has been received in any form of a total value of two thousand dollars or more; the value of the compensation; and the consideration given or performed in exchange for the compensation;

(g) The name of any corporation, partnership, joint venture, association, union, or other entity in which is held any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more; the name or title of that office, directorship, or partnership; the nature of ownership interest; and: (i) With respect to a governmental unit in which the official seeks or holds any office or position, if the entity has received compensation in any form during the preceding twelve months from the governmental unit, the value of the compensation and the consideration given or performed in exchange for the compensation; and (ii) the name of each governmental unit, corporation, partnership, joint venture, sole proprietorship, association, union, or

other business or commercial entity from which the entity has received compensation in any form in the amount of ten thousand dollars or more during the preceding twelve months and the consideration given or performed in exchange for the compensation. As used in (g)(ii) of this subsection, "compensation" does not include payment for water and other utility services at rates approved by the Washington state utilities and transportation commission or the legislative authority of the public entity providing the service. With respect to any bank or commercial lending institution in which is held any office, directorship, partnership interest, or ownership interest, it shall only be necessary to report either the name, address, and occupation of every director and officer of the bank or commercial lending institution and the average monthly balance of each account held during the preceding twelve months by the bank or commercial lending institution from the governmental entity for which the individual is an official or candidate or professional staff member, or all interest paid by a borrower on loans from and all interest paid to a depositor by the bank or commercial lending institution if the interest exceeds two thousand four hundred dollars;

(h) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which any direct financial interest was acquired during the preceding calendar year, and a statement of the amount and nature of the financial interest and of the consideration given in exchange for that interest;

(i) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which any direct financial interest was divested during the preceding calendar year, and a statement of the amount and nature of the consideration received in exchange for that interest, and the name and address of the person furnishing the consideration;

(j) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which a direct financial interest was held. If a description of the property has been included in a report previously filed, the property may be listed, for purposes of this subsection (1)(j), by reference to the previously filed report;

(k) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds twenty thousand dollars, in which a corporation, partnership, firm, enterprise, or other entity had a direct financial interest, in which corporation, partnership, firm, or enterprise a ten percent or greater ownership interest was held;



(l) A list of each occasion, specifying date, donor, and amount, at which food and beverage in excess of fifty dollars was accepted under RCW 42.52.150(5);

(m) A list of each occasion, specifying date, donor, and amount, at which items specified in RCW 42.52.010(9) (d) and (f) were accepted; and

(n) Such other information as the commission may deem necessary in order to properly carry out the purposes and policies of this ~~((chapter))~~ title, as the commission shall prescribe by rule.

(2)(a) When judges, prosecutors, sheriffs, participants in the address confidentiality program under RCW 40.24.030, or their immediate family members are required to disclose real property that is the personal residence of the judge, prosecutor, sheriff, or address confidentiality program participant, the requirements of subsection (1)(h) through (k) of this section may be satisfied for that property by substituting:

(i) The city or town;

(ii) The type of residence, such as a single-family or multifamily residence, and the nature of ownership; and

(iii) Such other identifying information the commission prescribes by rule for the mailing address where the property is located.

(b) Nothing in this subsection relieves the judge, prosecutor, or sheriff of any other applicable obligations to disclose potential conflicts or to recuse oneself.

(3)(a) Where an amount is required to be reported under subsection (1)(a) through (m) of this section, it may be reported within a range as provided in (b) of this subsection.

(b)

Code A	Less than thirty thousand dollars;
Code B	At least thirty thousand dollars, but less than sixty thousand dollars;
Code C	At least sixty thousand dollars, but less than one hundred thousand dollars;
Code D	At least one hundred thousand dollars, but less than two hundred thousand dollars;
Code E	At least two hundred thousand dollars, but less than five hundred thousand dollars;
Code F	At least five hundred thousand dollars, but less than seven hundred and fifty thousand dollars;
Code G	At least seven hundred fifty thousand dollars, but less than one million dollars; or
Code H	One million dollars or more.

(c) An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection may be

interpreted to prevent any person from filing more information or more detailed information than required.

(4) Items of value given to an official's or employee's spouse, domestic partner, or family member are attributable to the official or employee, except the item is not attributable if an independent business, family, or social relationship exists between the donor and the spouse, domestic partner, or family member.

**Sec. 489.** RCW 42.17A.715 and 2010 c 204 s 904 are each amended to read as follows:

No payment shall be made to any person required to report under RCW 42.17A.700 (as recodified by this act) and no payment shall be accepted by any such person, directly or indirectly, in a fictitious name, anonymously, or by one person through an agent, relative, or other person in such a manner as to conceal the identity of the source of the payment or in any other manner so as to effect concealment. The commission may issue categorical and specific exemptions to the reporting of the actual source when there is an undisclosed principal for recognized legitimate business purposes.

**Sec. 490.** RCW 42.17A.750 and 2019 c 428 s 37 are each amended to read as follows:

(1) In addition to the penalties in subsection (2) of this section, and any other remedies provided by law, one or more of the following civil remedies and sanctions may be imposed by court order in addition to any other remedies provided by law:

(a) If the court finds that the violation of any provision of this ~~((chapter))~~ title by any candidate, committee, or incidental committee probably affected the outcome of any election, the result of that election may be held void and a special election held within ~~((sixty))~~ 60 days of the finding. Any action to void an election shall be commenced within one year of the date of the election in question. It is intended that this remedy be imposed freely in all appropriate cases to protect the right of the electorate to an informed and knowledgeable vote.

(b) If any lobbyist or sponsor of any grass roots lobbying campaign violates any of the provisions of this ~~((chapter))~~ title, the lobbyist's or sponsor's registration may be revoked or suspended and the lobbyist or sponsor may be enjoined from receiving compensation or making expenditures for lobbying. The imposition of a sanction shall not excuse the lobbyist from filing statements and reports required by this ~~((chapter))~~ title.

(c) A person who violates any of the provisions of this ~~((chapter))~~ title may be subject to a civil penalty of not more than ten thousand dollars for each violation. However, a person or entity who violates RCW 42.17A.405 (as recodified by this act) may be subject to a civil penalty of ten thousand dollars or three times the amount

of the contribution illegally made or accepted, whichever is greater.

(d) When assessing a civil penalty, the court may consider the nature of the violation and any relevant circumstances, including the following factors:

(i) The respondent's compliance history, including whether the noncompliance was isolated or limited in nature, indicative of systematic or ongoing problems, or part of a pattern of violations by the respondent, resulted from a knowing or intentional effort to conceal, deceive or mislead, or from collusive behavior, or in the case of a political committee or other entity, part of a pattern of violations by the respondent's officers, staff, principal decision makers, consultants, or sponsoring organization;

(ii) The impact on the public, including whether the noncompliance deprived the public of timely or accurate information during a time-sensitive period or otherwise had a significant or material impact on the public;

(iii) Experience with campaign finance law and procedures or the financing, staffing, or size of the respondent's campaign or organization;

(iv) The amount of financial activity by the respondent during the statement period or election cycle;

(v) Whether the late or unreported activity was within three times the contribution limit per election, including in proportion to the total amount of expenditures by the respondent in the campaign or statement period;

(vi) Whether the respondent or any person benefited politically or economically from the noncompliance;

(vii) Whether there was a personal emergency or illness of the respondent or member of the respondent's immediate family;

(viii) Whether other emergencies such as fire, flood, or utility failure prevented filing;

(ix) Whether there was commission staff or equipment error, including technical problems at the commission that prevented or delayed electronic filing;

(x) The respondent's demonstrated good-faith uncertainty concerning commission staff guidance or instructions;

(xi) Whether the respondent is a first-time filer;

(xii) Good faith efforts to comply, including consultation with commission staff prior to initiation of enforcement action and cooperation with commission staff during enforcement action and a demonstrated wish to acknowledge and take responsibility for the violation;

(xiii) Penalties imposed in factually similar cases; and

(xiv) Other factors relevant to the particular case.

(e) A person who fails to file a properly completed statement or report within the time required by this ((chapter))title may be subject to a civil penalty of ten dollars per day for each day each delinquency continues.

(f) Each state agency director who knowingly fails to file statements required by RCW 42.17A.635 (as recodified by this act) shall be subject to personal liability

in the form of a civil penalty in the amount of one hundred dollars per statement. These penalties are in addition to any other civil remedies or sanctions imposed on the agency.

(g) A person who fails to report a contribution or expenditure as required by this ((chapter))title may be subject to a civil penalty equivalent to the amount not reported as required.

(h) Any state agency official, officer, or employee who is responsible for or knowingly directs or expends public funds in violation of RCW 42.17A.635 (2) or (3) (as recodified by this act) may be subject to personal liability in the form of a civil penalty in an amount that is at least equivalent to the amount of public funds expended in the violation.

(i) The court may enjoin any person to prevent the doing of any act herein prohibited, or to compel the performance of any act required herein.

(2) The commission may refer the following violations for criminal prosecution:

(a) A person who, with actual malice, violates a provision of this ((chapter))title is guilty of a misdemeanor under chapter 9.92 RCW;

(b) A person who, within a five-year period, with actual malice, violates three or more provisions of this ((chapter))title is guilty of a gross misdemeanor under chapter 9.92 RCW; and

(c) A person who, with actual malice, procures or offers any false or forged document to be filed, registered, or recorded with the commission under this ((chapter))title is guilty of a class C felony under chapter 9.94A RCW.

**Sec. 491.** RCW 42.17A.755 and 2019 c 428 s 38 are each amended to read as follows:

(1) The commission may initiate or respond to a complaint, request a technical correction, or otherwise resolve matters of compliance with this ((chapter))title, in accordance with this section. If a complaint is filed with or initiated by the commission, the commission must:

(a) Dismiss the complaint or otherwise resolve the matter in accordance with subsection (2) of this section, as appropriate under the circumstances after conducting a preliminary review;

(b) Initiate an investigation to determine whether a violation has occurred, conduct hearings, and issue and enforce an appropriate order, in accordance with chapter 34.05 RCW and subsection (3) of this section; or

(c) Refer the matter to the attorney general, in accordance with subsection (4) of this section.

(2)(a) For complaints of remediable violations or requests for technical corrections, the commission may, by rule, delegate authority to its executive director to resolve these matters in accordance with subsection (1)(a) of this section, provided the executive director consistently applies such authority.

(b) The commission shall, by rule, develop additional processes by which a

respondent may agree by stipulation to any allegations and pay a penalty subject to a schedule of violations and penalties, unless waived by the commission as provided for in this section. Any stipulation must be referred to the commission for review. If approved or modified by the commission, agreed to by the parties, and the respondent complies with all requirements set forth in the stipulation, the matter is then considered resolved and no further action or review is allowed.

(3) If the commission initiates an investigation, an initial hearing must be held within ~~((ninety))~~ 90 days of the complaint being filed. Following an investigation, in cases where it chooses to determine whether a violation has occurred, the commission shall hold a hearing pursuant to the administrative procedure act, chapter 34.05 RCW. Any order that the commission issues under this section shall be pursuant to such a hearing.

(a) The person against whom an order is directed under this section shall be designated as the respondent. The order may require the respondent to cease and desist from the activity that constitutes a violation and in addition, or alternatively, may impose one or more of the remedies provided in RCW 42.17A.750(1) (b) through (h) (as recodified by this act), or other requirements as the commission determines appropriate to effectuate the purposes of this ~~((chapter))~~ title.

(b) The commission may assess a penalty in an amount not to exceed ten thousand dollars per violation, unless the parties stipulate otherwise. Any order that the commission issues under this section that imposes a financial penalty must be made pursuant to a hearing, held in accordance with the administrative procedure act, chapter 34.05 RCW.

(c) The commission has the authority to waive a penalty for a first-time violation. A second violation of the same requirement by the same person, regardless if the person or individual committed the violation for a different political committee or incidental committee, shall result in a penalty. Successive violations of the same requirement shall result in successively increased penalties. The commission may suspend any portion of an assessed penalty contingent on future compliance with this ~~((chapter))~~ title. The commission must create a schedule to enhance penalties based on repeat violations by the person.

(d) Any order issued by the commission is subject to judicial review under the administrative procedure act, chapter 34.05 RCW. If the commission's order is not satisfied and no petition for review is filed within ~~((thirty))~~ 30 days, the commission may petition a court of competent jurisdiction of any county in which a petition for review could be filed under that jurisdiction, for an order of enforcement. Proceedings in connection with the commission's petition shall be in accordance with RCW 42.17A.760 (as recodified by this act).

(4) In lieu of holding a hearing or issuing an order under this section, the commission may refer the matter to the

attorney general consistent with this section, when the commission believes:

(a) Additional authority is needed to ensure full compliance with this ~~((chapter))~~ title;

(b) An apparent violation potentially warrants a penalty greater than the commission's penalty authority; or

(c) The maximum penalty the commission is able to levy is not enough to address the severity of the violation.

(5) Prior to filing a citizen's action under RCW 42.17A.775 (as recodified by this act), a person who has filed a complaint pursuant to this section must provide written notice to the attorney general if the commission does not, within 90 ~~((ninety))~~ days of the complaint being filed with the commission, take action pursuant to subsection (1) of this section. A person must simultaneously provide a copy of the written notice to the commission.

**Sec. 492.** RCW 42.17A.760 and 2010 c 204 s 1003 are each amended to read as follows:

The following procedure shall apply in all cases where the commission has petitioned a court of competent jurisdiction for enforcement of any order it has issued pursuant to this ~~((chapter))~~ title:

(1) A copy of the petition shall be served by certified mail directed to the respondent at his or her last known address. The court shall issue an order directing the respondent to appear at a time designated in the order, not less than five days from the date thereof, and show cause why the commission's order should not be enforced according to its terms.

(2) The commission's order shall be enforced by the court if the respondent does not appear, or if the respondent appears and the court finds, pursuant to a hearing held for that purpose:

(a) That the commission's order is unsatisfied;

(b) That the order is regular on its face; and

(c) That the respondent's answer discloses no valid reason why the commission's order should not be enforced or that the respondent had an appropriate remedy by review under RCW 34.05.570(3) and failed to avail himself or herself of that remedy without valid excuse.

(3) Upon appropriate application by the respondent, the court may, after hearing and for good cause, alter, amend, revise, suspend, or postpone all or part of the commission's order. In any case where the order is not enforced by the court according to its terms, the reasons for the court's actions shall be clearly stated in writing, and the action shall be subject to review by the appellate courts by certiorari or other appropriate proceeding.

(4) The court's order of enforcement, when entered, shall have the same force and effect as a civil judgment.

(5) Notwithstanding RCW 34.05.578 through 34.05.590, this section is the exclusive method for enforcing an order of the commission.

**Sec. 493.** RCW 42.17A.765 and 2019 c 428 s 39 are each amended to read as follows:

(1)(a) The attorney general may bring civil actions in the name of the state for any appropriate civil remedy, including but not limited to the special remedies provided in RCW 42.17A.750 (as recodified by this act) upon:

(i) Referral by the commission pursuant to RCW 42.17A.755(4) (as recodified by this act);

(ii) Receipt of a notice provided in accordance with RCW 42.17A.755(5) (as recodified by this act); or

(iii) Receipt of a notice of intent to commence a citizen's action, as provided under RCW 42.17A.775(3) (as recodified by this act).

(b) Within ~~((forty-five))~~ 45 days of receiving a referral from the commission or notice of the commission's failure to take action provided in accordance with RCW 42.17A.755(5) (as recodified by this act), or within ~~((ten))~~ 10 days of receiving a citizen's action notice, the attorney general must publish a decision whether to commence an action on the attorney general's office website. Publication of the decision within the ~~((forty-five))~~ 45 day period, or ten-day period, whichever is applicable, shall preclude a citizen's action pursuant to RCW 42.17A.775 (as recodified by this act).

(c) The attorney general should use the enforcement powers in this section in a consistent manner that provides guidance in complying with the provisions of this ~~((chapter))~~ title to candidates, political committees, or other individuals subject to the regulations of this ~~((chapter))~~ title.

(2) The attorney general may investigate or cause to be investigated the activities of any person who there is reason to believe is or has been acting in violation of this ~~((chapter))~~ title, and may require any such person or any other person reasonably believed to have information concerning the activities of such person to appear at a time and place designated in the county in which such person resides or is found, to give such information under oath and to produce all accounts, bills, receipts, books, paper and documents which may be relevant or material to any investigation authorized under this ~~((chapter))~~ title.

(3) When the attorney general requires the attendance of any person to obtain such information or produce the accounts, bills, receipts, books, papers, and documents that may be relevant or material to any investigation authorized under this ~~((chapter))~~ title, the attorney general shall issue an order setting forth the time when and the place where attendance is required and shall cause the same to be delivered to or sent by registered mail to the person at least ~~((fourteen))~~ 14 days before the date fixed for attendance. The order shall have the same force and effect as a subpoena, shall be effective statewide, and, upon application of the attorney general, obedience to the order may be enforced by any superior court judge in the county where the person receiving it resides or is found, in the same manner as though the order were

a subpoena. The court, after hearing, for good cause, and upon application of any person aggrieved by the order, shall have the right to alter, amend, revise, suspend, or postpone all or any part of its provisions. In any case where the order is not enforced by the court according to its terms, the reasons for the court's actions shall be clearly stated in writing, and the action shall be subject to review by the appellate courts by certiorari or other appropriate proceeding.

**Sec. 494.** RCW 42.17A.770 and 2018 c 304 s 15 are each amended to read as follows:

Except as provided in RCW 42.17A.775(4) (as recodified by this act), any action brought under the provisions of this ~~((chapter))~~ title must be commenced within five years after the date when the violation occurred.

**Sec. 495.** RCW 42.17A.775 and 2019 c 428 s 40 are each amended to read as follows:

(1) A person who has reason to believe that a provision of this ~~((chapter))~~ title is being or has been violated may bring a citizen's action in the name of the state, in accordance with the procedures of this section.

(2) A citizen's action may be brought and prosecuted only if the person first has filed a complaint with the commission and:

(a) The commission has not taken action authorized under RCW 42.17A.755(1) (as recodified by this act) within ~~((ninety))~~ 90 days of the complaint being filed with the commission, and the person who initially filed the complaint with the commission provided written notice to the attorney general in accordance with RCW 42.17A.755(5) (as recodified by this act) and the attorney general has not commenced an action, or published a decision whether to commence action pursuant to RCW 42.17A.765(1)(b) (as recodified by this act), within ~~((forty-five))~~ 45 days of receiving the notice;

(b) For matters referred to the attorney general within ~~((ninety))~~ 90 days of the commission receiving the complaint, the attorney general has not commenced an action, or published a decision whether to commence an action pursuant to RCW 42.17A.765(1)(b) (as recodified by this act), within ~~((forty-five))~~ 45 days of receiving referral from the commission; and

(c) The person who initially filed the complaint with the commission has provided notice of a citizen's action in accordance with subsection (3) of this section and the commission or the attorney general has not commenced action within the ~~((ten))~~ 10 days provided under subsection (3) of this section.

(3) To initiate the citizen's action, after meeting the requirements under subsection (2) (a) and (b) of this section, a person must notify the attorney general and the commission that the person will commence a citizen's action within ~~((ten))~~ 10 days if the commission does not take action authorized under RCW 42.17A.755(1) (as recodified by this act), or the attorney

general does not commence an action or publish a decision whether to commence an action pursuant to RCW 42.17A.765(1)(b) (as recodified by this act). The attorney general and the commission must notify the other of its decision whether to commence an action.

(4) The citizen's action must be commenced within two years after the date when the alleged violation occurred and may not be commenced against a committee or incidental committee before the end of such period if the committee or incidental committee has received an acknowledgment of dissolution.

(5) If the person who brings the citizen's action prevails, the judgment awarded shall escheat to the state, but he or she shall be entitled to be reimbursed by the state for reasonable costs and reasonable attorneys' fees the person incurred. In the case of a citizen's action that is dismissed and that the court also finds was brought without reasonable cause, the court may order the person commencing the action to pay all trial costs and reasonable attorneys' fees incurred by the defendant.

**Sec. 496.** RCW 42.17A.780 and 2018 c 304 s 17 are each amended to read as follows:

In any action brought under this ~~(chapter)~~ title, the court may award to the commission all reasonable costs of investigation and trial, including reasonable attorneys' fees to be fixed by the court. If the violation is found to have been intentional, the amount of the judgment, which shall for this purpose include the costs, may be trebled as punitive damages. If damages or trebled damages are awarded in such an action brought against a lobbyist, the judgment may be awarded against the lobbyist, and the lobbyist's employer or employers joined as defendants, jointly, severally, or both. If the defendant prevails, he or she shall be awarded all costs of trial and may be awarded reasonable attorneys' fees to be fixed by the court and paid by the state of Washington.

**Sec. 497.** RCW 42.17A.785 and 2018 c 304 s 18 are each amended to read as follows:

The public disclosure transparency account is created in the state treasury. All receipts from penalties collected pursuant to enforcement actions or settlements under this ~~(chapter)~~ title, including any fees or costs, must be deposited into the account. Moneys in the account may be spent only after appropriation. Moneys in the account may be used only for the implementation of chapter 304, Laws of 2018 and duties under this ~~(chapter)~~ title, and may not be used to supplant general fund appropriations to the commission.

**Sec. 498.** RCW 42.62.040 and 2023 c 360 s 4 are each amended to read as follows:

The public disclosure commission must adopt rules in furtherance of the purpose of this chapter. Nothing in this chapter constitutes a violation under ~~(chapter 42.17A RCW)~~ other chapters of this title, or otherwise authorizes the public disclosure commission to take action under RCW 42.17A.755 (as recodified by this act).

**Sec. 499.** RCW 15.65.280 and 2011 c 103 s 14 and 2011 c 60 s 1 are each reenacted and amended to read as follows:

The powers and duties of the board shall be:

(1) To elect a chair and such other officers as it deems advisable;

(2) To advise and counsel the director with respect to the administration and conduct of such marketing agreement or order;

(3) To recommend to the director administrative rules and orders and amendments thereto for the exercise of his or her powers in connection with such agreement or order;

(4) To advise the director upon all assessments provided pursuant to the terms of such agreement or order and upon the collection, deposit, withdrawal, disbursement and paying out of all moneys;

(5) To assist the director in the collection of such necessary information and data as the director may deem necessary in the proper administration of this chapter;

(6) To administer the order or agreement as its administrative board if the director designates it so to do in such order or agreement;

(7) To work cooperatively with other local, state, and federal agencies; universities; and national organizations for the purposes provided in the board's marketing order or agreement;

(8) To enter into contracts or interagency agreements with any private or public agency, whether federal, state, or local, to carry out the purposes provided in the board's marketing order or agreement. Personal service contracts must comply with chapter 39.29 RCW;

(9) To accept and expend or retain any gifts, bequests, contributions, or grants from private persons or private and public agencies to carry out the purposes provided in the board's marketing order or agreement;

(10) To retain in emergent situations the services of private legal counsel to conduct legal actions on behalf of a board. The retention of a private attorney is subject to review by the office of the attorney general;

(11) To engage in appropriate fund-raising activities for the purpose of supporting activities of the board authorized by the marketing order or agreement;

(12) To enter into contracts or agreements for research in the production, irrigation, processing, transportation, marketing, use, or distribution of an affected commodity;

(13) To participate in international, federal, state, and local hearings, meetings, and other proceedings relating to the production, irrigation, manufacture,

regulation, transportation, distribution, sale, or use of affected commodities including activities authorized under RCW 42.17A.635 (as recodified by this act), including the reporting of those activities to the public disclosure commission;

(14) To maintain a list of the names and addresses of affected producers that may be compiled from information used to collect assessments under the marketing order or agreement, and data on the value of each producer's production for a minimum three-year period;

(15) To maintain a list of the names and addresses of persons who handle the affected commodity within the affected area and data on the amount and value of the commodity handled for a minimum three-year period by each person; and

(16) To perform such other duties as the director may prescribe in the marketing agreement or order.

Any agreement or order under which the commodity board administers the order or agreement shall (if so requested by the affected producers within the affected area in the proposal or promulgation hearing) contain provisions whereby the director reserves the power to approve or disapprove every order, rule or directive issued by the board, in which event such approval or disapproval shall be based on whether or not the director believes the board's action has been carried out in conformance with the purposes of this chapter.

**Sec. 500.** RCW 15.66.140 and 2011 c 103 s 15 and 2011 c 60 s 2 are each reenacted and amended to read as follows:

Every commodity commission shall have such powers and duties in accordance with provisions of this chapter as may be provided in the marketing order and shall have the following powers and duties:

(1) To elect a chair and such other officers as determined advisable;

(2) To adopt, rescind, and amend rules and regulations reasonably necessary for the administration and operation of the commission and the enforcement of its duties under the marketing order;

(3) To administer, enforce, direct and control the provisions of the marketing order and of this chapter relating thereto;

(4) To employ and discharge at its discretion such administrators and additional personnel, attorneys, advertising and research agencies and other persons and firms that it may deem appropriate and pay compensation to the same;

(5) To acquire personal property and purchase or lease office space and other necessary real property and transfer and convey the same;

(6) To institute and maintain in its own name any and all legal actions, including actions by injunction, mandatory injunction or civil recovery, or proceedings before administrative tribunals or other governmental authorities necessary to carry out the provisions of this chapter and of the marketing order;

(7) To keep accurate records of all its receipts and disbursements, which records shall be open to inspection and audit by the

state auditor or private auditor designated by the state auditor at least every five years;

(8) Borrow money and incur indebtedness;

(9) Make necessary disbursements for routine operating expenses;

(10) To expend funds for commodity-related education, training, and leadership programs as each commission deems expedient;

(11) To work cooperatively with other local, state, and federal agencies; universities; and national organizations for the purposes provided in the commission's marketing order;

(12) To enter into contracts or interagency agreements with any private or public agency, whether federal, state, or local, to carry out the purposes provided in the commission's marketing order. Personal service contracts must comply with chapter 39.29 RCW;

(13) To accept and expend or retain any gifts, bequests, contributions, or grants from private persons or private and public agencies to carry out the purposes provided in the commission's marketing order;

(14) To enter into contracts or agreements for research in the production, irrigation, processing, transportation, marketing, use, or distribution of an affected commodity;

(15) To retain in emergent situations the services of private legal counsel to conduct legal actions on behalf of a commission. The retention of a private attorney is subject to review by the office of the attorney general;

(16) To engage in appropriate fund-raising activities for the purpose of supporting activities of the commission authorized by the marketing order;

(17) To participate in international, federal, state, and local hearings, meetings, and other proceedings relating to the production, irrigation, manufacture, regulation, transportation, distribution, sale, or use of affected commodities including activities authorized under RCW 42.17A.635 (as recodified by this act), including the reporting of those activities to the public disclosure commission;

(18) To maintain a list of the names and addresses of affected producers that may be compiled from information used to collect assessments under the provisions of the marketing order and data on the value of each producer's production for a minimum three-year period;

(19) To maintain a list of the names and addresses of persons who handle the affected commodity within the affected area and data on the amount and value of the commodity handled for a minimum three-year period by each person;

(20) To request records and audit the records of producers or handlers of the affected commodity during normal business hours to determine whether the appropriate assessment has been paid;

(21) To acquire or own intellectual property rights, licenses, or patents and to collect royalties resulting from commission-funded research related to the affected commodity; and

(22) Such other powers and duties that are necessary to carry out the purposes of this chapter.

**Sec. 501.** RCW 15.89.070 and 2015 c 225 s 13 are each amended to read as follows:

The commission shall:

(1) Elect a chair and officers. The officers must include a treasurer who is responsible for all receipts and disbursements by the commission and the faithful discharge of whose duties shall be guaranteed by a bond at the sole expense of the commission. The commission must adopt rules for its own governance that provide for the holding of an annual meeting for the election of officers and the transaction of other business and for other meetings the commission may direct;

(2) Do all things reasonably necessary to effect the purposes of this chapter. However, the commission has no rule-making power except as provided in this chapter;

(3) Employ and discharge managers, secretaries, agents, attorneys, and employees and engage the services of independent contractors;

(4) Retain, as necessary, the services of private legal counsel to conduct legal actions on behalf of the commission. The retention of a private attorney is subject to review by the office of the attorney general;

(5) Receive donations of beer from producers for promotional purposes under subsections (6) and (7) of this section and for fund-raising purposes under subsection (8) of this section. Donations of beer for promotional purposes may only be disseminated without charge;

(6) Engage directly or indirectly in the promotion of Washington beer, including, without limitation, the acquisition in any lawful manner and the dissemination without charge of beer. This dissemination is not deemed a sale for any purpose and the commission is not deemed a producer, supplier, or manufacturer, or the clerk, servant, or agent of a producer, supplier, distributor, or manufacturer. This dissemination without charge shall be for agricultural development or trade promotion, and not for fund-raising purposes under subsection (8) of this section. Dissemination for promotional purposes may include promotional hosting and must in the good faith judgment of the commission be in the aid of the marketing, advertising, sale of beer, or of research related to such marketing, advertising, or sale;

(7) Promote Washington beer by conducting unique beer tastings without charge;

(8) Beginning July 1, 2007, fund the Washington beer commission through sponsorship of up to ~~((twelve))~~ 12 beer festivals annually at which beer may be sold to festival participants. For this purpose, the commission would qualify for issue of a special occasion license as an exception to WAC 314-05-020 but must comply with laws under Title 66 RCW and rules adopted by the liquor ~~((control))~~ and cannabis board under which such events may be conducted;

(9) Participate in international, federal, state, and local hearings,

meetings, and other proceedings relating to the production, regulation, distribution, sale, or use of beer including activities authorized under RCW 42.17A.635 (as recodified by this act), including the reporting of those activities to the public disclosure commission;

(10) Acquire and transfer personal and real property, establish offices, incur expenses, and enter into contracts, including contracts for the creation and printing of promotional literature. The contracts are not subject to chapter 43.19 RCW, and are cancelable by the commission unless performed under conditions of employment that substantially conform to the laws of this state and the rules of the department of labor and industries. The commission may create debt and other liabilities that are reasonable for proper discharge of its duties under this chapter;

(11) Maintain accounts with one or more qualified public depositories as the commission may direct, for the deposit of money, and expend money for purposes authorized by this chapter by drafts made by the commission upon such institutions or by other means;

(12) Cause to be kept and annually closed, in accordance with generally accepted accounting principles, accurate records of all receipts, disbursements, and other financial transactions, available for audit by the state auditor;

(13) Create and maintain a list of producers and disseminate information among and solicit the opinions of producers with respect to the discharge of the duties of the commission, directly or by arrangement with trade associations or other instrumentalities;

(14) Employ, designate as an agent, act in concert with, and enter into contracts with any person, council, commission, or other entity to promote the general welfare of the beer industry and particularly to assist in the sale and distribution of Washington beer in domestic and foreign commerce. The commission shall expend money necessary or advisable for this purpose and to pay its proportionate share of the cost of any program providing direct or indirect assistance to the sale and distribution of Washington beer in domestic or foreign commerce, employing and paying for vendors of professional services of all kinds;

(15) Sue and be sued as a commission, without individual liability for acts of the commission within the scope of the powers conferred upon it by this chapter;

(16) Serve as liaison with the liquor ~~((control))~~ and cannabis board on behalf of the commission and not for any individual producer;

(17) Receive such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of the commission and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments.

**Sec. 502.** RCW 15.115.140 and 2011 c 103 s 17 and 2011 c 60 s 4 are each reenacted and amended to read as follows:

(1) The commission is an agency of the Washington state government subject to oversight by the director. In exercising its powers and duties, the commission shall carry out the following purposes:

(a) To establish plans and conduct programs for advertising and sales promotion, to maintain present markets, or to create new or larger markets for wheat and barley grown in Washington;

(b) To engage in cooperative efforts in the domestic or foreign marketing of wheat and barley grown in Washington;

(c) To provide for carrying on research studies to find more efficient methods of production, irrigation, processing, transportation, handling, and marketing of wheat and barley grown in Washington;

(d) To adopt rules to provide for improving standards and grades by defining, establishing, and providing labeling requirements with respect to wheat and barley grown in Washington;

(e) To investigate and take necessary action to prevent unfair trade practices relating to wheat and barley grown in Washington;

(f) To provide information or communicate on matters pertaining to the production, irrigation, processing, transportation, marketing, or uses of wheat and barley grown in Washington to any elected official or officer or employee of any agency;

(g) To provide marketing information and services for producers of wheat and barley in Washington;

(h) To provide information and services for meeting resource conservation objectives of producers of wheat and barley in Washington;

(i) To provide for education and training related to wheat and barley grown in Washington; and

(j) To assist and cooperate with the department or any local, state, or federal government agency in the investigation and control of exotic pests and diseases that could damage or affect the production or trade of wheat and barley grown in Washington.

(2) The commission has the following powers and duties:

(a) To collect the assessments of producers as provided in this chapter and to expend the same in accordance with this chapter;

(b) To maintain a list of the names and addresses of affected producers that may be compiled from information used to collect assessments authorized under this chapter and data on the value of each producer's production for a minimum three-year period;

(c) To maintain a list of the names and addresses of persons who handle wheat or barley within the affected area and data on the amount and value of the wheat and barley handled for a minimum three-year period by each person;

(d) To request records and audit the records of producers or handlers of wheat or barley during normal business hours to determine whether the appropriate assessment has been paid;

(e) To fund, conduct, or otherwise participate in scientific research relating to wheat or barley, including but not limited to research to find more efficient methods of irrigation, production, processing, handling, transportation, and marketing of wheat or barley, or regarding pests, pesticides, food safety, irrigation, transportation, and environmental stewardship related to wheat or barley;

(f) To work cooperatively with local, state, and federal agencies, universities, and national organizations for the purposes provided in this chapter;

(g) To establish a foundation using commission funds as grant money when the foundation benefits the wheat or barley industry in Washington and implements the purposes provided in this chapter;

(h) To acquire or own intellectual property rights, licenses, or patents and to collect royalties resulting from commission-funded research related to wheat or barley;

(i) To enter into contracts or interagency agreements with any private or public agency, whether federal, state, or local, to carry out the purposes and powers provided in this chapter, including specifically contracts or agreements for research described in (e) of this subsection. Personal service contracts must comply with chapter 39.29 RCW;

(j) To institute and maintain in its own name any and all legal actions necessary to carry out the provisions of this chapter, including actions by injunction, mandatory injunction or civil recovery, or proceedings before administrative tribunals or other governmental authorities;

(k) To retain in emergent situations the services of private legal counsel to conduct legal actions on behalf of the commission. The retention of a private attorney is subject to review and approval by the office of the attorney general;

(l) To elect a chair and other officers as determined advisable;

(m) To employ and discharge at its discretion administrators and additional personnel, advertising and research agencies, and other persons and firms as appropriate and pay compensation;

(n) To acquire personal property and purchase or lease office space and other necessary real property and transfer and convey that real property;

(o) To keep accurate records of all its receipts and disbursements by commodity, which records must be open to inspection and audit by the state auditor or private auditor designated by the state auditor at least every five years;

(p) To borrow money and incur indebtedness;

(q) To make necessary disbursements for routine operating expenses;

(r) To expend funds for commodity-related education, training, and leadership programs as the commission deems expedient;

(s) To accept and expend or retain any gifts, bequests, contributions, or grants from private persons or private and public agencies to carry out the purposes provided in this chapter;

(t) To apply for and administer federal market access programs or similar programs



or projects and provide matching funds as may be necessary;

(u) To engage in appropriate fund-raising activities for the purpose of supporting activities of the commission authorized in this chapter;

(v) To participate in international, federal, state, and local hearings, meetings, and other proceedings relating to the production, irrigation, manufacture, regulation, transportation, distribution, sale, or use of wheat or barley; or the regulation of the manufacture, distribution, sale, or use of any pesticide, as defined in chapter 15.58 RCW, or any agricultural chemical which is of use or potential use in producing wheat or barley. This participation may include activities authorized under RCW 42.17A.635 (as recodified by this act), including the reporting of those activities to the public disclosure commission;

(w) To speak on behalf of the Washington state government on a nonexclusive basis regarding issues related to wheat and barley, including but not limited to trade negotiations and market access negotiations and to fund industry organizations engaging in those activities;

(x) To adopt, rescind, and amend rules and regulations reasonably necessary for the administration and operation of the commission and the enforcement of its duties under this chapter;

(y) To administer, enforce, direct, and control the provisions of this chapter and any rules adopted under this chapter; and

(z) Other powers and duties that are necessary to carry out the purposes of this chapter.

**Sec. 503.** RCW 19.09.020 and 2020 c 57 s 28 are each amended to read as follows:

When used in this chapter, unless the context otherwise requires:

(1) A "bona fide officer or employee" of a charitable organization is one (a) whose conduct is subject to direct control by such organization; (b) who does not act in the manner of an independent contractor in his or her relation with the organization; and (c) whose compensation is not computed on funds raised or to be raised.

(2) "Charitable organization" means any entity that solicits or collects contributions from the general public where the contribution is or is purported to be used to support a charitable purpose, but does not include any commercial fund-raiser, commercial fund-raising entity, commercial coventurer, or any fund-raising counsel, as defined in this section. Churches and their integrated auxiliaries, and political organizations are not charitable organizations, but all are subject to RCW 19.09.100 (15) through (18).

(3) "Charitable purpose" means any religious, charitable, scientific, testing for public safety, literary, or educational purpose or any other purpose that is beneficial to the community, including environmental, humanitarian, patriotic, or civic purposes, the support of national or international amateur sports competition, the prevention of cruelty to children or

animals, the advancement of social welfare, or the benefit of law enforcement personnel, firefighters, and other persons who protect public safety. The term "charitable" is used in its generally accepted legal sense and includes relief of the poor, the distressed, or the underprivileged; advancement of religion; advancement of education or science; erecting or maintaining public buildings, monuments, or works; lessening the burdens of government; lessening neighborhood tensions; eliminating prejudice and discrimination; defending human and civil rights secured by law; and combating community deterioration and juvenile delinquency.

(4) "Commercial coventurer" means any individual or corporation, partnership, sole proprietorship, limited liability company, limited partnership, limited liability partnership, or any other legal entity, that:

(a) Is regularly and primarily engaged in making sales of goods or services for profit directly to the general public;

(b) Is not otherwise regularly or primarily engaged in making solicitations in this state or otherwise raising funds in this state for one or more charitable organizations;

(c) Represents to prospective purchasers that, if they purchase a good or service from the commercial coventurer, a portion of the sales price or a sum of money or some other specified thing of value will be donated to a named charitable organization; and

(d) Does not ask purchasers to make checks or other instruments payable to a named charitable organization or any entity other than the commercial coventurer itself under its regular commercial name.

(5) "Commercial fund-raiser" or "commercial fund-raising entity" means any entity that for compensation or other consideration directly or indirectly solicits or receives contributions within this state for or on behalf of any charitable organization or charitable purpose, or that is engaged in the business of, or represents to persons in this state as independently engaged in the business of, soliciting or receiving contributions for such purposes. However, a commercial coventurer, fund-raising counsel, or consultant is not a commercial fund-raiser or commercial fund-raising entity.

(6) "Compensation" means salaries, wages, fees, commissions, or any other remuneration or valuable consideration.

(7) "Contribution" means the payment, donation, or promise, for consideration or otherwise, of any money or property of any kind or value which contribution is wholly or partly induced by a solicitation. Reference to dollar amounts of "contributions" or "solicitations" in this chapter means in the case of payments or promises to pay for merchandise or rights of any description, the value of the total amount paid or promised to be paid for such merchandise or rights.

(8) "Cost of solicitation" means and includes all direct and indirect costs, expenditures, debts, obligations, salaries, wages, commissions, fees, or other money or

thing of value paid or incurred in making a solicitation.

(9) "Entity" means an individual, organization, group, association, partnership, corporation, agency or unit of state government, or any combination thereof.

(10) "Fund-raising counsel" or "consultant" means any entity or individual who is retained by a charitable organization, for a fixed fee or rate, that is not computed on a percentage of funds raised, or to be raised, under a written agreement only to plan, advise, consult, or prepare materials for a solicitation of contributions in this state, but who does not manage, conduct, or carry on a fund-raising campaign and who does not solicit contributions or employ, procure, or engage any compensated person to solicit contributions, and who does not at any time have custody or control of contributions. A volunteer, employee, or salaried officer of a charitable organization maintaining a permanent establishment or office in this state is not a fund-raising counsel. An attorney, investment counselor, or banker who advises an individual, corporation, or association to make a charitable contribution is not a fund-raising counsel as a result of the advice.

(11) "General public" or "public" means any individual or entity located in Washington state without a membership or other official relationship with a charitable organization before a solicitation by the charitable organization.

(12) "Gross revenue" or "annual gross revenue" means, for any accounting period, the total value of revenue, excluding unrealized capital gains, but including noncash contributions of tangible, personal property received by or on behalf of a charitable organization from all sources, without subtracting any costs or expenses.

(13) "Membership" means that for the payment of fees, dues, assessments, etc., an organization provides services and confers a bona fide right, privilege, professional standing, honor, or other direct benefit, in addition to the right to vote, elect officers, or hold office. The term "membership" does not include those persons who are granted a membership upon making a contribution as the result of solicitation.

(14) "Other employee" of a charitable organization means any person (a) whose conduct is subject to direct control by such organization; (b) who does not act in the manner of any independent contractor in his or her relation with the organization; and (c) who is not engaged in the business of or held out to persons in this state as independently engaged in the business of soliciting contributions for charitable purposes or religious activities.

(15) "Political organization" means those organizations whose activities are subject to ((chapter 42-17A)) Title 29B RCW or the federal elections campaign act of 1971, as amended.

(16) "Religious organization" means those entities that are not churches or integrated auxiliaries and includes nondenominational ministries, interdenominational and ecumenical organizations, mission

organizations, speakers' organizations, faith-based social agencies, and other entities whose principal purpose is the study, practice, or advancement of religion.

(17) "Secretary" means the secretary of state.

(18) "Sign" means, with present intent to authenticate or adopt a record:

(a) To execute or adopt a tangible symbol; or

(b) To attach to or logically associate with the record an electronic symbol, sound, or process.

(19)(a) "Solicitation" means any oral or written request for a contribution, including the solicitor's offer or attempt to sell any property, rights, services, or other thing in connection with which:

(i) Any appeal is made for any charitable purpose;

(ii) The name of any charitable organization is used as an inducement for consummating the sale; or

(iii) Any statement is made that implies that the whole or any part of the proceeds from the sale will be applied toward any charitable purpose or donated to any charitable organization.

(b) The solicitation shall be deemed completed when made, whether or not the person making it receives any contribution or makes any sale.

(c) "Solicitation" does not include bingo activities, raffles, and amusement games conducted under chapter 9.46 RCW and applicable rules of the Washington state gambling commission.

(20) "Solicitation report" means the financial information the secretary requires pursuant to RCW 19.09.075 or 19.09.079.

**Sec. 504.** RCW 28A.600.027 and 2018 c 125 s 2 are each amended to read as follows:

(1) Student editors of school-sponsored media are responsible for determining the news, opinion, feature, and advertising content of the media subject to the limitations of subsection (2) of this section. This subsection does not prevent a student media adviser from teaching professional standards of English and journalism to the student journalists. A student media adviser may not be terminated, transferred, removed, or otherwise disciplined for complying with this section.

(2) School officials may only prohibit student expression that:

(a) Is libelous or slanderous;

(b) Is an unwarranted invasion of privacy;

(c) Violates federal or state laws, rules, or regulations;

(d) Incites students to violate federal or state laws, rules, or regulations;

(e) Violates school district policy or procedure related to harassment, intimidation, or bullying pursuant to RCW 28A.300.285 or the prohibition on discrimination pursuant to RCW 28A.642.010;

(f) Inciting of students so as to create a clear and present danger of:

(i) The commission of unlawful acts on school premises;

(ii) The violation of lawful school district policy or procedure; or

(iii) The material and substantial disruption of the orderly operation of the school. A school official must base a forecast of material and substantial disruption on specific facts, including past experience in the school and current events influencing student behavior, and not on undifferentiated fear or apprehension; or

(g) Is in violation of the federal communications act or applicable federal communication commission rules or regulations.

(3) Political expression by students in school-sponsored media shall not be deemed the use of public funds for political purposes, for purposes of the prohibitions of RCW 42.17A.550 (as recodified by this act).

(4) Any student, individually or through his or her parent or guardian, enrolled in a public high school may file an appeal of any alleged violation of subsection (1) of this section pursuant to chapter 28A.645 RCW.

(5) Expression made by students in school-sponsored media is not necessarily the expression of school policy. Neither a school official nor the governing board of the school or school district may be held responsible in any civil or criminal action for any expression made or published by students in school-sponsored media.

(6) Each school district that includes a high school shall adopt a written student freedom of expression policy in accordance with this section. The policy may include reasonable provisions for the time, place, and manner of student expression.

(7) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "School-sponsored media" means any matter that is prepared, substantially written, published, or broadcast by student journalists, that is distributed or generally made available, either free of charge or for a fee, to members of the student body, and that is prepared under the direction of a student media adviser. "School-sponsored media" does not include media that is intended for distribution or transmission solely in the classrooms in which they are produced.

(b) "Student journalist" means a student who gathers, compiles, writes, edits, photographs, records, or prepares information for dissemination in school-sponsored media.

(c) "Student media adviser" means a person who is employed, appointed, or designated by the school to supervise, or provide instruction relating to, school-sponsored media.

**Sec. 505.** RCW 28B.15.610 and 2011 c 60 s 11 are each amended to read as follows:

The provisions of this chapter shall not apply to or affect any student fee or charge which the students voluntarily maintain upon themselves for student purposes only. Students are authorized to create or increase voluntary student fees for each academic year when passed by a majority vote of the student government or its equivalent, or referendum presented to the student body or such other process that has been adopted

under this section. Notwithstanding RCW 42.17A.635 (2) and (3) (as recodified by this act), voluntary student fees imposed under this section and services and activities fees may be used for lobbying by a student government association or its equivalent and may also be used to support a statewide or national student organization or its equivalent that may engage in lobbying.

**Sec. 506.** RCW 28B.133.030 and 2012 c 198 s 24 are each amended to read as follows:

The office may solicit and receive gifts, grants, or endowments from private sources that are made from time to time, in trust or otherwise, for the use and benefit of the purposes of the educational assistance grant program. The director, or the director's designee, may spend gifts, grants, or endowments or income from the private sources according to their terms unless the receipt of the gifts, grants, or endowments violates RCW 42.17A.560 (as recodified by this act).

**Sec. 507.** RCW 29A.32.031 and 2023 c 109 s 8 are each amended to read as follows:

The voters' pamphlet published or distributed under RCW 29A.32.010 must contain:

(1) Information about each ballot measure initiated by or referred to the voters for their approval or rejection as required by RCW 29A.32.070;

(2) In even-numbered years, statements, if submitted, from candidates for the office of president and vice president of the United States, United States senator, United States representative, governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, commissioner of public lands, superintendent of public instruction, insurance commissioner, state senator, state representative, justice of the supreme court, judge of the court of appeals, or judge of the superior court. Candidates may also submit campaign contact information and a photograph not more than five years old in a format that the secretary of state determines to be suitable for reproduction in the voters' pamphlet;

(3) In odd-numbered years, if any office voted upon statewide appears on the ballot due to a vacancy, then statements and photographs for candidates for any vacant office listed in subsection (2) of this section must appear;

(4) Contact information for the public disclosure commission established under RCW 42.17A.100 (as recodified by this act), including the following statement: "For a list of the people and organizations that donated to state and local candidates and ballot measure campaigns, visit [www.pdc.wa.gov](http://www.pdc.wa.gov)." The statement must be placed in a prominent position, such as on the cover or on the first two pages of the voters' pamphlet. The secretary of state may substitute such language as is necessary for accuracy and clarity and consistent with the intent of this section;

(5) Contact information for major political parties;

(6) A brief statement explaining the deletion and addition of language for proposed measures under RCW 29A.32.080;

(7) A list of all student engagement hubs as designated under RCW 29A.40.180;

(8) A page providing information about how to access the internet presentation of the information created in RCW 44.48.160 about the state budgets, including a uniform resource locator, a quick response code, and a phone number for the legislative information center. The uniform resource locator and quick response codes will lead the voter to the internet information required in RCW 44.48.160; and

(9) Any additional information pertaining to elections as may be required by law or in the judgment of the secretary of state is deemed informative to the voters.

**Sec. 508.** RCW 29A.84.250 and 2011 c 60 s 14 are each amended to read as follows:

Every person is guilty of a gross misdemeanor who:

(1) For any consideration or gratuity or promise thereof, signs or declines to sign any initiative or referendum petition; or

(2) Provides or receives consideration for soliciting or procuring signatures on an initiative or referendum petition if any part of the consideration is based upon the number of signatures solicited or procured, or offers to provide or agrees to receive such consideration any of which is based on the number of signatures solicited or procured; or

(3) Gives or offers any consideration or gratuity to any person to induce him or her to sign or not to sign or to vote for or against any initiative or referendum measure; or

(4) Interferes with or attempts to interfere with the right of any voter to sign or not to sign an initiative or referendum petition or with the right to vote for or against an initiative or referendum measure by threats, intimidation, or any other corrupt means or practice; or

(5) Receives, handles, distributes, pays out, or gives away, directly or indirectly, money or any other thing of value contributed by or received from any person, firm, association, or corporation whose residence or principal office is, or the majority of whose members or stockholders have their residence outside, the state of Washington, for any service rendered for the purpose of aiding in procuring signatures upon any initiative or referendum petition or for the purpose of aiding in the adoption or rejection of any initiative or referendum measure. This subsection does not apply to or prohibit any activity that is properly reported in accordance with the applicable provisions of (~~chapter 42.17A~~) Title 29B RCW.

A gross misdemeanor under this section is punishable to the same extent as a gross misdemeanor that is punishable under RCW 9A.20.021.

**Sec. 509.** RCW 35.02.130 and 2011 c 60 s 15 are each amended to read as follows:

The city or town officially shall become incorporated at a date from (~~one hundred eighty~~) 180 days to (~~three hundred sixty~~) 360 days after the date of the election on the question of incorporation. An interim period shall exist between the time the newly elected officials have been elected and qualified and this official date of incorporation. During this interim period, the newly elected officials are authorized to adopt ordinances and resolutions which shall become effective on or after the official date of incorporation, and to enter into contracts and agreements to facilitate the transition to becoming a city or town and to ensure a continuation of governmental services after the official date of incorporation. Periods of time that would be required to elapse between the enactment and effective date of such ordinances, including but not limited to times for publication or for filing referendums, shall commence upon the date of such enactment as though the city or town were officially incorporated.

During this interim period, the city or town governing body may adopt rules establishing policies and procedures under the state environmental policy act, chapter 43.21C RCW, and may use these rules and procedures in making determinations under the state environmental policy act, chapter 43.21C RCW.

During this interim period, the newly formed city or town and its governing body shall be subject to the following as though the city or town were officially incorporated: RCW 4.24.470 relating to immunity; (~~chapter 42.17A~~) Title 29B RCW relating to open government; chapter 42.56 RCW relating to public records; chapter 40.14 RCW relating to the preservation and disposition of public records; chapters 42.20 and 42.23 RCW relating to ethics and conflicts of interest; chapters 42.30 and 42.32 RCW relating to open public meetings and minutes; RCW 35.22.288, 35.23.221, 35.27.300, 35A.12.160, as appropriate, and chapter 35A.65 RCW relating to the publication of notices and ordinances; RCW 35.21.875 and 35A.21.230 relating to the designation of an official newspaper; RCW 36.16.138 relating to liability insurance; RCW 35.22.620, 35.23.352, and 35A.40.210, as appropriate, and statutes referenced therein relating to public contracts and bidding; and chapter 39.34 RCW relating to interlocal cooperation. Tax anticipation or revenue anticipation notes or warrants and other short-term obligations may be issued and funds may be borrowed on the security of these instruments during this interim period, as provided in chapter 39.50 RCW. Funds also may be borrowed from federal, state, and other governmental agencies in the same manner as if the city or town were officially incorporated.

RCW 84.52.020 and 84.52.070 shall apply to the extent that they may be applicable, and the governing body of such city or town may take appropriate action by ordinance during the interim period to adopt the property tax levy for its first full calendar year following the interim period.

The governing body of the new city or town may acquire needed facilities,

supplies, equipment, insurance, and staff during this interim period as if the city or town were in existence. An interim city manager or administrator, who shall have such administrative powers and duties as are delegated by the governing body, may be appointed to serve only until the official date of incorporation. After the official date of incorporation the governing body of such a new city organized under the council manager form of government may extend the appointment of such an interim manager or administrator with such limited powers as the governing body determines, for up to ~~((ninety))~~ 90 days. This governing body may submit ballot propositions to the voters of the city or town to authorize taxes to be collected on or after the official date of incorporation, or authorize an annexation of the city or town by a fire protection district or library district to be effective immediately upon the effective date of the incorporation as a city or town.

The boundaries of a newly incorporated city or town shall be deemed to be established for purposes of RCW 84.09.030 on the date that the results of the initial election on the question of incorporation are certified or the first day of January following the date of this election if the newly incorporated city or town does not impose property taxes in the same year that the voters approve the incorporation.

The newly elected officials shall take office immediately upon their election and qualification with limited powers during this interim period as provided in this section. They shall acquire their full powers as of the official date of incorporation and shall continue in office until their successors are elected and qualified at the next general municipal election after the official date of incorporation: PROVIDED, That if the date of the next general municipal election is less than ~~((twelve))~~ 12 months after the date of the first election of councilmembers, those initially elected councilmembers shall serve until their successors are elected and qualified at the next following general municipal election as provided in RCW ~~((29A.20.040))~~ 29A.60.280. For purposes of this section, the general municipal election shall be the date on which city and town general elections are held throughout the state of Washington, pursuant to RCW 29A.04.330.

In any newly incorporated city that has adopted the council-manager form of government, the term of office of the mayor, during the interim period only, shall be set by the council, and thereafter shall be as provided by law.

The official date of incorporation shall be on a date from ~~((one hundred eighty))~~ 180 to ~~((three hundred sixty))~~ 360 days after the date of the election on the question of incorporation, as specified in a resolution adopted by the governing body during this interim period. A copy of the resolution shall be filed with the county legislative authority of the county in which all or the major portion of the newly incorporated city or town is located. If the governing body fails to adopt such a resolution, the official date of incorporation shall be

~~((three hundred sixty))~~ 360 days after the date of the election on the question of incorporation. The county legislative authority of the county in which all or the major portion of the newly incorporated city or town is located shall file a notice with the county assessor that the city or town has been authorized to be incorporated immediately after the favorable results of the election on the question of incorporation have been certified. The county legislative authority shall file a notice with the secretary of state that the city or town is incorporated as of the official date of incorporation.

**Sec. 510.** RCW 35.21.759 and 2011 c 60 s 16 are each amended to read as follows:

A public corporation, commission, or authority created under this chapter, and officers and multimember governing body thereof, are subject to general laws regulating local governments, multimember governing bodies, and local governmental officials, including, but not limited to, the requirement to be audited by the state auditor and various accounting requirements provided under chapter 43.09 RCW, the open public record requirements of chapter 42.56 RCW, the prohibition on using its facilities for campaign purposes under RCW 42.17A.555 (as recodified by this act), the open public meetings law of chapter 42.30 RCW, the code of ethics for municipal officers under chapter 42.23 RCW, and the local government whistleblower law under chapter 42.41 RCW.

**Sec. 511.** RCW 36.70A.200 and 2023 sp.s. c 1 s 12 are each amended to read as follows:

(1)(a) The comprehensive plan of each county and city that is planning under RCW 36.70A.040 shall include a process for identifying and siting essential public facilities. Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, opioid treatment programs including both mobile and fixed-site medication units, recovery residences, harm reduction programs excluding safe injection sites, and inpatient facilities including substance use disorder treatment facilities, mental health facilities, group homes, community facilities as defined in RCW 72.05.020, and secure community transition facilities as defined in RCW 71.09.020.

(b) Unless a facility is expressly listed in (a) of this subsection, essential public facilities do not include facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings but are not used for punishment, correction, counseling, or rehabilitation following the conviction of a criminal offense. Facilities included under this subsection (1)(b) shall not include facilities detaining persons under RCW

71.09.020 (7) or (16) or chapter 10.77 or 71.05 RCW.

(c) The department of children, youth, and families may not attempt to site new community facilities as defined in RCW 72.05.020 east of the crest of the Cascade mountain range unless there is an equal or greater number of sited community facilities as defined in RCW 72.05.020 on the western side of the crest of the Cascade mountain range.

(d) For the purpose of this section, "harm reduction programs" means programs that emphasize working directly with people who use drugs to prevent overdose and infectious disease transmission, improve the physical, mental, and social well-being of those served, and offer low threshold options for accessing substance use disorder treatment and other services.

(2) Each county and city planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process, or amend its existing process, for identifying and siting essential public facilities and adopt or amend its development regulations as necessary to provide for the siting of secure community transition facilities consistent with statutory requirements applicable to these facilities.

(3) Any city or county not planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process for siting secure community transition facilities and adopt or amend its development regulations as necessary to provide for the siting of such facilities consistent with statutory requirements applicable to these facilities.

(4) The office of financial management shall maintain a list of those essential state public facilities that are required or likely to be built within the next six years. The office of financial management may at any time add facilities to the list.

(5) No local comprehensive plan or development regulation may preclude the siting of essential public facilities.

(6) No person may bring a cause of action for civil damages based on the good faith actions of any county or city to provide for the siting of secure community transition facilities in accordance with this section and with the requirements of chapter 12, Laws of 2001 2nd sp. sess. For purposes of this subsection, "person" includes, but is not limited to, any individual, agency as defined in ((RCW 42.17A.005))section 203 of this act, corporation, partnership, association, and limited liability entity.

(7) Counties or cities siting facilities pursuant to subsection (2) or (3) of this section shall comply with RCW 71.09.341.

(8) The failure of a county or city to act by the deadlines established in subsections (2) and (3) of this section is not:

(a) A condition that would disqualify the county or city for grants, loans, or pledges under RCW 43.155.070 or 70A.135.070;

(b) A consideration for grants or loans provided under RCW 43.17.250(3); or

(c) A basis for any petition under RCW 36.70A.280 or for any private cause of action.

**Sec. 512.** RCW 42.36.040 and 2011 c 60 s 27 are each amended to read as follows:

Prior to declaring as a candidate for public office or while campaigning for public office as defined by ((RCW 42.17A.005))section 244 of this act no public discussion or expression of an opinion by a person subsequently elected to a public office, on any pending or proposed quasi-judicial actions, shall be a violation of the appearance of fairness doctrine.

**Sec. 513.** RCW 42.52.010 and 2022 c 173 s 1 and 2022 c 71 s 15 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Agency" means any state board, commission, bureau, committee, department, institution, division, or tribunal in the legislative, executive, or judicial branch of state government. "Agency" includes all elective offices, the state legislature, those institutions of higher education created and supported by the state government, and those courts that are parts of state government. "Agency" does not include a comprehensive cancer center participating in a collaborative arrangement as defined in RCW 28B.10.930 that is operated in conformance with RCW 28B.10.930.

(2) "Assist" means to act, or offer or agree to act, in such a way as to help, aid, advise, furnish information to, or otherwise provide assistance to another person, believing that the action is of help, aid, advice, or assistance to the person and with intent so to assist such person.

(3) "Beneficial interest" has the meaning ascribed to it under the Washington case law. However, an ownership interest in a mutual fund or similar investment pooling fund in which the owner has no management powers does not constitute a beneficial interest in the entities in which the fund or pool invests.

(4) "Compensation" means anything of economic value, however designated, that is paid, loaned, granted, or transferred, or to be paid, loaned, granted, or transferred for, or in consideration of, personal services to any person.

(5) "Confidential information" means (a) specific information, rather than generalized knowledge, that is not available to the general public on request or (b) information made confidential by law.

(6) "Contract" or "grant" means an agreement between two or more persons that creates an obligation to do or not to do a particular thing. "Contract" or "grant" includes, but is not limited to, an employment contract, a lease, a license, a purchase agreement, or a sales agreement.

(7) "Ethics boards" means the commission on judicial conduct, the legislative ethics board, and the executive ethics board.

(8) "Family" has the same meaning as "immediate family" in ((RCW 42.17A.005))section 228 of this act.

(9) "Gift" means anything of economic value for which no consideration is given. "Gift" does not include:

(a) Items from family members or friends where it is clear beyond a reasonable doubt that the gift was not made as part of any design to gain or maintain influence in the agency of which the recipient is an officer or employee;

(b) Items related to the outside business of the recipient that are customary and not related to the recipient's performance of official duties;

(c) Items exchanged among officials and employees or a social event hosted or sponsored by a state officer or state employee for coworkers;

(d) Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

(e) Items a state officer or state employee is authorized by law to accept;

(f) Payment of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade, or charitable association or institution. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

(g) Items returned by the recipient to the donor within ~~((thirty))~~<sup>30</sup> days of receipt or donated to a charitable organization within ~~((thirty))~~<sup>30</sup> days of receipt;

(h) Campaign contributions reported under ~~((chapter 42.17A))~~<sup>Title 29B</sup> RCW;

(i) Discounts available to an individual as a member of an employee group, occupation, or similar broad-based group; and

(j) Awards, prizes, scholarships, or other items provided in recognition of academic or scientific achievement.

(10) "Head of agency" means the chief executive officer of an agency. In the case of an agency headed by a commission, board, committee, or other body consisting of more than one natural person, agency head means the person or board authorized to appoint agency employees and regulate their conduct.

(11) "Honorarium" means money or thing of value offered to a state officer or state employee for a speech, appearance, article, or similar item or activity in connection with the state officer's or state employee's official role.

(12) "Institution of higher education" has the same meaning as in RCW 28B.10.016.

(13) "Official duty" means those duties within the specific scope of employment of the state officer or state employee as defined by the officer's or employee's agency or by statute or the state Constitution.

(14) "Participate" means to participate in state action or a proceeding personally and substantially as a state officer or state employee, through approval, disapproval, decision, recommendation, the

rendering of advice, investigation, or otherwise but does not include preparation, consideration, or enactment of legislation or the performance of legislative duties.

(15) "Person" means any individual, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit.

(16) "Regulatory agency" means any state board, commission, department, or officer, except those in the legislative or judicial branches, authorized by law to conduct adjudicative proceedings, issue permits or licenses, or to control or affect interests of identified persons.

(17) "Responsibility" in connection with a transaction involving the state, means the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or through subordinates, effectively to approve, disapprove, or otherwise direct state action in respect of such transaction.

(18) "State action" means any action on the part of an agency, including, but not limited to:

(a) A decision, determination, finding, ruling, or order; and

(b) A grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling, or order.

(19) "State employee" means an individual who is employed by an agency in any branch of state government. For purposes of this chapter, employees of the superior courts are not state officers or state employees.

(20) "State officer" means every person holding a position of public trust in or under an executive, legislative, or judicial office of the state. "State officer" includes judges of the superior court, judges of the court of appeals, justices of the supreme court, members of the legislature together with the secretary of the senate and the chief clerk of the house of representatives, holders of elective offices in the executive branch of state government, chief executive officers of state agencies, members of boards, commissions, or committees with authority over one or more state agencies or institutions, and employees of the state who are engaged in supervisory, policy-making, or policy-enforcing work. For the purposes of this chapter, "state officer" also includes any person exercising or undertaking to exercise the powers or functions of a state officer.

(21) "Thing of economic value," in addition to its ordinary meaning, includes:

(a) A loan, property interest, interest in a contract or other chose in action, and employment or another arrangement involving a right to compensation;

(b) An option, irrespective of the conditions to the exercise of the option; and

(c) A promise or undertaking for the present or future delivery or procurement.

(22)(a) "Transaction involving the state" means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that the state officer, state

employee, or former state officer or state employee in question believes, or has reason to believe:

(i) Is, or will be, the subject of state action; or

(ii) Is one to which the state is or will be a party; or

(iii) Is one in which the state has a direct and substantial proprietary interest.

(b) "Transaction involving the state" does not include the following: Preparation, consideration, or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by an officer or employee; or a claim, case, lawsuit, or similar matter if the officer or employee did not participate in the underlying transaction involving the state that is the basis for the claim, case, or lawsuit.

(23) "University" includes "state universities" and "regional universities" as defined in RCW 28B.10.016 and also includes any research or technology institute affiliated with a university.

(24) "University research employee" means a state officer or state employee employed by a university, but only to the extent the state officer or state employee is engaged in research, technology transfer, approved consulting activities related to research and technology transfer, or other incidental activities.

**Sec. 514.** RCW 42.52.150 and 2023 c 91 s 2 are each amended to read as follows:

(1) No state officer or state employee may accept gifts, other than those specified in subsections (2) and (5) of this section, with an aggregate value in excess of fifty dollars from a single source in a calendar year or a single gift from multiple sources with a value in excess of fifty dollars. For purposes of this section, "single source" means any person, as defined in RCW 42.52.010, whether acting directly or through any agent or other intermediary, and "single gift" includes any event, item, or group of items used in conjunction with each other or any trip including transportation, lodging, and attendant costs, not excluded from the definition of gift under RCW 42.52.010. The value of gifts given to an officer's or employee's family member or guest shall be attributed to the official or employee for the purpose of determining whether the limit has been exceeded, unless an independent business, family, or social relationship exists between the donor and the family member or guest.

(2) Except as provided in subsection (4) of this section, the following items are presumed not to influence under RCW 42.52.140, and may be accepted without regard to the limit established by subsection (1) of this section:

(a) Unsolicited flowers, plants, and floral arrangements;

(b) Unsolicited advertising or promotional items of nominal value, such as pens and note pads;

(c) Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;

(d) Unsolicited items received by a state officer or state employee for the purpose of evaluation or review, if the officer or employee has no personal beneficial interest in the eventual use or acquisition of the item by the officer's or employee's agency;

(e) Informational material, publications, or subscriptions related to the recipient's performance of official duties;

(f) Food and beverages consumed at hosted receptions where attendance is related to the state officer's or state employee's official duties;

(g) Gifts, grants, conveyances, bequests, and devises of real or personal property, or both, in trust or otherwise accepted and solicited for deposit in the legislative international trade account created in RCW 43.15.050;

(h) Gifts, grants, conveyances, bequests, and devises of real or personal property, or both, in trust or otherwise accepted and solicited for the purpose of promoting the expansion of tourism as provided for in RCW 43.330.090;

(i) Gifts, grants, conveyances, bequests, and devises of real or personal property, or both, solicited on behalf of a national or regional legislative association as defined in RCW 42.52.822(2), the 2006 official conference of the national lieutenant governors' association, the annual conference of the national association of state treasurers, or a host committee, for the purpose of hosting an official conference under the circumstances specified in RCW 42.52.820, section 2, chapter 5, Laws of 2006, RCW 42.52.821, or RCW 42.52.822. Anything solicited or accepted may only be received by the national association or host committee and may not be commingled with any funds or accounts that are the property of any person;

(j) Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization;

(k) Unsolicited gifts from dignitaries from another state or a foreign country that are intended to be personal in nature; and

(l) Gifts, grants, donations, sponsorships, or contributions from any agency or federal or local government agency or program or private source for the purposes of chapter 28B.156 RCW.

(3) The presumption in subsection (2) of this section is rebuttable and may be overcome based on the circumstances surrounding the giving and acceptance of the item.

(4) Notwithstanding subsections (2) and (5) of this section, a state officer or state employee of a regulatory agency or of an agency that seeks to acquire goods or services who participates in those regulatory or contractual matters may receive, accept, take, or seek, directly or indirectly, only the following items from a person regulated by the agency or from a person who seeks to provide goods or services to the agency:

(a) Unsolicited advertising or promotional items of nominal value, such as pens and note pads;



(b) Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;

(c) Unsolicited items received by a state officer or state employee for the purpose of evaluation or review, if the officer or employee has no personal beneficial interest in the eventual use or acquisition of the item by the officer's or employee's agency;

(d) Informational material, publications, or subscriptions related to the recipient's performance of official duties;

(e) Food and beverages consumed at hosted receptions where attendance is related to the state officer's or state employee's official duties;

(f) Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization; and

(g) Those items excluded from the definition of gift in RCW 42.52.010 except:

(i) Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity;

(ii) Payments for seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade, or charitable association or institution; and

(iii) Flowers, plants, and floral arrangements.

(5) A state officer or state employee may accept gifts in the form of food and beverage on infrequent occasions in the ordinary course of meals where attendance by the officer or employee is related to the performance of official duties. Gifts in the form of food and beverage that exceed fifty dollars on a single occasion shall be reported as provided in (~~chapter 42.17A~~) Title 29B RCW.

**Sec. 515.** RCW 42.52.180 and 2022 c 37 s 3 are each amended to read as follows:

(1) No state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Knowing acquiescence by a person with authority to direct, control, or influence the actions of the state officer or state employee using public resources in violation of this section constitutes a violation of this section. Facilities of an agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of state employees of the agency during working hours, vehicles, office space, publications of the agency, and clientele lists of persons served by the agency.

(2) This section shall not apply to the following activities:

(a) Action taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to

support or oppose a ballot proposition as long as (i) required notice of the meeting includes the title and number of the ballot proposition, and (ii) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(b) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry. For the purposes of this subsection, it is not a violation of this section for an elected official to respond to an inquiry regarding a ballot proposition, to make incidental remarks concerning a ballot proposition in an official communication, or otherwise comment on a ballot proposition without an actual, measurable expenditure of public funds. The ethics boards shall adopt by rule a definition of measurable expenditure;

(c) (i) The maintenance of official legislative websites throughout the year, regardless of pending elections. The websites may contain any discretionary material which was also specifically prepared for the legislator in the course of his or her duties as a legislator, including newsletters and press releases.

(ii) The official legislative websites of legislators seeking reelection or election to any office shall not be altered, other than during a special legislative session, beginning on the first day of the declaration of candidacy filing period specified in RCW 29A.24.050 through the date of certification of the general election of the election year. As used in this subsection, "legislator" means a legislator who is a "candidate," as defined in (~~RCW 42.17A.005~~) section 209 of this act, for any public office. "Legislator" does not include a member of the legislature who has announced their retirement from elected public office and who does not file a declaration of candidacy by the end of the candidacy filing period specified in RCW 29A.24.050.

(iii) The website shall not be used for campaign purposes;

(d) Activities that are part of the normal and regular conduct of the office or agency, which include but are not limited to:

(i) Communications by a legislator or appropriate legislative staff designee directly pertaining to any legislative proposal which has been introduced in either chamber of the legislature; and

(ii) Posting, by a legislator or appropriate legislative staff designee, information to a legislator's official legislative website including an official legislative social media account, about:

(A) Emergencies;

(B) Federal holidays, state and legislatively recognized holidays established under RCW 1.16.050, and religious holidays;

(C) Information originally provided or published by other government entities which provide information about government resources; and

(D) Achievements, honors, or awards of extraordinary distinction; and

(e) De minimis use of public facilities by statewide elected officials and legislators incidental to the preparation or delivery of permissible communications, including written and verbal communications initiated by them of their views on ballot propositions that foreseeably may affect a matter that falls within their constitutional or statutory responsibilities.

(3) As to state officers and employees, this section operates to the exclusion of RCW 42.17A.555 (as recodified by this act).

(4) As used in this section, "official legislative website" includes, but is not limited to, a legislator's official legislative social media accounts.

**Sec. 516.** RCW 42.52.185 and 2022 c 37 s 4 are each amended to read as follows:

(1) During the period beginning on the first day of the declaration of candidacy filing period specified in RCW 29A.24.050 in the year of a general election for a state legislator's election to office and continuing through the date of certification of the general election, the legislator may not mail, either by regular mail or email, to a constituent at public expense a letter, newsletter, brochure, or other piece of literature, except for routine legislative correspondence, such as scheduling, and the legislator may, by mail or email, send an individual letter to (a) an individual constituent who has contacted the legislator regarding the subject matter of the letter during the legislator's current term of office; (b) an individual constituent who holds a governmental office with jurisdiction over the subject matter of the letter; or (c) an individual constituent who has received an award or honor of extraordinary distinction of a type that is sufficiently infrequent to be noteworthy to a reasonable person including, but not limited to: (i) An international or national award such as the Nobel prize or the Pulitzer prize; (ii) a state award such as Washington scholar; (iii) an Eagle Scout award; and (iv) a Medal of Honor.

(2) A violation of this section constitutes use of the facilities of a public office for the purpose of assisting a campaign under RCW 42.52.180.

(3) The house of representatives and senate shall specifically limit expenditures per member for the total cost of mailings. Those costs include, but are not limited to, production costs, printing costs, and postage costs. The limits imposed under this subsection apply only to the total expenditures on mailings per member and not to any categorical cost within the total.

(4) For purposes of this section:

(a) "Legislator" means a legislator who is a "candidate," as defined in (RCW 42.17A.005) section 209 of this act, for any public office. "Legislator" does not include a member of the legislature who has announced their retirement from elected public office and who does not file a declaration of candidacy by the end of the candidacy filing period specified in RCW 29A.24.050.

(b) Persons residing outside the legislative district represented by the legislator are not considered to be constituents, but students, military personnel, or others temporarily employed outside of the district who normally reside in the district are considered to be constituents.

**Sec. 517.** RCW 42.52.380 and 2011 c 60 s 32 are each amended to read as follows:

(1) No member of the executive ethics board may (a) hold or campaign for partisan elective office other than the position of precinct committeeperson, or any full-time nonpartisan office; (b) be an officer of any political party or political committee as defined in (chapter 42.17A) Title 29B RCW other than the position of precinct committeeperson; (c) permit his or her name to be used, or make contributions, in support of or in opposition to any state candidate or state ballot measure; or (d) lobby or control, direct, or assist a lobbyist except that such member may appear before any committee of the legislature on matters pertaining to this chapter.

(2) No citizen member of the legislative ethics board may (a) hold or campaign for partisan elective office other than the position of precinct committeeperson, or any full-time nonpartisan office; (b) be an officer of any political party or political committee as defined in (chapter 42.17A) Title 29B RCW, other than the position of precinct committeeperson; (c) permit his or her name to be used, or make contributions, in support of or in opposition to any legislative candidate, any legislative caucus campaign committee that supports or opposes legislative candidates, or any political action committee that supports or opposes legislative candidates; or (d) engage in lobbying in the legislative branch under circumstances not exempt, under RCW 42.17A.610 (as recodified by this act), from lobbyist registration and reporting.

(3) No citizen member of the legislative ethics board may hold or campaign for a seat in the state house of representatives or the state senate within two years of serving on the board if the citizen member opposes an incumbent who has been the respondent in a complaint before the board.

**Sec. 518.** RCW 42.52.560 and 2011 c 60 s 33 are each amended to read as follows:

(1) Nothing in this chapter prohibits a state employee from distributing communications from an employee organization or charitable organization to other state employees if the communications do not support or oppose a ballot proposition or candidate for federal, state, or local public office. Nothing in this section shall be construed to authorize any lobbying activity with public funds beyond the activity permitted by RCW 42.17A.635 (as recodified by this act).

(2) "Employee organization," for purposes of this section, means any organization, union, or association in which employees participate and that exists for the purpose of collective bargaining with employers or

for the purpose of opposing collective bargaining or certification of a union.

**Sec. 519.** RCW 42.52.806 and 2023 c 387 s 4 are each amended to read as follows:

This chapter does not prohibit the members of the Billy Frank Jr. national statutory hall selection committee, members of the legislature, when outside the period in which solicitation of contributions is prohibited by RCW 42.17A.560 (as recodified by this act), or employees of the Washington state historical society from soliciting contributions for the purposes established in chapter 20, Laws of 2021, and for deposit into the Billy Frank Jr. national statutory hall collection fund created in RCW 43.08.800.

**Sec. 520.** RCW 43.03.305 and 2023 c 470 s 1005 are each amended to read as follows:

There is created a commission to be known as the Washington citizens' commission on salaries for elected officials, to consist of members appointed by the governor as provided in this section.

(1) One registered voter from each congressional district shall be selected by the secretary of state from among those registered voters eligible to vote at the time persons are selected for appointment to serve on the commission. The secretary shall establish policies and procedures for conducting the selection by lot. The policies and procedures shall include, but not be limited to, those for notifying persons selected and for providing a new selection from a congressional district if a person selected from the district declines appointment to the commission or if, following the person's appointment, the person's position on the commission becomes vacant before the end of the person's term of office.

(2) Seven commission members, all residents of this state, shall be selected jointly by the speaker of the house of representatives and the president of the senate. The persons selected under this subsection shall have had experience in the field of personnel management. Of these seven members, one shall be selected from each of the following five sectors in this state: Private institutions of higher education; business; professional personnel management; legal profession; and organized labor. Of the two remaining members, one shall be a person recommended to the speaker and the president by the chair of the Washington personnel resources board and one shall be a person recommended by majority vote of the presidents of the state's four-year institutions of higher education.

(3) The secretary of state shall forward the names of persons selected under subsection (1) of this section and the speaker of the house of representatives and president of the senate shall forward the names of persons selected under subsection (2) of this section to the governor who shall appoint these persons to the commission. Except as provided in subsection (6) of this section, all members shall serve four-year terms and the names of the persons selected for appointment to the commission

shall be forwarded to the governor not later than the first day of July every two years.

(4) No person may be appointed to more than two terms. No member of the commission may be removed by the governor during his or her term of office unless for cause of incapacity, incompetence, neglect of duty, or malfeasance in office or for a disqualifying change of residence.

The unexcused absence of any person who is a member of the commission from two consecutive meetings of the commission shall constitute the relinquishment of that person's membership on the commission. Such a relinquishment creates a vacancy in that person's position on the commission. A member's absence may be excused by the chair of the commission upon the member's written request if the chair believes there is just cause for the absence. Such a request must be received by the chair before the meeting for which the absence is to be excused. A member's absence from a meeting of the commission may also be excused during the meeting for which the member is absent by the affirmative vote of a majority of the members of the commission present at the meeting.

(5) No state official, public employee, or lobbyist, or immediate family member of the official, employee, or lobbyist, subject to the registration requirements of ~~(chapter 42.17A)~~ Title 29B RCW is eligible for membership on the commission.

As used in this subsection the phrase "immediate family" means the parents, spouse or domestic partner, siblings, children, or dependent relative of the official or lobbyist whether or not living in the household of the official or lobbyist, and the parent, spouse or domestic partner, sibling, child, or dependent relative of the employee, living in the household of the employee or who is dependent in whole or in part for his or her support upon the earnings of the state employee.

(6)(a) Upon a vacancy in any position on the commission, a successor shall be selected and appointed to fill the unexpired term. The selection and appointment shall be concluded within thirty days of the date the position becomes vacant and shall be conducted in the same manner as originally provided.

(b) Initial members appointed from congressional districts created after July 22, 2011, shall be selected and appointed in the manner provided in subsection (1) of this section. The selection and appointment must be concluded within ninety days of the date the district is created. The term of an initial member appointed under this subsection terminates July 1st of an even-numbered year so that at no point may the terms of more than one-half plus one of the members selected under subsection (1) of this section terminate in the same year.

**Sec. 521.** RCW 43.17.320 and 2011 c 60 s 35 are each amended to read as follows:

For purposes of RCW 43.17.320 through 43.17.340, "state agency" means:

(1) Any agency for which the executive officer is listed in RCW 42.17A.705(1) (as recodified by this act); and

(2) The office of the secretary of state; the office of the state treasurer; the office of the state auditor; the department of natural resources; the office of the insurance commissioner; and the office of the superintendent of public instruction.

**Sec. 522.** RCW 43.52A.030 and 2011 c 60 s 36 are each amended to read as follows:

The governor, with the consent of the senate, shall appoint two residents of Washington state to the council pursuant to the act. These persons shall undertake the functions and duties of members of the council as specified in the act and in appropriate state law. Upon appointment by the governor to the council, the nominee shall make available to the senate such disclosure information as is requested for the confirmation process, including that required in RCW 42.17A.710 (as recodified by this act).

**Sec. 523.** RCW 43.59.156 and 2020 c 72 s 1 are each amended to read as follows:

(1) Within amounts appropriated to the traffic safety commission, the commission must convene the Cooper Jones active transportation safety council comprised of stakeholders who have a unique interest or expertise in the safety of pedestrians, bicyclists, and other nonmotorists.

(2) The purpose of the council is to review and analyze data and programs related to fatalities and serious injuries involving pedestrians, bicyclists, and other nonmotorists to identify points at which the transportation system can be improved including, whenever possible, privately owned areas of the system such as parking lots, and to identify patterns in pedestrian, bicyclist, and other nonmotorist fatalities and serious injuries. The council may also:

(a) Monitor progress on implementation of existing council recommendations; and

(b) Seek opportunities to expand consideration and implementation of the principles of systematic safety, including areas where data collection may need improvement.

(3)(a) The council may include, but is not limited to:

(i) A representative from the commission;

(ii) A coroner from the county in which pedestrian, bicyclist, or nonmotorist deaths have occurred;

(iii) Multiple members of law enforcement who have investigated pedestrian, bicyclist, or nonmotorist fatalities;

(iv) A traffic engineer;

(v) A representative from the department of transportation and a representative from the department of health;

(vi) A representative from the association of Washington cities;

(vii) A representative from the Washington state association of counties;

(viii) A representative from a pedestrian advocacy group; and

(ix) A representative from a bicyclist or other nonmotorist advocacy group.

(b) The commission may invite other representatives of stakeholder groups to participate in the council as deemed

appropriate by the commission. Additionally, the commission may invite a victim or family member of a victim to participate in the council.

(4) The council must meet at least quarterly. By December 31st of each year, the council must issue an annual report detailing any findings and recommendations to the governor and the transportation committees of the legislature. The commission must provide the annual report electronically to all municipal governments and state agencies that participated in the council during that calendar year. Additionally, the council must report any budgetary or fiscal recommendations to the office of financial management and the legislature by August 1st on a biennial basis.

(5) As part of the review of pedestrian, bicyclist, or nonmotorist fatalities and serious injuries that occur in Washington, the council may review any available information, including crash information maintained in existing databases; statutes, rules, policies, or ordinances governing pedestrians and traffic related to the incidents; and any other relevant information. The council may make recommendations regarding changes in statutes, ordinances, rules, and policies that could improve pedestrian, bicyclist, or nonmotorist safety. Additionally, the council may make recommendations on how to improve traffic fatality and serious injury data quality, including crashes that occur in privately owned property such as parking lots. The council may consult with local cities and counties, as well as local police departments and other law enforcement agencies and associations representing those jurisdictions on how to improve data quality regarding crashes occurring on private property.

(6)(a) Documents prepared by or for the council are inadmissible and may not be used in a civil or administrative proceeding, except that any document that exists before its use or consideration in a review by the council, or that is created independently of such review, does not become inadmissible merely because it is reviewed or used by the council. For confidential information, such as personally identifiable information and medical records, which are obtained by the council, neither the commission nor the council may publicly disclose such confidential information. No person who was in attendance at a meeting of the council or who participated in the creation, retention, collection, or maintenance of information or documents specifically for the commission or the council shall be permitted to testify in any civil action as to the content of such proceedings or of the documents and information prepared specifically as part of the activities of the council. However, recommendations from the council and the commission generally may be disclosed without personal identifiers.

(b) The council may review, only to the extent otherwise permitted by law or court rule when determined to be relevant and necessary: Any law enforcement incident documentation, such as incident reports, dispatch records, and victim, witness, and

suspect statements; any supplemental reports, probable cause statements, and 911 call taker's reports; and any other information determined to be relevant to the review. The commission and the council must maintain the confidentiality of such information to the extent required by any applicable law.

(7) If acting in good faith, without malice, and within the parameters of and protocols established under this chapter, representatives of the commission and the council are immune from civil liability for an activity related to reviews of particular fatalities and serious injuries.

(8) This section must not be construed to provide a private civil cause of action.

(9)(a) The council may receive gifts, grants, or endowments from public or private sources that are made from time to time, in trust or otherwise, for the use and benefit of the purposes of the council and spend the gifts, grants, or endowments from the public or private sources according to their terms, unless the receipt of the gifts, grants, or endowments violates RCW 42.17A.560 (as recodified by this act).

(b) Subject to the appropriation of funds for this specific purpose, the council may provide grants targeted at improving pedestrian, bicyclist, or nonmotorist safety in accordance with recommendations made by the council.

(10) For purposes of this section:

(a) "Bicyclist fatality" means any death of a bicyclist resulting from a collision, whether on a roadway, at an intersection, along an adjacent sidewalk, or on a path that is contiguous with a roadway.

(b) "Council" means the Cooper Jones active transportation safety council.

(c) "Nonmotorist" means anyone using the transportation system who is not in a vehicle.

(d) "Pedestrian fatality" means any death of a pedestrian resulting from a collision, whether on a roadway, at an intersection, along an adjacent sidewalk, or on a path that is contiguous with a roadway.

(e) "Serious injury" means any injury other than a fatal injury that prevents the injured person from walking, driving, or normally continuing the activities the person was capable of performing before the injury occurred.

**Sec. 524.** RCW 43.60A.175 and 2014 c 179 s 2 are each amended to read as follows:

(1) The department may receive gifts, grants, or endowments from public or private sources that are made from time to time, in trust or otherwise, for the use and benefit of the purposes of the veterans innovations program and spend gifts, grants, or endowments or income from the public or private sources according to their terms, unless the receipt of the gifts, grants, or endowments violates RCW 42.17A.560 (as recodified by this act).

(2) The department may adopt rules under chapter 34.05 RCW as necessary to carry out the purposes of RCW 43.60A.160 through 43.60A.185.

(3) The department may perform all acts and functions as necessary or convenient to

carry out the powers expressly granted or implied under chapter 343, Laws of 2006.

**Sec. 525.** RCW 43.166.030 and 2022 c 259 s 3 are each amended to read as follows:

(1) State lands development authorities have the power to:

(a) Accept gifts, grants, loans, or other aid from public and private entities;

(b) Employ and appoint such agents, attorneys, officers, and employees as may be necessary to implement its purposes and duties;

(c) Contract and enter into partnerships with individuals, associations, corporations, and local, state, and federal governments;

(d) Buy, own, and lease real and personal property;

(e) Sell real and personal property, subject to any rules and restrictions contained in the proposal to establish a state lands development authority under RCW 43.166.010;

(f) Hold in trust, improve, and develop land;

(g) Invest, deposit, and reinvest its funds;

(h) Incur debt in furtherance of its mission: Provided, however, that state lands development authorities are expressly prohibited from incurring debt on behalf of the state of Washington as defined in Article VIII, section 1 of the state Constitution. A state lands development authority obligation to repay borrowed money does not constitute an obligation, either general, special, or moral, of the state of Washington. State lands development authorities are expressly prohibited from using, either directly or indirectly, "general state revenues" as defined in Article VIII, section 1 of the state Constitution to satisfy any state lands development authority obligation to repay borrowed money;

(i) Lend or grant its funds for any lawful purposes. For purposes of this section, "lawful purposes" includes without limitation, any use of funds, including loans thereof to public or private parties, authorized by agreements with the United States or any department or agency thereof under which federal or private funds are obtained, or authorized under federal laws and regulations pertinent to such agreements; and

(j) Exercise such additional powers as may be authorized by law.

(2) A state lands development authority that accepts public funds under subsection (1)(a) of this section:

(a) Is subject in all respects to Article VIII, section 5 or 7, as appropriate, of the state Constitution, and RCW 42.17A.550 (as recodified by this act); and

(b) May not use such funds to support or oppose a candidate, ballot proposition, political party, or political committee.

(3) State lands development authorities do not have any authority to levy taxes or assessments.

**Sec. 526.** RCW 43.167.020 and 2011 c 60 s 40 are each amended to read as follows:

(1) A community preservation and development authority shall have the power to:

(a) Accept gifts, grants, loans, or other aid from public or private entities;

(b) Employ and appoint such agents, attorneys, officers, and employees as may be necessary to implement the purposes and duties of an authority;

(c) Contract and enter into partnerships with individuals, associations, corporations, and local, state, and federal governments;

(d) Buy, own, lease, and sell real and personal property;

(e) Hold in trust, improve, and develop land;

(f) Invest, deposit, and reinvest its funds;

(g) Incur debt in furtherance of its mission; and

(h) Lend its funds, property, credit, or services for corporate purposes.

(2) A community preservation and development authority has no power of eminent domain nor any power to levy taxes or special assessments.

(3) A community preservation and development authority that accepts public funds under subsection (1)(a) of this section:

(a) Is subject in all respects to Article VIII, section 5 or 7, as appropriate, of the state Constitution, and to RCW 42.17A.550 (as recodified by this act); and

(b) May not use the funds to support or oppose a candidate, ballot proposition, political party, or political committee.

**Sec. 527.** RCW 43.384.060 and 2018 c 275 s 7 are each amended to read as follows:

The board may receive gifts, grants, or endowments from public or private sources that are made from time to time, in trust or otherwise, for the use and benefit of the purposes of the authority and spend gift, grants, or endowments or income from public or private sources according to their terms, unless the receipt of gifts, grants, or endowments violates RCW 42.17A.560 (as recodified by this act).

**Sec. 528.** RCW 44.05.020 and 2011 c 60 s 41 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter, unless the context requires otherwise.

(1) "Chief election officer" means the secretary of state.

(2) "Federal census" means the decennial census required by federal law to be prepared by the United States bureau of the census in each year ending in zero.

(3) "Lobbyist" means an individual required to register with the Washington public disclosure commission pursuant to RCW 42.17A.600 (as recodified by this act).

(4) "Plan" means a plan for legislative and congressional redistricting mandated by Article II, section 43 of the state Constitution.

**Sec. 529.** RCW 44.05.080 and 2018 c 301 s 10 are each amended to read as follows:

In addition to other duties prescribed by law, the commission shall:

(1) Adopt rules pursuant to the Administrative Procedure Act, chapter 34.05 RCW, to carry out the provisions of Article II, section 43 of the state Constitution and of this chapter, which rules shall provide that three voting members of the commission constitute a quorum to do business, and that the votes of three of the voting members are required for any official action of the commission;

(2) Act as the legislature's recipient of the final redistricting data and maps from the United States Bureau of the Census;

(3) Comply with requirements to disclose and preserve public records as specified in chapters 40.14 and 42.56 RCW;

(4) Hold open meetings pursuant to the open public meetings act, chapter 42.30 RCW;

(5) Prepare and disclose its minutes pursuant to RCW 42.30.035;

(6) Be subject to the provisions of RCW 42.17A.700 (as recodified by this act);

(7) Prepare and publish a report with the plan; the report will be made available to the public at the time the plan is published. The report will include but will not be limited to: (a) The population and percentage deviation from the average district population for every district; (b) an explanation of the criteria used in developing the plan with a justification of any deviation in a district from the average district population; (c) a map of all the districts; and (d) the estimated cost incurred by the counties for adjusting precinct boundaries;

(8) Adopt a districting plan for a noncharter county with a population of ~~((four hundred thousand))~~ 400,000 or more, pursuant to RCW 36.32.054.

**Sec. 530.** RCW 53.57.060 and 2015 c 35 s 7 are each amended to read as follows:

A port development authority created under this chapter must comply with applicable laws including, but not limited to, the following:

(1) Requirements concerning local government audits by the state auditor and applicable accounting requirements set forth in chapter 43.09 RCW;

(2) The public records act, chapter 42.56 RCW;

(3) Prohibitions on using facilities for campaign purposes under RCW 42.17A.555 (as recodified by this act);

(4) The open public meetings act, chapter 42.30 RCW;

(5) The code of ethics for municipal officers under chapter 42.23 RCW; and

(6) Local government whistleblower protection laws set forth in chapter 42.41 RCW.

**Sec. 531.** RCW 68.52.220 and 2020 c 83 s 6 are each amended to read as follows:

(1) The affairs of the cemetery district must be managed by a board of cemetery district commissioners composed of three members. The board may provide, by resolution passed by the commissioners, for the payment of compensation to each of its commissioners at a rate of up to ~~((ninety~~

dollars))\$90 for each day or portion of a day spent in actual attendance at official meetings of the district commission, or in performance of other official services or duties on behalf of the district. However, the compensation for each commissioner must not exceed ((eight thousand six hundred forty dollars))\$8,640 per year.

(2) Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the clerk of the board. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver must specify the month or period of months for which it is made. The board must fix the compensation to be paid the secretary and other employees of the district. Cemetery district commissioners and candidates for cemetery district commissioner are exempt from the requirements of ((chapter 42.17A))Title 29B RCW.

(3) The initial cemetery district commissioners must assume office immediately upon their election and qualification. Staggering of terms of office must be accomplished as follows: (a) The person elected receiving the greatest number of votes is elected to a six-year term of office if the election is held in an odd-numbered year or a five-year term of office if the election is held in an even-numbered year; (b) the person who is elected receiving the next greatest number of votes is elected to a four-year term of office if the election is held in an odd-numbered year or a three-year term of office if the election is held in an even-numbered year; and (c) the other person who is elected is elected to a two-year term of office if the election is held in an odd-numbered year or a one-year term of office if the election is held in an even-numbered year. The initial commissioners must assume office immediately after they are elected and qualified but their terms of office must be calculated from the first day of January after the election.

(4) Thereafter, commissioners are elected to six-year terms of office. Commissioners must serve until their successors are elected and qualified and assume office as provided in RCW 29A.60.280.

(5) The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning January 1, 2024, based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items must be used for the adjustments for inflation in this section.

The office of financial management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar threshold is to take effect.

(6) A person holding office as commissioner for two or more special purpose districts may receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

**Sec. 532.** RCW 70A.02.120 and 2021 c 314 s 21 are each amended to read as follows:

(1) Nothing in chapter 314, Laws of 2021 prevents state agencies that are not covered agencies from adopting environmental justice policies and processes consistent with chapter 314, Laws of 2021.

(2) The head of a covered agency may, on a case-by-case basis, exempt a significant agency action or decision process from the requirements of RCW 70A.02.060 and 70A.02.080 upon determining that:

(a) Any delay in the significant agency action poses a potentially significant threat to human health or the environment, or is likely to cause serious harm to the public interest;

(b) An assessment would delay a significant agency decision concerning the assessment, collection, or administration of any tax, tax program, debt, revenue, receipt, a regulated entity's financial filings, or insurance rate or form filing;

(c) The requirements of RCW 70A.02.060 and 70A.02.080 are in conflict with:

(i) Federal law or federal program requirements;

(ii) The requirements for eligibility of employers in this state for federal unemployment tax credits; or

(iii) Constitutional limitations or fiduciary obligations, including those applicable to the management of state lands and state forestlands as defined in RCW 79.02.010.

(3) A covered agency may not, for the purposes of implementing any of its responsibilities under this chapter, contract with an entity that employs a lobbyist registered under RCW 42.17A.600 (as recodified by this act) that is lobbying on behalf of that entity.

**Sec. 533.** RCW 79A.25.830 and 2011 c 60 s 48 are each amended to read as follows:

The recreation and conservation funding board or office may receive gifts, grants, or endowments from public and private sources that are made from time to time, in trust or otherwise, for the use and benefit of the purposes of RCW 79A.25.800 through 79A.25.830 and spend gifts, grants, or endowments or income from the public or private sources according to their terms, unless the receipt of the gifts, grants, or

endowments violates RCW 42.17A.560 (as recodified by this act).

**Sec. 534.** RCW 82.04.759 and 2023 c 286 s 2 are each amended to read as follows:

(1) This chapter does not apply to amounts received by any person for engaging in any of the following activities:

(a) Printing a newspaper, publishing a newspaper, or both; or

(b) Publishing eligible digital content by a person who reported under the printing and publishing tax classification for the reporting period that covers January 1, 2008, for engaging in printing and/or publishing a newspaper, as defined on January 1, 2008.

(2) The exemption under this section must be reduced by an amount equal to the value of any expenditure made by the person during the tax reporting period. For purposes of this subsection, "expenditure" has the meaning provided in ((RCW 42.17A.005)) section 223 of this act.

(3) If a person who is primarily engaged in printing a newspaper, publishing a newspaper, or publishing eligible digital content, or any combination of these activities, charges a single, nonvariable amount to advertise in, subscribe to, or access content in both a publication identified in subsection (1) of this section and another type of publication, the entire amount is exempt under this section.

(4) For purposes of this section, "eligible digital content" means a publication that:

(a) Is published at regularly stated intervals of at least once per month;

(b) Features written content, the largest category of which, as determined by word count, contains material that identifies the author or the original source of the material; and

(c) Is made available to readers exclusively in an electronic format.

(5) The exemption under this section applies only to persons primarily engaged in printing a newspaper, publishing a newspaper, or publishing eligible digital content, or any combination of these activities, unless these business activities were previously engaged in by an affiliated person and were not the affiliated person's primary business activity.

(6) For purposes of this section, the following definitions apply:

(a) "Affiliated" has the same meaning as provided in RCW 82.04.299.

(b) "Primarily" means, with respect to a business activity or combination of business activities of a taxpayer, more the 50 percent of the taxpayer's gross worldwide income from all business activities, whether subject to tax under this chapter or not, comes from such activity or activities.

NEW SECTION. Sec. 535. Section 534 of this act expires January 1, 2034.

NEW SECTION. Sec. 536. This act takes effect January 1, 2026."

Correct the title.

Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 5869

Prime Sponsor, Local Government, Land Use & Tribal Affairs: Concerning rural fire district stations. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

February 20, 2024

ESSB 5891

Prime Sponsor, Law & Justice: Designating trespassing on a school bus as a felony offense. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. This act may be known and cited as the Richard Lenhart act.

NEW SECTION. Sec. 2. A new section is added to chapter 9A.52 RCW to read as follows:

(1) A person is guilty of school bus trespass if he or she knowingly and maliciously:

(a) Enters or remains unlawfully in a school bus;

(b) Does any other act that creates a substantial risk of harm to passengers or the driver; and

(c) Causes a substantial interruption or impairment to services rendered by the school bus.

(2) As used in this section, "school bus" means any vehicle owned, leased, or operated by a public school district, a religious or private school, a private entity contracted with a school district, or educational institution for the purpose of transporting students to and from school or school-related activities.

(3) School bus trespass is a gross misdemeanor.

(4) Subsection (1) of this section shall not apply to any of the following:

(a) Students enrolled in the school which is being serviced by the school bus;

(b) Law enforcement officers or other authorized personnel engaged in the performance of their official duties;

(c) Individuals with written consent from the school district or educational institution allowing them to enter or remain on the school bus; and

(d) Emergency situations where entering the bus is necessary to protect the safety or well-being of students or others.



(5) Local law enforcement agencies shall have the authority to enforce the provisions of this act. School districts and educational institutions shall collaborate with local law enforcement to establish protocols and procedures to ensure effective enforcement of this act.

(6) School districts and educational institutions shall implement educational programs and awareness campaigns to educate students, parents, and the community about the importance of maintaining safety and security on school buses. These educational programs shall emphasize the potential consequences of school bus trespassing in accordance with this act.

(7) Subject to the availability of funds appropriated for this specific purpose, school districts and educational institutions shall affix placards warning of the consequences of violating subsection (1) of this section on the outside of all public school buses in a manner easily visible for all to see.

**NEW SECTION. Sec. 3.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Rules for second reading

February 20, 2024

2SSB 5893 Prime Sponsor, Ways & Means: Providing gate money to incarcerated individuals at the department of corrections. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Do not pass. Signed by Representative Graham.

MINORITY recommendation: Without recommendation. Signed by Representatives Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

February 20, 2024

E2SSB 5908 Prime Sponsor, Ways & Means: Providing extended foster care services to youth ages 18 to 21. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature recognizes that the extended foster care program strives to help hundreds of young Washingtonians in foster care prepare for adulthood and to prevent them from experiencing homelessness.

The legislature finds that extended foster care can reduce homelessness, receipt of public assistance, use of medical emergency departments, diagnosis of substance abuse and treatment, criminal convictions, and involvement of children in the child welfare system. An analysis from the department of social and health services found that, at age 18, 41 percent of youth exiting the foster care system experienced homelessness or housing instability compared to 23 percent of youth in extended foster care.

The legislature finds that the Washington state institute for public policy's benefit-cost analysis found that the extended foster care program produces \$3.95 of lifetime benefits for each \$1 invested. Furthermore, of the total benefits, 40 percent represents savings and revenue that would accrue to state, local, and federal governments.

However, the legislature recognizes that young people in foster care still experience barriers to accessing the program: In 2022, 27 percent of young people leaving foster care did not participate in extended foster care. The legislature intends to improve outcomes for youth in the foster care system by improving access to the foster care program.

Therefore, the legislature resolves to reduce barriers that young people currently experience when seeking to participate in extended foster care and to make the transition from foster care to extended foster care as seamless as possible, such that all dependent youth are aware of the program when they turn 18 and all youth who want to participate are able to participate.

**Sec. 2.** RCW 13.34.030 and 2021 c 304 s 1 and 2021 c 67 s 2 are each reenacted and amended to read as follows:

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

(1) "Abandoned" means when the child's parent, guardian, or other custodian has expressed, either by statement or conduct, an intent to forego, for an extended period, parental rights or responsibilities despite an ability to exercise such rights and responsibilities. If the court finds that the petitioner has exercised due diligence in attempting to locate the parent, no contact between the child and the child's parent, guardian, or other custodian for a period of three months creates a rebuttable presumption of abandonment, even if there is no expressed intent to abandon.

(2) "Child," "juvenile," and "youth" mean:

(a) Any individual under the age of eighteen years; or

(b) Any individual age ((~~eighteen~~))18 to ((~~twenty-one~~))21 years who is eligible to receive and who elects to receive the extended foster care services authorized under RCW 74.13.031. A youth who remains

dependent and who receives extended foster care services under RCW 74.13.031 shall not be considered a "child" under any other statute or for any other purpose.

(3) "Current placement episode" means the period of time that begins with the most recent date that the child was removed from the home of the parent, guardian, or legal custodian for purposes of placement in out-of-home care and continues until: (a) The child returns home; (b) an adoption decree, a permanent custody order, or guardianship order is entered; or (c) the dependency is dismissed, whichever occurs first.

(4) "Department" means the department of children, youth, and families.

(5) "Dependency guardian" means the person, nonprofit corporation, or Indian tribe appointed by the court pursuant to this chapter for the limited purpose of assisting the court in the supervision of the dependency.

(6) "Dependent child" means any child who:

(a) Has been abandoned;

(b) Is abused or neglected as defined in chapter 26.44 RCW by a person legally responsible for the care of the child;

(c) Has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development; or

(d) Is receiving extended foster care services, as authorized by RCW 74.13.031.

(7) "Developmental disability" means a disability attributable to intellectual disability, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary of the department of social and health services to be closely related to an intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities, which disability originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial limitation to the individual.

(8) "Educational liaison" means a person who has been appointed by the court to fulfill responsibilities outlined in RCW 13.34.046.

(9) "Experiencing homelessness" means lacking a fixed, regular, and adequate nighttime residence, including circumstances such as sharing the housing of other persons due to loss of housing, economic hardship, fleeing domestic violence, or a similar reason as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter I) as it existed on January 1, 2021.

(10) "Extended foster care services" means residential and other support services the department is authorized to provide under RCW 74.13.031. These services may include placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; supervised independent living subsidy; medical assistance; and counseling or treatment.

(11) "Guardian" means the person or agency that: (a) Has been appointed as the guardian of a child in a legal proceeding, including a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the legal right to custody of the child pursuant to such appointment. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under this chapter.

(12) "Guardian ad litem" means a person, appointed by the court to represent the best interests of a child in a proceeding under this chapter, or in any matter which may be consolidated with a proceeding under this chapter. A "court-appointed special advocate" appointed by the court to be the guardian ad litem for the child, or to perform substantially the same duties and functions as a guardian ad litem, shall be deemed to be guardian ad litem for all purposes and uses of this chapter.

(13) "Guardian ad litem program" means a court-authorized volunteer program, which is or may be established by the superior court of the county in which such proceeding is filed, to manage all aspects of volunteer guardian ad litem representation for children alleged or found to be dependent. Such management shall include but is not limited to: Recruitment, screening, training, supervision, assignment, and discharge of volunteers.

(14) "Guardianship" means a guardianship pursuant to chapter 13.36 RCW or a limited guardianship of a minor pursuant to RCW 11.130.215 or equivalent laws of another state or a federally recognized Indian tribe.

(15) "Housing assistance" means appropriate referrals by the department or other agencies to federal, state, local, or private agencies or organizations, assistance with forms, applications, or financial subsidies or other monetary assistance for housing. For purposes of this chapter, "housing assistance" is not a remedial service or family reunification service as described in RCW 13.34.025(2).

(16) "Indigent" means a person who, at any stage of a court proceeding, is:

(a) Receiving one of the following types of public assistance: Temporary assistance for needy families, aged, blind, or disabled assistance benefits, medical care services under RCW 74.09.035, pregnant women assistance benefits, poverty-related veterans' benefits, food stamps or food stamp benefits transferred electronically, refugee resettlement benefits, medicaid, or supplemental security income; or

(b) Involuntarily committed to a public mental health facility; or

(c) Receiving an annual income, after taxes, of ~~((one hundred twenty-five))~~ 125 percent or less of the federally established poverty level; or

(d) Unable to pay the anticipated cost of counsel for the matter before the court because his or her available funds are insufficient to pay any amount for the retention of counsel.

(17) "Nonminor dependent" means any individual age ~~((eighteen))~~ 18 to ~~((twenty-one))~~ 21 years who is participating in

extended foster care services authorized under RCW 74.13.031.

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

(19) "Parent" means the biological or adoptive parents of a child, or an individual who has established a parent-child relationship under RCW 26.26A.100, unless the legal rights of that person have been terminated by a judicial proceeding pursuant to this chapter, chapter 26.33 RCW, or the equivalent laws of another state or a federally recognized Indian tribe.

(20) "Prevention and family services and programs" means specific mental health prevention and treatment services, substance abuse prevention and treatment services, and in-home parent skill-based programs that qualify for federal funding under the federal family first prevention services act, P.L. 115-123. For purposes of this chapter, prevention and family services and programs are not remedial services or family reunification services as described in RCW 13.34.025(2).

(21) "Prevention services" means preservation services, as defined in chapter 74.14C RCW, and other reasonably available services, including housing assistance, capable of preventing the need for out-of-home placement while protecting the child. Prevention services include, but are not limited to, prevention and family services and programs as defined in this section.

(22) "Qualified residential treatment program" means a program that meets the requirements provided in RCW 13.34.420, qualifies for funding under the family first prevention services act under 42 U.S.C. Sec. 672(k), and, if located within Washington state, is licensed as a group care facility under chapter 74.15 RCW.

(23) "Relative" includes persons related to a child in the following ways:

(a) Any blood relative, including those of half-blood, and including first cousins, second cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(b) Stepfather, stepmother, stepbrother, and stepsister;

(c) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law;

(d) Spouses of any persons named in (a), (b), or (c) of this subsection, even after the marriage is terminated;

(e) Relatives, as named in (a), (b), (c), or (d) of this subsection, of any half sibling of the child; or

(f) Extended family members, as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, a person who has reached the age of ~~((eighteen))~~ 18 and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent who provides care in the family

abode on a ~~((twenty-four))~~ 24 hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4).

(24) "Shelter care" means temporary physical care in a facility licensed pursuant to RCW 74.15.030 or in a home not required to be licensed pursuant to RCW 74.15.030.

(25) "Sibling" means a child's birth brother, birth sister, adoptive brother, adoptive sister, half-brother, or half-sister, or as defined by the law or custom of the Indian child's tribe for an Indian child as defined in RCW 13.38.040.

(26) "Social study" means a written evaluation of matters relevant to the disposition of the case that contains the information required by RCW 13.34.430.

(27) "Supervised independent living setting" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. Supervised independent living settings must be approved by the department or the court.

(28) "Supervised independent living subsidy" has the same meaning as in RCW 74.13.020.

(29) "Voluntary placement agreement" ~~((means))~~ has, for the purposes of extended foster care services, ~~((a written voluntary agreement between a nonminor dependent who agrees to submit to the care and authority of the department for the purposes of participating in the extended foster care program))~~ the same meaning as in RCW 74.13.336.

**Sec. 3.** RCW 13.34.267 and 2021 c 210 s 10 are each amended to read as follows:

(1) In order to facilitate the delivery of extended foster care services, the court, upon the agreement of the youth to participate in the extended foster care program, shall maintain the dependency proceeding for any youth who is dependent at the age of ~~((eighteen))~~ 18 years ~~((and who, at the time of his or her eighteenth birthday,))~~ until the youth turns 21 or withdraws their agreement to participate.

(2) For the purposes of pursuing federal reimbursement only, the department may request judicial findings that a youth is:

(a) Enrolled in a secondary education program or a secondary education equivalency program;

(b) Enrolled and participating in a postsecondary academic or postsecondary vocational program, or has applied for and can demonstrate that he or she intends to timely enroll in a postsecondary academic or postsecondary vocational program;

(c) Participating in a program or activity designed to promote employment or remove barriers to employment;

(d) Engaged in employment for ~~((eighty))~~ 80 hours or more per month; or

(e) Not able to engage in any of the activities described in (a) through (d) of this subsection due to a documented medical condition.

~~((2-1F))~~ (3) When the court maintains the dependency proceeding of a youth pursuant to subsection (1) of this section, the youth is eligible to receive extended

foster care services pursuant to RCW 74.13.031, subject to the youth's continuing ~~((eligibility and))~~ agreement to participate.

~~((3))~~(4) A dependent youth receiving extended foster care services is a party to the dependency proceeding. The youth's parent or guardian must be dismissed from the dependency proceeding when the youth reaches the age of ~~((eighteen))~~18.

~~((4))~~(5) The court shall dismiss the dependency proceeding for any youth who is a dependent and who, at the age of ~~((eighteen))~~18 years, ~~((does not meet any of the criteria described in subsection (1)(a) through (c) of this section or))~~ does not agree to participate in the program.

~~((5))~~(6) The court shall order a youth participating in extended foster care services to be under the placement and care authority of the department, subject to the youth's continuing agreement to participate in extended foster care services. The department may establish foster care rates appropriate to the needs of the youth participating in extended foster care services. The department's placement and care authority over a youth receiving extended foster care services is solely for the purpose of providing services and does not create a legal responsibility for the actions of the youth receiving extended foster care services.

~~((6)(a) The))~~(7) (a) If a youth does not already have counsel, the court shall appoint counsel to represent a youth, as defined in RCW 13.34.030(2)(b), in dependency proceedings under this section. Subject to amounts appropriated, the state shall pay the costs of legal services provided by an attorney appointed pursuant to this subsection based on the phase-in schedule outlined in RCW 13.34.212, provided that the legal services are provided in accordance with the rules of professional conduct, the standards of practice, caseload limits, and training guidelines adopted by the children's representation work group established in section 9, chapter 210, Laws of 2021.

(b) In cases where the statewide children's legal representation program provides funding and where consistent with its administration and oversight responsibilities, the statewide children's legal representation program should prioritize continuity of counsel for children who are already represented at county expense when the statewide children's legal representation program becomes effective in a county. The statewide children's legal representation program shall coordinate with relevant county stakeholders to determine how best to prioritize continuity of counsel.

~~((7))~~(8) The case plan for and delivery of services to a youth receiving extended foster care services is subject to the review requirements set forth in RCW 13.34.138 and 13.34.145, and should be applied in a developmentally appropriate manner, as they relate to youth age ~~((eighteen))~~18 to ~~((twenty-one))~~21 years. Additionally, the court shall consider:

(a) Whether the youth is safe in his or her placement;

~~((Whether the youth continues to be eligible for extended foster care services;~~

~~((e))~~ Whether the current placement is developmentally appropriate for the youth;

~~((d))~~(c) The youth's development of independent living skills; and

~~((e))~~(d) The youth's overall progress toward transitioning to full independence and the projected date for achieving such transition.

~~((8))~~(9) Prior to the review hearing, the youth's attorney shall indicate whether there are any contested issues and may provide additional information necessary for the court's review.

**Sec. 4.** RCW 74.13.020 and 2020 c 270 s 4 are each reenacted and amended to read as follows:

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

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Certificate of parental improvement" means a certificate issued under RCW 74.13.720 to an individual who has a founded finding of physical abuse or negligent treatment or maltreatment, or a court finding that the individual's child was dependent as a result of a finding that the individual abused or neglected their child pursuant to RCW 13.34.030(6)(b).

(3) "Child" means:  
(a) A person less than eighteen years of age; or

(b) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(4) "Child protective services" has the same meaning as in RCW 26.44.020.

(5) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;

(b) Protecting and caring for dependent, abused, or neglected children;

(c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;

(d) Protecting and promoting the welfare of children, including the strengthening of

their own homes where possible, or, where needed;

(e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

"Child welfare services" does not include child protection services.

(6) "Child who is a candidate for foster care" means a child who the department identifies as being at imminent risk of entering foster care but who can remain safely in the child's home or in a kinship placement as long as services or programs that are necessary to prevent entry of the child into foster care are provided, and includes but is not limited to a child whose adoption or guardianship arrangement is at risk of a disruption or dissolution that would result in a foster care placement. The term includes a child for whom there is reasonable cause to believe that any of the following circumstances exist:

(a) The child has been abandoned by the parent as defined in RCW 13.34.030 and the child's health, safety, and welfare is seriously endangered as a result;

(b) The child has been abused or neglected as defined in chapter 26.44 RCW and the child's health, safety, and welfare is seriously endangered as a result;

(c) There is no parent capable of meeting the child's needs such that the child is in circumstances that constitute a serious danger to the child's development;

(d) The child is otherwise at imminent risk of harm.

(7) "Department" means the department of children, youth, and families.

(8) "Extended foster care services" means residential and other support services the department is authorized to provide to dependent children. These services include, but are not limited to, placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; supervised independent living subsidy; and counseling or treatment.

(9) "Family assessment" means a comprehensive assessment of child safety, risk of subsequent child abuse or neglect, and family strengths and needs that is applied to a child abuse or neglect report. Family assessment does not include a determination as to whether child abuse or neglect occurred, but does determine the need for services to address the safety of the child and the risk of subsequent maltreatment.

(10) "Medical condition" means, for the purposes of qualifying for extended foster care services, a physical or mental health condition as documented by any licensed health care provider regulated by a disciplining authority under RCW 18.130.040.

(11) "Nonminor dependent" means any individual age ~~((eighteen))~~18 to ~~((twenty-one))~~21 years who is participating in extended foster care services authorized under RCW 74.13.031.

(12) "Out-of-home care services" means services provided after the shelter care hearing to or for children in out-of-home care, as that term is defined in RCW

13.34.030, and their families, including the recruitment, training, and management of foster parents, the recruitment of adoptive families, and the facilitation of the adoption process, family reunification, independent living, emergency shelter, residential group care, and foster care, including relative placement.

(13) "Performance-based contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts shall also include provisions that link the performance of the contractor to the level and timing of reimbursement.

(14) "Permanency services" means long-term services provided to secure a child's safety, permanency, and well-being, including foster care services, family reunification services, adoption services, and preparation for independent living services.

(15) "Prevention and family services and programs" means specific mental health prevention and treatment services, substance abuse prevention and treatment services, and in-home parent skill-based programs that qualify for federal funding under the federal family first prevention services act, P.L. 115-123. For purposes of this chapter, prevention and family services and programs are not remedial services or family reunification services as described in RCW 13.34.025(2).

(16) "Primary prevention services" means services which are designed and delivered for the primary purpose of enhancing child and family well-being and are shown, by analysis of outcomes, to reduce the risk to the likelihood of the initial need for child welfare services.

(17) "Secretary" means the secretary of the department.

(18) "Supervised independent living setting" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. Supervised independent living settings must be approved by the department or the court.

(19) "Supervised independent living subsidy" means a foster care maintenance payment.

(20) "Unsupervised" has the same meaning as in RCW 43.43.830.

~~((+20))~~(21) "Voluntary placement agreement" ~~((means))~~has, for the purposes of extended foster care services, ~~((a written voluntary agreement between a nonminor dependent who agrees to submit to the care and authority of the department for the purposes of participating in the extended foster care program))~~the same meaning as in RCW 74.13.336.

**Sec. 5.** RCW 74.13.031 and 2023 c 221 s 3 are each amended to read as follows:

(1) The department shall develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services

for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, the department shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, children with disabilities or behavioral health conditions, teens, pregnant and parenting teens, and the department shall annually provide data and information to the governor and the legislature concerning the department's success in: (a) Placing children with relatives; (b) providing supports to kinship caregivers including guardianship assistance payments; (c) supporting relatives to pass home studies and become licensed caregivers; and (d) meeting the need for nonrelative family foster homes when children cannot be placed with relatives.

(3) The department shall investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) As provided in RCW 26.44.030, the department may respond to a report of child abuse or neglect by using the family assessment response.

(5) The department shall offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(6) The department shall monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. Under this section children in out-of-home care and in-home dependencies and their caregivers shall receive a private and individual face-to-face visit each month. The department shall randomly select no less than ten percent of the caregivers currently providing care to receive one unannounced face-to-face visit in the caregiver's home per year. No caregiver will receive an unannounced visit through the random selection process for two consecutive years. If the caseworker makes a good faith effort to conduct the unannounced visit to a caregiver and is unable to do so, that month's visit to that caregiver need not be unannounced. The department is encouraged to group monthly visits to caregivers by geographic area so that in the event an unannounced visit cannot be

completed, the caseworker may complete other required monthly visits. The department shall use a method of random selection that does not cause a fiscal impact to the department.

The department shall conduct the monthly visits with children and caregivers to whom it is providing child welfare services.

(7) The department shall have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(8) The department may accept custody of children from parents through a voluntary placement agreement to provide child welfare services. The department may place children with a relative, a suitable person, or a licensed foster home under a voluntary placement agreement. In seeking a placement for a voluntary placement agreement, the department should consider the preferences of the parents and attempt to place with relatives or suitable persons over licensed foster care.

(9) The department shall have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(10) The department shall have authority to purchase care for children.

(11) The department shall establish a children's services advisory committee which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(12)(a) The department shall provide continued extended foster care services to ~~((nonminor dependents))~~ eligible youth who ((are)) request extended foster care. The department shall develop policies and procedures to ensure that dependent youth aged 15 and older are informed of the extended foster care program.

(b) The department shall pursue federal reimbursement, where appropriate, when a youth is:

(i) Enrolled in a secondary education program or a secondary education equivalency program;

(ii) Enrolled and participating in a postsecondary academic or postsecondary vocational education program;

(iii) Participating in a program or activity designed to promote employment or remove barriers to employment;

(iv) Engaged in employment for eighty hours or more per month; or

(v) Not able to engage in any of the activities described in ~~((a))~~(b) (i) through (iv) of this subsection due to a documented medical condition.

~~((b))~~(c) To be eligible for extended foster care services, the ~~((nonminor dependent))~~youth must have been dependent at the time that he or she reached age ~~((eighteen))~~18 years. If the dependency case of the ~~((nonminor dependent))~~youth was dismissed pursuant to RCW 13.34.267, he or she may receive extended foster care services pursuant to a voluntary placement agreement under RCW 74.13.336 or pursuant to an order of dependency issued by the court under RCW 13.34.268. A ~~((nonminor dependent))~~youth whose dependency case was dismissed by the court may request extended foster care services before reaching age ~~((twenty-one))~~21 years. Eligible ~~((nonminor dependents))~~youths may unenroll and reenroll in extended foster care through a voluntary placement agreement an unlimited number of times between ages ~~((eighteen))~~18 and ~~((twenty-one))~~21.

~~((e))~~(d) ~~The department shall ((develop and implement rules regarding youth eligibility requirements))not create additional eligibility requirements for extended foster care. The department shall develop and implement rules and policies designed to provide age-appropriate social work support for youth in extended foster care through a codesign process that includes those with lived experience in the foster care system.~~

~~((d))~~(e) The department shall make efforts to ensure that extended foster care services maximize medicaid reimbursements. This must include the department ensuring that health and mental health extended foster care providers participate in medicaid, unless the condition of the extended foster care youth requires specialty care that is not available among participating medicaid providers or there are no participating medicaid providers in the area. The department shall coordinate other services to maximize federal resources and the most cost-efficient delivery of services to extended foster care youth.

~~((e))~~(f) The department shall allow ~~((a))~~eligible youth ((who has received extended foster care services, but lost his or her eligibility,)) to reenter the extended foster care program an unlimited number of times through a voluntary placement agreement ~~((when he or she meets the eligibility criteria again))~~.

(g) A youth enrolled in extended foster care may elect to receive a licensed foster care placement or may live independently. A youth who is not in a licensed foster care placement is eligible for a monthly supervised independent living subsidy effective the date the youth signs the voluntary placement agreement, agrees to dependency, or informs their social worker that they are living independently, whichever occurs first.

(h) The department shall pursue federal reimbursement, where appropriate, when a youth is residing in an approved supervised independent living setting. If the youth is

not residing in an approved supervised independent living setting, the department is to work with the youth to help identify an appropriate living arrangement until the youth is living in a safe location approved by the department or the court. During this time, the department shall continue to pay the monthly supervised independent living subsidy.

(13) The department shall have authority to provide adoption support benefits on behalf of youth ages 18 to 21 years who achieved permanency through adoption at age 16 or older and who meet the criteria described in subsection (12)(b)(i) through (v) of this section.

(14) The department shall have the authority to provide guardianship subsidies on behalf of youth ages 18 to 21 who achieved permanency through guardianship and who meet the criteria described in subsection (12)(b)(i) through (v) of this section.

(15) The department shall refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age ~~((eighteen))~~18 through ~~((twenty))~~20 shall not be referred to the division of child support unless required by federal law.

(16) The department shall have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order. The purchase of such care is exempt from the requirements of chapter 74.13B RCW and may be purchased from the federally recognized Indian tribe or tribally licensed child-placing agency, and shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200, 43.185C.295, 74.13.035, and 74.13.036, or of this section all services to be provided by the department under subsections (4), (7), and (9) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(17) The department may, within funds appropriated for guardianship subsidies, provide subsidies for eligible guardians who are appointed as guardian of an Indian child by the tribal court of a federally recognized tribe located in Washington state, as defined in RCW 13.38.040. The provision of subsidies shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department provides subsidies. To be eligible, the guardian must either be

certified by a department-licensed child-placing agency or licensed by a federally recognized tribe located in Washington state that is a Title IV-E agency, as defined in 45 C.F.R. 1355.20.

(18) Within amounts appropriated for this specific purpose, the department shall provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(19) The department shall have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty-three years of age, who are or have been in the department's care and custody, or who are or were nonminor dependents.

(20) The department shall consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department is performing the duties and meeting the obligations specified in this section and RCW 74.13.250 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

(21)(a) The department shall, within current funding levels, place on its public website a document listing the duties and responsibilities the department has to a child subject to a dependency petition including, but not limited to, the following:

- (i) Reasonable efforts, including the provision of services, toward reunification of the child with his or her family;
- (ii) Sibling visits subject to the restrictions in RCW 13.34.136(2)(b)(ii);
- (iii) Parent-child visits;
- (iv) Statutory preference for placement with a relative or other suitable person, if appropriate; and
- (v) Statutory preference for an out-of-home placement that allows the child to remain in the same school or school district, if practical and in the child's best interests.

(b) The document must be prepared in conjunction with a community-based organization and must be updated as needed.

(22)(a) The department shall have the authority to purchase legal representation for parents or kinship caregivers, or both, of children who are at risk of being dependent, or who are dependent, to establish or modify a parenting plan under RCW 13.34.155 or chapter 26.09, 26.26A, or 26.26B RCW or secure orders establishing other relevant civil legal relationships authorized by law, when it is necessary for the child's safety, permanence, or well-being. The department's purchase of legal representation for kinship caregivers must be within the department's appropriations. This subsection does not create an entitlement to legal representation purchased by the department and does not create judicial authority to order the

department to purchase legal representation for a parent or kinship caregiver. Such determinations are solely within the department's discretion. The term "kinship caregiver" as used in this section means a caregiver who meets the definition of "kin" in RCW 74.13.600(1), unless the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. Sec. 1903. For an Indian child as defined in RCW 13.38.040 and 25 U.S.C. Sec. 1903, the term "kinship caregiver" as used in this section means a caregiver who is an "extended family member" as defined in RCW 13.38.040(8).

(b) The department is encouraged to work with the office of public defense parent representation program and the office of civil legal aid to develop a cost-effective system for providing effective civil legal representation for parents and kinship caregivers if it exercises its authority under this subsection.

**Sec. 6.** RCW 74.13.336 and 2018 c 34 s 4 are each amended to read as follows:

(1) A youth who has reached age ~~((eighteen))~~ 18 years may request extended foster care services authorized under RCW 74.13.031 at any time before he or she reaches the age of ~~((twenty-one))~~ 21 years if:

(a) The dependency proceeding of the youth was dismissed pursuant to RCW 13.34.267~~((+4))~~ (5) at the time that he or she reached age ~~((eighteen))~~ 18 years; or

(b) The court, after holding the dependency case open pursuant to RCW 13.34.267(1), has dismissed the case because the youth became ineligible for extended foster care services.

(2)(a) Upon a request for extended foster care services by a youth pursuant to subsection (1) of this section, a determination that the youth is eligible for extended foster care services, and the completion of a voluntary placement agreement, the department shall provide extended foster care services to the youth.

(b) In order to continue receiving extended foster care services after entering into a voluntary placement agreement with the department, the youth must agree to the entry of an order of dependency within ~~((one hundred eighty))~~ 180 days of the date that the youth is placed in extended foster care pursuant to a voluntary placement agreement.

(3) A youth may enter into a voluntary placement agreement for extended foster care services. A youth ~~((may transition among the eligibility categories identified in RCW 74.13.031 while under the same voluntary placement agreement, provided that the youth remains eligible for extended foster care services during the transition))~~ becomes eligible for extended foster care services as of the date the youth either signs an extended foster care agreement or voluntary placement agreement or turns 18, whichever occurs later. A youth may sign a voluntary placement agreement or an extended foster care agreement anytime within six months of the youth's 18th birthday, in which case the agreement will take effect on the youth's 18th birthday. A youth may sign a voluntary placement agreement or agreement to



participate in extended foster care at any time after turning 18. The youth may withdraw his or her consent to participate, at any time, including prior to their 18th birthday. A voluntary placement agreement may be signed by a dependent child or eligible youth over the age of 18 electronically.

(4) A youth who is not in a licensed foster care placement upon signing an extended foster care agreement or voluntary placement agreement, and who has turned 18 years old, shall receive their first supervised independent living subsidy within one month.

((+4)) (5) The department shall develop a program to make incentive payments to youth in extended foster care who participate in qualifying activities described in RCW 74.13.031(12)(b)(i) through (v). This program design must include stakeholder engagement from impacted communities. Subject to appropriations for this specific purpose, the department shall make incentive payments to qualifying youth in addition to the supervised independent living subsidy, beginning by July 1, 2025.

(6) "Voluntary placement agreement," for the purposes of this section, means a written voluntary agreement ((between)) by a ((nonminor dependent)) youth who agrees to ((submit to the care and authority of the department for the purposes of participating in the)) participate in extended foster care ((program))."

Correct the title.

Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Walsh.

MINORITY recommendation: Without recommendation. Signed by Representative Couture, Assistant Ranking Minority Member.

Referred to Committee on Appropriations

February 21, 2024

**SB 5913** Prime Sponsor, Senator Valdez: Concerning communication between employees of state institutions of higher education and student athletes regarding name, image, and likeness use. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

February 20, 2024

**SSB 5917** Prime Sponsor, Law & Justice: Concerning criminal penalties for bias-motivated defacement of private or public property. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Rules for second reading

February 20, 2024

**SSB 5920** Prime Sponsor, Health & Long Term Care: Lifting certificate of need requirements for psychiatric hospitals and beds. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier and Tharinger.

Referred to Committee on Rules for second reading

February 21, 2024

**SSB 5934** Prime Sponsor, Local Government, Land Use & Tribal Affairs: Concerning pollinator habitat. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 35.63 RCW to read as follows:

(1) A city may encourage an applicant of a project permit or commercial building permit to include pollinator friendly plants in any landscaped area to the extent practicable by:

(a) Providing the list of native forage plants as developed by the department of agriculture in compliance with RCW 39.04.410 to applicants for project permits;

(b) Providing information regarding the benefits of pollinators and pollinator habitat; and

(c) Offering incentives, including expedited processing or reduced application fees, for permit applicants that include pollinator habitat as part of the permit application.

(2) A city may set restrictions related to beehives, but may not adopt an ordinance banning beehives.

(3) For the purposes of this section:

(a) "Commercial building permit" has the same meaning as defined in RCW 19.27.015.

(b) "Pollinator habitat" means an area of land that is or may be developed as habitat beneficial for the feeding, nesting, and reproduction of all pollinators. "Pollinator habitat" does not include beehives, except for mason bee houses.

(c) "Project permit" has the same meaning as defined in RCW 36.70B.020.

**NEW SECTION. Sec. 2.** A new section is added to chapter 35A.63 RCW to read as follows:

(1) A code city may encourage an applicant of a project permit or commercial building permit to include pollinator friendly plants in any landscaped area to the extent practicable by:

(a) Providing the list of native forage plants as developed by the department of agriculture in compliance with RCW 39.04.410 to applicants for project permits;

(b) Providing information regarding the benefits of pollinators and pollinator habitat; and

(c) Offering incentives, including expedited processing or reduced application fees, for permit applicants that include pollinator habitat as part of the permit application.

(2) A code city may set restrictions related to beehives, but may not adopt an ordinance banning beehives.

(3) For the purposes of this section:

(a) "Commercial building permit" has the same meaning as defined in RCW 19.27.015.

(b) "Pollinator habitat" means an area of land that is or may be developed as habitat beneficial for the feeding, nesting, and reproduction of all pollinators. "Pollinator habitat" does not include beehives, except for mason bee houses.

(c) "Project permit" has the same meaning as defined in RCW 36.70B.020.

**NEW SECTION. Sec. 3.** A new section is added to chapter 36.70 RCW to read as follows:

(1) A county may encourage an applicant of a project permit or commercial building permit to include pollinator friendly plants in any landscaped area to the extent practicable by:

(a) Providing the list of native forage plants as developed by the department of agriculture in compliance with RCW 39.04.410 to applicants for project permits;

(b) Providing information regarding the benefits of pollinators and pollinator habitat; and

(c) Offering incentives, including expedited processing or reduced application fees, for permit applicants that include pollinator habitat as part of the permit application.

(2) A county may set restrictions related to beehives, but may not adopt an ordinance banning beehives.

(3) For the purposes of this section:

(a) "Commercial building permit" has the same meaning as defined in RCW 19.27.015.

(b) "Pollinator habitat" means an area of land that is or may be developed as habitat beneficial for the feeding, nesting, and reproduction of all pollinators. "Pollinator habitat" does not include beehives, except for mason bee houses.

(c) "Project permit" has the same meaning as defined in RCW 36.70B.020.

**Sec. 4.** RCW 64.38.057 and 2020 c 9 s 2 are each amended to read as follows:

(1) The governing documents may not prohibit the installation of drought resistant landscaping, pollinator habitat, including beehives compliant with local regulation, or wildfire ignition resistant landscaping. However, the governing

documents may include reasonable rules regarding the placement and aesthetic appearance of drought resistant landscaping, pollinator habitat, or wildfire ignition resistant landscaping, as long as the rules do not render the use of drought resistant landscaping, pollinator habitat, or wildfire ignition resistant landscaping unreasonably costly or otherwise effectively infeasible.

(2) If a property is located within the geographic designation of an order of a drought condition issued by the department of ecology under RCW 43.83B.405, an association may not sanction or impose a fine or assessment against an owner, or resident on the owner's property, for reducing or eliminating the watering of vegetation or lawns for the duration of the drought condition order.

(3) Nothing in this section may be construed to prohibit or restrict the establishment and maintenance of a fire buffer within the building ignition zone.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Building ignition zone" means a building and surrounding area up to two hundred feet from the foundation.

(b) "Drought resistant landscaping" means the use of any noninvasive vegetation adapted to arid or dry conditions, stone, or landscaping rock.

(c) "Firewise" means the firewise communities program developed by the national fire protection association, which encourages local solutions for wildfire safety by involving homeowners, community leaders, planners, developers, firefighters, and others in the effort to protect people and property from wildfire risks.

(d) "Pollinator habitat" means an area of land that is or may be developed as habitat beneficial for the feeding, nesting, and reproduction of all pollinators. "Pollinator habitat" does not include beehives, except for mason bee houses.

(e) "Wildfire ignition resistant landscaping" includes:

(i) Any landscaping tools or techniques, or noninvasive vegetation, that do not readily ignite from a flame or other ignition source; or

(ii) The use of firewise methods to reduce ignition risk in a building ignition zone.

**Sec. 5.** RCW 64.90.512 and 2020 c 9 s 4 are each amended to read as follows:

(1) (a) The declaration of a common interest ownership and any governing documents adopted by an association may not prohibit the installation of drought resistant landscaping, pollinator habitat, including beehives compliant with local regulation, or wildfire ignition resistant landscaping. However, the declaration or governing documents may include reasonable rules regarding the placement and aesthetic appearance of drought resistant landscaping, pollinator habitat, or wildfire ignition resistant landscaping, as long as the rules do not render the use of drought resistant landscaping, pollinator habitat, or wildfire

ignition resistant landscaping unreasonably costly or otherwise effectively infeasible.

(b) This subsection does not apply to condominium associations.

(2) If a property is located within the geographic designation of an order of a drought condition issued by the department of ecology under RCW 43.83B.405, an association may not impose a fine or assessment against an owner, or resident on the owner's property, for reducing or eliminating the watering of vegetation or lawns for the duration of the drought condition order.

(3) Nothing in this section may be construed to prohibit or restrict the establishment and maintenance of a fire buffer within the building ignition zone.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Building ignition zone" means a building and surrounding area up to two hundred feet from the foundation.

(b) "Drought resistant landscaping" means the use of any noninvasive vegetation adapted to arid or dry conditions, stone, or landscaping rock.

(c) "Firewise" means the firewise communities program developed by the national fire protection association, which encourages local solutions for wildfire safety by involving homeowners, community leaders, planners, developers, firefighters, and others in the effort to protect people and property from wildfire risks.

(d) "Pollinator habitat" means an area of land that is or may be developed as habitat beneficial for the feeding, nesting, and reproduction of all pollinators. "Pollinator habitat" does not include beehives, except for mason bee houses.

(e) "Wildfire ignition resistant landscaping" includes:

(i) Any landscaping tools or techniques, or noninvasive vegetation, that do not readily ignite from a flame or other ignition source; or

(ii) The use of firewise methods to reduce ignition risk in a building ignition zone."

Correct the title.

Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

February 20, 2024

E2SSB 5937 Prime Sponsor, Ways & Means: Supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Appropriations

February 20, 2024

SB 5938

Prime Sponsor, Senator Wilson, C.: Modifying the community parenting alternative for eligible participants in the residential parenting program at the department of corrections. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Rules for second reading

February 21, 2024

E2SSB 5955

Prime Sponsor, Ways & Means: Mitigating harm and improving equity in large port districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Capital Budget

February 21, 2024

SSB 5972

Prime Sponsor, Agriculture, Water, Natural Resources & Parks: Concerning the use of neonicotinoid pesticides. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that pollinators, including bees, butterflies, and birds, play a critical role in sustaining biodiversity and ecosystem health. The legislature further finds that pollinators are vital to agricultural production in the state and that approximately 35 percent of food crops depend upon pollinators.

(2) The legislature finds that neonicotinoids are the most widely used pesticides in the world. Neonicotinoids are less toxic to mammals and vertebrates than older insecticides and have beneficial uses such as those associated with pet care and veterinary treatment, personal care, indoor pest control, wood preservation, and structural insulation. However, neonicotinoids can be toxic to pollinators and misapplication of neonicotinoids contributes to bee colony collapse and the decline of pollinator species. The legislature intends to protect pollinators by restricting the use of neonicotinoids and supporting consumer education so that people do not inadvertently apply neonicotinoids in ways that are harmful to pollinators.

(3) The legislature recognizes that agricultural production depends on reliable pest management and allows applications of

neonicotinoids for agricultural production. Products designed to control pests in home gardens and landscapes that contain neonicotinoids should also be limited to applications that do not harm pollinators. Understandable information about the impact of products designed to manage pests in home gardens and landscapes on pollinators should be provided to customers. Private and nonprofit organizations engaged in public outreach and education regarding the role of pollinators and pollinator health are important partners in consumer education.

NEW SECTION. **Sec. 2.** A new section is added to chapter 15.58 RCW to read as follows:

(1) Beginning January 1, 2026, a person may not use neonicotinoid pesticides on nonproduction outdoor ornamental plants, trees, and turf in this state, unless the application is made as part of a licensed application, a tree injection, or during the production of an agricultural commodity.

(2) The director, upon identification of an urgent pest threat, may authorize the sale, possession, or use of neonicotinoid pesticides that are restricted under subsection (1) of this section by written order. The director must make reasonable efforts to inform the public of the urgent pest threat identified. The written order must include:

(a) The urgent pest threat identified;

(b) The neonicotinoid pesticide to be used in addressing the urgent pest threat;

(c) All other less harmful pesticides or pest management practices considered that were not deemed to be effective in addressing the urgent pest threat;

(d) The geographic scope of the written order; and

(e) The duration that the order is in effect, not to exceed one year.

(3) By June 30, 2025, and every four years thereafter, the department shall review and update rules under RCW 15.58.040 to administer and enforce this chapter as those rules relate to neonicotinoid pesticides.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Agricultural commodity" means any plant, or part of a plant, or animal, or animal product, produced by farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other persons primarily for sale, consumption, propagation, or other use by people or animals.

(b) "Neonicotinoid pesticide" means any pesticide containing a chemical belonging to the neonicotinoid class of chemicals including, but not limited to, acetamiprid, clothianidin, dinotefuran, imidacloprid, nitenpyram, nithiazine, thiacloprid, thiamethoxam, or any other chemical designated by the department as belonging to the neonicotinoid class of chemicals.

(c) "Urgent pest threat" means an occurrence of a pest that presents a significant risk of harm or injury to the environment or human health or significant

harm, injury, or loss to agricultural crops including, but not limited to, an invasive species as defined in chapter 77.135 RCW."

Correct the title.

Signed by Representatives Chapman, Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Kloba; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Appropriations

February 20, 2024

ESSB 5983

Prime Sponsor, Health & Long Term Care: Implementing recommendations from the 2022 sexually transmitted infection and hepatitis B virus legislative advisory group for the treatment of syphilis. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature recognizes Washington's syphilis epidemic continues to grow, causing long-term health consequences and deaths that are preventable. Between 2019 and 2021, the number of reported syphilis cases in Washington state increased by 49 percent, while the number of cases of primary and secondary syphilis, an early stage infection characterized by a high risk of transmission, increased by 79 percent.

(2) In 2021, the legislature funded the sexually transmitted infection and hepatitis B virus legislative advisory group which produced policy recommendations in 2022 that included allowing medical assistants with telehealth access to a supervising clinician to provide intramuscular injections for syphilis treatment. It is the intent of the legislature to increase access to syphilis treatment to populations with high rates of syphilis and who are at the most risk of serious health outcomes due to syphilis infection.

**Sec. 2.** RCW 18.360.010 and 2023 c 134 s 1 are each amended to read as follows:

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

(1) "Administer" means the retrieval of medication, and its application to a patient, as authorized in RCW 18.360.050.

(2) "Delegation" means direct authorization granted by a licensed health care practitioner to a medical assistant to perform the functions authorized in this chapter which fall within the scope of practice of the health care provider and the training and experience of the medical assistant.

(3) "Department" means the department of health.

(4) "Forensic phlebotomist" means a police officer, law enforcement officer, or employee of a correctional facility or detention facility, who is certified under this chapter and meets any additional training and proficiency standards of his or

her employer to collect a venous blood sample for forensic testing pursuant to a search warrant, a waiver of the warrant requirement, or exigent circumstances.

(5) "Health care practitioner" means:

(a) A physician licensed under chapter 18.71 RCW;

(b) An osteopathic physician and surgeon licensed under chapter 18.57 RCW; or

(c) Acting within the scope of their respective licensure, a podiatric physician and surgeon licensed under chapter 18.22 RCW, a registered nurse or advanced registered nurse practitioner licensed under chapter 18.79 RCW, a naturopath licensed under chapter 18.36A RCW, a physician assistant licensed under chapter 18.71A RCW, or an optometrist licensed under chapter 18.53 RCW.

(6) "Medical assistant-certified" means a person certified under RCW 18.360.040 who assists a health care practitioner with patient care, executes administrative and clinical procedures, and performs functions as provided in RCW 18.360.050 under the supervision of the health care practitioner.

(7) "Medical assistant-hemodialysis technician" means a person certified under RCW 18.360.040 who performs hemodialysis and other functions pursuant to RCW 18.360.050 under the supervision of a health care practitioner.

(8) "Medical assistant-phlebotomist" means a person certified under RCW 18.360.040 who performs capillary, venous, and arterial invasive procedures for blood withdrawal and other functions pursuant to RCW 18.360.050 under the supervision of a health care practitioner.

(9) "Medical assistant-registered" means a person registered under RCW 18.360.040 who, pursuant to an endorsement by a health care practitioner, clinic, or group practice, assists a health care practitioner with patient care, executes administrative and clinical procedures, and performs functions as provided in RCW 18.360.050 under the supervision of the health care practitioner.

(10) "Secretary" means the secretary of the department of health.

(11)(a) "Supervision" means supervision of procedures permitted pursuant to this chapter by a health care practitioner who is physically present and is immediately available in the facility, except as provided in (b) and (c) of this subsection.

(b) The health care practitioner does not need to be present during procedures to withdraw blood, administer vaccines, or obtain specimens for or perform diagnostic testing, but must be immediately available.

(c)(i) During a telemedicine visit, supervision over a medical assistant assisting a health care practitioner with the telemedicine visit may be provided through interactive audio and video telemedicine technology.

(ii) When administering intramuscular injections for the purposes of treating a known or suspected syphilis infection in accordance with RCW 18.360.050, a medical assistant-certified or medical assistant-registered may be supervised through interactive audio or video telemedicine technology.

**Sec. 3.** RCW 18.360.050 and 2023 c 134 s 3 are each amended to read as follows:

(1) A medical assistant-certified may perform the following duties delegated by, and under the supervision of, a health care practitioner:

(a) Fundamental procedures:

(i) Wrapping items for autoclaving;

(ii) Procedures for sterilizing equipment and instruments;

(iii) Disposing of biohazardous materials; and

(iv) Practicing standard precautions.

(b) Clinical procedures:

(i) Performing aseptic procedures in a setting other than a hospital licensed under chapter 70.41 RCW;

(ii) Preparing of and assisting in sterile procedures in a setting other than a hospital under chapter 70.41 RCW;

(iii) Taking vital signs;

(iv) Preparing patients for examination;

(v) Capillary blood withdrawal, venipuncture, and intradermal, subcutaneous, and intramuscular injections; and

(vi) Observing and reporting patients' signs or symptoms.

(c) Specimen collection:

(i) Capillary puncture and venipuncture;

(ii) Obtaining specimens for microbiological testing; and

(iii) Instructing patients in proper technique to collect urine and fecal specimens.

(d) Diagnostic testing:

(i) Electrocardiography;

(ii) Respiratory testing; and

(iii)(A) Tests waived under the federal clinical laboratory improvement amendments program on July 1, 2013. The department shall periodically update the tests authorized under this subsection (1)(d) based on changes made by the federal clinical laboratory improvement amendments program; and

(B) Moderate complexity tests if the medical assistant-certified meets standards for personnel qualifications and responsibilities in compliance with federal regulation for nonwaived testing.

(e) Patient care:

(i) Telephone and in-person screening limited to intake and gathering of information without requiring the exercise of judgment based on clinical knowledge;

(ii) Obtaining vital signs;

(iii) Obtaining and recording patient history;

(iv) Preparing and maintaining examination and treatment areas;

(v) Preparing patients for, and assisting with, routine and specialty examinations, procedures, treatments, and minor office surgeries;

(vi) Maintaining medication and immunization records; and

(vii) Screening and following up on test results as directed by a health care practitioner.

(f)(i) Administering medications. A medical assistant-certified may only administer medications if the drugs are:

(A) Administered only by unit or single dosage, or by a dosage calculated and verified by a health care practitioner. For purposes of this section, a combination or

multidose vaccine shall be considered a unit dose;

(B) Limited to legend drugs, vaccines, and Schedule III-V controlled substances as authorized by a health care practitioner under the scope of his or her license and consistent with rules adopted by the secretary under (f)(ii) of this subsection; and

(C) Administered pursuant to a written order from a health care practitioner.

(ii) A medical assistant-certified may not administer experimental drugs or chemotherapy agents. The secretary may, by rule, further limit the drugs that may be administered under this subsection (1)(f). The rules adopted under this subsection must limit the drugs based on risk, class, or route.

(iii) A medical assistant-certified may administer intramuscular injections for the purposes of treating known or suspected syphilis infection without immediate supervision if a health care practitioner is providing supervision through interactive audio or video telemedicine technology in accordance with RCW 18.360.010(1)(c)(ii).

(g) Intravenous injections. A medical assistant-certified may establish intravenous lines for diagnostic or therapeutic purposes, under the supervision of a health care practitioner, and administer intravenous injections for diagnostic or therapeutic agents under the direct visual supervision of a health care practitioner if the medical assistant-certified meets minimum standards established by the secretary in rule. The minimum standards must be substantially similar to the qualifications for category D and F health care assistants as they exist on July 1, 2013.

(h) Urethral catheterization when appropriately trained.

(2) A medical assistant-hemodialysis technician may perform hemodialysis when delegated and supervised by a health care practitioner. A medical assistant-hemodialysis technician may also administer drugs and oxygen to a patient when delegated and supervised by a health care practitioner and pursuant to rules adopted by the secretary.

(3) A medical assistant-phlebotomist may perform:

(a) Capillary, venous, or arterial invasive procedures for blood withdrawal when delegated and supervised by a health care practitioner and pursuant to rules adopted by the secretary;

(b) Tests waived under the federal clinical laboratory improvement amendments program on July 1, 2013. The department shall periodically update the tests authorized under this section based on changes made by the federal clinical laboratory improvement amendments program;

(c) Moderate and high complexity tests if the medical assistant-phlebotomist meets standards for personnel qualifications and responsibilities in compliance with federal regulation for nonwaived testing; and

(d) Electrocardiograms.

(4) A medical assistant-registered may perform the following duties delegated by,

and under the supervision of, a health care practitioner:

(a) Fundamental procedures:

(i) Wrapping items for autoclaving;

(ii) Procedures for sterilizing equipment and instruments;

(iii) Disposing of biohazardous materials; and

(iv) Practicing standard precautions.

(b) Clinical procedures:

(i) Preparing for sterile procedures;

(ii) Taking vital signs;

(iii) Preparing patients for examination; and

(iv) Observing and reporting patients' signs or symptoms.

(c) Specimen collection:

(i) Obtaining specimens for microbiological testing; and

(ii) Instructing patients in proper technique to collect urine and fecal specimens.

(d) Patient care:

(i) Telephone and in-person screening limited to intake and gathering of information without requiring the exercise of judgment based on clinical knowledge;

(ii) Obtaining vital signs;

(iii) Obtaining and recording patient history;

(iv) Preparing and maintaining examination and treatment areas;

(v) Preparing patients for, and assisting with, routine and specialty examinations, procedures, treatments, and minor office surgeries, including those with minimal sedation. The department may, by rule, prohibit duties authorized under this subsection (4)(d)(v) if performance of those duties by a medical assistant-registered would pose an unreasonable risk to patient safety;

(vi) Maintaining medication and immunization records; and

(vii) Screening and following up on test results as directed by a health care practitioner.

(e) Diagnostic testing and electrocardiography.

(f)(i) Tests waived under the federal clinical laboratory improvement amendments program on July 1, 2013. The department shall periodically update the tests authorized under subsection (1)(d) of this section based on changes made by the federal clinical laboratory improvement amendments program.

(ii) Moderate complexity tests if the medical assistant-registered meets standards for personnel qualifications and responsibilities in compliance with federal regulation for nonwaived testing.

(g) Administering eye drops, topical ointments, and vaccines, including combination or multidose vaccines.

(h) Urethral catheterization when appropriately trained.

(i) Administering medications:

(i) A medical assistant-registered may only administer medications if the drugs are:

(A) Administered only by unit or single dosage, or by a dosage calculated and verified by a health care practitioner. For purposes of this section, a combination or

multidose vaccine shall be considered a unit dose;

(B) Limited to legend drugs, vaccines, and Schedule III through V controlled substances as authorized by a health care practitioner under the scope of his or her license and consistent with rules adopted by the secretary under (i)(ii) of this subsection; and

(C) Administered pursuant to a written order from a health care practitioner.

(ii) A medical assistant-registered may only administer medication for intramuscular injections. A medical assistant-registered may not administer experimental drugs or chemotherapy agents. The secretary may, by rule, further limit the drugs that may be administered under this subsection (4)(i). The rules adopted under this subsection must limit the drugs based on risk, class, or route.

(j)(i) Intramuscular injections. A medical assistant-registered may administer intramuscular injections for diagnostic or therapeutic agents under the immediate supervision of a health care practitioner if the medical assistant-registered meets minimum standards established by the secretary in rule.

(ii) A medical assistant-registered may administer intramuscular injections for the purposes of treating known or suspected syphilis infection without immediate supervision if a health care practitioner is providing supervision through interactive audio or video telemedicine technology in accordance with RCW 18.360.010(11)(c)(ii).

**NEW SECTION. Sec. 4.** A new section is added to chapter 70.24 RCW to read as follows:

(1) Notwithstanding any other law, a health care provider who diagnoses a case of sexually transmitted chlamydia, gonorrhea, trichomoniasis, or other sexually transmitted infection, as determined by the department or recommended in the most recent federal centers for disease control and prevention guidelines for the prevention or treatment of sexually transmitted diseases, in an individual patient may prescribe, dispense, furnish, or otherwise provide prescription antibiotic drugs to the individual patient's sexual partner or partners without examination of that patient's partner or partners or having an established provider and patient relationship with the partner or partners. This practice shall be known as expedited partner therapy.

(2) A health care provider may provide expedited partner therapy as outlined in subsection (1) of this section if all the following requirements are met:

(a) The patient has a confirmed laboratory test result, or direct observation of clinical signs or assessment of clinical data by a health care provider confirming the person has, or is likely to have, a sexually transmitted infection;

(b) The patient indicates that the individual has a partner or partners with whom the patient has engaged in sexual activity within the 60-day period

immediately before the diagnosis of a sexually transmitted infection; and

(c) The patient indicates that the partner or partners of the individual are unable or unlikely to seek clinical services in a timely manner.

(3) A prescribing health care provider may prescribe, dispense, furnish, or otherwise provide medication to the diagnosed patient as outlined in subsection (1) of this section for the patient to deliver to the exposed sexual partner or partners of the patient in order to prevent reinfection in the diagnosed patient.

(4) If a health care provider does not have the name of a patient's sexual partner for a drug prescribed under subsection (1) of this section, the prescription shall include the words "expedited partner therapy" or "EPT."

(5) A health care provider shall not be liable in a medical malpractice action or professional disciplinary action if the health care provider's use of expedited partner therapy is in compliance with this section, except in cases of intentional misconduct, gross negligence, or wanton or reckless activity.

(6) The department may adopt rules necessary to implement this section.

(7) For the purpose of this section, "health care provider" means a physician under chapter 18.71 RCW, an osteopathic physician or an osteopathic physician and surgeon under chapter 18.57 RCW, or a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW.

**NEW SECTION. Sec. 5.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier and Tharinger.

Referred to Committee on Rules for second reading

February 21, 2024

**ESSB 5985**

Prime Sponsor, Law & Justice: Concerning firearms background check program. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 9.41.010 and 2023 c 295 s 2, 2023 c 262 s 1, and 2023 c 162 s 2 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Antique firearm" means a firearm or replica of a firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including any matchlock, flintlock, percussion cap, or similar type of ignition system and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(2) (a) "Assault weapon" means:

(i) Any of the following specific firearms regardless of which company produced and manufactured the firearm:

AK-47 in all forms
AK-74 in all forms
Algimec AGM-1 type semiautomatic
American Arms Spectre da semiautomatic carbine
AR15, M16, or M4 in all forms
AR 180 type semiautomatic
Argentine L.S.R. semiautomatic
Australian Automatic
Auto-Ordnance Thompson M1 and 1927 semiautomatics
Barrett .50 cal light semiautomatic
Barrett .50 cal M87
Barrett .50 cal M107A1
Barrett REC7
Beretta AR70/S70 type semiautomatic
Bushmaster Carbon 15
Bushmaster ACR
Bushmaster XM-15
Bushmaster MOE
Calico models M100 and M900
CETME Sporter
CIS SR 88 type semiautomatic
Colt CAR 15
Daewoo K-1
Daewoo K-2
Dragunov semiautomatic
Fabrique Nationale FAL in all forms
Fabrique Nationale F2000
Fabrique Nationale L1A1 Sporter
Fabrique Nationale M249S
Fabrique Nationale PS90
Fabrique Nationale SCAR
FAMAS .223 semiautomatic
Galil
Heckler & Koch G3 in all forms

Heckler & Koch HK-41/91
Heckler & Koch HK-43/93
Heckler & Koch HK94A2/3
Heckler & Koch MP-5 in all forms
Heckler & Koch PSG-1
Heckler & Koch SL8
Heckler & Koch UMP
Manchester Arms Commando MK-45
Manchester Arms MK-9
SAR-4800
SIG AMT SG510 in all forms
SIG SG550 in all forms
SKS
Spectre M4
Springfield Armory BM-59
Springfield Armory G3
Springfield Armory SAR-8
Springfield Armory SAR-48
Springfield Armory SAR-3
Springfield Armory M-21 sniper
Springfield Armory M1A
Smith & Wesson M&P 15
Sterling Mk 1
Sterling Mk 6/7
Steyr AUG
TNW M230
FAMAS F11
Uzi 9mm carbine/rifle

(ii) A semiautomatic rifle that has an overall length of less than 30 inches;

(iii) A conversion kit, part, or combination of parts, from which an assault weapon can be assembled or from which a firearm can be converted into an assault weapon if those parts are in the possession or under the control of the same person; or

(iv) A semiautomatic, center fire rifle that has the capacity to accept a detachable magazine and has one or more of the following:

(A) A grip that is independent or detached from the stock that protrudes conspicuously beneath the action of the weapon. The addition of a fin attaching the grip to the stock does not exempt the grip if it otherwise resembles the grip found on a pistol;

(B) Thumbhole stock;

(C) Folding or telescoping stock;

(D) Forward pistol, vertical, angled, or other grip designed for use by the nonfiring hand to improve control;

(E) Flash suppressor, flash guard, flash eliminator, flash hider, sound suppressor, silencer, or any item designed to reduce the visual or audio signature of the firearm;



(F) Muzzle brake, recoil compensator, or any item designed to be affixed to the barrel to reduce recoil or muzzle rise;

(G) Threaded barrel designed to attach a flash suppressor, sound suppressor, muzzle break, or similar item;

(H) Grenade launcher or flare launcher;  
or

(I) A shroud that encircles either all or part of the barrel designed to shield the bearer's hand from heat, except a solid forearm of a stock that covers only the bottom of the barrel;

(v) A semiautomatic, center fire rifle that has a fixed magazine with the capacity to accept more than 10 rounds;

(vi) A semiautomatic pistol that has the capacity to accept a detachable magazine and has one or more of the following:

(A) A threaded barrel, capable of accepting a flash suppressor, forward handgrip, or silencer;

(B) A second hand grip;

(C) A shroud that encircles either all or part of the barrel designed to shield the bearer's hand from heat, except a solid forearm of a stock that covers only the bottom of the barrel; or

(D) The capacity to accept a detachable magazine at some location outside of the pistol grip;

(vii) A semiautomatic shotgun that has any of the following:

(A) A folding or telescoping stock;

(B) A grip that is independent or detached from the stock that protrudes conspicuously beneath the action of the weapon. The addition of a fin attaching the grip to the stock does not exempt the grip if it otherwise resembles the grip found on a pistol;

(C) A thumbhole stock;

(D) A forward pistol, vertical, angled, or other grip designed for use by the nonfiring hand to improve control;

(E) A fixed magazine in excess of seven rounds; or

(F) A revolving cylinder shotgun.

(b) For the purposes of this subsection, "fixed magazine" means an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action.

(c) "Assault weapon" does not include antique firearms, any firearm that has been made permanently inoperable, or any firearm that is manually operated by bolt, pump, lever, or slide action.

(3) "Assemble" means to fit together component parts.

(4) "Barrel length" means the distance from the bolt face of a closed action to the length of the axis of the bore to the crown of the muzzle, or in the case of a barrel with attachments to the end of any legal device permanently attached to the end of the muzzle.

(5) "Bump-fire stock" means a butt stock designed to be attached to a semiautomatic firearm with the effect of increasing the rate of fire achievable with the semiautomatic firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate

reciprocating action that facilitates repeated activation of the trigger.

(6) "Conviction" or "convicted" means, whether in an adult court or adjudicated in a juvenile court, that a plea of guilty has been accepted or a verdict of guilty has been filed, or a finding of guilt has been entered, notwithstanding the pendency of any future proceedings including, but not limited to, sentencing or disposition, posttrial or post-fact-finding motions, and appeals. "Conviction" includes a dismissal entered after a period of probation, suspension, or deferral of sentence, and also includes equivalent dispositions by courts in jurisdictions other than Washington state.

(7) "Crime of violence" means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, kidnapping in the second degree, arson in the second degree, assault in the second degree, assault of a child in the second degree, extortion in the first degree, burglary in the second degree, residential burglary, and robbery in the second degree;

(b) Any conviction for a felony offense in effect at any time prior to June 6, 1996, which is comparable to a felony classified as a crime of violence in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under (a) or (b) of this subsection.

(8) "Curio or relic" has the same meaning as provided in 27 C.F.R. Sec. 478.11.

(9) "Dealer" means a person engaged in the business of selling firearms at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his or her personal collection of firearms.

(10) "Detachable magazine" means an ammunition feeding device that can be loaded or unloaded while detached from a firearm and readily inserted into a firearm.

(11) "Distribute" means to give out, provide, make available, or deliver a firearm or large capacity magazine to any person in this state, with or without consideration, whether the distributor is in-state or out-of-state. "Distribute" includes, but is not limited to, filling orders placed in this state, online or otherwise. "Distribute" also includes causing a firearm or large capacity magazine to be delivered in this state.

(12) "Domestic violence" has the same meaning as provided in RCW 10.99.020.

(13) "Family or household member" has the same meaning as in RCW 7.105.010.

(14) "Federal firearms dealer" means a licensed dealer as defined in 18 U.S.C. Sec. 921(a) (11).

(15) "Federal firearms importer" means a licensed importer as defined in 18 U.S.C. Sec. 921(a) (9).

(16) "Federal firearms manufacturer" means a licensed manufacturer as defined in 18 U.S.C. Sec. 921(a) (10).

(17) "Felony" means any felony offense under the laws of this state or any federal or out-of-state offense comparable to a felony offense under the laws of this state.

(18) "Felony firearm offender" means a person who has previously been convicted or found not guilty by reason of insanity in this state of any felony firearm offense. A person is not a felony firearm offender under this chapter if any and all qualifying offenses have been the subject of an expungement, pardon, annulment, certificate, or rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(19) "Felony firearm offense" means:

(a) Any felony offense that is a violation of this chapter;

(b) A violation of RCW 9A.36.045;

(c) A violation of RCW 9A.56.300;

(d) A violation of RCW 9A.56.310;

(e) Any felony offense if the offender was armed with a firearm in the commission of the offense.

(20) "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. For the purposes of RCW 9.41.040, "firearm" also includes frames and receivers. "Firearm" does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes.

(21) (a) "Frame or receiver" means a part of a firearm that, when the complete firearm is assembled, is visible from the exterior and provides housing or a structure designed to hold or integrate one or more fire control components, even if pins or other attachments are required to connect the fire control components. Any such part identified with a serial number shall be presumed, absent an official determination by the bureau of alcohol, tobacco, firearms, and explosives or other reliable evidence to the contrary, to be a frame or receiver.

(b) For purposes of this subsection, "fire control component" means a component necessary for the firearm to initiate, complete, or continue the firing sequence, including any of the following: Hammer, bolt, bolt carrier, breechblock, cylinder, trigger mechanism, firing pin, striker, or slide rails.

(22) "Gun" has the same meaning as firearm.

(23) "Import" means to move, transport, or receive an item from a place outside the territorial limits of the state of Washington to a place inside the territorial limits of the state of Washington. "Import" does not mean situations where an individual

possesses a large capacity magazine or assault weapon when departing from, and returning to, Washington state, so long as the individual is returning to Washington in possession of the same large capacity magazine or assault weapon the individual transported out of state.

(24) "Intimate partner" has the same meaning as provided in RCW 7.105.010.

(25) "Large capacity magazine" means an ammunition feeding device with the capacity to accept more than 10 rounds of ammunition, or any conversion kit, part, or combination of parts, from which such a device can be assembled if those parts are in possession of or under the control of the same person, but shall not be construed to include any of the following:

(a) An ammunition feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds of ammunition;

(b) A 22 caliber tube ammunition feeding device; or

(c) A tubular magazine that is contained in a lever-action firearm.

(26) "Law enforcement officer" includes a general authority Washington peace officer as defined in RCW 10.93.020, or a specially commissioned Washington peace officer as defined in RCW 10.93.020. "Law enforcement officer" also includes a limited authority Washington peace officer as defined in RCW 10.93.020 if such officer is duly authorized by his or her employer to carry a concealed pistol.

(27) "Lawful permanent resident" has the same meaning afforded a person "lawfully admitted for permanent residence" in 8 U.S.C. Sec. 1101(a) (20).

(28) "Licensed collector" means a person who is federally licensed under 18 U.S.C. Sec. 923(b).

(29) "Licensed dealer" means a person who is federally licensed under 18 U.S.C. Sec. 923(a).

(30) "Loaded" means:

(a) There is a cartridge in the chamber of the firearm;

(b) Cartridges are in a clip that is locked in place in the firearm;

(c) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver;

(d) There is a cartridge in the tube or magazine that is inserted in the action; or

(e) There is a ball in the barrel and the firearm is capped or primed if the firearm is a muzzle loader.

(31) "Machine gun" means any firearm known as a machine gun, mechanical rifle, submachine gun, or any other mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into the firearm, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

(32) "Manufacture" means, with respect to a firearm or large capacity magazine, the fabrication, making, formation, production, or construction of a firearm or large capacity magazine, by manual labor or by machinery.

(33) "Mental health professional" means a psychiatrist, psychologist, or physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychiatric nurse, social worker, mental health counselor, marriage and family therapist, or such other mental health professionals as may be defined in statute or by rules adopted by the department of health pursuant to the provisions of chapter 71.05 RCW.

(34) "Nonimmigrant alien" means a person defined as such in 8 U.S.C. Sec. 1101(a) (15).

(35) "Person" means any individual, corporation, company, association, firm, partnership, club, organization, society, joint stock company, or other legal entity.

(36) "Pistol" means any firearm with a barrel less than 16 inches in length, or is designed to be held and fired by the use of a single hand.

(37) "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(38) "Sale" and "sell" mean the actual approval of the delivery of a firearm in consideration of payment or promise of payment.

(39) "Secure gun storage" means:

(a) A locked box, gun safe, or other secure locked storage space that is designed to prevent unauthorized use or discharge of a firearm; and

(b) The act of keeping an unloaded firearm stored by such means.

(40) "Semiautomatic" means any firearm which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

(41) (a) "Semiautomatic assault rifle" means any rifle which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

(b) "Semiautomatic assault rifle" does not include antique firearms, any firearm that has been made permanently inoperable, or any firearm that is manually operated by bolt, pump, lever, or slide action.

(42) "Serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies, as now existing or hereafter amended:

(a) Any crime of violence;

(b) Any felony violation of the uniform controlled substances act, chapter 69.50 RCW, that is classified as a class B felony or that has a maximum term of imprisonment of at least 10 years;

(c) Child molestation in the second degree;

(d) Incest when committed against a child under age 14;

(e) Indecent liberties;

(f) Leading organized crime;

(g) Promoting prostitution in the first degree;

(h) Rape in the third degree;

(i) Drive-by shooting;

(j) Sexual exploitation;

(k) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(l) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(m) Any other class B felony offense with a finding of sexual motivation, as "sexual motivation" is defined under RCW 9.94A.030;

(n) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(o) Any felony offense in effect at any time prior to June 6, 1996, that is comparable to a serious offense, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious offense;

(p) Any felony conviction under RCW 9.41.115; or

(q) Any felony charged under RCW 46.61.502(6) or 46.61.504(6).

(43) "Sex offense" has the same meaning as provided in RCW 9.94A.030.

(44) "Short-barreled rifle" means a rifle having one or more barrels less than 16 inches in length and any weapon made from a rifle by any means of modification if such modified weapon has an overall length of less than 26 inches.

(45) "Short-barreled shotgun" means a shotgun having one or more barrels less than 18 inches in length and any weapon made from a shotgun by any means of modification if such modified weapon has an overall length of less than 26 inches.

(46) "Shotgun" means a weapon with one or more barrels, designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(47) "Substance use disorder professional" means a person certified under chapter 18.205 RCW.

(48) "Transfer" means the intended delivery of a firearm to another person without consideration of payment or promise of payment including, but not limited to, gifts and loans. "Transfer" does not include the delivery of a firearm owned or leased by an entity licensed or qualified to do business in the state of Washington to, or return of such a firearm by, any of that entity's employees or agents, defined to include volunteers participating in an honor guard, for lawful purposes in the ordinary course of business.

(49) "Undetectable firearm" means any firearm that is not as detectable as 3.7 ounces of 17-4 PH stainless steel by walk-through metal detectors or magnetometers commonly used at airports or any firearm where the barrel, the slide or cylinder, or

the frame or receiver of the firearm would not generate an image that accurately depicts the shape of the part when examined by the types of X-ray machines commonly used at airports.

(50)(a) "Unfinished frame or receiver" means a frame or receiver that is partially complete, disassembled, or inoperable, that: (i) Has reached a stage in manufacture where it may readily be completed, assembled, converted, or restored to a functional state; or (ii) is marketed or sold to the public to become or be used as the frame or receiver of a functional firearm once finished or completed, including without limitation products marketed or sold to the public as an 80 percent frame or receiver or unfinished frame or receiver.

(b) For purposes of this subsection:

(i) "Readily" means a process that is fairly or reasonably efficient, quick, and easy, but not necessarily the most efficient, speedy, or easy process. Factors relevant in making this determination, with no single one controlling, include the following: (A) Time, i.e., how long it takes to finish the process; (B) ease, i.e., how difficult it is to do so; (C) expertise, i.e., what knowledge and skills are required; (D) equipment, i.e., what tools are required; (E) availability, i.e., whether additional parts are required, and how easily they can be obtained; (F) expense, i.e., how much it costs; (G) scope, i.e., the extent to which the subject of the process must be changed to finish it; and (H) feasibility, i.e., whether the process would damage or destroy the subject of the process, or cause it to malfunction.

(ii) "Partially complete," as it modifies frame or receiver, means a forging, casting, printing, extrusion, machined body, or similar article that has reached a stage in manufacture where it is clearly identifiable as an unfinished component part of a firearm.

(51) "Unlicensed person" means any person who is not a licensed dealer under this chapter.

(52) "Untraceable firearm" means any firearm manufactured after July 1, 2019, that is not an antique firearm and that cannot be traced by law enforcement by means of a serial number affixed to the firearm by a federal firearms manufacturer, federal firearms importer, or federal firearms dealer in compliance with all federal laws and regulations.

(53) "Washington state patrol firearms background check program" means the division within the state patrol that conducts background checks for all firearm transfers and the disposition of firearms.

**Sec. 2.** RCW 9.41.049 and 2020 c 302 s 61 are each amended to read as follows:

(1) When a designated crisis responder files a petition for initial detention under RCW 71.05.150 or 71.05.153 on the grounds that the person presents a likelihood of serious harm, the petition shall include a copy of the person's driver's license or identicard or comparable information such as their name, address, and date of birth. If the person is not subsequently committed for

involuntary treatment under RCW 71.05.240, the court shall forward within three business days of the probable cause hearing a copy of the person's driver's license or identicard, or comparable information, along with the date of release from the facility, to the department of licensing and to the Washington state patrol firearms background check program, who shall forward the information to the national instant criminal background check system index, denied persons file, created by the federal Brady handgun violence prevention act (P.L. 103-159). Upon expiration of the six-month period during which the person's right to possess a firearm is suspended as provided in RCW 71.05.182, the Washington state patrol ~~((shall forward to the national instant criminal background check system index, denied persons file, notice that the person's right to possess a firearm has been restored))~~ firearms background check program must remove the person from the national instant criminal background check system.

(2) Upon receipt of the information provided for by subsection (1) of this section, the department of licensing shall determine if the detained person has a concealed pistol license. If the person does have a concealed pistol license, the department of licensing shall immediately notify the license-issuing authority, which, upon receipt of such notification, shall immediately suspend the license for a period of six months from the date of the person's release from the facility.

(3) A person who is prohibited from possessing a firearm by reason of having been detained under RCW 71.05.150 or 71.05.153 may, upon discharge, petition the superior court to have his or her right to possess a firearm restored before the six-month suspension period has elapsed by following the procedures provided in RCW 9.41.047(3).

**Sec. 3.** RCW 9.41.111 and 2020 c 36 s 1 are each amended to read as follows:

(1) Beginning on the date that is thirty days after the Washington state patrol issues a notification to dealers that a state firearms background check system is established within the Washington state patrol, a dealer shall use the state firearms background check system to conduct background checks for purchases or transfers of firearm frames or receivers in accordance with this section.

~~((a))~~ (2) A dealer may not deliver a firearm frame or receiver to a purchaser or transferee unless the dealer first conducts a background check of the applicant through the state firearms background check system and the requirements ~~((e))~~ and time periods in RCW 9.41.092 ~~((1))~~ have been satisfied.

~~((b))~~ (3) When processing an application for the purchase or transfer of a firearm frame or receiver, a dealer shall comply with the application, recordkeeping, and other requirements of this chapter that apply to the sale or transfer of a pistol.

~~((c))~~ (4) A signed application for the purchase or transfer of a firearm frame or receiver shall constitute a waiver of confidentiality and written request that the

health care authority, mental health institutions, and other health care facilities release, to an inquiring court, law enforcement agency, or ~~((the state))~~ the Washington state patrol firearms background check program, information relevant to the applicant's eligibility to possess a firearm. Any mental health information received by a court, law enforcement agency, or ~~((the state))~~ the Washington state patrol firearms background check program pursuant to this section shall not be disclosed except as provided in RCW 42.56.240(4).

~~((d))~~ (5) The department of licensing shall keep copies or records of applications for the purchase or transfer of a firearm frame or receiver and copies or records of firearm frame or receiver transfers in the same manner as pistol and semiautomatic assault rifle application and transfer records under RCW 9.41.129.

~~((e))~~ (6) A person who knowingly makes a false statement regarding identity or eligibility requirements on the application to purchase a firearm frame or receiver is guilty of false swearing under RCW 9A.72.040.

~~((f))~~ (7) This section does not apply to sales or transfers of firearm frames or receivers to licensed dealers.

~~((2) For the purposes of this section, "firearm frame or receiver" means the federally regulated part of a firearm that provides housing for the hammer, bolt or breechblock, and firing mechanism, and which is usually threaded at its forward portion to receive the barrel.))~~

**Sec. 4.** RCW 9.41.114 and 2020 c 28 s 5 are each amended to read as follows:

Upon denying an application for the purchase or transfer of a firearm as a result of a background check by the Washington state patrol firearms background check program or completed and submitted firearm purchase or transfer application that indicates the applicant is ineligible to possess a firearm under state or federal law, the dealer shall:

(1) Provide the applicant with a copy of a notice form generated and distributed by the Washington state patrol firearms background check program under RCW 43.43.823(6), informing denied applicants of their right to appeal the denial; and

(2) Retain the original records of the attempted purchase or transfer of a firearm for a period not less than six years.

**Sec. 5.** RCW 9.41.350 and 2023 c 262 s 3 are each amended to read as follows:

(1) A person may file a voluntary waiver of firearm rights, either in writing or electronically, with the clerk of the court in any county in Washington state. The clerk of the court must request a physical or scanned copy of photo identification to verify the person's identity prior to accepting the form. The person filing the form may provide the name of a family member, mental health professional, substance use disorder professional, or alternate person to be contacted if the filer attempts to purchase a firearm while the voluntary waiver of firearm rights is in

effect or if the filer applies to have the voluntary waiver revoked. The clerk of the court must immediately give notice to the person filing the form and any listed family member, mental health professional, substance use disorder professional, or alternate person if the filer's voluntary waiver of firearm rights has been accepted. The notice must state that the filer's possession or control of a firearm is unlawful under RCW 9.41.040(7) and that any firearm in the filer's possession or control should be surrendered immediately. By the end of the business day, the clerk of the court must transmit the accepted form to the Washington state patrol firearms background check program. The Washington state patrol firearms background check program must enter the voluntary waiver of firearm rights into the national instant criminal background check system and any other federal or state computer-based systems used by law enforcement agencies or others to identify prohibited purchasers of firearms within twenty-four hours of receipt of the form. Copies and records of the voluntary waiver of firearm rights shall not be disclosed except to law enforcement agencies.

(2) A filer of a voluntary waiver of firearm rights may update the contact information for any family member, mental health professional, substance use disorder professional, or alternate person provided under subsection (1) of this section by making an electronic or written request to the clerk of the court in the same county where the voluntary waiver of firearm rights was filed. The clerk of the court must request a physical or scanned copy of photo identification to verify the person's identity prior to updating the contact information on the form. By the end of the business day, the clerk of the court must transmit the updated contact information to the Washington state patrol.

(3) No sooner than seven calendar days after filing a voluntary waiver of firearm rights, the person may file a revocation of the voluntary waiver of firearm rights, either in writing or electronically, in the same county where the voluntary waiver of firearm rights was filed. The clerk of the court must request a physical or scanned copy of photo identification to verify the person's identity prior to accepting the form. By the end of the business day, the clerk of the court must transmit the form to the Washington state patrol firearms background check program and to any family member, mental health professional, substance use disorder professional, or alternate person listed on the voluntary waiver of firearm rights. Within seven days of receiving a revocation of a voluntary waiver of firearm rights, the Washington state patrol firearms background check program must remove the person from the national instant criminal background check system, and any other federal or state computer-based systems used by law enforcement agencies or others to identify prohibited purchasers of firearms in which the person was entered, unless the person is otherwise ineligible to possess a firearm under RCW 9.41.040, and destroy all records of the voluntary waiver.

(4) A person who knowingly makes a false statement regarding their identity on the voluntary waiver of firearm rights form or revocation of waiver of firearm rights form is guilty of false swearing under RCW 9A.72.040.

(5) Neither a voluntary waiver of firearm rights nor a revocation of a voluntary waiver of firearm rights shall be considered by a court in any legal proceeding.

(6) A voluntary waiver of firearm rights may not be required of an individual as a condition for receiving employment, benefits, or services.

(7) All records obtained and all reports produced, as required by this section, are not subject to disclosure through the public records act under chapter 42.56 RCW.

**Sec. 6.** RCW 43.43.823 and 2020 c 28 s 6 are each amended to read as follows:

(1) The Washington state patrol firearms background check program shall report each instance where an application for the purchase or transfer of a firearm is denied as the result of a background check that indicates the applicant is ineligible to possess a firearm to the local law enforcement agency in the jurisdiction where the attempted purchase or transfer took place. The reported information must include the identifying information of the applicant, the date of the application and denial of the application, the basis for the denial of the application, and other information deemed appropriate by the Washington state patrol firearms background check program.

(2) The Washington state patrol firearms background check program must incorporate the information concerning any person whose application for the purchase or transfer of a firearm is denied as the result of a background check into its electronic database accessible to law enforcement agencies and officers, including federally recognized Indian tribes, that have a connection to the Washington state patrol firearms background check program electronic database.

(3) Upon appeal of a background check denial, the Washington state patrol firearms background check program shall immediately remove the record of the person from its electronic database accessible to law enforcement agencies and officers and keep a separate record of the person's information until such time as the appeal has been resolved. If the appeal is denied, the Washington state patrol firearms background check program shall put the person's background check denial information back in its electronic database accessible to law enforcement agencies and officers.

(4) Upon receipt of satisfactory proof that a person is no longer ineligible to possess a firearm under state or federal law, the Washington state patrol firearms background check program must remove any record of the person's denied firearms purchase or transfer application from its electronic database accessible to law enforcement agencies and officers.

(5) In any case where the purchase or transfer of a firearm is initially denied as

the result of a background check that indicates the applicant is ineligible to possess a firearm, but the purchase or transfer is subsequently approved, the Washington state patrol firearms background check program must remove any record of the person's denied firearms purchase or transfer application from its electronic database accessible to law enforcement agencies and officers within five business days and report the subsequent approval to the local law enforcement agency that received notification of the original denial.

(6) The Washington state patrol firearms background check program shall generate and distribute a notice form to all firearm dealers, to be provided by the dealers to applicants denied the purchase or transfer of a firearm as a result of a background check that indicates the applicant is ineligible to possess a firearm. The notice form must contain the following statements:

State law requires that the Washington state patrol transmit the following information to the local law enforcement agency as a result of your firearm purchase or transfer denial within five days of the denial:

- (a) Identifying information of the applicant;
- (b) The date of the application and denial of the application;
- (c) The basis for the denial; and
- (d) Other information as determined by the Washington state patrol firearms background check program.

If you believe this denial is in error, and you do not exercise your right to appeal, you may be subject to criminal investigation by the Washington state patrol and/or a local law enforcement agency.

The notice form shall also contain information directing the applicant to a website describing the process of appealing a background check system denial and refer the applicant to the Washington state patrol firearms background check program for information on a denial based on a state background check. The notice form shall also contain a phone number for a contact at the Washington state patrol to direct the person to resources regarding an individual's right to appeal a background check denial.

(7) The Washington state patrol shall provide to the Washington association of sheriffs and police chiefs any information necessary for the administration of the grant program in RCW 36.28A.420, providing notice to a protected person pursuant to RCW 36.28A.410, or preparation of the report required under RCW 36.28A.405.

(8) The Washington state patrol may adopt rules as are necessary to carry out the purposes of this section.

**Sec. 7.** RCW 43.43.580 and 2022 c 105 s 7 are each amended to read as follows:

(1) The Washington state patrol shall establish a firearms background check ((unit)) program to serve as a centralized single point of contact for dealers to conduct background checks for firearms sales

or transfers required under chapter 9.41 RCW and the federal Brady handgun violence prevention act (18 U.S.C. Sec. 921 et seq.). The Washington state patrol shall establish an automated firearms background check system to conduct background checks on applicants for the purchase or transfer of a firearm. The system must include the following characteristics:

(a) Allow a dealer to contact the Washington state patrol through a web portal or other electronic means and by telephone to request a background check of an applicant for the purchase or transfer of a firearm;

(b) Provide a dealer with a notification that a firearm purchase or transfer application has been received;

(c) Assign a unique identifier to the background check inquiry;

(d) Provide an automated response to the dealer indicating whether the transfer may proceed or is denied, or that the check is indeterminate and will require further investigation;

(e) Include measures to ensure data integrity and the confidentiality and security of all records and data transmitted and received by the system; and

(f) Include a performance metrics tracking system to evaluate the performance of the background check system.

(2) Upon receipt of a request from a dealer for a background check in connection with the sale or transfer of a firearm, the Washington state patrol shall:

(a) Provide the dealer with a notification that a firearm transfer application has been received;

(b) Conduct a check of the national instant criminal background check system and the following additional records systems to determine whether the transferee is prohibited from possessing a firearm under state or federal law: (i) The Washington crime information center and Washington state identification system; (ii) the health care authority electronic database; (iii) the federal bureau of investigation national data exchange database and any available repository of statewide local law enforcement record management systems information; (iv) the administrative office of the courts case management system; and (v) other databases or resources as appropriate;

(c) Perform an equivalency analysis on criminal charges in foreign jurisdictions to determine if the applicant has been convicted as defined in RCW 9.41.040(3) and if the offense is equivalent to a Washington felony as defined in RCW 9.41.010;

(d) Notify the dealer without delay that the records indicate the individual is prohibited from possessing a firearm and the transfer is denied or that the individual is approved to complete the transfer. If the results of the background check are indeterminate, the Washington state patrol shall notify the dealer of the delay and conduct necessary research and investigation to resolve the inquiry; and

(e) Provide the dealer with a unique identifier for the inquiry.

(3) The Washington state patrol may hold the delivery of a firearm to an applicant

under the circumstances provided in RCW 9.41.090 (4) and (5).

(4)(a) The Washington state patrol shall require a dealer to charge each firearm purchaser or transferee a fee for performing background checks in connection with firearms transfers. The fee must be set at an amount necessary to cover the annual costs of operating and maintaining the firearm background check system but shall not exceed eighteen dollars. The Washington state patrol shall transmit the fees collected to the state treasurer for deposit in the state firearms background check system account created in RCW 43.43.590. It is the intent of the legislature that once the state firearm background check system is established, the fee established in this section will replace the fee required in RCW 9.41.090(7).

(b) The background check fee required under this subsection does not apply to any background check conducted in connection with a pawnbroker's receipt of a pawned firearm or the redemption of a pawned firearm.

(5) The Washington state patrol shall establish a procedure for a person who has been denied a firearms transfer as the result of a background check to appeal the denial to the Washington state patrol and to obtain information on the basis for the denial and procedures to review and correct any erroneous records that led to the denial.

(6) The Washington state patrol shall work with the administrative office of the courts to build a link between the firearm background check system and the administrative office of the courts case management system for the purpose of accessing court records to determine a person's eligibility to possess a firearm.

(7) Upon establishment of the firearm background check system under this section, the Washington state patrol shall notify each dealer in the state of the existence of the system, and the dealer must use the system to conduct background checks for firearm sales or transfers beginning on the date that is thirty days after issuance of the notification.

(8) The Washington state patrol shall consult with the Washington background check advisory board created in RCW 43.43.585 in carrying out its duties under this section.

(9) No later than July 1, 2025, and annually thereafter, the Washington state patrol firearms background check program shall report to the appropriate committees of the legislature the average time between receipt of request for a background check and final decision.

(10) All records and information prepared, obtained, used, or retained by the Washington state patrol in connection with a request for a firearm background check are exempt from public inspection and copying under chapter 42.56 RCW.

((10)) (11) The Washington state patrol may adopt rules necessary to carry out the purposes of this section.

((11)) (12) For the purposes of this section, "dealer" has the same meaning as given in RCW 9.41.010.

NEW SECTION. **Sec. 8.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; and Abbarno.

Referred to Committee on Rules for second reading

February 21, 2024

**SSB 5986** Prime Sponsor, Ways & Means: Protecting consumers from out-of-network health care services charges. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 48.43.005 and 2023 c 433 s 20 are each amended to read as follows:

Unless otherwise specifically provided, the definitions in this section apply throughout this chapter.

(1) "Adjusted community rate" means the rating method used to establish the premium for health plans adjusted to reflect actuarially demonstrated differences in utilization or cost attributable to geographic region, age, family size, and use of wellness activities.

(2) "Adverse benefit determination" means a denial, reduction, or termination of, or a failure to provide or make payment, in whole or in part, for a benefit, including a denial, reduction, termination, or failure to provide or make payment that is based on a determination of an enrollee's or applicant's eligibility to participate in a plan, and including, with respect to group health plans, a denial, reduction, or termination of, or a failure to provide or make payment, in whole or in part, for a benefit resulting from the application of any utilization review, as well as a failure to cover an item or service for which benefits are otherwise provided because it is determined to be experimental or investigational or not medically necessary or appropriate.

(3) "Air ambulance service" has the same meaning as defined in section 2799A-2 of the public health service act (42 U.S.C. Sec. 300gg-112) and implementing federal regulations in effect on March 31, 2022.

(4) "Allowed amount" means the maximum portion of a billed charge a health carrier will pay, including any applicable enrollee cost-sharing responsibility, for a covered health care service or item rendered by a participating provider or facility or by a nonparticipating provider or facility.

(5) "Applicant" means a person who applies for enrollment in an individual

health plan as the subscriber or an enrollee, or the dependent or spouse of a subscriber or enrollee.

(6) "Balance bill" means a bill sent to an enrollee by a nonparticipating provider or facility for health care services provided to the enrollee after the provider or facility's billed amount is not fully reimbursed by the carrier, exclusive of permitted cost-sharing.

(7) "Basic health plan" means the plan described under chapter 70.47 RCW, as revised from time to time.

(8) "Basic health plan model plan" means a health plan as required in RCW 70.47.060(2)(e).

(9) "Basic health plan services" means that schedule of covered health services, including the description of how those benefits are to be administered, that are required to be delivered to an enrollee under the basic health plan, as revised from time to time.

(10) "Behavioral health emergency services provider" means emergency services provided in the following settings:

(a) A crisis stabilization unit as defined in RCW 71.05.020;

(b) A 23-hour crisis relief center as defined in RCW 71.24.025;

(c) An evaluation and treatment facility that can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is licensed or certified as such by the department of health;

(d) An agency certified by the department of health under chapter 71.24 RCW to provide outpatient crisis services;

(e) An agency certified by the department of health under chapter 71.24 RCW to provide medically managed or medically monitored withdrawal management services; or

(f) A mobile rapid response crisis team as defined in RCW 71.24.025 that is contracted with a behavioral health administrative services organization operating under RCW 71.24.045 to provide crisis response services in the behavioral health administrative services organization's service area.

(11) "Board" means the governing board of the Washington health benefit exchange established in chapter 43.71 RCW.

(12)(a) For grandfathered health benefit plans issued before January 1, 2014, and renewed thereafter, "catastrophic health plan" means:

(i) In the case of a contract, agreement, or policy covering a single enrollee, a health benefit plan requiring a calendar year deductible of, at a minimum, ~~((one thousand seven hundred fifty dollars))~~ \$1,750 and an annual out-of-pocket expense required to be paid under the plan (other than for premiums) for covered benefits of at least ~~((three thousand five hundred dollars))~~ \$3,500, both amounts to be adjusted annually by the insurance commissioner; and

(ii) In the case of a contract, agreement, or policy covering more than one enrollee, a health benefit plan requiring a calendar year deductible of, at a minimum,



(~~three thousand five hundred dollars~~) \$3,500 and an annual out-of-pocket expense required to be paid under the plan (other than for premiums) for covered benefits of at least (~~six thousand dollars~~) \$6,000, both amounts to be adjusted annually by the insurance commissioner.

(b) In July 2008, and in each July thereafter, the insurance commissioner shall adjust the minimum deductible and out-of-pocket expense required for a plan to qualify as a catastrophic plan to reflect the percentage change in the consumer price index for medical care for a preceding (~~twelve~~) 12 months, as determined by the United States department of labor. For a plan year beginning in 2014, the out-of-pocket limits must be adjusted as specified in section 1302(c)(1) of P.L. 111-148 of 2010, as amended. The adjusted amount shall apply on the following January 1st.

(c) For health benefit plans issued on or after January 1, 2014, "catastrophic health plan" means:

(i) A health benefit plan that meets the definition of catastrophic plan set forth in section 1302(e) of P.L. 111-148 of 2010, as amended; or

(ii) A health benefit plan offered outside the exchange marketplace that requires a calendar year deductible or out-of-pocket expenses under the plan, other than for premiums, for covered benefits, that meets or exceeds the commissioner's annual adjustment under (b) of this subsection.

(13) "Certification" means a determination by a review organization that an admission, extension of stay, or other health care service or procedure has been reviewed and, based on the information provided, meets the clinical requirements for medical necessity, appropriateness, level of care, or effectiveness under the auspices of the applicable health benefit plan.

(14) "Concurrent review" means utilization review conducted during a patient's hospital stay or course of treatment.

(15) "Covered person" or "enrollee" means a person covered by a health plan including an enrollee, subscriber, policyholder, beneficiary of a group plan, or individual covered by any other health plan.

(16) "Dependent" means, at a minimum, the enrollee's legal spouse and dependent children who qualify for coverage under the enrollee's health benefit plan.

(17) "Emergency medical condition" means a medical, mental health, or substance use disorder condition manifesting itself by acute symptoms of sufficient severity including, but not limited to, severe pain or emotional distress, such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical, mental health, or substance use disorder treatment attention to result in a condition (a) placing the health of the individual, or with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy, (b) serious impairment to bodily functions, or (c)

serious dysfunction of any bodily organ or part.

(18) "Emergency services" means:

(a)(i) A medical screening examination, as required under section 1867 of the social security act (42 U.S.C. Sec. 1395dd), that is within the capability of the emergency department of a hospital, including ancillary services routinely available to the emergency department to evaluate that emergency medical condition;

(ii) Medical examination and treatment, to the extent they are within the capabilities of the staff and facilities available at the hospital, as are required under section 1867 of the social security act (42 U.S.C. Sec. 1395dd) to stabilize the patient. Stabilize, with respect to an emergency medical condition, has the meaning given in section 1867(e)(3) of the social security act (42 U.S.C. Sec. 1395dd(e)(3)); and

(iii) Covered services provided by staff or facilities of a hospital after the enrollee is stabilized and as part of outpatient observation or an inpatient or outpatient stay with respect to the visit during which screening and stabilization services have been furnished. Poststabilization services relate to medical, mental health, or substance use disorder treatment necessary in the short term to avoid placing the health of the individual, or with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part; or

(b)(i) A screening examination that is within the capability of a behavioral health emergency services provider including ancillary services routinely available to the behavioral health emergency services provider to evaluate that emergency medical condition;

(ii) Examination and treatment, to the extent they are within the capabilities of the staff and facilities available at the behavioral health emergency services provider, as are required under section 1867 of the social security act (42 U.S.C. Sec. 1395dd) or as would be required under such section if such section applied to behavioral health emergency services providers, to stabilize the patient. Stabilize, with respect to an emergency medical condition, has the meaning given in section 1867(e)(3) of the social security act (42 U.S.C. Sec. 1395dd(e)(3)); and

(iii) Covered behavioral health services provided by staff or facilities of a behavioral health emergency services provider after the enrollee is stabilized and as part of outpatient observation or an inpatient or outpatient stay with respect to the visit during which screening and stabilization services have been furnished. Poststabilization services relate to mental health or substance use disorder treatment necessary in the short term to avoid placing the health of the individual, or with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part.

(19) "Employee" has the same meaning given to the term, as of January 1, 2008, under section 3(6) of the federal employee retirement income security act of 1974.

(20) "Enrollee point-of-service cost-sharing" or "cost-sharing" means amounts paid to health carriers directly providing services, health care providers, or health care facilities by enrollees and may include copayments, coinsurance, or deductibles.

(21) "Essential health benefit categories" means:

- (a) Ambulatory patient services;
- (b) Emergency services;
- (c) Hospitalization;
- (d) Maternity and newborn care;
- (e) Mental health and substance use disorder services, including behavioral health treatment;
- (f) Prescription drugs;
- (g) Rehabilitative and habilitative services and devices;
- (h) Laboratory services;
- (i) Preventive and wellness services and chronic disease management; and
- (j) Pediatric services, including oral and vision care.

(22) "Exchange" means the Washington health benefit exchange established under chapter 43.71 RCW.

(23) "Final external review decision" means a determination by an independent review organization at the conclusion of an external review.

(24) "Final internal adverse benefit determination" means an adverse benefit determination that has been upheld by a health plan or carrier at the completion of the internal appeals process, or an adverse benefit determination with respect to which the internal appeals process has been exhausted under the exhaustion rules described in RCW 48.43.530 and 48.43.535.

(25) "Grandfathered health plan" means a group health plan or an individual health plan that under section 1251 of the patient protection and affordable care act, P.L. 111-148 (2010) and as amended by the health care and education reconciliation act, P.L. 111-152 (2010) is not subject to subtitles A or C of the act as amended.

(26) "Grievance" means a written complaint submitted by or on behalf of a covered person regarding service delivery issues other than denial of payment for medical services or nonprovision of medical services, including dissatisfaction with medical care, waiting time for medical services, provider or staff attitude or demeanor, or dissatisfaction with service provided by the health carrier.

(27) "Ground ambulance services" means:

(a) The rendering of medical treatment and care at the scene of a medical emergency or while transporting a patient from the scene to an appropriate health care facility or behavioral health emergency services provider when the services are provided by one or more ground ambulance vehicles designed for this purpose; and

(b) Ground ambulance transport between hospitals or behavioral health emergency services providers, hospitals or behavioral health emergency services providers and other health care facilities or locations, and between health care facilities when the

services are medically necessary and are provided by one or more ground ambulance vehicles designed for this purpose.

(28) "Ground ambulance services organization" means a public or private organization licensed by the department of health under chapter 18.73 RCW to provide ground ambulance services. For purposes of this chapter, ground ambulance services organizations are not considered providers.

(29) "Health care facility" or "facility" means hospices licensed under chapter 70.127 RCW, hospitals licensed under chapter 70.41 RCW, rural health care facilities as defined in RCW 70.175.020, psychiatric hospitals licensed under chapter 71.12 RCW, nursing homes licensed under chapter 18.51 RCW, community mental health centers licensed under chapter 71.05 or 71.24 RCW, kidney disease treatment centers licensed under chapter 70.41 RCW, ambulatory diagnostic, treatment, or surgical facilities licensed under chapter 70.41 or 70.230 RCW, drug and alcohol treatment facilities licensed under chapter 70.96A RCW, and home health agencies licensed under chapter 70.127 RCW, and includes such facilities if owned and operated by a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations.

~~((28))~~ (30) "Health care provider" or "provider" means:

(a) A person regulated under Title 18 or chapter 70.127 RCW, to practice health or health-related services or otherwise practicing health care services in this state consistent with state law; or

(b) An employee or agent of a person described in (a) of this subsection, acting in the course and scope of his or her employment.

~~((29))~~ (31) "Health care service" means that service offered or provided by health care facilities and health care providers relating to the prevention, cure, or treatment of illness, injury, or disease.

~~((30))~~ (32) "Health carrier" or "carrier" means a disability insurer regulated under chapter 48.20 or 48.21 RCW, a health care service contractor as defined in RCW 48.44.010, or a health maintenance organization as defined in RCW 48.46.020, and includes "issuers" as that term is used in the patient protection and affordable care act (P.L. 111-148).

~~((31))~~ (33) "Health plan" or "health benefit plan" means any policy, contract, or agreement offered by a health carrier to provide, arrange, reimburse, or pay for health care services except the following:

(a) Long-term care insurance governed by chapter 48.84 or 48.83 RCW;

(b) Medicare supplemental health insurance governed by chapter 48.66 RCW;

(c) Coverage supplemental to the coverage provided under chapter 55, Title 10, United States Code;

(d) Limited health care services offered by limited health care service contractors in accordance with RCW 48.44.035;

(e) Disability income;

(f) Coverage incidental to a property/casualty liability insurance policy such as automobile personal injury protection coverage and homeowner guest medical;

(g) Workers' compensation coverage;  
 (h) Accident only coverage;  
 (i) Specified disease or illness-triggered fixed payment insurance, hospital confinement fixed payment insurance, or other fixed payment insurance offered as an independent, noncoordinated benefit;

(j) Employer-sponsored self-funded health plans;

(k) Dental only and vision only coverage;

(l) Plans deemed by the insurance commissioner to have a short-term limited purpose or duration, or to be a student-only plan that is guaranteed renewable while the covered person is enrolled as a regular full-time undergraduate or graduate student at an accredited higher education institution, after a written request for such classification by the carrier and subsequent written approval by the insurance commissioner;

(m) Civilian health and medical program for the veterans affairs administration (CHAMPVA); and

(n) Stand-alone prescription drug coverage that exclusively supplements medicare part D coverage provided through an employer group waiver plan under federal social security act regulation 42 C.F.R. Sec. 423.458(c).

~~((32))~~ (34) "Individual market" means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

~~((33))~~ (35) "In-network" or "participating" means a provider or facility that has contracted with a carrier or a carrier's contractor or subcontractor to provide health care services to enrollees and be reimbursed by the carrier at a contracted rate as payment in full for the health care services, including applicable cost-sharing obligations.

~~((34))~~ (36) "Local governmental entity" means any entity that is authorized to establish or provide ground ambulance services or set rates for ground ambulance services, including those as authorized in RCW 35.27.370, 35.23.456, 52.12.135, chapter 35.21 RCW, or as authorized under any state law.

(37) "Material modification" means a change in the actuarial value of the health plan as modified of more than five percent but less than fifteen percent.

~~((35))~~ (38) "Nonemergency health care services performed by nonparticipating providers at certain participating facilities" means covered items or services other than emergency services with respect to a visit at a participating health care facility, as provided in section 2799A-1(b) of the public health service act (42 U.S.C. Sec. 300gg-111(b)), 45 C.F.R. Sec. 149.30, and 45 C.F.R. Sec. 149.120 as in effect on March 31, 2022.

~~((36))~~ (39) "Open enrollment" means a period of time as defined in rule to be held at the same time each year, during which applicants may enroll in a carrier's individual health benefit plan without being subject to health screening or otherwise required to provide evidence of insurability as a condition for enrollment.

~~((37))~~ (40) "Out-of-network" or "nonparticipating" means a provider or facility that has not contracted with a carrier or a carrier's contractor or subcontractor to provide health care services to enrollees.

~~((38))~~ (41) "Out-of-pocket maximum" or "maximum out-of-pocket" means the maximum amount an enrollee is required to pay in the form of cost-sharing for covered benefits in a plan year, after which the carrier covers the entirety of the allowed amount of covered benefits under the contract of coverage.

~~((39))~~ (42) "Preexisting condition" means any medical condition, illness, or injury that existed any time prior to the effective date of coverage.

~~((40))~~ (43) "Premium" means all sums charged, received, or deposited by a health carrier as consideration for a health plan or the continuance of a health plan. Any assessment or any "membership," "policy," "contract," "service," or similar fee or charge made by a health carrier in consideration for a health plan is deemed part of the premium. "Premium" shall not include amounts paid as enrollee point-of-service cost-sharing.

~~((41))~~ (44)(a) "Protected individual" means:

(i) An adult covered as a dependent on the enrollee's health benefit plan, including an individual enrolled on the health benefit plan of the individual's registered domestic partner; or

(ii) A minor who may obtain health care without the consent of a parent or legal guardian, pursuant to state or federal law.

(b) "Protected individual" does not include an individual deemed not competent to provide informed consent for care under RCW 11.88.010(1)(e).

~~((42))~~ (45) "Review organization" means a disability insurer regulated under chapter 48.20 or 48.21 RCW, health care service contractor as defined in RCW 48.44.010, or health maintenance organization as defined in RCW 48.46.020, and entities affiliated with, under contract with, or acting on behalf of a health carrier to perform a utilization review.

~~((43))~~ (46) "Sensitive health care services" means health services related to reproductive health, sexually transmitted diseases, substance use disorder, gender dysphoria, gender-affirming care, domestic violence, and mental health.

~~((44))~~ (47) "Small employer" or "small group" means any person, firm, corporation, partnership, association, political subdivision, sole proprietor, or self-employed individual that is actively engaged in business that employed an average of at least one but no more than ~~((fifty))~~ 50 employees, during the previous calendar year and employed at least one employee on the first day of the plan year, is not formed primarily for purposes of buying health insurance, and in which a bona fide employer-employee relationship exists. In determining the number of employees, companies that are affiliated companies, or that are eligible to file a combined tax return for purposes of taxation by this state, shall be considered an employer.

Subsequent to the issuance of a health plan to a small employer and for the purpose of determining eligibility, the size of a small employer shall be determined annually. Except as otherwise specifically provided, a small employer shall continue to be considered a small employer until the plan anniversary following the date the small employer no longer meets the requirements of this definition. A self-employed individual or sole proprietor who is covered as a group of one must also: (a) Have been employed by the same small employer or small group for at least twelve months prior to application for small group coverage, and (b) verify that he or she derived at least ~~((seventy-five))~~ 75 percent of his or her income from a trade or business through which the individual or sole proprietor has attempted to earn taxable income and for which he or she has filed the appropriate internal revenue service form 1040, schedule C or F, for the previous taxable year, except a self-employed individual or sole proprietor in an agricultural trade or business, must have derived at least ~~((fifty-one))~~ 51 percent of his or her income from the trade or business through which the individual or sole proprietor has attempted to earn taxable income and for which he or she has filed the appropriate internal revenue service form 1040, for the previous taxable year.

~~((45))~~ (48) "Special enrollment" means a defined period of time of not less than thirty-one days, triggered by a specific qualifying event experienced by the applicant, during which applicants may enroll in the carrier's individual health benefit plan without being subject to health screening or otherwise required to provide evidence of insurability as a condition for enrollment.

~~((46))~~ (49) "Standard health questionnaire" means the standard health questionnaire designated under chapter 48.41 RCW.

~~((47))~~ (50) "Utilization review" means the prospective, concurrent, or retrospective assessment of the necessity and appropriateness of the allocation of health care resources and services of a provider or facility, given or proposed to be given to an enrollee or group of enrollees.

~~((48))~~ (51) "Wellness activity" means an explicit program of an activity consistent with department of health guidelines, such as, smoking cessation, injury and accident prevention, reduction of alcohol misuse, appropriate weight reduction, exercise, automobile and motorcycle safety, blood cholesterol reduction, and nutrition education for the purpose of improving enrollee health status and reducing health service costs.

**Sec. 2.** RCW 48.49.003 and 2022 c 263 s 6 are each amended to read as follows:

(1) The legislature finds that:

(a) Consumers receive surprise bills or balance bills for services provided at nonparticipating facilities ~~((or))~~ by nonparticipating health care providers at

in-network facilities, and by ground ambulance services organizations;

(b) Consumers must not be placed in the middle of contractual disputes between ~~((providers))~~ entities referenced in this section and health insurance carriers; and

(c) Facilities, providers, and health insurance carriers all share responsibility to ensure consumers have transparent information on network providers and benefit coverage, and the insurance commissioner is responsible for ensuring that provider networks include sufficient numbers and types of contracted providers to reasonably ensure consumers have in-network access for covered benefits.

(2) It is the intent of the legislature to:

(a) Ban balance billing of consumers enrolled in fully insured, regulated ~~((insurance))~~ health plans and plans offered to public and school employees under chapter 41.05 RCW for the services described in RCW 48.49.020 ~~((7))~~ and section 8 of this act and to provide self-funded group health plans with an option to elect to be subject to the provisions of this chapter;

(b) Remove consumers from balance billing disputes and require that nonparticipating providers and carriers negotiate nonparticipating provider payments in good faith under the terms of this chapter;

(c) Align Washington state law with the federal balance billing prohibitions and transparency protections in sections 2799A-1 et seq. of the public health service act (P.L. 116-260) and implementing federal regulations in effect on March 31, 2022, while maintaining provisions of this chapter that provide greater protection for consumers; and

(d) Provide an environment that encourages self-funded groups to negotiate payments in good faith with nonparticipating providers and facilities in return for balance billing protections.

**Sec. 3.** RCW 48.49.060 and 2022 c 263 s 13 are each amended to read as follows:

(1) The commissioner, in consultation with health carriers, health care providers, health care facilities, behavioral health emergency services providers, ground ambulance services organizations, and consumers, must develop standard template language for a notice of consumer rights notifying consumers of their rights under this chapter, and sections 2799A-1 and 2799A-2 of the public health service act (42 U.S.C. Secs. 300gg-111 and 300gg-112) and implementing federal regulations in effect on March 31, 2022.

(2) The standard template language must include contact information for the office of the insurance commissioner so that consumers may contact the office of the insurance commissioner if they believe they have received a balance bill in violation of this chapter.

(3) The office of the insurance commissioner shall determine by rule when and in what format health carriers, health care providers, ~~((and))~~ health care facilities, behavioral health emergency services providers, and ground ambulance

services organizations must provide consumers with the notice developed under this section.

**Sec. 4.** RCW 48.49.070 and 2022 c 263 s 14 are each amended to read as follows:

(1)(a) A hospital, ambulatory surgical facility, ~~((or))~~ behavioral health emergency services provider, or ground ambulance services organization must post the following information on its website, if one is available:

(i) The listing of the carrier health plan provider networks with which the hospital, ambulatory surgical facility, ~~((or))~~ behavioral health emergency services provider, or ground ambulance services organization is an in-network provider, based upon the information provided by the carrier pursuant to RCW 48.43.730(7); and

(ii) The notice of consumer rights developed under RCW 48.49.060.

(b) If the hospital, ambulatory surgical facility, ~~((or))~~ behavioral health emergency services provider, or ground ambulance services organization does not maintain a website, this information must be provided to consumers upon an oral or written request.

(2) Posting or otherwise providing the information required in this section does not relieve a hospital, ambulatory surgical facility, ~~((or))~~ behavioral health emergency services provider, or ground ambulance services organization of its obligation to comply with the provisions of this chapter.

(3) Not less than ~~((thirty))~~ 30 days prior to executing a contract with a carrier, a hospital or ambulatory surgical facility must provide the carrier with a list of the nonemployed providers or provider groups contracted to provide emergency medicine, anesthesiology, pathology, radiology, neonatology, surgery, hospitalist, intensivist~~((+))~~, and diagnostic services, including radiology and laboratory services at the hospital or ambulatory surgical facility. The hospital or ambulatory surgical facility must notify the carrier within thirty days of a removal from or addition to the nonemployed provider list. A hospital or ambulatory surgical facility also must provide an updated list of these providers within ~~((fourteen))~~ 14 calendar days of a request for an updated list by a carrier.

**Sec. 5.** RCW 48.49.090 and 2022 c 263 s 15 are each amended to read as follows:

(1) A carrier must update its website and provider directory no later than thirty days after the addition or termination of a facility or provider.

(2) A carrier must provide an enrollee with:

(a) A clear description of the health plan's out-of-network health benefits;

(b) The notice of consumer rights developed under RCW 48.49.060;

(c) Notification that if the enrollee receives services from an out-of-network provider, facility, ~~((or))~~ behavioral health emergency services provider, or ground ambulance services organization, under circumstances other than those described in

RCW 48.49.020 and section 8 of this act, the enrollee will have the financial responsibility applicable to services provided outside the health plan's network in excess of applicable cost-sharing amounts and that the enrollee may be responsible for any costs in excess of those allowed by the health plan;

(d) Information on how to use the carrier's member transparency tools under RCW 48.43.007;

(e) Upon request, information regarding whether a health care provider is in-network or out-of-network, and whether there are in-network providers available to provide emergency medicine, anesthesiology, pathology, radiology, neonatology, surgery, hospitalist, intensivist~~((+))~~, and diagnostic services, including radiology and laboratory services at specified in-network hospitals or ambulatory surgical facilities; and

(f) Upon request, an estimated range of the out-of-pocket costs for an out-of-network benefit.

**Sec. 6.** RCW 48.49.100 and 2022 c 263 s 16 are each amended to read as follows:

(1) If the commissioner has cause to believe that any health care provider, hospital, ambulatory surgical facility, or behavioral health emergency services provider, has engaged in a pattern of unresolved violations of RCW 48.49.020 or 48.49.030, the commissioner may submit information to the department of health or the appropriate disciplining authority for action. Prior to submitting information to the department of health or the appropriate disciplining authority, the commissioner may provide the health care provider, hospital, ambulatory surgical facility, or behavioral health emergency services provider, with an opportunity to cure the alleged violations or explain why the actions in question did not violate RCW 48.49.020 or 48.49.030.

(2) If any health care provider, hospital, ambulatory surgical facility, or behavioral health emergency services provider, has engaged in a pattern of unresolved violations of RCW 48.49.020 or 48.49.030, the department of health or the appropriate disciplining authority may levy a fine or cost recovery upon the health care provider, hospital, ambulatory surgical facility, or behavioral health emergency services provider in an amount not to exceed the applicable statutory amount per violation and take other action as permitted under the authority of the department or disciplining authority. Upon completion of its review of any potential violation submitted by the commissioner or initiated directly by an enrollee, the department of health or the disciplining authority shall notify the commissioner of the results of the review, including whether the violation was substantiated and any enforcement action taken as a result of a finding of a substantiated violation.

(3) If the commissioner has cause to believe that any ground ambulance services organization has engaged in a pattern of unresolved violations of section 8 of this act, the authority and process provided in

subsections (1) and (2) of this section apply.

(4) If a carrier has engaged in a pattern of unresolved violations of any provision of this chapter, the commissioner may levy a fine or apply remedies authorized under this chapter, chapter 48.02 RCW, RCW 48.44.166, 48.46.135, or 48.05.185.

~~((4))~~ (5) For purposes of this section, "disciplining authority" means the agency, board, or commission having the authority to take disciplinary action against a holder of, or applicant for, a professional or business license upon a finding of a violation of chapter 18.130 RCW or a chapter specified under RCW 18.130.040.

**Sec. 7.** RCW 48.49.130 and 2022 c 263 s 17 are each amended to read as follows:

As authorized in 45 C.F.R. Sec. 149.30 as in effect on March 31, 2022, the provisions of this chapter apply to a self-funded group health plan whether governed by or exempt from the provisions of the federal employee retirement income security act of 1974 (29 U.S.C. Sec. 1001 et seq.) only if the self-funded group health plan elects to participate in the provisions of RCW 48.49.020 ~~((and)),~~ 48.49.030, 48.49.040, 48.49.160, and ~~((48.49.040))~~ section 8 of this act. To elect to participate in these provisions, the self-funded group health plan shall provide notice, on ~~((an annual))~~ periodic basis, to the commissioner in a manner and by a date prescribed by the commissioner, attesting to the plan's participation and agreeing to be bound by RCW 48.49.020 ~~((and)),~~ 48.49.030, 48.49.040, 48.49.160, and ~~((48.49.040))~~ section 8 of this act. An entity administering a self-funded health benefits plan that elects to participate under this section, shall comply with the provisions of RCW 48.49.020 ~~((and)),~~ 48.49.030, 48.49.040, 48.49.160, and ~~((48.49.040))~~ section 8 of this act.

**NEW SECTION. Sec. 8.** A new section is added to chapter 48.49 RCW to read as follows:

(1) For health plans issued or renewed on or after January 1, 2025, a nonparticipating ground ambulance services organization may not balance bill an enrollee for covered ground ambulance services.

(2) If an enrollee receives covered ground ambulance services:

(a) The enrollee satisfies their obligation to pay for the ground ambulance services if they pay the in-network cost-sharing amount specified in the enrollee's or applicable group's health plan contract. The enrollee's obligation must be calculated using the allowed amount determined under subsection (3) of this section. The carrier shall provide an explanation of benefits to the enrollee and the nonparticipating ground ambulance services organization that reflects the cost-sharing amount determined under this subsection;

(b) The carrier, nonparticipating ground ambulance services organization, and any agent, trustee, or assignee of the carrier or nonparticipating ground ambulance services organization shall ensure that the enrollee incurs no greater cost than the

amount determined under (a) of this subsection;

(c) The nonparticipating ground ambulance services organization and any agent, trustee, or assignee of the nonparticipating ground ambulance services organization may not balance bill or otherwise attempt to collect from the enrollee any amount greater than the amount determined under (a) of this subsection. This does not impact the ground ambulance services organization's ability to collect a past due balance for that cost-sharing amount with interest;

(d) The carrier shall treat any cost-sharing amounts determined under (a) of this subsection paid by the enrollee for a nonparticipating ground ambulance services organization's services in the same manner as cost-sharing for health care services provided by an in-network ground ambulance services organization and must apply any cost-sharing amounts paid by the enrollee for such services toward the enrollee's maximum out-of-pocket payment obligation; and

(e) A ground ambulance services organization shall refund any amount in excess of the in-network cost-sharing amount to an enrollee within 30 business days of receipt if the enrollee has paid the nonparticipating ground ambulance services organization an amount that exceeds the in-network cost-sharing amount determined under (a) of this subsection. Interest must be paid to the enrollee for any unrefunded payments at a rate of 12 percent beginning on the first calendar day after the 30 business days.

(3) Until December 31, 2027, the allowed amount paid to a nonparticipating ground ambulance services organization for covered ground ambulance services under a health plan issued by a carrier must be one of the following amounts:

(a) (i) The rate established by the local governmental entity where the covered health care services originated for the provision of ground ambulance services by ground ambulance services organizations owned or operated by the local governmental entity and submitted to the office of the insurance commissioner under section 9 of this act; or

(ii) Where the ground ambulance services were provided by a private ground ambulance services organization under contract with the local governmental entity where the covered health care services originated, the amount set by the contract submitted to the office of the insurance commissioner under section 9 of this act; or

(b) If a rate has not been established under (a) of this subsection, the lesser of:

(i) 325 percent of the current published rate for ambulance services as established by the federal centers for medicare and medicaid services under Title XVIII of the social security act for the same service provided in the same geographic area; or

(ii) The ground ambulance services organization's billed charges.

(4) Payment made in compliance with this section is payment in full for the covered services provided, except for any applicable in-network copayment, coinsurance, deductible, and other cost-sharing amounts required to be paid by the enrollee.

(5) The carrier shall make payments for ground ambulance services provided by nonparticipating ground ambulance services organizations directly to the organization, rather than the enrollee.

(6) A ground ambulance services organization may not request or require a patient at any time, for any procedure, service, or supply, to sign or otherwise execute by oral, written, or electronic means, any document that would attempt to avoid, waive, or alter any provision of this section.

(7) Carriers shall make available through electronic and other methods of communication generally used by a ground ambulance services organization to verify enrollee eligibility and benefits information regarding whether an enrollee's health plan is subject to the requirements of this section.

(8) For purposes of this chapter, ground ambulance services organizations are not considered providers. RCW 48.49.020, 48.49.030, 48.49.040, and 48.49.160 do not apply to ground ambulance services or ground ambulance services organizations.

**NEW SECTION. Sec. 9.** A new section is added to chapter 48.49 RCW to read as follows:

(1) Each local governmental entity that has established or contracted for rates for ground ambulance services provided in their geographic service area must submit the rates to the office of the insurance commissioner, in the form and manner prescribed by the commissioner for purposes of section 8 of this act. Rates established for ground ambulance transports include rates for services provided directly by the local governmental entity and rates for ground ambulance services provided by private ground ambulance services organizations under contract with the local governmental entity.

(2) The commissioner shall establish and maintain, directly or through the lead organization for administrative simplification designated under RCW 48.165.030, a publicly accessible database for the rates. A carrier may rely in good faith on the rates shown on the website. Local governmental entities are solely responsible for submitting any updates to their rates to the commissioner or the lead organization for administrative simplification, as directed by the commissioner.

**NEW SECTION. Sec. 10.** A new section is added to chapter 48.49 RCW to read as follows:

(1) The commissioner must undertake a process to review the reasonableness of the percentage of the medicare rate established in section 8 of this act and any trends in changes to ground ambulance services rates set by local governmental entities and ground ambulance services organizations' billed charges. In conducting the review, the commissioner should consider the relationship of the rates to the cost of providing ground ambulance services and any impacts on health plan enrollees that may

result from health plans increasing in-network consumer cost-sharing for ground ambulance services due to increased rates paid for these services by carriers.

(2) The results of the review must be submitted to the legislature by the earlier of:

(a) October 1, 2026; or

(b) October 1st following any:

(i) Significant trend of increasing rates for ground ambulance services established or contracted for by local governmental entities, increasing billed charges by ground ambulance services organizations, or increasing consumer cost-sharing for ground ambulance services;

(ii) Significant reduction in access to ground ambulance services in Washington state, including in rural or frontier communities; or

(iii) Update in medicare ground ambulance services payment rates by the federal centers for medicare and medicaid services.

(3) The report submitted to the legislature under subsection (2)(a) of this section must include:

(a) Health carrier spending on ground ambulance transports for fully insured health plans and for public and school employee programs administered under chapter 41.05 RCW during plan years 2024 and 2025;

(b) Individual and small group health plan premium trends and cost-sharing trends for ground ambulance services for plan years 2024 and 2025;

(c) Trends in coverage of ground ambulance services for fully insured health plans and for public and school employee programs administered under chapter 41.05 RCW for plan years 2024 and 2025;

(d) A description of current emergency medical services training, equipment, and personnel standards for emergency medical services licensure; and

(e) A description of emergency medical services interfacility transport capabilities in Washington state.

**NEW SECTION. Sec. 11.** A new section is added to chapter 18.73 RCW to read as follows:

If the insurance commissioner reports to the department that they have cause to believe that a ground ambulance services organization has engaged in a pattern of violations of section 8 of this act, and the report is substantiated after investigation, the department may levy a fine upon the ground ambulance services organization in an amount not to exceed \$1,000 per violation and take other formal or informal disciplinary action as permitted under the authority of the department.

**NEW SECTION. Sec. 12.** A new section is added to chapter 48.43 RCW to read as follows:

(1) For health plans issued or renewed on or after January 1, 2025, a health carrier shall provide coverage for ground ambulance transports to behavioral health emergency services providers for enrollees who are experiencing an emergency medical condition as defined in RCW 48.43.005. A health carrier may not require prior authorization

of ground ambulance services if a prudent layperson acting reasonably would have believed that an emergency medical condition existed.

(2) Coverage of ground ambulance transports to behavioral health emergency services providers may be subject to applicable in-network copayments, coinsurance, and deductibles, as provided in chapter 48.49 RCW.

**NEW SECTION. Sec. 13.** (1) The office of the insurance commissioner, in consultation with the health care authority, shall contract for an actuarial analysis of the cost, potential cost savings, and total net costs or savings of covering services provided by ground ambulance services organizations when a ground ambulance services organization is dispatched to the scene of an emergency and the person is treated but is not transported to a hospital or behavioral health emergency services provider. The analysis must calculate net costs or savings separately for the individual, small group, and large group health plan markets and for public and school employee programs administered under chapter 41.05 RCW. The analysis should consider, at a minimum:

(a) The proportion of ground ambulance dispatches that do not result in patient transport to a hospital or behavioral health emergency services provider;

(b) Appropriate payment rates for these services;

(c) Any potential impact of coverage of these services on the number or type of transports to hospitals or behavioral health emergency services providers and associated costs or cost savings; and

(d) Other considerations identified by the commissioner.

(2) The report must include the findings of the actuarial analysis described in this section and recommendations related to whether the services described in this section should be treated as covered services under health plans issued or renewed in Washington state and health benefit programs for public and school employees administered under chapter 41.05 RCW. The office of the insurance commissioner shall submit the report to the legislature by October 1, 2025.

**NEW SECTION. Sec. 14.** A new section is added to chapter 18.73 RCW to read as follows:

(1) The Washington state institute for public policy, in collaboration with the department, the health care authority, and the office of the insurance commissioner, shall conduct a study on the extent to which other states fund or have considered funding emergency medical services substantially or entirely through federal, state, or local governmental funding and the current landscape of emergency medical services in Washington.

(2) The institute shall consider the following elements in conducting the study:

(a) Trends in the number and types of emergency medical services available and the volume of 911 responses and interfacility

transports provided by emergency medical services organizations over time and by county in Washington state;

(b) Projections of the need for emergency medical services in Washington state counties over the next two years;

(c) Examination of geographic disparities in emergency medical services access and average response times, including identification of geographic areas in Washington state without access to emergency medical services within an average 25-minute response time;

(d) Estimates for the cost to address gaps in emergency medical services so all parts of the state are assured a timely response;

(e) Models for funding emergency medical services that are used by other states; and

(f) Existing research and literature related to funding models for emergency medical services.

(3) In conducting the study, the institute shall consult with emergency medical services organizations, local governmental entities, hospitals, labor organizations representing emergency medical services personnel, and other interested entities as determined by the institute in consultation with the department, the health care authority, and the office of the insurance commissioner.

(4) A report detailing the results of the study must be submitted to the department and the relevant policy and fiscal committees of the legislature on or before June 1, 2026.

**NEW SECTION. Sec. 15.** RCW 48.49.190 (Reports to legislature) and 2022 c 263 s 21 are each repealed."

Correct the title.

Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Davis; Graham; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Harris.

MINORITY recommendation: Without recommendation. Signed by Representative Caldier.

Referred to Committee on Appropriations

February 20, 2024

SSB 5998

Prime Sponsor, Law & Justice: Timing of eligibility for vacation of nonfelony convictions. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Without recommendation. Signed by Representatives Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; and Graham.

Referred to Committee on Rules for second reading



February 20, 2024

2SSB 6006

Prime Sponsor, Ways & Means: Supporting victims of human trafficking and sexual abuse. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9A.40.100 and 2017 c 126 s 1 are each amended to read as follows:

(1) A person is guilty of trafficking in the first degree when (+

~~(a) Such person:~~

~~(i) Recruits) such person recruits, entices, harbors, transports, ((transfers)) isolates, solicits, provides, obtains, buys, purchases, maintains, or receives by any means another person ((knowing)) and:~~

~~(a) (i) Knows, or acts in reckless disregard of the fact, ((+A)) that force, fraud, or coercion ((as defined in RCW 9A.36.070)) will be used to cause the person to engage in(+~~

~~(I) Forced labor;~~

~~(II) Involuntary servitude;~~

~~(III) A sexually explicit act; or~~

~~(IV) A commercial sex act, or (B) that the person has not attained the age of eighteen years and is caused to engage in a sexually explicit act or a commercial sex act; or~~

~~((ii) Benefits)) forced labor, involuntary servitude, a sexually explicit act, or a commercial sex act; or~~

~~((ii) Such person knowingly, or in reckless disregard, causes a person under 18 years of age to engage in a sexually explicit act or commercial sex act, or benefits financially or by receiving anything of value from participation in a venture that has engaged in acts set forth in (a) (i) or (ii) of this subsection; provided, that it is not a defense that such person did not know, or recklessly disregarded the fact, that the other person was under 18 years of age or believed the other person was older, as the case may be; and~~

~~(b) The acts or venture set forth in (a) (i) or (ii) of this subsection:~~

~~(i) Involve such person committing or attempting to commit kidnapping;~~

~~(ii) Involve a finding of sexual motivation ((under RCW 9.94A.835));~~

~~(iii) Involve the illegal harvesting or sale of human organs; or~~

~~(iv) Result in a death.~~

~~(2) Trafficking in the first degree is a class A felony.~~

~~(3) ((+a)) A person is guilty of trafficking in the second degree when such person(+~~

~~(i) Recruits) recruits, entices, harbors, transports, ((transfers)) isolates, solicits, provides, obtains, buys, purchases, maintains, or receives by any means another person ((knowing)) and:~~

~~(a) Knows, or acts in reckless disregard of the fact, that force, fraud, or coercion ((as defined in RCW 9A.36.070)) will be used~~

~~to cause the person to engage in forced labor, involuntary servitude, a sexually explicit act, or a commercial sex act ((, or that the person has not attained the age of eighteen years and is caused to engage in a sexually explicit act or a commercial sex act; or~~

~~((ii) Benefits)); or~~

~~(b) Such person knowingly, or in reckless disregard, causes a person under 18 years of age to engage in a sexually explicit act or commercial sex act, or benefits financially or by receiving anything of value from participation in a venture that has engaged in acts set forth in (a) ((+i)) or (b) of this subsection; provided, that it is not a defense that such person did not know, or recklessly disregarded the fact, that the other person was under 18 years of age or believed the other person was older, as the case may be.~~

~~((+b)) (4) Trafficking in the second degree is a class A felony.~~

~~((4) (a) In any prosecution under this chapter in which the offense or degree of the offense depends on the victim's age, it is not a defense that the perpetrator did not know the victim's age, or that the perpetrator believed the victim to be older, as the case may be.~~

~~(b)) (5) If the victim of any offense identified in this section is a minor, then force, fraud, or coercion are not necessary elements of an offense and consent to the sexually explicit act or commercial sex act does not constitute a defense.~~

~~(6) For purposes of this section:~~

~~(a) "Coercion" includes, but is not limited to, the following circumstances:~~

~~(i) Using or threatening to use physical force against any person;~~

~~(ii) Restraining, isolating, or confining or threatening to restrain, isolate, or confine any person without lawful authority and against their will;~~

~~(iii) Using lending or other credit methods to establish a debt by any person when labor or services are pledged as a security for the debt, constituting debt bondage, if the value of the labor or services are pledged as a security for the debt, the value of the labor or services as reasonably assessed is not applied toward the liquidation of the debt, or the length and nature of the labor or services are not respectively limited and defined;~~

~~(iv) Destroying, concealing, removing, confiscating, withholding, or possessing any actual or purported passport, visa, or other immigration document, or any other actual or purported government identification document, of any person;~~

~~(v) Causing or threatening to cause financial harm to any person;~~

~~(vi) Enticing or luring any person by fraud or deceit;~~

~~(vii) Providing or withholding any drug, alcohol, controlled substance, property, or necessities of life including money, food, lodging, or anything else of value that belongs to or was promised to another person knowing that this other person will be caused to engage in forced labor, involuntary servitude, a sexually explicit act, or a commercial sex act;~~

(viii) Accusing any person of a crime or causing criminal charges to be instituted against any person;

(ix) Exposing a secret or publicizing an asserted fact, whether true or false, tending to subject any person to hatred, contempt, or ridicule;

(x) Testifying or providing information, or withholding testimony or information, with respect to another's legal claim or defense;

(xi) Taking wrongful action as an official against anyone or anything, or wrongfully withholding official action, or causing such action or withholding;

(xii) Committing any other act which is intended to harm substantially the person threatened or another with respect to his or her health, safety, business, financial condition, or personal relationships; or

(xiii) Holding or returning a person to a condition of involuntary servitude, debt bondage, or forced labor, with the intent of placing them in or returning them to a condition of involuntary servitude, debt bondage, or forced labor, where such condition is based on the alleged, implied, or actual inheritance of another's debt, constituting peonage.

(b) "Commercial sex act" means any act of sexual contact or sexual intercourse, both as defined in chapter 9A.44 RCW, for which something of value is given or received by any person.

(c) "Kidnapping" means intentionally abducting another person.

(d) "Maintain" means, in relation to forced labor, involuntary servitude, a sexually explicit act, or a commercial sex act, to secure or make possible continued performance thereof, regardless of any initial agreement on the part of the victim to perform such labor, servitude, or act.

(e) "Sexual motivation" means that one of the purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification.

(f) "Sexually explicit act" means a public, private, or live photographed, recorded, or videotaped act or show intended to arouse or satisfy the sexual desires or appeal to the prurient interests of patrons for which something of value is given or received.

(7) A person who is ~~((either))~~ convicted ~~((or))~~, enters into a plea agreement to a reduced or different charge, is given a deferred sentence or a deferred prosecution, or ~~((who has entered))~~ enters into a statutory or nonstatutory diversion agreement as a result of an arrest for a violation of a trafficking crime shall be assessed a ~~((ten thousand dollar))~~ \$10,000 fee. The court shall not reduce, waive, or suspend payment of all or part of the fee assessed in this section unless it finds, on the record, that the offender does not have the ability to pay the fee in which case it may reduce the fee by an amount up to two-thirds of the maximum allowable fee.

~~((c))~~ The court shall not reduce, waive, or suspend payment of all or part of the fee assessed in this section unless it finds, on the record, that the offender does not have the ability to pay the fee in which case it

may reduce the fee by an amount up to two-thirds of the maximum allowable fee.

~~(d))~~ (8) (a) Fees assessed under this section shall be collected by the clerk of the court and remitted ~~((to the treasurer of the county where the offense occurred for deposit in the county general fund, except in cases in which the offense occurred in a city or town that provides for its own law enforcement, in which case these amounts shall be remitted to the treasurer of the city or town for deposit in the general fund of the city or town. Revenue from the fees must be used for local efforts to reduce the commercial sale of sex including, but not limited to, increasing enforcement of commercial sex laws.~~

(i) At least fifty percent of the revenue from fees imposed under this section must be spent on prevention, including education programs for offenders, such as john school, and rehabilitative services, such as mental health and substance abuse counseling, parenting skills, training, housing relief, education, vocational training, drop-in centers, and employment counseling.

~~(ii))~~ as follows:

(i) 45 percent to the treasurer of the county where the offense occurred for deposit in the county general fund, except in cases in which the offense occurred in a city or town that provides for its own law enforcement, in which case these amounts shall be remitted to the treasurer of the city or town for deposit in the general fund of the city or town, and which must be spent on services for victims of trafficking crimes in that jurisdiction;

(ii) 45 percent to the treasurer of the county where the offense occurred for deposit in the county general fund, except in cases in which the offense occurred in a city or town that provides for its own law enforcement, in which case these amounts shall be remitted to the treasurer of the city or town for deposit in the general fund of the city or town, and which must be spent on: (A) Local efforts to reduce the commercial sale of sex, including but not limited to increasing enforcement of commercial sex laws; (B) prevention, including education programs for offenders, such as programs to educate and divert persons from soliciting commercial sexual services; and (C) rehabilitative services, such as mental health and substance abuse counseling, parenting skills, training, housing relief, education, vocational training, drop-in centers, and employment counseling; and

(iii) 10 percent must be retained by the clerks of the courts for their official services.

(b) Revenues from these fees are not subject to the distribution requirements under RCW 3.50.100, 3.62.020, 3.62.040, 10.82.070, or 35.20.220.

~~((5))~~ If the victim of any offense identified in this section is a minor, force, fraud, or coercion are not necessary elements of an offense and consent to the sexually explicit act or commercial sex act does not constitute a defense.

(6) For purposes of this section:

(a) "Commercial sex act" means any act of sexual contact or sexual intercourse, both

~~as defined in chapter 9A.44 RCW, for which something of value is given or received by any person; and~~

~~(b) "Sexually explicit act" means a public, private, or live photographed, recorded, or videotaped act or show intended to arouse or satisfy the sexual desires or appeal to the prurient interests of patrons for which something of value is given or received.)~~

**NEW SECTION. Sec. 2.** (1) The state auditor must conduct a performance audit of the collection and use of mandatory fees assessed pursuant to RCW 9A.40.100. In addition to other measures established by the state auditor, the audit shall:

(a) Determine whether jurisdictions are assessing fees consistent with the requirements of RCW 9A.40.100;

(b) Determine whether jurisdictions are using the revenue from assessed fees to fund local efforts to reduce the commercial sale of sex as required by RCW 9A.40.100;

(c) Determine whether jurisdictions are using at least 50 percent of the revenue from assessed fees on prevention and rehabilitative services as required by RCW 9A.40.100; and

(d) If fees are not being assessed or used as required, make recommendations for corrective action.

(2) The state auditor may conduct the audit at a sample of jurisdictions as needed.

(3) The state auditor shall publish its final audit report no later than December 31, 2025.

(4) This section expires January 31, 2026.

**NEW SECTION. Sec. 3.** A new section is added to chapter 7.68 RCW to read as follows:

(1) Subject to the availability of funds appropriated for this purpose, the commercially sexually exploited children statewide coordinating committee is established to facilitate a statewide coordinated response to the commercial sexual exploitation of children, youth, and young adults 24 years old and younger by relying on the voices of those with lived experience, qualitative and quantitative data, and the collective expertise of youth-serving professionals and youth policy experts to increase supports, protections, and resource identification in the areas of prevention and intervention with a particular emphasis on improving the response of systems of care, including but not limited to child welfare, juvenile criminal legal, health care, and education.

(2) The committee is convened by the office of the attorney general with the department of commerce assisting with agenda planning and administrative and clerical support. The committee consists of the following members:

(a) One member from each of the two largest caucuses of the house of representatives appointed by the speaker of the house of representatives;

(b) One member from each of the two largest caucuses of the senate appointed by the president of the senate;

(c) A representative of the governor's office appointed by the governor;

(d) The secretary of the department of children, youth, and families or his or her designee;

(e) The secretary of the juvenile rehabilitation administration or his or her designee;

(f) The attorney general or his or her designee;

(g) The superintendent of public instruction or his or her designee;

(h) A representative of the administrative office of the courts appointed by the administrative office of the courts;

(i) A representative of the Washington state patrol;

(j) The executive director of the Washington association of sheriffs and police chiefs or his or her designee;

(k) The executive director of the Washington state criminal justice training commission or his or her designee;

(l) A representative of the Washington association of prosecuting attorneys appointed by the association;

(m) The executive director of the office of public defense or his or her designee;

(n) Three representatives of community service providers that provide direct services to commercially sexually exploited children appointed by the attorney general;

(o) Two representatives of nongovernmental organizations familiar with the issues affecting commercially sexually exploited children appointed by the attorney general;

(p) The president of the superior court judges' association or his or her designee;

(q) The president of the juvenile court administrators or his or her designee;

(r) Any existing chairs of regional task forces on commercially sexually exploited children;

(s) A representative from the criminal defense bar;

(t) A representative of the center for children and youth justice;

(u) A representative from the office of crime victims advocacy;

(v) The executive director of the Washington coalition of sexual assault programs;

(w) The executive director of the statewide organization representing children's advocacy centers or his or her designee;

(x) A representative of an organization that provides inpatient chemical dependency treatment to youth, appointed by the attorney general;

(y) A representative of an organization that provides mental health treatment to youth, appointed by the attorney general;

(z) A survivor of human trafficking, appointed by the attorney general;

(aa) Two subject matter experts in intervention and prevention of commercial sexual exploitation of children, youth, and young adults;

(bb) A representative from a youth advocacy organization;

(cc) A representative from the office of homeless youth;

(dd) A representative from a homeless youth policy advocacy organization; and

(ee) A representative from the LGBTQ+ community.

(3) The duties of the committee include, but are not limited to:

(a) Overseeing and reviewing the implementation of the Washington state model protocol for commercially sexually exploited children at task force sites;

(b) Receiving reports and data from local and regional entities regarding the incidence of commercially sexually exploited children in their areas as well as data information regarding perpetrators, geographic data and location trends, and any other data deemed relevant;

(c) Receiving reports on local coordinated community response practices and results of the community responses;

(d) Reviewing recommendations from local and regional entities regarding policy and legislative changes that would improve the efficiency and effectiveness of local response practices;

(e) Making recommendations regarding policy and legislative changes that would improve the effectiveness of the state's response to and promote best practices for suppression of the commercial sexual exploitation of children;

(f) Making recommendations regarding data collection useful to understanding or addressing the problem of commercially sexually exploited children;

(g) Reviewing and making recommendations regarding strategic local investments or opportunities for federal and state funding to address the commercial sexual exploitation of children;

(h) Compiling data on the number of juveniles believed to be victims of sexual exploitation taken into custody under RCW 43.185C.260;

(i) Making recommendations on how to fulfill and improve Washington's safe harbor law, chapter 331, Laws of 2020 (Engrossed Third Substitute House Bill 1775), including addressing the lack of receiving centers; and

(j) Coordinating efforts on behalf of commercially sexually exploited children and youth across the state so as to avoid duplicative efforts, use resources more efficiently, and increase awareness of available resources.

(4) The committee must meet no less than annually.

(5) The committee shall annually report its findings and recommendations to the appropriate committees of the legislature and to any other known statewide committees addressing trafficking or the commercial sex trade.

(6) This section expires June 30, 2030.

**PART I - VICTIM IDENTIFICATION, REPORTING, AND SCREENING**

**Sec. 4.** RCW 13.34.030 and 2021 c 304 s 1 and 2021 c 67 s 2 are each reenacted and amended to read as follows:

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

(1) "Abandoned" means when the child's parent, guardian, or other custodian has expressed, either by statement or conduct, an intent to forego, for an extended period, parental rights or responsibilities despite an ability to exercise such rights and responsibilities. If the court finds that the petitioner has exercised due diligence in attempting to locate the parent, no contact between the child and the child's parent, guardian, or other custodian for a period of three months creates a rebuttable presumption of abandonment, even if there is no expressed intent to abandon.

(2) "Child," "juvenile," and "youth" mean:

(a) Any individual under the age of eighteen years; or

(b) Any individual age eighteen to twenty-one years who is eligible to receive and who elects to receive the extended foster care services authorized under RCW 74.13.031. A youth who remains dependent and who receives extended foster care services under RCW 74.13.031 shall not be considered a "child" under any other statute or for any other purpose.

(3) "Current placement episode" means the period of time that begins with the most recent date that the child was removed from the home of the parent, guardian, or legal custodian for purposes of placement in out-of-home care and continues until: (a) The child returns home; (b) an adoption decree, a permanent custody order, or guardianship order is entered; or (c) the dependency is dismissed, whichever occurs first.

(4) "Department" means the department of children, youth, and families.

(5) "Dependency guardian" means the person, nonprofit corporation, or Indian tribe appointed by the court pursuant to this chapter for the limited purpose of assisting the court in the supervision of the dependency.

(6) "Dependent child" means any child who:

(a) Has been abandoned;

(b) Is abused or neglected as defined in (~~chapter 26.44~~) RCW 26.44.020 by a person legally responsible for the care of the child;

(c) Has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development; (~~(e)~~)

(d) Is receiving extended foster care services, as authorized by RCW 74.13.031; or

(e) Is a victim of sex trafficking or severe forms of trafficking in persons under the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq., when the parent is involved in the trafficking, facilitating the trafficking, or should have known that the child is being trafficked.

(7) "Developmental disability" means a disability attributable to intellectual disability, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary of the department of social and

health services to be closely related to an intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities, which disability originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial limitation to the individual.

(8) "Educational liaison" means a person who has been appointed by the court to fulfill responsibilities outlined in RCW 13.34.046.

(9) "Experiencing homelessness" means lacking a fixed, regular, and adequate nighttime residence, including circumstances such as sharing the housing of other persons due to loss of housing, economic hardship, fleeing domestic violence, or a similar reason as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter I) as it existed on January 1, 2021.

(10) "Extended foster care services" means residential and other support services the department is authorized to provide under RCW 74.13.031. These services may include placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(11) "Guardian" means the person or agency that: (a) Has been appointed as the guardian of a child in a legal proceeding, including a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the legal right to custody of the child pursuant to such appointment. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under this chapter.

(12) "Guardian ad litem" means a person, appointed by the court to represent the best interests of a child in a proceeding under this chapter, or in any matter which may be consolidated with a proceeding under this chapter. A "court-appointed special advocate" appointed by the court to be the guardian ad litem for the child, or to perform substantially the same duties and functions as a guardian ad litem, shall be deemed to be guardian ad litem for all purposes and uses of this chapter.

(13) "Guardian ad litem program" means a court-authorized volunteer program, which is or may be established by the superior court of the county in which such proceeding is filed, to manage all aspects of volunteer guardian ad litem representation for children alleged or found to be dependent. Such management shall include but is not limited to: Recruitment, screening, training, supervision, assignment, and discharge of volunteers.

(14) "Guardianship" means a guardianship pursuant to chapter 13.36 RCW or a limited guardianship of a minor pursuant to RCW 11.130.215 or equivalent laws of another state or a federally recognized Indian tribe.

(15) "Housing assistance" means appropriate referrals by the department or other agencies to federal, state, local, or private agencies or organizations,

assistance with forms, applications, or financial subsidies or other monetary assistance for housing. For purposes of this chapter, "housing assistance" is not a remedial service or family reunification service as described in RCW 13.34.025(2).

(16) "Indigent" means a person who, at any stage of a court proceeding, is:

(a) Receiving one of the following types of public assistance: Temporary assistance for needy families, aged, blind, or disabled assistance benefits, medical care services under RCW 74.09.035, pregnant women assistance benefits, poverty-related veterans' benefits, food stamps or food stamp benefits transferred electronically, refugee resettlement benefits, medicaid, or supplemental security income; or

(b) Involuntarily committed to a public mental health facility; or

(c) Receiving an annual income, after taxes, of one hundred twenty-five percent or less of the federally established poverty level; or

(d) Unable to pay the anticipated cost of counsel for the matter before the court because his or her available funds are insufficient to pay any amount for the retention of counsel.

(17) "Nonminor dependent" means any individual age eighteen to twenty-one years who is participating in extended foster care services authorized under RCW 74.13.031.

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

(19) "Parent" means the biological or adoptive parents of a child, or an individual who has established a parent-child relationship under RCW 26.26A.100, unless the legal rights of that person have been terminated by a judicial proceeding pursuant to this chapter, chapter 26.33 RCW, or the equivalent laws of another state or a federally recognized Indian tribe.

(20) "Prevention and family services and programs" means specific mental health prevention and treatment services, substance abuse prevention and treatment services, and in-home parent skill-based programs that qualify for federal funding under the federal family first prevention services act, P.L. 115-123. For purposes of this chapter, prevention and family services and programs are not remedial services or family reunification services as described in RCW 13.34.025(2).

(21) "Prevention services" means preservation services, as defined in chapter 74.14C RCW, and other reasonably available services, including housing assistance, capable of preventing the need for out-of-home placement while protecting the child. Prevention services include, but are not limited to, prevention and family services and programs as defined in this section.

(22) "Qualified residential treatment program" means a program that meets the requirements provided in RCW 13.34.420, qualifies for funding under the family first prevention services act under 42 U.S.C. Sec. 672(k), and, if located within Washington

state, is licensed as a group care facility under chapter 74.15 RCW.

(23) "Relative" includes persons related to a child in the following ways:

(a) Any blood relative, including those of half-blood, and including first cousins, second cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(b) Stepfather, stepmother, stepbrother, and stepsister;

(c) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law;

(d) Spouses of any persons named in (a), (b), or (c) of this subsection, even after the marriage is terminated;

(e) Relatives, as named in (a), (b), (c), or (d) of this subsection, of any half sibling of the child; or

(f) Extended family members, as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent who provides care in the family abode on a twenty-four hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4).

(24) "Shelter care" means temporary physical care in a facility licensed pursuant to RCW 74.15.030 or in a home not required to be licensed pursuant to RCW 74.15.030.

(25) "Sibling" means a child's birth brother, birth sister, adoptive brother, adoptive sister, half-brother, or half-sister, or as defined by the law or custom of the Indian child's tribe for an Indian child as defined in RCW 13.38.040.

(26) "Social study" means a written evaluation of matters relevant to the disposition of the case that contains the information required by RCW 13.34.430.

(27) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. Supervised independent living settings must be approved by the department or the court.

(28) "Voluntary placement agreement" means, for the purposes of extended foster care services, a written voluntary agreement between a nonminor dependent who agrees to submit to the care and authority of the department for the purposes of participating in the extended foster care program.

**Sec. 5.** RCW 26.44.020 and 2023 c 122 s 5 are each amended to read as follows:

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

(1) "Abuse or neglect" means sexual abuse, sexual exploitation, female genital mutilation as defined in RCW 18.130.460, trafficking as described in RCW 9A.40.100, sex trafficking or severe forms of trafficking in persons under the trafficking

victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq., or injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety, excluding conduct permitted under RCW 9A.16.100; or the negligent treatment or maltreatment of a child by a person responsible for or providing care to the child. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.

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

(3) "Child forensic interview" means a developmentally sensitive and legally sound method of gathering factual information regarding allegations of child abuse, child neglect, or exposure to violence. This interview is conducted by a competently trained, neutral professional utilizing techniques informed by research and best practice as part of a larger investigative process.

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

(5) "Child protective services section" means the child protective services section of the department.

(6) "Child who is a candidate for foster care" means a child who the department identifies as being at imminent risk of entering foster care but who can remain safely in the child's home or in a kinship placement as long as services or programs that are necessary to prevent entry of the child into foster care are provided, and includes but is not limited to a child whose adoption or guardianship arrangement is at risk of a disruption or dissolution that would result in a foster care placement. The term includes a child for whom there is reasonable cause to believe that any of the following circumstances exist:

(a) The child has been abandoned by the parent as defined in RCW 13.34.030 and the child's health, safety, and welfare is seriously endangered as a result;

(b) The child has been abused or neglected as defined in this chapter and the child's health, safety, and welfare is seriously endangered as a result;

(c) There is no parent capable of meeting the child's needs such that the child is in

circumstances that constitute a serious danger to the child's development;

(d) The child is otherwise at imminent risk of harm.

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

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

(9) "Court" means the superior court of the state of Washington, juvenile department.

(10) "Department" means the department of children, youth, and families.

(11) "Experiencing homelessness" means lacking a fixed, regular, and adequate nighttime residence, including circumstances such as sharing the housing of other persons due to loss of housing, economic hardship, fleeing domestic violence, or a similar reason as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter I) as it existed on January 1, 2021.

(12) "Family assessment" means a comprehensive assessment of child safety, risk of subsequent child abuse or neglect, and family strengths and needs that is applied to a child abuse or neglect report. Family assessment does not include a determination as to whether child abuse or neglect occurred, but does determine the need for services to address the safety of the child and the risk of subsequent maltreatment.

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

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

(15) "Inconclusive" means the determination following an investigation by the department of social and health services, prior to October 1, 2008, that based on available information a decision cannot be made that more likely than not, child abuse or neglect did or did not occur.

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

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

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

(19) "Negligent treatment or maltreatment" means an act or a failure to act, or the cumulative effects of a pattern of conduct, behavior, or inaction, that evidences a serious disregard of consequences of such magnitude as to constitute a clear and present danger to a child's health, welfare, or safety, including but not limited to conduct prohibited under RCW 9A.42.100. When considering whether a clear and present danger exists, evidence of a parent's substance abuse as a contributing factor to negligent treatment or maltreatment shall be given great weight. The fact that siblings share a bedroom is not, in and of itself, negligent treatment or maltreatment. Poverty, experiencing homelessness, or exposure to domestic violence as defined in RCW 7.105.010 that is perpetrated against someone other than the child does not constitute negligent treatment or maltreatment in and of itself.

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

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

(22) "Prevention and family services and programs" means specific mental health prevention and treatment services, substance abuse prevention and treatment services, and in-home parent skill-based programs that qualify for federal funding under the federal family first prevention services act, P.L. 115-123. For purposes of this chapter, prevention and family services and programs are not remedial services or family

reunification services as described in RCW 13.34.025(2).

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

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

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

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

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

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

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

**Sec. 6.** RCW 26.44.030 and 2019 c 172 s 6 are each amended to read as follows:

(1)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, employee of the department of children, youth, and families, licensed or certified child care providers or their employees, employee of the department of social and health services, juvenile probation officer, diversion unit staff, placement and liaison specialist, responsible living skills program staff, HOPE center staff, state family and children's ombuds or any volunteer in the ~~((ombuds's))~~ ombuds' office, or host home program has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(b) When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has

suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this section when he or she obtains the information solely as a result of a privileged communication as provided in RCW 5.60.060.

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

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

(i) "Official supervisory capacity" means a position, status, or role created, recognized, or designated by any nonprofit or for-profit organization, either for financial gain or without financial gain, whose scope includes, but is not limited to, overseeing, directing, or managing another person who is employed by, contracted by, or volunteers with the nonprofit or for-profit organization.

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

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

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

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

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

(d) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this subsection, "severe abuse" means any of the following: Any single act



of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.

(e) The reporting requirement also applies to guardians ad litem, including court-appointed special advocates, appointed under Titles 11 and 13 RCW and this title, who in the course of their representation of children in these actions have reasonable cause to believe a child has been abused or neglected.

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

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

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

(3) Any other person who has reasonable cause to believe that a child has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

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

(5) Any law enforcement agency receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse, shall report such incident in writing as

provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them. In emergency cases, where the child's welfare is endangered, the law enforcement agency shall notify the department within twenty-four hours. In all other cases, the law enforcement agency shall notify the department within seventy-two hours after a report is received by the law enforcement agency.

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

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

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

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

(10) Upon receiving a report that a child is a candidate for foster care as defined in RCW 26.44.020, the department may provide prevention and family services and programs to the child's parents, guardian, or caregiver. The department may not be held civilly liable for the decision regarding

whether to provide prevention and family services and programs, or for the provision of those services and programs, for a child determined to be a candidate for foster care.

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

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

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

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

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

(i) Investigation; or

(ii) Family assessment.

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

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

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

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

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

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

(vi) Conduct an investigation, and not a family assessment, in response to an

allegation that, the department determines based on the intake assessment:

(A) Indicates a child's health, safety, and welfare will be seriously endangered if not taken into custody for reasons including, but not limited to, sexual abuse and sexual exploitation of the child as defined in this chapter;

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

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

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

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

(c) In addition, the department may use a family assessment response to assess for and provide prevention and family services and programs, as defined in RCW 26.44.020, for the following children and their families, consistent with requirements under the federal family first prevention services act and this section:

(i) A child who is a candidate for foster care, as defined in RCW 26.44.020; and

(ii) A child who is in foster care and who is pregnant, parenting, or both.

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

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

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

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

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

(b) Collaborate with the family to identify family strengths, resources, and service needs, and develop a service plan with the goal of reducing risk of harm to

the child and improving or restoring family well-being;

(c) Complete the family assessment response within forty-five days of receiving the report except as follows:

(i) Upon parental agreement, the family assessment response period may be extended up to one hundred twenty days. The department's extension of the family assessment response period must be operated within the department's appropriations;

(ii) For cases in which the department elects to use a family assessment response as authorized under subsection (12)(c) of this section, and upon agreement of the child's parent, legal guardian, legal custodian, or relative placement, the family assessment response period may be extended up to one year. The department's extension of the family assessment response must be operated within the department's appropriations.

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

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

(f) Have the parent or guardian agree to participate in services before services are initiated. The department shall inform the parents of their rights under family assessment response, all of their options, and the options the department has if the parents do not agree to participate in services.

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

(i) May interview children. If the department determines that the response to the allegation will be family assessment response, the preferred practice is to request a parent's, guardian's, or custodian's permission to interview the child before conducting the child interview unless doing so would compromise the safety of the child or the integrity of the assessment. The interviews may be conducted on school premises, at day-care facilities, at the child's home, or at other suitable locations outside of the presence of parents. If the allegation is investigated, parental notification of the interview must occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview the department or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the department or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation; and

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

(b) The Washington state school directors' association shall adopt a model

policy addressing protocols when an interview, as authorized by this subsection, is conducted on school premises. In formulating its policy, the association shall consult with the department and the Washington association of sheriffs and police chiefs.

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

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

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

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

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

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

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

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

(23) The department shall make available on its public website a downloadable and printable poster that includes the reporting requirements included in this section. The poster must be no smaller than eight and one-half by eleven inches with all information on one side. The poster must be made available in both the English and

Spanish languages. Organizations that include employees or volunteers subject to the reporting requirements of this section must clearly display this poster in a common area. At a minimum, this poster must include the following:

- (a) Who is required to report child abuse and neglect;
- (b) The standard of knowledge to justify a report;
- (c) The definition of reportable crimes;
- (d) Where to report suspected child abuse and neglect; and
- (e) What should be included in a report and the appropriate timing.

**NEW SECTION. Sec. 7.** A new section is added to chapter 26.44 RCW to read as follows:

(1) The department must use a validated assessment tool to screen a child for commercial sexual abuse of a minor if a report of abuse and neglect under RCW 26.44.030 alleges commercial sexual abuse of a minor.

(2) Whenever there is reasonable cause to believe that a child under the jurisdiction of a juvenile justice agency has suffered commercial sexual abuse of a minor, the juvenile justice agency must use a validated assessment tool to screen the child for commercial sexual abuse of a minor and report such abuse and neglect pursuant to RCW 26.44.030.

(3) For purposes of this section, "juvenile justice agency" means any of the following: Law enforcement; diversion units; juvenile courts; detention centers; and persons or public or private agencies having children committed to their custody.

**Sec. 8.** RCW 74.13.031 and 2023 c 221 s 3 are each amended to read as follows:

(1) The department shall develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, the department shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, children with disabilities or behavioral health conditions, teens, pregnant and parenting teens, and the department shall annually provide data and information to the governor and the legislature concerning the department's success in: (a) Placing children with relatives; (b) providing supports to kinship caregivers including guardianship assistance payments; (c) supporting relatives to pass home studies and become licensed caregivers; and (d) meeting the need for nonrelative family foster homes when children cannot be placed with relatives.

(3) The department shall investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent

risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) The department shall make recommendations to the legislature about the types of services that need to be offered to children who have been identified by a state or local agency as being a victim of either sex trafficking or severe forms of trafficking in persons described under the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq.

(5) For children identified as victims of sex trafficking and victims of severe forms of trafficking in persons described under the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq., the department:

(a) Shall assess and offer services to dependent children as described under RCW 13.34.030; and

(b) May assess and offer services to children who have not been found dependent.

(6) As provided in RCW 26.44.030, the department may respond to a report of child abuse or neglect by using the family assessment response.

~~((45))~~(7) The department shall offer, on a voluntary basis, family reconciliation services to families who are in conflict.

~~((46))~~(8) The department shall monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. Under this section children in out-of-home care and in-home dependencies and their caregivers shall receive a private and individual face-to-face visit each month. The department shall randomly select no less than ten percent of the caregivers currently providing care to receive one unannounced face-to-face visit in the caregiver's home per year. No caregiver will receive an unannounced visit through the random selection process for two consecutive years. If the caseworker makes a good faith effort to conduct the unannounced visit to a caregiver and is unable to do so, that month's visit to that caregiver need not be unannounced. The department is encouraged to group monthly visits to caregivers by geographic area so that in the event an unannounced visit cannot be completed, the caseworker may complete other required monthly visits. The department shall use a method of random selection that does not cause a fiscal impact to the department.

The department shall conduct the monthly visits with children and caregivers to whom it is providing child welfare services.

~~((7))~~ (9) The department shall have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

~~((8))~~ (10) The department may accept custody of children from parents through a voluntary placement agreement to provide child welfare services. The department may place children with a relative, a suitable person, or a licensed foster home under a voluntary placement agreement. In seeking a placement for a voluntary placement agreement, the department should consider the preferences of the parents and attempt to place with relatives or suitable persons over licensed foster care.

~~((9))~~ (11) The department shall have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

~~((10))~~ (12) The department shall have authority to purchase care for children.

~~((11))~~ (13) The department shall establish a children's services advisory committee which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

~~((12))~~ (14) (a) The department shall provide continued extended foster care services to nonminor dependents who are:

(i) Enrolled in a secondary education program or a secondary education equivalency program;

(ii) Enrolled and participating in a postsecondary academic or postsecondary vocational education program;

(iii) Participating in a program or activity designed to promote employment or remove barriers to employment;

(iv) Engaged in employment for eighty hours or more per month; or

(v) Not able to engage in any of the activities described in (a)(i) through (iv) of this subsection due to a documented medical condition.

(b) To be eligible for extended foster care services, the nonminor dependent must have been dependent at the time that he or she reached age eighteen years. If the dependency case of the nonminor dependent was dismissed pursuant to RCW 13.34.267, he or she may receive extended foster care services pursuant to a voluntary placement agreement under RCW 74.13.336 or pursuant to an order of dependency issued by the court under RCW 13.34.268. A nonminor dependent

whose dependency case was dismissed by the court may request extended foster care services before reaching age twenty-one years. Eligible nonminor dependents may unenroll and reenroll in extended foster care through a voluntary placement agreement an unlimited number of times between ages eighteen and twenty-one.

(c) The department shall develop and implement rules regarding youth eligibility requirements.

(d) The department shall make efforts to ensure that extended foster care services maximize medicaid reimbursements. This must include the department ensuring that health and mental health extended foster care providers participate in medicaid, unless the condition of the extended foster care youth requires specialty care that is not available among participating medicaid providers or there are no participating medicaid providers in the area. The department shall coordinate other services to maximize federal resources and the most cost-efficient delivery of services to extended foster care youth.

(e) The department shall allow a youth who has received extended foster care services, but lost his or her eligibility, to reenter the extended foster care program an unlimited number of times through a voluntary placement agreement when he or she meets the eligibility criteria again.

~~((13))~~ (15) The department shall have authority to provide adoption support benefits on behalf of youth ages 18 to 21 years who achieved permanency through adoption at age 16 or older and who meet the criteria described in subsection ~~((12))~~ (14) of this section.

~~((14))~~ (16) The department shall have the authority to provide guardianship subsidies on behalf of youth ages 18 to 21 who achieved permanency through guardianship and who meet the criteria described in subsection ~~((12))~~ (14) of this section.

~~((15))~~ (17) The department shall refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be referred to the division of child support unless required by federal law.

~~((16))~~ (18) The department shall have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order. The purchase of such care is exempt from the requirements of chapter 74.13B RCW and may be purchased from the federally recognized Indian tribe or tribally licensed child-placing agency, and shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200, 43.185C.295, 74.13.035, and 74.13.036, or of this section all services to be provided by the department under subsections ~~((4), (7), and (9))~~ (6), (9), and (11) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

~~((17))~~ (19) The department may, within funds appropriated for guardianship subsidies, provide subsidies for eligible guardians who are appointed as guardian of an Indian child by the tribal court of a federally recognized tribe located in Washington state, as defined in RCW 13.38.040. The provision of subsidies shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department provides subsidies. To be eligible, the guardian must either be certified by a department-licensed child-placing agency or licensed by a federally recognized tribe located in Washington state that is a Title IV-E agency, as defined in 45 C.F.R. 1355.20.

~~((18))~~ (20) Within amounts appropriated for this specific purpose, the department shall provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

~~((19))~~ (21) The department shall have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty-three years of age, who are or have been in the department's care and custody, or who are or were nonminor dependents.

~~((20))~~ (22) The department shall consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department is performing the duties and meeting the obligations specified in this section and RCW 74.13.250 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

~~((21))~~ (23) (a) The department shall, within current funding levels, place on its public website a document listing the duties and responsibilities the department has to a child subject to a dependency petition including, but not limited to, the following:

(i) Reasonable efforts, including the provision of services, toward reunification of the child with his or her family;

(ii) Sibling visits subject to the restrictions in RCW 13.34.136(2)(b)(ii);

(iii) Parent-child visits;

(iv) Statutory preference for placement with a relative or other suitable person, if appropriate; and

(v) Statutory preference for an out-of-home placement that allows the child to remain in the same school or school district, if practical and in the child's best interests.

(b) The document must be prepared in conjunction with a community-based organization and must be updated as needed.

~~((22))~~ (24) (a) The department shall have the authority to purchase legal representation for parents or kinship caregivers, or both, of children who are at risk of being dependent, or who are dependent, to establish or modify a parenting plan under RCW 13.34.155 or chapter 26.09, 26.26A, or 26.26B RCW or secure orders establishing other relevant civil legal relationships authorized by law, when it is necessary for the child's safety, permanence, or well-being. The department's purchase of legal representation for kinship caregivers must be within the department's appropriations. This subsection does not create an entitlement to legal representation purchased by the department and does not create judicial authority to order the department to purchase legal representation for a parent or kinship caregiver. Such determinations are solely within the department's discretion. The term "kinship caregiver" as used in this section means a caregiver who meets the definition of "kin" in RCW 74.13.600(1), unless the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. Sec. 1903. For an Indian child as defined in RCW 13.38.040 and 25 U.S.C. Sec. 1903, the term "kinship caregiver" as used in this section means a caregiver who is an "extended family member" as defined in RCW 13.38.040(8).

(b) The department is encouraged to work with the office of public defense parent representation program and the office of civil legal aid to develop a cost-effective system for providing effective civil legal representation for parents and kinship caregivers if it exercises its authority under this subsection.

## PART II - CIVIL PROTECTION ORDERS

**Sec. 9.** RCW 7.105.010 and 2022 c 268 s 1 and 2022 c 231 s 8 are each reenacted and amended to read as follows:

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

(1) "Abandonment" means action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the vulnerable adult without the means or ability to obtain necessary food, clothing, shelter, or health care.

(2) "Abuse," for the purposes of a vulnerable adult protection order, means intentional, willful, or reckless action or inaction that inflicts injury, unreasonable confinement, intimidation, or punishment on a vulnerable adult. In instances of abuse of a vulnerable adult who is unable to express or demonstrate physical harm, pain, or mental anguish, the abuse is presumed to cause physical harm, pain, or mental anguish. "Abuse" includes sexual abuse, mental abuse, physical abuse, personal

exploitation, and improper use of restraint against a vulnerable adult, which have the following meanings:

(a) "Improper use of restraint" means the inappropriate use of chemical, physical, or mechanical restraints for convenience or discipline, or in a manner that: (i) Is inconsistent with federal or state licensing or certification requirements for facilities, hospitals, or programs authorized under chapter 71A.12 RCW; (ii) is not medically authorized; or (iii) otherwise constitutes abuse under this section.

(b) "Mental abuse" means an intentional, willful, or reckless verbal or nonverbal action that threatens, humiliates, harasses, coerces, intimidates, isolates, unreasonably confines, or punishes a vulnerable adult. "Mental abuse" may include ridiculing, yelling, swearing, or withholding or tampering with prescribed medications or their dosage.

(c) "Personal exploitation" means an act of forcing, compelling, or exerting undue influence over a vulnerable adult causing the vulnerable adult to act in a way that is inconsistent with relevant past behavior, or causing the vulnerable adult to perform services for the benefit of another.

(d) "Physical abuse" means the intentional, willful, or reckless action of inflicting bodily injury or physical mistreatment. "Physical abuse" includes, but is not limited to, striking with or without an object, slapping, pinching, strangulation, suffocation, kicking, shoving, or prodding.

(e) "Sexual abuse" means any form of nonconsensual sexual conduct including, but not limited to, unwanted or inappropriate touching, rape, molestation, indecent liberties, sexual coercion, sexually explicit photographing or recording, voyeurism, indecent exposure, and sexual harassment. "Sexual abuse" also includes any sexual conduct between a staff person, who is not also a resident or client, of a facility or a staff person of a program authorized under chapter 71A.12 RCW, and a vulnerable adult living in that facility or receiving service from a program authorized under chapter 71A.12 RCW, whether or not the sexual conduct is consensual.

(3) "Chemical restraint" means the administration of any drug to manage a vulnerable adult's behavior in a way that reduces the safety risk to the vulnerable adult or others, has the temporary effect of restricting the vulnerable adult's freedom of movement, and is not standard treatment for the vulnerable adult's medical or psychiatric condition.

(4)(a) "Coercive control" means a pattern of behavior that is used to cause another to suffer physical, emotional, or psychological harm, and in purpose or effect unreasonably interferes with a person's free will and personal liberty. In determining whether the interference is unreasonable, the court shall consider the context and impact of the pattern of behavior from the perspective of a similarly situated person. Examples of coercive control include, but are not limited to, engaging in any of the following:

(i) Intimidation or controlling or compelling conduct by:

(A) Damaging, destroying, or threatening to damage or destroy, or forcing the other party to relinquish, goods, property, or items of special value;

(B) Using technology to threaten, humiliate, harass, stalk, intimidate, exert undue influence over, or abuse the other party, including by engaging in cyberstalking, monitoring, surveillance, impersonation, manipulation of electronic media, or distribution of or threats to distribute actual or fabricated intimate images;

(C) Carrying, exhibiting, displaying, drawing, or threatening to use, any firearm or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate the other party or that warrants alarm by the other party for their safety or the safety of other persons;

(D) Driving recklessly with the other party or minor children in the vehicle;

(E) Communicating, directly or indirectly, the intent to:

(I) Harm the other party's children, family members, friends, or pets, including by use of physical forms of violence;

(II) Harm the other party's career;

(III) Attempt suicide or other acts of self-harm; or

(IV) Contact local or federal agencies based on actual or suspected immigration status;

(F) Exerting control over the other party's identity documents;

(G) Making, or threatening to make, private information public, including the other party's sexual orientation or gender identity, medical or behavioral health information, or other confidential information that jeopardizes safety; or

(H) Engaging in sexual or reproductive coercion;

(ii) Causing dependence, confinement, or isolation of the other party from friends, relatives, or other sources of support, including schooling and employment, or subjecting the other party to physical confinement or restraint;

(iii) Depriving the other party of basic necessities or committing other forms of financial exploitation;

(iv) Controlling, exerting undue influence over, interfering with, regulating, or monitoring the other party's movements, communications, daily behavior, finances, economic resources, or employment, including but not limited to interference with or attempting to limit access to services for children of the other party, such as health care, medication, child care, or school-based extracurricular activities;

(v) Engaging in vexatious litigation or abusive litigation as defined in RCW 26.51.020 against the other party to harass, coerce, or control the other party, to diminish or exhaust the other party's financial resources, or to compromise the other party's employment or housing; or

(vi) Engaging in psychological aggression, including inflicting fear,

humiliating, degrading, or punishing the other party.

(b) "Coercive control" does not include protective actions taken by a party in good faith for the legitimate and lawful purpose of protecting themselves or children from the risk of harm posed by the other party.

(5) "Commercial sexual exploitation" means commercial sexual abuse of a minor and sex trafficking.

(6) "Consent" in the context of sexual acts means that at the time of sexual contact, there are actual words or conduct indicating freely given agreement to that sexual contact. Consent must be ongoing and may be revoked at any time. Conduct short of voluntary agreement does not constitute consent as a matter of law. Consent cannot be freely given when a person does not have capacity due to disability, intoxication, or age. Consent cannot be freely given when the other party has authority or control over the care or custody of a person incarcerated or detained.

~~((6))~~ (7) (a) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. "Course of conduct" includes any form of communication, contact, or conduct, including the sending of an electronic communication, but does not include constitutionally protected free speech. Constitutionally protected activity is not included within the meaning of "course of conduct."

(b) In determining whether the course of conduct serves any legitimate or lawful purpose, a court should consider whether:

(i) Any current contact between the parties was initiated by the respondent only or was initiated by both parties;

(ii) The respondent has been given clear notice that all further contact with the petitioner is unwanted;

(iii) The respondent's course of conduct appears designed to alarm, annoy, or harass the petitioner;

(iv) The respondent is acting pursuant to any statutory authority including, but not limited to, acts which are reasonably necessary to:

(A) Protect property or liberty interests;

(B) Enforce the law; or

(C) Meet specific statutory duties or requirements;

(v) The respondent's course of conduct has the purpose or effect of unreasonably interfering with the petitioner's privacy or the purpose or effect of creating an intimidating, hostile, or offensive living environment for the petitioner; or

(vi) Contact by the respondent with the petitioner or the petitioner's family has been limited in any manner by any previous court order.

~~((7))~~ (8) "Court clerk" means court administrators in courts of limited jurisdiction and elected court clerks.

~~((8))~~ (9) "Dating relationship" means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c)

the frequency of interaction between the parties.

~~((9))~~ (10) "Domestic violence" means:

(a) Physical harm, bodily injury, assault, or the infliction of fear of physical harm, bodily injury, or assault; nonconsensual sexual conduct or nonconsensual sexual penetration; coercive control; unlawful harassment; or stalking of one intimate partner by another intimate partner; or

(b) Physical harm, bodily injury, assault, or the infliction of fear of physical harm, bodily injury, or assault; nonconsensual sexual conduct or nonconsensual sexual penetration; coercive control; unlawful harassment; or stalking of one family or household member by another family or household member.

~~((10))~~ (11) "Electronic monitoring" has the same meaning as in RCW 9.94A.030.

~~((11))~~ (12) "Essential personal effects" means those items necessary for a person's immediate health, welfare, and livelihood. "Essential personal effects" includes, but is not limited to, clothing, cribs, bedding, medications, personal hygiene items, cellular phones and other electronic devices, and documents, including immigration, health care, financial, travel, and identity documents.

~~((12))~~ (13) "Facility" means a residence licensed or required to be licensed under chapter 18.20 RCW, assisted living facilities; chapter 18.51 RCW, nursing homes; chapter 70.128 RCW, adult family homes; chapter 72.36 RCW, soldiers' homes; chapter 71A.20 RCW, residential habilitation centers; or any other facility licensed or certified by the department of social and health services.

~~((13))~~ (14) "Family or household members" means: (a) Persons related by blood, marriage, domestic partnership, or adoption; (b) persons who currently or formerly resided together; (c) persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren, or a parent's intimate partner and children; and (d) a person who is acting or has acted as a legal guardian.

~~((14))~~ (15) "Financial exploitation" means the illegal or improper use of, control over, or withholding of, the property, income, resources, or trust funds of the vulnerable adult by any person or entity for any person's or entity's profit or advantage other than for the vulnerable adult's profit or advantage. "Financial exploitation" includes, but is not limited to:

(a) The use of deception, intimidation, or undue influence by a person or entity in a position of trust and confidence with a vulnerable adult to obtain or use the property, income, resources, government benefits, health insurance benefits, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult;

(b) The breach of a fiduciary duty, including, but not limited to, the misuse of a power of attorney, trust, or a guardianship or conservatorship appointment, that results in the unauthorized



appropriation, sale, or transfer of the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult; or

(c) Obtaining or using a vulnerable adult's property, income, resources, or trust funds without lawful authority, by a person or entity who knows or clearly should know that the vulnerable adult lacks the capacity to consent to the release or use of the vulnerable adult's property, income, resources, or trust funds.

~~((15))~~ (16) "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. "Firearm" does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes. "Firearm" also includes parts that can be assembled to make a firearm.

~~((16))~~ (17) "Full hearing" means a hearing where the court determines whether to issue a full protection order.

~~((17))~~ (18) "Full protection order" means a protection order that is issued by the court after notice to the respondent and where the parties had the opportunity for a full hearing by the court. "Full protection order" includes a protection order entered by the court by agreement of the parties to resolve the petition for a protection order without a full hearing.

~~((18))~~ (19) "Hospital" means a facility licensed under chapter 70.41 or 71.12 RCW or a state hospital defined in chapter 72.23 RCW and any employee, agent, officer, director, or independent contractor thereof.

~~((19))~~ (20) "Interested person" means a person who demonstrates to the court's satisfaction that the person is interested in the welfare of a vulnerable adult, that the person has a good faith belief that the court's intervention is necessary, and that the vulnerable adult is unable, due to incapacity, undue influence, or duress at the time the petition is filed, to protect his or her own interests.

~~((20))~~ (21) "Intimate partner" means: (a) Spouses or domestic partners; (b) former spouses or former domestic partners; (c) persons who have a child in common regardless of whether they have been married or have lived together at any time, unless the child is conceived through sexual assault; or (d) persons who have or have had a dating relationship where both persons are at least 13 years of age or older.

~~((21))~~ (22) (a) "Isolate" or "isolation" means to restrict a person's ability to communicate, visit, interact, or otherwise associate with persons of his or her choosing. Isolation may be evidenced by acts including, but not limited to:

(i) Acts that prevent a person from sending, making, or receiving his or her personal mail, electronic communications, or telephone calls; or

(ii) Acts that prevent or obstruct a person from meeting with others, such as telling a prospective visitor or caller that the person is not present or does not wish contact, where the statement is contrary to the express wishes of the person.

(b) The term "isolate" or "isolation" may not be construed in a manner that prevents a guardian or limited guardian from performing his or her fiduciary obligations under chapter 11.92 RCW or prevents a hospital or facility from providing treatment consistent with the standard of care for delivery of health services.

~~((22))~~ (23) "Judicial day" means days of the week other than Saturdays, Sundays, or legal holidays.

~~((23))~~ (24) "Mechanical restraint" means any device attached or adjacent to a vulnerable adult's body that the vulnerable adult cannot easily remove that restricts freedom of movement or normal access to the vulnerable adult's body. "Mechanical restraint" does not include the use of devices, materials, or equipment that are (a) medically authorized, as required, and (b) used in a manner that is consistent with federal or state licensing or certification requirements for facilities, hospitals, or programs authorized under chapter 71A.12 RCW.

~~((24))~~ (25) "Minor" means a person who is under 18 years of age.

~~((25))~~ (26) "Neglect" means: (a) A pattern of conduct or inaction by a person or entity with a duty of care that fails to provide the goods and services that maintain the physical or mental health of a vulnerable adult, or that fails to avoid or prevent physical or mental harm or pain to a vulnerable adult; or (b) an act or omission by a person or entity with a duty of care that demonstrates a serious disregard of consequences of such a magnitude as to constitute a clear and present danger to the vulnerable adult's health, welfare, or safety including, but not limited to, conduct prohibited under RCW 9A.42.100.

~~((26))~~ (27) "Nonconsensual" means a lack of freely given consent.

~~((27))~~ (28) "Nonphysical contact" includes, but is not limited to, written notes, mail, telephone calls, email, text messages, contact through social media applications, contact through other technologies, or contact through third parties.

~~((28))~~ (29) "Petitioner" means any named petitioner or any other person identified in the petition on whose behalf the petition is brought.

~~((29))~~ (30) "Physical restraint" means the application of physical force without the use of any device, for the purpose of restraining the free movement of a vulnerable adult's body. "Physical restraint" does not include (a) briefly holding, without undue force, a vulnerable adult in order to calm or comfort him or her, or (b) holding a vulnerable adult's hand to safely escort him or her from one area to another.

~~((30))~~ (31) "Possession" means having an item in one's custody or control. Possession may be either actual or constructive. Actual possession occurs when the item is in the actual physical custody of the person charged with possession. Constructive possession occurs when there is no actual physical possession, but there is dominion and control over the item.

~~((31))~~ (32) "Respondent" means the person who is identified as the respondent in a petition filed under this chapter.

~~((32))~~ (33) "Sexual conduct" means any of the following:

(a) Any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing;

(b) Any intentional or knowing display of the genitals, anus, or breasts for the purposes of arousal or sexual gratification of the respondent;

(c) Any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing, that the petitioner is forced to perform by another person or the respondent;

(d) Any forced display of the petitioner's genitals, anus, or breasts for the purposes of arousal or sexual gratification of the respondent or others;

(e) Any intentional or knowing touching of the clothed or unclothed body of a child under the age of 16, if done for the purpose of sexual gratification or arousal of the respondent or others; or

(f) Any coerced or forced touching or fondling by a child under the age of 16, directly or indirectly, including through clothing, of the genitals, anus, or breasts of the respondent or others.

~~((33))~~ (34) "Sexual penetration" means any contact, however slight, between the sex organ or anus of one person by an object, the sex organ, mouth, or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person including, but not limited to, cunnilingus, fellatio, or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.

~~((34))~~ (35) "Stalking" means any of the following:

(a) Any act of stalking as defined under RCW 9A.46.110;

(b) Any act of cyber harassment as defined under RCW 9A.90.120; or

(c) Any course of conduct involving repeated or continuing contacts, attempts to contact, monitoring, tracking, surveillance, keeping under observation, disrupting activities in a harassing manner, or following of another person that:

(i) Would cause a reasonable person to feel intimidated, frightened, under duress, significantly disrupted, or threatened and that actually causes such a feeling;

(ii) Serves no lawful purpose; and

(iii) The respondent knows, or reasonably should know, threatens, frightens, or intimidates the person, even if the respondent did not intend to intimidate, frighten, or threaten the person.

~~((35))~~ (36) "Temporary protection order" means a protection order that is issued before the court has decided whether to issue a full protection order. "Temporary protection order" includes ex parte temporary protection orders, as well as temporary protection orders that are reissued by the court pending the completion of a full hearing to decide whether to issue a full protection order. An "ex parte

temporary protection order" means a temporary protection order that is issued without prior notice to the respondent.

~~((36))~~ (37) "Unlawful harassment" means:

(a) A knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, harasses, or is detrimental to such person, and that serves no legitimate or lawful purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner; or

(b) A single act of violence or threat of violence directed at a specific person that seriously alarms, annoys, harasses, or is detrimental to such person, and that serves no legitimate or lawful purpose, which would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner. A single threat of violence must include: (i) A malicious and intentional threat as described in RCW 9A.36.080(1)(c); or (ii) the presence of a firearm or other weapon.

~~((37))~~ (38) "Vulnerable adult" includes a person:

(a) Sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself; or

(b) Subject to a guardianship under RCW 11.130.265 or adult subject to conservatorship under RCW 11.130.360; or

(c) Who has a developmental disability as defined under RCW 71A.10.020; or

(d) Admitted to any facility; or

(e) Receiving services from home health, hospice, or home care agencies licensed or required to be licensed under chapter 70.127 RCW; or

(f) Receiving services from a person under contract with the department of social and health services to provide services in the home under chapter 74.09 or 74.39A RCW; or

(g) Who self-directs his or her own care and receives services from a personal aide under chapter 74.39 RCW.

**Sec. 10.** RCW 7.105.100 and 2022 c 268 s 5 are each amended to read as follows:

(1) There exists an action known as a petition for a protection order. The following types of petitions for a protection order may be filed:

(a) A petition for a domestic violence protection order, which must allege the existence of domestic violence committed against the petitioner or petitioners by an intimate partner or a family or household member. The petitioner may petition for relief on behalf of himself or herself and on behalf of family or household members who are minors or vulnerable adults. A petition for a domestic violence protection order must specify whether the petitioner and the respondent are intimate partners or family or household members. A petitioner who has been sexually assaulted or stalked by an intimate partner or a family or household member should, but is not required to, seek a domestic violence protection order, rather

than a sexual assault protection order or a stalking protection order.

(b) A petition for a sexual assault protection order, which must allege the existence of nonconsensual sexual conduct ~~((or))~~, nonconsensual sexual penetration, or commercial sexual exploitation that was committed against the petitioner by the respondent. A petitioner who has been sexually assaulted by an intimate partner or a family or household member should, but is not required to, seek a domestic violence protection order, rather than a sexual assault protection order. A single incident of nonconsensual sexual conduct or nonconsensual sexual penetration is sufficient grounds for a petition for a sexual assault protection order. The petitioner may petition for a sexual assault protection order on behalf of:

(i) Himself or herself;

(ii) A minor child, where the petitioner is the parent, legal guardian, or custodian;

(iii) A vulnerable adult, where the petitioner is an interested person; or

(iv) Any other adult for whom the petitioner demonstrates to the court's satisfaction that the petitioner is interested in the adult's well-being, the court's intervention is necessary, and the adult cannot file the petition because of age, disability, health, or inaccessibility.

(c) A petition for a stalking protection order, which must allege the existence of stalking committed against the petitioner or petitioners by the respondent. A petitioner who has been stalked by an intimate partner or a family or household member should, but is not required to, seek a domestic violence protection order, rather than a stalking protection order. The petitioner may petition for a stalking protection order on behalf of:

(i) Himself or herself;

(ii) A minor child, where the petitioner is the parent, legal guardian, or custodian;

(iii) A vulnerable adult, where the petitioner is an interested person; or

(iv) Any other adult for whom the petitioner demonstrates to the court's satisfaction that the petitioner is interested in the adult's well-being, the court's intervention is necessary, and the adult cannot file the petition because of age, disability, health, or inaccessibility.

(d) A petition for a vulnerable adult protection order, which must allege that the petitioner, or person on whose behalf the petition is brought, is a vulnerable adult and that the petitioner, or person on whose behalf the petition is brought, has been abandoned, abused, financially exploited, or neglected, or is threatened with abandonment, abuse, financial exploitation, or neglect, by the respondent.

(e) A petition for an extreme risk protection order, which must allege that the respondent poses a significant danger of causing personal injury to self or others by having in the respondent's custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive, a firearm. The petition must also identify information the petitioner is able to provide about the firearms, such as the number, types, and locations of any firearms

the petitioner believes to be in the respondent's current ownership, possession, custody, access, or control. A petition for an extreme risk protection order may be filed by (i) an intimate partner or a family or household member of the respondent; or (ii) a law enforcement agency.

(f) A petition for an antiharassment protection order, which must allege the existence of unlawful harassment committed against the petitioner or petitioners by the respondent. If a petitioner is seeking relief based on domestic violence, nonconsensual sexual conduct, nonconsensual sexual penetration, or stalking, the petitioner may, but is not required to, seek a domestic violence, sexual assault, or stalking protection order, rather than an antiharassment order. The petitioner may petition for an antiharassment protection order on behalf of:

(i) Himself or herself;

(ii) A minor child, where the petitioner is the parent, legal guardian, or custodian;

(iii) A vulnerable adult, where the petitioner is an interested person; or

(iv) Any other adult for whom the petitioner demonstrates to the court's satisfaction that the petitioner is interested in the adult's well-being, the court's intervention is necessary, and the adult cannot file the petition because of age, disability, health, or inaccessibility.

(2) With the exception of vulnerable adult protection orders, a person under 18 years of age who is 15 years of age or older may seek relief under this chapter as a petitioner and is not required to seek relief through a petition filed on his or her behalf. He or she may also petition on behalf of a family or household member who is a minor if chosen by the minor and capable of pursuing the minor's stated interest in the action.

(3) A person under 15 years of age who is seeking relief under this chapter is required to seek relief by a person authorized as a petitioner under this section.

(4) If a petition for a protection order is filed by an interested person, the affidavit or declaration must also include a statement of why the petitioner qualifies as an interested person.

(5) A petition for any type of protection order must not be dismissed or denied on the basis that the conduct alleged by the petitioner would meet the criteria for the issuance of another type of protection order. If a petition meets the criteria for a different type of protection order other than the one sought by the petitioner, the court shall consider the petitioner's preference, and enter a temporary protection order or set the matter for a hearing as appropriate under the law. The court's decision on the appropriate type of order shall not be premised on alleviating any potential stigma on the respondent.

(6) The protection order petition must contain a section where the petitioner, regardless of petition type, may request specific relief provided for in RCW 7.105.310 that the petitioner seeks for himself or herself or for family or household members who are minors. The

totality of selected relief, and any other relief the court deems appropriate for the petitioner, or family or household members who are minors, must be considered at the time of entry of temporary protection orders and at the time of entry of full protection orders.

(7) If a court reviewing the petition for a protection order or a request for a temporary protection order determines that the petition was not filed in the correct court, the court shall enter findings establishing the correct court, and direct the clerk to transfer the petition to the correct court and to provide notice of the transfer to all parties who have appeared.

(8) Upon filing a petition for a protection order, the petitioner may request that the court enter an ex parte temporary protection order and an order to surrender and prohibit weapons without notice until a hearing on a full protection order may be held. When requested, there shall be a rebuttable presumption to include the petitioner's minor children as protected parties in the ex parte temporary domestic violence protection order until the full hearing to reduce the risk of harm to children during periods of heightened risk, unless there is good cause not to include the minor children. If the court denies the petitioner's request to include the minor children, the court shall make written findings why the children should not be included, pending the full hearing. An ex parte temporary protection order shall be effective for a fixed period of time and shall be issued initially for a period not to exceed 14 days, which may be extended for good cause.

**Sec. 11.** RCW 7.105.110 and 2021 c 215 s 15 are each amended to read as follows:

The following apply only to the specific type of protection orders referenced in each subsection.

(1) The department of social and health services, in its discretion, may file a petition for a vulnerable adult protection order or a domestic violence protection order on behalf of, and with the consent of, any vulnerable adult. When the department has reason to believe a vulnerable adult lacks the ability or capacity to consent, the department, in its discretion, may seek relief on behalf of the vulnerable adult. Neither the department nor the state of Washington is liable for seeking or failing to seek relief on behalf of any persons under this section. The vulnerable adult shall not be held responsible for any violations of the order by the respondent.

(2)(a) If the petitioner for an extreme risk protection order is a law enforcement agency, the petitioner shall make a good faith effort to provide notice to an intimate partner or family or household member of the respondent and to any known third party who may be at risk of violence. The notice must state that the petitioner intends to petition the court for an extreme risk protection order or has already done so, and include referrals to appropriate resources, including behavioral health, domestic violence, and counseling resources.

The petitioner must attest in the petition to having provided such notice, or attest to the steps that will be taken to provide such notice.

(b) Recognizing that an extreme risk protection order may need to be issued outside of normal business hours, courts shall allow law enforcement petitioners to petition after hours for a temporary extreme risk protection order using an on-call, after-hours judge, as is done for approval of after-hours search warrants.

(3) The department of children, youth, and families, when it has reason to believe that a minor lacks the ability or capacity to consent may file a petition for a sexual assault protection order on behalf of the minor. Neither the department nor the state of Washington is liable for seeking or failing to seek relief on behalf of any persons under this section. The minor shall not be held responsible for any violations of the order by the respondent.

(4) A law enforcement agency, when it has reason to believe that a minor lacks the ability or capacity to consent may file a petition for an ex parte temporary sexual assault protection order on behalf of the minor. Neither the law enforcement agency nor the state of Washington is liable for seeking or failing to seek relief on behalf of any persons under this section. The minor shall not be held responsible for any violations of the order by the respondent.

**Sec. 12.** RCW 7.105.225 and 2021 c 215 s 29 are each amended to read as follows:

(1) The court shall issue a protection order if it finds by a preponderance of the evidence that the petitioner has proved the required criteria specified in (a) through (f) of this subsection for obtaining a protection order under this chapter.

(a) For a domestic violence protection order, that the petitioner has been subjected to domestic violence by the respondent.

(b) For a sexual assault protection order, that the petitioner has been subjected to nonconsensual sexual conduct ~~((e\*))~~, nonconsensual sexual penetration, or commercial sexual exploitation by the respondent.

(c) For a stalking protection order, that the petitioner has been subjected to stalking by the respondent.

(d) For a vulnerable adult protection order, that the petitioner has been abandoned, abused, financially exploited, or neglected, or is threatened with abandonment, abuse, financial exploitation, or neglect by the respondent.

(e) For an extreme risk protection order, that the respondent poses a significant danger of causing personal injury to self or others by having in the respondent's custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive, a firearm.

(f) For an antiharassment protection order, that the petitioner has been subjected to unlawful harassment by the respondent.

(2) The court may not deny or dismiss a petition for a protection order on the grounds that:

(a) The petitioner or the respondent is a minor, unless provisions in this chapter specifically limit relief or remedies based upon a party's age;

(b) The petitioner did not report the conduct giving rise to the petition to law enforcement;

(c) A no-contact order or a restraining order that restrains the respondent's contact with the petitioner has been issued in a criminal proceeding or in a domestic relations proceeding;

(d) The relief sought by the petitioner may be available in a different action or proceeding, or criminal charges are pending against the respondent;

(e) The conduct at issue did not occur recently or because of the passage of time since the last incident of conduct giving rise to the petition; or

(f) The respondent no longer lives near the petitioner.

(3) In proceedings where the petitioner alleges that the respondent engaged in nonconsensual sexual conduct ~~((or))~~, nonconsensual sexual penetration, or commercial sexual exploitation, the court shall not require proof of physical injury on the person of the petitioner or any other forensic evidence. Denial of a remedy to the petitioner may not be based, in whole or in part, on evidence that:

(a) The respondent was voluntarily intoxicated;

(b) The petitioner was voluntarily intoxicated; or

(c) The petitioner engaged in limited consensual sexual touching.

(4) In proceedings where the petitioner alleges that the respondent engaged in stalking, the court may not require proof of the respondent's intentions regarding the acts alleged by the petitioner.

(5) In proceedings where the petitioner alleges that the respondent engaged in commercial sexual exploitation, denial of a remedy to the petitioner may not be based, in whole or in part, on evidence that the petitioner consented to sexual conduct or sexual penetration.

(6) If the court declines to issue a protection order, the court shall state in writing the particular reasons for the court's denial. If the court declines a request to include one or more of the petitioner's family or household member who is a minor or a vulnerable adult in the order, the court shall state the reasons for that denial in writing. The court shall also explain from the bench:

(a) That the petitioner may refile a petition for a protection order at any time if the petitioner has new evidence to present that would support the issuance of a protection order;

(b) The parties' rights to seek revision, reconsideration, or appeal of the order; and

(c) The parties' rights to have access to the court transcript or recording of the hearing.

~~((6))~~ (7) A court's ruling on a protection order must be filed by the court in writing and must be made by the court on

the mandatory form developed by the administrative office of the courts.

**Sec. 13.** RCW 7.105.405 and 2021 c 215 s 54 are each amended to read as follows:

The following provisions apply to the renewal of all full protection orders issued under this chapter, with the exception of the renewal of extreme risk protection orders.

(1) If the court grants a protection order for a fixed time period, the petitioner may file a motion to renew the order at any time within the 90 days before the order expires. The motion for renewal must state the reasons the petitioner seeks to renew the protection order. Upon receipt of a motion for renewal, the court shall order a hearing, which must be not later than 14 days from the date of the order. Service must be made on the respondent not less than five judicial days before the hearing, as provided in RCW 7.105.150.

(2) If the motion for renewal is uncontested and the petitioner seeks no modification of the order, the order may be renewed on the basis of the petitioner's motion and statement of the reason for the requested renewal.

(3) The petitioner bears no burden of proving that he or she has a current reasonable fear of harm by the respondent.

(4) The court shall grant the motion for renewal unless the respondent proves by a preponderance of the evidence that there has been a substantial change in circumstances and the following:

(a) For a domestic violence protection order, that the respondent proves that the respondent will not resume acts of domestic violence against the petitioner or the petitioner's family or household members who are minors or vulnerable adults when the order expires;

(b) For a sexual assault protection order, that the respondent proves that the respondent will not engage in, or attempt to engage in, physical or nonphysical contact, or acts of commercial sexual exploitation, with the petitioner when the order expires;

(c) For a stalking protection order, that the respondent proves that the respondent will not resume acts of stalking against the petitioner or the petitioner's family or household members when the order expires;

(d) For a vulnerable adult protection order, that the respondent proves that the respondent will not resume acts of abandonment, abuse, financial exploitation, or neglect against the vulnerable adult when the order expires; or

(e) For an antiharassment protection order, that the respondent proves that the respondent will not resume harassment of the petitioner when the order expires.

(5) In determining whether there has been a substantial change in circumstances, the court may consider the following unweighted factors, and no inference is to be drawn from the order in which the factors are listed:

(a) Whether the respondent has committed or threatened sexual assault; commercial sexual exploitation; domestic violence; stalking; abandonment, abuse, financial

exploitation, or neglect of a vulnerable adult; or other harmful acts against the petitioner or any other person since the protection order was entered;

(b) Whether the respondent has violated the terms of the protection order and the time that has passed since the entry of the order;

(c) Whether the respondent has exhibited suicidal ideation or attempts since the protection order was entered;

(d) Whether the respondent has been convicted of criminal activity since the protection order was entered;

(e) Whether the respondent has either: Acknowledged responsibility for acts of sexual assault, commercial sexual exploitation, domestic violence, or stalking, or acts of abandonment, abuse, financial exploitation, or neglect of a vulnerable adult, or behavior that resulted in the entry of the protection order; or successfully completed state-certified perpetrator treatment or counseling since the protection order was entered;

(f) Whether the respondent has a continuing involvement with drug or alcohol abuse, if such abuse was a factor in the protection order; and

(g) Other factors relating to a substantial change in circumstances.

(6) The court shall not deny a motion to renew a protection order for any of the following reasons:

(a) The respondent has not violated the protection order previously issued by the court;

(b) The petitioner or the respondent is a minor;

(c) The petitioner did not report the conduct giving rise to the protection order, or subsequent violations of the protection order, to law enforcement;

(d) A no-contact order or a restraining order that restrains the respondent's contact with the petitioner has been issued in a criminal proceeding or in a domestic relations proceeding;

(e) The relief sought by the petitioner may be available in a different action or proceeding;

(f) The passage of time since the last incident of conduct giving rise to the issuance of the protection order; or

(g) The respondent no longer lives near the petitioner.

(7) The terms of the original protection order must not be changed on a motion for renewal unless the petitioner has requested the change.

(8) The court may renew the protection order for another fixed time period of no less than one year, or may enter a permanent order as provided in this section.

(9) If the protection order includes the parties' children, a renewed protection order may be issued for more than one year, subject to subsequent orders entered in a proceeding under chapter 26.09, 26.26A, or 26.26B RCW.

(10) The court may award court costs, service fees, and reasonable attorneys' fees to the petitioner as provided in RCW 7.105.310.

(11) If the court declines to renew the protection order, the court shall state, in

writing in the order, the particular reasons for the court's denial. If the court declines to renew a protection order that had restrained the respondent from having contact with children protected by the order, the court shall determine on the record whether the respondent and the children should undergo reunification therapy. Any reunification therapy provider should be made aware of the respondent's history of domestic violence and should have training and experience in the dynamics of intimate partner violence.

(12) In determining whether there has been a substantial change in circumstances for respondents under the age of 18, or in determining the appropriate duration for an order, the court shall consider the circumstances surrounding the respondent's youth at the time of the initial behavior alleged in the petition for a protection order. The court shall consider developmental factors, including the impact of time of a youth's development, and any information the minor respondent presents about his or her personal progress or change in circumstances.

**Sec. 14.** RCW 7.105.500 and 2022 c 268 s 23 are each amended to read as follows:

This section applies to modification or termination of domestic violence protection orders, sexual assault protection orders, stalking protection orders, and antiharassment protection orders.

(1) Upon a motion with notice to all parties and after a hearing, the court may modify the terms of an existing protection order or terminate an existing order.

(2) A respondent's motion to modify or terminate an existing protection order must include a declaration setting forth facts supporting the requested order for modification or termination. The nonmoving parties to the proceeding may file opposing declarations. All motions to modify or terminate shall be based on the written materials and evidence submitted to the court. The court shall set a hearing only if the court finds that adequate cause is established. If the court finds that the respondent established adequate cause, the court shall set a date for hearing the respondent's motion, which must be at least 14 days from the date the court finds adequate cause.

(3) Upon the motion of a respondent, the court may not modify or terminate an existing protection order unless the respondent proves by a preponderance of the evidence that there has been a substantial change in circumstances such that the respondent will not resume, engage in, or attempt to engage in, the following acts against the petitioner or those persons protected by the protection order if the order is terminated or modified:

(a) Acts of domestic violence, in cases involving domestic violence protection orders;

(b) Physical or nonphysical contact, or acts of commercial sexual exploitation, in cases involving sexual assault protection orders;

(c) Acts of stalking, in cases involving stalking protection orders; or

(d) Acts of unlawful harassment, in cases involving antiharassment protection orders.

The petitioner bears no burden of proving that he or she has a current reasonable fear of harm by the respondent.

(4) In determining whether there has been a substantial change in circumstances, the court may consider the following unweighted factors, and no inference is to be drawn from the order in which the factors are listed:

(a) Whether the respondent has committed or threatened sexual assault, commercial sexual exploitation, domestic violence, stalking, or other harmful acts against the petitioner or any other person since the protection order was entered;

(b) Whether the respondent has violated the terms of the protection order and the time that has passed since the entry of the order;

(c) Whether the respondent has exhibited suicidal ideation or attempts since the protection order was entered;

(d) Whether the respondent has been convicted of criminal activity since the protection order was entered;

(e) Whether the respondent has either acknowledged responsibility for acts of sexual assault, commercial sexual exploitation, domestic violence, stalking, or behavior that resulted in the entry of the protection order, or successfully completed state-certified perpetrator treatment or counseling since the protection order was entered;

(f) Whether the respondent has a continuing involvement with drug or alcohol abuse, if such abuse was a factor in the protection order;

(g) Whether the petitioner consents to terminating the protection order, provided that consent is given voluntarily and knowingly; or

(h) Other factors relating to a substantial change in circumstances.

(5) In determining whether there has been a substantial change in circumstances, the court may not base its determination on the fact that time has passed without a violation of the order.

(6) Regardless of whether there is a substantial change in circumstances, the court may decline to terminate a protection order if it finds that the acts of domestic violence, sexual assault, commercial sexual exploitation, stalking, unlawful harassment, and other harmful acts that resulted in the issuance of the protection order were of such severity that the order should not be terminated.

(7) A respondent may file a motion to modify or terminate an order no more than once in every 12-month period that the order is in effect, starting from the date of the order and continuing through any renewal period.

(8) If a person who is protected by a protection order has a child or adopts a child after a protection order has been issued, but before the protection order has expired, the petitioner may seek to include the new child in the order of protection on an ex parte basis if the child is already in

the physical custody of the petitioner. If the restrained person is the legal or biological parent of the child, a hearing must be set and notice given to the restrained person prior to final modification of the full protection order.

(9) A court may require the respondent to pay the petitioner for costs incurred in responding to a motion to modify or terminate a protection order, including reasonable attorneys' fees.

### PART III - CRIME VICTIMS COMPENSATION

**Sec. 15.** RCW 7.68.060 and 2020 c 308 s 1 are each amended to read as follows:

(1) Except for applications received pursuant to subsection (6) of this section, no compensation of any kind shall be available under this chapter if:

(a) An application for benefits is not received by the department within three years after the date the criminal act was reported to a local police department or sheriff's office or the date the rights of beneficiaries accrued, unless the director has determined that "good cause" exists to expand the time permitted to receive the application. "Good cause" shall be determined by the department on a case-by-case basis and may extend the period of time in which an application can be received for up to five years after the date the criminal act was reported to a local police department or sheriff's office or the date the rights of beneficiaries accrued; or

(b) The criminal act is not reported by the victim or someone on his or her behalf to a local police department or sheriff's office within twelve months of its occurrence or, if it could not reasonably have been reported within that period, within twelve months of the time when a report could reasonably have been made. In making determinations as to reasonable time limits, the department shall give greatest weight to the needs of the victims.

(2) No person or spouse, child, or dependent of such person is eligible for benefits under this chapter when the injury for which benefits are sought was:

(a) The result of consent, provocation, or incitement by the victim, unless an injury resulting from a criminal act caused the death of the victim;

(b) Sustained while the crime victim was engaged in the attempt to commit, or the commission of, a felony; or

(c) Sustained while the victim was confined in any county or city jail, federal jail or prison or in any other federal institution, or any state correctional institution maintained and operated by the department of social and health services or the department of corrections, prior to release from lawful custody; or confined or living in any other institution maintained and operated by the department of social and health services or the department of corrections.

(3) No person or spouse, child, or dependent of such person is eligible for benefits under this chapter where the person making a claim for such benefits has refused to give reasonable cooperation to state or

local law enforcement agencies in their efforts to apprehend and convict the perpetrator of the criminal act which gave rise to the claim.

(4) A victim is not eligible for benefits under this chapter if the victim:

(a) Has been convicted of a felony offense within five years preceding the criminal act for which the victim is applying where the felony offense is a violent offense under RCW 9.94A.030 or a crime against persons under RCW 9.94A.411, or is convicted of such a felony offense after the criminal act for which the victim is applying; and

(b) Has not completely satisfied all legal financial obligations owed.

(5) Because victims of childhood criminal acts may repress conscious memory of such criminal acts far beyond the age of eighteen, the rights of adult victims of childhood criminal acts shall accrue at the time the victim discovers or reasonably should have discovered the elements of the crime. In making determinations as to reasonable time limits, the department shall give greatest weight to the needs of the victim.

(6)(a) Benefits under this chapter are available to any victim of a person against whom the state initiates proceedings under chapter 71.09 RCW. The right created under this subsection shall accrue when the victim is notified of proceedings under chapter 71.09 RCW or the victim is interviewed, deposed, or testifies as a witness in connection with the proceedings. An application for benefits under this subsection must be received by the department within two years after the date the victim's right accrued unless the director determines that good cause exists to expand the time to receive the application. The director shall determine "good cause" on a case-by-case basis and may extend the period of time in which an application can be received for up to five years after the date the right of the victim accrued. Benefits under this subsection shall be limited to compensation for costs or losses incurred on or after the date the victim's right accrues for a claim allowed under this subsection.

(b) A person identified as a minor victim of sex trafficking or as the "minor" in the charge of commercial sexual abuse of a minor under RCW 9.68A.100, promoting commercial sexual abuse of a minor under RCW 9.68A.101, or promoting travel for commercial sexual abuse of a minor under RCW 9.68A.102 is considered a victim of a criminal act for the purpose of the right to benefits under this chapter even if the person is also charged with prostitution under RCW 9A.88.030. A person identified under this subsection (6)(b) may file an application for benefits at any time, and the ineligibility factors of subsections (1) and (2) of this section do not apply to such a person.

**PART IV - STATUTE OF LIMITATIONS AND EVIDENTIARY PROCEDURES**

**Sec. 16.** RCW 9A.04.080 and 2023 c 197 s 8 and 2023 c 122 s 8 are each reenacted and amended to read as follows:

(1) Prosecutions for criminal offenses shall not be commenced after the periods prescribed in this section.

(a) The following offenses may be prosecuted at any time after their commission:

- (i) Murder;
- (ii) Homicide by abuse;
- (iii) Arson if a death results;
- (iv) Vehicular homicide;
- (v) Vehicular assault if a death results;
- (vi) Hit-and-run injury-accident if a death results (RCW 46.52.020(4));

(vii) Rape in the first degree (RCW 9A.44.040) if the victim is under the age of sixteen;

(viii) Rape in the second degree (RCW 9A.44.050) if the victim is under the age of sixteen;

(ix) Rape of a child in the first degree (RCW 9A.44.073);

(x) Rape of a child in the second degree (RCW 9A.44.076);

(xi) Rape of a child in the third degree (RCW 9A.44.079);

(xii) Sexual misconduct with a minor in the first degree (RCW 9A.44.093);

(xiii) Custodial sexual misconduct in the first degree (RCW 9A.44.160);

(xiv) Child molestation in the first degree (RCW 9A.44.083);

(xv) Child molestation in the second degree (RCW 9A.44.086);

(xvi) Child molestation in the third degree (RCW 9A.44.089); ~~((and))~~

(xvii) Sexual exploitation of a minor (RCW 9.68A.040);

(xviii) Trafficking (RCW 9A.40.100) if the victim is under the age of 18;

(xix) Commercial sexual abuse of a minor (RCW 9.68A.100);

(xx) Promoting commercial sexual abuse of a minor (RCW 9.68A.101);

(xxi) Promoting travel for commercial sexual abuse of a minor (RCW 9.68A.102); and

(xxii) Permitting commercial sexual abuse of a minor (RCW 9.68A.103).

(b) Except as provided in (a) of this subsection, the following offenses may not be prosecuted more than ~~((twenty))~~ 20 years after its commission:

(i) Rape in the first degree (RCW 9A.44.040);

(ii) Rape in the second degree (RCW 9A.44.050); or

(iii) Indecent liberties (RCW 9A.44.100).

(c) The following offenses may not be prosecuted more than ten years after its commission:

(i) Any felony committed by a public officer if the commission is in connection with the duties of his or her office or constitutes a breach of his or her public duty or a violation of the oath of office;

(ii) Arson if no death results;

(iii) Rape in the third degree (RCW 9A.44.060);

(iv) Attempted murder; or

(v) Trafficking under RCW 9A.40.100.

(d) A violation of ~~((any))~~ this offense listed in this subsection (1)(d) may be prosecuted up to ~~((ten))~~ 10 years after its commission or, if committed against a victim



under the age of (~~(eighteen)~~)18, up to the victim's (~~(thirtieth)~~)30th birthday, whichever is later:

~~((i) RCW 9.68A.100 (commercial sexual abuse of a minor);~~

~~(ii) RCW 9.68A.101 (promoting commercial sexual abuse of a minor);~~

~~(iii) RCW 9.68A.102 (promoting travel for commercial sexual abuse of a minor); or~~

~~(iv)) RCW 9A.64.020 (incest).~~

(e) A violation of RCW 9A.36.170 may be prosecuted up to 10 years after its commission, or if committed against a victim under the age of 18, up to the victim's 28th birthday, whichever is later.

(f) The following offenses may not be prosecuted more than six years after its commission or discovery, whichever occurs later:

(i) Violations of RCW 9A.82.060 or 9A.82.080;

(ii) Any felony violation of chapter 9A.83 RCW;

(iii) Any felony violation of chapter 9.35 RCW;

(iv) Theft in the first or second degree under chapter 9A.56 RCW when accomplished by color or aid of deception;

(v) Theft from a vulnerable adult under RCW 9A.56.400;

(vi) Trafficking in stolen property in the first or second degree under chapter 9A.82 RCW in which the stolen property is a motor vehicle or major component part of a motor vehicle as defined in RCW 46.80.010; or

(vii) Violations of RCW 82.32.290 (2)(a) (iii) or (4).

(g) The following offenses may not be prosecuted more than five years after its commission: Any class C felony under chapter 74.09, 82.36, or 82.38 RCW.

(h) Bigamy may not be prosecuted more than three years after the time specified in RCW 9A.64.010.

(i) A violation of RCW 9A.56.030 may not be prosecuted more than three years after the discovery of the offense when the victim is a tax exempt corporation under 26 U.S.C. Sec. 501(c)(3).

(j) No other felony may be prosecuted more than three years after its commission; except that in a prosecution under RCW 9A.44.115, if the person who was viewed, photographed, or filmed did not realize at the time that he or she was being viewed, photographed, or filmed, the prosecution must be commenced within two years of the time the person who was viewed or in the photograph or film first learns that he or she was viewed, photographed, or filmed.

(k) No gross misdemeanor, except as provided under (e) of this subsection, may be prosecuted more than two years after its commission.

(1) No misdemeanor may be prosecuted more than one year after its commission.

(2) The periods of limitation prescribed in subsection (1) of this section do not run during any time when the person charged is not usually and publicly resident within this state.

(3) In any prosecution for a sex offense as defined in RCW 9.94A.030, the periods of limitation prescribed in subsection (1) of this section run from the date of commission

or four years from the date on which the identity of the suspect is conclusively established by deoxyribonucleic acid testing or by photograph as defined in RCW 9.68A.011, whichever is later.

(4) If, before the end of a period of limitation prescribed in subsection (1) of this section, an indictment has been found or a complaint or an information has been filed, and the indictment, complaint, or information is set aside, then the period of limitation is extended by a period equal to the length of time from the finding or filing to the setting aside.

**Sec. 17.** RCW 9A.44.120 and 2019 c 90 s 1 are each amended to read as follows:

(1) A statement not otherwise admissible by statute or court rule, is admissible in evidence in dependency proceedings under Title 13 RCW and criminal proceedings, including juvenile offense adjudications, in the courts of the state of Washington if:

(a)(i) It is made by a child when under the age of ten describing any act of sexual contact performed with or on the child by another, describing any attempted act of sexual contact with or on the child by another, or describing any act of physical abuse of the child by another that results in substantial bodily harm as defined by RCW 9A.04.110; or

(ii) It is made by a child when under the age of (~~(sixteen)~~)18 describing any of the following acts or attempted acts performed with or on the child: Trafficking under RCW 9A.40.100; commercial sexual abuse of a minor under RCW 9.68A.100; promoting commercial sexual abuse of a minor under RCW 9.68A.101; or promoting travel for commercial sexual abuse of a minor under RCW 9.68A.102;

(b) The court finds, in a hearing conducted outside the presence of the jury, that the time, content, and circumstances of the statement provide sufficient indicia of reliability; and

(c) The child either:

(i) Testifies at the proceedings; or

(ii) Is unavailable as a witness, except that when the child is unavailable as a witness, such statement may be admitted only if there is corroborative evidence of the act.

(2) A statement may not be admitted under this section unless the proponent of the statement makes known to the adverse party his or her intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the adverse party with a fair opportunity to prepare to meet the statement.

**Sec. 18.** RCW 9A.44.150 and 2013 c 302 s 9 are each amended to read as follows:

(1) On motion of the prosecuting attorney in a criminal proceeding, the court may order that a child under the age of (~~(fourteen)~~)18 may testify in a room outside the presence of the defendant and the jury while one-way closed-circuit television equipment simultaneously projects the child's testimony into another room so the

defendant and the jury can watch and hear the child testify if:

(a) The testimony will:

(i) Describe an act or attempted act of sexual contact performed with or on the child witness by another person or with or on a child other than the child witness by another person;

(ii) Describe an act or attempted act of physical abuse against the child witness by another person or against a child other than the child witness by another person;

(iii) Describe a violation of RCW 9A.40.100 (trafficking) or any offense identified in chapter 9.68A RCW (sexual exploitation of children); or

(iv) Describe a violent offense as defined by RCW 9.94A.030 committed against a person known by or familiar to the child witness or by a person known by or familiar to the child witness;

(b) The testimony is taken during the criminal proceeding;

(c) The court finds by substantial evidence, in a hearing conducted outside the presence of the jury, that ~~((requiring the child witness to testify in the presence of the defendant will cause the))~~:

(i) The particular child involved would be traumatized;

(ii) The source of the trauma is not the courtroom generally, but the presence of the defendant; and

(iii) The emotional or mental distress suffered by the child ~~((to suffer serious emotional or mental distress that will prevent))~~would be more than de minimis, such that the child ~~((from))~~could not reasonably ~~((communicating))~~communicate at the trial. If the defendant is excluded from the presence of the child, the jury must also be excluded;

(d) As provided in (a) and (b) of this subsection, the court may allow a child witness to testify in the presence of the defendant but outside the presence of the jury, via closed-circuit television, if the court finds, upon motion and hearing outside the presence of the jury, that ~~((the child will suffer serious emotional distress that will prevent the child from reasonably communicating at the trial in front of the jury, or, that although the child may be able to reasonably communicate at trial in front of the jury, the child will suffer serious emotional or mental distress from testifying))~~: (i) The particular child involved would be traumatized; (ii) the source of the trauma is not the courtroom generally, but the presence of the jury; and (iii) the emotional or mental distress suffered by the child would be more than de minimis, regardless of whether or not the child could reasonably communicate at the trial in front of the jury. If the child is able to communicate in front of the defendant but not the jury the defendant will remain in the room with the child while the jury is excluded from the room;

(e) The court finds that the prosecutor has made all reasonable efforts to prepare the child witness for testifying, including informing the child or the child's parent or guardian about community counseling services, giving court tours, and explaining the trial process. If the prosecutor fails

to demonstrate that preparations were implemented or the prosecutor in good faith attempted to implement them, the court shall deny the motion;

(f) The court balances the strength of the state's case without the testimony of the child witness against the defendant's constitutional rights and the degree of infringement of the closed-circuit television procedure on those rights;

(g) The court finds that no less restrictive method of obtaining the testimony exists that can adequately protect the child witness from ~~((the serious))~~suffering emotional or mental distress that would be more than de minimis;

(h) When the court allows the child witness to testify outside the presence of the defendant, the defendant can communicate constantly with the defense attorney by electronic transmission and be granted reasonable court recesses during the child's testimony for person-to-person consultation with the defense attorney;

(i) The court can communicate with the attorneys by an audio system so that the court can rule on objections and otherwise control the proceedings;

(j) All parties in the room with the child witness are on camera and can be viewed by all other parties. If viewing all participants is not possible, the court shall describe for the viewers the location of the prosecutor, defense attorney, and other participants in relation to the child;

(k) The court finds that the television equipment is capable of making an accurate reproduction and the operator of the equipment is competent to operate the equipment; and

(l) The court imposes reasonable guidelines upon the parties for conducting the filming to avoid trauma to the child witness or abuse of the procedure for tactical advantage.

The prosecutor, defense attorney, and a neutral and trained victim's advocate, if any, shall always be in the room where the child witness is testifying. The court in the court's discretion depending on the circumstances and whether the jury or defendant or both are excluded from the room where the child is testifying, may remain or may not remain in the room with the child.

(2) During the hearing conducted under subsection (1) of this section to determine whether the child witness may testify outside the presence of the defendant and/or the jury, the court may conduct the observation and examination of the child outside the presence of the defendant if:

(a) The prosecutor alleges and the court concurs that the child witness will be unable to testify in front of the defendant or ~~((will suffer severe emotional or mental distress if forced to testify in front of the defendant))~~that (i) the particular child involved would be traumatized; (ii) the source of the trauma is not the courtroom generally, but the presence of the defendant; and (iii) the emotional or mental distress suffered by the child would be more than de minimis;

(b) The defendant can observe and hear the child witness by closed-circuit television;

(c) The defendant can communicate constantly with the defense attorney during the examination of the child witness by electronic transmission and be granted reasonable court recesses during the child's examination for person-to-person consultation with the defense attorney; and

(d) The court finds the closed-circuit television is capable of making an accurate reproduction and the operator of the equipment is competent to operate the equipment. Whenever possible, all the parties in the room with the child witness shall be on camera so that the viewers can see all the parties. If viewing all participants is not possible, then the court shall describe for the viewers the location of the prosecutor, defense attorney, and other participants in relation to the child.

(3) The court shall make particularized findings on the record articulating the factors upon which the court based its decision to allow the child witness to testify via closed-circuit television pursuant to this section. The factors the court may consider include, but are not limited to, a consideration of the child's age, physical health, emotional stability, expressions by the child of fear of testifying in open court or in front of the defendant, the relationship of the defendant to the child, and the court's observations of the child's inability to reasonably communicate in front of the defendant or in open court. The court's findings shall identify the impact the factors have upon the child's ability to testify in front of the jury or the defendant or both and the specific nature of the emotional or mental trauma the child would suffer. The court shall determine whether the source of the trauma is the presence of the defendant, the jury, or both, and shall limit the use of the closed-circuit television accordingly.

(4) This section does not apply if the defendant is an attorney pro se unless the defendant has a court-appointed attorney assisting the defendant in the defense.

(5) This section may not preclude the presence of both the child witness and the defendant in the courtroom together for purposes of establishing or challenging the identification of the defendant when identification is a legitimate issue in the proceeding.

(6) The Washington supreme court may adopt rules of procedure regarding closed-circuit television procedures.

(7) All recorded tapes of testimony produced by closed-circuit television equipment shall be subject to any protective order of the court for the purpose of protecting the privacy of the child witness.

(8) Nothing in this section creates a right of the child witness to a closed-circuit television procedure in lieu of testifying in open court.

(9) The state shall bear the costs of the closed-circuit television procedure.

(10) A child witness may or may not be a victim in the proceeding.

(11) Nothing in this section precludes the court, under other circumstances arising under subsection (1)(a) of this section, from allowing a child to testify outside the presence of the defendant and the jury so

long as the testimony is presented in accordance with the standards and procedures required in this section.

**Sec. 19.** RCW 9A.82.100 and 2012 c 139 s 2 are each amended to read as follows:

(1)(a) A person who sustains injury to his or her person, business, or property by an act of criminal profiteering that is part of a pattern of criminal profiteering activity, or by an offense defined in RCW 9A.40.100, 9.68A.100, 9.68A.101, 9.68A.102, 9.68A.103, or 9A.88.070, or by a violation of RCW 9A.82.060 or 9A.82.080 may file an action in superior court for the recovery of damages and the costs of the suit, including reasonable investigative and attorney's fees.

(b) The attorney general or county prosecuting attorney may file an action: (i) On behalf of those persons injured or, respectively, on behalf of the state or county if the entity has sustained damages, or (ii) to prevent, restrain, or remedy a pattern of criminal profiteering activity, or an offense defined in RCW 9A.40.100, 9.68A.100, 9.68A.101, 9.68A.102, 9.68A.103, or 9A.88.070, or a violation of RCW 9A.82.060 or 9A.82.080.

(c) An action for damages filed by or on behalf of an injured person, the state, or the county shall be for the recovery of damages and the costs of the suit, including reasonable investigative and attorney's fees.

(d) In an action filed to prevent, restrain, or remedy a pattern of criminal profiteering activity, or an offense defined in RCW 9A.40.100, 9.68A.100, 9.68A.101, 9.68A.102, 9.68A.103, or 9A.88.070, or a violation of RCW 9A.82.060 or 9A.82.080, the court, upon proof of the violation, may impose a civil penalty not exceeding two hundred fifty thousand dollars, in addition to awarding the cost of the suit, including reasonable investigative and attorney's fees.

(2) The superior court has jurisdiction to prevent, restrain, and remedy a pattern of criminal profiteering, or an offense defined in RCW 9A.40.100, 9.68A.100, 9.68A.101, 9.68A.102, 9.68A.103, or 9A.88.070, or a violation of RCW 9A.82.060 or 9A.82.080 after making provision for the rights of all innocent persons affected by the violation and after hearing or trial, as appropriate, by issuing appropriate orders.

(3) Prior to a determination of liability, orders issued under subsection (2) of this section may include, but are not limited to, entering restraining orders or prohibitions or taking such other actions, including the acceptance of satisfactory performance bonds, in connection with any property or other interest subject to damages, forfeiture, or other restraints pursuant to this section as the court deems proper. The orders may also include attachment, receivership, or injunctive relief in regard to personal or real property pursuant to Title 7 RCW. In shaping the reach or scope of receivership, attachment, or injunctive relief, the superior court shall provide for the protection of bona fide interests in

property, including community property, of persons who were not involved in the violation of this chapter, except to the extent that such interests or property were acquired or used in such a way as to be subject to forfeiture under RCW 9A.82.100(4) (f).

(4) Following a determination of liability, orders may include, but are not limited to:

(a) Ordering any person to divest himself or herself of any interest, direct or indirect, in any enterprise.

(b) Imposing reasonable restrictions on the future activities or investments of any person, including prohibiting any person from engaging in the same type of endeavor as the enterprise engaged in, the activities of which affect the laws of this state, to the extent the Constitutions of the United States and this state permit.

(c) Ordering dissolution or reorganization of any enterprise.

(d) Ordering the payment of actual damages sustained to those persons injured by a violation of RCW 9A.82.060 or 9A.82.080, or an offense defined in RCW 9A.40.100, 9.68A.100, 9.68A.101, 9.68A.102, 9.68A.103, or 9A.88.070, or an act of criminal profiteering that is part of a pattern of criminal profiteering, and in the court's discretion, increasing the payment to an amount not exceeding three times the actual damages sustained.

(e) Ordering the payment of all costs and expenses of the prosecution and investigation of a pattern of criminal profiteering, or an offense defined in RCW 9A.40.100, 9.68A.100, 9.68A.101, 9.68A.102, 9.68A.103, or 9A.88.070, activity or a violation of RCW 9A.82.060 or 9A.82.080, civil and criminal, incurred by the state or county, including any costs of defense provided at public expense, as appropriate to the state general fund or the antiprofitteering revolving fund of the county.

(f) Ordering forfeiture first as restitution to any person damaged by an act of criminal profiteering that is part of a pattern of criminal profiteering, or by an offense defined in RCW 9A.40.100, then to the state general fund or antiprofitteering revolving fund of the county, as appropriate, to the extent not already ordered to be paid in other damages, of the following:

(i) Any property or other interest acquired or maintained in violation of RCW 9A.82.060 or 9A.82.080 to the extent of the investment of funds, and any appreciation or income attributable to the investment, from a violation of RCW 9A.82.060 or 9A.82.080.

(ii) Any property, contractual right, or claim against property used to influence any enterprise that a person has established, operated, controlled, conducted, or participated in the conduct of, in violation of RCW 9A.82.060 or 9A.82.080.

(iii) All proceeds traceable to or derived from an offense included in the pattern of criminal profiteering activity, or an offense defined in RCW 9A.40.100, 9.68A.100, 9.68A.101, 9.68A.102, 9.68A.103, or 9A.88.070, and all moneys, negotiable instruments, securities, and other things of

value significantly used or intended to be used significantly to facilitate commission of the offense.

(g) Ordering payment to the state general fund or antiprofitteering revolving fund of the county, as appropriate, of an amount equal to the gain a person has acquired or maintained through an offense included in the definition of criminal profiteering.

(5) In addition to or in lieu of an action under this section, the attorney general or county prosecuting attorney may file an action for forfeiture to the state general fund or antiprofitteering revolving fund of the county, as appropriate, to the extent not already ordered paid pursuant to this section, of the following:

(a) Any interest acquired or maintained by a person in violation of RCW 9A.82.060 or 9A.82.080 to the extent of the investment of funds obtained from a violation of RCW 9A.82.060 or 9A.82.080 and any appreciation or income attributable to the investment.

(b) Any property, contractual right, or claim against property used to influence any enterprise that a person has established, operated, controlled, conducted, or participated in the conduct of, in violation of RCW 9A.82.060 or 9A.82.080.

(c) All proceeds traceable to or derived from an offense included in the pattern of criminal profiteering activity, or an offense defined in RCW 9A.40.100, 9.68A.100, 9.68A.101, 9.68A.102, 9.68A.103, or 9A.88.070, and all moneys, negotiable instruments, securities, and other things of value significantly used or intended to be used significantly to facilitate the commission of the offense.

(6) A defendant convicted in any criminal proceeding is precluded in any civil proceeding from denying the essential allegations of the criminal offense proven in the criminal trial in which the defendant was convicted. For the purposes of this subsection, a conviction shall be deemed to have occurred upon a verdict, finding, or plea of guilty, notwithstanding the fact that appellate review of the conviction and sentence has been or may be sought. If a subsequent reversal of the conviction occurs, any judgment that was based upon that conviction may be reopened upon motion of the defendant.

(7) The initiation of civil proceedings under this section shall be commenced within the later of the following periods:

(a) Within three years after discovery of the pattern of criminal profiteering activity or after the pattern should reasonably have been discovered; or ((-in))

(b) In the case of an offense that is defined in RCW 9A.40.100, ((within)) 9.68A.100, 9.68A.101, 9.68A.102, and 9.68A.103:

(i) Within three years of the act alleged to have caused the injury or condition;

(ii) Within three years of the time the victim discovered or reasonably should have discovered that the injury or condition was caused by said act;

(iii) Within three years of the time the victim discovered that the act caused the injury for which the claim is brought; or

(iv) Within three years after the final disposition of any criminal charges relating to the offense (~~(, whichever is later)~~).

(8) The attorney general or county prosecuting attorney may, in a civil action brought pursuant to this section, file with the clerk of the superior court a certificate stating that the case is of special public importance. A copy of that certificate shall be furnished immediately by the clerk to the presiding chief judge of the superior court in which the action is pending and, upon receipt of the copy, the judge shall immediately designate a judge to hear and determine the action. The judge so designated shall promptly assign the action for hearing, participate in the hearings and determination, and cause the action to be expedited.

(9) The standard of proof in actions brought pursuant to this section is the preponderance of the evidence test.

(10) A person other than the attorney general or county prosecuting attorney who files an action under this section shall serve notice and one copy of the pleading on the attorney general within thirty days after the action is filed with the superior court. The notice shall identify the action, the person, and the person's attorney. Service of the notice does not limit or otherwise affect the right of the state to maintain an action under this section or intervene in a pending action nor does it authorize the person to name the state or the attorney general as a party to the action.

(11) Except in cases filed by a county prosecuting attorney, the attorney general may, upon timely application, intervene in any civil action or proceeding brought under this section if the attorney general certifies that in the attorney general's opinion the action is of special public importance. Upon intervention, the attorney general may assert any available claim and is entitled to the same relief as if the attorney general had instituted a separate action.

(12) In addition to the attorney general's right to intervene as a party in any action under this section, the attorney general may appear as amicus curiae in any proceeding in which a claim under this section has been asserted or in which a court is interpreting RCW 9A.82.010, 9A.82.080, 9A.82.090, 9A.82.110, or 9A.82.120, or this section.

(13) A private civil action under this section does not limit any other civil or criminal action under this chapter or any other provision. Private civil remedies provided under this section are supplemental and not mutually exclusive.

(14) Upon motion by the defendant, the court may authorize the sale or transfer of assets subject to an order or lien authorized by this chapter for the purpose of paying actual attorney's fees and costs of defense. The motion shall specify the assets for which sale or transfer is sought and shall be accompanied by the defendant's sworn statement that the defendant has no other assets available for such purposes. No order authorizing such sale or transfer may be entered unless the court finds that the

assets involved are not subject to possible forfeiture under RCW 9A.82.100(4)(f). Prior to disposition of the motion, the court shall notify the state of the assets sought to be sold or transferred and shall hear argument on the issue of whether the assets are subject to forfeiture under RCW 9A.82.100(4)(f). Such a motion may be made from time to time and shall be heard by the court on an expedited basis.

(15) In an action brought under subsection (1)(a) and (b)(i) of this section, either party has the right to a jury trial.

#### PART V - VICTIM PRIVACY

**Sec. 20.** RCW 10.97.130 and 2019 c 300 s 2 are each amended to read as follows:

(1) Information revealing the specific details that describe the alleged or proven child victim of sexual assault or commercial sexual exploitation under age ~~((eighteen))~~18, or the identity or contact information of an alleged or proven child victim of sexual assault or commercial sexual exploitation under age ~~((eighteen))~~18 is confidential and not subject to release to the press or public without the permission of the child victim and the child's legal guardian. Identifying information includes the child victim's name, addresses, location, photographs, and in cases in which the child victim is a relative, stepchild, or stepsibling of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator. Contact information includes phone numbers, email addresses, social media profiles, and user names and passwords. Contact information or information identifying the child victim of sexual assault or commercial sexual exploitation may be released to law enforcement, prosecutors, judges, defense attorneys, or private or governmental agencies that provide services to the child victim of sexual assault. Prior to release of any criminal history record information, the releasing agency shall delete any contact information or information identifying a child victim of sexual assault or commercial sexual exploitation from the information except as provided in this section.

(2) This section does not apply to court documents or other materials admitted in open judicial proceedings.

(3) For purposes of this section, "commercial sexual exploitation" has the same meaning as in RCW 7.105.010.

**Sec. 21.** RCW 42.56.240 and 2022 c 268 s 31 are each amended to read as follows:

The following investigative, law enforcement, and crime victim information is exempt from public inspection and copying under this chapter:

(1) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is

essential to effective law enforcement or for the protection of any person's right to privacy;

(2) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the commission, if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath;

(3) Any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington association of sheriffs and police chiefs for permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b);

(4) License applications under RCW 9.41.070, except that copies of license applications or information on the applications may be released to law enforcement or corrections agencies or to persons and entities as authorized under RCW 9.41.815;

(5) (a) Information revealing the specific details that describe an alleged or proven child victim of sexual assault or commercial sexual exploitation under age ~~((eighteen))~~18, or the identity or contact information of an alleged or proven child victim of sexual assault or commercial sexual exploitation who is under age ~~((eighteen))~~18. Identifying information includes the child victim's name, addresses, location, photograph, and in cases in which the child victim is a relative, stepchild, or stepsibling of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator. Contact information includes phone numbers, email addresses, social media profiles, and user names and passwords.

(b) For purposes of this subsection (5), "commercial sexual exploitation" has the same meaning as in RCW 7.105.010;

(6) Information contained in a local or regionally maintained gang database as well as the statewide gang database referenced in RCW 43.43.762;

(7) Data from the electronic sales tracking system established in RCW 69.43.165;

(8) Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(6) by a person for the purpose of receiving notification regarding a registered sex offender, including the person's name, residential address, and email address;

(9) Personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs. Nothing in this subsection shall be

interpreted so as to prohibit the legal owner of a residence or business from accessing information regarding his or her residence or business;

(10) The felony firearm offense conviction database of felony firearm offenders established in RCW 43.43.822;

(11) The identity of a state employee or officer who has in good faith filed a complaint with an ethics board, as provided in RCW 42.52.410, or who has in good faith reported improper governmental action, as defined in RCW 42.40.020, to the auditor or other public official, as defined in RCW 42.40.020;

(12) The following security threat group information collected and maintained by the department of corrections pursuant to RCW 72.09.745: (a) Information that could lead to the identification of a person's security threat group status, affiliation, or activities; (b) information that reveals specific security threats associated with the operation and activities of security threat groups; and (c) information that identifies the number of security threat group members, affiliates, or associates;

(13) The global positioning system data that would indicate the location of the residence of an employee or worker of a criminal justice agency as defined in RCW 10.97.030;

(14) Body worn camera recordings to the extent nondisclosure is essential for the protection of any person's right to privacy as described in RCW 42.56.050, including, but not limited to, the circumstances enumerated in (a) of this subsection. A law enforcement or corrections agency shall not disclose a body worn camera recording to the extent the recording is exempt under this subsection.

(a) Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050 to the extent it depicts:

(i)(A) Any areas of a medical facility, counseling, or therapeutic program office where:

(I) A patient is registered to receive treatment, receiving treatment, waiting for treatment, or being transported in the course of treatment; or

(II) Health care information is shared with patients, their families, or among the care team; or

(B) Information that meets the definition of protected health information for purposes of the health insurance portability and accountability act of 1996 or health care information for purposes of chapter 70.02 RCW;

(ii) The interior of a place of residence where a person has a reasonable expectation of privacy;

(iii) An intimate image;

(iv) A minor;

(v) The body of a deceased person;

(vi) The identity of or communications from a victim or witness of an incident involving domestic violence as defined in RCW 10.99.020 or sexual assault as defined in RCW 70.125.030, or disclosure of intimate images as defined in RCW 9A.86.010. If at the time of recording the victim or witness indicates a desire for disclosure or

nondisclosure of the recorded identity or communications, such desire shall govern; or

(vii) The identifiable location information of a community-based domestic violence program as defined in RCW 70.123.020, or emergency shelter as defined in RCW 70.123.020.

(b) The presumptions set out in (a) of this subsection may be rebutted by specific evidence in individual cases.

(c) In a court action seeking the right to inspect or copy a body worn camera recording, a person who prevails against a law enforcement or corrections agency that withholds or discloses all or part of a body worn camera recording pursuant to (a) of this subsection is not entitled to fees, costs, or awards pursuant to RCW 42.56.550 unless it is shown that the law enforcement or corrections agency acted in bad faith or with gross negligence.

(d) A request for body worn camera recordings must:

(i) Specifically identify a name of a person or persons involved in the incident;

(ii) Provide the incident or case number;

(iii) Provide the date, time, and location of the incident or incidents; or

(iv) Identify a law enforcement or corrections officer involved in the incident or incidents.

(e) (i) A person directly involved in an incident recorded by the requested body worn camera recording, an attorney representing a person directly involved in an incident recorded by the requested body worn camera recording, a person or his or her attorney who requests a body worn camera recording relevant to a criminal case involving that person, or the executive director from either the Washington state commission on African American affairs, Asian Pacific American affairs, or Hispanic affairs, has the right to obtain the body worn camera recording, subject to any exemption under this chapter or any applicable law. In addition, an attorney who represents a person regarding a potential or existing civil cause of action involving the denial of civil rights under the federal or state Constitution, or a violation of a United States department of justice settlement agreement, has the right to obtain the body worn camera recording if relevant to the cause of action, subject to any exemption under this chapter or any applicable law. The attorney must explain the relevancy of the requested body worn camera recording to the cause of action and specify that he or she is seeking relief from redaction costs under this subsection (14) (e).

(ii) A law enforcement or corrections agency responding to requests under this subsection (14) (e) may not require the requesting individual to pay costs of any redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of a body worn camera recording.

(iii) A law enforcement or corrections agency may require any person requesting a body worn camera recording pursuant to this subsection (14) (e) to identify himself or herself to ensure he or she is a person entitled to obtain the body worn camera recording under this subsection (14) (e).

(f) (i) A law enforcement or corrections agency responding to a request to disclose body worn camera recordings may require any requester not listed in (e) of this subsection to pay the reasonable costs of redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of the body worn camera recording prior to disclosure only to the extent necessary to comply with the exemptions in this chapter or any applicable law.

(ii) An agency that charges redaction costs under this subsection (14) (f) must use redaction technology that provides the least costly commercially available method of redacting body worn camera recordings, to the extent possible and reasonable.

(iii) In any case where an agency charges a requestor for the costs of redacting a body worn camera recording under this subsection (14) (f), the time spent on redaction of the recording shall not count towards the agency's allocation of, or limitation on, time or costs spent responding to public records requests under this chapter, as established pursuant to local ordinance, policy, procedure, or state law.

(g) For purposes of this subsection (14):

(i) "Body worn camera recording" means a video and/or sound recording that is made by a body worn camera attached to the uniform or eyewear of a law enforcement or corrections officer while in the course of his or her official duties; and

(ii) "Intimate image" means an individual or individuals engaged in sexual activity, including sexual intercourse as defined in RCW 9A.44.010 and masturbation, or an individual's intimate body parts, whether nude or visible through less than opaque clothing, including the genitals, pubic area, anus, or postpubescent female nipple.

(h) Nothing in this subsection shall be construed to restrict access to body worn camera recordings as otherwise permitted by law for official or recognized civilian and accountability bodies or pursuant to any court order.

(i) Nothing in this section is intended to modify the obligations of prosecuting attorneys and law enforcement under *Brady v. Maryland*, 373 U.S. 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963), *Kyles v. Whitley*, 541 U.S. 419, 115 S. Ct. 1555, 131 L. Ed.2d 490 (1995), and the relevant Washington court criminal rules and statutes.

(j) A law enforcement or corrections agency must retain body worn camera recordings for at least ~~(sixty)~~ 60 days and thereafter may destroy the records in accordance with the applicable records retention schedule;

(15) Any records and information contained within the statewide sexual assault kit tracking system established in RCW 43.43.545;

(16) (a) Survivor communications with, and survivor records maintained by, campus-affiliated advocates.

(b) Nothing in this subsection shall be construed to restrict access to records maintained by a campus-affiliated advocate in the event that:

(i) The survivor consents to inspection or copying;

(ii) There is a clear, imminent risk of serious physical injury or death of the survivor or another person;

(iii) Inspection or copying is required by federal law; or

(iv) A court of competent jurisdiction mandates that the record be available for inspection or copying.

(c) "Campus-affiliated advocate" and "survivor" have the definitions in RCW 28B.112.030;

(17) Information and records prepared, owned, used, or retained by the Washington association of sheriffs and police chiefs and information and records prepared, owned, used, or retained by the Washington state patrol pursuant to chapter 261, Laws of 2017; and

(18) Any and all audio or video recordings of child forensic interviews as defined in chapter 26.44 RCW. Such recordings are confidential and may only be disclosed pursuant to a court order entered upon a showing of good cause and with advance notice to the child's parent, guardian, or legal custodian. However, if the child is an emancipated minor or has attained the age of majority as defined in RCW 26.28.010, advance notice must be to the child. Failure to disclose an audio or video recording of a child forensic interview as defined in chapter 26.44 RCW is not grounds for penalties or other sanctions available under this chapter.

**PART VI - MISCELLANEOUS**

NEW SECTION. **Sec. 22.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 23.** This act takes effect July 1, 2025."

Correct the title.

Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Appropriations

February 20, 2024

ESSB 6009 Prime Sponsor, Law & Justice: Prohibiting the use of hog-tying. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse and Ramos.

MINORITY recommendation: Without recommendation. Signed by Representative Graham.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 6015

Prime Sponsor, Local Government, Land Use & Tribal Affairs: Concerning residential parking configurations. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A RCW to read as follows:

Cities and counties planning under this chapter shall enforce land use regulations for residential development as provided in this section:

(1) Garages and carports may not be required as a way to meet minimum parking requirements for residential development;

(2) Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed;

(3) Parking spaces in tandem must count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius. For purposes of this subsection, "tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress;

(4) Existence of legally nonconforming gravel surfacing in existing designated parking areas may not be a reason for prohibiting utilization of existing space in the parking area to meet local parking standards, up to a maximum of six parking spaces;

(5) Parking spaces may not be required to exceed eight feet by 20 feet, except for required parking for people with disabilities;

(6) Any county planning under this chapter, and any cities within those counties with a population greater than 6,000, may not require off-street parking as a condition of permitting a residential project if compliance with tree retention would otherwise make a proposed residential development or redevelopment infeasible; and

(7) Parking spaces that consist of grass block pavers may count toward minimum parking requirements."

Correct the title.

Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Berg; Griffey and Riccelli.

MINORITY recommendation: Without recommendation. Signed by Representative Jacobsen, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

February 21, 2024

SB 6027

Prime Sponsor, Senator Stanford: Concerning the insurance holding company act. Reported by Committee on Consumer Protection & Business



MAJORITY recommendation: Do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman; Connors; Corry; Donaghy; Hackney; Ryu; Sandlin; Santos and Volz.

Referred to Committee on Rules for second reading

February 21, 2024

ESSB 6038 Prime Sponsor, Ways & Means: Reducing the costs associated with providing child care. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives Dent; and Walsh.

Referred to Committee on Finance

February 20, 2024

ESSB 6039 Prime Sponsor, Environment, Energy & Technology: Promoting the development of geothermal energy resources. Reported by Committee on Environment & Energy

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 43.92 RCW to read as follows:

(1) The geological survey shall compile and maintain a comprehensive database of publicly available subsurface geologic information relating to Washington state. The geological survey must make the database available to the public in a searchable format via the geological survey's website.

(2) The subsurface geologic information contained on the website should include, but is not limited to, the following:

- (a) Temperature gradient logs;
- (b) Geothermal well records;
- (c) High resolution magnetotelluric surveys;
- (d) High resolution gravity surveys;
- (e) Geothermal play fairway studies;
- (f) Three-dimensional reflection seismic surveys; and
- (g) Rock properties databases.

(3) The geological survey must:

(a) Coordinate with federal, state, and local agencies, and tribal governments, to compile existing subsurface geologic information;

(b) Acquire, process, and analyze new subsurface geologic data and update deficient data using the best practicable technology;

(c) Using available data, characterize the hazard of induced seismicity for high-potential geothermal play areas. Results of induced seismicity hazard studies must be

made publicly available and updated as new information is available; and

(d) Provide technical assistance on the proper interpretation and application of subsurface geologic data and hazard assessments.

Sec. 2. RCW 79.13.530 and 2003 c 334 s 465 are each amended to read as follows:

(1) In an effort to increase potential revenue to the geothermal account, the department shall, by December 1, 1991, adopt rules providing guidelines and procedures for leasing state-owned land for the development of geothermal resources.

(2)(a) By September 30, 2024, the department must commence rule making to update its geothermal resources lease rates. The updated geothermal resources lease rates must comply with the terms established in this section.

(b) Geothermal resources lease rates must be competitive with geothermal resources lease rates adopted by the federal government and by other states in the western portion of the United States.

(c) The goal of the updated geothermal resources lease rates must be to optimize the state's competitiveness at attracting geothermal exploration and development projects while balancing the state's obligation to trust beneficiaries and not adversely impacting the rights of federally recognized Indian tribes.

NEW SECTION. Sec. 3. A new section is added to chapter 43.31 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, a competitive geothermal exploration cost-share grant program is established in order to incentivize deep exploratory drilling to identify locations suitable for the development of geothermal energy.

(2) Grants may be awarded to offset the direct costs associated with the expense of conducting deep exploratory drilling for the purpose of identifying locations in Washington suitable for the development of geothermal energy.

(3) The department of commerce must consult with the Washington geological survey to develop a method and criteria for the allocation of grants, subject to the following:

(a) Proposed exploratory drilling projects should be located in areas of high geothermal potential not impacting the rights of federally recognized Indian tribes;

(b) Grant applicants should possess, or should demonstrate a partnership or other form of relationship with entities who possess, demonstrated expertise in successful geothermal exploration;

(c) Grant applicants should meet high labor standards, including family sustaining wages, providing benefits including health care and employer-contributed retirement plans, career development opportunities, and must maximize access to economic benefits from exploratory projects for local workers;

(d) Selection and implementation of exploratory drilling projects should align with equity and environmental justice principles as established in chapter 70A.02 RCW;

(e) Grant awards must be available to private, public, and federally recognized tribal applicants. Grant awards to private grant applicants should be for no more than one-half of the overall cost of the project and grant awards to public grant applicants should be for no more than two-thirds of the overall cost of the project;

(f) Grant applicants must demonstrate that they have, or that they will have by the time of the execution of a grant agreement, site control of the site that is the subject of the exploration effort, either through an ownership interest or through a lease agreement that provides access to the site and the right to drill to the proposed depth;

(g) The grant application must demonstrate the applicant's engagement efforts with the local community to provide information about the potential project;

(h) If any fluid is proposed to be injected as part of the exploratory drilling, the grant applicant must:

(i) Include an analysis of any potential for induced seismicity as a result of the injection, as well as a plan for the management of the risk of induced seismicity; and

(ii) Consult with the department of ecology and, if applicable, comply with underground injection control standards and groundwater antidegradation standards as directed in chapter 90.48 RCW;

(i) The award of grants will seek to broaden the state's knowledge of geothermal resources, with a preference given to high impact projects in favorable geologic settings that have been comparatively underexplored; and

(j) All results of any exploratory drilling performed with grant funds must be made publicly available and must be submitted to the Washington geological survey for inclusion in the database created pursuant to section 1 of this act.

(4) In the course of administering the geothermal exploration cost-share grant program, the department of commerce shall make a reasonable effort to utilize the United States department of energy recommendations and guidelines concerning enhanced geothermal demonstration projects in the western states.

NEW SECTION.

**Sec. 4.**

(1) The department of ecology, in consultation with the department of commerce, the department of natural resources, the department of fish and wildlife, and the department of archaeology and historic preservation, shall engage in a collaborative process to identify opportunities and risks associated with the development of geothermal resources in three locations with the highest geothermal potential in Washington. The department of natural resources must identify these three locations.

(2)(a) As part of the geothermal resources collaborative process, the

department of ecology must engage in meaningful government-to-government consultation with potentially affected federally recognized Indian tribes by learning from each participating tribe about their communication protocols for consultation and must seek participation from the department of archaeology and historic preservation, other state agencies as appropriate, local governments, state research institutions, participants in Washington's electrical generation, transmission, and distribution sector, and environmental organizations. At the request of potentially affected federally recognized Indian tribes, the department of ecology may include additional participation with independent subject matter expertise.

(b) Subject to the availability of amounts appropriated for this specific purpose, the department of ecology shall provide grants to potentially affected federally recognized Indian tribes to provide capacity and to support their evaluation of the cultural, natural resource, and other impacts of geothermal electricity development and to support their participation in the collaborative process established in this section.

(3) The geothermal resources collaborative process must identify and provide recommendations on, at a minimum, the following topics:

(a) The potential impacts of geothermal resources development, including impacts to:

(i) Rights, interests, and resources, including tribal cultural resources, of potentially affected federally recognized Indian tribes;

(ii) State or federal endangered species act listed species in Washington; and

(iii) Overburdened communities;

(b) The development of factors to guide the identification of preferable sites for the development of geothermal resources including, but not limited to, geologic suitability, proximity to electrical transmission and distribution infrastructure, and continuity between groundwater and surface water resources; and

(c) The capacity for geothermal resources in Washington to help the state meet its clean energy generation requirements and greenhouse gas emissions limits.

(4) The department of ecology must commence the geothermal resources collaborative process by November 30, 2024. The department of ecology must provide the appropriate committees of the legislature an update on the status of the collaborative process by June 30, 2026. The department of ecology must provide the appropriate committees of the legislature with a final report on the collaborative process by June 30, 2027.

(5) The interagency clean energy siting coordinating council must support the department of ecology during the collaborative process. The interagency clean energy siting coordinating council must consider the findings of the interim update and final report and make recommendations to the legislature and governor on potential actions regarding the development of geothermal energy, as appropriate. Based on the findings of the collaborative process,

the interagency clean energy siting coordinating council must identify key factors for consideration in planning and siting of geothermal facilities. These key factors include, but are not limited to, geologic suitability, water resource impacts, impacts to the rights of federally recognized Indian tribes, and proximity to electrical transmission and distribution infrastructure."

Correct the title.

Signed by Representatives Doglio, Chair; Mena, Vice Chair; Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Berry; Duerr; Fey; Gohner; Lekanoff; Ramel; Sandlin; Slatter and Street.

Referred to Committee on Capital Budget

February 20, 2024

E2SSB 6058 Prime Sponsor, Ways & Means: Facilitating linkage of Washington's carbon market with the California-Quebec carbon market. Reported by Committee on Environment & Energy

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 70A.65.010 and 2022 c 181 s 10 are each amended to read as follows:

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

(1) "Allowance" means an authorization to emit up to one metric ton of carbon dioxide equivalent.

(2) "Allowance price containment reserve" means an account maintained by the department with allowances available for sale through separate reserve auctions at predefined prices to assist in containing compliance costs for covered and opt-in entities in the event of unanticipated high costs for compliance instruments.

(3) "Annual allowance budget" means the total number of greenhouse gas allowances allocated for auction and distribution for one calendar year by the department.

(4) "Asset controlling supplier" means any entity that owns or operates interconnected electricity generating facilities or serves as an exclusive marketer for these facilities even though it does not own them, and has been designated by the department and received a department-published emissions factor for the wholesale electricity procured from its system. The department shall use a methodology consistent with the methodology used by an external greenhouse gas emissions trading program that shares the regional electricity transmission system. Electricity from an asset controlling supplier is considered a specified source of electricity.

(5) "Auction" means the process of selling greenhouse gas allowances by offering them up for bid, taking bids, and then distributing the allowances to winning bidders.

(6) "Auction floor price" means a price for allowances below which bids at auction are not eligible to be accepted.

(7) "Auction purchase limit" means the limit on the number of allowances one registered entity or a group of affiliated registered entities may purchase from the share of allowances sold at an auction.

(8) "Balancing authority" means the responsible entity that integrates resource plans ahead of time, maintains load-interchange-generation balance within a balancing authority area, and supports interconnection frequency in real time.

(9) "Balancing authority area" means the collection of generation, transmission, and load within the metered boundaries of a balancing authority. A balancing authority maintains load-resource balance within this area.

(10) "Best available technology" means a technology or technologies that will achieve the greatest reduction in greenhouse gas emissions, taking into account the fuels, processes, and equipment used by facilities to produce goods of comparable type, quantity, and quality. Best available technology must be technically feasible, commercially available, economically viable, not create excessive environmental impacts, and be compliant with all applicable laws while not changing the characteristics of the good being manufactured.

(11) "Biomass" means nonfossilized and biodegradable organic material originating from plants, animals, and microorganisms, including products, by-products, residues, and waste from agriculture, forestry, and related industries as well as the nonfossilized and biodegradable organic fractions of municipal wastewater and industrial waste, including gases and liquids recovered from the decomposition of nonfossilized and biodegradable organic material.

(12) "Biomass-derived fuels," "biomass fuels," or "biofuels" means ~~((fuels derived from biomass that have at least 40 percent lower greenhouse gas emissions based on a full life-cycle analysis when compared to petroleum fuels for which biofuels are capable as serving as a substitute))~~ whichever of the following fuels derived from biomass has lower associated life-cycle greenhouse gas emissions: (a) Fuels that have at least 30 percent lower greenhouse gas emissions based on a full life-cycle analysis when compared to petroleum fuels for which biofuels are capable as serving as a substitute; or (b) fuels that meet a standard adopted by the department by rule that align with the definition of biofuel, or other standards applicable to biofuel, established by a jurisdiction with which the department has entered into a linkage agreement.

(13) "Carbon dioxide equivalents" means a measure used to compare the emissions from various greenhouse gases based on their global warming potential.

(14) "Carbon dioxide removal" means deliberate human activities removing carbon dioxide from the atmosphere and durably storing it in geological, terrestrial, or ocean reservoirs, or in products. "Carbon dioxide removal" includes existing and

potential anthropogenic enhancement of biological or geochemical sinks and including, but not limited to, carbon mineralization and direct air capture and storage.

(15) "Climate commitment" means the process and mechanisms to ensure a coordinated and strategic approach to advancing climate resilience and environmental justice and achieving an equitable and inclusive transition to a carbon neutral economy.

(16) "Climate resilience" is the ongoing process of anticipating, preparing for, and adapting to changes in climate and minimizing negative impacts to our natural systems, infrastructure, and communities. For natural systems, increasing climate resilience involves restoring and increasing the health, function, and integrity of our ecosystems and improving their ability to absorb and recover from climate-affected disturbances. For communities, increasing climate resilience means enhancing their ability to understand, prevent, adapt, and recover from climate impacts to people and infrastructure.

(17) "Closed facility" means a facility at which the current owner or operator has elected to permanently stop production and will no longer be an emissions source.

(18) "Compliance instrument" means an allowance or offset credit issued by the department or by an external greenhouse gas emissions trading program to which Washington has linked its greenhouse gas emissions cap and invest program. One compliance instrument is equal to one metric ton of carbon dioxide equivalent.

(19) "Compliance obligation" means the requirement to submit to the department the number of compliance instruments equivalent to a covered or opt-in entity's covered emissions during the compliance period.

(20) "Compliance period" means the four-year period, except as provided in RCW 70A.65.070(1)(a)(ii), for which the compliance obligation is calculated for covered entities.

(21) "Cost burden" means the impact on rates or charges to customers of electric utilities in Washington state for the incremental cost of electricity service to serve load due to the compliance cost for greenhouse gas emissions caused by the program. Cost burden includes administrative costs from the utility's participation in the program.

(22) "Covered emissions" means the emissions for which a covered entity has a compliance obligation under RCW 70A.65.080.

(23) "Covered entity" means a person that is designated by the department as subject to RCW 70A.65.060 through 70A.65.210.

(24) "Cumulative environmental health impact" has the same meaning as provided in RCW 70A.02.010.

(25) "Curtailed facility" means a facility at which the owner or operator has temporarily suspended production but for which the owner or operator maintains operating permits and retains the option to resume production if conditions become amenable.

(26) "Department" means the department of ecology.

(27) "Electricity importer" means:

(a) For electricity that is scheduled with a NERC e-tag to a final point of delivery into a balancing authority area located entirely within the state of Washington, the electricity importer is identified on the NERC e-tag as the purchasing-selling entity on the last segment of the tag's physical path with the point of receipt located outside the state of Washington and the point of delivery located inside the state of Washington;

(b) For facilities physically located outside the state of Washington with the first point of interconnection to a balancing authority area located entirely within the state of Washington when the electricity is not scheduled on a NERC e-tag, the electricity importer is the facility operator or owner;

(c) For electricity imported through a centralized market, the electricity importer will be defined by rule consistent with the rules required under RCW 70A.65.080(1)(c);

(d) For electricity provided as balancing energy in the state of Washington, including balancing energy that is also inside a balancing authority area that is not located entirely within the state of Washington, the electricity importer may be defined by the department by rule;

(e) For electricity from facilities allocated to serve retail electricity customers of a multijurisdictional electric company, the electricity importer is the multijurisdictional electric company;

~~((e))~~ (f) If the importer identified under (a) of this subsection is a federal power marketing administration over which the state of Washington does not have jurisdiction, and the federal power marketing administration has not voluntarily elected to comply with the program, then the electricity importer is the next purchasing-selling entity in the physical path on the NERC e-tag, or if no additional purchasing-selling entity over which the state of Washington has jurisdiction, then the electricity importer is the electric utility that operates the Washington transmission or distribution system, or the generation balancing authority;

~~((f))~~ (g) For electricity that is imported into the state by a federal power marketing administration and sold to a public body or cooperative customer or direct service industrial customer located in Washington pursuant to section 5(b) or (d) of the Pacific Northwest electric power planning and conservation act of 1980, P.L. 96-501, the electricity importer is the federal marketing administration;

~~((g))~~ (h) If the importer identified under ~~((f))~~ (g) of this subsection has not voluntarily elected to comply with the program, then the electricity importer is the public body or cooperative customer or direct service industrial customer; ~~((e)~~

~~(h))~~ (i) For electricity from facilities allocated to a consumer-owned utility inside the state of Washington from a multijurisdictional consumer-owned utility, the electricity importer is the consumer-owned utility inside the state of Washington; or

(j) For imported electricity not otherwise assigned an electricity importer by this subsection, the electricity importer may be defined by the department by rule.

(28) "Emissions containment reserve allowance" means a conditional allowance that is withheld from sale at an auction by the department or its agent to secure additional emissions reductions in the event prices fall below the emissions containment reserve trigger price.

(29) "Emissions containment reserve trigger price" means the price below which allowances will be withheld from sale by the department or its agent at an auction, as determined by the department by rule.

(30) "Emissions threshold" means the greenhouse gas emission level at or above which a person has a compliance obligation.

(31) "Environmental benefits" has the same meaning as defined in RCW 70A.02.010.

(32) "Environmental harm" has the same meaning as defined in RCW 70A.02.010.

(33) "Environmental impacts" has the same meaning as defined in RCW 70A.02.010.

(34) "Environmental justice" has the same meaning as defined in RCW 70A.02.010.

(35) "Environmental justice assessment" has the same meaning as identified in RCW 70A.02.060.

(36) "External greenhouse gas emissions trading program" means a government program, other than Washington's program created in this chapter, that restricts greenhouse gas emissions from sources outside of Washington and that allows emissions trading.

(37) "Facility" means any physical property, plant, building, structure, source, or stationary equipment located on one or more contiguous or adjacent properties in actual physical contact or separated solely by a public roadway or other public right-of-way and under common ownership or common control, that emits or may emit any greenhouse gas.

(38) "First jurisdictional deliverer" means the owner or operator of an electric generating facility in Washington or an electricity importer.

(39) "General market participant" means a registered entity that is not identified as a covered entity or an opt-in entity that is registered in the program registry and intends to purchase, hold, sell, or voluntarily retire compliance instruments.

(40) "Greenhouse gas" has the same meaning as in RCW 70A.45.010.

(41) "Holding limit" means the maximum number of allowances that may be held for use or trade by a registered entity at any one time.

(42) "Imported electricity" means electricity generated outside the state of Washington with a final point of delivery within the state.

(a) "Imported electricity" includes electricity from an organized market, such as the energy imbalance market.

(b) "Imported electricity" includes imports from linked jurisdictions, but such imports shall be construed as having no emissions.

(c) Electricity from a system that is marketed by a federal power marketing administration shall be construed as

"imported electricity," not electricity generated in the state of Washington.

(d) "Imported electricity" does not include any electricity ((imports of unspecified electricity that are netted by exports of unspecified electricity to any jurisdiction not covered by a linked program by the same entity within the same hour)) that the department determines by rule to be: (i) Wheeled through the state; or (ii) separately accounted for in this chapter.

(e) For a multijurisdictional electric company, "imported electricity" means electricity, other than from in-state facilities, that contributes to a common system power pool. Where a multijurisdictional electric company has a cost allocation methodology approved by the utilities and transportation commission, the allocation of specific facilities to Washington's retail load will be in accordance with that methodology.

(f) For a multijurisdictional consumer-owned utility, "imported electricity" includes electricity from facilities that contribute to a common system power pool that are allocated to a consumer-owned utility inside the state of Washington pursuant to a methodology approved by the governing board of the consumer-owned utility.

(43) "Leakage" means a reduction in emissions of greenhouse gases within the state that is offset by a directly attributable increase in greenhouse gas emissions outside the state and outside the geography of another jurisdiction with a linkage agreement with Washington.

(44) "Limits" means the greenhouse gas emissions reductions required by RCW 70A.45.020.

(45) "Linkage" means a bilateral or multilateral decision under a linkage agreement between greenhouse gas market programs to accept compliance instruments issued by a participating jurisdiction to meet the obligations of regulated entities in a partner jurisdiction and to otherwise coordinate activities to facilitate operation of a joint market.

(46) "Linkage agreement" means a nonbinding agreement that connects two or more greenhouse gas market programs and articulates a mutual understanding of how the participating jurisdictions will work together to facilitate a connected greenhouse gas market.

(47) "Linked jurisdiction" means a jurisdiction with which Washington has entered into a linkage agreement.

(48) "Multijurisdictional consumer-owned utility" means a consumer-owned utility that provides electricity to member owners in Washington and in one or more other states in a contiguous service territory or from a common power system.

(49) "Multijurisdictional electric company" means an investor-owned utility that provides electricity to customers in Washington and in one or more other states in a contiguous service territory or from a common power system.

(50) "NERC e-tag" means North American electric reliability corporation (NERC) energy tag representing transactions on the

North American bulk electricity market scheduled to flow between or across balancing authority areas.

(51) "Offset credit" means a tradable compliance instrument that represents an emissions reduction or emissions removal of one metric ton of carbon dioxide equivalent.

(52) "Offset project" means a project that reduces or removes greenhouse gases that are not covered emissions under this chapter.

(53) "Offset protocols" means a set of procedures and standards to quantify greenhouse gas reductions or greenhouse gas removals achieved by an offset project.

(54) "Overburdened community" means a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts or risks due to exposure to environmental pollutants or contaminants through multiple pathways, which may result in significant disparate adverse health outcomes or effects.

(a) "Overburdened community" includes, but is not limited to:

(i) Highly impacted communities as defined in RCW 19.405.020;

(ii) Communities located in census tracts that are fully or partially on "Indian country" as defined in 18 U.S.C. Sec. 1151; and

(iii) Populations, including Native Americans or immigrant populations, who may be exposed to environmental contaminants and pollutants outside of the geographic area in which they reside based on the populations' use of traditional or cultural foods and practices, such as the use of resources, access to which is protected under treaty rights in ceded areas, when those exposures in conjunction with other exposures may result in disproportionately greater risks, including risks of certain cancers or other adverse health effects and outcomes.

(b) Overburdened communities identified by the department may include the same communities as those identified by the department through its process for identifying overburdened communities under RCW 70A.02.010.

(55) "Person" has the same meaning as defined in RCW 70A.15.2200(5)((~~h~~))(g)(iii).

(56) "Point of delivery" means a point on the electricity transmission or distribution system where a deliverer makes electricity available to a receiver, or available to serve load. This point may be an interconnection with another system or a substation where the transmission provider's transmission and distribution systems are connected to another system, or a distribution substation where electricity is imported into the state over a multijurisdictional retail provider's distribution system.

(57) "Price ceiling unit" means the units issued at a fixed price by the department for the purpose of limiting price increases and funding further investments in greenhouse gas reductions.

(58) "Program" means the greenhouse gas emissions cap and invest program created by and implemented pursuant to this chapter.

(59) "Program registry" means the data system in which covered entities, opt-in

entities, and general market participants are registered and in which compliance instruments are recorded and tracked.

(60) "Registered entity" means a covered entity, opt-in entity, or general market participant that has completed the process for registration in the program registry.

(61) "Resilience" means the ability to prepare, mitigate and plan for, withstand, recover from, and more successfully adapt to adverse events and changing conditions, and reorganize in an equitable manner that results in a new and better condition.

(62) "Retire" means to permanently remove a compliance instrument such that the compliance instrument may never be sold, traded, or otherwise used again.

(63) "Specified source of electricity" or "specified source" means a facility, unit, or asset controlling supplier that is permitted to be claimed as the source of electricity delivered. The reporting entity must have either full or partial ownership in the facility or a written power contract to procure electricity generated by that facility or unit or from an asset controlling supplier at the time of entry into the transaction to procure electricity.

(64) "Supplier" means a supplier of fuel in Washington state as defined in RCW 70A.15.2200(5)((~~h~~))(g)(ii).

(65) "Tribal lands" has the same meaning as defined in RCW 70A.02.010.

(66) "Unspecified source of electricity" or "unspecified source" means a source of electricity that is not a specified source at the time of entry into the transaction to procure electricity.

(67) "Voluntary renewable reserve account" means a holding account maintained by the department from which allowances may be retired for voluntary renewable electricity generation, which is directly delivered to the state and has not and will not be sold or used to meet any other mandatory requirements in the state or any other jurisdiction, on behalf of voluntary renewable energy purchasers or end users.

(68) "Vulnerable populations" has the same meaning as defined in RCW 70A.02.010.

(69) "Electricity wheeled through the state" means electricity that is generated outside the state of Washington and delivered into Washington with the final point of delivery outside Washington including, but not limited to, electricity wheeled through the state on a single NERC e-tag, or wheeled into and out of Washington at a common point or trading hub on the power system on separate e-tags within the same hour.

**Sec. 2.** RCW 70A.65.060 and 2021 c 316 s 8 are each amended to read as follows:

(1) In order to ensure that greenhouse gas emissions are reduced by covered entities consistent with the limits established in RCW 70A.45.020, the department must implement a cap on greenhouse gas emissions from covered entities and a program to track, verify, and enforce compliance through the use of compliance instruments.

(2) The program must consist of:

(a) Annual allowance budgets that limit emissions from covered entities, as provided in this section and RCW 70A.65.070 and 70A.65.080;

(b) Defining those entities covered by the program, and those entities that may voluntarily opt into coverage under the program, as provided in this section and RCW 70A.65.070 and 70A.65.080;

(c) Distribution of emission allowances, as provided in RCW 70A.65.100, and through the allowance price containment provisions under RCW 70A.65.140 and 70A.65.150;

(d) Providing for offset credits as a method for meeting a compliance obligation, pursuant to RCW 70A.65.170;

(e) Defining the compliance obligations of covered entities, as provided in chapter 316, Laws of 2021;

(f) Establishing the authority of the department to enforce the program requirements, as provided in RCW 70A.65.200;

(g) Creating a climate investment account for the deposit of receipts from the distribution of emission allowances, as provided in RCW 70A.65.250;

(h) Providing for the transfer of allowances and recognition of compliance instruments, including those issued by jurisdictions with which Washington has linkage agreements;

(i) Providing monitoring and oversight of the sale and transfer of allowances by the department;

(j) Creating a price ceiling and associated mechanisms as provided in RCW 70A.65.160; and

(k) Providing for the allocation of allowances to emissions-intensive, trade-exposed industries pursuant to RCW 70A.65.110.

(3) The department shall consider opportunities to implement the program in a manner that allows linking the state's program with those of other jurisdictions. The department must evaluate whether such linkage will provide for a more cost-effective means for covered entities to meet their compliance obligations in Washington while recognizing the special characteristics of the state's economy, communities, and industries. The department is authorized to enter into a linkage agreement with another jurisdiction after conducting an environmental justice assessment and after formal notice and opportunity for a public hearing, and when consistent with the requirements of RCW 70A.65.210. The department is authorized to withdraw from a linkage agreement and every linkage agreement must provide that the department reserves the right to withdraw from the agreement.

(4) During the 2022 regular legislative session, the department must bring forth agency request legislation developed in consultation with emissions-intensive, trade-exposed businesses, covered entities, environmental advocates, and overburdened communities that outlines a compliance pathway specific to emissions-intensive, trade-exposed businesses for achieving their proportionate share of the state's emissions reduction limits through 2050.

(5) By December 1, 2027, and ~~((at least every four years thereafter))~~ by December 1st

of each year that is one year after the end of a compliance period, and in compliance with RCW 43.01.036, the department must submit a report to the legislature that includes a comprehensive review of the implementation of the program to date, including but not limited to outcomes relative to the state's emissions reduction limits, overburdened communities, covered entities, and emissions-intensive, trade-exposed businesses. The department must transmit the report to the environmental justice council at the same time it is submitted to the legislature.

(6) The department must bring forth agency request legislation if the department finds that any provision of this chapter prevents linking Washington's cap and invest program with that of any other jurisdiction.

**Sec. 3.** RCW 70A.65.070 and 2022 c 181 s 1 are each amended to read as follows:

(1)(a)(i) The department shall commence the program by January 1, 2023, by determining an emissions baseline establishing the proportionate share that the total greenhouse gas emissions of covered entities for the first compliance period bears to the total anthropogenic greenhouse gas emissions in the state during 2015 through 2019, based on data reported to the department under RCW 70A.15.2200 or provided as required by this chapter, as well as other relevant data. By October 1, 2022, the department shall adopt annual allowance budgets for the first compliance period of the program, calendar years 2023 through 2026, to be distributed from January 1, 2023, through December 31, 2026.

(ii) If the department enters into a linkage agreement, and the linked jurisdictions do not amend their rules to synchronize with Washington's compliance periods, the department must amend its rules to synchronize Washington's compliance periods with those of the linked jurisdiction or jurisdictions. The department may not by rule amend the length of the first compliance period to end on a date other than December 31, 2026.

(b) By October 1, 2026, the department shall add to its emissions baseline by incorporating the proportionate share that the total greenhouse gas emissions of new covered entities in the second compliance period bear to the total anthropogenic greenhouse gas emissions in the state during 2015 through 2019. In determining the addition to the baseline, the department may exclude a year from the determination if the department identifies that year to have been an outlier due to a state of emergency. The department shall adopt annual allowance budgets for the second compliance period of the program ~~((calendar years 2027 through 2030))~~ that will be distributed ~~((from January 1, 2027, through December 31, 2030))~~ during the second compliance period.

(c) By October 1, 2028, the department shall adopt by rule the annual allowance budgets for ~~((calendar years 2031))~~ the end of the second compliance period through 2040.

(2) The annual allowance budgets must be set to achieve the share of reductions by

covered entities necessary to achieve the 2030, 2040, and 2050 statewide emissions limits established in RCW 70A.45.020, based on data reported to the department under chapter 70A.15 RCW or provided as required by this chapter. Annual allowance budgets must be set such that the use of offsets as compliance instruments, consistent with RCW 70A.65.170, does not prevent the achievement of the emissions limits established in RCW 70A.45.020. In so setting annual allowance budgets, the department must reduce the annual allowance budget relative to the limits in an amount equivalent to offset use, or in accordance with a similar methodology adopted by the department. The department must adopt annual allowance budgets for the program on a calendar year basis that provide for progressively equivalent reductions year over year. An allowance distributed under the program, either directly by the department under RCW 70A.65.110 through 70A.65.130 or through auctions under RCW 70A.65.100, does not expire and may be held or banked consistent with RCW 70A.65.100(6) and 70A.65.150(1).

(3) The department must complete evaluations by December 31, 2027, and ~~((by) December ((31, 2035))~~ 31st of the year following the conclusion of the third compliance period, of the performance of the program, including its performance in reducing greenhouse gases. If the evaluation shows that adjustments to the annual allowance budgets are necessary for covered entities to achieve their proportionate share of the 2030 and 2040 emission reduction limits identified in RCW 70A.45.020, as applicable, the department shall adjust the annual allowance budgets accordingly. The department must complete additional evaluations of the performance of the program by December ~~((31, 2040, and by December 31, 2045))~~ 31st of the year following the conclusion of the fifth and sixth compliance periods, and make any necessary adjustments in the annual allowance budgets to ensure that covered entities achieve their proportionate share of the 2050 emission reduction limit identified in RCW 70A.45.020. Nothing in this subsection precludes the department from making additional adjustments to annual allowance budgets as necessary to ensure successful achievement of the proportionate emission reduction limits by covered entities. The department shall determine and make public the circumstances, metrics, and processes that would initiate the public consideration of additional allowance budget adjustments to ensure successful achievement of the proportionate emission reduction limits.

(4) Data reported to the department under RCW 70A.15.2200 or provided as required by this chapter for 2015 through 2019 is deemed sufficient for the purpose of adopting annual allowance budgets and serving as the baseline by which covered entities demonstrate compliance under the first compliance period of the program. Data reported to the department under RCW 70A.15.2200 or provided as required by this chapter for 2023 through 2025 is deemed sufficient for adopting annual allowance budgets and serving as the baseline by which

covered entities demonstrate compliance under the second compliance period of the program.

(5) The legislature intends to promote a growing and sustainable economy and to avoid leakage of emissions from manufacturing to other jurisdictions. Therefore, the legislature finds that implementation of this section is contingent upon the enactment of RCW 70A.65.110.

**Sec. 4.** RCW 70A.65.080 and 2022 c 179 s 14 are each amended to read as follows:

(1) A person is a covered entity as of the beginning of the first compliance period and all subsequent compliance periods if the person reported emissions under RCW 70A.15.2200 for any calendar year from 2015 through 2019, or if additional data provided as required by this chapter indicates that emissions for any calendar year from 2015 through 2019 equaled or exceeded any of the following thresholds, or if the person is a first jurisdictional deliverer and imports electricity into the state during the compliance period:

(a) Where the person owns or operates a facility and the facility's emissions equal or exceed 25,000 metric tons of carbon dioxide equivalent;

(b) Where the person is a first jurisdictional deliverer and generates electricity in the state and emissions associated with this generation equals or exceeds 25,000 metric tons of carbon dioxide equivalent;

(c) ~~(i)~~ Where the person is a first jurisdictional deliverer importing electricity into the state and:

(A) For specified sources, the cumulative annual total of emissions associated with the imported electricity ~~((, whether from specified or unspecified sources,))~~ exceeds 25,000 metric tons of carbon dioxide equivalent;

(B) For unspecified sources, the cumulative annual total of emissions associated with the imported electricity exceeds 0 metric tons of carbon dioxide equivalent; or

(C) For electricity purchased from a federal power marketing administration pursuant to section 5(b) of the Pacific Northwest electric power planning and conservation act of 1980, P.L. 96-501, if the department determines such electricity is not from a specified source, the cumulative annual total of emissions associated with the imported electricity exceeds 25,000 metric tons of carbon dioxide equivalent.

(ii) In consultation with any linked jurisdiction to the program created by this chapter, by October 1, 2026, the department, in consultation with the department of commerce and the utilities and transportation commission, shall adopt by rule a methodology for addressing imported electricity associated with a centralized electricity market;

(d) Where the person is a supplier of fossil fuel other than natural gas and from that fuel 25,000 metric tons or more of carbon dioxide equivalent emissions would result from the full combustion or



oxidation, excluding the amounts for fuel products that are produced or imported with a documented final point of delivery outside of Washington and combusted outside of Washington; and

(e)(i) Where the person supplies natural gas in amounts that would result in exceeding 25,000 metric tons of carbon dioxide equivalent emissions if fully combusted or oxidized, excluding the amounts for fuel products that are produced or imported with a documented final point of delivery outside of Washington and combusted outside of Washington, and excluding the amounts: (A) Supplied to covered entities under (a) through (d) of this subsection; and (B) delivered to opt-in entities;

(ii) Where the person who is not a natural gas company and has a tariff with a natural gas company to deliver to an end-use customer in the state in amounts that would result in exceeding 25,000 metric tons of carbon dioxide equivalent emissions if fully combusted or oxidized, excluding the amounts: (A) Supplied to covered entities under (a) through (d) of this subsection; and (B) the amounts delivered to opt-in entities;

(iii) Where the person is an end-use customer in the state who directly purchases natural gas from a person that is not a natural gas company and has the natural gas delivered through an interstate pipeline to a distribution system owned by the purchaser in amounts that would result in exceeding 25,000 metric tons of carbon dioxide equivalent emissions if fully combusted or oxidized, excluding the amounts: (A) Supplied to covered entities under (a) through (d) of this subsection; and (B) delivered to opt-in entities.

(2) A person is a covered entity as of the beginning of the second compliance period and all subsequent compliance periods if the person reported emissions under RCW 70A.15.2200 or provided emissions data as required by this chapter for any calendar year from 2023 through 2025, where the person owns or operates a waste to energy facility utilized by a county and city solid waste management program and the facility's emissions equal or exceed 25,000 metric tons of carbon dioxide equivalent.

(3) A person is a covered entity ~~((beginning January 1, 2031))~~ as of the beginning of the third compliance period, and all subsequent compliance periods if the person reported emissions under RCW 70A.15.2200 or provided emissions data as required by this chapter for ~~((any calendar year from))~~ 2027 ((through 2029)) or 2028, where the person owns or operates a railroad company, as that term is defined in RCW 81.04.010, and the railroad company's emissions equal or exceed 25,000 metric tons of carbon dioxide equivalent.

(4) When a covered entity reports, during a compliance period, emissions from a facility under RCW 70A.15.2200 that are below the thresholds specified in subsection (1) or (2) of this section, the covered entity continues to have a compliance obligation through the current compliance period. When a covered entity reports emissions below the threshold for each year during an entire compliance period, or has

ceased all processes at the facility requiring reporting under RCW 70A.15.2200, the entity is no longer a covered entity as of the beginning of the subsequent compliance period unless the department provides notice at least 12 months before the end of the compliance period that the facility's emissions were within 10 percent of the threshold and that the person will continue to be designated as a covered entity in order to ensure equity among all covered entities. Whenever a covered entity ceases to be a covered entity, the department shall notify the appropriate policy and fiscal committees of the legislature of the name of the entity and the reason the entity is no longer a covered entity.

(5) For types of emission sources described in subsection (1) of this section that begin or modify operation after January 1, 2023, and types of emission sources described in subsection (2) of this section that begin or modify operation after 2027, coverage under the program starts in the calendar year in which emissions from the source exceed the applicable thresholds in subsection (1) or (2) of this section, or upon formal notice from the department that the source is expected to exceed the applicable emissions threshold, whichever happens first. Sources meeting these conditions are required to transfer their first allowances on the first transfer deadline of the year following the year in which their emissions were equal to or exceeded the emissions threshold.

(6) For emission sources described in subsection (1) of this section that are in operation or otherwise active between 2015 and 2019 but were not required to report emissions for those years under RCW 70A.15.2200 for the reporting periods between 2015 and 2019, coverage under the program starts in the calendar year following the year in which emissions from the source exceed the applicable thresholds in subsection (1) of this section as reported pursuant to RCW 70A.15.2200 or provided as required by this chapter, or upon formal notice from the department that the source is expected to exceed the applicable emissions threshold for the first year that source is required to report emissions, whichever happens first. Sources meeting these criteria are required to transfer their first allowances on the first transfer deadline of the year following the year in which their emissions, as reported under RCW 70A.15.2200 or provided as required by this chapter, were equal to or exceeded the emissions threshold.

(7) The following emissions are exempt from coverage in the program, regardless of the emissions reported under RCW 70A.15.2200 or provided as required by this chapter:

(a) Emissions from the combustion of aviation fuels;

(b) Emissions from watercraft fuels supplied in Washington that are combusted outside of Washington;

(c) Emissions from a coal-fired electric generation facility exempted from additional greenhouse gas limitations, requirements, or performance standards under RCW 80.80.110;

(d) Carbon dioxide emissions from the combustion of biomass or biofuels;

(e)(i) Motor vehicle fuel or special fuel that is used exclusively for agricultural purposes by a farm fuel user. This exemption is available only if a buyer of motor vehicle fuel or special fuel provides the seller with an exemption certificate in a form and manner prescribed by the department. For the purposes of this subsection, "agricultural purposes" and "farm fuel user" have the same meanings as provided in RCW 82.08.865.

(ii) The department must determine a method for expanding the exemption provided under (e)(i) of this subsection to include fuels used for the purpose of transporting agricultural products on public highways. The department must maintain this expanded exemption for a period of five years, in order to provide the agricultural sector with a feasible transition period;

(f) Emissions from facilities with North American industry classification system code 92811 (national security); and

(g) Emissions from municipal solid waste landfills that are subject to, and in compliance with, chapter 70A.540 RCW.

(8) The department shall not require multiple covered entities to have a compliance obligation for the same emissions. The department may by rule authorize refineries, fuel suppliers, facilities using natural gas, and natural gas utilities to provide by agreement for the assumption of the compliance obligation for fuel or natural gas supplied and combusted in the state. The department must be notified of such an agreement at least 12 months prior to the compliance obligation period for which the agreement is applicable.

(9)(a) The legislature intends to promote a growing and sustainable economy and to avoid leakage of emissions from manufacturing to other locations. The legislature further intends to see innovative new businesses locate and grow in Washington that contribute to Washington's prosperity and environmental objectives.

(b) Consistent with the intent of the legislature to avoid the leakage of emissions to other jurisdictions, in achieving the state's greenhouse gas limits in RCW 70A.45.020, the state, including lead agencies under chapter 43.21C RCW, shall pursue the limits in a manner that recognizes that the siting and placement of new or expanded best-in-class facilities with lower carbon emitting processes is in the economic and environmental interests of the state of Washington.

(c) In conducting a life-cycle analysis, if required, for new or expanded facilities that require review under chapter 43.21C RCW, a lead agency must evaluate and attribute any potential net cumulative greenhouse gas emissions resulting from the project as compared to other existing facilities or best available technology including best-in-class facilities and emerging lower carbon processes that supply the same product or end use. The department may adopt rules to determine the appropriate threshold for applying this analysis.

(d) Covered emissions from an entity that is or will be a covered entity under this chapter may not be the basis for denial of a permit for a new or expanded facility. Covered emissions must be included in the analysis undertaken pursuant to (c) of this subsection. Nothing in this subsection requires a lead agency or a permitting agency to approve or issue a permit to a permit applicant, including to a new or expanded fossil fuel project.

(e) A lead agency under chapter 43.21C RCW or a permitting agency shall allow a new or expanded facility that is a covered entity or opt-in entity to satisfy a mitigation requirement for its covered emissions under this chapter (~~(316, Laws of 2021)~~) and under any greenhouse gas emission mitigation requirements for covered emissions under chapter 43.21C RCW by submitting to the department the number of compliance instruments equivalent to its covered emissions during a compliance period.

**Sec. 5.** RCW 70A.65.100 and 2023 c 475 s 937 are each amended to read as follows:

(1) Except as provided in RCW 70A.65.110, 70A.65.120, and 70A.65.130, the department shall distribute allowances through auctions as provided in this section and in rules adopted by the department to implement these sections. An allowance is not a property right.

(2)(a) The department shall hold a maximum of four auctions annually, plus any necessary reserve auctions. An auction may include allowances from the annual allowance budget of the current year and allowances from the annual allowance budgets from prior years that remain to be distributed. The department must transmit to the environmental justice council an auction notice at least 60 days prior to each auction, as well as a summary results report and a postauction public proceeds report within 60 days after each auction. The department must communicate the results of the previous calendar year's auctions to the environmental justice council on an annual basis beginning in 2024.

(b) The department must make future vintage allowances available through parallel auctions at least twice annually in addition to the auctions through which current vintage allowances are exclusively offered under (a) of this subsection.

(3) The department shall engage a qualified, independent contractor to run the auctions. The department shall also engage a qualified financial services administrator to hold the bid guarantees, evaluate bid guarantees, and inform the department of the value of bid guarantees once the bids are accepted.

(4) Auctions are open to covered entities, opt-in entities, and general market participants that are registered entities in good standing. The department shall adopt by rule the requirements for a registered entity to register and participate in a given auction.

(a) Registered entities intending to participate in an auction must submit an application to participate at least 30 days

prior to the auction. The application must include the documentation required for review and approval by the department. A registered entity is eligible to participate only after receiving a notice of approval by the department.

(b) Each registered entity that elects to participate in the auction must have a different representative. Only a representative with an approved auction account is authorized to access the auction platform to submit an application or confirm the intent to bid for the registered entity, submit bids on behalf of the registered entity during the bidding window, or to download reports specific to the auction.

(5) The department may require a bid guarantee, payable to the financial services administrator, in an amount greater than or equal to the sum of the maximum value of the bids to be submitted by the registered entity.

(6) To protect the integrity of the auctions, a registered entity or group of registered entities with a direct corporate association are subject to auction purchase and holding limits. The department may impose additional limits if it deems necessary to protect the integrity and functioning of the auctions:

(a) A covered entity or an opt-in entity may not buy more than ~~((10))25~~ percent of the allowances offered during a single auction;

(b) A general market participant may not buy more than four percent of the allowances offered during a single auction ~~((and))~~;

~~((c))~~ Until Washington links with a jurisdiction that does not have this requirement, a general market participant may not in aggregate own more than 10 percent of total allowances to be issued in a calendar year;

~~((e))~~ ~~((d))~~ No registered entity may buy more than the entity's bid guarantee; and

~~((d))~~ ~~((e))~~ No registered entity may buy allowances that would exceed the entity's holding limit at the time of the auction.

(7)(a) For fiscal year 2023, upon completion and verification of the auction results, the financial services administrator shall notify winning bidders and transfer the auction proceeds to the state treasurer for deposit as follows: (i) \$127,341,000 must first be deposited into the carbon emissions reduction account created in RCW 70A.65.240; and (ii) the remaining auction proceeds to the climate investment account created in RCW 70A.65.250 and the air quality and health disparities improvement account created in RCW 70A.65.280.

(b) For fiscal year 2024, upon completion and verification of the auction results, the financial services administrator shall notify winning bidders and transfer the auction proceeds to the state treasurer for deposit as follows: (i) \$356,697,000 must first be deposited into the carbon emissions reduction account created in RCW 70A.65.240, except during fiscal year 2024, the deposit as provided in this subsection (7)(b)(i) may be prorated equally across each of the auctions occurring in fiscal year 2024; and (ii) the remaining auction proceeds to the climate investment account created in RCW

70A.65.250 and the air quality and health disparities improvement account created in RCW 70A.65.280, which may be prorated equally across each of the auctions occurring in fiscal year 2024.

(c) For fiscal year 2025, upon completion and verification of the auction results, the financial services administrator shall notify winning bidders and transfer the auction proceeds to the state treasurer for deposit as follows: (i) \$366,558,000 must first be deposited into the carbon emissions reduction account created in RCW 70A.65.240, except that during fiscal year 2025, the deposit as provided in this subsection (7)(c)(i) may be prorated equally across each of the auctions occurring in fiscal year 2025; and (ii) the remaining auction proceeds to the climate investment account created in RCW 70A.65.250 and the air quality and health disparities improvement account created in RCW 70A.65.280, which may be prorated equally across each of the auctions occurring in fiscal year 2025.

(d) For fiscal years 2026 through 2037, upon completion and verification of the auction results, the financial services administrator shall notify winning bidders and transfer the auction proceeds to the state treasurer for deposit as follows: (i) \$359,117,000 per year must first be deposited into the carbon emissions reduction account created in RCW 70A.65.240; and (ii) the remaining auction proceeds to the climate investment account created in RCW 70A.65.250 and the air quality and health disparities improvement account created in RCW 70A.65.280.

(e) The deposits into the carbon emissions reduction account pursuant to (a) through (d) of this subsection must not exceed \$5,200,000,000 over the first 16 fiscal years and any remaining auction proceeds must be deposited into the climate investment account created in RCW 70A.65.250 and the air quality and health disparities improvement account created in RCW 70A.65.280.

(f) For fiscal year 2038 and each year thereafter, upon completion and verification of the auction results, the financial services administrator shall notify winning bidders and transfer the auction proceeds to the state treasurer for deposit as follows: (i) 50 percent of the auction proceeds to the carbon emissions reduction account created in RCW 70A.65.240; and (ii) the remaining auction proceeds to the climate investment account created in RCW 70A.65.250 and the air quality and health disparities improvement account created in RCW 70A.65.280.

(8) The department shall adopt by rule provisions to guard against bidder collusion and minimize the potential for market manipulation. A registered entity may not release or disclose any bidding information including: Intent to participate or refrain from participation; auction approval status; intent to bid; bidding strategy; bid price or bid quantity; or information on the bid guarantee provided to the financial services administrator. The department may cancel or restrict a previously approved auction participation application or reject a new

application if the department determines that a registered entity has:

(a) Provided false or misleading facts;  
 (b) Withheld material information that could influence a decision by the department;

(c) Violated any part of the auction rules;

(d) Violated registration requirements; or

(e) Violated any of the rules regarding the conduct of the auction.

(9) Records containing the following information are confidential and are exempt from public disclosure in their entirety:

(a) Bidding information as identified in subsection (8) of this section;

(b) Information contained in the secure, online electronic tracking system established by the department pursuant to RCW 70A.65.090(6);

(c) Financial, proprietary, and other market sensitive information as determined by the department that is submitted to the department pursuant to this chapter;

(d) Financial, proprietary, and other market sensitive information as determined by the department that is submitted to the independent contractor or the financial services administrator engaged by the department pursuant to subsection (3) of this section; and

(e) Financial, proprietary, and other market sensitive information as determined by the department that is submitted to a jurisdiction with which the department has entered into a linkage agreement pursuant to RCW 70A.65.210, and which is shared with the department, the independent contractor, or the financial services administrator pursuant to a linkage agreement.

(10) Any cancellation or restriction approved by the department under subsection (8) of this section may be permanent or for a specified number of auctions and the cancellation or restriction imposed is not exclusive and is in addition to the remedies that may be available pursuant to chapter 19.86 RCW or other state or federal laws, if applicable.

(11) The department shall design allowance auctions so as to allow, to the maximum extent practicable, linking with external greenhouse gas emissions trading programs in other jurisdictions and to facilitate the transfer of allowances when the state's program has entered into a linkage agreement with other external greenhouse gas emissions trading programs. The department may conduct auctions jointly with linked jurisdictions.

(12) In setting the number of allowances offered at each auction, the department shall consider the allowances in the marketplace due to the marketing of allowances issued as required under RCW 70A.65.110, 70A.65.120, and 70A.65.130 in the department's determination of the number of allowances to be offered at auction. The department shall offer only such number of allowances at each auction as will enhance the likelihood of achieving the goals of RCW 70A.45.020.

**Sec. 6.** RCW 70A.65.110 and 2021 c 316 s 13 are each amended to read as follows:

(1) Facilities owned or operated by a covered entity must receive an allocation of allowances for the covered emissions at those facilities under this subsection at no cost if the operations of the facility are classified as emissions-intensive and trade-exposed, as determined by being engaged in one or more of the processes described by the following industry descriptions and codes in the North American industry classification system:

(a) Metals manufacturing, including iron and steel making, ferroalloy and primary metals manufacturing, secondary aluminum smelting and alloying, aluminum sheet, plate, and foil manufacturing, and smelting, refining, and alloying of other nonferrous metals, North American industry classification system codes beginning with 331;

(b) Paper manufacturing, including pulp mills, paper mills, and paperboard milling, North American industry classification system codes beginning with 322;

(c) Aerospace product and parts manufacturing, North American industry classification system codes beginning with 3364;

(d) Wood products manufacturing, North American industry classification system codes beginning with 321;

(e) Nonmetallic mineral manufacturing, including glass container manufacturing, North American industry classification system codes beginning with 327;

(f) Chemical manufacturing, North American industry classification system codes beginning with 325;

(g) Computer and electronic product manufacturing, including semiconductor and related device manufacturing, North American industry classification system codes beginning with 334;

(h) Food manufacturing, North American industry classification system codes beginning with 311;

(i) Cement manufacturing, North American industry classification system code 327310;

(j) Petroleum refining, North American industry classification system code 324110;

(k) Asphalt paving mixtures and block manufacturing from refined petroleum, North American industry classification system code 324121;

(l) Asphalt shingle and coating manufacturing from refined petroleum, North American industry classification system code 324122; and

(m) All other petroleum and coal products manufacturing from refined petroleum, North American industry classification system code 324199.

(2) By July 1, 2022, the department must adopt by rule objective criteria for both emissions' intensity and trade exposure for the purpose of identifying emissions-intensive, trade-exposed manufacturing businesses during the second compliance period of the program and subsequent compliance periods. A facility covered by subsection (1)(a) through (m) of this section is considered an emissions-intensive, trade-exposed facility and is eligible for allocation of no cost

allowances as described in this section. In addition, any covered party that is a manufacturing business that can demonstrate to the department that it meets the objective criteria adopted by rule is also eligible for treatment as emissions-intensive, trade-exposed and is eligible for allocation of no cost allowances as described in this section. In developing the objective criteria under this subsection, the department must consider the locations of facilities potentially identified as emissions-intensive, trade-exposed manufacturing businesses relative to overburdened communities.

(3) (a) For the ~~((first compliance period beginning in January 1, 2023))~~ years 2023 through 2026, the annual allocation of no cost allowances for direct distribution to a facility identified as emissions-intensive and trade-exposed must be equal to the facility's baseline carbon intensity established using data from 2015 through 2019, or other data as allowed under this section, multiplied by the facility's actual production for each calendar year during the compliance period. For facilities using the mass-based approach, the allocation of no cost allowances shall be equal to the facility's mass-based baseline using data from 2015 through 2019, or other data as allowed under this section.

(b) For the ~~((second compliance period, beginning in January, 2027,))~~ four years beginning January 2027 and in each subsequent ~~((compliance))~~ four-year period, the annual allocation of no cost allowances established in (a) of this subsection shall be adjusted according to the benchmark reduction schedules established in (b)(ii) and (iii) and (e) of this subsection multiplied by the facility's actual production during the period. The department shall adjust the no cost allocation of allowances and credits to an emissions-intensive and trade-exposed facility to avoid duplication with any no cost allowances transferred pursuant to RCW 70A.65.120 and 70A.65.130, if applicable.

(i) For the purpose of this section, "carbon intensity" means the amount of carbon dioxide equivalent emissions from a facility in metric tons divided by the facility specific measure of production including, but not limited to, units of product manufactured or sold, over the same time interval.

(ii) If an emissions-intensive and trade-exposed facility is not able to feasibly determine a carbon intensity benchmark based on its unique circumstances, the entity may elect to use a mass-based baseline that does not vary based on changes in production volumes. The mass-based baseline must be based upon data from 2015 through 2019, unless the emissions-intensive, trade-exposed facility can demonstrate that there have been abnormal periods of operation that materially impacted the facility and the baseline period should be expanded to include years prior to 2015. For ~~((each year during the first four-year compliance period that begins January 1, 2023))~~ the years 2023 through 2026, these facilities must be awarded no cost allowances equal to 100 percent of the facility's mass-based

baseline. For each year during the ~~((second four-year compliance period that begins January 1, 2027))~~ years 2027 through 2030, these facilities must be awarded no cost allowances equal to 97 percent of the facility's mass-based baseline. For each year during the ~~((third compliance period that begins January 1, 2031))~~ years 2031 through 2034, these facilities must be awarded no cost allowances equal to 94 percent of the facility's mass-based baseline. Except as provided in (b)(iii) of this subsection, if a facility elects to use a mass-based baseline, it may not later convert to a carbon intensity benchmark during the ~~((first three compliance periods))~~ years 2023 through 2034.

(iii) A facility with a North American industry classification system code beginning with 3364 that is utilizing a mass-based baseline in (b)(ii) of this subsection must receive an additional no cost allowance allocation under this section in order to accommodate an increase in production that increases its emissions above the baseline on a basis equivalent in principle to those awarded to entities utilizing a carbon intensity benchmark pursuant to this subsection (3)(b). The department shall establish methods to award, for any annual period, additional no cost allowance allocations under this section and, if appropriate based on projected production, to achieve a similar ongoing result through the adjustment of the facility's mass-based baseline. An eligible facility under this subsection that has elected to use a mass-based baseline may not convert to a carbon intensity benchmark until the next compliance period.

(c) (i) By September 15, 2022, each emissions-intensive, trade-exposed facility shall submit its carbon intensity baseline for the first compliance period to the department. The carbon intensity baseline for the first compliance period must use data from 2015-2019, unless the emissions-intensive, trade-exposed facility can demonstrate that there have been abnormal periods of operation that materially impacted the facility and the baseline period should be expanded to include years prior to 2015.

(ii) By November 15, 2022, the department shall review and approve each emissions-intensive, trade-exposed facility's baseline carbon intensity for the ~~((first compliance period))~~ years 2023 through 2026.

(d) During the ~~((first four-year compliance period that begins January 1, 2023))~~ years 2023 through 2026, each emissions-intensive, trade-exposed facility must record its facility-specific carbon intensity baseline based on its actual production.

(e) (i) For the ~~((second four-year compliance period that begins January 1, 2027))~~ years 2027 through 2030, the second period benchmark for each emissions-intensive, trade-exposed facility is three percent below the first period baseline specified in (a), (b), and (c) of this subsection.

(ii) For the ~~((third four-year compliance period that begins January 1, 2031))~~ years 2031 through 2034, the third period

benchmark for each emissions-intensive, trade-exposed facility is three percent lower than the ~~((second period benchmark))~~ years 2027 through 2030.

(f) Prior to the beginning of ~~((either the second, third, or subsequent compliance))~~ 2027, 2031, or subsequent four-year periods, the department may make an upward adjustment in the next ~~((compliance))~~ four-year period's benchmark for an emissions-intensive, trade-exposed facility based on the facility's demonstration to the department that additional reductions in carbon intensity or mass emissions are not technically or economically feasible. The department may base the upward adjustment applicable to an emissions-intensive, trade-exposed facility in the next ~~((compliance))~~ four-year period on the facility's best available technology analysis. The department shall by rule provide for emissions-intensive, trade-exposed facilities to apply to the department for an adjustment to the allocation for direct distribution of no cost allowances based on its facility-specific carbon intensity benchmark or mass emissions baseline. The department shall make adjustments based on:

(i) A significant change in the emissions use or emissions attributable to the manufacture of an individual good or goods in this state by an emissions-intensive, trade-exposed facility based on a finding by the department that an adjustment is necessary to accommodate for changes in the manufacturing process that have a material impact on emissions;

(ii) Significant changes to an emissions-intensive, trade-exposed facility's external competitive environment that result in a significant increase in leakage risk; or

(iii) Abnormal operating periods when an emissions-intensive, trade-exposed facility's carbon intensity has been materially affected so that these abnormal operating periods are either excluded or otherwise considered in the establishment of the ~~((compliance period))~~ carbon intensity benchmarks.

(4) (a) By December 1, 2026, the department shall provide a report to the appropriate committees of the senate and house of representatives that describes alternative methods for determining the amount and a schedule of allowances to be provided to facilities owned or operated by each covered entity designated as an emissions-intensive, trade-exposed facility from January 1, 2035, through January 1, 2050. The report must include a review of global best practices in ensuring against emissions leakage and economic harm to businesses in carbon pricing programs and describe alternative methods of emissions performance benchmarking and mass-based allocation of no cost allowances. At a minimum, the department must evaluate benchmarks based on both carbon intensity and mass, as well as the use of best available technology as a method for compliance. In developing the report, the department shall form an advisory group that includes representatives of the manufacturers listed in subsection (1) of this section.

(b) If the legislature does not adopt a compliance obligation for emissions-intensive, trade-exposed facilities by December 1, 2027, those facilities must continue to receive allowances as provided in the ~~((third four-year compliance period that begins January 1, 2031))~~ years 2031 through 2034.

(5) If the actual emissions of an emissions-intensive, trade-exposed facility exceed the facility's no cost allowances assigned for that compliance period, it must acquire additional compliance instruments such that the total compliance instruments transferred to its compliance account consistent with this chapter ~~((316, Laws of 2021))~~ equals emissions during the compliance period. An emissions-intensive, trade-exposed facility must be allowed to bank unused allowances, including for future sale and investment in best available technology when economically feasible. The department shall limit the use of offset credits for compliance by an emissions-intensive, trade-exposed facility, such that the quantity of no cost allowances plus the provision of offset credits does not exceed 100 percent of the facility's total compliance obligation over a compliance period.

(6) The department must withhold or withdraw the relevant share of allowances allocated to a covered entity under this section in the event that the covered entity ceases production in the state and becomes a closed facility. In the event an entity curtails all production and becomes a curtailed facility, the allowances are retained but cannot be traded, sold, or transferred and are still subject to the emission reduction requirements specified in this section. An owner or operator of a curtailed facility may transfer the allowances to a new operator of the facility that will be operated under the same North American industry classification system codes. If the curtailed facility becomes a closed facility, then all unused allowances will be transferred to the emissions containment reserve. A curtailed facility is not eligible to receive free allowances during a period of curtailment. Any allowances withheld or withdrawn under this subsection must be transferred to the emissions containment reserve.

(7) An owner or operator of more than one facility receiving no cost allowances under this section may transfer allowances among the eligible facilities.

(8) Rules adopted by the department under this section must include protocols for allocating allowances at no cost to an eligible facility built after July 25, 2021. The protocols must include consideration of the products and criteria pollutants being produced by the facility, as well as the local environmental and health impacts associated with the facility. For a facility that is built on tribal lands or is determined by the department to impact tribal lands and resources, the protocols must be developed in consultation with the affected tribal nations.

**Sec. 7.** RCW 70A.65.170 and 2022 c 181 s 12 are each amended to read as follows:

(1) The department shall adopt by rule the protocols for establishing offset projects and ~~((securing))~~ generating offset credits that may be used to meet a portion of a covered or opt-in entity's compliance obligation under this chapter. The protocols adopted by the department under this section must align with the policies of the state established under RCW 70A.45.090 and 70A.45.100.

(2) Offset projects must:

(a) Provide direct environmental benefits to the state or be located in a jurisdiction with which Washington has entered into a linkage agreement;

(b) Result in greenhouse gas reductions or removals that:

(i) Are real, permanent, quantifiable, verifiable, and enforceable; and

(ii) Are in addition to greenhouse gas emission reductions or removals otherwise required by law and other greenhouse gas emission reductions or removals that would otherwise occur; and

(c) Have been certified by a recognized registry.

(3)(a) A total of no more than five percent of a covered or opt-in entity's compliance obligation during the first compliance period may be met by transferring offset credits, regardless of whether or not the offset project is located on federally recognized tribal land. During these years, at least 50 percent of a covered or opt-in entity's compliance obligation satisfied by offset credits must be sourced from offset projects that provide direct environmental benefits in the state.

(b) A total of no more than four percent of a covered or opt-in entity's compliance obligation during the second compliance period may be met by transferring offset credits, regardless of whether or not the offset project is located on federally recognized tribal land. During these years, at least 75 percent of a covered or opt-in entity's compliance obligation satisfied by offset credits must be sourced from offset projects that provide direct environmental benefits in the state. The department may reduce the 75 percent requirement if it determines there is not sufficient offset supply in the state to meet offset demand during the second compliance period.

(c) The limits in (a) and (b) of this subsection may be modified by rule as adopted by the department when appropriate to ensure achievement of the proportionate share of statewide emissions limits established in RCW 70A.45.020 and to provide for alignment with other jurisdictions to which the state has linked.

(d) The limits in (a) and (b) of this subsection may be reduced for a specific covered or opt-in entity if the department determines, in consultation with the environmental justice council, that the covered or opt-in entity has or is likely to:

(i) Contribute substantively to cumulative air pollution burden in an overburdened community as determined by criteria established by the department, in

consultation with the environmental justice council; or

(ii) Violate any permits required by any federal, state, or local air pollution control agency where the violation may result in an increase in emissions.

~~((An offset project on federally recognized tribal land does not count against))~~ In addition to the offset credit limits described in (a) and (b) of this subsection((-)):

(i) No more than an additional three percent of a covered or opt-in entity's compliance obligation may be met by transferring offset credits from projects on federally recognized tribal land during the first compliance period.

(ii) No more than an additional two percent of a covered or opt-in entity's compliance obligation may be met by transferring offset credits from projects on federally recognized tribal land during the second compliance period.

(4) In adopting protocols governing offset projects and covered and opt-in entities' use of offset credits, the department shall:

(a) Take into consideration standards, rules, or protocols for offset projects and offset credits established by other states, provinces, and countries with programs comparable to the program established in this chapter;

(b) Take into consideration forest practices rules where a project is located, or applicable best management practices established by federal, state, or local governments that relate to forest management;

(c) Encourage opportunities for the development of offset projects in this state by adopting offset protocols that may include, but need not be limited to, protocols that make use of aggregation or other mechanisms to reduce transaction costs related to the development of offset projects and that support the development of carbon dioxide removal projects;

~~((+))~~ (d) Adopt a process for monitoring and invalidating offset credits as necessary to ensure the credit reflects emission reductions or removals that continue to meet the standards required by subsection (1) of this section. If an offset credit is invalidated, the covered or opt-in entity must, within six months of the invalidation, transfer replacement credits or allowances to meet its compliance obligation. Failure to transfer the required credits or allowances is a violation subject to penalties as provided in RCW 70A.65.200; and

~~((+))~~ (e) Make use of aggregation or other mechanisms, including cost-effective inventory and monitoring provisions, to increase the development of offset and carbon removal projects by landowners across the broadest possible variety of types and sizes of lands, including lands owned by small forestland owners.

(5) Any offset credits used must:

(a) Not be in addition to or allow for an increase in the emissions limits established under RCW 70A.45.020, as reflected in the annual allowance budgets developed under RCW 70A.65.070;

(b) Have been issued for reporting periods wholly after July 25, 2021, or within two years prior to July 25, 2021; and

(c) ~~((Be consistent with offset protocols adopted by the department))~~ For offset credits issued by a jurisdiction with which Washington has entered into a linkage agreement, come from offset projects located in Washington or in the linked jurisdiction.

(6) The offset credit must be registered and tracked as a compliance instrument.

(7) Beginning in 2031, the limits established in subsection (3)(b) and (e)(ii) of this section apply unless modified by rule as adopted by the department after a public consultation process.

**Sec. 8.** RCW 70A.65.200 and 2022 c 181 s 4 are each amended to read as follows:

(1) All covered and opt-in entities are required to submit compliance instruments in a timely manner to meet the entities' compliance obligations and shall comply with all requirements for monitoring, reporting, holding, and transferring emission allowances and other provisions of this chapter.

(2) If a covered or opt-in entity does not submit sufficient compliance instruments to meet its compliance obligation by the specified transfer dates, a penalty of four allowances for every one compliance instrument that is missing must be submitted to the department within six months. When a covered entity or opt-in entity reasonably believes that it will be unable to meet a compliance obligation, the entity shall immediately notify the department. Upon receiving notification, the department shall issue an order requiring the entity to submit the penalty allowances.

(3) If a covered entity or opt-in entity fails to submit penalty allowances as required by subsection (2) of this section, the department must issue an order or issue a penalty of up to \$10,000 per day per violation, or both, for failure to submit penalty allowances as required by subsection (2) of the section. The order may include a plan and schedule for coming into compliance.

(4) The department may issue a penalty of up to \$50,000 per day per violation for violations of RCW 70A.65.100(8) (a) through (e).

(5) Except as provided in subsections (3) and (4) of this section, any person that violates the terms of this chapter or an order issued under this chapter incurs a penalty of up to \$10,000 per day per violation for each day that the person does not comply. All penalties under subsections (3) and (4) of this section and this subsection must be deposited into the climate investment account created in RCW 70A.65.250.

(6) Orders and penalties issued under this chapter are appealable to the pollution control hearings board under chapter 43.21B RCW.

(7) ~~((For\*))~~ Until the department enters into a linkage agreement or until the end of the first compliance period, whichever is sooner, the department may reduce the amount of the penalty by adjusting the monetary

amount or the number of penalty allowances described in subsections (2) and (3) of this section.

(8) An electric utility or natural gas utility must notify its retail customers and the environmental justice council in published form within three months of paying a monetary penalty under this section.

(9)(a) No city, town, county, township, or other subdivision or municipal corporation of the state may implement a charge or tax based exclusively upon the quantity of greenhouse gas emissions.

(b) No state agency may adopt or enforce a greenhouse gas pricing or market-based emissions cap and reduce program for stationary sources, or adopt or enforce emission limitations on greenhouse gas emissions from stationary sources except as:

- (i) Provided in this chapter;
- (ii) Authorized or directed by a state statute in effect as of July 1, 2022; or
- (iii) Required to implement a federal statute, rule, or program.

(c) This chapter preempts the provisions of chapter 173-442 WAC, and the department shall repeal chapter 173-442 WAC.

(10)(a) By December 1, 2023, the office of financial management must submit a report to the appropriate committees of the legislature that summarizes two categories of state laws other than this chapter:

(i) Laws that regulate greenhouse gas emissions from stationary sources, and the greenhouse gas emission reductions attributable to each chapter, relative to a baseline in which this chapter and all other state laws that regulate greenhouse gas emissions are presumed to remain in effect; and

(ii) Laws whose implementation may effectuate reductions in greenhouse gas emissions from stationary sources.

(b) The state laws that the office of financial management may address in completing the report required in this subsection include, but are not limited to:

- (i) Chapter 19.27A RCW;
- (ii) Chapter 19.280 RCW;
- (iii) Chapter 19.405 RCW;
- (iv) Chapter 36.165 RCW;
- (v) Chapter 43.21F RCW;
- (vi) Chapter 70.30 RCW;
- (vii) Chapter 70A.15 RCW;
- (viii) Chapter 70A.45 RCW;
- (ix) Chapter 70A.60 RCW;
- (x) Chapter 70A.535 RCW;
- (xi) Chapter 80.04 RCW;
- (xii) Chapter 80.28 RCW;
- (xiii) Chapter 80.70 RCW;
- (xiv) Chapter 80.80 RCW; and
- (xv) Chapter 81.88 RCW.

(c) The office of financial management may contract for all or part of the work product required under this subsection.

**Sec. 9.** RCW 70A.65.210 and 2021 c 316 s 24 are each amended to read as follows:

(1) Subject to making the findings and conducting the public comment process described in subsection (3) of this section, the department shall seek to enter into linkage agreements with other jurisdictions with external greenhouse gas emissions trading programs in order to:



(a) Allow for the mutual use and recognition of compliance instruments issued by Washington and other linked jurisdictions;

(b) Broaden the greenhouse gas emission reduction opportunities to reduce the costs of compliance on covered entities and consumers;

(c) Enable allowance auctions to be held jointly and provide for the use of a unified tracking system for compliance instruments;

(d) Enhance market security;

(e) Reduce program administration costs; and

(f) Provide consistent requirements for covered entities whose operations span jurisdictional boundaries.

(2) The director of the department is authorized to execute linkage agreements with other jurisdictions with external greenhouse gas emissions trading programs consistent with the requirements in this chapter. A linkage agreement must cover the following:

(a) Provisions relating to regular, periodic auctions, including requirements for eligibility for auction participation, the use of a single auction provider to facilitate joint auctions, publication of auction-related information, processes for auction participation, purchase limits by auction participant type, bidding processes, dates of auctions, and financial requirements;

(b) Provisions related to holding limits to ensure no entities in any of the programs are disadvantaged relative to their counterparts in the other jurisdictions;

(c) Other requirements, such as greenhouse gas reporting and verification, offset protocols, criteria and process, and supervision and enforcement, to prevent fraud, abuse, and market manipulation;

(d) Common program registry, electronic auction platform, tracking systems for compliance instruments, and monitoring of compliance instruments;

(e) Provisions to ensure coordinated administrative and technical support;

(f) Provisions for public notice and participation; and

(g) Provisions to collectively resolve differences, amend the agreements, and delink or otherwise withdraw from the agreements.

(3) Before entering into a linkage agreement under this section, the department must evaluate and make a finding regarding whether the aggregate number of unused allowances in a linked program would reduce the stringency of Washington's program and the state's ability to achieve its greenhouse gas emissions reduction limits. The department must include in its evaluation a consideration of pre-2020 unused allowances that may exist in the program with which it is proposing to link. Before entering into a linkage agreement, the department must also establish a finding that the linking jurisdiction and the linkage agreement meet certain criteria identified under this subsection and conduct a public comment process to obtain input and a review of the linkage agreement by relevant stakeholders and other interested parties. The department must consider input

received from the public comment process before finalizing a linkage agreement. In the event that the department determines that a full linkage agreement is unlikely to meet the criteria, it may enter into a linkage agreement with limitations, including limits on the share of compliance that may be met with allowances originating from linked jurisdictions and other limitations deemed necessary by the department. A linkage agreement approved by the department must:

(a) Achieve the purposes identified in subsection (1) of this section;

(b) Ensure that the linking jurisdiction has provisions to ensure the distribution of benefits from the program to vulnerable populations and overburdened communities;

(c) Be determined by the department to not yield net adverse impacts to either jurisdictions' highly impacted communities or analogous communities in the aggregate, relative to the baseline level of emissions; and

(d) Not adversely impact Washington's ability to achieve the emission reduction limits established in RCW 70A.45.020.

(4) Before entering a linkage agreement, the department must post and maintain on its website, and provide notification to the appropriate policy and fiscal committees of the legislature, a quarterly status update regarding any potential linkage agreement that the department has determined to seek to enter into under this section. The status report must include:

(a) An outline of the expected steps that the department expects that it and linked jurisdictions will need to take prior to entering into a linkage agreement, including the requirements of subsection (3) of this section;

(b) Notation of any steps completed or initiated under (a) of this subsection; and

(c) An estimate of the time frames of possible completion for any steps identified under (a) of this subsection that have not yet been completed.

(5) The state retains all legal and policymaking authority over its program design and enforcement.

**Sec. 10.** RCW 70A.65.310 and 2022 c 181 s 2 are each amended to read as follows:

(1) A covered or opt-in entity has a compliance obligation for its emissions during each (~~four-year~~) compliance period, with the first compliance period commencing January 1, 2023. The department shall by rule require that covered or opt-in entities annually transfer a percentage of compliance instruments, but must fully satisfy their compliance obligation, for each compliance period.

(2) Compliance occurs through the transfer of the required compliance instruments or price ceiling units, on or before the transfer date, from the holding account to the compliance account of the covered or opt-in entity as described in RCW 70A.65.080.

(3)(a) A covered entity may substitute the submission of compliance instruments with price ceiling units.

(b) A covered or opt-in entity submitting insufficient compliance instruments to meet its compliance obligation is subject to a penalty as provided in RCW 70A.65.200.

(4) Older vintage allowances must be retired before newer vintage allowances.

(5) Upon receipt by the department of all compliance instruments transferred by a covered entity or opt-in entity to meet its compliance obligation, the department shall retire the allowances or offset credits.

**NEW SECTION. Sec. 11.** A new section is added to chapter 70A.65 RCW to read as follows:

(1) A federal power marketing administration may elect to voluntarily participate in the program by registering as an opt-in entity pursuant to the requirements of this section.

(2) In registering as an opt-in entity under this section, a federal power marketing administration may assume the compliance obligations associated with either:

(a) All electricity marketed in the state by the federal power marketing administration; or

(b) Only the electricity marketed by the federal power marketing administration in the state through a centralized electricity market.

(3) A federal power marketing administration that voluntarily elects to comply with the program must register with the department as an opt-in entity at least 90 days prior to January 1st of the calendar year in which the federal power marketing administration would assume the compliance obligations associated with federally marketed electricity in the state, in accordance with the requirements of this section.

(4) If a federal power marketing administration registers as an opt-in entity under this section, then beginning January 1st of the calendar year in which the federal power marketing administration would assume the compliance obligations associated with federally marketed electricity in the state, a covered or opt-in entity must not include in its covered emissions the emissions associated with federally marketed electricity in the state for which the federal power marketing administration has assumed the compliance obligation.

(5) After consulting with a federal power marketing administration, the department must determine the appropriate registration requirements for that federal power marketing administration.

(6) (a) An electric utility may voluntarily elect to transfer all or a designated number of the utility's allowances allocated at no cost to a federal power marketing administration registered as an opt-in entity under this section to be used for direct compliance. An electric utility wishing to transfer allowances allocated at no cost from the utility's holding account to a holding account of a federal power marketing administration to be used for direct compliance may submit a request to the department requesting the

transfer and providing the following information:

(i) The electric utility's holding account number;

(ii) The holding account number of the federal power marketing administration;

(iii) The number and vintage of no cost allowances to be transferred; and

(iv) The relationship between the electric utility and the federal power marketing administration.

(b) The department may transfer the allowances only if:

(i) The electric utility has an agreement to purchase electricity from the federal power marketing administration, or a power purchase agreement, including a custom product contract, with the federal power marketing administration; and

(ii) The transfer does not violate the federal power marketing administration's holding limit.

(7) (a) In addition to the manual transfer request process provided under subsection (6) of this section, the department must also provide for an optional process by which an electric utility may approve the automatic distribution of all or a designated number of the utility's allowances allocated at no cost directly into a holding account of a federal power marketing administration to be used for direct compliance, without first being distributed to the utility's holding account.

(b) An electric utility receiving an allocation of allowances at no cost must inform the department by September 1st of each year of the accounts into which the allocation or a portion of the allocation is to be automatically distributed under this subsection. If an electric utility fails to submit its distribution preference by September 1st, the department must automatically place all directly allocated allowances for the following calendar year into the electric utility's holding account. Nothing in this subsection (7) (b) precludes an electric utility from requesting a manual transfer of allowances under subsection (6) of this section after September 1st of each year.

**Sec. 12.** RCW 70A.15.2200 and 2022 c 181 s 9 are each amended to read as follows:

(1) The board of any activated authority or the department, may classify air contaminant sources, by ordinance, resolution, rule or regulation, which in its judgment may cause or contribute to air pollution, according to levels and types of emissions and other characteristics which cause or contribute to air pollution, and may require registration or reporting or both for any such class or classes. Classifications made pursuant to this section may be for application to the area of jurisdiction of such authority, or the state as a whole or to any designated area within the jurisdiction, and shall be made with special reference to effects on health, economic and social factors, and physical effects on property.

(2) Except as provided in subsection (3) of this section, any person operating or

responsible for the operation of air contaminant sources of any class for which the ordinances, resolutions, rules or regulations of the department or board of the authority, require registration or reporting shall register therewith and make reports containing information as may be required by such department or board concerning location, size and height of contaminant outlets, processes employed, nature of the contaminant emission and such other information as is relevant to air pollution and available or reasonably capable of being assembled. In the case of emissions of greenhouse gases as defined in RCW 70A.45.010 the department shall adopt rules requiring reporting of those emissions. The department or board may require that such registration or reporting be accompanied by a fee, and may determine the amount of such fee for such class or classes: PROVIDED, That the amount of the fee shall only be to compensate for the costs of administering such registration or reporting program which shall be defined as initial registration and annual or other periodic reports from the source owner providing information directly related to air pollution registration, on-site inspections necessary to verify compliance with registration requirements, data storage and retrieval systems necessary for support of the registration program, emission inventory reports and emission reduction credits computed from information provided by sources pursuant to registration program requirements, staff review, including engineering or other reliable analysis for accuracy and currentness, of information provided by sources pursuant to registration program requirements, clerical and other office support provided in direct furtherance of the registration program, and administrative support provided in directly carrying out the registration program: PROVIDED FURTHER, That any such registration made with either the board or the department shall preclude a further registration and reporting with any other board or the department, except that emissions of greenhouse gases as defined in RCW 70A.45.010 must be reported as required under subsection (5) of this section.

All registration program and reporting fees collected by the department shall be deposited in the air pollution control account. All registration program fees collected by the local air authorities shall be deposited in their respective treasuries.

(3) If a registration or report has been filed for a grain warehouse or grain elevator as required under this section, registration, reporting, or a registration program fee shall not, after January 1, 1997, again be required under this section for the warehouse or elevator unless the capacity of the warehouse or elevator as listed as part of the license issued for the facility has been increased since the date the registration or reporting was last made. If the capacity of the warehouse or elevator listed as part of the license is increased, any registration or reporting required for the warehouse or elevator under this section must be made by the date the warehouse or elevator receives grain from the first

harvest season that occurs after the increase in its capacity is listed in the license.

This subsection does not apply to a grain warehouse or grain elevator if the warehouse or elevator handles more than 10,000,000 bushels of grain annually.

(4) For the purposes of subsection (3) of this section:

(a) A "grain warehouse" or "grain elevator" is an establishment classified in standard industrial classification (SIC) code 5153 for wholesale trade for which a license is required and includes, but is not limited to, such a licensed facility that also conducts cleaning operations for grain;

(b) A "license" is a license issued by the department of agriculture licensing a facility as a grain warehouse or grain elevator under chapter 22.09 RCW or a license issued by the federal government licensing a facility as a grain warehouse or grain elevator for purposes similar to those of licensure for the facility under chapter 22.09 RCW; and

(c) "Grain" means a grain or a pulse.

(5)(a) The department shall adopt rules requiring persons to report emissions of greenhouse gases as defined in RCW 70A.45.010 where those emissions from a single facility, or from ~~((electricity or))~~ fossil fuels sold in Washington by a single supplier or local distribution company, meet or exceed 10,000 metric tons of carbon dioxide equivalent annually. The department's rules may also require electric power entities to report emissions of greenhouse gases from all electricity that is purchased, sold, imported, exported, or exchanged in Washington. The rules adopted by the department must support implementation of the program created in RCW 70A.65.060. In addition, the rules must require that:

(i) Emissions of greenhouse gases resulting from the combustion of fossil fuels be reported separately from emissions of greenhouse gases resulting from the combustion of biomass; and

(ii) Each annual report must include emissions data for the preceding calendar year and must be submitted to the department by March 31st of the year in which the report is due, except for an electric power entity, which must submit its report by June 1st of the year in which the report is due.

(b)(i) The department may by rule include additional gases to the definition of "greenhouse gas" in RCW 70A.45.010 only if the gas has been designated as a greenhouse gas by the United States congress, by the United States environmental protection agency, or included in external greenhouse gas emission trading programs with which Washington has pursuant to RCW 70A.65.210. Prior to including additional gases to the definition of "greenhouse gas" in RCW 70A.45.010, the department shall notify the appropriate committees of the legislature.

(ii) The department may by rule exempt persons who are required to report greenhouse gas emissions to the United States environmental protection agency and who emit less than 10,000 metric tons carbon dioxide equivalent annually.

~~(iii) The department must establish greenhouse gas emission reporting methodologies for persons who are required to report under this section. The department's reporting methodologies must be designed to address the needs of ensuring accuracy of reported emissions and maintaining consistency over time, and may, to the extent practicable, be similar to reporting methodologies of jurisdictions with which Washington has entered into a linkage agreement.~~

~~(iv) The department must establish a methodology for persons who are not required to report under this section to voluntarily report their greenhouse gas emissions.~~

~~(c) ~~((i))~~ The department shall review and if necessary update its rules whenever:~~

~~(A) The United States environmental protection agency adopts final amendments to 40 C.F.R. Part 98 to ensure consistency with federal reporting requirements for emissions of greenhouse gases; or~~

~~(B) Needed to ensure consistency with emissions reporting requirements for jurisdictions with which Washington has entered a linkage agreement.~~

~~(ii) The department shall not amend its rules in a manner that conflicts with this section.~~

~~((d))~~ The department shall share any reporting information reported to it with the local air authority in which the person reporting under the rules adopted by the department operates.

~~((+e))~~ (d) The fee provisions in subsection (2) of this section apply to reporting of emissions of greenhouse gases. Persons required to report under (a) of this subsection who fail to report or pay the fee required in subsection (2) of this section are subject to enforcement penalties under this chapter. The department shall enforce the reporting rule requirements. When a person that holds a compliance obligation under RCW 70A.65.080 fails to submit an emissions data report or fails to obtain a positive emissions data verification statement in accordance with ~~((+g))~~ (f) (ii) of this subsection, the department may assign an emissions level for that person.

~~((+f))~~ (e) The energy facility site evaluation council shall, simultaneously with the department, adopt rules that impose greenhouse gas reporting requirements in site certifications on owners or operators of a facility permitted by the energy facility site evaluation council. The greenhouse gas reporting requirements imposed by the energy facility site evaluation council must be the same as the greenhouse gas reporting requirements imposed by the department. The department shall share any information reported to it from facilities permitted by the energy facility site evaluation council with the council, including notice of a facility that has failed to report as required. The energy facility site evaluation council shall contract with the department to monitor the reporting requirements adopted under this section.

~~((+g))~~ (f) (i) The department must establish by rule the methods of verifying the accuracy of emissions reports.

(ii) Verification requirements apply at a minimum to persons required to report under (a) of this subsection with emissions that equal or exceed 25,000 metric tons of carbon dioxide equivalent emissions, including carbon dioxide from biomass-derived fuels, or to persons who have a compliance obligation under RCW 70A.65.080 in any year of the current compliance period. The department may adopt rules to accept verification reports from another jurisdiction with a linkage agreement pursuant to RCW 70A.65.180 in cases where the department deems that the methods or procedures are substantively similar.

~~((+h))~~ (g) (i) The definitions in RCW 70A.45.010 apply throughout this subsection (5) unless the context clearly requires otherwise.

(ii) For the purpose of this subsection (5), the term "supplier" includes: (A) Suppliers that produce, import, or deliver, or any combination of producing, importing, or delivering, a quantity of fuel products in Washington that, if completely combusted, oxidized, or used in other processes, would result in the release of greenhouse gases in Washington equivalent to or higher than the threshold established under (a) of this subsection; and (B) suppliers of carbon dioxide that produce, import, or deliver a quantity of carbon dioxide in Washington that, if released, would result in emissions equivalent to or higher than the threshold established under (a) of this subsection.

(iii) For the purpose of this subsection (5), the term "person" includes: (A) An owner or operator of a facility; (B) a supplier; or (C) an electric power entity.

(iv) For the purpose of this subsection (5), the term "facility" includes facilities that directly emit greenhouse gases in Washington equivalent to the threshold established under (a) of this subsection with at least one source category listed in the United States environmental protection agency's mandatory greenhouse gas reporting regulation, 40 C.F.R. Part 98 Subparts C through II and RR through UU, as adopted on April 25, 2011.

(v) For the purpose of this subsection (5), the term "electric power entity" includes any of the following that supply electric power in Washington with associated emissions of greenhouse gases equal to or above the threshold established under (a) of this subsection: (A) Electricity importers and exporters; (B) retail providers, including multijurisdictional retail providers; and (C) first jurisdictional deliverers, as defined in RCW 70A.65.010, not otherwise included here.

NEW SECTION. Sec. 13. This act is not a conflicting measure dealing with the same subject as Initiative Measure No. 2117 within the meaning of Article II, section 1 of the state Constitution, but if a court of competent jurisdiction enters a final judgment that is no longer subject to appeal directing the secretary of state to place this act on the 2024 ballot as a conflicting measure to Initiative Measure No. 2117, this act is null and void and may not be placed on the 2024 ballot.

NEW SECTION. **Sec. 14.** This act takes effect January 1, 2025, only if Initiative Measure No. 2117 is not approved by a vote of the people in the 2024 general election. If Initiative Measure No. 2117 is approved by a vote of the people in the 2024 general election, this act is null and void."

Correct the title.

Signed by Representatives Doglio, Chair; Mena, Vice Chair; Berry; Duerr; Fey; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Gohner; and Sandlin.

Referred to Committee on Appropriations

February 20, 2024

SSB 6059 Prime Sponsor, Housing: Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 59.20.030 and 2023 c 40 s 2 are each amended to read as follows:

For purposes of this chapter:

(1) "Abandoned" as it relates to a mobile home, manufactured home, or park model owned by a tenant in a mobile home park, mobile home park cooperative, or mobile home park subdivision or tenancy in a mobile home lot means the tenant has defaulted in rent and by absence and by words or actions reasonably indicates the intention not to continue tenancy;

(2) "Active duty" means service authorized by the president of the United States, the secretary of defense, or the governor for a period of more than ((thirty)) 30 consecutive days;

(3) "Community land trust" means a private, nonprofit, community-governed, and/or membership corporation whose mission is to acquire, hold, develop, lease, and steward land for making homes, farmland, gardens, businesses, and other community assets permanently affordable for current and future generations. A community land trust's bylaws prescribe that the governing board is comprised of individuals who reside in the community land trust's service area, one-third of whom are currently, or could be, community land trust leaseholders;

(4) "Eligible organization" includes community land trusts, resident nonprofit cooperatives, local governments, local housing authorities, nonprofit community or neighborhood-based organizations, federally recognized Indian tribes in the state of Washington, and regional or statewide nonprofit housing assistance organizations, whose mission aligns with the long-term preservation of the manufactured/mobile home community;

(5) "Housing and low-income assistance organization" means an organization that

provides tenants living in mobile home parks, manufactured housing communities, and manufactured/mobile home communities with information about their rights and other pertinent information;

(6) "Housing authority" or "authority" means any of the public body corporate and politic created in RCW 35.82.030;

(7) "Landlord" or "owner" means the owner of a mobile home park and includes the agents of the owner;

(8) "Local government" means a town government, city government, code city government, or county government in the state of Washington;

(9) "Manufactured home" means a single-family dwelling built according to the United States department of housing and urban development manufactured home construction and safety standards act, which is a national preemptive building code. A manufactured home also: (a) Includes plumbing, heating, air conditioning, and electrical systems; (b) is built on a permanent chassis; and (c) can be transported in one or more sections with each section at least eight feet wide and 40 feet long when transported, or when installed on the site is three hundred twenty square feet or greater;

(10) "Manufactured/mobile home" means either a manufactured home or a mobile home;

(11) "Mobile home" means a factory-built dwelling built prior to June 15, 1976, to standards other than the United States department of housing and urban development code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the United States department of housing and urban development manufactured home construction and safety act;

(12) "Mobile home lot" means a portion of a mobile home park or manufactured housing community designated as the location of one mobile home, manufactured home, or park model and its accessory buildings, and intended for the exclusive use as a primary residence by the occupants of that mobile home, manufactured home, or park model;

(13) "Mobile home park cooperative" or "manufactured housing cooperative" means real property consisting of common areas and two or more lots held out for placement of mobile homes, manufactured homes, or park models in which both the individual lots and the common areas are owned by an association of shareholders which leases or otherwise extends the right to occupy individual lots to its own members;

(14) "Mobile home park subdivision" or "manufactured housing subdivision" means real property, whether it is called a subdivision, condominium, or planned unit development, consisting of common areas and two or more lots held for placement of mobile homes, manufactured homes, or park models in which there is private ownership of the individual lots and common, undivided ownership of the common areas by owners of the individual lots;

(15) "Mobile home park," "manufactured housing community," or "manufactured/mobile home community" means any real property

which is rented or held out for rent to others for the placement of two or more mobile homes, manufactured homes, or park models for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy;

(16) "Notice of opportunity to compete to purchase" means a notice required under RCW 59.20.325;

(17) "Notice of sale" means a notice required under RCW 59.20.300 to be delivered to all tenants of a manufactured/mobile home community and other specified parties within 14 days after the date on which any advertisement, listing, or public or private notice is first made advertising that a manufactured/mobile home community or the property on which it sits is for sale or lease. A delivered notice of opportunity to compete to purchase acts as a notice of sale;

(18) "Occupant" means any person, including a live-in care provider, other than a tenant, who occupies a mobile home, manufactured home, or park model and mobile home lot;

(19) "Orders" means written official military orders, or any written notification, certification, or verification from the service member's commanding officer, with respect to the service member's current or future military status;

(20) "Park model" means a recreational vehicle intended for permanent or semi-permanent installation and is used as a primary residence;

(21) "Permanent change of station" means: (a) Transfer to a unit located at another port or duty station; (b) change of a unit's home port or permanent duty station; (c) call to active duty for a period not less than 90 days; (d) separation; or (e) retirement;

(22) "Qualified sale of manufactured/mobile home community" means the sale, as defined in RCW 82.45.010, of land and improvements comprising a manufactured/mobile home community that is transferred in a single purchase to a qualified tenant organization or to an eligible organization for the purpose of preserving the property as a manufactured/mobile home community;

(23) "Qualified tenant organization" means a formal organization of tenants within a manufactured/mobile home community, with the only requirement for membership consisting of being a tenant. If a majority of the tenants, based on home sites within the manufactured/mobile home community, agree that they want to preserve the manufactured/mobile home community then they will appoint a spokesperson to represent the wishes of the qualified tenant organization to the landlord and the landlord's representative;

(24) "Recreational vehicle" means a travel trailer, motor home, truck camper, or camping trailer that is primarily designed and used as temporary living quarters, is either self-propelled or mounted on or drawn by another vehicle, is transient, is not occupied as a primary residence, and is not immobilized or permanently affixed to a mobile home lot;

(25) "Resident nonprofit cooperative" means a nonprofit cooperative corporation formed by a group of manufactured/mobile home community residents for the purpose of acquiring the manufactured/mobile home community in which they reside and converting the manufactured/mobile home community to a mobile home park cooperative or manufactured housing cooperative;

(26) "Service member" means an active member of the United States armed forces, a member of a military reserve component, or a member of the national guard who is either stationed in or a resident of Washington state;

(27) "Tenant" means any person, except a transient, who rents a mobile home lot;

(28) "Transient" means a person who rents a mobile home lot for a period of less than one month for purposes other than as a primary residence.

**Sec. 2.** RCW 59.20.325 and 2023 c 40 s 8 are each amended to read as follows:

(1) An owner shall give written notice of an opportunity to compete to purchase indicating the owner's interest in selling the manufactured/mobile home community before the owner markets the manufactured/mobile home community for sale or includes the sale of the manufactured/mobile home community in a multiple listing, and when the owner receives an offer to purchase that the owner intends to consider unless that offer is received during the process under RCW 59.20.330.

(2) The owner shall give the notice in subsection (1) of this section by certified mail or personal delivery to:

(a) All tenants of the manufactured/mobile home community;

(b) A qualified tenant organization, if there is an existing qualified tenant organization within the manufactured/mobile home community;

(c) The department of commerce; and

(d) The Washington state housing finance commission.

(3) The notice required in subsection (1) of this section must include:

(a) The date that the notice was mailed by certified mail or personally delivered to all recipients set forth in subsection (2) of this section;

(b) A statement that the owner is considering selling the manufactured/mobile home community or the property on which it sits;

~~((+e))~~ (c) A statement that the tenants, through a qualified tenant organization representing a majority of the tenants in the community, based on home sites, or an eligible organization, have an opportunity to compete to purchase the manufactured/mobile home community;

~~((+e))~~ (d) A statement that in order to compete to purchase the manufactured/mobile home community, within 70 days after ((delivery)) the certified mailing or personal delivery date stated in accordance with (a) of this subsection of the notice of the owner's interest in selling the manufactured/mobile home community, the tenants must form or identify a single qualified tenant organization for the

purpose of purchasing the manufactured/mobile home community and notify the owner in writing of:

(i) The tenants' interest in competing to purchase the manufactured/mobile home community; and

(ii) The name and contact information of the representative or representatives of the qualified tenant organization with whom the owner may communicate about the purchase; and

~~((d))~~ (e) A statement that information about purchasing a manufactured/mobile home community is available from the department of commerce.

(4) The representative or representatives of the tenants committee will be able to request park operating expenses described in RCW 59.20.330 from the owner within a ~~((15-day))~~ 20-day information period following delivery of the qualified tenant organization's notice to the owner indicating interest in competing to purchase the manufactured/mobile home community.

(5) An eligible organization may also compete to purchase and is subject to the same time constraints and applicable conditions as a qualified tenant organization.

**Sec. 3.** RCW 59.20.330 and 2023 c 40 s 9 are each amended to read as follows:

(1) Within 70 days after ~~((delivery of))~~ the certified mailing or personal delivery date stated in the notice of the opportunity to compete to purchase the manufactured/mobile home community described in RCW 59.20.325, if the tenants choose to compete to purchase the manufactured/mobile home community in which the tenants reside, the tenants must notify the owner in writing of:

(a) The tenants' interest in competing to purchase the manufactured/mobile home community;

(b) Their formation or identification of a single qualified tenant organization made up of a majority of the tenants in the community, based on home sites, formed for the purpose of purchasing the manufactured/mobile home community; and

(c) The name and contact information of the representative or representatives of the qualified tenant organization with whom the owner may communicate about the purchase.

(2) The tenants may only have one qualified tenant organization for the purpose of purchasing the manufactured/mobile home community, but they may partner with a nonprofit or a housing authority to act with or for them subject to the same timelines, duties, and obligations that would apply to tenants and qualified tenant organizations under chapter 40, Laws of 2023.

(3) Within ~~((15))~~ 20 days following delivery of the notice in subsection (1) of this section from the tenants to the owner:

(a) The designated representative or representatives of the qualified tenant organization may make a written request to the owner for:

(i) The asking price for the manufactured/mobile home community, if any; ~~((and))~~ or

(ii) Financial information relating to the operating expenses of the manufactured/mobile home community in order to assist them in making an offer to purchase the park;

(b) The owner may make a written request to the designated representative or representatives of the qualified tenant organization for proof of intent to fund a sale;

(c) All written requests made pursuant to this subsection must be fulfilled within 21 days from receipt unless otherwise agreed by the qualified tenant organization and the owner;

(d) Unless waived by the provider, information provided pursuant to this subsection shall be kept confidential, and a list must be created of persons with whom the tenants may share information who will also keep provided information confidential, including any of the following persons that are either seeking to purchase the manufactured/mobile home community on behalf of the tenants or assisting the qualified tenant organization in evaluating or purchasing the manufactured/mobile home community:

(i) A nonprofit organization or a housing authority;

(ii) An attorney or other licensed professional or adviser; and

(iii) A financial institution.

(4) Within 21 days after delivery of the information described in subsection (3)(a) of this section, if the tenants choose to continue competing to purchase the manufactured/mobile home community, the tenants must:

(a) Form a resident nonprofit cooperative that is legally capable of purchasing real property or associate with a nonprofit corporation or housing authority that is legally capable of purchasing the manufactured/mobile home community in which the tenants reside; and

(b) Submit to the owner a written offer to purchase the manufactured/mobile home community, in the form of a proposed purchase and sale agreement, and either a copy of the articles of incorporation of the corporate entity or other evidence of the legal capacity of the formed or associated corporate entity, nonprofit corporation, or housing authority to purchase real property and the manufactured/mobile home community.

(5)(a) Within 10 days of receiving the tenants' purchase and sale agreement, the owner may accept the offer, reject the offer, or submit a counteroffer.

(b) If the parties reach agreement on the purchase, the purchase and sale agreement must specify the price, due diligence duties, schedules, timelines, conditions, and any extensions.

(c) If the offer is rejected, then the owner must provide a written explanation of why the offer is being rejected and what terms and conditions might be included in a subsequent offer for the landlord to potentially accept it, if any. The price, terms, and conditions of an acceptable offer stated in the response must be universal and applicable to all potential buyers and must not be specific to and prohibitive of a qualified tenant organization or eligible

organization making a successful offer to purchase the park.

(d) If the tenants do not: (i) Act as required within the time periods described in chapter 40, Laws of 2023; (ii) violate the confidentiality agreement described in this section; or (iii) reach agreement on a purchase with the owner, the owner is not obligated to take additional action under chapter 40, Laws of 2023 and may record an affidavit pursuant to RCW 59.20.345.

(6) An eligible organization acting on its own behalf is also subject to the same requirements and applicable conditions as those set out in this section.

**Sec. 4.** RCW 59.20.335 and 2023 c 40 s 10 are each amended to read as follows:

(1) During the process described in RCW 59.20.325 and 59.20.330, the parties shall act in good faith and in a commercially reasonable manner, which includes a duty for the tenants to notify the owner promptly if there is no intent to purchase the manufactured/mobile home community or the property on which it sits. The parties have an overall duty to act in good faith. With respect to negotiation, this overall duty of good faith requirement means that the owner must allow the tenants to develop an offer, must give their offer reasonable consideration, and to further competition, must inform ~~((the tenants if a higher))~~ any qualified tenant organization, eligible organizations, and competing potential buyers participating in negotiations upon receipt if a preferred offer is submitted. Furthermore, the owner may not deny residents the same access to the community and to information, such as operating expenses and rent rolls, that the landowner would give to a commercial buyer. With respect to financial information, all parties shall agree to keep this information confidential.

(2) Except as provided in RCW 59.20.340(1), before selling a manufactured/mobile home community to an entity that is not formed by or associated with the tenants, or to an eligible organization, the owner of the manufactured/mobile home community must give the notice required by RCW 59.20.325 and comply with the requirements of RCW 59.20.330.

(3) A minor error in providing the notice required by RCW 59.20.325 or in providing operating expenses information required by RCW 59.20.330 does not prevent the owner from selling the manufactured/mobile home community to an entity that is not formed by or associated with the tenants and does not cause the owner to be liable to the tenants for damages or a penalty.

(4) During the process described in RCW 59.20.325 and 59.20.330, the owner may seek, negotiate with, or enter into a contract subject to the rights of the tenants in chapter 40, Laws of 2023 with potential purchasers other than the tenants or an entity formed by or associated with the tenants or another eligible organization.

(5) If the owner does not comply with the requirements of chapter 40, Laws of 2023 in a substantial way that prevents the tenants or an eligible organization from competing

to purchase the manufactured/mobile home community, the tenants or eligible organization may:

(a) Obtain injunctive relief to prevent a sale or transfer to an entity that is not formed by or associated with the tenants; and

(b) Recover actual damages not to exceed twice the monthly rent from the owner for each tenant.

(6) If a party misuses or discloses, in a substantial way, confidential information in violation of RCW 59.20.330, that party may recover actual damages from the other party.

(7) The department of commerce shall prepare and make available information for tenants about purchasing a manufactured dwelling or manufactured/mobile home community.

**Sec. 5.** RCW 59.20.080 and 2023 c 40 s 5 are each amended to read as follows:

(1) A landlord shall not terminate or fail to renew a tenancy of a tenant or the occupancy of an occupant, of whatever duration except for one or more of the following reasons:

(a) In accordance with RCW 59.20.045(6), substantial violation, or repeated or periodic violations, of an enforceable rule of the mobile home park as established by the landlord at the inception of or during the tenancy or for violation of the tenant's duties as provided in RCW 59.20.140. The tenant shall be given written notice to cease the rule violation immediately. The notice shall state that failure to cease the violation of the rule or any subsequent violation of that or any other rule shall result in termination of the tenancy, and that the tenant shall vacate the premises within ~~((twenty))~~ 20 days: PROVIDED, That for a periodic violation the notice shall also specify that repetition of the same violation shall result in termination: PROVIDED FURTHER, That in the case of a violation of a "material change" in park rules with respect to pets, tenants with minor children living with them, or recreational facilities, the tenant shall be given written notice under this chapter of a six month period in which to comply or vacate;

(b) Nonpayment of rent or other charges specified in the rental agreement, upon 14 days written notice to pay rent and/or other charges or to vacate;

(c) Conviction of the tenant of a crime, commission of which threatens the health, safety, or welfare of the other mobile home park tenants. The tenant shall be given written notice of a 15-day period in which to vacate;

(d) Failure of the tenant to comply with local ordinances and state laws and regulations relating to mobile homes, manufactured homes, or park models or mobile home, manufactured homes, or park model living within a reasonable time after the tenant's receipt of notice of such noncompliance from the appropriate governmental agency;

(e) Change of land use of the mobile home park including, but not limited to, closure of the mobile home park or conversion to a



use other than for mobile homes, manufactured homes, or park models or conversion of the mobile home park to a mobile home park cooperative or mobile home park subdivision. The landlord shall give the tenants two years' notice, in the form of a closure notice meeting the requirements of RCW 59.21.030, in advance of the effective date of such change. The two-year closure notice requirement does not apply if:

(i) The mobile home park or manufactured housing community has been acquired for or is under imminent threat of condemnation;

(ii) The mobile home park or manufactured housing community is sold or transferred to a county in order to reduce conflicting residential uses near a military installation;

(iii) The mobile home park or manufactured housing community is sold to an eligible organization;

(iv) The landlord provides relocation assistance of at least \$15,000 for a multisection home or of at least \$10,000 for a single section home, establishes a simple, straightforward, and timely process for compensating the tenants for the loss of their homes and actually compensates the tenants for the loss of their homes, at the greater of 50 percent of their assessed market value in the tax year prior to the notice of closure being issued, or \$5,000, at any point during the closure notice period and prior to a change of use or sale of the property. At such time as the compensation is paid, the tenant shall be given written notice of at least 12 months in which to vacate that includes department of commerce contact information, as provided by the department of commerce, identifying financial and technical assistance programs available to support eligible tenant relocation activities, and the tenant shall continue to pay rent for as much time as he or she remains in the mobile home park or manufactured housing community. Nothing in this subsection (1)(e)(iv) prevents a tenant from relocating his or her home out of the mobile home park or manufactured housing community pursuant to chapter 59.21 RCW. In the event that a home remains in the mobile home park or manufactured housing community after a tenant vacates, the landlord shall be responsible for its demolition or disposal. A landlord is still eligible for demolition and disposal costs pursuant to RCW 59.21.021. Homeowners who receive payments or financial assistance from landlords as described in this subsection (1)(e)(iv) remain eligible to receive other state assistance for which they may be eligible including, but not limited to, relocation assistance funds pursuant to RCW 59.21.021; or

(v) The landlord provides relocation assistance of at least \$15,000 for a multisection home and of at least \$10,000 for a single section home at any point during the closure notice period and prior to a change of use or sale of the property. At such time as the assistance is paid, the tenant shall be given written notice of at least 18 months in which to vacate that includes department of commerce contact information, as provided by the department

of commerce, identifying financial and technical assistance programs available to support eligible tenant relocation activities, and the tenant shall continue to pay rent for as much time as he or she remains in the mobile home park or manufactured housing community. Nothing in this subsection (1)(e)(v) prevents a tenant from relocating his or her home out of the mobile home park or manufactured housing community pursuant to chapter 59.21 RCW. In the event that a home remains in the mobile home park or manufactured housing community after a tenant vacates, the landlord shall be responsible for its demolition or disposal. A landlord is still eligible for demolition and disposal costs pursuant to RCW 59.21.021. Homeowners who receive payments or financial assistance from landlords as described in this subsection (1)(e)(v) remain eligible to receive other state assistance for which they may be eligible including, but not limited to, relocation assistance funds pursuant to RCW 59.21.021;

(f) Engaging in "criminal activity." "Criminal activity" means a criminal act defined by statute or ordinance that threatens the health, safety, or welfare of the tenants. A park owner seeking to evict a tenant or occupant under this subsection need not produce evidence of a criminal conviction, even if the alleged misconduct constitutes a criminal offense. Notice from a law enforcement agency of criminal activity constitutes sufficient grounds, but not the only grounds, for an eviction under this subsection. Notification of the seizure of illegal drugs under RCW 59.20.155 is evidence of criminal activity and is grounds for an eviction under this subsection. The requirement that any tenant or occupant register as a sex offender under RCW 9A.44.130 is grounds for eviction of the sex offender under this subsection. If criminal activity is alleged to be a basis of termination, the park owner may proceed directly to an unlawful detainer action;

(g) The tenant's application for tenancy contained a material misstatement that induced the park owner to approve the tenant as a resident of the park, and the park owner discovers and acts upon the misstatement within one year of the time the resident began paying rent;

(h) If the landlord serves a tenant three 20-day notices, each of which was valid under (a) of this subsection at the time of service, within a 12-month period to comply or vacate for failure to comply with the material terms of the rental agreement or an enforceable park rule, other than failure to pay rent by the due date. The applicable 12-month period shall commence on the date of the first violation;

(i) Failure of the tenant to comply with obligations imposed upon tenants by applicable provisions of municipal, county, and state codes, statutes, ordinances, and regulations, including this chapter. The landlord shall give the tenant written notice to comply immediately. The notice must state that failure to comply will result in termination of the tenancy and that the tenant shall vacate the premises within 15 days;

(j) The tenant engages in disorderly or substantially annoying conduct upon the park premises that results in the destruction of the rights of others to the peaceful enjoyment and use of the premises. The landlord shall give the tenant written notice to comply immediately. The notice must state that failure to comply will result in termination of the tenancy and that the tenant shall vacate the premises within 15 days;

(k) The tenant creates a nuisance that materially affects the health, safety, and welfare of other park residents. The landlord shall give the tenant written notice to cease the conduct that constitutes a nuisance immediately. The notice must describe the nuisance and state (i) what the tenant must do to cease the nuisance and (ii) that failure to cease the conduct will result in termination of the tenancy and that the tenant shall vacate the premises in five days;

(l) Any other substantial just cause that materially affects the health, safety, and welfare of other park residents. The landlord shall give the tenant written notice to comply immediately. The notice must describe the harm caused by the tenant, describe what the tenant must do to comply and to discontinue the harm, and state that failure to comply will result in termination of the tenancy and that the tenant shall vacate the premises within 15 days; or

(m) Failure to pay rent by the due date provided for in the rental agreement three or more times in a 12-month period, commencing with the date of the first violation, after service of a 14-day notice to comply or vacate.

(2) Within five days of a notice of eviction as required by subsection (1)(a) of this section, the landlord and tenant shall submit any dispute to mediation. The parties may agree in writing to mediation by an independent third party or through industry mediation procedures. If the parties cannot agree, then mediation shall be through industry mediation procedures. A duty is imposed upon both parties to participate in the mediation process in good faith for a period of 10 days for an eviction under subsection (1)(a) of this section. It is a defense to an eviction under subsection (1)(a) of this section that a landlord did not participate in the mediation process in good faith.

(3) Except for a tenant evicted under subsection (1)(c) or (f) of this section, a tenant evicted from a mobile home park under this section shall be allowed 120 days within which to sell the tenant's mobile home, manufactured home, or park model in place within the mobile home park: PROVIDED, That the tenant remains current in the payment of rent incurred after eviction, and pays any past due rent, reasonable attorneys' fees and court costs at the time the rental agreement is assigned. The provisions of RCW 59.20.073 regarding transfer of rental agreements apply.

(4) Chapters 59.12 and 59.18 RCW govern the eviction of recreational vehicles, as defined in RCW 59.20.030, from mobile home parks. This chapter governs the eviction of mobile homes, manufactured homes, park

models, and recreational vehicles used as a primary residence from a mobile home park.

**Sec. 6.** RCW 59.21.030 and 2019 c 342 s 10 are each amended to read as follows:

(1) The closure notice required by RCW 59.20.080 before park closure or conversion of the park shall be given to the director or the director's designee and all tenants in writing, and conspicuously posted at all park entrances.

(2) The closure notice required under RCW 59.20.080 must be in substantially the following form:

"CLOSURE NOTICE TO TENANTS  
NOTICE IS HEREBY GIVEN on the . . . . day of . . . ., . . . ., of a conversion of this mobile home park or manufactured housing community to a use other than for mobile homes, manufactured homes, or park models, or of a conversion of the mobile home park or manufactured housing community to a mobile home park cooperative or a mobile home park subdivision. This change of use becomes effective on the . . . . day of . . . ., . . . ., which is the date ((~~twelve months~~)) two years after the date this closure notice is given.

PARK OR COMMUNITY MANAGEMENT OR OWNERSHIP INFORMATION:

For information during the period preceding the effective change of use of this mobile home park or manufactured housing community on the . . . . day of . . . ., . . . ., contact:

Name:  
Address:  
Telephone:  
PURCHASER INFORMATION, if applicable:

Contact information for the purchaser of the mobile home park or manufactured housing community property consists of the following:

Name:  
Address:  
Telephone:  
PARK PURCHASE BY TENANT ORGANIZATIONS, if applicable:

The owner of this mobile home park or manufactured housing community may be willing to entertain an offer of purchase by an organization or group consisting of park or community tenants or a not-for-profit agency designated by the tenants. Tenants should contact the park owner or park management with such an offer. Any such offer must be made and accepted prior to closure, and the timeline for closure remains unaffected by an offer. Acceptance of any offer is at the discretion of the owner and is not a first right of refusal.

RELOCATION ASSISTANCE RESOURCES:  
For information about the availability of relocation assistance, contact the Office of Mobile/Manufactured Home Relocation Assistance within the Department of Commerce."

(3) The closure notice required by RCW 59.20.080 must also meet the following requirements:

(a) A copy of the closure notice must be provided with all rental agreements signed after the original park closure notice date as required under RCW 59.20.060;

(b) Notice to the director or director's designee must include: (i) A good faith estimate of the timetable for removal of the mobile homes; (ii) the reason for closure; and (iii) a list of the names and mailing addresses of the current registered park tenants. Notice required under this subsection must be sent to the director or director's designee within ~~((ten))~~ 10 business days of the date notice was given to all tenants as required by RCW 59.20.080; and

(c) Notice must be recorded in the office of the county auditor for the county where the mobile home park is located.

(4) The department must mail every tenant an application and information on relocation assistance within ~~((ten))~~ 10 business days of receipt of the notice required in subsection (1) of this section.

**Sec. 7.** RCW 59.21.040 and 2023 c 259 s 3 are each amended to read as follows:

A tenant is not entitled to relocation assistance under this chapter if: (1) The tenant has given notice to the landlord of his or her intent to vacate the park and terminate the tenancy before any written notice of closure pursuant to RCW 59.20.080(1)(e) has been given; or (2) the tenant purchased a mobile home already situated in the park or moved a mobile home into the park after a written notice of closure pursuant to RCW ~~((59.20.090))~~ 59.20.080(1)(e) has been given and the person received actual prior notice of the change or closure ~~((; or (3) the tenant receives assistance from an outside source that exceeds the maximum amounts of assistance to which a person is entitled under RCW 59.21.021(3), except that a tenant receiving relocation assistance from a landlord pursuant to RCW 59.20.080 remains eligible for the maximum amounts of assistance under this chapter))~~. However, no tenant may be denied relocation assistance under subsection (1) of this section if the tenant has remained on the premises and continued paying rent for a period of at least six months after giving notice of intent to vacate and before receiving formal notice of a closure or change of use."

Correct the title.

Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Chopp; Entenman; Hutchins; Low; Reed and Taylor.

Referred to Committee on Appropriations

February 21, 2024

**ESSB 6061** Prime Sponsor, Local Government, Land Use & Tribal Affairs: Concerning exemptions for housing development under the state environmental policy act. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 43.21C.229 and 2023 c 368 s 1 are each amended to read as follows:

(1) The purpose of this section is to accommodate infill ~~((and housing development))~~ and thereby realize the goals and policies of comprehensive plans adopted according to chapter 36.70A RCW.

(2) A city or county planning under RCW 36.70A.040 is authorized by this section to establish categorical exemptions from the requirements of this chapter. An exemption may be adopted by a city or county under this subsection if it meets the following criteria:

(a) It categorically exempts government action related to development proposed to fill in an urban growth area, designated according to RCW 36.70A.110, where current density and intensity of use in the area is roughly equal to or lower than called for in the goals and policies of the applicable comprehensive plan and the development is either:

(i) Residential development;  
(ii) Mixed-use development; or  
(iii) Commercial development up to 65,000 square feet, excluding retail development;

(b) It does not exempt government action related to development that is inconsistent with the applicable comprehensive plan or would clearly exceed the density or intensity of use called for in the goals and policies of the applicable comprehensive plan;

(c) The local government considers the specific probable adverse environmental impacts of the proposed action and determines that these specific impacts are adequately addressed by the development regulations or other applicable requirements of the comprehensive plan, subarea plan element of the comprehensive plan, planned action ordinance, or other local, state, or federal rules or laws; and

(d)(i) The city or county's applicable comprehensive plan was previously subjected to environmental analysis through an environmental impact statement under the requirements of this chapter prior to adoption; or

(ii) The city or county has prepared an environmental impact statement that considers the proposed use or density and intensity of use in the area proposed for an exemption under this section.

(3) ~~((All project actions that propose to develop one or more residential housing units within the incorporated areas in an urban growth area designated pursuant to RCW 36.70A.110 or middle housing within the unincorporated areas in an urban growth area designated pursuant to RCW 36.70A.110, and that meet the criteria identified in (a) and (b) of this subsection, are categorically exempt from the requirements of this chapter. For purposes of this section, "middle housing" has the same meaning as in RCW 36.70A.030 as amended by chapter 332, Laws of 2023. Jurisdictions shall satisfy the following criteria prior to the adoption of the categorical exemption under this subsection (3):~~

~~((a) The city or county shall find that the proposed development is consistent with all development regulations implementing an applicable comprehensive plan adopted~~

~~according to chapter 36.70A RCW by the jurisdiction in which the development is proposed, with the exception of any development regulation that is inconsistent with applicable provisions of chapter 36.70A RCW; and~~

~~(b) The city or county has prepared environmental analysis that considers the proposed use or density and intensity of use in the area proposed for an exemption under this section and analyzes multimodal transportation impacts, including impacts to neighboring jurisdictions, transit facilities, and the state transportation system.~~

~~(i) Such environmental analysis shall include documentation that the requirements for environmental analysis, protection, and mitigation for impacts to elements of the environment have been adequately addressed for the development exempted. The requirements may be addressed in locally adopted comprehensive plans, subarea plans, adopted development regulations, other applicable local ordinances and regulations, or applicable state and federal regulations. The city or county must document its consultation with the department of transportation on impacts to state-owned transportation facilities including consideration of whether mitigation is necessary for impacts to transportation facilities.~~

~~(ii) Before finalizing the environmental analysis pursuant to (b)(i) of this subsection (3), the city or county shall provide a minimum of 60 days' notice to affected tribes, relevant state agencies, other jurisdictions that may be impacted, and the public. If a city or county identifies that mitigation measures are necessary to address specific probable adverse impacts, the city or county must address those impacts by requiring mitigation identified in the environmental analysis pursuant to this subsection (3)(b) through locally adopted comprehensive plans, subarea plans, development regulations, or other applicable local ordinances and regulations. Mitigation measures shall be detailed in an associated environmental determination.~~

~~(iii) The categorical exemption is effective 30 days following action by a city or county pursuant to (b)(ii) of this subsection (3).~~

~~(4) Until September 30, 2025, all project actions that propose to develop one or more residential housing or middle housing units within a city west of the crest of the Cascade mountains with a population of 700,000 or more are categorically exempt from the requirements of this chapter. After September 30, 2025, project actions that propose to develop one or more residential housing or middle housing units within the city may utilize the categorical exemption in subsection (3) of this section.~~

~~(5)) Any categorical exemption adopted by a city or county under this section applies even if it differs from the categorical exemptions adopted by rule of the department under RCW 43.21C.110(1)(a). Nothing in this section shall invalidate categorical exemptions or environmental review procedures adopted by a city or~~

county under a planned action pursuant to RCW 43.21C.440. However, any categorical exemption adopted by a city or county under this section shall be subject to the rules of the department adopted according to RCW 43.21C.110(1)(a) that provide exceptions to the use of categorical exemptions adopted by the department.

**NEW SECTION. Sec. 2.** A new section is added to chapter 43.21C RCW to read as follows:

(1) The purpose of this section is to accommodate housing development and thereby realize the goals and policies of comprehensive plans adopted according to chapter 36.70A RCW.

(2) All project actions that propose to develop one or more residential housing units within the incorporated areas in an urban growth area designated pursuant to RCW 36.70A.110 or middle housing within the unincorporated areas in an urban growth area designated pursuant to RCW 36.70A.110, and that meet the criteria identified in (a) through (c) of this subsection, are categorically exempt from the requirements of this chapter. Jurisdictions shall satisfy the following criteria prior to the adoption of this categorical exemption:

(a) The city or county has determined that the proposed development is consistent with all development regulations implementing an applicable comprehensive plan adopted according to chapter 36.70A RCW by the jurisdiction in which the development is proposed, with the exception of any development regulation that is inconsistent with applicable provisions of chapter 36.70A RCW;

(b) The city or county has determined the proposed development is capable of being connected to an established sewer system at the time of construction; and

(c) The city or county has prepared an environmental analysis that considers the proposed use or density and intensity of use in the jurisdiction's comprehensive plan under this section and an analysis of multimodal transportation impacts, including impacts to neighboring jurisdictions, transit facilities, and the state transportation system.

(i) Such an environmental analysis must include documentation that the requirements for environmental analysis, protection, and mitigation for impacts to elements of the environment have been adequately addressed for the development exempted. The requirements may be addressed in locally adopted comprehensive plans, subarea plans, adopted development regulations, other applicable local ordinances and regulations, or applicable state and federal regulations. The city or county must document its consultation with the department of transportation on impacts to state-owned transportation facilities, including consideration of whether mitigation is necessary for impacts to transportation facilities.

(ii) Before finalizing the environmental analysis pursuant to (c)(i) of this subsection, the city or county shall provide a minimum of 60 days' notice to affected

tribes, relevant state agencies including, but not limited to, the department of archaeology and historic preservation to review and provide comment on implications for cultural resources, other jurisdictions that may be impacted, and the public. If a city or county identifies that mitigation measures are necessary to address specific probable adverse impacts, the city or county must address those impacts by requiring mitigation identified in the environmental analysis pursuant to this subsection (2)(c) through locally adopted comprehensive plans, subarea plans, development regulations, or other applicable local ordinances and regulations. Mitigation measures must be detailed in an associated environmental determination.

(iii) The categorical exemption is effective 30 days following action by a city or county pursuant to (c)(ii) of this subsection.

(d) A city or county must take action to establish the categorical exemption within two years of the date for review and, if needed, revision of comprehensive plans and development regulations required in RCW 36.70A.130(5).

(3) Until September 30, 2025, all project actions that propose to develop one or more residential housing or middle housing units within a city west of the crest of the Cascade mountains with a population of 700,000 or more are categorically exempt from the requirements of this chapter. After September 30, 2025, project actions that propose to develop one or more residential housing or middle housing units within the city must utilize the categorical exemption in subsection (2) of this section.

(4) Any categorical exemption adopted by a city or county under this section applies even if it differs from the categorical exemptions adopted by rule of the department of ecology under RCW 43.21C.110(1)(a). Nothing in this section invalidates categorical exemptions or environmental review procedures adopted by a city or county under a planned action pursuant to RCW 43.21C.440. However, any categorical exemption under this section is subject to the rules of the department of ecology adopted according to RCW 43.21C.110(1)(a) that provide exceptions to the use of categorical exemptions adopted by the department of ecology.

(5) For purposes of this section, "middle housing" has the same meaning as defined in RCW 36.70A.030."

Correct the title.

Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Berg and Riccelli.

MINORITY recommendation: Do not pass. Signed by Representative Griffey.

MINORITY recommendation: Without recommendation. Signed by Representatives Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

February 21, 2024

E2SSB 6068

Prime Sponsor, Ways & Means: Reporting on dependency outcomes. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member.

Referred to Committee on Appropriations

February 21, 2024

ESSB 6069

Prime Sponsor, Ways & Means: Improving retirement security for Washingtonians by establishing Washington saves, an automatic enrollment individual retirement savings account program, and updating the Washington retirement marketplace statute. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"PART I  
WASHINGTON SAVES**

NEW SECTION. **Sec. 1.** ESTABLISHMENT.

(1) Washington saves is established to serve as a vehicle through which covered employees may, on a voluntary basis, provide for additional retirement security through a state-facilitated retirement savings program in a convenient, cost-effective, and portable manner.

(2) Washington saves is intended as a public-private partnership that will encourage, not replace or compete with, employer-sponsored retirement plans.

NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Administrative account" means the Washington saves administrative treasury trust account created in section 12 of this act.

(2) "Complainant" means a covered employee, or that employee's designee who has written or legal authority to act on behalf of the employee, who files a complaint alleging an employer administrative violation of section 3 of this act who learned of the alleged violation by way of their employment with a covered employer.

(3) "Consumer price index" means the consumer price index for all urban consumers, all items, for the Seattle area as calculated by the United States bureau of labor statistics or its successor agency.

(4) "Covered employee" means an individual who is 18 years of age or older, who is employed by a covered employer.

(5) "Covered employer" means any employer that:

(a) Has been in business in this state for at least two years as of the immediately preceding calendar year;

(b) Maintains a physical presence;

(c) Does not offer a qualified retirement plan to their covered employees who have had continuous employment of one year or more; and

(d) Employs, and at any point during the immediately preceding calendar year employed, employees working a combined minimum of 10,400 hours.

(6) "Department" means the department of labor and industries.

(7) "Employer" means a person or entity engaged in a business, profession, trade, or other enterprise in the state, whether for profit or not for profit. "Employer" does not include federal or state entities, agencies, or instrumentalities, or any political subdivision thereof.

(8) "Employer administrative duties" include all requirements of covered employers under section 3 of this act that do not involve amounts due to the employee.

(9) "Employment" has the same meaning as in RCW 50.04.100.

(10) "Governing board" means the board created in section 4 of this act.

(11) "Individual account" means an IRA established by or for an individual participant and owned by the individual participant pursuant to this chapter.

(12) "Individual participant" means any individual who is contributing to, or has a balance credited in, an IRA through the program.

(13) "Internal revenue code" means the federal internal revenue code of 1986, as amended, or any successor law.

(14) "IRA" means a traditional or Roth individual retirement account or individual retirement annuity described in section 408(a), 408(b), or 408A of the internal revenue code.

(15) "Office" means the office of the state treasurer.

(16) "Payroll deduction IRA agreement" means an arrangement by which a participating employer makes payroll deductions authorized by this chapter and remits amounts deducted as contributions to IRAs on behalf of individual participants.

(17) "Program" means the Washington saves program established under this chapter.

(18) "Qualified retirement plan" means a retirement plan in compliance with applicable federal law for employees including those described in section 401(a), 401(k), 403(a), 403(b), 408(k), or 408(p) of the internal revenue code. A qualified retirement plan may require continuous employment of up to one year to be eligible for employee participation.

(19) "Wages" means any commission, compensation, salary, or other remuneration, as defined by section 219(f)(1) of the internal revenue code, received by a covered employee from a covered employer.

(b) Requires covered employers to fulfill the requirements provided in subsection (3) of this section;

(c) Facilitates automatic enrollment for covered employees and allows for covered employees to opt out of the plan;

(d) Has a default contribution rate, set by the governing board by rule. The default contribution rate may not be less than three percent or more than seven percent of wages; and

(e) Has a default escalation rate, set by the governing board by rule. The default escalation rate may not exceed one percent per year. The maximum contribution rate based on the default escalation rate may not exceed 10 percent of wages.

(2)(a) Covered employees, who do not opt out of the program, are automatically enrolled in the program at the default rate or at an amount expressly specified by the employee in connection with the payroll deduction IRA agreement. Individual participants may modify their contribution rates or amounts or terminate their participation in the program at any time, subject to procedure defined by rule by the governing board. All contribution amounts are subject to the dollar limits on contributions provided by federal law.

(b) Contributions must be invested in the default investment option unless the individual participant affirmatively elects to invest some or all balances in one or more approved investment options offered by the program. An individual participant must have the opportunity to change investments for either future contributions or existing balances, or both, subject to requirements defined by rule by the governing board.

(c) Individual accounts are portable. A former individual participant who is either unemployed, or is employed by a noncovered employer, must be permitted to contribute to their individual account.

(d) An individual participant's and former individual participant's ability to withdraw, roll over, or transfer account balances is subject to, and liable for, all fees, penalties, and taxes under applicable law.

(e) An individual participant's or former individual participant's ability to receive distributions of contributions and earnings is subject to applicable law.

(3)(a) Each covered employer must facilitate the opportunity for covered employees to participate in the program by fulfilling the following administrative duties, as defined by rule by the governing board:

(i) Register with the program and provide the program administrator relevant information about covered employees;

(ii)(A) Assist the program by offering all covered employees the choice to either participate by voluntarily contributing to an IRA or opt out; or

(B) Automatically enroll covered employees in a qualified retirement plan offered by a trade association or chamber of commerce and permit covered employees to opt out;

(iii) Timely remit participant contributions; and

**NEW SECTION. Sec. 3. GENERAL PROVISIONS.** (1) The program:

(a) Allows covered employees to contribute to an IRA through automatic payroll deductions;

(iv) Provide the following information to covered employees:

(A) Information regarding the program;

(B) The following disclosures:

(I) A description of the benefits and risks associated with making contributions under the program;

(II) Instructions about how to obtain additional information about the program;

(III) A description of the tax consequences of an IRA, which may consist of or include the disclosure statement required to be distributed by the trustee under the internal revenue code and treasury regulations thereunder;

(IV) A current list of financial advisors as provided by the governing board that covered employees should contact for financial advice, that covered employers are not in a position to provide financial advice, and that covered employers are not liable for decisions covered employees make under this chapter;

(V) A statement that the program is not an employer-sponsored retirement plan;

(VI) A statement that the covered employee's IRA established under the program is not guaranteed by the state; and

(VII) A statement that neither a covered employer nor the state will monitor or has an obligation to monitor the covered employee's eligibility under the internal revenue code to make contributions to an IRA or to monitor whether the covered employee's contributions to the IRA established for the covered employee exceed the maximum permissible IRA contribution; that it is the covered employee's responsibility to monitor such matters; and that the state, the program, and the covered employer have no liability with respect to any failure of the covered employee to be eligible to make IRA contributions or any contribution in excess of the maximum IRA contribution;

(C) Information, forms, and instructions to be furnished to covered employees at such times as the governing board determines that provide the covered employee with the procedures for:

(I) Making contributions to the covered employee's IRA established under the program, including a description of the automatic enrollment rate, the automatic escalation rate and frequency, and the right to elect to make no contribution or to change the contribution rate under the program;

(II) Making an investment election with respect to the covered employee's IRA established under the program, including a description of the default investment fund; and

(III) Making transfers, rollovers, withdrawals, and other distributions from the covered employee's IRA.

(b) The employers' role in the program is solely ministerial. In accordance with federal law, employers are prohibited from contributing funds to the IRAs through the program.

(c) Employers are not fiduciaries with respect to, or are liable for, the program, related information, educational materials, or forms or disclosures approved by the governing board, or the selection or performance of vendors selected by the

governing board. An employer is not responsible for or obligated to monitor a covered employee's or individual participant's decision to participate in or opt out of the program, for contribution decisions, investment decisions, or failure to comply with the statutory eligibility conditions or limits on IRA contributions. An employer does not guarantee any investment, rate of return, or interest on assets in any individual participant account or the administrative account or is liable for any market losses, failure to realize gains, or any other adverse consequences, including the loss of favorable tax treatment or public assistance benefits, incurred by any person as a result of participating in the program. Nothing in this section relieves an employer from liability for criminal, fraudulent, tortious, or otherwise actionable conduct including liability related to the failure to remit employee contributions.

(4)(a) The governing board must determine the type or types of IRA accounts available under the program.

(b) An individual participant's contributions and earnings may be combined for investment and custodial purposes only. Separate records and accounting are required for individual accounts. Reports on the status of individual accounts must be provided to each individual participant at least annually. Individual participants must have online access to their accounts.

(c) Any moneys placed in these accounts may not be counted as assets for the purposes of state or local means-tested program eligibility or levels of state means-tested program eligibility.

**NEW SECTION. Sec. 4. GOVERNING BOARD—RESPONSIBILITIES.** (1) The governing board shall design and administer the program for the exclusive benefit of individual participants and beneficiaries with the care and skill of a knowledgeable, prudent individual.

(2) The governing board is comprised of nine members as follows:

(a) The state treasurer;

(b) The director of the department or the director's designee; and

(c) The following members, appointed by the governor:

(i) Three members with demonstrated financial, legal, or other relevant program experience;

(ii) One member representing the financial industry;

(iii) One member representing a retirement advocacy organization;

(iv) One member representing covered employees; and

(v) One member representing covered employers.

(3) The state treasurer shall chair the governing board.

(4) Members who are appointed by the governor serve three-year terms and may be appointed for a second three-year term at the discretion of the governor. Members who are appointed by the governor may serve up to two terms over the course of their

lifetime. The governor may stagger the terms of the appointed members.

(5) The governing board may appoint work groups to support the design and administration of the program. Work groups do not serve a voting function on the governing board and may include individuals who are not members of the governing board. Any work group established by the governing board is a class one group under RCW 43.03.220. Work group members receive compensation accordingly.

(6) Other state agencies must provide appropriate and reasonable assistance to the program as needed, including gathering data and information, in order for the governing board to carry out the purposes of this chapter. The governing board may reimburse the other state agencies from the administrative account for reasonable expenses incurred in providing appropriate and reasonable assistance.

(7)(a) The governing board shall meet at least four times annually and periodically as specified by the chair or a majority of the governing board.

(b) The governing board may conduct meetings remotely by teleconference or videoconference, including to obtain a quorum and to take votes on any measure.

(c) Each governing board member has one vote. The powers of the governing board must be exercised by a majority of all members present at the meeting of the governing board, whether in person or remotely. Four members constitute the necessary quorum to convene a meeting of the governing board and to act on any measure before the governing board.

(8) The governing board shall establish, design, develop, implement, maintain, and oversee the program in accordance with this chapter and best practices for retirement saving vehicles.

(9) Regarding investments, the governing board:

(a) Has the sole responsibility for contracting with outside firms to provide investment management for the program funds and manage the performance of investment managers under those contracts;

(b) Must adopt an investment policy statement and ensure that the investment options offered, including default investment options, are consistent with the objectives of the program. The menu of investment options may encompass a range of risk and return opportunities and must take the following into account:

(i) The nature and objectives of the program;

(ii) The diverse needs of individual participants;

(iii) The desirability of limiting investment choices under the program to a reasonable number; and

(iv) The extensive investment choices available to participants outside of the program.

(10) Regarding the design of the program, the governing board must:

(a) Ensure the program is designed and operated in a manner that will not cause it to be subject to or preempted by the federal employment retirement income security act of 1974, as amended, and that any employer that

is not a covered employer shall have no reporting or registration obligation or requirement to take any action under the program other than to claim an exemption from coverage by the program;

(b) Design and operate the program to:

(i) Minimize costs to individual participants, covered employers, and the state;

(ii) Minimize the risk that covered employees will exceed applicable annual contribution limits;

(iii) Facilitate and encourage employee participation in the program and participant saving;

(iv) Maximize simplicity, including ease of administration for covered employers and ease of use for individual participants;

(v) Maximize portability of individual accounts;

(vi) Maximize financial security in retirement; and

(vii) Encourage covered employee and covered employer use of financial advisors when making retirement decisions including, but not limited to, by providing a current list of financial advisors across the state to covered employers and their employees;

(c) Design the program to be compliant with all applicable requirements under the internal revenue code, including requirements for favorable tax treatment of IRAs, and any other applicable law or regulation;

(d) Consult with the office, the department, the office of minority and women's business enterprises, and the office of the secretary of state to create a strategy to educate and inform covered employers about employer administrative duties under this chapter;

(e) Launch the program by January 1, 2027. The board may stagger implementation in stages after that date, which may include phasing in implementation based on the size of employers, or other factors.

(11) The governing board may adopt rules to govern the program, including to govern the following:

(a) Employee registration and enrollment process;

(b) Employee alternative election procedure including, but not limited to, the method in which a participating individual may opt out of participation, change their contribution rate, opt out of auto-escalation, make nonpayroll contributions, and make withdrawals;

(c) Contribution limits, the initial automatic default contribution rate, and the automatic default escalation rate;

(d) Outreach, marketing, and educational initiatives or publication of online resources, encouragement of participation, retirement savings, and sound investment practices. Outreach, marketing, and educational initiatives must include special consideration for communities traditionally, or are known to often be, excluded from, marginalized by, or face barriers to participation in workplace retirement savings programs; and

(e) A process in which individuals who are not covered employees may participate in the program, including unemployed



individuals, self-employed individuals, and other independent contractors.

(12) The governing board may create or enter into, on behalf of the program, a consortium, alliance, joint venture, partnership, compact, or contract with another state or states or their programs or boards.

(13) The governing board must collect administrative fees to defray the costs of administering the program. If the governing board creates or enters into a joint program agreement, as provided in subsection (12) of this section, the rate of the administrative fee for covered employees may not exceed the rate charged to covered employees of another state participating in the same program.

(14) Members of the governing board and the office are not an insurer of the funds or assets of the investment fund or individual accounts. Neither of these two entities are liable for the action or inaction of the other.

(15) Members of the governing board and the office are not liable to the state, to the fund, or to any other person as a result of their activities as members, whether ministerial or discretionary, except for willful dishonesty or intentional violation of law. Members of the governing board and the office may purchase liability insurance.

(16) The governing board shall submit an annual report to the appropriate committees of the legislature, in accordance with RCW 43.01.036, providing information about the program including, but not limited to, the following:

- (a) Participation;
- (b) Account performance;
- (c) Board decisions; and
- (d) Any recommendations to the legislature regarding the program.

(17) The governing board may consult with the state investment board and the department of financial institutions regarding program design and implementation.

**NEW SECTION. Sec. 5. OFFICE OF THE STATE TREASURER—RESPONSIBILITIES.** (1) Subject to the availability of amounts appropriated for this specific purpose, the office must provide staff and administrative support for the governing board. The office must consult with the governing board regarding staffing and administrative support needs before selecting any staff pursuant to this section.

(2) The office may initiate and manage all procurement and regulatory processes related to the program and carry out other related functions as delegated by the governing board.

**NEW SECTION. Sec. 6. INVESTMENT MANAGER—RESPONSIBILITIES.** (1) (a) After consultation with the governing board, the investment manager may invest funds associated with the program. The investment manager, after consultation with the governing board regarding any recommendations, must provide a set of options for eligible individuals to choose from for self-directed investment. Any self-

directed investment options must comply with the internal revenue code.

(b) All investment and operating costs of the investment manager associated with making self-directed investments must be paid by participants and recovered under procedures agreed to by the governing board and the investment manager. All other expenses caused by self-directed investments must be paid by the participant in accordance with the rules established by the governing board. With the exception of these expenses, all earnings from self-directed investments accrue to the individual accounts.

(2) The investment manager must invest and manage the assets entrusted to it:

(a) With reasonable care, skill, prudence, and diligence under circumstances then prevailing which a prudent person acting in a like capacity and familiar with such matters would use to conduct of an activity of like character and purpose; and

(b) In accordance with the investment policy established by the governing board.

(3) The authority to establish all policies relating to implementation, design, and management of the program resides with the governing board.

(4) The investment manager must routinely consult and communicate with the governing board on the investment policy, performance of the accounts, and related needs of the program.

**NEW SECTION. Sec. 7. LABOR AND INDUSTRIES—RESPONSIBILITIES.** (1) The department has the following responsibilities related to covered employers, as provided in this chapter:

(a) Educate participating employers of their administrative duties under this chapter;

(b) In the case of noncompliance with employer administrative duties, investigate complaints, educate employers about how to come into compliance, and, in the case of willful violations, issue citations and collect penalties;

(c) In the case of impermissible withholding of amounts due to employees, investigate and enforce the complaint as an alleged violation of a wage payment requirement, as defined in RCW 49.48.082; and

(d) Facilitate a process in which employers may appeal complaints.

(2) Collections of unpaid citations assessing civil penalties by the department under this chapter must be made pursuant to RCW 49.48.086.

**NEW SECTION. Sec. 8. LABOR AND INDUSTRIES—COMPLIANCE WITH EMPLOYER ADMINISTRATIVE DUTIES.** (1) Covered employers shall comply with employer administrative duties provided under this chapter.

(2) If a complainant files a complaint with the department alleging any administrative violation, the department shall investigate the complaint and:

(a) If the complaint is filed before January 1, 2030, offer technical assistance to the employer to bring them into

compliance. Civil penalties may not be assessed before January 1, 2030;

(b) If the complaint is filed on or after January 1, 2030, educate the employer on how to come into compliance and, if necessary and as provided in this section, enforce penalties for willful violations.

(3) The department may not investigate any alleged violation of rights that occurred more than three years before the date that the complainant filed the complaint.

(4)(a) If the department finds an employer administrative violation, the department must first provide an educational letter outlining the violations and provide 90 days for the employer to remedy the violations. The employer may ask for an extension for good cause. The department may extend the period by providing written notice to the employee and the employer, specifying the duration of the extension. If the employer fails to remedy the violation within 90 days, the department may issue a citation and notice of assessment with a civil penalty.

(b) Except as provided otherwise in this chapter, the maximum penalty for a first-time willful violation is \$100 and \$250 for a second willful violation. For the purposes of this section, "willful" means a knowing and intentional action that is neither accidental nor the result of a bona fide dispute. For each subsequent willful violation, the employer is subject to a maximum penalty amount of \$500 for each violation.

(c) The department may not assess a civil penalty if the employer reasonably relied on: (i) A rule related to any of the requirements of this chapter; (ii) a written order, ruling, approval, opinion, advice, determination, or interpretation of the director of the department; or (iii) an interpretive or administrative policy issued by the department and filed pursuant to chapter 34.05 RCW. In accordance with the department's retention schedule obligations under chapter 40.14 RCW, the department shall maintain a complete and accurate record of all written orders, rulings, approvals, opinions, advice, determinations, and interpretations for purposes of determining whether an employer is immune from civil penalties under (b) of this subsection.

(5) The department may, at any time, waive or reduce a civil penalty assessed under this section if the director of the department determines that the employer has taken corrective action to resolve the violation.

(6) The department shall deposit all civil penalties paid under this section in the supplemental pension fund established under RCW 51.44.033.

NEW SECTION. **Sec. 9.** LABOR AND INDUSTRIES—ADMINISTRATIVE CITATION APPEALS.

(1) A person, firm, or corporation aggrieved by a citation and notice of assessment by the department under this chapter may appeal the citation and notice of assessment to the director of the department by filing a notice of appeal with the director within 30

days of the department's issuance of the citation and notice of assessment. A citation and notice of assessment not appealed within 30 days is final and binding, and not subject to further appeal.

(2) A notice of appeal filed with the director of the department under this section must state the effectiveness of the citation and notice of assessment pending final review of the appeal by the director as provided for in chapter 34.05 RCW.

(3) Upon receipt of a notice of appeal, the director of the department must assign the hearing to an administrative law judge of the office of administrative hearings to conduct the hearing and issue an initial order. The hearing and review procedures must be conducted in accordance with chapter 34.05 RCW, and the standard of review by the administrative law judge of an appealed citation and notice of assessment must be de novo. Any party who seeks to challenge an initial order must file a petition for administrative review with the director within 30 days after service of the initial order. The director must conduct administrative review in accordance with chapter 34.05 RCW.

(4) The director of the department must issue all final orders after appeal of the initial order. The final order of the director is subject to judicial review in accordance with chapter 34.05 RCW.

(5) Orders that are not appealed within the time period specified in this section and chapter 34.05 RCW are final and binding, and not subject to further appeal.

(6) An employer who fails to allow adequate inspection of records in an investigation by the department under this section within a reasonable time period may not use such records in any appeal under this section to challenge the correctness of any determination by the department of the penalty assessed.

NEW SECTION. **Sec. 10.** LABOR AND INDUSTRIES—ENFORCEMENT OF AMOUNTS DUE.

(1) Employers may not impermissibly withhold any amounts due to the employee related to the employer's obligations under section 3 of this act. If any employee files a complaint with the department alleging that the employer impermissibly withheld any amounts due to the employee related to the employer's obligations under section 3 of this act, the department shall investigate and otherwise enforce the complaint as an alleged violation of a wage payment requirement, as defined in RCW 49.48.082.

(2) During an investigation, if the department discovers information suggesting additional violations of impermissibly withheld amounts due to the employees related to the employer's obligations under section 3 of this act, the department may investigate and take appropriate enforcement action without any additional complaint. The department may also initiate an investigation on behalf of one or more employees for any such violation when the director otherwise has reason to believe that a violation has occurred or will occur.

(3) The department may conduct a consolidated investigation for any alleged

withheld amounts due to the employees related to the employer's obligations under section 3 of this act when there are common questions of law or fact involving the employees. If the department consolidates such matters into a single investigation, it shall provide notice to the employer.

(4) The department may, for the purposes of enforcing this section, issue subpoenas to compel the attendance of witnesses or parties and the production of documents, administer oaths and examine witnesses under oath, take depositions, and seek affidavits or other verifications. The department may require the employer perform a self-audit of any records. The results or conclusions of the self-audit must be provided to the department within a reasonable time. The department must specify the timelines in the self-audit request. The records examined by the employer in order to perform the self-audit must be made available to the department upon request.

(5) Any citation or determination of compliance issued under this section is subject to RCW 49.48.083, 49.48.084, 49.48.085, and 49.48.086.

**NEW SECTION. Sec. 11. PRIVATE AND CONFIDENTIAL INFORMATION.** (1) Any information or records concerning an individual or employer obtained by the office or the governing board to administer this chapter are private and confidential, except as otherwise provided in this section.

(a) If information provided to the office or the governing board by a governmental agency is held private and confidential by state or federal law, the office and the governing board may not release such information, unless otherwise provided in this section.

(b) Information provided to the office or the governing board by a governmental entity conditioned upon privacy and confidentiality under a provision of law is to be held private and confidential according to the agreement between the office or the governing board and the other governmental agency, unless otherwise provided in this title.

(2) Persons requesting disclosure of information held by the office or the governing board under this section must request such disclosure from the governmental agency that provided the information to the office or the governing board, rather than from the office or the governing board.

(3) If the governing board creates or enters into, on behalf of the program, a consortium, alliance, joint venture, partnership, compact, or contract with another state or states or their programs or boards, the laws of the state that is most protective of individual and employer confidentiality governs.

(4) The governing board has the authority to adopt, amend, or rescind rules interpreting and implementing this chapter.

(5)(a) An individual must have access to all records and information concerning that individual held by the office or the governing board.

(b) An employer must have access to its own records relating to their compliance with the program and any audit conducted or penalty assessed under this chapter.

(c) The office or the governing board may disclose information and records deemed confidential under this chapter to a third party acting on behalf of an individual or employer that would otherwise be eligible to receive records under this section when the office or the governing board receives a signed release from the individual or employer. The release must include a statement:

(i) Specifically identifying the information that is to be disclosed;

(ii) The acknowledgment that state government files will be assessed to obtain that information;

(iii) The specific purpose for which the information is sought and a statement that information obtained under the release will only be used for that purpose; and

(iv) Indicating all parties who will receive the information disclosed.

(d) The office or the governing board may disclose information or records deemed private and confidential under this chapter to any private person or organization, including the trustee, and, by extension, the agents of any private person or organization, when the disclosure is necessary to permit private contracting parties to assist in the operation, management, and implementation of the program. The private person or organization may only use the information or records solely for the purpose for which the information was disclosed and are bound by the same rules of privacy and confidentiality as the office and the governing board.

(6)(a) A decision under this chapter by the office, the department, the governing board, or the appeals tribunal may not be deemed private and confidential under this section, unless the decision is based on information obtained in a closed hearing.

(b) Information or records deemed private and confidential under this section must be available to parties to judicial or formal administrative proceedings only upon a written finding by the presiding officer that the need for the information or records in the proceeding outweighs any reasons for the privacy and confidentiality of the information on record.

(7)(a) All private persons, governmental agencies, and organizations authorized to receive information from the office or the governing board under this chapter have an affirmative duty to prevent unauthorized disclosure of confidential information and are prohibited from disclosing confidential information unless expressly permitted by this section.

(b) If misuse of an unauthorized disclosure of confidential records or information occurs, all parties who are aware of the violation must inform the office immediately and must take all reasonable available actions to rectify the disclosure to the office's standards.

(c) The misuse or unauthorized release of records or information deemed private and confidential under this chapter by any

private person, governmental agency, or organization will subject the person, governmental agency, or organization to a civil penalty up to \$20,000 in the first year of the program. Beginning the December of the second year of the program and each December thereafter, the office must adjust the maximum civil penalty amount by multiplying the current maximum civil penalty by one plus the percentage by which the most current consumer price index available on December 1st of the current year exceeds the consumer price index for the prior 12-month period, and rounding the result to the nearest \$1,000. If an adjustment under this subsection (7)(c) would reduce the maximum civil penalty, the office must not adjust the maximum civil penalty for use in the following year. Other applicable sanctions under state and federal law also apply.

(d) Suit to enforce this section must be brought by the attorney general and the amount of any penalties collected must be paid into the administrative account created in section 12 of this act. The attorney general may recover reasonable attorneys' fees for any action brought to enforce this section.

(8) This section does not contain a rule of evidence.

NEW SECTION. **Sec. 12.** WASHINGTON SAVES ADMINISTRATIVE TREASURY TRUST ACCOUNT. (1) The Washington saves administrative treasury trust account is created in the custody of the state treasurer.

(2) Expenditures from the account may be used only for the purposes of administrative and operating expenses of the program established under this chapter.

(3) Only the state treasurer or state treasurer's designee may authorize expenditures from the account. The account is exempt from appropriation and allotment provisions under chapter 43.88 RCW.

(4) The account may receive grants, gifts, or other moneys appropriated for administrative purposes from the state and the federal government.

(5) Any interest incurred by the account will be retained within the account.

NEW SECTION. **Sec. 13.** INVESTMENT ACCOUNT. (1) The Washington saves investment account is established as a trust, with the governing board created under this chapter as its trustee.

(2)(a) Moneys in the account consist of moneys received from individual participants and participating employers pursuant to automatic payroll deductions and contributions to savings made under this chapter. The governing board shall determine how the account operates, provided that the account is operated so that the individual accounts established under the program meet the requirements for IRAs under the internal revenue code.

(b) The assets of the account are not state money, common cash, or revenue to the state. Amounts in the account may not be commingled with state funds and the state has no claim to or against, or interest in, such funds.

(3) Disbursements from the account are exempt from appropriations and the allotment provisions of chapter 43.88 RCW. An appropriation is not required for expenditures.

(4) Only the governing board or the governing board's designee may authorize expenditures from the account.

**PART II  
RETIREMENT MARKETPLACE**

NEW SECTION. **Sec. 14.** RCW 43.330.730 (Finding—2015 c 296) is decodified.

**Sec. 15.** RCW 43.330.732 and 2015 c 296 s 2 are each amended to read as follows:

The definitions in this section apply throughout this subchapter unless the context clearly requires otherwise.

(1) "Approved plans" means retirement plans offered by private sector financial services firms that meet the requirements of this chapter to participate in the marketplace.

(2) "Balanced fund" means a mutual fund that has an investment mandate to balance its portfolio holdings. The fund generally includes a mix of stocks and bonds in varying proportions according to the fund's investment outlook.

(3) "Eligible employer" means a self-employed individual, sole proprietor, or an employer with ~~((fewer than))~~ at least one ~~((hundred))~~ qualified employee~~((s))~~ at the time of enrollment.

(4) "Enrollee" means any employee who is voluntarily enrolled in an approved plan offered by an eligible employer through the Washington small business retirement marketplace.

~~(5) ("myRA" means the myRA retirement program administered by the United States department of the treasury that is available to all employers and employees with no fees or no minimum contribution requirements. A myRA is a Roth IRA option and investments in these accounts are backed by the United States department of the treasury.~~

~~((6))~~ "Participating employer" means any eligible employer with employees enrolled in an approved plan offered through the Washington small business retirement marketplace who chooses to participate in the marketplace and offers approved plans to employees for voluntary enrollment.

~~((7))~~ (6) "Private sector financial services firms" or "financial services firms" mean persons or entities licensed or holding a certificate of authority and in good standing by either the department of financial institutions or the office of the insurance commissioner and meeting all federal laws and regulations to offer retirement plans.

~~((8))~~ (7) "Qualified employee" means those workers who are defined by the federal internal revenue service to be eligible to participate in a specific qualified plan.

~~((9))~~ (8) "Target date or other similar fund" means a hybrid mutual fund that automatically resets the asset mix of stocks, bonds, and cash equivalents in its portfolio according to a selected time frame

that is appropriate for a particular investor. A target date is structured to address a projected retirement date.

~~((40))~~ (9) "Washington small business retirement marketplace" or "marketplace" means the retirement savings program created to connect eligible employers and their employees with approved plans to increase retirement savings.

**Sec. 16.** RCW 43.330.735 and 2017 c 69 s 1 are each amended to read as follows:

(1) The Washington small business retirement marketplace is created.

(2) Prior to connecting any eligible employer with an approved plan in the marketplace, the director shall design a plan for the operation of the marketplace.

(3) The director shall consult with the Washington state department of retirement systems, the Washington state investment board, and the department of financial institutions in designing and managing the marketplace.

(4) The director shall approve for participation in the marketplace all private sector financial services firms ~~((that meet the requirements of))~~, as defined in RCW 43.330.732 ~~((4))~~.

(5) A range of investment options must be provided to meet the needs of investors with various levels of risk tolerance and various ages. The director must approve a diverse array of private retirement plan options that are available to employers on a voluntary basis, including but not limited to life insurance plans that are designed for retirement purposes, and plans for eligible employer participation such as ~~((a) A) a SIMPLE IRA-type plan that provides for employer contributions to participating enrollee accounts ((and (b) a payroll deduction individual retirement account type plan or workplace-based individual retirement accounts open to all workers in which the employer does not contribute to the employees' account))~~.

(6) (a) Prior to approving a plan to be offered on the marketplace, the department must receive verification from the department of financial institutions or the office of the insurance commissioner:

(i) That the private sector financial services firm offering the plan meets the ~~((requirements of))~~ definition in RCW 43.330.732 ~~((4))~~; and

(ii) That the plan meets the requirements of this section excluding subsection (9) of this section which is subject to federal laws and regulations.

(b) If the plan includes either life insurance or annuity products, or both, the office of the insurance commissioner may request that the department of financial institutions conduct the plan review as provided in (a) (ii) of this subsection prior to submitting its verification to the department.

(c) The director may remove approved plans that no longer meet the requirements of this chapter.

(7) The financial services firms participating in the marketplace must offer a minimum of two product options: (a) A target date or other similar fund, with

asset allocations and maturities designed to coincide with the expected date of retirement and (b) a balanced fund. ~~((The marketplace must offer myRA.))~~

(8) In order for the marketplace to operate, there must be at least two approved plans on the marketplace; however, nothing in this subsection shall be construed to limit the number of private sector financial services firms with approved plans from participating in the marketplace.

(9) Approved plans must meet federal law or regulation for internal revenue service approved retirement plans.

(10) The approved plans must include the option for enrollees to roll pretax contributions into a different individual retirement account or another eligible retirement plan after ceasing participation in a plan approved by the Washington small business retirement marketplace.

(11) Financial services firms selected by the department to offer approved plans on the marketplace may not charge the participating employer an administrative fee and may not charge enrollees more than one hundred basis points in total annual fees and must provide information about their product's historical investment performance. Financial services firms may charge enrollees a de minimis fee for new and/or low balance accounts in amounts negotiated and agreed upon by the department and financial services firms. The director shall limit plans to those with total fees the director considers reasonable based on all the facts and circumstances.

(12) Participation in the Washington small business retirement marketplace is voluntary for both eligible employers and qualified employees.

(13) Enrollment in any approved plan offered in the marketplace is not an entitlement.

**PART III  
WASHINGTON SAVES - ADMINISTRATIVE ACCOUNT  
- RETAIN OWN INTEREST**

**Sec. 17.** RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, 2023 c 170 s 19, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to

chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statutory hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the pollution liability insurance program trust account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account,

the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

**Sec. 18.** RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the

state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statutory hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile

accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

**PART IV  
MISCELLANEOUS**

NEW SECTION. **Sec. 19.** Section 17 of this act expires July 1, 2030.

NEW SECTION. **Sec. 20.** (1) Section 17 of this act takes effect July 1, 2024.

(2) Section 18 of this act takes effect July 1, 2030.

NEW SECTION. **Sec. 21.** Sections 1 through 13 of this act constitute a new chapter in Title 19 RCW.

NEW SECTION. **Sec. 22.** If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is inoperative solely to the extent of the conflict, and the finding or determination does not affect the operation of the remainder of this act. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state."

Correct the title.

Signed by Representatives Walen, Chair; Reeves, Vice Chair; Robertson, Ranking Minority Member; Donaghy; Hackney; Ryu; Sandlin and Volz.

MINORITY recommendation: Without recommendation. Signed by Representatives McClintock, Assistant Ranking Minority Member; Chapman; Connors; Corry; and Santos.

Referred to Committee on Appropriations

February 21, 2024

ESB 6072 Prime Sponsor, Senator Keiser: Addressing recommendations of the long-term services and supports trust commission. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske; Davis; Macri; Orwall; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Graham; Maycumber; and Mosbrucker.

MINORITY recommendation: Without recommendation. Signed by Representatives Caldier; and Harris.

Referred to Committee on Appropriations

February 20, 2024

SB 6079 Prime Sponsor, Senator Boehnke: Making juvenile detention records available to managed health care systems. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass. Signed by Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan; Dent; Goodman; Ortiz-Self; Taylor and Walsh.

Referred to Committee on Rules for second reading

February 20, 2024

E2SSB 6092 Prime Sponsor, Ways & Means: Concerning disclosure of greenhouse gas emissions. Reported by Committee on Environment & Energy

MAJORITY recommendation: Do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Berry; Duerr; Fey; Lekanoff; Ramel; Slatter and Street.

MINORITY recommendation: Do not pass. Signed by Representatives Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Goehner; and Sandlin.

Referred to Committee on Appropriations

February 20, 2024

ESB 6095 Prime Sponsor, Senator Robinson: Establishing clear authority for the secretary of health to issue standing orders. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske; Davis; Macri; Orwall; Simmons; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Caldier; Graham; Harris; Maycumber; and Mosbrucker.

Referred to Committee on Rules for second reading

February 20, 2024

ESSB 6105 Prime Sponsor, Labor & Commerce: Creating safer working conditions in adult entertainment establishments. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 49.17.470 and 2019 c 304 s 1 are each amended to read as follows:

(1)(a) The department shall develop or contract for the development of training for entertainers. The training must include, but not be limited to:

(i) Education about the rights and responsibilities of entertainers, including with respect to working as an employee or independent contractor;



(ii) Reporting of workplace injuries, including sexual and physical abuse and sexual harassment;

(iii) The risk of human trafficking;

(iv) Financial aspects of the entertainer profession; and

(v) Resources for assistance.

(b) As a condition of receiving or renewing an adult entertainer license issued by a local government on or after July 1, 2020, an entertainer must provide proof that the entertainer took the training described in (a) of this subsection. The department must make the training reasonably available to allow entertainers sufficient time to take the training in order to receive or renew their licenses on or after July 1, 2020.

(2)(a) An adult entertainment establishment must provide training to its employees other than entertainers to minimize occurrences of unprofessional behavior and enable employees to support entertainers in times of conflict.

(b) An establishment must require all employees other than entertainers to complete the training by the later of: (i) July 1, 2025; or (ii) within 30 days of hiring for recorded content or 120 days of hiring for live courses. Employees must complete the training at least every two years thereafter.

(c) The training content must be developed and provided by a third-party qualified professional with experience and expertise in personnel training. If possible, the training should be designed for use by adult entertainment establishments. When practicable, the training must be translated if necessary for one or more non-English-speaking employees to understand the training.

(d) The training topics must include, but are not limited to:

(i) Preventing sexual harassment, sexual discrimination, and assault in the workplace;

(ii) Information on how to identify and report human trafficking;

(iii) Conflict deescalation between entertainers, other employees, and patrons; and

(iv) Providing first aid.

(e) An adult entertainment establishment must offer entertainers the ability to opt in to trainings offered under this subsection.

(f) The department may require annual reporting on training required under this subsection in a manner determined by the department.

(3) An adult entertainment establishment must provide ((a))an accessible panic button in each room in the establishment in which an entertainer may be alone with a customer, and in bathrooms and dressing rooms. An entertainer may use the panic button if the entertainer has been harmed, reasonably believes there is a risk of harm, or there is ((an other))another emergency in the entertainer's presence. The entertainer may cease work and leave the immediate area to await the arrival of assistance. The establishment must provide to the department, at least annually, proof of compliance with this subsection and

maintenance records showing that panic buttons are maintained and checked to ensure they are in working condition.

((4)) (4) (a) An adult entertainment establishment must record the ((accusations))allegations it receives that a customer has committed sex trafficking, prostitution, promotion of prostitution, or an act of violence, including assault, sexual assault, or sexual harassment, towards an entertainer. The establishment must make every effort to obtain the customer's name and if the establishment cannot determine the name, it must record as much identifying information about the customer as is reasonably possible. The establishment must retain a record of the customer's identifying information and written detail about the incident for at least five years after the most recent ((accusation))allegation.

(b) If an ((accusation))allegation involving a customer is supported by a statement made under penalty of perjury or other evidence, the adult entertainment establishment must decline to allow the customer to return to the establishment for at least three years after the date of the incident. The establishment must share the information about the customer with other establishments with common ownership and those establishments with common ownership must also decline to allow the customer to enter those establishments for at least three years after the date of the incident. No entertainer may be required to provide such a statement.

(c) An establishment must have written policies and procedures for employees and entertainers to record allegations involving a customer under this subsection.

((4)) (5) An adult entertainment establishment must provide at least one dedicated security person on the premises during operating hours whose primary duty is security. The department must adopt rules for requiring security persons to not have duties other than security during peak operating hours when necessary, and requiring additional security persons when necessary. The rules must take into account:

(a) The size of the establishment;

(b) The layout and floor plan of the establishment;

(c) The occupancy and patron volume;

(d) Security cameras and panic buttons;

(e) The history of security events at the establishment; and

(f) Other factors identified by the department.

(6) An adult entertainment establishment must:

(a) Provide appropriate cleaning supplies at all stage performance areas;

(b) Equip dressing or locker rooms for entertainers with a keypad requiring a code to enter; and

(c) Display signage at the entrance directing customers to resources on appropriate etiquette.

(7) An adult entertainment establishment must have written processes and procedures accessible to all employees and entertainers for:

(a) Responding to customer violence or criminal activity, including when police are called; and

(b) Ejecting customers who violate club policies, including intoxication or other inappropriate or illegal behavior.

(8) For the purposes of enforcement, except for subsection (1) of this section, this section shall be considered a safety or health standard under this chapter. The department must share information regarding violations of this section with the liquor and cannabis board. The department must share any other information collected under this chapter and requested by the liquor and cannabis board for the purposes of safeguarding worker safety in establishments seeking, or operating with, a license to serve alcohol.

~~((5))~~ (9) This section does not affect an employer's responsibility to provide a place of employment free from recognized hazards or to otherwise comply with this chapter and other employment laws.

~~((6) The department shall convene an entertainer advisory committee to assist with the implementation of this section, including the elements of the training under subsection (1) of this section. At least half of the advisory committee members must be former entertainers who held or current entertainers who have held an adult entertainer license issued by a local government for at least five years. At least one member of the advisory committee must be an adult entertainment establishment which is licensed by a local government and operating in the state of Washington. The advisory committee shall also consider whether additional measures would increase the safety and security of entertainers, such as by examining ways to make the procedures described in subsection (3) of this section more effective and reviewing the fee structure for entertainers. If the advisory committee finds and recommends additional measures that would increase the safety and security of entertainers and that those additional measures would require legislative action, the department must report those recommendations to the appropriate committees of the legislature.~~

~~(7))~~ (10) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Adult entertainment" means any exhibition, performance, or dance of any type conducted ~~((in))~~ within the view of one or more members of the public inside a premises where such exhibition, performance, or dance involves an entertainer, who ~~((+))~~

~~((i))~~ is ~~((is))~~ is unclothed or in such attire, costume, or clothing as to expose to view any portion of the breast below the top of the areola or any portion of the pubic region, anus, ~~((buttocks,))~~ vulva, or genitals ~~((+ or~~

~~((ii))~~ Touches, caresses, or fondles the breasts, buttocks, anus, genitals, or pubic region of another person, or permits the touching, caressing, or fondling of the entertainer's own breasts, buttocks, anus, genitals, or pubic region by another person), with ~~((the))~~ an intent to sexually arouse or excite another person.

(b) "Adult entertainment establishment" or "establishment" means any business to which the public, patrons, or members are invited or admitted where an entertainer provides adult entertainment to a member of the public, a patron, or a member.

(c) "Entertainer" means any person who provides adult entertainment within an adult entertainment establishment, whether or not a fee is charged or accepted for entertainment and whether or not the person is an employee under RCW 49.17.020.

(d) "Panic button" means an emergency contact device by which the entertainer may summon immediate on-scene assistance from another entertainer, a security guard, or a representative of the ~~((adult))~~ adult entertainment establishment.

NEW SECTION. Sec. 2. A new section is added to chapter 49.46 RCW to read as follows:

(1) No adult entertainment establishment may allow any person under the age of 18 on the premises. If an establishment serves alcohol, the establishment may not allow any person under the age of 21 on the premises. This includes, but is not limited to, any employee, entertainer, contractor, or customer.

(2) Any leasing fee or other fee charged by an establishment to an entertainer must:

- (a) Apply equally to all entertainers in a given establishment;
- (b) Be stated in a written contract; and
- (c) Continue to apply for a period of not less than three months with effective dates.

(3) An establishment may not charge an entertainer:

- (a) Any fees or interest for late payment or nonpayment of any fee;
- (b) A fee for failure to appear at a scheduled time;
- (c) Any fees or interest that result in the entertainer carrying forward an unpaid balance from any previously incurred leasing fee;
- (d) Any leasing fee in an amount greater than the entertainer receives during the applicable period of access to or usage of the establishment premises; or
- (e) (i) Within an eight-hour period, any leasing fee that exceeds:

- (A) The lesser of \$150 or 30 percent of amounts collected by the entertainer, excluding amounts collected for adult entertainment provided in a private performance area; and
- (B) 30 percent of amounts collected by the entertainer for adult entertainment provided in a private performance area.

(ii) If an establishment charges an entertainer a leasing fee, the contract must include a method for estimating the total amount collected by the entertainer in any eight-hour period for the purposes of this subsection (e).

(4) This section does not prevent an establishment from providing leasing discounts or credits to encourage scheduling or charge leasing fees that vary based on the time of day.

(5) All establishments must display signage in areas designated for entertainers that entertainers are not required to

surrender any tips or gratuities and an establishment may not take adverse action against an entertainer in response to the entertainer's use or collection of tips or gratuities.

(6) No establishment may refuse to provide an entertainer with written notice of the reason or reasons for any termination or refusal to rehire the entertainer. Such notice must be provided within 10 business days of the termination or refusal to rehire the entertainer.

(7) The department may enforce subsections (2) through (6) of this section under the provisions of this chapter and any applicable rules. Any amounts owed to an entertainer under this section may be enforced as a wage payment requirement under RCW 49.48.082. Any other violation may be enforced as an administrative violation under this chapter and any applicable rules. The department must share information regarding violations of this section with the liquor and cannabis board.

(8) The department may adopt rules to implement this chapter.

(9) The department must adjust the dollar amount in subsection (3)(e) of this section every two years, beginning January 1, 2027, based upon changes in the consumer price index during that time period.

(10) For purposes of this section:

(a) "Adult entertainment" has the same meaning as in RCW 49.17.470.

(b) "Adult entertainment establishment" or "establishment" has the same meaning as in RCW 49.17.470.

(c) "Entertainer" means any person who provides adult entertainment within an adult entertainment establishment, whether or not a fee is charged or accepted for entertainment and whether or not the person is an employee under RCW 49.46.010.

(d) "Leasing fee" means a fee, charge, or other request for money from an entertainer by an establishment in exchange for the entertainer's access or use of the establishment premises or for allowing an entertainer to conduct entertainment on the premises.

**NEW SECTION. Sec. 3.** A new section is added to chapter 49.44 RCW to read as follows:

(1) A city with a population of more than 650,000 or a county with a population of more than 2,000,000 may not adopt or enforce ordinances or regulations that:

(a) Limit or prohibit an entertainer from collecting payment for adult entertainment from customers; or

(b) Restrict an entertainer's proximity or distance from others before or after any adult entertainment, or restrict the customer's proximity or distance from the stage during any adult entertainment, so long as there is no contact between the dancers and customers.

(2) For the purposes of this section:

(a) "Entertainer" has the same meaning as in RCW 49.17.470.

(b) "Entertainment" has the same meaning as "adult entertainment" in RCW 49.17.470.

(c) "Establishment" has the same meaning as "adult entertainment establishment" in RCW 49.17.470.

**NEW SECTION. Sec. 4.** A new section is added to chapter 66.24 RCW to read as follows:

(1) The board may not adopt a rule or enforce any such rule restricting the exposure of body parts by any licensee under this title, its employees or patrons, or any other person under the control or direction of the licensee or an employee, or otherwise restricting sexually oriented conduct of any licensee under this title, its employees or patrons, or any other person under the control or direction of the licensee or an employee.

(2) This section may not be construed to permit conduct that is otherwise prohibited under other statutes in the Revised Code of Washington.

**NEW SECTION. Sec. 5.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 6.** Sections 1 and 2 of this act take effect January 1, 2025."

Correct the title.

Signed by Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Without recommendation. Signed by Representatives Schmidt, Ranking Minority Member; Rude; and Ybarra.

Referred to Committee on Rules for second reading

February 21, 2024

**ESSB 6110** Prime Sponsor, Human Services: Modernizing the child fatality statute. Reported by Committee on Human Services, Youth, & Early Learning

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 70.05.170 and 2010 c 128 s 1 are each amended to read as follows:

(1)(a) The legislature finds that the mortality rate in Washington state among infants and children less than ~~((eighteen))~~ 19 years of age is unacceptably high, and that such mortality may be preventable. The legislature further finds that, through the performance of child ~~((mortality))~~ fatality reviews, preventable causes of child mortality can be identified and addressed, thereby reducing the infant and child mortality in Washington state.

(b) It is the intent of the legislature to encourage the performance of child ~~((death))~~ fatality reviews by local health departments by providing necessary legal protections to the families of children

whose deaths are studied, local health department officials and employees, and health care professionals participating in child ~~((mortality))~~ fatality review committee activities.

(2) As used in this section, "child ~~((mortality))~~ fatality review" means a process authorized by a local health department as such department is defined in RCW 70.05.010 for examining factors that contribute to deaths of children ~~((less than eighteen))~~ up to 19 years of age. The process may include a systematic review of medical, clinical, and hospital records; home interviews of parents and caretakers of children who have died; analysis of individual case information; and review of this information by a team of professionals in order to identify modifiable medical, socioeconomic, public health, behavioral, administrative, educational, and environmental factors associated with each death.

(3) Local health departments are authorized to conduct child ~~((mortality))~~ fatality reviews. In conducting such reviews, the following provisions shall apply:

(a) All health care information collected as part of a child ~~((mortality))~~ fatality review is confidential, subject to the restrictions on disclosure provided for in chapter 70.02 RCW. When documents are collected as part of a child ~~((mortality))~~ fatality review, the records may be used solely by local health departments for the purposes of the review.

(b) ~~((No identifying information related to the deceased child, the child's guardians, or anyone interviewed as part of the child mortality review may be disclosed. Any such information shall be redacted from any records produced as part of the review.))~~ Local health departments and the department may retain identifiable information and geographic information on each case for the purposes of determining trends, performing analysis over time, and for quality improvement efforts. Information and records prepared, owned, used, or retained by the local health departments, their respective offices, or staff that reveals the identification and location of any person or persons being the subject of review shall not be made public in accordance with RCW 42.56.365.

(c) Any witness statements or documents collected from witnesses, or summaries or analyses of those statements or records prepared exclusively for purposes of a child ~~((mortality))~~ fatality review, are not subject to public disclosure, discovery, subpoena, or introduction into evidence in any administrative, civil, or criminal proceeding related to the death of a child reviewed. This provision does not restrict or limit the discovery or subpoena from a health care provider of records or documents maintained by such health care provider in the ordinary course of business, whether or not such records or documents may have been supplied to a local health department pursuant to this section. This provision shall not restrict or limit the discovery or subpoena of documents from such witnesses simply because a copy of a document was

collected as part of a child ~~((mortality))~~ fatality review.

(d) No local health department official or employee, and no members of technical committees established to perform case reviews of selected child deaths may be examined in any administrative, civil, or criminal proceeding as to the existence or contents of documents assembled, prepared, or maintained for purposes of a child ~~((mortality))~~ fatality review.

(e) This section shall not be construed to prohibit or restrict any person from reporting suspected child abuse or neglect under chapter 26.44 RCW, nor to limit access to or use of any records, documents, information, or testimony in any civil or criminal action arising out of any report made pursuant to chapter 26.44 RCW, nor to require disclosures in conflict with federal law.

~~((4))~~ (f) If the team identifies a current, reportable, and unresolved concern about child abuse or neglect, it may designate one member to make a report to the child abuse hotline. This subsection does not create a mandatory duty under RCW 26.44.030 for any review team or individual review team member.

(4) To aid in a child fatality review, the local health department may:

(a) Request and receive data for specific fatalities including, but not limited to, all medical records related to the child death, autopsy reports, medical examiner reports, coroner reports, and school, the criminal justice system, law enforcement, and social services records; and

(b) Request and receive data described in (a) of this subsection from health care providers, health care facilities, clinics, schools, the criminal justice system, law enforcement, laboratories, medical examiners, coroners, professions and facilities licensed by the department, local health departments, the health care authority and its licensees and providers, the department of social and health services and its licensees and providers, and the department of children, youth, and families and its licensees and providers.

(5) Upon request by the local health department, health care providers, health care facilities, clinics, schools, the criminal justice system, law enforcement, laboratories, medical examiners, coroners, professions and facilities licensed by the department of health, local health departments, the health care authority and its licensees and providers, the department of social and health services and its licensees and providers, and the department of children, youth, and families and its licensees and providers must provide all medical records related to the child, autopsy reports, medical examiner reports, coroner reports, social services records, and other data requested for specific child fatality reviews to the local health department. Data described in certifications and informational copies of birth and death records issued from the state vital records system shall be provided at no charge.

(6) The department shall assist local health departments to collect the reports of any child ~~((mortality))~~ fatality reviews

conducted by local health departments and assist with entering the reports into a database ~~((to the extent that the data is not protected under subsection (3) of this section. Notwithstanding subsection (3) of this section, the department shall respond to any requests for data from the database to the extent permitted for health care information under chapter 70.02 RCW)). All information submitted to the department and local health departments pursuant to this subsection is not subject to public disclosure, discovery, subpoena, or introduction into evidence in any administrative, civil, or criminal proceeding related to the death of a child reviewed.~~ In addition, the department shall provide technical assistance to local health departments and child death review coordinators conducting child ~~((mortality))~~ fatality reviews and encourage communication among child ~~((death))~~ fatality review teams. ~~((The department shall conduct these activities using only federal and private funding.~~

~~(5))~~ (7) This section does not prevent the department or a local health department from publishing statistical compilations and reports related to the child ~~((mortality))~~ fatality review. Any portions of such compilations and reports that identify individual cases and sources of information must be redacted. These reports may be used in the development and coordination of statewide child fatality prevention strategies and interventions."

Correct the title.

Signed by Representatives Senn, Chair; Cortes, Vice Chair; Callan; Goodman; Ortiz-Self and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dent; and Walsh.

Referred to Committee on Rules for second reading

February 21, 2024

ESB 6120 Prime Sponsor, Senator Van De Wege:  
Concerning the Wildland Urban Interface  
Code. Reported by Committee on Local  
Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 19.27.031 and 2018 c 189 s 1 are each amended to read as follows:

Except as otherwise provided in this chapter, there shall be in effect in all counties and cities the state building code which shall consist of the following codes which are hereby adopted by reference:

(1)(a) The International Building Code, published by the International Code Council, Inc.;

(b) The International Residential Code, published by the International Code Council, Inc.;

(2) The International Mechanical Code, published by the International Code Council, Inc., except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);

(3) The International Fire Code, published by the International Code Council, Inc., including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying handheld candles;

(4) ~~((Portions))~~ Only those portions of the International Wildland Urban Interface Code, published by the International Code Council Inc., as ~~((set forth))~~ specifically referenced in RCW 19.27.560(1), or the model International Wildland Urban Interface Code specifically referenced in RCW 19.27.560(2);

(5) ~~((Except as provided in RCW 19.27.170, the))~~ The Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, That any provisions of such code affecting sewers or fuel gas piping are not adopted;

(6) The rules adopted by the council establishing standards for making buildings and facilities accessible to and usable by individuals with disabilities or elderly persons as provided in RCW 70.92.100 through 70.92.160; and

(7) The state's climate zones for building purposes are designated in RCW 19.27A.020(3) and may not be changed through the adoption of a model code or rule.

In case of conflict among the codes enumerated in subsections (1), (2), (3), (4), and (5) of this section, the first named code shall govern over those following.

The codes enumerated in this section shall be adopted by the council as provided in RCW 19.27.074. The council shall solicit input from first responders to ensure that firefighter safety issues are addressed during the code adoption process.

The council may issue opinions relating to the codes at the request of a local official charged with the duty to enforce the enumerated codes.

**Sec. 2.** RCW 19.27.074 and 2018 c 207 s 4 are each amended to read as follows:

(1) The state building code council shall:

(a) Adopt and maintain the codes to which reference is made in RCW 19.27.031 in a status which is consistent with the state's interest as set forth in RCW 19.27.020. In maintaining these codes, the council shall regularly review updated versions of the codes referred to in RCW 19.27.031 and other pertinent information and shall amend the codes as deemed appropriate by the council, provided, that Wildland Urban Interface Codes must be consistent with RCW 19.27.560;

(b) Approve or deny all county or city amendments to any code referred to in RCW 19.27.031 to the degree the amendments apply

to single-family or multifamily residential buildings;

(c) As required by the legislature, develop and adopt any codes relating to buildings; and

(d) Approve a proposed budget for the operation of the state building code council to be submitted by the department of enterprise services to the office of financial management pursuant to RCW 43.88.090.

(2) The state building code council may:

(a) Appoint technical advisory committees which may include members of the council;

(b) Approve contracts for services; and

(c) Conduct research into matters relating to any code or codes referred to in RCW 19.27.031 or any related matter.

(3) The department of enterprise services, with the advice and input from the members of the building code council, shall:

(a) Employ permanent and temporary staff and contract for services;

(b) Contract with an independent, third-party entity to perform a Washington energy code baseline economic analysis and economic analysis of code proposals; and

(c) Provide all administrative and information technology services required for the building code council.

(4) Rule-making authority as authorized in this chapter resides within the building code council.

(5)(a) All meetings of the state building code council shall be open to the public under the open public meetings act, chapter 42.30 RCW. All actions of the state building code council which adopt or amend any code of statewide applicability shall be pursuant to the administrative procedure act, chapter 34.05 RCW.

(b) All council decisions relating to the codes enumerated in RCW 19.27.031 shall require approval by at least a majority of the members of the council.

(c) All decisions to adopt or amend codes of statewide application shall be made prior to December 1 of any year and shall not take effect before the end of the regular legislative session in the next year.

**Sec. 3.** RCW 19.27.560 and 2018 c 189 s 2 are each amended to read as follows:

(1) In addition to the provisions of RCW 19.27.031, the state building code shall, upon the completion of a statewide (~~mapping of wildland urban interface areas consist of the following parts~~) wildfire hazard map and a base-level wildfire risk map for each county of the state, per RCW 43.30.580, consist of chapter 1 and the following technical provisions of the ((2018)) International Wildland Urban Interface Code, published by the International Code Council, Inc., which are hereby adopted by reference:

(a) The following parts of (~~section 504~~) class 1 ignition-resistant construction:

(i)(A) ((504.2)) Roof covering - Roofs shall have a roof assembly that complies with class A rating when testing in accordance with American society for testing materials E 108 or underwriters laboratories 790. For roof coverings where the profile allows a space between the roof covering and

roof decking, the space at the eave ends shall be fire stopped to preclude entry of flames or embers, or have one layer of seventy-two pound mineral-surfaced, nonperforated camp sheet complying with American society for testing materials D 3909 installed over the combustible decking.

(B) The roof covering on buildings or structures in existence prior to the adoption of the wildland urban interface code under this section that are replaced or have fifty percent or more replaced in a twelve month period shall be replaced with a roof covering required for new construction based on the type of ignition-resistant construction specified in accordance with (~~section 503 of~~) the International Wildland Urban Interface Code.

(C) The roof covering on any addition to a building or structure shall be replaced with a roof covering required for new construction based on the type of ignition-resistant construction specified in accordance with (~~section 503 of~~) the International Wildland Urban Interface Code.

(ii) ((504.5)) Exterior walls - Exterior walls of buildings or structures shall be constructed with one of the following methods:

(A) Materials approved for not less than one hour fire-resistance rated construction on the exterior side;

(B) Approved noncombustible materials;

(C) Heavy timber or log wall construction;

(D) Fire retardant-treated wood on the exterior side. The fire retardant-treated wood shall be labeled for exterior use and meet the requirements of (~~section 2303.2 of~~) the International Building Code; or

(E) Ignition-resistant materials on the exterior side.

Such materials shall extend from the top of the foundation to the underside of the roof sheathing.

(iii)(A) ((504.7)) Appendages and projections - Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall not be less than one hour fire-resistance rated construction, heavy timber construction, or constructed of one of the following:

(I) Approved noncombustible materials;

(II) Fire retardant-treated wood identified for exterior use and meeting the requirements of (~~section 2303.2 of~~) the International Building Code; or

(III) Ignition-resistant building materials in accordance with (~~section 503.2 of~~) the International Wildland Urban Interface Code.

(B) Subsection (1)(a)(iii)(A) of this section does not apply to an unenclosed accessory structure attached to buildings with habitable spaces and projections, such as decks, attached to the first floor of a building if the structure is built with building materials at least two inches nominal depth and the area below the unenclosed accessory structure is screened with wire mesh screening to prevent embers from coming in from underneath.

(b) ((Section 403.2)) Driveways - Driveways shall be provided where any portion of an exterior wall of the first

story of the building is located more than one hundred fifty feet from a fire apparatus access road. Driveways in excess of three hundred feet in length shall be provided with turnarounds and driveways in excess of five hundred feet in length and less than twenty feet in width shall be provided with turnouts and turnarounds. The county, city, or town will define the requirements for a turnout or turnaround as required in this subsection.

(2) All counties, cities, and towns may adopt the International Wildland Urban Interface Code, published by the International Code Council, Inc., in whole or any portion thereof.

(3) In adopting and maintaining the code enumerated in subsection((s)) (1) ((and (2))) of this section, any amendment to the code as adopted under subsection((s)) (1) ((and (2))) of this section may not result in an International Wildland Urban Interface Code that is more than the minimum performance standards and requirements contained in ((the published model code)) subsection (1) of this section.

(4) All counties, cities, and towns may complete their own wildfire hazard and base-level wildfire risk map for use in applying the code enumerated in subsections (1) and (2) of this section. Counties, cities, and towns may continue to use locally adopted wildfire risk maps until completion of a statewide wildfire hazard map and base-level wildfire risk map for each county of the state per RCW 43.30.580. Six months after the statewide wildfire hazard map and base-level wildfire risk map is complete, any map adopted by counties, cities, and towns must utilize the same or substantially similar criteria as the map required by subsection (1) of this section.

(5) All counties, cities, and towns issuing commercial and residential building permits for parcels in areas identified as high hazard and very high hazard on the map required by subsection (1) of this section or adopted according to subsection (4) of this section shall apply the code enumerated in subsections (1) or (2) of this section.

**Sec. 4.** RCW 43.30.580 and 2018 c 189 s 3 are each amended to read as follows:

(1) The department shall, to the extent practical within existing resources, establish a program of technical assistance to counties, cities, and towns for the development of findings of fact and maps establishing the wildland urban interface areas of jurisdictions in accordance with the requirements of the International Wildland Urban Interface Code as adopted by reference in RCW 19.27.560.

(2) The department shall develop and administer a grant program, subject to funding provided for this purpose, to provide direct financial assistance to counties, cities, and towns for the development of findings of fact and maps establishing wildland urban interface areas. Applications for grant funds must be submitted by counties, cities, and towns in accordance with regulations adopted by the department. The department is authorized to make and administer grants on the basis of

applications, within appropriations authorized by the legislature, to any county, city, or town for the purpose of developing findings of fact and maps establishing wildland urban interface areas.

(3) The department shall establish and maintain a statewide wildfire hazard map and a base-level wildfire risk map for each county of the state based upon criteria established in coordination with the state fire marshal office. The hazard map shall be made available on the department's website and shall designate areas as low, moderate, high, and very high wildfire hazard. The risk map shall be made available on the department's website and designate vulnerable resources or assets based on their exposure and susceptibility to a wildfire hazard. The department shall establish a method by which local governments may update the wildfire hazard map and wildfire risk map based on local assessments and approved by the jurisdiction's fire marshal. The department shall make publicly available the criteria and analysis utilized in assessing the wildfire hazard and risk.

**NEW SECTION. Sec. 5.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Appropriations

February 20, 2024

**SSB 6121**

Prime Sponsor, Environment, Energy & Technology; Concerning agricultural and forestry biomass. Reported by Committee on Environment & Energy

MAJORITY recommendation: Do pass. Signed by Representatives Doglio, Chair; Mena, Vice Chair; Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Berry; Duerr; Fey; Goehner; Lekanoff; Ramel; Sandlin; Slatter and Street.

Referred to Committee on Appropriations

February 21, 2024

**SSB 6125**

Prime Sponsor, Ways & Means: Preserving records and artifacts regarding the historical treatment of people with intellectual and developmental disabilities in Washington state. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Appropriations

February 20, 2024

ESSB 6127

Prime Sponsor, Health & Long Term Care:  
Increasing access to human immunodeficiency virus postexposure prophylaxis drugs or therapies. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 70.41 RCW to read as follows:

(1) A hospital must adopt a policy and have procedures in place, that conform with the guidelines issued by the centers for disease control and prevention, for the dispensing of human immunodeficiency virus postexposure prophylaxis drugs or therapies.

(2) This policy must ensure that hospital staff dispense or deliver as defined in RCW 18.64.011 to a patient, with a patient's informed consent, a 28-day supply of human immunodeficiency virus postexposure prophylaxis drugs or therapies following the patient's possible exposure to human immunodeficiency virus, unless medically contraindicated, inconsistent with accepted standards of care, or inconsistent with centers for disease control and prevention guidelines. When available, hospitals shall dispense or deliver generic human immunodeficiency virus postexposure prophylaxis drugs or therapies.

(3) Nothing in this section shall be construed to alter the coverage for reimbursement of postexposure prophylaxis drugs through:

(a) The crime victims' compensation program, established in chapter 7.68 RCW, for drugs dispensed or delivered to sexual assault victims; or

(b) The industrial insurance act for drugs dispensed or delivered to a worker exposed to the human immunodeficiency virus through the course of employment.

**Sec. 2.** RCW 70.41.480 and 2022 c 25 s 1 are each amended to read as follows:

(1) The legislature finds that high quality, safe, and compassionate health care services for patients of Washington state must be available at all times. The legislature further finds that there is a need for patients being released from hospital emergency departments to maintain access to emergency medications when community or hospital pharmacy services are not available, including medication for opioid overdose reversal and for the treatment for opioid use disorder as appropriate. It is the intent of the legislature to accomplish this objective by allowing practitioners with prescriptive authority to prescribe limited amounts of prepackaged emergency medications to patients being discharged from hospital emergency departments when access to community or outpatient hospital pharmacy services is not otherwise available.

(2) A hospital may allow a practitioner to prescribe prepackaged emergency medications and allow a practitioner or a registered nurse licensed under chapter 18.79 RCW to distribute prepackaged emergency medications to patients being discharged from a hospital emergency department in the following circumstances:

(a) During times when community or outpatient hospital pharmacy services are not available within 15 miles by road; (~~or~~)

(b) When, in the judgment of the practitioner and consistent with hospital policies and procedures, a patient has no reasonable ability to reach the local community or outpatient pharmacy; or

(c) When a patient is identified as needing human immunodeficiency virus postexposure prophylaxis drugs or therapies.

(3) A hospital may only allow this practice if: The director of the hospital pharmacy, in collaboration with appropriate hospital medical staff, develops policies and procedures regarding the following:

(a) Development of a list, preapproved by the pharmacy director, of the types of emergency medications to be prepackaged and distributed;

(b) Assurances that emergency medications to be prepackaged pursuant to this section are prepared by a pharmacist or under the supervision of a pharmacist licensed under chapter 18.64 RCW;

(c) Development of specific criteria under which emergency prepackaged medications may be prescribed and distributed consistent with the limitations of this section;

(d) Assurances that any practitioner authorized to prescribe prepackaged emergency medication or any nurse authorized to distribute prepackaged emergency medication is trained on the types of medications available and the circumstances under which they may be distributed;

(e) Procedures to require practitioners intending to prescribe prepackaged emergency medications pursuant to this section to maintain a valid prescription either in writing or electronically in the patient's records prior to a medication being distributed to a patient;

(f) Establishment of a limit of no more than a 48 hour supply of emergency medication as the maximum to be dispensed to a patient, except when community or hospital pharmacy services will not be available within 48 hours (~~(. In no case may the policy allow a supply exceeding 96 hours be dispensed)), or when antibiotics or human immunodeficiency virus postexposure prophylaxis drugs or therapies are required;~~

(g) Assurances that prepackaged emergency medications will be kept in a secure location in or near the emergency department in such a manner as to preclude the necessity for entry into the pharmacy; and

(h) Assurances that nurses or practitioners will distribute prepackaged emergency medications to patients only after a practitioner has counseled the patient on the medication.

(4) The delivery of a single dose of medication for immediate administration to



the patient is not subject to the requirements of this section.

(5) Nothing in this section restricts the authority of a practitioner in a hospital emergency department to distribute opioid overdose reversal medication under RCW 69.41.095.

(6) A practitioner or a nurse in a hospital emergency department must dispense or distribute opioid overdose reversal medication in compliance with RCW 70.41.485.

(7) For purposes of this section:

(a) "Emergency medication" means any medication commonly prescribed to emergency department patients, including those drugs, substances or immediate precursors listed in schedules II through V of the uniform controlled substances act, chapter 69.50 RCW, as now or hereafter amended.

(b) "Distribute" means the delivery of a drug or device other than by administering or dispensing.

(c) "Opioid overdose reversal medication" has the same meaning as provided in RCW 69.41.095.

(d) "Practitioner" means any person duly authorized by law or rule in the state of Washington to prescribe drugs as defined in RCW 18.64.011(29).

(e) "Nurse" means a registered nurse or licensed practical nurse as defined in chapter 18.79 RCW.

**NEW SECTION. Sec. 3.** A new section is added to chapter 48.43 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, for nongrandfathered health plans issued or renewed on or after January 1, 2025, a health carrier may not impose cost sharing or require prior authorization for the drugs that comprise at least one regimen recommended by the centers for disease control and prevention for human immunodeficiency virus postexposure prophylaxis.

(2) For a health plan that is offered as a qualifying health plan for a health savings account, the health carrier must establish the plan's cost sharing for the coverage required by this section at the minimum level necessary to preserve the enrollee's ability to claim tax exempt contributions and withdrawals from the enrollee's health savings account under the internal revenue service laws and regulations.

(3) Notwithstanding the coverage requirements of this section, a health plan shall reimburse a hospital that bills for a 28-day supply of any human immunodeficiency virus postexposure prophylaxis drugs or therapies dispensed or delivered to a patient in the emergency department for take-home use, pursuant to section 1 of this act, as a separate reimbursable expense. This reimbursable expense is separate from any bundled payment for emergency department services.

**NEW SECTION. Sec. 4.** A new section is added to chapter 74.09 RCW to read as follows:

(1) The authority and all medicaid contracted managed care organizations shall

provide coverage without prior authorization for the drugs that comprise at least one regimen recommended by the centers for disease control and prevention for human immunodeficiency virus postexposure prophylaxis.

(2) Notwithstanding the coverage requirements of this section, the authority or a medicaid contracted managed care organization shall reimburse a hospital that bills for a 28-day supply of any human immunodeficiency virus postexposure prophylaxis drugs or therapies dispensed or delivered to a patient in the emergency department for take-home use, pursuant to section 1 of this act, as a separate reimbursable expense. This reimbursable expense is separate from any bundled payment for emergency department services.

**Sec. 5.** RCW 41.05.017 and 2022 c 236 s 3, 2022 c 228 s 2, and 2022 c 10 s 2 and are each reenacted and amended to read as follows:

Each health plan that provides medical insurance offered under this chapter, including plans created by insuring entities, plans not subject to the provisions of Title 48 RCW, and plans created under RCW 41.05.140, are subject to the provisions of RCW 48.43.500, 70.02.045, 48.43.505 through 48.43.535, 48.43.537, 48.43.545, 48.43.550, 70.02.110, 70.02.900, 48.43.190, 48.43.083, 48.43.0128, 48.43.780, 48.43.435, 48.43.815, section 3 of this act, and chapter 48.49 RCW.

**NEW SECTION. Sec. 6.** This act takes effect January 1, 2025."

Correct the title.

Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier and Tharinger.

Referred to Committee on Rules for second reading

February 20, 2024

**SB 6133**

Prime Sponsor, Senator McCune: Detering robberies from cannabis retail establishments. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 69.50 RCW to read as follows:

(1) Each retail outlet must report any attempt or incident of robbery in the first or second degree at the retail outlet to the board within 10 days of the attempt or incident.

(2) The board's chief enforcement officer must regularly consult with the Washington state patrol to provide details of attempts or incidents of robbery in the first or

second degree of a retail outlet and to discuss any evidence that indicates a pattern of, or coordinated effort by, a criminal enterprise.

**Sec. 2.** RCW 9.94A.832 and 2013 c 270 s 1 are each amended to read as follows:

In a criminal case where(~~(+)~~

~~(1) The~~)the defendant has been convicted of robbery in the first degree or robbery in the second degree(~~(+)~~) and

~~((2) There)~~there has been a special allegation pleaded and proven beyond a reasonable doubt that the defendant committed a robbery of (~~(a)~~):

~~(1) A~~ pharmacy as defined in RCW 18.64.011(~~((21))~~); or

(2) A cannabis retail outlet, licensed under chapter 69.50 RCW, and the defendant committed the robbery by using a vehicle to damage or gain access to the retail outlet; the court shall make a finding of fact of the special allegation, or if a jury is had, the jury shall, if it finds the defendant guilty, also find a special verdict as to the special allegation.

**Sec. 3.** RCW 9.94A.533 and 2020 c 330 s 1 and 2020 c 141 s 1 are each reenacted and amended to read as follows:

(1) The provisions of this section apply to the standard sentence ranges determined by RCW 9.94A.510 or 9.94A.517.

(2) For persons convicted of the anticipatory offenses of criminal attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by seventy-five percent.

(3) The following additional times shall be added to the standard sentence range for felony crimes committed after July 23, 1995, if the offender or an accomplice was armed with a firearm as defined in RCW 9.41.010 and the offender is being sentenced for one of the crimes listed in this subsection as eligible for any firearm enhancements based on the classification of the completed felony crime. If the offender is being sentenced for more than one offense, the firearm enhancement or enhancements must be added to the total period of confinement for all offenses, regardless of which underlying offense is subject to a firearm enhancement. If the offender or an accomplice was armed with a firearm as defined in RCW 9.41.010 and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection as eligible for any firearm enhancements, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(a) Five years for any felony defined under any law as a class A felony or with a statutory maximum sentence of at least twenty years, or both, and not covered under (f) of this subsection;

(b) Three years for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both, and not covered under (f) of this subsection;

(c) Eighteen months for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both, and not covered under (f) of this subsection;

(d) If the offender is being sentenced for any firearm enhancements under (a), (b), and/or (c) of this subsection and the offender has previously been sentenced for any deadly weapon enhancements after July 23, 1995, under (a), (b), and/or (c) of this subsection or subsection (4)(a), (b), and/or (c) of this section, or both, all firearm enhancements under this subsection shall be twice the amount of the enhancement listed;

(e) Notwithstanding any other provision of law, all firearm enhancements under this section are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(f) The firearm enhancements in this section shall apply to all felony crimes except the following: Possession of a machine gun or bump-fire stock, possessing a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, and use of a machine gun or bump-fire stock in a felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a firearm enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(4) The following additional times shall be added to the standard sentence range for felony crimes committed after July 23, 1995, if the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9.41.010 and the offender is being sentenced for one of the crimes listed in this subsection as eligible for any deadly weapon enhancements based on the classification of the completed felony crime. If the offender is being sentenced for more than one offense, the deadly weapon enhancement or enhancements must be added to the total period of confinement for all offenses, regardless of which underlying offense is subject to a deadly weapon enhancement. If the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9.41.010 and the offender is being sentenced for an anticipatory offense under chapter

9A.28 RCW to commit one of the crimes listed in this subsection as eligible for any deadly weapon enhancements, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(a) Two years for any felony defined under any law as a class A felony or with a statutory maximum sentence of at least twenty years, or both, and not covered under (f) of this subsection;

(b) One year for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both, and not covered under (f) of this subsection;

(c) Six months for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both, and not covered under (f) of this subsection;

(d) If the offender is being sentenced under (a), (b), and/or (c) of this subsection for any deadly weapon enhancements and the offender has previously been sentenced for any deadly weapon enhancements after July 23, 1995, under (a), (b), and/or (c) of this subsection or subsection (3)(a), (b), and/or (c) of this section, or both, all deadly weapon enhancements under this subsection shall be twice the amount of the enhancement listed;

(e) Notwithstanding any other provision of law, all deadly weapon enhancements under this section are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(f) The deadly weapon enhancements in this section shall apply to all felony crimes except the following: Possession of a machine gun or bump-fire stock, possessing a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, and use of a machine gun or bump-fire stock in a felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a deadly weapon enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(5) The following additional times shall be added to the standard sentence range if the offender or an accomplice committed the offense while in a county jail or state correctional facility and the offender is being sentenced for one of the crimes listed in this subsection. If the offender or an

accomplice committed one of the crimes listed in this subsection while in a county jail or state correctional facility, and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section:

(a) Eighteen months for offenses committed under RCW 69.50.401(2) (a) or (b) or 69.50.410;

(b) Fifteen months for offenses committed under RCW 69.50.401(2) (c), (d), or (e);

(c) Twelve months for offenses committed under RCW 69.50.4013.

For the purposes of this subsection, all of the real property of a state correctional facility or county jail shall be deemed to be part of that facility or county jail.

(6) An additional twenty-four months shall be added to the standard sentence range for any ranked offense involving a violation of chapter 69.50 RCW if the offense was also a violation of RCW 69.50.435 or 9.94A.827. All enhancements under this subsection shall run consecutively to all other sentencing provisions, for all offenses sentenced under this chapter.

(7) An additional two years shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502 for each prior offense as defined in RCW 46.61.5055.

Notwithstanding any other provision of law, all impaired driving enhancements under this subsection are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other impaired driving enhancements, for all offenses sentenced under this chapter.

An offender serving a sentence under this subsection may be granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c).

(8)(a) The following additional times shall be added to the standard sentence range for felony crimes committed on or after July 1, 2006, if the offense was committed with sexual motivation, as that term is defined in RCW 9.94A.030. If the offender is being sentenced for more than one offense, the sexual motivation enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to a sexual motivation enhancement. If the offender committed the offense with sexual motivation and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(i) Two years for any felony defined under the law as a class A felony or with a statutory maximum sentence of at least twenty years, or both;

(ii) Eighteen months for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both;

(iii) One year for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both;

(iv) If the offender is being sentenced for any sexual motivation enhancements under (a)(i), (ii), and/or (iii) of this subsection and the offender has previously been sentenced for any sexual motivation enhancements on or after July 1, 2006, under (a)(i), (ii), and/or (iii) of this subsection, all sexual motivation enhancements under this subsection shall be twice the amount of the enhancement listed;

(b) Notwithstanding any other provision of law, all sexual motivation enhancements under this subsection are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other sexual motivation enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(c) The sexual motivation enhancements in this subsection apply to all felony crimes;

(d) If the standard sentence range under this subsection exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a sexual motivation enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced;

(e) The portion of the total confinement sentence which the offender must serve under this subsection shall be calculated before any earned early release time is credited to the offender;

(f) Nothing in this subsection prevents a sentencing court from imposing a sentence outside the standard sentence range pursuant to RCW 9.94A.535.

(9) An additional one-year enhancement shall be added to the standard sentence range for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089 committed on or after July 22, 2007, if the offender engaged, agreed, or offered to engage the victim in the sexual conduct in return for a fee. If the offender is being sentenced for more than one offense, the one-year enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to the enhancement. If the offender is being sentenced for an anticipatory offense for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089, and the offender attempted, solicited another, or conspired to engage, agree, or offer to

engage the victim in the sexual conduct in return for a fee, an additional one-year enhancement shall be added to the standard sentence range determined under subsection (2) of this section. For purposes of this subsection, "sexual conduct" means sexual intercourse or sexual contact, both as defined in chapter 9A.44 RCW.

(10)(a) For a person age eighteen or older convicted of any criminal street gang-related felony offense for which the person compensated, threatened, or solicited a minor in order to involve the minor in the commission of the felony offense, the standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by one hundred twenty-five percent. If the standard sentence range under this subsection exceeds the statutory maximum sentence for the offense, the statutory maximum sentence is the presumptive sentence unless the offender is a persistent offender.

(b) This subsection does not apply to any criminal street gang-related felony offense for which involving a minor in the commission of the felony offense is an element of the offense.

(c) The increased penalty specified in (a) of this subsection is unavailable in the event that the prosecution gives notice that it will seek an exceptional sentence based on an aggravating factor under RCW 9.94A.535.

(11) An additional twelve months and one day shall be added to the standard sentence range for a conviction of attempting to elude a police vehicle as defined by RCW 46.61.024, if the conviction included a finding by special allegation of endangering one or more persons under RCW 9.94A.834.

(12) An additional twelve months shall be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.831.

(13) An additional twelve months shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.520 or for vehicular assault committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.522, or for any felony driving under the influence (RCW 46.61.502(6)) or felony physical control under the influence (RCW 46.61.504(6)) for each child passenger under the age of sixteen who is an occupant in the defendant's vehicle. These enhancements shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other minor child enhancements, for all offenses sentenced under this chapter. If the addition of a minor child enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions.

(14)(a) An additional (~~twelve~~) 12 months shall be added to the standard sentence

range for an offense that is also a violation of RCW 9.94A.832(1).

(b) An additional 12 months may be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.832(2).

(15) Regardless of any provisions in this section, if a person is being sentenced in adult court for a crime committed under age eighteen, the court has full discretion to depart from mandatory sentencing enhancements and to take the particular circumstances surrounding the defendant's youth into account."

Correct the title.

Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 6140 Prime Sponsor, Local Government, Land Use & Tribal Affairs: Concerning limited areas of more intensive rural development. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Gohner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Rules for second reading

February 20, 2024

SSB 6146 Prime Sponsor, Law & Justice: Concerning tribal warrants. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 1.** The legislature recognizes that the 29 federally recognized Indian tribes with territory inside the state of Washington have a shared interest with the state in public safety, and that continued and expanded cooperation with tribal justice systems will promote that interest. The legislature also recognizes that tribes have, for decades, agreed by treaty and through practice not to shelter or conceal those individuals who violate state law and to surrender them to the state for prosecution. In the interests of public safety and partnership, it is therefore the intent of the legislature to create uniform processes by which the state may consistently reciprocate with tribes the return of those individuals who violate tribal law and seek to avoid tribal justice systems by leaving tribal jurisdiction.

The legislature further recognizes it is a constitutional imperative that individuals alleged to have violated criminal laws are afforded the fullest protections of due process including, but not limited to: (1)

The right to effective assistance of counsel at least equal to that guaranteed by the United States Constitution; (2) the right of an indigent defendant to the assistance of a licensed defense attorney, at the expense of the tribal government; (3) the right to a criminal proceeding presided over by a judge who is licensed to practice law and has sufficient legal training; (4) the right to have access, prior to being charged, to the tribe's criminal laws, rules of evidence, and rules of criminal procedure; and (5) the right to a record of the criminal proceeding, including an audio or other recording of the trial proceeding. The legislature finds that numerous federally recognized tribes with territory inside the state have systems and processes recognized by the federal government as providing due process to defendants at least equal to those required by the United States Constitution. The legislature also finds that all defendants in tribal courts have the right to petition for a writ of habeas corpus.

The legislature additionally recognizes the importance of establishing clear statutory duties when directing peace officers of this state to effectuate new aspects of their work. It is the intent of the legislature that this act set forth procedures by which peace officers and correctional staff of this state must recognize and effectuate tribal arrest warrants.

Therefore, the legislature declares the purpose of this act is to expand cross jurisdictional cooperation so that fugitives from tribal courts cannot evade justice by remaining off reservation in Washington's counties and cities, while ensuring that defendants receive the fullest due process protections.

**NEW SECTION. Sec. 2.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Noncertified tribe" means a federally recognized tribe located within the borders of the state of Washington that is requesting that a tribal fugitive be surrendered to the duly authorized agent of the tribe, but has not received approval to exercise jurisdiction under the tribal law and order act of 2010, section 234, codified at 25 U.S.C. Sec. 1302, and which has agreed by treaty or practice not to shelter or conceal offenders against the laws of the state of Washington but to deliver them up to state authorities for prosecution.

(2) "Certified tribe" means a federally recognized tribe located within the borders of the state of Washington that (a) may impose a term of imprisonment of greater than one year, or a fine greater than \$5,000, or both, pursuant to the tribal law and order act of 2010, section 234, codified at 25 U.S.C. Sec. 1302; and (b) has agreed not to shelter or conceal offenders against the laws of the state of Washington but to deliver them up to state authorities for prosecution.

(3) "Peace officer" has the same meaning as in RCW 10.93.020(4).

(4) "Place of detention" means a jail as defined in RCW 70.48.020, a correctional facility as defined in RCW 72.09.015, and any similar facility contracted by a city or county.

(5) "Tribal court judge" includes every judicial officer authorized alone or with others, to hold or preside over the criminal court of a certified tribe or noncertified tribe.

(6) "Tribal fugitive" or "fugitive" means any person who is subject to tribal court criminal jurisdiction, committed an alleged crime under the tribal code, and thereafter fled tribal jurisdiction, including by escaping or evading confinement, breaking the terms of their probation, bail, or parole, or absenting themselves from the jurisdiction of the tribal court.

(7) "Tribal police officer" has the same meaning as in RCW 10.92.010.

NEW SECTION. **Sec. 3.** A certified tribe must provide certification of section 2 (2)(a) and (b) of this act, signed by the tribe's judicial officer and chief legal counsel, to the office of the attorney general. The office of the attorney general shall receive the certification documentation indicating that the tribe meets the requirements of the tribal law and order act of 2010 section 234, codified at 25 U.S.C. Sec. 1302, and review the documentation to confirm that it is complete according to the information provided in the documentation. The office of the attorney general shall be immune from liability arising out of the performance of duties under this section, except their intentional or willful misconduct.

**I. PROCEDURE FOR TRIBAL WARRANTS OF NONCERTIFIED TRIBES**

NEW SECTION. **Sec. 4.** A place of detention shall provide notice to the tribal law enforcement within the jurisdiction of a noncertified tribe who issued an arrest warrant for a tribal fugitive as soon as practicable after learning that the tribal fugitive is a prisoner in the place of detention. The notice shall include the reason for the detention and the anticipated date of release, if known.

NEW SECTION. **Sec. 5.** The noncertified tribe whose court issued the warrant of arrest may demand the extradition of the tribal fugitive from a place of detention. The demand will be recognized if in writing, it alleges that the person is a tribal fugitive, the tribal court has jurisdiction, and is accompanied by either:

(1) A copy of the complaint, information, or other charging document supported by affidavit of the tribe having jurisdiction of the crime;

(2) A copy of an affidavit made before an authorized representative of the tribal court, together with a copy of any warrant which was issued thereupon; or

(3) A copy of a judgment of conviction or of a sentence imposed in execution thereof.

NEW SECTION. **Sec. 6.** If a criminal prosecution has been instituted against a tribal fugitive under the laws of this state or any political subdivision thereof and is still pending, extradition on a tribal court request under sections 4 through 10 of this act shall be placed on hold until the tribal fugitive's release from a place of detention, unless otherwise agreed upon in any given case.

NEW SECTION. **Sec. 7.** (1) The attorney general or prosecuting attorney shall submit all applicable documents specified in section 4 of this act to a superior court judge in this state along with a motion for an order of surrender. The motion for an order of surrender shall be served upon the person whose extradition is demanded.

(2) A person who is served with a motion for an order of surrender shall be taken before a superior court judge in this state the next judicial day. The judge shall inform the person of the demand made for the person's surrender and the underlying reason for the demand, and that the person has the right to demand and procure legal counsel.

(3) The person whose return is demanded may, in the presence of any superior court judge, sign a statement that the person consents to his or her return to the noncertified tribe. However, before such waiver may be executed, it shall be the duty of such judge to inform the person of his or her right to test the legality of the extradition request before an order of surrender may be issued.

(4) Any hearing to test the legality of the extradition request shall occur within three judicial days, excluding weekends and holidays, of the person receiving notice of the motion for an order of surrender. The hearing is limited to determining:

(a) Whether the person has been charged with or convicted of a crime by the noncertified tribe;

(b) Whether the person before the court is the person named in the request for extradition; and

(c) Whether the person is a fugitive.

(5) The guilt or innocence of the person as to the crime of which the person is charged may not be inquired into by a superior court judge except as it may be necessary to identify the person held as being the person charged with the crime.

(6) If the superior court judge determines that the requirements of subsection (4) of this section and section 4 of this act have been met, the judge shall issue an order of surrender to the noncertified tribe. If the noncertified tribe does not take custody of the person pursuant to the order of surrender on the date the person is scheduled to be released from the place of detention or within 48 hours of the entry of the order of surrender, whichever is later, the person may be released from custody with bail conditioned on the person's appearance before the court at a time specified for his or her surrender to the noncertified tribe or for the vacation of the order of surrender.

NEW SECTION. **Sec. 8.** Subject to the provisions of section 6 of this act, a place of detention shall deliver or make available a person in custody to the noncertified tribe without a judicial order of surrender provided that:

(1) Such person is alleged to have broken the terms of his or her probation, parole, bail, or any other release of the noncertified tribe; and

(2) The place of detention has received from the noncertified tribe an authenticated copy of a prior waiver of extradition signed by such person as a term of his or her probation, parole, bail, or any other release of the noncertified tribe and photographs or fingerprints or other evidence properly identifying the person as the person who signed the waiver.

NEW SECTION. **Sec. 9.** (1) A noncertified tribe that requests extradition pursuant to this act is responsible to arrange the transportation for the tribal fugitive from the place of detention to the tribal court or detention facility. The detention facility and noncertified tribe are encouraged to select the means of transport that best protects public safety after considering available resources. At the request of a noncertified tribe, a city, county, or the governor must engage in good faith efforts to negotiate an agreement to effectuate this subsection.

(2) A tribal court representative who is certified as a general authority Washington peace officer under chapter 10.92 RCW, or who is cross-deputized pursuant to chapter 10.93 RCW, may transport a tribal fugitive within the state of Washington pursuant to an order of surrender.

NEW SECTION. **Sec. 10.** (1) A peace officer may arrest a person subject to a tribal arrest warrant from a noncertified tribe when the warrant is presented by a tribal court representative or tribal law enforcement officer to the peace officer or a general authority Washington law enforcement agency as defined in RCW 10.93.020 or entered in the national crime information center interstate identification index. The arrested person must be brought to an appropriate place of detention and then to the nearest available superior court judge without unnecessary delay. The superior court judge shall issue an order continuing custody upon presentation of the tribal arrest warrant.

(2) The judge shall inform the person appearing under subsection (1) of this section of the name of the noncertified tribe that has subjected the person to an arrest warrant, the basis of the arrest warrant, the right to assistance of counsel, and the right to require a judicial hearing before transfer of custody to the applicable noncertified tribe.

(3) After being informed by the judge of the effect of a waiver, the arrested person may waive the right to require a judicial hearing and consent to return to the applicable noncertified tribe by executing a written waiver. If the waiver is executed, the judge shall issue an order to transfer

custody under subsection (5) of this section or, with consent of the applicable noncertified tribe, authorize the voluntary return of the person to that tribe.

(4) If a hearing is not waived under subsection (3) of this section, the court shall hold a hearing within three days, excluding weekends and holidays, after the initial appearance. The arrested person and the prosecuting attorney's office shall be informed of the time and place of the hearing. The court shall release the person upon conditions that will reasonably assure availability of the person for the hearing or direct a peace officer to maintain custody of the person until the time of the hearing. Following the hearing, the judge shall issue an order to transfer custody under subsection (5) of this section unless the arrested person established by clear and convincing evidence that the arrested person is not the person identified in the warrant. If the court does not order transfer of custody, the judge shall order the arrested person to be released.

(5) A judicial order to transfer custody issued under subsection (4) of this section shall be directed to a peace officer to take or retain custody of the person until a representative of the applicable noncertified tribe is available to take custody. If the noncertified tribe has not taken custody with three days, excluding weekends and holidays, the court may order the release of the person upon conditions that will assure the person's availability on a specified date with seven days. If the noncertified tribe has not taken custody within the time specified in the order, the person shall be released. Thereafter, an order to transfer custody may be entered only if a new arrest warrant is issued. The court may authorize the voluntary return of the person with the consent of the applicable noncertified tribe.

## II. PROCEDURE FOR TRIBAL WARRANTS OF CERTIFIED TRIBES

NEW SECTION. **Sec. 11.** (1) Any arrest warrant issued by the court of a certified tribe shall be accorded full faith and credit by the courts of the state of Washington and enforced by the court and peace officers of the state as if it were the arrest warrant of the state. A Washington state peace officer who arrests a person pursuant to the arrest warrant of a certified tribe, if no other grounds for detention exist under state law, shall, as soon as practical after detaining the person, and in accordance with standard practices, contact the tribal law enforcement agency that issued the warrant to establish the warrant's validity.

(2) A place of detention shall allow a certified tribe to place a detainee on an inmate based on a tribal warrant. For the purposes of this section, detainee means a request by a certified tribe's tribal court, tribal police department, or tribal prosecutor's office, filed with the place of detention in which a person is incarcerated, to hold the person for the certified tribe and to notify the tribe when release of the

person is imminent so that the person can be transferred to tribal custody.

(3) The privilege of the writ of habeas corpus shall be available to any person detained under this provision.

NEW SECTION. **Sec. 12.** This act is not intended to and does not diminish the authority of the state or local jurisdictions to enter into government-to-government agreements with Indian tribes, including mutual aid and other interlocal agreements, concerning the movement of persons within their jurisdiction, does not diminish the validity or enforceability of any such agreements, and is not intended to and does not expand or diminish the authority of the state or local jurisdictions to arrest individuals over whom they have jurisdiction within Indian reservations.

NEW SECTION. **Sec. 13.** A tribal arrest warrant under this act is not required to be given prioritization above other warrants.

NEW SECTION. **Sec. 14.** (1) A peace officer or a peace officer's legal advisor may not be held criminally or civilly liable for making an arrest under this act if the peace officer or the peace officer's legal advisor acted in good faith and without malice.

(2) This act is not intended to limit, abrogate, or modify existing immunities for prosecuting attorneys for good faith conduct consistent with statutory duties.

NEW SECTION. **Sec. 15.** This chapter may be known and cited as the "tribal warrants act."

NEW SECTION. **Sec. 16.** Sections 1 through 15 of this act constitute a new chapter in Title 10 RCW.

NEW SECTION. **Sec. 17.** (1) The office of the governor shall convene an implementation work group to develop processes and recommendations as needed to ensure the successful implementation of this act, including verification and processing of warrants under this act.

(2) A representative of the governor's office shall chair the work group and the governor's office may consult or contract with an entity with subject matter expertise in criminal jurisdiction in Indian country to cochair and assist with administering the work group.

(3) The governor's office must ensure that the membership of the work group is composed of equal parts state and tribal partners and consists of, but is not limited to, representatives from:

- (a) State and tribal law enforcement;
- (b) Tribal leadership and local government leaders;
- (c) The attorney general's office;
- (d) State and tribal court judges; and
- (e) Tribal and state prosecuting and defense attorneys.

(4) The office of the governor must provide staff support to the work group and may establish subcommittees as needed.

(5) The work group shall:

(a) Hold its first meeting by July 1, 2024;

(b) Meet at least monthly; and

(c) Submit a report to the governor and appropriate committees of the legislature by December 1, 2024, with a summary of its work, which may include recommendations for best practices for implementation of this act.

(6) This section expires December 31, 2024.

NEW SECTION. **Sec. 18.** This act takes effect July 1, 2025, except for section 17 of this act, which is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect May 1, 2024."

Correct the title.

Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Rules for second reading

February 21, 2024

ESB 6151

Prime Sponsor, Senator Randall: Concerning the provision of an ultrasound. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 18.130 RCW to read as follows:

(1) An ultrasound or a similar medical imaging device or procedure may only be provided by: (a) A health care provider holding an active license under one of the chapters listed in RCW 18.130.040 and acting within their scope of practice; or (b) a person acting under the supervision of a health care provider holding an active license under one of the chapters listed in RCW 18.130.040, where all actions performed are within the supervising health care provider's scope of practice.

(2) A violation of this section shall constitute practice without a license and the disciplining authority shall investigate and adjudicate complaints pursuant to RCW 18.130.190.

(3) This section does not apply to the use of an ultrasound by a person on livestock or other animals owned or being raised by that person."

Correct the title.

Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske; Davis; Macri; Orwall; Simmons; Stonier; Thai and Tharinger.



MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Graham; and Maycumber.

MINORITY recommendation: Without recommendation. Signed by Representatives Caldier; Harris; and Mosbrucker.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 6157

Prime Sponsor, State Government & Elections: Reforming civil service to permit deferred action for childhood arrivals recipients to apply for civil service and incorporate civil service advantage for bilingual and multilingual applicants, applicants with higher education, and applicants with prior work experience in social services. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Gregerson and Mena.

MINORITY recommendation: Do not pass. Signed by Representative Christian, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Cheney, Ranking Minority Member; and Low.

Referred to Committee on Rules for second reading

February 20, 2024

SSB 6163

Prime Sponsor, Environment, Energy & Technology: Concerning biosolids. Reported by Committee on Environment & Energy

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70A.226.005 and 1992 c 174 s 1 are each amended to read as follows:

(1) The legislature finds that:

(a) Municipal sewage sludge is an unavoidable by-product of the wastewater treatment process;

(b) Population ~~((increases))~~ growth and technological improvements in wastewater treatment processes will ~~((double the amount of sludge generated within the next ten years))~~ increase the production of biosolids in the future;

(c) Sludge management is often a financial burden to municipalities and to ratepayers;

(d) Properly managed municipal sewage sludge is a valuable commodity and can be beneficially used in agriculture, silviculture, and in landscapes as a soil conditioner; and

(e) Municipal sewage sludge can contain metals and microorganisms that, under certain circumstances, may pose a risk to public health.

(2) The legislature declares that a program shall be established to manage

municipal sewage sludge and that the program shall, to the maximum extent possible, ensure that municipal sewage sludge is reused as a beneficial commodity and is managed in a manner that minimizes risk to public health and the environment.

Sec. 2. RCW 70A.226.007 and 1992 c 174 s 2 are each amended to read as follows:

The purpose of this chapter is to provide the department ~~((of ecology))~~ and local governments with the authority and direction to meet federal regulatory requirements for municipal sewage sludge. The department ~~((of ecology))~~ may seek delegation and administer the sludge permit program required by the federal clean water act as it existed ~~((February 4, 1987))~~ on the effective date of this section.

Sec. 3. RCW 70A.226.010 and 2020 c 20 s 1239 are each amended to read as follows:

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

(1) "Biosolids" means municipal sewage sludge that is a primarily organic, semisolid product resulting from the wastewater treatment process, that can be beneficially recycled and meets all requirements under this chapter. For the purposes of this chapter, "biosolids" includes septic tank sludge, also known as septage, that can be beneficially recycled and meets all requirements under this chapter.

(2) "Department" means the department of ecology.

(3) "Local health department" has the same meaning as "jurisdictional health department" in RCW 70A.205.015.

(4) "Municipal sewage sludge" means a semisolid substance consisting of settled sewage solids combined with varying amounts of water and dissolved materials generated from a publicly owned wastewater treatment plant.

(5) "PFAS chemicals" has the same meaning as defined in RCW 70A.350.010.

Sec. 4. RCW 70A.226.020 and 1992 c 174 s 4 are each amended to read as follows:

(1) The department shall adopt rules to implement a biosolid management program within twelve months of the adoption of federal rules, 40 C.F.R. ~~((See-))~~ Part 503, relating to technical standards for the use and disposal of sewage sludge. The biosolid management program shall, at a minimum, conform with all applicable federal rules adopted pursuant to the federal clean water act as it existed on ~~((February 4, 1987))~~ the effective date of this section.

(2) In addition to any federal requirements, the state biosolid management program may include, but not be limited to, an education program to provide relevant legal and scientific information to local governments and citizen groups.

(3) Rules adopted by the department under this section shall provide for public input and involvement for all state and local permits.

(4) Materials that have received a permit as a biosolid shall be regulated pursuant to this chapter.

(5) The transportation of biosolids and municipal sewage sludge shall be governed by Title 81 RCW. Certificates issued by the utilities and transportation commission before June 11, 1992, that include or authorize transportation of municipal sewage sludge shall continue in force and effect and be interpreted to include biosolids.

(6) (a) By July 1, 2027, the department must establish PFAS chemical sampling or testing requirements for biosolids regulated under this chapter.

(b) By July 1, 2028, the department must complete an analysis of the levels of PFAS chemicals in biosolids produced in Washington state.

(c) By December 1, 2028, the department must submit a report to the appropriate committees of the legislature and the public with a summary of the analysis required under (b) of this subsection and recommendations on how to proceed based on the analysis.

(d) In developing the sampling or testing requirements under (a) of this subsection, and the recommendations under (c) of this subsection, the department must consult with the advisory committee created in section 6 of this act.

(e) For the purposes of this subsection, "biosolids" do not include septic tank sludge, also known as septage.

**Sec. 5.** RCW 70A.226.030 and 2014 c 76 s 7 are each amended to read as follows:

(1) The department shall establish annual fees to collect expenses for issuing and administering biosolids permits under this chapter. An initial fee schedule shall be established by rule and shall be adjusted no more often than once every two years. This fee schedule applies to all permits, regardless of date of issuance, and fees shall be assessed prospectively. Fees shall be established in amounts to recover expenses incurred by the department in processing permit applications and modifications, reviewing related plans and documents, monitoring, evaluating, conducting inspections, overseeing performance of delegated program elements, sampling or testing, and providing technical assistance and supporting overhead expenses that are directly related to these activities.

(2) The annual fee paid by a permittee for any permit issued under this chapter shall be determined by the number of residences or residential equivalents contributing to the permittee's biosolids management system. If residences or residential equivalents cannot be determined or reasonably estimated, fees shall be based on other appropriate criteria.

(3) The biosolids permit account is created in the state treasury. All receipts from fees under this section must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the purposes of administering permits under this chapter.

(4) The department shall make available on the department's website information on fees collected, actual expenses incurred, and anticipated expenses for the current and following fiscal years.

(5) The department shall work with the regulated community and local health departments to study the feasibility of modifying the fee schedule to support delegated local health departments and reduce local health department fees paid by biosolids permittees.

**NEW SECTION. Sec. 6.** A new section is added to chapter 70A.226 RCW to read as follows:

(1) Before adopting or amending any rules relating to sampling or testing biosolids for PFAS chemicals, the department must consult with an advisory committee of representatives from the farming community, toxicologists, utilities that produce soil amendments, experts, interested parties, and other similar stakeholders, convened by the department. The purpose of consultation required under this section is to ensure that the department is soliciting and receiving sufficient input on requirements and standards for sampling or testing biosolids for PFAS chemicals.

(2) For the purposes of this section, "biosolids" do not include septic tank sludge, also known as septage.

**NEW SECTION. Sec. 7.** A new section is added to chapter 70A.226 RCW to read as follows:

Nothing in this act affects requirements imposed on a discharger by a national pollutant discharge elimination system permit or restricts a local government from addressing the contamination of biosolids by PFAS chemicals."

Correct the title.

Signed by Representatives Doglio, Chair; Mena, Vice Chair; Dye, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Abbarno; Barnard; Berry; Duerr; Fey; Gohner; Lekanoff; Ramel; Sandlin; Slatter and Street.

Referred to Committee on Appropriations

February 21, 2024

**SB 6166**

Prime Sponsor, Senator Saldaña: Extending the pesticide application safety committee. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Chapman, Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Kloba; Lekanoff; Orcutt; Schmick and Springer.

Referred to Committee on Rules for second reading

February 21, 2024

**SB 6173**

Prime Sponsor, Senator Nobles: Encouraging investments in affordable homeownership unit development. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg; Griffey and Riccelli.

Referred to Committee on Finance

February 20, 2024

E2SSB 6175 Prime Sponsor, Ways & Means: Providing a sales and use tax incentive for existing structures. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that:

(1) Many cities in Washington are actively planning for growth under the growth management act, chapter 36.70A RCW, and through tax incentives, the private market can assist Washington in meeting its housing goals;

(2) Many downtown centers lack available affordable housing, which results in long commutes that increase greenhouse gas emissions and by using existing buildings to create affordable housing units, units can be available more quickly and with a reduced impact on waste streams and the environment compared to newly constructed units;

(3) The construction industry provides living wage jobs for families across Washington;

(4) In the current economic climate, the creation of additional affordable housing units is essential to the economic health of our cities and our state;

(5) It is critical that Washington state promote its cities and its property owners that will provide affordable housing;

(6) Constructing new housing units can take years, and many existing buildings can be repurposed quickly to meet the state's workforce and affordable housing needs;

(7) Many existing buildings are located in downtown centers, near work and services where there is limited land available for new construction;

(8) In downtowns across the state, there is a high level of open commercial space, which will likely remain, due to changes in how businesses use office space following the COVID-19 pandemic;

(9) A meaningful, fair, and predictable economic incentive should be created to stimulate the redevelopment of underutilized commercial property in targeted urban areas through a limited sales and use tax deferral program as provided by this chapter; and

(10) This limited tax deferral will help the owners achieve the highest and best use of land and enable cities to more fully realize their planning goals.

NEW SECTION. Sec. 2. It is the purpose of this chapter to encourage the redevelopment of underutilized commercial property in targeted urban areas, thereby increasing affordable housing, employment

opportunities, and helping accomplish the other planning goals of Washington cities. The legislative authorities of cities to which this chapter applies may authorize a sales and use tax deferral for an investment project within the city if the legislative authority of the city finds that there are significant areas of underutilized commercial property and a lack of affordable housing in areas proximate to the land. If a conditional recipient maintains the property for qualifying purposes for at least 10 years, deferred sales and use taxes need not be repaid.

NEW SECTION. Sec. 3. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Affordable housing" means:

(a) Homeownership housing intended for owner occupancy to low-income households whose monthly housing costs, including utilities other than telephone, do not exceed 30 percent of the household's monthly income;

(b) "Rental housing" for low-income households whose monthly housing costs, including utilities other than telephone, do not exceed 30 percent of the household's monthly income.

(2) "Applicant" means an owner of commercial property.

(3) "City" means any city or town, including a code city.

(4) "Conditional recipient" means an owner of commercial property granted a conditional certificate of program approval under this chapter, which includes any successor owner of the property.

(5) "Eligible investment project" means an investment project that is located in a city and receiving a conditional certificate of program approval.

(6) "Governing authority" means the local legislative authority of a city having jurisdiction over the property for which a deferral may be granted under this chapter.

(7) "Household" means a single person, family, or unrelated persons living together.

(8) (a) "Initiation of construction" means the date that a building permit is issued under the building code adopted under RCW 19.27.031 for construction of the qualified building, if the underlying ownership of the building vests exclusively with the person receiving the economic benefit of the deferral.

(b) "Initiation of construction" does not include soil testing, site clearing and grading, site preparation, or any other related activities that are initiated before the issuance of a building permit for the construction of the foundation of the building.

(c) If the investment project is a phased project, "initiation of construction" applies separately to each phase.

(9) "Investment project" means an investment in multifamily housing, including labor, services, and materials incorporated in the planning, installation, and construction of the project. "Investment project" includes investment in related

facilities such as playgrounds and sidewalks as well as facilities used for business use for mixed-use development.

(10) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below 80 percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area, where the project is located, as reported by the United States department of housing and urban development.

(11) "Multifamily housing" means a building or a group of buildings having four or more dwelling units not designed or used as transient accommodations and not including hotels and motels. Multifamily units may result from rehabilitation or conversion of vacant, underutilized, or substandard buildings to multifamily housing.

(12) "Owner" means the property owner of record.

(13) "Underutilized commercial property" means an entire property, or portion thereof, currently used or intended to be used by a business for retailing or office-related or administrative activities. If the property is used partly for a qualifying use and partly for other purposes, the applicable tax deferral must be determined by apportionment of the costs of construction under rules adopted by the department. For the purposes of this subsection, "qualifying use" means used or intended to be used by a business for retailing or office-related or administrative activities.

NEW SECTION. **Sec. 4.** (1) For the purpose of creating a sales and use tax deferral program for conversion of a commercial building to provide affordable housing under this chapter, the governing authority must adopt a resolution of intention to create a sales and use tax deferral program as generally described in the resolution. The resolution must state the time and place of a hearing to be held by the governing authority to consider the creation of the tax deferral program and may include such other information pertaining to the creation of the deferral program as the governing authority determines to be appropriate to apprise the public of the action intended. However, the resolution must provide information pertaining to:

- (a) The application process;
- (b) The approval process;
- (c) The appeals process for applications denied approval; and
- (d) Additional requirements, conditions, and obligations that must be followed postapproval of an application.

(2) The governing authority must give notice of a hearing held under this chapter by publication of the notice once each week for two consecutive weeks, not less than seven days, nor more than 30 days before the date of the hearing in a paper having a general circulation in the city. The notice must state the time, date, place, and purpose of the hearing.

(3) Following the hearing or a continuance of the hearing, the governing

authority may authorize the creation of the program.

NEW SECTION. **Sec. 5.** An owner of underutilized commercial property seeking a sales and use tax deferral for conversion of a commercial building to provide affordable housing under this chapter on an investment project must complete the following procedures:

(1) The owner must apply to the city on forms adopted by the governing authority. The application must contain the following:

(a) Information setting forth the grounds supporting the requested deferral including information indicated on the application form or in the guidelines;

(b) A description of the investment project and site plan, and other information requested;

(c) A statement of the expected number of affordable housing units to be created;

(d) A statement that the applicant is aware of the potential tax liability involved if the investment project ceases to be used for eligible uses under this chapter;

(e) A statement that the applicant is aware that the investment project must be completed within three years from the date of approval of the application;

(f) A statement that the applicant is aware that the governing authority or the city official authorized by the governing authority may extend the deadline for completion of construction or rehabilitation for a period not to exceed 24 consecutive months; and

(g) A statement that the applicant would not have built in this location but for the availability of the tax deferral under this chapter;

(2) The applicant must verify the application by oath or affirmation; and

(3) The application must be accompanied by the application fee, if any, required under this chapter. The duly authorized administrative official or committee of the city may permit the applicant to revise an application before final action by the duly authorized administrative official or committee of the city.

NEW SECTION. **Sec. 6.** The duly authorized administrative official or committee of the city may approve the application and grant a conditional certificate of program approval if it finds that:

(1)(a) The investment project is set aside primarily for multifamily housing units and the applicant commits to renting or selling at least 10 percent of the units as affordable housing to low-income households. In a mixed use project, only the ground floor of a building may be used for commercial purposes with the remainder dedicated to multifamily housing units; and

(b) The applicant commits to any additional affordability and income eligibility conditions adopted by the local government under this chapter not otherwise inconsistent with this chapter;

(2) The investment project is, or will be, at the time of completion, in

conformance with all local plans and regulations that apply at the time the application is approved;

(3) The investment project will occur on land that constitutes, at the time of application, underutilized commercial property;

(4) The area where the investment project will occur is located within an area zoned for residential or mixed uses;

(5) The terms and conditions of the implementation of the development meets the requirements of this chapter and any requirements of the city that are not otherwise inconsistent with this chapter;

(6) The land where the investment project will occur was not acquired through a condemnation proceeding under Title 8 RCW; and

(7) All other requirements of this chapter have been satisfied as well as any other requirements of the city that are not otherwise inconsistent with this chapter.

NEW SECTION. **Sec. 7.** (1) The duly authorized administrative official or committee of the city must approve or deny an application filed under this chapter within 90 days after receipt of the application.

(2) If the application is approved, the city must issue the applicant a conditional certificate of program approval. The certificate must contain a statement by a duly authorized administrative official of the governing authority that the investment project as described in the application will comply with the required criteria of this chapter.

(3) If the application is denied by the city, the city must state in writing the reasons for denial and send the notice to the applicant at the applicant's last known address within 10 days of the denial.

(4) Upon denial by the city, an applicant may appeal the denial to the city's governing authority or a city official designated by the city to hear such appeals within 30 days after receipt of the denial. The appeal before the city's governing authority or designated city official must be based upon the record made before the city with the burden of proof on the applicant to show that there was no substantial evidence to support the city's decision. The decision of the city on the appeal is final.

NEW SECTION. **Sec. 8.** The governing authority may establish an application fee. This fee may not exceed an amount determined to be required to cover the cost to be incurred by the governing authority in administering the program under this chapter. The application fee must be paid at the time the application for program approval is filed.

NEW SECTION. **Sec. 9.** (1) Within 30 days of the issuance of a certificate of occupancy for an eligible investment project, the conditional recipient must file with the city the following:

(a) A description of the work that has been completed and a statement that the eligible investment project qualifies the property for a sales and use tax deferral under this chapter;

(b) A statement of the new affordable housing to be offered as a result of the conversion of underutilized commercial property to multifamily housing; and

(c) A statement that the work has been completed within three years of the issuance of the conditional certificate of program approval.

(2) Within 30 days after receipt of the statements required under subsection (1) of this section, the city must determine and notify the conditional recipient as to whether the work completed and the affordable housing to be offered are consistent with the application and the contract approved by the city, and the investment project continues to qualify for a tax deferral under this chapter. The conditional recipient must notify the department within 30 days from receiving the city's determination to report the project is operationally complete so the department can certify the project and determine the qualifying deferred taxes. The department must determine the amount of sales and use taxes qualifying for the deferral. If the department determines that purchases were not eligible for deferral it must assess interest, but not penalties, on the nonqualifying amounts.

(3) The city must notify the conditional recipient within 30 days that a tax deferral under this chapter is denied if the city determines that:

(a) The work was not completed within three years of the application date;

(b) The work was not constructed consistent with the application or other applicable requirements;

(c) The affordable housing units to be offered are not consistent with the application and criteria of this chapter; or

(d) The owner's property is otherwise not qualified for a sales and use tax deferral under this chapter.

(4) If the city finds that the work was not completed within the required time period due to circumstances beyond the control of the conditional recipient and that the conditional recipient has been acting and could reasonably be expected to act in good faith and with due diligence, the governing authority may extend the deadline for completion of the work for a period not to exceed 24 consecutive months, and must notify the department of the extension.

(5) The city's governing authority may enact an ordinance to provide a process for a conditional recipient to appeal a decision by the city that the conditional recipient is not entitled to a deferral of sales and use taxes. The conditional recipient may appeal a decision by the city to deny a deferral of sales and use taxes in superior court under RCW 34.05.510 through 34.05.598, if the appeal is filed within 30 days of notification by the city to the conditional recipient.

(6) A city denying a conditional recipient of a sales and use tax deferral

under subsection (3) of this section must notify the department and taxes deferred under this chapter are immediately due and payable, subject to any appeal by the conditional recipient. The department must assess interest at the rate provided for delinquent taxes, but not penalties, retroactively to the date of deferral. A debt for deferred taxes will not be extinguished by insolvency or other failure of the recipient.

**NEW SECTION. Sec. 10.** (1) Thirty days after the anniversary of the date of issuance of the certificate of occupancy and each year thereafter for 10 years, the conditional recipient must file with a designated authorized representative of the city an annual report indicating the following:

(a) A statement of the affordable housing units constructed on the property as of the anniversary date;

(b) A certification by the conditional recipient that the property has not changed use;

(c) A description of changes or improvements constructed after issuance of the certificate of occupancy; and

(d) Any additional information requested by the city.

(2) The conditional recipient of a deferral of taxes under this chapter must file a complete annual tax performance report with the department pursuant to RCW 82.32.534 beginning the year the certificate of occupancy is issued and each year thereafter for 10 years.

(3) A city that issues a certificate of program approval under this chapter must report annually by December 31st of each year, beginning in 2025, to the department of commerce. The report must include the following information:

(a) The number of program approval certificates granted;

(b) The total number and type of buildings converted;

(c) The number of affordable housing units resulting from the conversion of underutilized commercial property to multifamily housing; and

(d) The estimated value of the sales and use tax deferral for each investment project receiving a program approval and the total estimated value of sales and use tax deferrals granted.

**NEW SECTION. Sec. 11.** (1) A conditional recipient must submit an application to the department before initiation of the construction of the investment project. In the case of an investment project involving multiple qualified buildings, applications must be made for, and before the initiation of construction of, each qualified building. The application must be made to the department in a form and manner prescribed by the department. The application must include a copy of the conditional certificate of program approval issued by the city, estimated construction costs, time schedules for completion and operation, and any other information required by the

department. The department must rule on the application within 60 days.

(2) The department must provide information to the conditional recipient regarding documentation that must be retained by the conditional recipient in order to substantiate the amount of sales and use tax actually deferred under this chapter.

(3) The department may not accept applications for the deferral under this chapter after June 30, 2034.

(4) The application must include a waiver by the conditional recipient of the four-year limitation under RCW 82.32.100.

(5) This section expires July 1, 2034.

**NEW SECTION. Sec. 12.** (1) After receiving the conditional certificate of program approval issued by the city and approval of an application by the department as provided in section 11(1) of this act, the department must issue a sales and use tax deferral certificate for state and local sales and use taxes due under chapters 82.08, 82.12, 82.14, and 81.104 RCW on each eligible investment project.

(2) The department must keep a running total of all estimated sales and use tax deferrals provided under this chapter during each fiscal biennium.

(3) The deferral certificate is valid during active construction of a qualified investment project and expires on the day the city issues a certificate of occupancy for the investment project for which a deferral certificate was issued.

(4) This section expires July 1, 2034.

**NEW SECTION. Sec. 13.** (1) If a conditional recipient voluntarily opts to discontinue compliance with the requirements of this chapter, the recipient must notify the city and department within 60 days of the change in use or intended discontinuance.

(2) If, after the department has issued a sales and use tax deferral certificate and the conditional recipient has received a certificate of occupancy, the city finds that a portion of an investment project is changed or will be changed to disqualify the recipient for sales and use tax deferral eligibility under this chapter, the city must notify the department and all deferred sales and use taxes are immediately due and payable. The department must assess interest at the rate provided for delinquent taxes, but not penalties, retroactively to the date of deferral. A debt for deferred taxes will not be extinguished by insolvency or other failure of the recipient.

(3) This section does not apply after 10 years from the date of the certificate of occupancy.

**NEW SECTION. Sec. 14.** (1) Transfer of investment project ownership does not terminate the deferral. The deferral is transferred subject to the successor meeting the eligibility requirements of this chapter.

(2) The transferor of an eligible project must notify the city and the department of

such transfer. The city must certify to the department that the successor meets the requirements of the deferral. The transferor must provide the information necessary for the department to transfer the deferral. If the transferor fails to notify the city and the department, all deferred sales and use taxes are immediately due and payable. The department must assess interest at the rate provided for delinquent taxes, but not penalties, retroactively to the date of deferral.

NEW SECTION. **Sec. 15.** (1) This section is the tax preference performance statement for the tax preference contained in chapter . . . , Laws of 2024 (this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or to be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to induce certain designated behavior by taxpayers, as indicated in RCW 82.32.808(2)(a).

(3) It is the legislature's specific public policy objective to expand affordable housing options for low-income households, specifically in urban areas where there is underutilized commercial property.

(4)(a) To measure the effectiveness of the tax preference in this act, the joint legislative audit and review committee must evaluate the number of increased housing units on underutilized commercial property. If a review finds that the number of affordable housing units has not increased, then the legislature intends to repeal this tax preference.

(b) The review must be provided to the fiscal committees of the legislature by December 31, 2032.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may refer to any available data source, including data collected by the department under section 10 of this act.

NEW SECTION. **Sec. 16.** An owner of underutilized commercial property claiming a sales and use tax deferral under this chapter may also apply for the multiple-unit housing property tax exemption program under chapter 84.14 RCW. For applicants receiving the property tax exemption under chapter 84.14 RCW, the amount of affordable housing units required for eligibility under this chapter is in addition to the affordability conditions in chapter 84.14 RCW.

**Sec. 17.** RCW 84.14.010 and 2021 c 187 s 2 are each amended to read as follows:

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

(1) "Affordable housing" means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of

the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low or moderate-income households.

(2) "Campus facilities master plan" means the area that is defined by the University of Washington as necessary for the future growth and development of its campus facilities for campuses authorized under RCW 28B.45.020.

(3) "City" means either (a) a city or town with a population of at least fifteen thousand, (b) the largest city or town, if there is no city or town with a population of at least fifteen thousand, located in a county planning under the growth management act, (c) a city or town with a population of at least five thousand located in a county subject to the provisions of RCW 36.70A.215, or (d) any city that otherwise does not meet the qualifications under (a) through (c) of this subsection, until December 31, 2031, that complies with RCW 84.14.020(1)(a)(iii) or 84.14.021(1)(b).

(4) "Conversion" means the conversion of a nonresidential building, in whole or in part, to multiple-unit housing under this chapter.

(5) "County" means a county with an unincorporated population of at least 170,000.

~~((45))~~(6) "Governing authority" means the local legislative authority of a city or a county having jurisdiction over the property for which an exemption may be applied for under this chapter.

~~((46))~~(7) "Growth management act" means chapter 36.70A RCW.

~~((47))~~(8) "Household" means a single person, family, or unrelated persons living together.

~~((48))~~(9) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below eighty percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area, where the project is located, as reported by the United States department of housing and urban development.

~~((49))~~(10) "Moderate-income household" means a single person, family, or unrelated persons living together whose adjusted income is more than eighty percent but is at or below one hundred fifteen percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area, where the project is located, as reported by the United States department of housing and urban development.

~~((410))~~(11) "Multiple-unit housing" means a building or a group of buildings having four or more dwelling units not designed or used as transient accommodations and not including hotels and motels. Multifamily units may result from new construction or rehabilitated or conversion of vacant, underutilized, or substandard buildings to multifamily housing.

~~((411))~~(12) "Owner" means the property owner of record.

~~((412))~~(13) "Permanent residential occupancy" means multiunit housing that provides either rental or owner occupancy on a nontransient basis. This includes owner-

occupied or rental accommodation that is leased for a period of at least one month. This excludes hotels and motels that predominately offer rental accommodation on a daily or weekly basis.

~~((13))~~ (14) "Rehabilitation improvements" means modifications to existing structures, that are vacant for twelve months or longer, that are made to achieve a condition of substantial compliance with existing building codes or modification to existing occupied structures which increase the number of multifamily housing units.

~~((14))~~ (15) "Residential targeted area" means an area within an urban center or urban growth area that has been designated by the governing authority as a residential targeted area in accordance with this chapter. With respect to designations after July 1, 2007, "residential targeted area" may not include a campus facilities master plan.

~~((15))~~ (16) "Rural county" means a county with a population between fifty thousand and seventy-one thousand and bordering Puget Sound.

~~((16))~~ (17) "Substantial compliance" means compliance with local building or housing code requirements that are typically required for rehabilitation as opposed to new construction.

~~((17))~~ (18) "Urban center" means a compact identifiable district where urban residents may obtain a variety of products and services. An urban center must contain:

(a) Several existing or previous, or both, business establishments that may include but are not limited to shops, offices, banks, restaurants, governmental agencies;

(b) Adequate public facilities including streets, sidewalks, lighting, transit, domestic water, and sanitary sewer systems; and

(c) A mixture of uses and activities that may include housing, recreation, and cultural activities in association with either commercial or office, or both, use.

NEW SECTION. **Sec. 18.** Sections 1 through 16 of this act constitute a new chapter in Title 82 RCW."

Correct the title.

Signed by Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis; Bateman; Hutchins; Low; Reed and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives Chopp; and Entenman.

Referred to Committee on Finance

February 20, 2024

SB 6178 Prime Sponsor, Senator Randall: Aligning the legend drug act to reflect the prescriptive authority for licensed midwives. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair;

Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier and Tharinger.

Referred to Committee on Rules for second reading

February 20, 2024

SSB 6186 Prime Sponsor, Human Services: Concerning disclosure of certain recipient information to the Washington state patrol. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Rules for second reading

February 20, 2024

2SSB 6187 Prime Sponsor, Ways & Means: Concerning the body scanner pilot program at the department of corrections. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Farivar; Fosse; Graham and Ramos.

Referred to Committee on Appropriations

February 21, 2024

SB 6222 Prime Sponsor, Senator Wagoner: Concerning the number of district court judges. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; Cheney; Entenman; Goodman; Peterson; Thai and Walen.

Referred to Committee on Rules for second reading

February 21, 2024

2SSB 6228 Prime Sponsor, Ways & Means: Concerning treatment of substance use disorders. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that ensuring that individuals with substance use disorders can enter into and complete residential addiction treatment is an important public policy objective. Substance use disorder providers forcing patients to leave treatment prematurely and insurance



authorization barriers both present impediments to realizing this goal.

(2) The legislature further finds that patients with substance use disorders should be provided information regarding and access to the full panoply of treatment options for their condition, as would be the case with any other life-threatening disease. Pharmacotherapies are incredibly effective and severely underutilized tools in the treatment of opioid use disorder and alcohol use disorder. The federal food and drug administration has approved three medications for the treatment of opioid use disorder and three medications for the treatment of alcohol use disorder. Only 37 percent of individuals with opioid use disorder and nine percent of individuals with alcohol use disorder receive medication to treat their condition.

(3) Therefore, it is the intent of the legislature to reduce forced patient discharges from residential addiction treatment, to remove arbitrary insurance authorization barriers to residential addiction treatment, and to ensure that patients with opioid use disorder and alcohol use disorder receive access to care that is consistent with clinical best practices.

NEW SECTION. **Sec. 2.** A new section is added to chapter 71.24 RCW to read as follows:

(1)(a) By October 1, 2024, each licensed or certified behavioral health agency providing voluntary inpatient or residential substance use disorder treatment services or withdrawal management services shall submit to the department any policies that the agency maintains regarding the transfer or discharge of a person without the person's consent from a facility providing those services. The policies that agencies must submit include any policies related to situations in which the agency transfers or discharges a person without the person's consent, therapeutic progressive disciplinary processes that the agency maintains, and procedures to assure safe transfers and discharges when a patient is discharged without the patient's consent. Behavioral health agencies that do not maintain such policies must provide an attestation to this effect.

(b) By April 1, 2025, the department shall adopt a model policy for licensed or certified behavioral health agencies providing voluntary inpatient or residential substance use disorder treatment services or withdrawal management services to consider when adopting policies related to the transfer or discharge of a person without the person's consent from a facility providing those services. In developing the model policy, the department shall consider the policies submitted by agencies under (a) of this subsection and establish factors to be used in making a decision to transfer or discharge a person without the person's consent. Factors may include, but are not limited to, the person's medical condition, the clinical determination that the person no longer requires treatment or withdrawal management services at the facility, the

risk of physical injury presented by the person to the person's self or to other persons at the facility, the extent to which the person's behavior risks the recovery goals of other persons at the facility, and the extent to which the agency has applied a therapeutic progressive disciplinary process. The model policy must include provisions addressing the use of an appropriate therapeutic progressive disciplinary process and procedures to assure safe transfers and discharges of a patient who is discharged without the patient's consent.

(2)(a) Beginning July 1, 2025, every licensed or certified behavioral health agency providing voluntary inpatient or residential substance use disorder treatment services or withdrawal management services shall submit a report to the department for each instance in which a person receiving services either: (i) Was transferred or discharged from the facility by the agency without the person's consent; or (ii) released the person's self from the facility prior to a clinical determination that the person had completed treatment.

(b) The department shall adopt rules to implement the reporting requirement under (a) of this subsection, using a standard form. The rules must require that the agency provide a description of the circumstances related to the person's departure from the facility, including whether the departure was voluntary or involuntary, the extent to which a therapeutic progressive disciplinary process was applied, the patient's self-reported understanding of the reasons for discharge, efforts that were made to avert the discharge, and efforts that were made to establish a safe discharge plan prior to the patient leaving the facility.

(3) Patient health care information contained in reports submitted under subsection (2) of this section is exempt from disclosure under RCW 42.56.360.

(4) This section does not apply to hospitals licensed under chapter 70.41 RCW and psychiatric hospitals licensed under chapter 71.12 RCW.

NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.20 RCW to read as follows:

The additions, drug, and alcohol institute at the University of Washington shall create a patient shared decision-making tool to assist behavioral health and medical providers when discussing medication treatment options for patients with alcohol use disorder. The institute shall distribute the tool to behavioral health and medical providers and instruct them on ways to incorporate the use of the tool into their practices. The institute shall conduct regular evaluations of the tool and update the tool as necessary.

**Sec. 4.** RCW 71.24.037 and 2023 c 454 s 2 are each amended to read as follows:

(1) The secretary shall license or certify any agency or facility that: (a) Submits payment of the fee established under RCW 43.70.110 and 43.70.250; (b) submits a complete application that demonstrates the

ability to comply with requirements for operating and maintaining an agency or facility in statute or rule; and (c) successfully completes the prelicensure inspection requirement.

(2) The secretary shall establish by rule minimum standards for licensed or certified behavioral health agencies that must, at a minimum, establish: (a) Qualifications for staff providing services directly to persons with mental disorders, substance use disorders, or both; (b) the intended result of each service; and (c) the rights and responsibilities of persons receiving behavioral health services pursuant to this chapter and chapter 71.05 RCW. The secretary shall provide for deeming of licensed or certified behavioral health agencies as meeting state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department.

(3) The department shall review reports or other information alleging a failure to comply with this chapter or the standards and rules adopted under this chapter and may initiate investigations and enforcement actions based on those reports.

(4) The department shall conduct inspections of agencies and facilities, including reviews of records and documents required to be maintained under this chapter or rules adopted under this chapter.

(5) The department may suspend, revoke, limit, restrict, or modify an approval, or refuse to grant approval, for failure to meet the provisions of this chapter, or the standards adopted under this chapter. RCW 43.70.115 governs notice of a license or certification denial, revocation, suspension, or modification and provides the right to an adjudicative proceeding.

(6) No licensed or certified behavioral health agency may advertise or represent itself as a licensed or certified behavioral health agency if approval has not been granted or has been denied, suspended, revoked, or canceled.

(7) Licensure or certification as a behavioral health agency is effective for one calendar year from the date of issuance of the license or certification. The license or certification must specify the types of services provided by the behavioral health agency that meet the standards adopted under this chapter. Renewal of a license or certification must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.

(8) Licensure or certification as a licensed or certified behavioral health agency must specify the types of services provided that meet the standards adopted under this chapter. Renewal of a license or certification must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.

(9) The department shall develop a process by which a provider may obtain dual licensure as an evaluation and treatment facility and secure withdrawal management and stabilization facility.

(10) Licensed or certified behavioral health agencies may not provide types of services for which the licensed or certified behavioral health agency has not been certified. Licensed or certified behavioral health agencies may provide services for which approval has been sought and is pending, if approval for the services has not been previously revoked or denied.

(11) The department periodically shall inspect licensed or certified behavioral health agencies at reasonable times and in a reasonable manner.

(12) Upon petition of the department and after a hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the department authorizing him or her to enter and inspect at reasonable times, and examine the books and accounts of, any licensed or certified behavioral health agency refusing to consent to inspection or examination by the department or which the department has reasonable cause to believe is operating in violation of this chapter.

(13) The department shall maintain and periodically publish a current list of licensed or certified behavioral health agencies.

(14) Each licensed or certified behavioral health agency shall file with the department or the authority upon request, data, statistics, schedules, and information the department or the authority reasonably requires. A licensed or certified behavioral health agency that without good cause fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent returns thereof, may have its license or certification revoked or suspended.

(15) The authority shall use the data provided in subsection (14) of this section to evaluate each program that admits children to inpatient substance use disorder treatment upon application of their parents. The evaluation must be done at least once every twelve months. In addition, the authority shall randomly select and review the information on individual children who are admitted on application of the child's parent for the purpose of determining whether the child was appropriately placed into substance use disorder treatment based on an objective evaluation of the child's condition and the outcome of the child's treatment.

(16) Any settlement agreement entered into between the department and licensed or certified behavioral health agencies to resolve administrative complaints, license or certification violations, license or certification suspensions, or license or certification revocations may not reduce the number of violations reported by the department unless the department concludes, based on evidence gathered by inspectors, that the licensed or certified behavioral health agency did not commit one or more of the violations.

(17) In cases in which a behavioral health agency that is in violation of licensing or certification standards attempts to transfer or sell the behavioral health agency to a family member, the transfer or sale may only be made for the

purpose of remedying license or certification violations and achieving full compliance with the terms of the license or certification. Transfers or sales to family members are prohibited in cases in which the purpose of the transfer or sale is to avoid liability or reset the number of license or certification violations found before the transfer or sale. If the department finds that the owner intends to transfer or sell, or has completed the transfer or sale of, ownership of the behavioral health agency to a family member solely for the purpose of resetting the number of violations found before the transfer or sale, the department may not renew the behavioral health agency's license or certification or issue a new license or certification to the behavioral health service provider.

(18) Every licensed or certified outpatient behavioral health agency shall display the 988 crisis hotline number in common areas of the premises and include the number as a calling option on any phone message for persons calling the agency after business hours.

(19) Every licensed or certified inpatient or residential behavioral health agency must include the 988 crisis hotline number in the discharge summary provided to individuals being discharged from inpatient or residential services.

(20)(a) Licensed or certified behavioral health agencies providing voluntary inpatient or residential substance use disorder treatment services or withdrawal management services:

(i) Must comply with the policy submission and mandatory reporting requirements established in section 2 of this act; and

(ii) May not prohibit a person from receiving services at or being admitted to the agency based solely on prior instances of the person releasing the person's self from the facility prior to a clinical determination that the person had completed treatment.

(b) This subsection (20) does not apply to hospitals licensed under chapter 70.41 RCW and psychiatric hospitals licensed under chapter 71.12 RCW.

(21)(a) A licensed or certified behavioral health agency shall provide each patient seeking treatment for opioid use disorder or alcohol use disorder, whether receiving inpatient or outpatient treatment, with education related to pharmacological treatment options specific to the patient's diagnosed condition. The education must include an unbiased explanation of all recognized forms of treatment approved by the federal food and drug administration, as required under RCW 7.70.050 and 7.70.060, that are clinically appropriate for the patient. Providers may use the patient shared decision-making tools for opioid use disorder and alcohol use disorder developed by the addictions, drug, and alcohol institute at the University of Washington. If the patient elects a clinically appropriate pharmacological treatment option, the behavioral health agency shall support the patient with the implementation of the pharmacological treatment either by direct provision of the medication or by a

warm handoff referral, if the treating provider is unable to directly provide the medication.

(b) Unless it meets the requirements of (a) of this subsection, a behavioral health agency may not:

(i) Advertise that it treats opioid use disorder or alcohol use disorder; or

(ii) Treat patients for opioid use disorder or alcohol use disorder, regardless of the form of treatment that the patient chooses.

(c)(i) Failure to meet the education requirements of (a) of this subsection may be an element of proof in demonstrating a breach of the duty to secure an informed consent under RCW 7.70.050.

(ii) Failure to meet the education and facilitation requirements of (a) of this subsection may be the basis of a disciplinary action under this section.

**NEW SECTION. Sec. 5.** A new section is added to chapter 18.57 RCW to read as follows:

An osteopathic physician and surgeon licensed under this chapter shall provide each patient seeking treatment for opioid use disorder or alcohol use disorder with education related to pharmacological treatment options specific to the patient's diagnosed condition. The education must include an unbiased explanation of all recognized forms of treatment approved by the federal food and drug administration, as required under RCW 7.70.050 and 7.70.060, that are clinically appropriate for the patient. An osteopathic physician and surgeon may use the patient shared decision-making tools for opioid use disorder and alcohol use disorder developed by the University of Washington addictions, drug, and alcohol institute. If the patient elects a clinically appropriate pharmacological treatment option, the osteopathic physician and surgeon shall support the patient with the implementation of the pharmacological treatment, either by direct provision of the medication or by a warm handoff referral, if the osteopathic physician and surgeon is unable to directly provide the medication.

**NEW SECTION. Sec. 6.** A new section is added to chapter 18.71 RCW to read as follows:

A physician licensed under this chapter shall provide each patient seeking treatment for opioid use disorder or alcohol use disorder with education related to pharmacological treatment options specific to the patient's diagnosed condition. The education must include an unbiased explanation of all recognized forms of treatment approved by the federal food and drug administration, as required under RCW 7.70.050 and 7.70.060, that are clinically appropriate for the patient. A physician may use the patient shared decision-making tools for opioid use disorder and alcohol use disorder developed by the University of Washington addictions, drug, and alcohol institute. If the patient elects a clinically appropriate pharmacological treatment option, the physician shall support the patient with the implementation

of the pharmacological treatment, either by direct provision of the medication or by a warm handoff referral, if the physician is unable to directly provide the medication.

**NEW SECTION. Sec. 7.** A new section is added to chapter 18.71A RCW to read as follows:

A physician assistant licensed under this chapter shall provide each patient seeking treatment for opioid use disorder or alcohol use disorder with education related to pharmacological treatment options specific to the patient's diagnosed condition. The education must include an unbiased explanation of all recognized forms of treatment approved by the federal food and drug administration, as required under RCW 7.70.050 and 7.70.060, that are clinically appropriate for the patient. A physician assistant may use the patient shared decision-making tools for opioid use disorder and alcohol use disorder developed by the University of Washington addictions, drug, and alcohol institute. If the patient elects a clinically appropriate pharmacological treatment option, the physician assistant shall support the patient with the implementation of the pharmacological treatment, either by direct provision of the medication or by a warm handoff referral, if the physician assistant is unable to directly provide the medication.

**NEW SECTION. Sec. 8.** A new section is added to chapter 18.79 RCW to read as follows:

An advanced registered nurse practitioner licensed under this chapter shall provide each patient seeking treatment for opioid use disorder or alcohol use disorder with education related to pharmacological treatment options specific to the patient's diagnosed condition. The education must include an unbiased explanation of all recognized forms of treatment approved by the federal food and drug administration, as required under RCW 7.70.050 and 7.70.060, that are clinically appropriate for the patient. An advanced registered nurse practitioner may use the patient shared decision-making tools for opioid use disorder and alcohol use disorder developed by the University of Washington addictions, drug, and alcohol institute. If the patient elects a clinically appropriate pharmacological treatment option, the advanced registered nurse practitioner shall support the patient with the implementation of the pharmacological treatment, either by direct provision of the medication or by a warm handoff referral, if the advanced registered nurse practitioner is unable to directly provide the medication.

**NEW SECTION. Sec. 9.** A new section is added to chapter 70.41 RCW to read as follows:

A hospital licensed under this chapter shall provide each patient seeking treatment for opioid use disorder or alcohol use disorder with education related to pharmacological treatment options specific

to the patient's diagnosed condition. The education must include an unbiased explanation of all recognized forms of treatment approved by the federal food and drug administration, as required under RCW 7.70.050 and 7.70.060, that are clinically appropriate for the patient. A hospital may use the patient shared decision-making tools for opioid use disorder and alcohol use disorder developed by the University of Washington addictions, drug, and alcohol institute. If the patient elects a clinically appropriate pharmacological treatment option, the hospital shall support the patient with the implementation of the pharmacological treatment, either by direct provision of the medication or by a warm handoff referral, if the hospital is unable to directly provide the medication.

**NEW SECTION. Sec. 10.** A new section is added to chapter 71.24 RCW to read as follows:

(1) If a behavioral health provider or licensed or certified behavioral health agency that provides withdrawal management services to a patient seeks to discontinue usage or reduce dosage amounts of a medication, including a psychotropic medication, that the patient has been using in accordance with the directions of a prescribing health care provider, the withdrawal management provider shall engage in individualized, patient-centered, shared decision making, using nonjudgmental and compassionate communication and, with the consent of the patient, make a good faith effort to consult the prescribing health care provider. A withdrawal management provider may not, by philosophy or practice, categorically require all patients to discontinue all psychotropic medications, including benzodiazepines and medications for attention deficit hyperactivity disorder.

(2) This section does not apply to hospitals licensed under chapter 70.41 RCW and psychiatric hospitals licensed under chapter 71.12 RCW.

**Sec. 11.** RCW 41.05.526 and 2020 c 345 s 2 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, a health plan offered to employees and their covered dependents under this chapter issued or renewed on or after January 1, 2021, may not require an enrollee to obtain prior authorization for withdrawal management services or inpatient or residential substance use disorder treatment services in a behavioral health agency licensed or certified under RCW 71.24.037.

(2)(a) A health plan offered to employees and their covered dependents under this chapter issued or renewed on or after January 1, 2021, must:

(i) Provide coverage for no less than two business days, excluding weekends and holidays, in a behavioral health agency that provides inpatient or residential substance use disorder treatment prior to conducting a utilization review; and

(ii) Provide coverage for no less than three days in a behavioral health agency

that provides withdrawal management services prior to conducting a utilization review.

(b)(i) The health plan may not require an enrollee to obtain prior authorization for the services specified in (a) of this subsection as a condition for payment of services prior to the times specified in (a) of this subsection.

(ii) Once the times specified in (a) of this subsection have passed, the health plan may initiate utilization management review procedures if the behavioral health agency continues to provide services or is in the process of arranging for a seamless transfer to an appropriate facility or lower level of care under subsection (6) of this section. For a health plan issued or renewed on or after January 1, 2025, if a health plan authorizes inpatient or residential substance use disorder treatment services pursuant to the initial medical necessity review process under (c)(iii) of this subsection, the length of the initial authorization may not be less than 14 days from the date that the patient was admitted to the behavioral health agency. Any subsequent reauthorization that the health plan approves after the first 14 days must continue for no less than seven days prior to requiring further reauthorization. Nothing prohibits a health plan from requesting information to assist with a seamless transfer under this subsection.

(c)(i) The behavioral health agency under (a) of this subsection must notify an enrollee's health plan as soon as practicable after admitting the enrollee, but not later than twenty-four hours after admitting the enrollee. The time of notification does not reduce the requirements established in (a) of this subsection.

(ii) The behavioral health agency under (a) of this subsection must provide the health plan with its initial assessment and initial treatment plan for the enrollee within two business days of admission, excluding weekends and holidays, or within three days in the case of a behavioral health agency that provides withdrawal management services.

(iii) After the time period in (a) of this subsection and receipt of the material provided under (c)(ii) of this subsection, the plan may initiate a medical necessity review process. Medical necessity review must be based on the standard set of criteria established under RCW 41.05.528. In a review for inpatient or residential substance use disorder treatment services, a health plan may not make a determination that a patient does not meet medical necessity criteria based primarily on the patient's length of abstinence. If the patient's abstinence from substance use was due to incarceration, hospitalization, or inpatient treatment, a health plan may not consider the patient's length of abstinence in determining medical necessity. If the health plan determines within one business day from the start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection that the admission to the facility was not medically necessary and advises the agency of the decision in writing, the health plan

is not required to pay the facility for services delivered after the start of the medical necessity review period, subject to the conclusion of a filed appeal of the adverse benefit determination. If the health plan's medical necessity review is completed more than one business day after ~~((the))~~ the start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection, the health plan must pay for the services delivered from the time of admission until the time at which the medical necessity review is completed and the agency is advised of the decision in writing.

(3)(a) The behavioral health agency shall document to the health plan the patient's need for continuing care and justification for level of care placement following the current treatment period, based on the standard set of criteria established under RCW 41.05.528, with documentation recorded in the patient's medical record.

(b) For a health plan issued or renewed on or after January 1, 2025, for inpatient or residential substance use disorder treatment services, the health plan may not consider the patient's length of stay at the behavioral health agency when making decisions regarding the authorization to continue care at the behavioral health agency.

(4) Nothing in this section prevents a health carrier from denying coverage based on insurance fraud.

(5) If the behavioral health agency under subsection (2)(a) of this section is not in the enrollee's network:

(a) The health plan is not responsible for reimbursing the behavioral health agency at a greater rate than would be paid had the agency been in the enrollee's network; and

(b) The behavioral health agency may not balance bill, as defined in RCW 48.43.005.

(6) When the treatment plan approved by the health plan involves transfer of the enrollee to a different facility or to a lower level of care, the care coordination unit of the health plan shall work with the current agency to make arrangements for a seamless transfer as soon as possible to an appropriate and available facility or level of care. The health plan shall pay the agency for the cost of care at the current facility until the seamless transfer to the different facility or lower level of care is complete. A seamless transfer to a lower level of care may include same day or next day appointments for outpatient care, and does not include payment for nontreatment services, such as housing services. If placement with an agency in the health plan's network is not available, the health plan shall pay the current agency until a seamless transfer arrangement is made.

(7) The requirements of this section do not apply to treatment provided in out-of-state facilities.

(8) For the purposes of this section "withdrawal management services" means twenty-four hour medically managed or medically monitored detoxification and assessment and treatment referral for adults or adolescents withdrawing from alcohol or drugs, which may include induction on medications for addiction recovery.

**Sec. 12.** RCW 48.43.761 and 2020 c 345 s 3 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, a health plan issued or renewed on or after January 1, 2021, may not require an enrollee to obtain prior authorization for withdrawal management services or inpatient or residential substance use disorder treatment services in a behavioral health agency licensed or certified under RCW 71.24.037.

(2)(a) A health plan issued or renewed on or after January 1, 2021, must:

(i) Provide coverage for no less than two business days, excluding weekends and holidays, in a behavioral health agency that provides inpatient or residential substance use disorder treatment prior to conducting a utilization review; and

(ii) Provide coverage for no less than three days in a behavioral health agency that provides withdrawal management services prior to conducting a utilization review.

(b)(i) The health plan may not require an enrollee to obtain prior authorization for the services specified in (a) of this subsection as a condition for payment of services prior to the times specified in (a) of this subsection.

(ii) Once the times specified in (a) of this subsection have passed, the health plan may initiate utilization management review procedures if the behavioral health agency continues to provide services or is in the process of arranging for a seamless transfer to an appropriate facility or lower level of care under subsection (6) of this section. For a health plan issued or renewed on or after January 1, 2025, if a health plan authorizes inpatient or residential substance use disorder treatment services pursuant to the initial medical necessity review process under (c)(iii) of this subsection, the length of the initial authorization may not be less than 14 days from the date that the patient was admitted to the behavioral health agency. Any subsequent reauthorization that the health plan approves after the first 14 days must continue for no less than seven days prior to requiring further reauthorization. Nothing prohibits a health plan from requesting information to assist with a seamless transfer under this subsection.

(c)(i) The behavioral health agency under (a) of this subsection must notify an enrollee's health plan as soon as practicable after admitting the enrollee, but not later than twenty-four hours after admitting the enrollee. The time of notification does not reduce the requirements established in (a) of this subsection.

(ii) The behavioral health agency under (a) of this subsection must provide the health plan with its initial assessment and initial treatment plan for the enrollee within two business days of admission, excluding weekends and holidays, or within three days in the case of a behavioral health agency that provides withdrawal management services.

(iii) After the time period in (a) of this subsection and receipt of the material provided under (c)(ii) of this subsection, the plan may initiate a medical necessity

review process. Medical necessity review must be based on the standard set of criteria established under RCW 41.05.528. In a review for inpatient or residential substance use disorder treatment services, a health plan may not make a determination that a patient does not meet medical necessity criteria based primarily on the patient's length of abstinence. If the patient's abstinence from substance use was due to incarceration, hospitalization, or inpatient treatment, a health plan may not consider the patient's length of abstinence in determining medical necessity. If the health plan determines within one business day from the start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection that the admission to the facility was not medically necessary and advises the agency of the decision in writing, the health plan is not required to pay the facility for services delivered after the start of the medical necessity review period, subject to the conclusion of a filed appeal of the adverse benefit determination. If the health plan's medical necessity review is completed more than one business day after ~~((the))~~ the start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection, the health plan must pay for the services delivered from the time of admission until the time at which the medical necessity review is completed and the agency is advised of the decision in writing.

(3)(a) The behavioral health agency shall document to the health plan the patient's need for continuing care and justification for level of care placement following the current treatment period, based on the standard set of criteria established under RCW 41.05.528, with documentation recorded in the patient's medical record.

(b) For a health plan issued or renewed on or after January 1, 2025, for inpatient or residential substance use disorder treatment services, the health plan may not consider the patient's length of stay at the behavioral health agency when making decisions regarding the authorization to continue care at the behavioral health agency.

(4) Nothing in this section prevents a health carrier from denying coverage based on insurance fraud.

(5) If the behavioral health agency under subsection (2)(a) of this section is not in the enrollee's network:

(a) The health plan is not responsible for reimbursing the behavioral health agency at a greater rate than would be paid had the agency been in the enrollee's network; and

(b) The behavioral health agency may not balance bill, as defined in RCW 48.43.005.

(6) When the treatment plan approved by the health plan involves transfer of the enrollee to a different facility or to a lower level of care, the care coordination unit of the health plan shall work with the current agency to make arrangements for a seamless transfer as soon as possible to an appropriate and available facility or level of care. The health plan shall pay the agency for the cost of care at the current facility until the seamless transfer to the

different facility or lower level of care is complete. A seamless transfer to a lower level of care may include same day or next day appointments for outpatient care, and does not include payment for nontreatment services, such as housing services. If placement with an agency in the health plan's network is not available, the health plan shall pay the current agency until a seamless transfer arrangement is made.

(7) The requirements of this section do not apply to treatment provided in out-of-state facilities.

(8) For the purposes of this section "withdrawal management services" means twenty-four hour medically managed or medically monitored detoxification and assessment and treatment referral for adults or adolescents withdrawing from alcohol or drugs, which may include induction on medications for addiction recovery.

**Sec. 13.** RCW 71.24.618 and 2020 c 345 s 4 are each amended to read as follows:

(1) Beginning January 1, 2021, a managed care organization may not require an enrollee to obtain prior authorization for withdrawal management services or inpatient or residential substance use disorder treatment services in a behavioral health agency licensed or certified under RCW 71.24.037.

(2)(a) Beginning January 1, 2021, a managed care organization must:

(i) Provide coverage for no less than two business days, excluding weekends and holidays, in a behavioral health agency that provides inpatient or residential substance use disorder treatment prior to conducting a utilization review; and

(ii) Provide coverage for no less than three days in a behavioral health agency that provides withdrawal management services prior to conducting a utilization review.

(b)(i) The managed care organization may not require an enrollee to obtain prior authorization for the services specified in (a) of this subsection as a condition for payment of services prior to the times specified in (a) of this subsection.

(ii) Once the times specified in (a) of this subsection have passed, the managed care organization may initiate utilization management review procedures if the behavioral health agency continues to provide services or is in the process of arranging for a seamless transfer to an appropriate facility or lower level of care under subsection (6) of this section. Beginning January 1, 2025, if a managed care organization authorizes inpatient or residential substance use disorder treatment services pursuant to the initial medical necessity review process under (c)(iii) of this subsection, the length of the initial authorization may not be less than 14 days from the date that the patient was admitted to the behavioral health agency. Any subsequent reauthorization that the managed care organization approves after the first 14 days must continue for no less than seven days prior to requiring further reauthorization. Nothing prohibits a managed care organization from requesting

information to assist with a seamless transfer under this subsection.

(c)(i) The behavioral health agency under (a) of this subsection must notify an enrollee's managed care organization as soon as practicable after admitting the enrollee, but not later than twenty-four hours after admitting the enrollee. The time of notification does not reduce the requirements established in (a) of this subsection.

(ii) The behavioral health agency under (a) of this subsection must provide the managed care organization with its initial assessment and initial treatment plan for the enrollee within two business days of admission, excluding weekends and holidays, or within three days in the case of a behavioral health agency that provides withdrawal management services.

(iii) After the time period in (a) of this subsection and receipt of the material provided under (c)(ii) of this subsection, the managed care organization may initiate a medical necessity review process. Medical necessity review must be based on the standard set of criteria established under RCW 41.05.528. In a review for inpatient or residential substance use disorder treatment services, a managed care organization may not make a determination that a patient does not meet medical necessity criteria based primarily on the patient's length of abstinence. If the patient's abstinence from substance use was due to incarceration, hospitalization, or inpatient treatment, a managed care organization may not consider the patient's length of abstinence in determining medical necessity. If the health plan determines within one business day from the start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection that the admission to the facility was not medically necessary and advises the agency of the decision in writing, the health plan is not required to pay the facility for services delivered after the start of the medical necessity review period, subject to the conclusion of a filed appeal of the adverse benefit determination. If the managed care organization's medical necessity review is completed more than one business day after ~~((the))~~ the start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection, the managed care organization must pay for the services delivered from the time of admission until the time at which the medical necessity review is completed and the agency is advised of the decision in writing.

(3)(a) The behavioral health agency shall document to the managed care organization the patient's need for continuing care and justification for level of care placement following the current treatment period, based on the standard set of criteria established under RCW 41.05.528, with documentation recorded in the patient's medical record.

(b) Beginning January 1, 2025, for inpatient or residential substance use disorder treatment services, the managed care organization may not consider the patient's length of stay at the behavioral

health agency when making decisions regarding the authorization to continue care at the behavioral health agency.

(4) Nothing in this section prevents a health carrier from denying coverage based on insurance fraud.

(5) If the behavioral health agency under subsection (2)(a) of this section is not in the enrollee's network:

(a) The managed care organization is not responsible for reimbursing the behavioral health agency at a greater rate than would be paid had the agency been in the enrollee's network; and

(b) The behavioral health agency may not balance bill, as defined in RCW 48.43.005.

(6) When the treatment plan approved by the managed care organization involves transfer of the enrollee to a different facility or to a lower level of care, the care coordination unit of the managed care organization shall work with the current agency to make arrangements for a seamless transfer as soon as possible to an appropriate and available facility or level of care. The managed care organization shall pay the agency for the cost of care at the current facility until the seamless transfer to the different facility or lower level of care is complete. A seamless transfer to a lower level of care may include same day or next day appointments for outpatient care, and does not include payment for nontreatment services, such as housing services. If placement with an agency in the managed care organization's network is not available, the managed care organization shall pay the current agency at the service level until a seamless transfer arrangement is made.

(7) The requirements of this section do not apply to treatment provided in out-of-state facilities.

(8) For the purposes of this section "withdrawal management services" means twenty-four hour medically managed or medically monitored detoxification and assessment and treatment referral for adults or adolescents withdrawing from alcohol or drugs, which may include induction on medications for addiction recovery.

**NEW SECTION. Sec. 14.** (1) The health care authority, in collaboration with the insurance commissioner, shall convene a work group consisting of commercial health carriers, medicaid managed care organizations, and behavioral health agencies that provide inpatient or residential substance use disorder treatment services. The work group shall develop recommendations for streamlining commercial health carrier and medicaid managed care organization requirements and processes related to the authorization and reauthorization of inpatient or residential substance use disorder treatment. The recommendations must include a universal format accepted by all health carriers and medicaid managed care organizations for behavioral health agencies to use for service authorization and reauthorization requests with common data requirements and a standardized form and simplified electronic process. The health care authority shall

submit the recommendations of the work group to the appropriate policy committees of the legislature by December 1, 2024.

(2) This section expires June 1, 2025.

**NEW SECTION. Sec. 15.** A new section is added to chapter 41.05 RCW to read as follows:

When updated versions of the ASAM Criteria, treatment criteria for addictive, substance related, and co-occurring conditions, inclusive of adolescent and transition age youth versions, are published by the American society of addiction medicine, the health care authority and the office of the insurance commissioner shall jointly determine whether to use the updated version, and, if so, the date upon which the updated version must begin to be used by medicaid managed care organizations, carriers, and other relevant entities. Both agencies shall post notice of their decision on their websites. For purposes of the ASAM Criteria, 4th edition, medicaid managed care organizations and carriers shall begin to use the updated criteria no later than January 1, 2026, unless the health care authority and the office of the insurance commissioner jointly determine that it should not be used.

**NEW SECTION. Sec. 16.** A new section is added to chapter 48.43 RCW to read as follows:

When updated versions of the ASAM Criteria, treatment criteria for addictive, substance related, and co-occurring conditions, inclusive of adolescent and transition age youth versions, are published by the American society of addiction medicine, the health care authority and the office of the insurance commissioner shall jointly determine whether to use the updated version, and, if so, the date upon which the updated version must begin to be used by medicaid managed care organizations, carriers, and other relevant entities. Both agencies shall post notice of their decision on their websites. For purposes of the ASAM Criteria, 4th edition, medicaid managed care organizations and carriers shall begin to use the updated criteria no later than January 1, 2026, unless the health care authority and the office of the insurance commissioner jointly determine that it should not be used.

**NEW SECTION. Sec. 17.** A new section is added to chapter 71.24 RCW to read as follows:

When updated versions of the ASAM Criteria, treatment criteria for addictive, substance related, and co-occurring conditions, inclusive of adolescent and transition age youth versions, are published by the American society of addiction medicine, the health care authority and the office of the insurance commissioner shall jointly determine whether to use the updated version, and, if so, the date upon which the updated version must begin to be used by medicaid managed care organizations, carriers, and other relevant entities. Both agencies shall post notice of their decision



on their websites. For purposes of the ASAM Criteria, 4th edition, medicaid managed care organizations and carriers shall begin to use the updated criteria no later than January 1, 2026, unless the health care authority and the office of the insurance commissioner jointly determine that it should not be used.

**NEW SECTION. Sec. 18.** The health care authority shall provide a gap analysis of nonemergency transportation benefits provided to medicaid enrollees in Washington, Oregon, and other comparison states selected by the health care authority and provide an analysis of the costs and benefits of available alternatives to the governor and appropriate committees of the legislature by December 1, 2024, including the option of an enhanced nonemergency transportation benefit for persons being discharged from a behavioral health emergency services provider to the next level of care in circumstances when a prudent layperson acting reasonably would believe such transportation is necessary to protect the enrollee from relapse or other discontinuity in care that would jeopardize the health or safety of the enrollee. In recognizing that some behavioral health patients are not well-served by the current nonemergency transportation system for medical assistance patients due to inflexible rules, the authority shall also evaluate the possibility of creating a network of peer-led, trauma-informed transportation providers that could provide nonemergency transportation to youth and adult medical assistance patients traveling to receive behavioral health services.

**Sec. 19.** RCW 43.70.250 and 2023 c 469 s 21 are each amended to read as follows:

(1) It shall be the policy of the state of Washington that the cost of each professional, occupational, or business licensing program be fully borne by the members of that profession, occupation, or business.

(2) The secretary shall from time to time establish the amount of all application fees, license fees, registration fees, examination fees, permit fees, renewal fees, and any other fee associated with licensing or regulation of professions, occupations, or businesses administered by the department. Any and all fees or assessments, or both, levied on the state to cover the costs of the operations and activities of the interstate health professions licensure compacts with participating authorities listed under chapter 18.130 RCW shall be borne by the persons who hold licenses issued pursuant to the authority and procedures established under the compacts. In fixing said fees, the secretary shall set the fees for each program at a sufficient level to defray the costs of administering that program and the cost of regulating licensed volunteer medical workers in accordance with RCW 18.130.360, except as provided in RCW 18.79.202. In no case may the secretary impose any certification, examination, or renewal fee upon a person seeking certification as a certified peer

specialist trainee under chapter 18.420 RCW or, between July 1, 2025, and July 1, 2030, impose a certification, examination, or renewal fee of more than \$100 upon any person seeking certification as a certified peer specialist under chapter 18.420 RCW. Subject to amounts appropriated for this specific purpose, between July 1, 2024, and July 1, 2029, the secretary may not impose any certification or certification renewal fee on a person seeking certification as a substance use disorder professional or substance use disorder professional trainee under chapter 18.205 RCW of more than \$100.

(3) All such fees shall be fixed by rule adopted by the secretary in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

**NEW SECTION. Sec. 20.** The Washington state health care authority must contract with a peer-led organization to convene focus groups of people with lived experience of being civilly committed to make recommendations about how to make the process less traumatic and improve experiences and outcomes for patients. The focus groups should include individuals who have been civilly committed under chapter 71.05 RCW on the basis of a mental disorder and on the basis of a substance use disorder. The Washington state health care authority shall issue a report to the governor and the relevant committees of the legislature on the recommendations by September 1, 2025.

**NEW SECTION. Sec. 21.** The Washington state health care authority shall contract with an organization to develop a proposal for a statewide network of secure, trauma-informed transport for patients civilly committed under chapter 71.05 RCW that is provided by a nonambulance service and available in each behavioral health administrative services organization. The contracted organization must consult with people with lived experiences of receiving transport in connection with a civil commitment under chapter 71.05 RCW. The Washington state health care authority shall issue a report to the governor and the relevant committees of the legislature on the recommendations by September 1, 2025.

**NEW SECTION. Sec. 22.** A new section is added to chapter 71.05 RCW to read as follows:

The authority must contract with an association that represents designated crisis responders in Washington to develop and begin delivering by July 1, 2025, a training program for social workers licensed under chapter 18.225 RCW or other personnel who practice in an emergency department with responsibilities related to civil commitments under this chapter. The training must include instruction emphasizing standards and procedures relating to the civil commitment of persons with substance use disorders and mental illness, including which clinical presentations warrant summoning a designated crisis responder. The training must emphasize the manner in which

a patient with a primary substance use disorder may present as a risk of harm to self or others, or gravely disabled. Consistent with existing training for designated crisis responders, the training must instruct hospital personnel that when considering civil commitment for a patient with a primary substance use disorder, the hospital shall summon the designated crisis responder while the patient is acutely intoxicated, such that the designated crisis responder may witness the patient's true clinical presentation. The training must also instruct hospital personnel to carefully document patient behaviors and statements that are made outside the presence of the designated crisis responder and may be relevant when considering the potential civil commitment of the patient. Each hospital shall ensure that, by July 1, 2026, or within three months of hire, all social workers or other personnel employed in the emergency department with responsibilities relating to civil commitments under this chapter complete the training every three years.

**Sec. 23.** RCW 41.05.527 and 2021 c 273 s 10 are each amended to read as follows:

(1) A health plan offered to public employees and their covered dependents under this chapter that is issued or renewed on or after January 1, 2023, must participate in the bulk purchasing and distribution program for opioid overdose reversal medication established in RCW 70.14.170 once the program is operational.

(2) For health plans issued or renewed on or after January 1, 2025, a health carrier must reimburse a hospital or psychiatric hospital that bills:

(a) For opioid overdose reversal medication dispensed or distributed to a patient under RCW 70.41.485 as a separate reimbursable expense; and

(b) For the administration of long-acting injectable buprenorphine as a separate reimbursable expense.

(3) Reimbursements provided under subsection (2) of this section must be separate from any bundled payment for hospital or emergency department services.

**Sec. 24.** RCW 48.43.762 and 2021 c 273 s 11 are each amended to read as follows:

(1) For health plans issued or renewed on or after January 1, 2023, health carriers must participate in the opioid overdose reversal medication bulk purchasing and distribution program established in RCW 70.14.170 once the program is operational. A health plan may not impose enrollee cost sharing related to opioid overdose reversal medication provided through the bulk purchasing and distribution program established in RCW 70.14.170.

(2) For health plans issued or renewed on or after January 1, 2025, a health carrier must reimburse a hospital or psychiatric hospital that bills:

(a) For opioid overdose reversal medication dispensed or distributed to a patient under RCW 70.41.485 as a separate reimbursable expense; and

(b) For the administration of long-acting injectable buprenorphine as a separate reimbursable expense.

(3) Reimbursements provided under subsection (2) of this section must be separate from any bundled payment for hospital or emergency department services.

**NEW SECTION. Sec. 25.** A new section is added to chapter 74.09 RCW to read as follows:

(1) The authority shall establish appropriate billing codes for hospitals and psychiatric hospitals that administer long-acting injectable buprenorphine to use for billing patients enrolled in a medical assistance program.

(2) Upon initiation or renewal of a contract with the authority to administer a medicaid managed care plan, a managed care organization must reimburse a hospital or psychiatric hospital that bills for the administration of long-acting injectable buprenorphine as a separate reimbursable expense.

(3) Beginning January 1, 2025, for individuals enrolled in a medical assistance program that is not a medicaid managed care plan, the authority must reimburse a hospital or psychiatric hospital that bills for the administration of long-acting injectable buprenorphine administered as a separate reimbursable expense.

(4) Reimbursements provided under this section must be separate from any bundled payment for hospital or emergency department services.

**Sec. 26.** RCW 42.56.360 and 2023 sp.s. c 1 s 23 are each amended to read as follows:

(1) The following health care information is exempt from disclosure under this chapter:

(a) Information obtained by the pharmacy quality assurance commission as provided in RCW 69.45.090;

(b) Information obtained by the pharmacy quality assurance commission or the department of health and its representatives as provided in RCW 69.41.044, 69.41.280, and 18.64.420;

(c) Information and documents created specifically for, and collected and maintained by a quality improvement committee under RCW 43.70.510, 70.230.080, or 70.41.200, or by a peer review committee under RCW 4.24.250, or by a quality assurance committee pursuant to RCW 74.42.640 or 18.20.390, or by a hospital, as defined in RCW 43.70.056, for reporting of health care-associated infections under RCW 43.70.056, a notification of an incident under RCW 70.56.040(5), and reports regarding adverse events under RCW 70.56.020(2)(b), regardless of which agency is in possession of the information and documents;

(d)(i) Proprietary financial and commercial information that the submitting entity, with review by the department of health, specifically identifies at the time it is submitted and that is provided to or obtained by the department of health in connection with an application for, or the

supervision of, an antitrust exemption sought by the submitting entity under RCW 43.72.310;

(ii) If a request for such information is received, the submitting entity must be notified of the request. Within ten business days of receipt of the notice, the submitting entity shall provide a written statement of the continuing need for confidentiality, which shall be provided to the requester. Upon receipt of such notice, the department of health shall continue to treat information designated under this subsection (1)(d) as exempt from disclosure;

(iii) If the requester initiates an action to compel disclosure under this chapter, the submitting entity must be joined as a party to demonstrate the continuing need for confidentiality;

(e) Records of the entity obtained in an action under RCW 18.71.300 through 18.71.340;

(f) Complaints filed under chapter 18.130 RCW after July 27, 1997, to the extent provided in RCW 18.130.095(1);

(g) Information obtained by the department of health under chapter 70.225 RCW;

(h) Information collected by the department of health under chapter 70.245 RCW except as provided in RCW 70.245.150;

(i) Cardiac and stroke system performance data submitted to national, state, or local data collection systems under RCW 70.168.150(2)(b);

(j) All documents, including completed forms, received pursuant to a wellness program under RCW 41.04.362, but not statistical reports that do not identify an individual;

(k) Data and information exempt from disclosure under RCW 43.371.040;

(l) Medical information contained in files and records of members of retirement plans administered by the department of retirement systems or the law enforcement officers' and firefighters' plan 2 retirement board, as provided to the department of retirement systems under RCW 41.04.830; and

(m) Data submitted to the data integration platform under RCW 71.24.908.

(2) Chapter 70.02 RCW applies to public inspection and copying of health care information of patients.

(3)(a) Documents related to infant mortality reviews conducted pursuant to RCW 70.05.170 are exempt from disclosure as provided for in RCW 70.05.170(3).

(b)(i) If an agency provides copies of public records to another agency that are exempt from public disclosure under this subsection (3), those records remain exempt to the same extent the records were exempt in the possession of the originating entity.

(ii) For notice purposes only, agencies providing exempt records under this subsection (3) to other agencies may mark any exempt records as "exempt" so that the receiving agency is aware of the exemption, however whether or not a record is marked exempt does not affect whether the record is actually exempt from disclosure.

(4) Information and documents related to maternal mortality reviews conducted pursuant to RCW 70.54.450 are confidential

and exempt from public inspection and copying.

(5) Patient health care information contained in reports submitted under section 2(2) of this act are confidential and exempt from public inspection.

NEW SECTION. **Sec. 27.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske; Davis; Macri; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Schmick, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Hutchins, Assistant Ranking Minority Member; Caldier; Graham; Harris; and Maycumber.

Referred to Committee on Appropriations

February 21, 2024

SB 6234

Prime Sponsor, Senator Wilson, L.: Screening newborn infants for branched-chain ketoacid dehydrogenase kinase deficiency. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Rules for second reading

February 21, 2024

ESB 6246

Prime Sponsor, Senator Dhingra: Concerning transmission of information relating to firearm prohibitions for persons committed for mental health treatment. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9.41.047 and 2023 c 295 s 5 and 2023 c 161 s 3 are each reenacted and amended to read as follows:

(1)(a) At the time a person is convicted or found not guilty by reason of insanity of an offense making the person ineligible to possess a firearm under state or federal law, including if the person was convicted of possession under RCW 69.50.4011, 69.50.4013, 69.50.4014, or 69.41.030, or at the time a person is committed by court order under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, or chapter 10.77 RCW for treatment for a mental disorder, or at the time that charges are dismissed based on incompetency to stand trial under RCW

10.77.086, or the charges are dismissed based on incompetency to stand trial under RCW 10.77.088 and the court makes a finding that the person has a history of one or more violent acts, the court shall notify the person, orally and in writing, that the person must immediately surrender all firearms to their local law enforcement agency and any concealed pistol license and that the person may not possess a firearm unless the person's right to do so is restored by the superior court that issued the order.

(b) The court shall forward within three judicial days ~~((after))~~ following conviction ~~((or))~~ or finding of not guilty by reason of insanity ~~((or entry of the commitment order, or dismissal of charges,))~~ a copy of the person's driver's license or identicard, or comparable information such as the person's name, address, and date of birth, along with the date of conviction ~~((or commitment, or date charges are dismissed))~~ or finding of not guilty by reason of insanity, to the department of licensing and to the Washington state patrol firearms background check program. ~~((When a person is committed))~~

(c) The court shall forward within three judicial days following commitment by court order under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, or chapter 10.77 RCW, for treatment for a mental disorder, or ((when a person's)) upon dismissal of charges ((are dismissed)) based on incompetency to stand trial under RCW 10.77.086, or the charges are dismissed based on incompetency to stand trial under RCW 10.77.088 ((and)) when the court makes a finding that the person has a history of one or more violent acts, ((the court also shall forward, within three judicial days after entry of the commitment order, or dismissal of charges,)) a copy of the person's driver's license or identicard, or comparable information such as the person's name, address, and date of birth, along with the date of commitment or date charges are dismissed, to the national instant criminal background check system index, denied persons file, created by the federal Brady handgun violence prevention act (P.L. 103-159), and to the department of licensing, Washington state patrol firearms background check program, and the criminal division of the county prosecutor in the county of commitment or the county in which charges are dismissed. The petitioning party shall provide the court with the information required. If more than one commitment order is entered under one cause number, only one notification to the national instant criminal background check system, the department of licensing, the Washington state patrol firearms background check program, and the ((national instant criminal background check system)) criminal division of the county prosecutor in the county of commitment or county in which charges are dismissed is required.

(2) Upon receipt of the information provided for by subsection (1) of this section, the department of licensing shall determine if the person has a concealed pistol license. If the person has a concealed pistol license, the department of

licensing shall immediately notify the license-issuing authority which, upon receipt of such notification, shall immediately revoke the license.

(3)(a) A person who is prohibited from possessing a firearm, by reason of having been involuntarily committed for treatment for a mental disorder under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, chapter 10.77 RCW, or equivalent statutes of another jurisdiction, or by reason of having been detained under RCW 71.05.150 or 71.05.153, or because the person's charges were dismissed based on incompetency to stand trial under RCW 10.77.086, or the charges were dismissed based on incompetency to stand trial under RCW 10.77.088 and the court made a finding that the person has a history of one or more violent acts, may, upon discharge, petition the superior court to have his or her right to possess a firearm restored, except that a person found not guilty by reason of insanity may not petition for restoration of the right to possess a firearm until one year after discharge.

(b) The petition must be brought in the superior court that ordered the involuntary commitment or dismissed the charges based on incompetency to stand trial or the superior court of the county in which the petitioner resides.

(c) Except as provided in (d) and (e) of this subsection, firearm rights shall be restored if the person petitioning for restoration of firearm rights proves by a preponderance of the evidence that:

(i) The person petitioning for restoration of firearm rights is no longer required to participate in court-ordered inpatient or outpatient treatment;

(ii) The person petitioning for restoration of firearm rights has successfully managed the condition related to the commitment or detention or incompetency;

(iii) The person petitioning for restoration of firearm rights no longer presents a substantial danger to self or to the public; ~~((and))~~

(iv) The symptoms related to the commitment or detention or incompetency are not reasonably likely to recur; and

(v) There is no active extreme risk protection order or order to surrender and prohibit weapons entered against the petitioner.

(d) If a preponderance of the evidence in the record supports a finding that the person petitioning for restoration of firearm rights has engaged in violence and that it is more likely than not that the person will engage in violence after the person's right to possess a firearm is restored, the person petitioning for restoration of firearm rights shall bear the burden of proving by clear, cogent, and convincing evidence that the person does not present a substantial danger to the safety of others.

(e) If the person seeking restoration of firearm rights seeks restoration after having been detained under RCW 71.05.150 or 71.05.153, the state shall bear the burden of proof to show, by a preponderance of the evidence, that the person does not meet the

restoration criteria in (c) of this subsection.

(f) When a person's right to possess a firearm has been restored under this subsection, the court shall forward, within three judicial days after entry of the restoration order, notification that the person's right to possess a firearm has been restored to the department of licensing and the Washington state patrol criminal records division, with a copy of the person's driver's license or identicard, or comparable identification such as the person's name, address, and date of birth, and to the health care authority, and the national instant criminal background check system index, denied persons file. In the case of a person whose right to possess a firearm has been suspended for six months as provided in RCW 71.05.182, the department of licensing shall forward notification of the restoration order to the licensing authority, which, upon receipt of such notification, shall immediately lift the suspension, restoring the person's concealed pistol license.

(4) No person who has been found not guilty by reason of insanity may petition a court for restoration of the right to possess a firearm unless the person meets the requirements for the restoration of the right to possess a firearm under RCW 9.41.041.

**Sec. 2.** RCW 9.41.049 and 2020 c 302 s 61 are each amended to read as follows:

(1) When a designated crisis responder files a petition for initial detention under RCW 71.05.150 or 71.05.153 on the grounds that the person presents a likelihood of serious harm, the petition shall include a copy of the person's driver's license or identicard or comparable information such as their name, address, and date of birth. If the person is not subsequently committed for involuntary treatment under RCW 71.05.240, the court shall forward within three business days of the probable cause hearing a copy of the person's driver's license or identicard, or comparable information, along with the date of release from the facility, to the department of licensing, the criminal division of the county prosecutor in the county in which the petition was filed, and ~~((the))~~ the Washington state patrol firearms background check program, ~~((the))~~ which shall forward the information to the national instant criminal background check system index, denied persons file, created by the federal Brady handgun violence prevention act (P.L. 103-159). Upon expiration of the six-month period during which the person's right to possess a firearm is suspended as provided in RCW 71.05.182, the Washington state patrol shall forward to the national instant criminal background check system index, denied persons file, notice that the person's right to possess a firearm has been restored.

(2) Upon receipt of the information provided for by subsection (1) of this section, the department of licensing shall determine if the detained person has a concealed pistol license. If the person does have a concealed pistol license, the

department of licensing shall immediately notify the license-issuing authority, which, upon receipt of such notification, shall immediately suspend the license for a period of six months from the date of the person's release from the facility.

(3) A person who is prohibited from possessing a firearm by reason of having been detained under RCW 71.05.150 or 71.05.153 may, upon discharge, petition the superior court to have his or her right to possess a firearm restored before the six-month suspension period has elapsed by following the procedures provided in RCW 9.41.047(3).

**Sec. 3.** RCW 10.77.086 and 2023 c 453 s 8 and 2023 c 433 s 18 are each reenacted and amended to read as follows:

(1)(a) Except as otherwise provided in this section, if the defendant is charged with a felony and determined to be incompetent, until he or she has regained the competency necessary to understand the proceedings against him or her and assist in his or her own defense, but in any event for a period of no longer than 90 days, the court shall commit the defendant to the custody of the secretary for inpatient competency restoration, or may alternatively order the defendant to receive outpatient competency restoration based on a recommendation from a forensic navigator and input from the parties.

(b) For a defendant who is determined to be incompetent and whose highest charge is a class C felony other than assault in the third degree under RCW 9A.36.031(1) (d) or (f), felony physical control of a vehicle under RCW 46.61.504(6), felony hit and run resulting in injury under RCW 46.52.020(4) (b), a hate crime offense under RCW 9A.36.080, a class C felony with a domestic violence designation, a class C felony sex offense as defined in RCW 9.94A.030, or a class C felony with a sexual motivation allegation, the court shall first consider all available and appropriate alternatives to inpatient competency restoration. The court shall dismiss the proceedings without prejudice upon agreement of the parties if the forensic navigator has found an appropriate and available diversion program willing to accept the defendant.

(2)(a) To be eligible for an order for outpatient competency restoration, a defendant must be clinically appropriate and be willing to:

(i) Adhere to medications or receive prescribed intramuscular medication;

(ii) Abstain from alcohol and unprescribed drugs; and

(iii) Comply with urinalysis or breathalyzer monitoring if needed.

(b) If the court orders inpatient competency restoration, the department shall place the defendant in an appropriate facility of the department for competency restoration.

(c) If the court orders outpatient competency restoration, the court shall modify conditions of release as needed to authorize the department to place the person in approved housing, which may include access to supported housing, affiliated with

a contracted outpatient competency restoration program. The department, in conjunction with the health care authority, must establish rules for conditions of participation in the outpatient competency restoration program, which must include the defendant being subject to medication management. The court may order regular urinalysis testing. The outpatient competency restoration program shall monitor the defendant during the defendant's placement in the program and report any noncompliance or significant changes with respect to the defendant to the department and, if applicable, the forensic navigator.

(d) If a defendant fails to comply with the restrictions of the outpatient restoration program such that restoration is no longer appropriate in that setting or the defendant is no longer clinically appropriate for outpatient competency restoration, the director of the outpatient competency restoration program shall notify the authority and the department of the need to terminate the outpatient competency restoration placement and intent to request placement for the defendant in an appropriate facility of the department for inpatient competency restoration. The outpatient competency restoration program shall coordinate with the authority, the department, and any law enforcement personnel under (d)(i) of this subsection to ensure that the time period between termination and admission into the inpatient facility is as minimal as possible. The time period for inpatient competency restoration shall be reduced by the time period spent in active treatment within the outpatient competency restoration program, excluding time periods in which the defendant was absent from the program and all time from notice of termination of the outpatient competency restoration period through the defendant's admission to the facility. The department shall obtain a placement for the defendant within seven days of the notice of intent to terminate the outpatient competency restoration placement.

(i) The department may authorize a peace officer to detain the defendant into emergency custody for transport to the designated inpatient competency restoration facility. If medical clearance is required by the designated competency restoration facility before admission, the peace officer must transport the defendant to a crisis stabilization unit, evaluation and treatment facility, or emergency department of a local hospital for medical clearance once a bed is available at the designated inpatient competency restoration facility. The signed outpatient competency restoration order of the court shall serve as authority for the detention of the defendant under this subsection. This subsection does not preclude voluntary transportation of the defendant to a facility for inpatient competency restoration or for medical clearance, or authorize admission of the defendant into jail.

(ii) The department shall notify the court and parties of the defendant's admission for inpatient competency restoration before the close of the next judicial day. The court shall schedule a

hearing within five days to review the conditions of release of the defendant and anticipated release from treatment and issue appropriate orders.

(e) The court may not issue an order for outpatient competency restoration unless the department certifies that there is an available appropriate outpatient competency restoration program that has adequate space for the person at the time the order is issued or the court places the defendant under the guidance and control of a professional person identified in the court order.

(3) For a defendant whose highest charge is a class C felony, or a class B felony that is not classified as violent under RCW 9.94A.030, the maximum time allowed for the initial competency restoration period is 45 days if the defendant is referred for inpatient competency restoration, or 90 days if the defendant is referred for outpatient competency restoration, provided that if the outpatient competency restoration placement is terminated and the defendant is subsequently admitted to an inpatient facility, the period of inpatient treatment during the first competency restoration period under this subsection shall not exceed 45 days.

(4) When any defendant whose highest charge is a class C felony other than assault in the third degree under RCW 9A.36.031(1) (d) or (f), felony physical control of a vehicle under RCW 46.61.504(6), felony hit and run resulting in injury under RCW 46.52.020(4)(b), a hate crime offense under RCW 9A.36.080, a class C felony with a domestic violence designation, a class C felony sex offense as defined in RCW 9.94A.030, or a class C felony with a sexual motivation allegation is admitted for inpatient competency restoration with an accompanying court order for involuntary medication under RCW 10.77.092, and the defendant is found not competent to stand trial following that period of competency restoration, the court shall dismiss the charges pursuant to subsection (7) of this section.

(5) If the court determines or the parties agree before the initial competency restoration period or at any subsequent stage of the proceedings that the defendant is unlikely to regain competency, the court may dismiss the charges without prejudice without ordering the defendant to undergo an initial or further period of competency restoration treatment, in which case the court shall order that the defendant be referred for evaluation for civil commitment in the manner provided in subsection (7) of this section.

(6) On or before expiration of the initial competency restoration period the court shall conduct a hearing to determine whether the defendant is now competent to stand trial. If the court finds by a preponderance of the evidence that the defendant is incompetent to stand trial, the court may order an extension of the competency restoration period for an additional period of 90 days, but the court must at the same time set a date for a new hearing to determine the defendant's competency to stand trial before the

expiration of this second restoration period. The defendant, the defendant's attorney, and the prosecutor have the right to demand that the hearing be before a jury. No extension shall be ordered for a second or third competency restoration period if the defendant is ineligible for a subsequent competency restoration period under subsection (4) of this section or the defendant's incompetence has been determined by the secretary to be solely the result of an intellectual or developmental disability, dementia, or traumatic brain injury which is such that competence is not reasonably likely to be regained during an extension.

(7) (a) Except as provided in (b) of this subsection, at the hearing upon the expiration of the second competency restoration period, or at the end of the first competency restoration period if the defendant is ineligible for a second or third competency restoration period under subsection ~~((3))~~ (4) or (6) of this section, if the jury or court finds that the defendant is incompetent to stand trial, the court shall dismiss the charges without prejudice and order the defendant to be committed to the department for placement in a facility operated or contracted by the department for up to 120 hours if the defendant has not undergone competency restoration services or has engaged in outpatient competency restoration services, and up to 72 hours if the defendant engaged in inpatient competency restoration services starting from admission to the facility, excluding Saturdays, Sundays, and holidays, for evaluation for the purpose of filing a civil commitment petition under chapter 71.05 RCW. If at the time the order to dismiss the charges without prejudice is entered by the court the defendant is already in a facility operated or contracted by the department, the 72-hour or 120-hour period shall instead begin upon department receipt of the court order.

(b) The court shall not dismiss the charges if the defendant is eligible for a second or third competency restoration period under subsection (6) of this section and the court or jury finds that: (i) The defendant (A) is a substantial danger to other persons; or (B) presents a substantial likelihood of committing criminal acts jeopardizing public safety or security; and (ii) there is a substantial probability that the defendant will regain competency within a reasonable period of time. If the court or jury makes such a finding, the court may extend the period of commitment for up to an additional six months.

(8) Any period of competency restoration treatment under this section includes only the time the defendant is actually at the facility or is actively participating in an outpatient competency restoration program and is in addition to reasonable time for transport to or from the facility.

(9) If at any time the court dismisses charges based on incompetency to stand trial under this section, the court shall issue an order prohibiting the defendant from the possession of firearms until a court restores his or her right to possess a firearm under RCW 9.41.047. The court shall notify the defendant orally and in writing

that the defendant may not possess a firearm unless the defendant's right to do so is restored by the superior court that issued the order under RCW 9.41.047, and that the defendant must immediately surrender all firearms and any concealed pistol license to their local law enforcement agency.

**Sec. 4.** RCW 10.77.088 and 2023 c 453 s 9 and 2023 c 433 s 19 are each reenacted and amended to read as follows:

(1) If the defendant is charged with a nonfelony crime which is a serious offense as identified in RCW 10.77.092 and found by the court to be not competent, the court shall first consider all available and appropriate alternatives to inpatient competency restoration. If the parties agree that there is an appropriate diversion program available to accept the defendant, the court shall dismiss the proceedings without prejudice and refer the defendant to the recommended diversion program. If the parties do not agree that there is an appropriate diversion program available to accept the defendant, then the court:

(a) Shall dismiss the proceedings without prejudice and detain the defendant pursuant to subsection (6) of this section, unless the prosecutor objects to the dismissal and provides notice of a motion for an order for competency restoration treatment, in which case the court shall schedule a hearing within seven days.

(b) At the hearing, the prosecuting attorney must establish that there is a compelling state interest to order competency restoration treatment for the defendant. The court may consider prior criminal history, prior history in treatment, prior history of violence, the quality and severity of the pending charges, any history that suggests whether competency restoration treatment is likely to be successful, in addition to the factors listed under RCW 10.77.092. If the defendant is subject to an order under chapter 71.05 RCW or proceedings under chapter 71.05 RCW have been initiated, there is a rebuttable presumption that there is no compelling state interest in ordering competency restoration treatment. If the prosecuting attorney proves by a preponderance of the evidence that there is a compelling state interest in ordering competency restoration treatment, then the court shall issue an order in accordance with subsection (2) of this section.

(2) (a) If a court finds pursuant to subsection (1) (b) of this section that there is a compelling state interest in pursuing competency restoration treatment, the court shall order the defendant to receive outpatient competency restoration consistent with the recommendation of the forensic navigator, unless the court finds that an order for outpatient competency restoration is inappropriate considering the health and safety of the defendant and risks to public safety.

(b) To be eligible for an order for outpatient competency restoration, a defendant must be willing to:

(i) Adhere to medications or receive prescribed intramuscular medication;

(ii) Abstain from alcohol and unprescribed drugs; and

(iii) Comply with urinalysis or breathalyzer monitoring if needed.

(c) If the court orders inpatient competency restoration, the department shall place the defendant in an appropriate facility of the department for competency restoration under subsection (3) of this section.

(d) If the court orders outpatient competency restoration, the court shall modify conditions of release as needed to authorize the department to place the person in approved housing, which may include access to supported housing, affiliated with a contracted outpatient competency restoration program. The department, in conjunction with the health care authority, must establish rules for conditions of participation in the outpatient competency restoration program, which must include the defendant being subject to medication management. The court may order regular urinalysis testing. The outpatient competency restoration program shall monitor the defendant during the defendant's placement in the program and report any noncompliance or significant changes with respect to the defendant to the department and, if applicable, the forensic navigator.

(e) If a defendant fails to comply with the restrictions of the outpatient competency restoration program such that restoration is no longer appropriate in that setting or the defendant is no longer clinically appropriate for outpatient competency restoration, the director of the outpatient competency restoration program shall notify the authority and the department of the need to terminate the outpatient competency restoration placement and intent to request placement for the defendant in an appropriate facility of the department for inpatient competency restoration. The outpatient competency restoration program shall coordinate with the authority, the department, and any law enforcement personnel under (e)(i) of this subsection to ensure that the time period between termination and admission into the inpatient facility is as minimal as possible. The time period for inpatient competency restoration shall be reduced by the time period spent in active treatment within the outpatient competency restoration program, excluding time periods in which the defendant was absent from the program and all time from notice of termination of the outpatient competency restoration period through the defendant's admission to the facility. The department shall obtain a placement for the defendant within seven days of the notice of intent to terminate the outpatient competency restoration placement.

(i) The department may authorize a peace officer to detain the defendant into emergency custody for transport to the designated inpatient competency restoration facility. If medical clearance is required by the designated competency restoration facility before admission, the peace officer must transport the defendant to a crisis stabilization unit, evaluation and treatment facility, or emergency department of a local

hospital for medical clearance once a bed is available at the designated inpatient competency restoration facility. The signed outpatient competency restoration order of the court shall serve as authority for the detention of the defendant under this subsection. This subsection does not preclude voluntary transportation of the defendant to a facility for inpatient competency restoration or for medical clearance, or authorize admission of the defendant into jail.

(ii) The department shall notify the court and parties of the defendant's admission for inpatient competency restoration before the close of the next judicial day. The court shall schedule a hearing within five days to review the conditions of release of the defendant and anticipated release from treatment and issue appropriate orders.

(f) The court may not issue an order for outpatient competency restoration unless the department certifies that there is an available appropriate outpatient restoration program that has adequate space for the person at the time the order is issued or the court places the defendant under the guidance and control of a professional person identified in the court order.

(g) If the court does not order the defendant to receive outpatient competency restoration under (a) of this subsection, the court shall commit the defendant to the department for placement in a facility operated or contracted by the department for inpatient competency restoration.

(3) The placement under subsection (2) of this section shall not exceed 29 days if the defendant is ordered to receive inpatient competency restoration, and shall not exceed 90 days if the defendant is ordered to receive outpatient competency restoration. The court may order any combination of this subsection, but the total period of inpatient competency restoration may not exceed 29 days.

(4) Beginning October 1, 2023, if the defendant is charged with a serious traffic offense under RCW 9.94A.030, the court may order the clerk to transmit an order to the department of licensing for revocation of the defendant's driver's license for a period of one year. The court shall direct the clerk to transmit an order to the department of licensing reinstating the defendant's driver's license if the defendant is subsequently restored to competency, and may do so at any time before the end of one year for good cause upon the petition of the defendant.

(5) If the court has determined or the parties agree that the defendant is unlikely to regain competency, the court may dismiss the charges without prejudice without ordering the defendant to undergo competency restoration treatment, in which case the court shall order that the defendant be referred for evaluation for civil commitment in the manner provided in subsection (6) of this section.

(6)(a) If the proceedings are dismissed under RCW 10.77.084 and the defendant was on conditional release at the time of dismissal, the court shall order the designated crisis responder within that



county to evaluate the defendant pursuant to chapter 71.05 RCW. The evaluation may be conducted in any location chosen by the professional.

(b) If the defendant was in custody and not on conditional release at the time of dismissal, the defendant shall be detained and sent to an evaluation and treatment facility for up to 120 hours if the defendant has not undergone competency restoration services or has engaged in outpatient competency restoration services and up to 72 hours if the defendant engaged in inpatient competency restoration services, excluding Saturdays, Sundays, and holidays, for evaluation for purposes of filing a petition under chapter 71.05 RCW. The 120-hour or 72-hour period shall commence upon the next nonholiday weekday following the court order and shall run to the end of the last nonholiday weekday within the 120-hour or 72-hour period.

(7) If the defendant is charged with a nonfelony crime that is not a serious offense as defined in RCW 10.77.092 and found by the court to be not competent, the court may stay or dismiss proceedings and detain the defendant for sufficient time to allow the designated crisis responder to evaluate the defendant and consider initial detention proceedings under chapter 71.05 RCW. The court must give notice to all parties at least 24 hours before the dismissal of any proceeding under this subsection, and provide an opportunity for a hearing on whether to dismiss the proceedings.

(8) If at any time the court dismisses charges under subsections (1) through (7) of this section, the court shall make a finding as to whether the defendant has a history of one or more violent acts. If the court so finds, the ((defendant is barred)) court shall issue an order prohibiting the defendant from the possession of firearms until a court restores his or her right to possess a firearm under RCW 9.41.047. The court shall ((state to the defendant and provide written notice that the defendant is barred from the possession of firearms and that the prohibition remains in effect until a court restores his or her right to possess a firearm under RCW 9.41.047)) notify the defendant orally and in writing that the defendant may not possess a firearm unless the defendant's right to do so is restored by the superior court that issued the order under RCW 9.41.047, and that the defendant must immediately surrender all firearms and any concealed pistol license to their local law enforcement agency.

(9) Any period of competency restoration treatment under this section includes only the time the defendant is actually at the facility or is actively participating in an outpatient competency restoration program and is in addition to reasonable time for transport to or from the facility.

**Sec. 5.** RCW 9.41.040 and 2023 c 295 s 3 and 2023 c 262 s 2 are each reenacted and amended to read as follows:

(1)(a) A person, whether an adult or juvenile, is guilty of the crime of unlawful possession of a firearm in the first degree,

if the person owns, accesses, has in the person's custody, control, or possession, or receives any firearm after having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any serious offense.

(b) Unlawful possession of a firearm in the first degree is a class B felony punishable according to chapter 9A.20 RCW.

(2)(a) A person, whether an adult or juvenile, is guilty of the crime of unlawful possession of a firearm in the second degree, if the person does not qualify under subsection (1) of this section for the crime of unlawful possession of a firearm in the first degree and the person owns, accesses, has in the person's custody, control, or possession, or receives any firearm:

(i) After having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of:

(A) Any felony not specifically listed as prohibiting firearm possession under subsection (1) of this section;

(B) Any of the following crimes when committed by one family or household member against another or by one intimate partner against another, as those terms are defined by the statutes in effect at the time of the commission of the crime, committed on or after July 1, 1993: Assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence (RCW 10.99.040 or any of the former RCW 26.50.060, 26.50.070, and 26.50.130);

(C) Harassment when committed by one family or household member against another or by one intimate partner against another, as those terms are defined by the statutes in effect at the time of the commission of the crime, committed on or after June 7, 2018;

(D) Any of the following misdemeanor or gross misdemeanor crimes not included under (a)(i) (B) or (C) of this subsection, committed on or after July 23, 2023: Domestic violence (RCW 10.99.020); stalking; cyberstalking; cyber harassment, excluding cyber harassment committed solely pursuant to the element set forth in RCW 9A.90.120(1) (a)(i); harassment; aiming or discharging a firearm (RCW 9.41.230); unlawful carrying or handling of a firearm (RCW 9.41.270); animal cruelty in the second degree committed under RCW 16.52.207(1); or any prior offense as defined in RCW 46.61.5055(14) if committed within seven years of a conviction for any other prior offense under RCW 46.61.5055;

(E) A violation of the provisions of a protection order under chapter 7.105 RCW restraining the person or excluding the person from a residence, when committed by one family or household member against another or by one intimate partner against another, committed on or after July 1, 2022; or

(F) A violation of the provisions of an order to surrender and prohibit weapons, an extreme risk protection order, or the provisions of any other protection order or no-contact order not included under (a)(i) (B) or (E) of this subsection restraining

the person or excluding the person from a residence, committed on or after July 23, 2023;

(ii) During any period of time that the person is subject to a protection order, no-contact order, or restraining order by a court issued under chapter 7.105, 9A.40, 9A.44, 9A.46, 9A.88, 10.99, 26.09, 26.26A, or 26.26B RCW or any of the former chapters 7.90, 7.92, 10.14, and 26.50 RCW that:

(A) Was issued after a hearing for which the person received actual notice, and at which the person had an opportunity to participate, whether the court then issues a full order or reissues a temporary order. If the court enters an agreed order by the parties without a hearing, such an order meets the requirements of this subsection;

(B) Restrains the person from harassing, stalking, or threatening the person protected under the order or child of the person or protected person, or others identified in the order, or engaging in other conduct that would place the protected person in reasonable fear of bodily injury to the protected person or child or others identified in the order; and

(C) (I) Includes a finding that the person represents a credible threat to the physical safety of the protected person or child or others identified in the order, or by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against the protected person or child or other persons that would reasonably be expected to cause bodily injury; or

(II) Includes an order under RCW 9.41.800 requiring the person to surrender all firearms and prohibiting the person from accessing, having in his or her custody or control, possessing, purchasing, receiving, or attempting to purchase or receive, firearms;

(iii) After having previously been involuntarily committed based on a mental disorder under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, chapter 10.77 RCW, or equivalent statutes of another jurisdiction, unless his or her right to possess a firearm has been restored as provided in RCW 9.41.047;

(iv) After dismissal of criminal charges based on incompetency to stand trial under RCW 10.77.086, or after dismissal of criminal charges based on incompetency to stand trial under RCW 10.77.088 when the court has made a finding indicating that the defendant has a history of one or more violent acts, unless his or her right to possess a firearm has been restored as provided in RCW 9.41.047;

(v) If the person is under 18 years of age, except as provided in RCW 9.41.042; and/or

(vi) If the person is free on bond or personal recognizance pending trial for a serious offense as defined in RCW 9.41.010.

(b) Unlawful possession of a firearm in the second degree is a class C felony punishable according to chapter 9A.20 RCW.

(3) A person shall not be precluded from possession of a firearm if the conviction has been the subject of a pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted

or the conviction or disposition has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence. Where no record of the court's disposition of the charges can be found, there shall be a rebuttable presumption that the person was not convicted of the charge.

(4) Notwithstanding subsection (1) or (2) of this section, a person convicted or found not guilty by reason of insanity of an offense prohibiting the possession of a firearm under this section other than murder, manslaughter, robbery, rape, indecent liberties, arson, assault, kidnapping, extortion, burglary, or violations with respect to controlled substances under RCW 69.50.401 and 69.50.410, who received a probationary sentence under RCW 9.95.200, and who received a dismissal of the charge under RCW 9.95.240, shall not be precluded from possession of a firearm as a result of the conviction or finding of not guilty by reason of insanity.

(5) In addition to any other penalty provided for by law, if a person under the age of 18 years is found by a court to have possessed a firearm in a vehicle in violation of subsection (1) or (2) of this section or to have committed an offense while armed with a firearm during which offense a motor vehicle served an integral function, the court shall notify the department of licensing within 24 hours and the person's privilege to drive shall be revoked under RCW 46.20.265, unless the offense is the juvenile's first offense in violation of this section and has not committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 66.44, 69.52, 69.41, or 69.50 RCW.

(6) Nothing in chapter 129, Laws of 1995 shall ever be construed or interpreted as preventing an offender from being charged and subsequently convicted for the separate felony crimes of theft of a firearm or possession of a stolen firearm, or both, in addition to being charged and subsequently convicted under this section for unlawful possession of a firearm in the first or second degree. Notwithstanding any other law, if the offender is convicted under this section for unlawful possession of a firearm in the first or second degree and for the felony crimes of theft of a firearm or possession of a stolen firearm, or both, then the offender shall serve consecutive sentences for each of the felony crimes of conviction listed in this subsection.

(7)(a) A person, whether an adult or a juvenile, commits the civil infraction of unlawful possession of a firearm if the person has in the person's possession or has in the person's control a firearm after the person files a voluntary waiver of firearm rights under RCW 9.41.350 and the form has been accepted by the clerk of the court and the voluntary waiver has not been lawfully revoked.

(b) The civil infraction of unlawful possession of a firearm is a class 4 civil infraction punishable according to chapter 7.80 RCW.

(c) Each firearm unlawfully possessed under this subsection (7) shall be a separate infraction.

(d) The court may, in its discretion, order performance of up to two hours of community restitution in lieu of a monetary penalty prescribed for a civil infraction under this subsection (7).

(8) Each firearm unlawfully possessed under this section shall be a separate offense.

(9) A person may petition to restore the right to possess a firearm as provided in RCW 9.41.041.

**Sec. 6.** RCW 70.02.260 and 2018 c 201 s 8005 are each amended to read as follows:

(1)(a) A mental health service agency shall release to the persons authorized under subsection (2) of this section, upon request:

(i) The fact, place, and date of an involuntary commitment, the fact and date of discharge or release, and the last known address of a person who has been committed under chapter 71.05 or 71.34 RCW.

(ii) Information and records related to mental health services, in the format determined under subsection (9) of this section, concerning a person who:

(A) Is currently committed to the custody or supervision of the department of corrections or the indeterminate sentence review board under chapter 9.94A or 9.95 RCW;

(B) Has been convicted or found not guilty by reason of insanity of a serious violent offense; or

(C) Was charged with a serious violent offense and the charges were dismissed under RCW 10.77.086.

(b) Legal counsel for the mental health service agency, including a county prosecutor or assistant attorney general who represents the mental health service agency for the purpose of involuntary commitment proceedings, may release ((such)) this information ((to the persons authorized under subsection (2) of this section)) on behalf of the mental health service agency ((, so long as nothing)).

(c) Nothing in this subsection requires the disclosure of attorney work product or attorney-client privileged information.

(2) The information subject to release under subsection (1) of this section must be released to law enforcement officers, city or county prosecuting attorneys, personnel of a county or city jail, designated mental health professionals or designated crisis responders, as appropriate, public health officers, therapeutic court personnel as defined in RCW 71.05.020, or personnel of the department of corrections, including the indeterminate sentence review board and personnel assigned to perform board-related duties, when such information is requested during the course of business and for the purpose of carrying out the responsibilities of the requesting person's office. No mental health service agency or person employed by a mental health service agency, or its legal counsel, may be liable for information released to or used under the provisions of

this section or rules adopted under this section except under RCW 71.05.680.

(3) A person who requests information under subsection (1)(a)(ii) of this section must comply with the following restrictions:

(a) Information must be requested only for the purposes permitted by this subsection and for the purpose of carrying out the responsibilities of the requesting person's office. Appropriate purposes for requesting information under this section include:

(i) Completing presentence investigations or risk assessment reports;

(ii) Assessing a person's risk to the community;

(iii) Assessing a person's risk of harm to self or others when confined in a city or county jail;

(iv) Planning for and provision of supervision of an offender, including decisions related to sanctions for violations of conditions of community supervision; and

(v) Responding to an offender's failure to report for department of corrections supervision; and

(vi) Assessing the need for an extreme risk protection order under chapter 7.105 RCW;

(b) Information may not be requested under this section unless the requesting person has reasonable suspicion that the individual who is the subject of the information:

(i) Has engaged in activity indicating that a crime or a violation of community custody or parole has been committed or, based upon his or her current or recent past behavior, is likely to be committed in the near future; or

(ii) Is exhibiting signs of a deterioration in mental functioning which may make the individual appropriate for civil commitment under chapter 71.05 or 71.34 RCW, or which is associated with a recent detention or order of commitment under chapter 71.05 or 71.34 RCW or an order of commitment or dismissal of charges under chapter 10.77 RCW; and

(c) Any information received under this section must be held confidential and subject to the limitations on disclosure outlined in this chapter, except:

(i) The information may be shared with other persons who have the right to request similar information under subsection (2) of this section, solely for the purpose of coordinating activities related to the individual who is the subject of the information in a manner consistent with the official responsibilities of the persons involved;

(ii) The information may be shared with a prosecuting attorney who is acting in an advisory capacity for a person who receives information under this section or who is carrying out other official duties within the scope of this section. A prosecuting attorney under this subsection is subject to the same restrictions and confidentiality limitations as the person who requested the information; and

(iii) As provided in RCW 72.09.585.

(4) A request for information and records related to mental health services under this

section does not require the consent of the subject of the records. The request must be provided in writing, except to the extent authorized in subsection (5) of this section. A written request may include requests made by email or facsimile so long as the requesting person is clearly identified. The request must specify the information being requested.

(5) In the event of an emergency situation that poses a significant risk to the public or the offender, a mental health service agency, or its legal counsel, shall release information related to mental health services delivered to the offender and, if known, information regarding where the offender is likely to be found to the department of corrections or law enforcement upon request. The initial request may be written or oral. All oral requests must be subsequently confirmed in writing. Information released in response to an oral request is limited to a statement as to whether the offender is or is not being treated by the mental health service agency and the address or information about the location or whereabouts of the offender.

(6) Disclosure under this section to state or local law enforcement authorities is mandatory for the purposes of the federal health insurance portability and accountability act.

(7) Whenever federal law or federal regulations restrict the release of information contained in the treatment records of any patient who receives treatment for alcoholism or drug dependency, the release of the information may be restricted as necessary to comply with federal law and regulations.

(8) This section does not modify the terms and conditions of disclosure of information related to sexually transmitted diseases under this chapter.

(9) In collaboration with interested organizations, the authority shall develop a standard form for requests for information related to mental health services made under this section and a standard format for information provided in response to the requests. Consistent with the goals of the health information privacy provisions of the federal health insurance portability and accountability act, in developing the standard form for responsive information, the authority shall design the form in such a way that the information disclosed is limited to the minimum necessary to serve the purpose for which the information is requested."

Correct the title.

Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Peterson; Thai and Walen.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno; and Cheney.

Referred to Committee on Rules for second reading

February 21, 2024

E2SSB 6251 Prime Sponsor, Ways & Means: Coordinating regional behavioral crisis response services. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

February 21, 2024

SSB 6269 Prime Sponsor, State Government & Elections: Establishing an alternative voter verification options pilot project. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Gregerson and Mena.

MINORITY recommendation: Without recommendation. Signed by Representatives Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; and Low.

Referred to Committee on Rules for second reading

February 21, 2024

ESSB 6286 Prime Sponsor, Ways & Means: Addressing the anesthesia workforce shortage by reducing barriers and expanding educational opportunities to increase the supply of certified registered nurse anesthetists in Washington. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske; Caldier; Davis; Graham; Harris; Macri; Maycumber; Mosbrucker; Orwall; Simmons; Stonier; Thai and Tharinger.

Referred to Committee on Appropriations

February 21, 2024

ESJM 8005 Prime Sponsor, Senator Hasegawa: Addressing "de-risking" by financial institutions. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: Do pass. Signed by Representatives Walen, Chair; Reeves, Vice Chair; Chapman; Donaghy; Hackney; Ryu and Santos.

MINORITY recommendation: Do not pass. Signed by Representatives Robertson, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Connors; and Volz.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry; and Sandlin.

Referred to Committee on Rules for second reading

February 21, 2024

SCR 8414

Prime Sponsor, Senator Lovick: Creating a joint select committee on civic health. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"WHEREAS, There are increasing concerns about the state of civic health in America and Washington state; and

WHEREAS, A recent public opinion survey in Washington state revealed that 89% of citizens agree or strongly agree that they are "worried about the future of our democracy"; and

WHEREAS, The same survey also revealed that nearly one in four Washingtonians have "stopped talking to a friend or relative because of politics"; and

WHEREAS, Additional research underscores a decline in respectful discourse in the public square and a material decline in confidence in public institutions; and

WHEREAS, In response to this crisis there has been a surge in local and national organizations designed to improve civic health; and

WHEREAS, One of these organizations is the Project for Civic Health, a partnership of the Office of Lieutenant Governor, the University of Washington's Evans School, the Ruckelshaus Center, and the Henry M. Jackson Foundation; and

WHEREAS, The Project for Civic Health has worked for the last year to develop a deeper understanding of the nature of the problem by conducting focus groups and holding a "summit" involving nearly 200 diverse Washington citizens to develop recommendations on a path forward; and

WHEREAS, Among the many ideas generated by the Project for Civic Health was the creation of a Joint Committee on Civic Health of the Washington State Legislature, the purpose of which would be to build upon the Project's work to date to strengthen our democratic republic;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, the House of Representatives concurring, That a joint select committee on Civic Health be established to build upon the work of the Project for Civic Health; and

BE IT FURTHER RESOLVED, That the Committee consist of 13 members: The Lieutenant Governor; three members of the majority party of the Senate and three members of the minority party of the Senate, to be selected by the President of the Senate; and three members of the majority party of the House of Representatives and three members of the minority party of the House of Representatives, to be selected by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Lieutenant Governor shall be chair of the committee and one member of the majority party and one member from the minority party from opposite chambers shall serve as Vice Chairs; and

BE IT FURTHER RESOLVED, That the committee shall operate in full accordance with the Joint Rules; and

BE IT FURTHER RESOLVED, All expenses and staff support for the committee shall be provided by the Office of the Lieutenant Governor, except that legislative members of the committee shall be reimbursed for travel expenses by the Senate and House of Representatives in accordance with RCW 44.04.120; and

BE IT FURTHER RESOLVED, That the committee will issue its preliminary recommendations and report to the legislature prior to the 2025 regular session and its final recommendations and report prior to 2026 regular session at which time the committee shall cease to exist."

Signed by Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson; Low and Mena.

Referred to Committee on Rules for second reading

### THIRD SUPPLEMENTAL REPORT OF STANDING COMMITTEES

February 21, 2024

ESB 5632

Prime Sponsor, Senator Keiser: Protecting the health care of workers participating in a labor dispute. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 43.71 RCW to read as follows:

(1) By January 1, 2025, the exchange must establish a worker health plan access program to help Washingtonians who lose health care coverage provided by their employer or a joint labor management trust as a result of an active strike, lockout, or other labor dispute.

(2) Subject to the availability of funding, the exchange must provide enrollment assistance to help maintain coverage for individuals and their dependents who:

(a) Provide a self-attestation regarding loss of minimum essential health care coverage from an employer or joint labor management trust fund as a result of an active strike, lockout, or other labor dispute; and

(b) Are eligible for coverage offered through the exchange.

(3) The exchange may request, and an applicable employer, labor organization, or other appropriate representative, must provide, information to determine the status of a strike, lockout, or labor dispute, its impact to coverage, and any other information determined by the exchange as necessary to conduct outreach and determine eligibility for federal and state subsidies offered through the exchange.

(4) The exchange must establish a process for providing outreach and enrollment

assistance, and may establish additional procedural requirements to administer the program established in subsection (1) of this section.

NEW SECTION. **Sec. 2.** This act may be known and cited as the worker health care protection act."

Correct the title.

Signed by Representatives Berry, Chair; Fosse, Vice Chair; Bronoske; Doglio; Ormsby and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt, Ranking Minority Member; Rude; and Ybarra.

Referred to Committee on Rules for second reading

February 21, 2024

SB 5952 Prime Sponsor, Senator Schoesler: Aligning deputy inspector credentials with national standards. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 5953 Prime Sponsor, Human Services: Concerning financial aid grants for incarcerated students. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 72.09.460 and 2021 c 200 s 4 are each amended to read as follows:

(1) Recognizing that there is a positive correlation between education opportunities and reduced recidivism, it is the intent of the legislature to offer appropriate postsecondary degree or certificate opportunities to incarcerated individuals.

(2) The legislature intends that all incarcerated individuals be required to participate in department-approved education programs, work programs, or both, unless exempted as specifically provided in this section. Eligible incarcerated individuals who refuse to participate in available education or work programs available at no charge to the incarcerated individuals shall lose privileges according to the system established under RCW 72.09.130. Eligible incarcerated individuals who are required to contribute financially to an education or work program and refuse to contribute shall be placed in another work program. Refusal to contribute shall not result in a loss of privileges.

(3) The legislature recognizes more incarcerated individuals may agree to participate in education and work programs than are available. The department must make

every effort to achieve maximum public benefit by placing incarcerated individuals in available and appropriate education and work programs.

(4) (a) The department shall, to the extent possible and considering all available funds, prioritize its resources to meet the following goals for incarcerated individuals in the order listed:

(i) Achievement of basic academic skills through obtaining a high school diploma or a high school equivalency certificate as provided in RCW 28B.50.536, including achievement by those incarcerated individuals eligible for special education services pursuant to state or federal law;

(ii) Achievement of vocational skills necessary for purposes of work programs and for an incarcerated individual to qualify for work upon release;

(iii) Additional work and education programs necessary for compliance with an incarcerated individual's individual reentry plan under RCW 72.09.270, including special education services and postsecondary degree or certificate education programs; and

(iv) Other appropriate vocational, work, or education programs that are not necessary for compliance with an incarcerated individual's individual reentry plan under RCW 72.09.270 including postsecondary degree or certificate education programs.

(b) (i) If programming is provided pursuant to (a) (i) through (iii) of this subsection, the department shall pay the cost of such programming, including but not limited to books, materials, and supplies for adult basic education programs and any postsecondary education program that is not financial aid eligible at the time the individual is enrolled or paid for by the department or third party.

(ii) For financial aid eligible postsecondary programming provided pursuant to (a) (i) through (iii) of this subsection, the department may require the individual to apply for any federal and state financial aid grants available to the individual as a condition of participation in such programming. The individual may elect to use available financial aid grants, self-pay, or any other available third-party funding, or use a combination of these methods to cover the cost of attendance for financial aid eligible postsecondary programming provided under this subsection (4) (b) (ii). If an individual elects to self-pay or utilize third-party funding, the individual is not subject to the postaward formula described in (c) of this subsection. If the cost of attendance exceeds any financial grant awards that may be available to the individual, or the person is not eligible for federal or state financial aid grants, the department shall pay the cost of attendance not otherwise covered by third-party funding. All regulations and requirements set forth by the United States department of education for federal pell grants for prison education programs apply to financial aid eligible postsecondary programming.

(c) If programming is provided pursuant to (a) (iv) of this subsection, incarcerated individuals shall be required to pay all or a portion of the costs, including books,

fees, and tuition, for participation in any vocational, work, or education program as provided in department policies. The individual may apply for and utilize federal and state financial aid grants available to the individual. If the individual is not eligible for federal financial aid grants, the individual may apply for and utilize state financial aid grants available to the individual. Department policies shall include a postaward formula for determining how much an incarcerated individual shall be required to pay after deducting any amount from available financial aid or other available sources. The postaward formula shall include steps which correlate to an incarcerated individual's average monthly income or average available balance in a personal savings account and which are correlated to a prorated portion or percent of the per credit fee for tuition, books, or other ancillary educational costs. Any postaward formula offsets and funds paid for by the department for educational programming shall not result in the reduction of any gift aid. The postaward formula shall be reviewed every two years. A third party, including but not limited to nonprofit entities or community-based postsecondary education programs, may pay directly to the department all or a portion of costs and tuition for any programming provided pursuant to (a)(iv) of this subsection on behalf of an incarcerated individual. Such payments shall not be subject to any of the deductions as provided in this chapter.

(d) All incarcerated individuals shall receive financial aid and academic advising from an accredited institution of higher education prior to enrollment in a financial aid eligible postsecondary education program. Eligible individuals who choose not to participate or choose to cease participation in a financial aid eligible postsecondary education program shall not result in a loss of privileges.

(e) Correspondence courses are ineligible for state and federal financial aid funding.

(f) The department may accept any and all donations and grants of money, equipment, supplies, materials, and services from any third party, including but not limited to nonprofit entities and community-based postsecondary education programs, and may receive, utilize, and dispose of same to complete the purposes of this section.

~~((+))~~(g) Any funds collected by the department under (c) and ~~((+))~~(h) of this subsection and subsections (11) and (12) of this section shall be used solely for the creation, maintenance, or expansion of incarcerated individual educational and vocational programs.

(5) The department shall provide access to a program of education to all incarcerated individuals who are under the age of eighteen and who have not met high school graduation requirements or requirements to earn a high school equivalency certificate as provided in RCW 28B.50.536 in accordance with chapter 28A.193 RCW. The program of education established by the department and education provider under RCW 28A.193.020 for incarcerated individuals under the age of

eighteen must provide each incarcerated individual a choice of curriculum that will assist the incarcerated individual in achieving a high school diploma or high school equivalency certificate. The program of education may include but not be limited to basic education, prevocational training, work ethic skills, conflict resolution counseling, substance abuse intervention, and anger management counseling. The curriculum may balance these and other rehabilitation, work, and training components.

(6)(a) In addition to the policies set forth in this section, the department shall consider the following factors in establishing criteria for assessing the inclusion of education and work programs in an incarcerated individual's individual reentry plan and in placing incarcerated individuals in education and work programs:

(i) An incarcerated individual's release date and custody level. An incarcerated individual shall not be precluded from participating in an education or work program solely on the basis of his or her release date, except that incarcerated individuals with a release date of more than one hundred twenty months in the future shall not comprise more than ten percent of incarcerated individuals participating in a new class I correctional industry not in existence on June 10, 2004;

(ii) An incarcerated individual's education history and basic academic skills;

(iii) An incarcerated individual's work history and vocational or work skills;

(iv) An incarcerated individual's economic circumstances, including but not limited to an incarcerated individual's family support obligations; and

(v) Where applicable, an incarcerated individual's prior performance in department-approved education or work programs;

(b) The department shall establish, and periodically review, incarcerated individual behavior standards and program outcomes for all education and work programs. Incarcerated individuals shall be notified of applicable behavior standards and program goals prior to placement in an education or work program and shall be removed from the education or work program if they consistently fail to meet the standards or outcomes.

(7) Eligible incarcerated individuals who refuse to participate in available education or work programs available at no charge to the incarcerated individuals shall lose privileges according to the system established under RCW 72.09.130. Eligible incarcerated individuals who are required to contribute financially to an education or work program and refuse to contribute shall be placed in another work program. Refusal to contribute shall not result in a loss of privileges.

(8) The department shall establish, by rule, a process for identifying and assessing incarcerated individuals with learning disabilities, traumatic brain injuries, and other cognitive impairments to determine whether the person requires accommodations in order to effectively participate in educational programming,

including general educational development tests and postsecondary education. The department shall establish a process to provide such accommodations to eligible incarcerated individuals.

(9) The department shall establish, and periodically review, goals for expanding access to postsecondary degree and certificate education programs and program completion for all incarcerated individuals, including persons of color. The department may contract and partner with any accredited educational program sponsored by a nonprofit entity, community-based postsecondary education program, or institution with historical evidence of providing education programs to people of color.

(10) The department shall establish, by rule, objective medical standards to determine when an incarcerated individual is physically or mentally unable to participate in available education or work programs. When the department determines an incarcerated individual is permanently unable to participate in any available education or work program due to a health condition, the incarcerated individual is exempt from the requirement under subsection (2) of this section. When the department determines an incarcerated individual is temporarily unable to participate in an education or work program due to a medical condition, the incarcerated individual is exempt from the requirement of subsection (2) of this section for the period of time he or she is temporarily disabled. The department shall periodically review the medical condition of all incarcerated individuals with temporary disabilities to ensure the earliest possible entry or reentry by incarcerated individuals into available programming.

(11) The department shall establish policies requiring an incarcerated individual to pay all or a portion of the costs and tuition for any vocational training or postsecondary education program if the incarcerated individual previously abandoned coursework related to postsecondary degree or certificate education or vocational training without excuse as defined in rule by the department. Department policies shall include a formula for determining how much an incarcerated individual shall be required to pay. The formula shall include steps which correlate to an incarcerated individual's average monthly income or average available balance in a personal savings account and which are correlated to a prorated portion or percent of the per credit fee for tuition, books, or other ancillary costs. The formula shall be reviewed every two years. A third party may pay directly to the department all or a portion of costs and tuition for any program on behalf of an incarcerated individual under this subsection. Such payments shall not be subject to any of the deductions as provided in this chapter.

(12) Notwithstanding any other provision in this section, an incarcerated individual (~~sentenced to death under chapter 10.95 RCW or~~) subject to the provisions of 8 U.S.C. Sec. 1227:

(a) Shall not be required to participate in education programming except as may be

necessary for the maintenance of discipline and security;

(b) May not participate in a postsecondary degree education program offered by the department or its contracted providers, unless the incarcerated individual's participation in the program is paid for by a third party or by the individual;

(c) May participate in prevocational or vocational training that may be necessary to participate in a work program;

(d) Shall be subject to the (~~applicable provisions of this chapter~~) requirements relating to incarcerated individual financial responsibility for programming under subsection (4) of this section.

(13) If an incarcerated individual has participated in postsecondary education programs, the department shall provide the incarcerated individual with a copy of the incarcerated individual's unofficial transcripts, at no cost to the individual, upon the incarcerated individual's release or transfer to a different facility. Upon the incarcerated individual's completion of a postsecondary education program, the department shall provide to the incarcerated individual, at no cost to the individual, a copy of the incarcerated individual's unofficial transcripts. This requirement applies regardless of whether the incarcerated individual became ineligible to participate in or abandoned a postsecondary education program.

(14) For the purposes of this section (~~or "third party"~~):

(a) "Third party" includes a nonprofit entity or community-based postsecondary education program that partners with the department to provide accredited postsecondary education degree and certificate programs at state correctional facilities.

(b) "Gift aid" has the meaning provided in RCW 28B.145.010.

**Sec. 2.** RCW 72.09.465 and 2021 c 200 s 5 are each amended to read as follows:

(1)(a) The department may implement postsecondary degree or certificate education programs at state correctional institutions.

(b) The department may consider for inclusion in any postsecondary degree or certificate education program, any education program from an accredited community or technical college, college, or university that is limited to no more than a bachelor's degree. Washington state-recognized preapprenticeship programs may also be included as appropriate postsecondary education programs.

(2) Incarcerated individuals not meeting the department's priority criteria for the (~~state-funded~~) postsecondary degree education program offered by the department or its contracted providers shall be required to pay the costs for participation in a postsecondary education degree program if (~~he or she elects~~) they elect to participate through self-pay, including costs of books, fees, tuition, or any other appropriate ancillary costs, by one or more of the following means:



(a) ~~((The))~~ For a postsecondary degree education program that is eligible for financial aid, the incarcerated individual who is participating in the ((postsecondary education degree)) program may, during confinement, provide the required payment or payments to the ~~((department))~~ school; ~~((or))~~

(b) For a postsecondary degree education program that is not eligible for financial aid, the incarcerated individual who is participating in the program may, during confinement, provide the required payment or payments to the department; or

(c) A third party ~~((shall))~~ may provide the required payment or payments directly to the department on behalf of an incarcerated individual, and such payments shall not be subject to any of the deductions as provided in this chapter.

(3) The department may accept any and all donations and grants of money, equipment, supplies, materials, and services from any third party, including but not limited to nonprofit entities, and may receive, utilize, and dispose of same to provide postsecondary education to incarcerated individuals.

(4) An incarcerated individual may be selected to participate in a state-funded postsecondary degree or certificate education program, based on priority criteria determined by the department, in which the following conditions may be considered:

(a) Priority should be given to incarcerated individuals who do not already possess a postsecondary education degree; and

(b) Incarcerated individuals with individual reentry plans that include participation in a postsecondary degree or certificate education program that is:

(i) Offered at the incarcerated individual's state correctional institution;

(ii) Approved by the department as an eligible and effective postsecondary education degree program; and

(iii) Limited to a postsecondary degree or certificate program.

(5) The department shall work with the college board as defined in RCW 28B.50.030 to develop a plan to assist incarcerated individuals selected to participate in postsecondary degree or certificate programs with filing a free application for federal student aid or the Washington application for state financial aid.

(6) Any funds collected by the department under this section shall be used solely for the creation, maintenance, or expansion of postsecondary education degree programs for incarcerated individuals.

**Sec. 3.** RCW 72.09.467 and 2021 c 200 s 8 are each amended to read as follows:

(1) The department, the state board for community and technical colleges, the student achievement council, and the Washington statewide reentry council, in collaboration with an organization representing the presidents of the public four-year institutions of higher education, shall submit a combined report, pursuant to RCW 43.01.036, by December 1, 2021, and annually thereafter, to the appropriate

committees of the legislature having oversight over higher education issues and correctional matters. The state agencies shall consult and engage with nonprofit and community-based postsecondary education providers during the development of the annual report.

(2) At a minimum, the combined report must include:

(a) The number of incarcerated individuals served in the department's postsecondary education system, the number of individuals not served, the number of individuals leaving the department's custody without a high school equivalency who were in the department's custody longer than one year, and the number of individuals released without any postsecondary education, each disaggregated by demographics;

(b) A complete list of postsecondary degree and certificate education programs offered at each state correctional facility, including enrollment rates and completion rates for each program;

(c) A review of the department's identification and assessment of incarcerated individuals with learning disabilities, traumatic brain injuries, and other cognitive impairments or disabilities that may limit their ability to participate in educational programming, including general educational development testing and postsecondary education. The report shall identify barriers to the identification and assessment of these individuals and include recommendations that will further facilitate access to educational programming for these individuals;

~~((e))~~ (d) An identification of issues related to ensuring that credits earned in credit-bearing courses are transferable. The report must also include the number of transferable credits awarded and the number of credits awarded that are not transferable;

~~((d))~~ (e) A review of policies on transfer, in order to create recommendations to institutions and the legislature that to ensure postsecondary education credits earned while incarcerated transfer seamlessly upon postrelease enrollment in a postsecondary education institution. The review must identify barriers or challenges on transferring credits experienced by individuals and the number of credits earned while incarcerated that transferred to the receiving colleges postrelease;

~~((e))~~ (f) The number of individuals participating in correspondence courses and completion rates of correspondence courses, disaggregated by demographics;

~~((f))~~ (g) An examination of the collaboration between correctional facilities, the educational programs, nonprofit and community-based postsecondary education providers, and the institutions, with the goal of ensuring that roles and responsibilities are clearly defined, including the roles and responsibilities of each entity in relation to ensuring incarcerated individual access to, and accommodations in, educational programming; and

~~((g))~~ (h) A review of the partnerships with nonprofit and community-based postsecondary education organizations at

state correctional facilities that provide accredited certificate and degree-granting programs and those that provide reentry services in support of educational programs and goals, including a list of the programs and services offered and recommendations to improve program delivery and access.

(3) The report shall strive to include, where possible, the voices and experiences of current or formerly incarcerated individuals."

Correct the title.

Signed by Representatives Slatter, Chair; Entenman, Vice Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Jacobsen; Klicker; Leavitt; McEntire; Nance; Paul; Pollet; Schmidt and Timmons.

Referred to Committee on Appropriations

February 21, 2024

SB 5979 Prime Sponsor, Senator Keiser: Concerning accrued leave for construction workers. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 5980 Prime Sponsor, Labor & Commerce: Concerning the timeline for issuing a citation for a violation of the Washington industrial safety and health act. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

February 21, 2024

SB 6088 Prime Sponsor, Senator Conway: Concerning minor league baseball players subject to the terms of a collective bargaining agreement regarding employment status. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

February 21, 2024

ESB 6089 Prime Sponsor, Senator King: Eliminating certain minimum requirement equivalencies for electrical inspectors. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt,

Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 6108 Prime Sponsor, Labor & Commerce: Addressing retainage on private construction projects. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Doglio; Ormsby; Ortiz-Self; Rude and Ybarra.

Referred to Committee on Rules for second reading

February 21, 2024

ESB 6296 Prime Sponsor, Senator Boehnke: Establishing a retail industry work group. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Slatter, Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Jacobsen; Klicker; Leavitt; McEntire; Nance; Paul; Schmidt and Timmons.

MINORITY recommendation: Do not pass. Signed by Representative Entenman, Vice Chair.

MINORITY recommendation: Without recommendation. Signed by Representative Pollet.

Referred to Committee on Rules for second reading

There being no objection, the bills, memorials, and resolution listed on the day's committee report and first, second, and third supplemental committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

**MOTION**

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

- HOUSE BILL NO. 1913
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5690
- SENATE BILL NO. 5884
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5890
- SUBSTITUTE SENATE BILL NO. 5935
- SENATE BILL NO. 5970
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5974
- SENATE BILL NO. 5982
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6007
- SUBSTITUTE SENATE BILL NO. 6060
- SENATE BILL NO. 5508
- SENATE BILL NO. 5885
- SENATE BILL NO. 5886
- SUBSTITUTE SENATE BILL NO. 6047

There being no objection, the House adjourned until 9:00 a.m., Thursday, February 22, 2024, the 46th Day of the 2024 Regular Session.

Laurie Jinkins, Speaker

Bernard Dean, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## FORTY SIXTH DAY

House Chamber, Olympia, Thursday, February 22, 2024

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Hailey Daw and Carter Vuu. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Mary Mangione Gear, Olympia Unitarian Universalist Congregation.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker assumed the chair.

There being no objection, the House advanced to the sixth order of business.

**SECOND READING**

**SENATE BILL NO. 5982, by Senators Cleveland, Robinson, Keiser, Dhingra, Van De Wege, Conway, Frame, Kuderer, Liias, Mullet, Nobles, Salomon, Trudeau, Valdez and Wellman**

**Updating the definition of "vaccine" in RCW 70.290.010 to include all federal food and drug administration-approved immunizations recommended by the centers for disease control and prevention.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Stonier spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

**MOTIONS**

On motion of Representative Griffey, Representatives Caldier, Chandler, Graham, Kretz and Volz were excused.

On motion of Representative Leavitt, Representative Reeves was excused.

The Speaker stated the question before the House to be the final passage of Senate Bill No. 5982.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5982, and the bill passed the House by the following vote: Yeas, 61; Nays, 32; Absent, 0; Excused, 5

Voting Yea: Representatives Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Harris, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons,

Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Caldier, Chandler, Graham, Reeves and Volz

SENATE BILL NO. 5982, having received the necessary constitutional majority, was declared passed.

The Speaker called upon Representative Orwall to preside.

**SECOND READING**

**SENATE BILL NO. 5885, by Senator Torres**

**Concerning procedures for certificates of annexation submitted to the office of financial management.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Corry, Goehner and Duerr spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5885.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5885, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Caldier, Chandler, Reeves and Volz

SENATE BILL NO. 5885, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5970, by Senator Hunt**

**Modifying local board of health county commissioner membership.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bateman and Goehner spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5970.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5970, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Caldier, Chandler, Reeves and Volz

SENATE BILL NO. 5970, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5935, by Senate Committee on Labor & Commerce (originally sponsored by Stanford, Keiser, Conway, Dhingra, Frame, Kuderer, Liias, Nobles and Saldaña)**

**Concerning noncompetition covenants.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Berry spoke in favor of the passage of the bill.

Representative Schmidt spoke against the passage of the bill.

**MOTION**

On motion of Representative Griffey, Representative Graham was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5935.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5935, and the bill passed the House by the following vote: Yeas, 55; Nays, 38; Absent, 0; Excused, 5

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Ramel, Ramos, Reed, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Pollet, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Caldier, Chandler, Graham, Reeves and Volz

SUBSTITUTE SENATE BILL NO. 5935, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on Substitute Senate Bill No. 5935.  
Representative Pollet, 46th District

**SECOND READING**

**HOUSE BILL NO. 1913, by Representatives Cortes, Ryu, Reed, Reeves and Pollet**

**Expiring the international services tax preference.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Cortes spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1913.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1913, and the bill passed the House by the following vote: Yeas, 57; Nays, 36; Absent, 0; Excused, 5

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Caldier, Chandler, Graham, Reeves and Volz

HOUSE BILL NO. 1913, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 6007, by Senate Committee on Labor & Commerce (originally sponsored by Conway, Keiser, Hasegawa, Dhingra, Randall, Saldaña, Liias, Hunt, Nguyen, Kuderer, Van De Wege, Frame, Nobles, Pedersen, Salomon, Shewmake, Stanford, Trudeau, Valdez and Wilson, C.)**

**Concerning employment standards for grocery workers.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Fosse spoke in favor of the passage of the bill.

Representatives Schmidt, Jacobsen and Wilcox spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6007.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6007, and the bill passed the House by the following vote: Yeas, 60; Nays, 33; Absent, 0; Excused, 5

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Low, Macri, McEntire, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Rude, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walsh, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Goehner, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Sandlin, Schmick, Schmidt, Springer, Steele, Stokesbary, Walen, Waters, Wilcox and Ybarra

Excused: Representatives Caldier, Chandler, Graham, Reeves and Volz

ENGROSSED SUBSTITUTE SENATE BILL NO. 6007, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5890, by Senate Committee on State Government & Elections (originally sponsored by Valdez, Hunt, Dhingra, Kuderer, Nguyen, Nobles and Pedersen)**

**Reducing ballot rejection rates through updates to ballot curing, canvassing, reporting, and outreach processes.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on State Government & Tribal Relations was adopted. For Committee amendment, see Journal, Day 43, Monday, February 19, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Ramos, Low and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5890, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5890, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry,

Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Caldier, Chandler, Graham, Reeves and Volz

ENGROSSED SUBSTITUTE SENATE BILL NO. 5890, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5886, by Senators Braun, Keiser, Nobles and Van De Wege**

**Adding purposes for the use of existing firefighter safety funding.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmidt and Bronoske spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5886.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5886, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Caldier, Chandler, Graham, Reeves and Volz

SENATE BILL NO. 5886, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5974, by Senate Committee on Human Services (originally sponsored by Frame, Saldaña, Dhingra, Hasegawa, Kuderer, Nguyen, Nobles, Trudeau and Wilson, C.)**

**Concerning the disposition of unenforceable legal financial obligations other than restitution imposed by a court or an agent of the court against a juvenile prior to July 1, 2023.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cortes and Eslick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5974.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5974, and the bill passed the House by the following vote: Yeas, 66; Nays, 27; Absent, 0; Excused, 5

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Griffey, Hackney, Hutchins, Jacobsen, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Christian, Connors, Corry, Dent, Dye, Goehner, Harris, Klicker, Kretz, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Caldier, Chandler, Graham, Reeves and Volz

ENGROSSED SUBSTITUTE SENATE BILL NO. 5974, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote NAY on Engrossed Substitute Senate Bill No. 5974.

Representative Jacobsen, 25th District

**STATEMENT FOR THE JOURNAL**

I intended to vote NAY on Engrossed Substitute Senate Bill No. 5974.

Representative Chambers, 25th District

**SECOND READING**

**SENATE BILL NO. 5508, by Senators Short, Shewmake, Warnick, Wilson, J. and Wilson, L.**

**Promoting local agriculture through greenhouses.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goehner and Duerr spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5508.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5508, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye,

Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Caldier, Chandler, Graham, Reeves and Volz

SENATE BILL NO. 5508, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:55 a.m., Friday, February 23, 2024, the 47th Day of the 2024 Regular Session.

Laurie Jinkins, Speaker

Bernard Dean, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## FORTY SEVENTH DAY

House Chamber, Olympia, Friday, February 23, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Bronoske presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4677**, by Representative Donaghy

WHEREAS, The State of Washington is concerned about the well-being and safety of its residents and businesses, and seeks to provide resilient communities, where resilience is defined as a community's ability to withstand chronic stresses and acute shocks while still maintaining essential functions and recovering quickly and effectively; and

WHEREAS, Extreme weather events are occurring more frequently; and

WHEREAS, The State of Washington sits on the Cascadia Subduction Zone, a 1,000 kilometer long subduction zone stretching from British Columbia to Oregon and could generate a 9.0 magnitude earthquake; and

WHEREAS, Access to energy during and soon after a natural disaster can improve recovery timelines and maintain access to critical services such as health care, food, and drinking water; and

WHEREAS, The domestic maritime industry has a history of first response actions in the event of a disaster, including removing over 500,000 people from lower Manhattan during the terrorist attacks of September 11, 2001, and delivering food, water, baby formula, fuel, electrical generators, and more to Maui after the devastating wildfires of August 2023; and

WHEREAS, The domestic maritime industry in Washington State employs 22,500 men and women that generate \$1.5 billion in labor income; and

WHEREAS, The domestic maritime industry in Washington State stands ready to serve Washington residents in the event of natural disaster; and

WHEREAS, The domestic maritime industry is a critical component to the economy of Washington State and its ability to recover rapidly from natural disasters;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House affirm its resolute support for the domestic maritime industry's ability to serve Washingtonians in the event of a natural disaster.

With the consent of the House, HOUSE RESOLUTION NO. 4677 was adopted.

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4679**, by Representatives Ryu, Thai, Ramel, Stearns, Bronoske, Leavitt, Goehner, Walen, and Davis

WHEREAS, Kimchi is a traditional Korean dish with a long, rich history beginning over 2,000 years ago during the time of the three kingdoms of Korea; and

WHEREAS, "Kimjang," the process by which kimchi is prepared, has been recognized as an Intangible Cultural Heritage of Humanity by the United Nations Educational, Scientific, and Cultural Organization; and

WHEREAS, Kimchi is found for sale across the United States at major retailers and is becoming an international staple as an excellent source of probiotics, filate, beta-carotene, choline,

potassium, calcium, and vitamins A, C, and K, many of which contribute to lower rates of stroke, cancer, and diabetes; and

WHEREAS, The growing interest in and popularity of kimchi as a dish in the United States, as evidenced by an increase in available kimchi-related products, menu items, and interest from nonKorean consumers, represents a positive example of multicultural exchange; and

WHEREAS, South Korea celebrates "National Kimchi Day" on November 22nd, representing the 11 major ingredients and 22 health benefits of the dish; and

WHEREAS, Washington state has the fifth highest concentration of Korean Americans in the United States and this growing community has greatly contributed to the vibrant, diverse culture of the state;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives celebrate November 22nd as Kimchi Day in recognition of the history and importance of a beloved food staple first introduced in Washington state by the Korean American community.

With the consent of the House, HOUSE RESOLUTION NO. 4679 was adopted.

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4680**, by Representative Jinkins

WHEREAS, The Oasis Youth Center in Tacoma, Washington has been serving the greater Pierce county community for nearly 40 years; and

WHEREAS, In that time more than 10,000 youth, staff, and volunteers have participated in Oasis; and

WHEREAS, The Oasis Youth Center provides a safe place for LGBTQ+ youth to learn more about themselves; and

WHEREAS, They help youth in Tacoma and across Pierce county access services like mental health care, emergency financial assistance, housing, education, legal resources, and more; and

WHEREAS, They have hosted Thursday night check-ins almost every week for the last 39 years, giving youth a space to gather, access resources, and build community; and

WHEREAS, The Oasis Youth Center provides leadership opportunities by partnering with the youth they serve, ensuring that young people have a shared role in the organization; and

WHEREAS, You can find them hosting everything from open mic nights to "Queer Chef," where youth learn about cooking, food, and nutrition, to creating partnerships with the Tacoma Youth Symphony where youth can access music programming; and

WHEREAS, These services can be lifesaving for our LGBTQ+ youth, helping to build our communities and ensuring everyone has the resources they need to thrive;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state House of Representatives celebrate the Oasis Youth Center for their many decades of work on behalf of the LGBTQ+ youth in Pierce county.

With the consent of the House, HOUSE RESOLUTION NO. 4680 was adopted.

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4681**, by Representatives Eslick and Schmidt

WHEREAS, Medal of Honor and two Medals of Valor recipient Chief James A. Delissio served over 40 years in federal,

state, and local law enforcement protecting the 37th President of the United States; prosecuting mob bosses, often in deep cover operations; and saving untold numbers of citizens from grievous harm; and

WHEREAS, The proliferation of domestic terror saw the United States experience more than 2,500 domestic bombings in just 18 months in 1971 and 1972. Jim's extraordinary career began in the United States Department of the Treasury as a Special Agent eventually being assigned to a Federal Strike Force where he and his team foiled a major domestic terror plot; and

WHEREAS, Terrorists planned a horrific attack on New York City using truck bombs to simultaneously blow up the Lincoln and Holland Tunnels, and the George Washington Bridge on New Year's Eve 1970. Jim and his team discovered the terrorists' hideout and bombs. The team drew straws for who would breach the hideout doors. Jim drew the short straw; and

WHEREAS, Jim and his three teammates foiled the plot with no time to spare, many unsuspecting New Yorkers were saved, and a national disaster and potential civil unrest averted at the risk to their own lives. For their selfless bravery, Jim and his team were each presented the Medal of Honor by President Richard Nixon at the White House. Details of the case remain sealed to this day; and

WHEREAS, Due to Jim's Italian heritage and language skills, he was assigned to a Federal Strike Force specializing in organized crime. Jim and his team intercepted a conversation revealing a hitman, contracted by Mafioso John Gotti to kill a New Jersey businessman. Upon apprehension, the hitman agreed to cooperate with the authorities and take an agent undercover. Jim was the one chosen and spent several years within the Gambino Crime Family as a covert operative. During this clandestine operation his cover was compromised, resulting in a targeted attempt on his life and that of his wife; and

WHEREAS, Jim was instrumental in bringing to justice crime boss Frank Lucas, whose story was later adapted into the movie "American Gangster"; and

WHEREAS, Jim received the Medal of Valor on two separate incidents: One, for he and his partner being first on the scene of a burning apartment building and rushing through the smoke and flames to save six people; and the second, for an undercover sting of a continental drug ring, netting one of the largest drug busts to that time; and

WHEREAS, Transitioning to the State of New Jersey's Essex County Prosecutor's office, Jim excelled in various squads, ultimately rising to the rank of Deputy Chief responsible for the administration and management of the largest law enforcement Prosecutor's office in the state; and

WHEREAS, After service as Chief of the Oak Creek, Colorado, Police Department, Jim and his wife Roberta relocated to Monroe, Washington, formerly in the 39th district. With his two master's degrees and a Ph.D., Jim operates as a Certified Public Accountant;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor Chief James "Jim" A. Delissio for his immeasurable contributions to law enforcement and public safety across the nation, and welcome Jim and Roberta to their new home in our great state of Washington.

With the consent of the House, HOUSE RESOLUTION NO. 4681 was adopted.

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4682,** by Representatives Santos and Lekanoff

WHEREAS, John McCoy was a dedicated public servant, husband, father, grandfather and great-grandfather who gave tirelessly to his family and community; and

WHEREAS, John began his honorable record of public service with a 20-year career in the United States Air Force taking him around the world and finally to the White House situation room as a computer technician during the Reagan administration; and

WHEREAS, He was called home to the Tulalip Tribes to lead the ambitious and diverse economic development plans including Quil Ceda Village, high speed internet, and access to computers,

which led him to be named "Executive of the Year" by the Puget Sound Business Journal; and

WHEREAS, Snohomish County's 38th Legislative District first elected John to serve in the House of Representatives in 2003 where he rededicated his commitment to serve his community; and

WHEREAS, John championed many issues including water quality, alternative energy, access to technology, support for those with traumatic brain injuries, dental care on Tribal reservations, and voting access for Native Americans; and

WHEREAS, The issue closest to John's heart was education, and he personally taught, with patience, kindness, and perseverance, every person who came into his circle; and

WHEREAS, John's passion for education inspired him to advocate for and pass legislation that ensured Indigenous history, culture, and government would be accurately taught in all Washington schools; and

WHEREAS, The "Since Time Immemorial" curriculum has provided teachers and students with tools and resources designed to deepen understanding of Tribal sovereignty and lift the stories of Tribal communities; and

WHEREAS, The Evergreen State College saw the teacher in John and offered a position as adjunct professor where he helped establish the Tribal Governance concentration of the MPA program and, consequently, in recognition of his dedication, granted him an honorary MPA degree; and

WHEREAS, John felt deeply his obligations to both Indian Country and the state of Washington, was unwavering in his determination to honorably serve all his constituents with equal care and attention, and led by example as the long-serving chair of the National Caucus of Native American State Legislators where he mentored other Indigenous state lawmakers from across the United States who also took on the tough job of bridging the divide between two sovereigns; and

WHEREAS, John's legislative district in 2013 honored his steady leadership by choosing him for a position in the Washington State Senate where he served as the Majority Caucus Chair and where he once again fostered a culture of deeper understanding and fairness that continues to influence state governance long after his exemplary career of public service concluded with his retirement in 2020;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor John McCoy and his family for the contributions and sacrifices made in service to his community, to Native Nations, to the state of Washington, and to this institution.

With the consent of the House, HOUSE RESOLUTION NO. 4682 was adopted.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SENATE**

Thursday, February 22, 2024

Mme. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1249  
HOUSE BILL NO. 1530  
HOUSE BILL NO. 1972  
HOUSE BILL NO. 2111

and the same are herewith transmitted.

Sarah Bannister, Secretary

**MESSAGE FROM THE SENATE**

Thursday, February 22, 2024

Mme. Speaker:

The Senate has passed:



HOUSE BILL NO. 1920  
 HOUSE BILL NO. 1954  
 HOUSE BILL NO. 1975  
 SUBSTITUTE HOUSE BILL NO. 2136  
 SUBSTITUTE HOUSE BILL NO. 2296

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Thursday, February 22, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5949

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

ESSB 5949 by Senate Committee on Ways & Means (originally sponsored by Mullet and Schoesler)

AN ACT Relating to the capital budget; amending RCW 70A.65.305, 70A.305.190, and 43.19.125; amending 2023 c 474 ss 1007, 1011, 1013, 1017, 1020, 1021, 1022, 1023, 1024, 1025, 1028, 1032, 1034, 1041, 1035, 6076, 1038, 1026, 1045, 1046, 1047, 1054, 1055, 1061, 1065, 1070, 2026, 2031, 2035, 2044, 2046, 2049, 3028, 3032, 3046, 3056, 3062, 3065, 3066, 3064, 3080, 3102, 3115, 3120, 3122, 5001, 5002, 5003, 5005, 5006, 5008, 5013, 5014, 5015, 5031, 5032, 5033, 5038, 5056, 5072, 6236, 5082, 5085, 5086, 5087, 5089, 6002, 6029, 6043, 6061, 6068, 6045, 6084, 6051, 6052, 6053, 6066, 6073, 6097, 6104, 6105, 6135, 6164, 6165, 6179, 6228, 6328, 6336, 6337, 6366, 6376, 6392, 6460, 6496, 8001, and 8002 (uncodified); adding new sections to 2023 c 474 (uncodified); adding a new section to chapter 70A.01 RCW; creating new sections; repealing 2023 c 474 ss 6083, 6343, 6489, and 6490 (uncodified); and declaring an emergency.

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 5949 was read the first time, and under suspension of the rules, was placed on the second reading calendar.

There being no objection, the House adjourned until 11:00 a.m., Saturday, February 24, 2024, the 48th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

**FORTY EIGHTH DAY**

House Chamber, Olympia, Saturday, February 24, 2024

The House was called to order at 11:00 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Sergeant at Arms Johnny Alexander and Brannon Glatz. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Mosbrucker, 14th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SENATE**

Friday, February 23, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5950

and the same is herewith transmitted.

Sarah Bannister, Secretary

**MESSAGE FROM THE SENATE**

Friday, February 23, 2024

Mme. Speaker:

The Senate has passed:

HOUSE BILL NO. 1455  
SUBSTITUTE HOUSE BILL NO. 2293

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

ESSB 5950 by Senate Committee on Ways & Means (originally sponsored by Robinson, Nobles and Trudeau)

AN ACT Relating to fiscal matters; amending RCW 43.79.567, 43.101.220, 67.16.280, 69.50.540, and 70A.65.300; reenacting and amending RCW 28B.93.060 and 70A.65.250; amending 2023 c 475 ss 101, 102, 103, 104, 105, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 401, 402, 501, 502,

503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 701, 702, 703, 704, 705, 717, 710, 715, 726, 727, 734, 735, 740, 747, 745, 801, 802, 803, 805, 908, 909, and 911 (uncodified); adding new sections to 2023 c 475 (uncodified); making appropriations; and declaring an emergency.

There being no objection, the bill listed on the day's introduction report was considered first reading under the fourth order of business and under suspension of the rules, was placed on the second reading calendar.

There being no objection, the House advanced to the fifth order of business.

**REPORTS OF STANDING COMMITTEES**

February 21, 2024

HB 2104

Prime Sponsor, Representative Ormsby: Making 2023-2025 fiscal biennium supplemental operating appropriations. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Dye; Harris; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 21, 2024

HB 2134

Prime Sponsor, Representative Fey: Making supplemental transportation appropriations for the 2023-2025 fiscal biennium. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz and Walsh.

February 21, 2024

ESB 5590

Prime Sponsor, Senator Wilson, L.: Creating Mount St. Helens special license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt and Volz.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh.

Referred to Committee on Rules for second reading

February 21, 2024

SB 5800

Prime Sponsor, Senator Wilson, C.: Improving access to department of licensing issued documents by clarifying the application requirements for a minor, modifying the requirements for at-cost identicards, and studying the feasibility of reduced-fee identicards. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 46.20.075 and 2023 c 445 s 2 are each amended to read as follows:

(1) An intermediate license authorizes the holder to drive a motor vehicle under the conditions specified in this section. An applicant for an intermediate license must be at least 16 years of age and:

(a) Have possessed a valid instruction permit for a period of not less than six months;

(b) Have passed a driver licensing examination administered by the department;

(c) Have passed a course of driver's education in accordance with the standards established in RCW 46.20.100;

(d) Present certification by his or her parent, guardian, ~~((e#))~~ employer, or responsible adult to the department stating (i) that the applicant has had at least 50 hours of driving experience, 10 of which were at night, during which the driver was supervised by a person at least 21 years of age who has had a valid driver's license for at least three years, and (ii) that the applicant has not been issued a notice of traffic infraction or cited for a traffic violation that is pending at the time of the application for the intermediate license;

(e) Not have been convicted of or found to have committed a traffic violation within the last six months before the application for the intermediate license; and

(f) Not have been adjudicated for an offense involving the use of alcohol or drugs during the period the applicant held an instruction permit.

(2) For the first six months after the issuance of an intermediate license or until the holder reaches 18 years of age, whichever occurs first, the holder of the license may not operate a motor vehicle that is carrying any passengers under the age of 20 who are not members of the holder's

immediate family. For the remaining period of the intermediate license, the holder may not operate a motor vehicle that is carrying more than three passengers who are under the age of 20 who are not members of the holder's immediate family.

(3) The holder of an intermediate license may not operate a motor vehicle between the hours of 1 a.m. and 5 a.m. except (a) when the holder is accompanied by a licensed driver who is at least 25 years of age, or (b) for school, religious, or employment activities for the holder or a member of the holder's immediate family as defined in this section.

(4) The holder of an intermediate license may not operate a moving motor vehicle while using a wireless communications device unless the holder is using the device to report illegal activity, summon medical or other emergency help, or prevent injury to a person or property.

(5) It is a traffic infraction for the holder of an intermediate license to operate a motor vehicle in violation of the restrictions imposed under this section.

(6) Except for a violation of subsection (4) of this section, enforcement of this section by law enforcement officers may be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of this title or an equivalent local ordinance or some other offense.

(7) An intermediate licensee may drive at any hour without restrictions on the number of passengers in the vehicle if necessary for agricultural purposes.

(8) An intermediate licensee may drive at any hour without restrictions on the number of passengers in the vehicle if, for the 12-month period following the issuance of the intermediate license, he or she:

(a) Has not been involved in an accident involving only one motor vehicle;

(b) Has not been involved in an accident where he or she was cited in connection with the accident or was found to have caused the accident;

(c) Has not been involved in an accident where no one was cited or was found to have caused the accident; and

(d) Has not been convicted of or found to have committed a traffic offense described in chapter 46.61 RCW or violated restrictions placed on an intermediate licensee under this section.

(9) For the purposes of this section, ~~((immediate))~~ the following definitions apply:

(a) "Immediate family" means an individual's spouse or domestic partner, child, stepchild, grandchild, parent, stepparent, grandparent, brother, half-brother, sister, or half-sister of the individual, including foster children living in the household, and the spouse or the domestic partner of any such person, and a child, stepchild, grandchild, parent, stepparent, grandparent, brother, half-brother, sister, or half-sister of the individual's spouse or domestic partner, and the spouse or the domestic partner of any such person.

(b) "Responsible adult" means a person specifically authorized by the department who is over the age of 21 and:

(i) Has a familial, kinship, or caretaker relationship to a minor;

(ii) Is an educational, medical, legal, social service, or Washington state licensed mental health professional who provides support directly to a minor in a professional capacity; or

(iii) Is an employee of a government entity and provides support to a minor in a professional capacity.

**Sec. 2.** RCW 46.20.100 and 2017 c 197 s 7 are each amended to read as follows:

(1) **Application.** The application of a person under the age of ~~((eighteen))~~18 years for a driver's license or a motorcycle endorsement must be signed by a parent ~~((or))~~ guardian ~~((with custody of the minor. If the person under the age of eighteen has no father, mother, or guardian, then the application must be signed by the minor's))~~ employer, or responsible adult as defined in RCW 46.20.075.

(2) **Traffic safety education requirement.** For a person under the age of ~~((eighteen))~~18 years to obtain a driver's license, he or she must meet the traffic safety education requirements of this subsection.

(a) To meet the traffic safety education requirement for a driver's license, the applicant must satisfactorily complete a driver training education course as defined in RCW 28A.220.020 for a course offered by a school district or approved private school, or as defined by the department of licensing for a course offered by a driver training school licensed under chapter 46.82 RCW. The course offered by a school district or an approved private school must be part of a traffic safety education program authorized by the office of the superintendent of public instruction and certified under chapter 28A.220 RCW. The course offered by a driver training school must meet the standards established by the department of licensing under chapter 46.82 RCW. The driver training education course may be provided by:

(i) A secondary school within a school district or approved private school that establishes and maintains an approved and certified traffic safety education program under chapter 28A.220 RCW; or

(ii) A driver training school licensed under chapter 46.82 RCW that is annually approved by the department of licensing.

(b) To meet the traffic safety education requirement for a motorcycle endorsement, the applicant must successfully complete a motorcycle safety education course that meets the standards established by the department of licensing.

(c) The department may waive the driver training education course requirement for a driver's license if the applicant demonstrates to the department's satisfaction that:

(i) He or she was unable to take or complete a driver training education course;

(ii) A need exists for the applicant to operate a motor vehicle; and

(iii) He or she has the ability to operate a motor vehicle in such a manner as not to jeopardize the safety of persons or property.

The department may adopt rules to implement this subsection (2)(c) in concert with the supervisor of the traffic safety education section of the office of the superintendent of public instruction.

(d) The department may waive the driver training education course requirement if the applicant was licensed to drive a motor vehicle or motorcycle outside this state and provides proof that he or she has had education equivalent to that required under this subsection.

**Sec. 3.** RCW 46.20.117 and 2021 c 158 s 5 are each amended to read as follows:

(1) **Issuance.** The department shall issue an identicard, containing a picture, if the applicant:

(a) Does not hold a valid Washington driver's license;

(b) Proves the applicant's identity as required by RCW 46.20.035; and

(c) Pays the required fee. Except as provided in subsection (7) of this section, the fee is ~~((seventy-two dollars))~~\$72, unless an applicant is:

(i) A recipient of continuing public assistance grants under Title 74 RCW, ~~((who is referred in writing by the secretary of social and health services or by the secretary of children, youth, and families))~~ or a participant in the Washington women, infants, and children program. Any applicant under this subsection must be verified by documentation sufficient to demonstrate eligibility;

(ii) Under the age of ~~((twenty-five))~~25 and does not have a permanent residence address as determined by the department by rule; or

(iii) An individual who is scheduled to be released from an institution as defined in RCW 13.40.020, a community facility as defined in RCW 72.05.020, or other juvenile rehabilitation facility operated by the department of social and health services or the department of children, youth, and families; or an individual who has been released from such an institution or facility within ~~((thirty))~~30 calendar days before the date of the application.

For those persons under (c)(i) through (iii) of this subsection, the fee must be the actual cost of production of the identicard.

(2)(a) **Design and term.** The identicard must:

(i) Be distinctly designed so that it will not be confused with the official driver's license; and

(ii) Except as provided in subsection (7) of this section, expire on the eighth anniversary of the applicant's birthdate after issuance.

(b) The identicard may include the person's status as a veteran, consistent with RCW 46.20.161(4).

(c) If applicable, the identicard may include a medical alert designation as provided in subsection (5) of this section.

(3) **Renewal.** An application for identicard renewal may be submitted by means of:

(a) Personal appearance before the department;

(b) Mail or electronic commerce, if permitted by rule of the department and if the applicant did not renew the identicard by mail or by electronic commerce when it last expired; or

(c) From January 1, 2022, to June 30, 2024, electronic commerce, if permitted by rule of the department.

An identicard may not be renewed by mail or by electronic commerce unless the renewal issued by the department includes a photograph of the identicard holder.

(4) **Cancellation.** The department may cancel an identicard if the holder of the identicard used the card or allowed others to use the card in violation of RCW 46.20.0921.

(5) Any person may apply to the department to obtain a medical alert designation, a developmental disability designation, or a deafness designation on an identicard issued under this chapter by providing:

(a) Self-attestation that the individual:

(i) Has a medical condition that could affect communication or account for a health emergency;

(ii) Is deaf or hard of hearing; or

(iii) Has a developmental disability as defined in RCW 71A.10.020;

(b) A statement from the person that they have voluntarily provided the self-attestation and other information verifying the condition; and

(c) For persons under ~~((eighteen))~~ 18 years of age or who have a developmental disability, the signature of a parent or legal guardian.

(6) A self-attestation or data contained in a self-attestation provided under this section:

(a) Shall not be disclosed; and

(b) Is for the confidential use of the director, the chief of the Washington state patrol, and law enforcement and emergency medical service providers as designated by law.

(7) **Alternative issuance/renewal/extension.** The department may issue or renew an identicard for a period other than eight years, or may extend by mail or electronic commerce an identicard that has already been issued. The fee for an identicard issued or renewed for a period other than eight years, or that has been extended by mail or electronic commerce, is ~~((nine dollars))~~ \$9 for each year that the identicard is issued, renewed, or extended. The department must offer the option to issue or renew an identicard for six years in addition to the eight year issuance. The department may adopt any rules as are necessary to carry out this subsection.

(8) Identicard photos must be updated in the same manner as driver's license photos under RCW 46.20.120(5).

NEW SECTION. **Sec. 4.** (1) The department of licensing must conduct a study on the feasibility of offering a reduced-fee

identicard. In completing this study, the department shall:

(a) Examine the current cost of identicards and its impact on families and customers with limited resources;

(b) Conduct a review of additional states and how they handle pricing of their identity credentials;

(c) Review parameters of eligibility for identicards issued under RCW 46.20.117(1) (c);

(d) Recommend improvements to accessing identicards for the public;

(e) Identify any changes in revenue associated with expanded eligibility for reduced-fee identicards; and

(f) Identify any costs associated with administering and promoting a reduced-fee identicard program.

(2) A report of the study findings and any recommendations are due to the governor and the transportation committees of the legislature by December 1, 2025.

(3) This section expires December 1, 2025.

NEW SECTION. **Sec. 5.** Sections 1 through 3 of this act take effect January 1, 2025."

Correct the title.

Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz and Walsh.

Referred to Committee on Rules for second reading

February 21, 2024

SSB 5812

Prime Sponsor, Transportation: Concerning the response to electric vehicle fires. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz and Walsh.

Referred to Committee on Rules for second reading

February 21, 2024

SB 6017

Prime Sponsor, Senator Shewmake: Expanding the use of the border area fuel tax. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner;

Griffey; Hackney; Klicker; Mena; Nance; Ramel; Ramos; Schmidt and Volz.

MINORITY recommendation: Without recommendation. Signed by Representatives Orcutt; and Walsh.

Referred to Committee on Rules for second reading

February 21, 2024

SB 6084 Prime Sponsor, Senator Wagoner: Providing collector vehicles the ability to tow trailers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz and Walsh.

Referred to Committee on Rules for second reading

February 21, 2024

SJM 8008 Prime Sponsor, Senator Wilson, J.: Designating mileposts 45 to 51 of state route number 6 as the Washington state patrol trooper Justin R. Schaffer memorial highway. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz and Walsh.

Referred to Committee on Rules for second reading

There being no objection, the bills and memorial listed on the day's committee reports under the fifth order of business were referred to the committees so designated with the exception of HOUSE BILL NO. 2134 which was placed on the second reading calendar.

The Speaker assumed the chair.

**SPEAKER'S PRIVILEGE**

The Speaker recognized guests in the North Gallery from the Oasis Youth Center in Tacoma. House Resolution 4680, which was previously adopted, celebrated the work of The Oasis Youth Center. The Speaker asked the Chamber to recognize them.

The Speaker called upon Representative Bronoske to preside.

There being no objection, the House advanced to the sixth order of business.

**SECOND READING**

**HOUSE BILL NO. 2134, by Representatives Fey, Timmons, Paul, Wylie and Reeves**

**Making supplemental transportation appropriations for the 2023-2025 fiscal biennium.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2134 was substituted for House Bill No. 2134 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2134 was read the second time.

Representative Walsh moved the adoption of amendment (1098):

On page 4, after line 19, insert the following:

"(3) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for a non-tribal electric boat grant program. Residents of counties that border the Pacific Ocean or the Columbia River are eligible to apply for grant funds for the purchase or conversion of electric motors and engines. The amount provided in this subsection must initially be placed in unallotted status and may not be spent prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the 2024 general election, this amount shall lapse."

Representatives Walsh and Fey spoke in favor of the adoption of the amendment.

Amendment (1098) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Paul, Hutchins, Donaghy, Robertson, Timmons, Low, Riccelli, Volz, Stonier, Barkis and Fey spoke in favor of the passage of the bill.

**MOTION**

On motion of Representative Griffey, Representatives Chandler, Dye and Maycumber were excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2134.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2134, and the bill passed the House by the following vote: Yeas, 93; Nays, 2; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Chopp and Macri  
Excused: Representatives Chandler, Dye and Maycumber

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

## SECOND READING

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5950, by Senate Committee on Ways & Means (originally sponsored by Robinson, Nobles and Trudeau)**

Representative Ormsby moved the adoption of the striking amendment (1094):

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** 2023 c 475 s 1 (uncodified) is amended to read as follows:

(1) A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified in parts I through IX of this act, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for salaries, wages, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 2023, and ending June 30, 2025, except as otherwise provided, out of the several funds of the state hereinafter named.

(2) Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(a) "ARPA" means the American rescue plan act of 2021, P.L. 117-2.

(b) "CRRSA" means the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(c) "CRRSA/ESSER" means the elementary and secondary school emergency relief fund, as modified by the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(d) "Fiscal year 2024" or "FY 2024" means the fiscal year ending June 30, 2024.

(e) "Fiscal year 2025" or "FY 2025" means the fiscal year ending June 30, 2025.

(f) "FTE" means full time equivalent.

(g) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(h) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose which is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(i) "The office of the chief information officer" or "consolidated technology services" means Washington technology solutions, if Substitute House Bill No. 1947 (technology governance) is enacted.

(3) Whenever the terms in subsection (2)(a) through (c) of this section are used in the context of a general fund—federal appropriation, the term is used to attribute the funding to that federal act.

**NEW SECTION. Sec. 2.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, agencies may not obligate or expend funds from: (a) The climate investment account; (b) the climate commitment account; (c) the natural climate solutions account; and (d) the air quality and health disparities improvement account.

(2) If Initiative Measure No. 2117 is approved in the 2024 general election, except where otherwise specifically provided in this act, appropriations in chapter 474, Laws of 2023 (2023-2025 biennial capital budget), House Bill No. 2089 or Senate Bill No. 5949 (the 2024 supplemental capital budget), chapter 475, Laws of 2023 (2023-2025 operating budget), and House Bill No. 2104 or Senate Bill No. 5950 (the 2024 supplemental operating budget), which are appropriated from the: (a) Climate investment account; (b) climate commitment account; (c) natural climate solutions account; and (d) air quality and health disparities improvement account, shall be paid from the consolidated climate account created in section 906 of this act as if they were appropriated from the consolidated climate account, beginning on the effective date of Initiative Measure No. 2117.

(3) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

## PART I GENERAL GOVERNMENT

**Sec. 101.** 2023 c 475 s 101 (uncodified) is amended to read as follows:  
**FOR THE HOUSE OF REPRESENTATIVES**

**Making 2023-2025 fiscal biennium supplemental operating appropriations.**

The bill was read the second time.

With the consent of the House, amendments (1095) and (1105) were withdrawn.

**\*\*FORMAT CHANGED TO ACCOMMODATE TEXT\*\***

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$59,938,000</del> ))
	<u>\$60,117,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$62,150,000</del> ))
	<u>\$62,372,000</u>
TOTAL APPROPRIATION.....	(( <del>\$122,088,000</del> ))
	<u>\$122,489,000</u>

**Sec. 102.** 2023 c 475 s 102 (uncodified) is amended to read as follows:

**FOR THE SENATE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$44,398,000</del> ))
	<u>\$44,427,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$47,773,000</del> ))
	<u>\$47,884,000</u>
TOTAL APPROPRIATION.....	(( <del>\$92,171,000</del> ))
	<u>\$92,311,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of membership dues to the council of state governments, the national conference of state legislatures, the pacific northwest economic region, the pacific fisheries legislative task force, and the western legislative forestry task force.

**Sec. 103.** 2023 c 475 s 103 (uncodified) is amended to read as follows:

**FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

Performance Audits of Government Account—State Appropriation . . . . .	(( <del>\$14,936,000</del> ))
	<u>\$15,014,000</u>
TOTAL APPROPRIATION.....	(( <del>\$14,936,000</del> ))
	<u>\$15,014,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Notwithstanding the provisions of this section, the joint legislative audit and review committee may adjust the due dates for projects included on the committee's 2023-2025 work plan as necessary to efficiently manage workload.

(2) \$250,000 of the performance audits of government account—state appropriation is for tax preference review costs from legislation enacted in the 2023 session.

(3) \$1,503,000 of the performance audits of government account—state appropriation is for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$626,000 of the performance audits of government account—state appropriation is for the audit required in Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) Within the amount appropriated in this section, the joint legislative audit and review committee shall conduct a review of the state's recreational boating programs. The committee shall complete the review by December 1, 2024. This review shall include examination of the following:

(a) Revenue sources for state recreational boating programs;

(b) Expenditures for state boating programs;

(c) Methods of administrating state recreational boating programs, including the roles of both state and local government entities; and

(d) Approaches other states have taken to funding and administering their recreational boating programs.

(6) \$2,000 of the performance audits of government account—state appropriation is for implementation of Engrossed Substitute House Bill No. 2131 (thermal energy networks). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(7) \$65,000 of the performance audits of government account—state appropriation is for tax preference review costs from legislation enacted in the 2024 session.

**Sec. 104.** 2023 c 475 s 104 (uncodified) is amended to read as follows:

**FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

Performance Audits of Government Account—State Appropriation . . . . .	(( <del>\$5,326,000</del> ))
	<u>\$5,328,000</u>
TOTAL APPROPRIATION.....	(( <del>\$5,326,000</del> ))
	<u>\$5,328,000</u>

**Sec. 105.** 2023 c 475 s 105 (uncodified) is amended to read as follows:

**FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$21,727,000</del> ))
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	<u>\$21,477,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$19,625,000</u> ))
	<u>\$20,775,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<u>\$41,352,000</u>))</b>
	<u>\$42,252,000</u>

The appropriations in this section are subject to the following conditions and limitations: Within the amounts provided in this section, the joint legislative systems committee shall provide information technology support, including but not limited to internet service, for the district offices of members of the house of representatives and the senate.

**Sec. 106.** 2023 c 475 s 106 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF STATE LEGISLATIVE LABOR RELATIONS**

General Fund—State Appropriation (FY 2024) . . . . .	\$961,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$964,000</u> ))
	<u>\$965,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<u>\$1,925,000</u>))</b>
	<u>\$1,926,000</u>

**Sec. 107.** 2023 c 475 s 107 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE STATE ACTUARY**

General Fund—State Appropriation (FY 2024) . . . . .	\$409,000
General Fund—State Appropriation (FY 2025) . . . . .	\$423,000
State Health Care Authority Administrative Account— State Appropriation . . . . .	\$291,000
Department of Retirement Systems Expense Account— State Appropriation . . . . .	(( <u>\$7,102,000</u> ))
	<u>\$7,105,000</u>
School Employees' Insurance Administrative Account— State Appropriation . . . . .	\$258,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<u>\$8,483,000</u>))</b>
	<u>\$8,486,000</u>

**Sec. 108.** 2023 c 475 s 108 (uncodified) is amended to read as follows:

**FOR THE STATUTE LAW COMMITTEE**

General Fund—State Appropriation (FY 2024) . . . . .	\$6,201,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$6,808,000</u> ))
	<u>\$6,819,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<u>\$13,009,000</u>))</b>
	<u>\$13,020,000</u>

**Sec. 109.** 2023 c 475 s 109 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <u>\$5,852,000</u> ))
	<u>\$5,893,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$6,465,000</u> ))
	<u>\$6,662,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<u>\$12,317,000</u>))</b>
	<u>\$12,555,000</u>

**Sec. 110.** 2023 c 475 s 111 (uncodified) is amended to read as follows:

**FOR THE SUPREME COURT**

General Fund—State Appropriation (FY 2024) . . . . .	\$14,883,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$15,196,000</u> ))
	<u>\$16,229,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<u>\$30,079,000</u>))</b>
	<u>\$31,112,000</u>

**Sec. 111.** 2023 c 475 s 112 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON JUDICIAL CONDUCT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <u>\$2,225,000</u> ))
	<u>\$2,224,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$2,206,000</u> ))
	<u>\$2,210,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<u>\$4,431,000</u>))</b>
	<u>\$4,434,000</u>

**Sec. 112.** 2023 c 475 s 113 (uncodified) is amended to read as follows:

**FOR THE COURT OF APPEALS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <u>\$25,901,000</u> ))
	<u>\$28,199,000</u>

General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$26,491,000</del> ))
	<u>\$27,591,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$52,392,000</del>))</b>
	<b><u>\$55,790,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: \$764,000 of the general fund—state appropriation for fiscal year 2024 and \$764,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

**Sec. 113.** 2023 c 475 s 114 (uncodified) is amended to read as follows:  
**FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$123,740,000</del> ))
	<u>\$125,874,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$118,331,000</del> ))
	<u>\$130,938,000</u>
General Fund—Federal Appropriation. . . . .	\$2,209,000
General Fund—Private/Local Appropriation. . . . .	\$681,000
Judicial Stabilization Trust Account—State Appropriation. . . . .	(( <del>\$112,345,000</del> ))
	<u>\$113,195,000</u>
Judicial Information Systems Account—State Appropriation. . . . .	\$79,530,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$436,836,000</del>))</b>
	<b><u>\$452,427,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The distributions made under this section and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(2) (a) \$7,000,000 of the general fund—state appropriation for fiscal year 2024 and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to county juvenile court administrators for the costs associated with processing and case management of truancy, children in need of services, and at-risk youth referrals. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula must neither reward counties with higher than average per-petition/referral processing costs nor shall it penalize counties with lower than average per-petition/referral processing costs.

(b) Each fiscal year during the 2023–2025 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than 60 days after a fiscal year ends. These reports are informational in nature and are not for the purpose of distributing funds.

(3) \$1,094,000 of the general fund—state appropriation for fiscal year 2024 and \$1,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide fiscal impact on Thurston county courts. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(4) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to local courts for costs associated with the court-appointed attorney and visitor requirements set forth in the uniform guardianship act, chapter 11.130 RCW. If the amount provided in this subsection is insufficient to fully fund the local court costs, distributions must be reduced on a proportional basis to ensure that expenditures remain within the available funds provided in this subsection. No later than December 31, 2023, the administrative office of the courts will provide a report on distributions to local courts including, but not limited to, the amount provided to each court, the number of guardianship cases funded at each court, costs segregated by attorney appointments and court visitor appointments, the amount of any pro rata reductions, and a recommendation on how to forecast distributions for potential future funding by the legislature.

(5) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to use as matching funds to distribute to small municipal and county courts, located in a rural county as defined in RCW 43.160.020, for the purpose of increasing security for court facilities. Grants must be used solely for security equipment and services for municipal, district, and superior courts and may not be used for staffing or administrative costs.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the administrative office of the courts to provide grants to superior courts for

the purpose of creating or expanding sanitary lactation spaces or pods that provide privacy for courthouse visitors needing to breastfeed or express breast milk.

(7) ~~(\$250,000)~~ (a) \$350,000 of the general fund—state appropriation for fiscal year 2024 ~~(is) and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are~~ provided solely for the administrative office of the courts to contract with an equity and justice nonprofit organization to expand the capacity of the existing equity dashboard program. The contract must review and organize newly available criminal case data with the goal of consolidating and collecting adult felony case data to determine disparities in the legal justice system. The equity dashboard program must be expanded to include adult felony case data that is consolidated, interactable, transparent, and accessible to the public.

(b) Of the amounts provided in this subsection for fiscal year 2025, the \$1,000,000 in funding shall be split evenly between two equity and justice nonprofit organizations for the purpose of continuing the work of the existing public equity data dashboard on the collection of sentencing data and expanding their work to partner with a nonprofit organization that advocates for equity in technology and education to provide the public with data on social determinants that impact education outcomes. The organization that promotes equity in education must be a coalition that advocates for an educational system that promotes racial equity and focuses on ensuring that the race of a child and the child's address are not the predicated factors in defining their success.

(8) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1766 (protection orders/hope cards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(9) \$1,090,000 of the general fund—state appropriation for fiscal year 2024 and \$1,090,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to address data quality issues across Washington state court management systems.

(10) \$51,428,000 of the judicial stabilization trust account—state appropriation is provided solely to establish a direct refund process to individuals to refund legal financial obligations, collection costs, and document-verified costs paid to third parties previously paid by defendants whose convictions have been vacated by court order due to the *State v. Blake* ruling. Superior court clerks, district court administrators, and municipal court administrators must certify and send to the office the amount of any refund ordered by the court. The court order must either contain the amount of the refund or provide language for the clerk or court administrator to certify to the office the amount to be refunded to the individual.

(11) \$1,627,000 of the general fund—state appropriation for fiscal year 2024 ~~(is) and \$1,812,000 of the general fund—state appropriation for fiscal year 2025 are~~ provided solely for activities of the office relating to the resentencing or vacating convictions of individuals and refund of legal financial obligations and costs associated with the *State v. Blake* ruling. In addition to contracting with cities and counties for the disbursement of funds appropriated for resentencing costs, the office must:

(a) Collaborate with superior court clerks, district court administrators, and municipal court administrators to prepare comprehensive reports, based on available court records, of all cause numbers impacted by *State v. Blake* going back to 1971. Such reports must include the refund amount related to each cause number;

(b) In collaboration with the office of public defense and the office of civil legal aid, establish a process that can be used by individuals seeking a refund, provide individuals information regarding the application process necessary to claim a refund, and issue payments from the refund bureau to individuals certified in subsection (10) of this section; and

(c) Collaborate with counties and municipalities to adopt standard coding for application to *State v. Blake* convictions and to develop a standardized practice regarding vacated convictions.

(12) \$38,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with costs of complying with the *State v. Blake* decision that arise from the county's role in operating the state's criminal justice system, including resentencing, vacating prior convictions for simple drug possession, and certifying refunds of legal financial obligations and collections costs. The office shall contract with counties for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a county, and/or a county may designate the office to use available funding to administer a vacate process, or a portion of the vacate process, on behalf of the county. The office must collaborate with counties to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(13) \$11,500,000 of the judicial stabilization trust account—state appropriation is provided solely to assist cities with costs of complying with the *State v. Blake* decision that arise from the city's role in operating the city's criminal justice system, including vacating prior convictions for simple drug possession, to include cannabis and possession of paraphernalia, and certifying refunds of legal financial obligations and collections costs. The office shall contract with cities for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a city, and/or a city may designate the office to use available funding to administer a vacate process, or a portion of the vacate process, on behalf of the city. The office must collaborate with cities to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(14) \$439,000 of the general fund—state appropriation for fiscal year 2024 and \$304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(15) ~~(((\$1,560,000))~~\$40,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$1,689,000 of the general fund—state appropriation for fiscal year 2025 are provided solely the office to administer a jury pay pilot program in Pierce county. Funding must be used to increase jury pay up to ~~(((\$50))~~\$100 for each day served in Pierce county superior court. The funds provided in this subsection must supplement, and not supplant, existing local funding for juror pay. The office must compare juror demographics after the pay increase as compared to data collected from the 2022 jury demographic survey to measure the impact increasing juror pay has on jury diversity and juror response rates.

(16) \$1,800,000 of the judicial stabilization trust account—state appropriation is provided solely for distribution to counties to help cover the cost of electronic monitoring with victim notification technology when an individual seeking a protection order requests electronic monitoring with victim notification technology from the court and the respondent is unable to pay. Of the amount provided in this subsection, up to five percent of the funding each fiscal year may be used by the office for education and outreach to the courts regarding this technology.

(17) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1102 (judge pro tempore compensation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(18) \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute House Bill No. 1562 (violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) \$109,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed House Bill No. 1324 (prior juvenile offenses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20) \$659,000 of the general fund—state appropriation for fiscal year 2024 and \$639,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development and expansion of online and on-demand eLearning courses offered through the WACOURTS education portal for judicial officers, administrators, clerks, assistants, and other staff employed in state and local courts.

(21) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to fund public guardianship services provided by the office of public guardianship.

(22) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to develop a sequential intercept model pilot program. The intercept model pilot program must include the establishment of a coordinated care and services network in courts of limited jurisdiction located in two counties, one county east of the crest of the Cascade mountains and one county west of the crest of the Cascade mountains.

(a) In developing the pilot program, the administrative office of the courts must consult local government, the district and municipal court judges' association, the health care authority, the department of social and health services, the department of health, law enforcement agencies, and other impacted stakeholders as identified by the administrative office of the courts.

(ii) The pilot project shall include any sequential intercept mapping that is necessary to determine the availability of willing stakeholders and to determine gaps in services and programs in the geographic area served by the proposed coordinated care and services network.

(iii) The pilot project may include the use of a common source of peer support services as the means to link affected persons to the coordinated care and services network from the various intercepts in the sequential intercept model.

(iv) No court may be required by the administrative office of the courts to participate in the pilot program.

(v) For the purposes of this pilot project, "stakeholder" may include any public or private entity or individual that provides services, funds, or goods related to housing, shelter, education, employment, substance use disorder treatment or other behavioral health treatment, medical treatment, dental treatment, peer support, self-help, crisis care, income assistance, nutritional assistance, clothing, assistance with public benefits, or financial management and other life skills education.

(vi) The pilot project ends June 1, 2025. The administrative office of the courts shall submit a report to the legislature detailing the work of the pilot program project, which must include recommendations, if any, for continuation, modification, or expansion of the pilot program to other regions of the state, no later than June 30, 2025.

(23) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Washington state center for court research of the administrative office of the courts to conduct a study of legal financial obligations (LFO) charged by superior courts, juvenile courts, and courts of limited jurisdiction, including the reviews required in Engrossed Substitute House Bill No. 1169 (legal financial obligations). The administrative

office of the courts must submit a report of the findings to the appropriate committees of the legislature by November 30, 2023. At a minimum, the study must include statewide and county-level data that shows, during the previous five state fiscal years that data is available:

(a) The total number of juvenile and criminal cases handled by court, the number of cases where legal financial obligations were imposed pursuant to chapter 13.40 RCW, the percentage of cases where legal financial obligations were not imposed, and the total amount of legal financial obligations that were collected;

(b) The total amount assessed to, collected from, and waived for all individuals, in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court, for each of the last five years data is available;

(c) The average amount assessed, collected, and waived per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court for each of the last five years data is available;

(d) The average amount collected per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, race, gender, LFO type, and charging court, for each of the last five years data is available;

(e) The estimated annual collection rate for restitution and nonrestitution LFOs for the last five years data is available;

(f) An estimate of the proportion of restitution assessed, disaggregated by victim type including natural persons, businesses, state agencies, and insurance companies, for each of the last five years data is available;

(g) The percentage, number of cases, and total amount of legal financial obligations that are uncollectible pursuant to RCW 13.40.190 or 13.40.192, or other statutory authority for the expiration of legal financial obligation debt including debt assessed in criminal cases; and

(h) The total amount of outstanding debt owed in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, race, gender, legal financial obligation type, charging court, and date of assessment.

(24) \$653,000 of the general fund—state appropriation for fiscal year 2024 and \$264,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(25) Funding in this section is sufficient to reimburse courts participating in the interpreter program for 100 percent of interpreter costs in fiscal years 2024 and 2025.

(26) \$8,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1104 (deferred prosecutions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(27) \$653,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2001 (sentence modification). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(28) \$850,000 of the judicial stabilization trust account—state appropriation is provided solely for additional education and training for judicial officers and staff, and partial reimbursement for pro tempore coverage for judicial officers' education attendance. Of the amount provided in this subsection, \$350,000 shall be solely used for the training and education activities of the courts of limited jurisdiction and \$500,000 shall be solely used for the training and education activities for superior courts.

**Sec. 114.** 2023 c 475 s 115 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF PUBLIC DEFENSE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$66,616,000</del> ))
	\$67,155,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$70,129,000</del> ))
	\$75,581,000
General Fund—Federal Appropriation . . . . .	\$385,000
Judicial Stabilization Trust Account—State Appropriation . . . . .	(( <del>\$9,894,000</del> ))
	\$12,757,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$147,024,000</del>))</b>
	<b>\$155,878,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of improving the quality of trial court public defense services as authorized by chapter 10.101 RCW. The office of public defense must allocate these amounts so that \$450,000 per fiscal year is distributed to counties, and \$450,000 per fiscal year is distributed to cities, for grants under chapter 10.101 RCW.

(2) ~~((~~\$6,000,000~~))~~ \$8,863,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with public defense services related to

vacating the convictions of defendants and/or resentencing for defendants whose convictions or sentences are affected by the *State v. Blake* decision. Of the amount provided in this subsection:

(a) ~~(( $\$900,000$ ))~~  $\$1,863,000$  of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to provide statewide attorney training, technical assistance, data analysis and reporting, and quality oversight, to administer financial assistance for public defense costs related to *State v. Blake* impacts, and to maintain a triage team to provide statewide support to the management and flow of hearings for individuals impacted by the *State v. Blake* decision.

(b) ~~(( $\$5,100,000$ ))~~  $\$7,000,000$  of the judicial stabilization trust account—state appropriation is provided solely to assist counties in providing counsel for defendants seeking to vacate a conviction and/or be resentenced under *State v. Blake*. Assistance shall be allocated to all counties based upon a formula established by the office of public defense. Counties may receive assistance by: (i) Applying for grant funding; and/or (ii) designating the office of public defense to contract directly with counsel.

(3)  $\$1,000,000$  of the general fund—state appropriation for fiscal year 2024 and  $\$1,000,000$  of the general fund—state appropriation for fiscal year 2025 are provided solely to provide pre-filing legal representation to pregnant parents and parents of newborns at risk of removal by the department of children, youth, and families.

(4)  $\$623,000$  of the general fund—state appropriation for fiscal year 2024 and  $\$1,165,000$  of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5)  $\$6,863,000$  of the general fund—state appropriation for fiscal year 2024 and  $\$6,602,000$  of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5415 (public defense/insanity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6)  $\$1,434,000$  of the general fund—state appropriation for fiscal year 2024 and  $\$1,434,000$  of the general fund—state appropriation for fiscal year 2025 are provided solely for the parents for parents program.

(7)  $\$1,000,000$  of the general fund—state appropriation for fiscal year 2024 and  $\$1,000,000$  of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to establish and operate a telephone consultation line to provide contracted legal counsel for parents, guardians, or legal custodians when the department of children, youth, and families proposes a voluntary placement agreement when there is no pending dependency proceeding under chapter 13.34 RCW pursuant to RCW 13.34.090(4).

(8)  $\$553,000$  of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of public defense to administer a public defense recruitment program to recruit and retain a sufficient pool of qualified attorneys and other public defense professionals. Of the amount provided in this subsection:

(a)  $\$353,000$  of the general fund—state appropriation for fiscal year 2025 is provided for the office of public defense to engage with students and faculty at colleges and law schools on topics relating to public defense and other public law practices; provide technical assistance and training to county and city public defense coordinators on recruitment strategies including establishment of law clerk programs; and administer a grant program for public defense interns.

(b)  $\$200,000$  of the general fund—state appropriation for fiscal year 2025 is provided for the office of public defense to award competitive grants to county and city governments for funding public defense internship programs. Grant funding may be used for intern compensation and housing stipends. Priority shall be given to rural jurisdictions and jurisdictions with the greatest demonstrated recruitment needs.

(9)  $\$10,000$  of the general fund—state appropriation for fiscal year 2024 and  $\$40,000$  of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to address emergency safety assistance and other urgent needs for clients served by the parents representation program. Temporary, limited assistance may be made available for short-term housing, utilities, transportation, food assistance, and other urgent needs that, if unaddressed, could adversely impact case outcomes and impede successful family reunification. The office of public defense shall establish eligibility criteria and an expedited process for reviewing financial assistance requests submitted by parents representation program contractors.

(10)  $\$160,000$  of the general fund—state appropriation for fiscal year 2024 and  $\$160,000$  of the general fund—state appropriation fiscal year 2025 are provided solely for the office of public defense to contract with an experienced independent subject-matter expert organization to conduct a comprehensive evaluation of trial-level adult criminal public defense services in Washington. The evaluator shall use established evaluation methodologies grounded in state and national public defense standards. The evaluation shall result in a report to the legislature detailing current levels of service and making recommendations to ensure constitutionally sufficient and equitable representation throughout the state.

(11) (a)  $\$400,000$  of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of public defense to establish and administer a pilot program that provides indigent parents in dependency and termination cases with voluntary access to a social service worker contracted by the office of public defense beginning at a shelter care hearing as described in chapter 13.34 RCW. The social service worker required under this

section should: (i) Provide parent support; (ii) advocate for the parent; and (iii) participate in community child welfare improvement and court improvement meetings.

(b) The pilot program described in this section must be provided in at least two counties.

(c) By June 30, 2025, and in compliance with RCW 43.01.036, the office of public defense shall submit a report to the legislature and the governor that describes the pilot program required under this section including:

(i) The number of families served by the program;

(ii) Outcome information for the families served by the program; and

(iii) Recommendations regarding maintaining or expanding the program.

(12) \$1,770,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2001 (sentence modification). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$1,330,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2065 (offender score recalc.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 115.** 2023 c 475 s 116 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF CIVIL LEGAL AID**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$53,283,000</del> ))
	<u>\$54,373,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$59,838,000</del> ))
	<u>\$61,777,000</u>
((General Fund—Federal Appropriation . . . . .	\$1,468,000))
Judicial Stabilization Trust Account—State	
Appropriation . . . . .	(( <del>\$3,851,000</del> ))
	<u>\$6,698,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$118,440,000</del>))</b>
	<b><u>\$122,848,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,917,000 of the general fund—state appropriation for fiscal year 2024 and \$7,711,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for children and youth in dependency cases under RCW 13.34.212(3) in accordance with revised practice, caseload, and training standards adopted by the supreme court commission on children in foster care and includes a vendor rate increase for contracted attorneys. By October 1, 2023, the office must develop a revised implementation schedule based on a caseload assumption of adding no more than 1,250 new dependency cases to the program each fiscal year for consideration by the governor and the legislature.

(2) \$2,408,000 of the general fund—state appropriation for fiscal year 2024 and \$2,579,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of civil legal information, advice, and representation for tenants at risk of eviction but not yet eligible for appointed counsel services under RCW 59.18.640.

(3) ((~~\$15,425,000~~))\$16,542,400 of the general fund—state appropriation for fiscal year 2024 and ((~~\$16,030,000~~))\$17,965,304 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for tenants in unlawful detainer cases established in RCW 59.18.640 and includes a vendor rate increase for contracted attorneys.

(4) ((~~\$2,387,000~~))\$5,234,000 of the judicial stabilization trust account—state appropriation is provided solely to continue legal information, advice, assistance, and representation for individuals eligible for civil relief under the supreme court's ruling in *State v. Blake*.

(5) An amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2024 and an amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2025 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are 60 years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(6) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the office of civil legal aid to establish a legal advice phone line to provide guidance and legal advice for kinship caregivers. The phone line must be staffed by two FTE contracted attorneys that have experience with kinship care, guardianship statutes, the child welfare system, and issues relating to legal custody.

(7) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to expand civil legal aid services for survivors of domestic violence, including legal services for protection order proceedings, family law cases, immigration assistance, and other civil legal issues arising from or related to the domestic violence they experienced.

(8) \$1,009,000 of the general fund—state appropriation for fiscal year 2024 and \$1,022,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to continue the statewide reentry legal aid project as established in section 115(12), chapter 357, Laws of 2020.

**Sec. 116.** 2023 c 475 s 117 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE GOVERNOR**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$24,543,000</del> ))
	<u>\$24,815,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$24,253,000</del> ))
	<u>\$29,983,000</u>
Economic Development Strategic Reserve Account—State Appropriation. . . . .	(( <del>\$2,282,000</del> ))
	<u>\$10,850,000</u>
GOV Central Service Account—State Appropriation. . . . .	(( <del>\$18,967,000</del> ))
	<u>\$19,824,000</u>
Performance Audits of Government Account—State Appropriation. . . . .	(( <del>\$720,000</del> ))
	<u>\$829,000</u>
<u>Workforce Education Investment Account—State Appropriation. . . . .</u>	<u>\$100,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$70,765,000</del>))</b>
	<b><u>\$86,401,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,146,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,146,000~~))~~ \$1,875,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the education ombuds.

(2) ~~((~~\$18,667,000~~))~~ \$19,524,000 of the GOV central service account—state appropriation is provided solely for the office of equity. Within the amounts provided in this subsection, \$857,000 of the GOV central service account—state appropriation is provided solely for the office of equity for additional staffing resources to provide effective communication and meaningful access to state information and services.

(3) \$100,000 of the workforce education investment account—state appropriation is provided solely to the office of the governor to implement career connected learning.

(4) ~~((~~\$480,000~~))~~ \$554,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the governor to invite federally recognized tribes, local governments, agricultural producers, commercial and recreational fisher organizations, business organizations, salmon recovery organizations, forestry and agricultural organizations, and environmental organizations to participate in a process facilitated by an independent entity to develop recommendations on proposed changes in policy and spending priorities to improve riparian habitat to ensure salmon and steelhead recovery.

(a) The independent entity must develop recommendations on furthering riparian funding and policy, including but not limited to, strategies that can attract private investment in improving riparian habitat, and developing a regulatory or compensation strategy if voluntary programs do not achieve concrete targets.

(b) Preliminary recommendations shall be submitted to the legislature and governor by May 1, 2024, with a final report by June 30, 2024.

(c) The office of the governor may contract for an independent facilitator. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

~~((+4))~~ (5) \$3,020,000 of the general fund—state appropriation for fiscal year 2024 and \$2,980,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((if the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Within the amounts provided in this subsection:

(a) \$2,359,000 of the general fund—state appropriation for fiscal year 2024 and \$2,359,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for flexible funding to support children in crisis. Uses of the flexible funding include, but are not limited to:

(i) Residential, housing, or wraparound supports that facilitate the safe discharge of children in crisis from hospitals;

(ii) Support for families and caregivers to mitigate the risk of a child going into or returning to a state of crisis;

(iii) Respite and relief services for families and caregivers that would assist in the safe discharge of a child in crisis from a hospital, or prevent or mitigate a child's future hospitalization due to crisis; or

(iv) Any support or service that would expedite a safe discharge of a child in crisis from an acute care hospital or that would prevent or mitigate a child's future hospitalization due to crisis.

(b) Flexible funding expenditures may not be used for administrative expenses.

(c) The care coordinator created in Second Substitute House Bill No. 1580 (children in crisis) must approve any expenditures of flexible funding.



~~((5))~~(6) \$300,000 of the GOV central service account—state appropriation is provided solely for the office of equity to conduct community engagement and develop an equity toolkit. Within the amounts provided in this subsection:

(a) The office of equity must consult with state boards and commissions that support the participation of people from underrepresented populations in policy-making processes, and may consult with other relevant state agencies, departments, and offices, to identify:

(i) Barriers to access and meaningful participation in stakeholder engagement by people from underrepresented populations who have lived experience;

(ii) Tools to support access and meaningful participation in stakeholder engagement;

(iii) Modifications to stakeholder engagement processes that promote an increase in access and opportunities for participation by people from underrepresented populations who have lived experience in policy-making processes. Any modifications identified may not restrict or otherwise prevent compliance with requirements under federal statute or regulations; and

(iv) Changes to law or agency rules that will promote increased access and participation in the policy-making process.

(b) The office of equity must submit a report, in compliance with RCW 43.01.036, to the appropriate committees of the legislature that details its findings under (a) of this subsection by July 1, 2024.

(c) By November 30, 2024, the office of equity must develop a toolkit on best practices for supporting meaningful engagement of underrepresented individuals with lived experience participating on statutory entities. The toolkit must be transmitted to all state agencies, including the office of the governor, members of the legislature, the secretary of the senate, and the chief clerk of the house of representatives. The toolkit must include:

(i) Best practices for identifying and recruiting underrepresented individuals with lived experience;

(ii) Best practices for appropriately and meaningfully engaging individuals from underrepresented populations with lived experience. Recommendations of these best practices may include suggestions from engagement conducted under (a) of this subsection;

(iii) Information on how to plan the work of a statutory entity using the principles of universal design, which may include suggestions from community engagement conducted under (a) of this subsection;

(iv) Best practices for onboarding all statutory entity members including how to support underrepresented individuals with lived experience in accessing compensation in accordance with chapter 43.03 RCW; and

(v) A list of state entities that appointing authorities may consult with when considering appointments to statutory entities for the purpose of increasing meaningful participation by people from underrepresented populations who have lived experience.

(d) For purposes of this subsection:

(i) "Lived experience" has the same meaning as provided in RCW 43.03.220.

(ii) "Statutory entity" means a multimember task force, work group, or advisory committee, that is temporary, established by legislation adopted after January 1, 2025, established for the specific purpose of examining a particular policy or issue which directly and tangibly affects one or more underrepresented populations, and is required to report to the legislature on the policy or issues it is tasked with examining. "Statutory entity" does not include legislative select committees or other statutorily created legislative entities composed of only legislative members.

(iii) "Underrepresented population" means a population group that is more likely to be at higher risk for disenfranchisement due to adverse socioeconomic factors such as unemployment, high housing and transportation costs relative to income, effects of environmental harms, limited access to nutritious food and adequate health care, linguistic isolation, and any other factors that may be barriers for participating in policy-making processes.

~~((6))~~(7) Within the amounts appropriated in this section, the Washington state office of equity must cofacilitate the Washington digital equity forum with the statewide broadband office.

~~((7))~~(8)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the corrections ombuds to prepare a report on incarcerated persons who have been in solitary confinement or any other form of restrictive housing more than 120 days in total during their period of incarceration or have been in solitary confinement or any other form of restrictive housing more than 45 consecutive days in the prior fiscal year. The report must:

(i) Include the basis on which each person was placed in restrictive housing;

(ii) Define the types of restrictive housing used by the department of corrections including, but not limited to, solitary confinement, administrative segregation, disciplinary segregation, protective custody, and maximum custody;

(iii) Identify the specific type of restrictive housing each incarcerated person was placed in and the reason for such placement;

(iv) Provide information regarding each incarcerated person's underlying offenses;

(v) Identify any sanctions imposed during the incarceration of each person;

(vi) State the amount of time each person has remaining in total confinement;

(vii) Document any attempted suicides by each individual in restrictive housing over the past 10 years and the reason, if known;

(viii) Describe the programming offered to and accepted by each incarcerated person during the person's period of restrictive confinement; and

(ix) Identify any short-term policies identified, implemented, or improved by the department for the restrictive housing population including, but not limited to, lighting, ventilation, and access to personal property, communication, and visitation.

(b) The department shall provide a report to the governor and appropriate committees of the legislature by June 30, 2024.

(9) Within existing resources, the governor's office of results Washington must conduct a review of the provisions in state law relating to statewide performance management in RCW 43.88.090 and 43.17.380 through 43.17.390 and other statutes as applicable. The office must produce a report to the governor and appropriate committees of the legislature by October 31, 2024, including recommendations for legislative actions to provide meaningful performance information and oversight for decision makers in the governor's office and other agencies responsible for enterprise-wide initiatives. Results Washington should consult with the office of financial management and other agencies as applicable to ensure that recommendations minimize duplication of effort and support their statutory oversight roles.

(10) \$559,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Fourth Substitute House Bill No. 1239 (educator ethics & complaints). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2000 (international leadership). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$160,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2065 (offender score recalc.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$225,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2071 (residential housing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) \$618,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2084 (construction training/DOC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15) \$246,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2287 (corrections ombuds adv board). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 117.** 2023 c 475 s 118 (uncodified) is amended to read as follows:

**FOR THE LIEUTENANT GOVERNOR**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$1,619,000 ))
	<u>\$1,618,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$1,640,000 ))
	<u>\$1,647,000</u>
General Fund—Private/Local Appropriation . . . . .	\$90,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$3,349,000 ))</b>
	<b><u>\$3,355,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the legislative committee on economic development and international relations to conduct an analysis of the statewide economic impact of the military and defense sector. The analysis shall be completed and submitted to the governor and appropriate committees of the legislature by September 1, 2024.

**Sec. 118.** 2023 c 475 s 119 (uncodified) is amended to read as follows:

**FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$6,105,000 ))
	<u>\$6,137,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$5,913,000 ))
	<u>\$5,987,000</u>
Public Disclosure Transparency Account—State Appropriation . . . . .	(( \$2,271,000 ))
	<u>\$2,171,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$14,289,000 ))</b>
	<b><u>\$14,295,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) No moneys may be expended from the appropriations in this section to establish an electronic directory, archive, or other compilation of political advertising unless explicitly authorized by the legislature.

(2) (~~(\$2,171,000)~~)\$2,170,000 of the public disclosure transparency account—state appropriation is provided solely for the public disclosure commission for the purpose of improving the ability of the public to access information about political campaigns, lobbying, and elected officials, and facilitating accurate and timely reporting by the regulated community. The commission must report to the office of financial management and fiscal committees of the legislature by October 31st of each year detailing information on the public disclosure transparency account. The report shall include, but is not limited to:

(a) An investment plan of how funds would be used to improve the ability of the public to access information about political campaigns, lobbying, and elected officials, and facilitate accurate and timely reporting by the regulated community;

(b) A list of active projects as of July 1st of the fiscal year. This must include a breakdown of expenditures by project and expense type for all current and ongoing projects;

(c) A list of projects that are planned in the current and following fiscal year and projects the commission would recommend for future funding. The commission must identify priorities, and develop accountability measures to ensure the projects meet intended purposes; and

(d) Any other metric or measure the commission deems appropriate to track the outcome of the use of the funds.

**Sec. 119.** 2023 c 475 s 120 (uncodified) is amended to read as follows:

**FOR THE SECRETARY OF STATE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$40,397,000</del> ))
	<u>\$55,850,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$48,378,000</del> ))
	<u>\$63,987,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$8,606,000</del> ))
	<u>\$8,611,000</u>
Public Records Efficiency, Preservation, and Access Account—State Appropriation . . . . .	(( <del>\$11,621,000</del> ))
	<u>\$11,631,000</u>
Charitable Organization Education Account—State Appropriation . . . . .	(( <del>\$1,161,000</del> ))
	<u>\$1,233,000</u>
Washington State Library Operations Account—State Appropriation . . . . .	(( <del>\$14,652,000</del> ))
	<u>\$14,668,000</u>
Local Government Archives Account—State Appropriation . . . . .	(( <del>\$11,997,000</del> ))
	<u>\$12,006,000</u>
Election Account—Federal Appropriation . . . . .	(( <del>\$4,487,000</del> ))
	<u>\$4,488,000</u>
Personnel Service Account—State Appropriation . . . . .	(( <del>\$2,262,000</del> ))
	<u>\$2,263,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$143,561,000</del>))</b>
	<b><u>\$174,737,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$2,498,000)~~)\$16,998,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$12,196,000)~~)\$21,450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to reimburse counties for the state's share of primary and general election costs, the state's share of presidential primary costs, and the costs of conducting mandatory recounts on state measures. Funds may also be used by the secretary of state for costs associated with the printing and distribution of the presidential primary voters pamphlet. Counties shall be reimbursed only for those costs that the secretary of state validates as eligible for reimbursement.

(2) (a) \$4,052,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$4,052,000)~~)\$6,052,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events statewide. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for humanities Washington speaker's bureau community conversations.

(5) \$114,000 of the general fund—state appropriation for fiscal year 2024 and \$114,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for election reconciliation reporting. Funding provides for one staff to compile county reconciliation reports, analyze the data, and to complete an annual statewide election reconciliation report for every state primary and general election. The report must be submitted annually on July 31, to legislative policy and fiscal committees. The annual report must include statewide analysis and by county analysis on the reasons for ballot rejection and an analysis of the ways ballots are received, counted, rejected and cure data that can be used by policymakers to better understand election administration.

(6) \$896,000 of the general fund—state appropriation for fiscal year 2024 and \$870,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to the maintenance and operations of the voter registration and election management system. These staff will manage database upgrades, database maintenance, system training and support to counties, and triage and customer service to system users.

(7) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

(a) Funding the security operations center, including identified needs for expanded operations, systems, technology tools, training resources;

(b) Additional staff dedicated to the cyber and physical security of election operations at the office and county election offices;

(c) Expanding security assessments, threat monitoring, enhanced security training; and

(d) Providing grants to county partners to address identified threats and expand existing grants and contracts with other public and private organizations such as the Washington military department, national guard, private companies providing cyber security, and county election offices.

(8) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5112 (voter registration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5182 (candidate filing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5208 (online voter registration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$616,000 of the personnel service account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5015 (productivity board). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(13) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with humanities Washington to expand the prime time family reading program.

(14) The office of the secretary of state must conduct a feasibility study of replacing the combined fund drive donor management system. The office must report its findings and a plan for replacement to the appropriate committees of the legislature by December 31, 2023.

(15) ~~(\$200,000)~~ \$700,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal services costs for *Vet Voice Foundation et al. v. Hobbs*.

(16) \$3,724,000 of the general fund—state appropriation for fiscal year 2024 and \$2,674,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to design and implement strategies and products to counter false narratives surrounding election security and integrity, including community engagement with underserved populations such as young voters, voters with disabilities, tribal communities, and non-English-speaking voters. Of the amounts provided in this subsection, \$500,000 per fiscal year are provided solely for grants to county auditors for the same purposes.

(17) The office of the secretary of state must work with the office of the chief information officer to evaluate the office of the secretary of state's information technology infrastructure and applications to determine the appropriate candidates for the location of

data and the systems that could be exempt from consolidated technology services oversight. The office shall report its findings to the appropriate committees of the legislature by December 31, 2023.

(18) \$83,000 of the general fund—state appropriation for fiscal year 2024 and \$67,000 of the general fund—state appropriation for fiscal year 2025 are provided solely the office of the secretary of state to assist businesses and nonprofits providing therapeutic rehabilitation within Washington state's juvenile secure residential facilities. It is well established that providing outreach and therapeutic education among incarcerated youth remains critical to successful community reentry. The amounts provided under this subsection are subject to the following conditions and limitations: To be eligible for a grant under this subsection, a business must (a) apply for or have applied for the grant; (b) be registered as a Washington state business or non-profit; (c) reported annual gross receipts are no more than \$1,000,000 in the most recent calendar year; (d) must have ability to conduct in-person business operations at one of Washington's juvenile correctional facilities; (e) of the total grant amount awarded, no more than 10 percent may be awarded for travel expenses; (f) agree to operate in-person, in accordance with the requirements of applicable federal, state, and local directives and guidance; and (g) at least one principal of entity must demonstrate the following educational credential, minimum masters degree in related field, and professional experience of conducting therapeutic gaming. The office of the secretary of state may use up to 10 percent of the amount provided in this subsection for administrative costs.

(19) \$730,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office's migration of its applications and systems to Azure cloud environments, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(20) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with the University of Washington Evans school of public policy and governance to complete a study based on the preliminary report and research design submitted to the office on June 30, 2022. The preliminary report analyzed the 2022 state auditor's performance audit titled "evaluating Washington's ballot rejection rates." The study must be reported to the governor and the appropriate committees of the legislature by November 1, 2023.

(21) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to continue developing a statewide digital assessment tool and protocol for the tool's usage. The office must use the tool and protocol it developed to reach additional underserved audiences and make improvements to the tool and protocol. The office must develop and publish recommendations to improve implementation of the tool by June 30, 2025.

(22) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish a Washington state library branch at Green Hill school.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with the University of Washington Evans school of public policy and governance to examine processes for providing voting registration, voting materials, and voting assistance for people held in Washington jails.

(a) The study must:

(i) Identify challenges and obstacles to voting in Washington jails;

(ii) Examine how election offices and jails can ensure that voter registration, materials, and assistance are provided to registered voters and eligible citizens who are in jail prior to each election;

(iii) Develop recommendations for facilitating voter registration for eligible citizens and voting for registered voters in Washington jails; and

(iv) Develop recommendations for identifying individuals who are registered to vote upon jail admission and for providing voter assistance upon release from jail.

(b) The study is due to the office, the governor, and the appropriate committees of the legislature by December 1, 2024.

(24) \$236,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1272 (voters' pamphlets). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$148,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of House Bill No. 1962 (voter address changes). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(26) \$788,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of House Bill No. 2023 (elections language assistance). Of the amount provided in this subsection, a minimum amount of \$715,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for costs for covered counties under the bill. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(27) \$137,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for costs associated with verifying signatures on initiatives to the legislature.

**Sec. 120.** 2023 c 475 s 121 (uncodified) is amended to read as follows:

**FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(\$801,000)
	<u>\$802,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$797,000)
	<u>\$958,000</u>
Climate Commitment Account—State Appropriation . . . . .	\$658,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$2,256,000)</b>
	<u><b>\$2,418,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

(2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for native American students;
- (ii) Analyze the progress in developing effective government-to-government relations and identification and adoption of curriculum regarding tribal history, culture, and government as provided under RCW 28A.345.070;
- (iii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iv) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(3) (a) \$404,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). Within amounts provided in this subsection, the governor's office of Indian affairs, in consultation with the department of ecology, the department of commerce, and the department of archaeology and historic preservation, must coordinate government-to-government engagement with federally recognized Indian tribes who have treaty rights in Washington. Topics of engagement may include:

- (i) Implementation of environmental and energy laws, policy regulations, programs, and finances;
  - (ii) The climate commitment act, chapter 316, Laws of 2021;
  - (iii) Engrossed Second Substitute House Bill No. 1216 (clean energy siting); and
  - (iv) Other related policy.
- (b) Funding provided within this subsection may support:
- (i) Participation on the interagency clean energy siting coordinating council;
  - (ii) Creation and maintenance of a list of contacts of federally recognized tribes, and tribal preferences regarding outreach about clean energy siting and permitting; and
  - (iii) Development and delivery of training to clean energy project developers on consultation and engagement processes for federally recognized Indian tribes.

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 121.** 2023 c 475 s 122 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(\$913,000)
	<u>\$945,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$897,000)
	<u>\$902,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(\$1,810,000)</b>
	<u><b>\$1,847,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Asian American students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

(i) Conduct a detailed analysis of the opportunity gap for Native Hawaiian and Pacific Islander students;

(ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and

(iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

**Sec. 122.** 2023 c 475 s 123 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER**

State Treasurer's Service Account—State

Appropriation. . . . . ((~~\$23,658,000~~))

\$24,166,000

TOTAL APPROPRIATION.....((~~\$23,658,000~~))

\$24,166,000

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$500,000 of the state treasurer's service account—state appropriation is provided solely for the review of local government tax increment financing proposals as provided in RCW 39.114.020.~~

~~(2))~~ \$500,000 of the state treasurer's service account—state appropriation is provided solely for the office to study existing and proposed laws in other jurisdictions that limit consideration of material factors in public financing and investments. The study must consider any investment risk and economic risk to Washington associated with identified laws. Authorized uses of the amount provided in this subsection include, but are not limited to, staffing, consulting fees, travel expenditures, or other goods and services. The office must submit the study to the appropriate committees of the legislature by December 1, 2024.

~~((3))~~ (2) Pursuant to RCW 82.08.225, the legislature authorizes the state treasurer to deposit up to \$3,000,000 of taxes collected pursuant to RCW 82.08.020(1) into the statewide tourism marketing account created in RCW 43.384.040 for the 2023–2025 fiscal biennium.

**Sec. 123.** 2023 c 475 s 124 (uncodified) is amended to read as follows:

**FOR THE STATE AUDITOR**

General Fund—State Appropriation (FY 2024). . . . . \$1,072,000

General Fund—State Appropriation (FY 2025). . . . . ((~~\$1,080,000~~))

\$1,580,000

Auditing Services Revolving Account—State

Appropriation. . . . . ((~~\$18,519,000~~))

\$18,551,000

Performance Audits of Government Account—State

Appropriation. . . . . ((~~\$1,871,000~~))

\$2,673,000

TOTAL APPROPRIATION.....((~~\$22,542,000~~))

\$23,876,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,585,000 of the performance audit of government account—state appropriation is provided solely for staff and related costs to verify the accuracy of reported school district data submitted for state funding purposes; conduct school district program audits of state-funded public school programs; establish the specific amount of state funding adjustments whenever audit exceptions occur and the amount is not firmly established in the course of regular public school audits; and to assist the state special education safety net committee when requested.

~~(2) ((Within existing resources of the performance audits of government account, the state auditor's office shall conduct a performance audit or accountability audit of Washington charter public schools to satisfy the requirement to contract for an independent performance audit pursuant to RCW 28A.710.030(2)).~~

~~(3))~~ \$825,000 of the auditing services revolving account—state appropriation is provided solely for accountability and risk based audits.

~~((4))~~ (3) \$1,030,000 of the general fund—state appropriation for fiscal year 2024 and \$1,030,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for law enforcement audits pursuant to RCW 43.101.460 and 43.101.465.

(4) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the state auditor's office to conduct a performance audit of the Washington state housing finance commission's oversight of housing developers that offer a rent-to-own option for projects funded by the commission. The audit must review how rent-to-own policies have affected affordable housing and home ownership options for eligible tenants; make recommendations for the commission to improve outcomes for rent-to-own tenants; and evaluate whether the commission has followed applicable state and federal laws related to financing and overseeing housing developers that offer rent-to-own options for tenants.

(5) \$800,000 of the performance audits of government account—state appropriation is for implementation of Substitute House Bill No. 2180 (special education cap). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 124. 2023 c 475 s 125 (uncodified) is amended to read as follows:

**FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS**

General Fund—State Appropriation (FY 2024) . . . . .	(\$299,000)
	<u>\$305,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$295,000)
	<u>\$322,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(\$594,000)</b>
	<u>\$627,000</u>

Sec. 125. 2023 c 475 s 126 (uncodified) is amended to read as follows:

**FOR THE ATTORNEY GENERAL**

General Fund—State Appropriation (FY 2024) . . . . .	(\$39,778,000)
	<u>\$48,549,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$36,313,000)
	<u>\$42,374,000</u>
General Fund—Federal Appropriation. . . . .	(\$23,595,000)
	<u>\$25,273,000</u>
Public Service Revolving Account—State Appropriation. . . . .	\$4,717,000
New Motor Vehicle Arbitration Account—State Appropriation. . . . .	\$1,889,000
Medicaid Fraud Penalty Account—State Appropriation. . . . .	(\$6,584,000)
	<u>\$6,587,000</u>
Child Rescue Fund—State Appropriation. . . . .	(\$80,000)
	<u>\$200,000</u>
Legal Services Revolving Account—State Appropriation. . . . .	(\$401,733,000)
	<u>\$409,701,000</u>
Local Government Archives Account—State Appropriation. . . . .	(\$1,117,000)
	<u>\$1,118,000</u>
Tobacco Prevention and Control Account—State Appropriation. . . . .	\$274,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$516,080,000)</b>
	<u>\$540,682,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The attorney general shall report each fiscal year on actual legal services expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year. As part of its by agency report to the legislative fiscal committees and the office of financial management, the office of the attorney general shall include information detailing the agency's expenditures for its agency-wide overhead and a breakdown by division of division administration expenses.

(2) Prior to entering into any negotiated settlement of a claim against the state that exceeds five million dollars, the attorney general shall notify the director of the office of financial management and the chairs and ranking members of the senate committee on ways and means and the house of representatives committee on appropriations.

(3) The attorney general shall annually report to the fiscal committees of the legislature all new cy pres awards and settlements and all new accounts, disclosing their intended uses, balances, the nature of the claim or account, proposals, and intended timeframes for the expenditure of each amount. The report shall be distributed electronically and posted on the attorney general's web site. The report shall not be printed on paper or distributed physically.

(4) ~~(\$1,217,000)~~ \$1,806,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,217,000)~~ \$1,981,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for multi-year arbitrations of the state's diligent enforcement of its obligations to receive amounts withheld from tobacco master settlement agreement payments.

(5) \$6,189,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 326, Laws of 2021 (law enforcement data).



(6) (~~(\$1,958,000)~~) \$1,458,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$958,000)~~) \$1,458,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a program for receiving and responding to tips from the public regarding risks or potential risks to the safety or well-being of youth, called the YES tip line program. Risks to safety or well-being may include, but are not limited to, harm or threats of harm to self or others, sexual abuse, assault, rape, bullying or cyberbullying, substance use, and criminal acts. Any person contacting the YES tip line, whether for themselves or for another person, must receive timely assistance and not be turned away. The program must operate within the guidelines of this subsection.

(a) During the development and implementation of the YES tip line program the attorney general shall convene an advisory committee consisting of representatives from the Washington state patrol, the department of health, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the Washington association of educational service districts, and other participants the attorney general appoints.

(b) The attorney general shall develop and implement policies and processes for:

(i) Assessing tips based on the level of severity, urgency, and assistance needed using best triage practices including the YES tip line;

(ii) Risk assessment for referral of persons contacting the YES tip line to service providers;

(iii) Threat assessment that identifies circumstances requiring the YES tip line to alert law enforcement, mental health services, or other first responders immediately when immediate emergency response to a tip is warranted;

(iv) Referral and follow-up on tips to schools or postsecondary institution teams, local crisis services, law enforcement, and other entities;

(v) YES tip line information data retention and reporting requirements;

(vi) Ensuring the confidentiality of persons submitting a tip and to allow for disclosure when necessary to respond to a specific emergency threat to life; and

(vii) Systematic review, analysis, and reporting by the YES tip line program of YES tip line data including, but not limited to, reporting program utilization and evaluating whether the YES tip line is being implemented equitably across the state.

(c) The YES tip line shall be operated by a vendor selected by the attorney general through a competitive contracting process. The attorney general shall ensure that the YES tip line program vendor and its personnel are properly trained and resourced. The contract must require the vendor to be bound by confidentiality policies developed by the office. The contract must also provide that the state of Washington owns the data and information produced from the YES tip line and that vendor must comply with the state's data retention, use, and security requirements.

(d) The YES tip line program must develop and maintain a reference and best practices tool kit for law enforcement and mental health officials that identifies statewide and community mental health resources, services, and contacts, and provides best practices and strategies for investigators to use in investigating cases and assisting youths and their parents and guardians.

(e) The YES tip line program must promote and market the program and YES tip line to youth, families, community members, schools, and others statewide to build awareness of the program's resources and the YES tip line. Youth perspectives must be included and consulted in tip line development and implementation including creating marketing campaigns and materials required for the YES tip line program. The insights of youth representing marginalized and minority communities must be prioritized for their invaluable insight. Youths are eligible for stipends and reasonable allowances for reimbursement, lodging, and travel expenses as provided in RCW 43.03.220.

(7) \$561,000 of the general fund—state appropriation for fiscal year 2024 and \$508,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the attorney general to support the Washington state missing and murdered indigenous women and people task force in (~~(section 912 of this act)~~) section 905 of this act.

(8) \$9,188,000 of the legal services revolving fund—state appropriation is provided solely for additional legal services to address additional legal services necessary for dependency actions where the state and federal Indian child welfare act apply. The office must report to the fiscal committees of the legislature within 90 days of the close of the fiscal year the following information for new cases initiated in the previous fiscal year to measure quantity and use of this funding:

(a) The number and proportion of cases where the state and federal Indian child welfare act (ICWA) applies as compared to non-ICWA new cases;

(b) The amount of time spent advising on, preparing for court, and litigating issues and elements related to ICWA's requirements as compared to the amount of time advising on, preparing for court, and litigating issues and elements that are not related to ICWA's requirements;

(c) The length of state and federal Indian child welfare act cases as compared to non-ICWA cases measured by time or number of court hearings; and

(d) Any other information or metric the office determines is appropriate to measure the quantity and use of the funding in this subsection.

(9) (a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a truth and reconciliation tribal advisory committee to conduct research and outreach to understand the operations and impact of Indian boarding schools in Washington run

by public and faith-based institutions, and to develop recommendations for the state to acknowledge and address the historical and intergenerational harms caused by Indian boarding schools and other cultural and linguistic termination practices.

(b) The advisory committee shall consist of five members nominated by the attorney general. The committee members must be citizens from federally recognized tribes in diverse geographic areas across the state that possess personal, policy, or specific expertise with Indian boarding school history and policies, or who have expertise in truth and healing endeavors that are traditionally and culturally appropriate.

(c) The advisory committee must hold its first meeting by September 30, 2023, and shall meet at least quarterly. The advisory committee may conduct meetings in person or virtually and must accept written testimony. The advisory committee may, when feasible, invite and consult with any entity, agency, or individual deemed necessary to further its work, or with experts or professionals involved, having expertise, or having lived experience regarding Indian boarding schools or tribal engagement.

(d) The office and the advisory committee must conduct at least six listening sessions in collaboration with tribes and Native-led organizations. The listening sessions must be held with consideration of the cultural, emotional, spiritual, and psychological well-being of survivors, family members, and community members. In planning and facilitating the listening sessions, the office must seek to avoid imposing undue burdens on survivors, family members, or community members.

(e) The office of the attorney general must administer and provide staff support for the advisory committee.

(f) By June 30, 2025, the office must submit a final report to the appropriate committees of the legislature that includes, but is not limited to:

(i) A summary of activities undertaken by the advisory committee;

(ii) Findings regarding the extent and types of support provided by the state to Indian boarding schools;

(iii) Findings regarding current state policies and practices that originate from Indian boarding schools or other assimilationist policies and practices and that cause disproportionate harm to American Indian and Alaska Native people and communities; and

(iv) Recommendations regarding how the state can address the harm done by Indian boarding schools and other cultural and linguistic termination practices through a truth and reconciliation model, including but not limited to:

(A) Resources and assistance that the state may provide to aid in the healing of trauma caused by Indian boarding school policies; and

(B) Actions to correct current state policies and practices with origins in assimilationist policies or that cause disproportionate harm to Native people and communities.

(10) \$1,381,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal services and other costs related to voter rights and redistricting commission litigation.

(11) \$566,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation challenging chapter 104, Laws of 2022 (ESSB 5078).

(12) \$749,000 of the general fund—state appropriation for fiscal year 2024 and \$689,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to the defense of the state and its agencies in a federal environmental cleanup action involving the Quendall terminals superfund site.

(13) \$731,000 of the general fund—state appropriation for fiscal year 2024 and \$1,462,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the prosecution of sexually violent predator cases pursuant to chapter 71.09 RCW.

(14) \$699,000 of the general fund—state appropriation for fiscal year 2024 and \$699,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the criminal litigation unit to address increased wrongfully convicted person claims under chapter 4.100 RCW and increased workload and complexity of cases referred to the unit.

(15) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$1,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to create a centralized statewide organized retail crime task force to coordinate, investigate, and prosecute multijurisdictional retail crime.

(16) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5078 (firearms industry duties). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(17) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the attorney general to update the introduction to Washington water law primer. The updated primer must cover subjects including, but not limited to, municipal water law, the trusts water rights program, instream flows, and significant appellate water law cases that have been decided since the previous introduction to Washington water law was prepared in 2000. The office must complete the updated primer by June 30, 2025.

(18) \$39,000 of the general fund—state appropriation for fiscal year 2024, \$39,000 of the general fund—state appropriation for fiscal year 2025, and \$30,000 of the legal services

revolving fund—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) \$2,071,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$204,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) \$2,316,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$138,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for staff support to the joint legislative task force on jail standards authorized by RCW 70.48.801. The task force shall report finding and recommendations to the governor and the appropriate committees of the legislature no later than December 1, 2023.

(23) \$463,000 of the general fund—state appropriation for fiscal year 2024, \$454,000 of the general fund—state appropriation for fiscal year 2025, \$398,000 of the general fund—federal appropriation, \$91,000 of the public service revolving account—state appropriation, \$133,000 of the medicaid fraud penalty account—state appropriation, and \$6,740,000 of the legal services revolving fund—state appropriation are provided solely for implementation of the legal matter management system and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(24) \$50,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$138,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1469 (health care services/access). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$153,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1512 (missing persons). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(28) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,005,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1177 (indigenous women). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$26,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1470 (private detention facilities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$75,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$106,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) \$338,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) (a) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the attorney general, in collaboration with the office of the insurance commissioner, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state including, but not limited to, the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.

(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The attorney general and office of the insurance commissioner shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

~~(34) \$9,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor compensation). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~(35) \$526,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~(36) \$801,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to create a permanent sexual assault kit initiative program.~~

~~(37) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the attorney general to provide grants to local jurisdictions to conduct DNA testing for unidentified remains, and to conduct forensic genetic genealogy analysis for those remains for which DNA testing failed to yield a match. Local jurisdictions may contract for these services.~~

~~(38) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the attorney general, in collaboration with the Washington association of sheriffs and police chiefs, to support the Washington state indigenous demographic data collection work group of the Washington state missing and murdered indigenous women and people task force established in section 905(5) of this act.~~

~~(39) (a) \$247,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the attorney general, jointly with the department of health, to form a task force to provide recommendations to establish a comprehensive public health and community-based framework to combat extremism and mass violence.~~

~~(b) The office of the attorney general must, in consultation with the department of health, appoint a minimum of 10 members to the task force representing different stakeholder groups including, but not limited to:~~

~~(i) Community organizations working to address the impacts of or to assist those who are affected by extremism and mass violence;~~

~~(ii) Law enforcement organizations that gather data about or work to combat extremism and mass violence; and~~

~~(iii) Public health and nonprofit organizations that work to address the impacts of extremism and mass violence.~~

~~(c) The office of the attorney general and the department of health may each have no more than one voting member on the task force.~~

~~(d) The office of the attorney general must provide staff support for the task force.~~

~~(e) Any reimbursement for nonlegislative members of the task force is subject to chapter 43.03 RCW.~~

~~(f) The first meeting of the task force must be held by December 31, 2024. The task force must submit a preliminary report to the governor and the appropriate committees of the legislature by June 1, 2025, and a final report by December 1, 2026. The final report must include legislative and policy recommendations for establishing the comprehensive framework. It is the intent of the legislature to provide funding for the task force to complete the final report in the 2025-2027 fiscal biennium.~~

~~(g) No aspect of this subsection should be construed as a directive to alter any aspect of criminal law, create new criminal penalties, or increase criminal law enforcement.~~

(40) \$61,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1905 (equal pay/protected classes). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(41) \$30,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 2061 (health employees/overtime). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(42) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1618 (childhood sexual abuse/SOL). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(43) \$1,000 of the general fund—state appropriation for fiscal year 2025 is for implementation of Third Substitute House Bill No. 1579 (independent prosecutions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(44) \$73,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(45) \$1,464,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1205 (service by pub./dependency). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(46) \$883,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute House Bill No. 2114 (residential tenants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$106,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 2301 (waste material management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(48) \$33,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 2467 (LTSS portability). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(49) \$432,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for personnel and associated costs to implement and maintain functional operations such as support, records management and disclosure, victim liaisons, and information technology for the clemency and pardons board.

**Sec. 126.** 2023 c 475 s 127 (uncodified) is amended to read as follows:

**FOR THE CASELOAD FORECAST COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$2,378,000</del> ))
	\$2,380,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$2,378,000</del> ))
	\$2,383,000
Workforce Education Investment Account—State Appropriation . . . . .	\$356,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$5,112,000</del>))</b>
	<b>\$5,119,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$356,000 of the workforce education investment account—state appropriation is provided solely to forecast the caseload for the Washington college grant program.

(2) Within existing resources, and beginning with the November 2021 forecast, the caseload forecast council shall produce an unofficial forecast of the long-term caseload for juvenile rehabilitation as a courtesy.

(3) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1218 (caseload forecast/tax credit). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(4) Within the amounts appropriated in this section, the council must forecast the number of people eligible for the apple health expansion for Washington residents with incomes at or below 138 percent of the federal poverty level, regardless of immigration status, beginning in July 2024.

**Sec. 127.** 2023 c 475 s 129 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—COMMUNITY SERVICES AND HOUSING**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$334,486,000</del> ))
	\$402,322,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$391,233,000</del> ))
	\$502,028,000
General Fund—Federal Appropriation . . . . .	\$281,789,000
General Fund—Private/Local Appropriation . . . . .	\$5,252,000
Affordable Housing for All Account—State	

Appropriation. . . . .	\$109,227,000
Apple Health and Homes Account—State Appropriation. . . . .	\$28,452,000
Climate Commitment Account—State Appropriation. . . . .	\$35,000,000
Community Reinvestment Account—State Appropriation. . . . .	\$200,000,000
Community and Economic Development Fee Account—State Appropriation. . . . .	\$3,159,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation. . . . .	(( \$77,878,000 ))
	<u>\$7,778,000</u>
Covenant Homeownership Account—State Appropriation. . . . .	\$150,000,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation. . . . .	\$2,631,000
Home Security Fund Account—State Appropriation. . . . .	\$290,410,000
Lead Paint Account—State Appropriation. . . . .	\$233,000
Prostitution Prevention and Intervention Account— State Appropriation. . . . .	\$26,000
Washington Housing Trust Account—State Appropriation. . . . .	\$9,863,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$1,919,639,000 ))</b>
	<u><b>\$2,028,170,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,500,000 of the general fund—state appropriation for fiscal year 2024 and \$10,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to resolution Washington to build statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the retired senior volunteer program.

(3) Within existing resources, the department shall provide administrative and other indirect support to the developmental disabilities council.

(4) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington new Americans program. The department may require a cash match or in-kind contributions to be eligible for state funding.

(5) \$768,000 of the general fund—state appropriation for fiscal year 2024 and \$797,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a private, nonprofit organization to provide developmental disability ombuds services.

(6) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, \$1,000,000 of the home security fund—state appropriation, \$2,000,000 of the Washington housing trust account—state appropriation, and \$1,000,000 of the affordable housing for all account—state appropriation are provided solely for the department of commerce for services to homeless families and youth through the Washington youth and families fund.

(7) \$1,000,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000,000 of the home security fund—state appropriation are provided solely for the administration of the grant program required in chapter 43.185C RCW, linking homeless students and their families with stable housing.

(8) ~~((a) \$1,980,000 of the general fund state appropriation for fiscal year 2024 and \$1,980,000 of the general fund state appropriation for fiscal year 2025 are provided solely for community beds for individuals with a history of mental illness. Currently, there is little to no housing specific to populations with these co-occurring disorders; therefore, the department must consider how best to develop new bed capacity in combination with individualized support services, such as intensive case management and care coordination, clinical supervision, mental health, substance abuse treatment, and vocational and employment services. Case management and care coordination services must be provided. Increased case-managed housing will help to reduce the use of jails and emergency services and will help to reduce admissions to the state psychiatric hospitals. The department must coordinate with the health care authority and the department of social and health services in establishing conditions for the awarding of these funds. The department must contract with local entities to provide a mix of (i) shared permanent supportive housing; (ii) independent permanent supportive housing; and (iii) low and no-barrier housing beds for people with a criminal history, substance abuse disorder, and/or mental illness.~~

(b) Priority for permanent supportive housing must be given to individuals on the discharge list at the state psychiatric hospitals or in community psychiatric inpatient beds whose conditions present significant barriers to timely discharge.) \$11,844,000 of the general fund—state appropriation for fiscal year 2024 and \$11,844,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing assistance, including long-term rental subsidies, permanent supportive housing, and low and no barrier housing beds, for unhoused individuals. Priority must be given to individuals with a mental

health disorder, substance use disorder, or other complex conditions; individuals with a criminal history; and individuals transitioning from behavioral health treatment facilities or local jails.

(9) \$557,000 of the general fund—state appropriation for fiscal year 2024 and \$557,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to design and administer the achieving a better life experience program.

(10) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with organizations and attorneys to provide either legal representation or referral services for legal representation, or both, to indigent persons who are in need of legal services for matters related to their immigration status. Persons eligible for assistance under any contract entered into pursuant to this subsection must be determined to be indigent under standards developed under chapter 10.101 RCW.

(11)(a) \$12,500,000 of the general fund—state appropriation for fiscal year 2024, \$12,500,000 of the general fund—state appropriation for fiscal year 2025, and \$37,000,000 of the affordable housing for all account—state appropriation are provided solely for grants to support the building operation, maintenance, and service costs of permanent supportive housing projects or units within housing projects that have or will receive funding from the housing trust fund—state account or other public capital funding that:

(i) Is dedicated as permanent supportive housing units;

(ii) Is occupied by low-income households with incomes at or below 30 percent of the area median income; and

(iii) Requires a supplement to rent income to cover ongoing property operating, maintenance, and service expenses.

(b) Permanent supportive housing projects receiving federal operating subsidies that do not fully cover the operation, maintenance, and service costs of the projects are eligible to receive grants as described in this subsection.

(c) The department may use a reasonable amount of funding provided in this subsection to administer the grants.

(d) Within amounts provided in this subsection, the department must provide staff support for the permanent supportive housing operations, maintenance, and services forecast. The department must develop a model to estimate demand for operating, maintenance, and services costs for permanent supportive housing units that qualify for grant funding under (a) of this subsection. The model shall incorporate factors including the number of qualifying units currently in operation; the number of new qualifying units assumed to come online since the previous forecast and the timing of when those units will become operational; the impacts of enacted or proposed investments in the capital budget on the number of new potentially qualifying units; the number of units supported through a grant awarded under (a) of this subsection; the historical actuals for per unit average grant awards under (a) of this subsection; reported data from housing providers on actual costs for operations, maintenance, and services; and other factors identified as appropriate for estimating the demand for maintenance, operations, and services for qualifying permanent supportive housing units. The forecast methodology, updates, and methodology changes must be conducted in coordination with staff from the department, the office of financial management, and the appropriate fiscal committees of the state legislature. The forecast must be updated each February and November during the fiscal biennium and the department must submit a report to the legislature summarizing the updated forecast based on actual awards made under (a) of this subsection and the completed construction of new qualifying units.

(12) \$7,000,000 of the home security fund—state appropriation is provided solely for the office of homeless youth prevention and protection programs to:

(a) Expand outreach, services, and housing for homeless youth and young adults including but not limited to secure crisis residential centers, crisis residential centers, and HOPE beds, so that resources are equitably distributed across the state;

(b) Contract with other public agency partners to test innovative program models that prevent youth from exiting public systems into homelessness; and

(c) Support the development of an integrated services model, increase performance outcomes, and enable providers to have the necessary skills and expertise to effectively operate youth programs.

(13) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to build infrastructure and services to support a continuum of interventions, including but not limited to prevention, crisis response, and long-term housing, to reduce youth homelessness in communities identified as part of the anchor community initiative.

(14) \$2,125,000 of the general fund—state appropriation for fiscal year 2024 and \$2,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to contract with one or more nonprofit organizations to provide youth services and young adult housing on a multi-acre youth campus located in the city of Tacoma. Youth services include, but are not limited to, HOPE beds and crisis residential centers to provide temporary shelter and permanency planning for youth under the age of 18. Young adult housing includes, but is not limited to, rental assistance and case management for young adults ages 18 to 24. The department shall submit an annual report to the legislature on the use of the funds. The report is due annually on June 30th. The report shall include but is not limited to:

(a) A breakdown of expenditures by program and expense type, including the cost per bed;

(b) The number of youth and young adults helped by each program;  
 (c) The number of youth and young adults on the waiting list for programs, if any; and  
 (d) Any other metric or measure the department deems appropriate to evaluate the effectiveness of the use of the funds.

(15) \$65,310,000 of the general fund—state appropriation for fiscal year 2024 and \$65,310,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the essential needs and housing support program and related services. The department may use a portion of the funds provided in this subsection to continue the pilot program established in section 127(106) of chapter 357, Laws of 2020 (addressing the immediate housing needs of low or extremely low-income elderly or disabled adults in certain counties who receive social security disability or retirement income). The department must ensure the timely redistribution of the funding provided in this subsection among entities or counties to reflect actual caseload changes as required under RCW 43.185C.220(5)(c).

~~(16) ((\$198,000 of the general fund—state appropriation for fiscal year 2024 and \$198,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to retain a behavioral health facilities siting administrator within the department to coordinate development of effective behavioral health housing options and provide technical assistance in siting of behavioral health treatment facilities statewide to aide in the governor's plan to discharge individuals from the state psychiatric hospitals into community settings. This position must work closely with the local government legislative authorities, planning departments, behavioral health providers, health care authority, department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity-building efforts. This position must work to integrate building behavioral health treatment and infrastructure capacity in addition to ongoing supportive housing benefits-))~~ \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to King county for costs to provide transitional and long-term housing supports for unsheltered, recently-arrived individuals and families.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an entity located in the Beacon hill/Chinatown international district area of Seattle to provide low income housing, low income housing support services, or both. To the extent practicable, the chosen location must be colocated with other programs supporting the needs of children, the elderly, or persons with disabilities.

(18) \$4,740,000 of the general fund—state appropriation for fiscal year 2024, \$4,740,000 of the general fund—state appropriation for fiscal year 2025, and \$4,500,000 of the home security fund—state appropriation are provided solely for the consolidated homeless grant program.

(a) Of the amounts provided in this subsection, \$4,500,000 of the home security fund—state appropriation is provided solely for permanent supportive housing targeted at those families who are chronically homeless and where at least one member of the family has a disability. The department will also connect these families to medicaid supportive services.

(b) Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for diversion services for those families and individuals who are at substantial risk of losing stable housing or who have recently become homeless and are determined to have a high probability of returning to stable housing.

(c) Of the amounts provided in this subsection, \$3,240,000 of the general fund—state appropriation for fiscal year 2024 and \$3,240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for up to nine months of rental assistance for individuals enrolled in the foundational community supports initiative who are transitioning off of benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The health care authority, department of social and health services, and department of commerce shall collaborate on this effort.

(19) ~~(\$958,000)~~ \$1,258,000 of the general fund—state appropriation for fiscal year 2024 and \$1,332,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operations of the long-term care ombudsman program.

(20) \$1,007,000 of the general fund—state appropriation for fiscal year 2024 and \$1,007,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer a transitional housing program for nondependent homeless youth.

(21) \$80,000 of the general fund—state appropriation for fiscal year 2024 and \$80,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish an identification assistance and support program to assist homeless persons in collecting documentation and procuring an identicard issued by the department of licensing. This program may be operated through a contract for services. The program shall operate in one county west of the crest of the Cascade mountain range with a population of 1,000,000 or more and one county east of the crest of the Cascade mountain range with a population of 500,000 or more.

(22) (a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to administer flexible funding to support the anchor community initiative and anchor communities through the homeless prevention and diversion fund and serve eligible youth and young adults. The flexible funding administered under this subsection may be used for the immediate needs of



eligible youth or young adults. An eligible youth or young adult may receive support under this subsection more than once.

(b) Flexible funding provided under this subsection may be used for purposes including but not limited to:

- (i) Car repair or other transportation assistance;
- (ii) Rental application fees, a security deposit, or short-term rental assistance;
- (iii) Offsetting costs for first and last month's rent and security deposits;
- (iv) Transportation costs to go to work;
- (v) Assistance in obtaining photo identification or birth certificates; and
- (vi) Other uses that will support the eligible youth or young adult's housing stability, education, or employment, or meet immediate basic needs.

(c) The flexible funding provided under this subsection may be provided to:

(i) Eligible youth and young adults. For the purposes of this subsection, an eligible youth or young adult is a person under age 25 who is experiencing or at risk of experiencing homelessness, including but not limited to those who are unsheltered, doubled up or in unsafe living situations, exiting inpatient programs, or in school;

(ii) Community-based providers assisting eligible youth or young adults in attaining safe and stable housing; and

(iii) Individuals or entities, including landlords, providing safe housing or other support designed to lead to housing for eligible youth or young adults.

(23) ~~(\$607,000)~~ \$5,607,000 of the general fund—state appropriation for fiscal year 2024 and provided solely for the department to assist homeowners at risk of foreclosure pursuant to chapter 61.24 RCW. Funding provided in this section may be used for activities to prevent mortgage or tax lien foreclosure, housing counselors, a foreclosure prevention hotline, legal services for low-income individuals, mediation, and other activities that promote homeownership. The department may contract with other foreclosure fairness program state partners to carry out this work.

(24) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a nonprofit entity located in Seattle that focuses on poverty reduction and racial equity to convene and staff a poverty reduction workgroup steering committee comprised of individuals that have lived experience with poverty. Funding provided in this section may be used to reimburse steering committee members for travel, child care, and other costs associated with participation in the steering committee.

(25) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for capacity-building grants through the Latino community fund for emergency response services, educational programs, and human services support for children and families in rural and underserved communities.

(26) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to administer a competitive grant process to award funding to licensed youth shelters, HOPE centers, and crisis residential centers to provide behavioral health support services for youth in crisis, and to increase funding for current grantees.

(27) ~~(\$9,864,000 of the general fund—state appropriation for fiscal year 2024 and \$9,864,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for long-term rental subsidies for individuals with mental health or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served.)~~ \$2,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the city of Tukwila for costs incurred related to unsheltered, recently-arrived individuals and families, on the condition that the city of Tukwila contract with the office of refugee and immigrant assistance for the use of a location for providing tiered support services for unsheltered, recently-arrived individuals and families. The office may subcontract to provide the support services. Of the amount provided in this subsection, \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for transitional and long-term housing supports.

(28) \$9,575,000 of the general fund—state appropriation for fiscal year 2024 and \$9,575,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the Washington state office of firearm safety and violence prevention, including the creation of a state and federal grant funding plan to direct resources to cities that are most impacted by community violence. Of the amounts provided in this subsection:

(a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based violence prevention and intervention services to individuals identified through the King county shots fired social network analysis. The department must complete an evaluation of the program and provide a report to the governor and the appropriate legislative committees by June 30, 2023.

(b) \$5,318,000 of the general fund—state appropriation for fiscal year 2024 and \$5,318,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support existing programs and capacity building for new programs providing evidence-based violence prevention and intervention services to youth who are at high risk to perpetrate or be victims of firearm violence and who reside in areas with high rates of firearm violence as provided in RCW 43.330A.050.

(i) Priority shall be given to programs that partner with the University of Washington, school of medicine, department of psychiatry and behavioral sciences for training and support to deliver culturally relevant family integrated transition services through use of credible messenger advocates.

(ii) The office may enter into agreement with the University of Washington or another independent entity with expertise in evaluating community-based grant-funded programs to evaluate the grant program's effectiveness.

(iii) The office shall enter into agreement to provide funding to the University of Washington, school of medicine, department of psychiatry and behavioral sciences to directly deliver trainings and support to programs providing culturally relevant family integrated transition services through use of credible messenger and to train a third-party organization to similarly support those programs.

(iv) Of the amounts provided under (b) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a certified credible messenger program that does work in at least three regions of Washington state to train and certify credible messengers to implement a culturally responsive, evidence-based credible messenger violence prevention and intervention services program.

(c) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to further support firearm violence prevention and intervention programs and initiatives consistent with the duties of the office as set forth in RCW 43.330A.020.

(d) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to support safe storage programs and suicide prevention outreach and education efforts across the state.

(29) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to diaper banks for the purchase of diapers, wipes, and other essential baby products, for distribution to families in need. The department must give priority to providers serving or located in marginalized, low-income communities or communities of color; and providers that help support racial equity.

(30) \$4,500,000 of the general fund—state appropriation for fiscal year 2024 and \$4,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to counties to stabilize newly arriving refugees, including those from the 2021 Afghanistan conflict and the 2022 Ukraine-Russia conflict.

(31) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit resource center in King county that provides sexual assault advocacy services, therapy services, and prevention and outreach to begin a three-year, multigrade sexual violence prevention program in the Renton school district.

(32) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to colead a prevention work group with the department of children, youth, and families. The work group must focus on preventing youth and young adult homelessness and other related negative outcomes. The work group shall consist of members representing the department of social and health services, the employment security department, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the interagency work group on homelessness, community-based organizations, and young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement.

(a) The work group shall help guide implementation of:

(i) The state's strategic plan on prevention of youth homelessness;

(ii) Chapter 157, Laws of 2018 (SSB 6560);

(iii) Chapter 312, Laws of 2019 (E2SSB 5290);

(iv) Efforts to reform family reconciliation services; and

(v) Other state initiatives addressing the prevention of youth homelessness.

(b) The office of homeless youth prevention and protection programs must use the amounts provided in this subsection to contract with a community-based organization to support the involvement with the work group of young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement. The community-based organization must serve and be substantially governed by marginalized populations. The amounts provided in this subsection must supplement private funding to support the work group.

(33) \$22,802,000 of the general fund—state appropriation for fiscal year 2024 and \$22,803,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase existing grantee contracts providing rental or housing subsidy and services for eligible tenants in housing and homeless programs. The department must distribute funding in

a manner that will prioritize maintaining current levels of homeless subsidies and services and stabilizing the homeless service provider workforce.

(34)(a) \$35,000,000 of the climate commitment account—state appropriation is provided solely for the department to administer grant funding through the existing network of federal low-income home energy assistance program grantees to provide low-income households with energy utility bill assistance.

(b) To qualify for assistance, a household must be below 80 percent of the area median income and living in a community that experiences high environmental health disparities.

(c) Under the grant program, each household accessing energy bill assistance must be offered an energy assessment that includes determining the household's need for clean cooling and heating system upgrades that improve safety and efficiency while meeting Washington's climate goals. If beneficial, households may be offered grant funding to cover the replacement of inefficient, outdated, or unsafe home heating and cooling systems with more energy efficient electric heating and cooling technologies, such as heat pumps.

(d) Of the amounts provided in this subsection, no more than 60 percent of the funding may be utilized by the department to target services to multifamily residential buildings across the state that experience high energy use, where a majority of the residents within the building are below 80 percent of the area median income and the community experiences high environmental health disparities.

(e) In serving low-income households who rent or lease a residence, the department must establish processes to ensure that the rent for the residence is not increased and the tenant is not evicted as a result of receiving assistance under the grant program.

(f) The department must incorporate data collected while implementing this program into future energy assistance reports as required under RCW 19.405.120. The department may publish information on its website on the number of furnace or heating and cooling system replacements, including replacements within multifamily housing units.

(g) The department may utilize a portion of the funding provided within this subsection to create an electronic application system.

(35) \$49,900,000 of the general fund—state appropriation for fiscal year 2024, \$55,500,000 of the general fund—state appropriation for fiscal year 2025, and ((~~\$55,500,000~~)) \$5,600,000 of the coronavirus state fiscal recovery account—federal appropriation are provided solely for the department to continue grant funding for emergency housing and shelter capacity and associated supports such as street outreach, diversion services, short-term rental assistance, hotel and motel vouchers, housing search and placement, and housing stability case management. Entities eligible for grant funding include local governments and nonprofit entities. The department may use existing programs, such as the consolidated homelessness grant program, to award funding under this subsection. Grants provided under this subsection must be used to maintain or increase current emergency housing capacity, funded by the shelter program grant and other programs, as practicable due to increased costs of goods, services, and wages. Emergency housing includes transitional housing, congregate or noncongregate shelter, sanctioned encampments, or short-term hotel or motel stays.

(36)(a) \$75,050,000 of the general fund—state appropriation for fiscal year 2024 and \$75,050,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to transition persons residing in encampments to safer housing opportunities, with an emphasis on ensuring individuals living unsheltered reach permanent housing solutions. Eligible grant recipients include local governments and nonprofit organizations operating to provide housing or services. The department may provide funding to state agencies to ensure individuals accessing housing services are also able to access other wrap-around services that enable them to obtain housing such as food, personal identification, and other related services. Local government and nonprofit grant recipients may use grant funding to provide outreach, housing, case management, transportation, site monitoring, and other services needed to assist individuals residing in encampments and on public rights-of-way with moving into housing.

(b) Of the amounts provided in this subsection:

(i) No less than \$120,000,000 must be used for housing services for persons residing on state-owned rights-of-way; and

(ii) All remaining funds may be used for housing services for persons residing in encampments, including encampments located on public lands, as defined in RCW 79.02.010, or state parks and parkways.

(c) Grant criteria must include, but are not limited to:

(i) Whether a site where the grantee will conduct outreach and engagement has been identified as a location where individuals residing in encampments or on the public right-of-way are in specific circumstances or physical locations that expose them to especially or imminently unsafe conditions;

(ii) A commitment to resolve encampments through extensive outreach followed by matching individuals with temporary lodging or permanent housing that is reasonably likely to fit with their actual needs and situation, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability;

(iii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement within six months except under unusual circumstances;

(iv) Local government readiness and capacity to enter into and fulfill the grant requirements as applicable; and

(v) Other criteria as identified by the department.

(d) When awarding grants under (a) of this subsection, the department must prioritize applicants that focus on ensuring an expeditious path to sustainable permanent housing solutions, and that demonstrate an understanding of working with individuals to identify their optimal housing type and level of ongoing services through the effective use of outreach, engagement, and temporary lodging and permanent housing placement.

(e) Grant recipients under (a) of this subsection must enter into a memorandum of understanding with the department, and other state agencies if applicable, as a condition of receiving funds. Memoranda of understanding must specify the responsibilities of the grant recipients and the state agencies, consistent with the requirements of (c) of this subsection, and must include specific measurable outcomes for each entity signing the memorandum. The department must publish all signed memoranda on the department's website and must publish updates on outcomes for each memorandum at least every 90 days, while taking steps to protect the privacy of individuals served by the program. At a minimum, outcomes must include:

(i) The number of people actually living in any encampment identified for intervention by the department or grantees;

(ii) The demographics of those living in any encampment identified for intervention by the department or grantees;

(iii) The duration of engagement with individuals living within encampments;

(iv) The types of housing options that were offered;

(v) The number of individuals who accepted offered housing;

(vi) Any reasons given for why individuals declined offered housing;

(vii) The types of assistance provided to move individuals into offered housing;

(viii) Any services and benefits in which an individual was successfully enrolled; and

(ix) The housing outcomes of individuals who were placed into housing six months and one year after placement.

(f) Grant recipients under (a) of this subsection may not transition individuals from encampments or close encampments unless they have provided extensive outreach and offered each individual temporary lodging or permanent housing that matches the actual situation and needs of each person, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability. Grant recipients who initially match an individual to temporary lodging must make efforts to transition the person to a permanent housing placement within six months except under unusual circumstances. The department must establish criteria regarding the safety, accessibility, and habitability of housing options to be offered by grant recipients to ensure that such options are private, sanitary, healthy, and dignified, and that grant recipients provide options that are well-matched to an individual's assessed needs.

(g) Funding granted to eligible recipients under (a) of this subsection may not be used to supplant or replace existing funding provided for housing or homeless services.

(37) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase funding for the community services block grant program. Distribution of these funds to community action agencies shall prioritize racial equity and undoing inequity from historic underinvestment in Black, indigenous, and people of color, and rural communities.

(38) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization to identify opportunities for cities in Whatcom county to improve access to affordable housing through conducting market research, engaging stakeholders, and developing tools and implementation strategies for cities that will increase access to affordable housing. The grant recipient must be a nonprofit organization based in Bellingham that promotes affordable housing solutions and with a mission to create thriving communities.

(39) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization located in the city of Redmond that serves Latino low-income, immigrant, and Spanish-speaking communities in King and Snohomish counties through arts and culture events and community services. The grant funding may be used to expand existing programs including, but not limited to, support for small businesses, rent assistance, vaccination and COVID-19 outreach, programs aimed at increasing postsecondary enrollments in college and trade schools, and other community services and programs.

(40) ~~(\$4,000,000)~~ \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,000,000)~~ \$6,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to community-based organizations that serve historically disadvantaged populations to conduct outreach and to assist community members in applying for state and federal assistance programs including, but not limited to, those administered by the department of social and health services, department of commerce, and department of children, youth, and families.

(41) ~~(\$150,000)~~ \$110,000 of the general fund—state appropriation for fiscal year 2024 ~~(is)~~ and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization located in the city of Issaquah to provide cultural programs and navigational supports for individuals and families who may face language or other cultural barriers when engaging with schools, public safety, health and human services, and local government agencies.

(42) \$200,000,000 of the community reinvestment account—state appropriation is provided solely for the department to distribute grants for economic development, civil and criminal legal assistance, community-based violence intervention and prevention services, and reentry services programs. Grants must be distributed in accordance with the recommendations of the community reinvestment plan developed pursuant to section 128(134), chapter 297, Laws of 2022 (ESSB 5693).

(43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000,000 of the covenant homeownership account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1474 (covenant homeownership prg.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional staffing for the developmental disabilities council.

(45) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Spokane to provide transitional housing, educational programs, and other resources for refugee and immigrant families.

(46) \$1,169,000 of the general fund—state appropriation for fiscal year 2024 and \$1,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(47) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a dispute resolution center located in Snohomish county to provide mediation and resolution services for landlords and tenants, with the goal of avoiding evictions.

(48) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for grants to nonprofit organizations to operate hunger relief response programs serving individuals living in permanent supportive housing. Of the amounts provided in this subsection:

(a) \$275,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in King county.

(b) \$225,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in Spokane county.

(49) \$180,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization operating a teen center in the city of Issaquah to provide case management and counseling services for youth ages 12 to 19.

(50)(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit community-based organization for the coordination of a gang violence prevention consortium with entities including community-based organizations, law enforcement, and members of the faith community, and to continue and expand after-school activities and social services for students and young adults in the Yakima valley. Social services may include, but are not limited to, employment, mental health, counseling, tutoring, and mentoring services. The grant recipient must be a community-based organization located in Granger operating a Spanish language public radio station and with the mission of addressing the social, educational, and health needs of economically disadvantaged Spanish-speaking residents of central and eastern Washington.

(b) By June 30, 2025, the department must provide a report to the appropriate committees of the legislature. The report must include: (i) A description of the gang violence prevention programs conducted by the consortium and how they were implemented; and (ii) The number of individuals who participated in or received services through the programs conducted by the consortium, including any relevant demographic data for those individuals.

(51) \$400,000 of the general fund—state appropriation for fiscal year ~~((2024))2025~~ is provided solely for the department to contract with a nonprofit organization to develop an affordable housing predevelopment plan. The affordable housing predevelopment plan must assess the feasibility of using surplus public land located at or near north Seattle Community College and Highline Community College for the development of affordable colocated housing that could serve low and moderate-income state workers. The contract recipient must be an organization that provides consultation services on affordable housing development. In creating the predevelopment plan, the contract recipient must solicit input from interested parties including, but not limited to, low-income and affordable housing experts, policy staff in the office of the governor, state public employee unions, and legislators. The contract recipient may also use funds provided under this subsection for affordable housing predevelopment work at North Seattle Community College or Highline Community College.

(52) \$781,000 of the general fund—state appropriation for fiscal year 2024 and \$781,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1406 (youth seeking housing assist). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(53)(a) \$1,750,000 of the general fund—state appropriation for fiscal year 2024 and \$1,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of firearm safety and violence prevention to continue a healthy youth and violence prevention initiative demonstration program serving south King county, with the goal

of preventing violence, decreasing involvement with the juvenile justice system, and encouraging health and wellbeing for youth and young adults ages 12 to 24. As part of the demonstration program, the office must provide grant funding to and partner with a community-based organization to serve as a regional coordinator to:

(i) Connect youth and young adults ages 12 to 24 who are most vulnerable to violence with programs that provide services including, but not limited to, street outreach, youth employment and preapprenticeship programs, case management, behavioral health services, and other services as appropriate; and

(ii) Assist local governments, service providers, and nonprofit organizations in accessing and leveraging federal, state, and local funding for violence prevention and related services.

(b) The grant recipient under (a) of this subsection must be a nonprofit health system currently administering a violence prevention initiative in King and Pierce counties. The grant recipient may subgrant or subcontract funds to programs providing services as described in (a) (i) of this subsection.

(54) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit sexual assault resource center located in Renton. Grant funding may be used for information technology improvements focused on client data management that will improve client access to health services, cybersecurity, and data privacy.

(55) (a) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of existing contracts with a nonprofit organization to increase housing supply and equitable housing outcomes by advancing affordable housing developments, including supportive housing, transitional housing, shelter, or housing funded through the apple health and homes program, that are colocated with community services such as education centers, health clinics, nonprofit organizations, social services, or community spaces or facilities, available to residents or the public, on underutilized or tax-exempt land.

(b) The contract recipient must use the funding provided under this subsection to:

(i) Implement strategies to accelerate development of affordable housing with space for education centers, health clinics, nonprofit organizations, social services, or community space or facilities, available to residents or the public, on underutilized or tax-exempt land;

(ii) Analyze the suitability of properties and sites for affordable housing as described under (b) (i) of this subsection, including existing buildings for supportive housing, through completing due diligence, conceptual design, and financial analysis activities, and applying and implementing an equity lens in site selection, program planning, development, and operations;

(iii) Work with elected officials, local governments, educational institutions, public agencies, local housing and community development partners, early learning partners, health care providers, and nonprofit service organizations to:

(A) Identify and catalyze surplus, underutilized, or tax-exempt properties for the development of affordable housing;

(B) Provide catalytic funding and technical assistance to advance the development of affordable housing, including by identifying funding sources to support the needs of specific projects; and

(C) Identify impediments to the development of affordable housing and develop recommendations and strategies to address those impediments, reduce costs, advance community vision and equitable outcomes, and accelerate predevelopment and development times associated with affordable housing;

(iv) Organize community partners and build capacity to develop affordable housing sites;

(v) Facilitate collaboration and codevelopment between affordable housing and education centers, health clinics, nonprofit organizations, social services, or community spaces and facilities available to residents or the public;

(vi) Provide technical assistance and predevelopment services to support future development of sites; and

(vii) Catalyze the redevelopment of at least 20 sites to create approximately 2,000 affordable homes.

(c) Funding may also be used to:

(i) Partner with state, regional, and local public entities, nonprofit housing developers, and service providers to develop a broad range of housing types for supportive housing for populations authorized to receive the housing benefit under the apple health and homes act;

(ii) Provide technical assistance on the constructive alignment of state or local capital funds and other services for the construction, acquisition, refurbishment, redevelopment, master leasing of properties for noncongregate housing, or conversion of units from nonresidential to residential, of dwelling units for supportive housing funded through the apple health and homes program;

(iii) Advise on local community engagement, especially with populations with lived experience of homelessness and housing insecurity, for supportive housing funded through the apple health and homes program;

(iv) Subcontract for specialized predevelopment services, as needed, and subgrant to reimburse for supportive housing funded through the apple health and homes program; and

(v) Hire staff necessary to implement activities under (b) and (c) of this subsection.

(56) (a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for the department to continue a lifeline support system pilot project to assist individuals who have experienced or are at risk of entering into public systems of care. Public systems of care include office of homeless youth prevention and protection shelter and housing programs, the juvenile justice system, dependency under chapter 13.34 RCW, and inpatient behavioral health treatment.

(b) (i) The lifeline must function as a no-wrong-door access point for support and connections to services for qualifying individuals who require assistance to overcome a life challenge that could escalate into a crisis, or who are in need of general mentorship and counsel. The lifeline support system must facilitate and promote partnerships across state agencies, federally recognized tribes, counties, and community-based providers to coordinate trauma-informed and culturally responsive services for youth and young adults and their supports. The department is authorized to implement lifeline services through contracts with community partners and nonprofit organizations.

(ii) From amounts provided in this subsection, the department must allocate funding to establish a lifeline fund program. The department may use moneys allocated for the fund program to assist community partners and nonprofit organizations to implement lifeline services when those providers cannot identify an existing resource to resolve a recipient's need. The department must establish an application process and criteria for the fund program.

(c) By June 30, 2025, the department shall report to the legislature regarding the success and shortcomings of the lifeline support system, request-for-service outcomes, and the demographics of beneficiaries.

(57) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization to provide legal aid in subjects including, but not limited to, criminal law and civil rights cases for underserved populations focusing on Black gender-diverse communities. The grant recipient must be a nonprofit organization with offices in Seattle and Tacoma and with a mission to provide intersectional legal and social services for Black intersex and gender-diverse communities in Washington.

(58) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization within the city of Tacoma that provides social services and educational programming to assist Latino and indigenous communities in honoring heritage and culture through the arts, and in overcoming barriers to social, political, economic, and cultural community development. Of the amounts provided in this subsection:

(a) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for education and training programming in community health organizing, "promotora" health education, grassroots organizing, leadership development, and civic engagement focused on Latino and indigenous community members; and

(b) \$38,000 of the general fund—state appropriation for fiscal year 2024 and \$38,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for advocacy, translation services, emergency housing, and other services for victims of crime and domestic violence.

(59) ~~(\$500,000)~~ \$1,000,000 of the general fund—state appropriation for fiscal year 2024 ~~(is) and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are~~ provided solely for the department to provide grants to nonprofit organizations including, but not limited to, religious nonprofits, "by and for" organizations, or cultural community centers, to fund the physical security or repair of such institutions. Grant recipients must ~~((have reasons to believe they have been subject to security threats and must demonstrate a need for enhanced security. Grant funding must be used and limited to the purchase of security hardware and equipment to enhance the security of the buildings and grounds of such organizations))~~:

(a) Substantiate that their site or sites have been subject to or at risk of physical attacks, threats, vandalism, or damages based on their mission, ideology, or beliefs and demonstrate a need for investments in physical security enhancements, construction or renovation, target hardening, preparedness planning, training, or exercises; and

(b) Provide proof that they have applied for, but have not received, funding through the nonprofit security grant program administered by the federal emergency management agency.

(60) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grant funding to a nonprofit organization to provide supports, including behavioral health resources, housing services, and parenting education, to parents with substance use disorder. The grant recipient must be a nonprofit organization located in the south Puget Sound region that provides a parent child assistance program and focuses on building parenting skills and confidence to ensure children have safe and healthy childhoods.

(61) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs to develop and operate community-based residential housing and services for youth wellness spanning a range of needs and circumstances at the Pacific hospital preservation and development authority quarters, buildings three through 10 in Seattle. The amounts provided in this subsection may be used for planning, lease payments, and other related expenses for the development and operation of comprehensive residential programs providing housing, on-site social services, and community-based resources for youth identified by the department of commerce, the department of children, youth, and families, or the health care authority. The

funding may also be used for the preparation and issuance of a request for qualifications for a site operator, or lease management and related administrative functions. The department is authorized to enter into a lease, with an option to enter into multiyear extensions, for the Pacific hospital preservation and development authority quarters, buildings three through 10.

(62) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in the city of Seattle that works to improve the quality of life for low-income families and members of the refugee and immigrant community, with a focus on the Somali and Oromos community. The grant funding may be used to expand current programs including, but not limited to, case management and referral services for immigrants and refugees, youth programs, and services for seniors.

(63) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization headquartered in Mount Vernon for costs to operate and provide homeless services at a low-barrier emergency temporary homeless center located in Burlington.

(64) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Seattle that provides legal assistance and representation to survivors of sexual and gender-based violence to expand their current services including, but not limited to, legal assistance and representation; technical assistance for advocates, providers, and attorneys; community education and trainings; and other legal support services. In providing services, the grant recipient must protect the privacy, safety, and civil rights of survivors and utilize trauma-informed practices and equity principles.

(65) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization serving King and Snohomish counties for a program conducted in partnership with King county, which serves individuals who are involved in the criminal justice system and who have experienced domestic, sexual, or gender-based violence. The grant recipient may use the funding for costs including, but not limited to, legal advocacy, outreach, connecting clients to housing and other resources, data analytics, and staffing.

(66) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of crime victims advocacy to contract for a study of the impacts of the commercial sex industry on Black and African American communities in Washington, with a focus on Black and African American persons who identify as female. The office must contract with an organization that has expertise on the topic of the commercial sex industry and Black communities in Washington. The study must include a review of the impacts of the commercial sex industry on Black and African American residents of Washington, and culturally informed and survivor-informed policy recommendations for reducing sex trafficking and sexual exploitation of Black and African American Washingtonians. The department must submit a report of the study findings to the appropriate committees of the legislature by September 1, 2024.

(67) \$20,656,000 of the general fund—state appropriation for fiscal year 2024 and \$20,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to crime victims service providers to ensure continuity of services impacted by reductions in federal victims of crime act funding and to help address increased demand for services attributable to the COVID-19 pandemic. The department must distribute the funding in a manner that is consistent with the office of crime victims advocacy's state plan. Of the amounts provided in this subsection:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs operated by and for historically marginalized populations to support "by and for" culturally specific services for victims of domestic violence, sexual assault, and other crimes in historically marginalized populations. Marginalized populations can include, but are not limited to, organizations or groups composed along racial, ethnic, religious, sexual orientation, and gender lines.

(b) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs developed to support the enhancement and development of additional services for tribal members, including programs to address needs of crime victims, including strategies which integrate services or multiple crime types.

(68) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Seattle for start-up costs for the Seattle social housing developer and to meet the requirements of the city of Seattle initiative 135, which concerns developing and maintaining affordable social housing in Seattle. The funding provided under this subsection may only be used for costs associated with creating social housing developments, operating costs associated with maintaining social housing developments, and administrative costs of operating social housing.

(69) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to contract with a nonprofit to provide wraparound services for homeless families with children, including prevention, shelter, and stabilization services. The nonprofit must be located in Pierce county and be an affiliate of a national organization dedicated to



preventing and ending family homelessness by providing prevention, shelter, and stabilization services.

(70) Within existing resources, the department must submit an interim and a final report to the appropriate committees of the legislature on efforts taken by the department to stabilize rents for tenants of affordable housing units financed through the housing assistance program created under RCW 43.185.015 including, but not limited to, efforts to limit or mitigate the impacts of rent increases for tenants of qualifying units. The department must submit the interim report by December 1, 2023, and the final report by December 1, 2024.

(71) Before awarding or entering into grants or contracts for the 2023-2025 fiscal biennium for homeless housing and service programs that are funded from the home security fund account or the affordable housing for all account, the department must first consult with local governments and eligible grantees to ensure that funding from these accounts is used to maintain the quantity and types of homeless housing and services funded in local communities as of February 28, 2023. The department may take into consideration local document recording fee balances and individual county fluctuations in recording fee collections when allocating state funds. The department must redeploy funds to other nonprofit and county grantees if originally granted amounts are not expended or committed within a reasonable timeline. The department may then provide funding to eligible entities to undertake the activities described in RCW 36.22.176(1)(c)(i), such as funding for project-based vouchers and other assistance necessary to support permanent supportive housing as defined in RCW 36.70A.030 or as administered by the office of apple health and homes created in RCW 43.330.181.

(72) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to an Everett-based affiliate of a national nonprofit human services organization to stabilize newly arriving refugees from the 2021 Afghanistan conflict and the 2022 Ukraine conflict.

(73) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit organization to expand private capacity to provide legal services for indigent foreign nationals in contested domestic relations and family law cases. The contract recipient must be a nonprofit organization headquartered in the city of Seattle that provides training to attorneys and judges on international family law issues and provides direct representation to qualified indigent clients. Amounts provided in this subsection may not be expended for direct private legal representation of clients in domestic relations and family law cases.

(74) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a youth development organization providing civic engagement and education through a youth and government program. The grant is provided solely for support of the organization's mock trial and youth legislature programs.

(75) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$229,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5198 (mobile home community sales). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$1,694,000 of the general fund—state appropriation for fiscal year 2024 and \$1,694,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5561 (law enforcement community grants). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(77) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5599 (protected health care/youth). The entirety of this amount is provided for the office of homeless youth for prevention and protection programs to provide supportive care grants to organizations to address the needs of youth seeking protected health care services. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(78) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Monroe to continue existing pilot projects that enable the city to dispatch human services and social services staff in conjunction with law enforcement staff to support unsheltered residents and residents in crisis.

(79) ~~(\$2,850,000)~~ \$2,574,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,850,000)~~ \$3,126,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5114 (sex trafficking). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(81))~~ (80) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Bellevue for one-time expenses required for the operation of an expanded community service center to help low-income individuals and immigrant and refugee community members. The center will join with community partners to provide utility rate and rent relief; health care access; energy assistance; food access; medical, legal and financial

services; housing; childcare resources; employment assistance; and resources for starting a business.

~~((82))~~ (81) \$215,000 of the general fund—state appropriation for fiscal year 2024 and \$345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce a report to the legislature detailing the scope of work, cost estimates, and implementation timeline to create or procure an online registry of rental units in Washington state subject to state information system planning and oversight requirements. The online rental unit registry must have the capacity to collect and report out timely information on each rental unit in the state. Information to collect includes, but is not limited to, the rental unit's physical address, identity of the property owner, monthly rent charged, and vacancy status. The scope of work must assume integration with existing rental registries operated by local governments. Cost and timeline estimates must provide two alternatives with one assuming statewide implementation and the other assuming implementation in the six largest counties of the state. The department shall consult with landlord representatives, tenant representatives, local governments operating existing rental registries, and other interested stakeholders as part of the process of developing the scope of work and timeline for the online rental unit registry. The department must submit the report to the legislature by December 1, 2024.

~~((83))~~ (82) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a Seattle based nonprofit to create a temporary space to allow youth and low-income populations to participate in ice rink related events during the 2024 national hockey league winter classic.

~~((84))~~ (83) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in Kitsap county that partners with the Bremerton and central Kitsap school districts, first responders, and other organizations to expand implementation of the handle with care program.

~~((85))~~ (84) \$371,000 of the general fund—state appropriation for fiscal year 2024 and \$371,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Pacific county to operate or participate in a drug task force to enhance coordination and intelligence while facilitating multijurisdictional criminal investigations.

~~((86))~~ (85) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to statewide and community asset building coalitions across Washington to support capacity in organizations that coordinate financial health services and outreach efforts around poverty reduction resources such as the earned income tax credit and the working families tax credit.

~~((87))~~ (86) \$400,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a community based organization in Whatcom county to expand services to unhoused and low-income residents of Ferndale and north Whatcom county and to provide a safe parking program.

~~((88))~~ (87) \$155,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training, to develop and implement a program aimed at reducing workplace sexual harassment in the agricultural sector. Funding will be used to continue peer-to-peer trainings for farmworkers in Yakima county and expand services into Grant and Benton counties. Funding may also be used to support an established network of farmworker peer trainers whose primary purpose is to prevent workplace sexual harassment and assault through leadership and education. The organization is expected to share best practices from their peer-to-peer model at a statewide conference.

~~((89))~~ (88) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle-based nonprofit that provides holistic services to help refugee and immigrant women. Funds must be used to expand an existing program that increases equity in ice skating and hockey by providing skate lessons to preschoolers from diverse and low-income families.

~~((90))~~ (89) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,000,000)~~ \$3,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to strengthen family resource center services and increase capacity statewide. Grant funding may be used: For an organization to provide new services in order to meet the statutory requirements of a family resource center, as defined in RCW 43.216.010; to increase capacity or enhance service provision at current family resource centers, including but not limited to direct staffing and administrative costs; and to conduct data collection, evaluation, and quality improvement activities. The department may award an amount from \$30,000 up to \$200,000 per grant recipient.

(b) Eligible applicants for a grant under (a) of this subsection include current family resource centers, as defined in RCW 43.330.010, or organizations in the process of becoming qualified as family resource centers. Applicants must affirm their ability and willingness to serve all families requesting services in order to receive a grant. Applicants must currently be or agree to become a member of a statewide family resource center network during the grant award period in order to receive a grant. Applicants must provide proof of certification in the standards of quality for family strengthening and support developed by the national

family support network for one member of the applicant's organizational leadership in order to receive a grant.

(c) In distributing grant funding, the department must, to the extent it is practicable, award 75 percent of funding to organizations located west of the crest of the Cascade mountains, and 25 percent of funding to organizations located east of the crest of the Cascade mountains.

(d) By July 1, 2025, grant recipients must submit a report to the department on the use of grant funding, including, but not limited to, progress in attaining status as a family resource center, if applicable; the number and type of services offered to families; demographic and income data for families served; and family post-service outcomes. By September 1, 2025, the department must submit a report to the Legislature on topics including, but not limited to, the grant application process; needs identified by family resource centers; and use of funds by grant recipients.

(e) Of the amounts provided in (a) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to the statewide nonprofit organization that serves as the registered Washington state network member of the national family support network. The grant recipient may use the grant funding for costs including, but not limited to, outreach and engagement, data and evaluation, and providing training and development opportunities in support of family resource centers statewide.

~~((91+))~~ (90) \$9,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~((9,000,000))~~ \$39,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants to local governments for maintaining programs and investments which are primarily funded through ~~the document recording fee~~ ~~((s))~~ collected pursuant to RCW ~~((36.22.178, 36.22.179, and 36.22.1791))~~ 36.22.250. In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties.

~~((93+))~~ (91) (a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a law enforcement technology grant program for the purpose of providing law enforcement with modern vehicle pursuit management technology including, but not limited to, global positioning system tracking equipment, automated license plate reading technology, aircraft, and nonarmed and nonarmored drone technology.

(b) Grants must be awarded to local law enforcement agencies based on locally developed proposals. The department shall establish policies for applications under this subsection in addition to criteria for evaluating and selecting grant recipients. A proposal must include a request for specific technology and a specific plan for the implementation, use, and effectiveness reporting of that technology.

(c) Before grants are awarded, each local law enforcement agency seeking to acquire vehicle pursuit technology must:

(i) Establish data-sharing and management policies including policies related to sharing data between law enforcement agencies and other third parties; and

(ii) Establish policies ensuring all personnel who operate the vehicle pursuit technology, or access the vehicle pursuit technology data, are trained to use that technology and are able to comply with the data-sharing and management policies prior to the operational use of the vehicle pursuit technology.

(92) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the distribution of grants to cities, counties, or nonprofit organizations to support individuals in need of emergency housing assistance. Emergency housing assistance may include, but is not limited to, short-term rental assistance, moving costs, other one-time costs associated with identifying and obtaining housing, or temporary shelter in the event of a crisis or when people have been displaced. Funding provided under this subsection must be prioritized for entities that can demonstrate that the population served includes families with children, pregnant individuals, or other medically vulnerable individuals. The department may only distribute funding under this subsection upon coordination with the office of the governor.

(93) (a) \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to continue to provide grant funding to local multijurisdictional task forces that previously received funding through the federal Edward Byrne memorial justice assistance grant program. Grants provided under this section must be used consistent with the requirements of Edward Byrne memorial justice assistance grants and with national best practices for law enforcement.

(b) Of the amounts provided in this subsection, \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department, with the office of the governor, to coordinate three roundtables to review policies, regulations, and fiscal investments regarding multijurisdictional drug task forces in Washington state. The roundtables must include representatives from state, tribal, and local governments, and invite representatives from the federal government. By June 30, 2025, the department must submit a summary report of the roundtable's findings to the appropriate committees of the legislature.

(94) \$475,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization located in King county that develops training and support for low-income individuals, with a focus on women and people of color, to move into the construction industry for living wage jobs. The grant funding must be used to

support a preapprenticeship program that, through the construction of units, integrates housing and workforce development in service of the following goals:

(a) Creating a blueprint to integrating workforce development and housing for local jurisdictions;

(b) Providing construction training to underserved populations;

(c) Creating a pathway for trainees to enter construction careers; and

(d) Addressing the effects of sexism and racism in housing, education, training, employment, and career development.

(95) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to assist local law enforcement agencies throughout the state in establishing community-supported programs for officers to provide short-term assistance such as food, clothing, fuel, and other means of support during interactions with community members in need. The grant recipient must be a nonprofit organization headquartered in Puyallup with experience in assisting local law enforcement agencies in administering such programs. Local law enforcement agencies that establish community-supported programs under this subsection may also pursue private funding to support the provision of assistance.

(96) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to nonprofit organizations to provide homeownership assistance to homeowners and first-time homebuyers from communities served by those organizations. Homeownership assistance activities may include, but are not limited to, housing counseling for current homeowners; housing counseling for first-time homebuyers; financial literacy education for homeowners and homebuyers; and outreach. Of the amounts provided in this subsection:

(a) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are for a grant to a nonprofit community land trust headquartered in the city of Seattle with a mission to acquire, develop, and steward land in the greater Seattle area to empower and preserve the Black diaspora community; and

(b) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are for a grant to a nonprofit community-based organization based in the city of Seattle with a mission to provide resources, education, and advocacy to help Black homeowners achieve and sustain homeownership.

(97) \$240,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide holistic reentry support to persons formerly incarcerated in prisons in Washington state. The grant recipient must be a nonprofit organization based in King county that promotes healing, relationships, and humanity by providing services including community-based reintegration support, gun violence intervention processes, and healing work through antioppression and culturally-responsive compassionate communication workshops, and which uses the evidence-based credible messengers model.

(98) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide essential social services for low-income families and individuals. The grant recipient must be a nonprofit community action agency based in the city of Seattle that provides safety-net services for low-income families and individuals and that has a history of serving the African American community in the Central District.

(99) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to contract with a social purpose corporation that operates a cultural community center located in the city of Tumwater to provide a trauma-informed cultural and job training program for people of color and those facing barriers to employment.

(100) \$395,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide a grant to the Yakima valley local crime lab for analysis and data collection on firearm crimes, support for investigations for deaths related to fentanyl, and to support the rapid DNA work group.

(101) \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with the housing finance commission for activities related to the implementation of the covenant homeownership program created in chapter 43.181 RCW. Of the amounts provided in this subsection:

(a) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to contract through a request for proposals process with nonprofit community organizations, public housing agencies, or public development authorities across the state who are focused on increasing homeownership or are serving communities eligible for assistance through the covenant homeownership program to:

(i) Provide the full spectrum of housing counseling services, including prepurchase counseling, assistance in the home buying process, and support to maintain homeownership and prevent foreclosure, including community outreach efforts; and

(ii) Provide technical assistance to "by and for" homeownership developers in areas such as site identification and predevelopment activities in order to increase the quantity of starter homes for first-time homebuyers who are eligible for assistance through the covenant homeownership program.

(b) (i) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to draft a plan with specific strategies to:

(A) Reduce the cost of starter homes for first-time homebuyers and lessen other costs associated with purchasing a home;

(B) Acquire publicly owned and other sites that can be dedicated to homeownership;

(C) Identify other ways to further enable first-time homebuyers to afford their home purchase; and

(D) Encourage a variety of design and development options for starter homes.

(ii) The commission must submit the plan developed under (b)(i) of this subsection to the governor and the appropriate committees of the legislature by January 15, 2025.

(102) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to complete the acquisition of property for a community center to provide services to residents in south King county. The grant recipient must be a community action agency headquartered in the city of Seattle with an office in the city of Federal Way, and that is grounded in the Latino community of Washington state.

(103) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to administer housing assistance for persons who are fleeing or who have recently fled intimate partner violence. The department must allocate funding through contracts with service providers that have current contracts with the office of crime victims advocacy to provide services for survivors of intimate partner or domestic violence. A provider must use at least 80 percent of contracted funds for rental payments to landlords and the remainder for other program operation costs. Priority for assistance must be provided to survivors who face the greatest risk of serious violence and have the least access to housing resources.

(104) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization that operates a community resource center in the city of Ferndale to maintain and expand services for families and individuals, including but not limited to providing one-on-one navigation services to access housing and other assistance; providing clothing, food, and other forms of immediate assistance; and conducting direct outreach to unhoused individuals and families.

(105) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to conduct planning and site development activities for building affordable housing in the city of Roslyn. The grant recipient must be a nonprofit organization with offices in Seattle and Roslyn and with a mission to innovate and scale land-based solutions to address the climate crisis and support equitable, green, and prosperous communities.

(106) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide culturally competent legal services, training, outreach, and education to immigrant workers regarding a federal deferred action program for workers who are victims or witnesses of violations of labor rights during labor disputes. The grant recipient must be a nonprofit organization that operates a free civil legal aid clinic in partnership with Seattle University and the University of Washington that educates, advises, and represents workers in employment law cases.

(107) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with two nongovernmental organizations to host a Washington state developmental disabilities intersectional summit in October 2024. The purpose of the summit is to analyze systemic barriers impacting the lives of BIPOC individuals with intellectual and developmental disabilities and their families, and to identify solutions for addressing those barriers. The contract recipients must be nongovernmental organizations that are BIPOC-led and that have demonstrated skills and experience working for and with people with developmental disabilities and their families.

(108) \$1,518,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the statewide reentry council to implement a pilot project to operate trauma-informed, peer-based, human dignity model reentry programs at two jails. The reentry programs must provide peer-led intensive case management services for participants that are both prerelease and postrelease.

(109) \$40,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to local governments for homeless housing programs and services, including but not limited to emergency housing and shelter, temporary housing, and permanent supportive housing programs. Of the amounts provided in this subsection:

(a) \$12,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to King county to maintain shelter, emergency housing, and permanent supportive housing programs.

(b) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the city of Tacoma to prevent the closure of temporary and emergency shelter beds.

(c) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the city of Spokane to provide temporary emergency shelter for homeless individuals and for costs associated with transitioning individuals from their current shelter location to smaller shelters and inclement weather centers.

(d) \$21,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to local jurisdictions who are not eligible for funding under (a), (b), or (c) of this subsection. Grant funds must be prioritized for maintaining existing levels of service and preventing the closure of existing beds or programs.

(110) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to expand support services and mentorship programs serving at-risk youth, with a focus on BIPOC and transgender youth, in Kitsap county. The grant recipient must be a nonprofit organization based in Kitsap county that

provides advocacy and other support services for at-risk youth and their families, with a focus on BIPOC and LGBTQ youth.

(111) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to support the development of and outreach for community-led mental health support groups and classes serving individuals and families throughout Washington state, with special focus on Latino communities, rural areas, and tribes. The grant recipient must be a nonprofit organization that serves as the Washington state office of a national grassroots mental health organization dedicated to building better lives for individuals affected by mental health conditions.

(112) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide support to self-advocates, caregivers, and others in attending a summit addressing the topic of federal and state funding for programs that benefit people with developmental disabilities in 2025. The grant recipient must be a nonprofit organization that advocates for and beside children and adults with intellectual and developmental disabilities and their families that is headquartered in the city of Olympia.

(113) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a nonprofit organization to maintain and increase access to technical assistance, advice, fundraising services, and foundational support such as human resources, information technology, and financial services for community-based nonprofit organizations in Washington. The contract recipient must be a nonprofit organization headquartered in the city of Seattle that provides management and technology consulting; training; and free advisory services for nonprofit and community-based organizations.

(114) \$230,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to expand an existing gang prevention program that provides mentoring, education, and drug awareness services for elevated-risk youth in middle and elementary schools in Yakima county, with the goals of reducing youth gang involvement, increasing school enrollment and reducing truancy, and reducing the accessibility and usage of drugs by elevated-risk youth. The grant recipient must be a nonprofit organization based in Yakima that provides outreach, education, and prevention services to improve community safety in the Yakima valley, including a drug-free coalition and a youth mentoring program.

(115) \$120,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to two nonprofit entities to establish 4-H curriculum-based initiatives for students and foster educational opportunities tied to the land grant university knowledge base. One grant recipient must be a nonprofit entity operating multiple locations in Skagit county and have at least 25 years of experience serving youth in the region, and one grant recipient must be a nonprofit entity operating multiple locations in Snohomish county with at least 75 years of experience serving youth in the region.

(116) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to expand their mentoring, job training, and internship programs for at-risk youth. The grant recipient must be a nonprofit organization who serves at-risk youth in the Snoqualmie and Issaquah valleys through mentoring, job skill development, and teen internship programs in coordination with local school districts.

(117) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the Vancouver housing authority for the operational and services costs of a licensed residential care facility located in Vancouver that provides housing and other services for low-income, disabled, and homeless and formerly homeless individuals.

(118) \$198,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization for activities to develop affordable housing units and permanent supportive housing units for individuals with intellectual and developmental disabilities in rural Snohomish and Skagit counties. The grant recipient must be a nonprofit organization headquartered in Arlington that offers client housing, residential supported living services, employment services, job readiness and life skills training, and arts and music enrichment programs to individuals with intellectual and developmental disabilities.

(119) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to Whatcom county to increase the number of families served through a family motel shelter program.

(120) \$81,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2329 (insurance market/housing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(121) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2065 (offender score/recalc.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(122) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide technical assistance and direct resident support to residents of manufactured and mobile home communities immediately following a notice of sale issued pursuant to RCW 59.20.300. The grant recipient must be a nonprofit organization headquartered in the city of Olympia that assists new and existing cooperative businesses, with emphasis on resident owned communities, home care agencies, and converting existing businesses into worker-owned or community-owned cooperatives.

(123) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct a comprehensive study to identify and analyze funding structures to preserve manufactured and mobile home communities as nonprofit or cooperatively-run affordable housing projects. In conducting the study, the department must consult with financial experts, conduct field interviews, and identify existing and innovative funding options to support the creation of resident-owned communities. The department must submit a report summarizing the study's findings to the governor and the legislature by June 30, 2025.

(124) \$104,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2308 (existing structures/housing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(125)(a) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a contract with a statewide organization with a mission of developing new and innovative ways to combat organized retail crime to implement a pilot program to respond to organized retail crime, with a focus on diversion-oriented programs.

(b) The contract recipient must establish three pilot program sites. The contract recipient must make a reasonable effort to establish at least one site east of the Cascade mountains. No single pilot site may use more than \$300,000 of the funding provided under this subsection.

(c) The contract recipient must use the funds to coordinate community efforts to enhance responses to organized retail crime within each pilot site area. Coordination must include the following entities: Cities, counties, or affiliated associations with programs focused on diversion and restitution; local retail stores; law enforcement agencies; local prosecutors and public defense; and therapeutic courts. Funding may also be used for planning and other activities to achieve a targeted response to reported retail crimes from diversion programs or law enforcement agencies.

(d) The contract recipient must provide a report to the department by June 15, 2025, on the number of responses to retail crime and the number of diversions initiated for each pilot site, data regarding the role of local prosecutors at each site, and opportunities and challenges in retail crime response and diversion identified by pilot participants. The department must submit the report to the appropriate committees of the legislature by June 30, 2025.

**Sec. 128.** 2023 c 475 s 130 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—LOCAL GOVERNMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$50,775,000 ))
	\$48,629,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$46,258,000 ))
	\$63,957,000
General Fund—Federal Appropriation . . . . .	(( \$39,374,000 ))
	\$44,574,000
General Fund—Private/Local Appropriation . . . . .	\$1,050,000
Climate Commitment Account—State Appropriation . . . . .	(( \$43,353,000 ))
	\$53,353,000
Community Preservation and Development Authority	
Account—State Appropriation . . . . .	\$4,750,000
Growth Management Planning and Environmental Review	
Fund—State Appropriation . . . . .	\$5,681,000
Liquor Excise Tax Account—State Appropriation . . . . .	\$986,000
Liquor Revolving Account—State Appropriation . . . . .	\$6,827,000
<u>Model Toxics Control Operating Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$1,000,000</u>
Model Toxics Control Stormwater Account—State	
Appropriation . . . . .	\$100,000
Natural Climate Solutions Account—State	
Appropriation . . . . .	\$2,747,000
Public Facilities Construction Loan Revolving	
Account—State Appropriation . . . . .	\$1,026,000
Public Works Assistance Account—State Appropriation . . . . .	\$7,267,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(( \$210,194,000 ))</b>
	<b>\$241,947,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall administer its growth management act technical assistance and pass-through grants so that smaller cities and counties receive proportionately more assistance than larger cities or counties.

(2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as pass-through funding to Walla Walla Community College for its water and environmental center.

(3) \$6,827,000 of the liquor revolving account—state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

- (4) The department must develop a model ordinance for cities and counties to utilize for siting community based behavioral health facilities.
- (5) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce the biennial report identifying a list of projects to address incompatible developments near military installations as provided in RCW 43.330.520.
- (6) \$100,000 of the model toxics control stormwater account—state appropriation is provided solely for planning work related to stormwater runoff at the aurora bridge and I-5 ship canal bridge. Planning work may include, but is not limited to, coordination with project partners, community engagement, conducting engineering studies, and staff support.
- (7) \$2,000,000 of the community preservation and development authority account—state(~~operating~~) appropriation is provided solely for (~~the operations of~~) the Pioneer Square-International district community preservation and development authority established in RCW 43.167.060 to carry out the duties and responsibilities set forth in RCW 43.167.030.
- (8) \$1,160,000 of the general fund—state appropriation for fiscal year 2024 and \$1,159,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide broadband office established in RCW 43.330.532.
- (9) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants for updating and implementing comprehensive plans and development regulations in order to implement the requirements of the growth management act.
- (a) In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties. Grants will be used primarily to fund the review and update requirements for counties and cities required by RCW 36.70A.130. Funding provided on this formula basis shall cover additional county and city costs, if applicable, to implement chapter 254, Laws of 2021 (Engrossed Second Substitute House Bill No. 1220) and to implement Second Substitute Senate Bill No. 5412 (land use permitting/local).
- (b) Within the amounts not utilized under (a) of this subsection, the department shall establish a competitive grant program to implement requirements of the growth management act.
- (c) Up to \$500,000 per biennium may be allocated toward growth management policy research and development or to assess the ongoing effectiveness of existing growth management policy.
- (d) The department must develop a process for consulting with local governments, affected stakeholders, and the appropriate committees of the legislature to establish emphasis areas for competitive grant distribution and for research priorities.
- (10) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the municipal research and services center, in coordination with the Washington procurement technical assistance center, to provide training and technical assistance to local governments and contractors on public works contracting. Training topics may include utilization of supplemental bidding criteria, utilization of alternate public works, contracting, cost estimating, obtaining performance and payment bonds, and increasing participation of women-owned and minority-owned businesses.
- (11) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants and provide technical assistance to cities or counties for actions relating to adopting ordinances that plan for and accommodate housing. Of this amount:
- (a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to cities and counties. Grants may be used for the following activities:
- (i) Analyzing comprehensive plan policies and development regulations to determine the extent of amendments required to meet the goal of authorizing middle housing types on at least 30 percent of lots currently zoned as single family residential within the city, or for counties inside the unincorporated urban growth area. For the purposes of this subsection, "middle housing types" means buildings that are compatible in scale, form, and character with single family houses, and contain two or more attached, stacked, or clustered homes. This includes duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, courtyard apartments, and cottage housing;
- (ii) Planning work to facilitate transit-oriented development, including costs associated with the preparation of state environmental policy act environmental impact statements, planned action ordinances, and subarea plans, costs associated with the use of other tools under the state environmental policy act, and the costs of local code adoption and implementation of such efforts; and
- (iii) Planning for and accommodating housing that is affordable for individuals and families earning less than 50 percent of the area median income, including:
- (A) Land use and regulatory solutions to address homelessness and low-income housing; and
- (B) Bridging homeless service planning with land use planning.
- (b) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an affordable housing auditing program to monitor ongoing affordability of income-restricted units constructed with affordable housing incentives, including the multifamily tax exemption.



(12) Within the amounts provided in this section, the department must publish on its website housing data needed to complete housing needs assessments required by RCW 36.70A.070(2)(a). The data shall include:

(a) Housing profiles for each county and city in the state, including cost burden, vacancy, and income;

(b) Data to assess racially disparate impacts, exclusion, and displacement; and

(c) A dashboard to display data in an easily accessible format.

(13) \$1,330,000 of the general fund—state appropriation for fiscal year 2024 and \$995,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(14) ~~(\$15,000,000)~~ \$20,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$15,000,000)~~ \$20,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to entities that provide digital navigator services, devices, and subscriptions. These services must include, but are not limited to, one-on-one assistance for people with limited access to services, including individuals seeking work, students seeking digital technical support, families supporting students, English language learners, medicaid clients, people experiencing poverty, and seniors. Of the amounts provided from the general fund—state appropriation for fiscal year 2025, at least \$3,000,000 must be provided to tribes.

(15) \$2,750,000 of the community preservation and development authority account—state appropriation is provided solely for ~~((the operations of))~~ the Central district community preservation and development authority established in RCW 43.167.070 to carry out the duties and responsibilities set forth in RCW 43.167.030.

(16) ~~(\$375,000)~~ \$187,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Battle Ground to contract for a study to explore feasible options to redesign their downtown corridor to emphasize pedestrian accessibility, improve safety, and highlight community amenities.

(17) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Cheney fire department for the purchase of a new type 6 fire truck to replace one destroyed in a mutual aid fire.

(18) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to Ferry/Okanogan fire protection district number 14 for the purchase of a new ambulance and related costs for response to 911 calls, including those from local residents, recreators, and hunters.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the Pierce county public transportation benefit area corporation (Pierce transit) to administer a public transit and behavioral health co-responder pilot program in partnership with a Pierce county behavioral health professional agency.

(20) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the transportation demand management program at the canyon park subarea in the city of Bothell.

(21) ~~(\$40,953,000)~~ (a) \$50,953,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(b) Of the amount provided in (a) of this subsection, \$10,000,000 of the climate commitment account—state appropriation is provided solely for programs, services, or capital facilities included in greenhouse gas emissions reduction subelements required by chapter 228, Laws of 2023 (E2SHB 1181). The department shall provide funding to jurisdictions for programs, services, or capital facilities included in approved subelements that the department concludes will reduce greenhouse gas emissions or per capita vehicle miles traveled until funds in this subsection are expended. The department shall prioritize funding for programs, services, or capital facilities that result in cobenefits or address disproportionately impacted communities. Funds provided in this subsection (b) may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection (b) is null and void upon the effective date of the measure.

(22) \$490,000 of the public works assistance account—state appropriation is provided solely for the public works board to develop a data dashboard to map investments made by the public works board, the department of commerce, the department of health, the department of ecology, the department of transportation, the transportation improvement board, and by board partners to the system improvement team created in RCW 43.155.150.

(23) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$423,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct a study on the feasibility of implementing a Washington state zoning atlas project that will provide a publicly available mapping tool illustrating key features of zoning codes across jurisdictions.

(24) \$733,000 of the general fund—state appropriation for fiscal year 2024 and \$734,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$37,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) ~~\$134,000 of the~~ general fund—state appropriation for fiscal year 2024 and \$135,000 of ~~the~~ general fund—state appropriation for fiscal year 2025 are provided solely to the city of Tacoma for the operating costs of the hilltop community hub. The hilltop community fund shall support a distribution center to provide housing goods.

(27) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Ferndale for the purpose of implementing and improving a wayfinding system throughout the greater Ferndale market area.

(28) ~~((~~\$3,464,000~~))~~ \$464,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$3,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5290 (local permit review). Of the amount provided in this subsection, at least \$3,000,000 is provided solely for grants to local governments. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(29) \$2,400,000 of the climate commitment account—state appropriation is provided solely for the Port Gamble S'Klallam Tribe for phase 3 of the Port Gamble shoreline restoration project.

(30) \$1,000,000 of the model toxics control account—state appropriation is provided solely for grants to address emergency drinking water problems in overburdened communities. The department may utilize existing programs to distribute the funding provided under this section, including the emergency rapid response program.

(31) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$198,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to retain a behavioral health facilities siting administrator within the department to coordinate development of effective behavioral health housing options and provide technical assistance in siting of behavioral health treatment facilities statewide to aide in the governor's plan to discharge individuals from the state psychiatric hospitals into community settings. This position must work closely with local government legislative authorities, planning departments, behavioral health providers, the health care authority, the department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity-building efforts. This position must work to integrate building behavioral health treatment and infrastructure capacity in addition to ongoing supportive housing benefits.

(32) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Spokane county for disaster case management services and assistance with housing, rent, transportation, property replacement, health, child care, and similar disaster response needs for victims of the Gray and Oregon road fires in 2023. Collectively, the Gray and Oregon road fires destroyed several hundred homes, more than any other wildfire in state history, caused the deaths of two people, and burned more than 20,000 acres.

(33) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a consultant to study incorporating the unincorporated communities of Dash Point and Browns Point into a single city. The study must include, but not be limited to, the impact of incorporation on the local tax base, crime, homelessness, infrastructure, public services, and behavioral health services, in the listed communities. The department must submit the results of the study to the office of financial management and the appropriate committees of the legislature by June 1, 2025.

(34) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to convene a task force to make recommendations on integrating water, sewer, school, and port districts into the growth management act planning process. The task force shall build upon the findings, concepts, and recommendations in recent reports, including the "collaborative roadmap phase III" report prepared for the department in 2023 and the "roadmap to Washington's future" issued by the William D. Ruckelshaus center in 2019. The task force must involve diverse perspectives including but not limited to representatives of state agencies, cities, counties, special districts, tribal governments, builders, and planning and environmental organizations that have experience with local or special purpose district planning processes. The department must provide a preliminary report on the task force's activities and progress by June 30, 2025. It is the intent of the legislature to continue funding the study in the 2025-2027 fiscal biennium, with a final report with recommendations due December 1, 2025.

(35) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Whatcom county to study the potential of creating an interjurisdictional coordinating body focused on improving the housing market for tenants, landlords, and those interested in becoming landlords. The study should examine the potential for an office of healthy housing with a sustainable funding model that assists landlords and tenants in understanding leases and procedures, increases housing supply by providing resources to small landlords, and works with major local employers and local higher education institutions to ensure a thriving local housing market.

(36) \$1,484,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute House Bill No. 2474 (transitional housing

siting). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(37) \$213,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute House Bill No. 2321 (middle housing requirements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(38) \$94,000 of the general fund—state appropriation for fiscal year 2024 and \$1,456,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 2160 (housing development). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 129.** 2023 c 475 s 131 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—OFFICE OF ECONOMIC DEVELOPMENT**

General Fund—State Appropriation (FY 2024)	\$25,089,000
General Fund—State Appropriation (FY 2025)	(( <del>\$24,967,000</del> ))
	<u>\$28,968,000</u>
General Fund—Federal Appropriation	\$108,069,000
General Fund—Private/Local Appropriation	\$1,230,000
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$3,446,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	(( <del>\$3,587,000</del> ))
	<u>\$3,591,000</u>
Andy Hill Cancer Research Endowment Fund Match Transfer Account—State Appropriation	(( <del>\$20,684,000</del> ))
	<u>\$30,684,000</u>
Climate Commitment Account—State Appropriation	(( <del>\$352,000</del> ))
	<u>\$2,867,000</u>
Community and Economic Development Fee Account—State Appropriation	\$765,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation	(( <del>\$22,400,000</del> ))
	<u>\$23,400,000</u>
Economic Development Strategic Reserve Account—State Appropriation	\$2,786,000
Statewide Tourism Marketing Account—State Appropriation	\$9,000,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$222,375,000</del>))</b>
	<b><u>\$239,895,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,304,000 of the general fund—state appropriation for fiscal year 2024 and \$4,304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for associate development organizations. During the 2023-2025 fiscal biennium, the department shall consider an associate development organization's total resources when making contracting and fund allocation decisions, in addition to the schedule provided in RCW 43.330.086. The department must distribute the funding as follows:

(a) For associate development organizations serving urban counties, which are counties other than rural counties as defined in RCW 82.14.370, a locally matched allocation of up to \$1.00 per capita, totaling no more than \$300,000 per organization; and

(b) For associate development organizations in rural counties, as defined in RCW 82.14.370, a \$1.00 per capita allocation with a base allocation of \$75,000.

(2) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the northwest agriculture business center.

(3) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the regulatory roadmap program for the construction industry and to identify and coordinate with businesses in key industry sectors to develop additional regulatory roadmap tools.

(4) \$1,070,000 of the general fund—state appropriation for fiscal year 2024 and \$1,070,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small business export assistance program. The department must ensure that at least one employee is located outside the city of Seattle for purposes of assisting rural businesses with export strategies.

(5) \$60,000 of the general fund—state appropriation for fiscal year 2024 and \$60,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to submit the necessary Washington state membership dues for the Pacific Northwest economic region.

(6) \$1,808,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$1,808,000~~)) \$2,438,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to identify and invest in strategic growth areas, support

key sectors, and align existing economic development programs and priorities. The department must consider Washington's position as the most trade-dependent state when identifying priority investments. The department must engage states and provinces in the northwest as well as associate development organizations, small business development centers, chambers of commerce, ports, and other partners to leverage the funds provided. Sector leads established by the department must include the industries of: (a) Aerospace; (b) clean technology and renewable and nonrenewable energy; (c) wood products and other natural resource industries; (d) information and communication technology; (e) life sciences and global health; (f) maritime; (g) military and defense; and (h) creative industries. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with partner organizations and or other agencies to serve in the role of sector lead.

(7) ~~(\$20,684,000)~~ \$30,684,000 of the Andy Hill cancer research endowment fund match transfer account—state appropriation is provided solely for the Andy Hill cancer research endowment program. Amounts provided in this subsection may be used for grants and administration costs.

(8) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish representation in key international markets that will provide the greatest opportunities for increased trade and investment for small businesses in the state of Washington. Prior to entering into any contract for representation, the department must consult with associate development organizations and other organizations and associations that represent small business, rural industries, and disadvantaged business enterprises.

(9) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to assist people with limited incomes in urban areas of the state start and sustain small businesses. The grant recipient must be a nonprofit organization involving a network of microenterprise organizations and professionals to support micro entrepreneurship and access to economic development resources.

(10) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization whose sole purpose is to provide grants, capacity building, and technical assistance support to a network of microenterprise development organizations. The microenterprise development organizations will support rural and urban Black, indigenous and people of color owned businesses, veteran owned businesses, and limited resourced and other hard to serve businesses with five or fewer employees throughout the state with business training, technical assistance, and microloans.

(11) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a business center that provides confidential, no-cost, one-on-one, client-centered assistance to small businesses to expand outreach in underserved communities, especially Black, indigenous, and people of color-owned businesses, providing targeted assistance where needed. Funding may also be used to collaborate the department, the Washington economic development association, and others to develop a more effective and efficient service delivery system for Washington's women and minority-owned small businesses.

(12) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to strengthen capacity of the keep Washington working act work group established in RCW 43.330.510.

(13) \$7,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to continue to administer the small business innovation and competitiveness fund program created in section 128(167), chapter 297, Laws of 2022 (ESSB 5693). The department may prioritize projects that received conditional awards in the 2021-2023 fiscal biennium but were not funded due to the project's inability to be substantially completed by June 30, 2023.

(14) \$2,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to administer grants to businesses and nonprofits in the arts, heritage, and science sectors, including those that operate live entertainment venues, to provide bridge funding for continued recovery from the COVID-19 pandemic and related economic impacts. The department must develop criteria for successful grant applications in coordination with the Washington state arts commission.

(15) \$352,000 of the climate commitment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(16) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an associate development organization located in Thurston county to provide a training curriculum to assist small businesses in scaling up to reach their next tier of operations. The contract recipient may use the funding for costs including, but not limited to, curriculum materials, trainers, and follow up coaching and mentorship in multiple languages.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract for technical assistance programs focused on assisting small minority,

women, and veteran-owned businesses in south King and Pierce counties. The contract recipient must be a nonprofit organization located in Tukwila that provides educational and business assistance for underserved and minority groups, with a focus on the African American community. The department must provide a preliminary report on program outcomes by June 30, 2024, and a final report by June 30, 2025, to the relevant committees of the legislature. The preliminary and final reports must include outcome data including, but not limited to, the number of events or workshops provided, the number of businesses served, and ownership and other demographics of businesses served.

(18) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with a nonprofit organization to conduct workforce and economic development activities serving the south Puget Sound region. The contract recipient must be a nongovernmental nonprofit organization located in Federal Way that has been in operation for at least 10 years and whose mission is to develop resources to enhance the economy of the south sound region by facilitating innovation, job creation, and the growth and development of businesses.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide grant funding to a nonprofit biotech incubator and science research center located in the city of Tacoma. The grant funding is to provide support for programs aimed at increasing workforce readiness and entrepreneurship in the life sciences, with a focus on promoting access to science, technology, engineering, and math careers for individuals from underserved communities.

(20) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to associate development organizations pursuant to Substitute House Bill No. 1783 (grant writers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(21) \$9,000,000 of the statewide tourism marketing account—state appropriation is provided solely for the statewide tourism marketing program and operation of the statewide tourism marketing authority pursuant to chapter 43.384 RCW.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to renew licenses for cloud-based business engagement tools for state agencies and local workforce and economic development boards, and to procure additional licenses for state agency procurement professionals, to assist in complying with the department of enterprise services supplier diversity policy effective April 1, 2023.

(23) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for activities related to securing federal funding from programs created by or funded through federal legislation including, but not limited to, the inflation reduction act, P.L. 117-169; the chips and science act, P.L. 117-167; and the infrastructure investment and jobs act, P.L. 117-58. Funding provided under this subsection may be used to support regional and locally led initiatives seeking federal funding, to provide technical support for application development and grant writing, to conduct economic analysis of various sectors, and other activities the department deems necessary for the state and partners with the state to compete for federal funds.

(24) \$877,000 of the general fund—state appropriation for fiscal year 2024 and \$878,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5096 (employee ownership). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$409,000 of the general fund—state appropriation for fiscal year 2024 and \$411,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5269 (manufacturing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to support activities related to cooperation with governmental and public agencies of the Republic of Finland, the Kingdom of Sweden, and the Kingdom of Norway. Eligible activities include, but are not limited to, cooperation in clean energy, clean technology, clean transportation, telecommunications, agriculture and wood science technology, general economic development, and other areas of mutual interest with Nordic nations and institutions.

(27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Bellingham based nonprofit that assists entrepreneurs to create, build, and grow businesses in northwest Washington to help establish a network of innovation centers for entrepreneurs and innovative small businesses between Seattle and the Canadian border.

(28) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop strategies for cooperation with governmental agencies of Vietnam, including higher education institutions, and organizations around the following:

(i) Trade and investment, including, but not limited to, the agriculture, information technology, food processing, manufacturing, and textile industries;

(ii) Combating climate change, including, but not limited to, cooperation on clean energy, clean transportation, and climate-smart agriculture; and

(iii) Academic and cultural exchange.

(b) By June 30, 2024, the department must provide a report on the use of funds in this subsection, any key metrics and deliverables, and any recommendations for further opportunities for collaboration.

(29) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide an economic development grant to a nongovernmental organization established in Federal Way, in operation for at least 30 years, whose primary focus is the economic development of the greater Federal Way region, in order to provide assessment for the development of innovation campuses in identified economic corridors.

(30) \$200,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a grant to a Tacoma based automotive museum as businesses assistance to address COVID-19 pandemic impacts to revenues from decreased attendance and loss of other revenue generating opportunities.

(31) \$250,000 of the climate commitment account—state appropriation is provided solely for a study or studies to assess strategies necessary for the state of Washington to engage in the offshore wind supply chain. The study may address public infrastructure needed for manufacturing, assembly, and transport of supply chain components, and an assessment of workforce needs and community benefits. The department must submit a preliminary report summarizing the status of the study or studies to the governor and the appropriate committees of the legislature by June 30, 2025, and a final report summarizing the findings of the study or studies by November 30, 2025. It is the intent of the legislature to provide funding to complete the final report in the 2025-2027 fiscal biennium. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(32) \$1,000,000 of the climate commitment account—state appropriation is provided solely to expand the industrial symbiosis program. At least 20 percent of the amount provided in this section must be prioritized to benefit individuals in overburdened communities. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(33) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization for a small business incubator program focused on the arts and culture sectors that provides technical assistance and business training to creative entrepreneurs, with a focus on BIPOC-owned and women-owned businesses. The grant recipient must be a nonprofit arts organization based in the city of Tacoma that hosts live performances and provides youth and adult arts education programming.

(34) \$696,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1717 (associate development orgs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(35) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to administer a workforce development program serving youth and young adults from underserved communities to learn technical, creative, and business skills related to concert and event promotion. The grant recipient must be a nonprofit organization headquartered in the city of Seattle that provides youth arts and education programming and produces a music festival based in Seattle that takes place over Labor Day weekend.

(36) \$375,000 of the climate commitment account—state appropriation is provided solely for the department to contract with a nonregulatory coalition to identify economic, community, and workforce development opportunities resulting from Washington state's participation in the offshore wind supply chain through conducting convenings, workshops, and studies as appropriate. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(37) \$200,000 of the general fund—state appropriation is provided solely for a grant to a nonprofit organization to provide a workforce development and small business training program serving primarily low-income Latinx immigrant families in south King county. The grant recipient must be a nonprofit organization based in the city of Seattle that advances the power and well-being of Latino immigrants through employment, education, and community organizing.

(38) \$390,000 of the climate commitment account—state appropriation is provided solely for the department to establish a circular economy market development program. At least 20 percent of the amount provided in this subsection must be prioritized to benefit individuals in overburdened communities. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(39) \$500,000 of the climate commitment account—state appropriation is provided solely for the innovation cluster accelerator program to support innovation clusters in industry sectors related to clean energy. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(40) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to an associate development organization to provide technical assistance, workforce development training, and business innovation training to small businesses in Benton and Franklin counties, with a focus on businesses in BIPOC communities. Technical

assistance may also include financial literacy, grant writing, and federal grant assistance for tribes and overburdened communities. The grant recipient must be an associate development organization comprised of a coalition of more than 25 but less than 100 small businesses, nonprofit, and business leaders located in Benton and Franklin counties, and must be a recognized "by and for" organization serving the BIPOC community.

(41) (a) \$275,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to convene an electrical transmission workforce needs work group and study. The work group must provide advice, develop strategies, and make recommendations to the legislature, state and local agencies, and utilities on efforts to support the needs of Washington's electrical transmission industry workforce. The work group must consist of eight members:

(i) One representative each from a labor organization located in Tacoma, Clark county, and Spokane county that represents line workers;

(ii) One representative from a statewide labor organization with at least 250,000 affiliated members that represents line workers and workers from outside the electrical transmission and construction industry; and

(iii) Two representatives from two different investor-owned utilities and two representatives from two different consumer-owned utilities each.

(b) (i) The department must conduct a study of the employment and workforce education needs of the electrical transmission industry of the state. The work group must assist the department in developing the scope of the study; review the preliminary and final reports of the study; and, if appropriate, recommend any legislative changes needed to address issues raised as a result of the study. The study must focus on the following job classifications in the electrical transmission industry: Line workers, line clearance tree trimmers, and substation technicians. The department may contract with a third party to complete the study.

(ii) By December 1, 2024, the department must submit a preliminary report of the study to the appropriate committees of the legislature, including the methodology that will be used to conduct the study and any demographic data or other information gathered regarding the electrical transmission industry workforce in preparation for the study.

(iii) By November 1, 2025, the department must submit a final report of the study to the appropriate committees of the legislature. It is the intent of the legislature to provide funding to complete the final report in the 2025-2027 fiscal biennium.

(iv) The final report must at a minimum include:

(A) Estimates of electrical transmission industry jobs needed to expand electrical transmission capacity to meet the state's clean energy and climate goals, inclusive of the workforce needed to maintain existing infrastructure. These estimates should cover, at a minimum, the time periods required for the planning, including the construction, reconstruction, or enlargement, of new or existing electrical transmission facilities under RCW 19.28.010, 80.50.060, and 80.50.045, and the state environmental policy act;

(B) The number of apprenticeships in the job classifications listed in (b) (i) of this subsection;

(C) An inventory of existing apprentice programs and anticipated need for expansion of existing apprenticeships or supplemental training programs to meet current and future workforce needs;

(D) Demographic data of the workforce, including age, gender, race, ethnicity, and, where possible, other categories of identity;

(E) Identification of gaps and barriers to a full electrical transmission workforce pool, including, but not limited to, the loss of workers to retirement in the next five, 10, and 15 years, and other current and anticipated retention issues;

(F) A comparison of wages between different jurisdictions in Washington state, and between Washington and other neighboring states, including any incentives offered by other states;

(G) Data on the number of workers in the job classifications identified in (b) (i) of this subsection who completed training in Washington and left to work in a different state;

(H) Data on the number of out-of-state workers who enter Washington to meet workforce needs on large scale electrical transmission projects in Washington;

(I) Key challenges that could emerge in the foreseeable future based on factors such as growth in demand for electricity and changes in energy production and availability; and

(J) Recommendations for the training, recruitment, and retention of the current and anticipated electrical transmission workforce that supplement, enhance, or exceed current training requirements. This must include identification of barriers to entrance into the electrical transmission workforce, and recommendations to attract and retain a more diverse workforce, such as members of federally recognized Indian tribes and individuals from overburdened communities as defined in RCW 70A.02.010.

(42) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1870 (local comm. federal funding). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(43) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the innovation cluster accelerator program to support an industry-led fusion energy cluster. By June 30, 2025, the fusion energy cluster must submit a report to the appropriate committees of the legislature that includes recommendations for promoting the development of fusion energy and the manufacturing and assembling of component parts for fusion energy in Washington state. The report must:

(a) Include an evaluation of the applicability of new and existing clean energy incentives for manufacturing, facility construction, and the purchase of materials and equipment; and

(b) Identify opportunities for state funding, including matching federal grants.

(44) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract for technical assistance services for small businesses owned or operated by members of historically disadvantaged populations located in western Washington. The contract recipient must be a business in the arts, entertainment, and media services sector based in the city of Federal Way and with experience working with BIPOC communities. Technical assistance includes but is not limited to services such as: Business and intellectual property development; franchise development and expansion; digital and social media marketing and brand development; community outreach; opportunities to meet potential strategic partners or corporate sponsors; executive workshops; networking events; small business coaching; and start-up assistance.

(45) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization for a program to assist low-income individuals from Washington state in entering the maritime industry as mariners, including training, credentialing, and wrap-around services. The grant recipient must be a nonprofit organization located in the city of Seattle that serves as a workforce development intermediary creating equitable workforce systems and developing impactful partnerships to address structural racism. The nonprofit organization must consult with two unions based in the city of Seattle who represent mariners on the West coast in developing the program.

(46) \$1,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to administer a business assistance program to provide grants to statewide or local destination marketing organizations in Washington state for activities to promote tourism to Washington in advance of the 2026 FIFA World Cup. The department must enter into contracts with grant recipients by December 31, 2024. To qualify for a grant under this subsection, a destination marketing organization must have been negatively impacted by the COVID-19 public health emergency and:

(a) Have revenues at the time of applying for the grant that are less than their revenues in calendar year 2019;

(b) Have used reserve operating funds after March 3, 2021, to make up for revenue shortfalls; or

(c) Have demonstrated needs for funding to support programs designed to increase tourism to Washington state from across the country and the world in advance of the 2026 FIFA World Cup.

**Sec. 130.** 2023 c 475 s 132 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—ENERGY AND INNOVATION**

General Fund—State Appropriation (FY 2024) . . . . .	(\$140,959,000)
	\$10,459,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$141,187,000)
	\$18,626,000
General Fund—Federal Appropriation. . . . .	(\$39,461,000)
	\$325,724,000
General Fund—Private/Local Appropriation. . . . .	\$34,000
Building Code Council Account—State Appropriation. . . . .	\$13,000
Climate Commitment Account—State Appropriation. . . . .	(\$52,611,000)
	\$234,284,000
Community and Economic Development Fee Account—State Appropriation. . . . .	\$160,000
Electric Vehicle Incentive Account—State Appropriation. . . . .	\$50,000,000
Low-Income Weatherization and Structural Rehabilitation Assistance Account—State Appropriation. . . . .	\$1,399,000
Natural Climate Solutions Account—State Appropriation. . . . .	\$167,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$425,991,000)</b>
	<b>\$640,866,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is authorized to require an applicant to pay an application fee to cover the cost of reviewing the project and preparing an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets.

(2)(a) \$50,000,000 of the electric vehicle incentive account—state appropriation is provided solely for the department to implement programs and incentives that promote the purchase of or conversion to alternative fuel vehicles. The department must work with the interagency electric vehicle coordinating council to develop and implement alternative fuel vehicle programs and incentives.

(b) In developing and implementing programs and incentives under this subsection, the department must prioritize programs and incentives that:



(i) Will serve individuals living in an overburdened community, as defined in RCW 70A.02.010;

(ii) Will serve individuals who are in greatest need of this assistance in order to reduce the carbon emissions and other environmental impacts of their current mode of transportation in the overburdened community in which they live; and

(iii) Will serve low-income communities, communities with the greatest health disparities, and communities of color that are most likely to receive the greatest health benefits from the programs through a reduction in greenhouse gas emissions and other pollutants that will result in improved groundwater and stormwater quality, improved air quality, and reductions in noise pollution.

(3) ~~(\$69,000,000 of the general fund state appropriation for fiscal year 2024 and \$69,000,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the development of community electric vehicle charging infrastructure.~~

(a) ~~Funding provided in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state.~~

(b) ~~Projects that receive funding under this section must be implemented by, or include partners from, one or more of the following: Local governments, federally recognized tribal governments, or public and private electrical utilities that serve retail customers in the state.~~

(c) ~~Grant funding must be used for level 2 or higher charging infrastructure and related costs including but not limited to construction and site improvements. Projects may include a robust public and private outreach plan that includes engaging with affected parties in conjunction with the new electric vehicle infrastructure.~~

(d) ~~The department must prioritize funding for projects in the following order:~~

(i) ~~Multifamily housing;~~

(ii) ~~Publicly available charging at any location;~~

(iii) ~~Schools and school districts;~~

(iv) ~~State and local government buildings and office buildings;~~

(v) ~~All other eligible projects.~~

(e) ~~The department must coordinate with other electrification programs, including projects developed by the department of transportation, to determine the most effective distribution of the systems. The department must also collaborate with the interagency electric vehicle coordinating council established in RCW 43.392.030 to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022.~~

(4) ~~\$37,000,000 of the general fund state appropriation for fiscal year 2024 and \$37,000,000 of the general fund state appropriation for fiscal year 2025 are provided solely for grants to increase solar deployment and installation of battery storage in community buildings to enhance grid resiliency and provide backup power for critical needs, such as plug load and refrigeration for medication, during outages or to provide incentives to support electric utility demand response programs that include customer-sited solar and battery storage systems. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities. For the purposes of this subsection "community buildings" means K-12 schools, community colleges, community centers, recreation centers, libraries, tribal buildings, state and local government buildings, and other publicly owned infrastructure.~~

(5) ~~\$19,500,000 of the general fund state appropriation for fiscal year 2024 and \$19,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely for a grant program to provide solar and battery storage community solar projects for public assistance organizations serving low-income communities. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities.~~

(a) ~~Grants are not to exceed 100 percent of the cost of the project, taking into account any federal tax credits or other federal or nonfederal grants or incentives that the project is benefiting from.~~

(b) ~~Priority must be given to projects sited on "preferred sites" such as rooftops, structures, existing impervious surfaces, landfills, brownfields, previously developed sites, irrigation canals and ponds, storm water collection ponds, industrial areas, dual-use solar projects that ensure ongoing agricultural operations, and other sites that do not displace critical habitat or productive farmland.~~

(c) ~~For the purposes of this subsection "low-income" has the same meaning as provided in RCW 19.405.020 and "community solar project" means a solar energy system that: Has a direct current nameplate capacity that is greater than 12 kilowatts but no greater than 1,000 kilowatts; and has, at minimum, either two subscribers or one low-income service provider subscriber.~~

(6) ~~\$8,500,000)~~ \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$8,500,000)~~ \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to build a mapping and forecasting tool that provides locations and information on charging and refueling infrastructure as required in chapter 300, Laws of 2021 (zero emissions transp.). The department shall collaborate with the interagency electric vehicle coordinating council established in chapter 182, Laws of 2022 (transportation resources) when developing the tool and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

~~((7))~~ (4) \$10,000,000 of the climate commitment account—state appropriation is provided solely for grants to support port districts, counties, cities, towns, special purpose districts, any other municipal corporations or quasi-municipal corporations, and tribes to support siting and permitting of clean energy projects in the state. Eligible uses of grant funding provided in this section include supporting predevelopment work for sites intended for clean energy projects, land use studies, conducting or engaging in planning efforts such as planned actions and programmatic environmental impact statements, and staff to improve permit timeliness and certainty.

~~((8))~~ (5) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more of the western national laboratories, or a similar independent research organization, in consultation with state and federal energy agencies, stakeholders, and relevant utilities, to conduct an analysis for new electricity generation, transmission, ancillary services, efficiency and storage sufficient to offset those presently provided by the lower Snake river dams. The analysis should include a list of requirements for a replacement portfolio that diversifies and improves the resilience and maintains the reliability and adequacy of the electric power system, is consistent with the state's statutory and regulatory requirements for clean electricity generation, and is supplementary to the resources that will be required to replace fossil fuels in the electrical generation, transportation, industry, and buildings sectors. The department and its contractor's assessment will include quantitative analysis based on available data as well as qualitative input gathered from tribal and other governments, the Northwest power and conservation council, relevant utilities, and other key stakeholders. The analysis must include the following:

(i) Expected trends for demand, and distinct scenarios that examine potential outcomes for electricity demand, generation, and storage technologies development, land use and land use constraints, and cost through 2050, as well as the most recent analysis of future resource adequacy and reliability;

(ii) A resource portfolio approach in which a combination of commercially available generating resources, energy efficiency, conservation, and demand response programs, transmission resources, and other programs and resources that would be necessary prerequisites to replace the power and grid reliability services otherwise provided by the lower Snake river dams and the time frame needed to put those resources into operation;

(iii) Identification of generation and transmission siting options consistent with the overall replacement resource portfolio, in coordination with other state processes and requirements supporting the planning of clean energy and transmission siting;

(iv) An evaluation of alternatives for the development, ownership and operation of the replacement resource portfolio;

(v) Examination of possible impacts and opportunities that might result from the renewal of the Columbia river treaty, revisions of the Bonneville power administration preference contracts, implementation of the western resource adequacy program (WRAP), and other changes in operation and governance of the regional electric power system, consistent with statutory and regulatory requirements of the clean energy transformation act;

(vi) Identification of revenue and payment structures sufficient to maintain reliable and affordable electricity supplies for ratepayers, with emphasis on overburdened communities;

(vii) Development of distinct scenarios that examine different potential cost and timeline potentials for development and implementation of identified generation and transmission needs and options including planning, permitting, design, and construction, including relevant federal authorities, consistent with the statutory and regulatory requirements of the clean energy transformation act;

(viii) Quantification of impacts to greenhouse gas emissions including life-cycle emissions analysis associated with implementation of identified generation and transmission needs and options including (A) planning, permitting, design, and construction, and, if relevant, emissions associated with the acquisition of non-Washington state domestic or foreign sources of electricity, and (B) any additional operations of existing fossil-fueled generating resources; and

(ix) An inventory of electricity demand by state-owned or operated facilities and information needed to complete a request for proposals (RFP) to satisfy this demand through new nonhydro renewable energy generation and/or conservation.

(b) The department shall, to the extent determined practicable, consider related analyses undertaken by the federal government as part of the Columbia river system operation stay of litigation agreed to in *National Wildlife Federation et al. v. National Marine Fisheries Service et al.* in October 2021.

(c) The department shall provide a status update to the energy and environment committees of the legislature and governor's office by December 31, 2024.

~~((9))~~ (6) \$10,664,000 of the climate commitment account—state appropriation is provided solely for the department to administer a pilot program to provide grants and technical assistance to support planning, predevelopment, and installation of commercial, dual-use solar power demonstration projects. Eligible grant recipients may include, but are not limited to, nonprofit organizations, public entities, and federally recognized tribes.

~~((10))~~ (7) \$20,592,000 of the climate commitment account—state appropriation is provided solely for the department to administer a grant program to assist owners of public buildings in covering the costs of conducting an investment grade energy audit for those buildings. Public buildings include those owned by state and local governments, tribes, and school districts.

~~((11))~~ (8) (a) \$300,000 of the climate commitment account—state appropriation is provided solely for the department to develop recommendations on a design for a statewide energy assistance program to address the energy burden and provide access to energy assistance for low-income households. The department may contract with a third-party entity to complete the work required in this subsection.

(b) The recommendations must include considerations for data collection on the energy burden and assistance need of households, universal intake coordination and data sharing across statewide programs serving low-income households, program eligibility, enrollment, multilingual services, outreach and community engagement, program administration, funding, and reporting.

(c) By January 1, 2024, the department must submit a report with the recommendations to the appropriate committees of the legislature.

~~((12))~~ (9) \$250,000 of the climate commitment account—state appropriation is provided solely for a grant to a nonprofit for a smart buildings education program to educate building owners and operators about smart building practices and technologies, including the development of onsite and digital trainings that detail how to operate residential and commercial facilities in an energy efficient manner. The grant recipient must be located in a city with a population of more than 700,000 and must serve anyone within Washington with an interest in better understanding energy efficiency in commercial and institutional buildings.

~~((13))~~ (10) \$111,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((14))~~ (11) \$3,152,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((15))~~ (12) \$167,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((16))~~ (13) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to convene stakeholders and plan for a statewide energy rebate navigator aimed at assisting residential and small commercial buildings, with priority for buildings owned or occupied by low-income, Black, indigenous, and people of color and converting overburdened communities to clean energy. Of this amount:

(a) \$50,000 of the climate commitment account—state appropriation is for the department to convene a summit of stakeholders around building energy topics related to the development of a statewide energy rebate navigator, including initial and ongoing guidance regarding program design and implementation. The summit should develop recommendations for the program to improve and grow, addressing gaps in program design and implementation, outreach into overburdened communities, HEAL Act compliance, workforce development issues, and contractor needs.

(b) \$200,000 of the climate commitment account—state appropriation is for statewide rebate navigator evaluation and project planning, which shall include:

(i) Evaluation of how technical assistance can focus on serving Black, indigenous, and people of color, and low-income communities;

(ii) Research of existing data and software solutions the state can leverage to provide a one-stop-shop for energy improvements;

(iii) Evaluation of program delivery models to optimize energy service delivery, including realizing economies of scale and reaching high rates of penetration in overburdened communities, indigenous communities, and communities of color;

(iv) Evaluation and cultivation of potential program implementers who are qualified to deliver navigator program services, including community energy efficiency program grantees; and

(v) Evaluation and cultivation of qualified potential energy services providers, including providers owned by Black, indigenous, and people of color, utility trade ally programs, and weatherization plus health weatherization agencies.

~~((17))~~ (14) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((18))~~ (15) \$93,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((19))~~ (16) (a) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a third-party entity to conduct a study that analyzes how the economic impact of oil refining in Washington state is likely to impact Washington's refineries, refinery workers, and refinery communities. By December 31, 2024, the report must be distributed to the energy and environment committees of the state legislature.

(b) The study required in (a) of this subsection must include:

(i) An overview of Washington's five oil refineries including: Location, age, workforce demographics, direct and indirect jobs connected with the industry, health and environmental impacts, local tax revenues paid by refineries, and primary and secondary products and markets;

(ii) A summary of projected scenarios for Washington refineries' primary markets, taking into account realistic, real world outcomes, given existing mandated decarbonization targets, feedstock availability, and statutes that impact Washington refinery products;

(iii) A summary of anticipated short-term, medium-term, and long-term economic viability of the five Washington oil refineries based on refinery product demand forecasts as outlined in (b)(ii) of this subsection;

(iv) A forecast of direct and indirect effects of the projected petroleum decline, including indirect employment impacts, the geography of those impacts, and impacts to local jurisdictions, utilities, ports, and special purpose districts from reduction in tax revenues, and impacts to local nonprofits and community programs from the refining industry;

(v) An assessment of potential future uses of refinery sites that include energy industrial, nonenergy industrial, heavy manufacturing, and industrial symbiosis, including an assessment of previously closed refinery sites throughout the United States and current use of those sites. Each potential future use shall be assessed and include data regarding: Greenhouse gas emissions, local pollution and environmental health, direct and indirect employment benefits, estimated tax impacts, potential costs to Washington residents, and feasibility based on relevant market trends; and an assessment of previously closed refinery sites throughout the United States and current use of those sites;

(vi) The competitive position of Washington refineries to produce alternative fuels consistent with Washington's emissions reductions defined in RCW 70A.45.020, the anticipated regional, national, and global demand for these fuels between 2023 and 2050; and the likely employment, tax, environmental, cultural, and treaty impacts of refinery conversion to these alternative fuels;

(vii) An identification of refinery workers' skillsets, potential alternative sectors and industries of employment, an assessment and comparison of total compensation and benefit packages including retirement and health care programs of current and alternative jobs, impacts to apprenticeship utilization, and the current and expected availability of those jobs in Pierce, Skagit, and Whatcom counties;

(viii) A land and water remediation analysis; including cost estimates, current terrestrial and aquatic pollution mapping, an overview of existing policies and regulations that determine accountability for cleanup and identifies gaps that may leave local and state taxpayers financially liable, and an assessment of the workforce and skills required for potential cleanup;

(ix) A summary of existing petroleum refining capacity and trends in Washington, the United States, and internationally; and

(x) An assessment of decline or loss of tax revenues supporting state environmental programs including the model toxics control act, the pollution liability insurance agency, and other programs, as well as the decline or loss of transportation gas tax revenues.

(c) The department may require data and analysis from refinery owners and operators to inform the study. Pursuant to RCW 42.56.270, data shared or obtained in the course of this study is not subject to public disclosure. Where unavailable, the department and entity commissioned to complete the study shall rely on the best available public data.

(d) The study must include a robust public engagement process including local and state elected officials, labor groups, fence line communities, port districts, economic development associations, and environmental organizations in Skagit, Whatcom, and Pierce counties, and the five Washington refineries.

(e) The department must offer early, meaningful, and individual consultation with any affected Indian tribe for the purpose of understanding potential impacts to tribal rights and resources including cultural resources, archaeological sites, sacred sites, fisheries, and human health.

~~((21)) (17) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((22)) (18) \$1,000,000 of the climate commitment account—state appropriation is provided solely for a grant to the Yakama Nation for an advanced rail energy storage project.~~

(19) \$800,000 of the climate commitment account—state appropriation is provided solely to contract with a nonprofit entity to serve as a Washington state green bank. The purpose of the funds is to leverage federal funds available for green bank development to support development of sustainable and clean energy financing solutions within Washington. If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(20) \$2,500,000 of the climate commitment account—state appropriation is provided solely for the department to build an internet web portal for grant seekers and to establish a marketing and outreach campaign that makes information about funding opportunities widely available. Of the amount provided in this subsection:

(a) \$1,000,000 of the climate commitment account—state appropriation is provided solely for the department to build an internet web portal that provides a centralized location for grant seekers to find all state and federal grant and incentive opportunities in the energy,

climate, and clean technology sectors. The portal shall include, but is not limited to, an interactive internet website that is launched to include, at a minimum, information identifying every grant administered by the state and incentive opportunities that will provide clean energy and climate assistance. The department, in consultation with the governor's office, shall ensure that the internet website is accessible and provides helpful information to a diverse set of potential applicants including, but not limited to, nonprofit and community-based organizations, and other entities that are working to support and benefit tribes, rural communities, and vulnerable and overburdened communities. Funds provided in this subsection (a) may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection (a) is null and void upon the effective date of the measure.

(b) \$1,500,000 of climate commitment account—state appropriation is provided solely for the department to establish a marketing and outreach campaign that makes information about funding opportunities widely available and easy to understand, encouraging more people and organizations to participate. The department shall work with consultants and third-party administrators to identify a range of groups including tribes, vulnerable and overburdened communities, rural communities, local governments, businesses of all sizes, households, nonprofits, educational institutions, and the clean energy developers and clean tech manufacturers that would benefit from state and federal funding available for clean energy projects. The campaign shall include a comprehensive marketing and outreach strategy, using various ways to communicate, ensuring all materials are clear, simple, and available in multiple languages, and employing best practices for communicating with diverse and underserved communities. The department, along with selected partners and third-party administrators, shall work with organizations directly serving these communities to extend the reach of these communications, with a goal of directing at least 40 percent of the marketing and outreach funds expended to benefit vulnerable populations in overburdened communities. If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection (b).

(21)(a) \$5,000,000 of the climate commitment account—state appropriation is provided solely for the department to administer a program to assist community-based organizations, local governments, ports, tribes, and other entities to access federal tax incentives and grants. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit organizations, and for-profit businesses. The department shall prioritize assistance that benefits vulnerable populations in overburdened communities, with a goal of directing at least 25 percent of funds to this purpose.

(b) Within the amounts provided in (a) of this subsection, the department must contract with a nonprofit organization to provide the following services:

(i) Development of tax guidance resources for clean energy tax credits, including core legal documents to be used broadly across stakeholders;

(ii) Providing tailored marketing materials for these resources targeting underserved entities; and

(iii) Providing funds to subcontract with clean energy tax attorneys to pilot office hours style support available to eligible entities across the state.

(c) If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(22)(a) \$2,500,000 of the climate commitment account—state appropriation is provided solely for the department to support a tribal clean energy innovation and training center in partnership and colocated at Northwest Indian College. The center aims to support tribal energy goals and pursue clean energy deployment opportunities that enhance tribal energy sovereignty and well-being among tribes.

(b) Activities of the center include, but are not limited to: (i) Developing technical training offerings that could build the tribal workforce pipeline, especially in emerging technologies like geothermal heat pumps and hydrogen technologies, and provide economic development opportunities and resources to the region; (ii) researching and demonstrating the feasibility of innovative clean energy technologies that also nourish and protect the environment; and (iii) creating a model for tribal clean energy centers that can be adopted by other tribal colleges in the region to establish clean energy deployment and land use best practices built on tribal knowledge.

(c) If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(23) \$4,500,000 of the climate commitment account—state appropriation is provided solely for the department to administer a grant program to assist community-based organizations, local governments, ports, tribes, and other entities to author federal grant applications and to provide support for federal grant reporting for entities that receive federal grants. The department will determine a process for prioritizing applicants, including first time or underserved applicants, tribes, and rural areas of the state. The state may also partner with third-party administrators and regional and local partners, such as associate development organizations and other local nonprofits to ensure equitable access to resources. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit organizations, and for-profit businesses. The department

shall prioritize grants that provide benefit to vulnerable populations in overburdened communities, with a goal of directing at least 60 percent of funds to this purpose. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(24) \$539,000 of the climate commitment account—state appropriation is provided solely for the department to develop plans to test hydrogen combustion and resulting nitrogen oxides (NOx) emissions, technical assistance for strategic end uses of hydrogen, a feasibility assessment regarding underground storage of hydrogen in Washington, and an environmental justice toolkit for hydrogen projects. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(25) \$1,112,000 of the climate commitment account—state appropriation is provided solely for implementation of Second Engrossed Substitute House Bill No. 1282 (buy clean and buy fair), including to develop and maintain a publicly accessible database for covered projects to submit environmental and working conditions data, to convene a technical work group, and to develop legislative reports. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(26) \$3,500,000 of the climate commitment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1391 (energy in buildings). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(27) \$750,000 of the climate commitment account—state appropriation is provided solely for the department to provide technical assistance and education materials to help counties establish effective commercial property assessed clean energy and resiliency (C-PACER) programs. If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(28) \$3,000,000 of the climate commitment account—state appropriation is provided solely for the department to establish a Washington clean energy ambassadors program. This program will offer education, planning, technical assistance, and community engagement across the state. Ambassadors will link local entities with resources and best practices to enable clean energy access for all communities and promote a just transition to a net-zero economy. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure. This program must:

- (a) Identify a pilot cohort of intermediary organizations;
- (b) Recruit and train clean energy ambassadors;
- (c) Host community energy and resilience educational events and workshops; and
- (d) Provide technical assistance to help governments, community-based organizations, businesses, and communities obtain clean energy resources.

(29) (a) \$150,000,000 of the climate commitment account—state appropriation is provided solely for the department to provide clean energy for Washington families grants for public and private electric utilities to provide one-time bill credits for low-income and moderate-income residential electricity customers to help with the clean energy transition in the amount of \$200 per household. Low and moderate-income is defined as less than 150 percent of area median income. Utilities must prioritize customers in vulnerable populations in overburdened communities as defined under RCW 70A.02.010, such as those that have participated in the low-income home energy assistance program, utility payment plans, or ratepayer-funded assistance programs. Utilities must first prioritize bill credits for customers at or below 80 percent area median income and if funds remain, may expand bill credits for customers up to 150 percent of area median income. Utilities may qualify customers through self-attestation. Utilities may, but are not required to, work with community action agencies to administer these funds. Each utility shall disburse funds directly to customer accounts and adhere to program communications guidelines provided by the department. Utilities may use up to five percent of their grant funds for administrative costs associated with the disbursement of funds provided in this subsection.

(b) Of the amount provided in (a) of this subsection, \$75,000,000 shall be disbursed by the department to each utility on October 15, 2024.

(c) Of the amount provided in (a) of this subsection, the remaining \$75,000,000 in funding must be disbursed on February 15, 2025. If Initiative Measure No. 2117 is approved in the 2024 general election, this subsection (c) is null and void upon the effective date of the measure.

(30) \$350,000 of the climate commitment account—state appropriation is provided solely for the authority to contract with Tacoma power, to conduct a feasibility study, including scoping project costs, on pumped storage at Tacoma power's Mossyrock dam. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative

Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(31) \$6,000,000 of the climate commitment account—state appropriation is provided solely for the department to provide air quality mitigation equipment to residential, recreational, or educational facilities in King county that will measurably improve air quality including, but not limited to, the provision of high particulate air purifiers designed to mitigate or eliminate the ultrafine particles or other aviation-related air pollution. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(32) (a) \$600,000 of the climate commitment account—state appropriation is provided solely for the department to administer a grant program for cities and counties to establish permitting processes that rely on the online automated permit processing software developed by the national renewable energy laboratory and that applies to any combination of the following permitting: Solar, energy storage, electric vehicle charging infrastructure, or other similar clean energy applications included within the suite of capabilities of the online automated permit processing software. To be eligible for grant funding under this subsection, a city or county is only required to submit a notice of their intent to participate in the program.

(b) The department must award grants of no less than \$20,000 to each city or county that provides notice by December 1, 2024.

(c) In the event that more than a total of 30 cities and counties notify the department of their intent to participate in the program, the department must prioritize jurisdictions based on:

(i) The timeline on which the jurisdiction is willing to commit to transitioning to the online automated permit processing software; and

(ii) The total number of covered permits expected to be issued by the jurisdiction, based on recent historical permit data submitted to the department by the city or county.

(d) In the event that fewer than 30 cities and counties notify the department of their intent to participate in the program, the department may allocate a greater amount of financial assistance than a standard minimum grant of \$20,000 to jurisdictions that expect to experience comparatively high costs to transition to the online automated permit processing software.

(e) The department may use up to five percent of the amount provided in this subsection for administrative costs.

(f) Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(33) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit social service organization located in King county's Rainier Valley neighborhood with an innovative learning center. Funding must be used to support an electrification preapprenticeship program for formerly incarcerated individuals and community members who are low income or homeless that offers hands-on technical training targeting clean energy methods that will align the participant's qualifications with solar technician apprenticeships and employment opportunities.

(34) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to contract with a nonprofit entity that represents the maritime industry to develop and publish a strategic framework regarding the production, supply, and use of sustainable maritime fuels and deployment of low and zero-emissions vessel technologies in Washington. Funding under this subsection may be used for activities including, but not limited to, convening stakeholders and building organizational capacity. Stakeholder engagement pursuant to this subsection shall include, at a minimum, engagement with federal and state agencies, ports, industry, labor, research institutions, nongovernmental organizations, and relevant federally recognized tribes. The department shall submit a copy of the strategic framework and findings to the legislature and the governor by June 30, 2025. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(35) \$272,000 of the climate commitment account—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute House Bill No. 2131 (thermal energy networks). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(36) \$6,439,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1899 (wildfire reconstruction). Of the amount provided in this subsection, \$6,000,000 is provided solely for grants. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(37) (a) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with the Washington state academy of sciences to conduct a study to determine the value of distributed solar and storage in Washington state, including any factors the academy finds relevant, in order to create recommendations and options for a methodology or methodologies that utility regulators and governing bodies may use after the statutory four percent net metering threshold is met. In the course of their

research and analysis, the academy shall engage relevant stakeholders focused on the value of distributed energy resources in Washington state, including solar, storage, vehicle to grid, and other resources. This shall include, but is not limited to, representatives from consumer-owned utilities, municipal-owned utilities, investor-owned utilities, utility regulators, the rooftop solar and storage industry, as well as advocacy organizations involved with consumer advocacy, environmental justice, clean energy, climate change, labor unions, and federally recognized Indian tribes.

(b) The Washington state academy of sciences shall submit an interim report to the department and the utilities and transportation commission by June 30, 2025. This interim report must include a plan and cost estimates for further work in the 2025-2027 fiscal biennium to develop policy recommendations and submit a final report to the department and the utilities and transportation commission.

**Sec. 131.** 2023 c 475 s 133 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2024)	(((\$26,300,000)) \$25,088,000)
General Fund—State Appropriation (FY 2025)	(((\$18,107,000)) \$24,217,000)
General Fund—Federal Appropriation	(((\$7,822,000)) \$7,901,000)
General Fund—Private/Local Appropriation	(((\$2,055,000)) \$2,077,000)
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$5,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	\$7,000
Affordable Housing for All Account—State Appropriation	(((\$184,000)) \$188,000)
Building Code Council Account—State Appropriation	\$4,000
Climate Commitment Account—State Appropriation	\$253,000
Community and Economic Development Fee Account—State Appropriation	(((\$241,000)) \$246,000)
Coronavirus State Fiscal Recovery Fund—Federal Appropriation	\$1,050,000
Economic Development Strategic Reserve Account—State Appropriation	(((\$47,000)) \$48,000)
Energy Efficiency Account—State Appropriation	\$20,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation	\$47,000
Growth Management Planning and Environmental Review Fund—State Appropriation	\$147,000
Home Security Fund Account—State Appropriation	(((\$1,401,000)) \$1,418,000)
Lead Paint Account—State Appropriation	\$29,000
Liquor Excise Tax Account—State Appropriation	(((\$398,000)) \$399,000)
Liquor Revolving Account—State Appropriation	\$17,000
Low-Income Weatherization and Structural Rehabilitation Assistance Account—State Appropriation	\$10,000
Public Facilities Construction Loan Revolving Account—State Appropriation	(((\$320,000)) \$323,000)
Public Works Assistance Account—State Appropriation	(((\$2,005,000)) \$2,020,000)
Washington Housing Trust Account—State Appropriation	(((\$1,141,000)) \$1,159,000)
<b>TOTAL APPROPRIATION</b>	<b>(((\$60,307,000)) \$66,673,000)</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants and associated technical assistance and administrative costs to foster collaborative partnerships that expand child care capacity in communities. Eligible applicants include nonprofit organizations, school districts, educational service districts, and local governments. These funds may be expended only after the approval of the director of the department of commerce and must be used to support planning and activities that help communities address the



shortage of child care, prioritizing partnerships serving in whole or in part areas identified as child care access deserts. The department must submit a report to the legislature on the use of funds by June 30, 2025. The report shall include, but is not limited to:

(a) The number and location of organizations, school districts, educational service districts, and local governments receiving grants;

(b) The number of grants issued and their size; and

(c) Any information from grantee organizations on outcomes.

(2) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Vancouver that is the lead organization in a collaborative partnership to expand child care capacity in southwest Washington, for activities that will increase access to affordable, high-quality child care and help meet community needs.

(3) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the work group created in section 916 of this act to examine fire service delivery.

(4)(a) \$30,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to produce a study of the retirement preparedness of Washington residents and the feasibility of establishing a portable individual retirement account savings program with automatic enrollment (auto-IRA) for private sector workers who do not have workplace retirement benefits. To conduct the study, the department shall enter into an agreement with a nonprofit, nonpartisan think tank and research center based in Washington, D.C. that is unaffiliated with any institution of higher education and with a mission to generate a foundation of facts that enriches the public dialog and supports sound decision making. This research center will be responsible for the production of the study to the department. The center shall not be reimbursed for costs nor shall it receive or retain any of the funds. With the advice and consent of the department, the center may select a research institution, entity, or individual located in Washington state with expertise and proficiency in demographic analysis, retirement systems, or retirement planning to collaborate with on this study. The appropriation may be used by the department to enter into a contract with this partner entity for the partner entity's contributions to the study. Any funds not provided to the partner entity or otherwise unused shall be returned.

(b) The study must analyze current state and federal programs and recent state and federal statutory and rule changes that encourage citizens to save for retirement by participating in retirement savings plans, including plans pursuant to sections 401(k), 403(b), 408, 408(a), 408(k), 408(p), and 457(b) of the internal revenue code. The scope of the analysis must include:

(i) An examination of potential retirement savings options for self-employed individuals, part-time employees, and full-time employees whose employers do not offer a retirement savings plan;

(ii) Estimates of the impact on the state budget from shortfalls in retirement savings or income, including on public budgets from taxpayer-financed elderly assistance programs and a loss of economic activity by seniors;

(iii) The level of interest by private sector Washington employers in participating in an auto-IRA program;

(iv) A determination of how prepared financial institutions will be to offer these plans in compliance with federal requirements on all new retirement plans going into effect in 2025;

(v) Findings that clarify the gaps in retirement savings services currently offered by financial institutions;

(vi) An examination of the impact of retirement savings on income and wealth inequality;

(vii) An estimate of the costs to start up an auto-IRA program, an estimate of the time for the program to reach self-sufficiency, and potential funding options;

(viii) The experience of other states that have implemented or are implementing a similar auto-IRA program for employers and employees, as well as program impacts on the market for retirement plan products and services;

(ix) An evaluation of the feasibility and benefits of interstate partnerships and cooperative agreements with similar auto-IRA programs established in other jurisdictions, including contracting with another state to use that state's auto-IRA program, partnering with one or more states to create a joint auto-IRA program, or forming a consortium with one or more other states in which certain aspects of each state's auto-IRA program are combined for administrative convenience and efficiency;

(x) An assessment of potential changes in enrollment in a joint auto-IRA program if potential participants are concurrently enrolled in the federal "saver's credit" program;

(xi) An assessment of how a range of individuals or communities view wealth, as well as ways to accumulate assets;

(xii) The appropriate state agency and potential structure for implementing an auto-IRA program; and

(xiii) Recommendations for statutory changes or appropriations for establishing an auto-IRA program.

(c) By December 15, 2023, the department must submit a report to the appropriate committees of the legislature in compliance with RCW 43.01.036 on the study findings.

(5) \$750,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a nonprofit, tax-exempt charitable organization comprised of a coalition

of over 90 nonprofit and business leaders located in King county working to include black, indigenous, and people of color in the region's COVID-19 pandemic recovery.

(6) \$253,000 of the climate commitment account—state appropriation is provided solely for the department to incorporate equity and environmental justice into agency grant programs with the goal of reducing programmatic barriers to vulnerable populations in overburdened communities in accessing department funds. The department shall prioritize grant programs receiving funds from the accounts established under RCW 70A.65.240, 70A.65.250, 70A.65.260, 70A.65.270, and 70A.65.280. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(7) \$325,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract for and implement a pilot program for onsite or near-site child care facilities to serve children of construction workers. The pilot program must be administered as a competitive grant program and include at least one pilot site near a long-term construction project, onsite at construction companies, or onsite at places of apprenticeship training or worker dispatch. Eligible grant applicants for the program may include nonprofit organizations or employers in partnership with nonprofit organizations. To qualify for a grant, the applicant must be in partnership with one organization representing child care labor, and one organization representing construction labor or a registered apprenticeship program. Preference will be given to proposals that demonstrate commitment to providing nonstandard hours of care. Of the amounts provided in this subsection:

(a) \$300,000 of the general fund—state appropriation for fiscal year 2025 is for grants for the creation and implementation of the pilot site or sites. Grant funding may be used to acquire, renovate, or construct a child care facility, as well as for administrative start-up costs, licensing costs, reporting to the department, and creating a sustainability plan.

(b) (i) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a nonprofit organization to provide technical assistance to grant awardees and for status reports to the department. The nonprofit organization must be headquartered in Tukwila and provide grassroots professional development opportunities to early care and education professionals throughout Washington state.

(ii) The department must submit a report on the results of the pilot program to the legislature and the office of the governor by June 30, 2025.

(8) (a) \$600,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to convene a work group to examine allowable expenses in human service provider contracts in Washington state's local and state contracting processes. The work group must:

(i) Assess if existing contracting structures at the state and local levels for human service providers are adequate for sustaining the human services sector;

(ii) Assess the viability of a lowest responsible bidder contracting structure for human service providers contracts at the state and local levels;

(iii) Facilitate discussion amongst interested parties; and

(iv) Develop recommendations for necessary changes in the law or rule.

(b) The department must, in consultation with the department of enterprise services, appoint a minimum of 12 members to the work group representing different stakeholder groups including, but not limited to:

(i) Organizations whose mission includes serving Black, indigenous, and communities of color;

(ii) State government agencies that manage human service contracts;

(iii) Associations representing human service provider organizations; and

(iv) Associations of city or county governments.

(c) The department must convene the first meeting of the work group by October 1, 2024. Members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for travel expenses for other nonlegislative members is subject to chapter 43.03 RCW, and may include stipends to individuals as provided in RCW 43.03.220.

(d) The department must submit a final report to the governor and appropriate committees of the legislature by June 30, 2025. The final report must include:

(i) An evaluation of whether existing funding structures at the state and local levels for human service provider contracts are creating hardship for human service providers; and

(ii) Recommendations for necessary changes in law or rule to address structural hardships in human services contracting.

**Sec. 132.** 2023 c 475 s 134 (uncodified) is amended to read as follows:

**FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	((973,000))
	\$1,155,000
General Fund—State Appropriation (FY 2025) . . . . .	((1,040,000))
	\$1,028,000
Lottery Administrative Account—State Appropriation . . . . .	\$50,000
TOTAL APPROPRIATION . . . . .	((2,063,000))
	\$2,233,000

**Sec. 133.** 2023 c 475 s 135 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$19,943,000))
	<u>\$20,400,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$21,286,000))
	<u>\$27,617,000</u>
General Fund—Federal Appropriation . . . . .	(( \$38,384,000))
	<u>\$38,436,000</u>
General Fund—Private/Local Appropriation . . . . .	(( \$1,499,000))
	<u>\$3,943,000</u>
Climate Investment Account—State Appropriation . . . . .	(( \$909,000))
	<u>\$811,000</u>
Climate Commitment Account—State Appropriation . . . . .	(( \$4,485,000))
	<u>\$6,485,000</u>
Coronavirus State Fiscal Recovery Fund—Federal Appropriation . . . . .	\$656,000
<del>((Economic Development Strategic Reserve Account—State Appropriation . . . . .</del>	<del>\$68,000))</del>
Personnel Service Account—State Appropriation . . . . .	(( \$26,815,000))
	<u>\$27,516,000</u>
Higher Education Personnel Services Account—State Appropriation . . . . .	\$1,497,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation . . . . .	\$300,000
Statewide Information Technology System Development Revolving Account—State Appropriation . . . . .	(( \$105,745,000))
	<u>\$200,453,000</u>
Office of Financial Management Central Service Account—State Appropriation . . . . .	(( \$30,929,000))
	<u>\$33,084,000</u>
<del>((Performance Audits of Government Account— State Appropriation . . . . .</del>	<del>\$108,000</del>
<del>Workforce Education Investment Account—State Appropriation . . . . .</del>	<del>\$100,000))</del>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$252,724,000))</b>
	<b><u>\$361,198,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) The student achievement council and all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW shall ensure that data needed to analyze and evaluate the effectiveness of state financial aid programs are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

- (i) The number of Washington college grant and college bound recipients;
  - (ii) Persistence and completion rates of Washington college grant recipients and college bound recipients, disaggregated by institution of higher education;
  - (iii) Washington college grant recipients grade point averages; and
  - (iv) Washington college grant and college bound scholarship program costs.
- (b) The student achievement council shall submit student unit record data for state financial aid program applicants and recipients to the education data center.

(2) ~~(( \$100,000 of the workforce education investment account state appropriation is provided solely to the office of financial management to implement career connected learning.~~

(3)) (a) ~~(( \$105,607,000))~~ \$200,312,000 of the information technology system development revolving account—state appropriation is provided solely for the one Washington enterprise resource planning statewide program phase 1A (agency financial reporting system replacement) and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(b) Of the amount provided in this subsection:

(i) ~~(( \$41,000,000))~~ \$64,780,000 of the information technology system development revolving account—state appropriation is provided solely for a technology pool ~~((in fiscal year 2024))~~ to pay for phase 1A (agency financial reporting system replacement—core financials) state agency costs due to legacy system remediation work associated with impacted financial systems and interfaces. The office of financial management must manage the pool, authorize funds, track costs by agency by fiscal month, and report after each fiscal month close on the agency spending to the consolidated technology services agency so that the spending is included in the statewide dashboard actual spending;

(ii) \$5,650,000 of the information technology system development revolving account—state appropriation is provided solely for organizational change management;

(iii) \$690,000 of the information technology system development revolving account—state appropriation is provided solely for an interagency agreement in fiscal year 2024 with consolidated technology services for one dedicated information technology consultant and two dedicated system architect staff to be contracted from the office of the chief information officer. These staff will work with state agencies to ensure preparation and timely decommission of information technology systems that will no longer be necessary post

implementation of phase 1A (agency financial reporting system replacement—core financials); and

(iv) \$1,854,000 of the information technology system development revolving account—state appropriation is provided solely for dedicated back office administrative support in fiscal year 2024. This includes resources for human resource staff, contract staff, information technology staff, and fiscal staff.

(c) The one Washington team must include at least the chair and ranking member of the technology committees and fiscal committees of the senate and house of representatives in system demonstrations of at least these key deliverables:

(i) Demonstration of integration build, which must be completed by July 31, 2023; and

(ii) Demonstration of workday tenant, which must be completed by November 30, 2023.

(d) The one Washington solution and team must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of two-week sprints.

(e) The one Washington solution must be capable of being continually updated, as necessary.

(f) Beginning July 1, 2023, the office of financial management shall provide written quarterly reports, within 30 calendar days of the end of each fiscal quarter, to legislative fiscal committees and the legislative evaluation and accountability program committee to include how funding was spent compared to the budget spending plan for the prior quarter by fiscal month and what the ensuing quarter budget will be by fiscal month. All reporting must be separated by phase of one Washington subprojects. The written report must also include:

(i) A list of quantifiable deliverables accomplished and amount spent associated with each deliverable, by fiscal month;

(ii) A report on the contract full-time equivalent charged compared to the budget spending plan by month for each contracted vendor, to include interagency agreements with other state agencies, and what the ensuing contract equivalent budget spending plan assumes by fiscal month;

(iii) A report identifying each state agency that applied for and received technology pool resources, the staffing equivalent used, and the cost by fiscal month by agency compared to the budget spending plan by fiscal month;

(iv) A report on budget spending plan by fiscal month by phase compared to actual spending by fiscal month, and the projected spending plan by fiscal month for the ensuing quarter; and

(v) A report on current financial office performance metrics that at least 10 state agencies use, to include the monthly performance data, that began July 1, 2021.

(g) Prior to the expenditure of the amounts provided in this subsection, the director of the office of financial management must review and approve the spending in writing.

(h) The legislature intends to provide additional funding for fiscal year 2025 costs for phase 1A (agency financial reporting system replacement) to be completed, which is scheduled to be done by June 30, 2025.

~~((4))~~ (3) \$250,000 of the office of financial management central services account—state appropriation is provided solely for a dedicated information technology budget staff for the work associated with statewide information technology projects that at least are subject to the conditions, limitations, and review requirements of section 701 of this act and are under the oversight of the office of the chief information officer. The staff will be responsible for providing a monthly financial report after each fiscal month close to fiscal staff of the senate ways and means and house appropriations committees to reflect at least:

(a) Fund balance of the information technology pool account after each fiscal month close;

(b) Amount by information technology project, differentiated if in the technology pool or the agency budget, of what funding has been approved to date and for the last fiscal month;

(c) Amount by agency of what funding has been approved to date and for the last fiscal month;

(d) Total amount approved to date, differentiated if in the technology pool or the agency budget, and for the last fiscal month;

(e) A projection for the information technology pool account by fiscal month through the 2023-2025 fiscal biennium close, and a calculation spent to date as a percentage of the total appropriation;

(f) A projection of each information technology project spending compared to budget spending plan by fiscal month through the 2023-2025 fiscal biennium, and a calculation of amount spent to date as a percentage of total project cost; and

(g) A list of agencies and projects that have not yet applied for nor been approved for funding by the office of financial management.

~~((5))~~ (4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 245, Laws of 2022 (state boards, etc./stipends).

~~((6) \$137,000)~~ (5) \$39,000 of the climate investment account—state appropriation is provided solely for the office of financial management to complete an analysis of laws regulating greenhouse gas emissions as required by RCW 70A.65.200(10).

~~((7))~~ (6) \$3,060,000 of the general fund—federal appropriation and \$4,485,000 of the climate commitment account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ A minimum of 60 percent of climate service corps positions created pursuant to the bill shall be provided

to members of vulnerable populations in overburdened communities as defined in RCW 70A.65.010, the climate commitment act.

~~((+8))~~ (7) \$366,000 of the office of financial management central services account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5512 (higher ed. financial reports). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(+9))~~ (8) Within existing resources, the labor relations section shall produce a report annually on workforce data and trends for the previous fiscal year. At a minimum, the report must include a workforce profile; information on employee compensation, including salaries and cost of overtime; and information on retention, including average length of service and workforce turnover.

~~((+10))~~ (9) \$298,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of financial management to convene a task force created in section 913 of this act to identify, plan, and make recommendations on the conversion of the Naselle youth camp property and facilities to an alternate use. Staff support for the task force must be provided by the office of financial management.

~~((+11))~~ (10) Within existing resources, the office of financial management shall convene a work group with the goal to improve the state salary survey and provide employees with a voice in the process. The work group shall consist of five employees from the office of financial management, five representatives from employee labor organizations to act as a coalition on behalf of all labor organizations representing state employees, and one chairperson appointed by the director of the office of financial management, to share information and identify concerns with the state salary survey and benchmark job descriptions. By December 31, 2023, the work group shall provide a report of identified concerns to the fiscal and state government committees of the legislature and the director of the office of financial management.

~~((+12))~~ (11) (a) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$615,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to establish a difficult to discharge task force to oversee a pilot program and make recommendations about how to address challenges faced with discharging patients from acute care settings and postacute care capacity by July 1, 2023.

(b) The task force shall consist of six members, one from each of the following:

- (i) The governor's office;
- (ii) The health care authority;
- (iii) The department of social and health services;
- (iv) The Washington state hospital association;
- (v) Harborview medical center; and
- (vi) Postacute care provider organizations.

(c) In consultation with stakeholder groups, the governor's office will identify task force members.

(d) The task force shall provide recommendations to the governor and appropriate committees of the legislature on topics including, but not limited to:

- (i) Pilot program implementation and evaluation, and recommendations for statewide implementation;
- (ii) Available funding mechanisms;
- (iii) Postacute care and administrative day rates;
- (iv) Managed care contracting; and
- (v) Legal, regulatory, and administrative barriers to discharge.

(e) The task force shall consult with stakeholders with relevant expertise to inform recommendations, including the health care authority, the department of social and health services, hospitals, postacute care providers, and medicaid managed care organizations.

(f) The task force may assemble ad hoc subgroups of stakeholders as necessary to complete its work.

(g) The task force and its operations, including any associated ad hoc subgroups, shall be organized and facilitated by the University of Washington through October 31, 2023. Beginning November 1, 2023, the office shall identify a contractor to undertake the following responsibilities, with oversight from the task force:

- (i) Organization and facilitation of the task force, including any associated subgroups;
- (ii) Management of task force process to ensure deliverables, including report writing;
- (iii) Oversight of the launch of a ~~((five-site,))~~ two-year pilot project based on a model created by Harborview medical center by November 1, 2023; and
- (iv) Coordination of pilot implementation, associated reports, and deliverables.

(h) The task force shall provide recommendations to the governor and appropriate committees of the legislature outlining its initial recommendations by November 1, 2023. A report outlining interim recommendations and findings shall be provided by July 1, 2024, and a final report shall be provided by July 1, 2025.

~~((+13))~~ (12) \$277,000 of the office of financial management central services account—state appropriation is provided solely for implementation of House Bill No. 1679 (student homelessness group). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(+14))~~ (13) \$772,000 of the climate investment account—state appropriation is provided solely for the office to develop a data portal and other materials and strategies to improve public and community understanding of expenditures, funding opportunities, and grants, from climate commitment act accounts. The development of the data portal must be coordinated with the department of ecology and the expenditure tracking process described in section 302(13)

of this act. "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, the air quality and health disparities improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

~~((15))~~ (14) (a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a joint legislative and executive committee on behavioral health, with members as provided in this subsection:

(i) The president of the senate shall appoint three legislative members, including a chair of a senate committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(ii) The speaker of the house of representatives shall appoint three legislative members, including a chair of a house committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(iii) The governor or his or her designee;

(iv) The secretary of the department of social and health services or his or her designee;

(v) The director of the health care authority or his or her designee;

(vi) The insurance commissioner or his or her designee;

(vii) The secretary of the department of health or his or her designee; and

(viii) The secretary of the department of children, youth, and families or his or her designee;

(ix) Other agency directors or designees as necessary; ~~((and))~~

(x) Two individuals representing the interests of individuals living with behavioral health conditions; and

(xi) The chief executive officer of a Washington nonprofit corporation wholly controlled by the tribes and urban Indian organizations in the state, or the commission delegate if applicable, or his or her designee.

(b) (i) The committee must convene by September 1, 2023, and shall meet at least quarterly. The committee member described in (a) (xi) of this subsection must be appointed or selected no later than June 1, 2024. Cochairs shall be one legislative member selected by members of the committee at the first meeting and the representative of the governor's office. All meetings are open to the public.

(ii) The office of financial management shall contract or hire dedicated staff to facilitate and provide staff support to the nonlegislative members and for facilitation and project management support of the committee. Senate committee services and the house of representatives office of program research shall provide staff support to the legislative members of the committee. The contractor shall support the work of all members of the committee, legislative and nonlegislative.

(iii) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate.

(c) The purpose of the committee is to identify key strategic actions to improve access to behavioral health services, by conducting at least, but not limited to, the following tasks:

(i) Establishing a profile of Washington's current population and its behavioral health needs and a projection of population growth and anticipated need through 2028;

(ii) Establishing an inventory of existing and anticipated behavioral health services and supports for adults, children, and youth, including health care providers and facilities;

(iii) Assessing the areas of the current system where additional support is needed for Washington's current population;

(iv) Establishing an anticipated inventory of future services and supports that will be required to meet the behavioral health needs of the population in 2028 and beyond with a specific emphasis on prevention, early intervention, and home or community-based capacity designed to reduce reliance on emergency, criminal legal, crisis, and involuntary services;

(v) Reviewing the integrated care initiative on access to timely and appropriate behavioral health services for individuals with acute behavioral health needs; and

(vi) (A) Developing a strategy of actions that the state may take to prepare for the future demographic trends in the population and building the necessary capacity to meet these demands, including but not limited to:

(I) Exploring the role that education, housing and homelessness response systems, the criminal legal system, primary health care, and insurance systems have in the identification and treatment of behavioral health issues;

(II) Evaluating behavioral health workforce demand and workforce education, training, and continuing education requirements; and

(III) Statutory and regulatory changes to promote the most efficient use of resources, such as simplifying administrative procedures, facilitating access to services and supports systems, and improving transitions between care settings.

(B) Strategies must:

(I) Be based on explicit and measurable actions;

(II) Identify what must be done, by whom, and by when to assure implementation;

(III) Estimate a cost to the party responsible for implementation;

(IV) Recommend specific fiscal strategies that rely predominately on state and federal funding;

(V) Include recommendations for needed and appropriate additional caseload forecasting for state-funded behavioral health services; and

(VI) Incorporate and reconcile, where necessary, recommendations from past and current behavioral health work groups created by the legislature and network adequacy standards established by the health care authority.

(d) The committee shall incorporate input from the office of the insurance commissioner, the caseload forecast council, the health care authority, and other appropriate entities with specialized knowledge of the needs and growth trends of the population and people with behavioral health issues. In the conduct of its business, the committee shall have access, upon request, to health-related data available to state agencies by statute, as allowed by state and federal law. All requested data or other relevant information maintained by an agency shall be provided in a timely manner.

(e) The committee shall submit a sustainable five-year plan to substantially improve access to behavioral health for all Washington residents to the governor, the office of financial management, and the legislature by June 1, 2025.

~~((16))~~ (15) The office of financial management must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((17))~~ (16) \$300,000 of the statewide 988 behavioral health crisis response and suicide prevention line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(17) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the purchase and distribution of accessible technology and devices to support the employment and reasonable accommodation for state employees with disabilities. The office may use funds to purchase accessible technology and devices or the office may provide funds to agencies that employ persons with a disability to purchase accessibility devices such as screen readers, large button/print equipment, magnifiers, accessibility software, and other equipment.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to provide services and support to the business resource groups established by executive order 21-01. The office may use the funds for the business resource groups to provide services including, but not limited to: American sign language (ASL) and computer aided real-time transcription (CART) scheduling and services; business resource group annual events; professional development for leadership positions; and business resource group operational costs.

(19) \$2,000,000 of the climate commitment account—state appropriation is provided solely for the office to build a grant writing, tracking, and management database for state acquisition of federal funds, and to support development of state strategies for successfully bringing specific types of federal funding to Washington. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes of this subsection.

(20) \$274,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to conduct an analysis of health care services for pregnancy-related health care, including preconception, prenatal, labor and delivery, and postpartum care. The analysis should consider access to these services, cost of services, disparities in access to services, location of labor and delivery, provider type, and demographics of patients and providers. The office of financial management will issue an initial report to the governor and appropriate committees of the legislature, with recommendations for future analyses, by June 30, 2025.

(21) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to evaluate the timeline and effectiveness of services supporting agency requests to downsize, acquire, expand, or relocate state facilities. The office, in collaboration with the department of enterprise services, will contract with an independent entity for the analysis and mapping of service delivery workflow and timeline, with the goal of identifying gaps and opportunities to improve efficiency by June 30, 2025. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(22) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to conduct a study related to the hiring and retention of county-level elections staff, including staff members of a county auditor's office.

(a) The study must include analysis of:

(i) The potential effects of the following on the hiring and retention of county-level elections staff:

(A) Implementing ranked-choice voting;

(B) Shifting local government elections to even-numbered years; and

(C) Negative interactions with voters and other members of the public, such as experiencing harassment and abuse or receiving threats;

(ii) The demographic information of county-level elections staff;

(iii) Job market conditions in Washington for elections staff recruitment and retention;  
and

(iv) Elections staffing models in other states, including in states that use ranked-choice voting and states where at least one election has shifted from an odd-numbered year to an even-numbered year.

(b) The study must also include recommendations for recruiting, hiring, and retaining county-level elections staff in Washington.

(c) A final report must be submitted to the governor and the appropriate policy and fiscal committees of the legislature by June 30, 2025.

(23)(a) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$210,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office, in coordination with the department of revenue, to conduct a study of costs to the state, whether actual spending or foregone revenue collections, related to nonprofit health care providers, facilities, and insurers.

(b) The study shall quantify the value of state and federal tax preferences, tax-preferred capital financing such as financing available through the Washington health care facilities authority, and other public reimbursement streams available to nonprofit health care providers, facilities, and insurers outside of payment for health care claims.

(c) The office must submit a report to the governor and the relevant policy and fiscal committees of the legislature by October 1, 2024.

(24)(a) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of financial management to conduct a study of the future long-term uses of the Olympic heritage behavioral health campus. The study must consider data related to forecasted bed need for civil and forensic state hospital populations and gaps after accounting for current and planned future statewide capacity. The study must assess the options for maximizing the facility's ability to receive federal matching funds for services provided while contributing to the health of the entire state behavioral health system. The study must examine community-based behavioral health system trends, including short-term civil commitment capacity trends and trends in prosecutorial forensic referrals and how these trends may impact demand for state-operated services to forensic and civil conversion clients. The study must include:

(i) An analysis on the types of services which could be provided at the property, including but not limited to:

(A) Services for patients that are deemed not guilty by reason of insanity;

(B) Long-term involuntary treatment services for civil conversion patients;

(C) Long-term involuntary treatment services for specialized populations such as those with developmental disabilities or dementia;

(D) Short-term involuntary treatment services;

(E) Other services that will increase the state's ability to comply with requirements for providing timely admission of competency restoration patients into treatment beds;

(F) Voluntary behavioral health treatment services, including diversion, prediversion and specialty services for people with co-occurring conditions including substance use disorders, intellectual or developmental disabilities, traumatic brain disorders, or dementia; and

(G) Integrated service approaches that address medical, housing, vocational and other needs of behaviorally disabled individuals with criminal legal involvement or likelihood of criminal legal involvement;

(ii) Identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments; and

(iii) Consideration of options for providers that can provide the different services recommended at the facility and an analysis on the cost differential and potential federal reimbursement for the different providers, including, but not limited to:

(A) The University of Washington;

(B) Harborview medical center;

(C) Tribal government partners;

(D) Providers contracted by the health care authority; and

(E) The department of social and health services.

(b) The office of financial management shall submit a report with its findings and recommendations to the governor and the appropriate committees of the legislature by June 30, 2025.

(c) The office of financial management may contract with one or more third parties and consult with other state entities to conduct the study. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(25)(a) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with a consultant to collect, review, and analyze data related to vehicular pursuits and to compile a report. The report must include recommendations to the legislature on what data should be collected by law enforcement agencies throughout the state so that the legislature and other policymakers have consistent and uniform information necessary to evaluate policies on vehicular pursuits. The contractor must gather input from individuals and families with lived experience interacting with law enforcement, including Black, indigenous, and communities of color, and incorporate this information into the report and recommendations. The report must:

(i) Review available data on vehicular pursuits from those agencies accredited by the Washington association of sheriffs and police chiefs, and review a stratified sample of nonaccredited agencies for as many years as their data have been collected, including:

(A) The date, time, location, maximum speed, and duration of the incident;



(B) The reason for initiating a pursuit;

(C) Whether the pursuing officer sought authorization for the pursuit, or only gave notice of the pursuit, and whether authorization for the pursuit was granted;

(D) Whether a supervisor denied authorization for the pursuit and the reason for the denial;

(E) The number of vehicles and officers involved in the pursuit;

(F) The number of law enforcement agencies involved in the pursuit;

(G) Whether pursuit intervention techniques were employed, and if so, which ones;

(H) Whether the pursuit was terminated at any point, and if so, the reason for termination;

(I) The officer's perception of the age, gender, race, ethnicity, or applicable tribal affiliation of the driver and any passengers of the motor vehicle being pursued;

(J) Whether the pursuit resulted in no action, termination, apprehension, warning, citation, arrest and grounds for the arrest, or other action;

(K) Whether the pursuit resulted in any property damage, injury, or death, and to whom and what, including law enforcement, drivers, passengers, and bystanders;

(L) Copies of reports, annual or other frequencies, used for internal review of pursuit statistics; and

(M) Whether the law enforcement agency has a record-keeping system for pursuits, and if so, what that system is, how long it has been in place, and whether the system and the data collected has changed over time;

(ii) Provide recommendations on what data elements law enforcement agencies should collect, in relation to the list identified in (a)(i) of this subsection, and provide rationale for the recommendations;

(iii) Develop a protocol for data collection by law enforcement agencies and provide a statement regarding the use of such data and the purpose for its collection and analysis;

(iv) Make the data readily available to the public using standard open data protocols;

(v) Recommend an entity to collect and manage this data on a statewide basis;

(vi) Review existing statewide police data reporting systems, including:

(A) The national incident based reporting system program, which is for the federal uniform crime reporting program;

(B) The Washington technology solutions police traffic collision reporting system, which is used for both state systems and the federal fatality analysis reporting system; and

(C) The statewide use of force data program established in RCW 10.118.030;

(vii) Assess the benefits and drawbacks of each of the existing systems in (a)(vi) of this subsection as a possible platform for collecting, reporting, and hosting pursuit open source downloadable data from agencies, and recommend whether any of these, or another system, would be most appropriate; and

(viii) Recommend any changes in state law to accomplish and facilitate the collection and analysis of the data, including whether to align or integrate the data collection with the use of force data under chapter 10.118 RCW.

(b) The report and recommendations are due to the governor and the appropriate committees of the legislature by June 30, 2025.

(26) \$1,969,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2128 (certificate of need program). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(27) \$181,000 of the personnel service account—state appropriation is provided solely for implementation of Substitute House Bill No. 2216 (state employee degree reqs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(28) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2270 (department of housing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(29) (a) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to review, report, and make recommendations on cost-effective contracting, management, and implementation of legislative request provisos. For purposes of this subsection, "legislative request provisos" means provisos in the operating budget that designate funding for public services to be provided by specific private sector contractors, which may be either named or described. The legislature finds that study and analysis of legislative request provisos is necessary due to the role such provisos play in funding community services and engagement; the increasing use of these provisos to fund community services in the budget bill; potential uncertainty regarding applicability of chapter 39.26, the public bidding laws, to these provisos; and variations in agency practices regarding contracting, oversight, and administrative costs of implementing these provisos.

(b) The report shall include an analysis of how these contracts fit into existing statutory law on bidding and contracting and a fiscal survey of recipient agency practices regarding contracting, oversight, and agency administrative overhead. The fiscal survey shall request data from recipient agencies regarding amounts expended on workload associated with contracting, oversight, and administration relative to the amounts appropriated for legislative request provisos in the most recent fiscal period in which data is available. Recipient agencies shall specify whether amounts expended on contracting, oversight, and administration of legislative request provisos are deducted from amounts within legislative request provisos or from their unrestricted appropriations.

(c) The report shall contain recommendations on more transparent and efficient methods for contracting, oversight, and administration of legislative request provisos at the agency level. The report must consider efficiencies and improvements that could result from consolidating these types of provisos within a single office or agency, including reduced or more consistent administrative costs. The report shall include the results of the survey described in (b) of this subsection and may include recommendations on best practices to minimize recipient agency expenditures on contracting, oversight, and administration of legislative request provisos. If the recommended changes in the report require changes to codified statutes, the report shall include draft legislation. If the recommended changes in the report require a change to operating budget drafting or structure, the report shall include specific recommendations on those points.

(d) The office must provide the report and recommendations to the governor and appropriate committees of the legislature by December 1, 2024.

**Sec. 134.** 2023 c 475 s 136 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

Administrative Hearings Revolving Account—State	
Appropriation. . . . .	(((\$72,194,000))
	\$76,318,000
Administrative Hearings Revolving Account—Local	
Appropriation. . . . .	\$12,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$72,206,000))</b>
	<b>\$76,330,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$597,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(2) \$80,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$34,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$61,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$2,487,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$74,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1893 (unemp. ins/ strikes & lockouts). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(7) \$16,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 2061 (health employees/overtime). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 135.** 2023 c 475 s 137 (uncodified) is amended to read as follows:  
**FOR THE WASHINGTON STATE LOTTERY**

Lottery Administrative Account—State Appropriation. . . . .	(((\$32,896,000))
	\$32,933,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$32,896,000))</b>
	<b>\$32,933,000</b>

The appropriation in this section is subject to the following conditions and limitations:

(1) No portion of this appropriation may be used for acquisition of gaming system capabilities that violate state law.

(2) Pursuant to RCW 67.70.040, the commission shall take such action necessary to reduce retail commissions to an average of 5.1 percent of sales.

**Sec. 136.** 2023 c 475 s 138 (uncodified) is amended to read as follows:  
**FOR THE COMMISSION ON HISPANIC AFFAIRS**

General Fund—State Appropriation (FY 2024). . . . .	(((\$1,494,000))
	\$1,495,000
General Fund—State Appropriation (FY 2025). . . . .	\$1,347,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$2,841,000))</b>

\$2,842,000

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Hispanic and Latinx students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to gang youth intervention specialists for a pilot program within high schools in Washington. Grants may be provided without using a competitive selection process.

**Sec. 137.** 2023 c 475 s 139 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$660,000))
	<u>\$661,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(((\$662,000))
	<u>\$663,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$1,322,000))</b>
	<b><u>\$1,324,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for African American and Black students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators, as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

**Sec. 138.** 2023 c 475 s 140 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS**

General Fund—State Appropriation (FY 2024) . . . . .	\$387,000
Department of Retirement Systems Expense Account—	
State Appropriation . . . . .	(((\$115,088,000))
	<u>\$116,511,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$115,475,000))</b>
	<b><u>\$116,898,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$34,491,000 of the department of retirement systems expense account—state appropriation is provided solely for pension system modernization, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$143,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1007 (military service credits). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$1,172,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5538 (postretirement nursing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$1,058,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1056 (postretirement employment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$199,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1055 (public safety telecommunicators). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$536,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1481 (tribal peace officers/LEOFF). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(7) \$116,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1949 (DSHS competency rest./PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(8) \$16,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 2014 (definition of a veteran). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 139.** 2023 c 475 s 141 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF REVENUE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$427,926,000</del> ))
	\$358,442,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$436,344,000</del> ))
	\$399,467,000
Climate Commitment Account—State Appropriation . . . . .	\$895,000
Timber Tax Distribution Account—State Appropriation . . . . .	(( <del>\$8,095,000</del> ))
	\$8,104,000
Business License Account—State Appropriation . . . . .	(( <del>\$19,774,000</del> ))
	\$19,807,000
Waste Reduction, Recycling, and Litter Control Account—State Appropriation . . . . .	\$183,000
Model Toxics Control Operating Account—State Appropriation . . . . .	\$127,000
Financial Services Regulation Account—State Appropriation . . . . .	\$5,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$898,344,000</del>))</b>
	<b>\$792,025,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,669,000 of the general fund—state appropriation for fiscal year 2024 and \$1,661,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 196, Laws of 2021 (capital gains tax).

(2) ~~((~~\$251,639,000~~))~~ \$181,639,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$263,768,000~~))~~ \$221,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 195, Laws of 2021 (working families tax exempt.). Of the total amounts provided in this subsection:

(a) \$16,639,000 of the general fund—state appropriation for fiscal year 2024 and \$15,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administration of the working families tax exemption program; and

(b) ~~((~~\$235,000,000~~))~~ \$165,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$248,000,000~~))~~ \$206,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for remittances under the working families tax exemption program.

(3) \$2,408,000 of the general fund—state appropriation for fiscal year 2024, \$780,000 of the general fund—state appropriation for fiscal year 2025, and \$895,000 of the climate commitment account—state appropriation are provided solely for the department to implement 2023 revenue legislation.

(4) \$415,000 of the general fund—state appropriation for fiscal year 2024, \$1,579,000 of the general fund—state appropriation for fiscal year 2025, and \$4,000 of the business license account—state appropriation are provided solely for the department to implement 2024 revenue legislation.

(5) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop an implementation plan for an online searchable database of all taxes and tax rates in the state for each taxing district. A report summarizing options, estimated costs, and timelines to implement each option must be submitted to the appropriate committees of the legislature by June 30, 2024. The implementation plan must include an array of options, including low cost options that may change the scope of the database. However, each low cost option must still provide ease of public access to state and local tax information that is currently difficult for the public to collect and efficiently navigate.

(6) (a) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct a study and provide a report to the legislature on royalty receipts apportionment for local business taxes throughout the state. The study must:

(i) Examine how gross income derived as royalties from the granting of intangible rights in RCW 35.102.130 could be apportioned uniformly by local jurisdictions. The department must consider apportionment options described in RCW 82.04.462(3)(b) (i) through (vii) as well as other options; and

(ii) Identify issues surrounding the definition of "customer" as applied to royalties and payments made or received for the use of the taxpayer's intangible property in RCW 35.102.130, and how it could be brought into conformity with the definition in RCW 82.04.462(3)(b)(viii) and applied uniformly throughout the state.

(b) The study must document and evaluate the approaches to apportionment of royalties that have been adopted in other states and examine the administrative feasibility of applying interstate apportionment methodologies to local business taxes. The department must submit a report on the study and any findings and recommendations to the governor and the appropriate policy and fiscal committees of the legislature by December 31, 2024.

~~((5))~~ (7) \$19,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of House Bill No. 1303 (property tax administration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(6))~~ (8) \$3,639,000 of the general fund—state appropriation for fiscal year 2024 and \$3,582,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1477 (working families' tax credit). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(7))~~ (9) \$48,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(8))~~ (10) \$31,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5565 (tax and revenue laws). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(9))~~ (11)(a) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to research and analyze wealth taxes imposed in other countries and wealth tax legislation recently proposed by other states and the United States. At a minimum, the department must examine how existing and proposed wealth taxes are structured, compliance and administrative challenges of wealth taxes, best practices in the design and administration of wealth taxes, and potential data sources to aid the department in estimating the revenue impacts of future wealth tax proposals for this state or assisting the department in the administration of a wealth tax. As part of its examination and analysis, the department must seek to consult with relevant subject matter experts from within and outside of the United States.

(b) The department may contract with one or more institutions of higher education as defined in RCW 28B.10.016 for assistance in carrying out its obligations under this subsection.

(c) The department must submit a status report to the appropriate fiscal committees of the legislature by January 1, 2024, and a final report to the appropriate fiscal committees of the legislature by November 1, 2024. The final report must include the department's findings.

~~((10))~~ (12) \$42,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(13) \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct outreach activities for the working families' tax credit established in RCW 82.08.0206, including but not limited to grants for community-based organizations to conduct outreach activities, marketing activities, and establishing a mobile unit.

**Sec. 140.** 2023 c 475 s 142 (uncodified) is amended to read as follows:

**FOR THE BOARD OF TAX APPEALS**

General Fund—State Appropriation (FY 2024) . . . . .	\$2,810,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>((2,808,000))</del>
	\$2,813,000
TOTAL APPROPRIATION . . . . .	<del>((5,618,000))</del>
	\$5,623,000

**Sec. 141.** 2023 c 475 s 143 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

General Fund—State Appropriation (FY 2024) . . . . .	\$3,837,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>((3,799,000))</del>
	\$7,003,000
Minority and Women's Business Enterprises Account—	
State Appropriation . . . . .	<del>((6,062,000))</del>
	\$6,070,000
TOTAL APPROPRIATION . . . . .	<del>((13,698,000))</del>
	\$16,910,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of minority and women's business enterprises shall consult with the Washington state office of equity on the Washington state toolkit for equity in public spending.

(2) \$540,000 of the general fund—state appropriation for fiscal year 2024 and \$529,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$151,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a policy analyst position.

(4) \$941,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to expand its outreach and communications department.

(5) \$13,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 1391 (energy in buildings). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 142.** 2023 c 475 s 144 (uncodified) is amended to read as follows:

**FOR THE INSURANCE COMMISSIONER**

General Fund—Federal Appropriation. . . . .	(( <del>\$4,723,000</del> ))
	<u>\$4,724,000</u>
Insurance Commissioner's Regulatory Account—State	
Appropriation. . . . .	(( <del>\$79,157,000</del> ))
	<u>\$81,203,000</u>
Insurance Commissioner's Fraud Account—State	
Appropriation. . . . .	(( <del>\$4,269,000</del> ))
	<u>\$4,270,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$88,149,000</del>))</b>
	<b><u>\$90,197,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5242 (abortion cost sharing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(2) \$63,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of House Bill No. 1120 (annuity transactions). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$72,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5036 (audio-only telemedicine). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$55,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5300 (behavioral health continuity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$19,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5396 (breast exam cost sharing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(7) \$260,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 87, Laws of 2023 (SSB 5338).

(8) \$1,206,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5066 (health care benefit managers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$9,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 16, Laws of 2023 (SSB 5729).

(10) \$272,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5581 (maternal support services). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$237,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 42, Laws of 2023 (SB 5319).

(12) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5720 (risk mitigation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(13)(a) ~~((~~\$500,000~~))~~ \$700,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner, in collaboration with the office of

the attorney general, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state, including but not limited to the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.

(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The office of the insurance commissioner and office of the attorney general shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

(14) \$190,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 27, Laws of 2023 (SHB 1266).

(15) \$66,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1222 (hearing instruments coverage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(16) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 21, Laws of 2023 (HB 1061).

(17) \$14,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute House Bill No. 1060 (mutual insurer reorg.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$132,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) (a) ~~(\$250,000)~~ \$50,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for an analysis of how health plans define, cover, and reimburse for maternity care services, including prenatal, delivery, and postpartum care. The commissioner shall:

(i) Obtain necessary information regarding health plans offered by carriers with more than one percent accident and health market share based upon the commissioner's most recent annual market information report and health plans offered to public employees under chapter 41.05 RCW to evaluate:

(A) How health plan benefit designs define maternity care services;

(B) Whether and to what extent maternity care services are subject to deductibles and other cost-sharing requirements;

(C) Which maternity care services are considered preventive services under section 2713 of the federal public health service act and are therefore exempt from cost sharing;

(D) The five most used maternity care reimbursement methodologies used by each carrier; and

(E) With respect to reimbursement methodologies that bundle payment for maternity care services, which specific services are included in the bundled payment;

(ii) Estimate the total and per member per month impact on health plan rates of eliminating cost sharing for maternity care services in full, or for prenatal care only, for the following markets:

(A) Individual health plans other than Cascade select plans;

(B) Cascade select health plans;

(C) Small group health plans;

(D) Large group health plans;  
 (E) Health plans offered to public employees under chapter 41.05 RCW; and  
 (F) All health plans in the aggregate; and  
 (iii) Submit a report on the findings and cost estimate to the appropriate committees of the legislature by July 1, 2024.

(b) The commissioner may contract for all or a portion of the analysis required in this subsection.

(20) \$578,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner to continue its work on behavioral health parity compliance, enforcement, and provider network oversight. The commissioner may use internal staff and contracted experts to oversee provider directories and evaluate consumer access to services for mental health and substance use disorders in state-regulated individual, small group, and large group health plans.

(21) (a) \$250,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner, in consultation with the department of social and health services and the health care authority, to submit to the relevant policy and fiscal committees of the legislature by June 30, 2025, a feasibility analysis of expanding or modifying the program described in section 207(48) of this act to include additional groups of essential workers whose employers receive significant public funding to provide direct services to vulnerable populations, including but not limited to behavioral health services, housing and homelessness services, and child care workers. The evaluation must consider:

(i) Current sources, benefits, and costs of health care coverage for these essential workers including but not limited to employer-sponsored coverage, medicaid, and individual health plans purchased through the health benefit exchange;

(ii) Policy options to increase health care benefit funding to employers of these essential workers, including maximizing nongeneral fund state sources while ensuring costs are not shifted to employees;

(iii) The appropriate structure and oversight of the newly established health benefits fund, including the use of fully insured health coverage, a self-funded multiemployer welfare arrangement, the health benefit exchange, or another entity to offer health benefits comparable to the platinum metal level under the affordable care act, and meet defined plan design, consumer protection, and solvency requirements.

(b) The commissioner must consult with interested organizations and may establish subgroups to conduct this work based on distinct industries of different essential workers.

(c) The commissioner may contract with third parties and consult with other state entities to conduct all or any portion of the study, including actuarial analysis.

(22) (a) \$400,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner to convene and chair an adult family home liability insurance work group. The work group shall consist of members with a representative from, but not limited to:

(i) The office of the attorney general;

(ii) The office of the governor;

(iii) The adult family home industry;

(iv) The Washington state long-term care ombudsman;

(v) The department of social and health services' aging and long-term support administration's residential care services;

(v) The department of social and health services' aging and long-term support administration's home and community services;

(vi) The department of social and health service's aging and long-term support administration's developmental disability administration;

(vii) Insurance producers;

(viii) Insurance underwriters;

(ix) The Washington surplus line association;

(x) Risk retention groups; and

(xi) Other state agency representatives or stakeholder group representatives, as deemed necessary.

(b) The work group shall:

(i) Review the availability and cost of liability insurance for adult family homes;

(ii) Identify obstacles to adult family homes access to liability insurance including underwriting restrictions, market conditions, as well as legal and regulatory requirements;

(iii) Evaluate the financial risk to adult family homes, their residents, the state medicaid program, and others that exist as a result of the increased cost of insurance, or in the event adult family homes are uninsured due to a lack of access to coverage; and

(iv) Make policy recommendations to improve access to liability insurance coverage for adult family homes.

(c) The work group must submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 31, 2024, and a final report by June 30, 2025, with review findings, recommendations, and data on claims experience, costing, and policy or budget underwriting restrictions related to liability policies covering adult family homes.

(d) The commissioner shall collect the information required from entities transacting insurance with adult family home providers. Any identified authorized insurers, unauthorized insurers, and risk retention groups are required to provide the requested information to the commissioner.



(e) The commissioner may contract with a vendor to conduct an actuarial analysis if necessary to facilitate the development of recommendations concerning liability insurance in adult family homes.

(23) (a) \$350,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner to study approaches to increasing the availability of health care malpractice liability coverage or other liability protection options for community-based health care providers delivering transition of care services to incarcerated individuals. The commissioner must provide an initial report to the office of financial management and appropriate committees of the legislature by December 31, 2024. The study must include:

(i) A review of the state's commitments to facilitating safe transitions of care for incarcerated individuals through medicaid coverage of health services under the 2023 medicaid transformation waiver;

(ii) An analysis of the barriers to accessing liability coverage for community-based health care providers on the private market;

(iii) An actuarial analysis of the potential risk to be incurred by providing health care malpractice liability coverage for transition of care services to individuals who are incarcerated and near release; and

(iv) Policy options and recommendations, if any, for consideration by the legislature regarding provision of or increasing the availability of health care malpractice liability coverage or other liability protection options for community-based health care providers delivering these services.

(b) In conducting this study, the commissioner shall convene interested organizations including but not limited to representatives of:

(i) The office of the attorney general;

(ii) The health care authority;

(iii) The department of corrections;

(iv) The department of enterprise services' office of risk management;

(v) The Washington association of sheriffs and police chiefs;

(vi) Local governments;

(vii) Medical malpractice liability underwriters; and

(viii) Community-based health care providers, including but not limited to representatives of federally qualified health centers and providers of health care services in incarceration settings.

(c) The commissioner may contract for actuarial or other analysis if necessary to facilitate development of the study or policy options.

(24) \$315,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute House Bill No. 2329 (insurance market/housing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$49,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1957 (preventive service coverage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(26) \$8,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2330 (wildfire protection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 143.** 2023 c 475 s 145 (uncodified) is amended to read as follows:

**FOR THE STATE INVESTMENT BOARD**

State Investment Board Expense Account—State

Appropriation. . . . . ((\$83,426,000))

\$83,480,000

TOTAL APPROPRIATION.....(((\$83,426,000))

\$83,480,000

The appropriation in this section is subject to the following conditions and limitations: \$41,000 of the state investment board expense account—state appropriation is provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

**Sec. 144.** 2023 c 475 s 146 (uncodified) is amended to read as follows:

**FOR THE LIQUOR AND CANNABIS BOARD**

General Fund—State Appropriation (FY 2024). . . . . ((\$2,383,000))

\$2,594,000

General Fund—State Appropriation (FY 2025). . . . . ((\$850,000))

\$1,618,000

General Fund—Federal Appropriation. . . . . ((\$3,187,000))

\$3,189,000

General Fund—Private/Local Appropriation. . . . . \$75,000

Dedicated Cannabis Account—State Appropriation

(FY 2024). . . . . \$13,481,000

Dedicated Cannabis Account—State Appropriation

(FY 2025) . . . . .	(( <del>\$14,041,000</del> ))
	<u>\$14,055,000</u>
Liquor Revolving Account—State Appropriation. . . . .	(( <del>\$124,765,000</del> ))
	<u>\$126,354,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$158,782,000</del>))</b>
	<b><u>\$161,366,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The liquor and cannabis board may require electronic payment of the cannabis excise tax levied by RCW 69.50.535. The liquor and cannabis board may allow a waiver to the electronic payment requirement for good cause as provided by rule.

(2) Of the liquor revolving account—state appropriation, \$35,278,000 is provided solely for the modernization of regulatory systems and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$1,526,000 of the liquor revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin).

(5) \$250,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$159,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC).

(6) ~~((~~\$1,527,000~~))~~ \$1,713,000 of the general fund—state appropriation for fiscal year 2024, ~~\$700,000 of the general fund—state appropriation for fiscal year 2025,~~ \$2,255,000 of the dedicated cannabis account—state appropriation for fiscal year 2024, and \$1,463,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity).

(7) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the liquor and cannabis board to conduct an agency analysis of commercial tobacco and vaping enforcement actions from fiscal year 2018 through fiscal year 2022 involving youth under the age of 18. This analysis shall be submitted to the appropriate committees of the legislature by December 1, 2023, and must include:

- (a) The total number of such interactions by fiscal year;
- (b) Information on the nature of those interactions;
- (c) How many interactions convert to administrative violation notices (AVNs);
- (d) How many of those interactions and AVNs convert to retailer education and violations;

and  
(e) Descriptions of training for liquor and cannabis board officers, and the number of officers trained on interacting with youth, particularly LGBTQ youth and youth of color.

(8) \$4,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5365 (vapor and tobacco/minors). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$225,000 of the liquor revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1731 (short-term rentals/liquor). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$41,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2182 (regulated substance use data). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$136,000 of the liquor revolving account—state appropriation is provided solely for implementation of House Bill No. 2204 (emergency liquor permits). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1453 (medical cannabis/tax). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(13) \$75,000 of the liquor revolving account—state appropriation is provided solely for reviewing all the Washington Administrative Code provisions promulgated by the board for potentially discriminatory language or interpretation that may highlight personal bias. The board must issue a report to the legislature on its findings by September 30, 2024.

**Sec. 145.** 2023 c 475 s 147 (uncodified) is amended to read as follows:

**FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	\$1,201,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$1,201,000</del> ))
	<u>\$1,276,000</u>
Public Service Revolving Account—State Appropriation. . . . .	(( <del>\$65,664,000</del> ))
	<u>\$66,262,000</u>

Public Service Revolving Account—Federal Appropriation. . . . .	\$100,000
Pipeline Safety Account—State Appropriation. . . . .	(((\$3,769,000))
	\$3,770,000
Pipeline Safety Account—Federal Appropriation. . . . .	(((\$3,404,000))
	\$3,406,000
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$75,339,000))</b>
	<b>\$76,015,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to \$800,000 of the public service revolving account—state appropriation in this section is for the utilities and transportation commission to supplement funds committed by a telecommunications company to expand rural broadband service on behalf of an eligible governmental entity. The amount in this subsection represents payments collected by the utilities and transportation commission pursuant to the Qwest performance assurance plan.

(2) \$43,000 of the public service revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse-))

(3) \$100,000 of the public service revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse-))

(4) \$67,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse-))

(5) \$57,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse-))

(6) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(7) \$62,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2131 (thermal energy networks). If the bill is not enacted by June 30, 2024, the amount in this subsection shall lapse.

(8) \$497,000 of the public service revolving account—state appropriation is provided solely for staff to advance the state's objectives for better transmission planning, organized electric power markets or similar regional power coordination, and expanded regional and interregional transmission capacity.

(9)(a) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to report to the legislature with information and recommendations for updating the statutes pertaining to the universal communications services program as described in chapter 80.36 RCW. The report must include:

(i) How the program has been utilized and audited since fiscal year 2022;

(ii) The most efficient and cost-effective technologies available to meet the state's broadband goals in rural areas;

(iii) The ways in which this program can work with the Washington state broadband office to ensure that appropriations for this program are additive and not duplicative to the office's broadband goals and how new technologies would help meet those goals;

(iv) The ways in which these dollars have been used to leverage federal funding;

(v) A list of other sources of state and federal funding that are available to maintain and repair existing broadband infrastructure;

(vi) How changes to the federal universal services fund could impact the provision of telecommunications services in Washington state; and

(vii) Any additional relevant information regarding the benefits of continuing this program that would be helpful for future appropriation decisions.

(b) The report is due to the appropriate committees of the legislature in accordance with RCW 43.01.036 by December 1, 2024.

**Sec. 146.** 2023 c 475 s 148 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**

General Fund—State Appropriation (FY 2024). . . . .	(((\$16,490,000))
	\$16,782,000
General Fund—State Appropriation (FY 2025). . . . .	(((\$16,446,000))
	\$19,210,000
General Fund—Federal Appropriation. . . . .	(((\$146,122,000))
	\$146,335,000
911 Account—State Appropriation. . . . .	(((\$54,306,000))
	\$54,309,000
Disaster Response Account—State Appropriation. . . . .	(((\$59,466,000))

	<u>\$62,192,000</u>
Disaster Response Account—Federal Appropriation. . . . .	(( <del>\$1,184,618,000</del> ))
	<u>\$1,905,455,000</u>
Military Department Rent and Lease Account—State Appropriation. . . . .	\$1,009,000
Military Department Active State Service Account— State Appropriation. . . . .	\$400,000
Natural Climate Solutions Account—State Appropriation. . . . .	\$113,000
Oil Spill Prevention Account—State Appropriation. . . . .	\$1,040,000
Worker and Community Right to Know Fund—State Appropriation. . . . .	(( <del>\$2,042,000</del> ))
	<u>\$2,043,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$1,482,052,000</del>))</b>
	<b><u>\$2,208,888,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees by February 1st and October 31st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2023-2025 fiscal biennium based on current revenue and expenditure patterns.

(2) \$40,000,000 of the general fund—federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) \$11,000,000 of the 911 account—state appropriation is provided solely for financial assistance to counties.

(4) \$784,000 of the disaster response account—state appropriation is provided solely for fire suppression training, equipment, and supporting costs to national guard soldiers and airmen.

~~(5) ((\$386,000 of the military department rental and lease account state appropriation is provided solely for maintenance staff.~~

~~(6)) \$876,000 of the disaster response account—state appropriation is provided solely for a dedicated access and functional needs program manager, access and functional need services, and a dedicated tribal liaison to assist with disaster preparedness and response.~~

~~((7)) (6) \$136,000 of the general fund—state appropriation for fiscal year 2024 and \$132,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(8)) (7) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to Whatcom county for disaster relief and recovery activities in response to the November 2021 flooding and mudslides presidentially-declared disaster.~~

~~((9)) (8) \$625,000 of the general fund—state appropriation for fiscal year 2024 and \$625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1728 (statewide resiliency program). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(10)) (9) \$113,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(11)) (10) (a) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to administer grants to local governments and federally recognized tribes for costs to respond to community needs during periods of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke.~~

~~(b) To qualify for a grant under (a) of this subsection, a local government or federally recognized tribe must:~~

~~(i) Be located in a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, as determined by the department;~~

~~(ii) Have demonstrated a lack of local resources to address community needs; and~~

~~(iii) Have incurred eligible costs as described in (c) of this subsection for the benefit of vulnerable populations.~~

~~(c) Costs eligible for reimbursement under (a) of this subsection include:~~

~~(i) Establishing and operating warming and cooling centers, including rental of equipment, purchase of supplies and water, staffing, and other associated costs;~~

~~(ii) Transporting individuals and their pets to warming and cooling centers;~~

~~(iii) Purchasing fans or other supplies needed for cooling of congregate living settings;~~

~~(iv) Providing emergency temporary housing such as rental of a hotel or convention center;~~

(v) Retrofitting or establishing facilities within warming and cooling centers that are pet friendly in order to permit individuals to evacuate with their pets; and

(vi) Other activities necessary for life safety during a period of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke, as determined by the department.

~~((12))~~ (11) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(12) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of House Bill No. 2257 (back country search & rescue). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$126,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2283 (shared leave/disasters). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1012 (extreme weather events). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15) (a) \$361,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct a study regarding statewide building code and construction standards pertaining to earthquake and tsunami resilience as well as recommendations for functional recovery of buildings and critical infrastructure directly following an earthquake. In conducting the study, the department must request input from the state building code council and representatives of appropriate public and private sector entities. The department may contract for all or a portion of the study. The study must, at a minimum, include an assessment of:

(i) Functional recovery building code standards that are being developed at the federal level, have been proposed or adopted in other countries, states, or local jurisdictions with a high risk of earthquakes, or are developed by public or private organizations with expertise in earthquake performance standards and safety;

(ii) The levels of functional recovery supported by current state and local building and construction codes;

(iii) The objectives, feasibility, necessary measures, and estimated costs of adopting and implementing statewide functional recovery building code standards, and how this assessment is impacted by whether the standards:

(A) Are mandatory or voluntary;

(B) Apply to only certain types of structures and infrastructure or prioritize certain types of structures and infrastructure;

(C) Apply to existing structures and infrastructure in addition to new construction;

(D) Are intended to apply to only specific seismic hazard levels; or

(E) Include nonstructural components as well as structural systems;

(iv) How statewide standards for functional recovery would fit into an all hazards approach for state emergency response and recovery;

(v) Funding opportunities that provide for the coordination of state and federal funds for the purposes of improving the state's preparedness for functional recovery following a significant earthquake or tsunami; and

(vi) Equity considerations for the development of statewide building code standards for functional recovery.

(b) The department must submit a preliminary report with interim findings to the appropriate committees of the legislature by June 1, 2025. The department must submit a final report summarizing the study's findings and including policy recommendations relating to statewide building code standards for functional recovery to the appropriate committees of the legislature by May 1, 2026. It is the intent of the legislature to provide funding to complete the final report in the 2025-2027 fiscal biennium.

(16) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2020 (public infra. assistance prg.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 147.** 2023 c 475 s 149 (uncodified) is amended to read as follows:

**FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	\$2,594,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$2,625,000)</del>
	\$2,676,000
Personnel Service Account—State Appropriation . . . . .	<del>(\$4,825,000)</del>
	\$4,828,000
Higher Education Personnel Services Account—State Appropriation . . . . .	<del>(\$1,629,000)</del>
	\$1,630,000
<b>TOTAL APPROPRIATION</b> . . . . .	<del><b>(\$11,673,000)</b></del>
	<b>\$11,728,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$98,000 of the higher education personnel services account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee

bargaining). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(2) \$48,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2325 (legislative employees). If the bill is not enacted by June 30, 2024, the amount provided by this subsection shall lapse.

Sec. 148. 2023 c 475 s 150 (uncodified) is amended to read as follows:

**FOR THE BOARD OF ACCOUNTANCY**

Certified Public Accountants' Account—State

Appropriation. . . . .	(\$4,770,000)
	\$5,121,000
<b>TOTAL APPROPRIATION.</b> .....	<b>(\$4,770,000)</b>
	<b>\$5,121,000</b>

Sec. 149. 2023 c 475 s 151 (uncodified) is amended to read as follows:

**FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**

Volunteer Firefighters' and Reserve Officers'

Administrative Account—State Appropriation. . . . .	(\$3,533,000)
	\$3,676,000
<b>TOTAL APPROPRIATION.</b> .....	<b>(\$3,533,000)</b>
	<b>\$3,676,000</b>

The appropriation in this section is subject to the following conditions and limitations: (((\$1,128,000)) (1) \$2,403,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for a benefits management system, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$20,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for contracting for small agency budget services with the department of enterprise services.

(3) \$50,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for the board to conduct a study on the extension of duty-related occupational disease presumptions to participants in the volunteer firefighters' relief and pension system. The study must examine the presumptions in RCW 51.32.185, and report to the fiscal committees of the legislature by June 30, 2025, on the prevalence of these conditions among volunteer firefighters, and the fiscal impact of extending additional relief and pension benefits to participants.

Sec. 150. 2023 c 475 s 152 (uncodified) is amended to read as follows:

**FOR THE FORENSIC INVESTIGATION COUNCIL**

Death Investigations Account—State Appropriation. . . . .

	(\$822,000)
	\$821,000
<b>TOTAL APPROPRIATION.</b> .....	<b>(\$822,000)</b>
	<b>\$821,000</b>

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$250,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(b) Of the amount provided in this subsection, \$30,000 of the death investigations account—state appropriation is provided solely for the Adams county crime lab to investigate a double homicide that occurred in fiscal year 2021.

(2) \$210,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

(3) Within the amount appropriated in this section, the forensic investigation council may enter into an interagency agreement with the department of enterprise services for the department to provide services related to public records requests, to include responding to, or assisting the council in responding to, public disclosure requests received by the council.

Sec. 151. 2023 c 475 s 153 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

General Fund—State Appropriation (FY 2024). . . . .

	(\$14,819,000)
	\$15,519,000
General Fund—State Appropriation (FY 2025). . . . .	(\$13,426,000)
	\$15,410,000
General Fund—Private/Local Appropriation. . . . .	\$102,000
Building Code Council Account—State Appropriation. . . . .	(\$2,583,000)
	\$2,585,000
Climate Commitment Account—State Appropriation. . . . .	\$750,000

Electric Vehicle Incentive Account—State	
Appropriation. . . . .	(( <del>\$1,722,000</del> ))
	<u>\$861,000</u>
Natural Climate Solutions Account—State	
Appropriation. . . . .	\$7,000,000
TOTAL APPROPRIATION.....	(( <del>\$39,652,000</del> ))
	<u>\$42,227,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$6,970,000)~~) \$7,017,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$6,894,000)~~) \$7,042,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of facilities and services charges to include campus rent, parking, security, contracts, public and historic facilities, financial cost recovery, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, legislative support services, and joint legislative systems committee. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall maintain an interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to have all of the same rights of occupancy and space use on the capitol campus as historically established.

(2) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have approval from the director of the department of enterprise services. Agencies that are exempted from the requirement are the Washington state patrol, Washington state department of transportation, and the department of natural resources.

(3) From the fee charged to master contract vendors, the department shall transfer to the office of minority and women's business enterprises in equal monthly installments \$1,500,000 in fiscal year 2024 and \$1,300,000 in fiscal year 2025.

(4) Within existing resources, the department, in collaboration with consolidated technology services, must provide a report to the governor and fiscal committees of the legislative by October 31 of each calendar year that reflects information technology contract information based on a contract snapshot from June 30 of that same calendar year, and must also include any contract that was active since July 1 of the previous calendar year. The department will coordinate to receive contract information for all contracts to include those where the department has delegated authority so that the report includes statewide contract information. The report must contain a list of all information technology contracts to include the agency name, contract number, vendor name, contract term start and end dates, contract dollar amount in total, and contract dollar amounts by state fiscal year. The report must also include, by contract, the contract spending projections by state fiscal year for each ensuing state fiscal year through the contract term, and note the type of service delivered. The list of contracts must be provided electronically in Excel and be sortable by all field requirements. The report must also include trend analytics on information technology contracts, and recommendations for reducing costs where possible.

(5) \$654,000 of the general fund—state appropriation for fiscal year 2024 and \$654,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the state efficiency and environmental performance program, to implement the zero emission vehicle strategy.

(6) \$2,671,000 of the general fund—state appropriation for fiscal year 2024 and \$2,671,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installation. The electric vehicle charging equipment must allow for the collection of usage data and must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities, and at least where zero emission fleet vehicles are or are scheduled to be purchased. The department must report when and where the equipment was installed, usage data at each charging station, and the state agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30. The department shall collaborate with the interagency electric vehicle coordinating council to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5491 (residential building exits). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(9))~~ (8) \$950,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for security enhancements to the governor's office lobby space and for security enhancement design for the remaining lobby and public spaces in the legislative building on the capitol campus. Enhancement designs must be provided to the senate committee on state government and elections and the house of representatives committee on state government and tribal relations no later than ~~((December 31, 2023))~~ June 30, 2024.

~~((10))~~ (9) \$162,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to waive rent fees and charges through June 30, 2025, for vendors who are blind business enterprise program licensees by the department of services for the blind and

who lease space and operate food service businesses, inclusive of delis, cafeterias, and espresso stands, in state government buildings.

~~((11))~~ (10) \$7,000,000 of the natural climate solutions account—state appropriation is provided solely to advance the preferred alternative of the final environmental impact statement for the capitol lake-Deschutes estuary long-term management project completed in October 2022. At a minimum, the department shall:

(a) Make tangible progress toward the next phase of design and permitting;

(b) Advance the memorandum of understanding for governance and funding of a restored estuary to an interlocal agreement that will govern long-term management of the restored estuary; and

(c) Initiate grant funding applications for design and permitting.

~~((12))~~ (11) \$400,000 of the state building code council account—state appropriation is provided solely for additional staffing to support the state building code council's work regarding the Washington state energy code.

~~((13))~~ (12) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$500,000 of the climate commitment account—state appropriation is provided solely for legal services and fees incurred by the state building code council. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(14) \$281,000 of the general fund—state appropriation for fiscal year 2024 and \$661,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for office space planning.

(a) The department must assist state agencies with identifying available space and achieving space reduction and colocation in response to the adoption of hybrid work environments and resulting underutilized office space. The department shall:

(i) Prioritize available space and colocation within Thurston county state-owned facilities and leased facilities;

(ii) Collaborate closely with the office of financial management;

(iii) Report available space for owned buildings as realized in the facilities portfolio management tool;

(iv) Coordinate with the office of financial management to evaluate the timeline and effectiveness of services supporting agency requests to downsize, acquire, expand, or relocate state facilities; and

(v) Report the outcome of all downsizing activity within state-owned and leased buildings to the legislature and the office of financial management by June 30, 2025.

(b) Within the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department, in collaboration with the office of financial management, to provide a space planning report to the legislature and the office of financial management by June 30, 2025.

(15) Sufficient funding is provided in this section to provide civic education tours for students, including but not limited to students from school districts receiving a grant under section 510(14) of this act.

(16) (a) \$250,000 of the climate commitment account—state appropriation is provided solely for the state building code council to conduct a study that includes:

(i) A review of the language addressing embodied carbon used in the building codes of other jurisdictions, including but not limited to the California Green Building Standards Code and the Vancouver Building By-law; and

(ii) The development of recommendations for language addressing embodied carbon for potential adoption by the council.

(b) The study must consider subject areas including, but not limited to, the applicability to buildings greater than 50,000 square feet; multiple compliance pathways phased in over time; including whole building life cycle assessments; reuse of existing buildings; and compliance with material carbon caps.

(c) In conducting the study, the council must provide opportunities for comment from design, construction, and building industry stakeholders.

(d) The council must submit a report of the study findings to the appropriate committees of the legislature by December 1, 2024.

(17) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$136,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 2071 (residential housing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 152.** 2023 c 475 s 154 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$4,043,000 ))
	\$4,047,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$4,010,000 ))
	\$4,321,000
General Fund—Federal Appropriation . . . . .	(( \$2,899,000 ))
	\$3,250,000
General Fund—Private/Local Appropriation . . . . .	\$14,000



Climate Commitment Account—State Appropriation. . . . .	\$977,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$11,943,000)</b>
	<b>\$12,609,000</b>

The appropriations in this section are subject to the following conditions and limitations:

~~(1) ((\$103,000 of the general fund—state appropriation for fiscal year 2024 and \$103,000 of the general fund state appropriation for fiscal year 2025 are provided solely for archaeological determinations and excavations of inadvertently discovered skeletal human remains, and removal and reinterment of such remains when necessary.~~

~~(2))~~ (2)) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington main street program.

~~((3))~~ (2) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the black historic sites survey project.

~~((4))~~ (3) \$477,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(5))~~ (4) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~(5) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of archaeology and historic preservation to partner with a nonprofit organization specializing in Washington state history to produce a publicly available resource for Washington state's forest history.~~

**Sec. 153.** 2023 c 475 s 155 (uncodified) is amended to read as follows:

**FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY**

General Fund—State Appropriation (FY 2024). . . . .	\$21,697,000
General Fund—State Appropriation (FY 2025). . . . .	<del>(\$1,700,000)</del>
	<b>\$16,265,000</b>

Consolidated Technology Services Revolving Account— State Appropriation. . . . .	<del>(\$124,249,000)</del>
	<b>\$135,804,000</b>

<b>TOTAL APPROPRIATION</b> .....	<b>(\$147,646,000)</b>
	<b>\$173,766,000</b>

The appropriations in this section are subject to the following conditions and limitations:

~~(1) ((\$14,752,000 of the consolidated technology services revolving account state appropriation is provided solely for the office of the chief information officer. Of this amount:~~

~~(a))~~ (a)) \$2,000,000 of the consolidated technology services revolving account—state appropriation is provided solely for experienced information technology project managers to provide critical support to agency IT projects that are under oversight from the office of the chief information officer. The staff or vendors will:

~~((i))~~ (a) Provide master level project management guidance to agency IT stakeholders;

~~((ii))~~ (b) Consider statewide best practices from the public and private sectors, independent review and analysis, vendor management, budget and timing quality assurance and other support of current or past IT projects in at least Washington state and share these with agency IT stakeholders and legislative fiscal staff at least twice annually and post these to the statewide IT dashboard; and

~~((iii))~~ (c) Provide independent recommendations to legislative fiscal committees by December of each calendar year on oversight of IT projects to include opportunities for accountability and performance metrics.

~~((b) \$2,960,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.~~

~~(e))~~ (2) \$2,226,000 of the consolidated technology services revolving account—state appropriation is provided solely for the enterprise data management pilot project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((2))~~ (3) \$16,890,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of cyber security.

~~((3))~~ (4) \$2,737,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.

(5) The consolidated technology services agency shall work with customer agencies using the Washington state electronic records vault (WASERV) to identify opportunities to:

(a) Reduce storage volumes and costs associated with vault records stored beyond the agencies' record retention schedules; and

(b) Assess a customized service charge as defined in chapter 304, Laws of 2017 for costs of using WASERV to prepare data compilations in response to public records requests.

~~((4))~~ (6) (a) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures must include the following:

- (i) The agency's priority ranking of each information technology request;
  - (ii) The estimated cost by fiscal year and by fund for the current biennium;
  - (iii) The estimated cost by fiscal year and by fund for the ensuing biennium;
  - (iv) The estimated total cost for the current and ensuing biennium;
  - (v) The total cost by fiscal year, by fund, and in total, of the information technology project since it began;
  - (vi) The estimated cost by fiscal year and by fund over all biennia through implementation and close out and into maintenance and operations;
  - (vii) The estimated cost by fiscal year and by fund for service level agreements once the project is implemented;
  - (viii) The estimated cost by fiscal year and by fund for agency staffing for maintenance and operations once the project is implemented; and
  - (ix) The expected fiscal year when the agency expects to complete the request.
- (b) The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.

~~((5))~~ (7) The consolidated technology services agency must not increase fees charged for existing services without prior approval by the office of financial management. The agency may develop fees to recover the actual cost of new infrastructure to support increased use of cloud technologies.

~~((6))~~ (8) Within existing resources, the agency must provide oversight of state procurement and contracting for information technology goods and services by the department of enterprise services.

~~((7))~~ (9) Within existing resources, the agency must host, administer, and support the state employee directory in an online format to provide public employee contact information.

~~((8))~~ (10) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((9) \$4,500,000)~~ (11) \$6,207,000 of the consolidated technology services revolving account—state appropriation is provided solely for the creation and ongoing delivery of information technology services tailored to the needs of small agencies. The scope of services must include, at a minimum, full-service desktop support, service assistance, security, and consultation.

~~((10) \$75,935,000)~~ (12) \$82,811,000 of the consolidated technology services revolving account—state appropriation is provided solely for the procurement and distribution of Microsoft 365 licenses which must include advanced security features and cloud-based private branch exchange capabilities for state agencies. The office must report annually to fiscal committees of the legislature each December 31, on the count and type of licenses distributed by consolidated technology services to each state agency. The report must also separately report on the count and type of Microsoft 365 licenses that state agencies have in addition to those that are distributed by consolidated technology services so that the total count, type of license, and cost is known for statewide Microsoft 365 licenses.

~~((11))~~ (13) The office of the chief information officer shall maintain an information technology project dashboard that, at minimum, provides updated information each fiscal month on the projects subject to section 701 of this act.

(a) The statewide information technology dashboard must include, at a minimum, the:

- (i) Start date of the project;
- (ii) End date of the project, when the project will close out and implementation will commence;
- (iii) Term of the project in state fiscal years across all biennia to reflect the start of the project through the end of the project;
- (iv) Total project cost from start date through the end date of the project in total dollars, and a subtotal of near general fund outlook;
- (v) Near general fund outlook budget and actual spending in total dollars and by fiscal month for central service agencies that bill out project costs;
- (vi) Start date of maintenance and operations;
- (vii) Estimated annual state fiscal year cost of maintenance and operations after implementation and close out;
- (viii) Actual spending by state fiscal year and in total for state fiscal years that have closed;
- (ix) Date a feasibility study was completed or note if none has been completed to date;
- (x) Monthly project status assessments on scope, schedule, budget, and overall by the:
  - (A) Office of the chief information officer;
  - (B) Quality assurance vendor, if applicable; and
  - (C) Agency project team;

- (xi) Monthly quality assurance reports, if applicable;
  - (xii) Monthly office of the chief information officer status reports on budget, scope, schedule, and overall project status; and
  - (xiii) Historical project budget and expenditures through fiscal year 2023.
- (b) The statewide dashboard must retain a roll up of the entire project cost, including all subprojects, that can display subproject detail. This includes coalition projects that are active. For projects that include multiple agencies or subprojects and roll up, the dashboard must display:
- (i) A separate technology budget and investment plan for each impacted agency; and
  - (ii) A statewide project technology budget roll up that includes each affected agency at the subproject level.
- (c) The office of the chief information officer may recommend additional elements to include but must have agreement with legislative fiscal committees and the office of financial management prior to including additional elements.
- (d) The agency must ensure timely posting of project data on the statewide information technology dashboard for at least each project funded in the budget and those projects subject to the conditions of section 701 of this act to include, at a minimum, posting on the dashboard:
- (i) The budget funded level by project for each project under oversight within 30 calendar days of the budget being signed into law;
  - (ii) The project historical expenditures through completed fiscal years by December 31; and
  - (iii) Whether each project has completed a feasibility study.
- (e) The office of the chief information officer must post to the statewide dashboard a list of funding received by fiscal year by enacted session law, and how much was received citing chapter law as a list of funding provided by fiscal year.
- ~~((+12))~~ (14) Within existing resources, consolidated technology services must collaborate with the department of enterprise services on the annual contract report that provides information technology contract information. Consolidated technology services will:
- (a) Provide data to the department of enterprise services annually by September 1 of each year; and
  - (b) Provide analysis on contract information for all agencies comparing spending across state fiscal years by, at least, the contract spending towers.
- ~~((+13))~~ (15) \$8,666,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of the enterprise cloud computing program as outlined in the December 2020 Washington state cloud readiness report. Funding provided includes, but is not limited to, cloud service broker resources, cloud center of excellence, cloud management tools, a network assessment, cybersecurity governance, and a cloud security roadmap.
- ~~((+14))~~ (16) \$3,498,000 of the consolidated technology services revolving account—state appropriation is provided solely for the implementation of the recommendations of the cloud transition task force report to include:
- (a) A cloud readiness program to help agencies plan and prepare for transitioning to cloud computing;
  - (b) A cloud retraining program to provide a coordinated approach to skills development and retraining; and
  - (c) Staffing to define career pathways and core competencies for the state's information technology workforce.
- ~~((+15))~~ (17) \$20,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((+16))~~ and \$13,565,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for statewide electronic health records projects, which must comply with the approved statewide electronic health records plan. The purpose of the plan is to implement a common technology solution to leverage shared business processes and data across the state in support of client services.
- (a) The statewide electronic health records plan must include, but is not limited to, the following elements:
    - (i) A proposed governance model for the electronic health records solution;
    - (ii) An implementation plan for the technology solution from kickoff through five years maintenance and operations post implementation;
    - (iii) A technology budget to include estimated budget and resources needed to implement the electronic health records solution by agency and across the state, including fund sources and all technology budget element requirements as outlined in section 701(4) of this act;
    - (iv) A licensing plan in consultation with the department of enterprise services that seeks to utilize the state data center;
    - (v) A procurement approach, in consultation with the department of enterprise services;
    - (vi) A system that must be capable of being continually updated, as necessary;
    - (vii) A system that will use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of every two-week sprint;
    - (viii) A system that will deploy usable functionality into production for users within 180 days from the date there is an executed procurement contract after a competitive request for proposal is closed;
    - (ix) A system that uses quantifiable deliverables that must include live, accessible demonstrations of software in development to program staff and end users at each sprint or at least monthly;

(x) A requirement that the agency implementing its electronic health record solution must invite the office and the agency comptrollers or their designee to sprint reviews;

(xi) A requirement that there is an annual independent audit of the system to evaluate compliance of the software solution vendor's performance standards and contractual requirements and technical code quality, and that it meets user needs;

(xii) A recommended program structure for implementing a statewide electronic health records solution;

(xiii) A list of individual state agency projects that will need to implement a statewide electronic health records solution and the readiness of each agency to successfully implement;

(xiv) The process for agencies to request funding from the consolidated technology services for their electronic health records projects. The submitted application must:

(A) Include at least a technology budget in compliance with the requirements of section 701(4) of this act that each agency budget office will assist with; and

(B) Be posted to the statewide information technology dashboard and meet all dashboard posting requirements as outlined in section 155(11) of this act; and

(xv) The approval criteria for agencies to receive funds for their electronic health records project. The approval may not be given without an approved current technology budget, and the office must notify the fiscal committees of the legislature. The office may not approve funding for the project any earlier than 10 business days from the date of notification to the fiscal committees of the legislature.

(b) The plan described in (a) of this subsection:

(i) Must be submitted to the office of financial management, the chair and ranking member of the senate environment, energy, and information technology policy committee, the chairs and ranking members of the fiscal committees of the legislature, and the technology services board by July 1, 2023; and

(ii) Must be approved by the office of financial management and the technology services board established in RCW 43.105.285.

(c) ~~\$20,000,000~~ of the general fund—state appropriation for fiscal year 2024 ~~((+))~~ and ~~\$13,565,000 of the general fund—state appropriation for fiscal year 2025~~ are provided solely for state agency electronic health record projects at the department of corrections, the department of social and health services, and the health care authority in accordance with the approved statewide electronic health record plan requirements in (a) of this subsection. For the amount provided in this subsection (15):

(i) Funding may not be released until the office of financial management and the technology services board have approved the statewide electronic health record plan.

(ii) Funding may not cover any costs incurred by the state agencies for services or project costs prior to the date of statewide electronic health record plan approval.

(iii) State agencies must submit their proposed electronic health records project and technology budget to the office of the chief information officer for approval.

(iv) When a funding request is approved, consolidated technology services will transfer the funds to the agency to execute their electronic health records project.

~~((+16))~~ (18) \$134,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((+17))~~ (19) The office of the chief information officer must collaborate with the office of the secretary of state in the evaluation of the office of the secretary of state's information technology infrastructure and applications in determining the appropriate candidates for the location of data and the systems that could be exempt from consolidated technology services oversight.

~~((+18))~~ (20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~((+1,500,000))~~ \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for innovative technology solutions and modernization of legacy systems within state government. This funding is to be used for projects at other state agencies to improve the health of the state's overall information technology portfolio. Submitted projects are subject to review and approval by the technology services board as established in RCW 43.105.285. The agency must report to the office of financial management and the fiscal committees of the legislature within 90 days of the close of fiscal year 2024 with the following information to measure the quantity of projects considered for this purpose and use of this funding:

(a) The agency name, project name, estimated time duration, estimated cost, and technology service board recommendation result of each project submitted for funding;

(b) The actual length of time and cost of the projects approved by the technology services board, from start to completion; and

(c) Any other information or metric the agency determines is appropriate to measure the quantity and use of the funding in this subsection.

**Sec. 154.** 2023 c 475 s 156 (uncodified) is amended to read as follows:

**FOR THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

Professional Engineers' Account—State Appropriation. . . . .	(( \$4,622,000 ))
	<u>\$4,629,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$4,622,000 ))</b>
	<u>\$4,629,000</u>

**Sec. 155.** 2023 c 475 s 157 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE LEADERSHIP BOARD**

Washington State Leadership Board Account—State

Appropriation. . . . .	(( <del>\$1,691,000</del> ))
	<u>\$1,694,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$1,691,000</del>))</b>
	<b><u>\$1,694,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$374,000 of the Washington state leadership board account—state appropriation is provided solely for implementation of chapter 96, Laws of 2022 (WA state leadership board).
- (2) \$1,200,000 of the Washington state leadership board account—state appropriation is provided solely for implementing programming in RCW 43.388.010, and specifically the Washington world fellows program, sports mentoring program/boundless Washington, compassion scholars, and the Washington state leadership awards.

(End of part)

**PART II  
HUMAN SERVICES**

**Sec. 201.** 2023 c 475 s 201 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The department shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for public assistance benefits.

(7) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, support the adoption of a cohesive technology and data architecture, and maximize federal financial participation. The work of the coalition is subject to the conditions, limitations, and review provided in section 701 of this act.

(8)(a) The appropriations to the department of social and health services in this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs and subprograms after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the long-term care, developmental disabilities, and public assistance programs, the department may transfer state appropriations that are provided solely for a specified purpose. The department may not transfer funds, and the director of the office of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(9) The department may not transfer appropriations for the developmental disabilities program to any other program of the department of social and health services, or between subprograms of the developmental disabilities program itself.

**Sec. 202.** 2023 c 475 s 202 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(\$610,452,000))
	\$684,465,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$679,312,000))
	\$785,829,000
General Fund—Federal Appropriation. . . . .	(\$148,488,000))
	\$169,512,000
General Fund—Private/Local Appropriation. . . . .	(\$10,732,000))
	\$6,500,000
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
<u>Appropriation. . . . .</u>	<u>\$127,100,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(\$1,448,984,000))</b>
	<b>\$1,773,406,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The state psychiatric hospitals and residential treatment facilities may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(2) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection are for the salaries, benefits, supplies, and equipment for the city of Lakewood to produce incident and police response reports, investigate potential criminal conduct, assist with charging consultations, liaison between staff and prosecutors, provide staff training on criminal justice procedures, assist with parking enforcement, and attend meetings with hospital staff.

(3) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(4) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community services officer for policing efforts at eastern state hospital. The department must collect data from the city of Medical Lake on the use of

the funds and the number of calls responded to by the community policing program and submit a report with this information to the office of financial management and the appropriate fiscal committees of the legislature each December of the fiscal biennium.

(5) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Medical Lake for police services provided by the city at eastern state hospital and adjacent areas.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the health care authority, to develop and implement a predictive modeling tool which identifies clients who are at high risk of future involvement with the criminal justice system and for developing a model to estimate demand for civil and forensic state hospital bed needs pursuant to the following requirements.

(a) By the first day of each December during the fiscal biennium, the department, in coordination with the health care authority, must submit a report to the office of financial management and the appropriate committees of the legislature that summarizes how the predictive modeling tool has been implemented and includes the following: (i) The number of individuals identified by the tool as having a high risk of future criminal justice involvement; (ii) the method and frequency for which the department is providing lists of high-risk clients to contracted managed care organizations and behavioral health administrative services organizations; (iii) a summary of how the managed care organizations and behavioral health administrative services organizations are utilizing the data to improve the coordination of care for the identified individuals; and (iv) a summary of the administrative data to identify whether implementation of the tool is resulting in increased access and service levels and lower recidivism rates for high-risk clients at the state and regional level.

(b) The department must provide staff support for the forensic and long-term civil commitment bed forecast which must be conducted under the direction of the office of financial management. The forecast methodology, updates, and methodology changes must be conducted in coordination with staff from the department, the health care authority, the office of financial management, and the appropriate fiscal committees of the state legislature. The model shall incorporate factors for capacity in state hospitals as well as contracted facilities, which provide similar levels of care, referral patterns, wait lists, lengths of stay, and other factors identified as appropriate for estimating the number of beds needed to meet the demand for civil and forensic state hospital services. Factors should include identification of need for the services and analysis of the effect of community investments in behavioral health services and other types of beds that may reduce the need for long-term civil commitment needs. The forecast must be updated each February, June, and November during the fiscal biennium and the department must submit a report to the legislature and the appropriate committees of the legislature summarizing the updated forecast based on the caseload forecast council's schedule for entitlement program forecasts.

(7) \$9,119,000 of the general fund—state appropriation for fiscal year 2024 and \$9,145,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The department, in collaboration with the health care authority and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, forensic navigators, crisis diversion and supports, education and training, and workforce development.

(8) \$7,147,000 of the general fund—state appropriation for fiscal year 2024 and \$7,147,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain implementation of efforts to improve the timeliness of competency evaluation services for individuals who are in local jails pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services). This funding must be used solely to maintain increases in the number of competency evaluators that began in fiscal year 2016 pursuant to the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP.

(9) \$71,690,000 of the general fund—state appropriation for fiscal year 2024 and \$77,825,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services) and the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. These amounts must be used to maintain increases that were implemented between fiscal year 2016 and fiscal year 2021, and further increase the number of forensic beds at western state hospital during the 2023-2025 fiscal biennium. Pursuant to chapter 7, Laws of 2015 1st sp. sess. (timeliness of competency treatment and evaluation services), the department may contract some of these amounts for services at alternative locations if the secretary determines that there is a need.

(10) (~~(\$84,483,000)~~) \$84,565,000 of the general fund—state appropriation for fiscal year 2024, \$77,343,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$1,042,000)~~) \$960,000 of the general fund—federal appropriation are provided solely for the

department to continue to implement an acuity based staffing tool at western state hospital and eastern state hospital in collaboration with the hospital staffing committees. The staffing tool must be used to identify, on a daily basis, the clinical acuity on each patient ward and determine the minimum level of direct care staff by profession to be deployed to meet the needs of the patients on each ward. The department must evaluate interrater reliability of the tool within each hospital and between the two hospitals. The department must also continue to update, in collaboration with the office of financial management's labor relations office, the staffing committees, and state labor unions, an overall state hospital staffing plan that looks at all positions and functions of the facilities.

(a) Within the amounts provided in this section, the department must establish, monitor, track, and report monthly staffing and expenditures at the state hospitals, including overtime and use of locums, to the functional categories identified in the recommended staffing plan. The allotments and tracking of staffing and expenditures must include all areas of the state hospitals, must be done at the ward level, and must include contracted facilities providing forensic restoration services as well as the office of forensic mental health services.

(b) By December 1, 2023, and December 1, 2024, the department must submit reports to the office of financial management and the appropriate committees of the legislature that provide a comparison of monthly spending, staffing levels, overtime, and use of locums for the prior year compared to allotments and to the recommended state hospital staffing model. The format for these reports must be developed in consultation with staff from the office of financial management and the appropriate committees of the legislature. The reports must include a summary of the results of the evaluation of the interrater reliability in use of the staffing acuity tool and an update from the hospital staffing committees.

(c) Monthly staffing levels and related expenditures at the state hospitals must not exceed official allotments without prior written approval from the director of the office of financial management. In the event the director of the office of financial management approves an increase in monthly staffing levels and expenditures beyond what is budgeted, notice must be provided to the appropriate committees of the legislature within 30 days of such approval. The notice must identify the reason for the authorization to exceed budgeted staffing levels and the time frame for the authorization. Extensions of authorizations under this subsection must also be submitted to the director of the office of financial management for written approval in advance of the expiration of an authorization. The office of financial management must notify the appropriate committees of the legislature of any extensions of authorizations granted under this subsection within 30 days of granting such authorizations and identify the reason and time frame for the extension.

(11) (~~(\$4,994,000)~~)\$5,083,000 of the general fund—state appropriation for fiscal year 2024, \$7,535,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$672,000)~~)\$583,000 of the general fund—federal appropriation are provided solely for the department to establish a violence reduction team at western state hospital to improve patient and staff safety at eastern and western state hospitals. A report must be submitted by December 1, 2023, and December 1, 2024, which includes a description of the violence reduction or safety strategy, a profile of the types of patients being served, the staffing model being used, and outcomes associated with each strategy. The outcomes section should include tracking data on facility-wide metrics related to patient and staff safety as well as individual outcomes related to the patients served.

(12) \$2,593,000 of the general fund—state appropriation for fiscal year 2024 and \$2,593,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase services to patients found not guilty by reason of insanity under the *Ross v. Lashway* settlement agreement.

(13) Within the amounts provided in this subsection, the department must develop and submit an annual state hospital performance report for eastern and western state hospitals. Each measure included in the performance report must include baseline performance data, agency performance targets, and performance for the most recent fiscal year. The performance report must include a one page dashboard as well as charts for each fiscal year and quality of care measure broken out by hospital and including but not limited to: (a) Monthly FTE expenditures compared to allotments; (b) monthly dollar expenditures compared to allotments; (c) monthly FTE expenditures per thousand patient bed days; (d) monthly dollar expenditures per thousand patient bed days; (e) percentage of FTE expenditures for overtime; (f) average length of stay by category of patient; (g) average monthly civil wait list; (h) average monthly forensic wait list; (i) rate of staff assaults per thousand patient bed days; (j) rate of patient assaults per thousand patient bed days; (k) average number of days to release after a patient has been determined to be clinically ready for discharge; and (l) average monthly vacancy rates for key clinical positions. The department must submit the state hospital performance report to the office of financial management and the appropriate committees of the legislature by the first day of each December of the biennium.

(14) \$546,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for design and planning activities for the new forensic hospital being constructed on the grounds of western state hospital.

(15) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain an on-site safety compliance officer, stationed at western state hospital, to provide oversight and accountability of the hospital's response to safety concerns regarding the hospital's work environment.



(16) \$10,364,000 of the general fund state—appropriation for fiscal year 2024 are provided solely for the department to provide behavioral health and stabilization services at the King county south correctional entity to class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(17) \$2,619,000 of the general fund—state appropriation for fiscal year 2024 and \$5,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to hire additional forensic evaluators to provide in-jail competency evaluations and community-based evaluations.

(18) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to track compliance with the requirements of RCW 71.05.365 for transition of state hospital patients into community settings within 14 days of the determination that they no longer require active psychiatric treatment at an inpatient level of care. The department must use these amounts to track the following elements related to this requirement: (a) The date on which an individual is determined to no longer require active psychiatric treatment at an inpatient level of care; (b) the date on which the behavioral health entities and other organizations responsible for resource management services for the person is notified of this determination; and (c) the date on which either the individual is transitioned to the community or has been reevaluated and determined to again require active psychiatric treatment at an inpatient level of care. The department must provide this information in regular intervals to behavioral health entities and other organizations responsible for resource management services. The department must summarize the information and provide a report to the office of financial management and the appropriate committees of the legislature on progress toward meeting the 14 day standard by December 1, 2023, and December 1, 2024.

(19) (~~(\$10,547,000)~~) \$2,190,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$37,480,000)~~) \$28,742,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the 48 bed Clark county facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The department must use this facility to provide treatment services for individuals who have been committed to a state hospital pursuant to the dismissal of criminal charges and civil evaluation ordered under RCW 10.77.086 or 10.77.088. In considering placements at the facility, the department must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The department must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and December 1, 2024, providing a status update on progress toward opening the new facility.

(20) \$8,048,000 of the general fund—state appropriation for fiscal year 2024 and \$7,677,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to reopen and operate a 30 bed ward for civil patients at western state hospital. The department must prioritize placements on this ward for individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, in order to maximize forensic bed capacity for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(21) (~~(\$13,324,000)~~) \$14,466,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$44,813,000)~~) \$51,582,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the maple lane campus (~~(. Of the amounts provided in this subsection:)~~) as described in (a) and (b) of this subsection.

(a) (~~(\$4,764,000 of the general fund state appropriation for fiscal year 2024 and \$5,239,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the)~~) The department ((~~to~~)) shall operate the Oak, Columbia, and Cascade cottages to provide:

(i) Treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088;

(ii) Treatment services to individuals acquitted of a crime by reason of insanity and subsequently ordered to receive treatment services under RCW 10.77.120; and

(iii) Through fiscal year 2024, competency restoration services at the Cascade cottage to individuals under RCW 10.77.086 or 10.77.088.

(b) (~~(\$8,560,000 of the general fund state appropriation for fiscal year 2024 and \$39,574,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the)~~) The department ((~~to~~)) shall open and operate the Baker and Chelan cottages to provide treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(c) In considering placements at the maple lane campus, the department must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*,

United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(22) \$1,412,000 of the general fund—state appropriation for fiscal year 2024 and \$1,412,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for relocation, storage, and other costs associated with building demolition on the western state hospital campus.

(23) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for western state hospital's vocational rehabilitation program and eastern state hospital's work readiness program to pay patients working in the programs an hourly wage that is equivalent to the state's minimum hourly wage under RCW 49.46.020.

(24) \$4,054,000 of the general fund—state appropriation for fiscal year 2024 and \$5,236,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) ~~((~~\$2,233,000~~))~~ \$2,283,000 of the general fund—state appropriation for fiscal year 2024, \$4,118,000 of the general fund—state appropriation for fiscal year 2025, and ~~((~~\$297,000~~))~~ \$247,000 of the general fund—federal appropriation are provided solely for the department to address delays in patient discharge as provided in this subsection.

(a) The department shall hire staff dedicated to discharge reviews, including psychologists to complete reviews and staff for additional discharge review work, including, but not limited to, scheduling, planning, and providing transportation; and establish and implement a sex offense and problematic behavior program as part of the sex offense review and referral team program.

(b) Of the amounts provided in this subsection, \$504,000 per year shall be used for bed fees for patients who are not guilty by reason of insanity.

(c) The department shall track data as it relates to this subsection and, where available, compare it to historical data. The department will provide a report to the appropriate fiscal and policy committees of the legislature. A preliminary report is due by December 1, 2023, and the final report is due by September 15, 2024, and at a minimum must include the:

- (i) Volume of patients discharged;
- (ii) Volume of patients in a sex offense or problematic behavior program;
- (iii) Number of beds held for not guilty by reason of insanity patients;
- (iv) Average and median duration to complete discharges;
- (v) Staffing as it relates to this subsection; and
- (vi) Average discharge evaluation caseload.

~~((~~27~~))~~ (26) (a) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to pursue immediate strategies to maximize existing forensic bed capacity for individuals in jails awaiting admission to the state hospitals that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The immediate strategies must include, but are not limited to:

(i) Additional approaches to resolving barriers to discharge for civil patients, including:

(A) In coordination with the behavioral health teaching facility at the University of Washington, identification of civil patients in the state hospitals that could receive appropriate treatment at the facility and work to resolve any barriers in such placement;

(B) Identification of civil patients in the state hospitals that could receive appropriate treatment at an enhanced services facility or any other community facility and work to resolve any barriers in such placement; and

(C) Coordination with the aging and long-term care administration and the office of public guardianship on the provision of qualified guardians for civil patients in need of guardianship that are otherwise eligible for discharge; and

(ii) Additional approaches to resolving any barriers to maximizing the use of existing civil wards at eastern state hospital for individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(b) By December 1, 2023, the department must submit a preliminary report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) The department's plan for utilizing the funds provided in this subsection and estimated outcomes.

(c) By September 1, 2024, the department must submit a final report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) Detailed reporting on how the funds provided in this subsection were used and the associated outcomes.

~~((28) \$53,000)~~ (27) \$76,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and ~~((94,000)) \$71,000~~ of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(29))~~ (28) Within the amounts provided in this section, the department is provided funding to operate civil long-term inpatient beds at the state hospitals as follows:

(a) Funding is sufficient for the department to operate 192 civil beds at eastern state hospital in both fiscal year 2024 and fiscal year 2025.

(b) Funding is sufficient for the department to operate 287 civil beds at western state hospital in both fiscal year 2024 and fiscal year 2025.

(c) The department shall fully operate funded civil capacity at eastern state hospital, including reopening and operating civil beds that are not needed for eastern Washington residents to provide services for western Washington residents.

(d) The department shall coordinate with the health care authority toward increasing community capacity for long-term inpatient services required under section 215(50) of this act.

(29) \$60,426,000 of the general fund—state appropriation for fiscal year 2024 and \$74,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate 72 beds in three wards in the Olympic heritage behavioral health facility.

(30) \$100,318,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to pay the court order filed July 7, 2023, issued in the case of Trueblood, et al. v. Department of Social and Health Services, et al., United States district court for the western district of Washington, cause no. 14-cv-01178-MJP, which requires the department to "pay all fines held in abeyance from September 2022 through May 2023, which totals \$100,318,000.00."

(31) \$6,900,000 of the general fund—state appropriation for fiscal year 2024 and \$13,610,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional 30 beds at western state hospital.

(32) \$3,228,000 of the general fund—state appropriation for fiscal year 2024 and \$6,088,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional eight beds at eastern state hospital.

**Sec. 203.** 2023 c 475 s 203 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM**

(1) COMMUNITY SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(\$1,129,397,000))
	\$1,125,810,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$1,184,492,000))
	\$1,213,024,000
General Fund—Federal Appropriation. . . . .	(\$2,409,328,000))
	\$2,456,474,000
General Fund—Private/Local Appropriation. . . . .	\$4,058,000
Developmental Disabilities Community Services	
Account—State Appropriation. . . . .	\$32,120,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$4,759,395,000))</b>
	<b>\$4,831,486,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments may not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 must be charged when adult family home providers file a change of ownership application.

(ii) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.

(iii) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.

(c) \$32,240,000 of the general fund—state appropriation for fiscal year 2024, \$52,060,000 of the general fund—state appropriation for fiscal year 2025, and \$108,994,000 of the general fund—federal appropriation are provided solely for the rate increase for the new

consumer-directed employer contracted individual providers as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(d) \$5,095,000 of the general fund—state appropriation for fiscal year 2024, \$7,299,000 of the general fund—state appropriation for fiscal year 2025, and \$16,042,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(e) \$1,099,000 of the general fund—state appropriation for fiscal year 2024, \$2,171,000 of the general fund—state appropriation for fiscal year 2025, and \$5,515,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(f) \$328,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$998,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.

(g) \$9,371,000 of the general fund—state appropriation for fiscal year 2024, \$10,798,000 of the general fund—state appropriation for fiscal year 2025, and \$25,267,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(h) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(i) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(j) Sufficient appropriations are provided to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(i) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, and assisted living facility beds.

(ii) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (j) (i) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(iii) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (j) (i) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(iv) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(k) Sufficient appropriations are provided for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(l) \$476,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(m) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(n) \$2,648,000 of the general fund—state appropriation for fiscal year 2024, \$2,631,000 of the general fund—state appropriation for fiscal year 2025, and \$2,293,000 of the general fund—federal appropriation are provided solely for enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to

partner with the state in the development of an individualized service plan that allows the child to remain in his or her home. The department must provide the legislature with a respite utilization report in January of each year that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(o) \$2,173,000 of the general fund—state appropriation for fiscal year 2024 and \$2,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for 13 community respite beds across the state for adults. These services are intended to provide families and caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The department must provide the legislature with a respite utilization report by January of each year that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(p) \$144,000 of the general fund—state appropriation for fiscal year 2025 and \$181,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v Office of Financial Management*, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the amounts provided in this subsection shall lapse.

(q) ~~\$351,000~~ of the general fund—state appropriation for fiscal year 2024, ~~(((\$375,000))~~ ~~\$472,000~~ of the general fund—state appropriation for fiscal year 2025, and ~~(((\$905,000))~~ \$1,026,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023; and to 84 percent of the labor component and 68 percent of the operations component, effective July 1, 2024.

(r) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(s) The appropriations in this section include sufficient funding to provide access to the individual and family services waiver and the basic plus waiver to those individuals on the service request list as forecasted by the caseload forecast council. For subsequent policy level budgets, the department shall submit a request for funding associated with individuals requesting to receive the individual and family services waiver and the basic plus waiver in accordance with the courtesy forecasts provided by the caseload forecast council.

(t) \$1,729,000 of the general fund—state appropriation for fiscal year 2024, \$2,669,000 of the general fund—state appropriation for fiscal year 2025, and \$4,206,000 of the general fund—federal appropriation are provided solely to operate intensive habilitation services and enhanced out-of-home services facilities.

(u) \$1,363,000 of the general fund—state appropriation for fiscal year 2024, \$1,363,000 of the general fund—state appropriation for fiscal year 2025, and \$2,092,000 of the general fund—federal appropriation are provided solely for additional staff to reduce the timeline for completion of financial eligibility determinations. No later than December 31, 2024, the department of social and health services shall submit a final report to the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes, including, but not limited to, a description of how the timeline for completion of these determinations has changed.

(v) \$485,000 of the general fund—state appropriation for fiscal year 2024 and \$484,000 of the general fund—federal appropriation are provided solely for a feasibility study of the developmental disabilities assessment tool and is subject to the conditions, limitations, and review requirements of section 701 of this act. The resulting study must determine whether the assessment and its technology can be improved to meet regulatory obligations, be quicker and person-centered, reduce manual notations, and maintain viability across age groups and settings.

(w) \$1,223,000 of the general fund—state appropriation for fiscal year 2024, \$2,763,000 of the general fund—state appropriation for fiscal year 2025, and \$3,248,000 of the general fund—federal appropriation are provided solely for supported employment and community inclusion services for those individuals with intellectual or developmental disabilities who are transitioning from high school in the 2023-2025 fiscal biennium and are anticipated to utilize these services.

(x) ~~\$11,074,000~~ of the general fund—state appropriation for fiscal year 2024, ~~(((\$13,222,000))~~ \$17,231,000 of the general fund—state appropriation for fiscal year 2025, and ~~(((\$19,206,000))~~ \$23,214,000 of the general fund—federal appropriation are provided solely to increase rates paid to supported employment and community inclusion providers.

(y) (i) \$79,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, and \$121,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at

risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(ii) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(A) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required within each behavior support specialty setting and the necessary qualifications of these staff;

(B) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

(C) A plan for implementing the enhanced behavior support specialty contracts that includes:

(I) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(II) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(D) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(I) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(II) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(III) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(z) \$2,494,000 of the general fund—state appropriation for fiscal year 2024 and \$3,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 33 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(aa) \$2,605,000 of the general fund—state appropriation for fiscal year 2024, \$2,402,000 of the general fund—state appropriation for fiscal year 2025, and \$3,840,000 of the general fund—federal appropriation are provided solely to establish transition coordination teams to coordinate transitions of care for clients who move from one care setting to another. The department of social and health services shall submit annual reports no later than December 1, 2023, and December 1, 2024, to the appropriate committees of the legislature that detail how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served, the settings in which clients received care, and the progress made toward increasing stability of client placements;

(ii) A comparison of these outcomes against the outcomes achieved in prior fiscal years;

(iii) A description of lessons learned since the transition coordination teams were first implemented, including an identification of what processes were improved to reduce the timelines for completion; and

(iv) Recommendations for changes necessary to the transition coordination teams to improve increasing stability of client placements.

(bb) \$1,448,000 of the general fund—state appropriation for fiscal year 2024, \$1,807,000 of the general fund—state appropriation for fiscal year 2025, and \$3,626,000 of the general fund—federal appropriation are provided solely to pilot a specialty rate for adult family homes to serve up to 100 individuals with intellectual or developmental disabilities who also have co-occurring health or behavioral health diagnoses. No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served and the setting from which each client entered the adult family home receiving this specialty rate;

(ii) A comparison of the rate of admissions to the adult family homes receiving this specialty rate against the rate of admissions to other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(iii) A comparison of the length of stay in the setting from which the client entered the adult family home receiving this specialty rate against the average length of stay in settings prior to entering other state-operated settings including, but not limited to,

state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(cc) \$2,856,000 of the general fund—state appropriation for fiscal year 2024, \$3,104,000 of the general fund—state appropriation for fiscal year 2025, and \$5,948,000 of the general fund—federal appropriation are provided solely to pilot a program that provides a specialty rate for community residential providers who receive additional training to support individuals with complex physical and behavioral health needs.

(i) Of the amounts provided in this subsection, \$2,453,000 of the general fund—state appropriation for fiscal year 2024, \$2,705,000 of the general fund—state appropriation for fiscal year 2025, and \$5,259,000 of the general fund—federal appropriation are provided solely for the specialty rate for community residential providers to serve up to 30 individuals.

(ii) Of the amounts provided in this subsection, \$403,000 of the general fund—state appropriation for fiscal year 2024, \$399,000 of the general fund—state appropriation for fiscal year 2025, and \$689,000 of the general fund—federal appropriation are provided solely for the department to hire staff to support this specialty program, including expanding existing training programs available for community residential providers and to support providers in locating affordable housing.

(iii) No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(A) A detailed reporting of the number of clients served and the setting from which each client entered the community residential setting receiving this specialty rate;

(B) A comparison of the rate of admissions to the community residential setting receiving this specialty rate against the rate of admissions to other community residential settings not receiving this specialty rate as well as against the rate of admissions to other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(C) A comparison of the length of stay in the setting from which the client entered the community residential setting receiving this specialty rate against the average length of stay in settings prior to entering other community residential settings not receiving this specialty rate as well as prior to entering other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(dd)(i) \$104,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with the Ruckleshaus center for a progress report on the recommendations in the December 2019 report, "Rethinking Intellectual and Developmental Disability Policy to Empower Clients, Develop Providers and Improve Services."

(ii) By February 29, 2024, a final report shall be submitted to the governor and the appropriate committees of the legislature that includes:

(A) Detailed information about the successes and barriers related to meeting the recommendations in the December 2019 report;

(B) Identification of other potential issues or options for meeting the recommendations in the December 2019 report, including but not limited to, an exploration of the enhanced behavioral support homes concept;

(C) A review of other state's approaches and innovations regarding any of the recommendations in the December 2019 report;

(D) Identification of any emergent issues; and

(E) Identification or recommendation for the organization of focus groups of state agencies and respective stakeholders.

(iii) In compiling the final report, members of the previous workgroup, as well as other interested parties, should be consulted for their feedback and to identify areas where there is potential for agreement to move forward and to make process recommendations if applicable.

(ee) \$127,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely for adult day respite. Of the amounts appropriated in this subsection:

(i) \$27,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely to increase adult day respite rates from \$3.40 to \$5.45 per 15-minute unit to expand and ensure the sustainability of respite services for clients with intellectual or developmental disabilities and their family caregivers.

(ii) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to hire a project position to conduct a study and submit a report by December 1, 2023 to the governor and the appropriate committees of the legislature that examines the feasibility and operational resources needed to add adult day services to a state plan 1915(i) option or to the existing basic plus and core 1915(c) waivers.

(ff) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$4,284,000 of the general fund—state appropriation for fiscal year 2025, and \$4,178,000 of the general fund—federal appropriation are provided solely for the department to add 10 adult stabilization beds by June 2025, increase rates for existing adult stabilization beds by 23 percent, and expand mobile crisis diversion services to cover all three regions of the state.

(gg) (i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to study opportunities to enhance data collection on clients in family units with at least one parent having a developmental or intellectual disability. The study must identify:

(A) Opportunities to improve the existing assessment form and information technology systems by adding questions about clients' children, such as their ages, the number of children, and the K-12 enrollment status of each child;

(B) Ways to strengthen data sharing agreements with other departments, including the department of children, youth, and families, and local school districts;

(C) Strategies for surveying clients to collect information on their parenting and living arrangements, including support from other family members;

(D) Methods for analyzing new and existing data to determine and identify the total number of children with parents that have a developmental or intellectual disability, their needs, and access to specialized services;

(E) An inventory of existing support programs designed for families with a parent having a developmental or intellectual disability and their children, including educational support, financial assistance, and access to specialized services.

(ii) The department shall report its findings to the governor and appropriate committees of the legislature by June 30, 2024.

(hh) \$81,000 of the general fund—state appropriation for fiscal year 2024, \$219,000 of the general fund—state appropriation for fiscal year 2025, and \$371,000 of the general fund—federal appropriation are provided solely to implement House Bill No. 1407 (dev. disability/eligibility). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ii) \$62,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$116,000 of the general fund—federal appropriation are provided solely to implement Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(jj) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely for the department to conduct a study to explore opportunities to restructure services offered under the medicaid waivers for individuals with developmental disabilities served by the department. The plan should propose strategies to enhance service accessibility across the state and align services with the needs of clients, taking into account current and future demand. It must incorporate valuable input from knowledgeable stakeholders and a national organization experienced in home and community-based waivers in other states. This plan must be submitted to the governor and relevant legislative committees by December 1, 2024.

(kk) ~~(\$5,431,000)~~ \$21,076,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$11,084,000)~~ \$26,729,000 of the general fund—federal appropriation are provided solely to increase rates by 2.5 percent, effective January 1, 2024, and an additional 2.3 percent, effective July 1, 2024, for community residential service providers offering supported living, group home, group training home, licensed staff residential services, community protection, and children's out-of-home services to individuals with developmental disabilities.

(ll) \$456,000 of the general fund—state appropriation for fiscal year 2024, \$898,000 of the general fund—state appropriation for fiscal year 2025, and \$416,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(mm) \$446,000 of the general fund—state appropriation for fiscal year 2024, \$5,274,000 of the general fund—state appropriation for fiscal year 2025, and \$2,089,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(nn) (a) ~~\$2,214,000~~ \$2,214,000 of the general fund—state appropriation for fiscal year 2024, ~~\$10,104,000~~ \$10,104,000 of the general fund—state appropriation for fiscal year 2025, and ~~\$2,934,000~~ \$2,934,000 of the general fund—federal appropriation are provided solely for the department to operate a staff-secure, voluntary, and transitional treatment facility specializing in services for adolescents over the age of 13 who have complex developmental, intellectual disabilities, or autism spectrum disorder and may also have a mental health or substance use diagnosis. These individuals require intensive behavioral supports and may also be in need of behavioral health services. Services must be provided at a leased property in Lake Burien, serve no more than 12 youth at one time, and be implemented in a way that prioritizes transition to less restrictive community-based settings. The department shall collaborate with the department of children, youth, and families to identify youth for placement in this setting and regarding appropriate discharge options with a focus on less restrictive community-based settings. Youth shall enter the facility only by their own consent or the consent of their guardian.

(b) The department and health care authority shall collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments. This collaborative effort aims not only to enhance the funding



available for the operation of the facility but also to maintain adherence to its fundamental objective of offering voluntary, transitional services. These services are designed to facilitate the transition of youth to community-based settings that are less restrictive, aligning with the facility's commitment to supporting youth with complex needs in a manner that encourages their movement toward independence.

(c) By November 1, 2024, the department shall report to the governor and appropriate committees of the legislature on the program's design, results of preliminary implementation, financing opportunities, and recommendations. By June 30, 2025, the department shall report to the governor and appropriate committees of the legislature its initial findings, demographics on children served, and recommendations for program design and expansion.

(oo) \$175,000 of the general fund—state appropriation for fiscal year 2025 and \$175,000 of the general fund—federal appropriation are provided solely for guardianship fee parity for individuals moving from residential habilitation centers to community supported living programs. This funding aims to maintain equal guardianship fees compared to those moving to adult family homes.

(pp) \$108,000 of the general fund—state appropriation for fiscal year 2025 and \$92,000 of the general fund—federal appropriation are provided solely to convene a work group to study day habilitation services, ensuring that work group includes individuals with lived experience. The work group must submit a final report to the governor and appropriate committees of the legislature by October 1, 2024, detailing recommendations for the establishment of community-contracted day habilitation services statewide and their inclusion in the medicaid state plan.

(qq) \$1,486,000 of the general fund—state appropriation for fiscal year 2025 and \$1,144,000 of the general fund—federal appropriation are provided solely for hiring additional case managers and case manager supervisors. The aim is to reduce the current caseload ratio, targeting a move from one case manager per 75 clients to one case manager per 68 clients by June 2025, and to oversee the newly hired case managers by employing more supervisors.

(2) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2024)	.. . . .	(((\$138,560,000))
		\$139,345,000
General Fund—State Appropriation (FY 2025)	.. . . .	(((\$140,682,000))
		\$141,754,000
General Fund—Federal Appropriation	.. . . .	(((\$254,857,000))
		\$256,441,000
General Fund—Private/Local Appropriation	.. . . .	\$19,488,000
TOTAL APPROPRIATION	.....	(((\$553,587,000))
		\$557,028,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments may not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$495,000 of the general fund—state appropriation for fiscal year 2024 and \$495,000 of the general fund—state appropriation for fiscal year 2025 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) The residential habilitation centers may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(d) \$61,000 of the general fund—state appropriation for fiscal year 2024, \$61,000 of the general fund—state appropriation for fiscal year 2025, and \$117,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(3) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2024)	.. . . .	(((\$4,103,000))
		\$3,596,000
General Fund—State Appropriation (FY 2025)	.. . . .	(((\$4,179,000))
		\$3,681,000
General Fund—Federal Appropriation	.. . . .	(((\$4,951,000))
		\$4,280,000
TOTAL APPROPRIATION	.....	(((\$13,233,000))
		\$11,557,000

(4) SPECIAL PROJECTS

General Fund—State Appropriation (FY 2024)	.. . . .	\$66,000
General Fund—State Appropriation (FY 2025)	.. . . .	\$66,000
General Fund—Federal Appropriation	.. . . .	\$1,094,000
TOTAL APPROPRIATION	.....	\$1,226,000

Sec. 204. 2023 c 475 s 204 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—AGING AND ADULT SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$2,202,547,000))
	\$2,167,944,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$2,385,171,000))
	\$2,429,497,000
General Fund—Federal Appropriation . . . . .	(( \$5,611,805,000))
	\$5,677,316,000
General Fund—Private/Local Appropriation . . . . .	\$53,719,000
Traumatic Brain Injury Account—State Appropriation . . . . .	(( \$5,586,000))
	\$4,486,000
Skilled Nursing Facility Safety Net Trust Account— State Appropriation . . . . .	\$133,360,000
Long-Term Services and Supports Trust Account—State Appropriation . . . . .	(( \$44,301,000))
	\$53,701,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$10,436,489,000))</b>
	<b>\$10,520,023,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate may not exceed \$341.41 for fiscal year 2024 and may not exceed \$364.67 for fiscal year 2025. The weighted average nursing facility payment rates in this subsection (1)(a) include the following:

(i) \$17,361,000 of the general fund—state appropriation for fiscal year 2024, \$17,361,000 of the general fund—state appropriation for fiscal year 2025, and \$34,722,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021-2023 fiscal biennium to address low-wage equity for low-wage direct care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be equal to the wage payment received on June 30, 2023.

(ii) \$2,227,000 of the general fund—state appropriation for fiscal year 2024, \$2,227,000 of the general fund—state appropriation for fiscal year 2025, and \$4,456,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021-2023 fiscal biennium to address low-wage equity for low-wage indirect care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be equal to the wage payment received on June 30, 2023.

(b) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(c)(i) Following the discontinuation of the data set containing resource utilization group scores, the department, in collaboration with appropriate stakeholders, shall create a new method for adjusting direct care rates based on changes in case mix, using the patient driven payment model system. It is the intent of the legislature, that once the patient driven payment model system is fully implemented, the methodology of the rates will reflect a more accurate and equitable reflection of the actual cost of care. To facilitate a comprehensive and fair transition to the new case mix methodologies, the department shall:

(A) Conduct an analysis to assess the potential impact of the new case mix classification methodology on nursing facility payment rates;

(B) Based on the impact analysis, create payment adjustments for capturing changes in client acuity. The process must involve engaging a wide range of stakeholders, including facility representatives and resident advocates, to ensure that the adjustments are transparent, fair, and supportive of high-quality care;

(C) Develop a plan to continuously monitor the effects of the new methodologies on payment rates and care quality after implementation. The plan must specify how the department will adjust the methodologies and payment rates as necessary, based on empirical evidence and stakeholder feedback, to maintain fairness and effectiveness; and

(D) Develop a process for offering technical support for facilities adjusting to the new methodologies. This may include phased implementation periods to ensure a smooth transition and maintain stability in care provision.

(ii) The department shall submit a report detailing the development and anticipated implementation of this new methodology to the governor and the appropriate legislative committees no later than December 1, 2024, for consideration in the 2025-2027 fiscal biennium.

(2) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

- (b) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.
- (c) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.
- (3) The department is authorized to place long-term care clients residing in nursing homes and paid for with state-only funds into less restrictive community care settings while continuing to meet the client's care needs.
- (4) \$69,777,000 of the general fund—state appropriation for fiscal year 2024, \$113,969,000 of the general fund—state appropriation for fiscal year 2025, and \$237,558,000 of the general fund—federal appropriation are provided solely for the rate increase for the new consumer-directed employer contracted individual providers as set by the consumer-directed rate setting board in accordance with RCW 74.39A.530.
- (5) \$19,044,000 of the general fund—state appropriation for fiscal year 2024, \$30,439,000 of the general fund—state appropriation for fiscal year 2025, and \$63,986,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.
- (6) \$2,385,000 of the general fund—state appropriation for fiscal year 2024, \$4,892,000 of the general fund—state appropriation for fiscal year 2025, and \$12,502,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.
- (7) \$2,547,000 of the general fund—state appropriation for fiscal year 2024, \$3,447,000 of the general fund—state appropriation for fiscal year 2025, and \$7,762,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.
- (8) \$425,000 of the general fund—state appropriation for fiscal year 2025 and \$542,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v Office of Financial Management*, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the amounts provided in this subsection shall lapse.
- (9) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.
- (10) In accordance with RCW 18.390.030, the biennial registration fee for continuing care retirement communities shall be \$900 for each facility.
- (11) Within amounts appropriated in this subsection, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues.
- (a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.
- (i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members, and four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;
- (ii) A member from the office of the governor, appointed by the governor;
- (iii) The secretary of the department of social and health services or his or her designee;
- (iv) The director of the health care authority or his or her designee;
- (v) A member from disability rights Washington and a member from the office of long-term care ombuds;
- (vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and
- (vii) Other agency directors or designees as necessary.
- (b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington and to serve people with disabilities, including state budget and policy options, and may conduct, but are not limited to, the following tasks:
- (i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;
- (ii) Identify strategies and policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;
- (iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;
- (iv) Identify ways to promote advance planning and advance care directives and implementation strategies for the Bree collaborative palliative care and related guidelines;
- (v) Identify ways to meet the needs of the aging demographic impacted by reduced federal support;

(vi) Identify ways to protect the rights of vulnerable adults through assisted decision-making and guardianship and other relevant vulnerable adult protections;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation.

(c) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(d) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures and meetings are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Meetings of the task force must be scheduled and conducted in accordance with the rules of both the senate and the house of representatives. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(12) Appropriations in this section are sufficient to fund discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(13) Appropriations in this section are sufficient to fund financial service specialists stationed at the state psychiatric hospitals. Financial service specialists will help to transition clients ready for hospital discharge into alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state hospitals.

(14) The department shall continue to administer tailored support for older adults and medicaid alternative care as described in initiative 2 of the 1115 demonstration waiver. This initiative will be funded by the health care authority through the medicaid quality improvement program. The secretary in collaboration with the director of the health care authority shall report to the office of financial management all expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested. The department shall not increase general fund—state expenditures on this initiative.

(15) \$61,209,000 of the general fund—state appropriation for fiscal year 2024, \$70,352,000 of the general fund—state appropriation for fiscal year 2025, and \$161,960,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(16) \$1,761,000 of the general fund—state appropriation for fiscal year 2024, \$1,761,000 of the general fund—state appropriation for fiscal year 2025, and \$4,162,000 of the general fund—federal appropriation are provided solely for case managers at the area agencies on aging to coordinate care for medicaid clients with mental illness who are living in their own homes. Work shall be accomplished within existing standards for case management and no requirements will be added or modified unless by mutual agreement between the department of social and health services and area agencies on aging.

(17) Appropriations provided in this section are sufficient for the department to contract with an organization to provide educational materials, legal services, and attorney training to support persons with dementia. The funding provided in this subsection must be used for:

(a) An advance care and legal planning toolkit for persons and families living with dementia, designed and made available online and in print. The toolkit should include educational topics including, but not limited to:

(i) The importance of early advance care, legal, and financial planning;

(ii) The purpose and application of various advance care, legal, and financial documents;

(iii) Dementia and capacity;

(iv) Long-term care financing considerations;

(v) Elder and vulnerable adult abuse and exploitation;

(vi) Checklists such as "legal tips for caregivers," "meeting with an attorney," and "life and death planning;"

(vii) Standardized forms such as general durable power of attorney forms and advance health care directives; and

(viii) A selected list of additional resources.

(b) Webinars about the dementia legal and advance care planning toolkit and related issues and topics with subject area experts. The subject area expert presenters must provide their services in-kind, on a volunteer basis.

(c) Continuing legal education programs for attorneys to advise and assist persons with dementia. The continuing education programs must be offered at no cost to attorneys who make a commitment to participate in the pro bono program.

(d) Administrative support costs to develop intake forms and protocols, perform client intake, match participating attorneys with eligible clients statewide, maintain records and data, and produce reports as needed.

(18) Appropriations provided in this section are sufficient to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(a) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, assisted living facility beds, adult residential care beds, and specialized dementia beds.

(b) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (a) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(c) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (a) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(d) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(19) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(20) \$5,094,000 of the general fund—state appropriation for fiscal year 2024 and \$5,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(21) \$63,938,000 of the general fund—state appropriation for fiscal year 2024, \$40,714,000 of the general fund—state appropriation for fiscal year 2025, and \$110,640,000 of the general fund—federal appropriation are provided solely for rate adjustments for skilled nursing facilities.

(22) ~~(\$34,090,000)~~ \$50,608,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$72,783,000)~~ \$91,928,000 of the general fund—federal appropriation are provided solely for rate adjustments for assisted living providers. Of the amounts provided in this subsection:

(a) ~~(\$25,487,000)~~ \$32,732,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$54,687,000)~~ \$63,072,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023; and to 84 percent of the labor component and 68 percent of the operations component, effective July 1, 2024. The department of social and health services shall report, by December 1st of each year, on medicaid resident utilization of and access to assisted living facilities.

(b) ~~(\$5,389,000)~~ \$7,653,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$11,588,000)~~ \$14,172,000 of the general fund—federal appropriation are provided solely for a specialty dementia care rate add-on for all assisted living facilities of \$43.48 per patient per day in fiscal year 2024 and \$55.00 per patient per day in fiscal year 2025.

(c) ~~(\$2,573,000)~~ \$9,582,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$5,146,000)~~ \$13,322,000 of the general fund—federal appropriation are provided solely for a one-time bridge rate for assisted living facilities, enhanced adult residential centers, and adult residential centers, with high medicaid occupancy. The bridge rate does not replace or substitute the capital add-on rate found in RCW 74.39A.320 and the same methodology from RCW 74.39A.320 shall be used to determine each facility's medicaid occupancy percentage for the purposes of this one-time bridge rate add-on. Facilities with a medicaid occupancy level of 90 percent or more shall receive a \$20.99 add-on per resident day effective July 1, 2023, and facilities with a medicaid occupancy level of 70 percent or more shall receive a \$20.99 add-on per resident day effective July 1, 2024.

(d) \$641,000 of the general fund—state appropriation for fiscal year 2024, \$641,000 of the general fund—state appropriation for fiscal year 2025, and \$1,362,000 of the general fund—federal appropriation are provided solely to increase the rate add-on for expanded community services by 5 percent.

(23) Within available funds, the aging and long term support administration must maintain a unit within adult protective services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

(24) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(25) \$1,858,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation of the volunteer services program. Funding must be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(26) \$479,000 of the general fund—state appropriation for fiscal year 2024 and \$479,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the kinship navigator program in the Colville Indian reservation, Yakama Nation, and other tribal areas.

(27) The traumatic brain injury council shall collaborate with other state agencies in their efforts to address traumatic brain injuries to ensure that efforts are complimentary and continue to support the state's broader efforts to address this issue.

(28) \$1,297,000 of the general fund—state appropriation for fiscal year 2024 and \$1,297,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based dementia education and support activities in three areas of the state, including dementia resource catalyst staff and direct services for people with dementia and their caregivers.

(29) \$5,410,000 of the general fund—state appropriation for fiscal year 2024, \$9,277,000 of the general fund—state appropriation for fiscal year 2025, and \$14,909,000 of the general fund—federal appropriation are provided solely for the operating costs associated with the phase-in of enhanced services facilities and specialized dementia care beds that were established with behavioral health community capacity grants.

(30) (a) \$71,000 of the general fund—state appropriation for fiscal year 2024, \$68,000 of the general fund—state appropriation for fiscal year 2025, and \$141,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(b) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(i) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required within each behavior support specialty setting and the necessary qualifications of these staff;

(ii) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

(iii) A plan for implementing the enhanced behavior support specialty contracts that includes:

(A) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(B) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(iv) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(A) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(B) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(C) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(31) (~~(\$2,874,000)~~) \$2,551,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$2,211,000)~~) \$3,334,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the general fund—federal appropriation are provided solely for the kinship care support program. Of the amounts provided in this subsection:

(a) (~~(\$667,000)~~)\$344,000 of the general fund—state appropriation for fiscal year 2024 (~~(is)~~)and \$323,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the kinship navigator case management pilot program.

(b) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the rates paid to kinship navigators and to increase the number of kinship navigators so that each area agency on aging has one kinship navigator and King county has two kinship navigators.

(32) \$2,574,000 of the general fund—state appropriation for fiscal year 2024 and \$2,567,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 40 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(33) \$691,000 of the general fund—state appropriation for fiscal year 2024, \$658,000 of the general fund—state appropriation for fiscal year 2025, and \$1,347,000 of the general fund—federal appropriation are provided solely for the department to provide staff support to the difficult to discharge task force described in (~~(section 135(12) of this act)~~)section 133(11) of this act, including any associated ad hoc subgroups, and to develop home and community services assessment timeliness requirements for pilot participants in cooperation with the health care authority as described in section 211(~~(+65)~~)(64) of this act.

(34) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a study of functional assessments conducted by the department prior to acute care hospital discharge and placement in a post-acute facility. No later than June 30, 2025, a report must be submitted to the governor and the appropriate committees of the legislature that evaluates:

(a) The timeliness of the completion of these assessments;

(b) How requiring these assessments impacts:

(i) The length of a patient's hospital stay;

(ii) The patient's medical, emotional, and mental well-being;

(iii) The hospital staff who care for these patients; and

(iv) Access to inpatient and emergency beds for other patients;

(c) Best practices from other states for placing hospitalized patients in post-acute care settings in a timely and effective manner that includes:

(i) Identification of the states that require these assessments prior to post-acute placement; and

(ii) An analysis of a patient's hospital length of stay and a patient's medical, emotional, and mental well-being in states that require these assessments compared to the states that do not; and

(d) The potential benefits of, and barriers to, outsourcing some or all of the functional assessment process to hospitals. Barriers evaluated must include department policies regarding staff workloads, outsourcing work, and computer system access.

(35) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely to employ and train staff for outreach efforts aimed at connecting adult family home owners and their employees with health care coverage through the adult family home training network as outlined in RCW 70.128.305. These outreach activities must consist of:

(a) Informing adult family home owners and their employees about various health insurance options;

(b) Creating and distributing culturally and linguistically relevant materials to assist these individuals in accessing affordable or free health insurance plans;

(c) Offering continuous technical support to adult family home owners and their employees regarding health insurance options and the application process; and

(d) Providing technical assistance as a certified assister for the health benefit exchange, enabling adult family home owners and their employees to comprehend, compare, apply for, and enroll in health insurance via Washington healthplanfinder. Participation in the certified assister program is dependent on meeting contractual, security, and other program requirements set by the health benefit exchange.

(36) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the office of the insurance commissioner and the office of the attorney general, to create a regulatory oversight plan for continuing care retirement communities, focusing primarily on establishing and implementing resident consumer protections, as recommended in the 2022 report of the office of the insurance commissioner. As part of the process, the agencies must engage with relevant stakeholder groups for consultation. The final plan must be submitted to the health care committees of the legislature by December 1, 2024.

(37) (~~(\$16,952,000)~~)\$11,784,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$23,761,000)~~)\$20,096,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$41,407,000)~~)\$32,361,000 of the general fund—federal appropriation are provided solely for nursing home services and emergent building costs at the transitional care center of Seattle. No later than December 1, 2024, the department must submit to the appropriate fiscal committees of the legislature a report that includes, but is not limited to:

(a) An itemization of the costs associated with providing direct care services to residents and managing and caring for the facility; and

(b) An examination of the impacts of this facility on clients and providers of the long-term care and medical care sectors of the state that includes, but is not limited to:

(i) An analysis of areas that have realized cost containment or savings as a result of this facility;

(ii) A comparison of individuals transitioned from hospitals to this facility compared to other skilled nursing facilities over the same period of time; and

(iii) Impacts of this facility on lengths of stay in acute care hospitals, other skilled nursing facility, and transitions to home and community-based settings.

(38) \$911,000 of the general fund—state appropriation for fiscal year 2024, \$935,000 of the general fund—state appropriation for fiscal year 2025, and \$365,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(39) \$562,000 of the general fund—state appropriation for fiscal year 2024, \$673,000 of the general fund—state appropriation for fiscal year 2025, and \$1,244,000 of the general fund—federal appropriation are provided solely to increase rates for long-term care case management services offered by area agencies on aging. The department must include this adjustment in the monthly per client rates paid to these agencies for case management services in the governor's projected maintenance level budget process, in accordance with RCW 43.88.030.

(40) ~~(\$500,000)~~ \$1,000,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$1,000,000)~~ \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$1,000,000)~~ \$1,500,000 of the general fund—federal appropriation are provided solely to contract with an organization to design and deliver culturally and linguistically competent training programs for home care workers, including individual providers. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2025 and \$500,000 of the general fund—federal appropriation are provided solely to develop and implement training programs on emergency preparedness related to climate-related events.

(41) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$400,000 of the general fund—federal appropriation are provided solely for a pilot project focused on providing translation services for interpreting mandatory training courses offered through the adult family home training network. The department of social and health services must collaborate with the adult family home council and the adult family home training network to assess the pilot project's outcomes. The department of social and health services shall submit a comprehensive report detailing the results to the governor and the appropriate committees of the legislature no later than September 30, 2025.

(42) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the current pilot projects to provide personal care services to homeless seniors and people with disabilities from the time the person presents at a shelter to the time they become eligible for medicaid.

(43) \$75,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$147,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$125,000 of the general fund—state appropriation for fiscal year 2024, \$125,000 of the general fund—state appropriation for fiscal year 2025, and \$250,000 of the general fund—federal appropriation are provided solely for the department, in collaboration with the consumer directed employer and home care agencies, to establish guidelines, collect and analyze data, and research the reasons and timing behind home care workers leaving the workforce.

(45) \$703,000 of the general fund—state appropriation for fiscal year 2024, \$3,297,000 of the general fund—state appropriation for fiscal year 2025, and \$2,735,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(46)(a) \$4,792,000 of the general fund—state appropriation for fiscal year 2024, \$4,894,000 of the general fund—state appropriation for fiscal year 2025, and \$9,881,000 of the general fund—federal appropriation are provided solely to support providers that are ready to accept patients who are in acute care beds and no longer require inpatient care, but are unable to be transitioned to appropriate postacute care settings. These patients are generally referred to as difficult to discharge hospital patients because of their behaviors.

(i) The department shall broaden the current discharge and referral case management practices for difficult to discharge hospital patients waiting in acute care hospitals to include referrals to all long-term care behavioral health settings, including enhanced services facilities, enhanced adult residential care, and enhanced adult residential care with community stability supports contracts or community behavioral health support services, including supportive supervision and oversight and skills development and restoration. These home and community-based providers are contracted to provide various levels of personal care,



nursing, and behavior supports for difficult to discharge hospital patients with significant behavior support needs.

(ii) Patients ready to discharge from acute care hospitals with diagnosed behaviors or behavior history, and a likelihood of unsuccessful placement in other licensed long-term care facilities, a history of rejected applications for admissions, or a history of unsuccessful placements shall be fully eligible for referral to available beds in enhanced services facilities or enhanced adult residential care with contracts that adequately meet the patient's long-term care needs.

(iii) Previous or current detention under the involuntary treatment act shall not be a requirement for individuals in acute care hospitals to be eligible for these specialized settings. The department shall develop a standard process for acute care hospitals to refer patients to the department for placement in enhanced services facilities and enhanced adult residential care with contracts to provide behavior support.

(b) The department must adopt a payment model that incorporates the following adjustments:

(i) The enhanced behavior services plus and enhanced behavior services respite rates for skilled nursing facilities shall be converted to \$175 per patient per day add-on in addition to daily base rates to recognize additional staffing and care needs for patients with behaviors.

(ii) Enhanced behavior services plus with specialized services rates for skilled nursing facilities shall be converted to \$235 per patient per day add-on on top of daily base rates.

(iii) The ventilator rate add-on for all skilled nursing facilities shall be \$192 per patient per day.

(iv) The tracheotomy rate add-on for all skilled nursing facilities shall be \$123 per patient per day.

(c) Of the amounts provided in (a) of this subsection, \$3,838,000 of the general fund—state appropriation for fiscal year 2024, \$3,917,000 of the general fund—state appropriation for fiscal year 2025, and \$7,911,000 of the general fund—federal appropriation are provided solely for an increase in the daily rate for enhanced services facilities to \$596.10 per patient per day.

(47) \$926,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the deaf and hard of hearing within the department to establish a work group to address the statewide shortage of qualified and certified American sign language interpreters and protactile interpreters. The work group shall focus on developing training and certification standards, developing strategies for increasing interpreter numbers across all communities, for enhancing professional development, and for creating pathways to allow interpreters to be financially supported to work statewide. The work group shall primarily be comprised of individuals who identify as deaf, deafblind, and hard of hearing who use American sign language or protactile, with priority for members from historically marginalized communities. The work group shall provide a final report, including recommendations and a plan for implementation, to the governor and appropriate committees of the legislature by June 30, 2025.

(48) \$830,000 of the general fund—state appropriation for fiscal year 2025 and \$80,000 of the general fund—federal appropriation are provided solely for the department, in collaboration with the office of the insurance commissioner and the health care authority, to develop a plan for a phase-in of an essential worker health benefits program.

(a) By December 15, 2024, the department must submit to the appropriate policy and fiscal committees of the legislature an implementation plan to provide nursing home workers with high quality, affordable health coverage through participating nursing home employers beginning January 1, 2026. The implementation plan should address:

(i) The likelihood that the state can obtain approval of supplemental medicaid payments for the program;

(ii) As assessment of current employee health benefit spending by nursing homes participating in the medicaid program, including current health benefit plan eligibility, plan design, employee cost-sharing, and employer premium contributions;

(iii) A mechanism to ensure that nursing home employers participating in the program maintain spending on health benefits such that medicaid payments supplement and do not supplant their health benefit spending;

(iv) The appropriate structure and oversight of the newly established health benefits fund, including the use of an established Taft-Hartley fund, fully insured health coverage, or a self-funded multiemployer welfare arrangement that offers health benefits comparable to the platinum metal level under the affordable care act, including any statutory or regulatory changes necessary to ensure that the plan meets defined plan design, consumer protection, and solvency requirements.

(b) In preparing the implementation plan, the department, commissioner, and authority must review the design and impacts of the essential worker health care trust in Oregon and other similar publicly supported programs from other jurisdictions.

(c) The department must consult with interested organizations in development of the implementation plan.

(d) The department may contract with third parties and consult with other state entities to conduct all or any portion of the study, including actuarial analysis.

(e) A minimum of \$750,000 of the amounts provided in this subsection (48) must be contracted with an entity that is managed through a labor-management partnership. This entity must already be providing health care benefits to no fewer than 20,000 long-term care workers in the state of Washington and should have at least five years of experience in administering

health care benefits to this workforce. Their joint efforts will focus on examining the health care needs specific to the nursing home workforce in the state, formulating a benefit plan that effectively addresses these needs, determining the financial requirement to offer such benefits, developing informational materials on health benefits tailored for nursing home workers, and establishing procedures and systems necessary for enrolling employees in the plan, subject to legislative appropriation for implementation.

(49) \$25,990,000 of the long-term services and supports trust account—state appropriation is provided solely for the information technology project for the long-term services and supports trust program, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(50) \$15,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the area agencies on aging to maintain senior nutrition services. This includes, but is not limited to, meals at sites, through pantries, and home-delivery.

(51) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington traumatic brain injury strategic partnership advisory council to support at least one in-person support group in each region of the state served by an accountable community of health as defined in RCW 82.04.43395. The council shall provide recommendations to the department on the criteria to be used in selecting the programs to receive funding. The criteria must reflect the diversity of individuals with traumatic brain injuries, including the range of cognitive and financial barriers that individuals with traumatic brain injuries may experience when accessing web-based services. Preference must be given to programs that facilitate support groups led by individuals with direct lived experience with traumatic brain injuries or individuals certified as brain injury specialists. Each program that receives funding under this section must ensure that the in-person or virtual support groups meet at least quarterly and are free of charge. The department must approve at least one facilitation training curriculum specific to brain injury to be used by the programs that receive funding under this section.

(52) \$440,000 of the general fund—state appropriation for fiscal year 2025 and \$560,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1942 (long-term care providers). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(53) \$843,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Substitute House Bill No. 2271 (LTSS program statements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 205. 2023 c 475 s 205 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ECONOMIC SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(\$606,767,000))
	\$679,846,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$604,555,000))
	\$774,643,000
General Fund—Federal Appropriation. . . . .	(\$1,648,987,000))
	\$1,696,537,000
General Fund—Private/Local Appropriation. . . . .	\$5,274,000
Domestic Violence Prevention Account—State Appropriation. . . . .	\$2,404,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$2,867,987,000))</b>
	<b>\$3,158,704,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) (~~(\$169,050,000)~~)\$177,428,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$164,246,000)~~)\$199,927,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$853,777,000)~~)\$853,786,000 of the general fund—federal appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting a structure change.

(b) (~~(\$450,773,000)~~)\$482,615,000 of the amounts in (a) of this subsection is for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance. Of the amounts provided in this subsection (1) (b):

(i) \$17,315,000 of the general fund—federal appropriation is provided solely to increase the temporary assistance for needy families and state family assistance cash grants by \$100

per month for households with a child under the age of three, effective November 1, 2023. The funding is intended to assist families with the cost of diapers as described in chapter 100, Laws of 2022.

(ii) \$3,060,000 of the general fund—state appropriation for fiscal year 2024, \$4,665,000 of the general fund—state appropriation for fiscal year 2025, and \$19,000,000 of the general fund—federal appropriation are provided solely for the department to increase temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$296,000 of the general fund—state appropriation for fiscal year 2024, \$5,293,000 of the general fund—state appropriation for fiscal year 2025, and \$1,089,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(iv) \$632,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the replacement of skimmed or cloned cash benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the temporary assistance for needy families and the state family assistance program. The replacement of stolen benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection (1)(b)(iv) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(v) \$656,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2007 (cash assistance time limits). If this bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(c) ~~(((\$167,710,000))\$167,762,000~~ of the amounts in (a) of this subsection is for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. Within amounts provided in this subsection (1)(c), the department shall implement the working family support program.

(i) \$2,474,000 of the amounts provided in this subsection (1)(c) is for enhanced transportation assistance. The department must prioritize the use of these funds for the recipients most in need of financial assistance to facilitate their return to work. The department must not utilize these funds to supplant repayment arrangements that are currently in place to facilitate the reinstatement of drivers' licenses.

(ii) \$482,000 of the general fund—state appropriation for fiscal year 2024 and \$1,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$185,000 of the general fund—state appropriation for fiscal year 2024 and \$1,820,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(iv) \$52,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2007 (cash assistance time limits). If this bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(d) Of the amounts in (a) of this subsection, \$353,402,000 of the general fund—federal appropriation is for the working connections child care program under RCW 43.216.020 within the department of children, youth, and families. The department is the lead agency for and recipient of the federal temporary assistance for needy families grant. A portion of this grant must be used to fund child care subsidies expenditures at the department of children, youth, and families.

(i) The department of social and health services shall work in collaboration with the department of children, youth, and families to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families.

(ii) Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(e) Of the amounts in (a) of this subsection, \$68,496,000 of the general fund—federal appropriation is for child welfare services within the department of children, youth, and families.

(f) Of the amounts in (a) of this subsection, (~~(\$146,692,000)~~)\$158,866,000 is for WorkFirst administration and overhead. Of the amounts provided in this subsection (1)(f):

(i) \$147,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(ii) \$204,000 of the general fund—state appropriation for fiscal year 2024, \$179,000 of the general fund—state appropriation for fiscal year 2025, and \$575,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(iii) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to process skimmed or cloned cash benefits for impacted recipients of the temporary assistance for needy families or state family assistance programs. Any unspent funds in this subsection (1)(f)(iii) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(iv) \$352,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2007 (cash assistance time limits). If this bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(v) \$407,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute House Bill No. 1652 (child support pass through). If this bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(g) (i) The department shall submit quarterly expenditure reports to the governor, the fiscal committees of the legislature, and the legislative WorkFirst poverty reduction oversight task force under RCW 74.08A.341. In addition to these requirements, the department must detail any fund transfers across budget units identified in (a) through (e) of this subsection. The department shall not initiate any services that require expenditure of state general fund moneys that are not consistent with policies established by the legislature.

(ii) The department may transfer up to 10 percent of funding between budget units identified in (b) through (f) of this subsection. The department shall provide notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst poverty reduction oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(h) On January 2nd and July 1st of each year, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst poverty reduction oversight task force. The report must detail the following information for temporary assistance for needy families:

(i) An overview of federal rules related to maintenance of effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;

(ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;

(iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;

(iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;

(v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort;

(vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation targets, and future reportable federal participation rate requirements; and

(vii) Proposed and enacted federal law changes affecting maintenance of effort or the participation rate, what impact these changes have on Washington's temporary assistance for needy families program, and the department's plan to comply with these changes.

(i) In the 2023-2025 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (a) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(2) \$3,545,000 of the general fund—state appropriation for fiscal year 2024 and \$3,545,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On January 1, 2024, and January 1, 2025, the department must report to the governor and the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be 100 percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(8) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,500,000)~~ \$3,700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational support of the Washington information network 211 organization.

(9) \$377,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consolidated emergency assistance program.

(10) \$560,000 of the general fund—state appropriation for fiscal year 2024 and \$560,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state-funded employment and training program for recipients of the state's food assistance program.

(11) ~~(\$5,244,000)~~ \$5,024,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$3,805,000)~~ \$7,351,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$21,115,000)~~ \$28,876,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project to create a comprehensive application and benefit status tracker for multiple programs, an application and enrollment portal for multiple programs, and to establish a foundational platform. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(12) ~~(\$3,307,000)~~ \$2,008,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$257,000)~~ \$1,388,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$8,318,000)~~ \$7,928,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project for the discovery, innovation, and customer experience phase. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(13) ~~(\$1,067,000)~~ \$2,272,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$1,067,000)~~ \$2,898,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$4,981,000)~~ \$12,065,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project office.

(14) \$189,000 of the general fund—state appropriation for fiscal year 2024 and \$953,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of the ongoing additional requirements program, effective April 1, 2024. Of the amount provided in this subsection, the maximum amount that may be expended on new items added to the ongoing additional requirements program is \$53,000 in fiscal year 2024 and \$710,000 in fiscal year 2025.

(15)(a) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors and a study to assess needs and develop recommendations for ongoing supports for this population.

(b) Of the amounts provided in (a) of this subsection, \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors in order to address financial hardship and support household well-being. Stabilization funds can be used to support the sponsorship household with costs of housing, childcare, transportation, internet and data services, household goods, and other unmet needs. The funds may be provided on behalf of an unaccompanied child when the following eligibility criteria are met:

(i) The unaccompanied child is between the ages of 0-17, has been placed in Washington under the care of a nonparental sponsor following release from the United States office of refugee resettlement custody, and has not been reunified with a parent; and

(ii) The sponsorship household demonstrates financial need and has an income below 250 percent of the federal poverty level. A sponsorship household receiving stabilization funds on behalf of a child who turns 18 may continue to receive funds for an additional 60 days after the child reaches 18 years of age.

(c) The department may work with community-based organizations to administer sponsorship stabilization supports. Up to 10 percent of the amounts provided in (b) of this subsection may be used by the community-based organizations to cover administrative expenses associated with the distribution of these supports.

(d) Of the amounts provided in (a) of this subsection, \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to cover the administrative resources necessary for the department to administer the sponsorship stabilization program and to convene a work group with the department of children, youth, and families, department of commerce's office of homeless youth prevention and programs, stakeholders, and community-based organization who have pertinent information regarding sponsorship households. The work group shall identify and analyze the resource and service needs for unaccompanied children and their sponsors, including the types and levels of financial supports and related services that will promote stability of sponsorship placements for this population.

(i) The department must produce a report that includes an overview of the number of impacted children and sponsors, existing services and supports that are available, any gaps in services, and potential changes to federal programs and policies that could impact unaccompanied children. The report shall include recommendations for how state agencies and community organizations can partner with the federal government to support sponsorship households, proposed services and supports that the state could provide to promote the ongoing stability of sponsorship households, and a recommended service delivery model.

(ii) The department shall submit the report required by (d)(i) of this subsection (15) to the governor and appropriate legislative committees no later than June 30, 2025.

(16) \$111,000 of the general fund—state appropriation for fiscal year 2024, \$1,016,000 of the general fund—state appropriation for fiscal year 2025, and \$21,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs) for the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance programs. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(17) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with an organization located in Seattle with expertise in culturally and linguistically appropriate communications and outreach to conduct an outreach, education, and media campaign related to communities significantly impacted by or at risk for benefits trafficking, skimming, or other fraudulent activities, with particular focus on immigrant, refugee, migrant, and senior populations. This campaign must provide community-focused, culturally and linguistically appropriate education and assistance targeted to meet the needs of each community and related to safeguarding public assistance benefits provided through an electronic benefit card and how to avoid the trafficking or skimming of benefits. To the extent practical, the department must make available information and data to refine this campaign for those communities most impacted to ensure inclusion of any relevant groups not already identified in this provision. The contracted organization, in collaboration with the department, must focus its outreach in highly impacted geographic areas including, but not limited to, Burien, Federal Way, Kent, Lynnwood, White Center, West Seattle, Seattle's International District, Chinatown, and the Central District, Yakima and other identified locations.

(18) \$10,881,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$10,131,000)~~ \$10,416,000 of the general fund—state appropriation for fiscal year 2025, \$6,734,000 of the general fund—federal appropriation, and \$2,404,000 of the domestic violence prevention account—state appropriation are provided solely for domestic violence victim services. Of the amounts provided in this subsection ~~((τ))~~ ;

(a) \$750,000 of the general fund—state appropriation for fiscal year 2024 must be distributed to domestic violence services providers proportionately, based upon bed capacity; and

(b) \$285,000 of the general fund—state appropriation for fiscal year 2025 must be distributed to domestic violence emergency shelters that are experiencing a reduction in funding, and funding must be used to continue current service levels. Funding in this subsection (b) must be allocated as follows:

(i) \$70,000 is for a shelter providing services in Thurston county;

(ii) \$50,000 is for a shelter providing services in Spokane county;

(iii) \$45,000 is for a shelter providing services in Lewis county;

(iv) \$40,000 is for a shelter providing services in Clallam county;

(v) \$30,000 is for a shelter providing services in Yakima county;

(vi) \$25,000 is for a shelter providing services in Mason county; and

(vii) \$25,000 is for a shelter providing services in Cowlitz county.

(19) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to meet the terms of its settlement agreement with the United States department of agriculture (USDA).

(a) Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to repay USDA as part of the settlement agreement.

(b) Of the amounts provided in this subsection, \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to fund employment and training

program services and activities ((for))targeted to able-bodied adults without dependents receiving food benefits from the USDA supplemental nutrition assistance program, but open to all basic food employment and training participants including participants who are not able-bodied adults without dependents.

(20) \$3,844,000 of the general fund—state appropriation for fiscal year 2024, \$7,921,000 of the general fund—state appropriation for fiscal year 2025, and \$1,374,000 of the general fund—federal appropriation are provided solely for the department to increase the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance grants by eight percent, effective January 1, 2024.

(21) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization in Pierce county to continue the operation of the guaranteed basic income program in Tacoma.

(22) \$58,000 of the general fund—state appropriation for fiscal year 2024 and \$59,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Substitute Senate Bill No. 5398 (domestic violence funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(23) \$113,000 of the general fund—state appropriation for fiscal year 2024, \$1,487,000 of the general fund—state appropriation for fiscal year 2025, and \$1,599,000 of the general fund—federal appropriation are provided solely to fully integrate the asset verification system into the automated client eligibility system (ACES).

(24) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$34,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the changes made to the state supplemental payment program in chapter 201, Laws of 2023.

(25) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the staffing necessary to process medical assistance cases resulting from the July 1, 2024, implementation for the apple health expansion program.

(26) \$1,393,000 of the general fund—state appropriation for fiscal year 2024, \$5,888,000 of the general fund—state appropriation for fiscal year 2025, and \$6,995,000 of the general fund—federal appropriation are provided solely for the transition of the automated client eligibility system (ACES) mainframe hardware operations to cloud technologies, using an enterprise contracted service through the consolidated technology services agency.

(27) \$5,024,000 of the general fund—state appropriation for fiscal year 2024, \$7,206,000 of the general fund—state appropriation for fiscal year 2025, and \$12,230,000 of the general fund—federal appropriation are provided solely for the implementation of the summer electronic benefit transfer program for the summer break months following the 2023-2024 and 2024-2025 school years. The program implementation must align with the federal summer electronic benefit program requirements defined in the consolidated appropriations act, 2023 (136 Stat. 4459). The department may use a third-party entity to administer the program.

(28) \$10,904,000 of the general fund—state appropriation for fiscal year 2024, \$464,000 of the general fund—state appropriation for fiscal year 2025, and \$10,921,000 of the general fund—federal appropriation are provided solely to cover the increased costs of the maintenance and operations of the automated client eligibility system (ACES), including but not limited to a one-time vendor transition.

(29) \$251,000 of the general fund—state appropriation for fiscal year 2025 and \$21,000 of the general fund—federal appropriation are provided solely to process and replace skimmed or cloned cash and food benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the pregnant women assistance, refugee cash assistance, aged, blind, or disabled assistance, and state food assistance program. The replacement of stolen cash and food benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(30)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the office of refugee and immigrant assistance to expand support services for individuals newly arriving to the United States and Washington who do not qualify for federal refugee resettlement program services. Support services include, but are not limited to, housing assistance, food, transportation, childhood education services, education and employment supports, connection to legal services, and social services navigation.

(b) Of the amounts in (a) of this subsection, \$250,000 for fiscal year 2024 and \$750,000 for fiscal year 2025 are provided solely for school districts who have seen a significant increase in McKinney-Vento students seeking asylum with the opportunity to receive grants that provide students in their district with additional education opportunities and family supports.

(c) Of the amounts in (a) of this subsection, \$700,000 for fiscal year 2025 is provided solely for members of the Sub-Saharan African community.

(d) Of the amounts in (a) of this subsection, \$810,000 for fiscal year 2025 is provided solely for staffing at the office of refugee and immigrant assistance to cover the administrative expenses of implementing this subsection.

(31)(a) \$593,000 of the general fund—state appropriation for fiscal year 2024, \$1,406,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely to implement changes made through the fiscal responsibility act of 2023 (137 Stat. 10) for the supplemental nutrition assistance program's work requirements for able-bodied adults without dependents, and the corresponding impacts to the state food assistance program.

(b) Of the amounts in (a) of this subsection, \$104,000 of the general fund—state appropriation for fiscal year 2024, \$115,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely for administrative and information technology expenses.

(32)(a) \$236,000 of the general fund—state appropriation for fiscal year 2024, \$3,367,000 of the general fund—state appropriation for fiscal year 2025, and \$1,329,000 of the general fund—federal appropriation are provided solely for the department to hire additional public benefit specialists to help reduce the call center and lobby wait times within the community services division.

(b) \$1,878,000 of the general fund—state appropriation for fiscal year 2024, \$3,660,000 of the general fund—state appropriation for fiscal year 2025, and \$3,541,000 of the general fund—federal appropriation are provided solely for technology enhancements and project governance necessary to create efficiencies that will reduce call center and lobby wait times for customers of the community services division. Enhancements include, but are not limited to, chatbots, robotic process automation, interactive voice response, and document upload. The amounts provided in this subsection (32)(b) are subject to the conditions, limitations, and review requirements of section 701 of this act.

(c) By December 31, 2024, the department must submit a report to the governor and the legislature that shows the prior fiscal year's call and lobby wait times by month and queue, number of customer contacts by month and queue, processing times for the various queues for the three most recent fiscal years along with an explanation for any changes to the most recent year's processing times, number of filled public benefit specialists 3 positions and vacancies by month, wait time impacts associated with the individual technology solution enhancements, any telephonic savings experienced due to fewer customers waiting on hold, and recommendations to continue reducing customer wait times.

**Sec. 206.** 2023 c 475 s 206 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(\$26,670,000)
	\$26,991,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$26,962,000)
	\$27,056,000
General Fund—Federal Appropriation . . . . .	\$110,047,000
TOTAL APPROPRIATION . . . . .	(\$163,679,000)
	\$164,094,000

**Sec. 207.** 2023 c 475 s 207 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SPECIAL COMMITMENT PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(\$82,011,000)
	\$81,767,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$81,976,000)
	\$81,357,000
TOTAL APPROPRIATION . . . . .	(\$163,987,000)
	\$163,124,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

((4)) (2)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to:

(i) Explore regulatory framework options for conditional release less restrictive alternative placements and make recommendations for a possible future framework. This exploration shall include collaboration with the department of corrections regarding their community custody programs;

(ii) Review and refine agency policies regarding communication and engagement with impacted local governments related to less restrictive alternatives, including exploring options for public facing communications on current county fair share status and any projected future need;

(iii) Identify opportunities for greater collaboration and possible fiscal support for local government entities regarding placements of conditional release less restrictive alternatives; and

(iv) Provide recommendations to improve cost-effectiveness of all less restrictive alternative placements.

(b) The department shall submit a report to the governor and appropriate fiscal and policy committees of the legislature by December 1, 2023, with a summary of the results and provide any additional recommendations to the legislature that the department identifies. The



report shall also include a summary of costs to the department for contracted and uncontracted less restrictive alternatives.

~~((5))~~(3) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to conduct an assessment of wireless internet implementation needs and options, and must include an assessment of satellite and fiber options. The department shall provide a report that includes the assessment and estimated implementation time frame and costs to the appropriate committees of the legislature by December 15, 2023.

**Sec. 208.** 2023 c 475 s 208 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$49,968,000</del> ))
	\$51,036,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$50,544,000</del> ))
	\$63,002,000
General Fund—Federal Appropriation . . . . .	(( <del>\$57,444,000</del> ))
	\$62,914,000
<u>Climate Commitment Account—State Appropriation . . . . .</u>	<u>\$2,000,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$157,956,000</del>))</b>
	<b>\$178,952,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(2) \$5,000 of the general fund—state appropriation for fiscal year 2024, \$22,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium as provided in section 907 of this act.

(3) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the joint legislative and executive committee on behavioral health established in ~~(section 135 of this act)~~ section 133 of this act.

(4) \$115,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$64,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$100,000 of the general fund—state appropriation for fiscal year 2024, \$96,000 of the general fund—state appropriation for fiscal year 2025, and \$149,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5497 (medicaid expenditures). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$231,000 of the general fund—state appropriation for fiscal year 2024 and \$65,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5304 (language access/testing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(7) \$4,876,000 of the general fund—state appropriation for fiscal year 2025 and \$2,961,000 of the general fund—federal appropriation are provided solely for the system for integrated leave, attendance, and scheduling project. These amounts are subject to the conditions, limitations, and review requirements of section 701 of this act.

(8) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the research and data analysis division of the department to analyze historical trends of admissions for felony civil conversion cases based on behavioral health administrative service organization regions. The research and data analysis division must create a report that provides information on the monthly averages for admission by region and any information about trends or cycles, and shall make a recommendation about how best to predict and model future admissions for this population by region. The report must be submitted to the governor, office of financial management, and appropriate committees of the legislature no later than November 1, 2024.

(9) \$2,000,000 of the climate commitment account—state appropriation is provided solely for the department to pilot a statewide network of community assemblies fully centered on overburdened communities as defined in RCW 70A.02.010. The department must select topics for

community assemblies that fall within its authority or must consult and coordinate with the agency who has authority on the proposed topic before selection. These assemblies will elevate community expertise and solutions to budget and policy makers on sustainable investments to create a more climate resilient Washington. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(10) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the research and data analysis division of the department to conduct a study of the costs to expand apple health categorically needy coverage for SSI-related individuals who meet the criteria in WAC 182-512-0050. The study shall provide the cost of expanding medicaid services to individuals at the following percentages of the federal poverty level: 75 percent, 80 percent, 85 percent, 90 percent, 95 percent, and 100 percent. The study should also provide the cost of eliminating the state asset limits at each of these income increments. The study must be submitted to the appropriate committees of the legislature by December 1, 2024.

**Sec. 209.** 2023 c 475 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PAYMENTS TO OTHER AGENCIES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$63,781,000</del> ))
	\$66,483,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$60,934,000</del> ))
	\$63,617,000
General Fund—Federal Appropriation . . . . .	(( <del>\$60,794,000</del> ))
	\$61,814,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$185,509,000</del>))</b>
	<b>\$191,914,000</b>

The appropriations in this section are subject to the following conditions and limitations: Within the amounts appropriated in this section, the department must extend master property insurance to all buildings owned by the department valued over \$250,000 and to all locations leased by the department with contents valued over \$250,000.

**Sec. 210.** 2023 c 475 s 210 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY**

(1) (a) During the 2023-2025 fiscal biennium, the health care authority shall provide support and data as required by the office of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority.

(b) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

(2) The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) (a) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(b) The health care authority must submit a report on November 1, 2023, and annually thereafter, to the fiscal committees of the legislature. The report must include, at a minimum:

(i) A list of active coalition projects as of July 1st of the fiscal year. This must include all current and ongoing coalition projects, which coalition agencies are involved in

these projects, and the funding being expended on each project, including in-kind funding. For each project, the report must include which federal requirements each coalition project is working to satisfy, and when each project is anticipated to satisfy those requirements; and

(ii) A list of coalition projects that are planned in the current and following fiscal year. This must include which coalition agencies are involved in these projects, including the anticipated in-kind funding by agency, and if a budget request will be submitted for funding. This must reflect all funding required by fiscal year and by fund source and include the budget outlook period.

(4) The appropriations to the health care authority in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the authority may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management. To the extent that appropriations in this section are insufficient to fund actual expenditures in excess of caseload forecast and utilization assumptions, the authority may transfer general fund—state appropriations for fiscal year 2024 that are provided solely for a specified purpose. The authority may not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification must include a narrative explanation and justification of changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications and transfers.

**Sec. 211.** 2023 c 475 s 211 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—MEDICAL ASSISTANCE**

General Fund—State Appropriation (FY 2024)	(\$2,682,912,000))	
	\$2,868,259,000	
General Fund—State Appropriation (FY 2025)	(\$2,672,393,000))	
	\$2,973,476,000	
General Fund—Federal Appropriation	(\$15,431,138,000))	
	\$16,768,455,000	
General Fund—Private/Local Appropriation	(\$1,074,465,000))	
	\$1,252,273,000	
Dedicated Cannabis Account—State Appropriation (FY 2024)	(\$25,544,000))	
	\$21,513,000	
Dedicated Cannabis Account—State Appropriation (FY 2025)	(\$28,936,000))	
	\$23,212,000	
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation		\$15,086,000
Family Medicine Workforce Development Account—State Appropriation		\$7,000,000
Hospital Safety Net Assessment Account—State Appropriation	(\$1,524,493,000))	
	\$1,517,493,000	
Long-Term Services and Supports Trust Account—State Appropriation		\$764,000
Medical Aid Account—State Appropriation		\$540,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation	(\$21,606,000))	
	\$11,624,000	
Telebehavioral Health Access Account—State Appropriation	(\$8,394,000))	
	\$8,318,000	
Ambulance Transport Fund—State Appropriation	(\$13,872,000))	
	\$14,316,000	
<b>TOTAL APPROPRIATION</b>	<b>(\$23,499,379,000))</b>	<b>\$25,482,329,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The authority shall submit an application to the centers for medicare and medicaid services to renew the 1115 demonstration waiver for an additional five years as described in subsections (2), (3), and (4) of this section. The authority may not accept or expend any federal funds received under an 1115 demonstration waiver except as described in this section unless the legislature has appropriated the federal funding. To ensure compliance with legislative requirements and terms and conditions of the waiver, the authority shall implement the renewal of the 1115 demonstration waiver and reporting requirements with oversight from the office of financial management. The legislature finds that appropriate management of the renewal of the 1115 demonstration waiver as set forth in subsections (2),

(3), and (4) of this section requires sound, consistent, timely, and transparent oversight and analytic review in addition to lack of redundancy with other established measures. The patient must be considered first and foremost in the implementation and execution of the demonstration waiver. To accomplish these goals, the authority shall develop consistent performance measures that focus on population health and health outcomes. The authority shall limit the number of projects that accountable communities of health may participate in under initiative 1 to a maximum of six and shall seek to develop common performance measures when possible. The joint select committee on health care oversight will evaluate the measures chosen: (a) For effectiveness and appropriateness; and (b) to provide patients and health care providers with significant input into the implementation of the demonstration waiver to promote improved population health and patient health outcomes. In cooperation with the department of social and health services, the authority shall consult with and provide notification of work on applications for federal waivers, including details on waiver duration, financial implications, and potential future impacts on the state budget to the joint select committee on health care oversight prior to submitting these waivers for federal approval. Prior to final approval or acceptance of funds by the authority, the authority shall submit the special terms and conditions as submitted to the centers for medicare and medicaid services and the anticipated budget for the duration of the renewed waiver to the governor, the joint select committee on health care, and the fiscal committees of the legislature. By federal standard any programs created or funded by this waiver do not create an entitlement. The demonstration period for the waiver as described in subsections (2), (3), and (4) of this section begins July 1, 2023.

(2) (a) (~~(\$150,219,000)~~) \$342,398,000 of the general fund—federal appropriation and (~~(\$150,219,000)~~) \$213,592,000 of the general fund—local appropriation are provided solely for accountable communities of health described in initiative 1 of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. In renewing this initiative, the authority shall consider local input regarding community needs and shall limit total local projects to no more than six. To provide transparency to the appropriate fiscal committees of the legislature, the authority shall provide fiscal staff of the legislature query ability into any database of the fiscal intermediary that authority staff would be authorized to access. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) (~~(\$438,515,000)~~) \$467,787,000 of the general fund—federal appropriation and (~~(\$179,111,000)~~) \$191,068,000 of the general fund—private/local appropriation are provided solely for the medicaid quality improvement program and this is the maximum amount that may be expended for this purpose. Medicaid quality improvement program payments do not count against the 1115 demonstration waiver spending limits and are excluded from the waiver's budget neutrality calculation. The authority may provide medicaid quality improvement program payments to apple health managed care organizations and their partnering providers as they meet designated milestones. Partnering providers and apple health managed care organizations must work together to achieve medicaid quality improvement program goals according to the performance period timelines and reporting deadlines as set forth by the authority. The authority may only use the medicaid quality improvement program to support initiatives 1, 2, and 3 as described in the 1115 demonstration waiver and may not pursue its use for other purposes. Any programs created or funded by the medicaid quality improvement program do not constitute an entitlement for clients or providers. The authority shall not supplement the amounts provided in this subsection with any general fund—state, general fund—federal, or general fund—local moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight not less than quarterly on financial and health outcomes. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) In collaboration with the accountable communities of health, the authority will submit a report to the governor and the joint select committee on health care oversight describing how each of the accountable community of health's work aligns with the community needs assessment no later than December 1, 2023.

(d) Performance measures and payments for accountable communities of health shall reflect accountability measures that demonstrate progress toward transparent, measurable, and meaningful goals that have an impact on improved population health and improved health outcomes, including a path to financial sustainability. While these goals may have variation to account for unique community demographics, measures should be standardized when possible.

(3) (~~(\$115,713,000)~~) \$87,665,000 of the general fund—federal appropriation and (~~(\$115,725,000)~~) \$87,666,000 of the general fund—local appropriation are provided solely for long-term support services as described in initiative 2 of the 1115 demonstration waiver as well as administrative expenses for initiative 3 and this is the maximum amount that may be expended for this purpose. The authority shall contract with and provide funding to the department of social and health services to administer initiative 2. The director in cooperation with the secretary of the department of social and health services shall report to the office of financial management all of the expenditures of this section and shall provide such fiscal data in the time, manner, and form requested. The authority shall not

supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section.

(4) (a) ~~(((\$54,912,000))~~\$46,450,000 of the general fund—federal appropriation and ~~(((\$30,162,000))~~\$21,432,000 of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its third-party administrator. The authority and the department, in consultation with the medical assistance expenditure forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) ~~((The authority and the department shall seek additional flexibilities for housing supports through the centers for medicare and medicaid services and shall coordinate with the office of financial management and the department of commerce to ensure that services are not duplicated.))~~\$28,156,000 of the general fund—federal appropriation and \$22,067,000 of the general fund—local appropriation are provided solely for additional housing supports described in the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) The director shall report to the joint select committee on health care oversight no less than quarterly on utilization and caseload statistics for both supportive housing and employment services and its progress toward increasing uptake and availability for these services.

(5) \$1,432,000 of the general fund—state appropriation for fiscal year 2024 and \$3,008,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported employment services and \$1,478,000 of the general fund—state appropriation for fiscal year 2024 and \$3,162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported housing services, similar to the services described in initiatives 3a and 3b of the 1115 demonstration waiver to individuals who are ineligible for medicaid. Under these initiatives, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its third-party administrator. Before authorizing services, eligibility for initiative 3a or 3b of the 1115 demonstration waiver must first be determined.

(6) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

(7) The legislature finds that medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(8) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

(9) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

(10) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

(11) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

(12) ~~(((\$4,176,000))~~\$4,261,000 of the general fund—state appropriation for fiscal year 2024, \$4,261,000 of the general fund—state appropriation for fiscal year 2025, and

((~~\$8,607,000~~)) \$8,522,000 of the general fund—federal appropriation are provided solely for low-income disproportionate share hospital payments.

(13) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

(14) \$7,000,000 of the general fund—federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

(15) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2023-2025 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2023, and by November 1, 2024, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2024 and fiscal year 2025, hospitals in the program shall be paid and shall retain 100 percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and 100 percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. For the purpose of determining the amount of any state grant under this subsection, payments will include the federal portion of medicaid program supplemental payments received by the hospitals. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2023-2025 biennial operating appropriations act and in effect on July 1, 2015, (b) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2019-2021 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within 11 months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. (~~(\$237,000 of the general fund state appropriation for fiscal year 2024 and \$218,000 of the general fund state appropriation for fiscal year 2025 are provided solely for state grants for the participating hospitals.)~~)

(16) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide ongoing support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

(17) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority

shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

(18) The authority shall submit reports to the governor and the legislature by September 15, 2023, and no later than September 15, 2024, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

(19) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

(20) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

(21) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(22) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$90,000 of the general fund—state appropriation for fiscal year 2025, and \$180,000 of the general fund—federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

(24) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(25) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

(26) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

(27) The authority shall use revenue appropriated from the dedicated cannabis account for contracts with community health centers under RCW 69.50.540 in lieu of general fund—state payments to community health centers for services provided to medical assistance clients, and it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(28) Beginning no later than July 1, 2018, for any service eligible under the medicaid state plan for encounter payments, managed care organizations at the request of a rural health clinic shall pay the full published encounter rate directly to the clinic. At no time will a managed care organization be at risk for or have any right to the supplemental portion of the claim. Payments will be reconciled on at least an annual basis between the managed care organization and the authority, with final review and approval by the authority.

(29) Sufficient amounts are appropriated in this section for the authority to provide a medicaid equivalent adult dental benefit to clients enrolled in the medical care service program.

(30) During the 2023-2025 fiscal biennium, sufficient amounts are provided in this section for the authority to provide services identical to those services covered by the Washington state family planning waiver program as of August 2018 to individuals who:

(a) Are 19 years of age;

(b) Are at or below 260 percent of the federal poverty level as established in WAC 182-505-0100;

(c) Are not covered by other public or private insurance; and

(d) Need family planning services and are not currently covered by or eligible for another medical assistance program for family planning.

~~((32))~~ (31) (a) The authority shall ensure that appropriate resources are dedicated to implementing the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report. Additionally, the authority shall:

(i) Work to ensure the efficient operations of the managed care plans, including but not limited to, a deconflicting process for audits with and among the managed care plans and the medicaid fraud division at the attorney general's office, to ensure the authority staff perform central audits of cases that appear across multiple managed care plans, versus the audits performed by the individual managed care plans or the fraud division;

(ii) Remain accountable for operating in an effective and efficient manner, including performing program integrity activities that ensure high value in the medical assistance program in general and in medicaid managed care specifically;

(iii) Work with its contracted actuary and the medical assistance expenditure forecast work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting; and

(iv) Work with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024, \$50,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the general fund—federal appropriation are provided solely for the authority to consider, as part of its program integrity activities, whether it is providing economical, efficient, and quality prescription drug services through its administrative services model and the quantifiable cost and benefit of this service delivery method. The authority must establish an annual reporting requirement for all covered entities participating in the 340B drug pricing program that receive medicaid funds under this section; and the authority shall provide at an aggregate level, broken down by covered entities defined by 42 U.S.C. §256b(a)(4)(A)-(O), the following minimum information to the governor and fiscal committees of the legislature no later than October 15, 2023:

(i) The cost and benefits of providing these prescription drug benefits through a carved-out fee-for-service benefit, both total cost and net of rebates;

(ii) The cost and benefits of providing these prescription drug benefits through a carved-in managed care benefit, both total cost and net of rebates;

(iii) The cost and benefits of providing these prescription drug benefits through the administrative services model, both total and net of rebates;

(iv) The community benefit attributable to 340B providers as a result of the administrative services or carved-in model as compared to each other and as compared to the carved-out model; and

(v) The federal financial participation provided to the state under each of these models.

(c) The authority shall submit a report to the governor and appropriate committees of the legislature by October 1, 2023, that includes, but is not limited to:

(i) Specific, quantified actions that have been taken, to date, related to the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report;

(ii) Specific, quantified information regarding the work done with its contracted actuary and the medical assistance expenditure forecast expenditure work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting;

(iii) Specific, quantified information regarding the work done with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner;

(iv) Accounting by fiscal year, medicaid eligibility group, and service beginning with state fiscal year 2020 to include all program integrity recoveries attributable to the authority, including how these recoveries are categorized, to which year they are reported, how these recoveries are applied against legislative savings requirements, and what recoveries are attributable to the office of the attorney general's medicaid fraud control division and how these recoveries are considered when reporting program integrity activity and determining managed care rates; and

(v) Information detailing when the agency acquired a new fraud and abuse detection system and to what extent this system is being utilized.

~~((33))~~ (32) (a) The authority shall not enter into any future value-based arrangements with federally qualified health centers or rural health clinics prior to receiving approval from the office of financial management and the appropriate committees of the legislature.

(b) The authority shall not modify the reconciliation process with federally qualified health centers or rural health clinics without notification to and the opportunity to comment from the office of financial management.

(c) The authority shall require all managed care organizations to provide information to the authority to account for all payments to rural health clinics and federally qualified health centers to include how payments are made, including any additional payments and whether there is a sub-capitation arrangement or value-based purchasing arrangement.

(d) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall reconcile on an annual basis with rural health clinics and federally qualified health centers.

(e) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall properly accrue for any anticipated reconciliations with rural health clinics and federally qualified health centers during the fiscal year close process following generally accepted accounting practices.

~~((34))~~ (33) Within the amounts appropriated in this section, the authority is to include allergen control bed and pillow covers as part of the durable medical equipment benefit for children with an asthma diagnosis enrolled in medical assistance programs.

~~((35) Within the amounts appropriated in this section, the authority shall reimburse for maternity services provided by doula-))~~ (34) \$23,000 of the general fund—state appropriation



for fiscal year 2024, \$324,000 of the general fund—state appropriation for fiscal year 2025, and \$469,000 of the general fund—federal appropriation are provided solely for the reimbursement of services provided by doulas for apple health clients consistent with utilization and uptake assumptions anticipated by the authority in its report to the legislature on December 1, 2020. The centers for medicare and medicaid services must approve a state plan amendment to reimburse for doula services prior to the implementation of this policy.

~~((36))~~ (35) Sufficient funds are provided in this section for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

~~((37))~~ (36) Sufficient funds are provided to continue reimbursing dental health aid therapists for services performed in tribal facilities for medicaid clients. The authority must leverage any federal funding that may become available as a result of appeal decisions from the centers for medicare and medicaid services or the United States court of appeals for the ninth circuit.

~~((38))~~ (37) Within the amounts appropriated in this section, the authority shall implement the requirements of RCW 74.09.830 (postpartum health care) and the American rescue plan act of 2021, P.L. 117-2, in extending health care coverage during the postpartum period. The authority shall make every effort to expedite and complete eligibility determinations for individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act to ensure the state is receiving maximum federal match. This includes, but is not limited to, working with managed care organizations to provide continuous outreach in various modalities until the individual's eligibility determination is completed. Beginning June 1, 2022, the authority must submit quarterly reports to the caseload forecast work group on the number of individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act but are waiting for the authority to complete eligibility determination, the number of individuals who were likely eligible but are now receiving health care coverage with the maximum federal match under Title XIX or Title XXI of the federal social security act, and outreach activities including the work with managed care organizations.

~~((39))~~ (38) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the perinatal support warm line to provide peer support, resources, and referrals to new and expectant parents and people in the emotional transition to parenthood experiencing, or at risk of, postpartum depression or other mental health issues.

~~((40))~~ (39) Sufficient funding is provided to remove the asset test from the medicare savings program review process.

~~((41))~~ (40) Sufficient funding is provided to eliminate the mid-certification review process for the aged, blind, or disabled and housing and essential needs referral programs.

~~((42))~~ (41) \$403,000 of the general fund—state appropriation for fiscal year 2025 and \$1,185,000 of the general fund—federal appropriation are provided solely for an adult acupuncture benefit beginning January 1, 2025.

~~((43))~~ (42) \$581,000 of the general fund—state appropriation for fiscal year 2025 and \$1,706,000 of the general fund—federal appropriation are provided solely for an adult chiropractic benefit beginning January 1, 2025.

~~((44))~~ (43) (a) \$4,109,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,055,000)~~ \$4,204,000 of the general fund—state appropriation for fiscal year 2025, and \$1,214,000 of the general fund—federal appropriation are provided solely for the authority to ~~((establish a two-year))~~ continue the grant program for reimbursement for services to patients up to age 18 provided by community health workers in primary care clinics whose patients are significantly comprised of pediatric patients enrolled in medical assistance under chapter 74.09 RCW ~~((beginning January 1, 2023))~~ until June 30, 2025. Community health workers may receive merit increases within this funding. Community health workers funded under this subsection may provide outreach, informal counseling, and social supports for health-related social needs. ~~((The authority shall seek a state plan amendment or federal demonstration waiver should they determine these services are eligible for federal matching funds.))~~ Within the amounts provided in this subsection, the authority will provide ~~((an initial report to the governor and appropriate committees of the legislature by January 1, 2024, and))~~ a final report by ~~((January 1, 2025))~~ June 30, 2025. The report shall include, but not be limited to ~~((the))~~ :

(i) The quantitative impacts of the grant program ~~((how))~~ ;

(ii) How many community health workers are participating in the grant program ~~((how))~~ ;

(iii) How many clinics these community health workers represent ~~((how))~~ ;

(iv) How many clients are being served ~~((and evaluation))~~ ;

(v) Evaluation of any measurable health outcomes identified in the planning period prior to January 2023; and

(vi) The number of children who received community health worker services between June 1, 2023, and June 30, 2024. For the children who received community health worker services within this period, the authority must compare the following data to children of the same ages and languages receiving coverage through apple health: Well-child visits; mental health services when a need is identified; and emergency department utilization.

(b) ~~((In collaboration with key stakeholders including pediatric primary care clinics and medicaid managed care organizations, the authority shall explore longer term, sustainable reimbursement options for the integration of community health workers in primary care to~~

~~address the health-related social needs of families, including approaches to incorporate federal funding-))~~ To the extent that funds are appropriated, the authority must establish a community health worker benefit under the medical assistance program, as codified at Title XIX of the federal social security act, the state children's health insurance program, as codified at Title XXI of the federal social security act, and any other federal funding sources that are now available or may become available, pursuant to approval from the center for medicare and medicaid services.

~~((45))~~ (44) \$1,635,000 of the general fund—state appropriation for fiscal year 2024, \$1,024,000 of the general fund—state appropriation for fiscal year 2025, and \$1,765,000 of the general fund—federal appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, for state programs within the health and human services coalition to uniformly identify clients across multiple service delivery systems. The coalition will clearly identify all state programs impacted by and all fund sources used in development and implementation of this project. This subsection is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((46))~~ (45) (a) Sufficient amounts are appropriated in this section for the authority to provide coverage for all federal food and drug administration-approved HIV antiviral drugs without prior authorization. This coverage must be provided to apple health clients enrolled in both fee-for-service and managed care programs.

(b) Beginning July 1, 2023, upon initiation or renewal of a contract with the authority to administer a medicaid managed care plan, a managed care health care system shall provide coverage without prior authorization for all federal food and drug administration-approved HIV antiviral drugs.

(c) By December 1, 2023, and December 1, 2024, the authority must submit to the fiscal committees of the legislature the projected and actual expenditures and percentage of medicaid clients who switch to a new drug class without prior authorization as described in (a) and (b) of this subsection.

~~((47))~~ (46) The authority shall consider evidence-based recommendations from the Oregon health evidence review commission when making coverage decisions for the treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome.

~~((48))~~ (47) \$2,120,000 of the general fund—state appropriation for fiscal year 2024, \$2,120,000 of the general fund—state appropriation for fiscal year 2025, and \$9,012,000 of the general fund—federal appropriation are provided solely to increase advanced life support code A0426 by 64 percent, basic life support base rates for nonemergency ambulance transports code A0428 by 80 percent, and mileage for both nonemergency and emergency ambulance transportation code A0425 by 35 percent, beginning July 1, 2023.

~~((49))~~ (48) \$2,047,000 of the general fund—state appropriation for fiscal year 2024, \$3,390,000 of the general fund—state appropriation for fiscal year 2025, and \$5,135,000 of the general fund—federal appropriation are provided solely to increase reimbursement rates by 20 percent for applied behavior analysis codes 0362T and 0373T for individuals with complex behavioral health care needs; and by 15 percent for all other applied behavior analysis codes with the exception of Q3014, beginning January 1, 2024.

~~((50))~~ (49) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$1,992,000 of the general fund—federal appropriation are provided solely for modular replacement costs of the ProviderOne pharmacy point of sale system and are subject to the conditions, limitations, and review provided in section 701 of this act.

~~((51))~~ (50) \$709,000 of the general fund—state appropriation for fiscal year 2024, \$1,410,000 of the general fund—state appropriation for fiscal year 2025, and \$4,075,000 of the general fund—federal appropriation are provided solely to maintain and increase access for behavioral health services through increased provider rates. The rate increases are effective January 1, 2024, and must be applied to the following codes for children and adults enrolled in the medicaid program: 90785, 90791, 90832, 90833, 90834, 90836, 90837, 90838, 90845, 90846, 90847, 90849, 90853, 96156, 96158, 96159, 96164, 96165, 96167, 96168, 96170, 96171, H0004, H0023, H0036, and H2015. The authority may use a substitute code in the event that any of the codes identified in this subsection are discontinued and replaced with an updated code covering the same service. Within the amounts provided in this subsection the authority must:

(a) Implement this rate increase in accordance with the process established in RCW 71.24.885 (medicaid rate increases);

(b) Raise the state fee-for-service rates for these codes by up to 7 percent, except that the state medicaid rate may not exceed the published medicare rate or an equivalent relative value unit rate if a published medicare rate is not available;

(c) Require in contracts with managed care organizations that, beginning January 2024, managed care organizations pay no lower than the fee-for-service rate for these codes, and adjust managed care capitation rates accordingly; and

(d) Not duplicate rate increases provided in subsection ~~((52))~~ (51) of this section.

~~((52))~~ (51) \$1,055,000 of the general fund—state appropriation for fiscal year 2025 and \$2,046,000 of the general fund—federal appropriation are provided solely to maintain and increase access for primary care services for medicaid-enrolled patients through increased provider rates beginning January 1, 2025. Within the amounts provided in this subsection the authority must:

(a) Increase the medical assistance rates for adult primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as

well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(b) Increase the medical assistance rates for pediatric primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(c) Increase the medical assistance rates for pediatric critical care, neonatal critical care, and neonatal intensive care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(d) Apply reimbursement rates required under this subsection to payment codes in a manner consistent with the temporary increase in medicaid reimbursement rates under federal rules and guidance in effect on January 1, 2014, implementing the patient protection and affordable care act, except that the authority may not require provider attestations;

(e) Pursue state plan amendments to require medicaid managed care organizations to increase rates under this subsection through adoption of a uniform percentage increase for network providers pursuant to 42 C.F.R. Sec. 438.6(c)(1)(iii)(B), as existing on January 1, 2023; and

(f) Not duplicate rate increases provided in subsection ~~((451))~~(50) of this section.

~~((453))~~(52) The authority shall seek a waiver from the federal department of health and human services necessary to implement the requirements of RCW 74.09.670 (medical assistance benefits—incarcerated or committed persons—suspension). Additionally, the authority shall ~~((explore expanding))~~implement its waiver application for prerelease services ~~((from 30))~~up to 90 days; and provide the governor and fiscal committees of the legislature estimates of costs for implementation or maintenance of effort requirements of this expansion prior to entering into agreement with the centers for medicare and medicaid services.

(a) \$124,000 of the general fund—state appropriation for fiscal year 2025, \$60,925,000 of the general fund—federal appropriation, and \$60,785,000 of the general fund—private/local appropriation are provided solely for prerelease services including, but not limited to, case management, clinical consultations, medication assisted therapy, community health worker services, 30-day supply of medications, durable medical equipment, medications, laboratory services, and radiology services.

(b) The authority shall coordinate with the department of corrections for prison reentry implementation pursuant to the waiver terms. The authority will coordinate with tribes, other state agencies, and jail administrations as necessary to achieve the terms of the 1115 medicaid transformation waiver. The authority shall use its statutory reentry advisory work group and subgroups as necessary to coordinate with partners to achieve these goals.

~~((454))~~(53) Within the amounts appropriated in this section the authority in collaboration with UW Medicine shall explore funding options for clinical training programs including, but not limited to, family medical practice, psychiatric residencies, advanced registered nurse practitioners, and other primary care providers. Options should include, but not be limited to, shifting direct medicaid graduate medical education payments or indirect medicaid graduate medical education payments, or both, from rates to a standalone program. The authority in collaboration with UW Medicine shall submit a report outlining its findings to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023.

~~((455))~~(54) \$143,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((456))~~(55) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5532 (small rural hospital payment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((457))~~(56) \$56,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$166,000 of the general fund—federal appropriation are provided solely for the authority to increase pediatric palliative care rates to the equivalent medicare rates paid for hospice care in effect October 1, 2022, beginning January 1, 2024.

~~((458))~~(57) \$598,000 of the general fund—state appropriation for fiscal year 2024 and \$591,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for work required of the authority as specified in RCW 41.05.840 (universal health care commission). Of the amounts provided in this subsection:

(i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are for staff dedicated to contract procurement, meeting coordination, legislative reporting, federal application requirements, and administrative support;

(ii) \$132,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are for additional staff dedicated to the work of the finance technical advisory committee; and

(iii) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are for consultant services, dedicated actuarial support, and economic modeling.

~~((59))~~ (58) \$2,395,000 of the general fund—state appropriation for fiscal year 2024, \$2,395,000 of the general fund—state appropriation for fiscal year 2025, and \$10,178,000 of the general fund—federal appropriation are provided solely to increase air ambulance—fixed wing code A0430 by 189 percent, air ambulance—rotary wing code A0431 by 265 percent, fixed wing air mileage code A0435 by 57 percent, and rotary wing air mileage code A0436 by 68 percent, beginning July 1, 2023.

~~((60))~~ (59) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$218,000 of the general fund—federal appropriation are provided solely for the authority to increase the allowable number of periodontal treatments to up to four per 12 month period for apple health eligible adults, ages 21 and over, with a current diagnosis of diabetes, beginning January 1, 2024.

~~((61))~~ (60) (a) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one-time bridge grants to hospitals in financial distress.

(b) To qualify for these grants, a hospital must:

(i) Be located in Washington;

(ii) Serve individuals enrolled in state and federal medical assistance programs;

(iii) Continue to maintain a medicaid population at similar utilization levels as in calendar year 2022;

(iv) Be necessary for an adequate provider network for the medicaid program;

(v) Demonstrate a plan for long-term financial sustainability; and

(vi) Meet one of the following criteria:

(A) Lack adequate cash-on-hand to remain financially solvent;

(B) Have experienced financial losses during hospital fiscal year 2022; or

(C) Be at risk of bankruptcy.

(c) Of the amounts ~~((appropriated))~~ provided in this subsection for fiscal year 2024, \$4,000,000 must be distributed to a hospital that meets the qualifications in subsection (b) and is located on tribal land.

(d) Of the amounts provided in this subsection for fiscal year 2025, \$1,360,000 must be distributed to a hospital that:

(i) Has had fewer than 150 acute care licensed beds in fiscal year 2011;

(ii) Has a level III adult trauma service designation from the department of health as of January 1, 2014; and

(iii) Is owned and operated by the state or a political subdivision.

~~((62))~~ (61) (a) Sufficient funds are provided in this section for an outpatient directed payment program.

(b) The authority shall:

(i) Maintain the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to expand the medicaid outpatient directed payment program for hospital outpatient services provided to medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;

(iii) Direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and

(iv) Increase medicaid payments for hospital outpatient services provided by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.

(c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.

(d) Participating hospitals shall retain the full amount of payments provided under this program.

~~((63))~~ (62) (a) No more than \$200,661,000 of the general fund—federal appropriation and no more than \$91,430,000 of the general fund—local appropriation may be expended for an inpatient directed payment program.

(b) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid inpatient directed payment program for hospital inpatient services provided to medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;

(iii) Upon approval, direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and

(iv) Increase medicaid payments for hospital inpatient services provided by UW Medicine and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.

(c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.

(d) Participating hospitals shall retain the full amount of payments provided under this program.

(e) Participating hospitals will provide the local funds to fund the required nonfederal contribution.

(f) This program shall be effective as soon as administratively possible.

~~((64))~~ (63) Within the amounts appropriated in this section, the authority shall maintain and increase access for family planning services for patients seeking services through department of health sexual and reproductive health program family planning providers based on the rates in effect as of July 1, 2022.

~~((65))~~ (64) (a) ~~(((\$9,563,000))~~ \$5,063,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$12,727,000))~~ \$17,227,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to implement a ~~((five-site))~~ pilot program for difficult to discharge individuals as described in ~~((section 135(12) of this act))~~ section 133(11) of this act.

(b) The authority shall work in collaboration with the contractor and task force identified in ~~((section 135(12) of this act))~~ section 133(11) of this act to carry out the goals and objectives of the pilot program, including but not limited to:

(i) Providing enhanced care management and wraparound services that shall be provided by or delegated by managed care pilot participants, based on services currently provided by the Harborview medical center program;

(ii) Providing incentive payments to participating post acute care providers;

(iii) Developing home and community services assessment timeliness requirements for pilot participants in cooperation with the department of social and health services; and

(iv) Providing reimbursement for administrative support through Harborview medical center for the duration of the pilot project, including training and education to support pilot participants.

(c) Of the amounts provided in this subsection, \$44,000 of the general fund—state appropriation for fiscal year 2024, \$42,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to provide staff support to the difficult to discharge task force described in ~~((section 135(12) of this act))~~ section 133(11) of this act, including any associated ad hoc subgroups.

~~((66))~~ (65) (a) Within the amounts appropriated in this section the authority, in consultation with the health and human services enterprise coalition, community-based organizations, health plans, accountable communities of health, and safety net providers, shall determine the cost and implementation impacts of a statewide community information exchange (CIE). A CIE platform must serve as a tool for addressing the social determinants of health, defined as nonclinical community and social factors such as housing, food security, transportation, financial strain, and interpersonal safety, that affect health, functioning, and quality-of-life outcomes.

(b) Prior to issuing a request for proposals or beginning this project, the authority must work with stakeholders in (a) of this subsection to determine which platforms already exist within the Washington public and private health care system to determine interoperability needs and fiscal impacts to both the state and impacted providers and organizations that will be using a single statewide community information exchange platform.

(c) The authority shall provide the office of financial management and fiscal committees of the legislature a proposal to leverage medicaid enterprise financing or other federal funds prior to beginning this project and shall not expend funds under a 1115 waiver or any other waiver without legislative authorization.

(d) ~~((This subsection))~~ \$4,817,000 of the general fund—federal appropriation and \$4,817,000 of the general fund—private/local appropriation are provided solely for the authority to implement the community information exchange program. The technology solution chosen by the health care authority should be capable of interoperating with other state-funded systems in Washington and should be able to electronically refer individuals to services using a closed-loop referral process. Funding for the community information exchange program is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((67))~~ (66) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$252,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to data review, analysis, and management, and policy analysis in support of the health care cost transparency board as described in chapter 70.390 RCW.

~~((68))~~ (67) \$76,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, \$152,000 of the general fund—federal appropriation, and \$606,000 of the telebehavioral health access account—state appropriation are provided solely for additional staff support for the mental health referral service for children and teens.

~~((69))~~ (68) \$1,608,000 of the general fund—state appropriation for fiscal year 2024, \$2,015,000 of the general fund—state appropriation for fiscal year 2025, and \$3,681,000 of the general fund—federal appropriation are provided solely for a rate increase for the health homes program for fee-for-service enrollees, beginning July 1, 2023.

~~((70))~~ (69) \$295,000 of the general fund—state appropriation for fiscal year 2024, \$307,000 of the general fund—state appropriation for fiscal year 2025, and \$123,000 of the general fund—federal appropriation are provided solely for the first approach skills training program through the partnership access line.

~~((71))~~ (70) (a) ~~(((\$358,000))~~ \$362,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$358,000))~~ \$482,000 of the general fund—state appropriation for fiscal year

2025, and ~~((\$568,000))~~ \$895,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization) and the center for medicare and medicaid services' interoperability and prior authorization final rule (CMS-0057-F). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) The authority, in collaboration with managed care organizations, must provide a report to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023, outlining any challenges experienced by carriers in hiring sufficient numbers and types of staff to comply with the prior authorization response times required by Engrossed Second Substitute House Bill No. 1357 (prior authorization).

~~((+72))~~ (71) \$9,369,000 of the general fund—state appropriation for fiscal year 2025 and \$22,611,000 of the general fund—federal appropriation are provided solely for an increase in medicaid reimbursement rates for professional services, beginning July 1, 2024, as follows:

(a) Service categories including diagnostics, intense outpatient, opioid treatment programs, emergency room, inpatient and outpatient surgery, inpatient visits, low-level behavioral health, office administered drugs, and other physician services are increased up to 50 percent of medicare rates.

(b) Service categories including office and home visits and consults are increased up to 65 percent of medicare rates.

(c) Service categories including maternity services are increased up to 100 percent of medicare rates.

~~((+73))~~ ~~\$21,606,000~~ (72) \$11,624,000 of the statewide 988 behavioral health crisis response line account—state appropriation and ~~((\$2,946,000))~~ \$1,151,000 of the general fund—federal appropriation are provided solely for the 988 technology platform implementation project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act ~~((and any requirements as established in Engrossed Second Substitute House Bill No. 1134 (988 system))).~~

~~((+74))~~ (73) \$969,000 of the general fund—state appropriation for fiscal year 2024, \$1,938,000 of the general fund—state appropriation for fiscal year 2025, and \$3,024,000 of the general fund—federal appropriation are provided solely for the authority, beginning January 1, 2024, to increase the children's dental rate for procedure code D1120 by at least 40 percent above the medical assistance fee-for-service rate in effect on January 1, 2023.

~~((+75))~~ (74) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the nonprofit foundation managing the Washington patient safety coalition to support the communication and resolution programs certification program to improve outcomes for patients by providing in-depth feedback to health care organizations.

~~((+76))~~ (75) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a public-private partnership with a state-based oral health foundation to connect medicaid patients to dental services and reduce barriers to accessing care. The authority shall submit a progress report to the appropriate committees of the legislature by June 30, 2024.

~~((+77))~~ (76) \$103,000 of the general fund—state appropriation for fiscal year 2024, \$205,000 of the general fund—state appropriation for fiscal year 2025, and \$442,000 of the general fund—federal appropriation are provided solely to increase birth center facility fee reimbursement to \$2,500 and home birth kit reimbursement to \$500 for providers approved by the authority within the planned home births and births in birth centers program.

~~((+78))~~ (77) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$45,000 of the general fund—state appropriation for fiscal year 2025, and \$133,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1435 (home care safety net assess.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~((+79))~~ (78) \$194,000 of the general fund—state appropriation for fiscal year 2024, \$1,724,000 of the general fund—state appropriation for fiscal year 2025 and \$1,918,000 of the general fund—federal appropriation are provided solely for the authority in coordination with the department of social and health services to develop and implement a Katie Beckett 1115 demonstration waiver. The authority shall limit enrollment to 1,000 clients during the waiver period. Based upon the experience developed during the waiver period, the authority shall make recommendations to the legislature for a future tax equity and fiscal responsibility act state plan option.

~~((+80))~~ (79) \$1,089,000 of the general fund—state appropriation for fiscal year 2024, \$2,231,000 of the general fund—state appropriation for fiscal year 2025, and \$2,657,000 of the general fund—federal appropriation are provided solely for kidney dialysis services for medicaid-enrolled patients through increased reimbursement rates beginning January 1, 2024. Within the amounts provided in this subsection, the authority must increase the medical assistance rates for revenue code 0821 billed with procedure code 90999 and revenue codes 0831, 0841, and 0851, when reimbursed on a fee-for-service basis or through managed care plans, by at least 30 percent above the fee-for-service composite rates in effect on January 1, 2023.

~~((+81))~~ (80) \$1,360,000 of the general fund—state appropriation for fiscal year 2024 and \$3,252,000 of the general fund—federal appropriation are provided solely to increase the rates paid to rural hospitals that meet the criteria in (a) through (d) of this subsection. Payments for state and federal medical assistance programs for services provided by such a

hospital, regardless of the beneficiary's managed care enrollment status, must be increased to 150 percent of the hospital's fee-for-service rates. The authority must discontinue this rate increase after June 30, 2024, and return to the payment levels and methodology for these hospitals that were in place as of January 1, 2018. Hospitals participating in the certified public expenditures program may not receive increased reimbursement for inpatient services. Hospitals qualifying for this rate increase must:

(a) Be certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2014;

(b) Have had less than 150 acute care licensed beds in fiscal year 2011;

(c) Have a level III adult trauma service designation from the department of health as of January 1, 2014; and

(d) Be owned and operated by the state or a political subdivision.

~~((82))~~ (81) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with a medicaid managed care organization for continuous coverage beginning January 1, 2024, for individuals under age 26 that were enrolled in the unaccompanied refugee minor program as authorized by the office of refugee and immigrant assistance. There are no residency, social security number, or citizenship requirements to receive the continuous coverage as described in this subsection.

~~((83))~~ (82) (a) ~~(\$45,696,000)~~ \$221,000 of the general fund—state appropriation for fiscal year 2024 and \$71,037,000 of the general fund—state appropriation for fiscal year 2025 ~~(is)~~ are provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

(i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit exchange;

(ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and

(iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amounts provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

(i) Actual and forecasted expenditures;

(ii) Actual and forecasted data from the caseload forecast council; and

(iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount allowable for the purposes of this program.

~~((84))~~ (83) (a) \$604,000 of the general fund—state appropriation for fiscal year 2024, \$2,528,000 of the general fund—state appropriation for fiscal year 2025, and \$3,132,000 of the general fund—federal appropriation are provided solely for the authority to increase the eligibility threshold for the qualified medicare beneficiary program to up to 110 percent of the federal poverty level.

(b) The authority shall seek to maximize the availability of the qualified individual program through the centers for medicare and medicaid services.

(c) The authority may adopt any rules necessary to administer this subsection. Nothing in this subsection limits the authority's existing rule-making authority related to medicare savings programs.

~~((85))~~ (84) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$766,000 of the general fund—state appropriation for fiscal year 2025, and \$2,093,000 of the general fund—federal appropriation are provided solely for the costs of, and pursuant to the conditions prescribed for, implementing the rate increase directed in section 215(44) for children for whom base funding for community behavioral health services is provided within this section.

(85) \$4,131,000 of the general fund—state appropriation for fiscal year 2025 and \$6,225,000 of the general fund—federal appropriation are provided solely for the authority to increase the nonemergency medical transportation broker administrative rate and reimburse for unloaded transports greater than 25 miles to ensure access to health care services for medicaid patients.

(86) Within the amounts appropriated in this section, the authority shall make administrative and system changes in anticipation of receiving federal authority to provide continuous eligibility for children ages zero to six covered through the apple health children's health insurance program. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

(87) \$2,500,000 of the general fund—state appropriation for fiscal year 2025 and \$2,500,000 of the general fund—federal appropriation are provided solely for the authority to:

(a) Increase screening reimbursement rates for primary care providers, beginning January 1, 2025, for postnatal, child, and adolescent mental health screenings sufficient to provide follow up and coordination in primary care settings for children aged 0-21 years and their families, per the American academy of pediatrics' bright futures guidelines; and

(b) To implement a funding mechanism using code G0136 for a social determinants of health risk assessment benefit for children and their families.

(88) \$91,000 of the general fund—state appropriation for fiscal year 2025 and \$91,000 of the general fund—federal appropriation are provided solely to increase funding for the existing contract with the University of Washington to support primary care providers that are designated as an autism spectrum disorder (ASD) center of excellence.

(89) \$500,000 of the general fund—state appropriation for fiscal year 2025 and \$500,000 of the general fund—federal appropriation are provided solely for the authority to contract with access to baby and child dentistry local programs for the purpose of maintaining and expanding capacity for local program coordinators.

(90) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Bree collaborative to support collaborative learning and targeted technical assistance for quality improvement initiatives.

(91) \$50,000 of the general fund—state appropriation for fiscal year 2025 and \$450,000 of the general fund—federal appropriation are provided solely for the authority to contract for the development of an application programming interface or software to streamline eligibility and provider payments for the foundational community supports program. In developing the software design, the authority must consult with current and prospective foundational community supports providers. A report on the status of implementation and an end-user satisfaction survey shall be submitted to the office of financial management and appropriate committees of the legislature by December 1, 2024.

(92)(a) \$1,301,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the health care cost transparency board and the implementation of Second Engrossed Substitute House Bill No. 1508 (health care cost board).

(b) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the health care cost transparency board, in conjunction with the health care authority, to study:

(i) Regulatory approaches to encouraging compliance with the health care cost growth benchmark established under chapter 70.390 RCW; and

(ii) Best practices from other states regarding the infrastructure of state health care cost growth programs, including the scope, financing, staffing, and agency structure of such programs.

(c) The board may conduct all or part of the study through the authority, by contract with a private entity, or by arrangement with another state agency conducting related work.

(d) The study, as well as any recommendations for changes to the health care cost transparency board arising from the study, must be submitted by the board as part of the annual report required under RCW 70.390.070, no later than December 1, 2024.

(93)(a) No more than \$42,809,000 of the general fund—federal appropriation and no more than \$13,314,000 of the general fund—local appropriation may be expended for a medicaid managed care multidisciplinary graduate medical education direct payment program.

(b) Participating hospitals are:

(i) The University of Washington medical center, a state-owned and operated teaching hospital; and

(ii) Harborview medical center, a state-operated teaching hospital.

(c) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid managed care direct payment program for hospital multidisciplinary graduate medical education program for state-owned and state-operated teaching hospitals;

(iii) Reimburse participating hospitals for the medicaid managed care program's share of the unfunded costs incurred in providing graduate medical education training; and

(iv) Make payments directly to participating hospitals.

(d) Participating hospitals shall continue to be paid for inpatient and outpatient services provided to fee-for-service clients according to fee-for-service policies and rates, including payments under the certified public expenditure program.

(e) Payments shall be additional and separate from any graduate medical education funding included in managed care capitation payments.

(f) The authority shall calculate the medicaid managed care graduate medical education direct payments using cost and utilization data from the participating hospital's most recently filed medicare cost report to identify the participating hospital's total graduate medical education cost.

(g) Total allowable graduate medical education costs shall be calculated using medicare methodologies and must:

(i) Exclude medicare full-time equivalent and per resident amount limits;



- (ii) Include indirect medical education costs related to both outpatient and inpatient services; and
- (iii) Include other reimbursable training costs incurred by participating hospitals.
- (h) The authority shall:
- (i) Use ProviderOne as the primary source for fee-for-service and managed care claims and encounter data;
- (ii) Calculate the medicaid managed care program's share of the total allowable graduate medical education cost as the participating hospital's total allowable graduate medical education cost, as derived from the medicare cost report, multiplied by the total managed care charges divided by total medicaid fee-for-service charges plus managed care charges, as derived from ProviderOne data;
- (iii) Reduce the medicaid managed care graduate medical education direct payments by the fee-for-service equivalent graduate medical education payment included in managed care organization payments by applying the fee-for-service APR-DRG and EAPG conversion factors and rate adjustments applicable to the same year as the medicare cost report used to calculate allowable graduate medical education costs; and
- (iv) Calculate the medicaid managed care graduate medical education direct payments as graduate medical education allowable cost less fee-for-service equivalent graduate medical education payment for managed care services.
- (i) Medicaid managed care graduate medical education direct payments must be calculated prior to the beginning of the payment year.
- (j) Medicaid managed care graduate medical education direct payments must be made quarterly.
- (k) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals up to an amount not to exceed \$150,000 per year.
- (l) Participating hospitals shall retain the full amount of payments provided under this program.
- (m) Payments received by hospitals and nonhospital participants in this program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.
- (n) Participating hospitals shall provide local funds to fund the required nonfederal contribution through intergovernmental transfer.
- (o) The authority shall amend its current interagency agreement for funding and administration of similar programs to include the medicaid managed care graduate medical education direct payment program.
- (p) This program shall be effective as soon as administratively possible.
- (94)(a) \$7,000,000 of the family medicine workforce development account—state appropriation and \$12,834,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the family medicine residency network and UW Medicine, to establish a medicaid direct payment program to supplement family medicine provider graduate medical education funding in Washington state.
- (b) The medicaid family medicine graduate medical education direct payment program shall:
- (i) Support graduate medical education training;
- (ii) Improve access to quality health care services;
- (iii) Improve the state's ability to ensure that medicaid graduate medical education funding supports the state's workforce development goals; and
- (iv) Focus on improving underserved populations' and regions' access to health care.
- (c) The medicaid family medicine graduate medical education direct payment program participants must include teaching sites that pay resident full-time equivalent costs that are eligible for federal financial participation.
- (d) The authority shall seek any necessary state plan amendments or waivers from the centers for medicare and medicaid services that are necessary to implement this program and receive federal financial participation at the earliest possible date, but no later than January 1, 2025.
- (e) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the medicaid family medicine graduate medical education direct payment program up to an amount not to exceed \$100,000 per year.
- (f) The family medicine family education advisory board created in RCW 70.112.080 shall have administrative oversight, including over the amount and methodologies used to distribute funds deposited within the family medicine workforce development account, subject to the conditions described in this subsection.
- (g) Of the amounts provided in this section, \$150,000 of the family medicine workforce development account—state appropriation is provided for consultant assistance, including program design and a payment model to estimate the effect of family medicine family education advisory board allocation decisions on all family medicine residency network participants.
- (h) Annual allocations from the family medicine workforce development account—state appropriation shall be determined by the family medicine family education advisory board.
- (i) Participants in the medicaid family medicine graduate medical education direct payment program shall retain the full amount of payments provided under this program.
- (j) Payments received by participants in the medicaid family medicine graduate medical education direct payment program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.

(95) \$314,000 of the long-term services and supports trust—state appropriation is provided solely for implementation of Substitute House Bill No. 2467 (LTSS trust access). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(96) \$23,000 of the general fund—state appropriation for fiscal year 2025 and \$20,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed House Bill No. 2041 (physician assistant practice). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(97) \$206,000 of the general fund—state appropriation for fiscal year 2025 and \$137,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1941 (home health serv./children). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(98) The authority and department of social and health services shall collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments for the treatment facility described in section 203(1)(nn) of this act.

(99) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to by and for immigrant-led organizations to provide community-embedded trusted messengers and navigators to educate communities about health coverage programs for undocumented immigrants and to provide enrollment support for those seeking access to health coverage and services through the program as outlined in subsection (82) of this section or a qualified health plan through the Washington healthplanfinder. The trusted messengers and navigators must be representative of the diverse undocumented communities in Washington. These grants must be distributed to by and for immigrant-led community groups with proportional statewide geographic representation and language access interpretation support for the population needs where undocumented communities are concentrated. For purposes of this subsection, "by and for organization," means an organization where leadership and staff belong to the same community they serve.

Sec. 212. 2023 c 475 s 212 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—PUBLIC EMPLOYEES' BENEFITS BOARD AND EMPLOYEE BENEFITS PROGRAM**

State Health Care Authority Administrative Account—

State Appropriation. . . . .	((\$44,102,000))
	\$44,787,000
TOTAL APPROPRIATION.....	((\$44,102,000))
	\$44,787,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Any savings from reduced claims costs must be reserved for funding employee benefits during future fiscal biennia and may not be used for administrative expenses. The health care authority shall deposit any moneys received on behalf of the uniform medical plan resulting from rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys received as a result of prior uniform medical plan claims payments, in the public employees' and retirees' insurance account to be used for insurance benefits.

(2) Any changes to benefits must be approved by the public employees' benefits board. The board shall not make any changes to benefits without considering a comprehensive analysis of the cost of those changes, and shall not increase benefits unless offsetting cost reductions from other benefit revisions are sufficient to fund the changes. The board shall not make any change in retiree eligibility criteria that reestablishes eligibility for enrollment in retiree benefits.

(3) Except as may be provided in a health care bargaining agreement pursuant to RCW 41.80.020, to provide benefits within the level of funding provided in part IX of this bill, the public employees' benefits board shall require: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or make other changes to benefits consistent with RCW 41.05.065.

(4) The board shall collect a surcharge payment of not less than \$25 dollars per month from members who use tobacco products, and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(5) \$78,000 of the health care authority administrative account—state appropriation is provided solely for administrative costs associated with extending retiree coverage under Substitute House Bill No. 1804 (PEBB/subdivision retirees). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(6) \$500,000 of the state health care authority administrative account—state appropriation is provided solely for consultation with retirees, including conducting listening sessions and facilitating public forums to gather feedback about retiree needs. By December 1, 2023, the authority must report to the legislature with its findings, including an analysis of government self-insured plans with benefits that are equal to or richer, and with more affordable premiums, than uniform medical plan classic medicare. The legislature intends that the results of stakeholder engagements will be used to inform future health care plan selections.

(7) During the 2023-2025 fiscal biennium, the health care authority, in consultation with the office of financial management, shall review consolidating the administrative sections of the operating budget for the public employees' and school employees' benefits boards. Any change in budget structure must not result in changes to board or benefit policies. A budget structure change developed under this subsection may be included in the 2024 supplemental or the 2025-2027 biennial governor's budget submittal without being subject to the legislative evaluation and accountability program committee approval under RCW 43.88.030(7).

(8) \$100,000 of the health care authority administrative account—state appropriation is provided solely for a study on consolidating the public employees' benefits board (PEBB) and school employees' benefits board (SEBB) programs. By December 1, 2024, the authority must report to the legislature the necessary statutory and program changes required to achieve consolidation of:

- (a) The public employees' benefits board and school employees' benefits board into a single governing board;
- (b) The current risks pools described in RCW 41.05.022 (2) and (3);
- (c) The existing eligibility provisions of the PEBB and SEBB programs; and
- (d) Benefit offerings into more uniform plans.

**Sec. 213.** 2023 c 475 s 213 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—SCHOOL EMPLOYEES' BENEFITS BOARD**

School Employees' Insurance Administrative Account—

State Appropriation. . . . .	(( <del>\$33,743,000</del> ))
	\$33,745,000
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$33,743,000</del>))</b>
	<b>\$33,745,000</b>

The appropriation in this section is subject to the following conditions and limitations: \$324,000 of the school employees' insurance administrative account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5275 (SEBB benefit access). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse-))

**Sec. 214.** 2023 c 475 s 214 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—HEALTH BENEFIT EXCHANGE**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$8,242,000</del> ))
	\$9,671,000
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$6,472,000</del> ))
	\$7,156,000
General Fund—Federal Appropriation. . . . .	(( <del>\$61,983,000</del> ))
	\$70,768,000
Education Legacy Trust Account—State Appropriation. . . . .	\$350,000
Health Benefit Exchange Account—State Appropriation. . . . .	(( <del>\$76,214,000</del> ))
	\$83,603,000
State Health Care Affordability Account—State Appropriation. . . . .	(( <del>\$110,000,000</del> ))
	\$125,000,000
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$263,261,000</del>))</b>
	<b>\$296,548,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(2)(a) By July 15th, October 15th, and January 15th of each year, the authority shall make a payment of ~~((one-half))~~ 30 percent of the general fund—state appropriation, ~~((one-half))~~ 30 percent of the health benefit exchange account—state appropriation, and ~~((one-half))~~ 30 percent of the health care affordability account—state appropriation to the exchange. By April 15th of each year, the authority shall make a payment of 10 percent of the general fund—state appropriation, 10 percent of the health benefit exchange account—state appropriation, and 10 percent of the health care affordability account—state appropriation to the exchange.

(b) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier assessments to ensure expenditures do not exceed actual revenues.

(c) Payments made from general fund—state appropriation and health benefit exchange account—state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(3) \$1,939,000 of the health benefit exchange account—state appropriation and \$6,189,000 of the general fund—federal appropriation are provided solely for the modernizing healthplanfinder project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act.

(4) (a) (~~(\$100,000,000)~~) \$115,000,000 of the state health care affordability account—state appropriation is provided solely for the exchange to administer a premium assistance program, beginning for plan year 2023, as established in RCW 43.71.110. An individual is eligible for the premium assistance provided if the individual: (i) Has income up to 250 percent of the federal poverty level; and (ii) meets other eligibility criteria as established in RCW 43.71.110(4)(a).

(b) \$260,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a study, in consultation with the health care authority and office of the insurance commissioner, of how the exchange's current section 1332 waiver could be amended to generate federal pass-through funding to support the affordability programs established in RCW 43.71.110. The actuarial study must focus on methods that could be most readily leveraged in Washington, considering those being used in other public option programs. Study findings must be reported to the appropriate committees of the legislature by December 1, 2023.

(5) \$10,000,000 of the state health care affordability account—state appropriation is provided solely to provide premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in subsection (4)(a) of this section, and is contingent upon continued approval of the applicable waiver described in RCW 43.71.120.

(6) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$865,000 of the general fund—federal appropriation, and \$123,000 of the health benefit exchange account—state appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, in Healthplanfinder to support the health and human services coalition in uniformly identifying clients across multiple state service delivery systems. These amounts are subject to the conditions, limitations, and review requirements of section 701 of this act.

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the exchange, in collaboration with the department of social and health services and the home training network as described in RCW 70.128.305, to provide educational resources and trainings to help connect owners and employees of adult family homes to health care coverage.

(8) \$299,000 of the general fund—state appropriation for fiscal year 2024, \$299,000 of the general fund—state appropriation for fiscal year 2025, and \$202,000 of the general fund—federal appropriation are provided solely for pass-through funding in the annual amount of \$100,000 for each lead navigator organization in the four regions with the highest concentration of citizens of the compact of free association (COFA) to:

(a) Support a staff position within the COFA community to provide enrollment assistance to the COFA community beyond the scope of the current COFA program; and

(b) Support COFA community-led outreach and enrollment activities.

(9) (a) \$300,000 of the health benefit exchange account—state appropriation is provided solely for staff and consultants to complete a study of options and recommendations for the state to ensure continuous health care coverage through qualified health plans for medicaid beneficiaries losing medicaid coverage through Washington Healthplanfinder. In coordination with the health care authority and department of social and health services, the study must include, but not be limited to:

(i) An analysis of transitional solutions used in other states to continue coverage for individuals losing medicaid eligibility;

(ii) In coordination with the department of social and health services' research and data analysis division, an analysis of monthly enrollment rates for persons who are determined no longer eligible for medicaid, including demographic and employment information, and those who enroll in qualified health plans, including demographic and employment information; and

(iii) A feasibility analysis of auto-enrolling clients that lose medicaid eligibility and are eligible for a no-premium qualified health plan through Washington Healthplanfinder.

(b) The study must be submitted to the office of financial management and appropriate committees of the legislature by December 31, 2024.

(10) (a) \$3,372,000 of the general fund—federal appropriation is provided solely for the exchange to administer a state health insurance premium assistance program for employees working in a licensed child care facility beginning May 1, 2024.

(b) An individual is eligible for the child care premium assistance program if the individual:

(i) Is an employee working in a licensed child care facility as identified by the department of children, youth, and families;

(ii) Enrolls in a silver standardized health plan under RCW 43.71.095;

(iii) Has income that is less than 300 percent of the federal poverty level;

(iv) Applies for and accepts all federal advance premium tax credits for which they may be eligible before receiving any state premium assistance;

(v) Is not enrolled in minimum essential coverage through medicare and is ineligible for minimum essential coverage through a federal or state medical assistance program; and

(vi) Meets other eligibility criteria as established by the exchange.

(c) Subject to the availability of amounts appropriated for this specific purpose, the exchange shall pay the premium cost for a qualified health plan for an individual who is eligible for the child care premium assistance program under (b) of this subsection.

(d) The exchange may disqualify a participant from the program if the participant:

(i) No longer meets the eligibility criteria in (b) of this subsection;

(ii) Fails, without good cause, to comply with procedural or documentation requirements established by the exchange in accordance with (e) of this subsection;

(iii) Fails, without good cause, to notify the exchange of a change of address in a timely manner;

(iv) Voluntarily withdraws from the program; or

(v) Performs an act, practice, or omission that constitutes fraud, and, as a result, an insurer rescinds the participant's policy for the qualified health plan.

(e) The exchange shall establish:

(i) Procedural requirements for eligibility and continued participation in any premium assistance program under this subsection, including data sharing processes and participant documentation requirements that are necessary to administer the program; and

(ii) Procedural requirements for facilitating payments to and from carriers.

(11) \$75,000 of the health benefit exchange account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2361 (standardized health plans). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 215.** 2023 c 475 s 215 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—COMMUNITY BEHAVIORAL HEALTH PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(\$1,015,063,000))
	\$1,026,357,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$1,097,193,000))
	\$1,236,879,000
General Fund—Federal Appropriation . . . . .	(\$2,853,321,000))
	\$3,086,185,000
General Fund—Private/Local Appropriation . . . . .	(\$38,826,000))
	\$38,906,000
Criminal Justice Treatment Account—State	
Appropriation . . . . .	\$22,001,000
Problem Gambling Account—State Appropriation . . . . .	(\$2,243,000))
	\$3,738,000
Dedicated Cannabis Account—State Appropriation	
(FY 2024) . . . . .	\$28,498,000
Dedicated Cannabis Account—State Appropriation	
(FY 2025) . . . . .	\$28,501,000
Opioid Abatement Settlement Account—State	
Appropriation . . . . .	(\$54,415,000))
	\$74,120,000
Statewide 988 Behavioral Health Crisis Response Line	
Account—State Appropriation . . . . .	\$33,135,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(\$5,173,196,000))</b>
	<b>\$5,578,320,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) For the purposes of this section, "behavioral health entities" means managed care organizations and behavioral health administrative services organizations that reimburse providers for behavioral health services.

(2) Within the amounts appropriated in this section, funding is provided for implementation of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. In addition to amounts provided solely for implementation of the settlement agreement, class members must have access to supports and services funded throughout this section for which they meet eligibility and medical necessity requirements. The authority must include language in contracts that requires regional behavioral health entities to develop and implement plans for improving access to timely and appropriate treatment for individuals with behavioral health needs and current or prior criminal justice involvement who are eligible for services under these contracts.

(3)(a) \$44,320,000 of the general fund—state appropriation for fiscal year 2024, \$49,525,000 of the general fund—state appropriation for fiscal year 2025, and \$17,368,000 of the general fund—federal appropriation are provided solely to continue the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority, in collaboration with the department of social and health services and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, crisis diversion and supports, education and training,

and workforce development. Within these amounts, sufficient funding is provided to implement Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(b) Of the amounts provided in this subsection, \$5,108,000 of the general fund—state appropriation for fiscal year 2024 and \$6,341,000 of the general fund—state appropriation for fiscal year 2025 are provided for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). Of these amounts, \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase compensation for staff in outpatient competency restoration programs pursuant to Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(c) By December 1, 2024, the authority must provide notification to the office of financial management and the appropriate committees of the legislature of the estimated opening date and operating costs for the Trueblood phase three crisis stabilization center.

(4) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~) and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue diversion grant programs funded through contempt fines pursuant to *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority must consult with the plaintiffs and court monitor to determine, within the amounts provided, which of the programs will continue to receive funding through this appropriation. The programs shall use this funding to provide assessments, mental health treatment, substance use disorder treatment, case management, employment, and other social services. By December 1, 2023, the authority, in consultation with the plaintiffs and the court monitor, must submit a report to the office of financial management and the appropriate fiscal committees of the legislature which includes: Identification of the programs that receive funding through this subsection; a narrative description of each program model; the number of individuals being served by each program on a monthly basis; metrics or outcomes reported as part of the contracts; and recommendations related to further support of these programs in the 2023-2025 fiscal biennium.

(5) \$12,359,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$12,359,000))~~ \$26,142,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$23,444,000))~~ \$31,504,000 of the general fund—federal appropriation are provided solely for the authority and behavioral health entities to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to behavioral health entities with PACT teams, the authority shall consider the differences between behavioral health entities in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The authority may allow behavioral health entities which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under subsection (7) of this section. The authority and behavioral health entities shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section. Of the amounts provided in this subsection:

(a) \$4,628,000 of the general fund—state appropriation for fiscal year 2025 and \$920,000 of the general fund—federal appropriation are provided solely for two new programs for assertive community treatment teams.

(b) \$7,988,000 of the general fund—state appropriation for fiscal year 2025 and \$5,813,000 of the general fund—federal appropriation are provided solely for current assertive community treatment teams contingent upon a plan submitted to and approved by the authority to increase and maintain average monthly caseloads to no less than 80 percent of the maximum capacity for full and half teams as established in the WA-PACT program standards.

(c) \$669,000 of the general fund—state appropriation for fiscal year 2025 and \$994,000 of the general fund—federal appropriation are provided solely for a rate increase for existing programs for assertive community treatment teams. The rate increase must be implemented to provide the same percentage increase to all providers and the authority must employ mechanisms such as directed payment or other options allowable under federal medicaid law to assure funding provided through managed care organizations must be used to increase rates for their contracted assertive community treatment team providers.

(d) \$399,000 of the general fund—state appropriation for fiscal year 2025 and \$333,000 of the general fund—federal appropriation are provided solely for administrative costs related to assertive community treatment teams including contracted training, technical assistance, and assessment services.

(e) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract for an assessment on the access of young adults to assertive community treatment team services. The study must include identification of: (i) The number and percentage of young adults receiving services through assertive community treatment teams; (ii) barriers and strategies for increasing access to assertive community treatment team services for young adults; and (iii) identification of evidence-based alternative models for providing high intensity wraparound services that may be more appropriate for some young adult populations. The authority must submit a report to the office of financial management and the appropriate committees of the legislature summarizing the findings and recommendations of the study by December 1, 2024.

(6) (~~(\$3,520,000))~~ \$1,668,000 of the general fund—state appropriation for fiscal year 2025 and \$3,280,000 of the general fund—federal appropriation (~~is~~)are provided solely for the

authority to maintain a pilot project to incorporate peer bridging staff into behavioral health regional teams that provide transitional services to individuals returning to their communities.

(7) \$144,519,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$163,088,000))~~\$139,238,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of behavioral health entity spending must be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts must be distributed to behavioral health entities as follows:

(a) \$108,803,000 of the general fund—state appropriation for fiscal year 2024 and \$124,713,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations for behavioral health treatment services not covered under the medicaid program. Within these amounts, behavioral health administrative service organizations must provide a 15 percent rate increase to providers receiving state funds for nonmedicaid services under this section effective January 1, 2024.

(b) \$35,716,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$38,375,000))~~\$14,525,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with medicaid managed care organizations for wraparound services to medicaid enrolled individuals that are not covered under the medicaid program. Within the amounts provided in this subsection:

(i) Medicaid managed care organizations must provide a 15 percent rate increase to providers receiving state funding for nonmedicaid services under this section effective January 1, 2024.

~~(ii) ((The authority shall assure that managed care organizations reimburse the department of social and health services, aging and long-term support administration for the general fund—state cost of exceptional behavioral health personal care services for medicaid enrolled individuals who require these because of a psychiatric disability. Funding for the federal share of these services is separately appropriated to the department of social and health services.~~

~~(iii))~~ Pursuant to RCW 41.56.029, during fiscal year 2024, the authority may work with the office of financial management to negotiate a tiered rate structure for behavioral health personal care services for adult family home providers serving medicaid enrollees. An agreement reached with the adult family home council must be submitted to the director of financial management by October 1, 2023, and certified as financially feasible in order to be considered for funding during the 2024 legislative session. Upon completion of bargaining, the authority shall coordinate with the department of social and health services to develop and submit to the centers for medicare and medicaid services an application to provide a 1915(i) state plan home and community-based services benefit. The application shall be developed to allow for the delivery of wraparound supportive behavioral health services for individuals with mental illnesses who also have a personal care need. The 1915(i) state plan shall be developed to standardize coverage and administration, improve the current benefit design, and clarify roles in administration of the behavioral health personal care services benefit.

(8) The authority is authorized to continue to contract directly, rather than through contracts with behavioral health entities for children's long-term inpatient facility services.

(9) \$1,204,000 of the general fund—state appropriation for fiscal year 2024 and \$1,204,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(10) Behavioral health entities may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, behavioral health entities may use a portion of the state funds allocated in accordance with subsection (7) of this section to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

(11) \$2,291,000 of the general fund—state appropriation for fiscal year 2024 and \$2,291,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The authority must collect information from the behavioral health entities on their plan for using these funds, the numbers of individuals served, and the types of services provided.

(12) Within the amounts appropriated in this section, funding is provided for the authority to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

(13) The authority must establish minimum and maximum funding levels for all reserves allowed under behavioral health administrative service organization contracts and include contract language that clearly states the requirements and limitations. The reserve levels must be informed by the types of risk carried by behavioral health administrative service

organizations for mandatory services and also consider reasonable levels of operating reserves. The authority must monitor and ensure that behavioral health administrative service organization reserves do not exceed maximum levels. The authority must monitor revenue and expenditure reports and must require a behavioral health administrative service organization to submit a corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The authority must review and approve such plans and monitor to ensure compliance. If the authority determines that a behavioral health administrative service organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the authority must reduce payments to the entity in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the authority determines that the entity has come into substantial compliance with an approved excess reserve corrective action plan. The authority must submit to the office of financial management and the appropriate committees of the legislature, each December of the biennium, the minimum and maximum reserve levels established in contract for each of the behavioral health administrative service organizations for the prior fiscal year and the actual reserve levels reported at the end of the fiscal year.

(14) During the 2023-2025 fiscal biennium, any amounts provided in this section that are used for case management services for pregnant and parenting women must be contracted directly between the authority and pregnant and parenting women case management providers.

(15) \$3,500,000 of the general fund—federal appropriation is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

(16) Within the amounts appropriated in this section, the authority may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, postpartum, and parenting women. For all contractors: (a) Service and other outcome data must be provided to the authority by request; and (b) indirect charges for administering the program must not exceed 10 percent of the total contract amount.

(17) Within the amounts provided in this section, behavioral health entities must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision. Contracts with behavioral health entities must require that behavioral health entities include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the authority must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served. The authority must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

(18) The criminal justice treatment account—state appropriation is provided solely for treatment and treatment support services for offenders with a substance use disorder pursuant to RCW 71.24.580. The authority must offer counties the option to administer their share of the distributions provided for under RCW 71.24.580(5)(a). If a county is not interested in administering the funds, the authority shall contract with behavioral health entities to administer these funds consistent with the plans approved by local panels pursuant to RCW 71.24.580(5)(b). Funding from the criminal justice treatment account may be used to provide treatment and support services through the conclusion of an individual's treatment plan to individuals participating in a drug court program as of February 24, 2021, if that individual wishes to continue treatment following dismissal of charges they were facing under RCW 69.50.4013(1). Such participation is voluntary and contingent upon substantial compliance with drug court program requirements. The authority must provide a report to the office of financial management and the appropriate committees of the legislature that identifies the distribution of criminal justice treatment account funds by September 30, 2023.

(19) (a) \$11,426,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$15,501,000)~~) \$15,651,000 of the general fund—state appropriation for fiscal year 2025, and \$21,554,000 of the general fund—federal appropriation are provided solely for crisis triage facilities, crisis relief centers, or crisis stabilization units. Services in these facilities may include crisis stabilization and intervention, individual counseling, peer support, medication management, education, and referral assistance. The authority shall monitor each center's effectiveness at lowering the rate of state psychiatric hospital admissions.

(b) Within these amounts, the health care authority shall convene representatives from medicaid managed care organizations, behavioral health administrative organizations, private insurance carriers, self-insured organizations, crisis providers, and the office of the insurance commissioner to assess gaps in the current funding model for crisis and co-response services and recommend options for addressing these gaps including, but not limited to, an alternative funding model for crisis and co-response services. The assessment must consider available data to determine to what extent the costs of crisis and co-response services for clients of private insurance carriers, medicaid managed care organizations, and individuals enrolled in medicaid fee-for-service are being subsidized through state funded behavioral health administrative services organization contracts. The analysis shall examine crisis and co-response services provided by mobile crisis teams and co-response teams as well as



facility-based services such as crisis triage and crisis stabilization units. In the development of an alternative funding model, the authority and office of the insurance commissioner must explore mechanisms that: (i) Determine the annual cost of operating crisis and co-response services and collect a proportional share of the program cost from each health insurance carrier; ~~(and)~~ (ii) differentiate between crisis and co-response services eligible for medicaid funding from other nonmedicaid eligible activities; and (iii) simplify administrative complexity of billing for service providers such as the use of a third party administrator. The authority must submit a preliminary report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and a final report by December 1, 2024. Up to \$300,000 of the general fund—state appropriation for fiscal year 2024, and ~~((300,000))~~ \$450,000 of the general fund—state appropriation for fiscal year 2025 may be used for the assessment and reporting activities required under this subsection.

(c) Sufficient funding is provided in this subsection to implement Second Substitute Senate Bill No. 5120 (crisis relief centers).

(20) \$9,795,000 of the general fund—state appropriation for fiscal year 2024, \$10,015,000 of the general fund—state appropriation for fiscal year 2025, and \$15,025,000 of the general fund—federal appropriation are provided solely for the operation of secure withdrawal management and stabilization facilities. The authority may not use any of these amounts for services in facilities that are subject to federal funding restrictions that apply to institutions for mental diseases, unless they have received a waiver that allows for full federal participation in these facilities. Within these amounts, funding is provided to increase the fee for service rate for these facilities up to \$650 per day. The authority must require in contracts with behavioral health entities that they pay no lower than the fee for service rate. The authority must coordinate with regional behavioral health entities to identify and implement purchasing strategies or regulatory changes that increase access to services for individuals with complex behavioral health needs at secure withdrawal management and stabilization facilities.

(21) \$1,401,000 of the general fund—state appropriation for fiscal year 2024, \$1,401,000 of the general fund—state appropriation for fiscal year 2025, and \$3,210,000 of the general fund—federal appropriation are provided solely for the implementation of intensive behavioral health treatment facilities within the community behavioral health service system pursuant to chapter 324, Laws of 2019 (2SHB 1394).

(22) (a) \$12,878,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$12,878,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for:

(i) A memorandum of understanding with the department of children, youth, and families to provide substance abuse treatment programs;

(ii) A contract with the Washington state institute for public policy to conduct a cost-benefit evaluation of the implementations of chapter 3, Laws of 2013 (Initiative Measure No. 502);

(iii) Designing and administering the Washington state healthy youth survey and the Washington state young adult behavioral health survey;

(iv) Maintaining increased services to pregnant and parenting women provided through the parent child assistance program;

(v) Grants to the office of the superintendent of public instruction for life skills training to children and youth;

(vi) Maintaining increased prevention and treatment service provided by tribes and federally recognized American Indian organization to children and youth;

(vii) Maintaining increased residential treatment services for children and youth;

(viii) Training and technical assistance for the implementation of evidence-based, research based, and promising programs which prevent or reduce substance use disorder;

(ix) Expenditures into the home visiting services account; and

(x) Grants to community-based programs that provide prevention services or activities to youth.

(b) The authority must allocate the amounts provided in (a) of this subsection amongst the specific activities proportionate to the fiscal year 2021 allocation.

(23) (a) \$1,125,000 of the general fund—state appropriation for fiscal year 2024 and \$1,125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Spokane behavioral health entities to implement services to reduce utilization and the census at eastern state hospital. Such services must include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the 16-bed evaluation and treatment facility.

(b) At least annually, the Spokane county behavioral health entities shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

(24) \$1,850,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$13,312,000 of the general

fund—federal appropriation are provided solely for substance use disorder peer support services included in behavioral health capitation rates in accordance with section 213(5) (ss), chapter 299, Laws of 2018. The authority shall require managed care organizations to provide access to peer support services for individuals with substance use disorders transitioning from emergency departments, inpatient facilities, or receiving treatment as part of hub and spoke networks.

(25) \$1,423,000 of the general fund—state appropriation for fiscal year 2024, \$1,423,000 of the general fund—state appropriation for fiscal year 2025, and \$5,908,000 of the general fund—federal appropriation are provided solely for the authority to continue to implement discharge wraparound services for individuals with complex behavioral health conditions transitioning or being diverted from admission to psychiatric inpatient programs. The authority must coordinate with the department of social and health services in establishing the standards for these programs.

(26) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely for the authority to maintain a memorandum of understanding with the criminal justice training commission to provide funding for community grants pursuant to RCW 36.28A.450.

(27) \$350,000 of the general fund—federal appropriation and \$300,000 of the opioid abatement settlement account—state appropriation are provided solely to contract with a nationally recognized recovery residence organization and to provide technical assistance to operators of recovery residences seeking certification in accordance with chapter 264, Laws of 2019 (2SHB 1528).

(28) \$3,396,000 of the general fund—state appropriation for fiscal year 2024, \$3,396,000 of the general fund—state appropriation for fiscal year 2025, and \$16,200,000 of the general fund—federal appropriation are provided solely for support of and to continue to increase clubhouse programs across the state. The authority shall work with the centers for medicare and medicaid services to review opportunities to include clubhouse services as an optional "in lieu of" service in managed care organization contracts in order to maximize federal participation.

(29) \$708,000 of the general fund—state appropriation for fiscal year 2024, \$708,000 of the general fund—state appropriation for fiscal year 2025, and \$1,598,000 of the general fund—federal appropriation are provided solely for implementing mental health peer respite centers and a pilot project to implement a mental health drop-in center in accordance with chapter 324, Laws of 2019 (2SHB 1394).

(30) \$800,000 of the general fund—state appropriation for fiscal year 2024, \$800,000 of the general fund—state appropriation for fiscal year 2025, and \$1,452,000 of the general fund—federal appropriation are provided solely for the authority to implement strategies related to suicide prevention and treatment.

(31) \$446,000 of the general fund—state appropriation for fiscal year 2024, \$446,000 of the general fund—state appropriation for fiscal year 2025, and \$178,000 of the general fund—federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the authority to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The authority must collect information from the institute on the use of these funds and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

(32) As an element of contractual network adequacy requirements and reporting, the authority shall direct managed care organizations to make all reasonable efforts to develop or maintain contracts with provider networks that leverage local, federal, or philanthropic funding to enhance effectiveness of medicaid-funded integrated care services. These networks must promote medicaid clients' access to a system of services that addresses additional social support services and social determinants of health as defined in RCW 43.20.025 in a manner that is integrated with the delivery of behavioral health and medical treatment services.

(33) \$9,000,000 of the criminal justice treatment account—state appropriation is provided solely for the authority to maintain funding for new therapeutic courts created or expanded during fiscal year 2021, or to maintain the fiscal year 2021 expansion of services being provided to an already existing therapeutic court that engages in evidence-based practices, to include medication assisted treatment in jail settings pursuant to RCW 71.24.580. Funding provided under this subsection shall not supplant existing funds utilized for this purpose.

(34) In establishing, re-basing, enhancing, or otherwise updating medicaid rates for behavioral health services, the authority and contracted actuaries shall use a transparent process that provides an opportunity for medicaid managed care organizations, behavioral health administrative service organizations, and behavioral health provider agencies, and their representatives, to review and provide data and feedback on proposed rate changes within their region or regions of service operation. The authority and contracted actuaries shall transparently incorporate the information gained from this process and make adjustments allowable under federal law when appropriate.

(35) The authority shall seek input from representatives of the managed care organizations (MCOs), licensed community behavioral health agencies, and behavioral health administrative service organizations to develop specific metrics related to behavioral health outcomes under integrated managed care. These metrics must include, but are not limited to:

(a) Revenues and expenditures for community behavioral health programs, including medicaid and nonmedicaid funding; (b) access to services, service denials, and utilization by state plan modality; (c) claims denials and record of timely payment to providers; (d) client demographics; and (e) social and recovery measures and managed care organization performance measures. The authority must work with managed care organizations and behavioral health administrative service organizations to integrate these metrics into an annual reporting structure designed to evaluate the performance of the behavioral health system in the state over time. The authority must submit a report to the office of financial management and the appropriate committees of the legislature, before December 30th of each year during the fiscal biennium, that details the implemented metrics and relevant performance outcomes for the prior calendar year.

(36) \$4,061,000 of the general fund—state appropriation for fiscal year 2024, \$3,773,000 of the general fund—state appropriation for fiscal year 2025, and \$6,419,000 of the general fund—federal appropriation are provided solely for the authority to maintain pilot programs for intensive outpatient services and partial hospitalization services for certain children and adolescents and, pursuant to chapter 94, Laws of 2022 (2SSB 5736), add coverage for these services into the state medicaid program beginning January 1, 2024.

(a) The authority must establish minimum standards, eligibility criteria, authorization and utilization review processes, and payment methodologies for the programs in contract.

(b) Eligibility for the pilot sites is limited pursuant to the following:

(i) Children and adolescents discharged from an inpatient hospital treatment program who require the level of services offered by the pilot programs in lieu of continued inpatient treatment;

(ii) Children and adolescents who require the level of services offered by the pilot programs in order to avoid inpatient hospitalization; and

(iii) Services may not be offered if there are less costly alternative community-based services that can effectively meet the needs of an individual referred to the program.

(c) Eligibility for services through the state medicaid program shall be consistent with criteria approved by the centers for medicare and medicaid services pursuant to implementation of chapter 94, Laws of 2022 (2SSB 5736).

(d) The authority must collect data on the program sites and work with the actuaries responsible for establishing managed care rates for medicaid enrollees to develop and submit an annual report to the office of financial management and the appropriate committees of the legislature each December of the fiscal biennium that includes the following information:

(i) A narrative description of the services provided at each program site and identification of any specific gaps the sites were able to fill in the current continuum of care;

(ii) Clinical outcomes and estimated reductions in psychiatric inpatient costs associated with each of the program sites;

(iii) Recommendations for whether the pilot models should be expanded statewide, whether modifications should be made to the models to better address gaps in the continuum identified through the pilot sites, whether the models could be expanded to community behavioral health providers, and whether statewide implementation should be achieved through a state plan amendment or some other mechanism for leveraging federal medicaid match;

(iv) Actuarial projections on the statewide need for services related to the pilot sites and estimated costs of adding each of the services to the medicaid behavioral health benefit for children and adolescents and adults; and

(v) Annual costs and any quantifiable cost offsets associated with the program sites.

(37) \$25,587,000 of the general fund—federal appropriation (ARPA) and \$9,828,000 of the general fund—federal appropriation are provided solely to promote the recovery of individuals with substance use disorders through expansion of substance use disorder services. The authority shall implement this funding to promote integrated, whole-person care to individuals with opioid use disorders, stimulant use disorders, and other substance use disorders. The authority shall use this funding to support evidence-based and promising practices as follows:

(a) \$8,500,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with substance use disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,500,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, mobile opioid use disorder treatment programs, law enforcement assisted diversion programs, contingency management interventions, modified assertive community treatment, trauma informed care, crisis respite, and for reimbursement of one-time start-up operating costs for opening new beds in withdrawal management treatment programs.

(b) \$2,015,000 of the amounts provided in this subsection is provided solely for outreach programs that link individuals with substance use disorders to treatment options to include medication for opioid use disorder. The authority must contract for these services with programs that use interdisciplinary teams, which include peer specialists, to engage and facilitate linkage to treatment for individuals in community settings such as homeless encampments, shelters, emergency rooms, harm reduction programs, churches, community service offices, food banks, libraries, legal offices, and other settings where individuals with substance use disorders may be engaged. The services must be coordinated with emergency housing assistance and other services administered by the authority to promote access to a full continuum of treatment and recovery support options.

(c) \$7,500,000 of the amounts provided in this subsection is provided solely for substance use disorder recovery support services not covered by the medicaid program including, but not limited to, emergency housing, recovery housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(d) \$3,550,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with substance use disorders. This funding may be used for grants to urban Indian organizations, tribal opioid prevention media campaigns, and support for government to government communication, planning, and implementation of opioid use disorder related projects.

(e) \$5,000,000 of the amounts provided in this subsection is provided solely for the authority, in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs, and for law enforcement and emergency responders.

(f) \$7,100,000 of the amounts provided in this subsection is provided solely for community services grants that support the implementation and evaluation of substance use disorder prevention services.

(g) Up to \$1,750,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

(38) \$3,109,000 of the general fund—state appropriation for fiscal year 2024 and \$3,109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for short-term rental subsidies for individuals with mental health or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served. Each December of the fiscal biennium, the authority must submit a report identifying the expenditures and number of individuals receiving short-term rental supports through the agency budget during the prior fiscal year broken out by region, treatment need, and the demographics of those served, including but not limited to age, country of origin within racial/ethnic categories, gender, and immigration status.

(39) \$25,332,000 of the general fund—federal appropriation (ARPA) is provided solely to promote the recovery of individuals with mental health disorders through expansion of mental health services. The authority shall implement this funding to promote integrated, whole-person care through evidence based and promising practices as follows:

(a) \$8,153,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with mental health disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,000,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, law enforcement assisted diversion programs, modified assertive community treatment, and trauma informed care.

(b) \$8,200,000 of the amounts provided in this subsection is provided solely for mental health recovery support services not covered by the medicaid program including, but not limited to, supportive housing, emergency housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(c) \$2,553,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with mental health disorders.

(d) \$1,300,000 of the amounts provided in this subsection is provided solely to enhance crisis services and may be used for crisis respite care.

(e) \$2,600,000 of the amounts provided in this subsection is provided solely for the expansion of first episode psychosis programs.

(f) Up to \$1,279,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

(40) The authority must pursue opportunities for shifting state costs to the state's unused allocation of federal institutions for mental disease disproportionate share hospital funding.

(41) \$500,000 of the general fund—federal appropriation is provided solely to establish an emotional support network program for individuals employed as peer specialists. The authority must contract for these services which shall include, but not be limited to, facilitating support groups for peer specialists, support for the recovery journeys of the peer specialists themselves, and targeted support for the secondary trauma inherent in peer work.

(42) \$1,500,000 of the general fund—federal appropriation is provided solely for the authority to contract on a one-time basis with the University of Washington behavioral health institute to continue and enhance its efforts related to training and workforce development. This funding may be used for the following activities:

(a) Making substance use disorder training content accessible to all community behavioral health providers;

- (b) Refining and implementing a substance use disorder provider needs assessment to advance best practice implementation for treatment in inpatient and outpatient settings;
- (c) Disseminating innovative best practices through training and technical assistance;
- (d) Developing and launching a telebehavioral health training series, providing webinars and packaging the training content so that it is accessible to all community behavioral health providers;
- (e) Planning for advanced telebehavioral health training and support to providers;
- (f) Convening a race, equity, and social justice in behavioral health conference annually;
- (g) Developing training and technical assistance opportunities for an annual series that translates lessons learned in behavioral health equity into actionable and sustainable change at the provider, organizational, and system levels;
- (h) Developing recommendations for reducing health disparities and training the workforce in culturally and linguistically relevant practices to achieve improved outcomes;
- (i) Increasing the number of community substance use providers that are trained in best practice assessment and treatment models;
- (j) Convening a telebehavioral health summit of leading experts regarding long-term provider telebehavioral health training and workforce needs;
- (k) Creating a behavioral health workforce strategy plan that identifies gaps that are not being addressed and suggests system improvements to address those gaps;
- (l) Working with community partners and key stakeholders to identify best practice strategies to evaluate and measure equity and health disparities within the behavioral health system and make recommendations regarding potential metrics to help advance system change; and
- (m) Developing metrics and evaluating telebehavioral health training needs and the impact of telebehavioral health training on provider knowledge and treatment protocols.

(43) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the King county behavioral health administrative services organization to maintain children's crisis outreach response system services that were previously funded through the department of children, youth, and families. The authority, in consultation with the behavioral health administrative services organization, medicaid managed care organizations, and the actuaries responsible for developing medicaid managed care rates, must work to maximize federal funding provided for the children's crisis outreach response system program.

(44) \$31,891,000 of the general fund—state appropriation for fiscal year 2024, \$63,395,000 of the general fund—state appropriation for fiscal year 2025, and \$172,425,000 of the general fund—federal appropriation are provided solely to implement a 15 percent increase to medicaid reimbursement for community behavioral health providers contracted through managed care organizations to be effective January 1, 2024. The authority must employ mechanisms such as directed payment or other options allowable under federal medicaid law to assure the funding is used by the managed care organizations for a 15 percent provider rate increase as intended and verify this pursuant to the process established in chapter 285, Laws of 2020 (EHB 2584). The rate increase shall be implemented to all behavioral health nonhospital inpatient, residential, and outpatient providers contracted through the medicaid managed care organizations. Psychiatric hospitals and other providers receiving rate increases under other subsections of this section must be excluded from the rate increase directed in this subsection.

(45) \$532,000 of the general fund—state appropriation for fiscal year 2024, \$2,935,000 of the general fund—state appropriation for fiscal year 2025, and \$3,467,000 of the general fund—federal appropriation are provided solely to increase the number of beds and rates for community children's long-term inpatient program providers. The number of beds is increased on a phased in basis to 72 beds by the end of fiscal year 2024. The bed day rates are increased from \$1,030 per day to \$1,121 per day effective July 1, 2023.

(46) \$505,000 of the general fund—state appropriation for fiscal year 2024, \$1,011,000 of the general fund—state appropriation for fiscal year 2025, and \$1,095,000 of the general fund—federal appropriation are provided solely to increase rates for parent child assistance program providers by 15 percent effective January 1, 2024.

(47) \$300,000 of the general fund—federal appropriation is provided solely for training of behavioral health consumer advocates. The authority must enter into a memorandum of understanding with the department of commerce to provide support for training of behavioral health consumer advocates pursuant to chapter 202, Laws of 2021 (E2SHB 1086).

(48) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with a statewide mental health nonprofit organization that provides free community and school-based mental health education and support programs for consumers and families. The contractor must use this funding to provide access to programs tailored to peers living with mental illness as well as family members of people with mental illness and the community at large. Services provided by the contracted program shall include education, support, and assistance to reduce isolation and help consumers and families understand the services available in their communities.

(49) \$15,474,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$15,474,000)~~) \$17,125,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$14,312,000)~~) \$14,562,000 of the general fund—federal appropriation are provided solely for

maintaining the expansion of local behavioral health mobile crisis response team capacity and ensuring each region has at least one adult and one children and youth mobile crisis team that is able to respond to calls coming into the 988 crisis hotline.

(a) In prioritizing this funding, the health care authority shall assure that there are a minimum of six new children and youth mobile crisis teams in comparison to the number of teams at the end of fiscal year 2021 and that there is one children and youth mobile crisis team in each region.

(b) In implementing funding for adult and youth mobile crisis response teams, the authority must establish standards in contracts with managed care organizations and behavioral health administrative services organizations for the services provided by these teams.

(c) Of these amounts, \$3,000,000 of the general fund—state appropriation for fiscal year 2024, \$3,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,024,000 of the general fund—federal appropriation are provided solely to maintain increased capacity for mobile crisis services in King county that was funded in fiscal year 2023. These amounts must supplement and not supplant funding to the county previously allocated by the authority under this subsection.

(d) Of the amounts provided in this subsection, \$1,404,000 of the general fund—state appropriation for fiscal year 2025 and \$501,000 of the general fund—federal appropriation are provided solely for adding or increasing stabilization services provided through existing children and youth mobile crisis teams.

(50) ~~(((\$57,580,000))\$45,094,000~~ of the general fund—state appropriation for fiscal year 2024, ~~(((\$61,807,000))\$71,107,000~~ of the general fund—state appropriation for fiscal year 2025, and ~~(((\$109,146,000))\$69,409,000~~ of the general fund—federal appropriation are provided solely for the authority to contract with community hospitals or freestanding evaluation and treatment centers to provide long-term inpatient care beds as defined in RCW 71.24.025. Within these amounts, the authority must meet the requirements for reimbursing counties for the judicial services for patients being served in these settings in accordance with RCW 71.05.730. The authority must coordinate with the department of social and health services in developing the contract requirements, selecting contractors, and establishing processes for identifying patients that will be admitted to these facilities. Of the amounts in this subsection, sufficient amounts are provided in fiscal year 2024 and fiscal year 2025 for the authority to reimburse community hospitals and nonhospital residential treatment centers serving clients in long-term inpatient care beds as defined in RCW 71.24.025 as follows:

(a) For a hospital licensed under chapter 70.41 RCW that requires a hospital specific medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients because the hospital has completed a medicare cost report, the authority shall analyze the most recent medicare cost report of the hospital after a minimum of 200 medicaid inpatient psychiatric days. The authority shall establish the inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at 100 percent of the allowable cost of care, based on the most recent medicare cost report of the hospital.

(b) For a hospital licensed under chapter 70.41 RCW that has not completed a medicare cost report with more than 200 medicaid inpatient psychiatric days, the authority shall establish the medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at the higher of the hospital's current medicaid inpatient psychiatric rate; or the annually updated statewide average of the medicaid inpatient psychiatric per diem payment rate of all acute care hospitals licensed under chapter 70.41 RCW providing long-term civil commitment services.

(c) For a hospital licensed under chapter 71.12 RCW and currently providing long-term civil commitment services, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at \$940 for fiscal year 2024 and \$1,250 for fiscal year 2025 plus adjustments that may be needed to capture costs associated with long-term psychiatric patients that are not allowable on the medicare cost report or reimbursed separately. The hospital may provide the authority with supplemental data to be considered and used to make appropriate adjustments to the medicaid inpatient psychiatric per diem payment rate of the hospital. Adjustment of costs may include:

(i) Costs associated with professional services and fees not accounted for in the hospital's medicare cost report or reimbursed separately;

(ii) Costs associated with the hospital providing the long-term psychiatric patient access to involuntary treatment court services that are not reimbursed separately; and

(iii) Other costs associated with caring for long-term psychiatric patients that are not reimbursed separately.

(d) For a hospital licensed under chapter 71.12 RCW that requires an initial medicaid inpatient psychiatric per diem payment rate for long-term civil commitment services because it has not yet completed a medicare cost report, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at the higher of:

(i) The hospital's current medicaid inpatient psychiatric rate; or

(ii) The annually updated statewide average of the medicaid long-term inpatient psychiatric per diem payment rate of all freestanding psychiatric hospitals licensed under chapter 71.12 RCW providing long-term civil commitment services.

(e) For nonhospital residential treatment centers certified to provide long-term inpatient care beds as defined in RCW 71.24.025, the authority shall establish the medicaid psychiatric per diem payment rate at the fiscal year 2023 level for fiscal year 2024 and \$1,250 per bed for fiscal year 2025.

(f) Beginning in fiscal year 2024, the authority shall pay a rate enhancement for patients committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The enhancement shall be available to all hospital and nonhospital facilities providing services under this subsection except those whose rates are set at 100 percent of their most recent medicare cost report. The rate enhancement shall not exceed the tiered rate enhancements established under the 1915(i) state plan.

(g) Beginning in fiscal year 2025, the authority may pay a rate enhancement of \$500 per day for individuals with complex medical needs, challenging behaviors often diagnosed with co-occurring intellectual or developmental disability, traumatic brain injury, dementia, or significant medical issues requiring personal care. The rate enhancement shall be available to providers contracting directly with the authority.

(h) Provider payments for vacant bed days shall not exceed six percent of their annual contracted bed days.

~~((h))~~ (i) The authority, in coordination with the department of social and health services, the office of the governor, the office of financial management, and representatives from medicaid managed care organizations, behavioral health administrative service organizations, and community providers, must update its plan to continue the expansion of civil community long-term inpatient capacity. The plan shall identify gaps and barriers in the current array of community long-term inpatient beds in serving higher need individuals including those committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The plan shall identify strategies to overcome these barriers including, but not limited to, potential rate enhancements for high needs clients. The authority must submit its updated implementation plan to the office of financial management and the appropriate fiscal committees of the legislature by December 1, 2023, and submit a status update on the implementation plan by October 15, 2024.

(51) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 and ~~((150,000))~~ \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a one-time grant to Island county to maintain support for a pilot program to improve behavioral health outcomes for young people in rural communities. In administering the pilot program, Island county shall coordinate with school districts, community groups, and health care providers to increase access to behavioral health programs for children and youth aged birth to 24 years of age. The grant funds shall be used to coordinate and expand behavioral health services. The grant funding must not be used to supplant funding from existing programs. No more than 10 percent of the funds may be used for administrative costs incurred by Island county in administering the program. Services that may be provided with the grant funding include, but are not limited to:

(i) Support for children and youth with significant behavioral health needs to address learning loss caused by COVID-19 and remote learning;

(ii) School based behavioral health education, assessment, and brief treatment;

(iii) Screening and referral of children and youth to long-term treatment services;

(iv) Behavioral health supports provided by community agencies serving youth year-round;

(v) Expansion of mental health first aid, a program designed to prepare adults who regularly interact with youth for how to help people in both crisis and noncrisis mental health situations;

(vi) Peer support services; and

(vii) Compensation for the incurred costs of clinical supervisors and internships.

(b) The authority, in coordination with Island county, must submit to the office of financial management and the appropriate committees of the legislature, a report summarizing how the funding was used and providing the number of children and youth served by the pilot during fiscal year 2024 by December 1, 2024.

(52) ~~((265,000))~~ \$315,000 of the general fund—state appropriation for fiscal year 2024, ~~((281,000))~~ \$494,000 of the general fund—state appropriation for fiscal year 2025, and ~~((546,000))~~ \$809,000 of the general fund—federal appropriation are provided solely for the authority to ~~((provide))~~ contract with the University of Washington's project extension for community health outcomes (ECHO) and the systemic, therapeutic, assessment, resources, and treatment (START) programs for specialized training and consultation for physicians and professionals to support ((children)):

(a) Children with developmental disabilities and behavioral health needs;

(b) Applied behavior analysis provider training, education, and consultation; and

(c) The screening and diagnosis of autism spectrum disorder.

(53) ~~((2,184,000))~~ \$2,262,000 of the general fund—federal appropriation and ~~((2,184,000))~~ \$2,262,000 of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Within these amounts, funding is provided for the authority to support community discharge efforts for patients at the state hospitals. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its providers or third party administrator. The department and the authority in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not increase general fund—state expenditures above appropriated levels for this specific purpose. The secretary in collaboration with the director of the authority shall report to the joint select committee on health care oversight no less than quarterly on financial and health

outcomes. The secretary in cooperation with the director shall also report to the fiscal committees of the legislature the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(54) \$130,000 of the general fund—federal appropriation is provided solely for the authority to participate in efforts to ensure behavioral health agencies are compensated for their role as teaching clinics for students seeking professional education in behavioral health disciplines and for new graduates working toward licensure.

(55) \$250,000 of the general fund—state appropriation for fiscal year 2024, \$934,000 of the general fund—state appropriation for fiscal year 2025, and \$1,447,000 of the general fund—federal appropriation are provided solely for increasing case management services to pregnant and parenting women provided through the parent child assistance program and for increasing the number of residential treatment beds available for pregnant and parenting women.

(56) Within the amounts provided in this section, sufficient funding is provided for the authority to maintain and increase the capabilities of a tool to track medication assisted treatment provider capacity.

(57) \$2,000,000 of the general fund—federal appropriation is provided solely for grants to law enforcement and other first responders to include a mental health professional on the team of personnel responding to emergencies.

(58) (~~(\$1,653,000)~~)\$855,000 of the general fund—state appropriation for fiscal year 2025 and (~~(\$2,024,000)~~)\$1,149,000 of the general fund—federal appropriation are provided solely for the authority to contract for long-term involuntary treatment services in a 16-bed residential treatment facility being developed by the Tulalip tribe in Stanwood.

(59) \$956,000 of the general fund—state appropriation for fiscal year 2024 and \$956,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for wraparound with intensive services for youth ineligible for medicaid as outlined in the settlement agreement under *AGC v. Washington State Health Care Authority*, Thurston county superior court no. 21-2-00479-34.

(60) (~~(\$18,188,000)~~)\$14,637,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$18,188,000)~~)\$14,637,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for claims for services rendered to medicaid eligible clients admitted to institutions of mental disease that were determined to be unallowable for federal reimbursement due to medicaid's institutions for mental disease exclusion rules.

(61) \$6,010,000 of the general fund—state appropriation for fiscal year 2024, \$6,010,000 of the general fund—state appropriation for fiscal year 2025, and \$1,980,000 of the general fund—federal appropriation are provided solely for the authority, in coordination with the department of health, to deploy an opioid awareness campaign and to contract with syringe service programs and other service settings assisting people with substance use disorders to: Prevent and respond to overdoses; provide other harm reduction services and supplies, including but not limited to distributing naloxone; fentanyl testing and other drug testing supplies; and for expanding contingency management services. The authority is encouraged to use these funds to leverage federal funding for this purpose to expand buying power when possible. The authority should prioritize funds for naloxone in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to deploy an opioid awareness campaign targeted at youth to increase the awareness of the dangers of fentanyl.

(62) \$4,763,000 of the general fund—state appropriation for fiscal year 2024, \$4,763,000 of the general fund—state appropriation for fiscal year 2025, and \$25,754,000 of the general fund—federal appropriation are provided solely to maintain a rate increase authorized for opioid treatment providers on January 1, 2023.

(63) \$2,387,000 of the general fund—state appropriation for fiscal year 2024 and \$2,387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support individuals enrolled in the foundational community supports initiative who are transitioning from benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The authority, department of social and health services, and department of commerce shall collaborate on this effort.

(64) \$2,249,000 of the general fund—state appropriation for fiscal year 2024 and \$2,249,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with programs to provide medical respite care for individuals with behavioral health needs. The programs must serve individuals with complex medical issues, who may also have significant behavioral health needs (~~(and medical issues)~~) who do not require hospitalization but are unable to provide adequate self-care for their medical conditions. The programs must prioritize services to individuals with complex medical and behavioral health issues who are homeless or who were recently discharged from a hospital setting. The services must meet quality standards and best practices developed by the national health care for the homeless council and may include, but are not limited to, medical oversight and health education; care transitions; and discharge planning to and from primary care, inpatient hospital, emergency rooms, and supportive housing. In selecting the



contractors, the authority must prioritize projects that demonstrate the active involvement of an established medical provider that is able to leverage federal medicaid funding in the provision of these services. The authority must work with the medicaid managed care organizations to encourage their participation and assist the plans and the contractor in identifying mechanisms for appropriate use of medicaid reimbursement in this setting.

(65) \$988,000 of the general fund—state appropriation for fiscal year 2024, \$988,000 of the general fund—state appropriation for fiscal year 2025, and \$618,000 of the general fund—federal appropriation are provided solely for the authority to contract for three regional behavioral health mobile crisis response teams focused on supported housing to prevent individuals with behavioral health conditions at high risk of losing housing from becoming homeless, identify and prioritize serving the most vulnerable people experiencing homelessness, and increase alternative housing options to include short-term alternatives which may temporarily deescalate situations where there is high risk of a household from becoming homeless.

(66) \$5,623,000 of the general fund—state appropriation for fiscal year 2024, \$5,623,000 of the general fund—state appropriation for fiscal year 2025, and \$3,748,000 of the general fund—federal appropriation are provided solely to maintain and expand access to no barrier, and low-barrier programs using a housing first model designed to assist and stabilize housing supports for adults with behavioral health conditions. Housing supports and services shall be made available with no requirement for treatment for their behavioral health condition and must be individualized to the needs of the individual. The authority and department of commerce shall collaborate on this effort and must submit a status report to the office of financial management and the appropriate committees of the legislature by December 31, 2023.

(67) \$675,000 of the general fund—state appropriation for fiscal year 2024 and \$675,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rental voucher and bridge program and to implement strategies to reduce instances where an individual leaves a state operated behavioral or private behavioral health facility directly into homelessness. The authority must prioritize this funding for individuals being discharged from state operated behavioral health facilities.

(68) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$361,000 of the general fund—state appropriation for fiscal year 2025, and \$482,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the department of social and health services research and data analysis division, to implement community behavioral health service data into the existing executive management information system. Of these amounts, \$288,000 of the general fund—state appropriation for fiscal year 2024, \$288,000 of the general fund—state appropriation for fiscal year 2025, and \$384,000 of the general fund—federal appropriation are provided solely for the authority to reimburse the research and data analysis division for staff costs associated with this project. The data elements shall be incorporated into the monthly executive management information system reports on a phased-in basis, allowing for elements which are readily available to be incorporated in the initial phase, and elements which require further definition and data collection changes to be incorporated in a later phase. The authority must collaborate with the research and data analysis division to ensure data elements are clearly defined and must include requirements in medicaid managed care organization and behavioral health administrative services organization contracts to provide the data in a consistent and timely manner for inclusion into the system. The community behavioral health executive management system information data elements must include, but are not limited to: Psychiatric inpatient bed days; evaluation and treatment center bed days; long-term involuntary community psychiatric inpatient bed days; children's long-term inpatient bed days; substance use disorder inpatient, residential, withdrawal evaluation and management, and secure withdrawal evaluation and management bed days; crisis triage and stabilization services bed days; mental health residential bed days; mental health and substance use disorder outpatient treatment services; opioid substitution and medication assisted treatment services; program of assertive treatment team services; wraparound with intensive services; mobile outreach crisis services; recovery navigator team services; foundational community supports housing and employment services; projects for assistance in transition from homelessness services; housing and recovery through peer services; other housing services administered by the authority; mental health and substance use disorder peer services; designated crisis responder investigations and outcomes; involuntary commitment hearings and outcomes; pregnant and parenting women case management services; and single bed certifications and no available bed reports. Wherever possible and practical, the data must include historical monthly counts and shall be broken out to distinguish services to medicaid and nonmedicaid individuals and children and adults. The authority and the research and data analysis division must consult with the office of financial management and staff from the fiscal committees of the legislature on the development and implementation of the community behavioral health data elements.

(69) \$2,587,000 of the general fund—state appropriation for fiscal year 2024 and \$2,587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to support efforts by counties and cities to implement local response teams. Of these amounts:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to provide a grant to the association of Washington cities to assist cities with the costs of implementing alternative response teams. This funding must be used to

reimburse cities for documented costs associated with creating co-responder teams within different alternative diversion models including law enforcement assisted diversion programs, community assistance referral and education programs, and as part of mobile crisis teams. Cities are encouraged to partner with each other to create a regional response model. In awarding these funds, the association must prioritize applicants with demonstrated capacity for facility-based crisis triage and stabilization services. The association and authority must collect and report information regarding the number of facility-based crisis stabilization and triage beds available in the locations receiving funding through this subsection and submit a report to the office of financial management and the appropriate committees of the legislature with this information by December 1, 2023.

(b) \$587,000 of the general fund—state appropriation for fiscal year 2024 and \$587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Whatcom county alternative response team.

(70) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the University of Washington addictions, drug, and alcohol institute. This funding must be used for advanced, evidence-based training for law enforcement to improve interactions with individuals who use drugs. The training must be developed so it can be adapted and used statewide to decrease stigmatizing beliefs among law enforcement through positive contact with people who use drugs and improve officer well-being and effectiveness by providing skills and techniques to address the drug overdose epidemic. The institute must develop and refine this training, leveraging prior work, and in partnership with a steering committee that includes people with lived or living experience of substance use disorder and criminal legal involvement, researchers, clinicians, law enforcement officers, and others. The training must complement, but not duplicate, existing curricula already provided by the criminal justice training commission. The institute must pilot the advanced training in a subset of regional law enforcement agencies and evaluate its acceptability and feasibility through participant interviews and pretraining and posttraining ratings of stigmatizing beliefs. The institute must incorporate feedback from the pilot training sessions into a final training program that it must make available to law enforcement agencies across the state.

(71) ~~(((\$1,000,000))\$400,000~~ of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue development and implementation of the certified community behavioral health clinic model for comprehensive behavioral health services. Funding must be used to secure actuarial expertise, conduct research into national data and other state models, including obtaining resources and expertise from the national council for mental well-being certified community behavioral health clinic success center; and engage stakeholders, including representatives of licensed community behavioral health agencies and medicaid managed care organizations, in the process. The authority must provide a report to the office of financial management and the appropriate committees of the legislature with findings, recommendations, and cost estimates by December 31, 2024. The study must build on the preliminary report submitted to the legislature in December 2022 and include:

(a) Overviews of options and considerations for implementing the certified community behavioral health clinic model within Washington state, including participation as a certified community behavioral health clinic demonstration state or for independent statewide implementation;

(b) An analysis of the impact of expanding the certified community behavioral health clinic model on the state's behavioral health systems;

(c) Relevant federal regulations and options to implement the certified community behavioral health clinic model under those regulations;

(d) Options for implementing a prospective payment system methodology;

(e) An analysis of the benefits and potential challenges for integrating the certified community behavioral health clinic reimbursement model within an integrated care environment;

(f) Actuarial analysis on the costs for implementing the certified community behavioral health clinic model, including opportunities for leveraging federal funding; and

(g) Recommendations to the legislature on a pathway for statewide implementation including a plan for implementation no later than fiscal year 2027 that must include the following:

(i) Implementation of the certified community behavioral health clinic model with clinics that adhere to the program standards under the federal substance abuse and mental health services administration demonstration program established under section 223 of the federal protecting access to medicare act of 2014 (42 U.S.C. Sec. 1396a note), as amended by the bipartisan safer communities act (P.L. 117-159);

(ii) Incorporation in the planned funding model of at least one of the prospective payment system methodologies approved by the centers for medicare and medicaid services;

(iii) The plan may allow for the certified community behavioral health clinic funding model to be implemented either by applying for and joining the federal demonstration program referenced in (g)(i) of this subsection, applying to the centers for medicare and medicaid services for a medicaid state plan waiver or amendment, or both;

(iv) Continued consultation with the national council for mental wellbeing's certified community behavioral health clinic success center for technical assistance and meaningful opportunities for community behavioral health agencies to participate and offer feedback throughout the implementation process; and

(v) Inclusion of services to children, youth, and families through the certified community behavioral health clinic funding model through providers that serve individuals of all ages as well as specialty providers that serve children, youth, and families.

(72) \$1,135,000 of the general fund—state appropriation for fiscal year 2025 and \$568,000 of the general fund—federal appropriation are provided solely to develop and operate a 16-bed substance use disorder inpatient facility in Grays Harbor county that specializes in treating pregnant and parenting women using a family preservation model. The authority must contract for these services through behavioral health entities in a manner that allows leveraging of federal medicaid funds to pay for a portion of the costs. The authority must consult with the department of children, youth, and families in the implementation of this funding. The facility must allow families to reside together while a parent is receiving treatment. Of these amounts, \$568,000 may be used for documented startup costs including the recruitment, hiring, and training of staff. If the authority is able to identify a provider that can begin developing these services before July 2024, it must notify the office of financial management and the appropriate committees of the legislature and submit a request for funding in the fiscal year 2024 supplemental operating budget.

(73) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided on a one-time basis solely for the authority to continue a grant to the city of Snoqualmie to pilot behavioral health emergency response and coordination services through a regional behavioral health coordinator. The regional behavioral health coordinator shall be a licensed mental health or substance use disorder professional who works directly with and accompanies law enforcement officers and fire and rescue first responders to help respond to crises involving persons with behavioral health needs. The coordinator shall plan, implement, and coordinate services related to crisis response and social service needs with the city of Snoqualmie, the city of North Bend, the Snoqualmie police and fire departments, and the eastside fire and rescue agency serving North Bend, and local community services, school districts, hospitals, and crisis response systems provided by King county for the region. The coordinator shall support the social services needs identified through police and fire response in the lower Snoqualmie valley and serve as a liaison between law enforcement, first responders, and persons accessing or requesting emergency services with social service needs. The authority shall collect information on the pilot project and, in coordination with the city of Snoqualmie, must submit a report to the office of financial management and the appropriate committees of the legislature by December 31, 2023, summarizing the services provided through the grant funds and identifying recommendations on how to implement effective, integrated, coordinated behavioral health emergency response and community care services. The authority must also provide the report to the criminal justice training commission, the Washington association of sheriffs and police chiefs, and the Washington fire commissioners association.

(74) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract for services with a statewide recovery community organization. The authority must award this funding to an organization that: (a) Has experience building the capacity of the recovery community to advance substance use recovery and mental health wellness by catalyzing public understanding and shaping public policy; (b) is led and governed by representatives of local communities of recovery; (c) centers the voices of people with lived experience who are touched by addiction and mental health challenges, and harnesses the power of story to drive change in the mental health and addiction treatment systems; and (d) provides free community education, skills trainings, events, and a conference in order to increase the understanding of issues around behavioral health and recovery. Services provided by the contracted program must include education, support, and assistance to increase connection of the recovery community, recovery capital, and knowledge about recovery and mental health resources. In conducting this work, the contractor must engage diverse individuals in recovery, impacted families, and providers from all regions of the state and leverage the assistance of affiliated groups and organizations. The organization must also prioritize diversity, equity, and justice in their work to eradicate health disparities of marginalized communities.

(75) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue and expand a contract with a Seattle based nonprofit organization with experience matching voluntary specialty care providers with patients in need of care to provide pro bono counseling and behavioral health services to uninsured and underinsured individuals with incomes below 300 percent of the federal poverty level. The authority may require the contractor to seek, document, and report to the authority on efforts to leverage local, federal, or philanthropic funding to provide sustained operational support for the program.

(76) (~~(\$2,437,000)~~) \$3,437,000 of the general fund—state appropriation for fiscal year 2024, \$4,772,000 of the general fund—state appropriation for fiscal year 2025, and \$1,705,000 of the general fund—federal appropriation are provided solely for the authority to contract for youth inpatient navigator services in seven regions of the state. The services must be provided through clinical response teams that receive referrals for children and youth inpatient services and manage a process to coordinate placements and alternative community treatment plans. Of these amounts for each fiscal year, \$445,000 of the general fund—state appropriation and \$79,000 of the general fund—federal appropriation are provided solely to contract for services through an existing program located in Pierce county.

(77) \$7,601,000 of the general fund—state appropriation for fiscal year 2024, \$7,601,000 of the general fund—state appropriation for fiscal year 2025, and \$2,820,000 of the general fund—federal appropriation are provided solely for assisted outpatient treatment and other costs associated with implementation of chapter 210, Laws of 2022 (SHB 1773). Of the amount provided in this subsection, \$1,000 is for implementation of Engrossed Senate Bill No. 5130 (assisted outpatient treatment).

(78) (~~(\$1,878,000)~~) \$1,664,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$429,000)~~) \$2,883,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to support the children and youth behavioral health work group to consider and develop longer term strategies and recommendations regarding the delivery of behavioral health services for children, transitioning youth, and their caregivers pursuant to chapter 76, Laws of 2022 (2SHB 1890).

(79) Sufficient funding is provided for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

(80) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contingency management resources in accordance with chapter 311, Laws of 2021 (ESB 5476).

(81) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a contract for services funded in section 215(127), chapter 297, Laws of 2022 (ESSB 5693) to provide information and support related to safe housing and support services for youth exiting inpatient mental health and/or substance use disorder facilities to stakeholders, inpatient treatment facilities, young people, and other community providers that serve unaccompanied youth and young adults.

(82) (~~(\$2,336,000)~~) \$2,616,000 of the general fund—state appropriation for fiscal year 2024, (~~(2,336,000)~~) \$5,946,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$3,036,000)~~) \$2,145,000 of the general fund—federal appropriation are provided solely for the authority to contract with opioid treatment providers to operate mobile methadone units to address treatment gaps statewide. Within the amounts provided, the authority must provide service support subsidies to all mobile methadone units including those that began operations prior to fiscal year 2024. The authority must work with the actuaries responsible for setting medicaid managed care rates to explore options for creating a specific rate for mobile medication units that reflects the unique costs of these programs. The authority must provide a report to the office of financial management and the appropriate committees of the legislature which summarizes the analysis and identifies the options and related costs by December 1, 2024.

(83) \$216,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$1,454,000 of the general fund—federal appropriation are provided solely for the authority to increase fee for service rates for mental health and substance use disorder treatment by 22 percent. This rate increase shall be effective January 1, 2024. This rate increase does not apply to per diem costs for long-term civil commitment inpatient services or for services for which rate increases were provided under other subsections of this section. Services affected by the psychiatric rebase in subsection (84) of this section are excluded from this rate increase. The authority must include the proportional costs of increasing fee-for-service rates for mental health and substance use disorder treatment paid on behalf of tribal members not electing enrollment in managed care plans in any agency request decision package it submits during the fiscal biennium for increasing provider rates in the managed care behavioral health program.

(84) Sufficient amounts are provided in this section for the authority to rebase community hospital psychiatric inpatient rates effective January 1, 2024. Rebasing adjustments shall be based on adjusted calendar year 2020 medicare cost reports.

(85) (a) (~~(\$3,805,000)~~) \$5,778,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

(i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit exchange;

(ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and

(iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amount provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

(i) Actual and forecasted expenditures;  
 (ii) Actual and forecasted data from the caseload forecast council; and  
 (iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount that may be expended for the purposes of this program.

(86)(a) \$2,317,000 of the general fund—state appropriation for fiscal year 2024 and \$4,433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to three behavioral health administrative services organizations to transition persons who are either being diverted from criminal prosecution to behavioral health treatment services or are in need of housing upon discharge from crisis stabilization services. The authority must provide an opportunity for all of the behavioral health administrative service organizations to submit plans for consideration.

(b) Grant criteria must include, but are not limited to:

(i) A commitment to matching individuals with temporary lodging or permanent housing, including supportive housing services and supports, that is reasonably likely to fit their actual needs and situation, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability; and

(ii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement, including appropriate supportive housing supports and services, within six months except under unusual circumstances.

(c) When awarding grants, the authority must prioritize applicants that:

(i) Provide matching resources;

(ii) Focus on ensuring an expeditious path to sustainable permanent housing solutions; and

(iii) Demonstrate an understanding of working with individuals who experience homelessness or have interactions with the criminal legal system to understand their optimal housing type and level of ongoing services.

(87)(a) \$2,266,000 of the general fund—state appropriation for fiscal year 2024, \$14,151,000 of the general fund—state appropriation for fiscal year 2025, and \$19,269,000 of the general fund—federal appropriation are provided solely for services to medicaid and state funded clients in behavioral health residential treatment facilities that are scheduled to open during the 2023-2025 fiscal biennium.

(b) Within the amounts provided in this subsection, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to reimburse the department of social and health services for staffing costs related to tracking behavioral health community capacity through the community behavioral health executive management information system and providing annual reports on the implementation of new behavioral health community capacity.

(c) The department of commerce, the department of health, and the authority must cooperate with the department of social and health services in collecting and providing the data necessary to incorporate tracking of behavioral health beds into the behavioral health executive management information system and to prepare the required reports. The agencies must work to ensure they are using consistent definitions in classifying behavioral health bed types for the purpose of reporting capacity and utilization.

(d) The authority and the department of social and health services must begin tracking behavioral health bed utilization for medicaid and state funded clients by type of bed in the executive management information system by October 1, 2023. The department of commerce shall identify to the department of social and health services all providers that have received funding through their capital grant program since the 2013-2015 fiscal biennium. The department of social and health services must incorporate tracking of services by provider including an element to identify providers that have received funding through the capital budget so that reports can be provided related to the average daily client counts for medicaid and state funded clients being served by provider and by facility type.

(e) By November 1, 2023, the department of social and health services, in coordination with the department of commerce, the department of health, and the authority, must submit an annual report to the office of financial management and the appropriate committees of the legislature. The first annual report must provide information on the facilities that received funding through the department of commerce's behavioral health community capacity grant funding since the 2013-2015 fiscal biennium and the utilization across all behavioral health facilities for medicaid and state funded clients. The report must provide the following information for each facility that has received funding through the capital budget: (i) The amount received by the state and the total project cost; (ii) the facility address; (iii) the number of new beds or additional bed capacity by the service type being provided; and (iv) the utilization of the additional beds by medicaid or state funded clients by service type.

(f) By November 1, 2024, the department of social and health services must submit the second annual report to the office of financial management and the appropriate committees of the legislature. The second annual report must update the bed capacity and utilization information required in the first report and compare that capacity to demand by service type by geographical region of the state.

(88) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the

efforts of the joint legislative and executive committee on behavioral health established in section 135 of this act.

(89) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely to support the provision of behavioral health co-responder services on nonlaw enforcement emergency medical response teams.

(90) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the King county behavioral health administrative services organization to expand medication for opioid use disorder treatment services in King county.

(91) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the authority to contract on a one-time basis with the behavioral health administrative services organization serving Kitsap county for crisis triage services in the county that are not being reimbursed through the medicaid program.

(92) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the behavioral health administrative services organization serving Snohomish county for start-up costs in a new 32-bed community recovery center in Lynnwood that will provide crisis services to medicaid and other low income residents.

~~(93) ((\$3,142,000 of the general fund—state appropriation for fiscal year 2024, \$3,869,000 of the general fund—state appropriation for fiscal year 2025, and \$10,574,000 of the general fund—federal appropriation are provided solely to reimburse the department of social and health services for the costs of medicaid services at a 16-bed residential treatment facility serving long-term involuntary inpatient patients. The authority and the department of social and health services must utilize case rate and cost based reimbursement models to maximize federal matching funds at the facility. Up to \$200,000 of the general fund—state appropriation for fiscal year 2024 may be used to facilitate these efforts.~~

~~(94))~~ \$313,000 of the general fund—federal appropriation is provided solely to support a media campaign for Native Americans related to the prevention of substance abuse and suicide.

~~((95))~~ (94) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with up to two behavioral health agencies that are interested in offering or expanding wraparound with intensive services for children and youth. The funds may be used to support costs associated with recruitment, training, technical assistance, or other appropriate costs required to develop the capacity to offer these specialized services.

~~((96))~~ (95) \$22,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$22,000,000)~~ \$24,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations to implement the statewide recovery navigator program established in chapter 311, Laws of 2021 (ESB 5476) and for related technical assistance to support this implementation. This includes funding for recovery navigator teams to provide community-based outreach and case management services based on the law enforcement assisted diversion model and for technical assistance support from the law enforcement assisted diversion national support bureau. The authority and technical assistance contractor must encourage recovery navigator programs to provide educational information and outreach regarding recovery navigator program services to local retailers that have high levels of retail theft. Of the amounts provided in this subsection ~~((7))~~:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 must be allocated to maintain recovery navigator services in King, Pierce, and Snohomish counties. These amounts must be in addition to the proportion of the allocation of the remaining funds in this subsection the regional behavioral health administrative services organizations serving those counties were allocated pursuant to section 22(1), chapter 311, Laws of 2021.

(b) \$2,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for expanding recovery navigator program services in regions where fiscal year 2025 projected expenditures will exceed revenues provided under this subsection. In allocating these amounts, the authority must prioritize regions where the combined fiscal year 2025 recovery navigator program allocations and recovery navigator program reserve balances are inadequate to cover estimated fiscal year 2025 expenditures.

~~((97))~~ (96) \$3,114,000 of the general fund—state appropriation for fiscal year 2024, \$3,114,000 of the general fund—state appropriation for fiscal year 2025, and \$5,402,000 of the general fund—federal appropriation are provided solely for the authority to implement clubhouse services in every region of the state.

~~((98))~~ (97) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 and \$7,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to implement homeless outreach stabilization teams pursuant to chapter 311, Laws of 2021 (ESB 5476).

~~((99))~~ (98) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$2,500,000 of the general fund—state appropriation for fiscal year 2025, \$81,000 of the general fund—federal appropriation, and ~~(\$5,000,000)~~ \$12,280,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to expand

efforts to provide opioid use disorder and alcohol use disorder medication in city, county, regional, and tribal jails.

~~((+100))~~ (99) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for behavioral health administrative service organizations to develop regional recovery navigator program plans pursuant to chapter 311, Laws of 2021 (ESB 5476), and to establish positions focusing on regional planning to improve access to and quality of regional behavioral health services with a focus on integrated care.

~~((+101))~~ (100) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with an organization with expertise in supporting efforts to increase access to and improve quality in recovery housing and recovery residences. This funding shall be used to increase recovery housing availability through partnership with private landlords, increase accreditation of recovery residences statewide, operate a grievance process for resolving challenges with recovery residences, and conduct a recovery capital outcomes assessment for individuals living in recovery residences.

~~((+102))~~ (101) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$4,000,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to provide short-term housing vouchers for individuals with substance use disorders.

~~((+103))~~ (102) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to convene and provide staff and contracted services support to the recovery oversight committee established in chapter 311, Laws of 2021 (ESB 5476).

~~((+104))~~ (103) \$2,565,000 of the general fund—state appropriation for fiscal year 2024 and \$2,565,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to develop and implement the recovery services plan and to carry out other requirements of chapter 311, Laws of 2021 (ESB 5476). Within these amounts, funding is provided for the authority to:

(a) Establish an occupational nurse consultant position within the authority to provide contract oversight, accountability, and performance improvement activities, and to ensure medicaid managed care organization plan compliance with provisions in law and contract related to care transitions work with local jails; and

(b) Establish a position within the authority to create and oversee a program to initiate and support emergency department programs for inducing medications for patients with opioid use disorder paired with a referral to community-based outreach and case management programs.

~~((+105))~~ (104) \$400,000 of the general fund—federal appropriation is provided solely to support the development and implementation of the parent portal directed in chapter 134, Laws of 2022 (SHB 1800).

~~((+106) — \$23,763,000)~~ (105) \$23,148,000 of the general fund—federal appropriation is provided solely for the authority to contract with the University of Washington behavioral health teaching facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The authority must coordinate with the department of social and health services and the University of Washington to evaluate and determine criteria for the current population of state hospital patients, committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, who can be effectively treated at the University of Washington behavioral health teaching facility. The authority, in coordination with the department of social and health services and the University of Washington, must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, summarizing the numbers and types of patients that are committed to the state hospitals pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, the numbers and types that would be appropriate to be served at the University of Washington behavioral health teaching facility, and the criteria that was used to make the determination.

~~((+107))~~ (106) \$444,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$716,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1515 (behavioral health contracts). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((+108))~~ (107) (a) \$320,000 of the general fund—state appropriation for fiscal year 2024, \$796,000 of the general fund—state appropriation for fiscal year 2025, and \$1,196,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1168 (prenatal substance exposure). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) Of the amounts provided in (a) of this subsection, \$500,000 of the general fund—federal appropriation is provided solely for the authority to contract with a statewide nonprofit entity with expertise in fetal alcohol spectrum disorders and experience in supporting parents and caregivers to offer free support groups for individuals living with fetal alcohol spectrum disorders and their parents and caregivers.

~~((+109))~~ (108) \$91,000 of the general fund—state appropriation for fiscal year 2024, \$91,000 of the general fund—state appropriation for fiscal year 2025, and \$126,000 of the general fund—federal appropriation are provided solely for implementation of Second

Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((111))~~ (109) \$5,474,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$210,000 of the general fund—federal appropriation are provided solely for the authority to implement Engrossed Second Substitute House Bill No. 1134 (988 system).

(a) Within these amounts, \$4,000,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the authority to provide grants to new or existing mobile rapid response teams and to community-based crisis teams to support efforts for meeting the standards and criteria for receiving an endorsement pursuant to provisions of the bill. In awarding grants under this subsection, the authority must prioritize funding for proposals that demonstrate experience and strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

(b) Within the remaining amounts, sufficient funding is provided for the authority to conduct the actuarial analysis and development of options for payment mechanisms for rate enhancements as directed in section ~~((8 of Engrossed Second Substitute House Bill No. 1134 (988 system)))~~ 9, chapter 454, Laws of 2023 and to implement other activities required by the bill.

~~((c) If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((112))~~ (110) \$26,854,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$17,636,000 of the general fund—federal appropriation are provided solely for the authority to expand and enhance regional crisis services. These amounts must be used to expand services provided by mobile crisis teams and community-based crisis teams either endorsed or seeking endorsement pursuant to standards adopted by the authority. Beginning in fiscal year 2025, the legislature intends to direct amounts within this subsection to be used for performance payments to mobile rapid response teams and community-based crisis teams that receive endorsements pursuant to Engrossed Second Substitute House Bill No. 1134 (988 system).

~~((113))~~ (111) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to increase resources for behavioral health administrative service organizations and managed care organizations for the increased costs of room and board for behavioral health inpatient and residential services provided in nonhospital facilities.

~~((114) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000))~~ (112) \$6,000,000 of the general fund—state appropriation for fiscal year 2025 ~~((are))~~ is provided solely for ~~((a contract with a))~~ youth behavioral ~~((inpatient and outpatient program with facilities))~~ health services in Clark and Spokane counties ~~((that serve over 65 percent medicaid eligible clients for co-occurring substance use and mental health disorders and sexual exploitation behavioral health treatment))~~ as follows:

(a) \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a contract with a youth behavioral inpatient and outpatient program which has taken ownership of and submitted a plan to the authority to reopen a facility in Clark county previously closed due to state licensing issues with the former owner. The facility must serve over 60 percent medicaid eligible clients for co-occurring substance use and mental health disorders and sexual exploitation behavioral health treatment. This funding is provided on a one-time basis and must be used ~~((for))~~ consistent with the approved plan and contract for reopening costs, treatment, and services.

(b) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract for behavioral health stabilization and support services for homeless youth in Spokane. The selected contractor must currently provide permanent supportive housing and services in Spokane and operate a low barrier homeless shelter for youth under the age of 18 and young adults aged 18 to 24.

~~((115) \$18,168,000))~~ (113) \$18,868,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to address and remediate the opioid epidemic. Of these amounts:

(a) \$2,500,000 is provided solely for the authority to provide or contract for opioid prevention, outreach, treatment, or recovery support services that are not reimbursable under the state medicaid plan.

(b) \$500,000 is provided solely for Spanish language opioid prevention services.

(c) \$2,000,000 is provided solely to maintain prevention services that address underage drinking, cannabis and tobacco prevention, and opioid, prescription, and other drug misuse among individuals between the ages of 12 and 25.

(d) \$1,830,000 is provided solely for programs to prevent inappropriate opioid prescribing.

(e) \$538,000 is provided solely for technical support to improve access to medications for opioid use disorder in jails.

(f) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority, in coordination with the department of health, to develop and implement a health promotion and education campaign, with a focus on synthetic drug supplies, including fentanyl, and accurate harm reduction messaging for communities, law enforcement, emergency responders, and others.



(g) \$3,500,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide support funds to new and established clubhouses throughout the state.

(h) \$6,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide grants for the operational costs of new staffed recovery residences which serve individuals with substance use disorders who require more support than a level 1 recovery residence.

(i) Of the amounts provided in this subsection, the authority may use up to 10 percent for staffing and administrative expenses.

(j) In contracting for programs and services under this subsection, the authority must consider data and implement strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

~~((116))~~ (114) \$5,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to maintain funding for ongoing grants to law enforcement assisted diversion programs outside of King county under RCW 71.24.590.

~~((117))~~ (115) \$5,500,000 of the opioid abatement settlement account—state appropriation is provided on a one-time basis solely for the authority to implement a pilot program to reimburse a licensed pediatric transitional care facility in Spokane county to provide neonatal abstinence syndrome services to infants who have prenatal substance exposure. The pilot program must study and evaluate the efficacy, outcomes, and impact of providing these services to avoid more costly medical interventions. Within these amounts, \$190,000 is provided solely for the authority to contract with Washington State University to conduct research analyzing the prevalence of neonatal abstinence syndrome and infant and maternal health outcomes associated with neonatal transitional nurseries in Washington. The university must submit a report articulating findings to the appropriate committees of the legislature by December 1, 2024. The report must identify to what extent the federal medicaid program allows for reimbursement of these services and identify the barriers in leveraging federal medicaid funding for these services in Washington's state medicaid plan.

~~((118))~~ (116) \$15,447,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to pass through to tribes and urban Indian health programs for opioid and overdose response activities. The funding must be used for prevention, outreach, treatment, recovery support services, and other strategies to address and mitigate the effects of the misuse and abuse of opioid related products. The authority must provide the tribes and urban Indian health programs the latitude to use the funding as they see fit to benefit their communities, provided the activities are allowable under the terms of the opioid settlement agreements.

~~((119))~~ (117) \$66,000 of the general fund—state appropriation for fiscal year 2024, \$502,000 of the general fund—state appropriation for fiscal year 2025, and \$171,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((120))~~ (118) \$190,000 of the general fund—state appropriation for fiscal year 2024, \$354,000 of the general fund—state appropriation for fiscal year 2025, and \$1,106,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5228 (behavioral health OT). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((121))~~ (119) \$3,605,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$1,539,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((122))~~ (120) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Arlington in partnership with the north county regional fire authority for a mobile integrated health pilot project. The project shall provide mobile integrated health services for residents who cannot navigate resources through typical methods through brief therapeutic intervention, biopsychosocial assessment and referral, and community care coordination.

~~((123))~~ (121) \$1,000 of the general fund—state appropriation for fiscal year 2024 is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

~~((124))~~ (122) \$300,000 of the opioid abatement settlement account—state appropriation is provided for support of a statewide safe supply work group. The purpose of the work group is to evaluate potential models for safe supply services and make recommendations on inclusion of a safe supply framework in the Washington state substance use recovery services plan to provide a regulated, tested supply of controlled substances to individuals at risk of drug overdose. The work group membership shall be reflective of the community of individuals living with substance use disorder, including persons who are black, indigenous, and persons of color, persons with co-occurring substance use disorders and mental health conditions, as well as persons who represent the unique needs of rural communities.

(a) The work group membership shall consist of, but is not limited to, members appointed by the governor representing the following:

- (i) At least one adult in recovery from substance use disorder;
- (ii) At least one youth in recovery from substance use disorder;

- (iii) One expert from the addictions, drug, and alcohol institute at the University of Washington;
  - (iv) One outreach services provider;
  - (v) One substance use disorder treatment provider;
  - (vi) One peer recovery services provider;
  - (vii) One recovery housing provider;
  - (viii) One expert in serving persons with co-occurring substance use disorders and mental health conditions;
  - (ix) One expert in antiracism and equity in health care delivery systems;
  - (x) One employee who provides substance use disorder treatment or services as a member of a labor union representing workers in the behavioral health field;
  - (xi) One representative of the association of Washington healthcare plans;
  - (xii) One representative of sheriffs and police chiefs;
  - (xiii) One representative of a federally recognized tribe; and
  - (xiv) One representative of local government.
- (b) The work group's evaluation shall include, but is not limited to, the following:
- (i) Examining the concept of "safe supply," defined as a legal and regulated supply of mind or body altering substances that traditionally only have been accessible through illicit markets;
  - (ii) Examining whether there is evidence that a proposed "safe supply" would have an impact on fatal or nonfatal overdose, drug diversion, or associated health and community impacts;
  - (iii) Examining whether there is evidence that a proposed "safe supply" would be accompanied by increased risks to individuals, the community, or other entities or jurisdictions;
  - (iv) Examining historical evidence regarding the overprescribing of opioids; and
  - (v) Examining whether there is evidence that a proposed "safe supply" would be accompanied by any other benefits or consequences.
- (c) Staffing for the work group shall be provided by the authority.
- (d) The work group shall provide a preliminary report and recommendations to the governor and the appropriate committees of the legislature by December 1, 2023, and shall provide a final report by December 1, 2024.

(123) \$2,700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementing a postinpatient housing program designed for young adults in accordance with the provisions of Second Substitute House Bill No. 1929 (postinpatient housing). Contracts with postinpatient housing providers are exempt from the competitive procurement requirements in chapter 39.26 RCW.

(124) Within existing resources, the authority shall collaborate with the department of social and health services to develop a new program for individuals admitted to a state hospital for purposes of civil commitment under RCW 10.77.086. The program must prioritize the use of assisted outpatient treatment resources for eligible individuals and draw upon existing programs, including the program of assertive community treatment and the governor's opportunity for supportive housing program to provide wraparound services for individuals who may be ready to quickly return to the community following an admission.

(125) \$1,675,000 of the opioid abatement settlement account—state appropriation and \$175,000 of the general fund—federal appropriation are provided solely for the authority to contract for the support of an opioid recovery and care access center in Seattle. The contractor must be an established Seattle based behavioral health provider that has developed a partnership for the project and has leveraged additional operations and research funding from other sources. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(126) \$3,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to increase access to long-acting injectable medications for opioid use disorders.

(a) The authority may use these funds to:

(i) Provide long-acting injectable medications for opioid use disorders to small providers that are not financially affiliated with a hospital; and

(ii) Cover the cost and administration of the drug for uninsured individuals that do not qualify for other state or federal health insurance programs.

(b) The authority may not use these funds for provision of long-acting injectable medications for opioid use disorders in a hospital, hospital affiliated outpatient clinic, or jail setting.

(c) The authority shall study alternative models that will ease access to long-acting injectable medications for opioid use disorder and report recommendations to the office of financial management and the appropriate committees of the legislature by October 15, 2024.

(127) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided on a one-time basis solely for the authority to enhance clinical best practices in addiction medicine across the medical field in Washington state. The authority must contract these amounts with a Washington state chapter of a national organization that provides a physician-led professional community for those who prevent, treat, and promote remission and recovery from the disease of addiction and whose comprehensive set of guidelines for determining placement, continued stay, and transfer or discharge of enrollees with substance use disorders and co-occurring disorders have been incorporated into medicaid managed care contracts. Priority for the activities established must be given to prescribers from a variety of settings including emergency rooms, primary care, and community behavioral health

settings. The activities may include other licensed professionals as resources allow. At a minimum, the following activities must be supported: (a) An addiction medicine summit; (b) intermittent lunch and learn webinars that are partially presentation based and partially discussion based; and (c) establishment and operation of a mechanism for case consultation. Whenever feasible and appropriate, the activities should incorporate content specific to managing chronic pain patients.

(128) \$1,122,000 of the general fund—state appropriation for fiscal year 2025 and \$368,000 of the general fund—federal appropriation are provided solely for the authority to contract for a pilot program offering digital behavioral health services to school-aged youth. The authority must issue a request for interest or a request for proposals and evaluate all qualified responses before selecting a contractor. The authority must track data related to use and outcomes of the pilot project and submit a report to the office of financial management and the appropriate committees of the legislature that includes a summary of the services provided, outcomes, and recommendations related to continuation or expansion of the pilot program. The data elements and outcomes that must be tracked and reported include, but are not limited to:

- (a) The number of youth provided access to the digital service through the pilot program;
- (b) The number of pilot participants using the digital service;
- (c) The total and average number of hours pilot participants used the digital service;
- (d) Regional and demographic data on those provided access to and those using the pilot program services;
- (e) The number of participants and hours of direct counseling services provided through the pilot program;
- (f) The number of participant referrals to crisis services occurring through the pilot program; and
- (g) User satisfaction with the pilot program services.

(129) \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for bridge funding grants to community behavioral health agencies participating in federal certified community behavioral health clinic expansion grant programs to sustain their continued level of operations following expiration of federal grant funding during the planning process for adoption of the certified community behavioral health clinic model statewide.

(130) \$3,932,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract for community behavioral health services to be provided at the Olympic heritage behavioral health facility pursuant to the following requirements:

(a) The authority must conduct a survey of provider interest to determine service options for operating up to 40 beds at the Olympic heritage behavioral health facility, with a target opening date of April 1, 2025.

(b) The primary focus must be addressing the needs of adults with a history or likelihood of criminal legal involvement to reduce the number of people with behavioral health or other diagnoses accessing treatment through the criminal legal system.

(c) The survey must seek information from providers, including tribal governments, interested in offering one or more, but not limited to, the following types of services:

(i) Short-term or step down residential behavioral health care, particularly for individuals who may have received treatment or services through crisis stabilization or a 23-hour crisis facility;

(ii) Residential, transitional, or supportive services that would divert individuals from the criminal legal system or emergency departments;

(iii) Substance use or co-occurring treatment, including inpatient or outpatient programming as well as programs designed for the treatment of opioid use disorder; and

(iv) Supportive and residential services for individuals in outpatient competency restoration, subject to assisted outpatient treatment orders, or released on personal recognizance while awaiting competency services.

(d) The authority must provide a summary of the survey results to the office of financial management and the appropriate committees of the legislature.

(e) Based upon a review of the survey results and in consultation with the department of social and health services, the authority must develop and submit a recommendation for approval to the office of financial management for issuing a request for proposals for specific beds to be contracted at the Olympic heritage behavioral health facility.

(f) No later than August 1, 2024, and pursuant to approval from the office of financial management, the authority must release a request for proposals for contracted services at the Olympic heritage behavioral health facility that requires applicants to provide the following information:

- (i) A timeline and cost proposal for the operations of selected services;
- (ii) An explanation of how the proposal would reduce the number of individuals with behavioral health needs entering the criminal legal system; and
- (iii) Additional information as identified by the authority including relevant information identified in the survey of interest.

(131) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to provide a one-time grant to the city of Maple Valley to support a project for a community resource coordinator position for the city of Maple Valley, Tahoma school district, and the greater Maple Valley area. This amount must be used to develop programs, projects, and training that specifically address behavioral health awareness and education and facilitate access to school-based and community behavioral health resources.

(132) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for establishing grants to crisis services providers to establish and expand 23-hour crisis relief center capacity in accordance with the provisions of section 33, chapter 1, Laws of 2023 sp. sess. (2E2SSB 5536).

(133) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a one-time grant to a nonprofit organization to provide services to medicaid clients and uninsured clients in a crisis stabilization and secure withdrawal management center located in Island county.

(134) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to develop and issue a request for information to identify digital technologies that can be used for supporting youth and young adult behavioral health prevention, intervention, treatment, and recovery support services. In developing the request for information, the authority must convene a panel of experts in adolescent and young adult behavioral health prevention and treatment, suicide prevention and treatment, and digital behavioral health technologies. The panel must be used to evaluate responses to the request for information and make recommendations for technologies to pursue in future agency budget requests. The authority must submit a report to the children and youth behavioral health work group established pursuant to RCW 74.09.4951, the office of financial management, and the appropriate committees of the legislature, by June 30, 2025, identifying the technologies being recommended for implementation and the associated costs for piloting and/or statewide implementation.

(135) \$3,000,000 of the opioid abatement settlement account—state appropriation is provided solely for establishing three additional health engagement hub pilot program sites in accordance with the provisions of chapter 1, Laws of 2023 sp. sess. (2E2SSB 5536). Prior to initiating another request for interest process, the authority must consider acceptable proposed projects from the request for interest survey initiated by the authority and the department of health in October 2023. In selecting proposals, the authority should consider geographic distribution across the state, and prioritize proposals that demonstrate an ability to serve communities disproportionately impacted by overdose, health issues, and other harms related to drugs, including American Indian/Alaska Native communities, Black/African American communities, Latino/Hispanic communities, people experiencing homelessness, and communities impacted by the criminal-legal system. When determining the contracts for direct services, priority may be given to BIPOC-led organizations, including Tribes.

(136) \$1,500,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to establish high-intensity community-based teams serving people with opioid use disorder. The funding must be used to significantly increase administration of long-acting injectable buprenorphine to people at highest risk for overdose. The authority must prioritize funding to augment existing field-based teams funded with federal state opioid response grants, such as opioid treatment network, low-barrier buprenorphine, or street medicine teams to enhance low-barrier services in areas with high rates of overdose. Funding must be used to engage people with opioid use disorder in nontraditional settings such as supportive housing, shelters, and encampments to provide low-barrier, immediate, and continual care for people with opioid use disorders to initiate and maintain buprenorphine, with preferential focus on long-acting injectable buprenorphine. The authority must submit a report to the office of financial management and the appropriate committees of the legislature summarizing the implementation of this funding and identifying barriers which impact treatment access for people at high risk for overdose including, but not limited to: (a) State and federal regulations; (b) managed care provider network adequacy; (c) contracting practices between managed care organizations and behavioral health providers, including delegation arrangements with provider networks; (d) reimbursement models and rate adequacy; (e) training and technical assistance needs; and (f) other factors identified by the authority. The report must include recommendations for reducing barriers to medication for opioid use disorder, including long-acting injectable buprenorphine.

(137) \$225,000 of the general fund—state appropriation for fiscal year 2025 and \$225,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 2320 (high THC cannabis products). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(138) \$893,000 of the general fund—state appropriation for fiscal year 2025 and \$722,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1877 (behavioral health/tribes). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(139) \$1,800,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to reimburse King county for the cost of conducting 180-day commitment hearings at state operated facilities operating within King county.

(140) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract with an entity that operates as a recovery resource center in north Kitsap county. This funding is provided on a one-time basis and must be used by the contracting entity to expand service hours, provide recovery café services, and promote peer support and vocational, educational, and drug and alcohol-free social opportunities for the local recovery community.

(141) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle based opioid use disorder treatment provider in Seattle that experienced a severe flooding event in a clinic in January 2024. This funding is provided on a one-time basis and must be used to allow the clinic to continue to provide services by providing

support for the increased per client costs resulting from temporarily delivering services to a smaller volume of clients while services are being re-established at the clinic and by supporting efforts to provide transitional services for clients in other settings while the facility is being restored.

(142) \$900,000 of the general fund—state account for fiscal year 2025 is provided solely for the authority to purchase dispensing machines for distribution of naloxone, fentanyl test strips, and other public health supplies. In selecting a contractor for these machines, the authority must not provide any preference for machines that have the capacity to provide telehealth services.

(143) \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to implement a rapid methadone induction pilot program. The pilot program must provide rapid methadone induction services to clients in hospitals electing to provide these services on an inpatient basis. Of these amounts, \$250,000 is provided solely for the authority to contract for technical assistance to the hospitals participating in the pilot. The authority must contract the amounts provided for technical assistance to a Washington state chapter of a national organization that provides a physician-led professional community for those who prevent, treat, and promote remission and recovery from the disease of addiction and whose comprehensive set of guidelines for determining placement, continued stay, and transfer or discharge of enrollees with substance use disorders and co-occurring disorders have been incorporated into Washington state medicaid managed care contracts. The authority must develop procedures for incorporating this service through the apple health program including development of an amendment to the state medicaid plan or waiver if required. The authority must submit a preliminary report to the office of financial management and the appropriate committees of the legislature by June 30, 2025, which provides the status of the pilot project, identifies the mechanism that will be required to implement these services statewide through the apple health program, and provides estimates regarding the cost to implement the program statewide.

(144) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract for three street medicine teams that rapidly assess and address the acute and chronic physical and behavioral health needs of homeless people. The teams must offer integrated, team-based medical, mental health, substance use, and infectious disease treatment and prevention, and navigation and case management services. One of the teams must provide services to people in Seattle and one of the teams must provide services to people in Spokane. The authority must submit a report to the office of financial management and the appropriate committees of the legislature on the implementation of this program with recommendations for maximizing leveraging of federal medicaid match and further expansion of the street medicine model by June 30, 2025.

(145) (a) \$480,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a Washington state tribal opioid and fentanyl response task force with members as provided in this subsection:

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate;

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives;

(iii) Each federally recognized Indian tribe in Washington state may appoint one member through tribal resolution;

(iv) The attorney general shall appoint one representative from the office of the attorney general;

(v) The superintendent of public instruction shall appoint one representative from the office of the superintendent of public instruction; and

(vi) The governor shall appoint the following members:

(A) A member of the Seattle Indian health board;

(B) A member of the NATIVE project;

(C) One member of the executive leadership team from each of the following state agencies: The health care authority; the department of children, youth, and families; the department of commerce; the department of corrections; the department of health; the department of social and health services; the governor's office of Indian affairs; and the Washington state patrol;

(D) Two indigenous members that have lived experience related to opioids or fentanyl; and

(E) Two representatives of local governments.

(b) Where feasible, the task force may invite and consult with representatives of:

(i) The federal bureau of investigation;

(ii) The offices of the United States attorneys;

(iii) Federally recognized tribes in a state adjacent to Washington state;

(iv) Tribal organizations with specific expertise including but not limited to tribal sovereignty, jurisdiction, cultural practices, and data; and

(v) Any experts or professionals having expertise in the topics of prevention, treatment, harm reduction, and recovery support related to opioids or fentanyl in federal, tribal, and/or state jurisdiction.

(c) (i) The legislative members must convene the initial meeting of the task force no later than August 1, 2024. Thereafter, the task force shall meet at least quarterly.

(ii) The task force must be cochaired by one legislative member and four tribal leader members selected by members of the task force at the first meeting.

(iii) The task force shall convene one summit in fiscal year 2025 with the state agencies identified in (a) (vi) of this subsection, federally recognized Indian tribes in Washington

state, federally recognized tribes located in a state adjacent to Washington state, urban Indian organizations, and tribal organizations.

(d)(i) Of the amounts provided in this subsection, \$295,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract with the American Indian health commission, as defined in RCW 43.71B.010, to provide support for the Washington state tribal opioid and fentanyl response task force, committees, and work groups and to organize the annual summit, and oversee the development of the task force reports. The American Indian health commission may, when deemed necessary by the task force, retain consultants to provide data analysis, research, recommendations, and other services to the task force for the purposes provided in (e) of this subsection. The amounts within this subsection (d)(i) shall be used for the costs of meetings, the annual summit, American Indian health commission staff support, consultants as deemed necessary, and for stipends pursuant to (d)(v) of this subsection.

(ii) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriations for fiscal year 2025 is provided solely for the authority to contract with tribes and urban Indian health organizations to provide stipends for participation and attendance at task force and committee meetings.

(iii) Of the amounts provided in this subsection, \$85,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to support the Washington state tribal opioid and fentanyl response task force.

(iv) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Except as provided under (d)(v) of this subsection, any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(v) Subject to the provisions of RCW 43.03.220, eligible task force members may be provided a stipend in an amount not to exceed \$200 and other expenses for each day during which the member attends an official meeting of the task force.

(e)(i) The task force shall review the laws and policies relating to opioid and fentanyl use, illicit sale of opioids and fentanyl, jurisdictional authority, tribal exclusionary authority, and any related impacts affecting American Indian and Alaska Native people. The task force shall develop recommendations including legislative and executive policy changes and budget initiatives for the purpose of addressing priority areas identified at the first annual Washington state tribal opioid and fentanyl summit in May of 2023 in the overarching topic areas of justice; prevention, treatment, and recovery; housing and homelessness; and community and family as well as additional topic areas included in subsequent summits.

(ii) The task force may create subgroups and work with existing state or tribal work groups to develop recommendations to the task force on each of the topics listed in (e)(i) of this subsection.

(iii) The task force, with the assistance of the American Indian health commission and the authority, must submit a status report including any initial findings, recommendations, and progress updates to the governor and the appropriate committees of the legislature by June 30, 2025. The report shall include but is not limited to recommendations related to proposed new statutes or amendment of current statutes, proposed executive branch action items or regulatory changes, and proposed funding and budget requests. To the extent possible, the report may include fiscal analysis related to the cost of implementing specific recommendations.

(146)(a) \$250,000 of the general fund—state appropriation for fiscal year 2025 and \$250,000 of the general fund—federal appropriation are provided solely for the authority to continue work on the behavioral health comparison rate project, including:

(i) Developing phase 3 comparison rates for all major medicaid managed care behavioral health services not addressed in phase 1 or phase 2 of the behavioral health comparison rates project or through other work streams; and

(ii) Preparing to implement a minimum fee schedule for behavioral health services, including developing solutions to resolve any current data and systems limitations.

(b) By December 31, 2024, the authority must provide a preliminary report to the office of financial management and appropriate committees of the legislature that:

(i) Estimates the cost and other impacts to fee for service and managed care programs of establishing a minimum fee schedule effective January 1, 2026, based on the comparison rates developed as part of phase 1 and phase 2 of the behavioral health comparison rates project;

(ii) Identifies any data or other limitations that need to be resolved, and plans for addressing those limitations including funding needs if any, to implement the minimum fee schedule by January 1, 2026;

(iii) Provides additional analysis of variation between the comparison rates and current payment levels at a service and regional level;

(iv) Describes how the authority plans to propose to the legislature implementation of the phase 1 and phase 2 minimum fee schedule by January 1, 2026, to better match medicaid payments to the cost of care; and

(v) Outlines options to periodically update the behavioral health fee schedules.

(c) By June 30, 2025, the authority must provide a final report to the office of financial management and appropriate committees of the legislature that:

(i) Summarizes the new comparison rates developed as part of phase 3;

(ii) Updates comparison rates developed in phase 1 and phase 2 for new salary and wage information based on most current bureau of labor statistics data;

(iii) Estimates the cost and other impacts to fee for service and managed care of incorporating additional behavioral health services developed as part of phase 3 of the behavioral health comparison rates project into a minimum fee schedule effective January 1, 2027;

(iv) Identifies planned actions and funding needs if any to resolve any remaining limitations to implement the phase 3 minimum fee schedule by January 1, 2027;

(v) Provides additional analysis of variation between the comparison rates developed as part of phase 3 and current payment levels at a service and regional level; and

(vi) Describes how the authority plans to propose to the legislature implementation of the phase 3 minimum fee schedule by January 1, 2027, to better match medicaid payments to the cost of care.

(d) It is the intent of the legislature to continue funding the study in the 2025-2027 fiscal biennium, with a final report due by October 1, 2025.

(147) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to provide support to behavioral health agencies interested in establishing occupational therapy services for behavioral health clients. This funding must be used for establishing and integrating occupational therapy into behavioral health agency programs and operations. Funding may be used for occupational therapist and occupational therapy assistant services, recruitment, training, technical assistance, fieldwork opportunities, and for other approved activities targeted to increase access to occupational therapy services within behavioral health agency settings. The authority must submit a preliminary report to the legislature on the number of patients receiving occupational therapy through this initiative, the programs in which services were provided, and the number and type of fieldwork students trained in each participating behavioral health agency program by June 30, 2025.

(148) (a) \$42,527,000 of the general fund—state appropriation for fiscal year 2025 and \$36,680,000 of the general fund—federal appropriation are provided solely for the authority to implement supportive supervision and oversight services, and skills development and restoration services pursuant to a 1915(i) state plan amendment that is assumed to be effective on July 1, 2024. This reflects a change in purchasing structure and a transition of clients from behavioral health personal care services to the new services established under the 1915(i) state plan amendment. For medicaid clients enrolled in managed care, the authority must contract for these services through managed care organizations utilizing an actuarially sound rate structure as established by the authority and approved by the centers for medicare and medicaid services.

(b) Of the amounts provided in this subsection, \$24,661,000 of the general fund—state appropriation for fiscal year 2025 and \$26,931,000 of the general fund—federal appropriation are for implementing supportive supervision and oversight services in adult family home settings in accordance with and contingent upon execution of the collective bargaining agreement negotiated between the state and the adult family homes and referenced in part IX of this act.

(c) Of the amounts provided in this subsection, \$5,611,000 of the general fund—state appropriation for fiscal year 2025 and \$6,128,000 of the general fund—federal appropriation are for implementing supportive supervision and oversight services in assisted living settings.

(d) Of the amounts provided in this subsection, \$3,426,000 of the general fund—state appropriation for fiscal year 2025 and \$3,245,000 of the general fund—federal appropriation are for implementing skills development and restoration services.

(e) Of the amounts provided in this subsection, \$8,453,000 is for managed care organizations to provide reimbursement for the state share of exceptional behavioral health personal care services for individuals who have not transitioned into the new 1915(i) state plan services.

(f) Of the amounts provided in this subsection, \$376,000 of the general fund—state appropriation for fiscal year 2024 and \$376,000 of the general fund—federal appropriation is for administrative costs associated with implementation of the new 1915(i) state plan.

(g) In the event that either the 1915(i) state plan amendment is not approved by the center for medicaid and medicare services or the collective bargaining agreement negotiated between the state and the adult family homes as referenced in part IX of this act is not executed in fiscal year 2025, then from the amounts provided in (a) of this subsection, up to \$23,850,000 of the general fund—state appropriation for fiscal year 2025 may be used for the authority to continue the reimbursement structure for behavioral health personal care services in place during fiscal year 2024.

(h) Within the amounts provided in this subsection, the authority must assure that managed care organizations reimburse the department of social and health services aging and long term support administration for the general fund—state cost of exceptional behavioral health personal care services for medicaid enrolled individuals who require these services because of a psychiatric disability.

(149) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract with a nonprofit organization to provide education on innovative care for individuals with mental illnesses. The contracting organization must:

(a) Have experience holding mental health focused summits that bring together provider, advocacy communities, and other stakeholders; and in distributing mental health first aid manuals and online resources for mental health curricula;

(b) Have a mission to (i) create an environment through education to eliminate stigma around mental illness; (ii) help to boost effectiveness of current treatment pathways through proactive care coordination and management; (iii) aid efforts in psychiatric research and innovations; and (iv) identify and elevate systems of excellence; and

(c) Use this funding to support initiatives related to the distribution of mental health curricula and training manuals, and innovation in the identification and treatment of individuals with mental illnesses.

**Sec. 216.** 2023 c 475 s 216 (uncodified) is amended to read as follows:

**FOR THE HUMAN RIGHTS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(\$4,799,000)
	\$4,929,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$4,720,000)
	\$4,730,000
General Fund—Federal Appropriation . . . . .	(\$2,975,000)
	\$2,978,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$12,494,000)</b>
	<b>\$12,637,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$448,000 of the general fund—state appropriation for fiscal year 2024 and \$420,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for investigative staff to address the commission's caseload backlog.

(2) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5186 (contracting/discrimination). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

**Sec. 217.** 2023 c 475 s 217 (uncodified) is amended to read as follows:

**FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

Worker and Community Right to Know Fund—State Appropriation . . . . .	\$10,000
Accident Account—State Appropriation . . . . .	(\$27,516,000)
	\$27,537,000
Medical Aid Account—State Appropriation . . . . .	(\$27,510,000)
	\$27,531,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$55,036,000)</b>
	<b>\$55,078,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$650,000 of the accident account—state appropriation and \$650,000 of the medical aid account—state appropriation are provided solely for the board of appeals information system modernization project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$47,000 of the accident account—state appropriation and \$47,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(3) \$22,000 of the accident account—state appropriation and \$21,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

**Sec. 218.** 2023 c 475 s 218 (uncodified) is amended to read as follows:

**FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(\$53,805,000)
	\$54,995,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$50,466,000)
	\$62,273,000
General Fund—Private/Local Appropriation . . . . .	(\$11,970,000)
	\$7,901,000
Death Investigations Account—State Appropriation . . . . .	\$1,708,000
Municipal Criminal Justice Assistance Account—State Appropriation . . . . .	\$460,000
Washington Auto Theft Prevention Authority Account— State Appropriation . . . . .	(\$7,167,000)
	\$12,967,000
Washington Internet Crimes Against Children Account— State Appropriation . . . . .	\$2,270,000
24/7 Sobriety Account—State Appropriation . . . . .	\$20,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$127,866,000)</b>



\$142,594,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130.

(2) Funding in this section is sufficient for 75 percent of the costs of providing 23 statewide basic law enforcement trainings in each fiscal year 2024 and fiscal year 2025. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. At least three classes must be held in Spokane each year.

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(4) \$2,270,000 of the Washington internet crimes against children account—state appropriation is provided solely for the implementation of chapter 84, Laws of 2015.

(5) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the mental health field response team program administered by the Washington association of sheriffs and police chiefs. The association must distribute \$7,000,000 in grants to the phase one and phase two regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court—Western District, Cause No. 14-cv-01178-MJP. The association must submit an annual report to the Governor and appropriate committees of the legislature by September 1st of each year of the biennium. The report shall include best practice recommendations on law enforcement and behavioral health field response and include outcome measures on all grants awarded.

(6) \$899,000 of the general fund—state appropriation for fiscal year 2024 and \$899,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for crisis intervention training for the phase one regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court—Western District, Cause No. 14-cv-01178-MJP.

(7) \$1,598,000 of the death investigations account—state appropriation is provided solely for the commission to provide 240 hours of medicolegal forensic investigation training to coroners and medical examiners to meet the recommendations of the national commission on forensic science for certification and accreditation.

(8) \$346,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of chapter 321, Laws of 2021 (officer duty to intervene).

(9) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional grants to local jurisdictions to investigate instances where a purchase or transfer of a firearm was attempted by an individual who is prohibited from owning or possessing a firearm.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide grant funding to local law enforcement agencies to support law enforcement wellness programs. Of the amount provided in this subsection:

(a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to provide grants to local law enforcement and corrections agencies for the purpose of establishing officer wellness programs. Grants provided under this subsection may be used for, but not limited to building resilience, injury prevention, peer support programs, physical fitness, proper nutrition, stress management, suicide prevention, and physical or behavioral health services. The commission must consult with a representative from the Washington association of sheriffs and police chiefs and a representative of the Washington state fraternal order of police and the Washington council of police and sheriffs in the development of the grant program.

(b) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington association of sheriffs and police chiefs to establish and coordinate an online or mobile-based application for any Washington law enforcement officer; 911 operator or dispatcher; and any other current or retired employee of a Washington law enforcement agency, and their families, to anonymously access on-demand wellness techniques, suicide prevention, resilience, physical fitness, nutrition, and other behavioral health and wellness supports.

(11) \$290,000 of the general fund—state appropriation for fiscal year 2024 and \$290,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for academy training for limited authority Washington peace officers employed by the Washington state gambling commission, Washington state liquor and cannabis board, Washington state parks and recreation commission, department of natural resources, and the office of the insurance commissioner.

(a) Up to 30 officers must be admitted to attend the basic law enforcement academy and up to 30 officers must be admitted to attend basic law enforcement equivalency academy.

(b) Allocation of the training slots amongst the agencies must be based on the earliest application date to the commission. Training does not need to commence within six months of employment.

(c) The state agencies must reimburse the commission for the actual cost of training.

(12) (~~(\$6,687,000)~~) \$6,746,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$4,668,000)~~) \$4,996,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish and provide basic law enforcement academy classes at three new regional training academies, one in Pasco, one in (~~(Skagit county)~~) northwest Washington, and one in Clark county. Funding in this subsection is sufficient for 75 percent of the costs of providing six classes per year beginning in fiscal year 2024. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. The six classes per year are in addition to the classes in subsection (2) of this section.

(13) (~~(\$150,000)~~) \$120,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~) and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to develop plans for increasing training capacity. The planning process should include engagement with limited law enforcement agencies, tribal law enforcement representatives, and local law enforcement agencies and representatives. The criminal justice training commission will provide recommendations to the governor and the appropriate committees of the legislature in a preliminary report due November 15, 2023, and in a final report due September 30, 2024. The reports should include the following:

(a) Identifying the demand for additional basic law enforcement academy courses to support law enforcement agencies and develop a proposal to meet any identified training needs, including basic law enforcement academy and advanced training needs;

(b) A plan for how to provide basic law enforcement academy training to limited law enforcement officers and tribal law enforcement officers, including providing additional capacity for training classes. The plan should also consider alternatives for distribution of the costs of the training course; and

(c) A plan for providing at least two basic law enforcement training academy classes per year to candidates who are not yet employed with a law enforcement agency. The plan should, at a minimum, include the following:

(i) A recruitment strategy that emphasizes recruitment of diverse candidates from different geographic areas of the state; diverse race, ethnicity, gender, and sexual orientation; and candidates with diverse backgrounds and experiences including nontraditional educational programs or work experience;

(ii) Pathways from training to employment with a law enforcement agency; and

(iii) Plans to address capacity for and delivery of training.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide accreditation incentive awards.

(a) The commission may provide an accreditation incentive award totaling up to \$50,000 to each law enforcement agency that receives an accreditation during the fiscal biennium from a national or state accrediting entity recognized by the commission. The commission must divide award amounts provided pursuant to this section equally among qualifying law enforcement agencies. A law enforcement agency may not receive more than one accreditation incentive award per fiscal biennium. Funds received by a law enforcement agency pursuant to this subsection must be made available to the law enforcement agency to which they are awarded and may not supplant or replace existing funding received by the law enforcement agency.

(b) The commission must submit a report to the legislature by June 30th of each fiscal year during the biennium that lists each law enforcement agency that received an accreditation incentive award during the fiscal year.

(15) \$1,085,000 of the general fund—state appropriation for fiscal year 2024 and \$1,040,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims & witnesses). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(16) \$236,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1132 (limited authority officers). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(17) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for body camera grant funding to local law enforcement agencies.

(a) The Washington association of sheriffs and police chiefs shall develop and implement a body-worn camera grant program. The purpose of the program is to assist law enforcement agencies to establish and expand body-worn camera programs.

(b) Law enforcement agencies may use the grants for: (i) The initial purchase, maintenance, and replacement of body-worn cameras; (ii) ongoing costs related to the maintenance and storage of data recorded by body worn cameras; (iii) costs associated with public records requests for body worn-camera footage; and (iv) hiring of personnel necessary to operate a body-worn camera program.

(c) The Washington association of sheriffs and police chiefs shall develop and implement a grant application process and review applications from agencies based on locally developed proposals to establish or expand body-worn camera programs.

(d) Law enforcement agencies that are awarded grants must:

(i) Comply with the provisions of chapter 10.109 RCW;

(ii) Demonstrate the ability to redact body-worn camera footage consistent with RCW 42.56.240 and other applicable provisions;

(iii) Provide training to officers who will wear body-worn cameras and other personnel associated with implementation of the body-worn camera program; and

(iv) Agree to comply with any data collection and reporting requirements that are established by the Washington association of sheriffs and police chiefs.

(e) The Washington association of sheriffs and police chiefs must submit an annual report regarding the grant program to the governor and appropriate committees of the legislature by December 1st of each year the program is funded. The report must be submitted in compliance with RCW 43.01.036.

(18) \$5,800,000 of the Washington auto theft prevention authority account—state appropriation is provided solely to the Washington association of sheriffs and police chiefs for the implementation of chapter 388, Laws of 2023 (auto theft authority account).

(19) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to complete a study on establishing a regional basic law enforcement academy or a regional corrections officer academy, or both, on the Kitsap peninsula. At a minimum, the study must estimate the costs and identify a possible timeline for establishing one or both academies. A report providing recommendations is due to the governor and the appropriate policy and fiscal committees of the legislature by June 30, 2025.

(20) \$2,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to support the law enforcement assisted diversion program for drug possession and public use in Seattle. These funds must supplement, not supplant, current levels of local funding in the city of Seattle budget.

(21) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(22) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of House Bill No. 1635 (police dogs/liability). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(23) \$1,384,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2311 (first responder wellness). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(24) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2396 (synthetic opioids). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 219.** 2023 c 475 s 219 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF INDEPENDENT INVESTIGATIONS**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$17,037,000)) \$17,049,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$17,211,000)) \$24,739,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$34,248,000)) \$41,788,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$9,383,000 of the general fund—state appropriation for fiscal year 2024 and \$9,383,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dedicated staffing at regional offices to include at least regional investigator supervisors, investigators, forensic investigators, family liaisons, and evidence technicians.

(2) \$1,124,000 of the general fund—state appropriation for fiscal year 2024 and \$1,124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with the Washington state patrol for laboratory-based testing and processing of crime scene evidence collected during investigations.

(3) \$251,000 of the general fund—state appropriation for fiscal year 2024 and \$251,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted specialized training for investigators relating to death investigations in cases involving deadly force.

(4) \$2,257,000 of the general fund—state appropriation for fiscal year 2024 and \$2,057,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for training development, additional staff training costs, crime lab processing, and contract services to include polygraphs, background checks, personnel evaluations, contracted security, and software licensing.

(5) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for an evidence facility.

(6) \$4,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for tenant improvements of three regional offices.

**Sec. 220.** 2023 c 475 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$15,789,000</del> ))
	<u>\$17,408,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$19,773,000</del> ))
	<u>\$24,203,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$11,470,000</del> ))
	<u>\$11,521,000</u>
Asbestos Account—State Appropriation. . . . .	\$629,000
Electrical License Account—State Appropriation. . . . .	(( <del>\$71,526,000</del> ))
	<u>\$73,577,000</u>
Farm Labor Contractor Account—State Appropriation. . . . .	\$28,000
Opioid Abatement Settlement Account—State Appropriation. . . . .	\$250,000
Worker and Community Right to Know Fund—State Appropriation. . . . .	(( <del>\$1,139,000</del> ))
	<u>\$1,139,000</u>
Construction Registration Inspection Account—State Appropriation. . . . .	(( <del>\$30,754,000</del> ))
	<u>\$31,209,000</u>
Public Works Administration Account—State Appropriation. . . . .	(( <del>\$18,304,000</del> ))
	<u>\$18,002,000</u>
Manufactured Home Installation Training Account— State Appropriation. . . . .	\$455,000
Accident Account—State Appropriation. . . . .	(( <del>\$427,767,000</del> ))
	<u>\$434,824,000</u>
Accident Account—Federal Appropriation. . . . .	(( <del>\$15,823,000</del> ))
	<u>\$19,953,000</u>
Medical Aid Account—State Appropriation. . . . .	(( <del>\$414,710,000</del> ))
	<u>\$419,509,000</u>
Medical Aid Account—Federal Appropriation. . . . .	(( <del>\$3,571,000</del> ))
	<u>\$3,920,000</u>
Plumbing Certificate Account—State Appropriation. . . . .	(( <del>\$3,624,000</del> ))
	<u>\$3,627,000</u>
Pressure Systems Safety Account—State Appropriation. . . . .	(( <del>\$5,065,000</del> ))
	<u>\$5,072,000</u>
Workforce Education Investment Account—State Appropriation. . . . .	(( <del>\$14,200,000</del> ))
	<u>\$20,500,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,054,876,000</del>))</b>
	<b><u>\$1,085,826,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$4,714,000~~))\$6,756,000 of the accident account—state appropriation and ((~~\$4,711,000~~))\$6,753,000 of the medical aid account—state appropriation are provided solely for the labor and industries workers' compensation information system replacement project and is subject to the conditions, limitations, and review provided in section 701 of this act. The department must:

(a) Submit quarterly data within 30 calendar days of the end of each quarter, effective July 1, 2023, on:

(i) The quantifiable deliverables accomplished and the amount spent by each deliverable in each of the following subprojects:

- (A) Business readiness;
- (B) Change readiness;
- (C) Commercial off the shelf procurement;
- (D) Customer access;
- (E) Program foundations;
- (F) Independent assessment; and
- (G) In total by fiscal year;

(ii) All of the quantifiable deliverables accomplished by subprojects identified in (a) (i) (A) through (F) of this subsection and in total and the associated expenditures by each deliverable by fiscal month;

(iii) The contract full time equivalent charged by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, compared to the budget spending plan by month for each contracted vendor and what the ensuing contract equivalent budget spending plan by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, assumes by fiscal month;

- (iv) The performance metrics by subprojects identified in (a)(i)(A) through (F) of this subsection, and in total, that are currently used, including monthly performance data; and
- (v) The risks identified independently by at least the quality assurance vendor and the office of the chief information officer, and how the project:
- (A) Has mitigated each risk; and
  - (B) Is working to mitigate each risk, and when it will be mitigated;
- (b) Submit the report in (a) of this subsection to fiscal and policy committees of the legislature; and
- (c) Receive an additional gated project sign off by the office of financial management, effective September 1, 2023. Prior to spending any project funding in this subsection each quarter, there is an additional gate of approval required for this project. The director of financial management must agree that the project shows accountability, effective and appropriate use of the funding, and that risks are being mitigated to the spending and sign off on the spending for the ensuing quarter.
- (2) \$250,000 of the medical aid account—state appropriation and \$250,000 of the accident account—state appropriation are provided solely for the department of labor and industries safety and health assessment and research for prevention program to conduct research to address the high injury rates of the janitorial workforce. The research must quantify the physical demands of common janitorial work tasks and assess the safety and health needs of janitorial workers. The research must also identify potential risk factors associated with increased risk of injury in the janitorial workforce and measure workload based on the strain janitorial work tasks place on janitors' bodies. The department must conduct interviews with janitors and their employers to collect information on risk factors, identify the tools, technologies, and methodologies used to complete work, and understand the safety culture and climate of the industry. The department must produce annual progress reports through the year 2025 or until the tools are fully developed and deployed. The annual progress report must be submitted to the governor and legislature by December 1st of each year such report is due.
- (3) \$258,000 of the accident account—state appropriation and \$258,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries safety and health assessment research for prevention program to conduct research to prevent the types of work-related injuries that require immediate hospitalization. The department will develop and maintain a tracking system to identify and respond to all immediate in-patient hospitalizations and will examine incidents in defined high-priority areas, as determined from historical data and public priorities. The research must identify and characterize hazardous situations and contributing factors using epidemiological, safety-engineering, and human factors/ergonomics methods. The research must also identify common factors in certain types of workplace injuries that lead to hospitalization. The department must submit a report to the governor and appropriate legislative committees by August 30, 2023, and annually thereafter, summarizing work-related immediate hospitalizations and prevention opportunities, actions that employers and workers can take to make workplaces safer, and ways to avoid severe injuries.
- (4) (a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in aerospace and aerospace related supply chain industries by: Expanding the number of registered apprenticeships, preapprenticeships, and aerospace-related programs; and providing support for registered apprenticeships or programs in aerospace and aerospace-related supply chain industries.
- (b) Grants awarded under this section may be used for:
- (i) Equipment upgrades or new equipment purchases for training purposes;
  - (ii) New training space and lab locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations;
  - (iii) Curriculum development and instructor training for industry experts;
  - (iv) Tuition assistance for degrees in engineering and high-demand degrees that support the aerospace industry; and
  - (v) Funding to increase capacity and availability of child care options for shift work schedules.
- (c) An entity is eligible to receive a grant under this subsection if it is a nonprofit, nongovernmental, or institution of higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, aerospace-related degree programs, or incumbent worker training to prepare workers for the aerospace and aerospace-related supply chain industries.
- (d) The department may use up to 5 percent of these funds for administration of these grants.
- (5) \$3,774,000 of the accident account—state appropriation and \$890,000 of the medical aid account—state appropriation are provided solely for the creation of an agriculture compliance unit within the division of occupational safety and health. The compliance unit will perform compliance inspections and provide bilingual outreach to agricultural workers and employers.
- (6) \$1,642,000 of the medical aid account—state appropriation is provided solely to cover the overhead rent costs to increase the number of labor and industry vocational specialists embedded in WorkSource offices and to implement a comprehensive quality-assurance team to ensure the continuous improvement of vocational services for injured workers through the workers' compensation program.
- (7) \$1,798,000 of the public works administration account—state appropriation is provided solely to maintain expanded capacity to investigate and enforce prevailing-wage complaints.

(8) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the crime victims' compensation program to pay for medical exams for suspected victims of domestic violence. Neither the hospital, medical facility, nor victim is to pay for the cost of the medical exam. This funding must not supplant existing funding for sexual assault medical exams. If the cost of medical exams exceeds the funding provided in this subsection, the program shall not reduce the reimbursement rates for medical providers seeking reimbursement for other claimants, and instead the program shall return to paying for domestic violence medical exams after insurance.

(9) (~~(\$1,065,000)~~) (a) \$1,209,000 of the construction registration inspection account—state appropriation, (~~(\$57,000)~~) \$66,000 of the accident account—state appropriation, and (~~(\$12,000)~~) \$14,000 of the medical aid account—state appropriation are provided solely for the conveyance management system replacement project and are subject to the conditions, limitations, and review provided in section 701 of this act.

(b) \$270,000 of the construction registration inspection account—state appropriation, \$17,000 of the accident account—state appropriation, and \$3,000 of the medical aid account—state appropriation are provided solely for the maintenance and operations of the conveyance management system replacement project.

(10) \$250,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to analyze patients who are maintained on chronic opioids. The department must submit an annual report of its findings to the governor and the appropriate committees of the legislature no later than October 1st of each year of the fiscal biennium. The report shall include analysis of patient data, describing the characteristics of patients who are maintained on chronic opioids and their clinical needs, and a preliminary evaluation of potential interventions to improve care and reduce harms in this population.

(11) \$1,363,000 of the medical aid account—state appropriation is provided solely to improve access to medical and vocational providers of the workers' compensation program by expanding the use of navigators to recruit and assist providers in underserved communities and by ensuring access to high quality and reliable interpreter services.

(12) \$3,000,000 of the workforce education investment account—state appropriation, \$1,870,000 of the accident account—state appropriation, and \$330,000 of the medical aid account—state appropriation are provided solely for the department, in coordination with the Washington state apprenticeship council, to administer grants to continue the growth of behavioral health apprenticeship programs. Grants may be awarded for provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. Grant awardees must use a minimum of one-half of amounts provided to compensate behavioral health providers for employer implementation costs including mentor wage differentials, related instruction wages, and administrative costs. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(13) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the department, in coordination with the Washington state apprenticeship training council, to administer grants to address the behavioral health workforce shortage through behavioral health preapprenticeship and behavioral health entry level training, including nursing assistant certified programs. Grants may cover program costs including, but not limited to, provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(14) (a) \$300,000 of the workforce education investment account—state appropriation is provided solely for certified construction trade preapprenticeship programs that use a nationally approved multicraft curriculum and emphasize construction math, tool use, job safety, equipment, life skills, and financial literacy. The preapprenticeship programs should focus on disadvantaged, nontraditional, and underrepresented populations, and on populations reentering the community from incarceration and homelessness. Funding provided in this subsection may be used to:

(i) Provide incentives for participation in preapprenticeship programs, such as covering program costs, providing stipends to preapprentices, or covering the costs of construction tools; or

(ii) Address barriers for participation in preapprenticeship programs, such as covering costs of child care or transportation, or facilitating interviews for apprenticeship programs.

(b) The department may use up to five percent of the amount provided in (a) of this subsection for administration of these grants.

(15) (a) \$400,000 of the workforce education investment account—state appropriation is provided solely for grants to nonprofit organizations to:

(i) Expand meatcutter registered apprenticeship and preapprenticeship programs to new locations; or

(ii) Develop a new fishmonger registered apprenticeship program.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training space and lab locations to support the expansion and establishment of apprenticeship and preapprenticeship training in new locations;

(iii) Curriculum development, including the creation of elearning content, and instructor training for apprenticeship and preapprenticeship instructors;

(iv) Tuition assistance for apprentices in registered apprenticeship programs accredited by a community or technical college;

(v) Stipends for preapprentices; and

(vi) Apprenticeship and preapprenticeship coordination and administration services.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit organization that administers or directly provides apprenticeship and preapprenticeship training opportunities, overseen by a committee with at least one labor union and one employer representative or with an active program with participation of both labor union and employer partners, for retail meatcutters and/or fishmongers.

(d) The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(16) (~~(\$6,000,000)~~) \$12,000,000 of the workforce education investment account—state appropriation is provided solely for the department to distribute funding to multiemployer nonprofit programs providing apprenticeship education and job training for general journey level (01) electricians to increase funding for related supplemental instruction costs. Funding shall be allocated to programs by formula based on delivered related supplemental instruction hours for active apprentices under chapter 49.04 RCW and operating in compliance for administrative procedures. If a program is partnered with a Washington community or technical college to deliver the related supplemental instruction, the program may apply for up to a 25 percent increase in allocated funding based on the level of contracted support provided by the college. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(17) (~~(\$1,249,000)~~) \$873,000 of the accident account—state appropriation and (~~(\$507,000)~~) \$883,000 of the medical aid account—state appropriation are provided solely for the creation of the center for work equity research. The center will study and systematically address employer and employment factors that place historically marginalized workers at increased risk for work-related injuries and illnesses and social and economic hardship.

(18) \$2,908,000 of the public works administration account—state appropriation is provided solely for system improvements to the prevailing wage program information technology system. This project is subject to the conditions, limitations, and review provided in section 701 of this act.

(19) \$205,000 of the general fund—state appropriation for fiscal year 2024 and \$205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue conducting a four-year retention study of state registered apprentices as provided in chapter 156, Laws of 2022 (apprenticeship programs). The study shall include the collection of data from all apprentices three months into their apprenticeship to understand challenges and barriers they face towards program participation. The aggregate data by trade must be displayed on a publicly available dashboard. Study data must be provided with apprenticeship coordinators to implement an early response to connect apprentices with needed supports. The department shall submit an annual report to the governor and appropriate legislative committees on June 30, 2024 and June 30, 2025.

(20) \$3,500,000 of the workforce education investment account—state appropriation is provided solely to administer a grant program intended to provide wraparound support services to mitigate barriers to beginning or participating in apprenticeship programs as described in chapter 156, Laws of 2022. Up to five percent of the total funding provided in this subsection may be used to cover administrative expenses.

(21) (~~(\$1,963,000)~~) \$1,798,000 of the accident account—state appropriation and (~~(\$797,000)~~) \$960,000 of the medical aid account—state appropriation are provided solely to expand access to worker rights and safety information for workers with limited English proficiency (LEP) through outreach and translation of safety-related information, training, and other materials. \$1,000,000 of the amount provided in this subsection is provided solely for grants to community-based organizations to provide workplace rights and safety outreach to underserved workers.

(22) \$857,000 of the accident account—state appropriation and \$855,000 of the medical aid account—state appropriation are provided solely for enhancements to the workers' compensation training modules to include strategies on reducing long-term disability among claimants.

(23) \$6,702,000 from the electrical license account—state appropriation is provided solely for an additional wage increase for all positions within the electrical construction inspector, electrical construction inspector lead, electrical inspection field supervisor/technical specialist, and electrical plans examiner job class series consistent with the July 1, 2023, range differentials, subject to an agreement between the state and the exclusive collective bargaining representative of the electrical construction inspectors.

(24) \$165,000 of the general fund—state appropriation for fiscal year 2024 and \$165,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training to continue implementation of a program aimed at reducing workplace sexual harassment in the

agricultural sector. The department may use up to five percent of the amount provided in this subsection for administration of this grant. The organization receiving the grant must:

(a) Continue peer-to-peer trainings for farmworkers in Yakima county and expand to provide peer-to-peer trainings for farmworkers in Grant and Benton counties;

(b) Support an established network of peer trainings as farmworker leaders, whose primary purpose is to prevent workplace sexual harassment and assault through leadership, education, and other tools; and

(c) Share best practices from the peer-to-peer model at a statewide conference for farmworkers, industry representatives, and advocates.

(25) \$250,000 of the accident account—state appropriation and \$278,000 of the medical aid account—state appropriation is provided solely for implementation of House Bill No. 1197 (workers' comp. providers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) ~~((~~\$1,645,000~~))~~ \$1,088,000 of the public works administration account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1050 (apprenticeship utilization). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(27) ~~((~~\$365,000~~))~~ \$318,000 of the accident account—state appropriation and ~~((~~\$64,000~~))~~ \$56,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1217 (wage complaints). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(28) \$105,000 of the accident account—state appropriation and \$19,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1323 (fire-resistant materials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$239,000 of the accident account—state appropriation and \$239,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$256,000 of the construction registration inspection account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1534 (construction consumers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$1,311,000 of the accident account—state appropriation and \$243,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(32) \$431,000 of the accident account—state appropriation and \$76,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) \$560,000 of the public works administration account—state appropriation is provided solely to update computer applications for implementation of Senate Bill No. 5088 (contractor registration). This project is subject to the conditions, limitations, and review provided in section 701 of this act. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(34) \$84,000 of the accident account—state appropriation and \$84,000 of the medical aid account—state appropriation are provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(35) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5070 (nonfatal strangulation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(36) \$216,000 of the accident account—state appropriation and \$37,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5156 (farm internship program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(37) \$1,470,000 of the accident account—state appropriation and \$260,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5217 (musculoskeletal injuries/L&I). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(38) \$354,000 of the public works administration account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(39) \$234,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(40) \$230,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute



Senate Bill No. 5111 (sick leave/construction). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(41) \$4,663,000 of the accident account—state appropriation and \$884,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(42) ~~(\$333,000)~~ \$367,000 of the accident account—state appropriation and ~~(\$333,000)~~ \$369,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(43) \$1,906,000 of the electrical license account—state appropriation is provided solely for electrical inspector staffing to expand capacity to conduct electrical inspections, effective July 1, 2024.

(44) \$250,000 of the accident account—state appropriation and \$250,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries to contract with a third-party vendor to produce a study that assesses post-traumatic stress disorder related workers' compensation policies and claims in Washington and other states. The intent of the study is to inform the department on policy and best practices that improve worker outcomes for law enforcement officers, firefighters, and nurses. The department shall submit a report describing the outcomes, best practices, and recommendations to the governor and appropriate legislative committees by June 30, 2025.

(45) \$240,000 of the workforce education investment account—state appropriation is provided solely for a grant to a statewide-serving nonprofit organization providing support services to apprentices and preapprentices for the provision of new work boots and other resources to state recognized apprenticeship preparation participants in correctional facilities and as they transition from incarceration to state registered apprenticeship programs. The work boots and other resources must be within allowable guidelines for incarcerated and community supervised individuals. The department may use up to five percent of the amount provided in this subsection for administration of this grant.

(46) \$300,000 of the surgical smoke evacuation nonappropriated account—state appropriation is provided solely to implement the reimbursement requirements established in chapter 129, Laws of 2022.

(47) \$60,000 of the workforce education investment account—state appropriation is provided solely for costs for instructors for the preapprenticeship construction programs pursuant to subsection (14) of this section.

(48) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for increasing access to manufacturing apprenticeships.

(49) \$665,000 of the accident account—state appropriation and \$118,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1905 (equal pay/protected classes). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(50) \$202,000 of the accident account—state appropriation and \$202,000 of the medical aid account—state appropriation are provided solely for implementation of House Bill No. 1927 (temporary total disability). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(51) \$1,933,000 of the accident account—state appropriation and \$294,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 2022 (construction crane safety). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(52) \$219,000 of the accident account—state appropriation and \$38,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 2061 (health employees/overtime). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(53) \$226,000 of the accident account—state appropriation and \$76,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 2097 (worker wage recovery). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(54) \$226,000 of the public works administration account—state appropriation is provided solely for implementation of Substitute House Bill No. 2136 (prevailing wage sanctions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(55) \$50,000 of the electrical license account—state appropriation is provided solely for the department of labor and industries to work with the association of Washington cities and interested stakeholders having an interest in the installation and maintenance of electric security alarm systems to identify appropriate pathways to streamline the permitting process and any other recommendations in order to allow the installation of these systems in this state. The department shall submit a report to the legislature with its findings and recommendations, in accordance with RCW 43.01.036, by December 15, 2024.

**Sec. 221.** 2023 c 475 s 221 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

(1) The appropriations in this section are subject to the following conditions and limitations:

(a) The department of veterans affairs shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys that are unrelated to the coronavirus response and not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys that are unrelated to the coronavirus response, those moneys must be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(b) Each year, there is fluctuation in the revenue collected to support the operation of the state veteran homes. When the department has foreknowledge that revenue will decrease, such as from a loss of census or from the elimination of a program, the legislature expects the department to make reasonable efforts to reduce expenditures in a commensurate manner and to demonstrate that it has made such efforts. In response to any request by the department for general fund—state appropriation to backfill a loss of revenue, the legislature shall consider the department's efforts in reducing its expenditures in light of known or anticipated decreases to revenues.

(2) HEADQUARTERS

General Fund—State Appropriation (FY 2024)	(( <del>\$4,932,000</del> ))
	<u>\$5,476,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$4,978,000</del> ))
	<u>\$5,672,000</u>
Charitable, Educational, Penal, and Reformatory	
Institutions Account—State Appropriation	\$10,000
TOTAL APPROPRIATION	(( <del>\$9,920,000</del> ))
	<u>\$11,158,000</u>

(3) FIELD SERVICES

General Fund—State Appropriation (FY 2024)	(( <del>\$10,998,000</del> ))
	<u>\$11,016,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$10,860,000</del> ))
	<u>\$11,466,000</u>
General Fund—Federal Appropriation	(( <del>\$10,323,000</del> ))
	<u>\$10,328,000</u>
General Fund—Private/Local Appropriation	(( <del>\$6,538,000</del> ))
	<u>\$6,542,000</u>
Veteran Estate Management Account—Private/Local	
Appropriation	(( <del>\$717,000</del> ))
	<u>\$718,000</u>
TOTAL APPROPRIATION	(( <del>\$39,436,000</del> ))
	<u>\$40,070,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5358 (veterans' services). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Of the amounts provided in this subsection:

(i) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one veterans service officer each in Island county, Walla Walla county, Clallam county, and Stevens county.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with an organization located in Thurston county that has experience in the delivery of no-cost equine therapy for military veterans and active members of the military.

(c) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(d) \$566,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2014 (definition of veteran). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(4) STATE VETERANS HOMES PROGRAM

General Fund—State Appropriation (FY 2024)	(( <del>\$25,818,000</del> ))
	<u>\$26,775,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$20,386,000</del> ))
	<u>\$19,694,000</u>

General Fund—Federal Appropriation. . . . .	(\$127,227,000))
	<u>\$136,122,000</u>
General Fund—Private/Local Appropriation. . . . .	(\$17,330,000))
	<u>\$11,957,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(\$190,761,000))</b>
	<u>\$194,548,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) If the department receives additional unanticipated federal resources that are unrelated to the coronavirus response at any point during the remainder of the 2023-2025 fiscal biennium, an equal amount of general fund—state must be placed in unallotted status so as not to exceed the total appropriation level specified in this subsection. The department may submit as part of the policy level budget submittal documentation required by RCW 43.88.030 a request to maintain the general fund—state resources that were unallotted as required by this subsection.

(b) Appropriations have been adjusted in this section to reflect anticipated changes in state, federal, and local resources as a result of census changes. The department shall incorporate these adjustments in the governor's projected maintenance level budget required in RCW 43.88.030.

(5) CEMETERY SERVICES

General Fund—State Appropriation (FY 2024). . . . .	\$167,000
General Fund—State Appropriation (FY 2025). . . . .	(\$169,000))
	<u>\$171,000</u>
General Fund—Federal Appropriation. . . . .	\$1,055,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$1,391,000))</b>
	<u>\$1,393,000</u>

**Sec. 222.** 2023 c 475 s 222 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

General Fund—State Appropriation (FY 2024). . . . .	(\$168,127,000))
	<u>\$190,849,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(\$148,005,000))
	<u>\$195,600,000</u>
General Fund—Federal Appropriation. . . . .	(\$589,208,000))
	<u>\$589,551,000</u>
General Fund—Private/Local Appropriation. . . . .	(\$174,244,000))
	<u>\$187,743,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2024). . . . .	\$11,863,000
Dedicated Cannabis Account—State Appropriation (FY 2025). . . . .	(\$12,356,000))
	<u>\$12,368,000</u>
Climate Commitment Account—State Appropriation. . . . .	(\$89,552,000))
	<u>\$90,880,000</u>
Climate Investment Account—State Appropriation. . . . .	\$902,000
Foundational Public Health Services Account—State Appropriation. . . . .	\$23,066,000
Hospital Data Collection Account—State Appropriation. . . . .	\$592,000
Health Professions Account—State Appropriation. . . . .	(\$192,069,000))
	<u>\$192,666,000</u>
Aquatic Lands Enhancement Account—State Appropriation. . . . .	\$642,000
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation. . . . .	(\$10,175,000))
	<u>\$10,176,000</u>
Medicaid Fraud Penalty Account—State Appropriation. . . . .	\$3,027,000
Natural Climate Solutions Account—State Appropriation. . . . .	\$72,000
<del>(Public Health Supplemental Account—State Appropriation. . . . .</del>	<del>(\$293,000))</del>
Safe Drinking Water Account—State Appropriation. . . . .	(\$8,946,000))
	<u>\$8,955,000</u>
Drinking Water Assistance Account—Federal Appropriation. . . . .	(\$25,867,000))
	<u>\$25,896,000</u>
Waterworks Operator Certification Account—State Appropriation. . . . .	(\$2,089,000))
	<u>\$2,090,000</u>
Drinking Water Assistance Administrative Account— State Appropriation. . . . .	\$2,480,000
Site Closure Account—State Appropriation. . . . .	\$197,000
Biotoxin Account—State Appropriation. . . . .	\$1,773,000

Model Toxics Control Operating Account—State	
Appropriation. . . . .	(\$8,953,000)
	<u>\$11,998,000</u>
Medical Test Site Licensure Account—State	
Appropriation. . . . .	(\$5,239,000)
	<u>\$5,240,000</u>
Secure Drug Take-Back Program Account—State	
Appropriation. . . . .	(\$1,474,000)
	<u>\$1,475,000</u>
Youth Tobacco and Vapor Products Prevention Account—	
State Appropriation. . . . .	\$3,273,000
Public Health Supplemental Account—Private/Local	
Appropriation. . . . .	(\$3,824,000)
	<u>\$4,119,000</u>
Accident Account—State Appropriation. . . . .	\$388,000
Medical Aid Account—State Appropriation. . . . .	\$58,000
Statewide 988 Behavioral Health Crisis Response Line	
Account—State Appropriation. . . . .	(\$42,865,000)
	<u>\$66,197,000</u>
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation. . . . .	(\$27,022,000)
	<u>\$3,222,000</u>
Opioid Abatement Settlement Account—State	
Appropriation. . . . .	(\$7,400,000)
	<u>\$11,650,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(\$1,566,041,000)</b>
	<b><u>\$1,659,008,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the ~~((rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute))~~ start of the fiscal year following the next legislative session after the rules are adopted. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) During the 2023-2025 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to \$25 annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(3) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt license and certification fees in fiscal years 2024 and 2025 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(4) Within the amounts appropriated in this section, and in accordance with RCW 70.41.100, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 70.41.080.

(5) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt fees for the review and approval of mental health and substance use disorder treatment programs in fiscal years 2024 and 2025 as necessary to support the costs of the regulatory program. The department's fee schedule must have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(6) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(7) Within the amounts appropriated in this section, and in accordance with RCW 43.70.110 and 71.12.470, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 71.12.485.

(8) \$492,000 of the general fund—state appropriation for fiscal year 2024 and \$492,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with local health jurisdictions to establish and maintain comprehensive group B programs to ensure safe drinking water. These funds shall be used for implementation costs, including continued development and adoption of rules, policies, and procedures; technical assistance; and training.

(9) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community outreach to prepare culturally and linguistically appropriate hepatitis B information in a digital format to be distributed to ethnic and cultural leaders and organizations to share with foreign-born and limited or non-English speaking community networks.

(10) Within amounts appropriated in this section, the Washington ~~((nursing commission))~~ board of nursing must hire sufficient staff to process applications for nursing licenses so that the time required for processing does not exceed seven days.

(11) \$725,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$725,000))~~ \$1,225,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington poison center. This funding is provided in addition to funding pursuant to RCW 69.50.540.

(12) \$622,000 of the general fund—state appropriation for fiscal year 2024, \$622,000 of the general fund—state appropriation for fiscal year 2025, and \$3,000,000 of the medicaid fraud penalty account—state appropriation are provided solely for the ongoing operations and maintenance of the prescription monitoring program maintained by the department.

(13) \$2,265,000 of the general fund—state appropriation for fiscal year 2024 and \$2,265,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

(a) Staffing by the department, the department of veterans affairs, and the department of corrections to expand statewide suicide prevention efforts, which efforts include suicide prevention efforts for military service members and veterans and incarcerated persons;

(b) A suicide prevention public awareness campaign to provide education regarding the signs of suicide, interventions, and resources for support;

(c) Staffing for call centers to support the increased volume of calls to suicide hotlines;

(d) Training for first responders to identify and respond to individuals experiencing suicidal ideation;

(e) Support for tribal suicide prevention efforts;

(f) Strengthening behavioral health and suicide prevention efforts in the agricultural sector;

(g) Support for the three priority areas of the governor's challenge regarding identifying suicide risk among service members and their families, increasing the awareness of resources available to service members and their families, and lethal means safety planning;

(h) Training for community health workers to include culturally informed training for suicide prevention;

(i) Coordination with the office of the superintendent of public instruction; and

(j) Support for the suicide prevention initiative housed in the University of Washington.

(14) \$4,500,000 of the general fund—state appropriation for fiscal year 2024 and \$4,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the fruit and vegetable incentives program.

(15) \$627,000 of the general fund—state appropriation for fiscal year 2024 and \$627,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the recommendations from the community health workers task force to provide statewide leadership, training, and integration of community health workers with insurers, health care providers, and public health systems.

(16) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington ~~((nursing commission))~~ board of nursing to manage a grant process to incentivize nurses to supervise nursing students in health care settings. The goal of the

grant program is to create more clinical placements for nursing students to complete required clinical hours to earn their nursing degree and related licensure.

(17) \$1,490,000 of the health professional services account—state appropriation is provided solely for the Washington ~~((nursing commission))~~ board of nursing to continue to implement virtual nursing assistant training and testing modalities, create an apprenticeship pathway into nursing for nursing assistants, implement rule changes to support a career path for nursing assistants, and collaborate with the workforce training and educational coordinating board on a pilot project to transform the culture and practice in long term care settings. The goal of these activities is to expand the nursing workforce for long term care settings.

(18) \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to test for lead in child care facilities to prevent child lead exposure and to research, identify, and connect facilities to financial resources available for remediation costs.

(19) \$814,000 of the general fund—state appropriation for fiscal year 2024 and \$814,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to support school-based health centers and behavioral health services.

(20) \$1,300,000 of the general fund—state appropriation for fiscal year 2024 and \$1,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate and lead a multi-agency approach to youth suicide prevention and intervention.

(21) (a) \$486,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the community health worker platform and continued implementation of the community health worker trainings in the pediatric setting for children with behavioral health needs.

(b) Of the amounts provided in this subsection for fiscal year 2024, \$250,000 is provided solely for a grant to a pediatric organization to convene a learning collaborative to support community health workers to ensure their success while on the job with their multidisciplinary clinic teams and for the development of this new integrated health care worker field.

(22) \$1,390,000 of the general fund—state appropriation for fiscal year 2024 and \$1,378,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the child profile health promotion notification system.

(23) ~~(((\$5,000,000))~~ (a) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 and \$6,250,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone to first responders and agency staff in organizations such as syringe service programs, house providers, and street outreach programs.

(b) Of the amounts provided in this subsection, \$1,250,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to purchase a dedicated supply of naloxone for first responders across the state.

(24) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to remediate the impacts of the opioid epidemic. This funding must be used consistent with conditions of the opioid settlement agreements that direct how funds deposited into the opioid abatement settlement account created in Engrossed Substitute Senate Bill No. 5293 must be used.

(25) \$400,000 of the opioid abatement settlement account—state appropriation is provided solely for the completion of work identified in the state opioid response plan related to maternal and infant health.

(26) (a) \$10,000,000 of the climate commitment account—state appropriation is provided solely to support and administer a workplace health and safety program for workers who are affected by climate impacts, including but not limited to, extreme heat and cold, wildfire smoke, drought, and flooding. This program will focus on workplace health and safety for farmworkers, construction workers, and other workers who face the most risk from climate-related impacts. This amount shall be limited to supporting vulnerable populations in overburdened communities under the climate commitment act as defined in RCW 70A.65.010. Funding shall be provided for:

(i) Pass through grants to community-based organizations, tribal governments, and tribal organizations to support workplace health and safety for workers who are burdened by the intersection of their work and climate impacts; and

(ii) Procurement and distribution of equipment and resources for workers who are burdened by the intersection of their work and climate impacts directly by the department of health, or through pass-through grants to community-based organizations, tribal governments, and tribal organizations. Equipment and resources may include but are not limited to: Personal protective equipment, other protective or safety clothing for cold and heat, air purifiers for the workplace or worker housing, protection from ticks and mosquitoes, and heating and cooling devices.

(b) The department of health, in consultation with the environmental justice council, community groups, and the department of labor and industries, shall evaluate mechanisms to

provide workers with financial assistance to cover lost wages or other financial hardships caused by extreme weather events and climate threats.

(c) No more than five percent of this funding may be used to administer this grant program.

(27) (~~(\$5,996,000)~~) \$7,174,000 of the climate commitment account—state appropriation is provided solely for the department to implement the healthy environment for all act under chapter 70A.02 RCW, including additional staff and support for the environmental justice council and implementation of a community engagement plan. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes of this subsection.

(28) (a) \$26,355,000 of the climate commitment account—state appropriation is provided solely for the department to administer capacity grants to tribes and tribal organizations and to overburdened communities and vulnerable populations to provide guidance and input:

(i) To agencies and to the environmental justice council on implementation of the healthy environment for all act; and

(ii) To the department on updates to the environmental health disparities map.

(b) At least 50 percent of the total amount distributed for capacity grants in this subsection must be reserved for grants to tribes and tribal organizations.

(c) Funding provided in this subsection may be used for tribes and tribal organizations to hire staff or to contract with consultants to engage in updating the environmental health disparities map or on implementing the healthy environment for all act.

(d) The department may use a reasonable amount of funding provided in this subsection to administer the grants.

(29) \$17,752,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to sustain information technology infrastructure, tools, and solutions developed to respond to the COVID-19 pandemic. The department shall submit a plan to the office of financial management by September 15, 2023, that identifies a new funding strategy to maintain these information technology investments within the department's existing state, local, and federal funding. Of this amount, a sufficient amount is appropriated for the department to create an implementation plan for real-time bed capacity and tracking for hospitals and skilled nursing facilities, excluding behavioral health hospitals and facilities. The department will provide the implementation plan and estimated cost for an information technology system and implementation costs to the office of financial management by September 15, 2023, for the bed capacity and tracking tool.

(30) (~~(\$20,000,000)~~) \$18,700,000 of the general fund—state appropriation for fiscal year 2024 and \$1,300,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely to support COVID-19 public health and response activities. The department must continue to distribute COVID-19 testing supplies to agricultural workers and tribal governments. The department must submit a spending plan to the office of financial management for approval. These funds may only be allocated and expended after approval of the spending plan.

(31) \$7,657,000 of the general fund—state appropriation for fiscal year 2024 and \$7,853,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs and grants to maintain access to abortion care. Of the amounts provided in this subsection:

(a) \$2,939,000 of the general fund—state appropriation for fiscal year 2024 and \$2,939,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care;

(b) \$368,000 of the general fund—state appropriation for fiscal year 2024 and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for outreach, patient navigation, staffing at the department, and training;

(c) \$4,100,000 of the general fund—state appropriation for fiscal year 2024 and \$4,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care who participate in the department's sexual and reproductive health program for workforce retention and recruitment initiatives to ensure continuity of services; and

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care that participate in the department's sexual and reproductive health program for security investments.

(32) \$285,000 of the general fund—state appropriation for fiscal year 2024, \$295,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—private/local appropriation are provided solely for the behavioral health agency program for licensure and regulatory activities.

(33) \$104,000 of the general fund—state appropriation for fiscal year 2024, \$104,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the health professions account—state appropriation are provided solely for the department to conduct credentialing and inspections under chapter 324, Laws of 2019 (behavioral health facilities).

(34) (~~(\$3,298,000)~~) \$1,398,000 of the general fund—state appropriation for fiscal year 2024 (~~(is)~~) and \$1,900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the breast, cervical and colon screening program, comprehensive cancer community partnerships, and Washington state cancer registry.

(35) \$85,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for continued implementation of chapter 58, Laws of 2022 (cardiac & stroke response).

(36) \$671,000 of the general fund—state appropriation for fiscal year 2024 and \$329,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the care-a-van mobile health program.

(37) \$702,000 of the climate investment account—state appropriation is provided solely for implementation of chapter 316, Laws of 2021 (climate commitment act).

(38) \$200,000 of the climate investment account—state appropriation is provided solely for the environmental justice council to coordinate with the department of ecology on a process to track state agency expenditures from climate commitment act accounts, as described in section 302(13) of this act. Funding is for the following as they relate to development of the department of ecology process:

(a) Public engagement with tribes and vulnerable populations within the boundaries of overburdened communities; and

(b) Cost recovery or stipends for participants in the public process to reduce barriers to participation, as described in RCW 43.03.220.

(39) \$31,000 of the general fund—state appropriation for fiscal year 2024 and \$31,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 204, Laws of 2022 (truck drivers/restrooms).

(40) \$808,000 of the drinking water assistance administrative account—state appropriation is provided solely for the water system consolidation grant program.

(41) \$1,044,000 of the safe drinking water account—state appropriation is provided solely for the drinking water technical services program.

(42) \$288,000 of the secure drug take-back program account—state appropriation is provided solely for implementation of chapter 155, Laws of 2021 (drug take-back programs).

(43) \$7,146,000 of the drinking water assistance account—federal appropriation is provided solely for the office of drinking water to provide technical assistance, direct engineering support, and construction management to small water systems.

(44) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$607,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the early hearing detection, diagnosis, and intervention program.

(45) \$954,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(46) \$12,466,000 of the health professions account—state appropriation is provided solely for the regulation of health professions.

(47) \$599,000 of the health professions account—state appropriation is provided solely for ongoing maintenance of the HEALWA web portal to provide access to health information for health care providers.

(48) \$1,359,000 of the general fund—state appropriation for fiscal year 2024, \$680,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—private/local appropriation are provided solely for the department to perform investigations to address the backlog of hospital complaints.

(49) \$12,000 of the health professions account—state appropriation is provided solely for implementation of chapter 204, Laws of 2021 (international medical grads).

(50) \$634,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to onboard systems to, and maintain, the master person index as part of the health and human services coalition master person index initiative, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(51) \$2,062,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete upgrades to the medical cannabis authorization database to improve reporting functions and accessibility, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(52) \$1,865,000 of the medical test site licensure account—state appropriation is provided solely for the medical test site regulatory program for inspections and other regulatory activities.

(53) \$2,276,000 of the health professions account—state appropriation is provided solely for the ~~((nursing care quality assurance commission))~~ Washington board of nursing for nursing licensure and other regulatory activities.

(54) \$813,000 of the general fund—state appropriation for fiscal year 2024 and \$811,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to assist with access to safe drinking water for homes and businesses with individual wells or small water systems that are contaminated.

(55) \$146,000 of the model toxics control operating account—state appropriation is provided solely for implementation of chapter 264, Laws of 2022 (chemicals/consumer products).

(56) \$1,150,000 of the general fund—state appropriation for fiscal year 2024 and \$1,150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand the birth equity project with the goal of reducing prenatal and perinatal health disparities.

(57) \$1,738,000 of the general fund—private/local appropriation is provided solely for implementation of chapter 115, Laws of 2020 (psychiatric patient safety).



(58) \$23,066,000 of the foundational public health services account—state appropriation is provided solely for the department to maintain the RAINIER (reporting array for incident, noninfectious and infectious event response) suite, RHINO (rapid health information network) program, WAIIS (Washington immunization information system) system, and data exchange services.

(59) \$5,100,000 of the general fund—state appropriation for fiscal year 2024, \$7,355,000 of the general fund—state appropriation for fiscal year 2025, and ((~~\$7,022,000~~))\$1,922,000 of the coronavirus state fiscal recovery—federal appropriation are provided solely for operation of the statewide medical logistics center. Within these amounts, the department must coordinate with the department of social and health services to develop processes that will minimize the disposal and destruction of personal protective equipment and for interagency distribution of personal protective equipment.

(60) \$315,000 of the general fund—state appropriation for fiscal year 2024 and \$315,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the universal development screening system.

(61) \$2,000,000 of the health professions account—state appropriation and \$293,000 of the public health supplemental account—state appropriation are provided solely for the Washington medical commission for regulatory activities, administration, and addressing equity issues in processes and policies.

(62) ((~~\$200,000~~))\$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the Washington medical coordination center, to create an implementation plan for real-time bed capacity and tracking for hospitals. The department must provide the implementation plan and estimated costs for the bed capacity and tracing tool to the office of financial management by September 15, 2023.

(63) \$48,000 of the model toxics control operating account—state appropriation is provided solely for the Puget Sound clean air agency to coordinate meetings with local health jurisdictions in King, Pierce, Snohomish, and Kitsap counties to better understand air quality issues, align messaging, and facilitate delivery of ready-to-go air quality and health interventions. The amount provided in this subsection may be used for agency staff time, meetings and events, outreach materials, and tangible air quality and health interventions.

(64) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than \$525 annually for new or renewed licenses for the midwifery program.

(65) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of radiation protection to conduct a review of the state's readiness for licensing fusion energy projects. The legislature intends for Washington to support the deployment of fusion energy projects and larger research facilities by taking a leading role in the licensing of future fusion power plants. The department, in consultation with relevant state-level regulatory agencies, must review and provide recommendations and costs estimates for the necessary staffing and technical resources to fulfill the state's registration, inspection, and licensure obligations. The department must report its findings and any recommendations to the governor and appropriate legislative committees by December 1, 2023.

(66) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for blood supply relief. The department must distribute this amount equally between the four largest nonprofit blood donation organizations operating in the state. The amounts distributed may be used only for activities to rebuild the state's blood supply, including increased staffing support for donation centers and mobile blood drives.

(67) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$2,500,000~~))\$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for tobacco, vapor product, and nicotine control, cessation, treatment, and prevention, and other substance use prevention and education, with an emphasis on community-based strategies. These strategies must include programs that consider the disparate impacts of nicotine addiction on specific populations, including youth and racial or other disparities.

(68) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for an existing program that works with community members and partners to bridge health equity gaps to establish a pilot health care program in Pierce county to serve the unique needs of the African American community, including addressing diabetes, high blood pressure, low birth weight, and health care for preventable medical, dental, and behavioral health diagnoses.

(69) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Island county to contract for a study of cost-effective waste treatment solutions, as an alternative to septic and sewer, for unincorporated parts of Island county. The study must:

(a) Identify any regulatory barriers to the use of alternative technology-based solutions;

(b) Include an opportunity for review and consultation by the department; and

(c) Include any recommendations from the department in the final report.

(70) \$2,656,000 of the general fund—private/local appropriation is provided solely for the department to provide cystic fibrosis DNA testing and to engage with a courier service to transport specimens to the public health laboratory.

(71) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely in support of the department's activities pursuant to chapter 226, Laws of 2016 (commonly known as the caregiver advise, record, enable act). This funding must be used to:

(a) Create a communication campaign to notify hospitals across the state of available resources to support family caregivers;

(b) Curate or create a set of online training videos on common caregiving tasks including, but not limited to, medication management, injections, nebulizers, wound care, and transfers; and

(c) Provide information to patients and family caregivers upon admission.

(72) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1275 (athletic trainers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(73) \$126,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1001 (audiology & speech compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(74) \$9,157,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(75) \$1,016,000 of the general fund—state appropriation for fiscal year 2024, \$453,000 of the general fund—state appropriation for fiscal year 2025, \$30,000 of the general fund—private/local appropriation, and \$676,000 of the health professions account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$72,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(77) \$418,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(78) \$46,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1466 (dental auxiliaries). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(79) \$12,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1287 (dental hygienists). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(80) \$136,000 of the general fund—state appropriation for fiscal year 2025 and \$193,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1678 (dental therapists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(81) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1576 (dentist compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(82) \$4,000 of the general fund—state appropriation for fiscal year 2025 and \$700,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1503 (health care licenses/info.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(83) \$29,000 of the general fund—state appropriation for fiscal year 2024 and \$124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1255 (health care prof. SUD prg.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(84) \$48,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1694 (home care workforce shortage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(85) \$282,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1039 (intramuscular needling). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(86) \$1,892,000 of the general fund—state appropriation for fiscal year 2024 and \$2,895,000 of the general fund—private/local appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(87) \$407,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(88) \$65,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1073 (medical assistants). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(89) \$447,000 of the general fund—state appropriation for fiscal year 2024 and \$448,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(90) \$195,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor comp). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(91) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(92) (~~(\$400,000)~~)\$165,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$165,000)~~)\$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1457 (motor carriers/restrooms). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(93) \$126,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$102,000)~~)\$202,000 of the general fund—state appropriation for fiscal year 2025, and \$81,000 of the health professions account—state appropriation are provided solely for implementation of Substitute House Bill No. 1247 (music therapists). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(94) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1271 (organ transport vehicles). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(95) (~~(\$862,000)~~)\$627,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$526,000)~~)\$761,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1470 (private detention facilities). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(96) \$97,000 of the general fund—state appropriation for fiscal year 2024 and \$27,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1230 (school websites/drug info.). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(97) \$77,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(98) \$2,773,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,773,000)~~)\$3,773,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grant funding and administrative costs for the school-based health center program established in chapter 68, Laws of 2021 (school-based health centers).

(99) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based nonprofit organization located in the Yakima Valley to continue a Spanish-language public radio media campaign aimed at providing education on the COVID-19 pandemic through an outreach program. The goal of the radio media campaign is to reach residents considered "essential workers," including but not limited to farmworkers, and provide information on health and safety guidelines, promote vaccination events, and increase vaccine confidence. The nonprofit organization must coordinate with medical professionals and other stakeholders on the content of the radio media campaign. The department, in coordination with the nonprofit, must provide a preliminary report to the legislature no later than December 31, 2024. A final report to the legislature must be submitted no later than June 30, 2025. Both reports must include: (a) A description of the outreach program and its implementation; (b) the number of individuals reached through the outreach program; and (c) any relevant demographic data regarding those individuals.

(100) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an equity consultant to evaluate the effect of changes made by, and vulnerabilities in, Engrossed Substitute Senate Bill No. 5179 (death with dignity act). The consultant shall partner with interested parties, vulnerable populations, and communities of color to solicit feedback on barriers to accessing the provisions of the act, any unintended consequences, and any challenges and vulnerabilities in the provision of services under the act, recommendations on ways to improve data collection, and recommendations on additional measures to be reported to the department. The department must report the findings and recommendations to the legislature by June 30, 2025.

(101) \$350,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a rural nursing workforce initiative to create a hub for students to remain in rural environments while working toward nursing credentials, including for program personnel, support, and a rural nursing needs assessment. Funding is provided to develop a program based on the rural nursing needs assessment.

(102) (a) \$1,393,000 of the climate commitment account—state appropriation is provided solely for grants to King county to address the disproportionate rates of asthma among children who reside within 10 miles of the Seattle-Tacoma international airport.

(b) Of the amount provided in this subsection, \$971,000 is provided to increase access to community health worker asthma interventions.

(c) Of the amount provided in this subsection, \$412,000 is for an independent investigation of the added benefit of indoor air quality interventions, including high efficiency particulate air filters, on disparities in indoor air pollution.

(d) Of the amount provided in this subsection, \$10,000 is for a regional data analysis and surveillance of asthma diagnoses and hospitalizations in King county.

(e) The county may contract with the University of Washington for the work described in (c) and (d) of this subsection.

(103) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the collaboration between the local public health jurisdiction, related accountable communities of health, and health care providers to reduce potentially preventable hospitalizations in Pierce county. This collaboration will build from the first three years of the project, planning to align care coordination efforts across health care systems and support the related accountable communities of health initiatives, including innovative, collaborative models of care. Strategies to reduce costly hospitalizations include the following: (a) Working with partners to prevent chronic disease; (b) improving heart failure rates; (c) incorporating community health workers as part of the health care team and improving care coordination; (d) supporting the COVID-19 response with improved access to immunizations; and (e) the use of community health workers to provide necessary resources to prevent hospitalization of people who are in isolation and quarantine. By December 15, 2024, the members of the collaboration shall report to the legislature regarding the effectiveness of each of the strategies identified in this subsection. In addition, the report shall describe the most significant challenges and make further recommendations for reducing costly hospitalizations.

(104) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based organization to host a deliberative democratic processes workshop for the HEAL act interagency work group established under RCW 70A.02.110, then develop, in consultation with environmental justice council or its staff, best practices for how agencies can incorporate deliberative democratic processes into community engagement practices.

(105) \$1,305,000 of the climate commitment account—state appropriation is provided solely for the climate health adaptation initiative.

(106) \$65,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5179 (death with dignity act). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(107) \$604,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(108) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5389 (optometry). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(109) \$1,205,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(110) \$30,000 of the general fund state—appropriation for fiscal year 2024, \$25,000 of the general fund—state appropriation for fiscal year 2025, and \$52,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5547 (nursing pool transparency). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(111) \$32,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute Senate Bill No. 5569 (kidney disease centers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(112) \$446,000 of the general fund—state appropriation for fiscal year 2024 and \$441,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5453 (female genital mutilation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(113) \$466,000 of the general fund—state appropriation for fiscal year 2024 and \$487,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5278 (home care aide certification). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(114) \$131,000 of the general fund—state appropriation for fiscal year 2024 and \$91,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5523 (forensic pathologist). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(115) \$36,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(116) \$339,000 of the general fund—state appropriation for fiscal year 2024 and \$485,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(117) \$198,000 of the general fund—private/local appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5120 (crisis relief centers). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(118) \$125,000 of the general fund—state appropriation for fiscal year 2024, \$207,000 of the general fund—state appropriation for fiscal year 2025, and \$133,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(119) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of health to provide grants to federally qualified health centers (FQHCs) for the purchase of long-acting reversible contraceptives (LARCs). For LARCs purchased with the funding provided in this subsection, FQHCs shall provide patients with LARCs the same day they are seeking that family planning option.

(a) The department shall develop criteria for how the grant dollars will be distributed, including that FQHCs are required to participate in contraceptive training related to patient-centered care, shared decision making, and reproductive bias and coercion.

(b) The department shall survey the FQHCs participating in the grant program regarding the use of LARCs by their patients, as compared to the two years prior to participation in the grant program, and report the results of the survey to the appropriate committees of the legislature by December 1, 2025.

(120) \$63,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to utilize materials from the "count the kicks" program in designing, preparing, and making available online written materials to inform health care providers and staff of evidence-based research and practices that reduce the incident of stillbirth, by December 31, 2023.

(121) \$351,000 of the general fund—state appropriation for fiscal year 2024 and \$624,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Snohomish county health department to convene a leadership planning group that will:

(a) Conduct a landscape analysis of current sexually transmitted infection, postexposure prophylaxis, preexposure prophylaxis, and hepatitis B virus services and identify treatment improvements for HIV preexposure prophylaxis;

(b) Establish sexually transmitted infection clinical services at the Snohomish county health department and identify opportunities to expand sexual health services provided outside of clinical settings;

(c) Conduct research on opportunities to expand jail-based sexual health services;

(d) Establish an epidemiology and technical team;

(e) Expand field-based treatment for syphilis; and

(f) Establish an in-house comprehensive, culturally responsive sexual health clinic at the Snohomish county health department.

(122) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$53,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(123) \$5,496,000 of the climate commitment account—state appropriation is provided solely for the department to provide grants to school districts making updates to existing heating, venting, and air conditioning systems using small district modernization grants.

(124) \$38,600,000 of the climate commitment account—state appropriation is provided solely for the department to develop a grant program to fund projects that benefit overburdened communities as defined in RCW 70A.02.010(11). Of the amount provided in this subsection:

(a) \$6,000,000 of the climate commitment account—state appropriation is provided solely (~~for fiscal year 2024~~) for the department and the environmental justice council created in RCW 70A.02.110 to engage in a participatory budgeting process with at least five geographically diverse overburdened communities, as identified by the department, to develop a process to select and fund projects that mitigate the disproportional impacts of climate change on overburdened communities. The process must allow for full community engagement and develop criteria for eligible entities and projects and establish priorities to achieve the greatest gain for decarbonization and resiliency. A report of the outcomes of the participatory budgeting process detailing its recommendations for funding as well as future improvements to the participatory budgeting process must be provided to the appropriate committees of the legislature by December 31, 2023.

(b) \$32,600,000 of the climate commitment account—state appropriation is provided solely (~~for fiscal year 2025~~) for the department to provide grants that benefit overburdened

communities. The department must submit to the governor and the legislature a ranked list of projects consistent with the recommendations developed in (a) of this subsection. The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.

(125) \$5,430,000 of the general fund—state appropriation for fiscal year 2024 and \$5,326,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain the current level of credentialing staff until the completion of the study on fees by Results WA.

(126) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the central nursing resource center established in RCW 18.79.202 to facilitate communication between nursing education programs and health care facilities that offer clinical placements for the purpose of increasing clinical education and practice experiences for nursing students. The department shall contract with the central nursing resource center to:

(a) Gather data to assess current clinical placement practices, opportunities, and needs;

(b) Identify all approved nursing education programs and health care facilities that offer clinical placement opportunities in the state;

(c) Convene and facilitate quarterly stakeholder meetings between representatives from approved nursing education programs and health care facilities that offer clinical placement opportunities, and other relevant stakeholders, in order to:

(i) Connect representatives by region;

(ii) Facilitate discussions between representatives, by region, to determine:

(A) Clinical placement barriers;

(B) The number and types of clinical placement opportunities needed; and

(C) The number and types of clinical placement opportunities available; and

(iii) Develop strategies to resolve clinical placement barriers;

(d) Provide a digital message board and communication platform representatives can use to maintain ongoing communication and clinical placement needs and opportunities;

(e) Identify other policy options and recommendations to help increase the number of clinical placement opportunities, if possible; and

(f) Submit a report of findings, progress, and recommendations to the governor and appropriate committees of the legislature by December 1, 2025.

(127) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of health to contract with an organization located in Thurston county that dedicates itself to the promotion of education, holistic health, and trauma healing in the African American community to provide behavioral health education, mental wellness training, evidence based health programs, events, and conferences to individuals, youth/adults, parents/parent partners, and families, that have suffered from generational and systemic racism. In conducting this work, the organization will engage diverse individuals in racial healing and reparative justice in the field of mental wellness. The organization will also prioritize mental health equity and reparative justice in their work to eradicate health disparities that African American communities have faced due to generational racism.

(128) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(129) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Benton-Franklin health district to pass through to Franklin county public health district #1 for funding three full-time emergency medical technicians and other resources necessary to provide health services as part of medical transport operations services, including services to Coyote Ridge corrections center.

(130) (a) \$17,770,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the development of a technologically advanced behavioral health and suicide prevention crisis call center system platform for use in 988 contact hubs, as required in RCW 71.24.890(5). This system must interface with the integrated client referral system developed for this purpose by the health care authority.

(b) Within the amounts provided in (a) of this subsection, \$100,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the department to produce: (i) An assessment of the national 988 platform to include feasibility to reuse all or part of the system for state use, expected functionality, limitations, and implementation timelines; and (ii) an implementation plan for the state 988 system based on the outcomes of (b) (i) of this subsection, which must be approved by the office of the chief information officer before proceeding with implementation.

(c) Within the amounts provided in (a) of this subsection, \$17,670,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for implementation of the plan to be developed under (b) of this subsection.

(131) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as pass-through funding to an organization that specializes in culturally relevant sports programs for indigenous children and adolescents, with the goal of keeping at-risk youth out of the juvenile justice system.

(132)(a) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$2,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for competitive birth center startup grants to address regional needs for maternity services. The department shall provide grants to persons or entities intending to establish or that have recently established and operate a birthing center to cover startup and development costs including utilities, rent, supplies, building improvements, and repairs. Applicants must provide confirmation that the health care authority, a managed care organization, commercial insurance plans, or a combination intend to contract with the facility sufficient to cover the facility's operating costs. The department must give priority to facilities that:

(i) Will serve individuals enrolled in the state's medicaid program;

(ii) Will operate in areas with limited or no access to maternity services;

(iii) Intend to be collocated with a hospital licensed under chapter 70.41 RCW, that is certified as a critical access hospital, has fewer than 25 acute care beds, or is certified by the centers for medicare and medicaid services as a sole community hospital;

(iv) Provide demonstration of a commitment and ability to reduce health inequities for pregnant persons;

(v) Will serve populations disproportionately impacted by maternal morbidity and mortality. The grantee may be a "by and for community organizations" as defined by the department of commerce and the office of equity.

(b) In awarding grant funding to projects under (a) of this subsection, the department must collaborate with the health care authority and the department of commerce and must only select facilities that meet the following conditions:

(i) The funding must be used to increase capacity for perinatal services for pregnant persons in a region with demonstrated need;

(ii) The operator has submitted a proposal for operating the facility to the department of health and health care authority;

(iii) The operator has demonstrated to the department of health and the health care authority that it will be able to meet the applicable licensing and certification requirements for the facility that will be used to provide services; and

(iv) The health care authority has confirmed that it intends to contract with the facility for operating costs within funds provided in the operating budget for these purposes.

(c) The department must provide technical assistance to applicants, including providing resources for small business assistance, architecture and design services, facility licensure, and medicaid enrollment, in coordination with the health care authority and the department of commerce.

(133)(a) \$15,953,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to maintain public health information technology infrastructure in a cloud-based environment.

(b) The department shall develop an initial plan to identify efficiencies in the cloud-based environment and submit it to the office of financial management and the office of the chief information officer by October 1, 2024. The plan should include, at a minimum, strategies to identify efficiencies within the cloud-based environment; new funding strategies for cloud technology for the 2025-2027 fiscal biennium budget; an update on the department's cloud road map that identifies key systems that will be modernized, consolidated, and migrated or implemented in the cloud; an overview of existing public health technology data systems in the cloud and data systems that are scheduled to transition to the cloud with an estimated implementation schedule, including a summary of data retention policies; and strategies to minimize cost increases where possible through efficient implementation strategies.

(134) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely to administer the nitrate water hazard mitigation plan to support safe drinking water in the lower Yakima valley. Administration of this plan includes, but is not limited to, providing education and outreach to potentially impacted residents, well testing, and provision of alternate water supply as warranted. The department may contract with local governments and nonprofit organizations to administer the plan.

(135) \$500,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to entities that operate supportive housing or shelter programs for the purposes of remediating hazards related to chemical or hazardous material contamination.

(136) \$154,000 of the general fund—state appropriation for fiscal year 2025 and \$150,000 of the climate commitment account—state appropriation are provided solely to support health equity zones, as defined in RCW 43.70.595, in identification and implementation of targeted interventions to have a significant impact on health outcomes and health disparities. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes of this subsection.

(137) \$135,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to support the community hospital utilization and financial data reporting program. The department shall provide sufficient staff resources to ensure data quality, accurate reporting, timely collection of data elements, and analysis of community hospital utilization and financial data. This amount must supplement and not supplant existing funding provided for this program.

(138) \$374,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for staffing to research current vaccine gaps across the state.

(139) \$40,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to promote evidence-based breastfeeding guidelines for individuals with a substance use disorder or who receive medication-assisted treatment for a substance use disorder, and to adapt the guidelines for tribal communities.

(140) \$700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely as pass-through funding to a nonprofit organization located in the city of Seattle that specializes in resources and support for those impacted by cancer, including support groups, camps for kids impacted by cancer, and risk reduction education for teens.

(141) \$196,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for community compensation stipends for low-income individuals who participate in priority engagements across the department.

(142) (a) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide grants to support community-based health assessments for overburdened or highly impacted communities, and to develop a process for a grant program for federally recognized tribes.

(b) Of the amount provided in (a) of this subsection for fiscal year 2025:

(i) \$200,000 is provided solely for the department to leverage its existing health equity zone initiative to provide grants to overburdened or highly impacted communities to conduct community-based health assessments; and

(ii) \$100,000 is provided solely for the department to develop a process, in consultation with tribal governments, for a grant program for federally recognized tribes to conduct community-based health assessments.

(143) \$692,000 of the general fund—state appropriation for fiscal year 2024 and \$2,480,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to improve credentialing timelines, including through implementing licensing process improvements, updating web content for license applicants, developing web-based tutorials for license applications, and researching live chat technology.

(144) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to pass-through to a nonprofit Washington-based organization with expertise in end-of-life care and in chapter 70.245 RCW (death with dignity act), to provide training, outreach, and education to medical professionals, hospice teams, and other Washingtonians, to support the provision of care under chapter 70.245 RCW.

(145) \$168,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of health to coordinate dementia-specific work within the state, including but not limited to: (a) Coordination of dementia-related activities with the department of social and health services, the health care authority, and other state agencies as needed; (b) implementation of the applicable recommendations from the dementia action collaborative in the updated state Alzheimer's plan within the department; and (c) other dementia-related activities as determined by the secretary.

(146) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide increased support for emergency medical services and fire departments in their opioid overdose prevention efforts, including naloxone leave-behind programs, overdose response communications, and staffing costs for community-based paramedics serving as navigators for education, resource, and follow-up supports.

(147) \$56,000 of the general fund—state appropriation for fiscal year 2024 and \$1,107,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional staffing and contracted services for the health disparities council.

(148) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a community organization located in King county that specializes in building a health care workforce equipped to meet the needs of Black, people of color, indigenous, LGBTQIA+ and other marginalized communities and addressing identified gaps through recruitment and training initiatives and research. This funding will support the development and execution of recruitment strategies, human resources systems, and administrative systems that address health care workforce gaps of primary care and mental health providers.

(149) \$83,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the development of an in-home services road map to help individuals assess their in-home services needs and locate providers to serve those needs in their communities. The department must work in consultation with appropriate stakeholders, including but not limited to the department of social and health services. The department must complete the document and make hard copies available for distribution no later than June 30, 2025.

(150) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to Island county to contract for a comprehensive assessment of its drinking water infrastructure. The assessment must include an evaluation of whether aquifer storage and recovery is an appropriate tool to meet the county's water supply needs.

(151) \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to administer grants to local health jurisdictions for opioid and fentanyl awareness, prevention, and education campaigns.

(152) (a) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with the Tacoma-Pierce county health department to develop a comprehensive model toolkit that includes prevention, education, awareness, and policy strategies to address local opioid and fentanyl crisis response needs.



(b) The elements of the toolkit must:

(i) Be based upon evidence-based research;

(ii) Include community or participatory approaches and policy, systems, and environment strategies; and

(iii) Be in alignment with the state opioid response plan.

(153) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to support local health jurisdictions, community-based organizations, and tribes in opioid-related harm reduction, care linkage, and prevention work.

(154) (a) \$745,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the purchase of naloxone and fentanyl test strips, for distribution to high schools and public institutions of higher education.

(b) Of the amount provided in this subsection, \$345,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department for the purchase and distribution of naloxone administered by nasal inhalation for barrier-free and cost-free distribution to high school students. The department shall utilize and expand, as necessary, its existing bulk purchasing and distribution arrangements with educational service districts, which shall distribute further to high schools.

(i) The department shall enter into agreements with educational service districts and school districts to prioritize distribution to high school juniors and seniors.

(ii) The naloxone must be made available to students via health offices or vending or other machines, to promote confidence that a student may bring naloxone home, to provide anonymity for access, and to prevent any tracking of which students obtain naloxone.

(iii) Information on how naloxone is administered and how to recognize an opioid overdose must be made available to all students.

(iv) The department may prioritize distribution to districts and schools with a higher prevalence of opioid use and overdoses, based on data, including the healthy youth survey.

(c) Of the amount provided in this subsection, \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department for the purchase of naloxone administered by nasal inhalation and fentanyl test strips for barrier-free and cost-free distribution to students at public institutions of higher education, with the goal of distributing naloxone kits to five percent of enrolled students.

(155) \$133,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to maintain a supply of naloxone in public libraries for emergency response. This funding may be used:

(a) To supply naloxone directly to libraries; or

(b) As pass-through grants to libraries, for:

(i) The development of partnerships with local public health agencies or other governmental entities;

(ii) Purchases, delivery, and replacements of naloxone supply;

(iii) Training employees; or

(iv) Other activities and items that would ensure the availability of naloxone in the library.

(156) \$154,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for staffing to support a new office of tribal policy at the department.

(157) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department for enhanced opioid and fentanyl data dashboards and data systems, to provide a centralized place for local data gathering efforts to be collected, analyzed, and used in larger collaborative efforts. The data dashboards and systems must support use by state, local, public, and private partners in making strategic decisions on program implementation, emergency response, and regional coordination. Examples of data that may be better collected and used include public naloxone access, naloxone use data, mapping for overdoses, and related public health trends. The data dashboards and systems may include a data collection, evaluation, and usage plan for the state opioid and overdose response plan.

(158) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to stabilize and expand community-based harm reduction programs that provide evidence-based interventions, care navigation, and services, such as prevention of bloodborne infections, increasing naloxone access, and connecting people to resources and services.

(159) \$3,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to conduct an opioid and fentanyl public health campaign to increase awareness in healthy behaviors and harm reduction. Within this amount, sufficient funding is provided to implement Engrossed Second Substitute House Bill No. 1956 (substance use prevention ed.).

(160) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department as pass-through funding for an organization in Pierce county with expertise in dispute resolution to convene a work group on oral health equity. The work group:

(a) Must include representatives from community-based organizations, dental providers, medical providers, federally qualified health centers, tribal dental clinics, oral health foundations, and public health and water systems;

(b) Shall review the findings from the department's oral health equity assessment, identify the communities in Washington experiencing the greatest oral health disparities, identify communities that should be prioritized for outreach and community water fluoridation efforts, and develop recommendations for how to partner with communities to address oral

health disparities and provide education about community water fluoridation and other oral health measures;

(c) May convene its meetings virtually or by telephone; and

(d) Shall report its findings and recommendations to the legislature by June 30, 2025.

(161) \$426,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for two new area health education centers to recruit, train, and retain health care professionals in rural and underserved areas.

(162) \$428,000 of the model toxics control operating account—state appropriation is provided solely for continued implementation of chapter 156, Laws of 2021 (ESHB 1184) (risk-based water standards), to create standards for developers seeking to reuse wastewater in buildings.

(163) \$29,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 2416 (ARNP legal title). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(164) \$193,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute House Bill No. 1300 (assisted reproduction fraud). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(165) \$194,000 of the general fund—state appropriation for fiscal year 2025 and \$94,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 2247 (behavioral health providers). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(166) \$29,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2128 (certificate of need program). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(167) \$2,096,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for implementation of Substitute House Bill No. 2408 (crisis response comm methods). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(168) \$35,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2182 (regulated substance use data). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(169) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2320 (high THC cannabis products). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(170) \$161,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute House Bill No. 2295 (hospital at-home service). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(171) \$53,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2075 (Indian health care providers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(172) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 2009 (missing persons/dental recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(173) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 2355 (MRI technologists). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(174) \$112,000 of the model toxics control operating account—state appropriation is provided solely for implementation of House Bill No. 2302 (pesticide application comm.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(175) \$24,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1917 (physician assistant compact). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(176) \$68,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2041 (physician assistant practice). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(177) \$22,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1972 (physician health prg. fees). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(178) \$1,875,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2166 (POLST access). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(179) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2396 (synthetic opioids). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(180) \$59,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5271 (DOH facilities/enforcement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 223.** 2023 c 475 s 223 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF CORRECTIONS**

The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multiorganization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, after approval by the director of financial management and unless specifically prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 between programs. The department may not transfer funds, and the director of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any deviations from appropriation levels. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) ADMINISTRATION AND SUPPORT SERVICES	
General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$96,389,000</del> ))
	\$102,277,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$95,589,000</del> ))
	\$108,282,000
General Fund—Federal Appropriation . . . . .	\$400,000
<u>General Fund—Private/Local Appropriation . . . . .</u>	<u>\$168,000</u>
<u>Opioid Abatement Settlement Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$116,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$192,378,000</del>))</b>
	<b>\$211,243,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) (~~(\$819,000)~~) \$1,959,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$58,000)~~) \$169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(b) \$445,000 of the general fund—state appropriation for fiscal year 2024 and \$452,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(c) \$932,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$434,000)~~) \$1,404,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training statewide program administration team.

(d) \$2,056,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,056,000)~~) \$2,297,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services and staffing to support the iCOACH supervision model. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(e) \$127,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(f) \$127,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for

employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(g) (i) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of corrections to provide a study on:

(A) Health care benchmarks; and

(B) Solitary confinement/restrictive housing.

(ii) The department must provide a review of its health care delivery system for incarcerated individuals. The study must include a review of how long it takes for health care staff to see a patient once a request has been made by that incarcerated individual, determine if patients are restricted from seeing a health care staff person due to health care staffing shortages, and create a health care staffing model that will ensure that incarcerated patients are seen by a physician or appropriate health care staff within 48 hours or less. Preliminary findings shall be submitted to the legislature and governor by November 15, 2024, with a final report due by June 30, 2025.

(iii) (A) The department must provide a review of its restrictive housing (solitary confinement) units. The study must include the number of hours each incarcerated person is held in administrative segregation or an intensive management unit at the Washington corrections center, the Washington state penitentiary, the Washington corrections center for women, the Monroe correctional complex, the Stafford Creek corrections center, and the Clallam Bay corrections center. The department must document, for each incarcerated individual held in a restrictive unit:

(I) The daily number of hours the person is held in their cell; and

(II) The daily number of hours or amount of time that the person is outside of their cell. Documentation of time spent outside of the cell must include the reason, at least when they are out of cell for purposes of recreation, treatment, counseling, or a medical appointment. If the person is moved out of their cell for programming, the type of programming must be specified.

(B) A preliminary report must be submitted to the legislature and governor by November 15, 2024, with a final report due by June 30, 2025. The report must also include:

(I) The staffing by prison needed to ensure each person receives a minimum of one hour of indoor or outside yard recreation or dayroom recreation per day beginning on June 30, 2025;

(II) The funding needed for construction to begin no later than June 30, 2025, with a one-year completion date for additional indoor recreational yard areas, outdoor recreational yard areas, dayroom areas, and programming space as needed at each facility that has an intensive management unit;

(III) Excluding out of cell time in a dayroom or indoor or outside recreational yard area, the funding and staff needed by facility to ensure each and every incarcerated individual daily receives a minimum of two hours out of their cell for classroom or programming beginning on June 30, 2025;

(IV) A comprehensive list of intensive management unit construction/physical plant capacity by prison and average daily population in these units by fiscal year for 2019, 2020, 2021, 2022, and 2023 and an estimate for 2024, delineated by type of bed to include, but not be limited to: Administrative segregation, restrictive maximum custody housing, transfer housing, and progression housing.

(V) Visuals of each prison intensive management units to include, but not limited to, a typical cell, dayroom, indoor yard, outdoor yard when one is exclusive to the intensive management unit, and programming space if it is exclusive to the intensive management unit.

(h) (i) Within amounts appropriated in this act, the department of corrections shall provide the legislature with a quarterly report that provides an overview of filled versus vacant correctional operations and health care staff. The report must provide, by job class and by program:

(A) The total number of funded positions on the last day of the quarter;

(B) The total number of filled positions on the last day of the quarter;

(C) The total number vacant positions on the last day of the quarter;

(D) The number of new employees hired or promoted into that job class during the quarter;

(E) The number of employees leaving that job class during the quarter; and

(F) For employees departing during that quarter, how many:

(I) Transferred or were promoted to another job class within the department of corrections;

(II) How many retired; and

(III) How many employees left their employment within the department for other reasons.

(ii) If a department submits a budget request for the subsequent fiscal year for additional funding, positions, or overtime costs for the department's correctional operations program or health care services program for the subsequent fiscal year, the department must justify in writing the reason why additional funding and positions are needed when vacant positions and unspent funding exist within the department's respective programs.

(i) \$23,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2084 (construction training/DOC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(j) \$269,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2099 (state custody/ID cards). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(2) CORRECTIONAL OPERATIONS

General Fund—State Appropriation (FY 2024)	(( <del>\$729,679,000</del> ))
	<u>\$619,028,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$738,933,000</del> ))
	<u>\$773,891,000</u>
General Fund—Federal Appropriation	\$4,326,000
General Fund—Private/Local Appropriation	\$334,000
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
<u>Appropriation</u>	<u>\$127,100,000</u>
<u>Opioid Abatement Settlement Account—State</u>	
<u>Appropriation</u>	<u>\$538,000</u>
Washington Auto Theft Prevention Authority Account—	
State Appropriation	\$4,837,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$1,478,109,000</del>))</b>
	<b><u>\$1,530,054,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department may contract for local jail beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The department shall not pay a rate greater than \$85 per day per offender excluding the costs of department of corrections provided services, including evidence-based substance abuse programming, dedicated department of corrections classification staff on-site for individualized case management, transportation of offenders to and from department of corrections facilities, and gender responsive training for jail staff. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as close medium or lower security offenders. Programming provided for offenders held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meets standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at a jail facility, the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(b) ~~\$671,000 of the general fund—state appropriation for fiscal year 2024 (and \$671,000 of the general fund—state appropriation for fiscal year 2025 are))~~ \$4,270,000 is provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester.

(c) ~~((~~\$1,713,000~~))~~ \$4,270,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$146,000~~))~~ \$422,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(d) Within the appropriated amounts in this subsection, the department of corrections must provide a minimum of one dedicated prison rape elimination act compliance specialist at each institution.

(e) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuing two contracted parent navigator positions. One parent navigator must be located at the Washington correction center for women and one parent navigator position must be located at the Airway Heights corrections center or another state correctional facility that houses incarcerated male individuals and is selected by the department of corrections as a more suitable fit for a parent navigator. The parent navigators must have lived experience in navigating the child welfare system. The parent navigators must provide guidance and support to incarcerated individuals towards family reunification including, but not limited to, how to access services, navigating the court system, assisting with guardianship arrangements, and facilitating visitation with their children. The goal of the parent navigator program is to assist incarcerated parents involved in dependency or child welfare cases to maintain connections with their children and to assist these individuals in successfully transitioning and reuniting with their families upon release from incarceration. As part of the parent navigation program, the department of corrections must also review and provide a report to the legislature on the effectiveness of the program that includes the number of incarcerated

individuals that received assistance from the parent navigators and the type of assistance the incarcerated individuals received, and that ~~((tracked))~~ tracks the outcome of the parenting navigator program. A final report must be submitted to the legislature by September 1, 2024. Of the amounts provided in this subsection, \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department's review and report on the effectiveness of the parent navigator program.

(f) ~~(\$4,504,000)~~ \$4,504,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,009,000)~~ \$5,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(g) ~~(\$579,000)~~ \$595,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,058,000)~~ \$4,037,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

(h) \$1,294,000 of the general fund—state appropriation for fiscal year 2024 and \$1,294,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services and staffing to support the iCOACH supervision model. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5131 (commissary funds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(j) \$1,839,000 of the general fund—state appropriation for fiscal year 2024 and \$1,839,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5134 (reentry services & supports) to increase gate money from \$40 to \$300 at release. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(k) \$2,871,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(l) \$586,000 of the general fund—state appropriation for fiscal year 2024 and \$576,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a planning and development manager and an executive secretary in the women's prison division.

(m) \$288,000 of the general fund—state appropriation for fiscal year 2024 and \$3,939,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in Disability Rights Washington v. Washington Department of Corrections, United States district court for the western district of Washington.

(n) \$2,871,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(o) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$3,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.

(3) COMMUNITY SUPERVISION

General Fund—State Appropriation (FY 2024) . . . . .	<del>(\$242,761,000)</del>
	\$253,697,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$252,147,000)</del>
	\$262,407,000
General Fund—Federal Appropriation . . . . .	\$4,142,000
General Fund—Private/Local Appropriation . . . . .	\$10,000
<b>TOTAL APPROPRIATION</b> . . . . .	<del>(\$499,050,000)</del>
	<b>\$520,256,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall contract with local and tribal governments for jail capacity to house offenders who violate the terms of their community supervision. A contract rate increase may not exceed five percent each year. The department may negotiate to include medical care of offenders in the contract rate if medical payments conform to the department's offender health plan and pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff. If medical care of offender is included in the contract rate, the contract rate may exceed five percent to include the cost of that service. Beginning July 1, 2024, the department shall pay the bed rate for the day of release.

(b) \$270,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to contract with a third-party expert to examine jail rates needed by local governments to recover the cost of housing individuals under the jurisdiction of the

Washington state department of corrections who have violated the conditions of their court community supervision order. The analysis must examine the availability of specialized jail beds for medical and behavioral health care that include services such as acute mental health care, detoxification, medications for opioid use disorder, and other substance use disorder treatment. The study must also include an analysis of costs to expand access to specialized jail beds statewide while maximizing medicaid coverage under Washington's section 1115 medicaid transformation waiver. The analysis must include a recommended methodology to update jail bed rates going forward. A report is due to the governor and appropriate legislative committees by October 1, 2024.

(c) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

~~((e) \$1,233,000)~~ (d) \$2,880,000 of the general fund—state appropriation for fiscal year 2024 and ~~((e) \$88,000)~~ \$253,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

~~((d))~~ (e) \$110,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the amend collaboration and training program.

~~((e))~~ (f) \$1,409,000 of the general fund—state appropriation for fiscal year 2024 and \$1,386,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Bellingham reentry center as a state-run facility.

~~((f))~~ (g) \$1,320,000 of the general fund—state appropriation for fiscal year 2024 and \$1,320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Helen B. Ratcliff reentry center as a state-run facility.

~~((g))~~ (h) \$18,813,000 of the general fund—state appropriation for fiscal year 2024 and \$19,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services and staffing to support the iCOACH supervision model. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(4) CORRECTIONAL INDUSTRIES

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$12,638,000</del> ))
	\$9,348,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$12,836,000</del> ))
	\$9,359,000
<u>General Fund—Federal Appropriation . . . . .</u>	<u>\$600,000</u>
<u>General Fund—Private/Local Appropriation . . . . .</u>	<u>\$2,634,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$25,474,000</del>))</b>
	<b>\$21,941,000</b>

The appropriations in this subsection are subject to the following conditions and limitations: ~~((~~\$3,500,000 of the general fund state appropriation for fiscal year 2024 and \$3,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.))~~~~

(a) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of House Bill No. 2210 (DOC wild horse program). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(5) INTERAGENCY PAYMENTS

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$68,680,000</del> ))
	\$69,235,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$64,929,000</del> ))
	\$65,739,000
<u>Opioid Abatement Settlement Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$25,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$133,609,000</del>))</b>
	<b>\$134,999,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

~~((b))~~ (a) \$19,000 of the general fund—state appropriation for fiscal year 2024 and \$19,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for

implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(e))~~ (b) \$36,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(c) \$36,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(6) OFFENDER CHANGE

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$83,659,000</del> ))
	\$86,507,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$84,659,000</del> ))
	\$91,763,000
General Fund—Federal Appropriation . . . . .	\$1,436,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$169,754,000</del>))</b>
	<b>\$179,706,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall use funds appropriated in this subsection (6) for programming for incarcerated individuals. The department shall develop and implement a written comprehensive plan for programming for incarcerated individuals that prioritizes programs which follow the risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(b) The department of corrections shall collaborate with the state health care authority to explore ways to utilize federal medicaid funds as a match to fund residential substance use disorder treatment-based alternative beds under RCW 9.94A.664 under the drug offender sentencing alternative program and residential substance use disorder treatment beds that serve individuals on community custody.

(c) Within existing resources, the department of corrections may provide reentry support items such as disposable cell phones, prepaid phone cards, hygiene kits, housing vouchers, and release medications associated with individuals resentenced or ordered released from confinement as a result of policies or court decisions including, but not limited to, the *State v. Blake* decision.

(d) \$11,454,000 of the general fund—state appropriation for fiscal year 2024 and \$11,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded reentry investments to include, but not be limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

~~((~~f~~))~~ (e) \$1,177,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment) for dedicated staffing for substance use disorder assessments and for coordinated treatment care in the community at release. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(g))~~ (f) \$150,000 of the general fund—state appropriation for fiscal year 2024 ~~((and \$150,000 of the general fund state appropriation for fiscal year 2025 are))~~ is provided solely for a grant to a nonprofit organization to assist fathers transitioning from incarceration to community and family reunification. The grant recipient must have experience contracting with the department of corrections to support incarcerated individual betterment projects and contracting with the department of social and health services to provide access and visitation services.

~~((~~h~~))~~ (g) \$424,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(h) \$424,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(i) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of corrections to contract with the T.E.A.C.H. (taking education and creating history) program to provide liberatory education, foster positive self-reflection, and offer educational courses that encourage critical thinking, self-awareness, and personal growth to incarcerated individuals in correctional facilities.

(j) \$134,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2084 (construction training/DOC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(7) HEALTH CARE SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$241,145,000</del> ))
	\$251,920,000



General Fund—State Appropriation (FY 2025) . . . . .	(\$245,589,000))
	\$263,670,000
General Fund—Federal Appropriation. . . . .	(\$3,084,000))
	\$6,720,000
General Fund—Private/Local Appropriation. . . . .	\$2,000
<u>Opioid Abatement Settlement Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$4,021,000</u>
TOTAL APPROPRIATION.....	(\$489,818,000))
	\$526,333,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state prison medical facilities may use funds appropriated in this subsection to purchase goods, supplies, and services through hospital or other group purchasing organizations when it is cost effective to do so.

~~((e))~~ (b) \$842,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,192,000))~~ \$2,256,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

~~((d))~~ (c) \$73,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$387,000))~~ \$543,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

~~((e))~~ (d) \$1,236,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,236,000))~~ \$3,089,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services and staffing to support the iCOACH supervision model. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, enhanced health care discharge planning, case management, and evaluation of physical health and behavioral health.

~~((f))~~ (e) \$13,605,000 of the general fund—state appropriation for fiscal year 2024 and \$13,605,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for medical staffing in prisons for patient centered care and behavioral health care. Funding must be used to increase access to care, addiction care, and expanded screening of individuals in prison facilities to include chronic illnesses, infectious disease, diabetes, heart disease, serious mental health, and behavioral health services.

~~((g))~~ (f) \$1,612,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

~~((h))~~ (g) \$1,115,000 of the general fund—state appropriation for fiscal year 2024 and \$1,115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an electronic health records system solution and is subject to the conditions, limitations, and review requirements of section 701 of this act and must be in compliance with the statewide electronic health records plan that must be approved by the office of financial management and the technology services board.

~~((i))~~ (h) \$405,000 of the general fund—state appropriation for fiscal year 2024 and \$399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5768 (DOC/abortion medications). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(i) \$1,540,000 of the general fund—state appropriation for fiscal year 2024 and \$3,297,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in Disability Rights Washington v. Washington Department of Corrections, United States district court for the western district of Washington.

(j) To promote the safety, health, and well-being of health care workers and to support patient quality of care, the department will continue to engage in reasonable efforts to reduce the use of overtime for licensed practical nurses, registered nurses, and certified nursing assistants.

(k) \$1,612,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(l) \$1,822,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for approved long-term injectable medication for the treatment of opioid use disorder of incarcerated individuals.

**Sec. 224.** 2023 c 475 s 224 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

General Fund—State Appropriation (FY 2024) . . . . .	(\$7,061,000))
	\$7,064,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$7,387,000))
	\$7,415,000

General Fund—Federal Appropriation. . . . .	(( \$25,672,000))
	<u>\$32,824,000</u>
General Fund—Private/Local Appropriation. . . . .	(( \$61,000))
	<u>\$67,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(( \$40,181,000))</b>
	<u><b>\$47,370,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$201,000 of the general fund—state appropriation for fiscal year 2024 and \$201,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of statewide services for blind or low vision youth under the age of 14.

(2) \$184,000 of the general fund—state appropriation for fiscal year 2024 and \$367,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the independent living program.

**Sec. 225.** 2023 c 475 s 225 (uncodified) is amended to read as follows:

**FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund—State Appropriation (FY 2024). . . . .	(( \$33,506,000))
	<u>\$29,324,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( \$23,898,000))
	<u>\$28,630,000</u>
General Fund—Federal Appropriation. . . . .	(( \$216,616,000))
	<u>\$177,272,000</u>
General Fund—Private/Local Appropriation. . . . .	(( \$38,458,000))
	<u>\$38,456,000</u>
Climate Commitment Account—State Appropriation. . . . .	\$404,000
Unemployment Compensation Administration Account— Federal Appropriation. . . . .	(( \$270,724,000))
	<u>\$308,567,000</u>
Administrative Contingency Account—State Appropriation. . . . .	(( \$28,741,000))
	<u>\$42,631,000</u>
Employment Service Administrative Account—State Appropriation. . . . .	(( \$85,070,000))
	<u>\$97,168,000</u>
Family and Medical Leave Insurance Account—State Appropriation. . . . .	(( \$158,644,000))
	<u>\$159,754,000</u>
Workforce Education Investment Account—State Appropriation. . . . .	(( \$14,556,000))
	<u>\$15,555,000</u>
Long-Term Services and Supports Trust Account—State Appropriation. . . . .	(( \$40,960,000))
	<u>\$45,310,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(( \$911,577,000))</b>
	<u><b>\$943,071,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is directed to maximize the use of federal funds. The department must update its budget annually to align expenditures with anticipated changes in projected revenues.

(2) \$15,399,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of the long-term services and support trust program information technology project and is subject to the conditions, limitations, and review provided in section 701 of this act.

(3) Within existing resources, the department must reassess its ongoing staffing and funding needs for the paid family medical leave program and submit documentation of the updated need to the governor and appropriate committees of the legislature by September 1, 2023, and annually thereafter.

(4) Within existing resources, the department shall coordinate outreach and education to paid family and medical leave benefit recipients with a statewide family resource, referral, and linkage system that connects families with children prenatal through age five and residing in Washington state to appropriate services and community resources. This coordination shall include but is not limited to placing information about the statewide family resource, referral, and linkage system on the paid family and medical leave program web site and in printed materials, and conducting joint events.

(5) Within existing resources, the department shall report the following to the legislature and the governor by October 15, 2023, and each year thereafter:

(a) An inventory of the department's programs, services, and activities, identifying federal, state, and other funding sources for each;

(b) Federal grants received by the department, segregated by line of business or activity, for the most recent five fiscal years, and the applicable rules;

(c) State funding available to the department, segregated by line of business or activity, for the most recent five fiscal years;

(d) A history of staffing levels by line of business or activity, identifying sources of state or federal funding, for the most recent five fiscal years;

(e) A projected spending plan for the employment services administrative account and the administrative contingency account. The spending plan must include forecasted revenues and estimated expenditures under various economic scenarios.

(6) ~~(\$14,510,000)~~ (a) \$15,510,000 of the workforce education investment account—state appropriation is provided solely for career connected learning grants as provided in RCW 28C.30.050, including sector intermediary grants and administrative expenses associated with grant administration.

(b) Within the amount provided in (a) of this subsection:

(i) Up to \$921,000 of the workforce education investment account—state appropriation may be used for the department to contract with the student achievement council to lead the career connected learning cross-agency work group and provide staffing support as required in RCW 28C.30.040.

(ii) Up to \$2,192,000 of the workforce education investment account—state appropriation may be used for technical assistance and implementation support grants associated with the career connected learning grant program as provided in RCW 28C.30.050.

(7) \$2,000,000 of the unemployment compensation administration account—federal appropriation is provided solely for the department to continue implementing the federal United States department of labor equity grant. This grant includes improving the translation of notices sent to claimants as part of their unemployment insurance claims into any of the 10 languages most frequently spoken in the state and other language, demographic, and geographic equity initiatives approved by the grantor. The department must also ensure that letters, alerts, and notices produced manually or by the department's unemployment insurance technology system are written in plainly understood language and evaluated for ease of claimant comprehension before they are approved for use.

(8) \$3,136,000 of the unemployment compensation administration account—federal appropriation is provided solely for a continuous improvement team to make customer, employer, and equity enhancements to the unemployment insurance program. If the department does not receive adequate funding from the United States department of labor to cover these costs, the department may use funding made available to the state through section 903 (d), (f), and (g) of the social security act (Reed act) in an amount not to exceed the amount provided in this subsection.

(9) \$404,000 of the climate commitment account—state appropriation is provided solely for participation on the clean energy technology work force advisory committee and collaboration on the associated report established in Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(11) ~~((a) \$9,323,000)~~ \$16,658,000 of the employment service administrative account—state appropriation is provided solely for the replacement of the WorkSource integrated technology platform. The replacement system must support the workforce administration statewide to ensure adoption of the United States department of labor's integrated service delivery model and program performance requirements for the state's workforce innovation and opportunity act and other federal grants. This subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((b) \$2,290,000 of the employment services administrative account—state appropriation is provided solely for the maintenance and operation of the WorkSource integrated technology platform.))~~

(12) \$6,208,000 of the general fund—state appropriation for fiscal year 2024 and \$6,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the economic security for all program. The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the legislature on December 1 and June 1 of each year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(13) (a) \$5,292,000 of the employment service administrative account—state appropriation is provided to expand the economic security for all program to residents of Washington state that are over 200 percent of the federal poverty level but who demonstrate financial need for support services or assistance with training costs to either maintain or secure employment. ~~((Supports to each participant must not exceed \$5,000 per year.))~~ Unspent funds from this subsection may be used for economic security for all participants who are under 200 percent of the federal poverty level as defined in subsection (12) of this section.

(b) The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the legislature on December 1 and June 1 of each

year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(c) Of the amounts in (a) of this subsection, the department may use \$146,000 each year to cover program administrative expenses.

(14) \$1,655,000 of the administrative contingency account—state appropriation is provided to increase the department's information security team to proactively address critical security vulnerabilities, audit findings, and process gaps.

(15) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two project managers to assist with the coordination of state audits.

(16) \$1,448,000 of the general fund—state appropriation for fiscal year 2024 and \$1,448,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for business navigators at the local workforce development boards to increase employer engagement in an effort to support industry recovery and growth. Of the amounts in this subsection, the department may use \$148,000 per year to cover associated administrative expenses.

(17) \$11,895,000 of the general fund—federal appropriation is provided solely for the implementation of the quality jobs, equity strategy, and training (QUEST) grant to enhance the workforce system's ongoing efforts to support employment equity and employment recovery from the COVID-19 pandemic. The funds are for partnership development, community outreach, business engagement, and comprehensive career and training services.

(18) \$3,264,000 of the employment services administration account—state appropriation is provided solely for the continuation of the office of agricultural and seasonal workforce services.

(19) \$3,539,000 of the long-term services and supports trust account—state appropriation is provided solely for the programs in the department's leave and care division to increase outreach to underserved communities, perform program evaluation and data management, perform necessary fiscal functions, and make customer experience enhancements.

~~((21))~~ (20) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time employee to provide casework on behalf of constituents who contact their legislators to escalate unresolved claims.

~~((22))~~ (21) (a) \$250,000 of the family and medical leave insurance account—state appropriation is provided solely for the department to contract with the University of Washington Evans school of public policy and governance to conduct a study on the impacts of the state family and medical leave program's job protection standards on equitable utilization of paid leave benefits under the program.

(b) The study shall consider the following:

(i) The rates at which paid leave benefits under chapter 50A.15 RCW are used by persons who qualify for job protection under RCW 50A.35.010 or the federal family and medical leave act;

(ii) Worker perspectives on the effects of job protection under RCW 50A.35.010 and the federal family and medical leave act on the use of paid leave benefits under chapter 50A.15 RCW; and

(iii) Employment outcomes and other impacts for persons using paid leave benefits under chapter 50A.15 RCW.

(c) (i) In conducting the study, the university must collect original data directly from workers about paid leave and job protection, including demographic information such as race, gender, income, geography, primary language, and industry or job sector.

(ii) In developing the study, the university must consult with the advisory committee under RCW 50A.05.030, including three briefings: An overview on the initial research design with an opportunity to provide feedback; a midpoint update; and final results. The university must consult with the committee regarding appropriate methods for collecting and assessing relevant data in order to protect the reliability of the study.

(d) A preliminary report, including the initial research design and available preliminary results must be submitted by December 1, 2023, and a final report by December 1, 2024, to the governor and the appropriate policy and fiscal committees of the legislature, in accordance with RCW 43.01.036.

~~((23))~~ (22) \$4,433,000 of the family and medical leave insurance account—state appropriation and \$351,000 of the unemployment compensation administration account—federal appropriation are provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(24))~~ (23) \$50,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute House Bill No. 1458 (apprenticeship programs/UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(25))~~ (24) (a) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~ \$11,227,000 of the general fund—state appropriation for fiscal year 2025, \$9,963,000 of the administrative contingency account—state appropriation, and \$4,271,000 of the employment services administrative account—state appropriation are provided solely to address a projected shortfall of federal revenue that supports the administration of the unemployment insurance program.

(b) The department must submit an initial report no later than November 1, 2023, and a subsequent report no later than November 1, 2024, to the governor and the appropriate committees of the legislature outlining how the funding in (a) of this subsection is being utilized and recommendations for long-term solutions to address future decreases in federal funding.

~~((26) \$11,976,000)~~ (25) \$7,644,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$4,332,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to create a dedicated team of staff to process the unemployment insurance overpayment caseload backlog.

~~((27))~~ (26) \$3,389,000 of the general fund—state appropriation for fiscal year 2024 and \$4,540,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the stipend for Washington service corps members to \$26,758 per year and for one staff member to assist with program outreach. The stipend increase is for members that enter into a service year with income below 200 percent of the federal poverty level.

~~((28))~~ (27) \$794,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute Senate Bill No. 5176 (employee-owned coop UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(29))~~ (28) \$30,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5286 (paid leave premiums). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(30))~~ (29) \$2,896,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5586 (paid leave data). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(31))~~ (30) \$35,000 of the employment service administrative account—state appropriation is provided solely for the department to provide research and consultation on the feasibility of replicating the unemployment insurance program for and expanding other social net programs to individuals regardless of their citizenship status.

~~((32))~~ (31) \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to design a form for employer use to voluntarily report no show, no call interview data. This data shall be used to inform potential trend analysis or policy development for job search compliance.

(32) \$961,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of House Bill No. 1975 (unemployment overpayments). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(33) \$5,655,000 of the family and medical leave insurance account—state appropriation is provided solely to increase staffing for the paid family and medical leave program to process claims and respond to customer inquiries in a timely manner.

(34) \$7,305,000 of the family and medical leave insurance account—state appropriation is provided solely for information technology staffing to complete system enhancements for any remaining statutorily required components of the paid family and medical leave program, including, but not limited to, the establishment and collection of overpayments, crossmatching eligibility with other programs, and elective coverage for tribes.

(35) \$483,000 of the long-term services and supports trust account—state appropriation is provided solely for the department to process nonimmigrant work visa holder exemption requests for the long-term services and supports program.

(36) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide grants to community-based organizations to become transportation network company navigators. The navigators will assist transportation network company drivers in accessing the pilot program established in chapter 451, Laws of 2023 (TNC insurance programs) by providing outreach, language assistance, cultural competency services, education, and other supports.

(37) \$100,000 of the unemployment compensation administration account—federal appropriation is provided solely for the department to develop and deploy training to assist apprentices and apprentice advocate groups in filing claims and navigating the unemployment insurance system.

(38) \$1,247,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1893 (unemp ins/strikes & lockouts). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(39) \$409,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute House Bill No. 2102 (PFML benefits/health info.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(40) \$495,000 of the employment service administrative account—state appropriation is provided solely for implementation of Substitute House Bill No. 2226 (H-2A worker program data). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(41) \$30,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Substitute House Bill No. 2271 (LTSS program

statements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(42) \$3,863,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Substitute House Bill No. 2467 (LTSS portability). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(43) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for North Central education service district 171 to expand industry and education partnerships in order to support emerging workforce needs through career awareness, exploration, and preparation activities for youth in Grant county.

**Sec. 226.** 2023 c 475 s 226 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—GENERAL**

(1)(a) The appropriations to the department of children, youth, and families in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of children, youth, and families shall initially be allotted as required by this act. The department shall seek approval from the office of financial management prior to transferring moneys between sections of this act except as expressly provided in this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the foster care, adoption support, child protective services, working connections child care, and juvenile rehabilitation programs, the department may transfer appropriations that are provided solely for a specified purpose.

(2) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation.

(3) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department are subject to technical oversight by the office of the chief information officer.

**Sec. 227.** 2023 c 475 s 227 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—CHILDREN AND FAMILIES SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(\$488,869,000)
	\$489,326,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$500,457,000)
	\$534,898,000
General Fund—Federal Appropriation . . . . .	(\$503,359,000)
	\$522,274,000
General Fund—Private/Local Appropriation . . . . .	\$2,824,000
Opioid Abatement Settlement Account—State Appropriation . . . . .	\$2,304,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(\$1,497,813,000)</b>
	<b>\$1,551,626,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$748,000 of the general fund—state appropriation for fiscal year 2024 and \$748,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to 13 children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(2) \$453,000 of the general fund—state appropriation for fiscal year 2024 and \$453,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs of hub home foster and kinship families that provide a foster care delivery model that includes a hub home. Use of the hub home model is intended to support foster parent retention, provide support to biological families, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(3) \$579,000 of the general fund—state appropriation for fiscal year 2024, \$579,000 of the general fund—state appropriation for fiscal year 2025, and \$110,000 of the general fund—federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(4) \$1,620,000 of the general fund—state appropriation for fiscal year 2024 and \$1,620,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services provided through children's advocacy centers.

(5) In fiscal year 2024 and in fiscal year 2025, the department shall provide a tracking report for social service specialists and corresponding social services support staff to the office of financial management, and the appropriate policy and fiscal committees of the legislature. The report shall detail continued implementation of the targeted 1:18 caseload ratio standard for child and family welfare services caseload-carrying staff and targeted 1:8 caseload ratio standard for child protection services caseload carrying staff. To the extent to which the information is available, the report shall include the following information identified separately for social service specialists doing case management work, supervisory work, and administrative support staff, and identified separately by job duty or program, including but not limited to intake, child protective services investigations, child protective services family assessment response, and child and family welfare services:

(a) Total full-time equivalent employee authority, allotments and expenditures by region, office, classification, and band, and job duty or program;

(b) Vacancy rates by region, office, and classification and band; and

(c) Average length of employment with the department, and when applicable, the date of exit for staff exiting employment with the department by region, office, classification and band, and job duty or program.

(6) \$94,000 of the general fund—state appropriation for fiscal year 2024 and \$94,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(7) (a) \$999,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, \$656,000 of the general fund—private/local appropriation, and \$252,000 of the general fund—federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, regions where backlogs of youth that have formerly requested educational outreach services exist, or youth with high educational needs. The department is encouraged to use private matching funds to maintain educational advocacy services.

(b) The department shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(8) For purposes of meeting the state's maintenance of effort for the state supplemental payment program, the department of children, youth, and families shall track and report to the department of social and health services the monthly state supplemental payment amounts attributable to foster care children who meet eligibility requirements specified in the state supplemental payment state plan. Such expenditures must equal at least \$3,100,000 annually and may not be claimed toward any other federal maintenance of effort requirement. Annual state supplemental payment expenditure targets must continue to be established by the department of social and health services. Attributable amounts must be communicated by the department of children, youth, and families to the department of social and health services on a monthly basis.

(9) \$197,000 of the general fund—state appropriation for fiscal year 2024 and \$197,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct biennial inspections and certifications of facilities, both overnight and day shelters, that serve those who are under 18 years old and are homeless.

(10) (a) ~~(\$6,195,000)~~ \$8,981,000 of the general fund—state appropriation for fiscal year 2024, and \$1,188,000 of the general fund—federal appropriation are provided solely for the department to operate emergent placement and enhanced emergent placement contracts.

(b) The department shall not include the costs to operate emergent placement contracts in the calculations for family foster home maintenance payments and shall submit as part of the budget submittal documentation required by RCW 43.88.030 any costs associated with increases in the number of emergent placement contract beds after the effective date of this section that cannot be sustained within existing appropriations.

(11) Beginning January 1, 2024, and continuing through the 2023-2025 fiscal biennium, the department must provide semiannual reports to the governor and appropriate legislative committees that includes the number of in-state behavioral rehabilitation services providers

and licensed beds, the number of out-of-state behavioral rehabilitation services placements, and a comparison of these numbers to the same metrics expressed as an average over the prior six months. The report shall identify separately beds with the enhanced behavioral rehabilitation services rate. Effective January 1, 2024, and to the extent the information is available, the report shall include the same information for emergency placement services beds and enhanced emergency placement services beds.

(12) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing the supportive visitation model that utilizes trained visit navigators to provide a structured and positive visitation experience for children and their parents.

(13) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for enhanced adoption placement services for legally free children in state custody, through a partnership with a national nonprofit organization with private matching funds. These funds must supplement, but not supplant, the work of the department to secure permanent adoptive homes for children with high needs.

(14) The department of children, youth, and families shall make foster care maintenance payments to programs where children are placed with a parent in a residential program for substance abuse treatment. These maintenance payments are considered foster care maintenance payments for purposes of forecasting and budgeting at maintenance level as required by RCW 43.88.058.

(15) \$511,000 of the general fund—state appropriation for fiscal year 2024, \$511,000 of the general fund—state appropriation for fiscal year 2025, and \$306,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219) (youth counsel/dependency).

(16) If the department receives an allocation of federal funding through an unanticipated receipt, the department shall not expend more than what was approved or for another purpose than what was approved by the governor through the unanticipated receipt process pursuant to RCW 43.79.280.

(17) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more nonprofit, nongovernmental organizations to purchase and deliver concrete goods to low-income families.

(18) \$2,400,000 of the general fund—state appropriation for fiscal year 2024 and \$2,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(19) The department will only refer child welfare cases to the department of social and health services division of child support enforcement when the court has found a child to have been abandoned by their parent or guardian as defined in RCW 13.34.030.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and 100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of SafeCare, an evidence-based parenting program, for families in Grays Harbor county.

(21) \$7,685,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$8,354,000)~~) \$11,329,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$2,682,000)~~) \$3,326,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$276,000 of the general fund—state appropriation for fiscal year 2024, \$264,000 of the general fund—state appropriation for fiscal year 2025, and \$104,000 of the general fund—federal appropriation are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance, reporting on progress, and resolving disputes that may arise.

(b) \$2,022,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$2,432,000)~~) \$2,682,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the general fund—federal appropriation are provided solely for the statewide hub home model. The department shall develop and adapt the existing hub home model to serve youth as described in the settlement agreement.

(c) \$452,000 of the general fund—state appropriation for fiscal year 2024, \$864,000 of the general fund—state appropriation for fiscal year 2025, and \$334,000 of the general fund—federal appropriation are provided solely for the department to establish a negotiated rule-making method to align and update foster care and group care licensing standards.

(d) \$2,195,000 of the general fund—state appropriation for fiscal year 2024, \$2,110,000 of the general fund—state appropriation for fiscal year 2025, and \$238,000 of the general



fund—federal appropriation are provided solely for revised referral and transition procedures for youth entering foster care.

(e) \$1,868,000 of the general fund—state appropriation for fiscal year 2024, \$1,852,000 of the general fund—state appropriation for fiscal year 2025, and \$1,543,000 of the general fund—federal appropriation are provided solely for the department to develop and implement a professional therapeutic foster care contract and licensing category. Therapeutic foster care professionals are not required to have another source of income and must receive specialized training and support.

(f) \$872,000 of the general fund—state appropriation for fiscal year 2024, \$832,000 of the general fund—state appropriation for fiscal year 2025, and \$421,000 of the general fund—federal appropriation are provided solely to update assessment and placement procedures prior to placing a youth in a qualified residential treatment program, as well as updating the assessment schedule to every 90 days.

(g) \$2,725,000 of the general fund—state appropriation for fiscal year 2025 and \$644,000 of the general fund—federal appropriation are provided solely for family team decision making and shared planning meetings as informed by attachment a-stakeholder facilitator and process description.

(h) The department shall implement all provisions of the settlement agreement, including those described in (a) through (f) of this subsection; revisions to shared planning meeting and family team decision-making policies and practices; and any and all additional settlement agreement requirements and timelines established.

(22) (~~(\$8,919,000)~~) \$7,379,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$19,521,000)~~) \$26,325,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$6,595,000)~~) \$7,195,000 of the general fund—federal appropriation are provided solely for implementation of a seven-level foster care support system. Of the amounts provided in this subsection:

(a) \$5,527,000 of the general fund—state appropriation for fiscal year 2024, \$11,054,000 of the general fund—state appropriation for fiscal year 2025, and \$5,284,000 of the general fund—federal appropriation are provided (~~(solely)~~) to expand foster care maintenance payments from a four-level to a seven-level support system, beginning January 1, 2024.

(b) (~~(\$2,572,000)~~) \$1,032,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$7,717,000)~~) \$14,521,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$1,173,000)~~) \$1,773,000 of the general fund—federal appropriation are (~~(provided solely)~~) for expanded caregiver support services. Services include, but are not limited to, placement, case aide, and after-hours support, as well as training, coaching, child care, and respite coordination.

(c) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project management to oversee the shift in systems and practices.

(d) \$247,000 of the general fund—state appropriation for fiscal year 2024, \$184,000 of the general fund—state appropriation for fiscal year 2025, and \$138,000 of the general fund—federal appropriation are provided solely for a contract with the department of social and health services research and data analysis division to track program outcomes through monitoring and analytics.

(23) \$732,000 of the general fund—state appropriation for fiscal year 2024, \$732,000 of the general fund—state appropriation for fiscal year 2025, and \$362,000 of the general fund—federal appropriation are provided solely to increase staff to support statewide implementation of the kinship caregiver engagement unit.

(24) (~~(\$7,332,000)~~) \$2,113,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$7,332,000)~~) \$4,119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to issue foster care maintenance payments for up to 90 days to those kinship caregivers who obtain an initial license.

(25) \$6,696,000 of the general fund—state appropriation for fiscal year 2024, \$6,696,000 of the general fund—state appropriation for fiscal year 2025, and \$2,940,000 of the general fund—federal appropriation are provided solely for contracted visitation services for children in temporary out-of-home care. Funding is provided to reimburse providers for certain uncompensated services, which may include work associated with missed or canceled visits.

(26) \$4,104,000 of the general fund—state appropriation for fiscal year 2024 and \$5,589,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand combined in-home services to serve more families. By December 1, 2023, and annually thereafter, the department shall provide a report to the legislature detailing combined in-home services expenditures and utilization, including the number of families served and a listing of services received by those families.

(27) \$892,000 of the general fund—state appropriation for fiscal year 2024, \$892,000 of the general fund—state appropriation for fiscal year 2025, and \$796,000 of the general fund—federal appropriation are provided solely for increased licensing staff. Licensing staff are increased in anticipation that more kinship placements will become licensed due to recent legislation and court decisions, including *In re Dependency of K.W.* and chapter 211, Laws of 2021 (E2SHB 1227) (child abuse or neglect).

(28) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$2,014,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5124 (nonrelative kin placement). (~~(#~~

~~the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$338,000 of the general fund—state appropriation for fiscal year 2024, \$317,000 of the general fund—state appropriation for fiscal year 2025, and \$54,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$851,000 of the general fund—state appropriation for fiscal year 2024, \$2,412,000 of the general fund—state appropriation for fiscal year 2025, and \$108,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(31) \$2,304,000 of the opioid abatement settlement account—state appropriation is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

(32) \$375,000 of the general fund—state appropriation for fiscal year 2024, \$375,000 of the general fund—state appropriation for fiscal year 2025, and \$112,000 of the general fund—federal appropriation are provided solely for the department to develop, implement, and expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation services for children in temporary out-of-home care and their parents and siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature regarding these strategies by September 1, 2023. The report shall include the number and percentage of parents requiring supervised visitation and the number and percentage of parents with unsupervised visitation, prior to reunification.

(33) \$499,000 of the general fund—state appropriation for fiscal year 2024, \$499,000 of the general fund—state appropriation for fiscal year 2025, and \$310,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1204 (family connections program), which will support the family connections program in areas of the state in which the program is already established. To operate the program, the department must contract with a community-based organization that has experience working with the foster care population and administering the family connections program. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(34) \$2,020,000 of the general fund—state appropriation for fiscal year 2024, \$1,894,000 of the general fund—state appropriation for fiscal year 2025, and \$1,247,000 of the general fund—federal appropriation are provided ~~((solely))~~ to increase the basic foster care maintenance rate for all age groups and the supervised independent living subsidy for youth in extended foster care each by \$50 per youth per month effective July 1, 2023.

(35) Within the amounts provided in this section, funding is sufficient to increase the basic foster care maintenance rate for all age groups and the supervised independent living subsidy for youth in extended foster care effective July 1, 2024.

(36) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a Washington state mentoring organization to provide oversight and training for a pilot program that mentors foster youth. The goal of the program is to improve outcomes for youth in foster care by surrounding them with ongoing support from a caring adult mentor. Under the program, mentors provide a positive role model and develop a trusted relationship that helps the young person build self-confidence, explore career opportunities, access their own resourcefulness, and work to realize their fullest potential. The organization shall serve as the program administrator to provide grants to nonprofit organizations based in Washington state that meet department approved criteria specific to mentoring foster youth. Eligible grantees must have programs that currently provide mentoring services within the state and can provide mentors who provide one-to-one services to foster youth, or a maximum ratio of one mentor to three youth.

~~((+36+))~~ (37) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization in Spokane that has experience administering a family-centered drug treatment and housing program for families experiencing substance use disorder. The amount provided in this subsection is intended to support the existing program while the department works to develop a sustainable model of the program and expand to new regions of the state.

~~((+37+))~~ (38) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to lead the development of a sustainable operating funding model for programs using the rising strong model that provides comprehensive, family-centered drug treatment and housing services to keep families together while receiving treatment and support. The department shall work in coordination with the health care authority, the department of commerce, other local agencies, and stakeholders on development of the model. The department shall submit the sustainable operating model to the appropriate committees of the legislature by July 1, 2024.

~~((+38+))~~ (39) \$107,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$50,000 of the general fund—federal appropriation are provided solely for implementation of Second

Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(39))~~ (40) \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$269,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the new foster home incentive payment for child-placing agencies to \$1,000 for each new foster home certified for licensure, effective July 1, 2023.

(41) \$1,484,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to fund a memorandum of understanding to be negotiated between the Washington federation of state employees and the department of children, youth, and families, which provides for group A assignment pay for reference 77B for SSS2s in-training on a one-time basis beginning July 1, 2024.

(42) Within the amounts provided in this section, funding is sufficient for the department to establish a pilot for safety plan participants, including contracts in up to four department offices to engage third-party safety plan participants and public health nurses to support child protective services workers in safety planning, including for cases involving fentanyl in families who do not have natural supports to aid in safety planning.

(43) Within the amounts provided in this section, funding is sufficient for the department to establish a pilot for public health nurses, including contracts for up to eight public health nurses distributed by case count across the regions to support caseworkers in engaging and communicating with families about the risks of fentanyl and child health and safety practices.

(44) The department shall collaborate with the department of social and health services to identify, place, and assist in the voluntary transition of adolescents aged 13 and older who have complex developmental, intellectual disabilities, or autism spectrum disorder, alongside potential mental health or substance use diagnoses, into a leased facility for specialized residential treatment at Lake Burien operated by the department of social and health. The partnership is dedicated to transitioning individuals to community-based settings in a seamless and voluntary manner that emphasizes care in less restrictive community-based environments.

(45) \$694,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract for two receiving centers as established in RCW 7.68.380, that serve youth who are, or are at risk of being, commercially or sexually exploited. One receiving center shall be located on the west side of the state, and one receiving center shall be located on the east side of the state.

(46) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support families attending the annual caregivers conference in 2024. The conference must provide an opportunity for kinship families, foster parents, prelicensed foster parents, and adoptive families to gather for education, support, and family building experiences.

(47) \$18,000 of the general fund—state appropriation for fiscal year 2024, \$86,000 of the general fund—state appropriation for fiscal year 2025, and \$64,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1970 (DCYF-caregiver communication). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(48) \$485,000 of the general fund—state appropriation for fiscal year 2024, \$866,000 of the general fund—state appropriation for fiscal year 2025, and \$228,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1205 (publication of notice). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(49) \$1,750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the rates paid to family preservation services providers, effective July 1, 2024.

**Sec. 228.** 2023 c 475 s 228 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—JUVENILE REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$140,231,000)) \$152,459,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$143,975,000)) \$154,008,000
General Fund—Federal Appropriation . . . . .	\$694,000
General Fund—Private/Local Appropriation . . . . .	\$205,000
Washington Auto Theft Prevention Authority Account— State Appropriation . . . . .	\$196,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$285,301,000)) \$307,562,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,841,000 of the general fund—state appropriation for fiscal year 2024 and \$2,841,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts for effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development, not just reducing recidivism. Additional funding for this purpose is provided through an interagency agreement with the health care authority. County juvenile courts shall apply to the department of children, youth, and families for funding for program-specific

participation and the department shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute. The block grant oversight committee, in consultation with the Washington state institute for public policy, shall identify effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development to receive funding.

(2) \$1,537,000 of the general fund—state appropriation for fiscal year 2024 and \$1,537,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expansion of the juvenile justice treatments and therapies in department of children, youth, and families programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The department may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(3) (a) (~~(\$6,198,000)~~) \$6,698,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$6,198,000)~~) \$6,698,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement evidence- and research-based programs through community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants. In addition to funding provided in this subsection, funding to implement alcohol and substance abuse treatment programs for locally committed offenders is provided through an interagency agreement with the health care authority.

(b) The department of children, youth, and families shall administer a block grant to county juvenile courts for the purpose of serving youth as defined in RCW 13.40.510(4) (a) in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service funds, community juvenile accountability act grants, chemical dependency/mental health disposition alternative, and suspended disposition alternative. The department of children, youth, and families shall follow the following formula and must prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for the assessment of low, moderate, and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency and mental health disposition alternative; and (vi) two percent for the suspended dispositional alternatives. Funding for the special sex offender disposition alternative shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the department of children, youth, and families and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(c) The department of children, youth, and families and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the department of children, youth, and families and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be co-chaired by the department of children, youth, and families and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. The committee may make changes to the formula categories in (b) of this subsection if it determines the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost/benefit savings to the state, including long-term cost/benefit savings. The committee must also consider these outcomes in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(d) The juvenile courts and administrative office of the courts must collect and distribute information and provide access to the data systems to the department of children, youth, and families and the Washington state institute for public policy related to program and outcome data. The department of children, youth, and families and the juvenile courts must work collaboratively to develop program outcomes that reinforce the greatest cost/benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(4) \$645,000 of the general fund—state appropriation for fiscal year 2024 and \$645,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

(5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant program focused on criminal street gang prevention and intervention. The department of children, youth, and families may award grants under this subsection. The department of children, youth, and families shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity

receiving funds must report to the department of children, youth, and families on the number and types of youth served, the services provided, and the impact of those services on the youth and the community.

(6) The juvenile rehabilitation institutions may use funding appropriated in this subsection to purchase goods, supplies, and services through hospital group purchasing organizations when it is cost-effective to do so.

(7) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts to establish alternative detention facilities similar to the proctor house model in Jefferson county, Washington, that will provide less restrictive confinement alternatives to youth in their local communities. County juvenile courts shall apply to the department of children, youth, and families for funding and each entity receiving funds must report to the department on the number and types of youth serviced, the services provided, and the impact of those services on the youth and the community.

(8) \$432,000 of the general fund—state appropriation for fiscal year 2024 and \$432,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide housing services to clients releasing from incarceration into the community.

(9) (a) \$878,000 of the general fund—state appropriation for fiscal year 2024 and \$879,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 206, Laws of 2021 (concerning juvenile rehabilitation community transition services).

(b) Of the amounts provided in (a) of this subsection, \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing vouchers.

(10) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 265, Laws of 2021 (supporting successful reentry).

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a credible messenger mentorship organization located in Kitsap county to provide peer counseling, peer support services, and mentorship for at-risk youth and families.

(12) \$1,791,000 of the general fund—state appropriation for fiscal year 2024 and \$1,754,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the facility, property, and assets at the facility formerly known as the Naselle youth camp in Naselle. The department of children, youth, and families must enter into an interagency agreement with the department of social and health services for the management and warm closure maintenance of the Naselle youth camp facility and grounds during the 2023-2025 fiscal biennium.

(13) (a) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1394 (sexual offenses by youth). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse-))

(b) The department of children, youth, and families—juvenile rehabilitation shall develop and implement a grant program that allows defense attorneys and counties to apply for funding for sex offender evaluation and treatment programs. The department shall provide funding to counties for: (a) Process mapping, site assessment, and training for additional sex offender treatment modalities such as multisystemic therapy-problem sexual behavior or problematic sexual behavior-cognitive behavioral therapy; and (b) for any evaluation and preadjudication treatment costs which are not covered by the court.

(14) \$2,436,000 of the general fund—state appropriation for fiscal year 2024 and \$2,206,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a dedicated institutional educational oversight and accountability team and 12 staff to provide a transition team at both green hill and echo glen that will serve as an education engagement team at the facility and will also coordinate and engage with community enrichment programs and community organizations to afford more successful transitions.

(15) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted services for housing for youth exiting juvenile rehabilitation facilities.

(16) (~~(\$3,306,000)~~) \$2,958,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$8,732,000)~~) \$11,436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for caseload costs and staffing. Of the amount provided in this subsection: (~~(\$1,752,000)~~) \$690,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,428,000)~~) \$2,055,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing necessary to operate the baker cottage north living unit at green hill school that is anticipated to be operational by ((February)) May 1, 2024.

(17) \$967,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to purchase body scanners, one for echo glen, and two for green hill school, to comply with chapter 246-230 WAC (security screening systems).

(18) \$7,774,000 of the general fund—state appropriation for fiscal year 2024 and \$10,160,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for enhanced security services at the Echo Glen children's center.

**Sec. 229.** 2023 c 475 s 229 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—EARLY LEARNING PROGRAM**

General Fund—State Appropriation (FY 2024)	(((\$576,454,000))
	\$586,814,000
General Fund—State Appropriation (FY 2025)	(((\$699,147,000))
	\$755,550,000
General Fund—Federal Appropriation	(((\$525,447,000))
	\$662,418,000
General Fund—Private/Local Appropriation	\$104,000
Education Legacy Trust Account—State Appropriation	(((\$385,965,000))
	\$385,401,000
Home Visiting Services Account—State Appropriation	(((\$35,809,000))
	\$37,397,000
Home Visiting Services Account—Federal Appropriation	(((\$36,417,000))
	\$37,256,000
Washington Opportunity Pathways Account—State Appropriation	\$80,000,000
Workforce Education Investment Account—State Appropriation	\$22,764,000
<b>TOTAL APPROPRIATION</b>	<b>(((\$2,362,107,000))</b>
	<b>\$2,567,704,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) ~~(((\$123,623,000))~~ \$132,698,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$148,314,000))~~ \$156,585,000 of the general fund—state appropriation for fiscal year 2025, \$91,810,000 of the education legacy trust account—state appropriation, and \$80,000,000 of the opportunity pathways account—state appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 16,778 slots in fiscal year 2024 and 17,278 slots in fiscal year 2025. Of the total slots in each fiscal year, 100 slots must be reserved for foster children to receive school-year-round enrollment.

(b) Of the amounts provided in (a) of this subsection:

(i) \$23,647,000 of the general fund—state appropriation for fiscal year 2024 and \$26,412,000 of the general fund—state appropriation for fiscal year 2025 are ~~((provided solely))~~ for a slot rate increase of 18 percent for full day slots, a 9 percent increase for extended day slots, and a 7 percent increase for part day slots, beginning July 1, 2023.

(ii) \$8,271,000 of the general fund—state appropriation for fiscal year 2025 is for a rate increase of 5 percent for full day slots and 9 percent for extended day slots, beginning July 1, 2024.

(iii) \$9,862,000 of the general fund—state appropriation for fiscal year 2024 and \$9,862,000 of the general fund—state appropriation for fiscal year 2025 are provided ~~((solely))~~ to convert 1,000 part day slots to full day slots, and to increase full day slots by 500, beginning in fiscal year 2024.

~~((iii))~~ (iv) \$9,862,000 of the general fund—state appropriation for fiscal year 2025 is provided ~~((solely))~~ to convert 1,000 part day slots to full day slots ~~((r))~~ and to increase full day slots by 500, beginning in fiscal year 2025.

(c) Of the amounts provided in (a) of this subsection, \$2,509,000 of the general fund—state appropriation for fiscal year 2024 and \$3,278,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for the early childhood education and assistance program.

(d) The department of children, youth, and families must develop a methodology to identify, at the school district level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district and the corresponding facility needs required to meet the entitlement in accordance with RCW 43.216.556. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(2) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies.

(3) The department of children, youth, and families shall work in collaboration with the department of social and health services to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families. Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total

state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(4) (a) (~~(\$144,632,000)~~) \$145,852,000 of the general fund—state appropriation for fiscal year 2024, \$208,181,000 of the general fund—state appropriation for fiscal year 2025, \$56,400,000 of the general fund—federal appropriation, and (~~(\$51,500,000)~~) \$99,100,000 of the general fund—federal appropriation (ARPA) are provided solely for enhancements to the working connections child care program.

(b) Of the amounts provided in (a) of this subsection:

(i) \$47,637,000 of the general fund—state appropriation for fiscal year 2024, \$87,556,000 of the general fund—state appropriation for fiscal year 2025, \$36,249,000 of the general fund—federal appropriation, and \$33,085,000 of the general fund—federal appropriation (ARPA) are provided solely to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey for child care centers.

(ii) (~~(\$96,995,000)~~) \$98,215,000 of the general fund—state appropriation for fiscal year 2024, \$120,625,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided solely to implement the 2023-2025 collective bargaining agreement covering family child care providers as provided in section 907 of this act. Of the amounts provided in this subsection:

(A) \$8,263,000 of the general fund—state appropriation for fiscal year 2024 and \$9,793,000 of the general fund—state appropriation for fiscal year 2025 are for an 85 cent per hour per child rate increase for family, friends, and neighbor providers (FFNs) beginning July 1, 2023, and a 15 cent per hour per child rate increase beginning July 1, 2024.

(B) \$26,515,000 of the general fund—state appropriation for fiscal year 2024, \$48,615,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey.

(C) \$370,000 of the general fund—state appropriation for fiscal year 2024 and \$370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to pay the background check application and fingerprint processing fees.

(D) (~~(\$61,847,000)~~) \$63,067,000 of the general fund—state appropriation for fiscal year 2024 and \$61,847,000 of the general fund—state appropriation for fiscal year 2025 are for a cost of care rate enhancement.

(c) Funding in this subsection must be expended with internal controls that provide child-level detail for all transactions, beginning July 1, 2024.

(d) On July 1, 2023, and July 1, 2024, the department, in collaboration with the department of social and health services, must report to the governor and the appropriate fiscal and policy committees of the legislature on the status of overpayments in the working connections child care program. The report must include the following information for the previous fiscal year:

(i) A summary of the number of overpayments that occurred;

(ii) The reason for each overpayment;

(iii) The total cost of overpayments;

(iv) A comparison to overpayments that occurred in the past two preceding fiscal years; and

(v) Any planned modifications to internal processes that will take place in the coming fiscal year to further reduce the occurrence of overpayments.

(e) Within available amounts, the department in consultation with the office of financial management shall report enrollments and active caseload for the working connections child care program to the governor and the legislative fiscal committees and the legislative-executive WorkFirst poverty reduction oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(5) \$2,362,000 of the general fund—state appropriation for fiscal year 2024 (~~and~~), \$2,362,000 of the general fund—state appropriation for fiscal year 2025, and \$747,000 of the general fund—federal appropriation are provided (~~solely~~) to increase the nonstandard hours bonus to:

(a) \$135 per child per month, beginning July 1, 2023; and

(b) \$150 per child per month, beginning July 1, 2024.

(6) \$22,764,000 of the workforce education investment account—state appropriation is provided solely for the working connections child care program under RCW 43.216.135.

(7) \$353,402,000 of the general fund—federal appropriation is reimbursed by the department of social and health services to the department of children, youth, and families for qualifying expenditures of the working connections child care program under RCW 43.216.135.

(8) \$1,560,000 of the general fund—state appropriation for fiscal year 2024, \$1,560,000 of the general fund—state appropriation for fiscal year 2025, and \$6,701,000 of the general fund—federal appropriation are provided solely for the seasonal child care program.

(9) \$871,000 of the general fund—state appropriation for fiscal year 2024 and \$871,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of children, youth, and families to contract with a countywide nonprofit organization with early childhood expertise in Pierce county for a project to prevent child abuse and neglect using nationally recognized models.

(a) The nonprofit organization must continue to implement a countywide resource and referral linkage system for families of children who are prenatal through age five.

(b) The nonprofit organization must offer a voluntary brief newborn home visiting program. The program must meet the diverse needs of Pierce county residents and, therefore, it must be flexible, culturally appropriate, and culturally responsive. The department, in collaboration with the nonprofit organization, must examine the feasibility of leveraging federal and other fund sources, including federal Title IV-E and medicaid funds, for home visiting provided through the pilot. The department must report its findings to the governor and appropriate legislative committees by September 1, 2023.

(10) \$3,577,000 of the general fund—state appropriation for fiscal year 2024, \$3,587,000 of the general fund—state appropriation for fiscal year 2025, and \$9,588,000 of the education legacy trust account—state appropriation are provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. The department shall pursue opportunities to leverage other funding to continue and expand ECLIPSE services. Priority for services shall be given to children referred from the department.

(11) The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In a bi-annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements.

(12) \$1,728,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(13) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(14) \$4,000,000 of the education legacy trust account—state appropriation is provided solely for early intervention assessment and services.

(15) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(16) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued implementation of chapter 202, Laws of 2017 (children's mental health).

(17) Within existing resources, the department shall continue implementation of chapter 409, Laws of 2019 (early learning access).

(18) \$515,000 of the general fund—state appropriation for fiscal year 2024 and \$515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a statewide family resource and referral linkage system, with coordinated access point of resource navigators who will connect families with children prenatal through age five with services, programs, and community resources through a facilitated referral and linkage process.

(19)(a) \$114,000 of the general fund—state appropriation for fiscal year 2024, \$173,000 of the general fund—state appropriation for fiscal year 2025, \$6,000 of the general fund—federal appropriation, and \$31,000 of the general fund—federal appropriation (ARPA) are provided solely for the department to complete its pilot project to determine the feasibility of a child care license category for multi-site programs operating under one owner or one entity and to complete one year of transition activities. The department shall adopt rules to implement the pilot project and may waive or adapt licensing requirements when necessary to allow for the operation of a new license category. Pilot participants must include, at least:

- (i) One governmental agency;
- (ii) One nonprofit organization; and
- (iii) One for-profit private business.

(b) New or existing license child care providers may participate in the pilot. When selecting and approving pilot project locations, the department shall aim to select a mix of rural, urban, and suburban locations. By July 1, 2024, the department shall submit to the governor and relevant committees of the legislature a plan for permanent implementation of this license category, including any necessary changes to law.

(20) (~~(\$3,020,000)~~) \$4,620,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for the home visiting program. Of the amounts in this subsection:

(a) \$2,020,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for a funding increase, including to increase funding for contracts to support wage and cost increases and create more equity in contracting among the home visiting workforce.



(b) \$1,000,000 of the home visiting account—state appropriation is provided solely for the expansion of visiting services.

(c) \$1,600,000 of the home visiting account—state appropriation is provided solely for the department to establish a pilot program that would fund 150 targeted contracted home visiting slots to meet capacity and demand for child welfare involved clients. Priority for home visiting slots shall go to families with child protective services, family assessment response, and family voluntary services open cases where parental substance use is a factor in the case and be provided in locales with the historically highest rates of child welfare screened-in intakes. At least two of the providers for this pilot program shall be located in a rural area. At least \$200,000 of the amount provided in this subsection (20)(c) shall be set aside to provide training for the selected home visiting providers specific to supporting families with substance use disorder.

(21) Within the amounts provided in this section, funding is provided for the department to make permanent the two language access coordinators with specialties in Spanish and Somali as funded in chapter 334, Laws of 2021.

(22) (a) The department must provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license-exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(b) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(c) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(d) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data every March for the previous school year.

(e) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(23) \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue implementation of an infant and early childhood mental health consultation initiative to support tribal child care and early learning programs. Funding may be used to provide culturally congruent infant and early childhood mental health supports for tribal child care, the tribal early childhood education and assistance program, and tribal head start providers. The department must consult with federally recognized tribes which may include round tables through the Indian policy early learning committee.

(24) \$860,000 of the general fund—state appropriation for fiscal year 2024 and \$860,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued expansion and support of family, friend, or neighbor caregivers with a focus on the provision of play and learn groups. The amounts provided in this subsection may be used for the department to:

(a) Fund consistent staffing across the state's six geographic regions to support the needs of family, friend, or neighbor caregivers;

(b) Contract with a statewide child care resource and referral program to sustain and expand the number of facilitated play groups to meet the needs of communities statewide;

(c) Support existing infrastructure for organizations that have developed the three existing play and learn program models so they have capacity to provide training, technical assistance, evaluation, data collection, and other support needed for implementation; and

(d) Provide direct implementation support to community-based organizations that offer play and learn groups.

(25) ~~(\$3,750,000)~~ \$2,750,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$3,750,000)~~ \$4,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for tribal early learning grants to be distributed to providers with tribal children enrolled in early childhood education and assistance program, early ECEAP, childcare, head start, early head start and home visiting programs. Grants will be administered by the department of children, youth and families office of tribal relations and may be awarded for purposes including but not limited to culturally appropriate mental health supports for addressing historical trauma, incorporating indigenous foods, culturally-responsive books and materials, staff professional development, curriculum adaptations and supplements, tribal language education, elders and storytelling in classrooms, traditional music and arts instruction, and transportation to facilitate tribal child participation in early childhood education. Of the amounts in this subsection, the department may use \$143,000 in fiscal year 2024 and up to \$136,000 in fiscal year 2025 to cover associated administrative expenses.

(26) \$7,698,000 of the general fund—state appropriation for fiscal year 2024 and \$7,698,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for child care providers.

(27) \$2,624,000 of the general fund—state appropriation for fiscal year 2024 and \$2,624,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for equity grants established under chapter 199, Laws of 2021 (E2SSB 5237).

(28) \$2,354,000 of the general fund—state appropriation for fiscal year 2024 and \$2,431,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the birth-to-three early childhood education and assistance program. Funding is sufficient for a 20 percent rate increase beginning July 1, 2023, and a 1.8 percent rate increase beginning July 1, 2024.

(29) \$3,352,000 of the general fund—state appropriation for fiscal year 2024 and \$9,916,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to help close the gap in childcare access in the King county region by providing pandemic recovery support funding to the Launch learning organization.

(31) ~~((~~\$533,000~~))~~ \$169,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to submit an implementation plan to expand access to Washington's mixed delivery child care system. The plan must assume that any financial contribution by families is capped at no more than seven percent of household income and that the child care workforce are provided living wages and benefits. The plan must be submitted to the appropriate committees of the legislature by June 30, 2025, and should:

(a) Follow the intent of chapter 199, Laws of 2021;

(b) Be aligned with the cost of quality care rate model;

(c) Include timelines, costs, and statutory changes necessary for timely and effective implementation; and

(d) Be developed through partnership with the statewide child care resource and referral organization and the largest union representing child care providers, with consultation from families.

(32) \$250,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~ \$250,000 of the general fund—state appropriation for fiscal year 2025, and \$1,750,000 of the general fund—federal appropriation are provided solely for infant and early childhood mental health consultation. Of the amounts provided in this subsection, \$150,000 of the general fund—federal appropriation is for infant and early childhood mental health consultation services to support rural schools and child care programs in rural communities.

(33) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with Washington communities for children to maintain a community-based early childhood network.

(34) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a Washington state based nonprofit digital child care marketing and matching service to deliver child care marketing and matching services in order to increase the number of licensed providers offering nonstandard hours care and to provide effective outreach to workforces in order to help them find and match with available nonstandard hours care providers.

(35) \$250,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~ \$250,000 of the general fund—state appropriation for fiscal year 2025, and \$4,000,000 of the general fund—federal appropriation are provided solely for the department to contract with an organization that provides relationship-based professional development support to family, friend, and neighbor, child care center, and licensed family care providers to work with child care workers to establish new affordable, high quality child care and early learning programs. To be eligible to receive funding, the organization must:

(a) Provide professional development services for child care providers and early childhood educators, including training and mentorship programs;

(b) Provide mentorship and other services to assist with child care provider and facility licensing;

(c) Administer or host a system of shared services and consulting related to operating a child care business; and

(d) Administer a state sponsored substitute pool child care provider program.

(36) \$830,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(37) \$972,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1525 (apprenticeships/child care). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(38) \$2,438,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide a one-time rate enhancement in fiscal year 2024 for early support for infants and toddlers program providers.

(39) \$4,291,000 of the general—fund state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1916 (infants and toddlers program). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(40) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$1,000,000)~~) \$2,200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the imagination library.

(41) \$2,647,000 of the general fund—federal appropriation is provided solely for the department to increase the infant rate enhancement to \$180 per month, beginning July 1, 2024.

(42) \$1,579,000 of the general fund—federal appropriation is provided solely for the department to establish a pilot for contracted child care slots for infants in child protective services, which may be used as part of a safety plan.

(43) \$200,000 of the general fund—federal appropriation is provided solely for the department to contract with an organization to increase language access and translate materials and videos that are used for training purposes. To be eligible to receive funding, the organization must: (a) Provide professional development services for child care providers and early childhood educators, including training and mentorship programs; (b) provide mentorship and other services to assist with child care provider and facility licensing; (c) administer or host a system of shared services and consulting related to operating a child care business; and (d) administer a state sponsored substitute pool child care provider program.

(44) (a) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the Snohomish county early learning coalition to develop a leadership team to identify and report on ways to strengthen the early learning community in Snohomish county. The leadership team may include, but is not limited to, members from the following groups:

- (i) Business communities and industry representatives;
- (ii) Child care directors and owners;
- (iii) School district superintendents;
- (iv) The children's commission;
- (v) Early learning nonprofit executive directors;
- (vi) Tribes located in Snohomish county;
- (vii) Councilmembers from cities located in Snohomish county;
- (viii) Law enforcement;
- (ix) The communities of color coalition; and
- (x) Immigrant communities.

(b) The early learning coalition must submit an initial report to the governor and the appropriate committees of the legislature by June 30, 2025. The report must identify the following information:

- (i) Highest priority early learning needs and common challenges in the Snohomish county early learning sector;
- (ii) Best strategies to address the identified challenges;
- (iii) A list of potential partners to help implement the strategies identified in the report;
- (iv) A funding plan to implement the strategies; and
- (v) The goal of any strategies implemented.

(45) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a Bellevue-based nonprofit organization to support the continuation of its home visiting services for children ages three through five years old who are in the child welfare system. The nonprofit organization must provide educational and therapeutic services for children with developmental delays, disabilities, and behavioral needs.

(46) \$600,000 of the general fund—federal appropriation is provided solely for the department to contract with an organization to provide technical assistance and outreach in non-English languages to help child care providers access and apply for grants administered by the department. To be eligible to receive funding, the organization must: (a) Provide professional development services for child care providers and early childhood educators, including training and mentorship programs; (b) provide mentorship and other services to assist with child care provider and facility licensing; (c) administer or host a system of shared services and consulting related to operating a child care business; and (d) administer a state sponsored substitute pool child care provider program.

(47) \$1,275,000 of the general fund—federal appropriation is provided solely for the department to contract for in-depth training, mentoring, and consultative support through the existing shared services hub.

(48) (a) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a nonprofit organization located in Spokane for a pilot program to increase the child care workforce and child care capacity in the greater Spokane area. At a minimum, the pilot program must create a cohort of at least 10 child care

facilities that will engage in culture index and blueprint assessments in order to increase the child care workforce.

(b) In administering the pilot program, the nonprofit organization must:

(i) Conduct coordinated outreach efforts to establish capacity and utilization benchmarks for current licensed day care facilities;

(ii) Create a recruitment and branding strategy to increase the child care workforce; and

(iii) Establish data points for training, recruiting, and retaining child care employees.

(c) The organization must submit a report on the results of the pilot program, including any outcomes affecting the child care workforce and capacity, to the governor and the appropriate committees of the legislature by June 30, 2025.

(49) \$1,246,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2124 (child care prog. eligibility). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 230.** 2023 c 475 s 230 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$269,989,000))
	\$372,607,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$267,333,000))
	\$287,026,000
General Fund—Federal Appropriation. . . . .	(((\$154,741,000))
	\$171,245,000
General Fund—Private/Local Appropriation. . . . .	(((\$2,133,000))
	\$2,334,000
Education Legacy Trust Account—State Appropriation. . . . .	(((\$180,000))
	\$744,000
Home Visiting Services Account—State Appropriation. . . . .	\$482,000
Home Visiting Services Account—Federal Appropriation. . . . .	\$380,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$695,238,000))</b>
	<b>\$834,818,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Washington state mentoring organization to continue its public-private partnerships providing technical assistance and training to mentoring programs that serve at-risk youth.

(2) \$2,000 of the general fund—state appropriation for fiscal year 2024, \$6,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(3) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time employee to coordinate policies and programs to support pregnant and parenting individuals receiving chemical dependency or substance use disorder treatment.

(4) ~~(((\$2,719,000))~~ \$3,525,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$2,632,000))~~ \$3,597,000 of the general fund—state appropriation for fiscal year 2025, and ~~(((\$174,000))~~ \$181,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$2,406,000 of the general fund—state appropriation for fiscal year 2024, \$2,382,000 of the general fund—state appropriation for fiscal year 2025, and \$174,000 of the general fund—federal appropriation are provided solely for supported housing programs for hard-to-place foster youth age 16 and above. The department shall provide housing and case management supports that ensure youth placement stability, promote mental health and well-being, and prepare youth for independent living.

(b) \$313,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance, reporting on progress, and resolving disputes that may arise.

(c) \$806,000 of the general fund—state appropriation for fiscal year 2024, \$965,000 of the general fund—state appropriation for fiscal year 2025, and \$7,000 of the general fund—federal appropriation are provided solely for plaintiff legal fees and fiduciary support to

support rate modeling and payments for the emerging adult housing program, professional therapeutic foster parents, referrals and transitions, and hub homes.

(5) \$704,000 of the general fund—state appropriation for fiscal year 2024, \$1,022,000 of the general fund—state appropriation for fiscal year 2025, and \$222,000 of the general fund—federal appropriation are provided solely for the department to implement a language access plan, which will include but is not limited to:

(a) Translation of department materials;

(b) Hiring staff to form a centralized language access team to provide language access supports and coordination across all department divisions;

(c) Outreach to community organizations serving multilingual children and families regarding department programs;

(d) Webinars and other technical assistance provided in multiple languages for department programs;

(e) Training for department staff on language access resources; and

(f) Other means of increasing language access and equity for providers and caregivers in health and safety, licensing and regulations, and public funding opportunities for programs offered by the department.

(6) \$1,885,000 of the general fund—state appropriation for fiscal year 2024 and \$1,885,000 of the general fund—federal appropriation are provided solely for a feasibility study to develop an implementation plan and determine costs for a new child welfare information system.

(7) \$2,149,000 of the general fund—state appropriation for fiscal year 2024, \$7,851,000 of the general fund—state appropriation for fiscal year 2025, and \$10,000,000 of the general fund—federal appropriation are provided solely for a comprehensive child welfare information system. The funding in this section is sufficient to complete procurement and the initial stages of implementation and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(8) \$1,187,000 of the general fund—state appropriation for fiscal year 2024 and \$1,187,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing support services for youth exiting foster care and juvenile rehabilitation.

~~((8))~~ (9) \$19,000 of the general fund—state appropriation for fiscal year 2024, \$19,000 of the general fund—state appropriation for fiscal year 2025, and \$6,000 of the general fund—federal appropriation are provided solely for indirect costs associated with the implementation of a seven-level foster care support system.

~~((9))~~ (10) \$1,494,000 of the general fund—federal appropriation is provided solely for continued implementation of the family first prevention services act requirements, including technology enhancements to support the automated assessments, data quality, and reporting requirements. Funding provided in this subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((10))~~ (11) \$717,000 of the general fund—state appropriation for fiscal year 2024, \$717,000 of the general fund—state appropriation for fiscal year 2025, and \$324,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219).

~~((11))~~ (12) \$1,248,000 of the general fund—state appropriation for fiscal year 2024 and \$1,248,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the emergency adolescent housing pilot program. The housing pilot will serve hard-to-place foster youth who are at least 16 years old with housing and intensive case management.

~~((12))~~ (13) \$319,000 of the general fund—state appropriation for fiscal year 2024, \$319,000 of the general fund—state appropriation for fiscal year 2025, and \$170,000 of the general fund—federal appropriation are provided solely to continue implementation of chapter 137, Laws of 2022 (2SHB 1905).

~~((13))~~ (14) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue implementation of chapter 39, Laws of 2022 (SHB 2068).

~~((14))~~ (15) \$23,000 of the general fund—state appropriation for fiscal year 2024, \$31,000 of the general fund—state appropriation for fiscal year 2025, and \$7,000 of the general fund—federal appropriation are provided solely to implement Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((15))~~ (16) \$1,571,000 of the general fund—state appropriation for fiscal year 2024 and \$1,571,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Senate Bill No. 5316 (DCYF background check fees). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((16))~~ (17) \$53,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and \$16,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((17))~~ (18) \$43,000 of the general fund—state appropriation for fiscal year 2024, \$78,000 of the general fund—state appropriation for fiscal year 2025, and \$18,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill

No. 5124 (nonrelative kin placement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((18))~~ (19) \$2,627,000 of the general fund—state appropriation for fiscal year 2024 and \$2,628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5256 (child welfare housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((19))~~ (20) \$33,000 of the general fund—state appropriation for fiscal year 2024, \$58,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((20))~~ (21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership council for juvenile justice to consider and provide recommendations regarding juvenile justice policy projects and for one additional staff for ongoing policy and program analysis. The partnership council is authorized to consult with experts to study and gather research on best practices regarding juvenile justice, and to consult with relevant stakeholders regarding its potential recommendations. Relevant stakeholders may include but are not limited to the superior court judges association; Washington association of juvenile court administrators; Washington association of county clerks; the association of Washington counties; community-based organizations with expertise in legal financial obligation reform, community compensation funds, supporting victims and survivors of crime, or supporting youth who have been convicted or adjudicated of criminal offenses; law enforcement, prosecutors; public defenders; incarcerated and formerly incarcerated youth and young adults; the administrative office of the courts; the crime victims compensation program; and the office of crime victims advocacy.

(a) The council shall:

(i) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations for establishing a state-funded community compensation program to address out of pocket expenses for those who have been harmed by juvenile criminal offenses. Recommendations shall consider restorative principles and best practices and shall be developed in consultation with those who have been adjudicated and charged restitution and those who have been owed restitution. The council shall provide recommendations for program implementation including, but not limited to, structure and placement within state government; scope and scale of funding including eligibility criteria; retroactivity; documentation requirements; and coordination with the existing crime victims compensation fund. The council shall provide estimates of startup costs and ongoing operational costs, including administration and direct compensation to victims.

(ii) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations regarding retention, dissemination, confidentiality, sealing, consequences, and general treatment of juvenile court records. In making recommendations, the council shall take into consideration developments in brain science regarding decision-making amongst youth; the impact the juvenile court records can have on future individual well-being; principles of racial equity; and impacts that the recommendations could have on recidivism.

(iii) By June 30, 2025, report to the governor and appropriate committees of the legislature recommendations regarding implementation of juvenile court jurisdiction expansion to encompass persons 18, 19, and 20 years old. Recommendations shall include an implementation plan for the expansion, including necessary funding, essential personnel and programmatic resources, measures necessary to avoid a negative impact on the state's child protection response, and specific milestones related to operations and policy. The implementation plan shall also include a timeline for structural and systemic changes within the juvenile justice system for the juvenile rehabilitation division; the department of children, youth, and families; the department of corrections; and the juvenile court pursuant to chapter 13.04 RCW. The implementation plan shall also include an operations and business plan that defines benchmarks including possible changes to resource allocations; a review of the estimated costs avoided by local and state governments with the reduction of recidivism and an analysis of cost savings reinvestment options; and estimated new costs incurred to provide juvenile justice services to persons 18, 19, and 20 years old.

~~((21))~~ (22) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a statewide nonprofit with demonstrated capability of partnering with agencies and community organizations to develop public-facing regionalized data dashboards and reports to measure change in equitable early learning access as a result of programs and grants administered by the department. The nonprofit must provide the data in a consumer-friendly format and include updates on program supply and demand for subsidized child care and preschool programs. The data must be disaggregated by program and facility type, geography, family demographics, copayments, and outcomes of grants and rate enhancements disaggregated by staff role, program and facility type, and geography.

~~((22) \$1,206,000)~~ (23) \$1,044,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$1,554,000))~~ \$1,885,000 of the general fund—state appropriation for fiscal year 2025, and ~~(((\$1,416,000))~~ \$1,619,000 of the general fund—private/local appropriation are provided solely for the department to contract with one or more community organizations with expertise in the LifeSet case management model to serve youth and adults currently being

served in or exiting the foster care, juvenile justice, and mental health systems to successfully transition to adulthood.

~~((23))~~ (24) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase rates for independent living service providers.

~~((24))~~ (25) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

~~((25))~~ (26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an entity for three separate studies. The department must submit the studies to the governor and the legislature by June 30, 2025. The studies must analyze:

(a) The feasibility of implementing a universal child allowance, universal child care, and universal baby boxes;

(b) The feasibility of a social wealth fund for Washington state; and

(c) The current cash and cash-equivalent benefits currently available for Washington state residents who are nonworkers.

~~((26))~~ (27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an all-male, African American organization to mentor youth ages 12 through 19 in south King county.

~~((27))~~ (28) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$37,000 of the general fund—state appropriation for fiscal year 2025, and \$74,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(28))~~ (29) \$18,000 of the general fund—state appropriation for fiscal year 2024, \$18,000 of the general fund—state appropriation for fiscal year 2025, and \$8,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(29))~~ (30) (a) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$41,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to report on a plan to discontinue the practice of using any benefits, payments, funds, or accrual paid to or on behalf of a child or youth to reimburse itself for cost of care by the earliest date feasible. The report must include an implementation plan to conserve funds for the future needs of the child in a manner in which the funds will not count against eligibility for federal or state means tested programs. The report must include a strategy for developing the financial literacy and capability of youth and young adults exiting foster care and juvenile rehabilitation. The department will develop the report in consultation with stakeholders, including but not limited to:

(i) Individuals with disabilities and organizations representing the interests of or serving individuals with disabilities;

(ii) Youth in foster care and juvenile rehabilitation and their parents;

(iii) The social security administration; and

(iv) Other relevant state agencies.

(b) The department must provide periodic status updates and must submit the final report no later than October 1, 2024. The department must convene the first meeting of the work group no later than September 1, 2023.

(31) \$1,593,000 of the general fund—state appropriation for fiscal year 2024, \$1,827,000 of the general fund—state appropriation for fiscal year 2025, and \$176,000 of the general fund—federal appropriation are provided solely for:

(a) Compliance with the settlement agreement reached in *Ta'afulisia et al. v. Washington State Department of Children, Youth, and Families, et al.*, Thurston county superior court, cause no. 22-2-02974-34. The department must implement the provisions of the settlement agreement, which includes providing hearings to incarcerated youth under age 25 serving their sentence at a department of children, youth, and families facility prior to transfer to an adult corrections facility operated by the department of corrections; and

(b) Providing hearings for youth under age 25 transferred from a department of children, youth, and families community partial confinement facility to a department of children, youth, and families total confinement facility.

(32) \$94,615,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal costs that exceed the amount covered by the self-insurance liability account as follows:

(a) \$91,250,000 for the costs associated with a jury verdict resulting from *Cox et al. v. State of Washington et al.*, Pierce county superior court, cause no. 12-2-11389-6; and

(b) \$3,365,000 for the costs associated with a settlement agreement reached in *Aroni et al., v. State of Washington*, King county superior court, cause no. 21-2-16587-3.

(33) \$11,000 of the general fund—state appropriation for fiscal year 2024, \$651,000 of the general fund—state appropriation for fiscal year 2025, and \$662,000 of the general fund—federal appropriation are provided solely for a feasibility study for the social service payment system replacement project.

(34) \$7,000 of the general fund—state appropriation for fiscal year 2024, \$10,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1205 (service by pub./dependency). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(35) \$3,000 of the general fund—state appropriation for fiscal year 2024, \$22,000 of the general fund—state appropriation for fiscal year 2025, and \$4,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1970 (DCYF-caregiver communication). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(End of part)

**PART III  
NATURAL RESOURCES**

**Sec. 301.** 2023 c 475 s 301 (uncodified) is amended to read as follows:

**FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund—State Appropriation (FY 2024)	\$1,728,000
General Fund—State Appropriation (FY 2025)	(( <del>\$1,273,000</del> ))
	<u>\$1,289,000</u>
General Fund—Federal Appropriation	\$32,000
General Fund—Private/Local Appropriation	(( <del>\$2,574,000</del> ))
	<u>\$2,590,000</u>
Climate Commitment Account—State Appropriation	\$138,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$5,745,000</del>))</b>
	<b><u>\$5,777,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a land use planner to provide land use planning services dedicated to Klickitat county. Because the activities of the land use planner are solely for the benefit of Washington state, Oregon is not required to provide matching funds for this activity.

(2) \$553,000 of the general fund—state appropriation for fiscal year 2024, \$352,000 of the general fund—state appropriation for fiscal year 2025, and \$905,000 of the general fund—private/local appropriation are provided solely for the access database replacement project. The commission must consult with the office of the chief information officer regarding the access database replacement project.

(3) \$138,000 of the climate commitment account—state appropriation is provided solely for staff to lead implementation of the agency's climate change action plan and to support implementation of the vital sign indicators monitoring program.

(4) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 302.** 2023 c 475 s 302 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

General Fund—State Appropriation (FY 2024)	(( <del>\$39,381,000</del> ))
	<u>\$39,599,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$37,256,000</del> ))
	<u>\$38,799,000</u>
General Fund—Federal Appropriation	(( <del>\$108,485,000</del> ))
	<u>\$145,480,000</u>
General Fund—Private/Local Appropriation	(( <del>\$29,544,000</del> ))
	<u>\$29,550,000</u>
Climate Commitment Account—State Appropriation	(( <del>\$14,792,000</del> ))
	<u>\$23,966,000</u>
Emergency Drought Response Account—State Appropriation	\$6,000,000
Natural Climate Solutions Account—State Appropriation	(( <del>\$12,795,000</del> ))
	<u>\$16,408,000</u>
Reclamation Account—State Appropriation	(( <del>\$4,753,000</del> ))
	<u>\$4,765,000</u>
Flood Control Assistance Account—State Appropriation	(( <del>\$5,041,000</del> ))
	<u>\$5,045,000</u>
Aquatic Lands Enhancement Account—State Appropriation	\$150,000
Refrigerant Emission Management Account—State Appropriation	(( <del>\$2,795,000</del> ))
	<u>\$3,112,000</u>



State Emergency Water Projects Revolving Account— State Appropriation. . . . .	\$40,000
Waste Reduction, Recycling, and Litter Control Account—State Appropriation. . . . .	(( <u>\$33,866,000</u> ))
	<u>\$33,928,000</u>
State Drought Preparedness Account—State Appropriation. . . . .	(( <u>\$2,204,000</u> ))
	<u>\$2,219,000</u>
State and Local Improvements Revolving Account—Water Supply Facilities—State Appropriation. . . . .	\$186,000
Water Rights Tracking System Account—State Appropriation. . . . .	\$48,000
Site Closure Account—State Appropriation. . . . .	\$582,000
Wood Stove Education and Enforcement Account—State Appropriation. . . . .	\$605,000
Worker and Community Right to Know Fund—State Appropriation. . . . .	(( <u>\$2,212,000</u> ))
	<u>\$2,216,000</u>
Water Rights Processing Account—State Appropriation. . . . .	\$39,000
Water Quality Permit Account—State Appropriation. . . . .	(( <u>\$65,774,000</u> ))
	<u>\$66,941,000</u>
Underground Storage Tank Account—State Appropriation. . . . .	(( <u>\$4,987,000</u> ))
	<u>\$5,005,000</u>
Biosolids Permit Account—State Appropriation. . . . .	(( <u>\$3,054,000</u> ))
	<u>\$3,058,000</u>
Hazardous Waste Assistance Account—State Appropriation. . . . .	(( <u>\$9,393,000</u> ))
	<u>\$9,435,000</u>
Radioactive Mixed Waste Account—State Appropriation. . . . .	(( <u>\$23,955,000</u> ))
	<u>\$24,321,000</u>
Air Pollution Control Account—State Appropriation. . . . .	(( <u>\$4,706,000</u> ))
	<u>\$4,762,000</u>
Oil Spill Prevention Account—State Appropriation. . . . .	(( <u>\$8,485,000</u> ))
	<u>\$9,103,000</u>
Air Operating Permit Account—State Appropriation. . . . .	(( <u>\$5,510,000</u> ))
	<u>\$5,568,000</u>
Wastewater Treatment Plant Operator Certification Account—State Appropriation. . . . .	(( <u>\$801,000</u> ))
	<u>\$805,000</u>
Oil Spill Response Account—State Appropriation. . . . .	\$7,076,000
Model Toxics Control Operating Account—State Appropriation. . . . .	(( <u>\$342,888,000</u> ))
	<u>\$350,352,000</u>
Model Toxics Control Operating Account—Local Appropriation. . . . .	(( <u>\$499,000</u> ))
	<u>\$1,000,000</u>
Model Toxics Control Stormwater Account—State Appropriation. . . . .	\$16,991,000
Voluntary Cleanup Account—State Appropriation. . . . .	\$344,000
Paint Product Stewardship Account—State Appropriation. . . . .	\$151,000
Water Pollution Control Revolving Administration Account—State Appropriation. . . . .	(( <u>\$8,506,000</u> ))
	<u>\$8,610,000</u>
Clean Fuels Program Account—State Appropriation. . . . .	(( <u>\$4,801,000</u> ))
	<u>\$5,005,000</u>
Climate Investment Account—State Appropriation. . . . .	(( <u>\$50,290,000</u> ))
	<u>\$60,802,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<u>\$858,985,000</u>))</b>
	<b><u>\$932,066,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to grant to the northwest straits commission to provide funding, technical assistance, and/or coordination support equally to the seven Puget Sound marine resources committees.

(2) \$170,000 of the oil spill prevention account—state appropriation is provided solely for a contract with the University of Washington's sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.

(3) \$102,000 of the general fund—state appropriation for fiscal year 2024 and \$102,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Executive Order No. 12-07, Washington's response to ocean acidification.

(4) \$24,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to local governments for the purpose of supporting local solid waste and financial assistance programs.

(5) \$150,000 of the aquatic lands enhancement account—state appropriation is provided solely for implementation of the state marine management plan and ongoing costs of the Washington coastal marine advisory council to serve as a forum and provide recommendations on coastal management issues.

(6) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to convene a stakeholder group, including representatives from overburdened communities, to assist with developing a water quality implementation plan for polychlorinated biphenyls and to address other emerging contaminants in the Spokane river. The department must also consult with the Spokane tribe of Indians and other interested tribes when developing and implementing actions to address water quality in the Spokane river.

(7) \$4,002,000 of the natural climate solutions account—state appropriation is provided solely to address flood prevention in the Nooksack basin and Sumas prairie. Of this amount:

(a) \$2,000,000 is provided solely to expand and sustain Whatcom county's floodplain integrated planning (FLIP) team planning process, including supporting communication, community participation, coordination, technical studies and analysis, and development of local solutions.

(b) \$900,000 is provided solely for the department to support transboundary coordination, including facilitation and technical support to develop and evaluate alternatives for managing transboundary flooding in Whatcom county and British Columbia.

(c) \$1,102,000 is provided solely to support dedicated local and department capacity for floodplain planning and technical support. Of the amount in this subsection (c), \$738,000 is solely for a grant to Whatcom county. The remaining amount is for the department to provide ongoing staff technical assistance and support to flood prevention efforts in this area.

(8) ~~(\$16,472,000)~~ \$21,504,000 of the climate investment account—state appropriation is provided solely for capacity grants to federally recognized tribes for: (a) Consultation on spending decisions on grants in accordance with RCW 70A.65.305; ~~((and))~~ (b) consultation on clean energy siting projects; (c) activities supporting climate resilience and adaptation; (d) developing tribal clean energy projects; (e) applying for state or federal grant funding; and (f) other related work. In order to meet the requirements of RCW 70A.65.230(1)(b), tribal applicants are encouraged to include a tribal resolution supporting their request with their grant application. \$5,032,000 of the climate investment account—state appropriation provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(9) \$1,363,000 of the general fund—state appropriation for fiscal year 2024 and \$1,375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in water resource inventory area 1 (Nooksack).

(10) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$963,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in lake Roosevelt and its immediate tributaries.

(11) \$2,479,000 of the climate investment account—state appropriation is provided solely for addressing air quality in overburdened communities highly impacted by air pollution under RCW 70A.65.020.

(12) \$177,000 of the general fund—state appropriation for fiscal year 2024 and \$177,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to validate a proposed standardized channel migration zone mapping methodology, develop a statewide channel migration zone mapping implementation plan, and provide technical assistance to local and tribal governments looking to use the new standard.

(13)(a) \$640,000 of the climate investment account—state appropriation is provided solely for the department, in consultation with the office of financial management and the environmental justice council, to develop and implement a process to track, summarize, and report on state agency expenditures from climate commitment act accounts that provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities as described in RCW 70A.65.030 and 70A.65.230, and expenditures that are formally supported by a resolution of an Indian tribe as described in RCW 70A.65.230. The department must incorporate the process under this subsection into existing efforts to track climate commitment act expenditures under RCW 70A.65.300. The department must incorporate the Washington state proequity antiracism (PEAR) plan and playbook and executive order 22-04 into the work of this subsection as appropriate.

(b) The information that agencies provide to the department, and that the department tracks and reports on under this subsection, must include, at a minimum:

(i) The amount of each expenditure that provides direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities;

(ii) An explanation of how the expenditure provides such benefits;

(iii) The methods by which overburdened communities and vulnerable populations were identified by the agency and an explanation of the outcomes of those identification processes, including the geographic location impacted by the expenditure where relevant, and the geographic boundaries of overburdened communities identified by the agency;

(iv) The amount of each expenditure used for programs, activities, or projects formally supported by a resolution of an Indian tribe; and

(v) For expenditures that do not meet, or it is unclear whether they meet, (b)(i) or (iv) of this subsection, an explanation of why.

(c) The department, in consultation with the environmental justice council and the office of financial management, and in coordination with reporting under RCW 70A.65.300, must report to the appropriate committees of the legislature by September 30, 2024, on the following:

(i) A summary of the information provided by agencies through the process in this subsection; and

(ii) Any recommendations for improvements to the process under this subsection or potential amendments to RCW 70A.65.030, 70A.65.230, or 70A.02.080, or other statutes relevant to this subsection. In making recommendations, the department must consider any statutory changes necessary to ensure consistent tracking of the uses of climate commitment account funds, including standardization or coordination of the process for identifying the overburdened communities used for purposes of tracking expenditures and the methods for determining whether an expenditure contributes a direct and meaningful benefit to a vulnerable population or overburdened community.

(d) "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, the air quality and health disparities improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

(14) \$238,000 of the model toxics control operating account—state appropriation is provided solely for technical assistance and compliance assurance associated with the ban of certain hydrofluorocarbon-related products.

(15) \$2,500,000 of the model toxics control operating account—state appropriation is provided solely for the department to conduct a statewide compost emissions study, which will provide essential data needed to improve the quality of air permitting decisions, improve compost facility operations, and support state goals to reduce organic waste in landfills reducing climate change impacts.

(16) \$2,256,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide technical assistance to landowners and local governments to promote voluntary compliance, implement best management practices, and support implementation of water quality clean-up plans in shellfish growing areas, agricultural areas, forestlands, and other types of land uses, including technical assistance focused on protection and restoration of critical riparian management areas important for salmon recovery.

(17) \$2,702,000 of the model toxics control operating account—state appropriation is provided solely for the department to develop a 6PPD action plan and complete a safer alternatives assessment of the 6PPD compound used in tires, including obtaining any data necessary to complete the alternatives assessment. The action plan should identify, characterize, and evaluate uses and releases of 6PPD and related chemicals, and recommend actions to protect human health and the environment. The department shall provide a progress report on the action plan and alternatives assessment to the governor's office, the office of financial management, and the appropriate committees of the legislature by December 31, 2024. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(18) \$5,195,000 of the model toxics control operating account—state appropriation is provided solely to establish a program to monitor 6PPD compounds in water and sediment, identify effective best management practices to treat 6PPD in stormwater runoff, produce guidance on how and when to use best management practices for toxicity reduction to protect salmon and other aquatic life, and incorporate the guidance into stormwater management manuals. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(19) \$2,296,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Senate Bill No. 5104 (marine shoreline habitat). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20) (a) \$500,000 of the model toxics control operating account—state appropriation is provided solely for the department to carry out the following activities to inform the development of legislative proposals to increase recycling, reuse, and source reduction rates, which must include consideration of how to design and implement a producer responsibility model for consumer packaging, including paper, plastic, metal, and glass, and paper products:

(i) Conduct a recycling, reuse, and source reduction targets study; and

(ii) Carry out a community input process on the state's recycling system.

(b) The department must contract with an impartial third-party consultant with relevant technical expertise and capabilities in facilitation and gathering public input, including from overburdened communities, to carry out the activities specified in (a) of this subsection. In order to ensure that the state is receiving a variety of expert perspectives on the topic of packaging management, the contractor should include in their team individuals

and/or subcontractors with a wide range of expertise and experience. The third party consultant must submit a report to the appropriate committees of the house of representatives and the senate by December 1, 2023.

(c) The recycling, reuse, and source reduction targets study must:

(i) Document recycling rates, reuse rates, and the reduction of single-use plastics for consumer packaging and paper products that have been adopted in other jurisdictions, measure methods used, and the basis or justification for recommended target rates selected;

(ii) Recommend highest achievable performance rates, including an overall recycling rate, a separate specific minimum reuse rate, a recycling rate for each material category, and a source reduction rate to be achieved solely by eliminating plastic components, that could be achieved under up to four different scenarios, including a producer responsibility program and other policies; and

(iii) Make recommendations that consider the commercial viability and technological feasibility of achieving rates based on current rates achieved in the state, rates achieved based on real world performance data, and other data, with performance rates designed to be achieved statewide by 2032.

(d) For purposes of this subsection, "eliminate" or "elimination," with respect to source reduction, means the removal of a plastic component from a covered material without replacing that component with a nonplastic component.

(e) The community input process on the state's recycling system must include:

(i) In-person and virtual workshops and community meetings held at locations in urban and rural areas and in ways that are accessible to stakeholders across the state, including overburdened communities;

(ii) Public opinion surveys that are representative of Washington residents across the state, including overburdened communities and urban and rural areas; and

(iii) A focus on eliciting an improved understanding of public values and opinions related to the state's recycling system, the current public experience with respect to the state's recycling systems, and ways the public believes that their recycling experience and system outcomes could be improved.

(21)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to conduct an analysis of water use for irrigation under the potential scenario of lower Snake river dam removal. Analysis must include continued water use during drawdown and thereafter from the river postremoval. The analysis must include the following:

(i) A plan identifying potential mitigation needs and interim approaches for delivery of water for irrigation pursuant to existing water rights for those using pumps, wells, or both, from Ice Harbor reservoir during a possible transition from the current reservoir-based irrigation to irrigation from the river;

(ii) Identification of cost-effective options for continued irrigation at current amounts and with existing water rights from the lower Snake river at the area of the current Ice Harbor pool; and

(iii) Cost estimates for any necessary irrigation system upgrades required to continue irrigation from the lower Snake river.

(b) The department may, as necessary and appropriate, consult for this analysis with irrigators and tribal governments.

(c) The department shall provide a status update to the environment and energy committees of the legislature and the office of the governor by December 31, 2024.

(22) \$3,914,000 of the natural climate solutions account—state appropriation is provided solely for activities related to coastal hazards, including expanding the coastal monitoring and analysis program, establishing a coastal hazard organizational resilience team, and establishing a coastal hazards grant program to help local communities design projects and apply for funding opportunities. At least 25 percent of the funding in this subsection must be used for the benefit of tribes.

(23) \$340,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1033 (compostable product usage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(24) \$1,124,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$139,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$6,000,000 of the emergency drought response account—state appropriation and \$2,000,000 of the state drought preparedness account—state appropriation are provided solely for implementation of Substitute House Bill No. 1138 (drought preparedness). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$1,123,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$43,000 of the underground storage tank account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(29) \$1,174,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$13,248,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$140,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) Expenditures on upgrading or developing the turboplan system, Washington fuel reporting system, and EAGL system are subject to the conditions, limitations, and review requirements of section 701 of this act.

(33) \$1,263,000 of the clean fuels program account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(34) \$370,000 of the climate commitment account—state appropriation is provided solely as a grant to the Puget Sound clean air agency to identify emission reduction projects and to help community-based organizations, local governments, and ports in overburdened communities author grant applications and provide support for grant reporting for entities that receive grants. The department must prioritize projects located in overburdened communities so that those communities can reap the public health benefits from the climate commitment act, inflation reduction act, and other new funding opportunities.

(35) \$1,220,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5144 (batteries/environment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(36) ~~(((\$22,000))\$77,000~~ of the model toxics control operating account—state appropriation is provided solely for implementation of Senate Bill No. 5369 (polychlorinated biphenyls). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(37) \$330,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide a grant to Clark county for the purpose of developing and implementing a lake management plan to restore and maintain the health of Vancouver lake, a category 5 303(d) status impaired body of water. The department must work with the county to include involvement by property owners around the lake and within the watersheds that drain to the lake, the department of natural resources, other state agencies and local governments with proprietary or regulatory jurisdiction, tribes, and nonprofit organizations advocating for the health of the lake. The plan should incorporate work already completed by the county and other entities involved in development of the lake management strategy.

(38) \$276,000 of the model toxics control operating account—state appropriation is provided solely for a grant to San Juan county for the enhancement of ongoing oil spill response preparedness staff hiring, spill response equipment acquisition, and spill response training and operational expenses.

(39) \$1,460,000 of the natural climate solutions account—state appropriation is provided solely for the department to provide grants to the following organizations in the amounts specified for the purpose of coordinating, monitoring, restoring, and conducting research for Puget Sound kelp conservation and recovery:

- (a) \$300,000 to the Squaxin Island Tribe;
- (b) \$200,000 to the Samish Indian Nation;
- (c) \$144,000 to the Lower Elwha Klallam Tribe;
- (d) \$200,000 to the Northwest straits commission;
- (e) \$366,000 to the Puget Sound restoration fund to subcontract with sound data systems and Vashon nature center; and
- (f) \$250,000 to the reef check foundation.

(40) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department's engagement with the federal government, Indian tribes, water users, and local governments on a process that could result in a federal Indian water rights settlement through the Nooksack adjudication. The department shall produce a monthly report during the claims filing period to monitor the progress of claims filed by water users. The department shall provide a report to the appropriate standing committees of the legislature regarding the status of the adjudication and any potential settlement structure by June 30, 2024, and by June 30, 2025.

(41) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant

to Whatcom county to provide technical assistance that must be made available to all water users in WRIA 1 in filing adjudication claims under RCW 90.03.140. This assistance must be administered by Whatcom county and no portion of this funding may be used to contest the claims of any other claimant in the adjudication.

(42) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county acting as fiscal agent for the WRIA 1 watershed management board, in support of collaborative water supply planning in WRIA 1. Funding may be used to collect or analyze technical information, to develop and assess the feasibility of water supply solutions in WRIA 1, and for facilitation and mediation among parties including, but not limited to, the department, Whatcom county, the public utility district, the city of Bellingham, Lummi Nation, and the Nooksack Tribe. Specific funding allocations, including purpose and amount, will be determined by the WRIA 1 watershed management board. Funding under this subsection will be available only after the filing of the Nooksack adjudication, and no funding provided for the Nooksack adjudication will be used to support the activities funded by this subsection. It is anticipated that these activities will run in parallel with the Nooksack adjudication.

(43) \$200,000 of the model toxics control operating account—state appropriation is provided solely for the department to contract with a consultant to develop a report that conducts a full emissions life cycle assessment for solid waste processed at the Spokane Waste to Energy Facility (WTEF) compared to solid waste processed at three other landfills within the region that waste may be sent to if the WTEF were to cease operations. The report must be submitted to the appropriate committees of the legislature by December 31, 2023.

(44) \$1,416,000 of the climate investment account—state appropriation is provided solely for additional staff and resources to implement the climate commitment act. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(45) \$896,000 of the model toxics control operating account—state appropriation is provided solely for Washington conservation corps (WCC) cost-share requirements for qualifying organizations, as identified through a competitive application process that prioritizes communities that have not previously received WCC support, are in areas with a high cumulative impact on the department of health's environmental health disparities map, are identified by the office of financial management as distressed, and/or have a high percentile of people of color or low-income.

(46) \$3,307,000 of the natural climate solutions account—state appropriation is provided solely to update surface water maps across the state, develop geospatial integration tools, and support the use, accuracy, and adoption of the state's hydrography dataset. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(47) \$410,000 of the model toxics control operating account—state appropriation is provided solely to implement the recommendations from the agency's June 2023 report on Puget Sound nutrient credit trading, including conducting a market feasibility analysis and developing a stakeholder outreach plan, a tribal engagement plan, and trading resource materials.

(48) \$338,000 of the climate commitment account—state appropriation is provided solely for the department to increase planning, engagement, and evaluation tools for effective ocean management and offshore wind energy development. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(49) \$2,408,000 of the model toxics control operating account—state appropriation is provided solely for the department to meet the increased demand for administrative orders authorized under chapter 90.48 RCW (the water pollution control act) for projects impacting state waters to proceed and to conduct a rule making to develop a permit program to protect wetlands and other Washington waterways no longer subject to federal jurisdiction. Through the rule making process the agency shall explore ways to fund the program, including through development of a fee schedule.

(50) Upon request, the department must provide technical assistance to representatives of emissions-intensive trade-exposed industries, as defined in RCW 70A.65.110, on the replacement of existing industrial facilities with facilities under the same North American industry classification system code with lower greenhouse gas emissions. The department must provide such assistance until November 1, 2024.

(51) (a) \$300,000 of the climate commitment account—state appropriation is provided solely for the department, in consultation with the department of commerce, to contract with a third-party entity to conduct a study of the extent to which carbon dioxide removal is needed to meet Washington's emissions reduction targets defined in RCW 70A.45.020. The study must include recommendations on policies to grow Washington's carbon dioxide removal capacity, including compliance market development and government procurement policies. The department must provide an interim progress report to the appropriate committees of the legislature by November 30, 2024. The department must provide a final report by June 30, 2025, that includes:

- (i) A summary of feedback from relevant stakeholders;
- (ii) An analysis of economic and climate opportunities for Washington;

(iii) Ways in which carbon dioxide removal might integrate with existing compliance programs;

(iv) Strategies to support industry sectors in integrating carbon dioxide removal and maximizing federal funding;

(v) Recommendations for monitoring, reporting, and verification standards to ensure carbon dioxide removal technologies may be compared; and

(vi) Consideration of carbon dioxide removal accounting mechanisms that account for varying durability of different approaches.

(b) If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(52) \$375,000 of the model toxics control operating account—state appropriation is provided solely to:

(a) Identify additional priority consumer products containing PFAS for potential regulatory action; and

(b) Issue orders to manufacturers under RCW 70A.350.040 and 70A.350.030 to obtain ingredient information, including for chemical ingredients used to replace priority chemicals.

(53) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the Spirit Lake-Toutle/Cowlitz river collaborative for flood risk reduction, ecosystem recovery, scientific research, and other activities related to sediment management and flooding in the Spirit Lake-Toutle/Cowlitz river system.

(54) \$501,000 of the model toxics control operating account—private/local appropriation is provided solely for cleanup costs at the Stillwater holdings Chevron site in Walla Walla.

(55) \$300,000 of the model toxics control operating account—state appropriation is provided solely for an analysis of the contribution of waste tires, as defined in RCW 70A.205.440, to 6PPD-q pollution. The department may contract with a third party for the study. A final study report is due to the appropriate committees of the legislature by June 30, 2025, in accordance with RCW 43.01.036. The study must include:

(a) A review of the disposal, repurposing, reuse, recycling, handling, and management of waste tires in the state;

(b) A review of the markets for waste tires, including state policies and programs that impact these markets;

(c) A description of the sectoral and geographic origins and destinations of waste tires; and

(d) Alternatives to using tire derived rubber in waste tire markets.

(56) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a statewide association of local public health officials to conduct an analysis of:

(i) Current wastewater treatment capacity to treat and dispose of septage in Washington; and

(ii) Future wastewater treatment infrastructure needs to accommodate development growth using on-site septage systems.

(b) The department must report to the appropriate committees of the legislature by June 30, 2025, with the results of the analysis.

(57) (a) \$206,000 of the natural climate solutions account—state appropriation is provided solely to initiate the development of a statewide web map tool to integrate the department's water resources management databases. Data elements to integrate include water rights records and geospatial information, mitigation and water banks, and metering data. The web map must provide the public with an interactive online mapping system focused on water resource data that enables users to access, visualize, and use improved water data.

(b) The department must consult with local and tribal governments to identify the most useful data elements and analytics to incorporate into an enhanced water resource management tool and must use this information to prioritize future tool enhancements.

(c) The department must provide a status update on the data integration project to the appropriate committees of the legislature and to the office of financial management by June 30, 2025, including work completed to date, recommendations for priority tool enhancements to support decision-making, planned work for fiscal year 2026, and future budget needs required to complete the development of an enhanced water resource management tool and maintain it on an ongoing basis.

(d) Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(58) (a) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to contract with the Washington state academy of sciences to conduct a systematic literature review of the natural and human causes and impacts of low dissolved oxygen conditions on organisms present in the Salish Sea. The Washington state academy of sciences shall consult regional scientific experts, including the University of Washington Puget Sound institute. The Washington state academy of sciences must report to the appropriate committees of the legislature on the findings of the literature review by June 30, 2025. The Washington state academy of sciences shall convene an advisory committee to help guide the focus and development of the literature review. The committee must include, at a minimum:

(i) Members with technical expertise in managing wastewater treatment facilities that represent the breadth of size of facilities discharging into Puget Sound;

- (ii) Fishers and shellfish growers;
- (iii) Environmental advocacy organizations;
- (iv) Tribal representatives;
- (v) Representatives from impacted communities;
- (vi) Growth management experts; and
- (vii) Members of the department.

(b) The department shall incorporate the literature review into their continued work on addressing nutrient loading issues in Puget Sound. Ecology shall consider the approach used by the environmental protection agency in updating marine dissolved oxygen criteria for Chesapeake bay.

(59) \$1,787,000 of the climate investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(60) \$8,223,000 of the climate commitment account—state appropriation and \$1,335,000 of the model toxics control operating account—state appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 2301 (waste material management). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(61) \$462,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 2401 (refrigerant gases). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(62) \$175,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2207 (solid waste dumping). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(63) \$2,000,000 of the climate investment account—state appropriation is provided solely to communicate with the public in multiple languages on the use and benefits of climate commitment act funding, as well as the ways in which communities can access climate commitment act grant funding. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

**Sec. 303.** 2023 c 475 s 303 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM**

General Fund—Federal Appropriation. . . . .	(((\$868,000))
	\$1,238,000
Pollution Liability Insurance Agency Underground Storage Tank Revolving Account—State Appropriation. . . . .	\$957,000
Pollution Liability Insurance Program Trust Account— State Appropriation. . . . .	(((\$10,190,000))
	\$10,204,000
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$12,015,000))</b>
	<b>\$12,399,000</b>

The appropriations in this section are subject to the following conditions and limitations: \$8,340,000 of the pollution liability insurance program trust account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

**Sec. 304.** 2023 c 475 s 304 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund—State Appropriation (FY 2024). . . . .	(((\$39,617,000))
	\$41,188,000
General Fund—State Appropriation (FY 2025). . . . .	(((\$39,564,000))
	\$43,601,000
General Fund—Federal Appropriation. . . . .	(((\$7,231,000))
	\$7,233,000
Climate Commitment Account—State Appropriation. . . . .	(((\$1,083,000))
	\$2,883,000
Natural Climate Solutions Account—State Appropriation. . . . .	(((\$350,000))
	\$650,000
Winter Recreation Program Account—State Appropriation. . . . .	\$4,928,000
ORV and Nonhighway Vehicle Account—State Appropriation. . . . .	\$396,000



Snowmobile Account—State Appropriation. . . . .	(( <u>\$5,715,000</u> ))
	<u>\$5,716,000</u>
Aquatic Lands Enhancement Account—State Appropriation. . . . .	\$367,000
Parks Renewal and Stewardship Account—State Appropriation. . . . .	(( <u>\$148,388,000</u> ))
	<u>\$153,587,000</u>
Parks Renewal and Stewardship Account—Private/Local Appropriation. . . . .	(( <u>\$420,000</u> ))
	<u>\$720,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<u>\$248,059,000</u>))</b>
	<b><u>\$261,269,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000 of the general fund—state appropriation for fiscal year 2024, \$5,000 of the general fund—state appropriation for fiscal year 2025, and \$142,000 of the parks renewal and stewardship account—state appropriation are provided solely for operating budget impacts from capital budget projects completed in the 2021-2023 fiscal biennium.

(2) \$127,000 of the general fund—state appropriation for fiscal year 2024, \$128,000 of the general fund—state appropriation for fiscal year 2025, and \$750,000 of the parks renewal and stewardship account—state appropriation are provided solely to monitor known cultural resource sites, perform needed evaluations for historic properties, manage historic preservation capital projects, and support native American grave protection and repatriation act compliance.

(3) \$299,000 of the general fund—state appropriation for fiscal year 2024, \$299,000 of the general fund—state appropriation for fiscal year 2025, and \$1,797,000 of the parks renewal and stewardship account—state appropriation are provided solely for additional staff and technical support for scoping and scheduling to proactively address tribal and community concerns and increase the quality of capital project requests.

(4) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to complete a park master plan and an environmental impact statement for Miller peninsula park.

(5) \$3,750,000 of the general fund—state appropriation for fiscal year 2024 and \$3,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the maintenance of state parks, including maintaining grounds and facilities, trails, restrooms, water access areas, and similar activities.

(6) \$1,083,000 of the climate commitment account—state appropriation and \$350,000 of the natural climate solutions account—state appropriation are provided solely to identify and reduce the state park system's carbon emissions and assess areas of vulnerability for climate change.

(7) \$336,000 of the general fund—state appropriation for fiscal year 2024 and \$336,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to create a statewide data management system with the department of natural resources and the department of fish and wildlife to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(8) \$129,000 of the general fund—state appropriation for fiscal year 2024 and \$129,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(9) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(10)(a) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a statewide trail maintenance and hiking nonprofit organization to provide the emerging leaders program: expanding equity in the outdoors. The goal of the program is expanding both the number and diversity of trained, qualified individuals available for employment in the outdoor recreation and natural resource management sectors.

(b) The program must demonstrate a commitment to diversity, equity, and inclusion by providing a safe and supportive environment for individuals of diverse backgrounds, including those who have been historically underrepresented in the outdoor recreation and natural resource sectors, such as indigenous people and people of color.

(c) The program must provide both technical outdoor skills training and professional development opportunities that include, but are not limited to, outdoor leadership, representation in the outdoors, and team building.

(11) \$21,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(12) \$450,000 of the parks renewal and stewardship account—state appropriation is provided solely for grounds and facilities maintenance costs at the Fort Worden state park campus. The state parks and recreation commission shall work with the Fort Worden lifelong learning center public development authority to develop a report that reviews the historic

public development authority financial records, identifies a cost-recovery model to pay for campus maintenance, and proposes any changes to the current lease structure necessary to maintain the public development authority. The commission must submit the report to the office of financial management and the fiscal committees of the legislature no later than June 1, 2024.

(13) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a park and recreation district in Blaine to provide youth day camp mental health counselor services.

(14) \$1,800,000 of the climate commitment account—state appropriation and \$300,000 of the natural climate solutions account—state appropriation are provided solely to purchase electric lawn mowers, conduct energy use metering and audits in historic buildings, and analyze coastal erosion and flooding risks. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

**Sec. 305.** 2023 c 475 s 305 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$10,190,000</del> ))
	<u>\$10,448,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,501,000</del> ))
	<u>\$7,606,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$6,196,000</del> ))
	<u>\$6,199,000</u>
General Fund—Private/Local Appropriation. . . . .	\$24,000
Aquatic Lands Enhancement Account—State Appropriation. . . . .	\$464,000
Climate Investment Account—State Appropriation. . . . .	\$200,000
Firearms Range Account—State Appropriation. . . . .	\$37,000
Natural Climate Solutions Account—State Appropriation. . . . .	\$398,000
Recreation Resources Account—State Appropriation. . . . .	(( <del>\$5,040,000</del> ))
	<u>\$5,065,000</u>
NOVA Program Account—State Appropriation. . . . .	(( <del>\$1,564,000</del> ))
	<u>\$1,565,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$30,614,000</del>))</b>
	<b><u>\$32,006,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$37,000 of the firearms range account—state appropriation is provided solely to the recreation and conservation funding board for administration of the firearms range grant program as described in RCW 79A.25.210.

(2) \$5,040,000 of the recreation resources account—state appropriation is provided solely to the recreation and conservation funding board for administrative and coordinating costs of the recreation and conservation office and the board as described in RCW 79A.25.080(1).

(3) ((~~\$1,564,000~~)) \$1,565,000 of the NOVA program account—state appropriation is provided solely to the recreation and conservation funding board for administration of the nonhighway and off-road vehicle activities program as described in chapter 46.09 RCW.

(4) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the governor's salmon recovery office to implement the governor's salmon recovery strategy update by convening the natural resources subcabinet on a regular basis and developing biennial statewide work priorities with a recommended budget for salmon recovery pursuant to RCW 77.85.030(4)(e) that align with tribal priorities and regional salmon recovery plans. The office shall submit the biennial implementation plan to the governor's office and the office of financial management no later than October 31, 2024.

(5) \$1,714,000 of the general fund—state appropriation for fiscal year 2024 and \$1,714,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational and administrative support of lead entities and salmon recovery regions.

(6) \$200,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.

(7) \$1,464,000 of the general fund—federal appropriation and \$50,000 of the aquatic lands enhancement account—state appropriation are provided solely to support removal efforts for flowering rush in the Columbia river basin and Whatcom county.

(8) \$398,000 of the natural climate solutions account—state appropriation is provided solely to establish a riparian coordinator position within the governor's salmon recovery office to work with state agencies to improve project coordination, develop common metrics across programs, and consolidate data platforms.

(9) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$100,000~~)) \$298,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization with a mission for salmon and steelhead restoration to install near-term solutions to prevent steelhead mortality at the Hood canal bridge.

(10) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the connections and snow to sea programs, which provide youth outdoor learning experiences in the Blaine, Mount Baker, and Nooksack Valley school districts.

(12) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to local parks to address any maintenance backlog of existing facilities, trails, and capital improvements. The funds should be dispersed on a needs-based set of criteria and on a one-time basis. Grants are limited to \$100,000 per organization. Allowable uses of grant funding include, but are not limited to, maintenance, repair, or replacement of trails, restroom facilities, picnic sites, playgrounds, signage, and kiosks, as well as necessary Americans with disabilities act upgrades delayed due to the pandemic. Local parks agencies may partner with nonprofit organizations in deploying this maintenance and Americans with disabilities act funding.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for updating the economic analysis of outdoor recreation in Washington state and adding an analysis of the impacts of the outdoor recreation economy in underserved communities.

(14) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to match federal funds to identify the offsets to the loss of recreation opportunities associated with the draw down of reservoirs if the lower Snake river dams are removed.

**Sec. 306.** 2023 c 475 s 306 (uncodified) is amended to read as follows:

**FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE**

General Fund—State Appropriation (FY 2024) . . . . .	\$3,484,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$3,792,000)</del>
	<u>\$4,184,000</u>
Climate Investment Account—State Appropriation . . . . .	\$898,000
<b>TOTAL APPROPRIATION</b> .....	<del><b>(\$8,174,000)</b></del> <b><u>\$8,566,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$164,000 of the general fund—state appropriation for fiscal year 2024, \$379,000 of the general fund—state appropriation for fiscal year 2025, and \$898,000 of the climate investment account—state appropriation are provided solely for the agency to hire staff to respond to increased caseloads, including appeals as a result of the climate commitment act, chapter 316, Laws of 2021.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 307.** 2023 c 475 s 307 (uncodified) is amended to read as follows:

**FOR THE CONSERVATION COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	<del>(\$16,461,000)</del> \$16,463,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$16,453,000)</del> \$20,461,000
General Fund—Federal Appropriation . . . . .	\$2,482,000
Climate Commitment Account—State Appropriation . . . . .	<del>(\$30,200,000)</del> \$5,300,000
Climate Investment Account—State Appropriation . . . . .	\$250,000
Natural Climate Solutions Account—State Appropriation . . . . .	\$20,023,000
Public Works Assistance Account—State Appropriation . . . . .	<del>(\$10,332,000)</del> \$10,433,000
Model Toxics Control Operating Account—State Appropriation . . . . .	\$1,110,000
<b>TOTAL APPROPRIATION</b> .....	<del><b>(\$97,341,000)</b></del> <b><u>\$76,522,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$250,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.

(2) \$500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$500,000)~~ \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase technical assistance and operational capacity of conservation districts.

(3) \$3,000,000 of the natural climate solutions account—state appropriation is provided solely to support the outreach, identification, and implementation of salmon riparian habitat restoration projects.

(4) \$5,000,000 of the natural climate solutions account—state appropriation is provided solely to the commission to work with conservation districts to address unhealthy forests and build greater community resiliency to wildfire.

(5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to connect scientists, practitioners, and researchers and coordinate efforts to monitor and quantify benefits of best management practices on agricultural lands, and better understand values and motivations of landowners to implement voluntary incentive programs.

(6) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the continued development of the disaster assistance program established in RCW 89.08.645, to provide short-term financial support for farmers and ranchers during disasters. Funding must be prioritized for farmers and ranchers who are the most economically vulnerable.

(7) \$1,420,000 of the public works assistance account—state appropriation is provided solely to support monitoring and reporting efforts necessary to evaluate the implementation and effectiveness of voluntary stewardship program work plans.

(8) \$8,533,000 of the public works assistance account—state appropriation is provided solely for implementation of the voluntary stewardship program. This amount may not be used to fund agency indirect and administrative expenses.

(9) ~~(\$30,000,000)~~ \$5,100,000 of the climate commitment account—state appropriation is provided solely for grants through the sustainable farms and fields program for organic agricultural waste and greenhouse gas emissions reduction through climate-smart livestock management. Of the amounts provided in this subsection:

(a) ~~((i) The commission may grant up to \$22,000,000 toward cost share agreements for anaerobic digester development to dairy farm owners. Grants awarded for anaerobic digester development must have at least a 50 percent nonstate match and be awarded through a competitive process that considers:~~

~~(A) The amount of greenhouse gas reduction that will be achieved by the proposal; and~~

~~(B) The amount of untreated effluent that will be decreased.~~

~~((ii) Recipients of grants under (a)(i) of this subsection must provide a report to the commission within one year of receipt of the grant, detailing the success of the project in meeting the stated criteria for the competitive process.~~

~~((b)) The commission may grant up to ~~(\$6,000,000)~~ \$3,000,000 for technical and financial assistance to increase implementation of climate-smart livestock management, alternative manure management, and other best management practices to reduce greenhouse gas emissions and increase carbon sequestration.~~

~~(((e)) (b) The commission may grant up to \$2,000,000 for research on, or demonstration of, projects with greenhouse gas reduction benefits.~~

~~(((d)) (c) When funding for specific technologies, including anaerobic digesters, the commission must enter into appropriate agreements to support the state's interest in advancing innovation solution to decarbonize while ensuring compliance with Article VIII, section 5 and Article XII, section 9 of the state Constitution.~~

~~(((e)) (d) The commission must submit a report summarizing the grants awarded and the likely annual greenhouse gas emission reductions achieved as a result to the appropriate committees of the legislature by December 1, 2024.~~

(10) \$23,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$379,000 of the public works assistance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5353 (voluntary stewardship program). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the King county conservation district to reduce the impacts of artificial lighting on or near the water on the behavior of salmon and other aquatic life in Lake Sammamish and Lake Washington. The grant funding may be used for:

- (a) Research, including quantifying light intensities and conducting field studies of fish behavior;
- (b) Community education, engagement, and technical assistance; and
- (c) Development of model lighting ordinances.

(14) \$2,000,000 of the natural climate solutions account—state appropriation is provided solely to develop and implement an educational communication plan to the general public and landowners in urban, suburban, rural, agricultural, and forested areas regarding the importance of riparian buffers and the actions they can take to protect and enhance these critical areas.

(15) \$200,000 of the climate commitment account—state appropriation is provided solely for the commission to conduct an evaluation of the current contribution that organic and climate smart agriculture makes toward Washington's climate response goals, what potential there is for increasing this contribution, and how additional investments will help realize this potential, while supporting resiliency. The commission must include the departments of agriculture and ecology and other relevant state agencies, Washington state university, conservation districts, tribal governments, nongovernmental organizations, and other relevant stakeholders who will participate in the evaluation. The commission must submit a report of its findings and recommendation to the appropriate committees of the legislature by May 1, ((2024))2025.

(16) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the commission to provide grants to local government and private landowners for fire wise projects to reduce forest fuel loading in areas deemed a high hazard for potential wildfire.

(17) \$500,000 of the general fund—state appropriation for fiscal year 2025 and \$100,000 of the public works assistance account—state appropriation are provided solely for staffing to support administrative operations of the commission. The commission will adopt an administrative rate policy for funding indirect support costs for future programmatic operating budget requests.

**Sec. 308.** 2023 c 475 s 308 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$159,066,000))
	<u>\$162,047,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$163,912,000))
	<u>\$178,906,000</u>
General Fund—Federal Appropriation . . . . .	(( \$144,941,000))
	<u>\$160,091,000</u>
General Fund—Private/Local Appropriation . . . . .	(( \$69,907,000))
	<u>\$70,066,000</u>
Climate Commitment Account—State Appropriation . . . . .	\$3,398,000
Natural Climate Solutions Account—State Appropriation . . . . .	(( \$3,748,000))
	<u>\$5,748,000</u>
ORV and Nonhighway Vehicle Account—State Appropriation . . . . .	\$696,000
Aquatic Lands Enhancement Account—State Appropriation . . . . .	(( \$14,104,000))
	<u>\$14,132,000</u>
Recreational Fisheries Enhancement Account—State Appropriation . . . . .	(( \$3,721,000))
	<u>\$3,759,000</u>
Salmon Recovery Account—State Appropriation . . . . .	\$3,000,000
Warm Water Game Fish Account—State Appropriation . . . . .	(( \$3,088,000))
	<u>\$3,091,000</u>
Eastern Washington Pheasant Enhancement Account— State Appropriation . . . . .	(( \$673,000))
	<u>\$675,000</u>
Limited Fish and Wildlife Account—State Appropriation . . . . .	(( \$36,826,000))
	<u>\$36,975,000</u>
Special Wildlife Account—State Appropriation . . . . .	(( \$2,924,000))
	<u>\$2,926,000</u>
Special Wildlife Account—Federal Appropriation . . . . .	\$531,000
Special Wildlife Account—Private/Local Appropriation . . . . .	(( \$3,819,000))
	<u>\$3,845,000</u>
Wildlife Rehabilitation Account—State Appropriation . . . . .	\$661,000
Ballast Water and Biofouling Management Account— State Appropriation . . . . .	\$10,000
Regional Fisheries Enhancement Salmonid Recovery Account—Federal Appropriation . . . . .	\$5,001,000
Oil Spill Prevention Account—State Appropriation . . . . .	(( \$1,284,000))
	<u>\$1,285,000</u>
Aquatic Invasive Species Management Account—State	

Appropriation. . . . .	(( <u>\$1,154,000</u> ))
	<u>\$1,158,000</u>
Model Toxics Control Operating Account—State	
Appropriation. . . . .	\$7,724,000
Fish, Wildlife, and Conservation Account—State	
Appropriation. . . . .	(( <u>\$83,640,000</u> ))
	<u>\$83,927,000</u>
Forest Resiliency Account—State Appropriation. . . . .	\$4,000,000
Oyster Reserve Land Account—State Appropriation. . . . .	\$524,000
TOTAL APPROPRIATION.....	(( <u>\$718,352,000</u> ))
	<u>\$754,176,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,777,000 of the general fund—state appropriation for fiscal year 2024 and \$1,777,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to the northwest Indian fisheries commission for hatchery operations that are prioritized to increase prey abundance for southern resident orcas, including \$200,000 per fiscal year for tagging and marking costs, and the remainder to grant to tribes in the following amounts per fiscal year: \$150,000 for the Quinault Indian Nation, \$199,000 for the Tulalip Tribes, \$268,000 for the Quileute Tribe, \$186,000 for the Puyallup Tribe, \$122,000 for the Port Gamble S'Klallam Tribe, \$25,000 for the Muckleshoot Indian Tribe, \$207,000 for the Squaxin Island Tribe, \$142,000 for the Skokomish Indian Tribe, and \$278,000 for the Lummi Nation.

(2) \$330,000 of the general fund—state appropriation for fiscal year 2024 and \$330,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide to the Yakama Nation for hatchery operations that are prioritized to increase prey abundance for southern resident orcas.

(3) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to public utility districts for additional hatchery production that is prioritized to increase prey abundance for southern resident orcas.

(4) (~~(\$467,000)~~) \$217,000 of the general fund—state appropriation for fiscal year 2024 and \$467,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to pay for emergency fire suppression costs. These amounts may not be used to fund agency indirect and administrative expenses.

(5) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the United States army corps of engineers.

(6) (a) \$6,082,000 of the general fund—state appropriation for fiscal year 2024 and \$6,082,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement eradication and control measures on European green crabs through coordination and grants with partner organizations. The department must provide quarterly progress reports on the success and challenges of the measures to the appropriate committees of the legislature.

(b) The department must develop a comprehensive long-term plan for Washington's response to European green crab. The plan must identify where permanent trapping efforts should occur, where efficiencies over current operations may be achieved, which agencies, tribes, or organizations require ongoing funding to support the state's eradication and control measures, and the potential for federal funding for control efforts, and include a recommended funding level to implement the plan in the 2025-2027 fiscal biennium. The plan shall be submitted to the governor and legislature by October 1, 2024.

(7) \$403,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop conflict mitigation strategies for wolf recovery and staff resources in northeast Washington for response to wolf-livestock conflicts. The department shall not hire contract range riders in northeast Washington unless there is a gap in coverage from entities funded through the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020. No contract riders shall be deployed in areas already sufficiently covered by other riders. The department must focus on facilitating coordination with other entities providing conflict deterrence, including range riding, and technical assistance to livestock producers in order to minimize wolf-livestock issues in the Kettle Range and other areas of northeast Washington with existing or emerging chronic conflict. The department is discouraged from the use of firearms from helicopters for removing wolves.

(8) \$852,000 of the general fund—state appropriation for fiscal year 2024 and \$852,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide additional capacity to the attorney general's office to prosecute environmental crimes. The department must provide an annual report by December 1st of each year, to the appropriate committees of the legislature, on the progress made in prosecuting environmental crimes.

(9) \$753,000 of the general fund—state appropriation for fiscal year 2024 and \$753,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded management of pinniped populations on the lower Columbia river and its tributaries with the

goal of increasing chinook salmon abundance and prey availability for southern resident orcas.

(10) \$470,000 of the general fund—state appropriation for fiscal year 2024 and \$470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand efforts to survey the diets of seals and sea lions in the Salish sea and identify nonlethal management actions to deter them from preying on salmon and steelhead.

(11) \$518,000 of the general fund—state appropriation for fiscal year 2024 and \$519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to provide policy and scientific support to the department of ecology regarding surface and groundwater management issues as part of implementing chapter 90.94 RCW streamflow restoration.

(12) \$4,096,000 of the model toxics control operating account—state appropriation is provided solely to analyze salmon contaminants of emerging concern (CEC), including substances such as 6PPD-quinone and polychlorinated biphenyls (PCB) in already collected tissue samples. This research will accelerate recovery and protection by identifying the location and sources of CEC exposure.

(13) \$130,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an external facilitator to seek solutions through a collaborative process using the department's wolf advisory group.

(14) \$194,000 of the general fund—state appropriation for fiscal year 2024 and \$194,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to update and maintain rule making related to chapter 77.57 RCW, fishways, flow, and screening.

(15) \$822,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational steelhead spawning and harvest in freshwater streams and rivers in Puget Sound.

(16) \$2,714,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for additional law enforcement officers for marine and freshwater fisheries compliance and a patrol vessel dedicated to coastal operations.

(17) \$509,000 of the general fund—state appropriation for fiscal year 2024 and \$305,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational shellfish harvests, monitor intertidal and crustacean fisheries, address emerging environmental issues, maintain a new data management infrastructure, and develop a disease and pest management program to protect shellfish fisheries in the Puget Sound.

(18) \$360,000 of the general fund—state appropriation for fiscal year 2024 and \$224,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete and maintain a statewide prioritization of fish passage barriers in collaboration with regional salmon recovery organizations.

(19) \$997,000 of the general fund—state appropriation for fiscal year 2024 and \$997,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the assessment of riparian ecosystems. The assessment must include identifying common statewide definitions of terms for riparian usage, recommendations to improve data sharing, and identifying any gaps in vegetated cover relative to a science-based standard for a fully functioning riparian ecosystem and comparing the status and gaps to water temperature impairments, known fish passage barriers, and status of salmonid stocks.

(20) (~~(\$900,000)~~) \$419,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Lummi Nation to make infrastructure updates at the Skookum hatchery.

(21) \$285,000 of the general fund—state appropriation for fiscal year 2024 and \$285,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to manage electronic tracked crab fishery gear to avoid whale entanglements during their migration as the agency develops a conservation plan to submit for an endangered species act incidental take permit.

(22) \$480,000 of the general fund—state appropriation for fiscal year 2024 and \$435,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to equip officers with body worn cameras to advance public safety.

(23) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$163,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(24) \$3,000,000 of the salmon recovery account—state appropriation is provided solely for pass-through to tribes of the upper Columbia river to support reintroduction of Chinook salmon above Grand Coulee and Chief Joseph dams.

(25) \$741,000 of the general fund—state appropriation for fiscal year 2024 and \$741,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation and maintenance capacity and technical assistance for state fish passage facilities.

(26) \$948,000 of the general fund—state appropriation for fiscal year 2024 and \$948,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue operations of the Toutle and Skamania hatcheries.

(27) \$283,000 of the general fund—state appropriation for fiscal year 2024 and \$283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to create a

statewide data management system with the department of natural resources and the state parks and recreation commission to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(28) \$385,000 of the general fund—state appropriation for fiscal year 2024 and \$385,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase wildlife conflict specialists to address crop damage, dangerous wildlife interactions, and conflict preventative education and outreach.

(29) \$430,000 of the general fund—state appropriation for fiscal year 2024, \$430,000 of the general fund—state appropriation for fiscal year 2025, and \$3,564,000 of the natural climate solutions account—state appropriation are provided solely to increase capacity in three aspects of the department's mission most vulnerable to climate change including species recovery planning, providing technical assistance, permitting, and planning support, and managing agency lands and infrastructure.

(30) \$1,752,000 of the climate commitment account—state appropriation is provided solely for the first phase of the department's sustainability plan, including advancing energy efficiency and renewable energy projects, creating a commute trip reduction program, and supporting foundational research and capacity-building.

(31) \$4,000,000 of the forest resiliency account—state appropriation (~~(\$3,000,000)~~ and \$2,000,000 of the natural climate solutions account—state appropriation are provided solely to reduce severe wildfire risk and increase forest resiliency through fuels reduction, thinning, fuel break creation, and prescribed burning on agency lands. The amounts provided in this subsection may not be used to fund agency indirect and administrative expenses. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(32) (a) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the protection, recovery, and restoration of biodiversity, the recovery of threatened and endangered species, and a review of the department of fish and wildlife. Examples include habitat protection and restoration, technical assistance for growth management act planning, fish passage improvements, conservation education, scientific research for species and ecosystem protection, and similar activities. Funding in this subsection may include pass-throughs to public, nonprofit, academic, or tribal entities for the purposes of this subsection.

(b) Of the amounts provided in this subsection, (~~(\$300,000)~~) \$205,000 of the general fund—state appropriation for fiscal year 2024 (~~(\$100,000)~~ and \$95,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Ruckelshaus center for a review of the department of fish and wildlife, as referenced in (a) of this subsection. The review must focus on the department's efforts to fulfill its obligations as the trustee of state fish and wildlife on behalf of all current and future Washingtonians, to meet the mixed goals of the mandate set forth in RCW 77.04.012, and to respond to the equity principles articulated in RCW 43.06D.020. The review must explore the following areas and recommend changes as appropriate:

(i) The department's ability to meet threats created by climate change and biodiversity loss;

(ii) An alignment of mandate with the department's responsibility as a public trustee;

(iii) The department's governance structure;

(iv) The department's funding model; and

(v) Accountability and transparency in department decision making at both the commission and management levels.

(c) Within this scope, the Ruckelshaus center must also examine the following areas and provide recommendations as appropriate:

(i) Fish and wildlife commission structure, composition, duties, and compensation;

(ii) Influence on the department by special interest groups;

(iii) The process by which the department uses science and social values in its decision making;

(iv) Outreach and involvement of Washington citizens who have historically been excluded from fish and wildlife decisions, including nonconsumptive users and marginalized communities;

(v) The department's adherence to state laws, including the state environmental policy act and the public records act; and

(vi) Any other related issues that arise during the review.

(d) Based on the results of the review, the Ruckelshaus center must provide options for making changes to the department's mandate and governance structure as deemed necessary to improve the department's ability to function as a trustee for state fish and wildlife.

(e) The Ruckelshaus center must submit a report to the appropriate committees of the legislature by June 30, 2024.

(33) (~~(\$125,000)~~) \$101,000 of the general fund—state appropriation for fiscal year 2024 (~~(\$100,000)~~ and \$24,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit organization that operates a zoological garden in King county and that has developed an educators' toolkit for nature play programming for youth in communities historically excluded from nature experiences to provide inclusive nature-based



programming statewide to children from racially, ethnically, and culturally diverse backgrounds.

(34) \$310,000 of the general fund—state appropriation for fiscal year 2024 and \$160,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to perform the following tasks related to net ecological gain:

(a) Of the amount provided in this subsection, \$160,000 in fiscal year 2024 and \$160,000 in fiscal year 2025 are provided solely for the department to facilitate a work group focused on developing a net ecological gain implementation framework.

(i) Participation in the work group is as follows:

(A) The work group must include representatives from the department, the department of commerce, the department of ecology, and the department of transportation; and

(B) The work group may include representatives from, and consultation with, as appropriate, other state agencies, federally recognized Indian tribes, local governments, and other relevant stakeholders.

(ii) The work group is responsible for accomplishing the following tasks:

(A) Define net ecological gain criteria;

(B) Create monitoring and assessment criteria related to net ecological gain;

(C) Develop an assessment model to evaluate and quantify contributions to overall net ecological gain;

(D) Consider the geographic scale at which net ecological gain criteria may be effectively applied;

(E) Provide budget and policy recommendations for net ecological gain to the legislature and to the office of financial management;

(F) Identify existing state-administered or state-funded programs and projects that:

(I) Already contribute to net ecological gain;

(II) Can or should give funding priority to funding applicants that commit to incorporating net ecological gain principles; and

(III) Programs and projects that can or should have a net ecological gain requirement in the future; and

(G) Generate interim recommendations for a project to serve as a net ecological gain proof of concept within a county that chooses to adopt a net ecological gain standard.

(iii) The department may contract with an independent entity to facilitate the work group, including the tasks identified in (b) of this subsection.

(iv) The work group must submit an interim and final report of its work, including any budget and policy recommendations, to the office of financial management and the appropriate committees of the legislature no later than June 30, 2024, and June 30, 2025.

(b) Of the amount provided in this subsection, \$150,000 in fiscal year 2024 is provided solely for the department to contract with an independent entity to perform the following tasks:

(i) Review existing grant programs; and

(ii) Make recommendations on the potential addition of net ecological gain into grant prioritization criteria.

(35) (a) ~~(\$400,000)~~ \$700,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$300,000)~~ \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to initiate a demonstration project to contribute to rebuilding of salmon runs in the Lake Washington basin through suppression of predatory fish species. The project shall include:

(i) Removal of nonnative species and northern pike minnow using trap, nets, or other means;

(ii) Assessment of the benefits of reduced predator abundance on juvenile salmon survival; and

(iii) Assessment of the recreational fishing rules that were implemented in 2020 in the Lake Washington basin.

(b) An interim report on the demonstration project must be provided to the appropriate committees of the legislature by December 1, 2024.

~~((37))~~ (36) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(38))~~ (37) \$184,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(39))~~ (38) \$1,026,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(40))~~ (39) \$620,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(41))~~ (40) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((42))~~ (41) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to enter into individual damage prevention contract agreements for the use of hiring range riders for proactive wolf-livestock conflict deterrence outside of the service area of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020.

~~((43))~~ (42) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a conflict resolution process mediated by the federal mediation and conciliation service. This funding must be used by the department to facilitate meetings between Skagit tribes, drainage and irrigation districts, and state and federal resource agencies and support the technical work necessary to resolve conflict. Invited parties must include the national marine fisheries service, Washington state department of agriculture, Washington state department of fish and wildlife, Swinomish Indian tribal community, Upper Skagit Indian Tribe, Sauk-Suiattle Indian Tribe, and Skagit drainage and irrigation districts consortium LLC. A report documenting meeting notes, points of resolution, and recommendations must be provided to the legislature no later than June 30, 2025.

~~((44))~~ (43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to evaluate the abundance and distribution of white and green sturgeon on the Washington coast and Puget Sound tributaries and to evaluate genetic relatedness with Columbia and Fraser river sturgeon populations. The funding is also provided to increase monitoring of the abundance and distribution of eulachon to use the information as a baseline for sturgeon and eulachon management plans.

~~((45))~~ (44) \$235,000 of the general fund—state appropriation for fiscal year 2024 and \$409,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the department of fish and wildlife to proactively survey for wildlife disease risks and provide action plans and management for healthy wildlife in Washington.

~~((46))~~ (45) \$325,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with a nonprofit organization that operates a zoological garden in King county for the purpose of an outreach campaign on pollinator health issues. The pollinator outreach campaign is intended to further the mission of the department's pollinator conservation efforts and the department of agriculture's pollinator health task force goals.

~~((47))~~ (46) Within amounts provided in this section, but not to exceed \$20,000, the department must prioritize derelict and abandoned crab pot removal in north Hood Canal.

~~((48))~~ (47) \$1,175,000 of the general fund—state appropriation for fiscal year 2024 and \$1,175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to restore shrubsteppe habitat and associated wildlife on public lands as well as private lands by landowners who are willing to participate. The restoration effort must be coordinated with other natural resource agencies and interested stakeholders.

~~((49))~~ (48) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((50))~~ (49) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase the work of regional fisheries enhancement groups.

~~((51))~~ (50) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to commercial fishers to modify fishing gear in order to facilitate participation in the emerging commercial fishery in the lower Columbia river, and to fund staffing and supplies needed to monitor the emerging commercial fishery on the lower Columbia river. The purpose of the grants to modify fishing gear is to support the state's efforts to develop fishing tools that allow for increased harvest of hatchery fish while minimizing impacts to salmonid species listed as threatened or endangered under the federal endangered species act. The department must provide a report of goods and services purchased with grant funds to the appropriate committees of the legislature by June 30, 2025.

(51) \$1,657,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for habitat recovery and restoration work on agency owned and managed lands damaged from wildfires.

(52) \$2,139,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for expanded monitoring, evaluation, and management of coastal-river salmonid fisheries to inform decisions focused on the conservation and management of these resources.

(53) \$443,000 of the general fund—state appropriation for fiscal year 2024, \$3,154,000 of the general fund—state appropriation for fiscal year 2025, \$86,000 of the limited fish and wildlife account—state appropriation, and \$196,000 of the fish, wildlife, and conservation account—state appropriation are provided solely for additional safety capacity in each region, development of a technology solution for training requirements, increased support to remote employees, and a third-party review of the agency safety program.

(54) \$403,000 of the general fund—state appropriation for fiscal year 2025 and \$42,000 of the general fund—private/local appropriation are provided solely for two new positions to support statewide fish health through veterinary services and maintenance support for the fish marking trailer fleet.

(55) \$224,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to conduct up to four community bear hazard assessments in communities with historical high levels of human-bear conflict. The department must submit a report to the appropriate committees of the legislature with initial funding recommendations to prioritize and implement the bear hazard assessments by December 31, 2024.

(56) \$1,810,000 of the general fund—state appropriation for fiscal year 2025 and \$1,810,000 of the general fund—federal appropriation are provided solely for monitoring and response efforts for invasive quagga mussels, which were discovered on the Snake river in Idaho in July 2023. Possible activities include coordination with tribal, federal, regional, state, and local entities, watercraft inspections and decontamination, equipment and training, monitoring of potential residential and commercial pathways, and public outreach. Matching federal funds are anticipated from a United States army corps of engineers invasive mussel cost-share program.

(57) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to an organization based in Friday harbor that is focused on orcas and proposes to fill knowledge gaps through conservation research, arm policymakers with the latest available science, and engage the public with accessible information to:

(a) Monitor and track the health of southern resident killer whales, including reproductive health, nutrition, and impacts from pollutants; and

(b) Coordinate with the department on relevant research, as appropriate.

(58) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for elk management in the Skagit valley in cooperation with affected tribes and landowners. Authorized expenditures include, but are not limited to, mitigation of the impacts of elk on agricultural crop production through elk fencing and related equipment, replacement seed and fertilizer to offset losses caused by elk, and elk deterrent equipment.

(59) \$222,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2293 (avian predation/salmon). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(60) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the Confederated Tribes of the Colville Reservation to collaboratively manage grey wolves, including staffing and related costs, on the portion of land north of the current Colville Reservation that the Confederated Tribes of the Colville Reservation ceded to the United States in 1892, often referred to as "the north half."

**Sec. 309.** 2023 c 475 s 309 (uncodified) is amended to read as follows:

**FOR THE PUGET SOUND PARTNERSHIP**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$9,218,000</del> ))
	\$9,222,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$9,213,000</del> ))
	\$9,228,000
General Fund—Federal Appropriation. . . . .	(( <del>\$32,036,000</del> ))
	\$32,043,000
Aquatic Lands Enhancement Account—State	
Appropriation. . . . .	\$1,503,000
Model Toxics Control Operating Account—State	
Appropriation. . . . .	\$1,350,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$53,320,000</del>))</b>
	<b>\$53,346,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) By October 15, 2024, the Puget Sound partnership shall provide the governor and appropriate legislative fiscal committees a single, prioritized list of state agency 2025-2027 capital and operating budget requests related to Puget Sound recovery and restoration.

(2) \$14,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership to implement shipping noise reduction initiatives and monitoring programs in the Puget Sound, in coordination with Canadian and United States authorities. The partnership must contract with Washington maritime blue in order to establish and administer the quiet sound program to better understand and reduce the cumulative effects of acoustic and physical disturbance from large commercial vessels on southern resident orcas throughout their range in Washington state. Washington maritime blue will support a quiet sound leadership committee and work groups that include relevant federal and state agencies, ports, industry, research institutions, and nongovernmental organizations and consult early and often with relevant federally recognized tribes.

**Sec. 310.** 2023 c 475 s 310 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$152,490,000))
	<u>\$180,639,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(((\$154,017,000))
	<u>\$158,792,000</u>
General Fund—Federal Appropriation . . . . .	(((\$49,985,000))
	<u>\$98,108,000</u>
General Fund—Private/Local Appropriation . . . . .	(((\$3,500,000))
	<u>\$6,055,000</u>
Access Road Revolving Nonappropriated Account—State Appropriation . . . . .	\$108,000
Climate Commitment Account—State Appropriation . . . . .	\$11,820,000
<u>Derelict Structure Removal Account—State Appropriation . . . . .</u>	<u>\$325,000</u>
<del>((Contract Harvesting Revolving Nonappropriated Account—State Appropriation . . . . .</del>	<del>(\$78,000))</del>
Forest Development Account—State Appropriation . . . . .	(((\$58,594,000))
	<u>\$58,374,000</u>
Forest Fire Protection Assessment Nonappropriated Account—State Appropriation . . . . .	\$88,000
Forest Health Revolving Nonappropriated Account— State Appropriation . . . . .	\$106,000
Natural Climate Solutions Account—State Appropriation . . . . .	(((\$29,571,000))
	<u>\$40,164,000</u>
Natural Resources Federal Lands Revolving Nonappropriated Account—State Appropriation . . . . .	\$6,000
ORV and Nonhighway Vehicle Account—State Appropriation . . . . .	(((\$7,928,000))
	<u>\$7,964,000</u>
State Forest Nursery Revolving Nonappropriated Account—State Appropriation . . . . .	\$34,000
Surveys and Maps Account—State Appropriation . . . . .	(((\$2,376,000))
	<u>\$2,379,000</u>
Aquatic Lands Enhancement Account—State Appropriation . . . . .	(((\$20,003,000))
	<u>\$21,863,000</u>
Resource Management Cost Account—State Appropriation . . . . .	(((\$121,583,000))
	<u>\$122,610,000</u>
Surface Mining Reclamation Account—State Appropriation . . . . .	(((\$4,628,000))
	<u>\$4,634,000</u>
Disaster Response Account—State Appropriation . . . . .	(((\$23,594,000))
	<u>\$23,626,000</u>
Forest and Fish Support Account—State Appropriation . . . . .	(((\$12,667,000))
	<u>\$12,671,000</u>
Aquatic Land Dredged Material Disposal Site Account— State Appropriation . . . . .	\$405,000
Natural Resources Conservation Areas Stewardship Account—State Appropriation . . . . .	\$211,000
Forest Practices Application Account—State Appropriation . . . . .	(((\$2,181,000))
	<u>\$2,185,000</u>
Air Pollution Control Account—State Appropriation . . . . .	\$920,000
Model Toxics Control Operating Account—State Appropriation . . . . .	(((\$2,000,000))
	<u>\$2,481,000</u>
Wildfire Response, Forest Restoration, and Community Resilience Account—State Appropriation . . . . .	(((\$118,115,000))
	<u>\$120,078,000</u>
Derelict Vessel Removal Account—State Appropriation . . . . .	\$10,643,000
Community Forest Trust Account—State Appropriation . . . . .	\$52,000
Agricultural College Trust Management Account—State Appropriation . . . . .	(((\$4,414,000))
	<u>\$4,422,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$792,117,000))</b>
	<b><u>\$891,763,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$1,857,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for the department to carry out the forest practices adaptive management program pursuant to RCW 76.09.370 and the May 24, 2012, settlement agreement entered into by the department and the department of ecology. Scientific research must be carried out according to the master project schedule and work plan of cooperative monitoring, evaluation, and research priorities adopted by the forest practices board.

(2) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small forest landowner office, in order to restore staffing capacity reduced during the great recession and to support small forest landowners, including assistance related to forest and fish act regulations.

(3) \$1,583,000 of the general fund—state appropriation for fiscal year 2024 and \$1,515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(4) (~~(\$60,883,000)~~) \$88,617,000 of the general fund—state appropriation for fiscal year 2024, \$60,883,000 of the general fund—state appropriation for fiscal year 2025, and \$16,050,000 of the disaster response account—state appropriation are provided solely for emergency response, including fire suppression. The department shall provide a monthly report to the office of financial management and the appropriate fiscal and policy committees of the legislature with an update of fire suppression costs incurred and the number and type of wildfires suppressed.

(5) \$5,647,000 of the general fund—state appropriation for fiscal year 2024, \$8,470,000 of the general fund—state appropriation for fiscal year 2025, and \$330,000 of the disaster response account—state appropriation are provided solely for indirect and administrative expenses related to fire suppression.

(6) \$5,500,000 of the forest and fish support account—state appropriation is provided solely for outcome-based performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. Of the amount provided in this subsection, \$500,000 is contingent upon receipts under RCW 82.04.261 exceeding \$8,000,000 per biennium. If receipts under RCW 82.04.261 are more than \$8,000,000 but less than \$8,500,000 for the biennium, an amount equivalent to the difference between actual receipts and \$8,500,000 shall lapse.

(7) Consistent with the recommendations of the *Wildfire Suppression Funding and Costs (18-02)* report of the joint legislative audit and review committee, the department shall submit a report to the governor and legislature by December 1, 2023, and December 1, 2024, describing the previous fire season. At a minimum, the report shall provide information for each wildfire in the state, including its location, impact by type of land ownership, the extent it involved timber or range lands, cause, size, costs, and cost-share with federal agencies and nonstate partners. The report must also be posted on the agency's website.

(8) \$4,206,000 of the aquatic land enhancement account—state appropriation is provided solely for the removal of creosote pilings and debris from the marine environment and to continue monitoring zooplankton and eelgrass beds on state-owned aquatic lands managed by the department. Actions will address recommendations to recover the southern resident orca population and to monitor ocean acidification as well as help implement the Puget Sound action agenda.

(9) \$279,000 of the general fund—state appropriation for fiscal year 2024 and \$286,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation to the trust beneficiaries and department for lost revenue from leases to amateur radio operators who use space on the department managed radio towers for their equipment. The department is authorized to lease sites at the rate of up to \$100 per year, per site, per lessee. The legislature makes this appropriation to fulfill the remaining costs of the leases at market rate per RCW 79.13.510.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,500,000)~~) \$3,280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to collect and refresh statewide lidar data.

(11) \$1,200,000 of the resource management cost account—state appropriation is provided solely for the agency to pursue opportunities to provide workforce housing on state trust lands.

(12)(a) \$1,500,000 of the natural climate solutions account—state appropriation is provided solely for the department, in close collaboration with the department of ecology, to convene a group composed of a balanced representation of experts and stakeholders to conduct a state ecosystem services inventory and develop a state lands ecosystem services asset plan. The plan must outline how state lands under the department's jurisdiction can be monetized, including ecosystem services credits, and utilized to reduce the overall greenhouse emissions, or increase greenhouse gas sequestration and storage, in the state, including both public and private emissions.

(b) In developing the plan, the department must:

(i) Conduct a resource and asset inventory to identify all state-owned or controlled lands under its jurisdiction that could be eligible or utilized in ecosystem services credits, including carbon offset markets;

(ii) Explore opportunities for the department to utilize its inventoried proprietary assets in offering ecosystem services credits, including carbon offset credits, both under

the regulatory offset programs, such as the one established under RCW 70A.65.170, and existing or future voluntary, private ecosystem service markets, including carbon offset programs;

(iii) Develop a marginal cost abatement model to inform highest and best use of state assets in ecosystem services markets, including carbon markets;

(iv) Conduct a needs assessment in relation to marketing state-owned carbon assets on state lands under the department's jurisdiction to third party developers, including a proposed implementation plan and recommendations for plan execution;

(v) Identify any known or suspected policy or regulatory limitations to the formation and full execution of the ecosystem services inventory and asset plan identified above;

(vi) Create an implementation plan for a virtual dashboard where public and private sector participants in regulatory or voluntary carbon markets can locate the inventory created under this subsection, understand the marginal cost abatement model, and locate any requests for proposals from state asset-involved carbon projects on lands under the department's jurisdiction; and

(vii) Make recommendations for the creation of an ecosystems services equity and innovation account that includes:

(A) New modes of ecosystem services; and

(B) Identification of new or different beneficiaries of carbon investments that increase the participation of historically marginalized groups in ecosystem service opportunities.

(c) The department must report its progress and findings under this subsection to the legislature no later than December 31, 2024.

(13) \$3,166,000 of the natural climate solutions account—state appropriation is provided solely for silvicultural treatments on forested trust lands in western Washington to support maintenance of healthy, resilient forests as a critical component of climate adaptation and mitigation efforts.

(14) \$2,185,000 of the general fund—state appropriation for fiscal year 2024 and \$1,705,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased law enforcement capacity on agency managed lands, to develop a statewide recreation plan, and to jointly create a statewide data management system with the Washington department of fish and wildlife and the state parks and recreation commission to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(15) \$2,066,000 of the natural climate solutions account—state appropriation is provided solely for the agency to develop a comprehensive strategy to tackle barriers to reforestation, including through expanding seed collection, increasing the capacity of the state's public nursery, and addressing workforce needs.

(16) \$2,864,000 of the natural climate solutions account—state appropriation is provided solely for the agency to implement aspects of their watershed resilience action plan for the Snohomish watershed, including activities to support kelp and eelgrass stewardship, a large woody debris program, aquatic restoration grants, and culvert removal.

(17) \$5,991,000 of the natural climate solutions account—state appropriation is provided solely for investment in urban forestry to support reduction of negative environmental conditions such as heat, flooding, and pollution and helping communities become greener, cleaner, healthier, and more resilient.

(18) \$7,791,000 of the climate commitment account—state appropriation is provided solely for the agency to analyze current infrastructure and build a plan for the department to achieve its greenhouse gas emission reduction targets.

(19) \$2,365,000 of the climate commitment account—state appropriation is provided solely for the department to make investments in education and training to bolster a statewide natural resources workforce to support the health and resilience of Washington's forests. Of this amount, \$800,000 is provided solely to provide wildland fire management training to tribal communities and members.

(20) \$3,356,000 of the natural climate solutions account—state appropriation is provided solely to increase the agency's capacity to provide active management of department of natural resources natural areas.

(21) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 (~~and~~), \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,817,000 of the aquatic lands enhancement account—state appropriation are provided solely for full-time and seasonal crews from the Washington conservation corps and other corps programs to conduct work benefiting the management of state managed lands, including aquatic reserves management, natural areas restoration and conservation, trail work, and forest resiliency activities as well as other recreation and habitat projects with agency partners.

(22) (a) \$475,000 of the general fund—state appropriation for fiscal year 2024, \$253,000 of the general fund—state appropriation for fiscal year 2025, and \$62,000 of the model toxics control operating account—state appropriation are provided solely for a geoduck task force. Of the amounts provided in this subsection, \$411,000 of the general fund—state appropriation for fiscal year 2024 and \$208,000 of the general fund—state appropriation for fiscal year 2025 are for the department's costs for the task force, and the remaining amounts are for the department to provide to the department of ecology, the department of fish and wildlife, and the Puget Sound partnership for their projected costs for the task force.

(b) The task force must investigate opportunities to reduce negative impacts to tribal treaty and state geoduck harvest and promote long-term opportunities to expand or sustain

geoduck harvest. The task force must provide a report to the commissioner of public lands and the legislature, in compliance with RCW 43.01.036, by December 1, 2024, that includes analysis and recommendations related to the following elements:

(i) The feasibility of intervention to enhance the wildstock of geoduck, including reseeded projects;

(ii) Factors that are preventing areas from being classified for commercial harvest of wildstock geoduck or factors that are leading to existing wildstock geoduck commercial tract classification downgrade, and recommendations to sustainably and cost-effectively increase the number and area of harvestable tracts, including:

(A) Consideration of opportunities and recommendations presented in previous studies and reports;

(B) An inventory of wastewater treatment plant and surface water runoff point sources impacting state and tribal geoduck harvesting opportunities within the classified commercial shellfish growing areas in Puget Sound;

(C) A ranking of outfalls and point sources identified in (b)(ii)(B) of this subsection prioritized for future correction to mitigate downgraded classification of areas with commercial geoduck harvest opportunity;

(D) An inventory of wildstock geoduck tracts that are most impacted by poor water quality or other factors impacting classification;

(E) Consideration of the role of sediment load and urban runoff, and pathways to mitigate these impacts; and

(F) Recommendations for future actions to improve the harvest quantity of wildstock geoduck and to prioritize areas that can attain improved classification most readily, while considering the influence of outfalls ranked pursuant to (b)(ii)(C) of this subsection.

(c) The commissioner of public lands must invite the following representatives to participate in the task force:

(i) A representative of the department of natural resources, who shall serve as the chair of the task force;

(ii) Representatives of tribes with treaty or reserved rights to geoduck harvest in Washington state;

(iii) A representative of the department of ecology;

(iv) A representative of the department of health;

(v) A representative of the department of fish and wildlife;

(vi) A representative of the Puget Sound partnership; and

(vii) A representative of the academic community.

(d) The commissioner of public lands must appoint each representative. The commissioner may invite and appoint other individuals to the task force, not to exceed the number of seats of tribal entities.

(e) Members of the task force may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

(23) \$636,000 of the general fund—state appropriation for fiscal year 2024 and \$353,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(24) \$65,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$350,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$250,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(27) \$164,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$591,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5433 (derelict aquatic structures). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$431,000 of the general fund—state appropriation for fiscal year 2024 and \$331,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1498 (aviation assurance funding). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$2,500,000))\$3,465,000~~ of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Of the amounts provided in this subsection, \$1,318,800 of the

general fund—state appropriation for fiscal year 2025 is provided solely for the agency to operate the post-fire debris flow program.

(31) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(32) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely for tire removal projects in Puget Sound, with specific priority to remove tire reefs.

(33) \$321,000 of the general fund—state appropriation for fiscal year 2024 and \$427,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5390 (forestlands/safeharbor). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(34) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to advance research and cooperation with governmental agencies of Finland and Finnish organizations to implement sustainable forestry practices. The department must report to the appropriate committees of the legislature by June 30, 2024, on the use of the funds and the research conducted and cooperation accomplished, and make recommendations for further opportunities for collaboration.

(35) \$278,000 of the natural climate solutions account—state appropriation is provided solely for the department to perform coordination and monitoring related to Puget Sound kelp conservation and recovery.

(36) \$312,000 of the general fund—state appropriation for fiscal year 2024 and \$313,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with the Olympic natural resources center to study emerging ecosystem threats such as Swiss needlecast disease, fully implement the T3 watershed experiments on state trust lands, continue field trials for long-term ecosystem productivity, and engage stakeholders through learning-based collaboration. The department may expend up to \$30,000 in one fiscal year to conduct Swiss needlecast surveys.

(37) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the work specified in section 3291, chapter 413, Laws of 2019 to assess public school seismic safety for school buildings not yet assessed, focused on highest risk areas of the state as a priority.

~~((39))~~ (38) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the department to prepare commercial thinning timber sales for the purposes of restoring spotted owl and riparian habitat as specified in the 1997 state lands habitat conservation plan, facilitating access to more timber volume than is possible under normal operating funding and increasing carbon sequestration. Thinning operations in designated spotted owl management areas must be conducted in stands that do not yet meet spotted owl habitat conditions. Thinning in riparian areas must comply with department procedures for restoring riparian habitat under the 1997 state lands habitat conservation plan.

~~((40))~~ (39) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((41))~~ (40) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement a pilot project to evaluate the costs and benefits of marketing and selling specialty forest products including cedar salvage, alder, and other hardwood products. The pilot project must include: Identifying suitable areas for hardwood or cedar sales within the administrative areas of the Olympic and Pacific Cascade regions, preparing and conducting sales, and evaluating the costs and benefits from conducting the sales.

(a) The pilot project must include an evaluation that:

(i) Determines if revenues from the sales are sufficient to cover the costs of preparing and conducting the sales;

(ii) Identifies and evaluates factors impacting the sales, including regulatory constraints, staffing levels, or other limitations;

(iii) Compares the specialty sales to other timber sales that combine the sale of cedar and hardwoods with other species;

(iv) Evaluates the bidder pool for the pilot sales and other factors that impact the costs and revenues received from the sales; and

(v) Evaluates the current and future prices and market trends for cedar salvage and hardwood species.

(b) The department must work with affected stakeholders and report to the appropriate committees of the legislature with the results of the pilot project and make recommendations for any changes to statute by June 30, 2025.

(41) \$857,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to implement eradication and control measures on European green



crabs on state-owned aquatic lands and adjacent lands as appropriate. The department must report to and coordinate with the department of fish and wildlife to support the department of fish and wildlife's quarterly progress reports to the legislature.

(42) \$847,000 of the general fund—state appropriation for fiscal year 2025 and \$473,000 of the model toxics control operating account—state appropriation are provided solely for the department to develop an authorized target shooting range as an alternative to dispersed shooting, lead a stakeholder-driven process to identify potential additional locations for target shooting ranges, and address lead pollution in known dispersed shooting sites.

(43) \$524,000 of the resource management cost account—state appropriation is provided solely for the agency to supplement the cost of the contract with the department of fish and wildlife for biological geoduck survey work. Within existing appropriations, the department must develop a proposal with the department of fish and wildlife for the equitable and sustainable ongoing funding of this work.

(44) \$593,000 of the natural climate solutions account—state appropriation is provided solely for the department to conduct remote sensing, stressor studies, and imagery and survey work of kelp forests and eelgrass meadows pursuant to RCW 79.135.440 and manage the native kelp forest and eelgrass meadow health and conservation plan. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(45) \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute House Bill No. 2330 (wildfire protection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(46) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for forest treatments in areas where they have the greatest potential to prevent wildfires and protect air quality.

**Sec. 311.** 2023 c 475 s 311 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$52,938,000))
	\$64,834,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$69,710,000))
	\$78,570,000
General Fund—Federal Appropriation . . . . .	(((\$38,414,000))
	\$48,266,000
General Fund—Private/Local Appropriation . . . . .	\$193,000
<u>Agricultural Pest and Disease Response Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$250,000</u>
<u>Aquatic Lands Enhancement Account—State</u>	
<u>Appropriation . . . . .</u>	<u>(((\$2,839,000))</u>
	<u>\$2,841,000</u>
Climate Commitment Account—State Appropriation . . . . .	(((\$3,819,000))
	\$7,376,000
Natural Climate Solutions Account—State	
Appropriation . . . . .	\$261,000
Water Quality Permit Account—State Appropriation . . . . .	\$73,000
Model Toxics Control Operating Account—State	
Appropriation . . . . .	(((\$13,589,000))
	\$13,479,000
Northeast Washington Wolf-Livestock Management	
Nonappropriated Account—State Appropriation . . . . .	\$1,600,000
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation . . . . .	(((\$36,875,000))
	\$37,578,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$220,311,000))</b>
	<b>\$255,321,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$18,000,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the we feed Washington program, a state alternative to the United States department of agriculture farmers to families food box program, and provide resources for hunger relief organizations.

(2) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for local food system infrastructure and market access grants.

(3) ~~(((\$3,655,000))~~ \$4,992,000 of the general fund—state appropriation for fiscal year 2024 and \$3,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a *Popillia japonica* monitoring and eradication program in central Washington.

(4) ~~(((\$15,000,000))~~ \$9,297,000 of the general fund—state appropriation for fiscal year 2024, \$20,000,000 of the general fund—state appropriation for fiscal year 2025, and ~~(((\$15,000,000))~~ \$15,703,000 of the coronavirus state fiscal recovery fund—federal

appropriation are provided solely for implementing the emergency food assistance program as defined in RCW 43.23.290.

(5) \$246,000 of the general fund—state appropriation for fiscal year 2024, \$246,000 of the general fund—state appropriation for fiscal year 2025, and \$1,550,000 of the general fund—federal appropriation are provided solely for implementing a Vespa mandarinia eradication program.

(6) \$1,600,000 of the northeast Washington wolf-livestock management nonappropriated account—state appropriation is provided solely for the department to conduct the following:

(a) Offer grants for the northeast Washington wolf-livestock management program as provided in RCW 16.76.020, in the amount of \$1,400,000 for the biennium.

(i) Funds from the grant program must be used only for the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a high probability of producing effective results. Grant proposals will be assessed partially on this intent. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other grantees of the program and other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape. Additionally, range riders must document their activities with GPS track logs and provide written description of their efforts to the department of fish and wildlife on a monthly basis. The department shall incorporate the requirements of this subsection into contract language with the grantees.

(ii) In order to provide continuity of services to meet the long-term intent of the program, no less than \$1,100,000 of the funding allocated in this subsection (a) shall be awarded to entities who have proven ability to meet program intent as described in (a)(i) of this subsection and who have been awarded funds through this grant program or pass-through funds from the northeast Washington wolf-livestock management nonappropriated account in the past. The remaining \$300,000 may be awarded to new applicants whose applications meet program intent and all of other requirements of the program. If no applications from new entities are deemed qualified, the unused funds shall be awarded in equal amounts to successful grantees. The department retains the final decision making authority over disbursement of funds. Annual reports from grantees will be assessed for how well grant objectives were met and used to decide whether future grant funds will be awarded to past grantees.

(b) Within the amounts provided in this subsection, the department must provide \$100,000 each fiscal year to the sheriffs offices of Ferry and Stevens counties for providing a local wildlife specialist to aid the department of fish and wildlife in the management of wolves in northeast Washington.

(7) \$1,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for grants and technical assistance to producers and processors for meat and poultry processing.

(8) \$842,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 135, Laws of 2022, which requires the department to establish cannabis testing lab quality standards by rule.

(9) \$3,038,000 of the climate commitment account—state appropriation is provided solely to implement organic materials legislation passed in the 2022 legislative session.

(10) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with Washington State University's IMPACT Center to conduct an analysis of the threats, barriers, and challenges facing the state's agricultural producers.

(11) \$581,000 of the climate commitment account—state appropriation is provided solely to implement a science-based, voluntary software program called saving tomorrow's agricultural resources (STAR) which provide producers tools to track soil health improvements and the ability to generate market-based incentives.

(12) \$1,492,000 of the model toxics control operating account—state appropriation is provided solely to increase capacity and support work to reduce nitrate pollution in groundwater from irrigated agriculture in the lower Yakima valley.

(13) (~~(\$88,000)~~) \$502,000 of the general fund—state appropriation for fiscal year 2024, \$88,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$702,000)~~) \$1,053,000 of the general fund—federal appropriation are provided solely to match federal funding for eradication treatments and follow-up monitoring of invasive moths.

(14) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the early detection program for the spotted lanternfly and the associated invasive *Ailanthus altissima*, known colloquially as tree-of-heaven, survey and control programs.

(15) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement changes that advance equity for underrepresented farmers and ranchers in the department's programs and services. In carrying out this duty, the department may focus on implementation of:

(a) Proequity and inclusion strategies within the activities and services of the regional markets program;

(b) Recommendations from the department's 2022 report to the legislature on equity for underrepresented farmers and ranchers; and

(c) Community-generated suggestions resulting from stakeholder engagement activities. In carrying out this duty, the department may engage with underrepresented farmers and ranchers to advise and provide guidance as the department works to implement changes to improve equity and inclusion in the department's services and programs, and where possible in the agricultural industry more broadly.

(16) \$261,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(17) \$200,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$116,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1500 (cottage food sales cap). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a community-based organization in Whatcom county for the food and farm finder program, which connects local food producers with retail and wholesale consumers throughout the state.

(21) \$10,600,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for local food system infrastructure and market access grants, the emergency food assistance program, and a state farmers to families food box program. The total expenditures from the coronavirus state fiscal recovery fund—federal for these purposes in fiscal year 2023 and fiscal year 2024 may not exceed the total amounts provided in section 311(1), (3), and (7), chapter 334, Laws of 2021, from the coronavirus state fiscal recovery fund—federal for these purposes.

(22) \$47,000 of the general fund—state appropriation for fiscal year 2024 and \$47,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a food bank in Pierce county for the continued provision of food bank services to low-income individuals, including costs related to the potential relocation of the food bank.

(24) \$128,000 of the general fund—state appropriation for fiscal year 2024 and \$127,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Tri-Cities food bank for operations including food storage.

(25) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue a shellfish coordinator position.

(26) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compliance-based laboratory analysis of pesticides in cannabis.

(27) \$220,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to partner with the department of commerce to conduct a study to better understand the opportunities and challenges of using hemp as a building material.

(28) \$112,000 of the general fund—state appropriation for fiscal year 2024 and \$683,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to partner with organizations to promote diversity and develop agricultural leadership and educational opportunities.

(29) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to facilitate a work group and prepare a comprehensive report with recommendations regarding the establishment of a grant program to support farmers in the purchase of green fertilizer produced within the state of Washington.

(a) The work group convened by the department shall include representatives from the department of ecology, the department of commerce, Washington state agricultural organizations, manufacturers of green fertilizer products, and other relevant stakeholders as determined by the department.

(b) The work group shall review, analyze, and propose the structure of a grant program designed to encourage farmers to purchase green fertilizer produced within the state of Washington. The review shall include considerations of:

(i) The environmental benefits of green fertilizer;

(ii) Economic impacts on farmers;

(iii) The development and capacity of local green fertilizer manufacturers; and

(iv) Ensuring equitable access to the grant program among different agricultural sectors.

(c) The department shall submit a comprehensive report of its findings and recommendations to the governor and appropriate committees of the legislature no later than November 1, 2024, including a detailed plan for the administration of the proposed grant program and a recommended funding level. The report shall include legislative and regulatory changes, if necessary, to establish and manage the program effectively.

(d) If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(30) \$131,000 of the climate commitment account—state appropriation is provided solely for a climate lead position. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(31) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided to the department to complete an assessment of current animal welfare issues, such as animal abandonment, rescue organization operations, and veterinary services shortages and costs. The assessment may include an estimated fiscal investment and recommendations needed to improve the animal health and welfare system in Washington. The department must report on the assessment to the appropriate committees of the legislature by June 30, 2025.

(32) (a) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a review of the department of health's commercial shellfish industry regulatory fees, including licensing, testing, and certification. In conducting this review, the department must seek input from the department of health, representatives of the commercial shellfish industry, and tribes. The study must include:

(i) Data sources and methods used by the department of health in setting or proposing fee increases for the commercial shellfish industry;

(ii) Costs associated with exercising the department of health's regulatory authority over the commercial shellfish industry;

(iii) Fees charged for comparable services in other states that regulate the commercial shellfish industry under the Model Ordinance of the Interstate Shellfish Sanitation Conference;

(iv) Regulatory fees paid by other agricultural industries in Washington, where relevant;

(v) The public benefits of the department of health's regulation of the commercial shellfish industry; and

(vi) Program efficiencies that could be achieved to reduce fees to the shellfish industry imposed by the department of health.

(b) The department must report to the appropriate committees of the legislature by June 30, 2025, with recommendations on shellfish fee amounts imposed by the department of health and any process improvements related to those fees.

(33) \$3,176,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 2301 (waste material management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(34) \$250,000 of the agricultural pest and disease response account—state appropriation is provided solely for implementation of Substitute House Bill No. 2147 (agriculture pests & diseases). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(35) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to convene and staff a work group to provide recommendations on mental health and suicide prevention for agricultural producers, farm workers, and their families, including whether an agricultural mental health hotline should be established. The work group must be cochaired by one member from the department and one other member selected from the work group. The department must provide a draft report to the appropriate committees of the legislature summarizing the work group's recommendations by December 31, 2024, and a final report by June 30, 2025. The work group must include:

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

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

(c) One mental health care provider from an agricultural area in western Washington, appointed by the department;

(d) One mental health care provider from a rural area in eastern Washington, appointed by the department;

(e) Two members from an agricultural organization, appointed by the department; and

(f) Two members from the department, appointed by the department.

**Sec. 312.** 2023 c 475 s 312 (uncodified) is amended to read as follows:

**FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$924,000)) \$893,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$919,000)) \$887,000
Climate Commitment Account—State Appropriation . . . . .	\$7,369,000

Energy Facility Site Evaluation Council Account—	
Private/Local Appropriation. . . . .	(( <del>\$26,896,000</del> ))
	<u>\$26,900,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$36,108,000</del>))</b>
	<b><u>\$36,049,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,352,000 of the climate commitment account—state appropriation is provided solely to support agency operations and to hire additional environmental siting and compliance positions needed to support an anticipated workload increase from new clean energy projects.

(2) \$757,000 of the climate commitment account—state appropriation is provided solely for ~~((grants to tribes to review green energy project applications))~~ preapplication development and clean energy manufacturing review, reimbursement to tribes for costs associated with clean energy project application reviews, and contracted services for green hydrogen and clean energy manufacturing programs.

(3) \$358,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) The council must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(5) \$3,902,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(End of part)

**PART IV  
TRANSPORTATION**

**Sec. 401.** 2023 c 475 s 401 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$4,041,000</del> ))
	<u>\$4,043,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$3,640,000</del> ))
	<u>\$3,652,000</u>
Architects' License Account—State Appropriation. . . . .	(( <del>\$1,759,000</del> ))
	<u>\$1,778,000</u>
<u>Climate Investment Account—State Appropriation. . . . .</u>	<u>\$30,000,000</u>
Real Estate Commission Account—State Appropriation. . . . .	(( <del>\$15,753,000</del> ))
	<u>\$15,729,000</u>
Uniform Commercial Code Account—State Appropriation. . . . .	(( <del>\$3,481,000</del> ))
	<u>\$3,496,000</u>
Real Estate Education Program Account—State Appropriation. . . . .	(( <del>\$316,000</del> ))
	<u>\$308,000</u>
Real Estate Appraiser Commission Account—State Appropriation. . . . .	(( <del>\$2,067,000</del> ))
	<u>\$2,396,000</u>
Business and Professions Account—State Appropriation. . . . .	(( <del>\$30,924,000</del> ))
	<u>\$31,240,000</u>
Real Estate Research Account—State Appropriation. . . . .	\$461,000
Firearms Range Account—State Appropriation. . . . .	\$74,000
Funeral and Cemetery Account—State Appropriation. . . . .	(( <del>\$110,000</del> ))
	<u>\$125,000</u>
Landscape Architects' License Account—State Appropriation. . . . .	(( <del>\$86,000</del> ))
	<u>\$95,000</u>
Appraisal Management Company Account—State Appropriation. . . . .	(( <del>\$250,000</del> ))
	<u>\$258,000</u>
Concealed Pistol License Renewal Notification Account—State Appropriation. . . . .	\$142,000
Geologists' Account—State Appropriation. . . . .	(( <del>\$48,000</del> ))
	<u>\$55,000</u>
Derelict Vessel Removal Account—State Appropriation. . . . .	\$37,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$63,197,000</del>))</b>
	<b><u>\$93,889,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$142,000 of the concealed pistol license renewal notification account—state appropriation and \$74,000 of the firearms range account—state appropriation are provided solely to implement chapter 74, Laws of 2017 (concealed pistol license).

(2) \$6,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$8,000 of the architects' license account—state appropriation, \$74,000 of the real estate commission account—state appropriation, \$14,000 of the uniform commercial code account—state appropriation, \$10,000 of the real estate appraiser commission account—state appropriation, and \$139,000 of the business and professions account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$7,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$5,000 of the architects' license account—state appropriation, \$43,000 of the real estate commission account—state appropriation, \$8,000 of the uniform commercial code account—state appropriation, \$8,000 of the real estate ((education program))appraiser commission account—state appropriation, \$166,000 of the business and professions account—state appropriation, \$9,000 of the funeral and cemetery account—state appropriation, \$3,000 of the landscape architects' license account—state appropriation, \$2,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(4) \$20,000 of the business and professions account—state appropriation is provided solely for implementation of House Bill No. 1017 (cosmetologists, licenses, etc.). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(5) \$320,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1143 (firearms purchase and transfer). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(6) \$5,000 of the architects' license account—state appropriation, \$31,000 of the real estate commission account—state appropriation, \$5,000 of the real estate appraiser commission account—state appropriation, \$64,000 of the business and professions account—state appropriation, \$5,000 of the funeral and cemetery account—state appropriation, \$5,000 of the landscape architects' license account—state appropriation, \$5,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of House Bill No. 1301 (license review and requirements). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(7) \$25,000 of the real estate ((appraiser)) commission account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5191 (real estate agency). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(8) \$19,000 of the funeral and cemetery account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5261 (cemetery authority deadlines). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(9) \$308,000 of the real estate appraiser commission account—state appropriation is provided solely for implementation of Engrossed House Bill No. 1797 (real estate appraisers). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(10) (a) \$30,000,000 of the climate investment account—state appropriation is provided solely for payments to support farm fuel users and transporters who have purchased fuel for agricultural purposes that is exempt from the requirements of the climate commitment act, as described in RCW 70A.65.080(7)(e). In providing such payments, the department must prioritize:

(i) Farming and transportation operations, prioritizing noncorporate farms first;

(ii) Ease of use and accessibility for recipients; and

(iii) Speed and efficiency in administering the payments.

(b) The department must use a tiered system of payments based on the annual number of gallons of agricultural fuel consumed, as determined by the farm fuel user or transporter in a signed attestation. The department shall use the following payment tiers:

(i) \$600 to recipients with annual agricultural fuel use of less than 1,000 gallons;

(ii) \$2,300 to recipients with annual agricultural fuel use greater than or equal to 1,000 gallons and less than 4,000 gallons; and

(iii) \$3,400 to recipients with annual agricultural fuel use greater than or equal to 4,000 gallons.

(c) Recipients of payments under this subsection may submit receipts and other documentation as part of their attestation showing that they were overcharged for fuel costs due to the impact of chapter 70A.65 RCW.

(d) The department may use no more than five percent of the amounts appropriated for this specific purpose on administration. The department must begin providing payments by September 1, 2024. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the

effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

**Sec. 402.** 2023 c 475 s 402 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$77,651,000</del> ))
	<u>\$77,965,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$78,281,000</del> ))
	<u>\$85,255,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$16,972,000</del> ))
	<u>\$16,973,000</u>
General Fund—Private/Local Appropriation . . . . .	\$3,091,000
Death Investigations Account—State Appropriation . . . . .	(( <del>\$9,145,000</del> ))
	<u>\$9,597,000</u>
County Criminal Justice Assistance Account—State Appropriation . . . . .	(( <del>\$4,893,000</del> ))
	<u>\$4,895,000</u>
Municipal Criminal Justice Assistance Account—State Appropriation . . . . .	(( <del>\$1,800,000</del> ))
	<u>\$1,801,000</u>
Fire Service Trust Account—State Appropriation . . . . .	\$131,000
Vehicle License Fraud Account—State Appropriation . . . . .	\$119,000
Disaster Response Account—State Appropriation . . . . .	(( <del>\$8,000,000</del> ))
	<u>\$31,500,000</u>
Fire Service Training Account—State Appropriation . . . . .	(( <del>\$13,456,000</del> ))
	<u>\$13,461,000</u>
Model Toxics Control Operating Account—State Appropriation . . . . .	\$596,000
Fingerprint Identification Account—State Appropriation . . . . .	(( <del>\$15,200,000</del> ))
	<u>\$15,211,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$229,335,000</del>))</b>
	<b><u>\$260,595,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$8,000,000~~))~~ \$31,500,000 of the disaster response account—state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(2) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$146,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation adjustments for commissioned staff as provided for in the omnibus transportation appropriations act.

(3) \$20,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1179 (nonconviction data/auditor). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$26,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor compensation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$500,000 of the disaster response account—state appropriation, is provided solely to continue a pilot project for the early deployment or prepositioning of Washington state fire service resources in advance of an expected mobilization event. Any authorization for the deployment of resources under this section must be authorized in accordance with section 6 of the Washington state fire services resource mobilization plan.

(7) \$320,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$1,133,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$1,000,000 of the fire service training account—state appropriation is provided solely for the firefighter apprenticeship training program.

(10) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Washington state missing and murdered indigenous women and people task force in section 912 of this act.

(11) \$44,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a second Cessna aircraft to be ordered for delivery in the 2025-2027 fiscal biennium.

(12) In fiscal year 2025, the Washington state patrol may initiate procurement of a Pilatus PC-12 aircraft and a forward-looking infrared camera. It is the intent of the legislature to provide an appropriation for the purchase of the aircraft in future fiscal biennia.

(13) \$970,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state patrol to create and staff a task force to oversee the coordination of drug trafficking investigations between the Washington state patrol, the Washington association of sheriffs and police chiefs, the attorney general, the federal bureau of investigation, and the federal drug enforcement administration. The task force shall coordinate federal, state, and local interjurisdictional drug trafficking investigations, with special attention given to the following:

(i) Coordination and cooperation with federal, state, tribal, and local law enforcement officials on mutual drug enforcement efforts and enhancement of such efforts through exploitation of potential intrastate, interstate, and international investigations beyond local or state jurisdictions and resources;

(ii) Coordination and cooperation with federal, state, tribal, and local agencies, and with foreign governments, in programs designed to reduce the availability of opioids, synthetic opioids, and other emerging drugs on the state and national market through nonenforcement methods;

(iii) Criminal investigations and preparation for the prosecution of violators of controlled substance laws operating at intrastate, interstate, and international levels;

(iv) Investigation and preparation for the criminal prosecution of drug trafficking organizations who perpetrate violence and harm; and

(v) Enforcement of the provisions of the controlled substances act, federal and state, as they pertain to the manufacture, distribution, and dispensing of controlled substances, with a priority focus on opioid trafficking, particularly fentanyl and other emerging synthetic opioids or street drugs.

(14) \$136,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2009 (missing persons/dental recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15) \$13,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2357 (state patrol longevity bonus). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(End of part)

**PART V  
EDUCATION**

**Sec. 501.** 2023 c 475 s 501 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$46,191,000)) \$46,758,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$45,208,000)) \$52,731,000
General Fund—Federal Appropriation . . . . .	(((\$108,354,000)) \$148,590,000
General Fund—Private/Local Appropriation . . . . .	\$8,079,000
Dedicated Cannabis Account—State Appropriation (FY 2024) . . . . .	\$593,000
Dedicated Cannabis Account—State Appropriation (FY 2025) . . . . .	\$618,000
Washington Opportunity Pathways Account—State Appropriation . . . . .	(((\$8,429,000)) \$11,351,000
Performance Audits of Government Account—State Appropriation . . . . .	\$213,000
Workforce Education Investment Account—State Appropriation . . . . .	(((\$9,479,000)) \$12,480,000
Elementary and Secondary School Emergency Relief III Account—Federal Appropriation . . . . .	\$3,524,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$230,688,000)) \$284,937,000</b>



The appropriations in this section are subject to the following conditions and limitations:

(1) BASE OPERATIONS AND EXPENSES OF THE OFFICE

(a) (~~(\$21,778,000)~~) \$22,392,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$21,778,000)~~) \$22,120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(ii) By October 31st of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in section 501, chapter 415, Laws of 2019 and sections 515 and 522, chapter 334, Laws of 2021. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status of proviso implementation, number of beneficiaries by year, list of beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(iii) Districts shall annually report to the office of the superintendent of public instruction on: (A) The annual number of graduating high school seniors within the district earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (B) the number of high school students earning competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

(iv) The office of the superintendent of public instruction shall perform ongoing program reviews of alternative learning experience programs, dropout reengagement programs, and other high risk programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(v) The superintendent of public instruction shall integrate climate change content into the Washington state learning standards across subject areas and grade levels. The office shall develop materials and resources that accompany the updated learning standards that encourage school districts to develop interdisciplinary units focused on climate change that include authentic learning experiences, that integrate a range of perspectives, and that are action oriented.

(vi) Funding provided in this subsection (1)(a) is sufficient for maintenance of the apportionment system, including technical staff and the data governance working group.

(b) \$494,000 of the general fund—state appropriation for fiscal year 2024 and \$494,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(c) \$61,000 of the general fund—state appropriation for fiscal year 2024 and \$61,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(d) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(e) \$285,000 of the Washington opportunity pathways account—state appropriation is provided solely for activities related to public schools other than common schools authorized under chapter 28A.710 RCW.

(f) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(g) (~~(\$1,060,000)~~) \$880,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$1,060,000)~~) \$1,240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of native education to increase services to tribes, including but not limited to, providing assistance to tribes and school districts to implement Since Time Immemorial, applying to become tribal compact schools, convening the Washington state native American education advisory committee, and extending professional learning opportunities to provide instruction in tribal history, culture, and government. The professional development must be done in collaboration with school district administrators and school directors. Funding in this subsection is sufficient for the office, the Washington state school directors' association government-to-government task force, and the association of educational service districts to collaborate with the tribal leaders congress on education to develop a tribal consultation training and schedule. Of the amounts provided in this subsection: (~~(\$525,000)~~) \$345,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$525,000)~~) \$705,000 of the general fund—state appropriation for fiscal year 2025

are provided solely for the office of native education to convene a work group to develop the supports necessary to serve American Indian and Alaska Native students identified as needing additional literacy supports. The work group must include representation from Washington's federally recognized tribes and federally recognized tribes with reserved treaty rights in Washington. The work group must conduct tribal consultations, develop best practices, engage in professional learning, and develop curricula and resources that may be provided to school districts and state-tribal education compact schools to serve American Indian and Alaska Native students with appropriate, culturally affirming literacy supports.

(h) \$481,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(i) Districts shall report to the office the results of each collective bargaining agreement for certificated staff within their district using a uniform template as required by the superintendent, within thirty days of finalizing contracts. The data must include but is not limited to: Minimum and maximum base salaries, supplemental salary information, and average percent increase for all certificated instructional staff. Within existing resources by December 1st of each year, the office shall produce a report for the legislative evaluation and accountability program committee summarizing the district level collective bargaining agreement data.

(j) \$3,524,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for administrative costs related to the management of federal funds provided for COVID-19 response and other emergency needs.

(k) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the superintendent of public instruction to plan for the development and implementation of a common substitute teacher application platform.

(l) \$465,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for office of the attorney general legal services related to special education related litigation.

(m) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to hire a mental health instruction implementation coordinator to facilitate the addition of mental health education curriculum in schools, including but not limited to the following activities:

(i) Working with the educational service districts to build awareness of learning benefits and resource availability;

(ii) Providing training and support to school staff in the implementation of mental health education and integration into existing health curriculum;

(iii) Facilitating office website updates to reflect available mental health instruction resources and supporting data; and

(iv) Facilitating the addition of mental health literacy components to state learning standards and updating social emotional learning standards to reflect differentiation between the two programs and the grade-appropriate nature of each program.

(n) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to hire staff to support school districts applying for grants funded by the state of Washington and grants from other public or private sources for which the school district may be eligible. The office must prioritize supporting school districts with smaller student enrollments, tax bases, and operating budgets, and other factors that may preclude or otherwise limit the ability of a school district to apply for grants for which it may be eligible.

(2) DATA SYSTEMS

(a) \$1,802,000 of the general fund—state appropriation for fiscal year 2024 and \$1,802,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(b) \$281,000 of the general fund—state appropriation for fiscal year 2024 and \$281,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(c) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent of public instruction to develop and implement a statewide accountability system to address absenteeism and to improve student graduation rates. The system must use data to engage schools and districts in identifying successful strategies and systems that are based on federal and state accountability measures. Funding may also support the effort to provide assistance about successful strategies and systems to districts and schools that are underperforming in the targeted student subgroups.

(d) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to conduct a feasibility study for an online, statewide individualized education program system. A contract with a third party may be used to conduct all or any portion of the study. The results of the

feasibility study must be reported to the appropriate fiscal and education committees of the legislature by June 30, 2025.

(e) \$56,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2038 (public school data transfer). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(3) WORK GROUPS

(a) \$68,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(b) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to meet statutory obligations related to the provision of medically and scientifically accurate, age-appropriate, and inclusive sexual health education as authorized by chapter 206, Laws of 1988 (AIDS omnibus act) and chapter 265, Laws of 2007 (healthy youth act).

(c) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$118,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 75, Laws of 2018 (dyslexia).

(d) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 386, Laws of 2019 (social emotional learning).

(e) \$107,000 of the general fund—state appropriation for fiscal year 2024 and \$107,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to support the children and youth behavioral health work group created in chapter 130, Laws of 2020 (child. mental health wk. grp).

(4) STATEWIDE PROGRAMS

(a) \$2,590,000 of the general fund—state appropriation for fiscal year 2024 and \$2,590,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support statewide administration and district implementation of the inventory under RCW 28A.655.080.

(b) \$703,000 of the general fund—state appropriation for fiscal year 2024 and \$703,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 72, Laws of 2016 (educational opportunity gap).

(c) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to schools identified for comprehensive or targeted support and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(d) \$457,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 102, Laws of 2014 (biliteracy seal). Of the amounts provided in this subsection:

(i) \$197,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to develop and establish criteria for school districts to award the seal of biliteracy to graduating high school students.

(ii) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to provide students with access to methods for students to demonstrate proficiency in less commonly taught or assessed languages.

(e)(i) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school bullying and harassment prevention activities.

(ii) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 240, Laws of 2016 (school safety).

(iii) \$570,000 of the general fund—state appropriation for fiscal year 2024 and \$570,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide support and coordination for the regional network of behavioral health, school safety, and threat assessment established in chapter 333, Laws of 2019 (school safety and well-being).

(iv) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the school safety center within the office of the superintendent of public instruction.

(A) Within the amounts provided in this subsection (4)(e)(iv), \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a school safety program to provide school safety training for all school administrators and school safety personnel. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety.

(B) Within the amounts provided in this subsection (4)(e)(iv), \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state

appropriation for fiscal year 2025 are provided solely for administration of the school safety center. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, review and approve manuals and curricula used for school safety models and training, and maintain a school safety information web site.

(f) (i) \$162,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for youth suicide prevention activities.

(ii) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 64, Laws of 2018 (sexual abuse of students).

(g) (i) \$280,000 of the general fund—state appropriation for fiscal year 2024, \$280,000 of the general fund—state appropriation for fiscal year 2025, \$593,000 of the dedicated cannabis account—state appropriation for fiscal year 2024, and \$618,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for dropout prevention, intervention, and reengagement programs (~~(, including the jobs for America's graduates (JAG) program)~~), dropout prevention programs that provide student mentoring, and the building bridges statewide program. Students in the foster care system or who are homeless shall be given priority by districts offering the jobs for America's graduates program. The office of the superintendent of public instruction shall convene staff representatives from high schools to meet and share best practices for dropout prevention. Of these amounts, the entire dedicated cannabis account—state appropriation is provided solely for the building bridges statewide program.

(ii) \$293,000 of the general fund—state appropriation for fiscal year 2024 and \$293,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs in support of high-quality high school and beyond plans consistent with RCW 28A.230.090.

(iii) \$178,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 291, Laws of 2017 (truancy reduction efforts).

(h) Sufficient amounts are appropriated in this section for the office of the superintendent of public instruction to create a process and provide assistance to school districts in planning for future implementation of the summer knowledge improvement program grants.

(i) \$358,000 of the general fund—state appropriation for fiscal year 2024 and \$358,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 221, Laws of 2019 (CTE course equivalencies).

(j) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 252, Laws of 2019 (high school graduation reqs.).

(k) \$60,000 of the general fund—state appropriation for fiscal year 2024, \$60,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—federal appropriation are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply). Of the amounts provided in this subsection, \$680,000 of the general fund—federal appropriation is provided solely for title II SEA state-level activities to implement section 103, chapter 295, Laws of 2019 relating to the regional recruiters program.

(l) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison at the office of the superintendent of public instruction to facilitate access to and support enrollment in career connected learning opportunities for tribal students, including career awareness and exploration, career preparation, and career launch programs, as defined in RCW 28C.30.020, so that tribal students may receive high school or college credit to the maximum extent possible.

(m) \$57,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 288, Laws of 2020 (school meals at no cost).

(n) \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$142,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 353, Laws of 2020 (innovative learning pilot).

(o) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide coordination towards multicultural, culturally responsive, and anti-racist education to support academically, socially, and culturally literate learners. The office must engage community members and key interested parties to:

(i) Develop a clear definition and framework for African American studies to guide instruction in grades seven through twelve;

(ii) Develop a plan for aligning African American studies across all content areas; and

(iii) Identify professional development opportunities for educators and administrators to build capacity in creating high-quality learning environments centered in belonging and

racial equity, anti-racist approaches, and asset-based methodologies that pull from all students' cultural funds of knowledge.

(p) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 38, Laws of 2021 (K-12 safety & security serv.).

(q) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 111, Laws of 2021 (learning assistance program).

(r) \$1,152,000 of the general fund—state appropriation for fiscal year 2024 and \$1,157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 164, Laws of 2021 (institutional ed./release).

(s) \$553,000 of the general fund—state appropriation for fiscal year 2024 and \$553,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to develop and implement a mathematics pathways pilot to modernize algebra II. The office should use research and engage stakeholders to develop a revised and expanded course.

(t) \$3,348,000 of the general fund—state appropriation for fiscal year 2024 and \$3,348,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 107, Laws of 2022 (language access in schools).

(u) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to establish a media literacy and digital citizenship ambassador program to promote the integration of media literacy and digital citizenship instruction.

(v) \$294,000 of the general fund—state appropriation for fiscal year 2024 and \$294,000 of the general fund—state appropriation for fiscal year 2025 provided solely for implementation of chapter 9, Laws of 2022 (school consultation/tribes).

(w)(i) \$8,144,000 of the Washington state opportunity pathways account—state appropriation is provided solely for support to small school districts and public schools receiving allocations under chapters 28A.710 and 28A.715 RCW in the 2022-23 school year that have less than 800 enrolled students, are located in urban or suburban areas, and budgeted for less than \$20,000 per pupil in general fund expenditures in the 2022-23 school year. For eligible school districts and schools, the superintendent of public instruction must allocate an amount equal to the lesser of amount 1 or amount 2, as provided in (w)(i) ~~((and (ii)))~~ (A) and (B) of this subsection, multiplied by the school district or school's budgeted enrollment in the 2022-23 school year.

~~((i))~~ (A) Amount 1 is \$1,550.

~~((i))~~ (B) Amount 2 is \$20,000 minus the school district or school's budgeted general fund expenditures per pupil in the 2022-23 school year.

(ii) \$2,922,000 of the Washington state opportunity pathways account—state appropriation is provided solely for support to small school districts and public schools receiving allocations under chapter 28A.715 RCW in the 2023-24 school year that have less than 800 enrolled students, are located in urban or suburban areas, and expended less than \$20,000 per pupil in general fund expenditures in the 2022-23 school year. For eligible school districts and schools, the superintendent of public instruction must allocate an amount equal to the lesser of amount 1 or amount 2, as provided in (w)(ii)(A) and (B) of this subsection, multiplied by the school district or school's actual enrollment in the 2022-23 school year.

(A) Amount 1 is \$1,550.

(B) Amount 2 is \$20,000 minus the school district or school's general fund expenditures per pupil in the 2022-23 school year.

(x) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5072 (highly capable students). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(y) \$72,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5243 (high school and beyond plan). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(z) \$17,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5257 (elementary school recess). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(aa) ~~(\$76,000)~~ \$487,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$76,000)~~ \$487,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5315 (special education/nonpublic). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(bb) \$39,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5403 (school depreciation subfunds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(cc) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5593 (student data transfer). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(dd) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5617 (career and technical education courses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ee) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a community-based youth development nonprofit organization for a pilot program to provide behavioral health support for youth and trauma-informed, culturally responsive staff training.

(ff) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to consult with one or two public high schools that offer established courses in the early childhood development and services career pathway and develop model materials that may be employed by other school districts with an interest in establishing or expanding similar instructional offerings to students. The model materials must be developed by January 1, 2024.

(gg) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of a deliberative democratic climate change education program in public high schools based on the Washington student climate assembly pilot program. The office must use the funding to develop and promote a full curriculum for student climate assemblies that can be replicated in public high schools across the state and to fund a part-time statewide coordinator position to oversee program outreach and implementation. By January 1, 2025, the office must collect and evaluate feedback from teachers, students, local government employees, and elected officials participating in the pilot program and report to the legislature on options to improve, expand, and extend the program.

(hh) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental agency to coordinate and serve as a fiscal agent and to cover direct costs of the project education impact workgroup to achieve educational parity for students experiencing foster care and/or homelessness, consistent with chapter 233, Laws of 2020. The office must contract with a nongovernmental agency with experience coordinating administrative and fiscal support for project education impact.

(ii) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract for a feasibility study for the creation of a maritime academy on the Olympic peninsula. The study must include the scope, location, design, and budget for the construction of the maritime academy. The study must include plans to address systems, policies, and practices that address disparities of historically marginalized communities in the maritime industry. A preliminary report is due to the legislature by December 1, 2023, with the final feasibility study due to the legislature by June 3, 2024. Funding provided in this subsection may be matched by a nonprofit organization that provides high school students with accredited career and technical postsecondary education for maritime vessel operations and maritime curriculum to high schools in Jefferson, Clallam, Kitsap, King, Mason, Pierce, Island, and Snohomish counties.

(jj) \$74,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1701 (institutional ed. programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(kk) \$141,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1308 (graduation pathway options). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ll) \$73,000 of the general fund—state appropriation for fiscal year 2024 and \$72,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1346 (purple star award). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(mm)(i) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to provide statewide professional development and technical assistance to school districts and to provide a limited number of grants for demonstration projects. The demonstration projects must build school-level and district-level systems that eliminate student isolation, track and reduce restraint use, and build schoolwide systems to support students in distress and prevent crisis escalation cycles that may result in restraint or isolation. The schoolwide systems must include trauma-informed positive behavior and intervention supports, de-escalation, and problem-solving skills. Of the amounts provided in this subsection:

(A) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are for grants for 10 district demonstration sites;

(B) \$1,334,000 of the general fund—state appropriation for fiscal year 2024 and \$1,334,000 of the general fund—state appropriation for fiscal year 2025 are for professional development and training; and

(C) \$166,000 of the general fund—state appropriation for fiscal year 2024 and \$166,000 of the general fund—state appropriation for fiscal year 2025 are for staff and administration support for the demonstration sites and the professional development and training.

(ii) The office must create a technical assistance manual to support the elimination of isolation and reduction of restraint and room clears based on the results of the demonstration projects, and must provide a report to the education committees of the legislature by September 1, 2024. The report must include:

(A) A status update on demonstration projects that occurred during the 2023-24 school year, the technical assistance manual, and professional development offered statewide;

(B) Key implementation challenges and findings; and

(C) Recommendations for statewide policy changes or funding.

(iii) In developing the manual, the office must consult with, at minimum:

(A) Representatives from state associations representing both certificated and classified staff;

(B) An association representing principals;

(C) An association representing school administrators;

(D) The Washington state school directors' association;

(E) An association representing parents;

(F) An individual with lived experience of restraint and isolation; and

(G) A representative of the protection and advocacy agency of Washington.

(iv) The office must prioritize the provision of professional development and selection of the demonstration sites to local education agencies, educational programs, and staff who provide educational services to students in prekindergarten through grade five and who have high incidents of isolation, restraint, or injury related to use of restraint or isolation. Grant recipients must commit to isolation phaseout and must report on restraint reduction and progress to the office by June 30, 2025.

(nn) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to examine how free and reduced-price school meal data is used as a funding driver for programs such as the learning assistance program and provide recommendations for an alternative metric or metrics to the legislature by June 30, 2025. The office may collaborate with other state agencies that maintain income and poverty data to develop alternative metrics, including but not limited to the department of social and health services, the student achievement council, and the health care authority. In creating recommendations, the office shall work with educational stakeholders including organizations representing of principals, school board directors, certificated teachers, and classified staff. The office may contract with a third party to conduct all or any portion of the work.

(oo) \$183,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to collaborate with the department of agriculture and the department of labor and industries on a study that, at a minimum, examines factors that impact children of seasonal farmworkers in comparison to migrant students in the following areas: School and program access, school readiness, attendance, grade promotion and retention, performance on state assessments, academic growth, graduation rates, discipline rates, and teacher qualifications and years of experience. The study must also investigate student access to postsecondary education and career opportunities in formerly rural or agricultural communities.

(pp) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Third Substitute House Bill No. 1228 (dual & tribal language edu.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(qq) \$21,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Fourth Substitute House Bill No. 1239 (educator ethics & complaints). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(rr) \$133,000 of the general fund—state appropriation for fiscal year 2024 and \$713,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1332 (tribes/K-12 instruction). Of the amounts provided in this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2025 is for grants. If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(ss) \$2,166,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Fourth Substitute House Bill No. 1479 (student restraint, isolation). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(tt) \$717,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1692 (student advisory groups). Of the amount provided in this subsection, \$475,000 of the general fund—state appropriation for fiscal year 2025 is for green schools program grants. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(uu) \$334,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1956 (substance use prevention ed.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(vv) \$1,300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2239 (social-emotional instruction). Of the amount provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is for grants. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(5) CAREER CONNECTED LEARNING

(a) \$919,000 of the workforce education investment account—state appropriation is provided solely for expanding career connected learning as provided in RCW 28C.30.020.

(b) \$960,000 of the workforce education investment account—state appropriation is provided solely for increasing the funding per full-time equivalent for career launch programs as described in RCW 28A.700.130. In the 2023-2025 fiscal biennium, for career launch enrollment exceeding the funding provided in this subsection, funding is provided in section 504 of this act.

(c) \$3,600,000 of the workforce education investment account—state appropriation is provided solely for the office of the superintendent of public instruction to administer grants to skill centers for nursing programs to purchase or upgrade simulation laboratory equipment.

(d) \$4,000,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs.). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)) Of the amount provided in this subsection, \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the Marysville school district to collaborate with Arlington school district, Everett Community College, other local school districts, local labor unions, local Washington state apprenticeship and training council registered apprenticeship programs, and local industry groups to continue the regional apprenticeship pathways program.

(e) \$3,000,000 of the workforce education investment account—state appropriation is provided solely for the office to contract with a community-based organization to prepare students to enroll in and enter college through one-on-one advising, workshops and help sessions, guest speakers and panel presentations, community building activities, campus visits, workplace field trips, and college/career resources and to fund the oversight of the grantee or grantees.

**Sec. 502.** 2023 c 475 s 502 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD OF EDUCATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$2,155,000</del> ))
	\$2,162,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,695,000</del> ))
	\$6,801,000
Elementary and Secondary School Emergency Relief III	
Account—Federal Appropriation. . . . .	\$1,779,000
Washington Opportunity Pathways Account—State	
Appropriation. . . . .	\$353,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$10,982,000</del>))</b>
	<b>\$11,095,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$1,852,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,864,000~~))~~ \$1,956,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the state board of education.

(2) \$1,779,000 of the elementary and secondary school emergency relief III account—federal appropriation, \$280,000 of the general fund—state appropriation for fiscal year 2024, and \$4,808,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the state board of education for implementation of mastery-based learning in school district demonstration sites. The state board of education shall require grant recipients to report on impacts and participate in a collaborative to share best practices. The funds must be used for grants to school districts, charter schools, or state tribal education compact schools established under chapter 28A.715 RCW; professional development of educators; development of a resource suite for school districts statewide; evaluation of the demonstration project; implementation and policy support provided by the state board of education and other partners; and a report outlining findings and recommendations to the governor and education committees of the legislature by December 31, 2025. Grants for mastery-based learning may be made in partnership with private matching funds.

(3) \$23,000 of the general fund—state appropriation for fiscal year 2024 and \$23,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the state board of education to be a member in the education commission of the states.

(4) \$7,000 of the general fund—state appropriation for fiscal year 2024 and \$14,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1332 (tribes/K-12 instruction). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.



**Sec. 503.** 2023 c 475 s 503 (uncodified) is amended to read as follows:  
**FOR THE PROFESSIONAL EDUCATOR STANDARDS BOARD**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$22,535,000</del> ))
	<u>\$17,187,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$21,417,000</del> ))
	<u>\$21,752,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$43,952,000</del>))</b>
	<b><u>\$38,939,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$1,930,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,945,000~~))~~ \$2,037,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the Washington professional educator standards board including implementation of chapter 172, Laws of 2017 (educator prep. data/PESB).

(2) (a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to improve preservice teacher training and funding of alternate routes to certification programs administered by the professional educator standards board.

(b) Within the amounts provided in this subsection (2), up to \$500,000 of the general fund—state appropriation for fiscal year 2024 and up to \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs.

(3) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,001,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the recruiting Washington teachers program with priority given to programs that support bilingual teachers, teachers from populations that are underrepresented, and English language learners. Of the amounts provided in this subsection (3), \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and expansion of the bilingual educator initiative pilot project established under RCW 28A.180.120.

(4) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply).

(5) ~~((~~\$17,535,000~~))~~ \$12,335,000 of the general fund—state appropriation for fiscal year 2024 and \$17,535,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 237, Laws of 2017 (paraeducators). Of the amounts provided in this subsection: ~~((~~\$16,873,000~~))~~ \$11,550,000 of the general fund—state appropriation for fiscal year 2024 and \$16,873,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to districts to provide two days of training per school year in the paraeducator certificate program to all paraeducators. Funds in this subsection are provided solely for reimbursement to school districts that provide paraeducators with two days of training in the paraeducator certificate program in each of the 2022-23 and 2023-24 school years. Funding provided in this subsection is sufficient for new paraeducators to receive four days of training in the paraeducator certificate program during their first year.

(6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$28,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the board to review national certification opportunities for educational staff associates through the relevant national associations for their profession and through the national board for professional teaching standards. The board must compare the standards and processes for achieving these certifications, including an analysis of how educational staff associate positions' national certification aligns with school roles and the professional expertise of school-based education staff associates. The board must submit the comparison report to the education committees of the legislature by October 1, 2024.

(7) \$147,000 of the general fund—state appropriation for fiscal year 2024 and \$158,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ~~((~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~))~~

(8) ~~((~~\$71,000~~))~~ \$35,000 of the general fund—state appropriation for fiscal year 2024 ~~((~~is~~))~~ and \$71,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the professional educator standards board and the paraeducator board to collaborate with the office of the superintendent of public instruction to ~~((~~report on a plan to~~))~~ align bilingual education and English language learner endorsement standards and to determine language assessment requirements for multilingual teachers and paraeducators as required in Third Substitute House Bill No. 1228 (dual & tribal language edu.). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse. ~~((~~The report is due to the legislature by September 1, 2023.~~))~~

(9) ~~((~~\$1,012,000~~))~~ \$877,000 of the general fund—state appropriation for fiscal year 2024 ~~((~~is~~))~~ and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the professional educator standards board, in coordination with the office of the superintendent of public instruction, to develop a teacher residency program through Western

Washington University focused on special education instruction beginning in the 2024-25 school year.

(10) \$23,000 of the general fund—state appropriation for fiscal year 2024 and \$23,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Fourth Substitute House Bill No. 1239 (educator ethics & complaints). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(11) \$14,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Fourth Substitute House Bill No. 1479 (student restraint, isolation). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 504.** 2023 c 475 s 504 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(\$9,765,637,000)
	\$9,758,912,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$10,027,638,000)
	\$9,781,529,000
Education Legacy Trust Account—State Appropriation. . . . .	(\$1,538,730,000)
	\$1,773,730,000
<b>TOTAL APPROPRIATION.....</b>	<b>(\$21,332,005,000)</b>
	<b>\$21,314,171,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2023-24 and 2024-25 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary allocations in sections 504 and 505 of this act, excluding (c) of this subsection.

(c) From July 1, 2023, to August 31, 2023, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 504 and 505, chapter 297, Laws of 2022, as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(e) (i) Funding provided in part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210.

(g) For the 2023-24 and 2024-25 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) **CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS**

Allocations for certificated instructional staff salaries for the 2023-24 and 2024-25 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c) (i) The superintendent shall base allocations for each level of prototypical school, including those at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c) (ii) of this subsection:

General education class size:

Grade	RCW 28A.150.260	2023-24	2024-25
		School Year	School Year

Grade K	17.00	17.00
Grade 1	17.00	17.00
Grade 2	17.00	17.00
Grade 3	17.00	17.00
Grade 4	27.00	27.00
Grades 5-6	27.00	27.00
Grades 7-8	28.53	28.53
Grades 9-12	28.74	28.74

The superintendent shall base allocations for: Laboratory science average class size as provided in RCW 28A.150.260; career and technical education (CTE) class size of 23.0; and skill center program class size of 19. Certificated instructional staff units provided for skills centers that exceed the minimum requirements of RCW 28A.150.260 achieve class size reductions under RCW 28A.400.007 and are part of the state's program of basic education.

(ii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iii) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260, as amended by chapter 109, Laws of 2022, and is considered certificated instructional staff.

(ii) For qualifying high-poverty schools in the 2023-24 school year, at which more than 50 percent of the students were eligible for free and reduced-price meals in the prior school year, in addition to the allocation under (d)(i) of this subsection, the superintendent shall allocate additional funding for guidance counselors for each level of prototypical school as follows:

	Elementary	Middle	High
Guidance counselors	0.166	0.166	0.157

(iii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

	2023-24 School Year	2024-25 School Year
Career and Technical Education	3.65	3.91
Skill Center	3.98	4.25

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2023-24 and 2024-25 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistant principals, and other certificated building level administrators:

Prototypical School Building:

Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors:

Career and Technical Education students. . . . .	1.025
Skill Center students. . . . .	1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2023-24 and 2024-25 school years are determined using the formula-generated staff units provided in RCW 28A.150.260 and pursuant to this subsection, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2023-24 and 2024-25 school years for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b) and the increased allocations provided pursuant to subsections (2) and (4) of this section, by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.48 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by ~~((12.30))~~ 12.31 percent in the 2023-24 school year and ~~((12.46))~~ 12.48 percent in the 2024-25 school year for career and technical education students, and ~~((17.62))~~ 17.64 percent in the 2023-24 school year and ~~((17.79))~~ 17.81 percent in the 2024-25 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 17.97 percent in the 2023-24 school year and ~~((17.97))~~ 18.15 percent in the 2024-25 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 22.06 percent in the 2023-24 school year and ~~((21.56))~~ 21.66 percent in the 2024-25 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the rates specified in section 506 of this act, based on the number of benefit units determined as follows: Except for nonrepresented employees of educational service districts, the number of calculated benefit units determined below. Calculated benefit units are staff units multiplied by the benefit allocation factors established in the collective bargaining agreement referenced in section 909 of this act. These factors are intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent employees may be calculated on the basis of 630 hours of work per year, with no individual employee counted as more than one full-time equivalent. The number of benefit units is determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section multiplied by 1.02; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.43.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$178.98	<del>((182.72))</del> <u>\$182.37</u>
Utilities and Insurance	<del>((416.26))</del> <u>\$430.26</u>	<del>((425.01))</del> <u>\$438.43</u>

Curriculum and Textbooks	\$164.48	(( <del>\$167.94</del> )) <u>\$167.61</u>
Other Supplies	\$326.54	(( <del>\$333.40</del> )) <u>\$332.74</u>
Library Materials	\$22.65	(( <del>\$23.13</del> )) <u>\$23.09</u>
Instructional Professional Development for Certificated and Classified Staff	(( <del>\$25.44</del> )) <u>\$28.94</u>	(( <del>\$25.97</del> )) <u>\$29.50</u>
Facilities Maintenance	\$206.22	(( <del>\$210.55</del> )) <u>\$210.13</u>
Security and Central Office	(( <del>\$142.87</del> )) <u>\$146.37</u>	(( <del>\$145.87</del> )) <u>\$149.15</u>
TOTAL MSOC/STUDENT FTE	(( <del>\$1,483.44</del> )) <u>\$1,504.44</u>	(( <del>\$1,514.59</del> )) <u>\$1,533.02</u>

(ii) For the 2023-24 school year and 2024-25 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (a)(ii)(A) of this subsection (8) exceeds (a)(ii)(B) of this subsection (8), any proposed use of this difference and how this use will improve student achievement.

~~((iii) Within the amount provided in (a)(i) of this subsection (8), allocations for MSOC technology in excess of RCW 28A.150.260 are not part of the state's basic education.))~~

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and ~~((~~\$1,760.84~~))~~ \$1,757.39 for the 2024-25 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and ~~((~~\$1,760.84~~))~~ \$1,757.39 for the 2024-25 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocations provided in (a) through (c) of this subsection at the following rate:

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$44.04	(( <del>\$44.97</del> )) <u>\$44.48</u>
Curriculum and Textbooks	\$48.06	(( <del>\$49.06</del> )) <u>\$48.97</u>
Other Supplies	\$94.07	(( <del>\$96.04</del> )) <u>\$95.86</u>
Library Materials	\$6.05	(( <del>\$6.18</del> )) <u>\$6.16</u>
Instructional Professional Development for Certificated and Classified Staff	\$8.01	(( <del>\$8.18</del> )) <u>\$8.16</u>
TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE	\$200.23	(( <del>\$204.43</del> )) <u>\$204.03</u>

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2023-24 and 2024-25 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2023, to August 31, 2023, are adjusted to reflect provisions of chapter 297, Laws of 2022, as amended (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through 28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.

(12) ALL DAY KINDERGARTEN PROGRAMS

\$670,803,000 of the general fund—state appropriation for fiscal year 2024 and \$869,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to fund all day kindergarten programs in all schools in the 2023-24 school year and 2024-25 school year, pursuant to RCW 28A.150.220 and 28A.150.315. Beginning in the 2023-24 school year, funding for students admitted early to kindergarten under exceptions to the uniform entry qualifications under RCW 28A.225.160 must be limited to children deemed to be likely to be "successful in kindergarten."

(13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f) (i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (13) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2024 and 2025 as follows:

(a) \$650,000 of the general fund—state appropriation for fiscal year 2024 and \$650,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(c) \$375,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to subsidize the cost of health care-based industry recognized credentials required for employment for students enrolled in health care courses in skill centers and comprehensive high school programs.

(16) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(17) Funding in this section is sufficient to fund a maximum of 1.2 FTE enrollment for career launch students pursuant to RCW 28A.700.130. Expenditures for this purpose must come first from the appropriations provided in section 501(5) of this act; funding for career launch enrollment exceeding those appropriations is provided in this section. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by January 1, 2024. The report must include the total FTE enrollment for career launch students, the FTE enrollment for career launch students that exceeded the appropriations provided in section 501(5) of this act, and the amount expended from this section for those students.

(18) (a) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.4 FTE including school district and institution of higher education enrollment consistent with the running start course requirements provided in chapter 202, Laws of 2015 (dual credit education opportunities). In calculating the combined 1.4 FTE, the office of the superintendent of public instruction:

(i) Must adopt rules to fund the participating student's enrollment in running start courses provided by the institution of higher education during the summer academic term; and

(ii) May average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and the institution of higher education.

(iii) In consultation with the state board for community and technical colleges, the participating institutions of higher education, the student achievement council, and the education data center, must annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(b) \$1,000 of the general fund—state appropriation for fiscal year 2024 is provided for implementation of Second Substitute House Bill No. 1316 (dual credit program access).

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (13) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (13) of this section shall be reduced in increments of twenty percent per year.

(20)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed the lesser of five percent or the cap established in federal law of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

(21) Funding in this section is sufficient to provide full general apportionment payments to school districts eligible for federal forest revenues as provided in RCW 28A.520.020. For the 2023-2025 biennium, general apportionment payments are not reduced for school districts receiving federal forest revenues.

(22) \$15,897,000 of the general fund—state appropriation for fiscal year 2024 and \$20,780,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 2494 (school operating costs). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 505.** 2023 c 475 s 505 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION**

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.260, and under section 504 of this act: For the 2023-24 school year and the 2024-25 school year salary allocations for certificated instructional staff, certificated administrative staff, and classified staff units are determined for each school district by multiplying the statewide minimum salary allocation for each staff type by the school district's regionalization factor shown in LEAP Document 3.

Statewide Minimum Salary Allocation

Staff Type	2023-24 School Year	2024-25 School Year
Certificated Instructional	\$75,419	( <del>(\$78,360)</del> \$78,209
Certificated Administrative	\$111,950	( <del>(\$116,316)</del> \$116,092
Classified	\$54,103	( <del>(\$56,213)</del> \$56,105

(2) For the purposes of this section, "LEAP Document 3" means the school district regionalization factors for certificated instructional, certificated administrative, and classified staff, as developed by the legislative evaluation and accountability program committee on ~~((April 20, 2023, at 6:09))~~ February 16, 2024, at 11:16 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 17.33 percent for school year 2023-24 and ~~((17.33))~~ 17.51 percent for school year 2024-25 for certificated instructional and certificated administrative staff and 18.56 percent for school year 2023-24 and ~~((18.06))~~ 18.16 percent for the 2024-25 school year for classified staff.

(4) The salary allocations established in this section are for allocation purposes only except as provided in this subsection, and do not entitle an individual staff position to a particular paid salary except as provided in RCW 28A.400.200, as amended by chapter 13, Laws of 2017 3rd sp. sess. (fully funding the program of basic education).

**Sec. 506.** 2023 c 475 s 506 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$391,668,000)</del> \$390,256,000
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$871,433,000)</del> \$886,333,000
<b>TOTAL APPROPRIATION</b> .....	<b>(<del>(\$1,263,101,000)</del> \$1,276,589,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The salary increases provided in this section are 3.7 percent for the 2023-24 school year, and ~~((3.9))~~ 3.7 percent for the 2024-25 school year, the annual inflationary adjustments pursuant to RCW 28A.400.205.



(2)(a) In addition to salary allocations, the appropriations in this section include funding for professional learning as defined in RCW 28A.415.430, 28A.415.432, and 28A.415.434. Funding for this purpose is calculated as the equivalent of three days of salary and benefits for each of the funded full-time equivalent certificated instructional staff units. Nothing in this section entitles an individual certificated instructional staff to any particular number of professional learning days.

(b) Of the funding provided for professional learning in this section, the equivalent of one day of salary and benefits for each of the funded full-time equivalent certificated instructional staff units in the 2023-24 school year must be used to train school district staff on cultural competency, diversity, equity, or inclusion, as required in chapter 197, Laws of 2021.

(3)(a) The appropriations in this section include associated incremental fringe benefit allocations at 17.33 percent for the 2023-24 school year and ~~((17.33))~~ 17.51 percent for the 2024-25 school year for certificated instructional and certificated administrative staff and 18.56 percent for the 2023-24 school year and ~~((18.06))~~ 18.16 percent for the 2024-25 school year for classified staff.

(b) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocations and methodology in sections 504 and 505 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 504 and 505 of this act. Changes for pupil transportation are determined by the superintendent of public instruction pursuant to RCW 28A.160.192, and impact compensation factors in sections 504, 505, and 506 of this act.

(c) The appropriations in this section include no salary adjustments for substitute teachers.

(4) The appropriations in this section are sufficient to fund the collective bargaining agreement referenced in part 9 of this act and reflect the incremental change in cost of allocating rates as follows: For the 2023-24 school year, \$1,100 per month and for the 2024-25 school year, ~~((1,157))~~ \$1,178 per month.

(5) The rates specified in this section are subject to revision each year by the legislature.

(6) \$46,426,000 of the general fund—state appropriation for fiscal year 2024 and \$211,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 50, Laws of 2023.

(7) \$5,155,000 of the general fund—state appropriation for fiscal year 2024 and \$12,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$104,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Fourth Substitute House Bill No. 1479 (student restraint, isolation). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(9) \$1,864,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2180 (special education cap). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 507.** 2023 c 475 s 507 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$763,749,000</del> ))
	<u>\$803,792,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$762,332,000</del> ))
	<u>\$809,877,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,526,081,000</del>))</b>
	<b><u>\$1,613,669,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 507, chapter 297, Laws of 2022, as amended.

(3) Within amounts appropriated in this section, up to \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and up to \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are for a transportation alternate funding grant program based on the alternate funding process established in RCW 28A.160.191. The superintendent of

public instruction must include a review of school district efficiency rating, key performance indicators and local school district characteristics such as unique geographic constraints in the grant award process.

(4) A maximum of \$939,000 of the general fund—state appropriation for fiscal year 2024 and a maximum of \$939,000 of the general fund—state appropriation for fiscal year 2025 may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(5) Subject to available funds under this section, school districts may provide student transportation for summer skills center programs.

(6) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(7) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(8) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

(9)(a) \$13,000,000 of the general fund—state appropriation for fiscal year 2024 and \$13,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to provide transportation safety net funding to school districts with a convincingly demonstrated need for additional transportation funding for special passengers. Transportation safety net awards shall only be provided when a school district's allowable transportation expenditures attributable to serving special passengers exceeds the amount allocated under subsection (2)(a) of this section and any excess transportation costs reimbursed by federal, state, tribal, or local child welfare agencies. A transportation safety net award may not exceed a school district's excess expenditures directly attributable to serving special passengers in the pupil transportation program.

(b) To be eligible for additional transportation safety net award funding, the school district must report, in accordance with statewide accounting guidance, the amount of the excess costs and the specific activities or services provided to special passengers that created the excess costs. The office of the superintendent of public instruction must request from school districts an application for transportation safety net funding. The office must submit to the office of financial management, and to the education and fiscal committees of the legislature, the total demonstrated need and awards by school district.

(c) Transportation safety net awards allocated under this subsection are not part of the state's program of basic education.

(10) \$425,000 of the of the general fund—state appropriation for fiscal year 2025 is provided solely for supplemental transportation allocations for pupil transportation services contractor benefits as described in Engrossed Substitute House Bill No. 1248 (pupil transportation). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 508.** 2023 c 475 s 508 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SCHOOL FOOD SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$33,334,000</del> ))
	\$55,929,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$79,857,000</del> ))
	\$102,452,000
General Fund—Federal Appropriation. . . . .	(( <del>\$573,104,000</del> ))
	\$925,799,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$686,295,000</del>))</b>
	<b>\$1,084,180,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$11,548,000 of the general fund—state appropriation for fiscal year 2024 and \$11,548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(a) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades pre-kindergarten through twelfth grades who are eligible for reduced-price lunch as required in chapter 74, Laws of 2021 (reduced-price lunch copays);

(b) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(c) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced-price lunch, pursuant to chapter 287, Laws of 2005; and

(d) Assistance to school districts in initiating and expanding school breakfast programs.

(2) The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in subsection (1)(a) through (c) of this section.

(3) The superintendent of public instruction shall provide the department of health with the following data, where available, for all nutrition assistance programs that are funded by the United States department of agriculture and administered by the office of the superintendent of public instruction. The superintendent must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(4) (a) ~~(((\$21,167,000))~~ \$43,762,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$52,167,000))~~ \$74,762,000 of the general fund—state appropriation for fiscal year 2025, and \$28,500,000 of the general fund—federal appropriation (CRRSA) are provided solely for reimbursements to school districts for schools and groups of schools required to participate in the federal community eligibility program under section 1, chapter 7, Laws of 2022 (schools/comm. eligibility) for meals not reimbursed at the federal free meal rate.

(b) \$119,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 271, Laws of 2018 (school meal payment) to increase the number of schools participating in the federal community eligibility program and to support breakfast after the bell programs authorized by the legislature that have adopted the community eligibility provision, and for staff at the office of the superintendent of public instruction to implement section 1, chapter 7, Laws of 2022 (schools/comm. eligibility).

(5) ~~(((\$7,426,000))~~ \$6,000,000 of the general fund—federal appropriation (CRRSA/GEER) and \$16,023,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1238 (free school meals). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse-))~~

**Sec. 509.** 2023 c 475 s 509 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$1,719,541,000)) \$1,807,245,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$1,789,729,000)) \$1,927,985,000
General Fund—Federal Appropriation . . . . .	(((\$529,429,000)) \$664,372,000
Education Legacy Trust Account—State Appropriation . . . . .	\$54,694,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$4,093,393,000)) \$4,454,296,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 504 and 506 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2)(a) The superintendent of public instruction shall ensure that:

- (i) Special education students are basic education students first;
- (ii) As a class, special education students are entitled to the full basic education allocation; and
- (iii) Special education students are basic education students for the entire school day.

(b)(i) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006, except as provided in (b)(ii) of this subsection.

(ii) The superintendent of public instruction shall implement any changes to excess cost accounting methods required under Engrossed Substitute House Bill No. 1436 (special education funding).

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW

28A.150.390, except that the calculation of the base allocation also includes allocations provided under section 504 (2) and (4) of this act and RCW 28A.150.415, which enhancement is within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school district programs for special education students as provided in section 509, chapter 297, Laws of 2022, as amended.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund—state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 15 percent in the 2023-24 school year, and the lesser of the district's actual enrollment percent or 17.25 percent in the 2024-25 school year.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) (~~(\$106,931,000)~~) \$151,047,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$112,431,000)~~) \$151,047,000 of the general fund—state appropriation for fiscal year 2025, and \$29,574,000 of the general fund—federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2023-24 and 2024-25 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (education).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$1,250,000 may be expended from the general fund—state appropriations to fund teachers and aides at Seattle children's hospital. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$87,000 of the general fund—state appropriation for fiscal year 2024, \$87,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

(12) (a) \$13,538,000 of the general fund—federal appropriation (ARPA) is provided solely for allocations from federal funding as authorized in section 2014, the American rescue plan act of 2021, P.L. 117-2.

(b) \$1,777,000 of the general fund—federal appropriation (ARPA) is provided solely for providing preschool services to qualifying special education students under section 619 of the federal individuals with disabilities education act, pursuant to section 2002, the American rescue plan act of 2021, P.L. 117-2.

(13) \$153,091,000 of the general fund—state appropriation for fiscal year 2024 and \$199,246,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(14) \$26,456,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the special education enrollment funding cap as required in Substitute House Bill No. 2180 (special education cap). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15) \$2,877,000 of the general fund—state appropriation for fiscal year 2024 and \$3,818,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 2494 (School operating costs). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 510.** 2023 c 475 s 510 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$40,799,000</del> ))
	<u>\$41,625,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$35,780,000</del> ))
	<u>\$41,509,000</u>
Workforce Education Investment Account—State Appropriation . . . . .	\$2,700,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$79,279,000</del>))</b>
	<b><u>\$85,834,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) Funding in this section is provided for regional professional development related to English language arts curriculum and instructional strategies aligned with common core state standards. Each educational service district shall use this funding solely for salary and benefits for certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(4) Funding in this section is provided for regional technical support for the K-20 telecommunications network to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(5) Funding in this section is provided for a corps of nurses located at the educational service districts, to be dispatched in coordination with the office of the superintendent of public instruction, to provide direct care to students, health education, and training for school staff. In fiscal years 2024 and 2025, allocations for the corps of nurses is sufficient to provide one day per week of nursing services for all second-class school districts.

(6) Funding in this section is provided for staff and support at the nine educational service districts to provide a network of support for school districts to develop and implement comprehensive suicide prevention and behavioral health supports for students.

(7) Funding in this section is provided for staff and support at the nine educational service districts to provide assistance to school districts with comprehensive safe schools planning, conducting needs assessments, school safety and security trainings, coordinating appropriate crisis and emergency response and recovery, and developing threat assessment and crisis intervention teams. In fiscal years 2024 and 2025, allocations for staff and support for regional safety centers are increased to 3 full-time equivalent certificated instructional staff for each regional safety center.

(8) Funding in this section is provided for regional English language arts coordinators to provide professional development of teachers and principals around the new early screening for dyslexia requirements.

(9) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

(10) \$2,169,000 of the general fund—state appropriation for fiscal year 2024 and \$2,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each educational service district to provide technology consultation, procurement, and training required under chapter 301, Laws of 2021 (schools/computers & devices).

(11) ((~~\$1,009,000~~)) \$1,834,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$1,009,000~~)) \$1,930,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 87, Laws of 2022 (ed. service district funding).

(12) \$2,700,000 of the workforce education investment account—state appropriation is provided solely for the cost of employing one full-time equivalent employee at each of the nine education service districts to support the expansion of career connected learning.

(13) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts to provide students attending school in rural areas with access to a mental health professional using telemedicine. Funding must be prioritized to districts where mental health services are inadequate or nonexistent due to geographic constraints. Funding may be used for schools or school districts for technology upgrades to provide secure

access for students, for contracted services, or to pay applicable copays or fees for telemedicine visits if not covered by a student's public or private insurance.

(14) \$325,000 of the general fund—state appropriation for fiscal year 2024 and \$325,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound educational service district 121 to administer a Washington state capitol civic engagement grant program for the Auburn, Federal Way, Highline, Kent, Renton, and Tukwila public school districts. Grant recipients must use the grant awards to transport one grade of either fourth or fifth grade students to the Washington state capitol campus for a day of civic engagement, which may include a capitol tour, mock legislative committee hearings, presentations on the legislative process, meet and greets with legislative members, and other related activities. If funding remains after all eligible school districts have received grant awards, the remaining funding may be used to support the program for high school students within the eligible school districts. Of the amounts provided in this subsection, \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000 of the general fund—state appropriation for fiscal year 2025 are provided for the Puget Sound educational service district to administer the grant program.

(15) ~~\$5,000,000~~ of the general fund—state appropriation for fiscal year 2024 ~~((+))~~ and ~~\$1,200,000~~ of the general fund—state appropriation for fiscal year 2025 are provided solely to continue behavioral health regional services grants to support school districts with the least access to behavioral health services.

(16) \$2,800,000 of the general fund—state appropriation for fiscal year 2024 and \$2,800,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the educational service districts to expand and maintain student behavioral health and mental health services.

(17) \$643,000 of the general fund—state appropriation for fiscal year 2024 and \$643,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts 121 and 101 to coordinate with local mental health agencies and local school districts to arrange for in-school placements of social worker associates licensed under RCW 18.225.145 and masters in social work candidates enrolled in an accredited university program who commit to working as school social workers, and to coordinate clinical supervision for approved supervisors that meet the requirements as defined in rule by the department of health to provide the necessary supervision to the social worker associates and masters in social work candidates.

(18) Amounts appropriated in this section include funding for staff at the nine educational service districts for prekindergarten through third grade system navigators in order to expand capacity at the educational service districts to help school districts and families navigate and access: (a) The continuum of preschool options, including inclusive preschool programs; (b) the early childhood education and assistance program; and (c) transition to kindergarten programs established in chapter 420, Laws of 2023 (transition to kindergarten). The system navigators must engage with early learning partners and providers to align, coordinate, and build complementary local systems of coordinated recruitment and enrollment for mixed delivery early learning programs.

(19) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for educational service district 112 to offer a teacher residency program during the 2024-25 school year.

(20) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for educational service district 112 to support a therapeutic educational program for students in Clark, Cowlitz, and Skamania counties.

(21) \$1,394,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for regional coaches at the nine educational service districts to implement Engrossed Fourth Substitute House Bill No. 1479 (student restraint, isolation). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 511.** 2023 c 475 s 511 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$215,327,000</del> ))
	\$213,689,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$211,159,000</del> ))
	\$211,467,000
TOTAL APPROPRIATION . . . . .	(( <del>\$426,486,000</del> ))
	\$425,156,000

**Sec. 512.** 2023 c 475 s 512 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$14,899,000</del> ))
	\$16,143,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$14,635,000</del> ))
	\$16,745,000
TOTAL APPROPRIATION . . . . .	(( <del>\$29,534,000</del> ))
	\$32,888,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund—state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution's annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$701,000 of the general fund—state appropriation for fiscal year 2024 and \$701,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Within the amounts provided in this section, funding is provided to increase the capacity of institutional education programs to differentiate instruction to meet students' unique educational needs, including students with individualized educational plans. Those needs may include but are not limited to one-on-one instruction, enhanced access to counseling for social emotional needs of the student, and services to identify the proper level of instruction at the time of student entry into the facility. Allocations of amounts for this purpose in a school year must be based on 45 percent of full-time enrollment in institutional education receiving a differentiated instruction amount per pupil equal to the total statewide allocation generated by the distribution formula under RCW 28A.150.260 (4) (a), (5), (6), and (8) and the allocation under RCW 28A.150.415, per the statewide full-time equivalent enrollment in common schools.

(7) \$200,000 of the general fund—state appropriation in fiscal year 2024 and \$200,000 of the general fund—state appropriation in fiscal year 2025 are provided solely to support two student records coordinators to manage the transmission of academic records for each of the long-term juvenile institutions. One coordinator is provided for each of the following: The Issaquah school district for the Echo Glen children's center and for the Chehalis school district for Green Hill academic school.

(8) Ten percent of the funds allocated for the institution may be carried over from one year to the next.

(9) \$588,000 of the general fund—state appropriation for fiscal year 2024 and \$897,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one educational advocate to each institution with enrollments above 40 full-time equivalent students in addition to any educational advocates supported by federal funding. Educational advocates will provide the following supports to students enrolled in or just released from institutional education programs:

(a) Advocacy for institutional education students to eliminate barriers to educational access and success;

(b) Consultation with juvenile rehabilitation staff to develop educational plans for and with participating youth;

(c) Monitoring educational progress of participating students;

(d) Providing participating students with school and local resources that may assist in educational access and success upon release from institutional education facilities; and

(e) Coaching students and caregivers to advocate for educational needs to be addressed at the school district upon return to the community.

(10) Within the amounts provided in this section, funding is provided to increase materials, supplies, and operating costs by \$85 per pupil for technology supports for institutional education programs. This funding is in addition to general education materials, supplies, and operating costs provided to institutional education programs, which exclude formula costs supported by the institutional facilities.

(11) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support instruction in cohorts of students grouped by similar age and academic levels.

(12) \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 2494 (school operating costs). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 513.** 2023 c 475 s 513 (uncodified) is amended to read as follows:

<b>FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS</b>	
General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$33,233,000</del> ))
	\$33,171,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$32,990,000</del> ))

	<u>\$32,995,000</u>
TOTAL APPROPRIATION.....	(( <del>\$66,223,000</del> ))
	<u>\$66,166,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) (a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c) except that allocations must be based on 5.0 percent of each school district's full-time equivalent enrollment. In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the compensation rates as provided in sections 505 and 506 of this act.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 513, chapter 297, Laws of 2022, as amended.

**Sec. 514.** 2023 c 475 s 514 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR MISCELLANEOUS—EVERY STUDENT SUCCEEDS ACT**

General Fund—Federal Appropriation. . . . .	(( <del>\$9,802,000</del> ))
	<u>\$11,416,000</u>
TOTAL APPROPRIATION.....	(( <del>\$9,802,000</del> ))
	<u>\$11,416,000</u>

**Sec. 515.** 2023 c 475 s 515 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—EDUCATION REFORM PROGRAMS**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$139,296,000</del> ))
	<u>\$132,050,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$141,513,000</del> ))
	<u>\$147,119,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$95,825,000</del> ))
	<u>\$97,181,000</u>
General Fund—Private/Local Appropriation. . . . .	\$1,450,000
Education Legacy Trust Account—State Appropriation. . . . .	\$1,664,000
TOTAL APPROPRIATION.....	(( <del>\$379,748,000</del> ))
	<u>\$379,464,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ACCOUNTABILITY

(a) \$26,975,000 of the general fund—state appropriation for fiscal year 2024, \$26,975,000 of the general fund—state appropriation for fiscal year 2025, \$1,350,000 of the education legacy trust account—state appropriation, and \$15,868,000 of the general fund—federal appropriation are provided solely for development and implementation of the Washington state assessment system.

(b) \$14,352,000 of the general fund—state appropriation for fiscal year 2024 and \$14,352,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 159, Laws of 2013 (K-12 education - failing schools).

(2) EDUCATOR CONTINUUM

(a) ((~~\$75,317,000~~))\$68,070,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$77,424,000~~))\$77,623,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(i) For national board certified teachers, a bonus of \$6,206 per teacher in the 2023-24 school year and a bonus of ((~~\$6,336~~))\$6,324 per teacher in the 2024-25 school year;

(ii) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(iii) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(iv) During the 2023-24 and 2024-25 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a



conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary allocation and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after fully exhausting all years of candidacy as set by the national board for professional teaching standards are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(b) \$3,418,000 of the general fund—state appropriation for fiscal year 2024 and \$3,418,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(c) ~~\$477,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(\$477,000)~~ \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(d) \$810,000 of the general fund—state appropriation for fiscal year 2024 and \$810,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(e) \$11,500,000 of the general fund—state appropriation for fiscal year 2024 and \$11,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a beginning educator support program (BEST). The program shall prioritize first year educators in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning educator aligned with professional certification; release time for mentors and new educators to work together; and educator observation time with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support first year educators in the mentoring program.

(f) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of training for teachers, principals, and principal evaluators in the performance-based teacher principal evaluation program.

(g) \$3,832,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with an approved educator preparation program run by a statewide labor organization representing educators to fund three cohorts of teacher residents. This program shall choose its candidates from among the paraeducators working in those districts. Through completing this program, participants shall attain a teaching certification with an endorsement in special education.

(h) \$621,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with a statewide labor association that represents educators to provide a suite of supports and professional development opportunities for 15,000 emergency substitute teachers.

(i) \$720,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to conduct a feasibility study on the costs and timeline for developing a database and tool to identify real-time and future educator workforce shortages.

**Sec. 516.** 2023 c 475 s 516 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$236,993,000)) \$249,957,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$236,173,000)) \$260,599,000
General Fund—Federal Appropriation . . . . .	(((\$107,124,000)) \$137,117,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$580,290,000))</b>

\$647,673,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) (a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10) (b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through six and 6.7780 hours per week per transitional bilingual program student in grades seven through twelve in school years 2023-24 and 2024-25; (ii) additional instruction of 3.0000 hours per week in school years 2023-24 and 2024-25 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the compensation rates as provided in sections 505 and 506 of this act. Pursuant to RCW 28A.180.040(1)(g), the instructional hours specified in (a) (ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 516, chapter 297, Laws of 2022, as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: ((1.75)) 1.64 percent for school year 2023-24 and ((1.74)) 1.57 percent for school year 2024-25.

(4) The general fund—federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund—state appropriation for fiscal year 2024 and \$35,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to track current and former transitional bilingual program students.

(6) \$1,461,000 of the general fund—state appropriation in fiscal year 2024 and \$1,916,000 of the general fund—state appropriation in fiscal year 2025 are provided solely for the central provision of assessments as provided in RCW 28A.180.090, and is in addition to the withholding amounts specified in subsection (3) of this section.

**Sec. 517.** 2023 c 475 s 517 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE LEARNING ASSISTANCE PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$467,338,000</del> ))
	<u>\$484,953,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$466,985,000</del> ))
	<u>\$491,565,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$533,487,000</del> ))
	<u>\$636,543,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,467,810,000</del>))</b>
	<b><u>\$1,613,061,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) (i) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a). In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2023-24 and 2024-25 school years; (B) additional instruction of 1.1 hours per week per funded learning assistance program student for the 2023-24 and 2024-25 school years in qualifying high-poverty school building; (C) fifteen learning assistance program students per teacher; (D) 36 instructional weeks per year; (E) 900 instructional hours per teacher; and (F) the compensation rates as provided in sections 505 and 506 of this act.

(ii) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 517, chapter 297, Laws of 2022, as amended.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the school year period defined under RCW 28A.150.260(10)(a). A school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund—federal appropriation in this section is provided for Title I Part A allocations of the every student succeeds act of 2016.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) Within existing resources, during the 2023-24 and 2024-25 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

**Sec. 518.** 2023 c 475 s 518 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—PER PUPIL ALLOCATIONS**

Statewide Average Allocations Per Annual Average Full-Time Equivalent Student		
Basic Education Program	2023-24 School Year	2024-25 School Year
General Apportionment	<del>(( \$10,329 ))</del> <u>\$10,322</u>	<del>(( \$10,814 ))</del> <u>\$10,825</u>
Pupil Transportation	<del>(( \$725 ))</del> <u>\$783</u>	<del>(( \$745 ))</del> <u>\$803</u>
Special Education Programs	<del>(( \$11,960 ))</del> <u>\$12,237</u>	<del>(( \$12,495 ))</del> <u>\$12,715</u>
Institutional Education Programs	<del>(( \$26,938 ))</del> <u>\$25,779</u>	<del>(( \$27,909 ))</del> <u>\$27,312</u>
Programs for Highly Capable Students	<del>(( \$648 ))</del> <u>\$647</u>	<del>(( \$674 ))</del> <u>\$675</u>
Transitional Bilingual Programs	<del>(( \$1,555 ))</del> <u>\$1,571</u>	<del>(( \$1,591 ))</del> <u>\$1,622</u>
Learning Assistance Program	<del>(( \$1,008 ))</del> <u>\$1,109</u>	<del>(( \$1,049 ))</del> <u>\$1,052</u>

**Sec. 519.** 2023 c 475 s 519 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocation purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) When adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, except as provided in ~~((subsection))~~ subsections (6) and (7) of this section.

(4) Appropriations in sections 504 and 506 of this act for insurance benefits under chapter 41.05 RCW are provided solely for the superintendent to allocate to districts for employee health benefits as provided in section 909 of this act. The superintendent may not allocate, and districts may not expend, these amounts for any other purpose beyond those authorized in section 909 of this act.

(5) As required by RCW 28A.710.110, the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

(6) By January 15, 2024, the office of the superintendent of public instruction must identify funding in this Part V from the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection (f), the American rescue plan act of 2021, P.L. 11 117-2 and general fund—federal appropriation (CRRSA/GEER) that are provided solely for the purposes defined in sections 507, 522, and 523 of this act and are at risk of being unobligated or unspent by federal deadlines, as of January 15, 2024. Funding identified at risk under this subsection must be reported to the fiscal committees of

the legislature and expended as allocations to school districts in the same proportion as received under part A of title I of the elementary and secondary education act of 1965 in the most recent fiscal year.

(7) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, 2024, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year 2024 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment; employee compensation adjustments; pupil transportation; special education programs; institutional education programs; transitional bilingual programs; highly capable programs; and learning assistance programs.

(8) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

**Sec. 520.** 2023 c 475 s 520 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR CHARTER SCHOOLS**

Washington Opportunity Pathways Account—State

Appropriation. . . . .	(((\$184,721,000))
	<u>\$178,349,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$184,721,000))</b>
	<b><u>\$178,349,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW. Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond the amounts provided under chapter 28A.710 RCW.

(2) \$3,293,000 of the opportunity pathways account—state appropriation is provided solely for implementation of chapter 50, Laws of 2023 (K-12 inflationary increases).

(3) \$1,421,000 of the opportunity pathways account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$223,000 of the opportunity pathways account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2494 (school operating costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(5) \$162,000 of the opportunity pathways account—state appropriation is provided solely for implementation of Substitute House Bill No. 2180 (special education cap). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(6) \$7,815,000 of the opportunity pathways account—state appropriation is provided solely for payment for enrichment to charter schools.

**Sec. 521.** 2023 c 475 s 521 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION**

Washington Opportunity Pathways Account—State

Appropriation. . . . .	(((\$23,000))
	<u>\$640,000</u>

Charter Schools Oversight Account—State

Appropriation. . . . .	(((\$4,572,000))
	<u>\$4,571,000</u>

<b>TOTAL APPROPRIATION.....</b>	<b>(((\$4,595,000))</b>
	<b><u>\$5,211,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire Washington opportunity pathways account—state appropriation in this section is provided to the superintendent of public instruction solely for the operations of the Washington state charter school commission under chapter 28A.710 RCW.

(2) \$28,000 of the charter schools oversight account—state appropriation is provided solely to the Washington state charter school commission to enable each charter school to participate in the governance training required under chapter 197, Laws of 2021 (schools/equity training).

(3) \$238,000 of the charter schools oversight account—state appropriation is provided solely for office of the attorney general legal services related to litigation challenging the commission's authority to oversee and regulate charter schools.

**Sec. 522.** 2023 c 475 s 522 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GRANTS AND PASS THROUGH FUNDING**

General Fund—State Appropriation (FY 2024). . . . . (((\$85,370,000))

	\$85,505,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$81,400,000</del> ))
	<u>\$84,361,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$111,255,000</del> ))
	<u>\$113,347,000</u>
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
<u>Appropriation. . . . .</u>	<u>\$905,000</u>
Elementary and Secondary School Emergency Relief III	
Account—Federal Appropriation. . . . .	\$897,895,000
<u>Workforce Education Investment Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$900,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$1,175,920,000</del>))</b>
	<b><u>\$1,182,913,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$132,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$162,000~~))~~ \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for global compensation changes.

(2) GRADUATION SUCCESS AND PREPARATION FOR POSTSECONDARY PATHWAYS

(a) \$4,894,000 of the general fund—state appropriation for fiscal year 2024 and \$4,894,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer programs and grants which increase equitable access to dual credit programs, including subsidizing or eliminating student costs for dual credit courses or exams. By November 2024, the office shall submit a report to relevant committees of the legislature describing options for entering into statewide agreements with dual credit exam companies that will reduce the overall costs for all students and eliminate costs for students who are low income.

(b) \$3,152,000 of the general fund—state appropriation for fiscal year 2024 and \$3,152,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008, including parts of programs receiving grants that serve students in grades four through six. If equally matched by private donations, \$1,475,000 of the 2024 appropriation and \$1,475,000 of the 2025 appropriation shall be used to support FIRST robotics programs in grades four through twelve. Of the amounts provided in this subsection (2)(b), \$800,000 of the fiscal year 2024 appropriation and \$800,000 of the fiscal year 2025 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(c) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2024, a high school must have offered a foundational project lead the way course during the 2022-23 school year. The 2024 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2023-24 school year. To be eligible for funding in 2025, a high school must have offered a foundational project lead the way course during the 2023-24 school year. The 2025 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2024-25 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(e) \$2,527,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~ \$2,527,000 of the general fund—state appropriation for fiscal year 2025, and \$500,000 of the workforce education investment account—state appropriation are provided solely for annual startup, expansion, or maintenance of core plus programs in maritime, construction, and aerospace and advanced manufacturing programs. To be eligible for funding to start up, maintain, or expand programs under (e)(i) through (iii) of this subsection (2), the skills center, high school, or middle school must be selected through a grant process administered by the office of the superintendent of public instruction in consultation with the advisory committee established in (e)(vi) of this subsection (2). The office and the education research and data center shall report annually student participation and long-term outcome data. Within the amounts provided in this subsection (2)(e):

(i) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in aerospace and advanced manufacturing programs.

(ii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants

for the annual startup, expansion, or maintenance of core plus programs in construction programs.

(iii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in maritime programs.

(iv) \$400,000 of the workforce education investment account—state appropriation is provided solely for the implementation of Second Substitute House Bill No. 2236 (tech ed. core plus programs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection (2) (e) (iv) shall lapse.

(v) For (e) (i) through ~~((iii))~~ (iv) of this subsection (2), when the grant demand does not align with the specified allocation, the superintendent may allocate funding toward sector areas that meet criteria based on agreement from industry sector representatives.

~~((v))~~ (vi) (A) \$527,000 of the general fund—state appropriation for fiscal year 2024 and \$527,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer, evaluate, and promote programs under (e) (i) through ~~((iii))~~ (iv) of this subsection (2) based on industry sector recommendations, including contracts with sector-specific entities to expand sector-specific employer engagement programs, increase work placement opportunities, validate credentials necessary for direct employment, and provide professional development to support schools, teachers, and students. Professional development must include pedagogy-based learning to increase English language arts, mathematics, and science outcomes through core plus programming.

(B) \$100,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 2236 (tech ed. core plus programs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection (2) (e) (vi) (B) shall lapse.

~~((vi))~~ (vii) The office shall collaborate with industry sector leadership from the core plus program areas and a representative from a statewide business and manufacturing association to inform the administration and continual improvement of core plus programs, review data and outcomes, recommend program improvements, ensure core plus programs reflect current industry competencies, and identify appropriate program credentials.

(f) \$4,940,000 of the general fund—state appropriation for fiscal year 2024 and \$4,940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(g) \$1,454,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(h) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an education and workforce pathway pilot program at the northwest career and technical academy. The pilot program will oversee a pathway including high schools, skills centers, community and technical colleges, and employers that results in students earning a high school diploma and an associate in technical arts degree, while maintaining summer employment.

(i) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to distribute after-exit running start grants ~~((to school))~~ for:

(i) School districts that identify running start students that have exceeded maximum enrollment under running start formulas ~~((and high))~~;

(ii) High school graduates who have 15 or fewer college credits to earn before meeting associate degree requirements for instruction not funded under section 504(18) of this act. High school graduates who meet these requirements are eligible to receive funds from these grants for fees to the community and technical college to earn up to 15 college credits during the summer academic term following their high school graduation; and

(iii) School districts to apply an enhanced factor of 130 percent to the running start rate under RCW 28A.600.310 for students included in July and August enrollment counts in school year 2023-24. Of the amounts provided in this subsection, \$347,000 of the general fund—state appropriation for fiscal year 2025 is provided for the office to enhance the running start rate as described in this subsection (2) (i) (iii). The office must apply the enhanced summer running start rate in this subsection for students eligible to take summer running start courses under this subsection and under section 504(18) of this act, and grant school districts seven percent thereof to offset program related costs.

(j) \$2,094,000 of the general fund—state appropriation for fiscal year 2024 and \$2,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the competitive grant program created in Engrossed Second Substitute Senate Bill No. 5582

(nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(k) \$125,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$125,000)~~\$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the West Sound STEM Network to increase STEM activities for students in school and after school and to develop industry education pathways in high demand sectors. Of the amounts provided in this subsection, \$425,000 of the general fund—state appropriation for fiscal year 2025 is for the West Sound STEM Network, in collaboration with the Mid-Columbia STEM Network, to launch STEM career role model experiences.

(l) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with a nongovernmental entity for a controls programmer apprenticeship program.

(m) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a skill center located in Vancouver, Washington to support the center's criminal justice and fire science programs.

(n) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to conduct summer open doors pilots with up to 12 dropout reengagement programs to support summer programming. To select pilot participants, the office must prioritize schools and programs that work with postresident youth as defined in RCW 28A.190.005. Amounts provided in this subsection must be used to support programming during the summer months and are in addition to funding generated by enrollment under state funding formulas.

(o) \$400,000 of the workforce education investment account—state appropriation is provided solely for the Federal Way school district to contract with an organization to offer state-recognized apprenticeship preparation program opportunities for all high school students in south King county in the summer. The organization must have prior experience working with school districts and must provide quality training, employment navigation, and supportive services that lead to family wage careers. The program must support at least two cohorts of students each summer, and the organization must provide stipends to students participating in state-recognized apprenticeship preparation programs during the summer months.

### (3) CURRICULUM DEVELOPMENT, DISSEMINATION, AND SUPPORTS

(a) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project citizen and we the people: The citizen and the constitution programs sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle and high school students. Of the amounts provided, \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for awarding a travel grant to the winner of the we the people: The citizen and the constitution state competition.

(b) \$373,000 of the general fund—state appropriation for fiscal year 2024 and \$373,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 127, Laws of 2018 (civics education). Of the amounts provided in this subsection (3)(b), \$10,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grant programs to school districts to help cover travel costs associated with civics education competitions.

(c) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional development for districts implementing the new frameworks.

(d) Within the amounts appropriated in this section the office of the superintendent of public instruction shall ensure career and technical education courses are aligned with high-demand, high-wage jobs. The superintendent shall verify that the current list of career and technical education courses meets the criteria established in RCW 28A.700.020(2). The superintendent shall remove from the list any career and technical education course that no longer meets such criteria.

(e) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide grants to school districts and educational service districts for science teacher training in the next generation science standards including training in the climate science standards. At a minimum, school districts shall ensure that teachers in one grade level in each elementary, middle, and high school participate in this science training. Of the amount appropriated \$1,000,000 is provided solely for community-based nonprofits including tribal education organizations to partner with public schools for next generation science standards.

(f) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Kip

Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities, including instructional material purchases, teacher and principal professional development, and school and community engagement events. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(h) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(i) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction must use the computer science learning standards adopted pursuant to chapter 3, Laws of 2015 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. The office of the superintendent of public instruction may award up to \$500,000 each year, without a matching requirement, to districts with greater than fifty percent of students eligible for free and reduced-price meals. All other awards must be equally matched by private sources for the program, including gifts, grants, or endowments.

(j) \$750,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$750,000)~~ \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a qualified 501(c)(3) nonprofit community-based organization physically located in Washington state that has at least 18 years of experience collaborating with the office and school districts statewide to integrate the state learning standards in English language arts, mathematics, and science with FieldSTEM outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(k) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(i) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(ii) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(l) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities.

(m) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the centrum program at Fort Worden state park.

(n) \$20,000,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer an outdoor learning grant program to develop and support outdoor educational experiences for students in Washington public schools. A portion of the amount provided must be used to provide outdoor educational opportunities for people with disabilities. The office may consult with the Washington recreation and conservation office on outdoor learning program grants. Of the amounts provided in this subsection (3)(n):

(i) \$195,000 of the general fund—state appropriation for fiscal year 2024 and \$195,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to implement chapter 112, Laws of 2022 (outdoor learning grant prg.).

(ii) \$3,903,000 of the general fund—state appropriation for fiscal year 2024 and \$3,903,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the outdoor learning grant program, which consists of two types of grants:



- (A) Allocation-based grants for school districts to develop or support outdoor educational experiences; and
- (B) Competitive grants for outdoor education providers that are designed to support existing capacity and to increase future capacity for outdoor learning experiences.
- (iii) \$15,902,000 of the general fund—state appropriation for fiscal year 2024 and \$15,902,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the outdoor education experiences program. The office must prioritize providing the program to fifth and sixth grade students in high poverty schools, expanding to other fifth and sixth grade students subject to available funds.
- (o) \$3,205,000 of the general fund—state appropriation for fiscal year 2024 and \$3,205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 238, Laws of 2022 (student financial literacy) which provides grants to school districts for integrating financial literacy education into professional development for certificated staff.
- (p) (i) \$1,425,000 of the general fund—state appropriation for fiscal year 2024 and \$4,725,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dual language grants to grow capacity for high quality dual language learning. Grant funding may be used for new and existing dual language programs, heritage language programs for immigrant and refugee students, and indigenous language programs for native students. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for tribal language grants.
- (ii) Each grant recipient must convene an advisory board to guide the development and continuous improvement of its dual language program, including but not limited to: Determining which schools and languages will be prioritized; conducting outreach to the community; and addressing enrollment considerations and the hiring of staff. At least half the members of the board must be parents of English learner students or current or former English learner students. The other members of the board must represent teachers, students, school leaders, governing board members, youth, and community-based organizations that support English learners.
- (q) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a statewide information technology academy program. This public-private partnership will provide educational software, as well as information technology certification and software training opportunities for students and staff in public schools for the 2023-24 school year only. The office must evaluate other options that may be available in the state for a future public-private partnership to deliver similar services to students and staff of public schools at no cost to the state.
- (r) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental entity whose goals are to reduce disparities in student performance and improve algebraic achievement to create a statewide interactive math tutoring tool for middle and high school students that is accessible on a 24 hour basis to students, teachers, and parents across the state. The nongovernmental entity must have previously contracted with five other states and have demonstrated experience creating statewide interactive math tools with proven outcomes in math proficiency.
- (s) \$2,036,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a gravitational wave observatory located in southeastern Washington that is supported through the national science foundation to purchase hands-on, interactive exhibits to expand the number of developmentally appropriate learning activities available for K-12 students attending the observatory.
- (t) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the math improvement pilot program. Of the amounts provided in this subsection:
- (i) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Spokane school district.
- (ii) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Chehalis school district.
- (u) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer grants to school districts for a plant-based school meals pilot program. Grants may be used for food supplies, delivery costs, equipment purchases, education, and other expenditures to increase access to plant-based school meals. Grant awards to school districts may not exceed \$10,000 per district and may only be distributed to school districts that have not received funding for the pilot program previously.
- (v) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization that works with educators to secure salmon eggs, offer learning opportunities as the fry develop, and assist when students release their fry into local creeks and lakes. Funding may only be used for new programs located in elementary schools that are eligible for high-poverty allocations from the learning assistance program.

Of the amounts provided in this subsection, the office may use no more than \$35,000 each fiscal year for office administration costs related to the contract.

(w) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for transitional support grants to school districts to support schools that incur costs transitioning from Native American school mascots, logos, or team names under chapter 301, Laws of 2021. In awarding grants under this subsection, the office must prioritize maximizing the number of schools that receive grant awards and address the most immediate school needs in order to comply with chapter 301, Laws of 2021, and must prioritize applications that are narrowly tailored to address specific compliance issues. School districts receiving funding to comply with the requirements of chapter 301, Laws of 2021 must use the methods that are the least costly and that leave intact existing facilities, including interiors and flooring, to the greatest extent possible. Grants awarded under this section may not be used for general maintenance or improvements of school facilities.

(x) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with a nonprofit organization to print civics education books and physical teachers' guides in Spanish for elementary students and teachers.

(y) \$150,000 of the general fund—state appropriation for fiscal years 2025 is provided solely for the office to contract with a nonprofit organization to continue sexual assault prevention education programming to K-12 schools in Tacoma and expand services to the Franklin-Pierce school district. The contractor must be a state-accredited community sexual assault program serving Pierce county that provides professional training, prevention education, intervention, and advocacy programs for victims of sexual assault, sexual abuse, and sex trafficking.

(z)(i) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with a nonprofit organization to administer a pilot program to develop and implement a water safety curriculum in public schools. The pilot program will support the provision of water safety curriculum at 50 public schools during the 2024-25 school year, with a priority on schools with a high percentage of underserved students. In developing the water safety curriculum, the nonprofit organization must:

(A) Procure a landscape analysis of water safety education in Washington state;

(B) Determine where water safety education exists presently;

(C) Assess the level of drowning prevention awareness in each school district; and

(D) Hire an educator to lead the curriculum development process and recruit teachers to participate in the pilot program.

(ii) The organization must submit a report on the results of the pilot program to the governor and the appropriate committees of the legislature by June 30, 2025. The report must include:

(A) A summary of the data collected during the curriculum development;

(B) The curriculum piloted at the school districts;

(C) The efficacy of the curriculum, based on surveys and feedback collected from the pilot program classes and teachers;

(D) Teacher, district, and community member interest in the pilot program;

(E) Results and outcomes from the pilot program, including the number of students and schools served; and

(F) Recommendations for expanding the pilot program.

(iii) The nonprofit organization must be a 501(c)(3) organization located in Seattle that is dedicated to saving lives through water safety education, legislation, and increasing equitable access to swimming lessons and tools.

(aa) \$228,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization that collaborates with Muslim and Arab community and education organizations, to support Washington teachers in implementing lessons on Islamophobia through an ethnic studies framework for the establishment of comprehensive education related to Islamophobia.

(4) ELIMINATING INEQUITABLE STUDENT OUTCOMES

(a) \$5,895,000 of the general fund—state appropriation for fiscal year 2024, \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation, and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to chapter 71, Laws of 2016 (foster youth edu. outcomes). The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(i) Of the amount provided in this subsection (4)(a), \$446,000 of the general fund—state appropriation for fiscal year 2024 and \$446,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(ii) Of the amount provided in this subsection (4)(a), \$1,015,000 of the general fund—state appropriation for fiscal year 2024 and \$1,015,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2015-2017 omnibus appropriations act, section 501(43)(b), chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(iii) Of the amounts provided in this subsection (4)(a), \$684,000 of the general fund—state appropriation for fiscal year 2024 and \$684,000 of the general fund—state

appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in the 2017-2019 omnibus appropriations act, chapter 1, Laws of 2017, 3rd sp. sess., as amended.

(iv) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in this act.

(v) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintaining and implementing the data sharing agreement between the office, the department of children, youth, and families, and the contractors to support targeted service delivery, program evaluation, and statewide education outcomes measurement for students served under this section.

(vi) Of the amounts provided in this subsection (4)(a), \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation and \$1,105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of individualized education services such as monitoring and supporting completion of educational milestones, remediation needs, and special education needs of middle school students who are dependent pursuant to chapter 13.34 RCW.

(b) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 157, Laws of 2016 (homeless students).

(c) \$36,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 212, Laws of 2014 (homeless student educational outcomes).

(d) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracts with Washington state based nonprofit organizations that provide a career-integrated one-to-one mentoring program for disadvantaged students facing academic and personal challenges with the goal of keeping them on track for graduation and post-high school success. An applicant requesting funding under this subsection must successfully demonstrate to the office that it currently provides a career-integrated one-to-one volunteer mentoring program and has been mentoring school youth for at least 20 years in the state prior to application.

(e) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization to create an after-school and summer learning program in the city of Federal Way. The program shall provide comprehensive, culturally competent academic support and cultural enrichment for primarily latinx, spanish-speaking, low-income sixth, seventh, and eighth grade students. The department must contract with an organization with over forty years of experience that serves the latino community in Seattle and King county and has previously established an after-school and summer learning program.

(f) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to create and administer a grant program for districts to reduce associated student body fees or participation fees for students who are eligible to participate in the federal free and reduced-price meals program. The office must distribute grants for the 2023-24 school year to school districts by August 10, 2023, and grants for the 2024-25 school year by August 1, 2024.

(i) Grant awards must be prioritized in the following order:

(A) High schools implementing the United States department of agriculture community eligibility provision;

(B) High schools with the highest percentage of students in grades nine through twelve eligible to participate in the federal free and reduced-price meals program; and

(C) High schools located in school districts enrolling 5,000 or fewer students.

(ii) High schools that do not comply with the data collection and reporting requirements in RCW 28A.320.540 are not eligible for grant funding.

(iii) The office of the superintendent of public instruction shall award grants that are the lesser of the cost of the high school's associated student body card multiplied by the number of students eligible for the free or reduced-price meals program that purchased a student body card in either 2022-23 or 2023-24 school year, whichever is higher, or \$10,000.

(iv) The office may award additional funding if:

(A) The appropriations provided are greater than the total amount of funding requested at the end of the application cycle; and

(B) The applicant shows a demonstrated need for additional support.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a Washington-based nonprofit organization to promote equitable access in science, technology, engineering, and math education for historically underserved students and communities. The nonprofit shall provide a system of science educational programming specifically for migrant and bilingual students, including teacher professional development, culturally responsive classroom resources that are aligned with Washington state science and environmental and sustainability learning standards, and implementation support. At least 50 percent of the funding provided in this subsection must serve schools and school districts in eastern Washington. The nonprofit

organization must have experience developing and implementing science and environmental science programming and resources for migrant and bilingual students.

(h) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization serving opportunity youth in Pierce, King and Snohomish counties. The organization must assist traditionally underrepresented students on nontraditional educational pathways by providing mentorship and technical assistance in navigating higher education and financial aid. The office may require the recipient of these funds to report the impacts of the efforts in alignment with the measures of the Washington school improvement framework.

(i) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school districts to support youth who are truant under chapter 28A.225 RCW or at risk of becoming truant, and for costs associated with filing or serving petitions under RCW 28A.225.030.

(j) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts and educational service districts operating institutional education programs for youth in state long-term juvenile institutions to provide access to computer science elective courses created in chapter 234, Laws of 2022 (computer science instruction).

(k) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts, charter schools, and state-tribal education compact schools to establish K-12 intensive tutoring programs. Grants shall be used to recruit, train, and hire tutors to provide one-on-one tutoring services to K-12 students experiencing learning loss as a result of the COVID-19 pandemic. The tutors must receive training in proven tutoring models to ensure their effectiveness in addressing learning loss.

(l) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 180, Laws of 2017 (Washington Aim program).

(m) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the pacific science center to increase hands-on learning opportunities for Title I K-5 students statewide by increasing access to science on wheels and virtual field trips.

(n) (i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer a peer support competitive grant program in Washington public schools. The office must award grants to eligible school districts starting in the 2023-24 school year. Programs should be designed to be primarily youth-led and aim to increase youth school engagement and support personal/cultural identities, and reduce risks associated with depression, school violence, and bullying. Successful grantees may consult with Washington teen link and the natural helper program in the development of the grant criteria, and the development of training material support. Program components should include:

- (A) Identification of trusted peers and staff who other students confide in;
- (B) Development or adaption of training materials;
- (C) Intensive training for peer and staff supporters;
- (D) Avenues to advertise peer support communication strategies; and
- (E) Participant and program evaluations.

(ii) School districts may also use funds to develop a sister school rapid trauma response strategy. Under this component, successful applicants reach out to other schools also receiving a peer support grant to develop a trauma response plan that quickly organizes students and staff to contact peers within those schools during times of school trauma and offer support.

(iii) The office shall evaluate the program to share best practices and for consideration by other school districts.

(o) \$175,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$175,000)~~ \$525,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization to develop and provide a Latino youth-on-youth gang violence prevention program for students and to offer a parent coaching program. The program must target Latino students ages 11 through 17 who are either involved in or at risk of becoming involved in a gang or in gang activities, and parents of the students. ~~((Eligible youth must be enrolled in either the Moses Lake or Federal Way school districts.))~~ The nonprofit organization must have at least 15 years of experience serving Latino communities and promoting advocacy and must provide social kindergarten through 12th grade social emotional learning, mental health wraparound services, and parent engagement programs in Washington. Of the amounts provided in this subsection, \$350,000 of the general fund—state appropriation for fiscal year 2025 is for the nonprofit organization to offer a parent coaching program that provides educational and communication tools for parents with children involved in youth violence.

(p) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer the technology grant program established under chapter 301, Laws of 2021.

(q) ~~\$625,000 of the general fund—state appropriation for fiscal year 2024 ((+)) and \$100,000 of the general fund—state appropriation for fiscal year 2025~~ are provided solely for the office to contract with an organization located in SeaTac, Washington to provide wraparound social services and expand and maintain existing education and family engagement programs that serve students and their families in the Federal Way and Highline public school districts. The work of the organization must focus on housing and social services, education, and economic development for African immigrant and refugee communities.

(r) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization located in Everett, Washington to provide arts and culture programs to 500 low-income children and youth from diverse racial and ethnic backgrounds to close the education achievement gap in Snohomish county by improving student and youth confidence and improving mental health outcomes.

(s) \$360,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Shelton School District to contract with an organization that provides a free early childhood music education to teach music literacy and key skills to prepare children for success in school. The organization must provide Spanish, Mam, and Q'anjob'al versions of the early learning music education program during the 2023-24 school year.

(t) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with an organization that provides bags of food for students in Thurston county schools who are impacted by food insecurity and do not have adequate access to food in the evenings, on weekends, during holiday breaks, and during the summer months. The organization must be an all-volunteer, donation-funded program that was created in 2006.

(u) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Nooksack tribe to fund behavioral health specialists to work with tribal and nontribal children in the Mount Baker school district.

(v) (i) \$900,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to administer a pilot program for volunteering state-tribal education compact schools and before and after school programs offered by tribes to adopt opioid and fentanyl abuse prevention materials and resources during the 2024-25 school year. Of the amounts provided in this subsection, \$900,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the volunteering state-tribal education compact schools to implement the pilot program.

(ii) By August 1, 2024, the office must:

(A) Consult with parties of interest and expertise to develop, review, and select opioid and fentanyl abuse prevention materials and resources to be used in the pilot program during the 2024-25 school year. The materials and resources must include culturally appropriate application across the pilot program; and

(B) Submit a plan to the appropriate committees of the legislature detailing the implementation of the opioid and fentanyl abuse prevention materials and resources in the volunteering state-tribal education compact schools during the 2024-25 school year.

(iii) By June 30, 2025, the office must submit a final report to the appropriate committees of the legislature that includes:

(A) The initial results, experiences, or both, in the volunteering state-tribal education compact schools; and

(B) Recommendations and considerations for employing the materials and resources, with or without changes to improve their effectiveness or implementation, statewide.

(iv) The office may contract for necessary services to meet the requirements of this subsection.

(5) EDUCATOR GROWTH AND DEVELOPMENT

(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonviolence and ethical leadership training and professional development program provided by the institute for community leadership.

(b) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with the association of Washington school principals to provide support, mentoring, mediation, and professional learning services to school principals and assistant principals in the greater Seattle area.

(c) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization that supports Washington teachers in implementing lessons on the Holocaust for the expansion of comprehensive Holocaust and genocide education.

(6) FEDERAL GRANTS FOR COVID-19 RECOVERY

(a) \$7,791,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely to administer a grant program for community-based organizations to collaborate with school districts to support learning recovery and acceleration.

(b) \$102,002,000 of the general fund—federal appropriation (CRRSA/ESSER) from funds attributable to subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M is provided solely for subgrants to local

education agencies. Total subgrants awarded under this subsection (6)(b), section 1517(47)(b) of this act, and section 12, chapter 3, Laws of 2021 may not exceed the federal amounts provided under subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(c) \$9,253,000 of the general fund—federal appropriation (CRRSA/GEER) is provided solely to provide emergency assistance to nonpublic schools, as authorized in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M. Total funds provided under this subsection (6)(c), section 1517(47)(c)(i) of this act, and section 13, chapter 3, Laws of 2021 may not exceed the federal amounts provided in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(d) \$671,375,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(2) the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies. Total subgrants awarded under this subsection (6)(d) and section 1517(47)(d) of this act may not exceed the federal amounts provided under subsection 2001(e)(2), the American rescue plan act of 2021, P.L. 117-2.

(e) \$123,373,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies to address learning loss. Total subgrants awarded under this subsection (6)(e) and section 1517(47)(e) of this act may not exceed the federal amounts provided under subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2, and may not exceed the funding authorized in section 1517(47)(e) of this act.

(f) \$10,335,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(3), the American rescue plan act of 2021, P.L. 117-2 is provided solely to support evidence-based comprehensive afterschool programs. Total funds provided under this subsection (6)(f) and section 1517(47)(g) of this act may not exceed the funding authorized in section 1517(47)(g) of this act.

(g) \$6,184,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to districts to expand the number of dual language classrooms in early grades and professional development to accelerate literacy gains in early grades, especially for English learners. Total funds provided under this subsection (6)(g) and section 1517(47)(h) of this act may not exceed the funding authorized in section 1517(47)(h) of this act.

(h)(i) \$8,428,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the purposes of identifying children and youth experiencing homelessness and providing children and youth experiencing homelessness with:

(A) Wrap-around services due to the challenges of the COVID-19 public health emergency; and

(B) Assistance needed to enable children and youth experiencing homelessness to attend school and participate fully in school activities.

(ii) Total funds provided under this subsection (6)(h) and section 1517(47)(n) of this act may not exceed the federal amounts provided in subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2.

(i) \$65,610,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for the office of the superintendent of public instruction to administer grants for the purposes of learning recovery and acceleration. Allowable uses of the funds are limited to:

(i) One-time contracts for classified, certificated, or administrative staff who will provide tiered academic and social-emotional supports to students most impacted by the disruption of in-person learning, including locating and reengaging students who have disengaged from school, one-on-one and small-group instruction, and other intensive learning supports;

(ii) Professional learning for educators focused on learning recovery and acceleration, including assessing student learning and social-emotional needs, transitioning to standards-based curricula and grading, adopting competency or mastery-based options specifically for credit retrieval purposes, and family and student engagement strategies;

(iii) Procuring assessment or data systems that provide actionable just-in-time data regarding student progress throughout the school year; and

(iv) Direct supports to students to improve school engagement and accelerate learning.

(j) \$995,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the office of the superintendent of public instruction to contract with the Washington school principals' education foundation to support pandemic related learning loss through outdoor learning and overnight camp experiences.

(k) \$173,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(2), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to entities or organizations to provide outdoor education summer enrichment programs to youth. Recipients must prioritize activities or programs that:

- (i) Promote students connecting socially with their classmates;
- (ii) Encourage students to engage in physical activity; and
- (iii) Support families who have struggled with child care needs.

(l) \$143,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants for supplies, equipment, staffing, and services to increase access to summer meals and safe school meals in the 2023-24 school year and summer prior to the start of the school year.

(m) \$2,383,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2, is provided solely for grants to school districts to expand career and technical education graduation pathway options, including career-connected learning opportunities. Total funds provided under this subsection (6)(m) and section 1517(47)(i) of this act for the same purpose may not exceed the funding authorized in section 1517(47)(i) of this act.

(n) \$905,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for reimbursements to eligible nonpublic schools that requested but were not reimbursed for emergency assistance to nonpublic schools, under section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

**Sec. 523.** 2023 c 475 s 523 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITION TO KINDERGARTEN PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$5,172,000</del> ))
	\$6,870,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$67,008,000</del> ))
	\$69,959,000
General Fund—Federal Appropriation . . . . .	\$41,848,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$114,028,000</del>))</b>
	<b>\$118,677,000</b>

The appropriations in this section are subject to the following conditions and limitations:

((~~\$5,172,000~~))\$6,870,000 of the general fund—state appropriation for fiscal year 2024, ((~~\$67,008,000~~))\$69,959,000 of the general fund—state appropriation for fiscal year 2025, and \$41,848,000 of the general fund—federal appropriation (CRRSA/GEER) are for implementation of Second Substitute House Bill No. 1550 (transition to kindergarten). If the bill is not enacted by June 30, 2023, the office of the superintendent of public instruction must distribute the amounts appropriated in this section for enrollment funding for transitional kindergarten programs to participating school districts, charter schools authorized pursuant to RCW 28A.710.080(2), and state-tribal education compact schools during the 2023-24 and 2024-25 school years. Enrollment funding for transitional kindergarten is not part of the state's statutory program of basic education.

(End of part)

**PART VI  
HIGHER EDUCATION**

**Sec. 601.** 2023 c 475 s 605 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$918,693,000</del> ))
	\$920,342,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$984,293,000</del> ))
	\$987,778,000
<u>Climate Commitment Account—State Appropriation</u> . . . . .	<u>\$475,000</u>
Community/Technical College Capital Projects	
Account—State Appropriation . . . . .	\$21,368,000
Education Legacy Trust Account—State Appropriation . . . . .	(( <del>\$164,067,000</del> ))
	\$164,102,000
<u>Invest in Washington Account—State Appropriation</u> . . . . .	<u>\$92,000</u>
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$300,417,000</del> ))
	\$302,875,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$2,388,838,000</del>))</b>
	<b>\$2,397,032,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$33,261,000 of the general fund—state appropriation for fiscal year 2024 and \$33,261,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2024 and at least 7,170 full-time equivalent students in fiscal year 2025.

(2) \$5,000,000 of the general fund—state appropriation for fiscal year 2024, \$5,000,000 of the general fund—state appropriation for fiscal year 2025, and \$5,450,000 of the education legacy trust account—state appropriation are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature under RCW 43.01.036 regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$425,000 of the general fund—state appropriation for fiscal year 2024 and \$425,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Seattle Central College's expansion of allied health programs.

(4) \$5,250,000 of the general fund—state appropriation for fiscal year 2024 and \$5,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the student achievement initiative.

(5) \$1,610,000 of the general fund—state appropriation for fiscal year 2024, \$1,610,000 of the general fund—state appropriation for fiscal year 2025, and \$904,000 of the workforce education investment account—state appropriation are provided solely for the mathematics, engineering, and science achievement program.

(6) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace training and research center.

(7) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(8) (~~(\$23,748,000)~~)\$24,001,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$24,270,000)~~)\$24,601,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(9) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(10) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

(11) \$157,000 of the general fund—state appropriation for fiscal year 2024 and \$157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Wenatchee Valley college wildfire prevention program.

(12) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound welcome back center at Highline College to create a grant program for internationally trained individuals seeking employment in the behavioral health field in Washington state.

(13) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased enrollments in the integrated basic education and skills training program. Funding will support approximately 120 additional full-time equivalent enrollments annually.

(14) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity center for employment and education at North Seattle College.

(15) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Highline College to implement the Federal Way higher education initiative in partnership with the city of Federal Way and the University of Washington Tacoma campus.

(16) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Peninsula College to maintain the annual cohorts of the specified programs as follows:

(a) Medical assisting, 40 students;

(b) Nursing assistant, 60 students; and

(c) Registered nursing, 32 students.

(17) \$338,000 of the general fund—state appropriation for fiscal year 2024 and \$338,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state labor education and research center at South Seattle College.

(18) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace and advanced manufacturing center of excellence hosted by Everett Community College to develop a semiconductor and electronics manufacturing branch in Vancouver.



(19) (a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The state board for community and technical colleges must provide resources for up to two community or technical colleges, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The state board, in collaboration with the student achievement council and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health insurance coverage; and to provide recommendations on how to improve student access to health coverage based on data gathered from the pilot program.

(20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024, \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$75,847,000 of the workforce education investment account—state appropriation are provided solely for statewide implementation of guided pathways at each of the state's community and technical colleges or similar programs designed to improve student success, including, but not limited to, academic program redesign, student advising, and other student supports.

(21) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for college operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(22) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(23) \$40,800,000 of the workforce education investment account—state appropriation is provided solely to continue to fund nurse educator salaries.

(24) \$40,000,000 of the workforce education investment account—state appropriation is provided to continue to fund high-demand program faculty salaries, including but not limited to nurse educators, other health-related professions, information technology, computer science, and trades.

(25) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to maintain high-demand and career launch enrollments, as provided under RCW 28C.30.020. Within the amounts provided in this subsection (25):

(a) \$6,000,000 of the amounts in this subsection (25) are provided to maintain and grow career launch enrollments, as provided under RCW 28C.30.020. Up to three percent of this amount may be used for administration, technical assistance, and support for career launch programs within the community and technical colleges.

(b) \$2,000,000 of the amounts in this subsection (25) are provided to maintain enrollments in high demand programs. These programs include, but are not limited to, allied health, computer and information science, manufacturing, and other fields identified by the state board for community and technical colleges.

(c) The state board for community and technical colleges may transfer amounts between (a) and (b) of this subsection if either program does not have sufficient demand to spend the allocated funding. Any transfer must be approved by the state board for community and technical colleges and the office of financial management.

(26) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for the emergency assistance grant program in RCW 28B.50.295.

(27) \$1,119,000 of the general fund—state appropriation for fiscal year 2024, \$1,119,000 of the general fund—state appropriation for fiscal year 2025, and \$4,221,000 of the workforce education investment account—state appropriation are provided solely for implementation of diversity, equity, inclusion, and antiracism provisions in chapter 28B.10 RCW.

(28) \$20,473,000 of the workforce education investment account—state appropriation is provided solely for implementation of equity and access provisions in chapter 28B.50 RCW.

(29) (a) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in trucking and trucking-related supply chain industries and the school bus driving industry by expanding the number of registered apprenticeships, preapprenticeships, and trucking related training programs; and providing

support for registered apprenticeships or programs in trucking and trucking-related supply chain industries and the school bus driving industry.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training spaces and locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations to include foster care and homeless transition populations and previously incarcerated persons;

(iii) Faculty curriculum development and instructor training for driving, repair, and service of technological advancements facing the industries;

(iv) Tuition assistance for commercial vehicle driver and related supply chain industry training, fees associated with driver testing, and other reasonable and necessary student support services, including child care costs; and

(v) Fees and other reasonable costs associated with commercial truck driving examiner training and certification.

(c) An entity is eligible to receive a grant if it is a nonprofit, nongovernmental, or institution of primary or higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, commercial vehicle driver training and testing, or vocational training related to mechanical and support functions that support the trucking industry or the school bus driving industry; or incumbent worker training to prepare workers for the trucking and trucking-related supply chain industries or the school bus driving industry. Preference will be given to entities in compliance with government approved or accredited programs. Reporting requirements, as determined by the board, shall be required.

(d) The board may use up to five percent of funds for administration of grants.

(30) \$3,200,000 of the workforce education investment account—state appropriation is provided solely for costs associated with grants awarded in fiscal year 2023 for nursing programs to purchase or upgrade simulation laboratory equipment.

(31) (a) \$9,336,000 of the workforce education investment account—state appropriation is provided solely to expand cybersecurity academic enrollments by 500 FTE students.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in section 612(10) of this act to submit a progress report on the new or expanded cybersecurity academic programs, including the number of students enrolled.

(32) \$410,000 of the workforce education investment account—state appropriation is provided solely to establish a center for excellence in cybersecurity.

(33) \$2,068,000 of the general fund—state appropriation for fiscal year 2024 and \$2,068,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation by employees within the community and technical college system challenging the denial of retirement and sick leave benefits. The cases include *Wolf v. State and SBCTC*, *Rush v. State and SBCTC* (retirement), and *Rush v. State and SBCTC* (sick leave).

(34) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity grant program to provide health care workforce grants for students.

(35) \$2,720,000 of the general fund—state appropriation for fiscal year 2024 and \$2,720,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each community and technical college to contract with a community-based organization to assist with financial aid access and support in communities.

(36) (~~(\$6,456,000)~~) \$7,456,000 of the workforce education investment account—state appropriation is provided solely for the expansion of existing programming to accommodate refugees and immigrants who have arrived in Washington state on or after July 1, 2021, (~~and are eligible for federal refugee resettlement services,~~) including those from Afghanistan and Ukraine.

(37) (a) \$2,160,000 of the general fund—state appropriation for fiscal year 2024, \$2,160,000 of the general fund—state appropriation for fiscal year 2025, and \$3,600,000 of the workforce education investment account—state appropriation are provided solely for nursing education, to increase the number of nursing slots by at least 400 new slots in the 2023-2025 fiscal biennium.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in section 612(10) of this act to submit a progress report on the new or expanded nursing academic programs, including the number of students enrolled per program.

(38) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Bellingham Technical College maritime apprenticeship program.

(39) \$2,100,000 of the workforce education investment account—state appropriation is provided solely for the Skagit Valley College dental therapy education program.

(40) \$855,000 of the workforce education investment account—state appropriation is provided solely for the Seattle Central College for partnership with the Seattle maritime academy. Seattle Central College must enter into a memorandum of agreement with Washington state ferries. Funding may not be expended until Seattle Central College certifies to the office of financial management that a memorandum of agreement with Washington state ferries has been executed. The memorandum of agreement must address:

(A) The shared use of training and other facilities and implementation of joint training opportunities where practicable;

(B) Development of a joint recruitment plan aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(C) Development of a training program and recruitment plan and a five-year operational plan.

(ii) The joint training program and recruitment plan and the five-year operational plan must be submitted to the appropriate policy and fiscal committees of the legislature by December 1, 2023.

(41) \$200,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to work with interested parties, such as local law enforcement agencies, the department of corrections, representatives of county or city jail facilities, the Washington state patrol, Washington community and technical colleges, and other organizations and entities as appropriate to assess the recruitment and retention challenges for their agencies and develop recommendations to meet the workforce needs. These recommendations should focus on education and training programs that meet the needs of law enforcement and corrections agencies and must include an outreach strategy designed to inform and attract students in non-traditional program pathways. The assessment and recommendations shall be provided in a report to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by October 1, 2024.

(42) \$12,000,000 of the workforce education investment account—state appropriation is provided solely to support the continued diversity, equity, and inclusion efforts of institutions.

(43) \$331,000 of the general fund—state appropriation for fiscal year 2024, \$331,000 of the general fund—state appropriation for fiscal year 2025, and \$1,360,000 of the workforce education investment account—state appropriation are provided solely for implementation of state registered apprenticeship provisions in chapter 28B.124 RCW.

(44) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Everett Community College parent leadership training institute to recruit and train new course instructors to build additional capacity.

(45) \$19,850,000 of the general fund—state appropriation for fiscal year 2024 and \$35,024,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(46) \$243,000 of the general fund—state appropriation for fiscal year 2024, \$180,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$400,000)~~ \$500,000 of the workforce education investment account—state appropriation are provided solely for Renton Technical College. Of the amounts provided in this subsection:

(a) ~~(\$400,000)~~ \$500,000 of the workforce education investment account—state appropriation is for the college to award full tuition and fees to students who attend the college and graduated high school in the school district where the main campus is located. Eligible students must complete a free application for federal student aid or the Washington application for state financial aid. A report on the number of students utilizing the funding must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by January 15, 2024.

(b) \$243,000 of the general fund—state appropriation for fiscal year 2024 and \$180,000 of the general fund—state appropriation for fiscal year 2025 are for continuing outreach and participation in running start and adult education programs, including the program described in (a) of this subsection.

(47) (a) \$700,000 of the workforce education investment account—state appropriation is provided solely for the state board to administer a pilot program to increase career and technical education dual credit participation and credential attainment in professional technical programs. The state board, in collaboration with the office of the superintendent of public instruction, must select up to three community and technical colleges to participate in the pilot program during the 2023-24 and 2024-25 academic years. The three colleges must be located within the same educational service district and one must be located in a county with a population between 115,000 and 150,000. Colleges and school districts participating in the career and technical education dual credit grant program may utilize funding to cover the following expenses:

(i) Subsidized out-of-pocket costs to students and families for supplies, textbooks, materials, and credit transcription fees;

(ii) Outreach to prospective students and students who have completed career and technical education dual credit courses and are eligible to receive postsecondary credit to encourage participation and credit transcription;

(iii) Costs associated with staff or teacher time dedicated to curriculum alignment or the development of articulation agreements; and

(iv) Equipment and supplies for career and technical education dual credit courses required to meet postsecondary learning objectives.

(b) By December 10, 2024, the state board, in collaboration with the office of the superintendent of public instruction, must issue a preliminary report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, with findings and recommendations regarding the pilot program that may be scaled statewide. The final report is due by December 10, 2025. The state board must establish a stakeholder committee that is representative of

students, faculty, staff, and agency representatives to inform this work. The report must include recommendations on the following topics:

- (i) Course articulation and development of model articulation agreements;
- (ii) Data collection and reporting;
- (iii) Credit transcription and transfer;
- (iv) Student advising and career guidance supports;
- (v) Alignment of career and technical education dual credit programs with credential pathways and in-demand career fields;
- (vi) Funding for industry-recognized credentials;
- (vii) Identification of priority courses and programs; and
- (viii) Evaluation of the statewide enrollment and data system, and recommendations for improvements to or replacement of the system to reflect articulation agreement data, student data, and transcription information to support data validity, credit portability, and program improvement.

(48) \$500,000 of the workforce education investment account—state appropriation is provided solely for Olympic College to partner with regional high schools for college in the high school courses on-site at one or more regional high schools.

(49) \$1,262,000 of the workforce education investment account—state appropriation is provided solely for the centers of excellence.

(50) ~~((~~\$5,236,000~~))~~ \$5,789,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(51) \$3,718,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(52) ~~((~~\$7,470,000~~))~~ \$5,429,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(53) \$882,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(54) Within the amounts appropriated in this section, the state board for community and technical colleges shall develop a plan that includes the cost to provide compensation to part-time and adjunct faculty that equals or exceeds 85 percent of the compensation provided to comparably qualified full-time and tenured faculty by the 2026-27 academic year. The plan must be submitted to the governor and the higher education committees of the legislature, in accordance with RCW 43.01.036, by July 1, 2024.

(55) \$598,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for moving costs.

(56) \$475,000 of the climate commitment account—state appropriation is provided solely for the continuation of curriculum development and program redesign to integrate climate justice and solutions-focused assignments and professional technical green workforce modules into community college curriculum across the state. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(57) \$801,000 of the workforce education investment account—state appropriation is provided solely for community college staff to recruit, advise, and support early achievers scholars completing their early childhood qualifications. The state board shall prioritize colleges with longer wait lists for early achievers scholars. The state board for community and technical colleges shall collaborate with the department of children, youth, and families to submit a report, pursuant to RCW 43.01.036, by September 30, 2024, to the governor and appropriate committees of the legislature on early achievers grant participation data, including data on enrollment and waitlists for the grant program.

(58) \$85,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Edmonds College to provide support to students who are military veterans, focusing on counseling services, financial assistance and reentry services.

(59) \$204,000 of the workforce education investment account—state appropriation is provided solely for Olympic College to hire program directors for new health care pathways.

(60) \$275,000 of the workforce education investment account—state appropriation is provided solely for a study of low-income student housing opportunities on community and technical college campuses to help address the housing shortage. The study shall include an analysis of the rental housing market serving each college campus; each college's need for low-income student housing; the estimated capital and ongoing costs to operate and maintain low-income student housing; and the impact on the local market rental housing supply should new low-income housing be constructed on a community or technical college campus for students. The study shall be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(61) \$200,000 of the workforce education investment account—state appropriation is provided solely for increasing access and capacity to manufacturing apprenticeship related supplemental instruction.

(62) \$150,000 of the workforce education investment account—state appropriation is provided solely for expansion of the imaging science program at Tacoma Community College.

(63) \$1,140,000 of the workforce education investment account—state appropriation is provided solely for the increase in bachelor of science computer science programs.

(64) \$412,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(65) \$11,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Second Substitute House Bill No. 2084 (construction training/DOC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 602.** 2023 c 475 s 606 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

General Fund—State Appropriation (FY 2024)	(((\$521,181,000))
	<u>\$522,538,000</u>
General Fund—State Appropriation (FY 2025)	(((\$453,529,000))
	<u>\$528,731,000</u>
Aquatic Lands Enhancement Account—State	
Appropriation	\$1,646,000
Climate Commitment Account—State Appropriation	(((\$3,150,000))
	<u>\$3,413,000</u>
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation	\$20,000,000
<u>Model Toxics Control Operating Account—State</u>	
<u>Appropriation</u>	<u>\$500,000</u>
Natural Climate Solutions Account—State	
Appropriation	\$837,000
Statewide 988 Behavioral Health Crisis Response Line	
Account—State Appropriation	\$280,000
University of Washington Building Account—State	
Appropriation	\$1,546,000
Education Legacy Trust Account—State Appropriation	(((\$39,643,000))
	<u>\$39,646,000</u>
Economic Development Strategic Reserve Account—State	
Appropriation	\$3,127,000
Biotoxin Account—State Appropriation	\$632,000
Dedicated Cannabis Account—State Appropriation	
(FY 2024)	\$351,000
Dedicated Cannabis Account—State Appropriation	
(FY 2025)	(((\$365,000))
	<u>\$366,000</u>
Accident Account—State Appropriation	(((\$8,586,000))
	<u>\$8,592,000</u>
Medical Aid Account—State Appropriation	(((\$8,025,000))
	<u>\$8,030,000</u>
Workforce Education Investment Account—State	
Appropriation	(((\$89,216,000))
	<u>\$92,077,000</u>
Geoduck Aquaculture Research Account—State	
Appropriation	\$414,000
<b>TOTAL APPROPRIATION</b>	<b>(((\$1,152,528,000))</b>
	<b><u>\$1,232,726,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(((\$49,289,000))~~\$49,816,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$50,374,000))~~\$51,061,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the workforce education investment account—state appropriation are provided solely for labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges.

(3) \$10,000,000 of the education legacy trust account—state appropriation is provided solely for the family medicine residency network at the university to maintain and expand the number of residency slots available in Washington.

(4) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many

students are enrolled in computer science and engineering programs above the prior academic year.

(5) \$14,000,000 of the education legacy trust account—state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(6) \$3,062,000 of the economic development strategic reserve account—state appropriation is provided solely to support the joint center for aerospace innovation technology.

(7) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(8) \$7,345,000 of the general fund—state appropriation for fiscal year 2024 and \$7,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued operations and expansion of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(9) \$2,625,000 of the general fund—state appropriation for fiscal year 2024 and \$2,625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the institute for stem cell and regenerative medicine. Funds appropriated in this subsection must be dedicated to research utilizing pluripotent stem cells and related research methods.

(10) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to the University of Washington to support youth and young adults experiencing homelessness in the university district of Seattle. Funding is provided for the university to work with community service providers and university colleges and departments to plan for and implement a comprehensive one-stop center with navigation services for homeless youth; the university may contract with the department of commerce to expand services that serve homeless youth in the university district.

(11) \$1,200,000 of the general fund—state appropriation for fiscal year 2024, \$1,200,000 of the general fund—state appropriation for fiscal year 2025, and \$1,200,000 of the workforce education investment account—state appropriation are provided solely for the adult psychiatry residency program at the University of Washington to offer additional residency positions that are approved by the accreditation council for graduate medical education.

(12) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—appropriation for fiscal year 2025 are provided solely for the University of Washington's psychiatry integrated care training program.

(13) \$427,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$426,000 of the workforce education investment account—state appropriation are provided solely for child and adolescent psychiatry residency positions that are approved by the accreditation council for graduate medical education, as provided in RCW 28B.20.445.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the University of Washington School of Dentistry to support its role as a major oral health provider to individuals covered by medicaid and the uninsured.

(15) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the pre-law pipeline and social justice program at the University of Washington-Tacoma.

(16) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's neurology department to create a telemedicine program to disseminate dementia care best practices to primary care practitioners using the project ECHO model. The program shall provide a virtual connection for providers and content experts and include didactics, case conferences, and an emphasis on practice transformation and systems-level issues that affect care delivery. The initial users of this program shall include referral sources in health care systems and clinics, such as the university's neighborhood clinics and Virginia Mason Memorial in Yakima with a goal of adding 15 to 20 providers from smaller clinics and practices per year.

(17) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$350,000 of the workforce education investment account—state appropriation are provided solely for the university's center for international trade in forest products.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$500,000 of the workforce education investment account—state appropriation are provided solely for the Latino center for health.

(19) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a firearm policy research program. The program will:

- (a) Support investigations of firearm death and injury risk factors;
- (b) Evaluate the effectiveness of state firearm laws and policies;
- (c) Assess the consequences of firearm violence; and
- (d) Develop strategies to reduce the toll of firearm violence to citizens of the state.

(20) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the climate impacts group in the college of the environment.

(21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the college of education to collaborate with teacher preparation programs and the office of the superintendent of public instruction to develop open access climate science educational curriculum for use in teacher preparation programs.

(22) \$300,000 of the general fund—state appropriation for fiscal year 2024, \$300,000 of the general fund—state appropriation for fiscal year 2025, and \$300,000 of the workforce education investment account—state appropriation are provided solely for the Harry Bridges center for labor studies. The center shall work in collaboration with the state board for community and technical colleges.

(23) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(24) \$8,000,000 of the workforce education investment account—state appropriation is provided solely to maintain degree production in the college of engineering at the Seattle campus.

(25) (a) \$2,724,000 of the workforce education investment account—state appropriation is provided solely to maintain the Washington state academic redshirt program on the Seattle campus and establish a program on the Bothell campus.

(b) The university must provide a report on the redshirt program at the Seattle and Bothell campuses, including, but not limited to, the following:

(i) The number of students who have enrolled in the program and the number of students by cohort;

(ii) The number of students who have completed the program and the number of students by cohort;

(iii) The placements of students by academic major;

(iv) The number of students placed in first-choice majors;

(v) The number of underrepresented minority students in the program;

(vi) The number of first-generation college students in the program;

(vii) The number of Washington college grant eligible or Pell grant eligible students in the program;

(viii) The number of Washington state opportunity scholarship recipients in the program;

(ix) The number of students who completed the program and graduated with a science, technology, engineering, or math related degree and the number of graduates by cohort; and

(x) Other program outcomes.

(c) A preliminary report is due to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2023, and a final report is due December 1, 2024.

(26) \$2,700,000 of the workforce education investment account—state appropriation is provided solely to maintain degree capacity and undergraduate enrollments in engineering, mathematics, and science programs to support the biomedical innovation partnership zone at the Bothell campus.

(27) \$3,268,000 of the workforce education investment account—state appropriation is provided solely to maintain bachelor of science programs in mechanical and civil engineering to support increased student and local employer demand for graduates in these fields at the Tacoma campus.

(28) \$150,000 of the general fund—state appropriation for fiscal year 2024, \$150,000 of the general fund—state appropriation for fiscal year 2025, and \$700,000 of the workforce education investment account—state appropriation are provided solely for Washington mathematics, engineering, science achievement programs to provide enrichment opportunities in mathematics, engineering, science, and technology to students who are traditionally underrepresented in these programs. Of the amounts provided in this subsection, \$500,000 of the workforce education investment account—state appropriation is for Washington State University to plan and implement expansion of MESA activities at the Everett campus to facilitate increased attendance and degree completion by students who are underrepresented in science, technology, engineering, and mathematics degrees.

(29) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community care coordinator for transitional-age youth for the doorway project in partnership with the Seattle campus.

(30) \$14,000,000 of the workforce education investment account—state appropriation is provided solely for the expansion of the Paul G. Allen school of computer science and engineering in order to award an additional 200 degrees per year focusing on traditionally underrepresented students. A report on the program graduation rates, waitlist for entry into the program, time to degree completion, and degrees awarded must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2024, and June 30, 2025.

(31) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand a series of online courses related to behavioral health and student well-being that are currently offered at the Bothell campus for school district staff. The standards for the

courses must be consistent with knowledge, skill, and performance standards related to mental health and well-being of public school students. The online courses must provide:

- (a) Foundational knowledge in behavioral health, mental health, and mental illness;
- (b) Information on how to assess, intervene upon, and refer behavioral health and intersection of behavioral health and substance use issues; and
- (c) Approaches to promote health and positively influence student health behaviors.

(32) To ensure transparency and accountability, in the 2023-2025 fiscal biennium the University of Washington shall comply with any and all financial and accountability audits by the Washington state auditor including any and all audits of university services offered to the general public, including those offered through any public-private partnership, business venture, affiliation, or joint venture with a public or private entity, except the government of the United States. The university shall comply with all state auditor requests for the university's financial and business information including the university's governance and financial participation in these public-private partnerships, business ventures, affiliations, or joint ventures with a public or private entity. In any instance in which the university declines to produce the information to the state auditor, the university will provide the state auditor a brief summary of the documents withheld and a citation of the legal or contractual provision that prevents disclosure. The summaries must be compiled into a report by the state auditor and provided on a quarterly basis to the legislature.

(33) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Burke museum of natural history and culture to make education programs offered by the museum accessible to more students across Washington, especially students in underserved schools and locations. The funding shall be used for:

- (a) Increasing the number of students who participate in Burke education programs at reduced or no cost, including virtual programs;
- (b) Providing bus reimbursement for students visiting the museum on field trips and to support travel to bring museum programs across the state;
- (c) Staff who will form partnerships with school districts to serve statewide communities more efficiently and equitably, including through the Burkemobile program; and
- (d) Support of tribal consultation work, including expanding Native programming, and digitization of Native collections.

(34) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$410,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's center for human rights. The appropriation must be used to supplement, not supplant, other funding sources for the center for human rights.

(35) \$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the establishment and operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.

(36) \$64,000 of the general fund—state appropriation for fiscal year 2024 and \$64,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(37) \$443,000 of the general fund—state appropriation for fiscal year 2024 and \$443,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation of the center for environmental forensic science.

(38) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation are provided solely for the community-engagement test to facilitate clean energy transitions by partnering with communities, utilities, and project developers.

(39) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational expenditures related to the battery fabrication testbed.

(40) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for pharmacy behavioral health. The University of Washington school of pharmacy/medicine pharmacy services will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.

(41) \$1,242,000 of the general fund—state appropriation for fiscal year 2024, \$1,242,000 of the general fund—state appropriation for fiscal year 2025, and \$742,000 of the workforce education investment account—state appropriation are provided solely for an increase in the number of nursing slots and graduates in the already established accelerated bachelor of science in nursing program. Of the amounts provided in this subsection, \$273,000 of the general fund—state appropriation for fiscal year 2024 and \$273,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Tacoma school of nursing and healthcare leadership.

(42) \$100,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$100,000)~~ \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the memory and brain wellness center to support the statewide expansion of the dementia friends program.



(43) \$77,000 of the general fund—state appropriation for fiscal year 2024 and \$77,000 of the general fund—state appropriation are provided solely to maintain a data repository to assist the state and all political subdivisions with evaluating whether and to what extent existing laws and practices with respect to voting and elections are consistent with public policy, implementing best practices in voting and elections, and to investigate potential infringements upon the right to vote.

(44) \$122,000 of the general fund—state appropriation for fiscal year 2024 and \$122,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sexual assault nurse examiner training.

(45) ~~(\$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.)~~ \$2,505,000 of the workforce education investment account—state appropriation is provided solely for the expansion of the University of Washington school of dentistry regional initiatives in dental education (RIDE) program.

(46) Within existing resources, the institution must resume a mentoring, organization, and social support for autism inclusion on campus program. The program must focus on academic coaching, peer-mentoring, support for social interactions, and career preparation.

(47) \$6,532,000 of the general fund—state appropriation for fiscal year 2024 and \$11,108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(48) \$712,000 of the general fund—state appropriation for fiscal year 2024 and \$4,183,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the behavioral health teaching faculty physician and facility support.

(49) \$1,869,000 of the general fund—state appropriation for fiscal year 2024 and \$3,738,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operations and maintenance support of the behavioral health teaching faculty.

(50) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the center for indigenous health to increase the number of American Indian and Alaska Native physicians practicing in the state of Washington.

(51) \$484,000 of the workforce education investment account—state appropriation is provided solely to the university for Friday harbor labs in the amount of \$125,000 each fiscal year and the school of aquatic and fishery sciences in the amount of \$117,000 each fiscal year to perform coordinating, monitoring, and research related to Puget Sound kelp conservation and recovery.

(52) \$200,000 of the workforce education investment account—state appropriation is provided solely to develop a framework for research to help determine inequities in poverty, access to service, language, barriers, and access to justice for individuals of Middle Eastern descent.

(53) \$3,000,000 of the climate commitment account—state appropriation is provided solely for the development of an energy transformation strategy to modernize the energy infrastructure and better align the institution's sustainability values at the Seattle campus.

(54) \$2,854,000 of the workforce education investment account—state appropriation is provided solely for increasing enrollments in computing and engineering programs at the Tacoma campus.

(55)(a) \$800,000 of the workforce education investment account—state appropriation is provided solely for the colab for community and behavioral health policy to collaborate with ~~((the Latino center for health and))~~ allies in healthier systems for health and abundance in youth to pilot test a culturally responsive training curricula for an expanded children's mental health workforce in community behavioral health sites. Community and lived experience stakeholders, representing communities of color, must make up over half of the project team. The pilot implementation shall include expansion of:

(i) The clinical training of both a lived experience workforce and licensed workforce to provide culturally responsive and evidence-informed mental health services focused on families, children, and youth;

(ii) An implementation plan that allows for local flexibility and local community input; and

(iii) An evaluation plan that will yield information about the potential success in implementation statewide and the improved experiences of those seeking mental health services.

(b) The project team must report its findings and recommendations to the appropriate committees of the legislature in compliance with RCW 43.01.036 by June 30, 2025.

(56) \$520,000 of the natural climate solutions account—state appropriation is provided solely for the biological response to ocean acidification to advance high-priority biological experiments to better understand the relationship between marine organisms and ocean acidification.

(57) \$300,000 of the natural climate solutions account—state appropriation is provided solely for monitoring assistance at the Washington ocean acidification center.

(58) \$104,000 of the general fund—state appropriation for fiscal year 2024 and \$104,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued implementation of chapter 191, Laws of 2022 (veterans & military suicide).

(59) \$426,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/review).

(60) \$205,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to organize and facilitate the difficult to discharge task force described in ~~((section 135(12) of this act))~~ section 133(11) of this act and its operations, including any associated ad hoc subgroups through October 31, 2023.

(61) \$500,000 of the workforce education investment account—state appropriation is provided solely for the addictions, drug and alcohol institute to continue cannabis and public health impact research. Funding may be used to develop resources regarding the connection between first episode psychosis and cannabis use.

(62) \$2,224,000 of the workforce education investment account—state appropriation is provided solely for program support and student scholarships for the expansion of the master of arts in applied child and adolescent psychology program. Of the amounts provided in this subsection:

(a) \$1,116,000 of the workforce education investment account—state appropriation is provided solely for program support at the Seattle site.

(b) \$1,108,000 of the workforce education investment account—state appropriation is provided solely for student scholarships at the Seattle site.

(63) \$800,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a program to support pathways from prison to the university's Tacoma campus. The university shall collaborate with formerly incarcerated women, Tacoma Community College, the freedom education project Puget Sound, the women's village, the state board for community and technical colleges, and the department of corrections, in development and implementation of the pathways program.

(64) ~~((250,000))~~ \$580,000 of the workforce education investment account—state appropriation is provided solely for the ~~((startup program))~~ Allen school scholars program.

(65) \$1,397,000 of the workforce education investment account—state appropriation is provided solely for increased student support services at the Tacoma campus.

(66) \$158,000 of the general fund—state appropriation for fiscal year 2024, \$158,000 of the general fund—state appropriation for fiscal year 2025, and \$798,000 of the workforce education investment account—state appropriation are provided solely for continued implementation of diversity, equity, inclusion, and antiracism professional development for faculty and staff, student training, and campus climate assessments in chapter 28B.10 RCW.

(67) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2024 are provided solely for the college of education to partner with the Chehalis and Spokane school districts to continue the math improvement pilot program.

(68) \$300,000 of the workforce education investment account—state appropriation is provided solely for support and promotion of a long-term care nursing residency program and externship.

(69) \$400,000 of the workforce education investment account—state appropriation is provided solely for nanocellulose based research to produce a replacement for cellophane and clear plastic products with one made with plant materials that is biodegradable.

(70) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of a pilot plant to produce nanocellulose based materials for evaluation by potential users, such as packaging manufacturers and companies that produce polylactic acid composites.

(71) \$1,238,000 of the workforce education investment account—state appropriation is provided solely to establish washpop, a statewide integrated data repository for population and policy research on topics, including criminal justice and safety, economic prosperity and equity, and health and social well-being.

(72) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuation of the collaborative for the advancement of telemedicine, hosted by the institution's telehealth services.

(73) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the center for health workforce studies to continue a program to track dental workforce trends, needs, and enhancements to better serve the increasing population and demand for access to adequate oral health care. The center shall continue the program in consultation with dental stakeholders including, but not limited to, provider associations and oral health philanthropic leaders. The workforce reporting program is to be considered a public-private partnership. The institutions may accept matching funds from interested stakeholders to help facilitate and administer the workforce reporting program. Information generated by the dental workforce reporting program shall be made available on the center's website in a deidentified, aggregate format.

(74) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(75) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(76) ~~((\$440,000))~~\$513,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(77) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$669,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(78) \$150,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(79) \$208,000 of the statewide 988 behavioral health crisis response account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(80) ~~((\$3,288,000))~~\$2,053,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(81) \$157,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(82) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for support of staff, training, and other costs necessary to facilitate the opening of the behavioral health teaching facility.

(83) \$450,000 of the workforce education investment account—state appropriation is provided solely to continue financial student assistance in public service oriented graduate and professional degree programs, referred to as "fee-based" programs, whose tuition for public service degrees is over \$18,000 per year. Programs shall create mechanisms to prioritize assistance to traditionally underrepresented students, specifically those who have expressed a commitment to service in the physician assistant, community oriented public health, or social work programs. The institution may offer financial assistance for students that volunteer or work with public health agencies, including as contact tracers.

(84) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a pilot program for short-term stabilization and transition support for individuals incompetent to stand trial due to intellectual or developmental disability as provided in Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(85) \$1,464,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(86) \$400,000 of the general fund—state appropriation for fiscal year 2025 and \$2,000,000 of the workforce education investment account—state appropriation ~~((is))~~are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(87) \$80,000,000 of the general fund—state appropriation for fiscal year 2024, \$50,000,000 of the general fund—state appropriation for fiscal year 2025, and \$20,000,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely to support the operations and teaching mission of the University of Washington medical center and harborview medical center.

(88) \$239,000 of the workforce education investment account—state appropriation is provided solely for implementation of chapter 232, Laws of 2023 (Engrossed Substitute Senate Bill No. 5447) (alternative jet fuel).

(89) \$263,000 of the climate commitment account—state appropriation is provided solely for two grant writers to support the ongoing need for tribal and overburdened communities to access state and federal funding opportunities that advance environmental justice through the thriving communities technical assistance program.

(90) \$20,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support behavioral health care and training at the University of Washington medical center. A report detailing how these funds and any federal funds are expended for the medical center shall be submitted to the governor and the appropriate committees of the legislature by June 30, 2025.

(91) \$300,000 of the workforce education investment account—state appropriation is provided solely for an entrepreneur in residence pilot program for graduate and postgraduate international students.

(92) \$180,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for soccer field renovation and associated lighting upgrades at the institution.

(93) \$250,000 of the workforce education investment account—state appropriation is provided solely for the Barnard center for infant and early childhood mental health, within

the University of Washington, to identify existing infant and early childhood mental health workforce initiatives and activities. In consultation with the health care authority, the center must identify and provide stakeholder connections, including tribes, to assist with workforce strategic planning. A report of findings and recommendations for expansion, diversification, training, and retention within the infant early childhood mental health workforce must be submitted to the appropriate committees of the legislature and to the children and youth behavioral health work group as established in RCW 74.09.4951, pursuant to RCW 43.01.036 by June 30, 2025.

(94) \$500,000 of the model toxics control operating account—state appropriation is provided solely for the school of public health to study and develop mobile screening methods to screen consumer products for fluorine, an indicator of per- and polyfluoralkyl chemicals. The developed method shall be compared to established approaches to measure fluorine and per- and polyfluoralkyl chemicals. A report on development of a functional screening method and recommendations to limit harmful exposures must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(95) \$250,000 of the workforce education investment account—state appropriation is provided solely for the center for social sector analytics and technology to provide a report on conditional scholarships for students who commit to working in the public behavioral health system. The institution must submit a preliminary report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025. The preliminary report must include overall effectiveness of the conditional grant programs, how to improve clinical training, how to support underserved communities, and the progress in diversifying the public behavioral workforce.

(96)(a) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the school mental health assessment research and training (SMART) center to research and report on collection and use of data, including universal screening and other social-emotional, behavioral, and mental health (SEBMH) data, in public schools within the multitiered system of supports and integrated student supports frameworks.

(b) The SMART center must submit a preliminary report to the appropriate committees of the legislature by December 1, 2024. At a minimum, the preliminary report must:

(i) Analyze alignment of current Washington statute and guidance with national best practices on universal SEBMH screening;

(ii) Identify facilitators and barriers to selection and effective use of research-based, culturally relevant universal SEBMH screening tools in Washington schools;

(iii) Analyze schools' current application of existing Washington statute relevant to SEBMH screening requirements;

(iv) Recommend statutory changes to increase systematic SEBMH screening of students in schools; and

(v) Include an implementation plan for demonstration sites to determine the feasibility, acceptability, and effectiveness of a best practices guide or resource on universal student SEBMH screening.

(c) The SMART center must submit a final report to the relevant policy and fiscal committees of the legislature by June 30, 2025. In addition to information from the preliminary report, the final report must include a guide or other resource for implementing best practices for screening of student SEBMH in schools, including the following best practices:

(i) Training and professional development;

(ii) Engaging with families, students, and other partners;

(iii) Informing tier 1 universal strategies and practices;

(iv) Assuring adequate availability of services;

(v) Complying with privacy and confidentiality laws;

(vi) Assuring cultural responsiveness in SEBMH screening practices; and

(vii) Partnering with community-based organizations.

(97) \$140,000 of the workforce education investment account—state appropriation is provided solely for the junior summer institute program to pilot a regional focused expansion that provides a pathway for historically underrepresented students into public policy and public service.

(98) \$174,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for genome sequencing and other research to improve control and eradication of the European green crab.

(99) \$615,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for legal services related to the behavioral health teaching facility.

(100) \$412,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to develop and implement the Washington reproductive access alliance, in order for the public hospital districts under chapter 70.44 RCW to provide substantially equivalent services under the reproductive privacy act under chapter 9.02 RCW. The alliance shall provide a service coordination website and phone line, administrative support and coordination of the alliance, patient care coordination, and social support for patient travel.

(101) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Evans school of public policy and governance to study ranked choice voting and provide guidance for implementation by local jurisdictions. The report must recommend steps necessary to implement ranked choice voting elections consistently and effectively, including suggested

education materials and election administrator training necessary to aid in the implementation. Collaboration must include, but is not limited to the ranked choice voting resource center, state director of elections, association of county auditors, VoteWA steering committee, and community based organizations that serve underrepresented communities related to voter outreach and education. A report on research and recommendations must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 1, 2023.

(102) \$232,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(103) \$4,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of House Bill No. 2302 (pesticide application comm.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(104) \$806,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2245 (co-response services). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 603. 2023 c 475 s 607 (uncodified) is amended to read as follows:

**FOR WASHINGTON STATE UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$277,544,000</del> ))
	<u>\$281,839,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$286,975,000</del> ))
	<u>\$291,354,000</u>
Climate Commitment Account—State Appropriation . . . . .	\$8,321,000
Washington State University Building Account—State Appropriation . . . . .	\$792,000
Education Legacy Trust Account—State Appropriation . . . . .	\$33,995,000
Model Toxics Control Operating Account—State Appropriation . . . . .	\$2,771,000
Dedicated Cannabis Account—State Appropriation (FY 2024) . . . . .	\$189,000
Dedicated Cannabis Account—State Appropriation (FY 2025) . . . . .	\$197,000
Workforce Education Investment Account—State Appropriation . . . . .	(( <del>\$48,117,000</del> ))
	<u>\$49,132,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$658,901,000</del>))</b>
	<b><u>\$668,590,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rural economic development and outreach coordinator.
- (2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.
- (3) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state match requirements related to the federal aviation administration grant.
- (4) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.
- (5) \$7,000,000 of the general fund—state appropriation for fiscal year 2024, \$7,000,000 of the general fund—state appropriation for fiscal year 2025, and \$22,800,000 of the workforce education investment account—state appropriation are provided solely for the continued development and operations of a medical school program in Spokane.
- (6) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a honey bee biology research position.
- (7) ((~~\$35,037,000~~))\$35,411,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$35,808,000~~))\$36,296,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.
- (8) \$580,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of an organic agriculture systems degree program located at the university center in Everett.
- (9) \$630,000 of the general fund—state appropriation for fiscal year 2024 and \$630,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

creation of an electrical engineering program located in Bremerton. At full implementation, the university is expected to increase degree production by 25 new bachelor's degrees per year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(10) \$1,370,000 of the general fund—state appropriation for fiscal year 2024 and \$1,370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of software engineering and data analytic programs at the university center in Everett. At full implementation, the university is expected to enroll 50 students per academic year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(11) General fund—state appropriations in this section are reduced to reflect a reduction in state-supported tuition waivers for graduate students. When reducing tuition waivers, the university will not change its practices and procedures for providing eligible veterans with tuition waivers.

(12) \$1,154,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 82.16.120 and 82.16.165 (renewable energy, tax incentives).

(13) \$376,000 of the general fund—state appropriation for fiscal year 2024 and \$376,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 28B.30.357 (children's mental health).

(14) \$585,000 of the general fund—state appropriation for fiscal year 2024 and \$585,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 77.12.272 (elk hoof disease).

(15) \$2,076,000 of the model toxics control operating account—state appropriation is provided solely for the university's soil health initiative and its network of long-term agroecological research and extension (LTARE) sites. The network must include a Mount Vernon RES site.

(16) \$42,000 of the general fund—state appropriation for fiscal year 2024 and \$42,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(17) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$33,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for compensation funding for Western Washington University employees that work on the Washington State University Everett campus.

(18) \$327,000 of the general fund—state appropriation for fiscal year 2024 and \$327,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for pharmacy behavioral health. Washington State University college of pharmacy and pharmaceutical sciences will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.

(19) \$1,921,000 of the general fund—state appropriation for fiscal year 2024 and \$3,526,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(20) \$608,000 of the general fund—state appropriation for fiscal year 2024 and \$608,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state academy of sciences to provide support for core operations and to accomplish its mission of providing science in the service of Washington, pursuant to its memorandum of understanding with the university.

(21) \$188,000 of the general fund—state appropriation for fiscal year 2024 and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for stormwater research to study the long-term efficacy of green stormwater infrastructure that incorporates compost to remove pollutants.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the joint center for deployment and research in earth abundant materials.

(23) \$4,112,000 of the workforce education investment account—state appropriation is provided solely to establish a bachelor's degree in cybersecurity operations.

(24) \$568,000 of the general fund—state appropriation for fiscal year 2024 and \$568,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 212, Laws of 2022 (community solar projects).

(25) \$7,721,000 of the climate commitment account—state appropriation is provided solely for the creation of the institute for northwest energy futures.

(26) \$3,910,000 of the workforce education investment account—state appropriation is provided solely for increasing nursing salaries at the institution.

(27) \$476,000 of the workforce education investment account—state appropriation is provided solely for nursing program equipment.

(28) \$2,521,000 of the workforce education investment account—state appropriation is provided solely for the establishment of a bachelor of science in public health degree at the Pullman, Spokane, and Vancouver campuses.

(29) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increasing the base funding for the William D. Ruckleshaus Center.

(30) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for Washington State University extension service to hire a qualified contractor to assess program performance of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020 and recipients of pass-through grants from the northeast Washington wolf-livestock management nonappropriated account. The program must be assessed for the period of 2021-2023 as to whether grant recipients met the intent of the appropriation.

(a) For recipients of grant funds from the program authorized in RCW 16.76.020, performance must be evaluated on the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a good probability of producing effective results. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape.

(b) For recipient of the pass-through funds from the northeast Washington wolf-livestock management nonappropriated account, performance must be based on the intent of conducting proactive deterrence activities with the goal to reduce the likelihood of cattle being injured or killed by wolves.

(c) The contractor must have at least five years of experience in the combination of field work as a range rider and running range riding programs in areas with wolf-livestock conflict in the western United States. In conducting the assessment, the contractor may access written range rider logs and georeferenced data produced by the grant recipients, in addition to reading annual reports of the recipients and interviewing relevant participants. The contractor may also provide general recommendations for improvement of programs intended to provide effective wolf-livestock deterrence, taking into account the terrain and other challenges faced in northeast Washington. The contractor must complete their assessment for Washington State University extension service to be delivered to the legislature, pursuant to RCW 43.01.036, by June 30, 2024.

(31) \$500,000 of the workforce education investment account—state appropriation is provided solely for the energy program for residential energy code education and support, including training, hotline support to the building industry, and information material and web resources.

(32) \$695,000 of the model toxics control operating account—state appropriation is provided solely for turf grass resilience research in high traffic areas.

(33) (a) \$95,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the William D. Ruckelshaus center to conduct a jail modernization task force convening assessment and design a facilitated collaborative process and work plan for the jail modernization task force created in section 915 of this act. The assessment shall include, but not be limited to:

(i) Gathering and reviewing additional background information relevant to the project;

(ii) Meeting and consulting with the Washington state association of counties to gather background on issues, confirm the list of members to interview, and provide updates throughout the duration of the work; and meeting and consulting with the Washington state institute for public policy to coordinate, inform, and share information and findings gathered; and

(iii) Setting up individual conversations with task force members, and others as needed, to assess their goals, expectations, interests, and desired outcomes for the task force. The purpose of these conversations will also be to gather insights and perspectives from members about, but not limited to, the following:

(A) What key components and issues should be included in a statewide jail modernization plan, what existing facilities are in need of upgrades or remodel, and any need for building new facilities;

(B) Identifying any additional key stakeholders;

(C) Employee retention issues and potential solutions;

(D) The impact of overtime, jail atmosphere, emergency response time, inexperienced corrections officers, and how to overcome these challenges;

(E) The type of and design of facilities needed to house those with behavioral health needs and associated costs of these facilities;

(F) Available diversion programs and their costs;

(G) Types of existing behavioral health facilities for those involved in the criminal justice system, the costs of building and running these facilities, how these facilities vary by location, the viability of offering facilities in every county, and potential system improvements to the types of services and supports offered and delivered to those with behavioral health needs;

(H) The types of services and supports provided to those exiting the jail system; and

(I) Reforms necessary to create and enhance a seamless transition back to the community following jail confinement.

(b) Center staff will provide a convening assessment report that will include the overall process design and work plan for the task force by June 30, 2025.

(34) \$1,596,000 of the workforce education investment account—state appropriation is provided solely for the creation of a bachelor's and master's degree in social work at the Tri-Cities campus.

(35) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(36) ~~((\$372,000))~~ \$434,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(37) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(38) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting), for a least-conflict pumped storage siting project. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(39) \$125,000 of the workforce education investment account—state appropriation is provided solely for implementation of Senate Bill No. 5287 (wind turbine blades). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(40) (a) ~~((\$1,200,000))~~ \$1,700,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a Native American scholarship program during the 2023-2025 biennium. Of the amounts in this subsection, no more than \$100,000 of the workforce education investment account—state appropriation for fiscal year 2024 and \$100,000 of the workforce education investment account—state appropriation for fiscal year 2025 may be spent on administration; development of the program; support services for students; outreach regarding the program; and technical support for application.

(b) "Eligible student" means a member of a federally recognized Indian tribe located within Washington who files a free application for federal student aid (FAFSA) and enrolls in an undergraduate degree program. Eligible students need to maintain satisfactory academic progress during the 2023-2025 biennium to remain eligible for the scholarship. The institution shall determine award priorities based on tribal consultation. Awards must be distributed to students no later than May of each fiscal year.

(c) The institution must submit a report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025. The report must include: The number of eligible students; the number of students who receive a scholarship; how recipients were determined; and how many members of federally recognized Indian tribes in Washington received scholarships versus members of federally recognized Indian tribes from other states.

(41) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(42) \$2,425,000 of the workforce education investment account—state appropriation is provided solely for the development and operations of a journalism fellowship program focused on civic affairs.

(43) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$3,675,000 of the general fund—state appropriation for fiscal year 2024 and \$2,348,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the institution to purchase the obligated amount of carbon allowances.

(45) \$190,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for continued funding of the statewide broadband coordinator within the Washington State University energy extension program. This funding will support the salary and benefits of this position.

(46) \$353,000 of the workforce education investment account—state appropriation is provided solely for the complex social interactions lab.

(47) \$298,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the William D. Ruckelshaus center, working in collaboration with the departments of health and ecology, to evaluate and recommend actions to increase the effectiveness of the state's municipal water conservation statute at RCW 70A.125.170 and regulation at chapter 246-290 WAC. The center may contract with consultants or organizations with expertise on municipal water conservation programs. Recommendations may be informed by best practices in other states and include: Statutory or regulatory changes to increase program effectiveness, modifying regulatory oversight including whether the responsibility for parts or all of the program should be moved from the department of health to the department of ecology, improving coordination between the departments, identifying sufficient funding to effectively implement the program, including creation of a grant or loan program to assist municipal water systems in program implementation, or other ideas on municipal water use conservation and efficiency strategies.

(a) The center shall invite participation from federally recognized Indian tribes, municipal water systems and organizations, and relevant stakeholders in this evaluation.



(b) The center shall submit a report to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025, on work conducted within this subsection and must include:

(i) Recommendation for a long-term strategy for program implementation; and

(ii) Estimated costs of ongoing expenses for program implementation, including any costs associated with changes in regulatory oversight of program elements or implementation.

(48) (a) \$135,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a study to investigate housing market conditions in tourism-dependent municipalities. The study must:

(i) Examine state and local government policies nationwide that address and support affordable and workforce housing projects and programs in tourism-dependent communities;

(ii) Examine how the increase in area median incomes correlates with the rise in housing costs statewide and whether the allocation of state housing program funds has been equitable and proportional throughout all regions in the state, placing specific emphasis on understanding the disparity between urban and rural counties;

(iii) Examine state policies and regulations that have influenced the cost of housing with a specific emphasis on rural counties;

(iv) Identify various strategies deployed to enhance the flexibility of local government revenue; and

(v) Identify outcomes of strategies deployed to enhance revenue streams to support workforce housing initiatives.

(b) The study must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 31, 2024.

(49) Appropriations in this section are sufficient to implement the collective bargaining agreement between Washington State University and academic employees negotiated under chapter 41.56 RCW and as set forth in part VII of this act.

(50) \$232,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(51) \$1,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of House Bill No. 2302 (pesticide application comm.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(52) \$100,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1391 (energy in buildings). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 604.** 2023 c 475 s 608 (uncodified) is amended to read as follows:

**FOR EASTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$65,367,000</del> ))
	\$65,677,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$67,576,000</del> ))
	\$68,284,000
Education Legacy Trust Account—State Appropriation . . . . .	\$16,838,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$24,730,000</del> ))
	\$24,366,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$174,511,000</del>))</b>
	<b>\$175,165,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) At least \$350,000 of the general fund—state appropriation for fiscal year 2024 and at least \$350,000 of the general fund—state appropriation for fiscal year 2025 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) ((~~\$12,586,000~~))\$12,720,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$12,862,000~~))\$13,038,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(5) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(6) \$2,274,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(7) \$2,636,000 of the workforce education investment account—state appropriation is provided solely to maintain a computer engineering degree program in the college of science, technology, engineering, and math.

(8) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(9) \$300,000 of the workforce education investment account—state appropriation is provided solely to establish a center for inclusive excellence for faculty and staff.

(10) \$536,000 of the workforce education investment account—state appropriation is provided solely for a professional masters of science cyber operations degree option.

(11) \$2,144,000 of the workforce education investment account—state appropriation is provided solely for the operation of a bachelor of science in cybersecurity degree option through the computer science program.

(12) \$2,108,000 of the workforce education investment account—state appropriation is provided solely for the operation of a coordinated care network that will help to maximize the collaboration of various student support services to create wraparound care for students to address obstacles to degree completion. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(13) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(14) \$4,598,000 of the workforce education investment account—state appropriation is provided solely to expand faculty and staff to create a cohort of 80 students in the bachelor of nursing program.

(15) \$476,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/review).

(16) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a summer bridge program.

(17) ~~(\$500,000)~~ \$1,012,000 of the workforce education investment account—state appropriation is provided solely for the establishment of a university mathematics, engineering, and science achievement program.

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(19) ~~(\$118,000)~~ \$138,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(21) ~~(\$5,000,000)~~ \$3,977,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$127,000 of the workforce education investment account—state appropriation is provided solely for the institution to develop the postbaccalaureate dental therapy certificate in the college of health science and public health.

(24) \$144,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for emergency response and resources for critical incidents.

(25) \$95,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 605.** 2023 c 475 s 609 (uncodified) is amended to read as follows:

**FOR CENTRAL WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>\$68,760,000</del> )
	<u>\$68,916,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	( <del>\$71,733,000</del> )
	<u>\$72,107,000</u>
Central Washington University Capital Projects	

Account—State Appropriation. . . . .	\$76,000
Education Legacy Trust Account—State Appropriation. . . . .	\$19,076,000
Workforce Education Investment Account—State Appropriation. . . . .	(( <del>\$16,537,000</del> ))
	<u>\$14,605,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$176,182,000</del>))</b>
	<u>\$174,780,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) ((~~\$14,186,000~~)) \$14,337,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$14,498,000~~)) \$14,696,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(5) \$2,236,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(6) \$1,050,000 of the workforce education investment account—state appropriation is provided solely to increase the number of certified K-12 teachers.

(7) \$736,000 of the workforce education investment account—state appropriation is provided solely to maintain mental health counseling positions.

(8) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two counselor positions to increase access to mental health counseling for traditionally underrepresented students.

(9) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health outreach and service coordination position who has knowledge of issues relevant to veterans.

(10) \$240,000 of the workforce education investment account—state appropriation is provided solely for expanding cybersecurity capacity by adding additional faculty resources in the department of computer science.

(11) \$586,000 of the workforce education investment account—state appropriation is provided solely for a peer mentoring program. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(12) \$286,000 of the workforce education investment account—state appropriation is provided solely for the operation of an extended orientation program to help promote retention of underserved students. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(13) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the cost of the criminal justice training center's use of office and classroom space at the Lynnwood campus.

(14) \$592,000 of the general fund—state appropriation for fiscal year 2024 and \$1,091,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(15) \$1,406,000 of the workforce education investment account—state appropriation is provided solely for student success. Students will receive discipline specific tutoring programs, peer assisted learning sessions, and academic success coaching.

(16) \$967,000 of the workforce education investment account—state appropriation is provided solely for grow your own teacher residency programs in high need areas of elementary, bilingual, special education, and English language learners.

(17) \$844,000 of the workforce education investment account—state appropriation is provided solely for dual language expansion programs in Yakima and Des Moines.

(18) ((~~\$126,000~~)) \$147,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(19) \$25,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(20) \$57,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(21) ((~~\$8,060,000~~))\$5,709,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(23) \$398,000 of the workforce education investment account—state appropriation is provided solely for student basic needs. This funding will support two financial aid coaching specialists, support a coordinator for the food pantry, support a director and advocate to assist students who have experienced sexual violence, and help with prevention initiatives.

(24) Appropriations in this section are sufficient to implement the collective bargaining agreement between Central Washington University and the campus police officers and sergeants negotiated under chapter 41.80 RCW and as set forth in part VII of this act.

(25) \$22,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 606.** 2023 c 475 s 610 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$39,088,000</del> ))
	\$38,787,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$38,499,000</del> ))
	\$39,498,000
The Evergreen State College Capital Projects	
Account—State Appropriation . . . . .	\$80,000
Education Legacy Trust Account—State Appropriation . . . . .	\$5,450,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$5,554,000</del> ))
	\$5,572,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$88,671,000</del>))</b>
	<b>\$89,387,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$4,315,000~~))\$4,361,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$4,410,000~~))\$4,470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(3) Within amounts appropriated in this section, the college is encouraged to increase the number of tenure-track positions created and hired.

(4) ((~~\$4,063,000~~))\$3,715,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$2,732,000~~))\$3,476,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state institute for public policy to initiate, sponsor, conduct, and publish research that is directly useful to policymakers and manage reviews and evaluations of technical and scientific topics as they relate to major long-term issues facing the state. Within the amounts provided in this subsection (4):

(a) \$1,665,000 of the amounts in fiscal year 2024 and \$1,685,000 of the amounts in fiscal year 2025 are provided for administration and core operations.

(b) ((~~\$1,229,000~~))\$1,069,000 of the amounts in fiscal year 2024 and ((~~\$529,000~~))\$709,000 of the amounts in fiscal year 2025 are provided solely for ongoing and continuing studies on the Washington state institute for public policy's work plan.

(c) ((~~\$202,000~~))\$142,000 of the amounts in fiscal year 2024 and ((~~\$80,000~~))\$140,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to update its adult corrections inventory of evidence-based, research-based, and promising programs and expand the inventory to include new programs that were not included in the last published Washington state institute for public policy inventory in 2018. This update must focus on programs for incarcerated individuals in prison facilities to include family and relationships programs, learning and working programs, and therapeutic and support programs. The institute should prioritize the addition of programs currently offered by the Washington state department of corrections. Of this amount:

(i) No later than ((~~December 31, 2023~~))June 30, 2024, the institute shall publish a preliminary report identifying the list of programs currently offered in Washington state department of corrections prison facilities and the list of new programs to be analyzed for inclusion on the updated adult corrections inventory. The preliminary report must include an

indication of whether the Washington state department of corrections programs have ever been evaluated for their effect on recidivism; and

(ii) No later than ~~((December 31, 2024))~~ June 30, 2025, the institute shall publish a final report with the updated adult corrections inventory classifying programs as evidence-based, research-based, or promising programs. The report shall include a list of programs currently offered in Washington state department of corrections prison facilities and a determination of their likely effectiveness in reducing recidivism based on the results of the adult corrections inventory.

(d)(i) \$154,000 of the amount for fiscal year ~~((2024))~~ 2025 is provided solely for the institute to examine the costs associated with conservation district elections under current law, and the projected costs and benefits for shifting conservation district election to be held on general election ballots under Title 29A RCW. The examination must include, to the extent that the data allows:

(A) An analysis of the amount of money that each conservation district spends on holding elections for supervisors under current law, and a description of the funding sources that each conservation district utilizes to fund its elections;

(B) Information about voter turnout in each conservation district supervisor election in at least the past six years and up to the past 20 years, if the conservation district has such data, as well as a calculation of the total cost per ballot cast that each conservation district spent in those elections;

(C) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if the district were to hold its supervisor elections on general election ballots under the processes and procedures in Title 29A RCW, including:

(I) Switching all supervisor positions to elected positions; and

(II) Changing term lengths to four years, with terms staggered such that elections are held every two years, to align with the elections for other local government officials;

(D) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if, in addition to the changes described in (d)(i)(C) of this subsection, the conservation districts were divided into zones such that each zone is represented by a single supervisor, rather than electing each supervisor at-large throughout the district; and

(E) An overall description of potential nonmonetary costs and benefits associated with switching conservation district supervisor elections to the general election ballots under Title 29A RCW and incorporating the changes described in (d)(i)(C) and (D) of this subsection.

(ii) A preliminary report which contains any available information to date must be completed by December 1, ~~((2023))~~ 2024. A final report must be completed by June 30, ~~((2024))~~ 2025, and submitted in accordance with RCW 43.01.036 to the standing committees of the house of representatives and the senate with jurisdiction over elections and conservation district issues.

(e) \$100,000 of the amounts for fiscal year 2024 and \$100,000 of the amounts for fiscal year 2025 are provided solely for the institute to conduct a review of all assessments and charges imposed on individuals incarcerated in department of corrections facilities and their family members and its effect on the financial status of incarcerated individuals. The review must include, at a minimum:

(i) An evaluation of all costs incurred by incarcerated individuals for items that include but are not limited to:

(A) Food;

(B) Commissary items;

(C) Personal hygiene items;

(D) Electronic devices and services, tablets, digital stamps, and downloadable media and services such as music, movies, and other programs;

(E) Stationary, mail, and postage;

(F) Communication devices such as telephones, local and nonlocal telephone services, and video chat services;

(G) Clothing and shoes;

(H) Copayments for medical, dental, and optometry visits, care, and medication;

(I) Eyeglasses;

(J) Gym, television services, and any other recreational activities;

(K) Educational and vocational classes, programming, and related materials; and

(L) Any and all items and services charged to incarcerated persons under RCW 72.09.450 and 72.09.470 including, but not limited to, a complete list of any other item that an individual was or could have been charged for while incarcerated;

(ii) A complete itemized list of: (A) All items in (e)(i) of this subsection; (B) the cost of each item and service purchased by the department or negotiated with a vendor in (e)(i) of this subsection; (C) the resale or purchased price charged to incarcerated individuals and their family members for the same items in (e)(i) of this subsection; (D) the revenue or profit retained or reinvested by the department for each individual item in (e)(i) of this subsection; (E) the cost of items and services listed in (e)(i) of this subsection compared to comparable items and services that are not provided through correctional industries; and (F) an assessment of the prices charged for the items and services listed in (e)(i) of this subsection as compared to comparable items and services provided by other companies and vendors that do not service prisons;

(iii) A complete list of all items including, but not limited to, clothing and personal hygiene items, that are distributed monthly free of charge: (A) To all incarcerated

individuals irrespective of their financial status; and (B) solely to indigent inmates as defined in RCW 72.09.015 provided the individual remains in indigent status during his or her period of incarceration;

(iv) The average annual debt incurred by an individual while incarcerated. This includes debt solely recorded and posted by the department for debt incurred between the individual's first day of confinement within the department of corrections through the individual's day of release from incarceration from prison;

(v) The average debt owed by incarcerated individuals to the department for items and services under (e)(i) of this subsection upon release from confinement;

(vi) The average amount paid by incarcerated individuals to the department for items and services under (e)(i) of this subsection during their period of confinement;

(vii) A list of the: (A) Required deductions from wages and gratuities earned pursuant to RCW 72.09.100 through 72.09.111; (B) required deductions from the funds received, by the department on behalf of an incarcerated person from outside sources, in addition to an incarcerated individual's wages or gratuities pursuant to RCW 72.09.480; and (C) wages and gratuities earned by an incarcerated individual and any funds received, by the department on behalf of an incarcerated person, from outside sources for specific items listed in (e)(i) of this subsection that are exempt from statutory deductions;

(viii) The average amount of funds remaining in an incarcerated individual's savings account at the time of his or her release from confinement; and

(ix) A review and evaluation of the fines, fees, and commission generated from any of the items and services listed in (e)(i) of this subsection that are used in the department's budget.

The institute must provide a final report to the governor and the appropriate committees of the legislature by June 30, 2025.

(f) (i) (~~(\$50,000)~~) \$76,000 of the amount for fiscal year 2024 (~~(is)~~) and \$128,000 of the amount for fiscal year 2025 are provided solely for the institute to study the contracting practices for goods and services, and manufactured products, made or offered by correctional industries to state agencies and various political subdivisions within the state. A cost benefit analysis must be included in the report which must:

(A) Determine the costs of all contracts utilizing the labor of incarcerated individuals providing services or the manufacture of goods for state entities and other political subdivisions;

(B) Compare the cost savings to the state of Washington that is projected when those goods and services are procured from or produced by corrections industries and not private businesses engaged in a competitive bidding process with the state and its various political subdivisions;

(C) Provide a detailed break out of total number of labor positions that are offered to incarcerated individuals, ranked from least skilled to most skilled and the rate per hour of the gratuities the individuals are given monthly for this labor, including the amount if the gratuity given to incarcerated individuals was the federal or state mandated minimum wage;

(D) Provide a detailed listing of all commissary items purchased by and offered for sale to individuals incarcerated within the facilities operated by the department of corrections. This listing of individual items must also include the wholesale price from outside vendors that correction industries pays for each line item offered to incarcerated individuals, and the price charged to the incarcerated individual for those items; and

(E) Provide a comprehensive list of all positions offered by corrections industries that provide substantive training and labor ready skills for individuals to assume positions in the workforce outside of incarceration; and to the extent the data allows, provide the number of individuals who have positions upon release that were obtained with skills obtained through work at correctional industries.

(ii) The institute must submit a report to the appropriate committees of the legislature by June 30, 2025, in compliance with RCW 43.01.036.

(g) (i) \$260,000 of the amounts in fiscal year 2024 and \$98,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to conduct a study of the Washington jail system and county juvenile justice facilities.

(ii) The institute's report shall include, to the extent possible, consideration of the following:

(A) A longitudinal study of how the county jail and county juvenile detention populations have changed over the last 12 years including, but not limited to, an analysis of demographics, physical and behavioral health issues, number of inmates, and types of convictions;

(B) An analysis of county jail and county juvenile detention facility survey data provided by the Washington state association of counties as described in (g)(v) of this subsection; and

(C) Examination of the availability of criminal justice training commission classes for corrections officers.

(iii) The health care authority, department of social and health services, administrative office of the courts, criminal justice training commission, state auditor's office, office of financial management, and Washington state patrol must provide the institute with access to data or other resources if necessary to complete this work.

(iv) The institute shall submit the report to the appropriate committees of the legislature and the governor by December 1, 2024.

(v) As part of the study, the institute shall contract with the Washington state association of counties to conduct a survey of jail and juvenile detention facilities in Washington state. The survey shall include, but not be limited to, the following:

- (A) Age of the facilities;
- (B) Age of systems within the facilities;
- (C) Cost of remodeling facilities;
- (D) Cost of building new facilities;
- (E) General maintenance costs of the facilities;
- (F) Operational costs of the facilities;
- (G) Workforce, to include, but not be limited to, employee vacancies as a percentage of total employees;
- (H) Services, supports, and programming, to include, but not be limited to:
- (I) Costs of housing those with behavioral health needs;
- (II) Number of individuals with behavioral health needs;
- (III) Cost of competency restoration;
- (IV) Physical health services and related costs;
- (V) Number of individuals booked and housed on behalf of state agencies;
- (VI) Percent of individuals waiting for a state hospital;
- (VII) Available nonincarcerative alternatives and diversion programs; and
- (VIII) Available release and reentry services;
- (I) Funding sources, to include, but not be limited to:
- (I) County tax structure and revenue raising ability; and
- (II) Jail and juvenile detention facility funding sources.
- (vi) The Washington state association of counties shall consult with the Washington state institute for public policy during the design and distribution of the survey. Responses to the survey shall be compiled and provided to the Washington state institute for public policy by December 31, 2023.
- (h) (i) \$240,000 of the amounts in fiscal year 2024 and \$240,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy, in consultation with the Washington traumatic brain injury strategic partnership advisory council, to study the potential need for developing specialized long-term services and supports for adults with traumatic brain injuries.
- (ii) At a minimum, the study must include an examination of:
  - (A) The demographics of adults with traumatic brain injuries in the state who are anticipated to be in need of long-term services and supports, including an examination of those who are likely to be eligible for medicaid long-term services and supports;
  - (B) The industry standards of providing long-term care services and supports to individuals with traumatic brain injuries; and
  - (C) The methods other states are utilizing to provide long-term services and supports to individuals with traumatic brain injuries, including identifying the rates paid for these services and a description of any specialized facilities established to deliver these services.
- (iii) A report of the findings of this study and any recommendations for increasing access to appropriate long-term services and supports for individuals with traumatic brain injuries shall be submitted to the governor and the appropriate committees of the legislature no later than June 30, 2025.
- (i) \$163,000 of the amounts in fiscal year 2024 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~
- (j) \$222,000 of the amounts in fiscal year 2025 are provided solely for implementation of chapter 29, Laws of 2022 (2SHB 1818).
- (k) Notwithstanding other provisions in this subsection, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute's 2023-25 work plan as necessary to efficiently manage workload.
- (5) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional faculty to support Native American and indigenous programs.
- (6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the native pathways program for an assistant director.
- (7) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison position.
- (8) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.
- (9) \$137,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student mental health and wellness. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.
- (10) \$196,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for additional laboratory, art, and media lab sections.
- (11) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop

and expand current corrections education programs offered in department of corrections facilities. The college shall appoint a project implementation team, collaborate with stakeholders to plan student success programs and curriculum which lead to transferable credit, associate and bachelor's degrees, and other workforce credentials, and train faculty and staff on working with incarcerated populations.

(12) \$2,636,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(13) \$670,000 of the workforce education investment account—state appropriation is provided solely to maintain enrollment capacity in psychology programs.

(14) \$600,000 of the workforce education investment account—state appropriation is provided solely to increase student success by maintaining support for a student precollege immersion program and the Evergreen first-year experience.

(15) \$988,000 of the workforce education investment account—state appropriation is provided solely for student enrollment and retention support. Funding is provided for hiring a student advisor and underserved student specialist to provide student support and administrative support for the native pathways program.

(16) \$554,000 of the workforce education investment account—state appropriation is provided solely for the expansion of corrections education offerings to currently incarcerated students and the expansion of reentry services.

(17) ~~(((\$106,000))~~\$124,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) \$6,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$97,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 607.** 2023 c 475 s 611 (uncodified) is amended to read as follows:  
**FOR WESTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$98,802,000</del> ))
	<u>\$99,084,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$103,707,000</del> ))
	<u>\$104,458,000</u>
Western Washington University Capital Projects	
Account—State Appropriation . . . . .	\$1,424,000
Education Legacy Trust Account—State Appropriation . . . . .	\$13,831,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$21,399,000</del> ))
	<u>\$22,248,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$239,163,000</del>))</b>
	<b><u>\$241,045,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) ~~(((\$19,580,000))~~\$19,789,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$20,010,000))~~\$20,283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation and implementation of an early childhood education degree program at the western on the peninsulas campus. The university must collaborate with Olympic college. At full implementation, the university is expected to grant approximately 75 bachelor's degrees in early childhood education per year at the western on the peninsulas campus.



(5) \$1,306,000 of the general fund—state appropriation for fiscal year 2024 and \$1,306,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to develop a new program in marine, coastal, and watershed sciences.

(6) \$886,000 of the general fund—state appropriation for fiscal year 2024 and \$886,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to reduce tuition rates for four-year degree programs offered in partnership with Olympic college—Bremerton, Olympic college—Poulsbo, and Peninsula college—Port Angeles that are currently above state-funded resident undergraduate tuition rates.

(7) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to recruit and retain high quality and diverse graduate students.

(8) \$548,000 of the general fund—state appropriation for fiscal year 2024 and \$548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for critical support services to ensure traditionally underrepresented students receive the same opportunities for academic success as their peers.

(9) \$48,000 of the general fund—state appropriation for fiscal year 2024 and \$48,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(10) \$530,000 of the general fund—state appropriation for fiscal year 2024 and \$530,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation of two bilingual educator programs in the south King county region, including a bilingual elementary education degree program and a secondary education degree program. At full implementation, each cohort shall support up to 25 students per year.

(11) \$361,000 of the general fund—state appropriation for fiscal year 2024 and \$361,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a master of science program in nursing.

(12) \$433,000 of the general fund—state appropriation for fiscal year 2024 and \$433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the registered nurse to bachelors in nursing program.

(13) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(14) \$2,256,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(15) \$3,426,000 of the workforce education investment account—state appropriation is provided solely to maintain access to science, technology, engineering, and mathematics degrees.

(16) \$908,000 of the workforce education investment account—state appropriation is provided solely to establish an academic curriculum in ethnic studies.

(17) \$400,000 of the workforce education investment account—state appropriation is provided solely for upgrading cyber range equipment and software.

(18) \$2,520,000 of the workforce education investment account—state appropriation is provided solely for student support services that include resources for outreach and financial aid support, retention initiatives including targeted support for underserved student populations, mental health support, and initiatives aimed at addressing learning disruption due to the global pandemic. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for student support services.

(19) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(20) \$500,000 of the workforce education investment account—state appropriation is provided solely for the student civic leaders initiative.

(21) \$1,610,000 of the general fund—state appropriation for fiscal year 2024 and \$2,875,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(22) \$3,186,000 of the workforce education investment account—state appropriation is provided solely for the western on the peninsulas expansion. This includes new two plus two degrees programs such as industrial engineering, data science, and sociology.

(23) \$1,577,000 of the workforce education investment account—state appropriation is provided solely for expanded remedial math and additional English 101 courses, as well first year seminars, and disability accommodation counselors. Of the amounts provided in this subsection for first year seminars, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided for the university to develop a student orientation program for students receiving the Washington college grant, focusing on first-generation and traditionally underrepresented students. The program may include evidence-based student success metrics, peer support, and mentorship following orientation. The program proposal must be submitted to the legislature by December 1, 2023 for implementation in the 2024-2025 academic year.

(24) \$100,000 of the workforce education investment account—state appropriation is provided solely for mental health first aid training for faculty.

(25) \$150,000 of the workforce education investment account—state appropriation is provided solely for the small business development center to increase technical assistance to black, indigenous, and other people of color small business owners in Whatcom county.

(26) \$694,000 of the workforce education investment account—state appropriation is provided to establish a master of social work program at western on the peninsulas.

(27) \$2,478,000 of the workforce education investment account—state appropriation is provided solely for expansion of bilingual educators education.

(28) \$1,000,000 of the workforce education investment account—state appropriation is provided for additional student support and outreach at western on the peninsulas.

(29) \$580,000 of the workforce education investment account—state appropriation is provided solely to convert the human services program at western on the peninsulas from self-sustaining to state-supported to reduce tuition rates for students in the program.

(30) ~~(\$118,000)~~ \$138,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$23,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) \$1,306,000 of the workforce education investment account—state appropriation is provided solely to establish and administer a teacher residency program focused on special education instruction beginning in the 2024-25 school year. Amounts provided in this subsection are sufficient to support one cohort of 17 residents per school year, and must be prioritized to communities that are anticipated to be most positively impacted by teacher residents who fill teacher vacancies upon completing the teacher residency program and who remain in the communities in which they are mentored. The teacher residency program must meet the following requirements:

(a) Residents receive compensation equivalent to first year paraeducators, as defined in RCW 28A.413.010;

(b) Each resident is assigned a preservice mentor;

(c) Preservice mentors receive a stipend of \$2,500 per year;

(d) Residents receive at least 900 hours of preservice clinical practice over the course of the school year;

(e) At least half of the residency hours specified in (d) of this subsection are in a coteaching setting with the resident's preservice mentor and the other half of the residency hours are in a coteaching setting with another teacher;

(f) Residents may not be assigned the lead or primary responsibility for student learning;

(g) Coursework taught during the residency is codesigned by the teacher preparation program and the school district, state-tribal education compact school, or consortium, tightly integrated with residents' preservice clinical practice, and focused on developing culturally responsive teachers; and

(h) The program must prepare residents to meet or exceed the knowledge, skills, performance, and competency standards described in RCW 28A.410.270(1).

(34) \$429,000 of the workforce education investment account—state appropriation is provided solely to continue the expansion of the undergraduate electrical and computer engineering program.

(35) \$400,000 of the workforce education investment account—state appropriation is provided solely for academic access and outreach.

(36) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the institute for the study of the Holocaust, genocide, and crimes against humanity to collaborate with the office of the superintendent of public instruction, pursuant to section 2(2) of Engrossed Substitute House Bill No. 2037 (Holocaust and genocide edu.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(37) \$122,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 608.** 2023 c 475 s 612 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—POLICY COORDINATION AND ADMINISTRATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$9,850,000</del> ))
	\$9,895,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$9,416,000</del> ))
	\$9,890,000
General Fund—Federal Appropriation . . . . .	(( <del>\$20,996,000</del> ))
	\$20,999,000

Washington Student Loan Account—State Appropriation. . . . .	\$90,000,000
Workforce Education Investment Account—State Appropriation. . . . .	(((\$16,311,000)) \$16,561,000)
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$146,573,000)) \$147,345,000)</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$126,000 of the general fund—state appropriation for fiscal year 2024 and \$126,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consumer protection unit.

(2) The student achievement council must ensure that all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW provide the data needed to analyze and evaluate the effectiveness of state financial aid programs. This data must be promptly transmitted to the education data center so that it is available and easily accessible.

(3) Community-based organizations that receive state funding under subsection (11) of this section and section 605(35) of this act are not eligible for Washington career and college pathways innovation challenge program grant funding for the same purpose.

(4) \$575,000 of the general fund—state appropriation for fiscal year 2024 and \$575,000 of the general fund—state appropriation for fiscal year 2025 are provided to increase the number of high school seniors and college bound scholars that complete the free application for federal student aid and the Washington application for state financial aid through digital engagement tools, expanded training, and increased events for high school students.

(5) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative support services to carry out duties and responsibilities necessary for recipients of the Washington college grant who are enrolled in a state registered apprenticeship program.

(6) (a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The student achievement council, in cooperation with the council of presidents, must provide resources for up to two four-year colleges or universities, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college and university staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The council, in collaboration with the council of presidents and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health insurance coverage; and to provide recommendations on how to improve student and staff access to health coverage based on data gathered from the pilot program.

(7) \$1,208,000 of the general fund—state appropriation for fiscal year 2024 and \$1,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington award for vocational excellence. Of the amount provided in this subsection, \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 may be used for administration and that is the maximum amount that may be expended for this purpose.

(8) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the career launch grant pool for the public four-year institutions.

(9) \$179,000 of the general fund—state appropriation for fiscal year 2024 and \$179,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the complete Washington program.

(10) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the council to submit a progress report on the new or expanded cybersecurity and nursing academic programs that receive funding in sections 605 through 611 of this act, including the number of students enrolled. The council must coordinate with the institutions of higher education and the state board for community and technical colleges as provided in sections 603(3), 605(31), and 605(37) of this act. The progress report must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2024.

(11) \$5,778,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to contract with a statewide

nonprofit organization located in King county to expand college services to support underserved students and improve college retention and completion rates.

(12) \$46,000 of the general fund—state appropriation for fiscal year 2024 and \$46,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the state of Washington's annual dues to the education commission of the state.

(13) \$150,000 of the workforce education investment account—state appropriation is provided solely for an implementation review of the passport to careers program. The review must include short and long-term recommendations to improve the reach and effectiveness of the passport program. The review must include consultation with organizations serving foster youth, the state board of community and technical colleges, public four-year institutions, and other organizations involved in the passport to college and passport to apprenticeship programs. Amounts provided in this subsection may be used to provide stipends for youth participating in the review who are receiving funds from passport programs or are eligible to receive funds from passport programs. The review must be submitted to the appropriate committees of the legislature by June 30, 2024.

(14) \$1,485,000 of the workforce education investment account—state appropriation and \$90,000,000 of the Washington student loan account—state appropriation are provided solely for implementation of Engrossed House Bill No. 1823 (WA student loan program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(15) \$16,000,000 of the general fund—federal appropriation is provided solely for the good jobs challenge grant expenditure authority.

(16) ~~\$200,000 of the general fund—state appropriation for fiscal year 2024 ((is) and \$230,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contraception vending machines for students and staff stocked with emergency contraceptive medication and other forms of contraception, including condoms, and naloxone opioid overdose reversal medication administered by nasal inhalation and fentanyl test strips at discreet and geographically accessible locations, such as gender-neutral restrooms and student union buildings, and locations that are accessible on weekends and after 5:00 p.m. The council must distribute \$10,000 to each public four-year institution and community and technical college who apply on a first-come, first-served basis in fiscal year 2024 and prioritize new applications in fiscal year 2025. An additional \$10,000 may be provided to institutions with more than 20,000 full-time equivalent students. The institutions who receive funding shall enter into agreements with the department of health to receive naloxone and fentanyl test strips to stock the vending machines and provide cost-free access to naloxone and fentanyl test strips to students. A report on which institutions received funding shall be submitted to the legislature, pursuant to RCW 43.01.036, by June 30, 2025.~~

(17) \$1,150,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for the council to provide grants to law schools in the state who offer a law clinic focusing on crime victim support.

(19)(a) \$100,000 of the workforce education investment account—state appropriation is provided solely to contract with a nonprofit organization located in Tacoma that focuses on coordinated systems of support for postsecondary success to conduct a comprehensive study on the feasibility and potential impacts on postsecondary enrollment of a policy of universal free application for federal financial aid (FAFSA) completion. For purposes of this subsection, universal FAFSA completion means making completion of the financial aid form a requirement for high school graduation and requiring schools to support students through the process. The study will include, but is not limited to, the following:

(i) A landscape scan of existing state and local level universal FAFSA completion policies, both in Washington and nationally;

(ii) Input from key stakeholder groups, including students, parents, state agency staff, K-12 district staff and leadership, and student serving organizations; and

(iii) Recommendations for possible policy change at the state level.

(b) A report of findings and recommendations must be submitted to the appropriate committees of the legislature pursuant to RCW 43.01.036 by November 30, 2023.

(20) \$648,000 of the workforce education investment account—state appropriation is provided solely for distribution to four-year institutions of higher education participating in the students experiencing homelessness program without reduction by the Washington student achievement council, pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) \$46,000 of the workforce education investment account—state appropriation is provided solely for the administration of the students experiencing homelessness program pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$400,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5687 (wrestling grant program). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(23) \$356,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to staff the workforce

education investment accountability and oversight board as provided in Engrossed Senate Bill No. 5534 (workforce investment board). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(24) \$191,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to hire a full time equivalent position to help with increased contracting demand. This full time equivalent will help to deliver contracting expertise and compliance with contracting rules and procedures.

(25) \$250,000 of the workforce education investment account—state appropriation is provided solely for a study on establishment and implementation of a scholarship fund as described in RCW 28B.95.040. The study shall include strategy options for disbursement, summary of how tuition units would be allocated for scholarships, and coordination with existing college savings plans. The office shall seek written advice from the internal revenue service on the impact of the provisions in Substitute House Bill No. 2309 on the status of Washington's qualified tuition plan under 529 of the internal revenue code, including potential scalability of the program and its impact on any determination. The report shall include recommendations for implementing the scholarship and be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

**Sec. 609.** 2023 c 475 s 613 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—OFFICE OF STUDENT FINANCIAL ASSISTANCE**

General Fund—State Appropriation (FY 2024) . . . . .	<del>((</del> \$302,029,000))
	\$302,031,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>((</del> \$301,772,000))
	\$301,976,000
General Fund—Federal Appropriation . . . . .	<del>((</del> \$12,250,000))
	\$12,265,000
General Fund—Private/Local Appropriation . . . . .	\$300,000
Education Legacy Trust Account—State Appropriation . . . . .	\$85,488,000
Washington Opportunity Pathways Account—State Appropriation . . . . .	<del>((</del> \$78,914,000))
	\$76,603,000
Aerospace Training Student Loan Account—State Appropriation . . . . .	\$220,000
Workforce Education Investment Account—State Appropriation . . . . .	<del>((</del> \$226,415,000))
	\$323,176,000
Health Professionals Loan Repayment and Scholarship Program Account—State Appropriation . . . . .	\$11,720,000
<b>TOTAL APPROPRIATION</b> .....	<del>((</del> \$1,019,108,000))
	<b>\$1,113,779,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,834,000 of the general fund—state appropriation for fiscal year 2024 and \$7,835,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student financial aid payments under the state work study program, including up to four percent administrative allowance for the state work study program.

(2) \$276,416,000 of the general fund—state appropriation for fiscal year 2024, \$276,416,000 of the general fund—state appropriation for fiscal year 2025, ~~((~~\$169,036,000)) \$258,584,000 of the workforce education investment account—state appropriation, \$69,639,000 of the education legacy trust fund—state appropriation, and \$67,654,000 of the Washington opportunity pathways account—state appropriation are provided solely for the Washington college grant program as provided in RCW 28B.92.200.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2023-2025 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) \$1,165,000 of the general fund—state appropriation for fiscal year 2024, \$1,165,000 of the general fund—state appropriation for fiscal year 2025, \$15,849,000 of the education legacy trust account—state appropriation, and ~~((~~\$11,260,000)) \$8,949,000 of the Washington opportunity pathways account—state appropriation are provided solely for the college bound scholarship program and may support scholarships for summer session. The office of student financial assistance and the institutions of higher education shall not consider awards made by the opportunity scholarship program to be state-funded for the purpose of determining the value of an award amount under RCW 28B.118.010.

(5) \$6,999,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~ \$6,999,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the workforce education investment account—state appropriation are provided solely for the passport to college program. The maximum scholarship award is up to \$5,000. The council shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2024 and 2025 for this purpose.

(6) \$55,254,000 of the workforce education investment account—state appropriation is provided solely for an annual bridge grant of \$500 to eligible students. A student is eligible for a grant if the student receives a maximum college grant award and does not receive the college bound scholarship program under chapter 28B.118 RCW. Bridge grant funding provides supplementary financial support to low-income students to cover higher education expenses.

(7) \$500,000 of the workforce education investment account—state appropriation is provided solely for the behavioral health apprenticeship stipend pilot program, with stipends of \$3,000 available to students. The pilot program is intended to provide a stipend to assist students in high-demand programs for costs associated with completing a program, including child care, housing, transportation, and food.

(8) ~~(\$1,000,000)~~ \$2,570,000 of the workforce education investment account—state appropriation is provided solely for the national guard program.

(9) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for educator conditional scholarship and loan repayment programs established in chapter 28B.102 RCW. Dual language educators must receive priority.

(10) \$10,000,000 of the health professionals loan repayment and scholarship program account—state appropriation is provided solely to increase loans within the Washington health corps.

(11) \$1,156,000 of the workforce education investment account—state appropriation is provided solely for implementation of House Bill No. 1232 (college bound scholarship). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$239,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to remove barriers to accessing state financial aid by informing people of their income-eligibility for the Washington college grant via the supplemental nutrition assistance program as provided in Second Substitute House Bill No. 2214 (college grant/public assist).

(13) \$500,000 of the workforce education investment account—state appropriation is provided solely for the Washington award for vocational excellence. This funding will support increasing the scholarship award for students.

(14) \$400,000 of the workforce education investment account—state appropriation is provided solely for a financial aid texting program.

(15) \$500,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a mentoring scholarship. An eligible student means a student who participated in a mentoring program as a 12th grade student in Spokane, Garfield, or Columbia counties; filed a free application for federal student aid (FAFSA) or Washington application for state financial aid; and has family income up to 150 percent of the state median family income. An eligible student may receive a maximum award of \$5,000. The award may only be used at institutions of higher education in Spokane, Garfield, Whitman, or Columbia counties. An award that includes state funds must be matched on an equal dollar basis with private funds. A state match for private contributions made in fiscal year 2025 may not exceed \$500,000.

(16) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2025 (state work-study program). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(17) \$150,000 of the workforce education investment account—state appropriation is provided solely for implementation of House Bill No. 1946 (behav. health scholarship). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(18) \$100,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2441 (college in the HS fees). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(19) \$1,200,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2019 (Native American apprentices). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 610.** 2023 c 475 s 614 (uncodified) is amended to read as follows:

**FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$4,845,000</del> ))
	\$4,847,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$4,311,000</del> ))
	\$4,317,000
General Fund—Federal Appropriation . . . . .	(( <del>\$55,868,000</del> ))
	\$55,873,000
General Fund—Private/Local Appropriation . . . . .	\$212,000
Climate Commitment Account—State Appropriation . . . . .	\$904,000
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation . . . . .	\$250,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$2,350,000</del> ))
	\$3,425,000

TOTAL APPROPRIATION.....((~~\$68,740,000~~))  
\$69,828,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the health workforce council of the state workforce training and education coordinating board. In partnership with the office of the governor, the health workforce council shall continue to assess workforce shortages across behavioral health disciplines and incorporate the recommended action plan completed in 2020.

(2) \$250,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for an accredited osteopathic medical school to purchase necessary equipment to support the education and training of community-focused occupational therapists.

(3) \$564,000 of the general fund—state appropriation for fiscal year 2024 and \$573,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to conduct health workforce surveys, in collaboration with the nursing care quality assurance commission, to collect and analyze data on the long-term care workforce, and to manage a stakeholder process to address retention and career pathways in long-term care facilities.

(4) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for apprenticeship grants, in collaboration with the nursing care quality assurance commission and the department of labor and industries, to address the long-term care workforce.

(5) \$109,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative expenditures for the Washington award for vocational excellence.

(6) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the workforce board to award grants for the purposes of providing apprenticeship, industry certifications and wraparound student supports to workers pursuing job advancement and enhancement through college readiness, apprenticeship, degree, certification, or professional development opportunities in the health care field. Grant recipients must be labor-management partnerships established under section 302 of the labor-management relations act, 29 U.S.C. Sec. 186 that demonstrate adequate funding match and competency in the provision of student supports, or employers who can demonstrate service serving greater than 50 percent medicaid populations who can demonstrate that they will use the grant to join or establish a labor-management partnership dedicated to the purposes of this section. Preference must be given to applications that demonstrate an ability to support students from racially diverse backgrounds, and that are focused on in-demand fields with career ladders to living wage jobs. Grant recipients must use the funds to provide services including, but not limited to, development and implementation of apprenticeship and industry certifications, benefits administration, tuition assistance, counseling and navigation, tutoring and test preparation, instructor/mentor training, materials and technology for students, childcare, and travel costs.

(7) \$92,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time information technology position to collaborate with other state workforce agencies to establish and support a governance structure that provides strategic direction on cross-organizational information technology projects. The board must submit a report to the governor's office and the appropriate committees of the legislature, pursuant to RCW 43.01.036, with a progress update and recommendations on a coalition model that will result in better service coordination and public stewardship that enables the efficient delivery of workforce development services by September 1, 2023, and September 1, 2024.

(8) The workforce board must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(9) \$84,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$904,000 of the climate commitment account—state appropriation is provided solely for the implementation of Second Substitute House Bill No. 1176 (climate-ready communities), which creates a clean energy technology workforce advisory committee. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ The agency must conduct a study in fiscal year 2024 of the feasibility of a transition to retirement program to ensure income and medical and retirement benefits are not interrupted for workers close to retirement that face job loss or transition because of clean energy technology sector changes.

(11) \$256,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$1,075,000 of the workforce education investment account—state appropriation is provided solely for digital equity. Of the amount provided in this subsection:

(a) \$150,000 of the workforce education investment account—state appropriation is provided solely for administration and oversight of digital equity workforce coordination and expansion.

(b) \$150,000 of the workforce education investment account—state appropriation is provided solely for development of an interactive portal for job seekers, workers, and students, focused on information technology and information technology adjacent careers.

(c) \$350,000 of the workforce education investment account—state appropriation is provided solely for reentry services for individuals within the prison system who are within three to five months of release for direct entry into a program or employment.

(d) \$425,000 of the workforce education investment account—state appropriation is provided solely for the board to contract with Washington State University to provide preliminary work to inform the design and development of a Washington digital literacy credential program. The institution shall research the landscape of digital literacy programs from providers across the state; create a comprehensive database of available programs; research and identify gaps in the needed skills training currently available; research and identify potential subject matter experts; and identify digital badging opportunities in accordance with state guidelines and needs. A report shall be submitted to the appropriate committees of the legislature by June 1, 2025.

**Sec. 611.** 2023 c 475 s 615 (uncodified) is amended to read as follows:

**FOR THE STATE SCHOOL FOR THE BLIND**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$11,090,000</del> ))
	\$11,093,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$11,186,000</del> ))
	\$11,213,000
General Fund—Private/Local Appropriation. . . . .	\$34,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$22,310,000</del>))</b>
	<b>\$22,340,000</b>

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades six through twelve for full-time instructional services at the Vancouver campus or online with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

**Sec. 612.** 2023 c 475 s 616 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON CENTER FOR DEAF AND HARD OF HEARING YOUTH**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$17,953,000</del> ))
	\$18,541,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$17,997,000</del> ))
	\$18,614,000
General Fund—Private/Local Appropriation. . . . .	(( <del>\$3,050,000</del> ))
	\$4,052,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$39,000,000</del>))</b>
	<b>\$41,207,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Funding provided in this section is sufficient for the center to offer students ages three through 21 enrolled at the center the opportunity to participate in a minimum of 1,080 hours of instruction and the opportunity to earn 24 high school credits.

(2) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a mentoring program for persons employed as educational interpreters in public schools.

**Sec. 613.** 2023 c 475 s 617 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$6,615,000</del> ))
	\$6,331,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,795,000</del> ))
	\$7,495,000
General Fund—Federal Appropriation. . . . .	(( <del>\$2,230,000</del> ))
	\$2,831,000
General Fund—Private/Local Appropriation. . . . .	\$184,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$15,824,000</del>))</b>
	<b>\$16,841,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$79,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creative districts program.

(2) \$868,000 of the general fund—state appropriation for fiscal year 2024 and \$867,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the



establishment of a tribal cultural affairs program. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support tribal cultural, arts, and creative programs.

(3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to hire a temporary collections technician to maintain and repair public art in the state art collection.

(4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to implement a pilot program for in-person and online arts programming, targeting adults and families impacted by housing instability, mental health challenges, and trauma.

(5) ~~(((\$489,000))~~\$199,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$654,000))~~\$944,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

**Sec. 614.** 2023 c 475 s 618 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2024) . . . . .	<del>(((\$5,327,000))</del>
	<u>\$5,476,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	<del>(((\$5,467,000))</del>
	<u>\$6,526,000</u>
Local Museum Account—Washington State Historical Society—Private/Local Appropriation. . . . .	\$70,000
<b>TOTAL APPROPRIATION</b> .....	<del><b>(((\$10,864,000))</b></del>
	<u><b>\$12,072,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of supporting the Washington museums connect initiative, creating an inventory of rural, volunteer, and multidiscipline museums and place-based heritage groups to connect at-risk museums to a statewide funding and operational network. The department shall contract with an organization that works with and connects museums in Washington state.

(a) The contracted organization must:

(i) Submit to the department a report regarding funding needs for the museums and place-based heritage groups identified in the statewide inventory created in the first phase of the initiative;

(ii) Submit to the department a strategic plan assessing opportunities for the entities identified in the statewide inventory to access local, state, and national funding; and

(iii) Distribute to the entities identified in the inventory information regarding opportunities to apply for local, state, and national funding for the duration of the contract.

(b) The report and the strategic plan are due by June 30, 2025.

(2) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$88,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an assistant curator at the Washington state history museum.

(3) \$4,000 of the general fund—state appropriation for fiscal year 2024, \$4,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the local museum account—Washington state historical society—private/local appropriation are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) \$99,000 of the general fund—state appropriation for fiscal year 2024 and \$242,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state historical society to partner with statewide organizations specializing in the preservation of Washington state aviation history to organize a centennial celebration of the first round-the-world flight that captures the narratives and contributions of Washingtonians to the history of aviation.

(5) \$320,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state historical society to partner with a statewide organization specializing in the preservation of Washington state Jewish history to transform and expand the collection of oral histories from Jewish Washingtonians in order to build awareness and to provide education related especially to antisemitism in the past and in current times.

**Sec. 615.** 2023 c 475 s 619 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2024) . . . . .	<del>(((\$4,429,000))</del>
	<u>\$4,799,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	<del>(((\$4,452,000))</del>

	\$4,668,000
TOTAL APPROPRIATION.....	(( <del>\$8,881,000</del> ))
	<u>\$9,467,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$103,000 of the general fund—state appropriation for fiscal year 2024 and \$103,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a director of support services.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an information technology staff to replace the society's contracted information technology support.

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for acquisition, transportation, archiving, and storage of the following two collections:

(a) A collection of artworks created by Harold Balazs;

(b) A collection of Southern Plateau tribal beadwork and culturally historic photographs.

(End of part)

**PART VII  
SPECIAL APPROPRIATIONS**

**Sec. 701.** 2023 c 475 s 701 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—INFORMATION TECHNOLOGY INVESTMENT POOL**

General Fund—State Appropriation (FY 2024) . . . . .	\$26,470,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$9,022,000</del> ))
	<u>\$12,356,000</u>
Other Appropriated Funds . . . . .	(( <del>\$6,559,000</del> ))
	<u>\$18,198,000</u>
TOTAL APPROPRIATION.....	(( <del>\$42,051,000</del> ))
	<u>\$57,024,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for expenditure into the information technology investment revolving account created in RCW 43.41.433. Amounts in the account are provided solely for the information technology projects shown in LEAP omnibus document IT-((2023))2024, dated ((April 22, 2023))February 19, 2024, which is hereby incorporated by reference. To facilitate the transfer of moneys from other funds and accounts that are associated with projects contained in LEAP omnibus document IT-((2023))2024, dated ((April 22, 2023))February 19, 2024, the state treasurer is directed to transfer moneys from other funds and accounts to the information technology investment revolving account in accordance with schedules provided by the office of financial management. Restricted federal funds may be transferred only to the extent permitted by law, and will otherwise remain outside the information technology investment account. The projects affected remain subject to the other provisions of this section.

(2) Agencies must apply to the office of the chief information officer for certification and release of funding for each gate of the project. When the office of the chief information officer certifies the key deliverables of the gate have been met, a current technology budget is approved; and if applicable to the stage or gate of the project, that the project is putting functioning software into production that addresses user needs, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality that the office of the chief information officer will post to their website by July 1, 2023, it must notify the office of financial management and the fiscal committees of the legislature. The office of financial management may not approve funding for the certified project gate any earlier than ten business days from the date of notification to the fiscal committees of the legislature.

(3)(a) Allocations and allotments of information technology investment revolving account must be made for discrete stages of projects as determined by the technology budget approved by the office of the chief information officer and the office of financial management.

(b) Fifteen percent of total funding allocated by the office of financial management, or another amount as defined jointly by the office of financial management and the office of the chief information officer, will be retained in the account, but remain allocated to that project. The retained funding will be released to the agency only after successful completion of that stage of the project and only after the office of the chief information officer certifies the stage as required in subsection (2) of this section. For the one Washington project, the amount retained is increased to at least twenty percent of total funding allocated for any stage of that project. If there is no significant risk to the project, the holdback does not apply to the final gate during a biennial close.

(4)(a) Each project must have a technology budget. The technology budget must have the detail by fiscal month for the 2023-2025 fiscal biennium. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across

fiscal periods and biennia from project onset through implementation and close out, as well as at least five years of maintenance and operations costs.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit an updated technology budget, if changes occurred, to include detailed financial information to the office of financial management and the office of the chief information officer. The technology budget must describe the total cost of the project, as well as maintenance and operations costs, to include and identify at least:

(i) Fund sources:

(A) If the project is funded from the information technology revolving account, the technology budget must include a worksheet that provides the fund sources that were transferred into the account by fiscal year;

(B) If the project is by a central service agency, and funds are driven out by the central service model, the technology budget must provide a statewide impact by agency by fund as a worksheet in the technology budget file;

(ii) Full time equivalent staffing level to include job classification assumptions. This is to assure that the project has adequate state staffing and agency support to ensure success, ensure user acceptance, and adequately test the functionality being delivered in each sprint before it is accepted by the agency's contracting officer or their representative. Key project functions that are deemed "critical" must be retained by state personnel and not outsourced, to ensure that knowledge is retained within state government and that the state can self-sufficiently support the system and make improvements without long-term dependence on a vendor;

(iii) Discrete financial budget codes to include at least the appropriation index and program index;

(iv) Object and subobject codes of expenditures;

(v) Anticipated deliverables to include software demonstration dates;

(vi) Historical budget and expenditure detail by fiscal year; and

(vii) Maintenance and operations costs by fiscal year for at least five years as a separate worksheet.

(c) If a project technology budget changes and a revised technology budget is completed, a comparison of the revised technology budget to the last approved technology budget must be posted to the dashboard, to include a narrative rationale on what changed, why, and how that impacts the project in scope, budget, and schedule.

(5) (a) Each project must have a project charter. The charter must include:

(i) An organizational chart of the project management team that identifies team members and their roles and responsibilities, and shows that the project is adequately staffed by state personnel in key functions to ensure success;

(ii) The office of the chief information officer staff assigned to the project;

(iii) A project roadmap that includes the problems the team is solving and the sequence in which the team intends to take on those problems, updated periodically to reflect what has been learned;

(iv) Metrics to support the project strategy and vision, to determine that the project is incrementally meeting user needs;

(v) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project at each agency affected by the project;

(vi) Performance measures used to determine that the project is on time, within budget, and meeting expectations for quality of work product;

(vii) Ongoing maintenance and operations cost of the project post implementation and close out delineated by agency staffing, contracted staffing, and service level agreements; and

(viii) Financial budget coding to include at least discrete financial coding for the project.

(b) If required by the office of the chief information officer, a project may also need to have an investment plan. The office of the chief information officer must:

(i) Base the requirement of an agency needing to have an investment plan on the complexity and risk of the project;

(ii) Establish requirements by project risk level in statewide technology policy, and publish the requirements by September 30, 2023; and

(iii) In collaboration with the department of enterprise services, define the circumstances under which the vendor will be terminated or replaced and establish the process by which the agency will transition to a new vendor with a minimal reduction in project productivity.

(6) (a) Projects with estimated costs greater than \$100,000,000 from initiation to completion and implementation may be divided into discrete subprojects as determined by the office of the chief information officer, except for the one Washington project which must be divided into the following discrete subprojects: Core financials, expanding financials and procurement, budget, and human resources. Each subproject must have a technology budget as provided in this section.

(b) If the project affects more than one agency:

(i) A separate technology budget and investment plan must be prepared by each agency; and

(ii) There must be a budget roll up that includes each affected agency at the subproject level.

(7) The office of the chief information officer shall maintain a statewide information technology project dashboard that provides updated information each fiscal month on projects

subject to this section. The statewide dashboard must meet the requirements in section 155 of this act.

(8) For any project that exceeds \$2,000,000 in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:

(a) Independent quality assurance services for the project must report independently to the office of the chief information officer;

(b) The office of the chief information officer, based on project risk assessments, may require additional quality assurance services and independent verification and validation services;

(c) The office of the chief information officer must review, and, if necessary, revise the proposed project to ensure it is flexible and adaptable to advances in technology;

(d) The technology budget must specifically identify the uses of any financing proceeds. No more than thirty percent of the financing proceeds may be used for payroll-related costs for state employees assigned to project management, installation, testing, or training;

(e) The agency must consult with the office of the state treasurer during the competitive procurement process to evaluate early in the process whether products and services to be solicited and the responsive bids from a solicitation may be financed;

(f) The agency must consult with the contracting division of the department of enterprise services for a review of all contracts and agreements related to the project's information technology procurements;

(g) ~~((The))~~When doing so would be an industry best practice for the particular type of project, the agency and project must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of every two-week sprint;

(h) The project solution must be capable of being continually updated, as necessary; and

(i) The agency and project must deploy usable functionality into production for users within 180 days from the date of an executed procurement contract in response to a competitive request for proposal.

(9) The office of the chief information officer must evaluate the project at each stage and certify whether the project is putting functioning software into production that addresses user needs, is projected to be completed within budget, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality, and whether the project is planned, managed, and meeting deliverable targets as defined in the project's approved technology budget and investment plan.

(10) The office of the chief information officer may suspend or terminate a project at any time if it determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall unallot any unused funding and shall not make any expenditure for the project without the approval of the office of financial management. The office of the chief information officer must report on December 1 each calendar year any suspension or termination of a project in the previous 12-month period to the legislative fiscal committees.

(11) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section, including projects that are not separately identified within an agency budget. The office of the chief information officer must report on December 1 each calendar year any additional projects to be subjected to this section that were identified in the previous 12-month period to the legislative fiscal committees.

(12) Any cost to administer or implement this section for projects listed in subsection (1) of this section, must be paid from the information technology investment revolving account. For any other information technology project made subject to the conditions, limitations, and review of this section, the cost to implement this section must be paid from the funds for that project.

(13) The following information technology projects are subject to the conditions, limitations, and review of this section:

(a) The state network firewall replacement of the consolidated technology services agency;

(b) The resident portal of the consolidated technology services agency; and

(c) The resident identity and access management modernization project of the consolidated technology services agency.

**Sec. 702.** 2023 c 475 s 702 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT**

General Fund—State Appropriation (FY 2024) . . . . .	(\$1,419,445,000)
	\$1,401,902,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$1,549,610,000)
	\$1,495,940,000
State Building Construction Account—State	
Appropriation . . . . .	(\$14,092,000)
	\$20,863,000
<u>Columbia River Basin Water Supply Development</u>	
<u>Account—State Appropriation . . . . .</u>	<u>\$3,000</u>
Watershed Restoration and Enhancement Bond Account—	
State Appropriation . . . . .	(\$204,000)

\$64,000

State Taxable Building Construction Account—State	
Appropriation. . . . .	\$876,000
Debt-Limit Reimbursable Bond Retirement Account—	
State Appropriation. . . . .	\$119,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$2,984,346,000)</u></b>
	<b><u>\$2,919,767,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

**Sec. 703.** 2023 c 475 s 703 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE**

Nondebt-Limit Reimbursable Bond Retirement Account—	
State Appropriation. . . . .	<del>(\$51,730,000)</del>
	<u>\$51,761,000</u>

<u>School Construction and Skill Centers Building</u>	
Account—State Appropriation. . . . .	\$4,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$51,730,000)</u></b>
	<b><u>\$51,765,000</u></b>

The appropriation in this section is subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt limit general fund bond retirement account.

**Sec. 704.** 2023 c 475 s 704 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES**

General Fund—State Appropriation (FY 2024). . . . .	\$1,400,000
General Fund—State Appropriation (FY 2025). . . . .	\$1,400,000
State Building Construction Account—State	
Appropriation. . . . .	<del>(\$2,821,000)</del>
	<u>\$3,921,000</u>

Watershed Restoration and Enhancement Bond Account—	
State Appropriation. . . . .	<del>(\$44,000)</del>
	<u>\$24,000</u>

State Taxable Building Construction Account—State	
Appropriation. . . . .	\$176,000

<u>Columbia River Basin Water Supply Development</u>	
Account—State Appropriation. . . . .	\$1,000

<u>School Construction and Skill Centers Building</u>	
Account—State Appropriation. . . . .	\$1,000

<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$5,841,000)</u></b>
	<b><u>\$6,923,000</u></b>

**Sec. 705.** 2023 c 475 s 705 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—GOVERNOR'S EMERGENCY FUNDING**

General Fund—State Appropriation (FY 2024). . . . .	<del>(\$3,500,000)</del>
	<u>\$5,000,000</u>
General Fund—State Appropriation (FY 2025). . . . .	\$3,500,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$7,000,000)</u></b>
	<b><u>\$8,500,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$1,000,000)~~ \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided for the critically necessary work of any state agency in the event of an emergent or unforeseen circumstance. Prior to the allocation of funding from this subsection (1), the requesting agency and the office of financial management must comply with the provisions of RCW 43.88.250.

(2) ~~(\$2,500,000)~~ \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided for individual assistance consistent with RCW 38.52.030(9) during an emergency proclaimed by the governor, as defined in RCW 38.52.010. The office of financial management must notify the fiscal committees of the legislature of the receipt by the governor or adjutant general of each application ~~(or)~~ request, or allocation for individual assistance from the amounts provided in this subsection (2). ~~((The office of financial management may not approve or release funding for 10 business days from the date of notification to the fiscal committees of the legislature.))~~

NEW SECTION. **Sec. 706.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR SUNDRY CLAIMS**

The following sums, or so much thereof as may be necessary, are appropriated from the general fund for fiscal year 2024, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims.

These appropriations are to be disbursed on vouchers approved by the director of the department of enterprise services, except as otherwise provided, for reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110, as follows:

(1) Clifford T. Snow, claim number 9991014081. . . . .	\$13,659
(2) Shanna S. Parker, claim number 9991013694. . . . .	\$14,913
(3) Leah M. Eggleston, claim number 9991013115. . . . .	\$20,852
(4) Shannon E. Garner, claim number 9991013103. . . . .	\$15,325
(5) Stephanie S. Westby, claim number 9991012517. . . . .	\$199,459
(6) Clyde E. McCoy, claim number 9991014232. . . . .	\$139
(7) Kevin R. Ash, claim number 9991014512. . . . .	\$14,810
(8) Kenneth M. Salazar, claim number 9991014683. . . . .	\$231,920
(9) Victor Alejandro-Mejia, claim number 9991014791. . . . .	\$213,298
(10) Marcus Buchanan, claim number 9991015324. . . . .	\$71,102
(11) James Warren, claim number 9991014924. . . . .	\$20,844

**Sec. 707.** 2023 c 475 s 715 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ANDY HILL CANCER RESEARCH ENDOWMENT FUND MATCH TRANSFER ACCOUNT**

General Fund—State Appropriation (FY 2024). . . . .	\$684,000
General Fund—State Appropriation (FY 2025). . . . .	\$1,486,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b><u>(\$684,000)</u></b>
	<b><u>\$2,170,000</u></b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Andy Hill cancer research endowment fund match transfer account per RCW 43.348.080 to fund the Andy Hill cancer research endowment program. Matching funds using the amounts appropriated in this section may not be used to fund new grants that exceed two years in duration.

**Sec. 708.** 2023 c 475 s 726 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—LANDLORD MITIGATION PROGRAM ACCOUNT**

General Fund—State Appropriation (FY 2024). . . . .	\$8,000,000
General Fund—State Appropriation (FY 2025). . . . .	\$3,750,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b><u>(\$8,000,000)</u></b>
	<b><u>\$11,750,000</u></b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the landlord mitigation program account created in RCW 43.31.615.

**Sec. 709.** 2023 c 475 s 727 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS**

(1) The appropriations in this section are subject to the following conditions and limitations: The appropriations for the law enforcement officers' and firefighters' retirement system shall be made on a monthly basis consistent with chapter 41.45 RCW, and the appropriations for the judges and judicial retirement systems shall be made on a quarterly basis consistent with chapters 2.10 and 2.12 RCW.

(2) There is appropriated for state contributions to the law enforcement officers' and firefighters' retirement system:

General Fund—State Appropriation (FY 2024). . . . .	<del>(\$88,700,000)</del>
	\$94,400,000
General Fund—State Appropriation (FY 2025). . . . .	<del>(\$92,600,000)</del>
	\$98,600,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b><u>(\$181,300,000)</u></b>
	<b><u>\$193,000,000</u></b>

(3) There is appropriated for contributions to the judicial retirement system:

General Fund—State Appropriation (FY 2024). . . . .	\$6,300,000
General Fund—State Appropriation (FY 2025). . . . .	\$6,000,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$12,300,000</b>

(4) There is appropriated for contributions to the judges' retirement system:

General Fund—State Appropriation (FY 2024). . . . .	\$300,000
General Fund—State Appropriation (FY 2025). . . . .	\$300,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$600,000</b>

**Sec. 710.** 2023 c 475 s 734 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—RURAL JOBS PROGRAM MATCH TRANSFER ACCOUNT**

Workforce Education Investment Account—State  
 Appropriation. . . . . (\$400,000)  
\$404,000  
**TOTAL APPROPRIATION..... (((\$400,000))**  
\$404,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the rural jobs program match transfer account created in RCW 28B.145.120.

**Sec. 711.** 2023 c 475 s 735 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—OPPORTUNITY SCHOLARSHIP MATCH TRANSFER ACCOUNT**

Workforce Education Investment Account—State  
 Appropriation. . . . . (((\$11,600,000))  
\$14,856,000  
**TOTAL APPROPRIATION..... (((\$11,600,000))**  
\$14,856,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the opportunity scholarship match transfer account created in RCW 28B.145.050.

**Sec. 712.** 2023 c 475 s 738 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—HOME VISITING SERVICES ACCOUNT**

General Fund—State Appropriation (FY 2024). . . . . \$12,247,000  
 General Fund—State Appropriation (FY 2025). . . . . (((\$14,347,000))  
\$15,947,000  
**TOTAL APPROPRIATION..... (((\$26,594,000))**  
\$28,194,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the home visiting services account created in RCW 43.216.130 for the home visiting program.

**Sec. 713.** 2023 c 475 s 740 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LEADERSHIP BOARD ACCOUNT**

General Fund—State Appropriation (FY 2024). . . . . (((\$843,000))  
\$959,000  
 General Fund—State Appropriation (FY 2025). . . . . (((\$848,000))  
\$968,000  
**TOTAL APPROPRIATION..... (((\$1,691,000))**  
\$1,927,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the Washington state leadership board account created in RCW 43.388.020.

**Sec. 714.** 2023 c 475 s 710 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—COUNTY CLERK LEGAL FINANCIAL OBLIGATION GRANTS**

General Fund—State Appropriation (FY 2024). . . . . \$541,000  
 General Fund—State Appropriation (FY 2025). . . . . (((\$441,000))  
\$800,000  
**TOTAL APPROPRIATION..... (((\$982,000))**  
\$1,341,000

The appropriations in this section are subject to the following conditions and limitations: By October 1st of each fiscal year, the state treasurer shall distribute the appropriations to the following county clerk offices in the amounts designated as grants for the collection of legal financial obligations pursuant to RCW 2.56.190:

<b>County Clerk</b>	<b>FY 2024</b>	<b>FY 2025</b>
Adams County Clerk	\$2,103	(((\$1,714)) ) <u>\$3,109</u>
Asotin County Clerk	\$2,935	(((\$2,392)) ) <u>\$4,339</u>
Benton County Clerk	\$18,231	(((\$14,858)) ) <u>\$26,953</u>

Chelan County Clerk	\$7,399	( ( <del>\$6,030</del> ) )	<u>\$10,939</u>
Clallam County Clerk	\$5,832	( ( <del>\$4,753</del> ) )	<u>\$8,622</u>
Clark County Clerk	\$32,635	( ( <del>\$26,597</del> ) )	<u>\$48,249</u>
Columbia County Clerk	\$384	( ( <del>\$313</del> ) )	<u>\$568</u>
Cowlitz County Clerk	\$16,923	( ( <del>\$13,792</del> ) )	<u>\$25,020</u>
Douglas County Clerk	\$3,032	( ( <del>\$2,471</del> ) )	<u>\$4,483</u>
Ferry County Clerk	\$422	( ( <del>\$344</del> ) )	<u>\$624</u>
Franklin County Clerk	\$5,486	( ( <del>\$4,471</del> ) )	<u>\$8,111</u>
Garfield County Clerk	\$243	( ( <del>\$198</del> ) )	<u>\$359</u>
Grant County Clerk	\$10,107	( ( <del>\$8,237</del> ) )	<u>\$14,942</u>
Grays Harbor County Clerk	\$8,659	( ( <del>\$7,057</del> ) )	<u>\$12,802</u>
Island County Clerk	\$3,059	( ( <del>\$2,493</del> ) )	<u>\$4,522</u>
Jefferson County Clerk	\$1,859	( ( <del>\$1,515</del> ) )	<u>\$2,748</u>
King County Court Clerk	\$119,290	( ( <del>\$97,266</del> ) )	<u>\$176,446</u>
Kitsap County Clerk	\$22,242	( ( <del>\$18,127</del> ) )	<u>\$32,883</u>
Kittitas County Clerk	\$3,551	( ( <del>\$2,894</del> ) )	<u>\$5,250</u>
Klickitat County Clerk	\$2,151	( ( <del>\$1,753</del> ) )	<u>\$3,180</u>
Lewis County Clerk	\$10,340	( ( <del>\$8,427</del> ) )	<u>\$15,287</u>
Lincoln County Clerk	\$724	( ( <del>\$590</del> ) )	<u>\$1,070</u>
Mason County Clerk	\$5,146	( ( <del>\$4,194</del> ) )	<u>\$7,608</u>
Okanogan County Clerk	\$3,978	( ( <del>\$3,242</del> ) )	<u>\$5,881</u>



JOURNAL OF THE HOUSE

Pacific County Clerk	\$2,411	(( <del>\$1,965</del> )) <u>\$3,565</u>
Pend Oreille County Clerk	\$611	(( <del>\$498</del> )) <u>\$903</u>
Pierce County Clerk	\$77,102	(( <del>\$62,837</del> )) <u>\$113,990</u>
San Juan County Clerk	\$605	(( <del>\$493</del> )) <u>\$894</u>
Skagit County Clerk	\$11,059	(( <del>\$9,013</del> )) <u>\$16,350</u>
Skamania County Clerk	\$1,151	(( <del>\$938</del> )) <u>\$1,702</u>
Snohomish County Clerk	\$38,143	(( <del>\$31,086</del> )) <u>\$56,392</u>
Spokane County Clerk	\$44,825	(( <del>\$36,578</del> )) <u>\$66,355</u>
Stevens County Clerk	\$2,984	(( <del>\$2,432</del> )) <u>\$4,412</u>
Thurston County Clerk	\$22,204	(( <del>\$18,096</del> )) <u>\$32,827</u>
Wahkiakum County Clerk	\$400	(( <del>\$326</del> )) <u>\$591</u>
Walla Walla County Clerk	\$4,935	(( <del>\$4,022</del> )) <u>\$7,296</u>
Whatcom County Clerk	\$20,728	(( <del>\$16,893</del> )) <u>\$30,645</u>
Whitman County Clerk	\$2,048	(( <del>\$1,669</del> )) <u>\$3,028</u>
Yakima County Clerk	\$25,063	(( <del>\$20,426</del> )) <u>\$37,054</u>
TOTAL APPROPRIATIONS	\$541,000	(( <del>\$441,000</del> )) <u>\$800,000</u>

**Sec. 715.** 2023 c 475 s 747 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CRIME VICTIM AND WITNESS ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2024)	\$2,000,000
General Fund—State Appropriation (FY 2025)	(( <del>\$2,000,000</del> ))
TOTAL APPROPRIATION	<u>\$3,000,000</u> <u>((<del>\$4,000,000</del>))</u> <u>\$5,000,000</u>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the state crime victim and witness assistance account created in Engrossed Substitute House Bill No. 1169 (legal financial obligations). ((If the bill is not enacted by June 30, 2023, the amounts appropriated in this section shall lapse.))

NEW SECTION. **Sec. 716.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SKELETAL HUMAN REMAINS ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2025)	\$250,000
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TOTAL APPROPRIATION..... \$250,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the skeletal human remains assistance account created in RCW 43.334.077.

NEW SECTION. Sec. 717. A new section is added to 2023 c 475 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—SURGICAL SMOKE EVACUATION ACCOUNT
General Fund—State Appropriation (FY 2025) . . . . . \$300,000
TOTAL APPROPRIATION..... \$300,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the surgical smoke evacuation account created in RCW 49.17.505.

NEW SECTION. Sec. 718. A new section is added to 2023 c 475 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LIBRARY OPERATIONS ACCOUNT
General Fund—State Appropriation (FY 2025) . . . . . \$2,000,000
TOTAL APPROPRIATION..... \$2,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Washington state library operations account created in RCW 43.07.129.

NEW SECTION. Sec. 719. A new section is added to 2023 c 475 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON COLLEGE SAVINGS PROGRAM ACCOUNT
General Fund—State Appropriation (FY 2024) . . . . . \$275,000
TOTAL APPROPRIATION..... \$275,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Washington college savings program account created in RCW 28B.95.085.

NEW SECTION. Sec. 720. A new section is added to 2023 c 475 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—QUENDALL TERMINALS SUPERFUND SITE ON LAKE WASHINGTON
General Fund—State Appropriation (FY 2025) . . . . . \$5,500,000
Model Toxics Control Operating Account—State
Appropriation. . . . . \$3,000,000
TOTAL APPROPRIATION..... \$8,500,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is for the remedial design for the Quendall terminals superfund site on Lake Washington. Expenditure of the appropriation is conditioned on reaching agreement with the environmental protection agency that offsets any money spent from this appropriation against any future state liability, and memorializing the agreement in an agreed order, settlement agreement, or other similar document.

Sec. 721. 2023 c 475 s 717 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—HEALTH CARE AFFORDABILITY ACCOUNT
General Fund—State Appropriation (FY 2024) . . . . . \$55,000,000
General Fund—State Appropriation (FY 2025) . . . . . ((\$30,000,000))
\$45,000,000
TOTAL APPROPRIATION..... ((\$85,000,000))
\$100,000,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for expenditure into the state health care affordability account created in RCW 43.71.130.

(2) It is the intent of the legislature to continue the policy of expending \$5,000,000 into the account each fiscal year in future biennia for the purpose of funding premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in section 214(4)(a) of this act. Future expenditures into the account are contingent upon approval of the waiver described in RCW 43.71.120.

NEW SECTION. Sec. 722. A new section is added to 2023 c 475 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—AGRICULTURAL PEST AND DISEASE RESPONSE ACCOUNT
General Fund—State Appropriation (FY 2025) . . . . . \$250,000
TOTAL APPROPRIATION..... \$250,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the agricultural pest and disease response account created in Substitute House Bill No. 2147 (agriculture pests & diseases).

NEW SECTION. **Sec. 723.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—DOWN PAYMENT ASSISTANCE ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$250,000  
TOTAL APPROPRIATION..... \$250,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the down payment assistance account established in RCW 82.45.240 for the down payment assistance program.

NEW SECTION. **Sec. 724.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—LEGISLATIVE ORAL HISTORY ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$50,000  
TOTAL APPROPRIATION..... \$50,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the legislative oral history account established in RCW 44.04.345.

NEW SECTION. **Sec. 725.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CLIMATE INVESTMENT ACCOUNT**

(1) If Initiative Measure No. 2117 is approved in the 2024 general election, on the effective date of Initiative Measure No. 2117 and prior to the repeal of the climate investment account by Initiative Measure No. 2117, \$102,647,000 is appropriated from the climate investment account for deposit into the consolidated climate account created in section 906 of this act. If the balance of the climate investment account on the effective date of Initiative Measure No. 2117 is less than \$102,647,000, then the amount appropriated is the balance of the climate investment account on the effective date of the initiative.

(2)(a) This section takes effect on the effective date of Initiative Measure No. 2117 if the initiative is approved in the 2024 general election.

(b) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

NEW SECTION. **Sec. 726.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CLIMATE COMMITMENT ACCOUNT**

(1) If Initiative Measure No. 2117 is approved in the 2024 general election, on the effective date of Initiative Measure No. 2117 and prior to the repeal of the climate commitment account by Initiative Measure No. 2117, \$1,628,226,000 is appropriated from the climate commitment account for deposit into the consolidated climate account created in section 906 of this act. If the balance of the climate commitment account on the effective date of Initiative Measure No. 2117 is less than \$1,628,226,000, then the amount appropriated is the balance of the climate commitment account on the effective date of the initiative.

(2)(a) This section takes effect on the effective date of Initiative Measure No. 2117 if the initiative is approved in the 2024 general election.

(b) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

NEW SECTION. **Sec. 727.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—NATURAL CLIMATE SOLUTIONS ACCOUNT**

(1) If Initiative Measure No. 2117 is approved in the 2024 general election, on the effective date of Initiative Measure No. 2117 and prior to the repeal of the natural climate solutions account by Initiative Measure No. 2117, \$542,742,000 is appropriated from the natural climate solutions account for deposit into the consolidated climate account created in section 906 of this act. If the balance of the natural climate solutions account on the effective date of Initiative Measure No. 2117 is less than \$542,742,000, then the amount appropriated is the balance of the natural climate solutions account on the effective date of the initiative.

(2)(a) This section takes effect on the effective date of Initiative Measure No. 2117 if the initiative is approved in the 2024 general election.

(b) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

NEW SECTION. **Sec. 728.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—AIR QUALITY AND HEALTH DISPARITIES IMPROVEMENT ACCOUNT**

(1) If Initiative Measure No. 2117 is approved in the 2024 general election, on the effective date of Initiative Measure No. 2117 and prior to the repeal of the air quality and health disparities improvement account by Initiative Measure No. 2117, \$25,000,000 is appropriated from the air quality and health disparities improvement account for deposit into the consolidated climate account created in section 906 of this act. If the balance of the air quality and health disparities improvement account on the effective date of Initiative Measure No. 2117 is less than \$25,000,000, then the amount appropriated is the balance of the air quality and health disparities improvement account on the effective date of the initiative.

(2)(a) This section takes effect on the effective date of Initiative Measure No. 2117 if the initiative is approved in the 2024 general election.

(b) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

NEW SECTION. **Sec. 729.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**COMPENSATION—UPDATED PEBB RATE—INSURANCE BENEFITS**

General Fund—State Appropriation (FY 2025)	(\$13,926,000)
General Fund—Federal Appropriation	(\$2,533,000)
General Fund—Private/Local Appropriation	(\$182,000)
Other Appropriated Funds	(\$3,890,000)
<b>TOTAL APPROPRIATION</b>	<b>(\$20,531,000)</b>

The appropriations in this section are subject to the following conditions and limitations: Funding is for adjustments to the health benefit funding rate for state agencies and higher education institutions, and is subject to the conditions and limitations in part IX of this act. Agency appropriations in this act are adjusted by the amounts specified in LEAP omnibus document GLS—updated PEBB rate, dated February 14, 2024.

NEW SECTION. **Sec. 730.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS—PERS AND TRS PLAN 1 BENEFIT INCREASE**

General Fund—State Appropriation (FY 2025)	\$2,224,000
General Fund—Federal Appropriation	\$514,000
General Fund—Private/Local Appropriation	\$35,000
Other Dedicated Funds	\$774,000
<b>TOTAL APPROPRIATION</b>	<b>\$3,547,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for the increased contribution rate requirements associated with the enactment of Substitute House Bill No. 1985 (PERS/TRS 1 benefit increase). Agency appropriations in this act are adjusted by the amounts specified in LEAP omnibus document GLU—PERS and TRS 1 plan 1 benefit increase, dated February 14, 2024. If the bill is not enacted by June 30, 2024, the amounts appropriated by this section shall lapse.

NEW SECTION. **Sec. 731.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS—DSHS COMPETENCY RESTORATION/PSERS**

General Fund—State Appropriation (FY 2025)	\$160,000
General Fund—Federal Appropriation	\$10,000
Other Appropriated Funds—Appropriation	\$6,000
<b>TOTAL APPROPRIATION</b>	<b>\$176,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for the increased contribution rate requirements associated with the enactment of House Bill No. 1949 (DSHS competency rest./PSERS). If the bill is not enacted by June 30, 2024, the amounts appropriated by this section shall lapse.

NEW SECTION. **Sec. 732.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**COMPENSATION—BODY-WORN CAMERA COMPENSATION—NONREPRESENTED EMPLOYEES**

General Fund—State Appropriation (FY 2025)	\$3,000
Fish, Wildlife, and Conservation Account—State Appropriation	\$2,000
<b>TOTAL APPROPRIATION</b>	<b>\$5,000</b>

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for implementation of body-worn cameras by nonrepresented employees employed in the enforcement program at the department of fish and wildlife.

NEW SECTION. **Sec. 733.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—DFW SERGEANTS ASSOCIATION/TEAMSTERS 760 BODY-WORN CAMERA MOU**

General Fund—State Appropriation (FY 2025)	\$27,000
General Fund—Federal Appropriation	\$1,000
General Fund—Private/Local Appropriation	\$3,000
Other Dedicated Funds	\$23,000
<b>TOTAL APPROPRIATION</b>	<b>\$54,000</b>

The appropriations in this section are subject to the following conditions and limitations: An agreement has been reached between the governor and the department of fish and wildlife sergeants association/teamsters 760 under the provisions of chapter 41.56 RCW to address implementation of the body-worn camera program during fiscal year 2025.

NEW SECTION. **Sec. 734.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—FISH AND WILDLIFE ENFORCEMENT OFFICERS GUILD BODY-WORN CAMERA MOU**

General Fund—State Appropriation (FY 2025)	\$133,000
General Fund—Federal Appropriation	\$12,000
General Fund—Private/Local Appropriation	\$7,000
Fish, Wildlife and Conservation Account—State Appropriation	\$104,000
<b>TOTAL APPROPRIATION</b>	<b>\$256,000</b>

The appropriations in this section are subject to the following conditions and limitations: Funding is for the agreement reached between the governor and the fish and wildlife enforcement officers guild under the provisions of chapter 41.56 RCW to address implementation of the body-worn camera program during fiscal year 2025.

NEW SECTION. **Sec. 735.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—SOCIAL SERVICE SPECIALIST HOME VISITS**

General Fund—State Appropriation (FY 2025)	\$1,484,000
<b>TOTAL APPROPRIATION</b>	<b>\$1,484,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the governor or the governor's designee to negotiate an amendment to the collective bargaining agreements covering home visits by social service specialist 2. Funding is sufficient for a one-time 10 percent assignment pay premium for home visits beginning July 1, 2024, and is subject to an agreement between the state and the exclusive collective bargaining representative of the social service specialists.

NEW SECTION. **Sec. 736.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—CENTRAL WASHINGTON UNIVERSITY—POLICE/TEAMSTERS**

General Fund—State Appropriation (FY 2024)	\$86,000
General Fund—State Appropriation (FY 2025)	\$118,000
<b>TOTAL APPROPRIATION</b>	<b>\$204,000</b>

The appropriations in this section are subject to the following conditions and limitations: An agreement has been reached between Central Washington University and the police/teamsters represented employees under the provisions of chapter 41.80 RCW for the 2023-2025 fiscal biennium and approved in part IX of this act. Appropriations for Central Washington University are increased by the amounts specified to fund the provisions of this agreement.

NEW SECTION. **Sec. 737.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**COLLECTIVE BARGAINING AGREEMENT—WASHINGTON STATE UNIVERSITY—ACADEMIC EMPLOYEES**

General Fund—State Appropriation (FY 2024)	\$299,000
General Fund—State Appropriation (FY 2025)	\$2,382,000
<b>TOTAL APPROPRIATION</b>	<b>\$2,681,000</b>

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for an agreement that has been reached between Washington State University and the academic employees represented by the united automobile, aerospace, and agricultural implement workers of America for the 2023-2025 fiscal biennium.

NEW SECTION. **Sec. 738.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**CANNABIS REVENUE DISTRIBUTIONS FOR COMPENSATION ADJUSTMENTS**

Dedicated Cannabis Account—State Appropriation (FY 2025)	\$20,000
<b>TOTAL APPROPRIATION</b>	<b>\$20,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the impacts of compensation adjustments on state agencies supporting employees through the dedicated cannabis account—state.

NEW SECTION. **Sec. 739.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**CANNABIS REVENUES FOR CENTRAL SERVICES ADJUSTMENTS**

Dedicated Cannabis Account—State Appropriation (FY 2024)	(\$4,000)
Dedicated Cannabis Account—State Appropriation (FY 2025)	(\$127,000)
<b>TOTAL APPROPRIATION</b>	<b>(\$131,000)</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for the impacts of central services adjustments through the dedicated cannabis account—state.

NEW SECTION. **Sec. 740.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SECRETARY OF STATE ARCHIVES AND RECORDS MANAGEMENT**

General Fund—State Appropriation (FY 2025)	\$33,000
General Fund—Federal Appropriation	\$12,000
General Fund—Private/Local Appropriation	\$1,000
Other Appropriated Funds—Appropriation	\$13,000
<b>TOTAL APPROPRIATION</b>	<b>\$59,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations relating to corresponding adjustments in the secretary of state's billing authority for archives and records management. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92C-2024, dated February 19, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 741.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE AUDITOR AUDIT SERVICES**

General Fund—State Appropriation (FY 2024)	\$2,000
General Fund—State Appropriation (FY 2025)	\$30,000
General Fund—Federal Appropriation	\$11,000
Other Appropriated Funds—Appropriation	\$14,000
<b>TOTAL APPROPRIATION</b>	<b>\$57,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the state auditor's billing authority for state agency auditing services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92D-2024, dated February 19, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 742.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF ATTORNEY GENERAL LEGAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$1,059,000
General Fund—State Appropriation (FY 2025)	\$1,965,000
General Fund—Federal Appropriation	\$160,000
General Fund—Private/Local Appropriation	\$9,000
Other Appropriated Funds—Appropriation	\$1,048,000
<b>TOTAL APPROPRIATION</b>	<b>\$4,241,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of the attorney general's billing authority for legal services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92E-2024, dated February 19, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 743.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ADMINISTRATIVE HEARINGS**

General Fund—State Appropriation (FY 2024)	\$4,000
General Fund—State Appropriation (FY 2025)	\$67,000
General Fund—Federal Appropriation	\$60,000
Other Appropriated Funds—Appropriation	\$118,000
<b>TOTAL APPROPRIATION</b>	<b>\$249,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of administrative hearing's billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92G-2024, dated February 19, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 744.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CONSOLIDATED TECHNOLOGY SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$1,537,000
General Fund—State Appropriation (FY 2025)	\$3,861,000
General Fund—Federal Appropriation	\$1,146,000
General Fund—Private/Local Appropriation	\$78,000
Other Appropriated Funds—Appropriation	\$1,711,000
<b>TOTAL APPROPRIATION</b>	<b>\$8,333,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the consolidated technology services agency's billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92J-2024, dated February 19, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 745.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—DEPARTMENT OF ENTERPRISE SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$136,000
General Fund—State Appropriation (FY 2025)	\$320,000
General Fund—Federal Appropriation	\$240,000
General Fund—Private/Local Appropriation	\$7,000
Other Appropriated Funds—Appropriation	\$138,000
<b>TOTAL APPROPRIATION</b>	<b>\$841,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the department of enterprise services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92K-2024, dated February 19, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 746.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF FINANCIAL MANAGEMENT CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$16,363,000
General Fund—State Appropriation (FY 2025)	\$41,620,000
General Fund—Federal Appropriation	\$911,000
General Fund—Private/Local Appropriation	\$1,573,000
Other Appropriated Funds—Appropriation	\$18,414,000
<b>TOTAL APPROPRIATION</b>	<b>\$78,881,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of financial management's billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92R-2024, dated February 19, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 747.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF THE GOVERNOR CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$112,000
General Fund—State Appropriation (FY 2025)	\$305,000
General Fund—Federal Appropriation	\$111,000

General Fund—Private/Local Appropriation. . . . .	\$11,000
Other Appropriated Funds—Appropriation. . . . .	\$153,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$692,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of the governor's billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92W-2024, dated February 19, 2024, and adjust appropriation schedules accordingly.

(End of part)

**PART VIII  
OTHER TRANSFERS AND APPROPRIATIONS**

**Sec. 801.** 2023 c 475 s 801 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

General Fund Appropriation for fire insurance premium distributions. . . . .	(( \$13,766,000 ))	\$14,606,000
General Fund Appropriation for prosecuting attorney distributions. . . . .	(( \$8,284,000 ))	\$8,690,000
General Fund Appropriation for boating safety and education distributions. . . . .		\$4,272,000
General Fund Appropriation for public utility district excise tax distributions. . . . .	(( \$71,825,000 ))	\$71,424,000
Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies. . . . .	(( \$4,947,000 ))	\$6,000,000
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distributions. . . . .		\$140,000
Timber Tax Distribution Account Appropriation for distribution to "timber" counties. . . . .	(( \$82,143,000 ))	\$92,948,000
County Criminal Justice Assistance Appropriation. . . . .	(( \$129,509,000 ))	\$129,925,000
Municipal Criminal Justice Assistance Appropriation. . . . .	(( \$51,247,000 ))	\$51,744,000
City-County Assistance Appropriation. . . . .	(( \$45,960,000 ))	\$34,604,000
Liquor Excise Tax Account Appropriation for liquor excise tax distribution. . . . .		\$89,385,000
Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation. . . . .		\$9,587,000
Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians. . . . .	(( \$6,893,000 ))	\$6,919,000
Liquor Revolving Account Appropriation for liquor profits distribution. . . . .		\$98,876,000
General Fund Appropriation for other tax distributions. . . . .		\$104,000
Dedicated Cannabis Account Appropriation for Cannabis Excise Tax distributions pursuant to Engrossed Second Substitute Senate Bill No. 5796 (cannabis revenue). <u>This includes an increase of \$1,178,000 which is an adjustment for distributions made in fiscal year 2022.</u> . . . . .	(( \$50,472,000 ))	\$47,216,000
General Fund Appropriation for Habitat Conservation Program distributions. . . . .		\$5,754,000
General Fund Appropriation for payment in lieu of taxes to counties under Department of Fish and Wildlife Program. . . . .		\$4,496,000
Puget Sound Taxpayer Accountability Account Appropriation for distribution to counties in amounts not to exceed actual deposits into the account and attributable to those counties' share pursuant to RCW 43.79.520. . . . .	(( \$27,990,000 ))	\$28,630,000
Manufacturing and Warehousing Job Centers Account		



Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistributions effect of sourcing law changes pursuant to chapter 83, Laws of 2021 (warehousing & manufacturing jobs) . . . . .	\$7,780,000
State Crime Victim and Witness Assistance Account Appropriation for distribution to counties. If Engrossed Substitute House Bill No. 1169 is not enacted by June 30, 2023, this amount shall lapse. . . . .	\$4,000,000
<b>TOTAL APPROPRIATION.</b> .....	<b>(\$717,430,000)</b> <b>\$717,100,000</b>

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

**Sec. 802.** 2023 c 475 s 802 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Impaired Driving Safety Appropriation. . . . .	(( <del>\$2,065,000</del> ))
	<u>\$1,615,000</u>
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$2,065,000</del>))</b> <b>\$1,615,000</b>

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

**Sec. 803.** 2023 c 475 s 803 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Impaired Driving Safety Appropriation. . . . .	(( <del>\$1,377,000</del> ))
	<u>\$1,077,000</u>
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$1,377,000</del>))</b> <b>\$1,077,000</b>

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium to all cities ratably based on population as last determined by the office of financial management. The distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

**Sec. 804.** 2023 c 475 s 805 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—TRANSFERS**

Dedicated Cannabis Account: For transfer to the basic health plan trust account, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, ( <del>(\$269,000,000)</del> ) <u>\$240,000,000</u> and this amount for fiscal year 2025, ( <del>(\$278,000,000)</del> ) <u>\$250,000,000</u> . . . . .	(( <del>\$547,000,000</del> ))
	<u>\$490,000,000</u>

Dedicated Cannabis Account: For transfer to the state general fund, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, ( <del>(\$162,000,000)</del> ) <u>\$150,000,000</u> and this amount for fiscal year 2025, ( <del>(\$172,000,000)</del> ) <u>\$155,000,000</u> . . . . .	(( <del>\$334,000,000</del> ))
	<u>\$305,000,000</u>

Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed

the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2024. . . . .	\$92,000,000
Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2025. . . . .	\$92,000,000
<del>((Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the tobacco arbitration payment to the tobacco settlement account, for fiscal year 2024. . . . .</del>	<del>\$24,500,000))</del>
State Treasurer's Service Account: For transfer to the state general fund, \$15,000,000 for fiscal year 2024 and \$15,000,000 for fiscal year 2025. It is the intent of the legislature to continue this policy in the subsequent fiscal biennium.. . . .	\$30,000,000
General Fund: For transfer to the fair fund under RCW 15.76.115, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025. . . . .	\$7,000,000
Financial Services Regulation Account: For transfer to the state general fund, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025. It is the intent of the legislature to continue this policy in the subsequent fiscal biennium.. . . .	\$7,000,000
General Fund: For transfer to the wildfire response, forest restoration, and community resilience account, solely for the implementation of chapter 298, Laws of 2021 (2SHB 1168) (long-term forest health), <del>(((\$44,903,000))</del> <u>\$52,224,000</u> for fiscal year 2024 and <del>(((\$44,903,000))</del> <u>\$56,725,000</u> for fiscal year 2025. . . . .	<del>(((\$89,806,000))</del> <u>\$108,949,000</u>
Washington Rescue Plan Transition Account: For transfer to the state general fund, \$1,302,000,000 for fiscal year 2024 <u>and</u> <u>\$798,000,000 for fiscal year 2025.</u> . . . . .	<del>(((\$1,302,000,000))</del> <u>\$2,100,000,000</u>
Business License Account: For transfer to the state general fund, \$7,200,000 for fiscal year 2025. . . . .	\$7,200,000
General Fund: For transfer to the manufacturing and warehousing job centers account pursuant to RCW 82.14.545 for distribution in section 801 of this act, \$4,320,000 for fiscal year 2024 and \$3,460,000 for fiscal year 2025. . . . .	\$7,780,000
Long-Term Services and Supports Trust Account: For transfer to the state general fund as full repayment of the long-term services program start-up costs and interest, <u>in an amount not to exceed the actual amount of the total remaining principal and interest of the loan,</u> for fiscal year 2024. . . . .	<del>(((\$64,281,000))</del> <u>\$66,000,000</u>
General Fund: For transfer to the forest resiliency account trust fund, \$4,000,000 for fiscal year 2024. . . . .	\$4,000,000
Water Pollution Control Revolving Administration Account: For transfer to the water pollution control revolving account, \$6,000,000 for fiscal year 2024. . . . .	\$6,000,000
General Fund: For transfer to the salmon recovery account, \$3,000,000 for fiscal year 2024. . . . .	\$3,000,000
Washington Student Loan Account: For transfer to the state general fund, \$40,000,000 for fiscal year 2024. . . . .	\$40,000,000
Model Toxics Control Operating Account: For transfer to the state general fund, \$50,000,000 for fiscal year 2025. . . . .	\$50,000,000
General Fund: For transfer to the home security fund, \$44,500,000 for fiscal year 2024 and <del>(((\$4,500,000))</del> <u>\$7,900,000</u> for fiscal year 2025. . . . .	<del>(((\$49,000,000))</del> <u>\$52,400,000</u>
General Fund: For transfer to the state drought	

preparedness account, \$2,000,000 for fiscal year 2024. . . . .	\$2,000,000
<u>General Fund: For transfer to the disaster response account, \$12,500,000 for fiscal year 2024 and \$18,000,000 for fiscal year 2025. . . . .</u>	<u>\$30,500,000</u>
From auction proceeds received under RCW 70A.65.100(7)(b): For transfer to the air quality and health disparities improvement account, \$2,500,000 for fiscal year 2024. . . . .	\$2,500,000
From auction proceeds received under RCW 70A.65.100(7)(c): For transfer to the air quality and health disparities improvement account, \$2,500,000 for fiscal year 2025. . . . .	\$2,500,000
Climate Investment Account: For transfer to the carbon emissions reduction account, \$200,000,000 for fiscal year 2025. . . . .	\$200,000,000
<del>((Climate Investment Account: For transfer to the climate commitment account, \$100,000,000 for fiscal year 2025. . . . .</del>	<del>\$100,000,000</del>
<del>Climate Investment Account: For transfer to the natural climate solutions account, \$70,000,000 for fiscal year 2025. . . . .</del>	<del>\$70,000,000))</del>
<u>Climate Investment Account: For transfer to the carbon emissions reduction account, \$324,000,000 on or after January 1, 2025. . . . .</u>	<u>\$324,000,000</u>
<u>General Fund: For transfer to the death investigations account, \$3,500,000 for fiscal year 2024. . . . .</u>	<u>\$3,500,000</u>
<u>General Fund: For transfer to the local government archives account, \$1,900,000 for fiscal year 2025. . . . .</u>	<u>\$1,900,000</u>

(End of part)

**PART IX  
MISCELLANEOUS**

NEW SECTION. **Sec. 901.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**COLLECTIVE BARGAINING AGREEMENTS**

(1) In accordance with chapters 41.80 and 41.56 RCW, agreements have been reached between the governor and organizations representing state employee bargaining units and nonstate employee bargaining units for the 2025 fiscal year presented to the legislature during the 2024 legislative session. Funding is not provided for compensation and fringe benefit provisions not presented to the legislature by the end of the 2024 legislative session. Funding is approved for agreements and awards with the following organizations:

- (a) Fish and wildlife officers guild;
- (b) Teamsters local 760, department of fish and wildlife sergeants; and
- (c) Adult family home council, adult family home providers.

(2) In accordance with chapters 41.80 and 41.56 RCW, an agreement has been reached between Central Washington University, an institution of higher education, and an employee organization representing state employee bargaining units for the 2023-2025 fiscal biennium and funding is provided in Part VII of this act for the agreement with the following organization: Central Washington University agreement with the campus police officers & sergeants.

(3) In accordance with chapter 41.56, an agreement has been reached between Washington State University and an employee organization representing academic student employees for fiscal year 2025, and funding is provided in Part VII of this act with the following organization: The united automobile, aerospace and agricultural implement workers of America.

(4) Expenditures for agreements in subsections (1) and (2) of this section may also be funded from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

**Sec. 902.** 2023 c 475 s 908 (uncodified) is amended to read as follows:

**COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE COALITION—INSURANCE BENEFITS**

(1) (a) An agreement was reached for the 2023-2025 biennium between the governor and the health care coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies, including institutions of higher education, are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement.

(b) Appropriations for state agencies in this act are sufficient for represented employees outside the coalition and for nonrepresented state employee health benefits.

(2) The appropriations for state agencies in this act are subject to the following conditions and limitations:

(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$1,145 per eligible employee for fiscal year 2024. For fiscal year 2025, the monthly employer funding rate shall not exceed ~~(((\$1,194))~~ \$1,169 per eligible employee. These rates are sufficient to separate vision benefits out of medical plans into stand-alone vision insurance and increase the hardware benefit to \$200 every two years, beginning January 1, 2025, and sufficient to cover in the uniform medical plan, effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month. The rates are sufficient to cover a diabetes management program and apply the cost-share provisions outlined in chapter 366, Laws of 2023 (breast examinations—health plan cost sharing) in the uniform medical plan, effective January 1, 2025. The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(b) The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(c) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2024 and 2025, the subsidy shall be up to \$183 per month. Funds from reserves accumulated for future adverse claims experience, from past favorable claims experience, or otherwise, may not be used to increase this retiree subsidy beyond what is authorized in this subsection.

(d) School districts and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(i) For each full-time employee, \$68.41 per month beginning September 1, 2023, and ~~(((\$78.58))~~ \$79.15 beginning September 1, 2024;

(ii) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$68.41 each month beginning September 1, 2023, and ~~(((\$78.58))~~ \$79.15 beginning September 1, 2024, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection do not apply to employees of a school district or educational service district who purchase insurance benefits through contracts with the health care authority.

(e) The board has the authority to forgo the federal retiree drug subsidy collected under RCW 41.05.068 for uniform medical plan classic medicare, only to leverage additional federal subsidies via adoption of a medicare part D employer group waiver plan to help reduce premiums for medicare retirees enrolled in uniform medical plan classic medicare.

**Sec. 903.** 2023 c 475 s 909 (uncodified) is amended to read as follows:

**COMPENSATION—SCHOOL EMPLOYEES—INSURANCE BENEFITS**

An agreement was reached for the 2023-2025 biennium between the governor and the school employee coalition under the provisions of chapters 41.56 and 41.59 RCW. Appropriations in this act for allocations to school districts are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, school employees' benefits board administration, retiree remittance, and the uniform medical plan, shall not exceed the rates identified in section 506(4) of this act.

(a) These rates are sufficient to cover, effective January 1, 2024:

(i) The following in the uniform medical plan:

(A) Offering a diabetes management program; and

(B) Effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month; and

(ii) The following in the uniform dental plan:

(A) Increasing the temporomandibular joint benefit to \$1,000 annually and \$5,000 per lifetime;

(B) Eliminating the deductible for children up to age 15;

(C) Covering composite fillings on posterior teeth; and

(D) Increasing plan coverage of crowns to 70 percent.

(b) These rates include funding to cover, effective January 1, 2025, ~~((increasing))~~:

(i) Increasing the stand-alone vision insurance hardware benefit to \$200 every 2 years; and

(ii) Applying the cost share provisions outlined in chapter 366, Laws of 2023 (Substitute Senate Bill No. 5396) in the uniform medical plan.

(c) The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(2) Rates established in subsection (1) of this section are sufficient to reduce member costs as provided in article 1.3 of the school employees health care funding agreement.

(3) Except as provided by the parties' health care agreement, in order to achieve the level of funding provided for health benefits, the school employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.740. The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(4) The health care authority shall deposit any moneys received on behalf of the school employees' medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the school employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

(5) When bargaining for funding for school employees health benefits for subsequent fiscal biennia, any proposal agreed upon must assume the imposition of a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

**Sec. 904.** 2023 c 475 s 911 (uncodified) is amended to read as follows:

**COMPENSATION—PENSION CONTRIBUTIONS**

The appropriations in this act for school districts and state agencies, including institutions of higher education, are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board, and as adjusted under Engrossed Substitute Senate Bill No. 5294 (plan 1 UAAL rates).

(2) An increase of 0.12 percent is funded for state employer contributions to the public employees' retirement system, the public safety employees' retirement systems, and the school employees' retirement system, and an increase of 0.23 percent for employer contributions to the teachers' retirement system is funded for the provisions of Senate Bill No. 5350 (providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for school districts and state agencies, including institutions of higher education, shall be held in unallotted status.

(3) An increase of 0.13 percent is funded for state employer contributions to the Washington state patrol retirement system and an increase of 0.01 percent is funded for state contributions to the law enforcement officers' and firefighters' retirement system plan 2 for the provisions of Substitute House Bill No. 1007 (military service credit). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(4) An increase of 0.01 percent for school district and state employer contributions is funded for the teachers' retirement system for the provisions of Substitute House Bill No. 1056 (postretirement employment). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(5) An increase of 0.13 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of chapter 199, Laws of 2023 (public safety telecommunications).

(6) An increase of 0.04 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of House Bill No. 1949 (DSHS competency rest./PSERS). If the bill is not enacted by June 30, 2024, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(7) An increase of 0.08 percent is funded for state employer contributions to the public employees' retirement system, the public safety employees' retirement systems, and the school employees' retirement system, and an increase of 0.16 percent for employer contributions to the teachers' retirement system is funded for the provisions of Substitute House Bill No. 1985 (PERS/TRS 1 benefit increase). If the bill is not enacted by June 30, 2024, this subsection is null and void and appropriations for school districts and state agencies, including institutions of higher education, shall be held in unallotted status.

**Sec. 905.** 2023 c 475 s 912 (uncodified) is amended to read as follows:

The Washington state missing and murdered indigenous women and people task force is established.

(1) The task force is composed of members as provided in this subsection.

(a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(c) The governor's office of Indian affairs shall appoint five representatives from federally recognized Indian tribes in Washington state.

(d) The president of the senate and the speaker of the house of representatives jointly shall appoint the following:

(i) One member representing the Seattle Indian health board;

(ii) One member representing the NATIVE project;

(iii) One member representing Northwest Portland area Indian health board;

(iv) One member representing the American Indian health commission;

(v) Two indigenous women or family members of indigenous women that have experienced violence;

(vi) One member representing the governor's office of Indian affairs;

(vii) The chief of the Washington state patrol or his or her representative;

(viii) One member representing the Washington state office of the attorney general;

(ix) One member representing the Washington association of sheriffs and police chiefs;

(x) One member representing the Washington state association of counties;

(xi) One member representing the association of Washington cities;

(xii) One member representing the Washington association of prosecuting attorneys; and

(xiii) One representative of the Washington association of criminal defense lawyers.

(e) Where feasible, the task force may invite and consult with any entity, agency, or individual deemed necessary.

(2) The legislative members shall convene the initial meeting of the task force no later than the end of 2023 and thereafter convene:

(a) A minimum of two subsequent meetings annually. The membership shall select the task force's cochairs, which must include one legislator and one nonlegislative member; and

(b) One summit annually.

(3) The task force shall review the laws and policies relating to missing and murdered American Indian and Alaska Native people. The task force shall review current policies and develop recommendations for the purpose of:

(a) Assessing systemic causes behind violence including patterns and underlying historical, social and economic, institutional, and cultural factors which may contribute to disproportionately high levels of violence that occur against American Indian and Alaska Native people and recommending changes to address these systemic causes;

(b) Identifying ways to improve cross-border coordination between law enforcement and federally recognized tribes that share a border with Washington state;

(c) Assessing and recommending improvements to data tracking and reporting practices relating to violence against American Indian and Alaska Native people in Washington state;

(d) Making recommendations and best practices for improving:

(i) The collection and reporting of data by tribal, local, and state law enforcement agencies to more effectively understand and address issues of violence facing American Indian and Alaska Native people;

(ii) Jurisdictional and data-sharing issues on tribal reservation land and urban areas that impact gender-based violence against American Indian and Alaska Native people;

(iii) The collaboration and coordination between law enforcement agencies and federal, state, county, local, and tribal social and health services; and

(iv) Strategies and practices to improve communication and transparency with family members in missing and murdered indigenous women and people cases;

(e) Reviewing prosecutorial trends and practices relating to crimes of violence against American Indian and Alaska Native people in Washington state, identifying disparities, and recommending changes to address such disparities;

(f) Identifying barriers to providing more state resources in tracking and addressing violence against American Indian and Alaska Native people and reducing the incidences of violence;

(g) Assessing and identifying state resources to support programs and services for survivors, impacted family members, and tribal and urban Indian service providers working with American Indian and Alaska Native people who have experienced violence and identifying needs of survivors, impacted family members, and tribal and urban Indian service providers that are not currently being met;

(h) Identifying and making recommendations for increasing state resources for trainings on culturally attuned best practices for working with American Indian and Alaska Native communities for tribal, local, and state law enforcement personnel in Washington state; and

(i) Supporting efforts led by American Indian and Alaska Native people to address this crisis, with the recognition that those personally impacted are already doing critical work to address the impacts of the missing and murdered indigenous women and people crisis in communities and that community-led work must be centered in order to identify and fully address the scope of the issue.

(4) The task force, with the assistance of the Washington state office of the attorney general, must consult with federally recognized tribes in Washington state and in states bordering Washington state, and engage with urban Indian organizations to submit reports to

the governor and the appropriate committees of the legislature by December 1, 2023, and June 1, 2025.

(5)(a) The task force, in partnership with the Washington association of sheriffs and police chiefs and at least one tribal epidemiology organization, must establish a Washington state Indigenous demographic data collection work group to develop best practices models for law enforcement agencies, county coroners, and medical examiners on collecting Indigenous demographic data. In developing the best practices models, the work group must seek input, guidance, knowledge, and recommendations from individuals and families with lived experience, as well as from tribal leadership and tribal membership, to ensure a culturally informed and sensitive process.

(b) The office of the attorney general shall act as the fiscal sponsor for the tribal epidemiology organization or organizations participating in the work group. The office must provide stipends and reasonable allowances in accordance with RCW 43.03.220 for individuals with lived experience for their participation in the work group.

(6)(a) The office of the attorney general administers and provides staff support to the task force, organizes the summit required under subsection (2)(b) of this section, and oversees the development of the task force reports required under subsection (4) of this section. The task force and the office of the attorney general shall conduct four site visits in different locations across the state in collaboration with tribes and native-led organizations. The office of the attorney general may contract for the summit.

(b) The office of the attorney general may, when deemed necessary by the task force, retain consultants to provide data analysis, research, recommendations, training, and other services to the task force for the purposes provided in subsection (3) of this section.

(c) The office of the attorney general may share and exchange information received or created on behalf of the task force with other states, federally recognized Indian tribes, urban Indian organizations, and other national groups working on missing and murdered indigenous women and people issues.

(d) The office of the attorney general must coordinate with the task force to create and update a missing and murdered indigenous women and people resource. The resource must include:

(i) Instructions on how to report a missing indigenous woman or person;

(ii) General information about the investigative processes in missing and murdered indigenous women and people cases;

(iii) Best practices for family members in missing and murdered indigenous women and people cases when working with law enforcement; and

(iv) Other useful information and resources.

~~((6-))~~(7) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

~~((7-))~~(8) To ensure that the task force has diverse and inclusive representation of those affected by its work, task force members whose participation in the task force may be hampered by financial hardship may be compensated as provided in RCW 43.03.220.

~~((8-))~~(9) This section expires June 30, 2025.

NEW SECTION. Sec. 906. A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The consolidated climate account is created in the custody of the state treasurer. The account is subject to allotment procedures under chapter 43.88 RCW. Except as provided in subsection (2) of this section, the account is subject to appropriation. Expenditures from the account may be used only for purposes allowed in the following accounts as they exist on December 1, 2024: (a) The climate investment account; (b) the climate commitment account; (c) the natural climate solutions account; and (d) the air quality and health disparities improvement account.

(2) If Initiative Measure No. 2117 is approved in the 2024 general election, unless otherwise specified, appropriations in chapter 474, Laws of 2023 (2023-2025 biennial capital budget), the 2024 supplemental capital budget (HB 2089), chapter 475, Laws of 2023 (2023-2025 biennial operating budget), and the 2024 supplemental operating budget (HB 2104), which are appropriated from the: (a) Climate investment account; (b) climate commitment account; (c) natural climate solutions account; and (d) air quality and health disparities improvement account, shall be paid from the consolidated climate account as if they were appropriated from that account beginning on the effective date of Initiative Measure No. 2117.

(3) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

Sec. 907. RCW 43.101.200 and 2023 c 475 s 931 and 2023 c 168 s 2 are each reenacted and amended to read as follows:

(1) Except as provided in subsection (2) of this section, all law enforcement personnel, except volunteers, and reserve officers whether paid or unpaid, initially employed on or after January 1, 1978, shall engage in basic law enforcement training which complies with standards adopted by the commission pursuant to RCW 43.101.080. For personnel initially employed before January 1, 1990, such training shall be successfully completed during the first fifteen months of employment of such personnel unless otherwise extended or waived by the commission and shall be requisite to the continuation of such employment. Personnel

initially employed on or after January 1, 1990, shall commence basic training during the first six months of employment unless the basic training requirement is otherwise waived or extended by the commission. Successful completion of basic training is requisite to the continuation of employment of such personnel initially employed on or after January 1, 1990.

(2) (a) All law enforcement personnel who are limited authority Washington peace officers and whose employment commences on or after July 1, 2023, shall commence basic training during the first 12 months of employment unless the basic training requirement is otherwise waived or extended by the commission. Successful completion of basic training is requisite to the continuation of employment of such personnel initially employed on or after July 1, 2023.

(b) (i) The commission shall review the training files of all law enforcement personnel who are limited authority Washington peace officers, whose employment commenced prior to July 1, 2023, and who have not successfully completed training that complies with standards adopted by the commission, to determine what, if any, supplemental training is required to appropriately carry out the officers' duties and responsibilities.

(ii) Nothing in this section may be interpreted to require law enforcement personnel who are limited authority Washington peace officers, whose employment commenced prior to July 1, 2023, to complete the basic law enforcement training academy as a condition of continuing employment as a limited authority Washington peace officer.

(iii) Law enforcement personnel who are limited authority Washington peace officers are not required to complete the basic law enforcement academy or an equivalent basic academy upon transferring to a general authority Washington law enforcement agency or limited authority Washington law enforcement agency, as defined in RCW 10.93.020, if they have:

(A) Been employed as a special agent with the Washington state gambling commission, been a natural resource investigator with the department of natural resources, been a liquor enforcement officer with the liquor and cannabis board, been an investigator with the office of the insurance commissioner, or been a park ranger with the Washington state parks and recreation commission, before or after July 1, 2023; and

(B) Received a certificate of successful completion from the basic law enforcement academy or the basic law enforcement equivalency academy and thereafter engaged in regular and commissioned law enforcement employment with an agency listed in (b) (iii) (A) of this subsection without a break or interruption in excess of 24 months; and

(C) Remained current with the in-service training requirements as adopted by the commission by rule.

(3) Except as provided in RCW 43.101.170, the commission shall provide the aforementioned training and shall have the sole authority to do so. The commission shall provide necessary facilities, supplies, materials, and the board and room of noncommuting attendees for seven days per week, except during the 2017-2019, 2019-2021, and 2021-2023 (~~(, and 2023-2025)~~) fiscal biennia, and during fiscal year 2024, when the employing, county, city, or state law enforcement agency shall reimburse the commission for twenty-five percent of the cost of training its personnel. Additionally, to the extent funds are provided for this purpose, the commission shall reimburse to participating law enforcement agencies with ten or less full-time commissioned patrol officers the cost of temporary replacement of each officer who is enrolled in basic law enforcement training: PROVIDED, That such reimbursement shall include only the actual cost of temporary replacement not to exceed the total amount of salary and benefits received by the replaced officer during his or her training period:

PROVIDED FURTHER, That limited authority Washington law enforcement agencies as defined in RCW 10.93.020 shall reimburse the commission for the full cost of training their personnel.

**Sec. 908.** RCW 43.101.220 and 2021 c 334 s 978 are each amended to read as follows:

(1) The corrections personnel of the state and all counties and municipal corporations initially employed on or after January 1, 1982, shall engage in basic corrections training which complies with standards adopted by the commission. The standards adopted must provide for basic corrections training of at least ten weeks in length for any corrections officers subject to the certification requirement under RCW (~~(43.101.096)~~) 43.101.095 who are hired on or after July 1, 2021, or on an earlier date set by the commission. The training shall be successfully completed during the first six months of employment of the personnel, unless otherwise extended or waived by the commission, and shall be requisite to the continuation of employment.

(2) The commission shall provide the training required in this section, together with facilities, supplies, materials, and the room and board for noncommuting attendees, except during the (~~(2017-2019, 2019-2021, and)~~) 2021-2023 fiscal (~~(biennia)~~) biennium, and during fiscal year 2025, when the employing county, municipal corporation, or state agency shall reimburse the commission for twenty-five percent of the cost of training its personnel.

(3) (a) Subsections (1) and (2) of this section do not apply to the Washington state department of corrections prisons division. The Washington state department of corrections is responsible for identifying training standards, designing curricula and programs, and providing the training for those corrections personnel employed by it. In doing so, the secretary of the department of corrections shall consult with staff development experts and correctional professionals both inside and outside of the agency, to include soliciting input from labor organizations.

(b) The commission and the department of corrections share the responsibility of developing and defining training standards and providing training for community corrections officers employed within the community corrections division of the department of corrections.



**Sec. 909.** RCW 43.101.230 and 2023 c 72 s 1 are each amended to read as follows:

Tribal police officers and employees who are engaged in law enforcement activities and who do not qualify as "criminal justice personnel" or "law enforcement personnel" under RCW 43.101.010 shall be provided training under this chapter if: (1) The tribe is recognized by the federal government, and (2) except during fiscal year 2025, tribal agencies with tribal officer certification agreements with the commission under RCW 43.101.157 shall reimburse the commission for 25 percent of the cost of training its personnel. Tribes without current written tribal officer certification agreements with the commission shall pay to the commission the full cost of providing such training. The commission shall place all money received under this section into the criminal justice training account.

**Sec. 910.** RCW 70A.65.250 and 2023 c 475 s 938 and 2023 c 435 s 12 are each reenacted and amended to read as follows:

(1)(a) The climate investment account is created in the state treasury. Except as otherwise provided in chapter 316, Laws of 2021, all receipts from the auction of allowances authorized in this chapter must be deposited into the account. Moneys in the account may be spent only after appropriation.

(b) Projects or activities funded from the account must meet high labor standards, including family sustaining wages, providing benefits including health care and employer-contributed retirement plans, career development opportunities, and maximize access to economic benefits from such projects for local workers and diverse businesses. Each contracting entity's proposal must be reviewed for equity and opportunity improvement efforts, including: (i) Employer paid sick leave programs; (ii) pay practices in relation to living wage indicators such as the federal poverty level; (iii) efforts to evaluate pay equity based on gender identity, race, and other protected status under Washington law; (iv) facilitating career development opportunities, such as apprenticeship programs, internships, job-shadowing, and on-the-job training; and (v) employment assistance and employment barriers for justice affected individuals.

(2) Moneys in the account may be used only for projects and programs that achieve the purposes of the greenhouse gas emissions cap and invest program established under this chapter and for tribal capacity grants under RCW 70A.65.305. During the 2023-2025 fiscal biennium, moneys in the account may also be used for tribal capacity grant activities supporting climate resilience and adaptation, developing tribal clean energy projects, applying for state or federal grant funding, and other related work. Moneys in the account as described in this subsection must first be appropriated for the administration of the requirements of this chapter, in an amount not to exceed five percent of the total receipt of funds from allowance auction proceeds under this chapter. Beginning July 1, 2023, and annually thereafter, the state treasurer shall distribute funds in the account that exceed the amounts appropriated for the purposes of this subsection (2) as follows:

(a) Seventy-five percent of the moneys to the climate commitment account created in RCW 70A.65.260; and

(b) Twenty-five percent of the moneys to the natural climate solutions account created in RCW 70A.65.270.

(3) The allocations specified in subsection (2)(a) and (b) of this section must be reviewed by the legislature on a biennial basis based on the changing needs of the state in meeting its clean economy and greenhouse gas reduction goals in a timely, economically advantageous, and equitable manner.

(4) During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the climate investment account to the carbon emissions reduction account, the climate commitment account, and the natural climate solutions account.

**Sec. 911.** RCW 70A.65.300 and 2021 c 316 s 46 are each amended to read as follows:

(1) The department shall prepare, post on the department website, and submit to the appropriate committees of the legislature an annual report that identifies all distributions of moneys from the accounts created in RCW 70A.65.240 through 70A.65.280.

(2) The report must identify, at a minimum, the recipient of the funding, the amount of the funding, the purpose of the funding, the actual end result or use of the funding, whether the project that received the funding produced any verifiable reduction in greenhouse gas emissions or other long-term impact to emissions, and if so, the quantity of reduced greenhouse gas emissions, the cost per carbon dioxide equivalent metric ton of reduced greenhouse gas emissions, and a comparison to other greenhouse gas emissions reduction projects in order to facilitate the development of cost-benefit ratios for greenhouse gas emissions reduction projects.

(3) The department shall require by rule that recipients of funds from the accounts created in RCW 70A.65.240 through 70A.65.280 report to the department, in a form and manner prescribed by the department, the information required for the department to carry out the department's duties established in this section.

(4) The department shall update its website with the information described in subsection (2) of this section as appropriate but no less frequently than once per calendar year.

(5) The department shall submit its report to the appropriate committees of the legislature with the information described in subsection (2) of this section no later than September 30 of each year. For fiscal year 2025, the report must be submitted no later than November 30, 2024.

**Sec. 912.** RCW 74.46.485 and 2021 c 334 s 991 are each amended to read as follows:

(1) The legislature recognizes that staff and resources needed to adequately care for individuals with cognitive or behavioral impairments is not limited to support for activities of daily living. Therefore, the department shall:

(a) Employ the resource utilization group IV case mix classification methodology. The department shall use the fifty-seven group index maximizing model for the resource utilization group IV grouper version MDS 3.05, but in ~~((the 2021-2023 biennium))~~ fiscal year 2025 the department may revise or update the methodology used to establish case mix classifications to reflect advances or refinements in resident assessment or classification, as made available by the federal government. The department may adjust by no more than thirteen percent the case mix index for resource utilization group categories beginning with PA1 through PB2 to any case mix index that aids in achieving the purpose and intent of RCW 74.39A.007 and cost-efficient care, excluding behaviors, and allowing for exceptions for limited placement options; and

(b) Implement minimum data set 3.0 under the authority of this section. The department must notify nursing home contractors twenty-eight days in advance the date of implementation of the minimum data set 3.0. In the notification, the department must identify for all semiannual rate settings following the date of minimum data set 3.0 implementation a previously established semiannual case mix adjustment established for the semiannual rate settings that will be used for semiannual case mix calculations in direct care until minimum data set 3.0 is fully implemented.

(2) The department is authorized to adjust upward the weights for resource utilization groups BA1-BB2 related to cognitive or behavioral health to ensure adequate access to appropriate levels of care.

(3) A default case mix group shall be established for cases in which the resident dies or is discharged for any purpose prior to completion of the resident's initial assessment. The default case mix group and case mix weight for these cases shall be designated by the department.

(4) A default case mix group may also be established for cases in which there is an untimely assessment for the resident. The default case mix group and case mix weight for these cases shall be designated by the department.

**Sec. 913.** RCW 74.46.501 and 2021 c 334 s 992 are each amended to read as follows:

(1) From individual case mix weights for the applicable quarter, the department shall determine two average case mix indexes for each medicaid nursing facility, one for all residents in the facility, known as the facility average case mix index, and one for medicaid residents, known as the medicaid average case mix index.

(2) (a) In calculating a facility's two average case mix indexes for each quarter, the department shall include all residents or medicaid residents, as applicable, who were physically in the facility during the quarter in question based on the resident assessment instrument completed by the facility and the requirements and limitations for the instrument's completion and transmission (January 1st through March 31st, April 1st through June 30th, July 1st through September 30th, or October 1st through December 31st).

(b) The facility average case mix index shall exclude all default cases as defined in this chapter. However, the medicaid average case mix index shall include all default cases.

(3) Both the facility average and the medicaid average case mix indexes shall be determined by multiplying the case mix weight of each resident, or each medicaid resident, as applicable, by the number of days, as defined in this section and as applicable, the resident was at each particular case mix classification or group, and then averaging.

(4) In determining the number of days a resident is classified into a particular case mix group, the department shall determine a start date for calculating case mix grouping periods as specified by rule.

(5) The cut-off date for the department to use resident assessment data, for the purposes of calculating both the facility average and the medicaid average case mix indexes, and for establishing and updating a facility's direct care component rate, shall be one month and one day after the end of the quarter for which the resident assessment data applies.

(6) (a) Although the facility average and the medicaid average case mix indexes shall both be calculated quarterly, the cost-rebasing period facility average case mix index will be used throughout the applicable cost-rebasing period in combination with cost report data as specified by RCW 74.46.561, to establish a facility's allowable cost per case mix unit. To allow for the transition to minimum data set 3.0 and implementation of resource utilization group IV for July 1, 2015, through June 30, 2016, the department shall calculate rates using the medicaid average case mix scores effective for January 1, 2015, rates adjusted under RCW 74.46.485(1)(a), and the scores shall be increased each six months during the transition period by one-half of one percent. The July 1, 2016, direct care cost per case mix unit shall be calculated by utilizing 2014 direct care costs, patient days, and 2014 facility average case mix indexes based on the minimum data set 3.0 resource utilization group IV grouper 57. Otherwise, a facility's medicaid average case mix index shall be used to update a nursing facility's direct care component rate semiannually.

(b) Except during the 2021-2023 fiscal biennium, the facility average case mix index used to establish each nursing facility's direct care component rate shall be based on an average of calendar quarters of the facility's average case mix indexes from the four calendar quarters occurring during the cost report period used to rebase the direct care component rate allocations as specified in RCW 74.46.561.

(c) Except during (~~the 2021-2023 fiscal biennium~~) fiscal year 2025, the medicaid average case mix index used to update or recalibrate a nursing facility's direct care component rate semiannually shall be from the calendar six-month period commencing nine months prior to the effective date of the semiannual rate. For example, July 1, 2010, through December 31, 2010, direct care component rates shall utilize case mix averages from the October 1, 2009, through March 31, 2010, calendar quarters, and so forth.

(d) The department shall establish a methodology to use the case mix to set the direct care component (~~(rate)~~) rate in (~~the 2021-2023 fiscal biennium~~) fiscal year 2025.

NEW SECTION. Sec. 914. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 915. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

(End of part)

Correct the title.

Representative Abbarno moved the adoption of amendment (1100) to the striking amendment (1094):

On page 136, line 37 of the striking amendment, after "(29)" strike "(a)"

On page 136, line 39 of the striking amendment, after "electric" insert "and gas"

On page 137, line 2 of the striking amendment, after "residential" strike "electricity"

On page 137, line 15 of the striking amendment, after "accounts" strike "and adhere to program communications guidelines provided by the department" and insert "by October 15, 2024"

On page 137, beginning on line 19 of the striking amendment, strike all of subsection (b) and subsection (c)

Representatives Abbarno, Chambers and Walsh spoke in favor of the adoption of the amendment to the striking amendment.

Representative Fitzgibbon spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

#### ROLL CALL

The Clerk called the roll on the adoption of amendment (1100) to the striking amendment (1094) and the amendment was not adopted by the following vote: Yeas, 40; Nays, 55; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler, Dye and Maycumber

Amendment (1100) to the striking amendment (1094) was not adopted.

Representative Schmick moved the adoption of amendment (1103) to the striking amendment (1094):

On page 226, line 32 of the striking amendment, increase the general fund-state appropriation for fiscal year 2025 by \$361,000

On page 226, line 34 of the striking amendment, increase the general fund-federal appropriation by \$387,000

On page 227, line 1 of the striking amendment, correct the total.

On page 241, after line 11 of the striking amendment, insert the following:

"(rr)(a) \$361,000 of the general fund--state appropriation for fiscal year 2025 and \$387,000 of the general fund--federal appropriation are provided for rates paid, effective January 1, 2025, to independent contractor nurses and agency-employed nurses providing private duty nursing, skilled nursing, and private duty nursing in adult family homes.

(b) The department must adopt a payment model that incorporates the following adjustments for independent contractor nurses:

(i) Private duty nursing services shall be \$56.58 per hour by a registered nurse and \$46.49 per hour by a licensed practical nurse.

(ii) Skilled nursing services shall be \$62.93 per day by a registered nurse.

(c) The department must adopt a payment model that incorporates the following adjustments for agency-employed nurses:

(i) Private duty nursing services shall be \$67.89 per hour by a registered nurse and \$55.79 per hour by a licensed practical nurse.

(ii) Skilled nursing services shall be \$75.52 per day by a registered nurse.

(d) Private duty nursing services in an adult family home shall be \$898.95 per day."

On page 242, line 28 of the striking amendment, increase the general fund-state

appropriation for fiscal year 2025 by \$408,000

On page 242, line 30 of the striking amendment, increase the general fund-federal appropriation by \$438,000

On page 243, line 3 of the striking amendment, correct the total.

On page 263, after line 24 of the striking amendment, insert the following:

"(54) (a) \$408,000 of the general fund--state appropriation for fiscal year 2025 and \$438,000 of the general fund--federal appropriation are provided for rates paid, effective January 1, 2025, to independent contractor nurses and agency-employed nurses providing private duty nursing, skilled nursing, and private duty nursing in adult family homes.

(b) The department must adopt a payment model that incorporates the following adjustments for independent contractor nurses:

(i) Private duty nursing services shall be \$56.58 per hour by a registered nurse and \$46.49 per hour by a licensed practical nurse.

(ii) Skilled nursing services shall be \$62.93 per day by a registered nurse.

(c) The department must adopt a payment model that incorporates the following adjustments for agency-employed nurses:

(i) Private duty nursing services shall be \$67.89 per hour by a registered nurse and \$55.79 per hour by a licensed practical nurse.

(ii) Skilled nursing services shall be \$75.52 per day by a registered nurse.

(d) Private duty nursing services in an adult family home shall be \$898.95 per day."

On page 285, line 24 of the striking amendment, increase the general fund-state appropriation for fiscal year 2025 by \$266,000

On page 285, line 26 of the striking amendment, increase the general fund-federal appropriation by \$348,000

On page 286, line 16 of the striking amendment, correct the total.

On page 322, after line 39 of the striking amendment, insert the following:

"(100) (a) \$266,000 of the general fund--state appropriation for fiscal year 2025 and \$348,000 of the general fund--federal appropriation are provided solely for rate increases, effective January 1, 2025, for private duty nursing, home health, and the medically intensive children's group home program services.

(b) The authority must adopt a payment model that incorporates the following adjustments:

(i) A 7.5 percent rate increase for home health and the medically intensive children's group home program services; and

(ii) Private duty nursing services shall be \$67.89 per hour by a registered nurse and \$55.70 per hour by a licensed practical nurse."

Representatives Schmick and Macri spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1103) to the striking amendment (1094) was adopted.

Representative Harris moved the adoption of amendment (1097) to the striking amendment (1094):

On page 242, line 28 of the striking amendment, increase the general fund-state appropriation for fiscal year 2025 by \$695,000

On page 242, line 30 of the striking amendment, increase the general fund-federal appropriation by \$884,000

On page 243, line 3 of the striking amendment, correct the total.

On page 263, after line 24 of the striking amendment, insert "(54) \$695,000 of the general fund-state appropriation for fiscal year 2025 and \$884,000 of the general fund-federal appropriation are provided solely to increase reimbursement rates for home care agencies. This increase includes a specific \$0.10 per hour adjustment for mileage expenses incurred by employees, intended to cover the actual costs incurred by home care agencies."

Representatives Harris and Riccelli spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1097) to the striking amendment (1094) was adopted.

Representative Couture moved the adoption of amendment (1101) to the striking amendment (1094):

On page 279, line 1 of the striking amendment, increase the general fund-state appropriation for fiscal year 2025 by \$189,000

On page 279, line 3 of the striking amendment, correct the total.

On page 279, after line 39 of the striking amendment, insert the following:

"(4) \$189,000 of the general fund--state appropriation for fiscal year 2025 is provided solely for the department to establish one position for a special commitment center communications manager to support information sharing to the public related to conditional release for less restrictive alternative placements."

Representatives Couture and Leavitt spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1101) to the striking amendment (1094) was adopted.

Representative Macri moved the adoption of amendment (1111) to the striking amendment (1094):

On page 307, line 21, after "hospitals" insert "or birth centers"

On page 307, line 22, after "hospital" insert "or birth center"

On page 307, line 23, after "Washington" insert "and not be part of a system of three or more hospitals"

On page 307, line 27, after "in" strike "calendar year 2022" and insert "((calendar year ~~2022~~))the most current complete calendar year data;"

On page 307, line 34, after "during" strike "hospital fiscal year 2022; or" and insert "((hospital fiscal year 2022; or))the most current complete calendar year data;"

On page 307, line 36, after "bankruptcy" insert the following:

"; or

(D) Be at risk of closing labor and delivery services"

On page 308, after line 10, insert the following:

"(e) Of the amounts provided in this subsection for fiscal year 2025, \$2,640,000 must be distributed to hospitals or birth centers that meet the qualification in subsection (b)(vi)(D). Facilities receiving funding under this subsection (e) shall provide the authority with a documented plan for how the funds will be invested in labor and delivery services and an accounting at the end of the fiscal year for how the funds were expended."

Representatives Macri and Schmick spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1111) to the striking amendment (1094) was adopted.

Representative Rude moved the adoption of amendment (1099) to the striking amendment (1094):

On page 322, after line 39, insert the following:

"(100) It is the intent of the legislature to restore the program integrity savings through June 30, 2025."

On page 636, line 25, increase the general fund-state appropriation for fiscal year 2025 by \$38,774,000

On page 636, line 29, correct the total.

On page 640, at the beginning of line 11, insert "(a)"

On page 640, line 16, after "grade" insert ", except as provided in subsection (b) of this section.

(b) \$38,774,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to allocate the following additional classified staffing units per prototypical school beginning in the 2024-25 school year above allocations under RCW 28A.150.260. Classified staff units in this subsection (4)(b) achieve staffing ratio increases under RCW 28A.400.007 and are part of the state's program of basic education. Additional funding provided under this subsection (4)(b) must be used to support increased staffing, prevent layoffs, or

increase salaries for the following staff types: Teaching assistance, office support, and noninstructional aides. The superintendent shall collect data from school districts on how the increased allocations are used.

(i) Teaching assistance, including any aspect of educational instructional services provided by classified employees: 0.118 elementary, 0.117 middle, and 0.117 high.

(ii) Office support and other noninstructional aides: 0.118 elementary, 0.117 middle, 0.117 high"

On page 651, line 10, increase the general fund-state appropriation for fiscal year 2025 by \$4,008,000

On page 651, line 12, correct the total.

On page 657, line 27, increase the general fund-state appropriation for fiscal year 2025 by \$6,720,000

On page 657, line 32, correct the total.

On page 666, line 6, increase the general fund-state appropriation for fiscal year 2025 by \$9,000

On page 666, line 8, correct the total.

On page 678, line 36, increase the Washington opportunity pathways account-state appropriation by \$261,000

On page 678, line 38, correct the total.

Representatives Rude and Couture spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Stonier and Bergquist spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

## ROLL CALL

The Clerk called the roll on the adoption of amendment (1099) to the striking amendment (1094) and the amendment was not adopted by the following vote: Yeas, 45; Nays, 50; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Cortes, Couture, Dent, Eslick, Fosse, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Reed, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler, Dye and Maycumber

Amendment (1099) to the striking amendment (1094) was not adopted.

Representative Eslick moved the adoption of amendment (1106) to the striking amendment (1094):

On page 330, line 10 of the striking amendment, increase the general fund-state appropriation for fiscal year 2025 by \$1,300,000

On page 330, line 12 of the striking amendment, reduce the general fund-federal appropriation by \$400,000

On page 330, line 29 of the striking amendment, correct the total.

On page 376, line 3 of the striking amendment, after "(104)" strike "\$400,000 of the general fund-federal appropriation" and insert "~~(\$400,000 of the general fund-federal appropriation)~~ \$1,300,000 of the general fund-state appropriation for fiscal year 2025"

On page 376, line 4 of the striking amendment, after "is provided solely" strike "to support the development and implementation of the parent portal directed in chapter 134, Laws of 2022 (SHB 1800)." And insert "~~(to support the development and implementation of the parent portal directed in chapter 134, Laws of 2022 (SHB 1800).)~~ for the authority to continue work with the convener of the Washington State Children's Behavioral Health Statewide Family Network to develop a parent online platform, known as BH360, to continue work on ecosystem mapping, technical development of the portal platform, and to engage families with lived experience on strategic development of the platform."

Representatives Eslick and Callan spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1106) to the striking amendment (1094) was adopted.

Representative Schmick moved the adoption of amendment (1096) to the striking amendment (1094):

On page 399, line 7 of the striking amendment, increase the general fund-state appropriation for fiscal year 2024 by \$659,000

On page 399, line 9 of the striking amendment, increase the general fund-state appropriation for fiscal year 2025 by \$4,191,000

On page 399, line 22 of the striking amendment, correct the total.

On page 406, after line 6 of the striking amendment, insert the following:

Representative Corry moved the adoption of amendment (1104) to the striking amendment (1094):

Beginning on page 1, after line 2, strike all material through "immediately." on page 846, line 13 and insert the following:

**"PART I  
GENERAL GOVERNMENT**

**Sec. 101.** 2023 c 475 s 101 (uncodified) is amended to read as follows:  
**FOR THE HOUSE OF REPRESENTATIVES**  
General Fund—State Appropriation (FY 2024) . . . . . ((~~\$59,938,000~~))

"(25) \$659,000 of the general fund-state appropriation for fiscal year 2024 and \$4,191,000 of the general fund-state appropriation for fiscal year 2025 are provided solely for the commission to conduct additional corrections officer academy classes. These classes may be conducted at the corrections officer academy in Burien or at a regional corrections officer academy established by the commission."

Representatives Schmick and Ramos spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1096) to the striking amendment (1094) was adopted.

Representative Couture moved the adoption of amendment (1102) to the striking amendment (1094):

On page 566, line 10 of the striking amendment, increase the general fund--state appropriation for fiscal year 2025 by \$89,000

On page 567, line 21 of the striking amendment, correct the total.

On page 567, line 34 of the striking amendment, strike "\$207,000" and insert "~~(\$207,000)~~ \$296,000"

Representatives Couture and Lekanoff spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1102) to the striking amendment (1094) was adopted.

Representative Dent moved the adoption of amendment (1110) to the striking amendment (1094):

On page 788, line 26 of the striking amendment, increase the general fund--state appropriation for fiscal year 2025 by \$186,000.

On page 788, line 30 of the striking amendment, correct the total.

On page 789, line 27 of the striking amendment, after "and" strike "\$242,000" and insert "~~(\$242,000)~~ \$428,000"

Representatives Dent, Gregerson and Wilcox spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1110) to the striking amendment (1094) was adopted.

**\*\*FORMAT CHANGED TO ACCOMMODATE TEXT\*\***

	\$60,117,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$62,150,000))
	<u>\$62,295,000</u>
TOTAL APPROPRIATION.....	(((\$122,088,000))
	<u>\$122,412,000</u>

**Sec. 102.** 2023 c 475 s 102 (uncodified) is amended to read as follows:  
**FOR THE SENATE**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$44,398,000))
	<u>\$44,427,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(((\$47,773,000))
	<u>\$47,805,000</u>
TOTAL APPROPRIATION.....	(((\$92,171,000))
	<u>\$92,232,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of membership dues to the council of state governments, the national conference of state legislatures, the pacific northwest economic region, the pacific fisheries legislative task force, and the western legislative forestry task force.

**Sec. 103.** 2023 c 475 s 103 (uncodified) is amended to read as follows:  
**FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

Performance Audits of Government Account—State Appropriation. . . . .	(((\$14,936,000))
	<u>\$15,342,000</u>
TOTAL APPROPRIATION.....	(((\$14,936,000))
	<u>\$15,342,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Notwithstanding the provisions of this section, the joint legislative audit and review committee may adjust the due dates for projects included on the committee's 2023-2025 work plan as necessary to efficiently manage workload.

(2) \$250,000 of the performance audits of government account—state appropriation is for tax preference review costs from legislation enacted in the 2023 session.

(3) \$1,503,000 of the performance audits of government account—state appropriation is for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$626,000 of the performance audits of government account—state appropriation is for the audit required in Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) Within the amount appropriated in this section, the joint legislative audit and review committee shall conduct a review of the state's recreational boating programs. The committee shall complete the review by December 1, 2024. This review shall include examination of the following:

- (a) Revenue sources for state recreational boating programs;
- (b) Expenditures for state boating programs;
- (c) Methods of administrating state recreational boating programs, including the roles of both state and local government entities; and
- (d) Approaches other states have taken to funding and administering their recreational boating programs.

(6)(a) \$400,000 of the performance audits of government account—state appropriation is for the joint legislative audit and review committee to:

(i) Review the department of children, youth, and families-juvenile rehabilitation program's existing processes and staffing methodology used for determining adequate staffing ratios to meet the confinement and rehabilitative needs of the juveniles and ensure public safety;

(ii) Review procedures and protocols for professional development, hiring and recruitment, and training for staff serving youth in juvenile rehabilitation institutions, with a focus on how staff are trained to implement rehabilitative practices;

(iii) Review youth access to programming, treatment, and services including, but not limited to, educational programming, treatment and services for youth experiencing substance use disorder, behavioral health treatment, available reentry services such as housing, job training, and other supports, access to technology services, family and community connections, and other programming and services offered by the department to provide youth with rehabilitation and restorative interventions;

(iv) Review existing security and safety measures, including the use of disciplinary procedures for total isolation and room confinement, adopted by the department and their effectiveness in meeting the unique needs of the juvenile population in the custody of the department;

(v) Review how often and how many youth face new juvenile or adult criminal offense charges, convictions, or both while residing at juvenile rehabilitation institutions and potential future consequences that may occur as a result such as sentence extension, likelihood of recidivism, health impacts, and effects regarding criminal records;

(vi) Assess gender equity regarding education, employment, and career options for female youth;

(vii) Review how staffing impacts youth-on-youth conflict and safety;

(viii) Review best practices from other states regarding security and safety measures, programming opportunities, reentry supports, staff training and professional development, and staffing ratios, and identify options that may be feasible to adopt in Washington state to increase public safety and the security, programming options, treatment services, and rehabilitation mission of the department's juvenile rehabilitation institutions;

(ix) Review the department's existing processes for responding to critical incidents, including communication and cooperation with local law enforcement, and identify areas for improvement; and

(x) Review the impacts of changes in average daily population, longer lengths of stay, longer sentences, increases in maximum age of release, increases in more serious offense types and adult sentences, and related effects of chapter 322, Laws of 2019.

(b) The joint legislative audit and review committee shall submit a preliminary report by June 30, 2025, to the governor and the appropriate committees of the legislature.

(c) It is the intent of the legislature that the joint legislative audit and review committee shall submit a final report with findings and recommendations to the governor and the appropriate committees of the legislature in the 2025-2027 fiscal biennium. The report shall include recommendations on supporting the juvenile rehabilitation program's efforts to gradually move young people from carceral settings to least restrictive environments to improve positive reentry outcomes.

Sec. 104. 2023 c 475 s 104 (uncodified) is amended to read as follows:

**FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

Performance Audits of Government Account—State

Appropriation. . . . .	\$5,326,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$5,326,000</b>

Sec. 105. 2023 c 475 s 105 (uncodified) is amended to read as follows:

**FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

General Fund—State Appropriation (FY 2024). . . . .	(( \$21,727,000 ))
	\$21,477,000
General Fund—State Appropriation (FY 2025). . . . .	(( \$19,625,000 ))
	\$20,759,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(( \$41,352,000 ))</b>
	<b>\$42,236,000</b>

The appropriations in this section are subject to the following conditions and limitations: Within the amounts provided in this section, the joint legislative systems committee shall provide information technology support, including but not limited to internet service, for the district offices of members of the house of representatives and the senate.

Sec. 106. 2023 c 475 s 106 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF STATE LEGISLATIVE LABOR RELATIONS**

General Fund—State Appropriation (FY 2024). . . . .	\$961,000
General Fund—State Appropriation (FY 2025). . . . .	(( \$964,000 ))
	\$965,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(( \$1,925,000 ))</b>
	<b>\$1,926,000</b>

Sec. 107. 2023 c 475 s 107 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE STATE ACTUARY**

General Fund—State Appropriation (FY 2024). . . . .	\$409,000
General Fund—State Appropriation (FY 2025). . . . .	\$423,000
State Health Care Authority Administrative Account— State Appropriation. . . . .	\$291,000
Department of Retirement Systems Expense Account— State Appropriation. . . . .	(( \$7,102,000 ))
	\$7,101,000
School Employees' Insurance Administrative Account— State Appropriation. . . . .	\$258,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(( \$8,483,000 ))</b>
	<b>\$8,482,000</b>

Sec. 108. 2023 c 475 s 108 (uncodified) is amended to read as follows:

**FOR THE STATUTE LAW COMMITTEE**

General Fund—State Appropriation (FY 2024). . . . .	\$6,201,000
General Fund—State Appropriation (FY 2025). . . . .	(( \$6,808,000 ))



	\$6,811,000
TOTAL APPROPRIATION.....	(((\$13,009,000))
	\$13,012,000

**Sec. 109.** 2023 c 475 s 109 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$5,852,000))
	\$5,893,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$6,465,000))
	\$6,653,000
TOTAL APPROPRIATION.....	(((\$12,317,000))
	\$12,546,000

**Sec. 110.** 2023 c 475 s 111 (uncodified) is amended to read as follows:  
**FOR THE SUPREME COURT**

General Fund—State Appropriation (FY 2024) . . . . .	\$14,883,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$15,196,000))
	\$16,269,000
TOTAL APPROPRIATION.....	(((\$30,079,000))
	\$31,152,000

**Sec. 111.** 2023 c 475 s 112 (uncodified) is amended to read as follows:  
**FOR THE COMMISSION ON JUDICIAL CONDUCT**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$2,225,000))
	\$2,224,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$2,206,000))
	\$2,208,000
TOTAL APPROPRIATION.....	(((\$4,431,000))
	\$4,432,000

**Sec. 112.** 2023 c 475 s 113 (uncodified) is amended to read as follows:  
**FOR THE COURT OF APPEALS**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$25,901,000))
	\$28,199,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$26,491,000))
	\$27,564,000
TOTAL APPROPRIATION.....	(((\$52,392,000))
	\$55,763,000

The appropriations in this section are subject to the following conditions and limitations: \$764,000 of the general fund—state appropriation for fiscal year 2024 and \$764,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

**Sec. 113.** 2023 c 475 s 114 (uncodified) is amended to read as follows:  
**FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$123,740,000))
	\$125,526,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$118,331,000))
	\$123,463,000
General Fund—Federal Appropriation . . . . .	\$2,209,000
General Fund—Private/Local Appropriation . . . . .	\$681,000
Judicial Stabilization Trust Account—State Appropriation . . . . .	(((\$112,345,000))
	\$119,616,000
Judicial Information Systems Account—State Appropriation . . . . .	\$79,530,000
<u>Opioid Abatement Settlement Account—State</u> <u>Appropriation . . . . .</u>	<u>\$479,000</u>
TOTAL APPROPRIATION.....	(((\$436,836,000))
	\$451,504,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The distributions made under this section and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(2) (a) \$7,000,000 of the general fund—state appropriation for fiscal year 2024 and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to county juvenile court administrators for the costs associated with

processing and case management of truancy, children in need of services, and at-risk youth referrals. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula must neither reward counties with higher than average per-petition/referral processing costs nor shall it penalize counties with lower than average per-petition/referral processing costs.

(b) Each fiscal year during the 2023-2025 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than 60 days after a fiscal year ends. These reports are informational in nature and are not for the purpose of distributing funds.

(3) \$1,094,000 of the general fund—state appropriation for fiscal year 2024 and \$1,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide fiscal impact on Thurston county courts. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(4) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the (~~general fund—state appropriation for fiscal year 2025~~) judicial stabilization trust account—state appropriation are provided solely for distribution to local courts for costs associated with the court-appointed attorney and visitor requirements set forth in the uniform guardianship act, chapter 11.130 RCW. If the amount provided in this subsection is insufficient to fully fund the local court costs, distributions must be reduced on a proportional basis to ensure that expenditures remain within the available funds provided in this subsection. No later than December 31, 2023, the administrative office of the courts will provide a report on distributions to local courts including, but not limited to, the amount provided to each court, the number of guardianship cases funded at each court, costs segregated by attorney appointments and court visitor appointments, the amount of any pro rata reductions, and a recommendation on how to forecast distributions for potential future funding by the legislature.

(5) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to use as matching funds to distribute to small municipal and county courts, located in a rural county as defined in RCW 43.160.020, for the purpose of increasing security for court facilities. Grants must be used solely for security equipment and services for municipal, district, and superior courts and may not be used for staffing or administrative costs.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the administrative office of the courts to provide grants to superior courts for the purpose of creating or expanding sanitary lactation spaces or pods that provide privacy for courthouse visitors needing to breastfeed or express breast milk.

(7) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the administrative office of the courts to contract with an equity and justice nonprofit organization to expand the capacity of the existing equity dashboard program. The contract must review and organize newly available criminal case data with the goal of consolidating and collecting adult felony case data to determine disparities in the legal justice system. The equity dashboard program must be expanded to include adult felony case data that is consolidated, interactable, transparent, and accessible to the public.

(8) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1766 (protection orders/hope cards). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(9) \$1,090,000 of the general fund—state appropriation for fiscal year 2024 and \$1,090,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to address data quality issues across Washington state court management systems.

(10) \$51,428,000 of the judicial stabilization trust account—state appropriation is provided solely to establish a direct refund process to individuals to refund legal financial obligations, collection costs, and document-verified costs paid to third parties previously paid by defendants whose convictions have been vacated by court order due to the *State v. Blake* ruling. Superior court clerks, district court administrators, and municipal court administrators must certify and send to the office the amount of any refund ordered by the court. The court order must either contain the amount of the refund or provide language for the clerk or court administrator to certify to the office the amount to be refunded to the individual.

(11) \$1,627,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~) and \$1,812,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for activities of the office relating to the resentencing and/or vacating convictions of individuals and refund of legal financial obligations and costs associated with the *State v. Blake* ruling. In addition to contracting with cities and counties for the disbursement of funds appropriated for resentencing costs, the office must:

(a) Collaborate with superior court clerks, district court administrators, and municipal court administrators to prepare comprehensive reports, based on available court records, of

all cause numbers impacted by *State v. Blake* going back to 1971. Such reports must include the refund amount related to each cause number;

(b) In collaboration with the office of public defense and the office of civil legal aid, establish a process that can be used by individuals seeking a refund, provide individuals information regarding the application process necessary to claim a refund, and issue payments from the refund bureau to individuals certified in subsection (10) of this section; and

(c) Collaborate with counties and municipalities to adopt standard coding for application to *State v. Blake* convictions and to develop a standardized practice regarding vacated convictions.

(12) \$38,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with costs of complying with the *State v. Blake* decision that arise from the county's role in operating the state's criminal justice system, including resentencing, vacating prior convictions for simple drug possession, and certifying refunds of legal financial obligations and collections costs. The office shall contract with counties for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a county. A county may designate the office to use available funding to administer a vacate process, or a portion of the vacate process, on behalf of the county. The office must collaborate with counties to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(13) \$11,500,000 of the judicial stabilization trust account—state appropriation is provided solely to assist cities with costs of complying with the *State v. Blake* decision that arise from the city's role in operating the city's criminal justice system, including vacating prior convictions for simple drug possession, to include cannabis and possession of paraphernalia, and certifying refunds of legal financial obligations and collections costs. The office shall contract with cities for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a city. A city may designate the office to use available funding to administer a vacate process, or a portion of the vacate process, on behalf of the city. The office must collaborate with cities to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(14) \$439,000 of the general fund—state appropriation for fiscal year 2024 and \$304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(15) ~~(((\$1,560,000))\$40,000)~~ of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$1,520,000 of the general fund—state appropriation for fiscal year 2025 are provided solely the office to administer a jury pay pilot program in Pierce county. Funding must be used to increase jury pay up to ~~(((\$50))\$100)~~ for each day served in Pierce county superior court. The funds provided in this subsection must supplement, and not supplant, existing local funding for juror pay. The office must compare juror demographics after the pay increase as compared to data collected from the 2022 jury demographic survey to measure the impact increasing juror pay has on jury diversity and juror response rates.

(16) \$1,800,000 of the judicial stabilization trust account—state appropriation is provided solely for distribution to counties to help cover the cost of electronic monitoring with victim notification technology when an individual seeking a protection order requests electronic monitoring with victim notification technology from the court and the respondent is unable to pay. Of the amount provided in this subsection, up to five percent of the funding each fiscal year may be used by the office for education and outreach to the courts regarding this technology.

(17) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1102 (judge pro tempore compensation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(18) \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute House Bill No. 1562 (violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) \$109,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed House Bill No. 1324 (prior juvenile offenses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20) \$659,000 of the general fund—state appropriation for fiscal year 2024 and \$639,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development and expansion of online and on-demand eLearning courses offered through the WACOURTS education portal for judicial officers, administrators, clerks, assistants, and other staff employed in state and local courts.

(21) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to fund public guardianship services provided by the office of public guardianship.

(22) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to develop a sequential intercept model pilot program. The intercept model pilot program must include the establishment of a coordinated care and services network in courts of limited jurisdiction located in two counties, one county east

of the crest of the Cascade mountains and one county west of the crest of the Cascade mountains.

(a) In developing the pilot program, the administrative office of the courts must consult local government, the district and municipal court judges' association, the health care authority, the department of social and health services, the department of health, law enforcement agencies, and other impacted stakeholders as identified by the administrative office of the courts.

(ii) The pilot project shall include any sequential intercept mapping that is necessary to determine the availability of willing stakeholders and to determine gaps in services and programs in the geographic area served by the proposed coordinated care and services network.

(iii) The pilot project may include the use of a common source of peer support services as the means to link affected persons to the coordinated care and services network from the various intercepts in the sequential intercept model.

(iv) No court may be required by the administrative office of the courts to participate in the pilot program.

(v) For the purposes of this pilot project, "stakeholder" may include any public or private entity or individual that provides services, funds, or goods related to housing, shelter, education, employment, substance use disorder treatment or other behavioral health treatment, medical treatment, dental treatment, peer support, self-help, crisis care, income assistance, nutritional assistance, clothing, assistance with public benefits, or financial management and other life skills education.

(vi) The pilot project ends June 1, 2025. The administrative office of the courts shall submit a report to the legislature detailing the work of the pilot program project, which must include recommendations, if any, for continuation, modification, or expansion of the pilot program to other regions of the state, no later than June 30, 2025.

(23) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Washington state center for court research of the administrative office of the courts to conduct a study of legal financial obligations (LFO) charged by superior courts, juvenile courts, and courts of limited jurisdiction, including the reviews required in Engrossed Substitute House Bill No. 1169 (legal financial obligations). The administrative office of the courts must submit a report of the findings to the appropriate committees of the legislature by November 30, 2023. At a minimum, the study must include statewide and county-level data that shows, during the previous five state fiscal years that data is available:

(a) The total number of juvenile and criminal cases handled by court, the number of cases where legal financial obligations were imposed pursuant to chapter 13.40 RCW, the percentage of cases where legal financial obligations were not imposed, and the total amount of legal financial obligations that were collected;

(b) The total amount assessed to, collected from, and waived for all individuals, in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court, for each of the last five years data is available;

(c) The average amount assessed, collected, and waived per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court for each of the last five years data is available;

(d) The average amount collected per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, race, gender, LFO type, and charging court, for each of the last five years data is available;

(e) The estimated annual collection rate for restitution and nonrestitution LFOs for the last five years data is available;

(f) An estimate of the proportion of restitution assessed, disaggregated by victim type including natural persons, businesses, state agencies, and insurance companies, for each of the last five years data is available;

(g) The percentage, number of cases, and total amount of legal financial obligations that are uncollectible pursuant to RCW 13.40.190 or 13.40.192, or other statutory authority for the expiration of legal financial obligation debt including debt assessed in criminal cases; and

(h) The total amount of outstanding debt owed in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, race, gender, legal financial obligation type, charging court, and date of assessment.

(24) \$653,000 of the general fund—state appropriation for fiscal year 2024 and \$264,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(25) (a) \$165,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state center for court research of the administrative office of the courts to continue the study on legal financial obligations (LFO) charged by superior courts and courts of limited jurisdiction. The administrative office of the courts must submit a preliminary report to the appropriate committees of the legislature by November 30, 2024, and a final report by June 30, 2025. At a minimum, the report must include statewide data that shows, disaggregated by court type, LFO type, charge type, court user demographics, and community characteristics, during the previous five state fiscal years that data is available:

(i) The total number of juvenile and criminal cases handled by court, the number of cases where legal financial obligations were imposed pursuant to chapter 13.40 RCW, the percentage of cases where LFOs were imposed, and the total amount of LFOs that were collected;

(ii) The total amount assessed to, collected from, and waived for all individuals, in fees, court costs, fines, and restitution disaggregated by the defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court;

(iii) An estimate of the proportion of restitution owed in all cases, disaggregated by victim type including natural persons, businesses, state agencies, and insurance companies; and

(iv) A description of community level impact of LFO imposition measured as a ratio of aggregate debt to household income.

(b) Superior courts and courts of limited jurisdiction that do not enter their LFO data into a statewide data management system must provide their LFO data to the administrative office of the courts at dates to be set by the office to be included in the statewide report.

(c) Within the amounts provided in this subsection, the administrative office of the courts shall form a stakeholder group to review the report and make recommendations for data development and reporting topics.

(26) \$2,094,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5825 (guardianship). During the fiscal biennium, in conformity with RCW 2.72.030, the administrative office of the courts shall collect uniform and consistent data on decision making assistance to include, but not limited to: The number of requests for decision making assistance received from hospitals, the number of guardianships and less restrictive alternatives to guardianships provided, the support and housing provided, and any other data related to case monitoring and management. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(27) \$2,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5056 (habitual property offenders). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(28) \$218,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5836 (Clark county superior court). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(29) \$51,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5974 (unenforceable LFOs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(30) \$248,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6068 (dependency outcome reporting). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(31) \$479,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 114.** 2023 c 475 s 115 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF PUBLIC DEFENSE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$66,616,000</del> ))
	\$66,724,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$70,129,000</del> ))
	\$70,329,000
General Fund—Federal Appropriation . . . . .	\$385,000
Judicial Stabilization Trust Account—State Appropriation . . . . .	(( <del>\$9,894,000</del> ))
	\$16,146,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$147,024,000</del>))</b>
	<b>\$153,584,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of improving the quality of trial court public defense services as authorized by chapter 10.101 RCW. The office of public defense must allocate these amounts so that \$450,000 per fiscal year is distributed to counties, and \$450,000 per fiscal year is distributed to cities, for grants under chapter 10.101 RCW.

(2) ((~~\$6,000,000~~)) \$8,863,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with public defense services related to vacating the convictions of defendants and/or resentencing for defendants whose convictions or sentences are affected by the *State v. Blake* decision. Of the amount provided in this subsection:

(a) ~~((900,000))~~ \$1,863,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to provide statewide attorney training, technical assistance, data analysis and reporting, and quality oversight, to administer financial assistance for public defense costs related to *State v. Blake* impacts, and to maintain a triage team to provide statewide support to the management and flow of hearings for individuals impacted by the *State v. Blake* decision.

(b) ~~((5,100,000))~~ \$7,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties in providing counsel for defendants seeking to vacate a conviction and/or be resentenced under *State v. Blake*. Assistance shall be allocated to all counties based upon a formula established by the office of public defense. Counties may receive assistance by: (i) Applying for grant funding; and/or (ii) designating the office of public defense to contract directly with counsel.

(3) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to provide prefiling legal representation to pregnant parents and parents of newborns at risk of removal by the department of children, youth, and families.

(4) \$623,000 of the general fund—state appropriation for fiscal year 2024 and \$1,165,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$6,863,000 of the general fund—state appropriation for fiscal year 2024 and \$6,602,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5415 (public defense/insanity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$1,434,000 of the general fund—state appropriation for fiscal year 2024 and \$1,434,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the parents for parents program.

(7) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to establish and operate a telephone consultation line to provide contracted legal counsel for parents, guardians, or legal custodians when the department of children, youth, and families proposes a voluntary placement agreement when there is no pending dependency proceeding under chapter 13.34 RCW pursuant to RCW 13.34.090(4).

(8) \$442,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to administer a public defense recruitment program to recruit and retain a sufficient pool of qualified attorneys and other public defense professionals. The recruitment program shall engage with students and faculty at colleges and law schools on topics relating to public defense and other public law practices; provide technical assistance and training to county and city public defense coordinators on recruitment strategies including establishment of law clerk programs; and administer the public defense internship program as provided in Second Substitute Senate Bill No. 5780 (public defense & prosecution).

(9) \$10,000 of the general fund—state appropriation for fiscal year 2024 and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to address emergency safety assistance and other urgent needs for clients served by the parents representation program. Temporary, limited assistance may be made available for short-term housing, utilities, transportation, food assistance, and other urgent needs that, if unaddressed, could adversely impact case outcomes and impede successful family reunification. The office of public defense shall establish eligibility criteria and an expedited process for reviewing financial assistance requests submitted by parents representation program contractors.

(10) \$611,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5780 (public defense & prosecution). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$1,108,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 115.** 2023 c 475 s 116 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF CIVIL LEGAL AID**

General Fund—State Appropriation (FY 2024) . . . . .	<del>((53,283,000))</del>
	\$53,256,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>((59,838,000))</del>
	\$60,062,000
<del>((General Fund—Federal Appropriation . . . . .</del>	<del>\$1,468,000))</del>
Judicial Stabilization Trust Account—State	
Appropriation . . . . .	<del>((3,851,000))</del>
	\$6,698,000
TOTAL APPROPRIATION . . . . .	<del>((118,440,000))</del>
	\$120,016,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,917,000 of the general fund—state appropriation for fiscal year 2024 and \$7,711,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for children and youth in dependency cases under RCW 13.34.212(3) in accordance with revised practice, caseload, and training standards adopted by the supreme court commission on children in foster care and includes a vendor rate increase for contracted attorneys. By October 1, 2023, the office must develop a revised implementation schedule based on a caseload assumption of adding no more than 1,250 new dependency cases to the program each fiscal year for consideration by the governor and the legislature.

(2) \$2,408,000 of the general fund—state appropriation for fiscal year 2024 and \$2,579,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of civil legal information, advice, and representation for tenants at risk of eviction but not yet eligible for appointed counsel services under RCW 59.18.640.

(3) \$15,425,000 of the general fund—state appropriation for fiscal year 2024 and \$16,030,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for tenants in unlawful detainer cases established in RCW 59.18.640 and includes a vendor rate increase for contracted attorneys. The funding provided in this subsection does not create an entitlement to counsel in unlawful detainer cases. If funding provided under this subsection is insufficient to provide for appointed counsel for all indigent tenants in unlawful detainer cases, the office shall assign priority to providing legal representation to indigent tenants in those counties in which the most evictions occur and to indigent tenants who are disproportionately at risk of eviction, as provided in RCW 59.18.640, and may not move to delay or suspend an unlawful detainer case or attempt to decertify a court's ability to hear unlawful detainer cases.

(4) ~~(\$2,387,000)~~ \$5,234,000 of the judicial stabilization trust account—state appropriation is provided solely to continue legal information, advice, assistance, and representation for individuals eligible for civil relief under the supreme court's ruling in *State v. Blake*.

(5) An amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2024 and an amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2025 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are 60 years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(6) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the office of civil legal aid to establish a legal advice phone line to provide guidance and legal advice for kinship caregivers. The phone line must be staffed by two FTE contracted attorneys that have experience with kinship care, guardianship statutes, the child welfare system, and issues relating to legal custody.

(7) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to expand civil legal aid services for survivors of domestic violence, including legal services for protection order proceedings, family law cases, immigration assistance, and other civil legal issues arising from or related to the domestic violence they experienced.

(8) \$1,009,000 of the general fund—state appropriation for fiscal year 2024 and \$1,022,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to continue the statewide reentry legal aid project as established in section 115(12), chapter 357, Laws of 2020.

(9) \$222,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 116.** 2023 c 475 s 117 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE GOVERNOR**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$24,543,000)) \$25,169,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$24,253,000)) \$28,331,000
Economic Development Strategic Reserve Account—State Appropriation . . . . .	(((\$2,282,000)) \$10,850,000
GOV Central Service Account—State Appropriation . . . . .	\$18,967,000
Performance Audits of Government Account—State Appropriation . . . . .	(((\$720,000)) \$828,000
<u>Workforce Education Investment Account—State Appropriation . . . . .</u>	<u>\$100,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$70,765,000)) \$84,245,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((\$1,146,000))~~ \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~((\$1,146,000))~~ \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the education ombuds.

(2) ~~((\$18,667,000 of the GOV central service account state appropriation is provided solely for the office of equity.~~

~~(3) \$480,000)~~ \$554,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the governor to invite federally recognized tribes, local governments, agricultural producers, commercial and recreational fisher organizations, business organizations, salmon recovery organizations, forestry and agricultural organizations, and environmental organizations to participate in a process facilitated by an independent entity to develop recommendations on proposed changes in policy and spending priorities to improve riparian habitat to ensure salmon and steelhead recovery.

(a) The independent entity must develop recommendations on furthering riparian funding and policy, including but not limited to, strategies that can attract private investment in improving riparian habitat, and developing a regulatory or compensation strategy if voluntary programs do not achieve concrete targets.

(b) Preliminary recommendations shall be submitted to the legislature and governor by May 1, 2024, with a final report by June 30, 2024.

(c) The office of the governor may contract for an independent facilitator. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

~~((+4))~~ (3) \$3,020,000 of the general fund—state appropriation for fiscal year 2024 and \$2,980,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Within the amounts provided in this subsection:

(a) \$2,359,000 of the general fund—state appropriation for fiscal year 2024 and \$2,359,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for flexible funding to support children in crisis. Uses of the flexible funding include, but are not limited to:

(i) Residential, housing, or wraparound supports that facilitate the safe discharge of children in crisis from hospitals;

(ii) Support for families and caregivers to mitigate the risk of a child going into or returning to a state of crisis;

(iii) Respite and relief services for families and caregivers that would assist in the safe discharge of a child in crisis from a hospital, or prevent or mitigate a child's future hospitalization due to crisis; or

(iv) Any support or service that would expedite a safe discharge of a child in crisis from an acute care hospital or that would prevent or mitigate a child's future hospitalization due to crisis.

(b) Flexible funding expenditures may not be used for administrative expenses.

(c) The care coordinator created in Second Substitute House Bill No. 1580 (children in crisis) must approve any expenditures of flexible funding.

~~((+5))~~ (4) \$300,000 of the GOV central service account—state appropriation is provided solely for the office of equity to conduct community engagement and develop an equity toolkit. Within the amounts provided in this subsection:

(a) The office of equity must consult with state boards and commissions that support the participation of people from underrepresented populations in policy-making processes, and may consult with other relevant state agencies, departments, and offices, to identify:

(i) Barriers to access and meaningful participation in stakeholder engagement by people from underrepresented populations who have lived experience;

(ii) Tools to support access and meaningful participation in stakeholder engagement;

(iii) Modifications to stakeholder engagement processes that promote an increase in access and opportunities for participation by people from underrepresented populations who have lived experience in policy-making processes. Any modifications identified may not restrict or otherwise prevent compliance with requirements under federal statute or regulations; and

(iv) Changes to law or agency rules that will promote increased access and participation in the policy-making process.

(b) The office of equity must submit a report, in compliance with RCW 43.01.036, to the appropriate committees of the legislature that details its findings under (a) of this subsection by July 1, 2024.

(c) By November 30, 2024, the office of equity must develop a toolkit on best practices for supporting meaningful engagement of underrepresented individuals with lived experience participating on statutory entities. The toolkit must be transmitted to all state agencies, including the office of the governor, members of the legislature, the secretary of the senate, and the chief clerk of the house of representatives. The toolkit must include:

(i) Best practices for identifying and recruiting underrepresented individuals with lived experience;

(ii) Best practices for appropriately and meaningfully engaging individuals from underrepresented populations with lived experience. Recommendations of these best practices may include suggestions from engagement conducted under (a) of this subsection;



(iii) Information on how to plan the work of a statutory entity using the principles of universal design, which may include suggestions from community engagement conducted under (a) of this subsection;

(iv) Best practices for onboarding all statutory entity members including how to support underrepresented individuals with lived experience in accessing compensation in accordance with chapter 43.03 RCW; and

(v) A list of state entities that appointing authorities may consult with when considering appointments to statutory entities for the purpose of increasing meaningful participation by people from underrepresented populations who have lived experience.

(d) For purposes of this subsection:

(i) "Lived experience" has the same meaning as provided in RCW 43.03.220.

(ii) "Statutory entity" means a multimember task force, work group, or advisory committee, that is temporary, established by legislation adopted after January 1, 2025, established for the specific purpose of examining a particular policy or issue which directly and tangibly affects one or more underrepresented populations, and is required to report to the legislature on the policy or issues it is tasked with examining. "Statutory entity" does not include legislative select committees or other statutorily created legislative entities composed of only legislative members.

(iii) "Underrepresented population" means a population group that is more likely to be at higher risk for disenfranchisement due to adverse socioeconomic factors such as unemployment, high housing and transportation costs relative to income, effects of environmental harms, limited access to nutritious food and adequate health care, linguistic isolation, and any other factors that may be barriers for participating in policy-making processes.

~~((+6))~~ (5) Within the amounts appropriated in this section, the Washington state office of equity must cofacilitate the Washington digital equity forum with the statewide broadband office.

~~((+7))~~ (6) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the corrections ombuds to prepare a report on incarcerated persons who have been in solitary confinement or any other form of restrictive housing more than 120 days in total during their period of incarceration or have been in solitary confinement or any other form of restrictive housing more than 45 consecutive days in the prior fiscal year. The report must:

(i) Include the basis on which each person was placed in restrictive housing;

(ii) Define the types of restrictive housing used by the department of corrections including, but not limited to, solitary confinement, administrative segregation, disciplinary segregation, protective custody, and maximum custody;

(iii) Identify the specific type of restrictive housing each incarcerated person was placed in and the reason for such placement;

(iv) Provide information regarding each incarcerated person's underlying offenses;

(v) Identify any sanctions imposed during the incarceration of each person;

(vi) State the amount of time each person has remaining in total confinement;

(vii) Document any attempted suicides by each individual in restrictive housing over the past 10 years and the reason, if known;

(viii) Describe the programming offered to and accepted by each incarcerated person during the person's period of restrictive confinement; and

(ix) Identify any short-term policies identified, implemented, or improved by the department for the restrictive housing population including, but not limited to, lighting, ventilation, and access to personal property, communication, and visitation.

(b) The department shall provide a report to the governor and appropriate committees of the legislature by June 30, 2024.

(7) Within existing resources, the governor's office of results Washington must conduct a review of the provisions in state law relating to statewide performance management in RCW 43.88.090 and 43.17.380 through 43.17.390 and other statutes as applicable. The office must produce a report to the governor and appropriate committees of the legislature by October 31, 2024, including recommendations for legislative actions to provide meaningful performance information and oversight for decision makers in the governor's office and other agencies responsible for enterprise-wide initiatives. Results Washington should consult with the office of financial management and other agencies as applicable to ensure that recommendations minimize duplication of effort and support their statutory oversight roles.

**Sec. 117.** 2023 c 475 s 118 (uncodified) is amended to read as follows:

**FOR THE LIEUTENANT GOVERNOR**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$1,619,000 ))
	\$1,618,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$1,640,000 ))
	\$1,646,000
General Fund—Private/Local Appropriation . . . . .	\$90,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$3,349,000 ))</b>
	<b>\$3,354,000</b>

The appropriations in this section are subject to the following conditions and limitations: \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the legislative committee on economic development and international relations to conduct an analysis of the statewide economic impact of the military and defense sector. The analysis

shall be completed and submitted to the governor and appropriate committees of the legislature by September 1, 2024.

**Sec. 118.** 2023 c 475 s 119 (uncodified) is amended to read as follows:

**FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$6,105,000</del> ))
	<u>\$6,107,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$5,913,000</del> ))
	<u>\$6,043,000</u>
Public Disclosure Transparency Account—State Appropriation. . . . .	(( <del>\$2,271,000</del> ))
	<u>\$2,301,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$14,289,000</del>))</b>
	<b><u>\$14,451,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) No moneys may be expended from the appropriations in this section to establish an electronic directory, archive, or other compilation of political advertising unless explicitly authorized by the legislature.

(2) ~~((~~\$2,171,000~~))~~ \$2,170,000 of the public disclosure transparency account—state appropriation is provided solely for the public disclosure commission for the purpose of improving the ability of the public to access information about political campaigns, lobbying, and elected officials, and facilitating accurate and timely reporting by the regulated community. The commission must report to the office of financial management and fiscal committees of the legislature by October 31st of each year detailing information on the public disclosure transparency account. The report shall include, but is not limited to:

(a) An investment plan of how funds would be used to improve the ability of the public to access information about political campaigns, lobbying, and elected officials, and facilitate accurate and timely reporting by the regulated community;

(b) A list of active projects as of July 1st of the fiscal year. This must include a breakdown of expenditures by project and expense type for all current and ongoing projects;

(c) A list of projects that are planned in the current and following fiscal year and projects the commission would recommend for future funding. The commission must identify priorities, and develop accountability measures to ensure the projects meet intended purposes; and

(d) Any other metric or measure the commission deems appropriate to track the outcome of the use of the funds.

(3) \$100,000 of the public disclosure transparency account—state appropriation is provided solely for implementation of Second Engrossed Substitute Senate Bill No. 5284 (campaign finance disclosure). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(4) \$93,047 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5857 (campaign disclosure reorg.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 119.** 2023 c 475 s 120 (uncodified) is amended to read as follows:

**FOR THE SECRETARY OF STATE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$40,397,000</del> ))
	<u>\$55,588,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$48,378,000</del> ))
	<u>\$60,911,000</u>
General Fund—Federal Appropriation. . . . .	\$8,606,000
Public Records Efficiency, Preservation, and Access Account—State Appropriation. . . . .	(( <del>\$11,621,000</del> ))
	<u>\$11,625,000</u>
Charitable Organization Education Account—State Appropriation. . . . .	(( <del>\$1,161,000</del> ))
	<u>\$1,233,000</u>
Washington State Library Operations Account—State Appropriation. . . . .	(( <del>\$14,652,000</del> ))
	<u>\$14,659,000</u>
Local Government Archives Account—State Appropriation. . . . .	(( <del>\$11,997,000</del> ))
	<u>\$12,001,000</u>
Election Account—Federal Appropriation. . . . .	\$4,487,000
Personnel Service Account—State Appropriation. . . . .	\$2,262,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$143,561,000</del>))</b>
	<b><u>\$171,372,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$2,498,000~~))~~ \$16,998,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$12,196,000~~))~~ \$21,450,000 of the general fund—state appropriation for fiscal year

2025 are provided solely to reimburse counties for the state's share of primary and general election costs, the state's share of presidential primary costs, and the costs of conducting mandatory recounts on state measures. Funds may also be used by the secretary of state for costs associated with the printing and distribution of the presidential primary voters pamphlet. Counties shall be reimbursed only for those costs that the secretary of state validates as eligible for reimbursement.

(2)(a) \$4,052,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,052,000)~~\$5,052,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events statewide. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for humanities Washington speaker's bureau community conversations.

(5) \$114,000 of the general fund—state appropriation for fiscal year 2024 and \$114,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for election reconciliation reporting. Funding provides for one staff to compile county reconciliation reports, analyze the data, and to complete an annual statewide election reconciliation report for every state primary and general election. The report must be submitted annually on July 31, to legislative policy and fiscal committees. The annual report must include statewide analysis and by county analysis on the reasons for ballot rejection and an analysis of the ways ballots are received, counted, rejected and cure data that can be used by policymakers to better understand election administration.

(6) \$896,000 of the general fund—state appropriation for fiscal year 2024 and \$870,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to the maintenance and operations of the voter registration and election management system. These staff will manage database upgrades, database maintenance, system training and support to counties, and triage and customer service to system users.

(7) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

(a) Funding the security operations center, including identified needs for expanded operations, systems, technology tools, training resources;

(b) Additional staff dedicated to the cyber and physical security of election operations at the office and county election offices;

(c) Expanding security assessments, threat monitoring, enhanced security training; and

(d) Providing grants to county partners to address identified threats and expand existing grants and contracts with other public and private organizations such as the Washington military department, national guard, private companies providing cyber security, and county election offices.

(8) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5112 (voter registration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5182 (candidate filing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5208 (online voter registration). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(12) \$616,000 of the personnel service account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5015 (productivity board). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(13) ~~(\$350,000)~~ \$400,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$350,000)~~ \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with humanities Washington to expand the prime time family reading program.

(14) The office of the secretary of state must conduct a feasibility study of replacing the combined fund drive donor management system. The office must report its findings and a plan for replacement to the appropriate committees of the legislature by December 31, 2023.

(15) ~~(\$200,000)~~ \$525,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~) and \$325,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services costs for *Vet Voice Foundation et al. v. Hobbs*.

(16) \$3,724,000 of the general fund—state appropriation for fiscal year 2024 and \$2,674,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to design and implement strategies and products to counter false narratives surrounding election security and integrity, including community engagement with underserved populations such as young voters, voters with disabilities, tribal communities, and non-English-speaking voters. Of the amounts provided in this subsection, \$500,000 per fiscal year are provided solely for grants to county auditors for the same purposes.

(17) The office of the secretary of state must work with the office of the chief information officer to evaluate the office of the secretary of state's information technology infrastructure and applications to determine the appropriate candidates for the location of data and the systems that could be exempt from consolidated technology services oversight. The office shall report its findings to the appropriate committees of the legislature by December 31, 2023.

(18) \$83,000 of the general fund—state appropriation for fiscal year 2024 and \$67,000 of the general fund—state appropriation for fiscal year 2025 are provided solely the office of the secretary of state to assist businesses and nonprofits providing therapeutic rehabilitation within Washington state's juvenile secure residential facilities. It is well established that providing outreach and therapeutic education among incarcerated youth remains critical to successful community reentry. The amounts provided under this subsection are subject to the following conditions and limitations: To be eligible for a grant under this subsection, a business must (a) apply for or have applied for the grant; (b) be registered as a Washington state business or non-profit; (c) reported annual gross receipts are no more than \$1,000,000 in the most recent calendar year; (d) must have ability to conduct in-person business operations at one of Washington's juvenile correctional facilities; (e) of the total grant amount awarded, no more than 10 percent may be awarded for travel expenses; (f) agree to operate in-person, in accordance with the requirements of applicable federal, state, and local directives and guidance; and (g) at least one principal of entity must demonstrate the following educational credential, minimum masters degree in related field, and professional experience of conducting therapeutic gaming. The office of the secretary of state may use up to 10 percent of the amount provided in this subsection for administrative costs.

(19) \$730,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office's migration of its applications and systems to Azure cloud environments, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(20) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with the University of Washington Evans school of public policy and governance to complete a study based on the preliminary report and research design submitted to the office on June 30, 2022. The preliminary report analyzed the 2022 state auditor's performance audit titled "evaluating Washington's ballot rejection rates." The study must be reported to the governor and the appropriate committees of the legislature by November 1, 2023.

(21) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to continue developing a statewide digital assessment tool and protocol for the tool's usage. The office must use the tool and protocol it developed to reach additional underserved audiences and make improvements to the tool and protocol. The office must develop and publish recommendations to improve implementation of the tool by June 30, 2025.

(22) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish a Washington state library branch at Green Hill school.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with the University of Washington Evans school of public policy and governance to examine processes for providing voting registration, voting materials, and voting assistance for people held in Washington jails.

(a) The study must:

- (i) Identify challenges and obstacles to voting in Washington jails;
  - (ii) Examine how election offices and jails can ensure that voter registration, materials, and assistance are provided to registered voters and eligible citizens who are in jail prior to each election;
  - (iii) Develop recommendations for facilitating voter registration for eligible citizens and voting for registered voters in Washington jails; and
  - (iv) Develop recommendations for identifying individuals who are registered to vote upon jail admission and for providing voter assistance upon release from jail.
- (b) The study is due to the office, the governor, and the appropriate committees of the legislature by December 1, 2024.

(24) \$81,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5843 (election security breaches). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5890 (ballot rejections). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(26) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 120.** 2023 c 475 s 121 (uncodified) is amended to read as follows:

**FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$801,000</del> ))
	\$802,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$797,000</del> ))
	\$904,000
Climate Commitment Account—State Appropriation . . . . .	\$658,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$2,256,000</del>))</b>
	<b>\$2,364,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

(2)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for native American students;
- (ii) Analyze the progress in developing effective government-to-government relations and identification and adoption of curriculum regarding tribal history, culture, and government as provided under RCW 28A.345.070;
- (iii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iv) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(3)(a) \$404,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). Within amounts provided in this subsection, the governor's office of Indian affairs, in consultation with the department of ecology, the department of commerce, and the department of archaeology and historic preservation, must coordinate government-to-government engagement with federally recognized Indian tribes who have treaty rights in Washington. Topics of engagement may include:

- (i) Implementation of environmental and energy laws, policy regulations, programs, and finances;
  - (ii) The climate commitment act, chapter 316, Laws of 2021;
  - (iii) Engrossed Second Substitute House Bill No. 1216 (clean energy siting); and
  - (iv) Other related policy.
- (b) Funding provided within this subsection may support:
- (i) Participation on the interagency clean energy siting coordinating council;
  - (ii) Creation and maintenance of a list of contacts of federally recognized tribes, and tribal preferences regarding outreach about clean energy siting and permitting; and
  - (iii) Development and delivery of training to clean energy project developers on consultation and engagement processes for federally recognized Indian tribes.

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

Sec. 121. 2023 c 475 s 122 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$913,000</del> ))
	<u>\$945,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$897,000</del> ))
	<u>\$901,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,810,000</del>))</b>
	<b><u>\$1,846,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Asian American students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Native Hawaiian and Pacific Islander students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

Sec. 122. 2023 c 475 s 123 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER**

State Treasurer's Service Account—State Appropriation. . . . .	(( <del>\$23,658,000</del> ))
	<u>\$24,432,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$23,658,000</del>))</b>
	<b><u>\$24,432,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

~~(1) ((\$500,000 of the state treasurer's service account—state appropriation is provided solely for the review of local government tax increment financing proposals as provided in RCW 39.114.020.~~

(2)) \$500,000 of the state treasurer's service account—state appropriation is provided solely for the office to study existing and proposed laws in other jurisdictions that limit consideration of material factors in public financing and investments. The study must consider any investment risk and economic risk to Washington associated with identified laws. Authorized uses of the amount provided in this subsection include, but are not limited to, staffing, consulting fees, travel expenditures, or other goods and services. The office must submit the study to the appropriate committees of the legislature by December 1, 2024.

((+3)) (2) Pursuant to RCW 82.08.225, the legislature authorizes the state treasurer to deposit up to \$3,000,000 of taxes collected pursuant to RCW 82.08.020(1) into the statewide tourism marketing account created in RCW 43.384.040 for the 2023–2025 fiscal biennium.

(3) \$280,000 of the state treasurer's service account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6069 (retirement savings). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 123. 2023 c 475 s 124 (uncodified) is amended to read as follows:

**FOR THE STATE AUDITOR**

General Fund—State Appropriation (FY 2024) . . . . .	\$1,072,000
General Fund—State Appropriation (FY 2025) . . . . .	\$1,080,000
Auditing Services Revolving Account—State	

Appropriation. . . . .	(( \$18,519,000))
	<u>\$18,533,000</u>
Performance Audits of Government Account—State	
Appropriation. . . . .	(( \$1,871,000))
	<u>\$1,873,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(( \$22,542,000))</b>
	<b><u>\$22,558,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,585,000 of the performance audit of government account—state appropriation is provided solely for staff and related costs to verify the accuracy of reported school district data submitted for state funding purposes; conduct school district program audits of state-funded public school programs; establish the specific amount of state funding adjustments whenever audit exceptions occur and the amount is not firmly established in the course of regular public school audits; and to assist the state special education safety net committee when requested.

~~(2) ((Within existing resources of the performance audits of government account, the state auditor's office shall conduct a performance audit or accountability audit of Washington charter public schools to satisfy the requirement to contract for an independent performance audit pursuant to RCW 28A.710.030(2)).~~

~~(3))~~ \$825,000 of the auditing services revolving account—state appropriation is provided solely for accountability and risk based audits.

~~((+4))~~ (3) \$1,030,000 of the general fund—state appropriation for fiscal year 2024 and \$1,030,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for law enforcement audits pursuant to RCW 43.101.460 and 43.101.465.

**Sec. 124.** 2023 c 475 s 125 (uncodified) is amended to read as follows:

**FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS**

General Fund—State Appropriation (FY 2024). . . . .	(( \$299,000))
	<u>\$305,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( \$295,000))
	<u>\$322,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(( \$594,000))</b>
	<b><u>\$627,000</u></b>

**Sec. 125.** 2023 c 475 s 126 (uncodified) is amended to read as follows:

**FOR THE ATTORNEY GENERAL**

General Fund—State Appropriation (FY 2024). . . . .	(( \$39,778,000))
	<u>\$48,730,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( \$36,313,000))
	<u>\$41,861,000</u>
General Fund—Federal Appropriation. . . . .	(( \$23,595,000))
	<u>\$25,263,000</u>
General Fund—Private/Local Appropriation. . . . .	<u>\$1,307,000</u>
Public Service Revolving Account—State Appropriation. . . . .	(( \$4,717,000))
	<u>\$4,715,000</u>
New Motor Vehicle Arbitration Account—State	
Appropriation. . . . .	(( \$1,889,000))
	<u>\$1,888,000</u>
Medicaid Fraud Penalty Account—State Appropriation. . . . .	\$6,584,000
Child Rescue Fund—State Appropriation. . . . .	(( \$80,000))
	<u>\$200,000</u>
Legal Services Revolving Account—State Appropriation. . . . .	(( \$401,733,000))
	<u>\$406,196,000</u>
Local Government Archives Account—State	
Appropriation. . . . .	\$1,117,000
Tobacco Prevention and Control Account—State	
Appropriation. . . . .	\$274,000
<b>TOTAL APPROPRIATION.....</b>	<b>(( \$516,080,000))</b>
	<b><u>\$538,135,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The attorney general shall report each fiscal year on actual legal services expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year. As part of its by agency report to the legislative fiscal committees and the office of financial management, the office of the attorney general shall include information detailing the agency's expenditures for its agency-wide overhead and a breakdown by division of division administration expenses.

(2) Prior to entering into any negotiated settlement of a claim against the state that exceeds five million dollars, the attorney general shall notify the director of the office of

financial management and the chairs and ranking members of the senate committee on ways and means and the house of representatives committee on appropriations.

(3) The attorney general shall annually report to the fiscal committees of the legislature all new cy pres awards and settlements and all new accounts, disclosing their intended uses, balances, the nature of the claim or account, proposals, and intended timeframes for the expenditure of each amount. The report shall be distributed electronically and posted on the attorney general's web site. The report shall not be printed on paper or distributed physically.

(4) (~~(\$1,217,000)~~) \$1,806,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$1,217,000)~~) \$1,981,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for multi-year arbitrations of the state's diligent enforcement of its obligations to receive amounts withheld from tobacco master settlement agreement payments.

(5) \$6,189,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 326, Laws of 2021 (law enforcement data).

(6) (~~(\$1,958,000)~~) \$1,458,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$958,000)~~) \$1,458,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a program for receiving and responding to tips from the public regarding risks or potential risks to the safety or well-being of youth, called the YES tip line program. Risks to safety or well-being may include, but are not limited to, harm or threats of harm to self or others, sexual abuse, assault, rape, bullying or cyberbullying, substance use, and criminal acts. Any person contacting the YES tip line, whether for themselves or for another person, must receive timely assistance and not be turned away. The program must operate within the guidelines of this subsection.

(a) During the development and implementation of the YES tip line program the attorney general shall convene an advisory committee consisting of representatives from the Washington state patrol, the department of health, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the Washington association of educational service districts, and other participants the attorney general appoints.

(b) The attorney general shall develop and implement policies and processes for:

(i) Assessing tips based on the level of severity, urgency, and assistance needed using best triage practices including the YES tip line;

(ii) Risk assessment for referral of persons contacting the YES tip line to service providers;

(iii) Threat assessment that identifies circumstances requiring the YES tip line to alert law enforcement, mental health services, or other first responders immediately when immediate emergency response to a tip is warranted;

(iv) Referral and follow-up on tips to schools or postsecondary institution teams, local crisis services, law enforcement, and other entities;

(v) YES tip line information data retention and reporting requirements;

(vi) Ensuring the confidentiality of persons submitting a tip and to allow for disclosure when necessary to respond to a specific emergency threat to life; and

(vii) Systematic review, analysis, and reporting by the YES tip line program of YES tip line data including, but not limited to, reporting program utilization and evaluating whether the YES tip line is being implemented equitably across the state.

(c) The YES tip line shall be operated by a vendor selected by the attorney general through a competitive contracting process. The attorney general shall ensure that the YES tip line program vendor and its personnel are properly trained and resourced. The contract must require the vendor to be bound by confidentiality policies developed by the office. The contract must also provide that the state of Washington owns the data and information produced from the YES tip line and that vendor must comply with the state's data retention, use, and security requirements.

(d) The YES tip line program must develop and maintain a reference and best practices tool kit for law enforcement and mental health officials that identifies statewide and community mental health resources, services, and contacts, and provides best practices and strategies for investigators to use in investigating cases and assisting youths and their parents and guardians.

(e) The YES tip line program must promote and market the program and YES tip line to youth, families, community members, schools, and others statewide to build awareness of the program's resources and the YES tip line. Youth perspectives must be included and consulted in tip line development and implementation including creating marketing campaigns and materials required for the YES tip line program. The insights of youth representing marginalized and minority communities must be prioritized for their invaluable insight. Youths are eligible for stipends and reasonable allowances for reimbursement, lodging, and travel expenses as provided in RCW 43.03.220.

(7) \$561,000 of the general fund—state appropriation for fiscal year 2024 and \$508,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the attorney general to support the Washington state missing and murdered indigenous women and people task force in section 912 of this act.

(8) \$9,188,000 of the legal services revolving fund—state appropriation is provided solely for additional legal services to address additional legal services necessary for dependency actions where the state and federal Indian child welfare act apply. The office must report to the fiscal committees of the legislature within 90 days of the close of the



fiscal year the following information for new cases initiated in the previous fiscal year to measure quantity and use of this funding:

(a) The number and proportion of cases where the state and federal Indian child welfare act (ICWA) applies as compared to non-ICWA new cases;

(b) The amount of time spent advising on, preparing for court, and litigating issues and elements related to ICWA's requirements as compared to the amount of time advising on, preparing for court, and litigating issues and elements that are not related to ICWA's requirements;

(c) The length of state and federal Indian child welfare act cases as compared to non-ICWA cases measured by time or number of court hearings; and

(d) Any other information or metric the office determines is appropriate to measure the quantity and use of the funding in this subsection.

(9) (a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a truth and reconciliation tribal advisory committee to conduct research and outreach to understand the operations and impact of Indian boarding schools in Washington run by public and faith-based institutions, and to develop recommendations for the state to acknowledge and address the historical and intergenerational harms caused by Indian boarding schools and other cultural and linguistic termination practices.

(b) The advisory committee shall consist of five members nominated by the attorney general. The committee members must be citizens from federally recognized tribes in diverse geographic areas across the state that possess personal, policy, or specific expertise with Indian boarding school history and policies, or who have expertise in truth and healing endeavors that are traditionally and culturally appropriate.

(c) The advisory committee must hold its first meeting by September 30, 2023, and shall meet at least quarterly. The advisory committee may conduct meetings in person or virtually and must accept written testimony. The advisory committee may, when feasible, invite and consult with any entity, agency, or individual deemed necessary to further its work, or with experts or professionals involved, having expertise, or having lived experience regarding Indian boarding schools or tribal engagement.

(d) The office and the advisory committee must conduct at least six listening sessions in collaboration with tribes and Native-led organizations. The listening sessions must be held with consideration of the cultural, emotional, spiritual, and psychological well-being of survivors, family members, and community members. In planning and facilitating the listening sessions, the office must seek to avoid imposing undue burdens on survivors, family members, or community members.

(e) The office of the attorney general must administer and provide staff support for the advisory committee.

(f) By June 30, 2025, the office must submit a final report to the appropriate committees of the legislature that includes, but is not limited to:

(i) A summary of activities undertaken by the advisory committee;

(ii) Findings regarding the extent and types of support provided by the state to Indian boarding schools;

(iii) Findings regarding current state policies and practices that originate from Indian boarding schools or other assimilationist policies and practices and that cause disproportionate harm to American Indian and Alaska Native people and communities; and

(iv) Recommendations regarding how the state can address the harm done by Indian boarding schools and other cultural and linguistic termination practices through a truth and reconciliation model, including but not limited to:

(A) Resources and assistance that the state may provide to aid in the healing of trauma caused by Indian boarding school policies; and

(B) Actions to correct current state policies and practices with origins in assimilationist policies or that cause disproportionate harm to Native people and communities.

(10) \$1,381,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal services and other costs related to voter rights and redistricting commission litigation.

(11) \$566,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation challenging chapter 104, Laws of 2022 (ESSB 5078).

(12) \$749,000 of the general fund—state appropriation for fiscal year 2024 and \$689,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to the defense of the state and its agencies in a federal environmental cleanup action involving the Quendall terminals superfund site.

(13) \$731,000 of the general fund—state appropriation for fiscal year 2024 and \$1,462,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the prosecution of sexually violent predator cases pursuant to chapter 71.09 RCW.

(14) \$699,000 of the general fund—state appropriation for fiscal year 2024 and \$699,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the criminal litigation unit to address increased wrongfully convicted person claims under chapter 4.100 RCW and increased workload and complexity of cases referred to the unit.

(15) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$1,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

office to create a centralized statewide organized retail crime task force to coordinate, investigate, and prosecute multijurisdictional retail crime.

(16) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5078 (firearms industry duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(17) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the attorney general to update the introduction to Washington water law legal primer. The updated primer must cover subjects including, but not limited to, municipal water law, the trusts water rights program, instream flows, and significant appellate water law cases that have been decided since the previous introduction to Washington water law was prepared in 2000. The office must complete the updated primer by June 30, 2025.

(18) \$39,000 of the general fund—state appropriation for fiscal year 2024, \$39,000 of the general fund—state appropriation for fiscal year 2025, and \$30,000 of the legal services revolving fund—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) \$2,071,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$204,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) \$2,316,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$138,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for staff support to the joint legislative task force on jail standards authorized by RCW 70.48.801. The task force shall report finding and recommendations to the governor and the appropriate committees of the legislature no later than December 1, 2023.

(23) \$463,000 of the general fund—state appropriation for fiscal year 2024, \$454,000 of the general fund—state appropriation for fiscal year 2025, \$398,000 of the general fund—federal appropriation, \$91,000 of the public service revolving account—state appropriation, \$133,000 of the medicaid fraud penalty account—state appropriation, and \$6,740,000 of the legal services revolving fund—state appropriation are provided solely for implementation of the legal matter management system and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(24) \$50,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$138,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1469 (health care services/access). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$153,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1512 (missing persons). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(28) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,005,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1177 (indigenous women). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$26,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1470 (private detention facilities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$75,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$106,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees).

~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) \$338,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) (a) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the attorney general, in collaboration with the office of the insurance commissioner, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state including, but not limited to, the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.

(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The attorney general and office of the insurance commissioner shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

(34) \$9,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor compensation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(35) \$526,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(36) \$801,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to create a permanent sexual assault kit initiative program.

(37) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office, in collaboration with the Washington association of sheriffs and police chiefs, to support the Washington state indigenous demographic data collection work group of the Washington state missing and murdered indigenous women and people task force established in section 912, chapter 475, Laws of 2023.

(38) \$743,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5427 (hate crimes & bias incidents). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(39) \$34,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5640 (independent living residents). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(40) \$11,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5995 (interpreters and translators). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(41) \$131,000 of the general fund—state appropriation for fiscal year 2024 and \$528,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5838 (AI task force). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(42) \$45,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to support the underground economy task force created in section 906 of this act.

(43) \$3,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5271 (DOH/facilities enforcement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(44) \$1,307,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Senate Bill No. 5241 (health care marketplace). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(45) \$73,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(46) \$67,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$30,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5793 (paid sick leave). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(48) \$40,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(49) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a vehicular pursuit data collection and analysis task force.

(a) The task force shall:

(i) Include representation from law enforcement leadership and rank and file, community organizations, and traffic safety organizations, and shall strive to do its work in a collaborative manner; and

(ii) Reflect, to the greatest extent possible, the diversity of people with direct lived experience with vehicular pursuits, including members who reside in urban and rural communities, and with differing cultural and economic circumstances.

(b) The task force shall consist of the following members:

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate;

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives;

(iii) The office of the attorney general shall appoint members representing the following:

(A) The Washington association of sheriffs and police chiefs;

(B) The Washington state patrol;

(C) The Washington council of police and sheriffs;

(D) The Washington fraternal order of police;

(E) The criminal justice training commission;

(F) The Washington traffic safety commission;

(G) The Washington counties risk pool;

(H) The Washington cities insurance association;

(I) The association of Washington cities;

(J) The Washington association of counties;

(K) Whose streets our streets;

(L) The faith action network;

(M) The peace justice and action league of Spokane;

(N) The Washington coalition for police accountability;

(O) Spokane community against racism;

(P) The Pacific Islander community association of Washington;

(Q) The American automobile association of Washington;

(R) The transportation choices coalition;

(S) A representative of a federally recognized tribe; and

(T) One person with civilian oversight or auditing experience regarding law enforcement agencies; and

(iv) The attorney general shall appoint a designee who has knowledge of the use of force data collection requirements under chapter 10.118 RCW.

(c) The task force is responsible for providing recommendations to the legislature on what data should be collected by law enforcement agencies throughout the state so that the legislature and other policymakers have consistent and uniform information necessary to evaluate policies on vehicular pursuits. The task force shall:

(i) Review available data on vehicular pursuits, including:

(A) The date, time, location, maximum speed, and duration of the incident;

(B) The reason for initiating a pursuit;

(C) Whether the pursuing officer sought authorization for the pursuit, or only gave notice of the pursuit and whether authorization for the pursuit was granted;

(D) Whether a supervisor denied authorization for the pursuit and the reason for the denial;

- (E) The number of vehicles and officers involved in the pursuit;
- (F) The number of law enforcement agencies involved in the pursuit;
- (G) Whether pursuit intervention techniques are employed, and if so, which ones;
- (H) Whether the pursuit was terminated at any point, and if so, the reason for termination;
- (I) The officer's perception of the age, gender, race, ethnicity, or applicable tribal affiliation of the driver and any passengers of the motor vehicle being pursued;
- (J) Whether the pursuit resulted in no action, termination, apprehension, warning, citation, arrest and grounds for the arrest, or other action; and
- (K) Whether the pursuit resulted in any property damage, injury, or death, and to whom and what, including law enforcement, drivers, passengers, and bystanders;
- (ii) Recommend data to be collected and why, in relation to (c) (i) of this subsection;
- (iii) Develop a protocol for data collection and provide a statement regarding the use of such data and what its collection and analysis will establish;
- (iv) Make the data readily available to the public using standard open data protocols;
- (v) Recommend the entity responsible for collecting and managing this data on a statewide basis; and
- (vi) Recommend any changes in state law to accomplish and facilitate the collection and analysis of the data, including whether to align or integrate the data collection with the use of force data under chapter 10.118 RCW.
- (d) The legislative membership shall convene the initial meeting of the task force no later than May 1, 2024. The task force shall choose its cochairs from among its legislative membership, which must include one cochair from the house of representatives and one cochair from the senate.
- (e) The task force shall submit a preliminary report of its findings and any recommendations to the appropriate committees of the legislature by June 30, 2025, with the goal of completing a final report by November 15, 2025.
- (f) Staff support for the task force shall be provided by the office of the attorney general.
- (g) (i) Legislative members of the task force are reimbursed for expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization.
- (ii) Nonlegislative members are entitled to stipends in accordance with the provisions of RCW 43.03.220.

**Sec. 126.** 2023 c 475 s 127 (uncodified) is amended to read as follows:

**FOR THE CASELOAD FORECAST COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$2,378,000</del> ))
	\$2,380,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$2,378,000</del> ))
	\$2,381,000
Workforce Education Investment Account—State	
Appropriation . . . . .	\$356,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$5,112,000</del>))</b>
	<b>\$5,117,000</b>

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$356,000 of the workforce education investment account—state appropriation is provided solely to forecast the caseload for the Washington college grant program.
- (2) Within existing resources, and beginning with the November 2021 forecast, the caseload forecast council shall produce an unofficial forecast of the long-term caseload for juvenile rehabilitation as a courtesy.
- (3) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1218 (caseload forecast/tax credit). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))
- (4) Within the amounts appropriated in this section, the council must forecast the number of people eligible for the apple health expansion for Washington residents with incomes at or below 138 percent of the federal poverty level, regardless of immigration status, beginning in July 2024.

**Sec. 127.** 2023 c 475 s 129 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—COMMUNITY SERVICES AND HOUSING**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$334,486,000</del> ))
	\$414,862,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$391,233,000</del> ))
	\$462,870,000
General Fund—Federal Appropriation . . . . .	\$281,789,000
General Fund—Private/Local Appropriation . . . . .	\$5,252,000
Affordable Housing for All Account—State	
Appropriation . . . . .	\$109,227,000
Apple Health and Homes Account—State Appropriation . . . . .	\$28,452,000

Climate Commitment Account—State Appropriation. . . . .	\$35,000,000
Community Reinvestment Account—State Appropriation. . . . .	\$200,000,000
Community and Economic Development Fee Account—State Appropriation. . . . .	\$3,159,000
<del>((Coronavirus State Fiscal Recovery Fund— Federal Appropriation. . . . .</del>	<del>\$77,878,000))</del>
Covenant Homeownership Account—State Appropriation. . . . .	\$150,000,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation. . . . .	\$2,631,000
Home Security Fund Account—State Appropriation. . . . .	\$290,410,000
Lead Paint Account—State Appropriation. . . . .	\$233,000
Prostitution Prevention and Intervention Account— State Appropriation. . . . .	\$26,000
Washington Housing Trust Account—State Appropriation. . . . .	\$9,863,000
<u>Encampment Cleanup Account—State Appropriation. . . . .</u>	<u>\$320,000,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b><u>(\$1,919,639,000)</u></b> <b><u>\$2,313,774,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,500,000 of the general fund—state appropriation for fiscal year 2024 and \$10,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to resolution Washington to build statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the retired senior volunteer program.

(3) Within existing resources, the department shall provide administrative and other indirect support to the developmental disabilities council.

(4) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington new Americans program. The department may require a cash match or in-kind contributions to be eligible for state funding.

(5) \$768,000 of the general fund—state appropriation for fiscal year 2024 and \$797,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a private, nonprofit organization to provide developmental disability ombuds services.

(6) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, \$1,000,000 of the home security fund—state appropriation, \$2,000,000 of the Washington housing trust account—state appropriation, and \$1,000,000 of the affordable housing for all account—state appropriation are provided solely for the department of commerce for services to homeless families and youth through the Washington youth and families fund.

(7) \$1,000,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000,000 of the home security fund—state appropriation are provided solely for the administration of the grant program required in chapter 43.185C RCW, linking homeless students and their families with stable housing.

~~(8) ((a) \$1,980,000 of the general fund state appropriation for fiscal year 2024 and \$1,980,000 of the general fund state appropriation for fiscal year 2025 are provided solely for community beds for individuals with a history of mental illness. Currently, there is little to no housing specific to populations with these co-occurring disorders; therefore, the department must consider how best to develop new bed capacity in combination with individualized support services, such as intensive case management and care coordination, clinical supervision, mental health, substance abuse treatment, and vocational and employment services. Case management and care coordination services must be provided. Increased case-managed housing will help to reduce the use of jails and emergency services and will help to reduce admissions to the state psychiatric hospitals. The department must coordinate with the health care authority and the department of social and health services in establishing conditions for the awarding of these funds. The department must contract with local entities to provide a mix of (i) shared permanent supportive housing; (ii) independent permanent supportive housing; and (iii) low and no-barrier housing beds for people with a criminal history, substance abuse disorder, and/or mental illness.~~

~~(b) Priority for permanent supportive housing must be given to individuals on the discharge list at the state psychiatric hospitals or in community psychiatric inpatient beds whose conditions present significant barriers to timely discharge.)) [Reserved.]~~

(9) \$557,000 of the general fund—state appropriation for fiscal year 2024 and \$557,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to design and administer the achieving a better life experience program.

(10) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with organizations and attorneys to provide either legal

representation or referral services for legal representation, or both, to indigent persons who are in need of legal services for matters related to their immigration status. Persons eligible for assistance under any contract entered into pursuant to this subsection must be determined to be indigent under standards developed under chapter 10.101 RCW.

(11) (a) \$12,500,000 of the general fund—state appropriation for fiscal year 2024, \$12,500,000 of the general fund—state appropriation for fiscal year 2025, and \$37,000,000 of the affordable housing for all account—state appropriation are provided solely for grants to support the building operation, maintenance, and service costs of permanent supportive housing projects or units within housing projects that have or will receive funding from the housing trust fund—state account or other public capital funding that:

(i) Is dedicated as permanent supportive housing units;

(ii) Is occupied by low-income households with incomes at or below 30 percent of the area median income; and

(iii) Requires a supplement to rent income to cover ongoing property operating, maintenance, and service expenses.

(b) Permanent supportive housing projects receiving federal operating subsidies that do not fully cover the operation, maintenance, and service costs of the projects are eligible to receive grants as described in this subsection.

(c) The department may use a reasonable amount of funding provided in this subsection to administer the grants.

(12) \$7,000,000 of the home security fund—state appropriation is provided solely for the office of homeless youth prevention and protection programs to:

(a) Expand outreach, services, and housing for homeless youth and young adults including but not limited to secure crisis residential centers, crisis residential centers, and HOPE beds, so that resources are equitably distributed across the state;

(b) Contract with other public agency partners to test innovative program models that prevent youth from exiting public systems into homelessness; and

(c) Support the development of an integrated services model, increase performance outcomes, and enable providers to have the necessary skills and expertise to effectively operate youth programs.

(13) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to build infrastructure and services to support a continuum of interventions, including but not limited to prevention, crisis response, and long-term housing, to reduce youth homelessness in communities identified as part of the anchor community initiative.

(14) \$2,125,000 of the general fund—state appropriation for fiscal year 2024 and \$2,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to contract with one or more nonprofit organizations to provide youth services and young adult housing on a multi-acre youth campus located in the city of Tacoma. Youth services include, but are not limited to, HOPE beds and crisis residential centers to provide temporary shelter and permanency planning for youth under the age of 18. Young adult housing includes, but is not limited to, rental assistance and case management for young adults ages 18 to 24. The department shall submit an annual report to the legislature on the use of the funds. The report is due annually on June 30th. The report shall include but is not limited to:

(a) A breakdown of expenditures by program and expense type, including the cost per bed;

(b) The number of youth and young adults helped by each program;

(c) The number of youth and young adults on the waiting list for programs, if any; and

(d) Any other metric or measure the department deems appropriate to evaluate the effectiveness of the use of the funds.

(15) \$65,310,000 of the general fund—state appropriation for fiscal year 2024 and \$65,310,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the essential needs and housing support program and related services. The department may use a portion of the funds provided in this subsection to continue the pilot program established in section 127(106) of chapter 357, Laws of 2020 (addressing the immediate housing needs of low or extremely low-income elderly or disabled adults in certain counties who receive social security disability or retirement income). The department must ensure the timely redistribution of the funding provided in this subsection among entities or counties to reflect actual caseload changes as required under RCW 43.185C.220(5)(c).

(16) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$198,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to retain a behavioral health facilities siting administrator within the department to coordinate development of effective behavioral health housing options and provide technical assistance in siting of behavioral health treatment facilities statewide to aide in the governor's plan to discharge individuals from the state psychiatric hospitals into community settings. This position must work closely with the local government legislative authorities, planning departments, behavioral health providers, health care authority, department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity-building efforts. This position must work to integrate building behavioral health treatment and infrastructure capacity in addition to ongoing supportive housing benefits.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

department to contract with an entity located in the Beacon hill/Chinatown international district area of Seattle to provide low income housing, low income housing support services, or both. To the extent practicable, the chosen location must be colocated with other programs supporting the needs of children, the elderly, or persons with disabilities.

(18) \$4,740,000 of the general fund—state appropriation for fiscal year 2024, \$4,740,000 of the general fund—state appropriation for fiscal year 2025, and \$4,500,000 of the home security fund—state appropriation are provided solely for the consolidated homeless grant program.

(a) Of the amounts provided in this subsection, \$4,500,000 of the home security fund—state appropriation is provided solely for permanent supportive housing targeted at those families who are chronically homeless and where at least one member of the family has a disability. The department will also connect these families to medicaid supportive services.

(b) Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for diversion services for those families and individuals who are at substantial risk of losing stable housing or who have recently become homeless and are determined to have a high probability of returning to stable housing.

(c) Of the amounts provided in this subsection, \$3,240,000 of the general fund—state appropriation for fiscal year 2024 and \$3,240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for up to nine months of rental assistance for individuals enrolled in the foundational community supports initiative who are transitioning off of benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The health care authority, department of social and health services, and department of commerce shall collaborate on this effort.

(19) \$958,000 of the general fund—state appropriation for fiscal year 2024 and \$1,332,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operations of the long-term care ombudsman program.

(20) \$1,007,000 of the general fund—state appropriation for fiscal year 2024 and \$1,007,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer a transitional housing program for nondependent homeless youth.

(21) \$80,000 of the general fund—state appropriation for fiscal year 2024 and \$80,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish an identification assistance and support program to assist homeless persons in collecting documentation and procuring an identicard issued by the department of licensing. This program may be operated through a contract for services. The program shall operate in one county west of the crest of the Cascade mountain range with a population of 1,000,000 or more and one county east of the crest of the Cascade mountain range with a population of 500,000 or more.

(22) (a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to administer flexible funding to support the anchor community initiative and anchor communities through the homeless prevention and diversion fund and serve eligible youth and young adults. The flexible funding administered under this subsection may be used for the immediate needs of eligible youth or young adults. An eligible youth or young adult may receive support under this subsection more than once.

(b) Flexible funding provided under this subsection may be used for purposes including but not limited to:

- (i) Car repair or other transportation assistance;
- (ii) Rental application fees, a security deposit, or short-term rental assistance;
- (iii) Offsetting costs for first and last month's rent and security deposits;
- (iv) Transportation costs to go to work;
- (v) Assistance in obtaining photo identification or birth certificates; and
- (vi) Other uses that will support the eligible youth or young adult's housing stability, education, or employment, or meet immediate basic needs.

(c) The flexible funding provided under this subsection may be provided to:

(i) Eligible youth and young adults. For the purposes of this subsection, an eligible youth or young adult is a person under age 25 who is experiencing or at risk of experiencing homelessness, including but not limited to those who are unsheltered, doubled up or in unsafe living situations, exiting inpatient programs, or in school;

(ii) Community-based providers assisting eligible youth or young adults in attaining safe and stable housing; and

(iii) Individuals or entities, including landlords, providing safe housing or other support designed to lead to housing for eligible youth or young adults.

(23) \$607,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$607,000)~~) \$3,607,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to assist homeowners at risk of foreclosure pursuant to chapter 61.24 RCW. Funding provided in this section may be used for activities to prevent mortgage or tax lien foreclosure, housing counselors, a foreclosure prevention hotline, legal services for low-income individuals, mediation, and other activities that promote homeownership. The department may contract with other foreclosure fairness program state partners to carry out this work.



(24) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a nonprofit entity located in Seattle that focuses on poverty reduction and racial equity to convene and staff a poverty reduction workgroup steering committee comprised of individuals that have lived experience with poverty. Funding provided in this section may be used to reimburse steering committee members for travel, child care, and other costs associated with participation in the steering committee.

(25) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for capacity-building grants through the Latino community fund for emergency response services, educational programs, and human services support for children and families in rural and underserved communities.

(26) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to administer a competitive grant process to award funding to licensed youth shelters, HOPE centers, and crisis residential centers to provide behavioral health support services for youth in crisis, and to increase funding for current grantees.

(27) (~~(\$9,864,000)~~) \$11,844,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$9,864,000)~~) \$11,844,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for long-term rental subsidies for individuals with mental health and/or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served.

(28) \$9,575,000 of the general fund—state appropriation for fiscal year 2024 and \$9,575,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the Washington state office of firearm safety and violence prevention, including the creation of a state and federal grant funding plan to direct resources to cities that are most impacted by community violence. Of the amounts provided in this subsection:

(a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based violence prevention and intervention services to individuals identified through the King county shots fired social network analysis. The department must complete an evaluation of the program and provide a report to the governor and the appropriate legislative committees by June 30, 2023.

(b) \$5,318,000 of the general fund—state appropriation for fiscal year 2024 and \$5,318,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support existing programs and capacity building for new programs providing evidence-based violence prevention and intervention services to youth who are at high risk to perpetrate or be victims of firearm violence and who reside in areas with high rates of firearm violence as provided in RCW 43.330A.050.

(i) Priority shall be given to programs that partner with the University of Washington, school of medicine, department of psychiatry and behavioral sciences for training and support to deliver culturally relevant family integrated transition services through use of credible messenger advocates.

(ii) The office may enter into agreement with the University of Washington or another independent entity with expertise in evaluating community-based grant-funded programs to evaluate the grant program's effectiveness.

(iii) The office shall enter into agreement to provide funding to the University of Washington, school of medicine, department of psychiatry and behavioral sciences to directly deliver trainings and support to programs providing culturally relevant family integrated transition services through use of credible messenger and to train a third-party organization to similarly support those programs.

(iv) Of the amounts provided under (b) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a certified credible messenger program that does work in at least three regions of Washington state to train and certify credible messengers to implement a culturally responsive, evidence-based credible messenger violence prevention and intervention services program.

(c) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to further support firearm violence prevention and intervention programs and initiatives consistent with the duties of the office as set forth in RCW 43.330A.020.

(d) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to support safe storage programs and suicide prevention outreach and education efforts across the state.

(29) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to diaper banks for the purchase of diapers, wipes, and other essential baby products, for distribution to families in need. The department must

give priority to providers serving or located in marginalized, low-income communities or communities of color; and providers that help support racial equity.

(30) \$4,500,000 of the general fund—state appropriation for fiscal year 2024 and \$4,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to counties to stabilize newly arriving refugees, including those from the 2021 Afghanistan conflict and the 2022 Ukraine-Russia conflict.

(31) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit resource center in King county that provides sexual assault advocacy services, therapy services, and prevention and outreach to begin a three-year, multigrade sexual violence prevention program in the Renton school district.

(32) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to colead a prevention work group with the department of children, youth, and families. The work group must focus on preventing youth and young adult homelessness and other related negative outcomes. The work group shall consist of members representing the department of social and health services, the employment security department, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the interagency work group on homelessness, community-based organizations, and young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement.

(a) The work group shall help guide implementation of:

(i) The state's strategic plan on prevention of youth homelessness;

(ii) Chapter 157, Laws of 2018 (SSB 6560);

(iii) Chapter 312, Laws of 2019 (E2SSB 5290);

(iv) Efforts to reform family reconciliation services; and

(v) Other state initiatives addressing the prevention of youth homelessness.

(b) The office of homeless youth prevention and protection programs must use the amounts provided in this subsection to contract with a community-based organization to support the involvement with the work group of young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement. The community-based organization must serve and be substantially governed by marginalized populations. The amounts provided in this subsection must supplement private funding to support the work group.

(33) \$22,802,000 of the general fund—state appropriation for fiscal year 2024 and \$22,803,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase existing grantee contracts providing rental or housing subsidy and services for eligible tenants in housing and homeless programs. The department must distribute funding in a manner that will prioritize maintaining current levels of homeless subsidies and services and stabilizing the homeless service provider workforce.

(34)(a) \$35,000,000 of the climate commitment account—state appropriation is provided solely for the department to administer grant funding through the existing network of federal low-income home energy assistance program grantees to provide low-income households with energy utility bill assistance.

(b) To qualify for assistance, a household must be below 80 percent of the area median income and living in a community that experiences high environmental health disparities.

(c) Under the grant program, each household accessing energy bill assistance must be offered an energy assessment that includes determining the household's need for clean cooling and heating system upgrades that improve safety and efficiency while meeting Washington's climate goals. If beneficial, households may be offered grant funding to cover the replacement of inefficient, outdated, or unsafe home heating and cooling systems with more energy efficient electric heating and cooling technologies, such as heat pumps.

(d) Of the amounts provided in this subsection, no more than 60 percent of the funding may be utilized by the department to target services to multifamily residential buildings across the state that experience high energy use, where a majority of the residents within the building are below 80 percent of the area median income and the community experiences high environmental health disparities.

(e) In serving low-income households who rent or lease a residence, the department must establish processes to ensure that the rent for the residence is not increased and the tenant is not evicted as a result of receiving assistance under the grant program.

(f) The department must incorporate data collected while implementing this program into future energy assistance reports as required under RCW 19.405.120. The department may publish information on its website on the number of furnace or heating and cooling system replacements, including replacements within multifamily housing units.

(g) The department may utilize a portion of the funding provided within this subsection to create an electronic application system.

(35) \$55,500,000 of the general fund—state appropriation for fiscal year 2024 and \$55,500,000 of the general fund—state appropriation for fiscal year 2025 (~~and \$55,500,000 of the coronavirus state fiscal recovery account—federal appropriation~~) are provided solely for the department to continue grant funding for emergency housing and shelter capacity and associated supports such as street outreach, diversion services, short-term rental assistance, hotel and motel vouchers, housing search and placement, and housing stability case management. Entities eligible for grant funding include local governments and nonprofit entities. The department may use existing programs, such as the consolidated homelessness

grant program, to award funding under this subsection. Grants provided under this subsection must be used to maintain or increase current emergency housing capacity, funded by the shelter program grant and other programs, as practicable due to increased costs of goods, services, and wages. Emergency housing includes transitional housing, congregate or noncongregate shelter, sanctioned encampments, or short-term hotel or motel stays.

(36)(a) \$75,050,000 of the general fund—state appropriation for fiscal year 2024 and \$75,050,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to transition persons residing in encampments to safer housing opportunities, with an emphasis on ensuring individuals living unsheltered reach permanent housing solutions. Eligible grant recipients include local governments and nonprofit organizations operating to provide housing or services. The department may provide funding to state agencies to ensure individuals accessing housing services are also able to access other wrap-around services that enable them to obtain housing such as food, personal identification, and other related services. Local government and nonprofit grant recipients may use grant funding to provide outreach, housing, case management, transportation, site monitoring, and other services needed to assist individuals residing in encampments and on public rights-of-way with moving into housing.

(b) Of the amounts provided in this subsection:

(i) No less than \$120,000,000 must be used for housing services for persons residing on state-owned rights-of-way; and

(ii) All remaining funds may be used for housing services for persons residing in encampments, including encampments located on public lands, as defined in RCW 79.02.010, or state parks and parkways.

(c) Grant criteria must include, but are not limited to:

(i) Whether a site where the grantee will conduct outreach and engagement has been identified as a location where individuals residing in encampments or on the public right-of-way are in specific circumstances or physical locations that expose them to especially or imminently unsafe conditions;

(ii) A commitment to resolve encampments through extensive outreach followed by matching individuals with temporary lodging or permanent housing that is reasonably likely to fit with their actual needs and situation, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability;

(iii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement within six months except under unusual circumstances;

(iv) Local government readiness and capacity to enter into and fulfill the grant requirements as applicable; and

(v) Other criteria as identified by the department.

(d) When awarding grants under (a) of this subsection, the department must prioritize applicants that focus on ensuring an expeditious path to sustainable permanent housing solutions, and that demonstrate an understanding of working with individuals to identify their optimal housing type and level of ongoing services through the effective use of outreach, engagement, and temporary lodging and permanent housing placement.

(e) Grant recipients under (a) of this subsection must enter into a memorandum of understanding with the department, and other state agencies if applicable, as a condition of receiving funds. Memoranda of understanding must specify the responsibilities of the grant recipients and the state agencies, consistent with the requirements of (c) of this subsection, and must include specific measurable outcomes for each entity signing the memorandum. The department must publish all signed memoranda on the department's website and must publish updates on outcomes for each memorandum at least every 90 days, while taking steps to protect the privacy of individuals served by the program. At a minimum, outcomes must include:

(i) The number of people actually living in any encampment identified for intervention by the department or grantees;

(ii) The demographics of those living in any encampment identified for intervention by the department or grantees;

(iii) The duration of engagement with individuals living within encampments;

(iv) The types of housing options that were offered;

(v) The number of individuals who accepted offered housing;

(vi) Any reasons given for why individuals declined offered housing;

(vii) The types of assistance provided to move individuals into offered housing;

(viii) Any services and benefits in which an individual was successfully enrolled; and

(ix) The housing outcomes of individuals who were placed into housing six months and one year after placement.

(f) Grant recipients under (a) of this subsection may not transition individuals from encampments or close encampments unless they have provided extensive outreach and offered each individual temporary lodging or permanent housing that matches the actual situation and needs of each person, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability. Grant recipients who initially match an individual to temporary lodging must make efforts to transition the person to a permanent housing placement within six months except under unusual circumstances. The department must establish criteria regarding the safety, accessibility, and habitability of housing options to be offered by grant recipients to

ensure that such options are private, sanitary, healthy, and dignified, and that grant recipients provide options that are well-matched to an individual's assessed needs.

(g) Funding granted to eligible recipients under (a) of this subsection may not be used to supplant or replace existing funding provided for housing or homeless services.

(37) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase funding for the community services block grant program. Distribution of these funds to community action agencies shall prioritize racial equity and undoing inequity from historic underinvestment in Black, indigenous, and people of color, and rural communities.

(38) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization to identify opportunities for cities in Whatcom county to improve access to affordable housing through conducting market research, engaging stakeholders, and developing tools and implementation strategies for cities that will increase access to affordable housing. The grant recipient must be a nonprofit organization based in Bellingham that promotes affordable housing solutions and with a mission to create thriving communities.

(39) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization located in the city of Redmond that serves Latino low-income, immigrant, and Spanish-speaking communities in King and Snohomish counties through arts and culture events and community services. The grant funding may be used to expand existing programs including, but not limited to, support for small businesses, rent assistance, vaccination and COVID-19 outreach, programs aimed at increasing postsecondary enrollments in college and trade schools, and other community services and programs.

(40) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to community-based organizations that serve historically disadvantaged populations to conduct outreach and to assist community members in applying for state and federal assistance programs including, but not limited to, those administered by the department of social and health services, department of commerce, and department of children, youth, and families.

(41) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide a grant to a nonprofit organization located in the city of Issaquah to provide cultural programs and navigational supports for individuals and families who may face language or other cultural barriers when engaging with schools, public safety, health and human services, and local government agencies.

(42) \$200,000,000 of the community reinvestment account—state appropriation is provided solely for the department to distribute grants for economic development, civil and criminal legal assistance, community-based violence intervention and prevention services, and reentry services programs. Grants must be distributed in accordance with the recommendations of the community reinvestment plan developed pursuant to section 128(134), chapter 297, Laws of 2022 (ESSB 5693).

(43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000,000 of the covenant homeownership account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1474 (covenant homeownership prg.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse-))~~

(44) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional staffing for the developmental disabilities council.

(45) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Spokane to provide transitional housing, educational programs, and other resources for refugee and immigrant families.

(46) \$1,169,000 of the general fund—state appropriation for fiscal year 2024 and \$1,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse-))~~

(47) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a dispute resolution center located in Snohomish county to provide mediation and resolution services for landlords and tenants, with the goal of avoiding evictions.

(48) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for grants to nonprofit organizations to operate hunger relief response programs serving individuals living in permanent supportive housing. Of the amounts provided in this subsection:

(a) \$275,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in King county.

(b) \$225,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in Spokane county.

(49) \$180,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization operating a teen center in the city of Issaquah to provide case management and counseling services for youth ages 12 to 19.

(50)(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit community-based organization for the coordination of a gang violence prevention consortium with entities including community-based organizations, law enforcement, and members of the faith community, and to continue and expand after-school activities and social services for students and young adults in the Yakima valley. Social services may include, but are not limited to, employment, mental health, counseling, tutoring, and mentoring services. The grant recipient must be a community-based organization located in Granger operating a Spanish language public radio station and with the mission of addressing the social, educational, and health needs of economically disadvantaged Spanish-speaking residents of central and eastern Washington.

(b) By June 30, 2025, the department must provide a report to the appropriate committees of the legislature. The report must include: (i) A description of the gang violence prevention programs conducted by the consortium and how they were implemented; and (ii) The number of individuals who participated in or received services through the programs conducted by the consortium, including any relevant demographic data for those individuals.

(51) \$400,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with a nonprofit organization to develop an affordable housing predevelopment plan. The affordable housing predevelopment plan must assess the feasibility of using surplus public land located at or near north Seattle Community College and Highline Community College for the development of affordable colocated housing that could serve low and moderate-income state workers. The contract recipient must be an organization that provides consultation services on affordable housing development. In creating the predevelopment plan, the contract recipient must solicit input from interested parties including, but not limited to, low-income and affordable housing experts, policy staff in the office of the governor, state public employee unions, and legislators.

(52) \$781,000 of the general fund—state appropriation for fiscal year 2024 and \$781,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1406 (youth seeking housing assist). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(53)(a) \$1,750,000 of the general fund—state appropriation for fiscal year 2024 and \$1,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of firearm safety and violence prevention to continue a healthy youth and violence prevention initiative demonstration program serving south King county, with the goal of preventing violence, decreasing involvement with the juvenile justice system, and encouraging health and wellbeing for youth and young adults ages 12 to 24. As part of the demonstration program, the office must provide grant funding to and partner with a community-based organization to serve as a regional coordinator to:

(i) Connect youth and young adults ages 12 to 24 who are most vulnerable to violence with programs that provide services including, but not limited to, street outreach, youth employment and preapprenticeship programs, case management, behavioral health services, and other services as appropriate; and

(ii) Assist local governments, service providers, and nonprofit organizations in accessing and leveraging federal, state, and local funding for violence prevention and related services.

(b) The grant recipient under (a) of this subsection must be a nonprofit health system currently administering a violence prevention initiative in King and Pierce counties. The grant recipient may subgrant or subcontract funds to programs providing services as described in (a)(i) of this subsection.

(54) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit sexual assault resource center located in Renton. Grant funding may be used for information technology improvements focused on client data management that will improve client access to health services, cybersecurity, and data privacy.

(55)(a) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of existing contracts with a nonprofit organization to increase housing supply and equitable housing outcomes by advancing affordable housing developments, including supportive housing, transitional housing, shelter, or housing funded through the apple health and homes program, that are colocated with community services such as education centers, health clinics, nonprofit organizations, social services, or community spaces or facilities, available to residents or the public, on underutilized or tax-exempt land.

(b) The contract recipient must use the funding provided under this subsection to:

(i) Implement strategies to accelerate development of affordable housing with space for education centers, health clinics, nonprofit organizations, social services, or community space or facilities, available to residents or the public, on underutilized or tax-exempt land;

(ii) Analyze the suitability of properties and sites for affordable housing as described under (b)(i) of this subsection, including existing buildings for supportive housing, through completing due diligence, conceptual design, and financial analysis activities, and applying and implementing an equity lens in site selection, program planning, development, and operations;

(iii) Work with elected officials, local governments, educational institutions, public agencies, local housing and community development partners, early learning partners, health care providers, and nonprofit service organizations to:

(A) Identify and catalyze surplus, underutilized, or tax-exempt properties for the development of affordable housing;

(B) Provide catalytic funding and technical assistance to advance the development of affordable housing, including by identifying funding sources to support the needs of specific projects; and

(C) Identify impediments to the development of affordable housing and develop recommendations and strategies to address those impediments, reduce costs, advance community vision and equitable outcomes, and accelerate predevelopment and development times associated with affordable housing;

(iv) Organize community partners and build capacity to develop affordable housing sites;

(v) Facilitate collaboration and codevelopment between affordable housing and education centers, health clinics, nonprofit organizations, social services, or community spaces and facilities available to residents or the public;

(vi) Provide technical assistance and predevelopment services to support future development of sites; and

(vii) Catalyze the redevelopment of at least 20 sites to create approximately 2,000 affordable homes.

(c) Funding may also be used to:

(i) Partner with state, regional, and local public entities, nonprofit housing developers, and service providers to develop a broad range of housing types for supportive housing for populations authorized to receive the housing benefit under the apple health and homes act;

(ii) Provide technical assistance on the constructive alignment of state or local capital funds and other services for the construction, acquisition, refurbishment, redevelopment, master leasing of properties for noncongregate housing, or conversion of units from nonresidential to residential, of dwelling units for supportive housing funded through the apple health and homes program;

(iii) Advise on local community engagement, especially with populations with lived experience of homelessness and housing insecurity, for supportive housing funded through the apple health and homes program;

(iv) Subcontract for specialized predevelopment services, as needed, and subgrant to reimburse for supportive housing funded through the apple health and homes program; and

(v) Hire staff necessary to implement activities under (b) and (c) of this subsection.

(56) (a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue a lifeline support system pilot project to assist individuals who have experienced or are at risk of entering into public systems of care. Public systems of care include office of homeless youth prevention and protection shelter and housing programs, the juvenile justice system, dependency under chapter 13.34 RCW, and inpatient behavioral health treatment.

(b) (i) The lifeline must function as a no-wrong-door access point for support and connections to services for qualifying individuals who require assistance to overcome a life challenge that could escalate into a crisis, or who are in need of general mentorship and counsel. The lifeline support system must facilitate and promote partnerships across state agencies, federally recognized tribes, counties, and community-based providers to coordinate trauma-informed and culturally responsive services for youth and young adults and their supports. The department is authorized to implement lifeline services through contracts with community partners and nonprofit organizations.

(ii) From amounts provided in this subsection, the department must allocate funding to establish a lifeline fund program. The department may use moneys allocated for the fund program to assist community partners and nonprofit organizations to implement lifeline services when those providers cannot identify an existing resource to resolve a recipient's need. The department must establish an application process and criteria for the fund program.

(c) By June 30, 2025, the department shall report to the legislature regarding the success and shortcomings of the lifeline support system, request-for-service outcomes, and the demographics of beneficiaries.

(57) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization to provide legal aid in subjects including, but not limited to, criminal law and civil rights cases for underserved populations focusing on Black gender-diverse communities. The grant recipient must be a nonprofit organization with offices in Seattle and Tacoma and with a mission to provide intersectional legal and social services for Black intersex and gender-diverse communities in Washington.

(58) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization within the city of Tacoma that provides social services and educational programming to assist Latino and indigenous communities in honoring heritage and culture through the arts, and in overcoming barriers to social, political, economic, and cultural community development. Of the amounts provided in this subsection:

(a) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for education and training programming in community health organizing, "promotora" health education,

grassroots organizing, leadership development, and civic engagement focused on Latino and indigenous community members; and

(b) \$38,000 of the general fund—state appropriation for fiscal year 2024 and \$38,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for advocacy, translation services, emergency housing, and other services for victims of crime and domestic violence.

(59) ~~(\$500,000)~~ \$833,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$667,000 of the general fund—state appropriation for fiscal year 2025 are provided ~~((solely))~~ for the department to provide grants to nonprofit organizations including, but not limited to, religious nonprofits, "by and for" organizations, or cultural community centers, to fund the physical security or repair of such institutions. Grant recipients must ~~((have reasons to believe they have been subject to security threats and must demonstrate a need for enhanced security. Grant funding must be used and limited to the purchase of security hardware and equipment to enhance the security of the buildings and grounds of such organizations))~~ substantiate that their site or sites have been subject to or at risk of physical attacks, threats, vandalism, or damages based on their mission, ideology, or beliefs and demonstrate a need for investments in physical security enhancements, construction or renovation, target hardening, preparedness planning, training, or exercises.

(60) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grant funding to a nonprofit organization to provide supports, including behavioral health resources, housing services, and parenting education, to parents with substance use disorder. The grant recipient must be a nonprofit organization located in the south Puget Sound region that provides a parent child assistance program and focuses on building parenting skills and confidence to ensure children have safe and healthy childhoods.

(61) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs to develop and operate community-based residential housing and services for youth wellness spanning a range of needs and circumstances at the Pacific hospital preservation and development authority quarters, buildings three through 10 in Seattle. The amounts provided in this subsection may be used for planning, lease payments, and other related expenses for the development and operation of comprehensive residential programs providing housing, on-site social services, and community-based resources for youth identified by the department of commerce, the department of children, youth, and families, or the health care authority. The funding may also be used for the preparation and issuance of a request for qualifications for a site operator, or lease management and related administrative functions. The department is authorized to enter into a lease, with an option to enter into multiyear extensions, for the Pacific hospital preservation and development authority quarters, buildings three through 10.

(62) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in the city of Seattle that works to improve the quality of life for low-income families and members of the refugee and immigrant community, with a focus on the Somali and Oromos community. The grant funding may be used to expand current programs including, but not limited to, case management and referral services for immigrants and refugees, youth programs, and services for seniors.

(63) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization headquartered in Mount Vernon for costs to operate and provide homeless services at a low-barrier emergency temporary homeless center located in Burlington.

(64) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Seattle that provides legal assistance and representation to survivors of sexual and gender-based violence to expand their current services including, but not limited to, legal assistance and representation; technical assistance for advocates, providers, and attorneys; community education and trainings; and other legal support services. In providing services, the grant recipient must protect the privacy, safety, and civil rights of survivors and utilize trauma-informed practices and equity principles.

(65) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization serving King and Snohomish counties for a program conducted in partnership with King county, which serves individuals who are involved in the criminal justice system and who have experienced domestic, sexual, or gender-based violence. The grant recipient may use the funding for costs including, but not limited to, legal advocacy, outreach, connecting clients to housing and other resources, data analytics, and staffing.

(66) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of crime victims advocacy to contract for a study of the impacts of the commercial sex industry on Black and African American communities in Washington, with a focus on Black and African American persons who identify as female. The office must contract with an organization that has expertise on the topic of the commercial sex industry and Black communities in Washington. The study must include a review of the impacts of the commercial sex industry on Black and African American residents of Washington, and culturally informed

and survivor-informed policy recommendations for reducing sex trafficking and sexual exploitation of Black and African American Washingtonians. The department must submit a report of the study findings to the appropriate committees of the legislature by September 1, 2024.

(67) \$20,656,000 of the general fund—state appropriation for fiscal year 2024 and \$20,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to crime victims service providers to ensure continuity of services impacted by reductions in federal victims of crime act funding and to help address increased demand for services attributable to the COVID-19 pandemic. The department must distribute the funding in a manner that is consistent with the office of crime victims advocacy's state plan. Of the amounts provided in this subsection:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs operated by and for historically marginalized populations to support "by and for" culturally specific services for victims of domestic violence, sexual assault, and other crimes in historically marginalized populations. Marginalized populations can include, but are not limited to, organizations or groups composed along racial, ethnic, religious, sexual orientation, and gender lines.

(b) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs developed to support the enhancement and development of additional services for tribal members, including programs to address needs of crime victims, including strategies which integrate services or multiple crime types.

(68) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Seattle for start-up costs for the Seattle social housing developer and to meet the requirements of the city of Seattle initiative 135, which concerns developing and maintaining affordable social housing in Seattle. The funding provided under this subsection may only be used for costs associated with creating social housing developments, operating costs associated with maintaining social housing developments, and administrative costs of operating social housing.

(69) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to contract with a nonprofit to provide wraparound services for homeless families with children, including prevention, shelter, and stabilization services. The nonprofit must be located in Pierce county and be an affiliate of a national organization dedicated to preventing and ending family homelessness by providing prevention, shelter, and stabilization services.

(70) Within existing resources, the department must submit an interim and a final report to the appropriate committees of the legislature on efforts taken by the department to stabilize rents for tenants of affordable housing units financed through the housing assistance program created under RCW 43.185.015 including, but not limited to, efforts to limit or mitigate the impacts of rent increases for tenants of qualifying units. The department must submit the interim report by December 1, 2023, and the final report by December 1, 2024.

(71) Before awarding or entering into grants or contracts for the 2023-2025 fiscal biennium for homeless housing and service programs that are funded from the home security fund account or the affordable housing for all account, the department must first consult with local governments and eligible grantees to ensure that funding from these accounts is used to maintain the quantity and types of homeless housing and services funded in local communities as of February 28, 2023. The department may take into consideration local document recording fee balances and individual county fluctuations in recording fee collections when allocating state funds. The department must redeploy funds to other nonprofit and county grantees if originally granted amounts are not expended or committed within a reasonable timeline. The department may then provide funding to eligible entities to undertake the activities described in RCW 36.22.176(1)(c)(i), such as funding for project-based vouchers and other assistance necessary to support permanent supportive housing as defined in RCW 36.70A.030 or as administered by the office of apple health and homes created in RCW 43.330.181.

(72) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to an Everett-based affiliate of a national nonprofit human services organization to stabilize newly arriving refugees from the 2021 Afghanistan conflict and the 2022 Ukraine conflict.

(73) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit organization to expand private capacity to provide legal services for indigent foreign nationals in contested domestic relations and family law cases. The contract recipient must be a nonprofit organization headquartered in the city of Seattle that provides training to attorneys and judges on international family law issues and provides direct representation to qualified indigent clients. Amounts provided in this subsection may not be expended for direct private legal representation of clients in domestic relations and family law cases.

(74) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a youth development organization providing civic engagement and education through a youth and government program. The grant is provided solely for support of the organization's mock trial and youth legislature programs.



(75) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$229,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5198 (mobile home community sales). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$1,694,000 of the general fund—state appropriation for fiscal year 2024 and \$1,694,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5561 (law enforcement community grants). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(77) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5599 (protected health care/youth). The entirety of this amount is provided for the office of homeless youth for prevention and protection programs to provide supportive care grants to organizations to address the needs of youth seeking protected health care services. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(78) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Monroe to continue existing pilot projects that enable the city to dispatch human services and social services staff in conjunction with law enforcement staff to support unhoused residents and residents in crisis.

(79) \$2,850,000 of the general fund—state appropriation for fiscal year 2024 and \$2,850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5114 (sex trafficking). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~((81))~~ (80) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Bellevue for one-time expenses required for the operation of an expanded community service center to help low-income individuals and immigrant and refugee community members. The center will join with community partners to provide utility rate and rent relief; health care access; energy assistance; food access; medical, legal and financial services; housing; childcare resources; employment assistance; and resources for starting a business.

~~((82))~~ (81) \$215,000 of the general fund—state appropriation for fiscal year 2024 and \$345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce a report to the legislature detailing the scope of work, cost estimates, and implementation timeline to create or procure an online registry of rental units in Washington state subject to state information system planning and oversight requirements. The online rental unit registry must have the capacity to collect and report out timely information on each rental unit in the state. Information to collect includes, but is not limited to, the rental unit's physical address, identity of the property owner, monthly rent charged, and vacancy status. The scope of work must assume integration with existing rental registries operated by local governments. Cost and timeline estimates must provide two alternatives with one assuming statewide implementation and the other assuming implementation in the six largest counties of the state. The department shall consult with landlord representatives, tenant representatives, local governments operating existing rental registries, and other interested stakeholders as part of the process of developing the scope of work and timeline for the online rental unit registry. The department must submit the report to the legislature by December 1, 2024.

~~((83))~~ (82) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a Seattle based nonprofit to create a temporary space to allow youth and low-income populations to participate in ice rink related events during the 2024 national hockey league winter classic.

~~((84))~~ (83) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in Kitsap county that partners with the Bremerton and central Kitsap school districts, first responders, and other organizations to expand implementation of the handle with care program.

~~((85))~~ (84) \$371,000 of the general fund—state appropriation for fiscal year 2024 and \$371,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Pacific county to operate or participate in a drug task force to enhance coordination and intelligence while facilitating multijurisdictional criminal investigations.

~~((86))~~ (85) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to statewide and community asset building coalitions across Washington to support capacity in organizations that coordinate financial health services and outreach efforts around poverty reduction resources such as the earned income tax credit and the working families tax credit.

~~((87) \$400,000)~~ (86) \$200,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community based organization in Whatcom county to expand services to unhoused and low-income residents of Ferndale and north Whatcom county and to provide a safe parking program.

~~((88))~~ (87) \$155,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training, to develop and implement a program aimed at reducing workplace sexual harassment in the agricultural sector. Funding will be used to continue peer-to-peer trainings for farmworkers in Yakima county and expand services into Grant and Benton counties. Funding may also be used to support an established network of farmworker peer trainers whose primary purpose is to prevent workplace sexual harassment and assault through leadership and education. The organization is expected to share best practices from their peer-to-peer model at a statewide conference.

~~((89))~~ (88) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle-based nonprofit that provides holistic services to help refugee and immigrant women. Funds must be used to expand an existing program that increases equity in ice skating and hockey by providing skate lessons to preschoolers from diverse and low-income families.

~~((90))~~ (89) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to strengthen family resource center services and increase capacity statewide. Grant funding may be used: For an organization to provide new services in order to meet the statutory requirements of a family resource center, as defined in RCW 43.216.010; to increase capacity or enhance service provision at current family resource centers, including but not limited to direct staffing and administrative costs; and to conduct data collection, evaluation, and quality improvement activities. The department may award an amount from \$30,000 up to \$200,000 per grant recipient.

(b) Eligible applicants for a grant under (a) of this subsection include current family resource centers, as defined in RCW 43.330.010, or organizations in the process of becoming qualified as family resource centers. Applicants must affirm their ability and willingness to serve all families requesting services in order to receive a grant. Applicants must currently be or agree to become a member of a statewide family resource center network during the grant award period in order to receive a grant. Applicants must provide proof of certification in the standards of quality for family strengthening and support developed by the national family support network for one member of the applicant's organizational leadership in order to receive a grant.

(c) In distributing grant funding, the department must, to the extent it is practicable, award 75 percent of funding to organizations located west of the crest of the Cascade mountains, and 25 percent of funding to organizations located east of the crest of the Cascade mountains.

(d) By July 1, 2025, grant recipients must submit a report to the department on the use of grant funding, including, but not limited to, progress in attaining status as a family resource center, if applicable; the number and type of services offered to families; demographic and income data for families served; and family post-service outcomes. By September 1, 2025, the department must submit a report to the Legislature on topics including, but not limited to, the grant application process; needs identified by family resource centers; and use of funds by grant recipients.

(e) Of the amounts provided in (a) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to the statewide nonprofit organization that serves as the registered Washington state network member of the national family support network. The grant recipient may use the grant funding for costs including, but not limited to, outreach and engagement, data and evaluation, and providing training and development opportunities in support of family resource centers statewide.

~~((91))~~ (90) ~~(\$9,000,000)~~ \$29,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$9,000,000)~~ \$29,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants to local governments for maintaining programs and investments which are primarily funded through document recording fees pursuant to RCW ~~((36.22.178, 36.22.179, and 36.22.1791))~~ 36.22.250. In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties.

~~((93))~~ (91) (a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a law enforcement technology grant program for the purpose of providing law enforcement with modern vehicle pursuit management technology including, but not limited to, global positioning system tracking equipment, automated license plate reading technology, aircraft, and nonarmed and nonarmored drone technology.

(b) Grants must be awarded to local law enforcement agencies based on locally developed proposals. The department shall establish policies for applications under this subsection in addition to criteria for evaluating and selecting grant recipients. A proposal must include a request for specific technology and a specific plan for the implementation, use, and effectiveness reporting of that technology.

(c) Before grants are awarded, each local law enforcement agency seeking to acquire vehicle pursuit technology must:

(i) Establish data-sharing and management policies including policies related to sharing data between law enforcement agencies and other third parties; and

(ii) Establish policies ensuring all personnel who operate the vehicle pursuit technology, or access the vehicle pursuit technology data, are trained to use that technology and are able to comply with the data-sharing and management policies prior to the operational use of the vehicle pursuit technology.

(92) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the distribution of grants to cities, counties, or nonprofit organizations to support individuals in need of emergency housing assistance. Emergency housing assistance may include, but is not limited to, short-term rental assistance, moving costs, other one-time costs associated with identifying and obtaining housing, or temporary shelter in the event of a crisis or when people have been displaced. Funding provided under this subsection must be prioritized for entities that can demonstrate that the population served includes families with children, pregnant individuals, or other medically vulnerable individuals. The department may only distribute funding under this subsection upon coordination with the office of the governor.

(93) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to continue to provide grant funding to local multijurisdictional task forces that previously received funding through the federal Edward Byrne memorial justice assistance grant program. Grants provided under this section must be used consistent with the requirements of Edward Byrne memorial justice assistance grants and with national best practices for law enforcement.

(94) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of homeless youth prevention and protection programs to provide grants to nonprofit organizations implementing place-based health zone models to provide and strengthen youth development services and mental and behavioral health supports for youth and their families for clearly demarcated geographical health zones. The services and supports may range from primary prevention to crisis services. Grant funding may support health zone activities and evaluation activities. The office must distribute four grants, as follows:

(a) Two grants to nonprofits with established place-based health zone models, for costs to provide services and conduct evaluation activities; and

(b) Two grants to nonprofits who are currently developing and implementing place-based health zone models, for costs to establish and provide services and conduct evaluation activities.

(95) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a housing readiness program serving individuals experiencing homelessness in Cowlitz county. Funding may be used to operate severe weather shelters, housing navigation, case management, laundry and hygiene facilities, connection to other social services, and other programs serving unhoused individuals in Cowlitz county.

(96) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for operating costs of licensed assisted living facilities located in Clark county that have at least 50 percent of residents who were experiencing homelessness or were unstably housed immediately prior to admission to the facility.

(97) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to continue sexual assault prevention education programming to K-12 schools in Tacoma and expand services to the Franklin Pierce school district. The grant recipient must be a state-accredited community sexual assault program serving Pierce county that provides professional training, prevention education, intervention, and advocacy programs for victims of sexual assault, sexual abuse, and sex trafficking.

(98) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide community-based healing-centered arts engagement programming for populations including, but not limited to, survivors of gender-based violence and individuals working to reintegrate after incarceration. The grant recipient must be a nonprofit organization based in the city of Seattle with experience in providing arts engagement programming, including serving veteran and Latino cohorts.

(99) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a food bank serving African American and other BIPOC communities located in south King county. Funding may be used for food bank operations, food delivery services, and food storage.

(100) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit based in King county that exclusively serves foreign-trained physicians to help foreign-trained physicians prepare to work in a United States clinical setting and obtain a medical doctor: clinical experience license in Washington state. The nonprofit may use the amount provided in this subsection to:

(a) Provide stipends of up to \$2,000 per foreign-trained physician to:

(i) Take medical exams or English as a second language classes;

(ii) Obtain a professional resume review or interview skill development; or

(iii) Defray any other expenses that may limit their ability to become hire-ready physicians; and

(b) Operate an educational outreach program to help medical providers and institutions understand the medical doctor: clinical experience program including eligibility, licensure laws, and details of working with foreign-trained physicians in their facilities.

(101) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit in east King county, recognized as a by and for organization, to advance affordable housing. The grant recipient must be an organization that

partners in equitable, affordable housing development. The grant recipient must use the funding as follows:

(a) To educate residents on the benefits of affordable housing in east King county;

(b) To facilitate partnerships to enable equitable transit-oriented development across the east King county region that builds housing at scale;

(c) For a project that will produce up to 33 affordable housing units on the Eastside; and

(d) To identify strategies for land acquisition and assembly around high-capacity transit stations that will result in a mix of housing.

(102) \$625,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Snohomish county human services to provide technical assistance and contract with a nonprofit to support youth, parents, and families with school-based collaboration, and social activities for youth.

(103) \$477,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Kitsap county to provide 70 continuous-stay, low-barrier/harm reduction model shelter beds.

(104) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with a nonprofit in Seattle to develop a list of BIPOC families, with an emphasis on African American households, that want to live in Seattle for the purpose of assisting those families with finding and keeping housing in Seattle.

(105) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$420,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle-based community center that assists eastern European refugees and immigrants to provide short term housing assistance, immigration services, and support to individuals in Washington who fled the Ukraine-Russia conflict.

(106) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Bellingham-based nonprofit serving youth and young adults experiencing homelessness and housing insecurity to increase capacity and the ability for staff to support clients in attending appointments, providing navigating services, and assessing resources throughout Whatcom county.

(107) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Whatcom county to study the potential to create an interjurisdictional coordinating body focused on improving the housing market for tenants, landlords, and those interested in becoming landlords. The study should examine the potential for an office of healthy housing to:

(a) Have a sustainable funding model and assist landlords and tenants in understanding leases and procedures;

(b) Increase housing supply by providing resources to small landlords; and

(c) Work with major local employers and local higher education institutions to ensure a thriving local housing market.

(108) \$45,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Seattle-based nonprofit that teaches math using hands-on learning experiences and collaborates with community partners to create equity-based, culturally relevant math education opportunities.

(109) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the city of Tacoma to support the continued operation of 307 emergency and temporary shelter beds.

(110) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Yakima-based center that works to raise and uphold standards in the workplace to expand access to education and legal aid for low-wage immigrant workers in order to curb workplace rights violations and foster economic stability.

(111) \$317,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to three resource centers that are expecting a reduction in funding from the office of crime victims advocacy. Funding is intended to cover any deficit these organizations experience to continue service levels to sexual assault survivors. Of this amount:

(a) \$200,000 is for a nonprofit sexual assault resource center in King county;

(b) \$77,000 is for a Richland-based accredited community sexual assault program; and

(c) \$40,000 is for a nonprofit organization that provides crime victim support in multiple locations across the region, including in Spokane and Vancouver.

(112) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to assist fathers transitioning from incarceration to community and family reunification. The grant recipient must have experience contracting with the department of corrections to support incarcerated individual betterment projects and contracting with the department of social and health services to provide access and visitation services.

(113) (a) \$320,000,000 of the encampment cleanup account—state appropriation is provided solely for the department to provide grants to local governments for costs associated with responding to and preventing encampments, and other activities to address and prevent homelessness. The department must provide grants to counties who enact an ordinance as described in (b) of this subsection. Counties must subgrant with any cities within the county that enact an ordinance as described in (b) of this subsection. In making subgrants, counties

must distribute funds based on the city's relative share of unsheltered homeless individuals living in the county.

(b) A local government is eligible to receive a grant under (a) of this subsection if it enacts an ordinance making it unlawful for any person to camp for the purposes of habitation on public property within 500 feet of:

- (i) Public or private elementary or secondary schools;
- (ii) School walk areas, as determined under rules promulgated by the superintendent of public instruction pursuant to RCW 28A.150.290;
- (iii) Child day care centers, as defined in RCW 43.216.010;
- (iv) Public parks, as defined in RCW 69.50.435;
- (v) County courthouses; and
- (vi) Transit facilities, as defined in RCW 9.91.025.

(c) A local government must submit a copy of the ordinance enacted pursuant to (b) of this subsection to the department in order to receive grant funding.

(d) Grantees must first use funding awarded under (a) of this subsection for actions to enforce an ordinance as described in (b) of this subsection, including, but not limited to, costs to clear garbage, debris, or hazardous materials, and costs to prevent future encampments from forming in areas protected under the enacted ordinance. Grantees may also use funding for other activities to address and prevent homelessness, including providing housing and supportive services for homeless individuals and families.

(e) The department must distribute funds awarded under (a) of this subsection to eligible counties on a first-come, first-served basis.

(f) Of the amounts provided in this subsection, \$2,000,000 of the encampment cleanup account—state appropriation is provided solely for the department to administer the program and create and maintain a data dashboard with performance metrics regarding encampment sites addressed by grantees. The dashboard must allow for viewing data at a statewide level and by county. The dashboard must include the following metrics:

- (i) The number and location of encampment sites;
- (ii) The number of individuals living in an encampment site who received an offer of shelter before a local government took action to close the site; and
- (iii) Total expenditures, by fund source and by type of expenditure, for closing encampment sites.

(g) For the purposes of this subsection, "public property" means any street, alley, sidewalk, parking space, pedestrian or transit mall, bike path, greenway, or any other structure or area encompassed within the public right-of-way; any park, parkway, mountain park, or other recreation facility; or any other grounds, buildings, fixtures, or other facilities owned or leased by the state or any public owner, regardless of whether such public property is vacant or occupied and actively used for any public purpose.

(114) (a) \$20,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to transit agencies for costs related to transit enforcement and preventing drug use in transit facilities. Of the amount provided in this subsection:

- (i) \$10,000,000 of the general fund—state appropriation for fiscal year 2025 must be distributed to transit agencies based on the population of the city or county the transit agency serves; and
- (ii) \$10,000,000 of the general fund—state appropriation for fiscal year 2025 must be distributed to transit agencies based on their average annual ridership.

(b) For the purposes of this subsection, "transit agencies" and "transit facilities" have the same meaning as provided in RCW 9.91.025.

(115) (a) \$8,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to transit agencies for costs to test transit vehicles and transit facilities for methamphetamine and fentanyl contamination, and to conduct decontamination activities of transit vehicles and transit facilities. Of the amount provided in this subsection:

- (i) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 must be distributed to transit agencies based on the population of the city or county the transit agency serves; and
- (ii) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 must be distributed to transit agencies based on their average annual ridership.

(b) For the purposes of this subsection, "transit agencies," "transit vehicles," and "transit facilities" have the same meaning as provided in RCW 9.91.025.

**Sec. 128.** 2023 c 475 s 130 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—LOCAL GOVERNMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$50,775,000 ))
	\$48,133,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$46,258,000 ))
	\$54,626,000
General Fund—Federal Appropriation . . . . .	(( \$39,374,000 ))
	\$44,574,000
General Fund—Private/Local Appropriation . . . . .	\$1,050,000
Climate Commitment Account—State Appropriation . . . . .	(( \$43,353,000 ))
	\$54,403,000
Community Preservation and Development Authority	
Account—State Appropriation . . . . .	\$4,750,000

Growth Management Planning and Environmental Review	
Fund—State Appropriation. . . . .	\$5,681,000
Liquor Excise Tax Account—State Appropriation. . . . .	\$986,000
Liquor Revolving Account—State Appropriation. . . . .	\$6,827,000
<u>Model Toxics Control Operating Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$1,000,000</u>
Model Toxics Control Stormwater Account—State	
Appropriation. . . . .	\$100,000
Natural Climate Solutions Account—State	
Appropriation. . . . .	\$2,747,000
Public Facilities Construction Loan Revolving	
Account—State Appropriation. . . . .	\$1,026,000
Public Works Assistance Account—State Appropriation. . . . .	\$7,267,000
TOTAL APPROPRIATION. . . . .	<del>(\$210,194,000)</del>
	\$233,170,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall administer its growth management act technical assistance and pass-through grants so that smaller cities and counties receive proportionately more assistance than larger cities or counties.

(2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as pass-through funding to Walla Walla Community College for its water and environmental center.

(3) \$6,827,000 of the liquor revolving account—state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(4) The department must develop a model ordinance for cities and counties to utilize for siting community based behavioral health facilities.

(5) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce the biennial report identifying a list of projects to address incompatible developments near military installations as provided in RCW 43.330.520.

(6) \$100,000 of the model toxics control stormwater account—state appropriation is provided solely for planning work related to stormwater runoff at the aurora bridge and I-5 ship canal bridge. Planning work may include, but is not limited to, coordination with project partners, community engagement, conducting engineering studies, and staff support.

(7) \$2,000,000 of the community preservation and development authority account—state(~~operating~~) appropriation is provided solely for (~~the operations of~~) the Pioneer Square-International district community preservation and development authority established in RCW 43.167.060 to carry out the duties and responsibilities set forth in RCW 43.167.030.

(8) \$1,160,000 of the general fund—state appropriation for fiscal year 2024 and \$1,159,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide broadband office established in RCW 43.330.532.

(9) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants for updating and implementing comprehensive plans and development regulations in order to implement the requirements of the growth management act.

(a) In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties. Grants will be used primarily to fund the review and update requirements for counties and cities required by RCW 36.70A.130. Funding provided on this formula basis shall cover additional county and city costs, if applicable, to implement chapter 254, Laws of 2021 (Engrossed Second Substitute House Bill No. 1220) and to implement Second Substitute Senate Bill No. 5412 (land use permitting/local).

(b) Within the amounts not utilized under (a) of this subsection, the department shall establish a competitive grant program to implement requirements of the growth management act.

(c) Up to \$500,000 per biennium may be allocated toward growth management policy research and development or to assess the ongoing effectiveness of existing growth management policy.

(d) The department must develop a process for consulting with local governments, affected stakeholders, and the appropriate committees of the legislature to establish emphasis areas for competitive grant distribution and for research priorities.

(10) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the municipal research and services center, in coordination with the Washington procurement technical assistance center, to provide training and technical assistance to local governments and contractors on public works contracting. Training topics may include utilization of supplemental bidding criteria, utilization of alternate public works, contracting, cost estimating, obtaining performance and payment bonds, and increasing participation of women-owned and minority-owned businesses.

(11) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants and provide technical assistance to cities or counties for actions relating to adopting ordinances that plan for and accommodate housing. Of this amount:

(a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to cities and counties. Grants may be used for the following activities:

(i) Analyzing comprehensive plan policies and development regulations to determine the extent of amendments required to meet the goal of authorizing middle housing types on at least 30 percent of lots currently zoned as single family residential within the city, or for counties inside the unincorporated urban growth area. For the purposes of this subsection, "middle housing types" means buildings that are compatible in scale, form, and character with single family houses, and contain two or more attached, stacked, or clustered homes. This includes duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, courtyard apartments, and cottage housing;

(ii) Planning work to facilitate transit-oriented development, including costs associated with the preparation of state environmental policy act environmental impact statements, planned action ordinances, and subarea plans, costs associated with the use of other tools under the state environmental policy act, and the costs of local code adoption and implementation of such efforts; and

(iii) Planning for and accommodating housing that is affordable for individuals and families earning less than 50 percent of the area median income, including:

(A) Land use and regulatory solutions to address homelessness and low-income housing; and

(B) Bridging homeless service planning with land use planning.

(b) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an affordable housing auditing program to monitor ongoing affordability of income-restricted units constructed with affordable housing incentives, including the multifamily tax exemption.

(12) Within the amounts provided in this section, the department must publish on its website housing data needed to complete housing needs assessments required by RCW 36.70A.070(2)(a). The data shall include:

(a) Housing profiles for each county and city in the state, including cost burden, vacancy, and income;

(b) Data to assess racially disparate impacts, exclusion, and displacement; and

(c) A dashboard to display data in an easily accessible format.

(13) \$1,330,000 of the general fund—state appropriation for fiscal year 2024 and \$995,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(14) \$15,000,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to entities that provide digital navigator services, devices, and subscriptions. These services must include, but are not limited to, one-on-one assistance for people with limited access to services, including individuals seeking work, students seeking digital technical support, families supporting students, English language learners, medicaid clients, people experiencing poverty, and seniors.

(15) \$2,750,000 of the community preservation and development authority account—state appropriation is provided solely for (~~the operations of~~) the Central district community preservation and development authority established in RCW 43.167.070 to carry out the duties and responsibilities set forth in RCW 43.167.030.

(16) (~~(\$375,000))~~ \$187,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~) and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Battle Ground to contract for a study to explore feasible options to redesign their downtown corridor to emphasize pedestrian accessibility, improve safety, and highlight community amenities.

(17) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Cheney fire department for the purchase of a new type 6 fire truck to replace one destroyed in a mutual aid fire.

(18) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to Ferry/Okanogan fire protection district number 14 for the purchase of a new ambulance and related costs for response to 911 calls, including those from local residents, recreators, and hunters.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the Pierce county public transportation benefit area corporation (Pierce transit) to administer a public transit and behavioral health coresponder pilot program in partnership with a Pierce county behavioral health professional agency.

(20) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the transportation demand management program at the canyon park subarea in the city of Bothell.

(21) (~~(\$40,953,000))~~ \$50,953,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(22) \$490,000 of the public works assistance account—state appropriation is provided solely for the public works board to develop a data dashboard to map investments made by the public works board, the department of commerce, the department of health, the department of

ecology, the department of transportation, the transportation improvement board, and by board partners to the system improvement team created in RCW 43.155.150.

(23) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$423,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct a study on the feasibility of implementing a Washington state zoning atlas project that will provide a publicly available mapping tool illustrating key features of zoning codes across jurisdictions.

(24) \$733,000 of the general fund—state appropriation for fiscal year 2024 and \$734,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$37,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$134,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the city of Tacoma for the operating costs of the hilltop community hub. The hilltop community fund shall support a distribution center to provide housing goods.

(27) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Ferndale for the purpose of implementing and improving a wayfinding system throughout the greater Ferndale market area.

(28) ~~(((\$3,464,000))\$464,000)~~ \$464,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$3,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5290 (local permit review). Of the amount provided in this subsection, at least \$3,000,000 is provided solely for grants to local governments. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(29) \$2,400,000 of the climate commitment account—state appropriation is provided solely for the Port Gamble S'Klallam Tribe for phase 3 of the Port Gamble shoreline restoration project.

(30) \$1,000,000 of the model toxics control account—state appropriation is provided solely for grants to address emergency drinking water problems in overburdened communities. The department may utilize existing programs to distribute the funding provided under this section, including the emergency rapid response program.

(31) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$46,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5834 (urban growth areas). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(32) \$57,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6015 (residential parking). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(33) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit, professional association of state, county, city, and town officials engaged in development, enforcement, and administration of building construction codes and ordinances to collaborate with the Washington state board for community and technical colleges to design and implement training programs to accelerate the hiring of city and county permit technicians.

(34) \$800,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided for the Bellevue and Redmond electric fire engines and infrastructure project. Of this amount, \$250,000 is provided to the city of Redmond and \$550,000 is provided to the city of Bellevue for the purposes of reducing the costs to purchase hybrid-electric fire engines and install associated electric charging infrastructure for the fire stations that will house the new electric vehicles.

(35) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Elma to place automatic external defibrillators in city vehicles and public spaces in city buildings.

(36) \$550,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Battle Ground to purchase a citywide document management system and hire staff or contract with a company to assist with scanning and uploading documents into the system.

(37) \$1,200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Lewis county to purchase and implement new tax and assessment software.

(38) \$225,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the Chelan-Douglas regional port authority to fund public engagement efforts in Chelan and Douglas counties related to a future regional sports complex. Engagement efforts may include print and electronically mailed materials, media advertisements, social media, and other forms of communications related to study information, including but not limited to:

- (a) Consultants' analyses;
- (b) Steering committee recommendations;
- (c) Design and location options;
- (d) Artistic renderings;



- (e) Economic impacts;
- (f) Capital and operational costs;
- (g) Financing options; and
- (h) Other information.

(39) \$250,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for Island county to contract for a comprehensive assessment of drinking water infrastructure.

(40) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Enumclaw to design and build a community center that will serve the plateau area.

(41) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Okanogan county sheriff's office for the Okanogan county public safety radio network improvement project.

(42) \$67,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5955 (large port districts). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 129.** 2023 c 475 s 131 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—OFFICE OF ECONOMIC DEVELOPMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$25,089,000</del> ))
	<u>\$25,639,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$24,967,000</del> ))
	<u>\$31,731,000</u>
General Fund—Federal Appropriation . . . . .	\$108,069,000
General Fund—Private/Local Appropriation . . . . .	\$1,230,000
Dedicated Cannabis Account—State Appropriation (FY 2024) . . . . .	\$3,446,000
Dedicated Cannabis Account—State Appropriation (FY 2025) . . . . .	(( <del>\$3,587,000</del> ))
	<u>\$3,591,000</u>
Andy Hill Cancer Research Endowment Fund Match Transfer Account—State Appropriation . . . . .	(( <del>\$20,684,000</del> ))
	<u>\$32,684,000</u>
Climate Commitment Account—State Appropriation . . . . .	(( <del>\$352,000</del> ))
	<u>\$4,441,000</u>
Community and Economic Development Fee Account—State Appropriation . . . . .	\$765,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation . . . . .	\$22,400,000
Economic Development Strategic Reserve Account—State Appropriation . . . . .	\$2,786,000
Statewide Tourism Marketing Account—State Appropriation . . . . .	\$9,000,000
<b>TOTAL APPROPRIATION</b> . . . . .	(( <del>\$222,375,000</del> ))
	<u>\$245,782,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,304,000 of the general fund—state appropriation for fiscal year 2024 and \$4,304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for associate development organizations. During the 2023-2025 fiscal biennium, the department shall consider an associate development organization's total resources when making contracting and fund allocation decisions, in addition to the schedule provided in RCW 43.330.086. The department must distribute the funding as follows:

(a) For associate development organizations serving urban counties, which are counties other than rural counties as defined in RCW 82.14.370, a locally matched allocation of up to \$1.00 per capita, totaling no more than \$300,000 per organization; and

(b) For associate development organizations in rural counties, as defined in RCW 82.14.370, a \$1.00 per capita allocation with a base allocation of \$75,000.

(2) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the northwest agriculture business center.

(3) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the regulatory roadmap program for the construction industry and to identify and coordinate with businesses in key industry sectors to develop additional regulatory roadmap tools.

(4) \$1,070,000 of the general fund—state appropriation for fiscal year 2024 and \$1,070,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small business export assistance program. The department must ensure that at least one employee is located outside the city of Seattle for purposes of assisting rural businesses with export strategies.

(5) \$60,000 of the general fund—state appropriation for fiscal year 2024 and \$60,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

department to submit the necessary Washington state membership dues for the Pacific Northwest economic region.

(6) ~~(\$1,808,000)~~ \$2,438,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,808,000)~~ \$2,438,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to identify and invest in strategic growth areas, support key sectors, and align existing economic development programs and priorities. The department must consider Washington's position as the most trade-dependent state when identifying priority investments. The department must engage states and provinces in the northwest as well as associate development organizations, small business development centers, chambers of commerce, ports, and other partners to leverage the funds provided. Sector leads established by the department must include the industries of: (a) Aerospace; (b) clean technology and renewable and nonrenewable energy; (c) wood products and other natural resource industries; (d) information and communication technology; (e) life sciences and global health; (f) maritime; (g) military and defense; and (h) creative industries. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with partner organizations and other agencies to serve in the role of sector lead.

(7) ~~(\$20,684,000)~~ \$32,684,000 of the Andy Hill cancer research endowment fund match transfer account—state appropriation is provided solely for the Andy Hill cancer research endowment program. Amounts provided in this subsection may be used for grants and administration costs.

(8) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish representation in key international markets that will provide the greatest opportunities for increased trade and investment for small businesses in the state of Washington. Prior to entering into any contract for representation, the department must consult with associate development organizations and other organizations and associations that represent small business, rural industries, and disadvantaged business enterprises.

(9) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to assist people with limited incomes in urban areas of the state start and sustain small businesses. The grant recipient must be a nonprofit organization involving a network of microenterprise organizations and professionals to support micro entrepreneurship and access to economic development resources.

(10) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization whose sole purpose is to provide grants, capacity building, and technical assistance support to a network of microenterprise development organizations. The microenterprise development organizations will support rural and urban Black, indigenous and people of color owned businesses, veteran owned businesses, and limited resourced and other hard to serve businesses with five or fewer employees throughout the state with business training, technical assistance, and microloans.

(11) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a business center that provides confidential, no-cost, one-on-one, client-centered assistance to small businesses to expand outreach in underserved communities, especially Black, indigenous, and people of color-owned businesses, providing targeted assistance where needed. Funding may also be used to collaborate the department, the Washington economic development association, and others to develop a more effective and efficient service delivery system for Washington's women and minority-owned small businesses.

(12) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to strengthen capacity of the keep Washington working act work group established in RCW 43.330.510.

(13) \$7,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to continue to administer the small business innovation and competitiveness fund program created in section 128(167), chapter 297, Laws of 2022 (ESSB 5693). The department may prioritize projects that received conditional awards in the 2021-2023 fiscal biennium but were not funded due to the project's inability to be substantially completed by June 30, 2023.

(14) \$2,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to administer grants to businesses and nonprofits in the arts, heritage, and science sectors, including those that operate live entertainment venues, to provide bridge funding for continued recovery from the COVID-19 pandemic and related economic impacts. The department must develop criteria for successful grant applications in coordination with the Washington state arts commission.

(15) \$352,000 of the climate commitment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(16) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an associate development organization located in Thurston county to provide a training curriculum to assist small businesses in scaling up to reach their next tier of operations. The contract recipient may use the funding for costs including, but not

limited to, curriculum materials, trainers, and follow up coaching and mentorship in multiple languages.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract for technical assistance programs focused on assisting small minority, women, and veteran-owned businesses in south King and Pierce counties. The contract recipient must be a nonprofit organization located in Tukwila that provides educational and business assistance for underserved and minority groups, with a focus on the African American community. The department must provide a preliminary report on program outcomes by June 30, 2024, and a final report by June 30, 2025, to the relevant committees of the legislature. The preliminary and final reports must include outcome data including, but not limited to, the number of events or workshops provided, the number of businesses served, and ownership and other demographics of businesses served.

(18) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with a nonprofit organization to conduct workforce and economic development activities serving the south Puget Sound region. The contract recipient must be a nongovernmental nonprofit organization located in Federal Way that has been in operation for at least 10 years and whose mission is to develop resources to enhance the economy of the south sound region by facilitating innovation, job creation, and the growth and development of businesses.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide grant funding to a nonprofit biotech incubator and science research center located in the city of Tacoma. The grant funding is to provide support for programs aimed at increasing workforce readiness and entrepreneurship in the life sciences, with a focus on promoting access to science, technology, engineering, and math careers for individuals from underserved communities.

(20) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to associate development organizations pursuant to Substitute House Bill No. 1783 (grant writers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(21) \$9,000,000 of the statewide tourism marketing account—state appropriation is provided solely for the statewide tourism marketing program and operation of the statewide tourism marketing authority pursuant to chapter 43.384 RCW.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to renew licenses for cloud-based business engagement tools for state agencies and local workforce and economic development boards, and to procure additional licenses for state agency procurement professionals, to assist in complying with the department of enterprise services supplier diversity policy effective April 1, 2023.

(23) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for activities related to securing federal funding from programs created by or funded through federal legislation including, but not limited to, the inflation reduction act, P.L. 117-169; the chips and science act, P.L. 117-167; and the infrastructure investment and jobs act, P.L. 117-58. Funding provided under this subsection may be used to support regional and locally led initiatives seeking federal funding, to provide technical support for application development and grant writing, to conduct economic analysis of various sectors, and other activities the department deems necessary for the state and partners with the state to compete for federal funds.

(24) \$877,000 of the general fund—state appropriation for fiscal year 2024 and \$878,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5096 (employee ownership). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$409,000 of the general fund—state appropriation for fiscal year 2024 and \$411,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5269 (manufacturing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to support activities related to cooperation with governmental and public agencies of the Republic of Finland, the Kingdom of Sweden, and the Kingdom of Norway. Eligible activities include, but are not limited to, cooperation in clean energy, clean technology, clean transportation, telecommunications, agriculture and wood science technology, general economic development, and other areas of mutual interest with Nordic nations and institutions.

(27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Bellingham based nonprofit that assists entrepreneurs to create, build, and grow businesses in northwest Washington to help establish a network of innovation border centers for entrepreneurs and innovative small businesses between Seattle and the Canadian border.

(28) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop strategies for cooperation with governmental agencies of Vietnam, including higher education institutions, and organizations around the following:

(i) Trade and investment, including, but not limited to, the agriculture, information technology, food processing, manufacturing, and textile industries;

(ii) Combating climate change, including, but not limited to, cooperation on clean energy, clean transportation, and climate-smart agriculture; and

(iii) Academic and cultural exchange.

(b) By June 30, 2024, the department must provide a report on the use of funds in this subsection, any key metrics and deliverables, and any recommendations for further opportunities for collaboration.

(29) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide an economic development grant to a nongovernmental organization established in Federal Way, in operation for at least 30 years, whose primary focus is the economic development of the greater Federal Way region, in order to provide assessment for the development of innovation campuses in identified economic corridors.

(30) \$200,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a grant to a Tacoma based automotive museum as businesses assistance to address COVID-19 pandemic impacts to revenues from decreased attendance and loss of other revenue generating opportunities.

(31) \$2,500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely to expand the industrial symbiosis program and create a circular economy market development program. At least 20 percent of the amount provided in this section must be prioritized to benefit individuals in overburdened communities.

(32) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state public stadium authority to modernize interior stadium infrastructure. Funding is provided to improve operational infrastructure such that stadium can accommodate and attract mega events benefiting the state. Improvements will include, but are not limited to, installing new seating, improving ADA access, upgrading hospitality features, and making security enhancements.

(33) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide grants to eligible sports commissions to support activities promoting sports tourism, sporting events, and tournaments, and fostering economic and community development.

(b) An "eligible sports commission" under this subsection means an entity whose primary purpose is to promote tourism through hosting sporting events in Washington state. Entities may be independent nonprofit organizations or a division of a regional or national convention or visitors bureau.

(c) The department must develop application criteria and eligible uses of funds for the grant program.

(d) In determining the distribution of grant awards under this subsection, the department may allocate funds in proportion to the population of the county or counties in which the eligible sports commission conducts its activities.

(e) The department must develop reporting requirements for grant recipients, including but not limited to how grant funds are used. All grant recipients must report back to the department by June 30, 2025.

(34) \$250,000 of the climate commitment account—state appropriation for fiscal year 2025 shall take effect January 1, 2025, and is provided solely for a study or studies to assess strategies necessary for the state of Washington to engage in the offshore wind supply chain. The study may address public infrastructure needed for manufacturing, assembly, and transport of supply chain components, and an assessment of workforce needs and community benefits. The department shall submit a summary of the status or findings of studies funded in this subsection to the governor and appropriate committees of the legislature by June 30, 2025.

(35) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Seattle-based nonprofit organization that functions as a workforce development intermediary to connect low-income individuals with living-wage jobs. Funding may be used to provide entry level assistance for 28 low-income mariners.

(36) \$184,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nongovernmental organization whose primary focus is community and economic development in downtown Renton to provide holistic navigation and education services.

(37) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Tacoma-based nonprofit organization that provides access and education through the arts to provide business training, technical assistance, and other services to emerging creative and cultural entrepreneurs.

(38) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the city of Seattle to lease space for nonprofit and academic institutions to incubate technology business startups, especially those focusing on artificial intelligence and develop and teach curricula to skill up workers to use artificial intelligence as a business resource.

(39) \$1,339,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the innovation cluster accelerator program.

Funding provided in this subsection may only be used to develop and maintain clusters that aim to reduce and mitigate impacts from greenhouse gases in overburdened communities, deploy renewable energy resources, increase energy efficiency or reduction, or other permissible uses pursuant to RCW 70A.65.260.

**Sec. 130.** 2023 c 475 s 132 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—ENERGY AND INNOVATION**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$140,959,000))
	\$6,641,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$141,187,000))
	\$6,937,000
General Fund—Federal Appropriation . . . . .	(((\$39,461,000))
	\$325,724,000
General Fund—Private/Local Appropriation . . . . .	\$34,000
Building Code Council Account—State Appropriation . . . . .	\$13,000
Climate Commitment Account—State Appropriation . . . . .	(((\$52,611,000))
	\$233,599,000
Community and Economic Development Fee Account—State Appropriation . . . . .	\$160,000
Electric Vehicle Incentive Account—State Appropriation . . . . .	\$50,000,000
Low-Income Weatherization and Structural Rehabilitation Assistance Account—State Appropriation . . . . .	\$1,399,000
Natural Climate Solutions Account—State Appropriation . . . . .	(((\$167,000))
	\$1,167,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$425,991,000))</b>
	<b>\$625,674,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is authorized to require an applicant to pay an application fee to cover the cost of reviewing the project and preparing an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets.

(2) (a) \$50,000,000 of the electric vehicle incentive account—state appropriation is provided solely for the department to implement programs and incentives that promote the purchase of or conversion to alternative fuel vehicles. The department must work with the interagency electric vehicle coordinating council to develop and implement alternative fuel vehicle programs and incentives.

(b) In developing and implementing programs and incentives under this subsection, the department must prioritize programs and incentives that:

(i) Will serve individuals living in an overburdened community, as defined in RCW 70A.02.010;

(ii) Will serve individuals who are in greatest need of this assistance in order to reduce the carbon emissions and other environmental impacts of their current mode of transportation in the overburdened community in which they live; and

(iii) Will serve low-income communities, communities with the greatest health disparities, and communities of color that are most likely to receive the greatest health benefits from the programs through a reduction in greenhouse gas emissions and other pollutants that will result in improved groundwater and stormwater quality, improved air quality, and reductions in noise pollution.

(3) ~~(((\$69,000,000 of the general fund state appropriation for fiscal year 2024 and \$69,000,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the development of community electric vehicle charging infrastructure.~~

~~(a) Funding provided in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state.~~

~~(b) Projects that receive funding under this section must be implemented by, or include partners from, one or more of the following: Local governments, federally recognized tribal governments, or public and private electrical utilities that serve retail customers in the state.~~

~~(c) Grant funding must be used for level 2 or higher charging infrastructure and related costs including but not limited to construction and site improvements. Projects may include a robust public and private outreach plan that includes engaging with affected parties in conjunction with the new electric vehicle infrastructure.~~

~~(d) The department must prioritize funding for projects in the following order:~~

- ~~(i) Multifamily housing;~~
- ~~(ii) Publicly available charging at any location;~~
- ~~(iii) Schools and school districts;~~
- ~~(iv) State and local government buildings and office buildings;~~
- ~~(v) All other eligible projects.~~

~~(c) The department must coordinate with other electrification programs, including projects developed by the department of transportation, to determine the most effective distribution of the systems. The department must also collaborate with the interagency electric vehicle coordinating council established in RCW 43.392.030 to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022.~~

~~(4) \$37,000,000 of the general fund state appropriation for fiscal year 2024 and \$37,000,000 of the general fund state appropriation for fiscal year 2025 are provided solely for grants to increase solar deployment and installation of battery storage in community buildings to enhance grid resiliency and provide backup power for critical needs, such as plug load and refrigeration for medication, during outages or to provide incentives to support electric utility demand response programs that include customer-sited solar and battery storage systems. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities. For the purposes of this subsection "community buildings" means K-12 schools, community colleges, community centers, recreation centers, libraries, tribal buildings, state and local government buildings, and other publicly owned infrastructure.~~

~~(5) \$19,500,000 of the general fund state appropriation for fiscal year 2024 and \$19,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely for a grant program to provide solar and battery storage community solar projects for public assistance organizations serving low-income communities. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities.~~

~~(a) Grants are not to exceed 100 percent of the cost of the project, taking into account any federal tax credits or other federal or nonfederal grants or incentives that the project is benefiting from.~~

~~(b) Priority must be given to projects sited on "preferred sites" such as rooftops, structures, existing impervious surfaces, landfills, brownfields, previously developed sites, irrigation canals and ponds, storm water collection ponds, industrial areas, dual-use solar projects that ensure ongoing agricultural operations, and other sites that do not displace critical habitat or productive farmland.~~

~~(c) For the purposes of this subsection "low-income" has the same meaning as provided in RCW 19.405.020 and "community solar project" means a solar energy system that: Has a direct current nameplate capacity that is greater than 12 kilowatts but no greater than 1,000 kilowatts; and has, at minimum, either two subscribers or one low-income service provider subscriber.~~

~~(6) \$8,500,000 of the general fund state appropriation for fiscal year 2024 and \$8,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely to build a mapping and forecasting tool that provides locations and information on charging and refueling infrastructure as required in chapter 300, Laws of 2021 (zero emissions transp.). The department shall collaborate with the interagency electric vehicle coordinating council established in chapter 182, Laws of 2022 (transportation resources) when developing the tool and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).~~

~~(7)) \$10,000,000 of the climate commitment account—state appropriation is provided solely for grants to support port districts, counties, cities, towns, special purpose districts, any other municipal corporations or quasi-municipal corporations, and tribes to support siting and permitting of clean energy projects in the state. Eligible uses of grant funding provided in this section include supporting predevelopment work for sites intended for clean energy projects, land use studies, conducting or engaging in planning efforts such as planned actions and programmatic environmental impact statements, and staff to improve permit timeliness and certainty.~~

~~((+8)) (4) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more of the western national laboratories, or a similar independent research organization, in consultation with state and federal energy agencies, stakeholders, and relevant utilities, to conduct an analysis for new electricity generation, transmission, ancillary services, efficiency and storage sufficient to offset those presently provided by the lower Snake river dams. The analysis should include a list of requirements for a replacement portfolio that diversifies and improves the resilience and maintains the reliability and adequacy of the electric power system, is consistent with the state's statutory and regulatory requirements for clean electricity generation, and is supplementary to the resources that will be required to replace fossil fuels in the electrical generation, transportation, industry, and buildings sectors. The department and its contractor's assessment will include quantitative analysis based on available data as well as qualitative input gathered from tribal and other governments, the Northwest power and conservation council, relevant utilities, and other key stakeholders. The analysis must include the following:~~

~~(i) Expected trends for demand, and distinct scenarios that examine potential outcomes for electricity demand, generation, and storage technologies development, land use and land use constraints, and cost through 2050, as well as the most recent analysis of future resource adequacy and reliability;~~

~~(ii) A resource portfolio approach in which a combination of commercially available generating resources, energy efficiency, conservation, and demand response programs, transmission resources, and other programs and resources that would be necessary~~

prerequisites to replace the power and grid reliability services otherwise provided by the lower Snake river dams and the time frame needed to put those resources into operation;

(iii) Identification of generation and transmission siting options consistent with the overall replacement resource portfolio, in coordination with other state processes and requirements supporting the planning of clean energy and transmission siting;

(iv) An evaluation of alternatives for the development, ownership and operation of the replacement resource portfolio;

(v) Examination of possible impacts and opportunities that might result from the renewal of the Columbia river treaty, revisions of the Bonneville power administration preference contracts, implementation of the western resource adequacy program (WRAP), and other changes in operation and governance of the regional electric power system, consistent with statutory and regulatory requirements of the clean energy transformation act;

(vi) Identification of revenue and payment structures sufficient to maintain reliable and affordable electricity supplies for ratepayers, with emphasis on overburdened communities;

(vii) Development of distinct scenarios that examine different potential cost and timeline potentials for development and implementation of identified generation and transmission needs and options including planning, permitting, design, and construction, including relevant federal authorities, consistent with the statutory and regulatory requirements of the clean energy transformation act;

(viii) Quantification of impacts to greenhouse gas emissions including life-cycle emissions analysis associated with implementation of identified generation and transmission needs and options including (A) planning, permitting, design, and construction, and, if relevant, emissions associated with the acquisition of non-Washington state domestic or foreign sources of electricity, and (B) any additional operations of existing fossil-fueled generating resources; and

(ix) An inventory of electricity demand by state-owned or operated facilities and information needed to complete a request for proposals (RFP) to satisfy this demand through new nonhydro renewable energy generation and/or conservation.

(b) The department shall, to the extent determined practicable, consider related analyses undertaken by the federal government as part of the Columbia river system operation stay of litigation agreed to in *National Wildlife Federation et al. v. National Marine Fisheries Service et al.* in October 2021.

(c) The department shall provide a status update to the energy and environment committees of the legislature and governor's office by December 31, 2024.

~~((9))~~ (5) \$10,664,000 of the climate commitment account—state appropriation is provided solely for the department to administer a pilot program to provide grants and technical assistance to support planning, redevelopment, and installation of commercial, dual-use solar power demonstration projects. Eligible grant recipients may include, but are not limited to, nonprofit organizations, public entities, and federally recognized tribes.

~~((10))~~ (6) \$20,592,000 of the climate commitment account—state appropriation is provided solely for the department to administer a grant program to assist owners of public buildings in covering the costs of conducting an investment grade energy audit for those buildings. Public buildings include those owned by state and local governments, tribes, and school districts.

~~((11))~~ (7) (a) \$300,000 of the climate commitment account—state appropriation is provided solely for the department to develop recommendations on a design for a statewide energy assistance program to address the energy burden and provide access to energy assistance for low-income households. The department may contract with a third-party entity to complete the work required in this subsection.

(b) The recommendations must include considerations for data collection on the energy burden and assistance need of households, universal intake coordination and data sharing across statewide programs serving low-income households, program eligibility, enrollment, multilingual services, outreach and community engagement, program administration, funding, and reporting.

(c) By January 1, 2024, the department must submit a report with the recommendations to the appropriate committees of the legislature.

~~((12))~~ (8) \$250,000 of the climate commitment account—state appropriation is provided solely for a grant to a nonprofit for a smart buildings education program to educate building owners and operators about smart building practices and technologies, including the development of onsite and digital trainings that detail how to operate residential and commercial facilities in an energy efficient manner. The grant recipient must be located in a city with a population of more than 700,000 and must serve anyone within Washington with an interest in better understanding energy efficiency in commercial and institutional buildings.

~~((13))~~ (9) \$111,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((14))~~ (10) \$3,152,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((15))~~ (11) \$167,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170

(climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(16))~~ (12) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to convene stakeholders and plan for a statewide energy rebate navigator aimed at assisting residential and small commercial buildings, with priority for buildings owned or occupied by low-income, Black, indigenous, and people of color and converting overburdened communities to clean energy. Of this amount:

(a) \$50,000 of the climate commitment account—state appropriation is for the department to convene a summit of stakeholders around building energy topics related to the development of a statewide energy rebate navigator, including initial and ongoing guidance regarding program design and implementation. The summit should develop recommendations for the program to improve and grow, addressing gaps in program design and implementation, outreach into overburdened communities, HEAL Act compliance, workforce development issues, and contractor needs.

(b) \$200,000 of the climate commitment account—state appropriation is for statewide rebate navigator evaluation and project planning, which shall include:

(i) Evaluation of how technical assistance can focus on serving Black, indigenous, and people of color, and low-income communities;

(ii) Research of existing data and software solutions the state can leverage to provide a one-stop-shop for energy improvements;

(iii) Evaluation of program delivery models to optimize energy service delivery, including realizing economies of scale and reaching high rates of penetration in overburdened communities, indigenous communities, and communities of color;

(iv) Evaluation and cultivation of potential program implementers who are qualified to deliver navigator program services, including community energy efficiency program grantees; and

(v) Evaluation and cultivation of qualified potential energy services providers, including providers owned by Black, indigenous, and people of color, utility trade ally programs, and weatherization plus health weatherization agencies.

~~((17))~~ (13) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(18))~~ (14) \$93,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(19))~~ (15) (a) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a third-party entity to conduct a study that analyzes how the economic impact of oil refining in Washington state is likely to impact Washington's refineries, refinery workers, and refinery communities. By December 31, 2024, the report must be distributed to the energy and environment committees of the state legislature.

(b) The study required in (a) of this subsection must include:

(i) An overview of Washington's five oil refineries including: Location, age, workforce demographics, direct and indirect jobs connected with the industry, health and environmental impacts, local tax revenues paid by refineries, and primary and secondary products and markets;

(ii) A summary of projected scenarios for Washington refineries' primary markets, taking into account realistic, real world outcomes, given existing mandated decarbonization targets, feedstock availability, and statutes that impact Washington refinery products;

(iii) A summary of anticipated short-term, medium-term, and long-term economic viability of the five Washington oil refineries based on refinery product demand forecasts as outlined in (b) (ii) of this subsection;

(iv) A forecast of direct and indirect effects of the projected petroleum decline, including indirect employment impacts, the geography of those impacts, and impacts to local jurisdictions, utilities, ports, and special purpose districts from reduction in tax revenues, and impacts to local nonprofits and community programs from the refining industry;

(v) An assessment of potential future uses of refinery sites that include energy industrial, nonenergy industrial, heavy manufacturing, and industrial symbiosis, including an assessment of previously closed refinery sites throughout the United States and current use of those sites. Each potential future use shall be assessed and include data regarding: Greenhouse gas emissions, local pollution and environmental health, direct and indirect employment benefits, estimated tax impacts, potential costs to Washington residents, and feasibility based on relevant market trends; and an assessment of previously closed refinery sites throughout the United States and current use of those sites;

(vi) The competitive position of Washington refineries to produce alternative fuels consistent with Washington's emissions reductions defined in RCW 70A.45.020, the anticipated regional, national, and global demand for these fuels between 2023 and 2050; and the likely employment, tax, environmental, cultural, and treaty impacts of refinery conversion to these alternative fuels;

(vii) An identification of refinery workers' skillsets, potential alternative sectors and industries of employment, an assessment and comparison of total compensation and benefit packages including retirement and health care programs of current and alternative jobs,



impacts to apprenticeship utilization, and the current and expected availability of those jobs in Pierce, Skagit, and Whatcom counties;

(viii) A land and water remediation analysis; including cost estimates, current terrestrial and aquatic pollution mapping, an overview of existing policies and regulations that determine accountability for cleanup and identifies gaps that may leave local and state taxpayers financially liable, and an assessment of the workforce and skills required for potential cleanup;

(ix) A summary of existing petroleum refining capacity and trends in Washington, the United States, and internationally; and

(x) An assessment of decline or loss of tax revenues supporting state environmental programs including the model toxics control act, the pollution liability insurance agency, and other programs, as well as the decline or loss of transportation gas tax revenues.

(c) The department may require data and analysis from refinery owners and operators to inform the study. Pursuant to RCW 42.56.270, data shared or obtained in the course of this study is not subject to public disclosure. Where unavailable, the department and entity commissioned to complete the study shall rely on the best available public data.

(d) The study must include a robust public engagement process including local and state elected officials, labor groups, fence line communities, port districts, economic development associations, and environmental organizations in Skagit, Whatcom, and Pierce counties, and the five Washington refineries.

(e) The department must offer early, meaningful, and individual consultation with any affected Indian tribe for the purpose of understanding potential impacts to tribal rights and resources including cultural resources, archaeological sites, sacred sites, fisheries, and human health.

~~((21))~~ (16) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((22))~~ (17) \$1,000,000 of the climate commitment account—state appropriation is provided solely for a grant to the Yakama Nation for an advanced rail energy storage project.

(18) \$800,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely to contract with a nonprofit entity to serve as a Washington state green bank. The funds are to be used to match federal funds available for green bank development to support development of sustainable and clean energy financing solutions within Washington.

(19)(a) \$1,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to build an internet web portal that provides a centralized location for grant seekers to find all state and federal grant and incentive opportunities in the energy, climate, and clean technology sectors. The portal shall include, but is not limited to, an interactive internet website that is launched to include, at a minimum, information identifying every grant administered by the state and incentive opportunities that will provide clean energy and climate assistance. The department, in consultation with the governor's office, shall ensure that the internet website is accessible and provides helpful information to a diverse set of potential applicants including, but not limited to, nonprofit and community-based organizations, and other entities that are working to support and benefit tribes, rural communities, and vulnerable and overburdened communities.

(b) Within the amounts provided in (a) of this subsection, the department must establish a marketing and outreach campaign that makes information about funding opportunities widely available and easy to understand, encouraging more people and organizations to participate. The department shall work with consultants and third-party administrators to identify a range of groups including tribes, vulnerable and overburdened communities, rural communities, local governments, businesses of all sizes, households, nonprofits, educational institutions, and the clean energy developers and clean tech manufacturers that would benefit from state and federal funding available for clean energy projects. The campaign shall include a comprehensive marketing and outreach strategy, using various ways to communicate, ensuring all materials are clear, simple, and available in multiple languages, and employing best practices for communicating with diverse and underserved communities. The department, along with selected partners and third-party administrators, shall work with organizations directly serving these communities to extend the reach of these communications, with a goal of directing at least 25 percent of the marketing and outreach funds expended to benefit vulnerable populations in overburdened communities.

(20)(a) \$5,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to administer a program to assist community-based organizations, local governments, ports, tribes, and other entities to access federal tax incentives and grants. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit organizations, and for-profit businesses. The department shall prioritize assistance that benefits vulnerable populations in overburdened communities, with a goal of directing at least 25 percent of funds to this purpose.

(b) Within the amounts provided in (a) of this subsection, the department must contract with a nonprofit organization to provide the following services:

(i) Development of tax guidance resources for clean energy tax credits, including core legal documents to be used broadly across stakeholders;

(ii) Providing tailored marketing materials for these resources targeting underserved entities; and

(iii) Providing funds to subcontract with clean energy tax attorneys to pilot office hours style support available to eligible entities across the state.

(21)(a) \$2,500,000 of the climate commitment account—state appropriation is provided solely for the department to support a tribal clean energy innovation and training center in partnership and colocated at Northwest Indian College. The center aims to support tribal energy goals and pursue clean energy deployment opportunities that enhance tribal energy sovereignty and well-being among tribes.

(b) Activities of the center include, but are not limited to: (i) Developing technical training offerings that could build the tribal workforce pipeline, especially in emerging technologies like geothermal heat pumps and hydrogen technologies, and provide economic development opportunities and resources to the region; (ii) researching and demonstrating the feasibility of innovative clean energy technologies that protect the environment; and (iii) creating a model for tribal clean energy centers that can be adopted by other tribal colleges in the region to establish clean energy deployment and land use best practices built on tribal knowledge.

(22) \$3,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to administer a grant program to assist community-based organizations, local governments, ports, tribes, and other entities to author federal grant applications and to provide support for federal grant reporting for entities that receive federal grants. The department will determine a process for prioritizing applicants, including first time or underserved applicants, tribes, and rural areas of the state. The state may also partner with third-party administrators and regional and local partners, such as associate development organizations and other local nonprofits to ensure equitable access to resources. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit organizations, and for-profit businesses. The department shall prioritize grants that provide benefit to vulnerable populations in overburdened communities, with a goal of directing at least 25 percent of funds to this purpose.

(23) \$539,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to develop plans to test hydrogen combustion and resulting nitrogen oxides (NOx) emissions, technical assistance for strategic end uses of hydrogen, a feasibility assessment regarding underground storage of hydrogen in Washington, and an environmental justice toolkit for hydrogen projects.

(24) \$3,500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide and facilitate access to energy assistance programs, including incentives, energy audits, and rebate programs to retrofit homes and small businesses.

(25) \$750,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide technical assistance and education materials to help counties establish effective commercial property assessed clean energy and resiliency (C-PACER) programs.

(26) \$3,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to establish a Washington clean energy ambassadors program as a part of the clean energy community decarbonization expansion of the clean energy fund. This program will offer education, planning, technical assistance, and community engagement across the state. Ambassadors will link local entities with resources and best practices to enable clean energy access for all communities and promote a just transition to a net-zero economy. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined under RCW 70A.02.010. This program must:

(a) Identify a pilot cohort of intermediary organizations;

(b) Recruit and train clean energy ambassadors;

(c) Host community energy and resilience educational events and workshops; and

(d) Provide technical assistance to help governments, community-based organizations, businesses, and communities obtain clean energy resources.

(27) \$150,000,000 of the climate commitment account—state appropriation is provided solely for the department to provide grants for public and private electric utilities to provide one-time bill rebates for low-income and moderate-income residential electricity customers in the amount of \$200 per household. Funding shall be prioritized for customers that have participated in the low-income home energy assistance program or ratepayer-funded assistance programs. Utilities may, but are not required to, work with community action agencies to administer these funds following the eligibility criteria for the low-income home energy assistance program. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Each utility shall disburse funds directly to customer accounts by December 31, 2024, and adhere to program communications guidelines provided by the department. Utilities may account for and recover in rates administrative costs associated with the disbursement of funds provided in this subsection.

(28) \$350,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the authority to contract with Tacoma power, to conduct a feasibility study, including scoping project costs, on pumped storage at Tacoma

power's Mossyrock dam. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(29) \$1,000,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide grants to the following public utility districts for the costs of relocating utilities necessitated by fish barrier removal projects: Clallam, Grays Harbor, Jefferson, Kittitas, Mason public utility district no. 1, Mason public utility district no. 2, Skagit, and Thurston.

(30) \$182,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for wildfire recovery costs from the Gray wildfire that impacted the city of Medical Lake. Recovery costs include procurement of water for firefighting, restoration of water and sewer infrastructure, replacement of water meters, emergency sewer capping, and various other costs associated with wildfire recovery.

(31) \$250,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide a grant to a nonprofit entity that represents the maritime industry to publish a strategic framework regarding the production, supply, and use of sustainable maritime fuels and deployment of low and zero-emissions vessel technologies in Washington. Funding under this subsection may be used for activities including, but not limited to, convening stakeholders and building organizational capacity. Stakeholder engagement pursuant to this subsection shall include, at a minimum, engagement with federal and state agencies, ports, industry, labor, research institutions, nongovernmental organizations, and relevant federally recognized tribes. The department shall submit a copy of its strategic framework and findings to the legislature in accordance with RCW 43.01.036 by June 30, 2025.

(32) \$500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide a grant to the Muckleshoot Indian tribe for high-speed charging stations for electric vehicles on highway 164 near Dogwood street.

(33) \$150,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to the smart building center education program to develop a qualified energy manager training program. The program must be available on demand and at no cost to the owners and operators of all tier 2 buildings to assist in complying with Washington's clean buildings performance standards.

(34) \$150,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to conduct up to three feasibility studies that will investigate the expansion of sewer heat recovery programs and pilots, within Washington state, to support decarbonization of the built environment. The feasibility studies will explore and review sewer heat recovery systems' potential benefits, implementation strategies, and necessary considerations to maximize decarbonization. The sites will be selected from the following: Decarbonization of a university campus district steam system, a rural community with agricultural and/or industrial focus, a tribal development, and/or another appropriate site.

(35) (a) \$500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to establish the Washington just and rapid transition climate tech program. The grant will provide funding for the recruitment, development, business training, and support of underserved climate technology innovators, entrepreneurs, and organizations developing or deploying solutions in the areas of renewable energy, energy efficiency, sustainable transportation, and other technology solving for the environmental challenges facing overburdened communities in Washington.

(b) Activities may include supporting entrepreneurs in preparing for private investment; technical assistance for entrepreneurs receiving state directed federal equity and debt capital; assistance accessing or leveraging the use of federal funding; business coaching and mentoring; and connections to technical and business resources.

(c) The grant recipient must be a nonprofit organization that has been awarded, from the state of Washington, federal state small business credit initiative funds for investment in Washington climate tech entrepreneurs, and must also have experience managing investment funding and providing entrepreneurial support programs and federal funding assistance to early-stage climate start-ups and businesses based in Washington. The grant recipient should have experience providing services to individuals and companies led by individuals from underrepresented groups, including BIPOC, women, and individuals residing in rural communities and have working partnerships with state research universities, climate tech industry associations, and community-based organizations serving underserved communities.

(36) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide a grant for a study on how other states regulate and permit agritourism and bring the advocates of interested groups together to resolve outstanding issues about permitting in agricultural areas, the sale of beer, wine, and cider, and the use of agricultural buildings for agritourism purposes. A report of the findings and recommendations must be submitted to the legislature in accordance with RCW 43.01.036 by June 30, 2025.

(37) \$750,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to the city of Ellensburg for decarbonization planning and implementation. The funding must be used by the city for staff or contractors to develop and implement strategies to comply with the requirements of climate commitment act and decarbonize their natural gas utility.

(38) \$199,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy

resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 131.** 2023 c 475 s 133 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2024)	(( <del>\$26,300,000</del> ))
	<u>\$24,848,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$18,107,000</del> ))
	<u>\$19,893,000</u>
General Fund—Federal Appropriation	(( <del>\$7,822,000</del> ))
	<u>\$7,875,000</u>
General Fund—Private/Local Appropriation	(( <del>\$2,055,000</del> ))
	<u>\$2,073,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$5,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	\$7,000
Affordable Housing for All Account—State Appropriation	(( <del>\$184,000</del> ))
	<u>\$186,000</u>
Building Code Council Account—State Appropriation	\$4,000
<u>Climate Commitment Account—State Appropriation</u>	<u>\$253,000</u>
Community and Economic Development Fee Account—State Appropriation	(( <del>\$241,000</del> ))
	<u>\$246,000</u>
<u>Coronavirus State Fiscal Recovery Fund—Federal Appropriation</u>	<u>\$300,000</u>
Economic Development Strategic Reserve Account—State Appropriation	\$47,000
Energy Efficiency Account—State Appropriation	\$20,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation	\$47,000
Growth Management Planning and Environmental Review Fund—State Appropriation	\$147,000
Home Security Fund Account—State Appropriation	(( <del>\$1,401,000</del> ))
	<u>\$1,413,000</u>
Lead Paint Account—State Appropriation	\$29,000
Liquor Excise Tax Account—State Appropriation	\$398,000
Liquor Revolving Account—State Appropriation	\$17,000
Low-Income Weatherization and Structural Rehabilitation Assistance Account—State Appropriation	\$10,000
Public Facilities Construction Loan Revolving Account—State Appropriation	(( <del>\$320,000</del> ))
	<u>\$323,000</u>
Public Works Assistance Account—State Appropriation	(( <del>\$2,005,000</del> ))
	<u>\$2,016,000</u>
Washington Housing Trust Account—State Appropriation	(( <del>\$1,141,000</del> ))
	<u>\$1,155,000</u>
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$60,307,000</del>))</b>
	<b><u>\$61,312,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants and associated technical assistance and administrative costs to foster collaborative partnerships that expand child care capacity in communities. Eligible applicants include nonprofit organizations, school districts, educational service districts, and local governments. These funds may be expended only after the approval of the director of the department of commerce and must be used to support planning and activities that help communities address the shortage of child care, prioritizing partnerships serving in whole or in part areas identified as child care access deserts. The department must submit a report to the legislature on the use of funds by June 30, 2025. The report shall include, but is not limited to:

- (a) The number and location of organizations, school districts, educational service districts, and local governments receiving grants;
- (b) The number of grants issued and their size; and
- (c) Any information from grantee organizations on outcomes.

(2) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Vancouver that is the lead organization in a

collaborative partnership to expand child care capacity in southwest Washington, for activities that will increase access to affordable, high-quality child care and help meet community needs.

(3) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the work group created in section 916 of this act to examine fire service delivery.

(4) (a) \$30,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to produce a study of the retirement preparedness of Washington residents and the feasibility of establishing a portable individual retirement account savings program with automatic enrollment (auto-IRA) for private sector workers who do not have workplace retirement benefits. To conduct the study, the department shall enter into an agreement with a nonprofit, nonpartisan think tank and research center based in Washington, D.C. that is unaffiliated with any institution of higher education and with a mission to generate a foundation of facts that enriches the public dialog and supports sound decision making. This research center will be responsible for the production of the study to the department. The center shall not be reimbursed for costs nor shall it receive or retain any of the funds. With the advice and consent of the department, the center may select a research institution, entity, or individual located in Washington state with expertise and proficiency in demographic analysis, retirement systems, or retirement planning to collaborate with on this study. The appropriation may be used by the department to enter into a contract with this partner entity for the partner entity's contributions to the study. Any funds not provided to the partner entity or otherwise unused shall be returned.

(b) The study must analyze current state and federal programs and recent state and federal statutory and rule changes that encourage citizens to save for retirement by participating in retirement savings plans, including plans pursuant to sections 401(k), 403(b), 408, 408(a), 408(k), 408(p), and 457(b) of the internal revenue code. The scope of the analysis must include:

(i) An examination of potential retirement savings options for self-employed individuals, part-time employees, and full-time employees whose employers do not offer a retirement savings plan;

(ii) Estimates of the impact on the state budget from shortfalls in retirement savings or income, including on public budgets from taxpayer-financed elderly assistance programs and a loss of economic activity by seniors;

(iii) The level of interest by private sector Washington employers in participating in an auto-IRA program;

(iv) A determination of how prepared financial institutions will be to offer these plans in compliance with federal requirements on all new retirement plans going into effect in 2025;

(v) Findings that clarify the gaps in retirement savings services currently offered by financial institutions;

(vi) An examination of the impact of retirement savings on income and wealth inequality;

(vii) An estimate of the costs to start up an auto-IRA program, an estimate of the time for the program to reach self-sufficiency, and potential funding options;

(viii) The experience of other states that have implemented or are implementing a similar auto-IRA program for employers and employees, as well as program impacts on the market for retirement plan products and services;

(ix) An evaluation of the feasibility and benefits of interstate partnerships and cooperative agreements with similar auto-IRA programs established in other jurisdictions, including contracting with another state to use that state's auto-IRA program, partnering with one or more states to create a joint auto-IRA program, or forming a consortium with one or more other states in which certain aspects of each state's auto-IRA program are combined for administrative convenience and efficiency;

(x) An assessment of potential changes in enrollment in a joint auto-IRA program if potential participants are concurrently enrolled in the federal "saver's credit" program;

(xi) An assessment of how a range of individuals or communities view wealth, as well as ways to accumulate assets;

(xii) The appropriate state agency and potential structure for implementing an auto-IRA program; and

(xiii) Recommendations for statutory changes or appropriations for establishing an auto-IRA program.

(c) By December 15, 2023, the department must submit a report to the appropriate committees of the legislature in compliance with RCW 43.01.036 on the study findings.

(5) \$253,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided for the department to incorporate equity and environmental justice into agency grant programs with the goal of reducing programmatic barriers to vulnerable populations in overburdened communities in accessing department funds. The department shall prioritize grant programs receiving funds from the accounts established under RCW 70A.65.080, 70A.65.240, 70A.65.250, and 70A.65.260.

**Sec. 132.** 2023 c 475 s 134 (uncodified) is amended to read as follows:

**FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL**

General Fund—State Appropriation (FY 2024)	(( <del>\$973,000</del> ))
	\$1,155,000
General Fund—State Appropriation (FY 2025)	(( <del>\$1,040,000</del> ))
	\$1,027,000

Lottery Administrative Account—State Appropriation. . . . .	\$50,000
<b>TOTAL APPROPRIATION</b> .....	<b><u>(\$2,063,000)</u></b>
	<b><u>\$2,232,000</u></b>

**Sec. 133.** 2023 c 475 s 135 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund—State Appropriation (FY 2024). . . . .	<del>(( \$19,943,000))</del>
	<u>\$19,813,000</u>
General Fund—State Appropriation (FY 2025). . . . .	<del>(( \$21,286,000))</del>
	<u>\$21,843,000</u>
General Fund—Federal Appropriation. . . . .	\$38,384,000
General Fund—Private/Local Appropriation. . . . .	<del>(( \$1,499,000))</del>
	<u>\$3,943,000</u>
Climate Investment Account—State Appropriation. . . . .	<del>(( \$909,000))</del>
	<u>\$811,000</u>
Climate Commitment Account—State Appropriation. . . . .	\$4,485,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation. . . . .	\$656,000
<del>((Economic Development Strategic Reserve Account—State Appropriation. . . . .</del>	<del>(\$68,000))</del>
Personnel Service Account—State Appropriation. . . . .	<del>(( \$26,815,000))</del>
	<u>\$27,021,000</u>
Higher Education Personnel Services Account—State Appropriation. . . . .	\$1,497,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation. . . . .	\$300,000
Statewide Information Technology System Development Revolving Account—State Appropriation. . . . .	<del>(( \$105,745,000))</del>
	<u>\$200,453,000</u>
Office of Financial Management Central Service Account—State Appropriation. . . . .	<del>(( \$30,929,000))</del>
	<u>\$31,786,000</u>
<del>((Performance Audits of Government Account— State Appropriation. . . . .</del>	<del>\$108,000</del>
<del>Workforce Education Investment Account—State Appropriation. . . . .</del>	<del>\$100,000))</del>
<b>TOTAL APPROPRIATION</b> .....	<b><u>(\$252,724,000)</u></b>
	<b><u>\$350,992,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) The student achievement council and all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW shall ensure that data needed to analyze and evaluate the effectiveness of state financial aid programs are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

- (i) The number of Washington college grant and college bound recipients;
- (ii) Persistence and completion rates of Washington college grant recipients and college bound recipients, disaggregated by institution of higher education;
- (iii) Washington college grant recipients grade point averages; and
- (iv) Washington college grant and college bound scholarship program costs.

(b) The student achievement council shall submit student unit record data for state financial aid program applicants and recipients to the education data center.

(2) ~~(( \$100,000 of the workforce education investment account state appropriation is provided solely to the office of financial management to implement career connected learning.~~

~~(3)) (a) (( \$105,607,000)) \$200,312,000 of the information technology system development revolving account—state appropriation is provided solely for the one Washington enterprise resource planning statewide program phase 1A (agency financial reporting system replacement) and is subject to the conditions, limitations, and review requirements of section 701 of this act.~~

(b) Of the amount provided in this subsection:

(i) ~~(( \$41,000,000))~~ \$64,780,000 of the information technology system development revolving account—state appropriation is provided solely for a technology pool ~~((in fiscal year 2024))~~ to pay for phase 1A (agency financial reporting system replacement—core financials) state agency costs due to legacy system remediation work associated with impacted financial systems and interfaces. The office of financial management must manage the pool, authorize funds, track costs by agency by fiscal month, and report after each fiscal month close on the agency spending to the consolidated technology services agency so that the spending is included in the statewide dashboard actual spending;

(ii) \$5,650,000 of the information technology system development revolving account—state appropriation is provided solely for organizational change management;

(iii) ~~(( \$690,000))~~ \$1,380,000 of the information technology system development revolving account—state appropriation is provided solely for an interagency agreement ~~((in fiscal year~~

2024)) with consolidated technology services for one dedicated information technology consultant and two dedicated system architect staff to be contracted from the office of the chief information officer. These staff will work with state agencies to ensure preparation and timely decommission of information technology systems that will no longer be necessary post implementation of phase 1A (agency financial reporting system replacement—core financials); and

(iv) \$1,854,000 of the information technology system development revolving account—state appropriation is provided solely for dedicated back office administrative support in fiscal year 2024. This includes resources for human resource staff, contract staff, information technology staff, and fiscal staff.

(c) The one Washington team must include at least the chair and ranking member of the technology committees and fiscal committees of the senate and house of representatives in system demonstrations of at least these key deliverables:

(i) Demonstration of integration build, which must be completed by July 31, 2023; and

(ii) Demonstration of workday tenant, which must be completed by November 30, 2023.

(d) The one Washington solution and team must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of two-week sprints.

(e) The one Washington solution must be capable of being continually updated, as necessary.

(f) Beginning July 1, 2023, the office of financial management shall provide written quarterly reports, within 30 calendar days of the end of each fiscal quarter, to legislative fiscal committees and the legislative evaluation and accountability program committee to include how funding was spent compared to the budget spending plan for the prior quarter by fiscal month and what the ensuing quarter budget will be by fiscal month. All reporting must be separated by phase of one Washington subprojects. The written report must also include:

(i) A list of quantifiable deliverables accomplished and amount spent associated with each deliverable, by fiscal month;

(ii) A report on the contract full-time equivalent charged compared to the budget spending plan by month for each contracted vendor, to include interagency agreements with other state agencies, and what the ensuing contract equivalent budget spending plan assumes by fiscal month;

(iii) A report identifying each state agency that applied for and received technology pool resources, the staffing equivalent used, and the cost by fiscal month by agency compared to the budget spending plan by fiscal month;

(iv) A report on budget spending plan by fiscal month by phase compared to actual spending by fiscal month, and the projected spending plan by fiscal month for the ensuing quarter; and

(v) A report on current financial office performance metrics that at least 10 state agencies use, to include the monthly performance data, that began July 1, 2021.

(g) Prior to the expenditure of the amounts provided in this subsection, the director of the office of financial management must review and approve the spending in writing.

(h) The legislature intends to provide additional funding for fiscal year 2025 costs for phase 1A (agency financial reporting system replacement) to be completed, which is scheduled to be done by June 30, 2025.

~~((4))~~ (3) \$250,000 of the office of financial management central services account—state appropriation is provided solely for a dedicated information technology budget staff for the work associated with statewide information technology projects that at least are subject to the conditions, limitations, and review requirements of section 701 of this act and are under the oversight of the office of the chief information officer. The staff will be responsible for providing a monthly financial report after each fiscal month close to fiscal staff of the senate ways and means and house appropriations committees to reflect at least:

(a) Fund balance of the information technology pool account after each fiscal month close;

(b) Amount by information technology project, differentiated if in the technology pool or the agency budget, of what funding has been approved to date and for the last fiscal month;

(c) Amount by agency of what funding has been approved to date and for the last fiscal month;

(d) Total amount approved to date, differentiated if in the technology pool or the agency budget, and for the last fiscal month;

(e) A projection for the information technology pool account by fiscal month through the 2023-2025 fiscal biennium close, and a calculation spent to date as a percentage of the total appropriation;

(f) A projection of each information technology project spending compared to budget spending plan by fiscal month through the 2023-2025 fiscal biennium, and a calculation of amount spent to date as a percentage of total project cost; and

(g) A list of agencies and projects that have not yet applied for nor been approved for funding by the office of financial management.

~~((5))~~ (4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 245, Laws of 2022 (state boards, etc./stipends).

~~((6) \$137,000)~~ (5) \$39,000 of the climate investment account—state appropriation is provided solely for the office of financial management to complete an analysis of laws regulating greenhouse gas emissions as required by RCW 70A.65.200(10).

~~((7))~~ (6) \$3,060,000 of the general fund—federal appropriation and \$4,485,000 of the climate commitment account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ A minimum of 60 percent of climate service corps positions created pursuant to the bill shall be provided to members of vulnerable populations in overburdened communities as defined in RCW 70A.65.010, the climate commitment act.

~~((8))~~ (7) \$366,000 of the office of financial management central services account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5512 (higher ed. financial reports). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~(9))~~ (8) Within existing resources, the labor relations section shall produce a report annually on workforce data and trends for the previous fiscal year. At a minimum, the report must include a workforce profile; information on employee compensation, including salaries and cost of overtime; and information on retention, including average length of service and workforce turnover.

~~((10))~~ (9) \$298,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of financial management to convene a task force created in section 913 of this act to identify, plan, and make recommendations on the conversion of the Naselle youth camp property and facilities to an alternate use. Staff support for the task force must be provided by the office of financial management.

~~((11))~~ (10) Within existing resources, the office of financial management shall convene a work group with the goal to improve the state salary survey and provide employees with a voice in the process. The work group shall consist of five employees from the office of financial management, five representatives from employee labor organizations to act as a coalition on behalf of all labor organizations representing state employees, and one chairperson appointed by the director of the office of financial management, to share information and identify concerns with the state salary survey and benchmark job descriptions. By December 31, 2023, the work group shall provide a report of identified concerns to the fiscal and state government committees of the legislature and the director of the office of financial management.

~~((12))~~ (11) (a) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$615,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to establish a difficult to discharge task force to oversee a pilot program and make recommendations about how to address challenges faced with discharging patients from acute care settings and postacute care capacity by July 1, 2023.

(b) The task force shall consist of six members, one from each of the following:

- (i) The governor's office;
- (ii) The health care authority;
- (iii) The department of social and health services;
- (iv) The Washington state hospital association;
- (v) Harborview medical center; and
- (vi) Postacute care provider organizations.

(c) In consultation with stakeholder groups, the governor's office will identify task force members.

(d) The task force shall provide recommendations to the governor and appropriate committees of the legislature on topics including, but not limited to:

(i) Pilot program implementation and evaluation, and recommendations for statewide implementation;

- (ii) Available funding mechanisms;
- (iii) Postacute care and administrative day rates;
- (iv) Managed care contracting; and
- (v) Legal, regulatory, and administrative barriers to discharge.

(e) The task force shall consult with stakeholders with relevant expertise to inform recommendations, including the health care authority, the department of social and health services, hospitals, postacute care providers, and medicaid managed care organizations.

(f) The task force may assemble ad hoc subgroups of stakeholders as necessary to complete its work.

(g) The task force and its operations, including any associated ad hoc subgroups, shall be organized and facilitated by the University of Washington through October 31, 2023. Beginning November 1, 2023, the office shall identify a contractor to undertake the following responsibilities, with oversight from the task force:

- (i) Organization and facilitation of the task force, including any associated subgroups;
- (ii) Management of task force process to ensure deliverables, including report writing;
- (iii) Oversight of the launch of a ~~((five-site,))~~ two-year pilot project based on a model created by Harborview medical center by November 1, 2023; and
- (iv) Coordination of pilot implementation, associated reports, and deliverables.

(h) The task force shall provide recommendations to the governor and appropriate committees of the legislature outlining its initial recommendations by November 1, 2023. A report outlining interim recommendations and findings shall be provided by July 1, 2024, and a final report shall be provided by July 1, 2025.

~~((13))~~ (12) \$277,000 of the office of financial management central services account—state appropriation is provided solely for implementation of House Bill No. 1679 (student homelessness group). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~



~~(14))~~(13) \$772,000 of the climate investment account—state appropriation is provided solely for the office to develop a data portal and other materials and strategies to improve public and community understanding of expenditures, funding opportunities, and grants, from climate commitment act accounts. The development of the data portal must be coordinated with the department of ecology and the expenditure tracking process described in section 302(13) of this act. "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, the air quality and health disparities improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

~~((15))~~(14)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a joint legislative and executive committee on behavioral health, with members as provided in this subsection:

(i) The president of the senate shall appoint three legislative members, including a chair of a senate committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(ii) The speaker of the house of representatives shall appoint three legislative members, including a chair of a house committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(iii) The governor or his or her designee;

(iv) The secretary of the department of social and health services or his or her designee;

(v) The director of the health care authority or his or her designee;

(vi) The insurance commissioner or his or her designee;

(vii) The secretary of the department of health or his or her designee; and

(viii) The secretary of the department of children, youth, and families or his or her designee;

(ix) Other agency directors or designees as necessary; and

(x) Two individuals representing the interests of individuals living with behavioral health conditions.

(b)(i) The committee must convene by September 1, 2023, and shall meet at least quarterly. Cochairs shall be one legislative member selected by members of the committee at the first meeting and the representative of the governor's office. All meetings are open to the public.

(ii) The office of financial management shall contract or hire dedicated staff to facilitate and provide staff support to the nonlegislative members and for facilitation and project management support of the committee. Senate committee services and the house of representatives office of program research shall provide staff support to the legislative members of the committee. The contractor shall support the work of all members of the committee, legislative and nonlegislative.

(iii) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate.

(c) The purpose of the committee is to identify key strategic actions to improve access to behavioral health services, by conducting at least, but not limited to, the following tasks:

(i) Establishing a profile of Washington's current population and its behavioral health needs and a projection of population growth and anticipated need through 2028;

(ii) Establishing an inventory of existing and anticipated behavioral health services and supports for adults, children, and youth, including health care providers and facilities;

(iii) Assessing the areas of the current system where additional support is needed for Washington's current population;

(iv) Establishing an anticipated inventory of future services and supports that will be required to meet the behavioral health needs of the population in 2028 and beyond with a specific emphasis on prevention, early intervention, and home or community-based capacity designed to reduce reliance on emergency, criminal legal, crisis, and involuntary services;

(v) Reviewing the integrated care initiative on access to timely and appropriate behavioral health services for individuals with acute behavioral health needs; and

(vi)(A) Developing a strategy of actions that the state may take to prepare for the future demographic trends in the population and building the necessary capacity to meet these demands, including but not limited to:

(I) Exploring the role that education, housing and homelessness response systems, the criminal legal system, primary health care, and insurance systems have in the identification and treatment of behavioral health issues;

(II) Evaluating behavioral health workforce demand and workforce education, training, and continuing education requirements; and

(III) Statutory and regulatory changes to promote the most efficient use of resources, such as simplifying administrative procedures, facilitating access to services and supports systems, and improving transitions between care settings.

(B) Strategies must:

(I) Be based on explicit and measurable actions;  
 (II) Identify what must be done, by whom, and by when to assure implementation;  
 (III) Estimate a cost to the party responsible for implementation;  
 (IV) Recommend specific fiscal strategies that rely predominately on state and federal funding;

(V) Include recommendations for needed and appropriate additional caseload forecasting for state-funded behavioral health services; and

(VI) Incorporate and reconcile, where necessary, recommendations from past and current behavioral health work groups created by the legislature and network adequacy standards established by the health care authority.

(d) The committee shall incorporate input from the office of the insurance commissioner, the caseload forecast council, the health care authority, and other appropriate entities with specialized knowledge of the needs and growth trends of the population and people with behavioral health issues. In the conduct of its business, the committee shall have access, upon request, to health-related data available to state agencies by statute, as allowed by state and federal law. All requested data or other relevant information maintained by an agency shall be provided in a timely manner.

(e) The committee shall submit a sustainable five-year plan to substantially improve access to behavioral health for all Washington residents to the governor, the office of financial management, and the legislature by June 1, 2025.

~~((16))~~ (15) The office of financial management must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((17))~~ (16) \$300,000 of the statewide 988 behavioral health crisis response and suicide prevention line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(17) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the purchase and distribution of accessible technology and devices to support the employment and reasonable accommodation for state employees with disabilities. The office may use funds to purchase accessible technology and devices or the office may provide funds to agencies that employ persons with a disability to purchase accessibility devices such as screen readers, large button/print equipment, magnifiers, accessibility software, and other equipment.

(18) (a) \$274,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to conduct an analysis of health care services for pregnancy-related health care, including preconception, prenatal, labor and delivery, and postpartum care. With regard to these types of services, the analysis shall include, but not be limited to:

(i) Access to services and disparities in access;

(ii) Cost;

(iii) Location and type of provider; and

(iv) Demographics of patients and providers.

(b) The office of financial management shall submit a report to the governor and the appropriate committees of the legislature by June 30, 2025. The report shall include the analysis in (a) of this subsection and must identify and represent the following information in both table and geographical map view:

(i) Community and hospital birth centers by name, city, and county;

(ii) Annual births by geographical location to include community and hospital birth center, if known;

(iii) Greatest gaps in service using data in this subsection.

(c) The report required in (b) of this subsection must also include any recommendations for how to fill the gaps in service identified in the data and any recommendations for future analysis.

(19) \$298,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to convene a task force created in section 905 of this act to identify, plan, and make recommendations on the future use of the Larch corrections center property and facilities to an alternate use. Staff support for the task force must be provided by the office of financial management.

(20) (a) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a third party to complete market research on incarcerated individual communication rates in the United States. The market research must include:

(i) Detail by state on the amount each state pays to the vendor contracted to provide communication service rates and rate structures for incarcerated individuals at discrete points of time to include, at least, January 1, 2024, January 1, 2020, and January 1, 2015 for, at least but not limited to:

(A) Voice communication;

(B) Video communication;

(C) Email communication; and

(D) Text messaging communication;

(ii) The amount families paid in total for a state's contracted telecom vendor each state fiscal year for at least fiscal years 2018, 2019, 2020, 2021, 2022, and 2023;

(iii) Comparative market research analysis on rate structures over time, how those rates compare to the telecommunication fees over the same time, and how the market is anticipated to change by calendar year from calendar year 2024 through calendar year 2030;

(iv) Analysis on how many states provide at least voice communication services or any other communication services free of charge to the person initiating and the person receiving the communication and what calendar date that began; and

(v) Comparative analysis of any impacted rate structures, and at least those in (a)(i) of this subsection, before communication services are made free of charge to the person initiating and the person receiving the communication compared to the new negotiated rate structures, and at least those in (a)(i) of this subsection, after communication services are made free of charge to the person initiating and the person receiving the communication.

(b) The report must be submitted to the governor and the appropriate committees of the legislature by December 31, 2024.

**Sec. 134.** 2023 c 475 s 136 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

Administrative Hearings Revolving Account—State	
Appropriation. . . . .	(( <del>\$72,194,000</del> ))
	\$76,179,000
Administrative Hearings Revolving Account—Local	
Appropriation. . . . .	\$12,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$72,206,000</del>))</b>
	<b>\$76,191,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$597,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(2) \$80,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$34,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$61,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$2,487,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

**Sec. 135.** 2023 c 475 s 137 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE LOTTERY**

Lottery Administrative Account—State Appropriation. . . . .	(( <del>\$32,896,000</del> ))
	\$32,906,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$32,896,000</del>))</b>
	<b>\$32,906,000</b>

The appropriation in this section is subject to the following conditions and limitations:

(1) No portion of this appropriation may be used for acquisition of gaming system capabilities that violate state law.

(2) Pursuant to RCW 67.70.040, the commission shall take such action necessary to reduce retail commissions to an average of 5.1 percent of sales.

**Sec. 136.** 2023 c 475 s 138 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON HISPANIC AFFAIRS**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$1,494,000</del> ))
	\$1,495,000
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$1,347,000</del> ))
	\$1,346,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$2,841,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

(i) Conduct a detailed analysis of the opportunity gap for Hispanic and Latinx students;

(ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and

(iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to gang youth intervention specialists for a pilot program within high schools in Washington. Grants may be provided without using a competitive selection process.

**Sec. 137.** 2023 c 475 s 139 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS**

General Fund—State Appropriation (FY 2024)	(((\$660,000))
	<u>\$661,000</u>
General Fund—State Appropriation (FY 2025)	\$662,000
<b>TOTAL APPROPRIATION</b>	<b><u>(\$1,322,000)</u></b>
	<u>\$1,323,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

(i) Conduct a detailed analysis of the opportunity gap for African American and Black students;

(ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators, as identified in the state's every student succeeds act consolidated plan; and

(iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

**Sec. 138.** 2023 c 475 s 140 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS**

General Fund—State Appropriation (FY 2024)	\$387,000
Department of Retirement Systems Expense Account— State Appropriation	(((\$115,088,000))
	<u>\$116,700,000</u>
<b>TOTAL APPROPRIATION</b>	<b><u>(\$115,475,000)</u></b>
	<u>\$117,087,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$34,491,000 of the department of retirement systems expense account—state appropriation is provided solely for pension system modernization, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$143,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1007 (military service credits). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$1,172,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5538 (postretirement nursing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$1,058,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1056 (postretirement employment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$199,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1055 (public safety telecommunicators). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$536,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1481 (tribal peace officers/LEOFF). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(7) \$116,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(8) \$265,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6197 (LEOFF plan 2 provisions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 139.** 2023 c 475 s 141 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF REVENUE**

General Fund—State Appropriation (FY 2024) . . . . .	(\$427,926,000))
	\$358,211,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$436,344,000))
	\$395,095,000
Climate Commitment Account—State Appropriation . . . . .	\$895,000
Timber Tax Distribution Account—State Appropriation . . . . .	(\$8,095,000))
	\$8,099,000
Business License Account—State Appropriation . . . . .	(\$19,774,000))
	\$19,790,000
Waste Reduction, Recycling, and Litter Control Account—State Appropriation . . . . .	\$183,000
Model Toxics Control Operating Account—State Appropriation . . . . .	\$127,000
Financial Services Regulation Account—State Appropriation . . . . .	\$5,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$898,344,000))</b>
	<b>\$787,400,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,669,000 of the general fund—state appropriation for fiscal year 2024 and \$1,661,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 196, Laws of 2021 (capital gains tax).

(2) (~~(\$251,639,000)~~)\$181,639,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$263,768,000)~~)\$221,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 195, Laws of 2021 (working families tax exempt.). Of the total amounts provided in this subsection:

(a) \$16,639,000 of the general fund—state appropriation for fiscal year 2024 and \$15,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administration of the working families tax exemption program; and

(b) (~~(\$235,000,000)~~)\$165,000,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$248,000,000)~~)\$206,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for remittances under the working families tax exemption program.

(3) \$2,408,000 of the general fund—state appropriation for fiscal year 2024, \$780,000 of the general fund—state appropriation for fiscal year 2025, and \$895,000 of the climate commitment account—state appropriation are provided solely for the department to implement 2023 revenue legislation.

(4) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop an implementation plan for an online searchable database of all taxes and tax rates in the state for each taxing district. A report summarizing options, estimated costs, and timelines to implement each option must be submitted to the appropriate committees of the legislature by June 30, 2024. The implementation plan must include an array of options, including low cost options that may change the scope of the database. However, each low cost option must still provide ease of public access to state and local tax information that is currently difficult for the public to collect and efficiently navigate.

(5) \$19,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of House Bill No. 1303 (property tax administration). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(6) \$3,639,000 of the general fund—state appropriation for fiscal year 2024 and \$3,582,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1477 (working families' tax credit). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(7) \$48,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(8) \$31,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5565 (tax and revenue laws). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(9) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to research and analyze wealth taxes imposed in other countries and wealth tax legislation recently proposed by other states and the United States. At a minimum, the

department must examine how existing and proposed wealth taxes are structured, compliance and administrative challenges of wealth taxes, best practices in the design and administration of wealth taxes, and potential data sources to aid the department in estimating the revenue impacts of future wealth tax proposals for this state or assisting the department in the administration of a wealth tax. As part of its examination and analysis, the department must seek to consult with relevant subject matter experts from within and outside of the United States.

(b) The department may contract with one or more institutions of higher education as defined in RCW 28B.10.016 for assistance in carrying out its obligations under this subsection.

(c) The department must submit a status report to the appropriate fiscal committees of the legislature by January 1, 2024, and a final report to the appropriate fiscal committees of the legislature by November 1, 2024. The final report must include the department's findings.

(10) \$42,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(11) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to study how to collect race and ethnicity information from organizations or entities that receive tax preferences, as defined in RCW 43.136.021.

(a) The department may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(b) The department must submit a report to appropriate committees of the legislature by June 30, 2025. The report must include cost and timeline estimates for collecting the race and ethnicity information. The department must consult with the office of equity to ensure that data collection is consistent with other efforts. The report must also include, but is not limited to, the following information:

(i) The cost and time required for the department to revise current reporting requirements to include race and ethnicity data;

(ii) The cost and time required for the department to incorporate the collection of race and ethnicity data into future reporting;

(iii) The cost and time required for the department to incorporate the collection of race and ethnicity data into its existing information technology systems;

(iv) Recommendations on any exclusions from the requirement to report race and ethnicity data; and

(v) Any statutory changes necessary to collect race and ethnicity data.

(12) \$3,000 of the general fund—state appropriation for fiscal year 2024 and \$251,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5334 (affordable housing funding). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(13) \$4,000 of the business license account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5897 (business license services). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) \$12,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5915 (ag. crop products/tax ex.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15) \$16,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6013 (homeownership dev. tax ex.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(16) \$4,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6030 (ADU tax exemptions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(17) \$32,000 of the general fund—state appropriation for fiscal year 2024 and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 6038 (child care tax preference). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(18) \$36,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(19) \$101,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6175 (existing structures/housing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(20) \$4,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6215 (tax and revenue laws). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 140.** 2023 c 475 s 142 (uncodified) is amended to read as follows:  
**FOR THE BOARD OF TAX APPEALS**

General Fund—State Appropriation (FY 2024) . . . . . \$2,810,000

General Fund—State Appropriation (FY 2025) . . . . .	(\$2,808,000))
	<u>\$2,810,000</u>
TOTAL APPROPRIATION.....	(\$5,618,000))
	<u>\$5,620,000</u>

**Sec. 141.** 2023 c 475 s 143 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

General Fund—State Appropriation (FY 2024) . . . . .	\$3,837,000
General Fund—State Appropriation (FY 2025) . . . . .	\$3,799,000
Minority and Women's Business Enterprises Account—	
State Appropriation . . . . .	(\$6,062,000))
	<u>\$6,066,000</u>
TOTAL APPROPRIATION.....	(\$13,698,000))
	<u>\$13,702,000</u>

The appropriations in this section are subject to the following conditions and limitations:

- (1) The office of minority and women's business enterprises shall consult with the Washington state office of equity on the Washington state toolkit for equity in public spending.
- (2) \$540,000 of the general fund—state appropriation for fiscal year 2024 and \$529,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)
- (3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$151,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a policy analyst position.
- (4) \$941,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to expand its outreach and communications department.

**Sec. 142.** 2023 c 475 s 144 (uncodified) is amended to read as follows:  
**FOR THE INSURANCE COMMISSIONER**

General Fund—Federal Appropriation . . . . .	\$4,723,000
Insurance Commissioner's Regulatory Account—State	
Appropriation . . . . .	(\$79,157,000))
	<u>\$80,799,000</u>
Insurance Commissioner's Fraud Account—State	
Appropriation . . . . .	(\$4,269,000))
	<u>\$4,270,000</u>
TOTAL APPROPRIATION.....	(\$88,149,000))
	<u>\$89,792,000</u>

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5242 (abortion cost sharing). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)
- (2) \$63,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of House Bill No. 1120 (annuity transactions). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)
- (3) \$72,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5036 (audio-only telemedicine). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)
- (4) \$55,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5300 (behavioral health continuity). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)
- (5) \$19,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)
- (6) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5396 (breast exam cost sharing). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)
- (7) \$260,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 87, Laws of 2023 (SSB 5338).
- (8) \$1,206,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5066 (health care benefit managers). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(9) \$9,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 16, Laws of 2023 (SSB 5729).

(10) \$272,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5581 (maternal support services). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$237,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 42, Laws of 2023 (SB 5319).

(12) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5720 (risk mitigation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(13) (a) ~~(\$500,000)~~ \$700,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner, in collaboration with the office of the attorney general, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state, including but not limited to the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.

(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The office of the insurance commissioner and office of the attorney general shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

(14) \$190,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 27, Laws of 2023 (SHB 1266).

(15) \$66,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1222 (hearing instruments coverage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(16) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 21, Laws of 2023 (HB 1061).

(17) \$14,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute House Bill No. 1060 (mutual insurer reorg.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$132,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) (a) ~~(\$250,000)~~ \$50,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for an analysis of how health plans define, cover, and reimburse for maternity care services, including prenatal, delivery, and postpartum care. The commissioner shall:

(i) Obtain necessary information regarding health plans offered by carriers with more than one percent accident and health market share based upon the commissioner's most recent annual market information report and health plans offered to public employees under chapter 41.05 RCW to evaluate:

(A) How health plan benefit designs define maternity care services;



(B) Whether and to what extent maternity care services are subject to deductibles and other cost-sharing requirements;

(C) Which maternity care services are considered preventive services under section 2713 of the federal public health service act and are therefore exempt from cost sharing;

(D) The five most used maternity care reimbursement methodologies used by each carrier; and

(E) With respect to reimbursement methodologies that bundle payment for maternity care services, which specific services are included in the bundled payment;

(ii) Estimate the total and per member per month impact on health plan rates of eliminating cost sharing for maternity care services in full, or for prenatal care only, for the following markets:

(A) Individual health plans other than Cascade select plans;

(B) Cascade select health plans;

(C) Small group health plans;

(D) Large group health plans;

(E) Health plans offered to public employees under chapter 41.05 RCW; and

(F) All health plans in the aggregate; and

(iii) Submit a report on the findings and cost estimate to the appropriate committees of the legislature by July 1, 2024.

(b) The commissioner may contract for all or a portion of the analysis required in this subsection.

(20) \$86,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5821 (audio-only telemedicine). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$549,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(22) \$228,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5936 (palliative care work group). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(23) \$195,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(24) \$316,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$212,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5213 (pharmacy benefit managers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(26) \$12,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6127 (HIV prophylaxis). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 143.** 2023 c 475 s 145 (uncodified) is amended to read as follows:

**FOR THE STATE INVESTMENT BOARD**

State Investment Board Expense Account—State

Appropriation. . . . . ((\$83,426,000))

\$83,455,000

TOTAL APPROPRIATION.....(((\$83,426,000))

\$83,455,000

The appropriation in this section is subject to the following conditions and limitations: \$41,000 of the state investment board expense account—state appropriation is provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

**Sec. 144.** 2023 c 475 s 146 (uncodified) is amended to read as follows:

**FOR THE LIQUOR AND CANNABIS BOARD**

General Fund—State Appropriation (FY 2024). . . . . ((\$2,383,000))

\$2,478,000

General Fund—State Appropriation (FY 2025). . . . . ((\$850,000))

\$1,609,000

General Fund—Federal Appropriation. . . . . \$3,187,000

General Fund—Private/Local Appropriation. . . . . \$75,000

Dedicated Cannabis Account—State Appropriation

(FY 2024). . . . . \$13,481,000

Dedicated Cannabis Account—State Appropriation

(FY 2025). . . . . ((\$14,041,000))

	\$14,055,000
Liquor Revolving Account—State Appropriation. . . . .	(((\$124,765,000))
	<u>\$126,603,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$158,782,000))</b>
	<b><u>\$161,488,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The liquor and cannabis board may require electronic payment of the cannabis excise tax levied by RCW 69.50.535. The liquor and cannabis board may allow a waiver to the electronic payment requirement for good cause as provided by rule.

(2) Of the liquor revolving account—state appropriation, \$35,278,000 is provided solely for the modernization of regulatory systems and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$1,526,000 of the liquor revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin).

(5) \$250,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$159,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC).

(6) ~~(((\$1,527,000))~~ \$1,622,000 of the general fund—state appropriation for fiscal year 2024, ~~\$357,000 of the general fund—state appropriation for fiscal year 2025,~~ \$2,255,000 of the dedicated cannabis account—state appropriation for fiscal year 2024, and \$1,463,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity).

(7) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the liquor and cannabis board to conduct an agency analysis of commercial tobacco and vaping enforcement actions from fiscal year 2018 through fiscal year 2022 involving youth under the age of 18. This analysis shall be submitted to the appropriate committees of the legislature by December 1, 2023, and must include:

- (a) The total number of such interactions by fiscal year;
- (b) Information on the nature of those interactions;
- (c) How many interactions convert to administrative violation notices (AVNs);
- (d) How many of those interactions and AVNs convert to retailer education and violations;

and  
(e) Descriptions of training for liquor and cannabis board officers, and the number of officers trained on interacting with youth, particularly LGBTQ youth and youth of color.

(8) \$4,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5365 (vapor and tobacco/minors). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$225,000 of the liquor revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1731 (short-term rentals/liquor). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$99,000 of the liquor revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$93,000 of the general fund—state appropriation is provided solely for implementation of Senate Bill No. 6133 (cannabis retail robberies). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$245,000 of the general fund—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5376 (cannabis waste). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$929,000 of the liquor revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5291 (liquor licenses). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) \$63,000 of the general fund—state appropriation is provided solely for implementation of Senate Bill No. 6271 (cannabis excise tax/THC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 145.** 2023 c 475 s 147 (uncodified) is amended to read as follows:

**FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	\$1,201,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$1,201,000))
	<u>\$1,276,000</u>
Public Service Revolving Account—State Appropriation. . . . .	(((\$65,664,000))
	<u>\$66,168,000</u>
Public Service Revolving Account—Federal	

Appropriation. . . . .	\$100,000
Pipeline Safety Account—State Appropriation. . . . .	\$3,769,000
Pipeline Safety Account—Federal Appropriation. . . . .	\$3,404,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$75,339,000)</u></b>
	<b><u>\$75,918,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to \$800,000 of the public service revolving account—state appropriation in this section is for the utilities and transportation commission to supplement funds committed by a telecommunications company to expand rural broadband service on behalf of an eligible governmental entity. The amount in this subsection represents payments collected by the utilities and transportation commission pursuant to the Qwest performance assurance plan.

(2) \$43,000 of the public service revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(3) \$100,000 of the public service revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(4) \$67,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(5) \$57,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(6) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(7) \$497,000 of the public service revolving account—state appropriation is provided solely for staff to advance the state's objectives for better transmission planning, organized electric power markets or similar regional power coordination, and expanded regional and interregional transmission capacity.

(8) (a) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to report to the legislature with information and recommendations for updating the statutes pertaining to the universal communications services program as described in chapter 80.36 RCW. The report must include:

(i) How the program has been utilized and audited since fiscal year 2022;

(ii) The most efficient and cost-effective technologies available to meet the state's broadband goals in rural areas;

(iii) The ways in which this program can work with the Washington state broadband office to ensure that appropriations for this program are additive and not duplicative to the office's broadband goals and how new technologies would help meet those goals;

(iv) The ways in which these dollars have been used to leverage federal funding;

(v) A list of other sources of state and federal funding that are available to maintain and repair existing broadband infrastructure;

(vi) How changes to the federal universal services fund could impact the provision of telecommunications services in Washington state; and

(vii) Any additional relevant information regarding the benefits of continuing this program that would be helpful for future appropriation decisions.

(b) The report is due to the appropriate committees of the legislature in accordance with RCW 43.01.036 by December 1, 2024.

**Sec. 146.** 2023 c 475 s 148 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**

General Fund—State Appropriation (FY 2024). . . . .	(( <u>\$16,490,000</u> ))
	<u>\$16,782,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <u>\$16,446,000</u> ))
	<u>\$16,947,000</u>
General Fund—Federal Appropriation. . . . .	(( <u>\$146,122,000</u> ))
	<u>\$146,290,000</u>
911 Account—State Appropriation. . . . .	\$54,306,000
Disaster Response Account—State Appropriation. . . . .	(( <u>\$59,466,000</u> ))
	<u>\$62,179,000</u>
Disaster Response Account—Federal Appropriation. . . . .	(( <u>\$1,184,618,000</u> ))
	<u>\$1,905,454,000</u>
Military Department Rent and Lease Account—State Appropriation. . . . .	\$1,009,000
Military Department Active State Service Account— State Appropriation. . . . .	\$400,000
Natural Climate Solutions Account—State	

Appropriation. . . . .	\$113,000
Oil Spill Prevention Account—State Appropriation. . . . .	\$1,040,000
Worker and Community Right to Know Fund—State Appropriation. . . . .	\$2,042,000
<b>TOTAL APPROPRIATION.....</b>	<b>(\$1,482,052,000)</b>
	<b>\$2,206,562,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees by February 1st and October 31st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2023-2025 fiscal biennium based on current revenue and expenditure patterns.

(2) \$40,000,000 of the general fund—federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) \$11,000,000 of the 911 account—state appropriation is provided solely for financial assistance to counties.

(4) \$784,000 of the disaster response account—state appropriation is provided solely for fire suppression training, equipment, and supporting costs to national guard soldiers and airmen.

~~(5) ((\$386,000 of the military department rental and lease account state appropriation is provided solely for maintenance staff.~~

~~(6))~~ (6) \$876,000 of the disaster response account—state appropriation is provided solely for a dedicated access and functional needs program manager, access and functional need services, and a dedicated tribal liaison to assist with disaster preparedness and response.

~~((7))~~ (6) \$136,000 of the general fund—state appropriation for fiscal year 2024 and \$132,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(8))~~ (7) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to Whatcom county for disaster relief and recovery activities in response to the November 2021 flooding and mudslides presidentially-declared disaster.

~~((9))~~ (8) \$625,000 of the general fund—state appropriation for fiscal year 2024 and \$625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1728 (statewide resiliency program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(10))~~ (9) \$113,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(11))~~ (10)(a) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to administer grants to local governments and federally recognized tribes for costs to respond to community needs during periods of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke.

(b) To qualify for a grant under (a) of this subsection, a local government or federally recognized tribe must:

(i) Be located in a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, as determined by the department;

(ii) Have demonstrated a lack of local resources to address community needs; and

(iii) Have incurred eligible costs as described in (c) of this subsection for the benefit of vulnerable populations.

(c) Costs eligible for reimbursement under (a) of this subsection include:

(i) Establishing and operating warming and cooling centers, including rental of equipment, purchase of supplies and water, staffing, and other associated costs;

(ii) Transporting individuals and their pets to warming and cooling centers;

(iii) Purchasing fans or other supplies needed for cooling of congregate living settings;

(iv) Providing emergency temporary housing such as rental of a hotel or convention center;

(v) Retrofitting or establishing facilities within warming and cooling centers that are pet friendly in order to permit individuals to evacuate with their pets; and

(vi) Other activities necessary for life safety during a period of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke, as determined by the department.

~~((12))~~ (11) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(12) \$23,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5803 (national guard recruitment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$132,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6164 (county emergency management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 147.** 2023 c 475 s 149 (uncodified) is amended to read as follows:

**FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	\$2,594,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$2,625,000</del> ))
	<u>\$2,659,000</u>
Personnel Service Account—State Appropriation . . . . .	\$4,825,000
Higher Education Personnel Services Account—State Appropriation . . . . .	\$1,629,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$11,673,000</del>))</b>
	<b><u>\$11,707,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$98,000 of the higher education personnel services account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(2) \$34,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6194 (legislative employee bargaining). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 148.** 2023 c 475 s 150 (uncodified) is amended to read as follows:

**FOR THE BOARD OF ACCOUNTANCY**

Certified Public Accountants' Account—State Appropriation . . . . .	(( <del>\$4,770,000</del> ))
	<u>\$5,119,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$4,770,000</del>))</b>
	<b><u>\$5,119,000</u></b>

**Sec. 149.** 2023 c 475 s 151 (uncodified) is amended to read as follows:

**FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**

Volunteer Firefighters' and Reserve Officers' Administrative Account—State Appropriation . . . . .	(( <del>\$3,533,000</del> ))
	<u>\$3,625,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$3,533,000</del>))</b>
	<b><u>\$3,625,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:  
~~((~~\$1,128,000~~))~~ (1) \$2,403,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for a benefits management system, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$91,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for contracting for small agency budget and accounting services with the department of enterprise services.

**Sec. 150.** 2023 c 475 s 152 (uncodified) is amended to read as follows:

**FOR THE FORENSIC INVESTIGATION COUNCIL**

Death Investigations Account—State Appropriation . . . . .	(( <del>\$822,000</del> ))
	<u>\$821,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$822,000</del>))</b>
	<b><u>\$821,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$250,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(b) Of the amount provided in this subsection, \$30,000 of the death investigations account—state appropriation is provided solely for the Adams county crime lab to investigate a double homicide that occurred in fiscal year 2021.

(2) \$210,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

(3) Within the amount appropriated in this section, the forensic investigation council may enter into an interagency agreement with the department of enterprise services for the department to provide services related to public records requests, to include responding to, or assisting the council in responding to, public disclosure requests received by the council.

Sec. 151. 2023 c 475 s 153 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$14,819,000</del> ))
	<u>\$15,268,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$13,426,000</del> ))
	<u>\$14,686,000</u>
General Fund—Private/Local Appropriation . . . . .	\$102,000
Building Code Council Account—State Appropriation . . . . .	(( <del>\$2,583,000</del> ))
	<u>\$2,584,000</u>
<u>Climate Commitment Account—State Appropriation . . . . .</u>	<u>\$500,000</u>
Electric Vehicle Incentive Account—State Appropriation . . . . .	\$1,722,000
Natural Climate Solutions Account—State Appropriation . . . . .	\$7,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$39,652,000</del>))</b>
	<b><u>\$41,862,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$6,970,000~~))\$7,010,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$6,894,000~~))\$7,028,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of facilities and services charges to include campus rent, parking, security, contracts, public and historic facilities, financial cost recovery, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, legislative support services, and joint legislative systems committee. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall maintain an interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to have all of the same rights of occupancy and space use on the capitol campus as historically established.

(2) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have approval from the director of the department of enterprise services. Agencies that are exempted from the requirement are the Washington state patrol, Washington state department of transportation, and the department of natural resources.

(3) From the fee charged to master contract vendors, the department shall transfer to the office of minority and women's business enterprises in equal monthly installments \$1,500,000 in fiscal year 2024 and \$1,300,000 in fiscal year 2025.

(4) Within existing resources, the department, in collaboration with consolidated technology services, must provide a report to the governor and fiscal committees of the legislative by October 31 of each calendar year that reflects information technology contract information based on a contract snapshot from June 30 of that same calendar year, and must also include any contract that was active since July 1 of the previous calendar year. The department will coordinate to receive contract information for all contracts to include those where the department has delegated authority so that the report includes statewide contract information. The report must contain a list of all information technology contracts to include the agency name, contract number, vendor name, contract term start and end dates, contract dollar amount in total, and contract dollar amounts by state fiscal year. The report must also include, by contract, the contract spending projections by state fiscal year for each ensuing state fiscal year through the contract term, and note the type of service delivered. The list of contracts must be provided electronically in Excel and be sortable by all field requirements. The report must also include trend analytics on information technology contracts, and recommendations for reducing costs where possible.

(5) \$654,000 of the general fund—state appropriation for fiscal year 2024 and \$654,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the state efficiency and environmental performance program, to implement the zero emission vehicle strategy.

(6) \$2,671,000 of the general fund—state appropriation for fiscal year 2024 and \$2,671,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installation. The electric vehicle charging equipment must allow for the collection of usage data and must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities, and at least where zero emission fleet vehicles are or are scheduled to be purchased. The department must report when and where the equipment was installed, usage data at each charging station, and the state agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30. The department shall collaborate with the

interagency electric vehicle coordinating council to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5491 (residential building exits). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(9))~~ (8) \$950,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for security enhancements to the governor's office lobby space and for security enhancement design for the remaining lobby and public spaces in the legislative building on the capitol campus. Enhancement designs must be provided to the senate committee on state government and elections and the house of representatives committee on state government and tribal relations no later than ~~((December 31, 2023))~~ June 30, 2024.

~~((10) \$162,000)~~ (9) \$245,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$162,000))~~ \$247,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to waive rent fees and charges through June 30, 2025, for vendors who are blind business enterprise program licensees by the department of services for the blind and who lease space and operate food service businesses, inclusive of delis, cafeterias, and espresso stands, in state ~~((government buildings))~~ facilities.

~~((11))~~ (10) \$7,000,000 of the natural climate solutions account—state appropriation is provided solely to advance the preferred alternative of the final environmental impact statement for the capitol lake-Deschutes estuary long-term management project completed in October 2022. At a minimum, the department shall:

- (a) Make tangible progress toward the next phase of design and permitting;
- (b) Advance the memorandum of understanding for governance and funding of a restored estuary to an interlocal agreement that will govern long-term management of the restored estuary; and
- (c) Initiate grant funding applications for design and permitting.

~~((12))~~ (11) \$400,000 of the state building code council account—state appropriation is provided solely for additional staffing to support the state building code council's work regarding the Washington state energy code.

~~((13))~~ (12) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$500,000 of the climate commitment account—state appropriation for fiscal year 2025 is provided solely for legal services and fees incurred by the state building code council.

**Sec. 152.** 2023 c 475 s 154 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$4,043,000)) \$4,047,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$4,010,000)) \$4,198,000
General Fund—Federal Appropriation. . . . .	(((\$2,899,000)) \$3,249,000
General Fund—Private/Local Appropriation. . . . .	\$14,000
Climate Commitment Account—State Appropriation. . . . .	\$977,000
<b>TOTAL APPROPRIATION.</b> . . . . .	<b>(((\$11,943,000)) \$12,485,000</b>

The appropriations in this section are subject to the following conditions and limitations:

~~(((\$103,000 of the general fund state appropriation for fiscal year 2024 and \$103,000 of the general fund state appropriation for fiscal year 2025 are provided solely for archaeological determinations and excavations of inadvertently discovered skeletal human remains, and removal and reinterment of such remains when necessary.~~

~~(2))~~ (2) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington main street program.

~~((3))~~ (2) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the black historic sites survey project.

~~((4))~~ (3) \$477,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(5))~~ (4) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(5) \$31,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 153.** 2023 c 475 s 155 (uncodified) is amended to read as follows:

**FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$21,697,000</del> ))
	<u>\$7,623,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$1,700,000</del> ))
	<u>\$30,310,000</u>
<u>General Fund—Federal Appropriation . . . . .</u>	<u>\$134,292,000</u>
Consolidated Technology Services Revolving Account— State Appropriation . . . . .	(( <del>\$124,249,000</del> ))
	<u>\$136,457,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$147,646,000</del>))</b>
	<b><u>\$308,682,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

~~(1) ((\$14,752,000 of the consolidated technology services revolving account state appropriation is provided solely for the office of the chief information officer. Of this amount:~~

~~(a)) \$2,000,000 of the consolidated technology services revolving account—state appropriation is provided solely for experienced information technology project managers to provide critical support to agency IT projects that are under oversight from the office of the chief information officer. The staff or vendors will:~~

~~((i)) (a) Provide master level project management guidance to agency IT stakeholders;~~

~~((ii)) (b) Consider statewide best practices from the public and private sectors, independent review and analysis, vendor management, budget and timing quality assurance and other support of current or past IT projects in at least Washington state and share these with agency IT stakeholders and legislative fiscal staff at least twice annually and post these to the statewide IT dashboard; and~~

~~((iii)) (c) Provide independent recommendations to legislative fiscal committees by December of each calendar year on oversight of IT projects to include opportunities for accountability and performance metrics.~~

~~((b) \$2,960,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.~~

~~(e)) (2) \$2,226,000 of the consolidated technology services revolving account—state appropriation is provided solely for the enterprise data management pilot project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.~~

~~((2)) (3) \$16,890,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of cyber security.~~

~~((3)) (4) \$2,737,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.~~

~~(5) The consolidated technology services agency shall work with customer agencies using the Washington state electronic records vault (WASERV) to identify opportunities to:~~

~~(a) Reduce storage volumes and costs associated with vault records stored beyond the agencies' record retention schedules; and~~

~~(b) Assess a customized service charge as defined in chapter 304, Laws of 2017 for costs of using WASERV to prepare data compilations in response to public records requests.~~

~~((4)) (6) (a) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures must include the following:~~

~~(i) The agency's priority ranking of each information technology request;~~

~~(ii) The estimated cost by fiscal year and by fund for the current biennium;~~

~~(iii) The estimated cost by fiscal year and by fund for the ensuing biennium;~~

~~(iv) The estimated total cost for the current and ensuing biennium;~~

~~(v) The total cost by fiscal year, by fund, and in total, of the information technology project since it began;~~

~~(vi) The estimated cost by fiscal year and by fund over all biennia through implementation and close out and into maintenance and operations;~~

~~(vii) The estimated cost by fiscal year and by fund for service level agreements once the project is implemented;~~

~~(viii) The estimated cost by fiscal year and by fund for agency staffing for maintenance and operations once the project is implemented; and~~

~~(ix) The expected fiscal year when the agency expects to complete the request.~~

~~(b) The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.~~

~~((5)) (7) The consolidated technology services agency must not increase fees charged for existing services without prior approval by the office of financial management. The agency may develop fees to recover the actual cost of new infrastructure to support increased use of cloud technologies.~~

~~((6)) (8) Within existing resources, the agency must provide oversight of state procurement and contracting for information technology goods and services by the department of enterprise services.~~

~~((7)) (9) Within existing resources, the agency must host, administer, and support the state employee directory in an online format to provide public employee contact information.~~

~~((8)) (10) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to~~



establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((9) \$4,508,000))~~ (11) \$7,084,000 of the consolidated technology services revolving account—state appropriation is provided solely for the creation and ongoing delivery of information technology services tailored to the needs of small agencies. The scope of services must include, at a minimum, full-service desktop support, service assistance, security, and consultation.

~~((10) \$75,935,000))~~ (12) \$82,811,000 of the consolidated technology services revolving account—state appropriation is provided solely for the procurement and distribution of Microsoft 365 licenses which must include advanced security features and cloud-based private branch exchange capabilities for state agencies. The office must report annually to fiscal committees of the legislature each December 31, on the count and type of licenses distributed by consolidated technology services to each state agency. The report must also separately report on the count and type of Microsoft 365 licenses that state agencies have in addition to those that are distributed by consolidated technology services so that the total count, type of license, and cost is known for statewide Microsoft 365 licenses.

~~((11))~~ (13) The office of the chief information officer shall maintain an information technology project dashboard that, at minimum, provides updated information each fiscal month on the projects subject to section 701 of this act.

(a) The statewide information technology dashboard must include, at a minimum, the:

- (i) Start date of the project;
- (ii) End date of the project, when the project will close out and implementation will commence;
- (iii) Term of the project in state fiscal years across all biennia to reflect the start of the project through the end of the project;
- (iv) Total project cost from start date through the end date of the project in total dollars, and a subtotal of near general fund outlook;
- (v) Near general fund outlook budget and actual spending in total dollars and by fiscal month for central service agencies that bill out project costs;
- (vi) Start date of maintenance and operations;
- (vii) Estimated annual state fiscal year cost of maintenance and operations after implementation and close out;
- (viii) Actual spending by state fiscal year and in total for state fiscal years that have closed;
- (ix) Date a feasibility study was completed or note if none has been completed to date;
- (x) Monthly project status assessments on scope, schedule, budget, and overall by the:
  - (A) Office of the chief information officer;
  - (B) Quality assurance vendor, if applicable; and
  - (C) Agency project team;
- (xi) Monthly quality assurance reports, if applicable;
- (xii) Monthly office of the chief information officer status reports on budget, scope, schedule, and overall project status; and
- (xiii) Historical project budget and expenditures through fiscal year 2023.

(b) The statewide dashboard must retain a roll up of the entire project cost, including all subprojects, that can display subproject detail. This includes coalition projects that are active. For projects that include multiple agencies or subprojects and roll up, the dashboard must display:

- (i) A separate technology budget and investment plan for each impacted agency; and
- (ii) A statewide project technology budget roll up that includes each affected agency at the subproject level.

(c) The office of the chief information officer may recommend additional elements to include but must have agreement with legislative fiscal committees and the office of financial management prior to including additional elements.

(d) The agency must ensure timely posting of project data on the statewide information technology dashboard for at least each project funded in the budget and those projects subject to the conditions of section 701 of this act to include, at a minimum, posting on the dashboard:

- (i) The budget funded level by project for each project under oversight within 30 calendar days of the budget being signed into law;
- (ii) The project historical expenditures through completed fiscal years by December 31; and
- (iii) Whether each project has completed a feasibility study.

(e) The office of the chief information officer must post to the statewide dashboard a list of funding received by fiscal year by enacted session law, and how much was received citing chapter law as a list of funding provided by fiscal year.

~~((12))~~ (14) Within existing resources, consolidated technology services must collaborate with the department of enterprise services on the annual contract report that provides information technology contract information. Consolidated technology services will:

(a) Provide data to the department of enterprise services annually by September 1 of each year; and

(b) Provide analysis on contract information for all agencies comparing spending across state fiscal years by, at least, the contract spending towers.

~~((13))~~ (15) \$8,666,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of the enterprise cloud computing program as outlined in the December 2020 Washington state cloud readiness report. Funding provided includes, but is not limited to, cloud service broker resources, cloud center of excellence, cloud management tools, a network assessment, cybersecurity governance, and a cloud security roadmap.

~~((14))~~ (16) \$3,498,000 of the consolidated technology services revolving account—state appropriation is provided solely for the implementation of the recommendations of the cloud transition task force report to include:

(a) A cloud readiness program to help agencies plan and prepare for transitioning to cloud computing;

(b) A cloud retraining program to provide a coordinated approach to skills development and retraining; and

(c) Staffing to define career pathways and core competencies for the state's information technology workforce.

~~((15) \$20,000,000)~~ (17) \$5,926,000 of the general fund—state appropriation for fiscal year 2024 ((15)), \$27,110,000 of the general fund—state appropriation for fiscal year 2025, and \$134,292,000 of the general fund—federal appropriation are provided solely for statewide electronic health records projects, which must comply with the approved statewide electronic health records plan. The purpose of the plan is to implement a common technology solution to leverage shared business processes and data across the state in support of client services.

(a) The statewide electronic health records plan must include, but is not limited to, the following elements:

(i) A proposed governance model for the electronic health records solution;

(ii) An implementation plan for the technology solution from kickoff through five years maintenance and operations post implementation;

(iii) A technology budget to include estimated budget and resources needed to implement the electronic health records solution by agency and across the state, including fund sources and all technology budget element requirements as outlined in section 701(4) of this act;

(iv) A licensing plan in consultation with the department of enterprise services that seeks to utilize the state data center;

(v) A procurement approach, in consultation with the department of enterprise services;

(vi) A system that must be capable of being continually updated, as necessary;

(vii) A system that will use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of every two-week sprint;

(viii) A system that will deploy usable functionality into production for users within 180 days from the date there is an executed procurement contract after a competitive request for proposal is closed;

(ix) A system that uses quantifiable deliverables that must include live, accessible demonstrations of software in development to program staff and end users at each sprint or at least monthly;

(x) A requirement that the agency implementing its electronic health record solution must invite the office and the agency comptrollers or their designee to sprint reviews;

(xi) A requirement that there is an annual independent audit of the system to evaluate compliance of the software solution vendor's performance standards and contractual requirements and technical code quality, and that it meets user needs;

(xii) A recommended program structure for implementing a statewide electronic health records solution;

(xiii) A list of individual state agency projects that will need to implement a statewide electronic health records solution and the readiness of each agency to successfully implement;

(xiv) The process for agencies to request funding from the consolidated technology services for their electronic health records projects. The submitted application must:

(A) Include at least a technology budget in compliance with the requirements of section 701(4) of this act that each agency budget office will assist with; and

(B) Be posted to the statewide information technology dashboard and meet all dashboard posting requirements as outlined in section ~~((155(11)))~~ 152(13) of this act; and

(xv) The approval criteria for agencies to receive funds for their electronic health records project. The approval may not be given without an approved current technology budget, and the office must notify the fiscal committees of the legislature. The office may not approve funding for the project any earlier than 10 business days from the date of notification to the fiscal committees of the legislature.

(b) The plan described in (a) of this subsection:

(i) Must be submitted to the office of financial management, the chair and ranking member of the senate environment, energy, and information technology policy committee, the chairs and ranking members of the fiscal committees of the legislature, and the technology services board by July 1, 2023; and

(ii) Must be approved by the office of financial management and the technology services board established in RCW 43.105.285.

(c) ~~(((\$20,000,000))~~ \$5,926,000 of the general fund—state appropriation for fiscal year 2024 ~~((is)), \$27,110,000 of the general fund—state appropriation for fiscal year 2025, and \$134,292,000 of the general fund—federal appropriation are~~ provided solely for state agency electronic health record projects at the department of corrections, the department of social and health services, and the health care authority in accordance with the approved statewide electronic health record plan requirements in (a) of this subsection. For the amount provided in this subsection ~~((+15))~~ (17):

(i) Funding may not be released until the office of financial management and the technology services board have approved the statewide electronic health record plan.

(ii) As required in section 701(2) of this act, consolidated technology services may not approve funding for the project any earlier than 10 business days from the date of notification to the fiscal committees of the legislature.

(iii) Funding may not cover any costs incurred by the state agencies for services or project costs prior to the date of statewide electronic health record plan approval.

~~((+iii))~~ (iv) State agencies must submit their proposed electronic health records project and technology budget to the office of the chief information officer for approval. The submitted application must:

(A) Include at least a technology budget in compliance with the requirements of section 701(4) of this act that each agency budget office will assist with; and

(B) Be posted to the statewide information technology dashboard and meet all dashboard posting requirements as outlined in section 152(13) of this act.

~~((+iv))~~ (v) When a funding request is approved, consolidated technology services will transfer the funds to the agency to execute their electronic health records project.

(vi) The office must enter into an interagency agreement with the health care authority who is, and will be, the reporting entity to the federal government on the application for and use of the federal funding.

(vii) Consolidated technology services must include this enterprise electronic health records program on the statewide information technology program dashboard and must ensure that the program detail will roll up the below required subprojects:

(A) Enterprise foundational electronic health records system;

(B) Department of corrections electronic health records;

(C) Department of social and health services health records; and

(D) Health care authority electronic health records.

~~((+16))~~ (18) \$134,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((17))~~ (19) The office of the chief information officer must collaborate with the office of the secretary of state in the evaluation of the office of the secretary of state's information technology infrastructure and applications in determining the appropriate candidates for the location of data and the systems that could be exempt from consolidated technology services oversight.

~~((+18))~~ (20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$1,500,000))~~ \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for innovative technology solutions and modernization of legacy systems within state government. This funding is to be used for projects at other state agencies to improve the health of the state's overall information technology portfolio. Submitted projects are subject to review and approval by the technology services board as established in RCW 43.105.285. The agency must report to the office of financial management and the fiscal committees of the legislature within 90 days of the close of fiscal year 2024 with the following information to measure the quantity of projects considered for this purpose and use of this funding:

(a) The agency name, project name, estimated time duration, estimated cost, and technology service board recommendation result of each project submitted for funding;

(b) The actual length of time and cost of the projects approved by the technology services board, from start to completion; and

(c) Any other information or metric the agency determines is appropriate to measure the quantity and use of the funding in this subsection.

(21) In collaboration with the department of health and the health care authority, consolidated technology services must actively consult and provide oversight over:

(a) The department of health 988 technology platform that must provide interoperable capabilities between the 988 call center platform and the health care authority's 988-related system;

(b) The health care authority 988 technology platform that must provide interoperable capabilities between the 988-related system and the department of health's 988 call center platform; and

(c) How the platforms in (a) and (b) of this subsection will meet statutory requirements for technology platform functionality and implementation dates as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system) and must report on the progress of both platforms' budget, scope, and schedule at a technology services board meeting by December 31, 2024.

**FOR THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

Professional Engineers' Account—State Appropriation. . . . .	(( <del>\$4,622,000</del> ))
	<u>\$4,627,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$4,622,000</del>))</b>
	<b><u>\$4,627,000</u></b>

NEW SECTION. **Sec. 155.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS**

Financial Services Regulation Nonappropriated

Fund—State Appropriation. . . . .	\$728,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$728,000</b>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$300,000 of the financial services regulation nonappropriated fund—state appropriation is provided solely for the department to study nontraditional financial services such as home equity sharing agreements, and their effect on communities of color, seniors, and other vulnerable populations.

(2) \$428,000 of the financial services regulation nonappropriated fund—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6025 (predatory loans). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 156.** 2023 c 475 s 157 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE LEADERSHIP BOARD**

Washington State Leadership Board Account—State

Appropriation. . . . .	(( <del>\$1,691,000</del> ))
	<u>\$1,761,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,691,000</del>))</b>
	<b><u>\$1,761,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$374,000 of the Washington state leadership board account—state appropriation is provided solely for implementation of chapter 96, Laws of 2022 (WA state leadership board).

(2) \$1,200,000 of the Washington state leadership board account—state appropriation is provided solely for implementing programming in RCW 43.388.010, and specifically the Washington world fellows program, sports mentoring program/boundless Washington, compassion scholars, and the Washington state leadership awards.

(End of part)

**PART II**

**HUMAN SERVICES**

**Sec. 201.** 2023 c 475 s 201 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The department shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for public assistance benefits.

(7) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, support the adoption of a cohesive technology and data architecture, and maximize federal financial participation. The work of the coalition is subject to the conditions, limitations, and review provided in section 701 of this act.

(8)(a) The appropriations to the department of social and health services in this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs and subprograms after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the long-term care, developmental disabilities, and public assistance programs, the department may transfer state appropriations that are provided solely for a specified purpose. The department may not transfer funds, and the director of the office of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(9) The department may not transfer appropriations for the developmental disabilities program to any other program or subprograms of the department of social and health services.

**Sec. 202.** 2023 c 475 s 202 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	((( <del>\$610,452,000</del> )))
	\$808,919,000
General Fund—State Appropriation (FY 2025) . . . . .	((( <del>\$679,312,000</del> )))
	\$782,615,000
General Fund—Federal Appropriation. . . . .	((( <del>\$148,488,000</del> )))
	\$168,599,000
General Fund—Private/Local Appropriation. . . . .	((( <del>\$10,732,000</del> )))
	\$6,500,000
TOTAL APPROPRIATION.....	((( <del>\$1,448,984,000</del> )))
	\$1,766,633,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The state psychiatric hospitals and residential treatment facilities may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(2) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection are for the salaries, benefits, supplies, and equipment for the city of Lakewood to produce incident and police response reports, investigate potential criminal conduct, assist with charging consultations, liaison between staff and prosecutors, provide staff training on criminal justice procedures, assist with parking enforcement, and attend meetings with hospital staff.

(3) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(4) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community services officer for policing efforts at eastern state hospital. The department must collect data from the city of Medical Lake on the use of the funds and the number of calls responded to by the community policing program and submit a report with this information to the office of financial management and the appropriate fiscal committees of the legislature each December of the fiscal biennium.

(5) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Medical Lake for police services provided by the city at eastern state hospital and adjacent areas.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the health care authority, to develop and implement a predictive modeling tool which identifies clients who are at high risk of future involvement with the criminal justice system and for developing a model to estimate demand for civil and forensic state hospital bed needs pursuant to the following requirements.

(a) By the first day of each December during the fiscal biennium, the department, in coordination with the health care authority, must submit a report to the office of financial management and the appropriate committees of the legislature that summarizes how the predictive modeling tool has been implemented and includes the following: (i) The number of individuals identified by the tool as having a high risk of future criminal justice involvement; (ii) the method and frequency for which the department is providing lists of high-risk clients to contracted managed care organizations and behavioral health administrative services organizations; (iii) a summary of how the managed care organizations and behavioral health administrative services organizations are utilizing the data to improve the coordination of care for the identified individuals; and (iv) a summary of the administrative data to identify whether implementation of the tool is resulting in increased access and service levels and lower recidivism rates for high-risk clients at the state and regional level.

(b) The department must provide staff support for the forensic and long-term civil commitment bed forecast which must be conducted under the direction of the office of financial management. The forecast methodology, updates, and methodology changes must be conducted in coordination with staff from the department, the health care authority, the office of financial management, and the appropriate fiscal committees of the state legislature. The model shall incorporate factors for capacity in state hospitals as well as contracted facilities, which provide similar levels of care, referral patterns, wait lists, lengths of stay, and other factors identified as appropriate for estimating the number of beds needed to meet the demand for civil and forensic state hospital services. Factors should include identification of need for the services and analysis of the effect of community investments in behavioral health services and other types of beds that may reduce the need for long-term civil commitment needs. The forecast must be updated each February, June, and November during the fiscal biennium and the department must submit a report to the legislature and the appropriate committees of the legislature summarizing the updated forecast based on the caseload forecast council's schedule for entitlement program forecasts.

(7) \$9,119,000 of the general fund—state appropriation for fiscal year 2024 and \$9,145,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The department, in collaboration with the health care authority and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, forensic navigators, crisis diversion and supports, education and training, and workforce development.

(8) \$7,147,000 of the general fund—state appropriation for fiscal year 2024 and \$7,147,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

to maintain implementation of efforts to improve the timeliness of competency evaluation services for individuals who are in local jails pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services). This funding must be used solely to maintain increases in the number of competency evaluators that began in fiscal year 2016 pursuant to the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP.

(9) \$71,690,000 of the general fund—state appropriation for fiscal year 2024 and \$77,825,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services) and the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. These amounts must be used to maintain increases that were implemented between fiscal year 2016 and fiscal year 2021, and further increase the number of forensic beds at western state hospital during the 2023-2025 fiscal biennium. Pursuant to chapter 7, Laws of 2015 1st sp. sess. (timeliness of competency treatment and evaluation services), the department may contract some of these amounts for services at alternative locations if the secretary determines that there is a need.

(10) \$84,483,000 of the general fund—state appropriation for fiscal year 2024, \$77,343,000 of the general fund—state appropriation for fiscal year 2025, and \$1,042,000 of the general fund—federal appropriation are provided solely for the department to continue to implement an acuity based staffing tool at western state hospital and eastern state hospital in collaboration with the hospital staffing committees. The staffing tool must be used to identify, on a daily basis, the clinical acuity on each patient ward and determine the minimum level of direct care staff by profession to be deployed to meet the needs of the patients on each ward. The department must evaluate interrater reliability of the tool within each hospital and between the two hospitals. The department must also continue to update, in collaboration with the office of financial management's labor relations office, the staffing committees, and state labor unions, an overall state hospital staffing plan that looks at all positions and functions of the facilities.

(a) Within the amounts provided in this section, the department must establish, monitor, track, and report monthly staffing and expenditures at the state hospitals, including overtime and use of locums, to the functional categories identified in the recommended staffing plan. The allotments and tracking of staffing and expenditures must include all areas of the state hospitals, must be done at the ward level, and must include contracted facilities providing forensic restoration services as well as the office of forensic mental health services.

(b) By December 1, 2023, and December 1, 2024, the department must submit reports to the office of financial management and the appropriate committees of the legislature that provide a comparison of monthly spending, staffing levels, overtime, and use of locums for the prior year compared to allotments and to the recommended state hospital staffing model. The format for these reports must be developed in consultation with staff from the office of financial management and the appropriate committees of the legislature. The reports must include a summary of the results of the evaluation of the interrater reliability in use of the staffing acuity tool and an update from the hospital staffing committees.

(c) Monthly staffing levels and related expenditures at the state hospitals must not exceed official allotments without prior written approval from the director of the office of financial management. In the event the director of the office of financial management approves an increase in monthly staffing levels and expenditures beyond what is budgeted, notice must be provided to the appropriate committees of the legislature within 30 days of such approval. The notice must identify the reason for the authorization to exceed budgeted staffing levels and the time frame for the authorization. Extensions of authorizations under this subsection must also be submitted to the director of the office of financial management for written approval in advance of the expiration of an authorization. The office of financial management must notify the appropriate committees of the legislature of any extensions of authorizations granted under this subsection within 30 days of granting such authorizations and identify the reason and time frame for the extension.

(11) \$4,994,000 of the general fund—state appropriation for fiscal year 2024, \$7,535,000 of the general fund—state appropriation for fiscal year 2025, and \$672,000 of the general fund—federal appropriation are provided solely for the department to establish a violence reduction team at western state hospital to improve patient and staff safety at eastern and western state hospitals. A report must be submitted by December 1, 2023, and December 1, 2024, which includes a description of the violence reduction or safety strategy, a profile of the types of patients being served, the staffing model being used, and outcomes associated with each strategy. The outcomes section should include tracking data on facility-wide metrics related to patient and staff safety as well as individual outcomes related to the patients served.

(12) \$2,593,000 of the general fund—state appropriation for fiscal year 2024 and \$2,593,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase services to patients found not guilty by reason of insanity under the *Ross v. Lashway* settlement agreement.

(13) Within the amounts provided in this subsection, the department must develop and submit an annual state hospital performance report for eastern and western state hospitals. Each measure included in the performance report must include baseline performance data,

agency performance targets, and performance for the most recent fiscal year. The performance report must include a one page dashboard as well as charts for each fiscal year and quality of care measure broken out by hospital and including but not limited to: (a) Monthly FTE expenditures compared to allotments; (b) monthly dollar expenditures compared to allotments; (c) monthly FTE expenditures per thousand patient bed days; (d) monthly dollar expenditures per thousand patient bed days; (e) percentage of FTE expenditures for overtime; (f) average length of stay by category of patient; (g) average monthly civil wait list; (h) average monthly forensic wait list; (i) rate of staff assaults per thousand patient bed days; (j) rate of patient assaults per thousand patient bed days; (k) average number of days to release after a patient has been determined to be clinically ready for discharge; and (l) average monthly vacancy rates for key clinical positions. The department must submit the state hospital performance report to the office of financial management and the appropriate committees of the legislature by the first day of each December of the biennium.

(14) \$546,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for design and planning activities for the new forensic hospital being constructed on the grounds of western state hospital.

(15) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain an on-site safety compliance officer, stationed at western state hospital, to provide oversight and accountability of the hospital's response to safety concerns regarding the hospital's work environment.

(16) \$10,364,000 of the general fund state—appropriation for fiscal year 2024 are provided solely for the department to provide behavioral health and stabilization services at the King county south correctional entity to class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(17) \$2,619,000 of the general fund—state appropriation for fiscal year 2024 and \$5,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to hire additional forensic evaluators to provide in-jail competency evaluations and community-based evaluations.

(18) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to track compliance with the requirements of RCW 71.05.365 for transition of state hospital patients into community settings within 14 days of the determination that they no longer require active psychiatric treatment at an inpatient level of care. The department must use these amounts to track the following elements related to this requirement: (a) The date on which an individual is determined to no longer require active psychiatric treatment at an inpatient level of care; (b) the date on which the behavioral health entities and other organizations responsible for resource management services for the person is notified of this determination; and (c) the date on which either the individual is transitioned to the community or has been reevaluated and determined to again require active psychiatric treatment at an inpatient level of care. The department must provide this information in regular intervals to behavioral health entities and other organizations responsible for resource management services. The department must summarize the information and provide a report to the office of financial management and the appropriate committees of the legislature on progress toward meeting the 14 day standard by December 1, 2023, and December 1, 2024.

(19) (~~(\$10,547,000)~~) \$2,190,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$37,480,000)~~) \$28,742,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the 48 bed Clark county facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The department must use this facility to provide treatment services for individuals who have been committed to a state hospital pursuant to the dismissal of criminal charges and civil evaluation ordered under RCW 10.77.086 or 10.77.088. In considering placements at the facility, the department must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The department must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and December 1, 2024, providing a status update on progress toward opening the new facility.

(20) \$8,048,000 of the general fund—state appropriation for fiscal year 2024 and \$7,677,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to reopen and operate a 30 bed ward for civil patients at western state hospital. The department must prioritize placements on this ward for individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, in order to maximize forensic bed capacity for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(21) (~~(\$13,324,000)~~) \$14,466,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$44,813,000)~~) \$51,582,000 of the general fund—state appropriation for fiscal year



2025 are provided solely for the department to operate the maple lane campus as described in ~~(a) and (b) of this subsection. ((Of the amounts provided in this subsection:))~~

~~(a) ((\$4,764,000 of the general fund state appropriation for fiscal year 2024 and \$5,239,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the))~~The department ~~((to))~~ shall operate the Oak, Columbia, and Cascade cottages to provide:

(i) Treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088;

(ii) Treatment services to individuals acquitted of a crime by reason of insanity and subsequently ordered to receive treatment services under RCW 10.77.120; and

(iii) Through fiscal year 2024, competency restoration services at the Cascade cottage to individuals under RCW 10.77.086 or 10.77.088.

~~(b) ((\$8,560,000 of the general fund state appropriation for fiscal year 2024 and \$39,574,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the))~~The department ~~((to))~~ shall open and operate the Baker and Chelan cottages to provide treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(c) In considering placements at the maple lane campus, the department must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(22) \$1,412,000 of the general fund—state appropriation for fiscal year 2024 and \$1,412,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for relocation, storage, and other costs associated with building demolition on the western state hospital campus.

(23) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for western state hospital's vocational rehabilitation program and eastern state hospital's work readiness program to pay patients working in the programs an hourly wage that is equivalent to the state's minimum hourly wage under RCW 49.46.020.

(24) \$4,054,000 of the general fund—state appropriation for fiscal year 2024 and \$5,236,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$2,233,000 of the general fund—state appropriation for fiscal year 2024, \$4,118,000 of the general fund—state appropriation for fiscal year 2025, and \$297,000 of the general fund—federal appropriation are provided solely for the department to address delays in patient discharge as provided in this subsection.

(a) The department shall hire staff dedicated to discharge reviews, including psychologists to complete reviews and staff for additional discharge review work, including, but not limited to, scheduling, planning, and providing transportation; and establish and implement a sex offense and problematic behavior program as part of the sex offense review and referral team program.

(b) Of the amounts provided in this subsection, \$504,000 per year shall be used for bed fees for patients who are not guilty by reason of insanity.

(c) The department shall track data as it relates to this subsection and, where available, compare it to historical data. The department will provide a report to the appropriate fiscal and policy committees of the legislature. A preliminary report is due by December 1, 2023, and the final report is due by September 15, 2024, and at a minimum must include the:

(i) Volume of patients discharged;

(ii) Volume of patients in a sex offense or problematic behavior program;

(iii) Number of beds held for not guilty by reason of insanity patients;

(iv) Average and median duration to complete discharges;

(v) Staffing as it relates to this subsection; and

(vi) Average discharge evaluation caseload.

~~((+27))~~ (26) (a) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to pursue immediate strategies to maximize existing forensic bed capacity for individuals in jails awaiting admission to the state hospitals that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The immediate strategies must include, but are not limited to:

(i) Additional approaches to resolving barriers to discharge for civil patients, including:

(A) In coordination with the behavioral health teaching facility at the University of Washington, identification of civil patients in the state hospitals that could receive appropriate treatment at the facility and work to resolve any barriers in such placement;

(B) Identification of civil patients in the state hospitals that could receive appropriate treatment at an enhanced services facility or any other community facility and work to resolve any barriers in such placement; and

(C) Coordination with the aging and long-term care administration and the office of public guardianship on the provision of qualified guardians for civil patients in need of guardianship that are otherwise eligible for discharge; and

(ii) Additional approaches to resolving any barriers to maximizing the use of existing civil wards at eastern state hospital for individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(b) By December 1, 2023, the department must submit a preliminary report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) The department's plan for utilizing the funds provided in this subsection and estimated outcomes.

(c) By September 1, 2024, the department must submit a final report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) Detailed reporting on how the funds provided in this subsection were used and the associated outcomes.

~~((28))~~ (27) \$53,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and \$94,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(29))~~ (28) Within the amounts provided in this section, the department is provided funding to operate civil long-term inpatient beds at the state hospitals as follows:

(a) Funding is sufficient for the department to operate 192 civil beds at eastern state hospital in both fiscal year 2024 and fiscal year 2025.

(b) Funding is sufficient for the department to operate 287 civil beds at western state hospital in both fiscal year 2024 and fiscal year 2025.

(c) The department shall fully operate funded civil capacity at eastern state hospital, including reopening and operating civil beds that are not needed for eastern Washington residents to provide services for western Washington residents.

(d) The department shall coordinate with the health care authority toward increasing community capacity for long-term inpatient services required under section 215(50) of this act.

(29)(a) \$60,776,000 of the general fund—state appropriation for fiscal year 2024 and \$75,188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate 72 beds in three wards in the Olympic heritage behavioral health facility.

(b) The department may not use the remaining 40 beds at the facility for any purpose and must permit the contractor selected by the health care authority to utilize the beds pursuant to and upon completion of the contracted process outlined in section 215 of this act.

(30) \$100,318,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to pay the court order filed July 7, 2023, issued in the case of Trueblood, et al. v. Department of Social and Health Services, et al., United States district court for the western district of Washington, cause no. 14-cv-01178-MJP, which requires the department to "pay all fines held in abeyance from September 2022 through May 2023, which totals \$100,318,000.00."

(31) \$6,900,000 of the general fund—state appropriation for fiscal year 2024 and \$13,610,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional 30 beds at western state hospital.

(32) \$3,228,000 of the general fund—state appropriation for fiscal year 2024 and \$6,088,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional eight beds at eastern state hospital.

(33) \$700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5690 (conditional release transition teams). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(34) \$1,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 203.** 2023 c 475 s 203 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM**

(1) COMMUNITY SERVICES

General Fund—State Appropriation (FY 2024) . . . . . ((\$1,129,397,000))

	<u>\$1,143,400,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	((\$1,184,492,000))
	<u>\$1,209,080,000</u>
General Fund—Federal Appropriation . . . . .	((\$2,409,328,000))
	<u>\$2,446,165,000</u>
General Fund—Private/Local Appropriation . . . . .	\$4,058,000
Developmental Disabilities Community Services	
Account—State Appropriation . . . . .	\$32,120,000
<b>TOTAL APPROPRIATION</b> .....	<b>((\$4,759,395,000))</b>
	<u>\$4,834,823,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments may not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 must be charged when adult family home providers file a change of ownership application.

(ii) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.

(iii) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.

(c) \$32,240,000 of the general fund—state appropriation for fiscal year 2024, \$52,060,000 of the general fund—state appropriation for fiscal year 2025, and \$108,994,000 of the general fund—federal appropriation are provided solely for the rate increase for the new consumer-directed employer contracted individual providers as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(d) \$5,095,000 of the general fund—state appropriation for fiscal year 2024, \$7,299,000 of the general fund—state appropriation for fiscal year 2025, and \$16,042,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(e) \$1,099,000 of the general fund—state appropriation for fiscal year 2024, \$2,171,000 of the general fund—state appropriation for fiscal year 2025, and \$5,515,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(f) \$328,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$998,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.

(g) \$9,371,000 of the general fund—state appropriation for fiscal year 2024, \$10,798,000 of the general fund—state appropriation for fiscal year 2025, and \$25,267,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(h) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(i) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(j) Sufficient appropriations are provided to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(i) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, and assisted living facility beds.

(ii) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize

personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (j) (i) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(iii) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (j) (i) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(iv) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(k) Sufficient appropriations are provided for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(l) \$476,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(m) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(n) \$2,648,000 of the general fund—state appropriation for fiscal year 2024, \$2,631,000 of the general fund—state appropriation for fiscal year 2025, and \$2,293,000 of the general fund—federal appropriation are provided solely for enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to partner with the state in the development of an individualized service plan that allows the child to remain in his or her home. The department must provide the legislature with a respite utilization report in January of each year that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(o) \$2,173,000 of the general fund—state appropriation for fiscal year 2024 and \$2,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for 13 community respite beds across the state for adults. These services are intended to provide families and caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The department must provide the legislature with a respite utilization report by January of each year that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(p) \$144,000 of the general fund—state appropriation for fiscal year 2025 and \$181,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v Office of Financial Management*, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the amounts provided in this subsection shall lapse.

(q) \$351,000 of the general fund—state appropriation for fiscal year 2024, \$375,000 of the general fund—state appropriation for fiscal year 2025, and \$905,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023.

(r) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(s) The appropriations in this section include sufficient funding to provide access to the individual and family services waiver and the basic plus waiver to those individuals on the service request list as forecasted by the caseload forecast council. For subsequent policy level budgets, the department shall submit a request for funding associated with individuals requesting to receive the individual and family services waiver and the basic plus waiver in accordance with the courtesy forecasts provided by the caseload forecast council.

(t) \$1,729,000 of the general fund—state appropriation for fiscal year 2024, \$2,669,000 of the general fund—state appropriation for fiscal year 2025, and \$4,206,000 of the general fund—federal appropriation are provided solely to operate intensive habilitation services and enhanced out-of-home services facilities.

(u) \$1,363,000 of the general fund—state appropriation for fiscal year 2024, \$1,363,000 of the general fund—state appropriation for fiscal year 2025, and \$2,092,000 of the general

fund—federal appropriation are provided solely for additional staff to reduce the timeline for completion of financial eligibility determinations. No later than December 31, 2024, the department of social and health services shall submit a final report to the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes, including, but not limited to, a description of how the timeline for completion of these determinations has changed.

(v) \$485,000 of the general fund—state appropriation for fiscal year 2024 and \$484,000 of the general fund—federal appropriation are provided solely for a feasibility study of the developmental disabilities assessment tool and is subject to the conditions, limitations, and review requirements of section 701 of this act. The resulting study must determine whether the assessment and its technology can be improved to meet regulatory obligations, be quicker and person-centered, reduce manual notations, and maintain viability across age groups and settings.

(w) \$1,223,000 of the general fund—state appropriation for fiscal year 2024, \$2,763,000 of the general fund—state appropriation for fiscal year 2025, and \$3,248,000 of the general fund—federal appropriation are provided solely for supported employment and community inclusion services for those individuals with intellectual or developmental disabilities who are transitioning from high school in the 2023-2025 fiscal biennium and are anticipated to utilize these services.

(x) \$11,074,000 of the general fund—state appropriation for fiscal year 2024, \$13,222,000 of the general fund—state appropriation for fiscal year 2025, and \$19,206,000 of the general fund—federal appropriation are provided solely to increase rates paid to supported employment and community inclusion providers.

(y) (i) \$79,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, and \$121,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(ii) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(A) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required within each behavior support specialty setting and the necessary qualifications of these staff;

(B) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

(C) A plan for implementing the enhanced behavior support specialty contracts that includes:

(I) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(II) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(D) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(I) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(II) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(III) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(z) \$2,494,000 of the general fund—state appropriation for fiscal year 2024 and \$3,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 33 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(aa) \$2,605,000 of the general fund—state appropriation for fiscal year 2024, \$2,402,000 of the general fund—state appropriation for fiscal year 2025, and \$3,840,000 of the general fund—federal appropriation are provided solely to establish transition coordination teams to coordinate transitions of care for clients who move from one care setting to another. The department of social and health services shall submit annual reports no later than December 1, 2023, and December 1, 2024, to the appropriate committees of the legislature that detail how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served, the settings in which clients received care, and the progress made toward increasing stability of client placements;

(ii) A comparison of these outcomes against the outcomes achieved in prior fiscal years;

(iii) A description of lessons learned since the transition coordination teams were first implemented, including an identification of what processes were improved to reduce the timelines for completion; and

(iv) Recommendations for changes necessary to the transition coordination teams to improve increasing stability of client placements.

(bb) \$1,448,000 of the general fund—state appropriation for fiscal year 2024, \$1,807,000 of the general fund—state appropriation for fiscal year 2025, and \$3,626,000 of the general fund—federal appropriation are provided solely to pilot a specialty rate for adult family homes to serve up to 100 individuals with intellectual or developmental disabilities who also have co-occurring health or behavioral health diagnoses. No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served and the setting from which each client entered the adult family home receiving this specialty rate;

(ii) A comparison of the rate of admissions to the adult family homes receiving this specialty rate against the rate of admissions to other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(iii) A comparison of the length of stay in the setting from which the client entered the adult family home receiving this specialty rate against the average length of stay in settings prior to entering other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(cc) \$2,856,000 of the general fund—state appropriation for fiscal year 2024, \$3,104,000 of the general fund—state appropriation for fiscal year 2025, and \$5,948,000 of the general fund—federal appropriation are provided solely to pilot a program that provides a specialty rate for community residential providers who receive additional training to support individuals with complex physical and behavioral health needs.

(i) Of the amounts provided in this subsection, \$2,453,000 of the general fund—state appropriation for fiscal year 2024, \$2,705,000 of the general fund—state appropriation for fiscal year 2025, and \$5,259,000 of the general fund—federal appropriation are provided solely for the specialty rate for community residential providers to serve up to 30 individuals.

(ii) Of the amounts provided in this subsection, \$403,000 of the general fund—state appropriation for fiscal year 2024, \$399,000 of the general fund—state appropriation for fiscal year 2025, and \$689,000 of the general fund—federal appropriation are provided solely for the department to hire staff to support this specialty program, including expanding existing training programs available for community residential providers and to support providers in locating affordable housing.

(iii) No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(A) A detailed reporting of the number of clients served and the setting from which each client entered the community residential setting receiving this specialty rate;

(B) A comparison of the rate of admissions to the community residential setting receiving this specialty rate against the rate of admissions to other community residential settings not receiving this specialty rate as well as against the rate of admissions to other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(C) A comparison of the length of stay in the setting from which the client entered the community residential setting receiving this specialty rate against the average length of stay in settings prior to entering other community residential settings not receiving this specialty rate as well as prior to entering other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(dd) (i) \$104,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with the Ruckleshaus center for a progress report on the recommendations in the December 2019 report, "Rethinking Intellectual and Developmental Disability Policy to Empower Clients, Develop Providers and Improve Services."

(ii) By February 29, 2024, a final report shall be submitted to the governor and the appropriate committees of the legislature that includes:

- (A) Detailed information about the successes and barriers related to meeting the recommendations in the December 2019 report;
- (B) Identification of other potential issues or options for meeting the recommendations in the December 2019 report, including but not limited to, an exploration of the enhanced behavioral support homes concept;
- (C) A review of other state's approaches and innovations regarding any of the recommendations in the December 2019 report;
- (D) Identification of any emergent issues; and
- (E) Identification or recommendation for the organization of focus groups of state agencies and respective stakeholders.
- (iii) In compiling the final report, members of the previous workgroup, as well as other interested parties, should be consulted for their feedback and to identify areas where there is potential for agreement to move forward and to make process recommendations if applicable.
- (ee) \$127,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely for adult day respite. Of the amounts appropriated in this subsection:
- (i) \$27,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely to increase adult day respite rates from \$3.40 to \$5.45 per 15-minute unit to expand and ensure the sustainability of respite services for clients with intellectual or developmental disabilities and their family caregivers.
- (ii) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to hire a project position to conduct a study and submit a report by December 1, 2023 to the governor and the appropriate committees of the legislature that examines the feasibility and operational resources needed to add adult day services to a state plan 1915(i) option or to the existing basic plus and core 1915(c) waivers.
- (ff) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$4,284,000 of the general fund—state appropriation for fiscal year 2025, and \$4,178,000 of the general fund—federal appropriation are provided solely for the department to add 10 adult stabilization beds by June 2025, increase rates for existing adult stabilization beds by 23 percent, and expand mobile crisis diversion services to cover all three regions of the state.
- (gg)(i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to study opportunities to enhance data collection on clients in family units with at least one parent having a developmental or intellectual disability. The study must identify:
- (A) Opportunities to improve the existing assessment form and information technology systems by adding questions about clients' children, such as their ages, the number of children, and the K-12 enrollment status of each child;
- (B) Ways to strengthen data sharing agreements with other departments, including the department of children, youth, and families, and local school districts;
- (C) Strategies for surveying clients to collect information on their parenting and living arrangements, including support from other family members;
- (D) Methods for analyzing new and existing data to determine and identify the total number of children with parents that have a developmental or intellectual disability, their needs, and access to specialized services;
- (E) An inventory of existing support programs designed for families with a parent having a developmental or intellectual disability and their children, including educational support, financial assistance, and access to specialized services.
- (ii) The department shall report its findings to the governor and appropriate committees of the legislature by June 30, 2024.
- (hh) \$81,000 of the general fund—state appropriation for fiscal year 2024, \$219,000 of the general fund—state appropriation for fiscal year 2025, and \$371,000 of the general fund—federal appropriation are provided solely to implement House Bill No. 1407 (dev. disability/eligibility). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (ii) \$62,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$116,000 of the general fund—federal appropriation are provided solely to implement Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (jj) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely for the department to conduct a study to explore opportunities to restructure services offered under the medicaid waivers for individuals with developmental disabilities served by the department. The plan should propose strategies to enhance service accessibility across the state and align services with the needs of clients, taking into account current and future demand. It must incorporate valuable input from knowledgeable stakeholders and a national organization experienced in home and community-based waivers in other states. This plan must be submitted to the governor and relevant legislative committees by December 1, 2024.
- (kk) \$5,431,000 of the general fund—state appropriation for fiscal year 2024, \$11,084,000 of the general fund—state appropriation for fiscal year 2025, and \$16,737,000 of the general fund—federal appropriation are provided solely to increase rates by 2.5 percent, effective

January 1, 2024, for community residential service providers offering supported living, group home, group training home, licensed staff residential services, community protection, and children's out-of-home services to individuals with developmental disabilities.

(ll) \$456,000 of the general fund—state appropriation for fiscal year 2024, \$898,000 of the general fund—state appropriation for fiscal year 2025, and \$416,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(mm) \$446,000 of the general fund—state appropriation for fiscal year 2024, \$5,274,000 of the general fund—state appropriation for fiscal year 2025, and \$2,089,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(nn) (i) \$2,214,000 of the general fund—state appropriation for fiscal year 2024, \$10,104,000 of the general fund—state appropriation for fiscal year 2025, and \$2,934,000 of the general fund—federal appropriation are provided solely for the department to operate a staff-secure, voluntary, and transitional treatment facility specializing in services for adolescents over the age of 13 who have complex developmental disabilities, intellectual disabilities, or autism spectrum disorder and may also have a mental health or substance use diagnosis. These individuals require intensive behavioral supports and may also be in need of behavioral health services. Services must be provided at a property in lake Burien, serve no more than 12 youth at one time, and be implemented in a way that prioritizes transition to less restrictive community-based settings. Youth shall enter the facility only by their own consent or the consent of their guardian.

(ii) The department and health care authority shall collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments. This collaborative effort aims not only to enhance the funding available for the operation of the facility but also to maintain adherence to its fundamental objective of offering voluntary, transitional services. These services are designed to facilitate the transition of youth to community-based settings that are less restrictive, aligning with the facility's commitment to supporting youth with complex needs in a manner that encourages their movement toward independence.

(iii) By November 1, 2024, the department shall report to the governor and appropriate committees of the legislature on the program's design, results of preliminary implementation, financing opportunities, and recommendations. By June 30, 2025, the department shall report to the governor and appropriate committees of the legislature its initial findings, demographics on children served, and recommendations for program design and expansion.

(oo) \$40,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to pay for the cost of professional guardians for individuals who will transition from a residential habilitation center to a community residential setting.

(pp) \$63,000 of the general fund—state appropriation for fiscal year 2025 and \$62,000 of the general fund—federal appropriation are provided solely for the department, in cooperation with the health care authority, to study the feasibility and cost of implementing a point of contact for individuals diagnosed with a rare disease to increase access and reduce barriers in navigating programs, services, and resources offered by both agencies.

(qq) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to establish respite care beds for individuals with intellectual and developmental disabilities in the Tri-Cities.

(2) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(\$138,560,000)
	\$138,715,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$140,682,000)
	\$141,016,000
General Fund—Federal Appropriation . . . . .	(\$254,857,000)
	\$255,118,000
General Fund—Private/Local Appropriation . . . . .	\$19,488,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$553,587,000)</b>
	<b>\$554,337,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments may not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$495,000 of the general fund—state appropriation for fiscal year 2024 and \$495,000 of the general fund—state appropriation for fiscal year 2025 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) The residential habilitation centers may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.



(d) \$61,000 of the general fund—state appropriation for fiscal year 2024, \$61,000 of the general fund—state appropriation for fiscal year 2025, and \$117,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(e) \$73,000 of the general fund—state appropriation for fiscal year 2025 and \$73,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(3) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2024)	.. . . .	(\$4,103,000)
		\$3,582,000
General Fund—State Appropriation (FY 2025)	.. . . .	(\$4,179,000)
		\$3,659,000
General Fund—Federal Appropriation	.. . . .	(\$4,951,000)
		\$4,249,000
<b>TOTAL APPROPRIATION</b>	.....	<b>(\$13,233,000)</b>
		<b>\$11,490,000</b>

(4) SPECIAL PROJECTS

General Fund—State Appropriation (FY 2024)	.. . . .	\$66,000
General Fund—State Appropriation (FY 2025)	.. . . .	\$66,000
General Fund—Federal Appropriation	.. . . .	\$1,094,000
<b>TOTAL APPROPRIATION</b>	.....	<b>\$1,226,000</b>

**Sec. 204.** 2023 c 475 s 204 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—AGING AND ADULT SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024)	.. . . .	(\$2,202,547,000)
		\$2,168,497,000
General Fund—State Appropriation (FY 2025)	.. . . .	(\$2,385,171,000)
		\$2,398,884,000
General Fund—Federal Appropriation	.. . . .	(\$5,611,805,000)
		\$5,660,562,000
General Fund—Private/Local Appropriation	.. . . .	\$53,719,000
Traumatic Brain Injury Account—State Appropriation	.. . . .	(\$5,586,000)
		\$4,486,000
Skilled Nursing Facility Safety Net Trust Account— State Appropriation	.. . . .	\$133,360,000
Long-Term Services and Supports Trust Account—State Appropriation	.. . . .	(\$44,301,000)
		\$51,902,000
<b>TOTAL APPROPRIATION</b>	.....	<b>(\$10,436,489,000)</b>
		<b>\$10,471,410,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate may not exceed \$341.41 for fiscal year 2024 and may not exceed \$364.67 for fiscal year 2025. The weighted average nursing facility payment rates in this subsection (1)(a) include the following:

(i) \$17,361,000 of the general fund—state appropriation for fiscal year 2024, \$17,361,000 of the general fund—state appropriation for fiscal year 2025, and \$34,722,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021-2023 fiscal biennium to address low-wage equity for low-wage direct care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be equal to the wage payment received on June 30, 2023.

(ii) \$2,227,000 of the general fund—state appropriation for fiscal year 2024, \$2,227,000 of the general fund—state appropriation for fiscal year 2025, and \$4,456,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021-2023 fiscal biennium to address low-wage equity for low-wage indirect care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be equal to the wage payment received on June 30, 2023.

(b) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(2) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing

fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(b) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.

(c) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.

(3) The department is authorized to place long-term care clients residing in nursing homes and paid for with state-only funds into less restrictive community care settings while continuing to meet the client's care needs.

(4) \$69,777,000 of the general fund—state appropriation for fiscal year 2024, \$113,969,000 of the general fund—state appropriation for fiscal year 2025, and \$237,558,000 of the general fund—federal appropriation are provided solely for the rate increase for the new consumer-directed employer contracted individual providers as set by the consumer-directed rate setting board in accordance with RCW 74.39A.530.

(5) \$19,044,000 of the general fund—state appropriation for fiscal year 2024, \$30,439,000 of the general fund—state appropriation for fiscal year 2025, and \$63,986,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(6) \$2,385,000 of the general fund—state appropriation for fiscal year 2024, \$4,892,000 of the general fund—state appropriation for fiscal year 2025, and \$12,502,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(7) \$2,547,000 of the general fund—state appropriation for fiscal year 2024, \$3,447,000 of the general fund—state appropriation for fiscal year 2025, and \$7,762,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.

(8) \$425,000 of the general fund—state appropriation for fiscal year 2025 and \$542,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v Office of Financial Management*, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the amounts provided in this subsection shall lapse.

(9) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(10) In accordance with RCW 18.390.030, the biennial registration fee for continuing care retirement communities shall be \$900 for each facility.

(11) Within amounts appropriated in this subsection, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues.

(a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members, and four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee;

(v) A member from disability rights Washington and a member from the office of long-term care ombuds;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) Other agency directors or designees as necessary.

(b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington and to serve people with disabilities, including state budget and policy options, and may conduct, but are not limited to, the following tasks:

(i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(ii) Identify strategies and policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;

(iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(iv) Identify ways to promote advance planning and advance care directives and implementation strategies for the Bree collaborative palliative care and related guidelines;

(v) Identify ways to meet the needs of the aging demographic impacted by reduced federal support;

(vi) Identify ways to protect the rights of vulnerable adults through assisted decision-making and guardianship and other relevant vulnerable adult protections;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation.

(c) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(d) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures and meetings are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Meetings of the task force must be scheduled and conducted in accordance with the rules of both the senate and the house of representatives. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(12) Appropriations in this section are sufficient to fund discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(13) Appropriations in this section are sufficient to fund financial service specialists stationed at the state psychiatric hospitals. Financial service specialists will help to transition clients ready for hospital discharge into alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state hospitals.

(14) The department shall continue to administer tailored support for older adults and medicaid alternative care as described in initiative 2 of the 1115 demonstration waiver. This initiative will be funded by the health care authority through the medicaid quality improvement program. The secretary in collaboration with the director of the health care authority shall report to the office of financial management all expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested. The department shall not increase general fund—state expenditures on this initiative.

(15) \$61,209,000 of the general fund—state appropriation for fiscal year 2024, \$70,352,000 of the general fund—state appropriation for fiscal year 2025, and \$161,960,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(16) \$1,761,000 of the general fund—state appropriation for fiscal year 2024, \$1,761,000 of the general fund—state appropriation for fiscal year 2025, and \$4,162,000 of the general fund—federal appropriation are provided solely for case managers at the area agencies on aging to coordinate care for medicaid clients with mental illness who are living in their own homes. Work shall be accomplished within existing standards for case management and no requirements will be added or modified unless by mutual agreement between the department of social and health services and area agencies on aging.

(17) Appropriations provided in this section are sufficient for the department to contract with an organization to provide educational materials, legal services, and attorney training to support persons with dementia. The funding provided in this subsection must be used for:

(a) An advance care and legal planning toolkit for persons and families living with dementia, designed and made available online and in print. The toolkit should include educational topics including, but not limited to:

(i) The importance of early advance care, legal, and financial planning;

(ii) The purpose and application of various advance care, legal, and financial documents;

(iii) Dementia and capacity;

(iv) Long-term care financing considerations;

(v) Elder and vulnerable adult abuse and exploitation;

(vi) Checklists such as "legal tips for caregivers," "meeting with an attorney," and "life and death planning;"

(vii) Standardized forms such as general durable power of attorney forms and advance health care directives; and

(viii) A selected list of additional resources.

(b) Webinars about the dementia legal and advance care planning toolkit and related issues and topics with subject area experts. The subject area expert presenters must provide their services in-kind, on a volunteer basis.

(c) Continuing legal education programs for attorneys to advise and assist persons with dementia. The continuing education programs must be offered at no cost to attorneys who make a commitment to participate in the pro bono program.

(d) Administrative support costs to develop intake forms and protocols, perform client intake, match participating attorneys with eligible clients statewide, maintain records and data, and produce reports as needed.

(18) Appropriations provided in this section are sufficient to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(a) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, assisted living facility beds, adult residential care beds, and specialized dementia beds.

(b) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (a) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(c) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (a) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(d) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(19) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(20) \$5,094,000 of the general fund—state appropriation for fiscal year 2024 and \$5,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(21)(a) \$63,938,000 of the general fund—state appropriation for fiscal year 2024, \$40,714,000 of the general fund—state appropriation for fiscal year 2025, and \$110,640,000 of the general fund—federal appropriation are provided solely for rate adjustments for skilled nursing facilities.

(b) Of the amounts provided in this subsection, \$7,700,000 of the general fund—state appropriation for fiscal year 2025 and \$7,700,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5802 (nursing rate calculation). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(22) \$32,470,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$34,090,000)~~) \$35,372,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$72,783,000)~~) \$74,246,000 of the general fund—federal appropriation are provided solely for rate adjustments for assisted living providers. Of the amounts provided in this subsection:

(a) \$23,751,000 of the general fund—state appropriation for fiscal year 2024, \$25,487,000 of the general fund—state appropriation for fiscal year 2025, and \$54,687,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023. The department of social and health services shall report, by December 1st of each year, on medicaid resident utilization of and access to assisted living facilities.

(b) \$5,505,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$5,389,000)~~) \$6,671,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$11,588,000)~~) \$13,051,000 of the general fund—federal appropriation are provided solely for a specialty dementia care rate add-on for all assisted living facilities of (~~(\$43.48)~~) \$50.00 per patient per day.

(c) \$2,573,000 of the general fund—state appropriation for fiscal year 2024, \$2,573,000 of the general fund—state appropriation for fiscal year 2025, and \$5,146,000 of the general fund—federal appropriation are provided solely for a one-time bridge rate for assisted living facilities, enhanced adult residential centers, and adult residential centers, with high medicaid occupancy. The bridge rate does not replace or substitute the capital add-on rate found in RCW 74.39A.320 and the same methodology from RCW 74.39A.320 shall be used to determine each facility's medicaid occupancy percentage for the purposes of this one-time bridge rate add-on. Facilities with a medicaid occupancy level of 90 percent or more shall receive a \$20.99 add-on per resident day.

(d) \$641,000 of the general fund—state appropriation for fiscal year 2024, \$641,000 of the general fund—state appropriation for fiscal year 2025, and \$1,362,000 of the general fund—federal appropriation are provided solely to increase the rate add-on for expanded community services by 5 percent.

(23) Within available funds, the aging and long term support administration must maintain a unit within adult protective services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

(24) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(25) \$1,858,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation of the volunteer services program. Funding must be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(26) ~~\$479,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(\$479,000)~~ \$989,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the kinship navigator program in the Colville Indian reservation, Yakama Nation, and other tribal areas.

(27) The traumatic brain injury council shall collaborate with other state agencies in their efforts to address traumatic brain injuries to ensure that efforts are complimentary and continue to support the state's broader efforts to address this issue.

(28) \$1,297,000 of the general fund—state appropriation for fiscal year 2024 and \$1,297,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based dementia education and support activities in three areas of the state, including dementia resource catalyst staff and direct services for people with dementia and their caregivers.

(29) \$5,410,000 of the general fund—state appropriation for fiscal year 2024, \$9,277,000 of the general fund—state appropriation for fiscal year 2025, and \$14,909,000 of the general fund—federal appropriation are provided solely for the operating costs associated with the phase-in of enhanced services facilities and specialized dementia care beds that were established with behavioral health community capacity grants.

(30)(a) \$71,000 of the general fund—state appropriation for fiscal year 2024, \$68,000 of the general fund—state appropriation for fiscal year 2025, and \$141,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(b) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(i) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required within each behavior support specialty setting and the necessary qualifications of these staff;

(ii) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

(iii) A plan for implementing the enhanced behavior support specialty contracts that includes:

(A) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(B) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(iv) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(A) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(B) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(C) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(31) (~~(\$2,874,000)~~) \$2,551,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$2,211,000)~~) \$2,534,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the general fund—federal appropriation are provided solely for the kinship care support program. Of the amounts provided in this subsection:

(a) (~~(\$667,000)~~) \$344,000 of the general fund—state appropriation for fiscal year 2024 (~~(is)~~) and \$323,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the kinship navigator case management pilot program.

(b) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the rates paid to kinship navigators and to increase the number of kinship navigators so that each area agency on aging has one kinship navigator and King county has two kinship navigators.

(32) \$2,574,000 of the general fund—state appropriation for fiscal year 2024 and \$2,567,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 40 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(33) \$691,000 of the general fund—state appropriation for fiscal year 2024, \$658,000 of the general fund—state appropriation for fiscal year 2025, and \$1,347,000 of the general fund—federal appropriation are provided solely for the department to provide staff support to the difficult to discharge task force described in section (~~(135(12))~~) 132(12) of this act, including any associated ad hoc subgroups, and to develop home and community services assessment timeliness requirements for pilot participants in cooperation with the health care authority as described in section 211(~~(65))~~) (64) of this act.

(34) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a study of functional assessments conducted by the department prior to acute care hospital discharge and placement in a post-acute facility. No later than June 30, 2025, a report must be submitted to the governor and the appropriate committees of the legislature that evaluates:

(a) The timeliness of the completion of these assessments;

(b) How requiring these assessments impacts:

(i) The length of a patient's hospital stay;

(ii) The patient's medical, emotional, and mental well-being;

(iii) The hospital staff who care for these patients; and

(iv) Access to inpatient and emergency beds for other patients;

(c) Best practices from other states for placing hospitalized patients in post-acute care settings in a timely and effective manner that includes:

(i) Identification of the states that require these assessments prior to post-acute placement; and

(ii) An analysis of a patient's hospital length of stay and a patient's medical, emotional, and mental well-being in states that require these assessments compared to the states that do not; and

(d) The potential benefits of, and barriers to, outsourcing some or all of the functional assessment process to hospitals. Barriers evaluated must include department policies regarding staff workloads, outsourcing work, and computer system access.

(35) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely to employ and train staff for outreach efforts aimed at connecting adult family home owners and their employees with health care coverage through the adult family home training network as outlined in RCW 70.128.305. These outreach activities must consist of:

(a) Informing adult family home owners and their employees about various health insurance options;

(b) Creating and distributing culturally and linguistically relevant materials to assist these individuals in accessing affordable or free health insurance plans;

(c) Offering continuous technical support to adult family home owners and their employees regarding health insurance options and the application process; and

(d) Providing technical assistance as a certified assister for the health benefit exchange, enabling adult family home owners and their employees to comprehend, compare, apply for, and enroll in health insurance via Washington healthplanfinder. Participation in the certified assister program is dependent on meeting contractual, security, and other program requirements set by the health benefit exchange.

(36) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the office of the insurance commissioner and the office of the attorney general, to create a regulatory oversight plan for continuing care retirement communities, focusing primarily on establishing and implementing resident consumer protections, as recommended in the 2022 report of the office of the insurance commissioner. As part of the process, the agencies must engage with relevant stakeholder groups for consultation. The final plan must be submitted to the health care committees of the legislature by December 1, 2024.

(37) (~~(\$16,952,000)~~) \$11,509,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$23,761,000)~~) \$15,363,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$41,407,000)~~) \$27,344,000 of the general fund—federal appropriation are provided

solely for nursing home services and emergent building costs at the transitional care center of Seattle. No later than December 1, 2024, the department must submit to the appropriate fiscal committees of the legislature a report that includes, but is not limited to:

(a) An itemization of the costs associated with providing direct care services to residents and managing and caring for the facility; and

(b) An examination of the impacts of this facility on clients and providers of the long-term care and medical care sectors of the state that includes, but is not limited to:

(i) An analysis of areas that have realized cost containment or savings as a result of this facility;

(ii) A comparison of individuals transitioned from hospitals to this facility compared to other skilled nursing facilities over the same period of time; and

(iii) Impacts of this facility on lengths of stay in acute care hospitals, other skilled nursing facility, and transitions to home and community-based settings.

(38) \$911,000 of the general fund—state appropriation for fiscal year 2024, \$935,000 of the general fund—state appropriation for fiscal year 2025, and \$365,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(39) \$562,000 of the general fund—state appropriation for fiscal year 2024, \$673,000 of the general fund—state appropriation for fiscal year 2025, and \$1,244,000 of the general fund—federal appropriation are provided solely to increase rates for long-term care case management services offered by area agencies on aging. The department must include this adjustment in the monthly per client rates paid to these agencies for case management services in the governor's projected maintenance level budget process, in accordance with RCW 43.88.030.

(40) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely to contract with an organization to design and deliver culturally and linguistically competent training programs for home care workers, including individual providers.

(41) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$400,000 of the general fund—federal appropriation are provided solely for a pilot project focused on providing translation services for interpreting mandatory training courses offered through the adult family home training network. The department of social and health services must collaborate with the adult family home council and the adult family home training network to assess the pilot project's outcomes. The department of social and health services shall submit a comprehensive report detailing the results to the governor and the appropriate committees of the legislature no later than September 30, 2025.

(42) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the current pilot projects to provide personal care services to homeless seniors and people with disabilities from the time the person presents at a shelter to the time they become eligible for medicaid.

(43) \$75,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$147,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$125,000 of the general fund—state appropriation for fiscal year 2024, \$125,000 of the general fund—state appropriation for fiscal year 2025, and \$250,000 of the general fund—federal appropriation are provided solely for the department, in collaboration with the consumer directed employer and home care agencies, to establish guidelines, collect and analyze data, and research the reasons and timing behind home care workers leaving the workforce.

(45) \$703,000 of the general fund—state appropriation for fiscal year 2024, \$3,297,000 of the general fund—state appropriation for fiscal year 2025, and \$2,735,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(46)(a) \$4,792,000 of the general fund—state appropriation for fiscal year 2024, \$4,894,000 of the general fund—state appropriation for fiscal year 2025, and \$9,881,000 of the general fund—federal appropriation are provided solely to support providers that are ready to accept patients who are in acute care beds and no longer require inpatient care, but are unable to be transitioned to appropriate postacute care settings. These patients are generally referred to as difficult to discharge hospital patients because of their behaviors.

(i) The department shall broaden the current discharge and referral case management practices for difficult to discharge hospital patients waiting in acute care hospitals to include referrals to all long-term care behavioral health settings, including enhanced services facilities, enhanced adult residential care, and enhanced adult residential care with community stability supports contracts or community behavioral health support services, including supportive supervision and oversight and skills development and restoration. These home and community-based providers are contracted to provide various levels of personal care,

nursing, and behavior supports for difficult to discharge hospital patients with significant behavior support needs.

(ii) Patients ready to discharge from acute care hospitals with diagnosed behaviors or behavior history, and a likelihood of unsuccessful placement in other licensed long-term care facilities, a history of rejected applications for admissions, or a history of unsuccessful placements shall be fully eligible for referral to available beds in enhanced services facilities or enhanced adult residential care with contracts that adequately meet the patient's long-term care needs.

(iii) Previous or current detention under the involuntary treatment act shall not be a requirement for individuals in acute care hospitals to be eligible for these specialized settings. The department shall develop a standard process for acute care hospitals to refer patients to the department for placement in enhanced services facilities and enhanced adult residential care with contracts to provide behavior support.

(b) The department must adopt a payment model that incorporates the following adjustments:

(i) The enhanced behavior services plus and enhanced behavior services respite rates for skilled nursing facilities shall be converted to \$175 per patient per day add-on in addition to daily base rates to recognize additional staffing and care needs for patients with behaviors.

(ii) Enhanced behavior services plus with specialized services rates for skilled nursing facilities shall be converted to \$235 per patient per day add-on on top of daily base rates.

(iii) The ventilator rate add-on for all skilled nursing facilities shall be \$192 per patient per day.

(iv) The tracheotomy rate add-on for all skilled nursing facilities shall be \$123 per patient per day.

(c) Of the amounts provided in (a) of this subsection, \$3,838,000 of the general fund—state appropriation for fiscal year 2024, \$3,917,000 of the general fund—state appropriation for fiscal year 2025, and \$7,911,000 of the general fund—federal appropriation are provided solely for an increase in the daily rate for enhanced services facilities to \$596.10 per patient per day.

(47) \$4,908,000 of the long-term services and supports trust account—state appropriation is provided solely to continue technological development for the Washington cares fund program and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(48) \$63,000 of the general fund—state appropriation for fiscal year 2025 and \$62,000 of the general fund—federal appropriation are provided solely for the department, in cooperation with the health care authority, to study the feasibility and cost of implementing a point of contact for individuals diagnosed with a rare disease to increase access and reduce barriers in navigating programs, services, and resources offered by both agencies.

(49) (a) Within amounts appropriated in this section, the department shall convene a work group comprised of representatives from the department of social and health services, the department of commerce, the health care authority, and organizations representing relevant assisted living and housing providers utilizing department of housing and urban development housing choice vouchers in assisted living facilities to examine how assisted living facilities can use these vouchers for medicaid residents in a manner that aligns with federal requirements and does not negatively impact receipt of federal medicaid funding.

(b) The work group shall submit a preliminary report by December 1, 2024, to the governor and the appropriate committees of the legislature that includes any findings and policy recommendations for how to use housing and urban development project-based rental vouchers for medicaid residents living in licensed assisted living facilities. The work group findings must identify any barriers within the state and federal systems that would prevent the use of housing and urban development project-based rental vouchers for medicaid residents, including, but not limited to, licensing requirements and duplication of services.

(c) It is the intent of the legislature that this work group will continue its work through September 30, 2025, in order to facilitate completion of a final report to the governor and the appropriate committees of the legislature at that time.

(50) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$48,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5640 (independent living residents). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(51) \$94,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(52) \$962,000 of the general fund—state appropriation for fiscal year 2025 and \$962,000 of the general fund—federal appropriation are provided solely for a 30 percent increase in the rates for adult day care and adult day health.

**Sec. 205.** 2023 c 475 s 205 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ECONOMIC SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024)	(\$606,767,000))
	\$676,492,000
General Fund—State Appropriation (FY 2025)	(\$604,555,000))
	\$740,637,000



General Fund—Federal Appropriation. . . . .	(\$1,648,987,000))
	<u>\$1,689,559,000</u>
General Fund—Private/Local Appropriation. . . . .	\$5,274,000
Domestic Violence Prevention Account—State Appropriation. . . . .	\$2,404,000
<u>Information Technology Investment Revolving Account— State Appropriation. . . . .</u>	<u>\$4,329,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(\$2,867,987,000))</b>
	<b><u>\$3,118,695,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) (~~(\$169,050,000)~~) \$172,628,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$164,246,000)~~) \$198,637,000 of the general fund—state appropriation for fiscal year 2025, and \$853,777,000 of the general fund—federal appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting a structure change.

(b) (~~(\$450,773,000)~~) \$481,959,000 of the amounts in (a) of this subsection is for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance. Of the amounts provided in this subsection (1) (b):

(i) \$17,315,000 of the general fund—federal appropriation is provided solely to increase the temporary assistance for needy families and state family assistance cash grants by \$100 per month for households with a child under the age of three, effective November 1, 2023. The funding is intended to assist families with the cost of diapers as described in chapter 100, Laws of 2022.

(ii) \$3,060,000 of the general fund—state appropriation for fiscal year 2024, \$4,665,000 of the general fund—state appropriation for fiscal year 2025, and \$19,000,000 of the general fund—federal appropriation are provided solely for the department to increase temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$296,000 of the general fund—state appropriation for fiscal year 2024, \$5,293,000 of the general fund—state appropriation for fiscal year 2025, and \$1,089,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(iv) \$632,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the replacement of skimmed or cloned cash benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the temporary assistance for needy families and the state family assistance program. The replacement of stolen benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection (1) (b) (iv) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(c) \$167,710,000 of the amounts in (a) of this subsection is for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. Within amounts provided in this subsection (1) (c), the department shall implement the working family support program.

(i) \$2,474,000 of the amounts provided in this subsection (1) (c) is for enhanced transportation assistance. The department must prioritize the use of these funds for the recipients most in need of financial assistance to facilitate their return to work. The department must not utilize these funds to supplant repayment arrangements that are currently in place to facilitate the reinstatement of drivers' licenses.

(ii) \$482,000 of the general fund—state appropriation for fiscal year 2024 and \$1,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$185,000 of the general fund—state appropriation for fiscal year 2024 and \$1,820,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(d) Of the amounts in (a) of this subsection, \$353,402,000 of the general fund—federal appropriation is for the working connections child care program under RCW 43.216.020 within

the department of children, youth, and families. The department is the lead agency for and recipient of the federal temporary assistance for needy families grant. A portion of this grant must be used to fund child care subsidies expenditures at the department of children, youth, and families.

(i) The department of social and health services shall work in collaboration with the department of children, youth, and families to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families.

(ii) Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(e) Of the amounts in (a) of this subsection, \$68,496,000 of the general fund—federal appropriation is for child welfare services within the department of children, youth, and families.

(f) Of the amounts in (a) of this subsection, ~~(\$146,692,000)~~ \$153,475,000 is for WorkFirst administration and overhead. Of the amounts provided in this subsection (1)(f):

(i) \$147,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(ii) \$204,000 of the general fund—state appropriation for fiscal year 2024, \$179,000 of the general fund—state appropriation for fiscal year 2025, and \$575,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(iii) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to process skimmed or cloned cash benefits for impacted recipients of the temporary assistance for needy families or state family assistance programs. Any unspent funds in this subsection (1)(f)(iii) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(g)(i) The department shall submit quarterly expenditure reports to the governor, the fiscal committees of the legislature, and the legislative WorkFirst poverty reduction oversight task force under RCW 74.08A.341. In addition to these requirements, the department must detail any fund transfers across budget units identified in (a) through (e) of this subsection. The department shall not initiate any services that require expenditure of state general fund moneys that are not consistent with policies established by the legislature.

(ii) The department may transfer up to 10 percent of funding between budget units identified in (b) through (f) of this subsection. The department shall provide notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst poverty reduction oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(h) On January 2nd and July 1st of each year, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst poverty reduction oversight task force. The report must detail the following information for temporary assistance for needy families:

(i) An overview of federal rules related to maintenance of effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;

(ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;

(iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;

(iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;

(v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort;

(vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation targets, and future reportable federal participation rate requirements; and

(vii) Proposed and enacted federal law changes affecting maintenance of effort or the participation rate, what impact these changes have on Washington's temporary assistance for needy families program, and the department's plan to comply with these changes.

(i) In the 2023-2025 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (a) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(2) \$3,545,000 of the general fund—state appropriation for fiscal year 2024 and \$3,545,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On January 1, 2024, and January 1, 2025, the department must report to the governor and the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be 100 percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(8) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational support of the Washington information network 211 organization.

(9) \$377,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consolidated emergency assistance program.

(10) \$560,000 of the general fund—state appropriation for fiscal year 2024 and \$560,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state-funded employment and training program for recipients of the state's food assistance program.

(11) (~~(\$5,244,000)~~) \$4,999,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$3,805,000)~~) \$2,155,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$21,115,000)~~) \$27,765,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project to create a comprehensive application and benefit status tracker for multiple programs, an application and enrollment portal for multiple programs, and to establish a foundational platform. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(12) (~~(\$3,307,000)~~) \$2,352,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$257,000)~~) \$1,230,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$8,318,000)~~) \$7,576,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project for the discovery, innovation, and customer experience phase. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(13) (~~(\$1,067,000)~~) \$2,267,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$1,067,000)~~) \$2,638,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$4,981,000)~~) \$11,481,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project office.

(14) \$189,000 of the general fund—state appropriation for fiscal year 2024 and \$953,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of the ongoing additional requirements program, effective April 1, 2024. Of the amount provided in this subsection, the maximum amount that may be expended on new items added to the ongoing additional requirements program is \$53,000 in fiscal year 2024 and \$710,000 in fiscal year 2025.

(15)(a) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors and a study to assess needs and develop recommendations for ongoing supports for this population.

(b) Of the amounts provided in (a) of this subsection, \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for

fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors in order to address financial hardship and support household well-being. Stabilization funds can be used to support the sponsorship household with costs of housing, childcare, transportation, internet and data services, household goods, and other unmet needs. The funds may be provided on behalf of an unaccompanied child when the following eligibility criteria are met:

(i) The unaccompanied child is between the ages of 0-17, has been placed in Washington under the care of a nonparental sponsor following release from the United States office of refugee resettlement custody, and has not been reunified with a parent; and

(ii) The sponsorship household demonstrates financial need and has an income below 250 percent of the federal poverty level. A sponsorship household receiving stabilization funds on behalf of a child who turns 18 may continue to receive funds for an additional 60 days after the child reaches 18 years of age.

(c) The department may work with community-based organizations to administer sponsorship stabilization supports. Up to 10 percent of the amounts provided in (b) of this subsection may be used by the community-based organizations to cover administrative expenses associated with the distribution of these supports.

(d) Of the amounts provided in (a) of this subsection, \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to cover the administrative resources necessary for the department to administer the sponsorship stabilization program and to convene a work group with the department of children, youth, and families, department of commerce's office of homeless youth prevention and programs, stakeholders, and community-based organization who have pertinent information regarding sponsorship households. The work group shall identify and analyze the resource and service needs for unaccompanied children and their sponsors, including the types and levels of financial supports and related services that will promote stability of sponsorship placements for this population.

(i) The department must produce a report that includes an overview of the number of impacted children and sponsors, existing services and supports that are available, any gaps in services, and potential changes to federal programs and policies that could impact unaccompanied children. The report shall include recommendations for how state agencies and community organizations can partner with the federal government to support sponsorship households, proposed services and supports that the state could provide to promote the ongoing stability of sponsorship households, and a recommended service delivery model.

(ii) The department shall submit the report required by (d)(i) of this subsection (15) to the governor and appropriate legislative committees no later than June 30, 2025.

(16) \$111,000 of the general fund—state appropriation for fiscal year 2024, \$1,016,000 of the general fund—state appropriation for fiscal year 2025, and \$21,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs) for the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance programs. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(17) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with an organization located in Seattle with expertise in culturally and linguistically appropriate communications and outreach to conduct an outreach, education, and media campaign related to communities significantly impacted by or at risk for benefits trafficking, skimming, or other fraudulent activities, with particular focus on immigrant, refugee, migrant, and senior populations. This campaign must provide community-focused, culturally and linguistically appropriate education and assistance targeted to meet the needs of each community and related to safeguarding public assistance benefits provided through an electronic benefit card and how to avoid the trafficking or skimming of benefits. To the extent practical, the department must make available information and data to refine this campaign for those communities most impacted to ensure inclusion of any relevant groups not already identified in this provision. The contracted organization, in collaboration with the department, must focus its outreach in highly impacted geographic areas including, but not limited to, Burien, Federal Way, Kent, Lynnwood, White Center, West Seattle, Seattle's International District, Chinatown, and the Central District, Yakima and other identified locations.

(18) \$10,881,000 of the general fund—state appropriation for fiscal year 2024, \$10,131,000 of the general fund—state appropriation for fiscal year 2025, \$6,734,000 of the general fund—federal appropriation, and \$2,404,000 of the domestic violence prevention account—state appropriation are provided solely for domestic violence victim services. Of the amounts provided in this subsection, \$750,000 of the general fund—state appropriation for fiscal year 2024 must be distributed to domestic violence services providers proportionately, based upon bed capacity.

(19) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to meet the terms of its settlement agreement with the United States department of agriculture (USDA).

(a) Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to repay USDA as part of the settlement agreement.

(b) Of the amounts provided in this subsection, \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for

fiscal year 2025 are provided solely for the department to fund employment and training program services and activities ((for))targeted to able-bodied adults without dependents receiving food benefits from the USDA supplemental nutrition assistance program, but open to all basic food employment and training participants including participants who are not able-bodied adults without dependents.

(20) \$3,844,000 of the general fund—state appropriation for fiscal year 2024, \$7,921,000 of the general fund—state appropriation for fiscal year 2025, and \$1,374,000 of the general fund—federal appropriation are provided solely for the department to increase the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance grants by eight percent, effective January 1, 2024.

(21) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization in Pierce county to continue the operation of the guaranteed basic income program in Tacoma.

(22) \$58,000 of the general fund—state appropriation for fiscal year 2024 and \$59,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Substitute Senate Bill No. 5398 (domestic violence funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(23) \$113,000 of the general fund—state appropriation for fiscal year 2024, \$1,487,000 of the general fund—state appropriation for fiscal year 2025, and \$1,599,000 of the general fund—federal appropriation are provided solely to fully integrate the asset verification system into the automated client eligibility system (ACES).

(24) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$34,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the changes made to the state supplemental payment program in chapter 201, Laws of 2023.

(25) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the staffing necessary to process medical assistance cases resulting from the July 1, 2024, implementation for the apple health expansion program.

(26) \$2,786,000 of the general fund—state appropriation for fiscal year 2024, \$5,888,000 of the general fund—state appropriation for fiscal year 2025, and \$8,334,000 of the general fund—federal appropriation are provided solely for the transition of the automated client eligibility system (ACES) mainframe hardware operations to cloud technologies, using an enterprise contracted service through the consolidated technology services agency. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(27) \$5,024,000 of the general fund—state appropriation for fiscal year 2024, \$7,206,000 of the general fund—state appropriation for fiscal year 2025, and \$12,230,000 of the general fund—federal appropriation are provided solely for the implementation of the summer electronic benefit transfer program for the summer break months following the 2023-2024 and 2024-2025 school years. The program implementation must align with the federal summer electronic benefit program requirements defined in the consolidated appropriations act, 2023 (136 Stat. 4459). The department may use a third-party entity to administer the program.

(28) \$8,191,000 of the general fund—state appropriation for fiscal year 2024, \$464,000 of the general fund—state appropriation for fiscal year 2025, and \$8,314,000 of the general fund—federal appropriation are provided solely to cover the increased costs of the maintenance and operations of the automated client eligibility system (ACES), including but not limited to a one-time vendor transition.

(29) \$251,000 of the general fund—state appropriation for fiscal year 2025 and \$21,000 of the general fund—federal appropriation are provided solely to process and replace skimmed or cloned cash and food benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the pregnant women assistance, refugee cash assistance, aged, blind, or disabled assistance, and state food assistance program. The replacement of stolen cash and food benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(30) (a) \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to the office of refugee and immigrant assistance to expand support services for individuals newly arriving to the United States and Washington who do not qualify for federal refugee resettlement program services. Support services include, but are not limited to, housing assistance, food, transportation, childhood education services, education and employment supports, connection to legal services, and social services navigation.

(b) Of the amounts in (a) of this subsection, \$162,000 is provided solely for staffing at the office of refugee and immigrant assistance to cover the administrative expenses of coordinating a statewide approach to the supports described in (a) of this subsection.

(31) (a) \$593,000 of the general fund—state appropriation for fiscal year 2024, \$1,406,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely to implement changes made through the fiscal responsibility act of 2023 (137 Stat. 10) for the supplemental nutrition assistance program's work requirements for able-bodied adults without dependents, and the corresponding impacts to the state food assistance program.

(b) Of the amounts in (a) of this subsection, \$104,000 of the general fund—state appropriation for fiscal year 2024, \$115,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely for administrative and information technology expenses.

(32) (a) \$236,000 of the general fund—state appropriation for fiscal year 2024, \$3,367,000 of the general fund—state appropriation for fiscal year 2025, and \$1,329,000 of the general fund—federal appropriation are provided solely for the department to hire additional public benefit specialists to help reduce the call center and lobby wait times within the community services division.

(b) By June 30, 2025, the department must submit a report to the governor and the legislature that shows the prior fiscal year's call and lobby wait times by month and queue, number of customer contacts by month and queue, processing times for the various queues for the three most recent fiscal years along with an explanation for any changes to the most recent year's processing times, number of filled public benefit specialists 3 positions and vacancies by month, wait time impacts associated with individual technology solution enhancements, any telephonic savings experienced due to fewer customers waiting on hold, and recommendations to continue reducing customer wait times.

(33) \$103,000 of the general fund—state appropriation for fiscal year 2025 and \$65,000 of the general fund—federal appropriation are provided solely to implement Senate Bill No. 5889 (customer voice council). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 206. 2023 c 475 s 206 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2024)	(((\$26,670,000))
	\$26,677,000
General Fund—State Appropriation (FY 2025)	(((\$26,962,000))
	\$26,975,000
General Fund—Federal Appropriation	\$110,047,000
<b>TOTAL APPROPRIATION</b>	<b>(((\$163,679,000))</b>
	<b>\$163,699,000</b>

Sec. 207. 2023 c 475 s 207 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SPECIAL COMMITMENT PROGRAM**

General Fund—State Appropriation (FY 2024)	(((\$82,011,000))
	\$81,275,000
General Fund—State Appropriation (FY 2025)	(((\$81,976,000))
	\$80,461,000
<b>TOTAL APPROPRIATION</b>	<b>(((\$163,987,000))</b>
	<b>\$161,736,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

((+4)) (2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to:

(i) Explore regulatory framework options for conditional release less restrictive alternative placements and make recommendations for a possible future framework. This exploration shall include collaboration with the department of corrections regarding their community custody programs;

(ii) Review and refine agency policies regarding communication and engagement with impacted local governments related to less restrictive alternatives, including exploring options for public facing communications on current county fair share status and any projected future need;

(iii) Identify opportunities for greater collaboration and possible fiscal support for local government entities regarding placements of conditional release less restrictive alternatives; and

(iv) Provide recommendations to improve cost-effectiveness of all less restrictive alternative placements.

(b) The department shall submit a report to the governor and appropriate fiscal and policy committees of the legislature by December 1, 2023, with a summary of the results and provide any additional recommendations to the legislature that the department identifies. The report shall also include a summary of costs to the department for contracted and uncontracted less restrictive alternatives.

((+5)) (3) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to conduct an assessment of wireless internet implementation needs and options, and must include an assessment of satellite and fiber options. The department shall provide a report that includes the assessment and estimated implementation time frame and costs to the appropriate committees of the legislature by December 15, 2023.

(4) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 208.** 2023 c 475 s 208 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$49,968,000</del> ))
	\$50,926,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$50,544,000</del> ))
	\$57,903,000
General Fund—Federal Appropriation. . . . .	(( <del>\$57,444,000</del> ))
	\$62,572,000
<u>Climate Commitment Account—State Appropriation. . . . .</u>	<u>\$1,000,000</u>
<u>Information Technology Investment Revolving Account—</u>	
<u>State Appropriation. . . . .</u>	<u>\$4,876,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$157,956,000</del>))</b>
	<b>\$177,277,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(2) \$5,000 of the general fund—state appropriation for fiscal year 2024, \$22,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium as provided in section 907 of this act.

(3) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the joint legislative and executive committee on behavioral health established in section 135 of this act.

(4) \$115,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$64,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$100,000 of the general fund—state appropriation for fiscal year 2024, \$96,000 of the general fund—state appropriation for fiscal year 2025, and \$149,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5497 (medicaid expenditures). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$231,000 of the general fund—state appropriation for fiscal year 2024 and \$65,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5304 (language access/testing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(7) (a) \$2,961,000 of the general fund—federal appropriation is provided solely for the system for integrated leave, attendance, and scheduling (SILAS) project and is subject to the conditions, limitations, and review requirements of section 701 of this act. Funding is provided solely for continued project expansion at the:

- (i) Yakima Valley school;
- (ii) Maple Lane campus;
- (iii) Brockmann campus;
- (iv) Rainier school; and
- (v) Fircrest school.

(b) By July 1, 2024, the department must submit a report to the appropriate committees of the legislature to include, at least, the implementation schedule and budget plans by facility deployment for each of the facilities listed in (a) of this subsection.

(c) By June 30, 2025, the department must submit a report to the appropriate committees of the legislature to include, but not be limited to, how funding was spent compared to the spending plan and the actual roll out by facility compared to the implementation schedule for each facility that the SILAS solution was planned and/or implemented at in the prior 12 calendar months.

(8) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the research and data administration of the department to analyze historical

trends of admissions for felony civil conversion cases based on behavioral health administrative service organization regions. The research and data administration must create a report that provides information on the monthly averages for admission by region and any information about trends or cycles, and shall make a recommendation about how best to predict and model future admissions for this population by region. The report must be submitted to the governor, office of financial management, and appropriate committees of the legislature no later than November 1, 2024.

(9) \$1,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to pilot a statewide network of community assemblies with overburdened communities as defined in RCW 70A.02.010. The department must select topics for community assemblies that fall within its authority or must consult and coordinate with the agency who has authority on the proposed topic before selection. These assemblies will review state policy, program, and funding decisions.

(10) \$670,000 of the general fund—state appropriation for fiscal year 2025 and \$189,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5943 (resource data tool). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(11)(a) \$250,000 of general fund—state appropriation is provided solely for the department to complete a gap analysis of the existing housing and health care system and provide a report to the legislature detailing its findings. This report shall include, but not be limited to, a review of existing models related to individuals experiencing:

(i) Housing instability who have significant medical and/or behavioral health needs, including the inability to stay in or return to their current housing;

(ii) Homelessness and/or a significant history of being unhoused, including permanent supportive housing residents; and

(iii) Significant health-related social needs that are not severe enough to qualify for placement in existing facilities, but are too significant to be met in a shelter or permanent supportive housing.

(b) The gap analysis shall also include a review of:

(i) Hospitals with patients that have resolved the acute hospital-level needs of the patient, but cannot discharge patients to the community because there is no appropriate lower level of care available; and

(ii) Permanent supportive housing and shelter providers with residents whose medical needs exceed the location's ability to provide care.

(c) The department shall provide recommendations to fill the gaps identified in (a) and (b) of this subsection, which may include creation of complex care locations and enhanced behavioral health supports until an individual qualifies for either a higher or lower level of care.

(d) This report must be submitted to the appropriate committees of the legislature by December 1, 2024.

**Sec. 209.** 2023 c 475 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PAYMENTS TO OTHER AGENCIES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$63,781,000)) \$66,483,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$60,934,000)) \$63,617,000
General Fund—Federal Appropriation. . . . .	(((\$60,794,000)) \$61,814,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$185,509,000)) \$191,914,000</b>

The appropriations in this section are subject to the following conditions and limitations: Within the amounts appropriated in this section, the department must extend master property insurance to all buildings owned by the department valued over \$250,000 and to all locations leased by the department with contents valued over \$250,000.

**Sec. 210.** 2023 c 475 s 210 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY**

(1)(a) During the 2023-2025 fiscal biennium, the health care authority shall provide support and data as required by the office of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority.

(b) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

(2) The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If



the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) (a) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(b) The health care authority must submit a report on November 1, 2023, and annually thereafter, to the fiscal committees of the legislature. The report must include, at a minimum:

(i) A list of active coalition projects as of July 1st of the fiscal year. This must include all current and ongoing coalition projects, which coalition agencies are involved in these projects, and the funding being expended on each project, including in-kind funding. For each project, the report must include which federal requirements each coalition project is working to satisfy, and when each project is anticipated to satisfy those requirements; and

(ii) A list of coalition projects that are planned in the current and following fiscal year. This must include which coalition agencies are involved in these projects, including the anticipated in-kind funding by agency, and if a budget request will be submitted for funding. This must reflect all funding required by fiscal year and by fund source and include the budget outlook period.

(4) The appropriations to the health care authority in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the authority may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management. To the extent that appropriations in this section are insufficient to fund actual expenditures in excess of caseload forecast and utilization assumptions, the authority may transfer general fund—state appropriations for fiscal year 2024 that are provided solely for a specified purpose. The authority may not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification must include a narrative explanation and justification of changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications and transfers.

**Sec. 211.** 2023 c 475 s 211 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—MEDICAL ASSISTANCE**

General Fund—State Appropriation (FY 2024) . . . . .	(\$2,682,912,000))
	\$2,858,495,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$2,672,393,000))
	\$2,926,650,000
General Fund—Federal Appropriation . . . . .	(\$15,431,138,000))
	\$16,706,792,000
General Fund—Private/Local Appropriation . . . . .	(\$1,074,465,000))
	\$1,252,273,000
Dedicated Cannabis Account—State Appropriation	
(FY 2024) . . . . .	((25,544,000))
	\$21,513,000
Dedicated Cannabis Account—State Appropriation	
(FY 2025) . . . . .	((28,936,000))
	\$23,376,000
Emergency Medical Services and Trauma Care Systems	
Trust Account—State Appropriation . . . . .	\$15,086,000
<u>Family Medicine Workforce Development Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$7,000,000</u>
Hospital Safety Net Assessment Account—State	
Appropriation . . . . .	(\$1,524,493,000))

	<u>\$1,517,493,000</u>
<u>Long-Term Services and Supports Trust Account—State</u>	
Appropriation. . . . .	\$314,000
Medical Aid Account—State Appropriation. . . . .	\$540,000
Statewide 988 Behavioral Health Crisis Response Line	
Account—State Appropriation. . . . .	(( <del>\$21,606,000</del> ))
	<u>\$11,624,000</u>
Telebehavioral Health Access Account—State	
Appropriation. . . . .	(( <del>\$8,394,000</del> ))
	<u>\$7,836,000</u>
Ambulance Transport Fund—State Appropriation. . . . .	(( <del>\$13,872,000</del> ))
	<u>\$14,316,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$23,499,379,000</del>))</b>
	<b><u>\$25,363,308,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The authority shall submit an application to the centers for medicare and medicaid services to renew the 1115 demonstration waiver for an additional five years as described in subsections (2), (3), and (4) of this section. The authority may not accept or expend any federal funds received under an 1115 demonstration waiver except as described in this section unless the legislature has appropriated the federal funding. To ensure compliance with legislative requirements and terms and conditions of the waiver, the authority shall implement the renewal of the 1115 demonstration waiver and reporting requirements with oversight from the office of financial management. The legislature finds that appropriate management of the renewal of the 1115 demonstration waiver as set forth in subsections (2), (3), and (4) of this section requires sound, consistent, timely, and transparent oversight and analytic review in addition to lack of redundancy with other established measures. The patient must be considered first and foremost in the implementation and execution of the demonstration waiver. To accomplish these goals, the authority shall develop consistent performance measures that focus on population health and health outcomes. The authority shall limit the number of projects that accountable communities of health may participate in under initiative 1 to a maximum of six and shall seek to develop common performance measures when possible. The joint select committee on health care oversight will evaluate the measures chosen: (a) For effectiveness and appropriateness; and (b) to provide patients and health care providers with significant input into the implementation of the demonstration waiver to promote improved population health and patient health outcomes. In cooperation with the department of social and health services, the authority shall consult with and provide notification of work on applications for federal waivers, including details on waiver duration, financial implications, and potential future impacts on the state budget to the joint select committee on health care oversight prior to submitting these waivers for federal approval. Prior to final approval or acceptance of funds by the authority, the authority shall submit the special terms and conditions as submitted to the centers for medicare and medicaid services and the anticipated budget for the duration of the renewed waiver to the governor, the joint select committee on health care, and the fiscal committees of the legislature. By federal standard any programs created or funded by this waiver do not create an entitlement. The demonstration period for the waiver as described in subsections (2), (3), and (4) of this section begins July 1, 2023.

(2) (a) ((~~\$150,219,000~~))\$342,398,000 of the general fund—federal appropriation and ((~~\$150,219,000~~))\$213,592,000 of the general fund—local appropriation are provided solely for accountable communities of health described in initiative 1 of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. In renewing this initiative, the authority shall consider local input regarding community needs and shall limit total local projects to no more than six. To provide transparency to the appropriate fiscal committees of the legislature, the authority shall provide fiscal staff of the legislature query ability into any database of the fiscal intermediary that authority staff would be authorized to access. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) ((~~\$438,515,000~~))\$467,787,000 of the general fund—federal appropriation and ((~~\$179,111,000~~))\$191,068,000 of the general fund—private/local appropriation are provided solely for the medicaid quality improvement program and this is the maximum amount that may be expended for this purpose. Medicaid quality improvement program payments do not count against the 1115 demonstration waiver spending limits and are excluded from the waiver's budget neutrality calculation. The authority may provide medicaid quality improvement program payments to apple health managed care organizations and their partnering providers as they meet designated milestones. Partnering providers and apple health managed care organizations must work together to achieve medicaid quality improvement program goals according to the performance period timelines and reporting deadlines as set forth by the authority. The authority may only use the medicaid quality improvement program to support initiatives 1, 2, and 3 as described in the 1115 demonstration waiver and may not pursue its use for other purposes. Any programs created or funded by the medicaid quality improvement program do not

constitute an entitlement for clients or providers. The authority shall not supplement the amounts provided in this subsection with any general fund—state, general fund—federal, or general fund—local moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight not less than quarterly on financial and health outcomes. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) In collaboration with the accountable communities of health, the authority will submit a report to the governor and the joint select committee on health care oversight describing how each of the accountable community of health's work aligns with the community needs assessment no later than December 1, 2023.

(d) Performance measures and payments for accountable communities of health shall reflect accountability measures that demonstrate progress toward transparent, measurable, and meaningful goals that have an impact on improved population health and improved health outcomes, including a path to financial sustainability. While these goals may have variation to account for unique community demographics, measures should be standardized when possible.

(3) ~~(((\$115,713,000))\$87,665,000~~ of the general fund—federal appropriation and ~~(((\$115,725,000))\$87,666,000~~ of the general fund—local appropriation are provided solely for long-term support services as described in initiative 2 of the 1115 demonstration waiver as well as administrative expenses for initiative 3 and this is the maximum amount that may be expended for this purpose. The authority shall contract with and provide funding to the department of social and health services to administer initiative 2. The director in cooperation with the secretary of the department of social and health services shall report to the office of financial management all of the expenditures of this section and shall provide such fiscal data in the time, manner, and form requested. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section.

(4) (a) ~~(((\$54,912,000))\$46,450,000~~ of the general fund—federal appropriation and ~~(((\$30,162,000))\$21,432,000~~ of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its third-party administrator. The authority and the department, in consultation with the medical assistance expenditure forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) ~~((The authority and the department shall seek))\$28,156,000 of the general fund—federal appropriation and \$22,067,000 of the general fund—local appropriation are provided solely for additional ((flexibilities for)) housing supports ((through the centers for medicare and medicaid services and shall coordinate with the office of financial management and the department of commerce to ensure that services are not duplicated)) described in the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.~~

(c) The director shall report to the joint select committee on health care oversight no less than quarterly on utilization and caseload statistics for both supportive housing and employment services and its progress toward increasing uptake and availability for these services.

(5) \$1,432,000 of the general fund—state appropriation for fiscal year 2024 and \$3,008,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported employment services and \$1,478,000 of the general fund—state appropriation for fiscal year 2024 and \$3,162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported housing services, similar to the services described in initiatives 3a and 3b of the 1115 demonstration waiver to individuals who are ineligible for medicaid. Under these initiatives, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its third-party administrator. Before authorizing services, eligibility for initiative 3a or 3b of the 1115 demonstration waiver must first be determined.

(6) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

(7) The legislature finds that medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(8) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

(9) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

(10) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

(11) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

(12) (~~(\$4,176,000)~~) \$4,261,000 of the general fund—state appropriation for fiscal year 2024, \$4,261,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$8,607,000)~~) \$8,522,000 of the general fund—federal appropriation are provided solely for low-income disproportionate share hospital payments.

(13) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

(14) \$7,000,000 of the general fund—federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

(15) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2023-2025 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2023, and by November 1, 2024, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2024 and fiscal year 2025, hospitals in the program shall be paid and shall retain 100 percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and 100 percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. For the purpose of determining the amount of any state grant under this subsection, payments will include the federal portion of medicaid program supplemental payments received by the hospitals. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2023-2025 biennial operating appropriations act and in effect on July 1, 2015, (b) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent

the same disproportionate share hospital programs exist in the 2019-2021 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within 11 months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. (~~(\$237,000 of the general fund state appropriation for fiscal year 2024 and \$218,000 of the general fund state appropriation for fiscal year 2025 are provided solely for state grants for the participating hospitals.)~~)

(16) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide ongoing support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

(17) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

(18) The authority shall submit reports to the governor and the legislature by September 15, 2023, and no later than September 15, 2024, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

(19) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

(20) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

(21) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(22) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$90,000 of the general fund—state appropriation for fiscal year 2025, and \$180,000 of the general fund—federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

(24) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(25) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

(26) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

(27) The authority shall use revenue appropriated from the dedicated cannabis account for contracts with community health centers under RCW 69.50.540 in lieu of general fund—state payments to community health centers for services provided to medical assistance clients, and it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(28) Beginning no later than July 1, 2018, for any service eligible under the medicaid state plan for encounter payments, managed care organizations at the request of a rural health clinic shall pay the full published encounter rate directly to the clinic. At no time will a managed care organization be at risk for or have any right to the supplemental portion

of the claim. Payments will be reconciled on at least an annual basis between the managed care organization and the authority, with final review and approval by the authority.

(29) Sufficient amounts are appropriated in this section for the authority to provide a medicaid equivalent adult dental benefit to clients enrolled in the medical care service program.

(30) During the 2023-2025 fiscal biennium, sufficient amounts are provided in this section for the authority to provide services identical to those services covered by the Washington state family planning waiver program as of August 2018 to individuals who:

(a) Are 19 years of age;

(b) Are at or below 260 percent of the federal poverty level as established in WAC 182-505-0100;

(c) Are not covered by other public or private insurance; and

(d) Need family planning services and are not currently covered by or eligible for another medical assistance program for family planning.

~~((32))~~ (31) (a) The authority shall ensure that appropriate resources are dedicated to implementing the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report. Additionally, the authority shall:

(i) Work to ensure the efficient operations of the managed care plans, including but not limited to, a deconflicting process for audits with and among the managed care plans and the medicaid fraud division at the attorney general's office, to ensure the authority staff perform central audits of cases that appear across multiple managed care plans, versus the audits performed by the individual managed care plans or the fraud division;

(ii) Remain accountable for operating in an effective and efficient manner, including performing program integrity activities that ensure high value in the medical assistance program in general and in medicaid managed care specifically;

(iii) Work with its contracted actuary and the medical assistance expenditure forecast work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting; and

(iv) Work with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024, \$50,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the general fund—federal appropriation are provided solely for the authority to consider, as part of its program integrity activities, whether it is providing economical, efficient, and quality prescription drug services through its administrative services model and the quantifiable cost and benefit of this service delivery method. The authority must establish an annual reporting requirement for all covered entities participating in the 340B drug pricing program that receive medicaid funds under this section; and the authority shall provide at an aggregate level, broken down by covered entities defined by 42 U.S.C. §256b(a)(4)(A)-(O), the following minimum information to the governor and fiscal committees of the legislature no later than October 15, 2023:

(i) The cost and benefits of providing these prescription drug benefits through a carved-out fee-for-service benefit, both total cost and net of rebates;

(ii) The cost and benefits of providing these prescription drug benefits through a carved-in managed care benefit, both total cost and net of rebates;

(iii) The cost and benefits of providing these prescription drug benefits through the administrative services model, both total and net of rebates;

(iv) The community benefit attributable to 340B providers as a result of the administrative services or carved-in model as compared to each other and as compared to the carved-out model; and

(v) The federal financial participation provided to the state under each of these models.

(c) The authority shall submit a report to the governor and appropriate committees of the legislature by October 1, 2023, that includes, but is not limited to:

(i) Specific, quantified actions that have been taken, to date, related to the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report;

(ii) Specific, quantified information regarding the work done with its contracted actuary and the medical assistance expenditure forecast expenditure work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting;

(iii) Specific, quantified information regarding the work done with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner;

(iv) Accounting by fiscal year, medicaid eligibility group, and service beginning with state fiscal year 2020 to include all program integrity recoveries attributable to the authority, including how these recoveries are categorized, to which year they are reported, how these recoveries are applied against legislative savings requirements, and what recoveries are attributable to the office of the attorney general's medicaid fraud control division and how these recoveries are considered when reporting program integrity activity and determining managed care rates; and

(v) Information detailing when the agency acquired a new fraud and abuse detection system and to what extent this system is being utilized.

~~((33))~~ (32) (a) The authority shall not enter into any future value-based arrangements with federally qualified health centers or rural health clinics prior to receiving approval from the office of financial management and the appropriate committees of the legislature.

(b) The authority shall not modify the reconciliation process with federally qualified health centers or rural health clinics without notification to and the opportunity to comment from the office of financial management.

(c) The authority shall require all managed care organizations to provide information to the authority to account for all payments to rural health clinics and federally qualified health centers to include how payments are made, including any additional payments and whether there is a sub-capitation arrangement or value-based purchasing arrangement.

(d) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall reconcile on an annual basis with rural health clinics and federally qualified health centers.

(e) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall properly accrue for any anticipated reconciliations with rural health clinics and federally qualified health centers during the fiscal year close process following generally accepted accounting practices.

~~((34))~~ (33) Within the amounts appropriated in this section, the authority is to include allergen control bed and pillow covers as part of the durable medical equipment benefit for children with an asthma diagnosis enrolled in medical assistance programs.

~~((35) Within the amounts appropriated in this section, the authority shall reimburse for maternity services provided by doulas.~~

~~(36))~~ (34) \$23,000 of the general fund—state appropriation for fiscal year 2024, \$228,000 of the general fund—state appropriation for fiscal year 2025, and \$312,000 of the general fund—federal appropriation are provided solely for the reimbursement of services provided by doulas for apple health clients. The centers for medicare and medicaid services must approve a state plan amendment to reimburse for doula services prior to the implementation of this policy.

(35) Sufficient funds are provided in this section for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

~~((37))~~ (36) Sufficient funds are provided to continue reimbursing dental health aid therapists for services performed in tribal facilities for medicaid clients. The authority must leverage any federal funding that may become available as a result of appeal decisions from the centers for medicare and medicaid services or the United States court of appeals for the ninth circuit.

~~((38))~~ (37) Within the amounts appropriated in this section, the authority shall implement the requirements of RCW 74.09.830 (postpartum health care) and the American rescue plan act of 2021, P.L. 117-2, in extending health care coverage during the postpartum period. The authority shall make every effort to expedite and complete eligibility determinations for individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act to ensure the state is receiving maximum federal match. This includes, but is not limited to, working with managed care organizations to provide continuous outreach in various modalities until the individual's eligibility determination is completed. Beginning June 1, 2022, the authority must submit quarterly reports to the caseload forecast work group on the number of individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act but are waiting for the authority to complete eligibility determination, the number of individuals who were likely eligible but are now receiving health care coverage with the maximum federal match under Title XIX or Title XXI of the federal social security act, and outreach activities including the work with managed care organizations.

~~((39))~~ (38) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the perinatal support warm line to provide peer support, resources, and referrals to new and expectant parents and people in the emotional transition to parenthood experiencing, or at risk of, postpartum depression or other mental health issues.

~~((40))~~ (39) Sufficient funding is provided to remove the asset test from the medicare savings program review process.

~~((41))~~ (40) Sufficient funding is provided to eliminate the mid-certification review process for the aged, blind, or disabled and housing and essential needs referral programs.

~~((42))~~ (41) \$403,000 of the general fund—state appropriation for fiscal year 2025 and \$1,185,000 of the general fund—federal appropriation are provided solely for an adult acupuncture benefit beginning January 1, 2025.

~~((43))~~ (42) \$581,000 of the general fund—state appropriation for fiscal year 2025 and \$1,706,000 of the general fund—federal appropriation are provided solely for an adult chiropractic benefit beginning January 1, 2025.

~~((44))~~ (43) (a) \$4,109,000 of the general fund—state appropriation for fiscal year 2024 and \$2,055,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to establish a two-year grant program for reimbursement for services to patients up to age 18 provided by community health workers in primary care clinics whose patients are significantly comprised of pediatric patients enrolled in medical assistance under chapter 74.09 RCW beginning January 1, 2023. Community health workers funded under this

subsection may provide outreach, informal counseling, and social supports for health-related social needs. The authority shall seek a state plan amendment or federal demonstration waiver should they determine these services are eligible for federal matching funds. Within the amounts provided in this subsection, the authority will provide an initial report to the governor and appropriate committees of the legislature by January 1, 2024, and a final report by January 1, 2025. The report shall include, but not be limited to, the quantitative impacts of the grant program, how many community health workers are participating in the grant program, how many clinics these community health workers represent, how many clients are being served, and evaluation of any measurable health outcomes identified in the planning period prior to January 2023.

(b) In collaboration with key stakeholders including pediatric primary care clinics and medicaid managed care organizations, the authority shall explore longer term, sustainable reimbursement options for the integration of community health workers in primary care to address the health-related social needs of families, including approaches to incorporate federal funding.

~~((45))~~ (44) \$1,635,000 of the general fund—state appropriation for fiscal year 2024, \$1,024,000 of the general fund—state appropriation for fiscal year 2025, and \$1,765,000 of the general fund—federal appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, for state programs within the health and human services coalition to uniformly identify clients across multiple service delivery systems. The coalition will clearly identify all state programs impacted by and all fund sources used in development and implementation of this project. This subsection is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((46))~~ (45) (a) Sufficient amounts are appropriated in this section for the authority to provide coverage for all federal food and drug administration-approved HIV antiviral drugs without prior authorization. This coverage must be provided to apple health clients enrolled in both fee-for-service and managed care programs.

(b) Beginning July 1, 2023, upon initiation or renewal of a contract with the authority to administer a medicaid managed care plan, a managed care health care system shall provide coverage without prior authorization for all federal food and drug administration-approved HIV antiviral drugs.

(c) By December 1, 2023, and December 1, 2024, the authority must submit to the fiscal committees of the legislature the projected and actual expenditures and percentage of medicaid clients who switch to a new drug class without prior authorization as described in (a) and (b) of this subsection.

~~((47))~~ (46) The authority shall consider evidence-based recommendations from the Oregon health evidence review commission when making coverage decisions for the treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome.

~~((48))~~ (47) \$2,120,000 of the general fund—state appropriation for fiscal year 2024, \$2,120,000 of the general fund—state appropriation for fiscal year 2025, and \$9,012,000 of the general fund—federal appropriation are provided solely to increase advanced life support code A0426 by 64 percent, basic life support base rates for nonemergency ambulance transports code A0428 by 80 percent, and mileage for both nonemergency and emergency ambulance transportation code A0425 by 35 percent, beginning July 1, 2023.

~~((49))~~ (48) \$2,047,000 of the general fund—state appropriation for fiscal year 2024, \$3,390,000 of the general fund—state appropriation for fiscal year 2025, and \$5,135,000 of the general fund—federal appropriation are provided solely to increase reimbursement rates by 20 percent for applied behavior analysis codes 0362T and 0373T for individuals with complex behavioral health care needs; and by 15 percent for all other applied behavior analysis codes with the exception of Q3014, beginning January 1, 2024.

~~((50))~~ (49) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$1,992,000 of the general fund—federal appropriation are provided solely for modular replacement costs of the ProviderOne pharmacy point of sale system and are subject to the conditions, limitations, and review provided in section 701 of this act.

~~((51))~~ (50) \$709,000 of the general fund—state appropriation for fiscal year 2024, \$1,410,000 of the general fund—state appropriation for fiscal year 2025, and \$4,075,000 of the general fund—federal appropriation are provided solely to maintain and increase access for behavioral health services through increased provider rates. The rate increases are effective January 1, 2024, and must be applied to the following codes for children and adults enrolled in the medicaid program: 90785, 90791, 90832, 90833, 90834, 90836, 90837, 90838, 90845, 90846, 90847, 90849, 90853, 96156, 96158, 96159, 96164, 96165, 96167, 96168, 96170, 96171, H0004, H0023, H0036, and H2015. The authority may use a substitute code in the event that any of the codes identified in this subsection are discontinued and replaced with an updated code covering the same service. Within the amounts provided in this subsection the authority must:

(a) Implement this rate increase in accordance with the process established in RCW 71.24.885 (medicaid rate increases);

(b) Raise the state fee-for-service rates for these codes by up to 7 percent, except that the state medicaid rate may not exceed the published medicare rate or an equivalent relative value unit rate if a published medicare rate is not available;

(c) Require in contracts with managed care organizations that, beginning January 2024, managed care organizations pay no lower than the fee-for-service rate for these codes, and adjust managed care capitation rates accordingly; and



(d) Not duplicate rate increases provided in subsection ~~((+52))~~(51) of this section.

~~((+52))~~(51) \$1,055,000 of the general fund—state appropriation for fiscal year 2025 and \$2,046,000 of the general fund—federal appropriation are provided solely to maintain and increase access for primary care services for medicaid-enrolled patients through increased provider rates beginning January 1, 2025. Within the amounts provided in this subsection the authority must:

(a) Increase the medical assistance rates for adult primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(b) Increase the medical assistance rates for pediatric primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(c) Increase the medical assistance rates for pediatric critical care, neonatal critical care, and neonatal intensive care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(d) Apply reimbursement rates required under this subsection to payment codes in a manner consistent with the temporary increase in medicaid reimbursement rates under federal rules and guidance in effect on January 1, 2014, implementing the patient protection and affordable care act, except that the authority may not require provider attestations;

(e) Pursue state plan amendments to require medicaid managed care organizations to increase rates under this subsection through adoption of a uniform percentage increase for network providers pursuant to 42 C.F.R. Sec. 438.6(c)(1)(iii)(B), as existing on January 1, 2023; and

(f) Not duplicate rate increases provided in subsection ~~((+51))~~(50) of this section.

~~((+53))~~(52) The authority shall seek a waiver from the federal department of health and human services necessary to implement the requirements of RCW 74.09.670 (medical assistance benefits—incarcerated or committed persons—suspension). Additionally, the authority shall ~~((explore—expanding))~~implement its waiver application for prerelease services ~~((from—30))~~up to 90 days; and provide the governor and fiscal committees of the legislature estimates of costs for implementation or maintenance of effort requirements of this expansion prior to entering into agreement with the centers for medicare and medicaid services.

(a) \$124,000 of the general fund—state appropriation for fiscal year 2025, \$60,925,000 of the general fund—federal appropriation, and \$60,785,000 of the general fund—private/local appropriation are provided solely for prerelease services including, but not limited to, case management, clinical consultations, medication assisted therapy, community health worker services, 30-day supply of medications, durable medical equipment, medications, laboratory services, and radiology services.

(b) The authority shall coordinate with the department of corrections for prison reentry implementation pursuant to the waiver terms. The authority will coordinate with tribes, other state agencies, and jail administrations as necessary to achieve the terms of the 1115 medicaid transformation waiver. The authority shall use its statutory reentry advisory work group and subgroups as necessary to coordinate with partners to achieve these goals.

~~((+54))~~(53) Within the amounts appropriated in this section the authority in collaboration with UW Medicine shall explore funding options for clinical training programs including, but not limited to, family medical practice, psychiatric residencies, advanced registered nurse practitioners, and other primary care providers. Options should include, but not be limited to, shifting direct medicaid graduate medical education payments or indirect medicaid graduate medical education payments, or both, from rates to a standalone program. The authority in collaboration with UW Medicine shall submit a report outlining its findings to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023.

~~((+55))~~(54) \$143,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((+56))~~(55) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5532 (small rural hospital payment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((+57))~~(56) \$56,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$166,000 of the general fund—federal appropriation are provided solely for the authority to increase pediatric palliative care rates to the equivalent medicare rates paid for hospice care in effect October 1, 2022, beginning January 1, 2024.

~~((+58))~~(57) \$598,000 of the general fund—state appropriation for fiscal year 2024 and \$591,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for work required of the authority as specified in RCW 41.05.840 (universal health care commission). Of the amounts provided in this subsection:

(i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are for staff dedicated to

contract procurement, meeting coordination, legislative reporting, federal application requirements, and administrative support;

(ii) \$132,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are for additional staff dedicated to the work of the finance technical advisory committee; and

(iii) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are for consultant services, dedicated actuarial support, and economic modeling.

~~((+59))~~ (58) \$2,395,000 of the general fund—state appropriation for fiscal year 2024, \$2,395,000 of the general fund—state appropriation for fiscal year 2025, and \$10,178,000 of the general fund—federal appropriation are provided solely to increase air ambulance-fixed wing code A0430 by 189 percent, air ambulance-rotary wing code A0431 by 265 percent, fixed wing air mileage code A0435 by 57 percent, and rotary wing air mileage code A0436 by 68 percent, beginning July 1, 2023.

~~((+60))~~ (59) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$218,000 of the general fund—federal appropriation are provided solely for the authority to increase the allowable number of periodontal treatments to up to four per 12 month period for apple health eligible adults, ages 21 and over, with a current diagnosis of diabetes, beginning January 1, 2024.

~~((+61))~~ (60) (a) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((+62))~~ and \$1,360,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one-time bridge grants to hospitals in financial distress.

(b) To qualify for these grants, a hospital must:

(i) Be located in Washington;

(ii) Serve individuals enrolled in state and federal medical assistance programs;

(iii) Continue to maintain a medicaid population at similar utilization levels as in calendar year 2022;

(iv) Be necessary for an adequate provider network for the medicaid program;

(v) Demonstrate a plan for long-term financial sustainability; and

(vi) Meet one of the following criteria:

(A) Lack adequate cash-on-hand to remain financially solvent;

(B) Have experienced financial losses during hospital fiscal year 2022; or

(C) Be at risk of bankruptcy.

(c) Of the amounts appropriated in this subsection for fiscal year 2024, \$4,000,000 must be distributed to a hospital that meets the qualifications in subsection (b) and is located on tribal land.

(d) Of the amounts appropriated in this subsection for fiscal year 2025, \$1,360,000 must be distributed to a hospital that:

(i) Had fewer than 150 acute care licensed beds in fiscal year 2011;

(ii) Has a level III adult trauma service designation from the department of health as of January 1, 2014; and

(iii) Is owned and operated by the state or a political subdivision.

~~((+62))~~ (61) (a) Sufficient funds are provided in this section for an outpatient directed payment program.

(b) The authority shall:

(i) Maintain the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to expand the medicaid outpatient directed payment program for hospital outpatient services provided to medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;

(iii) Direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and

(iv) Increase medicaid payments for hospital outpatient services provided by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.

(c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.

(d) Participating hospitals shall retain the full amount of payments provided under this program.

~~((+63))~~ (62) (a) No more than \$200,661,000 of the general fund—federal appropriation and no more than \$91,430,000 of the general fund—local appropriation may be expended for an inpatient directed payment program.

(b) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid inpatient directed payment program for hospital inpatient services provided to medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;

(iii) Upon approval, direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and

(iv) Increase medicaid payments for hospital inpatient services provided by UW Medicine and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.

(c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.

(d) Participating hospitals shall retain the full amount of payments provided under this program.

(e) Participating hospitals will provide the local funds to fund the required nonfederal contribution.

(f) This program shall be effective as soon as administratively possible.

~~((64))~~ (63) Within the amounts appropriated in this section, the authority shall maintain and increase access for family planning services for patients seeking services through department of health sexual and reproductive health program family planning providers based on the rates in effect as of July 1, 2022.

~~((65))~~ (64) (a) ~~((9,563,000))~~ \$5,063,000 of the general fund—state appropriation for fiscal year 2024, ~~((12,727,000))~~ \$17,227,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to implement a ~~((five-site))~~ pilot program for difficult to discharge individuals as described in section ~~((135(12)))~~ 132(12) of this act.

(b) The authority shall work in collaboration with the contractor and task force identified in section ~~((135(12)))~~ 132(12) of this act to carry out the goals and objectives of the pilot program, including but not limited to:

(i) Providing enhanced care management and wraparound services that shall be provided by or delegated by managed care pilot participants, based on services currently provided by the Harborview medical center program;

(ii) Providing incentive payments to participating post acute care providers;

(iii) Developing home and community services assessment timeliness requirements for pilot participants in cooperation with the department of social and health services; and

(iv) Providing reimbursement for administrative support through Harborview medical center for the duration of the pilot project, including training and education to support pilot participants.

(c) Of the amounts provided in this subsection, \$44,000 of the general fund—state appropriation for fiscal year 2024, \$42,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to provide staff support to the difficult to discharge task force described in section ~~((135(12)))~~ 132(12) of this act, including any associated ad hoc subgroups.

~~((66))~~ (65) (a) Within the amounts appropriated in this section the authority, in consultation with the health and human services enterprise coalition, community-based organizations, health plans, accountable communities of health, and safety net providers, shall determine the cost and implementation impacts of a statewide community information exchange (CIE). A CIE platform must serve as a tool for addressing the social determinants of health, defined as nonclinical community and social factors such as housing, food security, transportation, financial strain, and interpersonal safety, that affect health, functioning, and quality-of-life outcomes.

(b) Prior to issuing a request for proposals or beginning this project, the authority must work with stakeholders in (a) of this subsection to determine which platforms already exist within the Washington public and private health care system to determine interoperability needs and fiscal impacts to both the state and impacted providers and organizations that will be using a single statewide community information exchange platform.

(c) The authority shall provide the office of financial management and fiscal committees of the legislature a proposal to leverage medicaid enterprise financing or other federal funds prior to beginning this project and shall not expend funds under a 1115 waiver or any other waiver without legislative authorization.

(d) ~~((This subsection))~~ \$4,817,000 of the general fund—federal appropriation and \$4,817,000 of the general fund—private/local appropriation are provided solely for the authority to implement the community information exchange program. The technology solution chosen by the health care authority should be capable of interoperating with other state funded systems in Washington and should be able to electronically refer individuals to services using a closed-loop referral process. Funding for the community information exchange program is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((67))~~ (66) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$252,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to data review, analysis, and management, and policy analysis in support of the health care cost transparency board as described in chapter 70.390 RCW.

~~((68))~~ (67) \$76,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, \$152,000 of the general fund—federal appropriation, and \$606,000 of the telebehavioral health access account—state appropriation are provided solely for additional staff support for the mental health referral service for children and teens.

~~((69))~~ (68) \$1,608,000 of the general fund—state appropriation for fiscal year 2024, \$2,015,000 of the general fund—state appropriation for fiscal year 2025, and \$3,681,000 of the general fund—federal appropriation are provided solely for a rate increase for the health homes program for fee-for-service enrollees, beginning July 1, 2023.

~~((70))~~ (69) \$295,000 of the general fund—state appropriation for fiscal year 2024, \$307,000 of the general fund—state appropriation for fiscal year 2025, and \$123,000 of the general fund—federal appropriation are provided solely for the first approach skills training program through the partnership access line.

~~((71))~~ (70) (a) ~~((358,000))~~ \$362,000 of the general fund—state appropriation for fiscal year 2024, ~~((358,000))~~ \$482,000 of the general fund—state appropriation for fiscal year 2025, and ~~((568,000))~~ \$895,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization) and the center for medicare and medicaid services' interoperability and prior authorization final rule (CMS-0057-F). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) The authority, in collaboration with managed care organizations, must provide a report to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023, outlining any challenges experienced by carriers in hiring sufficient numbers and types of staff to comply with the prior authorization response times required by Engrossed Second Substitute House Bill No. 1357 (prior authorization).

~~((72))~~ (71) \$9,369,000 of the general fund—state appropriation for fiscal year 2025 and \$22,611,000 of the general fund—federal appropriation are provided solely for an increase in medicaid reimbursement rates for professional services, beginning July 1, 2024, as follows:

(a) Service categories including diagnostics, intense outpatient, opioid treatment programs, emergency room, inpatient and outpatient surgery, inpatient visits, low-level behavioral health, office administered drugs, and other physician services are increased up to 50 percent of medicare rates.

(b) Service categories including office and home visits and consults are increased up to 65 percent of medicare rates.

(c) Service categories including maternity services are increased up to 100 percent of medicare rates.

~~((73))~~ \$21,606,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$2,946,000 of the general fund—federal appropriation are provided solely for the 988 technology platform implementation project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act and any requirements as established in Engrossed Second Substitute House Bill No. 1134 (988 system).

~~((74))~~ (72) \$11,624,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$1,151,000 of the general fund—federal appropriation are provided solely for the 988 technology platform implementation project as described in RCW 71.24.890 (5) and (6). These amounts are subject to the conditions, limitations, and review requirements provided in section 701 of this act and any requirements as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system). The authority must actively collaborate with consolidated technology services and the department of health so that the statewide 988 technology solutions will be coordinated and interoperable.

(73) \$969,000 of the general fund—state appropriation for fiscal year 2024, \$1,938,000 of the general fund—state appropriation for fiscal year 2025, and \$3,024,000 of the general fund—federal appropriation are provided solely for the authority, beginning January 1, 2024, to increase the children's dental rate for procedure code D1120 by at least 40 percent above the medical assistance fee-for-service rate in effect on January 1, 2023.

~~((75))~~ (74) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the nonprofit foundation managing the Washington patient safety coalition to support the communication and resolution programs certification program to improve outcomes for patients by providing in-depth feedback to health care organizations.

~~((76))~~ (75) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a public-private partnership with a state-based oral health foundation to connect medicaid patients to dental services and reduce barriers to accessing care. The authority shall submit a progress report to the appropriate committees of the legislature by June 30, 2024.

~~((77))~~ (76) \$103,000 of the general fund—state appropriation for fiscal year 2024, \$205,000 of the general fund—state appropriation for fiscal year 2025, and \$442,000 of the general fund—federal appropriation are provided solely to increase birth center facility fee reimbursement to \$2,500 and home birth kit reimbursement to \$500 for providers approved by the authority within the planned home births and births in birth centers program.

~~((78))~~ (77) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$45,000 of the general fund—state appropriation for fiscal year 2025, and \$133,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1435 (home care safety net assess.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~((79))~~ (78) \$194,000 of the general fund—state appropriation for fiscal year 2024, \$1,724,000 of the general fund—state appropriation for fiscal year 2025 and \$1,918,000 of

the general fund—federal appropriation are provided solely for the authority in coordination with the department of social and health services to develop and implement a Katie Beckett 1115 demonstration waiver. The authority shall limit enrollment to 1,000 clients during the waiver period. Based upon the experience developed during the waiver period, the authority shall make recommendations to the legislature for a future tax equity and fiscal responsibility act state plan option.

~~((80))~~ (79) \$1,089,000 of the general fund—state appropriation for fiscal year 2024, \$2,231,000 of the general fund—state appropriation for fiscal year 2025, and \$2,657,000 of the general fund—federal appropriation are provided solely for kidney dialysis services for medicaid-enrolled patients through increased reimbursement rates beginning January 1, 2024. Within the amounts provided in this subsection, the authority must increase the medical assistance rates for revenue code 0821 billed with procedure code 90999 and revenue codes 0831, 0841, and 0851, when reimbursed on a fee-for-service basis or through managed care plans, by at least 30 percent above the fee-for-service composite rates in effect on January 1, 2023.

~~((81))~~ (80) \$1,360,000 of the general fund—state appropriation for fiscal year 2024 and \$3,252,000 of the general fund—federal appropriation are provided solely to increase the rates paid to rural hospitals that meet the criteria in (a) through (d) of this subsection. Payments for state and federal medical assistance programs for services provided by such a hospital, regardless of the beneficiary's managed care enrollment status, must be increased to 150 percent of the hospital's fee-for-service rates. The authority must discontinue this rate increase after June 30, 2024, and return to the payment levels and methodology for these hospitals that were in place as of January 1, 2018. Hospitals participating in the certified public expenditures program may not receive increased reimbursement for inpatient services. Hospitals qualifying for this rate increase must:

(a) Be certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2014;

(b) Have had less than 150 acute care licensed beds in fiscal year 2011;

(c) Have a level III adult trauma service designation from the department of health as of January 1, 2014; and

(d) Be owned and operated by the state or a political subdivision.

~~((82))~~ (81) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with a medicaid managed care organization for continuous coverage beginning January 1, 2024, for individuals under age 26 that were enrolled in the unaccompanied refugee minor program as authorized by the office of refugee and immigrant assistance. There are no residency, social security number, or citizenship requirements to receive the continuous coverage as described in this subsection.

~~((83))~~ (82) (a) ~~((45,696,000))~~ \$221,000 of the general fund—state appropriation for fiscal year 2024 and \$48,348,000 of the general fund—state appropriation for fiscal year 2025 ~~((is))~~ are provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

(i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit exchange;

(ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and

(iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amounts provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

(i) Actual and forecasted expenditures;

(ii) Actual and forecasted data from the caseload forecast council; and

(iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount allowable for the purposes of this program.

~~((84))~~ (83) (a) \$604,000 of the general fund—state appropriation for fiscal year 2024, \$2,528,000 of the general fund—state appropriation for fiscal year 2025, and \$3,132,000 of the general fund—federal appropriation are provided solely for the authority to increase the eligibility threshold for the qualified medicare beneficiary program to up to 110 percent of the federal poverty level.

(b) The authority shall seek to maximize the availability of the qualified individual program through the centers for medicare and medicaid services.

(c) The authority may adopt any rules necessary to administer this subsection. Nothing in this subsection limits the authority's existing rule-making authority related to medicare savings programs.

~~((85))~~ (84) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$766,000 of the general fund—state appropriation for fiscal year 2025, and \$2,093,000 of the general fund—federal appropriation are provided solely for the costs of, and pursuant to the conditions prescribed for, implementing the rate increase directed in section 215(44) for children for whom base funding for community behavioral health services is provided within this section.

(85)(a) \$1,301,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the health care cost transparency board.

(b) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the health care cost transparency board, in conjunction with the health care authority, to study:

(i) Regulatory approaches to encouraging compliance with the health care cost growth benchmark established under chapter 70.390 RCW; and

(ii) Best practices from other states regarding the infrastructure of state health care cost growth programs, including the scope, financing, staffing, and agency structure of such programs.

(c) The board may conduct all or part of the study through the authority, by contract with a private entity, or by arrangement with another state agency conducting related work.

(d) The study, as well as any recommendations for changes to the health care cost transparency board arising from the study, must be submitted by the board as part of the annual report required under RCW 70.390.070, no later than December 1, 2024.

(86) The authority must enter into an interagency agreement with consolidated technology services for the federal funding authority for the electronic health records statewide solution given the authority is the single state agency responsible for reporting to the federal government on the application for and use of the federal funding.

(87) Within the amounts appropriated in this section, the authority shall make administrative and system changes in anticipation of receiving federal authority to provide continuous eligibility for children ages zero to six covered through the apple health children's health insurance program. The centers for medicare and medicaid services must approve the section 1115 medicaid waiver prior to the implementation of this policy.

(88)(a) No more than \$42,809,000 of the general fund—federal appropriation and no more than \$13,314,000 of the general fund—local appropriation may be expended for a medicaid managed care multidisciplinary graduate medical education direct payment program.

(b) Participating hospitals are:

(i) University of Washington medical center, a state-owned and operated teaching hospital; and

(ii) Harborview medical center, a state-operated teaching hospital.

(c) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid managed care direct payment program for hospital multidisciplinary graduate medical education program for state-owned and state-operated teaching hospitals;

(iii) Reimburse participating hospitals for the medicaid managed care program's share of the unfunded costs incurred in providing graduate medical education training; and

(iv) Make payments directly to participating hospitals.

(d) Participating hospitals shall continue to be paid for inpatient and outpatient services provided to fee-for-service clients according to fee-for-service policies and rates, including payments under the certified public expenditure program.

(e) Payments shall be additional and separate from any graduate medical education funding included in managed care capitation payments.

(f) The authority shall calculate the medicaid managed care graduate medical education direct payments using cost and utilization data from the participating hospital's most recently filed medicare cost report to identify the participating hospital's total graduate medical education cost.

(g) Total allowable graduate medical education costs shall be calculated using medicare methodologies and must:

(i) Exclude medicare full-time equivalent and per resident amount limits;

(ii) Include indirect medical education costs related to both outpatient and inpatient services; and

(iii) Include other reimbursable training costs incurred by participating hospitals.

(h) The authority shall:

(i) Use ProviderOne as the primary source for fee-for-service and managed care claims and encounter data;

(ii) Calculate the medicaid managed care program's share of the total allowable graduate medical education cost as the participating hospital's total allowable graduate medical education cost, as derived from the medicare cost report, times the total managed care charges divided by total medicaid fee-for-service charges plus managed care charges, as derived from ProviderOne data;

(iii) Reduce the medicaid managed care graduate medical education direct payments by the fee-for-service equivalent graduate medical education payment included in managed care organization payments by applying the fee-for-service APR-DRG and EAPG conversion factors and

rate adjustments applicable to the same year as the medicare cost report used to calculate allowable graduate medical education costs; and

(iv) Calculate the medicaid managed care graduate medical education direct payments as graduate medical education allowable cost less fee-for-service equivalent graduate medical education payment for managed care services.

(i) Medicaid managed care graduate medical education direct payments must be calculated prior to the beginning of the payment year.

(j) Medicaid managed care graduate medical education direct payments must be made quarterly.

(k) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals up to an amount not to exceed \$150,000 per year.

(l) Participating hospitals shall retain the full amount of payments provided under this program.

(m) Payments received by hospitals and nonhospital participants in this program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.

(n) Participating hospitals shall provide the local funds to fund the required nonfederal contribution through intergovernmental transfer.

(o) The authority shall amend its current interagency agreement for funding and administration of similar programs to include the medicaid managed care graduate medical education direct payment program.

(p) This program shall be effective as soon as administratively possible.

(89)(a) \$69,957,000 of the general fund—state appropriation for fiscal year 2024, \$111,234,000 of the general fund—state appropriation for fiscal year 2025, and \$290,634,000 of the general fund—federal appropriation are provided solely for apple health managed care medical assistance and for the authority to maintain asymmetrical risk sharing corridors and requirements in their managed care contracts for managed care plan years 2024 and 2025. The authority must not change these requirements without first providing notice to the governor and fiscal committees of the legislature detailing anticipated and potential fiscal impacts, unless required by the centers for medicare and medicaid services.

(b) The authority must conduct annual retrospective rate acuity analyses to ensure that managed care rates have been set using appropriate acuity assumptions. Adjustments must be made as appropriate.

(c) For managed care plan year 2024 only, the authority must conduct a midyear acuity review to ensure that managed care rates for plan year 2024 were set using appropriate acuity assumptions and make any adjustments as appropriate reflective of the unique challenges of eligibility redeterminations and posteligibility review after the end of the public health emergency.

(d) The authority must provide information about any potential changes to rates or acuity assumptions to the medicaid expenditure forecast work group at the same time or before providing this information to managed care organizations.

(e) The authority must update managed care contracts as appropriate.

(90) \$250,000 of the general fund—state appropriation for fiscal year 2025 and \$250,000 of the general fund—federal appropriation are provided solely for the authority, in cooperation with the department of social and health services, to study the feasibility and cost of implementing a point of contact for individuals diagnosed with a rare disease to increase access and reduce barriers in navigating programs, services, and resources offered by both agencies.

(91) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to provide a report to the fiscal committees of the legislature by January 6, 2025, that details options for fully funding health care coverage for all individuals estimated to be eligible for the program described in subsection (82) of this section. The report must include data on how many residents are eligible for this program and cost estimates for providing full coverage to all eligible individuals.

(92)(a) \$100,000 of the general fund—state appropriation for fiscal year 2025 and \$100,000 of the general fund—federal appropriation are provided solely for the authority to contract with an external organization for participatory and equity-focused engagement with doulas and doula partners across the state of Washington. This organization must work in collaboration with community partners who advance equitable access to improve perinatal outcomes and care through holistic services for multiracial communities.

(b) The external organization will be responsible for:

(i) Creating a design and implementation plan for a statewide doula hub and referral system; and

(ii) Drafting a report, in partnership with the authority, summarizing the design and implementation plan, outlining ongoing funding required to support the doula workforce and clients accessing doula services through apple health, and providing any recommendations for both the doula hub and referral system.

(c) The report will include, but not be limited to, prioritized recommendations on how to:

(i) Provide statewide professional and workforce development support for birth doulas;

(ii) Increase statewide access to doula services for apple health birthing people;

(iii) Assist doulas with department of health credentialing requirements;

(iv) Assist doulas with the medicaid provider enrollment process, including, but not limited to, support with:

- (A) Provider enrollment with the authority;
- (B) Contracting with medicaid managed care organizations;
- (C) Provider billing and claims submission processes;
- (D) Provider payment requirements; and
- (E) Eligibility support within ProviderOne; and

(v) Establish communications with birthing people, families, birth workers, and healthcare providers who are seeking to connect with state-certified and medicaid-enrolled birth doula through a statewide directory or referral system.

(d) The report required in (c) of this subsection is due to the governor and appropriate committees of the legislature no later than June 30, 2025.

(93) \$2,433,000 of the general fund—state appropriation for fiscal year 2025 and \$2,849,000 of the general fund—federal appropriation are provided solely for implementation of Second Engrossed Second Substitute Senate Bill No. 5580 (maternal health outcomes). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(94) (a) \$7,000,000 of the family medicine workforce development account—state appropriation and \$12,834,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the family medicine residency network and UW medicine, to establish a medicaid direct payment program to supplement family medicine provider graduate medical education funding in Washington state.

(b) The medicaid family medicine graduate medical education direct payment program shall:

(i) Support graduate medical education training;

(ii) Improve access to quality healthcare services;

(iii) Improve the state's ability to ensure that medicaid graduate medical education funding supports the state's workforce development goals; and

(iv) Focus on improving underserved populations' and regions' access to health care.

(c) The medicaid family medicine graduate medical education direct payment program participants shall include teaching sites that pay resident full-time equivalent costs that are eligible for federal financial participation.

(d) The authority must seek any necessary state plan amendments or waivers from the centers for medicare and medicaid services that are necessary to implement this program and receive federal financial participation at the earliest possible date, but no later than January 1, 2025.

(e) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the medicaid family medicine graduate medical education direct payment program up to an amount not to exceed \$100,000 per year.

(f) The family medicine family education advisory board created in RCW 70.112.080 will have administrative oversight, including the amount and methodologies used to distribute funds deposited within the family medicine workforce development account, subject to the conditions described in this subsection (94).

(g) Of the amounts provided in this section, \$150,000 of the family medicine workforce development account—state appropriation for fiscal year 2025 is provided for consultant assistance, including program design and a payment model to estimate the effect of family medicine family education advisory board allocation decisions on all family medicine residency network participants.

(h) Annual allocations from the family medicine workforce development account—state appropriation will be determined by the family medicine family education advisory board.

(i) Participants in the medicaid family medicine graduate medical education direct payment program shall retain the full amount of payments provided under this program.

(j) Payments received by participants in the medicaid family medicine graduate medical education direct payment program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.

(95) (a) \$569,000 of the general fund—state appropriation for fiscal year 2025 and \$489,000 of the general fund—federal appropriation are provided solely for the authority to conduct internal assessment of current staffing needs compared to current vacancies. The assessment shall include, but not be limited to:

(i) Reconciliation of current full time equivalent positions as appropriated through the legislative process, agency financial reporting system allotments, and vacancies;

(ii) Comparison of current needs in relation to current vacancies; and

(iii) Analysis of costs and benefits of reallocating positions, as appropriate, to meet immediate staffing needs, especially if positions have remained historically, or long-term vacant.

(b) The authority shall report its findings to the governor and fiscal committees of the legislature no later than December 31, 2024.

(96) (a) \$26,000,000 of the general fund—state appropriation for fiscal year 2024, \$51,000,000 of the general fund—state appropriation for fiscal year 2025, and \$172,000,000 of the general fund—federal appropriation are provided solely for program integrity managed care oversight, accountability, and savings. Within the amounts provided in this subsection, the authority shall:

(i) Report on the status of its fraud, abuse, and detection system, including when it was certified by the centers for medicare and medicaid services, and how it is currently being used to detect medicaid fraud, waste, and abuse;

(ii) Provide a quantifiable accounting, as required by the legislature, beginning with fiscal year 2020, to include all program integrity recoveries attributable to the authority, including how these recoveries are categorized, to which year they are reported, by medicaid



eligibility group and service, how these recoveries are applied against legislative savings requirements, what recoveries are attributable to the office of the attorney general's medicaid fraud control division, and how these recoveries are considered when reporting program integrity activity and determining managed care rates; and

(iii) Employ statistically and algorithmically appropriate measures for reviewing managed care encounter data for fraud, waste, and abuse.

(b) The authority shall report its findings to the governor and fiscal committees of the legislature no later than December 31, 2024, and the legislature intends to require the authority to report its findings to the governor and fiscal committees of the legislature by December 31st each year thereafter.

(97)(a) \$3,232,000 of the general fund—state appropriation for fiscal year 2025 and \$7,827,000 of the general fund—federal appropriation are provided solely for the authority to increase inpatient per diem rates for inpatient prospective payment system hospitals providing services under the substance using pregnant people program beginning July 1, 2024. Hospitals participating in the certified public expenditures program or the sole community hospital program may not receive increased reimbursement under this subsection.

(b) Within the amounts appropriated in this section, the authority will review the rates for the substance using pregnant person program to determine if rebasing is appropriate and what rates would be required to sustain the program at current utilization levels.

(c) If the authority determines that rates require rebasing for this program, the authority will submit a request to the legislature through its normal budget process.

(98) \$314,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(99) The authority and department of social and health services must collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments for the treatment facility described in section 203(1)(nn) of this act.

(100) \$2,854,000 of the general fund—state appropriation for fiscal year 2025 and \$4,208,000 of the general fund—federal appropriation are provided solely for the authority to increase the nonemergency medical transportation broker administrative rate to ensure access to health care services for medicaid patients.

**Sec. 212.** 2023 c 475 s 212 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—PUBLIC EMPLOYEES' BENEFITS BOARD AND EMPLOYEE BENEFITS PROGRAM**

State Health Care Authority Administrative Account—	
State Appropriation. . . . .	(((\$44,102,000)) \$44,929,000
<b>TOTAL APPROPRIATION.</b> .....	<b>(((\$44,102,000)) \$44,929,000</b>

The appropriation in this section is subject to the following conditions and limitations:

(1) Any savings from reduced claims costs must be reserved for funding employee benefits during future fiscal biennia and may not be used for administrative expenses. The health care authority shall deposit any moneys received on behalf of the uniform medical plan resulting from rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys received as a result of prior uniform medical plan claims payments, in the public employees' and retirees' insurance account to be used for insurance benefits.

(2) Any changes to benefits must be approved by the public employees' benefits board. The board shall not make any changes to benefits without considering a comprehensive analysis of the cost of those changes, and shall not increase benefits unless offsetting cost reductions from other benefit revisions are sufficient to fund the changes. The board shall not make any change in retiree eligibility criteria that reestablishes eligibility for enrollment in retiree benefits.

(3) Except as may be provided in a health care bargaining agreement pursuant to RCW 41.80.020, to provide benefits within the level of funding provided in part IX of this bill, the public employees' benefits board shall require: Employee premium copayments, increases increase in point-of-service cost sharing, the implementation of managed competition, or make other changes to benefits consistent with RCW 41.05.065.

(4) The board shall collect a surcharge payment of not less than \$25 dollars per month from members who use tobacco products, and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(5) \$78,000 of the health care authority administrative account—state appropriation is provided solely for administrative costs associated with extending retiree coverage under Substitute House Bill No. 1804 (PEBB/subdivision retirees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$500,000 of the state health care authority administrative account—state appropriation is provided solely for consultation with retirees, including conducting

listening sessions and facilitating public forums to gather feedback about retiree needs. By December 1, 2023, the authority must report to the legislature with its findings, including an analysis of government self-insured plans with benefits that are equal to or richer, and with more affordable premiums, than uniform medical plan classic medicare. The legislature intends that the results of stakeholder engagements will be used to inform future health care plan selections.

(7) During the 2023-2025 fiscal biennium, the health care authority, in consultation with the office of financial management, shall review consolidating the administrative sections of the operating budget for the public employees' and school employees' benefits boards. Any change in budget structure must not result in changes to board or benefit policies. A budget structure change developed under this subsection may be included in the 2024 supplemental or the 2025-2027 biennial governor's budget submittal without being subject to the legislative evaluation and accountability program committee approval under RCW 43.88.030(7).

(8)(a) \$250,000 of the state health care authority administrative account—state appropriation is provided solely for costs associated with the report in this subsection. The legislature intends to consolidate the public employees' benefits board (PEBB) and school employees' benefits board (SEBB) programs. By December 1, 2024, the authority must report to the legislature the necessary statutory and program changes required to achieve consolidation of:

- (i) The PEBB and SEBB into a single governing board;
- (ii) The current risk pools described in RCW 41.05.022 (2) and (3);
- (iii) The existing eligibility provisions of the PEBB and SEBB programs; and
- (iv) Benefit offerings.

(b) The report should describe the timeline for consolidation, assuming partial implementation as early as January 1, 2026, and full implementation no later than January 1, 2027. The report should also include estimates of any administrative savings that can be realized by this consolidation.

(9) By December 1, 2024, the authority shall submit a report to the legislature describing options, and a recommendation, for possible future coverage in the uniform medical plan for food and drug administration approved glucagon-like peptide 1 agonists for the treatment of obesity and weight loss.

**Sec. 213.** 2023 c 475 s 213 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—SCHOOL EMPLOYEES' BENEFITS BOARD**

School Employees' Insurance Administrative Account—

State Appropriation. . . . .	(( <del>\$33,743,000</del> ))
	<u>\$33,723,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$33,743,000</del>))</b>
	<b><u>\$33,723,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$324,000 of the school employees' insurance administrative account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5275 (SEBB benefit access). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(2) By December 1, 2024, the authority shall submit a report to the legislature describing options, and a recommendation, for possible future coverage in the uniform medical plan for food and drug administration approved glucagon-like peptide 1 agonists for the treatment of obesity and weight loss.

**Sec. 214.** 2023 c 475 s 214 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—HEALTH BENEFIT EXCHANGE**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$8,242,000</del> ))
	<u>\$9,671,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$6,472,000</del> ))
	<u>\$7,186,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$61,983,000</del> ))
	<u>\$67,396,000</u>
Education Legacy Trust Account—State Appropriation. . . . .	\$350,000
Health Benefit Exchange Account—State Appropriation. . . . .	(( <del>\$76,214,000</del> ))
	<u>\$83,528,000</u>
State Health Care Affordability Account—State Appropriation. . . . .	(( <del>\$110,000,000</del> ))
	<u>\$125,000,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$263,261,000</del>))</b>
	<b><u>\$293,131,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(2)(a) By July 15th, ~~October 15th~~, and January 15th of each year, the authority shall make a payment of ~~((one-half))~~ 30 percent of the general fund—state appropriation, ~~((one-~~

~~half))30 percent of the health benefit exchange account—state appropriation, and ((one-half))30 percent of the health care affordability account—state appropriation to the exchange. By April 15th of each year, the authority shall make a payment of 10 percent of the general fund—state appropriation, 10 percent of the health benefit exchange account—state appropriation, and 10 percent of the health care affordability account—state appropriation to the exchange.~~

(b) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier assessments to ensure expenditures do not exceed actual revenues.

(c) Payments made from general fund—state appropriation and health benefit exchange account—state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(3) \$1,939,000 of the health benefit exchange account—state appropriation and \$6,189,000 of the general fund—federal appropriation are provided solely for the modernizing healthplanfinder project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act.

(4) (a) (~~(\$100,000,000))~~\$115,000,000 of the state health care affordability account—state appropriation is provided solely for the exchange to administer a premium assistance program, beginning for plan year 2023, as established in RCW 43.71.110. An individual is eligible for the premium assistance provided if the individual: (i) Has income up to 250 percent of the federal poverty level; and (ii) meets other eligibility criteria as established in RCW 43.71.110(4) (a).

(b) \$260,000 of ~~the~~ general fund—state appropriation for fiscal year 2024 is provided solely for a study, in consultation with the health care authority and office of the insurance commissioner, of how the exchange's current section 1332 waiver could be amended to generate federal pass-through funding to support the affordability programs established in RCW 43.71.110. The actuarial study must focus on methods that could be most readily leveraged in Washington, considering those being used in other public option programs. Study findings must be reported to the appropriate committees of the legislature by December 1, 2023.

(5) \$10,000,000 of the state health care affordability account—state appropriation is provided solely to provide premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in subsection (4) (a) of this section, and is contingent upon continued approval of the applicable waiver described in RCW 43.71.120.

(6) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$865,000 of the general fund—federal appropriation, and \$123,000 of the health benefit exchange account—state appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, in Healthplanfinder to support the health and human services coalition in uniformly identifying clients across multiple state service delivery systems. These amounts are subject to the conditions, limitations, and review requirements of section 701 of this act.

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the exchange, in collaboration with the department of social and health services and the home training network as described in RCW 70.128.305, to provide educational resources and trainings to help connect owners and employees of adult family homes to health care coverage.

(8) \$299,000 of the general fund—state appropriation for fiscal year 2024, \$299,000 of the general fund—state appropriation for fiscal year 2025, and \$202,000 of the general fund—federal appropriation are provided solely for pass-through funding in the annual amount of \$100,000 for each lead navigator organization in the four regions with the highest concentration of citizens of the compact of free association (COFA) to:

(a) Support a staff position within the COFA community to provide enrollment assistance to the COFA community beyond the scope of the current COFA program; and

(b) Support COFA community-led outreach and enrollment activities.

(9) (a) \$300,000 of the health benefit exchange account—state appropriation is provided solely for staff and consultants to complete a study of options and recommendations for the state to ensure continuous health care coverage through qualified health plans for medicaid beneficiaries losing medicaid coverage through Washington Healthplanfinder. In coordination with the health care authority and department of social and health services, the study must include, but not be limited to:

(i) An analysis of transitional solutions used in other states to continue coverage for individuals losing medicaid eligibility;

(ii) In coordination with the department of social and health services' research and data analysis division, an analysis of monthly enrollment rates for persons who are determined no longer eligible for medicaid, including demographic and employment information, and those who enroll in qualified health plans, including demographic and employment information; and

(iii) A feasibility analysis of auto-enrolling clients that lose medicaid eligibility and are eligible for a no-premium qualified health plan through Washington Healthplanfinder.

(b) The study must be submitted to the office of financial management and appropriate committees of the legislature by December 31, 2024.

(10) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5632 (health care/labor disputes). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 215.** 2023 c 475 s 215 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—COMMUNITY BEHAVIORAL HEALTH PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(\$1,015,063,000)	
		<u>\$1,026,580,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$1,097,193,000)	
		<u>\$1,192,213,000</u>
General Fund—Federal Appropriation . . . . .	(\$2,853,321,000)	
		<u>\$3,072,853,000</u>
General Fund—Private/Local Appropriation . . . . .	(\$38,826,000)	
		<u>\$38,904,000</u>
Criminal Justice Treatment Account—State Appropriation . . . . .		\$22,001,000
Problem Gambling Account—State Appropriation . . . . .	(\$2,243,000)	
		<u>\$3,738,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2024) . . . . .		\$28,498,000
Dedicated Cannabis Account—State Appropriation (FY 2025) . . . . .	(\$28,501,000)	
		<u>\$28,251,000</u>
Opioid Abatement Settlement Account—State Appropriation . . . . .	(\$54,415,000)	
		<u>\$79,820,000</u>
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation . . . . .	(\$33,135,000)	
		<u>\$33,499,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(\$5,173,196,000)</b>	<b><u>\$5,526,357,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) For the purposes of this section, "behavioral health entities" means managed care organizations and behavioral health administrative services organizations that reimburse providers for behavioral health services.

(2) Within the amounts appropriated in this section, funding is provided for implementation of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. In addition to amounts provided solely for implementation of the settlement agreement, class members must have access to supports and services funded throughout this section for which they meet eligibility and medical necessity requirements. The authority must include language in contracts that requires regional behavioral health entities to develop and implement plans for improving access to timely and appropriate treatment for individuals with behavioral health needs and current or prior criminal justice involvement who are eligible for services under these contracts.

(3)(a) \$44,320,000 of the general fund—state appropriation for fiscal year 2024, \$49,525,000 of the general fund—state appropriation for fiscal year 2025, and \$17,368,000 of the general fund—federal appropriation are provided solely to continue the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority, in collaboration with the department of social and health services and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, crisis diversion and supports, education and training, and workforce development. Within these amounts, sufficient funding is provided to implement Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(b) Of the amounts provided in this subsection, \$5,108,000 of the general fund—state appropriation for fiscal year 2024 and \$6,341,000 of the general fund—state appropriation for fiscal year 2025 are provided for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). Of these amounts, \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase compensation for staff in outpatient competency restoration programs pursuant to Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(4) ~~\$8,000,000~~ of the general fund—state appropriation for fiscal year 2024 ~~(is)~~ and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue diversion grant programs funded through contempt fines pursuant to *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority must consult with the plaintiffs and court monitor to determine, within the amounts provided, which of the programs will continue to receive funding through this appropriation. The programs shall use

this funding to provide assessments, mental health treatment, substance use disorder treatment, case management, employment, and other social services. By December 1, 2023, the authority, in consultation with the plaintiffs and the court monitor, must submit a report to the office of financial management and the appropriate fiscal committees of the legislature which includes: Identification of the programs that receive funding through this subsection; a narrative description of each program model; the number of individuals being served by each program on a monthly basis; metrics or outcomes reported as part of the contracts; and recommendations related to further support of these programs in the 2023-2025 fiscal biennium.

(5)(a) ~~(\$12,359,000)~~ \$12,359,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$17,222,000)~~ \$17,222,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$23,444,000)~~ \$24,349,000 of the general fund—federal appropriation are provided solely for the authority and behavioral health entities to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to behavioral health entities with PACT teams, the authority shall consider the differences between behavioral health entities in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The authority may allow behavioral health entities which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under subsection (7) of this section. The authority and behavioral health entities shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section. Sufficient funding is provided in this section for the authority to increase rates for PACT teams to the rates identified in the behavioral health comparison rate—phase II report.

(b) Of the amounts provided in this subsection, \$4,080,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to distribute one-time stabilization funding to existing PACT teams to improve staff recruitment and retention and to cover general operating expenses to increase PACT capacity and utilization.

(6) \$1,428,000 of the general fund—state appropriation for fiscal year 2025 and \$3,520,000 of the general fund—federal appropriation ~~(is)~~ are provided solely for the authority to maintain a pilot project to incorporate peer bridging staff into behavioral health regional teams that provide transitional services to individuals returning to their communities.

(7) ~~(\$163,088,000)~~ \$144,519,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$163,088,000)~~ \$144,519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of behavioral health entity spending must be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts must be distributed to behavioral health entities as follows:

(a) \$108,803,000 of the general fund—state appropriation for fiscal year 2024 and \$124,713,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations for behavioral health treatment services not covered under the medicaid program. Within these amounts, behavioral health administrative service organizations must provide a 15 percent rate increase to providers receiving state funds for nonmedicaid services under this section effective January 1, 2024.

(b) ~~(\$38,375,000)~~ \$35,716,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$38,375,000)~~ \$22,978,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with medicaid managed care organizations for wraparound services to medicaid enrolled individuals that are not covered under the medicaid program. Within the amounts provided in this subsection:

(i) Medicaid managed care organizations must provide a 15 percent rate increase to providers receiving state funding for nonmedicaid services under this section effective January 1, 2024.

(ii) The authority shall assure that managed care organizations reimburse the department of social and health services, aging and long-term support administration for the general fund—state cost of individuals remaining on exceptional behavioral health personal care services for medicaid enrolled individuals who require these because of a psychiatric disability after the implementation of the community behavioral health support services—supportive supervision and oversight 1915(i) state plan amendment. Funding for the federal share of these services is separately appropriated to the department of social and health services.

(iii) Pursuant to RCW 41.56.029, during fiscal year 2024, the authority may work with the office of financial management to negotiate a tiered rate structure for behavioral health personal care services for adult family home providers serving medicaid enrollees. An agreement reached with the adult family home council must be submitted to the director of financial management by October 1, 2023, and certified as financially feasible in order to be considered for funding during the 2024 legislative session. Upon completion of bargaining, the authority shall coordinate with the department of social and health services to develop and submit to the centers for medicare and medicaid services an application to provide a 1915(i) state plan home and community-based services benefit. The application shall be developed to allow for the delivery of wraparound supportive behavioral health services for

individuals with mental illnesses who also have a personal care need. The 1915(i) state plan shall be developed to standardize coverage and administration, improve the current benefit design, and clarify roles in administration of the behavioral health personal care services benefit.

(8)(a) \$30,648,000 of the general fund—state appropriation for fiscal year 2025 and \$33,435,000 of the general fund—federal appropriation are provided solely for the authority to implement a tiered rate structure for supportive supervision and oversight in long-term care settings pursuant to a 1915(i) home and community based services state plan amendment and the collective bargaining agreement negotiated between the state and the adult family homes and set forth in part IX of this act. The authority may not implement a skills development and restoration benefit until funding is provided for that specific purpose.

(b) Of the amounts provided in this subsection, \$30,648,000 of the general fund—state appropriation for fiscal year 2025 and \$33,435,000 of the general fund—federal appropriation are provided to implement tiered rates for supportive supervision and oversight in adult family home settings included in the collective bargaining agreement negotiated between the state and the adult family homes and set forth in part IX of this act.

(c) Of the amounts provided in this subsection, \$5,611,000 of the general fund—state appropriation for fiscal year 2025 and \$6,128,000 of the general fund—federal appropriation are provided for supportive supervision and oversight tiered rates in other long-term care settings, including assisted living and enhanced adult residential care facilities.

(d) Of the amounts provided in this subsection, \$376,000 of the general fund—state appropriation for fiscal year 2025 and \$376,000 of the general fund—federal appropriation are provided for administrative activities related to implementing the 1915(i) state plan amendment, including establishing a billing clearinghouse for these services.

(9) The authority is authorized to continue to contract directly, rather than through contracts with behavioral health entities for children's long-term inpatient facility services.

~~((+9))~~ (10) \$1,204,000 of the general fund—state appropriation for fiscal year 2024 and \$1,204,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(11) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to reimburse King county for involuntary treatment act court costs.

~~((+10))~~ (12) Behavioral health entities may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, behavioral health entities may use a portion of the state funds allocated in accordance with subsection (7) of this section to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

~~((+11))~~ (13) \$2,291,000 of the general fund—state appropriation for fiscal year 2024 and \$2,291,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The authority must collect information from the behavioral health entities on their plan for using these funds, the numbers of individuals served, and the types of services provided.

~~((+12))~~ (14) Within the amounts appropriated in this section, funding is provided for the authority to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

~~((+13))~~ (15)(a) The authority must establish minimum and maximum funding levels for all reserves allowed under behavioral health administrative service organization contracts and include contract language that clearly states the requirements and limitations. The reserve levels must be informed by the types of risk carried by behavioral health administrative service organizations for mandatory services and also consider reasonable levels of operating reserves. The authority must monitor and ensure that behavioral health administrative service organization reserves do not exceed maximum levels. The authority must monitor revenue and expenditure reports and must require a behavioral health administrative service organization to submit a corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The authority must review and approve such plans and monitor to ensure compliance. If the authority determines that a behavioral health administrative service organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the authority must reduce payments to the entity in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the authority determines that the entity has come into substantial compliance with an approved excess reserve corrective action plan. The authority must submit to the office of financial management and the appropriate committees of the legislature, each December of the biennium, the minimum and maximum reserve levels established in contract for each of the behavioral health administrative service organizations for the prior fiscal year and the actual reserve levels reported at the end of the fiscal year.

(b) In contracts effective during fiscal year 2025, the authority must allow the north sound behavioral health administrative services organization to pilot reserve funding flexibility by allowing the north sound behavioral health administrative services organization to utilize, for other purposes, 30 percent of funding received prior to that contract period currently in reserves and that was received pursuant to a specific legislative proviso. Funding repurposed under this subsection must be used to support the duties of the administrative services organization under RCW 71.24.045 through programs serving individuals with severe and persistent behavioral health conditions and behavioral health services that promote stability and recovery within their regional service area. Expenditures pursuant to this pilot program may include, but are not limited to, crisis wraparound services, jail transition and diversion services, court costs, and co-responder programs. The authority, in partnership with the north sound behavioral health administrative services organization, must provide a report to the appropriate committees of the legislature by December 31, 2024, describing the impacts of this pilot program to the regional crisis continuum of care. The report must also include information on which specific legislative provisos north sound behavioral health administrative services organization repurposed funding from under this subsection and for what purpose those funds were used.

~~((14))~~ (16) During the 2023-2025 fiscal biennium, any amounts provided in this section that are used for case management services for pregnant and parenting women must be contracted directly between the authority and pregnant and parenting women case management providers.

~~((15))~~ (17) \$3,500,000 of the general fund—federal appropriation is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

~~((16))~~ (18) Within the amounts appropriated in this section, the authority may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, postpartum, and parenting women. For all contractors: (a) Service and other outcome data must be provided to the authority by request; and (b) indirect charges for administering the program must not exceed 10 percent of the total contract amount.

~~((17))~~ (19) Within the amounts provided in this section, behavioral health entities must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision. Contracts with behavioral health entities must require that behavioral health entities include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the authority must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served. The authority must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

~~((18))~~ (20) The criminal justice treatment account—state appropriation is provided solely for treatment and treatment support services for offenders with a substance use disorder pursuant to RCW 71.24.580. The authority must offer counties the option to administer their share of the distributions provided for under RCW 71.24.580(5)(a). If a county is not interested in administering the funds, the authority shall contract with behavioral health entities to administer these funds consistent with the plans approved by local panels pursuant to RCW 71.24.580(5)(b). Funding from the criminal justice treatment account may be used to provide treatment and support services through the conclusion of an individual's treatment plan to individuals participating in a drug court program as of February 24, 2021, if that individual wishes to continue treatment following dismissal of charges they were facing under RCW 69.50.4013(1). Such participation is voluntary and contingent upon substantial compliance with drug court program requirements. The authority must provide a report to the office of financial management and the appropriate committees of the legislature that identifies the distribution of criminal justice treatment account funds by September 30, 2023.

~~((19))~~ (21) (a) ~~((11,426,000))~~ \$10,535,000 of the general fund—state appropriation for fiscal year 2024, ~~((15,501,000))~~ \$14,610,000 of the general fund—state appropriation for fiscal year 2025, and ~~((21,554,000))~~ \$19,724,000 of the general fund—federal appropriation are provided solely for crisis triage facilities, crisis relief centers, or crisis stabilization units. Services in these facilities may include crisis stabilization and intervention, individual counseling, peer support, medication management, education, and referral assistance. The authority shall monitor each center's effectiveness at lowering the rate of state psychiatric hospital admissions.

(b) Within these amounts, the health care authority shall convene representatives from medicaid managed care organizations, behavioral health administrative organizations, private insurance carriers, self-insured organizations, crisis providers, and the office of the insurance commissioner to assess gaps in the current funding model for crisis services and recommend options for addressing these gaps including, but not limited to, an alternative funding model for crisis services. The assessment must consider available data to determine to what extent the costs of crisis services for clients of private insurance carriers, medicaid managed care organizations, and individuals enrolled in medicaid fee-for-service are being subsidized through state funded behavioral health administrative services organization contracts. The analysis shall examine crisis services provided by mobile crisis teams as well

as facility-based services such as crisis triage and crisis stabilization units. In the development of an alternative funding model, the authority and office of the insurance commissioner must explore mechanisms that: (i) Determine the annual cost of operating crisis services and collect a proportional share of the program cost from each health insurance carrier; and (ii) differentiate between crisis services eligible for medicaid funding from other nonmedicaid eligible activities. The authority must submit a preliminary report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and a final report by December 1, 2024. Up to \$300,000 of the general fund—state appropriation for fiscal year 2024, and \$300,000 of the general fund—state appropriation for fiscal year 2025 may be used for the assessment and reporting activities required under this subsection.

(c) Sufficient funding is provided in this subsection to implement Second Substitute Senate Bill No. 5120 (crisis relief centers).

~~((20))~~ (22) \$9,795,000 of the general fund—state appropriation for fiscal year 2024, \$10,015,000 of the general fund—state appropriation for fiscal year 2025, and \$15,025,000 of the general fund—federal appropriation are provided solely for the operation of secure withdrawal management and stabilization facilities. The authority may not use any of these amounts for services in facilities that are subject to federal funding restrictions that apply to institutions for mental diseases, unless they have received a waiver that allows for full federal participation in these facilities. Within these amounts, funding is provided to increase the fee for service rate for these facilities up to \$650 per day. The authority must require in contracts with behavioral health entities that they pay no lower than the fee for service rate. The authority must coordinate with regional behavioral health entities to identify and implement purchasing strategies or regulatory changes that increase access to services for individuals with complex behavioral health needs at secure withdrawal management and stabilization facilities.

~~((21))~~ (23) \$1,401,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$1,401,000)~~ \$3,575,000 of the general fund—state appropriation for fiscal year 2025, and \$3,210,000 of the general fund—federal appropriation are provided solely for the implementation of intensive behavioral health treatment facilities within the community behavioral health service system pursuant to chapter 324, Laws of 2019 (2SHB 1394).

~~((22))~~ (24) (a) \$12,878,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and ~~(\$12,878,000)~~ \$12,628,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for:

(i) A memorandum of understanding with the department of children, youth, and families to provide substance abuse treatment programs;

(ii) A contract with the Washington state institute for public policy to conduct a cost-benefit evaluation of the implementations of chapter 3, Laws of 2013 (Initiative Measure No. 502);

(iii) Designing and administering the Washington state healthy youth survey and the Washington state young adult behavioral health survey;

(iv) Maintaining increased services to pregnant and parenting women provided through the parent child assistance program;

~~(v) ((Grants to the office of the superintendent of public instruction for life skills training to children and youth;~~

~~(vi))~~ Maintaining increased prevention and treatment service provided by tribes and federally recognized American Indian organization to children and youth;

~~((vii))~~ (vi) Maintaining increased residential treatment services for children and youth;

~~((viii))~~ (vii) Training and technical assistance for the implementation of evidence-based, research based, and promising programs which prevent or reduce substance use disorder;

~~((ix))~~ (viii) Expenditures into the home visiting services account; and

~~((x))~~ (ix) Grants to community-based programs that provide prevention services or activities to youth.

(b) The authority must allocate the amounts provided in (a) of this subsection amongst the specific activities proportionate to the fiscal year 2021 allocation.

~~((23))~~ (25) (a) \$1,125,000 of the general fund—state appropriation for fiscal year 2024 and \$1,125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Spokane behavioral health entities to implement services to reduce utilization and the census at eastern state hospital. Such services must include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the 16-bed evaluation and treatment facility.

(b) At least annually, the Spokane county behavioral health entities shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

~~((24))~~ (26) \$1,850,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$13,312,000 of the general fund—federal appropriation are provided solely for substance use disorder peer



support services included in behavioral health capitation rates in accordance with section 213(5)(ss), chapter 299, Laws of 2018. The authority shall require managed care organizations to provide access to peer support services for individuals with substance use disorders transitioning from emergency departments, inpatient facilities, or receiving treatment as part of hub and spoke networks.

~~((25))~~ (27) \$1,423,000 of the general fund—state appropriation for fiscal year 2024, \$1,423,000 of the general fund—state appropriation for fiscal year 2025, and \$5,908,000 of the general fund—federal appropriation are provided solely for the authority to continue to implement discharge wraparound services for individuals with complex behavioral health conditions transitioning or being diverted from admission to psychiatric inpatient programs. The authority must coordinate with the department of social and health services in establishing the standards for these programs.

~~((26))~~ (28) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely for the authority to maintain a memorandum of understanding with the criminal justice training commission to provide funding for community grants pursuant to RCW 36.28A.450.

~~((27))~~ (29) \$350,000 of the general fund—federal appropriation and \$300,000 of the opioid abatement settlement account—state appropriation are provided solely to contract with a nationally recognized recovery residence organization and to provide technical assistance to operators of recovery residences seeking certification in accordance with chapter 264, Laws of 2019 (2SHB 1528).

~~((28))~~ (30) \$3,396,000 of the general fund—state appropriation for fiscal year 2024, \$3,396,000 of the general fund—state appropriation for fiscal year 2025, and \$16,200,000 of the general fund—federal appropriation are provided solely for support of and to continue to increase clubhouse programs across the state. The authority shall work with the centers for medicare and medicaid services to review opportunities to include clubhouse services as an optional "in lieu of" service in managed care organization contracts in order to maximize federal participation.

~~((29))~~ (31) \$708,000 of the general fund—state appropriation for fiscal year 2024, \$708,000 of the general fund—state appropriation for fiscal year 2025, and \$1,598,000 of the general fund—federal appropriation are provided solely for implementing mental health peer respite centers and a pilot project to implement a mental health drop-in center in accordance with chapter 324, Laws of 2019 (2SHB 1394).

~~((30))~~ (32) \$800,000 of the general fund—state appropriation for fiscal year 2024, \$800,000 of the general fund—state appropriation for fiscal year 2025, and \$1,452,000 of the general fund—federal appropriation are provided solely for the authority to implement strategies related to suicide prevention and treatment.

~~((31))~~ (33) \$446,000 of the general fund—state appropriation for fiscal year 2024, \$446,000 of the general fund—state appropriation for fiscal year 2025, and \$178,000 of the general fund—federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the authority to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The authority must collect information from the institute on the use of these funds and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

~~((32))~~ (34) As an element of contractual network adequacy requirements and reporting, the authority shall direct managed care organizations to make all reasonable efforts to develop or maintain contracts with provider networks that leverage local, federal, or philanthropic funding to enhance effectiveness of medicaid-funded integrated care services. These networks must promote medicaid clients' access to a system of services that addresses additional social support services and social determinants of health as defined in RCW 43.20.025 in a manner that is integrated with the delivery of behavioral health and medical treatment services.

~~((33))~~ (35) \$9,000,000 of the criminal justice treatment account—state appropriation is provided solely for the authority to maintain funding for new therapeutic courts created or expanded during fiscal year 2021, or to maintain the fiscal year 2021 expansion of services being provided to an already existing therapeutic court that engages in evidence-based practices, to include medication assisted treatment in jail settings pursuant to RCW 71.24.580. Funding provided under this subsection shall not supplant existing funds utilized for this purpose.

~~((34))~~ (36) In establishing, re-basing, enhancing, or otherwise updating medicaid rates for behavioral health services, the authority and contracted actuaries shall use a transparent process that provides an opportunity for medicaid managed care organizations, behavioral health administrative service organizations, and behavioral health provider agencies, and their representatives, to review and provide data and feedback on proposed rate changes within their region or regions of service operation. The authority and contracted actuaries shall transparently incorporate the information gained from this process and make adjustments allowable under federal law when appropriate.

~~((35))~~ (37) The authority shall seek input from representatives of the managed care organizations (MCOs), licensed community behavioral health agencies, and behavioral health administrative service organizations to develop specific metrics related to behavioral health

outcomes under integrated managed care. These metrics must include, but are not limited to: (a) Revenues and expenditures for community behavioral health programs, including medicaid and nonmedicaid funding; (b) access to services, service denials, and utilization by state plan modality; (c) claims denials and record of timely payment to providers; (d) client demographics; and (e) social and recovery measures and managed care organization performance measures. The authority must work with managed care organizations and behavioral health administrative service organizations to integrate these metrics into an annual reporting structure designed to evaluate the performance of the behavioral health system in the state over time. The authority must submit a report to the office of financial management and the appropriate committees of the legislature, before December 30th of each year during the fiscal biennium, that details the implemented metrics and relevant performance outcomes for the prior calendar year.

((+36-)) (38) \$4,061,000 of the general fund—state appropriation for fiscal year 2024, \$3,773,000 of the general fund—state appropriation for fiscal year 2025, and \$6,419,000 of the general fund—federal appropriation are provided solely for the authority to maintain pilot programs for intensive outpatient services and partial hospitalization services for certain children and adolescents and, pursuant to chapter 94, Laws of 2022 (2SSB 5736), add coverage for these services into the state medicaid program beginning January 1, 2024.

(a) The authority must establish minimum standards, eligibility criteria, authorization and utilization review processes, and payment methodologies for the programs in contract.

(b) Eligibility for the pilot sites is limited pursuant to the following:

(i) Children and adolescents discharged from an inpatient hospital treatment program who require the level of services offered by the pilot programs in lieu of continued inpatient treatment;

(ii) Children and adolescents who require the level of services offered by the pilot programs in order to avoid inpatient hospitalization; and

(iii) Services may not be offered if there are less costly alternative community-based services that can effectively meet the needs of an individual referred to the program.

(c) Eligibility for services through the state medicaid program shall be consistent with criteria approved by the centers for medicare and medicaid services pursuant to implementation of chapter 94, Laws of 2022 (2SSB 5736).

(d) The authority must collect data on the program sites and work with the actuaries responsible for establishing managed care rates for medicaid enrollees to develop and submit an annual report to the office of financial management and the appropriate committees of the legislature each December of the fiscal biennium that includes the following information:

(i) A narrative description of the services provided at each program site and identification of any specific gaps the sites were able to fill in the current continuum of care;

(ii) Clinical outcomes and estimated reductions in psychiatric inpatient costs associated with each of the program sites;

(iii) Recommendations for whether the pilot models should be expanded statewide, whether modifications should be made to the models to better address gaps in the continuum identified through the pilot sites, whether the models could be expanded to community behavioral health providers, and whether statewide implementation should be achieved through a state plan amendment or some other mechanism for leveraging federal medicaid match;

(iv) Actuarial projections on the statewide need for services related to the pilot sites and estimated costs of adding each of the services to the medicaid behavioral health benefit for children and adolescents and adults; and

(v) Annual costs and any quantifiable cost offsets associated with the program sites.

((+37-)) (39) \$25,587,000 of the general fund—federal appropriation (ARPA) and \$9,828,000 of the general fund—federal appropriation are provided solely to promote the recovery of individuals with substance use disorders through expansion of substance use disorder services. The authority shall implement this funding to promote integrated, whole-person care to individuals with opioid use disorders, stimulant use disorders, and other substance use disorders. The authority shall use this funding to support evidence-based and promising practices as follows:

(a) \$8,500,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with substance use disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,500,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, mobile opioid use disorder treatment programs, law enforcement assisted diversion programs, contingency management interventions, modified assertive community treatment, trauma informed care, crisis respite, and for reimbursement of one-time start-up operating costs for opening new beds in withdrawal management treatment programs.

(b) \$2,015,000 of the amounts provided in this subsection is provided solely for outreach programs that link individuals with substance use disorders to treatment options to include medication for opioid use disorder. The authority must contract for these services with programs that use interdisciplinary teams, which include peer specialists, to engage and facilitate linkage to treatment for individuals in community settings such as homeless encampments, shelters, emergency rooms, harm reduction programs, churches, community service offices, food banks, libraries, legal offices, and other settings where individuals with substance use disorders may be engaged. The services must be coordinated with emergency

housing assistance and other services administered by the authority to promote access to a full continuum of treatment and recovery support options.

(c) \$7,500,000 of the amounts provided in this subsection is provided solely for substance use disorder recovery support services not covered by the medicaid program including, but not limited to, emergency housing, recovery housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(d) \$3,550,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with substance use disorders. This funding may be used for grants to urban Indian organizations, tribal opioid prevention media campaigns, and support for government to government communication, planning, and implementation of opioid use disorder related projects.

(e) \$5,000,000 of the amounts provided in this subsection is provided solely for the authority, in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs, and for law enforcement and emergency responders.

(f) \$7,100,000 of the amounts provided in this subsection is provided solely for community services grants that support the implementation and evaluation of substance use disorder prevention services.

(g) Up to \$1,750,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

~~((38))~~ (40) \$3,109,000 of the general fund—state appropriation for fiscal year 2024 and \$3,109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for short-term rental subsidies for individuals with mental health or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served. Each December of the fiscal biennium, the authority must submit a report identifying the expenditures and number of individuals receiving short-term rental supports through the agency budget during the prior fiscal year broken out by region, treatment need, and the demographics of those served, including but not limited to age, country of origin within racial/ethnic categories, gender, and immigration status.

~~((39))~~ (41) \$25,332,000 of the general fund—federal appropriation (ARPA) is provided solely to promote the recovery of individuals with mental health disorders through expansion of mental health services. The authority shall implement this funding to promote integrated, whole-person care through evidence based and promising practices as follows:

(a) \$8,153,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with mental health disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,000,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, law enforcement assisted diversion programs, modified assertive community treatment, and trauma informed care.

(b) \$8,200,000 of the amounts provided in this subsection is provided solely for mental health recovery support services not covered by the medicaid program including, but not limited to, supportive housing, emergency housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(c) \$2,553,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with mental health disorders.

(d) \$1,300,000 of the amounts provided in this subsection is provided solely to enhance crisis services and may be used for crisis respite care.

(e) \$2,600,000 of the amounts provided in this subsection is provided solely for the expansion of first episode psychosis programs.

(f) Up to \$1,279,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

~~((40))~~ (42) The authority must pursue opportunities for shifting state costs to the state's unused allocation of federal institutions for mental disease disproportionate share hospital funding.

~~((41))~~ (43) \$500,000 of the general fund—federal appropriation is provided solely to establish an emotional support network program for individuals employed as peer specialists. The authority must contract for these services which shall include, but not be limited to, facilitating support groups for peer specialists, support for the recovery journeys of the peer specialists themselves, and targeted support for the secondary trauma inherent in peer work.

~~((42))~~ (44) \$1,500,000 of the general fund—federal appropriation is provided solely for the authority to contract on a one-time basis with the University of Washington behavioral health institute to continue and enhance its efforts related to training and workforce development. This funding may be used for the following activities:

- (a) Making substance use disorder training content accessible to all community behavioral health providers;
- (b) Refining and implementing a substance use disorder provider needs assessment to advance best practice implementation for treatment in inpatient and outpatient settings;
- (c) Disseminating innovative best practices through training and technical assistance;
- (d) Developing and launching a telebehavioral health training series, providing webinars and packaging the training content so that it is accessible to all community behavioral health providers;
- (e) Planning for advanced telebehavioral health training and support to providers;
- (f) Convening a race, equity, and social justice in behavioral health conference annually;
- (g) Developing training and technical assistance opportunities for an annual series that translates lessons learned in behavioral health equity into actionable and sustainable change at the provider, organizational, and system levels;
- (h) Developing recommendations for reducing health disparities and training the workforce in culturally and linguistically relevant practices to achieve improved outcomes;
- (i) Increasing the number of community substance use providers that are trained in best practice assessment and treatment models;
- (j) Convening a telebehavioral health summit of leading experts regarding long-term provider telebehavioral health training and workforce needs;
- (k) Creating a behavioral health workforce strategy plan that identifies gaps that are not being addressed and suggests system improvements to address those gaps;
- (l) Working with community partners and key stakeholders to identify best practice strategies to evaluate and measure equity and health disparities within the behavioral health system and make recommendations regarding potential metrics to help advance system change; and
- (m) Developing metrics and evaluating telebehavioral health training needs and the impact of telebehavioral health training on provider knowledge and treatment protocols.

~~((43))~~ (45) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the King county behavioral health administrative services organization to maintain children's crisis outreach response system services that were previously funded through the department of children, youth, and families. The authority, in consultation with the behavioral health administrative services organization, medicaid managed care organizations, and the actuaries responsible for developing medicaid managed care rates, must work to maximize federal funding provided for the children's crisis outreach response system program.

~~((44))~~ (46) \$31,891,000 of the general fund—state appropriation for fiscal year 2024, \$63,395,000 of the general fund—state appropriation for fiscal year 2025, and \$172,425,000 of the general fund—federal appropriation are provided solely to implement a 15 percent increase to medicaid reimbursement for community behavioral health providers contracted through managed care organizations to be effective January 1, 2024. The authority must employ mechanisms such as directed payment or other options allowable under federal medicaid law to assure the funding is used by the managed care organizations for a 15 percent provider rate increase as intended and verify this pursuant to the process established in chapter 285, Laws of 2020 (EHB 2584). The rate increase shall be implemented to all behavioral health nonhospital inpatient, residential, and outpatient providers contracted through the medicaid managed care organizations. Psychiatric hospitals and other providers receiving rate increases under other subsections of this section must be excluded from the rate increase directed in this subsection.

~~((45))~~ (47) \$532,000 of the general fund—state appropriation for fiscal year 2024, \$2,935,000 of the general fund—state appropriation for fiscal year 2025, and \$3,467,000 of the general fund—federal appropriation are provided solely to increase the number of beds and rates for community children's long-term inpatient program providers. The number of beds is increased on a phased in basis to 72 beds by the end of fiscal year 2024. The bed day rates are increased from \$1,030 per day to \$1,121 per day effective July 1, 2023.

~~((46))~~ (48) \$505,000 of the general fund—state appropriation for fiscal year 2024, \$1,011,000 of the general fund—state appropriation for fiscal year 2025, and \$1,095,000 of the general fund—federal appropriation are provided solely to increase rates for parent child assistance program providers by 15 percent effective January 1, 2024.

~~((47))~~ (49) \$300,000 of the general fund—federal appropriation is provided solely for training of behavioral health consumer advocates. The authority must enter into a memorandum of understanding with the department of commerce to provide support for training of behavioral health consumer advocates pursuant to chapter 202, Laws of 2021 (E2SHB 1086).

~~((48))~~ (50) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the Washington chapter of the national alliance on mental illness, a Washington based statewide mental health nonprofit organization that provides free community and school-based mental health education and support programs for consumers and families. The contractor must use this funding to provide access to programs tailored to peers living with mental illness as well as family members of people with mental illness and the community at large. Services provided by the contracted program shall include education, support, and assistance to reduce isolation and help consumers and families understand the

services available in their communities. This contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

~~((49))~~ ~~(51)~~ \$15,474,000 of the general fund—state appropriation for fiscal year 2024, ~~((15,474,000))~~ \$17,125,000 of the general fund—state appropriation for fiscal year 2025, and ~~((14,312,000))~~ \$14,562,000 of the general fund—federal appropriation are provided solely for maintaining the expansion of local behavioral health mobile crisis response team capacity and ensuring each region has at least one adult and one children and youth mobile crisis team that is able to respond to calls coming into the 988 crisis hotline.

(a) In prioritizing this funding, the health care authority shall assure that there are a minimum of ~~((six))~~ 13 new children and youth mobile crisis teams in comparison to the number of teams at the end of fiscal year 2021 and that there is one children and youth mobile crisis team in each region.

(b) In implementing funding for adult and youth mobile crisis response teams, the authority must establish standards in contracts with managed care organizations and behavioral health administrative services organizations for the services provided by these teams.

(c) Of these amounts, \$3,000,000 of the general fund—state appropriation for fiscal year 2024, \$3,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,024,000 of the general fund—federal appropriation are provided solely to maintain increased capacity for mobile crisis services in King county that was funded in fiscal year 2023. These amounts must supplement and not supplant funding to the county previously allocated by the authority under this subsection.

(d) Of these amounts, \$1,651,000 of the general fund—state appropriation for fiscal year 2025 and \$250,000 of the general fund—federal appropriation are provided solely for adding stabilization staff to existing youth mobile crisis teams.

~~((50))~~ ~~(\$57,580,000))~~ ~~(52)~~ \$59,421,000 of the general fund—state appropriation for fiscal year 2024, ~~((61,807,000))~~ \$71,107,000 of the general fund—state appropriation for fiscal year 2025, and ~~((109,146,000))~~ \$69,409,000 of the general fund—federal appropriation are provided solely for the authority to contract with community hospitals or freestanding evaluation and treatment centers to provide long-term inpatient care beds as defined in RCW 71.24.025. Within these amounts, the authority must meet the requirements for reimbursing counties for the judicial services for patients being served in these settings in accordance with RCW 71.05.730. The authority must coordinate with the department of social and health services in developing the contract requirements, selecting contractors, and establishing processes for identifying patients that will be admitted to these facilities. Of the amounts in this subsection, sufficient amounts are provided in fiscal year 2024 and fiscal year 2025 for the authority to reimburse community hospitals and nonhospital residential treatment centers serving clients in long-term inpatient care beds as defined in RCW 71.24.025 as follows:

(a) For a hospital licensed under chapter 70.41 RCW that requires a hospital specific medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients because the hospital has completed a medicare cost report, the authority shall analyze the most recent medicare cost report of the hospital after a minimum of 200 medicaid inpatient psychiatric days. The authority shall establish the inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at 100 percent of the allowable cost of care, based on the most recent medicare cost report of the hospital.

(b) For a hospital licensed under chapter 70.41 RCW that has not completed a medicare cost report with more than 200 medicaid inpatient psychiatric days, the authority shall establish the medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at the higher of the hospital's current medicaid inpatient psychiatric rate; or the annually updated statewide average of the medicaid inpatient psychiatric per diem payment rate of all acute care hospitals licensed under chapter 70.41 RCW providing long-term civil commitment services.

(c) For a hospital licensed under chapter 71.12 RCW and currently providing long-term civil commitment services, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at ~~((940))~~ \$1,250 plus adjustments that may be needed to capture costs associated with long-term psychiatric patients that are not allowable on the medicare cost report or reimbursed separately. The hospital may provide the authority with supplemental data to be considered and used to make appropriate adjustments to the medicaid inpatient psychiatric per diem payment rate of the hospital. Adjustment of costs may include:

(i) Costs associated with professional services and fees not accounted for in the hospital's medicare cost report or reimbursed separately;

(ii) Costs associated with the hospital providing the long-term psychiatric patient access to involuntary treatment court services that are not reimbursed separately; and

(iii) Other costs associated with caring for long-term psychiatric patients that are not reimbursed separately.

(d) For a hospital licensed under chapter 71.12 RCW that requires an initial medicaid inpatient psychiatric per diem payment rate for long-term civil commitment services because it has not yet completed a medicare cost report, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at the higher of:

(i) The hospital's current medicaid inpatient psychiatric rate; or

(ii) The annually updated statewide average of the medicaid long-term inpatient psychiatric per diem payment rate of all freestanding psychiatric hospitals licensed under chapter 71.12 RCW providing long-term civil commitment services.

(e) For nonhospital residential treatment centers certified to provide long-term inpatient care beds as defined in RCW 71.24.025, the authority shall establish the medicaid psychiatric per diem payment rate at ~~((the fiscal year 2023 level))~~ \$1,250.

(f) Beginning in fiscal year 2024, the authority shall pay a rate enhancement for patients committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The enhancement shall be available to all hospital and nonhospital facilities providing services under this subsection except those whose rates are set at 100 percent of their most recent medicare cost report. The rate enhancement shall not exceed the tiered rate enhancements established under the 1915(i) state plan.

(g) Beginning in fiscal year 2025, the authority may pay a rate enhancement of \$500 per day for individuals with complex medical needs, challenging behaviors often diagnosed with co-occurring intellectual or developmental disability, traumatic brain injury, dementia, or significant medical issues requiring personal care. The rate enhancement is available to providers contracting directly with the authority.

(h) Provider payments for vacant bed days shall not exceed six percent of their annual contracted bed days.

~~((h))~~ (i) The authority, in coordination with the department of social and health services, the office of the governor, the office of financial management, and representatives from medicaid managed care organizations, behavioral health administrative service organizations, and community providers, must update its plan to continue the expansion of civil community long-term inpatient capacity. The plan shall identify gaps and barriers in the current array of community long-term inpatient beds in serving higher need individuals including those committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The plan shall identify strategies to overcome these barriers including, but not limited to, potential rate enhancements for high needs clients. The authority must submit its updated implementation plan to the office of financial management and the appropriate fiscal committees of the legislature by December 1, 2023, and submit a status update on the implementation plan by October 15, 2024.

~~((51))~~ (53) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a one-time grant to Island county to maintain support for a pilot program to improve behavioral health outcomes for young people in rural communities. In administering the pilot program, Island county shall coordinate with school districts, community groups, and health care providers to increase access to behavioral health programs for children and youth aged birth to 24 years of age. The grant funds shall be used to coordinate and expand behavioral health services. The grant funding must not be used to supplant funding from existing programs. No more than 10 percent of the funds may be used for administrative costs incurred by Island county in administering the program. Services that may be provided with the grant funding include, but are not limited to:

- (i) Support for children and youth with significant behavioral health needs to address learning loss caused by COVID-19 and remote learning;
- (ii) School based behavioral health education, assessment, and brief treatment;
- (iii) Screening and referral of children and youth to long-term treatment services;
- (iv) Behavioral health supports provided by community agencies serving youth year-round;
- (v) Expansion of mental health first aid, a program designed to prepare adults who regularly interact with youth for how to help people in both crisis and noncrisis mental health situations;
- (vi) Peer support services; and
- (vii) Compensation for the incurred costs of clinical supervisors and internships.

(b) The authority, in coordination with Island county, must submit to the office of financial management and the appropriate committees of the legislature, a report summarizing how the funding was used and providing the number of children and youth served by the pilot during fiscal year 2024 by December 1, 2024.

~~((52))~~ (54) \$265,000 of the general fund—state appropriation for fiscal year 2024, \$281,000 of the general fund—state appropriation for fiscal year 2025, and \$546,000 of the general fund—federal appropriation are provided solely for the authority to provide specialized training and consultation for physicians and professionals to support children with developmental disabilities and behavioral health needs.

~~((53) — \$2,184,000)~~ (55) \$2,262,000 of the general fund—federal appropriation and ~~(( \$2,184,000 ))~~ \$2,262,000 of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Within these amounts, funding is provided for the authority to support community discharge efforts for patients at the state hospitals. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its providers or third party administrator. The department and the authority in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not increase general fund—state expenditures above appropriated levels for this specific purpose. The secretary in collaboration with the director of the authority shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal

committees of the legislature the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

((+54+)) (56) \$130,000 of the general fund—federal appropriation is provided solely for the authority to participate in efforts to ensure behavioral health agencies are compensated for their role as teaching clinics for students seeking professional education in behavioral health disciplines and for new graduates working toward licensure.

((+55+)) (57) \$250,000 of the general fund—state appropriation for fiscal year 2024, \$934,000 of the general fund—state appropriation for fiscal year 2025, and \$1,447,000 of the general fund—federal appropriation are provided solely for increasing case management services to pregnant and parenting women provided through the parent child assistance program and for increasing the number of residential treatment beds available for pregnant and parenting women.

((+56+)) (58) Within the amounts provided in this section, sufficient funding is provided for the authority to maintain and increase the capabilities of a tool to track medication assisted treatment provider capacity.

((+57+)) (59) \$2,000,000 of the general fund—federal appropriation is provided solely for grants to law enforcement and other first responders to include a mental health professional on the team of personnel responding to emergencies.

((+58+)) ~~(\$1,653,000)~~ (60) \$855,000 of the general fund—state appropriation for fiscal year 2025 and ~~(\$2,024,000)~~ \$1,149,000 of the general fund—federal appropriation are provided solely for the authority to contract for long-term involuntary treatment services in a 16-bed residential treatment facility being developed by the Tulalip tribe in Stanwood.

((+59+)) (61) \$956,000 of the general fund—state appropriation for fiscal year 2024 and \$956,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for wraparound with intensive services for youth ineligible for medicaid as outlined in the settlement agreement under *AGC v. Washington State Health Care Authority*, Thurston county superior court no. 21-2-00479-34.

((+60+)) (62) \$18,188,000 of the general fund—state appropriation for fiscal year 2024 and \$18,188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for claims for services rendered to medicaid eligible clients admitted to institutions of mental disease that were determined to be unallowable for federal reimbursement due to medicaid's institutions for mental disease exclusion rules.

((+61+)) (63) \$6,010,000 of the general fund—state appropriation for fiscal year 2024, \$6,010,000 of the general fund—state appropriation for fiscal year 2025, and \$1,980,000 of the general fund—federal appropriation are provided solely for the authority, in coordination with the department of health, to deploy an opioid awareness campaign and to contract with syringe service programs and other service settings assisting people with substance use disorders to: Prevent and respond to overdoses; provide other harm reduction services and supplies, including but not limited to distributing naloxone; fentanyl testing and other drug testing supplies; and for expanding contingency management services. The authority is encouraged to use these funds to leverage federal funding for this purpose to expand buying power when possible. The authority should prioritize funds for naloxone in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to deploy an opioid awareness campaign targeted at youth to increase the awareness of the dangers of fentanyl.

((+62+)) (64) \$4,763,000 of the general fund—state appropriation for fiscal year 2024, \$4,763,000 of the general fund—state appropriation for fiscal year 2025, and \$25,754,000 of the general fund—federal appropriation are provided solely to maintain a rate increase authorized for opioid treatment providers on January 1, 2023.

((+63+)) (65) \$2,387,000 of the general fund—state appropriation for fiscal year 2024 and \$2,387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support individuals enrolled in the foundational community supports initiative who are transitioning from benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The authority, department of social and health services, and department of commerce shall collaborate on this effort.

((+64+)) (66) \$2,249,000 of the general fund—state appropriation for fiscal year 2024 and \$2,249,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with programs to provide medical respite care for individuals with behavioral health needs. The programs must serve individuals with significant behavioral health needs and medical issues who do not require hospitalization but are unable to provide adequate self-care for their medical conditions. The programs must prioritize services to individuals with complex medical and behavioral health issues who are homeless or who were recently discharged from a hospital setting. The services must meet quality standards and best practices developed by the national health care for the homeless council and may include, but are not limited to, medical oversight and health education; care transitions; and discharge planning to and from primary care, inpatient hospital, emergency rooms, and supportive housing. In selecting the contractors, the authority must prioritize projects that demonstrate the active involvement of an established medical provider that is able to

leverage federal medicaid funding in the provision of these services. The authority must work with the medicaid managed care organizations to encourage their participation and assist the plans and the contractor in identifying mechanisms for appropriate use of medicaid reimbursement in this setting.

~~((65))~~ (67) \$988,000 of the general fund—state appropriation for fiscal year 2024, \$988,000 of the general fund—state appropriation for fiscal year 2025, and \$618,000 of the general fund—federal appropriation are provided solely for the authority to contract for three regional behavioral health mobile crisis response teams focused on supported housing to prevent individuals with behavioral health conditions at high risk of losing housing from becoming homeless, identify and prioritize serving the most vulnerable people experiencing homelessness, and increase alternative housing options to include short-term alternatives which may temporarily deescalate situations where there is high risk of a household from becoming homeless.

~~((66))~~ (68) \$5,623,000 of the general fund—state appropriation for fiscal year 2024, \$5,623,000 of the general fund—state appropriation for fiscal year 2025, and \$3,748,000 of the general fund—federal appropriation are provided solely to maintain and expand access to no barrier, and low-barrier programs using a housing first model designed to assist and stabilize housing supports for adults with behavioral health conditions. Housing supports and services shall be made available with no requirement for treatment for their behavioral health condition and must be individualized to the needs of the individual. The authority and department of commerce shall collaborate on this effort and must submit a status report to the office of financial management and the appropriate committees of the legislature by December 31, 2023.

~~((67))~~ (69) \$675,000 of the general fund—state appropriation for fiscal year 2024 and \$675,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rental voucher and bridge program and to implement strategies to reduce instances where an individual leaves a state operated behavioral or private behavioral health facility directly into homelessness. The authority must prioritize this funding for individuals being discharged from state operated behavioral health facilities.

~~((68))~~ (70) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$361,000 of the general fund—state appropriation for fiscal year 2025, and \$482,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the department of social and health services research and data analysis division, to implement community behavioral health service data into the existing executive management information system. Of these amounts, \$288,000 of the general fund—state appropriation for fiscal year 2024, \$288,000 of the general fund—state appropriation for fiscal year 2025, and \$384,000 of the general fund—federal appropriation are provided solely for the authority to reimburse the research and data analysis division for staff costs associated with this project. The data elements shall be incorporated into the monthly executive management information system reports on a phased-in basis, allowing for elements which are readily available to be incorporated in the initial phase, and elements which require further definition and data collection changes to be incorporated in a later phase. The authority must collaborate with the research and data analysis division to ensure data elements are clearly defined and must include requirements in medicaid managed care organization and behavioral health administrative services organization contracts to provide the data in a consistent and timely manner for inclusion into the system. The community behavioral health executive management information data elements must include, but are not limited to: Psychiatric inpatient bed days; evaluation and treatment center bed days; long-term involuntary community psychiatric inpatient bed days; children's long-term inpatient bed days; substance use disorder inpatient, residential, withdrawal evaluation and management, and secure withdrawal evaluation and management bed days; crisis triage and stabilization services bed days; mental health residential bed days; mental health and substance use disorder outpatient treatment services; opioid substitution and medication assisted treatment services; program of assertive treatment team services; wraparound with intensive services; mobile outreach crisis services; recovery navigator team services; foundational community supports housing and employment services; projects for assistance in transition from homelessness services; housing and recovery through peer services; other housing services administered by the authority; mental health and substance use disorder peer services; designated crisis responder investigations and outcomes; involuntary commitment hearings and outcomes; pregnant and parenting women case management services; and single bed certifications and no available bed reports. Wherever possible and practical, the data must include historical monthly counts and shall be broken out to distinguish services to medicaid and nonmedicaid individuals and children and adults. The authority and the research and data analysis division must consult with the office of financial management and staff from the fiscal committees of the legislature on the development and implementation of the community behavioral health data elements.

~~((69))~~ (71) \$2,587,000 of the general fund—state appropriation for fiscal year 2024 and \$2,587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to support efforts by counties and cities to implement local response teams. Of these amounts:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to provide a grant to the association of Washington cities to assist cities with the costs of implementing alternative response teams. This funding must be used to



reimburse cities for documented costs associated with creating co-responder teams within different alternative diversion models including law enforcement assisted diversion programs, community assistance referral and education programs, and as part of mobile crisis teams. Cities are encouraged to partner with each other to create a regional response model. In awarding these funds, the association must prioritize applicants with demonstrated capacity for facility-based crisis triage and stabilization services. The association and authority must collect and report information regarding the number of facility-based crisis stabilization and triage beds available in the locations receiving funding through this subsection and submit a report to the office of financial management and the appropriate committees of the legislature with this information by December 1, 2023.

(b) \$587,000 of the general fund—state appropriation for fiscal year 2024 and \$587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Whatcom county alternative response team.

~~((70))~~ (72) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the University of Washington addictions, drug, and alcohol institute. This funding must be used for advanced, evidence-based training for law enforcement to improve interactions with individuals who use drugs. The training must be developed so it can be adapted and used statewide to decrease stigmatizing beliefs among law enforcement through positive contact with people who use drugs and improve officer well-being and effectiveness by providing skills and techniques to address the drug overdose epidemic. The institute must develop and refine this training, leveraging prior work, and in partnership with a steering committee that includes people with lived or living experience of substance use disorder and criminal legal involvement, researchers, clinicians, law enforcement officers, and others. The training must complement, but not duplicate, existing curricula already provided by the criminal justice training commission. The institute must pilot the advanced training in a subset of regional law enforcement agencies and evaluate its acceptability and feasibility through participant interviews and pretraining and posttraining ratings of stigmatizing beliefs. The institute must incorporate feedback from the pilot training sessions into a final training program that it must make available to law enforcement agencies across the state.

~~((71))~~ (73) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue development and implementation of the certified community behavioral health clinic model for comprehensive behavioral health services. Funding must be used to secure actuarial expertise, conduct research into national data and other state models, including obtaining resources and expertise from the national council for mental well-being certified community behavioral health clinic success center; and engage stakeholders, including representatives of licensed community behavioral health agencies and medicaid managed care organizations, in the process. The authority must provide a report to the office of financial management and the appropriate committees of the legislature with findings, recommendations, and cost estimates by December 31, 2024. The study must build on the preliminary report submitted to the legislature in December 2022 and include:

(a) Overviews of options and considerations for implementing the certified community behavioral health clinic model within Washington state, including participation as a certified community behavioral health clinic demonstration state or for independent statewide implementation;

(b) An analysis of the impact of expanding the certified community behavioral health clinic model on the state's behavioral health systems;

(c) Relevant federal regulations and options to implement the certified community behavioral health clinic model under those regulations;

(d) Options for implementing a prospective payment system methodology;

(e) An analysis of the benefits and potential challenges for integrating the certified community behavioral health clinic reimbursement model within an integrated care environment;

(f) Actuarial analysis on the costs for implementing the certified community behavioral health clinic model, including opportunities for leveraging federal funding; and

(g) Recommendations to the legislature on a pathway for statewide implementation.

(h) Of the amounts provided in this subsection, \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to clinics who received certified community behavioral health clinic funding from the federal substance abuse and mental health services administration to continue their operations pending the end of their federal grant period.

~~((72))~~ (74) \$1,135,000 of the general fund—state appropriation for fiscal year 2025 and \$568,000 of the general fund—federal appropriation are provided solely to develop and operate a 16-bed substance use disorder inpatient facility in Grays Harbor county that specializes in treating pregnant and parenting women using a family preservation model. The authority must contract for these services through behavioral health entities in a manner that allows leveraging of federal medicaid funds to pay for a portion of the costs. The authority must consult with the department of children, youth, and families in the implementation of this funding. The facility must allow families to reside together while a parent is receiving treatment. Of these amounts, \$568,000 may be used for documented startup costs including the recruitment, hiring, and training of staff. If the authority is able to identify a provider that can begin developing these services before July 2024, it must notify the office of financial management and the appropriate committees of the legislature and submit a request for funding in the fiscal year 2024 supplemental operating budget.

~~((73))~~ (75) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided on a one-time basis solely for the authority to continue a grant to the city of Snoqualmie to pilot behavioral health emergency response and coordination services through a regional behavioral health coordinator. The regional behavioral health coordinator shall be a licensed mental health or substance use disorder professional who works directly with and accompanies law enforcement officers and fire and rescue first responders to help respond to crises involving persons with behavioral health needs. The coordinator shall plan, implement, and coordinate services related to crisis response and social service needs with the city of Snoqualmie, the city of North Bend, the Snoqualmie police and fire departments, and the eastside fire and rescue agency serving North Bend, and local community services, school districts, hospitals, and crisis response systems provided by King county for the region. The coordinator shall support the social services needs identified through police and fire response in the lower Snoqualmie valley and serve as a liaison between law enforcement, first responders, and persons accessing or requesting emergency services with social service needs. The authority shall collect information on the pilot project and, in coordination with the city of Snoqualmie, must submit a report to the office of financial management and the appropriate committees of the legislature by December 31, 2023, summarizing the services provided through the grant funds and identifying recommendations on how to implement effective, integrated, coordinated behavioral health emergency response and community care services. The authority must also provide the report to the criminal justice training commission, the Washington association of sheriffs and police chiefs, and the Washington fire commissioners association.

~~((74))~~ (76) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract for services with a statewide recovery community organization. The authority must award this funding to an organization that: (a) Has experience building the capacity of the recovery community to advance substance use recovery and mental health wellness by catalyzing public understanding and shaping public policy; (b) is led and governed by representatives of local communities of recovery; (c) centers the voices of people with lived experience who are touched by addiction and mental health challenges, and harnesses the power of story to drive change in the mental health and addiction treatment systems; and (d) provides free community education, skills trainings, events, and a conference in order to increase the understanding of issues around behavioral health and recovery. Services provided by the contracted program must include education, support, and assistance to increase connection of the recovery community, recovery capital, and knowledge about recovery and mental health resources. In conducting this work, the contractor must engage diverse individuals in recovery, impacted families, and providers from all regions of the state and leverage the assistance of affiliated groups and organizations. The organization must also prioritize diversity, equity, and justice in their work to eradicate health disparities of marginalized communities.

~~((75))~~ (77) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue and expand a contract with a Seattle based nonprofit organization with experience matching voluntary specialty care providers with patients in need of care to provide pro bono counseling and behavioral health services to uninsured and underinsured individuals with incomes below 300 percent of the federal poverty level. The authority may require the contractor to seek, document, and report to the authority on efforts to leverage local, federal, or philanthropic funding to provide sustained operational support for the program.

~~((76))~~ (78) \$2,437,000 of the general fund—state appropriation for fiscal year 2024, \$4,772,000 of the general fund—state appropriation for fiscal year 2025, and \$1,705,000 of the general fund—federal appropriation are provided solely for the authority to contract for youth inpatient navigator services in seven regions of the state. The services must be provided through clinical response teams that receive referrals for children and youth inpatient services and manage a process to coordinate placements and alternative community treatment plans. Of these amounts for each fiscal year, \$445,000 of the general fund—state appropriation and \$79,000 of the general fund—federal appropriation are provided solely to contract for services through an existing program located in Pierce county.

~~((77))~~ (79) \$7,601,000 of the general fund—state appropriation for fiscal year 2024, \$7,601,000 of the general fund—state appropriation for fiscal year 2025, and \$2,820,000 of the general fund—federal appropriation are provided solely for assisted outpatient treatment and other costs associated with implementation of chapter 210, Laws of 2022 (SHB 1773). Of the amount provided in this subsection, \$1,000 is for implementation of Engrossed Senate Bill No. 5130 (assisted outpatient treatment).

~~((78) — \$1,878,000)~~ (80) \$1,378,000 of the general fund—state appropriation for fiscal year 2024 and ~~((429,000))~~ \$929,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to support the children and youth behavioral health work group to consider and develop longer term strategies and recommendations regarding the delivery of behavioral health services for children, transitioning youth, and their caregivers pursuant to chapter 76, Laws of 2022 (2SHB 1890).

~~((79))~~ (81) Sufficient funding is provided for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

~~((80))~~ (82) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contingency management resources in accordance with chapter 311, Laws of 2021 (ESB 5476).

~~((81))~~ (83) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a contract for services funded in section 215(127), chapter 297, Laws of 2022 (ESSB 5693) to provide information and support related to safe housing and support services for youth exiting inpatient mental health and/or substance use disorder facilities to stakeholders, inpatient treatment facilities, young people, and other community providers that serve unaccompanied youth and young adults.

~~((82))~~ (84) \$2,336,000 of the general fund—state appropriation for fiscal year 2024, 2,336,000 of the general fund—state appropriation for fiscal year 2025, and \$3,036,000 of the general fund—federal appropriation are provided solely for the authority to contract with opioid treatment providers to operate mobile methadone units to address treatment gaps statewide.

~~((83))~~ (85) \$216,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$1,454,000 of the general fund—federal appropriation are provided solely for the authority to increase fee for service rates for mental health and substance use disorder treatment by 22 percent. This rate increase shall be effective January 1, 2024. This rate increase does not apply to per diem costs for long-term civil commitment inpatient services or for services for which rate increases were provided under other subsections of this section. Services affected by the psychiatric rebase in subsection ~~((84))~~ (86) of this section are excluded from this rate increase. The authority must include the proportional costs of increasing fee-for-service rates for mental health and substance use disorder treatment paid on behalf of tribal members not electing enrollment in managed care plans in any agency request decision package it submits during the fiscal biennium for increasing provider rates in the managed care behavioral health program.

~~((84))~~ (86) Sufficient amounts are provided in this section for the authority to rebase community hospital psychiatric inpatient rates effective January 1, 2024. Rebasing adjustments shall be based on adjusted calendar year 2020 medicare cost reports.

~~((85))~~ (87) (a) \$3,805,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

- (i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit exchange;
- (ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and
- (iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amount provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

- (i) Actual and forecasted expenditures;
- (ii) Actual and forecasted data from the caseload forecast council; and
- (iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount that may be expended for the purposes of this program.

~~((86))~~ (88) (a) \$2,317,000 of the general fund—state appropriation for fiscal year 2024 and \$4,433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to three behavioral health administrative services organizations to transition persons who are either being diverted from criminal prosecution to behavioral health treatment services or are in need of housing upon discharge from crisis stabilization services. The authority must provide an opportunity for all of the behavioral health administrative service organizations to submit plans for consideration.

(b) Grant criteria must include, but are not limited to:

(i) A commitment to matching individuals with temporary lodging or permanent housing, including supportive housing services and supports, that is reasonably likely to fit their actual needs and situation, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability; and

(ii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement, including appropriate supportive housing supports and services, within six months except under unusual circumstances.

(c) When awarding grants, the authority must prioritize applicants that:

- (i) Provide matching resources;
  - (ii) Focus on ensuring an expeditious path to sustainable permanent housing solutions;
- and
- (iii) Demonstrate an understanding of working with individuals who experience homelessness or have interactions with the criminal legal system to understand their optimal housing type and level of ongoing services.

~~((87))~~ (89) (a) \$2,266,000 of the general fund—state appropriation for fiscal year 2024, \$14,151,000 of the general fund—state appropriation for fiscal year 2025, and \$19,269,000 of the general fund—federal appropriation are provided solely for services to medicaid and state funded clients in behavioral health residential treatment facilities that are scheduled to open during the 2023-2025 fiscal biennium.

(b) Within the amounts provided in this subsection, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to reimburse the department of social and health services for staffing costs related to tracking behavioral health community capacity through the community behavioral health executive management information system and providing annual reports on the implementation of new behavioral health community capacity.

(c) The department of commerce, the department of health, and the authority must cooperate with the department of social and health services in collecting and providing the data necessary to incorporate tracking of behavioral health beds into the behavioral health executive management information system and to prepare the required reports. The agencies must work to ensure they are using consistent definitions in classifying behavioral health bed types for the purpose of reporting capacity and utilization.

(d) The authority and the department of social and health services must begin tracking behavioral health bed utilization for medicaid and state funded clients by type of bed in the executive management information system by October 1, 2023. The department of commerce shall identify to the department of social and health services all providers that have received funding through their capital grant program since the 2013-2015 fiscal biennium. The department of social and health services must incorporate tracking of services by provider including an element to identify providers that have received funding through the capital budget so that reports can be provided related to the average daily client counts for medicaid and state funded clients being served by provider and by facility type.

(e) By November 1, 2023, the department of social and health services, in coordination with the department of commerce, the department of health, and the authority, must submit an annual report to the office of financial management and the appropriate committees of the legislature. The first annual report must provide information on the facilities that received funding through the department of commerce's behavioral health community capacity grant funding since the 2013-2015 fiscal biennium and the utilization across all behavioral health facilities for medicaid and state funded clients. The report must provide the following information for each facility that has received funding through the capital budget: (i) The amount received by the state and the total project cost; (ii) the facility address; (iii) the number of new beds or additional bed capacity by the service type being provided; and (iv) the utilization of the additional beds by medicaid or state funded clients by service type.

(f) By November 1, 2024, the department of social and health services must submit the second annual report to the office of financial management and the appropriate committees of the legislature. The second annual report must update the bed capacity and utilization information required in the first report and compare that capacity to demand by service type by geographical region of the state.

~~((88))~~ (90) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the efforts of the joint legislative and executive committee on behavioral health established in section 135 of this act.

~~((89))~~ (91) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely to support the provision of behavioral health co-responder services on nonlaw enforcement emergency medical response teams.

~~((90))~~ (92) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the King county behavioral health administrative services organization to expand medication for opioid use disorder treatment services in King county.

~~((91))~~ (93) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the authority to contract on a one-time basis with the behavioral health administrative services organization serving Kitsap county for crisis triage services in the county that are not being reimbursed through the medicaid program.

~~((92))~~ (94) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the behavioral health administrative services organization serving Snohomish county for start-up costs in a new 32-bed community recovery center in Lynnwood that will provide crisis services to medicaid and other low income residents.

~~((93))~~ \$3,142,000 of the general fund—state appropriation for fiscal year 2024, \$3,869,000 of the general fund—state appropriation for fiscal year 2025, and \$10,574,000 of

~~the general fund—federal appropriation are provided solely to reimburse the department of social and health services for the costs of medicaid services at a 16-bed residential treatment facility serving long-term involuntary inpatient patients. The authority and the department of social and health services must utilize case rate and cost based reimbursement models to maximize federal matching funds at the facility. Up to \$200,000 of the general fund—state appropriation for fiscal year 2024 may be used to facilitate these efforts.~~

~~((94))~~ (95) \$313,000 of the general fund—federal appropriation is provided solely to support a media campaign for Native Americans related to the prevention of substance abuse and suicide.

~~((95))~~ (96) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with up to two behavioral health agencies that are interested in offering or expanding wraparound with intensive services for children and youth. The funds may be used to support costs associated with recruitment, training, technical assistance, or other appropriate costs required to develop the capacity to offer these specialized services.

~~((96))~~ (97) \$22,000,000 of the general fund—state appropriation for fiscal year 2024 and \$22,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations to implement the statewide recovery navigator program established in chapter 311, Laws of 2021 (ESB 5476) and for related technical assistance to support this implementation. This includes funding for recovery navigator teams to provide community-based outreach and case management services based on the law enforcement assisted diversion model and for technical assistance support from the law enforcement assisted diversion national support bureau. Of the amounts provided in this subsection, \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 must be allocated to maintain recovery navigator services in King, Pierce, and Snohomish counties. These amounts must be in addition to the proportion of the allocation of the remaining funds in this subsection the regional behavioral health administrative services organizations serving those counties were allocated pursuant to section 22(1), chapter 311, Laws of 2021.

~~((97))~~ (98) \$3,114,000 of the general fund—state appropriation for fiscal year 2024, \$3,114,000 of the general fund—state appropriation for fiscal year 2025, and \$5,402,000 of the general fund—federal appropriation are provided solely for the authority to implement clubhouse services in every region of the state.

~~((98))~~ (99) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 and \$7,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to implement homeless outreach stabilization teams pursuant to chapter 311, Laws of 2021 (ESB 5476).

~~((99))~~ (100) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$2,500,000 of the general fund—state appropriation for fiscal year 2025, \$81,000 of the general fund—federal appropriation, and ~~(\$5,000,000)~~ \$12,280,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to expand efforts to provide opioid use disorder medication in city, county, regional, and tribal jails.

~~((100))~~ (101) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for behavioral health administrative service organizations to develop regional recovery navigator program plans pursuant to chapter 311, Laws of 2021 (ESB 5476), and to establish positions focusing on regional planning to improve access to and quality of regional behavioral health services with a focus on integrated care.

~~((101))~~ (102) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with an organization with expertise in supporting efforts to increase access to and improve quality in recovery housing and recovery residences. This funding shall be used to increase recovery housing availability through partnership with private landlords, increase accreditation of recovery residences statewide, operate a grievance process for resolving challenges with recovery residences, and conduct a recovery capital outcomes assessment for individuals living in recovery residences.

~~((102))~~ (103) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$4,000,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to provide short-term housing vouchers for individuals with substance use disorders.

~~((103))~~ (104) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to convene and provide staff and contracted services support to the recovery oversight committee established in chapter 311, Laws of 2021 (ESB 5476).

~~((104))~~ (105) \$2,565,000 of the general fund—state appropriation for fiscal year 2024 and \$2,565,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to develop and implement the recovery services plan and to carry out other requirements of chapter 311, Laws of 2021 (ESB 5476). Within these amounts, funding is provided for the authority to:

(a) Establish an occupational nurse consultant position within the authority to provide contract oversight, accountability, and performance improvement activities, and to ensure

medicaid managed care organization plan compliance with provisions in law and contract related to care transitions work with local jails; and

(b) Establish a position within the authority to create and oversee a program to initiate and support emergency department programs for inducing medications for patients with opioid use disorder paired with a referral to community-based outreach and case management programs.

~~((105))~~ (106) \$400,000 of the general fund—federal appropriation is provided solely to support the development and implementation of the parent portal directed in chapter 134, Laws of 2022 (SHB 1800).

~~((106) \$23,763,000)~~ (107) \$23,148,000 of the general fund—federal appropriation is provided solely for the authority to contract with the University of Washington behavioral health teaching facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The authority must coordinate with the department of social and health services and the University of Washington to evaluate and determine criteria for the current population of state hospital patients, committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, who can be effectively treated at the University of Washington behavioral health teaching facility. The authority, in coordination with the department of social and health services and the University of Washington, must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, summarizing the numbers and types of patients that are committed to the state hospitals pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, the numbers and types that would be appropriate to be served at the University of Washington behavioral health teaching facility, and the criteria that was used to make the determination.

~~((107))~~ (108) \$444,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$716,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1515 (behavioral health contracts). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~(108)~~ (109) (a) \$320,000 of the general fund—state appropriation for fiscal year 2024, ~~(( \$796,000 ))~~ \$1,796,000 of the general fund—state appropriation for fiscal year 2025, and \$1,196,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1168 (prenatal substance exposure). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) Of the amounts provided in (a) of this subsection, \$500,000 of the general fund—federal appropriation is provided solely for the authority to contract with a statewide nonprofit entity with expertise in fetal alcohol spectrum disorders and experience in supporting parents and caregivers to offer free support groups for individuals living with fetal alcohol spectrum disorders and their parents and caregivers.

~~((109))~~ (110) \$91,000 of the general fund—state appropriation for fiscal year 2024, \$91,000 of the general fund—state appropriation for fiscal year 2025, and \$126,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(111) \$5,474,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$210,000 of the general fund—federal appropriation are provided solely for the authority to implement Engrossed Second Substitute House Bill No. 1134 (988 system).

(a) Within these amounts, \$4,000,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the authority to provide grants to new or existing mobile rapid response teams and to community-based crisis teams to support efforts for meeting the standards and criteria for receiving an endorsement pursuant to provisions of the bill. In awarding grants under this subsection, the authority must prioritize funding for proposals that demonstrate experience and strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

(b) Within the remaining amounts, sufficient funding is provided for the authority to conduct the actuarial analysis and development of options for payment mechanisms for rate enhancements as directed in section ~~((8 of Engrossed Second Substitute House Bill No. 1134 (988 system)))~~ 9, chapter 454, Laws of 2023 and to implement other activities required by the bill.

~~((c) If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(112) \$26,854,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$17,636,000 of the general fund—federal appropriation are provided solely for the authority to expand and enhance regional crisis services. These amounts must be used to expand services provided by mobile crisis teams and community-based crisis teams either endorsed or seeking endorsement pursuant to standards adopted by the authority. Beginning in fiscal year 2025, the legislature intends to direct amounts within this subsection to be used for performance payments to mobile rapid response teams and community-based crisis teams that receive endorsements pursuant to Engrossed Second Substitute House Bill No. 1134 (988 system).

(113) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to increase resources for behavioral health administrative service

organizations and managed care organizations for the increased costs of room and board for behavioral health inpatient and residential services provided in nonhospital facilities.

(114) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a youth behavioral inpatient and outpatient program with facilities in Clark and Spokane counties that serve over 65 percent medicaid eligible clients for co-occurring substance use and mental health disorders and sexual exploitation behavioral health treatment. This funding is provided on a one-time basis and must be used for treatment and services.

(115) ~~(\$18,168,000)~~ \$36,993,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to address and remediate the opioid epidemic. Of these amounts:

(a) \$2,500,000 is provided solely for the authority to provide or contract for opioid prevention, outreach, treatment, or recovery support services that are not reimbursable under the state medicaid plan.

(b) \$500,000 is provided solely for Spanish language opioid prevention services.

(c) \$2,000,000 is provided solely to maintain prevention services that address underage drinking, cannabis and tobacco prevention, and opioid, prescription, and other drug misuse among individuals between the ages of 12 and 25.

(d) \$1,830,000 is provided solely for programs to prevent inappropriate opioid prescribing.

(e) \$538,000 is provided solely for technical support to improve access to medications for opioid use disorder in jails.

(f) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority, in coordination with the department of health, to develop and implement a health promotion and education campaign, with a focus on synthetic drug supplies, including fentanyl, and accurate harm reduction messaging for communities, law enforcement, emergency responders, and others.

(g) \$3,500,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide support funds to new and established clubhouses throughout the state.

(h) \$6,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide grants for the operational costs of new staffed recovery residences which serve individuals with substance use disorders who require more support than a level 1 recovery residence.

(i) \$1,675,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to contract with the downtown emergency service center, for the support of an opioid recovery and care access center. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(j) \$3,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to increase access to long-acting injectable buprenorphine products. The authority must use these funds to provide one-time grants to small providers that are not financially affiliated with a hospital to purchase long-acting injectable buprenorphine products. The authority shall study alternative models that will ease access to long-acting injectable buprenorphine and report recommendations to the office of financial management and the appropriate committees of the legislature by October 15, 2024.

(k) \$3,050,000 of the opioid abatement settlement account—state appropriation is provided solely for stabilization funding for current community prevention and wellness initiative programs across the state.

(l) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely to expand the number of health engagement hub pilot projects pursuant to chapter 1, Laws of 2023 sp. sess.

(m) \$750,000 of the opioid abatement settlement account—state appropriation is provided solely for additional outreach workers to support the expansion of oxford houses.

(n) \$450,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to purchase and maintain smart health machines. This purchase is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(o) \$3,700,000 of the opioid abatement settlement account—state appropriation is provided solely for five pilot programs of health care professionals that will assess and address the acute and chronic physical and behavioral health needs of people living homeless in encampments and on the streets with substance use disorders including opioid use disorder. Of the amounts provided:

(i) \$1,000,000 of the opioid abatement settlement account—state appropriation is for a grant to King county;

(ii) \$1,000,000 of the opioid abatement settlement account—state appropriation is for a grant to the city of Spokane;

(iii) \$1,000,000 of the opioid abatement settlement account—state appropriation is for a grant to the city of Tacoma;

(iv) \$500,000 of the opioid abatement settlement account—state appropriation is for a grant to the city of Everett; and

(v) \$200,000 of the opioid abatement settlement account—state appropriation is for a grant to Kitsap county.

(p) \$500,000 of the opioid abatement settlement account—state appropriation is provided solely to convene an annual tribal fentanyl summit.

(q) \$1,000,000 of the opioid abatement settlement account—state appropriation is provided solely for grants to tribes to implement the Icelandic model of prevention in their communities.

(r) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for a tribal opioid prevention campaign to inform and educate tribal communities about opioid misuse prevention, overdose response, and treatment.

(s) Of the amounts provided in this subsection, the authority may use up to 10 percent for staffing and administrative expenses.

((+j)) (t) In contracting for programs and services under this subsection, the authority must consider data and implement strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

(116) \$5,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to maintain funding for ongoing grants to law enforcement assisted diversion programs outside of King county under RCW 71.24.590.

(117) \$5,500,000 of the opioid abatement settlement account—state appropriation is provided on a one-time basis solely for the authority to implement a pilot program to reimburse a licensed pediatric transitional care facility in Spokane county to provide neonatal abstinence syndrome services to infants who have prenatal substance exposure. The pilot program must study and evaluate the efficacy, outcomes, and impact of providing these services to avoid more costly medical interventions. Within these amounts, \$190,000 is provided solely for the authority to contract with Washington State University to conduct research analyzing the prevalence of neonatal abstinence syndrome and infant and maternal health outcomes associated with neonatal transitional nurseries in Washington. The university must submit a report articulating findings to the appropriate committees of the legislature by December 1, 2024. The report must identify to what extent the federal medicaid program allows for reimbursement of these services and identify the barriers in leveraging federal medicaid funding for these services in Washington's state medicaid plan.

(118) \$15,447,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to pass through to tribes and urban Indian health programs for opioid and overdose response activities. The funding must be used for prevention, outreach, treatment, recovery support services, and other strategies to address and mitigate the effects of the misuse and abuse of opioid related products. The authority must provide the tribes and urban Indian health programs the latitude to use the funding as they see fit to benefit their communities, provided the activities are allowable under the terms of the opioid settlement agreements.

(119) \$66,000 of the general fund—state appropriation for fiscal year 2024, \$502,000 of the general fund—state appropriation for fiscal year 2025, and \$171,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(120) \$190,000 of the general fund—state appropriation for fiscal year 2024, \$354,000 of the general fund—state appropriation for fiscal year 2025, and \$1,106,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5228 (behavioral health OT). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(121) \$3,605,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$1,539,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(122) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Arlington in partnership with the north county regional fire authority for a mobile integrated health pilot project. The project shall provide mobile integrated health services for residents who cannot navigate resources through typical methods through brief therapeutic intervention, biopsychosocial assessment and referral, and community care coordination.

(123) \$1,000 of the general fund—state appropriation for fiscal year 2024 is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

(124) \$300,000 of the opioid abatement settlement account—state appropriation is provided for support of a statewide safe supply work group. The purpose of the work group is to evaluate potential models for safe supply services and make recommendations on inclusion of a safe supply framework in the Washington state substance use recovery services plan to provide a regulated, tested supply of controlled substances to individuals at risk of drug overdose. The work group membership shall be reflective of the community of individuals living with substance use disorder, including persons who are black, indigenous, and persons of color, persons with co-occurring substance use disorders and mental health conditions, as well as persons who represent the unique needs of rural communities.

(a) The work group membership shall consist of, but is not limited to, members appointed by the governor representing the following:

(i) At least one adult in recovery from substance use disorder;

(ii) At least one youth in recovery from substance use disorder;

(iii) One expert from the addictions, drug, and alcohol institute at the University of Washington;



- (iv) One outreach services provider;
  - (v) One substance use disorder treatment provider;
  - (vi) One peer recovery services provider;
  - (vii) One recovery housing provider;
  - (viii) One expert in serving persons with co-occurring substance use disorders and mental health conditions;
  - (ix) One expert in antiracism and equity in health care delivery systems;
  - (x) One employee who provides substance use disorder treatment or services as a member of a labor union representing workers in the behavioral health field;
  - (xi) One representative of the association of Washington healthcare plans;
  - (xii) One representative of sheriffs and police chiefs;
  - (xiii) One representative of a federally recognized tribe; and
  - (xiv) One representative of local government.
- (b) The work group's evaluation shall include, but is not limited to, the following:
- (i) Examining the concept of "safe supply," defined as a legal and regulated supply of mind or body altering substances that traditionally only have been accessible through illicit markets;
  - (ii) Examining whether there is evidence that a proposed "safe supply" would have an impact on fatal or nonfatal overdose, drug diversion, or associated health and community impacts;
  - (iii) Examining whether there is evidence that a proposed "safe supply" would be accompanied by increased risks to individuals, the community, or other entities or jurisdictions;
  - (iv) Examining historical evidence regarding the overprescribing of opioids; and
  - (v) Examining whether there is evidence that a proposed "safe supply" would be accompanied by any other benefits or consequences.
- (c) Staffing for the work group shall be provided by the authority.
- (d) The work group shall provide a preliminary report and recommendations to the governor and the appropriate committees of the legislature by December 1, 2023, and shall provide a final report by December 1, 2024.

(125) Within existing resources, the authority shall collaborate with the department of social and health services to develop a new program for individuals admitted to a state hospital for purposes of civil commitment under RCW 10.77.086. The program must prioritize the use of assisted outpatient treatment resources for eligible individuals and draw upon existing programs, including the program of assertive community treatment and the governor's opportunity for supportive housing program to provide wraparound services for individuals who may be ready to quickly return to the community following an admission.

(126) \$820,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to Island county to maintain crisis stabilization services provided by the Ituha stabilization facility.

(127) \$760,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a one-time grant to evergreen treatment services to increase funding for three opioid treatment program mobile medication units. This grant must be used to ensure continued access to mobile medication services in critical areas to address the opioid epidemic.

(128) (a) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,035,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to solicit a provider to operate up to 40 beds at the Olympic heritage behavioral health facility and for the authority to contract with that provider to operate contracted beds beginning March 15, 2025.

(b) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to conduct a survey of provider interest to determine service options for operating up to 40 beds at the Olympic heritage behavioral health facility, with a target opening date of March 15, 2025. The primary focus of the survey shall be providers able to address the needs of adults with a history or likelihood of criminal legal involvement to reduce the number of people with behavioral health or other diagnoses accessing treatment through the criminal legal system. The survey must seek information from providers, including tribal governments, interested in offering one or more, but not limited to, the following types of services:

(i) Short-term or step down residential behavioral health care, particularly for individuals who may have received treatment or services through crisis stabilization or a 23-hour crisis facility;

(ii) Residential, transitional, or supportive services that would divert individuals from the criminal legal system or emergency departments;

(iii) Substance use or co-occurring treatment, including inpatient or outpatient programming as well as programs designed for the treatment of opioid use disorder; and

(iv) Supportive and residential services for individuals in outpatient competency restoration, subject to assisted outpatient treatment orders or released on personal recognizance while awaiting competency services.

(c) Based upon a review of the survey results and in consultation with the department of social and health services, the authority will develop a recommendation for approval from the office of financial management.

(d) No later than August 1, 2024, upon approval from the office of financial management, the authority shall release a request for proposals to operate up to 40 beds at the Olympic

heritage behavioral health facility. The request for proposal shall include, but not be limited to:

(i) The proposed timeline for operations of selected service;

(ii) How the proposal would reduce the number of individuals with behavioral health needs entering the criminal legal system; and

(iii) Additional information solicited in the survey of interest.

(e) The authority must submit a report to the appropriate committees of the legislature by December 31, 2024, detailing the outcomes of the survey and request for proposals and, if applicable, the provider selected for operating the bed capacity and projections related to the provider cost of operating the contracted space.

(f) \$885,000 of the general fund—state appropriation for fiscal year 2025 provided in this subsection is provided solely for the authority to contract for services with the provider selected under (d) of this subsection. It is the intent of the legislature to align funding provided for these services with the cost of these services in the 2025 legislative session. Amounts appropriated should not be construed as minimum or maximum amounts available for contracted services and the authority must contract with the provider selected under (d) of this subsection at standard rates for the services offered.

(129) \$282,000 of the general fund—state appropriation for fiscal year 2025 and \$253,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6251 (behavioral crisis coord.). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(130) \$461,000 of the general fund—state appropriation for fiscal year 2025 and \$462,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 216. 2023 c 475 s 216 (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund—State Appropriation (FY 2024) . . . . .	(\$4,799,000))
	\$4,804,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$4,720,000))
	\$4,726,000
General Fund—Federal Appropriation . . . . .	\$2,975,000
TOTAL APPROPRIATION . . . . .	(\$12,494,000))
	\$12,505,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$448,000 of the general fund—state appropriation for fiscal year 2024 and \$420,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for investigative staff to address the commission's caseload backlog.

(2) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5186 (contracting/discrimination). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

Sec. 217. 2023 c 475 s 217 (uncodified) is amended to read as follows:

FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

Worker and Community Right to Know Fund—State Appropriation . . . . .	\$10,000
Accident Account—State Appropriation . . . . .	(\$27,516,000))
	\$27,520,000
Medical Aid Account—State Appropriation . . . . .	(\$27,510,000))
	\$27,514,000
TOTAL APPROPRIATION . . . . .	(\$55,036,000))
	\$55,044,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$650,000 of the accident account—state appropriation and \$650,000 of the medical aid account—state appropriation are provided solely for the board of appeals information system modernization project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$47,000 of the accident account—state appropriation and \$47,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(3) \$22,000 of the accident account—state appropriation and \$21,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

Sec. 218. 2023 c 475 s 218 (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund—State Appropriation (FY 2024) . . . . .	(( \$53,805,000))
	<u>\$55,096,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$50,466,000))
	<u>\$58,713,000</u>
General Fund—Private/Local Appropriation . . . . .	(( \$11,970,000))
	<u>\$7,901,000</u>
Death Investigations Account—State Appropriation . . . . .	\$1,708,000
Municipal Criminal Justice Assistance Account—State Appropriation . . . . .	\$460,000
Washington Auto Theft Prevention Authority Account— State Appropriation . . . . .	(( \$7,167,000))
	<u>\$14,167,000</u>
Washington Internet Crimes Against Children Account— State Appropriation . . . . .	\$2,270,000
24/7 Sobriety Account—State Appropriation . . . . .	\$20,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$127,866,000))</b>
	<b><u>\$140,335,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130.

(2) Funding in this section is sufficient for 75 percent of the costs of providing 23 statewide basic law enforcement trainings in each fiscal year 2024 and fiscal year 2025. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. At least three classes must be held in Spokane each year.

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(4) \$2,270,000 of the Washington internet crimes against children account—state appropriation is provided solely for the implementation of chapter 84, Laws of 2015.

(5) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the mental health field response team program administered by the Washington association of sheriffs and police chiefs. The association must distribute \$7,000,000 in grants to the phase one and phase two regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court—Western District, Cause No. 14-cv-01178-MJP. The association must submit an annual report to the Governor and appropriate committees of the legislature by September 1st of each year of the biennium. The report shall include best practice recommendations on law enforcement and behavioral health field response and include outcome measures on all grants awarded.

(6) \$899,000 of the general fund—state appropriation for fiscal year 2024 and \$899,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for crisis intervention training for the phase one regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court—Western District, Cause No. 14-cv-01178-MJP.

(7) \$1,598,000 of the death investigations account—state appropriation is provided solely for the commission to provide 240 hours of medicolegal forensic investigation training to coroners and medical examiners to meet the recommendations of the national commission on forensic science for certification and accreditation.

(8) \$346,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of chapter 321, Laws of 2021 (officer duty to intervene).

(9) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional grants to local jurisdictions to investigate instances where a purchase or transfer of a firearm was attempted by an individual who is prohibited from owning or possessing a firearm.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide grant funding to local law enforcement agencies to support law enforcement wellness programs. Of the amount provided in this subsection:

(a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to provide grants to local law enforcement agencies for the purpose of establishing officer wellness programs. Grants provided under this subsection may be used for, but not limited to building resilience, injury prevention, peer support programs, physical fitness, proper nutrition, stress management, suicide prevention, and physical or behavioral health services. The commission must consult with a representative from the Washington association of sheriffs and police chiefs and a representative of the Washington

state fraternal order of police and the Washington council of police and sheriffs in the development of the grant program.

(b) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington association of sheriffs and police chiefs to establish and coordinate an online or mobile-based application for any Washington law enforcement officer; 911 operator or dispatcher; and any other current or retired employee of a Washington law enforcement agency, and their families, to anonymously access on-demand wellness techniques, suicide prevention, resilience, physical fitness, nutrition, and other behavioral health and wellness supports.

(11) \$290,000 of the general fund—state appropriation for fiscal year 2024 and \$290,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for academy training for limited authority Washington peace officers employed by the Washington state gambling commission, Washington state liquor and cannabis board, Washington state parks and recreation commission, department of natural resources, and the office of the insurance commissioner.

(a) Up to 30 officers must be admitted to attend the basic law enforcement academy and up to 30 officers must be admitted to attend basic law enforcement equivalency academy.

(b) Allocation of the training slots amongst the agencies must be based on the earliest application date to the commission. Training does not need to commence within six months of employment.

(c) The state agencies must reimburse the commission for the actual cost of training.

(12) (~~(\$6,687,000)~~)\$6,987,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$4,668,000)~~)\$4,968,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish and provide basic law enforcement academy classes at three new regional training academies, one in Pasco, one in (~~Skagit~~)Snohomish county, and one in Clark county. Funding in this subsection is sufficient for 75 percent of the costs of providing six classes per year beginning in fiscal year 2024. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. The six classes per year are in addition to the classes in subsection (2) of this section.

(13) (~~(\$150,000)~~)\$120,000 of the general fund—state appropriation for fiscal year 2024 (~~((\$30,000))~~)and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to develop plans for increasing training capacity. The planning process should include engagement with limited law enforcement agencies, tribal law enforcement representatives, and local law enforcement agencies and representatives. The criminal justice training commission will provide recommendations to the governor and the appropriate committees of the legislature in a preliminary report due November 15, 2023, and in a final report due September 30, 2024. The reports should include the following:

(a) Identifying the demand for additional basic law enforcement academy courses to support law enforcement agencies and develop a proposal to meet any identified training needs, including basic law enforcement academy and advanced training needs;

(b) A plan for how to provide basic law enforcement academy training to limited law enforcement officers and tribal law enforcement officers, including providing additional capacity for training classes. The plan should also consider alternatives for distribution of the costs of the training course; and

(c) A plan for providing at least two basic law enforcement training academy classes per year to candidates who are not yet employed with a law enforcement agency. The plan should, at a minimum, include the following:

(i) A recruitment strategy that emphasizes recruitment of diverse candidates from different geographic areas of the state; diverse race, ethnicity, gender, and sexual orientation; and candidates with diverse backgrounds and experiences including nontraditional educational programs or work experience;

(ii) Pathways from training to employment with a law enforcement agency; and

(iii) Plans to address capacity for and delivery of training.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide accreditation incentive awards.

(a) The commission may provide an accreditation incentive award totaling up to \$50,000 to each law enforcement agency that receives an accreditation during the fiscal biennium from a national or state accrediting entity recognized by the commission. The commission must divide award amounts provided pursuant to this section equally among qualifying law enforcement agencies. A law enforcement agency may not receive more than one accreditation incentive award per fiscal biennium. Funds received by a law enforcement agency pursuant to this subsection must be made available to the law enforcement agency to which they are awarded and may not supplant or replace existing funding received by the law enforcement agency.

(b) The commission must submit a report to the legislature by June 30th of each fiscal year during the biennium that lists each law enforcement agency that received an accreditation incentive award during the fiscal year.

(15) \$1,085,000 of the general fund—state appropriation for fiscal year 2024 and \$1,040,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims & witnesses). (~~(\$1~~

~~the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(16) \$236,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1132 (limited authority officers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(17) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for body camera grant funding to local law enforcement agencies.

(a) The Washington association of sheriffs and police chiefs shall develop and implement a body-worn camera grant program. The purpose of the program is to assist law enforcement agencies to establish and expand body-worn camera programs.

(b) Law enforcement agencies may use the grants for: (i) The initial purchase, maintenance, and replacement of body-worn cameras; (ii) ongoing costs related to the maintenance and storage of data recorded by body worn cameras; (iii) costs associated with public records requests for body worn-camera footage; and (iv) hiring of personnel necessary to operate a body-worn camera program.

(c) The Washington association of sheriffs and police chiefs shall develop and implement a grant application process and review applications from agencies based on locally developed proposals to establish or expand body-worn camera programs.

(d) Law enforcement agencies that are awarded grants must:

(i) Comply with the provisions of chapter 10.109 RCW;

(ii) Demonstrate the ability to redact body-worn camera footage consistent with RCW 42.56.240 and other applicable provisions;

(iii) Provide training to officers who will wear body-worn cameras and other personnel associated with implementation of the body-worn camera program; and

(iv) Agree to comply with any data collection and reporting requirements that are established by the Washington association of sheriffs and police chiefs.

(e) The Washington association of sheriffs and police chiefs must submit an annual report regarding the grant program to the governor and appropriate committees of the legislature by December 1st of each year the program is funded. The report must be submitted in compliance with RCW 43.01.036.

(18) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) \$280,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for confidential secretary staff for the training bureau director and the accountability bureau director.

(20) \$694,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5780 (public defense & prosecution). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$4,446,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6242 (law enforcement training). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 219.** 2023 c 475 s 219 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF INDEPENDENT INVESTIGATIONS**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$17,037,000))
	<u>\$17,049,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(((\$17,211,000))
	<u>\$18,725,000</u>
<b>TOTAL APPROPRIATION.</b> . . . .	<b>(((\$34,248,000))</b>
	<b><u>\$35,774,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$9,383,000 of the general fund—state appropriation for fiscal year 2024 and \$9,383,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dedicated staffing at regional offices to include at least regional investigator supervisors, investigators, forensic investigators, family liaisons, and evidence technicians.

(2) \$1,124,000 of the general fund—state appropriation for fiscal year 2024 and \$1,124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with the Washington state patrol for laboratory-based testing and processing of crime scene evidence collected during investigations.

(3) \$251,000 of the general fund—state appropriation for fiscal year 2024 and \$251,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted specialized training for investigators relating to death investigations in cases involving deadly force.

(4) \$2,257,000 of the general fund—state appropriation for fiscal year 2024 and \$2,057,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for training development, additional staff training costs, crime lab processing, and contract services to include polygraphs, background checks, personnel evaluations, contracted security, and software licensing.

(5) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided for the office to pay for one-time tenant improvements necessary for a central evidence storage facility.

(6) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided for the office to pay for one-time tenant improvements for two regional offices.

**Sec. 220.** 2023 c 475 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$15,789,000</del> ))
	<u>\$17,531,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$19,773,000</del> ))
	<u>\$25,217,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$11,470,000</del> ))
	<u>\$11,521,000</u>
Asbestos Account—State Appropriation. . . . .	\$629,000
Electrical License Account—State Appropriation. . . . .	(( <del>\$71,526,000</del> ))
	<u>\$73,475,000</u>
Farm Labor Contractor Account—State Appropriation. . . . .	\$28,000
Opioid Abatement Settlement Account—State Appropriation. . . . .	\$250,000
Worker and Community Right to Know Fund—State Appropriation. . . . .	\$1,138,000
Construction Registration Inspection Account—State Appropriation. . . . .	(( <del>\$30,754,000</del> ))
	<u>\$31,189,000</u>
Public Works Administration Account—State Appropriation. . . . .	(( <del>\$18,304,000</del> ))
	<u>\$17,763,000</u>
Manufactured Home Installation Training Account— State Appropriation. . . . .	\$455,000
Accident Account—State Appropriation. . . . .	(( <del>\$427,767,000</del> ))
	<u>\$432,165,000</u>
Accident Account—Federal Appropriation. . . . .	(( <del>\$15,823,000</del> ))
	<u>\$19,953,000</u>
Medical Aid Account—State Appropriation. . . . .	(( <del>\$414,710,000</del> ))
	<u>\$418,788,000</u>
Medical Aid Account—Federal Appropriation. . . . .	(( <del>\$3,571,000</del> ))
	<u>\$3,920,000</u>
Plumbing Certificate Account—State Appropriation. . . . .	(( <del>\$3,624,000</del> ))
	<u>\$3,633,000</u>
Pressure Systems Safety Account—State Appropriation. . . . .	(( <del>\$5,065,000</del> ))
	<u>\$5,067,000</u>
Workforce Education Investment Account—State Appropriation. . . . .	(( <del>\$14,200,000</del> ))
	<u>\$20,440,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,054,876,000</del>))</b>
	<b><u>\$1,083,162,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$4,714,000~~)) \$6,756,000 of the accident account—state appropriation and ((~~\$4,711,000~~)) \$6,753,000 of the medical aid account—state appropriation are provided solely for the labor and industries workers' compensation information system replacement project and is subject to the conditions, limitations, and review provided in section 701 of this act. The department must:

(a) Submit quarterly data within 30 calendar days of the end of each quarter, effective July 1, 2023, on:

(i) The quantifiable deliverables accomplished and the amount spent by each deliverable in each of the following subprojects:

- (A) Business readiness;
- (B) Change readiness;
- (C) Commercial off the shelf procurement;
- (D) Customer access;
- (E) Program foundations;
- (F) Independent assessment; and
- (G) In total by fiscal year;

(ii) All of the quantifiable deliverables accomplished by subprojects identified in (a) (i) (A) through (F) of this subsection and in total and the associated expenditures by each deliverable by fiscal month;

(iii) The contract full time equivalent charged by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, compared to the budget spending plan by month

for each contracted vendor and what the ensuing contract equivalent budget spending plan by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, assumes by fiscal month;

(iv) The performance metrics by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, that are currently used, including monthly performance data; and

(v) The risks identified independently by at least the quality assurance vendor and the office of the chief information officer, and how the project:

(A) Has mitigated each risk; and

(B) Is working to mitigate each risk, and when it will be mitigated;

(b) Submit the report in (a) of this subsection to fiscal and policy committees of the legislature; and

(c) Receive an additional gated project sign off by the office of financial management, effective September 1, 2023. Prior to spending any project funding in this subsection each quarter, there is an additional gate of approval required for this project. The director of financial management must agree that the project shows accountability, effective and appropriate use of the funding, and that risks are being mitigated to the spending and sign off on the spending for the ensuing quarter.

(2) \$250,000 of the medical aid account—state appropriation and \$250,000 of the accident account—state appropriation are provided solely for the department of labor and industries safety and health assessment and research for prevention program to conduct research to address the high injury rates of the janitorial workforce. The research must quantify the physical demands of common janitorial work tasks and assess the safety and health needs of janitorial workers. The research must also identify potential risk factors associated with increased risk of injury in the janitorial workforce and measure workload based on the strain janitorial work tasks place on janitors' bodies. The department must conduct interviews with janitors and their employers to collect information on risk factors, identify the tools, technologies, and methodologies used to complete work, and understand the safety culture and climate of the industry. The department must produce annual progress reports through the year 2025 or until the tools are fully developed and deployed. The annual progress report must be submitted to the governor and legislature by December 1st of each year such report is due.

(3) \$258,000 of the accident account—state appropriation and \$258,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries safety and health assessment research for prevention program to conduct research to prevent the types of work-related injuries that require immediate hospitalization. The department will develop and maintain a tracking system to identify and respond to all immediate in-patient hospitalizations and will examine incidents in defined high-priority areas, as determined from historical data and public priorities. The research must identify and characterize hazardous situations and contributing factors using epidemiological, safety-engineering, and human factors/ergonomics methods. The research must also identify common factors in certain types of workplace injuries that lead to hospitalization. The department must submit a report to the governor and appropriate legislative committees by August 30, 2023, and annually thereafter, summarizing work-related immediate hospitalizations and prevention opportunities, actions that employers and workers can take to make workplaces safer, and ways to avoid severe injuries.

(4) (a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in aerospace and aerospace related supply chain industries by: Expanding the number of registered apprenticeships, preapprenticeships, and aerospace-related programs; and providing support for registered apprenticeships or programs in aerospace and aerospace-related supply chain industries.

(b) Grants awarded under this section may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training space and lab locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations;

(iii) Curriculum development and instructor training for industry experts;

(iv) Tuition assistance for degrees in engineering and high-demand degrees that support the aerospace industry; and

(v) Funding to increase capacity and availability of child care options for shift work schedules.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit, nongovernmental, or institution of higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, aerospace-related degree programs, or incumbent worker training to prepare workers for the aerospace and aerospace-related supply chain industries.

(d) The department may use up to 5 percent of these funds for administration of these grants.

(5) \$3,774,000 of the accident account—state appropriation and \$890,000 of the medical aid account—state appropriation are provided solely for the creation of an agriculture compliance unit within the division of occupational safety and health. The compliance unit will perform compliance inspections and provide bilingual outreach to agricultural workers and employers.

(6) \$1,642,000 of the medical aid account—state appropriation is provided solely to cover the overhead rent costs to increase the number of labor and industry vocational specialists embedded in WorkSource offices and to implement a comprehensive quality-assurance team to

ensure the continuous improvement of vocational services for injured workers through the workers' compensation program.

(7) \$1,798,000 of the public works administration account—state appropriation is provided solely to maintain expanded capacity to investigate and enforce prevailing-wage complaints.

(8) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the crime victims' compensation program to pay for medical exams for suspected victims of domestic violence. Neither the hospital, medical facility, nor victim is to pay for the cost of the medical exam. This funding must not supplant existing funding for sexual assault medical exams. If the cost of medical exams exceeds the funding provided in this subsection, the program shall not reduce the reimbursement rates for medical providers seeking reimbursement for other claimants, and instead the program shall return to paying for domestic violence medical exams after insurance.

(9) ~~(\$1,065,000)~~ (a) \$1,209,000 of the construction registration inspection account—state appropriation, ~~(\$57,000)~~ \$66,000 of the accident account—state appropriation, and ~~(\$12,000)~~ \$14,000 of the medical aid account—state appropriation are provided solely for the conveyance management system replacement project and are subject to the conditions, limitations, and review provided in section 701 of this act.

(b) \$270,000 of the construction registration inspection account—state appropriation, \$17,000 of the accident account—state appropriation, and \$3,000 of the medical aid account—state appropriation are provided solely for the maintenance and operations of the conveyance management system replacement project.

(10) \$250,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to analyze patients who are maintained on chronic opioids. The department must submit an annual report of its findings to the governor and the appropriate committees of the legislature no later than October 1st of each year of the fiscal biennium. The report shall include analysis of patient data, describing the characteristics of patients who are maintained on chronic opioids and their clinical needs, and a preliminary evaluation of potential interventions to improve care and reduce harms in this population.

(11) \$1,363,000 of the medical aid account—state appropriation is provided solely to improve access to medical and vocational providers of the workers' compensation program by expanding the use of navigators to recruit and assist providers in underserved communities and by ensuring access to high quality and reliable interpreter services.

(12) \$3,000,000 of the workforce education investment account—state appropriation, \$1,870,000 of the accident account—state appropriation, and \$330,000 of the medical aid account—state appropriation are provided solely for the department, in coordination with the Washington state apprenticeship council, to administer grants to continue the growth of behavioral health apprenticeship programs. Grants may be awarded for provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. Grant awardees must use a minimum of one-half of amounts provided to compensate behavioral health providers for employer implementation costs including mentor wage differentials, related instruction wages, and administrative costs. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(13) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the department, in coordination with the Washington state apprenticeship training council, to administer grants to address the behavioral health workforce shortage through behavioral health preapprenticeship and behavioral health entry level training, including nursing assistant certified programs. Grants may cover program costs including, but not limited to, provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(14) (a) \$300,000 of the workforce education investment account—state appropriation is provided solely for certified construction trade preapprenticeship programs that use a nationally approved multicraft curriculum and emphasize construction math, tool use, job safety, equipment, life skills, and financial literacy. The preapprenticeship programs should focus on disadvantaged, nontraditional, and underrepresented populations, and on populations reentering the community from incarceration and houselessness. Funding provided in this subsection may be used to:

(i) Provide incentives for participation in preapprenticeship programs, such as covering program costs, providing stipends to preapprentices, or covering the costs of construction tools; or

(ii) Address barriers for participation in preapprenticeship programs, such as covering costs of child care or transportation, or facilitating interviews for apprenticeship programs.

(b) The department may use up to five percent of the amount provided in (a) of this subsection for administration of these grants.



(15)(a) \$400,000 of the workforce education investment account—state appropriation is provided solely for grants to nonprofit organizations to:

(i) Expand meatcutter registered apprenticeship and preapprenticeship programs to new locations; or

(ii) Develop a new fishmonger registered apprenticeship program.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training space and lab locations to support the expansion and establishment of apprenticeship and preapprenticeship training in new locations;

(iii) Curriculum development, including the creation of elearning content, and instructor training for apprenticeship and preapprenticeship instructors;

(iv) Tuition assistance for apprentices in registered apprenticeship programs accredited by a community or technical college;

(v) Stipends for preapprentices; and

(vi) Apprenticeship and preapprenticeship coordination and administration services.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit organization that administers or directly provides apprenticeship and preapprenticeship training opportunities, overseen by a committee with at least one labor union and one employer representative or with an active program with participation of both labor union and employer partners, for retail meatcutters and/or fishmongers.

(d) The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(16) (~~(\$6,000,000)~~) \$12,000,000 of the workforce education investment account—state appropriation is provided solely for the department to distribute funding to multiemployer nonprofit programs providing apprenticeship education and job training for general journey level (01) electricians to increase funding for related supplemental instructional costs. Funding shall be allocated to programs by formula based on delivered related supplemental instruction hours for active apprentices under chapter 49.04 RCW and operating in compliance for administrative procedures. If a program is partnered with a Washington community or technical college to deliver the related supplemental instruction, the program may apply for up to a 25 percent increase in allocated funding based on the level of contracted support provided by the college. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(17) (~~(\$1,249,000)~~) \$873,000 of the accident account—state appropriation and (~~(\$507,000)~~) \$883,000 of the medical aid account—state appropriation are provided solely for the creation of the center for work equity research. The center will study and systematically address employer and employment factors that place historically marginalized workers at increased risk for work-related injuries and illnesses and social and economic hardship.

(18) \$2,908,000 of the public works administration account—state appropriation is provided solely for system improvements to the prevailing wage program information technology system. This project is subject to the conditions, limitations, and review provided in section 701 of this act.

(19) \$205,000 of the general fund—state appropriation for fiscal year 2024 and \$205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue conducting a four-year retention study of state registered apprentices as provided in chapter 156, Laws of 2022 (apprenticeship programs). The study shall include the collection of data from all apprentices three months into their apprenticeship to understand challenges and barriers they face towards program participation. The aggregate data by trade must be displayed on a publicly available dashboard. Study data must be provided with apprenticeship coordinators to implement an early response to connect apprentices with needed supports. The department shall submit an annual report to the governor and appropriate legislative committees on June 30, 2024 and June 30, 2025.

(20) \$3,500,000 of the workforce education investment account—state appropriation is provided solely to administer a grant program intended to provide wraparound support services to mitigate barriers to beginning or participating in apprenticeship programs as described in chapter 156, Laws of 2022. Up to five percent of the total funding provided in this subsection may be used to cover administrative expenses.

(21) (~~(\$1,963,000)~~) \$1,798,000 of the accident account—state appropriation and (~~(\$797,000)~~) \$960,000 of the medical aid account—state appropriation are provided solely to expand access to worker rights and safety information for workers with limited English proficiency (LEP) through outreach and translation of safety-related information, training, and other materials. \$1,000,000 of the amount provided in this subsection is provided solely for grants to community-based organizations to provide workplace rights and safety outreach to underserved workers.

(22) \$857,000 of the accident account—state appropriation and \$855,000 of the medical aid account—state appropriation are provided solely for enhancements to the workers' compensation training modules to include strategies on reducing long-term disability among claimants.

(23) \$6,702,000 from the electrical license account—state appropriation is provided solely for an additional wage increase for all positions within the electrical construction inspector, electrical construction inspector lead, electrical inspection field supervisor/technical specialist, and electrical plans examiner job class series consistent with the July 1, 2023, range differentials, subject to an agreement between the state and the exclusive collective bargaining representative of the electrical construction inspectors.

(24) \$165,000 of the general fund—state appropriation for fiscal year 2024 and \$165,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training to continue implementation of a program aimed at reducing workplace sexual harassment in the agricultural sector. The department may use up to five percent of the amount provided in this subsection for administration of this grant. The organization receiving the grant must:

(a) Continue peer-to-peer trainings for farmworkers in Yakima county and expand to provide peer-to-peer trainings for farmworkers in Grant and Benton counties;

(b) Support an established network of peer trainings as farmworker leaders, whose primary purpose is to prevent workplace sexual harassment and assault through leadership, education, and other tools; and

(c) Share best practices from the peer-to-peer model at a statewide conference for farmworkers, industry representatives, and advocates.

(25) \$250,000 of the accident account—state appropriation and \$278,000 of the medical aid account—state appropriation is provided solely for implementation of House Bill No. 1197 (workers' comp. providers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) ~~((~~\$1,645,000~~))~~ \$1,088,000 of the public works administration account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1050 (apprenticeship utilization). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(27) ~~((~~\$365,000~~))~~ \$318,000 of the accident account—state appropriation and ~~((~~\$64,000~~))~~ \$56,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1217 (wage complaints). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(28) \$105,000 of the accident account—state appropriation and \$19,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1323 (fire-resistant materials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$239,000 of the accident account—state appropriation and \$239,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$256,000 of the construction registration inspection account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1534 (construction consumers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$1,311,000 of the accident account—state appropriation and \$243,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(32) \$431,000 of the accident account—state appropriation and \$76,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) \$560,000 of the public works administration account—state appropriation is provided solely to update computer applications for implementation of Senate Bill No. 5088 (contractor registration). This project is subject to the conditions, limitations, and review provided in section 701 of this act. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(34) \$84,000 of the accident account—state appropriation and \$84,000 of the medical aid account—state appropriation are provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(35) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5070 (nonfatal strangulation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(36) \$216,000 of the accident account—state appropriation and \$37,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5156 (farm internship program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(37) \$1,470,000 of the accident account—state appropriation and \$260,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5217 (musculoskeletal injuries/L&I). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(38) \$354,000 of the public works administration account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(39) \$234,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second

Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(40) \$230,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5111 (sick leave/construction). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(41) \$4,663,000 of the accident account—state appropriation and \$884,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(42) ~~(((\$333,000))~~\$367,000 of the accident account—state appropriation and ~~(((\$333,000))~~\$369,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(43) \$1,906,000 of the electrical license account—state appropriation is provided solely for electrical inspector staffing to expand capacity to conduct electrical inspections, effective July 1, 2024.

(44) \$200,000 of the accident account—state appropriation and \$200,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries to contract with a third-party vendor to produce a study that assesses post-traumatic stress disorder related workers' compensation policies and claims in Washington and other states. The intent of the study is to inform the department on policy and best practices that improve worker outcomes for law enforcement officers, firefighters, and nurses. The department shall submit a report describing the outcomes, best practices, and recommendations to the governor and appropriate legislative committees by June 30, 2025.

(45) \$240,000 of the workforce education investment account—state appropriation is provided solely for a grant to a statewide-serving nonprofit organization providing support services to apprentices and preapprentices for the provision of new work boots and other resources to state recognized apprenticeship preparation participants in correctional facilities and as they transition from incarceration to state registered apprenticeship programs. The work boots and other resources must be within allowable guidelines for incarcerated and community supervised individuals. The department may use up to five percent of the amount provided in this subsection for administration of this grant.

(46) \$300,000 of the surgical smoke evacuation nonappropriated account—state appropriation is provided solely to implement the reimbursement requirements established in chapter 129, Laws of 2022.

(47) (a) \$470,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of labor and industries to conduct a study to evaluate all construction-related training programs in Washington correctional facilities and to provide recommendations to strengthen and expand the state recognized preapprenticeship options in construction in those facilities and transitional supports toward enrollment in state registered apprenticeship programs, and to establish a work group facilitated by the department to help guide the development of the study and report on the study findings and recommendations. The work group shall include representatives from the department of corrections, the state board for community and technical colleges, the Washington student achievement council, an organization representing building trades labor organizations, the department of children, youth, and families, and construction-related registered apprenticeship programs. A report detailing the study and the associated recommendations must be submitted to the governor and appropriate committees of the legislature by December 1, 2024.

(b) Of the amount provided in (a) of this subsection:

(i) Up to \$150,000 is provided solely to compensate employers for their participation in the work group. The total amount available per employer is \$5,000.

(ii) Up to \$60,000 is provided to cover information technology and data costs for the state board for community and technical colleges and the department of corrections.

(iii) Up to \$50,000 is provided solely for the department to host an apprenticeship coordinator summit in partnership with college corrections navigator and department of corrections.

(48) \$175,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with the municipal research and services center to conduct a public works study. The study shall evaluate the application of public works requirements, including prevailing wage and apprentice utilization, on publicly funded construction, including those supported in part or in whole with state funds, the granting or loaning of public dollars, and tax deferrals or reimbursements. The department may use up to five percent of these funds for administration. A report to the relevant committees of the legislature shall be submitted by June 30, 2025.

(49) \$100,000 of the medical aid account—state appropriation and \$100,000 of the accident account—state appropriation are provided solely for the staffing of a resolution process for complaints regarding light duty work under Title 51 RCW. The department shall submit a report to the appropriate committees of the legislature by June 30, 2025, on outcomes related to this funding and data regarding light duty resolution processes provided in this subsection.

(50) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to survey registered apprenticeship programs and assimilate data

that documents the fee structure and contractual elements of partnerships between the various registered apprenticeship programs and community and technical college system. This information will be used to inform a report and recommendations to the legislature on registered apprenticeship funding and how this funding is directed to community and technical colleges. The department shall submit a report to the legislature summarizing the survey findings by November 15, 2024.

(51) Within the amounts provided in this section, the department of labor and industries shall provide support to the underground economy task force created in section 906 of this act.

(52) \$187,000 of the medical aid account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5368 (stay-at-work program). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(53) \$479,000 of the accident account—state appropriation and \$102,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5793 (paid sick leave). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(54) \$8,000 of the plumbing certificate account—state appropriation is provided solely for implementation of Engrossed Substitute Bill No. 5997 (plumbing hours reporting). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(55) \$477,000 of the accident account—state appropriation and \$84,000 of the medical account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(56) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$139,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 6069 (retirement savings). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(57) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$471,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5937 (crime victims/witnesses). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 221. 2023 c 475 s 221 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

(1) The appropriations in this section are subject to the following conditions and limitations:

(a) The department of veterans affairs shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys that are unrelated to the coronavirus response and not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys that are unrelated to the coronavirus response, those moneys must be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(b) Each year, there is fluctuation in the revenue collected to support the operation of the state veteran homes. When the department has foreknowledge that revenue will decrease, such as from a loss of census or from the elimination of a program, the legislature expects the department to make reasonable efforts to reduce expenditures in a commensurate manner and to demonstrate that it has made such efforts. In response to any request by the department for general fund—state appropriation to backfill a loss of revenue, the legislature shall consider the department's efforts in reducing its expenditures in light of known or anticipated decreases to revenues.

(2) HEADQUARTERS

General Fund—State Appropriation (FY 2024) . . . . .	(\$4,932,000)
	\$4,974,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$4,978,000)
	\$5,022,000
Charitable, Educational, Penal, and Reformatory Institutions Account—State Appropriation . . . . .	\$10,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$9,920,000)</b>
	<b>\$10,006,000</b>

(3) FIELD SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(\$10,998,000)
	\$11,016,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$10,860,000)
	\$10,879,000
General Fund—Federal Appropriation . . . . .	(\$10,323,000)

	<u>\$10,328,000</u>
General Fund—Private/Local Appropriation. . . . .	(( <del>\$6,538,000</del> ))
	<u>\$6,542,000</u>
Veteran Estate Management Account—Private/Local Appropriation. . . . .	(( <del>\$717,000</del> ))
	<u>\$718,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$39,436,000</del>))</b>
	<b><u>\$39,483,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5358 (veterans' services). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Of the amounts provided in this subsection:

(i) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one veterans service officer each in Island county, Walla Walla county, Clallam county, and Stevens county.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with an organization located in Thurston county that has experience in the delivery of no-cost equine therapy for military veterans and active members of the military.

(c) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) STATE VETERANS HOMES PROGRAM

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$25,818,000</del> ))
	<u>\$26,775,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$20,386,000</del> ))
	<u>\$19,995,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$127,227,000</del> ))
	<u>\$136,122,000</u>
General Fund—Private/Local Appropriation. . . . .	(( <del>\$17,330,000</del> ))
	<u>\$11,957,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$190,761,000</del>))</b>
	<b><u>\$194,849,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) If the department receives additional unanticipated federal resources that are unrelated to the coronavirus response at any point during the remainder of the 2023-2025 fiscal biennium, an equal amount of general fund—state must be placed in unallotted status so as not to exceed the total appropriation level specified in this subsection. The department may submit as part of the policy level budget submittal documentation required by RCW 43.88.030 a request to maintain the general fund—state resources that were unallotted as required by this subsection.

(b) Appropriations have been adjusted in this section to reflect anticipated changes in state, federal, and local resources as a result of census changes. The department shall incorporate these adjustments in the governor's projected maintenance level budget required in RCW 43.88.030.

(5) CEMETERY SERVICES

General Fund—State Appropriation (FY 2024). . . . .	\$167,000
General Fund—State Appropriation (FY 2025). . . . .	\$169,000
General Fund—Federal Appropriation. . . . .	\$1,055,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$1,391,000</b>

**Sec. 222.** 2023 c 475 s 222 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$168,127,000</del> ))
	<u>\$193,235,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$148,005,000</del> ))
	<u>\$174,686,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$589,208,000</del> ))
	<u>\$602,409,000</u>
General Fund—Private/Local Appropriation. . . . .	(( <del>\$174,244,000</del> ))
	<u>\$187,720,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2024). . . . .	\$11,863,000
Dedicated Cannabis Account—State Appropriation (FY 2025). . . . .	(( <del>\$12,356,000</del> ))

	<u>\$12,368,000</u>
Climate Commitment Account—State Appropriation. . . . .	(( <del>\$89,552,000</del> ))
	<u>\$90,880,000</u>
Climate Investment Account—State Appropriation. . . . .	\$902,000
Foundational Public Health Services Account—State Appropriation. . . . .	\$23,066,000
Hospital Data Collection Account—State Appropriation. . . . .	\$592,000
Health Professions Account—State Appropriation. . . . .	(( <del>\$192,069,000</del> ))
	<u>\$195,627,000</u>
Aquatic Lands Enhancement Account—State Appropriation. . . . .	\$642,000
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation. . . . .	\$10,175,000
Medicaid Fraud Penalty Account—State Appropriation. . . . .	\$3,027,000
Natural Climate Solutions Account—State Appropriation. . . . .	\$72,000
((Public Health Supplemental Account—State Appropriation. . . . .	\$293,000))
Safe Drinking Water Account—State Appropriation. . . . .	(( <del>\$8,946,000</del> ))
	<u>\$8,951,000</u>
Drinking Water Assistance Account—Federal Appropriation. . . . .	(( <del>\$25,867,000</del> ))
	<u>\$25,884,000</u>
Waterworks Operator Certification Account—State Appropriation. . . . .	\$2,089,000
Drinking Water Assistance Administrative Account— State Appropriation. . . . .	\$2,480,000
Site Closure Account—State Appropriation. . . . .	\$197,000
Biotoxin Account—State Appropriation. . . . .	\$1,773,000
Model Toxics Control Operating Account—State Appropriation. . . . .	(( <del>\$8,953,000</del> ))
	<u>\$15,494,000</u>
Medical Test Site Licensure Account—State Appropriation. . . . .	\$5,239,000
Secure Drug Take-Back Program Account—State Appropriation. . . . .	\$1,474,000
Youth Tobacco and Vapor Products Prevention Account— State Appropriation. . . . .	\$3,273,000
Public Health Supplemental Account—Private/Local Appropriation. . . . .	(( <del>\$3,824,000</del> ))
	<u>\$4,118,000</u>
Accident Account—State Appropriation. . . . .	\$388,000
Medical Aid Account—State Appropriation. . . . .	\$58,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation. . . . .	(( <del>\$42,865,000</del> ))
	<u>\$53,045,000</u>
Coronavirus State Fiscal Recovery Fund—Federal Appropriation. . . . .	(( <del>\$27,022,000</del> ))
	<u>\$22,000</u>
Opioid Abatement Settlement Account—State Appropriation. . . . .	(( <del>\$7,400,000</del> ))
	<u>\$10,773,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$1,566,041,000</del>))</b>
	<b><u>\$1,642,522,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) During the 2023-2025 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to \$25 annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(3) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt license and certification fees in fiscal years 2024 and 2025 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(4) Within the amounts appropriated in this section, and in accordance with RCW 70.41.100, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 70.41.080.

(5) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt fees for the review and approval of mental health and substance use disorder treatment programs in fiscal years 2024 and 2025 as necessary to support the costs of the regulatory program. The department's fee schedule must have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(6) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(7) Within the amounts appropriated in this section, and in accordance with RCW 43.70.110 and 71.12.470, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 71.12.485.

(8) \$492,000 of the general fund—state appropriation for fiscal year 2024 and \$492,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with local health jurisdictions to establish and maintain comprehensive group B programs to ensure safe drinking water. These funds shall be used for implementation costs, including continued development and adoption of rules, policies, and procedures; technical assistance; and training.

(9) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community outreach to prepare culturally and linguistically appropriate hepatitis B information in a digital format to be distributed to ethnic and cultural leaders and organizations to share with foreign-born and limited or non-English speaking community networks.

(10) Within amounts appropriated in this section, the Washington (~~nursing commission~~) board of nursing must hire sufficient staff to process applications for nursing licenses so that the time required for processing does not exceed seven days.

(11) \$725,000 of the general fund—state appropriation for fiscal year 2024 and \$725,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington poison center. This funding is provided in addition to funding pursuant to RCW 69.50.540.

(12) \$622,000 of the general fund—state appropriation for fiscal year 2024, \$622,000 of the general fund—state appropriation for fiscal year 2025, and \$3,000,000 of the medicaid fraud penalty account—state appropriation are provided solely for the ongoing operations and maintenance of the prescription monitoring program maintained by the department.

(13) \$2,265,000 of the general fund—state appropriation for fiscal year 2024 and \$2,265,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

(a) Staffing by the department, the department of veterans affairs, and the department of corrections to expand statewide suicide prevention efforts, which efforts include suicide prevention efforts for military service members and veterans and incarcerated persons;

(b) A suicide prevention public awareness campaign to provide education regarding the signs of suicide, interventions, and resources for support;

(c) Staffing for call centers to support the increased volume of calls to suicide hotlines;

- (d) Training for first responders to identify and respond to individuals experiencing suicidal ideation;
- (e) Support for tribal suicide prevention efforts;
- (f) Strengthening behavioral health and suicide prevention efforts in the agricultural sector;
- (g) Support for the three priority areas of the governor's challenge regarding identifying suicide risk among service members and their families, increasing the awareness of resources available to service members and their families, and lethal means safety planning;
- (h) Training for community health workers to include culturally informed training for suicide prevention;
- (i) Coordination with the office of the superintendent of public instruction; and
- (j) Support for the suicide prevention initiative housed in the University of Washington.
- (14) \$4,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$4,500,000))~~\$4,600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the fruit and vegetable incentives program. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are for the fruit and vegetable prescription program, which provides food as medicine to individuals experiencing food insecurity or are at high risk of developing a chronic health condition.
- (15) \$627,000 of the general fund—state appropriation for fiscal year 2024 and \$627,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the recommendations from the community health workers task force to provide statewide leadership, training, and integration of community health workers with insurers, health care providers, and public health systems.
- (16) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington ~~((nursing commission))~~board of nursing to manage a grant process to incentivize nurses to supervise nursing students in health care settings. The goal of the grant program is to create more clinical placements for nursing students to complete required clinical hours to earn their nursing degree and related licensure.
- (17) \$1,490,000 of the health professional services account—state appropriation is provided solely for the Washington ~~((nursing commission))~~board of nursing to continue to implement virtual nursing assistant training and testing modalities, create an apprenticeship pathway into nursing for nursing assistants, implement rule changes to support a career path for nursing assistants, and collaborate with the workforce training and educational coordinating board on a pilot project to transform the culture and practice in long term care settings. The goal of these activities is to expand the nursing workforce for long term care settings.
- (18) \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to test for lead in child care facilities to prevent child lead exposure and to research, identify, and connect facilities to financial resources available for remediation costs.
- (19) \$814,000 of the general fund—state appropriation for fiscal year 2024 and \$814,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to support school-based health centers and behavioral health services.
- (20) \$1,300,000 of the general fund—state appropriation for fiscal year 2024 and \$1,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate and lead a multi-agency approach to youth suicide prevention and intervention.
- (21) (a) \$486,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the community health worker platform and continued implementation of the community health worker trainings in the pediatric setting for children with behavioral health needs.
- (b) Of the amounts provided in this subsection for fiscal year 2024, \$250,000 is provided solely for a grant to a pediatric organization to convene a learning collaborative to support community health workers to ensure their success while on the job with their multidisciplinary clinic teams and for the development of this new integrated health care worker field.
- (22) \$1,390,000 of the general fund—state appropriation for fiscal year 2024 and \$1,378,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the child profile health promotion notification system.
- (23) \$5,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone to first responders and agency staff in organizations such as syringe service programs, house providers, and street outreach programs.
- (24) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to remediate the impacts of the opioid epidemic. This funding must be used consistent with conditions of the



opioid settlement agreements that direct how funds deposited into the opioid abatement settlement account created in Engrossed Substitute Senate Bill No. 5293 must be used.

(25) \$400,000 of the opioid abatement settlement account—state appropriation is provided solely for the completion of work identified in the state opioid response plan related to maternal and infant health.

(26)(a) \$10,000,000 of the climate commitment account—state appropriation is provided solely to support and administer a workplace health and safety program for workers who are affected by climate impacts, including but not limited to, extreme heat and cold, wildfire smoke, drought, and flooding. This program will focus on workplace health and safety for farmworkers, construction workers, and other workers who face the most risk from climate-related impacts. This amount shall be limited to supporting vulnerable populations in overburdened communities under the climate commitment act as defined in RCW 70A.65.010. Funding shall be provided for:

(i) Pass through grants to community-based organizations, tribal governments, and tribal organizations to support workplace health and safety for workers who are burdened by the intersection of their work and climate impacts; and

(ii) Procurement and distribution of equipment and resources for workers who are burdened by the intersection of their work and climate impacts directly by the department of health, or through pass-through grants to community-based organizations, tribal governments, and tribal organizations. Equipment and resources may include but are not limited to: Personal protective equipment, other protective or safety clothing for cold and heat, air purifiers for the workplace or worker housing, protection from ticks and mosquitoes, and heating and cooling devices.

(b) The department of health, in consultation with the environmental justice council, community groups, and the department of labor and industries, shall evaluate mechanisms to provide workers with financial assistance to cover lost wages or other financial hardships caused by extreme weather events and climate threats.

(c) No more than five percent of this funding may be used to administer this grant program.

(27) ~~(\$5,996,000)~~ \$7,174,000 of the climate commitment account—state appropriation, of which \$1,178,000 takes effect January 1, 2025, is provided solely for the department to implement the healthy environment for all act under chapter 70A.02 RCW, including additional staff and support for the environmental justice council and implementation of a community engagement plan.

(28)(a) \$26,355,000 of the climate commitment account—state appropriation is provided solely for the department to administer capacity grants to tribes and tribal organizations and to overburdened communities and vulnerable populations to provide guidance and input:

(i) To agencies and to the environmental justice council on implementation of the healthy environment for all act; and

(ii) To the department on updates to the environmental health disparities map.

(b) At least 50 percent of the total amount distributed for capacity grants in this subsection must be reserved for grants to tribes and tribal organizations.

(c) Funding provided in this subsection may be used for tribes and tribal organizations to hire staff or to contract with consultants to engage in updating the environmental health disparities map or on implementing the healthy environment for all act.

(d) The department may use a reasonable amount of funding provided in this subsection to administer the grants.

(29) \$17,752,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to sustain information technology infrastructure, tools, and solutions developed to respond to the COVID-19 pandemic. The department shall submit a plan to the office of financial management by September 15, 2023, that identifies a new funding strategy to maintain these information technology investments within the department's existing state, local, and federal funding. Of this amount, a sufficient amount is appropriated for the department to create an implementation plan for real-time bed capacity and tracking for hospitals and skilled nursing facilities, excluding behavioral health hospitals and facilities. The department will provide the implementation plan and estimated cost for an information technology system and implementation costs to the office of financial management by September 15, 2023, for the bed capacity and tracking tool.

(30) \$20,000,000 of the ~~((coronavirus state fiscal recovery fund federal))~~ general fund—state appropriation for fiscal year 2024 is provided solely to support COVID-19 public health and response activities. The department must continue to distribute COVID-19 testing supplies to agricultural workers and tribal governments. The department must submit a spending plan to the office of financial management for approval. These funds may only be allocated and expended after approval of the spending plan.

(31) \$7,657,000 of the general fund—state appropriation for fiscal year 2024 and \$7,853,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs and grants to maintain access to abortion care. Of the amounts provided in this subsection:

(a) \$2,939,000 of the general fund—state appropriation for fiscal year 2024 and \$2,939,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care;

(b) \$368,000 of the general fund—state appropriation for fiscal year 2024 and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for outreach, patient navigation, staffing at the department, and training;

(c) \$4,100,000 of the general fund—state appropriation for fiscal year 2024 and \$4,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care who participate in the department's sexual and reproductive health program for workforce retention and recruitment initiatives to ensure continuity of services; and

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care that participate in the department's sexual and reproductive health program for security investments.

(32) \$285,000 of the general fund—state appropriation for fiscal year 2024, \$295,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—private/local appropriation are provided solely for the behavioral health agency program for licensure and regulatory activities.

(33) \$104,000 of the general fund—state appropriation for fiscal year 2024, \$104,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the health professions account—state appropriation are provided solely for the department to conduct credentialing and inspections under chapter 324, Laws of 2019 (behavioral health facilities).

(34) ~~(\$3,298,000)~~ \$1,398,000 of the general fund—state appropriation for fiscal year 2024 ~~((\$3,298,000))~~ and \$1,900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the breast, cervical and colon screening program, comprehensive cancer community partnerships, and Washington state cancer registry.

(35) \$85,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for continued implementation of chapter 58, Laws of 2022 (cardiac & stroke response).

(36) \$671,000 of the general fund—state appropriation for fiscal year 2024 and \$329,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the care-a-van mobile health program.

(37) \$702,000 of the climate investment account—state appropriation is provided solely for implementation of chapter 316, Laws of 2021 (climate commitment act).

(38) \$200,000 of the climate investment account—state appropriation is provided solely for the environmental justice council to coordinate with the department of ecology on a process to track state agency expenditures from climate commitment act accounts, as described in section 302(13) of this act. Funding is for the following as they relate to development of the department of ecology process:

(a) Public engagement with tribes and vulnerable populations within the boundaries of overburdened communities; and

(b) Cost recovery or stipends for participants in the public process to reduce barriers to participation, as described in RCW 43.03.220.

(39) \$31,000 of the general fund—state appropriation for fiscal year 2024 and \$31,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 204, Laws of 2022 (truck drivers/restrooms).

(40) \$808,000 of the drinking water assistance administrative account—state appropriation is provided solely for the water system consolidation grant program.

(41) \$1,044,000 of the safe drinking water account—state appropriation is provided solely for the drinking water technical services program.

(42) \$288,000 of the secure drug take-back program account—state appropriation is provided solely for implementation of chapter 155, Laws of 2021 (drug take-back programs).

(43) \$7,146,000 of the drinking water assistance account—federal appropriation is provided solely for the office of drinking water to provide technical assistance, direct engineering support, and construction management to small water systems.

(44) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$607,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the early hearing detection, diagnosis, and intervention program.

(45) \$954,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(46) ~~(\$12,466,000)~~ \$26,096,000 of the health professions account—state appropriation is provided solely for the regulation of health professions.

(47) \$599,000 of the health professions account—state appropriation is provided solely for ongoing maintenance of the HEALWA web portal to provide access to health information for health care providers.

(48) \$1,359,000 of the general fund—state appropriation for fiscal year 2024, \$680,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—private/local appropriation are provided solely for the department to perform investigations to address the backlog of hospital complaints.

(49) \$12,000 of the health professions account—state appropriation is provided solely for implementation of chapter 204, Laws of 2021 (international medical grads).

(50) \$634,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to onboard systems to, and maintain, the master person index as part of the health and human services coalition master person index initiative, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(51) \$2,062,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete upgrades to the medical cannabis authorization database to improve reporting functions and accessibility, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(52) \$1,865,000 of the medical test site licensure account—state appropriation is provided solely for the medical test site regulatory program for inspections and other regulatory activities.

(53) \$2,276,000 of the health professions account—state appropriation is provided solely for the (~~nursing care quality assurance commission~~) Washington board of nursing for nursing licensure and other regulatory activities.

(54) \$813,000 of the general fund—state appropriation for fiscal year 2024 and \$811,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to assist with access to safe drinking water for homes and businesses with individual wells or small water systems that are contaminated.

(55) \$146,000 of the model toxics control operating account—state appropriation is provided solely for implementation of chapter 264, Laws of 2022 (chemicals/consumer products).

(56) \$1,150,000 of the general fund—state appropriation for fiscal year 2024 and \$1,150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand the birth equity project with the goal of reducing prenatal and perinatal health disparities.

(57) \$1,738,000 of the general fund—private/local appropriation is provided solely for implementation of chapter 115, Laws of 2020 (psychiatric patient safety).

(58) \$23,066,000 of the foundational public health services account—state appropriation is provided solely for the department to maintain the RAINIER (reporting array for incident, noninfectious and infectious event response) suite, RHINO (rapid health information network) program, WAIS (Washington immunization information system) system, and data exchange services.

(59) \$7,000,000 of the general fund—state appropriation for fiscal year 2024, \$7,355,000 of the general fund—state appropriation for fiscal year 2025, and ((\$7,022,000))\$22,000 of the coronavirus state fiscal recovery—federal appropriation are provided solely for operation of the statewide medical logistics center. Within these amounts, the department must coordinate with the department of social and health services to develop processes that will minimize the disposal and destruction of personal protective equipment and for interagency distribution of personal protective equipment.

(60) \$315,000 of the general fund—state appropriation for fiscal year 2024 and \$315,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the universal development screening system.

(61) \$2,000,000 of the health professions account—state appropriation and \$293,000 of the public health supplemental account—state appropriation are provided solely for the Washington medical commission for regulatory activities, administration, and addressing equity issues in processes and policies.

(62) (~~(\$200,000))\$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the Washington medical coordination center, to create an implementation plan for real-time bed capacity and tracking for hospitals. The department must provide the implementation plan and estimated costs for the bed capacity and tracing tool to the office of the governor and the office of financial management by ((September 15, 2023))September 1, 2024.~~

(63) \$48,000 of the model toxics control operating account—state appropriation is provided solely for the Puget Sound clean air agency to coordinate meetings with local health jurisdictions in King, Pierce, Snohomish, and Kitsap counties to better understand air quality issues, align messaging, and facilitate delivery of ready-to-go air quality and health interventions. The amount provided in this subsection may be used for agency staff time, meetings and events, outreach materials, and tangible air quality and health interventions.

(64) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than \$525 annually for new or renewed licenses for the midwifery program.

(65) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of radiation protection to conduct a review of the state's readiness for licensing fusion energy projects. The legislature intends for Washington to support the deployment of fusion energy projects and larger research facilities by taking a leading role in the licensing of future fusion power plants. The department, in consultation with relevant state-level regulatory agencies, must review and provide recommendations and costs estimates for the necessary staffing and technical resources to fulfill the state's registration, inspection, and licensure obligations. The department must report its findings and any recommendations to the governor and appropriate legislative committees by December 1, 2023.

(66) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for blood supply relief. The department must distribute this amount equally between the four largest nonprofit blood donation organizations operating in the state. The amounts

distributed may be used only for activities to rebuild the state's blood supply, including increased staffing support for donation centers and mobile blood drives.

(67) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for tobacco, vapor product, and nicotine control, cessation, treatment, and prevention, and other substance use prevention and education, with an emphasis on community-based strategies. These strategies must include programs that consider the disparate impacts of nicotine addiction on specific populations, including youth and racial or other disparities.

(68) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for an existing program that works with community members and partners to bridge health equity gaps to establish a pilot health care program in Pierce county to serve the unique needs of the African American community, including addressing diabetes, high blood pressure, low birth weight, and health care for preventable medical, dental, and behavioral health diagnoses.

(69) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Island county to contract for a study of cost-effective waste treatment solutions, as an alternative to septic and sewer, for unincorporated parts of Island county. The study must:

(a) Identify any regulatory barriers to the use of alternative technology-based solutions;

(b) Include an opportunity for review and consultation by the department; and

(c) Include any recommendations from the department in the final report.

(70) \$2,656,000 of the general fund—private/local appropriation is provided solely for the department to provide cystic fibrosis DNA testing and to engage with a courier service to transport specimens to the public health laboratory.

(71) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely in support of the department's activities pursuant to chapter 226, Laws of 2016 (commonly known as the caregiver advise, record, enable act). This funding must be used to:

(a) Create a communication campaign to notify hospitals across the state of available resources to support family caregivers;

(b) Curate or create a set of online training videos on common caregiving tasks including, but not limited to, medication management, injections, nebulizers, wound care, and transfers; and

(c) Provide information to patients and family caregivers upon admission.

(72) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1275 (athletic trainers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(73) \$126,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1001 (audiology & speech compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(74) \$9,157,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(75) \$1,016,000 of the general fund—state appropriation for fiscal year 2024, \$453,000 of the general fund—state appropriation for fiscal year 2025, \$30,000 of the general fund—private/local appropriation, and \$676,000 of the health professions account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$72,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(77) \$418,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(78) \$46,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1466 (dental auxiliaries). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(79) \$12,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1287 (dental hygienists). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(80) \$136,000 of the general fund—state appropriation for fiscal year 2025 and \$193,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1678 (dental therapists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(81) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1576 (dentist compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(82) \$4,000 of the general fund—state appropriation for fiscal year 2025 and \$700,000 of the health professions account—state appropriation are provided solely for implementation of

Engrossed Substitute House Bill No. 1503 (health care licenses/info.). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(83) \$29,000 of the general fund—state appropriation for fiscal year 2024 and \$124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1255 (health care prof. SUD prg.). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(84) \$48,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1694 (home care workforce shortage). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(85) \$282,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1039 (intramuscular needling). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(86) \$1,892,000 of the general fund—state appropriation for fiscal year 2024 and \$2,895,000 of the general fund—private/local appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(87) \$407,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(88) \$65,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1073 (medical assistants). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(89) \$447,000 of the general fund—state appropriation for fiscal year 2024 and \$48,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(90) \$195,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor comp). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(91) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(92) (~~(\$400,000)~~)\$165,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$165,000)~~)\$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1457 (motor carriers/restrooms). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(93) \$126,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$102,000)~~)\$202,000 of the general fund—state appropriation for fiscal year 2025, and \$81,000 of the health professions account—state appropriation are provided solely for implementation of Substitute House Bill No. 1247 (music therapists). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(94) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1271 (organ transport vehicles). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(95) (~~(\$862,000)~~)\$627,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$526,000)~~)\$761,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1470 (private detention facilities). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(96) \$97,000 of the general fund—state appropriation for fiscal year 2024 and \$27,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1230 (school websites/drug info.). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(97) \$77,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(98) \$2,773,000 of the general fund—state appropriation for fiscal year 2024 and \$2,773,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grant funding and administrative costs for the school-based health center program established in chapter 68, Laws of 2021 (school-based health centers).

(99) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based nonprofit organization located in the Yakima Valley to continue a Spanish-language public radio media campaign aimed at providing education on the COVID-19 pandemic through an outreach program. The goal of the radio media

campaign is to reach residents considered "essential workers," including but not limited to farmworkers, and provide information on health and safety guidelines, promote vaccination events, and increase vaccine confidence. The nonprofit organization must coordinate with medical professionals and other stakeholders on the content of the radio media campaign. The department, in coordination with the nonprofit, must provide a preliminary report to the legislature no later than December 31, 2024. A final report to the legislature must be submitted no later than June 30, 2025. Both reports must include: (a) A description of the outreach program and its implementation; (b) the number of individuals reached through the outreach program; and (c) any relevant demographic data regarding those individuals.

(100) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an equity consultant to evaluate the effect of changes made by, and vulnerabilities in, Engrossed Substitute Senate Bill No. 5179 (death with dignity act). The consultant shall partner with interested parties, vulnerable populations, and communities of color to solicit feedback on barriers to accessing the provisions of the act, any unintended consequences, and any challenges and vulnerabilities in the provision of services under the act, recommendations on ways to improve data collection, and recommendations on additional measures to be reported to the department. The department must report the findings and recommendations to the legislature by June 30, 2025.

(101) \$350,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a rural nursing workforce initiative to create a hub for students to remain in rural environments while working toward nursing credentials, including for program personnel, support, and a rural nursing needs assessment. Funding is provided to develop a program based on the rural nursing needs assessment.

(102) (a) \$1,393,000 of the climate commitment account—state appropriation is provided solely for grants to King county to address the disproportionate rates of asthma among children who reside within 10 miles of the Seattle-Tacoma international airport.

(b) Of the amount provided in this subsection, \$971,000 is provided to increase access to community health worker asthma interventions.

(c) Of the amount provided in this subsection, \$412,000 is for an independent investigation of the added benefit of indoor air quality interventions, including high efficiency particulate air filters, on disparities in indoor air pollution.

(d) Of the amount provided in this subsection, \$10,000 is for a regional data analysis and surveillance of asthma diagnoses and hospitalizations in King county.

(e) The county may contract with the University of Washington for the work described in (c) and (d) of this subsection.

(103) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the collaboration between the local public health jurisdiction, related accountable communities of health, and health care providers to reduce potentially preventable hospitalizations in Pierce county. This collaboration will build from the first three years of the project, planning to align care coordination efforts across health care systems and support the related accountable communities of health initiatives, including innovative, collaborative models of care. Strategies to reduce costly hospitalizations include the following: (a) Working with partners to prevent chronic disease; (b) improving heart failure rates; (c) incorporating community health workers as part of the health care team and improving care coordination; (d) supporting the COVID-19 response with improved access to immunizations; and (e) the use of community health workers to provide necessary resources to prevent hospitalization of people who are in isolation and quarantine. By December 15, 2024, the members of the collaboration shall report to the legislature regarding the effectiveness of each of the strategies identified in this subsection. In addition, the report shall describe the most significant challenges and make further recommendations for reducing costly hospitalizations.

(104) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based organization to host a deliberative democratic processes workshop for the HEAL act interagency work group established under RCW 70A.02.110, then develop, in consultation with environmental justice council or its staff, best practices for how agencies can incorporate deliberative democratic processes into community engagement practices.

(105) \$1,305,000 of the climate commitment account—state appropriation is provided solely for the climate health adaptation initiative.

(106) \$65,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5179 (death with dignity act). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(107) \$604,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(108) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5389 (optometry). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(109) \$1,205,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(110) \$30,000 of the general fund state—appropriation for fiscal year 2024, \$25,000 of the general fund—state appropriation for fiscal year 2025, and \$52,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5547 (nursing pool transparency). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(111) \$32,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute Senate Bill No. 5569 (kidney disease centers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(112) \$446,000 of the general fund—state appropriation for fiscal year 2024 and \$441,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5453 (female genital mutilation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(113) \$466,000 of the general fund—state appropriation for fiscal year 2024 and \$487,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5278 (home care aide certification). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(114) \$131,000 of the general fund—state appropriation for fiscal year 2024 and \$91,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5523 (forensic pathologist). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(115) \$36,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(116) \$339,000 of the general fund—state appropriation for fiscal year 2024 and \$485,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(117) \$198,000 of the general fund—private/local appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5120 (crisis relief centers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(118) \$125,000 of the general fund—state appropriation for fiscal year 2024, \$207,000 of the general fund—state appropriation for fiscal year 2025, and \$133,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(119) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of health to provide grants to federally qualified health centers (FQHCs) for the purchase of long-acting reversible contraceptives (LARCs). For LARCs purchased with the funding provided in this subsection, FQHCs shall provide patients with LARCs the same day they are seeking that family planning option.

(a) The department shall develop criteria for how the grant dollars will be distributed, including that FQHCs are required to participate in contraceptive training related to patient-centered care, shared decision making, and reproductive bias and coercion.

(b) The department shall survey the FQHCs participating in the grant program regarding the use of LARCs by their patients, as compared to the two years prior to participation in the grant program, and report the results of the survey to the appropriate committees of the legislature by December 1, 2025.

(120) \$63,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to utilize materials from the "count the kicks" program in designing, preparing, and making available online written materials to inform health care providers and staff of evidence-based research and practices that reduce the incident of stillbirth, by December 31, 2023.

(121) \$351,000 of the general fund—state appropriation for fiscal year 2024 and \$624,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Snohomish county health department to convene a leadership planning group that will:

(a) Conduct a landscape analysis of current sexually transmitted infection, postexposure prophylaxis, preexposure prophylaxis, and hepatitis B virus services and identify treatment improvements for HIV preexposure prophylaxis;

(b) Establish sexually transmitted infection clinical services at the Snohomish county health department and identify opportunities to expand sexual health services provided outside of clinical settings;

(c) Conduct research on opportunities to expand jail-based sexual health services;

(d) Establish an epidemiology and technical team;

(e) Expand field-based treatment for syphilis; and

(f) Establish an in-house comprehensive, culturally responsive sexual health clinic at the Snohomish county health department.

(122) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$53,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(123) \$5,496,000 of the climate commitment account—state appropriation is provided solely for the department to provide grants to school districts making updates to existing heating, venting, and air conditioning systems using small district modernization grants.

(124) \$38,600,000 of the climate commitment account—state appropriation is provided solely for the department to develop a grant program to fund projects that benefit overburdened communities as defined in RCW 70A.02.010(11). Of the amount provided in this subsection:

(a) \$6,000,000 of the climate commitment account—state appropriation is provided solely ~~((for fiscal year 2024))~~ for the department and the environmental justice council created in RCW 70A.02.110 to engage in a participatory budgeting process with at least five geographically diverse overburdened communities, as identified by the department, to develop a process to select and fund projects that mitigate the disproportional impacts of climate change on overburdened communities. The process must allow for full community engagement and develop criteria for eligible entities and projects and establish priorities to achieve the greatest gain for decarbonization and resiliency. A report of the outcomes of the participatory budgeting process detailing its recommendations for funding as well as future improvements to the participatory budgeting process must be provided to the appropriate committees of the legislature by December 31, 2023.

(b) \$32,600,000 of the climate commitment account—state appropriation is provided solely ~~((for fiscal year 2025))~~ for the department to provide grants that benefit overburdened communities. The department must submit to the governor and the legislature a ranked list of projects consistent with the recommendations developed in (a) of this subsection. The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.

(125) \$5,430,000 of the general fund—state appropriation for fiscal year 2024 and \$5,326,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain the current level of credentialing staff until the completion of the study on fees by Results WA.

(126) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the central nursing resource center established in RCW 18.79.202 to facilitate communication between nursing education programs and health care facilities that offer clinical placements for the purpose of increasing clinical education and practice experiences for nursing students. The department shall contract with the central nursing resource center to:

(a) Gather data to assess current clinical placement practices, opportunities, and needs;

(b) Identify all approved nursing education programs and health care facilities that offer clinical placement opportunities in the state;

(c) Convene and facilitate quarterly stakeholder meetings between representatives from approved nursing education programs and health care facilities that offer clinical placement opportunities, and other relevant stakeholders, in order to:

(i) Connect representatives by region;

(ii) Facilitate discussions between representatives, by region, to determine:

(A) Clinical placement barriers;

(B) The number and types of clinical placement opportunities needed; and

(C) The number and types of clinical placement opportunities available; and

(iii) Develop strategies to resolve clinical placement barriers;

(d) Provide a digital message board and communication platform representatives can use to maintain ongoing communication and clinical placement needs and opportunities;

(e) Identify other policy options and recommendations to help increase the number of clinical placement opportunities, if possible; and

(f) Submit a report of findings, progress, and recommendations to the governor and appropriate committees of the legislature by December 1, 2025.

(127) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of health to contract with an organization located in Thurston county that dedicates itself to the promotion of education, holistic health, and trauma healing in the African American community to provide behavioral health education, mental wellness training, evidence based health programs, events, and conferences to individuals, youth/adults, parents/parent partners, and families, that have suffered from generational and systemic racism. In conducting this work, the organization will engage diverse individuals in racial healing and reparative justice in the field of mental wellness. The organization will also prioritize mental health equity and reparative justice in their work to eradicate health disparities that African American communities have faced due to generational racism.

(128) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~



(129) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for three full-time emergency medical technicians and other resources necessary for the Franklin county public health district to provide health services as part of medical transport operations services, including services to the Coyote Ridge corrections center.

(130) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct an analysis of the certificate of need program established under chapter 70.38 RCW and report its findings and recommendations for statutory updates to the governor and appropriate legislative committees by June 30, 2025. The department must, at a minimum, consider other state approaches to certificate of need, impacts on access to care, cost control of health services, and equity, and approaches to identifying health care service needs at the statewide and community levels.

(131) \$9,982,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the 988 technology platform implementation project as described in RCW 71.24.890(5)(a). This amount is subject to the conditions, limitations, and review requirements provided in section 701 of this act and any requirements as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system). The department must actively collaborate with consolidated technology services and the health care authority so that the statewide 988 technology solutions will be coordinated and interoperable.

(132) \$750,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to contract with rise above, a native youth focused nonprofit organization. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(133)(a) \$15,953,000 of the general fund—state appropriation for fiscal year 2025 and \$13,000,000 of the general fund—federal appropriation are provided solely to maintain public health information technology infrastructure in a cloud-based environment.

(b) The department shall develop an initial plan to identify efficiencies in the cloud-based environment and submit it to the office of financial management and the office of the chief information officer by October 1, 2024. The plan should include, at a minimum, strategies to identify efficiencies within the cloud-based environment; new funding strategies for cloud technology for the 2025-2027 fiscal biennium budget; an update on the department's cloud road map that identifies key systems that will be modernized, consolidated, and migrated or implemented in the cloud; an overview of existing public health technology data systems in the cloud and data systems that are scheduled to transition to the cloud with an estimated implementation schedule, including a summary of data retention policies; and strategies to minimize cost increases where possible through efficient implementation strategies.

(134) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely to implement actions provided in the nitrate water hazard mitigation plan to support safe drinking water in the lower Yakima valley. Implementation of this plan includes, but is not limited to, education and outreach, well testing, and provision of alternate water supplies. The department may contract with local governments, local health jurisdictions, and nonprofit organizations to administer the plan.

(135) \$5,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to entities that operate supportive housing or shelter programs for the purposes of remediating hazards related to chemical or hazardous material contamination.

(136) \$154,000 of the general fund—state appropriation for fiscal year 2025 and, effective January 1, 2025, \$150,000 of the climate commitment account—state appropriation are provided solely to support health equity zones, as defined in RCW 43.70.595, for identification and implementation of targeted interventions to have a significant impact on health outcomes and health disparities. Use of the climate commitment account—state appropriation must be for permitted uses defined in RCW 70A.65.260.

(137) \$112,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Senate Bill No. 6166 (pesticide application comm.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(138) \$49,000 of the health professions account—state appropriation is provided solely for implementation of Senate Bill No. 5184 (anesthesiologist assistants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(139) \$10,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5815 (physician assistant compact). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(140) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5880 (MRI technologists). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(141) \$29,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute Senate Bill No. 5920 (psychiatric/cert. of need). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(142) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5940 (medical assistant-EMT cert.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(143) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5983 (syphilis treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(144) \$161,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6101 (hospital at-home services). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(145) \$215,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6234 (newborn screening for BCKDK). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(146) \$198,000 of the behavioral health crisis response line account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6251 (behavioral crisis coord.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(147) \$67,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(148) \$49,000 of the general fund—state appropriation for fiscal 2025 is provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(149) \$59,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5271 (DOH facilities/enforcement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(150)(a) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to review and update the rules for school environmental health and safety. The state board of health and the department shall conduct the review in collaboration with a multi-disciplinary technical advisory committee. The proposed new rules shall establish the minimum statewide health and safety standards for schools. In developing proposed rules, the state board of health shall:

(i) Convene and consult with an advisory committee consisting of, at minimum, representatives from:

(A) The office of the superintendent of public instruction;

(B) Small and large school districts;

(C) The Washington association of school administrators;

(D) The Washington state school directors' association;

(E) The Washington association of maintenance and operations administrators; and

(F) The Washington association of school business officials;

(ii) Collaborate with the office of the superintendent of public institution and develop a fiscal analysis regarding proposed rules that considers the size of school districts, regional cost differences, range of costs for implementing the proposed rules by section or subject area, and any other variables that may affect costs as identified by the advisory committee; and

(iii) Assist the department in completing environmental justice assessments on any proposed rules.

(b) The office of the superintendent of public instruction, the department, the state board of health, the advisory committee, and local health jurisdictions shall work collaboratively to develop and provide a report to the office of the governor and appropriate committees of the legislature by June 30, 2025, detailing prioritized sections or subject areas of the proposed rules that will provide the greatest health and safety benefits for students, the order in which they should be implemented, and any additional recommendations for implementation.

(151)(a) \$450,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with an independent third-party consultant to review the department's commercial shellfish regulatory program, including licensing, testing, and certification practices and requirements. The consultant must assess how the department sets commercial shellfish fees under RCW 43.70.250.

(i) The consultant must seek input from the department, the commercial shellfish industry, and tribes and must consider:

(A) Data sources and methods used by the department in setting or proposing increases to commercial shellfish fees;

(B) All costs associated with administering the department's regulatory authority over the testing of shellfish, the certification of operations and the issuance of licenses, and issuing export certificates for the commercial shellfish industry;

(C) Activities conducted by the department related to regulating the shellfish industry's regulatory activities that should be exempt from inclusion in the fee; and

(D) Relevant fees, methods, and considerations from other states that regulate the commercial shellfish industry under the Model Ordinance of the Interstate Shellfish Sanitation Conference for comparable services the department is providing the shellfish industry.

(ii) The consultant must also evaluate the viability of the industry to support full cost recovery as required under RCW 43.70.250 and recommend strategies to address any shortfalls. The consultant shall submit a report to the governor and legislature by June 30, 2025.

(b) Using the amounts provided in this subsection, the department shall also contract with a LEAN management consultant to review the shellfish licensing and certification program to identify program improvements and consider methods to offer data transparency to the industry and measures to potentially reduce program administration costs. The LEAN assessment must be completed and provided to the department by June 30, 2025.

(c) The department shall not increase commercial shellfish fees under RCW 43.70.250 during fiscal year 2025.

(152) (a) \$300,000 of the general fund—state appropriation is provided solely for the department to collaborate with the department of commerce to assess the need for and feasibility of a statewide low-income assistance program for water utility customers. The study must include, but is not limited to:

(i) A summary of existing local, state, and federal low-income assistance;

(ii) A review of low-income populations' water utility service cost burden; and

(iii) Recommendations for the design of a statewide drinking water and wastewater utility assistance program, which must include:

(A) Ongoing data collection on water-related assistance need of households;

(B) Intake coordination and data sharing across statewide programs serving low-income households;

(C) Program eligibility;

(D) Multilingual services;

(E) Outreach and community engagement;

(F) Program administration;

(G) Funding; and

(H) Reporting.

(b) Before commencing the study, the department of health and the department of commerce must convene a stakeholder group to advise the agencies throughout the study. The stakeholder group must include representatives from the governor's office, low-income advocates, wastewater system operators, drinking water system operators, and other interested parties.

(c) By June 30, 2025, the department must submit the study to the appropriate committees of the legislature.

(153) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to cancer pathways to provide cancer risk reduction education classes in K-12 schools, treatment and prevention education, and to implement a program to address cancer in the workplace.

(154) \$465,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Washington-based organization with expertise in end-of-life care and in the requirements of chapter 70.245 RCW, to provide training, outreach, and education to medical professionals, hospice teams, and other Washingtonians, to support the provision of care under chapter 70.245 RCW.

(155) \$168,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to coordinate work related to dementia, including but not limited to:

(a) Coordinating dementia-related activities with the department of social and health services, the health care authority, and other state agencies as needed;

(b) Implementing recommendations from the dementia action collaborative in the updated state Alzheimer's plan within the department; and

(c) Other dementia-related activities as determined by the secretary.

(156) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5629 (hepatitis B and C). The amount provided is for the department to design an awareness campaign regarding hepatitis B and C. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(157) \$2,623,000 of opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5906 (drug overdose prevention). The amount provided is for implementation of a drug overdose prevention campaign for youth and adults. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(158) \$162,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6286 (nurse anesthetist workforce). The amount provided is for the department to provide grants to certified registered nurse anesthetists that precept nurse anesthesia residents. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(159) \$3,172,000 of the health professions account—state appropriation is provided solely for implementing improvements to licensure processes. Improvements may include, but are not limited to, updating internal policies and procedures, creating web-based tutorials for applicants, updating existing web content for applicants, and researching the feasibility of live chat technology for applicants.

(160) \$972,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5937 (crime victims/witnesses). The amount provided is for creation of the statewide forensic nurse coordination program. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(161) \$384,000 of the general fund—state appropriation for fiscal year 2024 and \$384,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). Of the amounts provided in this subsection, \$359,000 of the general fund—state appropriation for fiscal year 2024 and \$359,000 of the general fund—state appropriation for fiscal year 2025 are for two full-time equivalent staff to provide health education to the Latinx community. If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(162) \$132,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6110 (child fatalities). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(163) \$114,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5829 (congenital cytomegalovirus). The amount provided is for the department to develop, translate, and distribute educational materials regarding congenital cytomegalovirus. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(164) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6127 (HIV prophylaxis). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 223.** 2023 c 475 s 223 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF CORRECTIONS**

The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multiorganization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, after approval by the director of financial management and unless specifically prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 between programs. The department may not transfer funds, and the director of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any deviations from appropriation levels. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) ADMINISTRATION AND SUPPORT SERVICES	
General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$96,389,000</del> ))
	\$100,912,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$95,589,000</del> ))
	\$101,146,000
General Fund—Federal Appropriation . . . . .	\$400,000
General Fund—Private/Local Appropriation . . . . .	\$168,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$192,378,000</del>))</b>
	<b>\$202,626,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) ~~((~~\$819,000~~))~~ \$1,959,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$58,000~~))~~ \$169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(b) \$445,000 of the general fund—state appropriation for fiscal year 2024 and \$452,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(c) \$932,000 of the general fund—state appropriation for fiscal year 2024 and \$434,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training statewide program administration team.

(d) \$2,056,000 of the general fund—state appropriation for fiscal year 2024 and \$2,056,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(e) \$127,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(f) \$127,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(g) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(h) \$11,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5056 (habitual property offenders). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(i) \$17,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5299 (law enf. officer protection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(j) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5891 (school bus trespass). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(k) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5917 (bias-motivated defacement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(l) \$15,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(2) CORRECTIONAL OPERATIONS

General Fund—State Appropriation (FY 2024) . . . . .	(((\$729,679,000))
	\$445,521,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$738,933,000))
	\$765,035,000
General Fund—Federal Appropriation . . . . .	\$4,326,000
General Fund—Private/Local Appropriation . . . . .	\$334,000
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
<u>Appropriation . . . . .</u>	<u>\$294,000,000</u>
Washington Auto Theft Prevention Authority Account—	
State Appropriation . . . . .	\$4,837,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(((\$1,478,109,000))</b>
	<b>\$1,514,053,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department may contract for local jail beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The department shall not pay a rate greater than \$85 per day per offender excluding the costs of department of corrections provided services, including evidence-based substance abuse programming, dedicated department of corrections classification staff on-site for individualized case management, transportation of offenders to and from department of corrections facilities, and gender responsive training for jail staff. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as close medium or lower security offenders. Programming provided for offenders held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meets standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at a jail facility, the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(b) ~~\$671,000 of the general fund—state appropriation for fiscal year 2024 ((and \$671,000 of the general fund—state appropriation for fiscal year 2025 are))~~ is provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester.

(c) ~~(((\$1,713,000))~~\$4,270,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$146,000))~~\$422,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(d) Within the appropriated amounts in this subsection, the department of corrections must provide a minimum of one dedicated prison rape elimination act compliance specialist at each institution.

(e) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuing two contracted parent navigator positions. One parent navigator must be located at the Washington correction center for women and one parent navigator position must be located at the Airway Heights corrections center or another state correctional facility that houses incarcerated male individuals and is selected by the department of corrections as a more suitable fit for a parent navigator. The parent navigators must have lived experience in navigating the child welfare system. The parent navigators must provide guidance and support to incarcerated individuals towards family reunification including, but not limited to, how to access services, navigating the court system, assisting with guardianship arrangements, and facilitating visitation with their children. The goal of the parent navigator program is to assist incarcerated parents involved in dependency or child welfare cases to maintain connections with their children and to assist these individuals in successfully transitioning and reuniting with their families upon release from incarceration. As part of the parent navigation program, the department of corrections must also review and provide a report to the legislature on the effectiveness of the program that includes the number of incarcerated individuals that received assistance from the parent navigators and the type of assistance the incarcerated individuals received, and that tracked the outcome of the parenting navigator program. A final report must be submitted to the legislature by September 1, 2024. Of the amounts provided in this subsection, \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department's review and report on the effectiveness of the parent navigator program.

(f) ~~(((\$4,009,000))~~\$5,417,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$4,009,000))~~\$5,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(g) \$579,000 of the general fund—state appropriation for fiscal year 2024 and \$2,058,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

(h) \$1,294,000 of the general fund—state appropriation for fiscal year 2024 and \$1,294,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5131 (commissary funds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(j) \$1,839,000 of the general fund—state appropriation for fiscal year 2024 and \$1,839,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5134 (reentry services & supports) to increase gate money from \$40 to \$300 at release. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(k) \$2,871,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(l) \$586,000 of the general fund—state appropriation for fiscal year 2024 and \$576,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a planning and development manager and an executive secretary in the women's prison division.

(m) \$1,817,000 of the general fund—state appropriation for fiscal year 2024 and \$3,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in *Disability Rights Washington v. Washington Department of Corrections*, United States district court for the western district of Washington.

(n) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$3,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.

(o) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain the facility, property, and assets at the Larch corrections center in Yacolt.

(p) \$11,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(q) \$2,871,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(3) COMMUNITY SUPERVISION

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$242,761,000</del> ))
	\$252,551,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$252,147,000</del> ))
	\$258,839,000
General Fund—Federal Appropriation . . . . .	\$4,142,000
General Fund—Private/Local Appropriation . . . . .	\$10,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$499,050,000</del>))</b>
	<b>\$515,542,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall contract with local and tribal governments for jail capacity to house offenders who violate the terms of their community supervision. A contract rate increase may not exceed five percent each year. The department may negotiate to include medical care of offenders in the contract rate if medical payments conform to the department's offender health plan and pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff. If medical care of offender is included in the contract rate, the contract rate may exceed five percent to include the cost of that service. Beginning July 1, 2024, the department shall pay the bed rate for the day of release.

(b) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

(c) ~~((~~\$1,233,000~~))~~ \$2,880,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$88,000~~))~~ \$253,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(d) \$110,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the amend collaboration and training program.

(e) \$1,409,000 of the general fund—state appropriation for fiscal year 2024 and \$1,386,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Bellingham reentry center as a state-run facility.

(f) ~~((~~\$1,320,000~~))~~ \$615,000 of the general fund—state appropriation for fiscal year 2024 and \$1,320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Helen B. Ratcliff reentry center as a state-run facility.

(g) \$18,813,000 of the general fund—state appropriation for fiscal year 2024 and \$19,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(h) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a jail medical bed rate adjustment.

(i) \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(4) CORRECTIONAL INDUSTRIES

General Fund—State Appropriation (FY 2024) . . . . .	(((\$12,638,000))
	\$9,348,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$12,836,000))
	\$9,100,000
General Fund—Federal Appropriation . . . . .	\$600,000
General Fund—Private/Local Appropriation . . . . .	\$2,634,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$25,474,000))</b>
	<b>\$21,682,000</b>

(The appropriations in this subsection are subject to the following conditions and limitations: \$3,500,000 of the general fund state appropriation for fiscal year 2024 and \$3,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.)

(5) INTERAGENCY PAYMENTS

General Fund—State Appropriation (FY 2024) . . . . .	(((\$68,680,000))
	\$69,190,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$64,929,000))
	\$65,612,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$133,609,000))</b>
	<b>\$134,802,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

~~((b))~~ (a) \$19,000 of the general fund—state appropriation for fiscal year 2024 and \$19,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

(e)) (b) \$36,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(c) \$36,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(d) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(6) OFFENDER CHANGE

General Fund—State Appropriation (FY 2024) . . . . .	(((\$83,659,000))
	\$85,926,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$84,659,000))
	\$89,157,000
General Fund—Federal Appropriation . . . . .	\$1,436,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$169,754,000))</b>
	<b>\$176,519,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall use funds appropriated in this subsection (6) for programming for incarcerated individuals. The department shall develop and implement a written comprehensive plan for programming for incarcerated individuals that prioritizes programs which follow the risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(b) The department of corrections shall collaborate with the state health care authority to explore ways to utilize federal medicaid funds as a match to fund residential substance use disorder treatment-based alternative beds under RCW 9.94A.664 under the drug offender sentencing alternative program and residential substance use disorder treatment beds that serve individuals on community custody.

(c) Within existing resources, the department of corrections may provide reentry support items such as disposable cell phones, prepaid phone cards, hygiene kits, housing vouchers, and release medications associated with individuals resentenced or ordered released from confinement as a result of policies or court decisions including, but not limited to, the *State v. Blake* decision.

(d) \$11,454,000 of the general fund—state appropriation for fiscal year 2024 and \$11,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded reentry investments to include, but not be limited to, transition services,



preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

~~((f))~~ (e) \$1,177,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment) for dedicated staffing for substance use disorder assessments and for coordinated treatment care in the community at release. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((g))~~ (f) \$150,000 of the general fund—state appropriation for fiscal year 2024 ~~((and \$150,000 of the general fund—state appropriation for fiscal year 2025 are))~~ is provided solely for a grant to a nonprofit organization to assist fathers transitioning from incarceration to community and family reunification. The grant recipient must have experience contracting with the department of corrections to support incarcerated individual betterment projects and contracting with the department of social and health services to provide access and visitation services.

~~((h))~~ (g) \$424,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(h) \$424,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(i) \$122,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for continued cross agency reentry collaboration and work on the state's medicaid 1115 transformation waiver impacts to the department. By October 1, 2024, the department must report to fiscal committees of the legislature:

(i) The total spend in fiscal years 2022 and 2023 for authorized prerelease services under the medicaid 1115 transformation waiver, including but not limited to medications, laboratory services, and radiology; and

(ii) How much of each qualifying service listed in (i)(i) of this subsection would be required for reinvestment and how much would be allowable to offset existing expenditures based on federal medicaid rules for state fiscal years 2022 and 2023 if the waiver had been in place during those fiscal years.

(7) HEALTH CARE SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	<del>(\$241,145,000))</del>
	\$250,846,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$245,589,000))</del>
	\$259,333,000
General Fund—Federal Appropriation. . . . .	<del>(\$3,084,000))</del>
	\$6,720,000
General Fund—Private/Local Appropriation. . . . .	\$2,000
<b>TOTAL APPROPRIATION</b> .....	<del>(\$489,818,000))</del>
	<b>\$516,901,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state prison medical facilities may use funds appropriated in this subsection to purchase goods, supplies, and services through hospital or other group purchasing organizations when it is cost effective to do so.

~~((e))~~ (b) \$842,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,192,000))~~ \$2,256,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

~~((d))~~ (c) \$73,000 of the general fund—state appropriation for fiscal year 2024 and \$387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

~~((e))~~ (d) \$1,236,000 of the general fund—state appropriation for fiscal year 2024 and \$1,236,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, enhanced health care discharge planning, case management, and evaluation of physical health and behavioral health.

~~((f))~~ (e) \$13,605,000 of the general fund—state appropriation for fiscal year 2024 and \$13,605,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for medical staffing in prisons for patient centered care and behavioral health care. Funding must be used to increase access to care, addiction care, and expanded screening of individuals in prison facilities to include chronic illnesses, infectious disease, diabetes, heart disease, serious mental health, and behavioral health services.

~~((g))~~ (f) \$1,612,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

~~((h))~~ (g) \$1,115,000 of the general fund—state appropriation for fiscal year 2024 and \$1,115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an electronic health records system solution and is subject to the conditions,

limitations, and review requirements of section 701 of this act and must be in compliance with the statewide electronic health records plan that must be approved by the office of financial management and the technology services board.

~~((+))~~ (h) \$405,000 of the general fund—state appropriation for fiscal year 2024 and \$399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5768 (DOC/abortion medications). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(i) \$627,000 of the general fund—state appropriation for fiscal year 2024 and \$1,715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in Disability Rights Washington v. Washington Department of Corrections, United States district court for the western district of Washington.

(j) To promote the safety, health, and well-being of health care workers and to support patient quality of care, the department will continue to engage in reasonable efforts to reduce the use of overtime for licensed practical nurses, registered nurses, and certified nursing assistants.

(k) Within the appropriated amounts in this subsection, funding is provided to ensure every single person transferring into the department of corrections' custody on full confinement is provided medications for opioid use disorder if they were on medications for opioid use disorder in jail or out of custody.

(l) \$12,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(m) \$1,612,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 224.** 2023 c 475 s 224 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$7,061,000</del> ))
	<u>\$7,064,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$7,387,000</del> ))
	<u>\$9,217,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$25,672,000</del> ))
	<u>\$32,824,000</u>
General Fund—Private/Local Appropriation . . . . .	(( <del>\$61,000</del> ))
	<u>\$67,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$40,181,000</del>))</b>
	<b><u>\$49,172,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$201,000 of the general fund—state appropriation for fiscal year 2024 and \$201,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of statewide services for blind or low vision youth under the age of 14.

(2) \$184,000 of the general fund—state appropriation for fiscal year 2024 and \$367,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the independent living program.

(3) \$1,820,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the renovation of the food service café located in the natural resources building.

**Sec. 225.** 2023 c 475 s 225 (uncodified) is amended to read as follows:

**FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$33,506,000</del> ))
	<u>\$29,204,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$23,898,000</del> ))
	<u>\$28,400,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$216,616,000</del> ))
	<u>\$177,229,000</u>
General Fund—Private/Local Appropriation . . . . .	(( <del>\$38,458,000</del> ))
	<u>\$38,445,000</u>
Climate Commitment Account—State Appropriation . . . . .	\$404,000
Unemployment Compensation Administration Account—	
Federal Appropriation . . . . .	(( <del>\$270,724,000</del> ))
	<u>\$306,951,000</u>
Administrative Contingency Account—State	
Appropriation . . . . .	(( <del>\$28,741,000</del> ))
	<u>\$42,628,000</u>
Employment Service Administrative Account—State	

Appropriation. . . . .	(( <del>\$85,070,000</del> ))
	<u>\$96,695,000</u>
Family and Medical Leave Insurance Account—State	
Appropriation. . . . .	(( <del>\$158,644,000</del> ))
	<u>\$159,003,000</u>
Workforce Education Investment Account—State	
Appropriation. . . . .	(( <del>\$14,556,000</del> ))
	<u>\$15,555,000</u>
Long-Term Services and Supports Trust Account—State	
Appropriation. . . . .	(( <del>\$40,960,000</del> ))
	<u>\$51,988,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$911,577,000</del>))</b>
	<b><u>\$946,502,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is directed to maximize the use of federal funds. The department must update its budget annually to align expenditures with anticipated changes in projected revenues.

(2) \$15,399,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of the long-term services and support trust program information technology project and is subject to the conditions, limitations, and review provided in section 701 of this act.

(3) Within existing resources, the department must reassess its ongoing staffing and funding needs for the paid family medical leave program and submit documentation of the updated need to the governor and appropriate committees of the legislature by September 1, 2023, and annually thereafter.

(4) Within existing resources, the department shall coordinate outreach and education to paid family and medical leave benefit recipients with a statewide family resource, referral, and linkage system that connects families with children prenatal through age five and residing in Washington state to appropriate services and community resources. This coordination shall include but is not limited to placing information about the statewide family resource, referral, and linkage system on the paid family and medical leave program web site and in printed materials, and conducting joint events.

(5) Within existing resources, the department shall report the following to the legislature and the governor by October 15, 2023, and each year thereafter:

(a) An inventory of the department's programs, services, and activities, identifying federal, state, and other funding sources for each;

(b) Federal grants received by the department, segregated by line of business or activity, for the most recent five fiscal years, and the applicable rules;

(c) State funding available to the department, segregated by line of business or activity, for the most recent five fiscal years;

(d) A history of staffing levels by line of business or activity, identifying sources of state or federal funding, for the most recent five fiscal years;

(e) A projected spending plan for the employment services administrative account and the administrative contingency account. The spending plan must include forecasted revenues and estimated expenditures under various economic scenarios.

(6) (~~(\$14,510,000)~~) (a) \$15,510,000 of the workforce education investment account—state appropriation is provided solely for career connected learning grants as provided in RCW 28C.30.050, including sector intermediary grants and administrative expenses associated with grant administration.

(b) Within the amount provided in (a) of this subsection:

(i) Up to \$921,000 of the workforce education investment account—state appropriation may be used for the department to contract with the student achievement council to lead the career connected learning cross-agency work group and provide staffing support as required in RCW 28C.30.040.

(ii) Up to \$2,192,000 of the workforce education investment account—state appropriation may be used for technical assistance and implementation support grants associated with the career connected learning grant program as provided in RCW 28C.30.050.

(7) \$2,000,000 of the unemployment compensation administration account—federal appropriation is provided solely for the department to continue implementing the federal United States department of labor equity grant. This grant includes improving the translation of notices sent to claimants as part of their unemployment insurance claims into any of the 10 languages most frequently spoken in the state and other language, demographic, and geographic equity initiatives approved by the grantor. The department must also ensure that letters, alerts, and notices produced manually or by the department's unemployment insurance technology system are written in plainly understood language and evaluated for ease of claimant comprehension before they are approved for use.

(8) \$3,136,000 of the unemployment compensation administration account—federal appropriation is provided solely for a continuous improvement team to make customer, employer, and equity enhancements to the unemployment insurance program. If the department does not receive adequate funding from the United States department of labor to cover these costs, the department may use funding made available to the state through section 903 (d), (f), and (g) of the social security act (Reed act) in an amount not to exceed the amount provided in this subsection.

(9) \$404,000 of the climate commitment account—state appropriation is provided solely for participation on the clean energy technology work force advisory committee and collaboration on the associated report established in Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(11) ~~((~~(a) \$9,323,000~~))~~ \$18,948,000 of the employment service administrative account—state appropriation is provided solely for the replacement of the WorkSource integrated technology platform. The replacement system must support the workforce administration statewide to ensure adoption of the United States department of labor's integrated service delivery model and program performance requirements for the state's workforce innovation and opportunity act and other federal grants. This subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((~~(b) \$2,290,000 of the employment services administrative account—state appropriation is provided solely for the maintenance and operation of the WorkSource integrated technology platform.~~))~~

(12) \$6,208,000 of the general fund—state appropriation for fiscal year 2024 and \$6,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the economic security for all program. The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the legislature on December 1 and June 1 of each year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(13) (a) \$5,292,000 of the employment service administrative account—state appropriation is provided to expand the economic security for all program to residents of Washington state that are over 200 percent of the federal poverty level but who demonstrate financial need for support services or assistance with training costs to either maintain or secure employment. ~~((Supports to each participant must not exceed \$5,000 per year.))~~ Unspent funds from this subsection may be used for economic security for all participants who are under 200 percent of the federal poverty level as defined in subsection (12) of this section.

(b) The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the legislature on December 1 and June 1 of each year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(c) Of the amounts in (a) of this subsection, the department may use \$146,000 each year to cover program administrative expenses.

(14) \$1,655,000 of the administrative contingency account—state appropriation is provided to increase the department's information security team to proactively address critical security vulnerabilities, audit findings, and process gaps.

(15) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two project managers to assist with the coordination of state audits.

(16) \$1,448,000 of the general fund—state appropriation for fiscal year 2024 and \$1,448,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for business navigators at the local workforce development boards to increase employer engagement in an effort to support industry recovery and growth. Of the amounts in this subsection, the department may use \$148,000 per year to cover associated administrative expenses.

(17) \$11,895,000 of the general fund—federal appropriation is provided solely for the implementation of the quality jobs, equity strategy, and training (QUEST) grant to enhance the workforce system's ongoing efforts to support employment equity and employment recovery from the COVID-19 pandemic. The funds are for partnership development, community outreach, business engagement, and comprehensive career and training services.

(18) \$3,264,000 of the employment services administration account—state appropriation is provided solely for the continuation of the office of agricultural and seasonal workforce services.

(19) \$3,539,000 of the long-term services and supports trust account—state appropriation is provided solely for the programs in the department's leave and care division to increase outreach to underserved communities, perform program evaluation and data management, perform necessary fiscal functions, and make customer experience enhancements.

~~((~~(21)~~))~~ (20) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time employee to provide casework on behalf of constituents who contact their legislators to escalate unresolved claims.

~~((~~(22)~~))~~ (21) (a) \$250,000 of the family and medical leave insurance account—state appropriation is provided solely for the department to contract with the University of

Washington Evans school of public policy and governance to conduct a study on the impacts of the state family and medical leave program's job protection standards on equitable utilization of paid leave benefits under the program.

(b) The study shall consider the following:

(i) The rates at which paid leave benefits under chapter 50A.15 RCW are used by persons who qualify for job protection under RCW 50A.35.010 or the federal family and medical leave act;

(ii) Worker perspectives on the effects of job protection under RCW 50A.35.010 and the federal family and medical leave act on the use of paid leave benefits under chapter 50A.15 RCW; and

(iii) Employment outcomes and other impacts for persons using paid leave benefits under chapter 50A.15 RCW.

(c) (i) In conducting the study, the university must collect original data directly from workers about paid leave and job protection, including demographic information such as race, gender, income, geography, primary language, and industry or job sector.

(ii) In developing the study, the university must consult with the advisory committee under RCW 50A.05.030, including three briefings: An overview on the initial research design with an opportunity to provide feedback; a midpoint update; and final results. The university must consult with the committee regarding appropriate methods for collecting and assessing relevant data in order to protect the reliability of the study.

(d) A preliminary report, including the initial research design and available preliminary results must be submitted by December 1, 2023, and a final report by December 1, 2024, to the governor and the appropriate policy and fiscal committees of the legislature, in accordance with RCW 43.01.036.

~~((23))~~ (22) \$4,433,000 of the family and medical leave insurance account—state appropriation and \$351,000 of the unemployment compensation administration account—federal appropriation are provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(24))~~ (23) \$50,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute House Bill No. 1458 (apprenticeship programs/UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(25))~~ (24) (a) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~ \$11,227,000 of the general fund—state appropriation for fiscal year 2025, \$9,963,000 of the administrative contingency account—state appropriation, and \$4,271,000 of the employment services administrative account—state appropriation are provided solely to address a projected shortfall of federal revenue that supports the administration of the unemployment insurance program.

(b) The department must submit an initial report no later than November 1, 2023, and a subsequent report no later than November 1, 2024, to the governor and the appropriate committees of the legislature outlining how the funding in (a) of this subsection is being utilized and recommendations for long-term solutions to address future decreases in federal funding.

~~((26) \$11,976,000))~~ (25) \$7,644,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$4,332,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to create a dedicated team of staff to process the unemployment insurance overpayment caseload backlog.

~~((27))~~ (26) \$3,389,000 of the general fund—state appropriation for fiscal year 2024 and \$4,540,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the stipend for Washington service corps members to \$26,758 per year and for one staff member to assist with program outreach. The stipend increase is for members that enter into a service year with income below 200 percent of the federal poverty level.

~~((28))~~ (27) \$794,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute Senate Bill No. 5176 (employee-owned coop UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(29))~~ (28) \$30,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5286 (paid leave premiums). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(30))~~ (29) \$2,896,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5586 (paid leave data). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(31))~~ (30) \$35,000 of the employment service administrative account—state appropriation is provided solely for the department to provide research and consultation on the feasibility of replicating the unemployment insurance program for and expanding other social net programs to individuals regardless of their citizenship status.

~~((32))~~ (31) \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to design a form for employer use to voluntarily report no show, no call interview data. This data shall be used to inform potential trend analysis or policy development for job search compliance.

(32) \$5,655,000 of the family and medical leave insurance account—state appropriation is provided solely to increase staffing for the paid family and medical leave program to process claims and respond to customer inquiries in a timely manner.

(33) \$7,305,000 of the family and medical leave insurance account—state appropriation is provided solely for information technology staffing to complete system enhancements for any remaining statutorily required components of the paid family and medical leave program, including, but not limited to, the establishment and collection of overpayments, crossmatching eligibility with other programs, and elective coverage for tribes.

(34) \$51,000 of the employment services administrative account—state appropriation for fiscal year 2025 is provided solely to support the underground economy task force created in section 906 of this act.

(35) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to report how it will collect employee race and ethnicity information from employers that participate in the unemployment insurance program and employees who participate in the paid family medical leave program.

(a) The department may contract to complete the report.

(b) The department must submit a report to the legislature by June 30, 2025. The report must include accurate cost and time estimates needed to collect the race and ethnicity information from employers and employees. The department must consult with the office of equity to ensure that data collections is consistent with other efforts. The report must also include, but is not limited to, the following information:

(i) The cost and time required for the department to revise current reporting requirements to include race and ethnicity data;

(ii) The cost and time required for the department to incorporate the collection of race and ethnicity data into future reporting;

(iii) The cost and time required for the department to incorporate the collection of race and ethnicity data into its existing information technology systems;

(iv) Recommendations on any exclusions from the requirement to report race and ethnicity data; and

(v) Any statutory changes required to collect race and ethnicity data.

(36) \$961,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Senate Bill No. 6028 (unemployment overpayments). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(37) (a) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to convene a wage replacement program for undocumented workers work group. The work group shall convene by June 1, 2024, and must include:

(i) Three members representing immigrants' interests;

(ii) Two members representing workers' interests in unemployment, each of whom must be appointed from a list of names submitted by a recognized statewide organization of employees;

(iii) Two members representing employers' interests in unemployment, each of whom must be appointed from a list of names submitted by a recognized statewide organization of employers;

(iv) Three ex officio members, representing the state commission on African American affairs, the state commission on Hispanic affairs, and the state commission on Asian Pacific American affairs; and

(v) One ex officio member, representing the department and who will serve as the chair.

(b) The work group shall:

(i) Identify dedicated streams of revenue within the current unemployment insurance taxation model to fully fund an equitable wage replacement program for undocumented workers;

(ii) Review funding mechanisms from other states administering similar programs;

(iii) Identify funding mechanisms that do not duplicate employer contributions paid into the unemployment trust fund on behalf of undocumented workers nor increase social taxes paid for employers;

(iv) Explore the impact of identified funding mechanisms on solvency of the unemployment trust fund; and

(v) Provide a calculation of the amount of benefits that would be annually provided to undocumented workers through this program.

(c) By November 15, 2024, the department shall submit a report to the governor and related legislative committees that includes the information included in (b) of this subsection and a recommended plan of how to fully fund the program.

(38) \$11,054,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 226.** 2023 c 475 s 226 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—GENERAL**

(1)(a) The appropriations to the department of children, youth, and families in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of children, youth, and families shall initially be allotted as required by this act. The department shall seek approval from the office of financial management prior to transferring moneys between sections of this act except as expressly provided in this act. Subsequent allotment modifications shall not include

transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the foster care, adoption support, child protective services, working connections child care, and juvenile rehabilitation programs, the department may transfer appropriations that are provided solely for a specified purpose.

(2) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation.

(3) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department are subject to technical oversight by the office of the chief information officer.

**Sec. 227.** 2023 c 475 s 227 (uncodified) is amended to read as follows:

<b>FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—CHILDREN AND FAMILIES SERVICES PROGRAM</b>	
General Fund—State Appropriation (FY 2024) . . . . .	(\$488,869,000)
	\$488,623,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$500,457,000)
	\$524,250,000
General Fund—Federal Appropriation . . . . .	(\$503,359,000)
	\$518,560,000
General Fund—Private/Local Appropriation . . . . .	\$2,824,000
Opioid Abatement Settlement Account—State Appropriation . . . . .	(\$2,304,000)
	\$5,169,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$1,497,813,000)</b>
	<b>\$1,539,426,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$748,000 of the general fund—state appropriation for fiscal year 2024 and \$748,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to 13 children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(2) \$453,000 of the general fund—state appropriation for fiscal year 2024 and \$453,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs of hub home foster and kinship families that provide a foster care delivery model that includes a hub home. Use of the hub home model is intended to support foster parent retention, provide support to biological families, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(3) \$579,000 of the general fund—state appropriation for fiscal year 2024, \$579,000 of the general fund—state appropriation for fiscal year 2025, and \$110,000 of the general fund—federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(4) \$1,620,000 of the general fund—state appropriation for fiscal year 2024 and \$1,620,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services provided through children's advocacy centers.

(5) In fiscal year 2024 and in fiscal year 2025, the department shall provide a tracking report for social service specialists and corresponding social services support staff to the office of financial management, and the appropriate policy and fiscal committees of the legislature. The report shall detail continued implementation of the targeted 1:18 caseload ratio standard for child and family welfare services caseload-carrying staff and targeted 1:8 caseload ratio standard for child protection services caseload carrying staff. To the extent

to which the information is available, the report shall include the following information identified separately for social service specialists doing case management work, supervisory work, and administrative support staff, and identified separately by job duty or program, including but not limited to intake, child protective services investigations, child protective services family assessment response, and child and family welfare services:

(a) Total full-time equivalent employee authority, allotments and expenditures by region, office, classification, and band, and job duty or program;

(b) Vacancy rates by region, office, and classification and band; and

(c) Average length of employment with the department, and when applicable, the date of exit for staff exiting employment with the department by region, office, classification and band, and job duty or program.

(6) \$94,000 of the general fund—state appropriation for fiscal year 2024 and \$94,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(7) (a) \$999,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, \$656,000 of the general fund—private/local appropriation, and \$252,000 of the general fund—federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, regions where backlogs of youth that have formerly requested educational outreach services exist, or youth with high educational needs. The department is encouraged to use private matching funds to maintain educational advocacy services.

(b) The department shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(8) For purposes of meeting the state's maintenance of effort for the state supplemental payment program, the department of children, youth, and families shall track and report to the department of social and health services the monthly state supplemental payment amounts attributable to foster care children who meet eligibility requirements specified in the state supplemental payment state plan. Such expenditures must equal at least \$3,100,000 annually and may not be claimed toward any other federal maintenance of effort requirement. Annual state supplemental payment expenditure targets must continue to be established by the department of social and health services. Attributable amounts must be communicated by the department of children, youth, and families to the department of social and health services on a monthly basis.

(9) \$197,000 of the general fund—state appropriation for fiscal year 2024 and \$197,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct biennial inspections and certifications of facilities, both overnight and day shelters, that serve those who are under 18 years old and are homeless.

(10) (a) ~~\$6,195,000~~ \$8,981,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$6,195,000)~~ \$8,981,000 of the general fund—state appropriation for fiscal year 2025, and \$1,188,000 of the general fund—federal appropriation are provided solely for the department to operate emergent placement and enhanced emergent placement contracts.

(b) The department shall not include the costs to operate emergent placement contracts in the calculations for family foster home maintenance payments and shall submit as part of the budget submittal documentation required by RCW 43.88.030 any costs associated with increases in the number of emergent placement contract beds after the effective date of this section that cannot be sustained within existing appropriations.

(11) Beginning January 1, 2024, and continuing through the 2023-2025 fiscal biennium, the department must provide semiannual reports to the governor and appropriate legislative committees that includes the number of in-state behavioral rehabilitation services providers and licensed beds, the number of out-of-state behavioral rehabilitation services placements, and a comparison of these numbers to the same metrics expressed as an average over the prior six months. The report shall identify separately beds with the enhanced behavioral rehabilitation services rate. Effective January 1, 2024, and to the extent the information is available, the report shall include the same information for emergency placement services beds and enhanced emergency placement services beds.

(12) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing the supportive visitation model that utilizes trained visit navigators to provide a structured and positive visitation experience for children and their parents.

(13) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for enhanced adoption placement services for legally free children in state custody, through a partnership with a national nonprofit organization with private matching funds. These funds must supplement, but not supplant, the work of the department to secure permanent adoptive homes for children with high needs.

(14) The department of children, youth, and families shall make foster care maintenance payments to programs where children are placed with a parent in a residential program for substance abuse treatment. These maintenance payments are considered foster care maintenance



payments for purposes of forecasting and budgeting at maintenance level as required by RCW 43.88.058.

(15) \$511,000 of the general fund—state appropriation for fiscal year 2024, \$511,000 of the general fund—state appropriation for fiscal year 2025, and \$306,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219) (youth counsel/dependency).

(16) If the department receives an allocation of federal funding through an unanticipated receipt, the department shall not expend more than what was approved or for another purpose than what was approved by the governor through the unanticipated receipt process pursuant to RCW 43.79.280.

(17) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more nonprofit, nongovernmental organizations to purchase and deliver concrete goods to low-income families.

(18) \$2,400,000 of the general fund—state appropriation for fiscal year 2024 and \$2,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(19) The department will only refer child welfare cases to the department of social and health services division of child support enforcement when the court has found a child to have been abandoned by their parent or guardian as defined in RCW 13.34.030.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and 100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of SafeCare, an evidence-based parenting program, for families in Grays Harbor county.

(21) ~~\$7,685,000~~ of the general fund—state appropriation for fiscal year 2024, ~~(\$8,354,000)~~ \$11,079,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$2,682,000)~~ \$3,326,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$276,000 of the general fund—state appropriation for fiscal year 2024, \$264,000 of the general fund—state appropriation for fiscal year 2025, and \$104,000 of the general fund—federal appropriation are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance, reporting on progress, and resolving disputes that may arise.

(b) \$2,022,000 of the general fund—state appropriation for fiscal year 2024, \$2,432,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the general fund—federal appropriation are provided solely for the statewide hub home model. The department shall develop and adapt the existing hub home model to serve youth as described in the settlement agreement.

(c) \$452,000 of the general fund—state appropriation for fiscal year 2024, \$864,000 of the general fund—state appropriation for fiscal year 2025, and \$334,000 of the general fund—federal appropriation are provided solely for the department to establish a negotiated rule-making method to align and update foster care and group care licensing standards.

(d) \$2,195,000 of the general fund—state appropriation for fiscal year 2024, \$2,110,000 of the general fund—state appropriation for fiscal year 2025, and \$238,000 of the general fund—federal appropriation are provided solely for revised referral and transition procedures for youth entering foster care.

(e) \$1,868,000 of the general fund—state appropriation for fiscal year 2024, \$1,852,000 of the general fund—state appropriation for fiscal year 2025, and \$1,543,000 of the general fund—federal appropriation are provided solely for the department to develop and implement a professional therapeutic foster care contract and licensing category. Therapeutic foster care professionals are not required to have another source of income and must receive specialized training and support.

(f) \$872,000 of the general fund—state appropriation for fiscal year 2024, \$832,000 of the general fund—state appropriation for fiscal year 2025, and \$421,000 of the general fund—federal appropriation are provided solely to update assessment and placement procedures prior to placing a youth in a qualified residential treatment program, as well as updating the assessment schedule to every 90 days.

(g) \$2,725,000 of the general fund—state appropriation for fiscal year 2025 and \$644,000 of the general fund—federal appropriation are provided solely for family team decision making and shared planning meetings as informed by attachment a-stakeholder facilitator and process description.

(h) The department shall implement all provisions of the settlement agreement, including those described in (a) through (f) of this subsection; revisions to shared planning meeting

and family team decision-making policies and practices; and any and all additional settlement agreement requirements and timelines established.

(22) ~~((\$8,919,000))~~ \$7,379,000 of the general fund—state appropriation for fiscal year 2024, ~~((\$19,521,000))~~ \$26,325,000 of the general fund—state appropriation for fiscal year 2025, and ~~((\$6,595,000))~~ \$7,195,000 of the general fund—federal appropriation are provided solely for implementation of a seven-level foster care support system. Of the amounts provided in this subsection:

(a) \$5,527,000 of the general fund—state appropriation for fiscal year 2024, \$11,054,000 of the general fund—state appropriation for fiscal year 2025, and \$5,284,000 of the general fund—federal appropriation are provided solely to expand foster care maintenance payments from a four-level to a seven-level support system, beginning January 1, 2024.

(b) ~~((\$2,572,000))~~ \$1,032,000 of the general fund—state appropriation for fiscal year 2024, ~~((\$7,717,000))~~ \$14,521,000 of the general fund—state appropriation for fiscal year 2025, and ~~((\$1,173,000))~~ \$1,773,000 of the general fund—federal appropriation are provided solely for expanded caregiver support services. Services include, but are not limited to, placement, case aide, and after-hours support, as well as training, coaching, child care, and respite coordination.

(c) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project management to oversee the shift in systems and practices.

(d) \$247,000 of the general fund—state appropriation for fiscal year 2024, \$184,000 of the general fund—state appropriation for fiscal year 2025, and \$138,000 of the general fund—federal appropriation are provided solely for a contract with the department of social and health services research and data analysis division to track program outcomes through monitoring and analytics.

(23) \$732,000 of the general fund—state appropriation for fiscal year 2024, \$732,000 of the general fund—state appropriation for fiscal year 2025, and \$362,000 of the general fund—federal appropriation are provided solely to increase staff to support statewide implementation of the kinship caregiver engagement unit.

(24) ~~((\$7,332,000))~~ \$1,913,000 of the general fund—state appropriation for fiscal year 2024 and ~~((\$7,332,000))~~ \$4,119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to issue foster care maintenance payments for up to 90 days to those kinship caregivers who obtain an initial license.

(25) \$6,696,000 of the general fund—state appropriation for fiscal year 2024, \$6,696,000 of the general fund—state appropriation for fiscal year 2025, and \$2,940,000 of the general fund—federal appropriation are provided solely for contracted visitation services for children in temporary out-of-home care. Funding is provided to reimburse providers for certain uncompensated services, which may include work associated with missed or canceled visits.

(26) \$4,104,000 of the general fund—state appropriation for fiscal year 2024 and \$5,589,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand combined in-home services to serve more families. By December 1, 2023, and annually thereafter, the department shall provide a report to the legislature detailing combined in-home services expenditures and utilization, including the number of families served and a listing of services received by those families.

(27) \$892,000 of the general fund—state appropriation for fiscal year 2024, \$892,000 of the general fund—state appropriation for fiscal year 2025, and \$796,000 of the general fund—federal appropriation are provided solely for increased licensing staff. Licensing staff are increased in anticipation that more kinship placements will become licensed due to recent legislation and court decisions, including *In re Dependency of K.W.* and chapter 211, Laws of 2021 (E2SHB 1227) (child abuse or neglect).

(28) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$2,014,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5124 (nonrelative kin placement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$338,000 of the general fund—state appropriation for fiscal year 2024, \$317,000 of the general fund—state appropriation for fiscal year 2025, and \$54,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$851,000 of the general fund—state appropriation for fiscal year 2024, \$2,412,000 of the general fund—state appropriation for fiscal year 2025, and \$108,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(31) \$2,304,000 of the opioid abatement settlement account—state appropriation is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

(32) \$375,000 of the general fund—state appropriation for fiscal year 2024, \$375,000 of the general fund—state appropriation for fiscal year 2025, and \$112,000 of the general fund—federal appropriation are provided solely for the department to develop, implement, and expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation services for children in temporary out-of-home care and their parents and

siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature regarding these strategies by September 1, 2023. The report shall include the number and percentage of parents requiring supervised visitation and the number and percentage of parents with unsupervised visitation, prior to reunification.

(33) \$499,000 of the general fund—state appropriation for fiscal year 2024, \$499,000 of the general fund—state appropriation for fiscal year 2025, and \$310,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1204 (family connections program), which will support the family connections program in areas of the state in which the program is already established. To operate the program, the department must contract with a community-based organization that has experience working with the foster care population and administering the family connections program. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(34) \$2,020,000 of the general fund—state appropriation for fiscal year 2024, \$1,894,000 of the general fund—state appropriation for fiscal year 2025, and \$1,247,000 of the general fund—federal appropriation are provided solely to increase the basic foster care maintenance rate for all age groups and the supervised independent living subsidy for youth in extended foster care each by \$50 per youth per month effective July 1, 2023.

(35) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a Washington state mentoring organization to provide oversight and training for a pilot program that mentors foster youth. The goal of the program is to improve outcomes for youth in foster care by surrounding them with ongoing support from a caring adult mentor. Under the program, mentors provide a positive role model and develop a trusted relationship that helps the young person build self-confidence, explore career opportunities, access their own resourcefulness, and work to realize their fullest potential. The organization shall serve as the program administrator to provide grants to nonprofit organizations based in Washington state that meet department approved criteria specific to mentoring foster youth. Eligible grantees must have programs that currently provide mentoring services within the state and can provide mentors who provide one-to-one services to foster youth, or a maximum ratio of one mentor to three youth.

(36) ~~\$1,100,000 of the general fund—state appropriation for fiscal year 2024~~ and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization in Spokane that has experience administering a family-centered drug treatment and housing program for families experiencing substance use disorder. The amount provided in this subsection is intended to support the existing program while the department works to develop a sustainable model of the program and expand to new regions of the state.

(37) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to lead the development of a sustainable operating funding model for programs using the rising strong model that provides comprehensive, family-centered drug treatment and housing services to keep families together while receiving treatment and support. The department shall work in coordination with the health care authority, the department of commerce, other local agencies, and stakeholders on development of the model. The department shall submit the sustainable operating model to the appropriate committees of the legislature by July 1, 2024.

(38) \$107,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$50,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(39) \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$269,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the new foster home incentive payment for child-placing agencies to \$1,000 for each new foster home certified for licensure, effective July 1, 2023.

(40) \$1,350,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to establish a pilot for public health nurses, including contracts for up to eight public health nurses distributed by case count across the regions to support caseworkers in engaging and communicating with families about the risks of fentanyl and child health and safety practices.

(41) \$900,000 of the general fund—state appropriation for fiscal year 2025 and \$231,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5908 (extended foster care). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(42) \$333,000 of the general fund—state appropriation for fiscal year 2025 and \$76,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 6006 (victims of human trafficking). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(43) \$266,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5591 (dependent youth financial ed). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(44) (a) \$1,638,000 of the general fund—state appropriation for fiscal year 2025, \$337,000 of the general fund—federal appropriation, and \$1,515,000 of the opioid abatement settlement account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(b) Of the amounts provided in (a) of this subsection:

(i) \$1,515,000 of the opioid abatement settlement account—state appropriation is provided solely for a pilot program to include third-party safety plan participants and public health nurses in child protective services safety planning.

(ii) \$574,000 of the general fund—state appropriation for fiscal year 2025 and \$301,000 of the general fund—federal appropriation are provided solely for at least one legal liaison position in each region to work with both the department and the office of the attorney general for the purpose of assisting with the preparation of child abuse and neglect court cases.

(iii) \$972,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for two pilot programs to implement an evidence-based, comprehensive, intensive, in-home parenting services support model to serve children and families from birth to age 18 who are involved in the child welfare, children's mental health, or juvenile justice systems.

**Sec. 228.** 2023 c 475 s 228 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—JUVENILE REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(\$140,231,000)
	\$148,567,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$143,975,000)
	\$151,778,000
General Fund—Federal Appropriation . . . . .	\$694,000
General Fund—Private/Local Appropriation . . . . .	\$205,000
Washington Auto Theft Prevention Authority Account—	
State Appropriation . . . . .	\$196,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(\$285,301,000)</b>
	<b>\$301,440,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,841,000 of the general fund—state appropriation for fiscal year 2024 and \$2,841,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts for effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development, not just reducing recidivism. Additional funding for this purpose is provided through an interagency agreement with the health care authority. County juvenile courts shall apply to the department of children, youth, and families for funding for program-specific participation and the department shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute. The block grant oversight committee, in consultation with the Washington state institute for public policy, shall identify effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development to receive funding.

(2) \$1,537,000 of the general fund—state appropriation for fiscal year 2024 and \$1,537,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expansion of the juvenile justice treatments and therapies in department of children, youth, and families programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The department may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(3) (a) \$6,198,000 of the general fund—state appropriation for fiscal year 2024 and \$6,198,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement evidence- and research-based programs through community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants. In addition to funding provided in this subsection, funding to implement alcohol and substance abuse treatment programs for locally committed offenders is provided through an interagency agreement with the health care authority.

(b) The department of children, youth, and families shall administer a block grant to county juvenile courts for the purpose of serving youth as defined in RCW 13.40.510(4)(a) in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service funds, community juvenile accountability act grants, chemical dependency/mental health disposition alternative, and suspended disposition alternative. The department of children, youth, and families shall follow the following formula and must prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for the assessment of low, moderate, and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations;

(v) three percent for the chemical dependency and mental health disposition alternative; and (vi) two percent for the suspended dispositional alternatives. Funding for the special sex offender disposition alternative shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the department of children, youth, and families and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(c) The department of children, youth, and families and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the department of children, youth, and families and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be co-chaired by the department of children, youth, and families and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. The committee may make changes to the formula categories in (b) of this subsection if it determines the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost/benefit savings to the state, including long-term cost/benefit savings. The committee must also consider these outcomes in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(d) The juvenile courts and administrative office of the courts must collect and distribute information and provide access to the data systems to the department of children, youth, and families and the Washington state institute for public policy related to program and outcome data. The department of children, youth, and families and the juvenile courts must work collaboratively to develop program outcomes that reinforce the greatest cost/benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(4) \$645,000 of the general fund—state appropriation for fiscal year 2024 and \$645,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

(5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant program focused on criminal street gang prevention and intervention. The department of children, youth, and families may award grants under this subsection. The department of children, youth, and families shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity receiving funds must report to the department of children, youth, and families on the number and types of youth served, the services provided, and the impact of those services on the youth and the community.

(6) The juvenile rehabilitation institutions may use funding appropriated in this subsection to purchase goods, supplies, and services through hospital group purchasing organizations when it is cost-effective to do so.

(7) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts to establish alternative detention facilities similar to the proctor house model in Jefferson county, Washington, that will provide less restrictive confinement alternatives to youth in their local communities. County juvenile courts shall apply to the department of children, youth, and families for funding and each entity receiving funds must report to the department on the number and types of youth serviced, the services provided, and the impact of those services on the youth and the community.

(8) \$432,000 of the general fund—state appropriation for fiscal year 2024 and \$432,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide housing services to clients releasing from incarceration into the community.

(9) (a) \$878,000 of the general fund—state appropriation for fiscal year 2024 and \$879,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 206, Laws of 2021 (concerning juvenile rehabilitation community transition services).

(b) Of the amounts provided in (a) of this subsection, \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing vouchers.

(10) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 265, Laws of 2021 (supporting successful reentry).

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a credible messenger mentorship organization located in Kitsap county to provide peer counseling, peer support services, and mentorship for at-risk youth and families.

(12) \$1,791,000 of the general fund—state appropriation for fiscal year 2024 and \$1,754,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the facility, property, and assets at the facility formerly known as the Naselle youth camp in Naselle. The department of children, youth, and families must enter into an interagency agreement with the department of social and health services for the management and warm closure maintenance of the Naselle youth camp facility and grounds during the 2023-2025 fiscal biennium.

(13) (a) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1394 (sexual offenses by youth). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(b) The department of children, youth, and families—juvenile rehabilitation shall develop and implement a grant program that allows defense attorneys and counties to apply for funding for sex offender evaluation and treatment programs. The department shall provide funding to counties for: (a) Process mapping, site assessment, and training for additional sex offender treatment modalities such as multisystemic therapy-problem sexual behavior or problematic sexual behavior-cognitive behavioral therapy; and (b) for any evaluation and preadjudication treatment costs which are not covered by the court.

(14) \$2,436,000 of the general fund—state appropriation for fiscal year 2024 and \$2,206,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a dedicated institutional educational oversight and accountability team and 12 staff to provide a transition team at both green hill and echo glen that will serve as an education engagement team at the facility and will also coordinate and engage with community enrichment programs and community organizations to afford more successful transitions.

(15) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted services for housing for youth exiting juvenile rehabilitation facilities.

(16) (~~(\$3,306,000)~~) \$2,701,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$8,732,000)~~) \$9,915,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for caseload costs and staffing. Of the amount provided in this subsection: (~~(\$1,752,000)~~) \$1,221,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,428,000)~~) \$2,055,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing necessary to operate the baker cottage north living unit at green hill school that is anticipated to be operational by (~~February~~) March 1, 2024.

(17) \$967,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to purchase body scanners, one for echo glen, and two for green hill school, to comply with chapter 246-230 WAC (security screening systems).

(18) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for antibiotics training for girls, youth stipends for girls, and facilitation for girls in the continuum of the juvenile rehabilitation system.

(19) \$68,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6006 (victims of human trafficking). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 229.** 2023 c 475 s 229 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—EARLY LEARNING PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$576,454,000</del> ))
	\$587,754,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$699,147,000</del> ))
	\$749,967,000
General Fund—Federal Appropriation. . . . .	(( <del>\$525,447,000</del> ))
	\$659,630,000
General Fund—Private/Local Appropriation. . . . .	\$104,000
Education Legacy Trust Account—State Appropriation. . . . .	(( <del>\$385,965,000</del> ))
	\$385,401,000
Home Visiting Services Account—State Appropriation. . . . .	(( <del>\$35,809,000</del> ))
	\$35,795,000
Home Visiting Services Account—Federal Appropriation. . . . .	(( <del>\$36,417,000</del> ))
	\$37,256,000
<u>Opioid Abatement Settlement Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$3,179,000</u>
Washington Opportunity Pathways Account—State	
Appropriation. . . . .	\$80,000,000
Workforce Education Investment Account—State	
Appropriation. . . . .	\$22,764,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$2,362,107,000</del>))</b>
	<b>\$2,561,850,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) (~~(\$123,623,000)~~) \$132,698,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$148,314,000)~~) \$167,571,000 of the general fund—state appropriation for fiscal year 2025, \$91,810,000 of the education legacy trust account—state appropriation, and \$80,000,000 of the opportunity pathways account—state appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 16,778 slots in fiscal year 2024 and 17,278 slots in fiscal year 2025. Of the total slots in each fiscal year, 100 slots must be reserved for foster children to receive school-year-round enrollment.

(b) Of the amounts provided in (a) of this subsection:

(i) \$23,647,000 of the general fund—state appropriation for fiscal year 2024 and \$26,412,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a slot rate increase of 18 percent for full day slots, a 9 percent increase for extended day slots, and a 7 percent increase for part day slots, beginning July 1, 2023.

(ii) \$10,182,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a rate increase of 6 percent for full day slots and 10 percent for extended day slots, beginning July 1, 2024.

(iii) \$9,862,000 of the general fund—state appropriation for fiscal year 2024 and \$9,862,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to convert 1,000 part day slots to full day slots, and to increase full day slots by 500, beginning in fiscal year 2024.

(~~(iii)~~) (iv) \$9,862,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to convert 1,000 part day slots to full day slots (~~(v)~~) and to increase full day slots by 500, beginning in fiscal year 2025.

(c) Of the amounts provided in (a) of this subsection, \$2,509,000 of the general fund—state appropriation for fiscal year 2024 and \$3,278,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for the early childhood education and assistance program.

(d) The department of children, youth, and families must develop a methodology to identify, at the school district level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district and the corresponding facility needs required to meet the entitlement in accordance with RCW 43.216.556. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(2) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies.

(3) The department of children, youth, and families shall work in collaboration with the department of social and health services to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families. Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(4) (a) (~~(\$144,632,000)~~) \$145,852,000 of the general fund—state appropriation for fiscal year 2024, \$208,181,000 of the general fund—state appropriation for fiscal year 2025, \$56,400,000 of the general fund—federal appropriation, and (~~(\$51,500,000)~~) \$99,100,000 of the general fund—federal appropriation (ARPA) are provided solely for enhancements to the working connections child care program.

(b) Of the amounts provided in (a) of this subsection:

(i) \$47,637,000 of the general fund—state appropriation for fiscal year 2024, \$87,556,000 of the general fund—state appropriation for fiscal year 2025, \$36,249,000 of the general fund—federal appropriation, and \$33,085,000 of the general fund—federal appropriation (ARPA) are provided solely to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey for child care centers.

(ii) (~~(\$96,995,000)~~) \$98,215,000 of the general fund—state appropriation for fiscal year 2024, \$120,625,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided solely to implement the 2023-2025 collective bargaining agreement covering family child care providers as provided in section 907 of this act. Of the amounts provided in this subsection:

(A) \$8,263,000 of the general fund—state appropriation for fiscal year 2024 and \$9,793,000 of the general fund—state appropriation for fiscal year 2025 are for an 85 cent

per hour per child rate increase for family, friends, and neighbor providers (FFNs) beginning July 1, 2023, and a 15 cent per hour per child rate increase beginning July 1, 2024.

(B) \$26,515,000 of the general fund—state appropriation for fiscal year 2024, \$48,615,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey.

(C) \$370,000 of the general fund—state appropriation for fiscal year 2024 and \$370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to pay the background check application and fingerprint processing fees.

(D) ~~((\$61,847,000))~~ \$63,067,000 of the general fund—state appropriation for fiscal year 2024 and \$61,847,000 of the general fund—state appropriation for fiscal year 2025 are for a cost of care rate enhancement.

(c) Funding in this subsection must be expended with internal controls that provide child-level detail for all transactions beginning in fiscal year 2025.

(d) On July 1, 2023, and July 1, 2024, the department, in collaboration with the department of social and health services, must report to the governor and the appropriate fiscal and policy committees of the legislature on the status of overpayments in the working connections child care program. The report must include the following information for the previous fiscal year:

(i) A summary of the number of overpayments that occurred;

(ii) The reason for each overpayment;

(iii) The total cost of overpayments;

(iv) A comparison to overpayments that occurred in the past two preceding fiscal years; and

(v) Any planned modifications to internal processes that will take place in the coming fiscal year to further reduce the occurrence of overpayments.

(e) Within available amounts, the department in consultation with the office of financial management shall report enrollments and active caseload for the working connections child care program to the governor and the legislative fiscal committees and the legislative-executive WorkFirst poverty reduction oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(5) ~~\$2,362,000 of the general fund—state appropriation for fiscal year 2024 ((and))~~ \$2,362,000 of the general fund—state appropriation for fiscal year 2025, and \$3,582,000 of the general fund—federal appropriation are provided solely to increase the nonstandard hours bonus ~~((to \$135 per child per month))~~. Of the amounts in this subsection:

(a) \$2,362,000 of the general fund—state appropriation for fiscal year 2024 and \$2,362,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the nonstandard hours bonus to \$135 per child per month, beginning July 1, 2023.

(b) \$3,582,000 of the general fund—federal appropriation is provided solely to increase the nonstandard hours bonus to \$300 per child per month, beginning July 1, 2024.

(6) \$22,764,000 of the workforce education investment account—state appropriation is provided solely for the working connections child care program under RCW 43.216.135.

(7) \$353,402,000 of the general fund—federal appropriation is reimbursed by the department of social and health services to the department of children, youth, and families for qualifying expenditures of the working connections child care program under RCW 43.216.135.

(8) \$1,560,000 of the general fund—state appropriation for fiscal year 2024, \$1,560,000 of the general fund—state appropriation for fiscal year 2025, and \$6,701,000 of the general fund—federal appropriation are provided solely for the seasonal child care program.

(9) \$871,000 of the general fund—state appropriation for fiscal year 2024 and \$871,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of children, youth, and families to contract with a countywide nonprofit organization with early childhood expertise in Pierce county for a project to prevent child abuse and neglect using nationally recognized models.

(a) The nonprofit organization must continue to implement a countywide resource and referral linkage system for families of children who are prenatal through age five.

(b) The nonprofit organization must offer a voluntary brief newborn home visiting program. The program must meet the diverse needs of Pierce county residents and, therefore, it must be flexible, culturally appropriate, and culturally responsive. The department, in collaboration with the nonprofit organization, must examine the feasibility of leveraging federal and other fund sources, including federal Title IV-E and medicaid funds, for home visiting provided through the pilot. The department must report its findings to the governor and appropriate legislative committees by September 1, 2023.

(10) \$3,577,000 of the general fund—state appropriation for fiscal year 2024, \$3,587,000 of the general fund—state appropriation for fiscal year 2025, and \$9,588,000 of the education legacy trust account—state appropriation are provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. The department shall pursue opportunities to leverage other funding to continue and expand ECLIPSE services. Priority for services shall be given to children referred from the department.



(11) The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In a bi-annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements.

(12) \$1,728,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(13) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(14) \$4,000,000 of the education legacy trust account—state appropriation is provided solely for early intervention assessment and services.

(15) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(16) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued implementation of chapter 202, Laws of 2017 (children's mental health).

(17) Within existing resources, the department shall continue implementation of chapter 409, Laws of 2019 (early learning access).

(18) \$515,000 of the general fund—state appropriation for fiscal year 2024 and \$515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a statewide family resource and referral linkage system, with coordinated access point of resource navigators who will connect families with children prenatal through age five with services, programs, and community resources through a facilitated referral and linkage process.

(19) (a) \$114,000 of the general fund—state appropriation for fiscal year 2024, \$173,000 of the general fund—state appropriation for fiscal year 2025, \$6,000 of the general fund—federal appropriation, and \$31,000 of the general fund—federal appropriation (ARPA) are provided solely for the department to complete its pilot project to determine the feasibility of a child care license category for multi-site programs operating under one owner or one entity and to complete one year of transition activities. The department shall adopt rules to implement the pilot project and may waive or adapt licensing requirements when necessary to allow for the operation of a new license category. Pilot participants must include, at least:

- (i) One governmental agency;
- (ii) One nonprofit organization; and
- (iii) One for-profit private business.

(b) New or existing license child care providers may participate in the pilot. When selecting and approving pilot project locations, the department shall aim to select a mix of rural, urban, and suburban locations. By July 1, 2024, the department shall submit to the governor and relevant committees of the legislature a plan for permanent implementation of this license category, including any necessary changes to law.

(20) \$3,020,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for the home visiting program. Of the amounts in this subsection:

(a) \$2,020,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for a funding increase, including to increase funding for contracts to support wage and cost increases and create more equity in contracting among the home visiting workforce.

(b) \$1,000,000 of the home visiting account—state appropriation is provided solely for the expansion of visiting services.

(21) Within the amounts provided in this section, funding is provided for the department to make permanent the two language access coordinators with specialties in Spanish and Somali as funded in chapter 334, Laws of 2021.

(22) (a) The department must provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license-exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(b) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(c) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(d) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives

appropriations committee and the senate ways and means committee using available data every March for the previous school year.

(e) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(23) \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue implementation of an infant and early childhood mental health consultation initiative to support tribal child care and early learning programs. Funding may be used to provide culturally congruent infant and early childhood mental health supports for tribal child care, the tribal early childhood education and assistance program, and tribal head start providers. The department must consult with federally recognized tribes which may include round tables through the Indian policy early learning committee.

(24) \$860,000 of the general fund—state appropriation for fiscal year 2024 and \$860,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued expansion and support of family, friend, or neighbor caregivers with a focus on the provision of play and learn groups. The amounts provided in this subsection may be used for the department to:

(a) Fund consistent staffing across the state's six geographic regions to support the needs of family, friend, or neighbor caregivers;

(b) Contract with a statewide child care resource and referral program to sustain and expand the number of facilitated play groups to meet the needs of communities statewide;

(c) Support existing infrastructure for organizations that have developed the three existing play and learn program models so they have capacity to provide training, technical assistance, evaluation, data collection, and other support needed for implementation; and

(d) Provide direct implementation support to community-based organizations that offer play and learn groups.

(25) \$3,750,000 of the general fund—state appropriation for fiscal year 2024 and \$3,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for tribal early learning grants to be distributed to providers with tribal children enrolled in early childhood education and assistance program, early ECEAP, childcare, head start, early head start and home visiting programs. Grants will be administered by the department of children, youth and families office of tribal relations and may be awarded for purposes including but not limited to culturally appropriate mental health supports for addressing historical trauma, incorporating indigenous foods, culturally-responsive books and materials, staff professional development, curriculum adaptations and supplements, tribal language education, elders and storytelling in classrooms, traditional music and arts instruction, and transportation to facilitate tribal child participation in early childhood education. Of the amounts in this subsection, the department may use \$143,000 in fiscal year 2024 and up to \$136,000 in fiscal year 2025 to cover associated administrative expenses.

(26) \$7,698,000 of the general fund—state appropriation for fiscal year 2024 and \$7,698,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for child care providers.

(27) \$2,624,000 of the general fund—state appropriation for fiscal year 2024 and \$2,624,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for equity grants established under chapter 199, Laws of 2021 (E2SSB 5237).

(28) \$2,354,000 of the general fund—state appropriation for fiscal year 2024 and \$2,431,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the birth-to-three early childhood education and assistance program. Funding is sufficient for a 20 percent rate increase beginning July 1, 2023, and a 1.8 percent rate increase beginning July 1, 2024.

(29) \$3,352,000 of the general fund—state appropriation for fiscal year 2024 and \$9,916,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5225 (working conn. child care). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(30) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to help close the gap in childcare access in the King county region by providing pandemic recovery support funding to the Launch learning organization.

(31) (~~(\$533,000)~~) \$169,000 of the general fund—state appropriation for fiscal year 2024 (~~(is)~~) and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to submit an implementation plan to expand access to Washington's mixed delivery child care system. The plan must assume that any financial contribution by families is capped at no more than seven percent of household income and that the child care workforce are provided living wages and benefits. The plan must be submitted to the appropriate committees of the legislature by June 30, 2025, and should:

(a) Follow the intent of chapter 199, Laws of 2021;

(b) Be aligned with the cost of quality care rate model;

(c) Include timelines, costs, and statutory changes necessary for timely and effective implementation; and

(d) Be developed through partnership with the statewide child care resource and referral organization and the largest union representing child care providers, with consultation from families.

(32) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for infant and early childhood mental health consultation.

(33) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with Washington communities for children to maintain a community-based early childhood network.

(34) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a Washington state based nonprofit digital child care marketing and matching service to deliver child care marketing and matching services in order to increase the number of licensed providers offering nonstandard hours care and to provide effective outreach to workforces in order to help them find and match with available nonstandard hours care providers.

(35) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an organization that provides relationship-based professional development support to family, friend, and neighbor, child care center, and licensed family care providers to work with child care workers to establish new affordable, high quality child care and early learning programs. To be eligible to receive funding, the organization must:

(a) Provide professional development services for child care providers and early childhood educators, including training and mentorship programs;

(b) Provide mentorship and other services to assist with child care provider and facility licensing;

(c) Administer or host a system of shared services and consulting related to operating a child care business; and

(d) Administer a state sponsored substitute pool child care provider program.

(36) \$830,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(37) \$972,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1525 (apprenticeships/child care). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(38) \$2,438,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide a one-time rate enhancement in fiscal year 2024 for early support for infants and toddlers program providers.

(39) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the imagination library.

(40) \$1,313,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 420, Laws of 2023 (transition to kindergarten program).

(41) \$5,561,000 of the general fund—federal appropriation is provided solely to increase the infant rate enhancement for child care providers from \$90 to \$300, beginning July 1, 2024.

(42) \$650,000 of the general fund—federal appropriation is provided solely to expand the inclusion mentorship program for increasing access in child care team, which provides early learning providers with the necessary skills and knowledge to effectively care for and educate children with disabilities, developmental delays, or challenging behaviors.

(43) \$497,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to conduct a feasibility study and provide cost estimates for a pilot program to award start-up grants, in local jurisdictions over 100,000 persons, to assist in the establishment and operation of child care programs and services with nonstandard hours for the minor children of individuals in high demand professions, including, but not limited to, peace officers and criminal justice personnel, firefighters, medical professionals in rural areas, and construction workers during shift work and abnormal work hours. A report is due to the legislature by June 30, 2025.

(44) \$254,000 of the general fund—federal appropriation is provided solely for implementation of Substitute Senate Bill No. 5774 (fingerprint backgr. checks). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(45) (a) \$3,179,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(b) Of the amounts provided in (a) of this subsection:

(i) \$1,600,000 of the opioid abatement settlement account—state appropriation is provided solely to enter into targeted contracts with existing home visiting programs established by RCW 43.216.130 in locales with the historically highest rates of child welfare screened-in intake and shall be targeted to families experiencing high-potency synthetic opioid-related substance use disorder.

(ii) \$1,579,000 of the opioid abatement settlement account—state appropriation is provided solely to establish a pilot program for contracted child care slots for infants in child protective services in locales with the historically highest rates of child welfare screened-in intake due to the exposure or presence of high-potency synthetic opioids in the home, which may be used as part of a safety plan.

**Sec. 230.** 2023 c 475 s 230 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$269,989,000</del> ))
	\$372,098,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$267,333,000</del> ))
	\$287,874,000
General Fund—Federal Appropriation . . . . .	(( <del>\$154,741,000</del> ))
	\$172,600,000
General Fund—Private/Local Appropriation . . . . .	(( <del>\$2,133,000</del> ))
	\$2,131,000
Education Legacy Trust Account—State Appropriation . . . . .	(( <del>\$180,000</del> ))
	\$744,000
Home Visiting Services Account—State Appropriation . . . . .	\$482,000
Home Visiting Services Account—Federal Appropriation . . . . .	\$380,000
<u>Information Technology Investment Revolving Account—</u>	
<u>State Appropriation . . . . .</u>	<u>\$1,985,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$695,238,000</del>))</b>
	<b>\$838,294,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Washington state mentoring organization to continue its public-private partnerships providing technical assistance and training to mentoring programs that serve at-risk youth.

(2) \$2,000 of the general fund—state appropriation for fiscal year 2024, \$6,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(3) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time employee to coordinate policies and programs to support pregnant and parenting individuals receiving chemical dependency or substance use disorder treatment.

(4) ~~((~~\$2,719,000~~))~~ \$3,525,000 of the general fund—state appropriation for fiscal year 2024, ~~((~~\$2,632,000~~))~~ \$4,145,000 of the general fund—state appropriation for fiscal year 2025, and ~~((~~\$174,000~~))~~ \$248,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$2,406,000 of the general fund—state appropriation for fiscal year 2024, \$2,382,000 of the general fund—state appropriation for fiscal year 2025, and \$174,000 of the general fund—federal appropriation are provided solely for supported housing programs for hard-to-place foster youth age 16 and above. The department shall provide housing and case management supports that ensure youth placement stability, promote mental health and well-being, and prepare youth for independent living.

(b) \$313,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance, reporting on progress, and resolving disputes that may arise.

(c) \$806,000 of the general fund—state appropriation for fiscal year 2024, \$1,513,000 of the general fund—state appropriation for fiscal year 2025, and \$74,000 of the general fund—federal appropriation are provided solely for plaintiff legal fees, stakeholder facilitation, and fiduciary support to support rate modeling and payments for the emerging adult housing program, professional therapeutic foster parents, referrals and transitions, and hub homes.

(5) \$704,000 of the general fund—state appropriation for fiscal year 2024, \$1,022,000 of the general fund—state appropriation for fiscal year 2025, and \$222,000 of the general fund—federal appropriation are provided solely for the department to implement a language access plan, which will include but is not limited to:

- (a) Translation of department materials;
- (b) Hiring staff to form a centralized language access team to provide language access supports and coordination across all department divisions;
- (c) Outreach to community organizations serving multilingual children and families regarding department programs;
- (d) Webinars and other technical assistance provided in multiple languages for department programs;
- (e) Training for department staff on language access resources; and
- (f) Other means of increasing language access and equity for providers and caregivers in health and safety, licensing and regulations, and public funding opportunities for programs offered by the department.

(6) \$1,885,000 of the general fund—state appropriation for fiscal year 2024 and \$1,885,000 of the general fund—federal appropriation are provided solely for a feasibility study to develop an implementation plan and determine costs for a new child welfare information system.

~~(7) \$2,149,000 of the general fund—state appropriation for fiscal year 2024, \$7,851,000 of the general fund—state appropriation for fiscal year 2025, and \$10,000,000 of the general fund—federal appropriation are provided solely for a comprehensive child welfare information system. The funding in this section is sufficient to complete procurement and the initial stages of implementation and is subject to the conditions, limitations, and review requirements of section 701 of this act.~~

(8) \$1,187,000 of the general fund—state appropriation for fiscal year 2024 and \$1,187,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing support services for youth exiting foster care and juvenile rehabilitation.

~~((+8))~~ (9) \$19,000 of the general fund—state appropriation for fiscal year 2024, \$19,000 of the general fund—state appropriation for fiscal year 2025, and \$6,000 of the general fund—federal appropriation are provided solely for indirect costs associated with the implementation of a seven-level foster care support system.

~~((+9))~~ (10) \$1,494,000 of the general fund—federal appropriation is provided solely for continued implementation of the family first prevention services act requirements, including technology enhancements to support the automated assessments, data quality, and reporting requirements. Funding provided in this subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((+10))~~ (11) \$717,000 of the general fund—state appropriation for fiscal year 2024, \$717,000 of the general fund—state appropriation for fiscal year 2025, and \$324,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219).

~~((+11))~~ (12) \$1,248,000 of the general fund—state appropriation for fiscal year 2024 and \$1,248,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the emergency adolescent housing pilot program. The housing pilot will serve hard-to-place foster youth who are at least 16 years old with housing and intensive case management.

~~((+12))~~ (13) \$319,000 of the general fund—state appropriation for fiscal year 2024, \$319,000 of the general fund—state appropriation for fiscal year 2025, and \$170,000 of the general fund—federal appropriation are provided solely to continue implementation of chapter 137, Laws of 2022 (2SHB 1905).

~~((+13))~~ (14) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue implementation of chapter 39, Laws of 2022 (SHB 2068).

~~((+14))~~ (15) \$23,000 of the general fund—state appropriation for fiscal year 2024, \$31,000 of the general fund—state appropriation for fiscal year 2025, and \$7,000 of the general fund—federal appropriation are provided solely to implement Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(+15))~~ (16) \$1,571,000 of the general fund—state appropriation for fiscal year 2024 and \$1,571,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Senate Bill No. 5316 (DCYF background check fees). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(+16))~~ (17) \$53,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and \$16,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(+17))~~ (18) \$43,000 of the general fund—state appropriation for fiscal year 2024, \$78,000 of the general fund—state appropriation for fiscal year 2025, and \$18,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5124 (nonrelative kin placement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(+18))~~ (19) \$2,627,000 of the general fund—state appropriation for fiscal year 2024 and \$2,628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5256 (child welfare housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(19))~~ (20) \$33,000 of the general fund—state appropriation for fiscal year 2024, \$58,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(20))~~ (21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership council for juvenile justice to consider and provide recommendations regarding juvenile justice policy projects and for one additional staff for ongoing policy and program analysis. The partnership council is authorized to consult with experts to study and gather research on best practices regarding juvenile justice, and to consult with relevant stakeholders regarding its potential recommendations. Relevant stakeholders may include but are not limited to the superior court judges association; Washington association of juvenile court administrators; Washington association of county clerks; the association of Washington counties; community-based organizations with expertise in legal financial obligation reform, community compensation funds, supporting victims and survivors of crime, or supporting youth who have been convicted or adjudicated of criminal offenses; law enforcement, prosecutors; public defenders; incarcerated and formerly incarcerated youth and young adults; the administrative office of the courts; the crime victims compensation program; and the office of crime victims advocacy.

(a) The council shall:

(i) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations for establishing a state-funded community compensation program to address out of pocket expenses for those who have been harmed by juvenile criminal offenses. Recommendations shall consider restorative principles and best practices and shall be developed in consultation with those who have been adjudicated and charged restitution and those who have been owed restitution. The council shall provide recommendations for program implementation including, but not limited to, structure and placement within state government; scope and scale of funding including eligibility criteria; retroactivity; documentation requirements; and coordination with the existing crime victims compensation fund. The council shall provide estimates of startup costs and ongoing operational costs, including administration and direct compensation to victims.

(ii) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations regarding retention, dissemination, confidentiality, sealing, consequences, and general treatment of juvenile court records. In making recommendations, the council shall take into consideration developments in brain science regarding decision-making amongst youth; the impact the juvenile court records can have on future individual well-being; principles of racial equity; and impacts that the recommendations could have on recidivism.

(iii) By June 30, 2025, report to the governor and appropriate committees of the legislature recommendations regarding implementation of juvenile court jurisdiction expansion to encompass persons 18, 19, and 20 years old. Recommendations shall include an implementation plan for the expansion, including necessary funding, essential personnel and programmatic resources, measures necessary to avoid a negative impact on the state's child protection response, and specific milestones related to operations and policy. The implementation plan shall also include a timeline for structural and systemic changes within the juvenile justice system for the juvenile rehabilitation division; the department of children, youth, and families; the department of corrections; and the juvenile court pursuant to chapter 13.04 RCW. The implementation plan shall also include an operations and business plan that defines benchmarks including possible changes to resource allocations; a review of the estimated costs avoided by local and state governments with the reduction of recidivism and an analysis of cost savings reinvestment options; and estimated new costs incurred to provide juvenile justice services to persons 18, 19, and 20 years old.

~~((21))~~ (22) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a statewide nonprofit with demonstrated capability of partnering with agencies and community organizations to develop public-facing regionalized data dashboards and reports to measure change in equitable early learning access as a result of programs and grants administered by the department. The nonprofit must provide the data in a consumer-friendly format and include updates on program supply and demand for subsidized child care and preschool programs. The data must be disaggregated by program and facility type, geography, family demographics, copayments, and outcomes of grants and rate enhancements disaggregated by staff role, program and facility type, and geography.

~~((22))~~ (23) \$1,206,000 of the general fund—state appropriation for fiscal year 2024, \$1,554,000 of the general fund—state appropriation for fiscal year 2025, and \$1,416,000 of the general fund—private/local appropriation are provided solely for the department to contract with one or more community organizations with expertise in the LifeSet case management model to serve youth and adults currently being served in or exiting the foster care, juvenile justice, and mental health systems to successfully transition to adulthood.

~~((23))~~ (24) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase rates for independent living service providers.

~~((24))~~ (25) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

~~((25))~~ (26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an entity for three separate studies. The department must submit the studies to the governor and the legislature by June 30, 2025. The studies must analyze:

(a) The feasibility of implementing a universal child allowance, universal child care, and universal baby boxes;

(b) The feasibility of a social wealth fund for Washington state; and

(c) The current cash and cash-equivalent benefits currently available for Washington state residents who are nonworkers.

~~((26))~~ (27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an all-male, African American organization to mentor youth ages 12 through 19 in south King county.

~~((27))~~ (28) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$37,000 of the general fund—state appropriation for fiscal year 2025, and \$74,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(28))~~ (29) \$18,000 of the general fund—state appropriation for fiscal year 2024, \$18,000 of the general fund—state appropriation for fiscal year 2025, and \$8,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(29))~~ (30) (a) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$41,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to report on a plan to discontinue the practice of using any benefits, payments, funds, or accrual paid to or on behalf of a child or youth to reimburse itself for cost of care by the earliest date feasible. The report must include an implementation plan to conserve funds for the future needs of the child in a manner in which the funds will not count against eligibility for federal or state means tested programs. The report must include a strategy for developing the financial literacy and capability of youth and young adults exiting foster care and juvenile rehabilitation. The department will develop the report in consultation with stakeholders, including but not limited to:

(i) Individuals with disabilities and organizations representing the interests of or serving individuals with disabilities;

(ii) Youth in foster care and juvenile rehabilitation and their parents;

(iii) The social security administration; and

(iv) Other relevant state agencies.

(b) The department must provide periodic status updates and must submit the final report no later than October 1, 2024. The department must convene the first meeting of the work group no later than September 1, 2023.

(31) \$938,000 of the general fund—state appropriation for fiscal year 2024, \$961,000 of the general fund—state appropriation for fiscal year 2025, and \$172,000 of the general fund—federal appropriation are provided solely for:

(a) Compliance with the settlement agreement reached in *Ta'afulisia et al. v. Washington State Department of Children, Youth, and Families, et al.*, Thurston county superior court, cause no. 22-2-02974-34. The department must implement the provisions of the settlement agreement, which includes providing hearings to incarcerated youth under age 25 serving their sentence at a department of children, youth, and families facility prior to transfer to an adult corrections facility operated by the department of corrections; and

(b) Providing hearings for youth under age 25 transferred from a department of children, youth, and families community partial confinement facility to a department of children, youth, and families total confinement facility.

(32) \$94,615,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal costs that exceed the amount covered by the self-insurance liability account as follows:

(a) \$91,250,000 for the costs associated with a jury verdict resulting from *Cox et al. v. State of Washington et al.*, Pierce county superior court, cause no. 12-2-11389-6; and

(b) \$3,365,000 for the costs associated with a settlement agreement reached in *Aroni et al., v. State of Washington*, King county superior court, cause no. 21-2-16587-3.

(33) \$1,628,000 of the general fund—state appropriation for fiscal year 2025 and \$1,926,000 of the general fund—federal appropriation are provided solely for a feasibility study for the social service payment system replacement project.

(34) \$1,272,000 of the general fund—state appropriation is provided solely to transact with the necessary level of detail regarding working connections child care program payments to address the repeated findings made by the state auditor's office related to the child care and development fund and temporary assistance for needy families federal grants.

(End of part)

**PART III  
NATURAL RESOURCES**

**Sec. 301.** 2023 c 475 s 301 (uncodified) is amended to read as follows:

**FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	\$1,728,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$1,273,000)</del>
	<u>\$1,288,000</u>
General Fund—Federal Appropriation . . . . .	\$32,000
General Fund—Private/Local Appropriation . . . . .	<del>(\$2,574,000)</del>
	<u>\$2,589,000</u>
Climate Commitment Account—State Appropriation . . . . .	\$138,000
<b>TOTAL APPROPRIATION</b> . . . . .	<del><b>(\$5,745,000)</b></del>
	<u><b>\$5,775,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a land use planner to provide land use planning services dedicated to Klickitat county. Because the activities of the land use planner are solely for the benefit of Washington state, Oregon is not required to provide matching funds for this activity.

(2) \$553,000 of the general fund—state appropriation for fiscal year 2024, \$352,000 of the general fund—state appropriation for fiscal year 2025, and \$905,000 of the general fund—private/local appropriation are provided solely for the access database replacement project. The commission must consult with the office of the chief information officer regarding the access database replacement project.

(3) \$138,000 of the climate commitment account—state appropriation is provided solely for staff to lead implementation of the agency's climate change action plan and to support implementation of the vital sign indicators monitoring program.

(4) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 302.** 2023 c 475 s 302 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

General Fund—State Appropriation (FY 2024) . . . . .	<del>(\$39,381,000)</del>
	<u>\$39,604,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$37,256,000)</del>
	<u>\$39,546,000</u>
General Fund—Federal Appropriation . . . . .	<del>(\$108,485,000)</del>
	<u>\$145,439,000</u>
General Fund—Private/Local Appropriation . . . . .	\$29,544,000
<u>Dedicated Cannabis Account—State Appropriation</u>	
<u>(FY 2025) . . . . .</u>	<u>\$782,000</u>
Climate Commitment Account—State Appropriation . . . . .	<del>(\$14,792,000)</del>
	<u>\$25,163,000</u>
Emergency Drought Response Account—State	
Appropriation . . . . .	\$6,000,000
Natural Climate Solutions Account—State	
Appropriation . . . . .	<del>(\$12,795,000)</del>
	<u>\$13,395,000</u>
Reclamation Account—State Appropriation . . . . .	<del>(\$4,753,000)</del>
	<u>\$4,762,000</u>
Flood Control Assistance Account—State Appropriation . . . . .	<del>(\$5,041,000)</del>
	<u>\$5,243,000</u>
Aquatic Lands Enhancement Account—State	
Appropriation . . . . .	\$150,000
Refrigerant Emission Management Account—State	
Appropriation . . . . .	<del>(\$2,795,000)</del>
	<u>\$3,112,000</u>
State Emergency Water Projects Revolving Account—	
State Appropriation . . . . .	\$40,000
Waste Reduction, Recycling, and Litter Control	
Account—State Appropriation . . . . .	<del>(\$33,866,000)</del>
	<u>\$33,915,000</u>
State Drought Preparedness Account—State	
Appropriation . . . . .	<del>(\$2,204,000)</del>
	<u>\$2,219,000</u>
State and Local Improvements Revolving Account—Water	
Supply Facilities—State Appropriation . . . . .	\$186,000
Water Rights Tracking System Account—State	
Appropriation . . . . .	\$48,000



Site Closure Account—State Appropriation. . . . .	\$582,000
Wood Stove Education and Enforcement Account—State Appropriation. . . . .	\$605,000
Worker and Community Right to Know Fund—State Appropriation. . . . .	(\$2,212,000)
	<u>\$2,215,000</u>
Water Rights Processing Account—State Appropriation. . . . .	\$39,000
Water Quality Permit Account—State Appropriation. . . . .	(\$65,774,000)
	<u>\$66,904,000</u>
Underground Storage Tank Account—State Appropriation. . . . .	(\$4,987,000)
	<u>\$5,001,000</u>
Biosolids Permit Account—State Appropriation. . . . .	(\$3,054,000)
	<u>\$3,056,000</u>
Hazardous Waste Assistance Account—State Appropriation. . . . .	(\$9,393,000)
	<u>\$9,429,000</u>
Radioactive Mixed Waste Account—State Appropriation. . . . .	(\$23,955,000)
	<u>\$24,305,000</u>
Air Pollution Control Account—State Appropriation. . . . .	(\$4,706,000)
	<u>\$4,904,000</u>
Oil Spill Prevention Account—State Appropriation. . . . .	(\$8,485,000)
	<u>\$9,098,000</u>
Air Operating Permit Account—State Appropriation. . . . .	(\$5,510,000)
	<u>\$5,565,000</u>
Wastewater Treatment Plant Operator Certification Account—State Appropriation. . . . .	(\$801,000)
	<u>\$805,000</u>
Oil Spill Response Account—State Appropriation. . . . .	\$7,076,000
Model Toxics Control Operating Account—State Appropriation. . . . .	(\$342,888,000)
	<u>\$349,102,000</u>
Model Toxics Control Operating Account—Local Appropriation. . . . .	\$499,000
Model Toxics Control Stormwater Account—State Appropriation. . . . .	\$16,991,000
Voluntary Cleanup Account—State Appropriation. . . . .	\$344,000
Paint Product Stewardship Account—State Appropriation. . . . .	\$151,000
Water Pollution Control Revolving Administration Account—State Appropriation. . . . .	(\$8,506,000)
	<u>\$8,606,000</u>
Clean Fuels Program Account—State Appropriation. . . . .	(\$4,801,000)
	<u>\$5,004,000</u>
Climate Investment Account—State Appropriation. . . . .	(\$50,290,000)
	<u>\$58,791,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(\$858,985,000)</b>
	<b><u>\$928,220,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to grant to the northwest straits commission to provide funding, technical assistance, and/or coordination support equally to the seven Puget Sound marine resources committees.

(2) \$170,000 of the oil spill prevention account—state appropriation is provided solely for a contract with the University of Washington's sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.

(3) \$102,000 of the general fund—state appropriation for fiscal year 2024 and \$102,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Executive Order No. 12-07, Washington's response to ocean acidification.

(4) \$24,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to local governments for the purpose of supporting local solid waste and financial assistance programs.

(5) \$150,000 of the aquatic lands enhancement account—state appropriation is provided solely for implementation of the state marine management plan and ongoing costs of the Washington coastal marine advisory council to serve as a forum and provide recommendations on coastal management issues.

(6) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to convene a stakeholder group, including representatives from overburdened communities, to assist with developing a water quality implementation plan for polychlorinated biphenyls and to address other emerging contaminants in the Spokane river. The department must also consult with the Spokane tribe of Indians and other

interested tribes when developing and implementing actions to address water quality in the Spokane river.

(7) \$4,002,000 of the natural climate solutions account—state appropriation is provided solely to address flood prevention in the Nooksack basin and Sumas prairie. Of this amount:

(a) \$2,000,000 is provided solely to expand and sustain Whatcom county's floodplain integrated planning (FLIP) team planning process, including supporting communication, community participation, coordination, technical studies and analysis, and development of local solutions.

(b) \$900,000 is provided solely for the department to support transboundary coordination, including facilitation and technical support to develop and evaluate alternatives for managing transboundary flooding in Whatcom county and British Columbia.

(c) \$1,102,000 is provided solely to support dedicated local and department capacity for floodplain planning and technical support. Of the amount in this subsection (c), \$738,000 is solely for a grant to Whatcom county. The remaining amount is for the department to provide ongoing staff technical assistance and support to flood prevention efforts in this area.

(8) ~~(\$16,472,000)~~ \$21,504,000 of the climate investment account—state appropriation, of which \$5,032,000 takes effect January 1, 2025, is provided solely for capacity grants to federally recognized tribes for: (a) Consultation on spending decisions on grants in accordance with RCW 70A.65.305; ~~(and)~~ (b) consultation on clean energy siting projects; (c) activities supporting climate resilience and adaptation; (d) developing tribal clean energy projects; (e) applying for state or federal grant funding; and (f) other related work. In order to meet the requirements of RCW 70A.65.230(1)(b), tribal applicants are encouraged to include a tribal resolution supporting their request with their grant application.

(9) \$1,363,000 of the general fund—state appropriation for fiscal year 2024 and \$1,375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in water resource inventory area 1 (Nooksack).

(10) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$963,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in lake Roosevelt and its immediate tributaries.

(11) \$2,479,000 of the climate investment account—state appropriation is provided solely for addressing air quality in overburdened communities highly impacted by air pollution under RCW 70A.65.020.

(12) \$177,000 of the general fund—state appropriation for fiscal year 2024 and \$177,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to validate a proposed standardized channel migration zone mapping methodology, develop a statewide channel migration zone mapping implementation plan, and provide technical assistance to local and tribal governments looking to use the new standard.

(13) (a) \$640,000 of the climate investment account—state appropriation is provided solely for the department, in consultation with the office of financial management and the environmental justice council, to develop and implement a process to track, summarize, and report on state agency expenditures from climate commitment act accounts that provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities as described in RCW 70A.65.030 and 70A.65.230, and expenditures that are formally supported by a resolution of an Indian tribe as described in RCW 70A.65.230. The department must incorporate the process under this subsection into existing efforts to track climate commitment act expenditures under RCW 70A.65.300. The department must incorporate the Washington state proequity antiracism (PEAR) plan and playbook and executive order 22-04 into the work of this subsection as appropriate.

(b) The information that agencies provide to the department, and that the department tracks and reports on under this subsection, must include, at a minimum:

(i) The amount of each expenditure that provides direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities;

(ii) An explanation of how the expenditure provides such benefits;

(iii) The methods by which overburdened communities and vulnerable populations were identified by the agency and an explanation of the outcomes of those identification processes, including the geographic location impacted by the expenditure where relevant, and the geographic boundaries of overburdened communities identified by the agency;

(iv) The amount of each expenditure used for programs, activities, or projects formally supported by a resolution of an Indian tribe; and

(v) For expenditures that do not meet, or it is unclear whether they meet, (b)(i) or (iv) of this subsection, an explanation of why.

(c) The department, in consultation with the environmental justice council and the office of financial management, and in coordination with reporting under RCW 70A.65.300, must report to the appropriate committees of the legislature by September 30, 2024, on the following:

(i) A summary of the information provided by agencies through the process in this subsection; and

(ii) Any recommendations for improvements to the process under this subsection or potential amendments to RCW 70A.65.030, 70A.65.230, or 70A.02.080, or other statutes relevant to this subsection. In making recommendations, the department must consider any statutory changes necessary to ensure consistent tracking of the uses of climate commitment account funds, including standardization or coordination of the process for identifying the overburdened communities used for purposes of tracking expenditures and the methods for

determining whether an expenditure contributes a direct and meaningful benefit to a vulnerable population or overburdened community.

(d) "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, the air quality and health disparities improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

(14) \$238,000 of the model toxics control operating account—state appropriation is provided solely for technical assistance and compliance assurance associated with the ban of certain hydrofluorocarbon-related products.

(15) \$2,500,000 of the model toxics control operating account—state appropriation is provided solely for the department to conduct a statewide compost emissions study, which will provide essential data needed to improve the quality of air permitting decisions, improve compost facility operations, and support state goals to reduce organic waste in landfills reducing climate change impacts.

(16) \$2,256,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide technical assistance to landowners and local governments to promote voluntary compliance, implement best management practices, and support implementation of water quality clean-up plans in shellfish growing areas, agricultural areas, forestlands, and other types of land uses, including technical assistance focused on protection and restoration of critical riparian management areas important for salmon recovery.

(17) \$2,702,000 of the model toxics control operating account—state appropriation is provided solely for the department to develop a 6PPD action plan and complete a safer alternatives assessment of the 6PPD compound used in tires, including obtaining any data necessary to complete the alternatives assessment. The action plan should identify, characterize, and evaluate uses and releases of 6PPD and related chemicals, and recommend actions to protect human health and the environment. The department shall provide a progress report on the action plan and alternatives assessment to the governor's office, the office of financial management, and the appropriate committees of the legislature by December 31, 2024. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(18) \$5,195,000 of the model toxics control operating account—state appropriation is provided solely to establish a program to monitor 6PPD compounds in water and sediment, identify effective best management practices to treat 6PPD in stormwater runoff, produce guidance on how and when to use best management practices for toxicity reduction to protect salmon and other aquatic life, and incorporate the guidance into stormwater management manuals. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(19) \$2,296,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Senate Bill No. 5104 (marine shoreline habitat). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20)(a) \$500,000 of the model toxics control operating account—state appropriation is provided solely for the department to carry out the following activities to inform the development of legislative proposals to increase recycling, reuse, and source reduction rates, which must include consideration of how to design and implement a producer responsibility model for consumer packaging, including paper, plastic, metal, and glass, and paper products:

(i) Conduct a recycling, reuse, and source reduction targets study; and

(ii) Carry out a community input process on the state's recycling system.

(b) The department must contract with an impartial third-party consultant with relevant technical expertise and capabilities in facilitation and gathering public input, including from overburdened communities, to carry out the activities specified in (a) of this subsection. In order to ensure that the state is receiving a variety of expert perspectives on the topic of packaging management, the contractor should include in their team individuals and/or subcontractors with a wide range of expertise and experience. The third party consultant must submit a report to the appropriate committees of the house of representatives and the senate by December 1, 2023.

(c) The recycling, reuse, and source reduction targets study must:

(i) Document recycling rates, reuse rates, and the reduction of single-use plastics for consumer packaging and paper products that have been adopted in other jurisdictions, measure methods used, and the basis or justification for recommended target rates selected;

(ii) Recommend highest achievable performance rates, including an overall recycling rate, a separate specific minimum reuse rate, a recycling rate for each material category, and a source reduction rate to be achieved solely by eliminating plastic components, that could be achieved under up to four different scenarios, including a producer responsibility program and other policies; and

(iii) Make recommendations that consider the commercial viability and technological feasibility of achieving rates based on current rates achieved in the state, rates achieved based on real world performance data, and other data, with performance rates designed to be achieved statewide by 2032.

(d) For purposes of this subsection, "eliminate" or "elimination," with respect to source reduction, means the removal of a plastic component from a covered material without replacing that component with a nonplastic component.

(e) The community input process on the state's recycling system must include:

(i) In-person and virtual workshops and community meetings held at locations in urban and rural areas and in ways that are accessible to stakeholders across the state, including overburdened communities;

(ii) Public opinion surveys that are representative of Washington residents across the state, including overburdened communities and urban and rural areas; and

(iii) A focus on eliciting an improved understanding of public values and opinions related to the state's recycling system, the current public experience with respect to the state's recycling systems, and ways the public believes that their recycling experience and system outcomes could be improved.

(21)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to conduct an analysis of water use for irrigation under the potential scenario of lower Snake river dam removal. Analysis must include continued water use during drawdown and thereafter from the river postremoval. The analysis must include the following:

(i) A plan identifying potential mitigation needs and interim approaches for delivery of water for irrigation pursuant to existing water rights for those using pumps, wells, or both, from Ice Harbor reservoir during a possible transition from the current reservoir-based irrigation to irrigation from the river;

(ii) Identification of cost-effective options for continued irrigation at current amounts and with existing water rights from the lower Snake river at the area of the current Ice Harbor pool; and

(iii) Cost estimates for any necessary irrigation system upgrades required to continue irrigation from the lower Snake river.

(b) The department may, as necessary and appropriate, consult for this analysis with irrigators and tribal governments.

(c) The department shall provide a status update to the environment and energy committees of the legislature and the office of the governor by December 31, 2024.

(22) \$3,914,000 of the natural climate solutions account—state appropriation is provided solely for activities related to coastal hazards, including expanding the coastal monitoring and analysis program, establishing a coastal hazard organizational resilience team, and establishing a coastal hazards grant program to help local communities design projects and apply for funding opportunities. At least 25 percent of the funding in this subsection must be used for the benefit of tribes.

(23) \$340,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1033 (compostable product usage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(24) \$1,124,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$139,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$6,000,000 of the emergency drought response account—state appropriation and \$2,000,000 of the state drought preparedness account—state appropriation are provided solely for implementation of Substitute House Bill No. 1138 (drought preparedness). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$1,123,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$43,000 of the underground storage tank account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(29) \$1,174,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$13,248,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$140,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) Expenditures on upgrading or developing the turboplan system, Washington fuel reporting system, and EAGL system are subject to the conditions, limitations, and review requirements of section 701 of this act.

(33) \$1,263,000 of the clean fuels program account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(34) \$370,000 of the climate commitment account—state appropriation is provided solely as a grant to the Puget Sound clean air agency to identify emission reduction projects and to help community-based organizations, local governments, and ports in overburdened communities author grant applications and provide support for grant reporting for entities that receive grants. The department must prioritize projects located in overburdened communities so that those communities can reap the public health benefits from the climate commitment act, inflation reduction act, and other new funding opportunities.

(35) \$1,220,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5144 (batteries/environment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(36) ~~(\$22,000)~~ \$77,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Senate Bill No. 5369 (polychlorinated biphenyls). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(37) \$330,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide a grant to Clark county for the purpose of developing and implementing a lake management plan to restore and maintain the health of Vancouver lake, a category 5 303(d) status impaired body of water. The department must work with the county to include involvement by property owners around the lake and within the watersheds that drain to the lake, the department of natural resources, other state agencies and local governments with proprietary or regulatory jurisdiction, tribes, and nonprofit organizations advocating for the health of the lake. The plan should incorporate work already completed by the county and other entities involved in development of the lake management strategy.

(38) \$276,000 of the model toxics control operating account—state appropriation is provided solely for a grant to San Juan county for the enhancement of ongoing oil spill response preparedness staff hiring, spill response equipment acquisition, and spill response training and operational expenses.

(39) \$1,460,000 of the natural climate solutions account—state appropriation is provided solely for the department to provide grants to the following organizations in the amounts specified for the purpose of coordinating, monitoring, restoring, and conducting research for Puget Sound kelp conservation and recovery:

- (a) \$300,000 to the Squaxin Island Tribe;
- (b) \$200,000 to the Samish Indian Nation;
- (c) \$144,000 to the Lower Elwha Klallam Tribe;
- (d) \$200,000 to the Northwest straits commission;
- (e) \$366,000 to the Puget Sound restoration fund to subcontract with sound data systems and Vashon nature center; and
- (f) \$250,000 to the reef check foundation.

(40) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department's engagement with the federal government, Indian tribes, water users, and local governments on a process that could result in a federal Indian water rights settlement through the Nooksack adjudication. The department shall produce a monthly report during the claims filing period to monitor the progress of claims filed by water users. The department shall provide a report to the appropriate standing committees of the legislature regarding the status of the adjudication and any potential settlement structure by June 30, 2024, and by June 30, 2025.

(41) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county to provide technical assistance that must be made available to all water users in WRIA 1 in filing adjudication claims under RCW 90.03.140. This assistance must be administered by Whatcom county and no portion of this funding may be used to contest the claims of any other claimant in the adjudication.

(42) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county acting as fiscal agent for the WRIA 1 watershed management board, in support of collaborative water supply planning in WRIA 1. Funding may be used to collect or analyze technical information, to develop and assess the feasibility of water supply solutions in WRIA 1, and for facilitation and mediation among parties including, but not limited to, the department, Whatcom county, the public utility district, the city of Bellingham, Lummi Nation, and the Nooksack Tribe. Specific funding allocations, including purpose and amount, will be determined by the WRIA 1 watershed management board. Funding under this subsection will be available only after the filing of the Nooksack adjudication, and no funding provided for the Nooksack adjudication will be used to support the activities funded by this subsection. It is anticipated that these activities will run in parallel with the Nooksack adjudication.

(43) \$200,000 of the model toxics control operating account—state appropriation is provided solely for the department to contract with a consultant to develop a report that

conducts a full emissions life cycle assessment for solid waste processed at the Spokane Waste to Energy Facility (WTEF) compared to solid waste processed at three other landfills within the region that waste may be sent to if the WTEF were to cease operations. The report must be submitted to the appropriate committees of the legislature by December 31, 2023.

(44) \$896,000 of the model toxics control operating account—state appropriation is provided solely for Washington conservation corps (WCC) cost-share requirements for qualifying organizations, as identified through a competitive application process that prioritizes communities that have not previously received WCC support, are in areas with a high cumulative impact on the department of health's environmental health disparities map, are identified by the office of financial management as distressed, and/or have a high percentile of people of color or low-income.

(45) \$410,000 of the model toxics control operating account—state appropriation is provided solely to implement the recommendations from the agency's June 2023 report on Puget Sound nutrient credit trading, including conducting a market feasibility analysis and developing a stakeholder outreach plan, a tribal engagement plan, and trading resource materials.

(46) \$782,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 is provided solely to create and sustain a program to accredit cannabis testing laboratories. If Second Substitute House Bill No. 2151 (cannabis lab accreditation) is enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$338,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to increase planning, engagement, and evaluation tools for effective ocean management and offshore wind energy development.

(48) \$2,408,000 of the model toxics control operating account—state appropriation is provided solely for the department to meet the increased demand for administrative orders authorized under chapter 90.48 RCW (the water pollution control act) for projects impacting state waters to proceed and to conduct a rule making to develop a permit program to protect wetlands and other Washington waterways no longer subject to federal jurisdiction. Through the rule making process the agency shall explore ways to fund the program, including through development of a fee schedule.

(49) \$500,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to grant to the Squaxin Island tribe for implementing and monitoring various blue carbon sequestration projects in south Puget Sound.

(50) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to develop a groundwater modeling guidance publication.

(a) The publication must provide consistency in the department's evaluation of groundwater models submitted for water right permitting actions and ensure continued transparency to water right applicants in the department's permitting processes. The core purpose of the publication is to establish best practices for groundwater modeling. The publication will:

(i) Define criteria for evaluating model suitability for proposed projects;

(ii) Identify the department's approach to evaluating model error and uncertainty;

(iii) Identify circumstances where model outputs are insufficient for permit decision making; and

(iv) Address the appropriateness of refining a regional groundwater model in water right permitting decisions.

(b) The department must convene a technical advisory committee of licensed hydrogeologists or professional engineers with experience in groundwater modeling to review the workplan and provide comments on the guidance. The publication must be peer reviewed by the United States geological survey or other state or national hydrogeologic professional organization.

(c) The department must invite any federally recognized Indian tribes that may be potentially affected by the publication to participate in the technical advisory committee and engage in consultation with any federally recognized Indian tribe as requested.

(d) The department must provide an update to the appropriate committees of the legislature and to the office of financial management by June 30, 2025. The department must indicate the estimated time to complete the publication, including draft guidance, recommended further research, and key implementation steps in the update.

(51) \$200,000 of the flood control assistance account—state appropriation is provided solely for a grant to the Cowlitz-Wahkiakum council of governments to advance the Spirit Lake-Toutle/Cowlitz river system collaborative by facilitating meetings, and supporting strategic communication and planning among federal, state, and local partners. The work of the collaborative includes flood risk reduction, ecosystem recovery, scientific research, and other activities related to sediment management and flooding in the Spirit Lake-Toutle/Cowlitz river system.

(52) \$650,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a feasibility and engineering study for the city of Spokane's waste to energy plant carbon emissions reductions project.

(53) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of the Spanaway lake cyanobacteria plan and the aquatic plant management plan, including testing, sample collection, and monitoring for tracking water quality and determining treatment options.

(54) \$130,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant

to Whatcom county to provide technical assistance that must be made available to all water users in WRIA 1 in filing adjudication claims under RCW 90.03.140. This assistance must be administered by Whatcom county and no portion of this funding may be used to contest the claims of any other claimant in the adjudication.

(55) \$300,000 of the model toxics control operating account—state appropriation is provided solely for a grant for the removal of tires containing 6PPD from docks serving floatplanes in salmon-bearing waterways. Funds may be used to reduce the cost of conversion to alternative products that are free of 6PPD.

(56) (a) \$300,000 of the model toxics control operating account—state appropriation is provided solely for an analysis of waste tires to better understand how the disposal, distribution, and management of waste tires contributes to 6PPD-g pollution. The department must conduct a study of the disposal, repurposing, reuse, recycling, handling, and management of waste tires in the state. At a minimum, the study must include a characterization of the markets for waste tires; a description of the sectoral and geographic origins and destinations of waste tires; an assessment of which Washington state policies and programs impact the market; and alternatives to using tire derived rubber in these markets.

(b) The department may contract with a third party for the study as outlined. A final study report is due to the appropriate committees of the legislature by June 30, 2025, in accordance with RCW 43.01.036.

(c) For purposes of this subsection, "waste tires" has the definition provided in RCW 70A.205.440.

(57) \$37,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5649 (floodproofing improvements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(58) \$76,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5812 (electric vehicle fires). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(59) \$665,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5931 (motorized vehicle tires/6PPD). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(60) \$44,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6061 (housing development/SEPA). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(61) \$50,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6164 (county emergency management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(62) \$1,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6010 (SEPA/trails and paths). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(63) \$748,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementing Engrossed Second Substitute Senate Bill No. 6092 (greenhouse gas disclosures). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(64) \$1,070,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(65) \$1,787,000 of the climate investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(66) \$114,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6163 (biosolids). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 303.** 2023 c 475 s 303 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM**

General Fund—Federal Appropriation. . . . .	(((\$868,000))
	\$1,237,000
Pollution Liability Insurance Agency Underground	
Storage Tank Revolving Account—State	
Appropriation. . . . .	\$957,000
Pollution Liability Insurance Program Trust Account—	
State Appropriation. . . . .	(((\$10,190,000))
	\$10,203,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$12,015,000))</b>
	<b>\$12,397,000</b>





(8) \$129,000 of the general fund—state appropriation for fiscal year 2024 and \$129,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(9) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(10)(a) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a statewide trail maintenance and hiking nonprofit organization to provide the emerging leaders program: expanding equity in the outdoors. The goal of the program is expanding both the number and diversity of trained, qualified individuals available for employment in the outdoor recreation and natural resource management sectors.

(b) The program must demonstrate a commitment to diversity, equity, and inclusion by providing a safe and supportive environment for individuals of diverse backgrounds, including those who have been historically underrepresented in the outdoor recreation and natural resource sectors, such as indigenous people and people of color.

(c) The program must provide both technical outdoor skills training and professional development opportunities that include, but are not limited to, outdoor leadership, representation in the outdoors, and team building.

(11) \$21,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(12) \$450,000 of the parks renewal and stewardship account—state appropriation is provided solely for grounds and facilities maintenance costs at the Fort Worden state park campus. The state parks and recreation commission shall work with the Fort Worden lifelong learning center public development authority to develop a report that reviews the historic public development authority financial records, identifies a cost-recovery model to pay for campus maintenance, and proposes any changes to the current lease structure necessary to maintain the public development authority. The commission must submit the report to the office of financial management and the fiscal committees of the legislature no later than June 1, 2024.

**Sec. 305.** 2023 c 475 s 305 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$10,190,000</del> ))
	<u>\$10,323,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,501,000</del> ))
	<u>\$6,782,000</u>
General Fund—Federal Appropriation . . . . .	\$6,196,000
General Fund—Private/Local Appropriation . . . . .	\$24,000
Aquatic Lands Enhancement Account—State Appropriation . . . . .	\$464,000
Climate Investment Account—State Appropriation . . . . .	\$200,000
Firearms Range Account—State Appropriation . . . . .	\$37,000
Natural Climate Solutions Account—State Appropriation . . . . .	\$398,000
Recreation Resources Account—State Appropriation . . . . .	(( <del>\$5,040,000</del> ))
	<u>\$5,058,000</u>
NOVA Program Account—State Appropriation . . . . .	\$1,564,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$30,614,000</del>))</b>
	<b><u>\$31,046,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$37,000 of the firearms range account—state appropriation is provided solely to the recreation and conservation funding board for administration of the firearms range grant program as described in RCW 79A.25.210.

(2) \$5,040,000 of the recreation resources account—state appropriation is provided solely to the recreation and conservation funding board for administrative and coordinating costs of the recreation and conservation office and the board as described in RCW 79A.25.080(1).

(3) \$1,564,000 of the NOVA program account—state appropriation is provided solely to the recreation and conservation funding board for administration of the nonhighway and off-road vehicle activities program as described in chapter 46.09 RCW.

(4) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the governor's salmon recovery office to implement the governor's salmon recovery strategy update by convening the natural resources subcommittee on a regular basis and developing biennial statewide work priorities with a recommended budget for salmon recovery pursuant to RCW 77.85.030(4)(e) that align with tribal priorities and regional salmon recovery plans. The office shall submit the biennial implementation plan to the governor's office and the office of financial management no later than October 31, 2024.

(5) \$1,714,000 of the general fund—state appropriation for fiscal year 2024 and \$1,714,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational and administrative support of lead entities and salmon recovery regions.

(6) \$200,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.

(7) \$1,464,000 of the general fund—federal appropriation and \$50,000 of the aquatic lands enhancement account—state appropriation are provided solely to support removal efforts for flowering rush in the Columbia river basin and Whatcom county.

(8) \$398,000 of the natural climate solutions account—state appropriation is provided solely to establish a riparian coordinator position within the governor's salmon recovery office to work with state agencies to improve project coordination, develop common metrics across programs, and consolidate data platforms.

(9) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization with a mission for salmon and steelhead restoration to install near-term solutions to prevent steelhead mortality at the Hood canal bridge.

(10) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the connections and snow to sea programs, which provide youth outdoor learning experiences in the Blaine, Mount Baker, and Nooksack Valley school districts.

(12) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to local parks to address any maintenance backlog of existing facilities, trails, and capital improvements. The funds should be dispersed on a needs-based set of criteria and on a one-time basis. Grants are limited to \$100,000 per organization. Allowable uses of grant funding include, but are not limited to, maintenance, repair, or replacement of trails, restroom facilities, picnic sites, playgrounds, signage, and kiosks, as well as necessary Americans with disabilities act upgrades delayed due to the pandemic. Local parks agencies may partner with nonprofit organizations in deploying this maintenance and Americans with disabilities act funding.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for updating the economic analysis of outdoor recreation in Washington state and adding an analysis of the impacts of the outdoor recreation economy in underserved communities.

(14) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for motorized and nonmotorized boater education and outreach on Lake Union, with a specific goal of preventing boat and airplane conflicts on the lake during peak recreation season, given the provisions of the United States coast guard navigation rules that seaplanes must in general keep well clear of other vessels. The office may grant funding to local or federal government agencies or nonprofit organizations. The office must publish a publicly available summary report by June 30, 2025, on funding recipients, uses of the funding, and the successes and failures of programs funded. Funding provided in this subsection may not be used to preclude or restrict public use of Lake Union, including recreational, commercial, or tribal use of waters of the state.

**Sec. 306.** 2023 c 475 s 306 (uncodified) is amended to read as follows:

**FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE**

General Fund—State Appropriation (FY 2024) . . . . .	\$3,484,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$3,792,000)</del>
	<u>\$4,180,000</u>
Climate Investment Account—State Appropriation . . . . .	\$898,000
<b>TOTAL APPROPRIATION</b> . . . . .	<del>(\$8,174,000)</del>
	<u>\$8,562,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$164,000 of the general fund—state appropriation for fiscal year 2024, \$379,000 of the general fund—state appropriation for fiscal year 2025, and \$898,000 of the climate investment account—state appropriation are provided solely for the agency to hire staff to respond to increased caseloads, including appeals as a result of the climate commitment act, chapter 316, Laws of 2021.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 307.** 2023 c 475 s 307 (uncodified) is amended to read as follows:

**FOR THE CONSERVATION COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$16,461,000</del> ))
	<u>\$16,493,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$16,453,000</del> ))
	<u>\$17,197,000</u>
General Fund—Federal Appropriation . . . . .	\$2,482,000
Climate Commitment Account—State Appropriation . . . . .	\$30,200,000
Climate Investment Account—State Appropriation . . . . .	\$250,000
Natural Climate Solutions Account—State Appropriation . . . . .	\$20,023,000
Public Works Assistance Account—State Appropriation . . . . .	\$10,332,000
Model Toxics Control Operating Account—State Appropriation . . . . .	\$1,110,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$97,311,000</del>))</b>
	<b><u>\$98,087,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$250,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.
- (2) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase technical assistance and operational capacity of conservation districts.
- (3) \$3,000,000 of the natural climate solutions account—state appropriation is provided solely to support the outreach, identification, and implementation of salmon riparian habitat restoration projects.
- (4) \$5,000,000 of the natural climate solutions account—state appropriation is provided solely to the commission to work with conservation districts to address unhealthy forests and build greater community resiliency to wildfire.
- (5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to connect scientists, practitioners, and researchers and coordinate efforts to monitor and quantify benefits of best management practices on agricultural lands, and better understand values and motivations of landowners to implement voluntary incentive programs.
- (6) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the continued development of the disaster assistance program established in RCW 89.08.645, to provide short-term financial support for farmers and ranchers during disasters. Funding must be prioritized for farmers and ranchers who are the most economically vulnerable.
- (7) \$1,420,000 of the public works assistance account—state appropriation is provided solely to support monitoring and reporting efforts necessary to evaluate the implementation and effectiveness of voluntary stewardship program work plans.
- (8) \$8,533,000 of the public works assistance account—state appropriation is provided solely for implementation of the voluntary stewardship program. This amount may not be used to fund agency indirect and administrative expenses.
- (9) \$30,000,000 of the climate commitment account—state appropriation is provided solely for grants through the sustainable farms and fields program for organic agricultural waste and greenhouse gas emissions reduction through climate-smart livestock management. Of the amounts provided in this subsection:
  - (a) (i) The commission may grant up to \$22,000,000 toward cost share agreements for anaerobic digester development to dairy farm owners. Grants awarded for anaerobic digester development must have at least a 50 percent nonstate match and be awarded through a competitive process that considers:
    - (A) The amount of greenhouse gas reduction that will be achieved by the proposal; and
    - (B) The amount of untreated effluent that will be decreased.
  - (ii) Recipients of grants under (a) (i) of this subsection must provide a report to the commission within one year of receipt of the grant, detailing the success of the project in meeting the stated criteria for the competitive process.
  - (b) The commission may grant up to \$6,000,000 for technical and financial assistance to increase implementation of climate-smart livestock management, alternative manure management, and other best management practices to reduce greenhouse gas emissions and increase carbon sequestration.
  - (c) The commission may grant up to \$2,000,000 for research on, or demonstration of, projects with greenhouse gas reduction benefits.
  - (d) When funding for specific technologies, including anaerobic digesters, the commission must enter into appropriate agreements to support the state's interest in advancing innovation solution to decarbonize while ensuring compliance with Article VIII, section 5 and Article XIII, section 9 of the state Constitution.

(e) The commission must submit a report summarizing the grants awarded and the likely annual greenhouse gas emission reductions achieved as a result to the appropriate committees of the legislature by December 1, 2024.

(10) \$23,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$379,000 of the public works assistance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5353 (voluntary stewardship program). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the King county conservation district to reduce the impacts of artificial lighting on or near the water on the behavior of salmon and other aquatic life in Lake Sammamish and Lake Washington. The grant funding may be used for:

- (a) Research, including quantifying light intensities and conducting field studies of fish behavior;
- (b) Community education, engagement, and technical assistance; and
- (c) Development of model lighting ordinances.

(14) \$2,000,000 of the natural climate solutions account—state appropriation is provided solely to develop and implement an educational communication plan to the general public and landowners in urban, suburban, rural, agricultural, and forested areas regarding the importance of riparian buffers and the actions they can take to protect and enhance these critical areas.

(15) \$200,000 of the climate commitment account—state appropriation is provided solely for the commission to conduct an evaluation of the current contribution that organic and climate smart agriculture makes toward Washington's climate response goals, what potential there is for increasing this contribution, and how additional investments will help realize this potential, while supporting resiliency. The commission must include the departments of agriculture and ecology and other relevant state agencies, Washington state university, conservation districts, tribal governments, nongovernmental organizations, and other relevant stakeholders who will participate in the evaluation. The commission must submit a report of its findings and recommendation to the appropriate committees of the legislature by May 1, ~~((2024))~~ 2025.

(16) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the commission to provide grants to local government and private landowners for fire wise projects to reduce forest fuel loading in areas deemed a high hazard for potential wildfire.

(17) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for staffing to support administrative operations of the commission. The commission will adopt an administrative rate policy for funding indirect support costs for future programmatic operating budget requests.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for post wildfire recovery actions in central Klickitat conservation district and eastern Klickitat conservation district to provide technical assistance and conduct fire recovery activities such as seeding, weed control, dozer line repair, forest health, and shrub steppe restoration, on areas that are necessary for public resource protection.

(19) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$41,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 6278 (organic agriculture). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 308.** 2023 c 475 s 308 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$159,066,000)) \$161,725,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$163,912,000)) \$177,338,000
General Fund—Federal Appropriation . . . . .	(((\$144,941,000)) \$158,203,000
General Fund—Private/Local Appropriation . . . . .	(((\$69,907,000)) \$70,022,000
Climate Commitment Account—State Appropriation . . . . .	\$3,398,000
Natural Climate Solutions Account—State Appropriation . . . . .	(((\$3,748,000)) \$5,748,000
ORV and Nonhighway Vehicle Account—State Appropriation . . . . .	\$696,000
Aquatic Lands Enhancement Account—State Appropriation . . . . .	(((\$14,104,000))

	<u>\$14,125,000</u>
Recreational Fisheries Enhancement Account—State Appropriation. . . . .	(( <del>\$3,721,000</del> )) \$3,757,000
Salmon Recovery Account—State Appropriation. . . . .	\$3,000,000
Warm Water Game Fish Account—State Appropriation. . . . .	(( <del>\$3,088,000</del> )) \$3,089,000
Eastern Washington Pheasant Enhancement Account— State Appropriation. . . . .	(( <del>\$673,000</del> )) \$675,000
Limited Fish and Wildlife Account—State Appropriation. . . . .	(( <del>\$36,826,000</del> )) \$36,947,000
Special Wildlife Account—State Appropriation. . . . .	(( <del>\$2,924,000</del> )) \$2,926,000
Special Wildlife Account—Federal Appropriation. . . . .	\$531,000
Special Wildlife Account—Private/Local Appropriation. . . . .	(( <del>\$3,819,000</del> )) \$3,843,000
Wildlife Rehabilitation Account—State Appropriation. . . . .	\$661,000
Ballast Water and Biofouling Management Account— State Appropriation. . . . .	\$10,000
Regional Fisheries Enhancement Salmonid Recovery Account—Federal Appropriation. . . . .	\$5,001,000
Oil Spill Prevention Account—State Appropriation. . . . .	\$1,284,000
Aquatic Invasive Species Management Account—State Appropriation. . . . .	(( <del>\$1,154,000</del> )) \$1,158,000
Model Toxics Control Operating Account—State Appropriation. . . . .	\$7,724,000
Fish, Wildlife, and Conservation Account—State Appropriation. . . . .	(( <del>\$83,640,000</del> )) \$83,995,000
Forest Resiliency Account—State Appropriation. . . . .	\$4,000,000
Oyster Reserve Land Account—State Appropriation. . . . .	\$524,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$718,352,000</del>))</b> <b><u>\$750,380,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,777,000 of the general fund—state appropriation for fiscal year 2024 and \$1,777,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to the northwest Indian fisheries commission for hatchery operations that are prioritized to increase prey abundance for southern resident orcas, including \$200,000 per fiscal year for tagging and marking costs, and the remainder to grant to tribes in the following amounts per fiscal year: \$150,000 for the Quinault Indian Nation, \$199,000 for the Tulalip Tribes, \$268,000 for the Quileute Tribe, \$186,000 for the Puyallup Tribe, \$122,000 for the Port Gamble S'Klallam Tribe, \$25,000 for the Muckleshoot Indian Tribe, \$207,000 for the Squaxin Island Tribe, \$142,000 for the Skokomish Indian Tribe, and \$278,000 for the Lummi Nation.

(2) \$330,000 of the general fund—state appropriation for fiscal year 2024 and \$330,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide to the Yakama Nation for hatchery operations that are prioritized to increase prey abundance for southern resident orcas.

(3) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to public utility districts for additional hatchery production that is prioritized to increase prey abundance for southern resident orcas.

(4) ((~~\$467,000~~)) \$217,000 of the general fund—state appropriation for fiscal year 2024 and \$467,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to pay for emergency fire suppression costs. These amounts may not be used to fund agency indirect and administrative expenses.

(5) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the United States army corps of engineers.

(6) (a) \$6,082,000 of the general fund—state appropriation for fiscal year 2024 and \$6,082,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement eradication and control measures on European green crabs through coordination and grants with partner organizations. The department must provide quarterly progress reports on the success and challenges of the measures to the appropriate committees of the legislature.

(b) The department must develop a comprehensive long-term plan for Washington's response to European green crab. The plan must identify where permanent trapping efforts should occur, where efficiencies over current operations may be achieved, which agencies, tribes, or

organizations require ongoing funding to support the state's eradication and control measures, and the potential for federal funding for control efforts, and include a recommended funding level to implement the plan in the 2025-2027 fiscal biennium. The plan shall be submitted to the governor and legislature by October 1, 2024.

(7) \$403,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop conflict mitigation strategies for wolf recovery and staff resources in northeast Washington for response to wolf-livestock conflicts. The department shall not hire contract range riders in northeast Washington unless there is a gap in coverage from entities funded through the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020. No contract riders shall be deployed in areas already sufficiently covered by other riders. The department must focus on facilitating coordination with other entities providing conflict deterrence, including range riding, and technical assistance to livestock producers in order to minimize wolf-livestock issues in the Kettle Range and other areas of northeast Washington with existing or emerging chronic conflict. The department is discouraged from the use of firearms from helicopters for removing wolves.

(8) \$852,000 of the general fund—state appropriation for fiscal year 2024 and \$852,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide additional capacity to the attorney general's office to prosecute environmental crimes. The department must provide an annual report by December 1st of each year, to the appropriate committees of the legislature, on the progress made in prosecuting environmental crimes.

(9) \$753,000 of the general fund—state appropriation for fiscal year 2024 and \$753,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded management of pinniped populations on the lower Columbia river and its tributaries with the goal of increasing chinook salmon abundance and prey availability for southern resident orcas.

(10) \$470,000 of the general fund—state appropriation for fiscal year 2024 and \$470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand efforts to survey the diets of seals and sea lions in the Salish sea and identify nonlethal management actions to deter them from preying on salmon and steelhead.

(11) \$518,000 of the general fund—state appropriation for fiscal year 2024 and \$519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to provide policy and scientific support to the department of ecology regarding surface and groundwater management issues as part of implementing chapter 90.94 RCW streamflow restoration.

(12) \$4,096,000 of the model toxics control operating account—state appropriation is provided solely to analyze salmon contaminants of emerging concern (CEC), including substances such as 6PPD-quinone and polychlorinated biphenyls (PCB) in already collected tissue samples. This research will accelerate recovery and protection by identifying the location and sources of CEC exposure.

(13) \$130,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an external facilitator to seek solutions through a collaborative process using the department's wolf advisory group.

(14) \$194,000 of the general fund—state appropriation for fiscal year 2024 and \$194,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to update and maintain rule making related to chapter 77.57 RCW, fishways, flow, and screening.

(15) \$822,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational steelhead spawning and harvest in freshwater streams and rivers in Puget Sound.

(16) \$2,714,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for additional law enforcement officers for marine and freshwater fisheries compliance and a patrol vessel dedicated to coastal operations.

(17) \$509,000 of the general fund—state appropriation for fiscal year 2024 and \$305,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational shellfish harvests, monitor intertidal and crustacean fisheries, address emerging environmental issues, maintain a new data management infrastructure, and develop a disease and pest management program to protect shellfish fisheries in the Puget Sound.

(18) \$360,000 of the general fund—state appropriation for fiscal year 2024 and \$224,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete and maintain a statewide prioritization of fish passage barriers in collaboration with regional salmon recovery organizations.

(19) \$997,000 of the general fund—state appropriation for fiscal year 2024 and \$997,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the assessment of riparian ecosystems. The assessment must include identifying common statewide definitions of terms for riparian usage, recommendations to improve data sharing, and identifying any gaps in vegetated cover relative to a science-based standard for a fully functioning riparian ecosystem and comparing the status and gaps to water temperature impairments, known fish passage barriers, and status of salmonid stocks.

(20) ~~(\$900,000)~~ \$419,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Lummi Nation to make infrastructure updates at the Skookum hatchery.

(21) \$285,000 of the general fund—state appropriation for fiscal year 2024 and \$285,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to manage electronic tracked crab fishery gear to avoid whale entanglements during their migration as the agency develops a conservation plan to submit for an endangered species act incidental take permit.

(22) \$480,000 of the general fund—state appropriation for fiscal year 2024 and \$435,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to equip officers with body worn cameras to advance public safety.

(23) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$163,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(24) \$3,000,000 of the salmon recovery account—state appropriation is provided solely for pass-through to tribes of the upper Columbia river to support reintroduction of Chinook salmon above Grand Coulee and Chief Joseph dams.

(25) \$741,000 of the general fund—state appropriation for fiscal year 2024 and \$741,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation and maintenance capacity and technical assistance for state fish passage facilities.

(26) \$948,000 of the general fund—state appropriation for fiscal year 2024 and \$948,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue operations of the Toutle and Skamania hatcheries.

(27) \$283,000 of the general fund—state appropriation for fiscal year 2024 and \$283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to create a statewide data management system with the department of natural resources and the state parks and recreation commission to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(28) \$385,000 of the general fund—state appropriation for fiscal year 2024 and \$385,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase wildlife conflict specialists to address crop damage, dangerous wildlife interactions, and conflict preventative education and outreach.

(29) \$430,000 of the general fund—state appropriation for fiscal year 2024, \$430,000 of the general fund—state appropriation for fiscal year 2025, and \$3,564,000 of the natural climate solutions account—state appropriation are provided solely to increase capacity in three aspects of the department's mission most vulnerable to climate change including species recovery planning, providing technical assistance, permitting, and planning support, and managing agency lands and infrastructure.

(30) \$1,752,000 of the climate commitment account—state appropriation is provided solely for the first phase of the department's sustainability plan, including advancing energy efficiency and renewable energy projects, creating a commute trip reduction program, and supporting foundational research and capacity-building.

(31) \$4,000,000 of the forest resiliency account—state appropriation ((is)and, effective January 1, 2025, \$2,000,000 of the natural climate solutions account—state appropriation are provided solely to reduce severe wildfire risk and increase forest resiliency through fuels reduction, thinning, fuel break creation, and prescribed burning on agency lands. The amounts provided in this subsection may not be used to fund agency indirect and administrative expenses.

(32) (a) (((\$8,000,000))\$7,280,000 of the general fund—state appropriation for fiscal year 2024 and (((\$15,000,000))\$15,095,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the protection, recovery, and restoration of biodiversity, the recovery of threatened and endangered species, and a review of the department of fish and wildlife. Examples include habitat protection and restoration, technical assistance for growth management act planning, fish passage improvements, conservation education, scientific research for species and ecosystem protection, and similar activities. Funding in this subsection may include pass-throughs to public, nonprofit, academic, or tribal entities for the purposes of this subsection.

(b) Of the amounts provided in this subsection, (((\$300,000))\$205,000 of the general fund—state appropriation for fiscal year 2024 ((is)and \$95,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Ruckelshaus center for a review of the department of fish and wildlife, as referenced in (a) of this subsection. The review must focus on the department's efforts to fulfill its obligations as the trustee of state fish and wildlife on behalf of all current and future Washingtonians, to meet the mixed goals of the mandate set forth in RCW 77.04.012, and to respond to the equity principles articulated in RCW 43.06D.020. The review must explore the following areas and recommend changes as appropriate:

- (i) The department's ability to meet threats created by climate change and biodiversity loss;
- (ii) An alignment of mandate with the department's responsibility as a public trustee;
- (iii) The department's governance structure;
- (iv) The department's funding model; and

(v) Accountability and transparency in department decision making at both the commission and management levels.

(c) Within this scope, the Ruckelshaus center must also examine the following areas and provide recommendations as appropriate:

(i) Fish and wildlife commission structure, composition, duties, and compensation;

(ii) Influence on the department by special interest groups;

(iii) The process by which the department uses science and social values in its decision making;

(iv) Outreach and involvement of Washington citizens who have historically been excluded from fish and wildlife decisions, including nonconsumptive users and marginalized communities;

(v) The department's adherence to state laws, including the state environmental policy act and the public records act; and

(vi) Any other related issues that arise during the review.

(d) Based on the results of the review, the Ruckelshaus center must provide options for making changes to the department's mandate and governance structure as deemed necessary to improve the department's ability to function as a trustee for state fish and wildlife.

(e) The Ruckelshaus center must submit a report to the appropriate committees of the legislature by ~~((June 30, 2024))~~ December 1, 2024.

(33) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with a nonprofit organization that operates a zoological garden in King county and that has developed an educators' toolkit for nature play programming for youth in communities historically excluded from nature experiences to provide inclusive nature-based programming statewide to children from racially, ethnically, and culturally diverse backgrounds.

(34) \$310,000 of the general fund—state appropriation for fiscal year 2024 and \$160,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to perform the following tasks related to net ecological gain:

(a) Of the amount provided in this subsection, \$160,000 in fiscal year 2024 and \$160,000 in fiscal year 2025 are provided solely for the department to facilitate a work group focused on developing a net ecological gain implementation framework.

(i) Participation in the work group is as follows:

(A) The work group must include representatives from the department, the department of commerce, the department of ecology, and the department of transportation; and

(B) The work group may include representatives from, and consultation with, as appropriate, other state agencies, federally recognized Indian tribes, local governments, and other relevant stakeholders.

(ii) The work group is responsible for accomplishing the following tasks:

(A) Define net ecological gain criteria;

(B) Create monitoring and assessment criteria related to net ecological gain;

(C) Develop an assessment model to evaluate and quantify contributions to overall net ecological gain;

(D) Consider the geographic scale at which net ecological gain criteria may be effectively applied;

(E) Provide budget and policy recommendations for net ecological gain to the legislature and to the office of financial management;

(F) Identify existing state-administered or state-funded programs and projects that:

(I) Already contribute to net ecological gain;

(II) Can or should give funding priority to funding applicants that commit to incorporating net ecological gain principles; and

(III) Programs and projects that can or should have a net ecological gain requirement in the future; and

(G) Generate interim recommendations for a project to serve as a net ecological gain proof of concept within a county that chooses to adopt a net ecological gain standard.

(iii) The department may contract with an independent entity to facilitate the work group, including the tasks identified in (b) of this subsection.

(iv) The work group must submit an interim and final report of its work, including any budget and policy recommendations, to the office of financial management and the appropriate committees of the legislature no later than June 30, 2024, and June 30, 2025.

(b) Of the amount provided in this subsection, \$150,000 in fiscal year 2024 is provided solely for the department to contract with an independent entity to perform the following tasks:

(i) Review existing grant programs; and

(ii) Make recommendations on the potential addition of net ecological gain into grant prioritization criteria.

(35) (a) ~~(((\$400,000))~~ \$700,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$300,000))~~ \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to initiate a demonstration project to contribute to rebuilding of salmon runs in the Lake Washington basin through suppression of predatory fish species. The project shall include:

(i) Removal of nonnative species and northern pike minnow using trap, nets, or other means;

(ii) Assessment of the benefits of reduced predator abundance on juvenile salmon survival; and



(iii) Assessment of the recreational fishing rules that were implemented in 2020 in the Lake Washington basin.

(b) An interim report on the demonstration project must be provided to the appropriate committees of the legislature by December 1, 2024.

~~((37))~~ (36) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(38))~~ (37) \$184,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(39))~~ (38) \$1,026,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(40))~~ (39) \$620,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(41))~~ (40) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((42))~~ (41) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to enter into individual damage prevention contract agreements for the use of hiring range riders for proactive wolf-livestock conflict deterrence outside of the service area of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020.

~~((43))~~ (42) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a conflict resolution process mediated by the federal mediation and conciliation service. This funding must be used by the department to facilitate meetings between Skagit tribes, drainage and irrigation districts, and state and federal resource agencies and support the technical work necessary to resolve conflict. Invited parties must include the national marine fisheries service, Washington state department of agriculture, Washington state department of fish and wildlife, Swinomish Indian tribal community, Upper Skagit Indian Tribe, Sauk-Suiattle Indian Tribe, and Skagit drainage and irrigation districts consortium LLC. A report documenting meeting notes, points of resolution, and recommendations must be provided to the legislature no later than June 30, 2025.

~~((44))~~ (43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to evaluate the abundance and distribution of white and green sturgeon on the Washington coast and Puget Sound tributaries and to evaluate genetic relatedness with Columbia and Fraser river sturgeon populations. The funding is also provided to increase monitoring of the abundance and distribution of eulachon to use the information as a baseline for sturgeon and eulachon management plans.

~~((45))~~ (44) \$235,000 of the general fund—state appropriation for fiscal year 2024 and \$409,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the department of fish and wildlife to proactively survey for wildlife disease risks and provide action plans and management for healthy wildlife in Washington.

~~((46))~~ (45) \$325,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with a nonprofit organization that operates a zoological garden in King county for the purpose of an outreach campaign on pollinator health issues. The pollinator outreach campaign is intended to further the mission of the department's pollinator conservation efforts and the department of agriculture's pollinator health task force goals.

~~((47))~~ (46) Within amounts provided in this section, but not to exceed \$20,000, the department must prioritize derelict and abandoned crab pot removal in north Hood Canal.

~~((48))~~ (47) \$1,175,000 of the general fund—state appropriation for fiscal year 2024 and \$1,175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to restore shrubsteppe habitat and associated wildlife on public lands as well as private lands by landowners who are willing to participate. The restoration effort must be coordinated with other natural resource agencies and interested stakeholders.

~~((49))~~ (48) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((50))~~ (49) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase the work of regional fisheries enhancement groups.

~~((51))~~ (50) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to commercial fishers to modify fishing gear in order to facilitate participation in the emerging commercial fishery in the lower Columbia river, and to fund staffing and supplies needed to monitor the emerging commercial fishery on the lower Columbia river. The purpose of the grants to modify fishing gear is to support the state's efforts to develop fishing tools that allow for increased harvest of hatchery fish while minimizing impacts to salmonid species listed as threatened or endangered under the federal endangered species act. The department must provide a report of goods and services purchased with grant funds to the appropriate committees of the legislature by June 30, 2025.

(51) \$1,657,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for habitat recovery and restoration work on agency owned and managed lands damaged from wildfires.

(52) \$443,000 of the general fund—state appropriation for fiscal year 2024, \$6,313,000 of the general fund—state appropriation for fiscal year 2025, \$86,000 of the limited fish and wildlife account—state appropriation, and \$196,000 of the fish, wildlife, and conservation account—state appropriation are provided solely for additional safety capacity in each region, development of a technology solution for training requirements, increased support to remote employees, and a third-party review of the agency safety program.

(53) \$403,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for two new positions to support statewide fish health through veterinary services and maintenance support for the fish marking trailer fleet.

(54) \$17,000 of the fish, wildlife, and conservation account—state appropriation is provided solely for implementation of Senate Bill No. 5862 (hunting license/students). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(55) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6164 (county emergency management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(56) \$184,000 of the general fund—state appropriation for fiscal year 2024 and \$521,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5784 (deer & elk crop damage). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(57) \$81,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementing Substitute Senate Bill No. 6020 (nonspot shrimp pot license). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(58) \$801,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to rebuild an Autofish marking system.

**Sec. 309.** 2023 c 475 s 309 (uncodified) is amended to read as follows:

**FOR THE PUGET SOUND PARTNERSHIP**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$9,218,000</del> ))
	<u>\$9,222,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$9,213,000</del> ))
	<u>\$9,221,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$32,036,000</del> ))
	<u>\$32,040,000</u>
Aquatic Lands Enhancement Account—State	
Appropriation. . . . .	\$1,503,000
Model Toxics Control Operating Account—State	
Appropriation. . . . .	\$1,350,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$53,320,000</del>))</b>
	<b><u>\$53,336,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) By October 15, 2024, the Puget Sound partnership shall provide the governor and appropriate legislative fiscal committees a single, prioritized list of state agency 2025-2027 capital and operating budget requests related to Puget Sound recovery and restoration.

(2) \$14,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership to implement shipping noise reduction initiatives and monitoring programs in the Puget Sound, in coordination with Canadian and United States authorities. The partnership must contract with Washington maritime blue in order to establish and administer the quiet sound program to better understand and reduce the cumulative effects of acoustic and physical disturbance from large commercial vessels on southern resident orcas throughout their range in Washington state. Washington maritime blue will support a quiet sound leadership committee and work groups that include relevant federal and state agencies, ports, industry, research

institutions, and nongovernmental organizations and consult early and often with relevant federally recognized tribes.

**Sec. 310.** 2023 c 475 s 310 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$152,490,000))
	\$180,640,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$154,017,000))
	\$157,997,000
General Fund—Federal Appropriation . . . . .	(((\$49,985,000))
	\$98,106,000
General Fund—Private/Local Appropriation . . . . .	(((\$3,500,000))
	\$6,055,000
Access Road Revolving Nonappropriated Account—State Appropriation . . . . .	\$108,000
Climate Commitment Account—State Appropriation . . . . .	(((\$11,820,000))
	\$12,682,000
<u>Derelict Structure Removal Account—State Appropriation . . . . .</u>	<u>\$325,000</u>
<del>((Contract Harvesting Revolving Nonappropriated Account—State Appropriation . . . . .</del>	<del>\$78,000))</del>
Forest Development Account—State Appropriation . . . . .	(((\$58,594,000))
	\$58,341,000
Forest Fire Protection Assessment Nonappropriated Account—State Appropriation . . . . .	\$88,000
Forest Health Revolving Nonappropriated Account— State Appropriation . . . . .	\$106,000
Natural Climate Solutions Account—State Appropriation . . . . .	(((\$29,571,000))
	\$30,164,000
Natural Resources Federal Lands Revolving Nonappropriated Account—State Appropriation . . . . .	\$6,000
ORV and Nonhighway Vehicle Account—State Appropriation . . . . .	(((\$7,928,000))
	\$7,958,000
State Forest Nursery Revolving Nonappropriated Account—State Appropriation . . . . .	\$34,000
Surveys and Maps Account—State Appropriation . . . . .	(((\$2,376,000))
	\$2,377,000
Aquatic Lands Enhancement Account—State Appropriation . . . . .	(((\$20,003,000))
	\$21,852,000
Resource Management Cost Account—State Appropriation . . . . .	(((\$121,583,000))
	\$122,543,000
Surface Mining Reclamation Account—State Appropriation . . . . .	(((\$4,628,000))
	\$4,632,000
Disaster Response Account—State Appropriation . . . . .	(((\$23,594,000))
	\$23,624,000
Forest and Fish Support Account—State Appropriation . . . . .	(((\$12,667,000))
	\$12,670,000
Aquatic Land Dredged Material Disposal Site Account— State Appropriation . . . . .	\$405,000
Natural Resources Conservation Areas Stewardship Account—State Appropriation . . . . .	\$211,000
Forest Practices Application Account—State Appropriation . . . . .	(((\$2,181,000))
	\$2,184,000
Air Pollution Control Account—State Appropriation . . . . .	\$920,000
Model Toxics Control Operating Account—State Appropriation . . . . .	(((\$2,000,000))
	\$2,474,000
Wildfire Response, Forest Restoration, and Community Resilience Account—State Appropriation . . . . .	(((\$118,115,000))
	\$120,033,000
Derelict Vessel Removal Account—State Appropriation . . . . .	\$10,643,000
Community Forest Trust Account—State Appropriation . . . . .	\$52,000
Agricultural College Trust Management Account—State Appropriation . . . . .	(((\$4,414,000))
	\$4,419,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$792,117,000))</b>
	<b>\$881,649,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,857,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to carry out the forest practices adaptive management program pursuant to RCW 76.09.370 and the May 24, 2012, settlement agreement entered into by the department and the department of ecology. Scientific research must be carried out according to the master project schedule and work plan of cooperative monitoring, evaluation, and research priorities adopted by the forest practices board.

(2) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small forest landowner office, in order to restore staffing capacity reduced during the great recession and to support small forest landowners, including assistance related to forest and fish act regulations.

(3) \$1,583,000 of the general fund—state appropriation for fiscal year 2024 and \$1,515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(4) (~~(\$60,883,000)~~) \$88,617,000 of the general fund—state appropriation for fiscal year 2024, \$60,883,000 of the general fund—state appropriation for fiscal year 2025, and \$16,050,000 of the disaster response account—state appropriation are provided solely for emergency response, including fire suppression. The department shall provide a monthly report to the office of financial management and the appropriate fiscal and policy committees of the legislature with an update of fire suppression costs incurred and the number and type of wildfires suppressed.

(5) \$5,647,000 of the general fund—state appropriation for fiscal year 2024, \$8,470,000 of the general fund—state appropriation for fiscal year 2025, and \$330,000 of the disaster response account—state appropriation are provided solely for indirect and administrative expenses related to fire suppression.

(6) \$5,500,000 of the forest and fish support account—state appropriation is provided solely for outcome-based performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. Of the amount provided in this subsection, \$500,000 is contingent upon receipts under RCW 82.04.261 exceeding \$8,000,000 per biennium. If receipts under RCW 82.04.261 are more than \$8,000,000 but less than \$8,500,000 for the biennium, an amount equivalent to the difference between actual receipts and \$8,500,000 shall lapse.

(7) Consistent with the recommendations of the *Wildfire Suppression Funding and Costs (18-02)* report of the joint legislative audit and review committee, the department shall submit a report to the governor and legislature by December 1, 2023, and December 1, 2024, describing the previous fire season. At a minimum, the report shall provide information for each wildfire in the state, including its location, impact by type of land ownership, the extent it involved timber or range lands, cause, size, costs, and cost-share with federal agencies and nonstate partners. The report must also be posted on the agency's website.

(8) \$4,206,000 of the aquatic land enhancement account—state appropriation is provided solely for the removal of creosote pilings and debris from the marine environment and to continue monitoring zooplankton and eelgrass beds on state-owned aquatic lands managed by the department. Actions will address recommendations to recover the southern resident orca population and to monitor ocean acidification as well as help implement the Puget Sound action agenda.

(9) \$279,000 of the general fund—state appropriation for fiscal year 2024 and \$286,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation to the trust beneficiaries and department for lost revenue from leases to amateur radio operators who use space on the department managed radio towers for their equipment. The department is authorized to lease sites at the rate of up to \$100 per year, per site, per lessee. The legislature makes this appropriation to fulfill the remaining costs of the leases at market rate per RCW 79.13.510.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,500,000)~~) \$3,280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to collect and refresh statewide lidar data.

(11) \$1,200,000 of the resource management cost account—state appropriation is provided solely for the agency to pursue opportunities to provide workforce housing on state trust lands.

(12)(a) \$1,500,000 of the natural climate solutions account—state appropriation is provided solely for the department, in close collaboration with the department of ecology, to convene a group composed of a balanced representation of experts and stakeholders to conduct a state ecosystem services inventory and develop a state lands ecosystem services asset plan. The plan must outline how state lands under the department's jurisdiction can be monetized, including ecosystem services credits, and utilized to reduce the overall greenhouse emissions, or increase greenhouse gas sequestration and storage, in the state, including both public and private emissions.

(b) In developing the plan, the department must:

(i) Conduct a resource and asset inventory to identify all state-owned or controlled lands under its jurisdiction that could be eligible or utilized in ecosystem services credits, including carbon offset markets;

(ii) Explore opportunities for the department to utilize its inventoried proprietary assets in offering ecosystem services credits, including carbon offset credits, both under the regulatory offset programs, such as the one established under RCW 70A.65.170, and existing or future voluntary, private ecosystem service markets, including carbon offset programs;

(iii) Develop a marginal cost abatement model to inform highest and best use of state assets in ecosystem services markets, including carbon markets;

(iv) Conduct a needs assessment in relation to marketing state-owned carbon assets on state lands under the department's jurisdiction to third party developers, including a proposed implementation plan and recommendations for plan execution;

(v) Identify any known or suspected policy or regulatory limitations to the formation and full execution of the ecosystem services inventory and asset plan identified above;

(vi) Create an implementation plan for a virtual dashboard where public and private sector participants in regulatory or voluntary carbon markets can locate the inventory created under this subsection, understand the marginal cost abatement model, and locate any requests for proposals from state asset-involved carbon projects on lands under the department's jurisdiction; and

(vii) Make recommendations for the creation of an ecosystems services equity and innovation account that includes:

(A) New modes of ecosystem services; and

(B) Identification of new or different beneficiaries of carbon investments that increase the participation of historically marginalized groups in ecosystem service opportunities.

(c) The department must report its progress and findings under this subsection to the legislature no later than December 31, 2024.

(13) \$3,166,000 of the natural climate solutions account—state appropriation is provided solely for silvicultural treatments on forested trust lands in western Washington to support maintenance of healthy, resilient forests as a critical component of climate adaptation and mitigation efforts.

(14) \$2,185,000 of the general fund—state appropriation for fiscal year 2024 and \$1,705,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased law enforcement capacity on agency managed lands, to develop a statewide recreation plan, and to jointly create a statewide data management system with the Washington department of fish and wildlife and the state parks and recreation commission to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(15) \$2,066,000 of the natural climate solutions account—state appropriation is provided solely for the agency to develop a comprehensive strategy to tackle barriers to reforestation, including through expanding seed collection, increasing the capacity of the state's public nursery, and addressing workforce needs.

(16) \$2,864,000 of the natural climate solutions account—state appropriation is provided solely for the agency to implement aspects of their watershed resilience action plan for the Snohomish watershed, including activities to support kelp and eelgrass stewardship, a large woody debris program, aquatic restoration grants, and culvert removal.

(17) \$5,991,000 of the natural climate solutions account—state appropriation is provided solely for investment in urban forestry to support reduction of negative environmental conditions such as heat, flooding, and pollution and helping communities become greener, cleaner, healthier, and more resilient.

(18) \$7,791,000 of the climate commitment account—state appropriation is provided solely for the agency to analyze current infrastructure and build a plan for the department to achieve its greenhouse gas emission reduction targets.

(19) \$2,365,000 of the climate commitment account—state appropriation is provided solely for the department to make investments in education and training to bolster a statewide natural resources workforce to support the health and resilience of Washington's forests. Of this amount, \$800,000 is provided solely to provide wildland fire management training to tribal communities and members.

(20) \$3,356,000 of the natural climate solutions account—state appropriation is provided solely to increase the agency's capacity to provide active management of department of natural resources natural areas.

(21) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 (~~and~~) \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,817,000 of the aquatic lands enhancement account—state appropriation are provided solely for full-time and seasonal crews from the Washington conservation corps and other corps programs to conduct work benefiting the management of state managed lands, including aquatic reserves management, natural areas restoration and conservation, trail work, and forest resiliency activities as well as other recreation and habitat projects with agency partners.

(22) (a) \$475,000 of the general fund—state appropriation for fiscal year 2024, \$253,000 of the general fund—state appropriation for fiscal year 2025, and \$62,000 of the model toxics control operating account—state appropriation are provided solely for a geoduck task force. Of the amounts provided in this subsection, \$411,000 of the general fund—state appropriation for fiscal year 2024 and \$208,000 of the general fund—state appropriation for

fiscal year 2025 are for the department's costs for the task force, and the remaining amounts are for the department to provide to the department of ecology, the department of fish and wildlife, and the Puget Sound partnership for their projected costs for the task force.

(b) The task force must investigate opportunities to reduce negative impacts to tribal treaty and state geoduck harvest and promote long-term opportunities to expand or sustain geoduck harvest. The task force must provide a report to the commissioner of public lands and the legislature, in compliance with RCW 43.01.036, by December 1, 2024, that includes analysis and recommendations related to the following elements:

(i) The feasibility of intervention to enhance the wildstock of geoduck, including reseeding projects;

(ii) Factors that are preventing areas from being classified for commercial harvest of wildstock geoduck or factors that are leading to existing wildstock geoduck commercial tract classification downgrade, and recommendations to sustainably and cost-effectively increase the number and area of harvestable tracts, including:

(A) Consideration of opportunities and recommendations presented in previous studies and reports;

(B) An inventory of wastewater treatment plant and surface water runoff point sources impacting state and tribal geoduck harvesting opportunities within the classified commercial shellfish growing areas in Puget Sound;

(C) A ranking of outfalls and point sources identified in (b)(ii)(B) of this subsection prioritized for future correction to mitigate downgraded classification of areas with commercial geoduck harvest opportunity;

(D) An inventory of wildstock geoduck tracts that are most impacted by poor water quality or other factors impacting classification;

(E) Consideration of the role of sediment load and urban runoff, and pathways to mitigate these impacts; and

(F) Recommendations for future actions to improve the harvest quantity of wildstock geoduck and to prioritize areas that can attain improved classification most readily, while considering the influence of outfalls ranked pursuant to (b)(ii)(C) of this subsection.

(c) The commissioner of public lands must invite the following representatives to participate in the task force:

(i) A representative of the department of natural resources, who shall serve as the chair of the task force;

(ii) Representatives of tribes with treaty or reserved rights to geoduck harvest in Washington state;

(iii) A representative of the department of ecology;

(iv) A representative of the department of health;

(v) A representative of the department of fish and wildlife;

(vi) A representative of the Puget Sound partnership; and

(vii) A representative of the academic community.

(d) The commissioner of public lands must appoint each representative. The commissioner may invite and appoint other individuals to the task force, not to exceed the number of seats of tribal entities.

(e) Members of the task force may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

(23) \$636,000 of the general fund—state appropriation for fiscal year 2024 and \$353,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(24) \$65,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$350,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$250,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(27) \$164,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$591,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5433 (derelict aquatic structures). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$431,000 of the general fund—state appropriation for fiscal year 2024 and \$331,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1498 (aviation assurance funding). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,500,000)~~ \$2,822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Of the amounts provided in this subsection, \$322,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to operate the post-fire debris flow program.

(31) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(32) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely for tire removal projects in Puget Sound, with specific priority to remove tire reefs.

(33) \$321,000 of the general fund—state appropriation for fiscal year 2024 and \$427,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5390 (forestlands/safeharbor). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(34) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to advance research and cooperation with governmental agencies of Finland and Finnish organizations to implement sustainable forestry practices. The department must report to the appropriate committees of the legislature by June 30, 2024, on the use of the funds and the research conducted and cooperation accomplished, and make recommendations for further opportunities for collaboration.

(35) \$278,000 of the natural climate solutions account—state appropriation is provided solely for the department to perform coordination and monitoring related to Puget Sound kelp conservation and recovery.

(36) \$312,000 of the general fund—state appropriation for fiscal year 2024 and \$313,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with the Olympic natural resources center to study emerging ecosystem threats such as Swiss needlecast disease, fully implement the T3 watershed experiments on state trust lands, continue field trials for long-term ecosystem productivity, and engage stakeholders through learning-based collaboration. The department may expend up to \$30,000 in one fiscal year to conduct Swiss needlecast surveys.

(37) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the work specified in section 3291, chapter 413, Laws of 2019 to assess public school seismic safety for school buildings not yet assessed, focused on highest risk areas of the state as a priority.

~~((39))~~ (38) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the department to prepare commercial thinning timber sales for the purposes of restoring spotted owl and riparian habitat as specified in the 1997 state lands habitat conservation plan, facilitating access to more timber volume than is possible under normal operating funding and increasing carbon sequestration. Thinning operations in designated spotted owl management areas must be conducted in stands that do not yet meet spotted owl habitat conditions. Thinning in riparian areas must comply with department procedures for restoring riparian habitat under the 1997 state lands habitat conservation plan.

~~((40))~~ (39) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((41))~~ (40) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement a pilot project to evaluate the costs and benefits of marketing and selling specialty forest products including cedar salvage, alder, and other hardwood products. The pilot project must include: Identifying suitable areas for hardwood or cedar sales within the administrative areas of the Olympic and Pacific Cascade regions, preparing and conducting sales, and evaluating the costs and benefits from conducting the sales.

(a) The pilot project must include an evaluation that:

(i) Determines if revenues from the sales are sufficient to cover the costs of preparing and conducting the sales;

(ii) Identifies and evaluates factors impacting the sales, including regulatory constraints, staffing levels, or other limitations;

(iii) Compares the specialty sales to other timber sales that combine the sale of cedar and hardwoods with other species;

(iv) Evaluates the bidder pool for the pilot sales and other factors that impact the costs and revenues received from the sales; and

(v) Evaluates the current and future prices and market trends for cedar salvage and hardwood species.

(b) The department must work with affected stakeholders and report to the appropriate committees of the legislature with the results of the pilot project and make recommendations for any changes to statute by June 30, 2025.

(41) \$857,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to implement eradication and control measures on European green crabs on state-owned aquatic lands and adjacent lands as appropriate. The department must report to and coordinate with the department of fish and wildlife to support the department of fish and wildlife's quarterly progress reports to the legislature.

(42) \$710,000 of the general fund—state appropriation for fiscal year 2025 and \$473,000 of the model toxics control operating account—state appropriation are provided solely for the department to develop and lead a stakeholder-driven process to identify potential locations for development of target shooting ranges to create alternatives to dispersed shooting and to address lead pollution in known dispersed shooting sites.

(43) \$524,000 of the resource management cost account—state appropriation is provided solely for the agency to supplement the cost of the contract with the department of fish and wildlife for biological geoduck survey work. Within existing appropriations, the agency will develop a proposal with the department of fish and wildlife for the equitable and sustainable ongoing funding of this work.

(44) \$593,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to conduct the remote sensing, stressor studies, and imagery and survey work of kelp forests and eelgrass meadows pursuant to RCW 79.135.440 and development and management of the native kelp forest and eelgrass meadow health and conservation plan.

(45) \$1,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 6166 (pesticide application comm.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(46) \$83,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5667 (forestry riparian easements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$862,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(48) \$88,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 6120 (wildland urban interface). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 311.** 2023 c 475 s 311 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$52,938,000)) \$91,987,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$69,710,000)) \$73,461,000
General Fund—Federal Appropriation. . . . .	(((\$38,414,000)) \$48,259,000
General Fund—Private/Local Appropriation. . . . .	\$193,000
<u>Agricultural Pest and Disease Response Account—State</u> <u>Appropriation. . . . .</u>	<u>\$2,000,000</u>
<u>Aquatic Lands Enhancement Account—State</u> <u>Appropriation. . . . .</u>	<u>(((\$2,839,000)) \$2,840,000</u>
<u>Climate Commitment Account—State Appropriation. . . . .</u>	<u>(((\$3,819,000)) \$4,450,000</u>
<u>Natural Climate Solutions Account—State</u> <u>Appropriation. . . . .</u>	<u>\$261,000</u>
<u>Water Quality Permit Account—State Appropriation. . . . .</u>	<u>\$73,000</u>
<u>Model Toxics Control Operating Account—State</u> <u>Appropriation. . . . .</u>	<u>(((\$13,589,000)) \$13,613,000</u>
<u>Northeast Washington Wolf-Livestock Management</u> <u>Nonappropriated Account—State Appropriation. . . . .</u>	<u>\$1,600,000</u>
<u>Coronavirus State Fiscal Recovery Fund—Federal</u> <u>Appropriation. . . . .</u>	<u>(((\$36,875,000)) \$10,875,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$220,311,000)) \$249,612,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$18,000,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the we feed Washington program, a state alternative to the United States



department of agriculture farmers to families food box program, and provide resources for hunger relief organizations.

(2) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for local food system infrastructure and market access grants.

(3) (~~(\$3,655,000)~~) \$4,992,000 of the general fund—state appropriation for fiscal year 2024 and \$3,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a *Popillia japonica* monitoring and eradication program in central Washington.

(4) (~~(\$15,000,000)~~) \$51,000,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000,000 of the general fund—state appropriation for fiscal year 2025 (~~(and \$15,000,000 of the coronavirus state fiscal recovery fund federal appropriation)~~) are provided solely for implementing the emergency food assistance program as defined in RCW 43.23.290.

(5) \$246,000 of the general fund—state appropriation for fiscal year 2024, \$246,000 of the general fund—state appropriation for fiscal year 2025, and \$1,550,000 of the general fund—federal appropriation are provided solely for implementing a *Vespa mandarinia* eradication program.

(6) \$1,600,000 of the northeast Washington wolf-livestock management nonappropriated account—state appropriation is provided solely for the department to conduct the following:

(a) Offer grants for the northeast Washington wolf-livestock management program as provided in RCW 16.76.020, in the amount of \$1,400,000 for the biennium.

(i) Funds from the grant program must be used only for the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a high probability of producing effective results. Grant proposals will be assessed partially on this intent. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other grantees of the program and other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape. Additionally, range riders must document their activities with GPS track logs and provide written description of their efforts to the department of fish and wildlife on a monthly basis. The department shall incorporate the requirements of this subsection into contract language with the grantees.

(ii) In order to provide continuity of services to meet the long-term intent of the program, no less than \$1,100,000 of the funding allocated in this subsection (a) shall be awarded to entities who have proven ability to meet program intent as described in (a)(i) of this subsection and who have been awarded funds through this grant program or pass-through funds from the northeast Washington wolf-livestock management nonappropriated account in the past. The remaining \$300,000 may be awarded to new applicants whose applications meet program intent and all of other requirements of the program. If no applications from new entities are deemed qualified, the unused funds shall be awarded in equal amounts to successful grantees. The department retains the final decision making authority over disbursement of funds. Annual reports from grantees will be assessed for how well grant objectives were met and used to decide whether future grant funds will be awarded to past grantees.

(b) Within the amounts provided in this subsection, the department must provide \$100,000 each fiscal year to the sheriffs offices of Ferry and Stevens counties for providing a local wildlife specialist to aid the department of fish and wildlife in the management of wolves in northeast Washington.

(7) \$1,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for grants and technical assistance to producers and processors for meat and poultry processing.

(8) \$842,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 135, Laws of 2022, which requires the department to establish cannabis testing lab quality standards by rule.

(9) \$3,038,000 of the climate commitment account—state appropriation is provided solely to implement organic materials legislation passed in the 2022 legislative session.

(10) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with Washington State University's IMPACT Center to conduct an analysis of the threats, barriers, and challenges facing the state's agricultural producers.

(11) \$581,000 of the climate commitment account—state appropriation is provided solely to implement a science-based, voluntary software program called saving tomorrow's agricultural resources (STAR) which provide producers tools to track soil health improvements and the ability to generate market-based incentives.

(12) \$1,492,000 of the model toxics control operating account—state appropriation is provided solely to increase capacity and support work to reduce nitrate pollution in groundwater from irrigated agriculture in the lower Yakima valley.

(13) (~~(\$88,000)~~) \$394,000 of the general fund—state appropriation for fiscal year 2024, \$88,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$702,000)~~) \$1,053,000 of the general fund—federal appropriation are provided solely to match federal funding for eradication treatments and follow-up monitoring of invasive moths.

(14) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the early detection program for the spotted lanternfly and the associated invasive *Ailanthus altissima*, known colloquially as tree-of-heaven, survey and control programs.

(15) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement changes that advance equity for underrepresented farmers and ranchers in the department's programs and services. In carrying out this duty, the department may focus on implementation of:

(a) Proequity and inclusion strategies within the activities and services of the regional markets program;

(b) Recommendations from the department's 2022 report to the legislature on equity for underrepresented farmers and ranchers; and

(c) Community-generated suggestions resulting from stakeholder engagement activities. In carrying out this duty, the department may engage with underrepresented farmers and ranchers to advise and provide guidance as the department works to implement changes to improve equity and inclusion in the department's services and programs, and where possible in the agricultural industry more broadly.

(16) \$261,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(17) \$200,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$116,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1500 (cottage food sales cap). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a community-based organization in Whatcom county for the food and farm finder program, which connects local food producers with retail and wholesale consumers throughout the state.

(21) \$10,600,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for local food system infrastructure and market access grants, the emergency food assistance program, and a state farmers to families food box program. The total expenditures from the coronavirus state fiscal recovery fund—federal for these purposes in fiscal year 2023 and fiscal year 2024 may not exceed the total amounts provided in section 311(1), (3), and (7), chapter 334, Laws of 2021, from the coronavirus state fiscal recovery fund—federal for these purposes.

(22) \$47,000 of the general fund—state appropriation for fiscal year 2024 and \$47,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a food bank in Pierce county for the continued provision of food bank services to low-income individuals, including costs related to the potential relocation of the food bank.

(24) \$128,000 of the general fund—state appropriation for fiscal year 2024 and \$127,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Tri-Cities food bank for operations including food storage.

(25) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue a shellfish coordinator position.

(26) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compliance-based laboratory analysis of pesticides in cannabis.

(27) \$220,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to partner with the department of commerce to conduct a study to better understand the opportunities and challenges, as well as identify solutions to existing barriers, to create a healthy marketplace for hemp.

(28) \$112,000 of the general fund—state appropriation for fiscal year 2024 and \$683,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to partner with organizations to promote diversity and develop agricultural leadership and educational opportunities.

(29) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to facilitate a work group and prepare a comprehensive report with recommendations regarding the establishment of a grant program to support farmers in the purchase of green fertilizer produced within the state of Washington.

(a) The work group convened by the department shall include representatives from the department of ecology, the department of commerce, Washington state agricultural organizations, manufacturers of green fertilizer products, and other relevant stakeholders as determined by the department.

(b) The work group shall review, analyze, and propose the structure of a grant program designed to encourage farmers to purchase green fertilizer produced within the state of Washington. The review shall include considerations of:

- (i) The environmental benefits of green fertilizer;
- (ii) Economic impacts on farmers;
- (iii) The development and capacity of local green fertilizer manufacturers; and
- (iv) Ensuring equitable access to the grant program among different agricultural sectors.

(c) The department shall submit a comprehensive report of its findings and recommendations to the governor and appropriate committees of the legislature no later than November 1, 2024, including a detailed plan for the administration of the proposed grant program and a recommended funding level. The report shall include legislative and regulatory changes, if necessary, to establish and manage the program effectively.

(30) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Washington based nonprofit organization that supports farmworkers to help develop and share farmworker ideas to improve production in ways that are meaningful to both workers and growers. These funds must be used to conduct outreach to farmworkers, provide support, and facilitate access to educational materials, tools, and technology to further the engagement and collaboration of both farmworkers and their employers.

(31) \$250,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to complete an assessment of how many acres of agricultural land could be removed from active production for the state to meet the requirements of the clean energy transformation act and the state energy strategy. The assessment may include a comparison of possible alternative scenarios ranging from lowest to highest impact. The department must report the legislature on its assessment in accordance with RCW 43.01.036 by June 30, 2025.

(32) \$131,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a dedicated position to lead and direct the department's climate strategy. Tasks for this position include research, stakeholder engagement, program inventory, and coordination, as well as long-term planning.

(33) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a food bank in Tacoma for the expanded provision of food bank services to low-income individuals.

(34) \$120,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6278 (organic agriculture). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(35) \$2,000,000 of the agricultural pest and disease response account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6036 (agriculture pest & disease). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(36) \$139,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5972 (neonicotinoid pesticides). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(37) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for research, including, but not limited to, ongoing research and trial research; larger scale treatment trials; and permit development, including required monitoring and review, to assist with development of an integrated pest management plan to find a suitable replacement for imidacloprid to address burrowing shrimp in Willapa bay and Grays Harbor and facilitate continued shellfish cultivation on tidelands. In selecting research recipients for this purpose, the department must incorporate the advice of the Willapa-Grays Harbor working group formed on October 15, 2019. Up to eight percent of the amount provided in this subsection may be used by the department to reimburse any participating group or individual for their expenses associated with meeting participation, preparation, or travel, in accordance with chapter 43.03 RCW.

**Sec. 312.** 2023 c 475 s 312 (uncodified) is amended to read as follows:

**FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$924,000 ))
	\$893,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$919,000 ))
	\$887,000
Climate Commitment Account—State Appropriation . . . . .	\$7,369,000
Energy Facility Site Evaluation Council Account—	
Private/Local Appropriation . . . . .	\$26,896,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$36,108,000 ))</b>
	<b>\$36,045,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,352,000 of the climate commitment account—state appropriation is provided solely to support agency operations and to hire additional environmental siting and compliance positions needed to support an anticipated workload increase from new clean energy projects.

(2) \$757,000 of the climate commitment account—state appropriation is provided solely for ~~((grants to tribes to review green energy project applications))~~ preapplication development and clean energy manufacturing review, reimbursement to tribes for costs associated with clean energy project application reviews, and contracted services for green hydrogen and clean energy manufacturing programs.

(3) \$358,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) The council must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(5) \$3,902,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(End of part)

**PART IV  
TRANSPORTATION**

**Sec. 401.** 2023 c 475 s 401 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING**

General Fund—State Appropriation (FY 2024) . . . . .	(\$4,041,000)
	\$4,043,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$3,640,000)
	\$4,004,000
Architects' License Account—State Appropriation. . . . .	(\$1,759,000)
	\$1,823,000
Climate Investment Account—State Appropriation. . . . .	\$30,000,000
Real Estate Commission Account—State Appropriation. . . . .	(\$15,753,000)
	\$15,726,000
Uniform Commercial Code Account—State Appropriation. . . . .	(\$3,481,000)
	\$3,496,000
Real Estate Education Program Account—State Appropriation. . . . .	(\$316,000)
	\$308,000
Real Estate Appraiser Commission Account—State Appropriation. . . . .	(\$2,067,000)
	\$2,396,000
Business and Professions Account—State Appropriation. . . . .	(\$30,924,000)
	\$31,236,000
Real Estate Research Account—State Appropriation. . . . .	\$461,000
Firearms Range Account—State Appropriation. . . . .	\$74,000
Funeral and Cemetery Account—State Appropriation. . . . .	(\$118,000)
	\$125,000
Landscape Architects' License Account—State Appropriation. . . . .	(\$86,000)
	\$95,000
Appraisal Management Company Account—State Appropriation. . . . .	(\$250,000)
	\$258,000
Concealed Pistol License Renewal Notification Account—State Appropriation. . . . .	\$142,000
Geologists' Account—State Appropriation. . . . .	(\$48,000)
	\$55,000
Derelict Vessel Removal Account—State Appropriation. . . . .	\$37,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$63,197,000)</b>
	<b>\$94,279,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$142,000 of the concealed pistol license renewal notification account—state appropriation and \$74,000 of the firearms range account—state appropriation are provided solely to implement chapter 74, Laws of 2017 (concealed pistol license).

(2) \$6,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$8,000 of the architects' license account—state appropriation, \$74,000 of the real estate commission account—state

appropriation, \$14,000 of the uniform commercial code account—state appropriation, \$10,000 of the real estate appraiser commission account—state appropriation, and \$139,000 of the business and professions account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$7,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$5,000 of the architects' license account—state appropriation, \$43,000 of the real estate commission account—state appropriation, \$8,000 of the uniform commercial code account—state appropriation, \$8,000 of the real estate (~~education program~~) appraiser commission account—state appropriation, \$166,000 of the business and professions account—state appropriation, \$9,000 of the funeral and cemetery account—state appropriation, \$3,000 of the landscape architects' license account—state appropriation, \$2,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(4) \$20,000 of the business and professions account—state appropriation is provided solely for implementation of House Bill No. 1017 (cosmetologists, licenses, etc.). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(5) \$320,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1143 (firearms purchase and transfer). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(6) \$5,000 of the architects' license account—state appropriation, \$31,000 of the real estate commission account—state appropriation, \$5,000 of the real estate appraiser commission account—state appropriation, \$64,000 of the business and professions account—state appropriation, \$5,000 of the funeral and cemetery account—state appropriation, \$5,000 of the landscape architects' license account—state appropriation, \$5,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of House Bill No. 1301 (license review and requirements). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(7) \$25,000 of the real estate (~~appraiser~~) commission account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5191 (real estate agency). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(8) \$19,000 of the funeral and cemetery account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5261 (cemetery authority deadlines). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(9) \$308,000 of the real estate appraiser commission account—state appropriation is provided solely for implementation of Engrossed House Bill No. 1797 (real estate appraisers). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(10) \$45,000 of the architects' license account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5794 (architecture licensing exams). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$354,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5995 (interpreters and translators). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12)(a) \$30,000,000 of the climate investment account—state appropriation is provided solely for payments to support farm fuel users and transporters who have purchased fuel for agricultural purposes that is exempt from the requirements of the climate commitment act, as described in RCW 70A.65.080(7)(e), but paid a surcharge or an additional fee. In providing such payments, the department must prioritize:

(i) Farming and transportation operations, prioritizing noncorporate farms first;

(ii) Ease of use and accessibility for recipients; and

(iii) Speed and efficiency in administering the payments.

(b) The department must use a tiered system of payments based on the annual number of gallons of agricultural fuel consumed, as determined by the farm fuel user or transporter in a signed attestation. The department shall use the following payment tiers:

(i) \$600 to recipients with annual agricultural fuel use of less than 1,000 gallons;

(ii) \$2,300 to recipients with annual agricultural fuel use greater than or equal to 1,000 gallons and less than 4,000 gallons; and

(iii) \$3,400 to recipients with annual agricultural fuel use greater than or equal to 4,000 gallons.

(c) Recipients of payments under this subsection may submit receipts and other documentation as part of their attestation showing that they were overcharged for fuel costs due to the impact of chapter 70A.65 RCW.

(d) The department may use no more than five percent of the amounts provided for this specific purpose on administration. The department must begin providing payments by September 1, 2024.

Sec. 402. 2023 c 475 s 402 (uncodified) is amended to read as follows:  
FOR THE WASHINGTON STATE PATROL

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$77,651,000</del> ))
	<u>\$77,278,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$78,281,000</del> ))
	<u>\$83,583,000</u>
General Fund—Federal Appropriation . . . . .	\$16,972,000
General Fund—Private/Local Appropriation . . . . .	\$3,091,000
Death Investigations Account—State Appropriation . . . . .	(( <del>\$9,145,000</del> ))
	<u>\$9,592,000</u>
County Criminal Justice Assistance Account—State Appropriation . . . . .	(( <del>\$4,893,000</del> ))
	<u>\$4,894,000</u>
Municipal Criminal Justice Assistance Account—State Appropriation . . . . .	\$1,800,000
Fire Service Trust Account—State Appropriation . . . . .	\$131,000
Vehicle License Fraud Account—State Appropriation . . . . .	\$119,000
Disaster Response Account—State Appropriation . . . . .	\$8,000,000
Fire Service Training Account—State Appropriation . . . . .	(( <del>\$13,456,000</del> ))
	<u>\$13,457,000</u>
Model Toxics Control Operating Account—State Appropriation . . . . .	\$596,000
Fingerprint Identification Account—State Appropriation . . . . .	\$15,200,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$229,335,000</del>))</b>
	<b><u>\$234,713,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$8,000,000~~))~~ \$14,000,000 of the disaster response account—state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(2) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$146,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation adjustments for commissioned staff as provided for in the omnibus transportation appropriations act.

(3) \$20,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1179 (nonconviction data/auditor). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$26,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor compensation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$500,000 of the disaster response account—state appropriation, is provided solely to continue a pilot project for the early deployment or prepositioning of Washington state fire service resources in advance of an expected mobilization event. Any authorization for the deployment of resources under this section must be authorized in accordance with section 6 of the Washington state fire services resource mobilization plan.

(7) \$320,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$1,133,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$1,000,000 of the fire service training account—state appropriation is provided solely for the firefighter apprenticeship training program.

(10) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Washington state missing and murdered indigenous women and people task force in section 912 of this act.

(11) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for financial assistance to local jurisdictions to conduct DNA testing for unidentified remains, and for those remains that failed to yield a CODIS match, for forensic

genetic genealogy DNA testing to be conducted. Local jurisdictions may contract for these services. "Forensic genetic genealogy DNA testing" means any technology performed in a forensic laboratory capable of producing a forensic genealogy profile with a minimum of 100,000 genetic markers and compatible with multiple genealogical databases consented for law enforcement use. Records from the DNA testing or forensic genetic genealogy DNA testing, including DNA profiles and markers, of unidentified remains shall be used solely for the purpose of establishing identification. Retention of such records following identification does not serve a public purpose. Upon successful identification, such records shall be destroyed.

(12) Any funds provided to the missing and exploited children task force shall ensure operations are adherent to federally established internet crimes against children standards.

(13) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5299 (law enf. officer protection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) Within existing resources, the Washington state patrol may provide security and protection to the secretary of state and to his or her family during a presidential election campaign and through two weeks following inauguration.

(15) \$88,742 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5812 (electrical vehicle fires). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(End of part)

**PART V  
EDUCATION**

**Sec. 501.** 2023 c 475 s 501 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$46,191,000</del> ))
	\$46,840,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$45,208,000</del> ))
	\$49,665,000
General Fund—Federal Appropriation. . . . .	(( <del>\$108,354,000</del> ))
	\$148,569,000
General Fund—Private/Local Appropriation. . . . .	\$8,079,000
Dedicated Cannabis Account—State Appropriation (FY 2024). . . . .	(( <del>\$593,000</del> ))
	\$550,000
Dedicated Cannabis Account—State Appropriation (FY 2025). . . . .	(( <del>\$618,000</del> ))
	\$550,000
Washington Opportunity Pathways Account—State Appropriation. . . . .	(( <del>\$8,429,000</del> ))
	\$16,890,000
Performance Audits of Government Account—State Appropriation. . . . .	\$213,000
Workforce Education Investment Account—State Appropriation. . . . .	\$9,479,000
Elementary and Secondary School Emergency Relief III Account—Federal Appropriation. . . . .	\$3,524,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$230,688,000</del>))</b>
	<b>\$284,359,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) **BASE OPERATIONS AND EXPENSES OF THE OFFICE**

(a) ((~~\$21,778,000~~))\$22,389,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$21,778,000~~))\$22,470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(ii) By October 31st of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in section 501, chapter 415, Laws of 2019 and sections 515 and 522, chapter 334, Laws of 2021. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status of proviso implementation, number of beneficiaries by year, list of beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(iii) Districts shall annually report to the office of the superintendent of public instruction on: (A) The annual number of graduating high school seniors within the district

earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (B) the number of high school students earning competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

(iv) The office of the superintendent of public instruction shall perform ongoing program reviews of alternative learning experience programs, dropout reengagement programs, and other high risk programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(v) The superintendent of public instruction shall integrate climate change content into the Washington state learning standards across subject areas and grade levels. The office shall develop materials and resources that accompany the updated learning standards that encourage school districts to develop interdisciplinary units focused on climate change that include authentic learning experiences, that integrate a range of perspectives, and that are action oriented.

(vi) Funding provided in this subsection (1)(a) is sufficient for maintenance of the apportionment system, including technical staff and the data governance working group.

(b) \$494,000 of the general fund—state appropriation for fiscal year 2024 and \$494,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(c) \$61,000 of the general fund—state appropriation for fiscal year 2024 and \$61,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(d) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(e) \$285,000 of the Washington opportunity pathways account—state appropriation is provided solely for activities related to public schools other than common schools authorized under chapter 28A.710 RCW.

(f) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(g) \$1,060,000 of the general fund—state appropriation for fiscal year 2024 and \$1,060,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of native education to increase services to tribes, including but not limited to, providing assistance to tribes and school districts to implement Since Time Immemorial, applying to become tribal compact schools, convening the Washington state native American education advisory committee, and extending professional learning opportunities to provide instruction in tribal history, culture, and government. The professional development must be done in collaboration with school district administrators and school directors. Funding in this subsection is sufficient for the office, the Washington state school directors' association government-to-government task force, and the association of educational service districts to collaborate with the tribal leaders congress on education to develop a tribal consultation training and schedule. Of the amounts provided in this subsection: \$525,000 of the general fund—state appropriation for fiscal year 2024 and \$525,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of native education to convene a work group to develop the supports necessary to serve American Indian and Alaska Native students identified as needing additional literacy supports. The work group must include representation from Washington's federally recognized tribes and federally recognized tribes with reserved treaty rights in Washington. The work group must conduct tribal consultations, develop best practices, engage in professional learning, and develop curricula and resources that may be provided to school districts and state-tribal education compact schools to serve American Indian and Alaska Native students with appropriate, culturally affirming literacy supports.

(h) \$481,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(i) Districts shall report to the office the results of each collective bargaining agreement for certificated staff within their district using a uniform template as required by the superintendent, within thirty days of finalizing contracts. The data must include but is not limited to: Minimum and maximum base salaries, supplemental salary information, and average percent increase for all certificated instructional staff. Within existing resources by December 1st of each year, the office shall produce a report for the legislative evaluation and accountability program committee summarizing the district level collective bargaining agreement data.



(j) \$3,524,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for administrative costs related to the management of federal funds provided for COVID-19 response and other emergency needs.

(k) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the superintendent of public instruction to plan for the development and implementation of a common substitute teacher application platform.

(l) \$465,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for office of the attorney general legal services related to special education related litigation.

(2) DATA SYSTEMS

(a) \$1,802,000 of the general fund—state appropriation for fiscal year 2024 and \$1,802,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(b) \$281,000 of the general fund—state appropriation for fiscal year 2024 and \$281,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(c) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent of public instruction to develop and implement a statewide accountability system to address absenteeism and to improve student graduation rates. The system must use data to engage schools and districts in identifying successful strategies and systems that are based on federal and state accountability measures. Funding may also support the effort to provide assistance about successful strategies and systems to districts and schools that are underperforming in the targeted student subgroups.

(3) WORK GROUPS

(a) \$68,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(b) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to meet statutory obligations related to the provision of medically and scientifically accurate, age-appropriate, and inclusive sexual health education as authorized by chapter 206, Laws of 1988 (AIDS omnibus act) and chapter 265, Laws of 2007 (healthy youth act).

(c) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$118,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 75, Laws of 2018 (dyslexia).

(d) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 386, Laws of 2019 (social emotional learning).

(e) \$107,000 of the general fund—state appropriation for fiscal year 2024 and \$107,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to support the children and youth behavioral health work group created in chapter 130, Laws of 2020 (child. mental health wk. grp).

(4) STATEWIDE PROGRAMS

(a) \$2,590,000 of the general fund—state appropriation for fiscal year 2024 and \$2,590,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support statewide administration and district implementation of the inventory under RCW 28A.655.080.

(b) \$703,000 of the general fund—state appropriation for fiscal year 2024 and \$703,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 72, Laws of 2016 (educational opportunity gap).

(c) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to schools identified for comprehensive or targeted support and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(d) \$457,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 102, Laws of 2014 (biliteracy seal). Of the amounts provided in this subsection:

(i) \$197,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to develop and establish criteria for school districts to award the seal of biliteracy to graduating high school students.

(ii) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to provide students with access to methods for students to demonstrate proficiency in less commonly taught or assessed languages.

(e) (i) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school bullying and harassment prevention activities.

(ii) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 240, Laws of 2016 (school safety).

(iii) \$570,000 of the general fund—state appropriation for fiscal year 2024 and \$570,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide support and coordination for the regional network of behavioral health, school safety, and threat assessment established in chapter 333, Laws of 2019 (school safety and well-being).

(iv) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the school safety center within the office of the superintendent of public instruction.

(A) Within the amounts provided in this subsection (4)(e)(iv), \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a school safety program to provide school safety training for all school administrators and school safety personnel. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety.

(B) Within the amounts provided in this subsection (4)(e)(iv), \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administration of the school safety center. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, review and approve manuals and curricula used for school safety models and training, and maintain a school safety information web site.

(f) (i) \$162,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for youth suicide prevention activities.

(ii) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 64, Laws of 2018 (sexual abuse of students).

(g) (i) \$280,000 of the general fund—state appropriation for fiscal year 2024, \$280,000 of the general fund—state appropriation for fiscal year 2025, ~~(((\$593,000))~~\$550,000 of the dedicated cannabis account—state appropriation for fiscal year 2024, and ~~(((\$618,000))~~\$550,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for dropout prevention, intervention, and reengagement programs ~~((, including the jobs for America's graduates (JAG) program)),~~ dropout prevention programs that provide student mentoring, and the building bridges statewide program. ~~((Students in the foster care system or who are homeless shall be given priority by districts offering the jobs for America's graduates program.))~~ The office of the superintendent of public instruction shall convene staff representatives from high schools to meet and share best practices for dropout prevention. Of these amounts, the entire dedicated cannabis account—state appropriation is provided solely for the building bridges statewide program and for grants to districts for life skills training for children and youth in K-12.

(ii) \$293,000 of the general fund—state appropriation for fiscal year 2024 and \$293,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs in support of high-quality high school and beyond plans consistent with RCW 28A.230.090.

(iii) \$178,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 291, Laws of 2017 (truancy reduction efforts).

(h) Sufficient amounts are appropriated in this section for the office of the superintendent of public instruction to create a process and provide assistance to school districts in planning for future implementation of the summer knowledge improvement program grants.

(i) \$358,000 of the general fund—state appropriation for fiscal year 2024 and \$358,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 221, Laws of 2019 (CTE course equivalencies).

(j) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 252, Laws of 2019 (high school graduation reqs.).

(k) \$60,000 of the general fund—state appropriation for fiscal year 2024, \$60,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—federal appropriation are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply). Of the amounts provided in this subsection, \$680,000 of the

general fund—federal appropriation is provided solely for title II SEA state-level activities to implement section 103, chapter 295, Laws of 2019 relating to the regional recruiters program.

(l) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison at the office of the superintendent of public instruction to facilitate access to and support enrollment in career connected learning opportunities for tribal students, including career awareness and exploration, career preparation, and career launch programs, as defined in RCW 28C.30.020, so that tribal students may receive high school or college credit to the maximum extent possible.

(m) \$57,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 288, Laws of 2020 (school meals at no cost).

(n) \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$142,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 353, Laws of 2020 (innovative learning pilot).

(o) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide coordination towards multicultural, culturally responsive, and anti-racist education to support academically, socially, and culturally literate learners. The office must engage community members and key interested parties to:

(i) Develop a clear definition and framework for African American studies to guide instruction in grades seven through twelve;

(ii) Develop a plan for aligning African American studies across all content areas; and

(iii) Identify professional development opportunities for educators and administrators to build capacity in creating high-quality learning environments centered in belonging and racial equity, anti-racist approaches, and asset-based methodologies that pull from all students' cultural funds of knowledge.

(p) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 38, Laws of 2021 (K-12 safety & security serv.).

(q) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 111, Laws of 2021 (learning assistance program).

(r) \$1,152,000 of the general fund—state appropriation for fiscal year 2024 and \$1,157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 164, Laws of 2021 (institutional ed./release).

(s) \$553,000 of the general fund—state appropriation for fiscal year 2024 and \$553,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to develop and implement a mathematics pathways pilot to modernize algebra II. The office should use research and engage stakeholders to develop a revised and expanded course.

(t) \$3,348,000 of the general fund—state appropriation for fiscal year 2024 and \$3,348,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 107, Laws of 2022 (language access in schools).

(u) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to establish a media literacy and digital citizenship ambassador program to promote the integration of media literacy and digital citizenship instruction.

(v) \$294,000 of the general fund—state appropriation for fiscal year 2024 and \$294,000 of the general fund—state appropriation for fiscal year 2025 provided solely for implementation of chapter 9, Laws of 2022 (school consultation/tribes).

(w) \$8,144,000 of the Washington state opportunity pathways account—state appropriation is provided solely for support to small school districts and public schools receiving allocations under chapters 28A.710 and 28A.715 RCW that have less than 800 enrolled students, are located in urban or suburban areas, and budgeted for less than \$20,000 per pupil in general fund expenditures in the 2022-23 school year. For eligible school districts and schools, the superintendent of public instruction must allocate an amount equal to the lesser of amount 1 or amount 2, as provided in (w)(i) and (ii) of this subsection, multiplied by the school district or school's budgeted enrollment in the 2022-23 school year.

(i) Amount 1 is \$1,550.

(ii) Amount 2 is \$20,000 minus the school district or school's budgeted general fund expenditures per pupil in the 2022-23 school year.

(x) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5072 (highly capable students). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(y) \$72,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5243 (high school and beyond plan). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(z) \$17,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5257 (elementary school recess). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(aa) \$169,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5315 (special education/nonpublic). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(bb) \$39,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5403 (school depreciation subfunds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(cc) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5593 (student data transfer). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(dd) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5617 (career and technical education courses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ee) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a community-based youth development nonprofit organization for a pilot program to provide behavioral health support for youth and trauma-informed, culturally responsive staff training.

(ff) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to consult with one or two public high schools that offer established courses in the early childhood development and services career pathway and develop model materials that may be employed by other school districts with an interest in establishing or expanding similar instructional offerings to students. The model materials must be developed by January 1, 2024.

(gg) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of a deliberative democratic climate change education program in public high schools based on the Washington student climate assembly pilot program. The office must use the funding to develop and promote a full curriculum for student climate assemblies that can be replicated in public high schools across the state and to fund a part-time statewide coordinator position to oversee program outreach and implementation. By January 1, 2025, the office must collect and evaluate feedback from teachers, students, local government employees, and elected officials participating in the pilot program and report to the legislature on options to improve, expand, and extend the program.

(hh) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental agency to coordinate and serve as a fiscal agent and to cover direct costs of the project education impact workgroup to achieve educational parity for students experiencing foster care and/or homelessness, consistent with chapter 233, Laws of 2020. The office must contract with a nongovernmental agency with experience coordinating administrative and fiscal support for project education impact.

(ii) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract for a feasibility study for the creation of a maritime academy on the Olympic peninsula. The study must include the scope, location, design, and budget for the construction of the maritime academy. The study must include plans to address systems, policies, and practices that address disparities of historically marginalized communities in the maritime industry. A preliminary report is due to the legislature by December 1, 2023, with the final feasibility study due to the legislature by June 3, 2024. Funding provided in this subsection may be matched by a nonprofit organization that provides high school students with accredited career and technical postsecondary education for maritime vessel operations and maritime curriculum to high schools in Jefferson, Clallam, Kitsap, King, Mason, Pierce, Island, and Snohomish counties.

(jj) \$74,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1701 (institutional ed. programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(kk) \$141,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1308 (graduation pathway options). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ll) \$73,000 of the general fund—state appropriation for fiscal year 2024 and \$72,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1346 (purple star award). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(mm) (i) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for the office to provide statewide professional development and technical assistance to school districts and to provide a limited number of grants for demonstration projects. The demonstration projects must build school-level and district-level systems that eliminate student isolation, track and reduce restraint use, and build schoolwide systems to support students in distress and prevent crisis escalation cycles that may result in restraint or isolation. The schoolwide systems must include trauma-informed positive behavior and intervention supports, de-escalation, and problem-solving skills. Of the amounts provided in this subsection:

(A) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are for grants for 10 district demonstration sites;

(B) \$1,334,000 of the general fund—state appropriation for fiscal year 2024 and \$1,334,000 of the general fund—state appropriation for fiscal year 2025 are for professional development and training; and

(C) \$166,000 of the general fund—state appropriation for fiscal year 2024 and \$166,000 of the general fund—state appropriation for fiscal year 2025 are for staff and administration support for the demonstration sites and the professional development and training.

(ii) The office must create a technical assistance manual to support the elimination of isolation and reduction of restraint and room clears based on the results of the demonstration projects, and must provide a report to the education committees of the legislature by September 1, 2024. The report must include:

(A) A status update on demonstration projects that occurred during the 2023-24 school year, the technical assistance manual, and professional development offered statewide;

(B) Key implementation challenges and findings; and

(C) Recommendations for statewide policy changes or funding.

(iii) In developing the manual, the office must consult with, at minimum:

(A) Representatives from state associations representing both certificated and classified staff;

(B) An association representing principals;

(C) An association representing school administrators;

(D) The Washington state school directors' association;

(E) An association representing parents;

(F) An individual with lived experience of restraint and isolation; and

(G) A representative of the protection and advocacy agency of Washington.

(iv) The office must prioritize the provision of professional development and selection of the demonstration sites to local education agencies, educational programs, and staff who provide educational services to students in prekindergarten through grade five and who have high incidents of isolation, restraint, or injury related to use of restraint or isolation. Grant recipients must commit to isolation phaseout and must report on restraint reduction and progress to the office by June 30, 2025.

(nn) \$498,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5849 (computer science/graduation). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(oo) \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5850 (chronically absent students). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(pp) \$430,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5462 (inclusive learning standards). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(qq) \$28,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5647 (school safety/temp employees). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(rr) \$581,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5852 (special education safety net). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(ss) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6053 (education data sharing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(tt) \$39,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6264 (competency-based education). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(uu) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to create and distribute age appropriate promotional and educational materials to school districts for Americans of Chinese descent history month.

(vv) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to print 5,000 copies, in Spanish, of the league of women voters Washington elementary civics textbook to distribute to students and teachers across the state.

(ww) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a study to examine how free and reduced-price school meal data is used as a funding driver for programs. The department must provide a report to the legislature by

January 1, 2025, that includes recommendations for an alternative metric or metrics to utilize as a funding driver for educational programs in the state.

(5) CAREER CONNECTED LEARNING

(a) \$919,000 of the workforce education investment account—state appropriation is provided solely for expanding career connected learning as provided in RCW 28C.30.020.

(b) \$960,000 of the workforce education investment account—state appropriation is provided solely for increasing the funding per full-time equivalent for career launch programs as described in RCW 28A.700.130. In the 2023-2025 fiscal biennium, for career launch enrollment exceeding the funding provided in this subsection, funding is provided in section 504 of this act.

(c) \$3,600,000 of the workforce education investment account—state appropriation is provided solely for the office of the superintendent of public instruction to administer grants to skill centers for nursing programs to purchase or upgrade simulation laboratory equipment.

(d) \$4,000,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ Of the amount provided in this subsection, \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the Marysville school district to collaborate with Arlington school district, Everett Community College, other local school districts, local labor unions, local Washington state apprenticeship and training council registered apprenticeship programs, and local industry groups to continue the regional apprenticeship pathways program.

**Sec. 502.** 2023 c 475 s 502 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD OF EDUCATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$2,155,000</del> ))
	\$2,161,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,695,000</del> ))
	\$7,043,000
Elementary and Secondary School Emergency Relief III	
Account—Federal Appropriation . . . . .	\$1,779,000
Washington Opportunity Pathways Account—State	
Appropriation . . . . .	\$353,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$10,982,000</del>))</b>
	<b>\$11,336,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,852,000 of the general fund—state appropriation for fiscal year 2024 and \$1,864,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the state board of education.

(2) \$1,779,000 of the elementary and secondary school emergency relief III account—federal appropriation, \$280,000 of the general fund—state appropriation for fiscal year 2024, and \$4,808,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the state board of education for implementation of mastery-based learning in school district demonstration sites. The state board of education shall require grant recipients to report on impacts and participate in a collaborative to share best practices. The funds must be used for grants to school districts, charter schools, or state tribal education compact schools established under chapter 28A.715 RCW; professional development of educators; development of a resource suite for school districts statewide; evaluation of the demonstration project; implementation and policy support provided by the state board of education and other partners; and a report outlining findings and recommendations to the governor and education committees of the legislature by December 31, 2025. Grants for mastery-based learning may be made in partnership with private matching funds.

(3) \$23,000 of the general fund—state appropriation for fiscal year 2024 and \$23,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the state board of education to be a member in the education commission of the states.

(4) \$6,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5849 (computer science/graduation). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(5) \$156,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6264 (competency-based education). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 503.** 2023 c 475 s 503 (uncodified) is amended to read as follows:

**FOR THE PROFESSIONAL EDUCATOR STANDARDS BOARD**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$22,535,000</del> ))
	\$17,335,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$21,417,000</del> ))

	<u>\$21,509,000</u>
TOTAL APPROPRIATION.....	<u>(\$43,952,000)</u>
	<u>\$38,844,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,930,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,945,000)~~ \$2,035,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the Washington professional educator standards board including implementation of chapter 172, Laws of 2017 (educator prep. data/PESB).

(2) (a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to improve preservice teacher training and funding of alternate routes to certification programs administered by the professional educator standards board.

(b) Within the amounts provided in this subsection (2), up to \$500,000 of the general fund—state appropriation for fiscal year 2024 and up to \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs.

(3) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,001,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the recruiting Washington teachers program with priority given to programs that support bilingual teachers, teachers from populations that are underrepresented, and English language learners. Of the amounts provided in this subsection (3), \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and expansion of the bilingual educator initiative pilot project established under RCW 28A.180.120.

(4) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply).

(5) ~~(\$17,535,000)~~ \$12,335,000 of the general fund—state appropriation for fiscal year 2024 and \$17,535,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 237, Laws of 2017 (paraeducators). Of the amounts provided in this subsection: ~~(\$16,873,000)~~ \$11,550,000 of the general fund—state appropriation for fiscal year 2024 and \$16,873,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to districts to provide two days of training per school year in the paraeducator certificate program to all paraeducators. Funds in this subsection are provided solely for reimbursement to school districts that provide paraeducators with two days of training in the paraeducator certificate program in each of the 2022-23 and 2023-24 school years. Funding provided in this subsection is sufficient for new paraeducators to receive four days of training in the paraeducator certificate program during their first year.

(6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$28,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the board to review national certification opportunities for educational staff associates through the relevant national associations for their profession and through the national board for professional teaching standards. The board must compare the standards and processes for achieving these certifications, including an analysis of how educational staff associate positions' national certification aligns with school roles and the professional expertise of school-based education staff associates. The board must submit the comparison report to the education committees of the legislature by October 1, 2024.

(7) \$147,000 of the general fund—state appropriation for fiscal year 2024 and \$158,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$71,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the professional educator standards board and the paraeducator board to collaborate with the office of the superintendent of public instruction to report on a plan to align bilingual education and English language learner endorsement standards and to determine language assessment requirements for multilingual teachers and paraeducators. The report is due to the legislature by September 1, 2023.

(9) \$1,012,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the professional educator standards board, in coordination with the office of the superintendent of public instruction, to develop a teacher residency program through Western Washington University focused on special education instruction beginning in the 2024-25 school year.

**Sec. 504.** 2023 c 475 s 504 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT**

General Fund—State Appropriation (FY 2024) . . . . .	<del>(\$9,765,637,000)</del>
	<u>\$9,743,015,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$10,027,638,000)</del>
	<u>\$9,739,510,000</u>

Education Legacy Trust Account—State Appropriation. . . . .	(\$1,538,730,000)
	<u>\$1,800,730,000</u>
<u>Washington Opportunity Pathways Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$28,000,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(\$21,332,005,000)</b>
	<u>\$21,311,255,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2023-24 and 2024-25 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary allocations in sections 504 and 505 of this act, excluding (c) of this subsection.

(c) From July 1, 2023, to August 31, 2023, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 504 and 505, chapter 297, Laws of 2022, as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(e)(i) Funding provided in part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210.

(g) For the 2023-24 and 2024-25 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2023-24 and 2024-25 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school, including those at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

General education class size:

Grade	RCW 28A.150.260	2023-24 School Year	2024-25 School Year
Grade K		17.00	17.00
Grade 1		17.00	17.00
Grade 2		17.00	17.00
Grade 3		17.00	17.00
Grade 4		27.00	27.00
Grades 5-6		27.00	27.00
Grades 7-8		28.53	28.53
Grades 9-12		28.74	28.74

The superintendent shall base allocations for: Laboratory science average class size as provided in RCW 28A.150.260; career and technical education (CTE) class size of 23.0; and skill center program class size of 19. Certificated instructional staff units provided for



skills centers that exceed the minimum requirements of RCW 28A.150.260 achieve class size reductions under RCW 28A.400.007 and are part of the state's program of basic education.

(ii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iii) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260, as amended by chapter 109, Laws of 2022, and is considered certificated instructional staff.

(ii) For qualifying high-poverty schools in the 2023-24 school year, at which more than 50 percent of the students were eligible for free and reduced-price meals in the prior school year, in addition to the allocation under (d)(i) of this subsection, the superintendent shall allocate additional funding for guidance counselors for each level of prototypical school as follows:

	Elementary	Middle	High
Guidance counselors	0.166	0.166	0.157

(iii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

	2023-24 School Year	2024-25 School Year
Career and Technical Education	3.65	3.91
Skill Center	3.98	4.25

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2023-24 and 2024-25 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistant principals, and other certificated building level administrators:

Prototypical School Building:

Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors:

Career and Technical Education students . . . . .	1.025
Skill Center students . . . . .	1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2023-24 and 2024-25 school years are determined using the formula-generated staff units provided in RCW 28A.150.260 and pursuant to this subsection, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2023-24 and 2024-25 school years for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b) and the increased allocations provided pursuant to subsections (2) and (4) of this section, by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.48 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by ~~((12.30))~~ 12.31 percent in the 2023-24 school year and ~~((12.46))~~ 12.44 percent in the 2024-25 school year for career and technical education students, and ~~((17.62))~~ 17.64 percent in the 2023-24 school year and ~~((17.79))~~ 17.77 percent in the 2024-25 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 17.97 percent in the 2023-24 school year and ~~((17.97))~~ 17.99 percent in the 2024-25 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 22.06 percent in the 2023-24 school year and ~~((21.56))~~ 21.58 percent in the 2024-25 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the rates specified in section 506 of this act, based on the number of benefit units determined as follows: Except for nonrepresented employees of educational service districts, the number of calculated benefit units determined below. Calculated benefit units are staff units multiplied by the benefit allocation factors established in the collective bargaining agreement referenced in section 909 of this act. These factors are intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent employees may be calculated on the basis of 630 hours of work per year, with no individual employee counted as more than one full-time equivalent. The number of benefit units is determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section multiplied by 1.02; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.43.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$178.98	<del>((182.72))</del> <u>182.38</u>
Utilities and Insurance	\$416.26	<del>((425.01))</del> <u>424.18</u>
Curriculum and Textbooks	\$164.48	<del>((167.94))</del> <u>167.61</u>
Other Supplies	\$326.54	<del>((333.40))</del> <u>332.75</u>
Library Materials	\$22.65	<del>((23.13))</del> <u>23.08</u>
Instructional Professional Development for Certificated and Classified Staff	\$25.44	<del>((25.97))</del> <u>25.92</u>
Facilities Maintenance	\$206.22	<del>((210.55))</del> <u>210.13</u>
Security and Central Office	\$142.87	<del>((145.87))</del> <u>145.58</u>

TOTAL MSOC/STUDENT FTE	\$1,483.44	<del>(\$1,514.59)</del>
		<u>\$1,511.63</u>

(ii) For the 2023-24 school year and 2024-25 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (a)(ii)(A) of this subsection (8) exceeds (a)(ii)(B) of this subsection (8), any proposed use of this difference and how this use will improve student achievement.

(iii) Within the amount provided in (a)(i) of this subsection (8), allocations for MSOC technology in excess of RCW 28A.150.260 are not part of the state's basic education.

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and ~~(\$1,760.84)~~ \$1,757.39 for the 2024-25 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and ~~(\$1,760.84)~~ \$1,757.39 for the 2024-25 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocations provided in (a) through (c) of this subsection at the following rate:

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$44.04	<del>(\$44.97)</del> <u>\$51.88</u>
Curriculum and Textbooks	\$48.06	<del>(\$49.06)</del> <u>\$51.37</u>
Other Supplies	\$94.07	\$96.04
Library Materials	\$6.05	\$6.18
Instructional Professional Development for Certified and Classified Staff	\$8.01	<del>(\$8.18)</del> <u>\$8.56</u>
TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE	\$200.23	<del>(\$204.43)</del> <u>\$214.03</u>

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2023-24 and 2024-25 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2023, to August 31, 2023, are adjusted to reflect provisions of chapter 297, Laws of 2022, as amended (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through 28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.

(12) ALL DAY KINDERGARTEN PROGRAMS

\$670,803,000 of the general fund—state appropriation for fiscal year 2024 and \$869,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to fund all day kindergarten programs in all schools in the 2023-24 school year and 2024-25 school year, pursuant to RCW 28A.150.220 and 28A.150.315. Beginning in the 2023-24 school year, funding for students admitted early to kindergarten under exceptions to the uniform entry qualifications under RCW 28A.225.160 must be limited to children deemed to be likely to be "successful in kindergarten."

## (13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (13) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2024 and 2025 as follows:

(a) \$650,000 of the general fund—state appropriation for fiscal year 2024 and \$650,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(16) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(17) Funding in this section is sufficient to fund a maximum of 1.2 FTE enrollment for career launch students pursuant to RCW 28A.700.130. Expenditures for this purpose must come first from the appropriations provided in section 501(5) of this act; funding for career launch enrollment exceeding those appropriations is provided in this section. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by January 1, 2024. The report must include the total FTE enrollment for career launch students, the FTE enrollment for career launch students that exceeded the appropriations provided in section 501(5) of this act, and the amount expended from this section for those students.

(18) (a) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.4 FTE including school district and institution of higher education enrollment consistent with the running start course requirements provided in chapter 202, Laws of 2015 (dual credit education opportunities). In calculating the combined 1.4 FTE, the office of the superintendent of public instruction:

(i) Must adopt rules to fund the participating student's enrollment in running start courses provided by the institution of higher education during the summer academic term; and

(ii) May average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and the institution of higher education.

(iii) In consultation with the state board for community and technical colleges, the participating institutions of higher education, the student achievement council, and the education data center, must annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(b) \$1,000 of the general fund—state appropriation for fiscal year 2024 is provided for implementation of Second Substitute House Bill No. 1316 (dual credit program access).

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (13) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (13) of this section shall be reduced in increments of twenty percent per year.

(20) (a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed the lesser of five percent or the cap established in federal law of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

(21) Funding in this section is sufficient to provide full general apportionment payments to school districts eligible for federal forest revenues as provided in RCW 28A.520.020. For the 2023-2025 biennium, general apportionment payments are not reduced for school districts receiving federal forest revenues.

(22) \$38,753,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 505.** 2023 c 475 s 505 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION**

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.260, and under section 504 of this act: For the 2023-24 school year and the 2024-25 school year salary allocations for certificated instructional staff, certificated administrative staff, and classified staff units are determined for each school district by multiplying the statewide minimum salary allocation for each staff type by the school district's regionalization factor shown in LEAP Document 3.

Statewide Minimum Salary Allocation

Staff Type	2023-24 School Year	2024-25 School Year
Certificated Instructional	\$75,419	( <del>(\$78,360)</del> ) <u>\$78,209</u>
Certificated Administrative	\$111,950	( <del>(\$116,316)</del> ) <u>\$116,092</u>
Classified	\$54,103	( <del>(\$56,213)</del> ) <u>\$56,105</u>

(2) For the purposes of this section, "LEAP Document 3" means the school district regionalization factors for certificated instructional, certificated administrative, and classified staff, as developed by the legislative evaluation and accountability program committee on April 20, 2023, at 6:09 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 17.33 percent for school year 2023-24 and (~~(17.33)~~)17.35 percent for school year 2024-25 for certificated instructional and certificated administrative staff and 18.56 percent for school year 2023-24 and (~~(18.06)~~)18.08 percent for the 2024-25 school year for classified staff.

(4) The salary allocations established in this section are for allocation purposes only except as provided in this subsection, and do not entitle an individual staff position to a particular paid salary except as provided in RCW 28A.400.200, as amended by chapter 13, Laws of 2017 3rd sp. sess. (fully funding the program of basic education).

**Sec. 506.** 2023 c 475 s 506 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$391,668,000)</del> ) <u>\$390,257,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$871,433,000)</del> ) <u>\$886,620,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(<del>(\$1,263,101,000)</del>)</b> <b><u>\$1,276,877,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The salary increases provided in this section are 3.7 percent for the 2023-24 school year, and (~~(3.9)~~)3.7 percent for the 2024-25 school year, the annual inflationary adjustments pursuant to RCW 28A.400.205.

(2)(a) In addition to salary allocations, the appropriations in this section include funding for professional learning as defined in RCW 28A.415.430, 28A.415.432, and 28A.415.434. Funding for this purpose is calculated as the equivalent of three days of salary and benefits for each of the funded full-time equivalent certificated instructional staff units. Nothing in this section entitles an individual certificated instructional staff to any particular number of professional learning days.

(b) Of the funding provided for professional learning in this section, the equivalent of one day of salary and benefits for each of the funded full-time equivalent certificated instructional staff units in the 2023-24 school year must be used to train school district staff on cultural competency, diversity, equity, or inclusion, as required in chapter 197, Laws of 2021.

(3)(a) The appropriations in this section include associated incremental fringe benefit allocations at 17.33 percent for the 2023-24 school year and (~~(17.33)~~)17.35 percent for the 2024-25 school year for certificated instructional and certificated administrative staff and 18.56 percent for the 2023-24 school year and (~~(18.06)~~)18.08 percent for the 2024-25 school year for classified staff.

(b) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocations and methodology in sections 504 and 505 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 504 and 505 of this act. Changes for pupil transportation

are determined by the superintendent of public instruction pursuant to RCW 28A.160.192, and impact compensation factors in sections 504, 505, and 506 of this act.

(c) The appropriations in this section include no salary adjustments for substitute teachers.

(4) The appropriations in this section are sufficient to fund the collective bargaining agreement referenced in part 9 of this act and reflect the incremental change in cost of allocating rates as follows: For the 2023-24 school year, \$1,100 per month and for the 2024-25 school year, ~~((\$1,157))~~ \$1,178 per month.

(5) The rates specified in this section are subject to revision each year by the legislature.

(6) \$46,426,000 of the general fund—state appropriation for fiscal year 2024 and \$211,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 50, Laws of 2023.

(7) \$5,155,000 of the general fund—state appropriation for fiscal year 2024 and \$12,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$864,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the special education enrollment funding cap in RCW 28A.150.390.

(9) \$3,995,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(10) \$671,000 of the general fund—state appropriation for fiscal year 2024 and \$1,555,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

**Sec. 507.** 2023 c 475 s 507 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$763,749,000</del> ))
	<u>\$803,792,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$762,332,000</del> ))
	<u>\$832,615,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$1,526,081,000</del>))</b>
	<b><u>\$1,636,407,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 507, chapter 297, Laws of 2022, as amended.

(3) Within amounts appropriated in this section, up to \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and up to \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are for a transportation alternate funding grant program based on the alternate funding process established in RCW 28A.160.191. The superintendent of public instruction must include a review of school district efficiency rating, key performance indicators and local school district characteristics such as unique geographic constraints in the grant award process.

(4) A maximum of \$939,000 of the general fund—state appropriation for fiscal year 2024 and a maximum of \$939,000 of the general fund—state appropriation for fiscal year 2025 may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(5) Subject to available funds under this section, school districts may provide student transportation for summer skills center programs.

(6) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(7) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(8) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

(9) (a) \$13,000,000 of the general fund—state appropriation for fiscal year 2024 and \$13,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to provide transportation safety net funding to school districts with a convincingly demonstrated need for additional transportation funding for special passengers. Transportation safety net awards shall only be provided when a school district's allowable transportation expenditures attributable to serving special passengers exceeds the amount allocated under subsection (2) (a) of this section and any excess transportation costs reimbursed by federal, state, tribal, or local child welfare agencies. A transportation safety net award may not exceed a school district's excess expenditures directly attributable to serving special passengers in the pupil transportation program.

(b) To be eligible for additional transportation safety net award funding, the school district must report, in accordance with statewide accounting guidance, the amount of the excess costs and the specific activities or services provided to special passengers that created the excess costs. The office of the superintendent of public instruction must request from school districts an application for transportation safety net funding. The office must submit to the office of financial management, and to the education and fiscal committees of the legislature, the total demonstrated need and awards by school district.

(c) Transportation safety net awards allocated under this subsection are not part of the state's program of basic education.

(10) \$23,033,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Substitute Senate Bill No. 5873 (student transportation), including: (a) \$4,000,000 is provided for supplemental transportation allocations to school districts that experience an increase in costs to pupil transportation services contracts due to new benefit requirements; (b) \$400 per student for 32,086 homeless students; (c) \$170,000 for the office of the superintendent of public instruction to collect student transportation expenditure data; and (d) \$6,000,000 for transportation allocations to school districts. If Substitute Senate Bill No. 5873 is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(11) \$130,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Engrossed Substitute Senate Bill No. 6031 (student transportation allocation). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$32,177,000 of the general fund—state appropriation for fiscal year 2024 and \$41,519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

**Sec. 508.** 2023 c 475 s 508 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SCHOOL FOOD SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$33,334,000 ))
	\$55,834,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$79,857,000 ))
	\$102,357,000
General Fund—Federal Appropriation . . . . .	(( \$573,104,000 ))
	\$925,799,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$686,295,000 ))</b>
	<b>\$1,083,990,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$11,548,000 of the general fund—state appropriation for fiscal year 2024 and \$11,548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(a) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades pre-kindergarten through twelfth grades who are eligible for reduced-price lunch as required in chapter 74, Laws of 2021 (reduced-price lunch copays);

(b) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(c) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced-price lunch, pursuant to chapter 287, Laws of 2005; and

(d) Assistance to school districts in initiating and expanding school breakfast programs.

(2) The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in subsection (1) (a) through (c) of this section.

(3) The superintendent of public instruction shall provide the department of health with the following data, where available, for all nutrition assistance programs that are funded by the United States department of agriculture and administered by the office of the superintendent of public instruction. The superintendent must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:



- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(4) (a) (~~(\$21,167,000)~~) \$44,167,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$52,167,000)~~) \$74,667,000 of the general fund—state appropriation for fiscal year 2025, and \$28,500,000 of the general fund—federal appropriation (CRRSA) are provided solely for reimbursements to school districts for schools and groups of schools required to participate in the federal community eligibility program under section 1, chapter 7, Laws of 2022 (schools/comm. eligibility) for meals not reimbursed at the federal free meal rate.

(b) \$119,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 271, Laws of 2018 (school meal payment) to increase the number of schools participating in the federal community eligibility program and to support breakfast after the bell programs authorized by the legislature that have adopted the community eligibility provision, and for staff at the office of the superintendent of public instruction to implement section 1, chapter 7, Laws of 2022 (schools/comm. eligibility).

(5) \$7,426,000 of the general fund—federal appropriation (CRRSA/GEER) and \$16,023,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1238 (free school meals). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

**Sec. 509.** 2023 c 475 s 509 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$1,719,541,000)</del> )
	<u>\$1,804,368,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$1,789,729,000)</del> )
	<u>\$1,916,079,000</u>
General Fund—Federal Appropriation. . . . .	( <del>(\$529,429,000)</del> )
	<u>\$664,372,000</u>
Education Legacy Trust Account—State Appropriation. . . . .	\$54,694,000
<b>TOTAL APPROPRIATION</b> .....	<del>(\$4,093,393,000)</del>
	<u>\$4,439,513,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 504 and 506 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2) (a) The superintendent of public instruction shall ensure that:

- (i) Special education students are basic education students first;
- (ii) As a class, special education students are entitled to the full basic education allocation; and
- (iii) Special education students are basic education students for the entire school day.

(b) (i) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006, except as provided in (b)(ii) of this subsection.

(ii) The superintendent of public instruction shall implement any changes to excess cost accounting methods required under Engrossed Substitute House Bill No. 1436 (special education funding).

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4) (a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390, except that the calculation of the base allocation also includes allocations provided under section 504 (2) and (4) of this act and RCW 28A.150.415, which enhancement is within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school district programs for special education students as provided in section 509, chapter 297, Laws of 2022, as amended.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund—

state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 15 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) (~~(\$106,931,000)~~)\$151,047,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$112,431,000)~~)\$151,046,000 of the general fund—state appropriation for fiscal year 2025, and \$29,574,000 of the general fund—federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2023-24 and 2024-25 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (education).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$1,250,000 may be expended from the general fund—state appropriations to fund teachers and aides at Seattle children's hospital. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$87,000 of the general fund—state appropriation for fiscal year 2024, \$87,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

(12) (a) \$13,538,000 of the general fund—federal appropriation (ARPA) is provided solely for allocations from federal funding as authorized in section 2014, the American rescue plan act of 2021, P.L. 117-2.

(b) \$1,777,000 of the general fund—federal appropriation (ARPA) is provided solely for providing preschool services to qualifying special education students under section 619 of the federal individuals with disabilities education act, pursuant to section 2002, the American rescue plan act of 2021, P.L. 117-2.

(13) \$153,091,000 of the general fund—state appropriation for fiscal year 2024 and \$199,246,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(14) \$12,542,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the special education enrollment funding cap in RCW 28A.150.390.

(15) \$6,590,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 510.** 2023 c 475 s 510 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$40,799,000)</del> ) \$41,625,000
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$35,780,000)</del> ) \$39,185,000
Workforce Education Investment Account—State Appropriation . . . . .	\$2,700,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(<del>(\$79,279,000)</del>) \$83,510,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) Funding in this section is provided for regional professional development related to English language arts curriculum and instructional strategies aligned with common core state standards. Each educational service district shall use this funding solely for salary and benefits for certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(4) Funding in this section is provided for regional technical support for the K-20 telecommunications network to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(5) Funding in this section is provided for a corps of nurses located at the educational service districts, to be dispatched in coordination with the office of the superintendent of public instruction, to provide direct care to students, health education, and training for school staff. In fiscal years 2024 and 2025, allocations for the corps of nurses is sufficient to provide one day per week of nursing services for all second-class school districts.

(6) Funding in this section is provided for staff and support at the nine educational service districts to provide a network of support for school districts to develop and implement comprehensive suicide prevention and behavioral health supports for students.

(7) Funding in this section is provided for staff and support at the nine educational service districts to provide assistance to school districts with comprehensive safe schools planning, conducting needs assessments, school safety and security trainings, coordinating appropriate crisis and emergency response and recovery, and developing threat assessment and crisis intervention teams. In fiscal years 2024 and 2025, allocations for staff and support for regional safety centers are increased to 3 full-time equivalent certificated instructional staff for each regional safety center.

(8) Funding in this section is provided for regional English language arts coordinators to provide professional development of teachers and principals around the new early screening for dyslexia requirements.

(9) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

(10) \$2,169,000 of the general fund—state appropriation for fiscal year 2024 and \$2,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each educational service district to provide technology consultation, procurement, and training required under chapter 301, Laws of 2021 (schools/computers & devices).

(11) \$1,009,000 of the general fund—state appropriation for fiscal year 2024 and \$1,009,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 87, Laws of 2022 (ed. service district funding).

(12) \$2,700,000 of the workforce education investment account—state appropriation is provided solely for the cost of employing one full-time equivalent employee at each of the nine education service districts to support the expansion of career connected learning.

(13) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts to provide students attending school in rural areas with access to a mental health professional using telemedicine. Funding must be prioritized to districts where mental health services are inadequate or nonexistent due to geographic constraints. Funding may be used for schools or school districts for technology upgrades to provide secure access for students, for contracted services, or to pay applicable copays or fees for telemedicine visits if not covered by a student's public or private insurance.

(14) \$325,000 of the general fund—state appropriation for fiscal year 2024 and \$325,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound educational service district 121 to administer a Washington state capitol civic engagement grant program for the Auburn, Federal Way, Highline, Kent, Renton, and Tukwila public school districts. Grant recipients must use the grant awards to transport one grade of either fourth or fifth grade students to the Washington state capitol campus for a day of civic engagement, which may include a capitol tour, mock legislative committee hearings, presentations on the legislative process, meet and greets with legislative members, and other related activities. If funding remains after all eligible school districts have received

grant awards, the remaining funding may be used to support the program for high school students within the eligible school districts. Of the amounts provided in this subsection, \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000 of the general fund—state appropriation for fiscal year 2025 are provided for the Puget Sound educational service district to administer the grant program.

(15) ~~\$5,000,000 of the general fund—state appropriation for fiscal year 2024 ((~~is~~)) and \$2,355,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue behavioral health regional services grants to support school districts with the least access to behavioral health services. The office of the superintendent of public instruction shall conduct an evaluation of the investments in behavioral health supports and by December 31, 2024, report to the office of financial management and the fiscal committees of the legislature, the number of students served by specific behavioral health supports, how the students were selected for specific behavioral health supports, and how the students may have received behavioral health supports, and make recommendations for improving behavioral health supports for students.~~

(16) \$2,800,000 of the general fund—state appropriation for fiscal year 2024 and \$2,800,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the educational service districts to expand and maintain student behavioral health and mental health services.

(17) \$643,000 of the general fund—state appropriation for fiscal year 2024 and \$643,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts 121 and 101 to coordinate with local mental health agencies and local school districts to arrange for in-school placements of social worker associates licensed under RCW 18.225.145 and masters in social work candidates enrolled in an accredited university program who commit to working as school social workers, and to coordinate clinical supervision for approved supervisors that meet the requirements as defined in rule by the department of health to provide the necessary supervision to the social worker associates and masters in social work candidates.

(18) ~~\$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to work with educational service districts, the health care authority, and the department of health to review and update materials for information sessions provided to students designed to prevent the use of opioids, including fentanyl, specifically outlining the risks of death related to uneven dosages and pills that look like prescription drugs. If Second Substitute House Bill No. 1956 (relating to fentanyl and other substance use prevention education) is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

**Sec. 511.** 2023 c 475 s 511 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$215,327,000</del> ))
	<u>\$213,689,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$211,159,000</del> ))
	<u>\$211,467,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$426,486,000</del>))</b>
	<b><u>\$425,156,000</u></b>

**Sec. 512.** 2023 c 475 s 512 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$14,899,000</del> ))
	<u>\$16,138,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$14,635,000</del> ))
	<u>\$16,736,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$29,534,000</del>))</b>
	<b><u>\$32,874,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund—state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution's annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$701,000 of the general fund—state appropriation for fiscal year 2024 and \$701,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent

certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Within the amounts provided in this section, funding is provided to increase the capacity of institutional education programs to differentiate instruction to meet students' unique educational needs, including students with individualized educational plans. Those needs may include but are not limited to one-on-one instruction, enhanced access to counseling for social emotional needs of the student, and services to identify the proper level of instruction at the time of student entry into the facility. Allocations of amounts for this purpose in a school year must be based on 45 percent of full-time enrollment in institutional education receiving a differentiated instruction amount per pupil equal to the total statewide allocation generated by the distribution formula under RCW 28A.150.260 (4) (a), (5), (6), and (8) and the allocation under RCW 28A.150.415, per the statewide full-time equivalent enrollment in common schools.

(7) \$200,000 of the general fund—state appropriation in fiscal year 2024 and \$200,000 of the general fund—state appropriation in fiscal year 2025 are provided solely to support two student records coordinators to manage the transmission of academic records for each of the long-term juvenile institutions. One coordinator is provided for each of the following: The Issaquah school district for the Echo Glen children's center and for the Chehalis school district for Green Hill academic school.

(8) Ten percent of the funds allocated for the institution may be carried over from one year to the next.

(9) \$588,000 of the general fund—state appropriation for fiscal year 2024 and \$897,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one educational advocate to each institution with enrollments above 40 full-time equivalent students in addition to any educational advocates supported by federal funding. Educational advocates will provide the following supports to students enrolled in or just released from institutional education programs:

- (a) Advocacy for institutional education students to eliminate barriers to educational access and success;
- (b) Consultation with juvenile rehabilitation staff to develop educational plans for and with participating youth;
- (c) Monitoring educational progress of participating students;
- (d) Providing participating students with school and local resources that may assist in educational access and success upon release from institutional education facilities; and
- (e) Coaching students and caregivers to advocate for educational needs to be addressed at the school district upon return to the community.

(10) Within the amounts provided in this section, funding is provided to increase materials, supplies, and operating costs by \$85 per pupil for technology supports for institutional education programs. This funding is in addition to general education materials, supplies, and operating costs provided to institutional education programs, which exclude formula costs supported by the institutional facilities.

(11) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support instruction in cohorts of students grouped by similar age and academic levels.

**Sec. 513.** 2023 c 475 s 513 (uncodified) is amended to read as follows:

<b>FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS</b>	
General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$33,233,000</del> ))
	<u>\$33,171,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$32,990,000</del> ))
	<u>\$32,964,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$66,223,000</del>))</b>
	<b><u>\$66,135,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

- (1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.
- (2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c) except that allocations must be based on 5.0 percent of each school district's full-time equivalent enrollment. In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the compensation rates as provided in sections 505 and 506 of this act.
- (b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 513, chapter 297, Laws of 2022, as amended.

**Sec. 514.** 2023 c 475 s 514 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR MISCELLANEOUS—EVERY STUDENT SUCCEEDS ACT**

General Fund—Federal Appropriation. . . . .	(( <del>\$9,802,000</del> ))
	<u>\$11,416,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$9,802,000</del>))</b>
	<b><u>\$11,416,000</u></b>

**Sec. 515.** 2023 c 475 s 515 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—EDUCATION REFORM PROGRAMS**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$139,296,000</del> ))
	<u>\$132,050,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$141,513,000</del> ))
	<u>\$145,739,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$95,825,000</del> ))
	<u>\$97,181,000</u>
General Fund—Private/Local Appropriation. . . . .	\$1,450,000
Education Legacy Trust Account—State Appropriation. . . . .	\$1,664,000
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$379,748,000</del>))</b>
	<b><u>\$378,084,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ACCOUNTABILITY

(a) \$26,975,000 of the general fund—state appropriation for fiscal year 2024, \$26,975,000 of the general fund—state appropriation for fiscal year 2025, \$1,350,000 of the education legacy trust account—state appropriation, and \$15,868,000 of the general fund—federal appropriation are provided solely for development and implementation of the Washington state assessment system.

(b) \$14,352,000 of the general fund—state appropriation for fiscal year 2024 and \$14,352,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 159, Laws of 2013 (K-12 education - failing schools).

(2) EDUCATOR CONTINUUM

(a) ((~~\$75,317,000~~)) \$70,518,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$77,424,000~~)) \$78,626,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(i) For national board certified teachers, a bonus of \$6,206 per teacher in the 2023-24 school year and a bonus of \$6,336 per teacher in the 2024-25 school year;

(ii) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(iii) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(iv) During the 2023-24 and 2024-25 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary allocation and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after fully exhausting all years of candidacy as set by the national board for professional teaching standards are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(b) \$3,418,000 of the general fund—state appropriation for fiscal year 2024 and \$3,418,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(c) \$477,000 of the general fund—state appropriation for fiscal year 2024 and \$477,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(d) \$810,000 of the general fund—state appropriation for fiscal year 2024 and \$810,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(e) \$11,500,000 of the general fund—state appropriation for fiscal year 2024 and \$11,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a beginning educator support program (BEST). The program shall prioritize first year educators in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning educator aligned with professional certification; release time for mentors and new educators to work together; and educator observation time with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support first year educators in the mentoring program.

(f) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of training for teachers, principals, and principal evaluators in the performance-based teacher principal evaluation program.

(g) \$3,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with an approved educator preparation program run by a statewide labor organization representing educators to fund one cohort of teacher residents. This program shall choose its candidates from among the paraeducators working in those districts. Through completing this program, participants shall attain a teaching certification with an endorsement in special education.

(h) \$621,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with a statewide labor association that represents educators to provide a suite of supports and professional development opportunities for 15,000 emergency substitute teachers.

**Sec. 516.** 2023 c 475 s 516 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(\$236,993,000)
	<u>\$249,957,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$236,173,000)
	<u>\$260,357,000</u>
General Fund—Federal Appropriation . . . . .	(\$107,124,000)
	<u>\$137,117,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(\$580,290,000)</b>
	<u><b>\$647,431,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10)(b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through six and 6.7780 hours per week per transitional bilingual program student in grades seven through twelve in school years 2023-24 and 2024-25; (ii) additional instruction of 3.0000 hours per week in school years 2023-24 and 2024-25 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the compensation rates as provided in sections 505 and 506 of this act. Pursuant to RCW 28A.180.040(1)(g), the instructional hours specified in (a)(ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 516, chapter 297, Laws of 2022, as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: ((1.75))1.63 percent for school year 2023-24 and ((1.74))1.57 percent for school year 2024-25.

(4) The general fund—federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund—state appropriation for fiscal year 2024 and \$35,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to track current and former transitional bilingual program students.

(6) \$1,461,000 of the general fund—state appropriation in fiscal year 2024 and \$1,916,000 of the general fund—state appropriation in fiscal year 2025 are provided solely for the central provision of assessments as provided in RCW 28A.180.090, and is in addition to the withholding amounts specified in subsection (3) of this section.

**Sec. 517.** 2023 c 475 s 517 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE LEARNING ASSISTANCE PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$467,338,000</del> ))	<u>\$484,953,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$466,985,000</del> ))	<u>\$491,111,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$533,487,000</del> ))	<u>\$636,543,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$1,467,810,000</del>))</b>	<b><u>\$1,612,607,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a). In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2023-24 and 2024-25 school years; (B) additional instruction of 1.1 hours per week per funded learning assistance program student for the 2023-24 and 2024-25 school years in qualifying high-poverty school building; (C) fifteen learning assistance program students per teacher; (D) 36 instructional weeks per year; (E) 900 instructional hours per teacher; and (F) the compensation rates as provided in sections 505 and 506 of this act.

(ii) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 517, chapter 297, Laws of 2022, as amended.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the school year period defined under RCW 28A.150.260(10)(a). A school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund—federal appropriation in this section is provided for Title I Part A allocations of the every student succeeds act of 2016.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) Within existing resources, during the 2023-24 and 2024-25 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

**Sec. 518.** 2023 c 475 s 518 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—PER PUPIL ALLOCATIONS**

Statewide Average Allocations  
Per Annual Average Full-Time Equivalent Student

Basic Education Program	2023-24 School Year	2024-25 School Year
General Apportionment	(( <del>\$10,329</del> )) <u>\$10,303</u>	(( <del>\$10,814</del> )) <u>\$10,849</u>
Pupil Transportation	(( <del>\$725</del> )) <u>\$788</u>	(( <del>\$745</del> )) <u>\$822</u>



Special Education Programs	<del>(( \$11,960 ))</del>	<del>(( \$12,495 ))</del>
	<u>\$12,214</u>	<u>\$12,750</u>
Institutional Education Programs	<del>(( \$26,938 ))</del>	<del>(( \$27,909 ))</del>
	<u>\$25,766</u>	<u>\$27,295</u>
Programs for Highly Capable Students	<del>(( \$648 ))</del>	\$674
	<u>\$647</u>	
Transitional Bilingual Programs	<del>(( \$1,555 ))</del>	<del>(( \$1,591 ))</del>
	<u>\$1,571</u>	<u>\$1,620</u>
Learning Assistance Program	<del>(( \$1,008 ))</del>	<del>(( \$1,049 ))</del>
	<u>\$1,009</u>	<u>\$1,050</u>

**Sec. 519.** 2023 c 475 s 519 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocation purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) When adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, except as provided in ~~((subsubsection))~~ subsections (6) and (7) of this section.

(4) Appropriations in sections 504 and 506 of this act for insurance benefits under chapter 41.05 RCW are provided solely for the superintendent to allocate to districts for employee health benefits as provided in section 909 of this act. The superintendent may not allocate, and districts may not expend, these amounts for any other purpose beyond those authorized in section 909 of this act.

(5) As required by RCW 28A.710.110, the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

(6) By January 15, 2024, the office of the superintendent of public instruction must identify funding in this Part V from the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f), the American rescue plan act of 2021, P.L. 11 117-2 and general fund—federal appropriation (CRRSA/GEER) that are provided solely for the purposes defined in sections 507, 522, and 523 of this act and are at risk of being unobligated or unspent by federal deadlines, as of January 15, 2024. Funding identified at risk under this subsection must be reported to the fiscal committees of the legislature and expended as allocations to school districts in the same proportion as received under part A of title I of the elementary and secondary education act of 1965 in the most recent fiscal year.

(7) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, 2024, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year 2024 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment; employee compensation adjustments; pupil transportation; special education programs; institutional education programs; transitional bilingual programs; highly capable programs; and learning assistance programs.

(8) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

**Sec. 520.** 2023 c 475 s 520 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR CHARTER SCHOOLS**

Washington Opportunity Pathways Account—State	
Appropriation. . . . .	(( \$184,721,000 ))
	<u>\$181,579,000</u>
TOTAL APPROPRIATION.....	<del>(( \$184,721,000 ))</del>
	<u>\$181,579,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW. Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond the amounts provided under chapter 28A.710 RCW.

(2) \$3,293,000 of the opportunity pathways account—state appropriation is provided solely for implementation of chapter 50, Laws of 2023 (K-12 inflationary increases).

(3) \$1,421,000 of the opportunity pathways account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(4) \$161,000 of the opportunity pathways account—state appropriation is provided solely for grants to charter schools to recruit, retain, and provide wage increases to paraeducator staff. The office of the superintendent of public instruction shall establish standards and procedures for payment that consider regional cost differences between districts. The amount provided in this section is not part of the state's program of basic education.

(5) \$77,000 of the opportunity pathways account—state appropriation is provided solely to increase the special education enrollment funding cap in RCW 28A.150.390.

(6) \$11,128,000 of the opportunity pathways account—state appropriation is provided solely for payment for enrichment to state-tribal schools and charter schools.

(7) \$260,000 of the opportunity pathways account—state appropriation is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(8) \$969,000 of the opportunity pathways account—state appropriation is provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

**Sec. 521.** 2023 c 475 s 521 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION**

Washington Opportunity Pathways Account—State	
Appropriation. . . . .	(( \$23,000))
	\$640,000
Charter Schools Oversight Account—State	
Appropriation. . . . .	(( \$4,572,000))
	\$4,571,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$4,595,000))</b>
	<b>\$5,211,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire Washington opportunity pathways account—state appropriation in this section is provided to the superintendent of public instruction solely for the operations of the Washington state charter school commission under chapter 28A.710 RCW.

(2) \$28,000 of the charter schools oversight account—state appropriation is provided solely to the Washington state charter school commission to enable each charter school to participate in the governance training required under chapter 197, Laws of 2021 (schools/ equity training).

(3) \$238,000 of the charter schools oversight account—state appropriation is provided solely for office of the attorney general legal services related to litigation challenging the commission's authority to oversee and regulate charter schools.

**Sec. 522.** 2023 c 475 s 522 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GRANTS AND PASS THROUGH FUNDING**

General Fund—State Appropriation (FY 2024). . . . .	(( \$85,370,000))
	\$86,090,000
General Fund—State Appropriation (FY 2025). . . . .	(( \$81,400,000))
	\$86,603,000
General Fund—Federal Appropriation. . . . .	(( \$111,255,000))
	\$113,347,000
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
<u>Appropriation. . . . .</u>	<u>\$1,487,000</u>
Elementary and Secondary School Emergency Relief III	
Account—Federal Appropriation. . . . .	\$897,895,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$1,175,920,000))</b>
	<b>\$1,185,422,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$132,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for global compensation changes.

(2) GRADUATION SUCCESS AND PREPARATION FOR POSTSECONDARY PATHWAYS

(a) \$4,894,000 of the general fund—state appropriation for fiscal year 2024 and \$4,894,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer programs and grants which increase equitable access to dual credit programs, including subsidizing or eliminating student costs for dual credit courses or exams. By November 2024, the office shall submit a report to relevant committees of the legislature describing options for entering into statewide agreements with dual credit exam companies that will reduce the overall costs for all students and eliminate costs for students who are low income.

(b) \$3,152,000 of the general fund—state appropriation for fiscal year 2024 and \$3,152,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008, including parts of programs receiving grants that serve students in grades four through six. If equally matched by private donations, \$1,475,000 of the 2024 appropriation and \$1,475,000 of the 2025 appropriation shall be used to support FIRST robotics programs in grades four through twelve. Of the amounts provided in this subsection (2)(b), \$800,000 of the fiscal year 2024 appropriation and \$800,000 of the fiscal year 2025 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(c) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2024, a high school must have offered a foundational project lead the way course during the 2022-23 school year. The 2024 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2023-24 school year. To be eligible for funding in 2025, a high school must have offered a foundational project lead the way course during the 2023-24 school year. The 2025 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2024-25 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(e) \$2,527,000 of the general fund—state appropriation for fiscal year 2024 and \$2,527,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for annual startup, expansion, or maintenance of core plus programs in maritime, construction, and aerospace and advanced manufacturing programs. To be eligible for funding to start up, maintain, or expand programs under (e)(i) through (iii) of this subsection (2), the skills center, high school, or middle school must be selected through a grant process administered by the office of the superintendent of public instruction in consultation with the advisory committee established in (e)(vi) of this subsection (2). The office and the education research and data center shall report annually student participation and long-term outcome data. Within the amounts provided in this subsection (2)(e):

(i) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in aerospace and advanced manufacturing programs.

(ii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in construction programs.

(iii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in maritime programs.

(iv) For (e)(i) through (iii) of this subsection (2), when the grant demand does not align with the specified allocation, the superintendent may allocate funding toward sector areas that meet criteria based on agreement from industry sector representatives.

(v) \$527,000 of the general fund—state appropriation for fiscal year 2024 and \$527,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer, evaluate, and promote programs under (e)(i) through (iii) of this subsection (2) based on industry sector recommendations, including contracts with sector-specific entities to expand sector-specific employer engagement programs, increase work placement opportunities, validate credentials necessary for direct employment, and provide professional development to support schools, teachers, and students. Professional development must include pedagogy-based learning to increase English language arts, mathematics, and science outcomes through core plus programming.

(vi) The office shall collaborate with industry sector leadership from the core plus program areas and a representative from a statewide business and manufacturing association to inform the administration and continual improvement of core plus programs, review data and outcomes, recommend program improvements, ensure core plus programs reflect current industry competencies, and identify appropriate program credentials.

(f) \$4,940,000 of the general fund—state appropriation for fiscal year 2024 and \$4,940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(g) \$1,454,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(h) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an education and workforce pathway pilot program at the northwest career and technical academy. The pilot program will oversee a pathway including high schools, skills centers, community and technical colleges, and employers that results in students earning a high school diploma and an associate in technical arts degree, while maintaining summer employment.

(i) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to distribute after-exit running start grants to school districts that identify running start students that have exceeded maximum enrollment under running start formulas and high school graduates who have 15 or fewer college credits to earn before meeting associate degree requirements for instruction not funded under section 504(18) of this act. High school graduates who meet these requirements are eligible to receive funds from these grants for fees to the community and technical college to earn up to 15 college credits during the summer academic term following their high school graduation.

(j) \$2,094,000 of the general fund—state appropriation for fiscal year 2024 and \$2,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the competitive grant program created in Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(k) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the West Sound STEM Network to increase STEM activities for students in school and after school and to develop industry education pathways in high demand sectors.

(l) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with a nongovernmental entity for a controls programmer apprenticeship program.

(m) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a skill center located in Vancouver, Washington to support the center's criminal justice and fire science programs.

(n) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to conduct summer open doors pilots with up to 12 dropout reengagement programs to support summer programming. To select pilot participants, the office must prioritize schools and programs that work with postresident youth as defined in RCW 28A.190.005. Amounts provided in this subsection must be used to support programming during the summer months and are in addition to funding generated by enrollment under state funding formulas.

(o) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to school districts for ninth grade success. Within the amounts in this subsection, funding is provided for the office to contract with an evaluator to conduct a yearly evaluation of the program's success.

(p) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for a grant to the Seattle public school district to conduct an analysis of why families have left the district and how they may be attracted back. The Seattle public school district shall provide a report to the office of financial management and the fiscal committees of the legislature by June 30, 2025, that addresses the reasons for families leaving the district and specific steps necessary for them to return to the district.

(q) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for grants to school districts to install at least one automatic external defibrillator. The office shall establish a grant program to assist school districts to offset the costs of purchasing an automatic external defibrillator (AED) or to maintain or replace an AED.

(r) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to small districts to enable access to skills centers and technical education. For purposes

of this subsection (2)(r), "small district" means a district having an enrollment of fewer than 750 students.

(s) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office for a grant to Evergreen high school in Vancouver to support the associated student body at the high school.

(t) \$425,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to provide grants to school districts to provide opportunities for youth to participate in high demand science, technology, engineering, and math careers.

(u) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for grants to school districts to develop and implement capacity building supports for community-based youth development. School districts receiving grants under this subsection will offer programs that serve youth between the ages of 11 and 19.

(3) CURRICULUM DEVELOPMENT, DISSEMINATION, AND SUPPORTS

(a) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project citizen and we the people: The citizen and the constitution programs sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle and high school students. Of the amounts provided, \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for awarding a travel grant to the winner of the we the people: The citizen and the constitution state competition.

(b) \$373,000 of the general fund—state appropriation for fiscal year 2024 and \$373,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 127, Laws of 2018 (civics education). Of the amounts provided in this subsection (3)(b), \$10,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grant programs to school districts to help cover travel costs associated with civics education competitions.

(c) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional development for districts implementing the new frameworks.

(d) Within the amounts appropriated in this section the office of the superintendent of public instruction shall ensure career and technical education courses are aligned with high-demand, high-wage jobs. The superintendent shall verify that the current list of career and technical education courses meets the criteria established in RCW 28A.700.020(2). The superintendent shall remove from the list any career and technical education course that no longer meets such criteria.

(e) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide grants to school districts and educational service districts for science teacher training in the next generation science standards including training in the climate science standards. At a minimum, school districts shall ensure that teachers in one grade level in each elementary, middle, and high school participate in this science training. Of the amount appropriated \$1,000,000 is provided solely for community-based nonprofits including tribal education organizations to partner with public schools for next generation science standards.

(f) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Kip Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities, including instructional material purchases, teacher and principal professional development, and school and community engagement events. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(h) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(i) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction

must use the computer science learning standards adopted pursuant to chapter 3, Laws of 2015 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. The office of the superintendent of public instruction may award up to \$500,000 each year, without a matching requirement, to districts with greater than fifty percent of students eligible for free and reduced-price meals. All other awards must be equally matched by private sources for the program, including gifts, grants, or endowments.

(j) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a qualified 501(c)(3) nonprofit community-based organization physically located in Washington state that has at least 18 years of experience collaborating with the office and school districts statewide to integrate the state learning standards in English language arts, mathematics, and science with FieldSTEM outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(k) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(i) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(ii) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(l) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities.

(m) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the centrum program at Fort Worden state park.

(n) \$20,000,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer an outdoor learning grant program to develop and support outdoor educational experiences for students in Washington public schools. A portion of the amount provided must be used to provide outdoor educational opportunities for people with disabilities. The office may consult with the Washington recreation and conservation office on outdoor learning program grants. Of the amounts provided in this subsection (3)(n):

(i) \$195,000 of the general fund—state appropriation for fiscal year 2024 and \$195,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to implement chapter 112, Laws of 2022 (outdoor learning grant prg.).

(ii) \$3,903,000 of the general fund—state appropriation for fiscal year 2024 and \$3,903,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the outdoor learning grant program, which consists of two types of grants:

(A) Allocation-based grants for school districts to develop or support outdoor educational experiences; and

(B) Competitive grants for outdoor education providers that are designed to support existing capacity and to increase future capacity for outdoor learning experiences.

(iii) \$15,902,000 of the general fund—state appropriation for fiscal year 2024 and \$15,902,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the outdoor education experiences program. The office must prioritize providing the program to fifth and sixth grade students in high poverty schools, expanding to other fifth and sixth grade students subject to available funds.

(o) \$3,205,000 of the general fund—state appropriation for fiscal year 2024 and \$3,205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 238, Laws of 2022 (student financial literacy) which provides grants to school districts for integrating financial literacy education into professional development for certificated staff.

(p)(i) \$1,425,000 of the general fund—state appropriation for fiscal year 2024 and \$4,725,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dual language grants to grow capacity for high quality dual language learning. Grant funding may be used for new and existing dual language programs, heritage language programs for immigrant and refugee students, and indigenous language programs for native students. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for tribal language grants.

(ii) Each grant recipient must convene an advisory board to guide the development and continuous improvement of its dual language program, including but not limited to: Determining which schools and languages will be prioritized; conducting outreach to the community; and addressing enrollment considerations and the hiring of staff. At least half the members of the board must be parents of English learner students or current or former English learner students. The other members of the board must represent teachers, students, school leaders, governing board members, youth, and community-based organizations that support English learners.

(q) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a statewide information technology academy program. This public-private partnership will provide educational software, as well as information technology certification and software training opportunities for students and staff in public schools ((for the 2023-24 school year only)). The office must evaluate other options that may be available in the state for a future public-private partnership to deliver similar services to students and staff of public schools at no cost to the state.

(r) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental entity whose goals are to reduce disparities in student performance and improve algebraic achievement to create a statewide interactive math tutoring tool for middle and high school students that is accessible on a 24 hour basis to students, teachers, and parents across the state. The nongovernmental entity must have previously contracted with five other states and have demonstrated experience creating statewide interactive math tools with proven outcomes in math proficiency.

(s) \$2,036,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a gravitational wave observatory located in southeastern Washington that is supported through the national science foundation to purchase hands-on, interactive exhibits to expand the number of developmentally appropriate learning activities available for K-12 students attending the observatory.

(t) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the math improvement pilot program. Of the amounts provided in this subsection:

(i) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Spokane school district.

(ii) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Chehalis school district.

(u) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer grants to school districts for a plant-based school meals pilot program. Grants may be used for food supplies, delivery costs, equipment purchases, education, and other expenditures to increase access to plant-based school meals. Grant awards to school districts may not exceed \$10,000 per district and may only be distributed to school districts that have not received funding for the pilot program previously.

(v) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization that works with educators to secure salmon eggs, offer learning opportunities as the fry develop, and assist when students release their fry into local creeks and lakes. Funding may only be used for new programs located in elementary schools that are eligible for high-poverty allocations from the learning assistance program. Of the amounts provided in this subsection, the office may use no more than \$35,000 each fiscal year for office administration costs related to the contract.

(w) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for transitional support grants to school districts to support schools that incur costs transitioning from Native American school mascots, logos, or team names under chapter 301, Laws of 2021. In awarding grants under this subsection, the office must prioritize maximizing the number of schools that receive grant awards and address the most immediate school needs in order to comply with chapter 301, Laws of 2021, and must prioritize applications that are narrowly tailored to address specific compliance issues. School districts receiving funding to comply with the requirements of chapter 301, Laws of 2021 must use the methods that are the least costly and that leave intact existing facilities, including interiors and flooring, to the greatest extent possible. Grants awarded under this section may not be used for general maintenance or improvements of school facilities.

#### (4) ELIMINATING INEQUITABLE STUDENT OUTCOMES

(a) \$5,895,000 of the general fund—state appropriation for fiscal year 2024, \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation, and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to chapter 71, Laws of 2016 (foster youth edu. outcomes). The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(i) Of the amount provided in this subsection (4)(a), \$446,000 of the general fund—state appropriation for fiscal year 2024 and \$446,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(ii) Of the amount provided in this subsection (4)(a), \$1,015,000 of the general fund—state appropriation for fiscal year 2024 and \$1,015,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2015-2017 omnibus appropriations act, section 501(43)(b), chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(iii) Of the amounts provided in this subsection (4)(a), \$684,000 of the general fund—state appropriation for fiscal year 2024 and \$684,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in the 2017-2019 omnibus appropriations act, chapter 1, Laws of 2017, 3rd sp. sess., as amended.

(iv) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in this act.

(v) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintaining and implementing the data sharing agreement between the office, the department of children, youth, and families, and the contractors to support targeted service delivery, program evaluation, and statewide education outcomes measurement for students served under this section.

(vi) Of the amounts provided in this subsection (4)(a), \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation and \$1,105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of individualized education services such as monitoring and supporting completion of educational milestones, remediation needs, and special education needs of middle school students who are dependent pursuant to chapter 13.34 RCW.

(b) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 157, Laws of 2016 (homeless students).

(c) \$36,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 212, Laws of 2014 (homeless student educational outcomes).

(d) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracts with Washington state based nonprofit organizations that provide a career-integrated one-to-one mentoring program for disadvantaged students facing academic and personal challenges with the goal of keeping them on track for graduation and post-high school success. An applicant requesting funding under this subsection must successfully demonstrate to the office that it currently provides a career-integrated one-to-one volunteer mentoring program and has been mentoring school youth for at least 20 years in the state prior to application.

(e) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization to create an after-school and summer learning program in the city of Federal Way. The program shall provide comprehensive, culturally competent academic support and cultural enrichment for primarily latinx, spanish-speaking, low-income sixth, seventh, and eighth grade students. The department must contract with an organization with over forty years of experience that serves the latino community in Seattle and King county and has previously established an after-school and summer learning program.

(f) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to create and administer a grant program for districts to reduce associated student body fees or participation fees for students who are eligible to participate in the federal free and reduced-price meals program. The office must distribute grants for the 2023-24 school year to school districts by August 10, 2023, and grants for the 2024-25 school year by August 1, 2024.

(i) Grant awards must be prioritized in the following order:

(A) High schools implementing the United States department of agriculture community eligibility provision;

(B) High schools with the highest percentage of students in grades nine through twelve eligible to participate in the federal free and reduced-price meals program; and

(C) High schools located in school districts enrolling 5,000 or fewer students.

(ii) High schools that do not comply with the data collection and reporting requirements in RCW 28A.320.540 are not eligible for grant funding.

(iii) The office of the superintendent of public instruction shall award grants that are the lesser of the cost of the high school's associated student body card multiplied by the number of students eligible for the free or reduced-price meals program that purchased a student body card in either 2022-23 or 2023-24 school year, whichever is higher, or \$10,000.

(iv) The office may award additional funding if:

(A) The appropriations provided are greater than the total amount of funding requested at the end of the application cycle; and



(B) The applicant shows a demonstrated need for additional support.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a Washington-based nonprofit organization to promote equitable access in science, technology, engineering, and math education for historically underserved students and communities. The nonprofit shall provide a system of science educational programming specifically for migrant and bilingual students, including teacher professional development, culturally responsive classroom resources that are aligned with Washington state science and environmental and sustainability learning standards, and implementation support. At least 50 percent of the funding provided in this subsection must serve schools and school districts in eastern Washington. The nonprofit organization must have experience developing and implementing science and environmental science programming and resources for migrant and bilingual students.

(h) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization serving opportunity youth in Pierce, King and Snohomish counties. The organization must assist traditionally underrepresented students on nontraditional educational pathways by providing mentorship and technical assistance in navigating higher education and financial aid. The office may require the recipient of these funds to report the impacts of the efforts in alignment with the measures of the Washington school improvement framework.

(i) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school districts to support youth who are truant under chapter 28A.225 RCW or at risk of becoming truant, and for costs associated with filing or serving petitions under RCW 28A.225.030.

(j) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts and educational service districts operating institutional education programs for youth in state long-term juvenile institutions to provide access to computer science elective courses created in chapter 234, Laws of 2022 (computer science instruction).

(k) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts, charter schools, and state-tribal education compact schools to establish K-12 intensive tutoring programs. Grants shall be used to recruit, train, and hire tutors to provide one-on-one tutoring services to K-12 students experiencing learning loss as a result of the COVID-19 pandemic. The tutors must receive training in proven tutoring models to ensure their effectiveness in addressing learning loss.

(l) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 180, Laws of 2017 (Washington Aim program).

(m) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the pacific science center to increase hands-on learning opportunities for Title I K-5 students statewide by increasing access to science on wheels and virtual field trips.

(n) (i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer a peer support competitive grant program in Washington public schools. The office must award grants to eligible school districts starting in the 2023-24 school year. Programs should be designed to be primarily youth-led and aim to increase youth school engagement and support personal/cultural identities, and reduce risks associated with depression, school violence, and bullying. Successful grantees may consult with Washington teen link and the natural helper program in the development of the grant criteria, and the development of training material support. Program components should include:

- (A) Identification of trusted peers and staff who other students confide in;
- (B) Development or adaption of training materials;
- (C) Intensive training for peer and staff supporters;
- (D) Avenues to advertise peer support communication strategies; and
- (E) Participant and program evaluations.

(ii) School districts may also use funds to develop a sister school rapid trauma response strategy. Under this component, successful applicants reach out to other schools also receiving a peer support grant to develop a trauma response plan that quickly organizes students and staff to contact peers within those schools during times of school trauma and offer support.

(iii) The office shall evaluate the program to share best practices and for consideration by other school districts.

(o) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization to develop and provide a Latino youth-on-youth gang violence prevention program for students. The program must target Latino students ages 11 through 17 who are either involved in or at risk of becoming involved in a gang or in gang activities. Eligible youth must be enrolled in either the Moses Lake or Federal Way school districts. The nonprofit organization must have at least 15 years of experience serving Latino communities and promoting advocacy and must provide social kindergarten through 12th

grade social emotional learning, mental health wraparound services, and parent engagement programs in Washington.

(p) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer the technology grant program established under chapter 301, Laws of 2021.

(q) \$625,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with an organization located in SeaTac, Washington to provide wraparound social services and expand and maintain existing education and family engagement programs that serve students and their families in the Federal Way and Highline public school districts. The work of the organization must focus on housing and social services, education, and economic development for African immigrant and refugee communities.

(r) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization located in Everett, Washington to provide arts and culture programs to 500 low-income children and youth from diverse racial and ethnic backgrounds to close the education achievement gap in Snohomish county by improving student and youth confidence and improving mental health outcomes.

(s) \$360,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Shelton School District to contract with an organization that provides a free early childhood music education to teach music literacy and key skills to prepare children for success in school. The organization must provide Spanish, Mam, and Q'anjob'al versions of the early learning music education program during the 2023-24 school year.

(5) EDUCATOR GROWTH AND DEVELOPMENT

(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonviolence and ethical leadership training and professional development program provided by the institute for community leadership.

(b) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with the association of Washington school principals to provide support, mentoring, mediation, and professional learning services to school principals and assistant principals in the greater Seattle area.

(c) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization that supports Washington teachers in implementing lessons on the Holocaust for the expansion of comprehensive Holocaust and genocide education.

(6) FEDERAL GRANTS FOR COVID-19 RECOVERY

(a) \$7,791,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely to administer a grant program for community-based organizations to collaborate with school districts to support learning recovery and acceleration.

(b) \$102,002,000 of the general fund—federal appropriation (CRRSA/ESSER) from funds attributable to subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M is provided solely for subgrants to local education agencies. Total subgrants awarded under this subsection (6)(b), section 1517(47)(b) of this act, and section 12, chapter 3, Laws of 2021 may not exceed the federal amounts provided under subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(c) \$9,253,000 of the general fund—federal appropriation (CRRSA/GEER) ~~((i))~~ and \$1,487,000 of the general fund—federal appropriation (CSFRS) are provided solely to provide emergency assistance to nonpublic schools, as authorized in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M. Total funds provided under this subsection (6)(c), section 1517(47)(c)(i) of this act, and section 13, chapter 3, Laws of 2021 may not exceed the federal amounts provided in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(d) \$671,375,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(2) the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies. Total subgrants awarded under this subsection (6)(d) and section 1517(47)(d) of this act may not exceed the federal amounts provided under subsection 2001(e)(2), the American rescue plan act of 2021, P.L. 117-2.

(e) \$123,373,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies to address learning loss. Total subgrants awarded under this subsection (6)(e) and section 1517(47)(e) of this act may not exceed the federal amounts provided under subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2, and may not exceed the funding authorized in section 1517(47)(e) of this act.

(f) \$10,335,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(3), the American rescue plan act of 2021, P.L. 117-2 is provided solely to support evidence-based comprehensive

afterschool programs. Total funds provided under this subsection (6)(f) and section 1517(47)(g) of this act may not exceed the funding authorized in section 1517(47)(g) of this act.

(g) \$6,184,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to districts to expand the number of dual language classrooms in early grades and professional development to accelerate literacy gains in early grades, especially for English learners. Total funds provided under this subsection (6)(g) and section 1517(47)(h) of this act may not exceed the funding authorized in section 1517(47)(h) of this act.

(h)(i) \$8,428,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the purposes of identifying children and youth experiencing homelessness and providing children and youth experiencing homelessness with:

(A) Wrap-around services due to the challenges of the COVID-19 public health emergency; and

(B) Assistance needed to enable children and youth experiencing homelessness to attend school and participate fully in school activities.

(ii) Total funds provided under this subsection (6)(h) and section 1517(47)(n) of this act may not exceed the federal amounts provided in subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2.

(i) \$65,610,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for the office of the superintendent of public instruction to administer grants for the purposes of learning recovery and acceleration. Allowable uses of the funds are limited to:

(i) One-time contracts for classified, certificated, or administrative staff who will provide tiered academic and social-emotional supports to students most impacted by the disruption of in-person learning, including locating and reengaging students who have disengaged from school, one-on-one and small-group instruction, and other intensive learning supports;

(ii) Professional learning for educators focused on learning recovery and acceleration, including assessing student learning and social-emotional needs, transitioning to standards-based curricula and grading, adopting competency or mastery-based options specifically for credit retrieval purposes, and family and student engagement strategies;

(iii) Procuring assessment or data systems that provide actionable just-in-time data regarding student progress throughout the school year; and

(iv) Direct supports to students to improve school engagement and accelerate learning.

(j) \$995,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the office of the superintendent of public instruction to contract with the Washington school principals' education foundation to support pandemic related learning loss through outdoor learning and overnight camp experiences.

(k) \$173,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(2), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to entities or organizations to provide outdoor education summer enrichment programs to youth. Recipients must prioritize activities or programs that:

(i) Promote students connecting socially with their classmates;

(ii) Encourage students to engage in physical activity; and

(iii) Support families who have struggled with child care needs.

(l) \$143,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants for supplies, equipment, staffing, and services to increase access to summer meals and safe school meals in the 2023-24 school year and summer prior to the start of the school year.

(m) \$2,383,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2, is provided solely for grants to school districts to expand career and technical education graduation pathway options, including career-connected learning opportunities. Total funds provided under this subsection (6)(m) and section 1517(47)(i) of this act for the same purpose may not exceed the funding authorized in section 1517(47)(i) of this act.

**Sec. 523.** 2023 c 475 s 523 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITION TO KINDERGARTEN PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(\$5,172,000)
	\$6,870,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$67,008,000)
	\$69,959,000
General Fund—Federal Appropriation. . . . .	\$41,848,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$114,028,000)</b>
	<b>\$118,677,000</b>

The appropriations in this section are subject to the following conditions and limitations:

((~~\$5,172,000~~)) (1) \$6,720,000 of the general fund—state appropriation for fiscal year 2024, ((~~\$67,008,000~~)) \$69,809,000 of the general fund—state appropriation for fiscal year 2025, and \$41,848,000 of the general fund—federal appropriation (CRRSA/GEER) are for implementation of Second Substitute House Bill No. 1550 (transition to kindergarten). If the bill is not enacted by June 30, 2023, the office of the superintendent of public instruction must distribute the amounts appropriated in this section for enrollment funding for transitional kindergarten programs to participating school districts, charter schools authorized pursuant to RCW 28A.710.080(2), and state-tribal education compact schools during the 2023-24 and 2024-25 school years. Enrollment funding for transitional kindergarten is not part of the state's statutory program of basic education.

(2) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff and administrative costs necessary to provide interdepartmental coordination and engagement with stakeholders with respect to the program authorized in chapter 420, Laws of 2023 (transition to kindergarten).

(End of part)

**PART VI  
HIGHER EDUCATION**

**Sec. 601.** 2023 c 475 s 605 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$918,693,000</del> ))
	<u>\$920,342,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$984,293,000</del> ))
	<u>\$986,321,000</u>
<u>Climate Commitment Account—State Appropriation . . . . .</u>	<u>\$475,000</u>
Community/Technical College Capital Projects	
Account—State Appropriation . . . . .	\$21,368,000
Education Legacy Trust Account—State Appropriation . . . . .	\$164,067,000
Invest in Washington Account—State Appropriation . . . . .	\$92,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$300,417,000</del> ))
	<u>\$302,271,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$2,388,838,000</del>))</b>
	<b><u>\$2,394,936,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$33,261,000 of the general fund—state appropriation for fiscal year 2024 and \$33,261,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2024 and at least 7,170 full-time equivalent students in fiscal year 2025.

(2) \$5,000,000 of the general fund—state appropriation for fiscal year 2024, \$5,000,000 of the general fund—state appropriation for fiscal year 2025, and \$5,450,000 of the education legacy trust account—state appropriation are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature under RCW 43.01.036 regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$425,000 of the general fund—state appropriation for fiscal year 2024 and \$425,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Seattle Central College's expansion of allied health programs.

(4) \$5,250,000 of the general fund—state appropriation for fiscal year 2024 and \$5,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the student achievement initiative.

(5) \$1,610,000 of the general fund—state appropriation for fiscal year 2024, \$1,610,000 of the general fund—state appropriation for fiscal year 2025, and \$904,000 of the workforce education investment account—state appropriation are provided solely for the mathematics, engineering, and science achievement program.

(6) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace training and research center.

(7) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(8) (~~(\$23,748,000)~~)\$24,001,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$24,270,000)~~)\$24,601,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(9) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(10) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

(11) \$157,000 of the general fund—state appropriation for fiscal year 2024 and \$157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Wenatchee Valley college wildfire prevention program.

(12) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound welcome back center at Highline College to create a grant program for internationally trained individuals seeking employment in the behavioral health field in Washington state.

(13) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased enrollments in the integrated basic education and skills training program. Funding will support approximately 120 additional full-time equivalent enrollments annually.

(14) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity center for employment and education at North Seattle College.

(15) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Highline College to implement the Federal Way higher education initiative in partnership with the city of Federal Way and the University of Washington Tacoma campus.

(16) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Peninsula College to maintain the annual cohorts of the specified programs as follows:

(a) Medical assisting, 40 students;

(b) Nursing assistant, 60 students; and

(c) Registered nursing, 32 students.

(17) \$338,000 of the general fund—state appropriation for fiscal year 2024 and \$338,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state labor education and research center at South Seattle College.

(18) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace and advanced manufacturing center of excellence hosted by Everett Community College to develop a semiconductor and electronics manufacturing branch in Vancouver.

(19)(a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The state board for community and technical colleges must provide resources for up to two community or technical colleges, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The state board, in collaboration with the student achievement council and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health

insurance coverage; and to provide recommendations on how to improve student access to health coverage based on data gathered from the pilot program.

(20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024, \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$75,847,000 of the workforce education investment account—state appropriation are provided solely for statewide implementation of guided pathways at each of the state's community and technical colleges or similar programs designed to improve student success, including, but not limited to, academic program redesign, student advising, and other student supports.

(21) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for college operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(22) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(23) \$40,800,000 of the workforce education investment account—state appropriation is provided solely to continue to fund nurse educator salaries.

(24) \$40,000,000 of the workforce education investment account—state appropriation is provided to continue to fund high-demand program faculty salaries, including but not limited to nurse educators, other health-related professions, information technology, computer science, and trades.

(25) (~~(\$8,000,000)~~) \$9,000,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to maintain high-demand and career launch enrollments, as provided under RCW 28C.30.020. Within the amounts provided in this subsection (25):

(a) (~~(\$6,000,000)~~) \$7,000,000 of the amounts in this subsection (25) are provided to maintain and grow career launch enrollments, as provided under RCW 28C.30.020. Up to three percent of this amount may be used for administration, technical assistance, and support for career launch programs within the community and technical colleges.

(b) \$2,000,000 of the amounts in this subsection (25) are provided to maintain enrollments in high demand programs. These programs include, but are not limited to, allied health, computer and information science, manufacturing, and other fields identified by the state board for community and technical colleges.

(c) The state board for community and technical colleges may transfer amounts between (a) and (b) of this subsection if either program does not have sufficient demand to spend the allocated funding. Any transfer must be approved by the state board for community and technical colleges and the office of financial management.

(26) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for the emergency assistance grant program in RCW 28B.50.295.

(27) \$1,119,000 of the general fund—state appropriation for fiscal year 2024, \$1,119,000 of the general fund—state appropriation for fiscal year 2025, and \$4,221,000 of the workforce education investment account—state appropriation are provided solely for implementation of diversity, equity, inclusion, and antiracism provisions in chapter 28B.10 RCW.

(28) \$20,473,000 of the workforce education investment account—state appropriation is provided solely for implementation of equity and access provisions in chapter 28B.50 RCW.

(29) (a) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in trucking and trucking-related supply chain industries and the school bus driving industry by expanding the number of registered apprenticeships, preapprenticeships, and trucking related training programs; and providing support for registered apprenticeships or programs in trucking and trucking-related supply chain industries and the school bus driving industry.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training spaces and locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations to include foster care and homeless transition populations and previously incarcerated persons;

(iii) Faculty curriculum development and instructor training for driving, repair, and service of technological advancements facing the industries;

(iv) Tuition assistance for commercial vehicle driver and related supply chain industry training, fees associated with driver testing, and other reasonable and necessary student support services, including child care costs; and

(v) Fees and other reasonable costs associated with commercial truck driving examiner training and certification.

(c) An entity is eligible to receive a grant if it is a nonprofit, nongovernmental, or institution of primary or higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, commercial vehicle driver training and testing, or vocational training related to mechanical and support functions that support the trucking industry or the school bus driving industry; or incumbent worker training to prepare workers for the trucking and trucking-related supply chain industries or the school bus driving industry. Preference will be given to entities in compliance with

government approved or accredited programs. Reporting requirements, as determined by the board, shall be required.

(d) The board may use up to five percent of funds for administration of grants.

(30) \$3,200,000 of the workforce education investment account—state appropriation is provided solely for costs associated with grants awarded in fiscal year 2023 for nursing programs to purchase or upgrade simulation laboratory equipment.

(31)(a) \$9,336,000 of the workforce education investment account—state appropriation is provided solely to expand cybersecurity academic enrollments by 500 FTE students.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in section ~~((612(10)))~~ 608(10) of this act to submit a progress report on the new or expanded cybersecurity academic programs, including the number of students enrolled.

(32) \$410,000 of the workforce education investment account—state appropriation is provided solely to establish a center for excellence in cybersecurity.

(33) \$2,068,000 of the general fund—state appropriation for fiscal year 2024 and \$2,068,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation by employees within the community and technical college system challenging the denial of retirement and sick leave benefits. The cases include *Wolf v. State and SBCTC*, *Rush v. State and SBCTC* (retirement), and *Rush v. State and SBCTC* (sick leave).

(34) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity grant program to provide health care workforce grants for students.

(35) \$2,720,000 of the general fund—state appropriation for fiscal year 2024 and \$2,720,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each community and technical college to contract with a community-based organization to assist with financial aid access and support in communities.

(36) ~~((\$6,456,000))~~ \$7,456,000 of the workforce education investment account—state appropriation is provided solely for the expansion of existing programming to accommodate refugees and immigrants who have arrived in Washington state on or after July 1, 2021, and are eligible for federal refugee resettlement services, including those from Afghanistan and Ukraine.

(37)(a) \$2,160,000 of the general fund—state appropriation for fiscal year 2024, \$2,160,000 of the general fund—state appropriation for fiscal year 2025, and \$3,600,000 of the workforce education investment account—state appropriation are provided solely for nursing education, to increase the number of nursing slots by at least 400 new slots in the 2023-2025 fiscal biennium.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in section ~~((612(10)))~~ 608(10) of this act to submit a progress report on the new or expanded nursing academic programs, including the number of students enrolled per program.

(38) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Bellingham Technical College maritime apprenticeship program.

(39) \$2,100,000 of the workforce education investment account—state appropriation is provided solely for the Skagit Valley College dental therapy education program.

(40) \$855,000 of the workforce education investment account—state appropriation is provided solely for the Seattle Central College for partnership with the Seattle maritime academy. Seattle Central College must enter into a memorandum of agreement with Washington state ferries. Funding may not be expended until Seattle Central College certifies to the office of financial management that a memorandum of agreement with Washington state ferries has been executed. The memorandum of agreement must address:

(A) The shared use of training and other facilities and implementation of joint training opportunities where practicable;

(B) Development of a joint recruitment plan aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(C) Development of a training program and recruitment plan and a five-year operational plan.

(ii) The joint training program and recruitment plan and the five-year operational plan must be submitted to the appropriate policy and fiscal committees of the legislature by December 1, 2023.

(41) \$200,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to work with interested parties, such as local law enforcement agencies, the department of corrections, representatives of county or city jail facilities, the Washington state patrol, Washington community and technical colleges, and other organizations and entities as appropriate to assess the recruitment and retention challenges for their agencies and develop recommendations to meet the workforce needs. These recommendations should focus on education and training programs that meet the needs of law enforcement and corrections agencies and must include an outreach strategy designed to inform and attract students in non-traditional program pathways. The assessment and recommendations shall be provided in a report to the

governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by October 1, 2024.

(42) \$12,000,000 of the workforce education investment account—state appropriation is provided solely to support the continued diversity, equity, and inclusion efforts of institutions.

(43) \$331,000 of the general fund—state appropriation for fiscal year 2024, \$331,000 of the general fund—state appropriation for fiscal year 2025, and \$1,360,000 of the workforce education investment account—state appropriation are provided solely for implementation of state registered apprenticeship provisions in chapter 28B.124 RCW.

(44) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Everett Community College parent leadership training institute to recruit and train new course instructors to build additional capacity.

(45) \$19,850,000 of the general fund—state appropriation for fiscal year 2024 and \$35,024,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(46) \$243,000 of the general fund—state appropriation for fiscal year 2024, \$180,000 of the general fund—state appropriation for fiscal year 2025, and \$400,000 of the workforce education investment account—state appropriation are provided solely for Renton Technical College. Of the amounts provided in this subsection:

(a) \$400,000 of the workforce education investment account—state appropriation is for the college to award full tuition and fees to students who attend the college and graduated high school in the school district where the main campus is located. Eligible students must complete a free application for federal student aid or the Washington application for state financial aid. A report on the number of students utilizing the funding must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by January 15, 2024.

(b) \$243,000 of the general fund—state appropriation for fiscal year 2024 and \$180,000 of the general fund—state appropriation for fiscal year 2025 are for continuing outreach and participation in running start and adult education programs, including the program described in (a) of this subsection.

(47) (a) \$700,000 of the workforce education investment account—state appropriation is provided solely for the state board to administer a pilot program to increase career and technical education dual credit participation and credential attainment in professional technical programs. The state board, in collaboration with the office of the superintendent of public instruction, must select up to three community and technical colleges to participate in the pilot program during the 2023-24 and 2024-25 academic years. The three colleges must be located within the same educational service district and one must be located in a county with a population between 115,000 and 150,000. Colleges and school districts participating in the career and technical education dual credit grant program may utilize funding to cover the following expenses:

(i) Subsidized out-of-pocket costs to students and families for supplies, textbooks, materials, and credit transcription fees;

(ii) Outreach to prospective students and students who have completed career and technical education dual credit courses and are eligible to receive postsecondary credit to encourage participation and credit transcription;

(iii) Costs associated with staff or teacher time dedicated to curriculum alignment or the development of articulation agreements; and

(iv) Equipment and supplies for career and technical education dual credit courses required to meet postsecondary learning objectives.

(b) By December 10, 2024, the state board, in collaboration with the office of the superintendent of public instruction, must issue a preliminary report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, with findings and recommendations regarding the pilot program that may be scaled statewide. The final report is due by December 10, 2025. The state board must establish a stakeholder committee that is representative of students, faculty, staff, and agency representatives to inform this work. The report must include recommendations on the following topics:

(i) Course articulation and development of model articulation agreements;

(ii) Data collection and reporting;

(iii) Credit transcription and transfer;

(iv) Student advising and career guidance supports;

(v) Alignment of career and technical education dual credit programs with credential pathways and in-demand career fields;

(vi) Funding for industry-recognized credentials;

(vii) Identification of priority courses and programs; and

(viii) Evaluation of the statewide enrollment and data system, and recommendations for improvements to or replacement of the system to reflect articulation agreement data, student data, and transcription information to support data validity, credit portability, and program improvement.

(48) \$500,000 of the workforce education investment account—state appropriation is provided solely for Olympic College to partner with regional high schools for college ~~((in))~~ at the high school courses on-site at one or more regional high schools.

(49) \$1,262,000 of the workforce education investment account—state appropriation is provided solely for the centers of excellence.



(50) \$5,236,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(51) \$3,718,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(52) ~~(((\$7,470,000))\$5,429,000~~ of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(53) \$882,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(54) Within the amounts appropriated in this section, the state board for community and technical colleges shall develop a plan that includes the cost to provide compensation to part-time and adjunct faculty that equals or exceeds 85 percent of the compensation provided to comparably qualified full-time and tenured faculty by the 2026-27 academic year. The plan must be submitted to the governor and the higher education committees of the legislature, in accordance with RCW 43.01.036, by July 1, 2024.

(55) \$598,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the state board to move to the Jefferson building.

(56) \$475,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely to develop a climate solutions and climate justice curriculum at all 34 community and technical colleges.

(57) \$257,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the creation of a hospitality center of excellence hosted at Columbia basin college.

(58) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to the state board for community and technical colleges to collaborate with a nonprofit, professional association of state, county, city, and town officials engaged in development, enforcement, and administration of building construction codes and ordinances to design and implement training programs to accelerate the hiring of city and county permit technicians.

(59) \$819,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(60) \$12,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 6296 (retail industry work group). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(61) \$850,000 of the workforce education investment account—state appropriation is provided solely to expand the student aid outreach and completion initiative pilot program in RCW 28B.50.940 to participating community and technical colleges located within capital region educational service district 113.

(62) \$1,053,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 602.** 2023 c 475 s 606 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$521,181,000</del> ))
	\$523,299,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$453,529,000</del> ))
	\$546,621,000
Aquatic Lands Enhancement Account—State Appropriation . . . . .	\$1,646,000
Climate Commitment Account—State Appropriation . . . . .	(( <del>\$3,150,000</del> ))
	\$3,413,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation . . . . .	\$20,000,000
Natural Climate Solutions Account—State Appropriation . . . . .	\$837,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation . . . . .	\$280,000
University of Washington Building Account—State Appropriation . . . . .	\$1,546,000
Education Legacy Trust Account—State Appropriation . . . . .	(( <del>\$39,643,000</del> ))
	\$39,644,000
Economic Development Strategic Reserve Account—State Appropriation . . . . .	\$3,127,000

Biotoxin Account—State Appropriation. . . . .	\$632,000
Dedicated Cannabis Account—State Appropriation (FY 2024). . . . .	\$351,000
Dedicated Cannabis Account—State Appropriation (FY 2025). . . . .	(( \$365,000 ))
	<u>\$366,000</u>
Accident Account—State Appropriation. . . . .	\$8,586,000
Medical Aid Account—State Appropriation. . . . .	\$8,025,000
Workforce Education Investment Account—State Appropriation. . . . .	(( \$89,216,000 ))
	<u>\$88,941,000</u>
Geoduck Aquaculture Research Account—State Appropriation. . . . .	\$414,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$1,152,528,000 ))</b>
	<u><b>\$1,247,728,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$49,289,000~~))\$49,816,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$50,374,000~~))\$51,061,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the workforce education investment account—state appropriation are provided solely for ((~~labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges~~))one head archivist for the labor archives of Washington and reserved solely for labor archives activities, staffing, supplies, and equipment. The head will determine budget priorities and oversee expenditures on the budget. Budget funds will be reserved solely for the labor archives and shall not be used to supplant or supplement other activities of the University of Washington libraries unrelated to the collections and activities of the labor archives. The university and the head shall work in collaboration with the friends of the labor archives community advisory board.

(3) \$10,000,000 of the education legacy trust account—state appropriation is provided solely for the family medicine residency network at the university to maintain and expand the number of residency slots available in Washington.

(4) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(5) \$14,000,000 of the education legacy trust account—state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(6) \$3,062,000 of the economic development strategic reserve account—state appropriation is provided solely to support the joint center for aerospace innovation technology.

(7) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(8) \$7,345,000 of the general fund—state appropriation for fiscal year 2024 and \$7,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued operations and expansion of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(9) \$2,625,000 of the general fund—state appropriation for fiscal year 2024 and \$2,625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the institute for stem cell and regenerative medicine. Funds appropriated in this subsection must be dedicated to research utilizing pluripotent stem cells and related research methods.

(10) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to the University of Washington to support youth and young adults experiencing homelessness in the university district of Seattle. Funding is provided for the university to work with community service providers and university colleges and departments to plan for and implement a comprehensive one-stop center with navigation services for homeless youth; the university may contract with the department of commerce to expand services that serve homeless youth in the university district.

(11) \$1,200,000 of the general fund—state appropriation for fiscal year 2024, \$1,200,000 of the general fund—state appropriation for fiscal year 2025, and \$1,200,000 of the workforce education investment account—state appropriation are provided solely for the adult psychiatry residency program at the University of Washington to offer additional residency positions that are approved by the accreditation council for graduate medical education.

(12) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—appropriation for fiscal year 2025 are provided solely for the University of Washington's psychiatry integrated care training program.

(13) \$427,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$426,000 of the workforce education investment account—state appropriation are provided solely for child and adolescent psychiatry residency positions that are approved by the accreditation council for graduate medical education, as provided in RCW 28B.20.445.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the University of Washington School of Dentistry to support its role as a major oral health provider to individuals covered by medicaid and the uninsured.

(15) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the pre-law pipeline and social justice program at the University of Washington-Tacoma.

(16) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's neurology department to create a telemedicine program to disseminate dementia care best practices to primary care practitioners using the project ECHO model. The program shall provide a virtual connection for providers and content experts and include didactics, case conferences, and an emphasis on practice transformation and systems-level issues that affect care delivery. The initial users of this program shall include referral sources in health care systems and clinics, such as the university's neighborhood clinics and Virginia Mason Memorial in Yakima with a goal of adding 15 to 20 providers from smaller clinics and practices per year.

(17) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$350,000 of the workforce education investment account—state appropriation are provided solely for the university's center for international trade in forest products.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$500,000 of the workforce education investment account—state appropriation are provided solely for the Latino center for health.

(19) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a firearm policy research program. The program will:

- (a) Support investigations of firearm death and injury risk factors;
- (b) Evaluate the effectiveness of state firearm laws and policies;
- (c) Assess the consequences of firearm violence; and
- (d) Develop strategies to reduce the toll of firearm violence to citizens of the state.

(20) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the climate impacts group in the college of the environment.

(21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the college of education to collaborate with teacher preparation programs and the office of the superintendent of public instruction to develop open access climate science educational curriculum for use in teacher preparation programs.

(22) \$300,000 of the general fund—state appropriation for fiscal year 2024, \$300,000 of the general fund—state appropriation for fiscal year 2025, and \$300,000 of the workforce education investment account—state appropriation are provided solely for the Harry Bridges center for labor studies. The center shall work in collaboration with the state board for community and technical colleges.

(23) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(24) \$8,000,000 of the workforce education investment account—state appropriation is provided solely to maintain degree production in the college of engineering at the Seattle campus.

(25) (a) \$2,724,000 of the workforce education investment account—state appropriation is provided solely to maintain the Washington state academic redshirt program on the Seattle campus and establish a program on the Bothell campus.

(b) The university must provide a report on the redshirt program at the Seattle and Bothell campuses, including, but not limited to, the following:

- (i) The number of students who have enrolled in the program and the number of students by cohort;
- (ii) The number of students who have completed the program and the number of students by cohort;
- (iii) The placements of students by academic major;
- (iv) The number of students placed in first-choice majors;
- (v) The number of underrepresented minority students in the program;
- (vi) The number of first-generation college students in the program;

- (vii) The number of Washington college grant eligible or Pell grant eligible students in the program;
- (viii) The number of Washington state opportunity scholarship recipients in the program;
- (ix) The number of students who completed the program and graduated with a science, technology, engineering, or math related degree and the number of graduates by cohort; and
- (x) Other program outcomes.
- (c) A preliminary report is due to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2023, and a final report is due December 1, 2024.
- (26) \$2,700,000 of the workforce education investment account—state appropriation is provided solely to maintain degree capacity and undergraduate enrollments in engineering, mathematics, and science programs to support the biomedical innovation partnership zone at the Bothell campus.
- (27) \$3,268,000 of the workforce education investment account—state appropriation is provided solely to maintain bachelor of science programs in mechanical and civil engineering to support increased student and local employer demand for graduates in these fields at the Tacoma campus.
- (28) \$150,000 of the general fund—state appropriation for fiscal year 2024, \$150,000 of the general fund—state appropriation for fiscal year 2025, and \$700,000 of the workforce education investment account—state appropriation are provided solely for Washington mathematics, engineering, science achievement programs to provide enrichment opportunities in mathematics, engineering, science, and technology to students who are traditionally underrepresented in these programs. Of the amounts provided in this subsection, \$500,000 of the workforce education investment account—state appropriation is for Washington State University to plan and implement expansion of MESA activities at the Everett campus to facilitate increased attendance and degree completion by students who are underrepresented in science, technology, engineering, and mathematics degrees.
- (29) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community care coordinator for transitional-age youth for the doorway project in partnership with the Seattle campus.
- (30) \$14,000,000 of the workforce education investment account—state appropriation is provided solely for the expansion of the Paul G. Allen school of computer science and engineering in order to award an additional 200 degrees per year focusing on traditionally underrepresented students. A report on the program graduation rates, waitlist for entry into the program, time to degree completion, and degrees awarded must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2024, and June 30, 2025.
- (31) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand a series of online courses related to behavioral health and student well-being that are currently offered at the Bothell campus for school district staff. The standards for the courses must be consistent with knowledge, skill, and performance standards related to mental health and well-being of public school students. The online courses must provide:
- (a) Foundational knowledge in behavioral health, mental health, and mental illness;
  - (b) Information on how to assess, intervene upon, and refer behavioral health and intersection of behavioral health and substance use issues; and
  - (c) Approaches to promote health and positively influence student health behaviors.
- (32) To ensure transparency and accountability, in the 2023-2025 fiscal biennium the University of Washington shall comply with any and all financial and accountability audits by the Washington state auditor including any and all audits of university services offered to the general public, including those offered through any public-private partnership, business venture, affiliation, or joint venture with a public or private entity, except the government of the United States. The university shall comply with all state auditor requests for the university's financial and business information including the university's governance and financial participation in these public-private partnerships, business ventures, affiliations, or joint ventures with a public or private entity. In any instance in which the university declines to produce the information to the state auditor, the university will provide the state auditor a brief summary of the documents withheld and a citation of the legal or contractual provision that prevents disclosure. The summaries must be compiled into a report by the state auditor and provided on a quarterly basis to the legislature.
- (33) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Burke museum of natural history and culture to make education programs offered by the museum accessible to more students across Washington, especially students in underserved schools and locations. The funding shall be used for:
- (a) Increasing the number of students who participate in Burke education programs at reduced or no cost, including virtual programs;
  - (b) Providing bus reimbursement for students visiting the museum on field trips and to support travel to bring museum programs across the state;
  - (c) Staff who will form partnerships with school districts to serve statewide communities more efficiently and equitably, including through the Burkemobile program; and
  - (d) Support of tribal consultation work, including expanding Native programming, and digitization of Native collections.

(34) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$410,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's center for human rights. The appropriation must be used to supplement, not supplant, other funding sources for the center for human rights.

(35) \$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the establishment and operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.

(36) \$64,000 of the general fund—state appropriation for fiscal year 2024 and \$64,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(37) ~~(\$443,000)~~ \$750,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$443,000)~~ \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation of the center for environmental forensic science.

(38) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation are provided solely for the community-engagement test to facilitate clean energy transitions by partnering with communities, utilities, and project developers.

(39) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational expenditures related to the battery fabrication testbed.

(40) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for pharmacy behavioral health. The University of Washington school of pharmacy/medicine pharmacy services will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.

(41) \$1,242,000 of the general fund—state appropriation for fiscal year 2024, \$1,242,000 of the general fund—state appropriation for fiscal year 2025, and \$742,000 of the workforce education investment account—state appropriation are provided solely for an increase in the number of nursing slots and graduates in the already established accelerated bachelor of science in nursing program. Of the amounts provided in this subsection, \$273,000 of the general fund—state appropriation for fiscal year 2024 and \$273,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Tacoma school of nursing and healthcare leadership.

(42) ~~(\$100,000)~~ \$150,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$100,000)~~ \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the memory and brain wellness center to support the statewide expansion of the dementia friends program.

(43) \$77,000 of the general fund—state appropriation for fiscal year 2024 and \$77,000 of the general fund—state appropriation are provided solely to maintain a data repository to assist the state and all political subdivisions with evaluating whether and to what extent existing laws and practices with respect to voting and elections are consistent with public policy, implementing best practices in voting and elections, and to investigate potential infringements upon the right to vote.

(44) \$122,000 of the general fund—state appropriation for fiscal year 2024 and \$122,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sexual assault nurse examiner training.

~~(45) (~~(\$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.~~~~

~~(46))~~ Within existing resources, the institution must resume a mentoring, organization, and social support for autism inclusion on campus program. The program must focus on academic coaching, peer-mentoring, support for social interactions, and career preparation.

~~((47))~~ (46) \$6,532,000 of the general fund—state appropriation for fiscal year 2024 and \$11,108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

~~((48))~~ (47) \$712,000 of the general fund—state appropriation for fiscal year 2024 and \$4,183,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the behavioral health teaching faculty physician and facility support.

~~((49))~~ (48) \$1,869,000 of the general fund—state appropriation for fiscal year 2024 and \$3,738,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operations and maintenance support of the behavioral health teaching faculty.

~~((50))~~ (49) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the center for indigenous health to increase the number of American Indian and Alaska Native physicians practicing in the state of Washington.

~~((51))~~ (50) \$484,000 of the workforce education investment account—state appropriation is provided solely to the university for Friday harbor labs in the amount of \$125,000 each fiscal year and the school of aquatic and fishery sciences in the amount of \$117,000 each fiscal year to perform coordinating, monitoring, and research related to Puget Sound kelp conservation and recovery.

~~((52))~~ (51) \$200,000 of the workforce education investment account—state appropriation is provided solely to develop a framework for research to help determine inequities in poverty, access to service, language, barriers, and access to justice for individuals of Middle Eastern descent.

~~((53))~~ (52) \$3,000,000 of the climate commitment account—state appropriation is provided solely for the development of an energy transformation strategy to modernize the energy infrastructure and better align the institution's sustainability values at the Seattle campus.

~~((54))~~ (53) \$2,854,000 of the workforce education investment account—state appropriation is provided solely for increasing enrollments in computing and engineering programs at the Tacoma campus.

~~((55))~~ (54) (a) \$800,000 of the workforce education investment account—state appropriation is provided solely for the colab for community and behavioral health policy to collaborate with ~~((the Latino center for health and))~~ allies in healthier systems for health and abundance in youth to pilot test a culturally responsive training curricula for an expanded children's mental health workforce in community behavioral health sites. Community and lived experience stakeholders, representing communities of color, must make up over half of the project team. The pilot implementation shall include expansion of:

(i) The clinical training of both a lived experience workforce and licensed workforce to provide culturally responsive and evidence-informed mental health services focused on families, children, and youth;

(ii) An implementation plan that allows for local flexibility and local community input; and

(iii) An evaluation plan that will yield information about the potential success in implementation statewide and the improved experiences of those seeking mental health services.

(b) The project team must report its findings and recommendations to the appropriate committees of the legislature in compliance with RCW 43.01.036 by June 30, 2025.

~~((56))~~ (55) \$520,000 of the natural climate solutions account—state appropriation is provided solely for the biological response to ocean acidification to advance high-priority biological experiments to better understand the relationship between marine organisms and ocean acidification.

~~((57))~~ (56) \$300,000 of the natural climate solutions account—state appropriation is provided solely for monitoring assistance at the Washington ocean acidification center.

~~((58))~~ (57) \$104,000 of the general fund—state appropriation for fiscal year 2024 and \$104,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued implementation of chapter 191, Laws of 2022 (veterans & military suicide).

~~((59))~~ (58) \$426,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/review).

~~((60))~~ (59) \$205,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to organize and facilitate the difficult to discharge task force described in section ~~((135(12)))~~ 132(12) of this act and its operations, including any associated ad hoc subgroups through October 31, 2023.

~~((61))~~ (60) \$500,000 of the workforce education investment account—state appropriation is provided solely for the addictions, drug and alcohol institute to continue cannabis and public health impact research. Funding may be used to develop resources regarding the connection between first episode psychosis and cannabis use.

~~((62))~~ (61) \$2,224,000 of the workforce education investment account—state appropriation is provided solely for program support and student scholarships for the expansion of the master of arts in applied child and adolescent psychology program. Of the amounts provided in this subsection:

(a) \$1,116,000 of the workforce education investment account—state appropriation is provided solely for program support at the Seattle site.

(b) \$1,108,000 of the workforce education investment account—state appropriation is provided solely for student scholarships at the Seattle site.

~~((63))~~ (62) \$800,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a program to support pathways from prison to the university's Tacoma campus. The university shall collaborate with formerly incarcerated women, Tacoma Community College, the freedom education project Puget Sound, the women's village, the state board for community and technical colleges, and the department of corrections, in development and implementation of the pathways program.

~~((64—\$250,000))~~ (63) \$580,000 of the workforce education investment account—state appropriation is provided solely for the ~~((startup program))~~ Allen school scholars program.

~~((65))~~ (64) \$1,397,000 of the workforce education investment account—state appropriation is provided solely for increased student support services at the Tacoma campus.

~~((66))~~ (65) \$158,000 of the general fund—state appropriation for fiscal year 2024, \$158,000 of the general fund—state appropriation for fiscal year 2025, and \$798,000 of the workforce education investment account—state appropriation are provided solely for continued

implementation of diversity, equity, inclusion, and antiracism professional development for faculty and staff, student training, and campus climate assessments in chapter 28B.10 RCW.

~~((67))~~ (66) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2024 are provided solely for the college of education to partner with the Chehalis and Spokane school districts to continue the math improvement pilot program.

~~((68))~~ (67) \$300,000 of the workforce education investment account—state appropriation is provided solely for support and promotion of a long-term care nursing residency program and externship.

~~((69))~~ (68) \$400,000 of the workforce education investment account—state appropriation is provided solely for nanocellulose based research to produce a replacement for cellophane and clear plastic products with one made with plant materials that is biodegradable.

~~((70))~~ (69) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of a pilot plant to produce nanocellulose based materials for evaluation by potential users, such as packaging manufacturers and companies that produce polylactic acid composites.

~~((71))~~ (70) \$1,238,000 of the workforce education investment account—state appropriation is provided solely to establish washpop, a statewide integrated data repository for population and policy research on topics, including criminal justice and safety, economic prosperity and equity, and health and social well-being.

~~((72))~~ (71) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuation of the collaborative for the advancement of telemedicine, hosted by the institution's telehealth services.

~~((73))~~ (72) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the center for health workforce studies to continue a program to track dental workforce trends, needs, and enhancements to better serve the increasing population and demand for access to adequate oral health care. The center shall continue the program in consultation with dental stakeholders including, but not limited to, provider associations and oral health philanthropic leaders. The workforce reporting program is to be considered a public-private partnership. The institutions may accept matching funds from interested stakeholders to help facilitate and administer the workforce reporting program. Information generated by the dental workforce reporting program shall be made available on the center's website in a deidentified, aggregate format.

~~((74))~~ (73) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

~~((75))~~ (74) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((76))~~ (75) \$440,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((77))~~ (76) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$669,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((78))~~ (77) \$150,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((79))~~ (78) \$208,000 of the statewide 988 behavioral health crisis response account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((80))~~ ~~\$3,288,000)~~ (79) \$2,053,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((81))~~ (80) \$157,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((82))~~ (81) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for support of staff, training, and other costs necessary to facilitate the opening of the behavioral health teaching facility.

~~((83))~~ (82) \$450,000 of the workforce education investment account—state appropriation is provided solely to continue financial student assistance in public service oriented graduate and professional degree programs, referred to as "fee-based" programs, whose tuition for public service degrees is over \$18,000 per year. Programs shall create mechanisms to

prioritize assistance to traditionally underrepresented students, specifically those who have expressed a commitment to service in the physician assistant, community oriented public health, or social work programs. The institution may offer financial assistance for students that volunteer or work with public health agencies, including as contact tracers.

~~((84))~~ (83) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a pilot program for short-term stabilization and transition support for individuals incompetent to stand trial due to intellectual or developmental disability as provided in Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(85))~~ (84) \$1,464,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(86))~~ (85) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(87))~~ (86) \$80,000,000 of the general fund—state appropriation for fiscal year 2024, \$65,000,000 of the general fund—state appropriation for fiscal year 2025, and \$20,000,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely to support the operations and teaching mission of the University of Washington medical center and harborview medical center.

(87) \$239,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 232, Laws of 2023 (alternative jet fuel).

(88) \$263,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for two grant writers to offer technical assistance to tribal and community groups in the thriving communities technical assistance program.

(89) \$20,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support behavioral health care and training at the University of Washington medical center. A report detailing how these funds and any federal funds are expended for the medical center shall be submitted to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(90) \$2,505,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the expansion of the University of Washington school of dentistry regional initiatives in dental education (RIDE) program.

(91) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the University of Washington to establish a pilot program to support activities related to cooperation with academic institutions and governmental and public agencies of the Republic of Finland, the Kingdom of Sweden, and the Kingdom of Norway. Eligible activities include, but are not limited to, cooperation in clean energy, clean technology, clean transportation, telecommunications, agriculture and wood science technology, general economic development, and other areas of mutual interest with Nordic nations and institutions.

(92) \$180,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support project planning and management, soccer field renovation, and LED lighting upgrades to prepare for the 2026 World Cup hosted by Seattle.

(93) \$412,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to develop and implement the Washington reproductive access alliance, so the public hospital districts under chapter 70.44 RCW can provide substantially equivalent services under the reproductive privacy act under chapter 9.02 RCW. The alliance will provide a service coordination website and phone line, administrative support and coordination of the alliance, patient care coordination, and social support for patient travel.

(94) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5890 (ballot rejection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(95) \$4,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 6166 (pesticide application comm). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(96) \$264,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6308 (988 system timeline). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(97) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the behavioral health institute at Harborview medical center and the University of Washington school of medicine, in consultation with the office of financial management, to develop recommendations considering multiple different long-term uses of up to 40 residential treatment facility licensed beds located at the Olympic heritage behavioral health facility. The recommendations shall include estimated costs and required staffing for each of the options presented and an assessment of the current landscape of inpatient and outpatient behavioral health care services in the region to determine community needs. Options for use may include care and treatment for: (i) Patients with co-occurring diagnoses of mental health and substance use disorders; (ii) individuals with developmental disabilities, dementia and traumatic brain injury; and (iii) individuals in need of intensive mental health treatment,



including partial hospitalization and intensive outpatient care. The recommendations shall be provided to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2024.

(98) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5837 (state elections database). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(99) \$267,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(100) \$148,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6286 (nurse anesthetist workforce). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(101) \$630,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 603.** 2023 c 475 s 607 (uncodified) is amended to read as follows:

**FOR WASHINGTON STATE UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$277,544,000</del> ))
	\$282,381,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$286,975,000</del> ))
	\$290,755,000
Climate Commitment Account—State Appropriation . . . . .	\$8,321,000
Washington State University Building Account—State Appropriation . . . . .	\$792,000
Education Legacy Trust Account—State Appropriation . . . . .	\$33,995,000
Model Toxics Control Operating Account—State Appropriation . . . . .	\$2,771,000
Dedicated Cannabis Account—State Appropriation (FY 2024) . . . . .	\$189,000
Dedicated Cannabis Account—State Appropriation (FY 2025) . . . . .	\$197,000
Workforce Education Investment Account—State Appropriation . . . . .	\$48,117,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$658,901,000</del>))</b>
	<b>\$667,518,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rural economic development and outreach coordinator.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state match requirements related to the federal aviation administration grant.

(4) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

(5) \$7,000,000 of the general fund—state appropriation for fiscal year 2024, \$7,000,000 of the general fund—state appropriation for fiscal year 2025, and \$22,800,000 of the workforce education investment account—state appropriation are provided solely for the continued development and operations of a medical school program in Spokane.

(6) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a honey bee biology research position.

(7) ((~~\$35,037,000~~)) \$35,411,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$35,808,000~~)) \$36,296,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(8) \$580,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of an organic agriculture systems degree program located at the university center in Everett.

(9) \$630,000 of the general fund—state appropriation for fiscal year 2024 and \$630,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of an electrical engineering program located in Bremerton. At full implementation,

the university is expected to increase degree production by 25 new bachelor's degrees per year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(10) \$1,370,000 of the general fund—state appropriation for fiscal year 2024 and \$1,370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of software engineering and data analytic programs at the university center in Everett. At full implementation, the university is expected to enroll 50 students per academic year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(11) General fund—state appropriations in this section are reduced to reflect a reduction in state-supported tuition waivers for graduate students. When reducing tuition waivers, the university will not change its practices and procedures for providing eligible veterans with tuition waivers.

(12) \$1,154,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 82.16.120 and 82.16.165 (renewable energy, tax incentives).

(13) \$376,000 of the general fund—state appropriation for fiscal year 2024 and \$376,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 28B.30.357 (children's mental health).

(14) \$585,000 of the general fund—state appropriation for fiscal year 2024 and \$585,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 77.12.272 (elk hoof disease).

(15) \$2,076,000 of the model toxics control operating account—state appropriation is provided solely for the university's soil health initiative and its network of long-term agroecological research and extension (LTARE) sites. The network must include a Mount Vernon REC site.

(16) \$42,000 of the general fund—state appropriation for fiscal year 2024 and \$42,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(17) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$33,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for compensation funding for Western Washington University employees that work on the Washington State University Everett campus.

(18) \$327,000 of the general fund—state appropriation for fiscal year 2024 and \$327,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for pharmacy behavioral health. Washington State University college of pharmacy and pharmaceutical sciences will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.

(19) \$1,921,000 of the general fund—state appropriation for fiscal year 2024 and \$3,526,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(20) \$608,000 of the general fund—state appropriation for fiscal year 2024 and \$608,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state academy of sciences to provide support for core operations and to accomplish its mission of providing science in the service of Washington, pursuant to its memorandum of understanding with the university.

(21) \$188,000 of the general fund—state appropriation for fiscal year 2024 and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for stormwater research to study the long-term efficacy of green stormwater infrastructure that incorporates compost to remove pollutants.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the joint center for deployment and research in earth abundant materials.

(23) \$4,112,000 of the workforce education investment account—state appropriation is provided solely to establish a bachelor's degree in cybersecurity operations.

(24) \$568,000 of the general fund—state appropriation for fiscal year 2024 and \$568,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 212, Laws of 2022 (community solar projects).

(25) \$7,721,000 of the climate commitment account—state appropriation is provided solely for the creation of the institute for northwest energy futures.

(26) \$3,910,000 of the workforce education investment account—state appropriation is provided solely for increasing nursing salaries at the institution.

(27) \$476,000 of the workforce education investment account—state appropriation is provided solely for nursing program equipment.

(28) \$2,521,000 of the workforce education investment account—state appropriation is provided solely for the establishment of a bachelor of science in public health degree at the Pullman, Spokane, and Vancouver campuses.

(29) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increasing the base funding for the William D. Ruckleshaus Center.

(30) ~~(\$200,000)~~ \$50,000 of the general fund—state appropriation for fiscal year 2024 ~~(is) and \$150,000 of the general fund—state appropriation for fiscal year 2025~~ are provided solely for Washington State University extension service to hire a qualified contractor to assess program performance of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020 and recipients of pass-through grants from the northeast Washington wolf-livestock management nonappropriated account. The program must be assessed for the period of 2021-2023 as to whether grant recipients met the intent of the appropriation.

(a) For recipients of grant funds from the program authorized in RCW 16.76.020, performance must be evaluated on the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a good probability of producing effective results. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape.

(b) For recipient of the pass-through funds from the northeast Washington wolf-livestock management nonappropriated account, performance must be based on the intent of conducting proactive deterrence activities with the goal to reduce the likelihood of cattle being injured or killed by wolves.

(c) The contractor must have at least five years of experience in the combination of field work as a range rider and running range riding programs in areas with wolf-livestock conflict in the western United States. In conducting the assessment, the contractor may access written range rider logs and georeferenced data produced by the grant recipients, in addition to reading annual reports of the recipients and interviewing relevant participants. The contractor may also provide general recommendations for improvement of programs intended to provide effective wolf-livestock deterrence, taking into account the terrain and other challenges faced in northeast Washington. The contractor must complete their assessment for Washington State University extension service to be delivered to the legislature, pursuant to RCW 43.01.036, by June 30, 2024.

(31) \$500,000 of the workforce education investment account—state appropriation is provided solely for the energy program for residential energy code education and support, including training, hotline support to the building industry, and information material and web resources.

(32) \$695,000 of the model toxics control operating account—state appropriation is provided solely for turf grass resilience research in high traffic areas.

(33) ~~(a)~~ \$95,000 of the general fund—state appropriation for fiscal year ~~(2025 is)~~ 2024 and \$215,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the William D. Ruckelshaus center to ~~(conduct a jail modernization task force convening assessment and design a facilitated collaborative process and work plan for)~~ support the jail modernization task force created in section 915 ~~(of this act)~~, chapter 475, Laws of 2023.

(a) Of the amounts provided in this subsection, \$95,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the center to conduct a jail modernization task force convening assessment and design a facilitated collaborative process and work plan for the jail modernization task force created in section 915, chapter 475, Laws of 2023.

(b) Of the amounts provided in this subsection, \$215,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the center to provide staff support, facilitation, and development of the task force's initial report of findings and recommendations described in section 915, chapter 475, Laws of 2023.

(c) The convening assessment shall include, but not be limited to:

(i) Gathering and reviewing additional background information relevant to the project;

(ii) Meeting and consulting with the Washington state association of counties to gather background on issues, confirm the list of members to interview, and provide updates throughout the duration of the work; and meeting and consulting with the Washington state institute for public policy to coordinate, inform, and share information and findings gathered; and

(iii) Setting up individual conversations with task force members, and others as needed, to assess their goals, expectations, interests, and desired outcomes for the task force. The purpose of these conversations will also be to gather insights and perspectives from members about, but not limited to, the following:

(A) What key components and issues should be included in a statewide jail modernization plan, what existing facilities are in need of upgrades or remodel, and any need for building new facilities;

(B) Identifying any additional key stakeholders;

(C) Employee retention issues and potential solutions;

(D) The impact of overtime, jail atmosphere, emergency response time, inexperienced corrections officers, and how to overcome these challenges;

(E) The type of and design of facilities needed to house those with behavioral health needs and associated costs of these facilities;

(F) Available diversion programs and their costs;

(G) Types of existing behavioral health facilities for those involved in the criminal justice system, the costs of building and running these facilities, how these facilities vary

by location, the viability of offering facilities in every county, and potential system improvements to the types of services and supports offered and delivered to those with behavioral health needs;

(H) The types of services and supports provided to those exiting the jail system; and

(I) Reforms necessary to create and enhance a seamless transition back to the community following jail confinement.

~~((b))~~ (d) Center staff will provide a convening assessment report that will include the overall process design and work plan for the task force by June 30, ~~((2025))~~ 2024.

(34) \$1,596,000 of the workforce education investment account—state appropriation is provided solely for the creation of a bachelor's and master's degree in social work at the Tri-Cities campus.

(35) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(36) \$372,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(37) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(38) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting), for a least-conflict pumped storage siting project. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(39) \$125,000 of the workforce education investment account—state appropriation is provided solely for implementation of Senate Bill No. 5287 (wind turbine blades). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(40) (a) \$1,200,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a Native American scholarship program during the 2023-2025 biennium. Of the amounts in this subsection, no more than \$100,000 of the workforce education investment account—state appropriation for fiscal year 2024 and \$100,000 of the workforce education investment account—state appropriation for fiscal year 2025 may be spent on administration; development of the program; support services for students; outreach regarding the program; and technical support for application.

(b) "Eligible student" means a member of a federally recognized Indian tribe located within Washington who files a free application for federal student aid (FAFSA) and enrolls in an undergraduate degree program. Eligible students need to maintain satisfactory academic progress during the 2023-2025 biennium to remain eligible for the scholarship. The institution shall determine award priorities based on tribal consultation. Awards must be distributed to students no later than May of each fiscal year.

(c) The institution must submit a report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025. The report must include: The number of eligible students; the number of students who receive a scholarship; how recipients were determined; and how many members of federally recognized Indian tribes in Washington received scholarships versus members of federally recognized Indian tribes from other states.

(41) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(42) \$2,425,000 of the workforce education investment account—state appropriation is provided solely for the development and operations of a journalism fellowship program focused on civic affairs.

(43) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$4,271,000 of the general fund—state appropriation for fiscal year 2024 and \$2,573,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to purchase the obligated amount of carbon emission allowances.

(45) \$190,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to continue the statewide broadband coordinator position in the Washington State University extension program.

(46) \$1,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 6166 (pesticide application comm). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 604.** 2023 c 475 s 608 (uncodified) is amended to read as follows:  
**FOR EASTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$65,367,000</del> ))
	<u>\$65,677,000</u>

General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$67,576,000</del> ))
	<u>\$67,933,000</u>
Education Legacy Trust Account—State Appropriation . . . . .	\$16,838,000
Workforce Education Investment Account—State Appropriation . . . . .	(( <del>\$24,730,000</del> ))
	<u>\$24,889,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$174,511,000</del>))</b>
	<b><u>\$175,337,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) At least \$350,000 of the general fund—state appropriation for fiscal year 2024 and at least \$350,000 of the general fund—state appropriation for fiscal year 2025 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) ((~~\$12,586,000~~)) \$12,720,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$12,862,000~~)) \$13,038,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(5) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(6) \$2,274,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(7) \$2,636,000 of the workforce education investment account—state appropriation is provided solely to maintain a computer engineering degree program in the college of science, technology, engineering, and math.

(8) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(9) \$300,000 of the workforce education investment account—state appropriation is provided solely to establish a center for inclusive excellence for faculty and staff.

(10) \$536,000 of the workforce education investment account—state appropriation is provided solely for a professional masters of science cyber operations degree option.

(11) \$2,144,000 of the workforce education investment account—state appropriation is provided solely for the operation of a bachelor of science in cybersecurity degree option through the computer science program.

(12) \$2,108,000 of the workforce education investment account—state appropriation is provided solely for the operation of a coordinated care network that will help to maximize the collaboration of various student support services to create wraparound care for students to address obstacles to degree completion. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(13) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(14) \$4,598,000 of the workforce education investment account—state appropriation is provided solely to expand faculty and staff to create a cohort of 80 students in the bachelor of nursing program.

(15) \$476,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/review).

(16) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a summer bridge program.

(17) ((~~\$500,000~~)) \$1,020,000 of the workforce education investment account—state appropriation is provided solely for the establishment and operating support of a university mathematics, engineering, and science achievement program.

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(19) \$118,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary

student needs). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(20) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(21) (~~(\$5,000,000)~~)\$3,977,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(23) \$127,000 of the workforce education investment account—state appropriation is provided solely to develop the postbaccalaureate dental therapy certificate in the college of health science and public health.

(24) \$535,000 of the workforce education investment account—state appropriation is provided solely to support college in high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 605.** 2023 c 475 s 609 (uncodified) is amended to read as follows:

**FOR CENTRAL WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$68,760,000)</del> )
	\$68,916,000
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$71,733,000)</del> )
	\$72,016,000
Central Washington University Capital Projects	
Account—State Appropriation . . . . .	\$76,000
Education Legacy Trust Account—State Appropriation . . . . .	\$19,076,000
Workforce Education Investment Account—State	
Appropriation . . . . .	( <del>(\$16,537,000)</del> )
	\$15,793,000
<b>TOTAL APPROPRIATION</b> .....	<del>(\$176,182,000)</del>
	<b>\$175,877,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) (~~(\$14,186,000)~~)\$14,337,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$14,498,000)~~)\$14,696,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(5) \$2,236,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(6) \$1,050,000 of the workforce education investment account—state appropriation is provided solely to increase the number of certified K-12 teachers.

(7) \$736,000 of the workforce education investment account—state appropriation is provided solely to maintain mental health counseling positions.

(8) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two counselor positions to increase access to mental health counseling for traditionally underrepresented students.

(9) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health outreach and service coordination position who has knowledge of issues relevant to veterans.

(10) \$240,000 of the workforce education investment account—state appropriation is provided solely for expanding cybersecurity capacity by adding additional faculty resources in the department of computer science.

(11) \$586,000 of the workforce education investment account—state appropriation is provided solely for a peer mentoring program. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(12) \$286,000 of the workforce education investment account—state appropriation is provided solely for the operation of an extended orientation program to help promote retention of underserved students. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(13) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the cost of the criminal justice training center's use of office and classroom space at the Lynnwood campus.

(14) \$592,000 of the general fund—state appropriation for fiscal year 2024 and \$1,091,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(15) \$1,406,000 of the workforce education investment account—state appropriation is provided solely for student success. Students will receive discipline specific tutoring programs, peer assisted learning sessions, and academic success coaching.

(16) \$967,000 of the workforce education investment account—state appropriation is provided solely for grow your own teacher residency programs in high need areas of elementary, bilingual, special education, and English language learners.

(17) \$844,000 of the workforce education investment account—state appropriation is provided solely for dual language expansion programs in Yakima and Des Moines.

(18) \$126,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) \$25,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$57,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) ~~((~~\$8,060,000~~))~~ \$5,709,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$398,000 of the workforce education investment account—state appropriation is provided solely to support two financial aid coaching specialists, the university food pantry, including a coordinator, and an assistant director and advocate to support students who have experienced sexual violence.

(24) Appropriations in this section are sufficient to implement provisions of the collective bargaining agreement that go into effect on or after July 1, 2024, between Central Washington University and the campus police officers and sergeants negotiated under chapter 41.80 RCW and as set forth in part IX of this act.

(25) \$1,209,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 606.** 2023 c 475 s 610 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$39,088,000</del> ))
	\$38,787,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$38,499,000</del> ))
	\$39,454,000
The Evergreen State College Capital Projects	
Account—State Appropriation . . . . .	\$80,000
Education Legacy Trust Account—State Appropriation . . . . .	\$5,450,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$5,554,000</del> ))
	\$6,347,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$88,671,000</del>))</b>
	<b>\$90,118,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$4,315,000~~))~~ \$4,361,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$4,410,000~~))~~ \$4,470,000 of the general fund—state appropriation for fiscal year 2025

are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(3) Within amounts appropriated in this section, the college is encouraged to increase the number of tenure-track positions created and hired.

(4) (~~(\$4,063,000)~~) \$3,715,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,732,000)~~) \$3,583,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state institute for public policy to initiate, sponsor, conduct, and publish research that is directly useful to policymakers and manage reviews and evaluations of technical and scientific topics as they relate to major long-term issues facing the state. Within the amounts provided in this subsection (4):

(a) \$1,665,000 of the amounts in fiscal year 2024 and \$1,685,000 of the amounts in fiscal year 2025 are provided for administration and core operations.

(b) (~~(\$1,229,000)~~) \$1,069,000 of the amounts in fiscal year 2024 and (~~(\$529,000)~~) \$709,000 of the amounts in fiscal year 2025 are provided solely for ongoing and continuing studies on the Washington state institute for public policy's work plan.

(c) (~~(\$202,000)~~) \$142,000 of the amounts in fiscal year 2024 and (~~(\$80,000)~~) \$140,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to update its adult corrections inventory of evidence-based, research-based, and promising programs and expand the inventory to include new programs that were not included in the last published Washington state institute for public policy inventory in 2018. This update must focus on programs for incarcerated individuals in prison facilities to include family and relationships programs, learning and working programs, and therapeutic and support programs. The institute should prioritize the addition of programs currently offered by the Washington state department of corrections. Of this amount:

(i) No later than (~~December 31, 2023~~) June 30, 2024, the institute shall publish a preliminary report identifying the list of programs currently offered in Washington state department of corrections prison facilities and the list of new programs to be analyzed for inclusion on the updated adult corrections inventory. The preliminary report must include an indication of whether the Washington state department of corrections programs have ever been evaluated for their effect on recidivism; and

(ii) No later than December 31, 2024, the institute shall publish a final report with the updated adult corrections inventory classifying programs as evidence-based, research-based, or promising programs. The report shall include a list of programs currently offered in Washington state department of corrections prison facilities and a determination of their likely effectiveness in reducing recidivism based on the results of the adult corrections inventory.

(d)(i) \$154,000 of the amount for fiscal year (~~(2024)~~) 2025 is provided solely for the institute to examine the costs associated with conservation district elections under current law, and the projected costs and benefits for shifting conservation district election to be held on general election ballots under Title 29A RCW. The examination must include, to the extent that the data allows:

(A) An analysis of the amount of money that each conservation district spends on holding elections for supervisors under current law, and a description of the funding sources that each conservation district utilizes to fund its elections;

(B) Information about voter turnout in each conservation district supervisor election in at least the past six years and up to the past 20 years, if the conservation district has such data, as well as a calculation of the total cost per ballot cast that each conservation district spent in those elections;

(C) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if the district were to hold its supervisor elections on general election ballots under the processes and procedures in Title 29A RCW, including:

(I) Switching all supervisor positions to elected positions; and

(II) Changing term lengths to four years, with terms staggered such that elections are held every two years, to align with the elections for other local government officials;

(D) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if, in addition to the changes described in (d)(i)(C) of this subsection, the conservation districts were divided into zones such that each zone is represented by a single supervisor, rather than electing each supervisor at-large throughout the district; and

(E) An overall description of potential nonmonetary costs and benefits associated with switching conservation district supervisor elections to the general election ballots under Title 29A RCW and incorporating the changes described in (d)(i)(C) and (D) of this subsection.

(ii) A preliminary report which contains any available information to date must be completed by December 1, (~~(2023)~~) 2024. A final report must be completed by June 30, (~~(2024)~~) 2025, and submitted in accordance with RCW 43.01.036 to the standing committees of the house of representatives and the senate with jurisdiction over elections and conservation district issues.

(e) \$100,000 of the amounts for fiscal year 2024 and \$100,000 of the amounts for fiscal year 2025 are provided solely for the institute to conduct a review of all assessments and charges imposed on individuals incarcerated in department of corrections facilities and their



family members and its effect on the financial status of incarcerated individuals. The review must include, at a minimum:

(i) An evaluation of all costs incurred by incarcerated individuals for items that include but are not limited to:

- (A) Food;
- (B) Commissary items;
- (C) Personal hygiene items;
- (D) Electronic devices and services, tablets, digital stamps, and downloadable media and services such as music, movies, and other programs;
- (E) Stationary, mail, and postage;
- (F) Communication devices such as telephones, local and nonlocal telephone services, and video chat services;
- (G) Clothing and shoes;
- (H) Copayments for medical, dental, and optometry visits, care, and medication;
- (I) Eyeglasses;
- (J) Gym, television services, and any other recreational activities;
- (K) Educational and vocational classes, programming, and related materials; and
- (L) Any and all items and services charged to incarcerated persons under RCW 72.09.450 and 72.09.470 including, but not limited to, a complete list of any other item that an individual was or could have been charged for while incarcerated;

(ii) A complete itemized list of: (A) All items in (e)(i) of this subsection; (B) the cost of each item and service purchased by the department or negotiated with a vendor in (e)(i) of this subsection; (C) the resale or purchased price charged to incarcerated individuals and their family members for the same items in (e)(i) of this subsection; (D) the revenue or profit retained or reinvested by the department for each individual item in (e)(i) of this subsection; (E) the cost of items and services listed in (e)(i) of this subsection compared to comparable items and services that are not provided through correctional industries; and (F) an assessment of the prices charged for the items and services listed in (e)(i) of this subsection as compared to comparable items and services provided by other companies and vendors that do not service prisons;

(iii) A complete list of all items including, but not limited to, clothing and personal hygiene items, that are distributed monthly free of charge: (A) To all incarcerated individuals irrespective of their financial status; and (B) solely to indigent inmates as defined in RCW 72.09.015 provided the individual remains in indigent status during his or her period of incarceration;

(iv) The average annual debt incurred by an individual while incarcerated. This includes debt solely recorded and posted by the department for debt incurred between the individual's first day of confinement within the department of corrections through the individual's day of release from incarceration from prison;

(v) The average debt owed by incarcerated individuals to the department for items and services under (e)(i) of this subsection upon release from confinement;

(vi) The average amount paid by incarcerated individuals to the department for items and services under (e)(i) of this subsection during their period of confinement;

(vii) A list of the: (A) Required deductions from wages and gratuities earned pursuant to RCW 72.09.100 through 72.09.111; (B) required deductions from the funds received, by the department on behalf of an incarcerated person from outside sources, in addition to an incarcerated individual's wages or gratuities pursuant to RCW 72.09.480; and (C) wages and gratuities earned by an incarcerated individual and any funds received, by the department on behalf of an incarcerated person, from outside sources for specific items listed in (e)(i) of this subsection that are exempt from statutory deductions;

(viii) The average amount of funds remaining in an incarcerated individual's savings account at the time of his or her release from confinement; and

(ix) A review and evaluation of the fines, fees, and commission generated from any of the items and services listed in (e)(i) of this subsection that are used in the department's budget.

The institute must provide a final report to the governor and the appropriate committees of the legislature by June 30, 2025.

(f) (i) (~~(\$50,000)~~) \$76,000 of the amount for fiscal year 2024 (~~(is)~~) and \$128,000 of the amount for fiscal year 2025 are provided solely for the institute to study the contracting practices for goods and services, and manufactured products, made or offered by correctional industries to state agencies and various political subdivisions within the state. A cost benefit analysis must be included in the report which must:

(A) Determine the costs of all contracts utilizing the labor of incarcerated individuals providing services or the manufacture of goods for state entities and other political subdivisions;

(B) Compare the cost savings to the state of Washington that is projected when those goods and services are procured from or produced by corrections industries and not private businesses engaged in a competitive bidding process with the state and its various political subdivisions;

(C) Provide a detailed break out of total number of labor positions that are offered to incarcerated individuals, ranked from least skilled to most skilled and the rate per hour of the gratuities the individuals are given monthly for this labor, including the amount if the gratuity given to incarcerated individuals was the federal or state mandated minimum wage;

(D) Provide a detailed listing of all commissary items purchased by and offered for sale to individuals incarcerated within the facilities operated by the department of corrections. This listing of individual items must also include the wholesale price from outside vendors

that correction industries pays for each line item offered to incarcerated individuals, and the price charged to the incarcerated individual for those items; and

(E) Provide a comprehensive list of all positions offered by corrections industries that provide substantive training and labor ready skills for individuals to assume positions in the workforce outside of incarceration; and to the extent the data allows, provide the number of individuals who have positions upon release that were obtained with skills obtained through work at correctional industries.

(ii) The institute must submit a report to the appropriate committees of the legislature by June 30, 2025, in compliance with RCW 43.01.036.

(g)(i) \$260,000 of the amounts in fiscal year 2024 and \$98,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to conduct a study of the Washington jail system and county juvenile justice facilities.

(ii) The institute's report shall include, to the extent possible, consideration of the following:

(A) A longitudinal study of how the county jail and county juvenile detention populations have changed over the last 12 years including, but not limited to, an analysis of demographics, physical and behavioral health issues, number of inmates, and types of convictions;

(B) An analysis of county jail and county juvenile detention facility survey data provided by the Washington state association of counties as described in (g)(v) of this subsection; and

(C) Examination of the availability of criminal justice training commission classes for corrections officers.

(iii) The health care authority, department of social and health services, administrative office of the courts, criminal justice training commission, state auditor's office, office of financial management, and Washington state patrol must provide the institute with access to data or other resources if necessary to complete this work.

(iv) The institute shall submit the report to the appropriate committees of the legislature and the governor by December 1, 2024.

(v) As part of the study, the institute shall contract with the Washington state association of counties to conduct a survey of jail and juvenile detention facilities in Washington state. The survey shall include, but not be limited to, the following:

(A) Age of the facilities;

(B) Age of systems within the facilities;

(C) Cost of remodeling facilities;

(D) Cost of building new facilities;

(E) General maintenance costs of the facilities;

(F) Operational costs of the facilities;

(G) Workforce, to include, but not be limited to, employee vacancies as a percentage of total employees;

(H) Services, supports, and programming, to include, but not be limited to:

(I) Costs of housing those with behavioral health needs;

(II) Number of individuals with behavioral health needs;

(III) Cost of competency restoration;

(IV) Physical health services and related costs;

(V) Number of individuals booked and housed on behalf of state agencies;

(VI) Percent of individuals waiting for a state hospital;

(VII) Available nonincarcerative alternatives and diversion programs; and

(VIII) Available release and reentry services;

(I) Funding sources, to include, but not be limited to:

(I) County tax structure and revenue raising ability; and

(II) Jail and juvenile detention facility funding sources.

(vi) The Washington state association of counties shall consult with the Washington state institute for public policy during the design and distribution of the survey. Responses to the survey shall be compiled and provided to the Washington state institute for public policy by December 31, 2023.

(h)(i) \$240,000 of the amounts in fiscal year 2024 and \$240,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy, in consultation with the Washington traumatic brain injury strategic partnership advisory council, to study the potential need for developing specialized long-term services and supports for adults with traumatic brain injuries.

(ii) At a minimum, the study must include an examination of:

(A) The demographics of adults with traumatic brain injuries in the state who are anticipated to be in need of long-term services and supports, including an examination of those who are likely to be eligible for medicaid long-term services and supports;

(B) The industry standards of providing long-term care services and supports to individuals with traumatic brain injuries; and

(C) The methods other states are utilizing to provide long-term services and supports to individuals with traumatic brain injuries, including identifying the rates paid for these services and a description of any specialized facilities established to deliver these services.

(iii) A report of the findings of this study and any recommendations for increasing access to appropriate long-term services and supports for individuals with traumatic brain

injuries shall be submitted to the governor and the appropriate committees of the legislature no later than June 30, 2025.

(i) \$163,000 of the amounts in fiscal year 2024 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(j) \$222,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 29, Laws of 2022 (reentry and rehabilitation).

(k) \$107,000 of the amounts in fiscal year 2025 is provided solely for the Washington state institute for public policy to examine programs in peer states related to breast cancer education and prevention prior to diagnosis and support and resources after diagnosis for native communities. The study must focus on programs that are operated by either the state, tribes solely, or tribes in coordination with the state. To identify peer states, the institute may consider factors such as the population of American Indians and Alaska natives, number of federally recognized tribes, and whether the state has expanded medicaid. The report shall include for each peer state the existence of any programs that meet the criteria described in this section, and summarize any research findings on these programs, if available. The institute must submit a report to the appropriate committees of the legislature by June 30, 2025, in compliance with RCW 43.01.036.

(l) Notwithstanding other provisions in this subsection, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute's 2023-25 work plan as necessary to efficiently manage workload.

(5) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional faculty to support Native American and indigenous programs.

(6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the native pathways program for an assistant director.

(7) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison position.

(8) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(9) \$137,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student mental health and wellness. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(10) \$196,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for additional laboratory, art, and media lab sections.

(11) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop and expand current corrections education programs offered in department of corrections facilities. The college shall appoint a project implementation team, collaborate with stakeholders to plan student success programs and curriculum which lead to transferable credit, associate and bachelor's degrees, and other workforce credentials, and train faculty and staff on working with incarcerated populations.

(12) \$2,636,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(13) \$670,000 of the workforce education investment account—state appropriation is provided solely to maintain enrollment capacity in psychology programs.

(14) \$600,000 of the workforce education investment account—state appropriation is provided solely to increase student success by maintaining support for a student precollege immersion program and the Evergreen first-year experience.

(15) \$988,000 of the workforce education investment account—state appropriation is provided solely for student enrollment and retention support. Funding is provided for hiring a student advisor and underserved student specialist to provide student support and administrative support for the native pathways program.

(16) \$554,000 of the workforce education investment account—state appropriation is provided solely for the expansion of corrections education offerings to currently incarcerated students and the expansion of reentry services.

(17) ~~(\$106,000)~~ \$161,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)) Of the amount provided in this subsection, \$55,000 of the workforce education investment account—state appropriation is provided solely to increase the benefits navigator position to 1.0 FTE and extend the hours of operation for the student basic needs/advocacy center.

(18) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for

implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(19) \$6,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(20) \$738,000 of the workforce education investment account—state appropriation is provided solely for the Shelton promise pilot program.

(21) \$42,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 607.** 2023 c 475 s 611 (uncodified) is amended to read as follows:

**FOR WESTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$98,802,000)</del> )
	<u>\$99,084,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$103,707,000)</del> )
	<u>\$104,563,000</u>
Western Washington University Capital Projects	
Account—State Appropriation . . . . .	\$1,424,000
Education Legacy Trust Account—State Appropriation . . . . .	\$13,831,000
Workforce Education Investment Account—State	
Appropriation . . . . .	( <del>(\$21,399,000)</del> )
	<u>\$21,844,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<del>(\$239,163,000)</del>
	<u>\$240,746,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) (~~(\$19,580,000)~~) \$19,789,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$20,010,000)~~) \$20,283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation and implementation of an early childhood education degree program at the western on the peninsulas campus. The university must collaborate with Olympic college. At full implementation, the university is expected to grant approximately 75 bachelor's degrees in early childhood education per year at the western on the peninsulas campus.

(5) \$1,306,000 of the general fund—state appropriation for fiscal year 2024 and \$1,306,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to develop a new program in marine, coastal, and watershed sciences.

(6) \$886,000 of the general fund—state appropriation for fiscal year 2024 and \$886,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to reduce tuition rates for four-year degree programs offered in partnership with Olympic college—Bremerton, Olympic college—Poulsbo, and Peninsula college—Port Angeles that are currently above state-funded resident undergraduate tuition rates.

(7) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to recruit and retain high quality and diverse graduate students.

(8) \$548,000 of the general fund—state appropriation for fiscal year 2024 and \$548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for critical support services to ensure traditionally underrepresented students receive the same opportunities for academic success as their peers.

(9) \$48,000 of the general fund—state appropriation for fiscal year 2024 and \$48,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(10) \$530,000 of the general fund—state appropriation for fiscal year 2024 and \$530,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation of two bilingual educator programs in the south King county region, including a bilingual elementary education degree program and a secondary education degree program. At full implementation, each cohort shall support up to 25 students per year.

(11) \$361,000 of the general fund—state appropriation for fiscal year 2024 and \$361,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a master of science program in nursing.

(12) \$433,000 of the general fund—state appropriation for fiscal year 2024 and \$433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the registered nurse to bachelors in nursing program.

(13) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(14) \$2,256,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(15) \$3,426,000 of the workforce education investment account—state appropriation is provided solely to maintain access to science, technology, engineering, and mathematics degrees.

(16) \$908,000 of the workforce education investment account—state appropriation is provided solely to establish an academic curriculum in ethnic studies.

(17) \$400,000 of the workforce education investment account—state appropriation is provided solely for upgrading cyber range equipment and software.

(18) \$2,520,000 of the workforce education investment account—state appropriation is provided solely for student support services that include resources for outreach and financial aid support, retention initiatives including targeted support for underserved student populations, mental health support, and initiatives aimed at addressing learning disruption due to the global pandemic. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for student support services.

(19) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(20) \$500,000 of the workforce education investment account—state appropriation is provided solely for the student civic leaders initiative.

(21) \$1,610,000 of the general fund—state appropriation for fiscal year 2024 and \$2,875,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(22) \$3,186,000 of the workforce education investment account—state appropriation is provided solely for the western on the peninsulas expansion. This includes new two plus two degrees programs such as industrial engineering, data science, and sociology.

(23) \$1,577,000 of the workforce education investment account—state appropriation is provided solely for expanded remedial math and additional English 101 courses, as well first year seminars, and disability accommodation counselors. Of the amounts provided in this subsection for first year seminars, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided for the university to develop a student orientation program for students receiving the Washington college grant, focusing on first-generation and traditionally underrepresented students. The program may include evidence-based student success metrics, peer support, and mentorship following orientation. The program proposal must be submitted to the legislature by December 1, 2023 for implementation in the 2024-2025 academic year.

(24) \$100,000 of the workforce education investment account—state appropriation is provided solely for mental health first aid training for faculty.

(25) \$150,000 of the workforce education investment account—state appropriation is provided solely for the small business development center to increase technical assistance to black, indigenous, and other people of color small business owners in Whatcom county.

(26) \$694,000 of the workforce education investment account—state appropriation is provided to establish a master of social work program at western on the peninsulas.

(27) \$2,478,000 of the workforce education investment account—state appropriation is provided solely for expansion of bilingual educators education.

(28) \$1,000,000 of the workforce education investment account—state appropriation is provided for additional student support and outreach at western on the peninsulas.

(29) \$580,000 of the workforce education investment account—state appropriation is provided solely to convert the human services program at western on the peninsulas from self-sustaining to state-supported to reduce tuition rates for students in the program.

(30) \$118,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$23,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) \$1,306,000 of the workforce education investment account—state appropriation is provided solely to establish and administer a teacher residency program focused on special education instruction beginning in the 2024-25 school year. Amounts provided in this subsection are sufficient to support one cohort of 17 residents per school year, and must be prioritized to communities that are anticipated to be most positively impacted by teacher residents who fill teacher vacancies upon completing the teacher residency program and who remain in the communities in which they are mentored. The teacher residency program must meet the following requirements:

- (a) Residents receive compensation equivalent to first year paraeducators, as defined in RCW 28A.413.010;
- (b) Each resident is assigned a preservice mentor;
- (c) Preservice mentors receive a stipend of \$2,500 per year;
- (d) Residents receive at least 900 hours of preservice clinical practice over the course of the school year;
- (e) At least half of the residency hours specified in (d) of this subsection are in a coteaching setting with the resident's preservice mentor and the other half of the residency hours are in a coteaching setting with another teacher;
- (f) Residents may not be assigned the lead or primary responsibility for student learning;
- (g) Coursework taught during the residency is codesigned by the teacher preparation program and the school district, state-tribal education compact school, or consortium, tightly integrated with residents' preservice clinical practice, and focused on developing culturally responsive teachers; and
- (h) The program must prepare residents to meet or exceed the knowledge, skills, performance, and competency standards described in RCW 28A.410.270(1).

(34) \$445,000 of the workforce education investment account—state appropriation is provided solely to expand the undergraduate electrical and computer engineering program.

(35) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the university to contract with a nonprofit organization in Kitsap county that provides cyber security curriculum to postsecondary institutions for cyber security education in partnership with the Washington state cyber range in Poulsbo.

(36) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the university to contract with a nonprofit organization in Whatcom county that provides economic and financial education to conduct foundational research on the efficacy of financial education course formats.

**Sec. 608.** 2023 c 475 s 612 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—POLICY COORDINATION AND ADMINISTRATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$9,850,000</del> ))
	\$9,895,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$9,416,000</del> ))
	\$9,978,000
General Fund—Federal Appropriation. . . . .	(( <del>\$20,996,000</del> ))
	\$20,998,000
Washington Student Loan Account—State Appropriation. . . . .	(( <del>\$90,000,000</del> ))
	\$50,000,000
Workforce Education Investment Account—State Appropriation. . . . .	\$16,311,000
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$146,573,000</del>))</b>
	<b>\$107,182,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$126,000 of the general fund—state appropriation for fiscal year 2024 and \$126,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consumer protection unit.

(2) The student achievement council must ensure that all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW provide the data needed to analyze and evaluate the effectiveness of state financial aid programs. This data must be promptly transmitted to the education data center so that it is available and easily accessible.

(3) Community-based organizations that receive state funding under subsection (11) of this section and section ~~((605(35)))~~ 601(35) of this act are not eligible for Washington career and college pathways innovation challenge program grant funding for the same purpose.

(4) \$575,000 of the general fund—state appropriation for fiscal year 2024 and \$575,000 of the general fund—state appropriation for fiscal year 2025 are provided to increase the number of high school seniors and college bound scholars that complete the free application for federal student aid and the Washington application for state financial aid through digital engagement tools, expanded training, and increased events for high school students.

(5) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative support services to carry out duties and responsibilities necessary for recipients of the Washington college grant who are enrolled in a state registered apprenticeship program.

(6) (a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The student achievement council, in cooperation with the council of presidents, must provide resources for up to two four-year colleges or universities, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college and university staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The council, in collaboration with the council of presidents and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health insurance coverage; and to provide recommendations on how to improve student and staff access to health coverage based on data gathered from the pilot program.

(7) \$1,208,000 of the general fund—state appropriation for fiscal year 2024 and \$1,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington award for vocational excellence. Of the amount provided in this subsection, \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 may be used for administration and that is the maximum amount that may be expended for this purpose.

(8) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the career launch grant pool for the public four-year institutions.

(9) \$179,000 of the general fund—state appropriation for fiscal year 2024 and \$179,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the complete Washington program.

(10) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the council to submit a progress report on the new or expanded cybersecurity and nursing academic programs that receive funding in sections ~~((605 through 614))~~ 601 through 607 of this act, including the number of students enrolled. The council must coordinate with the institutions of higher education and the state board for community and technical colleges as provided in ~~((sections 603(3), 605(31), and 605(37)))~~ section 603(3), chapter 475, Laws of 2023 and section 601 (31) and (37) of this act. The progress report must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2024.

(11) \$5,778,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to contract with a statewide nonprofit organization located in King county to expand college services to support underserved students and improve college retention and completion rates.

(12) \$46,000 of the general fund—state appropriation for fiscal year 2024 and \$46,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the state of Washington's annual dues to the education commission of the state.

(13) \$150,000 of the workforce education investment account—state appropriation is provided solely for an implementation review of the passport to careers program. The review must include short and long-term recommendations to improve the reach and effectiveness of the passport program. The review must include consultation with organizations serving foster youth, the state board of community and technical colleges, public four-year institutions, and other organizations involved in the passport to college and passport to apprenticeship programs. Amounts provided in this subsection may be used to provide stipends for youth participating in the review who are receiving funds from passport programs or are eligible to receive funds from passport programs. The review must be submitted to the appropriate committees of the legislature by June 30, 2024.

(14) \$1,485,000 of the workforce education investment account—state appropriation and ~~(((\$90,000,000))~~ \$50,000,000 of the Washington student loan account—state appropriation are provided solely for implementation of Engrossed House Bill No. 1823 (WA student loan program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(15) \$16,000,000 of the general fund—federal appropriation is provided solely for the good jobs challenge grant expenditure authority.

(16) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for contraception vending machines for students and staff stocked with emergency contraceptive medication and other forms of contraception, including condoms, at discreet and geographically accessible locations, such as gender-neutral restrooms and student union buildings, and locations that are accessible on weekends and after 5:00 p.m. The council must distribute \$10,000 to each public four-year institution and community and technical college who apply on a first-come, first-served basis.

(17) \$1,150,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for the council to provide grants to law schools in the state who offer a law clinic focusing on crime victim support.

(19) (a) \$100,000 of the workforce education investment account—state appropriation is provided solely to contract with a nonprofit organization located in Tacoma that focuses on coordinated systems of support for postsecondary success to conduct a comprehensive study on the feasibility and potential impacts on postsecondary enrollment of a policy of universal free application for federal financial aid (FAFSA) completion. For purposes of this subsection, universal FAFSA completion means making completion of the financial aid form a requirement for high school graduation and requiring schools to support students through the process. The study will include, but is not limited to, the following:

(i) A landscape scan of existing state and local level universal FAFSA completion policies, both in Washington and nationally;

(ii) Input from key stakeholder groups, including students, parents, state agency staff, K-12 district staff and leadership, and student serving organizations; and

(iii) Recommendations for possible policy change at the state level.

(b) A report of findings and recommendations must be submitted to the appropriate committees of the legislature pursuant to RCW 43.01.036 by November 30, 2023.

(20) \$648,000 of the workforce education investment account—state appropriation is provided solely for distribution to four-year institutions of higher education participating in the students experiencing homelessness program without reduction by the Washington student achievement council, pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) \$46,000 of the workforce education investment account—state appropriation is provided solely for the administration of the students experiencing homelessness program pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$400,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5687 (wrestling grant program). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(23) \$356,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to staff the workforce education investment accountability and oversight board as provided in Engrossed Senate Bill No. 5534 (workforce investment board). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(24) \$191,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a full-time position to support an increased workload in contracting activities.

(25) \$330,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 609.** 2023 c 475 s 613 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—OFFICE OF STUDENT FINANCIAL ASSISTANCE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$302,029,000</del> ))
	\$302,031,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$301,772,000</del> ))
	\$301,775,000
General Fund—Federal Appropriation . . . . .	(( <del>\$12,250,000</del> ))
	\$12,263,000
General Fund—Private/Local Appropriation . . . . .	\$300,000
Education Legacy Trust Account—State Appropriation . . . . .	\$85,488,000
Washington Opportunity Pathways Account—State Appropriation . . . . .	(( <del>\$78,914,000</del> ))
	\$76,603,000
Aerospace Training Student Loan Account—State Appropriation . . . . .	\$220,000
Workforce Education Investment Account—State Appropriation . . . . .	(( <del>\$226,415,000</del> ))
	\$328,722,000
Health Professionals Loan Repayment and Scholarship Program Account—State Appropriation . . . . .	\$11,720,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$1,019,108,000</del>))</b>
	<b>\$1,119,122,000</b>

The appropriations in this section are subject to the following conditions and limitations:



(1) \$7,834,000 of the general fund—state appropriation for fiscal year 2024 and \$7,835,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student financial aid payments under the state work study program, including up to four percent administrative allowance for the state work study program.

(2) \$276,416,000 of the general fund—state appropriation for fiscal year 2024, \$276,416,000 of the general fund—state appropriation for fiscal year 2025, (~~(\$169,036,000)~~) \$258,584,000 of the workforce education investment account—state appropriation, \$69,639,000 of the education legacy trust fund—state appropriation, and \$67,654,000 of the Washington opportunity pathways account—state appropriation are provided solely for the Washington college grant program as provided in RCW 28B.92.200.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2023-2025 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) \$1,165,000 of the general fund—state appropriation for fiscal year 2024, \$1,165,000 of the general fund—state appropriation for fiscal year 2025, \$15,849,000 of the education legacy trust account—state appropriation, and (~~(\$11,260,000)~~) \$8,949,000 of the Washington opportunity pathways account—state appropriation are provided solely for the college bound scholarship program and may support scholarships for summer session. The office of student financial assistance and the institutions of higher education shall not consider awards made by the opportunity scholarship program to be state-funded for the purpose of determining the value of an award amount under RCW 28B.118.010.

(5) ~~\$6,999,000 of the general fund—state appropriation for fiscal year 2024 (and),~~ \$6,999,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000,000 of the workforce education investment account—state appropriation are provided solely for the passport to college program. The maximum scholarship award is up to \$5,000. The council shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2024 and 2025 for this purpose.

(6) \$55,254,000 of the workforce education investment account—state appropriation is provided solely for an annual bridge grant of \$500 to eligible students. A student is eligible for a grant if the student receives a maximum college grant award and does not receive the college bound scholarship program under chapter 28B.118 RCW. Bridge grant funding provides supplementary financial support to low-income students to cover higher education expenses.

(7) \$500,000 of the workforce education investment account—state appropriation is provided solely for the behavioral health apprenticeship stipend pilot program, with stipends of \$3,000 available to students. The pilot program is intended to provide a stipend to assist students in high-demand programs for costs associated with completing a program, including child care, housing, transportation, and food.

(8) (~~(\$1,000,000)~~) \$1,425,000 of the workforce education investment account—state appropriation is provided solely for the national guard grant program. Of the amount provided in this subsection, \$425,000 of the workforce education investment account—state appropriation for fiscal year 2025 is provided solely to increase national guard grant award amounts.

(9) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for educator conditional scholarship and loan repayment programs established in chapter 28B.102 RCW. Dual language educators must receive priority.

(10) \$10,000,000 of the health professionals loan repayment and scholarship program account—state appropriation is provided solely to increase loans within the Washington health corps.

(11) \$1,156,000 of the workforce education investment account—state appropriation is provided solely for implementation of House Bill No. 1232 (college bound scholarship). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(12) \$500,000 of the workforce education investment account—state appropriation is provided solely for the Washington award for vocational excellence program.

(13) \$8,280,000 of the workforce education investment account—state appropriation is provided solely for implementation of Senate Bill No. 5904 (financial aid terms). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 610.** 2023 c 475 s 614 (uncodified) is amended to read as follows:

**FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$4,845,000)</del> )
	\$4,847,000
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$4,311,000)</del> )
	\$4,613,000
General Fund—Federal Appropriation . . . . .	( <del>(\$55,868,000)</del> )
	\$55,870,000
General Fund—Private/Local Appropriation . . . . .	\$212,000
Climate Commitment Account—State Appropriation . . . . .	\$904,000

Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation. . . . .	\$250,000
Workforce Education Investment Account—State	
Appropriation. . . . .	\$2,350,000
TOTAL APPROPRIATION.....	<del>(\$68,740,000)</del>
	<u>\$69,046,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the health workforce council of the state workforce training and education coordinating board. In partnership with the office of the governor, the health workforce council shall continue to assess workforce shortages across behavioral health disciplines and incorporate the recommended action plan completed in 2020.

(2) \$250,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for an accredited osteopathic medical school to purchase necessary equipment to support the education and training of community-focused occupational therapists.

(3) \$564,000 of the general fund—state appropriation for fiscal year 2024 and \$573,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to conduct health workforce surveys, in collaboration with the nursing care quality assurance commission, to collect and analyze data on the long-term care workforce, and to manage a stakeholder process to address retention and career pathways in long-term care facilities.

(4) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for apprenticeship grants, in collaboration with the nursing care quality assurance commission and the department of labor and industries, to address the long-term care workforce.

(5) \$109,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative expenditures for the Washington award for vocational excellence.

(6) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the workforce board to award grants for the purposes of providing apprenticeship, industry certifications and wraparound student supports to workers pursuing job advancement and enhancement through college readiness, apprenticeship, degree, certification, or professional development opportunities in the health care field. Grant recipients must be labor-management partnerships established under section 302 of the labor-management relations act, 29 U.S.C. Sec. 186 that demonstrate adequate funding match and competency in the provision of student supports, or employers who can demonstrate service serving greater than 50 percent medicaid populations who can demonstrate that they will use the grant to join or establish a labor-management partnership dedicated to the purposes of this section. Preference must be given to applications that demonstrate an ability to support students from racially diverse backgrounds, and that are focused on in-demand fields with career ladders to living wage jobs. Grant recipients must use the funds to provide services including, but not limited to, development and implementation of apprenticeship and industry certifications, benefits administration, tuition assistance, counseling and navigation, tutoring and test preparation, instructor/mentor training, materials and technology for students, childcare, and travel costs.

(7) \$92,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time information technology position to collaborate with other state workforce agencies to establish and support a governance structure that provides strategic direction on cross-organizational information technology projects. The board must submit a report to the governor's office and the appropriate committees of the legislature, pursuant to RCW 43.01.036, with a progress update and recommendations on a coalition model that will result in better service coordination and public stewardship that enables the efficient delivery of workforce development services by September 1, 2023, and September 1, 2024.

(8) The workforce board must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(9) \$84,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$904,000 of the climate commitment account—state appropriation is provided solely for the implementation of Second Substitute House Bill No. 1176 (climate-ready communities), which creates a clean energy technology workforce advisory committee. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ The agency must conduct a study in fiscal year 2024 of the feasibility of a transition to retirement program to ensure income and medical and retirement benefits are not interrupted for workers close to retirement that face job loss or transition because of clean energy technology sector changes.

(11) \$256,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse

supply). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a new application portal for the Washington award for vocational excellence scholarship program.

**Sec. 611.** 2023 c 475 s 615 (uncodified) is amended to read as follows:

**FOR THE STATE SCHOOL FOR THE BLIND**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$11,090,000</del> ))
	<u>\$11,093,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$11,186,000</del> ))
	<u>\$11,192,000</u>
General Fund—Private/Local Appropriation . . . . .	\$34,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$22,310,000</del>))</b>
	<b><u>\$22,319,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades six through twelve for full-time instructional services at the Vancouver campus or online with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

**Sec. 612.** 2023 c 475 s 616 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON CENTER FOR DEAF AND HARD OF HEARING YOUTH**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$17,953,000</del> ))
	<u>\$18,421,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$17,997,000</del> ))
	<u>\$18,514,000</u>
General Fund—Private/Local Appropriation . . . . .	(( <del>\$3,050,000</del> ))
	<u>\$4,052,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$39,000,000</del>))</b>
	<b><u>\$40,987,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Funding provided in this section is sufficient for the center to offer students ages three through 21 enrolled at the center the opportunity to participate in a minimum of 1,080 hours of instruction and the opportunity to earn 24 high school credits.

(2) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a mentoring program for persons employed as educational interpreters in public schools.

(3) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for additional student-based safety training as well as diversity, equity, and inclusion training for staff.

**Sec. 613.** 2023 c 475 s 617 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$6,615,000</del> ))
	<u>\$6,331,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,795,000</del> ))
	<u>\$7,241,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$2,230,000</del> ))
	<u>\$2,830,000</u>
General Fund—Private/Local Appropriation . . . . .	\$184,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$15,824,000</del>))</b>
	<b><u>\$16,586,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$79,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creative districts program.

(2) \$868,000 of the general fund—state appropriation for fiscal year 2024 and \$867,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a tribal cultural affairs program. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support tribal cultural, arts, and creative programs.

(3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to hire a temporary collections technician to maintain and repair public art in the state art collection.

(4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

commission to implement a pilot program for in-person and online arts programming, targeting adults and families impacted by housing instability, mental health challenges, and trauma.

(5) ~~((~~\$489,000~~))~~ \$199,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$654,000~~))~~ \$944,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for an outdoor public art project in downtown Everett on the façade of the Schack art center. The project shall feature stainless steel images of Sasquatch and Pacific Northwest elements, honoring the rich cultural heritage of the region and the narrative history of the Coast Salish Tribes.

**Sec. 614.** 2023 c 475 s 618 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$5,327,000</del> ))
	\$5,410,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$5,467,000</del> ))
	\$6,185,000
Local Museum Account—Washington State Historical Society—Private/Local Appropriation . . . . .	\$70,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$10,864,000</del>))</b>
	<b>\$11,665,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of supporting the Washington museums connect initiative, creating an inventory of rural, volunteer, and multidiscipline museums and place-based heritage groups to connect at-risk museums to a statewide funding and operational network. The department shall contract with an organization that works with and connects museums in Washington state.

(a) The contracted organization must:

(i) Submit to the department a report regarding funding needs for the museums and place-based heritage groups identified in the statewide inventory created in the first phase of the initiative;

(ii) Submit to the department a strategic plan assessing opportunities for the entities identified in the statewide inventory to access local, state, and national funding; and

(iii) Distribute to the entities identified in the inventory information regarding opportunities to apply for local, state, and national funding for the duration of the contract.

(b) The report and the strategic plan are due by June 30, 2025.

(2) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$88,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an assistant curator at the Washington state history museum.

(3) \$4,000 of the general fund—state appropriation for fiscal year 2024, \$4,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the local museum account—Washington state historical society—private/local appropriation are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) \$99,000 of the general fund—state appropriation for fiscal year 2024 and \$242,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state historical society to partner with statewide organizations specializing in the preservation of Washington state aviation history to organize a centennial celebration of the first round-the-world flight that captures the narratives and contributions of Washingtonians to the history of aviation.

(5) \$320,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state historical society to partner with a statewide organization specializing in the preservation of Washington state Jewish history to transform and expand the collection of oral histories from Jewish Washingtonians in order to build awareness and to provide education.

**Sec. 615.** 2023 c 475 s 619 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$4,429,000</del> ))
	\$4,799,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$4,452,000</del> ))
	\$4,661,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$8,881,000</del>))</b>
	<b>\$9,460,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$103,000 of the general fund—state appropriation for fiscal year 2024 and \$103,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a director of support services.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an information technology staff to replace the society's contracted information technology support.

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for acquisition, transportation, archiving, and storage of the following two collections:

(a) A collection of artworks created by Harold Balazs;

(b) A collection of Southern Plateau tribal beadwork and culturally historic photographs.

(End of part)

**PART VII  
SPECIAL APPROPRIATIONS**

**Sec. 701.** 2023 c 475 s 701 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—INFORMATION TECHNOLOGY INVESTMENT POOL**

General Fund—State Appropriation (FY 2024) . . . . .	(( <u>\$26,470,000</u> ))
	<u>\$27,023,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$9,022,000</u> ))
	<u>\$22,993,000</u>
Other Appropriated Funds . . . . .	(( <u>\$6,559,000</u> ))
	<u>\$18,508,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<u>\$42,051,000</u>))</b>
	<b><u>\$68,524,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for expenditure into the information technology investment revolving account created in RCW 43.41.433. Amounts in the account are provided solely for the information technology projects shown in LEAP omnibus documents IT-2023, dated April 22, 2023, and IT-2024, dated February 18, 2024, which ~~((is))~~are hereby incorporated by reference. To facilitate the transfer of moneys from other funds and accounts that are associated with projects contained in LEAP omnibus documents IT-2023, dated April 22, 2023, and IT-2024, dated February 18, 2024, the state treasurer is directed to transfer moneys from other funds and accounts to the information technology investment revolving account in accordance with schedules provided by the office of financial management. Restricted federal funds may be transferred only to the extent permitted by law, and will otherwise remain outside the information technology investment account. The projects affected remain subject to the other provisions of this section.

(2) Agencies must apply to the office of the chief information officer for certification and release of funding for each gate of the project. When the office of the chief information officer certifies the key deliverables of the gate have been met, a current technology budget is approved; and if applicable to the stage or gate of the project, that the project is putting functioning software into production that addresses user needs, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality that the office of the chief information officer will post to their website by July 1, 2023, it must notify the office of financial management and the fiscal committees of the legislature. The office of financial management may not approve funding for the certified project gate any earlier than ten business days from the date of notification to the fiscal committees of the legislature.

(3)(a) Allocations and allotments of information technology investment revolving account must be made for discrete stages of projects as determined by the technology budget approved by the office of the chief information officer and the office of financial management.

(b) Fifteen percent of total funding allocated by the office of financial management, or another amount as defined jointly by the office of financial management and the office of the chief information officer, will be retained in the account, but remain allocated to that project. The retained funding will be released to the agency only after successful completion of that stage of the project and only after the office of the chief information officer certifies the stage as required in subsection (2) of this section. For the one Washington project, the amount retained is increased to at least twenty percent of total funding allocated for any stage of that project. If there is no significant risk to the project, the holdback does not apply to the final gate during a biennial close.

(4)(a) Each project must have a technology budget. The technology budget must have the detail by fiscal month for the 2023-2025 fiscal biennium. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out, as well as at least five years of maintenance and operations costs.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit an updated technology budget, if changes occurred, to include

detailed financial information to the office of financial management and the office of the chief information officer. The technology budget must describe the total cost of the project, as well as maintenance and operations costs, to include and identify at least:

(i) Fund sources:

(A) If the project is funded from the information technology revolving account, the technology budget must include a worksheet that provides the fund sources that were transferred into the account by fiscal year;

(B) If the project is by a central service agency, and funds are driven out by the central service model, the technology budget must provide a statewide impact by agency by fund as a worksheet in the technology budget file;

(ii) Full time equivalent staffing level to include job classification assumptions. This is to assure that the project has adequate state staffing and agency support to ensure success, ensure user acceptance, and adequately test the functionality being delivered in each sprint before it is accepted by the agency's contracting officer or their representative. Key project functions that are deemed "critical" must be retained by state personnel and not outsourced, to ensure that knowledge is retained within state government and that the state can self-sufficiently support the system and make improvements without long-term dependence on a vendor;

(iii) Discrete financial budget codes to include at least the appropriation index and program index;

(iv) Object and subobject codes of expenditures;

(v) Anticipated deliverables to include software demonstration dates;

(vi) Historical budget and expenditure detail by fiscal year; and

(vii) Maintenance and operations costs by fiscal year for at least five years as a separate worksheet.

(c) If a project technology budget changes and a revised technology budget is completed, a comparison of the revised technology budget to the last approved technology budget must be posted to the dashboard, to include a narrative rationale on what changed, why, and how that impacts the project in scope, budget, and schedule.

(5) (a) Each project must have a project charter. The charter must include:

(i) An organizational chart of the project management team that identifies team members and their roles and responsibilities, and shows that the project is adequately staffed by state personnel in key functions to ensure success;

(ii) The office of the chief information officer staff assigned to the project;

(iii) A project roadmap that includes the problems the team is solving and the sequence in which the team intends to take on those problems, updated periodically to reflect what has been learned;

(iv) Metrics to support the project strategy and vision, to determine that the project is incrementally meeting user needs;

(v) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project at each agency affected by the project;

(vi) Performance measures used to determine that the project is on time, within budget, and meeting expectations for quality of work product;

(vii) Ongoing maintenance and operations cost of the project post implementation and close out delineated by agency staffing, contracted staffing, and service level agreements; and

(viii) Financial budget coding to include at least discrete financial coding for the project.

(b) If required by the office of the chief information officer, a project may also need to have an investment plan. The office of the chief information officer must:

(i) Base the requirement of an agency needing to have an investment plan on the complexity and risk of the project;

(ii) Establish requirements by project risk level in statewide technology policy, and publish the requirements by September 30, 2023; and

(iii) In collaboration with the department of enterprise services, define the circumstances under which the vendor will be terminated or replaced and establish the process by which the agency will transition to a new vendor with a minimal reduction in project productivity.

(6) (a) Projects with estimated costs greater than \$100,000,000 from initiation to completion and implementation may be divided into discrete subprojects as determined by the office of the chief information officer, except for the one Washington project which must be divided into the following discrete subprojects: Core financials, expanding financials and procurement, budget, and human resources. Each subproject must have a technology budget as provided in this section.

(b) If the project affects more than one agency:

(i) A separate technology budget and investment plan must be prepared by each agency; and

(ii) There must be a budget roll up that includes each affected agency at the subproject level.

(7) The office of the chief information officer shall maintain a statewide information technology project dashboard that provides updated information each fiscal month on projects subject to this section. The statewide dashboard must meet the requirements in section 155 of this act.

(8) For any project that exceeds \$2,000,000 in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:

- (a) Independent quality assurance services for the project must report independently to the office of the chief information officer;
- (b) The office of the chief information officer, based on project risk assessments, may require additional quality assurance services and independent verification and validation services;
- (c) The office of the chief information officer must review, and, if necessary, revise the proposed project to ensure it is flexible and adaptable to advances in technology;
- (d) The technology budget must specifically identify the uses of any financing proceeds. No more than thirty percent of the financing proceeds may be used for payroll-related costs for state employees assigned to project management, installation, testing, or training;
- (e) The agency must consult with the office of the state treasurer during the competitive procurement process to evaluate early in the process whether products and services to be solicited and the responsive bids from a solicitation may be financed;
- (f) The agency must consult with the contracting division of the department of enterprise services for a review of all contracts and agreements related to the project's information technology procurements;
- (g) The agency and project must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of every two-week sprint, except for:
  - (i) Hardware or infrastructure projects; and
  - (ii) Projects that have implemented all phases and are now in maintenance and operations;
- (h) The project solution must be capable of being continually updated, as necessary; and
- (i) The agency and project must deploy usable functionality into production for users within 180 days from the date of an executed procurement contract in response to a competitive request for proposal.
- (9) The office of the chief information officer must evaluate the project at each stage and certify whether the project is putting functioning software into production that addresses user needs, is projected to be completed within budget, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality, and whether the project is planned, managed, and meeting deliverable targets as defined in the project's approved technology budget and investment plan.
- (10) The office of the chief information officer may suspend or terminate a project at any time if it determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall unallot any unused funding and shall not make any expenditure for the project without the approval of the office of financial management. The office of the chief information officer must report on December 1 each calendar year any suspension or termination of a project in the previous 12-month period to the legislative fiscal committees.
- (11) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section, including projects that are not separately identified within an agency budget. The office of the chief information officer must report on December 1 each calendar year any additional projects to be subjected to this section that were identified in the previous 12-month period to the legislative fiscal committees.
- (12) Any cost to administer or implement this section for projects listed in subsection (1) of this section, must be paid from the information technology investment revolving account. For any other information technology project made subject to the conditions, limitations, and review of this section, the cost to implement this section must be paid from the funds for that project.
- (13) The following information technology projects are subject to the conditions, limitations, and review of this section:
  - (a) The state network firewall replacement of the consolidated technology services agency;
  - (b) The resident portal of the consolidated technology services agency; and
  - (c) The resident identity and access management modernization project of the consolidated technology services agency.

**Sec. 702.** 2023 c 475 s 702 (uncodified) is amended to read as follows:

<b>FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT</b>	
General Fund—State Appropriation (FY 2024) . . . . .	((\$1,419,445,000))
	<u>\$1,401,902,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	((\$1,549,610,000))
	<u>\$1,495,940,000</u>
State Building Construction Account—State	
Appropriation . . . . .	((\$14,092,000))
	<u>\$20,863,000</u>
<u>Columbia River Basin Water Supply Development</u>	
<u>Account—State Appropriation . . . . .</u>	<u>\$3,000</u>
Watershed Restoration and Enhancement Bond Account—	
State Appropriation . . . . .	((\$204,000))
	<u>\$64,000</u>
State Taxable Building Construction Account—State	
Appropriation . . . . .	\$876,000

Debt-Limit Reimbursable Bond Retirement Account—	
State Appropriation. . . . .	\$119,000
TOTAL APPROPRIATION.....	<del>(\$2,984,346,000)</del>
	<u>\$2,919,767,000</u>

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

**Sec. 703.** 2023 c 475 s 703 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE**

Nondebt-Limit Reimbursable Bond Retirement Account—	
State Appropriation. . . . .	<del>(\$51,730,000)</del>
	<u>\$51,761,000</u>

<u>School Construction and Skill Centers Building</u>	
Account—State Appropriation. . . . .	\$4,000
TOTAL APPROPRIATION.....	<del>(\$51,730,000)</del>
	<u>\$51,765,000</u>

The appropriation in this section is subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt limit general fund bond retirement account.

**Sec. 704.** 2023 c 475 s 704 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES**

General Fund—State Appropriation (FY 2024). . . . .	\$1,400,000
General Fund—State Appropriation (FY 2025). . . . .	\$1,400,000
State Building Construction Account—State	
Appropriation. . . . .	<del>(\$2,821,000)</del>
	<u>\$3,921,000</u>

Watershed Restoration and Enhancement Bond Account—	
State Appropriation. . . . .	<del>(\$44,000)</del>
	<u>\$24,000</u>

State Taxable Building Construction Account—State	
Appropriation. . . . .	\$176,000

<u>Columbia River Basin Water Supply Development</u>	
Account—State Appropriation. . . . .	\$1,000

<u>School Construction and Skill Centers Building</u>	
Account—State Appropriation. . . . .	\$1,000
TOTAL APPROPRIATION.....	<del>(\$5,841,000)</del>
	<u>\$6,923,000</u>

**Sec. 705.** 2023 c 475 s 705 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—GOVERNOR'S EMERGENCY FUNDING**

General Fund—State Appropriation (FY 2024). . . . .	<del>(\$3,500,000)</del>
	<u>\$5,000,000</u>
General Fund—State Appropriation (FY 2025). . . . .	\$3,500,000
TOTAL APPROPRIATION.....	<del>(\$7,000,000)</del>
	<u>\$8,500,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$1,000,000)~~ \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided for the critically necessary work of any state agency in the event of an emergent or unforeseen circumstance. Prior to the allocation of funding from this subsection (1), the requesting agency and the office of financial management must comply with the provisions of RCW 43.88.250.

(2) ~~(\$2,500,000)~~ \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided for individual assistance consistent with RCW 38.52.030(9) during an emergency proclaimed by the governor, as defined in RCW 38.52.010. The office of financial management must notify the fiscal committees of the legislature of the receipt by the governor or adjutant general of each application ~~((or)), request, or allocation~~ for individual assistance from the amounts provided in this subsection (2). ~~((The office of financial management may not approve or release funding for 10 business days from the date of notification to the fiscal committees of the legislature.))~~

**Sec. 706.** 2023 c 475 s 717 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE HEALTH CARE AFFORDABILITY ACCOUNT**

General Fund—State Appropriation (FY 2024). . . . .	\$55,000,000
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General Fund—State Appropriation (FY 2025)	(( <del>\$30,000,000</del> ))
	<u>\$45,000,000</u>
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$85,000,000</del>))</b>
	<b><u>\$100,000,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for expenditure into the state health care affordability account created in RCW 43.71.130.

(2) It is the intent of the legislature to continue the policy of expending \$5,000,000 into the account each fiscal year in future biennia for the purpose of funding premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in section 214(4)(a) of this act. Future expenditures into the account are contingent upon approval of the waiver described in RCW 43.71.120.

NEW SECTION. **Sec. 707.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR SUNDRY CLAIMS**

The following sums, or so much thereof as may be necessary, are appropriated from the general fund for fiscal year 2024, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims.

These appropriations are to be disbursed on vouchers approved by the director of the department of enterprise services, except as otherwise provided, for reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110, as follows:

(1) Clifford T. Snow, claim number 9991014081	\$13,659
(2) Shanna S. Parker, claim number 9991013694	\$14,913
(3) Leah M. Eggleston, claim number 9991013115	\$20,852
(4) Shannon E. Garner, claim number 9991013103	\$15,325
(5) Stephanie S. Westby, claim number 9991012517	\$199,459
(6) Clyde E. McCoy, claim number 9991014232	\$139
(7) Kevin R. Ash, claim number 9991014512	\$14,810
(8) Kenneth M. Salazar, claim number 9991014683	\$231,920
(9) Victor O. Alejandre-Mejia, claim number 9991014791	\$213,297
(10) James K. Warren, claim number 9991014924	\$20,843
(11) Marcus Buchanan, claim number 9991015324	\$70,102

**Sec. 708.** 2023 c 475 s 710 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—COUNTY CLERK LEGAL FINANCIAL OBLIGATION GRANTS**

General Fund—State Appropriation (FY 2024)	\$541,000
General Fund—State Appropriation (FY 2025)	(( <del>\$441,000</del> ))
	<u>\$800,000</u>
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$982,000</del>))</b>
	<b><u>\$1,341,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: By October 1st of each fiscal year, the state treasurer shall distribute the appropriations to the following county clerk offices in the amounts designated as grants for the collection of legal financial obligations pursuant to RCW 2.56.190:

<b>County Clerk</b>	<b>FY 2024</b>	<b>FY 2025</b>
Adams County Clerk	\$2,103	(( <del>\$1,714</del> )) <u>\$3,109</u>
Asotin County Clerk	\$2,935	(( <del>\$2,392</del> )) <u>\$4,339</u>
Benton County Clerk	\$18,231	(( <del>\$14,858</del> )) <u>\$26,953</u>
Chelan County Clerk	\$7,399	(( <del>\$6,030</del> )) <u>\$10,939</u>
Clallam County Clerk	\$5,832	(( <del>\$4,753</del> )) <u>\$8,622</u>
Clark County Clerk	\$32,635	(( <del>\$26,597</del> )) <u>\$48,249</u>

Columbia County Clerk	\$384	( ( <del>\$313</del> ) ) <u>\$568</u>
Cowlitz County Clerk	\$16,923	( ( <del>\$13,792</del> ) ) <u>\$25,020</u>
Douglas County Clerk	\$3,032	( ( <del>\$2,471</del> ) ) <u>\$4,483</u>
Ferry County Clerk	\$422	( ( <del>\$344</del> ) ) <u>\$624</u>
Franklin County Clerk	\$5,486	( ( <del>\$4,471</del> ) ) <u>\$8,111</u>
Garfield County Clerk	\$243	( ( <del>\$198</del> ) ) <u>\$359</u>
Grant County Clerk	\$10,107	( ( <del>\$8,237</del> ) ) <u>\$14,942</u>
Grays Harbor County Clerk	\$8,659	( ( <del>\$7,057</del> ) ) <u>\$12,802</u>
Island County Clerk	\$3,059	( ( <del>\$2,493</del> ) ) <u>\$4,523</u>
Jefferson County Clerk	\$1,859	( ( <del>\$1,515</del> ) ) <u>\$2,748</u>
King County Court Clerk	\$119,290	( ( <del>\$97,266</del> ) ) <u>\$176,446</u>
Kitsap County Clerk	\$22,242	( ( <del>\$18,127</del> ) ) <u>\$32,883</u>
Kittitas County Clerk	\$3,551	( ( <del>\$2,894</del> ) ) <u>\$5,250</u>
Klickitat County Clerk	\$2,151	( ( <del>\$1,753</del> ) ) <u>\$3,180</u>
Lewis County Clerk	\$10,340	( ( <del>\$8,427</del> ) ) <u>\$15,287</u>
Lincoln County Clerk	\$724	( ( <del>\$590</del> ) ) <u>\$1,070</u>
Mason County Clerk	\$5,146	( ( <del>\$4,194</del> ) ) <u>\$7,608</u>
Okanogan County Clerk	\$3,978	( ( <del>\$3,242</del> ) ) <u>\$5,881</u>
Pacific County Clerk	\$2,411	( ( <del>\$1,965</del> ) ) <u>\$3,565</u>
Pend Oreille County Clerk	\$611	( ( <del>\$498</del> ) ) <u>\$903</u>
Pierce County Clerk	\$77,102	( ( <del>\$62,837</del> ) ) <u>\$113,990</u>

JOURNAL OF THE HOUSE

San Juan County Clerk	\$605	(( <del>\$493</del> )) <u>\$894</u>
Skagit County Clerk	\$11,059	(( <del>\$9,013</del> )) <u>\$16,350</u>
Skamania County Clerk	\$1,151	(( <del>\$938</del> )) <u>\$1,702</u>
Snohomish County Clerk	\$38,143	(( <del>\$31,086</del> )) <u>\$56,392</u>
Spokane County Clerk	\$44,825	(( <del>\$36,578</del> )) <u>\$66,355</u>
Stevens County Clerk	\$2,984	(( <del>\$2,432</del> )) <u>\$4,412</u>
Thurston County Clerk	\$22,204	(( <del>\$18,096</del> )) <u>\$32,827</u>
Wahkiakum County Clerk	\$400	(( <del>\$326</del> )) <u>\$591</u>
Walla Walla County Clerk	\$4,935	(( <del>\$4,022</del> )) <u>\$7,296</u>
Whatcom County Clerk	\$20,728	(( <del>\$16,893</del> )) <u>\$30,645</u>
Whitman County Clerk	\$2,048	(( <del>\$1,669</del> )) <u>\$3,028</u>
Yakima County Clerk	\$25,063	(( <del>\$20,426</del> )) <u>\$37,054</u>
TOTAL APPROPRIATIONS	\$541,000	(( <del>\$441,000</del> )) <u>\$800,000</u>

**Sec. 709.** 2023 c 475 s 715 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ANDY HILL CANCER RESEARCH ENDOWMENT FUND MATCH TRANSFER ACCOUNT**

General Fund—State Appropriation (FY 2024)	\$684,000
General Fund—State Appropriation (FY 2025)	\$3,486,000
TOTAL APPROPRIATION	<del>(\$684,000)</del> <u>\$4,170,000</u>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Andy Hill cancer research endowment fund match transfer account per RCW 43.348.080 to fund the Andy Hill cancer research endowment program. Matching funds using the amounts appropriated in this section may not be used to fund new grants that exceed two years in duration.

**Sec. 710.** 2023 c 475 s 726 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF FINANCIAL MANAGEMENT—LANDLORD MITIGATION PROGRAM ACCOUNT**

General Fund—State Appropriation (FY 2024)	\$8,000,000
General Fund—State Appropriation (FY 2025)	\$7,200,000
TOTAL APPROPRIATION	<del>(\$8,000,000)</del> <u>\$15,200,000</u>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the landlord mitigation program account created in RCW 43.31.615.

**Sec. 711.** 2023 c 475 s 727 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS**

(1) The appropriations in this section are subject to the following conditions and limitations: The appropriations for the law enforcement officers' and firefighters' retirement system shall be made on a monthly basis consistent with chapter 41.45 RCW, and the appropriations for the judges and judicial retirement systems shall be made on a quarterly basis consistent with chapters 2.10 and 2.12 RCW.

(2) There is appropriated for state contributions to the law enforcement officers' and firefighters' retirement system:

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$88,700,000</del> ))
		<u>\$94,400,000</u>
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$92,600,000</del> ))
		<u>\$98,600,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$181,300,000</del>))</b>
		<b><u>\$193,000,000</u></b>

(3) There is appropriated for contributions to the judicial retirement system:		
General Fund—State Appropriation (FY 2024)	.. . . .	\$6,300,000
General Fund—State Appropriation (FY 2025)	.. . . .	\$6,000,000
<b>TOTAL APPROPRIATION</b>	.....	<b>\$12,300,000</b>

(4) There is appropriated for contributions to the judges' retirement system:		
General Fund—State Appropriation (FY 2024)	.. . . .	\$300,000
General Fund—State Appropriation (FY 2025)	.. . . .	\$300,000
<b>TOTAL APPROPRIATION</b>	.....	<b>\$600,000</b>

**Sec. 712.** 2023 c 475 s 734 (uncodified) is amended to read as follows:  
**FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—RURAL JOBS PROGRAM MATCH TRANSFER ACCOUNT**

Workforce Education Investment Account—State		
Appropriation	.. . . .	(( <del>\$400,000</del> ))
		<u>\$404,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$400,000</del>))</b>
		<b><u>\$404,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the rural jobs program match transfer account created in RCW 28B.145.120.

**Sec. 713.** 2023 c 475 s 735 (uncodified) is amended to read as follows:  
**FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—OPPORTUNITY SCHOLARSHIP MATCH TRANSFER ACCOUNT**

Workforce Education Investment Account—State		
Appropriation	.. . . .	(( <del>\$11,600,000</del> ))
		<u>\$14,856,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$11,600,000</del>))</b>
		<b><u>\$14,856,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the opportunity scholarship match transfer account created in RCW 28B.145.050.

**Sec. 714.** 2023 c 475 s 740 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LEADERSHIP BOARD ACCOUNT**

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$843,000</del> ))
		<u>\$1,019,000</u>
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$848,000</del> ))
		<u>\$1,022,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$1,691,000</del>))</b>
		<b><u>\$2,041,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the Washington state leadership board account created in RCW 43.388.020.

**Sec. 715.** 2023 c 475 s 747 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CRIME VICTIM AND WITNESS ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$2,000,000</del> ))
		<u>\$4,000,000</u>
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$2,000,000</del> ))
		<u>\$4,000,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$4,000,000</del>))</b>
		<b><u>\$8,000,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the state crime victim and witness assistance account created in Engrossed Substitute House Bill No. 1169

(legal financial obligations). ((If the bill is not enacted by June 30, 2023, the amounts appropriated in this section shall lapse.))

**Sec. 716.** 2023 c 475 s 745 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON HORSE RACING COMMISSION OPERATING ACCOUNT**

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation. . . . .	\$1,150,000
General Fund—State Appropriation (FY 2025). . . . .	\$1,350,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(((\$1,150,000)) \$2,500,000</b>

The appropriations in this section are subject to the following conditions and limitations: The ((appropriation is)) appropriations are provided solely for expenditure into the Washington horse racing commission operating account created in RCW 67.16.280.

NEW SECTION. **Sec. 717.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CORONAVIRUS STATE FISCAL RECOVERY**

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation. . . . .	\$250,000,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$250,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The entire coronavirus state fiscal recovery fund—federal appropriation is provided solely to the office of financial management for allocation to state agencies for costs eligible to be paid from the coronavirus state fiscal recovery fund and where funding is provided elsewhere in this act or the capital omnibus appropriations act for those costs using a funding source other than the coronavirus state fiscal recovery fund. For any agency receiving an allocation under this section, the office must place an equal amount of the agency's state or other source appropriation authority in unallotted reserve status, and those amounts may not be expended. In determining the use of amounts appropriated in this section, the office of financial management shall prioritize the preservation of state general fund moneys. The office must report on the use of the amounts appropriated in this section to the fiscal committees of the legislature when all coronavirus state fiscal recovery fund moneys are expended or June 30, 2025, whichever is earlier.

NEW SECTION. **Sec. 718.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SKELETAL HUMAN REMAINS ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2025). . . . .

	\$500,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$500,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the skeletal human remains assistance account created in RCW 43.334.077.

NEW SECTION. **Sec. 719.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SURGICAL SMOKE EVACUATION ACCOUNT**

General Fund—State Appropriation (FY 2025). . . . .

	\$300,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$300,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the surgical smoke evacuation account created in RCW 49.17.505.

NEW SECTION. **Sec. 720.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LIBRARY OPERATIONS ACCOUNT**

General Fund—State Appropriation (FY 2025). . . . .

	\$2,000,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$2,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Washington state library operations account created in RCW 43.07.129.

NEW SECTION. **Sec. 721.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—QUENDALL TERMINALS SUPERFUND SITE ON LAKE WASHINGTON**

Model Toxics Control Operating Account—State

Appropriation. . . . .	\$8,500,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$8,500,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is for the remedial design for the Quendall terminals superfund site on Lake Washington. Expenditure of the appropriation is conditioned on reaching agreement with the environmental protection agency that offsets any money spent from this appropriation against any future state liability, and memorializing the agreement in an agreed order, settlement agreement, or other similar document.

NEW SECTION. **Sec. 722.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ELECTRIC VEHICLE ACCOUNT**  
General Fund—State Appropriation (FY 2024). . . . . \$4,000,000  
TOTAL APPROPRIATION..... \$4,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the electric vehicle account created in RCW 82.44.200, which is appropriated in the transportation budget, for the completion of an electric vehicle mapping tool as provided in chapter 300, Laws of 2021 (E2SHB 1287).

NEW SECTION. **Sec. 723.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—DOWN PAYMENT ASSISTANCE ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$250,000  
TOTAL APPROPRIATION..... \$250,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the down payment assistance account created in RCW 82.45.240.

NEW SECTION. **Sec. 724.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—LEGISLATIVE ORAL HISTORY ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$50,000  
TOTAL APPROPRIATION..... \$50,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the legislative oral history account created in RCW 44.04.345.

NEW SECTION. **Sec. 725.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—PORT DISTRICT EQUITY FUND**  
General Fund—State Appropriation (FY 2025). . . . . \$1,000,000  
TOTAL APPROPRIATION..... \$1,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the port district equity fund created in Engrossed Second Substitute Senate Bill No. 5955 (large port districts). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec. 726.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$18,000  
TOTAL APPROPRIATION..... \$18,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the municipal criminal justice assistance account to implement Engrossed Substitute Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec. 727.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$27,000  
TOTAL APPROPRIATION..... \$27,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the county criminal justice assistance account to implement Engrossed Substitute Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec. 728.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—HEALTH PROFESSIONS ACCOUNT**

Opioid Abatement Settlement Account—State	
Appropriation. . . . .	\$743,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$743,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the health professions account created in RCW 43.70.320 to implement Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amounts appropriated in this section shall lapse.

NEW SECTION. **Sec. 729.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SECRETARY OF STATE ARCHIVES AND RECORDS MANAGEMENT CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(\$1,000)
General Fund—State Appropriation (FY 2025) . . . . .	\$34,000
General Fund—Federal Appropriation. . . . .	\$10,000
General Fund—Private/Local Appropriation. . . . .	\$1,000
Other Appropriated Funds. . . . .	\$13,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$57,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the secretary of state's billing authority for archives and records management. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92C-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 730.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE AUDITOR AUDIT SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	\$2,000
General Fund—State Appropriation (FY 2025) . . . . .	\$27,000
General Fund—Federal Appropriation. . . . .	\$11,000
Other Appropriated Funds. . . . .	\$9,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$49,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the state auditor's billing authority for state agency auditing services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92D-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 731.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF THE ATTORNEY GENERAL LEGAL SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	\$689,000
General Fund—State Appropriation (FY 2025) . . . . .	\$1,622,000
General Fund—Federal Appropriation. . . . .	\$168,000
General Fund—Private/Local Appropriation. . . . .	\$9,000
Other Appropriated Funds. . . . .	\$1,072,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$3,560,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the attorney general's billing authority for legal services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92E-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 732.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ADMINISTRATIVE HEARINGS CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	\$4,000
General Fund—State Appropriation (FY 2025) . . . . .	\$57,000
General Fund—Federal Appropriation. . . . .	\$52,000
Other Appropriated Funds. . . . .	\$102,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$215,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of administrative hearings' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92G-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 733.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CONSOLIDATED TECHNOLOGY SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$1,575,000
General Fund—State Appropriation (FY 2025)	\$4,367,000
General Fund—Federal Appropriation	\$1,164,000
General Fund—Private/Local Appropriation	\$75,000
Other Appropriated Funds	\$1,725,000
<b>TOTAL APPROPRIATION</b>	<b>\$8,906,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the consolidated technology services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92J-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 734.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—DEPARTMENT OF ENTERPRISE SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$73,000
General Fund—State Appropriation (FY 2025)	\$217,000
General Fund—Federal Appropriation	\$198,000
General Fund—Private/Local Appropriation	\$2,000
Other Appropriated Funds	(\$7,000)
<b>TOTAL APPROPRIATION</b>	<b>\$483,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the department of enterprise services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92K-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 735.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF FINANCIAL MANAGEMENT CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$12,688,000
General Fund—State Appropriation (FY 2025)	\$40,891,000
General Fund—Federal Appropriation	\$673,000
General Fund—Private/Local Appropriation	\$1,454,000
Other Appropriated Funds	\$16,960,000
<b>TOTAL APPROPRIATION</b>	<b>\$72,666,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of financial management billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92R-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 736.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Washington Rescue Plan Transition Account—State Appropriation	\$90,000,000
<b>TOTAL APPROPRIATION</b>	<b>\$90,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation, or so much thereof as may be necessary, is provided solely for expenditure into the county criminal justice assistance account. The treasurer shall make quarterly distributions for the county criminal justice assistance account of the amount provided in this section in accordance with RCW 82.14.310 solely for the purpose of increasing law enforcement staffing and to recruit and retain law enforcement staff.



NEW SECTION. **Sec. 737.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Washington Rescue Plan Transition Account—State

Appropriation. . . . .	\$60,000,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$60,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation, or so much thereof as may be necessary, is provided solely for expenditure into the county criminal justice assistance account. The treasurer shall make quarterly distributions for the county criminal justice assistance account of the amount provided in this section in accordance with RCW 82.14.320 and 82.14.330, solely for the purpose of increasing law enforcement staffing and to recruit and retain law enforcement staff.

(End of part)

**PART VIII**

**OTHER TRANSFERS AND APPROPRIATIONS**

**Sec. 801.** 2023 c 475 s 801 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

General Fund Appropriation for fire insurance

premium distributions. . . . .	(( <del>\$13,766,000</del> ))
	<u>\$14,606,000</u>

General Fund Appropriation for prosecuting attorney

distributions. . . . .	(( <del>\$8,284,000</del> ))
	<u>\$8,690,000</u>

General Fund Appropriation for boating safety and education distributions. . . . .

\$4,272,000

General Fund Appropriation for public utility

district excise tax distributions. . . . .	(( <del>\$71,825,000</del> ))
	<u>\$71,424,000</u>

Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies. . . . .

((~~\$4,947,000~~))  
\$6,000,000

Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distributions. . . . .

\$140,000

Timber Tax Distribution Account Appropriation for distribution to "timber" counties. . . . .

((~~\$82,143,000~~))  
\$92,948,000

County Criminal Justice Assistance Appropriation. . . . .

((~~\$129,509,000~~))  
\$219,925,000

Municipal Criminal Justice Assistance Appropriation. . . . .

((~~\$51,247,000~~))  
\$111,744,000

City-County Assistance Appropriation. . . . .

((~~\$45,960,000~~))  
\$34,604,000

Liquor Excise Tax Account Appropriation for liquor excise tax distribution. . . . .

\$89,385,000

Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation. . . . .

\$9,587,000

Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians. . . . .

((~~\$6,893,000~~))  
\$6,919,000

Liquor Revolving Account Appropriation for liquor profits distribution. . . . .

\$98,876,000

General Fund Appropriation for other tax distributions. . . . .

\$104,000

Dedicated Cannabis Account Appropriation for Cannabis Excise Tax distributions pursuant to Engrossed Second Substitute Senate Bill No. 5796 (cannabis revenue). . . . .

((~~\$50,472,000~~))  
\$52,831,000

General Fund Appropriation for Habitat Conservation Program distributions. . . . .

\$5,754,000

General Fund Appropriation for payment in lieu of taxes to counties under Department of Fish and Wildlife Program. . . . .

\$4,496,000

Puget Sound Taxpayer Accountability Account Appropriation for distribution to counties in amounts not to exceed actual deposits into the account and attributable to those counties' share pursuant to RCW 43.79.520. . . . .

((~~\$27,990,000~~))  
\$28,630,000

Manufacturing and Warehousing Job Centers Account	
Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistributions effect of sourcing law changes pursuant to chapter 83, Laws of 2021 (warehousing & manufacturing jobs) . . . . .	\$7,780,000
State Crime Victim and Witness Assistance Account	
Appropriation for distribution to counties. ( <del>Engrossed Substitute House Bill No. 1169 is not enacted by June 30, 2023, this amount shall lapse.</del> ) . . . . .	(\$4,000,000)
	<u>\$8,000,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(\$717,430,000)</b>
	<u>\$876,715,000</u>

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

**Sec. 802.** 2023 c 475 s 802 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Impaired Driving Safety Appropriation. . . . .	(\$2,065,000)
	<u>\$1,642,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(\$2,065,000)</b>
	<u>\$1,642,000</u>

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

**Sec. 803.** 2023 c 475 s 803 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Impaired Driving Safety Appropriation. . . . .	(\$1,377,000)
	<u>\$1,095,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(\$1,377,000)</b>
	<u>\$1,095,000</u>

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium to all cities ratably based on population as last determined by the office of financial management. The distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

**Sec. 804.** 2023 c 475 s 805 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—TRANSFERS**

Dedicated Cannabis Account: For transfer to the basic health plan trust account, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, ( <del>(\$269,000,000)</del> ) <u>\$250,000,000</u> and this amount for fiscal year 2025, ( <del>(\$278,000,000)</del> ) <u>\$270,000,000</u> . . . . .	(\$547,000,000)
	<u>\$520,000,000</u>
Dedicated Cannabis Account: For transfer to the state general fund, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, ( <del>(\$162,000,000)</del> ) <u>\$155,000,000</u> and this amount for fiscal year 2025, ( <del>(\$172,000,000)</del> ) <u>\$170,000,000</u> . . . . .	(\$334,000,000)
	<u>\$325,000,000</u>

Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2024. . . . .	\$92,000,000
Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2025. . . . .	\$92,000,000
Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the tobacco arbitration payment to the tobacco settlement account, for fiscal year 2024. . . . .	\$24,500,000
State Treasurer's Service Account: For transfer to the state general fund, \$15,000,000 for fiscal year 2024 and \$15,000,000 for fiscal year 2025. It is the intent of the legislature to continue this policy in the subsequent fiscal biennium.. . . .	\$30,000,000
General Fund: For transfer to the fair fund under RCW 15.76.115, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025. . . . .	\$7,000,000
Financial Services Regulation Account: For transfer to the state general fund, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025. It is the intent of the legislature to continue this policy in the subsequent fiscal biennium.. . . .	\$7,000,000
General Fund: For transfer to the wildfire response, forest restoration, and community resilience account, solely for the implementation of chapter 298, Laws of 2021 (2SHB 1168) (long-term forest health), ( <del>(\$44,903,000)</del> ) <u>\$52,224,000</u> for fiscal year 2024 and ( <del>(\$44,903,000)</del> ) <u>\$60,995,000</u> for fiscal year 2025. . . . .	(( <del>\$89,806,000</del> )) <u>\$113,219,000</u>
Washington Rescue Plan Transition Account: For transfer to the state general fund, \$1,302,000,000 for fiscal year 2024 and <u>\$28,000,000 for fiscal year 2025.</u> . . . . .	(( <del>\$1,302,000,000</del> )) <u>\$1,330,000,000</u>
<u>Washington Rescue Plan Transition Account: For transfer to the encampment cleanup account, \$320,000,000 for fiscal year 2025.</u> . . . . .	<u>\$320,000,000</u>
Business License Account: For transfer to the state general fund, \$7,200,000 for fiscal year 2025. . . . .	\$7,200,000
General Fund: For transfer to the manufacturing and warehousing job centers account pursuant to RCW 82.14.545 for distribution in section 801 of this act, \$4,320,000 for fiscal year 2024 and \$3,460,000 for fiscal year 2025. . . . .	\$7,780,000
Long-Term Services and Supports Trust Account: For transfer to the state general fund as full repayment of the long-term services program start-up costs and interest, <u>in an amount not to exceed the actual amount of the total remaining principal and interest of the loan,</u> for fiscal year 2024. . . . .	(( <del>\$64,281,000</del> )) <u>\$66,000,000</u>
General Fund: For transfer to the forest resiliency account trust fund, \$4,000,000 for fiscal year 2024. . . . .	\$4,000,000
Water Pollution Control Revolving Administration Account: For transfer to the water pollution control revolving account, \$6,000,000 for fiscal year 2024. . . . .	\$6,000,000
General Fund: For transfer to the salmon recovery account, \$3,000,000 for fiscal year 2024. . . . .	\$3,000,000
Washington Student Loan Account: For transfer to the state general fund, \$40,000,000 for fiscal year 2024. . . . .	\$40,000,000
Model Toxics Control Operating Account: For transfer to the state general fund, \$50,000,000 for fiscal year 2025. . . . .	\$50,000,000

General Fund: For transfer to the home security fund, \$44,500,000 for fiscal year 2024 and \$4,500,000 for fiscal year 2025. . . . .	\$49,000,000
General Fund: For transfer to the state drought preparedness account, \$2,000,000 for fiscal year 2024. . . . .	\$2,000,000
<u>General Fund: For transfer to the disaster response account, \$6,725,000 for fiscal year 2024. . . . .</u>	<u>\$6,725,000</u>
<u>General Fund: For transfer to the motor vehicle account, \$14,000,000 for fiscal year 2024. . . . .</u>	<u>\$14,000,000</u>
<u>Washington Student Loan Account: For transfer to the education legacy trust account, \$40,000,000 for fiscal year 2025. . . . .</u>	<u>\$40,000,000</u>
From auction proceeds received under RCW 70A.65.100(7)(b): For transfer to the air quality and health disparities improvement account, \$2,500,000 for fiscal year 2024. . . . .	\$2,500,000
From auction proceeds received under RCW 70A.65.100(7)(c): For transfer to the air quality and health disparities improvement account, \$2,500,000 for fiscal year 2025. . . . .	\$2,500,000
Climate Investment Account: For transfer to the carbon emissions reduction account, \$200,000,000 for fiscal year 2025. . . . .	\$200,000,000
<del>((Climate Investment Account: For transfer to the climate commitment account, \$100,000,000 for fiscal year 2025. . . . .</del>	<del>\$100,000,000</del>
<del>Climate Investment Account: For transfer to the natural climate solutions account, \$70,000,000 for fiscal year 2025. . . . .</del>	<del>\$70,000,000))</del>
<u>Climate Investment Account: For transfer to the carbon emissions reduction account, \$324,000,000 on January 1, 2025. . . . .</u>	<u>\$324,000,000</u>
<u>General Fund: For transfer to the local government archives account, \$1,900,000 for fiscal year 2025. . . . .</u>	<u>\$1,900,000</u>
<u>General Fund: For transfer to the death investigations account, \$3,000,000 for fiscal year 2025. . . . .</u>	<u>\$3,000,000</u>

(End of part)

**PART IX  
MISCELLANEOUS**

NEW SECTION. Sec. 901. A new section is added to 2023 c 475 (uncodified) to read as follows:

**COLLECTIVE BARGAINING AGREEMENTS**

(1) In accordance with chapters 41.80 and 41.56 RCW, agreements have been reached between the governor and organizations representing state employee bargaining units and nonstate employee bargaining units for the 2025 fiscal year presented to the legislature during the 2024 legislative session. Funding is not provided for compensation and fringe benefit provisions not presented to the legislature by the end of the 2024 legislative session. Funding is approved for agreements and awards with the following organizations:

- (a) Fish and wildlife officers guild;
- (b) Teamsters local 760, department of fish and wildlife sergeants; and
- (c) Adult family home council, adult family home providers.

(2) In accordance with chapter 41.80 RCW, an agreement has been reached between Central Washington University, an institution of higher education, and an employee organization representing state employee bargaining units for the 2025 fiscal year and funding is provided in Part VI of this act for the agreement with the following organization: Central Washington University agreement with the campus police officers & sergeants.

(3) Expenditures for agreements in subsections (1) and (2) of this section may also be funded from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

Sec. 902. 2023 c 475 s 908 (uncodified) is amended to read as follows:

**COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE COALITION—INSURANCE BENEFITS**

(1)(a) An agreement was reached for the 2023-2025 biennium between the governor and the health care coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies, including institutions of higher education, are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement.

(b) Appropriations for state agencies in this act are sufficient for represented employees outside the coalition and for nonrepresented state employee health benefits.

(2) The appropriations for state agencies in this act are subject to the following conditions and limitations:

(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$1,145 per eligible employee for fiscal year 2024. For fiscal year 2025, the monthly employer funding rate shall not exceed ~~((1,194))~~ \$1,174 per eligible employee. These rates are sufficient to separate vision benefits out of medical plans into stand-alone vision insurance and increase the hardware benefit to \$200 every two years, beginning January 1, 2025, and sufficient to cover in the uniform medical plan, effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month. The rates are sufficient to cover a diabetes management program and apply the cost-share provisions outlined in chapter 366, Laws of 2023 (breast examinations—health plan cost sharing) in the uniform medical plan, effective January 1, 2025. The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(b) The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(c) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2024 and 2025, the subsidy shall be up to \$183 per month. Funds from reserves accumulated for future adverse claims experience, from past favorable claims experience, or otherwise, may not be used to increase this retiree subsidy beyond what is authorized in this subsection.

(d) School districts and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(i) For each full-time employee, \$68.41 per month beginning September 1, 2023, and ~~((78.58))~~ \$80.38 beginning September 1, 2024;

(ii) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$68.41 each month beginning September 1, 2023, and ~~((78.58))~~ \$80.38 beginning September 1, 2024, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection do not apply to employees of a school district or educational service district who purchase insurance benefits through contracts with the health care authority.

(e) The board has the authority to forgo the federal retiree drug subsidy collected under RCW 41.05.068 for uniform medical plan classic medicare, only to leverage additional federal subsidies via adoption of a medicare part D employer group waiver plan to help reduce premiums for medicare retirees enrolled in uniform medical plan classic medicare.

**Sec. 903.** 2023 c 475 s 909 (uncodified) is amended to read as follows:

**COMPENSATION—SCHOOL EMPLOYEES—INSURANCE BENEFITS**

An agreement was reached for the 2023-2025 biennium between the governor and the school employee coalition under the provisions of chapters 41.56 and 41.59 RCW. Appropriations in this act for allocations to school districts are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, school employees' benefits board administration, retiree remittance, and the uniform medical plan, shall not exceed the rates identified in section 506(4) of this act.

(a) These rates are sufficient to cover, effective January 1, 2024:

(i) The following in the uniform medical plan:

(A) Offering a diabetes management program; and

(B) Effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month; and

(ii) The following in the uniform dental plan:

(A) Increasing the temporomandibular joint benefit to \$1,000 annually and \$5,000 per lifetime;

(B) Eliminating the deductible for children up to age 15;

(C) Covering composite fillings on posterior teeth; and

(D) Increasing plan coverage of crowns to 70 percent.

(b) These rates include funding to cover, effective January 1, 2025, ~~((increasing))~~:

(i) Increasing the stand-alone vision insurance hardware benefit to \$200 every 2 years;  
and

(ii) Applying the cost share provisions outlined in chapter 366, Laws of 2023 (Substitute Senate Bill No. 5396) in the uniform medical plan.

(c) The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(2) Rates established in subsection (1) of this section are sufficient to reduce member costs as provided in article 1.3 of the school employees health care funding agreement.

(3) Except as provided by the parties' health care agreement, in order to achieve the level of funding provided for health benefits, the school employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.740. The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(4) The health care authority shall deposit any moneys received on behalf of the school employees' medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the school employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

(5) When bargaining for funding for school employees health benefits for subsequent fiscal biennia, any proposal agreed upon must assume the imposition of a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

**Sec. 904.** 2023 c 475 s 911 (uncodified) is amended to read as follows:

**COMPENSATION—PENSION CONTRIBUTIONS**

The appropriations in this act for school districts and state agencies, including institutions of higher education, are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board, and as adjusted under Engrossed Substitute Senate Bill No. 5294 (plan 1 UAAL rates).

(2) An increase of 0.12 percent is funded for state employer contributions to the public employees' retirement system, the public safety employees' retirement systems, and the school employees' retirement system, and an increase of 0.23 percent for employer contributions to the teachers' retirement system is funded for the provisions of Senate Bill No. 5350 (providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for school districts and state agencies, including institutions of higher education, shall be held in unallotted status.

(3) An increase of 0.13 percent is funded for state employer contributions to the Washington state patrol retirement system and an increase of 0.01 percent is funded for state contributions to the law enforcement officers' and firefighters' retirement system plan 2 for the provisions of Substitute House Bill No. 1007 (military service credit). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(4) An increase of 0.01 percent for school district and state employer contributions is funded for the teachers' retirement system for the provisions of Substitute House Bill No. 1056 (postretirement employment). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(5) An increase of 0.13 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of chapter 199, Laws of 2023 (public safety telecommunicators).

(6) An increase of 0.03 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of Substitute Senate Bill No. 6106 (DSHS workers/PSEERS). If the bill is not enacted by June 30, 2024, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

**NEW SECTION. Sec. 905.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The office of financial management must convene a task force to identify, plan, and make recommendations on the conversion of the Larch corrections center property and facilities to an alternate use.

(2) The task force must include the state senator and a state representative whose district represents the Yacolt community.

(3) The task force must include representatives from the following entities and organizations:

- (a) The Clark county commissioners;
- (b) The tribe located nearest to the facility;
- (c) The Clark county sheriff's office;

(d) A citizen residing near the Larch corrections center, chosen by the Clark county commissioners;

- (e) The department of corrections;
- (f) The department of ecology;
- (g) The department of natural resources;
- (h) The department of social and health services;
- (i) The department of enterprise services; and
- (j) The office of financial management.

(4) The task force must meet at least every other month, and the first meeting must be held by July 31, 2024.

(5) The task force shall report its findings and a prioritized list of recommendations to the governor and the fiscal committees of the legislature by June 30, 2025.

(6) Task force members that are not elected officials or a representative of a governmental entity may be reimbursed for travel expenses in accordance with chapter 43.03 RCW.

NEW SECTION. **Sec. 906.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The joint legislative task force on the underground economy in the Washington state construction industry is reestablished.

(2) For purposes of this section, "underground economy" means contracting and construction activities in which payroll is unreported or underreported with consequent nonpayment of payroll taxes to federal and state agencies including nonpayment of workers' compensation and unemployment compensation taxes.

(3) The task force shall study the nature and scope of the underground economy and recommend what policy changes, if any, are needed to address the underground economy, including whether greater cohesion and transparency among state agencies is needed. To assist the task force in achieving this goal and to determine the extent of and projected costs to the state and workers of the underground economy in the construction industry, the task force may contract with the institute for public policy, or, if the institute is unavailable, another entity with expertise capable of providing such assistance.

(4) (a) The task force shall consist of the following members:

(i) A member from each of the two largest caucuses of the senate appointed by the president of the senate;

(ii) A member from each of the two largest caucuses of the house of representatives appointed by the speaker of the house of representatives;

(iii) Four members representing the construction business, selected from nominations submitted by statewide construction business organizations and appointed jointly by the president of the senate and the speaker of the house of representatives;

(iv) Four members representing construction laborers, selected from nominations submitted by statewide labor organizations and appointed jointly by the president of the senate and the speaker of the house of representatives; and

(v) One representative from the office of the attorney general.

(b) In addition, the employment security department, the department of labor and industries, and the department of revenue shall cooperate with the task force and shall each maintain a liaison representative, who will be a nonvoting member of the task force. The departments shall cooperate with the task force and the institute for public policy, or other entity as appropriate, and shall provide information and data as the task force or the institute, or other entity as appropriate, may reasonably request.

(c) The legislative members will choose the chair or cochairs of the task force from among its legislative membership at the initial meeting. The legislative staff will schedule the initial meeting of the task force at a time and date agreed to by the legislative members.

(5) (a) The task force shall use legislative facilities and staff support shall be provided by senate committee services and the house of representatives office of program research. Within available funding, the task force may hire additional staff with specific technical expertise if such expertise is necessary to carry out the mandates of this study.

(b) Legislative members of the task force shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(c) The expenses of the task force will be paid jointly by the senate and house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations to the legislature by June 30, 2025.

NEW SECTION. **Sec. 907.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) Agencies may not expend funds from the: (a) Climate investment account; (b) climate commitment account; (c) natural climate solutions account; or (d) air quality and health disparities improvement account, on or after the effective date of chapter . . . (Initiative Measure No. 2117), Laws of 2025.

(2) Unspent appropriations in the 2023-2025 omnibus appropriations act, chapter 475, Laws of 2023 and chapter . . ., Laws of 2024 (this act), which are appropriated from the accounts listed in subsection (1) (a) through (d) of this section and which take effect before January 1, 2025, must thereafter be paid from the consolidated climate account as if they were appropriated from that account.

(3) Appropriations in this act from the accounts listed in subsection (1) (a) through (d) of this section which take effect on or after January 1, 2025, shall lapse.

(4) This section takes effect only if chapter . . . (Initiative Measure No. 2117), Laws of 2025, is approved by the voters at the next general election and certified by the secretary of state.

**Sec. 908.** RCW 28B.93.060 and 2023 c 475 s 924 and 2023 c 389 s 7 are each reenacted and amended to read as follows:

(1) The Washington student loan account is created in the state treasury. All receipts from the Washington student loan program must be deposited in the account. Expenditures from the account may be used only for administration and the issuance of new student loans. Moneys in the account may be spent only after appropriation. During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the Washington student loan account to the state general fund, the workforce education investment account, and the education legacy trust account.

(2) (a) The legislature may appropriate no more than a total of \$40,000,000 for the program during four consecutive fiscal years, beginning with the first fiscal year from which loans are issued from the account. In the fifth fiscal year following the fiscal year in which the first student loan was issued, the legislature may appropriate up to \$10,000,000 for the program.

(b) The legislature may appropriate moneys from the account for the administrative and implementation costs of the program in the fiscal years prior to the first fiscal year in which loans are issued from the account.

**Sec. 909.** RCW 43.101.220 and 2021 c 334 s 978 are each amended to read as follows:

(1) The corrections personnel of the state and all counties and municipal corporations initially employed on or after January 1, 1982, shall engage in basic corrections training which complies with standards adopted by the commission. The standards adopted must provide for basic corrections training of at least ten weeks in length for any corrections officers subject to the certification requirement under RCW (~~(43.101.096)~~) 43.101.095 who are hired on or after July 1, 2021, or on an earlier date set by the commission. The training shall be successfully completed during the first six months of employment of the personnel, unless otherwise extended or waived by the commission, and shall be requisite to the continuation of employment.

(2) The commission shall provide the training required in this section, together with facilities, supplies, materials, and the room and board for noncommuting attendees, except during the (~~(2017-2019, 2019-2021, and)~~) 2021-2023 and 2023-2025 fiscal biennia, when the employing county, municipal corporation, or state agency shall reimburse the commission for twenty-five percent of the cost of training its personnel.

(3) (a) Subsections (1) and (2) of this section do not apply to the Washington state department of corrections prisons division. The Washington state department of corrections is responsible for identifying training standards, designing curricula and programs, and providing the training for those corrections personnel employed by it. In doing so, the secretary of the department of corrections shall consult with staff development experts and correctional professionals both inside and outside of the agency, to include soliciting input from labor organizations.

(b) The commission and the department of corrections share the responsibility of developing and defining training standards and providing training for community corrections officers employed within the community corrections division of the department of corrections.

**Sec. 910.** RCW 67.16.280 and 2016 c 160 s 1 are each amended to read as follows:

(1) (a) The Washington horse racing commission operating account is created in the custody of the state treasurer. All receipts collected by the commission under RCW 67.16.105(2) must be deposited into the account. Expenditures from the account may be used only for the operating expenses of the commission and, for the 2023-2025 fiscal biennium, for purposes set forth in subsection (3) of this section. Only the commission or the commission's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(b) The commission has the authority to receive such gifts, grants, and endowments from public or private sources as may be made from time to time in trust or otherwise for the use and purpose of regulating or supporting nonprofit race meets as set forth in RCW 67.16.130 and 67.16.105(1); such gifts, grants, and endowments must also be deposited into the horse



racing commission operating account and expended according to the terms of such gift, grant, or endowment.

(2) ~~((1A))~~ Except during fiscal year 2025, in order to provide funding in support of the legislative findings in RCW 67.16.101 (1) through (3), and to provide additional necessary support to the nonprofit race meets beyond the funding provided by RCW 67.16.101(4) and 67.16.102(2), the commission is authorized to spend up to three hundred thousand dollars per fiscal year from its operating account for the purpose of developing the equine industry, maintaining and upgrading racing facilities, and assisting equine health research. When determining how to allocate the funds available for these purposes, the commission must give first consideration to uses that regulate and assist the nonprofit race meets and equine health research. These expenditures may occur only when sufficient funds remain for the continued operations of the horse racing commission.

(3) (a) For fiscal years 2024 and 2025, expenditures from the account must be used for the operating expenses of the commission, with the remaining amount distributed annually as follows:

(i) 10 percent for grants to nonprofit entities involved with equine rescue and rehoming organizations; and

(ii) 90 percent to class 1 racing associations allocated by grant by the commission only for payment of the annual horse racing integrity and safety authority gross assessment for Washington state. The gross assessment may include required expenses for veterinarians, advanced life support ambulances, advanced life support ambulance staff, and emergency medical technicians.

(b) By December 1, 2024, the commission must report to the appropriate committees of the legislature on the use of grant funds and criteria used to determine grant awards established in (a) of this subsection and uses of funds distributed to the commission for operating expenses.

(c) It is the intent of the legislature to continue the provisions of (a) of this subsection in subsequent fiscal biennia.

**Sec. 911.** RCW 69.50.540 and 2023 c 470 s 1015 are each amended to read as follows:

(1) For the purposes of this subsection (1), the legislature must appropriate the amounts provided in this subsection:

(a) \$12,500,000 annually to the board for administration of this chapter as appropriated in the omnibus appropriations act;

(b) \$11,000,000 annually to the department of health for the following:

(i) Creation, implementation, operation, and management of a cannabis, vapor product, and commercial tobacco education and public health program that contains the following:

(A) A cannabis use public health hotline that provides referrals to substance abuse treatment providers, uses evidence-based or research-based public health approaches to minimizing the harms associated with cannabis use, and does not solely advocate an abstinence-only approach;

(B) Programs that support development and implementation of coordinated intervention strategies for the prevention and reduction of commercial tobacco, vapor product, and cannabis use by youth and cannabis cessation treatment services, including grant programs to local health departments or other local community agencies;

(C) Media-based education campaigns across television, internet, radio, print, and out-of-home advertising, separately targeting youth and adults, that provide medically and scientifically accurate information about the health and safety risks posed by cannabis use; and

(D) Outreach to priority populations regarding commercial tobacco, vapor product, and cannabis use, prevention, and cessation; and

(ii) The Washington poison control center;

(c) (i) \$3,000,000 annually to the department of commerce to fund cannabis social equity grants under RCW 43.330.540; and

(ii) \$200,000 annually to the department of commerce to fund technical assistance through a roster of mentors under RCW 43.330.540;

(d) \$200,000 annually, until June 30, 2032, to the health care authority to contract with the Washington state institute for public policy to conduct the cost-benefit evaluations and produce the reports described in RCW 69.50.550;

(e) \$25,000 annually to the University of Washington alcohol and drug abuse institute for the creation, maintenance, and timely updating of web-based public education materials providing medically and scientifically accurate information about the health and safety risks posed by cannabis use;

(f) \$300,000 annually to the University of Washington and \$175,000 annually to the Washington State University for research on the short-term and long-term effects of cannabis use to include, but not be limited to, formal and informal methods for estimating and measuring intoxication and impairments, and for the dissemination of such research;

(g) \$550,000 annually to the office of the superintendent of public instruction to fund grants to building bridges programs under chapter 28A.175 RCW;

(h) For fiscal year 2025, \$250,000 to the office of the superintendent of public instruction to fund grants for life skills training to children and youth, and it is the intent of the legislature to continue this policy in subsequent fiscal biennia;

(i) \$782,000 for fiscal year 2025 to the department of ecology to create and sustain a program to accredit cannabis testing laboratories. It is the intent of the legislature that this policy will be continued in the 2025-2027 fiscal biennium;

(j) \$2,423,000 for fiscal year 2022 and \$2,423,000 for fiscal year 2023 to the Washington state patrol for a drug enforcement task force;

~~((i))~~ (k) \$270,000 for fiscal year 2022 and \$290,000 for fiscal year 2023 to the department of ecology for implementation of accreditation of cannabis product testing laboratories;

~~((j))~~ (l) \$800,000 for each of fiscal years 2020 through 2023 to the department of health for the administration of the cannabis authorization database; ~~(and~~

~~((k))~~ (m) \$621,000 for fiscal year 2022 and \$635,000 for fiscal year 2023 to the department of agriculture for compliance-based laboratory analysis of pesticides in cannabis.

(2) ~~((Subsections [Subsection]))~~ Subsection (1)(a) through (g) of this section must be adjusted annually based on the United States bureau of labor statistics' consumer price index for the Seattle area.

(3) After appropriation of the amounts identified in subsection (1) of this section, the legislature must annually appropriate such remaining amounts for the purposes listed in this subsection (3) as follows:

(a) Fifty-two percent to the state basic health plan trust account to be administered by the Washington basic health plan administrator and used as provided under chapter 70.47 RCW;

(b) Eleven percent to the health care authority to:

(i) Design and administer the Washington state healthy youth survey, analyze the collected data, and produce reports, in collaboration with the office of the superintendent of public instruction, department of health, department of commerce, family policy council, and board. The survey must be conducted at least every two years and include questions regarding, but not necessarily limited to, academic achievement, age at time of substance use initiation, antisocial behavior of friends, attitudes toward antisocial behavior, attitudes toward substance use, laws and community norms regarding antisocial behavior, family conflict, family management, parental attitudes toward substance use, peer rewarding of antisocial behavior, perceived risk of substance use, and rebelliousness. Funds disbursed under this subsection may be used to expand administration of the healthy youth survey to student populations attending institutions of higher education in Washington;

(ii) Develop, implement, maintain, and evaluate programs and practices aimed at the prevention or reduction of maladaptive substance use, substance use disorder, substance abuse or substance dependence, as these terms are defined in the diagnostic and statistical manual of mental disorders, among middle school and high school-age students, whether as an explicit goal of a given program or practice or as a consistently corresponding effect of its implementation, mental health services for children and youth, and services for pregnant and parenting women. In deciding which programs and practices to fund under this subsection (3) (b) (ii), the director of the health care authority must consult, at least annually, with the University of Washington's social development research group and the University of Washington's alcohol and drug abuse institute; and

(iii) Contract with community health centers to provide primary health and dental care services, migrant health services, and maternity health care services as provided under RCW 41.05.220;

(c) (i) One and one-half percent to counties, cities, and towns where licensed cannabis retailers are physically located. Each jurisdiction must receive a share of the revenue distribution under this subsection (3) (c) (i) based on the proportional share of the total revenues generated in the individual jurisdiction from the taxes collected under RCW 69.50.535, from licensed cannabis retailers physically located in each jurisdiction. For purposes of this subsection (3) (c), 100 percent of the proportional amount attributed to a retailer physically located in a city or town must be distributed to the city or town;

(ii) Three and one-half percent to counties, cities, and towns ratably on a per capita basis. Counties must receive 60 percent of the distribution based on each county's total proportional population. Funds may only be distributed to jurisdictions that do not prohibit the siting of any state licensed cannabis producer, processor, or retailer;

(iii) By September 15th of each year, the board must provide the state treasurer the annual distribution amount made under this subsection (3) (c), if any, for each county and city as determined in (c) (i) and (ii) of this subsection; and

(iv) Distribution amounts allocated to each county, city, and town in (c) (i) and (ii) of this subsection must be distributed in four installments by the last day of each fiscal quarter; and

(d) Thirty-two percent must be deposited in the state general fund.

**Sec. 912.** RCW 70A.65.250 and 2023 c 475 s 938 and 2023 c 435 s 12 are each reenacted and amended to read as follows:

(1) (a) The climate investment account is created in the state treasury. Except as otherwise provided in chapter 316, Laws of 2021, all receipts from the auction of allowances authorized in this chapter must be deposited into the account. Moneys in the account may be spent only after appropriation.

(b) Projects or activities funded from the account must meet high labor standards, including family sustaining wages, providing benefits including health care and employer-contributed retirement plans, career development opportunities, and maximize access to economic benefits from such projects for local workers and diverse businesses. Each contracting entity's proposal must be reviewed for equity and opportunity improvement efforts, including: (i) Employer paid sick leave programs; (ii) pay practices in relation to living wage indicators such as the federal poverty level; (iii) efforts to evaluate pay equity based on gender identity, race, and other protected status under Washington law; (iv)

facilitating career development opportunities, such as apprenticeship programs, internships, job-shadowing, and on-the-job training; and (v) employment assistance and employment barriers for justice affected individuals.

(2) Moneys in the account may be used only for projects and programs that achieve the purposes of the greenhouse gas emissions cap and invest program established under this chapter and for tribal capacity grants under RCW 70A.65.305. During the 2023-2025 fiscal biennium, moneys in the account may also be used for tribal capacity grant activities supporting climate resilience and adaptation, developing tribal clean energy projects, applying for state or federal grant funding, and other related work; and for providing reimbursement to agricultural fuel users. Moneys in the account as described in this subsection must first be appropriated for the administration of the requirements of this chapter, in an amount not to exceed five percent of the total receipt of funds from allowance auction proceeds under this chapter. Beginning July 1, 2023, and annually thereafter, the state treasurer shall distribute funds in the account that exceed the amounts appropriated for the purposes of this subsection (2) as follows:

(a) Seventy-five percent of the moneys to the climate commitment account created in RCW 70A.65.260; and

(b) Twenty-five percent of the moneys to the natural climate solutions account created in RCW 70A.65.270.

(3) The allocations specified in subsection (2)(a) and (b) of this section must be reviewed by the legislature on a biennial basis based on the changing needs of the state in meeting its clean economy and greenhouse gas reduction goals in a timely, economically advantageous, and equitable manner.

(4) During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the climate investment account to the carbon emissions reduction account, the climate commitment account, and the natural climate solutions account.

**Sec. 913.** RCW 70A.65.300 and 2021 c 316 s 46 are each amended to read as follows:

(1) The department shall prepare, post on the department website, and submit to the appropriate committees of the legislature an annual report that identifies all distributions of moneys from the accounts created in RCW 70A.65.240 through 70A.65.280.

(2) The report must identify, at a minimum, the recipient of the funding, the amount of the funding, the purpose of the funding, the actual end result or use of the funding, whether the project that received the funding produced any verifiable reduction in greenhouse gas emissions or other long-term impact to emissions, and if so, the quantity of reduced greenhouse gas emissions, the cost per carbon dioxide equivalent metric ton of reduced greenhouse gas emissions, and a comparison to other greenhouse gas emissions reduction projects in order to facilitate the development of cost-benefit ratios for greenhouse gas emissions reduction projects.

(3) The department shall require by rule that recipients of funds from the accounts created in RCW 70A.65.240 through 70A.65.280 report to the department, in a form and manner prescribed by the department, the information required for the department to carry out the department's duties established in this section.

(4) The department shall update its website with the information described in subsection (2) of this section as appropriate but no less frequently than once per calendar year.

(5) The department shall submit its report to the appropriate committees of the legislature with the information described in subsection (2) of this section no later than September 30 of each year. For fiscal year 2025, the report must be submitted no later than November 30, 2024.

**NEW SECTION. Sec. 914.** A new section is added to chapter 43.185C RCW to read as follows:

The encampment cleanup account is created in the state treasury. Revenues to the account consist of appropriations and transfers made to the account by the legislature and all other moneys directed for deposit into the account. Moneys in the account may only be spent after appropriation. Expenditures from the account may be used by the department of commerce for grants to local governments for costs associated with responding to and preventing encampments, and other activities to address and prevent homelessness.

**Sec. 915.** RCW 43.79.555 and 2023 c 475 s 929 are each amended to read as follows:

The Washington rescue plan transition account is created in the state treasury. Moneys in the account may be spent only after appropriation. Revenues to the account consist of moneys directed by the legislature to the account. Allowable uses of moneys in the account include responding to the impacts of the COVID-19 pandemic including those related to education, human services, health care, and the economy. In addition, the legislature may appropriate from the account to continue activities begun with, or augmented with, COVID-19 related federal funding. During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the Washington rescue plan transition account to the state general fund, the county criminal justice assistance account, the municipal criminal justice assistance account, and the encampment cleanup account created in section 914 of this act.

NEW SECTION. **Sec. 916.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 917.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Representatives Corry, Couture and Chambers spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Gregerson and Street spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

**ROLL CALL**

The Clerk called the roll on the adoption of amendment (1104) to the striking amendment (1094) and the amendment was not adopted by the following vote: Yeas, 42; Nays, 53; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris,

Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler, Dye and Maycumber

Amendment (1104) to the striking amendment (1094) was not adopted.

**\*\*FORMAT CHANGED TO ACCOMMODATE TEXT\*\***

Representative Connors moved the adoption of amendment (1107) to the striking amendment (1094):

Beginning on page 1, after line 2, strike all material through "immediately." on page 846, line 13 and insert the following:

**"PART I  
GENERAL GOVERNMENT**

**Sec. 101.** 2023 c 475 s 101 (uncodified) is amended to read as follows:

**FOR THE HOUSE OF REPRESENTATIVES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <u>\$59,938,000</u> ))
	<u>\$60,117,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$62,150,000</u> ))
	<u>\$62,295,000</u>
TOTAL APPROPRIATION.....	(( <u>\$122,088,000</u> ))
	<u>\$122,412,000</u>

**Sec. 102.** 2023 c 475 s 102 (uncodified) is amended to read as follows:

**FOR THE SENATE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <u>\$44,398,000</u> ))
	<u>\$44,427,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$47,773,000</u> ))
	<u>\$47,805,000</u>
TOTAL APPROPRIATION.....	(( <u>\$92,171,000</u> ))
	<u>\$92,232,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of membership dues to the council of state governments, the national conference of state legislatures, the pacific northwest economic region, the pacific fisheries legislative task force, and the western legislative forestry task force.

**Sec. 103.** 2023 c 475 s 103 (uncodified) is amended to read as follows:

**FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

Performance Audits of Government Account—State Appropriation. . . . .	(( <u>\$14,936,000</u> ))
	<u>\$15,342,000</u>
TOTAL APPROPRIATION.....	(( <u>\$14,936,000</u> ))
	<u>\$15,342,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Notwithstanding the provisions of this section, the joint legislative audit and review committee may adjust the due dates for projects included on the committee's 2023-2025 work plan as necessary to efficiently manage workload.

(2) \$250,000 of the performance audits of government account—state appropriation is for tax preference review costs from legislation enacted in the 2023 session.

(3) \$1,503,000 of the performance audits of government account—state appropriation is for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$626,000 of the performance audits of government account—state appropriation is for the audit required in Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) Within the amount appropriated in this section, the joint legislative audit and review committee shall conduct a review of the state's recreational boating programs. The committee shall complete the review by December 1, 2024. This review shall include examination of the following:

- (a) Revenue sources for state recreational boating programs;
- (b) Expenditures for state boating programs;
- (c) Methods of administrating state recreational boating programs, including the roles of both state and local government entities; and
- (d) Approaches other states have taken to funding and administering their recreational boating programs.

(6) (a) \$400,000 of the performance audits of government account—state appropriation is for the joint legislative audit and review committee to:

(i) Review the department of children, youth, and families-juvenile rehabilitation program's existing processes and staffing methodology used for determining adequate staffing ratios to meet the confinement and rehabilitative needs of the juveniles and ensure public safety;

(ii) Review procedures and protocols for professional development, hiring and recruitment, and training for staff serving youth in juvenile rehabilitation institutions, with a focus on how staff are trained to implement rehabilitative practices;

(iii) Review youth access to programming, treatment, and services including, but not limited to, educational programming, treatment and services for youth experiencing substance use disorder, behavioral health treatment, available reentry services such as housing, job training, and other supports, access to technology services, family and community connections, and other programming and services offered by the department to provide youth with rehabilitation and restorative interventions;

(iv) Review existing security and safety measures, including the use of disciplinary procedures for total isolation and room confinement, adopted by the department and their effectiveness in meeting the unique needs of the juvenile population in the custody of the department;

(v) Review how often and how many youth face new juvenile or adult criminal offense charges, convictions, or both while residing at juvenile rehabilitation institutions and potential future consequences that may occur as a result such as sentence extension, likelihood of recidivism, health impacts, and effects regarding criminal records;

(vi) Assess gender equity regarding education, employment, and career options for female youth;

(vii) Review how staffing impacts youth-on-youth conflict and safety;

(viii) Review best practices from other states regarding security and safety measures, programming opportunities, reentry supports, staff training and professional development, and staffing ratios, and identify options that may be feasible to adopt in Washington state to increase public safety and the security, programming options, treatment services, and rehabilitation mission of the department's juvenile rehabilitation institutions;

(ix) Review the department's existing processes for responding to critical incidents, including communication and cooperation with local law enforcement, and identify areas for improvement; and

(x) Review the impacts of changes in average daily population, longer lengths of stay, longer sentences, increases in maximum age of release, increases in more serious offense types and adult sentences, and related effects of chapter 322, Laws of 2019.

(b) The joint legislative audit and review committee shall submit a preliminary report by June 30, 2025, to the governor and the appropriate committees of the legislature.

(c) It is the intent of the legislature that the joint legislative audit and review committee shall submit a final report with findings and recommendations to the governor and the appropriate committees of the legislature in the 2025-2027 fiscal biennium. The report shall include recommendations on supporting the juvenile rehabilitation program's efforts to gradually move young people from carceral settings to least restrictive environments to improve positive reentry outcomes.

**Sec. 104.** 2023 c 475 s 104 (uncodified) is amended to read as follows:

**FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

Performance Audits of Government Account—State

Appropriation . . . . .	\$5,326,000
TOTAL APPROPRIATION . . . . .	\$5,326,000

**Sec. 105.** 2023 c 475 s 105 (uncodified) is amended to read as follows:

**FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

General Fund—State Appropriation (FY 2024)	(( \$21,727,000))
	<u>\$21,477,000</u>
General Fund—State Appropriation (FY 2025)	(( \$19,625,000))
	<u>\$20,759,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(( \$41,352,000))</b>
	<b><u>\$42,236,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: Within the amounts provided in this section, the joint legislative systems committee shall provide information technology support, including but not limited to internet service, for the district offices of members of the house of representatives and the senate.

**Sec. 106.** 2023 c 475 s 106 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF STATE LEGISLATIVE LABOR RELATIONS**

General Fund—State Appropriation (FY 2024)	\$961,000
General Fund—State Appropriation (FY 2025)	(( \$964,000))
	<u>\$965,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(( \$1,925,000))</b>
	<b><u>\$1,926,000</u></b>

**Sec. 107.** 2023 c 475 s 107 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE STATE ACTUARY**

General Fund—State Appropriation (FY 2024)	\$409,000
General Fund—State Appropriation (FY 2025)	\$423,000
State Health Care Authority Administrative Account— State Appropriation	\$291,000
Department of Retirement Systems Expense Account— State Appropriation	(( \$7,102,000))
	<u>\$7,101,000</u>
School Employees' Insurance Administrative Account— State Appropriation	\$258,000
<b>TOTAL APPROPRIATION</b>	<b>(( \$8,483,000))</b>
	<b><u>\$8,482,000</u></b>

**Sec. 108.** 2023 c 475 s 108 (uncodified) is amended to read as follows:

**FOR THE STATUTE LAW COMMITTEE**

General Fund—State Appropriation (FY 2024)	\$6,201,000
General Fund—State Appropriation (FY 2025)	(( \$6,808,000))
	<u>\$6,811,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(( \$13,009,000))</b>
	<b><u>\$13,012,000</u></b>

**Sec. 109.** 2023 c 475 s 109 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES**

General Fund—State Appropriation (FY 2024)	(( \$5,852,000))
	<u>\$5,893,000</u>
General Fund—State Appropriation (FY 2025)	(( \$6,465,000))
	<u>\$6,653,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(( \$12,317,000))</b>
	<b><u>\$12,546,000</u></b>

**Sec. 110.** 2023 c 475 s 111 (uncodified) is amended to read as follows:

**FOR THE SUPREME COURT**

General Fund—State Appropriation (FY 2024)	\$14,883,000
General Fund—State Appropriation (FY 2025)	(( \$15,196,000))
	<u>\$16,269,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(( \$30,079,000))</b>
	<b><u>\$31,152,000</u></b>

**Sec. 111.** 2023 c 475 s 112 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON JUDICIAL CONDUCT**

General Fund—State Appropriation (FY 2024)	(( \$2,225,000))
	<u>\$2,224,000</u>
General Fund—State Appropriation (FY 2025)	(( \$2,206,000))
	<u>\$2,208,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(( \$4,431,000))</b>
	<b><u>\$4,432,000</u></b>

**Sec. 112.** 2023 c 475 s 113 (uncodified) is amended to read as follows:

**FOR THE COURT OF APPEALS**

General Fund—State Appropriation (FY 2024)	(( \$25,901,000))
--------------------------------------------	-------------------

	\$28,199,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$26,491,000))
	<u>\$27,564,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$52,392,000))</b>
	<b><u>\$55,763,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: \$764,000 of the general fund—state appropriation for fiscal year 2024 and \$764,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

**Sec. 113.** 2023 c 475 s 114 (uncodified) is amended to read as follows:  
**FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$123,740,000))
	<u>\$125,526,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(((\$118,331,000))
	<u>\$123,463,000</u>
General Fund—Federal Appropriation. . . . .	\$2,209,000
General Fund—Private/Local Appropriation. . . . .	\$681,000
Judicial Stabilization Trust Account—State Appropriation. . . . .	(((\$112,345,000))
	<u>\$119,616,000</u>
Judicial Information Systems Account—State Appropriation. . . . .	\$79,530,000
<del>Opoid Abatement Settlement Account—State Appropriation. . . . .</del>	<del>\$479,000</del>
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$436,836,000))</b>
	<b><u>\$451,504,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The distributions made under this section and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(2) (a) \$7,000,000 of the general fund—state appropriation for fiscal year 2024 and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to county juvenile court administrators for the costs associated with processing and case management of truancy, children in need of services, and at-risk youth referrals. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula must neither reward counties with higher than average per-petition/referral processing costs nor shall it penalize counties with lower than average per-petition/referral processing costs.

(b) Each fiscal year during the 2023-2025 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than 60 days after a fiscal year ends. These reports are informational in nature and are not for the purpose of distributing funds.

(3) \$1,094,000 of the general fund—state appropriation for fiscal year 2024 and \$1,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide fiscal impact on Thurston county courts. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(4) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the ~~((general fund—state appropriation for fiscal year 2025))~~ judicial stabilization trust account—state appropriation are provided solely for distribution to local courts for costs associated with the court-appointed attorney and visitor requirements set forth in the uniform guardianship act, chapter 11.130 RCW. If the amount provided in this subsection is insufficient to fully fund the local court costs, distributions must be reduced on a proportional basis to ensure that expenditures remain within the available funds provided in this subsection. No later than December 31, 2023, the administrative office of the courts will provide a report on distributions to local courts including, but not limited to, the amount provided to each court, the number of guardianship cases funded at each court, costs segregated by attorney appointments and court visitor appointments, the amount of any pro rata reductions, and a recommendation on how to forecast distributions for potential future funding by the legislature.

(5) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to use as matching funds to distribute to small municipal and county courts, located in a rural county as defined in RCW 43.160.020, for the purpose of increasing security for court facilities. Grants must be used solely for security

equipment and services for municipal, district, and superior courts and may not be used for staffing or administrative costs.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the administrative office of the courts to provide grants to superior courts for the purpose of creating or expanding sanitary lactation spaces or pods that provide privacy for courthouse visitors needing to breastfeed or express breast milk.

(7) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the administrative office of the courts to contract with an equity and justice nonprofit organization to expand the capacity of the existing equity dashboard program. The contract must review and organize newly available criminal case data with the goal of consolidating and collecting adult felony case data to determine disparities in the legal justice system. The equity dashboard program must be expanded to include adult felony case data that is consolidated, interactable, transparent, and accessible to the public.

(8) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1766 (protection orders/hope cards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(9) \$1,090,000 of the general fund—state appropriation for fiscal year 2024 and \$1,090,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to address data quality issues across Washington state court management systems.

(10) \$51,428,000 of the judicial stabilization trust account—state appropriation is provided solely to establish a direct refund process to individuals to refund legal financial obligations, collection costs, and document-verified costs paid to third parties previously paid by defendants whose convictions have been vacated by court order due to the *State v. Blake* ruling. Superior court clerks, district court administrators, and municipal court administrators must certify and send to the office the amount of any refund ordered by the court. The court order must either contain the amount of the refund or provide language for the clerk or court administrator to certify to the office the amount to be refunded to the individual.

(11) ~~\$1,627,000 of the general fund—state appropriation for fiscal year 2024~~ ~~((is))~~ and \$1,812,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for activities of the office relating to the resentencing and/or vacating convictions of individuals and refund of legal financial obligations and costs associated with the *State v. Blake* ruling. In addition to contracting with cities and counties for the disbursement of funds appropriated for resentencing costs, the office must:

(a) Collaborate with superior court clerks, district court administrators, and municipal court administrators to prepare comprehensive reports, based on available court records, of all cause numbers impacted by *State v. Blake* going back to 1971. Such reports must include the refund amount related to each cause number;

(b) In collaboration with the office of public defense and the office of civil legal aid, establish a process that can be used by individuals seeking a refund, provide individuals information regarding the application process necessary to claim a refund, and issue payments from the refund bureau to individuals certified in subsection (10) of this section; and

(c) Collaborate with counties and municipalities to adopt standard coding for application to *State v. Blake* convictions and to develop a standardized practice regarding vacated convictions.

(12) \$38,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with costs of complying with the *State v. Blake* decision that arise from the county's role in operating the state's criminal justice system, including resentencing, vacating prior convictions for simple drug possession, and certifying refunds of legal financial obligations and collections costs. The office shall contract with counties for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a county. A county may designate the office to use available funding to administer a vacate process, or a portion of the vacate process, on behalf of the county. The office must collaborate with counties to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(13) \$11,500,000 of the judicial stabilization trust account—state appropriation is provided solely to assist cities with costs of complying with the *State v. Blake* decision that arise from the city's role in operating the city's criminal justice system, including vacating prior convictions for simple drug possession, to include cannabis and possession of paraphernalia, and certifying refunds of legal financial obligations and collections costs. The office shall contract with cities for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a city. A city may designate the office to use available funding to administer a vacate process, or a portion of the vacate process, on behalf of the city. The office must collaborate with cities to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(14) \$439,000 of the general fund—state appropriation for fiscal year 2024 and \$304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(15) ~~(((\$1,560,000))~~ \$40,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$1,520,000 of the general fund—state appropriation for fiscal year 2025 are provided solely the office to administer a jury pay pilot program in Pierce county. Funding



must be used to increase jury pay up to ((~~\$50~~))\$100 for each day served in Pierce county superior court. The funds provided in this subsection must supplement, and not supplant, existing local funding for juror pay. The office must compare juror demographics after the pay increase as compared to data collected from the 2022 jury demographic survey to measure the impact increasing juror pay has on jury diversity and juror response rates.

(16) \$1,800,000 of the judicial stabilization trust account—state appropriation is provided solely for distribution to counties to help cover the cost of electronic monitoring with victim notification technology when an individual seeking a protection order requests electronic monitoring with victim notification technology from the court and the respondent is unable to pay. Of the amount provided in this subsection, up to five percent of the funding each fiscal year may be used by the office for education and outreach to the courts regarding this technology.

(17) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1102 (judge pro tempore compensation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(18) \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute House Bill No. 1562 (violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) \$109,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed House Bill No. 1324 (prior juvenile offenses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20) \$659,000 of the general fund—state appropriation for fiscal year 2024 and \$639,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development and expansion of online and on-demand eLearning courses offered through the WACOURTS education portal for judicial officers, administrators, clerks, assistants, and other staff employed in state and local courts.

(21) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to fund public guardianship services provided by the office of public guardianship.

(22) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to develop a sequential intercept model pilot program. The intercept model pilot program must include the establishment of a coordinated care and services network in courts of limited jurisdiction located in two counties, one county east of the crest of the Cascade mountains and one county west of the crest of the Cascade mountains.

(a) In developing the pilot program, the administrative office of the courts must consult local government, the district and municipal court judges' association, the health care authority, the department of social and health services, the department of health, law enforcement agencies, and other impacted stakeholders as identified by the administrative office of the courts.

(ii) The pilot project shall include any sequential intercept mapping that is necessary to determine the availability of willing stakeholders and to determine gaps in services and programs in the geographic area served by the proposed coordinated care and services network.

(iii) The pilot project may include the use of a common source of peer support services as the means to link affected persons to the coordinated care and services network from the various intercepts in the sequential intercept model.

(iv) No court may be required by the administrative office of the courts to participate in the pilot program.

(v) For the purposes of this pilot project, "stakeholder" may include any public or private entity or individual that provides services, funds, or goods related to housing, shelter, education, employment, substance use disorder treatment or other behavioral health treatment, medical treatment, dental treatment, peer support, self-help, crisis care, income assistance, nutritional assistance, clothing, assistance with public benefits, or financial management and other life skills education.

(vi) The pilot project ends June 1, 2025. The administrative office of the courts shall submit a report to the legislature detailing the work of the pilot program project, which must include recommendations, if any, for continuation, modification, or expansion of the pilot program to other regions of the state, no later than June 30, 2025.

(23) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Washington state center for court research of the administrative office of the courts to conduct a study of legal financial obligations (LFO) charged by superior courts, juvenile courts, and courts of limited jurisdiction, including the reviews required in Engrossed Substitute House Bill No. 1169 (legal financial obligations). The administrative office of the courts must submit a report of the findings to the appropriate committees of the legislature by November 30, 2023. At a minimum, the study must include statewide and county-level data that shows, during the previous five state fiscal years that data is available:

(a) The total number of juvenile and criminal cases handled by court, the number of cases where legal financial obligations were imposed pursuant to chapter 13.40 RCW, the percentage of cases where legal financial obligations were not imposed, and the total amount of legal financial obligations that were collected;

(b) The total amount assessed to, collected from, and waived for all individuals, in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court, for each of the last five years data is available;

(c) The average amount assessed, collected, and waived per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court for each of the last five years data is available;

(d) The average amount collected per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, race, gender, LFO type, and charging court, for each of the last five years data is available;

(e) The estimated annual collection rate for restitution and nonrestitution LFOs for the last five years data is available;

(f) An estimate of the proportion of restitution assessed, disaggregated by victim type including natural persons, businesses, state agencies, and insurance companies, for each of the last five years data is available;

(g) The percentage, number of cases, and total amount of legal financial obligations that are uncollectible pursuant to RCW 13.40.190 or 13.40.192, or other statutory authority for the expiration of legal financial obligation debt including debt assessed in criminal cases; and

(h) The total amount of outstanding debt owed in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, race, gender, legal financial obligation type, charging court, and date of assessment.

(24) \$653,000 of the general fund—state appropriation for fiscal year 2024 and \$264,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(25) (a) \$165,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state center for court research of the administrative office of the courts to continue the study on legal financial obligations (LFO) charged by superior courts and courts of limited jurisdiction. The administrative office of the courts must submit a preliminary report to the appropriate committees of the legislature by November 30, 2024, and a final report by June 30, 2025. At a minimum, the report must include statewide data that shows, disaggregated by court type, LFO type, charge type, court user demographics, and community characteristics, during the previous five state fiscal years that data is available:

(i) The total number of juvenile and criminal cases handled by court, the number of cases where legal financial obligations were imposed pursuant to chapter 13.40 RCW, the percentage of cases where LFOs were imposed, and the total amount of LFOs that were collected;

(ii) The total amount assessed to, collected from, and waived for all individuals, in fees, court costs, fines, and restitution disaggregated by the defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court;

(iii) An estimate of the proportion of restitution owed in all cases, disaggregated by victim type including natural persons, businesses, state agencies, and insurance companies; and

(iv) A description of community level impact of LFO imposition measured as a ratio of aggregate debt to household income.

(b) Superior courts and courts of limited jurisdiction that do not enter their LFO data into a statewide data management system must provide their LFO data to the administrative office of the courts at dates to be set by the office to be included in the statewide report.

(c) Within the amounts provided in this subsection, the administrative office of the courts shall form a stakeholder group to review the report and make recommendations for data development and reporting topics.

(26) \$2,094,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5825 (guardianship). During the fiscal biennium, in conformity with RCW 2.72.030, the administrative office of the courts shall collect uniform and consistent data on decision making assistance to include, but not limited to: The number of requests for decision making assistance received from hospitals, the number of guardianships and less restrictive alternatives to guardianships provided, the support and housing provided, and any other data related to case monitoring and management. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(27) \$2,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5056 (habitual property offenders). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(28) \$218,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5836 (Clark county superior court). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(29) \$51,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5974 (unenforceable LFOs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(30) \$248,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6068 (dependency outcome reporting). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(31) \$479,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 114.** 2023 c 475 s 115 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF PUBLIC DEFENSE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$66,616,000</del> ))
	\$66,724,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$70,129,000</del> ))
	\$70,329,000
General Fund—Federal Appropriation. . . . .	\$385,000
Judicial Stabilization Trust Account—State Appropriation. . . . .	(( <del>\$9,894,000</del> ))
	\$16,146,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$147,024,000</del>))</b>
	<b>\$153,584,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of improving the quality of trial court public defense services as authorized by chapter 10.101 RCW. The office of public defense must allocate these amounts so that \$450,000 per fiscal year is distributed to counties, and \$450,000 per fiscal year is distributed to cities, for grants under chapter 10.101 RCW.

(2) ~~((~~\$6,000,000~~))~~ \$8,863,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with public defense services related to vacating the convictions of defendants and/or resentencing for defendants whose convictions or sentences are affected by the *State v. Blake* decision. Of the amount provided in this subsection:

(a) ~~((~~\$900,000~~))~~ \$1,863,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to provide statewide attorney training, technical assistance, data analysis and reporting, and quality oversight, to administer financial assistance for public defense costs related to *State v. Blake* impacts, and to maintain a triage team to provide statewide support to the management and flow of hearings for individuals impacted by the *State v. Blake* decision.

(b) ~~((~~\$5,100,000~~))~~ \$7,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties in providing counsel for defendants seeking to vacate a conviction and/or be resentenced under *State v. Blake*. Assistance shall be allocated to all counties based upon a formula established by the office of public defense. Counties may receive assistance by: (i) Applying for grant funding; and/or (ii) designating the office of public defense to contract directly with counsel.

(3) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to provide prefiling legal representation to pregnant parents and parents of newborns at risk of removal by the department of children, youth, and families.

(4) \$623,000 of the general fund—state appropriation for fiscal year 2024 and \$1,165,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$6,863,000 of the general fund—state appropriation for fiscal year 2024 and \$6,602,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5415 (public defense/insanity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$1,434,000 of the general fund—state appropriation for fiscal year 2024 and \$1,434,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the parents for parents program.

(7) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to establish and operate a telephone consultation line to provide contracted legal counsel for parents, guardians, or legal custodians when the department of children, youth, and families proposes a voluntary placement agreement when there is no pending dependency proceeding under chapter 13.34 RCW pursuant to RCW 13.34.090(4).

(8) \$442,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to administer a public defense recruitment program to recruit and retain a sufficient pool of qualified attorneys and other public defense professionals. The recruitment program shall engage with students and faculty at colleges and law schools on topics relating to public defense and other public law practices; provide

technical assistance and training to county and city public defense coordinators on recruitment strategies including establishment of law clerk programs; and administer the public defense internship program as provided in Second Substitute Senate Bill No. 5780 (public defense & prosecution).

(9) \$10,000 of the general fund—state appropriation for fiscal year 2024 and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to address emergency safety assistance and other urgent needs for clients served by the parents representation program. Temporary, limited assistance may be made available for short-term housing, utilities, transportation, food assistance, and other urgent needs that, if unaddressed, could adversely impact case outcomes and impede successful family reunification. The office of public defense shall establish eligibility criteria and an expedited process for reviewing financial assistance requests submitted by parents representation program contractors.

(10) \$611,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5780 (public defense & prosecution). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$1,108,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 115.** 2023 c 475 s 116 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF CIVIL LEGAL AID**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$53,283,000</del> ))
	\$53,256,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$59,838,000</del> ))
	\$60,062,000
<del>((General Fund—Federal Appropriation . . . . .</del>	<del>\$1,468,000))</del>
Judicial Stabilization Trust Account—State	
Appropriation . . . . .	(( <del>\$3,851,000</del> ))
	\$6,698,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$118,440,000</del>))</b>
	<b>\$120,016,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,917,000 of the general fund—state appropriation for fiscal year 2024 and \$7,711,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for children and youth in dependency cases under RCW 13.34.212(3) in accordance with revised practice, caseload, and training standards adopted by the supreme court commission on children in foster care and includes a vendor rate increase for contracted attorneys. By October 1, 2023, the office must develop a revised implementation schedule based on a caseload assumption of adding no more than 1,250 new dependency cases to the program each fiscal year for consideration by the governor and the legislature.

(2) \$2,408,000 of the general fund—state appropriation for fiscal year 2024 and \$2,579,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of civil legal information, advice, and representation for tenants at risk of eviction but not yet eligible for appointed counsel services under RCW 59.18.640.

(3) \$15,425,000 of the general fund—state appropriation for fiscal year 2024 and \$16,030,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for tenants in unlawful detainer cases established in RCW 59.18.640 and includes a vendor rate increase for contracted attorneys. The funding provided in this subsection does not create an entitlement to counsel in unlawful detainer cases. If funding provided under this subsection is insufficient to provide for appointed counsel for all indigent tenants in unlawful detainer cases, the office shall assign priority to providing legal representation to indigent tenants in those counties in which the most evictions occur and to indigent tenants who are disproportionately at risk of eviction, as provided in RCW 59.18.640, and may not move to delay or suspend an unlawful detainer case or attempt to decertify a court's ability to hear unlawful detainer cases.

(4) ~~((~~\$2,387,000~~))~~ \$5,234,000 of the judicial stabilization trust account—state appropriation is provided solely to continue legal information, advice, assistance, and representation for individuals eligible for civil relief under the supreme court's ruling in *State v. Blake*.

(5) An amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2024 and an amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2025 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are 60 years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(6) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the office of civil legal aid to establish a legal advice phone line to provide guidance and legal advice for kinship caregivers. The phone line must be staffed by two FTE contracted attorneys

that have experience with kinship care, guardianship statutes, the child welfare system, and issues relating to legal custody.

(7) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to expand civil legal aid services for survivors of domestic violence, including legal services for protection order proceedings, family law cases, immigration assistance, and other civil legal issues arising from or related to the domestic violence they experienced.

(8) \$1,009,000 of the general fund—state appropriation for fiscal year 2024 and \$1,022,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to continue the statewide reentry legal aid project as established in section 115(12), chapter 357, Laws of 2020.

(9) \$222,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 116.** 2023 c 475 s 117 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE GOVERNOR**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$24,543,000</del> ))
	<u>\$25,169,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$24,253,000</del> ))
	<u>\$28,331,000</u>
Economic Development Strategic Reserve Account—State Appropriation . . . . .	(( <del>\$2,282,000</del> ))
	<u>\$10,850,000</u>
GOV Central Service Account—State Appropriation . . . . .	\$18,967,000
Performance Audits of Government Account—State Appropriation . . . . .	(( <del>\$720,000</del> ))
	<u>\$828,000</u>
<u>Workforce Education Investment Account—State Appropriation . . . . .</u>	<u>\$100,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$70,765,000</del>))</b>
	<b><u>\$84,245,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$1,146,000~~)) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$1,146,000~~)) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the education ombuds.

(2) ((~~\$18,667,000 of the GOV central service account state appropriation is provided solely for the office of equity.~~))

(3) ~~\$480,000~~) \$554,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the governor to invite federally recognized tribes, local governments, agricultural producers, commercial and recreational fisher organizations, business organizations, salmon recovery organizations, forestry and agricultural organizations, and environmental organizations to participate in a process facilitated by an independent entity to develop recommendations on proposed changes in policy and spending priorities to improve riparian habitat to ensure salmon and steelhead recovery.

(a) The independent entity must develop recommendations on furthering riparian funding and policy, including but not limited to, strategies that can attract private investment in improving riparian habitat, and developing a regulatory or compensation strategy if voluntary programs do not achieve concrete targets.

(b) Preliminary recommendations shall be submitted to the legislature and governor by May 1, 2024, with a final report by June 30, 2024.

(c) The office of the governor may contract for an independent facilitator. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

((~~+4~~)) (3) \$3,020,000 of the general fund—state appropriation for fiscal year 2024 and \$2,980,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ((~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)) Within the amounts provided in this subsection:

(a) \$2,359,000 of the general fund—state appropriation for fiscal year 2024 and \$2,359,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for flexible funding to support children in crisis. Uses of the flexible funding include, but are not limited to:

(i) Residential, housing, or wraparound supports that facilitate the safe discharge of children in crisis from hospitals;

(ii) Support for families and caregivers to mitigate the risk of a child going into or returning to a state of crisis;

(iii) Respite and relief services for families and caregivers that would assist in the safe discharge of a child in crisis from a hospital, or prevent or mitigate a child's future hospitalization due to crisis; or

(iv) Any support or service that would expedite a safe discharge of a child in crisis from an acute care hospital or that would prevent or mitigate a child's future hospitalization due to crisis.

(b) Flexible funding expenditures may not be used for administrative expenses.

(c) The care coordinator created in Second Substitute House Bill No. 1580 (children in crisis) must approve any expenditures of flexible funding.

~~((5-))~~ (4) \$300,000 of the GOV central service account—state appropriation is provided solely for the office of equity to conduct community engagement and develop an equity toolkit. Within the amounts provided in this subsection:

(a) The office of equity must consult with state boards and commissions that support the participation of people from underrepresented populations in policy-making processes, and may consult with other relevant state agencies, departments, and offices, to identify:

(i) Barriers to access and meaningful participation in stakeholder engagement by people from underrepresented populations who have lived experience;

(ii) Tools to support access and meaningful participation in stakeholder engagement;

(iii) Modifications to stakeholder engagement processes that promote an increase in access and opportunities for participation by people from underrepresented populations who have lived experience in policy-making processes. Any modifications identified may not restrict or otherwise prevent compliance with requirements under federal statute or regulations; and

(iv) Changes to law or agency rules that will promote increased access and participation in the policy-making process.

(b) The office of equity must submit a report, in compliance with RCW 43.01.036, to the appropriate committees of the legislature that details its findings under (a) of this subsection by July 1, 2024.

(c) By November 30, 2024, the office of equity must develop a toolkit on best practices for supporting meaningful engagement of underrepresented individuals with lived experience participating on statutory entities. The toolkit must be transmitted to all state agencies, including the office of the governor, members of the legislature, the secretary of the senate, and the chief clerk of the house of representatives. The toolkit must include:

(i) Best practices for identifying and recruiting underrepresented individuals with lived experience;

(ii) Best practices for appropriately and meaningfully engaging individuals from underrepresented populations with lived experience. Recommendations of these best practices may include suggestions from engagement conducted under (a) of this subsection;

(iii) Information on how to plan the work of a statutory entity using the principles of universal design, which may include suggestions from community engagement conducted under (a) of this subsection;

(iv) Best practices for onboarding all statutory entity members including how to support underrepresented individuals with lived experience in accessing compensation in accordance with chapter 43.03 RCW; and

(v) A list of state entities that appointing authorities may consult with when considering appointments to statutory entities for the purpose of increasing meaningful participation by people from underrepresented populations who have lived experience.

(d) For purposes of this subsection:

(i) "Lived experience" has the same meaning as provided in RCW 43.03.220.

(ii) "Statutory entity" means a multimember task force, work group, or advisory committee, that is temporary, established by legislation adopted after January 1, 2025, established for the specific purpose of examining a particular policy or issue which directly and tangibly affects one or more underrepresented populations, and is required to report to the legislature on the policy or issues it is tasked with examining. "Statutory entity" does not include legislative select committees or other statutorily created legislative entities composed of only legislative members.

(iii) "Underrepresented population" means a population group that is more likely to be at higher risk for disenfranchisement due to adverse socioeconomic factors such as unemployment, high housing and transportation costs relative to income, effects of environmental harms, limited access to nutritious food and adequate health care, linguistic isolation, and any other factors that may be barriers for participating in policy-making processes.

~~((6-))~~ (5) Within the amounts appropriated in this section, the Washington state office of equity must cofacilitate the Washington digital equity forum with the statewide broadband office.

~~((7-))~~ (6) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the corrections ombuds to prepare a report on incarcerated persons who have been in solitary confinement or any other form of restrictive housing more than 120 days in total during their period of incarceration or have been in solitary confinement or any other form of restrictive housing more than 45 consecutive days in the prior fiscal year. The report must:

(i) Include the basis on which each person was placed in restrictive housing;

(ii) Define the types of restrictive housing used by the department of corrections including, but not limited to, solitary confinement, administrative segregation, disciplinary segregation, protective custody, and maximum custody;

(iii) Identify the specific type of restrictive housing each incarcerated person was placed in and the reason for such placement;

(iv) Provide information regarding each incarcerated person's underlying offenses;

(v) Identify any sanctions imposed during the incarceration of each person;

- (vi) State the amount of time each person has remaining in total confinement;
  - (vii) Document any attempted suicides by each individual in restrictive housing over the past 10 years and the reason, if known;
  - (viii) Describe the programming offered to and accepted by each incarcerated person during the person's period of restrictive confinement; and
  - (ix) Identify any short-term policies identified, implemented, or improved by the department for the restrictive housing population including, but not limited to, lighting, ventilation, and access to personal property, communication, and visitation.
- (b) The department shall provide a report to the governor and appropriate committees of the legislature by June 30, 2024.

(7) Within existing resources, the governor's office of results Washington must conduct a review of the provisions in state law relating to statewide performance management in RCW 43.88.090 and 43.17.380 through 43.17.390 and other statutes as applicable. The office must produce a report to the governor and appropriate committees of the legislature by October 31, 2024, including recommendations for legislative actions to provide meaningful performance information and oversight for decision makers in the governor's office and other agencies responsible for enterprise-wide initiatives. Results Washington should consult with the office of financial management and other agencies as applicable to ensure that recommendations minimize duplication of effort and support their statutory oversight roles.

**Sec. 117.** 2023 c 475 s 118 (uncodified) is amended to read as follows:  
**FOR THE LIEUTENANT GOVERNOR**

General Fund—State Appropriation (FY 2024)	(( <del>\$1,619,000</del> ))
	<u>\$1,618,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$1,640,000</del> ))
	<u>\$1,646,000</u>
General Fund—Private/Local Appropriation	\$90,000
<b>TOTAL APPROPRIATION</b>	<b><u>(\$3,349,000)</u></b>
	<b><u>\$3,354,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the legislative committee on economic development and international relations to conduct an analysis of the statewide economic impact of the military and defense sector. The analysis shall be completed and submitted to the governor and appropriate committees of the legislature by September 1, 2024.

**Sec. 118.** 2023 c 475 s 119 (uncodified) is amended to read as follows:  
**FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund—State Appropriation (FY 2024)	(( <del>\$6,105,000</del> ))
	<u>\$6,107,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$5,913,000</del> ))
	<u>\$6,043,000</u>
Public Disclosure Transparency Account—State Appropriation	(( <del>\$2,271,000</del> ))
	<u>\$2,301,000</u>
<b>TOTAL APPROPRIATION</b>	<b><u>(\$14,289,000)</u></b>
	<b><u>\$14,451,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

- (1) No moneys may be expended from the appropriations in this section to establish an electronic directory, archive, or other compilation of political advertising unless explicitly authorized by the legislature.
- (2) ~~(\$2,171,000)~~ \$2,170,000 of the public disclosure transparency account—state appropriation is provided solely for the public disclosure commission for the purpose of improving the ability of the public to access information about political campaigns, lobbying, and elected officials, and facilitating accurate and timely reporting by the regulated community. The commission must report to the office of financial management and fiscal committees of the legislature by October 31st of each year detailing information on the public disclosure transparency account. The report shall include, but is not limited to:
  - (a) An investment plan of how funds would be used to improve the ability of the public to access information about political campaigns, lobbying, and elected officials, and facilitate accurate and timely reporting by the regulated community;
  - (b) A list of active projects as of July 1st of the fiscal year. This must include a breakdown of expenditures by project and expense type for all current and ongoing projects;
  - (c) A list of projects that are planned in the current and following fiscal year and projects the commission would recommend for future funding. The commission must identify priorities, and develop accountability measures to ensure the projects meet intended purposes; and
  - (d) Any other metric or measure the commission deems appropriate to track the outcome of the use of the funds.
- (3) \$100,000 of the public disclosure transparency account—state appropriation is provided solely for implementation of Second Engrossed Substitute Senate Bill No. 5284

(campaign finance disclosure). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(4) \$93,047 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5857 (campaign disclosure reorg.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 119.** 2023 c 475 s 120 (uncodified) is amended to read as follows:

**FOR THE SECRETARY OF STATE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$40,397,000</del> ))
	\$55,588,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$48,378,000</del> ))
	\$60,911,000
General Fund—Federal Appropriation. . . . .	\$8,606,000
Public Records Efficiency, Preservation, and Access Account—State Appropriation. . . . .	(( <del>\$11,621,000</del> ))
	\$11,625,000
Charitable Organization Education Account—State Appropriation. . . . .	(( <del>\$1,161,000</del> ))
	\$1,233,000
Washington State Library Operations Account—State Appropriation. . . . .	(( <del>\$14,652,000</del> ))
	\$14,659,000
Local Government Archives Account—State Appropriation. . . . .	(( <del>\$11,997,000</del> ))
	\$12,001,000
Election Account—Federal Appropriation. . . . .	\$4,487,000
Personnel Service Account—State Appropriation. . . . .	\$2,262,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$143,561,000</del>))</b>
	<b>\$171,372,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$2,498,000~~))~~ \$16,998,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$12,196,000~~))~~ \$21,450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to reimburse counties for the state's share of primary and general election costs, the state's share of presidential primary costs, and the costs of conducting mandatory recounts on state measures. Funds may also be used by the secretary of state for costs associated with the printing and distribution of the presidential primary voters pamphlet. Counties shall be reimbursed only for those costs that the secretary of state validates as eligible for reimbursement.

(2) (a) \$4,052,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$4,052,000~~))~~ \$5,052,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events statewide. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for humanities Washington speaker's bureau community conversations.

(5) \$114,000 of the general fund—state appropriation for fiscal year 2024 and \$114,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for election reconciliation reporting. Funding provides for one staff to compile county reconciliation reports, analyze the data, and to complete an annual statewide election reconciliation report



for every state primary and general election. The report must be submitted annually on July 31, to legislative policy and fiscal committees. The annual report must include statewide analysis and by county analysis on the reasons for ballot rejection and an analysis of the ways ballots are received, counted, rejected and cure data that can be used by policymakers to better understand election administration.

(6) \$896,000 of the general fund—state appropriation for fiscal year 2024 and \$870,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to the maintenance and operations of the voter registration and election management system. These staff will manage database upgrades, database maintenance, system training and support to counties, and triage and customer service to system users.

(7) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

(a) Funding the security operations center, including identified needs for expanded operations, systems, technology tools, training resources;

(b) Additional staff dedicated to the cyber and physical security of election operations at the office and county election offices;

(c) Expanding security assessments, threat monitoring, enhanced security training; and

(d) Providing grants to county partners to address identified threats and expand existing grants and contracts with other public and private organizations such as the Washington military department, national guard, private companies providing cyber security, and county election offices.

(8) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5112 (voter registration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5182 (candidate filing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5208 (online voter registration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$616,000 of the personnel service account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5015 (productivity board). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(13) ~~(\$350,000)~~ \$400,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$350,000)~~ \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with humanities Washington to expand the prime time family reading program.

(14) The office of the secretary of state must conduct a feasibility study of replacing the combined fund drive donor management system. The office must report its findings and a plan for replacement to the appropriate committees of the legislature by December 31, 2023.

(15) ~~(\$200,000)~~ \$525,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$325,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services costs for *Vet Voice Foundation et al. v. Hobbs*.

(16) \$3,724,000 of the general fund—state appropriation for fiscal year 2024 and \$2,674,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to design and implement strategies and products to counter false narratives surrounding election security and integrity, including community engagement with underserved populations such as young voters, voters with disabilities, tribal communities, and non-English-speaking voters. Of the amounts provided in this subsection, \$500,000 per fiscal year are provided solely for grants to county auditors for the same purposes.

(17) The office of the secretary of state must work with the office of the chief information officer to evaluate the office of the secretary of state's information technology infrastructure and applications to determine the appropriate candidates for the location of data and the systems that could be exempt from consolidated technology services oversight. The office shall report its findings to the appropriate committees of the legislature by December 31, 2023.

(18) \$83,000 of the general fund—state appropriation for fiscal year 2024 and \$67,000 of the general fund—state appropriation for fiscal year 2025 are provided solely the office of the secretary of state to assist businesses and nonprofits providing therapeutic rehabilitation within Washington state's juvenile secure residential facilities. It is well established that providing outreach and therapeutic education among incarcerated youth remains critical to successful community reentry. The amounts provided under this subsection are subject to the following conditions and limitations: To be eligible for a grant under this subsection, a business must (a) apply for or have applied for the grant; (b) be registered as a Washington state business or non-profit; (c) reported annual gross receipts are no more than \$1,000,000 in the most recent calendar year; (d) must have ability to conduct in-person business operations at one of Washington's juvenile correctional

facilities; (e) of the total grant amount awarded, no more than 10 percent may be awarded for travel expenses; (f) agree to operate in-person, in accordance with the requirements of applicable federal, state, and local directives and guidance; and (g) at least one principal of entity must demonstrate the following educational credential, minimum masters degree in related field, and professional experience of conducting therapeutic gaming. The office of the secretary of state may use up to 10 percent of the amount provided in this subsection for administrative costs.

(19) \$730,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office's migration of its applications and systems to Azure cloud environments, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(20) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with the University of Washington Evans school of public policy and governance to complete a study based on the preliminary report and research design submitted to the office on June 30, 2022. The preliminary report analyzed the 2022 state auditor's performance audit titled "evaluating Washington's ballot rejection rates." The study must be reported to the governor and the appropriate committees of the legislature by November 1, 2023.

(21) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to continue developing a statewide digital assessment tool and protocol for the tool's usage. The office must use the tool and protocol it developed to reach additional underserved audiences and make improvements to the tool and protocol. The office must develop and publish recommendations to improve implementation of the tool by June 30, 2025.

(22) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish a Washington state library branch at Green Hill school.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with the University of Washington Evans school of public policy and governance to examine processes for providing voting registration, voting materials, and voting assistance for people held in Washington jails.

(a) The study must:

(i) Identify challenges and obstacles to voting in Washington jails;

(ii) Examine how election offices and jails can ensure that voter registration, materials, and assistance are provided to registered voters and eligible citizens who are in jail prior to each election;

(iii) Develop recommendations for facilitating voter registration for eligible citizens and voting for registered voters in Washington jails; and

(iv) Develop recommendations for identifying individuals who are registered to vote upon jail admission and for providing voter assistance upon release from jail.

(b) The study is due to the office, the governor, and the appropriate committees of the legislature by December 1, 2024.

(24) \$81,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5843 (election security breaches). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5890 (ballot rejections). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(26) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 120.** 2023 c 475 s 121 (uncodified) is amended to read as follows:

**FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$801,000</del> ))
	\$802,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$797,000</del> ))
	\$904,000
Climate Commitment Account—State Appropriation . . . . .	\$658,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$2,256,000</del>))</b>
	<b>\$2,364,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

(2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for native American students;
- (ii) Analyze the progress in developing effective government-to-government relations and identification and adoption of curriculum regarding tribal history, culture, and government as provided under RCW 28A.345.070;
- (iii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iv) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(3) (a) \$404,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). Within amounts provided in this subsection, the governor's office of Indian affairs, in consultation with the department of ecology, the department of commerce, and the department of archaeology and historic preservation, must coordinate government-to-government engagement with federally recognized Indian tribes who have treaty rights in Washington. Topics of engagement may include:

- (i) Implementation of environmental and energy laws, policy regulations, programs, and finances;
  - (ii) The climate commitment act, chapter 316, Laws of 2021;
  - (iii) Engrossed Second Substitute House Bill No. 1216 (clean energy siting); and
  - (iv) Other related policy.
- (b) Funding provided within this subsection may support:
- (i) Participation on the interagency clean energy siting coordinating council;
  - (ii) Creation and maintenance of a list of contacts of federally recognized tribes, and tribal preferences regarding outreach about clean energy siting and permitting; and
  - (iii) Development and delivery of training to clean energy project developers on consultation and engagement processes for federally recognized Indian tribes.

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 121.** 2023 c 475 s 122 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$913,000</del> ))
	<u>\$945,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$897,000</del> ))
	<u>\$901,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,810,000</del>))</b>
	<b><u>\$1,846,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Asian American students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Native Hawaiian and Pacific Islander students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

**Sec. 122.** 2023 c 475 s 123 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER**

State Treasurer's Service Account—State	
Appropriation. . . . .	(( <del>\$23,658,000</del> ))
	<u>\$24,432,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$23,658,000</del>))</b>
	<b><u>\$24,432,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$500,000 of the state treasurer's service account—state appropriation is provided solely for the review of local government tax increment financing proposals as provided in RCW 39.114.020.~~

(2)) \$500,000 of the state treasurer's service account—state appropriation is provided solely for the office to study existing and proposed laws in other jurisdictions that limit consideration of material factors in public financing and investments. The study must consider any investment risk and economic risk to Washington associated with identified laws. Authorized uses of the amount provided in this subsection include, but are not limited to, staffing, consulting fees, travel expenditures, or other goods and services. The office must submit the study to the appropriate committees of the legislature by December 1, 2024.

((~~3~~))(2) Pursuant to RCW 82.08.225, the legislature authorizes the state treasurer to deposit up to \$3,000,000 of taxes collected pursuant to RCW 82.08.020(1) into the statewide tourism marketing account created in RCW 43.384.040 for the 2023–2025 fiscal biennium.

(3) \$280,000 of the state treasurer's service account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6069 (retirement savings). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 123.** 2023 c 475 s 124 (uncodified) is amended to read as follows:  
**FOR THE STATE AUDITOR**

General Fund—State Appropriation (FY 2024). . . . .	\$1,072,000
General Fund—State Appropriation (FY 2025). . . . .	\$1,080,000
Auditing Services Revolving Account—State	
Appropriation. . . . .	(( <del>\$18,519,000</del> ))
	<u>\$18,533,000</u>
Performance Audits of Government Account—State	
Appropriation. . . . .	(( <del>\$1,871,000</del> ))
	<u>\$1,873,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$22,542,000</del>))</b>
	<b><u>\$22,558,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,585,000 of the performance audit of government account—state appropriation is provided solely for staff and related costs to verify the accuracy of reported school district data submitted for state funding purposes; conduct school district program audits of state-funded public school programs; establish the specific amount of state funding adjustments whenever audit exceptions occur and the amount is not firmly established in the course of regular public school audits; and to assist the state special education safety net committee when requested.

(2) (~~(Within existing resources of the performance audits of government account, the state auditor's office shall conduct a performance audit or accountability audit of Washington charter public schools to satisfy the requirement to contract for an independent performance audit pursuant to RCW 28A.710.030(2).~~

(~~3~~)) \$825,000 of the auditing services revolving account—state appropriation is provided solely for accountability and risk based audits.

((~~4~~))(3) \$1,030,000 of the general fund—state appropriation for fiscal year 2024 and \$1,030,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for law enforcement audits pursuant to RCW 43.101.460 and 43.101.465.

**Sec. 124.** 2023 c 475 s 125 (uncodified) is amended to read as follows:  
**FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$299,000</del> ))
	<u>\$305,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$295,000</del> ))
	<u>\$322,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$594,000</del>))</b>
	<b><u>\$627,000</u></b>

**Sec. 125.** 2023 c 475 s 126 (uncodified) is amended to read as follows:  
**FOR THE ATTORNEY GENERAL**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$39,778,000</del> ))
	<u>\$48,730,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$36,313,000</del> ))

	<u>\$41,861,000</u>
General Fund—Federal Appropriation. . . . .	(((\$23,595,000))
	<u>\$25,263,000</u>
<u>General Fund—Private/Local Appropriation. . . . .</u>	<u>\$1,307,000</u>
Public Service Revolving Account—State Appropriation. . . . .	(((\$4,717,000))
	<u>\$4,715,000</u>
New Motor Vehicle Arbitration Account—State Appropriation. . . . .	(((\$1,889,000))
	<u>\$1,888,000</u>
Medicaid Fraud Penalty Account—State Appropriation. . . . .	\$6,584,000
Child Rescue Fund—State Appropriation. . . . .	(((\$80,000))
	<u>\$200,000</u>
Legal Services Revolving Account—State Appropriation. . . . .	(((\$401,733,000))
	<u>\$406,196,000</u>
Local Government Archives Account—State Appropriation. . . . .	\$1,117,000
Tobacco Prevention and Control Account—State Appropriation. . . . .	\$274,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$516,080,000)</u></b>
	<b><u>\$538,135,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The attorney general shall report each fiscal year on actual legal services expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year. As part of its by agency report to the legislative fiscal committees and the office of financial management, the office of the attorney general shall include information detailing the agency's expenditures for its agency-wide overhead and a breakdown by division of division administration expenses.

(2) Prior to entering into any negotiated settlement of a claim against the state that exceeds five million dollars, the attorney general shall notify the director of the office of financial management and the chairs and ranking members of the senate committee on ways and means and the house of representatives committee on appropriations.

(3) The attorney general shall annually report to the fiscal committees of the legislature all new cy pres awards and settlements and all new accounts, disclosing their intended uses, balances, the nature of the claim or account, proposals, and intended timeframes for the expenditure of each amount. The report shall be distributed electronically and posted on the attorney general's web site. The report shall not be printed on paper or distributed physically.

(4) (((\$1,217,000))\$1,806,000 of the general fund—state appropriation for fiscal year 2024 and (((\$1,217,000))\$1,981,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for multi-year arbitrations of the state's diligent enforcement of its obligations to receive amounts withheld from tobacco master settlement agreement payments.

(5) \$6,189,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 326, Laws of 2021 (law enforcement data).

(6) (((\$1,958,000))\$1,458,000 of the general fund—state appropriation for fiscal year 2024 and (((\$958,000))\$1,458,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a program for receiving and responding to tips from the public regarding risks or potential risks to the safety or well-being of youth, called the YES tip line program. Risks to safety or well-being may include, but are not limited to, harm or threats of harm to self or others, sexual abuse, assault, rape, bullying or cyberbullying, substance use, and criminal acts. Any person contacting the YES tip line, whether for themselves or for another person, must receive timely assistance and not be turned away. The program must operate within the guidelines of this subsection.

(a) During the development and implementation of the YES tip line program the attorney general shall convene an advisory committee consisting of representatives from the Washington state patrol, the department of health, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the Washington association of educational service districts, and other participants the attorney general appoints.

(b) The attorney general shall develop and implement policies and processes for:

(i) Assessing tips based on the level of severity, urgency, and assistance needed using best triage practices including the YES tip line;

(ii) Risk assessment for referral of persons contacting the YES tip line to service providers;

(iii) Threat assessment that identifies circumstances requiring the YES tip line to alert law enforcement, mental health services, or other first responders immediately when immediate emergency response to a tip is warranted;

(iv) Referral and follow-up on tips to schools or postsecondary institution teams, local crisis services, law enforcement, and other entities;

(v) YES tip line information data retention and reporting requirements;

(vi) Ensuring the confidentiality of persons submitting a tip and to allow for disclosure when necessary to respond to a specific emergency threat to life; and

(vii) Systematic review, analysis, and reporting by the YES tip line program of YES tip line data including, but not limited to, reporting program utilization and evaluating whether the YES tip line is being implemented equitably across the state.

(c) The YES tip line shall be operated by a vendor selected by the attorney general through a competitive contracting process. The attorney general shall ensure that the YES tip line program vendor and its personnel are properly trained and resourced. The contract must require the vendor to be bound by confidentiality policies developed by the office. The contract must also provide that the state of Washington owns the data and information produced from the YES tip line and that vendor must comply with the state's data retention, use, and security requirements.

(d) The YES tip line program must develop and maintain a reference and best practices tool kit for law enforcement and mental health officials that identifies statewide and community mental health resources, services, and contacts, and provides best practices and strategies for investigators to use in investigating cases and assisting youths and their parents and guardians.

(e) The YES tip line program must promote and market the program and YES tip line to youth, families, community members, schools, and others statewide to build awareness of the program's resources and the YES tip line. Youth perspectives must be included and consulted in tip line development and implementation including creating marketing campaigns and materials required for the YES tip line program. The insights of youth representing marginalized and minority communities must be prioritized for their invaluable insight. Youths are eligible for stipends and reasonable allowances for reimbursement, lodging, and travel expenses as provided in RCW 43.03.220.

(7) \$561,000 of the general fund—state appropriation for fiscal year 2024 and \$508,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the attorney general to support the Washington state missing and murdered indigenous women and people task force in section 912 of this act.

(8) \$9,188,000 of the legal services revolving fund—state appropriation is provided solely for additional legal services to address additional legal services necessary for dependency actions where the state and federal Indian child welfare act apply. The office must report to the fiscal committees of the legislature within 90 days of the close of the fiscal year the following information for new cases initiated in the previous fiscal year to measure quantity and use of this funding:

(a) The number and proportion of cases where the state and federal Indian child welfare act (ICWA) applies as compared to non-ICWA new cases;

(b) The amount of time spent advising on, preparing for court, and litigating issues and elements related to ICWA's requirements as compared to the amount of time advising on, preparing for court, and litigating issues and elements that are not related to ICWA's requirements;

(c) The length of state and federal Indian child welfare act cases as compared to non-ICWA cases measured by time or number of court hearings; and

(d) Any other information or metric the office determines is appropriate to measure the quantity and use of the funding in this subsection.

(9) (a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a truth and reconciliation tribal advisory committee to conduct research and outreach to understand the operations and impact of Indian boarding schools in Washington run by public and faith-based institutions, and to develop recommendations for the state to acknowledge and address the historical and intergenerational harms caused by Indian boarding schools and other cultural and linguistic termination practices.

(b) The advisory committee shall consist of five members nominated by the attorney general. The committee members must be citizens from federally recognized tribes in diverse geographic areas across the state that possess personal, policy, or specific expertise with Indian boarding school history and policies, or who have expertise in truth and healing endeavors that are traditionally and culturally appropriate.

(c) The advisory committee must hold its first meeting by September 30, 2023, and shall meet at least quarterly. The advisory committee may conduct meetings in person or virtually and must accept written testimony. The advisory committee may, when feasible, invite and consult with any entity, agency, or individual deemed necessary to further its work, or with experts or professionals involved, having expertise, or having lived experience regarding Indian boarding schools or tribal engagement.

(d) The office and the advisory committee must conduct at least six listening sessions in collaboration with tribes and Native-led organizations. The listening sessions must be held with consideration of the cultural, emotional, spiritual, and psychological well-being of survivors, family members, and community members. In planning and facilitating the listening sessions, the office must seek to avoid imposing undue burdens on survivors, family members, or community members.

(e) The office of the attorney general must administer and provide staff support for the advisory committee.

(f) By June 30, 2025, the office must submit a final report to the appropriate committees of the legislature that includes, but is not limited to:

(i) A summary of activities undertaken by the advisory committee;

- (ii) Findings regarding the extent and types of support provided by the state to Indian boarding schools;
- (iii) Findings regarding current state policies and practices that originate from Indian boarding schools or other assimilationist policies and practices and that cause disproportionate harm to American Indian and Alaska Native people and communities; and
- (iv) Recommendations regarding how the state can address the harm done by Indian boarding schools and other cultural and linguistic termination practices through a truth and reconciliation model, including but not limited to:
- (A) Resources and assistance that the state may provide to aid in the healing of trauma caused by Indian boarding school policies; and
- (B) Actions to correct current state policies and practices with origins in assimilationist policies or that cause disproportionate harm to Native people and communities.
- (10) \$1,381,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal services and other costs related to voter rights and redistricting commission litigation.
- (11) \$566,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation challenging chapter 104, Laws of 2022 (ESSB 5078).
- (12) \$749,000 of the general fund—state appropriation for fiscal year 2024 and \$689,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to the defense of the state and its agencies in a federal environmental cleanup action involving the Quendall terminals superfund site.
- (13) \$731,000 of the general fund—state appropriation for fiscal year 2024 and \$1,462,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the prosecution of sexually violent predator cases pursuant to chapter 71.09 RCW.
- (14) \$699,000 of the general fund—state appropriation for fiscal year 2024 and \$699,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the criminal litigation unit to address increased wrongfully convicted person claims under chapter 4.100 RCW and increased workload and complexity of cases referred to the unit.
- (15) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$1,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to create a centralized statewide organized retail crime task force to coordinate, investigate, and prosecute multijurisdictional retail crime.
- (16) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5078 (firearms industry duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (17) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the attorney general to update the introduction to Washington water law legal primer. The updated primer must cover subjects including, but not limited to, municipal water law, the trusts water rights program, instream flows, and significant appellate water law cases that have been decided since the previous introduction to Washington water law was prepared in 2000. The office must complete the updated primer by June 30, 2025.
- (18) \$39,000 of the general fund—state appropriation for fiscal year 2024, \$39,000 of the general fund—state appropriation for fiscal year 2025, and \$30,000 of the legal services revolving fund—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (19) \$2,071,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~
- (20) \$204,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~
- (21) \$2,316,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~
- (22) \$138,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for staff support to the joint legislative task force on jail standards authorized by RCW 70.48.801. The task force shall report finding and recommendations to the governor and the appropriate committees of the legislature no later than December 1, 2023.
- (23) \$463,000 of the general fund—state appropriation for fiscal year 2024, \$454,000 of the general fund—state appropriation for fiscal year 2025, \$398,000 of the general fund—federal appropriation, \$91,000 of the public service revolving account—state appropriation, \$133,000 of the medicaid fraud penalty account—state appropriation, and \$6,740,000 of the legal services revolving fund—state appropriation are provided solely for implementation of

the legal matter management system and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(24) \$50,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$138,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1469 (health care services/access). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$153,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1512 (missing persons). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(28) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,005,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1177 (indigenous women). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$26,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1470 (private detention facilities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$75,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$106,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) \$338,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) (a) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the attorney general, in collaboration with the office of the insurance commissioner, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state including, but not limited to, the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.



(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The attorney general and office of the insurance commissioner shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

(34) ~~\$9,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor compensation). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(35) ~~\$526,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(36) ~~\$801,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to create a permanent sexual assault kit initiative program.~~

(37) ~~\$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office, in collaboration with the Washington association of sheriffs and police chiefs, to support the Washington state indigenous demographic data collection work group of the Washington state missing and murdered indigenous women and people task force established in section 912, chapter 475, Laws of 2023.~~

(38) ~~\$743,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5427 (hate crimes & bias incidents). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(39) ~~\$34,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5640 (independent living residents). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(40) ~~\$11,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5995 (interpreters and translators). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(41) ~~\$131,000 of the general fund—state appropriation for fiscal year 2024 and \$528,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5838 (AI task force). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.~~

(42) ~~\$45,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to support the underground economy task force created in section 906 of this act.~~

(43) ~~\$3,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5271 (DOH/facilities enforcement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(44) ~~\$1,307,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Senate Bill No. 5241 (health care marketplace). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(45) ~~\$73,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(46) ~~\$67,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(47) ~~\$30,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5793 (paid sick leave). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(48) ~~\$40,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(49) ~~\$50,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a vehicular pursuit data collection and analysis task force.~~

~~(a) The task force shall:~~

~~(i) Include representation from law enforcement leadership and rank and file, community organizations, and traffic safety organizations, and shall strive to do its work in a collaborative manner; and~~

~~(ii) Reflect, to the greatest extent possible, the diversity of people with direct lived experience with vehicular pursuits, including members who reside in urban and rural communities, and with differing cultural and economic circumstances.~~

~~(b) The task force shall consist of the following members:~~

~~(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate;~~

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives;

(iii) The office of the attorney general shall appoint members representing the following:

(A) The Washington association of sheriffs and police chiefs;

(B) The Washington state patrol;

(C) The Washington council of police and sheriffs;

(D) The Washington fraternal order of police;

(E) The criminal justice training commission;

(F) The Washington traffic safety commission;

(G) The Washington counties risk pool;

(H) The Washington cities insurance association;

(I) The association of Washington cities;

(J) The Washington association of counties;

(K) Whose streets our streets;

(L) The faith action network;

(M) The peace justice and action league of Spokane;

(N) The Washington coalition for police accountability;

(O) Spokane community against racism;

(P) The Pacific Islander community association of Washington;

(Q) The American automobile association of Washington;

(R) The transportation choices coalition;

(S) A representative of a federally recognized tribe; and

(T) One person with civilian oversight or auditing experience regarding law enforcement agencies; and

(iv) The attorney general shall appoint a designee who has knowledge of the use of force data collection requirements under chapter 10.118 RCW.

(c) The task force is responsible for providing recommendations to the legislature on what data should be collected by law enforcement agencies throughout the state so that the legislature and other policymakers have consistent and uniform information necessary to evaluate policies on vehicular pursuits. The task force shall:

(i) Review available data on vehicular pursuits, including:

(A) The date, time, location, maximum speed, and duration of the incident;

(B) The reason for initiating a pursuit;

(C) Whether the pursuing officer sought authorization for the pursuit, or only gave notice of the pursuit and whether authorization for the pursuit was granted;

(D) Whether a supervisor denied authorization for the pursuit and the reason for the denial;

(E) The number of vehicles and officers involved in the pursuit;

(F) The number of law enforcement agencies involved in the pursuit;

(G) Whether pursuit intervention techniques are employed, and if so, which ones;

(H) Whether the pursuit was terminated at any point, and if so, the reason for termination;

(I) The officer's perception of the age, gender, race, ethnicity, or applicable tribal affiliation of the driver and any passengers of the motor vehicle being pursued;

(J) Whether the pursuit resulted in no action, termination, apprehension, warning, citation, arrest and grounds for the arrest, or other action; and

(K) Whether the pursuit resulted in any property damage, injury, or death, and to whom and what, including law enforcement, drivers, passengers, and bystanders;

(ii) Recommend data to be collected and why, in relation to (c)(i) of this subsection;

(iii) Develop a protocol for data collection and provide a statement regarding the use of such data and what its collection and analysis will establish;

(iv) Make the data readily available to the public using standard open data protocols;

(v) Recommend the entity responsible for collecting and managing this data on a statewide basis; and

(vi) Recommend any changes in state law to accomplish and facilitate the collection and analysis of the data, including whether to align or integrate the data collection with the use of force data under chapter 10.118 RCW.

(d) The legislative membership shall convene the initial meeting of the task force no later than May 1, 2024. The task force shall choose its cochairs from among its legislative membership, which must include one cochair from the house of representatives and one cochair from the senate.

(e) The task force shall submit a preliminary report of its findings and any recommendations to the appropriate committees of the legislature by June 30, 2025, with the goal of completing a final report by November 15, 2025.

(f) Staff support for the task force shall be provided by the office of the attorney general.

(g)(i) Legislative members of the task force are reimbursed for expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization.

(ii) Nonlegislative members are entitled to stipends in accordance with the provisions of RCW 43.03.220.

**Sec. 126.** 2023 c 475 s 127 (uncodified) is amended to read as follows:

**FOR THE CASELOAD FORECAST COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	(\$2,378,000))
	<u>\$2,380,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$2,378,000))
	<u>\$2,381,000</u>
Workforce Education Investment Account—State Appropriation . . . . .	\$356,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$5,112,000))</b>
	<u><b>\$5,117,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$356,000 of the workforce education investment account—state appropriation is provided solely to forecast the caseload for the Washington college grant program.

(2) Within existing resources, and beginning with the November 2021 forecast, the caseload forecast council shall produce an unofficial forecast of the long-term caseload for juvenile rehabilitation as a courtesy.

(3) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1218 (caseload forecast/tax credit). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) Within the amounts appropriated in this section, the council must forecast the number of people eligible for the apple health expansion for Washington residents with incomes at or below 138 percent of the federal poverty level, regardless of immigration status, beginning in July 2024.

**Sec. 127.** 2023 c 475 s 129 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—COMMUNITY SERVICES AND HOUSING**

General Fund—State Appropriation (FY 2024) . . . . .	(\$334,486,000))
	<u>\$414,862,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$391,233,000))
	<u>\$434,870,000</u>
General Fund—Federal Appropriation . . . . .	\$281,789,000
General Fund—Private/Local Appropriation . . . . .	\$5,252,000
Affordable Housing for All Account—State Appropriation . . . . .	\$109,227,000
Apple Health and Homes Account—State Appropriation . . . . .	\$28,452,000
Climate Commitment Account—State Appropriation . . . . .	\$35,000,000
Community Reinvestment Account—State Appropriation . . . . .	\$200,000,000
Community and Economic Development Fee Account—State Appropriation . . . . .	\$3,159,000
<del>((Coronavirus State Fiscal Recovery Fund— Federal Appropriation . . . . .</del>	<del>\$77,878,000))</del>
Covenant Homeownership Account—State Appropriation . . . . .	\$150,000,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation . . . . .	\$2,631,000
Home Security Fund Account—State Appropriation . . . . .	\$290,410,000
Lead Paint Account—State Appropriation . . . . .	\$233,000
Prostitution Prevention and Intervention Account— State Appropriation . . . . .	\$26,000
Washington Housing Trust Account—State Appropriation . . . . .	\$9,863,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$1,919,639,000))</b>
	<u><b>\$1,965,774,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,500,000 of the general fund—state appropriation for fiscal year 2024 and \$10,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to resolution Washington to build statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the retired senior volunteer program.

(3) Within existing resources, the department shall provide administrative and other indirect support to the developmental disabilities council.

(4) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington new Americans program. The department may require a cash match or in-kind contributions to be eligible for state funding.

(5) \$768,000 of the general fund—state appropriation for fiscal year 2024 and \$797,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

department to contract with a private, nonprofit organization to provide developmental disability ombuds services.

(6) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, \$1,000,000 of the home security fund—state appropriation, \$2,000,000 of the Washington housing trust account—state appropriation, and \$1,000,000 of the affordable housing for all account—state appropriation are provided solely for the department of commerce for services to homeless families and youth through the Washington youth and families fund.

(7) \$1,000,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000,000 of the home security fund—state appropriation are provided solely for the administration of the grant program required in chapter 43.185C RCW, linking homeless students and their families with stable housing.

~~(8) ((a) \$1,980,000 of the general fund—state appropriation for fiscal year 2024 and \$1,980,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community beds for individuals with a history of mental illness. Currently, there is little to no housing specific to populations with these co-occurring disorders; therefore, the department must consider how best to develop new bed capacity in combination with individualized support services, such as intensive case management and care coordination, clinical supervision, mental health, substance abuse treatment, and vocational and employment services. Case management and care coordination services must be provided. Increased case-managed housing will help to reduce the use of jails and emergency services and will help to reduce admissions to the state psychiatric hospitals. The department must coordinate with the health care authority and the department of social and health services in establishing conditions for the awarding of these funds. The department must contract with local entities to provide a mix of (i) shared permanent supportive housing; (ii) independent permanent supportive housing; and (iii) low and no barrier housing beds for people with a criminal history, substance abuse disorder, and/or mental illness.~~

~~(b) Priority for permanent supportive housing must be given to individuals on the discharge list at the state psychiatric hospitals or in community psychiatric inpatient beds whose conditions present significant barriers to timely discharge.)) [Reserved.]~~

(9) \$557,000 of the general fund—state appropriation for fiscal year 2024 and \$557,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to design and administer the achieving a better life experience program.

(10) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with organizations and attorneys to provide either legal representation or referral services for legal representation, or both, to indigent persons who are in need of legal services for matters related to their immigration status. Persons eligible for assistance under any contract entered into pursuant to this subsection must be determined to be indigent under standards developed under chapter 10.101 RCW.

(11) (a) \$12,500,000 of the general fund—state appropriation for fiscal year 2024, \$12,500,000 of the general fund—state appropriation for fiscal year 2025, and \$37,000,000 of the affordable housing for all account—state appropriation are provided solely for grants to support the building operation, maintenance, and service costs of permanent supportive housing projects or units within housing projects that have or will receive funding from the housing trust fund—state account or other public capital funding that:

(i) Is dedicated as permanent supportive housing units;

(ii) Is occupied by low-income households with incomes at or below 30 percent of the area median income; and

(iii) Requires a supplement to rent income to cover ongoing property operating, maintenance, and service expenses.

(b) Permanent supportive housing projects receiving federal operating subsidies that do not fully cover the operation, maintenance, and service costs of the projects are eligible to receive grants as described in this subsection.

(c) The department may use a reasonable amount of funding provided in this subsection to administer the grants.

(12) \$7,000,000 of the home security fund—state appropriation is provided solely for the office of homeless youth prevention and protection programs to:

(a) Expand outreach, services, and housing for homeless youth and young adults including but not limited to secure crisis residential centers, crisis residential centers, and HOPE beds, so that resources are equitably distributed across the state;

(b) Contract with other public agency partners to test innovative program models that prevent youth from exiting public systems into homelessness; and

(c) Support the development of an integrated services model, increase performance outcomes, and enable providers to have the necessary skills and expertise to effectively operate youth programs.

(13) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to build infrastructure and services to support a continuum of interventions, including but not limited to prevention, crisis response, and long-term housing, to reduce youth homelessness in communities identified as part of the anchor community initiative.

(14) \$2,125,000 of the general fund—state appropriation for fiscal year 2024 and \$2,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to contract with one or more nonprofit organizations to provide youth services and young adult housing on a multi-acre youth campus located in the city of Tacoma. Youth services include, but are not limited to, HOPE beds and crisis residential centers to provide temporary shelter and permanency planning for youth under the age of 18. Young adult housing includes, but is not limited to, rental assistance and case management for young adults ages 18 to 24. The department shall submit an annual report to the legislature on the use of the funds. The report is due annually on June 30th. The report shall include but is not limited to:

- (a) A breakdown of expenditures by program and expense type, including the cost per bed;
- (b) The number of youth and young adults helped by each program;
- (c) The number of youth and young adults on the waiting list for programs, if any; and
- (d) Any other metric or measure the department deems appropriate to evaluate the effectiveness of the use of the funds.

(15) \$65,310,000 of the general fund—state appropriation for fiscal year 2024 and \$65,310,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the essential needs and housing support program and related services. The department may use a portion of the funds provided in this subsection to continue the pilot program established in section 127(106) of chapter 357, Laws of 2020 (addressing the immediate housing needs of low or extremely low-income elderly or disabled adults in certain counties who receive social security disability or retirement income). The department must ensure the timely redistribution of the funding provided in this subsection among entities or counties to reflect actual caseload changes as required under RCW 43.185C.220(5)(c).

(16) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$198,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to retain a behavioral health facilities siting administrator within the department to coordinate development of effective behavioral health housing options and provide technical assistance in siting of behavioral health treatment facilities statewide to aide in the governor's plan to discharge individuals from the state psychiatric hospitals into community settings. This position must work closely with the local government legislative authorities, planning departments, behavioral health providers, health care authority, department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity-building efforts. This position must work to integrate building behavioral health treatment and infrastructure capacity in addition to ongoing supportive housing benefits.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an entity located in the Beacon hill/Chinatown international district area of Seattle to provide low income housing, low income housing support services, or both. To the extent practicable, the chosen location must be colocated with other programs supporting the needs of children, the elderly, or persons with disabilities.

(18) \$4,740,000 of the general fund—state appropriation for fiscal year 2024, \$4,740,000 of the general fund—state appropriation for fiscal year 2025, and \$4,500,000 of the home security fund—state appropriation are provided solely for the consolidated homeless grant program.

(a) Of the amounts provided in this subsection, \$4,500,000 of the home security fund—state appropriation is provided solely for permanent supportive housing targeted at those families who are chronically homeless and where at least one member of the family has a disability. The department will also connect these families to medicaid supportive services.

(b) Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for diversion services for those families and individuals who are at substantial risk of losing stable housing or who have recently become homeless and are determined to have a high probability of returning to stable housing.

(c) Of the amounts provided in this subsection, \$3,240,000 of the general fund—state appropriation for fiscal year 2024 and \$3,240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for up to nine months of rental assistance for individuals enrolled in the foundational community supports initiative who are transitioning off of benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The health care authority, department of social and health services, and department of commerce shall collaborate on this effort.

(19) \$958,000 of the general fund—state appropriation for fiscal year 2024 and \$1,332,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operations of the long-term care ombudsman program.

(20) \$1,007,000 of the general fund—state appropriation for fiscal year 2024 and \$1,007,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer a transitional housing program for nondependent homeless youth.

(21) \$80,000 of the general fund—state appropriation for fiscal year 2024 and \$80,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish an identification assistance and support program to assist homeless persons in collecting documentation and procuring an identicard issued by the department of licensing. This program may be operated through a contract for services. The program shall

operate in one county west of the crest of the Cascade mountain range with a population of 1,000,000 or more and one county east of the crest of the Cascade mountain range with a population of 500,000 or more.

(22) (a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to administer flexible funding to support the anchor community initiative and anchor communities through the homeless prevention and diversion fund and serve eligible youth and young adults. The flexible funding administered under this subsection may be used for the immediate needs of eligible youth or young adults. An eligible youth or young adult may receive support under this subsection more than once.

(b) Flexible funding provided under this subsection may be used for purposes including but not limited to:

- (i) Car repair or other transportation assistance;
- (ii) Rental application fees, a security deposit, or short-term rental assistance;
- (iii) Offsetting costs for first and last month's rent and security deposits;
- (iv) Transportation costs to go to work;
- (v) Assistance in obtaining photo identification or birth certificates; and
- (vi) Other uses that will support the eligible youth or young adult's housing stability, education, or employment, or meet immediate basic needs.

(c) The flexible funding provided under this subsection may be provided to:

(i) Eligible youth and young adults. For the purposes of this subsection, an eligible youth or young adult is a person under age 25 who is experiencing or at risk of experiencing homelessness, including but not limited to those who are unsheltered, doubled up or in unsafe living situations, exiting inpatient programs, or in school;

(ii) Community-based providers assisting eligible youth or young adults in attaining safe and stable housing; and

(iii) Individuals or entities, including landlords, providing safe housing or other support designed to lead to housing for eligible youth or young adults.

(23) ~~(\$607,000)~~ \$3,607,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$607,000)~~ \$3,607,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to assist homeowners at risk of foreclosure pursuant to chapter 61.24 RCW. Funding provided in this section may be used for activities to prevent mortgage or tax lien foreclosure, housing counselors, a foreclosure prevention hotline, legal services for low-income individuals, mediation, and other activities that promote homeownership. The department may contract with other foreclosure fairness program state partners to carry out this work.

(24) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a nonprofit entity located in Seattle that focuses on poverty reduction and racial equity to convene and staff a poverty reduction workgroup steering committee comprised of individuals that have lived experience with poverty. Funding provided in this section may be used to reimburse steering committee members for travel, child care, and other costs associated with participation in the steering committee.

(25) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for capacity-building grants through the Latino community fund for emergency response services, educational programs, and human services support for children and families in rural and underserved communities.

(26) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to administer a competitive grant process to award funding to licensed youth shelters, HOPE centers, and crisis residential centers to provide behavioral health support services for youth in crisis, and to increase funding for current grantees.

(27) ~~(\$9,864,000)~~ \$11,844,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$9,864,000)~~ \$11,844,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for long-term rental subsidies for individuals with mental health and/or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served.

(28) \$9,575,000 of the general fund—state appropriation for fiscal year 2024 and \$9,575,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the Washington state office of firearm safety and violence prevention, including the creation of a state and federal grant funding plan to direct resources to cities that are most impacted by community violence. Of the amounts provided in this subsection:

(a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based violence prevention and intervention services to individuals identified through the King county shots fired social network analysis. The department must complete an evaluation

of the program and provide a report to the governor and the appropriate legislative committees by June 30, 2023.

(b) \$5,318,000 of the general fund—state appropriation for fiscal year 2024 and \$5,318,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support existing programs and capacity building for new programs providing evidence-based violence prevention and intervention services to youth who are at high risk to perpetrate or be victims of firearm violence and who reside in areas with high rates of firearm violence as provided in RCW 43.330A.050.

(i) Priority shall be given to programs that partner with the University of Washington, school of medicine, department of psychiatry and behavioral sciences for training and support to deliver culturally relevant family integrated transition services through use of credible messenger advocates.

(ii) The office may enter into agreement with the University of Washington or another independent entity with expertise in evaluating community-based grant-funded programs to evaluate the grant program's effectiveness.

(iii) The office shall enter into agreement to provide funding to the University of Washington, school of medicine, department of psychiatry and behavioral sciences to directly deliver trainings and support to programs providing culturally relevant family integrated transition services through use of credible messenger and to train a third-party organization to similarly support those programs.

(iv) Of the amounts provided under (b) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a certified credible messenger program that does work in at least three regions of Washington state to train and certify credible messengers to implement a culturally responsive, evidence-based credible messenger violence prevention and intervention services program.

(c) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to further support firearm violence prevention and intervention programs and initiatives consistent with the duties of the office as set forth in RCW 43.330A.020.

(d) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to support safe storage programs and suicide prevention outreach and education efforts across the state.

(29) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to diaper banks for the purchase of diapers, wipes, and other essential baby products, for distribution to families in need. The department must give priority to providers serving or located in marginalized, low-income communities or communities of color; and providers that help support racial equity.

(30) \$4,500,000 of the general fund—state appropriation for fiscal year 2024 and \$4,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to counties to stabilize newly arriving refugees, including those from the 2021 Afghanistan conflict and the 2022 Ukraine-Russia conflict.

(31) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit resource center in King county that provides sexual assault advocacy services, therapy services, and prevention and outreach to begin a three-year, multigrade sexual violence prevention program in the Renton school district.

(32) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to colead a prevention work group with the department of children, youth, and families. The work group must focus on preventing youth and young adult homelessness and other related negative outcomes. The work group shall consist of members representing the department of social and health services, the employment security department, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the interagency work group on homelessness, community-based organizations, and young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement.

(a) The work group shall help guide implementation of:

(i) The state's strategic plan on prevention of youth homelessness;

(ii) Chapter 157, Laws of 2018 (SSB 6560);

(iii) Chapter 312, Laws of 2019 (E2SSB 5290);

(iv) Efforts to reform family reconciliation services; and

(v) Other state initiatives addressing the prevention of youth homelessness.

(b) The office of homeless youth prevention and protection programs must use the amounts provided in this subsection to contract with a community-based organization to support the involvement with the work group of young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement. The community-based organization must serve and be substantially governed by marginalized populations. The amounts provided in this subsection must supplement private funding to support the work group.

(33) \$22,802,000 of the general fund—state appropriation for fiscal year 2024 and \$22,803,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

to increase existing grantee contracts providing rental or housing subsidy and services for eligible tenants in housing and homeless programs. The department must distribute funding in a manner that will prioritize maintaining current levels of homeless subsidies and services and stabilizing the homeless service provider workforce.

(34) (a) \$35,000,000 of the climate commitment account—state appropriation is provided solely for the department to administer grant funding through the existing network of federal low-income home energy assistance program grantees to provide low-income households with energy utility bill assistance.

(b) To qualify for assistance, a household must be below 80 percent of the area median income and living in a community that experiences high environmental health disparities.

(c) Under the grant program, each household accessing energy bill assistance must be offered an energy assessment that includes determining the household's need for clean cooling and heating system upgrades that improve safety and efficiency while meeting Washington's climate goals. If beneficial, households may be offered grant funding to cover the replacement of inefficient, outdated, or unsafe home heating and cooling systems with more energy efficient electric heating and cooling technologies, such as heat pumps.

(d) Of the amounts provided in this subsection, no more than 60 percent of the funding may be utilized by the department to target services to multifamily residential buildings across the state that experience high energy use, where a majority of the residents within the building are below 80 percent of the area median income and the community experiences high environmental health disparities.

(e) In serving low-income households who rent or lease a residence, the department must establish processes to ensure that the rent for the residence is not increased and the tenant is not evicted as a result of receiving assistance under the grant program.

(f) The department must incorporate data collected while implementing this program into future energy assistance reports as required under RCW 19.405.120. The department may publish information on its website on the number of furnace or heating and cooling system replacements, including replacements within multifamily housing units.

(g) The department may utilize a portion of the funding provided within this subsection to create an electronic application system.

(35) ~~\$55,500,000 of the general fund—state appropriation for fiscal year 2024 and \$55,500,000 of the general fund—state appropriation for fiscal year 2025 ((and \$55,500,000 of the coronavirus state fiscal recovery account—federal appropriation))~~ are provided solely for the department to continue grant funding for emergency housing and shelter capacity and associated supports such as street outreach, diversion services, short-term rental assistance, hotel and motel vouchers, housing search and placement, and housing stability case management. Entities eligible for grant funding include local governments and nonprofit entities. The department may use existing programs, such as the consolidated homelessness grant program, to award funding under this subsection. Grants provided under this subsection must be used to maintain or increase current emergency housing capacity, funded by the shelter program grant and other programs, as practicable due to increased costs of goods, services, and wages. Emergency housing includes transitional housing, congregate or noncongregate shelter, sanctioned encampments, or short-term hotel or motel stays.

(36) (a) \$75,050,000 of the general fund—state appropriation for fiscal year 2024 and \$75,050,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to transition persons residing in encampments to safer housing opportunities, with an emphasis on ensuring individuals living unsheltered reach permanent housing solutions. Eligible grant recipients include local governments and nonprofit organizations operating to provide housing or services. The department may provide funding to state agencies to ensure individuals accessing housing services are also able to access other wrap-around services that enable them to obtain housing such as food, personal identification, and other related services. Local government and nonprofit grant recipients may use grant funding to provide outreach, housing, case management, transportation, site monitoring, and other services needed to assist individuals residing in encampments and on public rights-of-way with moving into housing.

(b) Of the amounts provided in this subsection:

(i) No less than \$120,000,000 must be used for housing services for persons residing on state-owned rights-of-way; and

(ii) All remaining funds may be used for housing services for persons residing in encampments, including encampments located on public lands, as defined in RCW 79.02.010, or state parks and parkways.

(c) Grant criteria must include, but are not limited to:

(i) Whether a site where the grantee will conduct outreach and engagement has been identified as a location where individuals residing in encampments or on the public right-of-way are in specific circumstances or physical locations that expose them to especially or imminently unsafe conditions;

(ii) A commitment to resolve encampments through extensive outreach followed by matching individuals with temporary lodging or permanent housing that is reasonably likely to fit with their actual needs and situation, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability;

(iii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement within six months except under unusual circumstances;



(iv) Local government readiness and capacity to enter into and fulfill the grant requirements as applicable; and

(v) Other criteria as identified by the department.

(d) When awarding grants under (a) of this subsection, the department must prioritize applicants that focus on ensuring an expeditious path to sustainable permanent housing solutions, and that demonstrate an understanding of working with individuals to identify their optimal housing type and level of ongoing services through the effective use of outreach, engagement, and temporary lodging and permanent housing placement.

(e) Grant recipients under (a) of this subsection must enter into a memorandum of understanding with the department, and other state agencies if applicable, as a condition of receiving funds. Memoranda of understanding must specify the responsibilities of the grant recipients and the state agencies, consistent with the requirements of (c) of this subsection, and must include specific measurable outcomes for each entity signing the memorandum. The department must publish all signed memoranda on the department's website and must publish updates on outcomes for each memorandum at least every 90 days, while taking steps to protect the privacy of individuals served by the program. At a minimum, outcomes must include:

(i) The number of people actually living in any encampment identified for intervention by the department or grantees;

(ii) The demographics of those living in any encampment identified for intervention by the department or grantees;

(iii) The duration of engagement with individuals living within encampments;

(iv) The types of housing options that were offered;

(v) The number of individuals who accepted offered housing;

(vi) Any reasons given for why individuals declined offered housing;

(vii) The types of assistance provided to move individuals into offered housing;

(viii) Any services and benefits in which an individual was successfully enrolled; and

(ix) The housing outcomes of individuals who were placed into housing six months and one year after placement.

(f) Grant recipients under (a) of this subsection may not transition individuals from encampments or close encampments unless they have provided extensive outreach and offered each individual temporary lodging or permanent housing that matches the actual situation and needs of each person, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability. Grant recipients who initially match an individual to temporary lodging must make efforts to transition the person to a permanent housing placement within six months except under unusual circumstances. The department must establish criteria regarding the safety, accessibility, and habitability of housing options to be offered by grant recipients to ensure that such options are private, sanitary, healthy, and dignified, and that grant recipients provide options that are well-matched to an individual's assessed needs.

(g) Funding granted to eligible recipients under (a) of this subsection may not be used to supplant or replace existing funding provided for housing or homeless services.

(37) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase funding for the community services block grant program. Distribution of these funds to community action agencies shall prioritize racial equity and undoing inequity from historic underinvestment in Black, indigenous, and people of color, and rural communities.

(38) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization to identify opportunities for cities in Whatcom county to improve access to affordable housing through conducting market research, engaging stakeholders, and developing tools and implementation strategies for cities that will increase access to affordable housing. The grant recipient must be a nonprofit organization based in Bellingham that promotes affordable housing solutions and with a mission to create thriving communities.

(39) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization located in the city of Redmond that serves Latino low-income, immigrant, and Spanish-speaking communities in King and Snohomish counties through arts and culture events and community services. The grant funding may be used to expand existing programs including, but not limited to, support for small businesses, rent assistance, vaccination and COVID-19 outreach, programs aimed at increasing postsecondary enrollments in college and trade schools, and other community services and programs.

(40) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to community-based organizations that serve historically disadvantaged populations to conduct outreach and to assist community members in applying for state and federal assistance programs including, but not limited to, those administered by the department of social and health services, department of commerce, and department of children, youth, and families.

(41) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide a grant to a nonprofit organization located in the city of Issaquah to provide cultural programs and navigational supports for individuals and

families who may face language or other cultural barriers when engaging with schools, public safety, health and human services, and local government agencies.

(42) \$200,000,000 of the community reinvestment account—state appropriation is provided solely for the department to distribute grants for economic development, civil and criminal legal assistance, community-based violence intervention and prevention services, and reentry services programs. Grants must be distributed in accordance with the recommendations of the community reinvestment plan developed pursuant to section 128(134), chapter 297, Laws of 2022 (ESSB 5693).

(43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000,000 of the covenant homeownership account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1474 (covenant homeownership prg.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional staffing for the developmental disabilities council.

(45) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Spokane to provide transitional housing, educational programs, and other resources for refugee and immigrant families.

(46) \$1,169,000 of the general fund—state appropriation for fiscal year 2024 and \$1,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(47) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a dispute resolution center located in Snohomish county to provide mediation and resolution services for landlords and tenants, with the goal of avoiding evictions.

(48) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for grants to nonprofit organizations to operate hunger relief response programs serving individuals living in permanent supportive housing. Of the amounts provided in this subsection:

(a) \$275,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in King county.

(b) \$225,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in Spokane county.

(49) \$180,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization operating a teen center in the city of Issaquah to provide case management and counseling services for youth ages 12 to 19.

(50)(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit community-based organization for the coordination of a gang violence prevention consortium with entities including community-based organizations, law enforcement, and members of the faith community, and to continue and expand after-school activities and social services for students and young adults in the Yakima valley. Social services may include, but are not limited to, employment, mental health, counseling, tutoring, and mentoring services. The grant recipient must be a community-based organization located in Granger operating a Spanish language public radio station and with the mission of addressing the social, educational, and health needs of economically disadvantaged Spanish-speaking residents of central and eastern Washington.

(b) By June 30, 2025, the department must provide a report to the appropriate committees of the legislature. The report must include: (i) A description of the gang violence prevention programs conducted by the consortium and how they were implemented; and (ii) The number of individuals who participated in or received services through the programs conducted by the consortium, including any relevant demographic data for those individuals.

(51) \$400,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with a nonprofit organization to develop an affordable housing predevelopment plan. The affordable housing predevelopment plan must assess the feasibility of using surplus public land located at or near north Seattle Community College and Highline Community College for the development of affordable colocated housing that could serve low and moderate-income state workers. The contract recipient must be an organization that provides consultation services on affordable housing development. In creating the predevelopment plan, the contract recipient must solicit input from interested parties including, but not limited to, low-income and affordable housing experts, policy staff in the office of the governor, state public employee unions, and legislators.

(52) \$781,000 of the general fund—state appropriation for fiscal year 2024 and \$781,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1406 (youth seeking housing assist). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(53)(a) \$1,750,000 of the general fund—state appropriation for fiscal year 2024 and \$1,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of firearm safety and violence prevention to continue a healthy youth and violence prevention initiative demonstration program serving south King county, with the goal

of preventing violence, decreasing involvement with the juvenile justice system, and encouraging health and wellbeing for youth and young adults ages 12 to 24. As part of the demonstration program, the office must provide grant funding to and partner with a community-based organization to serve as a regional coordinator to:

(i) Connect youth and young adults ages 12 to 24 who are most vulnerable to violence with programs that provide services including, but not limited to, street outreach, youth employment and preapprenticeship programs, case management, behavioral health services, and other services as appropriate; and

(ii) Assist local governments, service providers, and nonprofit organizations in accessing and leveraging federal, state, and local funding for violence prevention and related services.

(b) The grant recipient under (a) of this subsection must be a nonprofit health system currently administering a violence prevention initiative in King and Pierce counties. The grant recipient may subgrant or subcontract funds to programs providing services as described in (a) (i) of this subsection.

(54) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit sexual assault resource center located in Renton. Grant funding may be used for information technology improvements focused on client data management that will improve client access to health services, cybersecurity, and data privacy.

(55) (a) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of existing contracts with a nonprofit organization to increase housing supply and equitable housing outcomes by advancing affordable housing developments, including supportive housing, transitional housing, shelter, or housing funded through the apple health and homes program, that are colocated with community services such as education centers, health clinics, nonprofit organizations, social services, or community spaces or facilities, available to residents or the public, on underutilized or tax-exempt land.

(b) The contract recipient must use the funding provided under this subsection to:

(i) Implement strategies to accelerate development of affordable housing with space for education centers, health clinics, nonprofit organizations, social services, or community space or facilities, available to residents or the public, on underutilized or tax-exempt land;

(ii) Analyze the suitability of properties and sites for affordable housing as described under (b) (i) of this subsection, including existing buildings for supportive housing, through completing due diligence, conceptual design, and financial analysis activities, and applying and implementing an equity lens in site selection, program planning, development, and operations;

(iii) Work with elected officials, local governments, educational institutions, public agencies, local housing and community development partners, early learning partners, health care providers, and nonprofit service organizations to:

(A) Identify and catalyze surplus, underutilized, or tax-exempt properties for the development of affordable housing;

(B) Provide catalytic funding and technical assistance to advance the development of affordable housing, including by identifying funding sources to support the needs of specific projects; and

(C) Identify impediments to the development of affordable housing and develop recommendations and strategies to address those impediments, reduce costs, advance community vision and equitable outcomes, and accelerate predevelopment and development times associated with affordable housing;

(iv) Organize community partners and build capacity to develop affordable housing sites;

(v) Facilitate collaboration and codevelopment between affordable housing and education centers, health clinics, nonprofit organizations, social services, or community spaces and facilities available to residents or the public;

(vi) Provide technical assistance and predevelopment services to support future development of sites; and

(vii) Catalyze the redevelopment of at least 20 sites to create approximately 2,000 affordable homes.

(c) Funding may also be used to:

(i) Partner with state, regional, and local public entities, nonprofit housing developers, and service providers to develop a broad range of housing types for supportive housing for populations authorized to receive the housing benefit under the apple health and homes act;

(ii) Provide technical assistance on the constructive alignment of state or local capital funds and other services for the construction, acquisition, refurbishment, redevelopment, master leasing of properties for noncongregate housing, or conversion of units from nonresidential to residential, of dwelling units for supportive housing funded through the apple health and homes program;

(iii) Advise on local community engagement, especially with populations with lived experience of homelessness and housing insecurity, for supportive housing funded through the apple health and homes program;

(iv) Subcontract for specialized predevelopment services, as needed, and subgrant to reimburse for supportive housing funded through the apple health and homes program; and

(v) Hire staff necessary to implement activities under (b) and (c) of this subsection.

(56) (a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for the department to continue a lifeline support system pilot project to assist individuals who have experienced or are at risk of entering into public systems of care. Public systems of care include office of homeless youth prevention and protection shelter and housing programs, the juvenile justice system, dependency under chapter 13.34 RCW, and inpatient behavioral health treatment.

(b) (i) The lifeline must function as a no-wrong-door access point for support and connections to services for qualifying individuals who require assistance to overcome a life challenge that could escalate into a crisis, or who are in need of general mentorship and counsel. The lifeline support system must facilitate and promote partnerships across state agencies, federally recognized tribes, counties, and community-based providers to coordinate trauma-informed and culturally responsive services for youth and young adults and their supports. The department is authorized to implement lifeline services through contracts with community partners and nonprofit organizations.

(ii) From amounts provided in this subsection, the department must allocate funding to establish a lifeline fund program. The department may use moneys allocated for the fund program to assist community partners and nonprofit organizations to implement lifeline services when those providers cannot identify an existing resource to resolve a recipient's need. The department must establish an application process and criteria for the fund program.

(c) By June 30, 2025, the department shall report to the legislature regarding the success and shortcomings of the lifeline support system, request-for-service outcomes, and the demographics of beneficiaries.

(57) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization to provide legal aid in subjects including, but not limited to, criminal law and civil rights cases for underserved populations focusing on Black gender-diverse communities. The grant recipient must be a nonprofit organization with offices in Seattle and Tacoma and with a mission to provide intersectional legal and social services for Black intersex and gender-diverse communities in Washington.

(58) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization within the city of Tacoma that provides social services and educational programming to assist Latino and indigenous communities in honoring heritage and culture through the arts, and in overcoming barriers to social, political, economic, and cultural community development. Of the amounts provided in this subsection:

(a) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for education and training programming in community health organizing, "promotora" health education, grassroots organizing, leadership development, and civic engagement focused on Latino and indigenous community members; and

(b) \$38,000 of the general fund—state appropriation for fiscal year 2024 and \$38,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for advocacy, translation services, emergency housing, and other services for victims of crime and domestic violence.

(59) ~~(\$500,000)~~ \$833,000 of the general fund—state appropriation for fiscal year 2024 ~~(is) and \$667,000 of the general fund—state appropriation for fiscal year 2025 are provided (solely)~~ for the department to provide grants to nonprofit organizations including, but not limited to, religious nonprofits, "by and for" organizations, or cultural community centers, to fund the physical security or repair of such institutions. Grant recipients must ~~((have reasons to believe they have been subject to security threats and must demonstrate a need for enhanced security. Grant funding must be used and limited to the purchase of security hardware and equipment to enhance the security of the buildings and grounds of such organizations))~~ substantiate that their site or sites have been subject to or at risk of physical attacks, threats, vandalism, or damages based on their mission, ideology, or beliefs and demonstrate a need for investments in physical security enhancements, construction or renovation, target hardening, preparedness planning, training, or exercises.

(60) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grant funding to a nonprofit organization to provide supports, including behavioral health resources, housing services, and parenting education, to parents with substance use disorder. The grant recipient must be a nonprofit organization located in the south Puget Sound region that provides a parent child assistance program and focuses on building parenting skills and confidence to ensure children have safe and healthy childhoods.

(61) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs to develop and operate community-based residential housing and services for youth wellness spanning a range of needs and circumstances at the Pacific hospital preservation and development authority quarters, buildings three through 10 in Seattle. The amounts provided in this subsection may be used for planning, lease payments, and other related expenses for the development and operation of comprehensive residential programs providing housing, on-site social services, and community-based resources for youth identified by the department of commerce, the department of children, youth, and families, or the health care authority. The funding may also be used for the preparation and issuance of a request for qualifications for a site operator, or lease management and related administrative functions. The department is

authorized to enter into a lease, with an option to enter into multiyear extensions, for the Pacific hospital preservation and development authority quarters, buildings three through 10.

(62) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in the city of Seattle that works to improve the quality of life for low-income families and members of the refugee and immigrant community, with a focus on the Somali and Oromos community. The grant funding may be used to expand current programs including, but not limited to, case management and referral services for immigrants and refugees, youth programs, and services for seniors.

(63) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization headquartered in Mount Vernon for costs to operate and provide homeless services at a low-barrier emergency temporary homeless center located in Burlington.

(64) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Seattle that provides legal assistance and representation to survivors of sexual and gender-based violence to expand their current services including, but not limited to, legal assistance and representation; technical assistance for advocates, providers, and attorneys; community education and trainings; and other legal support services. In providing services, the grant recipient must protect the privacy, safety, and civil rights of survivors and utilize trauma-informed practices and equity principles.

(65) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization serving King and Snohomish counties for a program conducted in partnership with King county, which serves individuals who are involved in the criminal justice system and who have experienced domestic, sexual, or gender-based violence. The grant recipient may use the funding for costs including, but not limited to, legal advocacy, outreach, connecting clients to housing and other resources, data analytics, and staffing.

(66) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of crime victims advocacy to contract for a study of the impacts of the commercial sex industry on Black and African American communities in Washington, with a focus on Black and African American persons who identify as female. The office must contract with an organization that has expertise on the topic of the commercial sex industry and Black communities in Washington. The study must include a review of the impacts of the commercial sex industry on Black and African American residents of Washington, and culturally informed and survivor-informed policy recommendations for reducing sex trafficking and sexual exploitation of Black and African American Washingtonians. The department must submit a report of the study findings to the appropriate committees of the legislature by September 1, 2024.

(67) \$20,656,000 of the general fund—state appropriation for fiscal year 2024 and \$20,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to crime victims service providers to ensure continuity of services impacted by reductions in federal victims of crime act funding and to help address increased demand for services attributable to the COVID-19 pandemic. The department must distribute the funding in a manner that is consistent with the office of crime victims advocacy's state plan. Of the amounts provided in this subsection:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs operated by and for historically marginalized populations to support "by and for" culturally specific services for victims of domestic violence, sexual assault, and other crimes in historically marginalized populations. Marginalized populations can include, but are not limited to, organizations or groups composed along racial, ethnic, religious, sexual orientation, and gender lines.

(b) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs developed to support the enhancement and development of additional services for tribal members, including programs to address needs of crime victims, including strategies which integrate services or multiple crime types.

(68) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Seattle for start-up costs for the Seattle social housing developer and to meet the requirements of the city of Seattle initiative 135, which concerns developing and maintaining affordable social housing in Seattle. The funding provided under this subsection may only be used for costs associated with creating social housing developments, operating costs associated with maintaining social housing developments, and administrative costs of operating social housing.

(69) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to contract with a nonprofit to provide wraparound services for homeless families with children, including prevention, shelter, and stabilization services. The nonprofit must be located in Pierce county and be an affiliate of a national organization dedicated to preventing and ending family homelessness by providing prevention, shelter, and stabilization services.

(70) Within existing resources, the department must submit an interim and a final report to the appropriate committees of the legislature on efforts taken by the department to stabilize rents for tenants of affordable housing units financed through the housing assistance program created under RCW 43.185.015 including, but not limited to, efforts to limit or mitigate the impacts of rent increases for tenants of qualifying units. The department must submit the interim report by December 1, 2023, and the final report by December 1, 2024.

(71) Before awarding or entering into grants or contracts for the 2023-2025 fiscal biennium for homeless housing and service programs that are funded from the home security fund account or the affordable housing for all account, the department must first consult with local governments and eligible grantees to ensure that funding from these accounts is used to maintain the quantity and types of homeless housing and services funded in local communities as of February 28, 2023. The department may take into consideration local document recording fee balances and individual county fluctuations in recording fee collections when allocating state funds. The department must redeploy funds to other nonprofit and county grantees if originally granted amounts are not expended or committed within a reasonable timeline. The department may then provide funding to eligible entities to undertake the activities described in RCW 36.22.176(1)(c)(i), such as funding for project-based vouchers and other assistance necessary to support permanent supportive housing as defined in RCW 36.70A.030 or as administered by the office of apple health and homes created in RCW 43.330.181.

(72) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to an Everett-based affiliate of a national nonprofit human services organization to stabilize newly arriving refugees from the 2021 Afghanistan conflict and the 2022 Ukraine conflict.

(73) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit organization to expand private capacity to provide legal services for indigent foreign nationals in contested domestic relations and family law cases. The contract recipient must be a nonprofit organization headquartered in the city of Seattle that provides training to attorneys and judges on international family law issues and provides direct representation to qualified indigent clients. Amounts provided in this subsection may not be expended for direct private legal representation of clients in domestic relations and family law cases.

(74) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a youth development organization providing civic engagement and education through a youth and government program. The grant is provided solely for support of the organization's mock trial and youth legislature programs.

(75) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$229,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5198 (mobile home community sales). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$1,694,000 of the general fund—state appropriation for fiscal year 2024 and \$1,694,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5561 (law enforcement community grants). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(77) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5599 (protected health care/youth). The entirety of this amount is provided for the office of homeless youth for prevention and protection programs to provide supportive care grants to organizations to address the needs of youth seeking protected health care services. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(78) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Monroe to continue existing pilot projects that enable the city to dispatch human services and social services staff in conjunction with law enforcement staff to support unhoused residents and residents in crisis.

(79) \$2,850,000 of the general fund—state appropriation for fiscal year 2024 and \$2,850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5114 (sex trafficking). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~(81))~~ (80) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Bellevue for one-time expenses required for the operation of an expanded community service center to help low-income individuals and immigrant and refugee community members. The center will join with community partners to provide utility rate and rent relief; health care access; energy assistance; food access; medical, legal and financial services; housing; childcare resources; employment assistance; and resources for starting a business.

~~((82))~~ (81) \$215,000 of the general fund—state appropriation for fiscal year 2024 and \$345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce a report to the legislature detailing the scope of work, cost estimates, and implementation timeline to create or procure an online registry of rental units in Washington state subject to state information system planning and oversight requirements. The online rental unit registry must have the capacity to collect and report out timely information on each rental unit in the state. Information to collect includes, but is not limited to, the rental unit's physical address, identity of the property owner, monthly rent charged, and vacancy status. The scope of work must assume integration with existing rental registries operated by local governments. Cost and timeline estimates must provide two alternatives with one assuming statewide implementation and the other assuming implementation in the six largest counties of the state. The department shall consult with landlord representatives, tenant representatives, local governments operating existing rental registries, and other interested stakeholders as part of the process of developing the scope of work and timeline for the online rental unit registry. The department must submit the report to the legislature by December 1, 2024.

~~((83))~~ (82) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a Seattle based nonprofit to create a temporary space to allow youth and low-income populations to participate in ice rink related events during the 2024 national hockey league winter classic.

~~((84))~~ (83) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in Kitsap county that partners with the Bremerton and central Kitsap school districts, first responders, and other organizations to expand implementation of the handle with care program.

~~((85))~~ (84) \$371,000 of the general fund—state appropriation for fiscal year 2024 and \$371,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Pacific county to operate or participate in a drug task force to enhance coordination and intelligence while facilitating multijurisdictional criminal investigations.

~~((86))~~ (85) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to statewide and community asset building coalitions across Washington to support capacity in organizations that coordinate financial health services and outreach efforts around poverty reduction resources such as the earned income tax credit and the working families tax credit.

~~((87) \$400,000)~~ (86) \$200,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community based organization in Whatcom county to expand services to unshoused and low-income residents of Ferndale and north Whatcom county and to provide a safe parking program.

~~((88))~~ (87) \$155,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training, to develop and implement a program aimed at reducing workplace sexual harassment in the agricultural sector. Funding will be used to continue peer-to-peer trainings for farmworkers in Yakima county and expand services into Grant and Benton counties. Funding may also be used to support an established network of farmworker peer trainers whose primary purpose is to prevent workplace sexual harassment and assault through leadership and education. The organization is expected to share best practices from their peer-to-peer model at a statewide conference.

~~((89))~~ (88) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle-based nonprofit that provides holistic services to help refugee and immigrant women. Funds must be used to expand an existing program that increases equity in ice skating and hockey by providing skate lessons to preschoolers from diverse and low-income families.

~~((90))~~ (89) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to strengthen family resource center services and increase capacity statewide. Grant funding may be used: For an organization to provide new services in order to meet the statutory requirements of a family resource center, as defined in RCW 43.216.010; to increase capacity or enhance service provision at current family resource centers, including but not limited to direct staffing and administrative costs; and to conduct data collection, evaluation, and quality improvement activities. The department may award an amount from \$30,000 up to \$200,000 per grant recipient.

(b) Eligible applicants for a grant under (a) of this subsection include current family resource centers, as defined in RCW 43.330.010, or organizations in the process of becoming qualified as family resource centers. Applicants must affirm their ability and willingness to serve all families requesting services in order to receive a grant. Applicants must currently be or agree to become a member of a statewide family resource center network during the grant award period in order to receive a grant. Applicants must provide proof of certification in the standards of quality for family strengthening and support developed by the national family support network for one member of the applicant's organizational leadership in order to receive a grant.

(c) In distributing grant funding, the department must, to the extent it is practicable, award 75 percent of funding to organizations located west of the crest of the Cascade mountains, and 25 percent of funding to organizations located east of the crest of the Cascade mountains.

(d) By July 1, 2025, grant recipients must submit a report to the department on the use of grant funding, including, but not limited to, progress in attaining status as a family resource center, if applicable; the number and type of services offered to families; demographic and income data for families served; and family post-service outcomes. By September 1, 2025, the department must submit a report to the Legislature on topics including, but not limited to, the grant application process; needs identified by family resource centers; and use of funds by grant recipients.

(e) Of the amounts provided in (a) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to the statewide nonprofit organization that serves as the registered Washington state network member of the national family support network. The grant recipient may use the grant funding for costs including, but not limited to, outreach and engagement, data and evaluation, and providing training and development opportunities in support of family resource centers statewide.

~~((91))~~ (90) \$9,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~((9,000,000))~~ \$29,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants to local governments for maintaining programs and investments which are primarily funded through document recording fees pursuant to RCW ~~((36.22.178, 36.22.179, and 36.22.1791))~~ 36.22.250. In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties.

~~((93))~~ (91) (a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a law enforcement technology grant program for the purpose of providing law enforcement with modern vehicle pursuit management technology including, but not limited to, global positioning system tracking equipment, automated license plate reading technology, aircraft, and nonarmed and nonarmored drone technology.

(b) Grants must be awarded to local law enforcement agencies based on locally developed proposals. The department shall establish policies for applications under this subsection in addition to criteria for evaluating and selecting grant recipients. A proposal must include a request for specific technology and a specific plan for the implementation, use, and effectiveness reporting of that technology.

(c) Before grants are awarded, each local law enforcement agency seeking to acquire vehicle pursuit technology must:

(i) Establish data-sharing and management policies including policies related to sharing data between law enforcement agencies and other third parties; and

(ii) Establish policies ensuring all personnel who operate the vehicle pursuit technology, or access the vehicle pursuit technology data, are trained to use that technology and are able to comply with the data-sharing and management policies prior to the operational use of the vehicle pursuit technology.

(92) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the distribution of grants to cities, counties, or nonprofit organizations to support individuals in need of emergency housing assistance. Emergency housing assistance may include, but is not limited to, short-term rental assistance, moving costs, other one-time costs associated with identifying and obtaining housing, or temporary shelter in the event of a crisis or when people have been displaced. Funding provided under this subsection must be prioritized for entities that can demonstrate that the population served includes families with children, pregnant individuals, or other medically vulnerable individuals. The department may only distribute funding under this subsection upon coordination with the office of the governor.

(93) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to continue to provide grant funding to local multijurisdictional task forces that previously received funding through the federal Edward Byrne memorial justice assistance grant program. Grants provided under this section must be used consistent with the requirements of Edward Byrne memorial justice assistance grants and with national best practices for law enforcement.

(94) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of homeless youth prevention and protection programs to provide grants to nonprofit organizations implementing place-based health zone models to provide and strengthen youth development services and mental and behavioral health supports for youth and their families for clearly demarcated geographical health zones. The services and supports may range from primary prevention to crisis services. Grant funding may support health zone activities and evaluation activities. The office must distribute four grants, as follows:

(a) Two grants to nonprofits with established place-based health zone models, for costs to provide services and conduct evaluation activities; and

(b) Two grants to nonprofits who are currently developing and implementing place-based health zone models, for costs to establish and provide services and conduct evaluation activities.

(95) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a housing readiness program serving individuals experiencing homelessness in Cowlitz county. Funding may be used to operate severe weather shelters,



housing navigation, case management, laundry and hygiene facilities, connection to other social services, and other programs serving unhoused individuals in Cowlitz county.

(96) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for operating costs of licensed assisted living facilities located in Clark county that have at least 50 percent of residents who were experiencing homelessness or were unstably housed immediately prior to admission to the facility.

(97) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to continue sexual assault prevention education programming to K-12 schools in Tacoma and expand services to the Franklin Pierce school district. The grant recipient must be a state-accredited community sexual assault program serving Pierce county that provides professional training, prevention education, intervention, and advocacy programs for victims of sexual assault, sexual abuse, and sex trafficking.

(98) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide community-based healing-centered arts engagement programming for populations including, but not limited to, survivors of gender-based violence and individuals working to reintegrate after incarceration. The grant recipient must be a nonprofit organization based in the city of Seattle with experience in providing arts engagement programming, including serving veteran and Latino cohorts.

(99) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a food bank serving African American and other BIPOC communities located in south King county. Funding may be used for food bank operations, food delivery services, and food storage.

(100) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit based in King county that exclusively serves foreign-trained physicians to help foreign-trained physicians prepare to work in a United States clinical setting and obtain a medical doctor: clinical experience license in Washington state. The nonprofit may use the amount provided in this subsection to:

(a) Provide stipends of up to \$2,000 per foreign-trained physician to:

(i) Take medical exams or English as a second language classes;

(ii) Obtain a professional resume review or interview skill development; or

(iii) Defray any other expenses that may limit their ability to become hire-ready physicians; and

(b) Operate an educational outreach program to help medical providers and institutions understand the medical doctor: clinical experience program including eligibility, licensure laws, and details of working with foreign-trained physicians in their facilities.

(101) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit in east King county, recognized as a by and for organization, to advance affordable housing. The grant recipient must be an organization that partners in equitable, affordable housing development. The grant recipient must use the funding as follows:

(a) To educate residents on the benefits of affordable housing in east King county;

(b) To facilitate partnerships to enable equitable transit-oriented development across the east King county region that builds housing at scale;

(c) For a project that will produce up to 33 affordable housing units on the Eastside; and

(d) To identify strategies for land acquisition and assembly around high-capacity transit stations that will result in a mix of housing.

(102) \$625,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Snohomish county human services to provide technical assistance and contract with a nonprofit to support youth, parents, and families with school-based collaboration, and social activities for youth.

(103) \$477,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Kitsap county to provide 70 continuous-stay, low-barrier/harm reduction model shelter beds.

(104) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with a nonprofit in Seattle to develop a list of BIPOC families, with an emphasis on African American households, that want to live in Seattle for the purpose of assisting those families with finding and keeping housing in Seattle.

(105) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$420,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle-based community center that assists eastern European refugees and immigrants to provide short term housing assistance, immigration services, and support to individuals in Washington who fled the Ukraine-Russia conflict.

(106) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Bellingham-based nonprofit serving youth and young adults experiencing homelessness and housing insecurity to increase capacity and the ability for staff to support clients in attending appointments, providing navigating services, and assessing resources throughout Whatcom county.

(107) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Whatcom county to study the potential to create an interjurisdictional coordinating body focused on improving the housing market for tenants, landlords, and those

interested in becoming landlords. The study should examine the potential for an office of healthy housing to:

(a) Have a sustainable funding model and assist landlords and tenants in understanding leases and procedures;

(b) Increase housing supply by providing resources to small landlords; and

(c) Work with major local employers and local higher education institutions to ensure a thriving local housing market.

(108) \$45,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Seattle-based nonprofit that teaches math using hands-on learning experiences and collaborates with community partners to create equity-based, culturally relevant math education opportunities.

(109) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the city of Tacoma to support the continued operation of 307 emergency and temporary shelter beds.

(110) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Yakima-based center that works to raise and uphold standards in the workplace to expand access to education and legal aid for low-wage immigrant workers in order to curb workplace rights violations and foster economic stability.

(111) \$317,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to three resource centers that are expecting a reduction in funding from the office of crime victims advocacy. Funding is intended to cover any deficit these organizations experience to continue service levels to sexual assault survivors. Of this amount:

(a) \$200,000 is for a nonprofit sexual assault resource center in King county;

(b) \$77,000 is for a Richland-based accredited community sexual assault program; and

(c) \$40,000 is for a nonprofit organization that provides crime victim support in multiple locations across the region, including in Spokane and Vancouver.

(112) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to assist fathers transitioning from incarceration to community and family reunification. The grant recipient must have experience contracting with the department of corrections to support incarcerated individual betterment projects and contracting with the department of social and health services to provide access and visitation services.

**Sec. 128.** 2023 c 475 s 130 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—LOCAL GOVERNMENT**

General Fund—State Appropriation (FY 2024)	(( \$50,775,000 ))
	\$48,133,000
General Fund—State Appropriation (FY 2025)	(( \$46,258,000 ))
	\$54,626,000
General Fund—Federal Appropriation	(( \$39,374,000 ))
	\$44,574,000
General Fund—Private/Local Appropriation	\$1,050,000
Climate Commitment Account—State Appropriation	(( \$43,353,000 ))
	\$54,403,000
Community Preservation and Development Authority	
Account—State Appropriation	\$4,750,000
Growth Management Planning and Environmental Review	
Fund—State Appropriation	\$5,681,000
Liquor Excise Tax Account—State Appropriation	\$986,000
Liquor Revolving Account—State Appropriation	\$6,827,000
Model Toxics Control Operating Account—State	
Appropriation	\$1,000,000
Model Toxics Control Stormwater Account—State	
Appropriation	\$100,000
Natural Climate Solutions Account—State	
Appropriation	\$2,747,000
Public Facilities Construction Loan Revolving	
Account—State Appropriation	\$1,026,000
Public Works Assistance Account—State Appropriation	\$7,267,000
<b>TOTAL APPROPRIATION</b>	<b>(( \$210,194,000 ))</b>
	<b>\$233,170,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall administer its growth management act technical assistance and pass-through grants so that smaller cities and counties receive proportionately more assistance than larger cities or counties.

(2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as pass-through funding to Walla Walla Community College for its water and environmental center.

(3) \$6,827,000 of the liquor revolving account—state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(4) The department must develop a model ordinance for cities and counties to utilize for siting community based behavioral health facilities.

(5) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce the biennial report identifying a list of projects to address incompatible developments near military installations as provided in RCW 43.330.520.

(6) \$100,000 of the model toxics control stormwater account—state appropriation is provided solely for planning work related to stormwater runoff at the aurora bridge and I-5 ship canal bridge. Planning work may include, but is not limited to, coordination with project partners, community engagement, conducting engineering studies, and staff support.

(7) \$2,000,000 of the community preservation and development authority account—state(~~operating~~) appropriation is provided solely for (~~the operations of~~) the Pioneer Square-International district community preservation and development authority established in RCW 43.167.060 to carry out the duties and responsibilities set forth in RCW 43.167.030.

(8) \$1,160,000 of the general fund—state appropriation for fiscal year 2024 and \$1,159,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide broadband office established in RCW 43.330.532.

(9) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants for updating and implementing comprehensive plans and development regulations in order to implement the requirements of the growth management act.

(a) In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties. Grants will be used primarily to fund the review and update requirements for counties and cities required by RCW 36.70A.130. Funding provided on this formula basis shall cover additional county and city costs, if applicable, to implement chapter 254, Laws of 2021 (Engrossed Second Substitute House Bill No. 1220) and to implement Second Substitute Senate Bill No. 5412 (land use permitting/local).

(b) Within the amounts not utilized under (a) of this subsection, the department shall establish a competitive grant program to implement requirements of the growth management act.

(c) Up to \$500,000 per biennium may be allocated toward growth management policy research and development or to assess the ongoing effectiveness of existing growth management policy.

(d) The department must develop a process for consulting with local governments, affected stakeholders, and the appropriate committees of the legislature to establish emphasis areas for competitive grant distribution and for research priorities.

(10) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the municipal research and services center, in coordination with the Washington procurement technical assistance center, to provide training and technical assistance to local governments and contractors on public works contracting. Training topics may include utilization of supplemental bidding criteria, utilization of alternate public works, contracting, cost estimating, obtaining performance and payment bonds, and increasing participation of women-owned and minority-owned businesses.

(11) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants and provide technical assistance to cities or counties for actions relating to adopting ordinances that plan for and accommodate housing. Of this amount:

(a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to cities and counties. Grants may be used for the following activities:

(i) Analyzing comprehensive plan policies and development regulations to determine the extent of amendments required to meet the goal of authorizing middle housing types on at least 30 percent of lots currently zoned as single family residential within the city, or for counties inside the unincorporated urban growth area. For the purposes of this subsection, "middle housing types" means buildings that are compatible in scale, form, and character with single family houses, and contain two or more attached, stacked, or clustered homes. This includes duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, courtyard apartments, and cottage housing;

(ii) Planning work to facilitate transit-oriented development, including costs associated with the preparation of state environmental policy act environmental impact statements, planned action ordinances, and subarea plans, costs associated with the use of other tools under the state environmental policy act, and the costs of local code adoption and implementation of such efforts; and

(iii) Planning for and accommodating housing that is affordable for individuals and families earning less than 50 percent of the area median income, including:

(A) Land use and regulatory solutions to address homelessness and low-income housing; and

(B) Bridging homeless service planning with land use planning.

(b) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an affordable housing auditing program to monitor ongoing affordability of income-restricted units constructed with affordable housing incentives, including the multifamily tax exemption.

(12) Within the amounts provided in this section, the department must publish on its website housing data needed to complete housing needs assessments required by RCW 36.70A.070(2)(a). The data shall include:

(a) Housing profiles for each county and city in the state, including cost burden, vacancy, and income;

(b) Data to assess racially disparate impacts, exclusion, and displacement; and

(c) A dashboard to display data in an easily accessible format.

(13) \$1,330,000 of the general fund—state appropriation for fiscal year 2024 and \$995,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(14) \$15,000,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to entities that provide digital navigator services, devices, and subscriptions. These services must include, but are not limited to, one-on-one assistance for people with limited access to services, including individuals seeking work, students seeking digital technical support, families supporting students, English language learners, medicaid clients, people experiencing poverty, and seniors.

(15) \$2,750,000 of the community preservation and development authority account—state appropriation is provided solely for (~~the operations of~~) the Central district community preservation and development authority established in RCW 43.167.070 to carry out the duties and responsibilities set forth in RCW 43.167.030.

(16) (~~(\$375,000)~~) \$187,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~) and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Battle Ground to contract for a study to explore feasible options to redesign their downtown corridor to emphasize pedestrian accessibility, improve safety, and highlight community amenities.

(17) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Cheney fire department for the purchase of a new type 6 fire truck to replace one destroyed in a mutual aid fire.

(18) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to Ferry/Okanogan fire protection district number 14 for the purchase of a new ambulance and related costs for response to 911 calls, including those from local residents, recreators, and hunters.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the Pierce county public transportation benefit area corporation (Pierce transit) to administer a public transit and behavioral health coresponder pilot program in partnership with a Pierce county behavioral health professional agency.

(20) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the transportation demand management program at the canyon park subarea in the city of Bothell.

(21) (~~(\$40,953,000)~~) \$50,953,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(22) \$490,000 of the public works assistance account—state appropriation is provided solely for the public works board to develop a data dashboard to map investments made by the public works board, the department of commerce, the department of health, the department of ecology, the department of transportation, the transportation improvement board, and by board partners to the system improvement team created in RCW 43.155.150.

(23) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$423,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct a study on the feasibility of implementing a Washington state zoning atlas project that will provide a publicly available mapping tool illustrating key features of zoning codes across jurisdictions.

(24) \$733,000 of the general fund—state appropriation for fiscal year 2024 and \$734,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(25) \$37,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(26) \$134,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the city of Tacoma for the operating costs of the hilltop community hub. The hilltop community fund shall support a distribution center to provide housing goods.

(27) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Ferndale for the purpose of implementing and improving a wayfinding system throughout the greater Ferndale market area.

(28) (~~(\$3,464,000)~~) \$464,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~) and \$3,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5290 (local permit

review). Of the amount provided in this subsection, at least \$3,000,000 is provided solely for grants to local governments. (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(29) \$2,400,000 of the climate commitment account—state appropriation is provided solely for the Port Gamble S'Klallam Tribe for phase 3 of the Port Gamble shoreline restoration project.

(30) ~~\$1,000,000 of the model toxics control account—state appropriation is provided solely for grants to address emergency drinking water problems in overburdened communities. The department may utilize existing programs to distribute the funding provided under this section, including the emergency rapid response program.~~

(31) ~~\$16,000 of the general fund—state appropriation for fiscal year 2024 and \$46,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5834 (urban growth areas). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.~~

(32) ~~\$57,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6015 (residential parking). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(33) ~~\$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit, professional association of state, county, city, and town officials engaged in development, enforcement, and administration of building construction codes and ordinances to collaborate with the Washington state board for community and technical colleges to design and implement training programs to accelerate the hiring of city and county permit technicians.~~

(34) ~~\$800,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided for the Bellevue and Redmond electric fire engines and infrastructure project. Of this amount, \$250,000 is provided to the city of Redmond and \$550,000 is provided to the city of Bellevue for the purposes of reducing the costs to purchase hybrid-electric fire engines and install associated electric charging infrastructure for the fire stations that will house the new electric vehicles.~~

(35) ~~\$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Elma to place automatic external defibrillators in city vehicles and public spaces in city buildings.~~

(36) ~~\$550,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Battle Ground to purchase a citywide document management system and hire staff or contract with a company to assist with scanning and uploading documents into the system.~~

(37) ~~\$1,200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Lewis county to purchase and implement new tax and assessment software.~~

(38) ~~\$225,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the Chelan-Douglas regional port authority to fund public engagement efforts in Chelan and Douglas counties related to a future regional sports complex. Engagement efforts may include print and electronically mailed materials, media advertisements, social media, and other forms of communications related to study information, including but not limited to:~~

- ~~(a) Consultants' analyses;~~
- ~~(b) Steering committee recommendations;~~
- ~~(c) Design and location options;~~
- ~~(d) Artistic renderings;~~
- ~~(e) Economic impacts;~~
- ~~(f) Capital and operational costs;~~
- ~~(g) Financing options; and~~
- ~~(h) Other information.~~

(39) ~~\$250,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for Island county to contract for a comprehensive assessment of drinking water infrastructure.~~

(40) ~~\$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Enumclaw to design and build a community center that will serve the plateau area.~~

(41) ~~\$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Okanogan county sheriff's office for the Okanogan county public safety radio network improvement project.~~

(42) ~~\$67,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5955 (large port districts). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

**Sec. 129.** 2023 c 475 s 131 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—OFFICE OF ECONOMIC DEVELOPMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$25,089,000</del> ))
	\$25,639,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$24,967,000</del> ))
	\$31,731,000
General Fund—Federal Appropriation. . . . .	\$108,069,000
General Fund—Private/Local Appropriation. . . . .	\$1,230,000

Dedicated Cannabis Account—State Appropriation (FY 2024) . . . . .	\$3,446,000
Dedicated Cannabis Account—State Appropriation (FY 2025) . . . . .	(( <del>\$3,587,000</del> ))
	<u>\$3,591,000</u>
Andy Hill Cancer Research Endowment Fund Match Transfer Account—State Appropriation . . . . .	(( <del>\$20,684,000</del> ))
	<u>\$32,684,000</u>
Climate Commitment Account—State Appropriation . . . . .	(( <del>\$352,000</del> ))
	<u>\$4,441,000</u>
Community and Economic Development Fee Account—State Appropriation . . . . .	\$765,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation . . . . .	\$22,400,000
Economic Development Strategic Reserve Account—State Appropriation . . . . .	\$2,786,000
Statewide Tourism Marketing Account—State Appropriation . . . . .	\$9,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$222,375,000</del>))</b>
	<b><u>\$245,782,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,304,000 of the general fund—state appropriation for fiscal year 2024 and \$4,304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for associate development organizations. During the 2023-2025 fiscal biennium, the department shall consider an associate development organization's total resources when making contracting and fund allocation decisions, in addition to the schedule provided in RCW 43.330.086. The department must distribute the funding as follows:

(a) For associate development organizations serving urban counties, which are counties other than rural counties as defined in RCW 82.14.370, a locally matched allocation of up to \$1.00 per capita, totaling no more than \$300,000 per organization; and

(b) For associate development organizations in rural counties, as defined in RCW 82.14.370, a \$1.00 per capita allocation with a base allocation of \$75,000.

(2) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the northwest agriculture business center.

(3) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the regulatory roadmap program for the construction industry and to identify and coordinate with businesses in key industry sectors to develop additional regulatory roadmap tools.

(4) \$1,070,000 of the general fund—state appropriation for fiscal year 2024 and \$1,070,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small business export assistance program. The department must ensure that at least one employee is located outside the city of Seattle for purposes of assisting rural businesses with export strategies.

(5) \$60,000 of the general fund—state appropriation for fiscal year 2024 and \$60,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to submit the necessary Washington state membership dues for the Pacific Northwest economic region.

(6) \$1,808,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$1,808,000~~)) \$2,438,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to identify and invest in strategic growth areas, support key sectors, and align existing economic development programs and priorities. The department must consider Washington's position as the most trade-dependent state when identifying priority investments. The department must engage states and provinces in the northwest as well as associate development organizations, small business development centers, chambers of commerce, ports, and other partners to leverage the funds provided. Sector leads established by the department must include the industries of: (a) Aerospace; (b) clean technology and renewable and nonrenewable energy; (c) wood products and other natural resource industries; (d) information and communication technology; (e) life sciences and global health; (f) maritime; (g) military and defense; and (h) creative industries. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with partner organizations and or other agencies to serve in the role of sector lead.

(7) ((~~\$20,684,000~~)) \$32,684,000 of the Andy Hill cancer research endowment fund match transfer account—state appropriation is provided solely for the Andy Hill cancer research endowment program. Amounts provided in this subsection may be used for grants and administration costs.

(8) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish representation in key international markets that will provide the greatest opportunities for increased trade and investment for small businesses in the state of Washington. Prior to entering into any contract for representation, the department must

consult with associate development organizations and other organizations and associations that represent small business, rural industries, and disadvantaged business enterprises.

(9) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to assist people with limited incomes in urban areas of the state start and sustain small businesses. The grant recipient must be a nonprofit organization involving a network of microenterprise organizations and professionals to support micro entrepreneurship and access to economic development resources.

(10) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization whose sole purpose is to provide grants, capacity building, and technical assistance support to a network of microenterprise development organizations. The microenterprise development organizations will support rural and urban Black, indigenous and people of color owned businesses, veteran owned businesses, and limited resourced and other hard to serve businesses with five or fewer employees throughout the state with business training, technical assistance, and microloans.

(11) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a business center that provides confidential, no-cost, one-on-one, client-centered assistance to small businesses to expand outreach in underserved communities, especially Black, indigenous, and people of color-owned businesses, providing targeted assistance where needed. Funding may also be used to collaborate the department, the Washington economic development association, and others to develop a more effective and efficient service delivery system for Washington's women and minority-owned small businesses.

(12) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to strengthen capacity of the keep Washington working act work group established in RCW 43.330.510.

(13) \$7,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to continue to administer the small business innovation and competitiveness fund program created in section 128(167), chapter 297, Laws of 2022 (ESSB 5693). The department may prioritize projects that received conditional awards in the 2021-2023 fiscal biennium but were not funded due to the project's inability to be substantially completed by June 30, 2023.

(14) \$2,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to administer grants to businesses and nonprofits in the arts, heritage, and science sectors, including those that operate live entertainment venues, to provide bridge funding for continued recovery from the COVID-19 pandemic and related economic impacts. The department must develop criteria for successful grant applications in coordination with the Washington state arts commission.

(15) \$352,000 of the climate commitment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(16) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an associate development organization located in Thurston county to provide a training curriculum to assist small businesses in scaling up to reach their next tier of operations. The contract recipient may use the funding for costs including, but not limited to, curriculum materials, trainers, and follow up coaching and mentorship in multiple languages.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract for technical assistance programs focused on assisting small minority, women, and veteran-owned businesses in south King and Pierce counties. The contract recipient must be a nonprofit organization located in Tukwila that provides educational and business assistance for underserved and minority groups, with a focus on the African American community. The department must provide a preliminary report on program outcomes by June 30, 2024, and a final report by June 30, 2025, to the relevant committees of the legislature. The preliminary and final reports must include outcome data including, but not limited to, the number of events or workshops provided, the number of businesses served, and ownership and other demographics of businesses served.

(18) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with a nonprofit organization to conduct workforce and economic development activities serving the south Puget Sound region. The contract recipient must be a nongovernmental nonprofit organization located in Federal Way that has been in operation for at least 10 years and whose mission is to develop resources to enhance the economy of the south sound region by facilitating innovation, job creation, and the growth and development of businesses.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide grant funding to a nonprofit biotech incubator and science research center located in the city of Tacoma. The grant funding is to provide support for programs aimed at increasing workforce readiness and entrepreneurship in the life

sciences, with a focus on promoting access to science, technology, engineering, and math careers for individuals from underserved communities.

(20) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to associate development organizations pursuant to Substitute House Bill No. 1783 (grant writers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(21) \$9,000,000 of the statewide tourism marketing account—state appropriation is provided solely for the statewide tourism marketing program and operation of the statewide tourism marketing authority pursuant to chapter 43.384 RCW.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to renew licenses for cloud-based business engagement tools for state agencies and local workforce and economic development boards, and to procure additional licenses for state agency procurement professionals, to assist in complying with the department of enterprise services supplier diversity policy effective April 1, 2023.

(23) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for activities related to securing federal funding from programs created by or funded through federal legislation including, but not limited to, the inflation reduction act, P.L. 117-169; the chips and science act, P.L. 117-167; and the infrastructure investment and jobs act, P.L. 117-58. Funding provided under this subsection may be used to support regional and locally led initiatives seeking federal funding, to provide technical support for application development and grant writing, to conduct economic analysis of various sectors, and other activities the department deems necessary for the state and partners with the state to compete for federal funds.

(24) \$877,000 of the general fund—state appropriation for fiscal year 2024 and \$878,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5096 (employee ownership). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$409,000 of the general fund—state appropriation for fiscal year 2024 and \$411,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5269 (manufacturing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to support activities related to cooperation with governmental and public agencies of the Republic of Finland, the Kingdom of Sweden, and the Kingdom of Norway. Eligible activities include, but are not limited to, cooperation in clean energy, clean technology, clean transportation, telecommunications, agriculture and wood science technology, general economic development, and other areas of mutual interest with Nordic nations and institutions.

(27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Bellingham based nonprofit that assists entrepreneurs to create, build, and grow businesses in northwest Washington to help establish a network of innovation centers for entrepreneurs and innovative small businesses between Seattle and the Canadian border.

(28) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop strategies for cooperation with governmental agencies of Vietnam, including higher education institutions, and organizations around the following:

(i) Trade and investment, including, but not limited to, the agriculture, information technology, food processing, manufacturing, and textile industries;

(ii) Combating climate change, including, but not limited to, cooperation on clean energy, clean transportation, and climate-smart agriculture; and

(iii) Academic and cultural exchange.

(b) By June 30, 2024, the department must provide a report on the use of funds in this subsection, any key metrics and deliverables, and any recommendations for further opportunities for collaboration.

(29) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide an economic development grant to a nongovernmental organization established in Federal Way, in operation for at least 30 years, whose primary focus is the economic development of the greater Federal Way region, in order to provide assessment for the development of innovation campuses in identified economic corridors.

(30) \$200,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a grant to a Tacoma based automotive museum as businesses assistance to address COVID-19 pandemic impacts to revenues from decreased attendance and loss of other revenue generating opportunities.

(31) \$2,500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely to expand the industrial symbiosis program and create a circular economy market development program. At least 20 percent of the amount provided in this section must be prioritized to benefit individuals in overburdened communities.

(32) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state public stadium authority to modernize interior stadium



infrastructure. Funding is provided to improve operational infrastructure such that stadium can accommodate and attract mega events benefiting the state. Improvements will include, but are not limited to, installing new seating, improving ADA access, upgrading hospitality features, and making security enhancements.

(33)(a) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide grants to eligible sports commissions to support activities promoting sports tourism, sporting events, and tournaments, and fostering economic and community development.

(b) An "eligible sports commission" under this subsection means an entity whose primary purpose is to promote tourism through hosting sporting events in Washington state. Entities may be independent nonprofit organizations or a division of a regional or national convention or visitors bureau.

(c) The department must develop application criteria and eligible uses of funds for the grant program.

(d) In determining the distribution of grant awards under this subsection, the department may allocate funds in proportion to the population of the county or counties in which the eligible sports commission conducts its activities.

(e) The department must develop reporting requirements for grant recipients, including but not limited to how grant funds are used. All grant recipients must report back to the department by June 30, 2025.

(34) \$250,000 of the climate commitment account—state appropriation for fiscal year 2025 shall take effect January 1, 2025, and is provided solely for a study or studies to assess strategies necessary for the state of Washington to engage in the offshore wind supply chain. The study may address public infrastructure needed for manufacturing, assembly, and transport of supply chain components, and an assessment of workforce needs and community benefits. The department shall submit a summary of the status or findings of studies funded in this subsection to the governor and appropriate committees of the legislature by June 30, 2025.

(35) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Seattle-based nonprofit organization that functions as a workforce development intermediary to connect low-income individuals with living-wage jobs. Funding may be used to provide entry level assistance for 28 low-income mariners.

(36) \$184,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nongovernmental organization whose primary focus is community and economic development in downtown Renton to provide holistic navigation and education services.

(37) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Tacoma-based nonprofit organization that provides access and education through the arts to provide business training, technical assistance, and other services to emerging creative and cultural entrepreneurs.

(38) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the city of Seattle to lease space for nonprofit and academic institutions to incubate technology business startups, especially those focusing on artificial intelligence and develop and teach curricula to skill up workers to use artificial intelligence as a business resource.

(39) \$1,339,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the innovation cluster accelerator program. Funding provided in this subsection may only be used to develop and maintain clusters that aim to reduce and mitigate impacts from greenhouse gases in overburdened communities, deploy renewable energy resources, increase energy efficiency or reduction, or other permissible uses pursuant to RCW 70A.65.260.

**Sec. 130.** 2023 c 475 s 132 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—ENERGY AND INNOVATION**

General Fund—State Appropriation (FY 2024)	(((\$140,959,000))
	\$6,641,000
General Fund—State Appropriation (FY 2025)	(((\$141,187,000))
	\$6,937,000
General Fund—Federal Appropriation	(((\$39,461,000))
	\$325,724,000
General Fund—Private/Local Appropriation	\$34,000
Building Code Council Account—State Appropriation	\$13,000
Climate Commitment Account—State Appropriation	(((\$52,611,000))
	\$233,599,000
Community and Economic Development Fee Account—State Appropriation	\$160,000
Electric Vehicle Incentive Account—State Appropriation	\$50,000,000
Low-Income Weatherization and Structural Rehabilitation Assistance Account—State Appropriation	\$1,399,000
Natural Climate Solutions Account—State Appropriation	(((\$167,000))
	\$1,167,000

TOTAL APPROPRIATION..... ((\$425,991,000))  
\$625,674,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is authorized to require an applicant to pay an application fee to cover the cost of reviewing the project and preparing an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets.

(2)(a) \$50,000,000 of the electric vehicle incentive account—state appropriation is provided solely for the department to implement programs and incentives that promote the purchase of or conversion to alternative fuel vehicles. The department must work with the interagency electric vehicle coordinating council to develop and implement alternative fuel vehicle programs and incentives.

(b) In developing and implementing programs and incentives under this subsection, the department must prioritize programs and incentives that:

(i) Will serve individuals living in an overburdened community, as defined in RCW 70A.02.010;

(ii) Will serve individuals who are in greatest need of this assistance in order to reduce the carbon emissions and other environmental impacts of their current mode of transportation in the overburdened community in which they live; and

(iii) Will serve low-income communities, communities with the greatest health disparities, and communities of color that are most likely to receive the greatest health benefits from the programs through a reduction in greenhouse gas emissions and other pollutants that will result in improved groundwater and stormwater quality, improved air quality, and reductions in noise pollution.

(3) ~~(\$69,000,000 of the general fund state appropriation for fiscal year 2024 and \$69,000,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the development of community electric vehicle charging infrastructure.~~

~~(a) Funding provided in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state.~~

~~(b) Projects that receive funding under this section must be implemented by, or include partners from, one or more of the following: Local governments, federally recognized tribal governments, or public and private electrical utilities that serve retail customers in the state.~~

~~(c) Grant funding must be used for level 2 or higher charging infrastructure and related costs including but not limited to construction and site improvements. Projects may include a robust public and private outreach plan that includes engaging with affected parties in conjunction with the new electric vehicle infrastructure.~~

~~(d) The department must prioritize funding for projects in the following order:~~

~~(i) Multifamily housing;~~

~~(ii) Publicly available charging at any location;~~

~~(iii) Schools and school districts;~~

~~(iv) State and local government buildings and office buildings;~~

~~(v) All other eligible projects.~~

~~(e) The department must coordinate with other electrification programs, including projects developed by the department of transportation, to determine the most effective distribution of the systems. The department must also collaborate with the interagency electric vehicle coordinating council established in RCW 43.392.030 to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022.~~

~~(4) \$37,000,000 of the general fund state appropriation for fiscal year 2024 and \$37,000,000 of the general fund state appropriation for fiscal year 2025 are provided solely for grants to increase solar deployment and installation of battery storage in community buildings to enhance grid resiliency and provide backup power for critical needs, such as plug load and refrigeration for medication, during outages or to provide incentives to support electric utility demand response programs that include customer-sited solar and battery storage systems. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities. For the purposes of this subsection "community buildings" means K-12 schools, community colleges, community centers, recreation centers, libraries, tribal buildings, state and local government buildings, and other publicly owned infrastructure.~~

~~(5) \$19,500,000 of the general fund state appropriation for fiscal year 2024 and \$19,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely for a grant program to provide solar and battery storage community solar projects for public assistance organizations serving low-income communities. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities.~~

~~(a) Grants are not to exceed 100 percent of the cost of the project, taking into account any federal tax credits or other federal or nonfederal grants or incentives that the project is benefiting from.~~

~~(b) Priority must be given to projects sited on "preferred sites" such as rooftops, structures, existing impervious surfaces, landfills, brownfields, previously developed sites, irrigation canals and ponds, storm water collection ponds, industrial areas, dual-use solar~~

~~projects that ensure ongoing agricultural operations, and other sites that do not displace critical habitat or productive farmland.~~

~~(c) For the purposes of this subsection "low-income" has the same meaning as provided in RCW 19.405.020 and "community solar project" means a solar energy system that: Has a direct current nameplate capacity that is greater than 12 kilowatts but no greater than 1,000 kilowatts; and has, at minimum, either two subscribers or one low-income service provider subscriber.~~

~~(6) \$8,500,000 of the general fund state appropriation for fiscal year 2024 and \$8,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely to build a mapping and forecasting tool that provides locations and information on charging and refueling infrastructure as required in chapter 300, Laws of 2021 (zero emissions transp.). The department shall collaborate with the interagency electric vehicle coordinating council established in chapter 182, Laws of 2022 (transportation resources) when developing the tool and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).~~

~~(7)) \$10,000,000 of the climate commitment account—state appropriation is provided solely for grants to support port districts, counties, cities, towns, special purpose districts, any other municipal corporations or quasi-municipal corporations, and tribes to support siting and permitting of clean energy projects in the state. Eligible uses of grant funding provided in this section include supporting predevelopment work for sites intended for clean energy projects, land use studies, conducting or engaging in planning efforts such as planned actions and programmatic environmental impact statements, and staff to improve permit timeliness and certainty.~~

~~((8)) (4) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more of the western national laboratories, or a similar independent research organization, in consultation with state and federal energy agencies, stakeholders, and relevant utilities, to conduct an analysis for new electricity generation, transmission, ancillary services, efficiency and storage sufficient to offset those presently provided by the lower Snake river dams. The analysis should include a list of requirements for a replacement portfolio that diversifies and improves the resilience and maintains the reliability and adequacy of the electric power system, is consistent with the state's statutory and regulatory requirements for clean electricity generation, and is supplementary to the resources that will be required to replace fossil fuels in the electrical generation, transportation, industry, and buildings sectors. The department and its contractor's assessment will include quantitative analysis based on available data as well as qualitative input gathered from tribal and other governments, the Northwest power and conservation council, relevant utilities, and other key stakeholders. The analysis must include the following:~~

~~(i) Expected trends for demand, and distinct scenarios that examine potential outcomes for electricity demand, generation, and storage technologies development, land use and land use constraints, and cost through 2050, as well as the most recent analysis of future resource adequacy and reliability;~~

~~(ii) A resource portfolio approach in which a combination of commercially available generating resources, energy efficiency, conservation, and demand response programs, transmission resources, and other programs and resources that would be necessary prerequisites to replace the power and grid reliability services otherwise provided by the lower Snake river dams and the time frame needed to put those resources into operation;~~

~~(iii) Identification of generation and transmission siting options consistent with the overall replacement resource portfolio, in coordination with other state processes and requirements supporting the planning of clean energy and transmission siting;~~

~~(iv) An evaluation of alternatives for the development, ownership and operation of the replacement resource portfolio;~~

~~(v) Examination of possible impacts and opportunities that might result from the renewal of the Columbia river treaty, revisions of the Bonneville power administration preference contracts, implementation of the western resource adequacy program (WRAP), and other changes in operation and governance of the regional electric power system, consistent with statutory and regulatory requirements of the clean energy transformation act;~~

~~(vi) Identification of revenue and payment structures sufficient to maintain reliable and affordable electricity supplies for ratepayers, with emphasis on overburdened communities;~~

~~(vii) Development of distinct scenarios that examine different potential cost and timeline potentials for development and implementation of identified generation and transmission needs and options including planning, permitting, design, and construction, including relevant federal authorities, consistent with the statutory and regulatory requirements of the clean energy transformation act;~~

~~(viii) Quantification of impacts to greenhouse gas emissions including life-cycle emissions analysis associated with implementation of identified generation and transmission needs and options including (A) planning, permitting, design, and construction, and, if relevant, emissions associated with the acquisition of non-Washington state domestic or foreign sources of electricity, and (B) any additional operations of existing fossil-fueled generating resources; and~~

~~(ix) An inventory of electricity demand by state-owned or operated facilities and information needed to complete a request for proposals (RFP) to satisfy this demand through new nonhydro renewable energy generation and/or conservation.~~

(b) The department shall, to the extent determined practicable, consider related analyses undertaken by the federal government as part of the Columbia river system operation stay of litigation agreed to in *National Wildlife Federation et al. v. National Marine Fisheries Service et al.* in October 2021.

(c) The department shall provide a status update to the energy and environment committees of the legislature and governor's office by December 31, 2024.

~~((9))~~ (5) \$10,664,000 of the climate commitment account—state appropriation is provided solely for the department to administer a pilot program to provide grants and technical assistance to support planning, predevelopment, and installation of commercial, dual-use solar power demonstration projects. Eligible grant recipients may include, but are not limited to, nonprofit organizations, public entities, and federally recognized tribes.

~~((10))~~ (6) \$20,592,000 of the climate commitment account—state appropriation is provided solely for the department to administer a grant program to assist owners of public buildings in covering the costs of conducting an investment grade energy audit for those buildings. Public buildings include those owned by state and local governments, tribes, and school districts.

~~((11))~~ (7) (a) \$300,000 of the climate commitment account—state appropriation is provided solely for the department to develop recommendations on a design for a statewide energy assistance program to address the energy burden and provide access to energy assistance for low-income households. The department may contract with a third-party entity to complete the work required in this subsection.

(b) The recommendations must include considerations for data collection on the energy burden and assistance need of households, universal intake coordination and data sharing across statewide programs serving low-income households, program eligibility, enrollment, multilingual services, outreach and community engagement, program administration, funding, and reporting.

(c) By January 1, 2024, the department must submit a report with the recommendations to the appropriate committees of the legislature.

~~((12))~~ (8) \$250,000 of the climate commitment account—state appropriation is provided solely for a grant to a nonprofit for a smart buildings education program to educate building owners and operators about smart building practices and technologies, including the development of onsite and digital trainings that detail how to operate residential and commercial facilities in an energy efficient manner. The grant recipient must be located in a city with a population of more than 700,000 and must serve anyone within Washington with an interest in better understanding energy efficiency in commercial and institutional buildings.

~~((13))~~ (9) \$111,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((14))~~ (10) \$3,152,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((15))~~ (11) \$167,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((16))~~ (12) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to convene stakeholders and plan for a statewide energy rebate navigator aimed at assisting residential and small commercial buildings, with priority for buildings owned or occupied by low-income, Black, indigenous, and people of color and converting overburdened communities to clean energy. Of this amount:

(a) \$50,000 of the climate commitment account—state appropriation is for the department to convene a summit of stakeholders around building energy topics related to the development of a statewide energy rebate navigator, including initial and ongoing guidance regarding program design and implementation. The summit should develop recommendations for the program to improve and grow, addressing gaps in program design and implementation, outreach into overburdened communities, HEAL Act compliance, workforce development issues, and contractor needs.

(b) \$200,000 of the climate commitment account—state appropriation is for statewide rebate navigator evaluation and project planning, which shall include:

(i) Evaluation of how technical assistance can focus on serving Black, indigenous, and people of color, and low-income communities;

(ii) Research of existing data and software solutions the state can leverage to provide a one-stop-shop for energy improvements;

(iii) Evaluation of program delivery models to optimize energy service delivery, including realizing economies of scale and reaching high rates of penetration in overburdened communities, indigenous communities, and communities of color;

(iv) Evaluation and cultivation of potential program implementers who are qualified to deliver navigator program services, including community energy efficiency program grantees; and

(v) Evaluation and cultivation of qualified potential energy services providers, including providers owned by Black, indigenous, and people of color, utility trade ally programs, and weatherization plus health weatherization agencies.

~~((17))~~ (13) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(18))~~ (14) \$93,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(19))~~ (15)(a) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a third-party entity to conduct a study that analyzes how the economic impact of oil refining in Washington state is likely to impact Washington's refineries, refinery workers, and refinery communities. By December 31, 2024, the report must be distributed to the energy and environment committees of the state legislature.

(b) The study required in (a) of this subsection must include:

(i) An overview of Washington's five oil refineries including: Location, age, workforce demographics, direct and indirect jobs connected with the industry, health and environmental impacts, local tax revenues paid by refineries, and primary and secondary products and markets;

(ii) A summary of projected scenarios for Washington refineries' primary markets, taking into account realistic, real world outcomes, given existing mandated decarbonization targets, feedstock availability, and statutes that impact Washington refinery products;

(iii) A summary of anticipated short-term, medium-term, and long-term economic viability of the five Washington oil refineries based on refinery product demand forecasts as outlined in (b)(ii) of this subsection;

(iv) A forecast of direct and indirect effects of the projected petroleum decline, including indirect employment impacts, the geography of those impacts, and impacts to local jurisdictions, utilities, ports, and special purpose districts from reduction in tax revenues, and impacts to local nonprofits and community programs from the refining industry;

(v) An assessment of potential future uses of refinery sites that include energy industrial, nonenergy industrial, heavy manufacturing, and industrial symbiosis, including an assessment of previously closed refinery sites throughout the United States and current use of those sites. Each potential future use shall be assessed and include data regarding: Greenhouse gas emissions, local pollution and environmental health, direct and indirect employment benefits, estimated tax impacts, potential costs to Washington residents, and feasibility based on relevant market trends; and an assessment of previously closed refinery sites throughout the United States and current use of those sites;

(vi) The competitive position of Washington refineries to produce alternative fuels consistent with Washington's emissions reductions defined in RCW 70A.45.020, the anticipated regional, national, and global demand for these fuels between 2023 and 2050; and the likely employment, tax, environmental, cultural, and treaty impacts of refinery conversion to these alternative fuels;

(vii) An identification of refinery workers' skillsets, potential alternative sectors and industries of employment, an assessment and comparison of total compensation and benefit packages including retirement and health care programs of current and alternative jobs, impacts to apprenticeship utilization, and the current and expected availability of those jobs in Pierce, Skagit, and Whatcom counties;

(viii) A land and water remediation analysis; including cost estimates, current terrestrial and aquatic pollution mapping, an overview of existing policies and regulations that determine accountability for cleanup and identifies gaps that may leave local and state taxpayers financially liable, and an assessment of the workforce and skills required for potential cleanup;

(ix) A summary of existing petroleum refining capacity and trends in Washington, the United States, and internationally; and

(x) An assessment of decline or loss of tax revenues supporting state environmental programs including the model toxics control act, the pollution liability insurance agency, and other programs, as well as the decline or loss of transportation gas tax revenues.

(c) The department may require data and analysis from refinery owners and operators to inform the study. Pursuant to RCW 42.56.270, data shared or obtained in the course of this study is not subject to public disclosure. Where unavailable, the department and entity commissioned to complete the study shall rely on the best available public data.

(d) The study must include a robust public engagement process including local and state elected officials, labor groups, fence line communities, port districts, economic development associations, and environmental organizations in Skagit, Whatcom, and Pierce counties, and the five Washington refineries.

(e) The department must offer early, meaningful, and individual consultation with any affected Indian tribe for the purpose of understanding potential impacts to tribal rights and resources including cultural resources, archaeological sites, sacred sites, fisheries, and human health.

~~((21))~~ (16) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

(22)) (17) \$1,000,000 of the climate commitment account—state appropriation is provided solely for a grant to the Yakama Nation for an advanced rail energy storage project.

(18) \$800,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely to contract with a nonprofit entity to serve as a Washington state green bank. The funds are to be used to match federal funds available for green bank development to support development of sustainable and clean energy financing solutions within Washington.

(19) (a) \$1,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to build an internet web portal that provides a centralized location for grant seekers to find all state and federal grant and incentive opportunities in the energy, climate, and clean technology sectors. The portal shall include, but is not limited to, an interactive internet website that is launched to include, at a minimum, information identifying every grant administered by the state and incentive opportunities that will provide clean energy and climate assistance. The department, in consultation with the governor's office, shall ensure that the internet website is accessible and provides helpful information to a diverse set of potential applicants including, but not limited to, nonprofit and community-based organizations, and other entities that are working to support and benefit tribes, rural communities, and vulnerable and overburdened communities.

(b) Within the amounts provided in (a) of this subsection, the department must establish a marketing and outreach campaign that makes information about funding opportunities widely available and easy to understand, encouraging more people and organizations to participate. The department shall work with consultants and third-party administrators to identify a range of groups including tribes, vulnerable and overburdened communities, rural communities, local governments, businesses of all sizes, households, nonprofits, educational institutions, and the clean energy developers and clean tech manufacturers that would benefit from state and federal funding available for clean energy projects. The campaign shall include a comprehensive marketing and outreach strategy, using various ways to communicate, ensuring all materials are clear, simple, and available in multiple languages, and employing best practices for communicating with diverse and underserved communities. The department, along with selected partners and third-party administrators, shall work with organizations directly serving these communities to extend the reach of these communications, with a goal of directing at least 25 percent of the marketing and outreach funds expended to benefit vulnerable populations in overburdened communities.

(20) (a) \$5,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to administer a program to assist community-based organizations, local governments, ports, tribes, and other entities to access federal tax incentives and grants. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit organizations, and for-profit businesses. The department shall prioritize assistance that benefits vulnerable populations in overburdened communities, with a goal of directing at least 25 percent of funds to this purpose.

(b) Within the amounts provided in (a) of this subsection, the department must contract with a nonprofit organization to provide the following services:

(i) Development of tax guidance resources for clean energy tax credits, including core legal documents to be used broadly across stakeholders;

(ii) Providing tailored marketing materials for these resources targeting underserved entities; and

(iii) Providing funds to subcontract with clean energy tax attorneys to pilot office hours style support available to eligible entities across the state.

(21) (a) \$2,500,000 of the climate commitment account—state appropriation is provided solely for the department to support a tribal clean energy innovation and training center in partnership and collocated at Northwest Indian College. The center aims to support tribal energy goals and pursue clean energy deployment opportunities that enhance tribal energy sovereignty and well-being among tribes.

(b) Activities of the center include, but are not limited to: (i) Developing technical training offerings that could build the tribal workforce pipeline, especially in emerging technologies like geothermal heat pumps and hydrogen technologies, and provide economic development opportunities and resources to the region; (ii) researching and demonstrating the feasibility of innovative clean energy technologies that protect the environment; and (iii) creating a model for tribal clean energy centers that can be adopted by other tribal colleges in the region to establish clean energy deployment and land use best practices built on tribal knowledge.

(22) \$3,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to administer a grant program to assist community-based organizations, local governments, ports, tribes, and other entities to author federal grant applications and to provide support for federal grant reporting for entities that receive federal grants. The department will determine a process for prioritizing applicants, including first time or underserved applicants, tribes, and rural areas of the state. The state may also partner with third-party administrators and regional and local partners, such as associate development organizations and other local nonprofits to ensure equitable access to resources. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit

organizations, and for-profit businesses. The department shall prioritize grants that provide benefit to vulnerable populations in overburdened communities, with a goal of directing at least 25 percent of funds to this purpose.

(23) \$539,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to develop plans to test hydrogen combustion and resulting nitrogen oxides (NOx) emissions, technical assistance for strategic end uses of hydrogen, a feasibility assessment regarding underground storage of hydrogen in Washington, and an environmental justice toolkit for hydrogen projects.

(24) \$3,500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide and facilitate access to energy assistance programs, including incentives, energy audits, and rebate programs to retrofit homes and small businesses.

(25) \$750,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide technical assistance and education materials to help counties establish effective commercial property assessed clean energy and resiliency (C-PACER) programs.

(26) \$3,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to establish a Washington clean energy ambassadors program as a part of the clean energy community decarbonization expansion of the clean energy fund. This program will offer education, planning, technical assistance, and community engagement across the state. Ambassadors will link local entities with resources and best practices to enable clean energy access for all communities and promote a just transition to a net-zero economy. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined under RCW 70A.02.010. This program must:

(a) Identify a pilot cohort of intermediary organizations;

(b) Recruit and train clean energy ambassadors;

(c) Host community energy and resilience educational events and workshops; and

(d) Provide technical assistance to help governments, community-based organizations, businesses, and communities obtain clean energy resources.

(27) \$150,000,000 of the climate commitment account—state appropriation is provided solely for the department to provide grants for public and private electric utilities to provide one-time bill rebates for low-income and moderate-income residential electricity customers in the amount of \$200 per household. Funding shall be prioritized for customers that have participated in the low-income home energy assistance program or ratepayer-funded assistance programs. Utilities may, but are not required to, work with community action agencies to administer these funds following the eligibility criteria for the low-income home energy assistance program. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Each utility shall disburse funds directly to customer accounts by December 31, 2024, and adhere to program communications guidelines provided by the department. Utilities may account for and recover in rates administrative costs associated with the disbursement of funds provided in this subsection.

(28) \$350,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the authority to contract with Tacoma power, to conduct a feasibility study, including scoping project costs, on pumped storage at Tacoma power's Mossyrock dam. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(29) \$1,000,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide grants to the following public utility districts for the costs of relocating utilities necessitated by fish barrier removal projects: Clallam, Grays Harbor, Jefferson, Kittitas, Mason public utility district no. 1, Mason public utility district no. 2, Skagit, and Thurston.

(30) \$182,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for wildfire recovery costs from the Gray wildfire that impacted the city of Medical Lake. Recovery costs include procurement of water for firefighting, restoration of water and sewer infrastructure, replacement of water meters, emergency sewer capping, and various other costs associated with wildfire recovery.

(31) \$250,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide a grant to a nonprofit entity that represents the maritime industry to publish a strategic framework regarding the production, supply, and use of sustainable maritime fuels and deployment of low and zero-emissions vessel technologies in Washington. Funding under this subsection may be used for activities including, but not limited to, convening stakeholders and building organizational capacity. Stakeholder engagement pursuant to this subsection shall include, at a minimum, engagement with federal and state agencies, ports, industry, labor, research institutions, nongovernmental organizations, and relevant federally recognized tribes. The department shall submit a copy of its strategic framework and findings to the legislature in accordance with RCW 43.01.036 by June 30, 2025.

(32) \$500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide a grant to the Muckleshoot Indian tribe for high-speed charging stations for electric vehicles on highway 164 near Dogwood street.

(33) \$150,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to the smart building center education

program to develop a qualified energy manager training program. The program must be available on demand and at no cost to the owners and operators of all tier 2 buildings to assist in complying with Washington's clean buildings performance standards.

(34) \$150,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to conduct up to three feasibility studies that will investigate the expansion of sewer heat recovery programs and pilots, within Washington state, to support decarbonization of the built environment. The feasibility studies will explore and review sewer heat recovery systems' potential benefits, implementation strategies, and necessary considerations to maximize decarbonization. The sites will be selected from the following: Decarbonization of a university campus district steam system, a rural community with agricultural and/or industrial focus, a tribal development, and/or another appropriate site.

(35) (a) \$500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to establish the Washington just and rapid transition climate tech program. The grant will provide funding for the recruitment, development, business training, and support of underserved climate technology innovators, entrepreneurs, and organizations developing or deploying solutions in the areas of renewable energy, energy efficiency, sustainable transportation, and other technology solving for the environmental challenges facing overburdened communities in Washington.

(b) Activities may include supporting entrepreneurs in preparing for private investment; technical assistance for entrepreneurs receiving state directed federal equity and debt capital; assistance accessing or leveraging the use of federal funding; business coaching and mentoring; and connections to technical and business resources.

(c) The grant recipient must be a nonprofit organization that has been awarded, from the state of Washington, federal state small business credit initiative funds for investment in Washington climate tech entrepreneurs, and must also have experience managing investment funding and providing entrepreneurial support programs and federal funding assistance to early-stage climate start-ups and businesses based in Washington. The grant recipient should have experience providing services to individuals and companies led by individuals from underrepresented groups, including BIPOC, women, and individuals residing in rural communities and have working partnerships with state research universities, climate tech industry associations, and community-based organizations serving underserved communities.

(36) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide a grant for a study on how other states regulate and permit agritourism and bring the advocates of interested groups together to resolve outstanding issues about permitting in agricultural areas, the sale of beer, wine, and cider, and the use of agricultural buildings for agritourism purposes. A report of the findings and recommendations must be submitted to the legislature in accordance with RCW 43.01.036 by June 30, 2025.

(37) \$750,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to the city of Ellensburg for decarbonization planning and implementation. The funding must be used by the city for staff or contractors to develop and implement strategies to comply with the requirements of climate commitment act and decarbonize their natural gas utility.

(38) \$199,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 131.** 2023 c 475 s 133 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$26,300,000 ))
	\$24,848,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$18,107,000 ))
	\$19,893,000
General Fund—Federal Appropriation . . . . .	(( \$7,822,000 ))
	\$7,875,000
General Fund—Private/Local Appropriation . . . . .	(( \$2,055,000 ))
	\$2,073,000
Dedicated Cannabis Account—State Appropriation (FY 2024) . . . . .	\$5,000
Dedicated Cannabis Account—State Appropriation (FY 2025) . . . . .	\$7,000
Affordable Housing for All Account—State Appropriation . . . . .	(( \$184,000 ))
	\$186,000
Building Code Council Account—State Appropriation . . . . .	\$4,000
Climate Commitment Account—State Appropriation . . . . .	\$253,000
Community and Economic Development Fee Account—State Appropriation . . . . .	(( \$241,000 ))
	\$246,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation . . . . .	\$300,000
Economic Development Strategic Reserve Account—State	



Appropriation. . . . .	\$47,000
Energy Efficiency Account—State Appropriation. . . . .	\$20,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation. . . . .	\$47,000
Growth Management Planning and Environmental Review Fund—State Appropriation. . . . .	\$147,000
Home Security Fund Account—State Appropriation. . . . .	(\$1,401,000)
	<u>\$1,413,000</u>
Lead Paint Account—State Appropriation. . . . .	\$29,000
Liquor Excise Tax Account—State Appropriation. . . . .	\$398,000
Liquor Revolving Account—State Appropriation. . . . .	\$17,000
Low-Income Weatherization and Structural Rehabilitation Assistance Account—State Appropriation. . . . .	\$10,000
Public Facilities Construction Loan Revolving Account—State Appropriation. . . . .	(\$320,000)
	<u>\$323,000</u>
Public Works Assistance Account—State Appropriation. . . . .	(\$2,005,000)
	<u>\$2,016,000</u>
Washington Housing Trust Account—State Appropriation. . . . .	(\$1,141,000)
	<u>\$1,155,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(\$60,307,000)</b>
	<u><b>\$61,312,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants and associated technical assistance and administrative costs to foster collaborative partnerships that expand child care capacity in communities. Eligible applicants include nonprofit organizations, school districts, educational service districts, and local governments. These funds may be expended only after the approval of the director of the department of commerce and must be used to support planning and activities that help communities address the shortage of child care, prioritizing partnerships serving in whole or in part areas identified as child care access deserts. The department must submit a report to the legislature on the use of funds by June 30, 2025. The report shall include, but is not limited to:

(a) The number and location of organizations, school districts, educational service districts, and local governments receiving grants;  
 (b) The number of grants issued and their size; and  
 (c) Any information from grantee organizations on outcomes.

(2) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Vancouver that is the lead organization in a collaborative partnership to expand child care capacity in southwest Washington, for activities that will increase access to affordable, high-quality child care and help meet community needs.

(3) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the work group created in section 916 of this act to examine fire service delivery.

(4)(a) \$30,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to produce a study of the retirement preparedness of Washington residents and the feasibility of establishing a portable individual retirement account savings program with automatic enrollment (auto-IRA) for private sector workers who do not have workplace retirement benefits. To conduct the study, the department shall enter into an agreement with a nonprofit, nonpartisan think tank and research center based in Washington, D.C. that is unaffiliated with any institution of higher education and with a mission to generate a foundation of facts that enriches the public dialog and supports sound decision making. This research center will be responsible for the production of the study to the department. The center shall not be reimbursed for costs nor shall it receive or retain any of the funds. With the advice and consent of the department, the center may select a research institution, entity, or individual located in Washington state with expertise and proficiency in demographic analysis, retirement systems, or retirement planning to collaborate with on this study. The appropriation may be used by the department to enter into a contract with this partner entity for the partner entity's contributions to the study. Any funds not provided to the partner entity or otherwise unused shall be returned.

(b) The study must analyze current state and federal programs and recent state and federal statutory and rule changes that encourage citizens to save for retirement by participating in retirement savings plans, including plans pursuant to sections 401(k), 403(b), 408, 408(a), 408(k), 408(p), and 457(b) of the internal revenue code. The scope of the analysis must include:

(i) An examination of potential retirement savings options for self-employed individuals, part-time employees, and full-time employees whose employers do not offer a retirement savings plan;

(ii) Estimates of the impact on the state budget from shortfalls in retirement savings or income, including on public budgets from taxpayer-financed elderly assistance programs and a loss of economic activity by seniors;

(iii) The level of interest by private sector Washington employers in participating in an auto-IRA program;

(iv) A determination of how prepared financial institutions will be to offer these plans in compliance with federal requirements on all new retirement plans going into effect in 2025;

(v) Findings that clarify the gaps in retirement savings services currently offered by financial institutions;

(vi) An examination of the impact of retirement savings on income and wealth inequality;

(vii) An estimate of the costs to start up an auto-IRA program, an estimate of the time for the program to reach self-sufficiency, and potential funding options;

(viii) The experience of other states that have implemented or are implementing a similar auto-IRA program for employers and employees, as well as program impacts on the market for retirement plan products and services;

(ix) An evaluation of the feasibility and benefits of interstate partnerships and cooperative agreements with similar auto-IRA programs established in other jurisdictions, including contracting with another state to use that state's auto-IRA program, partnering with one or more states to create a joint auto-IRA program, or forming a consortium with one or more other states in which certain aspects of each state's auto-IRA program are combined for administrative convenience and efficiency;

(x) An assessment of potential changes in enrollment in a joint auto-IRA program if potential participants are concurrently enrolled in the federal "saver's credit" program;

(xi) An assessment of how a range of individuals or communities view wealth, as well as ways to accumulate assets;

(xii) The appropriate state agency and potential structure for implementing an auto-IRA program; and

(xiii) Recommendations for statutory changes or appropriations for establishing an auto-IRA program.

(c) By December 15, 2023, the department must submit a report to the appropriate committees of the legislature in compliance with RCW 43.01.036 on the study findings.

(5) \$253,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided for the department to incorporate equity and environmental justice into agency grant programs with the goal of reducing programmatic barriers to vulnerable populations in overburdened communities in accessing department funds. The department shall prioritize grant programs receiving funds from the accounts established under RCW 70A.65.080, 70A.65.240, 70A.65.250, and 70A.65.260.

**Sec. 132.** 2023 c 475 s 134 (uncodified) is amended to read as follows:

**FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$973,000 ))
	<u>\$1,155,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$1,040,000 ))
	<u>\$1,027,000</u>
Lottery Administrative Account—State Appropriation . . . . .	\$50,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$2,063,000 ))</b>
	<u><b>\$2,232,000</b></u>

**Sec. 133.** 2023 c 475 s 135 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$19,943,000 ))
	<u>\$19,813,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$21,286,000 ))
	<u>\$21,843,000</u>
General Fund—Federal Appropriation . . . . .	\$38,384,000
General Fund—Private/Local Appropriation . . . . .	(( \$1,499,000 ))
	<u>\$3,943,000</u>
Climate Investment Account—State Appropriation . . . . .	(( \$909,000 ))
	<u>\$811,000</u>
Climate Commitment Account—State Appropriation . . . . .	\$4,485,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation . . . . .	\$656,000
<del>((Economic Development Strategic Reserve Account—State Appropriation . . . . .</del>	<del>\$68,000))</del>
Personnel Service Account—State Appropriation . . . . .	(( \$26,815,000 ))
	<u>\$27,021,000</u>
Higher Education Personnel Services Account—State Appropriation . . . . .	\$1,497,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation . . . . .	\$300,000
Statewide Information Technology System Development Revolving Account—State Appropriation . . . . .	(( \$105,745,000 ))

\$200,453,000

Office of Financial Management Central Service	
Account—State Appropriation. . . . .	(( <del>\$30,929,000</del> ))
	<u>\$31,786,000</u>
<del>((Performance Audits of Government Account—</del>	
<del>State Appropriation. . . . .</del>	<del>\$108,000</del>
<del>Workforce Education Investment Account—State</del>	
<del>Appropriation. . . . .</del>	<del>\$100,000))</del>
TOTAL APPROPRIATION. . . . .	<del>((<del>\$252,724,000</del>))</del>
	<u>\$350,992,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) The student achievement council and all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW shall ensure that data needed to analyze and evaluate the effectiveness of state financial aid programs are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

- (i) The number of Washington college grant and college bound recipients;
- (ii) Persistence and completion rates of Washington college grant recipients and college bound recipients, disaggregated by institution of higher education;
- (iii) Washington college grant recipients grade point averages; and
- (iv) Washington college grant and college bound scholarship program costs.

(b) The student achievement council shall submit student unit record data for state financial aid program applicants and recipients to the education data center.

(2) ~~((~~\$100,000~~ of the workforce education investment account state appropriation is provided solely to the office of financial management to implement career connected learning.~~

~~(3))~~ (a) ~~((~~\$105,607,000~~))~~ \$200,312,000 of the information technology system development revolving account—state appropriation is provided solely for the one Washington enterprise resource planning statewide program phase 1A (agency financial reporting system replacement) and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(b) Of the amount provided in this subsection:

(i) ~~((~~\$41,000,000~~))~~ \$64,780,000 of the information technology system development revolving account—state appropriation is provided solely for a technology pool ~~((in fiscal year 2024))~~ to pay for phase 1A (agency financial reporting system replacement—core financials) state agency costs due to legacy system remediation work associated with impacted financial systems and interfaces. The office of financial management must manage the pool, authorize funds, track costs by agency by fiscal month, and report after each fiscal month close on the agency spending to the consolidated technology services agency so that the spending is included in the statewide dashboard actual spending;

(ii) \$5,650,000 of the information technology system development revolving account—state appropriation is provided solely for organizational change management;

(iii) ~~((~~\$690,000~~))~~ \$1,380,000 of the information technology system development revolving account—state appropriation is provided solely for an interagency agreement ~~((in fiscal year 2024))~~ with consolidated technology services for one dedicated information technology consultant and two dedicated system architect staff to be contracted from the office of the chief information officer. These staff will work with state agencies to ensure preparation and timely decommission of information technology systems that will no longer be necessary post implementation of phase 1A (agency financial reporting system replacement—core financials); and

(iv) \$1,854,000 of the information technology system development revolving account—state appropriation is provided solely for dedicated back office administrative support in fiscal year 2024. This includes resources for human resource staff, contract staff, information technology staff, and fiscal staff.

(c) The one Washington team must include at least the chair and ranking member of the technology committees and fiscal committees of the senate and house of representatives in system demonstrations of at least these key deliverables:

- (i) Demonstration of integration build, which must be completed by July 31, 2023; and
- (ii) Demonstration of workday tenant, which must be completed by November 30, 2023.

(d) The one Washington solution and team must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of two-week sprints.

(e) The one Washington solution must be capable of being continually updated, as necessary.

(f) Beginning July 1, 2023, the office of financial management shall provide written quarterly reports, within 30 calendar days of the end of each fiscal quarter, to legislative fiscal committees and the legislative evaluation and accountability program committee to include how funding was spent compared to the budget spending plan for the prior quarter by fiscal month and what the ensuing quarter budget will be by fiscal month. All reporting must be separated by phase of one Washington subprojects. The written report must also include:

- (i) A list of quantifiable deliverables accomplished and amount spent associated with each deliverable, by fiscal month;

(ii) A report on the contract full-time equivalent charged compared to the budget spending plan by month for each contracted vendor, to include interagency agreements with other state agencies, and what the ensuing contract equivalent budget spending plan assumes by fiscal month;

(iii) A report identifying each state agency that applied for and received technology pool resources, the staffing equivalent used, and the cost by fiscal month by agency compared to the budget spending plan by fiscal month;

(iv) A report on budget spending plan by fiscal month by phase compared to actual spending by fiscal month, and the projected spending plan by fiscal month for the ensuing quarter; and

(v) A report on current financial office performance metrics that at least 10 state agencies use, to include the monthly performance data, that began July 1, 2021.

(g) Prior to the expenditure of the amounts provided in this subsection, the director of the office of financial management must review and approve the spending in writing.

(h) The legislature intends to provide additional funding for fiscal year 2025 costs for phase 1A (agency financial reporting system replacement) to be completed, which is scheduled to be done by June 30, 2025.

~~((4))~~ (3) \$250,000 of the office of financial management central services account—state appropriation is provided solely for a dedicated information technology budget staff for the work associated with statewide information technology projects that at least are subject to the conditions, limitations, and review requirements of section 701 of this act and are under the oversight of the office of the chief information officer. The staff will be responsible for providing a monthly financial report after each fiscal month close to fiscal staff of the senate ways and means and house appropriations committees to reflect at least:

(a) Fund balance of the information technology pool account after each fiscal month close;

(b) Amount by information technology project, differentiated if in the technology pool or the agency budget, of what funding has been approved to date and for the last fiscal month;

(c) Amount by agency of what funding has been approved to date and for the last fiscal month;

(d) Total amount approved to date, differentiated if in the technology pool or the agency budget, and for the last fiscal month;

(e) A projection for the information technology pool account by fiscal month through the 2023-2025 fiscal biennium close, and a calculation spent to date as a percentage of the total appropriation;

(f) A projection of each information technology project spending compared to budget spending plan by fiscal month through the 2023-2025 fiscal biennium, and a calculation of amount spent to date as a percentage of total project cost; and

(g) A list of agencies and projects that have not yet applied for nor been approved for funding by the office of financial management.

~~((5))~~ (4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 245, Laws of 2022 (state boards, etc./stipends).

~~((6) \$137,000)~~ (5) \$39,000 of the climate investment account—state appropriation is provided solely for the office of financial management to complete an analysis of laws regulating greenhouse gas emissions as required by RCW 70A.65.200(10).

~~((7))~~ (6) \$3,060,000 of the general fund—federal appropriation and \$4,485,000 of the climate commitment account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ A minimum of 60 percent of climate service corps positions created pursuant to the bill shall be provided to members of vulnerable populations in overburdened communities as defined in RCW 70A.65.010, the climate commitment act.

~~((8))~~ (7) \$366,000 of the office of financial management central services account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5512 (higher ed. financial reports). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~((9))~~ (8) Within existing resources, the labor relations section shall produce a report annually on workforce data and trends for the previous fiscal year. At a minimum, the report must include a workforce profile; information on employee compensation, including salaries and cost of overtime; and information on retention, including average length of service and workforce turnover.

~~((10))~~ (9) \$298,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of financial management to convene a task force created in section 913 of this act to identify, plan, and make recommendations on the conversion of the Naselle youth camp property and facilities to an alternate use. Staff support for the task force must be provided by the office of financial management.

~~((11))~~ (10) Within existing resources, the office of financial management shall convene a work group with the goal to improve the state salary survey and provide employees with a voice in the process. The work group shall consist of five employees from the office of financial management, five representatives from employee labor organizations to act as a coalition on behalf of all labor organizations representing state employees, and one chairperson appointed by the director of the office of financial management, to share information and identify concerns with the state salary survey and benchmark job descriptions. By December 31, 2023, the work group shall provide a report of identified

concerns to the fiscal and state government committees of the legislature and the director of the office of financial management.

~~((+12+))~~ (11) (a) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$615,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to establish a difficult to discharge task force to oversee a pilot program and make recommendations about how to address challenges faced with discharging patients from acute care settings and postacute care capacity by July 1, 2023.

(b) The task force shall consist of six members, one from each of the following:

- (i) The governor's office;
- (ii) The health care authority;
- (iii) The department of social and health services;
- (iv) The Washington state hospital association;
- (v) Harborview medical center; and
- (vi) Postacute care provider organizations.

(c) In consultation with stakeholder groups, the governor's office will identify task force members.

(d) The task force shall provide recommendations to the governor and appropriate committees of the legislature on topics including, but not limited to:

(i) Pilot program implementation and evaluation, and recommendations for statewide implementation;

- (ii) Available funding mechanisms;
- (iii) Postacute care and administrative day rates;
- (iv) Managed care contracting; and
- (v) Legal, regulatory, and administrative barriers to discharge.

(e) The task force shall consult with stakeholders with relevant expertise to inform recommendations, including the health care authority, the department of social and health services, hospitals, postacute care providers, and medicaid managed care organizations.

(f) The task force may assemble ad hoc subgroups of stakeholders as necessary to complete its work.

(g) The task force and its operations, including any associated ad hoc subgroups, shall be organized and facilitated by the University of Washington through October 31, 2023. Beginning November 1, 2023, the office shall identify a contractor to undertake the following responsibilities, with oversight from the task force:

- (i) Organization and facilitation of the task force, including any associated subgroups;
- (ii) Management of task force process to ensure deliverables, including report writing;
- (iii) Oversight of the launch of a ~~((five-site,))~~ two-year pilot project based on a model created by Harborview medical center by November 1, 2023; and
- (iv) Coordination of pilot implementation, associated reports, and deliverables.

(h) The task force shall provide recommendations to the governor and appropriate committees of the legislature outlining its initial recommendations by November 1, 2023. A report outlining interim recommendations and findings shall be provided by July 1, 2024, and a final report shall be provided by July 1, 2025.

~~((+13+))~~ (12) \$277,000 of the office of financial management central services account—state appropriation is provided solely for implementation of House Bill No. 1679 (student homelessness group). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~((+14+))~~ (13) \$772,000 of the climate investment account—state appropriation is provided solely for the office to develop a data portal and other materials and strategies to improve public and community understanding of expenditures, funding opportunities, and grants, from climate commitment act accounts. The development of the data portal must be coordinated with the department of ecology and the expenditure tracking process described in section 302(13) of this act. "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, the air quality and health disparities improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

~~((+15+))~~ (14) (a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a joint legislative and executive committee on behavioral health, with members as provided in this subsection:

(i) The president of the senate shall appoint three legislative members, including a chair of a senate committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(ii) The speaker of the house of representatives shall appoint three legislative members, including a chair of a house committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(iii) The governor or his or her designee;

(iv) The secretary of the department of social and health services or his or her designee;

(v) The director of the health care authority or his or her designee;

(vi) The insurance commissioner or his or her designee;

(vii) The secretary of the department of health or his or her designee; and

(viii) The secretary of the department of children, youth, and families or his or her designee;

(ix) Other agency directors or designees as necessary; and

(x) Two individuals representing the interests of individuals living with behavioral health conditions.

(b)(i) The committee must convene by September 1, 2023, and shall meet at least quarterly. Cochairs shall be one legislative member selected by members of the committee at the first meeting and the representative of the governor's office. All meetings are open to the public.

(ii) The office of financial management shall contract or hire dedicated staff to facilitate and provide staff support to the nonlegislative members and for facilitation and project management support of the committee. Senate committee services and the house of representatives office of program research shall provide staff support to the legislative members of the committee. The contractor shall support the work of all members of the committee, legislative and nonlegislative.

(iii) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate.

(c) The purpose of the committee is to identify key strategic actions to improve access to behavioral health services, by conducting at least, but not limited to, the following tasks:

(i) Establishing a profile of Washington's current population and its behavioral health needs and a projection of population growth and anticipated need through 2028;

(ii) Establishing an inventory of existing and anticipated behavioral health services and supports for adults, children, and youth, including health care providers and facilities;

(iii) Assessing the areas of the current system where additional support is needed for Washington's current population;

(iv) Establishing an anticipated inventory of future services and supports that will be required to meet the behavioral health needs of the population in 2028 and beyond with a specific emphasis on prevention, early intervention, and home or community-based capacity designed to reduce reliance on emergency, criminal legal, crisis, and involuntary services;

(v) Reviewing the integrated care initiative on access to timely and appropriate behavioral health services for individuals with acute behavioral health needs; and

(vi)(A) Developing a strategy of actions that the state may take to prepare for the future demographic trends in the population and building the necessary capacity to meet these demands, including but not limited to:

(I) Exploring the role that education, housing and homelessness response systems, the criminal legal system, primary health care, and insurance systems have in the identification and treatment of behavioral health issues;

(II) Evaluating behavioral health workforce demand and workforce education, training, and continuing education requirements; and

(III) Statutory and regulatory changes to promote the most efficient use of resources, such as simplifying administrative procedures, facilitating access to services and supports systems, and improving transitions between care settings.

(B) Strategies must:

(I) Be based on explicit and measurable actions;

(II) Identify what must be done, by whom, and by when to assure implementation;

(III) Estimate a cost to the party responsible for implementation;

(IV) Recommend specific fiscal strategies that rely predominately on state and federal funding;

(V) Include recommendations for needed and appropriate additional caseload forecasting for state-funded behavioral health services; and

(VI) Incorporate and reconcile, where necessary, recommendations from past and current behavioral health work groups created by the legislature and network adequacy standards established by the health care authority.

(d) The committee shall incorporate input from the office of the insurance commissioner, the caseload forecast council, the health care authority, and other appropriate entities with specialized knowledge of the needs and growth trends of the population and people with behavioral health issues. In the conduct of its business, the committee shall have access, upon request, to health-related data available to state agencies by statute, as allowed by state and federal law. All requested data or other relevant information maintained by an agency shall be provided in a timely manner.

(e) The committee shall submit a sustainable five-year plan to substantially improve access to behavioral health for all Washington residents to the governor, the office of financial management, and the legislature by June 1, 2025.

~~((16))~~ (15) The office of financial management must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((17))~~ (16) \$300,000 of the statewide 988 behavioral health crisis response and suicide prevention line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(17) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the purchase and distribution of accessible technology and devices to support the

employment and reasonable accommodation for state employees with disabilities. The office may use funds to purchase accessible technology and devices or the office may provide funds to agencies that employ persons with a disability to purchase accessibility devices such as screen readers, large button/print equipment, magnifiers, accessibility software, and other equipment.

(18) (a) \$274,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to conduct an analysis of health care services for pregnancy-related health care, including preconception, prenatal, labor and delivery, and postpartum care. With regard to these types of services, the analysis shall include, but not be limited to:

- (i) Access to services and disparities in access;
- (ii) Cost;
- (iii) Location and type of provider; and
- (iv) Demographics of patients and providers.

(b) The office of financial management shall submit a report to the governor and the appropriate committees of the legislature by June 30, 2025. The report shall include the analysis in (a) of this subsection and must identify and represent the following information in both table and geographical map view:

- (i) Community and hospital birth centers by name, city, and county;
- (ii) Annual births by geographical location to include community and hospital birth center, if known;
- (iii) Greatest gaps in service using data in this subsection.

(c) The report required in (b) of this subsection must also include any recommendations for how to fill the gaps in service identified in the data and any recommendations for future analysis.

(19) \$298,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to convene a task force created in section 905 of this act to identify, plan, and make recommendations on the future use of the Larch corrections center property and facilities to an alternate use. Staff support for the task force must be provided by the office of financial management.

(20) (a) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a third party to complete market research on incarcerated individual communication rates in the United States. The market research must include:

(i) Detail by state on the amount each state pays to the vendor contracted to provide communication service rates and rate structures for incarcerated individuals at discrete points of time to include, at least, January 1, 2024, January 1, 2020, and January 1, 2015 for, at least but not limited to:

- (A) Voice communication;
- (B) Video communication;
- (C) Email communication; and
- (D) Text messaging communication;

(ii) The amount families paid in total for a state's contracted telecom vendor each state fiscal year for at least fiscal years 2018, 2019, 2020, 2021, 2022, and 2023;

(iii) Comparative market research analysis on rate structures over time, how those rates compare to the telecommunication fees over the same time, and how the market is anticipated to change by calendar year from calendar year 2024 through calendar year 2030;

(iv) Analysis on how many states provide at least voice communication services or any other communication services free of charge to the person initiating and the person receiving the communication and what calendar date that began; and

(v) Comparative analysis of any impacted rate structures, and at least those in (a) (i) of this subsection, before communication services are made free of charge to the person initiating and the person receiving the communication compared to the new negotiated rate structures, and at least those in (a) (i) of this subsection, after communication services are made free of charge to the person initiating and the person receiving the communication.

(b) The report must be submitted to the governor and the appropriate committees of the legislature by December 31, 2024.

**Sec. 134.** 2023 c 475 s 136 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

Administrative Hearings Revolving Account—State	
Appropriation. . . . .	(((\$72,194,000))
	\$76,179,000
Administrative Hearings Revolving Account—Local	
Appropriation. . . . .	\$12,000
TOTAL APPROPRIATION.....	(((\$72,206,000))
	\$76,191,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$597,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(2) \$80,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5225 (working conn. child care). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(3) \$34,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(4) \$61,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(5) \$2,487,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

**Sec. 135.** 2023 c 475 s 137 (uncodified) is amended to read as follows:  
**FOR THE WASHINGTON STATE LOTTERY**

Lottery Administrative Account—State Appropriation. . . . .	(( <del>\$32,896,000</del> ))
	<u>\$32,906,000</u>
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$32,896,000</del>))</b>
	<b><u>\$32,906,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1) No portion of this appropriation may be used for acquisition of gaming system capabilities that violate state law.

(2) Pursuant to RCW 67.70.040, the commission shall take such action necessary to reduce retail commissions to an average of 5.1 percent of sales.

**Sec. 136.** 2023 c 475 s 138 (uncodified) is amended to read as follows:  
**FOR THE COMMISSION ON HISPANIC AFFAIRS**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$1,494,000</del> ))
	<u>\$1,495,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$1,347,000</del> ))
	<u>\$1,346,000</u>
<b>TOTAL APPROPRIATION.</b> .....	<b>\$2,841,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Hispanic and Latinx students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to gang youth intervention specialists for a pilot program within high schools in Washington. Grants may be provided without using a competitive selection process.

**Sec. 137.** 2023 c 475 s 139 (uncodified) is amended to read as follows:  
**FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$660,000</del> ))
	<u>\$661,000</u>
General Fund—State Appropriation (FY 2025). . . . .	\$662,000
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$1,322,000</del>))</b>
	<b><u>\$1,323,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for African American and Black students;



(ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators, as identified in the state's every student succeeds act consolidated plan; and

(iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

**Sec. 138.** 2023 c 475 s 140 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS**

General Fund—State Appropriation (FY 2024) . . . . .	\$387,000
Department of Retirement Systems Expense Account—	
State Appropriation . . . . .	(( <del>\$115,088,000</del> ))
	<u>\$116,700,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$115,475,000</del>))</b>
	<b><u>\$117,087,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$34,491,000 of the department of retirement systems expense account—state appropriation is provided solely for pension system modernization, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$143,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1007 (military service credits). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$1,172,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5538 (postretirement nursing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$1,058,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1056 (postretirement employment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$199,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1055 (public safety telecommunicators). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$536,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1481 (tribal peace officers/LEOFF). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~(7) \$116,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

~~(8) \$265,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6197 (LEOFF plan 2 provisions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

**Sec. 139.** 2023 c 475 s 141 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF REVENUE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$427,926,000</del> ))
	<u>\$358,211,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$436,344,000</del> ))
	<u>\$395,095,000</u>
Climate Commitment Account—State Appropriation . . . . .	\$895,000
Timber Tax Distribution Account—State Appropriation . . . . .	(( <del>\$8,095,000</del> ))
	<u>\$8,099,000</u>
Business License Account—State Appropriation . . . . .	(( <del>\$19,774,000</del> ))
	<u>\$19,790,000</u>
Waste Reduction, Recycling, and Litter Control	
Account—State Appropriation . . . . .	\$183,000
Model Toxics Control Operating Account—State	
Appropriation . . . . .	\$127,000
Financial Services Regulation Account—State	
Appropriation . . . . .	\$5,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$898,344,000</del>))</b>
	<b><u>\$787,400,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,669,000 of the general fund—state appropriation for fiscal year 2024 and \$1,661,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 196, Laws of 2021 (capital gains tax).

(2) ~~(((\$251,639,000))~~\$181,639,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$263,768,000))~~\$221,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 195, Laws of 2021 (working families tax exempt.). Of the total amounts provided in this subsection:

(a) \$16,639,000 of the general fund—state appropriation for fiscal year 2024 and \$15,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administration of the working families tax exemption program; and

(b) ~~(((\$235,000,000))~~\$165,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$248,000,000))~~\$206,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for remittances under the working families tax exemption program.

(3) \$2,408,000 of the general fund—state appropriation for fiscal year 2024, \$780,000 of the general fund—state appropriation for fiscal year 2025, and \$895,000 of the climate commitment account—state appropriation are provided solely for the department to implement 2023 revenue legislation.

(4) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop an implementation plan for an online searchable database of all taxes and tax rates in the state for each taxing district. A report summarizing options, estimated costs, and timelines to implement each option must be submitted to the appropriate committees of the legislature by June 30, 2024. The implementation plan must include an array of options, including low cost options that may change the scope of the database. However, each low cost option must still provide ease of public access to state and local tax information that is currently difficult for the public to collect and efficiently navigate.

(5) \$19,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of House Bill No. 1303 (property tax administration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$3,639,000 of the general fund—state appropriation for fiscal year 2024 and \$3,582,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1477 (working families' tax credit). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(7) \$48,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(8) \$31,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5565 (tax and revenue laws). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to research and analyze wealth taxes imposed in other countries and wealth tax legislation recently proposed by other states and the United States. At a minimum, the department must examine how existing and proposed wealth taxes are structured, compliance and administrative challenges of wealth taxes, best practices in the design and administration of wealth taxes, and potential data sources to aid the department in estimating the revenue impacts of future wealth tax proposals for this state or assisting the department in the administration of a wealth tax. As part of its examination and analysis, the department must seek to consult with relevant subject matter experts from within and outside of the United States.

(b) The department may contract with one or more institutions of higher education as defined in RCW 28B.10.016 for assistance in carrying out its obligations under this subsection.

(c) The department must submit a status report to the appropriate fiscal committees of the legislature by January 1, 2024, and a final report to the appropriate fiscal committees of the legislature by November 1, 2024. The final report must include the department's findings.

(10) \$42,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to study how to collect race and ethnicity information from organizations or entities that receive tax preferences, as defined in RCW 43.136.021.

(a) The department may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(b) The department must submit a report to appropriate committees of the legislature by June 30, 2025. The report must include cost and timeline estimates for collecting the race and ethnicity information. The department must consult with the office of equity to ensure that data collection is consistent with other efforts. The report must also include, but is not limited to, the following information:

(i) The cost and time required for the department to revise current reporting requirements to include race and ethnicity data;

(ii) The cost and time required for the department to incorporate the collection of race and ethnicity data into future reporting;

(iii) The cost and time required for the department to incorporate the collection of race and ethnicity data into its existing information technology systems;

(iv) Recommendations on any exclusions from the requirement to report race and ethnicity data; and

(v) Any statutory changes necessary to collect race and ethnicity data.

(12) \$3,000 of the general fund—state appropriation for fiscal year 2024 and \$251,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5334 (affordable housing funding). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(13) \$4,000 of the business license account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5897 (business license services). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) \$12,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5915 (ag. crop products/tax ex.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15) \$16,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6013 (homeownership dev. tax ex.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(16) \$4,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6030 (ADU tax exemptions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(17) \$32,000 of the general fund—state appropriation for fiscal year 2024 and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 6038 (child care tax preference). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(18) \$36,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(19) \$101,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6175 (existing structures/housing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(20) \$4,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6215 (tax and revenue laws). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 140.** 2023 c 475 s 142 (uncodified) is amended to read as follows:

**FOR THE BOARD OF TAX APPEALS**

General Fund—State Appropriation (FY 2024) . . . . .	\$2,810,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$2,808,000</del> ))
	<u>\$2,810,000</u>
TOTAL APPROPRIATION . . . . .	(( <del>\$5,618,000</del> ))
	<u>\$5,620,000</u>

**Sec. 141.** 2023 c 475 s 143 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

General Fund—State Appropriation (FY 2024) . . . . .	\$3,837,000
General Fund—State Appropriation (FY 2025) . . . . .	\$3,799,000
Minority and Women's Business Enterprises Account—	
State Appropriation . . . . .	(( <del>\$6,062,000</del> ))
	<u>\$6,066,000</u>
TOTAL APPROPRIATION . . . . .	(( <del>\$13,698,000</del> ))
	<u>\$13,702,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of minority and women's business enterprises shall consult with the Washington state office of equity on the Washington state toolkit for equity in public spending.

(2) \$540,000 of the general fund—state appropriation for fiscal year 2024 and \$529,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$151,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a policy analyst position.

(4) \$941,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to expand its outreach and communications department.

**Sec. 142.** 2023 c 475 s 144 (uncodified) is amended to read as follows:

**FOR THE INSURANCE COMMISSIONER**

General Fund—Federal Appropriation. . . . .	\$4,723,000
Insurance Commissioner's Regulatory Account—State	
Appropriation. . . . .	(( <del>\$79,157,000</del> ))
	<u>\$80,799,000</u>
Insurance Commissioner's Fraud Account—State	
Appropriation. . . . .	(( <del>\$4,269,000</del> ))
	<u>\$4,270,000</u>
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$88,149,000</del>))</b>
	<b><u>\$89,792,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5242 (abortion cost sharing). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(2) \$63,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of House Bill No. 1120 (annuity transactions). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(3) \$72,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5036 (audio-only telemedicine). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(4) \$55,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5300 (behavioral health continuity). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(5) \$19,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(6) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5396 (breast exam cost sharing). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(7) \$260,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 87, Laws of 2023 (SSB 5338).

(8) \$1,206,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5066 (health care benefit managers). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(9) \$9,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 16, Laws of 2023 (SSB 5729).

(10) \$272,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5581 (maternal support services). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(11) \$237,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 42, Laws of 2023 (SB 5319).

(12) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5720 (risk mitigation). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(13)(a) ((~~\$500,000~~))\$700,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner, in collaboration with the office of the attorney general, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state, including but not limited to the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.

(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The office of the insurance commissioner and office of the attorney general shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

(14) \$190,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 27, Laws of 2023 (SHB 1266).

(15) \$66,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1222 (hearing instruments coverage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(16) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 21, Laws of 2023 (HB 1061).

(17) \$14,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute House Bill No. 1060 (mutual insurer reorg.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$132,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) (a) ~~(\$250,000)~~ \$50,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for an analysis of how health plans define, cover, and reimburse for maternity care services, including prenatal, delivery, and postpartum care. The commissioner shall:

(i) Obtain necessary information regarding health plans offered by carriers with more than one percent accident and health market share based upon the commissioner's most recent annual market information report and health plans offered to public employees under chapter 41.05 RCW to evaluate:

(A) How health plan benefit designs define maternity care services;

(B) Whether and to what extent maternity care services are subject to deductibles and other cost-sharing requirements;

(C) Which maternity care services are considered preventive services under section 2713 of the federal public health service act and are therefore exempt from cost sharing;

(D) The five most used maternity care reimbursement methodologies used by each carrier; and

(E) With respect to reimbursement methodologies that bundle payment for maternity care services, which specific services are included in the bundled payment;

(ii) Estimate the total and per member per month impact on health plan rates of eliminating cost sharing for maternity care services in full, or for prenatal care only, for the following markets:

(A) Individual health plans other than Cascade select plans;

(B) Cascade select health plans;

(C) Small group health plans;

(D) Large group health plans;

(E) Health plans offered to public employees under chapter 41.05 RCW; and

(F) All health plans in the aggregate; and

(iii) Submit a report on the findings and cost estimate to the appropriate committees of the legislature by July 1, 2024.

(b) The commissioner may contract for all or a portion of the analysis required in this subsection.

(20) \$86,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5821 (audio-only telemedicine). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$549,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(22) \$228,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5936 (palliative care work group). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(23) \$195,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(24) \$316,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$212,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5213 (pharmacy benefit managers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(26) \$12,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6127 (HIV prophylaxis). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 143. 2023 c 475 s 145 (uncodified) is amended to read as follows:

**FOR THE STATE INVESTMENT BOARD**

State Investment Board Expense Account—State	
Appropriation. . . . .	(( <del>\$83,426,000</del> ))
	\$83,455,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$83,426,000</del>))</b>
	<b>\$83,455,000</b>

The appropriation in this section is subject to the following conditions and limitations: \$41,000 of the state investment board expense account—state appropriation is provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

Sec. 144. 2023 c 475 s 146 (uncodified) is amended to read as follows:

**FOR THE LIQUOR AND CANNABIS BOARD**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$2,383,000</del> ))
	\$2,478,000
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$850,000</del> ))
	\$1,609,000
General Fund—Federal Appropriation. . . . .	\$3,187,000
General Fund—Private/Local Appropriation. . . . .	\$75,000
Dedicated Cannabis Account—State Appropriation	
(FY 2024). . . . .	\$13,481,000
Dedicated Cannabis Account—State Appropriation	
(FY 2025). . . . .	(( <del>\$14,041,000</del> ))
	\$14,055,000
Liquor Revolving Account—State Appropriation. . . . .	(( <del>\$124,765,000</del> ))
	\$126,603,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$158,782,000</del>))</b>
	<b>\$161,488,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The liquor and cannabis board may require electronic payment of the cannabis excise tax levied by RCW 69.50.535. The liquor and cannabis board may allow a waiver to the electronic payment requirement for good cause as provided by rule.

(2) Of the liquor revolving account—state appropriation, \$35,278,000 is provided solely for the modernization of regulatory systems and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$1,526,000 of the liquor revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(4) \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin).

(5) \$250,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$159,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC).

(6) (~~(\$1,527,000)~~) \$1,622,000 of the general fund—state appropriation for fiscal year 2024, ~~\$357,000 of the general fund—state appropriation for fiscal year 2025,~~ \$2,255,000 of the dedicated cannabis account—state appropriation for fiscal year 2024, and \$1,463,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity).

(7) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the liquor and cannabis board to conduct an agency analysis of commercial tobacco and vaping enforcement actions from fiscal year 2018 through fiscal year 2022 involving youth under the age of 18. This analysis shall be submitted to the appropriate committees of the legislature by December 1, 2023, and must include:

- (a) The total number of such interactions by fiscal year;
- (b) Information on the nature of those interactions;
- (c) How many interactions convert to administrative violation notices (AVNs);
- (d) How many of those interactions and AVNs convert to retailer education and violations;

and

(e) Descriptions of training for liquor and cannabis board officers, and the number of officers trained on interacting with youth, particularly LGBTQ youth and youth of color.

(8) \$4,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5365 (vapor and tobacco/minors). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(9) ~~\$225,000 of the liquor revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1731 (short-term rentals/liquor). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)~~

~~(10) \$99,000 of the liquor revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

~~(11) \$93,000 of the general fund—state appropriation is provided solely for implementation of Senate Bill No. 6133 (cannabis retail robberies). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

~~(12) \$245,000 of the general fund—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5376 (cannabis waste). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

~~(13) \$929,000 of the liquor revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5291 (liquor licenses). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

~~(14) \$63,000 of the general fund—state appropriation is provided solely for implementation of Senate Bill No. 6271 (cannabis excise tax/THC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

**Sec. 145.** 2023 c 475 s 147 (uncodified) is amended to read as follows:

**FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	\$1,201,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$1,201,000)</del>
	<u>\$1,276,000</u>
Public Service Revolving Account—State Appropriation . . . . .	<del>(\$65,664,000)</del>
	<u>\$66,168,000</u>
Public Service Revolving Account—Federal	
Appropriation . . . . .	\$100,000
Pipeline Safety Account—State Appropriation . . . . .	\$3,769,000
Pipeline Safety Account—Federal Appropriation . . . . .	\$3,404,000
<b>TOTAL APPROPRIATION</b> . . . . .	<del>(\$75,339,000)</del>
	<u>\$75,918,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to \$800,000 of the public service revolving account—state appropriation in this section is for the utilities and transportation commission to supplement funds committed by a telecommunications company to expand rural broadband service on behalf of an eligible governmental entity. The amount in this subsection represents payments collected by the utilities and transportation commission pursuant to the Qwest performance assurance plan.

(2) \$43,000 of the public service revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(3) \$100,000 of the public service revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(4) \$67,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy

siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$57,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(7) \$497,000 of the public service revolving account—state appropriation is provided solely for staff to advance the state's objectives for better transmission planning, organized electric power markets or similar regional power coordination, and expanded regional and interregional transmission capacity.

(8) (a) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to report to the legislature with information and recommendations for updating the statutes pertaining to the universal communications services program as described in chapter 80.36 RCW. The report must include:

(i) How the program has been utilized and audited since fiscal year 2022;

(ii) The most efficient and cost-effective technologies available to meet the state's broadband goals in rural areas;

(iii) The ways in which this program can work with the Washington state broadband office to ensure that appropriations for this program are additive and not duplicative to the office's broadband goals and how new technologies would help meet those goals;

(iv) The ways in which these dollars have been used to leverage federal funding;

(v) A list of other sources of state and federal funding that are available to maintain and repair existing broadband infrastructure;

(vi) How changes to the federal universal services fund could impact the provision of telecommunications services in Washington state; and

(vii) Any additional relevant information regarding the benefits of continuing this program that would be helpful for future appropriation decisions.

(b) The report is due to the appropriate committees of the legislature in accordance with RCW 43.01.036 by December 1, 2024.

**Sec. 146.** 2023 c 475 s 148 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$16,490,000)) \$16,782,000)
General Fund—State Appropriation (FY 2025) . . . . .	(((\$16,446,000)) \$16,947,000)
General Fund—Federal Appropriation. . . . .	(((\$146,122,000)) \$146,290,000)
911 Account—State Appropriation. . . . .	\$54,306,000
Disaster Response Account—State Appropriation. . . . .	(((\$59,466,000)) \$62,179,000)
Disaster Response Account—Federal Appropriation. . . . .	(((\$1,184,618,000)) \$1,905,454,000)
Military Department Rent and Lease Account—State Appropriation. . . . .	\$1,009,000
Military Department Active State Service Account— State Appropriation. . . . .	\$400,000
Natural Climate Solutions Account—State Appropriation. . . . .	\$113,000
Oil Spill Prevention Account—State Appropriation. . . . .	\$1,040,000
Worker and Community Right to Know Fund—State Appropriation. . . . .	\$2,042,000
<b>TOTAL APPROPRIATION.</b> .....	<b>(((\$1,482,052,000)) \$2,206,562,000)</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees by February 1st and October 31st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2023-2025 fiscal biennium based on current revenue and expenditure patterns.

(2) \$40,000,000 of the general fund—federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) \$11,000,000 of the 911 account—state appropriation is provided solely for financial assistance to counties.



(4) \$784,000 of the disaster response account—state appropriation is provided solely for fire suppression training, equipment, and supporting costs to national guard soldiers and airmen.

~~(5) ((\$386,000 of the military department rental and lease account—state appropriation is provided solely for maintenance staff.~~

~~(6))~~ \$876,000 of the disaster response account—state appropriation is provided solely for a dedicated access and functional needs program manager, access and functional need services, and a dedicated tribal liaison to assist with disaster preparedness and response.

~~((7))~~ (6) \$136,000 of the general fund—state appropriation for fiscal year 2024 and \$132,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(8))~~ (7) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to Whatcom county for disaster relief and recovery activities in response to the November 2021 flooding and mudslides presidentially-declared disaster.

~~((9))~~ (8) \$625,000 of the general fund—state appropriation for fiscal year 2024 and \$625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1728 (statewide resiliency program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(10))~~ (9) \$113,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(11))~~ (10) (a) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to administer grants to local governments and federally recognized tribes for costs to respond to community needs during periods of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke.

(b) To qualify for a grant under (a) of this subsection, a local government or federally recognized tribe must:

(i) Be located in a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, as determined by the department;

(ii) Have demonstrated a lack of local resources to address community needs; and

(iii) Have incurred eligible costs as described in (c) of this subsection for the benefit of vulnerable populations.

(c) Costs eligible for reimbursement under (a) of this subsection include:

(i) Establishing and operating warming and cooling centers, including rental of equipment, purchase of supplies and water, staffing, and other associated costs;

(ii) Transporting individuals and their pets to warming and cooling centers;

(iii) Purchasing fans or other supplies needed for cooling of congregate living settings;

(iv) Providing emergency temporary housing such as rental of a hotel or convention center;

(v) Retrofitting or establishing facilities within warming and cooling centers that are pet friendly in order to permit individuals to evacuate with their pets; and

(vi) Other activities necessary for life safety during a period of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke, as determined by the department.

~~((12))~~ (11) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(12) \$23,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5803 (national guard recruitment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$132,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6164 (county emergency management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 147.** 2023 c 475 s 149 (uncodified) is amended to read as follows:

**FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	\$2,594,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$2,625,000</del> ))
	<u>\$2,659,000</u>
Personnel Service Account—State Appropriation . . . . .	\$4,825,000
Higher Education Personnel Services Account—State Appropriation . . . . .	\$1,629,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$11,673,000</del>))</b>
	<b><u>\$11,707,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$98,000 of the higher education personnel services account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(2) \$34,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6194 (legislative employee bargaining). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 148. 2023 c 475 s 150 (uncodified) is amended to read as follows:

**FOR THE BOARD OF ACCOUNTANCY**

Certified Public Accountants' Account—State

Appropriation. . . . . ((\$4,770,000))

\$5,119,000

TOTAL APPROPRIATION.....(((\$4,770,000))

\$5,119,000

Sec. 149. 2023 c 475 s 151 (uncodified) is amended to read as follows:

**FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**

Volunteer Firefighters' and Reserve Officers'

Administrative Account—State Appropriation. . . . . ((\$3,533,000))

\$3,625,000

TOTAL APPROPRIATION.....(((\$3,533,000))

\$3,625,000

The appropriation in this section is subject to the following conditions and limitations:

(((\$1,128,000)))(1) \$2,403,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for a benefits management system, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$91,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for contracting for small agency budget and accounting services with the department of enterprise services.

Sec. 150. 2023 c 475 s 152 (uncodified) is amended to read as follows:

**FOR THE FORENSIC INVESTIGATION COUNCIL**

Death Investigations Account—State Appropriation. . . . . ((\$822,000))

\$821,000

TOTAL APPROPRIATION.....(((\$822,000))

\$821,000

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$250,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(b) Of the amount provided in this subsection, \$30,000 of the death investigations account—state appropriation is provided solely for the Adams county crime lab to investigate a double homicide that occurred in fiscal year 2021.

(2) \$210,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

(3) Within the amount appropriated in this section, the forensic investigation council may enter into an interagency agreement with the department of enterprise services for the department to provide services related to public records requests, to include responding to, or assisting the council in responding to, public disclosure requests received by the council.

Sec. 151. 2023 c 475 s 153 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

General Fund—State Appropriation (FY 2024). . . . . ((\$14,819,000))

\$15,268,000

General Fund—State Appropriation (FY 2025). . . . . ((\$13,426,000))

\$14,686,000

General Fund—Private/Local Appropriation. . . . . \$102,000

Building Code Council Account—State Appropriation. . . . . ((\$2,583,000))

\$2,584,000

Climate Commitment Account—State Appropriation. . . . . \$500,000

Electric Vehicle Incentive Account—State

Appropriation. . . . . \$1,722,000

Natural Climate Solutions Account—State

Appropriation. . . . . \$7,000,000

TOTAL APPROPRIATION.....(((\$39,652,000))

\$41,862,000

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$6,970,000)~~) \$7,010,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$6,894,000)~~) \$7,028,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of facilities and services charges to include campus rent, parking, security, contracts, public and historic facilities, financial cost recovery, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, legislative support services, and joint legislative systems committee. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall maintain an interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to have all of the same rights of occupancy and space use on the capitol campus as historically established.

(2) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have approval from the director of the department of enterprise services. Agencies that are exempted from the requirement are the Washington state patrol, Washington state department of transportation, and the department of natural resources.

(3) From the fee charged to master contract vendors, the department shall transfer to the office of minority and women's business enterprises in equal monthly installments \$1,500,000 in fiscal year 2024 and \$1,300,000 in fiscal year 2025.

(4) Within existing resources, the department, in collaboration with consolidated technology services, must provide a report to the governor and fiscal committees of the legislative by October 31 of each calendar year that reflects information technology contract information based on a contract snapshot from June 30 of that same calendar year, and must also include any contract that was active since July 1 of the previous calendar year. The department will coordinate to receive contract information for all contracts to include those where the department has delegated authority so that the report includes statewide contract information. The report must contain a list of all information technology contracts to include the agency name, contract number, vendor name, contract term start and end dates, contract dollar amount in total, and contract dollar amounts by state fiscal year. The report must also include, by contract, the contract spending projections by state fiscal year for each ensuing state fiscal year through the contract term, and note the type of service delivered. The list of contracts must be provided electronically in Excel and be sortable by all field requirements. The report must also include trend analytics on information technology contracts, and recommendations for reducing costs where possible.

(5) \$654,000 of the general fund—state appropriation for fiscal year 2024 and \$654,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the state efficiency and environmental performance program, to implement the zero emission vehicle strategy.

(6) \$2,671,000 of the general fund—state appropriation for fiscal year 2024 and \$2,671,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installation. The electric vehicle charging equipment must allow for the collection of usage data and must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities, and at least where zero emission fleet vehicles are or are scheduled to be purchased. The department must report when and where the equipment was installed, usage data at each charging station, and the state agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30. The department shall collaborate with the interagency electric vehicle coordinating council to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5491 (residential building exits). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

~~(9))~~ (8) \$950,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for security enhancements to the governor's office lobby space and for security enhancement design for the remaining lobby and public spaces in the legislative building on the capitol campus. Enhancement designs must be provided to the senate committee on state government and elections and the house of representatives committee on state government and tribal relations no later than (~~December 31, 2023~~) June 30, 2024.

(~~(+10)~~ ~~(\$162,000)~~) (9) \$245,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$162,000)~~) \$247,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to waive rent fees and charges through June 30, 2025, for vendors who are blind business enterprise program licensees by the department of services for the blind and who lease space and operate food service businesses, inclusive of delis, cafeterias, and espresso stands, in state (~~government buildings~~) facilities.

(~~(+11)~~) (10) \$7,000,000 of the natural climate solutions account—state appropriation is provided solely to advance the preferred alternative of the final environmental impact statement for the capitol lake-Deschutes estuary long-term management project completed in October 2022. At a minimum, the department shall:

- (a) Make tangible progress toward the next phase of design and permitting;
- (b) Advance the memorandum of understanding for governance and funding of a restored estuary to an interlocal agreement that will govern long-term management of the restored estuary; and

(c) Initiate grant funding applications for design and permitting.

~~((+12))~~ (11) \$400,000 of the state building code council account—state appropriation is provided solely for additional staffing to support the state building code council's work regarding the Washington state energy code.

~~((+13))~~ (12) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$500,000 of the climate commitment account—state appropriation for fiscal year 2025 is provided solely for legal services and fees incurred by the state building code council.

**Sec. 152.** 2023 c 475 s 154 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

General Fund—State Appropriation (FY 2024)	(( <del>\$4,043,000</del> ))
	<u>\$4,047,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$4,010,000</del> ))
	<u>\$4,198,000</u>
General Fund—Federal Appropriation	(( <del>\$2,899,000</del> ))
	<u>\$3,249,000</u>
General Fund—Private/Local Appropriation	\$14,000
Climate Commitment Account—State Appropriation	\$977,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$11,943,000</del>))</b>
	<b><u>\$12,485,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

~~(1) ((\$103,000 of the general fund—state appropriation for fiscal year 2024 and \$103,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for archaeological determinations and excavations of inadvertently discovered skeletal human remains, and removal and reinterment of such remains when necessary.~~

~~(2))~~ (2) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington main street program.

~~((+3))~~ (2) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the black historic sites survey project.

~~((+4))~~ (3) \$477,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(5))~~ (4) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(5) \$31,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 153.** 2023 c 475 s 155 (uncodified) is amended to read as follows:

**FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY**

General Fund—State Appropriation (FY 2024)	(( <del>\$21,697,000</del> ))
	<u>\$7,623,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$1,700,000</del> ))
	<u>\$30,310,000</u>
<u>General Fund—Federal Appropriation</u>	<u>\$134,292,000</u>
Consolidated Technology Services Revolving Account—	
State Appropriation	(( <del>\$124,249,000</del> ))
	<u>\$136,457,000</u>
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$147,646,000</del>))</b>
	<b><u>\$308,682,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

~~(1) ((\$14,752,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of the chief information officer. Of this amount:~~

~~(a))~~ (a) \$2,000,000 of the consolidated technology services revolving account—state appropriation is provided solely for experienced information technology project managers to provide critical support to agency IT projects that are under oversight from the office of the chief information officer. The staff or vendors will:

~~((+i))~~ (a) Provide master level project management guidance to agency IT stakeholders;

~~((+ii))~~ (b) Consider statewide best practices from the public and private sectors, independent review and analysis, vendor management, budget and timing quality assurance and other support of current or past IT projects in at least Washington state and share these with agency IT stakeholders and legislative fiscal staff at least twice annually and post these to the statewide IT dashboard; and

~~((+iii))~~ (c) Provide independent recommendations to legislative fiscal committees by December of each calendar year on oversight of IT projects to include opportunities for accountability and performance metrics.

~~((b) \$2,960,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.~~

~~(+e))~~ (2) \$2,226,000 of the consolidated technology services revolving account—state appropriation is provided solely for the enterprise data management pilot project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((+2))~~ (3) \$16,890,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of cyber security.

~~((+3))~~ (4) \$2,737,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.

(5) The consolidated technology services agency shall work with customer agencies using the Washington state electronic records vault (WASERV) to identify opportunities to:

(a) Reduce storage volumes and costs associated with vault records stored beyond the agencies' record retention schedules; and

(b) Assess a customized service charge as defined in chapter 304, Laws of 2017 for costs of using WASERV to prepare data compilations in response to public records requests.

~~((+4))~~ (6) (a) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures must include the following:

(i) The agency's priority ranking of each information technology request;

(ii) The estimated cost by fiscal year and by fund for the current biennium;

(iii) The estimated cost by fiscal year and by fund for the ensuing biennium;

(iv) The estimated total cost for the current and ensuing biennium;

(v) The total cost by fiscal year, by fund, and in total, of the information technology project since it began;

(vi) The estimated cost by fiscal year and by fund over all biennia through implementation and close out and into maintenance and operations;

(vii) The estimated cost by fiscal year and by fund for service level agreements once the project is implemented;

(viii) The estimated cost by fiscal year and by fund for agency staffing for maintenance and operations once the project is implemented; and

(ix) The expected fiscal year when the agency expects to complete the request.

(b) The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.

~~((+5))~~ (7) The consolidated technology services agency must not increase fees charged for existing services without prior approval by the office of financial management. The agency may develop fees to recover the actual cost of new infrastructure to support increased use of cloud technologies.

~~((+6))~~ (8) Within existing resources, the agency must provide oversight of state procurement and contracting for information technology goods and services by the department of enterprise services.

~~((+7))~~ (9) Within existing resources, the agency must host, administer, and support the state employee directory in an online format to provide public employee contact information.

~~((+8))~~ (10) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((+9) \$4,508,000)~~ (11) \$7,084,000 of the consolidated technology services revolving account—state appropriation is provided solely for the creation and ongoing delivery of information technology services tailored to the needs of small agencies. The scope of services must include, at a minimum, full-service desktop support, service assistance, security, and consultation.

~~((+10) \$75,935,000)~~ (12) \$82,811,000 of the consolidated technology services revolving account—state appropriation is provided solely for the procurement and distribution of Microsoft 365 licenses which must include advanced security features and cloud-based private branch exchange capabilities for state agencies. The office must report annually to fiscal committees of the legislature each December 31, on the count and type of licenses distributed by consolidated technology services to each state agency. The report must also separately

report on the count and type of Microsoft 365 licenses that state agencies have in addition to those that are distributed by consolidated technology services so that the total count, type of license, and cost is known for statewide Microsoft 365 licenses.

~~((11))~~ (13) The office of the chief information officer shall maintain an information technology project dashboard that, at minimum, provides updated information each fiscal month on the projects subject to section 701 of this act.

(a) The statewide information technology dashboard must include, at a minimum, the:

(i) Start date of the project;

(ii) End date of the project, when the project will close out and implementation will commence;

(iii) Term of the project in state fiscal years across all biennia to reflect the start of the project through the end of the project;

(iv) Total project cost from start date through the end date of the project in total dollars, and a subtotal of near general fund outlook;

(v) Near general fund outlook budget and actual spending in total dollars and by fiscal month for central service agencies that bill out project costs;

(vi) Start date of maintenance and operations;

(vii) Estimated annual state fiscal year cost of maintenance and operations after implementation and close out;

(viii) Actual spending by state fiscal year and in total for state fiscal years that have closed;

(ix) Date a feasibility study was completed or note if none has been completed to date;

(x) Monthly project status assessments on scope, schedule, budget, and overall by the:

(A) Office of the chief information officer;

(B) Quality assurance vendor, if applicable; and

(C) Agency project team;

(xi) Monthly quality assurance reports, if applicable;

(xii) Monthly office of the chief information officer status reports on budget, scope, schedule, and overall project status; and

(xiii) Historical project budget and expenditures through fiscal year 2023.

(b) The statewide dashboard must retain a roll up of the entire project cost, including all subprojects, that can display subproject detail. This includes coalition projects that are active. For projects that include multiple agencies or subprojects and roll up, the dashboard must display:

(i) A separate technology budget and investment plan for each impacted agency; and

(ii) A statewide project technology budget roll up that includes each affected agency at the subproject level.

(c) The office of the chief information officer may recommend additional elements to include but must have agreement with legislative fiscal committees and the office of financial management prior to including additional elements.

(d) The agency must ensure timely posting of project data on the statewide information technology dashboard for at least each project funded in the budget and those projects subject to the conditions of section 701 of this act to include, at a minimum, posting on the dashboard:

(i) The budget funded level by project for each project under oversight within 30 calendar days of the budget being signed into law;

(ii) The project historical expenditures through completed fiscal years by December 31; and

(iii) Whether each project has completed a feasibility study.

(e) The office of the chief information officer must post to the statewide dashboard a list of funding received by fiscal year by enacted session law, and how much was received citing chapter law as a list of funding provided by fiscal year.

~~((12))~~ (14) Within existing resources, consolidated technology services must collaborate with the department of enterprise services on the annual contract report that provides information technology contract information. Consolidated technology services will:

(a) Provide data to the department of enterprise services annually by September 1 of each year; and

(b) Provide analysis on contract information for all agencies comparing spending across state fiscal years by, at least, the contract spending towers.

~~((13))~~ (15) \$8,666,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of the enterprise cloud computing program as outlined in the December 2020 Washington state cloud readiness report. Funding provided includes, but is not limited to, cloud service broker resources, cloud center of excellence, cloud management tools, a network assessment, cybersecurity governance, and a cloud security roadmap.

~~((14))~~ (16) \$3,498,000 of the consolidated technology services revolving account—state appropriation is provided solely for the implementation of the recommendations of the cloud transition task force report to include:

(a) A cloud readiness program to help agencies plan and prepare for transitioning to cloud computing;

(b) A cloud retraining program to provide a coordinated approach to skills development and retraining; and

(c) Staffing to define career pathways and core competencies for the state's information technology workforce.

~~((15) \$20,000,000))~~ (17) \$5,926,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~, \$27,110,000 of the general fund—state appropriation for fiscal year 2025, and \$134,292,000 of the general fund—federal appropriation are provided solely for statewide electronic health records projects, which must comply with the approved statewide electronic health records plan. The purpose of the plan is to implement a common technology solution to leverage shared business processes and data across the state in support of client services.

(a) The statewide electronic health records plan must include, but is not limited to, the following elements:

(i) A proposed governance model for the electronic health records solution;

(ii) An implementation plan for the technology solution from kickoff through five years maintenance and operations post implementation;

(iii) A technology budget to include estimated budget and resources needed to implement the electronic health records solution by agency and across the state, including fund sources and all technology budget element requirements as outlined in section 701(4) of this act;

(iv) A licensing plan in consultation with the department of enterprise services that seeks to utilize the state data center;

(v) A procurement approach, in consultation with the department of enterprise services;

(vi) A system that must be capable of being continually updated, as necessary;

(vii) A system that will use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of every two-week sprint;

(viii) A system that will deploy usable functionality into production for users within 180 days from the date there is an executed procurement contract after a competitive request for proposal is closed;

(ix) A system that uses quantifiable deliverables that must include live, accessible demonstrations of software in development to program staff and end users at each sprint or at least monthly;

(x) A requirement that the agency implementing its electronic health record solution must invite the office and the agency comptrollers or their designee to sprint reviews;

(xi) A requirement that there is an annual independent audit of the system to evaluate compliance of the software solution vendor's performance standards and contractual requirements and technical code quality, and that it meets user needs;

(xii) A recommended program structure for implementing a statewide electronic health records solution;

(xiii) A list of individual state agency projects that will need to implement a statewide electronic health records solution and the readiness of each agency to successfully implement;

(xiv) The process for agencies to request funding from the consolidated technology services for their electronic health records projects. The submitted application must:

(A) Include at least a technology budget in compliance with the requirements of section 701(4) of this act that each agency budget office will assist with; and

(B) Be posted to the statewide information technology dashboard and meet all dashboard posting requirements as outlined in section ~~((155(11)))~~ 152(13) of this act; and

(xv) The approval criteria for agencies to receive funds for their electronic health records project. The approval may not be given without an approved current technology budget, and the office must notify the fiscal committees of the legislature. The office may not approve funding for the project any earlier than 10 business days from the date of notification to the fiscal committees of the legislature.

(b) The plan described in (a) of this subsection:

(i) Must be submitted to the office of financial management, the chair and ranking member of the senate environment, energy, and information technology policy committee, the chairs and ranking members of the fiscal committees of the legislature, and the technology services board by July 1, 2023; and

(ii) Must be approved by the office of financial management and the technology services board established in RCW 43.105.285.

(c) ~~(((\$20,000,000))~~ \$5,926,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~, \$27,110,000 of the general fund—state appropriation for fiscal year 2025, and \$134,292,000 of the general fund—federal appropriation are provided solely for state agency electronic health record projects at the department of corrections, the department of social and health services, and the health care authority in accordance with the approved statewide electronic health record plan requirements in (a) of this subsection. For the amount provided in this subsection ~~((15))~~ (17):

(i) Funding may not be released until the office of financial management and the technology services board have approved the statewide electronic health record plan.

(ii) As required in section 701(2) of this act, consolidated technology services may not approve funding for the project any earlier than 10 business days from the date of notification to the fiscal committees of the legislature.

(iii) Funding may not cover any costs incurred by the state agencies for services or project costs prior to the date of statewide electronic health record plan approval.

~~((15))~~ (iv) State agencies must submit their proposed electronic health records project and technology budget to the office of the chief information officer for approval. The submitted application must:

(A) Include at least a technology budget in compliance with the requirements of section 701(4) of this act that each agency budget office will assist with; and

(B) Be posted to the statewide information technology dashboard and meet all dashboard posting requirements as outlined in section 152(13) of this act.

~~((iv))~~ (v) When a funding request is approved, consolidated technology services will transfer the funds to the agency to execute their electronic health records project.

(vi) The office must enter into an interagency agreement with the health care authority who is, and will be, the reporting entity to the federal government on the application for and use of the federal funding.

(vii) Consolidated technology services must include this enterprise electronic health records program on the statewide information technology program dashboard and must ensure that the program detail will roll up the below required subprojects:

- (A) Enterprise foundational electronic health records system;
- (B) Department of corrections electronic health records;
- (C) Department of social and health services health records; and
- (D) Health care authority electronic health records.

~~((16))~~ (18) \$134,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.

~~((17))~~ (19) The office of the chief information officer must collaborate with the office of the secretary of state in the evaluation of the office of the secretary of state's information technology infrastructure and applications in determining the appropriate candidates for the location of data and the systems that could be exempt from consolidated technology services oversight.

~~((18))~~ (20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,500,000)~~ \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for innovative technology solutions and modernization of legacy systems within state government. This funding is to be used for projects at other state agencies to improve the health of the state's overall information technology portfolio. Submitted projects are subject to review and approval by the technology services board as established in RCW 43.105.285. The agency must report to the office of financial management and the fiscal committees of the legislature within 90 days of the close of fiscal year 2024 with the following information to measure the quantity of projects considered for this purpose and use of this funding:

- (a) The agency name, project name, estimated time duration, estimated cost, and technology service board recommendation result of each project submitted for funding;
- (b) The actual length of time and cost of the projects approved by the technology services board, from start to completion; and
- (c) Any other information or metric the agency determines is appropriate to measure the quantity and use of the funding in this subsection.

(21) In collaboration with the department of health and the health care authority, consolidated technology services must actively consult and provide oversight over:

- (a) The department of health 988 technology platform that must provide interoperable capabilities between the 988 call center platform and the health care authority's 988-related system;
- (b) The health care authority 988 technology platform that must provide interoperable capabilities between the 988-related system and the department of health's 988 call center platform; and
- (c) How the platforms in (a) and (b) of this subsection will meet statutory requirements for technology platform functionality and implementation dates as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system) and must report on the progress of both platforms' budget, scope, and schedule at a technology services board meeting by December 31, 2024.

**Sec. 154.** 2023 c 475 s 156 (uncodified) is amended to read as follows:

**FOR THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

Professional Engineers' Account—State Appropriation. . . . .	( <del>\$4,622,000</del> )
	\$4,627,000
<b>TOTAL APPROPRIATION.</b> .....	<b>(<del>\$4,622,000</del>)</b>
	<b>\$4,627,000</b>

NEW SECTION. **Sec. 155.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS**

Financial Services Regulation Nonappropriated

Fund—State Appropriation. . . . .	\$728,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$728,000</b>

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$300,000 of the financial services regulation nonappropriated fund—state appropriation is provided solely for the department to study nontraditional financial services such as home equity sharing agreements, and their effect on communities of color, seniors, and other vulnerable populations.
- (2) \$428,000 of the financial services regulation nonappropriated fund—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6025



(predatory loans). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 156.** 2023 c 475 s 157 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE LEADERSHIP BOARD**

Washington State Leadership Board Account—State

Appropriation. . . . .	(( <del>\$1,691,000</del> ))
	<u>\$1,761,000</u>
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$1,691,000</del>))</b>
	<b><u>\$1,761,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$374,000 of the Washington state leadership board account—state appropriation is provided solely for implementation of chapter 96, Laws of 2022 (WA state leadership board).
- (2) \$1,200,000 of the Washington state leadership board account—state appropriation is provided solely for implementing programming in RCW 43.388.010, and specifically the Washington world fellows program, sports mentoring program/boundless Washington, compassion scholars, and the Washington state leadership awards.

(End of part)

**PART II  
HUMAN SERVICES**

**Sec. 201.** 2023 c 475 s 201 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand

HealthPlanfinder access to public assistance and medical eligibility staff. The department shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for public assistance benefits.

(7) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, support the adoption of a cohesive technology and data architecture, and maximize federal financial participation. The work of the coalition is subject to the conditions, limitations, and review provided in section 701 of this act.

(8) (a) The appropriations to the department of social and health services in this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs and subprograms after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the long-term care, developmental disabilities, and public assistance programs, the department may transfer state appropriations that are provided solely for a specified purpose. The department may not transfer funds, and the director of the office of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(9) The department may not transfer appropriations for the developmental disabilities program to any other program or subprograms of the department of social and health services.

**Sec. 202.** 2023 c 475 s 202 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	((( <del>\$610,452,000</del> )))
	\$808,919,000
General Fund—State Appropriation (FY 2025) . . . . .	((( <del>\$679,312,000</del> )))
	\$782,615,000
General Fund—Federal Appropriation. . . . .	((( <del>\$148,488,000</del> )))
	\$168,599,000
General Fund—Private/Local Appropriation. . . . .	((( <del>\$10,732,000</del> )))
	\$6,500,000
<b>TOTAL APPROPRIATION.....</b>	<b>(((<del>\$1,448,984,000</del>)))</b>
	<b>\$1,766,633,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The state psychiatric hospitals and residential treatment facilities may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(2) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection are for the salaries, benefits, supplies, and equipment for the city of Lakewood to produce incident and police response reports, investigate potential criminal conduct, assist with charging consultations, liaison between staff and prosecutors, provide staff training on criminal justice procedures, assist with parking enforcement, and attend meetings with hospital staff.

(3) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(4) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community services officer for policing efforts at eastern state hospital. The department must collect data from the city of Medical Lake on the use of

the funds and the number of calls responded to by the community policing program and submit a report with this information to the office of financial management and the appropriate fiscal committees of the legislature each December of the fiscal biennium.

(5) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Medical Lake for police services provided by the city at eastern state hospital and adjacent areas.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the health care authority, to develop and implement a predictive modeling tool which identifies clients who are at high risk of future involvement with the criminal justice system and for developing a model to estimate demand for civil and forensic state hospital bed needs pursuant to the following requirements.

(a) By the first day of each December during the fiscal biennium, the department, in coordination with the health care authority, must submit a report to the office of financial management and the appropriate committees of the legislature that summarizes how the predictive modeling tool has been implemented and includes the following: (i) The number of individuals identified by the tool as having a high risk of future criminal justice involvement; (ii) the method and frequency for which the department is providing lists of high-risk clients to contracted managed care organizations and behavioral health administrative services organizations; (iii) a summary of how the managed care organizations and behavioral health administrative services organizations are utilizing the data to improve the coordination of care for the identified individuals; and (iv) a summary of the administrative data to identify whether implementation of the tool is resulting in increased access and service levels and lower recidivism rates for high-risk clients at the state and regional level.

(b) The department must provide staff support for the forensic and long-term civil commitment bed forecast which must be conducted under the direction of the office of financial management. The forecast methodology, updates, and methodology changes must be conducted in coordination with staff from the department, the health care authority, the office of financial management, and the appropriate fiscal committees of the state legislature. The model shall incorporate factors for capacity in state hospitals as well as contracted facilities, which provide similar levels of care, referral patterns, wait lists, lengths of stay, and other factors identified as appropriate for estimating the number of beds needed to meet the demand for civil and forensic state hospital services. Factors should include identification of need for the services and analysis of the effect of community investments in behavioral health services and other types of beds that may reduce the need for long-term civil commitment needs. The forecast must be updated each February, June, and November during the fiscal biennium and the department must submit a report to the legislature and the appropriate committees of the legislature summarizing the updated forecast based on the caseload forecast council's schedule for entitlement program forecasts.

(7) \$9,119,000 of the general fund—state appropriation for fiscal year 2024 and \$9,145,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The department, in collaboration with the health care authority and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, forensic navigators, crisis diversion and supports, education and training, and workforce development.

(8) \$7,147,000 of the general fund—state appropriation for fiscal year 2024 and \$7,147,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain implementation of efforts to improve the timeliness of competency evaluation services for individuals who are in local jails pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services). This funding must be used solely to maintain increases in the number of competency evaluators that began in fiscal year 2016 pursuant to the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP.

(9) \$71,690,000 of the general fund—state appropriation for fiscal year 2024 and \$77,825,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services) and the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. These amounts must be used to maintain increases that were implemented between fiscal year 2016 and fiscal year 2021, and further increase the number of forensic beds at western state hospital during the 2023-2025 fiscal biennium. Pursuant to chapter 7, Laws of 2015 1st sp. sess. (timeliness of competency treatment and evaluation services), the department may contract some of these amounts for services at alternative locations if the secretary determines that there is a need.

(10) \$84,483,000 of the general fund—state appropriation for fiscal year 2024, \$77,343,000 of the general fund—state appropriation for fiscal year 2025, and \$1,042,000 of the general fund—federal appropriation are provided solely for the department to continue to

implement an acuity based staffing tool at western state hospital and eastern state hospital in collaboration with the hospital staffing committees. The staffing tool must be used to identify, on a daily basis, the clinical acuity on each patient ward and determine the minimum level of direct care staff by profession to be deployed to meet the needs of the patients on each ward. The department must evaluate interrater reliability of the tool within each hospital and between the two hospitals. The department must also continue to update, in collaboration with the office of financial management's labor relations office, the staffing committees, and state labor unions, an overall state hospital staffing plan that looks at all positions and functions of the facilities.

(a) Within the amounts provided in this section, the department must establish, monitor, track, and report monthly staffing and expenditures at the state hospitals, including overtime and use of locums, to the functional categories identified in the recommended staffing plan. The allotments and tracking of staffing and expenditures must include all areas of the state hospitals, must be done at the ward level, and must include contracted facilities providing forensic restoration services as well as the office of forensic mental health services.

(b) By December 1, 2023, and December 1, 2024, the department must submit reports to the office of financial management and the appropriate committees of the legislature that provide a comparison of monthly spending, staffing levels, overtime, and use of locums for the prior year compared to allotments and to the recommended state hospital staffing model. The format for these reports must be developed in consultation with staff from the office of financial management and the appropriate committees of the legislature. The reports must include a summary of the results of the evaluation of the interrater reliability in use of the staffing acuity tool and an update from the hospital staffing committees.

(c) Monthly staffing levels and related expenditures at the state hospitals must not exceed official allotments without prior written approval from the director of the office of financial management. In the event the director of the office of financial management approves an increase in monthly staffing levels and expenditures beyond what is budgeted, notice must be provided to the appropriate committees of the legislature within 30 days of such approval. The notice must identify the reason for the authorization to exceed budgeted staffing levels and the time frame for the authorization. Extensions of authorizations under this subsection must also be submitted to the director of the office of financial management for written approval in advance of the expiration of an authorization. The office of financial management must notify the appropriate committees of the legislature of any extensions of authorizations granted under this subsection within 30 days of granting such authorizations and identify the reason and time frame for the extension.

(11) \$4,994,000 of the general fund—state appropriation for fiscal year 2024, \$7,535,000 of the general fund—state appropriation for fiscal year 2025, and \$672,000 of the general fund—federal appropriation are provided solely for the department to establish a violence reduction team at western state hospital to improve patient and staff safety at eastern and western state hospitals. A report must be submitted by December 1, 2023, and December 1, 2024, which includes a description of the violence reduction or safety strategy, a profile of the types of patients being served, the staffing model being used, and outcomes associated with each strategy. The outcomes section should include tracking data on facility-wide metrics related to patient and staff safety as well as individual outcomes related to the patients served.

(12) \$2,593,000 of the general fund—state appropriation for fiscal year 2024 and \$2,593,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase services to patients found not guilty by reason of insanity under the *Ross v. Lashway* settlement agreement.

(13) Within the amounts provided in this subsection, the department must develop and submit an annual state hospital performance report for eastern and western state hospitals. Each measure included in the performance report must include baseline performance data, agency performance targets, and performance for the most recent fiscal year. The performance report must include a one page dashboard as well as charts for each fiscal year and quality of care measure broken out by hospital and including but not limited to: (a) Monthly FTE expenditures compared to allotments; (b) monthly dollar expenditures compared to allotments; (c) monthly FTE expenditures per thousand patient bed days; (d) monthly dollar expenditures per thousand patient bed days; (e) percentage of FTE expenditures for overtime; (f) average length of stay by category of patient; (g) average monthly civil wait list; (h) average monthly forensic wait list; (i) rate of staff assaults per thousand patient bed days; (j) rate of patient assaults per thousand patient bed days; (k) average number of days to release after a patient has been determined to be clinically ready for discharge; and (l) average monthly vacancy rates for key clinical positions. The department must submit the state hospital performance report to the office of financial management and the appropriate committees of the legislature by the first day of each December of the biennium.

(14) \$546,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for design and planning activities for the new forensic hospital being constructed on the grounds of western state hospital.

(15) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain an on-site safety compliance officer, stationed at western state hospital, to provide oversight and accountability of the hospital's response to safety concerns regarding the hospital's work environment.

(16) \$10,364,000 of the general fund state—appropriation for fiscal year 2024 are provided solely for the department to provide behavioral health and stabilization services at the King county south correctional entity to class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(17) \$2,619,000 of the general fund—state appropriation for fiscal year 2024 and \$5,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to hire additional forensic evaluators to provide in-jail competency evaluations and community-based evaluations.

(18) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to track compliance with the requirements of RCW 71.05.365 for transition of state hospital patients into community settings within 14 days of the determination that they no longer require active psychiatric treatment at an inpatient level of care. The department must use these amounts to track the following elements related to this requirement: (a) The date on which an individual is determined to no longer require active psychiatric treatment at an inpatient level of care; (b) the date on which the behavioral health entities and other organizations responsible for resource management services for the person is notified of this determination; and (c) the date on which either the individual is transitioned to the community or has been reevaluated and determined to again require active psychiatric treatment at an inpatient level of care. The department must provide this information in regular intervals to behavioral health entities and other organizations responsible for resource management services. The department must summarize the information and provide a report to the office of financial management and the appropriate committees of the legislature on progress toward meeting the 14 day standard by December 1, 2023, and December 1, 2024.

(19) (~~(\$10,547,000)~~) \$2,190,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$37,480,000)~~) \$28,742,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the 48 bed Clark county facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The department must use this facility to provide treatment services for individuals who have been committed to a state hospital pursuant to the dismissal of criminal charges and civil evaluation ordered under RCW 10.77.086 or 10.77.088. In considering placements at the facility, the department must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The department must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and December 1, 2024, providing a status update on progress toward opening the new facility.

(20) \$8,048,000 of the general fund—state appropriation for fiscal year 2024 and \$7,677,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to reopen and operate a 30 bed ward for civil patients at western state hospital. The department must prioritize placements on this ward for individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, in order to maximize forensic bed capacity for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(21) (~~(\$13,324,000)~~) \$14,466,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$44,813,000)~~) \$51,582,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the maple lane campus as described in (a) and (b) of this subsection. (~~(Of the amounts provided in this subsection:)~~)

(a) (~~(\$4,764,000 of the general fund state appropriation for fiscal year 2024 and \$5,239,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the)~~) The department ((~~to~~)) shall operate the Oak, Columbia, and Cascade cottages to provide:

(i) Treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088;

(ii) Treatment services to individuals acquitted of a crime by reason of insanity and subsequently ordered to receive treatment services under RCW 10.77.120; and

(iii) Through fiscal year 2024, competency restoration services at the Cascade cottage to individuals under RCW 10.77.086 or 10.77.088.

(b) (~~(\$8,560,000 of the general fund state appropriation for fiscal year 2024 and \$39,574,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the)~~) The department ((~~to~~)) shall open and operate the Baker and Chelan cottages to provide treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(c) In considering placements at the maple lane campus, the department must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*,

United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(22) \$1,412,000 of the general fund—state appropriation for fiscal year 2024 and \$1,412,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for relocation, storage, and other costs associated with building demolition on the western state hospital campus.

(23) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for western state hospital's vocational rehabilitation program and eastern state hospital's work readiness program to pay patients working in the programs an hourly wage that is equivalent to the state's minimum hourly wage under RCW 49.46.020.

(24) \$4,054,000 of the general fund—state appropriation for fiscal year 2024 and \$5,236,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$2,233,000 of the general fund—state appropriation for fiscal year 2024, \$4,118,000 of the general fund—state appropriation for fiscal year 2025, and \$297,000 of the general fund—federal appropriation are provided solely for the department to address delays in patient discharge as provided in this subsection.

(a) The department shall hire staff dedicated to discharge reviews, including psychologists to complete reviews and staff for additional discharge review work, including, but not limited to, scheduling, planning, and providing transportation; and establish and implement a sex offense and problematic behavior program as part of the sex offense review and referral team program.

(b) Of the amounts provided in this subsection, \$504,000 per year shall be used for bed fees for patients who are not guilty by reason of insanity.

(c) The department shall track data as it relates to this subsection and, where available, compare it to historical data. The department will provide a report to the appropriate fiscal and policy committees of the legislature. A preliminary report is due by December 1, 2023, and the final report is due by September 15, 2024, and at a minimum must include the:

- (i) Volume of patients discharged;
- (ii) Volume of patients in a sex offense or problematic behavior program;
- (iii) Number of beds held for not guilty by reason of insanity patients;
- (iv) Average and median duration to complete discharges;
- (v) Staffing as it relates to this subsection; and
- (vi) Average discharge evaluation caseload.

~~((27))~~ (26) (a) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to pursue immediate strategies to maximize existing forensic bed capacity for individuals in jails awaiting admission to the state hospitals that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The immediate strategies must include, but are not limited to:

(i) Additional approaches to resolving barriers to discharge for civil patients, including:

(A) In coordination with the behavioral health teaching facility at the University of Washington, identification of civil patients in the state hospitals that could receive appropriate treatment at the facility and work to resolve any barriers in such placement;

(B) Identification of civil patients in the state hospitals that could receive appropriate treatment at an enhanced services facility or any other community facility and work to resolve any barriers in such placement; and

(C) Coordination with the aging and long-term care administration and the office of public guardianship on the provision of qualified guardians for civil patients in need of guardianship that are otherwise eligible for discharge; and

(ii) Additional approaches to resolving any barriers to maximizing the use of existing civil wards at eastern state hospital for individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(b) By December 1, 2023, the department must submit a preliminary report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) The department's plan for utilizing the funds provided in this subsection and estimated outcomes.

(c) By September 1, 2024, the department must submit a final report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) Detailed reporting on how the funds provided in this subsection were used and the associated outcomes.

~~((28))~~ (27) \$53,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and \$94,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(29))~~ (28) Within the amounts provided in this section, the department is provided funding to operate civil long-term inpatient beds at the state hospitals as follows:

(a) Funding is sufficient for the department to operate 192 civil beds at eastern state hospital in both fiscal year 2024 and fiscal year 2025.

(b) Funding is sufficient for the department to operate 287 civil beds at western state hospital in both fiscal year 2024 and fiscal year 2025.

(c) The department shall fully operate funded civil capacity at eastern state hospital, including reopening and operating civil beds that are not needed for eastern Washington residents to provide services for western Washington residents.

(d) The department shall coordinate with the health care authority toward increasing community capacity for long-term inpatient services required under section 215(50) of this act.

(29)(a) \$60,776,000 of the general fund—state appropriation for fiscal year 2024 and \$75,188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate 72 beds in three wards in the Olympic heritage behavioral health facility.

(b) The department may not use the remaining 40 beds at the facility for any purpose and must permit the contractor selected by the health care authority to utilize the beds pursuant to and upon completion of the contracted process outlined in section 215 of this act.

(30) \$100,318,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to pay the court order filed July 7, 2023, issued in the case of Trueblood, et al. v. Department of Social and Health Services, et al., United States district court for the western district of Washington, cause no. 14-cv-01178-MJP, which requires the department to "pay all fines held in abeyance from September 2022 through May 2023, which totals \$100,318,000.00."

(31) \$6,900,000 of the general fund—state appropriation for fiscal year 2024 and \$13,610,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional 30 beds at western state hospital.

(32) \$3,228,000 of the general fund—state appropriation for fiscal year 2024 and \$6,088,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional eight beds at eastern state hospital.

(33) \$700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5690 (conditional release transition teams). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(34) \$1,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 203.** 2023 c 475 s 203 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM**

(1) COMMUNITY SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(\$1,129,397,000))
	\$1,143,400,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$1,184,492,000))
	\$1,209,080,000
General Fund—Federal Appropriation . . . . .	(\$2,409,328,000))
	\$2,446,165,000
General Fund—Private/Local Appropriation . . . . .	\$4,058,000
Developmental Disabilities Community Services	
Account—State Appropriation . . . . .	\$32,120,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(\$4,759,395,000))</b>
	<b>\$4,834,823,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments may not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing

fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 must be charged when adult family home providers file a change of ownership application.

(ii) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.

(iii) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.

(c) \$32,240,000 of the general fund—state appropriation for fiscal year 2024, \$52,060,000 of the general fund—state appropriation for fiscal year 2025, and \$108,994,000 of the general fund—federal appropriation are provided solely for the rate increase for the new consumer-directed employer contracted individual providers as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(d) \$5,095,000 of the general fund—state appropriation for fiscal year 2024, \$7,299,000 of the general fund—state appropriation for fiscal year 2025, and \$16,042,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(e) \$1,099,000 of the general fund—state appropriation for fiscal year 2024, \$2,171,000 of the general fund—state appropriation for fiscal year 2025, and \$5,515,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(f) \$328,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$998,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.

(g) \$9,371,000 of the general fund—state appropriation for fiscal year 2024, \$10,798,000 of the general fund—state appropriation for fiscal year 2025, and \$25,267,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(h) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(i) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(j) Sufficient appropriations are provided to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(i) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, and assisted living facility beds.

(ii) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (j) (i) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(iii) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (j) (i) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(iv) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(k) Sufficient appropriations are provided for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(l) \$476,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for



implementation of House Bill No. 1128 (personal needs allowance). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(m) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(n) \$2,648,000 of the general fund—state appropriation for fiscal year 2024, \$2,631,000 of the general fund—state appropriation for fiscal year 2025, and \$2,293,000 of the general fund—federal appropriation are provided solely for enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to partner with the state in the development of an individualized service plan that allows the child to remain in his or her home. The department must provide the legislature with a respite utilization report in January of each year that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(o) \$2,173,000 of the general fund—state appropriation for fiscal year 2024 and \$2,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for 13 community respite beds across the state for adults. These services are intended to provide families and caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The department must provide the legislature with a respite utilization report by January of each year that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(p) \$144,000 of the general fund—state appropriation for fiscal year 2025 and \$181,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v Office of Financial Management*, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the amounts provided in this subsection shall lapse.

(q) \$351,000 of the general fund—state appropriation for fiscal year 2024, \$375,000 of the general fund—state appropriation for fiscal year 2025, and \$905,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023.

(r) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(s) The appropriations in this section include sufficient funding to provide access to the individual and family services waiver and the basic plus waiver to those individuals on the service request list as forecasted by the caseload forecast council. For subsequent policy level budgets, the department shall submit a request for funding associated with individuals requesting to receive the individual and family services waiver and the basic plus waiver in accordance with the courtesy forecasts provided by the caseload forecast council.

(t) \$1,729,000 of the general fund—state appropriation for fiscal year 2024, \$2,669,000 of the general fund—state appropriation for fiscal year 2025, and \$4,206,000 of the general fund—federal appropriation are provided solely to operate intensive habilitation services and enhanced out-of-home services facilities.

(u) \$1,363,000 of the general fund—state appropriation for fiscal year 2024, \$1,363,000 of the general fund—state appropriation for fiscal year 2025, and \$2,092,000 of the general fund—federal appropriation are provided solely for additional staff to reduce the timeline for completion of financial eligibility determinations. No later than December 31, 2024, the department of social and health services shall submit a final report to the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes, including, but not limited to, a description of how the timeline for completion of these determinations has changed.

(v) \$485,000 of the general fund—state appropriation for fiscal year 2024 and \$484,000 of the general fund—federal appropriation are provided solely for a feasibility study of the developmental disabilities assessment tool and is subject to the conditions, limitations, and review requirements of section 701 of this act. The resulting study must determine whether the assessment and its technology can be improved to meet regulatory obligations, be quicker and person-centered, reduce manual notations, and maintain viability across age groups and settings.

(w) \$1,223,000 of the general fund—state appropriation for fiscal year 2024, \$2,763,000 of the general fund—state appropriation for fiscal year 2025, and \$3,248,000 of the general fund—federal appropriation are provided solely for supported employment and community inclusion services for those individuals with intellectual or developmental disabilities who are transitioning from high school in the 2023-2025 fiscal biennium and are anticipated to utilize these services.

(x) \$11,074,000 of the general fund—state appropriation for fiscal year 2024, \$13,222,000 of the general fund—state appropriation for fiscal year 2025, and \$19,206,000 of the general

fund—federal appropriation are provided solely to increase rates paid to supported employment and community inclusion providers.

(y) (i) \$79,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, and \$121,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(ii) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(A) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required within each behavior support specialty setting and the necessary qualifications of these staff;

(B) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

(C) A plan for implementing the enhanced behavior support specialty contracts that includes:

(I) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(II) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(D) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(I) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(II) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(III) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(z) \$2,494,000 of the general fund—state appropriation for fiscal year 2024 and \$3,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 33 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(aa) \$2,605,000 of the general fund—state appropriation for fiscal year 2024, \$2,402,000 of the general fund—state appropriation for fiscal year 2025, and \$3,840,000 of the general fund—federal appropriation are provided solely to establish transition coordination teams to coordinate transitions of care for clients who move from one care setting to another. The department of social and health services shall submit annual reports no later than December 1, 2023, and December 1, 2024, to the appropriate committees of the legislature that detail how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served, the settings in which clients received care, and the progress made toward increasing stability of client placements;

(ii) A comparison of these outcomes against the outcomes achieved in prior fiscal years;

(iii) A description of lessons learned since the transition coordination teams were first implemented, including an identification of what processes were improved to reduce the timelines for completion; and

(iv) Recommendations for changes necessary to the transition coordination teams to improve increasing stability of client placements.

(bb) \$1,448,000 of the general fund—state appropriation for fiscal year 2024, \$1,807,000 of the general fund—state appropriation for fiscal year 2025, and \$3,626,000 of the general fund—federal appropriation are provided solely to pilot a specialty rate for adult family homes to serve up to 100 individuals with intellectual or developmental disabilities who also have co-occurring health or behavioral health diagnoses. No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the

appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served and the setting from which each client entered the adult family home receiving this specialty rate;

(ii) A comparison of the rate of admissions to the adult family homes receiving this specialty rate against the rate of admissions to other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(iii) A comparison of the length of stay in the setting from which the client entered the adult family home receiving this specialty rate against the average length of stay in settings prior to entering other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(cc) \$2,856,000 of the general fund—state appropriation for fiscal year 2024, \$3,104,000 of the general fund—state appropriation for fiscal year 2025, and \$5,948,000 of the general fund—federal appropriation are provided solely to pilot a program that provides a specialty rate for community residential providers who receive additional training to support individuals with complex physical and behavioral health needs.

(i) Of the amounts provided in this subsection, \$2,453,000 of the general fund—state appropriation for fiscal year 2024, \$2,705,000 of the general fund—state appropriation for fiscal year 2025, and \$5,259,000 of the general fund—federal appropriation are provided solely for the specialty rate for community residential providers to serve up to 30 individuals.

(ii) Of the amounts provided in this subsection, \$403,000 of the general fund—state appropriation for fiscal year 2024, \$399,000 of the general fund—state appropriation for fiscal year 2025, and \$689,000 of the general fund—federal appropriation are provided solely for the department to hire staff to support this specialty program, including expanding existing training programs available for community residential providers and to support providers in locating affordable housing.

(iii) No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(A) A detailed reporting of the number of clients served and the setting from which each client entered the community residential setting receiving this specialty rate;

(B) A comparison of the rate of admissions to the community residential setting receiving this specialty rate against the rate of admissions to other community residential settings not receiving this specialty rate as well as against the rate of admissions to other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(C) A comparison of the length of stay in the setting from which the client entered the community residential setting receiving this specialty rate against the average length of stay in settings prior to entering other community residential settings not receiving this specialty rate as well as prior to entering other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(dd) (i) \$104,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with the Ruckleshaus center for a progress report on the recommendations in the December 2019 report, "Rethinking Intellectual and Developmental Disability Policy to Empower Clients, Develop Providers and Improve Services."

(ii) By February 29, 2024, a final report shall be submitted to the governor and the appropriate committees of the legislature that includes:

(A) Detailed information about the successes and barriers related to meeting the recommendations in the December 2019 report;

(B) Identification of other potential issues or options for meeting the recommendations in the December 2019 report, including but not limited to, an exploration of the enhanced behavioral support homes concept;

(C) A review of other state's approaches and innovations regarding any of the recommendations in the December 2019 report;

(D) Identification of any emergent issues; and

(E) Identification or recommendation for the organization of focus groups of state agencies and respective stakeholders.

(iii) In compiling the final report, members of the previous workgroup, as well as other interested parties, should be consulted for their feedback and to identify areas where there is potential for agreement to move forward and to make process recommendations if applicable.

(ee) \$127,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely for adult day respite. Of the amounts appropriated in this subsection:

(i) \$27,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely to increase adult day respite rates from \$3.40 to \$5.45 per 15-minute unit to expand and ensure the sustainability of respite services for clients with intellectual or developmental disabilities and their family caregivers.

(ii) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to hire a project position to conduct a study and submit a report by December 1, 2023 to the governor and the appropriate committees of the legislature that examines the feasibility and operational resources needed to add adult day services to a state plan 1915(i) option or to the existing basic plus and core 1915(c) waivers.

(ff) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$4,284,000 of the general fund—state appropriation for fiscal year 2025, and \$4,178,000 of the general fund—federal appropriation are provided solely for the department to add 10 adult stabilization beds by June 2025, increase rates for existing adult stabilization beds by 23 percent, and expand mobile crisis diversion services to cover all three regions of the state.

(gg)(i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to study opportunities to enhance data collection on clients in family units with at least one parent having a developmental or intellectual disability. The study must identify:

(A) Opportunities to improve the existing assessment form and information technology systems by adding questions about clients' children, such as their ages, the number of children, and the K-12 enrollment status of each child;

(B) Ways to strengthen data sharing agreements with other departments, including the department of children, youth, and families, and local school districts;

(C) Strategies for surveying clients to collect information on their parenting and living arrangements, including support from other family members;

(D) Methods for analyzing new and existing data to determine and identify the total number of children with parents that have a developmental or intellectual disability, their needs, and access to specialized services;

(E) An inventory of existing support programs designed for families with a parent having a developmental or intellectual disability and their children, including educational support, financial assistance, and access to specialized services.

(ii) The department shall report its findings to the governor and appropriate committees of the legislature by June 30, 2024.

(hh) \$81,000 of the general fund—state appropriation for fiscal year 2024, \$219,000 of the general fund—state appropriation for fiscal year 2025, and \$371,000 of the general fund—federal appropriation are provided solely to implement House Bill No. 1407 (dev. disability/eligibility). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ii) \$62,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$116,000 of the general fund—federal appropriation are provided solely to implement Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(jj) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely for the department to conduct a study to explore opportunities to restructure services offered under the medicaid waivers for individuals with developmental disabilities served by the department. The plan should propose strategies to enhance service accessibility across the state and align services with the needs of clients, taking into account current and future demand. It must incorporate valuable input from knowledgeable stakeholders and a national organization experienced in home and community-based waivers in other states. This plan must be submitted to the governor and relevant legislative committees by December 1, 2024.

(kk) \$5,431,000 of the general fund—state appropriation for fiscal year 2024, \$11,084,000 of the general fund—state appropriation for fiscal year 2025, and \$16,737,000 of the general fund—federal appropriation are provided solely to increase rates by 2.5 percent, effective January 1, 2024, for community residential service providers offering supported living, group home, group training home, licensed staff residential services, community protection, and children's out-of-home services to individuals with developmental disabilities.

(ll) \$456,000 of the general fund—state appropriation for fiscal year 2024, \$898,000 of the general fund—state appropriation for fiscal year 2025, and \$416,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(mm) \$446,000 of the general fund—state appropriation for fiscal year 2024, \$5,274,000 of the general fund—state appropriation for fiscal year 2025, and \$2,089,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(nn)(i) \$2,214,000 of the general fund—state appropriation for fiscal year 2024, \$10,104,000 of the general fund—state appropriation for fiscal year 2025, and \$2,934,000 of the general fund—federal appropriation are provided solely for the department to operate a staff-secure, voluntary, and transitional treatment facility specializing in services for adolescents over the age of 13 who have complex developmental disabilities, intellectual disabilities, or autism spectrum disorder and may also have a mental health or substance use diagnosis. These individuals require intensive behavioral supports and may also be in need of behavioral health services. Services must be provided at a property in lake Burien, serve no more than 12 youth at one time, and be implemented in a way that prioritizes transition to

less restrictive community-based settings. Youth shall enter the facility only by their own consent or the consent of their guardian.

(ii) The department and health care authority shall collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments. This collaborative effort aims not only to enhance the funding available for the operation of the facility but also to maintain adherence to its fundamental objective of offering voluntary, transitional services. These services are designed to facilitate the transition of youth to community-based settings that are less restrictive, aligning with the facility's commitment to supporting youth with complex needs in a manner that encourages their movement toward independence.

(iii) By November 1, 2024, the department shall report to the governor and appropriate committees of the legislature on the program's design, results of preliminary implementation, financing opportunities, and recommendations. By June 30, 2025, the department shall report to the governor and appropriate committees of the legislature its initial findings, demographics on children served, and recommendations for program design and expansion.

(oo) \$40,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to pay for the cost of professional guardians for individuals who will transition from a residential habilitation center to a community residential setting.

(pp) \$63,000 of the general fund—state appropriation for fiscal year 2025 and \$62,000 of the general fund—federal appropriation are provided solely for the department, in cooperation with the health care authority, to study the feasibility and cost of implementing a point of contact for individuals diagnosed with a rare disease to increase access and reduce barriers in navigating programs, services, and resources offered by both agencies.

(qq) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to establish respite care beds for individuals with intellectual and developmental disabilities in the Tri-Cities.

(2) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(((\$138,560,000))
	\$138,715,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$140,682,000))
	\$141,016,000
General Fund—Federal Appropriation . . . . .	(((\$254,857,000))
	\$255,118,000
General Fund—Private/Local Appropriation . . . . .	\$19,488,000
TOTAL APPROPRIATION.....	(((\$553,587,000))
	\$554,337,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments may not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$495,000 of the general fund—state appropriation for fiscal year 2024 and \$495,000 of the general fund—state appropriation for fiscal year 2025 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) The residential habilitation centers may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(d) \$61,000 of the general fund—state appropriation for fiscal year 2024, \$61,000 of the general fund—state appropriation for fiscal year 2025, and \$117,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(e) \$73,000 of the general fund—state appropriation for fiscal year 2025 and \$73,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(3) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2024) . . . . .	(((\$4,103,000))
	\$3,582,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$4,179,000))
	\$3,659,000
General Fund—Federal Appropriation . . . . .	(((\$4,951,000))
	\$4,249,000
TOTAL APPROPRIATION.....	(((\$13,233,000))
	\$11,490,000

(4) SPECIAL PROJECTS

General Fund—State Appropriation (FY 2024) . . . . .	\$66,000
General Fund—State Appropriation (FY 2025) . . . . .	\$66,000
General Fund—Federal Appropriation . . . . .	\$1,094,000

TOTAL APPROPRIATION..... \$1,226,000

Sec. 204. 2023 c 475 s 204 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—AGING AND ADULT SERVICES PROGRAM

Table with 2 columns: Description and Amount. Rows include General Fund—State Appropriation (FY 2024), General Fund—State Appropriation (FY 2025), General Fund—Federal Appropriation, General Fund—Private/Local Appropriation, Traumatic Brain Injury Account—State Appropriation, Skilled Nursing Facility Safety Net Trust Account—State Appropriation, Long-Term Services and Supports Trust Account—State Appropriation, and TOTAL APPROPRIATION.

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate may not exceed \$341.41 for fiscal year 2024 and may not exceed \$364.67 for fiscal year 2025. The weighted average nursing facility payment rates in this subsection (1) (a) include the following:

(i) \$17,361,000 of the general fund—state appropriation for fiscal year 2024, \$17,361,000 of the general fund—state appropriation for fiscal year 2025, and \$34,722,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021-2023 fiscal biennium to address low-wage equity for low-wage direct care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be equal to the wage payment received on June 30, 2023.

(ii) \$2,227,000 of the general fund—state appropriation for fiscal year 2024, \$2,227,000 of the general fund—state appropriation for fiscal year 2025, and \$4,456,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021-2023 fiscal biennium to address low-wage equity for low-wage indirect care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be equal to the wage payment received on June 30, 2023.

(b) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(2) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(b) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.

(c) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.

(3) The department is authorized to place long-term care clients residing in nursing homes and paid for with state-only funds into less restrictive community care settings while continuing to meet the client's care needs.

(4) \$69,777,000 of the general fund—state appropriation for fiscal year 2024, \$113,969,000 of the general fund—state appropriation for fiscal year 2025, and \$237,558,000 of the general fund—federal appropriation are provided solely for the rate increase for the new consumer-directed employer contracted individual providers as set by the consumer-directed rate setting board in accordance with RCW 74.39A.530.

(5) \$19,044,000 of the general fund—state appropriation for fiscal year 2024, \$30,439,000 of the general fund—state appropriation for fiscal year 2025, and \$63,986,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(6) \$2,385,000 of the general fund—state appropriation for fiscal year 2024, \$4,892,000 of the general fund—state appropriation for fiscal year 2025, and \$12,502,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-

directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(7) \$2,547,000 of the general fund—state appropriation for fiscal year 2024, \$3,447,000 of the general fund—state appropriation for fiscal year 2025, and \$7,762,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.

(8) \$425,000 of the general fund—state appropriation for fiscal year 2025 and \$542,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v Office of Financial Management*, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the amounts provided in this subsection shall lapse.

(9) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(10) In accordance with RCW 18.390.030, the biennial registration fee for continuing care retirement communities shall be \$900 for each facility.

(11) Within amounts appropriated in this subsection, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues.

(a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members, and four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee;

(v) A member from disability rights Washington and a member from the office of long-term care ombuds;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) Other agency directors or designees as necessary.

(b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington and to serve people with disabilities, including state budget and policy options, and may conduct, but are not limited to, the following tasks:

(i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(ii) Identify strategies and policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;

(iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(iv) Identify ways to promote advance planning and advance care directives and implementation strategies for the Bree collaborative palliative care and related guidelines;

(v) Identify ways to meet the needs of the aging demographic impacted by reduced federal support;

(vi) Identify ways to protect the rights of vulnerable adults through assisted decision-making and guardianship and other relevant vulnerable adult protections;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation.

(c) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(d) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures and meetings are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Meetings of the task force must be scheduled and conducted in accordance with the rules of both the senate and the house of representatives. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(12) Appropriations in this section are sufficient to fund discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The

transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(13) Appropriations in this section are sufficient to fund financial service specialists stationed at the state psychiatric hospitals. Financial service specialists will help to transition clients ready for hospital discharge into alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state hospitals.

(14) The department shall continue to administer tailored support for older adults and medicaid alternative care as described in initiative 2 of the 1115 demonstration waiver. This initiative will be funded by the health care authority through the medicaid quality improvement program. The secretary in collaboration with the director of the health care authority shall report to the office of financial management all expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested. The department shall not increase general fund—state expenditures on this initiative.

(15) \$61,209,000 of the general fund—state appropriation for fiscal year 2024, \$70,352,000 of the general fund—state appropriation for fiscal year 2025, and \$161,960,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(16) \$1,761,000 of the general fund—state appropriation for fiscal year 2024, \$1,761,000 of the general fund—state appropriation for fiscal year 2025, and \$4,162,000 of the general fund—federal appropriation are provided solely for case managers at the area agencies on aging to coordinate care for medicaid clients with mental illness who are living in their own homes. Work shall be accomplished within existing standards for case management and no requirements will be added or modified unless by mutual agreement between the department of social and health services and area agencies on aging.

(17) Appropriations provided in this section are sufficient for the department to contract with an organization to provide educational materials, legal services, and attorney training to support persons with dementia. The funding provided in this subsection must be used for:

(a) An advance care and legal planning toolkit for persons and families living with dementia, designed and made available online and in print. The toolkit should include educational topics including, but not limited to:

(i) The importance of early advance care, legal, and financial planning;

(ii) The purpose and application of various advance care, legal, and financial documents;

(iii) Dementia and capacity;

(iv) Long-term care financing considerations;

(v) Elder and vulnerable adult abuse and exploitation;

(vi) Checklists such as "legal tips for caregivers," "meeting with an attorney," and "life and death planning;"

(vii) Standardized forms such as general durable power of attorney forms and advance health care directives; and

(viii) A selected list of additional resources.

(b) Webinars about the dementia legal and advance care planning toolkit and related issues and topics with subject area experts. The subject area expert presenters must provide their services in-kind, on a volunteer basis.

(c) Continuing legal education programs for attorneys to advise and assist persons with dementia. The continuing education programs must be offered at no cost to attorneys who make a commitment to participate in the pro bono program.

(d) Administrative support costs to develop intake forms and protocols, perform client intake, match participating attorneys with eligible clients statewide, maintain records and data, and produce reports as needed.

(18) Appropriations provided in this section are sufficient to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(a) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, assisted living facility beds, adult residential care beds, and specialized dementia beds.

(b) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (a) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(c) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (a) of this subsection. At a minimum, the department must



perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(d) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(19) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(20) \$5,094,000 of the general fund—state appropriation for fiscal year 2024 and \$5,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(21)(a) \$63,938,000 of the general fund—state appropriation for fiscal year 2024, \$40,714,000 of the general fund—state appropriation for fiscal year 2025, and \$110,640,000 of the general fund—federal appropriation are provided solely for rate adjustments for skilled nursing facilities.

(b) Of the amounts provided in this subsection, \$7,700,000 of the general fund—state appropriation for fiscal year 2025 and \$7,700,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5802 (nursing rate calculation). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(22) \$32,470,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$34,090,000)~~) \$35,372,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$72,783,000)~~) \$74,246,000 of the general fund—federal appropriation are provided solely for rate adjustments for assisted living providers. Of the amounts provided in this subsection:

(a) \$23,751,000 of the general fund—state appropriation for fiscal year 2024, \$25,487,000 of the general fund—state appropriation for fiscal year 2025, and \$54,687,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023. The department of social and health services shall report, by December 1st of each year, on medicaid resident utilization of and access to assisted living facilities.

(b) \$5,505,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$5,389,000)~~) \$6,671,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$11,588,000)~~) \$13,051,000 of the general fund—federal appropriation are provided solely for a specialty dementia care rate add-on for all assisted living facilities of (~~(\$43.48)~~) \$50.00 per patient per day.

(c) \$2,573,000 of the general fund—state appropriation for fiscal year 2024, \$2,573,000 of the general fund—state appropriation for fiscal year 2025, and \$5,146,000 of the general fund—federal appropriation are provided solely for a one-time bridge rate for assisted living facilities, enhanced adult residential centers, and adult residential centers, with high medicaid occupancy. The bridge rate does not replace or substitute the capital add-on rate found in RCW 74.39A.320 and the same methodology from RCW 74.39A.320 shall be used to determine each facility's medicaid occupancy percentage for the purposes of this one-time bridge rate add-on. Facilities with a medicaid occupancy level of 90 percent or more shall receive a \$20.99 add-on per resident day.

(d) \$641,000 of the general fund—state appropriation for fiscal year 2024, \$641,000 of the general fund—state appropriation for fiscal year 2025, and \$1,362,000 of the general fund—federal appropriation are provided solely to increase the rate add-on for expanded community services by 5 percent.

(23) Within available funds, the aging and long term support administration must maintain a unit within adult protective services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

(24) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(25) \$1,858,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation of the volunteer services program. Funding must be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(26) \$479,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$479,000)~~) \$989,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the kinship navigator program in the Colville Indian reservation, Yakama Nation, and other tribal areas.

(27) The traumatic brain injury council shall collaborate with other state agencies in their efforts to address traumatic brain injuries to ensure that efforts are complimentary and continue to support the state's broader efforts to address this issue.

(28) \$1,297,000 of the general fund—state appropriation for fiscal year 2024 and \$1,297,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based dementia education and support activities in three areas of the state, including dementia resource catalyst staff and direct services for people with dementia and their caregivers.

(29) \$5,410,000 of the general fund—state appropriation for fiscal year 2024, \$9,277,000 of the general fund—state appropriation for fiscal year 2025, and \$14,909,000 of the general fund—federal appropriation are provided solely for the operating costs associated with the phase-in of enhanced services facilities and specialized dementia care beds that were established with behavioral health community capacity grants.

(30) (a) \$71,000 of the general fund—state appropriation for fiscal year 2024, \$68,000 of the general fund—state appropriation for fiscal year 2025, and \$141,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(b) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(i) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required within each behavior support specialty setting and the necessary qualifications of these staff;

(ii) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

(iii) A plan for implementing the enhanced behavior support specialty contracts that includes:

(A) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(B) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(iv) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(A) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(B) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(C) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(31) (~~(\$2,874,000)~~) \$2,551,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$2,211,000)~~) \$2,534,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the general fund—federal appropriation are provided solely for the kinship care support program. Of the amounts provided in this subsection:

(a) (~~(\$667,000)~~) \$344,000 of the general fund—state appropriation for fiscal year 2024 (~~(+)~~) and \$323,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the kinship navigator case management pilot program.

(b) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the rates paid to kinship navigators and to increase the number of kinship navigators so that each area agency on aging has one kinship navigator and King county has two kinship navigators.

(32) \$2,574,000 of the general fund—state appropriation for fiscal year 2024 and \$2,567,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 40 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(33) \$691,000 of the general fund—state appropriation for fiscal year 2024, \$658,000 of the general fund—state appropriation for fiscal year 2025, and \$1,347,000 of the general fund—federal appropriation are provided solely for the department to provide staff support to the difficult to discharge task force described in section (~~(135(12))~~) 132(12) of this act, including any associated ad hoc subgroups, and to develop home and community services

assessment timeliness requirements for pilot participants in cooperation with the health care authority as described in section 211(~~(465))~~ (64) of this act.

(34) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a study of functional assessments conducted by the department prior to acute care hospital discharge and placement in a post-acute facility. No later than June 30, 2025, a report must be submitted to the governor and the appropriate committees of the legislature that evaluates:

- (a) The timeliness of the completion of these assessments;
- (b) How requiring these assessments impacts:
  - (i) The length of a patient's hospital stay;
  - (ii) The patient's medical, emotional, and mental well-being;
  - (iii) The hospital staff who care for these patients; and
  - (iv) Access to inpatient and emergency beds for other patients;
- (c) Best practices from other states for placing hospitalized patients in post-acute care settings in a timely and effective manner that includes:

- (i) Identification of the states that require these assessments prior to post-acute placement; and

- (ii) An analysis of a patient's hospital length of stay and a patient's medical, emotional, and mental well-being in states that require these assessments compared to the states that do not; and

- (d) The potential benefits of, and barriers to, outsourcing some or all of the functional assessment process to hospitals. Barriers evaluated must include department policies regarding staff workloads, outsourcing work, and computer system access.

(35) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely to employ and train staff for outreach efforts aimed at connecting adult family home owners and their employees with health care coverage through the adult family home training network as outlined in RCW 70.128.305. These outreach activities must consist of:

- (a) Informing adult family home owners and their employees about various health insurance options;

- (b) Creating and distributing culturally and linguistically relevant materials to assist these individuals in accessing affordable or free health insurance plans;

- (c) Offering continuous technical support to adult family home owners and their employees regarding health insurance options and the application process; and

- (d) Providing technical assistance as a certified assister for the health benefit exchange, enabling adult family home owners and their employees to comprehend, compare, apply for, and enroll in health insurance via Washington healthplanfinder. Participation in the certified assister program is dependent on meeting contractual, security, and other program requirements set by the health benefit exchange.

(36) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the office of the insurance commissioner and the office of the attorney general, to create a regulatory oversight plan for continuing care retirement communities, focusing primarily on establishing and implementing resident consumer protections, as recommended in the 2022 report of the office of the insurance commissioner. As part of the process, the agencies must engage with relevant stakeholder groups for consultation. The final plan must be submitted to the health care committees of the legislature by December 1, 2024.

(37) (~~(\$16,952,000)~~) \$11,509,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$23,761,000)~~) \$15,363,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$41,407,000)~~) \$27,344,000 of the general fund—federal appropriation are provided solely for nursing home services and emergent building costs at the transitional care center of Seattle. No later than December 1, 2024, the department must submit to the appropriate fiscal committees of the legislature a report that includes, but is not limited to:

- (a) An itemization of the costs associated with providing direct care services to residents and managing and caring for the facility; and

- (b) An examination of the impacts of this facility on clients and providers of the long-term care and medical care sectors of the state that includes, but is not limited to:

- (i) An analysis of areas that have realized cost containment or savings as a result of this facility;

- (ii) A comparison of individuals transitioned from hospitals to this facility compared to other skilled nursing facilities over the same period of time; and

- (iii) Impacts of this facility on lengths of stay in acute care hospitals, other skilled nursing facility, and transitions to home and community-based settings.

(38) \$911,000 of the general fund—state appropriation for fiscal year 2024, \$935,000 of the general fund—state appropriation for fiscal year 2025, and \$365,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(39) \$562,000 of the general fund—state appropriation for fiscal year 2024, \$673,000 of the general fund—state appropriation for fiscal year 2025, and \$1,244,000 of the general fund—federal appropriation are provided solely to increase rates for long-term care case management services offered by area agencies on aging. The department must include this adjustment in the monthly per client rates paid to these agencies for case management

services in the governor's projected maintenance level budget process, in accordance with RCW 43.88.030.

(40) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely to contract with an organization to design and deliver culturally and linguistically competent training programs for home care workers, including individual providers.

(41) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$400,000 of the general fund—federal appropriation are provided solely for a pilot project focused on providing translation services for interpreting mandatory training courses offered through the adult family home training network. The department of social and health services must collaborate with the adult family home council and the adult family home training network to assess the pilot project's outcomes. The department of social and health services shall submit a comprehensive report detailing the results to the governor and the appropriate committees of the legislature no later than September 30, 2025.

(42) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the current pilot projects to provide personal care services to homeless seniors and people with disabilities from the time the person presents at a shelter to the time they become eligible for medicaid.

(43) \$75,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$147,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$125,000 of the general fund—state appropriation for fiscal year 2024, \$125,000 of the general fund—state appropriation for fiscal year 2025, and \$250,000 of the general fund—federal appropriation are provided solely for the department, in collaboration with the consumer directed employer and home care agencies, to establish guidelines, collect and analyze data, and research the reasons and timing behind home care workers leaving the workforce.

(45) \$703,000 of the general fund—state appropriation for fiscal year 2024, \$3,297,000 of the general fund—state appropriation for fiscal year 2025, and \$2,735,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(46) (a) \$4,792,000 of the general fund—state appropriation for fiscal year 2024, \$4,894,000 of the general fund—state appropriation for fiscal year 2025, and \$9,881,000 of the general fund—federal appropriation are provided solely to support providers that are ready to accept patients who are in acute care beds and no longer require inpatient care, but are unable to be transitioned to appropriate postacute care settings. These patients are generally referred to as difficult to discharge hospital patients because of their behaviors.

(i) The department shall broaden the current discharge and referral case management practices for difficult to discharge hospital patients waiting in acute care hospitals to include referrals to all long-term care behavioral health settings, including enhanced services facilities, enhanced adult residential care, and enhanced adult residential care with community stability supports contracts or community behavioral health support services, including supportive supervision and oversight and skills development and restoration. These home and community-based providers are contracted to provide various levels of personal care, nursing, and behavior supports for difficult to discharge hospital patients with significant behavior support needs.

(ii) Patients ready to discharge from acute care hospitals with diagnosed behaviors or behavior history, and a likelihood of unsuccessful placement in other licensed long-term care facilities, a history of rejected applications for admissions, or a history of unsuccessful placements shall be fully eligible for referral to available beds in enhanced services facilities or enhanced adult residential care with contracts that adequately meet the patient's long-term care needs.

(iii) Previous or current detainment under the involuntary treatment act shall not be a requirement for individuals in acute care hospitals to be eligible for these specialized settings. The department shall develop a standard process for acute care hospitals to refer patients to the department for placement in enhanced services facilities and enhanced adult residential care with contracts to provide behavior support.

(b) The department must adopt a payment model that incorporates the following adjustments:

(i) The enhanced behavior services plus and enhanced behavior services respite rates for skilled nursing facilities shall be converted to \$175 per patient per day add-on in addition to daily base rates to recognize additional staffing and care needs for patients with behaviors.

(ii) Enhanced behavior services plus with specialized services rates for skilled nursing facilities shall be converted to \$235 per patient per day add-on on top of daily base rates.

(iii) The ventilator rate add-on for all skilled nursing facilities shall be \$192 per patient per day.

(iv) The tracheotomy rate add-on for all skilled nursing facilities shall be \$123 per patient per day.

(c) Of the amounts provided in (a) of this subsection, \$3,838,000 of the general fund—state appropriation for fiscal year 2024, \$3,917,000 of the general fund—state appropriation for fiscal year 2025, and \$7,911,000 of the general fund—federal appropriation are provided solely for an increase in the daily rate for enhanced services facilities to \$596.10 per patient per day.

(47) \$4,908,000 of the long-term services and supports trust account—state appropriation is provided solely to continue technological development for the Washington cares fund program and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(48) \$63,000 of the general fund—state appropriation for fiscal year 2025 and \$62,000 of the general fund—federal appropriation are provided solely for the department, in cooperation with the health care authority, to study the feasibility and cost of implementing a point of contact for individuals diagnosed with a rare disease to increase access and reduce barriers in navigating programs, services, and resources offered by both agencies.

(49) (a) Within amounts appropriated in this section, the department shall convene a work group comprised of representatives from the department of social and health services, the department of commerce, the health care authority, and organizations representing relevant assisted living and housing providers utilizing department of housing and urban development housing choice vouchers in assisted living facilities to examine how assisted living facilities can use these vouchers for medicaid residents in a manner that aligns with federal requirements and does not negatively impact receipt of federal medicaid funding.

(b) The work group shall submit a preliminary report by December 1, 2024, to the governor and the appropriate committees of the legislature that includes any findings and policy recommendations for how to use housing and urban development project-based rental vouchers for medicaid residents living in licensed assisted living facilities. The work group findings must identify any barriers within the state and federal systems that would prevent the use of housing and urban development project-based rental vouchers for medicaid residents, including, but not limited to, licensing requirements and duplication of services.

(c) It is the intent of the legislature that this work group will continue its work through September 30, 2025, in order to facilitate completion of a final report to the governor and the appropriate committees of the legislature at that time.

(50) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$48,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5640 (independent living residents). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(51) \$94,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(52) \$962,000 of the general fund—state appropriation for fiscal year 2025 and \$962,000 of the general fund—federal appropriation are provided solely for a 30 percent increase in the rates for adult day care and adult day health.

**Sec. 205.** 2023 c 475 s 205 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ECONOMIC SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$606,767,000</del> ))
	\$676,492,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$604,555,000</del> ))
	\$740,637,000
General Fund—Federal Appropriation . . . . .	(( <del>\$1,648,987,000</del> ))
	\$1,689,559,000
General Fund—Private/Local Appropriation . . . . .	\$5,274,000
Domestic Violence Prevention Account—State Appropriation . . . . .	\$2,404,000
<u>Information Technology Investment Revolving Account— State Appropriation . . . . .</u>	<u>\$4,329,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$2,867,987,000</del>))</b>
	<b>\$3,118,695,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) ((~~\$169,050,000~~)) \$172,628,000 of the general fund—state appropriation for fiscal year 2024, ((~~\$164,246,000~~)) \$198,637,000 of the general fund—state appropriation for fiscal year 2025, and \$853,777,000 of the general fund—federal appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments

and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting a structure change.

(b) ~~((450,773,000))~~ \$481,959,000 of the amounts in (a) of this subsection is for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance. Of the amounts provided in this subsection (1)(b):

(i) \$17,315,000 of the general fund—federal appropriation is provided solely to increase the temporary assistance for needy families and state family assistance cash grants by \$100 per month for households with a child under the age of three, effective November 1, 2023. The funding is intended to assist families with the cost of diapers as described in chapter 100, Laws of 2022.

(ii) \$3,060,000 of the general fund—state appropriation for fiscal year 2024, \$4,665,000 of the general fund—state appropriation for fiscal year 2025, and \$19,000,000 of the general fund—federal appropriation are provided solely for the department to increase temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$296,000 of the general fund—state appropriation for fiscal year 2024, \$5,293,000 of the general fund—state appropriation for fiscal year 2025, and \$1,089,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(iv) \$632,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the replacement of skimmed or cloned cash benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the temporary assistance for needy families and the state family assistance program. The replacement of stolen benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection (1)(b)(iv) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(c) \$167,710,000 of the amounts in (a) of this subsection is for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. Within amounts provided in this subsection (1)(c), the department shall implement the working family support program.

(i) \$2,474,000 of the amounts provided in this subsection (1)(c) is for enhanced transportation assistance. The department must prioritize the use of these funds for the recipients most in need of financial assistance to facilitate their return to work. The department must not utilize these funds to supplant repayment arrangements that are currently in place to facilitate the reinstatement of drivers' licenses.

(ii) \$482,000 of the general fund—state appropriation for fiscal year 2024 and \$1,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$185,000 of the general fund—state appropriation for fiscal year 2024 and \$1,820,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(d) Of the amounts in (a) of this subsection, \$353,402,000 of the general fund—federal appropriation is for the working connections child care program under RCW 43.216.020 within the department of children, youth, and families. The department is the lead agency for and recipient of the federal temporary assistance for needy families grant. A portion of this grant must be used to fund child care subsidies expenditures at the department of children, youth, and families.

(i) The department of social and health services shall work in collaboration with the department of children, youth, and families to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families.

(ii) Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(e) Of the amounts in (a) of this subsection, \$68,496,000 of the general fund—federal appropriation is for child welfare services within the department of children, youth, and families.

(f) Of the amounts in (a) of this subsection, ~~(\$146,692,000)~~ \$153,475,000 is for WorkFirst administration and overhead. Of the amounts provided in this subsection (1)(f):

(i) \$147,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(ii) \$204,000 of the general fund—state appropriation for fiscal year 2024, \$179,000 of the general fund—state appropriation for fiscal year 2025, and \$575,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(iii) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to process skimmed or cloned cash benefits for impacted recipients of the temporary assistance for needy families or state family assistance programs. Any unspent funds in this subsection (1)(f)(iii) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(g)(i) The department shall submit quarterly expenditure reports to the governor, the fiscal committees of the legislature, and the legislative WorkFirst poverty reduction oversight task force under RCW 74.08A.341. In addition to these requirements, the department must detail any fund transfers across budget units identified in (a) through (e) of this subsection. The department shall not initiate any services that require expenditure of state general fund moneys that are not consistent with policies established by the legislature.

(ii) The department may transfer up to 10 percent of funding between budget units identified in (b) through (f) of this subsection. The department shall provide notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst poverty reduction oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(h) On January 2nd and July 1st of each year, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst poverty reduction oversight task force. The report must detail the following information for temporary assistance for needy families:

(i) An overview of federal rules related to maintenance of effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;

(ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;

(iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;

(iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;

(v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort;

(vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation targets, and future reportable federal participation rate requirements; and

(vii) Proposed and enacted federal law changes affecting maintenance of effort or the participation rate, what impact these changes have on Washington's temporary assistance for needy families program, and the department's plan to comply with these changes.

(i) In the 2023-2025 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (a) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(2) \$3,545,000 of the general fund—state appropriation for fiscal year 2024 and \$3,545,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On January 1, 2024, and January 1, 2025, the department must report to the governor and the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be 100 percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(8) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational support of the Washington information network 211 organization.

(9) \$377,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consolidated emergency assistance program.

(10) \$560,000 of the general fund—state appropriation for fiscal year 2024 and \$560,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state-funded employment and training program for recipients of the state's food assistance program.

(11) (~~(\$5,244,000)~~) \$4,999,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$3,805,000)~~) \$2,155,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$21,115,000)~~) \$27,765,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project to create a comprehensive application and benefit status tracker for multiple programs, an application and enrollment portal for multiple programs, and to establish a foundational platform. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(12) (~~(\$3,307,000)~~) \$2,352,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$257,000)~~) \$1,230,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$8,318,000)~~) \$7,576,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project for the discovery, innovation, and customer experience phase. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(13) (~~(\$1,067,000)~~) \$2,267,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$1,067,000)~~) \$2,638,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$4,981,000)~~) \$11,481,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project office.

(14) \$189,000 of the general fund—state appropriation for fiscal year 2024 and \$953,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of the ongoing additional requirements program, effective April 1, 2024. Of the amount provided in this subsection, the maximum amount that may be expended on new items added to the ongoing additional requirements program is \$53,000 in fiscal year 2024 and \$710,000 in fiscal year 2025.

(15)(a) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors and a study to assess needs and develop recommendations for ongoing supports for this population.

(b) Of the amounts provided in (a) of this subsection, \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors in order to address financial hardship and support household well-being. Stabilization funds can be used to support the sponsorship household with costs of housing, childcare, transportation, internet and data services, household goods, and other unmet needs. The funds may be provided on behalf of an unaccompanied child when the following eligibility criteria are met:

(i) The unaccompanied child is between the ages of 0-17, has been placed in Washington under the care of a nonparental sponsor following release from the United States office of refugee resettlement custody, and has not been reunified with a parent; and

(ii) The sponsorship household demonstrates financial need and has an income below 250 percent of the federal poverty level. A sponsorship household receiving stabilization funds on behalf of a child who turns 18 may continue to receive funds for an additional 60 days after the child reaches 18 years of age.

(c) The department may work with community-based organizations to administer sponsorship stabilization supports. Up to 10 percent of the amounts provided in (b) of this subsection may be used by the community-based organizations to cover administrative expenses associated with the distribution of these supports.

(d) Of the amounts provided in (a) of this subsection, \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to cover the administrative resources necessary for the



department to administer the sponsorship stabilization program and to convene a work group with the department of children, youth, and families, department of commerce's office of homeless youth prevention and programs, stakeholders, and community-based organization who have pertinent information regarding sponsorship households. The work group shall identify and analyze the resource and service needs for unaccompanied children and their sponsors, including the types and levels of financial supports and related services that will promote stability of sponsorship placements for this population.

(i) The department must produce a report that includes an overview of the number of impacted children and sponsors, existing services and supports that are available, any gaps in services, and potential changes to federal programs and policies that could impact unaccompanied children. The report shall include recommendations for how state agencies and community organizations can partner with the federal government to support sponsorship households, proposed services and supports that the state could provide to promote the ongoing stability of sponsorship households, and a recommended service delivery model.

(ii) The department shall submit the report required by (d)(i) of this subsection (15) to the governor and appropriate legislative committees no later than June 30, 2025.

(16) \$111,000 of the general fund—state appropriation for fiscal year 2024, \$1,016,000 of the general fund—state appropriation for fiscal year 2025, and \$21,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs) for the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance programs. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(17) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with an organization located in Seattle with expertise in culturally and linguistically appropriate communications and outreach to conduct an outreach, education, and media campaign related to communities significantly impacted by or at risk for benefits trafficking, skimming, or other fraudulent activities, with particular focus on immigrant, refugee, migrant, and senior populations. This campaign must provide community-focused, culturally and linguistically appropriate education and assistance targeted to meet the needs of each community and related to safeguarding public assistance benefits provided through an electronic benefit card and how to avoid the trafficking or skimming of benefits. To the extent practical, the department must make available information and data to refine this campaign for those communities most impacted to ensure inclusion of any relevant groups not already identified in this provision. The contracted organization, in collaboration with the department, must focus its outreach in highly impacted geographic areas including, but not limited to, Burien, Federal Way, Kent, Lynnwood, White Center, West Seattle, Seattle's International District, Chinatown, and the Central District, Yakima and other identified locations.

(18) \$10,881,000 of the general fund—state appropriation for fiscal year 2024, \$10,131,000 of the general fund—state appropriation for fiscal year 2025, \$6,734,000 of the general fund—federal appropriation, and \$2,404,000 of the domestic violence prevention account—state appropriation are provided solely for domestic violence victim services. Of the amounts provided in this subsection, \$750,000 of the general fund—state appropriation for fiscal year 2024 must be distributed to domestic violence services providers proportionately, based upon bed capacity.

(19) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to meet the terms of its settlement agreement with the United States department of agriculture (USDA).

(a) Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to repay USDA as part of the settlement agreement.

(b) Of the amounts provided in this subsection, \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to fund employment and training program services and activities ~~((for))~~ targeted to able-bodied adults without dependents receiving food benefits from the USDA supplemental nutrition assistance program, but open to all basic food employment and training participants including participants who are not able-bodied adults without dependents.

(20) \$3,844,000 of the general fund—state appropriation for fiscal year 2024, \$7,921,000 of the general fund—state appropriation for fiscal year 2025, and \$1,374,000 of the general fund—federal appropriation are provided solely for the department to increase the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance grants by eight percent, effective January 1, 2024.

(21) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization in Pierce county to continue the operation of the guaranteed basic income program in Tacoma.

(22) \$58,000 of the general fund—state appropriation for fiscal year 2024 and \$59,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Substitute Senate Bill No. 5398 (domestic violence funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(23) \$113,000 of the general fund—state appropriation for fiscal year 2024, \$1,487,000 of the general fund—state appropriation for fiscal year 2025, and \$1,599,000 of the general

fund—federal appropriation are provided solely to fully integrate the asset verification system into the automated client eligibility system (ACES).

(24) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$34,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the changes made to the state supplemental payment program in chapter 201, Laws of 2023.

(25) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the staffing necessary to process medical assistance cases resulting from the July 1, 2024, implementation for the apple health expansion program.

(26) \$2,786,000 of the general fund—state appropriation for fiscal year 2024, \$5,888,000 of the general fund—state appropriation for fiscal year 2025, and \$8,334,000 of the general fund—federal appropriation are provided solely for the transition of the automated client eligibility system (ACES) mainframe hardware operations to cloud technologies, using an enterprise contracted service through the consolidated technology services agency. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(27) \$5,024,000 of the general fund—state appropriation for fiscal year 2024, \$7,206,000 of the general fund—state appropriation for fiscal year 2025, and \$12,230,000 of the general fund—federal appropriation are provided solely for the implementation of the summer electronic benefit transfer program for the summer break months following the 2023-2024 and 2024-2025 school years. The program implementation must align with the federal summer electronic benefit program requirements defined in the consolidated appropriations act, 2023 (136 Stat. 4459). The department may use a third-party entity to administer the program.

(28) \$8,191,000 of the general fund—state appropriation for fiscal year 2024, \$464,000 of the general fund—state appropriation for fiscal year 2025, and \$8,314,000 of the general fund—federal appropriation are provided solely to cover the increased costs of the maintenance and operations of the automated client eligibility system (ACES), including but not limited to a one-time vendor transition.

(29) \$251,000 of the general fund—state appropriation for fiscal year 2025 and \$21,000 of the general fund—federal appropriation are provided solely to process and replace skimmed or cloned cash and food benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the pregnant women assistance, refugee cash assistance, aged, blind, or disabled assistance, and state food assistance program. The replacement of stolen cash and food benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(30) (a) \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to the office of refugee and immigrant assistance to expand support services for individuals newly arriving to the United States and Washington who do not qualify for federal refugee resettlement program services. Support services include, but are not limited to, housing assistance, food, transportation, childhood education services, education and employment supports, connection to legal services, and social services navigation.

(b) Of the amounts in (a) of this subsection, \$162,000 is provided solely for staffing at the office of refugee and immigrant assistance to cover the administrative expenses of coordinating a statewide approach to the supports described in (a) of this subsection.

(31) (a) \$593,000 of the general fund—state appropriation for fiscal year 2024, \$1,406,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely to implement changes made through the fiscal responsibility act of 2023 (137 Stat. 10) for the supplemental nutrition assistance program's work requirements for able-bodied adults without dependents, and the corresponding impacts to the state food assistance program.

(b) Of the amounts in (a) of this subsection, \$104,000 of the general fund—state appropriation for fiscal year 2024, \$115,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely for administrative and information technology expenses.

(32) (a) \$236,000 of the general fund—state appropriation for fiscal year 2024, \$3,367,000 of the general fund—state appropriation for fiscal year 2025, and \$1,329,000 of the general fund—federal appropriation are provided solely for the department to hire additional public benefit specialists to help reduce the call center and lobby wait times within the community services division.

(b) By June 30, 2025, the department must submit a report to the governor and the legislature that shows the prior fiscal year's call and lobby wait times by month and queue, number of customer contacts by month and queue, processing times for the various queues for the three most recent fiscal years along with an explanation for any changes to the most recent year's processing times, number of filled public benefit specialists 3 positions and vacancies by month, wait time impacts associated with individual technology solution enhancements, any telephonic savings experienced due to fewer customers waiting on hold, and recommendations to continue reducing customer wait times.

(33) \$103,000 of the general fund—state appropriation for fiscal year 2025 and \$65,000 of the general fund—federal appropriation are provided solely to implement Senate Bill No. 5889 (customer voice council). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 206.** 2023 c 475 s 206 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2024)	(( <del>\$26,670,000</del> ))
	<u>\$26,677,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$26,962,000</del> ))
	<u>\$26,975,000</u>
General Fund—Federal Appropriation	\$110,047,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$163,679,000</del>))</b>
	<b><u>\$163,699,000</u></b>

**Sec. 207.** 2023 c 475 s 207 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SPECIAL COMMITMENT PROGRAM**

General Fund—State Appropriation (FY 2024)	(( <del>\$82,011,000</del> ))
	<u>\$81,275,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$81,976,000</del> ))
	<u>\$80,461,000</u>
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$163,987,000</del>))</b>
	<b><u>\$161,736,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

((+4)) (2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to:

(i) Explore regulatory framework options for conditional release less restrictive alternative placements and make recommendations for a possible future framework. This exploration shall include collaboration with the department of corrections regarding their community custody programs;

(ii) Review and refine agency policies regarding communication and engagement with impacted local governments related to less restrictive alternatives, including exploring options for public facing communications on current county fair share status and any projected future need;

(iii) Identify opportunities for greater collaboration and possible fiscal support for local government entities regarding placements of conditional release less restrictive alternatives; and

(iv) Provide recommendations to improve cost-effectiveness of all less restrictive alternative placements.

(b) The department shall submit a report to the governor and appropriate fiscal and policy committees of the legislature by December 1, 2023, with a summary of the results and provide any additional recommendations to the legislature that the department identifies. The report shall also include a summary of costs to the department for contracted and uncontracted less restrictive alternatives.

((+5)) (3) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to conduct an assessment of wireless internet implementation needs and options, and must include an assessment of satellite and fiber options. The department shall provide a report that includes the assessment and estimated implementation time frame and costs to the appropriate committees of the legislature by December 15, 2023.

(4) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 208.** 2023 c 475 s 208 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024)	(( <del>\$49,968,000</del> ))
	<u>\$50,926,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$50,544,000</del> ))
	<u>\$57,903,000</u>
General Fund—Federal Appropriation	(( <del>\$57,444,000</del> ))
	<u>\$62,572,000</u>
<u>Climate Commitment Account—State Appropriation</u>	<u>\$1,000,000</u>
<u>Information Technology Investment Revolving Account—</u>	
<u>State Appropriation</u>	<u>\$4,876,000</u>
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$157,956,000</del>))</b>
	<b><u>\$177,277,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs funded by the United States department of agriculture and administered by the

department. The department must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(2) \$5,000 of the general fund—state appropriation for fiscal year 2024, \$22,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium as provided in section 907 of this act.

(3) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the joint legislative and executive committee on behavioral health established in section 135 of this act.

(4) \$115,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$64,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$100,000 of the general fund—state appropriation for fiscal year 2024, \$96,000 of the general fund—state appropriation for fiscal year 2025, and \$149,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5497 (medicaid expenditures). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$231,000 of the general fund—state appropriation for fiscal year 2024 and \$65,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5304 (language access/testing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(7)(a) \$2,961,000 of the general fund—federal appropriation is provided solely for the system for integrated leave, attendance, and scheduling (SILAS) project and is subject to the conditions, limitations, and review requirements of section 701 of this act. Funding is provided solely for continued project expansion at the:

- (i) Yakima Valley school;
- (ii) Maple Lane campus;
- (iii) Brockmann campus;
- (iv) Rainier school; and
- (v) Fircrest school.

(b) By July 1, 2024, the department must submit a report to the appropriate committees of the legislature to include, at least, the implementation schedule and budget plans by facility deployment for each of the facilities listed in (a) of this subsection.

(c) By June 30, 2025, the department must submit a report to the appropriate committees of the legislature to include, but not be limited to, how funding was spent compared to the spending plan and the actual roll out by facility compared to the implementation schedule for each facility that the SILAS solution was planned and/or implemented at in the prior 12 calendar months.

(8) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the research and data administration of the department to analyze historical trends of admissions for felony civil conversion cases based on behavioral health administrative service organization regions. The research and data administration must create a report that provides information on the monthly averages for admission by region and any information about trends or cycles, and shall make a recommendation about how best to predict and model future admissions for this population by region. The report must be submitted to the governor, office of financial management, and appropriate committees of the legislature no later than November 1, 2024.

(9) \$1,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to pilot a statewide network of community assemblies with overburdened communities as defined in RCW 70A.02.010. The department must select topics for community assemblies that fall within its authority or must consult and coordinate with the agency who has authority on the proposed topic before selection. These assemblies will review state policy, program, and funding decisions.

(10) \$670,000 of the general fund—state appropriation for fiscal year 2025 and \$189,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5943 (resource data tool). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(11)(a) \$250,000 of general fund—state appropriation is provided solely for the department to complete a gap analysis of the existing housing and health care system and provide a report to the legislature detailing its findings. This report shall include, but not be limited to, a review of existing models related to individuals experiencing:

- (i) Housing instability who have significant medical and/or behavioral health needs, including the inability to stay in or return to their current housing;

(ii) Homelessness and/or a significant history of being unhoused, including permanent supportive housing residents; and

(iii) Significant health-related social needs that are not severe enough to qualify for placement in existing facilities, but are too significant to be met in a shelter or permanent supportive housing.

(b) The gap analysis shall also include a review of:

(i) Hospitals with patients that have resolved the acute hospital-level needs of the patient, but cannot discharge patients to the community because there is no appropriate lower level of care available; and

(ii) Permanent supportive housing and shelter providers with residents whose medical needs exceed the location's ability to provide care.

(c) The department shall provide recommendations to fill the gaps identified in (a) and (b) of this subsection, which may include creation of complex care locations and enhanced behavioral health supports until an individual qualifies for either a higher or lower level of care.

(d) This report must be submitted to the appropriate committees of the legislature by December 1, 2024.

**Sec. 209.** 2023 c 475 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PAYMENTS TO OTHER AGENCIES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$63,781,000)) \$66,483,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$60,934,000)) \$63,617,000
General Fund—Federal Appropriation. . . . .	(((\$60,794,000)) \$61,814,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$185,509,000)) \$191,914,000</b>

The appropriations in this section are subject to the following conditions and limitations: Within the amounts appropriated in this section, the department must extend master property insurance to all buildings owned by the department valued over \$250,000 and to all locations leased by the department with contents valued over \$250,000.

**Sec. 210.** 2023 c 475 s 210 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY**

(1)(a) During the 2023-2025 fiscal biennium, the health care authority shall provide support and data as required by the office of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority.

(b) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

(2) The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3)(a) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(b) The health care authority must submit a report on November 1, 2023, and annually thereafter, to the fiscal committees of the legislature. The report must include, at a minimum:

(i) A list of active coalition projects as of July 1st of the fiscal year. This must include all current and ongoing coalition projects, which coalition agencies are involved in these projects, and the funding being expended on each project, including in-kind funding. For each project, the report must include which federal requirements each coalition project is working to satisfy, and when each project is anticipated to satisfy those requirements; and

(ii) A list of coalition projects that are planned in the current and following fiscal year. This must include which coalition agencies are involved in these projects, including the anticipated in-kind funding by agency, and if a budget request will be submitted for funding. This must reflect all funding required by fiscal year and by fund source and include the budget outlook period.

(4) The appropriations to the health care authority in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the authority may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management. To the extent that appropriations in this section are insufficient to fund actual expenditures in excess of caseload forecast and utilization assumptions, the authority may transfer general fund—state appropriations for fiscal year 2024 that are provided solely for a specified purpose. The authority may not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification must include a narrative explanation and justification of changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications and transfers.

**Sec. 211.** 2023 c 475 s 211 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—MEDICAL ASSISTANCE**

General Fund—State Appropriation (FY 2024)	(\$2,682,912,000))
	\$2,858,495,000
General Fund—State Appropriation (FY 2025)	(\$2,672,393,000))
	\$2,926,650,000
General Fund—Federal Appropriation	(\$15,431,138,000))
	\$16,706,792,000
General Fund—Private/Local Appropriation	(\$1,074,465,000))
	\$1,252,273,000
Dedicated Cannabis Account—State Appropriation (FY 2024)	((25,544,000))
	\$21,513,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	((28,936,000))
	\$23,376,000
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation	\$15,086,000
<u>Family Medicine Workforce Development Account—State Appropriation</u>	\$7,000,000
Hospital Safety Net Assessment Account—State Appropriation	(\$1,524,493,000))
	\$1,517,493,000
<u>Long-Term Services and Supports Trust Account—State Appropriation</u>	\$314,000
Medical Aid Account—State Appropriation	\$540,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation	((21,606,000))
	\$11,624,000
Telebehavioral Health Access Account—State Appropriation	((8,394,000))
	\$7,836,000
Ambulance Transport Fund—State Appropriation	((13,872,000))
	\$14,316,000
<b>TOTAL APPROPRIATION</b>	<b>((23,499,379,000))</b>
	<b>\$25,363,308,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The authority shall submit an application to the centers for medicare and medicaid services to renew the 1115 demonstration waiver for an additional five years as described in subsections (2), (3), and (4) of this section. The authority may not accept or expend any federal funds received under an 1115 demonstration waiver except as described in this section unless the legislature has appropriated the federal funding. To ensure compliance with legislative requirements and terms and conditions of the waiver, the authority shall implement the renewal of the 1115 demonstration waiver and reporting requirements with

oversight from the office of financial management. The legislature finds that appropriate management of the renewal of the 1115 demonstration waiver as set forth in subsections (2), (3), and (4) of this section requires sound, consistent, timely, and transparent oversight and analytic review in addition to lack of redundancy with other established measures. The patient must be considered first and foremost in the implementation and execution of the demonstration waiver. To accomplish these goals, the authority shall develop consistent performance measures that focus on population health and health outcomes. The authority shall limit the number of projects that accountable communities of health may participate in under initiative 1 to a maximum of six and shall seek to develop common performance measures when possible. The joint select committee on health care oversight will evaluate the measures chosen: (a) For effectiveness and appropriateness; and (b) to provide patients and health care providers with significant input into the implementation of the demonstration waiver to promote improved population health and patient health outcomes. In cooperation with the department of social and health services, the authority shall consult with and provide notification of work on applications for federal waivers, including details on waiver duration, financial implications, and potential future impacts on the state budget to the joint select committee on health care oversight prior to submitting these waivers for federal approval. Prior to final approval or acceptance of funds by the authority, the authority shall submit the special terms and conditions as submitted to the centers for medicare and medicaid services and the anticipated budget for the duration of the renewed waiver to the governor, the joint select committee on health care, and the fiscal committees of the legislature. By federal standard any programs created or funded by this waiver do not create an entitlement. The demonstration period for the waiver as described in subsections (2), (3), and (4) of this section begins July 1, 2023.

(2) (a) (~~(\$150,219,000)~~) \$342,398,000 of the general fund—federal appropriation and (~~(\$150,219,000)~~) \$213,592,000 of the general fund—local appropriation are provided solely for accountable communities of health described in initiative 1 of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. In renewing this initiative, the authority shall consider local input regarding community needs and shall limit total local projects to no more than six. To provide transparency to the appropriate fiscal committees of the legislature, the authority shall provide fiscal staff of the legislature query ability into any database of the fiscal intermediary that authority staff would be authorized to access. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) (~~(\$438,515,000)~~) \$467,787,000 of the general fund—federal appropriation and (~~(\$179,111,000)~~) \$191,068,000 of the general fund—private/local appropriation are provided solely for the medicaid quality improvement program and this is the maximum amount that may be expended for this purpose. Medicaid quality improvement program payments do not count against the 1115 demonstration waiver spending limits and are excluded from the waiver's budget neutrality calculation. The authority may provide medicaid quality improvement program payments to apple health managed care organizations and their partnering providers as they meet designated milestones. Partnering providers and apple health managed care organizations must work together to achieve medicaid quality improvement program goals according to the performance period timelines and reporting deadlines as set forth by the authority. The authority may only use the medicaid quality improvement program to support initiatives 1, 2, and 3 as described in the 1115 demonstration waiver and may not pursue its use for other purposes. Any programs created or funded by the medicaid quality improvement program do not constitute an entitlement for clients or providers. The authority shall not supplement the amounts provided in this subsection with any general fund—state, general fund—federal, or general fund—local moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight not less than quarterly on financial and health outcomes. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) In collaboration with the accountable communities of health, the authority will submit a report to the governor and the joint select committee on health care oversight describing how each of the accountable community of health's work aligns with the community needs assessment no later than December 1, 2023.

(d) Performance measures and payments for accountable communities of health shall reflect accountability measures that demonstrate progress toward transparent, measurable, and meaningful goals that have an impact on improved population health and improved health outcomes, including a path to financial sustainability. While these goals may have variation to account for unique community demographics, measures should be standardized when possible.

(3) (~~(\$115,713,000)~~) \$87,665,000 of the general fund—federal appropriation and (~~(\$115,725,000)~~) \$87,666,000 of the general fund—local appropriation are provided solely for long-term support services as described in initiative 2 of the 1115 demonstration waiver as well as administrative expenses for initiative 3 and this is the maximum amount that may be expended for this purpose. The authority shall contract with and provide funding to the department of social and health services to administer initiative 2. The director in cooperation with the secretary of the department of social and health services shall report

to the office of financial management all of the expenditures of this section and shall provide such fiscal data in the time, manner, and form requested. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section.

(4) (a) (~~(\$54,912,000)~~) \$46,450,000 of the general fund—federal appropriation and (~~(\$30,162,000)~~) \$21,432,000 of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its third-party administrator. The authority and the department, in consultation with the medical assistance expenditure forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) (~~The authority and the department shall seek~~) \$28,156,000 of the general fund—federal appropriation and \$22,067,000 of the general fund—local appropriation are provided solely for additional ((flexibilities for)) housing supports ((through the centers for medicare and medicaid services and shall coordinate with the office of financial management and the department of commerce to ensure that services are not duplicated)) described in the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) The director shall report to the joint select committee on health care oversight no less than quarterly on utilization and caseload statistics for both supportive housing and employment services and its progress toward increasing uptake and availability for these services.

(5) \$1,432,000 of the general fund—state appropriation for fiscal year 2024 and \$3,008,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported employment services and \$1,478,000 of the general fund—state appropriation for fiscal year 2024 and \$3,162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported housing services, similar to the services described in initiatives 3a and 3b of the 1115 demonstration waiver to individuals who are ineligible for medicaid. Under these initiatives, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its third-party administrator. Before authorizing services, eligibility for initiative 3a or 3b of the 1115 demonstration waiver must first be determined.

(6) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

(7) The legislature finds that medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(8) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

(9) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

(10) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

(11) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

(12) (~~(\$4,176,000)~~) \$4,261,000 of the general fund—state appropriation for fiscal year 2024, \$4,261,000 of the general fund—state appropriation for fiscal year 2025, and



((~~\$8,607,000~~))\$8,522,000 of the general fund—federal appropriation are provided solely for low-income disproportionate share hospital payments.

(13) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

(14) \$7,000,000 of the general fund—federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

(15) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2023-2025 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2023, and by November 1, 2024, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2024 and fiscal year 2025, hospitals in the program shall be paid and shall retain 100 percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and 100 percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. For the purpose of determining the amount of any state grant under this subsection, payments will include the federal portion of medicaid program supplemental payments received by the hospitals. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2023-2025 biennial operating appropriations act and in effect on July 1, 2015, (b) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2019-2021 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within 11 months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. (~~(\$237,000 of the general fund state appropriation for fiscal year 2024 and \$218,000 of the general fund state appropriation for fiscal year 2025 are provided solely for state grants for the participating hospitals.)~~)

(16) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide ongoing support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

(17) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority

shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

(18) The authority shall submit reports to the governor and the legislature by September 15, 2023, and no later than September 15, 2024, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

(19) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

(20) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

(21) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(22) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$90,000 of the general fund—state appropriation for fiscal year 2025, and \$180,000 of the general fund—federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

(24) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(25) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

(26) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

(27) The authority shall use revenue appropriated from the dedicated cannabis account for contracts with community health centers under RCW 69.50.540 in lieu of general fund—state payments to community health centers for services provided to medical assistance clients, and it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(28) Beginning no later than July 1, 2018, for any service eligible under the medicaid state plan for encounter payments, managed care organizations at the request of a rural health clinic shall pay the full published encounter rate directly to the clinic. At no time will a managed care organization be at risk for or have any right to the supplemental portion of the claim. Payments will be reconciled on at least an annual basis between the managed care organization and the authority, with final review and approval by the authority.

(29) Sufficient amounts are appropriated in this section for the authority to provide a medicaid equivalent adult dental benefit to clients enrolled in the medical care service program.

(30) During the 2023-2025 fiscal biennium, sufficient amounts are provided in this section for the authority to provide services identical to those services covered by the Washington state family planning waiver program as of August 2018 to individuals who:

(a) Are 19 years of age;

(b) Are at or below 260 percent of the federal poverty level as established in WAC 182-505-0100;

(c) Are not covered by other public or private insurance; and

(d) Need family planning services and are not currently covered by or eligible for another medical assistance program for family planning.

~~((32))~~ (31) (a) The authority shall ensure that appropriate resources are dedicated to implementing the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report. Additionally, the authority shall:

(i) Work to ensure the efficient operations of the managed care plans, including but not limited to, a deconflicting process for audits with and among the managed care plans and the medicaid fraud division at the attorney general's office, to ensure the authority staff perform central audits of cases that appear across multiple managed care plans, versus the audits performed by the individual managed care plans or the fraud division;

(ii) Remain accountable for operating in an effective and efficient manner, including performing program integrity activities that ensure high value in the medical assistance program in general and in medicaid managed care specifically;

(iii) Work with its contracted actuary and the medical assistance expenditure forecast work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting; and

(iv) Work with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024, \$50,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the general fund—federal appropriation are provided solely for the authority to consider, as part of its program integrity activities, whether it is providing economical, efficient, and quality prescription drug services through its administrative services model and the quantifiable cost and benefit of this service delivery method. The authority must establish an annual reporting requirement for all covered entities participating in the 340B drug pricing program that receive medicaid funds under this section; and the authority shall provide at an aggregate level, broken down by covered entities defined by 42 U.S.C. §256b(a)(4)(A)-(O), the following minimum information to the governor and fiscal committees of the legislature no later than October 15, 2023:

(i) The cost and benefits of providing these prescription drug benefits through a carved-out fee-for-service benefit, both total cost and net of rebates;

(ii) The cost and benefits of providing these prescription drug benefits through a carved-in managed care benefit, both total cost and net of rebates;

(iii) The cost and benefits of providing these prescription drug benefits through the administrative services model, both total and net of rebates;

(iv) The community benefit attributable to 340B providers as a result of the administrative services or carved-in model as compared to each other and as compared to the carved-out model; and

(v) The federal financial participation provided to the state under each of these models.

(c) The authority shall submit a report to the governor and appropriate committees of the legislature by October 1, 2023, that includes, but is not limited to:

(i) Specific, quantified actions that have been taken, to date, related to the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report;

(ii) Specific, quantified information regarding the work done with its contracted actuary and the medical assistance expenditure forecast expenditure work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting;

(iii) Specific, quantified information regarding the work done with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner;

(iv) Accounting by fiscal year, medicaid eligibility group, and service beginning with state fiscal year 2020 to include all program integrity recoveries attributable to the authority, including how these recoveries are categorized, to which year they are reported, how these recoveries are applied against legislative savings requirements, and what recoveries are attributable to the office of the attorney general's medicaid fraud control division and how these recoveries are considered when reporting program integrity activity and determining managed care rates; and

(v) Information detailing when the agency acquired a new fraud and abuse detection system and to what extent this system is being utilized.

~~((33))~~ (32) (a) The authority shall not enter into any future value-based arrangements with federally qualified health centers or rural health clinics prior to receiving approval from the office of financial management and the appropriate committees of the legislature.

(b) The authority shall not modify the reconciliation process with federally qualified health centers or rural health clinics without notification to and the opportunity to comment from the office of financial management.

(c) The authority shall require all managed care organizations to provide information to the authority to account for all payments to rural health clinics and federally qualified health centers to include how payments are made, including any additional payments and whether there is a sub-capitation arrangement or value-based purchasing arrangement.

(d) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall reconcile on an annual basis with rural health clinics and federally qualified health centers.

(e) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall properly accrue for any anticipated reconciliations with rural health clinics and federally qualified health centers during the fiscal year close process following generally accepted accounting practices.

~~((34))~~ (33) Within the amounts appropriated in this section, the authority is to include allergen control bed and pillow covers as part of the durable medical equipment benefit for children with an asthma diagnosis enrolled in medical assistance programs.

~~((35) Within the amounts appropriated in this section, the authority shall reimburse for maternity services provided by doulas.~~

~~((36))~~ (34) \$23,000 of the general fund—state appropriation for fiscal year 2024, \$228,000 of the general fund—state appropriation for fiscal year 2025, and \$312,000 of the general fund—federal appropriation are provided solely for the reimbursement of services provided by doula for apple health clients. The centers for medicare and medicaid services must approve a state plan amendment to reimburse for doula services prior to the implementation of this policy.

(35) Sufficient funds are provided in this section for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

~~((37))~~ (36) Sufficient funds are provided to continue reimbursing dental health aid therapists for services performed in tribal facilities for medicaid clients. The authority must leverage any federal funding that may become available as a result of appeal decisions from the centers for medicare and medicaid services or the United States court of appeals for the ninth circuit.

~~((38))~~ (37) Within the amounts appropriated in this section, the authority shall implement the requirements of RCW 74.09.830 (postpartum health care) and the American rescue plan act of 2021, P.L. 117-2, in extending health care coverage during the postpartum period. The authority shall make every effort to expedite and complete eligibility determinations for individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act to ensure the state is receiving maximum federal match. This includes, but is not limited to, working with managed care organizations to provide continuous outreach in various modalities until the individual's eligibility determination is completed. Beginning June 1, 2022, the authority must submit quarterly reports to the caseload forecast work group on the number of individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act but are waiting for the authority to complete eligibility determination, the number of individuals who were likely eligible but are now receiving health care coverage with the maximum federal match under Title XIX or Title XXI of the federal social security act, and outreach activities including the work with managed care organizations.

~~((39))~~ (38) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the perinatal support warm line to provide peer support, resources, and referrals to new and expectant parents and people in the emotional transition to parenthood experiencing, or at risk of, postpartum depression or other mental health issues.

~~((40))~~ (39) Sufficient funding is provided to remove the asset test from the medicare savings program review process.

~~((41))~~ (40) Sufficient funding is provided to eliminate the mid-certification review process for the aged, blind, or disabled and housing and essential needs referral programs.

~~((42))~~ (41) \$403,000 of the general fund—state appropriation for fiscal year 2025 and \$1,185,000 of the general fund—federal appropriation are provided solely for an adult acupuncture benefit beginning January 1, 2025.

~~((43))~~ (42) \$581,000 of the general fund—state appropriation for fiscal year 2025 and \$1,706,000 of the general fund—federal appropriation are provided solely for an adult chiropractic benefit beginning January 1, 2025.

~~((44))~~ (43) (a) \$4,109,000 of the general fund—state appropriation for fiscal year 2024 and \$2,055,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to establish a two-year grant program for reimbursement for services to patients up to age 18 provided by community health workers in primary care clinics whose patients are significantly comprised of pediatric patients enrolled in medical assistance under chapter 74.09 RCW beginning January 1, 2023. Community health workers funded under this subsection may provide outreach, informal counseling, and social supports for health-related social needs. The authority shall seek a state plan amendment or federal demonstration waiver should they determine these services are eligible for federal matching funds. Within the amounts provided in this subsection, the authority will provide an initial report to the governor and appropriate committees of the legislature by January 1, 2024, and a final report by January 1, 2025. The report shall include, but not be limited to, the quantitative impacts of the grant program, how many community health workers are participating in the grant program, how many clinics these community health workers represent, how many clients are being served, and evaluation of any measurable health outcomes identified in the planning period prior to January 2023.

(b) In collaboration with key stakeholders including pediatric primary care clinics and medicaid managed care organizations, the authority shall explore longer term, sustainable reimbursement options for the integration of community health workers in primary care to address the health-related social needs of families, including approaches to incorporate federal funding.

~~((45))~~ (44) \$1,635,000 of the general fund—state appropriation for fiscal year 2024, \$1,024,000 of the general fund—state appropriation for fiscal year 2025, and \$1,765,000 of the general fund—federal appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, for state programs within the health and human services coalition to uniformly identify clients across multiple service delivery systems. The coalition will clearly identify all state programs impacted by and all fund sources used in development and implementation of this project. This subsection is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((46))~~ (45) (a) Sufficient amounts are appropriated in this section for the authority to provide coverage for all federal food and drug administration-approved HIV antiviral drugs without prior authorization. This coverage must be provided to apple health clients enrolled in both fee-for-service and managed care programs.

(b) Beginning July 1, 2023, upon initiation or renewal of a contract with the authority to administer a medicaid managed care plan, a managed care health care system shall provide coverage without prior authorization for all federal food and drug administration-approved HIV antiviral drugs.

(c) By December 1, 2023, and December 1, 2024, the authority must submit to the fiscal committees of the legislature the projected and actual expenditures and percentage of medicaid clients who switch to a new drug class without prior authorization as described in (a) and (b) of this subsection.

~~((47))~~ (46) The authority shall consider evidence-based recommendations from the Oregon health evidence review commission when making coverage decisions for the treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome.

~~((48))~~ (47) \$2,120,000 of the general fund—state appropriation for fiscal year 2024, \$2,120,000 of the general fund—state appropriation for fiscal year 2025, and \$9,012,000 of the general fund—federal appropriation are provided solely to increase advanced life support code A0426 by 64 percent, basic life support base rates for nonemergency ambulance transports code A0428 by 80 percent, and mileage for both nonemergency and emergency ambulance transportation code A0425 by 35 percent, beginning July 1, 2023.

~~((49))~~ (48) \$2,047,000 of the general fund—state appropriation for fiscal year 2024, \$3,390,000 of the general fund—state appropriation for fiscal year 2025, and \$5,135,000 of the general fund—federal appropriation are provided solely to increase reimbursement rates by 20 percent for applied behavior analysis codes 0362T and 0373T for individuals with complex behavioral health care needs; and by 15 percent for all other applied behavior analysis codes with the exception of Q3014, beginning January 1, 2024.

~~((50))~~ (49) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$1,992,000 of the general fund—federal appropriation are provided solely for modular replacement costs of the ProviderOne pharmacy point of sale system and are subject to the conditions, limitations, and review provided in section 701 of this act.

~~((51))~~ (50) \$709,000 of the general fund—state appropriation for fiscal year 2024, \$1,410,000 of the general fund—state appropriation for fiscal year 2025, and \$4,075,000 of the general fund—federal appropriation are provided solely to maintain and increase access for behavioral health services through increased provider rates. The rate increases are effective January 1, 2024, and must be applied to the following codes for children and adults enrolled in the medicaid program: 90785, 90791, 90832, 90833, 90834, 90836, 90837, 90838, 90845, 90846, 90847, 90849, 90853, 96156, 96158, 96159, 96164, 96165, 96167, 96168, 96170, 96171, H0004, H0023, H0036, and H2015. The authority may use a substitute code in the event that any of the codes identified in this subsection are discontinued and replaced with an updated code covering the same service. Within the amounts provided in this subsection the authority must:

(a) Implement this rate increase in accordance with the process established in RCW 71.24.885 (medicaid rate increases);

(b) Raise the state fee-for-service rates for these codes by up to 7 percent, except that the state medicaid rate may not exceed the published medicare rate or an equivalent relative value unit rate if a published medicare rate is not available;

(c) Require in contracts with managed care organizations that, beginning January 2024, managed care organizations pay no lower than the fee-for-service rate for these codes, and adjust managed care capitation rates accordingly; and

(d) Not duplicate rate increases provided in subsection ~~((52))~~ (51) of this section.

~~((52))~~ (51) \$1,055,000 of the general fund—state appropriation for fiscal year 2025 and \$2,046,000 of the general fund—federal appropriation are provided solely to maintain and increase access for primary care services for medicaid-enrolled patients through increased provider rates beginning January 1, 2025. Within the amounts provided in this subsection the authority must:

(a) Increase the medical assistance rates for adult primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(b) Increase the medical assistance rates for pediatric primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(c) Increase the medical assistance rates for pediatric critical care, neonatal critical care, and neonatal intensive care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(d) Apply reimbursement rates required under this subsection to payment codes in a manner consistent with the temporary increase in medicaid reimbursement rates under federal rules and guidance in effect on January 1, 2014, implementing the patient protection and affordable care act, except that the authority may not require provider attestations;

(e) Pursue state plan amendments to require medicaid managed care organizations to increase rates under this subsection through adoption of a uniform percentage increase for

network providers pursuant to 42 C.F.R. Sec. 438.6(c)(1)(iii)(B), as existing on January 1, 2023; and

(f) Not duplicate rate increases provided in subsection ~~((+51))~~ (50) of this section.

~~((+53))~~ (52) The authority shall seek a waiver from the federal department of health and human services necessary to implement the requirements of RCW 74.09.670 (medical assistance benefits—incarcerated or committed persons—suspension). Additionally, the authority shall ~~((explore expanding))~~ implement its waiver application for prerelease services ~~((from 30))~~ up to 90 days; and provide the governor and fiscal committees of the legislature estimates of costs for implementation or maintenance of effort requirements of this expansion prior to entering into agreement with the centers for medicare and medicaid services.

(a) \$124,000 of the general fund—state appropriation for fiscal year 2025, \$60,925,000 of the general fund—federal appropriation, and \$60,785,000 of the general fund—private/local appropriation are provided solely for prerelease services including, but not limited to, case management, clinical consultations, medication assisted therapy, community health worker services, 30-day supply of medications, durable medical equipment, medications, laboratory services, and radiology services.

(b) The authority shall coordinate with the department of corrections for prison reentry implementation pursuant to the waiver terms. The authority will coordinate with tribes, other state agencies, and jail administrations as necessary to achieve the terms of the 1115 medicaid transformation waiver. The authority shall use its statutory reentry advisory work group and subgroups as necessary to coordinate with partners to achieve these goals.

~~((+54))~~ (53) Within the amounts appropriated in this section the authority in collaboration with UW Medicine shall explore funding options for clinical training programs including, but not limited to, family medical practice, psychiatric residencies, advanced registered nurse practitioners, and other primary care providers. Options should include, but not be limited to, shifting direct medicaid graduate medical education payments or indirect medicaid graduate medical education payments, or both, from rates to a standalone program. The authority in collaboration with UW Medicine shall submit a report outlining its findings to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023.

~~((+55))~~ (54) \$143,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((+56))~~ (55) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5532 (small rural hospital payment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((+57))~~ (56) \$56,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$166,000 of the general fund—federal appropriation are provided solely for the authority to increase pediatric palliative care rates to the equivalent medicare rates paid for hospice care in effect October 1, 2022, beginning January 1, 2024.

~~((+58))~~ (57) \$598,000 of the general fund—state appropriation for fiscal year 2024 and \$591,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for work required of the authority as specified in RCW 41.05.840 (universal health care commission). Of the amounts provided in this subsection:

(i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are for staff dedicated to contract procurement, meeting coordination, legislative reporting, federal application requirements, and administrative support;

(ii) \$132,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are for additional staff dedicated to the work of the finance technical advisory committee; and

(iii) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are for consultant services, dedicated actuarial support, and economic modeling.

~~((+59))~~ (58) \$2,395,000 of the general fund—state appropriation for fiscal year 2024, \$2,395,000 of the general fund—state appropriation for fiscal year 2025, and \$10,178,000 of the general fund—federal appropriation are provided solely to increase air ambulance—fixed wing code A0430 by 189 percent, air ambulance—rotary wing code A0431 by 265 percent, fixed wing air mileage code A0435 by 57 percent, and rotary wing air mileage code A0436 by 68 percent, beginning July 1, 2023.

~~((+60))~~ (59) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$218,000 of the general fund—federal appropriation are provided solely for the authority to increase the allowable number of periodontal treatments to up to four per 12 month period for apple health eligible adults, ages 21 and over, with a current diagnosis of diabetes, beginning January 1, 2024.

~~((+61))~~ (60) (a) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((+))~~ and \$1,360,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one-time bridge grants to hospitals in financial distress.

(b) To qualify for these grants, a hospital must:

(i) Be located in Washington;

- (ii) Serve individuals enrolled in state and federal medical assistance programs;
- (iii) Continue to maintain a medicaid population at similar utilization levels as in calendar year 2022;
- (iv) Be necessary for an adequate provider network for the medicaid program;
- (v) Demonstrate a plan for long-term financial sustainability; and
- (vi) Meet one of the following criteria:
  - (A) Lack adequate cash-on-hand to remain financially solvent;
  - (B) Have experienced financial losses during hospital fiscal year 2022; or
  - (C) Be at risk of bankruptcy.
- (c) Of the amounts appropriated in this subsection for fiscal year 2024, \$4,000,000 must be distributed to a hospital that meets the qualifications in subsection (b) and is located on tribal land.
- (d) Of the amounts appropriated in this subsection for fiscal year 2025, \$1,360,000 must be distributed to a hospital that:
  - (i) Had fewer than 150 acute care licensed beds in fiscal year 2011;
  - (ii) Has a level III adult trauma service designation from the department of health as of January 1, 2014; and
  - (iii) Is owned and operated by the state or a political subdivision.
- ~~((62))~~ (61) (a) Sufficient funds are provided in this section for an outpatient directed payment program.
  - (b) The authority shall:
    - (i) Maintain the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;
    - (ii) Seek approval from the centers for medicare and medicaid services to expand the medicaid outpatient directed payment program for hospital outpatient services provided to medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;
    - (iii) Direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and
    - (iv) Increase medicaid payments for hospital outpatient services provided by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.
  - (c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.
  - (d) Participating hospitals shall retain the full amount of payments provided under this program.
- ~~((63))~~ (62) (a) No more than \$200,661,000 of the general fund—federal appropriation and no more than \$91,430,000 of the general fund—local appropriation may be expended for an inpatient directed payment program.
  - (b) The authority shall:
    - (i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;
    - (ii) Seek approval from the centers for medicare and medicaid services to create a medicaid inpatient directed payment program for hospital inpatient services provided to medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;
    - (iii) Upon approval, direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and
    - (iv) Increase medicaid payments for hospital inpatient services provided by UW Medicine and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.
  - (c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.
  - (d) Participating hospitals shall retain the full amount of payments provided under this program.
  - (e) Participating hospitals will provide the local funds to fund the required nonfederal contribution.
  - (f) This program shall be effective as soon as administratively possible.
- ~~((64))~~ (63) Within the amounts appropriated in this section, the authority shall maintain and increase access for family planning services for patients seeking services through department of health sexual and reproductive health program family planning providers based on the rates in effect as of July 1, 2022.
- ~~((65))~~ (64) (a) ~~(\$9,563,000)~~ \$5,063,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$12,727,000)~~ \$17,227,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to implement a ~~((five-site))~~ pilot program for difficult to discharge individuals as described in section ~~((135(12)))~~ 132(12) of this act.
  - (b) The authority shall work in collaboration with the contractor and task force identified in section ~~((135(12)))~~ 132(12) of this act to carry out the goals and objectives of the pilot program, including but not limited to:
    - (i) Providing enhanced care management and wraparound services that shall be provided by or delegated to managed care pilot participants, based on services currently provided by the Harborview medical center program;

(ii) Providing incentive payments to participating post acute care providers;  
 (iii) Developing home and community services assessment timeliness requirements for pilot participants in cooperation with the department of social and health services; and  
 (iv) Providing reimbursement for administrative support through Harborview medical center for the duration of the pilot project, including training and education to support pilot participants.

(c) Of the amounts provided in this subsection, \$44,000 of the general fund—state appropriation for fiscal year 2024, \$42,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to provide staff support to the difficult to discharge task force described in section ~~((135(12))~~) 132(12) of this act, including any associated ad hoc subgroups.

~~((66))~~ (65)(a) Within the amounts appropriated in this section the authority, in consultation with the health and human services enterprise coalition, community-based organizations, health plans, accountable communities of health, and safety net providers, shall determine the cost and implementation impacts of a statewide community information exchange (CIE). A CIE platform must serve as a tool for addressing the social determinants of health, defined as nonclinical community and social factors such as housing, food security, transportation, financial strain, and interpersonal safety, that affect health, functioning, and quality-of-life outcomes.

(b) Prior to issuing a request for proposals or beginning this project, the authority must work with stakeholders in (a) of this subsection to determine which platforms already exist within the Washington public and private health care system to determine interoperability needs and fiscal impacts to both the state and impacted providers and organizations that will be using a single statewide community information exchange platform.

(c) The authority shall provide the office of financial management and fiscal committees of the legislature a proposal to leverage medicaid enterprise financing or other federal funds prior to beginning this project and shall not expend funds under a 1115 waiver or any other waiver without legislative authorization.

(d) ~~((This subsection))~~ \$4,817,000 of the general fund—federal appropriation and \$4,817,000 of the general fund—private/local appropriation are provided solely for the authority to implement the community information exchange program. The technology solution chosen by the health care authority should be capable of interoperating with other state funded systems in Washington and should be able to electronically refer individuals to services using a closed-loop referral process. Funding for the community information exchange program is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((67))~~ (66) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$252,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to data review, analysis, and management, and policy analysis in support of the health care cost transparency board as described in chapter 70.390 RCW.

~~((68))~~ (67) \$76,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, \$152,000 of the general fund—federal appropriation, and \$606,000 of the telebehavioral health access account—state appropriation are provided solely for additional staff support for the mental health referral service for children and teens.

~~((69))~~ (68) \$1,608,000 of the general fund—state appropriation for fiscal year 2024, \$2,015,000 of the general fund—state appropriation for fiscal year 2025, and \$3,681,000 of the general fund—federal appropriation are provided solely for a rate increase for the health homes program for fee-for-service enrollees, beginning July 1, 2023.

~~((70))~~ (69) \$295,000 of the general fund—state appropriation for fiscal year 2024, \$307,000 of the general fund—state appropriation for fiscal year 2025, and \$123,000 of the general fund—federal appropriation are provided solely for the first approach skills training program through the partnership access line.

~~((71))~~ (70)(a) ~~(((\$358,000))~~) \$362,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$358,000))~~) \$482,000 of the general fund—state appropriation for fiscal year 2025, and ~~(((\$568,000))~~) \$895,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization) and the center for medicare and medicaid services' interoperability and prior authorization final rule (CMS-0057-F). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) The authority, in collaboration with managed care organizations, must provide a report to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023, outlining any challenges experienced by carriers in hiring sufficient numbers and types of staff to comply with the prior authorization response times required by Engrossed Second Substitute House Bill No. 1357 (prior authorization).

~~((72))~~ (71) \$9,369,000 of the general fund—state appropriation for fiscal year 2025 and \$22,611,000 of the general fund—federal appropriation are provided solely for an increase in medicaid reimbursement rates for professional services, beginning July 1, 2024, as follows:

(a) Service categories including diagnostics, intense outpatient, opioid treatment programs, emergency room, inpatient and outpatient surgery, inpatient visits, low-level behavioral health, office administered drugs, and other physician services are increased up to 50 percent of medicare rates.

(b) Service categories including office and home visits and consults are increased up to 65 percent of medicare rates.



(c) Service categories including maternity services are increased up to 100 percent of medicare rates.

~~((73))~~ \$21,606,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$2,946,000 of the general fund—federal appropriation are provided solely for the 988 technology platform implementation project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act and any requirements as established in Engrossed Second Substitute House Bill No. 1134 (988 system).

~~(74))~~ (72) \$11,624,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$1,151,000 of the general fund—federal appropriation are provided solely for the 988 technology platform implementation project as described in RCW 71.24.890 (5) and (6). These amounts are subject to the conditions, limitations, and review requirements provided in section 701 of this act and any requirements as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system). The authority must actively collaborate with consolidated technology services and the department of health so that the statewide 988 technology solutions will be coordinated and interoperable.

(73) \$969,000 of the general fund—state appropriation for fiscal year 2024, \$1,938,000 of the general fund—state appropriation for fiscal year 2025, and \$3,024,000 of the general fund—federal appropriation are provided solely for the authority, beginning January 1, 2024, to increase the children's dental rate for procedure code D1120 by at least 40 percent above the medical assistance fee-for-service rate in effect on January 1, 2023.

~~((75))~~ (74) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the nonprofit foundation managing the Washington patient safety coalition to support the communication and resolution programs certification program to improve outcomes for patients by providing in-depth feedback to health care organizations.

~~((76))~~ (75) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a public-private partnership with a state-based oral health foundation to connect medicaid patients to dental services and reduce barriers to accessing care. The authority shall submit a progress report to the appropriate committees of the legislature by June 30, 2024.

~~((77))~~ (76) \$103,000 of the general fund—state appropriation for fiscal year 2024, \$205,000 of the general fund—state appropriation for fiscal year 2025, and \$442,000 of the general fund—federal appropriation are provided solely to increase birth center facility fee reimbursement to \$2,500 and home birth kit reimbursement to \$500 for providers approved by the authority within the planned home births and births in birth centers program.

~~((78))~~ (77) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$45,000 of the general fund—state appropriation for fiscal year 2025, and \$133,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1435 (home care safety net assess.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(79))~~ (78) \$194,000 of the general fund—state appropriation for fiscal year 2024, \$1,724,000 of the general fund—state appropriation for fiscal year 2025 and \$1,918,000 of the general fund—federal appropriation are provided solely for the authority in coordination with the department of social and health services to develop and implement a Katie Beckett 1115 demonstration waiver. The authority shall limit enrollment to 1,000 clients during the waiver period. Based upon the experience developed during the waiver period, the authority shall make recommendations to the legislature for a future tax equity and fiscal responsibility act state plan option.

~~((80))~~ (79) \$1,089,000 of the general fund—state appropriation for fiscal year 2024, \$2,231,000 of the general fund—state appropriation for fiscal year 2025, and \$2,657,000 of the general fund—federal appropriation are provided solely for kidney dialysis services for medicaid-enrolled patients through increased reimbursement rates beginning January 1, 2024. Within the amounts provided in this subsection, the authority must increase the medical assistance rates for revenue code 0821 billed with procedure code 90999 and revenue codes 0831, 0841, and 0851, when reimbursed on a fee-for-service basis or through managed care plans, by at least 30 percent above the fee-for-service composite rates in effect on January 1, 2023.

~~((81))~~ (80) \$1,360,000 of the general fund—state appropriation for fiscal year 2024 and \$3,252,000 of the general fund—federal appropriation are provided solely to increase the rates paid to rural hospitals that meet the criteria in (a) through (d) of this subsection. Payments for state and federal medical assistance programs for services provided by such a hospital, regardless of the beneficiary's managed care enrollment status, must be increased to 150 percent of the hospital's fee-for-service rates. The authority must discontinue this rate increase after June 30, 2024, and return to the payment levels and methodology for these hospitals that were in place as of January 1, 2018. Hospitals participating in the certified public expenditures program may not receive increased reimbursement for inpatient services. Hospitals qualifying for this rate increase must:

(a) Be certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2014;

(b) Have had less than 150 acute care licensed beds in fiscal year 2011;

(c) Have a level III adult trauma service designation from the department of health as of January 1, 2014; and

(d) Be owned and operated by the state or a political subdivision.

~~((82))~~ (81) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with a medicaid managed care organization for continuous coverage beginning January 1, 2024, for individuals under age 26 that were enrolled in the unaccompanied refugee minor program as authorized by the office of refugee and immigrant assistance. There are no residency, social security number, or citizenship requirements to receive the continuous coverage as described in this subsection.

~~((83))~~ (82) (a) ~~(\$45,696,000)~~ \$221,000 of the general fund—state appropriation for fiscal year 2024 and \$48,348,000 of the general fund—state appropriation for fiscal year 2025 ~~((is))~~ are provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

(i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit exchange;

(ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and

(iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amounts provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

(i) Actual and forecasted expenditures;

(ii) Actual and forecasted data from the caseload forecast council; and

(iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount allowable for the purposes of this program.

~~((84))~~ (83) (a) \$604,000 of the general fund—state appropriation for fiscal year 2024, \$2,528,000 of the general fund—state appropriation for fiscal year 2025, and \$3,132,000 of the general fund—federal appropriation are provided solely for the authority to increase the eligibility threshold for the qualified medicare beneficiary program to up to 110 percent of the federal poverty level.

(b) The authority shall seek to maximize the availability of the qualified individual program through the centers for medicare and medicaid services.

(c) The authority may adopt any rules necessary to administer this subsection. Nothing in this subsection limits the authority's existing rule-making authority related to medicare savings programs.

~~((85))~~ (84) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$766,000 of the general fund—state appropriation for fiscal year 2025, and \$2,093,000 of the general fund—federal appropriation are provided solely for the costs of, and pursuant to the conditions prescribed for, implementing the rate increase directed in section 215(44) for children for whom base funding for community behavioral health services is provided within this section.

(85) (a) \$1,301,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the health care cost transparency board.

(b) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the health care cost transparency board, in conjunction with the health care authority, to study:

(i) Regulatory approaches to encouraging compliance with the health care cost growth benchmark established under chapter 70.390 RCW; and

(ii) Best practices from other states regarding the infrastructure of state health care cost growth programs, including the scope, financing, staffing, and agency structure of such programs.

(c) The board may conduct all or part of the study through the authority, by contract with a private entity, or by arrangement with another state agency conducting related work.

(d) The study, as well as any recommendations for changes to the health care cost transparency board arising from the study, must be submitted by the board as part of the annual report required under RCW 70.390.070, no later than December 1, 2024.

(86) The authority must enter into an interagency agreement with consolidated technology services for the federal funding authority for the electronic health records statewide solution given the authority is the single state agency responsible for reporting to the federal government on the application for and use of the federal funding.

(87) Within the amounts appropriated in this section, the authority shall make administrative and system changes in anticipation of receiving federal authority to provide continuous eligibility for children ages zero to six covered through the apple health

children's health insurance program. The centers for medicare and medicaid services must approve the section 1115 medicaid waiver prior to the implementation of this policy.

(88)(a) No more than \$42,809,000 of the general fund—federal appropriation and no more than \$13,314,000 of the general fund—local appropriation may be expended for a medicaid managed care multidisciplinary graduate medical education direct payment program.

(b) Participating hospitals are:

(i) University of Washington medical center, a state-owned and operated teaching hospital; and

(ii) Harborview medical center, a state-operated teaching hospital.

(c) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid managed care direct payment program for hospital multidisciplinary graduate medical education program for state-owned and state-operated teaching hospitals;

(iii) Reimburse participating hospitals for the medicaid managed care program's share of the unfunded costs incurred in providing graduate medical education training; and

(iv) Make payments directly to participating hospitals.

(d) Participating hospitals shall continue to be paid for inpatient and outpatient services provided to fee-for-service clients according to fee-for-service policies and rates, including payments under the certified public expenditure program.

(e) Payments shall be additional and separate from any graduate medical education funding included in managed care capitation payments.

(f) The authority shall calculate the medicaid managed care graduate medical education direct payments using cost and utilization data from the participating hospital's most recently filed medicare cost report to identify the participating hospital's total graduate medical education cost.

(g) Total allowable graduate medical education costs shall be calculated using medicare methodologies and must:

(i) Exclude medicare full-time equivalent and per resident amount limits;

(ii) Include indirect medical education costs related to both outpatient and inpatient services; and

(iii) Include other reimbursable training costs incurred by participating hospitals.

(h) The authority shall:

(i) Use ProviderOne as the primary source for fee-for-service and managed care claims and encounter data;

(ii) Calculate the medicaid managed care program's share of the total allowable graduate medical education cost as the participating hospital's total allowable graduate medical education cost, as derived from the medicare cost report, times the total managed care charges divided by total medicaid fee-for-service charges plus managed care charges, as derived from ProviderOne data;

(iii) Reduce the medicaid managed care graduate medical education direct payments by the fee-for-service equivalent graduate medical education payment included in managed care organization payments by applying the fee-for-service APR-DRG and EAPG conversion factors and rate adjustments applicable to the same year as the medicare cost report used to calculate allowable graduate medical education costs; and

(iv) Calculate the medicaid managed care graduate medical education direct payments as graduate medical education allowable cost less fee-for-service equivalent graduate medical education payment for managed care services.

(i) Medicaid managed care graduate medical education direct payments must be calculated prior to the beginning of the payment year.

(j) Medicaid managed care graduate medical education direct payments must be made quarterly.

(k) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals up to an amount not to exceed \$150,000 per year.

(l) Participating hospitals shall retain the full amount of payments provided under this program.

(m) Payments received by hospitals and nonhospital participants in this program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.

(n) Participating hospitals shall provide the local funds to fund the required nonfederal contribution through intergovernmental transfer.

(o) The authority shall amend its current interagency agreement for funding and administration of similar programs to include the medicaid managed care graduate medical education direct payment program.

(p) This program shall be effective as soon as administratively possible.

(89)(a) \$69,957,000 of the general fund—state appropriation for fiscal year 2024, \$111,234,000 of the general fund—state appropriation for fiscal year 2025, and \$290,634,000 of the general fund—federal appropriation are provided solely for apple health managed care medical assistance and for the authority to maintain asymmetrical risk sharing corridors and requirements in their managed care contracts for managed care plan years 2024 and 2025. The authority must not change these requirements without first providing notice to the governor and fiscal committees of the legislature detailing anticipated and potential fiscal impacts, unless required by the centers for medicare and medicaid services.

(b) The authority must conduct annual retrospective rate acuity analyses to ensure that managed care rates have been set using appropriate acuity assumptions. Adjustments must be made as appropriate.

(c) For managed care plan year 2024 only, the authority must conduct a midyear acuity review to ensure that managed care rates for plan year 2024 were set using appropriate acuity assumptions and make any adjustments as appropriate reflective of the unique challenges of eligibility redeterminations and posteligibility review after the end of the public health emergency.

(d) The authority must provide information about any potential changes to rates or acuity assumptions to the medicaid expenditure forecast work group at the same time or before providing this information to managed care organizations.

(e) The authority must update managed care contracts as appropriate.

(90) \$250,000 of the general fund—state appropriation for fiscal year 2025 and \$250,000 of the general fund—federal appropriation are provided solely for the authority, in cooperation with the department of social and health services, to study the feasibility and cost of implementing a point of contact for individuals diagnosed with a rare disease to increase access and reduce barriers in navigating programs, services, and resources offered by both agencies.

(91) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to provide a report to the fiscal committees of the legislature by January 6, 2025, that details options for fully funding health care coverage for all individuals estimated to be eligible for the program described in subsection (82) of this section. The report must include data on how many residents are eligible for this program and cost estimates for providing full coverage to all eligible individuals.

(92)(a) \$100,000 of the general fund—state appropriation for fiscal year 2025 and \$100,000 of the general fund—federal appropriation are provided solely for the authority to contract with an external organization for participatory and equity-focused engagement with doula and doula partners across the state of Washington. This organization must work in collaboration with community partners who advance equitable access to improve perinatal outcomes and care through holistic services for multiracial communities.

(b) The external organization will be responsible for:

(i) Creating a design and implementation plan for a statewide doula hub and referral system; and

(ii) Drafting a report, in partnership with the authority, summarizing the design and implementation plan, outlining ongoing funding required to support the doula workforce and clients accessing doula services through apple health, and providing any recommendations for both the doula hub and referral system.

(c) The report will include, but not be limited to, prioritized recommendations on how to:

(i) Provide statewide professional and workforce development support for birth doula;

(ii) Increase statewide access to doula services for apple health birthing people;

(iii) Assist doulas with department of health credentialing requirements;

(iv) Assist doulas with the medicaid provider enrollment process, including, but not limited to, support with:

(A) Provider enrollment with the authority;

(B) Contracting with medicaid managed care organizations;

(C) Provider billing and claims submission processes;

(D) Provider payment requirements; and

(E) Eligibility support within ProviderOne; and

(v) Establish communications with birthing people, families, birth workers, and healthcare providers who are seeking to connect with state-certified and medicaid-enrolled birth doulas through a statewide directory or referral system.

(d) The report required in (c) of this subsection is due to the governor and appropriate committees of the legislature no later than June 30, 2025.

(93) \$2,433,000 of the general fund—state appropriation for fiscal year 2025 and \$2,849,000 of the general fund—federal appropriation are provided solely for implementation of Second Engrossed Second Substitute Senate Bill No. 5580 (maternal health outcomes). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(94)(a) \$7,000,000 of the family medicine workforce development account—state appropriation and \$12,834,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the family medicine residency network and UW medicine, to establish a medicaid direct payment program to supplement family medicine provider graduate medical education funding in Washington state.

(b) The medicaid family medicine graduate medical education direct payment program shall:

(i) Support graduate medical education training;

(ii) Improve access to quality healthcare services;

(iii) Improve the state's ability to ensure that medicaid graduate medical education funding supports the state's workforce development goals; and

(iv) Focus on improving underserved populations' and regions' access to health care.

(c) The medicaid family medicine graduate medical education direct payment program participants shall include teaching sites that pay resident full-time equivalent costs that are eligible for federal financial participation.

(d) The authority must seek any necessary state plan amendments or waivers from the centers for medicare and medicaid services that are necessary to implement this program and

receive federal financial participation at the earliest possible date, but no later than January 1, 2025.

(e) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the medicaid family medicine graduate medical education direct payment program up to an amount not to exceed \$100,000 per year.

(f) The family medicine family education advisory board created in RCW 70.112.080 will have administrative oversight, including the amount and methodologies used to distribute funds deposited within the family medicine workforce development account, subject to the conditions described in this subsection (94).

(g) Of the amounts provided in this section, \$150,000 of the family medicine workforce development account—state appropriation for fiscal year 2025 is provided for consultant assistance, including program design and a payment model to estimate the effect of family medicine family education advisory board allocation decisions on all family medicine residency network participants.

(h) Annual allocations from the family medicine workforce development account—state appropriation will be determined by the family medicine family education advisory board.

(i) Participants in the medicaid family medicine graduate medical education direct payment program shall retain the full amount of payments provided under this program.

(j) Payments received by participants in the medicaid family medicine graduate medical education direct payment program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.

(95)(a) \$569,000 of the general fund—state appropriation for fiscal year 2025 and \$489,000 of the general fund—federal appropriation are provided solely for the authority to conduct internal assessment of current staffing needs compared to current vacancies. The assessment shall include, but not be limited to:

(i) Reconciliation of current full time equivalent positions as appropriated through the legislative process, agency financial reporting system allotments, and vacancies;

(ii) Comparison of current needs in relation to current vacancies; and

(iii) Analysis of costs and benefits of reallocating positions, as appropriate, to meet immediate staffing needs, especially if positions have remained historically, or long-term vacant.

(b) The authority shall report its findings to the governor and fiscal committees of the legislature no later than December 31, 2024.

(96)(a) \$26,000,000 of the general fund—state appropriation for fiscal year 2024, \$51,000,000 of the general fund—state appropriation for fiscal year 2025, and \$172,000,000 of the general fund—federal appropriation are provided solely for program integrity managed care oversight, accountability, and savings. Within the amounts provided in this subsection, the authority shall:

(i) Report on the status of its fraud, abuse, and detection system, including when it was certified by the centers for medicare and medicaid services, and how it is currently being used to detect medicaid fraud, waste, and abuse;

(ii) Provide a quantifiable accounting, as required by the legislature, beginning with fiscal year 2020, to include all program integrity recoveries attributable to the authority, including how these recoveries are categorized, to which year they are reported, by medicaid eligibility group and service, how these recoveries are applied against legislative savings requirements, what recoveries are attributable to the office of the attorney general's medicaid fraud control division, and how these recoveries are considered when reporting program integrity activity and determining managed care rates; and

(iii) Employ statistically and algorithmically appropriate measures for reviewing managed care encounter data for fraud, waste, and abuse.

(b) The authority shall report its findings to the governor and fiscal committees of the legislature no later than December 31, 2024, and the legislature intends to require the authority to report its findings to the governor and fiscal committees of the legislature by December 31st each year thereafter.

(97)(a) \$3,232,000 of the general fund—state appropriation for fiscal year 2025 and \$7,827,000 of the general fund—federal appropriation are provided solely for the authority to increase inpatient per diem rates for inpatient prospective payment system hospitals providing services under the substance using pregnant people program beginning July 1, 2024. Hospitals participating in the certified public expenditures program or the sole community hospital program may not receive increased reimbursement under this subsection.

(b) Within the amounts appropriated in this section, the authority will review the rates for the substance using pregnant person program to determine if rebasing is appropriate and what rates would be required to sustain the program at current utilization levels.

(c) If the authority determines that rates require rebasing for this program, the authority will submit a request to the legislature through its normal budget process.

(98) \$314,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(99) The authority and department of social and health services must collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments for the treatment facility described in section 203(1)(nn) of this act.

(100) \$2,854,000 of the general fund—state appropriation for fiscal year 2025 and \$4,208,000 of the general fund—federal appropriation are provided solely for the authority to increase the nonemergency medical transportation broker administrative rate to ensure access to health care services for medicaid patients.

**Sec. 212.** 2023 c 475 s 212 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—PUBLIC EMPLOYEES' BENEFITS BOARD AND EMPLOYEE BENEFITS PROGRAM**

State Health Care Authority Administrative Account—

State Appropriation. . . . .	(( <del>\$44,102,000</del> ))
	\$44,929,000
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$44,102,000</del>))</b>
	<b>\$44,929,000</b>

The appropriation in this section is subject to the following conditions and limitations:

(1) Any savings from reduced claims costs must be reserved for funding employee benefits during future fiscal biennia and may not be used for administrative expenses. The health care authority shall deposit any moneys received on behalf of the uniform medical plan resulting from rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys received as a result of prior uniform medical plan claims payments, in the public employees' and retirees' insurance account to be used for insurance benefits.

(2) Any changes to benefits must be approved by the public employees' benefits board. The board shall not make any changes to benefits without considering a comprehensive analysis of the cost of those changes, and shall not increase benefits unless offsetting cost reductions from other benefit revisions are sufficient to fund the changes. The board shall not make any change in retiree eligibility criteria that reestablishes eligibility for enrollment in retiree benefits.

(3) Except as may be provided in a health care bargaining agreement pursuant to RCW 41.80.020, to provide benefits within the level of funding provided in part IX of this bill, the public employees' benefits board shall require: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or make other changes to benefits consistent with RCW 41.05.065.

(4) The board shall collect a surcharge payment of not less than \$25 dollars per month from members who use tobacco products, and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(5) \$78,000 of the health care authority administrative account—state appropriation is provided solely for administrative costs associated with extending retiree coverage under Substitute House Bill No. 1804 (PEBB/subdivision retirees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$500,000 of the state health care authority administrative account—state appropriation is provided solely for consultation with retirees, including conducting listening sessions and facilitating public forums to gather feedback about retiree needs. By December 1, 2023, the authority must report to the legislature with its findings, including an analysis of government self-insured plans with benefits that are equal to or richer, and with more affordable premiums, than uniform medical plan classic medicare. The legislature intends that the results of stakeholder engagements will be used to inform future health care plan selections.

(7) During the 2023-2025 fiscal biennium, the health care authority, in consultation with the office of financial management, shall review consolidating the administrative sections of the operating budget for the public employees' and school employees' benefits boards. Any change in budget structure must not result in changes to board or benefit policies. A budget structure change developed under this subsection may be included in the 2024 supplemental or the 2025-2027 biennial governor's budget submittal without being subject to the legislative evaluation and accountability program committee approval under RCW 43.88.030(7).

(8)(a) \$250,000 of the state health care authority administrative account—state appropriation is provided solely for costs associated with the report in this subsection. The legislature intends to consolidate the public employees' benefits board (PEBB) and school employees' benefits board (SEBB) programs. By December 1, 2024, the authority must report to the legislature the necessary statutory and program changes required to achieve consolidation of:

- (i) The PEBB and SEBB into a single governing board;
- (ii) The current risk pools described in RCW 41.05.022 (2) and (3);
- (iii) The existing eligibility provisions of the PEBB and SEBB programs; and
- (iv) Benefit offerings.

(b) The report should describe the timeline for consolidation, assuming partial implementation as early as January 1, 2026, and full implementation no later than January 1, 2027. The report should also include estimates of any administrative savings that can be realized by this consolidation.

(9) By December 1, 2024, the authority shall submit a report to the legislature describing options, and a recommendation, for possible future coverage in the uniform medical

plan for food and drug administration approved glucagon-like peptide 1 agonists for the treatment of obesity and weight loss.

**Sec. 213.** 2023 c 475 s 213 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—SCHOOL EMPLOYEES' BENEFITS BOARD**

School Employees' Insurance Administrative Account—

State Appropriation. . . . .	(( <del>\$33,743,000</del> ))
	<u>\$33,723,000</u>
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$33,743,000</del>))</b>
	<b><u>\$33,723,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$324,000 of the school employees' insurance administrative account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5275 (SEBB benefit access). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(2) By December 1, 2024, the authority shall submit a report to the legislature describing options, and a recommendation, for possible future coverage in the uniform medical plan for food and drug administration approved glucagon-like peptide 1 agonists for the treatment of obesity and weight loss.

**Sec. 214.** 2023 c 475 s 214 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—HEALTH BENEFIT EXCHANGE**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$8,242,000</del> ))
	<u>\$9,671,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$6,472,000</del> ))
	<u>\$7,186,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$61,983,000</del> ))
	<u>\$67,396,000</u>
Education Legacy Trust Account—State Appropriation. . . . .	\$350,000
Health Benefit Exchange Account—State Appropriation. . . . .	(( <del>\$76,214,000</del> ))
	<u>\$83,528,000</u>
State Health Care Affordability Account—State Appropriation. . . . .	(( <del>\$110,000,000</del> ))
	<u>\$125,000,000</u>
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$263,261,000</del>))</b>
	<b><u>\$293,131,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(2) (a) By July 15th, October 15th, and January 15th of each year, the authority shall make a payment of ~~((one-half))30 percent of the general fund—state appropriation, ~~((one-half))30 percent of the health benefit exchange account—state appropriation, and ~~((one-half))30 percent of the health care affordability account—state appropriation to the exchange. By April 15th of each year, the authority shall make a payment of 10 percent of the general fund—state appropriation, 10 percent of the health benefit exchange account—state appropriation, and 10 percent of the health care affordability account—state appropriation to the exchange.~~~~~~

(b) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier assessments to ensure expenditures do not exceed actual revenues.

(c) Payments made from general fund—state appropriation and health benefit exchange account—state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(3) \$1,939,000 of the health benefit exchange account—state appropriation and \$6,189,000 of the general fund—federal appropriation are provided solely for the modernizing healthplanfinder project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act.

(4) (a) ((~~\$100,000,000~~))\$115,000,000 of the state health care affordability account—state appropriation is provided solely for the exchange to administer a premium assistance program, beginning for plan year 2023, as established in RCW 43.71.110. An individual is eligible for the premium assistance provided if the individual: (i) Has income up to 250 percent of the federal poverty level; and (ii) meets other eligibility criteria as established in RCW 43.71.110(4)(a).

(b) \$260,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a study, in consultation with the health care authority and office of the

insurance commissioner, of how the exchange's current section 1332 waiver could be amended to generate federal pass-through funding to support the affordability programs established in RCW 43.71.110. The actuarial study must focus on methods that could be most readily leveraged in Washington, considering those being used in other public option programs. Study findings must be reported to the appropriate committees of the legislature by December 1, 2023.

(5) \$10,000,000 of the state health care affordability account—state appropriation is provided solely to provide premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in subsection (4)(a) of this section, and is contingent upon continued approval of the applicable waiver described in RCW 43.71.120.

(6) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$865,000 of the general fund—federal appropriation, and \$123,000 of the health benefit exchange account—state appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, in Healthplanfinder to support the health and human services coalition in uniformly identifying clients across multiple state service delivery systems. These amounts are subject to the conditions, limitations, and review requirements of section 701 of this act.

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the exchange, in collaboration with the department of social and health services and the home training network as described in RCW 70.128.305, to provide educational resources and trainings to help connect owners and employees of adult family homes to health care coverage.

(8) \$299,000 of the general fund—state appropriation for fiscal year 2024, \$299,000 of the general fund—state appropriation for fiscal year 2025, and \$202,000 of the general fund—federal appropriation are provided solely for pass-through funding in the annual amount of \$100,000 for each lead navigator organization in the four regions with the highest concentration of citizens of the compact of free association (COFA) to:

(a) Support a staff position within the COFA community to provide enrollment assistance to the COFA community beyond the scope of the current COFA program; and

(b) Support COFA community-led outreach and enrollment activities.

(9) (a) \$300,000 of the health benefit exchange account—state appropriation is provided solely for staff and consultants to complete a study of options and recommendations for the state to ensure continuous health care coverage through qualified health plans for medicaid beneficiaries losing medicaid coverage through Washington Healthplanfinder. In coordination with the health care authority and department of social and health services, the study must include, but not be limited to:

(i) An analysis of transitional solutions used in other states to continue coverage for individuals losing medicaid eligibility;

(ii) In coordination with the department of social and health services' research and data analysis division, an analysis of monthly enrollment rates for persons who are determined no longer eligible for medicaid, including demographic and employment information, and those who enroll in qualified health plans, including demographic and employment information; and

(iii) A feasibility analysis of auto-enrolling clients that lose medicaid eligibility and are eligible for a no-premium qualified health plan through Washington Healthplanfinder.

(b) The study must be submitted to the office of financial management and appropriate committees of the legislature by December 31, 2024.

(10) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5632 (health care/labor disputes). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 215.** 2023 c 475 s 215 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—COMMUNITY BEHAVIORAL HEALTH PROGRAM**

General Fund—State Appropriation (FY 2024)	(\$1,015,063,000)
	\$1,026,580,000
General Fund—State Appropriation (FY 2025)	(\$1,097,193,000)
	\$1,192,213,000
General Fund—Federal Appropriation	(\$2,853,321,000)
	\$3,072,853,000
General Fund—Private/Local Appropriation	(\$38,826,000)
	\$38,904,000
Criminal Justice Treatment Account—State Appropriation	\$22,001,000
Problem Gambling Account—State Appropriation	(\$2,243,000)
	\$3,738,000
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$28,498,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	(\$28,501,000)
	\$28,251,000
Opioid Abatement Settlement Account—State Appropriation	(\$54,415,000)
	\$79,820,000
Statewide 988 Behavioral Health Crisis Response Line	



Account—State Appropriation. . . . .	(( <del>\$33,135,000</del> ))
	<u>\$33,499,000</u>
TOTAL APPROPRIATION.....	(( <del>\$5,173,196,000</del> ))
	<u>\$5,526,357,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) For the purposes of this section, "behavioral health entities" means managed care organizations and behavioral health administrative services organizations that reimburse providers for behavioral health services.

(2) Within the amounts appropriated in this section, funding is provided for implementation of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. In addition to amounts provided solely for implementation of the settlement agreement, class members must have access to supports and services funded throughout this section for which they meet eligibility and medical necessity requirements. The authority must include language in contracts that requires regional behavioral health entities to develop and implement plans for improving access to timely and appropriate treatment for individuals with behavioral health needs and current or prior criminal justice involvement who are eligible for services under these contracts.

(3) (a) \$44,320,000 of the general fund—state appropriation for fiscal year 2024, \$49,525,000 of the general fund—state appropriation for fiscal year 2025, and \$17,368,000 of the general fund—federal appropriation are provided solely to continue the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority, in collaboration with the department of social and health services and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, crisis diversion and supports, education and training, and workforce development. Within these amounts, sufficient funding is provided to implement Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(b) Of the amounts provided in this subsection, \$5,108,000 of the general fund—state appropriation for fiscal year 2024 and \$6,341,000 of the general fund—state appropriation for fiscal year 2025 are provided for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). Of these amounts, \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase compensation for staff in outpatient competency restoration programs pursuant to Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(4) ~~\$8,000,000 of the general fund—state appropriation for fiscal year 2024~~ and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue diversion grant programs funded through contempt fines pursuant to *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority must consult with the plaintiffs and court monitor to determine, within the amounts provided, which of the programs will continue to receive funding through this appropriation. The programs shall use this funding to provide assessments, mental health treatment, substance use disorder treatment, case management, employment, and other social services. By December 1, 2023, the authority, in consultation with the plaintiffs and the court monitor, must submit a report to the office of financial management and the appropriate fiscal committees of the legislature which includes: Identification of the programs that receive funding through this subsection; a narrative description of each program model; the number of individuals being served by each program on a monthly basis; metrics or outcomes reported as part of the contracts; and recommendations related to further support of these programs in the 2023-2025 fiscal biennium.

(5) (a) ~~\$12,359,000~~ \$12,359,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$12,359,000)~~ \$17,222,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$23,444,000)~~ \$24,349,000 of the general fund—federal appropriation are provided solely for the authority and behavioral health entities to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to behavioral health entities with PACT teams, the authority shall consider the differences between behavioral health entities in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The authority may allow behavioral health entities which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under subsection (7) of this section. The authority and behavioral health entities shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section. Sufficient funding is provided in this section for the authority to increase rates for PACT teams to the rates identified in the behavioral health comparison rate—phase II report.

(b) Of the amounts provided in this subsection, \$4,080,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to distribute one-

time stabilization funding to existing PACT teams to improve staff recruitment and retention and to cover general operating expenses to increase PACT capacity and utilization.

(6) \$1,428,000 of the general fund—state appropriation for fiscal year 2025 and \$3,520,000 of the general fund—federal appropriation ((±s))are provided solely for the authority to maintain a pilot project to incorporate peer bridging staff into behavioral health regional teams that provide transitional services to individuals returning to their communities.

(7) \$144,519,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$163,088,000~~))\$144,519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of behavioral health entity spending must be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts must be distributed to behavioral health entities as follows:

(a) \$108,803,000 of the general fund—state appropriation for fiscal year 2024 and \$124,713,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations for behavioral health treatment services not covered under the medicaid program. Within these amounts, behavioral health administrative service organizations must provide a 15 percent rate increase to providers receiving state funds for nonmedicaid services under this section effective January 1, 2024.

(b) \$35,716,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$38,375,000~~))\$22,978,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with medicaid managed care organizations for wraparound services to medicaid enrolled individuals that are not covered under the medicaid program. Within the amounts provided in this subsection:

(i) Medicaid managed care organizations must provide a 15 percent rate increase to providers receiving state funding for nonmedicaid services under this section effective January 1, 2024.

(ii) The authority shall assure that managed care organizations reimburse the department of social and health services, aging and long-term support administration for the general fund—state cost of individuals remaining on exceptional behavioral health personal care services for medicaid enrolled individuals who require these because of a psychiatric disability after the implementation of the community behavioral health support services—supportive supervision and oversight 1915(i) state plan amendment. Funding for the federal share of these services is separately appropriated to the department of social and health services.

(iii) Pursuant to RCW 41.56.029, during fiscal year 2024, the authority may work with the office of financial management to negotiate a tiered rate structure for behavioral health personal care services for adult family home providers serving medicaid enrollees. An agreement reached with the adult family home council must be submitted to the director of financial management by October 1, 2023, and certified as financially feasible in order to be considered for funding during the 2024 legislative session. Upon completion of bargaining, the authority shall coordinate with the department of social and health services to develop and submit to the centers for medicare and medicaid services an application to provide a 1915(i) state plan home and community-based services benefit. The application shall be developed to allow for the delivery of wraparound supportive behavioral health services for individuals with mental illnesses who also have a personal care need. The 1915(i) state plan shall be developed to standardize coverage and administration, improve the current benefit design, and clarify roles in administration of the behavioral health personal care services benefit.

(8)(a) \$30,648,000 of the general fund—state appropriation for fiscal year 2025 and \$33,435,000 of the general fund—federal appropriation are provided solely for the authority to implement a tiered rate structure for supportive supervision and oversight in long-term care settings pursuant to a 1915(i) home and community based services state plan amendment and the collective bargaining agreement negotiated between the state and the adult family homes and set forth in part IX of this act. The authority may not implement a skills development and restoration benefit until funding is provided for that specific purpose.

(b) Of the amounts provided in this subsection, \$30,648,000 of the general fund—state appropriation for fiscal year 2025 and \$33,435,000 of the general fund—federal appropriation are provided to implement tiered rates for supportive supervision and oversight in adult family home settings included in the collective bargaining agreement negotiated between the state and the adult family homes and set forth in part IX of this act.

(c) Of the amounts provided in this subsection, \$5,611,000 of the general fund—state appropriation for fiscal year 2025 and \$6,128,000 of the general fund—federal appropriation are provided for supportive supervision and oversight tiered rates in other long-term care settings, including assisted living and enhanced adult residential care facilities.

(d) Of the amounts provided in this subsection, \$376,000 of the general fund—state appropriation for fiscal year 2025 and \$376,000 of the general fund—federal appropriation are provided for administrative activities related to implementing the 1915(i) state plan amendment, including establishing a billing clearinghouse for these services.

(9) The authority is authorized to continue to contract directly, rather than through contracts with behavioral health entities for children's long-term inpatient facility services.

~~((9))~~ (10) \$1,204,000 of the general fund—state appropriation for fiscal year 2024 and \$1,204,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(11) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to reimburse King county for involuntary treatment act court costs.

~~((10))~~ (12) Behavioral health entities may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, behavioral health entities may use a portion of the state funds allocated in accordance with subsection (7) of this section to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

~~((11))~~ (13) \$2,291,000 of the general fund—state appropriation for fiscal year 2024 and \$2,291,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The authority must collect information from the behavioral health entities on their plan for using these funds, the numbers of individuals served, and the types of services provided.

~~((12))~~ (14) Within the amounts appropriated in this section, funding is provided for the authority to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

~~((13))~~ (15) (a) The authority must establish minimum and maximum funding levels for all reserves allowed under behavioral health administrative service organization contracts and include contract language that clearly states the requirements and limitations. The reserve levels must be informed by the types of risk carried by behavioral health administrative service organizations for mandatory services and also consider reasonable levels of operating reserves. The authority must monitor and ensure that behavioral health administrative service organization reserves do not exceed maximum levels. The authority must monitor revenue and expenditure reports and must require a behavioral health administrative service organization to submit a corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The authority must review and approve such plans and monitor to ensure compliance. If the authority determines that a behavioral health administrative service organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the authority must reduce payments to the entity in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the authority determines that the entity has come into substantial compliance with an approved excess reserve corrective action plan. The authority must submit to the office of financial management and the appropriate committees of the legislature, each December of the biennium, the minimum and maximum reserve levels established in contract for each of the behavioral health administrative service organizations for the prior fiscal year and the actual reserve levels reported at the end of the fiscal year.

(b) In contracts effective during fiscal year 2025, the authority must allow the north sound behavioral health administrative services organization to pilot reserve funding flexibility by allowing the north sound behavioral health administrative services organization to utilize, for other purposes, 30 percent of funding received prior to that contract period currently in reserves and that was received pursuant to a specific legislative proviso. Funding repurposed under this subsection must be used to support the duties of the administrative services organization under RCW 71.24.045 through programs serving individuals with severe and persistent behavioral health conditions and behavioral health services that promote stability and recovery within their regional service area. Expenditures pursuant to this pilot program may include, but are not limited to, crisis wraparound services, jail transition and diversion services, court costs, and co-responder programs. The authority, in partnership with the north sound behavioral health administrative services organization, must provide a report to the appropriate committees of the legislature by December 31, 2024, describing the impacts of this pilot program to the regional crisis continuum of care. The report must also include information on which specific legislative provisos north sound behavioral health administrative services organization repurposed funding from under this subsection and for what purpose those funds were used.

~~((14))~~ (16) During the 2023-2025 fiscal biennium, any amounts provided in this section that are used for case management services for pregnant and parenting women must be contracted directly between the authority and pregnant and parenting women case management providers.

~~((15))~~ (17) \$3,500,000 of the general fund—federal appropriation is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

~~((16))~~ (18) Within the amounts appropriated in this section, the authority may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, postpartum, and parenting women. For all contractors: (a) Service and

other outcome data must be provided to the authority by request; and (b) indirect charges for administering the program must not exceed 10 percent of the total contract amount.

~~((+17))~~ (19) Within the amounts provided in this section, behavioral health entities must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision. Contracts with behavioral health entities must require that behavioral health entities include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the authority must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served. The authority must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

~~((+18))~~ (20) The criminal justice treatment account—state appropriation is provided solely for treatment and treatment support services for offenders with a substance use disorder pursuant to RCW 71.24.580. The authority must offer counties the option to administer their share of the distributions provided for under RCW 71.24.580(5)(a). If a county is not interested in administering the funds, the authority shall contract with behavioral health entities to administer these funds consistent with the plans approved by local panels pursuant to RCW 71.24.580(5)(b). Funding from the criminal justice treatment account may be used to provide treatment and support services through the conclusion of an individual's treatment plan to individuals participating in a drug court program as of February 24, 2021, if that individual wishes to continue treatment following dismissal of charges they were facing under RCW 69.50.4013(1). Such participation is voluntary and contingent upon substantial compliance with drug court program requirements. The authority must provide a report to the office of financial management and the appropriate committees of the legislature that identifies the distribution of criminal justice treatment account funds by September 30, 2023.

~~((+19))~~ (21) (a) ~~(\$11,426,000)~~ \$10,535,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$15,501,000)~~ \$14,610,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$21,554,000)~~ \$19,724,000 of the general fund—federal appropriation are provided solely for crisis triage facilities, crisis relief centers, or crisis stabilization units. Services in these facilities may include crisis stabilization and intervention, individual counseling, peer support, medication management, education, and referral assistance. The authority shall monitor each center's effectiveness at lowering the rate of state psychiatric hospital admissions.

(b) Within these amounts, the health care authority shall convene representatives from medicaid managed care organizations, behavioral health administrative organizations, private insurance carriers, self-insured organizations, crisis providers, and the office of the insurance commissioner to assess gaps in the current funding model for crisis services and recommend options for addressing these gaps including, but not limited to, an alternative funding model for crisis services. The assessment must consider available data to determine to what extent the costs of crisis services for clients of private insurance carriers, medicaid managed care organizations, and individuals enrolled in medicaid fee-for-service are being subsidized through state funded behavioral health administrative services organization contracts. The analysis shall examine crisis services provided by mobile crisis teams as well as facility-based services such as crisis triage and crisis stabilization units. In the development of an alternative funding model, the authority and office of the insurance commissioner must explore mechanisms that: (i) Determine the annual cost of operating crisis services and collect a proportional share of the program cost from each health insurance carrier; and (ii) differentiate between crisis services eligible for medicaid funding from other nonmedicaid eligible activities. The authority must submit a preliminary report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and a final report by December 1, 2024. Up to \$300,000 of the general fund—state appropriation for fiscal year 2024, and \$300,000 of the general fund—state appropriation for fiscal year 2025 may be used for the assessment and reporting activities required under this subsection.

(c) Sufficient funding is provided in this subsection to implement Second Substitute Senate Bill No. 5120 (crisis relief centers).

~~((+20))~~ (22) \$9,795,000 of the general fund—state appropriation for fiscal year 2024, \$10,015,000 of the general fund—state appropriation for fiscal year 2025, and \$15,025,000 of the general fund—federal appropriation are provided solely for the operation of secure withdrawal management and stabilization facilities. The authority may not use any of these amounts for services in facilities that are subject to federal funding restrictions that apply to institutions for mental diseases, unless they have received a waiver that allows for full federal participation in these facilities. Within these amounts, funding is provided to increase the fee for service rate for these facilities up to \$650 per day. The authority must require in contracts with behavioral health entities that they pay no lower than the fee for service rate. The authority must coordinate with regional behavioral health entities to identify and implement purchasing strategies or regulatory changes that increase access to services for individuals with complex behavioral health needs at secure withdrawal management and stabilization facilities.

~~((21))~~ (23) \$1,401,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$1,401,000)~~ \$3,575,000 of the general fund—state appropriation for fiscal year 2025, and \$3,210,000 of the general fund—federal appropriation are provided solely for the implementation of intensive behavioral health treatment facilities within the community behavioral health service system pursuant to chapter 324, Laws of 2019 (2SHB 1394).

~~((22))~~ (24) (a) \$12,878,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and ~~(\$12,878,000)~~ \$12,628,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for:

(i) A memorandum of understanding with the department of children, youth, and families to provide substance abuse treatment programs;

(ii) A contract with the Washington state institute for public policy to conduct a cost-benefit evaluation of the implementations of chapter 3, Laws of 2013 (Initiative Measure No. 502);

(iii) Designing and administering the Washington state healthy youth survey and the Washington state young adult behavioral health survey;

(iv) Maintaining increased services to pregnant and parenting women provided through the parent child assistance program;

~~(v) ((Grants to the office of the superintendent of public instruction for life skills training to children and youth;~~

~~(vi))~~ Maintaining increased prevention and treatment service provided by tribes and federally recognized American Indian organization to children and youth;

~~((vii))~~ (vi) Maintaining increased residential treatment services for children and youth;

~~((viii))~~ (vii) Training and technical assistance for the implementation of evidence-based, research based, and promising programs which prevent or reduce substance use disorder;

~~((ix))~~ (viii) Expenditures into the home visiting services account; and

~~((x))~~ (ix) Grants to community-based programs that provide prevention services or activities to youth.

(b) The authority must allocate the amounts provided in (a) of this subsection amongst the specific activities proportionate to the fiscal year 2021 allocation.

~~((23))~~ (25) (a) \$1,125,000 of the general fund—state appropriation for fiscal year 2024 and \$1,125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Spokane behavioral health entities to implement services to reduce utilization and the census at eastern state hospital. Such services must include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the 16-bed evaluation and treatment facility.

(b) At least annually, the Spokane county behavioral health entities shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

~~((24))~~ (26) \$1,850,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$13,312,000 of the general fund—federal appropriation are provided solely for substance use disorder peer support services included in behavioral health capitation rates in accordance with section 213(5)(ss), chapter 299, Laws of 2018. The authority shall require managed care organizations to provide access to peer support services for individuals with substance use disorders transitioning from emergency departments, inpatient facilities, or receiving treatment as part of hub and spoke networks.

~~((25))~~ (27) \$1,423,000 of the general fund—state appropriation for fiscal year 2024, \$1,423,000 of the general fund—state appropriation for fiscal year 2025, and \$5,908,000 of the general fund—federal appropriation are provided solely for the authority to continue to implement discharge wraparound services for individuals with complex behavioral health conditions transitioning or being diverted from admission to psychiatric inpatient programs. The authority must coordinate with the department of social and health services in establishing the standards for these programs.

~~((26))~~ (28) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely for the authority to maintain a memorandum of understanding with the criminal justice training commission to provide funding for community grants pursuant to RCW 36.28A.450.

~~((27))~~ (29) \$350,000 of the general fund—federal appropriation and \$300,000 of the opioid abatement settlement account—state appropriation are provided solely to contract with a nationally recognized recovery residence organization and to provide technical assistance to operators of recovery residences seeking certification in accordance with chapter 264, Laws of 2019 (2SHB 1528).

~~((28))~~ (30) \$3,396,000 of the general fund—state appropriation for fiscal year 2024, \$3,396,000 of the general fund—state appropriation for fiscal year 2025, and \$16,200,000 of the general fund—federal appropriation are provided solely for support of and to continue to increase clubhouse programs across the state. The authority shall work with the centers for

medicare and medicaid services to review opportunities to include clubhouse services as an optional "in lieu of" service in managed care organization contracts in order to maximize federal participation.

~~((29))~~ (31) \$708,000 of the general fund—state appropriation for fiscal year 2024, \$708,000 of the general fund—state appropriation for fiscal year 2025, and \$1,598,000 of the general fund—federal appropriation are provided solely for implementing mental health peer respite centers and a pilot project to implement a mental health drop-in center in accordance with chapter 324, Laws of 2019 (2SHB 1394).

~~((30))~~ (32) \$800,000 of the general fund—state appropriation for fiscal year 2024, \$800,000 of the general fund—state appropriation for fiscal year 2025, and \$1,452,000 of the general fund—federal appropriation are provided solely for the authority to implement strategies related to suicide prevention and treatment.

~~((31))~~ (33) \$446,000 of the general fund—state appropriation for fiscal year 2024, \$446,000 of the general fund—state appropriation for fiscal year 2025, and \$178,000 of the general fund—federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the authority to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The authority must collect information from the institute on the use of these funds and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

~~((32))~~ (34) As an element of contractual network adequacy requirements and reporting, the authority shall direct managed care organizations to make all reasonable efforts to develop or maintain contracts with provider networks that leverage local, federal, or philanthropic funding to enhance effectiveness of medicaid-funded integrated care services. These networks must promote medicaid clients' access to a system of services that addresses additional social support services and social determinants of health as defined in RCW 43.20.025 in a manner that is integrated with the delivery of behavioral health and medical treatment services.

~~((33))~~ (35) \$9,000,000 of the criminal justice treatment account—state appropriation is provided solely for the authority to maintain funding for new therapeutic courts created or expanded during fiscal year 2021, or to maintain the fiscal year 2021 expansion of services being provided to an already existing therapeutic court that engages in evidence-based practices, to include medication assisted treatment in jail settings pursuant to RCW 71.24.580. Funding provided under this subsection shall not supplant existing funds utilized for this purpose.

~~((34))~~ (36) In establishing, re-basing, enhancing, or otherwise updating medicaid rates for behavioral health services, the authority and contracted actuaries shall use a transparent process that provides an opportunity for medicaid managed care organizations, behavioral health administrative service organizations, and behavioral health provider agencies, and their representatives, to review and provide data and feedback on proposed rate changes within their region or regions of service operation. The authority and contracted actuaries shall transparently incorporate the information gained from this process and make adjustments allowable under federal law when appropriate.

~~((35))~~ (37) The authority shall seek input from representatives of the managed care organizations (MCOs), licensed community behavioral health agencies, and behavioral health administrative service organizations to develop specific metrics related to behavioral health outcomes under integrated managed care. These metrics must include, but are not limited to: (a) Revenues and expenditures for community behavioral health programs, including medicaid and nonmedicaid funding; (b) access to services, service denials, and utilization by state plan modality; (c) claims denials and record of timely payment to providers; (d) client demographics; and (e) social and recovery measures and managed care organization performance measures. The authority must work with managed care organizations and behavioral health administrative service organizations to integrate these metrics into an annual reporting structure designed to evaluate the performance of the behavioral health system in the state over time. The authority must submit a report to the office of financial management and the appropriate committees of the legislature, before December 30th of each year during the fiscal biennium, that details the implemented metrics and relevant performance outcomes for the prior calendar year.

~~((36))~~ (38) \$4,061,000 of the general fund—state appropriation for fiscal year 2024, \$3,773,000 of the general fund—state appropriation for fiscal year 2025, and \$6,419,000 of the general fund—federal appropriation are provided solely for the authority to maintain pilot programs for intensive outpatient services and partial hospitalization services for certain children and adolescents and, pursuant to chapter 94, Laws of 2022 (2SSB 5736), add coverage for these services into the state medicaid program beginning January 1, 2024.

(a) The authority must establish minimum standards, eligibility criteria, authorization and utilization review processes, and payment methodologies for the programs in contract.

(b) Eligibility for the pilot sites is limited pursuant to the following:

(i) Children and adolescents discharged from an inpatient hospital treatment program who require the level of services offered by the pilot programs in lieu of continued inpatient treatment;

(ii) Children and adolescents who require the level of services offered by the pilot programs in order to avoid inpatient hospitalization; and

(iii) Services may not be offered if there are less costly alternative community-based services that can effectively meet the needs of an individual referred to the program.

(c) Eligibility for services through the state medicaid program shall be consistent with criteria approved by the centers for medicare and medicaid services pursuant to implementation of chapter 94, Laws of 2022 (2SSB 5736).

(d) The authority must collect data on the program sites and work with the actuaries responsible for establishing managed care rates for medicaid enrollees to develop and submit an annual report to the office of financial management and the appropriate committees of the legislature each December of the fiscal biennium that includes the following information:

(i) A narrative description of the services provided at each program site and identification of any specific gaps the sites were able to fill in the current continuum of care;

(ii) Clinical outcomes and estimated reductions in psychiatric inpatient costs associated with each of the program sites;

(iii) Recommendations for whether the pilot models should be expanded statewide, whether modifications should be made to the models to better address gaps in the continuum identified through the pilot sites, whether the models could be expanded to community behavioral health providers, and whether statewide implementation should be achieved through a state plan amendment or some other mechanism for leveraging federal medicaid match;

(iv) Actuarial projections on the statewide need for services related to the pilot sites and estimated costs of adding each of the services to the medicaid behavioral health benefit for children and adolescents and adults; and

(v) Annual costs and any quantifiable cost offsets associated with the program sites.

~~((37))~~ (39) \$25,587,000 of the general fund—federal appropriation (ARPA) and \$9,828,000 of the general fund—federal appropriation are provided solely to promote the recovery of individuals with substance use disorders through expansion of substance use disorder services. The authority shall implement this funding to promote integrated, whole-person care to individuals with opioid use disorders, stimulant use disorders, and other substance use disorders. The authority shall use this funding to support evidence-based and promising practices as follows:

(a) \$8,500,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with substance use disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,500,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, mobile opioid use disorder treatment programs, law enforcement assisted diversion programs, contingency management interventions, modified assertive community treatment, trauma informed care, crisis respite, and for reimbursement of one-time start-up operating costs for opening new beds in withdrawal management treatment programs.

(b) \$2,015,000 of the amounts provided in this subsection is provided solely for outreach programs that link individuals with substance use disorders to treatment options to include medication for opioid use disorder. The authority must contract for these services with programs that use interdisciplinary teams, which include peer specialists, to engage and facilitate linkage to treatment for individuals in community settings such as homeless encampments, shelters, emergency rooms, harm reduction programs, churches, community service offices, food banks, libraries, legal offices, and other settings where individuals with substance use disorders may be engaged. The services must be coordinated with emergency housing assistance and other services administered by the authority to promote access to a full continuum of treatment and recovery support options.

(c) \$7,500,000 of the amounts provided in this subsection is provided solely for substance use disorder recovery support services not covered by the medicaid program including, but not limited to, emergency housing, recovery housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(d) \$3,550,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with substance use disorders. This funding may be used for grants to urban Indian organizations, tribal opioid prevention media campaigns, and support for government to government communication, planning, and implementation of opioid use disorder related projects.

(e) \$5,000,000 of the amounts provided in this subsection is provided solely for the authority, in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs, and for law enforcement and emergency responders.

(f) \$7,100,000 of the amounts provided in this subsection is provided solely for community services grants that support the implementation and evaluation of substance use disorder prevention services.

(g) Up to \$1,750,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

~~((38))~~ (40) \$3,109,000 of the general fund—state appropriation for fiscal year 2024 and \$3,109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for short-term rental subsidies for individuals with mental health or substance use

disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served. Each December of the fiscal biennium, the authority must submit a report identifying the expenditures and number of individuals receiving short-term rental supports through the agency budget during the prior fiscal year broken out by region, treatment need, and the demographics of those served, including but not limited to age, country of origin within racial/ethnic categories, gender, and immigration status.

~~((39))~~ (41) \$25,332,000 of the general fund—federal appropriation (ARPA) is provided solely to promote the recovery of individuals with mental health disorders through expansion of mental health services. The authority shall implement this funding to promote integrated, whole-person care through evidence based and promising practices as follows:

(a) \$8,153,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with mental health disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,000,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, law enforcement assisted diversion programs, modified assertive community treatment, and trauma informed care.

(b) \$8,200,000 of the amounts provided in this subsection is provided solely for mental health recovery support services not covered by the medicaid program including, but not limited to, supportive housing, emergency housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(c) \$2,553,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with mental health disorders.

(d) \$1,300,000 of the amounts provided in this subsection is provided solely to enhance crisis services and may be used for crisis respite care.

(e) \$2,600,000 of the amounts provided in this subsection is provided solely for the expansion of first episode psychosis programs.

(f) Up to \$1,279,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

~~((40))~~ (42) The authority must pursue opportunities for shifting state costs to the state's unused allocation of federal institutions for mental disease disproportionate share hospital funding.

~~((41))~~ (43) \$500,000 of the general fund—federal appropriation is provided solely to establish an emotional support network program for individuals employed as peer specialists. The authority must contract for these services which shall include, but not be limited to, facilitating support groups for peer specialists, support for the recovery journeys of the peer specialists themselves, and targeted support for the secondary trauma inherent in peer work.

~~((42))~~ (44) \$1,500,000 of the general fund—federal appropriation is provided solely for the authority to contract on a one-time basis with the University of Washington behavioral health institute to continue and enhance its efforts related to training and workforce development. This funding may be used for the following activities:

(a) Making substance use disorder training content accessible to all community behavioral health providers;

(b) Refining and implementing a substance use disorder provider needs assessment to advance best practice implementation for treatment in inpatient and outpatient settings;

(c) Disseminating innovative best practices through training and technical assistance;

(d) Developing and launching a telebehavioral health training series, providing webinars and packaging the training content so that it is accessible to all community behavioral health providers;

(e) Planning for advanced telebehavioral health training and support to providers;

(f) Convening a race, equity, and social justice in behavioral health conference annually;

(g) Developing training and technical assistance opportunities for an annual series that translates lessons learned in behavioral health equity into actionable and sustainable change at the provider, organizational, and system levels;

(h) Developing recommendations for reducing health disparities and training the workforce in culturally and linguistically relevant practices to achieve improved outcomes;

(i) Increasing the number of community substance use providers that are trained in best practice assessment and treatment models;

(j) Convening a telebehavioral health summit of leading experts regarding long-term provider telebehavioral health training and workforce needs;

(k) Creating a behavioral health workforce strategy plan that identifies gaps that are not being addressed and suggests system improvements to address those gaps;

(l) Working with community partners and key stakeholders to identify best practice strategies to evaluate and measure equity and health disparities within the behavioral health system and make recommendations regarding potential metrics to help advance system change; and

(m) Developing metrics and evaluating telebehavioral health training needs and the impact of telebehavioral health training on provider knowledge and treatment protocols.



~~((43))~~ (45) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the King county behavioral health administrative services organization to maintain children's crisis outreach response system services that were previously funded through the department of children, youth, and families. The authority, in consultation with the behavioral health administrative services organization, medicaid managed care organizations, and the actuaries responsible for developing medicaid managed care rates, must work to maximize federal funding provided for the children's crisis outreach response system program.

~~((44))~~ (46) \$31,891,000 of the general fund—state appropriation for fiscal year 2024, \$63,395,000 of the general fund—state appropriation for fiscal year 2025, and \$172,425,000 of the general fund—federal appropriation are provided solely to implement a 15 percent increase to medicaid reimbursement for community behavioral health providers contracted through managed care organizations to be effective January 1, 2024. The authority must employ mechanisms such as directed payment or other options allowable under federal medicaid law to assure the funding is used by the managed care organizations for a 15 percent provider rate increase as intended and verify this pursuant to the process established in chapter 285, Laws of 2020 (EHB 2584). The rate increase shall be implemented to all behavioral health nonhospital inpatient, residential, and outpatient providers contracted through the medicaid managed care organizations. Psychiatric hospitals and other providers receiving rate increases under other subsections of this section must be excluded from the rate increase directed in this subsection.

~~((45))~~ (47) \$532,000 of the general fund—state appropriation for fiscal year 2024, \$2,935,000 of the general fund—state appropriation for fiscal year 2025, and \$3,467,000 of the general fund—federal appropriation are provided solely to increase the number of beds and rates for community children's long-term inpatient program providers. The number of beds is increased on a phased in basis to 72 beds by the end of fiscal year 2024. The bed day rates are increased from \$1,030 per day to \$1,121 per day effective July 1, 2023.

~~((46))~~ (48) \$505,000 of the general fund—state appropriation for fiscal year 2024, \$1,011,000 of the general fund—state appropriation for fiscal year 2025, and \$1,095,000 of the general fund—federal appropriation are provided solely to increase rates for parent child assistance program providers by 15 percent effective January 1, 2024.

~~((47))~~ (49) \$300,000 of the general fund—federal appropriation is provided solely for training of behavioral health consumer advocates. The authority must enter into a memorandum of understanding with the department of commerce to provide support for training of behavioral health consumer advocates pursuant to chapter 202, Laws of 2021 (E2SHB 1086).

~~((48))~~ (50) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the Washington chapter of the national alliance on mental illness, a Washington based statewide mental health nonprofit organization that provides free community and school-based mental health education and support programs for consumers and families. The contractor must use this funding to provide access to programs tailored to peers living with mental illness as well as family members of people with mental illness and the community at large. Services provided by the contracted program shall include education, support, and assistance to reduce isolation and help consumers and families understand the services available in their communities. This contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

~~((49))~~ (51) \$15,474,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$15,474,000))~~ \$17,125,000 of the general fund—state appropriation for fiscal year 2025, and ~~(((\$14,312,000))~~ \$14,562,000 of the general fund—federal appropriation are provided solely for maintaining the expansion of local behavioral health mobile crisis response team capacity and ensuring each region has at least one adult and one children and youth mobile crisis team that is able to respond to calls coming into the 988 crisis hotline.

(a) In prioritizing this funding, the health care authority shall assure that there are a minimum of ~~((six))~~ 13 new children and youth mobile crisis teams in comparison to the number of teams at the end of fiscal year 2021 and that there is one children and youth mobile crisis team in each region.

(b) In implementing funding for adult and youth mobile crisis response teams, the authority must establish standards in contracts with managed care organizations and behavioral health administrative services organizations for the services provided by these teams.

(c) Of these amounts, \$3,000,000 of the general fund—state appropriation for fiscal year 2024, \$3,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,024,000 of the general fund—federal appropriation are provided solely to maintain increased capacity for mobile crisis services in King county that was funded in fiscal year 2023. These amounts must supplement and not supplant funding to the county previously allocated by the authority under this subsection.

(d) Of these amounts, \$1,651,000 of the general fund—state appropriation for fiscal year 2025 and \$250,000 of the general fund—federal appropriation are provided solely for adding stabilization staff to existing youth mobile crisis teams.

~~((50) \$57,580,000))~~ (52) \$59,421,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$61,807,000))~~ \$71,107,000 of the general fund—state appropriation for fiscal year 2025, and ~~(((\$109,146,000))~~ \$69,409,000 of the general fund—federal appropriation are provided solely for the authority to contract with community hospitals or freestanding

evaluation and treatment centers to provide long-term inpatient care beds as defined in RCW 71.24.025. Within these amounts, the authority must meet the requirements for reimbursing counties for the judicial services for patients being served in these settings in accordance with RCW 71.05.730. The authority must coordinate with the department of social and health services in developing the contract requirements, selecting contractors, and establishing processes for identifying patients that will be admitted to these facilities. Of the amounts in this subsection, sufficient amounts are provided in fiscal year 2024 and fiscal year 2025 for the authority to reimburse community hospitals and nonhospital residential treatment centers serving clients in long-term inpatient care beds as defined in RCW 71.24.025 as follows:

(a) For a hospital licensed under chapter 70.41 RCW that requires a hospital specific medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients because the hospital has completed a medicare cost report, the authority shall analyze the most recent medicare cost report of the hospital after a minimum of 200 medicaid inpatient psychiatric days. The authority shall establish the inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at 100 percent of the allowable cost of care, based on the most recent medicare cost report of the hospital.

(b) For a hospital licensed under chapter 70.41 RCW that has not completed a medicare cost report with more than 200 medicaid inpatient psychiatric days, the authority shall establish the medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at the higher of the hospital's current medicaid inpatient psychiatric rate; or the annually updated statewide average of the medicaid inpatient psychiatric per diem payment rate of all acute care hospitals licensed under chapter 70.41 RCW providing long-term civil commitment services.

(c) For a hospital licensed under chapter 71.12 RCW and currently providing long-term civil commitment services, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at ~~((~~\$940~~))~~ \$1,250 plus adjustments that may be needed to capture costs associated with long-term psychiatric patients that are not allowable on the medicare cost report or reimbursed separately. The hospital may provide the authority with supplemental data to be considered and used to make appropriate adjustments to the medicaid inpatient psychiatric per diem payment rate of the hospital. Adjustment of costs may include:

(i) Costs associated with professional services and fees not accounted for in the hospital's medicare cost report or reimbursed separately;

(ii) Costs associated with the hospital providing the long-term psychiatric patient access to involuntary treatment court services that are not reimbursed separately; and

(iii) Other costs associated with caring for long-term psychiatric patients that are not reimbursed separately.

(d) For a hospital licensed under chapter 71.12 RCW that requires an initial medicaid inpatient psychiatric per diem payment rate for long-term civil commitment services because it has not yet completed a medicare cost report, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at the higher of:

(i) The hospital's current medicaid inpatient psychiatric rate; or

(ii) The annually updated statewide average of the medicaid long-term inpatient psychiatric per diem payment rate of all freestanding psychiatric hospitals licensed under chapter 71.12 RCW providing long-term civil commitment services.

(e) For nonhospital residential treatment centers certified to provide long-term inpatient care beds as defined in RCW 71.24.025, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at ~~((the fiscal year 2023 level))~~ \$1,250.

(f) Beginning in fiscal year 2024, the authority shall pay a rate enhancement for patients committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The enhancement shall be available to all hospital and nonhospital facilities providing services under this subsection except those whose rates are set at 100 percent of their most recent medicare cost report. The rate enhancement shall not exceed the tiered rate enhancements established under the 1915(i) state plan.

(g) Beginning in fiscal year 2025, the authority may pay a rate enhancement of \$500 per day for individuals with complex medical needs, challenging behaviors often diagnosed with co-occurring intellectual or developmental disability, traumatic brain injury, dementia, or significant medical issues requiring personal care. The rate enhancement is available to providers contracting directly with the authority.

(h) Provider payments for vacant bed days shall not exceed six percent of their annual contracted bed days.

~~((h))~~ (i) The authority, in coordination with the department of social and health services, the office of the governor, the office of financial management, and representatives from medicaid managed care organizations, behavioral health administrative service organizations, and community providers, must update its plan to continue the expansion of civil community long-term inpatient capacity. The plan shall identify gaps and barriers in the current array of community long-term inpatient beds in serving higher need individuals including those committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The plan shall identify strategies to overcome these barriers including, but not limited to, potential rate enhancements for high needs clients. The authority must submit its updated implementation plan to the office of financial management and the appropriate fiscal committees of the legislature by December 1, 2023, and submit a status update on the implementation plan by October 15, 2024.

~~((51))~~ (53) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a one-time grant to Island county to maintain support for a pilot program to improve behavioral health outcomes for young people in rural communities. In administering the pilot program, Island county shall coordinate with school districts, community groups, and health care providers to increase access to behavioral health programs for children and youth aged birth to 24 years of age. The grant funds shall be used to coordinate and expand behavioral health services. The grant funding must not be used to supplant funding from existing programs. No more than 10 percent of the funds may be used for administrative costs incurred by Island county in administering the program. Services that may be provided with the grant funding include, but are not limited to:

- (i) Support for children and youth with significant behavioral health needs to address learning loss caused by COVID-19 and remote learning;
- (ii) School based behavioral health education, assessment, and brief treatment;
- (iii) Screening and referral of children and youth to long-term treatment services;
- (iv) Behavioral health supports provided by community agencies serving youth year-round;
- (v) Expansion of mental health first aid, a program designed to prepare adults who regularly interact with youth for how to help people in both crisis and noncrisis mental health situations;
- (vi) Peer support services; and
- (vii) Compensation for the incurred costs of clinical supervisors and internships.

(b) The authority, in coordination with Island county, must submit to the office of financial management and the appropriate committees of the legislature, a report summarizing how the funding was used and providing the number of children and youth served by the pilot during fiscal year 2024 by December 1, 2024.

~~((52))~~ (54) \$265,000 of the general fund—state appropriation for fiscal year 2024, \$281,000 of the general fund—state appropriation for fiscal year 2025, and \$546,000 of the general fund—federal appropriation are provided solely for the authority to provide specialized training and consultation for physicians and professionals to support children with developmental disabilities and behavioral health needs.

~~((53) — \$2,184,000)~~ (55) \$2,262,000 of the general fund—federal appropriation and ~~(( \$2,184,000 ))~~ \$2,262,000 of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Within these amounts, funding is provided for the authority to support community discharge efforts for patients at the state hospitals. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its providers or third party administrator. The department and the authority in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not increase general fund—state expenditures above appropriated levels for this specific purpose. The secretary in collaboration with the director of the authority shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal committees of the legislature the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

~~((54))~~ (56) \$130,000 of the general fund—federal appropriation is provided solely for the authority to participate in efforts to ensure behavioral health agencies are compensated for their role as teaching clinics for students seeking professional education in behavioral health disciplines and for new graduates working toward licensure.

~~((55))~~ (57) \$250,000 of the general fund—state appropriation for fiscal year 2024, \$934,000 of the general fund—state appropriation for fiscal year 2025, and \$1,447,000 of the general fund—federal appropriation are provided solely for increasing case management services to pregnant and parenting women provided through the parent child assistance program and for increasing the number of residential treatment beds available for pregnant and parenting women.

~~((56))~~ (58) Within the amounts provided in this section, sufficient funding is provided for the authority to maintain and increase the capabilities of a tool to track medication assisted treatment provider capacity.

~~((57))~~ (59) \$2,000,000 of the general fund—federal appropriation is provided solely for grants to law enforcement and other first responders to include a mental health professional on the team of personnel responding to emergencies.

~~((58) — \$1,653,000)~~ (60) \$855,000 of the general fund—state appropriation for fiscal year 2025 and ~~(( \$2,024,000 ))~~ \$1,149,000 of the general fund—federal appropriation are provided solely for the authority to contract for long-term involuntary treatment services in a 16-bed residential treatment facility being developed by the Tulalip tribe in Stanwood.

~~((59))~~ (61) \$956,000 of the general fund—state appropriation for fiscal year 2024 and \$956,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for wraparound with intensive services for youth ineligible for medicaid as outlined in the settlement agreement under *AGC v. Washington State Health Care Authority*, Thurston county superior court no. 21-2-00479-34.

~~((60))~~ (62) \$18,188,000 of the general fund—state appropriation for fiscal year 2024 and \$18,188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for claims for services rendered to medicaid eligible clients admitted to institutions of mental disease that were determined to be unallowable for federal reimbursement due to medicaid's institutions for mental disease exclusion rules.

~~((61))~~ (63) \$6,010,000 of the general fund—state appropriation for fiscal year 2024, \$6,010,000 of the general fund—state appropriation for fiscal year 2025, and \$1,980,000 of the general fund—federal appropriation are provided solely for the authority, in coordination with the department of health, to deploy an opioid awareness campaign and to contract with syringe service programs and other service settings assisting people with substance use disorders to: Prevent and respond to overdoses; provide other harm reduction services and supplies, including but not limited to distributing naloxone; fentanyl testing and other drug testing supplies; and for expanding contingency management services. The authority is encouraged to use these funds to leverage federal funding for this purpose to expand buying power when possible. The authority should prioritize funds for naloxone in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to deploy an opioid awareness campaign targeted at youth to increase the awareness of the dangers of fentanyl.

~~((62))~~ (64) \$4,763,000 of the general fund—state appropriation for fiscal year 2024, \$4,763,000 of the general fund—state appropriation for fiscal year 2025, and \$25,754,000 of the general fund—federal appropriation are provided solely to maintain a rate increase authorized for opioid treatment providers on January 1, 2023.

~~((63))~~ (65) \$2,387,000 of the general fund—state appropriation for fiscal year 2024 and \$2,387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support individuals enrolled in the foundational community supports initiative who are transitioning from benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The authority, department of social and health services, and department of commerce shall collaborate on this effort.

~~((64))~~ (66) \$2,249,000 of the general fund—state appropriation for fiscal year 2024 and \$2,249,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with programs to provide medical respite care for individuals with behavioral health needs. The programs must serve individuals with significant behavioral health needs and medical issues who do not require hospitalization but are unable to provide adequate self-care for their medical conditions. The programs must prioritize services to individuals with complex medical and behavioral health issues who are homeless or who were recently discharged from a hospital setting. The services must meet quality standards and best practices developed by the national health care for the homeless council and may include, but are not limited to, medical oversight and health education; care transitions; and discharge planning to and from primary care, inpatient hospital, emergency rooms, and supportive housing. In selecting the contractors, the authority must prioritize projects that demonstrate the active involvement of an established medical provider that is able to leverage federal medicaid funding in the provision of these services. The authority must work with the medicaid managed care organizations to encourage their participation and assist the plans and the contractor in identifying mechanisms for appropriate use of medicaid reimbursement in this setting.

~~((65))~~ (67) \$988,000 of the general fund—state appropriation for fiscal year 2024, \$988,000 of the general fund—state appropriation for fiscal year 2025, and \$618,000 of the general fund—federal appropriation are provided solely for the authority to contract for three regional behavioral health mobile crisis response teams focused on supported housing to prevent individuals with behavioral health conditions at high risk of losing housing from becoming homeless, identify and prioritize serving the most vulnerable people experiencing homelessness, and increase alternative housing options to include short-term alternatives which may temporarily deescalate situations where there is high risk of a household from becoming homeless.

~~((66))~~ (68) \$5,623,000 of the general fund—state appropriation for fiscal year 2024, \$5,623,000 of the general fund—state appropriation for fiscal year 2025, and \$3,748,000 of the general fund—federal appropriation are provided solely to maintain and expand access to no barrier, and low-barrier programs using a housing first model designed to assist and stabilize housing supports for adults with behavioral health conditions. Housing supports and services shall be made available with no requirement for treatment for their behavioral health condition and must be individualized to the needs of the individual. The authority and department of commerce shall collaborate on this effort and must submit a status report to the office of financial management and the appropriate committees of the legislature by December 31, 2023.

~~((67))~~ (69) \$675,000 of the general fund—state appropriation for fiscal year 2024 and \$675,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rental voucher and bridge program and to implement strategies to reduce instances where an individual leaves a state operated behavioral or private behavioral health facility directly into homelessness. The authority must prioritize this funding for individuals being discharged from state operated behavioral health facilities.

~~((68))~~ (70) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$361,000 of the general fund—state appropriation for fiscal year 2025, and \$482,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the department of social and health services research and data analysis division, to implement community behavioral health service data into the existing executive management information system. Of these amounts, \$288,000 of the general fund—state appropriation for fiscal year 2024, \$288,000 of the general fund—state appropriation for fiscal year 2025, and \$384,000 of the general fund—federal appropriation are provided solely for the authority to reimburse the research and data analysis division for staff costs associated with this project. The data elements shall be incorporated into the monthly executive management information system reports on a phased-in basis, allowing for elements which are readily available to be incorporated in the initial phase, and elements which require further definition and data collection changes to be incorporated in a later phase. The authority must collaborate with the research and data analysis division to ensure data elements are clearly defined and must include requirements in medicaid managed care organization and behavioral health administrative services organization contracts to provide the data in a consistent and timely manner for inclusion into the system. The community behavioral health executive management system information data elements must include, but are not limited to: Psychiatric inpatient bed days; evaluation and treatment center bed days; long-term involuntary community psychiatric inpatient bed days; children's long-term inpatient bed days; substance use disorder inpatient, residential, withdrawal evaluation and management, and secure withdrawal evaluation and management bed days; crisis triage and stabilization services bed days; mental health residential bed days; mental health and substance use disorder outpatient treatment services; opioid substitution and medication assisted treatment services; program of assertive treatment team services; wraparound with intensive services; mobile outreach crisis services; recovery navigator team services; foundational community supports housing and employment services; projects for assistance in transition from homelessness services; housing and recovery through peer services; other housing services administered by the authority; mental health and substance use disorder peer services; designated crisis responder investigations and outcomes; involuntary commitment hearings and outcomes; pregnant and parenting women case management services; and single bed certifications and no available bed reports. Wherever possible and practical, the data must include historical monthly counts and shall be broken out to distinguish services to medicaid and nonmedicaid individuals and children and adults. The authority and the research and data analysis division must consult with the office of financial management and staff from the fiscal committees of the legislature on the development and implementation of the community behavioral health data elements.

~~((69))~~ (71) \$2,587,000 of the general fund—state appropriation for fiscal year 2024 and \$2,587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to support efforts by counties and cities to implement local response teams. Of these amounts:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to provide a grant to the association of Washington cities to assist cities with the costs of implementing alternative response teams. This funding must be used to reimburse cities for documented costs associated with creating co-responder teams within different alternative diversion models including law enforcement assisted diversion programs, community assistance referral and education programs, and as part of mobile crisis teams. Cities are encouraged to partner with each other to create a regional response model. In awarding these funds, the association must prioritize applicants with demonstrated capacity for facility-based crisis triage and stabilization services. The association and authority must collect and report information regarding the number of facility-based crisis stabilization and triage beds available in the locations receiving funding through this subsection and submit a report to the office of financial management and the appropriate committees of the legislature with this information by December 1, 2023.

(b) \$587,000 of the general fund—state appropriation for fiscal year 2024 and \$587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Whatcom county alternative response team.

~~((70))~~ (72) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the University of Washington addictions, drug, and alcohol institute. This funding must be used for advanced, evidence-based training for law enforcement to improve interactions with individuals who use drugs. The training must be developed so it can be adapted and used statewide to decrease stigmatizing beliefs among law enforcement through positive contact with people who use drugs and improve officer well-being and effectiveness by providing skills and techniques to address the drug overdose epidemic. The institute must develop and refine this training, leveraging prior work, and in partnership with a steering committee that includes people with lived or living experience of substance use disorder and criminal legal involvement, researchers, clinicians, law enforcement officers, and others. The training must complement, but not duplicate, existing curricula already provided by the criminal justice training commission. The institute must pilot the advanced training in a subset of regional law enforcement agencies and evaluate its acceptability and feasibility through participant interviews and pretraining and posttraining ratings of stigmatizing beliefs. The institute must incorporate feedback from the pilot

training sessions into a final training program that it must make available to law enforcement agencies across the state.

~~((71))~~ (73) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue development and implementation of the certified community behavioral health clinic model for comprehensive behavioral health services. Funding must be used to secure actuarial expertise, conduct research into national data and other state models, including obtaining resources and expertise from the national council for mental well-being certified community behavioral health clinic success center; and engage stakeholders, including representatives of licensed community behavioral health agencies and medicaid managed care organizations, in the process. The authority must provide a report to the office of financial management and the appropriate committees of the legislature with findings, recommendations, and cost estimates by December 31, 2024. The study must build on the preliminary report submitted to the legislature in December 2022 and include:

(a) Overviews of options and considerations for implementing the certified community behavioral health clinic model within Washington state, including participation as a certified community behavioral health clinic demonstration state or for independent statewide implementation;

(b) An analysis of the impact of expanding the certified community behavioral health clinic model on the state's behavioral health systems;

(c) Relevant federal regulations and options to implement the certified community behavioral health clinic model under those regulations;

(d) Options for implementing a prospective payment system methodology;

(e) An analysis of the benefits and potential challenges for integrating the certified community behavioral health clinic reimbursement model within an integrated care environment;

(f) Actuarial analysis on the costs for implementing the certified community behavioral health clinic model, including opportunities for leveraging federal funding; and

(g) Recommendations to the legislature on a pathway for statewide implementation.

(h) Of the amounts provided in this subsection, \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to clinics who received certified community behavioral health clinic funding from the federal substance abuse and mental health services administration to continue their operations pending the end of their federal grant period.

~~((72))~~ (74) \$1,135,000 of the general fund—state appropriation for fiscal year 2025 and \$568,000 of the general fund—federal appropriation are provided solely to develop and operate a 16-bed substance use disorder inpatient facility in Grays Harbor county that specializes in treating pregnant and parenting women using a family preservation model. The authority must contract for these services through behavioral health entities in a manner that allows leveraging of federal medicaid funds to pay for a portion of the costs. The authority must consult with the department of children, youth, and families in the implementation of this funding. The facility must allow families to reside together while a parent is receiving treatment. Of these amounts, \$568,000 may be used for documented startup costs including the recruitment, hiring, and training of staff. If the authority is able to identify a provider that can begin developing these services before July 2024, it must notify the office of financial management and the appropriate committees of the legislature and submit a request for funding in the fiscal year 2024 supplemental operating budget.

~~((73))~~ (75) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided on a one-time basis solely for the authority to continue a grant to the city of Snoqualmie to pilot behavioral health emergency response and coordination services through a regional behavioral health coordinator. The regional behavioral health coordinator shall be a licensed mental health or substance use disorder professional who works directly with and accompanies law enforcement officers and fire and rescue first responders to help respond to crises involving persons with behavioral health needs. The coordinator shall plan, implement, and coordinate services related to crisis response and social service needs with the city of Snoqualmie, the city of North Bend, the Snoqualmie police and fire departments, and the eastside fire and rescue agency serving North Bend, and local community services, school districts, hospitals, and crisis response systems provided by King county for the region. The coordinator shall support the social services needs identified through police and fire response in the lower Snoqualmie valley and serve as a liaison between law enforcement, first responders, and persons accessing or requesting emergency services with social service needs. The authority shall collect information on the pilot project and, in coordination with the city of Snoqualmie, must submit a report to the office of financial management and the appropriate committees of the legislature by December 31, 2023, summarizing the services provided through the grant funds and identifying recommendations on how to implement effective, integrated, coordinated behavioral health emergency response and community care services. The authority must also provide the report to the criminal justice training commission, the Washington association of sheriffs and police chiefs, and the Washington fire commissioners association.

~~((74))~~ (76) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract for services with a statewide recovery community organization. The authority must award this funding to an organization that: (a) Has experience building the capacity of the recovery community to advance substance use recovery and mental health wellness by catalyzing public understanding and shaping public policy; (b) is led and governed by representatives of local communities of recovery; (c) centers the voices of

people with lived experience who are touched by addiction and mental health challenges, and harnesses the power of story to drive change in the mental health and addiction treatment systems; and (d) provides free community education, skills trainings, events, and a conference in order to increase the understanding of issues around behavioral health and recovery. Services provided by the contracted program must include education, support, and assistance to increase connection of the recovery community, recovery capital, and knowledge about recovery and mental health resources. In conducting this work, the contractor must engage diverse individuals in recovery, impacted families, and providers from all regions of the state and leverage the assistance of affiliated groups and organizations. The organization must also prioritize diversity, equity, and justice in their work to eradicate health disparities of marginalized communities.

~~((75))~~ (77) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue and expand a contract with a Seattle based nonprofit organization with experience matching voluntary specialty care providers with patients in need of care to provide pro bono counseling and behavioral health services to uninsured and underinsured individuals with incomes below 300 percent of the federal poverty level. The authority may require the contractor to seek, document, and report to the authority on efforts to leverage local, federal, or philanthropic funding to provide sustained operational support for the program.

~~((76))~~ (78) \$2,437,000 of the general fund—state appropriation for fiscal year 2024, \$4,772,000 of the general fund—state appropriation for fiscal year 2025, and \$1,705,000 of the general fund—federal appropriation are provided solely for the authority to contract for youth inpatient navigator services in seven regions of the state. The services must be provided through clinical response teams that receive referrals for children and youth inpatient services and manage a process to coordinate placements and alternative community treatment plans. Of these amounts for each fiscal year, \$445,000 of the general fund—state appropriation and \$79,000 of the general fund—federal appropriation are provided solely to contract for services through an existing program located in Pierce county.

~~((77))~~ (79) \$7,601,000 of the general fund—state appropriation for fiscal year 2024, \$7,601,000 of the general fund—state appropriation for fiscal year 2025, and \$2,820,000 of the general fund—federal appropriation are provided solely for assisted outpatient treatment and other costs associated with implementation of chapter 210, Laws of 2022 (SHB 1773). Of the amount provided in this subsection, \$1,000 is for implementation of Engrossed Senate Bill No. 5130 (assisted outpatient treatment).

~~((78) \$1,878,000)~~ (80) \$1,378,000 of the general fund—state appropriation for fiscal year 2024 and ~~((429,000))~~ \$929,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to support the children and youth behavioral health work group to consider and develop longer term strategies and recommendations regarding the delivery of behavioral health services for children, transitioning youth, and their caregivers pursuant to chapter 76, Laws of 2022 (2SHB 1890).

~~((79))~~ (81) Sufficient funding is provided for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

~~((80))~~ (82) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contingency management resources in accordance with chapter 311, Laws of 2021 (ESB 5476).

~~((81))~~ (83) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a contract for services funded in section 215(127), chapter 297, Laws of 2022 (ESSB 5693) to provide information and support related to safe housing and support services for youth exiting inpatient mental health and/or substance use disorder facilities to stakeholders, inpatient treatment facilities, young people, and other community providers that serve unaccompanied youth and young adults.

~~((82))~~ (84) \$2,336,000 of the general fund—state appropriation for fiscal year 2024, 2,336,000 of the general fund—state appropriation for fiscal year 2025, and \$3,036,000 of the general fund—federal appropriation are provided solely for the authority to contract with opioid treatment providers to operate mobile methadone units to address treatment gaps statewide.

~~((83))~~ (85) \$216,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$1,454,000 of the general fund—federal appropriation are provided solely for the authority to increase fee for service rates for mental health and substance use disorder treatment by 22 percent. This rate increase shall be effective January 1, 2024. This rate increase does not apply to per diem costs for long-term civil commitment inpatient services or for services for which rate increases were provided under other subsections of this section. Services affected by the psychiatric rebase in subsection ~~((84))~~ (86) of this section are excluded from this rate increase. The authority must include the proportional costs of increasing fee-for-service rates for mental health and substance use disorder treatment paid on behalf of tribal members not electing enrollment in managed care plans in any agency request decision package it submits during the fiscal biennium for increasing provider rates in the managed care behavioral health program.

~~((84))~~ (86) Sufficient amounts are provided in this section for the authority to rebase community hospital psychiatric inpatient rates effective January 1, 2024. Rebasement adjustments shall be based on adjusted calendar year 2020 medicare cost reports.

~~((85))~~ (87) (a) \$3,805,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

(i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit exchange;

(ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and

(iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amount provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

(i) Actual and forecasted expenditures;

(ii) Actual and forecasted data from the caseload forecast council; and

(iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount that may be expended for the purposes of this program.

~~((86))~~ (88) (a) \$2,317,000 of the general fund—state appropriation for fiscal year 2024 and \$4,433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to three behavioral health administrative services organizations to transition persons who are either being diverted from criminal prosecution to behavioral health treatment services or are in need of housing upon discharge from crisis stabilization services. The authority must provide an opportunity for all of the behavioral health administrative service organizations to submit plans for consideration.

(b) Grant criteria must include, but are not limited to:

(i) A commitment to matching individuals with temporary lodging or permanent housing, including supportive housing services and supports, that is reasonably likely to fit their actual needs and situation, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability; and

(ii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement, including appropriate supportive housing supports and services, within six months except under unusual circumstances.

(c) When awarding grants, the authority must prioritize applicants that:

(i) Provide matching resources;

(ii) Focus on ensuring an expeditious path to sustainable permanent housing solutions; and

(iii) Demonstrate an understanding of working with individuals who experience homelessness or have interactions with the criminal legal system to understand their optimal housing type and level of ongoing services.

~~((87))~~ (89) (a) \$2,266,000 of the general fund—state appropriation for fiscal year 2024, \$14,151,000 of the general fund—state appropriation for fiscal year 2025, and \$19,269,000 of the general fund—federal appropriation are provided solely for services to medicaid and state funded clients in behavioral health residential treatment facilities that are scheduled to open during the 2023-2025 fiscal biennium.

(b) Within the amounts provided in this subsection, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to reimburse the department of social and health services for staffing costs related to tracking behavioral health community capacity through the community behavioral health executive management information system and providing annual reports on the implementation of new behavioral health community capacity.

(c) The department of commerce, the department of health, and the authority must cooperate with the department of social and health services in collecting and providing the data necessary to incorporate tracking of behavioral health beds into the behavioral health executive management information system and to prepare the required reports. The agencies must work to ensure they are using consistent definitions in classifying behavioral health bed types for the purpose of reporting capacity and utilization.

(d) The authority and the department of social and health services must begin tracking behavioral health bed utilization for medicaid and state funded clients by type of bed in the executive management information system by October 1, 2023. The department of commerce shall identify to the department of social and health services all providers that have received funding through their capital grant program since the 2013-2015 fiscal biennium. The



department of social and health services must incorporate tracking of services by provider including an element to identify providers that have received funding through the capital budget so that reports can be provided related to the average daily client counts for medicaid and state funded clients being served by provider and by facility type.

(e) By November 1, 2023, the department of social and health services, in coordination with the department of commerce, the department of health, and the authority, must submit an annual report to the office of financial management and the appropriate committees of the legislature. The first annual report must provide information on the facilities that received funding through the department of commerce's behavioral health community capacity grant funding since the 2013-2015 fiscal biennium and the utilization across all behavioral health facilities for medicaid and state funded clients. The report must provide the following information for each facility that has received funding through the capital budget: (i) The amount received by the state and the total project cost; (ii) the facility address; (iii) the number of new beds or additional bed capacity by the service type being provided; and (iv) the utilization of the additional beds by medicaid or state funded clients by service type.

(f) By November 1, 2024, the department of social and health services must submit the second annual report to the office of financial management and the appropriate committees of the legislature. The second annual report must update the bed capacity and utilization information required in the first report and compare that capacity to demand by service type by geographical region of the state.

~~((88))~~ (90) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the efforts of the joint legislative and executive committee on behavioral health established in section 135 of this act.

~~((89))~~ (91) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely to support the provision of behavioral health co-responder services on nonlaw enforcement emergency medical response teams.

~~((90))~~ (92) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the King county behavioral health administrative services organization to expand medication for opioid use disorder treatment services in King county.

~~((91))~~ (93) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the authority to contract on a one-time basis with the behavioral health administrative services organization serving Kitsap county for crisis triage services in the county that are not being reimbursed through the medicaid program.

~~((92))~~ (94) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the behavioral health administrative services organization serving Snohomish county for start-up costs in a new 32-bed community recovery center in Lynnwood that will provide crisis services to medicaid and other low income residents.

~~((93))~~ ~~\$3,142,000 of the general fund—state appropriation for fiscal year 2024, \$3,869,000 of the general fund—state appropriation for fiscal year 2025, and \$10,574,000 of the general fund—federal appropriation are provided solely to reimburse the department of social and health services for the costs of medicaid services at a 16-bed residential treatment facility serving long-term involuntary inpatient patients. The authority and the department of social and health services must utilize case rate and cost based reimbursement models to maximize federal matching funds at the facility. Up to \$200,000 of the general fund—state appropriation for fiscal year 2024 may be used to facilitate these efforts.~~

~~((94))~~ (95) \$313,000 of the general fund—federal appropriation is provided solely to support a media campaign for Native Americans related to the prevention of substance abuse and suicide.

~~((95))~~ (96) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with up to two behavioral health agencies that are interested in offering or expanding wraparound with intensive services for children and youth. The funds may be used to support costs associated with recruitment, training, technical assistance, or other appropriate costs required to develop the capacity to offer these specialized services.

~~((96))~~ (97) \$22,000,000 of the general fund—state appropriation for fiscal year 2024 and \$22,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations to implement the statewide recovery navigator program established in chapter 311, Laws of 2021 (ESB 5476) and for related technical assistance to support this implementation. This includes funding for recovery navigator teams to provide community-based outreach and case management services based on the law enforcement assisted diversion model and for technical assistance support from the law enforcement assisted diversion national support bureau. Of the amounts provided in this subsection, \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 must be allocated to maintain recovery navigator services in King, Pierce, and Snohomish counties. These amounts must be in addition to the proportion of the allocation of the remaining funds

in this subsection the regional behavioral health administrative services organizations serving those counties were allocated pursuant to section 22(1), chapter 311, Laws of 2021.

~~((+97))~~ (98) \$3,114,000 of the general fund—state appropriation for fiscal year 2024, \$3,114,000 of the general fund—state appropriation for fiscal year 2025, and \$5,402,000 of the general fund—federal appropriation are provided solely for the authority to implement clubhouse services in every region of the state.

~~((+98))~~ (99) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 and \$7,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to implement homeless outreach stabilization teams pursuant to chapter 311, Laws of 2021 (ESB 5476).

~~((+99))~~ (100) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$2,500,000 of the general fund—state appropriation for fiscal year 2025, \$81,000 of the general fund—federal appropriation, and ~~((+\$5,000,000))~~ \$12,280,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to expand efforts to provide opioid use disorder medication in city, county, regional, and tribal jails.

~~((+100))~~ (101) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for behavioral health administrative service organizations to develop regional recovery navigator program plans pursuant to chapter 311, Laws of 2021 (ESB 5476), and to establish positions focusing on regional planning to improve access to and quality of regional behavioral health services with a focus on integrated care.

~~((+101))~~ (102) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with an organization with expertise in supporting efforts to increase access to and improve quality in recovery housing and recovery residences. This funding shall be used to increase recovery housing availability through partnership with private landlords, increase accreditation of recovery residences statewide, operate a grievance process for resolving challenges with recovery residences, and conduct a recovery capital outcomes assessment for individuals living in recovery residences.

~~((+102))~~ (103) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$4,000,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to provide short-term housing vouchers for individuals with substance use disorders.

~~((+103))~~ (104) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to convene and provide staff and contracted services support to the recovery oversight committee established in chapter 311, Laws of 2021 (ESB 5476).

~~((+104))~~ (105) \$2,565,000 of the general fund—state appropriation for fiscal year 2024 and \$2,565,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to develop and implement the recovery services plan and to carry out other requirements of chapter 311, Laws of 2021 (ESB 5476). Within these amounts, funding is provided for the authority to:

(a) Establish an occupational nurse consultant position within the authority to provide contract oversight, accountability, and performance improvement activities, and to ensure medicaid managed care organization plan compliance with provisions in law and contract related to care transitions work with local jails; and

(b) Establish a position within the authority to create and oversee a program to initiate and support emergency department programs for inducing medications for patients with opioid use disorder paired with a referral to community-based outreach and case management programs.

~~((+105))~~ (106) \$400,000 of the general fund—federal appropriation is provided solely to support the development and implementation of the parent portal directed in chapter 134, Laws of 2022 (SHB 1800).

~~((+106—\$23,763,000))~~ (107) \$23,148,000 of the general fund—federal appropriation is provided solely for the authority to contract with the University of Washington behavioral health teaching facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The authority must coordinate with the department of social and health services and the University of Washington to evaluate and determine criteria for the current population of state hospital patients, committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, who can be effectively treated at the University of Washington behavioral health teaching facility. The authority, in coordination with the department of social and health services and the University of Washington, must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, summarizing the numbers and types of patients that are committed to the state hospitals pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, the numbers and types that would be appropriate to be served at the University of Washington behavioral health teaching facility, and the criteria that was used to make the determination.

~~((+107))~~ (108) \$444,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$716,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1515 (behavioral health contracts). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((108))~~ (109) (a) \$320,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$796,000))~~ \$1,796,000 of the general fund—state appropriation for fiscal year 2025, and \$1,196,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1168 (prenatal substance exposure). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) Of the amounts provided in (a) of this subsection, \$500,000 of the general fund—federal appropriation is provided solely for the authority to contract with a statewide nonprofit entity with expertise in fetal alcohol spectrum disorders and experience in supporting parents and caregivers to offer free support groups for individuals living with fetal alcohol spectrum disorders and their parents and caregivers.

~~((109))~~ (110) \$91,000 of the general fund—state appropriation for fiscal year 2024, \$91,000 of the general fund—state appropriation for fiscal year 2025, and \$126,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(111) \$5,474,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$210,000 of the general fund—federal appropriation are provided solely for the authority to implement Engrossed Second Substitute House Bill No. 1134 (988 system).

(a) Within these amounts, \$4,000,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the authority to provide grants to new or existing mobile rapid response teams and to community-based crisis teams to support efforts for meeting the standards and criteria for receiving an endorsement pursuant to provisions of the bill. In awarding grants under this subsection, the authority must prioritize funding for proposals that demonstrate experience and strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

(b) Within the remaining amounts, sufficient funding is provided for the authority to conduct the actuarial analysis and development of options for payment mechanisms for rate enhancements as directed in section ~~((8 of Engrossed Second Substitute House Bill No. 1134 (988 system))~~ 9, chapter 454, Laws of 2023 and to implement other activities required by the bill.

~~((c) If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(112) \$26,854,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$17,636,000 of the general fund—federal appropriation are provided solely for the authority to expand and enhance regional crisis services. These amounts must be used to expand services provided by mobile crisis teams and community-based crisis teams either endorsed or seeking endorsement pursuant to standards adopted by the authority. Beginning in fiscal year 2025, the legislature intends to direct amounts within this subsection to be used for performance payments to mobile rapid response teams and community-based crisis teams that receive endorsements pursuant to Engrossed Second Substitute House Bill No. 1134 (988 system).

(113) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to increase resources for behavioral health administrative service organizations and managed care organizations for the increased costs of room and board for behavioral health inpatient and residential services provided in nonhospital facilities.

(114) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a youth behavioral inpatient and outpatient program with facilities in Clark and Spokane counties that serve over 65 percent medicaid eligible clients for co-occurring substance use and mental health disorders and sexual exploitation behavioral health treatment. This funding is provided on a one-time basis and must be used for treatment and services.

(115) ~~(((\$18,168,000))~~ \$36,993,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to address and remediate the opioid epidemic. Of these amounts:

(a) \$2,500,000 is provided solely for the authority to provide or contract for opioid prevention, outreach, treatment, or recovery support services that are not reimbursable under the state medicaid plan.

(b) \$500,000 is provided solely for Spanish language opioid prevention services.

(c) \$2,000,000 is provided solely to maintain prevention services that address underage drinking, cannabis and tobacco prevention, and opioid, prescription, and other drug misuse among individuals between the ages of 12 and 25.

(d) \$1,830,000 is provided solely for programs to prevent inappropriate opioid prescribing.

(e) \$538,000 is provided solely for technical support to improve access to medications for opioid use disorder in jails.

(f) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority, in coordination with the department of health, to develop and implement a health promotion and education campaign, with a focus on synthetic drug supplies, including fentanyl, and accurate harm reduction messaging for communities, law enforcement, emergency responders, and others.

(g) \$3,500,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide support funds to new and established clubhouses throughout the state.

(h) \$6,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide grants for the operational costs of new staffed recovery residences which serve individuals with substance use disorders who require more support than a level 1 recovery residence.

(i) \$1,675,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to contract with the downtown emergency service center, for the support of an opioid recovery and care access center. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(j) \$3,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to increase access to long-acting injectable buprenorphine products. The authority must use these funds to provide one-time grants to small providers that are not financially affiliated with a hospital to purchase long-acting injectable buprenorphine products. The authority shall study alternative models that will ease access to long-acting injectable buprenorphine and report recommendations to the office of financial management and the appropriate committees of the legislature by October 15, 2024.

(k) \$3,050,000 of the opioid abatement settlement account—state appropriation is provided solely for stabilization funding for current community prevention and wellness initiative programs across the state.

(l) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely to expand the number of health engagement hub pilot projects pursuant to chapter 1, Laws of 2023 sp. sess.

(m) \$750,000 of the opioid abatement settlement account—state appropriation is provided solely for additional outreach workers to support the expansion of oxford houses.

(n) \$450,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to purchase and maintain smart health machines. This purchase is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(o) \$3,700,000 of the opioid abatement settlement account—state appropriation is provided solely for five pilot programs of health care professionals that will assess and address the acute and chronic physical and behavioral health needs of people living homeless in encampments and on the streets with substance use disorders including opioid use disorder. Of the amounts provided:

(i) \$1,000,000 of the opioid abatement settlement account—state appropriation is for a grant to King county;

(ii) \$1,000,000 of the opioid abatement settlement account—state appropriation is for a grant to the city of Spokane;

(iii) \$1,000,000 of the opioid abatement settlement account—state appropriation is for a grant to the city of Tacoma;

(iv) \$500,000 of the opioid abatement settlement account—state appropriation is for a grant to the city of Everett; and

(v) \$200,000 of the opioid abatement settlement account—state appropriation is for a grant to Kitsap county.

(p) \$500,000 of the opioid abatement settlement account—state appropriation is provided solely to convene an annual tribal fentanyl summit.

(q) \$1,000,000 of the opioid abatement settlement account—state appropriation is provided solely for grants to tribes to implement the Icelandic model of prevention in their communities.

(r) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for a tribal opioid prevention campaign to inform and educate tribal communities about opioid misuse prevention, overdose response, and treatment.

(s) Of the amounts provided in this subsection, the authority may use up to 10 percent for staffing and administrative expenses.

~~((j))~~ (t) In contracting for programs and services under this subsection, the authority must consider data and implement strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

(116) \$5,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to maintain funding for ongoing grants to law enforcement assisted diversion programs outside of King county under RCW 71.24.590.

(117) \$5,500,000 of the opioid abatement settlement account—state appropriation is provided on a one-time basis solely for the authority to implement a pilot program to reimburse a licensed pediatric transitional care facility in Spokane county to provide neonatal abstinence syndrome services to infants who have prenatal substance exposure. The pilot program must study and evaluate the efficacy, outcomes, and impact of providing these services to avoid more costly medical interventions. Within these amounts, \$190,000 is provided solely for the authority to contract with Washington State University to conduct research analyzing the prevalence of neonatal abstinence syndrome and infant and maternal health outcomes associated with neonatal transitional nurseries in Washington. The university must submit a report articulating findings to the appropriate committees of the legislature by December 1, 2024. The report must identify to what extent the federal medicaid program allows for reimbursement of these services and identify the barriers in leveraging federal medicaid funding for these services in Washington's state medicaid plan.

(118) \$15,447,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to pass through to tribes and urban Indian health programs for opioid and overdose response activities. The funding must be used for prevention, outreach, treatment, recovery support services, and other strategies to address and mitigate the effects of the misuse and abuse of opioid related products. The authority must provide the tribes and urban Indian health programs the latitude to use the funding as they see fit to benefit their communities, provided the activities are allowable under the terms of the opioid settlement agreements.

(119) \$66,000 of the general fund—state appropriation for fiscal year 2024, \$502,000 of the general fund—state appropriation for fiscal year 2025, and \$171,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(120) \$190,000 of the general fund—state appropriation for fiscal year 2024, \$354,000 of the general fund—state appropriation for fiscal year 2025, and \$1,106,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5228 (behavioral health OT). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(121) \$3,605,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$1,539,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(122) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Arlington in partnership with the north county regional fire authority for a mobile integrated health pilot project. The project shall provide mobile integrated health services for residents who cannot navigate resources through typical methods through brief therapeutic intervention, biopsychosocial assessment and referral, and community care coordination.

(123) \$1,000 of the general fund—state appropriation for fiscal year 2024 is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

(124) \$300,000 of the opioid abatement settlement account—state appropriation is provided for support of a statewide safe supply work group. The purpose of the work group is to evaluate potential models for safe supply services and make recommendations on inclusion of a safe supply framework in the Washington state substance use recovery services plan to provide a regulated, tested supply of controlled substances to individuals at risk of drug overdose. The work group membership shall be reflective of the community of individuals living with substance use disorder, including persons who are black, indigenous, and persons of color, persons with co-occurring substance use disorders and mental health conditions, as well as persons who represent the unique needs of rural communities.

(a) The work group membership shall consist of, but is not limited to, members appointed by the governor representing the following:

- (i) At least one adult in recovery from substance use disorder;
- (ii) At least one youth in recovery from substance use disorder;
- (iii) One expert from the addictions, drug, and alcohol institute at the University of Washington;
- (iv) One outreach services provider;
- (v) One substance use disorder treatment provider;
- (vi) One peer recovery services provider;
- (vii) One recovery housing provider;
- (viii) One expert in serving persons with co-occurring substance use disorders and mental health conditions;
- (ix) One expert in antiracism and equity in health care delivery systems;
- (x) One employee who provides substance use disorder treatment or services as a member of a labor union representing workers in the behavioral health field;
- (xi) One representative of the association of Washington healthcare plans;
- (xii) One representative of sheriffs and police chiefs;
- (xiii) One representative of a federally recognized tribe; and
- (xiv) One representative of local government.

(b) The work group's evaluation shall include, but is not limited to, the following:

- (i) Examining the concept of "safe supply," defined as a legal and regulated supply of mind or body altering substances that traditionally only have been accessible through illicit markets;
- (ii) Examining whether there is evidence that a proposed "safe supply" would have an impact on fatal or nonfatal overdose, drug diversion, or associated health and community impacts;
- (iii) Examining whether there is evidence that a proposed "safe supply" would be accompanied by increased risks to individuals, the community, or other entities or jurisdictions;
- (iv) Examining historical evidence regarding the overprescribing of opioids; and
- (v) Examining whether there is evidence that a proposed "safe supply" would be accompanied by any other benefits or consequences.

(c) Staffing for the work group shall be provided by the authority.

(d) The work group shall provide a preliminary report and recommendations to the governor and the appropriate committees of the legislature by December 1, 2023, and shall provide a final report by December 1, 2024.

(125) Within existing resources, the authority shall collaborate with the department of social and health services to develop a new program for individuals admitted to a state hospital for purposes of civil commitment under RCW 10.77.086. The program must prioritize the use of assisted outpatient treatment resources for eligible individuals and draw upon existing programs, including the program of assertive community treatment and the governor's opportunity for supportive housing program to provide wraparound services for individuals who may be ready to quickly return to the community following an admission.

(126) \$820,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to Island county to maintain crisis stabilization services provided by the Ituha stabilization facility.

(127) \$760,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a one-time grant to evergreen treatment services to increase funding for three opioid treatment program mobile medication units. This grant must be used to ensure continued access to mobile medication services in critical areas to address the opioid epidemic.

(128)(a) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,035,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to solicit a provider to operate up to 40 beds at the Olympic heritage behavioral health facility and for the authority to contract with that provider to operate contracted beds beginning March 15, 2025.

(b) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to conduct a survey of provider interest to determine service options for operating up to 40 beds at the Olympic heritage behavioral health facility, with a target opening date of March 15, 2025. The primary focus of the survey shall be providers able to address the needs of adults with a history or likelihood of criminal legal involvement to reduce the number of people with behavioral health or other diagnoses accessing treatment through the criminal legal system. The survey must seek information from providers, including tribal governments, interested in offering one or more, but not limited to, the following types of services:

(i) Short-term or step down residential behavioral health care, particularly for individuals who may have received treatment or services through crisis stabilization or a 23-hour crisis facility;

(ii) Residential, transitional, or supportive services that would divert individuals from the criminal legal system or emergency departments;

(iii) Substance use or co-occurring treatment, including inpatient or outpatient programming as well as programs designed for the treatment of opioid use disorder; and

(iv) Supportive and residential services for individuals in outpatient competency restoration, subject to assisted outpatient treatment orders or released on personal recognizance while awaiting competency services.

(c) Based upon a review of the survey results and in consultation with the department of social and health services, the authority will develop a recommendation for approval from the office of financial management.

(d) No later than August 1, 2024, upon approval from the office of financial management, the authority shall release a request for proposals to operate up to 40 beds at the Olympic heritage behavioral health facility. The request for proposal shall include, but not be limited to:

(i) The proposed timeline for operations of selected service;

(ii) How the proposal would reduce the number of individuals with behavioral health needs entering the criminal legal system; and

(iii) Additional information solicited in the survey of interest.

(e) The authority must submit a report to the appropriate committees of the legislature by December 31, 2024, detailing the outcomes of the survey and request for proposals and, if applicable, the provider selected for operating the bed capacity and projections related to the provider cost of operating the contracted space.

(f) \$885,000 of the general fund—state appropriation for fiscal year 2025 provided in this subsection is provided solely for the authority to contract for services with the provider selected under (d) of this subsection. It is the intent of the legislature to align funding provided for these services with the cost of these services in the 2025 legislative session. Amounts appropriated should not be construed as minimum or maximum amounts available for contracted services and the authority must contract with the provider selected under (d) of this subsection at standard rates for the services offered.

(129) \$282,000 of the general fund—state appropriation for fiscal year 2025 and \$253,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6251 (behavioral crisis coord.). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(130) \$461,000 of the general fund—state appropriation for fiscal year 2025 and \$462,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**FOR THE HUMAN RIGHTS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(\$4,799,000)
	<u>\$4,804,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$4,720,000)
	<u>\$4,726,000</u>
General Fund—Federal Appropriation . . . . .	\$2,975,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$12,494,000)</b>
	<u>\$12,505,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$448,000 of the general fund—state appropriation for fiscal year 2024 and \$420,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for investigative staff to address the commission's caseload backlog.

(2) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5186 (contracting/discrimination). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

**Sec. 217.** 2023 c 475 s 217 (uncodified) is amended to read as follows:

**FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

Worker and Community Right to Know Fund—State Appropriation . . . . .	\$10,000
Accident Account—State Appropriation . . . . .	(\$27,516,000)
	<u>\$27,520,000</u>
Medical Aid Account—State Appropriation . . . . .	(\$27,510,000)
	<u>\$27,514,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(\$55,036,000)</b>
	<u>\$55,044,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$650,000 of the accident account—state appropriation and \$650,000 of the medical aid account—state appropriation are provided solely for the board of appeals information system modernization project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$47,000 of the accident account—state appropriation and \$47,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(3) \$22,000 of the accident account—state appropriation and \$21,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

**Sec. 218.** 2023 c 475 s 218 (uncodified) is amended to read as follows:

**FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(\$53,805,000)
	<u>\$55,096,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$50,466,000)
	<u>\$58,713,000</u>
General Fund—Private/Local Appropriation . . . . .	(\$11,970,000)
	<u>\$7,901,000</u>
Death Investigations Account—State Appropriation . . . . .	\$1,708,000
Municipal Criminal Justice Assistance Account—State Appropriation . . . . .	\$460,000
Washington Auto Theft Prevention Authority Account—State Appropriation . . . . .	(\$7,167,000)
	<u>\$14,167,000</u>
Washington Internet Crimes Against Children Account—State Appropriation . . . . .	\$2,270,000
24/7 Sobriety Account—State Appropriation . . . . .	\$20,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$127,866,000)</b>
	<u>\$140,335,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130.

(2) Funding in this section is sufficient for 75 percent of the costs of providing 23 statewide basic law enforcement trainings in each fiscal year 2024 and fiscal year 2025. The criminal justice training commission must schedule its funded classes to minimize wait times

throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. At least three classes must be held in Spokane each year.

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(4) \$2,270,000 of the Washington internet crimes against children account—state appropriation is provided solely for the implementation of chapter 84, Laws of 2015.

(5) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the mental health field response team program administered by the Washington association of sheriffs and police chiefs. The association must distribute \$7,000,000 in grants to the phase one and phase two regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court—Western District, Cause No. 14-cv-01178-MJP. The association must submit an annual report to the Governor and appropriate committees of the legislature by September 1st of each year of the biennium. The report shall include best practice recommendations on law enforcement and behavioral health field response and include outcome measures on all grants awarded.

(6) \$899,000 of the general fund—state appropriation for fiscal year 2024 and \$899,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for crisis intervention training for the phase one regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court—Western District, Cause No. 14-cv-01178-MJP.

(7) \$1,598,000 of the death investigations account—state appropriation is provided solely for the commission to provide 240 hours of medicolegal forensic investigation training to coroners and medical examiners to meet the recommendations of the national commission on forensic science for certification and accreditation.

(8) \$346,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of chapter 321, Laws of 2021 (officer duty to intervene).

(9) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional grants to local jurisdictions to investigate instances where a purchase or transfer of a firearm was attempted by an individual who is prohibited from owning or possessing a firearm.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide grant funding to local law enforcement agencies to support law enforcement wellness programs. Of the amount provided in this subsection:

(a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to provide grants to local law enforcement agencies for the purpose of establishing officer wellness programs. Grants provided under this subsection may be used for, but not limited to building resilience, injury prevention, peer support programs, physical fitness, proper nutrition, stress management, suicide prevention, and physical or behavioral health services. The commission must consult with a representative from the Washington association of sheriffs and police chiefs and a representative of the Washington state fraternal order of police and the Washington council of police and sheriffs in the development of the grant program.

(b) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington association of sheriffs and police chiefs to establish and coordinate an online or mobile-based application for any Washington law enforcement officer; 911 operator or dispatcher; and any other current or retired employee of a Washington law enforcement agency, and their families, to anonymously access on-demand wellness techniques, suicide prevention, resilience, physical fitness, nutrition, and other behavioral health and wellness supports.

(11) \$290,000 of the general fund—state appropriation for fiscal year 2024 and \$290,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for academy training for limited authority Washington peace officers employed by the Washington state gambling commission, Washington state liquor and cannabis board, Washington state parks and recreation commission, department of natural resources, and the office of the insurance commissioner.

(a) Up to 30 officers must be admitted to attend the basic law enforcement academy and up to 30 officers must be admitted to attend basic law enforcement equivalency academy.

(b) Allocation of the training slots amongst the agencies must be based on the earliest application date to the commission. Training does not need to commence within six months of employment.

(c) The state agencies must reimburse the commission for the actual cost of training.

(12) (~~(\$6,687,000)~~) \$6,987,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$4,668,000)~~) \$4,968,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish and provide basic law enforcement academy classes at three new regional training academies, one in Pasco, one in (~~Skagit~~) Snohomish county, and one in Clark county. Funding in this subsection is sufficient for 75 percent of the costs of providing six classes per year beginning in fiscal year 2024. The criminal justice training



commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. The six classes per year are in addition to the classes in subsection (2) of this section.

(13) ~~(\$150,000)~~ \$120,000 of the general fund—state appropriation for fiscal year 2024 ~~(~~is~~) and \$30,000 of the general fund—state appropriation for fiscal year 2025~~ are provided solely for the criminal justice training commission to develop plans for increasing training capacity. The planning process should include engagement with limited law enforcement agencies, tribal law enforcement representatives, and local law enforcement agencies and representatives. The criminal justice training commission will provide recommendations to the governor and the appropriate committees of the legislature in a preliminary report due November 15, 2023, and in a final report due September 30, 2024. The reports should include the following:

(a) Identifying the demand for additional basic law enforcement academy courses to support law enforcement agencies and develop a proposal to meet any identified training needs, including basic law enforcement academy and advanced training needs;

(b) A plan for how to provide basic law enforcement academy training to limited law enforcement officers and tribal law enforcement officers, including providing additional capacity for training classes. The plan should also consider alternatives for distribution of the costs of the training course; and

(c) A plan for providing at least two basic law enforcement training academy classes per year to candidates who are not yet employed with a law enforcement agency. The plan should, at a minimum, include the following:

(i) A recruitment strategy that emphasizes recruitment of diverse candidates from different geographic areas of the state; diverse race, ethnicity, gender, and sexual orientation; and candidates with diverse backgrounds and experiences including nontraditional educational programs or work experience;

(ii) Pathways from training to employment with a law enforcement agency; and

(iii) Plans to address capacity for and delivery of training.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide accreditation incentive awards.

(a) The commission may provide an accreditation incentive award totaling up to \$50,000 to each law enforcement agency that receives an accreditation during the fiscal biennium from a national or state accrediting entity recognized by the commission. The commission must divide award amounts provided pursuant to this section equally among qualifying law enforcement agencies. A law enforcement agency may not receive more than one accreditation incentive award per fiscal biennium. Funds received by a law enforcement agency pursuant to this subsection must be made available to the law enforcement agency to which they are awarded and may not supplant or replace existing funding received by the law enforcement agency.

(b) The commission must submit a report to the legislature by June 30th of each fiscal year during the biennium that lists each law enforcement agency that received an accreditation incentive award during the fiscal year.

(15) \$1,085,000 of the general fund—state appropriation for fiscal year 2024 and \$1,040,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims & witnesses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(16) \$236,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1132 (limited authority officers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(17) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for body camera grant funding to local law enforcement agencies.

(a) The Washington association of sheriffs and police chiefs shall develop and implement a body-worn camera grant program. The purpose of the program is to assist law enforcement agencies to establish and expand body-worn camera programs.

(b) Law enforcement agencies may use the grants for: (i) The initial purchase, maintenance, and replacement of body-worn cameras; (ii) ongoing costs related to the maintenance and storage of data recorded by body worn cameras; (iii) costs associated with public records requests for body worn-camera footage; and (iv) hiring of personnel necessary to operate a body-worn camera program.

(c) The Washington association of sheriffs and police chiefs shall develop and implement a grant application process and review applications from agencies based on locally developed proposals to establish or expand body-worn camera programs.

(d) Law enforcement agencies that are awarded grants must:

(i) Comply with the provisions of chapter 10.109 RCW;

(ii) Demonstrate the ability to redact body-worn camera footage consistent with RCW 42.56.240 and other applicable provisions;

(iii) Provide training to officers who will wear body-worn cameras and other personnel associated with implementation of the body-worn camera program; and

(iv) Agree to comply with any data collection and reporting requirements that are established by the Washington association of sheriffs and police chiefs.

(e) The Washington association of sheriffs and police chiefs must submit an annual report regarding the grant program to the governor and appropriate committees of the legislature by December 1st of each year the program is funded. The report must be submitted in compliance with RCW 43.01.036.

(18) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). (~~if the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(19) \$280,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for confidential secretary staff for the training bureau director and the accountability bureau director.

(20) \$694,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5780 (public defense & prosecution). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$4,446,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6242 (law enforcement training). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 219.** 2023 c 475 s 219 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF INDEPENDENT INVESTIGATIONS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$17,037,000</del> ))
	\$17,049,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$17,211,000</del> ))
	\$18,725,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$34,248,000</del>))</b>
	<b>\$35,774,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$9,383,000 of the general fund—state appropriation for fiscal year 2024 and \$9,383,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dedicated staffing at regional offices to include at least regional investigator supervisors, investigators, forensic investigators, family liaisons, and evidence technicians.

(2) \$1,124,000 of the general fund—state appropriation for fiscal year 2024 and \$1,124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with the Washington state patrol for laboratory-based testing and processing of crime scene evidence collected during investigations.

(3) \$251,000 of the general fund—state appropriation for fiscal year 2024 and \$251,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted specialized training for investigators relating to death investigations in cases involving deadly force.

(4) \$2,257,000 of the general fund—state appropriation for fiscal year 2024 and \$2,057,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for training development, additional staff training costs, crime lab processing, and contract services to include polygraphs, background checks, personnel evaluations, contracted security, and software licensing.

(5) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided for the office to pay for one-time tenant improvements necessary for a central evidence storage facility.

(6) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided for the office to pay for one-time tenant improvements for two regional offices.

**Sec. 220.** 2023 c 475 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$15,789,000</del> ))
	\$17,531,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$19,773,000</del> ))
	\$25,217,000
General Fund—Federal Appropriation. . . . .	(( <del>\$11,470,000</del> ))
	\$11,521,000
Asbestos Account—State Appropriation. . . . .	\$629,000
Electrical License Account—State Appropriation. . . . .	(( <del>\$71,526,000</del> ))
	\$73,475,000
Farm Labor Contractor Account—State Appropriation. . . . .	\$28,000
Opioid Abatement Settlement Account—State Appropriation. . . . .	\$250,000
Worker and Community Right to Know Fund—State Appropriation. . . . .	\$1,138,000
Construction Registration Inspection Account—State Appropriation. . . . .	(( <del>\$30,754,000</del> ))

	<u>\$31,189,000</u>
Public Works Administration Account—State	
Appropriation. . . . .	(((\$18,304,000))
	<u>\$17,763,000</u>
Manufactured Home Installation Training Account—	
State Appropriation. . . . .	\$455,000
Accident Account—State Appropriation. . . . .	(((\$427,767,000))
	<u>\$432,165,000</u>
Accident Account—Federal Appropriation. . . . .	(((\$15,823,000))
	<u>\$19,953,000</u>
Medical Aid Account—State Appropriation. . . . .	(((\$414,710,000))
	<u>\$418,788,000</u>
Medical Aid Account—Federal Appropriation. . . . .	(((\$3,571,000))
	<u>\$3,920,000</u>
Plumbing Certificate Account—State Appropriation. . . . .	(((\$3,624,000))
	<u>\$3,633,000</u>
Pressure Systems Safety Account—State Appropriation. . . . .	(((\$5,065,000))
	<u>\$5,067,000</u>
Workforce Education Investment Account—State	
Appropriation. . . . .	(((\$14,200,000))
	<u>\$20,440,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$1,054,876,000))</b>
	<b><u>\$1,083,162,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (((\$4,714,000))\$6,756,000 of the accident account—state appropriation and (((\$4,711,000))\$6,753,000 of the medical aid account—state appropriation are provided solely for the labor and industries workers' compensation information system replacement project and is subject to the conditions, limitations, and review provided in section 701 of this act. The department must:

(a) Submit quarterly data within 30 calendar days of the end of each quarter, effective July 1, 2023, on:

(i) The quantifiable deliverables accomplished and the amount spent by each deliverable in each of the following subprojects:

- (A) Business readiness;
- (B) Change readiness;
- (C) Commercial off the shelf procurement;
- (D) Customer access;
- (E) Program foundations;
- (F) Independent assessment; and
- (G) In total by fiscal year;

(ii) All of the quantifiable deliverables accomplished by subprojects identified in (a) (i) (A) through (F) of this subsection and in total and the associated expenditures by each deliverable by fiscal month;

(iii) The contract full time equivalent charged by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, compared to the budget spending plan by month for each contracted vendor and what the ensuing contract equivalent budget spending plan by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, assumes by fiscal month;

(iv) The performance metrics by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, that are currently used, including monthly performance data; and

(v) The risks identified independently by at least the quality assurance vendor and the office of the chief information officer, and how the project:

- (A) Has mitigated each risk; and
- (B) Is working to mitigate each risk, and when it will be mitigated;

(b) Submit the report in (a) of this subsection to fiscal and policy committees of the legislature; and

(c) Receive an additional gated project sign off by the office of financial management, effective September 1, 2023. Prior to spending any project funding in this subsection each quarter, there is an additional gate of approval required for this project. The director of financial management must agree that the project shows accountability, effective and appropriate use of the funding, and that risks are being mitigated to the spending and sign off on the spending for the ensuing quarter.

(2) \$250,000 of the medical aid account—state appropriation and \$250,000 of the accident account—state appropriation are provided solely for the department of labor and industries safety and health assessment and research for prevention program to conduct research to address the high injury rates of the janitorial workforce. The research must quantify the physical demands of common janitorial work tasks and assess the safety and health needs of janitorial workers. The research must also identify potential risk factors associated with increased risk of injury in the janitorial workforce and measure workload based on the strain janitorial work tasks place on janitors' bodies. The department must conduct interviews with janitors and their employers to collect information on risk factors, identify the tools, technologies, and methodologies used to complete work, and understand the safety culture and climate of the industry. The department must produce annual progress reports through the year

2025 or until the tools are fully developed and deployed. The annual progress report must be submitted to the governor and legislature by December 1st of each year such report is due.

(3) \$258,000 of the accident account—state appropriation and \$258,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries safety and health assessment research for prevention program to conduct research to prevent the types of work-related injuries that require immediate hospitalization. The department will develop and maintain a tracking system to identify and respond to all immediate in-patient hospitalizations and will examine incidents in defined high-priority areas, as determined from historical data and public priorities. The research must identify and characterize hazardous situations and contributing factors using epidemiological, safety-engineering, and human factors/ergonomics methods. The research must also identify common factors in certain types of workplace injuries that lead to hospitalization. The department must submit a report to the governor and appropriate legislative committees by August 30, 2023, and annually thereafter, summarizing work-related immediate hospitalizations and prevention opportunities, actions that employers and workers can take to make workplaces safer, and ways to avoid severe injuries.

(4) (a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in aerospace and aerospace related supply chain industries by: Expanding the number of registered apprenticeships, preapprenticeships, and aerospace-related programs; and providing support for registered apprenticeships or programs in aerospace and aerospace-related supply chain industries.

(b) Grants awarded under this section may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training space and lab locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations;

(iii) Curriculum development and instructor training for industry experts;

(iv) Tuition assistance for degrees in engineering and high-demand degrees that support the aerospace industry; and

(v) Funding to increase capacity and availability of child care options for shift work schedules.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit, nongovernmental, or institution of higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, aerospace-related degree programs, or incumbent worker training to prepare workers for the aerospace and aerospace-related supply chain industries.

(d) The department may use up to 5 percent of these funds for administration of these grants.

(5) \$3,774,000 of the accident account—state appropriation and \$890,000 of the medical aid account—state appropriation are provided solely for the creation of an agriculture compliance unit within the division of occupational safety and health. The compliance unit will perform compliance inspections and provide bilingual outreach to agricultural workers and employers.

(6) \$1,642,000 of the medical aid account—state appropriation is provided solely to cover the overhead rent costs to increase the number of labor and industry vocational specialists embedded in WorkSource offices and to implement a comprehensive quality-assurance team to ensure the continuous improvement of vocational services for injured workers through the workers' compensation program.

(7) \$1,798,000 of the public works administration account—state appropriation is provided solely to maintain expanded capacity to investigate and enforce prevailing-wage complaints.

(8) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the crime victims' compensation program to pay for medical exams for suspected victims of domestic violence. Neither the hospital, medical facility, nor victim is to pay for the cost of the medical exam. This funding must not supplant existing funding for sexual assault medical exams. If the cost of medical exams exceeds the funding provided in this subsection, the program shall not reduce the reimbursement rates for medical providers seeking reimbursement for other claimants, and instead the program shall return to paying for domestic violence medical exams after insurance.

(9) ~~(\$1,065,000)~~ (a) \$1,209,000 of the construction registration inspection account—state appropriation, ~~(\$57,000)~~ \$66,000 of the accident account—state appropriation, and ~~(\$12,000)~~ \$14,000 of the medical aid account—state appropriation are provided solely for the conveyance management system replacement project and are subject to the conditions, limitations, and review provided in section 701 of this act.

(b) \$270,000 of the construction registration inspection account—state appropriation, \$17,000 of the accident account—state appropriation, and \$3,000 of the medical aid account—state appropriation are provided solely for the maintenance and operations of the conveyance management system replacement project.

(10) \$250,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to analyze patients who are maintained on chronic opioids. The department must submit an annual report of its findings to the governor and the appropriate committees of the legislature no later than October 1st of each year of the fiscal biennium. The report shall include analysis of patient data, describing the characteristics of patients

who are maintained on chronic opioids and their clinical needs, and a preliminary evaluation of potential interventions to improve care and reduce harms in this population.

(11) \$1,363,000 of the medical aid account—state appropriation is provided solely to improve access to medical and vocational providers of the workers' compensation program by expanding the use of navigators to recruit and assist providers in underserved communities and by ensuring access to high quality and reliable interpreter services.

(12) \$3,000,000 of the workforce education investment account—state appropriation, \$1,870,000 of the accident account—state appropriation, and \$330,000 of the medical aid account—state appropriation are provided solely for the department, in coordination with the Washington state apprenticeship council, to administer grants to continue the growth of behavioral health apprenticeship programs. Grants may be awarded for provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. Grant awardees must use a minimum of one-half of amounts provided to compensate behavioral health providers for employer implementation costs including mentor wage differentials, related instruction wages, and administrative costs. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(13) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the department, in coordination with the Washington state apprenticeship training council, to administer grants to address the behavioral health workforce shortage through behavioral health preapprenticeship and behavioral health entry level training, including nursing assistant certified programs. Grants may cover program costs including, but not limited to, provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(14)(a) \$300,000 of the workforce education investment account—state appropriation is provided solely for certified construction trade preapprenticeship programs that use a nationally approved multicraft curriculum and emphasize construction math, tool use, job safety, equipment, life skills, and financial literacy. The preapprenticeship programs should focus on disadvantaged, nontraditional, and underrepresented populations, and on populations reentering the community from incarceration and homelessness. Funding provided in this subsection may be used to:

(i) Provide incentives for participation in preapprenticeship programs, such as covering program costs, providing stipends to preapprentices, or covering the costs of construction tools; or

(ii) Address barriers for participation in preapprenticeship programs, such as covering costs of child care or transportation, or facilitating interviews for apprenticeship programs.

(b) The department may use up to five percent of the amount provided in (a) of this subsection for administration of these grants.

(15)(a) \$400,000 of the workforce education investment account—state appropriation is provided solely for grants to nonprofit organizations to:

(i) Expand meatcutter registered apprenticeship and preapprenticeship programs to new locations; or

(ii) Develop a new fishmonger registered apprenticeship program.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training space and lab locations to support the expansion and establishment of apprenticeship and preapprenticeship training in new locations;

(iii) Curriculum development, including the creation of elearning content, and instructor training for apprenticeship and preapprenticeship instructors;

(iv) Tuition assistance for apprentices in registered apprenticeship programs accredited by a community or technical college;

(v) Stipends for preapprentices; and

(vi) Apprenticeship and preapprenticeship coordination and administration services.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit organization that administers or directly provides apprenticeship and preapprenticeship training opportunities, overseen by a committee with at least one labor union and one employer representative or with an active program with participation of both labor union and employer partners, for retail meatcutters and/or fishmongers.

(d) The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(16) (~~(\$6,000,000)~~) \$12,000,000 of the workforce education investment account—state appropriation is provided solely for the department to distribute funding to multiemployer nonprofit programs providing apprenticeship education and job training for general journey level (01) electricians to increase funding for related supplemental instruction costs. Funding shall be allocated to programs by formula based on delivered related supplemental instruction hours for active apprentices under chapter 49.04 RCW and operating in compliance

for administrative procedures. If a program is partnered with a Washington community or technical college to deliver the related supplemental instruction, the program may apply for up to a 25 percent increase in allocated funding based on the level of contracted support provided by the college. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(17) ~~((\$1,249,000))~~ \$873,000 of the accident account—state appropriation and ~~((\$507,000))~~ \$883,000 of the medical aid account—state appropriation are provided solely for the creation of the center for work equity research. The center will study and systematically address employer and employment factors that place historically marginalized workers at increased risk for work-related injuries and illnesses and social and economic hardship.

(18) \$2,908,000 of the public works administration account—state appropriation is provided solely for system improvements to the prevailing wage program information technology system. This project is subject to the conditions, limitations, and review provided in section 701 of this act.

(19) \$205,000 of the general fund—state appropriation for fiscal year 2024 and \$205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue conducting a four-year retention study of state registered apprentices as provided in chapter 156, Laws of 2022 (apprenticeship programs). The study shall include the collection of data from all apprentices three months into their apprenticeship to understand challenges and barriers they face towards program participation. The aggregate data by trade must be displayed on a publicly available dashboard. Study data must be provided with apprenticeship coordinators to implement an early response to connect apprentices with needed supports. The department shall submit an annual report to the governor and appropriate legislative committees on June 30, 2024 and June 30, 2025.

(20) \$3,500,000 of the workforce education investment account—state appropriation is provided solely to administer a grant program intended to provide wraparound support services to mitigate barriers to beginning or participating in apprenticeship programs as described in chapter 156, Laws of 2022. Up to five percent of the total funding provided in this subsection may be used to cover administrative expenses.

(21) ~~((\$1,963,000))~~ \$1,798,000 of the accident account—state appropriation and ~~((\$797,000))~~ \$960,000 of the medical aid account—state appropriation are provided solely to expand access to worker rights and safety information for workers with limited English proficiency (LEP) through outreach and translation of safety-related information, training, and other materials. \$1,000,000 of the amount provided in this subsection is provided solely for grants to community-based organizations to provide workplace rights and safety outreach to underserved workers.

(22) \$857,000 of the accident account—state appropriation and \$855,000 of the medical aid account—state appropriation are provided solely for enhancements to the workers' compensation training modules to include strategies on reducing long-term disability among claimants.

(23) \$6,702,000 from the electrical license account—state appropriation is provided solely for an additional wage increase for all positions within the electrical construction inspector, electrical construction inspector lead, electrical inspection field supervisor/technical specialist, and electrical plans examiner job class series consistent with the July 1, 2023, range differentials, subject to an agreement between the state and the exclusive collective bargaining representative of the electrical construction inspectors.

(24) \$165,000 of the general fund—state appropriation for fiscal year 2024 and \$165,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training to continue implementation of a program aimed at reducing workplace sexual harassment in the agricultural sector. The department may use up to five percent of the amount provided in this subsection for administration of this grant. The organization receiving the grant must:

(a) Continue peer-to-peer trainings for farmworkers in Yakima county and expand to provide peer-to-peer trainings for farmworkers in Grant and Benton counties;

(b) Support an established network of peer trainings as farmworker leaders, whose primary purpose is to prevent workplace sexual harassment and assault through leadership, education, and other tools; and

(c) Share best practices from the peer-to-peer model at a statewide conference for farmworkers, industry representatives, and advocates.

(25) \$250,000 of the accident account—state appropriation and \$278,000 of the medical aid account—state appropriation is provided solely for implementation of House Bill No. 1197 (workers' comp. providers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) ~~((\$1,645,000))~~ \$1,088,000 of the public works administration account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1050 (apprenticeship utilization). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(27) ~~((\$365,000))~~ \$318,000 of the accident account—state appropriation and ~~((\$64,000))~~ \$56,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1217 (wage complaints). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(28) \$105,000 of the accident account—state appropriation and \$19,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill

- No. 1323 (fire-resistant materials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (29) \$239,000 of the accident account—state appropriation and \$239,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (30) \$256,000 of the construction registration inspection account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1534 (construction consumers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~
- (31) \$1,311,000 of the accident account—state appropriation and \$243,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (32) \$431,000 of the accident account—state appropriation and \$76,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~
- (33) \$560,000 of the public works administration account—state appropriation is provided solely to update computer applications for implementation of Senate Bill No. 5088 (contractor registration). This project is subject to the conditions, limitations, and review provided in section 701 of this act. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~
- (34) \$84,000 of the accident account—state appropriation and \$84,000 of the medical aid account—state appropriation are provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (35) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5070 (nonfatal strangulation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (36) \$216,000 of the accident account—state appropriation and \$37,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5156 (farm internship program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (37) \$1,470,000 of the accident account—state appropriation and \$260,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5217 (musculoskeletal injuries/L&I). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (38) \$354,000 of the public works administration account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~
- (39) \$234,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (40) \$230,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5111 (sick leave/construction). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (41) \$4,663,000 of the accident account—state appropriation and \$884,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (42) ~~((~~\$333,000~~))~~ \$367,000 of the accident account—state appropriation and ~~((~~\$333,000~~))~~ \$369,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (43) \$1,906,000 of the electrical license account—state appropriation is provided solely for electrical inspector staffing to expand capacity to conduct electrical inspections, effective July 1, 2024.
- (44) \$200,000 of the accident account—state appropriation and \$200,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries to contract with a third-party vendor to produce a study that assesses post-traumatic stress disorder related workers' compensation policies and claims in Washington and other states. The intent of the study is to inform the department on policy and best practices that improve worker outcomes for law enforcement officers, firefighters, and nurses. The department shall submit a report describing the outcomes, best practices, and recommendations to the governor and appropriate legislative committees by June 30, 2025.
- (45) \$240,000 of the workforce education investment account—state appropriation is provided solely for a grant to a statewide-serving nonprofit organization providing support

services to apprentices and preapprentices for the provision of new work boots and other resources to state recognized apprenticeship preparation participants in correctional facilities and as they transition from incarceration to state registered apprenticeship programs. The work boots and other resources must be within allowable guidelines for incarcerated and community supervised individuals. The department may use up to five percent of the amount provided in this subsection for administration of this grant.

(46) \$300,000 of the surgical smoke evacuation nonappropriated account—state appropriation is provided solely to implement the reimbursement requirements established in chapter 129, Laws of 2022.

(47) (a) \$470,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of labor and industries to conduct a study to evaluate all construction-related training programs in Washington correctional facilities and to provide recommendations to strengthen and expand the state recognized preapprenticeship options in construction in those facilities and transitional supports toward enrollment in state registered apprenticeship programs, and to establish a work group facilitated by the department to help guide the development of the study and report on the study findings and recommendations. The work group shall include representatives from the department of corrections, the state board for community and technical colleges, the Washington student achievement council, an organization representing building trades labor organizations, the department of children, youth, and families, and construction-related registered apprenticeship programs. A report detailing the study and the associated recommendations must be submitted to the governor and appropriate committees of the legislature by December 1, 2024.

(b) Of the amount provided in (a) of this subsection:

(i) Up to \$150,000 is provided solely to compensate employers for their participation in the work group. The total amount available per employer is \$5,000.

(ii) Up to \$60,000 is provided to cover information technology and data costs for the state board for community and technical colleges and the department of corrections.

(iii) Up to \$50,000 is provided solely for the department to host an apprenticeship coordinator summit in partnership with college corrections navigator and department of corrections.

(48) \$175,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with the municipal research and services center to conduct a public works study. The study shall evaluate the application of public works requirements, including prevailing wage and apprentice utilization, on publicly funded construction, including those supported in part or in whole with state funds, the granting or loaning of public dollars, and tax deferrals or reimbursements. The department may use up to five percent of these funds for administration. A report to the relevant committees of the legislature shall be submitted by June 30, 2025.

(49) \$100,000 of the medical aid account—state appropriation and \$100,000 of the accident account—state appropriation are provided solely for the staffing of a resolution process for complaints regarding light duty work under Title 51 RCW. The department shall submit a report to the appropriate committees of the legislature by June 30, 2025, on outcomes related to this funding and data regarding light duty resolution processes provided in this subsection.

(50) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to survey registered apprenticeship programs and assimilate data that documents the fee structure and contractual elements of partnerships between the various registered apprenticeship programs and community and technical college system. This information will be used to inform a report and recommendations to the legislature on registered apprenticeship funding and how this funding is directed to community and technical colleges. The department shall submit a report to the legislature summarizing the survey findings by November 15, 2024.

(51) Within the amounts provided in this section, the department of labor and industries shall provide support to the underground economy task force created in section 906 of this act.

(52) \$187,000 of the medical aid account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5368 (stay-at-work program). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(53) \$479,000 of the accident account—state appropriation and \$102,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5793 (paid sick leave). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(54) \$8,000 of the plumbing certificate account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5997 (plumbing hours reporting). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(55) \$477,000 of the accident account—state appropriation and \$84,000 of the medical account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(56) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$139,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 6069 (retirement savings). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.



(57) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$471,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5937 (crime victims/witnesses). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 221.** 2023 c 475 s 221 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

(1) The appropriations in this section are subject to the following conditions and limitations:

(a) The department of veterans affairs shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys that are unrelated to the coronavirus response and not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys that are unrelated to the coronavirus response, those moneys must be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(b) Each year, there is fluctuation in the revenue collected to support the operation of the state veteran homes. When the department has foreknowledge that revenue will decrease, such as from a loss of census or from the elimination of a program, the legislature expects the department to make reasonable efforts to reduce expenditures in a commensurate manner and to demonstrate that it has made such efforts. In response to any request by the department for general fund—state appropriation to backfill a loss of revenue, the legislature shall consider the department's efforts in reducing its expenditures in light of known or anticipated decreases to revenues.

(2) HEADQUARTERS

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$4,932,000</del> ))
	<u>\$4,974,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$4,978,000</del> ))
	<u>\$5,022,000</u>
Charitable, Educational, Penal, and Reformatory Institutions Account—State Appropriation . . . . .	\$10,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$9,920,000</del>))</b>
	<b><u>\$10,006,000</u></b>

(3) FIELD SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$10,998,000</del> ))
	<u>\$11,016,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$10,860,000</del> ))
	<u>\$10,879,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$10,323,000</del> ))
	<u>\$10,328,000</u>
General Fund—Private/Local Appropriation . . . . .	(( <del>\$6,538,000</del> ))
	<u>\$6,542,000</u>
Veteran Estate Management Account—Private/Local Appropriation . . . . .	(( <del>\$717,000</del> ))
	<u>\$718,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$39,436,000</del>))</b>
	<b><u>\$39,483,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5358 (veterans' services). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Of the amounts provided in this subsection:

(i) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one veterans service officer each in Island county, Walla Walla county, Clallam county, and Stevens county.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with an organization located in Thurston county that has experience in the delivery of no-cost equine therapy for military veterans and active members of the military.

(c) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for

implementation of Second Substitute Senate Bill No. 5268 (public works procurement). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(4) STATE VETERANS HOMES PROGRAM

General Fund—State Appropriation (FY 2024)	(\$25,818,000)
	<u>\$26,775,000</u>
General Fund—State Appropriation (FY 2025)	(\$20,386,000)
	<u>\$19,995,000</u>
General Fund—Federal Appropriation	(\$127,227,000)
	<u>\$136,122,000</u>
General Fund—Private/Local Appropriation	(\$17,330,000)
	<u>\$11,957,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(\$190,761,000)</b>
	<b><u>\$194,849,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) If the department receives additional unanticipated federal resources that are unrelated to the coronavirus response at any point during the remainder of the 2023-2025 fiscal biennium, an equal amount of general fund—state must be placed in unallotted status so as not to exceed the total appropriation level specified in this subsection. The department may submit as part of the policy level budget submittal documentation required by RCW 43.88.030 a request to maintain the general fund—state resources that were unallotted as required by this subsection.

(b) Appropriations have been adjusted in this section to reflect anticipated changes in state, federal, and local resources as a result of census changes. The department shall incorporate these adjustments in the governor's projected maintenance level budget required in RCW 43.88.030.

(5) CEMETERY SERVICES

General Fund—State Appropriation (FY 2024)	\$167,000
General Fund—State Appropriation (FY 2025)	\$169,000
General Fund—Federal Appropriation	\$1,055,000
<b>TOTAL APPROPRIATION</b>	<b>\$1,391,000</b>

**Sec. 222.** 2023 c 475 s 222 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF HEALTH**

General Fund—State Appropriation (FY 2024)	(\$168,127,000)
	<u>\$193,235,000</u>
General Fund—State Appropriation (FY 2025)	(\$148,005,000)
	<u>\$174,686,000</u>
General Fund—Federal Appropriation	(\$589,208,000)
	<u>\$602,409,000</u>
General Fund—Private/Local Appropriation	(\$174,244,000)
	<u>\$187,720,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$11,863,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	(\$12,356,000)
	<u>\$12,368,000</u>
Climate Commitment Account—State Appropriation	(\$89,552,000)
	<u>\$90,880,000</u>
Climate Investment Account—State Appropriation	\$902,000
Foundational Public Health Services Account—State Appropriation	\$23,066,000
Hospital Data Collection Account—State Appropriation	\$592,000
Health Professions Account—State Appropriation	(\$192,069,000)
	<u>\$195,627,000</u>
Aquatic Lands Enhancement Account—State Appropriation	\$642,000
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation	\$10,175,000
Medicaid Fraud Penalty Account—State Appropriation	\$3,027,000
Natural Climate Solutions Account—State Appropriation	\$72,000
<del>(Public Health Supplemental Account—State Appropriation</del>	<del>\$293,000)</del>
Safe Drinking Water Account—State Appropriation	(\$8,946,000)
	<u>\$8,951,000</u>
Drinking Water Assistance Account—Federal Appropriation	(\$25,867,000)
	<u>\$25,884,000</u>
Waterworks Operator Certification Account—State Appropriation	\$2,089,000

Drinking Water Assistance Administrative Account—	
State Appropriation. . . . .	\$2,480,000
Site Closure Account—State Appropriation. . . . .	\$197,000
Biotoxin Account—State Appropriation. . . . .	\$1,773,000
Model Toxics Control Operating Account—State	
Appropriation. . . . .	(\$8,953,000)
	<u>\$15,494,000</u>
Medical Test Site Licensure Account—State	
Appropriation. . . . .	\$5,239,000
Secure Drug Take-Back Program Account—State	
Appropriation. . . . .	\$1,474,000
Youth Tobacco and Vapor Products Prevention Account—	
State Appropriation. . . . .	\$3,273,000
Public Health Supplemental Account—Private/Local	
Appropriation. . . . .	(\$3,824,000)
	<u>\$4,118,000</u>
Accident Account—State Appropriation. . . . .	\$388,000
Medical Aid Account—State Appropriation. . . . .	\$58,000
Statewide 988 Behavioral Health Crisis Response Line	
Account—State Appropriation. . . . .	(\$42,865,000)
	<u>\$53,045,000</u>
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation. . . . .	(\$27,022,000)
	<u>\$22,000</u>
Opioid Abatement Settlement Account—State	
Appropriation. . . . .	(\$7,400,000)
	<u>\$10,773,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(\$1,566,041,000)</b>
	<u><b>\$1,642,522,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) During the 2023-2025 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to \$25 annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(3) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt license and certification fees in fiscal years 2024 and 2025 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(4) Within the amounts appropriated in this section, and in accordance with RCW 70.41.100, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 70.41.080.

(5) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt fees for the review and approval of mental health and substance use disorder treatment programs in fiscal years 2024 and 2025 as necessary to support the costs of the regulatory program. The department's fee schedule must have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(6) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(7) Within the amounts appropriated in this section, and in accordance with RCW 43.70.110 and 71.12.470, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 71.12.485.

(8) \$492,000 of the general fund—state appropriation for fiscal year 2024 and \$492,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with local health jurisdictions to establish and maintain comprehensive group B programs to ensure safe drinking water. These funds shall be used for implementation costs, including continued development and adoption of rules, policies, and procedures; technical assistance; and training.

(9) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community outreach to prepare culturally and linguistically appropriate hepatitis B information in a digital format to be distributed to ethnic and cultural leaders and organizations to share with foreign-born and limited or non-English speaking community networks.

(10) Within amounts appropriated in this section, the Washington ~~((nursing commission))~~ board of nursing must hire sufficient staff to process applications for nursing licenses so that the time required for processing does not exceed seven days.

(11) \$725,000 of the general fund—state appropriation for fiscal year 2024 and \$725,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington poison center. This funding is provided in addition to funding pursuant to RCW 69.50.540.

(12) \$622,000 of the general fund—state appropriation for fiscal year 2024, \$622,000 of the general fund—state appropriation for fiscal year 2025, and \$3,000,000 of the medicaid fraud penalty account—state appropriation are provided solely for the ongoing operations and maintenance of the prescription monitoring program maintained by the department.

(13) \$2,265,000 of the general fund—state appropriation for fiscal year 2024 and \$2,265,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

(a) Staffing by the department, the department of veterans affairs, and the department of corrections to expand statewide suicide prevention efforts, which efforts include suicide prevention efforts for military service members and veterans and incarcerated persons;

(b) A suicide prevention public awareness campaign to provide education regarding the signs of suicide, interventions, and resources for support;

(c) Staffing for call centers to support the increased volume of calls to suicide hotlines;

(d) Training for first responders to identify and respond to individuals experiencing suicidal ideation;

(e) Support for tribal suicide prevention efforts;

(f) Strengthening behavioral health and suicide prevention efforts in the agricultural sector;

(g) Support for the three priority areas of the governor's challenge regarding identifying suicide risk among service members and their families, increasing the awareness of resources available to service members and their families, and lethal means safety planning;

(h) Training for community health workers to include culturally informed training for suicide prevention;

(i) Coordination with the office of the superintendent of public instruction; and

(j) Support for the suicide prevention initiative housed in the University of Washington.

(14) ~~(\$4,500,000)~~ \$4,600,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,500,000)~~ \$4,600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the fruit and vegetable incentives program. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are for the fruit and vegetable prescription program, which provides food as medicine to individuals experiencing food insecurity or are at high risk of developing a chronic health condition.

(15) \$627,000 of the general fund—state appropriation for fiscal year 2024 and \$627,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the recommendations from the community health workers task force to provide statewide leadership, training, and integration of community health workers with insurers, health care providers, and public health systems.

(16) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington ((~~nursing commission~~))board of nursing to manage a grant process to incentivize nurses to supervise nursing students in health care settings. The goal of the grant program is to create more clinical placements for nursing students to complete required clinical hours to earn their nursing degree and related licensure.

(17) \$1,490,000 of the health professional services account—state appropriation is provided solely for the Washington ((~~nursing commission~~))board of nursing to continue to implement virtual nursing assistant training and testing modalities, create an apprenticeship pathway into nursing for nursing assistants, implement rule changes to support a career path for nursing assistants, and collaborate with the workforce training and educational coordinating board on a pilot project to transform the culture and practice in long term care settings. The goal of these activities is to expand the nursing workforce for long term care settings.

(18) \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to test for lead in child care facilities to prevent child lead exposure and to research, identify, and connect facilities to financial resources available for remediation costs.

(19) \$814,000 of the general fund—state appropriation for fiscal year 2024 and \$814,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to support school-based health centers and behavioral health services.

(20) \$1,300,000 of the general fund—state appropriation for fiscal year 2024 and \$1,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate and lead a multi-agency approach to youth suicide prevention and intervention.

(21) (a) \$486,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the community health worker platform and continued implementation of the community health worker trainings in the pediatric setting for children with behavioral health needs.

(b) Of the amounts provided in this subsection for fiscal year 2024, \$250,000 is provided solely for a grant to a pediatric organization to convene a learning collaborative to support community health workers to ensure their success while on the job with their multidisciplinary clinic teams and for the development of this new integrated health care worker field.

(22) \$1,390,000 of the general fund—state appropriation for fiscal year 2024 and \$1,378,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the child profile health promotion notification system.

(23) \$5,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone to first responders and agency staff in organizations such as syringe service programs, house providers, and street outreach programs.

(24) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to remediate the impacts of the opioid epidemic. This funding must be used consistent with conditions of the opioid settlement agreements that direct how funds deposited into the opioid abatement settlement account created in Engrossed Substitute Senate Bill No. 5293 must be used.

(25) \$400,000 of the opioid abatement settlement account—state appropriation is provided solely for the completion of work identified in the state opioid response plan related to maternal and infant health.

(26) (a) \$10,000,000 of the climate commitment account—state appropriation is provided solely to support and administer a workplace health and safety program for workers who are affected by climate impacts, including but not limited to, extreme heat and cold, wildfire smoke, drought, and flooding. This program will focus on workplace health and safety for farmworkers, construction workers, and other workers who face the most risk from climate-related impacts. This amount shall be limited to supporting vulnerable populations in overburdened communities under the climate commitment act as defined in RCW 70A.65.010. Funding shall be provided for:

(i) Pass through grants to community-based organizations, tribal governments, and tribal organizations to support workplace health and safety for workers who are burdened by the intersection of their work and climate impacts; and

(ii) Procurement and distribution of equipment and resources for workers who are burdened by the intersection of their work and climate impacts directly by the department of health, or through pass-through grants to community-based organizations, tribal governments, and tribal organizations. Equipment and resources may include but are not limited to: Personal protective equipment, other protective or safety clothing for cold and heat, air purifiers for the workplace or worker housing, protection from ticks and mosquitoes, and heating and cooling devices.

(b) The department of health, in consultation with the environmental justice council, community groups, and the department of labor and industries, shall evaluate mechanisms to

provide workers with financial assistance to cover lost wages or other financial hardships caused by extreme weather events and climate threats.

(c) No more than five percent of this funding may be used to administer this grant program.

(27) ~~((\$5,996,000))~~ \$7,174,000 of the climate commitment account—state appropriation, of which \$1,178,000 takes effect January 1, 2025, is provided solely for the department to implement the healthy environment for all act under chapter 70A.02 RCW, including additional staff and support for the environmental justice council and implementation of a community engagement plan.

(28) (a) \$26,355,000 of the climate commitment account—state appropriation is provided solely for the department to administer capacity grants to tribes and tribal organizations and to overburdened communities and vulnerable populations to provide guidance and input:

(i) To agencies and to the environmental justice council on implementation of the healthy environment for all act; and

(ii) To the department on updates to the environmental health disparities map.

(b) At least 50 percent of the total amount distributed for capacity grants in this subsection must be reserved for grants to tribes and tribal organizations.

(c) Funding provided in this subsection may be used for tribes and tribal organizations to hire staff or to contract with consultants to engage in updating the environmental health disparities map or on implementing the healthy environment for all act.

(d) The department may use a reasonable amount of funding provided in this subsection to administer the grants.

(29) \$17,752,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to sustain information technology infrastructure, tools, and solutions developed to respond to the COVID-19 pandemic. The department shall submit a plan to the office of financial management by September 15, 2023, that identifies a new funding strategy to maintain these information technology investments within the department's existing state, local, and federal funding. Of this amount, a sufficient amount is appropriated for the department to create an implementation plan for real-time bed capacity and tracking for hospitals and skilled nursing facilities, excluding behavioral health hospitals and facilities. The department will provide the implementation plan and estimated cost for an information technology system and implementation costs to the office of financial management by September 15, 2023, for the bed capacity and tracking tool.

(30) ~~\$20,000,000 of the ((coronavirus state fiscal recovery fund federal))~~ general fund—state appropriation for fiscal year 2024 is provided solely to support COVID-19 public health and response activities. The department must continue to distribute COVID-19 testing supplies to agricultural workers and tribal governments. The department must submit a spending plan to the office of financial management for approval. These funds may only be allocated and expended after approval of the spending plan.

(31) \$7,657,000 of the general fund—state appropriation for fiscal year 2024 and \$7,853,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs and grants to maintain access to abortion care. Of the amounts provided in this subsection:

(a) \$2,939,000 of the general fund—state appropriation for fiscal year 2024 and \$2,939,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care;

(b) \$368,000 of the general fund—state appropriation for fiscal year 2024 and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for outreach, patient navigation, staffing at the department, and training;

(c) \$4,100,000 of the general fund—state appropriation for fiscal year 2024 and \$4,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care who participate in the department's sexual and reproductive health program for workforce retention and recruitment initiatives to ensure continuity of services; and

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care that participate in the department's sexual and reproductive health program for security investments.

(32) \$285,000 of the general fund—state appropriation for fiscal year 2024, \$295,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—private/local appropriation are provided solely for the behavioral health agency program for licensure and regulatory activities.

(33) \$104,000 of the general fund—state appropriation for fiscal year 2024, \$104,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the health professions account—state appropriation are provided solely for the department to conduct credentialing and inspections under chapter 324, Laws of 2019 (behavioral health facilities).

(34) ~~((\$3,298,000))~~ \$1,398,000 of the general fund—state appropriation for fiscal year 2024 ~~((\$))~~ and \$1,900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the breast, cervical and colon screening program, comprehensive cancer community partnerships, and Washington state cancer registry.

(35) \$85,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for continued implementation of chapter 58, Laws of 2022 (cardiac & stroke response).

(36) \$671,000 of the general fund—state appropriation for fiscal year 2024 and \$329,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the care-a-van mobile health program.

(37) \$702,000 of the climate investment account—state appropriation is provided solely for implementation of chapter 316, Laws of 2021 (climate commitment act).

(38) \$200,000 of the climate investment account—state appropriation is provided solely for the environmental justice council to coordinate with the department of ecology on a process to track state agency expenditures from climate commitment act accounts, as described in section 302(13) of this act. Funding is for the following as they relate to development of the department of ecology process:

(a) Public engagement with tribes and vulnerable populations within the boundaries of overburdened communities; and

(b) Cost recovery or stipends for participants in the public process to reduce barriers to participation, as described in RCW 43.03.220.

(39) \$31,000 of the general fund—state appropriation for fiscal year 2024 and \$31,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 204, Laws of 2022 (truck drivers/restrooms).

(40) \$808,000 of the drinking water assistance administrative account—state appropriation is provided solely for the water system consolidation grant program.

(41) \$1,044,000 of the safe drinking water account—state appropriation is provided solely for the drinking water technical services program.

(42) \$288,000 of the secure drug take-back program account—state appropriation is provided solely for implementation of chapter 155, Laws of 2021 (drug take-back programs).

(43) \$7,146,000 of the drinking water assistance account—federal appropriation is provided solely for the office of drinking water to provide technical assistance, direct engineering support, and construction management to small water systems.

(44) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$607,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the early hearing detection, diagnosis, and intervention program.

(45) \$954,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(46) ~~(((\$12,466,000))\$26,096,000~~ of the health professions account—state appropriation is provided solely for the regulation of health professions.

(47) \$599,000 of the health professions account—state appropriation is provided solely for ongoing maintenance of the HEALWA web portal to provide access to health information for health care providers.

(48) \$1,359,000 of the general fund—state appropriation for fiscal year 2024, \$680,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—private/local appropriation are provided solely for the department to perform investigations to address the backlog of hospital complaints.

(49) \$12,000 of the health professions account—state appropriation is provided solely for implementation of chapter 204, Laws of 2021 (international medical grads).

(50) \$634,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to onboard systems to, and maintain, the master person index as part of the health and human services coalition master person index initiative, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(51) \$2,062,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete upgrades to the medical cannabis authorization database to improve reporting functions and accessibility, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(52) \$1,865,000 of the medical test site licensure account—state appropriation is provided solely for the medical test site regulatory program for inspections and other regulatory activities.

(53) \$2,276,000 of the health professions account—state appropriation is provided solely for the ~~((nursing care quality assurance commission))~~ Washington board of nursing for nursing licensure and other regulatory activities.

(54) \$813,000 of the general fund—state appropriation for fiscal year 2024 and \$811,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to assist with access to safe drinking water for homes and businesses with individual wells or small water systems that are contaminated.

(55) \$146,000 of the model toxics control operating account—state appropriation is provided solely for implementation of chapter 264, Laws of 2022 (chemicals/consumer products).

(56) \$1,150,000 of the general fund—state appropriation for fiscal year 2024 and \$1,150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand the birth equity project with the goal of reducing prenatal and perinatal health disparities.

(57) \$1,738,000 of the general fund—private/local appropriation is provided solely for implementation of chapter 115, Laws of 2020 (psychiatric patient safety).

(58) \$23,066,000 of the foundational public health services account—state appropriation is provided solely for the department to maintain the RAINIER (reporting array for incident, noninfectious and infectious event response) suite, RHINO (rapid health information network) program, WAIIS (Washington immunization information system) system, and data exchange services.

(59) ~~\$7,000,000 of the general fund—state appropriation for fiscal year 2024,~~ \$7,355,000 of the general fund—state appropriation for fiscal year 2025, and ~~(((\$7,022,000))\$22,000~~ of the coronavirus state fiscal recovery—federal appropriation are provided solely for operation of the statewide medical logistics center. Within these amounts, the department must coordinate with the department of social and health services to develop processes that will minimize the disposal and destruction of personal protective equipment and for interagency distribution of personal protective equipment.

(60) \$315,000 of the general fund—state appropriation for fiscal year 2024 and \$315,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the universal development screening system.

(61) \$2,000,000 of the health professions account—state appropriation and \$293,000 of the public health supplemental account—state appropriation are provided solely for the Washington medical commission for regulatory activities, administration, and addressing equity issues in processes and policies.

(62) ~~(((\$200,000))\$250,000~~ of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the Washington medical coordination center, to create an implementation plan for real-time bed capacity and tracking for hospitals. The department must provide the implementation plan and estimated costs for the bed capacity and tracing tool to the office of the governor and the office of financial management by ((September 15, 2023))September 1, 2024.

(63) \$48,000 of the model toxics control operating account—state appropriation is provided solely for the Puget Sound clean air agency to coordinate meetings with local health jurisdictions in King, Pierce, Snohomish, and Kitsap counties to better understand air quality issues, align messaging, and facilitate delivery of ready-to-go air quality and health interventions. The amount provided in this subsection may be used for agency staff time, meetings and events, outreach materials, and tangible air quality and health interventions.

(64) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than \$525 annually for new or renewed licenses for the midwifery program.

(65) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of radiation protection to conduct a review of the state's readiness for licensing fusion energy projects. The legislature intends for Washington to support the deployment of fusion energy projects and larger research facilities by taking a leading role in the licensing of future fusion power plants. The department, in consultation with relevant state-level regulatory agencies, must review and provide recommendations and costs estimates for the necessary staffing and technical resources to fulfill the state's registration, inspection, and licensure obligations. The department must report its findings and any recommendations to the governor and appropriate legislative committees by December 1, 2023.

(66) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for blood supply relief. The department must distribute this amount equally between the four largest nonprofit blood donation organizations operating in the state. The amounts distributed may be used only for activities to rebuild the state's blood supply, including increased staffing support for donation centers and mobile blood drives.

(67) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for tobacco, vapor product, and nicotine control, cessation, treatment, and prevention, and other substance use prevention and education, with an emphasis on community-based strategies. These strategies must include programs that consider the disparate impacts of nicotine addiction on specific populations, including youth and racial or other disparities.

(68) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for an existing program that works with community members and partners to bridge health equity gaps to establish a pilot health care program in Pierce county to serve the unique needs of the African American community, including addressing diabetes, high blood pressure, low birth weight, and health care for preventable medical, dental, and behavioral health diagnoses.

(69) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Island county to contract for a study of cost-effective waste treatment solutions, as an alternative to septic and sewer, for unincorporated parts of Island county. The study must:

(a) Identify any regulatory barriers to the use of alternative technology-based solutions;

(b) Include an opportunity for review and consultation by the department; and

(c) Include any recommendations from the department in the final report.

(70) \$2,656,000 of the general fund—private/local appropriation is provided solely for the department to provide cystic fibrosis DNA testing and to engage with a courier service to transport specimens to the public health laboratory.



(71) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely in support of the department's activities pursuant to chapter 226, Laws of 2016 (commonly known as the caregiver advise, record, enable act). This funding must be used to:

(a) Create a communication campaign to notify hospitals across the state of available resources to support family caregivers;

(b) Curate or create a set of online training videos on common caregiving tasks including, but not limited to, medication management, injections, nebulizers, wound care, and transfers; and

(c) Provide information to patients and family caregivers upon admission.

(72) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1275 (athletic trainers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(73) \$126,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1001 (audiology & speech compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(74) \$9,157,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(75) \$1,016,000 of the general fund—state appropriation for fiscal year 2024, \$453,000 of the general fund—state appropriation for fiscal year 2025, \$30,000 of the general fund—private/local appropriation, and \$676,000 of the health professions account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$72,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(77) \$418,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(78) \$46,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1466 (dental auxiliaries). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(79) \$12,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1287 (dental hygienists). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(80) \$136,000 of the general fund—state appropriation for fiscal year 2025 and \$193,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1678 (dental therapists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(81) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1576 (dentist compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(82) \$4,000 of the general fund—state appropriation for fiscal year 2025 and \$700,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1503 (health care licenses/info.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(83) \$29,000 of the general fund—state appropriation for fiscal year 2024 and \$124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1255 (health care prof. SUD prg.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(84) \$48,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1694 (home care workforce shortage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(85) \$282,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1039 (intramuscular needling). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(86) \$1,892,000 of the general fund—state appropriation for fiscal year 2024 and \$2,895,000 of the general fund—private/local appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(87) \$407,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(88) \$65,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1073 (medical assistants). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(89) \$447,000 of the general fund—state appropriation for fiscal year 2024 and \$448,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(90) \$195,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor comp). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(91) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(92) (~~(\$400,000)~~)\$165,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$165,000)~~)\$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1457 (motor carriers/restrooms). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(93) \$126,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$102,000)~~)\$202,000 of the general fund—state appropriation for fiscal year 2025, and \$81,000 of the health professions account—state appropriation are provided solely for implementation of Substitute House Bill No. 1247 (music therapists). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(94) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1271 (organ transport vehicles). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(95) (~~(\$862,000)~~)\$627,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$526,000)~~)\$761,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1470 (private detention facilities). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(96) \$97,000 of the general fund—state appropriation for fiscal year 2024 and \$27,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1230 (school websites/drug info.). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(97) \$77,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(98) \$2,773,000 of the general fund—state appropriation for fiscal year 2024 and \$2,773,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grant funding and administrative costs for the school-based health center program established in chapter 68, Laws of 2021 (school-based health centers).

(99) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based nonprofit organization located in the Yakima Valley to continue a Spanish-language public radio media campaign aimed at providing education on the COVID-19 pandemic through an outreach program. The goal of the radio media campaign is to reach residents considered "essential workers," including but not limited to farmworkers, and provide information on health and safety guidelines, promote vaccination events, and increase vaccine confidence. The nonprofit organization must coordinate with medical professionals and other stakeholders on the content of the radio media campaign. The department, in coordination with the nonprofit, must provide a preliminary report to the legislature no later than December 31, 2024. A final report to the legislature must be submitted no later than June 30, 2025. Both reports must include: (a) A description of the outreach program and its implementation; (b) the number of individuals reached through the outreach program; and (c) any relevant demographic data regarding those individuals.

(100) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an equity consultant to evaluate the effect of changes made by, and vulnerabilities in, Engrossed Substitute Senate Bill No. 5179 (death with dignity act). The consultant shall partner with interested parties, vulnerable populations, and communities of color to solicit feedback on barriers to accessing the provisions of the act, any unintended consequences, and any challenges and vulnerabilities in the provision of services under the act, recommendations on ways to improve data collection, and recommendations on additional measures to be reported to the department. The department must report the findings and recommendations to the legislature by June 30, 2025.

(101) \$350,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a rural nursing workforce initiative to create a hub for students to remain in rural environments while working toward nursing credentials, including for program personnel, support, and a rural nursing needs assessment. Funding is provided to develop a program based on the rural nursing needs assessment.

(102) (a) \$1,393,000 of the climate commitment account—state appropriation is provided solely for grants to King county to address the disproportionate rates of asthma among children who reside within 10 miles of the Seattle-Tacoma international airport.

(b) Of the amount provided in this subsection, \$971,000 is provided to increase access to community health worker asthma interventions.

(c) Of the amount provided in this subsection, \$412,000 is for an independent investigation of the added benefit of indoor air quality interventions, including high efficiency particulate air filters, on disparities in indoor air pollution.

(d) Of the amount provided in this subsection, \$10,000 is for a regional data analysis and surveillance of asthma diagnoses and hospitalizations in King county.

(e) The county may contract with the University of Washington for the work described in (c) and (d) of this subsection.

(103) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the collaboration between the local public health jurisdiction, related accountable communities of health, and health care providers to reduce potentially preventable hospitalizations in Pierce county. This collaboration will build from the first three years of the project, planning to align care coordination efforts across health care systems and support the related accountable communities of health initiatives, including innovative, collaborative models of care. Strategies to reduce costly hospitalizations include the following: (a) Working with partners to prevent chronic disease; (b) improving heart failure rates; (c) incorporating community health workers as part of the health care team and improving care coordination; (d) supporting the COVID-19 response with improved access to immunizations; and (e) the use of community health workers to provide necessary resources to prevent hospitalization of people who are in isolation and quarantine. By December 15, 2024, the members of the collaboration shall report to the legislature regarding the effectiveness of each of the strategies identified in this subsection. In addition, the report shall describe the most significant challenges and make further recommendations for reducing costly hospitalizations.

(104) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based organization to host a deliberative democratic processes workshop for the HEAL act interagency work group established under RCW 70A.02.110, then develop, in consultation with environmental justice council or its staff, best practices for how agencies can incorporate deliberative democratic processes into community engagement practices.

(105) \$1,305,000 of the climate commitment account—state appropriation is provided solely for the climate health adaptation initiative.

(106) \$65,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5179 (death with dignity act). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(107) \$604,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(108) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5389 (optometry). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(109) \$1,205,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(110) \$30,000 of the general fund state—appropriation for fiscal year 2024, \$25,000 of the general fund—state appropriation for fiscal year 2025, and \$52,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5547 (nursing pool transparency). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(111) \$32,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute Senate Bill No. 5569 (kidney disease centers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(112) \$446,000 of the general fund—state appropriation for fiscal year 2024 and \$441,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5453 (female genital mutilation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(113) \$466,000 of the general fund—state appropriation for fiscal year 2024 and \$487,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5278 (home care aide certification). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(114) \$131,000 of the general fund—state appropriation for fiscal year 2024 and \$91,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5523 (forensic pathologist). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(115) \$36,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(116) \$339,000 of the general fund—state appropriation for fiscal year 2024 and \$485,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(117) \$198,000 of the general fund—private/local appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5120 (crisis relief centers). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(118) \$125,000 of the general fund—state appropriation for fiscal year 2024, \$207,000 of the general fund—state appropriation for fiscal year 2025, and \$133,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(119) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of health to provide grants to federally qualified health centers (FQHCs) for the purchase of long-acting reversible contraceptives (LARCs). For LARCs purchased with the funding provided in this subsection, FQHCs shall provide patients with LARCs the same day they are seeking that family planning option.

(a) The department shall develop criteria for how the grant dollars will be distributed, including that FQHCs are required to participate in contraceptive training related to patient-centered care, shared decision making, and reproductive bias and coercion.

(b) The department shall survey the FQHCs participating in the grant program regarding the use of LARCs by their patients, as compared to the two years prior to participation in the grant program, and report the results of the survey to the appropriate committees of the legislature by December 1, 2025.

(120) \$63,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to utilize materials from the "count the kicks" program in designing, preparing, and making available online written materials to inform health care providers and staff of evidence-based research and practices that reduce the incident of stillbirth, by December 31, 2023.

(121) \$351,000 of the general fund—state appropriation for fiscal year 2024 and \$624,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Snohomish county health department to convene a leadership planning group that will:

(a) Conduct a landscape analysis of current sexually transmitted infection, postexposure prophylaxis, preexposure prophylaxis, and hepatitis B virus services and identify treatment improvements for HIV preexposure prophylaxis;

(b) Establish sexually transmitted infection clinical services at the Snohomish county health department and identify opportunities to expand sexual health services provided outside of clinical settings;

(c) Conduct research on opportunities to expand jail-based sexual health services;

(d) Establish an epidemiology and technical team;

(e) Expand field-based treatment for syphilis; and

(f) Establish an in-house comprehensive, culturally responsive sexual health clinic at the Snohomish county health department.

(122) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$53,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(123) \$5,496,000 of the climate commitment account—state appropriation is provided solely for the department to provide grants to school districts making updates to existing heating, venting, and air conditioning systems using small district modernization grants.

(124) \$38,600,000 of the climate commitment account—state appropriation is provided solely for the department to develop a grant program to fund projects that benefit overburdened communities as defined in RCW 70A.02.010(11). Of the amount provided in this subsection:

(a) \$6,000,000 of the climate commitment account—state appropriation is provided solely (~~for fiscal year 2024~~) for the department and the environmental justice council created in RCW 70A.02.110 to engage in a participatory budgeting process with at least five geographically diverse overburdened communities, as identified by the department, to develop a process to select and fund projects that mitigate the disproportional impacts of climate change on overburdened communities. The process must allow for full community engagement and develop criteria for eligible entities and projects and establish priorities to achieve the greatest gain for decarbonization and resiliency. A report of the outcomes of the participatory budgeting process detailing its recommendations for funding as well as future improvements to the participatory budgeting process must be provided to the appropriate committees of the legislature by December 31, 2023.

(b) \$32,600,000 of the climate commitment account—state appropriation is provided solely (~~for fiscal year 2025~~) for the department to provide grants that benefit overburdened

communities. The department must submit to the governor and the legislature a ranked list of projects consistent with the recommendations developed in (a) of this subsection. The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.

(125) \$5,430,000 of the general fund—state appropriation for fiscal year 2024 and \$5,326,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain the current level of credentialing staff until the completion of the study on fees by Results WA.

(126) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the central nursing resource center established in RCW 18.79.202 to facilitate communication between nursing education programs and health care facilities that offer clinical placements for the purpose of increasing clinical education and practice experiences for nursing students. The department shall contract with the central nursing resource center to:

(a) Gather data to assess current clinical placement practices, opportunities, and needs;

(b) Identify all approved nursing education programs and health care facilities that offer clinical placement opportunities in the state;

(c) Convene and facilitate quarterly stakeholder meetings between representatives from approved nursing education programs and health care facilities that offer clinical placement opportunities, and other relevant stakeholders, in order to:

(i) Connect representatives by region;

(ii) Facilitate discussions between representatives, by region, to determine:

(A) Clinical placement barriers;

(B) The number and types of clinical placement opportunities needed; and

(C) The number and types of clinical placement opportunities available; and

(iii) Develop strategies to resolve clinical placement barriers;

(d) Provide a digital message board and communication platform representatives can use to maintain ongoing communication and clinical placement needs and opportunities;

(e) Identify other policy options and recommendations to help increase the number of clinical placement opportunities, if possible; and

(f) Submit a report of findings, progress, and recommendations to the governor and appropriate committees of the legislature by December 1, 2025.

(127) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of health to contract with an organization located in Thurston county that dedicates itself to the promotion of education, holistic health, and trauma healing in the African American community to provide behavioral health education, mental wellness training, evidence based health programs, events, and conferences to individuals, youth/adults, parents/parent partners, and families, that have suffered from generational and systemic racism. In conducting this work, the organization will engage diverse individuals in racial healing and reparative justice in the field of mental wellness. The organization will also prioritize mental health equity and reparative justice in their work to eradicate health disparities that African American communities have faced due to generational racism.

(128) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(129) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for three full-time emergency medical technicians and other resources necessary for the Franklin county public health district to provide health services as part of medical transport operations services, including services to the Coyote Ridge corrections center.

(130) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct an analysis of the certificate of need program established under chapter 70.38 RCW and report its findings and recommendations for statutory updates to the governor and appropriate legislative committees by June 30, 2025. The department must, at a minimum, consider other state approaches to certificate of need, impacts on access to care, cost control of health services, and equity, and approaches to identifying health care service needs at the statewide and community levels.

(131) \$9,982,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the 988 technology platform implementation project as described in RCW 71.24.890(5)(a). This amount is subject to the conditions, limitations, and review requirements provided in section 701 of this act and any requirements as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system). The department must actively collaborate with consolidated technology services and the health care authority so that the statewide 988 technology solutions will be coordinated and interoperable.

(132) \$750,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to contract with rise above, a native youth focused nonprofit organization. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(133)(a) \$15,953,000 of the general fund—state appropriation for fiscal year 2025 and \$13,000,000 of the general fund—federal appropriation are provided solely to maintain public health information technology infrastructure in a cloud-based environment.

(b) The department shall develop an initial plan to identify efficiencies in the cloud-based environment and submit it to the office of financial management and the office of the chief information officer by October 1, 2024. The plan should include, at a minimum, strategies to identify efficiencies within the cloud-based environment; new funding strategies for cloud technology for the 2025-2027 fiscal biennium budget; an update on the department's cloud road map that identifies key systems that will be modernized, consolidated, and migrated or implemented in the cloud; an overview of existing public health technology data systems in the cloud and data systems that are scheduled to transition to the cloud with an estimated implementation schedule, including a summary of data retention policies; and strategies to minimize cost increases where possible through efficient implementation strategies.

(134) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely to implement actions provided in the nitrate water hazard mitigation plan to support safe drinking water in the lower Yakima valley. Implementation of this plan includes, but is not limited to, education and outreach, well testing, and provision of alternate water supplies. The department may contract with local governments, local health jurisdictions, and nonprofit organizations to administer the plan.

(135) \$5,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to entities that operate supportive housing or shelter programs for the purposes of remediating hazards related to chemical or hazardous material contamination.

(136) \$154,000 of the general fund—state appropriation for fiscal year 2025 and, effective January 1, 2025, \$150,000 of the climate commitment account—state appropriation are provided solely to support health equity zones, as defined in RCW 43.70.595, for identification and implementation of targeted interventions to have a significant impact on health outcomes and health disparities. Use of the climate commitment account—state appropriation must be for permitted uses defined in RCW 70A.65.260.

(137) \$112,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Senate Bill No. 6166 (pesticide application comm.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(138) \$49,000 of the health professions account—state appropriation is provided solely for implementation of Senate Bill No. 5184 (anesthesiologist assistants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(139) \$10,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5815 (physician assistant compact). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(140) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5880 (MRI technologists). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(141) \$29,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute Senate Bill No. 5920 (psychiatric/cert. of need). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(142) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5940 (medical assistant-EMT cert.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(143) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5983 (syphilis treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(144) \$161,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6101 (hospital at-home services). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(145) \$215,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6234 (newborn screening for BCKDK). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(146) \$198,000 of the behavioral health crisis response line account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6251 (behavioral crisis coord.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(147) \$67,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(148) \$49,000 of the general fund—state appropriation for fiscal 2025 is provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(149) \$59,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5271 (DOH facilities/enforcement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(150)(a) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to review and update the rules for school environmental health and safety. The state board of health and the department shall conduct the review in collaboration with a multi-disciplinary technical advisory committee. The proposed new rules shall establish the minimum statewide health and safety standards for schools. In developing proposed rules, the state board of health shall:

(i) Convene and consult with an advisory committee consisting of, at minimum, representatives from:

- (A) The office of the superintendent of public instruction;
- (B) Small and large school districts;
- (C) The Washington association of school administrators;
- (D) The Washington state school directors' association;
- (E) The Washington association of maintenance and operations administrators; and
- (F) The Washington association of school business officials;

(ii) Collaborate with the office of the superintendent of public institution and develop a fiscal analysis regarding proposed rules that considers the size of school districts, regional cost differences, range of costs for implementing the proposed rules by section or subject area, and any other variables that may affect costs as identified by the advisory committee; and

(iii) Assist the department in completing environmental justice assessments on any proposed rules.

(b) The office of the superintendent of public instruction, the department, the state board of health, the advisory committee, and local health jurisdictions shall work collaboratively to develop and provide a report to the office of the governor and appropriate committees of the legislature by June 30, 2025, detailing prioritized sections or subject areas of the proposed rules that will provide the greatest health and safety benefits for students, the order in which they should be implemented, and any additional recommendations for implementation.

(151)(a) \$450,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with an independent third-party consultant to review the department's commercial shellfish regulatory program, including licensing, testing, and certification practices and requirements. The consultant must assess how the department sets commercial shellfish fees under RCW 43.70.250.

(i) The consultant must seek input from the department, the commercial shellfish industry, and tribes and must consider:

(A) Data sources and methods used by the department in setting or proposing increases to commercial shellfish fees;

(B) All costs associated with administering the department's regulatory authority over the testing of shellfish, the certification of operations and the issuance of licenses, and issuing export certificates for the commercial shellfish industry;

(C) Activities conducted by the department related to regulating the shellfish industry's regulatory activities that should be exempt from inclusion in the fee; and

(D) Relevant fees, methods, and considerations from other states that regulate the commercial shellfish industry under the Model Ordinance of the Interstate Shellfish Sanitation Conference for comparable services the department is providing the shellfish industry.

(ii) The consultant must also evaluate the viability of the industry to support full cost recovery as required under RCW 43.70.250 and recommend strategies to address any shortfalls. The consultant shall submit a report to the governor and legislature by June 30, 2025.

(b) Using the amounts provided in this subsection, the department shall also contract with a LEAN management consultant to review the shellfish licensing and certification program to identify program improvements and consider methods to offer data transparency to the industry and measures to potentially reduce program administration costs. The LEAN assessment must be completed and provided to the department by June 30, 2025.

(c) The department shall not increase commercial shellfish fees under RCW 43.70.250 during fiscal year 2025.

(152)(a) \$300,000 of the general fund—state appropriation is provided solely for the department to collaborate with the department of commerce to assess the need for and feasibility of a statewide low-income assistance program for water utility customers. The study must include, but is not limited to:

(i) A summary of existing local, state, and federal low-income assistance;

(ii) A review of low-income populations' water utility service cost burden; and

(iii) Recommendations for the design of a statewide drinking water and wastewater utility assistance program, which must include:

(A) Ongoing data collection on water-related assistance need of households;

(B) Intake coordination and data sharing across statewide programs serving low-income households;

(C) Program eligibility;

(D) Multilingual services;

(E) Outreach and community engagement;

(F) Program administration;

(G) Funding; and

(H) Reporting.

(b) Before commencing the study, the department of health and the department of commerce must convene a stakeholder group to advise the agencies throughout the study. The stakeholder group must include representatives from the governor's office, low-income advocates, wastewater system operators, drinking water system operators, and other interested parties.

(c) By June 30, 2025, the department must submit the study to the appropriate committees of the legislature.

(153) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to cancer pathways to provide cancer risk reduction education classes in

K-12 schools, treatment and prevention education, and to implement a program to address cancer in the workplace.

(154) \$465,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Washington-based organization with expertise in end-of-life care and in the requirements of chapter 70.245 RCW, to provide training, outreach, and education to medical professionals, hospice teams, and other Washingtonians, to support the provision of care under chapter 70.245 RCW.

(155) \$168,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to coordinate work related to dementia, including but not limited to:

(a) Coordinating dementia-related activities with the department of social and health services, the health care authority, and other state agencies as needed;

(b) Implementing recommendations from the dementia action collaborative in the updated state Alzheimer's plan within the department; and

(c) Other dementia-related activities as determined by the secretary.

(156) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5629 (hepatitis B and C). The amount provided is for the department to design an awareness campaign regarding hepatitis B and C. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(157) \$2,623,000 of opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5906 (drug overdose prevention). The amount provided is for implementation of a drug overdose prevention campaign for youth and adults. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(158) \$162,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6286 (nurse anesthetist workforce). The amount provided is for the department to provide grants to certified registered nurse anesthetists that precept nurse anesthesia residents. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(159) \$3,172,000 of the health professions account—state appropriation is provided solely for implementing improvements to licensure processes. Improvements may include, but are not limited to, updating internal policies and procedures, creating web-based tutorials for applicants, updating existing web content for applicants, and researching the feasibility of live chat technology for applicants.

(160) \$972,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5937 (crime victims/witnesses). The amount provided is for creation of the statewide forensic nurse coordination program. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(161) \$384,000 of the general fund—state appropriation for fiscal year 2024 and \$384,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). Of the amounts provided in this subsection, \$359,000 of the general fund—state appropriation for fiscal year 2024 and \$359,000 of the general fund—state appropriation for fiscal year 2025 are for two full-time equivalent staff to provide health education to the Latinx community. If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(162) \$132,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6110 (child fatalities). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(163) \$114,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5829 (congenital cytomegalovirus). The amount provided is for the department to develop, translate, and distribute educational materials regarding congenital cytomegalovirus. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(164) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6127 (HIV prophylaxis). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 223.** 2023 c 475 s 223 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF CORRECTIONS**

The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multiorganization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any



project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, after approval by the director of financial management and unless specifically prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 between programs. The department may not transfer funds, and the director of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any deviations from appropriation levels. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$96,389,000</del> ))
	\$100,912,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$95,589,000</del> ))
	\$101,146,000
General Fund—Federal Appropriation . . . . .	\$400,000
General Fund—Private/Local Appropriation . . . . .	\$168,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$192,378,000</del>))</b>
	<b>\$202,626,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) ~~((~~\$819,000~~))~~ \$1,959,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$58,000~~))~~ \$169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(b) \$445,000 of the general fund—state appropriation for fiscal year 2024 and \$452,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(c) \$932,000 of the general fund—state appropriation for fiscal year 2024 and \$434,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training statewide program administration team.

(d) \$2,056,000 of the general fund—state appropriation for fiscal year 2024 and \$2,056,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(e) \$127,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(f) \$127,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(g) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(h) \$11,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5056 (habitual property offenders). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(i) \$17,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5299 (law enf. officer protection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(j) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5891 (school bus trespass).

If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(k) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5917 (bias-motivated defacement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(l) \$15,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(2) CORRECTIONAL OPERATIONS

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$729,679,000</del> ))
		\$445,521,000
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$738,933,000</del> ))
		\$765,035,000
General Fund—Federal Appropriation	.. . . .	\$4,326,000
General Fund—Private/Local Appropriation	.. . . .	\$334,000
Coronavirus State Fiscal Recovery Fund—Federal		
Appropriation	.. . . .	\$294,000,000
Washington Auto Theft Prevention Authority Account—		
State Appropriation	.. . . .	\$4,837,000
TOTAL APPROPRIATION	.....	(( <del>\$1,478,109,000</del> ))
		\$1,514,053,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department may contract for local jail beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The department shall not pay a rate greater than \$85 per day per offender excluding the costs of department of corrections provided services, including evidence-based substance abuse programming, dedicated department of corrections classification staff on-site for individualized case management, transportation of offenders to and from department of corrections facilities, and gender responsive training for jail staff. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as close medium or lower security offenders. Programming provided for offenders held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meets standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at a jail facility, the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(b) \$671,000 of the general fund—state appropriation for fiscal year 2024 (~~and \$671,000 of the general fund—state appropriation for fiscal year 2025 are~~) is provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester.

(c) (~~(\$1,713,000)~~) \$4,270,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$146,000)~~) \$422,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(d) Within the appropriated amounts in this subsection, the department of corrections must provide a minimum of one dedicated prison rape elimination act compliance specialist at each institution.

(e) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuing two contracted parent navigator positions. One parent navigator must be located at the Washington correction center for women and one parent navigator position must be located at the Airway Heights corrections center or another state correctional facility that houses incarcerated male individuals and is selected by the department of corrections as a more suitable fit for a parent navigator. The parent navigators must have lived experience in navigating the child welfare system. The parent navigators must provide guidance and support to incarcerated individuals towards family reunification including, but not limited to, how

to access services, navigating the court system, assisting with guardianship arrangements, and facilitating visitation with their children. The goal of the parent navigator program is to assist incarcerated parents involved in dependency or child welfare cases to maintain connections with their children and to assist these individuals in successfully transitioning and reuniting with their families upon release from incarceration. As part of the parent navigation program, the department of corrections must also review and provide a report to the legislature on the effectiveness of the program that includes the number of incarcerated individuals that received assistance from the parent navigators and the type of assistance the incarcerated individuals received, and that tracked the outcome of the parenting navigator program. A final report must be submitted to the legislature by September 1, 2024. Of the amounts provided in this subsection, \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department's review and report on the effectiveness of the parent navigator program.

(f) ~~\$4,504,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(((\$4,009,000))~~\$5,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(g) \$579,000 of the general fund—state appropriation for fiscal year 2024 and \$2,058,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

(h) \$1,294,000 of the general fund—state appropriation for fiscal year 2024 and \$1,294,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5131 (commissary funds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(j) \$1,839,000 of the general fund—state appropriation for fiscal year 2024 and \$1,839,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5134 (reentry services & supports) to increase gate money from \$40 to \$300 at release. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(k) \$2,871,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(l) \$586,000 of the general fund—state appropriation for fiscal year 2024 and \$576,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a planning and development manager and an executive secretary in the women's prison division.

(m) \$1,817,000 of the general fund—state appropriation for fiscal year 2024 and \$3,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in *Disability Rights Washington v. Washington Department of Corrections*, United States district court for the western district of Washington.

(n) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$3,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.

(o) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain the facility, property, and assets at the Larch corrections center in Yacolt.

(p) \$11,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(q) \$2,871,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(3) COMMUNITY SUPERVISION

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$242,761,000</del> ))
	\$252,551,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$252,147,000</del> ))
	\$258,839,000
General Fund—Federal Appropriation . . . . .	\$4,142,000
General Fund—Private/Local Appropriation . . . . .	\$10,000
<u>TOTAL APPROPRIATION . . . . .</u>	<u>((<del>\$499,050,000</del>))</u>
	<u>\$515,542,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall contract with local and tribal governments for jail capacity to house offenders who violate the terms of their community supervision. A contract rate increase may not exceed five percent each year. The department may negotiate to include medical care of offenders in the contract rate if medical payments conform to the department's offender health plan and pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff. If medical care of offender is included in the contract rate, the contract rate may exceed five percent to include the cost of that service. Beginning July 1, 2024, the department shall pay the bed rate for the day of release.

(b) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

(c) ~~(((\$1,233,000))~~\$2,880,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$88,000))~~\$253,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(d) \$110,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the amend collaboration and training program.

(e) \$1,409,000 of the general fund—state appropriation for fiscal year 2024 and \$1,386,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Bellingham reentry center as a state-run facility.

(f) ~~(((\$1,320,000))~~\$615,000 of the general fund—state appropriation for fiscal year 2024 and \$1,320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Helen B. Ratcliff reentry center as a state-run facility.

(g) \$18,813,000 of the general fund—state appropriation for fiscal year 2024 and \$19,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(h) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a jail medical bed rate adjustment.

(i) \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(4) CORRECTIONAL INDUSTRIES

General Fund—State Appropriation (FY 2024) . . . . .	(((\$12,638,000))
	\$9,348,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$12,836,000))
	\$9,100,000
<u>General Fund—Federal Appropriation . . . . .</u>	<u>\$600,000</u>
<u>General Fund—Private/Local Appropriation . . . . .</u>	<u>\$2,634,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(((\$25,474,000))</b>
	<b>\$21,682,000</b>

~~((The appropriations in this subsection are subject to the following conditions and limitations: \$3,500,000 of the general fund state appropriation for fiscal year 2024 and \$3,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.))~~

(5) INTERAGENCY PAYMENTS

General Fund—State Appropriation (FY 2024) . . . . .	(((\$68,680,000))
	\$69,190,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$64,929,000))
	\$65,612,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(((\$133,609,000))</b>
	<b>\$134,802,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

~~((b))~~ (a) \$19,000 of the general fund—state appropriation for fiscal year 2024 and \$19,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(e))~~ (b) \$36,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

~~(c) \$36,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

~~(d) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(6) OFFENDER CHANGE

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$83,659,000</del> ))
	<u>\$85,926,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$84,659,000</del> ))
	<u>\$89,157,000</u>
General Fund—Federal Appropriation . . . . .	\$1,436,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$169,754,000</del>))</b>
	<b><u>\$176,519,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall use funds appropriated in this subsection (6) for programming for incarcerated individuals. The department shall develop and implement a written comprehensive plan for programming for incarcerated individuals that prioritizes programs which follow the risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(b) The department of corrections shall collaborate with the state health care authority to explore ways to utilize federal medicaid funds as a match to fund residential substance use disorder treatment-based alternative beds under RCW 9.94A.664 under the drug offender sentencing alternative program and residential substance use disorder treatment beds that serve individuals on community custody.

(c) Within existing resources, the department of corrections may provide reentry support items such as disposable cell phones, prepaid phone cards, hygiene kits, housing vouchers, and release medications associated with individuals resentenced or ordered released from confinement as a result of policies or court decisions including, but not limited to, the *State v. Blake* decision.

(d) \$11,454,000 of the general fund—state appropriation for fiscal year 2024 and \$11,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded reentry investments to include, but not be limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

~~((f))~~ (e) \$1,177,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment) for dedicated staffing for substance use disorder assessments and for coordinated treatment care in the community at release. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(g))~~ (f) \$150,000 of the general fund—state appropriation for fiscal year 2024 ~~((and \$150,000 of the general fund—state appropriation for fiscal year 2025 are))~~ is provided solely for a grant to a nonprofit organization to assist fathers transitioning from incarceration to community and family reunification. The grant recipient must have experience contracting with the department of corrections to support incarcerated individual betterment projects and contracting with the department of social and health services to provide access and visitation services.

~~((h))~~ (g) \$424,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

~~(h) \$424,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(i) \$122,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for continued cross agency reentry collaboration and work on the state's medicaid 1115 transformation waiver impacts to the department. By October 1, 2024, the department must report to fiscal committees of the legislature:

(i) The total spend in fiscal years 2022 and 2023 for authorized prerelease services under the medicaid 1115 transformation waiver, including but not limited to medications, laboratory services, and radiology; and

(ii) How much of each qualifying service listed in (i)(i) of this subsection would be required for reinvestment and how much would be allowable to offset existing expenditures based on federal medicaid rules for state fiscal years 2022 and 2023 if the waiver had been in place during those fiscal years.

(7) HEALTH CARE SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$241,145,000</del> ))	\$250,846,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$245,589,000</del> ))	\$259,333,000
General Fund—Federal Appropriation . . . . .	(( <del>\$3,084,000</del> ))	\$6,720,000
General Fund—Private/Local Appropriation . . . . .		\$2,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$489,818,000</del>))</b>	<b>\$516,901,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state prison medical facilities may use funds appropriated in this subsection to purchase goods, supplies, and services through hospital or other group purchasing organizations when it is cost effective to do so.

~~((e))~~ (b) \$842,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,192,000~~))~~ \$2,256,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

~~((d))~~ (c) \$73,000 of the general fund—state appropriation for fiscal year 2024 and \$387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

~~((e))~~ (d) \$1,236,000 of the general fund—state appropriation for fiscal year 2024 and \$1,236,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, enhanced health care discharge planning, case management, and evaluation of physical health and behavioral health.

~~((f))~~ (e) \$13,605,000 of the general fund—state appropriation for fiscal year 2024 and \$13,605,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for medical staffing in prisons for patient centered care and behavioral health care. Funding must be used to increase access to care, addiction care, and expanded screening of individuals in prison facilities to include chronic illnesses, infectious disease, diabetes, heart disease, serious mental health, and behavioral health services.

~~((g))~~ (f) \$1,612,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

~~((h))~~ (g) \$1,115,000 of the general fund—state appropriation for fiscal year 2024 and \$1,115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an electronic health records system solution and is subject to the conditions, limitations, and review requirements of section 701 of this act and must be in compliance with the statewide electronic health records plan that must be approved by the office of financial management and the technology services board.

~~((i))~~ (h) \$405,000 of the general fund—state appropriation for fiscal year 2024 and \$399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5768 (DOC/abortion medications). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(i) \$627,000 of the general fund—state appropriation for fiscal year 2024 and \$1,715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in *Disability Rights Washington v. Washington Department of Corrections*, United States district court for the western district of Washington.

(j) To promote the safety, health, and well-being of health care workers and to support patient quality of care, the department will continue to engage in reasonable efforts to reduce the use of overtime for licensed practical nurses, registered nurses, and certified nursing assistants.

(k) Within the appropriated amounts in this subsection, funding is provided to ensure every single person transferring into the department of corrections' custody on full confinement is provided medications for opioid use disorder if they were on medications for opioid use disorder in jail or out of custody.

(l) \$12,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(m) \$1,612,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 224.** 2023 c 475 s 224 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$7,061,000))
	<u>\$7,064,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$7,387,000))
	<u>\$9,217,000</u>
General Fund—Federal Appropriation . . . . .	(( \$25,672,000))
	<u>\$32,824,000</u>
General Fund—Private/Local Appropriation . . . . .	(( \$61,000))
	<u>\$67,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$40,181,000))</b>
	<b><u>\$49,172,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$201,000 of the general fund—state appropriation for fiscal year 2024 and \$201,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of statewide services for blind or low vision youth under the age of 14.

(2) \$184,000 of the general fund—state appropriation for fiscal year 2024 and \$367,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the independent living program.

(3) \$1,820,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the renovation of the food service café located in the natural resources building.

**Sec. 225.** 2023 c 475 s 225 (uncodified) is amended to read as follows:

**FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$33,506,000))
	<u>\$29,204,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$23,898,000))
	<u>\$28,400,000</u>
General Fund—Federal Appropriation . . . . .	(( \$216,616,000))
	<u>\$177,229,000</u>
General Fund—Private/Local Appropriation . . . . .	(( \$38,458,000))
	<u>\$38,445,000</u>
Climate Commitment Account—State Appropriation . . . . .	\$404,000
Unemployment Compensation Administration Account— Federal Appropriation . . . . .	(( \$270,724,000))
	<u>\$306,951,000</u>
Administrative Contingency Account—State Appropriation . . . . .	(( \$28,741,000))
	<u>\$42,628,000</u>
Employment Service Administrative Account—State Appropriation . . . . .	(( \$85,070,000))
	<u>\$96,695,000</u>
Family and Medical Leave Insurance Account—State Appropriation . . . . .	(( \$158,644,000))
	<u>\$159,003,000</u>
Workforce Education Investment Account—State Appropriation . . . . .	(( \$14,556,000))
	<u>\$15,555,000</u>
Long-Term Services and Supports Trust Account—State Appropriation . . . . .	(( \$40,960,000))
	<u>\$51,988,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$911,577,000))</b>
	<b><u>\$946,502,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is directed to maximize the use of federal funds. The department must update its budget annually to align expenditures with anticipated changes in projected revenues.

(2) \$15,399,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of the long-term services and support trust program information technology project and is subject to the conditions, limitations, and review provided in section 701 of this act.

(3) Within existing resources, the department must reassess its ongoing staffing and funding needs for the paid family medical leave program and submit documentation of the

updated need to the governor and appropriate committees of the legislature by September 1, 2023, and annually thereafter.

(4) Within existing resources, the department shall coordinate outreach and education to paid family and medical leave benefit recipients with a statewide family resource, referral, and linkage system that connects families with children prenatal through age five and residing in Washington state to appropriate services and community resources. This coordination shall include but is not limited to placing information about the statewide family resource, referral, and linkage system on the paid family and medical leave program web site and in printed materials, and conducting joint events.

(5) Within existing resources, the department shall report the following to the legislature and the governor by October 15, 2023, and each year thereafter:

(a) An inventory of the department's programs, services, and activities, identifying federal, state, and other funding sources for each;

(b) Federal grants received by the department, segregated by line of business or activity, for the most recent five fiscal years, and the applicable rules;

(c) State funding available to the department, segregated by line of business or activity, for the most recent five fiscal years;

(d) A history of staffing levels by line of business or activity, identifying sources of state or federal funding, for the most recent five fiscal years;

(e) A projected spending plan for the employment services administrative account and the administrative contingency account. The spending plan must include forecasted revenues and estimated expenditures under various economic scenarios.

(6) ~~(\$14,510,000)~~ (a) \$15,510,000 of the workforce education investment account—state appropriation is provided solely for career connected learning grants as provided in RCW 28C.30.050, including sector intermediary grants and administrative expenses associated with grant administration.

(b) Within the amount provided in (a) of this subsection:

(i) Up to \$921,000 of the workforce education investment account—state appropriation may be used for the department to contract with the student achievement council to lead the career connected learning cross-agency work group and provide staffing support as required in RCW 28C.30.040.

(ii) Up to \$2,192,000 of the workforce education investment account—state appropriation may be used for technical assistance and implementation support grants associated with the career connected learning grant program as provided in RCW 28C.30.050.

(7) \$2,000,000 of the unemployment compensation administration account—federal appropriation is provided solely for the department to continue implementing the federal United States department of labor equity grant. This grant includes improving the translation of notices sent to claimants as part of their unemployment insurance claims into any of the 10 languages most frequently spoken in the state and other language, demographic, and geographic equity initiatives approved by the grantor. The department must also ensure that letters, alerts, and notices produced manually or by the department's unemployment insurance technology system are written in plainly understood language and evaluated for ease of claimant comprehension before they are approved for use.

(8) \$3,136,000 of the unemployment compensation administration account—federal appropriation is provided solely for a continuous improvement team to make customer, employer, and equity enhancements to the unemployment insurance program. If the department does not receive adequate funding from the United States department of labor to cover these costs, the department may use funding made available to the state through section 903 (d), (f), and (g) of the social security act (Reed act) in an amount not to exceed the amount provided in this subsection.

(9) \$404,000 of the climate commitment account—state appropriation is provided solely for participation on the clean energy technology work force advisory committee and collaboration on the associated report established in Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(11) ~~((a) \$9,323,000)~~ \$18,948,000 of the employment service administrative account—state appropriation is provided solely for the replacement of the WorkSource integrated technology platform. The replacement system must support the workforce administration statewide to ensure adoption of the United States department of labor's integrated service delivery model and program performance requirements for the state's workforce innovation and opportunity act and other federal grants. This subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((b) \$2,290,000 of the employment services administrative account—state appropriation is provided solely for the maintenance and operation of the WorkSource integrated technology platform.))~~

(12) \$6,208,000 of the general fund—state appropriation for fiscal year 2024 and \$6,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the economic security for all program. The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the



legislature on December 1 and June 1 of each year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(13) (a) \$5,292,000 of the employment service administrative account—state appropriation is provided to expand the economic security for all program to residents of Washington state that are over 200 percent of the federal poverty level but who demonstrate financial need for support services or assistance with training costs to either maintain or secure employment. ~~((Supports to each participant must not exceed \$5,000 per year.))~~ Unspent funds from this subsection may be used for economic security for all participants who are under 200 percent of the federal poverty level as defined in subsection (12) of this section.

(b) The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the legislature on December 1 and June 1 of each year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(c) Of the amounts in (a) of this subsection, the department may use \$146,000 each year to cover program administrative expenses.

(14) \$1,655,000 of the administrative contingency account—state appropriation is provided to increase the department's information security team to proactively address critical security vulnerabilities, audit findings, and process gaps.

(15) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two project managers to assist with the coordination of state audits.

(16) \$1,448,000 of the general fund—state appropriation for fiscal year 2024 and \$1,448,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for business navigators at the local workforce development boards to increase employer engagement in an effort to support industry recovery and growth. Of the amounts in this subsection, the department may use \$148,000 per year to cover associated administrative expenses.

(17) \$11,895,000 of the general fund—federal appropriation is provided solely for the implementation of the quality jobs, equity strategy, and training (QUEST) grant to enhance the workforce system's ongoing efforts to support employment equity and employment recovery from the COVID-19 pandemic. The funds are for partnership development, community outreach, business engagement, and comprehensive career and training services.

(18) \$3,264,000 of the employment services administration account—state appropriation is provided solely for the continuation of the office of agricultural and seasonal workforce services.

(19) \$3,539,000 of the long-term services and supports trust account—state appropriation is provided solely for the programs in the department's leave and care division to increase outreach to underserved communities, perform program evaluation and data management, perform necessary fiscal functions, and make customer experience enhancements.

~~((21))~~ (20) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time employee to provide casework on behalf of constituents who contact their legislators to escalate unresolved claims.

~~((22))~~ (21) (a) \$250,000 of the family and medical leave insurance account—state appropriation is provided solely for the department to contract with the University of Washington Evans school of public policy and governance to conduct a study on the impacts of the state family and medical leave program's job protection standards on equitable utilization of paid leave benefits under the program.

(b) The study shall consider the following:

(i) The rates at which paid leave benefits under chapter 50A.15 RCW are used by persons who qualify for job protection under RCW 50A.35.010 or the federal family and medical leave act;

(ii) Worker perspectives on the effects of job protection under RCW 50A.35.010 and the federal family and medical leave act on the use of paid leave benefits under chapter 50A.15 RCW; and

(iii) Employment outcomes and other impacts for persons using paid leave benefits under chapter 50A.15 RCW.

(c) (i) In conducting the study, the university must collect original data directly from workers about paid leave and job protection, including demographic information such as race, gender, income, geography, primary language, and industry or job sector.

(ii) In developing the study, the university must consult with the advisory committee under RCW 50A.05.030, including three briefings: An overview on the initial research design with an opportunity to provide feedback; a midpoint update; and final results. The university must consult with the committee regarding appropriate methods for collecting and assessing relevant data in order to protect the reliability of the study.

(d) A preliminary report, including the initial research design and available preliminary results must be submitted by December 1, 2023, and a final report by December 1, 2024, to the governor and the appropriate policy and fiscal committees of the legislature, in accordance with RCW 43.01.036.

~~((23))~~ (22) \$4,433,000 of the family and medical leave insurance account—state appropriation and \$351,000 of the unemployment compensation administration account—federal appropriation are provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((24))~~ (23) \$50,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute House Bill No. 1458 (apprenticeship programs/UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((25))~~ (24) (a) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~ \$11,227,000 of the general fund—state appropriation for fiscal year 2025, \$9,963,000 of the administrative contingency account—state appropriation, and \$4,271,000 of the employment services administrative account—state appropriation are provided solely to address a projected shortfall of federal revenue that supports the administration of the unemployment insurance program.

(b) The department must submit an initial report no later than November 1, 2023, and a subsequent report no later than November 1, 2024, to the governor and the appropriate committees of the legislature outlining how the funding in (a) of this subsection is being utilized and recommendations for long-term solutions to address future decreases in federal funding.

~~((26) \$11,976,000)~~ (25) \$7,644,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$4,332,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to create a dedicated team of staff to process the unemployment insurance overpayment caseload backlog.

~~((27))~~ (26) \$3,389,000 of the general fund—state appropriation for fiscal year 2024 and \$4,540,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the stipend for Washington service corps members to \$26,758 per year and for one staff member to assist with program outreach. The stipend increase is for members that enter into a service year with income below 200 percent of the federal poverty level.

~~((28))~~ (27) \$794,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute Senate Bill No. 5176 (employee-owned coop UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((29))~~ (28) \$30,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5286 (paid leave premiums). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((30))~~ (29) \$2,896,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5586 (paid leave data). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((31))~~ (30) \$35,000 of the employment service administrative account—state appropriation is provided solely for the department to provide research and consultation on the feasibility of replicating the unemployment insurance program for and expanding other social net programs to individuals regardless of their citizenship status.

~~((32))~~ (31) \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to design a form for employer use to voluntarily report no show, no call interview data. This data shall be used to inform potential trend analysis or policy development for job search compliance.

(32) \$5,655,000 of the family and medical leave insurance account—state appropriation is provided solely to increase staffing for the paid family and medical leave program to process claims and respond to customer inquiries in a timely manner.

(33) \$7,305,000 of the family and medical leave insurance account—state appropriation is provided solely for information technology staffing to complete system enhancements for any remaining statutorily required components of the paid family and medical leave program, including, but not limited to, the establishment and collection of overpayments, crossmatching eligibility with other programs, and elective coverage for tribes.

(34) \$51,000 of the employment services administrative account—state appropriation for fiscal year 2025 is provided solely to support the underground economy task force created in section 906 of this act.

(35) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to report how it will collect employee race and ethnicity information from employers that participate in the unemployment insurance program and employees who participate in the paid family medical leave program.

(a) The department may contract to complete the report.

(b) The department must submit a report to the legislature by June 30, 2025. The report must include accurate cost and time estimates needed to collect the race and ethnicity information from employers and employees. The department must consult with the office of equity to ensure that data collections is consistent with other efforts. The report must also include, but is not limited to, the following information:

(i) The cost and time required for the department to revise current reporting requirements to include race and ethnicity data;

(ii) The cost and time required for the department to incorporate the collection of race and ethnicity data into future reporting;

(iii) The cost and time required for the department to incorporate the collection of race and ethnicity data into its existing information technology systems;

(iv) Recommendations on any exclusions from the requirement to report race and ethnicity data; and

(v) Any statutory changes required to collect race and ethnicity data.

(36) \$961,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Senate Bill No. 6028 (unemployment overpayments). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(37)(a) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to convene a wage replacement program for undocumented workers work group. The work group shall convene by June 1, 2024, and must include:

(i) Three members representing immigrants' interests;

(ii) Two members representing workers' interests in unemployment, each of whom must be appointed from a list of names submitted by a recognized statewide organization of employees;

(iii) Two members representing employers' interests in unemployment, each of whom must be appointed from a list of names submitted by a recognized statewide organization of employers;

(iv) Three ex officio members, representing the state commission on African American affairs, the state commission on Hispanic affairs, and the state commission on Asian Pacific American affairs; and

(v) One ex officio member, representing the department and who will serve as the chair.

(b) The work group shall:

(i) Identify dedicated streams of revenue within the current unemployment insurance taxation model to fully fund an equitable wage replacement program for undocumented workers;

(ii) Review funding mechanisms from other states administering similar programs;

(iii) Identify funding mechanisms that do not duplicate employer contributions paid into the unemployment trust fund on behalf of undocumented workers nor increase social taxes paid for employers;

(iv) Explore the impact of identified funding mechanisms on solvency of the unemployment trust fund; and

(v) Provide a calculation of the amount of benefits that would be annually provided to undocumented workers through this program.

(c) By November 15, 2024, the department shall submit a report to the governor and related legislative committees that includes the information included in (b) of this subsection and a recommended plan of how to fully fund the program.

(38) \$11,054,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 226.** 2023 c 475 s 226 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—GENERAL**

(1)(a) The appropriations to the department of children, youth, and families in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of children, youth, and families shall initially be allotted as required by this act. The department shall seek approval from the office of financial management prior to transferring moneys between sections of this act except as expressly provided in this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the foster care, adoption support, child protective services, working connections child care, and juvenile rehabilitation programs, the department may transfer appropriations that are provided solely for a specified purpose.

(2) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation.

(3) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case

management, and authorization systems within the department are subject to technical oversight by the office of the chief information officer.

**Sec. 227.** 2023 c 475 s 227 (uncodified) is amended to read as follows:

<b>FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—CHILDREN AND FAMILIES SERVICES PROGRAM</b>	
General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$488,869,000</del> ))
	<u>\$488,623,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$500,457,000</del> ))
	<u>\$524,250,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$503,359,000</del> ))
	<u>\$518,560,000</u>
General Fund—Private/Local Appropriation . . . . .	\$2,824,000
Opioid Abatement Settlement Account—State Appropriation . . . . .	(( <del>\$2,304,000</del> ))
	<u>\$5,169,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,497,813,000</del>))</b>
	<b><u>\$1,539,426,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$748,000 of the general fund—state appropriation for fiscal year 2024 and \$748,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to 13 children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(2) \$453,000 of the general fund—state appropriation for fiscal year 2024 and \$453,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs of hub home foster and kinship families that provide a foster care delivery model that includes a hub home. Use of the hub home model is intended to support foster parent retention, provide support to biological families, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(3) \$579,000 of the general fund—state appropriation for fiscal year 2024, \$579,000 of the general fund—state appropriation for fiscal year 2025, and \$110,000 of the general fund—federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(4) \$1,620,000 of the general fund—state appropriation for fiscal year 2024 and \$1,620,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services provided through children's advocacy centers.

(5) In fiscal year 2024 and in fiscal year 2025, the department shall provide a tracking report for social service specialists and corresponding social services support staff to the office of financial management, and the appropriate policy and fiscal committees of the legislature. The report shall detail continued implementation of the targeted 1:18 caseload ratio standard for child and family welfare services caseload-carrying staff and targeted 1:8 caseload ratio standard for child protection services caseload carrying staff. To the extent to which the information is available, the report shall include the following information identified separately for social service specialists doing case management work, supervisory work, and administrative support staff, and identified separately by job duty or program, including but not limited to intake, child protective services investigations, child protective services family assessment response, and child and family welfare services:

- (a) Total full-time equivalent employee authority, allotments and expenditures by region, office, classification, and band, and job duty or program;
- (b) Vacancy rates by region, office, and classification and band; and
- (c) Average length of employment with the department, and when applicable, the date of exit for staff exiting employment with the department by region, office, classification and band, and job duty or program.

(6) \$94,000 of the general fund—state appropriation for fiscal year 2024 and \$94,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(7) (a) \$999,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, \$656,000 of the general fund—private/local appropriation, and \$252,000 of the general fund—federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, regions where backlogs of youth that have formerly requested educational outreach

services exist, or youth with high educational needs. The department is encouraged to use private matching funds to maintain educational advocacy services.

(b) The department shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(8) For purposes of meeting the state's maintenance of effort for the state supplemental payment program, the department of children, youth, and families shall track and report to the department of social and health services the monthly state supplemental payment amounts attributable to foster care children who meet eligibility requirements specified in the state supplemental payment state plan. Such expenditures must equal at least \$3,100,000 annually and may not be claimed toward any other federal maintenance of effort requirement. Annual state supplemental payment expenditure targets must continue to be established by the department of social and health services. Attributable amounts must be communicated by the department of children, youth, and families to the department of social and health services on a monthly basis.

(9) \$197,000 of the general fund—state appropriation for fiscal year 2024 and \$197,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct biennial inspections and certifications of facilities, both overnight and day shelters, that serve those who are under 18 years old and are homeless.

(10) (a) ~~\$6,195,000~~ \$8,981,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$6,195,000)~~ \$8,981,000 of the general fund—state appropriation for fiscal year 2025, and \$1,188,000 of the general fund—federal appropriation are provided solely for the department to operate emergent placement and enhanced emergent placement contracts.

(b) The department shall not include the costs to operate emergent placement contracts in the calculations for family foster home maintenance payments and shall submit as part of the budget submittal documentation required by RCW 43.88.030 any costs associated with increases in the number of emergent placement contract beds after the effective date of this section that cannot be sustained within existing appropriations.

(11) Beginning January 1, 2024, and continuing through the 2023-2025 fiscal biennium, the department must provide semiannual reports to the governor and appropriate legislative committees that includes the number of in-state behavioral rehabilitation services providers and licensed beds, the number of out-of-state behavioral rehabilitation services placements, and a comparison of these numbers to the same metrics expressed as an average over the prior six months. The report shall identify separately beds with the enhanced behavioral rehabilitation services rate. Effective January 1, 2024, and to the extent the information is available, the report shall include the same information for emergency placement services beds and enhanced emergency placement services beds.

(12) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing the supportive visitation model that utilizes trained visit navigators to provide a structured and positive visitation experience for children and their parents.

(13) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for enhanced adoption placement services for legally free children in state custody, through a partnership with a national nonprofit organization with private matching funds. These funds must supplement, but not supplant, the work of the department to secure permanent adoptive homes for children with high needs.

(14) The department of children, youth, and families shall make foster care maintenance payments to programs where children are placed with a parent in a residential program for substance abuse treatment. These maintenance payments are considered foster care maintenance payments for purposes of forecasting and budgeting at maintenance level as required by RCW 43.88.058.

(15) \$511,000 of the general fund—state appropriation for fiscal year 2024, \$511,000 of the general fund—state appropriation for fiscal year 2025, and \$306,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219) (youth counsel/dependency).

(16) If the department receives an allocation of federal funding through an unanticipated receipt, the department shall not expend more than what was approved or for another purpose than what was approved by the governor through the unanticipated receipt process pursuant to RCW 43.79.280.

(17) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more nonprofit, nongovernmental organizations to purchase and deliver concrete goods to low-income families.

(18) \$2,400,000 of the general fund—state appropriation for fiscal year 2024 and \$2,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(19) The department will only refer child welfare cases to the department of social and health services division of child support enforcement when the court has found a child to have been abandoned by their parent or guardian as defined in RCW 13.34.030.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and 100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

provision of SafeCare, an evidence-based parenting program, for families in Grays Harbor county.

(21) ~~(\$8,354,000)~~ \$7,685,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$2,682,000)~~ \$11,079,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$2,682,000)~~ \$3,326,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$276,000 of the general fund—state appropriation for fiscal year 2024, \$264,000 of the general fund—state appropriation for fiscal year 2025, and \$104,000 of the general fund—federal appropriation are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance, reporting on progress, and resolving disputes that may arise.

(b) \$2,022,000 of the general fund—state appropriation for fiscal year 2024, \$2,432,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the general fund—federal appropriation are provided solely for the statewide hub home model. The department shall develop and adapt the existing hub home model to serve youth as described in the settlement agreement.

(c) \$452,000 of the general fund—state appropriation for fiscal year 2024, \$864,000 of the general fund—state appropriation for fiscal year 2025, and \$334,000 of the general fund—federal appropriation are provided solely for the department to establish a negotiated rule-making method to align and update foster care and group care licensing standards.

(d) \$2,195,000 of the general fund—state appropriation for fiscal year 2024, \$2,110,000 of the general fund—state appropriation for fiscal year 2025, and \$238,000 of the general fund—federal appropriation are provided solely for revised referral and transition procedures for youth entering foster care.

(e) \$1,868,000 of the general fund—state appropriation for fiscal year 2024, \$1,852,000 of the general fund—state appropriation for fiscal year 2025, and \$1,543,000 of the general fund—federal appropriation are provided solely for the department to develop and implement a professional therapeutic foster care contract and licensing category. Therapeutic foster care professionals are not required to have another source of income and must receive specialized training and support.

(f) \$872,000 of the general fund—state appropriation for fiscal year 2024, \$832,000 of the general fund—state appropriation for fiscal year 2025, and \$421,000 of the general fund—federal appropriation are provided solely to update assessment and placement procedures prior to placing a youth in a qualified residential treatment program, as well as updating the assessment schedule to every 90 days.

(g) \$2,725,000 of the general fund—state appropriation for fiscal year 2025 and \$644,000 of the general fund—federal appropriation are provided solely for family team decision making and shared planning meetings as informed by attachment a-stakeholder facilitator and process description.

(h) The department shall implement all provisions of the settlement agreement, including those described in (a) through (f) of this subsection; revisions to shared planning meeting and family team decision-making policies and practices; and any and all additional settlement agreement requirements and timelines established.

(22) ~~(\$8,919,000)~~ \$7,379,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$19,521,000)~~ \$26,325,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$6,595,000)~~ \$7,195,000 of the general fund—federal appropriation are provided solely for implementation of a seven-level foster care support system. Of the amounts provided in this subsection:

(a) \$5,527,000 of the general fund—state appropriation for fiscal year 2024, \$11,054,000 of the general fund—state appropriation for fiscal year 2025, and \$5,284,000 of the general fund—federal appropriation are provided solely to expand foster care maintenance payments from a four-level to a seven-level support system, beginning January 1, 2024.

(b) ~~(\$2,572,000)~~ \$1,032,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$7,717,000)~~ \$14,521,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$1,173,000)~~ \$1,773,000 of the general fund—federal appropriation are provided solely for expanded caregiver support services. Services include, but are not limited to, placement, case aide, and after-hours support, as well as training, coaching, child care, and respite coordination.

(c) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project management to oversee the shift in systems and practices.

(d) \$247,000 of the general fund—state appropriation for fiscal year 2024, \$184,000 of the general fund—state appropriation for fiscal year 2025, and \$138,000 of the general fund—federal appropriation are provided solely for a contract with the department of social and

health services research and data analysis division to track program outcomes through monitoring and analytics.

(23) \$732,000 of the general fund—state appropriation for fiscal year 2024, \$732,000 of the general fund—state appropriation for fiscal year 2025, and \$362,000 of the general fund—federal appropriation are provided solely to increase staff to support statewide implementation of the kinship caregiver engagement unit.

(24) ~~(\$7,332,000)~~ \$1,913,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$7,332,000)~~ \$4,119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to issue foster care maintenance payments for up to 90 days to those kinship caregivers who obtain an initial license.

(25) \$6,696,000 of the general fund—state appropriation for fiscal year 2024, \$6,696,000 of the general fund—state appropriation for fiscal year 2025, and \$2,940,000 of the general fund—federal appropriation are provided solely for contracted visitation services for children in temporary out-of-home care. Funding is provided to reimburse providers for certain uncompensated services, which may include work associated with missed or canceled visits.

(26) \$4,104,000 of the general fund—state appropriation for fiscal year 2024 and \$5,589,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand combined in-home services to serve more families. By December 1, 2023, and annually thereafter, the department shall provide a report to the legislature detailing combined in-home services expenditures and utilization, including the number of families served and a listing of services received by those families.

(27) \$892,000 of the general fund—state appropriation for fiscal year 2024, \$892,000 of the general fund—state appropriation for fiscal year 2025, and \$796,000 of the general fund—federal appropriation are provided solely for increased licensing staff. Licensing staff are increased in anticipation that more kinship placements will become licensed due to recent legislation and court decisions, including *In re Dependency of K.W.* and chapter 211, Laws of 2021 (E2SHB 1227) (child abuse or neglect).

(28) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$2,014,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5124 (nonrelative kin placement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$338,000 of the general fund—state appropriation for fiscal year 2024, \$317,000 of the general fund—state appropriation for fiscal year 2025, and \$54,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$851,000 of the general fund—state appropriation for fiscal year 2024, \$2,412,000 of the general fund—state appropriation for fiscal year 2025, and \$108,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(31) \$2,304,000 of the opioid abatement settlement account—state appropriation is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

(32) \$375,000 of the general fund—state appropriation for fiscal year 2024, \$375,000 of the general fund—state appropriation for fiscal year 2025, and \$112,000 of the general fund—federal appropriation are provided solely for the department to develop, implement, and expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation services for children in temporary out-of-home care and their parents and siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature regarding these strategies by September 1, 2023. The report shall include the number and percentage of parents requiring supervised visitation and the number and percentage of parents with unsupervised visitation, prior to reunification.

(33) \$499,000 of the general fund—state appropriation for fiscal year 2024, \$499,000 of the general fund—state appropriation for fiscal year 2025, and \$310,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1204 (family connections program), which will support the family connections program in areas of the state in which the program is already established. To operate the program, the department must contract with a community-based organization that has experience working with the foster care population and administering the family connections program. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(34) \$2,020,000 of the general fund—state appropriation for fiscal year 2024, \$1,894,000 of the general fund—state appropriation for fiscal year 2025, and \$1,247,000 of the general fund—federal appropriation are provided solely to increase the basic foster care maintenance rate for all age groups and the supervised independent living subsidy for youth in extended foster care each by \$50 per youth per month effective July 1, 2023.

(35) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a Washington state mentoring organization to provide oversight and training for

a pilot program that mentors foster youth. The goal of the program is to improve outcomes for youth in foster care by surrounding them with ongoing support from a caring adult mentor. Under the program, mentors provide a positive role model and develop a trusted relationship that helps the young person build self-confidence, explore career opportunities, access their own resourcefulness, and work to realize their fullest potential. The organization shall serve as the program administrator to provide grants to nonprofit organizations based in Washington state that meet department approved criteria specific to mentoring foster youth. Eligible grantees must have programs that currently provide mentoring services within the state and can provide mentors who provide one-to-one services to foster youth, or a maximum ratio of one mentor to three youth.

(36) ~~\$1,100,000 of the general fund—state appropriation for fiscal year 2024 ((+)) and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are~~ provided solely for a grant to a nonprofit organization in Spokane that has experience administering a family-centered drug treatment and housing program for families experiencing substance use disorder. The amount provided in this subsection is intended to support the existing program while the department works to develop a sustainable model of the program and expand to new regions of the state.

(37) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to lead the development of a sustainable operating funding model for programs using the rising strong model that provides comprehensive, family-centered drug treatment and housing services to keep families together while receiving treatment and support. The department shall work in coordination with the health care authority, the department of commerce, other local agencies, and stakeholders on development of the model. The department shall submit the sustainable operating model to the appropriate committees of the legislature by July 1, 2024.

(38) \$107,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$50,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(39) \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$269,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the new foster home incentive payment for child-placing agencies to \$1,000 for each new foster home certified for licensure, effective July 1, 2023.

~~(40) \$1,350,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to establish a pilot for public health nurses, including contracts for up to eight public health nurses distributed by case count across the regions to support caseworkers in engaging and communicating with families about the risks of fentanyl and child health and safety practices.~~

~~(41) \$900,000 of the general fund—state appropriation for fiscal year 2025 and \$231,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5908 (extended foster care). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.~~

~~(42) \$333,000 of the general fund—state appropriation for fiscal year 2025 and \$76,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 6006 (victims of human trafficking). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.~~

~~(43) \$266,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5591 (dependent youth financial ed). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

~~(44) (a) \$1,638,000 of the general fund—state appropriation for fiscal year 2025, \$337,000 of the general fund—federal appropriation, and \$1,515,000 of the opioid abatement settlement account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.~~

~~(b) Of the amounts provided in (a) of this subsection:~~

~~(i) \$1,515,000 of the opioid abatement settlement account—state appropriation is provided solely for a pilot program to include third-party safety plan participants and public health nurses in child protective services safety planning.~~

~~(ii) \$574,000 of the general fund—state appropriation for fiscal year 2025 and \$301,000 of the general fund—federal appropriation are provided solely for at least one legal liaison position in each region to work with both the department and the office of the attorney general for the purpose of assisting with the preparation of child abuse and neglect court cases.~~

~~(iii) \$972,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for two pilot programs to implement an evidence-based, comprehensive, intensive, in-home parenting services support model to serve children and families from birth to age 18 who are involved in the child welfare, children's mental health, or juvenile justice systems.~~

**Sec. 228.** 2023 c 475 s 228 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—JUVENILE REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . . ((\$140,231,000))



	<u>\$148,567,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$143,975,000</del> ))
	<u>\$151,778,000</u>
General Fund—Federal Appropriation . . . . .	\$694,000
General Fund—Private/Local Appropriation . . . . .	\$205,000
Washington Auto Theft Prevention Authority Account— State Appropriation . . . . .	\$196,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$285,301,000</del>))</b>
	<u><b>\$301,440,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,841,000 of the general fund—state appropriation for fiscal year 2024 and \$2,841,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts for effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development, not just reducing recidivism. Additional funding for this purpose is provided through an interagency agreement with the health care authority. County juvenile courts shall apply to the department of children, youth, and families for funding for program-specific participation and the department shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute. The block grant oversight committee, in consultation with the Washington state institute for public policy, shall identify effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development to receive funding.

(2) \$1,537,000 of the general fund—state appropriation for fiscal year 2024 and \$1,537,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expansion of the juvenile justice treatments and therapies in department of children, youth, and families programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The department may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(3)(a) \$6,198,000 of the general fund—state appropriation for fiscal year 2024 and \$6,198,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement evidence- and research-based programs through community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants. In addition to funding provided in this subsection, funding to implement alcohol and substance abuse treatment programs for locally committed offenders is provided through an interagency agreement with the health care authority.

(b) The department of children, youth, and families shall administer a block grant to county juvenile courts for the purpose of serving youth as defined in RCW 13.40.510(4)(a) in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service funds, community juvenile accountability act grants, chemical dependency/mental health disposition alternative, and suspended disposition alternative. The department of children, youth, and families shall follow the following formula and must prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for the assessment of low, moderate, and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency and mental health disposition alternative; and (vi) two percent for the suspended dispositional alternatives. Funding for the special sex offender disposition alternative shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the department of children, youth, and families and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(c) The department of children, youth, and families and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the department of children, youth, and families and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be co-chaired by the department of children, youth, and families and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. The committee may make changes to the formula categories in (b) of this subsection if it determines the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost/benefit savings to the state, including long-term cost/benefit savings. The committee must also consider these outcomes in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(d) The juvenile courts and administrative office of the courts must collect and distribute information and provide access to the data systems to the department of children, youth, and families and the Washington state institute for public policy related to program and outcome data. The department of children, youth, and families and the juvenile courts must work collaboratively to develop program outcomes that reinforce the greatest cost/benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(4) \$645,000 of the general fund—state appropriation for fiscal year 2024 and \$645,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

(5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant program focused on criminal street gang prevention and intervention. The department of children, youth, and families may award grants under this subsection. The department of children, youth, and families shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity receiving funds must report to the department of children, youth, and families on the number and types of youth served, the services provided, and the impact of those services on the youth and the community.

(6) The juvenile rehabilitation institutions may use funding appropriated in this subsection to purchase goods, supplies, and services through hospital group purchasing organizations when it is cost-effective to do so.

(7) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts to establish alternative detention facilities similar to the proctor house model in Jefferson county, Washington, that will provide less restrictive confinement alternatives to youth in their local communities. County juvenile courts shall apply to the department of children, youth, and families for funding and each entity receiving funds must report to the department on the number and types of youth serviced, the services provided, and the impact of those services on the youth and the community.

(8) \$432,000 of the general fund—state appropriation for fiscal year 2024 and \$432,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide housing services to clients releasing from incarceration into the community.

(9) (a) \$878,000 of the general fund—state appropriation for fiscal year 2024 and \$879,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 206, Laws of 2021 (concerning juvenile rehabilitation community transition services).

(b) Of the amounts provided in (a) of this subsection, \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing vouchers.

(10) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 265, Laws of 2021 (supporting successful reentry).

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a credible messenger mentorship organization located in Kitsap county to provide peer counseling, peer support services, and mentorship for at-risk youth and families.

(12) \$1,791,000 of the general fund—state appropriation for fiscal year 2024 and \$1,754,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the facility, property, and assets at the facility formerly known as the Naselle youth camp in Naselle. The department of children, youth, and families must enter into an interagency agreement with the department of social and health services for the management and warm closure maintenance of the Naselle youth camp facility and grounds during the 2023-2025 fiscal biennium.

(13) (a) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1394 (sexual offenses by youth). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(b) The department of children, youth, and families—juvenile rehabilitation shall develop and implement a grant program that allows defense attorneys and counties to apply for funding for sex offender evaluation and treatment programs. The department shall provide funding to counties for: (a) Process mapping, site assessment, and training for additional sex offender treatment modalities such as multisystemic therapy-problem sexual behavior or problematic sexual behavior-cognitive behavioral therapy; and (b) for any evaluation and preadjudication treatment costs which are not covered by the court.

(14) \$2,436,000 of the general fund—state appropriation for fiscal year 2024 and \$2,206,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a dedicated institutional educational oversight and accountability team and 12 staff to provide a transition team at both green hill and echo glen that will serve as an education

engagement team at the facility and will also coordinate and engage with community enrichment programs and community organizations to afford more successful transitions.

(15) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted services for housing for youth exiting juvenile rehabilitation facilities.

(16) ~~(\$3,306,000)~~ \$2,701,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$8,732,000)~~ \$9,915,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for caseload costs and staffing. Of the amount provided in this subsection: ~~(\$1,752,000)~~ \$1,221,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,428,000)~~ \$2,055,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing necessary to operate the baker cottage north living unit at green hill school that is anticipated to be operational by ~~(February)~~ March 1, 2024.

(17) \$967,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to purchase body scanners, one for echo glen, and two for green hill school, to comply with chapter 246-230 WAC (security screening systems).

(18) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for antibias training for girls, youth stipends for girls, and facilitation for girls in the continuum of the juvenile rehabilitation system.

(19) \$68,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6006 (victims of human trafficking). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 229.** 2023 c 475 s 229 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—EARLY LEARNING PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	<del>(\$576,454,000)</del>
	\$587,754,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$699,147,000)</del>
	\$749,967,000
General Fund—Federal Appropriation. . . . .	<del>(\$525,447,000)</del>
	\$659,630,000
General Fund—Private/Local Appropriation. . . . .	\$104,000
Education Legacy Trust Account—State Appropriation. . . . .	<del>(\$385,965,000)</del>
	\$385,401,000
Home Visiting Services Account—State Appropriation. . . . .	<del>(\$35,809,000)</del>
	\$35,795,000
Home Visiting Services Account—Federal Appropriation. . . . .	<del>(\$36,417,000)</del>
	\$37,256,000
<u>Opioid Abatement Settlement Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$3,179,000</u>
Washington Opportunity Pathways Account—State	
Appropriation. . . . .	\$80,000,000
Workforce Education Investment Account—State	
Appropriation. . . . .	\$22,764,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b><del>(\$2,362,107,000)</del></b>
	<b>\$2,561,850,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) ~~(\$123,623,000)~~ \$132,698,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$148,314,000)~~ \$167,571,000 of the general fund—state appropriation for fiscal year 2025, \$91,810,000 of the education legacy trust account—state appropriation, and \$80,000,000 of the opportunity pathways account—state appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 16,778 slots in fiscal year 2024 and 17,278 slots in fiscal year 2025. Of the total slots in each fiscal year, 100 slots must be reserved for foster children to receive school-year-round enrollment.

(b) Of the amounts provided in (a) of this subsection:

(i) \$23,647,000 of the general fund—state appropriation for fiscal year 2024 and \$26,412,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a slot rate increase of 18 percent for full day slots, a 9 percent increase for extended day slots, and a 7 percent increase for part day slots, beginning July 1, 2023.

(ii) \$10,182,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a rate increase of 6 percent for full day slots and 10 percent for extended day slots, beginning July 1, 2024.

(iii) \$9,862,000 of the general fund—state appropriation for fiscal year 2024 and \$9,862,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to convert 1,000 part day slots to full day slots, and to increase full day slots by 500, beginning in fiscal year 2024.

~~((iii))~~ (iv) \$9,862,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to convert 1,000 part day slots to full day slots ~~(7)~~ and to increase full day slots by 500, beginning in fiscal year 2025.

(c) Of the amounts provided in (a) of this subsection, \$2,509,000 of the general fund—state appropriation for fiscal year 2024 and \$3,278,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for the early childhood education and assistance program.

(d) The department of children, youth, and families must develop a methodology to identify, at the school district level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district and the corresponding facility needs required to meet the entitlement in accordance with RCW 43.216.556. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(2) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies.

(3) The department of children, youth, and families shall work in collaboration with the department of social and health services to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families. Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(4) (a) (~~(\$144,632,000)~~) \$145,852,000 of the general fund—state appropriation for fiscal year 2024, \$208,181,000 of the general fund—state appropriation for fiscal year 2025, \$56,400,000 of the general fund—federal appropriation, and (~~(\$51,500,000)~~) \$99,100,000 of the general fund—federal appropriation (ARPA) are provided solely for enhancements to the working connections child care program.

(b) Of the amounts provided in (a) of this subsection:

(i) \$47,637,000 of the general fund—state appropriation for fiscal year 2024, \$87,556,000 of the general fund—state appropriation for fiscal year 2025, \$36,249,000 of the general fund—federal appropriation, and \$33,085,000 of the general fund—federal appropriation (ARPA) are provided solely to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey for child care centers.

(ii) (~~(\$96,995,000)~~) \$98,215,000 of the general fund—state appropriation for fiscal year 2024, \$120,625,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided solely to implement the 2023-2025 collective bargaining agreement covering family child care providers as provided in section 907 of this act. Of the amounts provided in this subsection:

(A) \$8,263,000 of the general fund—state appropriation for fiscal year 2024 and \$9,793,000 of the general fund—state appropriation for fiscal year 2025 are for an 85 cent per hour per child rate increase for family, friends, and neighbor providers (FFNs) beginning July 1, 2023, and a 15 cent per hour per child rate increase beginning July 1, 2024.

(B) \$26,515,000 of the general fund—state appropriation for fiscal year 2024, \$48,615,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey.

(C) \$370,000 of the general fund—state appropriation for fiscal year 2024 and \$370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to pay the background check application and fingerprint processing fees.

(D) (~~(\$61,847,000)~~) \$63,067,000 of the general fund—state appropriation for fiscal year 2024 and \$61,847,000 of the general fund—state appropriation for fiscal year 2025 are for a cost of care rate enhancement.

(c) Funding in this subsection must be expended with internal controls that provide child-level detail for all transactions beginning in fiscal year 2025.

(d) On July 1, 2023, and July 1, 2024, the department, in collaboration with the department of social and health services, must report to the governor and the appropriate fiscal and policy committees of the legislature on the status of overpayments in the working connections child care program. The report must include the following information for the previous fiscal year:

- (i) A summary of the number of overpayments that occurred;
- (ii) The reason for each overpayment;
- (iii) The total cost of overpayments;

(iv) A comparison to overpayments that occurred in the past two preceding fiscal years; and

(v) Any planned modifications to internal processes that will take place in the coming fiscal year to further reduce the occurrence of overpayments.

(e) Within available amounts, the department in consultation with the office of financial management shall report enrollments and active caseload for the working connections child care program to the governor and the legislative fiscal committees and the legislative-executive WorkFirst poverty reduction oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(5) ~~\$2,362,000 of the general fund—state appropriation for fiscal year 2024 ((and)), \$2,362,000 of the general fund—state appropriation for fiscal year 2025, and \$3,582,000 of the general fund—federal appropriation are provided solely to increase the nonstandard hours bonus ((to \$135 per child per month)). Of the amounts in this subsection:~~

(a) \$2,362,000 of the general fund—state appropriation for fiscal year 2024 and \$2,362,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the nonstandard hours bonus to \$135 per child per month, beginning July 1, 2023.

(b) \$3,582,000 of the general fund—federal appropriation is provided solely to increase the nonstandard hours bonus to \$300 per child per month, beginning July 1, 2024.

(6) \$22,764,000 of the workforce education investment account—state appropriation is provided solely for the working connections child care program under RCW 43.216.135.

(7) \$353,402,000 of the general fund—federal appropriation is reimbursed by the department of social and health services to the department of children, youth, and families for qualifying expenditures of the working connections child care program under RCW 43.216.135.

(8) \$1,560,000 of the general fund—state appropriation for fiscal year 2024, \$1,560,000 of the general fund—state appropriation for fiscal year 2025, and \$6,701,000 of the general fund—federal appropriation are provided solely for the seasonal child care program.

(9) \$871,000 of the general fund—state appropriation for fiscal year 2024 and \$871,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of children, youth, and families to contract with a countywide nonprofit organization with early childhood expertise in Pierce county for a project to prevent child abuse and neglect using nationally recognized models.

(a) The nonprofit organization must continue to implement a countywide resource and referral linkage system for families of children who are prenatal through age five.

(b) The nonprofit organization must offer a voluntary brief newborn home visiting program. The program must meet the diverse needs of Pierce county residents and, therefore, it must be flexible, culturally appropriate, and culturally responsive. The department, in collaboration with the nonprofit organization, must examine the feasibility of leveraging federal and other fund sources, including federal Title IV-E and medicaid funds, for home visiting provided through the pilot. The department must report its findings to the governor and appropriate legislative committees by September 1, 2023.

(10) \$3,577,000 of the general fund—state appropriation for fiscal year 2024, \$3,587,000 of the general fund—state appropriation for fiscal year 2025, and \$9,588,000 of the education legacy trust account—state appropriation are provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. The department shall pursue opportunities to leverage other funding to continue and expand ECLIPSE services. Priority for services shall be given to children referred from the department.

(11) The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In a bi-annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements.

(12) \$1,728,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(13) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(14) \$4,000,000 of the education legacy trust account—state appropriation is provided solely for early intervention assessment and services.

(15) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(16) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued implementation of chapter 202, Laws of 2017 (children's mental health).

(17) Within existing resources, the department shall continue implementation of chapter 409, Laws of 2019 (early learning access).

(18) \$515,000 of the general fund—state appropriation for fiscal year 2024 and \$515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a statewide family resource and referral linkage system, with coordinated access point of resource navigators who will connect families with children prenatal through age five with services, programs, and community resources through a facilitated referral and linkage process.

(19) (a) \$114,000 of the general fund—state appropriation for fiscal year 2024, \$173,000 of the general fund—state appropriation for fiscal year 2025, \$6,000 of the general fund—federal appropriation, and \$31,000 of the general fund—federal appropriation (ARPA) are provided solely for the department to complete its pilot project to determine the feasibility of a child care license category for multi-site programs operating under one owner or one entity and to complete one year of transition activities. The department shall adopt rules to implement the pilot project and may waive or adapt licensing requirements when necessary to allow for the operation of a new license category. Pilot participants must include, at least:

- (i) One governmental agency;
- (ii) One nonprofit organization; and
- (iii) One for-profit private business.

(b) New or existing license child care providers may participate in the pilot. When selecting and approving pilot project locations, the department shall aim to select a mix of rural, urban, and suburban locations. By July 1, 2024, the department shall submit to the governor and relevant committees of the legislature a plan for permanent implementation of this license category, including any necessary changes to law.

(20) \$3,020,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for the home visiting program. Of the amounts in this subsection:

(a) \$2,020,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for a funding increase, including to increase funding for contracts to support wage and cost increases and create more equity in contracting among the home visiting workforce.

(b) \$1,000,000 of the home visiting account—state appropriation is provided solely for the expansion of visiting services.

(21) Within the amounts provided in this section, funding is provided for the department to make permanent the two language access coordinators with specialties in Spanish and Somali as funded in chapter 334, Laws of 2021.

(22) (a) The department must provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license-exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(b) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(c) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(d) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data every March for the previous school year.

(e) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(23) \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue implementation of an infant and early childhood mental health consultation initiative to support tribal child care and early learning programs. Funding may be used to provide culturally congruent infant and early childhood mental health supports for tribal child care, the tribal early childhood education and assistance program, and tribal head start providers. The department must consult with federally recognized tribes which may include round tables through the Indian policy early learning committee.

(24) \$860,000 of the general fund—state appropriation for fiscal year 2024 and \$860,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued expansion and support of family, friend, or neighbor caregivers with a focus on the provision of play and learn groups. The amounts provided in this subsection may be used for the department to:

(a) Fund consistent staffing across the state's six geographic regions to support the needs of family, friend, or neighbor caregivers;

(b) Contract with a statewide child care resource and referral program to sustain and expand the number of facilitated play groups to meet the needs of communities statewide;

(c) Support existing infrastructure for organizations that have developed the three existing play and learn program models so they have capacity to provide training, technical assistance, evaluation, data collection, and other support needed for implementation; and

(d) Provide direct implementation support to community-based organizations that offer play and learn groups.

(25) \$3,750,000 of the general fund—state appropriation for fiscal year 2024 and \$3,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for tribal early learning grants to be distributed to providers with tribal children enrolled in early childhood education and assistance program, early ECEAP, childcare, head start, early head start and home visiting programs. Grants will be administered by the department of children, youth and families office of tribal relations and may be awarded for purposes including but not limited to culturally appropriate mental health supports for addressing historical trauma, incorporating indigenous foods, culturally-responsive books and materials, staff professional development, curriculum adaptations and supplements, tribal language education, elders and storytelling in classrooms, traditional music and arts instruction, and transportation to facilitate tribal child participation in early childhood education. Of the amounts in this subsection, the department may use \$143,000 in fiscal year 2024 and up to \$136,000 in fiscal year 2025 to cover associated administrative expenses.

(26) \$7,698,000 of the general fund—state appropriation for fiscal year 2024 and \$7,698,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for child care providers.

(27) \$2,624,000 of the general fund—state appropriation for fiscal year 2024 and \$2,624,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for equity grants established under chapter 199, Laws of 2021 (E2SSB 5237).

(28) \$2,354,000 of the general fund—state appropriation for fiscal year 2024 and \$2,431,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the birth-to-three early childhood education and assistance program. Funding is sufficient for a 20 percent rate increase beginning July 1, 2023, and a 1.8 percent rate increase beginning July 1, 2024.

(29) \$3,352,000 of the general fund—state appropriation for fiscal year 2024 and \$9,916,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to help close the gap in childcare access in the King county region by providing pandemic recovery support funding to the Launch learning organization.

(31) ~~(\$533,000)~~ \$169,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to submit an implementation plan to expand access to Washington's mixed delivery child care system. The plan must assume that any financial contribution by families is capped at no more than seven percent of household income and that the child care workforce are provided living wages and benefits. The plan must be submitted to the appropriate committees of the legislature by June 30, 2025, and should:

(a) Follow the intent of chapter 199, Laws of 2021;

(b) Be aligned with the cost of quality care rate model;

(c) Include timelines, costs, and statutory changes necessary for timely and effective implementation; and

(d) Be developed through partnership with the statewide child care resource and referral organization and the largest union representing child care providers, with consultation from families.

(32) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for infant and early childhood mental health consultation.

(33) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with Washington communities for children to maintain a community-based early childhood network.

(34) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a Washington state based nonprofit digital child care marketing and matching service to deliver child care marketing and matching services in order to increase the number of licensed providers offering nonstandard hours care and to provide effective outreach to workforces in order to help them find and match with available nonstandard hours care providers.

(35) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an organization that provides relationship-based professional development support to family, friend, and neighbor, child care center, and licensed family care providers to work with child care workers to establish new affordable, high quality child care and early learning programs. To be eligible to receive funding, the organization must:

(a) Provide professional development services for child care providers and early childhood educators, including training and mentorship programs;

(b) Provide mentorship and other services to assist with child care provider and facility licensing;

(c) Administer or host a system of shared services and consulting related to operating a child care business; and

(d) Administer a state sponsored substitute pool child care provider program.

(36) \$830,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(37) \$972,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1525 (apprenticeships/child care). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(38) \$2,438,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide a one-time rate enhancement in fiscal year 2024 for early support for infants and toddlers program providers.

(39) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the imagination library.

(40) \$1,313,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 420, Laws of 2023 (transition to kindergarten program).

(41) \$5,561,000 of the general fund—federal appropriation is provided solely to increase the infant rate enhancement for child care providers from \$90 to \$300, beginning July 1, 2024.

(42) \$650,000 of the general fund—federal appropriation is provided solely to expand the inclusion mentorship program for increasing access in child care team, which provides early learning providers with the necessary skills and knowledge to effectively care for and educate children with disabilities, developmental delays, or challenging behaviors.

(43) \$497,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to conduct a feasibility study and provide cost estimates for a pilot program to award start-up grants, in local jurisdictions over 100,000 persons, to assist in the establishment and operation of child care programs and services with nonstandard hours for the minor children of individuals in high demand professions, including, but not limited to, peace officers and criminal justice personnel, firefighters, medical professionals in rural areas, and construction workers during shift work and abnormal work hours. A report is due to the legislature by June 30, 2025.

(44) \$254,000 of the general fund—federal appropriation is provided solely for implementation of Substitute Senate Bill No. 5774 (fingerprint backgr. checks). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(45)(a) \$3,179,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(b) Of the amounts provided in (a) of this subsection:

(i) \$1,600,000 of the opioid abatement settlement account—state appropriation is provided solely to enter into targeted contracts with existing home visiting programs established by RCW 43.216.130 in locales with the historically highest rates of child welfare screened-in intake and shall be targeted to families experiencing high-potency synthetic opioid-related substance use disorder.

(ii) \$1,579,000 of the opioid abatement settlement account—state appropriation is provided solely to establish a pilot program for contracted child care slots for infants in child protective services in locales with the historically highest rates of child welfare screened-in intake due to the exposure or presence of high-potency synthetic opioids in the home, which may be used as part of a safety plan.

**Sec. 230.** 2023 c 475 s 230 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2024)	(\$269,989,000))
	\$372,098,000
General Fund—State Appropriation (FY 2025)	(\$267,333,000))
	\$287,874,000
General Fund—Federal Appropriation	(\$154,741,000))
	\$172,600,000
General Fund—Private/Local Appropriation	(\$2,133,000))
	\$2,131,000
Education Legacy Trust Account—State Appropriation	(\$180,000))
	\$744,000
Home Visiting Services Account—State Appropriation	\$482,000
Home Visiting Services Account—Federal Appropriation	\$380,000
Information Technology Investment Revolving Account—	
State Appropriation	\$1,985,000
<b>TOTAL APPROPRIATION</b>	<b>(\$695,238,000))</b>



\$838,294,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Washington state mentoring organization to continue its public-private partnerships providing technical assistance and training to mentoring programs that serve at-risk youth.

(2) \$2,000 of the general fund—state appropriation for fiscal year 2024, \$6,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(3) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time employee to coordinate policies and programs to support pregnant and parenting individuals receiving chemical dependency or substance use disorder treatment.

(4) ~~(\$2,719,000)~~ \$3,525,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$2,632,000)~~ \$4,145,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$174,000)~~ \$248,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$2,406,000 of the general fund—state appropriation for fiscal year 2024, \$2,382,000 of the general fund—state appropriation for fiscal year 2025, and \$174,000 of the general fund—federal appropriation are provided solely for supported housing programs for hard-to-place foster youth age 16 and above. The department shall provide housing and case management supports that ensure youth placement stability, promote mental health and well-being, and prepare youth for independent living.

(b) \$313,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance, reporting on progress, and resolving disputes that may arise.

(c) \$806,000 of the general fund—state appropriation for fiscal year 2024, \$1,513,000 of the general fund—state appropriation for fiscal year 2025, and \$74,000 of the general fund—federal appropriation are provided solely for plaintiff legal fees, stakeholder facilitation, and fiduciary support to support rate modeling and payments for the emerging adult housing program, professional therapeutic foster parents, referrals and transitions, and hub homes.

(5) \$704,000 of the general fund—state appropriation for fiscal year 2024, \$1,022,000 of the general fund—state appropriation for fiscal year 2025, and \$222,000 of the general fund—federal appropriation are provided solely for the department to implement a language access plan, which will include but is not limited to:

(a) Translation of department materials;

(b) Hiring staff to form a centralized language access team to provide language access supports and coordination across all department divisions;

(c) Outreach to community organizations serving multilingual children and families regarding department programs;

(d) Webinars and other technical assistance provided in multiple languages for department programs;

(e) Training for department staff on language access resources; and

(f) Other means of increasing language access and equity for providers and caregivers in health and safety, licensing and regulations, and public funding opportunities for programs offered by the department.

(6) \$1,885,000 of the general fund—state appropriation for fiscal year 2024 and \$1,885,000 of the general fund—federal appropriation are provided solely for a feasibility study to develop an implementation plan and determine costs for a new child welfare information system.

(7) \$2,149,000 of the general fund—state appropriation for fiscal year 2024, \$7,851,000 of the general fund—state appropriation for fiscal year 2025, and \$10,000,000 of the general fund—federal appropriation are provided solely for a comprehensive child welfare information system. The funding in this section is sufficient to complete procurement and the initial stages of implementation and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(8) \$1,187,000 of the general fund—state appropriation for fiscal year 2024 and \$1,187,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing support services for youth exiting foster care and juvenile rehabilitation.

~~((8))~~ (9) \$19,000 of the general fund—state appropriation for fiscal year 2024, \$19,000 of the general fund—state appropriation for fiscal year 2025, and \$6,000 of the general fund—federal appropriation are provided solely for indirect costs associated with the implementation of a seven-level foster care support system.

~~((9))~~ (10) \$1,494,000 of the general fund—federal appropriation is provided solely for continued implementation of the family first prevention services act requirements, including technology enhancements to support the automated assessments, data quality, and reporting requirements. Funding provided in this subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((10))~~ (11) \$717,000 of the general fund—state appropriation for fiscal year 2024, \$717,000 of the general fund—state appropriation for fiscal year 2025, and \$324,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219).

~~((11))~~ (12) \$1,248,000 of the general fund—state appropriation for fiscal year 2024 and \$1,248,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the emergency adolescent housing pilot program. The housing pilot will serve hard-to-place foster youth who are at least 16 years old with housing and intensive case management.

~~((12))~~ (13) \$319,000 of the general fund—state appropriation for fiscal year 2024, \$319,000 of the general fund—state appropriation for fiscal year 2025, and \$170,000 of the general fund—federal appropriation are provided solely to continue implementation of chapter 137, Laws of 2022 (2SHB 1905).

~~((13))~~ (14) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue implementation of chapter 39, Laws of 2022 (SHB 2068).

~~((14))~~ (15) \$23,000 of the general fund—state appropriation for fiscal year 2024, \$31,000 of the general fund—state appropriation for fiscal year 2025, and \$7,000 of the general fund—federal appropriation are provided solely to implement Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((15))~~ (16) \$1,571,000 of the general fund—state appropriation for fiscal year 2024 and \$1,571,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Senate Bill No. 5316 (DCYF background check fees). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((16))~~ (17) \$53,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and \$16,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((17))~~ (18) \$43,000 of the general fund—state appropriation for fiscal year 2024, \$78,000 of the general fund—state appropriation for fiscal year 2025, and \$18,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5124 (nonrelative kin placement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((18))~~ (19) \$2,627,000 of the general fund—state appropriation for fiscal year 2024 and \$2,628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5256 (child welfare housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((19))~~ (20) \$33,000 of the general fund—state appropriation for fiscal year 2024, \$58,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((20))~~ (21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership council for juvenile justice to consider and provide recommendations regarding juvenile justice policy projects and for one additional staff for ongoing policy and program analysis. The partnership council is authorized to consult with experts to study and gather research on best practices regarding juvenile justice, and to consult with relevant stakeholders regarding its potential recommendations. Relevant stakeholders may include but are not limited to the superior court judges association; Washington association of juvenile court administrators; Washington association of county clerks; the association of Washington counties; community-based organizations with expertise in legal financial obligation reform, community compensation funds, supporting victims and survivors of crime, or supporting youth who have been convicted or adjudicated of criminal offenses; law enforcement, prosecutors; public defenders; incarcerated and formerly incarcerated youth and young adults; the administrative office of the courts; the crime victims compensation program; and the office of crime victims advocacy.

(a) The council shall:

(i) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations for establishing a state-funded community compensation program to address out of pocket expenses for those who have been harmed by juvenile criminal offenses. Recommendations shall consider restorative principles and best practices and shall be

developed in consultation with those who have been adjudicated and charged restitution and those who have been owed restitution. The council shall provide recommendations for program implementation including, but not limited to, structure and placement within state government; scope and scale of funding including eligibility criteria; retroactivity; documentation requirements; and coordination with the existing crime victims compensation fund. The council shall provide estimates of startup costs and ongoing operational costs, including administration and direct compensation to victims.

(ii) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations regarding retention, dissemination, confidentiality, sealing, consequences, and general treatment of juvenile court records. In making recommendations, the council shall take into consideration developments in brain science regarding decision-making amongst youth; the impact the juvenile court records can have on future individual well-being; principles of racial equity; and impacts that the recommendations could have on recidivism.

(iii) By June 30, 2025, report to the governor and appropriate committees of the legislature recommendations regarding implementation of juvenile court jurisdiction expansion to encompass persons 18, 19, and 20 years old. Recommendations shall include an implementation plan for the expansion, including necessary funding, essential personnel and programmatic resources, measures necessary to avoid a negative impact on the state's child protection response, and specific milestones related to operations and policy. The implementation plan shall also include a timeline for structural and systemic changes within the juvenile justice system for the juvenile rehabilitation division; the department of children, youth, and families; the department of corrections; and the juvenile court pursuant to chapter 13.04 RCW. The implementation plan shall also include an operations and business plan that defines benchmarks including possible changes to resource allocations; a review of the estimated costs avoided by local and state governments with the reduction of recidivism and an analysis of cost savings reinvestment options; and estimated new costs incurred to provide juvenile justice services to persons 18, 19, and 20 years old.

~~((21))~~ (22) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a statewide nonprofit with demonstrated capability of partnering with agencies and community organizations to develop public-facing regionalized data dashboards and reports to measure change in equitable early learning access as a result of programs and grants administered by the department. The nonprofit must provide the data in a consumer-friendly format and include updates on program supply and demand for subsidized child care and preschool programs. The data must be disaggregated by program and facility type, geography, family demographics, copayments, and outcomes of grants and rate enhancements disaggregated by staff role, program and facility type, and geography.

~~((22))~~ (23) \$1,206,000 of the general fund—state appropriation for fiscal year 2024, \$1,554,000 of the general fund—state appropriation for fiscal year 2025, and \$1,416,000 of the general fund—private/local appropriation are provided solely for the department to contract with one or more community organizations with expertise in the LifeSet case management model to serve youth and adults currently being served in or exiting the foster care, juvenile justice, and mental health systems to successfully transition to adulthood.

~~((23))~~ (24) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase rates for independent living service providers.

~~((24))~~ (25) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

~~((25))~~ (26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an entity for three separate studies. The department must submit the studies to the governor and the legislature by June 30, 2025. The studies must analyze:

(a) The feasibility of implementing a universal child allowance, universal child care, and universal baby boxes;

(b) The feasibility of a social wealth fund for Washington state; and

(c) The current cash and cash-equivalent benefits currently available for Washington state residents who are nonworkers.

~~((26))~~ (27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an all-male, African American organization to mentor youth ages 12 through 19 in south King county.

~~((27))~~ (28) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$37,000 of the general fund—state appropriation for fiscal year 2025, and \$74,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((28))~~ (29) \$18,000 of the general fund—state appropriation for fiscal year 2024, \$18,000 of the general fund—state appropriation for fiscal year 2025, and \$8,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

(29)) (30) (a) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$41,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to report on a plan to discontinue the practice of using any benefits, payments, funds, or accrual paid to or on behalf of a child or youth to reimburse itself for cost of care by the earliest date feasible. The report must include an implementation plan to conserve funds for the future needs of the child in a manner in which the funds will not count against eligibility for federal or state means tested programs. The report must include a strategy for developing the financial literacy and capability of youth and young adults exiting foster care and juvenile rehabilitation. The department will develop the report in consultation with stakeholders, including but not limited to:

- (i) Individuals with disabilities and organizations representing the interests of or serving individuals with disabilities;
- (ii) Youth in foster care and juvenile rehabilitation and their parents;
- (iii) The social security administration; and
- (iv) Other relevant state agencies.

(b) The department must provide periodic status updates and must submit the final report no later than October 1, 2024. The department must convene the first meeting of the work group no later than September 1, 2023.

(31) \$938,000 of the general fund—state appropriation for fiscal year 2024, \$961,000 of the general fund—state appropriation for fiscal year 2025, and \$172,000 of the general fund—federal appropriation are provided solely for:

(a) Compliance with the settlement agreement reached in *Ta'afulisia et al. v. Washington State Department of Children, Youth, and Families, et al.*, Thurston county superior court, cause no. 22-2-02974-34. The department must implement the provisions of the settlement agreement, which includes providing hearings to incarcerated youth under age 25 serving their sentence at a department of children, youth, and families facility prior to transfer to an adult corrections facility operated by the department of corrections; and

(b) Providing hearings for youth under age 25 transferred from a department of children, youth, and families community partial confinement facility to a department of children, youth, and families total confinement facility.

(32) \$94,615,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal costs that exceed the amount covered by the self-insurance liability account as follows:

(a) \$91,250,000 for the costs associated with a jury verdict resulting from *Cox et al. v. State of Washington et al.*, Pierce county superior court, cause no. 12-2-11389-6; and

(b) \$3,365,000 for the costs associated with a settlement agreement reached in *Aroni et al., v. State of Washington*, King county superior court, cause no. 21-2-16587-3.

(33) \$1,628,000 of the general fund—state appropriation for fiscal year 2025 and \$1,926,000 of the general fund—federal appropriation are provided solely for a feasibility study for the social service payment system replacement project.

(34) \$1,272,000 of the general fund—state appropriation is provided solely to transact with the necessary level of detail regarding working connections child care program payments to address the repeated findings made by the state auditor's office related to the child care and development fund and temporary assistance for needy families federal grants.

(End of part)

**PART III  
NATURAL RESOURCES**

**Sec. 301.** 2023 c 475 s 301 (uncodified) is amended to read as follows:

**FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	\$1,728,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$1,273,000</del> ))
	<u>\$1,288,000</u>
General Fund—Federal Appropriation . . . . .	\$32,000
General Fund—Private/Local Appropriation . . . . .	(( <del>\$2,574,000</del> ))
	<u>\$2,589,000</u>
Climate Commitment Account—State Appropriation . . . . .	\$138,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$5,745,000</del>))</b>
	<b><u>\$5,775,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a land use planner to provide land use planning services dedicated to Klickitat county. Because the activities of the land use planner are solely for the benefit of Washington state, Oregon is not required to provide matching funds for this activity.

(2) \$553,000 of the general fund—state appropriation for fiscal year 2024, \$352,000 of the general fund—state appropriation for fiscal year 2025, and \$905,000 of the general fund—private/local appropriation are provided solely for the access database replacement project. The commission must consult with the office of the chief information officer regarding the access database replacement project.

(3) \$138,000 of the climate commitment account—state appropriation is provided solely for staff to lead implementation of the agency's climate change action plan and to support implementation of the vital sign indicators monitoring program.

(4) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 302.** 2023 c 475 s 302 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$39,381,000 ))
	<u>\$39,604,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$37,256,000 ))
	<u>\$39,546,000</u>
General Fund—Federal Appropriation . . . . .	(( \$108,485,000 ))
	<u>\$145,439,000</u>
General Fund—Private/Local Appropriation . . . . .	\$29,544,000
<u>Dedicated Cannabis Account—State Appropriation</u>	
<u>(FY 2025) . . . . .</u>	<u>\$782,000</u>
Climate Commitment Account—State Appropriation . . . . .	(( \$14,792,000 ))
	<u>\$25,163,000</u>
Emergency Drought Response Account—State	
Appropriation . . . . .	\$6,000,000
Natural Climate Solutions Account—State	
Appropriation . . . . .	(( \$12,795,000 ))
	<u>\$13,395,000</u>
Reclamation Account—State Appropriation . . . . .	(( \$4,753,000 ))
	<u>\$4,762,000</u>
Flood Control Assistance Account—State Appropriation . . . . .	(( \$5,041,000 ))
	<u>\$5,243,000</u>
Aquatic Lands Enhancement Account—State	
Appropriation . . . . .	\$150,000
Refrigerant Emission Management Account—State	
Appropriation . . . . .	(( \$2,795,000 ))
	<u>\$3,112,000</u>
State Emergency Water Projects Revolving Account—	
State Appropriation . . . . .	\$40,000
Waste Reduction, Recycling, and Litter Control	
Account—State Appropriation . . . . .	(( \$33,866,000 ))
	<u>\$33,915,000</u>
State Drought Preparedness Account—State	
Appropriation . . . . .	(( \$2,204,000 ))
	<u>\$2,219,000</u>
State and Local Improvements Revolving Account—Water	
Supply Facilities—State Appropriation . . . . .	\$186,000
Water Rights Tracking System Account—State	
Appropriation . . . . .	\$48,000
Site Closure Account—State Appropriation . . . . .	\$582,000
Wood Stove Education and Enforcement Account—State	
Appropriation . . . . .	\$605,000
Worker and Community Right to Know Fund—State	
Appropriation . . . . .	(( \$2,212,000 ))
	<u>\$2,215,000</u>
Water Rights Processing Account—State Appropriation . . . . .	\$39,000
Water Quality Permit Account—State Appropriation . . . . .	(( \$65,774,000 ))
	<u>\$66,904,000</u>
Underground Storage Tank Account—State Appropriation . . . . .	(( \$4,987,000 ))
	<u>\$5,001,000</u>
Biosolids Permit Account—State Appropriation . . . . .	(( \$3,054,000 ))
	<u>\$3,056,000</u>
Hazardous Waste Assistance Account—State	
Appropriation . . . . .	(( \$9,393,000 ))
	<u>\$9,429,000</u>
Radioactive Mixed Waste Account—State Appropriation . . . . .	(( \$23,955,000 ))
	<u>\$24,305,000</u>
Air Pollution Control Account—State Appropriation . . . . .	(( \$4,706,000 ))
	<u>\$4,904,000</u>
Oil Spill Prevention Account—State Appropriation . . . . .	(( \$8,485,000 ))
	<u>\$9,098,000</u>
Air Operating Permit Account—State Appropriation . . . . .	(( \$5,510,000 ))
	<u>\$5,565,000</u>
Wastewater Treatment Plant Operator Certification	
Account—State Appropriation . . . . .	(( \$801,000 ))
	<u>\$805,000</u>

Oil Spill Response Account—State Appropriation. . . . .	\$7,076,000
Model Toxics Control Operating Account—State Appropriation. . . . .	(( <del>\$342,888,000</del> ))
	<u>\$349,102,000</u>
Model Toxics Control Operating Account—Local Appropriation. . . . .	\$499,000
Model Toxics Control Stormwater Account—State Appropriation. . . . .	\$16,991,000
Voluntary Cleanup Account—State Appropriation. . . . .	\$344,000
Paint Product Stewardship Account—State Appropriation. . . . .	\$151,000
Water Pollution Control Revolving Administration Account—State Appropriation. . . . .	(( <del>\$8,506,000</del> ))
	<u>\$8,606,000</u>
Clean Fuels Program Account—State Appropriation. . . . .	(( <del>\$4,801,000</del> ))
	<u>\$5,004,000</u>
Climate Investment Account—State Appropriation. . . . .	(( <del>\$50,290,000</del> ))
	<u>\$58,791,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$858,985,000</del>))</b>
	<b><u>\$928,220,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to grant to the northwest straits commission to provide funding, technical assistance, and/or coordination support equally to the seven Puget Sound marine resources committees.

(2) \$170,000 of the oil spill prevention account—state appropriation is provided solely for a contract with the University of Washington's sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.

(3) \$102,000 of the general fund—state appropriation for fiscal year 2024 and \$102,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Executive Order No. 12-07, Washington's response to ocean acidification.

(4) \$24,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to local governments for the purpose of supporting local solid waste and financial assistance programs.

(5) \$150,000 of the aquatic lands enhancement account—state appropriation is provided solely for implementation of the state marine management plan and ongoing costs of the Washington coastal marine advisory council to serve as a forum and provide recommendations on coastal management issues.

(6) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to convene a stakeholder group, including representatives from overburdened communities, to assist with developing a water quality implementation plan for polychlorinated biphenyls and to address other emerging contaminants in the Spokane river. The department must also consult with the Spokane tribe of Indians and other interested tribes when developing and implementing actions to address water quality in the Spokane river.

(7) \$4,002,000 of the natural climate solutions account—state appropriation is provided solely to address flood prevention in the Nooksack basin and Sumas prairie. Of this amount:

(a) \$2,000,000 is provided solely to expand and sustain Whatcom county's floodplain integrated planning (FLIP) team planning process, including supporting communication, community participation, coordination, technical studies and analysis, and development of local solutions.

(b) \$900,000 is provided solely for the department to support transboundary coordination, including facilitation and technical support to develop and evaluate alternatives for managing transboundary flooding in Whatcom county and British Columbia.

(c) \$1,102,000 is provided solely to support dedicated local and department capacity for floodplain planning and technical support. Of the amount in this subsection (c), \$738,000 is solely for a grant to Whatcom county. The remaining amount is for the department to provide ongoing staff technical assistance and support to flood prevention efforts in this area.

(8) ~~(\$16,472,000)~~ \$21,504,000 of the climate investment account—state appropriation, of which \$5,032,000 takes effect January 1, 2025, is provided solely for capacity grants to federally recognized tribes for: (a) Consultation on spending decisions on grants in accordance with RCW 70A.65.305; ~~(and)~~ (b) consultation on clean energy siting projects; (c) activities supporting climate resilience and adaptation; (d) developing tribal clean energy projects; (e) applying for state or federal grant funding; and (f) other related work. In order to meet the requirements of RCW 70A.65.230(1)(b), tribal applicants are encouraged to include a tribal resolution supporting their request with their grant application.

(9) \$1,363,000 of the general fund—state appropriation for fiscal year 2024 and \$1,375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in water resource inventory area 1 (Nooksack).

(10) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$963,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in lake Roosevelt and its immediate tributaries.

(11) \$2,479,000 of the climate investment account—state appropriation is provided solely for addressing air quality in overburdened communities highly impacted by air pollution under RCW 70A.65.020.

(12) \$177,000 of the general fund—state appropriation for fiscal year 2024 and \$177,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to validate a proposed standardized channel migration zone mapping methodology, develop a statewide channel migration zone mapping implementation plan, and provide technical assistance to local and tribal governments looking to use the new standard.

(13) (a) \$640,000 of the climate investment account—state appropriation is provided solely for the department, in consultation with the office of financial management and the environmental justice council, to develop and implement a process to track, summarize, and report on state agency expenditures from climate commitment act accounts that provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities as described in RCW 70A.65.030 and 70A.65.230, and expenditures that are formally supported by a resolution of an Indian tribe as described in RCW 70A.65.230. The department must incorporate the process under this subsection into existing efforts to track climate commitment act expenditures under RCW 70A.65.300. The department must incorporate the Washington state proequity antiracism (PEAR) plan and playbook and executive order 22-04 into the work of this subsection as appropriate.

(b) The information that agencies provide to the department, and that the department tracks and reports on under this subsection, must include, at a minimum:

(i) The amount of each expenditure that provides direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities;

(ii) An explanation of how the expenditure provides such benefits;

(iii) The methods by which overburdened communities and vulnerable populations were identified by the agency and an explanation of the outcomes of those identification processes, including the geographic location impacted by the expenditure where relevant, and the geographic boundaries of overburdened communities identified by the agency;

(iv) The amount of each expenditure used for programs, activities, or projects formally supported by a resolution of an Indian tribe; and

(v) For expenditures that do not meet, or it is unclear whether they meet, (b) (i) or (iv) of this subsection, an explanation of why.

(c) The department, in consultation with the environmental justice council and the office of financial management, and in coordination with reporting under RCW 70A.65.300, must report to the appropriate committees of the legislature by September 30, 2024, on the following:

(i) A summary of the information provided by agencies through the process in this subsection; and

(ii) Any recommendations for improvements to the process under this subsection or potential amendments to RCW 70A.65.030, 70A.65.230, or 70A.02.080, or other statutes relevant to this subsection. In making recommendations, the department must consider any statutory changes necessary to ensure consistent tracking of the uses of climate commitment account funds, including standardization or coordination of the process for identifying the overburdened communities used for purposes of tracking expenditures and the methods for determining whether an expenditure contributes a direct and meaningful benefit to a vulnerable population or overburdened community.

(d) "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, the air quality and health disparities improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

(14) \$238,000 of the model toxics control operating account—state appropriation is provided solely for technical assistance and compliance assurance associated with the ban of certain hydrofluorocarbon-related products.

(15) \$2,500,000 of the model toxics control operating account—state appropriation is provided solely for the department to conduct a statewide compost emissions study, which will provide essential data needed to improve the quality of air permitting decisions, improve compost facility operations, and support state goals to reduce organic waste in landfills reducing climate change impacts.

(16) \$2,256,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide technical assistance to landowners and local governments to promote voluntary compliance, implement best management practices, and support implementation of water quality clean-up plans in shellfish growing areas, agricultural areas, forestlands, and other types of land uses, including technical assistance focused on protection and restoration of critical riparian management areas important for salmon recovery.

(17) \$2,702,000 of the model toxics control operating account—state appropriation is provided solely for the department to develop a 6PPD action plan and complete a safer alternatives assessment of the 6PPD compound used in tires, including obtaining any data necessary to complete the alternatives assessment. The action plan should identify, characterize, and evaluate uses and releases of 6PPD and related chemicals, and recommend

actions to protect human health and the environment. The department shall provide a progress report on the action plan and alternatives assessment to the governor's office, the office of financial management, and the appropriate committees of the legislature by December 31, 2024. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(18) \$5,195,000 of the model toxics control operating account—state appropriation is provided solely to establish a program to monitor 6PPD compounds in water and sediment, identify effective best management practices to treat 6PPD in stormwater runoff, produce guidance on how and when to use best management practices for toxicity reduction to protect salmon and other aquatic life, and incorporate the guidance into stormwater management manuals. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(19) \$2,296,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Senate Bill No. 5104 (marine shoreline habitat). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20) (a) \$500,000 of the model toxics control operating account—state appropriation is provided solely for the department to carry out the following activities to inform the development of legislative proposals to increase recycling, reuse, and source reduction rates, which must include consideration of how to design and implement a producer responsibility model for consumer packaging, including paper, plastic, metal, and glass, and paper products:

(i) Conduct a recycling, reuse, and source reduction targets study; and

(ii) Carry out a community input process on the state's recycling system.

(b) The department must contract with an impartial third-party consultant with relevant technical expertise and capabilities in facilitation and gathering public input, including from overburdened communities, to carry out the activities specified in (a) of this subsection. In order to ensure that the state is receiving a variety of expert perspectives on the topic of packaging management, the contractor should include in their team individuals and/or subcontractors with a wide range of expertise and experience. The third party consultant must submit a report to the appropriate committees of the house of representatives and the senate by December 1, 2023.

(c) The recycling, reuse, and source reduction targets study must:

(i) Document recycling rates, reuse rates, and the reduction of single-use plastics for consumer packaging and paper products that have been adopted in other jurisdictions, measure methods used, and the basis or justification for recommended target rates selected;

(ii) Recommend highest achievable performance rates, including an overall recycling rate, a separate specific minimum reuse rate, a recycling rate for each material category, and a source reduction rate to be achieved solely by eliminating plastic components, that could be achieved under up to four different scenarios, including a producer responsibility program and other policies; and

(iii) Make recommendations that consider the commercial viability and technological feasibility of achieving rates based on current rates achieved in the state, rates achieved based on real world performance data, and other data, with performance rates designed to be achieved statewide by 2032.

(d) For purposes of this subsection, "eliminate" or "elimination," with respect to source reduction, means the removal of a plastic component from a covered material without replacing that component with a nonplastic component.

(e) The community input process on the state's recycling system must include:

(i) In-person and virtual workshops and community meetings held at locations in urban and rural areas and in ways that are accessible to stakeholders across the state, including overburdened communities;

(ii) Public opinion surveys that are representative of Washington residents across the state, including overburdened communities and urban and rural areas; and

(iii) A focus on eliciting an improved understanding of public values and opinions related to the state's recycling system, the current public experience with respect to the state's recycling systems, and ways the public believes that their recycling experience and system outcomes could be improved.

(21) (a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to conduct an analysis of water use for irrigation under the potential scenario of lower Snake river dam removal. Analysis must include continued water use during drawdown and thereafter from the river postremoval. The analysis must include the following:

(i) A plan identifying potential mitigation needs and interim approaches for delivery of water for irrigation pursuant to existing water rights for those using pumps, wells, or both, from Ice Harbor reservoir during a possible transition from the current reservoir-based irrigation to irrigation from the river;

(ii) Identification of cost-effective options for continued irrigation at current amounts and with existing water rights from the lower Snake river at the area of the current Ice Harbor pool; and

(iii) Cost estimates for any necessary irrigation system upgrades required to continue irrigation from the lower Snake river.

(b) The department may, as necessary and appropriate, consult for this analysis with irrigators and tribal governments.



(c) The department shall provide a status update to the environment and energy committees of the legislature and the office of the governor by December 31, 2024.

(22) \$3,914,000 of the natural climate solutions account—state appropriation is provided solely for activities related to coastal hazards, including expanding the coastal monitoring and analysis program, establishing a coastal hazard organizational resilience team, and establishing a coastal hazards grant program to help local communities design projects and apply for funding opportunities. At least 25 percent of the funding in this subsection must be used for the benefit of tribes.

(23) \$340,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1033 (compostable product usage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(24) \$1,124,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$139,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$6,000,000 of the emergency drought response account—state appropriation and \$2,000,000 of the state drought preparedness account—state appropriation are provided solely for implementation of Substitute House Bill No. 1138 (drought preparedness). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$1,123,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$43,000 of the underground storage tank account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(29) \$1,174,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$13,248,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$140,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) Expenditures on upgrading or developing the turboplan system, Washington fuel reporting system, and EAGL system are subject to the conditions, limitations, and review requirements of section 701 of this act.

(33) \$1,263,000 of the clean fuels program account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(34) \$370,000 of the climate commitment account—state appropriation is provided solely as a grant to the Puget Sound clean air agency to identify emission reduction projects and to help community-based organizations, local governments, and ports in overburdened communities author grant applications and provide support for grant reporting for entities that receive grants. The department must prioritize projects located in overburdened communities so that those communities can reap the public health benefits from the climate commitment act, inflation reduction act, and other new funding opportunities.

(35) \$1,220,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5144 (batteries/environment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(36) ~~(\$822,000)~~ \$77,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Senate Bill No. 5369 (polychlorinated biphenyls). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(37) \$330,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide a grant to Clark county for the purpose of developing and implementing a lake management plan to restore and maintain the health of Vancouver lake, a category 5 303(d) status impaired body of water. The department must work with the county to include involvement by property owners around the lake and within the watersheds that drain to the lake, the department of natural resources, other state agencies and local governments with proprietary or regulatory jurisdiction, tribes, and nonprofit organizations advocating for the health of the lake. The plan should incorporate work already

completed by the county and other entities involved in development of the lake management strategy.

(38) \$276,000 of the model toxics control operating account—state appropriation is provided solely for a grant to San Juan county for the enhancement of ongoing oil spill response preparedness staff hiring, spill response equipment acquisition, and spill response training and operational expenses.

(39) \$1,460,000 of the natural climate solutions account—state appropriation is provided solely for the department to provide grants to the following organizations in the amounts specified for the purpose of coordinating, monitoring, restoring, and conducting research for Puget Sound kelp conservation and recovery:

(a) \$300,000 to the Squaxin Island Tribe;

(b) \$200,000 to the Samish Indian Nation;

(c) \$144,000 to the Lower Elwha Klallam Tribe;

(d) \$200,000 to the Northwest straits commission;

(e) \$366,000 to the Puget Sound restoration fund to subcontract with sound data systems and Vashon nature center; and

(f) \$250,000 to the reef check foundation.

(40) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department's engagement with the federal government, Indian tribes, water users, and local governments on a process that could result in a federal Indian water rights settlement through the Nooksack adjudication. The department shall produce a monthly report during the claims filing period to monitor the progress of claims filed by water users. The department shall provide a report to the appropriate standing committees of the legislature regarding the status of the adjudication and any potential settlement structure by June 30, 2024, and by June 30, 2025.

(41) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county to provide technical assistance that must be made available to all water users in WRIA 1 in filing adjudication claims under RCW 90.03.140. This assistance must be administered by Whatcom county and no portion of this funding may be used to contest the claims of any other claimant in the adjudication.

(42) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county acting as fiscal agent for the WRIA 1 watershed management board, in support of collaborative water supply planning in WRIA 1. Funding may be used to collect or analyze technical information, to develop and assess the feasibility of water supply solutions in WRIA 1, and for facilitation and mediation among parties including, but not limited to, the department, Whatcom county, the public utility district, the city of Bellingham, Lummi Nation, and the Nooksack Tribe. Specific funding allocations, including purpose and amount, will be determined by the WRIA 1 watershed management board. Funding under this subsection will be available only after the filing of the Nooksack adjudication, and no funding provided for the Nooksack adjudication will be used to support the activities funded by this subsection. It is anticipated that these activities will run in parallel with the Nooksack adjudication.

(43) \$200,000 of the model toxics control operating account—state appropriation is provided solely for the department to contract with a consultant to develop a report that conducts a full emissions life cycle assessment for solid waste processed at the Spokane Waste to Energy Facility (WTEF) compared to solid waste processed at three other landfills within the region that waste may be sent to if the WTEF were to cease operations. The report must be submitted to the appropriate committees of the legislature by December 31, 2023.

(44) \$896,000 of the model toxics control operating account—state appropriation is provided solely for Washington conservation corps (WCC) cost-share requirements for qualifying organizations, as identified through a competitive application process that prioritizes communities that have not previously received WCC support, are in areas with a high cumulative impact on the department of health's environmental health disparities map, are identified by the office of financial management as distressed, and/or have a high percentile of people of color or low-income.

(45) \$410,000 of the model toxics control operating account—state appropriation is provided solely to implement the recommendations from the agency's June 2023 report on Puget Sound nutrient credit trading, including conducting a market feasibility analysis and developing a stakeholder outreach plan, a tribal engagement plan, and trading resource materials.

(46) \$782,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 is provided solely to create and sustain a program to accredit cannabis testing laboratories. If Second Substitute House Bill No. 2151 (cannabis lab accreditation) is enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$338,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to increase planning, engagement, and evaluation tools for effective ocean management and offshore wind energy development.

(48) \$2,408,000 of the model toxics control operating account—state appropriation is provided solely for the department to meet the increased demand for administrative orders authorized under chapter 90.48 RCW (the water pollution control act) for projects impacting state waters to proceed and to conduct a rule making to develop a permit program to protect

wetlands and other Washington waterways no longer subject to federal jurisdiction. Through the rule making process the agency shall explore ways to fund the program, including through development of a fee schedule.

(49) \$500,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to grant to the Squaxin Island tribe for implementing and monitoring various blue carbon sequestration projects in south Puget Sound.

(50) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to develop a groundwater modeling guidance publication.

(a) The publication must provide consistency in the department's evaluation of groundwater models submitted for water right permitting actions and ensure continued transparency to water right applicants in the department's permitting processes. The core purpose of the publication is to establish best practices for groundwater modeling. The publication will:

(i) Define criteria for evaluating model suitability for proposed projects;

(ii) Identify the department's approach to evaluating model error and uncertainty;

(iii) Identify circumstances where model outputs are insufficient for permit decision making; and

(iv) Address the appropriateness of refining a regional groundwater model in water right permitting decisions.

(b) The department must convene a technical advisory committee of licensed hydrogeologists or professional engineers with experience in groundwater modeling to review the workplan and provide comments on the guidance. The publication must be peer reviewed by the United States geological survey or other state or national hydrogeologic professional organization.

(c) The department must invite any federally recognized Indian tribes that may be potentially affected by the publication to participate in the technical advisory committee and engage in consultation with any federally recognized Indian tribe as requested.

(d) The department must provide an update to the appropriate committees of the legislature and to the office of financial management by June 30, 2025. The department must indicate the estimated time to complete the publication, including draft guidance, recommended further research, and key implementation steps in the update.

(51) \$200,000 of the flood control assistance account—state appropriation is provided solely for a grant to the Cowlitz-Wahkiakum council of governments to advance the Spirit Lake-Toutle/Cowlitz river system collaborative by facilitating meetings, and supporting strategic communication and planning among federal, state, and local partners. The work of the collaborative includes flood risk reduction, ecosystem recovery, scientific research, and other activities related to sediment management and flooding in the Spirit Lake-Toutle/Cowlitz river system.

(52) \$650,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a feasibility and engineering study for the city of Spokane's waste to energy plant carbon emissions reductions project.

(53) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of the Spanaway lake cyanobacteria plan and the aquatic plant management plan, including testing, sample collection, and monitoring for tracking water quality and determining treatment options.

(54) \$130,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county to provide technical assistance that must be made available to all water users in WRIA 1 in filing adjudication claims under RCW 90.03.140. This assistance must be administered by Whatcom county and no portion of this funding may be used to contest the claims of any other claimant in the adjudication.

(55) \$300,000 of the model toxics control operating account—state appropriation is provided solely for a grant for the removal of tires containing 6PPD from docks serving floatplanes in salmon-bearing waterways. Funds may be used to reduce the cost of conversion to alternative products that are free of 6PPD.

(56)(a) \$300,000 of the model toxics control operating account—state appropriation is provided solely for an analysis of waste tires to better understand how the disposal, distribution, and management of waste tires contributes to 6PPD-q pollution. The department must conduct a study of the disposal, repurposing, reuse, recycling, handling, and management of waste tires in the state. At a minimum, the study must include a characterization of the markets for waste tires; a description of the sectoral and geographic origins and destinations of waste tires; an assessment of which Washington state policies and programs impact the market; and alternatives to using tire derived rubber in these markets.

(b) The department may contract with a third party for the study as outlined. A final study report is due to the appropriate committees of the legislature by June 30, 2025, in accordance with RCW 43.01.036.

(c) For purposes of this subsection, "waste tires" has the definition provided in RCW 70A.205.440.

(57) \$37,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5649 (floodproofing improvements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(58) \$76,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5812 (electric vehicle

fires). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(59) \$665,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5931 (motorized vehicle tires/6PPD). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(60) \$44,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6061 (housing development/SEPA). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(61) \$50,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6164 (county emergency management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(62) \$1,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6010 (SEPA/trails and paths). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(63) \$748,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementing Engrossed Second Substitute Senate Bill No. 6092 (greenhouse gas disclosures). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(64) \$1,070,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(65) \$1,787,000 of the climate investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(66) \$114,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6163 (biosolids). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 303.** 2023 c 475 s 303 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM**

General Fund—Federal Appropriation. . . . .	(((\$868,000)) \$1,237,000)
Pollution Liability Insurance Agency Underground Storage Tank Revolving Account—State Appropriation. . . . .	\$957,000
Pollution Liability Insurance Program Trust Account— State Appropriation. . . . .	(((\$10,190,000)) \$10,203,000)
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$12,015,000)) \$12,397,000)</b>

The appropriations in this section are subject to the following conditions and limitations: \$8,340,000 of the pollution liability insurance program trust account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

**Sec. 304.** 2023 c 475 s 304 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund—State Appropriation (FY 2024). . . . .	(((\$39,617,000)) \$41,128,000)
General Fund—State Appropriation (FY 2025). . . . .	(((\$39,564,000)) \$42,845,000)
General Fund—Federal Appropriation. . . . .	(((\$7,231,000)) \$7,232,000)
Climate Commitment Account—State Appropriation. . . . .	(((\$1,083,000)) \$2,883,000)
Natural Climate Solutions Account—State Appropriation. . . . .	(((\$350,000)) \$650,000)
Winter Recreation Program Account—State Appropriation. . . . .	(((\$4,928,000)) \$5,009,000)
ORV and Nonhighway Vehicle Account—State Appropriation. . . . .	\$396,000
Snowmobile Account—State Appropriation. . . . .	(((\$5,715,000)) \$5,796,000)
Aquatic Lands Enhancement Account—State	

Appropriation. . . . .	\$367,000
Parks Renewal and Stewardship Account—State	
Appropriation. . . . .	(((\$148,388,000))
	<u>\$154,722,000</u>
Parks Renewal and Stewardship Account—Private/Local	
Appropriation. . . . .	(((\$420,000))
	<u>\$720,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$248,059,000))</b>
	<b><u>\$261,748,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000 of the general fund—state appropriation for fiscal year 2024, \$5,000 of the general fund—state appropriation for fiscal year 2025, and \$142,000 of the parks renewal and stewardship account—state appropriation are provided solely for operating budget impacts from capital budget projects completed in the 2021-2023 fiscal biennium.

(2) \$127,000 of the general fund—state appropriation for fiscal year 2024, \$128,000 of the general fund—state appropriation for fiscal year 2025, and \$750,000 of the parks renewal and stewardship account—state appropriation are provided solely to monitor known cultural resource sites, perform needed evaluations for historic properties, manage historic preservation capital projects, and support native American grave protection and repatriation act compliance.

(3) \$299,000 of the general fund—state appropriation for fiscal year 2024, \$299,000 of the general fund—state appropriation for fiscal year 2025, and \$1,797,000 of the parks renewal and stewardship account—state appropriation are provided solely for additional staff and technical support for scoping and scheduling to proactively address tribal and community concerns and increase the quality of capital project requests.

(4) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to complete a park master plan and an environmental impact statement for Miller peninsula park.

(5) \$3,750,000 of the general fund—state appropriation for fiscal year 2024 and \$3,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the maintenance of state parks, including maintaining grounds and facilities, trails, restrooms, water access areas, and similar activities.

(6) ~~(((\$1,083,000))~~\$2,883,000 of the climate commitment account—state appropriation and ~~(((\$350,000))~~\$650,000 of the natural climate solutions account—state appropriation, of which \$1,800,000 of the climate commitment account—state appropriation and \$300,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, are provided solely to identify and reduce the state park system's carbon emissions and assess areas of vulnerability for climate change.

(7) \$336,000 of the general fund—state appropriation for fiscal year 2024 and \$336,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to create a statewide data management system with the department of natural resources and the department of fish and wildlife to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(8) \$129,000 of the general fund—state appropriation for fiscal year 2024 and \$129,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(9) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(10)(a) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a statewide trail maintenance and hiking nonprofit organization to provide the emerging leaders program: expanding equity in the outdoors. The goal of the program is expanding both the number and diversity of trained, qualified individuals available for employment in the outdoor recreation and natural resource management sectors.

(b) The program must demonstrate a commitment to diversity, equity, and inclusion by providing a safe and supportive environment for individuals of diverse backgrounds, including those who have been historically underrepresented in the outdoor recreation and natural resource sectors, such as indigenous people and people of color.

(c) The program must provide both technical outdoor skills training and professional development opportunities that include, but are not limited to, outdoor leadership, representation in the outdoors, and team building.

(11) \$21,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$450,000 of the parks renewal and stewardship account—state appropriation is provided solely for grounds and facilities maintenance costs at the Fort Worden state park campus. The state parks and recreation commission shall work with the Fort Worden lifelong learning center public development authority to develop a report that reviews the historic public development authority financial records, identifies a cost-recovery model to pay for

campus maintenance, and proposes any changes to the current lease structure necessary to maintain the public development authority. The commission must submit the report to the office of financial management and the fiscal committees of the legislature no later than June 1, 2024.

**Sec. 305.** 2023 c 475 s 305 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$10,190,000</del> ))
	<u>\$10,323,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,501,000</del> ))
	<u>\$6,782,000</u>
General Fund—Federal Appropriation . . . . .	\$6,196,000
General Fund—Private/Local Appropriation . . . . .	\$24,000
Aquatic Lands Enhancement Account—State Appropriation . . . . .	\$464,000
Climate Investment Account—State Appropriation . . . . .	\$200,000
Firearms Range Account—State Appropriation . . . . .	\$37,000
Natural Climate Solutions Account—State Appropriation . . . . .	\$398,000
Recreation Resources Account—State Appropriation . . . . .	(( <del>\$5,040,000</del> ))
	<u>\$5,058,000</u>
NOVA Program Account—State Appropriation . . . . .	\$1,564,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$30,614,000</del>))</b>
	<b><u>\$31,046,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$37,000 of the firearms range account—state appropriation is provided solely to the recreation and conservation funding board for administration of the firearms range grant program as described in RCW 79A.25.210.

(2) \$5,040,000 of the recreation resources account—state appropriation is provided solely to the recreation and conservation funding board for administrative and coordinating costs of the recreation and conservation office and the board as described in RCW 79A.25.080(1).

(3) \$1,564,000 of the NOVA program account—state appropriation is provided solely to the recreation and conservation funding board for administration of the nonhighway and off-road vehicle activities program as described in chapter 46.09 RCW.

(4) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the governor's salmon recovery office to implement the governor's salmon recovery strategy update by convening the natural resources subcabinet on a regular basis and developing biennial statewide work priorities with a recommended budget for salmon recovery pursuant to RCW 77.85.030(4)(e) that align with tribal priorities and regional salmon recovery plans. The office shall submit the biennial implementation plan to the governor's office and the office of financial management no later than October 31, 2024.

(5) \$1,714,000 of the general fund—state appropriation for fiscal year 2024 and \$1,714,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational and administrative support of lead entities and salmon recovery regions.

(6) \$200,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.

(7) \$1,464,000 of the general fund—federal appropriation and \$50,000 of the aquatic lands enhancement account—state appropriation are provided solely to support removal efforts for flowering rush in the Columbia river basin and Whatcom county.

(8) \$398,000 of the natural climate solutions account—state appropriation is provided solely to establish a riparian coordinator position within the governor's salmon recovery office to work with state agencies to improve project coordination, develop common metrics across programs, and consolidate data platforms.

(9) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization with a mission for salmon and steelhead restoration to install near-term solutions to prevent steelhead mortality at the Hood canal bridge.

(10) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the connections and snow to sea programs, which provide youth outdoor learning experiences in the Blaine, Mount Baker, and Nooksack Valley school districts.

(12) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to local parks to address any maintenance backlog of existing facilities, trails, and capital improvements. The funds should be dispersed on a needs-based set of criteria and on a one-time basis. Grants are limited to \$100,000 per organization. Allowable uses of grant funding include, but are not limited to, maintenance, repair, or replacement of trails,

restroom facilities, picnic sites, playgrounds, signage, and kiosks, as well as necessary Americans with disabilities act upgrades delayed due to the pandemic. Local parks agencies may partner with nonprofit organizations in deploying this maintenance and Americans with disabilities act funding.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for updating the economic analysis of outdoor recreation in Washington state and adding an analysis of the impacts of the outdoor recreation economy in underserved communities.

(14) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for motorized and nonmotorized boater education and outreach on Lake Union, with a specific goal of preventing boat and airplane conflicts on the lake during peak recreation season, given the provisions of the United States coast guard navigation rules that seaplanes must in general keep well clear of other vessels. The office may grant funding to local or federal government agencies or nonprofit organizations. The office must publish a publicly available summary report by June 30, 2025, on funding recipients, uses of the funding, and the successes and failures of programs funded. Funding provided in this subsection may not be used to preclude or restrict public use of Lake Union, including recreational, commercial, or tribal use of waters of the state.

**Sec. 306.** 2023 c 475 s 306 (uncodified) is amended to read as follows:

**FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE**

General Fund—State Appropriation (FY 2024) . . . . .	\$3,484,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>((3,792,000))</del>
	<u>\$4,180,000</u>
Climate Investment Account—State Appropriation . . . . .	\$898,000
<b>TOTAL APPROPRIATION</b> . . . . .	<del><b>((8,174,000))</b></del>
	<u><b>\$8,562,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$164,000 of the general fund—state appropriation for fiscal year 2024, \$379,000 of the general fund—state appropriation for fiscal year 2025, and \$898,000 of the climate investment account—state appropriation are provided solely for the agency to hire staff to respond to increased caseloads, including appeals as a result of the climate commitment act, chapter 316, Laws of 2021.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 307.** 2023 c 475 s 307 (uncodified) is amended to read as follows:

**FOR THE CONSERVATION COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	<del>((16,461,000))</del>
	<u>\$16,493,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	<del>((16,453,000))</del>
	<u>\$17,197,000</u>
General Fund—Federal Appropriation . . . . .	\$2,482,000
Climate Commitment Account—State Appropriation . . . . .	\$30,200,000
Climate Investment Account—State Appropriation . . . . .	\$250,000
Natural Climate Solutions Account—State Appropriation . . . . .	\$20,023,000
Public Works Assistance Account—State Appropriation . . . . .	\$10,332,000
Model Toxics Control Operating Account—State Appropriation . . . . .	\$1,110,000
<b>TOTAL APPROPRIATION</b> . . . . .	<del><b>((97,311,000))</b></del>
	<u><b>\$98,087,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$250,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.

(2) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase technical assistance and operational capacity of conservation districts.

(3) \$3,000,000 of the natural climate solutions account—state appropriation is provided solely to support the outreach, identification, and implementation of salmon riparian habitat restoration projects.

(4) \$5,000,000 of the natural climate solutions account—state appropriation is provided solely to the commission to work with conservation districts to address unhealthy forests and build greater community resiliency to wildfire.

(5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to connect scientists, practitioners, and researchers and coordinate efforts to monitor and quantify benefits of best management practices on agricultural lands, and better understand values and motivations of landowners to implement voluntary incentive programs.

(6) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the continued development of the disaster assistance program established in RCW 89.08.645, to provide short-term financial support for farmers and ranchers during disasters. Funding must be prioritized for farmers and ranchers who are the most economically vulnerable.

(7) \$1,420,000 of the public works assistance account—state appropriation is provided solely to support monitoring and reporting efforts necessary to evaluate the implementation and effectiveness of voluntary stewardship program work plans.

(8) \$8,533,000 of the public works assistance account—state appropriation is provided solely for implementation of the voluntary stewardship program. This amount may not be used to fund agency indirect and administrative expenses.

(9) \$30,000,000 of the climate commitment account—state appropriation is provided solely for grants through the sustainable farms and fields program for organic agricultural waste and greenhouse gas emissions reduction through climate-smart livestock management. Of the amounts provided in this subsection:

(a)(i) The commission may grant up to \$22,000,000 toward cost share agreements for anaerobic digester development to dairy farm owners. Grants awarded for anaerobic digester development must have at least a 50 percent nonstate match and be awarded through a competitive process that considers:

(A) The amount of greenhouse gas reduction that will be achieved by the proposal; and

(B) The amount of untreated effluent that will be decreased.

(ii) Recipients of grants under (a)(i) of this subsection must provide a report to the commission within one year of receipt of the grant, detailing the success of the project in meeting the stated criteria for the competitive process.

(b) The commission may grant up to \$6,000,000 for technical and financial assistance to increase implementation of climate-smart livestock management, alternative manure management, and other best management practices to reduce greenhouse gas emissions and increase carbon sequestration.

(c) The commission may grant up to \$2,000,000 for research on, or demonstration of, projects with greenhouse gas reduction benefits.

(d) When funding for specific technologies, including anaerobic digesters, the commission must enter into appropriate agreements to support the state's interest in advancing innovation solution to decarbonize while ensuring compliance with Article VIII, section 5 and Article XII, section 9 of the state Constitution.

(e) The commission must submit a report summarizing the grants awarded and the likely annual greenhouse gas emission reductions achieved as a result to the appropriate committees of the legislature by December 1, 2024.

(10) \$23,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$379,000 of the public works assistance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5353 (voluntary stewardship program). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the King county conservation district to reduce the impacts of artificial lighting on or near the water on the behavior of salmon and other aquatic life in Lake Sammamish and Lake Washington. The grant funding may be used for:

(a) Research, including quantifying light intensities and conducting field studies of fish behavior;

(b) Community education, engagement, and technical assistance; and

(c) Development of model lighting ordinances.

(14) \$2,000,000 of the natural climate solutions account—state appropriation is provided solely to develop and implement an educational communication plan to the general public and landowners in urban, suburban, rural, agricultural, and forested areas regarding the importance of riparian buffers and the actions they can take to protect and enhance these critical areas.



(15) \$200,000 of the climate commitment account—state appropriation is provided solely for the commission to conduct an evaluation of the current contribution that organic and climate smart agriculture makes toward Washington's climate response goals, what potential there is for increasing this contribution, and how additional investments will help realize this potential, while supporting resiliency. The commission must include the departments of agriculture and ecology and other relevant state agencies, Washington state university, conservation districts, tribal governments, nongovernmental organizations, and other relevant stakeholders who will participate in the evaluation. The commission must submit a report of its findings and recommendation to the appropriate committees of the legislature by May 1, ~~(2024)~~2025.

(16) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the commission to provide grants to local government and private landowners for fire wise projects to reduce forest fuel loading in areas deemed a high hazard for potential wildfire.

(17) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for staffing to support administrative operations of the commission. The commission will adopt an administrative rate policy for funding indirect support costs for future programmatic operating budget requests.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for post wildfire recovery actions in central Klickitat conservation district and eastern Klickitat conservation district to provide technical assistance and conduct fire recovery activities such as seeding, weed control, dozer line repair, forest health, and shrub steppe restoration, on areas that are necessary for public resource protection.

(19) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$41,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 6278 (organic agriculture). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 308.** 2023 c 475 s 308 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$159,066,000)) \$161,725,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$163,912,000)) \$177,338,000
General Fund—Federal Appropriation. . . . .	(((\$144,941,000)) \$158,203,000
General Fund—Private/Local Appropriation. . . . .	(((\$69,907,000)) \$70,022,000
Climate Commitment Account—State Appropriation. . . . .	\$3,398,000
Natural Climate Solutions Account—State Appropriation. . . . .	(((\$3,748,000)) \$5,748,000
ORV and Nonhighway Vehicle Account—State Appropriation. . . . .	\$696,000
Aquatic Lands Enhancement Account—State Appropriation. . . . .	(((\$14,104,000)) \$14,125,000
Recreational Fisheries Enhancement Account—State Appropriation. . . . .	(((\$3,721,000)) \$3,757,000
Salmon Recovery Account—State Appropriation. . . . .	\$3,000,000
Warm Water Game Fish Account—State Appropriation. . . . .	(((\$3,088,000)) \$3,089,000
Eastern Washington Pheasant Enhancement Account— State Appropriation. . . . .	(((\$673,000)) \$675,000
Limited Fish and Wildlife Account—State Appropriation. . . . .	(((\$36,826,000)) \$36,947,000
Special Wildlife Account—State Appropriation. . . . .	(((\$2,924,000)) \$2,926,000
Special Wildlife Account—Federal Appropriation. . . . .	\$531,000
Special Wildlife Account—Private/Local Appropriation. . . . .	(((\$3,819,000)) \$3,843,000
Wildlife Rehabilitation Account—State Appropriation. . . . .	\$661,000
Ballast Water and Biofouling Management Account— State Appropriation. . . . .	\$10,000
Regional Fisheries Enhancement Salmonid Recovery Account—Federal Appropriation. . . . .	\$5,001,000
Oil Spill Prevention Account—State Appropriation. . . . .	\$1,284,000
Aquatic Invasive Species Management Account—State Appropriation. . . . .	(((\$1,154,000)) \$1,158,000

Model Toxics Control Operating Account—State	
Appropriation. . . . .	\$7,724,000
Fish, Wildlife, and Conservation Account—State	
Appropriation. . . . .	((83,640,000))
	<u>\$83,995,000</u>
Forest Resiliency Account—State Appropriation. . . . .	\$4,000,000
Oyster Reserve Land Account—State Appropriation. . . . .	\$524,000
TOTAL APPROPRIATION. . . . .	((718,352,000))
	<u>\$750,380,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,777,000 of the general fund—state appropriation for fiscal year 2024 and \$1,777,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to the northwest Indian fisheries commission for hatchery operations that are prioritized to increase prey abundance for southern resident orcas, including \$200,000 per fiscal year for tagging and marking costs, and the remainder to grant to tribes in the following amounts per fiscal year: \$150,000 for the Quinault Indian Nation, \$199,000 for the Tulalip Tribes, \$268,000 for the Quileute Tribe, \$186,000 for the Puyallup Tribe, \$122,000 for the Port Gamble S'Klallam Tribe, \$25,000 for the Muckleshoot Indian Tribe, \$207,000 for the Squaxin Island Tribe, \$142,000 for the Skokomish Indian Tribe, and \$278,000 for the Lummi Nation.

(2) \$330,000 of the general fund—state appropriation for fiscal year 2024 and \$330,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide to the Yakama Nation for hatchery operations that are prioritized to increase prey abundance for southern resident orcas.

(3) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to public utility districts for additional hatchery production that is prioritized to increase prey abundance for southern resident orcas.

(4) ((467,000)) \$217,000 of the general fund—state appropriation for fiscal year 2024 and \$467,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to pay for emergency fire suppression costs. These amounts may not be used to fund agency indirect and administrative expenses.

(5) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the United States army corps of engineers.

(6) (a) \$6,082,000 of the general fund—state appropriation for fiscal year 2024 and \$6,082,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement eradication and control measures on European green crabs through coordination and grants with partner organizations. The department must provide quarterly progress reports on the success and challenges of the measures to the appropriate committees of the legislature.

(b) The department must develop a comprehensive long-term plan for Washington's response to European green crab. The plan must identify where permanent trapping efforts should occur, where efficiencies over current operations may be achieved, which agencies, tribes, or organizations require ongoing funding to support the state's eradication and control measures, and the potential for federal funding for control efforts, and include a recommended funding level to implement the plan in the 2025-2027 fiscal biennium. The plan shall be submitted to the governor and legislature by October 1, 2024.

(7) \$403,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop conflict mitigation strategies for wolf recovery and staff resources in northeast Washington for response to wolf-livestock conflicts. The department shall not hire contract range riders in northeast Washington unless there is a gap in coverage from entities funded through the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020. No contract riders shall be deployed in areas already sufficiently covered by other riders. The department must focus on facilitating coordination with other entities providing conflict deterrence, including range riding, and technical assistance to livestock producers in order to minimize wolf-livestock issues in the Kettle Range and other areas of northeast Washington with existing or emerging chronic conflict. The department is discouraged from the use of firearms from helicopters for removing wolves.

(8) \$852,000 of the general fund—state appropriation for fiscal year 2024 and \$852,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide additional capacity to the attorney general's office to prosecute environmental crimes. The department must provide an annual report by December 1st of each year, to the appropriate committees of the legislature, on the progress made in prosecuting environmental crimes.

(9) \$753,000 of the general fund—state appropriation for fiscal year 2024 and \$753,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded management of pinniped populations on the lower Columbia river and its tributaries with the goal of increasing chinook salmon abundance and prey availability for southern resident orcas.

(10) \$470,000 of the general fund—state appropriation for fiscal year 2024 and \$470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand efforts to survey the diets of seals and sea lions in the Salish sea and identify nonlethal management actions to deter them from preying on salmon and steelhead.

(11) \$518,000 of the general fund—state appropriation for fiscal year 2024 and \$519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to provide policy and scientific support to the department of ecology regarding surface and groundwater management issues as part of implementing chapter 90.94 RCW streamflow restoration.

(12) \$4,096,000 of the model toxics control operating account—state appropriation is provided solely to analyze salmon contaminants of emerging concern (CEC), including substances such as 6PPD-quinone and polychlorinated biphenyls (PCB) in already collected tissue samples. This research will accelerate recovery and protection by identifying the location and sources of CEC exposure.

(13) \$130,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an external facilitator to seek solutions through a collaborative process using the department's wolf advisory group.

(14) \$194,000 of the general fund—state appropriation for fiscal year 2024 and \$194,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to update and maintain rule making related to chapter 77.57 RCW, fishways, flow, and screening.

(15) \$822,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational steelhead spawning and harvest in freshwater streams and rivers in Puget Sound.

(16) \$2,714,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for additional law enforcement officers for marine and freshwater fisheries compliance and a patrol vessel dedicated to coastal operations.

(17) \$509,000 of the general fund—state appropriation for fiscal year 2024 and \$305,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational shellfish harvests, monitor intertidal and crustacean fisheries, address emerging environmental issues, maintain a new data management infrastructure, and develop a disease and pest management program to protect shellfish fisheries in the Puget Sound.

(18) \$360,000 of the general fund—state appropriation for fiscal year 2024 and \$224,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete and maintain a statewide prioritization of fish passage barriers in collaboration with regional salmon recovery organizations.

(19) \$997,000 of the general fund—state appropriation for fiscal year 2024 and \$997,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the assessment of riparian ecosystems. The assessment must include identifying common statewide definitions of terms for riparian usage, recommendations to improve data sharing, and identifying any gaps in vegetated cover relative to a science-based standard for a fully functioning riparian ecosystem and comparing the status and gaps to water temperature impairments, known fish passage barriers, and status of salmonid stocks.

(20) (~~(\$900,000)~~)\$419,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Lummi Nation to make infrastructure updates at the Skookum hatchery.

(21) \$285,000 of the general fund—state appropriation for fiscal year 2024 and \$285,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to manage electronic tracked crab fishery gear to avoid whale entanglements during their migration as the agency develops a conservation plan to submit for an endangered species act incidental take permit.

(22) \$480,000 of the general fund—state appropriation for fiscal year 2024 and \$435,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to equip officers with body worn cameras to advance public safety.

(23) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$163,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(24) \$3,000,000 of the salmon recovery account—state appropriation is provided solely for pass-through to tribes of the upper Columbia river to support reintroduction of Chinook salmon above Grand Coulee and Chief Joseph dams.

(25) \$741,000 of the general fund—state appropriation for fiscal year 2024 and \$741,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation and maintenance capacity and technical assistance for state fish passage facilities.

(26) \$948,000 of the general fund—state appropriation for fiscal year 2024 and \$948,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue operations of the Toutle and Skamania hatcheries.

(27) \$283,000 of the general fund—state appropriation for fiscal year 2024 and \$283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to create a statewide data management system with the department of natural resources and the state parks and recreation commission to make informed management decisions that meet conservation goals

for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(28) \$385,000 of the general fund—state appropriation for fiscal year 2024 and \$385,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase wildlife conflict specialists to address crop damage, dangerous wildlife interactions, and conflict preventative education and outreach.

(29) \$430,000 of the general fund—state appropriation for fiscal year 2024, \$430,000 of the general fund—state appropriation for fiscal year 2025, and \$3,564,000 of the natural climate solutions account—state appropriation are provided solely to increase capacity in three aspects of the department's mission most vulnerable to climate change including species recovery planning, providing technical assistance, permitting, and planning support, and managing agency lands and infrastructure.

(30) \$1,752,000 of the climate commitment account—state appropriation is provided solely for the first phase of the department's sustainability plan, including advancing energy efficiency and renewable energy projects, creating a commute trip reduction program, and supporting foundational research and capacity-building.

(31) \$4,000,000 of the forest resiliency account—state appropriation (~~(is)~~) and, effective January 1, 2025, \$2,000,000 of the natural climate solutions account—state appropriation are provided solely to reduce severe wildfire risk and increase forest resiliency through fuels reduction, thinning, fuel break creation, and prescribed burning on agency lands. The amounts provided in this subsection may not be used to fund agency indirect and administrative expenses.

(32) (a) (~~(\$8,000,000)~~) \$7,280,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$15,000,000)~~) \$15,095,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the protection, recovery, and restoration of biodiversity, the recovery of threatened and endangered species, and a review of the department of fish and wildlife. Examples include habitat protection and restoration, technical assistance for growth management act planning, fish passage improvements, conservation education, scientific research for species and ecosystem protection, and similar activities. Funding in this subsection may include pass-throughs to public, nonprofit, academic, or tribal entities for the purposes of this subsection.

(b) Of the amounts provided in this subsection, (~~(\$300,000)~~) \$205,000 of the general fund—state appropriation for fiscal year 2024 (~~(is)~~) and \$95,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Ruckelshaus center for a review of the department of fish and wildlife, as referenced in (a) of this subsection. The review must focus on the department's efforts to fulfill its obligations as the trustee of state fish and wildlife on behalf of all current and future Washingtonians, to meet the mixed goals of the mandate set forth in RCW 77.04.012, and to respond to the equity principles articulated in RCW 43.06D.020. The review must explore the following areas and recommend changes as appropriate:

(i) The department's ability to meet threats created by climate change and biodiversity loss;

(ii) An alignment of mandate with the department's responsibility as a public trustee;

(iii) The department's governance structure;

(iv) The department's funding model; and

(v) Accountability and transparency in department decision making at both the commission and management levels.

(c) Within this scope, the Ruckelshaus center must also examine the following areas and provide recommendations as appropriate:

(i) Fish and wildlife commission structure, composition, duties, and compensation;

(ii) Influence on the department by special interest groups;

(iii) The process by which the department uses science and social values in its decision making;

(iv) Outreach and involvement of Washington citizens who have historically been excluded from fish and wildlife decisions, including nonconsumptive users and marginalized communities;

(v) The department's adherence to state laws, including the state environmental policy act and the public records act; and

(vi) Any other related issues that arise during the review.

(d) Based on the results of the review, the Ruckelshaus center must provide options for making changes to the department's mandate and governance structure as deemed necessary to improve the department's ability to function as a trustee for state fish and wildlife.

(e) The Ruckelshaus center must submit a report to the appropriate committees of the legislature by (~~(June 30, 2024)~~) December 1, 2024.

(33) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with a nonprofit organization that operates a zoological garden in King county and that has developed an educators' toolkit for nature play programming for youth in communities historically excluded from nature experiences to provide inclusive nature-based programming statewide to children from racially, ethnically, and culturally diverse backgrounds.

(34) \$310,000 of the general fund—state appropriation for fiscal year 2024 and \$160,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to perform the following tasks related to net ecological gain:

(a) Of the amount provided in this subsection, \$160,000 in fiscal year 2024 and \$160,000 in fiscal year 2025 are provided solely for the department to facilitate a work group focused on developing a net ecological gain implementation framework.

(i) Participation in the work group is as follows:

(A) The work group must include representatives from the department, the department of commerce, the department of ecology, and the department of transportation; and

(B) The work group may include representatives from, and consultation with, as appropriate, other state agencies, federally recognized Indian tribes, local governments, and other relevant stakeholders.

(ii) The work group is responsible for accomplishing the following tasks:

(A) Define net ecological gain criteria;

(B) Create monitoring and assessment criteria related to net ecological gain;

(C) Develop an assessment model to evaluate and quantify contributions to overall net ecological gain;

(D) Consider the geographic scale at which net ecological gain criteria may be effectively applied;

(E) Provide budget and policy recommendations for net ecological gain to the legislature and to the office of financial management;

(F) Identify existing state-administered or state-funded programs and projects that:

(I) Already contribute to net ecological gain;

(II) Can or should give funding priority to funding applicants that commit to incorporating net ecological gain principles; and

(III) Programs and projects that can or should have a net ecological gain requirement in the future; and

(G) Generate interim recommendations for a project to serve as a net ecological gain proof of concept within a county that chooses to adopt a net ecological gain standard.

(iii) The department may contract with an independent entity to facilitate the work group, including the tasks identified in (b) of this subsection.

(iv) The work group must submit an interim and final report of its work, including any budget and policy recommendations, to the office of financial management and the appropriate committees of the legislature no later than June 30, 2024, and June 30, 2025.

(b) Of the amount provided in this subsection, \$150,000 in fiscal year 2024 is provided solely for the department to contract with an independent entity to perform the following tasks:

(i) Review existing grant programs; and

(ii) Make recommendations on the potential addition of net ecological gain into grant prioritization criteria.

(35) (a) ~~(\$400,000)~~ \$700,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$300,000)~~ \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to initiate a demonstration project to contribute to rebuilding of salmon runs in the Lake Washington basin through suppression of predatory fish species. The project shall include:

(i) Removal of nonnative species and northern pike minnow using trap, nets, or other means;

(ii) Assessment of the benefits of reduced predator abundance on juvenile salmon survival; and

(iii) Assessment of the recreational fishing rules that were implemented in 2020 in the Lake Washington basin.

(b) An interim report on the demonstration project must be provided to the appropriate committees of the legislature by December 1, 2024.

~~((37))~~ (36) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(38))~~ (37) \$184,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(39))~~ (38) \$1,026,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(40))~~ (39) \$620,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(41))~~ (40) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((42))~~ (41) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to enter into individual damage prevention contract agreements for the use of hiring range riders for proactive wolf-livestock conflict deterrence outside of the service area of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020.

~~((43))~~ (42) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a conflict resolution process mediated by the federal mediation and conciliation service. This funding must be used by the department to facilitate meetings between Skagit tribes, drainage and irrigation districts, and state and federal resource agencies and support the technical work necessary to resolve conflict. Invited parties must include the national marine fisheries service, Washington state department of agriculture, Washington state department of fish and wildlife, Swinomish Indian tribal community, Upper Skagit Indian Tribe, Sauk-Suiattle Indian Tribe, and Skagit drainage and irrigation districts consortium LLC. A report documenting meeting notes, points of resolution, and recommendations must be provided to the legislature no later than June 30, 2025.

~~((44))~~ (43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to evaluate the abundance and distribution of white and green sturgeon on the Washington coast and Puget Sound tributaries and to evaluate genetic relatedness with Columbia and Fraser river sturgeon populations. The funding is also provided to increase monitoring of the abundance and distribution of eulachon to use the information as a baseline for sturgeon and eulachon management plans.

~~((45))~~ (44) \$235,000 of the general fund—state appropriation for fiscal year 2024 and \$409,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the department of fish and wildlife to proactively survey for wildlife disease risks and provide action plans and management for healthy wildlife in Washington.

~~((46))~~ (45) \$325,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with a nonprofit organization that operates a zoological garden in King county for the purpose of an outreach campaign on pollinator health issues. The pollinator outreach campaign is intended to further the mission of the department's pollinator conservation efforts and the department of agriculture's pollinator health task force goals.

~~((47))~~ (46) Within amounts provided in this section, but not to exceed \$20,000, the department must prioritize derelict and abandoned crab pot removal in north Hood Canal.

~~((48))~~ (47) \$1,175,000 of the general fund—state appropriation for fiscal year 2024 and \$1,175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to restore shrubsteppe habitat and associated wildlife on public lands as well as private lands by landowners who are willing to participate. The restoration effort must be coordinated with other natural resource agencies and interested stakeholders.

~~((49))~~ (48) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((50))~~ (49) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase the work of regional fisheries enhancement groups.

~~((51))~~ (50) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to commercial fishers to modify fishing gear in order to facilitate participation in the emerging commercial fishery in the lower Columbia river, and to fund staffing and supplies needed to monitor the emerging commercial fishery on the lower Columbia river. The purpose of the grants to modify fishing gear is to support the state's efforts to develop fishing tools that allow for increased harvest of hatchery fish while minimizing impacts to salmonid species listed as threatened or endangered under the federal endangered species act. The department must provide a report of goods and services purchased with grant funds to the appropriate committees of the legislature by June 30, 2025.

(51) \$1,657,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for habitat recovery and restoration work on agency owned and managed lands damaged from wildfires.

(52) \$443,000 of the general fund—state appropriation for fiscal year 2024, \$6,313,000 of the general fund—state appropriation for fiscal year 2025, \$86,000 of the limited fish and wildlife account—state appropriation, and \$196,000 of the fish, wildlife, and conservation account—state appropriation are provided solely for additional safety capacity in each region, development of a technology solution for training requirements, increased support to remote employees, and a third-party review of the agency safety program.

(53) \$403,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for two new positions to support statewide fish health through veterinary services and maintenance support for the fish marking trailer fleet.

(54) \$17,000 of the fish, wildlife, and conservation account—state appropriation is provided solely for implementation of Senate Bill No. 5862 (hunting license/students). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(55) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6164 (county emergency management).

If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(56) \$184,000 of the general fund—state appropriation for fiscal year 2024 and \$521,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5784 (deer & elk crop damage). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(57) \$81,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementing Substitute Senate Bill No. 6020 (nonspot shrimp pot license). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(58) \$801,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to rebuild an Autofish marking system.

**Sec. 309.** 2023 c 475 s 309 (uncodified) is amended to read as follows:

**FOR THE PUGET SOUND PARTNERSHIP**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$9,218,000</del> ))
	\$9,222,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$9,213,000</del> ))
	\$9,221,000
General Fund—Federal Appropriation. . . . .	(( <del>\$32,036,000</del> ))
	\$32,040,000
Aquatic Lands Enhancement Account—State Appropriation. . . . .	\$1,503,000
Model Toxics Control Operating Account—State Appropriation. . . . .	\$1,350,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$53,320,000</del>))</b>
	<b>\$53,336,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) By October 15, 2024, the Puget Sound partnership shall provide the governor and appropriate legislative fiscal committees a single, prioritized list of state agency 2025-2027 capital and operating budget requests related to Puget Sound recovery and restoration.

(2) \$14,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership to implement shipping noise reduction initiatives and monitoring programs in the Puget Sound, in coordination with Canadian and United States authorities. The partnership must contract with Washington maritime blue in order to establish and administer the quiet sound program to better understand and reduce the cumulative effects of acoustic and physical disturbance from large commercial vessels on southern resident orcas throughout their range in Washington state. Washington maritime blue will support a quiet sound leadership committee and work groups that include relevant federal and state agencies, ports, industry, research institutions, and nongovernmental organizations and consult early and often with relevant federally recognized tribes.

**Sec. 310.** 2023 c 475 s 310 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$152,490,000</del> ))
	\$180,640,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$154,017,000</del> ))
	\$157,997,000
General Fund—Federal Appropriation. . . . .	(( <del>\$49,985,000</del> ))
	\$98,106,000
General Fund—Private/Local Appropriation. . . . .	(( <del>\$3,500,000</del> ))
	\$6,055,000
Access Road Revolving Nonappropriated Account—State Appropriation. . . . .	\$108,000
Climate Commitment Account—State Appropriation. . . . .	(( <del>\$11,820,000</del> ))
	\$12,682,000
<u>Derelict Structure Removal Account—State</u> <u>Appropriation. . . . .</u>	<u>\$325,000</u>
<del>((Contract Harvesting Revolving Nonappropriated Account—State Appropriation. . . . .</del>	<del>—\$78,000))</del>
Forest Development Account—State Appropriation. . . . .	(( <del>\$58,594,000</del> ))
	\$58,341,000
Forest Fire Protection Assessment Nonappropriated Account—State Appropriation. . . . .	\$88,000
Forest Health Revolving Nonappropriated Account—	

State Appropriation. . . . .	\$106,000
Natural Climate Solutions Account—State Appropriation. . . . .	(( \$29,571,000 ))
	<u>\$30,164,000</u>
Natural Resources Federal Lands Revolving Nonappropriated Account—State Appropriation. . . . .	\$6,000
ORV and Nonhighway Vehicle Account—State Appropriation. . . . .	(( \$7,928,000 ))
	<u>\$7,958,000</u>
State Forest Nursery Revolving Nonappropriated Account—State Appropriation. . . . .	\$34,000
Surveys and Maps Account—State Appropriation. . . . .	(( \$2,376,000 ))
	<u>\$2,377,000</u>
Aquatic Lands Enhancement Account—State Appropriation. . . . .	(( \$20,003,000 ))
	<u>\$21,852,000</u>
Resource Management Cost Account—State Appropriation. . . . .	(( \$121,583,000 ))
	<u>\$122,543,000</u>
Surface Mining Reclamation Account—State Appropriation. . . . .	(( \$4,628,000 ))
	<u>\$4,632,000</u>
Disaster Response Account—State Appropriation. . . . .	(( \$23,594,000 ))
	<u>\$23,624,000</u>
Forest and Fish Support Account—State Appropriation. . . . .	(( \$12,667,000 ))
	<u>\$12,670,000</u>
Aquatic Land Dredged Material Disposal Site Account— State Appropriation. . . . .	\$405,000
Natural Resources Conservation Areas Stewardship Account—State Appropriation. . . . .	\$211,000
Forest Practices Application Account—State Appropriation. . . . .	(( \$2,181,000 ))
	<u>\$2,184,000</u>
Air Pollution Control Account—State Appropriation. . . . .	\$920,000
Model Toxics Control Operating Account—State Appropriation. . . . .	(( \$2,000,000 ))
	<u>\$2,474,000</u>
Wildfire Response, Forest Restoration, and Community Resilience Account—State Appropriation. . . . .	(( \$118,115,000 ))
	<u>\$120,033,000</u>
Derelict Vessel Removal Account—State Appropriation. . . . .	\$10,643,000
Community Forest Trust Account—State Appropriation. . . . .	\$52,000
Agricultural College Trust Management Account—State Appropriation. . . . .	(( \$4,414,000 ))
	<u>\$4,419,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(( \$792,117,000 ))</b>
	<b><u>\$881,649,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,857,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to carry out the forest practices adaptive management program pursuant to RCW 76.09.370 and the May 24, 2012, settlement agreement entered into by the department and the department of ecology. Scientific research must be carried out according to the master project schedule and work plan of cooperative monitoring, evaluation, and research priorities adopted by the forest practices board.

(2) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small forest landowner office, in order to restore staffing capacity reduced during the great recession and to support small forest landowners, including assistance related to forest and fish act regulations.

(3) \$1,583,000 of the general fund—state appropriation for fiscal year 2024 and \$1,515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(4) (( \$60,883,000 )) \$88,617,000 of the general fund—state appropriation for fiscal year 2024, \$60,883,000 of the general fund—state appropriation for fiscal year 2025, and \$16,050,000 of the disaster response account—state appropriation are provided solely for emergency response, including fire suppression. The department shall provide a monthly report to the office of financial management and the appropriate fiscal and policy committees of the legislature with an update of fire suppression costs incurred and the number and type of wildfires suppressed.



(5) \$5,647,000 of the general fund—state appropriation for fiscal year 2024, \$8,470,000 of the general fund—state appropriation for fiscal year 2025, and \$330,000 of the disaster response account—state appropriation are provided solely for indirect and administrative expenses related to fire suppression.

(6) \$5,500,000 of the forest and fish support account—state appropriation is provided solely for outcome-based performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. Of the amount provided in this subsection, \$500,000 is contingent upon receipts under RCW 82.04.261 exceeding \$8,000,000 per biennium. If receipts under RCW 82.04.261 are more than \$8,000,000 but less than \$8,500,000 for the biennium, an amount equivalent to the difference between actual receipts and \$8,500,000 shall lapse.

(7) Consistent with the recommendations of the *Wildfire Suppression Funding and Costs (18-02)* report of the joint legislative audit and review committee, the department shall submit a report to the governor and legislature by December 1, 2023, and December 1, 2024, describing the previous fire season. At a minimum, the report shall provide information for each wildfire in the state, including its location, impact by type of land ownership, the extent it involved timber or range lands, cause, size, costs, and cost-share with federal agencies and nonstate partners. The report must also be posted on the agency's website.

(8) \$4,206,000 of the aquatic land enhancement account—state appropriation is provided solely for the removal of creosote pilings and debris from the marine environment and to continue monitoring zooplankton and eelgrass beds on state-owned aquatic lands managed by the department. Actions will address recommendations to recover the southern resident orca population and to monitor ocean acidification as well as help implement the Puget Sound action agenda.

(9) \$279,000 of the general fund—state appropriation for fiscal year 2024 and \$286,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation to the trust beneficiaries and department for lost revenue from leases to amateur radio operators who use space on the department managed radio towers for their equipment. The department is authorized to lease sites at the rate of up to \$100 per year, per site, per lessee. The legislature makes this appropriation to fulfill the remaining costs of the leases at market rate per RCW 79.13.510.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,500,000)~~) \$3,280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to collect and refresh statewide lidar data.

(11) \$1,200,000 of the resource management cost account—state appropriation is provided solely for the agency to pursue opportunities to provide workforce housing on state trust lands.

(12)(a) \$1,500,000 of the natural climate solutions account—state appropriation is provided solely for the department, in close collaboration with the department of ecology, to convene a group composed of a balanced representation of experts and stakeholders to conduct a state ecosystem services inventory and develop a state lands ecosystem services asset plan. The plan must outline how state lands under the department's jurisdiction can be monetized, including ecosystem services credits, and utilized to reduce the overall greenhouse emissions, or increase greenhouse gas sequestration and storage, in the state, including both public and private emissions.

(b) In developing the plan, the department must:

(i) Conduct a resource and asset inventory to identify all state-owned or controlled lands under its jurisdiction that could be eligible or utilized in ecosystem services credits, including carbon offset markets;

(ii) Explore opportunities for the department to utilize its inventoried proprietary assets in offering ecosystem services credits, including carbon offset credits, both under the regulatory offset programs, such as the one established under RCW 70A.65.170, and existing or future voluntary, private ecosystem service markets, including carbon offset programs;

(iii) Develop a marginal cost abatement model to inform highest and best use of state assets in ecosystem services markets, including carbon markets;

(iv) Conduct a needs assessment in relation to marketing state-owned carbon assets on state lands under the department's jurisdiction to third party developers, including a proposed implementation plan and recommendations for plan execution;

(v) Identify any known or suspected policy or regulatory limitations to the formation and full execution of the ecosystem services inventory and asset plan identified above;

(vi) Create an implementation plan for a virtual dashboard where public and private sector participants in regulatory or voluntary carbon markets can locate the inventory created under this subsection, understand the marginal cost abatement model, and locate any requests for proposals from state asset-involved carbon projects on lands under the department's jurisdiction; and

(vii) Make recommendations for the creation of an ecosystems services equity and innovation account that includes:

(A) New modes of ecosystem services; and

(B) Identification of new or different beneficiaries of carbon investments that increase the participation of historically marginalized groups in ecosystem service opportunities.

(c) The department must report its progress and findings under this subsection to the legislature no later than December 31, 2024.

(13) \$3,166,000 of the natural climate solutions account—state appropriation is provided solely for silvicultural treatments on forested trust lands in western Washington to support maintenance of healthy, resilient forests as a critical component of climate adaptation and mitigation efforts.

(14) \$2,185,000 of the general fund—state appropriation for fiscal year 2024 and \$1,705,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased law enforcement capacity on agency managed lands, to develop a statewide recreation plan, and to jointly create a statewide data management system with the Washington department of fish and wildlife and the state parks and recreation commission to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(15) \$2,066,000 of the natural climate solutions account—state appropriation is provided solely for the agency to develop a comprehensive strategy to tackle barriers to reforestation, including through expanding seed collection, increasing the capacity of the state's public nursery, and addressing workforce needs.

(16) \$2,864,000 of the natural climate solutions account—state appropriation is provided solely for the agency to implement aspects of their watershed resilience action plan for the Snohomish watershed, including activities to support kelp and eelgrass stewardship, a large woody debris program, aquatic restoration grants, and culvert removal.

(17) \$5,991,000 of the natural climate solutions account—state appropriation is provided solely for investment in urban forestry to support reduction of negative environmental conditions such as heat, flooding, and pollution and helping communities become greener, cleaner, healthier, and more resilient.

(18) \$7,791,000 of the climate commitment account—state appropriation is provided solely for the agency to analyze current infrastructure and build a plan for the department to achieve its greenhouse gas emission reduction targets.

(19) \$2,365,000 of the climate commitment account—state appropriation is provided solely for the department to make investments in education and training to bolster a statewide natural resources workforce to support the health and resilience of Washington's forests. Of this amount, \$800,000 is provided solely to provide wildland fire management training to tribal communities and members.

(20) \$3,356,000 of the natural climate solutions account—state appropriation is provided solely to increase the agency's capacity to provide active management of department of natural resources natural areas.

(21) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 (~~and~~), \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,817,000 of the aquatic lands enhancement account—state appropriation are provided solely for full-time and seasonal crews from the Washington conservation corps and other corps programs to conduct work benefiting the management of state managed lands, including aquatic reserves management, natural areas restoration and conservation, trail work, and forest resiliency activities as well as other recreation and habitat projects with agency partners.

(22) (a) \$475,000 of the general fund—state appropriation for fiscal year 2024, \$253,000 of the general fund—state appropriation for fiscal year 2025, and \$62,000 of the model toxics control operating account—state appropriation are provided solely for a geoduck task force. Of the amounts provided in this subsection, \$411,000 of the general fund—state appropriation for fiscal year 2024 and \$208,000 of the general fund—state appropriation for fiscal year 2025 are for the department's costs for the task force, and the remaining amounts are for the department to provide to the department of ecology, the department of fish and wildlife, and the Puget Sound partnership for their projected costs for the task force.

(b) The task force must investigate opportunities to reduce negative impacts to tribal treaty and state geoduck harvest and promote long-term opportunities to expand or sustain geoduck harvest. The task force must provide a report to the commissioner of public lands and the legislature, in compliance with RCW 43.01.036, by December 1, 2024, that includes analysis and recommendations related to the following elements:

(i) The feasibility of intervention to enhance the wildstock of geoduck, including reseeding projects;

(ii) Factors that are preventing areas from being classified for commercial harvest of wildstock geoduck or factors that are leading to existing wildstock geoduck commercial tract classification downgrade, and recommendations to sustainably and cost-effectively increase the number and area of harvestable tracts, including:

(A) Consideration of opportunities and recommendations presented in previous studies and reports;

(B) An inventory of wastewater treatment plant and surface water runoff point sources impacting state and tribal geoduck harvesting opportunities within the classified commercial shellfish growing areas in Puget Sound;

(C) A ranking of outfalls and point sources identified in (b)(ii)(B) of this subsection prioritized for future correction to mitigate downgraded classification of areas with commercial geoduck harvest opportunity;

(D) An inventory of wildstock geoduck tracts that are most impacted by poor water quality or other factors impacting classification;

(E) Consideration of the role of sediment load and urban runoff, and pathways to mitigate these impacts; and

(F) Recommendations for future actions to improve the harvest quantity of wildstock geoduck and to prioritize areas that can attain improved classification most readily, while considering the influence of outfalls ranked pursuant to (b)(ii)(C) of this subsection.

(c) The commissioner of public lands must invite the following representatives to participate in the task force:

(i) A representative of the department of natural resources, who shall serve as the chair of the task force;

(ii) Representatives of tribes with treaty or reserved rights to geoduck harvest in Washington state;

(iii) A representative of the department of ecology;

(iv) A representative of the department of health;

(v) A representative of the department of fish and wildlife;

(vi) A representative of the Puget Sound partnership; and

(vii) A representative of the academic community.

(d) The commissioner of public lands must appoint each representative. The commissioner may invite and appoint other individuals to the task force, not to exceed the number of seats of tribal entities.

(e) Members of the task force may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

(23) \$636,000 of the general fund—state appropriation for fiscal year 2024 and \$353,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(24) \$65,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$350,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$250,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(27) \$164,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$591,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5433 (derelict aquatic structures). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$431,000 of the general fund—state appropriation for fiscal year 2024 and \$331,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1498 (aviation assurance funding). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) ~~(\$2,500,000)~~ \$2,822,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,500,000)~~ \$2,822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Of the amounts provided in this subsection, \$322,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to operate the post-fire debris flow program.

(31) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(32) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely for tire removal projects in Puget Sound, with specific priority to remove tire reefs.

(33) \$321,000 of the general fund—state appropriation for fiscal year 2024 and \$427,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5390 (forestlands/safeharbor). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(34) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to advance research and cooperation with governmental agencies of Finland and Finnish organizations to implement sustainable forestry practices. The department must report to the appropriate committees of the legislature by June 30, 2024, on the use of the funds and the research conducted and cooperation accomplished, and make recommendations for further opportunities for collaboration.

(35) \$278,000 of the natural climate solutions account—state appropriation is provided solely for the department to perform coordination and monitoring related to Puget Sound kelp conservation and recovery.

(36) \$312,000 of the general fund—state appropriation for fiscal year 2024 and \$313,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with the Olympic natural resources center to study emerging ecosystem threats such as Swiss needlecast disease, fully implement the T3 watershed experiments on state trust lands, continue field trials for long-term ecosystem productivity, and engage stakeholders through learning-based collaboration. The department may expend up to \$30,000 in one fiscal year to conduct Swiss needlecast surveys.

(37) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the work specified in section 3291, chapter 413, Laws of 2019 to assess public school seismic safety for school buildings not yet assessed, focused on highest risk areas of the state as a priority.

~~((39))~~ (38) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the department to prepare commercial thinning timber sales for the purposes of restoring spotted owl and riparian habitat as specified in the 1997 state lands habitat conservation plan, facilitating access to more timber volume than is possible under normal operating funding and increasing carbon sequestration. Thinning operations in designated spotted owl management areas must be conducted in stands that do not yet meet spotted owl habitat conditions. Thinning in riparian areas must comply with department procedures for restoring riparian habitat under the 1997 state lands habitat conservation plan.

~~((40))~~ (39) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((41))~~ (40) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement a pilot project to evaluate the costs and benefits of marketing and selling specialty forest products including cedar salvage, alder, and other hardwood products. The pilot project must include: Identifying suitable areas for hardwood or cedar sales within the administrative areas of the Olympic and Pacific Cascade regions, preparing and conducting sales, and evaluating the costs and benefits from conducting the sales.

(a) The pilot project must include an evaluation that:

(i) Determines if revenues from the sales are sufficient to cover the costs of preparing and conducting the sales;

(ii) Identifies and evaluates factors impacting the sales, including regulatory constraints, staffing levels, or other limitations;

(iii) Compares the specialty sales to other timber sales that combine the sale of cedar and hardwoods with other species;

(iv) Evaluates the bidder pool for the pilot sales and other factors that impact the costs and revenues received from the sales; and

(v) Evaluates the current and future prices and market trends for cedar salvage and hardwood species.

(b) The department must work with affected stakeholders and report to the appropriate committees of the legislature with the results of the pilot project and make recommendations for any changes to statute by June 30, 2025.

(41) \$857,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to implement eradication and control measures on European green crabs on state-owned aquatic lands and adjacent lands as appropriate. The department must report to and coordinate with the department of fish and wildlife to support the department of fish and wildlife's quarterly progress reports to the legislature.

(42) \$710,000 of the general fund—state appropriation for fiscal year 2025 and \$473,000 of the model toxics control operating account—state appropriation are provided solely for the department to develop and lead a stakeholder-driven process to identify potential locations for development of target shooting ranges to create alternatives to dispersed shooting and to address lead pollution in known dispersed shooting sites.

(43) \$524,000 of the resource management cost account—state appropriation is provided solely for the agency to supplement the cost of the contract with the department of fish and wildlife for biological geoduck survey work. Within existing appropriations, the agency will develop a proposal with the department of fish and wildlife for the equitable and sustainable ongoing funding of this work.

(44) \$593,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to conduct the remote sensing, stressor studies, and imagery and survey work of kelp forests and eelgrass meadows pursuant to RCW 79.135.440 and development and management of the native kelp forest and eelgrass meadow health and conservation plan.

(45) \$1,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 6166 (pesticide application comm.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(46) \$83,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5667 (forestry riparian easements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$862,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(48) \$88,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 6120 (wildland urban interface). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 311.** 2023 c 475 s 311 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$52,938,000</del> ))
	\$91,987,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$69,710,000</del> ))
	\$73,461,000
General Fund—Federal Appropriation . . . . .	(( <del>\$38,414,000</del> ))
	\$48,259,000
General Fund—Private/Local Appropriation . . . . .	\$193,000
<u>Agricultural Pest and Disease Response Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$2,000,000</u>
Aquatic Lands Enhancement Account—State	
Appropriation . . . . .	(( <del>\$2,839,000</del> ))
	\$2,840,000
Climate Commitment Account—State Appropriation . . . . .	(( <del>\$3,819,000</del> ))
	\$4,450,000
Natural Climate Solutions Account—State	
Appropriation . . . . .	\$261,000
Water Quality Permit Account—State Appropriation . . . . .	\$73,000
Model Toxics Control Operating Account—State	
Appropriation . . . . .	(( <del>\$13,589,000</del> ))
	\$13,613,000
Northeast Washington Wolf-Livestock Management	
Nonappropriated Account—State Appropriation . . . . .	\$1,600,000
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation . . . . .	(( <del>\$36,875,000</del> ))
	\$10,875,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$220,311,000</del>))</b>
	<b>\$249,612,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$18,000,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the we feed Washington program, a state alternative to the United States department of agriculture farmers to families food box program, and provide resources for hunger relief organizations.

(2) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for local food system infrastructure and market access grants.

(3) ~~((~~\$3,655,000~~))~~ \$4,992,000 of the general fund—state appropriation for fiscal year 2024 and \$3,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a *Popillia japonica* monitoring and eradication program in central Washington.

(4) ~~((~~\$15,000,000~~))~~ \$51,000,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000,000 of the general fund—state appropriation for fiscal year 2025 ~~((and \$15,000,000 of the coronavirus state fiscal recovery fund federal appropriation))~~ are provided solely for implementing the emergency food assistance program as defined in RCW 43.23.290.

(5) \$246,000 of the general fund—state appropriation for fiscal year 2024, \$246,000 of the general fund—state appropriation for fiscal year 2025, and \$1,550,000 of the general fund—federal appropriation are provided solely for implementing a *Vespa mandarinia* eradication program.

(6) \$1,600,000 of the northeast Washington wolf-livestock management nonappropriated account—state appropriation is provided solely for the department to conduct the following:

(a) Offer grants for the northeast Washington wolf-livestock management program as provided in RCW 16.76.020, in the amount of \$1,400,000 for the biennium.

(i) Funds from the grant program must be used only for the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a high probability of producing effective results. Grant proposals will be assessed partially on this intent. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other grantees of the program and other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape. Additionally, range riders must document their activities with GPS track logs and provide written description of their efforts to the department of fish and wildlife on a monthly basis. The department shall incorporate the requirements of this subsection into contract language with the grantees.

(ii) In order to provide continuity of services to meet the long-term intent of the program, no less than \$1,100,000 of the funding allocated in this subsection (a) shall be awarded to entities who have proven ability to meet program intent as described in (a)(i) of this subsection and who have been awarded funds through this grant program or pass-through funds from the northeast Washington wolf-livestock management nonappropriated account in the past. The remaining \$300,000 may be awarded to new applicants whose applications meet program intent and all of other requirements of the program. If no applications from new entities are deemed qualified, the unused funds shall be awarded in equal amounts to successful grantees. The department retains the final decision making authority over disbursement of funds. Annual reports from grantees will be assessed for how well grant objectives were met and used to decide whether future grant funds will be awarded to past grantees.

(b) Within the amounts provided in this subsection, the department must provide \$100,000 each fiscal year to the sheriffs offices of Ferry and Stevens counties for providing a local wildlife specialist to aid the department of fish and wildlife in the management of wolves in northeast Washington.

(7) \$1,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for grants and technical assistance to producers and processors for meat and poultry processing.

(8) \$842,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 135, Laws of 2022, which requires the department to establish cannabis testing lab quality standards by rule.

(9) \$3,038,000 of the climate commitment account—state appropriation is provided solely to implement organic materials legislation passed in the 2022 legislative session.

(10) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with Washington State University's IMPACT Center to conduct an analysis of the threats, barriers, and challenges facing the state's agricultural producers.

(11) \$581,000 of the climate commitment account—state appropriation is provided solely to implement a science-based, voluntary software program called saving tomorrow's agricultural resources (STAR) which provide producers tools to track soil health improvements and the ability to generate market-based incentives.

(12) \$1,492,000 of the model toxics control operating account—state appropriation is provided solely to increase capacity and support work to reduce nitrate pollution in groundwater from irrigated agriculture in the lower Yakima valley.

(13) ~~(\$88,000)~~ \$394,000 of the general fund—state appropriation for fiscal year 2024, \$88,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$702,000)~~ \$1,053,000 of the general fund—federal appropriation are provided solely to match federal funding for eradication treatments and follow-up monitoring of invasive moths.

(14) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the early detection program for the spotted lanternfly and the associated invasive *Ailanthus altissima*, known colloquially as tree-of-heaven, survey and control programs.

(15) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement changes that advance equity for underrepresented farmers and ranchers in the department's programs and services. In carrying out this duty, the department may focus on implementation of:

(a) Proequity and inclusion strategies within the activities and services of the regional markets program;

(b) Recommendations from the department's 2022 report to the legislature on equity for underrepresented farmers and ranchers; and

(c) Community-generated suggestions resulting from stakeholder engagement activities. In carrying out this duty, the department may engage with underrepresented farmers and ranchers to advise and provide guidance as the department works to implement changes to improve equity and inclusion in the department's services and programs, and where possible in the agricultural industry more broadly.

(16) \$261,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(17) \$200,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$116,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1500 (cottage food sales cap). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a community-based organization in Whatcom county for the food and farm finder program, which connects local food producers with retail and wholesale consumers throughout the state.

(21) \$10,600,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for local food system infrastructure and market access grants, the emergency food assistance program, and a state farmers to families food box program. The total expenditures from the coronavirus state fiscal recovery fund—federal for these purposes in fiscal year 2023 and fiscal year 2024 may not exceed the total amounts provided in section 311(1), (3), and (7), chapter 334, Laws of 2021, from the coronavirus state fiscal recovery fund—federal for these purposes.

(22) \$47,000 of the general fund—state appropriation for fiscal year 2024 and \$47,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a food bank in Pierce county for the continued provision of food bank services to low-income individuals, including costs related to the potential relocation of the food bank.

(24) \$128,000 of the general fund—state appropriation for fiscal year 2024 and \$127,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Tri-Cities food bank for operations including food storage.

(25) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue a shellfish coordinator position.

(26) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compliance-based laboratory analysis of pesticides in cannabis.

(27) \$220,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to partner with the department of commerce to conduct a study to better understand the opportunities and challenges, as well as identify solutions to existing barriers, to create a healthy marketplace for hemp.

(28) \$112,000 of the general fund—state appropriation for fiscal year 2024 and \$683,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to partner with organizations to promote diversity and develop agricultural leadership and educational opportunities.

(29) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to facilitate a work group and prepare a comprehensive report with recommendations regarding the establishment of a grant program to support farmers in the purchase of green fertilizer produced within the state of Washington.

(a) The work group convened by the department shall include representatives from the department of ecology, the department of commerce, Washington state agricultural organizations, manufacturers of green fertilizer products, and other relevant stakeholders as determined by the department.

(b) The work group shall review, analyze, and propose the structure of a grant program designed to encourage farmers to purchase green fertilizer produced within the state of Washington. The review shall include considerations of:

(i) The environmental benefits of green fertilizer;

(ii) Economic impacts on farmers;

(iii) The development and capacity of local green fertilizer manufacturers; and

(iv) Ensuring equitable access to the grant program among different agricultural sectors.

(c) The department shall submit a comprehensive report of its findings and recommendations to the governor and appropriate committees of the legislature no later than November 1, 2024, including a detailed plan for the administration of the proposed grant program and a recommended funding level. The report shall include legislative and regulatory changes, if necessary, to establish and manage the program effectively.

(30) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Washington based nonprofit organization that supports farmworkers to help develop and share farmworker ideas to improve production in ways that are meaningful to both workers and growers. These funds must be used to conduct outreach to farmworkers, provide support, and

facilitate access to educational materials, tools, and technology to further the engagement and collaboration of both farmworkers and their employers.

(31) \$250,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to complete an assessment of how many acres of agricultural land could be removed from active production for the state to meet the requirements of the clean energy transformation act and the state energy strategy. The assessment may include a comparison of possible alternative scenarios ranging from lowest to highest impact. The department must report the legislature on its assessment in accordance with RCW 43.01.036 by June 30, 2025.

(32) \$131,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a dedicated position to lead and direct the department's climate strategy. Tasks for this position include research, stakeholder engagement, program inventory, and coordination, as well as long-term planning.

(33) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a food bank in Tacoma for the expanded provision of food bank services to low-income individuals.

(34) \$120,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6278 (organic agriculture). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(35) \$2,000,000 of the agricultural pest and disease response account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6036 (agriculture pest & disease). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(36) \$139,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5972 (neonicotinoid pesticides). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(37) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for research, including, but not limited to, ongoing research and trial research; larger scale treatment trials; and permit development, including required monitoring and review, to assist with development of an integrated pest management plan to find a suitable replacement for imidacloprid to address burrowing shrimp in Willapa bay and Grays Harbor and facilitate continued shellfish cultivation on tidelands. In selecting research recipients for this purpose, the department must incorporate the advice of the Willapa-Grays Harbor working group formed on October 15, 2019. Up to eight percent of the amount provided in this subsection may be used by the department to reimburse any participating group or individual for their expenses associated with meeting participation, preparation, or travel, in accordance with chapter 43.03 RCW.

**Sec. 312.** 2023 c 475 s 312 (uncodified) is amended to read as follows:

**FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	(\$924,000)
	\$893,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$919,000)
	\$887,000
Climate Commitment Account—State Appropriation. . . . .	\$7,369,000
Energy Facility Site Evaluation Council Account—	
Private/Local Appropriation. . . . .	\$26,896,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$36,108,000)</b>
	<b>\$36,045,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,352,000 of the climate commitment account—state appropriation is provided solely to support agency operations and to hire additional environmental siting and compliance positions needed to support an anticipated workload increase from new clean energy projects.

(2) \$757,000 of the climate commitment account—state appropriation is provided solely for ~~((grants to tribes to review green energy project applications))~~ preapplication development and clean energy manufacturing review, reimbursement to tribes for costs associated with clean energy project application reviews, and contracted services for green hydrogen and clean energy manufacturing programs.

(3) \$358,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) The council must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(5) \$3,902,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(End of part)



**PART IV  
TRANSPORTATION**

**Sec. 401.** 2023 c 475 s 401 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$4,041,000))
	\$4,043,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$3,640,000))
	\$91,004,000
Architects' License Account—State Appropriation . . . . .	(( \$1,759,000))
	\$1,823,000
<u>Climate Investment Account—State Appropriation . . . . .</u>	\$30,000,000
Real Estate Commission Account—State Appropriation . . . . .	(( \$15,753,000))
	\$15,726,000
Uniform Commercial Code Account—State Appropriation . . . . .	(( \$3,481,000))
	\$3,496,000
Real Estate Education Program Account—State Appropriation . . . . .	(( \$316,000))
	\$308,000
Real Estate Appraiser Commission Account—State Appropriation . . . . .	(( \$2,067,000))
	\$2,396,000
Business and Professions Account—State Appropriation . . . . .	(( \$30,924,000))
	\$31,236,000
Real Estate Research Account—State Appropriation . . . . .	\$461,000
Firearms Range Account—State Appropriation . . . . .	\$74,000
Funeral and Cemetery Account—State Appropriation . . . . .	(( \$118,000))
	\$125,000
Landscape Architects' License Account—State Appropriation . . . . .	(( \$86,000))
	\$95,000
Appraisal Management Company Account—State Appropriation . . . . .	(( \$250,000))
	\$258,000
Concealed Pistol License Renewal Notification Account—State Appropriation . . . . .	\$142,000
Geologists' Account—State Appropriation . . . . .	(( \$48,000))
	\$55,000
Derelict Vessel Removal Account—State Appropriation . . . . .	\$37,000
<u>Washington Rescue Plan Transition Account—State Appropriation . . . . .</u>	\$798,000,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(( \$63,197,000))</b>
	<b>\$979,279,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$142,000 of the concealed pistol license renewal notification account—state appropriation and \$74,000 of the firearms range account—state appropriation are provided solely to implement chapter 74, Laws of 2017 (concealed pistol license).

(2) \$6,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$8,000 of the architects' license account—state appropriation, \$74,000 of the real estate commission account—state appropriation, \$14,000 of the uniform commercial code account—state appropriation, \$10,000 of the real estate appraiser commission account—state appropriation, and \$139,000 of the business and professions account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$7,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$5,000 of the architects' license account—state appropriation, \$43,000 of the real estate commission account—state appropriation, \$8,000 of the uniform commercial code account—state appropriation, \$8,000 of the real estate ~~((education program))~~ appraiser commission account—state appropriation, \$166,000 of the business and professions account—state appropriation, \$9,000 of the funeral and cemetery account—state appropriation, \$3,000 of the landscape architects' license account—state appropriation, \$2,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) \$20,000 of the business and professions account—state appropriation is provided solely for implementation of House Bill No. 1017 (cosmetologists, licenses, etc.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$320,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1143 (firearms purchase and transfer). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$5,000 of the architects' license account—state appropriation, \$31,000 of the real estate commission account—state appropriation, \$5,000 of the real estate appraiser commission account—state appropriation, \$64,000 of the business and professions account—state appropriation, \$5,000 of the funeral and cemetery account—state appropriation, \$5,000 of the landscape architects' license account—state appropriation, \$5,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of House Bill No. 1301 (license review and requirements). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(7) \$25,000 of the real estate ~~(appraiser)~~ commission account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5191 (real estate agency). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(8) \$19,000 of the funeral and cemetery account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5261 (cemetery authority deadlines). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$308,000 of the real estate appraiser commission account—state appropriation is provided solely for implementation of Engrossed House Bill No. 1797 (real estate appraisers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$45,000 of the architects' license account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5794 (architecture licensing exams). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$354,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5995 (interpreters and translators). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) (a) \$30,000,000 of the climate investment account—state appropriation is provided solely for payments to support farm fuel users and transporters who have purchased fuel for agricultural purposes that is exempt from the requirements of the climate commitment act, as described in RCW 70A.65.080(7)(e), but paid a surcharge or an additional fee. In providing such payments, the department must prioritize:

- (i) Farming and transportation operations, prioritizing noncorporate farms first;
- (ii) Ease of use and accessibility for recipients; and
- (iii) Speed and efficiency in administering the payments.

(b) The department must use a tiered system of payments based on the annual number of gallons of agricultural fuel consumed, as determined by the farm fuel user or transporter in a signed attestation. The department shall use the following payment tiers:

- (i) \$600 to recipients with annual agricultural fuel use of less than 1,000 gallons;
- (ii) \$2,300 to recipients with annual agricultural fuel use greater than or equal to 1,000 gallons and less than 4,000 gallons; and
- (iii) \$3,400 to recipients with annual agricultural fuel use greater than or equal to 4,000 gallons.

(c) Recipients of payments under this subsection may submit receipts and other documentation as part of their attestation showing that they were overcharged for fuel costs due to the impact of chapter 70A.65 RCW.

(d) The department may use no more than five percent of the amounts provided for this specific purpose on administration. The department must begin providing payments by September 1, 2024.

(13) \$798,000,000 of the Washington rescue plan transition account—state appropriation and \$87,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide payments of \$150 each to registered eligible vehicle owners by July 31, 2024, to offset the impact of the costs of allowances purchased by covered entities under the climate commitment act, chapter 70A.65 RCW, on the price of motor vehicle fuel for consumers. For the purposes of this subsection:

(a) "Registered eligible vehicle owner" means a registered owner who has paid all of the fees and taxes due for an original or renewal vehicle registration for an eligible vehicle's current registration year.

(b) "Eligible vehicle" means trucks registered under RCW 46.17.355 and the following vehicle types registered under RCW 46.17.350:

- (i) For hire vehicle, six seats or less;
- (ii) Moped;
- (iii) Motorcycle;
- (iv) Passenger car;
- (v) Sport utility vehicle; and
- (vi) Tow truck.

(c) Governmental entities, including state agencies, local governments, and special purpose districts, are not eligible to receive a payment.

(d) Of the amounts provided in this subsection, \$5,000,000 is provided for the department's administrative costs.

**Sec. 402.** 2023 c 475 s 402 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$77,651,000</del> ))
	<u>\$77,278,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$78,281,000</del> ))
	<u>\$83,583,000</u>
General Fund—Federal Appropriation . . . . .	\$16,972,000
General Fund—Private/Local Appropriation . . . . .	\$3,091,000
Death Investigations Account—State Appropriation . . . . .	(( <del>\$9,145,000</del> ))
	<u>\$9,592,000</u>
County Criminal Justice Assistance Account—State Appropriation . . . . .	(( <del>\$4,893,000</del> ))
	<u>\$4,894,000</u>
Municipal Criminal Justice Assistance Account—State Appropriation . . . . .	\$1,800,000
Fire Service Trust Account—State Appropriation . . . . .	\$131,000
Vehicle License Fraud Account—State Appropriation . . . . .	\$119,000
Disaster Response Account—State Appropriation . . . . .	\$8,000,000
Fire Service Training Account—State Appropriation . . . . .	(( <del>\$13,456,000</del> ))
	<u>\$13,457,000</u>
Model Toxics Control Operating Account—State Appropriation . . . . .	\$596,000
Fingerprint Identification Account—State Appropriation . . . . .	\$15,200,000
<b>TOTAL APPROPRIATION</b> . . . . .	(( <del>\$229,335,000</del> ))
	<u>\$234,713,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$8,000,000~~))~~ \$14,000,000 of the disaster response account—state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(2) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$146,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation adjustments for commissioned staff as provided for in the omnibus transportation appropriations act.

(3) \$20,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1179 (nonconviction data/auditor). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$26,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor compensation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$500,000 of the disaster response account—state appropriation, is provided solely to continue a pilot project for the early deployment or prepositioning of Washington state fire service resources in advance of an expected mobilization event. Any authorization for the deployment of resources under this section must be authorized in accordance with section 6 of the Washington state fire services resource mobilization plan.

(7) \$320,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$1,133,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$1,000,000 of the fire service training account—state appropriation is provided solely for the firefighter apprenticeship training program.

(10) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Washington state missing and murdered indigenous women and people task force in section 912 of this act.

(11) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for financial assistance to local jurisdictions to conduct DNA testing for unidentified remains, and for those remains that failed to yield a CODIS match, for forensic genetic genealogy DNA testing to be conducted. Local jurisdictions may contract for these services. "Forensic genetic genealogy DNA testing" means any technology performed in a forensic laboratory capable of producing a forensic genealogy profile with a minimum of 100,000 genetic markers and compatible with multiple genealogical databases consented for law enforcement use. Records from the DNA testing or forensic genetic genealogy DNA testing, including DNA profiles and markers, of unidentified remains shall be used solely for the purpose of establishing identification. Retention of such records following identification does not serve a public purpose. Upon successful identification, such records shall be destroyed.

(12) Any funds provided to the missing and exploited children task force shall ensure operations are adherent to federally established internet crimes against children standards.

(13) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5299 (law enf. officer protection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) Within existing resources, the Washington state patrol may provide security and protection to the secretary of state and to his or her family during a presidential election campaign and through two weeks following inauguration.

(15) \$88,742 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5812 (electrical vehicle fires). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(End of part)

**PART V  
EDUCATION**

**Sec. 501.** 2023 c 475 s 501 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$46,191,000</del> ))
	<u>\$46,840,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$45,200,000</del> ))
	<u>\$49,665,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$108,354,000</del> ))
	<u>\$148,569,000</u>
General Fund—Private/Local Appropriation. . . . .	\$8,079,000
Dedicated Cannabis Account—State Appropriation (FY 2024) . . . . .	(( <del>\$593,000</del> ))
	<u>\$550,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2025) . . . . .	(( <del>\$610,000</del> ))
	<u>\$550,000</u>
Washington Opportunity Pathways Account—State Appropriation. . . . .	(( <del>\$8,429,000</del> ))
	<u>\$16,890,000</u>
Performance Audits of Government Account—State Appropriation. . . . .	\$213,000
Workforce Education Investment Account—State Appropriation. . . . .	\$9,479,000
Elementary and Secondary School Emergency Relief III Account—Federal Appropriation. . . . .	\$3,524,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$230,688,000</del>))</b>
	<b><u>\$284,359,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) **BASE OPERATIONS AND EXPENSES OF THE OFFICE**

(a) ((~~\$21,778,000~~)) \$22,389,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$21,778,000~~)) \$22,470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(ii) By October 31st of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in section 501, chapter 415, Laws of 2019 and sections 515 and 522, chapter 334, Laws of 2021. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status of proviso implementation, number of beneficiaries by year, list of

beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(iii) Districts shall annually report to the office of the superintendent of public instruction on: (A) The annual number of graduating high school seniors within the district earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (B) the number of high school students earning competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

(iv) The office of the superintendent of public instruction shall perform ongoing program reviews of alternative learning experience programs, dropout reengagement programs, and other high risk programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(v) The superintendent of public instruction shall integrate climate change content into the Washington state learning standards across subject areas and grade levels. The office shall develop materials and resources that accompany the updated learning standards that encourage school districts to develop interdisciplinary units focused on climate change that include authentic learning experiences, that integrate a range of perspectives, and that are action oriented.

(vi) Funding provided in this subsection (1)(a) is sufficient for maintenance of the apportionment system, including technical staff and the data governance working group.

(b) \$494,000 of the general fund—state appropriation for fiscal year 2024 and \$494,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(c) \$61,000 of the general fund—state appropriation for fiscal year 2024 and \$61,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(d) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(e) \$285,000 of the Washington opportunity pathways account—state appropriation is provided solely for activities related to public schools other than common schools authorized under chapter 28A.710 RCW.

(f) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(g) \$1,060,000 of the general fund—state appropriation for fiscal year 2024 and \$1,060,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of native education to increase services to tribes, including but not limited to, providing assistance to tribes and school districts to implement Since Time Immemorial, applying to become tribal compact schools, convening the Washington state native American education advisory committee, and extending professional learning opportunities to provide instruction in tribal history, culture, and government. The professional development must be done in collaboration with school district administrators and school directors. Funding in this subsection is sufficient for the office, the Washington state school directors' association government-to-government task force, and the association of educational service districts to collaborate with the tribal leaders congress on education to develop a tribal consultation training and schedule. Of the amounts provided in this subsection: \$525,000 of the general fund—state appropriation for fiscal year 2024 and \$525,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of native education to convene a work group to develop the supports necessary to serve American Indian and Alaska Native students identified as needing additional literacy supports. The work group must include representation from Washington's federally recognized tribes and federally recognized tribes with reserved treaty rights in Washington. The work group must conduct tribal consultations, develop best practices, engage in professional learning, and develop curricula and resources that may be provided to school districts and state-tribal education compact schools to serve American Indian and Alaska Native students with appropriate, culturally affirming literacy supports.

(h) \$481,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(i) Districts shall report to the office the results of each collective bargaining agreement for certificated staff within their district using a uniform template as required by the superintendent, within thirty days of finalizing contracts. The data must include but is not limited to: Minimum and maximum base salaries, supplemental salary information, and

average percent increase for all certificated instructional staff. Within existing resources by December 1st of each year, the office shall produce a report for the legislative evaluation and accountability program committee summarizing the district level collective bargaining agreement data.

(j) \$3,524,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for administrative costs related to the management of federal funds provided for COVID-19 response and other emergency needs.

(k) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the superintendent of public instruction to plan for the development and implementation of a common substitute teacher application platform.

(l) \$465,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for office of the attorney general legal services related to special education related litigation.

(2) DATA SYSTEMS

(a) \$1,802,000 of the general fund—state appropriation for fiscal year 2024 and \$1,802,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(b) \$281,000 of the general fund—state appropriation for fiscal year 2024 and \$281,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(c) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent of public instruction to develop and implement a statewide accountability system to address absenteeism and to improve student graduation rates. The system must use data to engage schools and districts in identifying successful strategies and systems that are based on federal and state accountability measures. Funding may also support the effort to provide assistance about successful strategies and systems to districts and schools that are underperforming in the targeted student subgroups.

(3) WORK GROUPS

(a) \$68,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(b) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to meet statutory obligations related to the provision of medically and scientifically accurate, age-appropriate, and inclusive sexual health education as authorized by chapter 206, Laws of 1988 (AIDS omnibus act) and chapter 265, Laws of 2007 (healthy youth act).

(c) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$118,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 75, Laws of 2018 (dyslexia).

(d) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 386, Laws of 2019 (social emotional learning).

(e) \$107,000 of the general fund—state appropriation for fiscal year 2024 and \$107,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to support the children and youth behavioral health work group created in chapter 130, Laws of 2020 (child. mental health wk. grp).

(4) STATEWIDE PROGRAMS

(a) \$2,590,000 of the general fund—state appropriation for fiscal year 2024 and \$2,590,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support statewide administration and district implementation of the inventory under RCW 28A.655.080.

(b) \$703,000 of the general fund—state appropriation for fiscal year 2024 and \$703,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 72, Laws of 2016 (educational opportunity gap).

(c) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to schools identified for comprehensive or targeted support and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(d) \$457,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 102, Laws of 2014 (biliteracy seal). Of the amounts provided in this subsection:

(i) \$197,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to develop and establish criteria for school districts to award the seal of biliteracy to graduating high school students.

(ii) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to provide students with access to methods for students to demonstrate proficiency in less commonly taught or assessed languages.

(e)(i) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school bullying and harassment prevention activities.

(ii) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 240, Laws of 2016 (school safety).

(iii) \$570,000 of the general fund—state appropriation for fiscal year 2024 and \$570,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide support and coordination for the regional network of behavioral health, school safety, and threat assessment established in chapter 333, Laws of 2019 (school safety and well-being).

(iv) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the school safety center within the office of the superintendent of public instruction.

(A) Within the amounts provided in this subsection (4)(e)(iv), \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a school safety program to provide school safety training for all school administrators and school safety personnel. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety.

(B) Within the amounts provided in this subsection (4)(e)(iv), \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administration of the school safety center. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, review and approve manuals and curricula used for school safety models and training, and maintain a school safety information web site.

(f)(i) \$162,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for youth suicide prevention activities.

(ii) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 64, Laws of 2018 (sexual abuse of students).

(g)(i) \$280,000 of the general fund—state appropriation for fiscal year 2024, \$280,000 of the general fund—state appropriation for fiscal year 2025, ~~((\$593,000))~~ \$550,000 of the dedicated cannabis account—state appropriation for fiscal year 2024, and ~~((\$618,000))~~ \$550,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for dropout prevention, intervention, and reengagement programs ~~(, including the jobs for America's graduates (JAG) program)~~, dropout prevention programs that provide student mentoring, and the building bridges statewide program. ~~((Students in the foster care system or who are homeless shall be given priority by districts offering the jobs for America's graduates program.))~~ The office of the superintendent of public instruction shall convene staff representatives from high schools to meet and share best practices for dropout prevention. Of these amounts, the entire dedicated cannabis account—state appropriation is provided solely for the building bridges statewide program and for grants to districts for life skills training for children and youth in K-12.

(ii) \$293,000 of the general fund—state appropriation for fiscal year 2024 and \$293,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs in support of high-quality high school and beyond plans consistent with RCW 28A.230.090.

(iii) \$178,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 291, Laws of 2017 (truancy reduction efforts).

(h) Sufficient amounts are appropriated in this section for the office of the superintendent of public instruction to create a process and provide assistance to school districts in planning for future implementation of the summer knowledge improvement program grants.

(i) \$358,000 of the general fund—state appropriation for fiscal year 2024 and \$358,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 221, Laws of 2019 (CTE course equivalencies).

(j) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 252, Laws of 2019 (high school graduation reqs.).

(k) \$60,000 of the general fund—state appropriation for fiscal year 2024, \$60,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—federal appropriation are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply). Of the amounts provided in this subsection, \$680,000 of the general fund—federal appropriation is provided solely for title II SEA state-level activities to implement section 103, chapter 295, Laws of 2019 relating to the regional recruiters program.

(l) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison at the office of the superintendent of public instruction to facilitate access to and support enrollment in career connected learning opportunities for tribal students, including career awareness and exploration, career preparation, and career launch programs, as defined in RCW 28C.30.020, so that tribal students may receive high school or college credit to the maximum extent possible.

(m) \$57,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 288, Laws of 2020 (school meals at no cost).

(n) \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$142,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 353, Laws of 2020 (innovative learning pilot).

(o) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide coordination towards multicultural, culturally responsive, and anti-racist education to support academically, socially, and culturally literate learners. The office must engage community members and key interested parties to:

(i) Develop a clear definition and framework for African American studies to guide instruction in grades seven through twelve;

(ii) Develop a plan for aligning African American studies across all content areas; and

(iii) Identify professional development opportunities for educators and administrators to build capacity in creating high-quality learning environments centered in belonging and racial equity, anti-racist approaches, and asset-based methodologies that pull from all students' cultural funds of knowledge.

(p) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 38, Laws of 2021 (K-12 safety & security serv.).

(q) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 111, Laws of 2021 (learning assistance program).

(r) \$1,152,000 of the general fund—state appropriation for fiscal year 2024 and \$1,157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 164, Laws of 2021 (institutional ed./release).

(s) \$553,000 of the general fund—state appropriation for fiscal year 2024 and \$553,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to develop and implement a mathematics pathways pilot to modernize algebra II. The office should use research and engage stakeholders to develop a revised and expanded course.

(t) \$3,348,000 of the general fund—state appropriation for fiscal year 2024 and \$3,348,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 107, Laws of 2022 (language access in schools).

(u) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to establish a media literacy and digital citizenship ambassador program to promote the integration of media literacy and digital citizenship instruction.

(v) \$294,000 of the general fund—state appropriation for fiscal year 2024 and \$294,000 of the general fund—state appropriation for fiscal year 2025 provided solely for implementation of chapter 9, Laws of 2022 (school consultation/tribes).

(w) \$8,144,000 of the Washington state opportunity pathways account—state appropriation is provided solely for support to small school districts and public schools receiving allocations under chapters 28A.710 and 28A.715 RCW that have less than 800 enrolled students, are located in urban or suburban areas, and budgeted for less than \$20,000 per pupil in general fund expenditures in the 2022-23 school year. For eligible school districts and schools, the superintendent of public instruction must allocate an amount equal to the lesser of amount 1 or amount 2, as provided in (w)(i) and (ii) of this subsection, multiplied by the school district or school's budgeted enrollment in the 2022-23 school year.

(i) Amount 1 is \$1,550.

(ii) Amount 2 is \$20,000 minus the school district or school's budgeted general fund expenditures per pupil in the 2022-23 school year.

(x) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5072 (highly capable students). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~



(y) \$72,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5243 (high school and beyond plan). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(z) \$17,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5257 (elementary school recess). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(aa) \$169,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5315 (special education/nonpublic). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(bb) \$39,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5403 (school depreciation subfunds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(cc) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5593 (student data transfer). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(dd) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5617 (career and technical education courses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ee) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a community-based youth development nonprofit organization for a pilot program to provide behavioral health support for youth and trauma-informed, culturally responsive staff training.

(ff) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to consult with one or two public high schools that offer established courses in the early childhood development and services career pathway and develop model materials that may be employed by other school districts with an interest in establishing or expanding similar instructional offerings to students. The model materials must be developed by January 1, 2024.

(gg) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of a deliberative democratic climate change education program in public high schools based on the Washington student climate assembly pilot program. The office must use the funding to develop and promote a full curriculum for student climate assemblies that can be replicated in public high schools across the state and to fund a part-time statewide coordinator position to oversee program outreach and implementation. By January 1, 2025, the office must collect and evaluate feedback from teachers, students, local government employees, and elected officials participating in the pilot program and report to the legislature on options to improve, expand, and extend the program.

(hh) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental agency to coordinate and serve as a fiscal agent and to cover direct costs of the project education impact workgroup to achieve educational parity for students experiencing foster care and/or homelessness, consistent with chapter 233, Laws of 2020. The office must contract with a nongovernmental agency with experience coordinating administrative and fiscal support for project education impact.

(ii) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract for a feasibility study for the creation of a maritime academy on the Olympic peninsula. The study must include the scope, location, design, and budget for the construction of the maritime academy. The study must include plans to address systems, policies, and practices that address disparities of historically marginalized communities in the maritime industry. A preliminary report is due to the legislature by December 1, 2023, with the final feasibility study due to the legislature by June 3, 2024. Funding provided in this subsection may be matched by a nonprofit organization that provides high school students with accredited career and technical postsecondary education for maritime vessel operations and maritime curriculum to high schools in Jefferson, Clallam, Kitsap, King, Mason, Pierce, Island, and Snohomish counties.

(jj) \$74,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1701 (institutional ed. programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(kk) \$141,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1308 (graduation pathway options). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ll) \$73,000 of the general fund—state appropriation for fiscal year 2024 and \$72,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1346 (purple star award). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(mm) (i) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to provide statewide professional development and technical assistance to school districts and to provide a limited number of grants for demonstration projects. The demonstration projects must build school-level and district-level systems that eliminate student isolation, track and reduce restraint use, and build schoolwide systems to support students in distress and prevent crisis escalation cycles that may result in restraint or isolation. The schoolwide systems must include trauma-informed positive behavior and intervention supports, de-escalation, and problem-solving skills. Of the amounts provided in this subsection:

(A) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are for grants for 10 district demonstration sites;

(B) \$1,334,000 of the general fund—state appropriation for fiscal year 2024 and \$1,334,000 of the general fund—state appropriation for fiscal year 2025 are for professional development and training; and

(C) \$166,000 of the general fund—state appropriation for fiscal year 2024 and \$166,000 of the general fund—state appropriation for fiscal year 2025 are for staff and administration support for the demonstration sites and the professional development and training.

(ii) The office must create a technical assistance manual to support the elimination of isolation and reduction of restraint and room clears based on the results of the demonstration projects, and must provide a report to the education committees of the legislature by September 1, 2024. The report must include:

(A) A status update on demonstration projects that occurred during the 2023–24 school year, the technical assistance manual, and professional development offered statewide;

(B) Key implementation challenges and findings; and

(C) Recommendations for statewide policy changes or funding.

(iii) In developing the manual, the office must consult with, at minimum:

(A) Representatives from state associations representing both certificated and classified staff;

(B) An association representing principals;

(C) An association representing school administrators;

(D) The Washington state school directors' association;

(E) An association representing parents;

(F) An individual with lived experience of restraint and isolation; and

(G) A representative of the protection and advocacy agency of Washington.

(iv) The office must prioritize the provision of professional development and selection of the demonstration sites to local education agencies, educational programs, and staff who provide educational services to students in prekindergarten through grade five and who have high incidents of isolation, restraint, or injury related to use of restraint or isolation. Grant recipients must commit to isolation phaseout and must report on restraint reduction and progress to the office by June 30, 2025.

(nn) \$498,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5849 (computer science/graduation). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(oo) \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5850 (chronically absent students). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(pp) \$430,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5462 (inclusive learning standards). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(qq) \$28,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5647 (school safety/temp employees). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(rr) \$581,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5852 (special education safety net). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(ss) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6053 (education data sharing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(tt) \$39,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6264 (competency-based education). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(uu) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to create and distribute age appropriate promotional and educational materials to school districts for Americans of Chinese descent history month.

(vv) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to print 5,000 copies, in Spanish, of the league of women voters Washington elementary civics textbook to distribute to students and teachers across the state.

(ww) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a study to examine how free and reduced-price school meal data is used as a funding driver for programs. The department must provide a report to the legislature by January 1, 2025, that includes recommendations for an alternative metric or metrics to utilize as a funding driver for educational programs in the state.

(5) CAREER CONNECTED LEARNING

(a) \$919,000 of the workforce education investment account—state appropriation is provided solely for expanding career connected learning as provided in RCW 28C.30.020.

(b) \$960,000 of the workforce education investment account—state appropriation is provided solely for increasing the funding per full-time equivalent for career launch programs as described in RCW 28A.700.130. In the 2023-2025 fiscal biennium, for career launch enrollment exceeding the funding provided in this subsection, funding is provided in section 504 of this act.

(c) \$3,600,000 of the workforce education investment account—state appropriation is provided solely for the office of the superintendent of public instruction to administer grants to skill centers for nursing programs to purchase or upgrade simulation laboratory equipment.

(d) \$4,000,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ Of the amount provided in this subsection, \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the Marysville school district to collaborate with Arlington school district, Everett Community College, other local school districts, local labor unions, local Washington state apprenticeship and training council registered apprenticeship programs, and local industry groups to continue the regional apprenticeship pathways program.

**Sec. 502.** 2023 c 475 s 502 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD OF EDUCATION**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$2,155,000)</del> )
	\$2,161,000
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$6,695,000)</del> )
	\$7,043,000
Elementary and Secondary School Emergency Relief III	
Account—Federal Appropriation . . . . .	\$1,779,000
Washington Opportunity Pathways Account—State	
Appropriation . . . . .	\$353,000
<b>TOTAL APPROPRIATION</b> .....	<b><u>(\$10,982,000)</u></b>
	<b><u>\$11,336,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,852,000 of the general fund—state appropriation for fiscal year 2024 and \$1,864,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the state board of education.

(2) \$1,779,000 of the elementary and secondary school emergency relief III account—federal appropriation, \$280,000 of the general fund—state appropriation for fiscal year 2024, and \$4,808,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the state board of education for implementation of mastery-based learning in school district demonstration sites. The state board of education shall require grant recipients to report on impacts and participate in a collaborative to share best practices. The funds must be used for grants to school districts, charter schools, or state tribal education compact schools established under chapter 28A.715 RCW; professional development of educators; development of a resource suite for school districts statewide; evaluation of the demonstration project; implementation and policy support provided by the state board of education and other partners; and a report outlining findings and recommendations to the governor and education committees of the legislature by December 31, 2025. Grants for mastery-based learning may be made in partnership with private matching funds.

(3) \$23,000 of the general fund—state appropriation for fiscal year 2024 and \$23,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the state board of education to be a member in the education commission of the states.

(4) \$6,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5849 (computer science/graduation). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(5) \$156,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6264 (competency-based education). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 503. 2023 c 475 s 503 (uncodified) is amended to read as follows:

**FOR THE PROFESSIONAL EDUCATOR STANDARDS BOARD**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$22,535,000</del> ))
	<u>\$17,335,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$21,417,000</del> ))
	<u>\$21,509,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$43,952,000</del>))</b>
	<b><u>\$38,844,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,930,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,945,000~~))~~ \$2,035,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the Washington professional educator standards board including implementation of chapter 172, Laws of 2017 (educator prep. data/PESB).

(2) (a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to improve preservice teacher training and funding of alternate routes to certification programs administered by the professional educator standards board.

(b) Within the amounts provided in this subsection (2), up to \$500,000 of the general fund—state appropriation for fiscal year 2024 and up to \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs.

(3) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,001,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the recruiting Washington teachers program with priority given to programs that support bilingual teachers, teachers from populations that are underrepresented, and English language learners. Of the amounts provided in this subsection (3), \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and expansion of the bilingual educator initiative pilot project established under RCW 28A.180.120.

(4) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply).

(5) ~~((~~\$17,535,000~~))~~ \$12,335,000 of the general fund—state appropriation for fiscal year 2024 and \$17,535,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 237, Laws of 2017 (paraeducators). Of the amounts provided in this subsection: ~~((~~\$16,873,000~~))~~ \$11,550,000 of the general fund—state appropriation for fiscal year 2024 and \$16,873,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to districts to provide two days of training per school year in the paraeducator certificate program to all paraeducators. Funds in this subsection are provided solely for reimbursement to school districts that provide paraeducators with two days of training in the paraeducator certificate program in each of the 2022-23 and 2023-24 school years. Funding provided in this subsection is sufficient for new paraeducators to receive four days of training in the paraeducator certificate program during their first year.

(6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$28,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the board to review national certification opportunities for educational staff associates through the relevant national associations for their profession and through the national board for professional teaching standards. The board must compare the standards and processes for achieving these certifications, including an analysis of how educational staff associate positions' national certification aligns with school roles and the professional expertise of school-based education staff associates. The board must submit the comparison report to the education committees of the legislature by October 1, 2024.

(7) \$147,000 of the general fund—state appropriation for fiscal year 2024 and \$158,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ~~((~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~))~~

(8) \$71,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the professional educator standards board and the paraeducator board to collaborate with the office of the superintendent of public instruction to report on a plan to align bilingual education and English language learner endorsement standards and to determine language assessment requirements for multilingual teachers and paraeducators. The report is due to the legislature by September 1, 2023.

(9) \$1,012,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the professional educator standards board, in coordination with the office of the superintendent of public instruction, to develop a teacher residency program through Western Washington University focused on special education instruction beginning in the 2024-25 school year.

Sec. 504. 2023 c 475 s 504 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(\$9,765,637,000))
	\$9,743,015,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$10,027,638,000))
	\$9,739,510,000
Education Legacy Trust Account—State Appropriation . . . . .	(\$1,538,730,000))
	\$1,800,730,000
<u>Washington Opportunity Pathways Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$28,000,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(\$21,332,005,000))</b>
	<b>\$21,311,255,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2023-24 and 2024-25 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary allocations in sections 504 and 505 of this act, excluding (c) of this subsection.

(c) From July 1, 2023, to August 31, 2023, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 504 and 505, chapter 297, Laws of 2022, as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(e)(i) Funding provided in part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210.

(g) For the 2023-24 and 2024-25 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2023-24 and 2024-25 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school, including those at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

General education class size:

Grade	RCW 28A.150.260	2023-24 School Year	2024-25 School Year
Grade K		17.00	17.00
Grade 1		17.00	17.00
Grade 2		17.00	17.00
Grade 3		17.00	17.00
Grade 4		27.00	27.00
Grades 5-6		27.00	27.00
Grades 7-8		28.53	28.53

Grades 9-12

28.74

28.74

The superintendent shall base allocations for: Laboratory science average class size as provided in RCW 28A.150.260; career and technical education (CTE) class size of 23.0; and skill center program class size of 19. Certificated instructional staff units provided for skills centers that exceed the minimum requirements of RCW 28A.150.260 achieve class size reductions under RCW 28A.400.007 and are part of the state's program of basic education.

(ii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iii) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260, as amended by chapter 109, Laws of 2022, and is considered certificated instructional staff.

(ii) For qualifying high-poverty schools in the 2023-24 school year, at which more than 50 percent of the students were eligible for free and reduced-price meals in the prior school year, in addition to the allocation under (d)(i) of this subsection, the superintendent shall allocate additional funding for guidance counselors for each level of prototypical school as follows:

	Elementary	Middle	High
Guidance counselors	0.166	0.166	0.157

(iii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

	2023-24 School Year	2024-25 School Year
Career and Technical Education	3.65	3.91
Skill Center	3.98	4.25

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2023-24 and 2024-25 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistant principals, and other certificated building level administrators:

Prototypical School Building:

Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors:

Career and Technical Education students. . . . .	1.025
Skill Center students. . . . .	1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2023-24 and 2024-25 school years are determined using the formula-generated staff units provided in RCW 28A.150.260 and pursuant to this subsection, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2023-24

and 2024-25 school years for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b) and the increased allocations provided pursuant to subsections (2) and (4) of this section, by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.48 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by ~~((12.30))~~12.31 percent in the 2023-24 school year and ~~((12.46))~~12.44 percent in the 2024-25 school year for career and technical education students, and ~~((17.62))~~17.64 percent in the 2023-24 school year and ~~((17.79))~~17.77 percent in the 2024-25 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 17.97 percent in the 2023-24 school year and ~~((17.97))~~17.99 percent in the 2024-25 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 22.06 percent in the 2023-24 school year and ~~((21.56))~~21.58 percent in the 2024-25 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the rates specified in section 506 of this act, based on the number of benefit units determined as follows: Except for nonrepresented employees of educational service districts, the number of calculated benefit units determined below. Calculated benefit units are staff units multiplied by the benefit allocation factors established in the collective bargaining agreement referenced in section 909 of this act. These factors are intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent employees may be calculated on the basis of 630 hours of work per year, with no individual employee counted as more than one full-time equivalent. The number of benefit units is determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section multiplied by 1.02; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.43.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$178.98	<del>((182.72))</del> <u>\$182.38</u>
Utilities and Insurance	\$416.26	<del>((425.01))</del> <u>\$424.18</u>
Curriculum and Textbooks	\$164.48	<del>((167.94))</del> <u>\$167.61</u>
Other Supplies	\$326.54	<del>((333.40))</del> <u>\$332.75</u>
Library Materials	\$22.65	<del>((23.13))</del> <u>\$23.08</u>

Instructional Professional Development for Certificated and Classified Staff	\$25.44	<del>((25.97))</del> <u>\$25.92</u>
Facilities Maintenance	\$206.22	<del>((210.55))</del> <u>\$210.13</u>
Security and Central Office	\$142.87	<del>((145.87))</del> <u>\$145.58</u>
TOTAL MSOC/STUDENT FTE	\$1,483.44	<del>((1,514.59))</del> <u>\$1,511.63</u>

(ii) For the 2023-24 school year and 2024-25 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (a)(ii)(A) of this subsection (8) exceeds (a)(ii)(B) of this subsection (8), any proposed use of this difference and how this use will improve student achievement.

(iii) Within the amount provided in (a)(i) of this subsection (8), allocations for MSOC technology in excess of RCW 28A.150.260 are not part of the state's basic education.

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and ~~((1,760.84))~~ \$1,757.39 for the 2024-25 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and ~~((1,760.84))~~ \$1,757.39 for the 2024-25 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocations provided in (a) through (c) of this subsection at the following rate:

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$44.04	<del>((44.97))</del> <u>\$51.88</u>
Curriculum and Textbooks	\$48.06	<del>((49.06))</del> <u>\$51.37</u>
Other Supplies	\$94.07	\$96.04
Library Materials	\$6.05	\$6.18
Instructional Professional Development for Certificated and Classified Staff	\$8.01	<del>((8.18))</del> <u>\$8.56</u>
TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE	\$200.23	<del>((204.43))</del> <u>\$214.03</u>

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2023-24 and 2024-25 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2023, to August 31, 2023, are adjusted to reflect provisions of chapter 297, Laws of 2022, as amended (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through 28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.



## (12) ALL DAY KINDERGARTEN PROGRAMS

\$670,803,000 of the general fund—state appropriation for fiscal year 2024 and \$869,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to fund all day kindergarten programs in all schools in the 2023-24 school year and 2024-25 school year, pursuant to RCW 28A.150.220 and 28A.150.315. Beginning in the 2023-24 school year, funding for students admitted early to kindergarten under exceptions to the uniform entry qualifications under RCW 28A.225.160 must be limited to children deemed to be likely to be "successful in kindergarten."

## (13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (13) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation

formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2024 and 2025 as follows:

(a) \$650,000 of the general fund—state appropriation for fiscal year 2024 and \$650,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(16) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(17) Funding in this section is sufficient to fund a maximum of 1.2 FTE enrollment for career launch students pursuant to RCW 28A.700.130. Expenditures for this purpose must come first from the appropriations provided in section 501(5) of this act; funding for career launch enrollment exceeding those appropriations is provided in this section. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by January 1, 2024. The report must include the total FTE enrollment for career launch students, the FTE enrollment for career launch students that exceeded the appropriations provided in section 501(5) of this act, and the amount expended from this section for those students.

(18) (a) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.4 FTE including school district and institution of higher education enrollment consistent with the running start course requirements provided in chapter 202, Laws of 2015 (dual credit education opportunities). In calculating the combined 1.4 FTE, the office of the superintendent of public instruction:

(i) Must adopt rules to fund the participating student's enrollment in running start courses provided by the institution of higher education during the summer academic term; and

(ii) May average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and the institution of higher education.

(iii) In consultation with the state board for community and technical colleges, the participating institutions of higher education, the student achievement council, and the education data center, must annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(b) \$1,000 of the general fund—state appropriation for fiscal year 2024 is provided for implementation of Second Substitute House Bill No. 1316 (dual credit program access).

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (13) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (13) of this section shall be reduced in increments of twenty percent per year.

(20) (a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed the lesser of five percent or the cap established in federal law of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

(21) Funding in this section is sufficient to provide full general apportionment payments to school districts eligible for federal forest revenues as provided in RCW 28A.520.020. For

the 2023-2025 biennium, general apportionment payments are not reduced for school districts receiving federal forest revenues.

(22) \$38,753,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 505.** 2023 c 475 s 505 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION**

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.260, and under section 504 of this act: For the 2023-24 school year and the 2024-25 school year salary allocations for certificated instructional staff, certificated administrative staff, and classified staff units are determined for each school district by multiplying the statewide minimum salary allocation for each staff type by the school district's regionalization factor shown in LEAP Document 3.

Statewide Minimum Salary Allocation

Staff Type	2023-24 School Year	2024-25 School Year
Certificated Instructional	\$75,419	<del>(\$78,360)</del> <u>\$78,209</u>
Certificated Administrative	\$111,950	<del>(\$116,316)</del> <u>\$116,092</u>
Classified	\$54,103	<del>(\$56,213)</del> <u>\$56,105</u>

(2) For the purposes of this section, "LEAP Document 3" means the school district regionalization factors for certificated instructional, certificated administrative, and classified staff, as developed by the legislative evaluation and accountability program committee on April 20, 2023, at 6:09 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 17.33 percent for school year 2023-24 and ~~((17.33))~~ 17.35 percent for school year 2024-25 for certificated instructional and certificated administrative staff and 18.56 percent for school year 2023-24 and ~~((18.06))~~ 18.08 percent for the 2024-25 school year for classified staff.

(4) The salary allocations established in this section are for allocation purposes only except as provided in this subsection, and do not entitle an individual staff position to a particular paid salary except as provided in RCW 28A.400.200, as amended by chapter 13, Laws of 2017 3rd sp. sess. (fully funding the program of basic education).

**Sec. 506.** 2023 c 475 s 506 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS**

General Fund—State Appropriation (FY 2024)	<del>(\$391,668,000)</del> <u>\$390,257,000</u>
General Fund—State Appropriation (FY 2025)	<del>(\$871,433,000)</del> <u>\$886,620,000</u>
<b>TOTAL APPROPRIATION</b>	<del>(\$1,263,101,000)</del> <u>\$1,276,877,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The salary increases provided in this section are 3.7 percent for the 2023-24 school year, and ~~((3.9))~~ 3.7 percent for the 2024-25 school year, the annual inflationary adjustments pursuant to RCW 28A.400.205.

(2)(a) In addition to salary allocations, the appropriations in this section include funding for professional learning as defined in RCW 28A.415.430, 28A.415.432, and 28A.415.434. Funding for this purpose is calculated as the equivalent of three days of salary and benefits for each of the funded full-time equivalent certificated instructional staff units. Nothing in this section entitles an individual certificated instructional staff to any particular number of professional learning days.

(b) Of the funding provided for professional learning in this section, the equivalent of one day of salary and benefits for each of the funded full-time equivalent certificated instructional staff units in the 2023-24 school year must be used to train school district staff on cultural competency, diversity, equity, or inclusion, as required in chapter 197, Laws of 2021.

(3)(a) The appropriations in this section include associated incremental fringe benefit allocations at 17.33 percent for the 2023-24 school year and ~~((17.33))~~ 17.35 percent for the 2024-25 school year for certificated instructional and certificated administrative staff and 18.56 percent for the 2023-24 school year and ~~((18.06))~~ 18.08 percent for the 2024-25 school year for classified staff.

(b) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocations and methodology in sections 504 and 505 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 504 and 505 of this act. Changes for pupil transportation are determined by the superintendent of public instruction pursuant to RCW 28A.160.192, and impact compensation factors in sections 504, 505, and 506 of this act.

(c) The appropriations in this section include no salary adjustments for substitute teachers.

(4) The appropriations in this section are sufficient to fund the collective bargaining agreement referenced in part 9 of this act and reflect the incremental change in cost of allocating rates as follows: For the 2023-24 school year, \$1,100 per month and for the 2024-25 school year, ~~((\$1,157))~~ \$1,178 per month.

(5) The rates specified in this section are subject to revision each year by the legislature.

(6) \$46,426,000 of the general fund—state appropriation for fiscal year 2024 and \$211,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 50, Laws of 2023.

(7) \$5,155,000 of the general fund—state appropriation for fiscal year 2024 and \$12,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$864,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the special education enrollment funding cap in RCW 28A.150.390.

(9) \$3,995,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(10) \$671,000 of the general fund—state appropriation for fiscal year 2024 and \$1,555,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

**Sec. 507.** 2023 c 475 s 507 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$763,749,000</del> ))
	<u>\$803,792,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$762,332,000</del> ))
	<u>\$832,615,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$1,526,081,000</del>))</b>
	<b><u>\$1,636,407,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 507, chapter 297, Laws of 2022, as amended.

(3) Within amounts appropriated in this section, up to \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and up to \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are for a transportation alternate funding grant program based on the alternate funding process established in RCW 28A.160.191. The superintendent of public instruction must include a review of school district efficiency rating, key performance indicators and local school district characteristics such as unique geographic constraints in the grant award process.

(4) A maximum of \$939,000 of the general fund—state appropriation for fiscal year 2024 and a maximum of \$939,000 of the general fund—state appropriation for fiscal year 2025 may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(5) Subject to available funds under this section, school districts may provide student transportation for summer skills center programs.

(6) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public

instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(7) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(8) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

(9)(a) \$13,000,000 of the general fund—state appropriation for fiscal year 2024 and \$13,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to provide transportation safety net funding to school districts with a convincingly demonstrated need for additional transportation funding for special passengers. Transportation safety net awards shall only be provided when a school district's allowable transportation expenditures attributable to serving special passengers exceeds the amount allocated under subsection (2) (a) of this section and any excess transportation costs reimbursed by federal, state, tribal, or local child welfare agencies. A transportation safety net award may not exceed a school district's excess expenditures directly attributable to serving special passengers in the pupil transportation program.

(b) To be eligible for additional transportation safety net award funding, the school district must report, in accordance with statewide accounting guidance, the amount of the excess costs and the specific activities or services provided to special passengers that created the excess costs. The office of the superintendent of public instruction must request from school districts an application for transportation safety net funding. The office must submit to the office of financial management, and to the education and fiscal committees of the legislature, the total demonstrated need and awards by school district.

(c) Transportation safety net awards allocated under this subsection are not part of the state's program of basic education.

(10) \$23,033,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Substitute Senate Bill No. 5873 (student transportation), including: (a) \$4,000,000 is provided for supplemental transportation allocations to school districts that experience an increase in costs to pupil transportation services contracts due to new benefit requirements; (b) \$400 per student for 32,086 homeless students; (c) \$170,000 for the office of the superintendent of public instruction to collect student transportation expenditure data; and (d) \$6,000,000 for transportation allocations to school districts. If Substitute Senate Bill No. 5873 is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(11) \$130,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Engrossed Substitute Senate Bill No. 6031 (student transportation allocation). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$32,177,000 of the general fund—state appropriation for fiscal year 2024 and \$41,519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

**Sec. 508.** 2023 c 475 s 508 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SCHOOL FOOD SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$33,334,000 ))
	\$55,834,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$79,857,000 ))
	\$102,357,000
General Fund—Federal Appropriation . . . . .	(( \$573,104,000 ))
	\$925,799,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$686,295,000 ))</b>
	<b>\$1,083,990,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$11,548,000 of the general fund—state appropriation for fiscal year 2024 and \$11,548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(a) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades pre-kindergarten through twelfth grades who are eligible for reduced-price lunch as required in chapter 74, Laws of 2021 (reduced-price lunch copays);

(b) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(c) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced-price lunch, pursuant to chapter 287, Laws of 2005; and

(d) Assistance to school districts in initiating and expanding school breakfast programs.

(2) The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in subsection (1)(a) through (c) of this section.

(3) The superintendent of public instruction shall provide the department of health with the following data, where available, for all nutrition assistance programs that are funded by the United States department of agriculture and administered by the office of the superintendent of public instruction. The superintendent must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(4) (a) ~~((\$21,167,000))~~ \$44,167,000 of the general fund—state appropriation for fiscal year 2024, ~~((\$52,167,000))~~ \$74,667,000 of the general fund—state appropriation for fiscal year 2025, and \$28,500,000 of the general fund—federal appropriation (CRRSA) are provided solely for reimbursements to school districts for schools and groups of schools required to participate in the federal community eligibility program under section 1, chapter 7, Laws of 2022 (schools/comm. eligibility) for meals not reimbursed at the federal free meal rate.

(b) \$119,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 271, Laws of 2018 (school meal payment) to increase the number of schools participating in the federal community eligibility program and to support breakfast after the bell programs authorized by the legislature that have adopted the community eligibility provision, and for staff at the office of the superintendent of public instruction to implement section 1, chapter 7, Laws of 2022 (schools/comm. eligibility).

(5) \$7,426,000 of the general fund—federal appropriation (CRRSA/GEER) and \$16,023,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1238 (free school meals). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

**Sec. 509.** 2023 c 475 s 509 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <u>\$1,719,541,000</u> ))
	<u>\$1,804,368,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$1,789,729,000</u> ))
	<u>\$1,916,079,000</u>
General Fund—Federal Appropriation . . . . .	(( <u>\$529,429,000</u> ))
	<u>\$664,372,000</u>
Education Legacy Trust Account—State Appropriation . . . . .	\$54,694,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<u>\$4,093,393,000</u>))</b>
	<b><u>\$4,439,513,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 504 and 506 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2)(a) The superintendent of public instruction shall ensure that:

- (i) Special education students are basic education students first;
- (ii) As a class, special education students are entitled to the full basic education allocation; and
- (iii) Special education students are basic education students for the entire school day.

(b)(i) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006, except as provided in (b)(ii) of this subsection.

(ii) The superintendent of public instruction shall implement any changes to excess cost accounting methods required under Engrossed Substitute House Bill No. 1436 (special education funding).

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW

28A.150.390, except that the calculation of the base allocation also includes allocations provided under section 504 (2) and (4) of this act and RCW 28A.150.415, which enhancement is within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school district programs for special education students as provided in section 509, chapter 297, Laws of 2022, as amended.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund—state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 15 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) (~~(\$106,931,000)~~)\$151,047,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$112,431,000)~~)\$151,046,000 of the general fund—state appropriation for fiscal year 2025, and \$29,574,000 of the general fund—federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2023-24 and 2024-25 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (education).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$1,250,000 may be expended from the general fund—state appropriations to fund teachers and aides at Seattle children's hospital. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$87,000 of the general fund—state appropriation for fiscal year 2024, \$87,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

(12) (a) \$13,538,000 of the general fund—federal appropriation (ARPA) is provided solely for allocations from federal funding as authorized in section 2014, the American rescue plan act of 2021, P.L. 117-2.

(b) \$1,777,000 of the general fund—federal appropriation (ARPA) is provided solely for providing preschool services to qualifying special education students under section 619 of the federal individuals with disabilities education act, pursuant to section 2002, the American rescue plan act of 2021, P.L. 117-2.

(13) \$153,091,000 of the general fund—state appropriation for fiscal year 2024 and \$199,246,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(14) \$12,542,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the special education enrollment funding cap in RCW 28A.150.390.

(15) \$6,590,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 510.** 2023 c 475 s 510 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund—State Appropriation (FY 2024) . . . . . (~~(\$40,799,000)~~)  
\$41,625,000

General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$35,780,000</u> ))
	<u>\$39,185,000</u>
Workforce Education Investment Account—State	
Appropriation . . . . .	\$2,700,000
TOTAL APPROPRIATION . . . . .	(( <u>\$79,279,000</u> ))
	<u>\$83,510,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) Funding in this section is provided for regional professional development related to English language arts curriculum and instructional strategies aligned with common core state standards. Each educational service district shall use this funding solely for salary and benefits for certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(4) Funding in this section is provided for regional technical support for the K-20 telecommunications network to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(5) Funding in this section is provided for a corps of nurses located at the educational service districts, to be dispatched in coordination with the office of the superintendent of public instruction, to provide direct care to students, health education, and training for school staff. In fiscal years 2024 and 2025, allocations for the corps of nurses is sufficient to provide one day per week of nursing services for all second-class school districts.

(6) Funding in this section is provided for staff and support at the nine educational service districts to provide a network of support for school districts to develop and implement comprehensive suicide prevention and behavioral health supports for students.

(7) Funding in this section is provided for staff and support at the nine educational service districts to provide assistance to school districts with comprehensive safe schools planning, conducting needs assessments, school safety and security trainings, coordinating appropriate crisis and emergency response and recovery, and developing threat assessment and crisis intervention teams. In fiscal years 2024 and 2025, allocations for staff and support for regional safety centers are increased to 3 full-time equivalent certificated instructional staff for each regional safety center.

(8) Funding in this section is provided for regional English language arts coordinators to provide professional development of teachers and principals around the new early screening for dyslexia requirements.

(9) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

(10) \$2,169,000 of the general fund—state appropriation for fiscal year 2024 and \$2,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each educational service district to provide technology consultation, procurement, and training required under chapter 301, Laws of 2021 (schools/computers & devices).

(11) \$1,009,000 of the general fund—state appropriation for fiscal year 2024 and \$1,009,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 87, Laws of 2022 (ed. service district funding).

(12) \$2,700,000 of the workforce education investment account—state appropriation is provided solely for the cost of employing one full-time equivalent employee at each of the nine education service districts to support the expansion of career connected learning.

(13) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts to provide students attending school in rural areas with access to a mental health professional using telemedicine. Funding must be prioritized to districts where mental health services are inadequate or nonexistent due to geographic constraints. Funding may be used for schools or school districts for technology upgrades to provide secure access for students, for contracted services, or to pay applicable copays or fees for telemedicine visits if not covered by a student's public or private insurance.

(14) \$325,000 of the general fund—state appropriation for fiscal year 2024 and \$325,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound educational service district 121 to administer a Washington state capitol civic



engagement grant program for the Auburn, Federal Way, Highline, Kent, Renton, and Tukwila public school districts. Grant recipients must use the grant awards to transport one grade of either fourth or fifth grade students to the Washington state capitol campus for a day of civic engagement, which may include a capitol tour, mock legislative committee hearings, presentations on the legislative process, meet and greets with legislative members, and other related activities. If funding remains after all eligible school districts have received grant awards, the remaining funding may be used to support the program for high school students within the eligible school districts. Of the amounts provided in this subsection, \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000 of the general fund—state appropriation for fiscal year 2025 are provided for the Puget Sound educational service district to administer the grant program.

(15) ~~\$5,000,000 of the general fund—state appropriation for fiscal year 2024 ((=))and \$2,355,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue behavioral health regional services grants to support school districts with the least access to behavioral health services. The office of the superintendent of public instruction shall conduct an evaluation of the investments in behavioral health supports and by December 31, 2024, report to the office of financial management and the fiscal committees of the legislature, the number of students served by specific behavioral health supports, how the students were selected for specific behavioral health supports, and how the students may have received behavioral health supports, and make recommendations for improving behavioral health supports for students.~~

(16) \$2,800,000 of the general fund—state appropriation for fiscal year 2024 and \$2,800,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the educational service districts to expand and maintain student behavioral health and mental health services.

(17) \$643,000 of the general fund—state appropriation for fiscal year 2024 and \$643,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts 121 and 101 to coordinate with local mental health agencies and local school districts to arrange for in-school placements of social worker associates licensed under RCW 18.225.145 and masters in social work candidates enrolled in an accredited university program who commit to working as school social workers, and to coordinate clinical supervision for approved supervisors that meet the requirements as defined in rule by the department of health to provide the necessary supervision to the social worker associates and masters in social work candidates.

(18) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to work with educational service districts, the health care authority, and the department of health to review and update materials for information sessions provided to students designed to prevent the use of opioids, including fentanyl, specifically outlining the risks of death related to uneven dosages and pills that look like prescription drugs. If Second Substitute House Bill No. 1956 (relating to fentanyl and other substance use prevention education) is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 511.** 2023 c 475 s 511 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$215,327,000))
	\$213,689,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$211,159,000))
	\$211,467,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$426,486,000))</b>
	<b>\$425,156,000</b>

**Sec. 512.** 2023 c 475 s 512 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$14,899,000))
	\$16,138,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$14,635,000))
	\$16,736,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$29,534,000))</b>
	<b>\$32,874,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund—state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution's annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$701,000 of the general fund—state appropriation for fiscal year 2024 and \$701,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Within the amounts provided in this section, funding is provided to increase the capacity of institutional education programs to differentiate instruction to meet students' unique educational needs, including students with individualized educational plans. Those needs may include but are not limited to one-on-one instruction, enhanced access to counseling for social emotional needs of the student, and services to identify the proper level of instruction at the time of student entry into the facility. Allocations of amounts for this purpose in a school year must be based on 45 percent of full-time enrollment in institutional education receiving a differentiated instruction amount per pupil equal to the total statewide allocation generated by the distribution formula under RCW 28A.150.260 (4) (a), (5), (6), and (8) and the allocation under RCW 28A.150.415, per the statewide full-time equivalent enrollment in common schools.

(7) \$200,000 of the general fund—state appropriation in fiscal year 2024 and \$200,000 of the general fund—state appropriation in fiscal year 2025 are provided solely to support two student records coordinators to manage the transmission of academic records for each of the long-term juvenile institutions. One coordinator is provided for each of the following: The Issaquah school district for the Echo Glen children's center and for the Chehalis school district for Green Hill academic school.

(8) Ten percent of the funds allocated for the institution may be carried over from one year to the next.

(9) \$588,000 of the general fund—state appropriation for fiscal year 2024 and \$897,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one educational advocate to each institution with enrollments above 40 full-time equivalent students in addition to any educational advocates supported by federal funding. Educational advocates will provide the following supports to students enrolled in or just released from institutional education programs:

- (a) Advocacy for institutional education students to eliminate barriers to educational access and success;
- (b) Consultation with juvenile rehabilitation staff to develop educational plans for and with participating youth;
- (c) Monitoring educational progress of participating students;
- (d) Providing participating students with school and local resources that may assist in educational access and success upon release from institutional education facilities; and
- (e) Coaching students and caregivers to advocate for educational needs to be addressed at the school district upon return to the community.

(10) Within the amounts provided in this section, funding is provided to increase materials, supplies, and operating costs by \$85 per pupil for technology supports for institutional education programs. This funding is in addition to general education materials, supplies, and operating costs provided to institutional education programs, which exclude formula costs supported by the institutional facilities.

(11) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support instruction in cohorts of students grouped by similar age and academic levels.

**Sec. 513.** 2023 c 475 s 513 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <u>\$33,233,000</u> ))
	<u>\$33,171,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$32,990,000</u> ))
	<u>\$32,964,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<u>\$66,223,000</u>))</b>
	<b><u>\$66,135,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c) except that allocations must be based on 5.0 percent of each school district's full-time equivalent enrollment. In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students

per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the compensation rates as provided in sections 505 and 506 of this act.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 513, chapter 297, Laws of 2022, as amended.

**Sec. 514.** 2023 c 475 s 514 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR MISCELLANEOUS—EVERY STUDENT SUCCEEDS ACT**

General Fund—Federal Appropriation. . . . .	(( <del>\$9,802,000</del> ))
	<u>\$11,416,000</u>
TOTAL APPROPRIATION.....	(( <del>\$9,802,000</del> ))
	<u>\$11,416,000</u>

**Sec. 515.** 2023 c 475 s 515 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—EDUCATION REFORM PROGRAMS**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$139,296,000</del> ))
	<u>\$132,050,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$141,513,000</del> ))
	<u>\$145,739,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$95,825,000</del> ))
	<u>\$97,181,000</u>
General Fund—Private/Local Appropriation. . . . .	\$1,450,000
Education Legacy Trust Account—State Appropriation. . . . .	\$1,664,000
TOTAL APPROPRIATION.....	(( <del>\$379,748,000</del> ))
	<u>\$378,084,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ACCOUNTABILITY

(a) \$26,975,000 of the general fund—state appropriation for fiscal year 2024, \$26,975,000 of the general fund—state appropriation for fiscal year 2025, \$1,350,000 of the education legacy trust account—state appropriation, and \$15,868,000 of the general fund—federal appropriation are provided solely for development and implementation of the Washington state assessment system.

(b) \$14,352,000 of the general fund—state appropriation for fiscal year 2024 and \$14,352,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 159, Laws of 2013 (K-12 education - failing schools).

(2) EDUCATOR CONTINUUM

(a) ((~~\$75,317,000~~)) \$70,518,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$77,424,000~~)) \$78,626,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(i) For national board certified teachers, a bonus of \$6,206 per teacher in the 2023-24 school year and a bonus of \$6,336 per teacher in the 2024-25 school year;

(ii) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(iii) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(iv) During the 2023-24 and 2024-25 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary allocation and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after fully exhausting all years of candidacy as set by the national board for professional teaching standards are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(b) \$3,418,000 of the general fund—state appropriation for fiscal year 2024 and \$3,418,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(c) \$477,000 of the general fund—state appropriation for fiscal year 2024 and \$477,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(d) \$810,000 of the general fund—state appropriation for fiscal year 2024 and \$810,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(e) \$11,500,000 of the general fund—state appropriation for fiscal year 2024 and \$11,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a beginning educator support program (BEST). The program shall prioritize first year educators in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning educator aligned with professional certification; release time for mentors and new educators to work together; and educator observation time with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support first year educators in the mentoring program.

(f) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of training for teachers, principals, and principal evaluators in the performance-based teacher principal evaluation program.

(g) \$3,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with an approved educator preparation program run by a statewide labor organization representing educators to fund one cohort of teacher residents. This program shall choose its candidates from among the paraeducators working in those districts. Through completing this program, participants shall attain a teaching certification with an endorsement in special education.

(h) \$621,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with a statewide labor association that represents educators to provide a suite of supports and professional development opportunities for 15,000 emergency substitute teachers.

**Sec. 516.** 2023 c 475 s 516 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$236,993,000</del> ))
	\$249,957,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$236,173,000</del> ))
	\$260,357,000
General Fund—Federal Appropriation . . . . .	(( <del>\$107,124,000</del> ))
	\$137,117,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$580,290,000</del>))</b>
	<b>\$647,431,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) (a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10) (b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through six and 6.7780 hours per week per transitional bilingual program student in grades seven through twelve in school years 2023-24 and 2024-25; (ii) additional instruction of 3.0000 hours per week in school years 2023-24 and 2024-25 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the compensation rates as provided in sections 505 and 506 of

this act. Pursuant to RCW 28A.180.040(1)(g), the instructional hours specified in (a)(ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 516, chapter 297, Laws of 2022, as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: ~~((1.75))~~ 1.63 percent for school year 2023-24 and ~~((1.74))~~ 1.57 percent for school year 2024-25.

(4) The general fund—federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund—state appropriation for fiscal year 2024 and \$35,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to track current and former transitional bilingual program students.

(6) \$1,461,000 of the general fund—state appropriation in fiscal year 2024 and \$1,916,000 of the general fund—state appropriation in fiscal year 2025 are provided solely for the central provision of assessments as provided in RCW 28A.180.090, and is in addition to the withholding amounts specified in subsection (3) of this section.

**Sec. 517.** 2023 c 475 s 517 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE LEARNING ASSISTANCE PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$467,338,000</del> ))
	<u>\$484,953,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$466,985,000</del> ))
	<u>\$491,111,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$533,487,000</del> ))
	<u>\$636,543,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,467,810,000</del>))</b>
	<b><u>\$1,612,607,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) (i) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a). In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2023-24 and 2024-25 school years; (B) additional instruction of 1.1 hours per week per funded learning assistance program student for the 2023-24 and 2024-25 school years in qualifying high-poverty school building; (C) fifteen learning assistance program students per teacher; (D) 36 instructional weeks per year; (E) 900 instructional hours per teacher; and (F) the compensation rates as provided in sections 505 and 506 of this act.

(ii) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 517, chapter 297, Laws of 2022, as amended.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the school year period defined under RCW 28A.150.260(10)(a). A school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund—federal appropriation in this section is provided for Title I Part A allocations of the every student succeeds act of 2016.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) Within existing resources, during the 2023-24 and 2024-25 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

**Sec. 518.** 2023 c 475 s 518 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—PER PUPIL ALLOCATIONS**

Statewide Average Allocations		
Per Annual Average Full-Time Equivalent Student		
Basic Education Program	2023-24 School Year	2024-25 School Year
General Apportionment	<del>(( \$10,329 ))</del> \$10,303	<del>(( \$10,814 ))</del> \$10,849
Pupil Transportation	<del>(( \$725 ))</del> \$788	<del>(( \$745 ))</del> \$822
Special Education Programs	<del>(( \$11,960 ))</del> \$12,214	<del>(( \$12,495 ))</del> \$12,750
Institutional Education Programs	<del>(( \$26,938 ))</del> \$25,766	<del>(( \$27,909 ))</del> \$27,295
Programs for Highly Capable Students	<del>(( \$648 ))</del> \$647	\$674
Transitional Bilingual Programs	<del>(( \$1,555 ))</del> \$1,571	<del>(( \$1,591 ))</del> \$1,620
Learning Assistance Program	<del>(( \$1,008 ))</del> \$1,009	<del>(( \$1,049 ))</del> \$1,050

**Sec. 519.** 2023 c 475 s 519 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocation purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) When adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, except as provided in ~~((subsection))~~ subsections (6) and (7) of this section.

(4) Appropriations in sections 504 and 506 of this act for insurance benefits under chapter 41.05 RCW are provided solely for the superintendent to allocate to districts for employee health benefits as provided in section 909 of this act. The superintendent may not allocate, and districts may not expend, these amounts for any other purpose beyond those authorized in section 909 of this act.

(5) As required by RCW 28A.710.110, the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

(6) By January 15, 2024, the office of the superintendent of public instruction must identify funding in this Part V from the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f), the American rescue plan act of 2021, P.L. 11 117-2 and general fund—federal appropriation (CRRSA/GEER) that are provided solely for the purposes defined in sections 507, 522, and 523 of this act and are at risk of being unobligated or unspent by federal deadlines, as of January 15, 2024. Funding identified at risk under this subsection must be reported to the fiscal committees of the legislature and expended as allocations to school districts in the same proportion as received under part A of title I of the elementary and secondary education act of 1965 in the most recent fiscal year.

(7) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, 2024, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year 2024 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment; employee compensation adjustments; pupil transportation; special education programs; institutional education programs; transitional bilingual programs; highly capable programs; and learning assistance programs.

(8) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

**Sec. 520.** 2023 c 475 s 520 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR CHARTER SCHOOLS**  
 Washington Opportunity Pathways Account—State

Appropriation. . . . .	(( <del>\$184,721,000</del> ))
	<u>\$181,579,000</u>
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$184,721,000</del>))</b>
	<b><u>\$181,579,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW. Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond the amounts provided under chapter 28A.710 RCW.

(2) \$3,293,000 of the opportunity pathways account—state appropriation is provided solely for implementation of chapter 50, Laws of 2023 (K-12 inflationary increases).

(3) \$1,421,000 of the opportunity pathways account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(4) \$161,000 of the opportunity pathways account—state appropriation is provided solely for grants to charter schools to recruit, retain, and provide wage increases to paraeducator staff. The office of the superintendent of public instruction shall establish standards and procedures for payment that consider regional cost differences between districts. The amount provided in this section is not part of the state's program of basic education.

(5) \$77,000 of the opportunity pathways account—state appropriation is provided solely to increase the special education enrollment funding cap in RCW 28A.150.390.

(6) \$11,128,000 of the opportunity pathways account—state appropriation is provided solely for payment for enrichment to state-tribal schools and charter schools.

(7) \$260,000 of the opportunity pathways account—state appropriation is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(8) \$969,000 of the opportunity pathways account—state appropriation is provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

**Sec. 521.** 2023 c 475 s 521 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION**

Washington Opportunity Pathways Account—State	
Appropriation. . . . .	(( <del>\$23,000</del> ))
	<u>\$640,000</u>

Charter Schools Oversight Account—State	
Appropriation. . . . .	(( <del>\$4,572,000</del> ))
	<u>\$4,571,000</u>

<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$4,595,000</del>))</b>
	<b><u>\$5,211,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire Washington opportunity pathways account—state appropriation in this section is provided to the superintendent of public instruction solely for the operations of the Washington state charter school commission under chapter 28A.710 RCW.

(2) \$28,000 of the charter schools oversight account—state appropriation is provided solely to the Washington state charter school commission to enable each charter school to participate in the governance training required under chapter 197, Laws of 2021 (schools/ equity training).

(3) \$238,000 of the charter schools oversight account—state appropriation is provided solely for office of the attorney general legal services related to litigation challenging the commission's authority to oversee and regulate charter schools.

**Sec. 522.** 2023 c 475 s 522 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GRANTS AND PASS THROUGH FUNDING**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$85,370,000</del> ))
	<u>\$86,090,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$81,400,000</del> ))
	<u>\$86,603,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$111,255,000</del> ))
	<u>\$113,347,000</u>

<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
Appropriation. . . . .	<u>\$1,487,000</u>
Elementary and Secondary School Emergency Relief III	
Account—Federal Appropriation. . . . .	<u>\$897,895,000</u>

TOTAL APPROPRIATION..... ((~~\$1,175,920,000~~))  
\$1,185,422,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$132,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for global compensation changes.

(2) GRADUATION SUCCESS AND PREPARATION FOR POSTSECONDARY PATHWAYS

(a) \$4,894,000 of the general fund—state appropriation for fiscal year 2024 and \$4,894,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer programs and grants which increase equitable access to dual credit programs, including subsidizing or eliminating student costs for dual credit courses or exams. By November 2024, the office shall submit a report to relevant committees of the legislature describing options for entering into statewide agreements with dual credit exam companies that will reduce the overall costs for all students and eliminate costs for students who are low income.

(b) \$3,152,000 of the general fund—state appropriation for fiscal year 2024 and \$3,152,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008, including parts of programs receiving grants that serve students in grades four through six. If equally matched by private donations, \$1,475,000 of the 2024 appropriation and \$1,475,000 of the 2025 appropriation shall be used to support FIRST robotics programs in grades four through twelve. Of the amounts provided in this subsection (2)(b), \$800,000 of the fiscal year 2024 appropriation and \$800,000 of the fiscal year 2025 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(c) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2024, a high school must have offered a foundational project lead the way course during the 2022-23 school year. The 2024 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2023-24 school year. To be eligible for funding in 2025, a high school must have offered a foundational project lead the way course during the 2023-24 school year. The 2025 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2024-25 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(e) \$2,527,000 of the general fund—state appropriation for fiscal year 2024 and \$2,527,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for annual startup, expansion, or maintenance of core plus programs in maritime, construction, and aerospace and advanced manufacturing programs. To be eligible for funding to start up, maintain, or expand programs under (e)(i) through (iii) of this subsection (2), the skills center, high school, or middle school must be selected through a grant process administered by the office of the superintendent of public instruction in consultation with the advisory committee established in (e)(vi) of this subsection (2). The office and the education research and data center shall report annually student participation and long-term outcome data. Within the amounts provided in this subsection (2)(e):

(i) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in aerospace and advanced manufacturing programs.

(ii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in construction programs.

(iii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in maritime programs.

(iv) For (e)(i) through (iii) of this subsection (2), when the grant demand does not align with the specified allocation, the superintendent may allocate funding toward sector areas that meet criteria based on agreement from industry sector representatives.

(v) \$527,000 of the general fund—state appropriation for fiscal year 2024 and \$527,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer, evaluate, and promote programs under (e)(i) through (iii) of this subsection (2) based on industry sector recommendations, including contracts with sector-specific entities to expand sector-specific employer engagement programs, increase work placement opportunities, validate credentials necessary for direct employment, and provide professional



development to support schools, teachers, and students. Professional development must include pedagogy-based learning to increase English language arts, mathematics, and science outcomes through core plus programming.

(vi) The office shall collaborate with industry sector leadership from the core plus program areas and a representative from a statewide business and manufacturing association to inform the administration and continual improvement of core plus programs, review data and outcomes, recommend program improvements, ensure core plus programs reflect current industry competencies, and identify appropriate program credentials.

(f) \$4,940,000 of the general fund—state appropriation for fiscal year 2024 and \$4,940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(g) \$1,454,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(h) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an education and workforce pathway pilot program at the northwest career and technical academy. The pilot program will oversee a pathway including high schools, skills centers, community and technical colleges, and employers that results in students earning a high school diploma and an associate in technical arts degree, while maintaining summer employment.

(i) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to distribute after-exit running start grants to school districts that identify running start students that have exceeded maximum enrollment under running start formulas and high school graduates who have 15 or fewer college credits to earn before meeting associate degree requirements for instruction not funded under section 504(18) of this act. High school graduates who meet these requirements are eligible to receive funds from these grants for fees to the community and technical college to earn up to 15 college credits during the summer academic term following their high school graduation.

(j) \$2,094,000 of the general fund—state appropriation for fiscal year 2024 and \$2,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the competitive grant program created in Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(k) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the West Sound STEM Network to increase STEM activities for students in school and after school and to develop industry education pathways in high demand sectors.

(l) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with a nongovernmental entity for a controls programmer apprenticeship program.

(m) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a skill center located in Vancouver, Washington to support the center's criminal justice and fire science programs.

(n) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to conduct summer open doors pilots with up to 12 dropout reengagement programs to support summer programming. To select pilot participants, the office must prioritize schools and programs that work with postresident youth as defined in RCW 28A.190.005. Amounts provided in this subsection must be used to support programming during the summer months and are in addition to funding generated by enrollment under state funding formulas.

(o) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to school districts for ninth grade success. Within the amounts in this subsection, funding is provided for the office to contract with an evaluator to conduct a yearly evaluation of the program's success.

(p) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for a grant to the Seattle public school district to conduct an analysis of why families have left the district and how they may be attracted back. The Seattle public school district shall provide a report to the office of financial management and the fiscal committees of the legislature by June 30, 2025, that addresses the reasons for families leaving the district and specific steps necessary for them to return to the district.

(q) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for grants to school districts to install at least one automatic external defibrillator. The office shall establish a grant program to assist school districts to offset the costs of purchasing an automatic external defibrillator (AED) or to maintain or replace an AED.

(r) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to small districts to enable access to skills centers and technical education. For purposes of this subsection (2)(r), "small district" means a district having an enrollment of fewer than 750 students.

(s) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office for a grant to Evergreen high school in Vancouver to support the associated student body at the high school.

(t) \$425,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to provide grants to school districts to provide opportunities for youth to participate in high demand science, technology, engineering, and math careers.

(u) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for grants to school districts to develop and implement capacity building supports for community-based youth development. School districts receiving grants under this subsection will offer programs that serve youth between the ages of 11 and 19.

(3) CURRICULUM DEVELOPMENT, DISSEMINATION, AND SUPPORTS

(a) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project citizen and we the people: The citizen and the constitution programs sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle and high school students. Of the amounts provided, \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for awarding a travel grant to the winner of the we the people: The citizen and the constitution state competition.

(b) \$373,000 of the general fund—state appropriation for fiscal year 2024 and \$373,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 127, Laws of 2018 (civics education). Of the amounts provided in this subsection (3)(b), \$10,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grant programs to school districts to help cover travel costs associated with civics education competitions.

(c) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional development for districts implementing the new frameworks.

(d) Within the amounts appropriated in this section the office of the superintendent of public instruction shall ensure career and technical education courses are aligned with high-demand, high-wage jobs. The superintendent shall verify that the current list of career and technical education courses meets the criteria established in RCW 28A.700.020(2). The superintendent shall remove from the list any career and technical education course that no longer meets such criteria.

(e) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide grants to school districts and educational service districts for science teacher training in the next generation science standards including training in the climate science standards. At a minimum, school districts shall ensure that teachers in one grade level in each elementary, middle, and high school participate in this science training. Of the amount appropriated \$1,000,000 is provided solely for community-based nonprofits including tribal education organizations to partner with public schools for next generation science standards.

(f) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Kip Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities, including instructional material purchases, teacher and principal professional development, and school and community engagement events. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(h) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants of \$2,500 to provide twenty middle and high school teachers each year with professional

development training for implementing integrated math, science, technology, and engineering programs in their schools.

(i) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction must use the computer science learning standards adopted pursuant to chapter 3, Laws of 2015 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. The office of the superintendent of public instruction may award up to \$500,000 each year, without a matching requirement, to districts with greater than fifty percent of students eligible for free and reduced-price meals. All other awards must be equally matched by private sources for the program, including gifts, grants, or endowments.

(j) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a qualified 501(c)(3) nonprofit community-based organization physically located in Washington state that has at least 18 years of experience collaborating with the office and school districts statewide to integrate the state learning standards in English language arts, mathematics, and science with FieldSTEM outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(k) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(i) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(ii) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(l) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities.

(m) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the centrum program at Fort Worden state park.

(n) \$20,000,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer an outdoor learning grant program to develop and support outdoor educational experiences for students in Washington public schools. A portion of the amount provided must be used to provide outdoor educational opportunities for people with disabilities. The office may consult with the Washington recreation and conservation office on outdoor learning program grants. Of the amounts provided in this subsection (3)(n):

(i) \$195,000 of the general fund—state appropriation for fiscal year 2024 and \$195,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to implement chapter 112, Laws of 2022 (outdoor learning grant prg.).

(ii) \$3,903,000 of the general fund—state appropriation for fiscal year 2024 and \$3,903,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the outdoor learning grant program, which consists of two types of grants:

(A) Allocation-based grants for school districts to develop or support outdoor educational experiences; and

(B) Competitive grants for outdoor education providers that are designed to support existing capacity and to increase future capacity for outdoor learning experiences.

(iii) \$15,902,000 of the general fund—state appropriation for fiscal year 2024 and \$15,902,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the outdoor education experiences program. The office must prioritize providing the program to fifth and sixth grade students in high poverty schools, expanding to other fifth and sixth grade students subject to available funds.

(o) \$3,205,000 of the general fund—state appropriation for fiscal year 2024 and \$3,205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 238, Laws of 2022 (student financial literacy) which provides

grants to school districts for integrating financial literacy education into professional development for certificated staff.

(p)(i) \$1,425,000 of the general fund—state appropriation for fiscal year 2024 and \$4,725,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dual language grants to grow capacity for high quality dual language learning. Grant funding may be used for new and existing dual language programs, heritage language programs for immigrant and refugee students, and indigenous language programs for native students. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for tribal language grants.

(ii) Each grant recipient must convene an advisory board to guide the development and continuous improvement of its dual language program, including but not limited to: Determining which schools and languages will be prioritized; conducting outreach to the community; and addressing enrollment considerations and the hiring of staff. At least half the members of the board must be parents of English learner students or current or former English learner students. The other members of the board must represent teachers, students, school leaders, governing board members, youth, and community-based organizations that support English learners.

(q) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a statewide information technology academy program. This public-private partnership will provide educational software, as well as information technology certification and software training opportunities for students and staff in public schools ((for the 2023-24 school year only)). The office must evaluate other options that may be available in the state for a future public-private partnership to deliver similar services to students and staff of public schools at no cost to the state.

(r) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental entity whose goals are to reduce disparities in student performance and improve algebraic achievement to create a statewide interactive math tutoring tool for middle and high school students that is accessible on a 24 hour basis to students, teachers, and parents across the state. The nongovernmental entity must have previously contracted with five other states and have demonstrated experience creating statewide interactive math tools with proven outcomes in math proficiency.

(s) \$2,036,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a gravitational wave observatory located in southeastern Washington that is supported through the national science foundation to purchase hands-on, interactive exhibits to expand the number of developmentally appropriate learning activities available for K-12 students attending the observatory.

(t) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the math improvement pilot program. Of the amounts provided in this subsection:

(i) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Spokane school district.

(ii) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Chehalis school district.

(u) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer grants to school districts for a plant-based school meals pilot program. Grants may be used for food supplies, delivery costs, equipment purchases, education, and other expenditures to increase access to plant-based school meals. Grant awards to school districts may not exceed \$10,000 per district and may only be distributed to school districts that have not received funding for the pilot program previously.

(v) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization that works with educators to secure salmon eggs, offer learning opportunities as the fry develop, and assist when students release their fry into local creeks and lakes. Funding may only be used for new programs located in elementary schools that are eligible for high-poverty allocations from the learning assistance program. Of the amounts provided in this subsection, the office may use no more than \$35,000 each fiscal year for office administration costs related to the contract.

(w) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for transitional support grants to school districts to support schools that incur costs transitioning from Native American school mascots, logos, or team names under chapter 301, Laws of 2021. In awarding grants under this subsection, the office must prioritize maximizing the number of schools that receive grant awards and address the most immediate school needs in order to comply with chapter 301, Laws of 2021, and must prioritize applications that are narrowly tailored to address specific compliance issues. School districts receiving funding to comply with the requirements of chapter 301, Laws of 2021 must use the methods that are the least costly and that leave intact existing facilities, including interiors and flooring, to the greatest extent possible. Grants awarded under this section may not be used for general maintenance or improvements of school facilities.

## (4) ELIMINATING INEQUITABLE STUDENT OUTCOMES

(a) \$5,895,000 of the general fund—state appropriation for fiscal year 2024, \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation, and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to chapter 71, Laws of 2016 (foster youth edu. outcomes). The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(i) Of the amount provided in this subsection (4)(a), \$446,000 of the general fund—state appropriation for fiscal year 2024 and \$446,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(ii) Of the amount provided in this subsection (4)(a), \$1,015,000 of the general fund—state appropriation for fiscal year 2024 and \$1,015,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2015-2017 omnibus appropriations act, section 501(43)(b), chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(iii) Of the amounts provided in this subsection (4)(a), \$684,000 of the general fund—state appropriation for fiscal year 2024 and \$684,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in the 2017-2019 omnibus appropriations act, chapter 1, Laws of 2017, 3rd sp. sess., as amended.

(iv) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in this act.

(v) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintaining and implementing the data sharing agreement between the office, the department of children, youth, and families, and the contractors to support targeted service delivery, program evaluation, and statewide education outcomes measurement for students served under this section.

(vi) Of the amounts provided in this subsection (4)(a), \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation and \$1,105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of individualized education services such as monitoring and supporting completion of educational milestones, remediation needs, and special education needs of middle school students who are dependent pursuant to chapter 13.34 RCW.

(b) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 157, Laws of 2016 (homeless students).

(c) \$36,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 212, Laws of 2014 (homeless student educational outcomes).

(d) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracts with Washington state based nonprofit organizations that provide a career-integrated one-to-one mentoring program for disadvantaged students facing academic and personal challenges with the goal of keeping them on track for graduation and post-high school success. An applicant requesting funding under this subsection must successfully demonstrate to the office that it currently provides a career-integrated one-to-one volunteer mentoring program and has been mentoring school youth for at least 20 years in the state prior to application.

(e) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization to create an after-school and summer learning program in the city of Federal Way. The program shall provide comprehensive, culturally competent academic support and cultural enrichment for primarily latinx, spanish-speaking, low-income sixth, seventh, and eighth grade students. The department must contract with an organization with over forty years of experience that serves the latino community in Seattle and King county and has previously established an after-school and summer learning program.

(f) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to create and administer a grant program for districts to reduce associated student body fees or participation fees for students who are eligible to participate in the federal free and reduced-price meals program. The office must distribute grants for the 2023-24 school year to school districts by August 10, 2023, and grants for the 2024-25 school year by August 1, 2024.

(i) Grant awards must be prioritized in the following order:

(A) High schools implementing the United States department of agriculture community eligibility provision;

(B) High schools with the highest percentage of students in grades nine through twelve eligible to participate in the federal free and reduced-price meals program; and

(C) High schools located in school districts enrolling 5,000 or fewer students.

- (ii) High schools that do not comply with the data collection and reporting requirements in RCW 28A.320.540 are not eligible for grant funding.
- (iii) The office of the superintendent of public instruction shall award grants that are the lesser of the cost of the high school's associated student body card multiplied by the number of students eligible for the free or reduced-price meals program that purchased a student body card in either 2022-23 or 2023-24 school year, whichever is higher, or \$10,000.
- (iv) The office may award additional funding if:
- (A) The appropriations provided are greater than the total amount of funding requested at the end of the application cycle; and
- (B) The applicant shows a demonstrated need for additional support.
- (g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a Washington-based nonprofit organization to promote equitable access in science, technology, engineering, and math education for historically underserved students and communities. The nonprofit shall provide a system of science educational programming specifically for migrant and bilingual students, including teacher professional development, culturally responsive classroom resources that are aligned with Washington state science and environmental and sustainability learning standards, and implementation support. At least 50 percent of the funding provided in this subsection must serve schools and school districts in eastern Washington. The nonprofit organization must have experience developing and implementing science and environmental science programming and resources for migrant and bilingual students.
- (h) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization serving opportunity youth in Pierce, King and Snohomish counties. The organization must assist traditionally underrepresented students on nontraditional educational pathways by providing mentorship and technical assistance in navigating higher education and financial aid. The office may require the recipient of these funds to report the impacts of the efforts in alignment with the measures of the Washington school improvement framework.
- (i) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school districts to support youth who are truant under chapter 28A.225 RCW or at risk of becoming truant, and for costs associated with filing or serving petitions under RCW 28A.225.030.
- (j) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts and educational service districts operating institutional education programs for youth in state long-term juvenile institutions to provide access to computer science elective courses created in chapter 234, Laws of 2022 (computer science instruction).
- (k) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts, charter schools, and state-tribal education compact schools to establish K-12 intensive tutoring programs. Grants shall be used to recruit, train, and hire tutors to provide one-on-one tutoring services to K-12 students experiencing learning loss as a result of the COVID-19 pandemic. The tutors must receive training in proven tutoring models to ensure their effectiveness in addressing learning loss.
- (l) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 180, Laws of 2017 (Washington Aim program).
- (m) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the pacific science center to increase hands-on learning opportunities for Title I K-5 students statewide by increasing access to science on wheels and virtual field trips.
- (n) (i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer a peer support competitive grant program in Washington public schools. The office must award grants to eligible school districts starting in the 2023-24 school year. Programs should be designed to be primarily youth-led and aim to increase youth school engagement and support personal/cultural identities, and reduce risks associated with depression, school violence, and bullying. Successful grantees may consult with Washington teen link and the natural helper program in the development of the grant criteria, and the development of training material support. Program components should include:
- (A) Identification of trusted peers and staff who other students confide in;
- (B) Development or adaption of training materials;
- (C) Intensive training for peer and staff supporters;
- (D) Avenues to advertise peer support communication strategies; and
- (E) Participant and program evaluations.
- (ii) School districts may also use funds to develop a sister school rapid trauma response strategy. Under this component, successful applicants reach out to other schools also receiving a peer support grant to develop a trauma response plan that quickly organizes students and staff to contact peers within those schools during times of school trauma and offer support.

(iii) The office shall evaluate the program to share best practices and for consideration by other school districts.

(o) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization to develop and provide a Latino youth-on-youth gang violence prevention program for students. The program must target Latino students ages 11 through 17 who are either involved in or at risk of becoming involved in a gang or in gang activities. Eligible youth must be enrolled in either the Moses Lake or Federal Way school districts. The nonprofit organization must have at least 15 years of experience serving Latino communities and promoting advocacy and must provide social kindergarten through 12th grade social emotional learning, mental health wraparound services, and parent engagement programs in Washington.

(p) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer the technology grant program established under chapter 301, Laws of 2021.

(q) \$625,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with an organization located in SeaTac, Washington to provide wraparound social services and expand and maintain existing education and family engagement programs that serve students and their families in the Federal Way and Highline public school districts. The work of the organization must focus on housing and social services, education, and economic development for African immigrant and refugee communities.

(r) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization located in Everett, Washington to provide arts and culture programs to 500 low-income children and youth from diverse racial and ethnic backgrounds to close the education achievement gap in Snohomish county by improving student and youth confidence and improving mental health outcomes.

(s) \$360,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Shelton School District to contract with an organization that provides a free early childhood music education to teach music literacy and key skills to prepare children for success in school. The organization must provide Spanish, Mam, and Q'anjob'al versions of the early learning music education program during the 2023-24 school year.

(5) EDUCATOR GROWTH AND DEVELOPMENT

(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonviolence and ethical leadership training and professional development program provided by the institute for community leadership.

(b) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with the association of Washington school principals to provide support, mentoring, mediation, and professional learning services to school principals and assistant principals in the greater Seattle area.

(c) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization that supports Washington teachers in implementing lessons on the Holocaust for the expansion of comprehensive Holocaust and genocide education.

(6) FEDERAL GRANTS FOR COVID-19 RECOVERY

(a) \$7,791,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely to administer a grant program for community-based organizations to collaborate with school districts to support learning recovery and acceleration.

(b) \$102,002,000 of the general fund—federal appropriation (CRRSA/ESSER) from funds attributable to subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M is provided solely for subgrants to local education agencies. Total subgrants awarded under this subsection (6)(b), section 1517(47)(b) of this act, and section 12, chapter 3, Laws of 2021 may not exceed the federal amounts provided under subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(c) \$9,253,000 of the general fund—federal appropriation (CRRSA/GEER) ((is))and \$1,487,000 of the general fund—federal appropriation (CSFRS) are provided solely to provide emergency assistance to nonpublic schools, as authorized in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M. Total funds provided under this subsection (6)(c), section 1517(47)(c)(i) of this act, and section 13, chapter 3, Laws of 2021 may not exceed the federal amounts provided in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(d) \$671,375,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(2) the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies. Total subgrants awarded under this subsection (6)(d) and section 1517(47)(d) of this act may not exceed the federal amounts provided under subsection 2001(e)(2), the American rescue plan act of 2021, P.L. 117-2.

(e) \$123,373,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies to address learning loss. Total subgrants awarded under this subsection (6)(e) and section 1517(47)(e) of this act may not exceed the federal amounts provided under subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2, and may not exceed the funding authorized in section 1517(47)(e) of this act.

(f) \$10,335,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(3), the American rescue plan act of 2021, P.L. 117-2 is provided solely to support evidence-based comprehensive afterschool programs. Total funds provided under this subsection (6)(f) and section 1517(47)(g) of this act may not exceed the funding authorized in section 1517(47)(g) of this act.

(g) \$6,184,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to districts to expand the number of dual language classrooms in early grades and professional development to accelerate literacy gains in early grades, especially for English learners. Total funds provided under this subsection (6)(g) and section 1517(47)(h) of this act may not exceed the funding authorized in section 1517(47)(h) of this act.

(h)(i) \$8,428,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the purposes of identifying children and youth experiencing homelessness and providing children and youth experiencing homelessness with:

(A) Wrap-around services due to the challenges of the COVID-19 public health emergency; and

(B) Assistance needed to enable children and youth experiencing homelessness to attend school and participate fully in school activities.

(ii) Total funds provided under this subsection (6)(h) and section 1517(47)(n) of this act may not exceed the federal amounts provided in subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2.

(i) \$65,610,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for the office of the superintendent of public instruction to administer grants for the purposes of learning recovery and acceleration. Allowable uses of the funds are limited to:

(i) One-time contracts for classified, certificated, or administrative staff who will provide tiered academic and social-emotional supports to students most impacted by the disruption of in-person learning, including locating and reengaging students who have disengaged from school, one-on-one and small-group instruction, and other intensive learning supports;

(ii) Professional learning for educators focused on learning recovery and acceleration, including assessing student learning and social-emotional needs, transitioning to standards-based curricula and grading, adopting competency or mastery-based options specifically for credit retrieval purposes, and family and student engagement strategies;

(iii) Procuring assessment or data systems that provide actionable just-in-time data regarding student progress throughout the school year; and

(iv) Direct supports to students to improve school engagement and accelerate learning.

(j) \$995,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the office of the superintendent of public instruction to contract with the Washington school principals' education foundation to support pandemic related learning loss through outdoor learning and overnight camp experiences.

(k) \$173,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(2), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to entities or organizations to provide outdoor education summer enrichment programs to youth. Recipients must prioritize activities or programs that:

(i) Promote students connecting socially with their classmates;

(ii) Encourage students to engage in physical activity; and

(iii) Support families who have struggled with child care needs.

(l) \$143,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants for supplies, equipment, staffing, and services to increase access to summer meals and safe school meals in the 2023-24 school year and summer prior to the start of the school year.

(m) \$2,383,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2, is provided solely for grants to school districts to expand career and technical education graduation pathway options, including career-connected learning opportunities. Total funds provided under this subsection (6)(m) and section 1517(47)(i) of this act for the same purpose may not exceed the funding authorized in section 1517(47)(i) of this act.



**Sec. 523.** 2023 c 475 s 523 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITION TO KINDERGARTEN PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$5,172,000</del> ))
	<u>\$6,870,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$67,008,000</del> ))
	<u>\$69,959,000</u>
General Fund—Federal Appropriation . . . . .	\$41,848,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$114,028,000</del>))</b>
	<b><u>\$118,677,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

((~~\$5,172,000~~)) (1) \$6,720,000 of the general fund—state appropriation for fiscal year 2024, ((~~\$67,008,000~~)) \$69,809,000 of the general fund—state appropriation for fiscal year 2025, and \$41,848,000 of the general fund—federal appropriation (CRRSA/GEER) are for implementation of Second Substitute House Bill No. 1550 (transition to kindergarten). If the bill is not enacted by June 30, 2023, the office of the superintendent of public instruction must distribute the amounts appropriated in this section for enrollment funding for transitional kindergarten programs to participating school districts, charter schools authorized pursuant to RCW 28A.710.080(2), and state-tribal education compact schools during the 2023-24 and 2024-25 school years. Enrollment funding for transitional kindergarten is not part of the state's statutory program of basic education.

(2) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff and administrative costs necessary to provide interdepartmental coordination and engagement with stakeholders with respect to the program authorized in chapter 420, Laws of 2023 (transition to kindergarten).

(End of part)

**PART VI  
HIGHER EDUCATION**

**Sec. 601.** 2023 c 475 s 605 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$918,693,000</del> ))
	<u>\$920,342,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$984,293,000</del> ))
	<u>\$986,321,000</u>
<u>Climate Commitment Account—State Appropriation</u> . . . . .	<u>\$475,000</u>
Community/Technical College Capital Projects	
Account—State Appropriation . . . . .	\$21,368,000
Education Legacy Trust Account—State Appropriation . . . . .	\$164,067,000
<u>Invest in Washington Account—State Appropriation</u> . . . . .	<u>\$92,000</u>
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$300,417,000</del> ))
	<u>\$302,271,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$2,388,838,000</del>))</b>
	<b><u>\$2,394,936,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$33,261,000 of the general fund—state appropriation for fiscal year 2024 and \$33,261,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2024 and at least 7,170 full-time equivalent students in fiscal year 2025.

(2) \$5,000,000 of the general fund—state appropriation for fiscal year 2024, \$5,000,000 of the general fund—state appropriation for fiscal year 2025, and \$5,450,000 of the education legacy trust account—state appropriation are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature under RCW 43.01.036 regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$425,000 of the general fund—state appropriation for fiscal year 2024 and \$425,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Seattle Central College's expansion of allied health programs.

(4) \$5,250,000 of the general fund—state appropriation for fiscal year 2024 and \$5,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the student achievement initiative.

(5) \$1,610,000 of the general fund—state appropriation for fiscal year 2024, \$1,610,000 of the general fund—state appropriation for fiscal year 2025, and \$904,000 of the workforce

education investment account—state appropriation are provided solely for the mathematics, engineering, and science achievement program.

(6) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace training and research center.

(7) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(8) (~~(\$23,748,000)~~)\$24,001,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$24,270,000)~~)\$24,601,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(9) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(10) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

(11) \$157,000 of the general fund—state appropriation for fiscal year 2024 and \$157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Wenatchee Valley college wildfire prevention program.

(12) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound welcome back center at Highline College to create a grant program for internationally trained individuals seeking employment in the behavioral health field in Washington state.

(13) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased enrollments in the integrated basic education and skills training program. Funding will support approximately 120 additional full-time equivalent enrollments annually.

(14) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity center for employment and education at North Seattle College.

(15) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Highline College to implement the Federal Way higher education initiative in partnership with the city of Federal Way and the University of Washington Tacoma campus.

(16) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Peninsula College to maintain the annual cohorts of the specified programs as follows:

(a) Medical assisting, 40 students;

(b) Nursing assistant, 60 students; and

(c) Registered nursing, 32 students.

(17) \$338,000 of the general fund—state appropriation for fiscal year 2024 and \$338,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state labor education and research center at South Seattle College.

(18) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace and advanced manufacturing center of excellence hosted by Everett Community College to develop a semiconductor and electronics manufacturing branch in Vancouver.

(19)(a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The state board for community and technical colleges must provide resources for up to two community or technical colleges, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The state board, in collaboration with the student achievement council and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health insurance coverage; and to provide recommendations on how to improve student access to health coverage based on data gathered from the pilot program.

(20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024, \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$75,847,000 of the workforce education investment account—state appropriation are provided solely for statewide implementation of guided pathways at each of the state's community and technical colleges or similar programs designed to improve student success, including, but not limited to, academic program redesign, student advising, and other student supports.

(21) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for college operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(22) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(23) \$40,800,000 of the workforce education investment account—state appropriation is provided solely to continue to fund nurse educator salaries.

(24) \$40,000,000 of the workforce education investment account—state appropriation is provided to continue to fund high-demand program faculty salaries, including but not limited to nurse educators, other health-related professions, information technology, computer science, and trades.

(25) ~~(\$8,000,000)~~ \$9,000,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to maintain high-demand and career launch enrollments, as provided under RCW 28C.30.020. Within the amounts provided in this subsection (25):

(a) ~~(\$6,000,000)~~ \$7,000,000 of the amounts in this subsection (25) are provided to maintain and grow career launch enrollments, as provided under RCW 28C.30.020. Up to three percent of this amount may be used for administration, technical assistance, and support for career launch programs within the community and technical colleges.

(b) \$2,000,000 of the amounts in this subsection (25) are provided to maintain enrollments in high demand programs. These programs include, but are not limited to, allied health, computer and information science, manufacturing, and other fields identified by the state board for community and technical colleges.

(c) The state board for community and technical colleges may transfer amounts between (a) and (b) of this subsection if either program does not have sufficient demand to spend the allocated funding. Any transfer must be approved by the state board for community and technical colleges and the office of financial management.

(26) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for the emergency assistance grant program in RCW 28B.50.295.

(27) \$1,119,000 of the general fund—state appropriation for fiscal year 2024, \$1,119,000 of the general fund—state appropriation for fiscal year 2025, and \$4,221,000 of the workforce education investment account—state appropriation are provided solely for implementation of diversity, equity, inclusion, and antiracism provisions in chapter 28B.10 RCW.

(28) \$20,473,000 of the workforce education investment account—state appropriation is provided solely for implementation of equity and access provisions in chapter 28B.50 RCW.

(29) (a) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in trucking and trucking-related supply chain industries and the school bus driving industry by expanding the number of registered apprenticeships, preapprenticeships, and trucking related training programs; and providing support for registered apprenticeships or programs in trucking and trucking-related supply chain industries and the school bus driving industry.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training spaces and locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations to include foster care and homeless transition populations and previously incarcerated persons;

(iii) Faculty curriculum development and instructor training for driving, repair, and service of technological advancements facing the industries;

(iv) Tuition assistance for commercial vehicle driver and related supply chain industry training, fees associated with driver testing, and other reasonable and necessary student support services, including child care costs; and

(v) Fees and other reasonable costs associated with commercial truck driving examiner training and certification.

(c) An entity is eligible to receive a grant if it is a nonprofit, nongovernmental, or institution of primary or higher education that provides training opportunities, including

apprenticeships, preapprenticeships, preemployment training, commercial vehicle driver training and testing, or vocational training related to mechanical and support functions that support the trucking industry or the school bus driving industry; or incumbent worker training to prepare workers for the trucking and trucking-related supply chain industries or the school bus driving industry. Preference will be given to entities in compliance with government approved or accredited programs. Reporting requirements, as determined by the board, shall be required.

(d) The board may use up to five percent of funds for administration of grants.

(30) \$3,200,000 of the workforce education investment account—state appropriation is provided solely for costs associated with grants awarded in fiscal year 2023 for nursing programs to purchase or upgrade simulation laboratory equipment.

(31) (a) \$9,336,000 of the workforce education investment account—state appropriation is provided solely to expand cybersecurity academic enrollments by 500 FTE students.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in section ((612(10-))608(10)) of this act to submit a progress report on the new or expanded cybersecurity academic programs, including the number of students enrolled.

(32) \$410,000 of the workforce education investment account—state appropriation is provided solely to establish a center for excellence in cybersecurity.

(33) \$2,068,000 of the general fund—state appropriation for fiscal year 2024 and \$2,068,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation by employees within the community and technical college system challenging the denial of retirement and sick leave benefits. The cases include *Wolf v. State and SBCTC*, *Rush v. State and SBCTC* (retirement), and *Rush v. State and SBCTC* (sick leave).

(34) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity grant program to provide health care workforce grants for students.

(35) \$2,720,000 of the general fund—state appropriation for fiscal year 2024 and \$2,720,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each community and technical college to contract with a community-based organization to assist with financial aid access and support in communities.

(36) ((~~\$6,456,000~~))\$7,456,000 of the workforce education investment account—state appropriation is provided solely for the expansion of existing programming to accommodate refugees and immigrants who have arrived in Washington state on or after July 1, 2021, and are eligible for federal refugee resettlement services, including those from Afghanistan and Ukraine.

(37) (a) \$2,160,000 of the general fund—state appropriation for fiscal year 2024, \$2,160,000 of the general fund—state appropriation for fiscal year 2025, and \$3,600,000 of the workforce education investment account—state appropriation are provided solely for nursing education, to increase the number of nursing slots by at least 400 new slots in the 2023-2025 fiscal biennium.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in section ((612(10-))608(10)) of this act to submit a progress report on the new or expanded nursing academic programs, including the number of students enrolled per program.

(38) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Bellingham Technical College maritime apprenticeship program.

(39) \$2,100,000 of the workforce education investment account—state appropriation is provided solely for the Skagit Valley College dental therapy education program.

(40) \$855,000 of the workforce education investment account—state appropriation is provided solely for the Seattle Central College for partnership with the Seattle maritime academy. Seattle Central College must enter into a memorandum of agreement with Washington state ferries. Funding may not be expended until Seattle Central College certifies to the office of financial management that a memorandum of agreement with Washington state ferries has been executed. The memorandum of agreement must address:

(A) The shared use of training and other facilities and implementation of joint training opportunities where practicable;

(B) Development of a joint recruitment plan aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(C) Development of a training program and recruitment plan and a five-year operational plan.

(ii) The joint training program and recruitment plan and the five-year operational plan must be submitted to the appropriate policy and fiscal committees of the legislature by December 1, 2023.

(41) \$200,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to work with interested parties, such as local law enforcement agencies, the department of corrections, representatives of county or city jail facilities, the Washington state patrol, Washington community and technical colleges, and other organizations and entities as appropriate to assess the recruitment and retention challenges for their agencies and develop

recommendations to meet the workforce needs. These recommendations should focus on education and training programs that meet the needs of law enforcement and corrections agencies and must include an outreach strategy designed to inform and attract students in non-traditional program pathways. The assessment and recommendations shall be provided in a report to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by October 1, 2024.

(42) \$12,000,000 of the workforce education investment account—state appropriation is provided solely to support the continued diversity, equity, and inclusion efforts of institutions.

(43) \$331,000 of the general fund—state appropriation for fiscal year 2024, \$331,000 of the general fund—state appropriation for fiscal year 2025, and \$1,360,000 of the workforce education investment account—state appropriation are provided solely for implementation of state registered apprenticeship provisions in chapter 28B.124 RCW.

(44) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Everett Community College parent leadership training institute to recruit and train new course instructors to build additional capacity.

(45) \$19,850,000 of the general fund—state appropriation for fiscal year 2024 and \$35,024,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(46) \$243,000 of the general fund—state appropriation for fiscal year 2024, \$180,000 of the general fund—state appropriation for fiscal year 2025, and \$400,000 of the workforce education investment account—state appropriation are provided solely for Renton Technical College. Of the amounts provided in this subsection:

(a) \$400,000 of the workforce education investment account—state appropriation is for the college to award full tuition and fees to students who attend the college and graduated high school in the school district where the main campus is located. Eligible students must complete a free application for federal student aid or the Washington application for state financial aid. A report on the number of students utilizing the funding must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by January 15, 2024.

(b) \$243,000 of the general fund—state appropriation for fiscal year 2024 and \$180,000 of the general fund—state appropriation for fiscal year 2025 are for continuing outreach and participation in running start and adult education programs, including the program described in (a) of this subsection.

(47) (a) \$700,000 of the workforce education investment account—state appropriation is provided solely for the state board to administer a pilot program to increase career and technical education dual credit participation and credential attainment in professional technical programs. The state board, in collaboration with the office of the superintendent of public instruction, must select up to three community and technical colleges to participate in the pilot program during the 2023-24 and 2024-25 academic years. The three colleges must be located within the same educational service district and one must be located in a county with a population between 115,000 and 150,000. Colleges and school districts participating in the career and technical education dual credit grant program may utilize funding to cover the following expenses:

(i) Subsidized out-of-pocket costs to students and families for supplies, textbooks, materials, and credit transcription fees;

(ii) Outreach to prospective students and students who have completed career and technical education dual credit courses and are eligible to receive postsecondary credit to encourage participation and credit transcription;

(iii) Costs associated with staff or teacher time dedicated to curriculum alignment or the development of articulation agreements; and

(iv) Equipment and supplies for career and technical education dual credit courses required to meet postsecondary learning objectives.

(b) By December 10, 2024, the state board, in collaboration with the office of the superintendent of public instruction, must issue a preliminary report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, with findings and recommendations regarding the pilot program that may be scaled statewide. The final report is due by December 10, 2025. The state board must establish a stakeholder committee that is representative of students, faculty, staff, and agency representatives to inform this work. The report must include recommendations on the following topics:

(i) Course articulation and development of model articulation agreements;

(ii) Data collection and reporting;

(iii) Credit transcription and transfer;

(iv) Student advising and career guidance supports;

(v) Alignment of career and technical education dual credit programs with credential pathways and in-demand career fields;

(vi) Funding for industry-recognized credentials;

(vii) Identification of priority courses and programs; and

(viii) Evaluation of the statewide enrollment and data system, and recommendations for improvements to or replacement of the system to reflect articulation agreement data, student data, and transcription information to support data validity, credit portability, and program improvement.

(48) \$500,000 of the workforce education investment account—state appropriation is provided solely for Olympic College to partner with regional high schools for college ~~((in))~~ at the high school courses on-site at one or more regional high schools.

(49) \$1,262,000 of the workforce education investment account—state appropriation is provided solely for the centers of excellence.

(50) \$5,236,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(51) \$3,718,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(52) ~~(((\$7,470,000))~~ \$5,429,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(53) \$882,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(54) Within the amounts appropriated in this section, the state board for community and technical colleges shall develop a plan that includes the cost to provide compensation to part-time and adjunct faculty that equals or exceeds 85 percent of the compensation provided to comparably qualified full-time and tenured faculty by the 2026-27 academic year. The plan must be submitted to the governor and the higher education committees of the legislature, in accordance with RCW 43.01.036, by July 1, 2024.

(55) \$598,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the state board to move to the Jefferson building.

(56) \$475,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely to develop a climate solutions and climate justice curriculum at all 34 community and technical colleges.

(57) \$257,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the creation of a hospitality center of excellence hosted at Columbia basin college.

(58) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to the state board for community and technical colleges to collaborate with a nonprofit, professional association of state, county, city, and town officials engaged in development, enforcement, and administration of building construction codes and ordinances to design and implement training programs to accelerate the hiring of city and county permit technicians.

(59) \$819,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(60) \$12,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 6296 (retail industry work group). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(61) \$850,000 of the workforce education investment account—state appropriation is provided solely to expand the student aid outreach and completion initiative pilot program in RCW 28B.50.940 to participating community and technical colleges located within capital region educational service district 113.

(62) \$1,053,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 602.** 2023 c 475 s 606 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$521,181,000)) \$523,299,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$453,529,000)) \$546,621,000
Aquatic Lands Enhancement Account—State Appropriation. . . . .	\$1,646,000
Climate Commitment Account—State Appropriation. . . . .	(((\$3,150,000)) \$3,413,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation. . . . .	\$20,000,000
Natural Climate Solutions Account—State Appropriation. . . . .	\$837,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation. . . . .	\$280,000
University of Washington Building Account—State	

Appropriation. . . . .	\$1,546,000
Education Legacy Trust Account—State Appropriation. . . . .	(( <del>\$39,643,000</del> ))
	<u>\$39,644,000</u>
Economic Development Strategic Reserve Account—State Appropriation. . . . .	\$3,127,000
Biotoxin Account—State Appropriation. . . . .	\$632,000
Dedicated Cannabis Account—State Appropriation (FY 2024). . . . .	\$351,000
Dedicated Cannabis Account—State Appropriation (FY 2025). . . . .	(( <del>\$365,000</del> ))
	<u>\$366,000</u>
Accident Account—State Appropriation. . . . .	\$8,586,000
Medical Aid Account—State Appropriation. . . . .	\$8,025,000
Workforce Education Investment Account—State Appropriation. . . . .	(( <del>\$89,216,000</del> ))
	<u>\$88,941,000</u>
Geoduck Aquaculture Research Account—State Appropriation. . . . .	\$414,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$1,152,528,000</del>))</b>
	<b><u>\$1,247,728,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$49,289,000~~))\$49,816,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$50,374,000~~))\$51,061,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the workforce education investment account—state appropriation are provided solely for ((~~labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges~~))one head archivist for the labor archives of Washington and reserved solely for labor archives activities, staffing, supplies, and equipment. The head will determine budget priorities and oversee expenditures on the budget. Budget funds will be reserved solely for the labor archives and shall not be used to supplant or supplement other activities of the University of Washington libraries unrelated to the collections and activities of the labor archives. The university and the head shall work in collaboration with the friends of the labor archives community advisory board.

(3) \$10,000,000 of the education legacy trust account—state appropriation is provided solely for the family medicine residency network at the university to maintain and expand the number of residency slots available in Washington.

(4) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(5) \$14,000,000 of the education legacy trust account—state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(6) \$3,062,000 of the economic development strategic reserve account—state appropriation is provided solely to support the joint center for aerospace innovation technology.

(7) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(8) \$7,345,000 of the general fund—state appropriation for fiscal year 2024 and \$7,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued operations and expansion of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(9) \$2,625,000 of the general fund—state appropriation for fiscal year 2024 and \$2,625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the institute for stem cell and regenerative medicine. Funds appropriated in this subsection must be dedicated to research utilizing pluripotent stem cells and related research methods.

(10) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to the University of Washington to support youth and young adults experiencing homelessness in the university district of Seattle. Funding is provided for the university to work with community service providers and university colleges and departments to plan for and implement a comprehensive one-stop center with navigation services for homeless youth; the university may contract with the department of commerce to expand services that serve homeless youth in the university district.

(11) \$1,200,000 of the general fund—state appropriation for fiscal year 2024, \$1,200,000 of the general fund—state appropriation for fiscal year 2025, and \$1,200,000 of the

workforce education investment account—state appropriation are provided solely for the adult psychiatry residency program at the University of Washington to offer additional residency positions that are approved by the accreditation council for graduate medical education.

(12) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—appropriation for fiscal year 2025 are provided solely for the University of Washington's psychiatry integrated care training program.

(13) \$427,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$426,000 of the workforce education investment account—state appropriation are provided solely for child and adolescent psychiatry residency positions that are approved by the accreditation council for graduate medical education, as provided in RCW 28B.20.445.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the University of Washington School of Dentistry to support its role as a major oral health provider to individuals covered by medicaid and the uninsured.

(15) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the pre-law pipeline and social justice program at the University of Washington-Tacoma.

(16) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's neurology department to create a telemedicine program to disseminate dementia care best practices to primary care practitioners using the project ECHO model. The program shall provide a virtual connection for providers and content experts and include didactics, case conferences, and an emphasis on practice transformation and systems-level issues that affect care delivery. The initial users of this program shall include referral sources in health care systems and clinics, such as the university's neighborhood clinics and Virginia Mason Memorial in Yakima with a goal of adding 15 to 20 providers from smaller clinics and practices per year.

(17) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$350,000 of the workforce education investment account—state appropriation are provided solely for the university's center for international trade in forest products.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$500,000 of the workforce education investment account—state appropriation are provided solely for the Latino center for health.

(19) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a firearm policy research program. The program will:

- (a) Support investigations of firearm death and injury risk factors;
- (b) Evaluate the effectiveness of state firearm laws and policies;
- (c) Assess the consequences of firearm violence; and
- (d) Develop strategies to reduce the toll of firearm violence to citizens of the state.

(20) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the climate impacts group in the college of the environment.

(21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the college of education to collaborate with teacher preparation programs and the office of the superintendent of public instruction to develop open access climate science educational curriculum for use in teacher preparation programs.

(22) \$300,000 of the general fund—state appropriation for fiscal year 2024, \$300,000 of the general fund—state appropriation for fiscal year 2025, and \$300,000 of the workforce education investment account—state appropriation are provided solely for the Harry Bridges center for labor studies. The center shall work in collaboration with the state board for community and technical colleges.

(23) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(24) \$8,000,000 of the workforce education investment account—state appropriation is provided solely to maintain degree production in the college of engineering at the Seattle campus.

(25) (a) \$2,724,000 of the workforce education investment account—state appropriation is provided solely to maintain the Washington state academic redshirt program on the Seattle campus and establish a program on the Bothell campus.

(b) The university must provide a report on the redshirt program at the Seattle and Bothell campuses, including, but not limited to, the following:

- (i) The number of students who have enrolled in the program and the number of students by cohort;
- (ii) The number of students who have completed the program and the number of students by cohort;
- (iii) The placements of students by academic major;



- (iv) The number of students placed in first-choice majors;
- (v) The number of underrepresented minority students in the program;
- (vi) The number of first-generation college students in the program;
- (vii) The number of Washington college grant eligible or Pell grant eligible students in the program;
- (viii) The number of Washington state opportunity scholarship recipients in the program;
- (ix) The number of students who completed the program and graduated with a science, technology, engineering, or math related degree and the number of graduates by cohort; and
- (x) Other program outcomes.

(c) A preliminary report is due to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2023, and a final report is due December 1, 2024.

(26) \$2,700,000 of the workforce education investment account—state appropriation is provided solely to maintain degree capacity and undergraduate enrollments in engineering, mathematics, and science programs to support the biomedical innovation partnership zone at the Bothell campus.

(27) \$3,268,000 of the workforce education investment account—state appropriation is provided solely to maintain bachelor of science programs in mechanical and civil engineering to support increased student and local employer demand for graduates in these fields at the Tacoma campus.

(28) \$150,000 of the general fund—state appropriation for fiscal year 2024, \$150,000 of the general fund—state appropriation for fiscal year 2025, and \$700,000 of the workforce education investment account—state appropriation are provided solely for Washington mathematics, engineering, science achievement programs to provide enrichment opportunities in mathematics, engineering, science, and technology to students who are traditionally underrepresented in these programs. Of the amounts provided in this subsection, \$500,000 of the workforce education investment account—state appropriation is for Washington State University to plan and implement expansion of MESA activities at the Everett campus to facilitate increased attendance and degree completion by students who are underrepresented in science, technology, engineering, and mathematics degrees.

(29) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community care coordinator for transitional-age youth for the doorway project in partnership with the Seattle campus.

(30) \$14,000,000 of the workforce education investment account—state appropriation is provided solely for the expansion of the Paul G. Allen school of computer science and engineering in order to award an additional 200 degrees per year focusing on traditionally underrepresented students. A report on the program graduation rates, waitlist for entry into the program, time to degree completion, and degrees awarded must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2024, and June 30, 2025.

(31) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand a series of online courses related to behavioral health and student well-being that are currently offered at the Bothell campus for school district staff. The standards for the courses must be consistent with knowledge, skill, and performance standards related to mental health and well-being of public school students. The online courses must provide:

- (a) Foundational knowledge in behavioral health, mental health, and mental illness;
- (b) Information on how to assess, intervene upon, and refer behavioral health and intersection of behavioral health and substance use issues; and
- (c) Approaches to promote health and positively influence student health behaviors.

(32) To ensure transparency and accountability, in the 2023-2025 fiscal biennium the University of Washington shall comply with any and all financial and accountability audits by the Washington state auditor including any and all audits of university services offered to the general public, including those offered through any public-private partnership, business venture, affiliation, or joint venture with a public or private entity, except the government of the United States. The university shall comply with all state auditor requests for the university's financial and business information including the university's governance and financial participation in these public-private partnerships, business ventures, affiliations, or joint ventures with a public or private entity. In any instance in which the university declines to produce the information to the state auditor, the university will provide the state auditor a brief summary of the documents withheld and a citation of the legal or contractual provision that prevents disclosure. The summaries must be compiled into a report by the state auditor and provided on a quarterly basis to the legislature.

(33) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Burke museum of natural history and culture to make education programs offered by the museum accessible to more students across Washington, especially students in underserved schools and locations. The funding shall be used for:

- (a) Increasing the number of students who participate in Burke education programs at reduced or no cost, including virtual programs;
- (b) Providing bus reimbursement for students visiting the museum on field trips and to support travel to bring museum programs across the state;
- (c) Staff who will form partnerships with school districts to serve statewide communities more efficiently and equitably, including through the Burkemobile program; and

(d) Support of tribal consultation work, including expanding Native programming, and digitization of Native collections.

(34) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$410,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's center for human rights. The appropriation must be used to supplement, not supplant, other funding sources for the center for human rights.

(35) \$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the establishment and operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.

(36) \$64,000 of the general fund—state appropriation for fiscal year 2024 and \$64,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(37) ~~(\$443,000)~~ \$443,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$443,000)~~ \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation of the center for environmental forensic science.

(38) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation are provided solely for the community-engagement test to facilitate clean energy transitions by partnering with communities, utilities, and project developers.

(39) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational expenditures related to the battery fabrication testbed.

(40) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for pharmacy behavioral health. The University of Washington school of pharmacy/medicine pharmacy services will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.

(41) \$1,242,000 of the general fund—state appropriation for fiscal year 2024, \$1,242,000 of the general fund—state appropriation for fiscal year 2025, and \$742,000 of the workforce education investment account—state appropriation are provided solely for an increase in the number of nursing slots and graduates in the already established accelerated bachelor of science in nursing program. Of the amounts provided in this subsection, \$273,000 of the general fund—state appropriation for fiscal year 2024 and \$273,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Tacoma school of nursing and healthcare leadership.

(42) \$100,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$100,000)~~ \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the memory and brain wellness center to support the statewide expansion of the dementia friends program.

(43) \$77,000 of the general fund—state appropriation for fiscal year 2024 and \$77,000 of the general fund—state appropriation are provided solely to maintain a data repository to assist the state and all political subdivisions with evaluating whether and to what extent existing laws and practices with respect to voting and elections are consistent with public policy, implementing best practices in voting and elections, and to investigate potential infringements upon the right to vote.

(44) \$122,000 of the general fund—state appropriation for fiscal year 2024 and \$122,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sexual assault nurse examiner training.

~~(45) (\$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.~~

~~(46))~~ Within existing resources, the institution must resume a mentoring, organization, and social support for autism inclusion on campus program. The program must focus on academic coaching, peer-mentoring, support for social interactions, and career preparation.

~~((47))~~ (46) \$6,532,000 of the general fund—state appropriation for fiscal year 2024 and \$11,108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

~~((48))~~ (47) \$712,000 of the general fund—state appropriation for fiscal year 2024 and \$4,183,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the behavioral health teaching faculty physician and facility support.

~~((49))~~ (48) \$1,869,000 of the general fund—state appropriation for fiscal year 2024 and \$3,738,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operations and maintenance support of the behavioral health teaching faculty.

((50)) (49) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the center for indigenous health to increase the number of American Indian and Alaska Native physicians practicing in the state of Washington.

((51)) (50) \$484,000 of the workforce education investment account—state appropriation is provided solely to the university for Friday harbor labs in the amount of \$125,000 each fiscal year and the school of aquatic and fishery sciences in the amount of \$117,000 each fiscal year to perform coordinating, monitoring, and research related to Puget Sound kelp conservation and recovery.

((52)) (51) \$200,000 of the workforce education investment account—state appropriation is provided solely to develop a framework for research to help determine inequities in poverty, access to service, language, barriers, and access to justice for individuals of Middle Eastern descent.

((53)) (52) \$3,000,000 of the climate commitment account—state appropriation is provided solely for the development of an energy transformation strategy to modernize the energy infrastructure and better align the institution's sustainability values at the Seattle campus.

((54)) (53) \$2,854,000 of the workforce education investment account—state appropriation is provided solely for increasing enrollments in computing and engineering programs at the Tacoma campus.

((55)) (54) (a) \$800,000 of the workforce education investment account—state appropriation is provided solely for the colab for community and behavioral health policy to collaborate with ~~((the Latino center for health and))~~ allies in healthier systems for health and abundance in youth to pilot test a culturally responsive training curricula for an expanded children's mental health workforce in community behavioral health sites. Community and lived experience stakeholders, representing communities of color, must make up over half of the project team. The pilot implementation shall include expansion of:

(i) The clinical training of both a lived experience workforce and licensed workforce to provide culturally responsive and evidence-informed mental health services focused on families, children, and youth;

(ii) An implementation plan that allows for local flexibility and local community input; and

(iii) An evaluation plan that will yield information about the potential success in implementation statewide and the improved experiences of those seeking mental health services.

(b) The project team must report its findings and recommendations to the appropriate committees of the legislature in compliance with RCW 43.01.036 by June 30, 2025.

((56)) (55) \$520,000 of the natural climate solutions account—state appropriation is provided solely for the biological response to ocean acidification to advance high-priority biological experiments to better understand the relationship between marine organisms and ocean acidification.

((57)) (56) \$300,000 of the natural climate solutions account—state appropriation is provided solely for monitoring assistance at the Washington ocean acidification center.

((58)) (57) \$104,000 of the general fund—state appropriation for fiscal year 2024 and \$104,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued implementation of chapter 191, Laws of 2022 (veterans & military suicide).

((59)) (58) \$426,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/review).

((60)) (59) \$205,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to organize and facilitate the difficult to discharge task force described in section ~~((135-12))~~ 132(12) of this act and its operations, including any associated ad hoc subgroups through October 31, 2023.

((61)) (60) \$500,000 of the workforce education investment account—state appropriation is provided solely for the addictions, drug and alcohol institute to continue cannabis and public health impact research. Funding may be used to develop resources regarding the connection between first episode psychosis and cannabis use.

((62)) (61) \$2,224,000 of the workforce education investment account—state appropriation is provided solely for program support and student scholarships for the expansion of the master of arts in applied child and adolescent psychology program. Of the amounts provided in this subsection:

(a) \$1,116,000 of the workforce education investment account—state appropriation is provided solely for program support at the Seattle site.

(b) \$1,108,000 of the workforce education investment account—state appropriation is provided solely for student scholarships at the Seattle site.

((63)) (62) \$800,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a program to support pathways from prison to the university's Tacoma campus. The university shall collaborate with formerly incarcerated women, Tacoma Community College, the freedom education project Puget Sound, the women's village, the state board for community and technical colleges, and the department of corrections, in development and implementation of the pathways program.

~~((64) \$250,000)~~ (63) \$580,000 of the workforce education investment account—state appropriation is provided solely for the ~~((startup program))~~ Allen school scholars program.

((65)) (64) \$1,397,000 of the workforce education investment account—state appropriation is provided solely for increased student support services at the Tacoma campus.

~~((66))~~ (65) \$158,000 of the general fund—state appropriation for fiscal year 2024, \$158,000 of the general fund—state appropriation for fiscal year 2025, and \$798,000 of the workforce education investment account—state appropriation are provided solely for continued implementation of diversity, equity, inclusion, and antiracism professional development for faculty and staff, student training, and campus climate assessments in chapter 28B.10 RCW.

~~((67))~~ (66) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2024 are provided solely for the college of education to partner with the Chehalis and Spokane school districts to continue the math improvement pilot program.

~~((68))~~ (67) \$300,000 of the workforce education investment account—state appropriation is provided solely for support and promotion of a long-term care nursing residency program and externship.

~~((69))~~ (68) \$400,000 of the workforce education investment account—state appropriation is provided solely for nanocellulose based research to produce a replacement for cellophane and clear plastic products with one made with plant materials that is biodegradable.

~~((70))~~ (69) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of a pilot plant to produce nanocellulose based materials for evaluation by potential users, such as packaging manufacturers and companies that produce polylactic acid composites.

~~((71))~~ (70) \$1,238,000 of the workforce education investment account—state appropriation is provided solely to establish washpop, a statewide integrated data repository for population and policy research on topics, including criminal justice and safety, economic prosperity and equity, and health and social well-being.

~~((72))~~ (71) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuation of the collaborative for the advancement of telemedicine, hosted by the institution's telehealth services.

~~((73))~~ (72) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the center for health workforce studies to continue a program to track dental workforce trends, needs, and enhancements to better serve the increasing population and demand for access to adequate oral health care. The center shall continue the program in consultation with dental stakeholders including, but not limited to, provider associations and oral health philanthropic leaders. The workforce reporting program is to be considered a public-private partnership. The institutions may accept matching funds from interested stakeholders to help facilitate and administer the workforce reporting program. Information generated by the dental workforce reporting program shall be made available on the center's website in a deidentified, aggregate format.

~~((74))~~ (73) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

~~((75))~~ (74) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((76))~~ (75) \$440,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((77))~~ (76) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$669,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((78))~~ (77) \$150,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((79))~~ (78) \$208,000 of the statewide 988 behavioral health crisis response account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((80))~~ ~~(\$3,288,000)~~ (79) \$2,053,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((81))~~ (80) \$157,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((82))~~ (81) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for support of staff, training, and other costs necessary to facilitate the opening of the behavioral health teaching facility.

~~((83))~~ (82) \$450,000 of the workforce education investment account—state appropriation is provided solely to continue financial student assistance in public service oriented graduate and professional degree programs, referred to as "fee-based" programs, whose tuition for public service degrees is over \$18,000 per year. Programs shall create mechanisms to prioritize assistance to traditionally underrepresented students, specifically those who have expressed a commitment to service in the physician assistant, community oriented public health, or social work programs. The institution may offer financial assistance for students that volunteer or work with public health agencies, including as contact tracers.

~~((84))~~ (83) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a pilot program for short-term stabilization and transition support for individuals incompetent to stand trial due to intellectual or developmental disability as provided in Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(85))~~ (84) \$1,464,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(86))~~ (85) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(87))~~ (86) \$80,000,000 of the general fund—state appropriation for fiscal year 2024, \$65,000,000 of the general fund—state appropriation for fiscal year 2025, and \$20,000,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely to support the operations and teaching mission of the University of Washington medical center and harborview medical center.

(87) \$239,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 232, Laws of 2023 (alternative jet fuel).

(88) \$263,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for two grant writers to offer technical assistance to tribal and community groups in the thriving communities technical assistance program.

(89) \$20,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support behavioral health care and training at the University of Washington medical center. A report detailing how these funds and any federal funds are expended for the medical center shall be submitted to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(90) \$2,505,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the expansion of the University of Washington school of dentistry regional initiatives in dental education (RIDE) program.

(91) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the University of Washington to establish a pilot program to support activities related to cooperation with academic institutions and governmental and public agencies of the Republic of Finland, the Kingdom of Sweden, and the Kingdom of Norway. Eligible activities include, but are not limited to, cooperation in clean energy, clean technology, clean transportation, telecommunications, agriculture and wood science technology, general economic development, and other areas of mutual interest with Nordic nations and institutions.

(92) \$180,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support project planning and management, soccer field renovation, and LED lighting upgrades to prepare for the 2026 World Cup hosted by Seattle.

(93) \$412,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to develop and implement the Washington reproductive access alliance, so the public hospital districts under chapter 70.44 RCW can provide substantially equivalent services under the reproductive privacy act under chapter 9.02 RCW. The alliance will provide a service coordination website and phone line, administrative support and coordination of the alliance, patient care coordination, and social support for patient travel.

(94) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5890 (ballot rejection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(95) \$4,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 6166 (pesticide application comm). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(96) \$264,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6308 (988 system timeline). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(97) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the behavioral health institute at Harborview medical center and the University of Washington school of medicine, in consultation with the office of financial management, to develop recommendations considering multiple different long-term uses of up to 40 residential treatment facility licensed beds located at the Olympic heritage behavioral health facility. The recommendations shall include estimated costs and required staffing for each of the options presented and an assessment of the current landscape of inpatient and outpatient

behavioral health care services in the region to determine community needs. Options for use may include care and treatment for: (i) Patients with co-occurring diagnoses of mental health and substance use disorders; (ii) individuals with developmental disabilities, dementia and traumatic brain injury; and (iii) individuals in need of intensive mental health treatment, including partial hospitalization and intensive outpatient care. The recommendations shall be provided to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2024.

(98) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5837 (state elections database). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(99) \$267,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(100) \$148,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6286 (nurse anesthetist workforce). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(101) \$630,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 603.** 2023 c 475 s 607 (uncodified) is amended to read as follows:

**FOR WASHINGTON STATE UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$277,544,000</del> ))
	\$282,381,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$286,975,000</del> ))
	\$290,755,000
Climate Commitment Account—State Appropriation . . . . .	\$8,321,000
Washington State University Building Account—State Appropriation . . . . .	\$792,000
Education Legacy Trust Account—State Appropriation . . . . .	\$33,995,000
Model Toxics Control Operating Account—State Appropriation . . . . .	\$2,771,000
Dedicated Cannabis Account—State Appropriation (FY 2024) . . . . .	\$189,000
Dedicated Cannabis Account—State Appropriation (FY 2025) . . . . .	\$197,000
Workforce Education Investment Account—State Appropriation . . . . .	\$48,117,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$658,901,000</del>))</b>
	<b>\$667,518,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rural economic development and outreach coordinator.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state match requirements related to the federal aviation administration grant.

(4) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

(5) \$7,000,000 of the general fund—state appropriation for fiscal year 2024, \$7,000,000 of the general fund—state appropriation for fiscal year 2025, and \$22,800,000 of the workforce education investment account—state appropriation are provided solely for the continued development and operations of a medical school program in Spokane.

(6) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a honey bee biology research position.

(7) ((~~\$35,037,000~~)) \$35,411,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$35,808,000~~)) \$36,296,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(8) \$580,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of an organic agriculture systems degree program located at the university center in Everett.

(9) \$630,000 of the general fund—state appropriation for fiscal year 2024 and \$630,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of an electrical engineering program located in Bremerton. At full implementation, the university is expected to increase degree production by 25 new bachelor's degrees per year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(10) \$1,370,000 of the general fund—state appropriation for fiscal year 2024 and \$1,370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of software engineering and data analytic programs at the university center in Everett. At full implementation, the university is expected to enroll 50 students per academic year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(11) General fund—state appropriations in this section are reduced to reflect a reduction in state-supported tuition waivers for graduate students. When reducing tuition waivers, the university will not change its practices and procedures for providing eligible veterans with tuition waivers.

(12) \$1,154,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 82.16.120 and 82.16.165 (renewable energy, tax incentives).

(13) \$376,000 of the general fund—state appropriation for fiscal year 2024 and \$376,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 28B.30.357 (children's mental health).

(14) \$585,000 of the general fund—state appropriation for fiscal year 2024 and \$585,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 77.12.272 (elk hoof disease).

(15) \$2,076,000 of the model toxics control operating account—state appropriation is provided solely for the university's soil health initiative and its network of long-term agroecological research and extension (LTARE) sites. The network must include a Mount Vernon REC site.

(16) \$42,000 of the general fund—state appropriation for fiscal year 2024 and \$42,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(17) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$33,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for compensation funding for Western Washington University employees that work on the Washington State University Everett campus.

(18) \$327,000 of the general fund—state appropriation for fiscal year 2024 and \$327,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for pharmacy behavioral health. Washington State University college of pharmacy and pharmaceutical sciences will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.

(19) \$1,921,000 of the general fund—state appropriation for fiscal year 2024 and \$3,526,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(20) \$608,000 of the general fund—state appropriation for fiscal year 2024 and \$608,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state academy of sciences to provide support for core operations and to accomplish its mission of providing science in the service of Washington, pursuant to its memorandum of understanding with the university.

(21) \$188,000 of the general fund—state appropriation for fiscal year 2024 and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for stormwater research to study the long-term efficacy of green stormwater infrastructure that incorporates compost to remove pollutants.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the joint center for deployment and research in earth abundant materials.

(23) \$4,112,000 of the workforce education investment account—state appropriation is provided solely to establish a bachelor's degree in cybersecurity operations.

(24) \$568,000 of the general fund—state appropriation for fiscal year 2024 and \$568,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 212, Laws of 2022 (community solar projects).

(25) \$7,721,000 of the climate commitment account—state appropriation is provided solely for the creation of the institute for northwest energy futures.

(26) \$3,910,000 of the workforce education investment account—state appropriation is provided solely for increasing nursing salaries at the institution.

(27) \$476,000 of the workforce education investment account—state appropriation is provided solely for nursing program equipment.

(28) \$2,521,000 of the workforce education investment account—state appropriation is provided solely for the establishment of a bachelor of science in public health degree at the Pullman, Spokane, and Vancouver campuses.

(29) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increasing the base funding for the William D. Ruckleshaus Center.

(30) ~~(\$200,000)~~ \$50,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Washington State University extension service to hire a qualified contractor to assess program performance of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020 and recipients of pass-through grants from the northeast Washington wolf-livestock management nonappropriated account. The program must be assessed for the period of 2021-2023 as to whether grant recipients met the intent of the appropriation.

(a) For recipients of grant funds from the program authorized in RCW 16.76.020, performance must be evaluated on the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a good probability of producing effective results. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape.

(b) For recipient of the pass-through funds from the northeast Washington wolf-livestock management nonappropriated account, performance must be based on the intent of conducting proactive deterrence activities with the goal to reduce the likelihood of cattle being injured or killed by wolves.

(c) The contractor must have at least five years of experience in the combination of field work as a range rider and running range riding programs in areas with wolf-livestock conflict in the western United States. In conducting the assessment, the contractor may access written range rider logs and georeferenced data produced by the grant recipients, in addition to reading annual reports of the recipients and interviewing relevant participants. The contractor may also provide general recommendations for improvement of programs intended to provide effective wolf-livestock deterrence, taking into account the terrain and other challenges faced in northeast Washington. The contractor must complete their assessment for Washington State University extension service to be delivered to the legislature, pursuant to RCW 43.01.036, by June 30, 2024.

(31) \$500,000 of the workforce education investment account—state appropriation is provided solely for the energy program for residential energy code education and support, including training, hotline support to the building industry, and information material and web resources.

(32) \$695,000 of the model toxics control operating account—state appropriation is provided solely for turf grass resilience research in high traffic areas.

(33) ~~((+a))~~ \$95,000 of the general fund—state appropriation for fiscal year ~~((2025 is))~~ 2024 and \$215,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the William D. Ruckleshaus center to ~~((conduct a jail modernization task force convening assessment and design a facilitated collaborative process and work plan for))~~ support the jail modernization task force created in section 915 ~~((of this act))~~, chapter 475, Laws of 2023.

(a) Of the amounts provided in this subsection, \$95,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the center to conduct a jail modernization task force convening assessment and design a facilitated collaborative process and work plan for the jail modernization task force created in section 915, chapter 475, Laws of 2023.

(b) Of the amounts provided in this subsection, \$215,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the center to provide staff support, facilitation, and development of the task force's initial report of findings and recommendations described in section 915, chapter 475, Laws of 2023.

(c) The convening assessment shall include, but not be limited to:

(i) Gathering and reviewing additional background information relevant to the project;

(ii) Meeting and consulting with the Washington state association of counties to gather background on issues, confirm the list of members to interview, and provide updates throughout the duration of the work; and meeting and consulting with the Washington state institute for public policy to coordinate, inform, and share information and findings gathered; and

(iii) Setting up individual conversations with task force members, and others as needed, to assess their goals, expectations, interests, and desired outcomes for the task force. The purpose of these conversations will also be to gather insights and perspectives from members about, but not limited to, the following:

(A) What key components and issues should be included in a statewide jail modernization plan, what existing facilities are in need of upgrades or remodel, and any need for building new facilities;

(B) Identifying any additional key stakeholders;

(C) Employee retention issues and potential solutions;

(D) The impact of overtime, jail atmosphere, emergency response time, inexperienced corrections officers, and how to overcome these challenges;

(E) The type of and design of facilities needed to house those with behavioral health needs and associated costs of these facilities;



(F) Available diversion programs and their costs;

(G) Types of existing behavioral health facilities for those involved in the criminal justice system, the costs of building and running these facilities, how these facilities vary by location, the viability of offering facilities in every county, and potential system improvements to the types of services and supports offered and delivered to those with behavioral health needs;

(H) The types of services and supports provided to those exiting the jail system; and

(I) Reforms necessary to create and enhance a seamless transition back to the community following jail confinement.

~~((b))~~ (d) Center staff will provide a convening assessment report that will include the overall process design and work plan for the task force by June 30, ~~((2025))~~ 2024.

(34) \$1,596,000 of the workforce education investment account—state appropriation is provided solely for the creation of a bachelor's and master's degree in social work at the Tri-Cities campus.

(35) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(36) \$372,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(37) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(38) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting), for a least-conflict pumped storage siting project. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(39) \$125,000 of the workforce education investment account—state appropriation is provided solely for implementation of Senate Bill No. 5287 (wind turbine blades). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(40) (a) \$1,200,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a Native American scholarship program during the 2023-2025 biennium. Of the amounts in this subsection, no more than \$100,000 of the workforce education investment account—state appropriation for fiscal year 2024 and \$100,000 of the workforce education investment account—state appropriation for fiscal year 2025 may be spent on administration; development of the program; support services for students; outreach regarding the program; and technical support for application.

(b) "Eligible student" means a member of a federally recognized Indian tribe located within Washington who files a free application for federal student aid (FAFSA) and enrolls in an undergraduate degree program. Eligible students need to maintain satisfactory academic progress during the 2023-2025 biennium to remain eligible for the scholarship. The institution shall determine award priorities based on tribal consultation. Awards must be distributed to students no later than May of each fiscal year.

(c) The institution must submit a report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025. The report must include: The number of eligible students; the number of students who receive a scholarship; how recipients were determined; and how many members of federally recognized Indian tribes in Washington received scholarships versus members of federally recognized Indian tribes from other states.

(41) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(42) \$2,425,000 of the workforce education investment account—state appropriation is provided solely for the development and operations of a journalism fellowship program focused on civic affairs.

(43) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$4,271,000 of the general fund—state appropriation for fiscal year 2024 and \$2,573,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to purchase the obligated amount of carbon emission allowances.

(45) \$190,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to continue the statewide broadband coordinator position in the Washington State University extension program.

(46) \$1,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 6166 (pesticide application comm). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 604.** 2023 c 475 s 608 (uncodified) is amended to read as follows:

**FOR EASTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$65,367,000</del> ))
	<u>\$65,677,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$67,576,000</del> ))
	<u>\$67,933,000</u>
Education Legacy Trust Account—State Appropriation . . . . .	\$16,838,000
Workforce Education Investment Account—State Appropriation . . . . .	(( <del>\$24,730,000</del> ))
	<u>\$24,889,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$174,511,000</del>))</b>
	<b><u>\$175,337,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) At least \$350,000 of the general fund—state appropriation for fiscal year 2024 and at least \$350,000 of the general fund—state appropriation for fiscal year 2025 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) ((~~\$12,586,000~~)) \$12,720,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$12,862,000~~)) \$13,038,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(5) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(6) \$2,274,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(7) \$2,636,000 of the workforce education investment account—state appropriation is provided solely to maintain a computer engineering degree program in the college of science, technology, engineering, and math.

(8) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(9) \$300,000 of the workforce education investment account—state appropriation is provided solely to establish a center for inclusive excellence for faculty and staff.

(10) \$536,000 of the workforce education investment account—state appropriation is provided solely for a professional masters of science cyber operations degree option.

(11) \$2,144,000 of the workforce education investment account—state appropriation is provided solely for the operation of a bachelor of science in cybersecurity degree option through the computer science program.

(12) \$2,108,000 of the workforce education investment account—state appropriation is provided solely for the operation of a coordinated care network that will help to maximize the collaboration of various student support services to create wraparound care for students to address obstacles to degree completion. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(13) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(14) \$4,598,000 of the workforce education investment account—state appropriation is provided solely to expand faculty and staff to create a cohort of 80 students in the bachelor of nursing program.

(15) \$476,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/review).

(16) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a summer bridge program.

(17) ((~~\$500,000~~)) \$1,020,000 of the workforce education investment account—state appropriation is provided solely for the establishment and operating support of a university mathematics, engineering, and science achievement program.

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning

projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(19) \$118,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(21) ~~((~~\$5,000,000~~))~~ \$3,977,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$127,000 of the workforce education investment account—state appropriation is provided solely to develop the postbaccalaureate dental therapy certificate in the college of health science and public health.

(24) \$535,000 of the workforce education investment account—state appropriation is provided solely to support college in high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 605.** 2023 c 475 s 609 (uncodified) is amended to read as follows:

**FOR CENTRAL WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$68,760,000</del> ))
	<u>\$68,916,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$71,733,000</del> ))
	<u>\$72,016,000</u>
Central Washington University Capital Projects	
Account—State Appropriation . . . . .	\$76,000
Education Legacy Trust Account—State Appropriation . . . . .	\$19,076,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$16,537,000</del> ))
	<u>\$15,793,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$176,182,000</del>))</b>
	<b><u>\$175,877,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) ~~((~~\$14,186,000~~))~~ \$14,337,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$14,498,000~~))~~ \$14,696,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(5) \$2,236,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(6) \$1,050,000 of the workforce education investment account—state appropriation is provided solely to increase the number of certified K-12 teachers.

(7) \$736,000 of the workforce education investment account—state appropriation is provided solely to maintain mental health counseling positions.

(8) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two counselor positions to increase access to mental health counseling for traditionally underrepresented students.

(9) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health outreach and service coordination position who has knowledge of issues relevant to veterans.

(10) \$240,000 of the workforce education investment account—state appropriation is provided solely for expanding cybersecurity capacity by adding additional faculty resources in the department of computer science.

(11) \$586,000 of the workforce education investment account—state appropriation is provided solely for a peer mentoring program. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(12) \$286,000 of the workforce education investment account—state appropriation is provided solely for the operation of an extended orientation program to help promote retention of underserved students. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(13) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the cost of the criminal justice training center's use of office and classroom space at the Lynnwood campus.

(14) \$592,000 of the general fund—state appropriation for fiscal year 2024 and \$1,091,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(15) \$1,406,000 of the workforce education investment account—state appropriation is provided solely for student success. Students will receive discipline specific tutoring programs, peer assisted learning sessions, and academic success coaching.

(16) \$967,000 of the workforce education investment account—state appropriation is provided solely for grow your own teacher residency programs in high need areas of elementary, bilingual, special education, and English language learners.

(17) \$844,000 of the workforce education investment account—state appropriation is provided solely for dual language expansion programs in Yakima and Des Moines.

(18) \$126,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) \$25,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$57,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) ~~((~~\$8,060,000~~))~~ \$5,709,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$398,000 of the workforce education investment account—state appropriation is provided solely to support two financial aid coaching specialists, the university food pantry, including a coordinator, and an assistant director and advocate to support students who have experienced sexual violence.

(24) Appropriations in this section are sufficient to implement provisions of the collective bargaining agreement that go into effect on or after July 1, 2024, between Central Washington University and the campus police officers and sergeants negotiated under chapter 41.80 RCW and as set forth in part IX of this act.

(25) \$1,209,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 606.** 2023 c 475 s 610 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$39,088,000</del> ))
	<u>\$38,787,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$38,499,000</del> ))
	<u>\$39,454,000</u>
The Evergreen State College Capital Projects	
Account—State Appropriation . . . . .	\$80,000
Education Legacy Trust Account—State Appropriation . . . . .	\$5,450,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$5,554,000</del> ))
	<u>\$6,347,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$88,671,000</del>))</b>
	<b><u>\$90,118,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$4,315,000)~~)\$4,361,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$4,410,000)~~)\$4,470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(3) Within amounts appropriated in this section, the college is encouraged to increase the number of tenure-track positions created and hired.

(4) (~~(\$4,063,000)~~)\$3,715,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,732,000)~~)\$3,583,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state institute for public policy to initiate, sponsor, conduct, and publish research that is directly useful to policymakers and manage reviews and evaluations of technical and scientific topics as they relate to major long-term issues facing the state. Within the amounts provided in this subsection (4):

(a) \$1,665,000 of the amounts in fiscal year 2024 and \$1,685,000 of the amounts in fiscal year 2025 are provided for administration and core operations.

(b) (~~(\$1,229,000)~~)\$1,069,000 of the amounts in fiscal year 2024 and (~~(\$529,000)~~)\$709,000 of the amounts in fiscal year 2025 are provided solely for ongoing and continuing studies on the Washington state institute for public policy's work plan.

(c) (~~(\$202,000)~~)\$142,000 of the amounts in fiscal year 2024 and (~~(\$80,000)~~)\$140,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to update its adult corrections inventory of evidence-based, research-based, and promising programs and expand the inventory to include new programs that were not included in the last published Washington state institute for public policy inventory in 2018. This update must focus on programs for incarcerated individuals in prison facilities to include family and relationships programs, learning and working programs, and therapeutic and support programs. The institute should prioritize the addition of programs currently offered by the Washington state department of corrections. Of this amount:

(i) No later than (~~(December 31, 2023)~~)June 30, 2024, the institute shall publish a preliminary report identifying the list of programs currently offered in Washington state department of corrections prison facilities and the list of new programs to be analyzed for inclusion on the updated adult corrections inventory. The preliminary report must include an indication of whether the Washington state department of corrections programs have ever been evaluated for their effect on recidivism; and

(ii) No later than December 31, 2024, the institute shall publish a final report with the updated adult corrections inventory classifying programs as evidence-based, research-based, or promising programs. The report shall include a list of programs currently offered in Washington state department of corrections prison facilities and a determination of their likely effectiveness in reducing recidivism based on the results of the adult corrections inventory.

(d)(i) \$154,000 of the amount for fiscal year (~~(2024)~~)2025 is provided solely for the institute to examine the costs associated with conservation district elections under current law, and the projected costs and benefits for shifting conservation district election to be held on general election ballots under Title 29A RCW. The examination must include, to the extent that the data allows:

(A) An analysis of the amount of money that each conservation district spends on holding elections for supervisors under current law, and a description of the funding sources that each conservation district utilizes to fund its elections;

(B) Information about voter turnout in each conservation district supervisor election in at least the past six years and up to the past 20 years, if the conservation district has such data, as well as a calculation of the total cost per ballot cast that each conservation district spent in those elections;

(C) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if the district were to hold its supervisor elections on general election ballots under the processes and procedures in Title 29A RCW, including:

(I) Switching all supervisor positions to elected positions; and

(II) Changing term lengths to four years, with terms staggered such that elections are held every two years, to align with the elections for other local government officials;

(D) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if, in addition to the changes described in (d)(i)(C) of this subsection, the conservation districts were divided into zones such that each zone is represented by a single supervisor, rather than electing each supervisor at-large throughout the district; and

(E) An overall description of potential nonmonetary costs and benefits associated with switching conservation district supervisor elections to the general election ballots under Title 29A RCW and incorporating the changes described in (d)(i)(C) and (D) of this subsection.

(ii) A preliminary report which contains any available information to date must be completed by December 1, (~~(2023)~~)2024. A final report must be completed by June 30, (~~(2024)~~)2025, and submitted in accordance with RCW 43.01.036 to the standing committees of the house of representatives and the senate with jurisdiction over elections and conservation district issues.

(e) \$100,000 of the amounts for fiscal year 2024 and \$100,000 of the amounts for fiscal year 2025 are provided solely for the institute to conduct a review of all assessments and charges imposed on individuals incarcerated in department of corrections facilities and their family members and its effect on the financial status of incarcerated individuals. The review must include, at a minimum:

(i) An evaluation of all costs incurred by incarcerated individuals for items that include but are not limited to:

- (A) Food;
- (B) Commissary items;
- (C) Personal hygiene items;
- (D) Electronic devices and services, tablets, digital stamps, and downloadable media and services such as music, movies, and other programs;
- (E) Stationary, mail, and postage;
- (F) Communication devices such as telephones, local and nonlocal telephone services, and video chat services;
- (G) Clothing and shoes;
- (H) Copayments for medical, dental, and optometry visits, care, and medication;
- (I) Eyeglasses;
- (J) Gym, television services, and any other recreational activities;
- (K) Educational and vocational classes, programming, and related materials; and
- (L) Any and all items and services charged to incarcerated persons under RCW 72.09.450 and 72.09.470 including, but not limited to, a complete list of any other item that an individual was or could have been charged for while incarcerated;

(ii) A complete itemized list of: (A) All items in (e)(i) of this subsection; (B) the cost of each item and service purchased by the department or negotiated with a vendor in (e)(i) of this subsection; (C) the resale or purchased price charged to incarcerated individuals and their family members for the same items in (e)(i) of this subsection; (D) the revenue or profit retained or reinvested by the department for each individual item in (e)(i) of this subsection; (E) the cost of items and services listed in (e)(i) of this subsection compared to comparable items and services that are not provided through correctional industries; and (F) an assessment of the prices charged for the items and services listed in (e)(i) of this subsection as compared to comparable items and services provided by other companies and vendors that do not service prisons;

(iii) A complete list of all items including, but not limited to, clothing and personal hygiene items, that are distributed monthly free of charge: (A) To all incarcerated individuals irrespective of their financial status; and (B) solely to indigent inmates as defined in RCW 72.09.015 provided the individual remains in indigent status during his or her period of incarceration;

(iv) The average annual debt incurred by an individual while incarcerated. This includes debt solely recorded and posted by the department for debt incurred between the individual's first day of confinement within the department of corrections through the individual's day of release from incarceration from prison;

(v) The average debt owed by incarcerated individuals to the department for items and services under (e)(i) of this subsection upon release from confinement;

(vi) The average amount paid by incarcerated individuals to the department for items and services under (e)(i) of this subsection during their period of confinement;

(vii) A list of the: (A) Required deductions from wages and gratuities earned pursuant to RCW 72.09.100 through 72.09.111; (B) required deductions from the funds received, by the department on behalf of an incarcerated person from outside sources, in addition to an incarcerated individual's wages or gratuities pursuant to RCW 72.09.480; and (C) wages and gratuities earned by an incarcerated individual and any funds received, by the department on behalf of an incarcerated person, from outside sources for specific items listed in (e)(i) of this subsection that are exempt from statutory deductions;

(viii) The average amount of funds remaining in an incarcerated individual's savings account at the time of his or her release from confinement; and

(ix) A review and evaluation of the fines, fees, and commission generated from any of the items and services listed in (e)(i) of this subsection that are used in the department's budget.

The institute must provide a final report to the governor and the appropriate committees of the legislature by June 30, 2025.

(f) (i) (~~(\$50,000)~~) \$76,000 of the amount for fiscal year 2024 (~~(is)~~) and \$128,000 of the amount for fiscal year 2025 are provided solely for the institute to study the contracting practices for goods and services, and manufactured products, made or offered by correctional industries to state agencies and various political subdivisions within the state. A cost benefit analysis must be included in the report which must:

(A) Determine the costs of all contracts utilizing the labor of incarcerated individuals providing services or the manufacture of goods for state entities and other political subdivisions;

(B) Compare the cost savings to the state of Washington that is projected when those goods and services are procured from or produced by corrections industries and not private businesses engaged in a competitive bidding process with the state and its various political subdivisions;

(C) Provide a detailed break out of total number of labor positions that are offered to incarcerated individuals, ranked from least skilled to most skilled and the rate per hour of the gratuities the individuals are given monthly for this labor, including the amount if the gratuity given to incarcerated individuals was the federal or state mandated minimum wage;

(D) Provide a detailed listing of all commissary items purchased by and offered for sale to individuals incarcerated within the facilities operated by the department of corrections. This listing of individual items must also include the wholesale price from outside vendors that correction industries pays for each line item offered to incarcerated individuals, and the price charged to the incarcerated individual for those items; and

(E) Provide a comprehensive list of all positions offered by corrections industries that provide substantive training and labor ready skills for individuals to assume positions in the workforce outside of incarceration; and to the extent the data allows, provide the number of individuals who have positions upon release that were obtained with skills obtained through work at correctional industries.

(ii) The institute must submit a report to the appropriate committees of the legislature by June 30, 2025, in compliance with RCW 43.01.036.

(g)(i) \$260,000 of the amounts in fiscal year 2024 and \$98,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to conduct a study of the Washington jail system and county juvenile justice facilities.

(ii) The institute's report shall include, to the extent possible, consideration of the following:

(A) A longitudinal study of how the county jail and county juvenile detention populations have changed over the last 12 years including, but not limited to, an analysis of demographics, physical and behavioral health issues, number of inmates, and types of convictions;

(B) An analysis of county jail and county juvenile detention facility survey data provided by the Washington state association of counties as described in (g)(v) of this subsection; and

(C) Examination of the availability of criminal justice training commission classes for corrections officers.

(iii) The health care authority, department of social and health services, administrative office of the courts, criminal justice training commission, state auditor's office, office of financial management, and Washington state patrol must provide the institute with access to data or other resources if necessary to complete this work.

(iv) The institute shall submit the report to the appropriate committees of the legislature and the governor by December 1, 2024.

(v) As part of the study, the institute shall contract with the Washington state association of counties to conduct a survey of jail and juvenile detention facilities in Washington state. The survey shall include, but not be limited to, the following:

(A) Age of the facilities;

(B) Age of systems within the facilities;

(C) Cost of remodeling facilities;

(D) Cost of building new facilities;

(E) General maintenance costs of the facilities;

(F) Operational costs of the facilities;

(G) Workforce, to include, but not be limited to, employee vacancies as a percentage of total employees;

(H) Services, supports, and programming, to include, but not be limited to:

(I) Costs of housing those with behavioral health needs;

(II) Number of individuals with behavioral health needs;

(III) Cost of competency restoration;

(IV) Physical health services and related costs;

(V) Number of individuals booked and housed on behalf of state agencies;

(VI) Percent of individuals waiting for a state hospital;

(VII) Available nonincarcerative alternatives and diversion programs; and

(VIII) Available release and reentry services;

(I) Funding sources, to include, but not be limited to:

(I) County tax structure and revenue raising ability; and

(II) Jail and juvenile detention facility funding sources.

(vi) The Washington state association of counties shall consult with the Washington state institute for public policy during the design and distribution of the survey. Responses to the survey shall be compiled and provided to the Washington state institute for public policy by December 31, 2023.

(h)(i) \$240,000 of the amounts in fiscal year 2024 and \$240,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy, in consultation with the Washington traumatic brain injury strategic partnership advisory council, to study the potential need for developing specialized long-term services and supports for adults with traumatic brain injuries.

(ii) At a minimum, the study must include an examination of:

(A) The demographics of adults with traumatic brain injuries in the state who are anticipated to be in need of long-term services and supports, including an examination of those who are likely to be eligible for medicaid long-term services and supports;

(B) The industry standards of providing long-term care services and supports to individuals with traumatic brain injuries; and

(C) The methods other states are utilizing to provide long-term services and supports to individuals with traumatic brain injuries, including identifying the rates paid for these services and a description of any specialized facilities established to deliver these services.

(iii) A report of the findings of this study and any recommendations for increasing access to appropriate long-term services and supports for individuals with traumatic brain injuries shall be submitted to the governor and the appropriate committees of the legislature no later than June 30, 2025.

(i) \$163,000 of the amounts in fiscal year 2024 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(j) \$222,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 29, Laws of 2022 (reentry and rehabilitation).

(k) \$107,000 of the amounts in fiscal year 2025 is provided solely for the Washington state institute for public policy to examine programs in peer states related to breast cancer education and prevention prior to diagnosis and support and resources after diagnosis for native communities. The study must focus on programs that are operated by either the state, tribes solely, or tribes in coordination with the state. To identify peer states, the institute may consider factors such as the population of American Indians and Alaska natives, number of federally recognized tribes, and whether the state has expanded medicaid. The report shall include for each peer state the existence of any programs that meet the criteria described in this section, and summarize any research findings on these programs, if available. The institute must submit a report to the appropriate committees of the legislature by June 30, 2025, in compliance with RCW 43.01.036.

(l) Notwithstanding other provisions in this subsection, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute's 2023-25 work plan as necessary to efficiently manage workload.

(5) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional faculty to support Native American and indigenous programs.

(6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the native pathways program for an assistant director.

(7) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison position.

(8) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(9) \$137,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student mental health and wellness. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(10) \$196,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for additional laboratory, art, and media lab sections.

(11) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop and expand current corrections education programs offered in department of corrections facilities. The college shall appoint a project implementation team, collaborate with stakeholders to plan student success programs and curriculum which lead to transferable credit, associate and bachelor's degrees, and other workforce credentials, and train faculty and staff on working with incarcerated populations.

(12) \$2,636,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(13) \$670,000 of the workforce education investment account—state appropriation is provided solely to maintain enrollment capacity in psychology programs.

(14) \$600,000 of the workforce education investment account—state appropriation is provided solely to increase student success by maintaining support for a student precollege immersion program and the Evergreen first-year experience.

(15) \$988,000 of the workforce education investment account—state appropriation is provided solely for student enrollment and retention support. Funding is provided for hiring a student advisor and underserved student specialist to provide student support and administrative support for the native pathways program.

(16) \$554,000 of the workforce education investment account—state appropriation is provided solely for the expansion of corrections education offerings to currently incarcerated students and the expansion of reentry services.

(17) ~~(\$106,000)~~ \$161,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ Of the amount provided in this subsection, \$55,000 of the workforce education investment account—state appropriation is provided solely to increase the benefits navigator position to 1.0 FTE and extend the hours of operation for the student basic needs/advocacy center.



(18) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(19) \$6,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(20) \$738,000 of the workforce education investment account—state appropriation is provided solely for the Shelton promise pilot program.

(21) \$42,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 607.** 2023 c 475 s 611 (uncodified) is amended to read as follows:

**FOR WESTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$98,802,000</del> ))
	\$99,084,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$103,707,000</del> ))
	\$104,563,000
Western Washington University Capital Projects	
Account—State Appropriation . . . . .	\$1,424,000
Education Legacy Trust Account—State Appropriation . . . . .	\$13,831,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$21,399,000</del> ))
	\$21,844,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$239,163,000</del>))</b>
	<b>\$240,746,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) (~~(\$19,580,000)~~) \$19,789,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$20,010,000)~~) \$20,283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation and implementation of an early childhood education degree program at the western on the peninsulas campus. The university must collaborate with Olympic college. At full implementation, the university is expected to grant approximately 75 bachelor's degrees in early childhood education per year at the western on the peninsulas campus.

(5) \$1,306,000 of the general fund—state appropriation for fiscal year 2024 and \$1,306,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to develop a new program in marine, coastal, and watershed sciences.

(6) \$886,000 of the general fund—state appropriation for fiscal year 2024 and \$886,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to reduce tuition rates for four-year degree programs offered in partnership with Olympic college—Bremerton, Olympic college—Poulsbo, and Peninsula college—Port Angeles that are currently above state-funded resident undergraduate tuition rates.

(7) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to recruit and retain high quality and diverse graduate students.

(8) \$548,000 of the general fund—state appropriation for fiscal year 2024 and \$548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for critical support services to ensure traditionally underrepresented students receive the same opportunities for academic success as their peers.

(9) \$48,000 of the general fund—state appropriation for fiscal year 2024 and \$48,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(10) \$530,000 of the general fund—state appropriation for fiscal year 2024 and \$530,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation of two bilingual educator programs in the south King county region, including a

bilingual elementary education degree program and a secondary education degree program. At full implementation, each cohort shall support up to 25 students per year.

(11) \$361,000 of the general fund—state appropriation for fiscal year 2024 and \$361,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a master of science program in nursing.

(12) \$433,000 of the general fund—state appropriation for fiscal year 2024 and \$433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the registered nurse to bachelors in nursing program.

(13) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(14) \$2,256,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(15) \$3,426,000 of the workforce education investment account—state appropriation is provided solely to maintain access to science, technology, engineering, and mathematics degrees.

(16) \$908,000 of the workforce education investment account—state appropriation is provided solely to establish an academic curriculum in ethnic studies.

(17) \$400,000 of the workforce education investment account—state appropriation is provided solely for upgrading cyber range equipment and software.

(18) \$2,520,000 of the workforce education investment account—state appropriation is provided solely for student support services that include resources for outreach and financial aid support, retention initiatives including targeted support for underserved student populations, mental health support, and initiatives aimed at addressing learning disruption due to the global pandemic. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for student support services.

(19) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(20) \$500,000 of the workforce education investment account—state appropriation is provided solely for the student civic leaders initiative.

(21) \$1,610,000 of the general fund—state appropriation for fiscal year 2024 and \$2,875,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(22) \$3,186,000 of the workforce education investment account—state appropriation is provided solely for the western on the peninsulas expansion. This includes new two plus two degrees programs such as industrial engineering, data science, and sociology.

(23) \$1,577,000 of the workforce education investment account—state appropriation is provided solely for expanded remedial math and additional English 101 courses, as well first year seminars, and disability accommodation counselors. Of the amounts provided in this subsection for first year seminars, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided for the university to develop a student orientation program for students receiving the Washington college grant, focusing on first-generation and traditionally underrepresented students. The program may include evidence-based student success metrics, peer support, and mentorship following orientation. The program proposal must be submitted to the legislature by December 1, 2023 for implementation in the 2024-2025 academic year.

(24) \$100,000 of the workforce education investment account—state appropriation is provided solely for mental health first aid training for faculty.

(25) \$150,000 of the workforce education investment account—state appropriation is provided solely for the small business development center to increase technical assistance to black, indigenous, and other people of color small business owners in Whatcom county.

(26) \$694,000 of the workforce education investment account—state appropriation is provided to establish a master of social work program at western on the peninsulas.

(27) \$2,478,000 of the workforce education investment account—state appropriation is provided solely for expansion of bilingual educators education.

(28) \$1,000,000 of the workforce education investment account—state appropriation is provided for additional student support and outreach at western on the peninsulas.

(29) \$580,000 of the workforce education investment account—state appropriation is provided solely to convert the human services program at western on the peninsulas from self-sustaining to state-supported to reduce tuition rates for students in the program.

(30) \$118,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$23,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining).

~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) \$1,306,000 of the workforce education investment account—state appropriation is provided solely to establish and administer a teacher residency program focused on special education instruction beginning in the 2024-25 school year. Amounts provided in this subsection are sufficient to support one cohort of 17 residents per school year, and must be prioritized to communities that are anticipated to be most positively impacted by teacher residents who fill teacher vacancies upon completing the teacher residency program and who remain in the communities in which they are mentored. The teacher residency program must meet the following requirements:

(a) Residents receive compensation equivalent to first year paraeducators, as defined in RCW 28A.413.010;

(b) Each resident is assigned a preservice mentor;

(c) Preservice mentors receive a stipend of \$2,500 per year;

(d) Residents receive at least 900 hours of preservice clinical practice over the course of the school year;

(e) At least half of the residency hours specified in (d) of this subsection are in a coteaching setting with the resident's preservice mentor and the other half of the residency hours are in a coteaching setting with another teacher;

(f) Residents may not be assigned the lead or primary responsibility for student learning;

(g) Coursework taught during the residency is codesigned by the teacher preparation program and the school district, state-tribal education compact school, or consortium, tightly integrated with residents' preservice clinical practice, and focused on developing culturally responsive teachers; and

(h) The program must prepare residents to meet or exceed the knowledge, skills, performance, and competency standards described in RCW 28A.410.270(1).

~~(34) \$445,000 of the workforce education investment account—state appropriation is provided solely to expand the undergraduate electrical and computer engineering program.~~

~~(35) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the university to contract with a nonprofit organization in Kitsap county that provides cyber security curriculum to postsecondary institutions for cyber security education in partnership with the Washington state cyber range in Poulsbo.~~

~~(36) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the university to contract with a nonprofit organization in Whatcom county that provides economic and financial education to conduct foundational research on the efficacy of financial education course formats.~~

**Sec. 608.** 2023 c 475 s 612 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—POLICY COORDINATION AND ADMINISTRATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$9,850,000</del> ))
	\$9,895,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$9,416,000</del> ))
	\$9,978,000
General Fund—Federal Appropriation. . . . .	(( <del>\$20,996,000</del> ))
	\$20,998,000
Washington Student Loan Account—State Appropriation. . . . .	(( <del>\$90,000,000</del> ))
	\$50,000,000
Workforce Education Investment Account—State Appropriation. . . . .	\$16,311,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$146,573,000</del>))</b>
	<b>\$107,182,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$126,000 of the general fund—state appropriation for fiscal year 2024 and \$126,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consumer protection unit.

(2) The student achievement council must ensure that all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW provide the data needed to analyze and evaluate the effectiveness of state financial aid programs. This data must be promptly transmitted to the education data center so that it is available and easily accessible.

(3) Community-based organizations that receive state funding under subsection (11) of this section and section ~~((605(35-)))~~ 601(35) of this act are not eligible for Washington career and college pathways innovation challenge program grant funding for the same purpose.

(4) \$575,000 of the general fund—state appropriation for fiscal year 2024 and \$575,000 of the general fund—state appropriation for fiscal year 2025 are provided to increase the number of high school seniors and college bound scholars that complete the free application for federal student aid and the Washington application for state financial aid through digital engagement tools, expanded training, and increased events for high school students.

(5) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative support services to carry out duties and responsibilities necessary for

recipients of the Washington college grant who are enrolled in a state registered apprenticeship program.

(6) (a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The student achievement council, in cooperation with the council of presidents, must provide resources for up to two four-year colleges or universities, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college and university staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The council, in collaboration with the council of presidents and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health insurance coverage; and to provide recommendations on how to improve student and staff access to health coverage based on data gathered from the pilot program.

(7) \$1,208,000 of the general fund—state appropriation for fiscal year 2024 and \$1,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington award for vocational excellence. Of the amount provided in this subsection, \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 may be used for administration and that is the maximum amount that may be expended for this purpose.

(8) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the career launch grant pool for the public four-year institutions.

(9) \$179,000 of the general fund—state appropriation for fiscal year 2024 and \$179,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the complete Washington program.

(10) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the council to submit a progress report on the new or expanded cybersecurity and nursing academic programs that receive funding in sections ~~((605 through 614))~~ 601 through 607 of this act, including the number of students enrolled. The council must coordinate with the institutions of higher education and the state board for community and technical colleges as provided in ~~((sections 603(3), 605(31), and 605(37)))~~ section 603(3), chapter 475, Laws of 2023 and section 601 (31) and (37) of this act. The progress report must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2024.

(11) \$5,778,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to contract with a statewide nonprofit organization located in King county to expand college services to support underserved students and improve college retention and completion rates.

(12) \$46,000 of the general fund—state appropriation for fiscal year 2024 and \$46,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the state of Washington's annual dues to the education commission of the state.

(13) \$150,000 of the workforce education investment account—state appropriation is provided solely for an implementation review of the passport to careers program. The review must include short and long-term recommendations to improve the reach and effectiveness of the passport program. The review must include consultation with organizations serving foster youth, the state board of community and technical colleges, public four-year institutions, and other organizations involved in the passport to college and passport to apprenticeship programs. Amounts provided in this subsection may be used to provide stipends for youth participating in the review who are receiving funds from passport programs or are eligible to receive funds from passport programs. The review must be submitted to the appropriate committees of the legislature by June 30, 2024.

(14) \$1,485,000 of the workforce education investment account—state appropriation and ~~(((\$90,000,000))~~ \$50,000,000 of the Washington student loan account—state appropriation are provided solely for implementation of Engrossed House Bill No. 1823 (WA student loan program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(15) \$16,000,000 of the general fund—federal appropriation is provided solely for the good jobs challenge grant expenditure authority.

(16) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for contraception vending machines for students and staff stocked with emergency contraceptive medication and other forms of contraception, including condoms, at discreet and geographically accessible locations, such as gender-neutral restrooms and student union buildings, and locations that are accessible on weekends and after 5:00 p.m. The council must

distribute \$10,000 to each public four-year institution and community and technical college who apply on a first-come, first-served basis.

(17) \$1,150,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for the council to provide grants to law schools in the state who offer a law clinic focusing on crime victim support.

(19) (a) \$100,000 of the workforce education investment account—state appropriation is provided solely to contract with a nonprofit organization located in Tacoma that focuses on coordinated systems of support for postsecondary success to conduct a comprehensive study on the feasibility and potential impacts on postsecondary enrollment of a policy of universal free application for federal financial aid (FAFSA) completion. For purposes of this subsection, universal FAFSA completion means making completion of the financial aid form a requirement for high school graduation and requiring schools to support students through the process. The study will include, but is not limited to, the following:

(i) A landscape scan of existing state and local level universal FAFSA completion policies, both in Washington and nationally;

(ii) Input from key stakeholder groups, including students, parents, state agency staff, K-12 district staff and leadership, and student serving organizations; and

(iii) Recommendations for possible policy change at the state level.

(b) A report of findings and recommendations must be submitted to the appropriate committees of the legislature pursuant to RCW 43.01.036 by November 30, 2023.

(20) \$648,000 of the workforce education investment account—state appropriation is provided solely for distribution to four-year institutions of higher education participating in the students experiencing homelessness program without reduction by the Washington student achievement council, pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) \$46,000 of the workforce education investment account—state appropriation is provided solely for the administration of the students experiencing homelessness program pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$400,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5687 (wrestling grant program). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(23) \$356,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to staff the workforce education investment accountability and oversight board as provided in Engrossed Senate Bill No. 5534 (workforce investment board). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(24) \$191,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a full-time position to support an increased workload in contracting activities.

(25) \$330,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 609.** 2023 c 475 s 613 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—OFFICE OF STUDENT FINANCIAL ASSISTANCE**

General Fund—State Appropriation (FY 2024) . . . . .	(\$302,029,000)
	\$302,031,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$301,772,000)
	\$301,775,000
General Fund—Federal Appropriation. . . . .	(\$12,250,000)
	\$12,263,000
General Fund—Private/Local Appropriation. . . . .	\$300,000
Education Legacy Trust Account—State Appropriation. . . . .	\$85,488,000
Washington Opportunity Pathways Account—State	
Appropriation. . . . .	(\$78,914,000)
	\$76,603,000
Aerospace Training Student Loan Account—State	
Appropriation. . . . .	\$220,000
Workforce Education Investment Account—State	
Appropriation. . . . .	(\$226,415,000)
	\$328,722,000
Health Professionals Loan Repayment and Scholarship	
Program Account—State Appropriation. . . . .	\$11,720,000
<b>TOTAL APPROPRIATION.</b> . . . .	<b>(\$1,019,108,000)</b>
	<b>\$1,119,122,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,834,000 of the general fund—state appropriation for fiscal year 2024 and \$7,835,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student financial aid payments under the state work study program, including up to four percent administrative allowance for the state work study program.

(2) \$276,416,000 of the general fund—state appropriation for fiscal year 2024, \$276,416,000 of the general fund—state appropriation for fiscal year 2025, (~~(\$169,036,000)~~) \$258,584,000 of the workforce education investment account—state appropriation, \$69,639,000 of the education legacy trust fund—state appropriation, and \$67,654,000 of the Washington opportunity pathways account—state appropriation are provided solely for the Washington college grant program as provided in RCW 28B.92.200.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2023-2025 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) \$1,165,000 of the general fund—state appropriation for fiscal year 2024, \$1,165,000 of the general fund—state appropriation for fiscal year 2025, \$15,849,000 of the education legacy trust account—state appropriation, and (~~(\$11,260,000)~~) \$8,949,000 of the Washington opportunity pathways account—state appropriation are provided solely for the college bound scholarship program and may support scholarships for summer session. The office of student financial assistance and the institutions of higher education shall not consider awards made by the opportunity scholarship program to be state-funded for the purpose of determining the value of an award amount under RCW 28B.118.010.

(5) \$6,999,000 of the general fund—state appropriation for fiscal year 2024 (~~and~~) \$6,999,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000,000 of the workforce education investment account—state appropriation are provided solely for the passport to college program. The maximum scholarship award is up to \$5,000. The council shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2024 and 2025 for this purpose.

(6) \$55,254,000 of the workforce education investment account—state appropriation is provided solely for an annual bridge grant of \$500 to eligible students. A student is eligible for a grant if the student receives a maximum college grant award and does not receive the college bound scholarship program under chapter 28B.118 RCW. Bridge grant funding provides supplementary financial support to low-income students to cover higher education expenses.

(7) \$500,000 of the workforce education investment account—state appropriation is provided solely for the behavioral health apprenticeship stipend pilot program, with stipends of \$3,000 available to students. The pilot program is intended to provide a stipend to assist students in high-demand programs for costs associated with completing a program, including child care, housing, transportation, and food.

(8) (~~(\$1,000,000)~~) \$1,425,000 of the workforce education investment account—state appropriation is provided solely for the national guard grant program. Of the amount provided in this subsection, \$425,000 of the workforce education investment account—state appropriation for fiscal year 2025 is provided solely to increase national guard grant award amounts.

(9) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for educator conditional scholarship and loan repayment programs established in chapter 28B.102 RCW. Dual language educators must receive priority.

(10) \$10,000,000 of the health professionals loan repayment and scholarship program account—state appropriation is provided solely to increase loans within the Washington health corps.

(11) \$1,156,000 of the workforce education investment account—state appropriation is provided solely for implementation of House Bill No. 1232 (college bound scholarship). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(12) \$500,000 of the workforce education investment account—state appropriation is provided solely for the Washington award for vocational excellence program.

(13) \$8,280,000 of the workforce education investment account—state appropriation is provided solely for implementation of Senate Bill No. 5904 (financial aid terms). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 610.** 2023 c 475 s 614 (uncodified) is amended to read as follows:

<b>FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD</b>	
General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$4,845,000)</del> ) \$4,847,000
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$4,311,000)</del> ) \$4,613,000
General Fund—Federal Appropriation . . . . .	( <del>(\$55,868,000)</del> ) \$55,870,000

General Fund—Private/Local Appropriation. . . . .	\$212,000
Climate Commitment Account—State Appropriation. . . . .	\$904,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation. . . . .	\$250,000
Workforce Education Investment Account—State Appropriation. . . . .	\$2,350,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b><u>(\$68,740,000)</u></b>
	<b><u>\$69,046,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the health workforce council of the state workforce training and education coordinating board. In partnership with the office of the governor, the health workforce council shall continue to assess workforce shortages across behavioral health disciplines and incorporate the recommended action plan completed in 2020.

(2) \$250,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for an accredited osteopathic medical school to purchase necessary equipment to support the education and training of community-focused occupational therapists.

(3) \$564,000 of the general fund—state appropriation for fiscal year 2024 and \$573,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to conduct health workforce surveys, in collaboration with the nursing care quality assurance commission, to collect and analyze data on the long-term care workforce, and to manage a stakeholder process to address retention and career pathways in long-term care facilities.

(4) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for apprenticeship grants, in collaboration with the nursing care quality assurance commission and the department of labor and industries, to address the long-term care workforce.

(5) \$109,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative expenditures for the Washington award for vocational excellence.

(6) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the workforce board to award grants for the purposes of providing apprenticeship, industry certifications and wraparound student supports to workers pursuing job advancement and enhancement through college readiness, apprenticeship, degree, certification, or professional development opportunities in the health care field. Grant recipients must be labor-management partnerships established under section 302 of the labor-management relations act, 29 U.S.C. Sec. 186 that demonstrate adequate funding match and competency in the provision of student supports, or employers who can demonstrate service serving greater than 50 percent medicaid populations who can demonstrate that they will use the grant to join or establish a labor-management partnership dedicated to the purposes of this section. Preference must be given to applications that demonstrate an ability to support students from racially diverse backgrounds, and that are focused on in-demand fields with career ladders to living wage jobs. Grant recipients must use the funds to provide services including, but not limited to, development and implementation of apprenticeship and industry certifications, benefits administration, tuition assistance, counseling and navigation, tutoring and test preparation, instructor/mentor training, materials and technology for students, childcare, and travel costs.

(7) \$92,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time information technology position to collaborate with other state workforce agencies to establish and support a governance structure that provides strategic direction on cross-organizational information technology projects. The board must submit a report to the governor's office and the appropriate committees of the legislature, pursuant to RCW 43.01.036, with a progress update and recommendations on a coalition model that will result in better service coordination and public stewardship that enables the efficient delivery of workforce development services by September 1, 2023, and September 1, 2024.

(8) The workforce board must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(9) \$84,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$904,000 of the climate commitment account—state appropriation is provided solely for the implementation of Second Substitute House Bill No. 1176 (climate-ready communities), which creates a clean energy technology workforce advisory committee. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ The agency must conduct a study in fiscal year 2024 of the feasibility of a transition to retirement program to ensure income and medical and retirement benefits are not interrupted for workers close to retirement that face job loss or transition because of clean energy technology sector changes.

(11) \$256,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a new application portal for the Washington award for vocational excellence scholarship program.

**Sec. 611.** 2023 c 475 s 615 (uncodified) is amended to read as follows:

**FOR THE STATE SCHOOL FOR THE BLIND**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$11,090,000</del> ))
	<u>\$11,093,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$11,186,000</del> ))
	<u>\$11,192,000</u>
General Fund—Private/Local Appropriation . . . . .	\$34,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$22,310,000</del>))</b>
	<b><u>\$22,319,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades six through twelve for full-time instructional services at the Vancouver campus or online with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

**Sec. 612.** 2023 c 475 s 616 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON CENTER FOR DEAF AND HARD OF HEARING YOUTH**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$17,953,000</del> ))
	<u>\$18,421,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$17,997,000</del> ))
	<u>\$18,514,000</u>
General Fund—Private/Local Appropriation . . . . .	(( <del>\$3,050,000</del> ))
	<u>\$4,052,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$39,000,000</del>))</b>
	<b><u>\$40,987,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Funding provided in this section is sufficient for the center to offer students ages three through 21 enrolled at the center the opportunity to participate in a minimum of 1,080 hours of instruction and the opportunity to earn 24 high school credits.

(2) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a mentoring program for persons employed as educational interpreters in public schools.

(3) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for additional student-based safety training as well as diversity, equity, and inclusion training for staff.

**Sec. 613.** 2023 c 475 s 617 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$6,615,000</del> ))
	<u>\$6,331,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,795,000</del> ))
	<u>\$7,241,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$2,230,000</del> ))
	<u>\$2,830,000</u>
General Fund—Private/Local Appropriation . . . . .	\$184,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$15,824,000</del>))</b>
	<b><u>\$16,586,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$79,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creative districts program.

(2) \$868,000 of the general fund—state appropriation for fiscal year 2024 and \$867,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a tribal cultural affairs program. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support tribal cultural, arts, and creative programs.

(3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to hire a temporary collections technician to maintain and repair public art in the state art collection.



(4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to implement a pilot program for in-person and online arts programming, targeting adults and families impacted by housing instability, mental health challenges, and trauma.

(5) ~~(((\$489,000))\$199,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(((\$654,000))\$944,000~~ of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for an outdoor public art project in downtown Everett on the façade of the Schack art center. The project shall feature stainless steel images of Sasquatch and Pacific Northwest elements, honoring the rich cultural heritage of the region and the narrative history of the Coast Salish Tribes.

**Sec. 614.** 2023 c 475 s 618 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$5,327,000</del> ))
	<u>\$5,410,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$5,467,000</del> ))
	<u>\$6,185,000</u>
Local Museum Account—Washington State Historical Society—Private/Local Appropriation. . . . .	\$70,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$10,864,000</del>))</b>
	<b><u>\$11,665,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of supporting the Washington museums connect initiative, creating an inventory of rural, volunteer, and multidiscipline museums and place-based heritage groups to connect at-risk museums to a statewide funding and operational network. The department shall contract with an organization that works with and connects museums in Washington state.

(a) The contracted organization must:

(i) Submit to the department a report regarding funding needs for the museums and place-based heritage groups identified in the statewide inventory created in the first phase of the initiative;

(ii) Submit to the department a strategic plan assessing opportunities for the entities identified in the statewide inventory to access local, state, and national funding; and

(iii) Distribute to the entities identified in the inventory information regarding opportunities to apply for local, state, and national funding for the duration of the contract.

(b) The report and the strategic plan are due by June 30, 2025.

(2) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$88,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an assistant curator at the Washington state history museum.

(3) \$4,000 of the general fund—state appropriation for fiscal year 2024, \$4,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the local museum account—Washington state historical society—private/local appropriation are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) \$99,000 of the general fund—state appropriation for fiscal year 2024 and \$242,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state historical society to partner with statewide organizations specializing in the preservation of Washington state aviation history to organize a centennial celebration of the first round-the-world flight that captures the narratives and contributions of Washingtonians to the history of aviation.

(5) \$320,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state historical society to partner with a statewide organization specializing in the preservation of Washington state Jewish history to transform and expand the collection of oral histories from Jewish Washingtonians in order to build awareness and to provide education.

**Sec. 615.** 2023 c 475 s 619 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$4,429,000</del> ))
	<u>\$4,799,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$4,452,000</del> ))
	<u>\$4,661,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$8,881,000</del>))</b>
	<b><u>\$9,460,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$103,000 of the general fund—state appropriation for fiscal year 2024 and \$103,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a director of support services.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an information technology staff to replace the society's contracted information technology support.

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for acquisition, transportation, archiving, and storage of the following two collections:

(a) A collection of artworks created by Harold Balazs;

(b) A collection of Southern Plateau tribal beadwork and culturally historic photographs.

(End of part)

**PART VII  
SPECIAL APPROPRIATIONS**

**Sec. 701.** 2023 c 475 s 701 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—INFORMATION TECHNOLOGY INVESTMENT POOL**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$26,470,000)) \$27,023,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$9,022,000)) \$22,993,000
Other Appropriated Funds . . . . .	(((\$6,559,000)) \$18,508,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$42,051,000)) \$68,524,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for expenditure into the information technology investment revolving account created in RCW 43.41.433. Amounts in the account are provided solely for the information technology projects shown in LEAP omnibus documents IT-2023, dated April 22, 2023, and IT-2024, dated February 18, 2024, which ~~((is))~~are hereby incorporated by reference. To facilitate the transfer of moneys from other funds and accounts that are associated with projects contained in LEAP omnibus documents IT-2023, dated April 22, 2023, and IT-2024, dated February 18, 2024, the state treasurer is directed to transfer moneys from other funds and accounts to the information technology investment revolving account in accordance with schedules provided by the office of financial management. Restricted federal funds may be transferred only to the extent permitted by law, and will otherwise remain outside the information technology investment account. The projects affected remain subject to the other provisions of this section.

(2) Agencies must apply to the office of the chief information officer for certification and release of funding for each gate of the project. When the office of the chief information officer certifies the key deliverables of the gate have been met, a current technology budget is approved; and if applicable to the stage or gate of the project, that the project is putting functioning software into production that addresses user needs, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality that the office of the chief information officer will post to their website by July 1, 2023, it must notify the office of financial management and the fiscal committees of the legislature. The office of financial management may not approve funding for the certified project gate any earlier than ten business days from the date of notification to the fiscal committees of the legislature.

(3) (a) Allocations and allotments of information technology investment revolving account must be made for discrete stages of projects as determined by the technology budget approved by the office of the chief information officer and the office of financial management.

(b) Fifteen percent of total funding allocated by the office of financial management, or another amount as defined jointly by the office of financial management and the office of the chief information officer, will be retained in the account, but remain allocated to that project. The retained funding will be released to the agency only after successful completion of that stage of the project and only after the office of the chief information officer certifies the stage as required in subsection (2) of this section. For the one Washington project, the amount retained is increased to at least twenty percent of total funding allocated for any stage of that project. If there is no significant risk to the project, the holdback does not apply to the final gate during a biennial close.

(4) (a) Each project must have a technology budget. The technology budget must have the detail by fiscal month for the 2023-2025 fiscal biennium. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out, as well as at least five years of maintenance and operations costs.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit an updated technology budget, if changes occurred, to include detailed financial information to the office of financial management and the office of the chief information officer. The technology budget must describe the total cost of the project, as well as maintenance and operations costs, to include and identify at least:

(i) Fund sources:

(A) If the project is funded from the information technology revolving account, the technology budget must include a worksheet that provides the fund sources that were transferred into the account by fiscal year;

(B) If the project is by a central service agency, and funds are driven out by the central service model, the technology budget must provide a statewide impact by agency by fund as a worksheet in the technology budget file;

(ii) Full time equivalent staffing level to include job classification assumptions. This is to assure that the project has adequate state staffing and agency support to ensure success, ensure user acceptance, and adequately test the functionality being delivered in each sprint before it is accepted by the agency's contracting officer or their representative. Key project functions that are deemed "critical" must be retained by state personnel and not outsourced, to ensure that knowledge is retained within state government and that the state can self-sufficiently support the system and make improvements without long-term dependence on a vendor;

(iii) Discrete financial budget codes to include at least the appropriation index and program index;

(iv) Object and subobject codes of expenditures;

(v) Anticipated deliverables to include software demonstration dates;

(vi) Historical budget and expenditure detail by fiscal year; and

(vii) Maintenance and operations costs by fiscal year for at least five years as a separate worksheet.

(c) If a project technology budget changes and a revised technology budget is completed, a comparison of the revised technology budget to the last approved technology budget must be posted to the dashboard, to include a narrative rationale on what changed, why, and how that impacts the project in scope, budget, and schedule.

(5) (a) Each project must have a project charter. The charter must include:

(i) An organizational chart of the project management team that identifies team members and their roles and responsibilities, and shows that the project is adequately staffed by state personnel in key functions to ensure success;

(ii) The office of the chief information officer staff assigned to the project;

(iii) A project roadmap that includes the problems the team is solving and the sequence in which the team intends to take on those problems, updated periodically to reflect what has been learned;

(iv) Metrics to support the project strategy and vision, to determine that the project is incrementally meeting user needs;

(v) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project at each agency affected by the project;

(vi) Performance measures used to determine that the project is on time, within budget, and meeting expectations for quality of work product;

(vii) Ongoing maintenance and operations cost of the project post implementation and close out delineated by agency staffing, contracted staffing, and service level agreements; and

(viii) Financial budget coding to include at least discrete financial coding for the project.

(b) If required by the office of the chief information officer, a project may also need to have an investment plan. The office of the chief information officer must:

(i) Base the requirement of an agency needing to have an investment plan on the complexity and risk of the project;

(ii) Establish requirements by project risk level in statewide technology policy, and publish the requirements by September 30, 2023; and

(iii) In collaboration with the department of enterprise services, define the circumstances under which the vendor will be terminated or replaced and establish the process by which the agency will transition to a new vendor with a minimal reduction in project productivity.

(6) (a) Projects with estimated costs greater than \$100,000,000 from initiation to completion and implementation may be divided into discrete subprojects as determined by the office of the chief information officer, except for the one Washington project which must be divided into the following discrete subprojects: Core financials, expanding financials and procurement, budget, and human resources. Each subproject must have a technology budget as provided in this section.

(b) If the project affects more than one agency:

(i) A separate technology budget and investment plan must be prepared by each agency; and

(ii) There must be a budget roll up that includes each affected agency at the subproject level.

(7) The office of the chief information officer shall maintain a statewide information technology project dashboard that provides updated information each fiscal month on projects subject to this section. The statewide dashboard must meet the requirements in section 155 of this act.

(8) For any project that exceeds \$2,000,000 in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:

(a) Independent quality assurance services for the project must report independently to the office of the chief information officer;

(b) The office of the chief information officer, based on project risk assessments, may require additional quality assurance services and independent verification and validation services;

(c) The office of the chief information officer must review, and, if necessary, revise the proposed project to ensure it is flexible and adaptable to advances in technology;

(d) The technology budget must specifically identify the uses of any financing proceeds. No more than thirty percent of the financing proceeds may be used for payroll-related costs for state employees assigned to project management, installation, testing, or training;

(e) The agency must consult with the office of the state treasurer during the competitive procurement process to evaluate early in the process whether products and services to be solicited and the responsive bids from a solicitation may be financed;

(f) The agency must consult with the contracting division of the department of enterprise services for a review of all contracts and agreements related to the project's information technology procurements;

(g) The agency and project must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of every two-week sprint, except for:

(i) Hardware or infrastructure projects; and

(ii) Projects that have implemented all phases and are now in maintenance and operations;

(h) The project solution must be capable of being continually updated, as necessary; and

(i) The agency and project must deploy usable functionality into production for users within 180 days from the date of an executed procurement contract in response to a competitive request for proposal.

(9) The office of the chief information officer must evaluate the project at each stage and certify whether the project is putting functioning software into production that addresses user needs, is projected to be completed within budget, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality, and whether the project is planned, managed, and meeting deliverable targets as defined in the project's approved technology budget and investment plan.

(10) The office of the chief information officer may suspend or terminate a project at any time if it determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall unallot any unused funding and shall not make any expenditure for the project without the approval of the office of financial management. The office of the chief information officer must report on December 1 each calendar year any suspension or termination of a project in the previous 12-month period to the legislative fiscal committees.

(11) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section, including projects that are not separately identified within an agency budget. The office of the chief information officer must report on December 1 each calendar year any additional projects to be subjected to this section that were identified in the previous 12-month period to the legislative fiscal committees.

(12) Any cost to administer or implement this section for projects listed in subsection (1) of this section, must be paid from the information technology investment revolving account. For any other information technology project made subject to the conditions, limitations, and review of this section, the cost to implement this section must be paid from the funds for that project.

(13) The following information technology projects are subject to the conditions, limitations, and review of this section:

(a) The state network firewall replacement of the consolidated technology services agency;

(b) The resident portal of the consolidated technology services agency; and

(c) The resident identity and access management modernization project of the consolidated technology services agency.

**Sec. 702.** 2023 c 475 s 702 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT**

General Fund—State Appropriation (FY 2024)	(\$1,419,445,000)
	\$1,401,902,000
General Fund—State Appropriation (FY 2025)	(\$1,549,610,000)
	\$1,495,940,000
State Building Construction Account—State Appropriation	(\$14,092,000)
	\$20,863,000
<u>Columbia River Basin Water Supply Development</u>	
<u>Account—State Appropriation</u>	\$3,000
Watershed Restoration and Enhancement Bond Account—	
State Appropriation	(\$204,000)
	\$64,000

State Taxable Building Construction Account—State	
Appropriation. . . . .	\$876,000
Debt-Limit Reimbursable Bond Retirement Account—	
State Appropriation. . . . .	\$119,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$2,984,346,000)</u></b>
	<b><u>\$2,919,767,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

**Sec. 703.** 2023 c 475 s 703 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE**

Nondebt-Limit Reimbursable Bond Retirement Account—	
State Appropriation. . . . .	<del>(\$51,730,000)</del>
	<u>\$51,761,000</u>

<u>School Construction and Skill Centers Building</u>	
Account—State Appropriation. . . . .	\$4,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$51,730,000)</u></b>
	<b><u>\$51,765,000</u></b>

The appropriation in this section is subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt limit general fund bond retirement account.

**Sec. 704.** 2023 c 475 s 704 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES**

General Fund—State Appropriation (FY 2024). . . . .	\$1,400,000
General Fund—State Appropriation (FY 2025). . . . .	\$1,400,000
State Building Construction Account—State	
Appropriation. . . . .	<del>(\$2,821,000)</del>
	<u>\$3,921,000</u>

Watershed Restoration and Enhancement Bond Account—	
State Appropriation. . . . .	<del>(\$44,000)</del>
	<u>\$24,000</u>

State Taxable Building Construction Account—State	
Appropriation. . . . .	\$176,000

<u>Columbia River Basin Water Supply Development</u>	
Account—State Appropriation. . . . .	\$1,000

<u>School Construction and Skill Centers Building</u>	
Account—State Appropriation. . . . .	\$1,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$5,841,000)</u></b>
	<b><u>\$6,923,000</u></b>

**Sec. 705.** 2023 c 475 s 705 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF FINANCIAL MANAGEMENT—GOVERNOR'S EMERGENCY FUNDING**

General Fund—State Appropriation (FY 2024). . . . .	<del>(\$3,500,000)</del>
	<u>\$5,000,000</u>
General Fund—State Appropriation (FY 2025). . . . .	\$3,500,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$7,000,000)</u></b>
	<b><u>\$8,500,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$1,000,000)~~ \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided for the critically necessary work of any state agency in the event of an emergent or unforeseen circumstance. Prior to the allocation of funding from this subsection (1), the requesting agency and the office of financial management must comply with the provisions of RCW 43.88.250.

(2) ~~(\$2,500,000)~~ \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided for individual assistance consistent with RCW 38.52.030(9) during an emergency proclaimed by the governor, as defined in RCW 38.52.010. The office of financial management must notify the fiscal committees of the legislature of the receipt by the governor or adjutant general of each application ~~((or))~~ request, or allocation for individual assistance from the amounts provided in this subsection (2). ~~((The office of financial management may not approve or release funding for 10 business days from the date of notification to the fiscal committees of the legislature.))~~

**Sec. 706.** 2023 c 475 s 717 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE HEALTH CARE AFFORDABILITY ACCOUNT**

General Fund—State Appropriation (FY 2024)	\$55,000,000
General Fund—State Appropriation (FY 2025)	<del>(\$30,000,000)</del>
	<u>\$45,000,000</u>
<b>TOTAL APPROPRIATION</b>	<b><del>(\$85,000,000)</del></b>
	<b><u>\$100,000,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for expenditure into the state health care affordability account created in RCW 43.71.130.

(2) It is the intent of the legislature to continue the policy of expending \$5,000,000 into the account each fiscal year in future biennia for the purpose of funding premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in section 214(4)(a) of this act. Future expenditures into the account are contingent upon approval of the waiver described in RCW 43.71.120.

NEW SECTION. **Sec. 707.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR SUNDRY CLAIMS**

The following sums, or so much thereof as may be necessary, are appropriated from the general fund for fiscal year 2024, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims.

These appropriations are to be disbursed on vouchers approved by the director of the department of enterprise services, except as otherwise provided, for reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110, as follows:

- (1) Clifford T. Snow, claim number 9991014081. . . . . \$13,659
- (2) Shanna S. Parker, claim number 9991013694. . . . . \$14,913
- (3) Leah M. Eggleston, claim number 9991013115. . . . . \$20,852
- (4) Shannon E. Garner, claim number 9991013103. . . . . \$15,325
- (5) Stephanie S. Westby, claim number 9991012517. . . . . \$199,459
- (6) Clyde E. McCoy, claim number 9991014232. . . . . \$139
- (7) Kevin R. Ash, claim number 9991014512. . . . . \$14,810
- (8) Kenneth M. Salazar, claim number 9991014683. . . . . \$231,920
- (9) Victor O. Alejandre-Mejia, claim number 9991014791. . . . . \$213,297
- (10) James K. Warren, claim number 9991014924. . . . . \$20,843
- (11) Marcus Buchanan, claim number 9991015324. . . . . \$70,102

**Sec. 708.** 2023 c 475 s 710 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—COUNTY CLERK LEGAL FINANCIAL OBLIGATION GRANTS**

General Fund—State Appropriation (FY 2024)	\$541,000
General Fund—State Appropriation (FY 2025)	<del>(\$441,000)</del>
	<u>\$800,000</u>
<b>TOTAL APPROPRIATION</b>	<b><del>(\$982,000)</del></b>
	<b><u>\$1,341,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: By October 1st of each fiscal year, the state treasurer shall distribute the appropriations to the following county clerk offices in the amounts designated as grants for the collection of legal financial obligations pursuant to RCW 2.56.190:

<b>County Clerk</b>	<b>FY 2024</b>	<b>FY 2025</b>
Adams County Clerk	\$2,103	<del>(\$1,714)</del> <u>\$3,109</u>
Asotin County Clerk	\$2,935	<del>(\$2,392)</del> <u>\$4,339</u>
Benton County Clerk	\$18,231	<del>(\$14,858)</del> <u>\$26,953</u>
Chelan County Clerk	\$7,399	<del>(\$6,030)</del> <u>\$10,939</u>
Clallam County Clerk	\$5,832	<del>(\$4,753)</del> <u>\$8,622</u>

## JOURNAL OF THE HOUSE

Clark Clerk	County	\$32,635	( ( <del>\$26,597</del> ) ) <u>\$48,249</u>
Columbia Clerk	County	\$384	( ( <del>\$313</del> ) ) <u>\$568</u>
Cowlitz Clerk	County	\$16,923	( ( <del>\$13,792</del> ) ) <u>\$25,020</u>
Douglas Clerk	County	\$3,032	( ( <del>\$2,471</del> ) ) <u>\$4,483</u>
Ferry Clerk	County	\$422	( ( <del>\$344</del> ) ) <u>\$624</u>
Franklin Clerk	County	\$5,486	( ( <del>\$4,471</del> ) ) <u>\$8,111</u>
Garfield Clerk	County	\$243	( ( <del>\$198</del> ) ) <u>\$359</u>
Grant Clerk	County	\$10,107	( ( <del>\$8,237</del> ) ) <u>\$14,942</u>
Grays County Clerk	Harbor	\$8,659	( ( <del>\$7,057</del> ) ) <u>\$12,802</u>
Island Clerk	County	\$3,059	( ( <del>\$2,493</del> ) ) <u>\$4,523</u>
Jefferson County Clerk		\$1,859	( ( <del>\$1,515</del> ) ) <u>\$2,748</u>
King Court Clerk	County	\$119,290	( ( <del>\$97,266</del> ) ) <u>\$176,446</u>
Kitsap Clerk	County	\$22,242	( ( <del>\$18,127</del> ) ) <u>\$32,883</u>
Kittitas Clerk	County	\$3,551	( ( <del>\$2,894</del> ) ) <u>\$5,250</u>
Klickitat County Clerk		\$2,151	( ( <del>\$1,753</del> ) ) <u>\$3,180</u>
Lewis Clerk	County	\$10,340	( ( <del>\$8,427</del> ) ) <u>\$15,287</u>
Lincoln Clerk	County	\$724	( ( <del>\$590</del> ) ) <u>\$1,070</u>
Mason Clerk	County	\$5,146	( ( <del>\$4,194</del> ) ) <u>\$7,608</u>
Okanogan Clerk	County	\$3,978	( ( <del>\$3,242</del> ) ) <u>\$5,881</u>
Pacific Clerk	County	\$2,411	( ( <del>\$1,965</del> ) ) <u>\$3,565</u>
Pend County Clerk	Oreille	\$611	( ( <del>\$498</del> ) ) <u>\$903</u>

Pierce County Clerk	\$77,102	(( <del>\$62,837</del> ))	<u>\$113,990</u>
San Juan County Clerk	\$605	(( <del>\$493</del> ))	<u>\$894</u>
Skagit County Clerk	\$11,059	(( <del>\$9,013</del> ))	<u>\$16,350</u>
Skamania County Clerk	\$1,151	(( <del>\$938</del> ))	<u>\$1,702</u>
Snohomish County Clerk	\$38,143	(( <del>\$31,086</del> ))	<u>\$56,392</u>
Spokane County Clerk	\$44,825	(( <del>\$36,578</del> ))	<u>\$66,355</u>
Stevens County Clerk	\$2,984	(( <del>\$2,432</del> ))	<u>\$4,412</u>
Thurston County Clerk	\$22,204	(( <del>\$18,096</del> ))	<u>\$32,827</u>
Wahkiakum County Clerk	\$400	(( <del>\$326</del> ))	<u>\$591</u>
Walla Walla County Clerk	\$4,935	(( <del>\$4,022</del> ))	<u>\$7,296</u>
Whatcom County Clerk	\$20,728	(( <del>\$16,893</del> ))	<u>\$30,645</u>
Whitman County Clerk	\$2,048	(( <del>\$1,669</del> ))	<u>\$3,028</u>
Yakima County Clerk	\$25,063	(( <del>\$20,426</del> ))	<u>\$37,054</u>
TOTAL APPROPRIATIONS	\$541,000	(( <del>\$441,000</del> ))	<u>\$800,000</u>

**Sec. 709.** 2023 c 475 s 715 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ANDY HILL CANCER RESEARCH ENDOWMENT FUND MATCH TRANSFER ACCOUNT**  
 General Fund—State Appropriation (FY 2024) . . . . . \$684,000  
 General Fund—State Appropriation (FY 2025) . . . . . \$3,486,000  
 TOTAL APPROPRIATION . . . . . ((~~\$684,000~~))  
\$4,170,000

The appropriation in this section is subject to the following conditions and limitations:  
 The appropriation is provided solely for expenditure into the Andy Hill cancer research endowment fund match transfer account per RCW 43.348.080 to fund the Andy Hill cancer research endowment program. Matching funds using the amounts appropriated in this section may not be used to fund new grants that exceed two years in duration.

**Sec. 710.** 2023 c 475 s 726 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF FINANCIAL MANAGEMENT—LANDLORD MITIGATION PROGRAM ACCOUNT**  
 General Fund—State Appropriation (FY 2024) . . . . . \$8,000,000  
 General Fund—State Appropriation (FY 2025) . . . . . \$7,200,000  
 TOTAL APPROPRIATION . . . . . ((~~\$8,000,000~~))  
\$15,200,000

The appropriation in this section is subject to the following conditions and limitations:  
 The appropriation is provided solely for expenditure into the landlord mitigation program account created in RCW 43.31.615.



Sec. 711. 2023 c 475 s 727 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS**

(1) The appropriations in this section are subject to the following conditions and limitations: The appropriations for the law enforcement officers' and firefighters' retirement system shall be made on a monthly basis consistent with chapter 41.45 RCW, and the appropriations for the judges and judicial retirement systems shall be made on a quarterly basis consistent with chapters 2.10 and 2.12 RCW.

(2) There is appropriated for state contributions to the law enforcement officers' and firefighters' retirement system:

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$88,700,000</del> ))
	<u>\$94,400,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$92,600,000</del> ))
	<u>\$98,600,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$181,300,000</del>))</b>
	<b><u>\$193,000,000</u></b>

(3) There is appropriated for contributions to the judicial retirement system:

General Fund—State Appropriation (FY 2024) . . . . .	\$6,300,000
General Fund—State Appropriation (FY 2025) . . . . .	\$6,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$12,300,000</b>

(4) There is appropriated for contributions to the judges' retirement system:

General Fund—State Appropriation (FY 2024) . . . . .	\$300,000
General Fund—State Appropriation (FY 2025) . . . . .	\$300,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$600,000</b>

Sec. 712. 2023 c 475 s 734 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—RURAL JOBS PROGRAM MATCH TRANSFER ACCOUNT**

Workforce Education Investment Account—State

Appropriation . . . . .	(( <del>\$400,000</del> ))
	<u>\$404,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$400,000</del>))</b>
	<b><u>\$404,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the rural jobs program match transfer account created in RCW 28B.145.120.

Sec. 713. 2023 c 475 s 735 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—OPPORTUNITY SCHOLARSHIP MATCH TRANSFER ACCOUNT**

Workforce Education Investment Account—State

Appropriation . . . . .	(( <del>\$11,600,000</del> ))
	<u>\$14,856,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$11,600,000</del>))</b>
	<b><u>\$14,856,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the opportunity scholarship match transfer account created in RCW 28B.145.050.

Sec. 714. 2023 c 475 s 740 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LEADERSHIP BOARD ACCOUNT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$843,000</del> ))
	<u>\$1,019,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$848,000</del> ))
	<u>\$1,022,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,691,000</del>))</b>
	<b><u>\$2,041,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the Washington state leadership board account created in RCW 43.388.020.

Sec. 715. 2023 c 475 s 747 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CRIME VICTIM AND WITNESS ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$2,000,000</del> ))
	<u>\$4,000,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$2,000,000</del> ))
	<u>\$4,000,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$4,000,000</del>))</b>
	<b><u>\$8,000,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the state crime

victim and witness assistance account created in Engrossed Substitute House Bill No. 1169 (legal financial obligations). (~~If the bill is not enacted by June 30, 2023, the amounts appropriated in this section shall lapse.~~)

**Sec. 716.** 2023 c 475 s 745 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON HORSE RACING COMMISSION OPERATING ACCOUNT**  
 Coronavirus State Fiscal Recovery Fund—Federal

Appropriation. . . . .	\$1,150,000
General Fund—State Appropriation (FY 2025). . . . .	\$1,350,000
<b>TOTAL APPROPRIATION.</b> .....	<del>(\$1,150,000)</del> <b>\$2,500,000</b>

The appropriations in this section are subject to the following conditions and limitations: The (~~appropriation is~~) appropriations are provided solely for expenditure into the Washington horse racing commission operating account created in RCW 67.16.280.

NEW SECTION. **Sec. 717.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CORONAVIRUS STATE FISCAL RECOVERY**  
 Coronavirus State Fiscal Recovery Fund—Federal

Appropriation. . . . .	\$250,000,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$250,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The entire coronavirus state fiscal recovery fund—federal appropriation is provided solely to the office of financial management for allocation to state agencies for costs eligible to be paid from the coronavirus state fiscal recovery fund and where funding is provided elsewhere in this act or the capital omnibus appropriations act for those costs using a funding source other than the coronavirus state fiscal recovery fund. For any agency receiving an allocation under this section, the office must place an equal amount of the agency's state or other source appropriation authority in unallotted reserve status, and those amounts may not be expended. In determining the use of amounts appropriated in this section, the office of financial management shall prioritize the preservation of state general fund moneys. The office must report on the use of the amounts appropriated in this section to the fiscal committees of the legislature when all coronavirus state fiscal recovery fund moneys are expended or June 30, 2025, whichever is earlier.

NEW SECTION. **Sec. 718.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SKELETAL HUMAN REMAINS ASSISTANCE ACCOUNT**  
 General Fund—State Appropriation (FY 2025). . . . .

	\$500,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$500,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the skeletal human remains assistance account created in RCW 43.334.077.

NEW SECTION. **Sec. 719.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SURGICAL SMOKE EVACUATION ACCOUNT**  
 General Fund—State Appropriation (FY 2025). . . . .

	\$300,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$300,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the surgical smoke evacuation account created in RCW 49.17.505.

NEW SECTION. **Sec. 720.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LIBRARY OPERATIONS ACCOUNT**  
 General Fund—State Appropriation (FY 2025). . . . .

	\$2,000,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$2,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Washington state library operations account created in RCW 43.07.129.

NEW SECTION. **Sec. 721.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—QUENDALL TERMINALS SUPERFUND SITE ON LAKE WASHINGTON**  
 Model Toxics Control Operating Account—State

Appropriation. . . . .	\$8,500,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$8,500,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is for the remedial design for the Quendall terminals superfund site on Lake Washington. Expenditure of the appropriation is conditioned on reaching agreement with the environmental protection agency that offsets any money spent from this appropriation against any future state liability, and memorializing the agreement in an agreed order, settlement agreement, or other similar document.

NEW SECTION. **Sec. 722.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ELECTRIC VEHICLE ACCOUNT**

General Fund—State Appropriation (FY 2024) . . . . .	\$4,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$4,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the electric vehicle account created in RCW 82.44.200, which is appropriated in the transportation budget, for the completion of an electric vehicle mapping tool as provided in chapter 300, Laws of 2021 (E2SHB 1287).

NEW SECTION. **Sec. 723.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—DOWN PAYMENT ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2025) . . . . .	\$250,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$250,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the down payment assistance account created in RCW 82.45.240.

NEW SECTION. **Sec. 724.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—LEGISLATIVE ORAL HISTORY ACCOUNT**

General Fund—State Appropriation (FY 2025) . . . . .	\$50,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$50,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the legislative oral history account created in RCW 44.04.345.

NEW SECTION. **Sec. 725.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—PORT DISTRICT EQUITY FUND**

General Fund—State Appropriation (FY 2025) . . . . .	\$1,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$1,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the port district equity fund created in Engrossed Second Substitute Senate Bill No. 5955 (large port districts). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec. 726.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2025) . . . . .	\$18,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$18,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the municipal criminal justice assistance account to implement Engrossed Substitute Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec. 727.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2025) . . . . .	\$27,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$27,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the county criminal justice assistance account to implement Engrossed Substitute Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec. 728.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—HEALTH PROFESSIONS ACCOUNT**

Opioid Abatement Settlement Account—State	
Appropriation. . . . .	\$743,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$743,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the health professions account created in RCW 43.70.320 to implement Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amounts appropriated in this section shall lapse.

NEW SECTION. **Sec. 729.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SECRETARY OF STATE ARCHIVES AND RECORDS MANAGEMENT CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(\$1,000)
General Fund—State Appropriation (FY 2025) . . . . .	\$34,000
General Fund—Federal Appropriation. . . . .	\$10,000
General Fund—Private/Local Appropriation. . . . .	\$1,000
Other Appropriated Funds. . . . .	\$13,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$57,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the secretary of state's billing authority for archives and records management. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92C-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 730.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE AUDITOR AUDIT SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	\$2,000
General Fund—State Appropriation (FY 2025) . . . . .	\$27,000
General Fund—Federal Appropriation. . . . .	\$11,000
Other Appropriated Funds. . . . .	\$9,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$49,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the state auditor's billing authority for state agency auditing services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92D-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 731.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF THE ATTORNEY GENERAL LEGAL SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	\$689,000
General Fund—State Appropriation (FY 2025) . . . . .	\$1,622,000
General Fund—Federal Appropriation. . . . .	\$168,000
General Fund—Private/Local Appropriation. . . . .	\$9,000
Other Appropriated Funds. . . . .	\$1,072,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$3,560,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the attorney general's billing authority for legal services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92E-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 732.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ADMINISTRATIVE HEARINGS CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	\$4,000
General Fund—State Appropriation (FY 2025) . . . . .	\$57,000
General Fund—Federal Appropriation. . . . .	\$52,000
Other Appropriated Funds. . . . .	\$102,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$215,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of administrative hearings' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92G-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 733.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CONSOLIDATED TECHNOLOGY SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$1,575,000
General Fund—State Appropriation (FY 2025)	\$4,367,000
General Fund—Federal Appropriation	\$1,164,000
General Fund—Private/Local Appropriation	\$75,000
Other Appropriated Funds	\$1,725,000
<b>TOTAL APPROPRIATION</b>	<b>\$8,906,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the consolidated technology services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92J-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 734.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—DEPARTMENT OF ENTERPRISE SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$73,000
General Fund—State Appropriation (FY 2025)	\$217,000
General Fund—Federal Appropriation	\$198,000
General Fund—Private/Local Appropriation	\$2,000
Other Appropriated Funds	(\$7,000)
<b>TOTAL APPROPRIATION</b>	<b>\$483,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the department of enterprise services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92K-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 735.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF FINANCIAL MANAGEMENT CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$12,688,000
General Fund—State Appropriation (FY 2025)	\$40,891,000
General Fund—Federal Appropriation	\$673,000
General Fund—Private/Local Appropriation	\$1,454,000
Other Appropriated Funds	\$16,960,000
<b>TOTAL APPROPRIATION</b>	<b>\$72,666,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of financial management billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92R-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

(End of part)

**PART VIII  
OTHER TRANSFERS AND APPROPRIATIONS**

**Sec. 801.** 2023 c 475 s 801 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

General Fund Appropriation for fire insurance premium distributions	(( <del>\$13,766,000</del> ))
	<u>\$14,606,000</u>
General Fund Appropriation for prosecuting attorney distributions	(( <del>\$8,284,000</del> ))
	<u>\$8,690,000</u>
General Fund Appropriation for boating safety and education distributions	\$4,272,000

General Fund Appropriation for public utility district excise tax distributions. . . . .	(( \$71,825,000 ))
	<u>\$71,424,000</u>
Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies. . . . .	(( \$4,947,000 ))
	<u>\$6,000,000</u>
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distributions. . . . .	\$140,000
Timber Tax Distribution Account Appropriation for distribution to "timber" counties. . . . .	(( \$82,143,000 ))
	<u>\$92,948,000</u>
County Criminal Justice Assistance Appropriation. . . . .	(( \$129,509,000 ))
	<u>\$129,925,000</u>
Municipal Criminal Justice Assistance Appropriation. . . . .	(( \$51,247,000 ))
	<u>\$51,744,000</u>
City-County Assistance Appropriation. . . . .	(( \$45,960,000 ))
	<u>\$34,604,000</u>
Liquor Excise Tax Account Appropriation for liquor excise tax distribution. . . . .	\$89,385,000
Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation. . . . .	\$9,587,000
Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians. . . . .	(( \$6,893,000 ))
	<u>\$6,919,000</u>
Liquor Revolving Account Appropriation for liquor profits distribution. . . . .	\$98,876,000
General Fund Appropriation for other tax distributions. . . . .	\$104,000
Dedicated Cannabis Account Appropriation for Cannabis Excise Tax distributions pursuant to Engrossed Second Substitute Senate Bill No. 5796 (cannabis revenue). . . . .	(( \$50,472,000 ))
	<u>\$52,831,000</u>
General Fund Appropriation for Habitat Conservation Program distributions. . . . .	\$5,754,000
General Fund Appropriation for payment in lieu of taxes to counties under Department of Fish and Wildlife Program. . . . .	\$4,496,000
Puget Sound Taxpayer Accountability Account Appropriation for distribution to counties in amounts not to exceed actual deposits into the account and attributable to those counties' share pursuant to RCW 43.79.520. . . . .	(( \$27,990,000 ))
	<u>\$28,630,000</u>
Manufacturing and Warehousing Job Centers Account Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistributions effect of sourcing law changes pursuant to chapter 83, Laws of 2021 (warehousing & manufacturing jobs). . . . .	\$7,780,000
State Crime Victim and Witness Assistance Account Appropriation for distribution to counties. (( <del>Engrossed Substitute House Bill No. 1169 is not enacted by June 30, 2023, this amount shall lapse.</del> )). . . . .	(( \$4,000,000 ))
	<u>\$8,000,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(( \$717,430,000 ))</b>
	<b><u>\$726,715,000</u></b>

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

**Sec. 802.** 2023 c 475 s 802 (uncodified) is amended to read as follows:

<b>FOR THE STATE TREASURER—FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT</b>	
Impaired Driving Safety Appropriation. . . . .	(( \$2,065,000 ))
	<u>\$1,642,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(( \$2,065,000 ))</b>
	<b><u>\$1,642,000</u></b>

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties);

chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

Sec. 803. 2023 c 475 s 803 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Impaired Driving Safety Appropriation. . . . .	(\$1,377,000)
	<u>\$1,095,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(\$1,377,000)</b>
	<u>\$1,095,000</u>

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium to all cities ratably based on population as last determined by the office of financial management. The distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

Sec. 804. 2023 c 475 s 805 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—TRANSFERS**

Dedicated Cannabis Account: For transfer to the basic health plan trust account, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, ( <del>(\$269,000,000)</del> ) <u>\$250,000,000</u> and this amount for fiscal year 2025, ( <del>(\$278,000,000)</del> ) <u>\$270,000,000</u> . . . . .	(\$547,000,000)
	<u>\$520,000,000</u>
Dedicated Cannabis Account: For transfer to the state general fund, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, ( <del>(\$162,000,000)</del> ) <u>\$155,000,000</u> and this amount for fiscal year 2025, ( <del>(\$172,000,000)</del> ) <u>\$170,000,000</u> . . . . .	(\$334,000,000)
	<u>\$325,000,000</u>
Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2024. . . . .	\$92,000,000
Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2025. . . . .	\$92,000,000
Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the tobacco arbitration payment to the tobacco settlement account, for fiscal year 2024. . . . .	\$24,500,000
State Treasurer's Service Account: For transfer to the state general fund, \$15,000,000 for fiscal year 2024 and \$15,000,000 for fiscal year 2025. It is the intent of the legislature to continue this policy in the subsequent fiscal biennium. . . . .	\$30,000,000
General Fund: For transfer to the fair fund under RCW 15.76.115, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025. . . . .	\$7,000,000
Financial Services Regulation Account: For transfer to the state general fund, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025. It is the intent of the legislature to continue this policy in the subsequent fiscal biennium. . . . .	\$7,000,000
General Fund: For transfer to the wildfire response,	

forest restoration, and community resilience account, solely for the implementation of chapter 298, Laws of 2021 (2SHB 1168) (long-term forest health), ((\$44,903,000))	
<u>\$52,224,000 for fiscal year 2024 and</u>	
<u>(\$44,903,000))\$60,995,000 for fiscal year</u>	
2025. . . . .	((89,806,000))
	<u>\$113,219,000</u>
Washington Rescue Plan Transition Account: For transfer to the state general fund, \$1,302,000,000 for fiscal year 2024. . . . .	\$1,302,000,000
Business License Account: For transfer to the state general fund, \$7,200,000 for fiscal year 2025. . . . .	\$7,200,000
General Fund: For transfer to the manufacturing and warehousing job centers account pursuant to RCW 82.14.545 for distribution in section 801 of this act, \$4,320,000 for fiscal year 2024 and \$3,460,000 for fiscal year 2025. . . . .	\$7,780,000
Long-Term Services and Supports Trust Account: For transfer to the state general fund as full repayment of the long-term services program start-up costs and interest, <u>in an amount not to exceed the actual amount of the total remaining principal and interest of the loan,</u> for fiscal year 2024. . . . .	((64,281,000))
	<u>\$66,000,000</u>
General Fund: For transfer to the forest resiliency account trust fund, \$4,000,000 for fiscal year 2024. . . . .	\$4,000,000
Water Pollution Control Revolving Administration Account: For transfer to the water pollution control revolving account, \$6,000,000 for fiscal year 2024. . . . .	\$6,000,000
General Fund: For transfer to the salmon recovery account, \$3,000,000 for fiscal year 2024. . . . .	\$3,000,000
Washington Student Loan Account: For transfer to the state general fund, \$40,000,000 for fiscal year 2024. . . . .	\$40,000,000
Model Toxics Control Operating Account: For transfer to the state general fund, \$50,000,000 for fiscal year 2025. . . . .	\$50,000,000
General Fund: For transfer to the home security fund, \$44,500,000 for fiscal year 2024 and \$4,500,000 for fiscal year 2025. . . . .	\$49,000,000
General Fund: For transfer to the state drought preparedness account, \$2,000,000 for fiscal year 2024. . . . .	\$2,000,000
<u>General Fund: For transfer to the disaster response account, \$6,725,000 for fiscal year 2024. . . . .</u>	<u>\$6,725,000</u>
<u>General Fund: For transfer to the motor vehicle account, \$14,000,000 for fiscal year 2024. . . . .</u>	<u>\$14,000,000</u>
<u>Washington Student Loan Account: For transfer to the education legacy trust account, \$40,000,000 for fiscal year 2025. . . . .</u>	<u>\$40,000,000</u>
From auction proceeds received under RCW 70A.65.100(7)(b): For transfer to the air quality and health disparities improvement account, \$2,500,000 for fiscal year 2024. . . . .	\$2,500,000
From auction proceeds received under RCW 70A.65.100(7)(c): For transfer to the air quality and health disparities improvement account, \$2,500,000 for fiscal year 2025. . . . .	\$2,500,000
Climate Investment Account: For transfer to the carbon emissions reduction account, \$200,000,000 for fiscal year 2025. . . . .	\$200,000,000
<del>((Climate Investment Account: For transfer to the climate commitment account, \$100,000,000 for fiscal year 2025. . . . .</del>	<del>\$100,000,000</del>
<del>Climate Investment Account: For transfer to the natural climate solutions account, \$70,000,000 for fiscal year 2025. . . . .</del>	<del>\$70,000,000))</del>
<u>Climate Investment Account: For transfer to the carbon emissions reduction account, \$324,000,000 on January 1, 2025. . . . .</u>	<u>\$324,000,000</u>
General Fund: For transfer to the local government archives account, \$1,900,000 for fiscal year	



2025.....	\$1,900,000
General Fund: For transfer to the death investigations account, \$3,000,000 for fiscal year 2025.....	\$3,000,000

**NEW SECTION. Sec. 805.** The legislature finds that general fund—state reversions were 2.5 percent in fiscal year 2023 and over the last four years the average annual rate of reversions has been 1.9 percent. Therefore, it is the intent of the legislature to assume that general fund—state reversions will equal 1.2 percent in fiscal year 2024 and 1.1 percent in fiscal year 2025.

(End of part)

**PART IX  
MISCELLANEOUS**

**NEW SECTION. Sec. 901.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**COLLECTIVE BARGAINING AGREEMENTS**

(1) In accordance with chapters 41.80 and 41.56 RCW, agreements have been reached between the governor and organizations representing state employee bargaining units and nonstate employee bargaining units for the 2025 fiscal year presented to the legislature during the 2024 legislative session. Funding is not provided for compensation and fringe benefit provisions not presented to the legislature by the end of the 2024 legislative session. Funding is approved for agreements and awards with the following organizations:

- (a) Fish and wildlife officers guild;
- (b) Teamsters local 760, department of fish and wildlife sergeants; and
- (c) Adult family home council, adult family home providers.

(2) In accordance with chapter 41.80 RCW, an agreement has been reached between Central Washington University, an institution of higher education, and an employee organization representing state employee bargaining units for the 2025 fiscal year and funding is provided in Part VI of this act for the agreement with the following organization: Central Washington University agreement with the campus police officers & sergeants.

(3) Expenditures for agreements in subsections (1) and (2) of this section may also be funded from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

**Sec. 902.** 2023 c 475 s 908 (uncodified) is amended to read as follows:

**COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE COALITION—INSURANCE BENEFITS**

(1) (a) An agreement was reached for the 2023-2025 biennium between the governor and the health care coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies, including institutions of higher education, are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement.

(b) Appropriations for state agencies in this act are sufficient for represented employees outside the coalition and for nonrepresented state employee health benefits.

(2) The appropriations for state agencies in this act are subject to the following conditions and limitations:

(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$1,145 per eligible employee for fiscal year 2024. For fiscal year 2025, the monthly employer funding rate shall not exceed ~~((~~\$1,194~~))~~ \$1,174 per eligible employee. These rates are sufficient to separate vision benefits out of medical plans into stand-alone vision insurance and increase the hardware benefit to \$200 every two years, beginning January 1, 2025, and sufficient to cover in the uniform medical plan, effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month. The rates are sufficient to cover a diabetes management program and apply the cost-share provisions outlined in chapter 366, Laws of 2023 (breast examinations—health plan cost sharing) in the uniform medical plan, effective January 1, 2025. The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(b) The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(c) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled

public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2024 and 2025, the subsidy shall be up to \$183 per month. Funds from reserves accumulated for future adverse claims experience, from past favorable claims experience, or otherwise, may not be used to increase this retiree subsidy beyond what is authorized in this subsection.

(d) School districts and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(i) For each full-time employee, \$68.41 per month beginning September 1, 2023, and ~~(((\$78.58))\$80.38~~ beginning September 1, 2024;

(ii) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$68.41 each month beginning September 1, 2023, and ~~(((\$78.58))\$80.38~~ beginning September 1, 2024, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection do not apply to employees of a school district or educational service district who purchase insurance benefits through contracts with the health care authority.

(e) The board has the authority to forgo the federal retiree drug subsidy collected under RCW 41.05.068 for uniform medical plan classic medicare, only to leverage additional federal subsidies via adoption of a medicare part D employer group waiver plan to help reduce premiums for medicare retirees enrolled in uniform medical plan classic medicare.

**Sec. 903.** 2023 c 475 s 909 (uncodified) is amended to read as follows:

**COMPENSATION—SCHOOL EMPLOYEES—INSURANCE BENEFITS**

An agreement was reached for the 2023-2025 biennium between the governor and the school employee coalition under the provisions of chapters 41.56 and 41.59 RCW. Appropriations in this act for allocations to school districts are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, school employees' benefits board administration, retiree remittance, and the uniform medical plan, shall not exceed the rates identified in section 506(4) of this act.

(a) These rates are sufficient to cover, effective January 1, 2024:

(i) The following in the uniform medical plan:

(A) Offering a diabetes management program; and

(B) Effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month; and

(ii) The following in the uniform dental plan:

(A) Increasing the temporomandibular joint benefit to \$1,000 annually and \$5,000 per lifetime;

(B) Eliminating the deductible for children up to age 15;

(C) Covering composite fillings on posterior teeth; and

(D) Increasing plan coverage of crowns to 70 percent.

(b) These rates include funding to cover, effective January 1, 2025, ~~((increasing))~~:

(i) Increasing the stand-alone vision insurance hardware benefit to \$200 every 2 years;  
and

(ii) Applying the cost share provisions outlined in chapter 366, Laws of 2023 (Substitute Senate Bill No. 5396) in the uniform medical plan.

(c) The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(2) Rates established in subsection (1) of this section are sufficient to reduce member costs as provided in article 1.3 of the school employees health care funding agreement.

(3) Except as provided by the parties' health care agreement, in order to achieve the level of funding provided for health benefits, the school employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.740. The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(4) The health care authority shall deposit any moneys received on behalf of the school employees' medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the school employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

(5) When bargaining for funding for school employees health benefits for subsequent fiscal biennia, any proposal agreed upon must assume the imposition of a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less

than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

**Sec. 904.** 2023 c 475 s 911 (uncodified) is amended to read as follows:

**COMPENSATION—PENSION CONTRIBUTIONS**

The appropriations in this act for school districts and state agencies, including institutions of higher education, are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board, and as adjusted under Engrossed Substitute Senate Bill No. 5294 (plan 1 UAAL rates).

(2) An increase of 0.12 percent is funded for state employer contributions to the public employees' retirement system, the public safety employees' retirement systems, and the school employees' retirement system, and an increase of 0.23 percent for employer contributions to the teachers' retirement system is funded for the provisions of Senate Bill No. 5350 (providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for school districts and state agencies, including institutions of higher education, shall be held in unallotted status.

(3) An increase of 0.13 percent is funded for state employer contributions to the Washington state patrol retirement system and an increase of 0.01 percent is funded for state contributions to the law enforcement officers' and firefighters' retirement system plan 2 for the provisions of Substitute House Bill No. 1007 (military service credit). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(4) An increase of 0.01 percent for school district and state employer contributions is funded for the teachers' retirement system for the provisions of Substitute House Bill No. 1056 (postretirement employment). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(5) An increase of 0.13 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of chapter 199, Laws of 2023 (public safety telecommunicators).

(6) An increase of 0.03 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of Substitute Senate Bill No. 6106 (DSHS workers/PERS). If the bill is not enacted by June 30, 2024, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

**NEW SECTION. Sec. 905.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The office of financial management must convene a task force to identify, plan, and make recommendations on the conversion of the Larch corrections center property and facilities to an alternate use.

(2) The task force must include the state senator and a state representative whose district represents the Yacolt community.

(3) The task force must include representatives from the following entities and organizations:

- (a) The Clark county commissioners;
- (b) The tribe located nearest to the facility;
- (c) The Clark county sheriff's office;
- (d) A citizen residing near the Larch corrections center, chosen by the Clark county commissioners;

- (e) The department of corrections;
- (f) The department of ecology;
- (g) The department of natural resources;
- (h) The department of social and health services;
- (i) The department of enterprise services; and
- (j) The office of financial management.

(4) The task force must meet at least every other month, and the first meeting must be held by July 31, 2024.

(5) The task force shall report its findings and a prioritized list of recommendations to the governor and the fiscal committees of the legislature by June 30, 2025.

(6) Task force members that are not elected officials or a representative of a governmental entity may be reimbursed for travel expenses in accordance with chapter 43.03 RCW.

**NEW SECTION. Sec. 906.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The joint legislative task force on the underground economy in the Washington state construction industry is reestablished.

(2) For purposes of this section, "underground economy" means contracting and construction activities in which payroll is unreported or underreported with consequent nonpayment of payroll taxes to federal and state agencies including nonpayment of workers' compensation and unemployment compensation taxes.

(3) The task force shall study the nature and scope of the underground economy and recommend what policy changes, if any, are needed to address the underground economy, including whether greater cohesion and transparency among state agencies is needed. To assist the task force in achieving this goal and to determine the extent of and projected costs to the state and workers of the underground economy in the construction industry, the task force may contract with the institute for public policy, or, if the institute is unavailable, another entity with expertise capable of providing such assistance.

(4) (a) The task force shall consist of the following members:

(i) A member from each of the two largest caucuses of the senate appointed by the president of the senate;

(ii) A member from each of the two largest caucuses of the house of representatives appointed by the speaker of the house of representatives;

(iii) Four members representing the construction business, selected from nominations submitted by statewide construction business organizations and appointed jointly by the president of the senate and the speaker of the house of representatives;

(iv) Four members representing construction laborers, selected from nominations submitted by statewide labor organizations and appointed jointly by the president of the senate and the speaker of the house of representatives; and

(v) One representative from the office of the attorney general.

(b) In addition, the employment security department, the department of labor and industries, and the department of revenue shall cooperate with the task force and shall each maintain a liaison representative, who will be a nonvoting member of the task force. The departments shall cooperate with the task force and the institute for public policy, or other entity as appropriate, and shall provide information and data as the task force or the institute, or other entity as appropriate, may reasonably request.

(c) The legislative members will choose the chair or cochairs of the task force from among its legislative membership at the initial meeting. The legislative staff will schedule the initial meeting of the task force at a time and date agreed to by the legislative members.

(5) (a) The task force shall use legislative facilities and staff support shall be provided by senate committee services and the house of representatives office of program research. Within available funding, the task force may hire additional staff with specific technical expertise if such expertise is necessary to carry out the mandates of this study.

(b) Legislative members of the task force shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(c) The expenses of the task force will be paid jointly by the senate and house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations to the legislature by June 30, 2025.

**NEW SECTION. Sec. 907.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) Agencies may not expend funds from the: (a) Climate investment account; (b) climate commitment account; (c) natural climate solutions account; or (d) air quality and health disparities improvement account, on or after the effective date of chapter . . . (Initiative Measure No. 2117), Laws of 2025.

(2) Unspent appropriations in the 2023-2025 omnibus appropriations act, chapter 475, Laws of 2023 and chapter . . ., Laws of 2024 (this act), which are appropriated from the accounts listed in subsection (1) (a) through (d) of this section and which take effect before January 1, 2025, must thereafter be paid from the consolidated climate account as if they were appropriated from that account.

(3) Appropriations in this act from the accounts listed in subsection (1) (a) through (d) of this section which take effect on or after January 1, 2025, shall lapse.

(4) This section takes effect only if chapter . . . (Initiative Measure No. 2117), Laws of 2025, is approved by the voters at the next general election and certified by the secretary of state.

**Sec. 908.** RCW 28B.93.060 and 2023 c 475 s 924 and 2023 c 389 s 7 are each reenacted and amended to read as follows:

(1) The Washington student loan account is created in the state treasury. All receipts from the Washington student loan program must be deposited in the account. Expenditures from the account may be used only for administration and the issuance of new student loans. Moneys in the account may be spent only after appropriation. During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the Washington student loan account to the state general fund, the workforce education investment account, and the education legacy trust account.

(2)(a) The legislature may appropriate no more than a total of \$40,000,000 for the program during four consecutive fiscal years, beginning with the first fiscal year from which loans are issued from the account. In the fifth fiscal year following the fiscal year in which the first student loan was issued, the legislature may appropriate up to \$10,000,000 for the program.

(b) The legislature may appropriate moneys from the account for the administrative and implementation costs of the program in the fiscal years prior to the first fiscal year in which loans are issued from the account.

**Sec. 909.** RCW 43.101.220 and 2021 c 334 s 978 are each amended to read as follows:

(1) The corrections personnel of the state and all counties and municipal corporations initially employed on or after January 1, 1982, shall engage in basic corrections training which complies with standards adopted by the commission. The standards adopted must provide for basic corrections training of at least ten weeks in length for any corrections officers subject to the certification requirement under RCW ((43.101.096))43.101.095 who are hired on or after July 1, 2021, or on an earlier date set by the commission. The training shall be successfully completed during the first six months of employment of the personnel, unless otherwise extended or waived by the commission, and shall be requisite to the continuation of employment.

(2) The commission shall provide the training required in this section, together with facilities, supplies, materials, and the room and board for noncommuting attendees, except during the ((2017-2019, 2019-2021, and)) 2021-2023 and 2023-2025 fiscal biennia, when the employing county, municipal corporation, or state agency shall reimburse the commission for twenty-five percent of the cost of training its personnel.

(3)(a) Subsections (1) and (2) of this section do not apply to the Washington state department of corrections prisons division. The Washington state department of corrections is responsible for identifying training standards, designing curricula and programs, and providing the training for those corrections personnel employed by it. In doing so, the secretary of the department of corrections shall consult with staff development experts and correctional professionals both inside and outside of the agency, to include soliciting input from labor organizations.

(b) The commission and the department of corrections share the responsibility of developing and defining training standards and providing training for community corrections officers employed within the community corrections division of the department of corrections.

**Sec. 910.** RCW 67.16.280 and 2016 c 160 s 1 are each amended to read as follows:

(1)(a) The Washington horse racing commission operating account is created in the custody of the state treasurer. All receipts collected by the commission under RCW 67.16.105(2) must be deposited into the account. Expenditures from the account may be used only for the operating expenses of the commission and, for the 2023-2025 fiscal biennium, for purposes set forth in subsection (3) of this section. Only the commission or the commission's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(b) The commission has the authority to receive such gifts, grants, and endowments from public or private sources as may be made from time to time in trust or otherwise for the use and purpose of regulating or supporting nonprofit race meets as set forth in RCW 67.16.130 and 67.16.105(1); such gifts, grants, and endowments must also be deposited into the horse racing commission operating account and expended according to the terms of such gift, grant, or endowment.

(2) ((It))Except during fiscal year 2025, in order to provide funding in support of the legislative findings in RCW 67.16.101 (1) through (3), and to provide additional necessary support to the nonprofit race meets beyond the funding provided by RCW 67.16.101(4) and 67.16.102(2), the commission is authorized to spend up to three hundred thousand dollars per fiscal year from its operating account for the purpose of developing the equine industry, maintaining and upgrading racing facilities, and assisting equine health research. When determining how to allocate the funds available for these purposes, the commission must give first consideration to uses that regulate and assist the nonprofit race meets and equine health research. These expenditures may occur only when sufficient funds remain for the continued operations of the horse racing commission.

(3)(a) For fiscal years 2024 and 2025, expenditures from the account must be used for the operating expenses of the commission, with the remaining amount distributed annually as follows:

(i) 10 percent for grants to nonprofit entities involved with equine rescue and rehoming organizations; and

(ii) 90 percent to class 1 racing associations allocated by grant by the commission only for payment of the annual horse racing integrity and safety authority gross assessment for Washington state. The gross assessment may include required expenses for veterinarians, advanced life support ambulances, advanced life support ambulance staff, and emergency medical technicians.

(b) By December 1, 2024, the commission must report to the appropriate committees of the legislature on the use of grant funds and criteria used to determine grant awards established in (a) of this subsection and uses of funds distributed to the commission for operating expenses.

(c) It is the intent of the legislature to continue the provisions of (a) of this subsection in subsequent fiscal biennia.

**Sec. 911.** RCW 69.50.540 and 2023 c 470 s 1015 are each amended to read as follows:

(1) For the purposes of this subsection (1), the legislature must appropriate the amounts provided in this subsection:

(a) \$12,500,000 annually to the board for administration of this chapter as appropriated in the omnibus appropriations act;

(b) \$11,000,000 annually to the department of health for the following:

(i) Creation, implementation, operation, and management of a cannabis, vapor product, and commercial tobacco education and public health program that contains the following:

(A) A cannabis use public health hotline that provides referrals to substance abuse treatment providers, uses evidence-based or research-based public health approaches to minimizing the harms associated with cannabis use, and does not solely advocate an abstinence-only approach;

(B) Programs that support development and implementation of coordinated intervention strategies for the prevention and reduction of commercial tobacco, vapor product, and cannabis use by youth and cannabis cessation treatment services, including grant programs to local health departments or other local community agencies;

(C) Media-based education campaigns across television, internet, radio, print, and out-of-home advertising, separately targeting youth and adults, that provide medically and scientifically accurate information about the health and safety risks posed by cannabis use; and

(D) Outreach to priority populations regarding commercial tobacco, vapor product, and cannabis use, prevention, and cessation; and

(ii) The Washington poison control center;

(c) (i) \$3,000,000 annually to the department of commerce to fund cannabis social equity grants under RCW 43.330.540; and

(ii) \$200,000 annually to the department of commerce to fund technical assistance through a roster of mentors under RCW 43.330.540;

(d) \$200,000 annually, until June 30, 2032, to the health care authority to contract with the Washington state institute for public policy to conduct the cost-benefit evaluations and produce the reports described in RCW 69.50.550;

(e) \$25,000 annually to the University of Washington alcohol and drug abuse institute for the creation, maintenance, and timely updating of web-based public education materials providing medically and scientifically accurate information about the health and safety risks posed by cannabis use;

(f) \$300,000 annually to the University of Washington and \$175,000 annually to the Washington State University for research on the short-term and long-term effects of cannabis use to include, but not be limited to, formal and informal methods for estimating and measuring intoxication and impairments, and for the dissemination of such research;

(g) \$550,000 annually to the office of the superintendent of public instruction to fund grants to building bridges programs under chapter 28A.175 RCW;

(h) For fiscal year 2025, \$250,000 to the office of the superintendent of public instruction to fund grants for life skills training to children and youth, and it is the intent of the legislature to continue this policy in subsequent fiscal biennia;

(i) \$782,000 for fiscal year 2025 to the department of ecology to create and sustain a program to accredit cannabis testing laboratories. It is the intent of the legislature that this policy will be continued in the 2025-2027 fiscal biennium;

(j) \$2,423,000 for fiscal year 2022 and \$2,423,000 for fiscal year 2023 to the Washington state patrol for a drug enforcement task force;

~~((i))~~ (k) \$270,000 for fiscal year 2022 and \$290,000 for fiscal year 2023 to the department of ecology for implementation of accreditation of cannabis product testing laboratories;

~~((j))~~ (l) \$800,000 for each of fiscal years 2020 through 2023 to the department of health for the administration of the cannabis authorization database; ~~((and~~

~~((k))~~ (m) \$621,000 for fiscal year 2022 and \$635,000 for fiscal year 2023 to the department of agriculture for compliance-based laboratory analysis of pesticides in cannabis.

(2) ~~((Subsections [Subsection]))~~ Subsection (1)(a) through (g) of this section must be adjusted annually based on the United States bureau of labor statistics' consumer price index for the Seattle area.

(3) After appropriation of the amounts identified in subsection (1) of this section, the legislature must annually appropriate such remaining amounts for the purposes listed in this subsection (3) as follows:

(a) Fifty-two percent to the state basic health plan trust account to be administered by the Washington basic health plan administrator and used as provided under chapter 70.47 RCW;

(b) Eleven percent to the health care authority to:

(i) Design and administer the Washington state healthy youth survey, analyze the collected data, and produce reports, in collaboration with the office of the superintendent of public instruction, department of health, department of commerce, family policy council, and board. The survey must be conducted at least every two years and include questions regarding, but not necessarily limited to, academic achievement, age at time of substance use initiation, antisocial behavior of friends, attitudes toward antisocial behavior, attitudes toward substance use, laws and community norms regarding antisocial behavior, family conflict, family management, parental attitudes toward substance use, peer rewarding of antisocial behavior, perceived risk of substance use, and rebelliousness. Funds disbursed under this subsection may be used to expand administration of the healthy youth survey to student populations attending institutions of higher education in Washington;

(ii) Develop, implement, maintain, and evaluate programs and practices aimed at the prevention or reduction of maladaptive substance use, substance use disorder, substance abuse or substance dependence, as these terms are defined in the diagnostic and statistical manual of mental disorders, among middle school and high school-age students, whether as an explicit goal of a given program or practice or as a consistently corresponding effect of its implementation, mental health services for children and youth, and services for pregnant and parenting women. In deciding which programs and practices to fund under this subsection (3) (b)(ii), the director of the health care authority must consult, at least annually, with the University of Washington's social development research group and the University of Washington's alcohol and drug abuse institute; and

(iii) Contract with community health centers to provide primary health and dental care services, migrant health services, and maternity health care services as provided under RCW 41.05.220;

(c)(i) One and one-half percent to counties, cities, and towns where licensed cannabis retailers are physically located. Each jurisdiction must receive a share of the revenue distribution under this subsection (3)(c)(i) based on the proportional share of the total revenues generated in the individual jurisdiction from the taxes collected under RCW 69.50.535, from licensed cannabis retailers physically located in each jurisdiction. For purposes of this subsection (3)(c), 100 percent of the proportional amount attributed to a retailer physically located in a city or town must be distributed to the city or town;

(ii) Three and one-half percent to counties, cities, and towns ratably on a per capita basis. Counties must receive 60 percent of the distribution based on each county's total proportional population. Funds may only be distributed to jurisdictions that do not prohibit the siting of any state licensed cannabis producer, processor, or retailer;

(iii) By September 15th of each year, the board must provide the state treasurer the annual distribution amount made under this subsection (3)(c), if any, for each county and city as determined in (c)(i) and (ii) of this subsection; and

(iv) Distribution amounts allocated to each county, city, and town in (c)(i) and (ii) of this subsection must be distributed in four installments by the last day of each fiscal quarter; and

(d) Thirty-two percent must be deposited in the state general fund.

**Sec. 912.** RCW 70A.65.250 and 2023 c 475 s 938 and 2023 c 435 s 12 are each reenacted and amended to read as follows:

(1)(a) The climate investment account is created in the state treasury. Except as otherwise provided in chapter 316, Laws of 2021, all receipts from the auction of allowances authorized in this chapter must be deposited into the account. Moneys in the account may be spent only after appropriation.

(b) Projects or activities funded from the account must meet high labor standards, including family sustaining wages, providing benefits including health care and employer-contributed retirement plans, career development opportunities, and maximize access to economic benefits from such projects for local workers and diverse businesses. Each contracting entity's proposal must be reviewed for equity and opportunity improvement efforts, including: (i) Employer paid sick leave programs; (ii) pay practices in relation to living wage indicators such as the federal poverty level; (iii) efforts to evaluate pay equity based on gender identity, race, and other protected status under Washington law; (iv) facilitating career development opportunities, such as apprenticeship programs, internships, job-shadowing, and on-the-job training; and (v) employment assistance and employment barriers for justice affected individuals.

(2) Moneys in the account may be used only for projects and programs that achieve the purposes of the greenhouse gas emissions cap and invest program established under this chapter and for tribal capacity grants under RCW 70A.65.305. During the 2023-2025 fiscal biennium, moneys in the account may also be used for tribal capacity grant activities supporting climate resilience and adaptation, developing tribal clean energy projects, applying for state or federal grant funding, and other related work; and for providing reimbursement to agricultural fuel users. Moneys in the account as described in this subsection must first be appropriated for the administration of the requirements of this chapter, in an amount not to exceed five percent of the total receipt of funds from allowance auction proceeds under this chapter. Beginning July 1, 2023, and annually thereafter, the state treasurer shall distribute funds in the account that exceed the amounts appropriated for the purposes of this subsection (2) as follows:

(a) Seventy-five percent of the moneys to the climate commitment account created in RCW 70A.65.260; and

(b) Twenty-five percent of the moneys to the natural climate solutions account created in RCW 70A.65.270.

(3) The allocations specified in subsection (2)(a) and (b) of this section must be reviewed by the legislature on a biennial basis based on the changing needs of the state in meeting its clean economy and greenhouse gas reduction goals in a timely, economically advantageous, and equitable manner.

(4) During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the climate investment account to the carbon emissions reduction account, the climate commitment account, and the natural climate solutions account.

**Sec. 913.** RCW 70A.65.300 and 2021 c 316 s 46 are each amended to read as follows:

(1) The department shall prepare, post on the department website, and submit to the appropriate committees of the legislature an annual report that identifies all distributions of moneys from the accounts created in RCW 70A.65.240 through 70A.65.280.

(2) The report must identify, at a minimum, the recipient of the funding, the amount of the funding, the purpose of the funding, the actual end result or use of the funding, whether the project that received the funding produced any verifiable reduction in greenhouse gas emissions or other long-term impact to emissions, and if so, the quantity of reduced greenhouse gas emissions, the cost per carbon dioxide equivalent metric ton of reduced greenhouse gas emissions, and a comparison to other greenhouse gas emissions reduction projects in order to facilitate the development of cost-benefit ratios for greenhouse gas emissions reduction projects.

(3) The department shall require by rule that recipients of funds from the accounts created in RCW 70A.65.240 through 70A.65.280 report to the department, in a form and manner prescribed by the department, the information required for the department to carry out the department's duties established in this section.

(4) The department shall update its website with the information described in subsection (2) of this section as appropriate but no less frequently than once per calendar year.

(5) The department shall submit its report to the appropriate committees of the legislature with the information described in subsection (2) of this section no later than September 30 of each year. For fiscal year 2025, the report must be submitted no later than November 30, 2024.

**Sec. 914.** RCW 43.79.555 and 2023 c 475 s 929 are each amended to read as follows:

The Washington rescue plan transition account is created in the state treasury. Moneys in the account may be spent only after appropriation. Revenues to the account consist of moneys directed by the legislature to the account. Allowable uses of moneys in the account include responding to the impacts of the COVID-19 pandemic including those related to education, human services, health care, and the economy. In addition, the legislature may appropriate from the account to continue activities begun with, or augmented with, COVID-19 related federal funding. During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the Washington rescue plan transition account to the state general fund and may make appropriations from the account to the department of licensing for payments to vehicle owners to offset the impact of the costs of allowances purchased by covered entities under the climate commitment act.

NEW SECTION. **Sec. 915.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 916.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Representatives Connors and Orcutt spoke in favor of the adoption of the amendment to the striking amendment.

Representative Ormsby spoke against the adoption of the amendment to the striking amendment.

**MOTION**

On motion of Representative Leavitt, Representative Wylie was excused.

Representative Corry spoke in favor of the adoption of the amendment to the striking amendment.

Representative Macri spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

**ROLL CALL**

The Clerk called the roll on the adoption of amendment (1107) to the striking amendment (1094) and the amendment was

Representative Chambers moved the adoption of amendment (1108) to the striking amendment (1094):

Beginning on page 1, after line 2, strike all material through "immediately." on page 846, line 13 and insert the following:

**"PART I  
GENERAL GOVERNMENT**

not adopted by the following vote: Yeas, 41; Nays, 53; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Barkis, Barnard, Calder, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen and Mme. Speaker

Excused: Representatives Chandler, Dye, Maycumber and Wylie

Amendment (1107) to the striking amendment (1094) was not adopted.

**\*\*FORMAT CHANGED TO ACCOMMODATE TEXT\*\***



**Sec. 101.** 2023 c 475 s 101 (uncodified) is amended to read as follows:  
**FOR THE HOUSE OF REPRESENTATIVES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$59,938,000</del> ))
	\$60,117,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$62,150,000</del> ))
	\$62,295,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$122,088,000</del>))</b>
	<b>\$122,412,000</b>

**Sec. 102.** 2023 c 475 s 102 (uncodified) is amended to read as follows:  
**FOR THE SENATE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$44,398,000</del> ))
	\$44,427,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$47,773,000</del> ))
	\$47,805,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$92,171,000</del>))</b>
	<b>\$92,232,000</b>

The appropriations in this section are subject to the following conditions and limitations: \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of membership dues to the council of state governments, the national conference of state legislatures, the pacific northwest economic region, the pacific fisheries legislative task force, and the western legislative forestry task force.

**Sec. 103.** 2023 c 475 s 103 (uncodified) is amended to read as follows:  
**FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

Performance Audits of Government Account—State Appropriation . . . . .	(( <del>\$14,936,000</del> ))
	\$15,342,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$14,936,000</del>))</b>
	<b>\$15,342,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Notwithstanding the provisions of this section, the joint legislative audit and review committee may adjust the due dates for projects included on the committee's 2023-2025 work plan as necessary to efficiently manage workload.

(2) \$250,000 of the performance audits of government account—state appropriation is for tax preference review costs from legislation enacted in the 2023 session.

(3) \$1,503,000 of the performance audits of government account—state appropriation is for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$626,000 of the performance audits of government account—state appropriation is for the audit required in Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) Within the amount appropriated in this section, the joint legislative audit and review committee shall conduct a review of the state's recreational boating programs. The committee shall complete the review by December 1, 2024. This review shall include examination of the following:

- (a) Revenue sources for state recreational boating programs;
- (b) Expenditures for state boating programs;
- (c) Methods of administering state recreational boating programs, including the roles of both state and local government entities; and
- (d) Approaches other states have taken to funding and administering their recreational boating programs.

(6) (a) \$400,000 of the performance audits of government account—state appropriation is for the joint legislative audit and review committee to:

(i) Review the department of children, youth, and families-juvenile rehabilitation program's existing processes and staffing methodology used for determining adequate staffing ratios to meet the confinement and rehabilitative needs of the juveniles and ensure public safety;

(ii) Review procedures and protocols for professional development, hiring and recruitment, and training for staff serving youth in juvenile rehabilitation institutions, with a focus on how staff are trained to implement rehabilitative practices;

(iii) Review youth access to programming, treatment, and services including, but not limited to, educational programming, treatment and services for youth experiencing substance use disorder, behavioral health treatment, available reentry services such as housing, job training, and other supports, access to technology services, family and community connections, and other programming and services offered by the department to provide youth with rehabilitation and restorative interventions;

(iv) Review existing security and safety measures, including the use of disciplinary procedures for total isolation and room confinement, adopted by the department and their

effectiveness in meeting the unique needs of the juvenile population in the custody of the department;

(v) Review how often and how many youth face new juvenile or adult criminal offense charges, convictions, or both while residing at juvenile rehabilitation institutions and potential future consequences that may occur as a result such as sentence extension, likelihood of recidivism, health impacts, and effects regarding criminal records;

(vi) Assess gender equity regarding education, employment, and career options for female youth;

(vii) Review how staffing impacts youth-on-youth conflict and safety;

(viii) Review best practices from other states regarding security and safety measures, programming opportunities, reentry supports, staff training and professional development, and staffing ratios, and identify options that may be feasible to adopt in Washington state to increase public safety and the security, programming options, treatment services, and rehabilitation mission of the department's juvenile rehabilitation institutions;

(ix) Review the department's existing processes for responding to critical incidents, including communication and cooperation with local law enforcement, and identify areas for improvement; and

(x) Review the impacts of changes in average daily population, longer lengths of stay, longer sentences, increases in maximum age of release, increases in more serious offense types and adult sentences, and related effects of chapter 322, Laws of 2019.

(b) The joint legislative audit and review committee shall submit a preliminary report by June 30, 2025, to the governor and the appropriate committees of the legislature.

(c) It is the intent of the legislature that the joint legislative audit and review committee shall submit a final report with findings and recommendations to the governor and the appropriate committees of the legislature in the 2025-2027 fiscal biennium. The report shall include recommendations on supporting the juvenile rehabilitation program's efforts to gradually move young people from carceral settings to least restrictive environments to improve positive reentry outcomes.

**Sec. 104.** 2023 c 475 s 104 (uncodified) is amended to read as follows:

**FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

Performance Audits of Government Account—State

Appropriation. . . . .	\$5,326,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$5,326,000</b>

**Sec. 105.** 2023 c 475 s 105 (uncodified) is amended to read as follows:

**FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

General Fund—State Appropriation (FY 2024). . . . .	(( \$21,727,000 ))
	\$21,477,000
General Fund—State Appropriation (FY 2025). . . . .	(( \$19,625,000 ))
	\$20,759,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$41,352,000 ))</b>
	<b>\$42,236,000</b>

The appropriations in this section are subject to the following conditions and limitations: Within the amounts provided in this section, the joint legislative systems committee shall provide information technology support, including but not limited to internet service, for the district offices of members of the house of representatives and the senate.

**Sec. 106.** 2023 c 475 s 106 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF STATE LEGISLATIVE LABOR RELATIONS**

General Fund—State Appropriation (FY 2024). . . . .	\$961,000
General Fund—State Appropriation (FY 2025). . . . .	(( \$964,000 ))
	\$965,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$1,925,000 ))</b>
	<b>\$1,926,000</b>

**Sec. 107.** 2023 c 475 s 107 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE STATE ACTUARY**

General Fund—State Appropriation (FY 2024). . . . .	\$409,000
General Fund—State Appropriation (FY 2025). . . . .	\$423,000
State Health Care Authority Administrative Account—	
State Appropriation. . . . .	\$291,000
Department of Retirement Systems Expense Account—	
State Appropriation. . . . .	(( \$7,102,000 ))
	\$7,101,000
School Employees' Insurance Administrative Account—	
State Appropriation. . . . .	\$258,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$8,483,000 ))</b>
	<b>\$8,482,000</b>

**Sec. 108.** 2023 c 475 s 108 (uncodified) is amended to read as follows:

**FOR THE STATUTE LAW COMMITTEE**

General Fund—State Appropriation (FY 2024)	\$6,201,000
General Fund—State Appropriation (FY 2025)	(((\$6,808,000))
	<u>\$6,811,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(((\$13,009,000))</b> <b><u>\$13,012,000</u></b>

**Sec. 109.** 2023 c 475 s 109 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES**

General Fund—State Appropriation (FY 2024)	(((\$5,852,000))
	<u>\$5,893,000</u>
General Fund—State Appropriation (FY 2025)	(((\$6,465,000))
	<u>\$6,653,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(((\$12,317,000))</b> <b><u>\$12,546,000</u></b>

**Sec. 110.** 2023 c 475 s 111 (uncodified) is amended to read as follows:  
**FOR THE SUPREME COURT**

General Fund—State Appropriation (FY 2024)	\$14,883,000
General Fund—State Appropriation (FY 2025)	(((\$15,196,000))
	<u>\$16,269,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(((\$30,079,000))</b> <b><u>\$31,152,000</u></b>

**Sec. 111.** 2023 c 475 s 112 (uncodified) is amended to read as follows:  
**FOR THE COMMISSION ON JUDICIAL CONDUCT**

General Fund—State Appropriation (FY 2024)	(((\$2,225,000))
	<u>\$2,224,000</u>
General Fund—State Appropriation (FY 2025)	(((\$2,206,000))
	<u>\$2,208,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(((\$4,431,000))</b> <b><u>\$4,432,000</u></b>

**Sec. 112.** 2023 c 475 s 113 (uncodified) is amended to read as follows:  
**FOR THE COURT OF APPEALS**

General Fund—State Appropriation (FY 2024)	(((\$25,901,000))
	<u>\$28,199,000</u>
General Fund—State Appropriation (FY 2025)	(((\$26,491,000))
	<u>\$27,564,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(((\$52,392,000))</b> <b><u>\$55,763,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: \$764,000 of the general fund—state appropriation for fiscal year 2024 and \$764,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

**Sec. 113.** 2023 c 475 s 114 (uncodified) is amended to read as follows:  
**FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund—State Appropriation (FY 2024)	(((\$123,740,000))
	<u>\$125,526,000</u>
General Fund—State Appropriation (FY 2025)	(((\$118,331,000))
	<u>\$123,463,000</u>
General Fund—Federal Appropriation	\$2,209,000
General Fund—Private/Local Appropriation	\$681,000
Judicial Stabilization Trust Account—State Appropriation	(((\$112,345,000))
	<u>\$119,616,000</u>
Judicial Information Systems Account—State Appropriation	\$79,530,000
<u>Opioid Abatement Settlement Account—State Appropriation</u>	<u>\$479,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(((\$436,836,000))</b> <b><u>\$451,504,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The distributions made under this section and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(2) (a) \$7,000,000 of the general fund—state appropriation for fiscal year 2024 and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to county juvenile court administrators for the costs associated with processing and case management of truancy, children in need of services, and at-risk youth referrals. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula must neither reward counties with higher than average per-petition/referral processing costs nor shall it penalize counties with lower than average per-petition/referral processing costs.

(b) Each fiscal year during the 2023-2025 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than 60 days after a fiscal year ends. These reports are informational in nature and are not for the purpose of distributing funds.

(3) \$1,094,000 of the general fund—state appropriation for fiscal year 2024 and \$1,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide fiscal impact on Thurston county courts. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(4) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the ~~((general fund state appropriation for fiscal year 2025))~~ judicial stabilization trust account—state appropriation are provided solely for distribution to local courts for costs associated with the court-appointed attorney and visitor requirements set forth in the uniform guardianship act, chapter 11.130 RCW. If the amount provided in this subsection is insufficient to fully fund the local court costs, distributions must be reduced on a proportional basis to ensure that expenditures remain within the available funds provided in this subsection. No later than December 31, 2023, the administrative office of the courts will provide a report on distributions to local courts including, but not limited to, the amount provided to each court, the number of guardianship cases funded at each court, costs segregated by attorney appointments and court visitor appointments, the amount of any pro rata reductions, and a recommendation on how to forecast distributions for potential future funding by the legislature.

(5) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to use as matching funds to distribute to small municipal and county courts, located in a rural county as defined in RCW 43.160.020, for the purpose of increasing security for court facilities. Grants must be used solely for security equipment and services for municipal, district, and superior courts and may not be used for staffing or administrative costs.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the administrative office of the courts to provide grants to superior courts for the purpose of creating or expanding sanitary lactation spaces or pods that provide privacy for courthouse visitors needing to breastfeed or express breast milk.

(7) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the administrative office of the courts to contract with an equity and justice nonprofit organization to expand the capacity of the existing equity dashboard program. The contract must review and organize newly available criminal case data with the goal of consolidating and collecting adult felony case data to determine disparities in the legal justice system. The equity dashboard program must be expanded to include adult felony case data that is consolidated, interactable, transparent, and accessible to the public.

(8) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1766 (protection orders/hope cards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(9) \$1,090,000 of the general fund—state appropriation for fiscal year 2024 and \$1,090,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to address data quality issues across Washington state court management systems.

(10) \$51,428,000 of the judicial stabilization trust account—state appropriation is provided solely to establish a direct refund process to individuals to refund legal financial obligations, collection costs, and document-verified costs paid to third parties previously paid by defendants whose convictions have been vacated by court order due to the *State v. Blake* ruling. Superior court clerks, district court administrators, and municipal court administrators must certify and send to the office the amount of any refund ordered by the court. The court order must either contain the amount of the refund or provide language for the clerk or court administrator to certify to the office the amount to be refunded to the individual.

(11) \$1,627,000 of the general fund—state appropriation for fiscal year 2024 ~~((=))~~ and \$1,812,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for activities of the office relating to the resentencing and/or vacating convictions of individuals and refund of legal financial obligations and costs associated with the *State v. Blake* ruling. In addition to contracting with cities and counties for the disbursement of funds appropriated for resentencing costs, the office must:

(a) Collaborate with superior court clerks, district court administrators, and municipal court administrators to prepare comprehensive reports, based on available court records, of all cause numbers impacted by *State v. Blake* going back to 1971. Such reports must include the refund amount related to each cause number;

(b) In collaboration with the office of public defense and the office of civil legal aid, establish a process that can be used by individuals seeking a refund, provide individuals information regarding the application process necessary to claim a refund, and issue payments from the refund bureau to individuals certified in subsection (10) of this section; and

(c) Collaborate with counties and municipalities to adopt standard coding for application to *State v. Blake* convictions and to develop a standardized practice regarding vacated convictions.

(12) \$38,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with costs of complying with the *State v. Blake* decision that arise from the county's role in operating the state's criminal justice system, including resentencing, vacating prior convictions for simple drug possession, and certifying refunds of legal financial obligations and collections costs. The office shall contract with counties for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a county. A county may designate the office to use available funding to administer a vacate process, or a portion of the vacate process, on behalf of the county. The office must collaborate with counties to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(13) \$11,500,000 of the judicial stabilization trust account—state appropriation is provided solely to assist cities with costs of complying with the *State v. Blake* decision that arise from the city's role in operating the city's criminal justice system, including vacating prior convictions for simple drug possession, to include cannabis and possession of paraphernalia, and certifying refunds of legal financial obligations and collections costs. The office shall contract with cities for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a city. A city may designate the office to use available funding to administer a vacate process, or a portion of the vacate process, on behalf of the city. The office must collaborate with cities to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(14) \$439,000 of the general fund—state appropriation for fiscal year 2024 and \$304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(15) ~~(((\$1,560,000))~~\$40,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~and \$1,520,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the office to administer a jury pay pilot program in Pierce county. Funding must be used to increase jury pay up to ~~(((\$50))~~\$100 for each day served in Pierce county superior court. The funds provided in this subsection must supplement, and not supplant, existing local funding for juror pay. The office must compare juror demographics after the pay increase as compared to data collected from the 2022 jury demographic survey to measure the impact increasing juror pay has on jury diversity and juror response rates.

(16) \$1,800,000 of the judicial stabilization trust account—state appropriation is provided solely for distribution to counties to help cover the cost of electronic monitoring with victim notification technology when an individual seeking a protection order requests electronic monitoring with victim notification technology from the court and the respondent is unable to pay. Of the amount provided in this subsection, up to five percent of the funding each fiscal year may be used by the office for education and outreach to the courts regarding this technology.

(17) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1102 (judge pro tempore compensation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(18) \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute House Bill No. 1562 (violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) \$109,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed House Bill No. 1324 (prior juvenile offenses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20) \$659,000 of the general fund—state appropriation for fiscal year 2024 and \$639,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development and expansion of online and on-demand eLearning courses offered through the WACOURTS education portal for judicial officers, administrators, clerks, assistants, and other staff employed in state and local courts.

(21) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to fund public guardianship services provided by the office of public guardianship.

(22) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to develop a sequential intercept model pilot program. The intercept model pilot program must include the establishment of a coordinated care and

services network in courts of limited jurisdiction located in two counties, one county east of the crest of the Cascade mountains and one county west of the crest of the Cascade mountains.

(a) In developing the pilot program, the administrative office of the courts must consult local government, the district and municipal court judges' association, the health care authority, the department of social and health services, the department of health, law enforcement agencies, and other impacted stakeholders as identified by the administrative office of the courts.

(ii) The pilot project shall include any sequential intercept mapping that is necessary to determine the availability of willing stakeholders and to determine gaps in services and programs in the geographic area served by the proposed coordinated care and services network.

(iii) The pilot project may include the use of a common source of peer support services as the means to link affected persons to the coordinated care and services network from the various intercepts in the sequential intercept model.

(iv) No court may be required by the administrative office of the courts to participate in the pilot program.

(v) For the purposes of this pilot project, "stakeholder" may include any public or private entity or individual that provides services, funds, or goods related to housing, shelter, education, employment, substance use disorder treatment or other behavioral health treatment, medical treatment, dental treatment, peer support, self-help, crisis care, income assistance, nutritional assistance, clothing, assistance with public benefits, or financial management and other life skills education.

(vi) The pilot project ends June 1, 2025. The administrative office of the courts shall submit a report to the legislature detailing the work of the pilot program project, which must include recommendations, if any, for continuation, modification, or expansion of the pilot program to other regions of the state, no later than June 30, 2025.

(23) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Washington state center for court research of the administrative office of the courts to conduct a study of legal financial obligations (LFO) charged by superior courts, juvenile courts, and courts of limited jurisdiction, including the reviews required in Engrossed Substitute House Bill No. 1169 (legal financial obligations). The administrative office of the courts must submit a report of the findings to the appropriate committees of the legislature by November 30, 2023. At a minimum, the study must include statewide and county-level data that shows, during the previous five state fiscal years that data is available:

(a) The total number of juvenile and criminal cases handled by court, the number of cases where legal financial obligations were imposed pursuant to chapter 13.40 RCW, the percentage of cases where legal financial obligations were not imposed, and the total amount of legal financial obligations that were collected;

(b) The total amount assessed to, collected from, and waived for all individuals, in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court, for each of the last five years data is available;

(c) The average amount assessed, collected, and waived per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court for each of the last five years data is available;

(d) The average amount collected per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, race, gender, LFO type, and charging court, for each of the last five years data is available;

(e) The estimated annual collection rate for restitution and nonrestitution LFOs for the last five years data is available;

(f) An estimate of the proportion of restitution assessed, disaggregated by victim type including natural persons, businesses, state agencies, and insurance companies, for each of the last five years data is available;

(g) The percentage, number of cases, and total amount of legal financial obligations that are uncollectible pursuant to RCW 13.40.190 or 13.40.192, or other statutory authority for the expiration of legal financial obligation debt including debt assessed in criminal cases; and

(h) The total amount of outstanding debt owed in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, race, gender, legal financial obligation type, charging court, and date of assessment.

(24) \$653,000 of the general fund—state appropriation for fiscal year 2024 and \$264,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(25) (a) \$165,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state center for court research of the administrative office of the courts to continue the study on legal financial obligations (LFO) charged by superior courts and courts of limited jurisdiction. The administrative office of the courts must submit a preliminary report to the appropriate committees of the legislature by November 30, 2024, and a final report by June 30, 2025. At a minimum, the report must include statewide data that shows, disaggregated by court type, LFO type, charge type, court user demographics, and

community characteristics, during the previous five state fiscal years that data is available:

(i) The total number of juvenile and criminal cases handled by court, the number of cases where legal financial obligations were imposed pursuant to chapter 13.40 RCW, the percentage of cases where LFOs were imposed, and the total amount of LFOs that were collected;

(ii) The total amount assessed to, collected from, and waived for all individuals, in fees, court costs, fines, and restitution disaggregated by the defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court;

(iii) An estimate of the proportion of restitution owed in all cases, disaggregated by victim type including natural persons, businesses, state agencies, and insurance companies; and

(iv) A description of community level impact of LFO imposition measured as a ratio of aggregate debt to household income.

(b) Superior courts and courts of limited jurisdiction that do not enter their LFO data into a statewide data management system must provide their LFO data to the administrative office of the courts at dates to be set by the office to be included in the statewide report.

(c) Within the amounts provided in this subsection, the administrative office of the courts shall form a stakeholder group to review the report and make recommendations for data development and reporting topics.

(26) \$2,094,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5825 (guardianship). During the fiscal biennium, in conformity with RCW 2.72.030, the administrative office of the courts shall collect uniform and consistent data on decision making assistance to include, but not limited to: The number of requests for decision making assistance received from hospitals, the number of guardianships and less restrictive alternatives to guardianships provided, the support and housing provided, and any other data related to case monitoring and management. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(27) \$2,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5056 (habitual property offenders). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(28) \$218,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5836 (Clark county superior court). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(29) \$51,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5974 (unenforceable LFOs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(30) \$248,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6068 (dependency outcome reporting). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(31) \$479,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 114.** 2023 c 475 s 115 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF PUBLIC DEFENSE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$66,616,000</del> ))
	\$66,724,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$70,129,000</del> ))
	\$70,329,000
General Fund—Federal Appropriation . . . . .	\$385,000
Judicial Stabilization Trust Account—State Appropriation . . . . .	(( <del>\$9,894,000</del> ))
	\$16,146,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$147,024,000</del>))</b>
	<b>\$153,584,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of improving the quality of trial court public defense services as authorized by chapter 10.101 RCW. The office of public defense must allocate these amounts so that \$450,000 per fiscal year is distributed to counties, and \$450,000 per fiscal year is distributed to cities, for grants under chapter 10.101 RCW.

(2) ((~~\$6,000,000~~)) \$8,863,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with public defense services related to vacating the convictions of defendants and/or resentencing for defendants whose convictions or sentences are affected by the *State v. Blake* decision. Of the amount provided in this subsection:

(a) ~~((900,000))~~ \$1,863,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to provide statewide attorney training, technical assistance, data analysis and reporting, and quality oversight, to administer financial assistance for public defense costs related to *State v. Blake* impacts, and to maintain a triage team to provide statewide support to the management and flow of hearings for individuals impacted by the *State v. Blake* decision.

(b) ~~((5,100,000))~~ \$7,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties in providing counsel for defendants seeking to vacate a conviction and/or be resentenced under *State v. Blake*. Assistance shall be allocated to all counties based upon a formula established by the office of public defense. Counties may receive assistance by: (i) Applying for grant funding; and/or (ii) designating the office of public defense to contract directly with counsel.

(3) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to provide prefiling legal representation to pregnant parents and parents of newborns at risk of removal by the department of children, youth, and families.

(4) \$623,000 of the general fund—state appropriation for fiscal year 2024 and \$1,165,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$6,863,000 of the general fund—state appropriation for fiscal year 2024 and \$6,602,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5415 (public defense/insanity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$1,434,000 of the general fund—state appropriation for fiscal year 2024 and \$1,434,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the parents for parents program.

(7) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to establish and operate a telephone consultation line to provide contracted legal counsel for parents, guardians, or legal custodians when the department of children, youth, and families proposes a voluntary placement agreement when there is no pending dependency proceeding under chapter 13.34 RCW pursuant to RCW 13.34.090(4).

(8) \$442,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to administer a public defense recruitment program to recruit and retain a sufficient pool of qualified attorneys and other public defense professionals. The recruitment program shall engage with students and faculty at colleges and law schools on topics relating to public defense and other public law practices; provide technical assistance and training to county and city public defense coordinators on recruitment strategies including establishment of law clerk programs; and administer the public defense internship program as provided in Second Substitute Senate Bill No. 5780 (public defense & prosecution).

(9) \$10,000 of the general fund—state appropriation for fiscal year 2024 and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to address emergency safety assistance and other urgent needs for clients served by the parents representation program. Temporary, limited assistance may be made available for short-term housing, utilities, transportation, food assistance, and other urgent needs that, if unaddressed, could adversely impact case outcomes and impede successful family reunification. The office of public defense shall establish eligibility criteria and an expedited process for reviewing financial assistance requests submitted by parents representation program contractors.

(10) \$611,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5780 (public defense & prosecution). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$1,108,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 115.** 2023 c 475 s 116 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF CIVIL LEGAL AID**

General Fund—State Appropriation (FY 2024) . . . . .	<del>((53,283,000))</del>
	\$53,256,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>((59,838,000))</del>
	\$60,062,000
<del>((General Fund—Federal Appropriation . . . . .</del>	<del>\$1,468,000))</del>
Judicial Stabilization Trust Account—State Appropriation . . . . .	<del>((3,851,000))</del>
	\$6,698,000
TOTAL APPROPRIATION . . . . .	<del>((118,440,000))</del>
	\$120,016,000



The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,917,000 of the general fund—state appropriation for fiscal year 2024 and \$7,711,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for children and youth in dependency cases under RCW 13.34.212(3) in accordance with revised practice, caseload, and training standards adopted by the supreme court commission on children in foster care and includes a vendor rate increase for contracted attorneys. By October 1, 2023, the office must develop a revised implementation schedule based on a caseload assumption of adding no more than 1,250 new dependency cases to the program each fiscal year for consideration by the governor and the legislature.

(2) \$2,408,000 of the general fund—state appropriation for fiscal year 2024 and \$2,579,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of civil legal information, advice, and representation for tenants at risk of eviction but not yet eligible for appointed counsel services under RCW 59.18.640.

(3) \$15,425,000 of the general fund—state appropriation for fiscal year 2024 and \$16,030,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for tenants in unlawful detainer cases established in RCW 59.18.640 and includes a vendor rate increase for contracted attorneys. The funding provided in this subsection does not create an entitlement to counsel in unlawful detainer cases. If funding provided under this subsection is insufficient to provide for appointed counsel for all indigent tenants in unlawful detainer cases, the office shall assign priority to providing legal representation to indigent tenants in those counties in which the most evictions occur and to indigent tenants who are disproportionately at risk of eviction, as provided in RCW 59.18.640, and may not move to delay or suspend an unlawful detainer case or attempt to decertify a court's ability to hear unlawful detainer cases.

(4) ~~(\$2,387,000)~~ \$5,234,000 of the judicial stabilization trust account—state appropriation is provided solely to continue legal information, advice, assistance, and representation for individuals eligible for civil relief under the supreme court's ruling in *State v. Blake*.

(5) An amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2024 and an amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2025 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are 60 years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(6) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the office of civil legal aid to establish a legal advice phone line to provide guidance and legal advice for kinship caregivers. The phone line must be staffed by two FTE contracted attorneys that have experience with kinship care, guardianship statutes, the child welfare system, and issues relating to legal custody.

(7) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to expand civil legal aid services for survivors of domestic violence, including legal services for protection order proceedings, family law cases, immigration assistance, and other civil legal issues arising from or related to the domestic violence they experienced.

(8) \$1,009,000 of the general fund—state appropriation for fiscal year 2024 and \$1,022,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to continue the statewide reentry legal aid project as established in section 115(12), chapter 357, Laws of 2020.

(9) \$222,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 116.** 2023 c 475 s 117 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE GOVERNOR**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$24,543,000 ))
	\$25,169,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$24,253,000 ))
	\$28,331,000
Economic Development Strategic Reserve Account—State	
Appropriation . . . . .	(( \$2,282,000 ))
	\$10,850,000
GOV Central Service Account—State Appropriation . . . . .	\$18,967,000
Performance Audits of Government Account—State	
Appropriation . . . . .	(( \$720,000 ))
	\$828,000
<u>Workforce Education Investment Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$100,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(( \$70,765,000 ))</b>
	<b>\$84,245,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$1,146,000)~~) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$1,146,000)~~) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the education ombuds.

(2) (~~(\$18,667,000 of the GOV central service account state appropriation is provided solely for the office of equity.~~

(3) (~~\$480,000~~) \$554,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the governor to invite federally recognized tribes, local governments, agricultural producers, commercial and recreational fisher organizations, business organizations, salmon recovery organizations, forestry and agricultural organizations, and environmental organizations to participate in a process facilitated by an independent entity to develop recommendations on proposed changes in policy and spending priorities to improve riparian habitat to ensure salmon and steelhead recovery.

(a) The independent entity must develop recommendations on furthering riparian funding and policy, including but not limited to, strategies that can attract private investment in improving riparian habitat, and developing a regulatory or compensation strategy if voluntary programs do not achieve concrete targets.

(b) Preliminary recommendations shall be submitted to the legislature and governor by May 1, 2024, with a final report by June 30, 2024.

(c) The office of the governor may contract for an independent facilitator. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(~~(+4)~~) (3) \$3,020,000 of the general fund—state appropriation for fiscal year 2024 and \$2,980,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~) Within the amounts provided in this subsection:

(a) \$2,359,000 of the general fund—state appropriation for fiscal year 2024 and \$2,359,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for flexible funding to support children in crisis. Uses of the flexible funding include, but are not limited to:

(i) Residential, housing, or wraparound supports that facilitate the safe discharge of children in crisis from hospitals;

(ii) Support for families and caregivers to mitigate the risk of a child going into or returning to a state of crisis;

(iii) Respite and relief services for families and caregivers that would assist in the safe discharge of a child in crisis from a hospital, or prevent or mitigate a child's future hospitalization due to crisis; or

(iv) Any support or service that would expedite a safe discharge of a child in crisis from an acute care hospital or that would prevent or mitigate a child's future hospitalization due to crisis.

(b) Flexible funding expenditures may not be used for administrative expenses.

(c) The care coordinator created in Second Substitute House Bill No. 1580 (children in crisis) must approve any expenditures of flexible funding.

(~~(+5)~~) (4) \$300,000 of the GOV central service account—state appropriation is provided solely for the office of equity to conduct community engagement and develop an equity toolkit. Within the amounts provided in this subsection:

(a) The office of equity must consult with state boards and commissions that support the participation of people from underrepresented populations in policy-making processes, and may consult with other relevant state agencies, departments, and offices, to identify:

(i) Barriers to access and meaningful participation in stakeholder engagement by people from underrepresented populations who have lived experience;

(ii) Tools to support access and meaningful participation in stakeholder engagement;

(iii) Modifications to stakeholder engagement processes that promote an increase in access and opportunities for participation by people from underrepresented populations who have lived experience in policy-making processes. Any modifications identified may not restrict or otherwise prevent compliance with requirements under federal statute or regulations; and

(iv) Changes to law or agency rules that will promote increased access and participation in the policy-making process.

(b) The office of equity must submit a report, in compliance with RCW 43.01.036, to the appropriate committees of the legislature that details its findings under (a) of this subsection by July 1, 2024.

(c) By November 30, 2024, the office of equity must develop a toolkit on best practices for supporting meaningful engagement of underrepresented individuals with lived experience participating on statutory entities. The toolkit must be transmitted to all state agencies, including the office of the governor, members of the legislature, the secretary of the senate, and the chief clerk of the house of representatives. The toolkit must include:

(i) Best practices for identifying and recruiting underrepresented individuals with lived experience;

(ii) Best practices for appropriately and meaningfully engaging individuals from underrepresented populations with lived experience. Recommendations of these best practices may include suggestions from engagement conducted under (a) of this subsection;

(iii) Information on how to plan the work of a statutory entity using the principles of universal design, which may include suggestions from community engagement conducted under (a) of this subsection;

(iv) Best practices for onboarding all statutory entity members including how to support underrepresented individuals with lived experience in accessing compensation in accordance with chapter 43.03 RCW; and

(v) A list of state entities that appointing authorities may consult with when considering appointments to statutory entities for the purpose of increasing meaningful participation by people from underrepresented populations who have lived experience.

(d) For purposes of this subsection:

(i) "Lived experience" has the same meaning as provided in RCW 43.03.220.

(ii) "Statutory entity" means a multimember task force, work group, or advisory committee, that is temporary, established by legislation adopted after January 1, 2025, established for the specific purpose of examining a particular policy or issue which directly and tangibly affects one or more underrepresented populations, and is required to report to the legislature on the policy or issues it is tasked with examining. "Statutory entity" does not include legislative select committees or other statutorily created legislative entities composed of only legislative members.

(iii) "Underrepresented population" means a population group that is more likely to be at higher risk for disenfranchisement due to adverse socioeconomic factors such as unemployment, high housing and transportation costs relative to income, effects of environmental harms, limited access to nutritious food and adequate health care, linguistic isolation, and any other factors that may be barriers for participating in policy-making processes.

~~((6))~~ (5) Within the amounts appropriated in this section, the Washington state office of equity must cofacilitate the Washington digital equity forum with the statewide broadband office.

~~((7))~~ (6)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the corrections ombuds to prepare a report on incarcerated persons who have been in solitary confinement or any other form of restrictive housing more than 120 days in total during their period of incarceration or have been in solitary confinement or any other form of restrictive housing more than 45 consecutive days in the prior fiscal year. The report must:

(i) Include the basis on which each person was placed in restrictive housing;

(ii) Define the types of restrictive housing used by the department of corrections including, but not limited to, solitary confinement, administrative segregation, disciplinary segregation, protective custody, and maximum custody;

(iii) Identify the specific type of restrictive housing each incarcerated person was placed in and the reason for such placement;

(iv) Provide information regarding each incarcerated person's underlying offenses;

(v) Identify any sanctions imposed during the incarceration of each person;

(vi) State the amount of time each person has remaining in total confinement;

(vii) Document any attempted suicides by each individual in restrictive housing over the past 10 years and the reason, if known;

(viii) Describe the programming offered to and accepted by each incarcerated person during the person's period of restrictive confinement; and

(ix) Identify any short-term policies identified, implemented, or improved by the department for the restrictive housing population including, but not limited to, lighting, ventilation, and access to personal property, communication, and visitation.

(b) The department shall provide a report to the governor and appropriate committees of the legislature by June 30, 2024.

(7) Within existing resources, the governor's office of results Washington must conduct a review of the provisions in state law relating to statewide performance management in RCW 43.88.090 and 43.17.380 through 43.17.390 and other statutes as applicable. The office must produce a report to the governor and appropriate committees of the legislature by October 31, 2024, including recommendations for legislative actions to provide meaningful performance information and oversight for decision makers in the governor's office and other agencies responsible for enterprise-wide initiatives. Results Washington should consult with the office of financial management and other agencies as applicable to ensure that recommendations minimize duplication of effort and support their statutory oversight roles.

**Sec. 117.** 2023 c 475 s 118 (uncodified) is amended to read as follows:

**FOR THE LIEUTENANT GOVERNOR**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$1,619,000 ))
	\$1,618,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$1,640,000 ))
	\$1,646,000
General Fund—Private/Local Appropriation . . . . .	\$90,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$3,349,000 ))</b>
	<b>\$3,354,000</b>

The appropriations in this section are subject to the following conditions and limitations: \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the legislative committee on economic development and international relations to conduct an analysis of the statewide economic impact of the military and defense sector. The analysis

shall be completed and submitted to the governor and appropriate committees of the legislature by September 1, 2024.

**Sec. 118.** 2023 c 475 s 119 (uncodified) is amended to read as follows:

**FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$6,105,000</del> ))
	<u>\$6,107,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$5,913,000</del> ))
	<u>\$6,043,000</u>
Public Disclosure Transparency Account—State Appropriation. . . . .	(( <del>\$2,271,000</del> ))
	<u>\$2,301,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$14,289,000</del>))</b>
	<b><u>\$14,451,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) No moneys may be expended from the appropriations in this section to establish an electronic directory, archive, or other compilation of political advertising unless explicitly authorized by the legislature.

(2) ~~((~~\$2,171,000~~))~~ \$2,170,000 of the public disclosure transparency account—state appropriation is provided solely for the public disclosure commission for the purpose of improving the ability of the public to access information about political campaigns, lobbying, and elected officials, and facilitating accurate and timely reporting by the regulated community. The commission must report to the office of financial management and fiscal committees of the legislature by October 31st of each year detailing information on the public disclosure transparency account. The report shall include, but is not limited to:

(a) An investment plan of how funds would be used to improve the ability of the public to access information about political campaigns, lobbying, and elected officials, and facilitate accurate and timely reporting by the regulated community;

(b) A list of active projects as of July 1st of the fiscal year. This must include a breakdown of expenditures by project and expense type for all current and ongoing projects;

(c) A list of projects that are planned in the current and following fiscal year and projects the commission would recommend for future funding. The commission must identify priorities, and develop accountability measures to ensure the projects meet intended purposes; and

(d) Any other metric or measure the commission deems appropriate to track the outcome of the use of the funds.

(3) \$100,000 of the public disclosure transparency account—state appropriation is provided solely for implementation of Second Engrossed Substitute Senate Bill No. 5284 (campaign finance disclosure). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(4) \$93,047 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5857 (campaign disclosure reorg.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 119.** 2023 c 475 s 120 (uncodified) is amended to read as follows:

**FOR THE SECRETARY OF STATE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$40,397,000</del> ))
	<u>\$55,588,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$48,378,000</del> ))
	<u>\$60,911,000</u>
General Fund—Federal Appropriation. . . . .	\$8,606,000
Public Records Efficiency, Preservation, and Access Account—State Appropriation. . . . .	(( <del>\$11,621,000</del> ))
	<u>\$11,625,000</u>
Charitable Organization Education Account—State Appropriation. . . . .	(( <del>\$1,161,000</del> ))
	<u>\$1,233,000</u>
Washington State Library Operations Account—State Appropriation. . . . .	(( <del>\$14,652,000</del> ))
	<u>\$14,659,000</u>
Local Government Archives Account—State Appropriation. . . . .	(( <del>\$11,997,000</del> ))
	<u>\$12,001,000</u>
Election Account—Federal Appropriation. . . . .	\$4,487,000
Personnel Service Account—State Appropriation. . . . .	\$2,262,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$143,561,000</del>))</b>
	<b><u>\$171,372,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$2,498,000~~))~~ \$16,998,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$12,196,000~~))~~ \$21,450,000 of the general fund—state appropriation for fiscal year

2025 are provided solely to reimburse counties for the state's share of primary and general election costs, the state's share of presidential primary costs, and the costs of conducting mandatory recounts on state measures. Funds may also be used by the secretary of state for costs associated with the printing and distribution of the presidential primary voters pamphlet. Counties shall be reimbursed only for those costs that the secretary of state validates as eligible for reimbursement.

(2)(a) \$4,052,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,052,000)~~\$5,052,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events statewide. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for humanities Washington speaker's bureau community conversations.

(5) \$114,000 of the general fund—state appropriation for fiscal year 2024 and \$114,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for election reconciliation reporting. Funding provides for one staff to compile county reconciliation reports, analyze the data, and to complete an annual statewide election reconciliation report for every state primary and general election. The report must be submitted annually on July 31, to legislative policy and fiscal committees. The annual report must include statewide analysis and by county analysis on the reasons for ballot rejection and an analysis of the ways ballots are received, counted, rejected and cure data that can be used by policymakers to better understand election administration.

(6) \$896,000 of the general fund—state appropriation for fiscal year 2024 and \$870,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to the maintenance and operations of the voter registration and election management system. These staff will manage database upgrades, database maintenance, system training and support to counties, and triage and customer service to system users.

(7) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

(a) Funding the security operations center, including identified needs for expanded operations, systems, technology tools, training resources;

(b) Additional staff dedicated to the cyber and physical security of election operations at the office and county election offices;

(c) Expanding security assessments, threat monitoring, enhanced security training; and

(d) Providing grants to county partners to address identified threats and expand existing grants and contracts with other public and private organizations such as the Washington military department, national guard, private companies providing cyber security, and county election offices.

(8) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5112 (voter registration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5182 (candidate filing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5208 (online voter registration). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(12) \$616,000 of the personnel service account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5015 (productivity board). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(13) (~~(\$350,000)~~)\$400,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$350,000)~~)\$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with humanities Washington to expand the prime time family reading program.

(14) The office of the secretary of state must conduct a feasibility study of replacing the combined fund drive donor management system. The office must report its findings and a plan for replacement to the appropriate committees of the legislature by December 31, 2023.

(15) (~~(\$200,000)~~)\$525,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~)and \$325,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services costs for *Vet Voice Foundation et al. v. Hobbs*.

(16) \$3,724,000 of the general fund—state appropriation for fiscal year 2024 and \$2,674,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to design and implement strategies and products to counter false narratives surrounding election security and integrity, including community engagement with underserved populations such as young voters, voters with disabilities, tribal communities, and non-English-speaking voters. Of the amounts provided in this subsection, \$500,000 per fiscal year are provided solely for grants to county auditors for the same purposes.

(17) The office of the secretary of state must work with the office of the chief information officer to evaluate the office of the secretary of state's information technology infrastructure and applications to determine the appropriate candidates for the location of data and the systems that could be exempt from consolidated technology services oversight. The office shall report its findings to the appropriate committees of the legislature by December 31, 2023.

(18) \$83,000 of the general fund—state appropriation for fiscal year 2024 and \$67,000 of the general fund—state appropriation for fiscal year 2025 are provided solely the office of the secretary of state to assist businesses and nonprofits providing therapeutic rehabilitation within Washington state's juvenile secure residential facilities. It is well established that providing outreach and therapeutic education among incarcerated youth remains critical to successful community reentry. The amounts provided under this subsection are subject to the following conditions and limitations: To be eligible for a grant under this subsection, a business must (a) apply for or have applied for the grant; (b) be registered as a Washington state business or non-profit; (c) reported annual gross receipts are no more than \$1,000,000 in the most recent calendar year; (d) must have ability to conduct in-person business operations at one of Washington's juvenile correctional facilities; (e) of the total grant amount awarded, no more than 10 percent may be awarded for travel expenses; (f) agree to operate in-person, in accordance with the requirements of applicable federal, state, and local directives and guidance; and (g) at least one principal of entity must demonstrate the following educational credential, minimum masters degree in related field, and professional experience of conducting therapeutic gaming. The office of the secretary of state may use up to 10 percent of the amount provided in this subsection for administrative costs.

(19) \$730,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office's migration of its applications and systems to Azure cloud environments, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(20) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with the University of Washington Evans school of public policy and governance to complete a study based on the preliminary report and research design submitted to the office on June 30, 2022. The preliminary report analyzed the 2022 state auditor's performance audit titled "evaluating Washington's ballot rejection rates." The study must be reported to the governor and the appropriate committees of the legislature by November 1, 2023.

(21) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to continue developing a statewide digital assessment tool and protocol for the tool's usage. The office must use the tool and protocol it developed to reach additional underserved audiences and make improvements to the tool and protocol. The office must develop and publish recommendations to improve implementation of the tool by June 30, 2025.

(22) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish a Washington state library branch at Green Hill school.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with the University of Washington Evans school of public policy and governance to examine processes for providing voting registration, voting materials, and voting assistance for people held in Washington jails.

(a) The study must:

- (i) Identify challenges and obstacles to voting in Washington jails;
  - (ii) Examine how election offices and jails can ensure that voter registration, materials, and assistance are provided to registered voters and eligible citizens who are in jail prior to each election;
  - (iii) Develop recommendations for facilitating voter registration for eligible citizens and voting for registered voters in Washington jails; and
  - (iv) Develop recommendations for identifying individuals who are registered to vote upon jail admission and for providing voter assistance upon release from jail.
- (b) The study is due to the office, the governor, and the appropriate committees of the legislature by December 1, 2024.

(24) \$81,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5843 (election security breaches). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5890 (ballot rejections). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(26) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 120.** 2023 c 475 s 121 (uncodified) is amended to read as follows:

**FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$801,000</del> ))
	\$802,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$797,000</del> ))
	\$904,000
Climate Commitment Account—State Appropriation . . . . .	\$658,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$2,256,000</del>))</b>
	<b>\$2,364,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

(2)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for native American students;
- (ii) Analyze the progress in developing effective government-to-government relations and identification and adoption of curriculum regarding tribal history, culture, and government as provided under RCW 28A.345.070;
- (iii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iv) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(3)(a) \$404,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). Within amounts provided in this subsection, the governor's office of Indian affairs, in consultation with the department of ecology, the department of commerce, and the department of archaeology and historic preservation, must coordinate government-to-government engagement with federally recognized Indian tribes who have treaty rights in Washington. Topics of engagement may include:

- (i) Implementation of environmental and energy laws, policy regulations, programs, and finances;
- (ii) The climate commitment act, chapter 316, Laws of 2021;
- (iii) Engrossed Second Substitute House Bill No. 1216 (clean energy siting); and
- (iv) Other related policy.

(b) Funding provided within this subsection may support:

- (i) Participation on the interagency clean energy siting coordinating council;
- (ii) Creation and maintenance of a list of contacts of federally recognized tribes, and tribal preferences regarding outreach about clean energy siting and permitting; and
- (iii) Development and delivery of training to clean energy project developers on consultation and engagement processes for federally recognized Indian tribes.

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 121.** 2023 c 475 s 122 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$913,000</del> ))
	<u>\$945,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$897,000</del> ))
	<u>\$901,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,810,000</del>))</b>
	<b><u>\$1,846,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Asian American students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Native Hawaiian and Pacific Islander students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

**Sec. 122.** 2023 c 475 s 123 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER**

State Treasurer's Service Account—State Appropriation . . . . .	(( <del>\$23,658,000</del> ))
	<u>\$24,432,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$23,658,000</del>))</b>
	<b><u>\$24,432,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

~~(1) ((\$500,000 of the state treasurer's service account—state appropriation is provided solely for the review of local government tax increment financing proposals as provided in RCW 39.114.020.~~

~~(2))~~ \$500,000 of the state treasurer's service account—state appropriation is provided solely for the office to study existing and proposed laws in other jurisdictions that limit consideration of material factors in public financing and investments. The study must consider any investment risk and economic risk to Washington associated with identified laws. Authorized uses of the amount provided in this subsection include, but are not limited to, staffing, consulting fees, travel expenditures, or other goods and services. The office must submit the study to the appropriate committees of the legislature by December 1, 2024.

~~((+3))~~ (2) Pursuant to RCW 82.08.225, the legislature authorizes the state treasurer to deposit up to \$3,000,000 of taxes collected pursuant to RCW 82.08.020(1) into the statewide tourism marketing account created in RCW 43.384.040 for the 2023–2025 fiscal biennium.

(3) \$280,000 of the state treasurer's service account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6069 (retirement savings). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 123.** 2023 c 475 s 124 (uncodified) is amended to read as follows:

**FOR THE STATE AUDITOR**

General Fund—State Appropriation (FY 2024) . . . . .	\$1,072,000
General Fund—State Appropriation (FY 2025) . . . . .	\$1,080,000
Auditing Services Revolving Account—State	



Appropriation. . . . .	(( \$18,519,000))
	<u>\$18,533,000</u>
Performance Audits of Government Account—State	
Appropriation. . . . .	(( \$1,871,000))
	<u>\$1,873,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(( \$22,542,000))</b>
	<b><u>\$22,558,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,585,000 of the performance audit of government account—state appropriation is provided solely for staff and related costs to verify the accuracy of reported school district data submitted for state funding purposes; conduct school district program audits of state-funded public school programs; establish the specific amount of state funding adjustments whenever audit exceptions occur and the amount is not firmly established in the course of regular public school audits; and to assist the state special education safety net committee when requested.

~~(2) ((Within existing resources of the performance audits of government account, the state auditor's office shall conduct a performance audit or accountability audit of Washington charter public schools to satisfy the requirement to contract for an independent performance audit pursuant to RCW 28A.710.030(2)).~~

~~(3))~~ \$825,000 of the auditing services revolving account—state appropriation is provided solely for accountability and risk based audits.

~~((+4))~~ (3) \$1,030,000 of the general fund—state appropriation for fiscal year 2024 and \$1,030,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for law enforcement audits pursuant to RCW 43.101.460 and 43.101.465.

**Sec. 124.** 2023 c 475 s 125 (uncodified) is amended to read as follows:

**FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS**

General Fund—State Appropriation (FY 2024). . . . .	(( \$299,000))
	<u>\$305,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( \$295,000))
	<u>\$322,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(( \$594,000))</b>
	<b><u>\$627,000</u></b>

**Sec. 125.** 2023 c 475 s 126 (uncodified) is amended to read as follows:

**FOR THE ATTORNEY GENERAL**

General Fund—State Appropriation (FY 2024). . . . .	(( \$39,778,000))
	<u>\$48,730,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( \$36,313,000))
	<u>\$41,861,000</u>
General Fund—Federal Appropriation. . . . .	(( \$23,595,000))
	<u>\$25,263,000</u>
General Fund—Private/Local Appropriation. . . . .	<u>\$1,307,000</u>
Public Service Revolving Account—State Appropriation. . . . .	(( \$4,717,000))
	<u>\$4,715,000</u>
New Motor Vehicle Arbitration Account—State	
Appropriation. . . . .	(( \$1,889,000))
	<u>\$1,888,000</u>
Medicaid Fraud Penalty Account—State Appropriation. . . . .	\$6,584,000
Child Rescue Fund—State Appropriation. . . . .	(( \$80,000))
	<u>\$200,000</u>
Legal Services Revolving Account—State Appropriation. . . . .	(( \$401,733,000))
	<u>\$406,196,000</u>
Local Government Archives Account—State	
Appropriation. . . . .	\$1,117,000
Tobacco Prevention and Control Account—State	
Appropriation. . . . .	\$274,000
<b>TOTAL APPROPRIATION.....</b>	<b>(( \$516,080,000))</b>
	<b><u>\$538,135,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The attorney general shall report each fiscal year on actual legal services expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year. As part of its by agency report to the legislative fiscal committees and the office of financial management, the office of the attorney general shall include information detailing the agency's expenditures for its agency-wide overhead and a breakdown by division of division administration expenses.

(2) Prior to entering into any negotiated settlement of a claim against the state that exceeds five million dollars, the attorney general shall notify the director of the office of

financial management and the chairs and ranking members of the senate committee on ways and means and the house of representatives committee on appropriations.

(3) The attorney general shall annually report to the fiscal committees of the legislature all new cy pres awards and settlements and all new accounts, disclosing their intended uses, balances, the nature of the claim or account, proposals, and intended timeframes for the expenditure of each amount. The report shall be distributed electronically and posted on the attorney general's web site. The report shall not be printed on paper or distributed physically.

(4) (~~(\$1,217,000)~~) \$1,806,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$1,217,000)~~) \$1,981,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for multi-year arbitrations of the state's diligent enforcement of its obligations to receive amounts withheld from tobacco master settlement agreement payments.

(5) \$6,189,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 326, Laws of 2021 (law enforcement data).

(6) (~~(\$1,958,000)~~) \$1,458,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$958,000)~~) \$1,458,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a program for receiving and responding to tips from the public regarding risks or potential risks to the safety or well-being of youth, called the YES tip line program. Risks to safety or well-being may include, but are not limited to, harm or threats of harm to self or others, sexual abuse, assault, rape, bullying or cyberbullying, substance use, and criminal acts. Any person contacting the YES tip line, whether for themselves or for another person, must receive timely assistance and not be turned away. The program must operate within the guidelines of this subsection.

(a) During the development and implementation of the YES tip line program the attorney general shall convene an advisory committee consisting of representatives from the Washington state patrol, the department of health, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the Washington association of educational service districts, and other participants the attorney general appoints.

(b) The attorney general shall develop and implement policies and processes for:

(i) Assessing tips based on the level of severity, urgency, and assistance needed using best triage practices including the YES tip line;

(ii) Risk assessment for referral of persons contacting the YES tip line to service providers;

(iii) Threat assessment that identifies circumstances requiring the YES tip line to alert law enforcement, mental health services, or other first responders immediately when immediate emergency response to a tip is warranted;

(iv) Referral and follow-up on tips to schools or postsecondary institution teams, local crisis services, law enforcement, and other entities;

(v) YES tip line information data retention and reporting requirements;

(vi) Ensuring the confidentiality of persons submitting a tip and to allow for disclosure when necessary to respond to a specific emergency threat to life; and

(vii) Systematic review, analysis, and reporting by the YES tip line program of YES tip line data including, but not limited to, reporting program utilization and evaluating whether the YES tip line is being implemented equitably across the state.

(c) The YES tip line shall be operated by a vendor selected by the attorney general through a competitive contracting process. The attorney general shall ensure that the YES tip line program vendor and its personnel are properly trained and resourced. The contract must require the vendor to be bound by confidentiality policies developed by the office. The contract must also provide that the state of Washington owns the data and information produced from the YES tip line and that vendor must comply with the state's data retention, use, and security requirements.

(d) The YES tip line program must develop and maintain a reference and best practices tool kit for law enforcement and mental health officials that identifies statewide and community mental health resources, services, and contacts, and provides best practices and strategies for investigators to use in investigating cases and assisting youths and their parents and guardians.

(e) The YES tip line program must promote and market the program and YES tip line to youth, families, community members, schools, and others statewide to build awareness of the program's resources and the YES tip line. Youth perspectives must be included and consulted in tip line development and implementation including creating marketing campaigns and materials required for the YES tip line program. The insights of youth representing marginalized and minority communities must be prioritized for their invaluable insight. Youths are eligible for stipends and reasonable allowances for reimbursement, lodging, and travel expenses as provided in RCW 43.03.220.

(7) \$561,000 of the general fund—state appropriation for fiscal year 2024 and \$508,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the attorney general to support the Washington state missing and murdered indigenous women and people task force in section 912 of this act.

(8) \$9,188,000 of the legal services revolving fund—state appropriation is provided solely for additional legal services to address additional legal services necessary for dependency actions where the state and federal Indian child welfare act apply. The office must report to the fiscal committees of the legislature within 90 days of the close of the

fiscal year the following information for new cases initiated in the previous fiscal year to measure quantity and use of this funding:

(a) The number and proportion of cases where the state and federal Indian child welfare act (ICWA) applies as compared to non-ICWA new cases;

(b) The amount of time spent advising on, preparing for court, and litigating issues and elements related to ICWA's requirements as compared to the amount of time advising on, preparing for court, and litigating issues and elements that are not related to ICWA's requirements;

(c) The length of state and federal Indian child welfare act cases as compared to non-ICWA cases measured by time or number of court hearings; and

(d) Any other information or metric the office determines is appropriate to measure the quantity and use of the funding in this subsection.

(9) (a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a truth and reconciliation tribal advisory committee to conduct research and outreach to understand the operations and impact of Indian boarding schools in Washington run by public and faith-based institutions, and to develop recommendations for the state to acknowledge and address the historical and intergenerational harms caused by Indian boarding schools and other cultural and linguistic termination practices.

(b) The advisory committee shall consist of five members nominated by the attorney general. The committee members must be citizens from federally recognized tribes in diverse geographic areas across the state that possess personal, policy, or specific expertise with Indian boarding school history and policies, or who have expertise in truth and healing endeavors that are traditionally and culturally appropriate.

(c) The advisory committee must hold its first meeting by September 30, 2023, and shall meet at least quarterly. The advisory committee may conduct meetings in person or virtually and must accept written testimony. The advisory committee may, when feasible, invite and consult with any entity, agency, or individual deemed necessary to further its work, or with experts or professionals involved, having expertise, or having lived experience regarding Indian boarding schools or tribal engagement.

(d) The office and the advisory committee must conduct at least six listening sessions in collaboration with tribes and Native-led organizations. The listening sessions must be held with consideration of the cultural, emotional, spiritual, and psychological well-being of survivors, family members, and community members. In planning and facilitating the listening sessions, the office must seek to avoid imposing undue burdens on survivors, family members, or community members.

(e) The office of the attorney general must administer and provide staff support for the advisory committee.

(f) By June 30, 2025, the office must submit a final report to the appropriate committees of the legislature that includes, but is not limited to:

(i) A summary of activities undertaken by the advisory committee;

(ii) Findings regarding the extent and types of support provided by the state to Indian boarding schools;

(iii) Findings regarding current state policies and practices that originate from Indian boarding schools or other assimilationist policies and practices and that cause disproportionate harm to American Indian and Alaska Native people and communities; and

(iv) Recommendations regarding how the state can address the harm done by Indian boarding schools and other cultural and linguistic termination practices through a truth and reconciliation model, including but not limited to:

(A) Resources and assistance that the state may provide to aid in the healing of trauma caused by Indian boarding school policies; and

(B) Actions to correct current state policies and practices with origins in assimilationist policies or that cause disproportionate harm to Native people and communities.

(10) \$1,381,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal services and other costs related to voter rights and redistricting commission litigation.

(11) \$566,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation challenging chapter 104, Laws of 2022 (ESSB 5078).

(12) \$749,000 of the general fund—state appropriation for fiscal year 2024 and \$689,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to the defense of the state and its agencies in a federal environmental cleanup action involving the Quendall terminals superfund site.

(13) \$731,000 of the general fund—state appropriation for fiscal year 2024 and \$1,462,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the prosecution of sexually violent predator cases pursuant to chapter 71.09 RCW.

(14) \$699,000 of the general fund—state appropriation for fiscal year 2024 and \$699,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the criminal litigation unit to address increased wrongfully convicted person claims under chapter 4.100 RCW and increased workload and complexity of cases referred to the unit.

(15) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$1,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

office to create a centralized statewide organized retail crime task force to coordinate, investigate, and prosecute multijurisdictional retail crime.

(16) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5078 (firearms industry duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(17) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the attorney general to update the introduction to Washington water law legal primer. The updated primer must cover subjects including, but not limited to, municipal water law, the trusts water rights program, instream flows, and significant appellate water law cases that have been decided since the previous introduction to Washington water law was prepared in 2000. The office must complete the updated primer by June 30, 2025.

(18) \$39,000 of the general fund—state appropriation for fiscal year 2024, \$39,000 of the general fund—state appropriation for fiscal year 2025, and \$30,000 of the legal services revolving fund—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) \$2,071,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$204,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) \$2,316,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$138,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for staff support to the joint legislative task force on jail standards authorized by RCW 70.48.801. The task force shall report finding and recommendations to the governor and the appropriate committees of the legislature no later than December 1, 2023.

(23) \$463,000 of the general fund—state appropriation for fiscal year 2024, \$454,000 of the general fund—state appropriation for fiscal year 2025, \$398,000 of the general fund—federal appropriation, \$91,000 of the public service revolving account—state appropriation, \$133,000 of the medicaid fraud penalty account—state appropriation, and \$6,740,000 of the legal services revolving fund—state appropriation are provided solely for implementation of the legal matter management system and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(24) \$50,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$138,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1469 (health care services/access). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$153,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1512 (missing persons). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(28) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,005,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1177 (indigenous women). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$26,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1470 (private detention facilities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$75,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$106,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees).

~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) \$338,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) (a) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the attorney general, in collaboration with the office of the insurance commissioner, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state including, but not limited to, the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.

(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The attorney general and office of the insurance commissioner shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

(34) \$9,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor compensation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(35) \$526,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(36) \$801,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to create a permanent sexual assault kit initiative program.

(37) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office, in collaboration with the Washington association of sheriffs and police chiefs, to support the Washington state indigenous demographic data collection work group of the Washington state missing and murdered indigenous women and people task force established in section 912, chapter 475, Laws of 2023.

(38) \$743,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5427 (hate crimes & bias incidents). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(39) \$34,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5640 (independent living residents). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(40) \$11,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5995 (interpreters and translators). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(41) \$131,000 of the general fund—state appropriation for fiscal year 2024 and \$528,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5838 (AI task force). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(42) \$45,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to support the underground economy task force created in section 906 of this act.

(43) \$3,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5271 (DOH/facilities enforcement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(44) \$1,307,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Senate Bill No. 5241 (health care marketplace). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(45) \$73,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(46) \$67,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$30,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5793 (paid sick leave). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(48) \$40,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(49) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a vehicular pursuit data collection and analysis task force.

(a) The task force shall:

(i) Include representation from law enforcement leadership and rank and file, community organizations, and traffic safety organizations, and shall strive to do its work in a collaborative manner; and

(ii) Reflect, to the greatest extent possible, the diversity of people with direct lived experience with vehicular pursuits, including members who reside in urban and rural communities, and with differing cultural and economic circumstances.

(b) The task force shall consist of the following members:

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate;

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives;

(iii) The office of the attorney general shall appoint members representing the following:

(A) The Washington association of sheriffs and police chiefs;

(B) The Washington state patrol;

(C) The Washington council of police and sheriffs;

(D) The Washington fraternal order of police;

(E) The criminal justice training commission;

(F) The Washington traffic safety commission;

(G) The Washington counties risk pool;

(H) The Washington cities insurance association;

(I) The association of Washington cities;

(J) The Washington association of counties;

(K) Whose streets our streets;

(L) The faith action network;

(M) The peace justice and action league of Spokane;

(N) The Washington coalition for police accountability;

(O) Spokane community against racism;

(P) The Pacific Islander community association of Washington;

(Q) The American automobile association of Washington;

(R) The transportation choices coalition;

(S) A representative of a federally recognized tribe; and

(T) One person with civilian oversight or auditing experience regarding law enforcement agencies; and

(iv) The attorney general shall appoint a designee who has knowledge of the use of force data collection requirements under chapter 10.118 RCW.

(c) The task force is responsible for providing recommendations to the legislature on what data should be collected by law enforcement agencies throughout the state so that the legislature and other policymakers have consistent and uniform information necessary to evaluate policies on vehicular pursuits. The task force shall:

(i) Review available data on vehicular pursuits, including:

(A) The date, time, location, maximum speed, and duration of the incident;

(B) The reason for initiating a pursuit;

(C) Whether the pursuing officer sought authorization for the pursuit, or only gave notice of the pursuit and whether authorization for the pursuit was granted;

(D) Whether a supervisor denied authorization for the pursuit and the reason for the denial;

- (E) The number of vehicles and officers involved in the pursuit;
- (F) The number of law enforcement agencies involved in the pursuit;
- (G) Whether pursuit intervention techniques are employed, and if so, which ones;
- (H) Whether the pursuit was terminated at any point, and if so, the reason for termination;
- (I) The officer's perception of the age, gender, race, ethnicity, or applicable tribal affiliation of the driver and any passengers of the motor vehicle being pursued;
- (J) Whether the pursuit resulted in no action, termination, apprehension, warning, citation, arrest and grounds for the arrest, or other action; and
- (K) Whether the pursuit resulted in any property damage, injury, or death, and to whom and what, including law enforcement, drivers, passengers, and bystanders;
- (ii) Recommend data to be collected and why, in relation to (c) (i) of this subsection;
- (iii) Develop a protocol for data collection and provide a statement regarding the use of such data and what its collection and analysis will establish;
- (iv) Make the data readily available to the public using standard open data protocols;
- (v) Recommend the entity responsible for collecting and managing this data on a statewide basis; and
- (vi) Recommend any changes in state law to accomplish and facilitate the collection and analysis of the data, including whether to align or integrate the data collection with the use of force data under chapter 10.118 RCW.
- (d) The legislative membership shall convene the initial meeting of the task force no later than May 1, 2024. The task force shall choose its cochairs from among its legislative membership, which must include one cochair from the house of representatives and one cochair from the senate.
- (e) The task force shall submit a preliminary report of its findings and any recommendations to the appropriate committees of the legislature by June 30, 2025, with the goal of completing a final report by November 15, 2025.
- (f) Staff support for the task force shall be provided by the office of the attorney general.
- (g) (i) Legislative members of the task force are reimbursed for expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization.
- (ii) Nonlegislative members are entitled to stipends in accordance with the provisions of RCW 43.03.220.

**Sec. 126.** 2023 c 475 s 127 (uncodified) is amended to read as follows:

**FOR THE CASELOAD FORECAST COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$2,378,000</del> ))
	\$2,380,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$2,378,000</del> ))
	\$2,381,000
Workforce Education Investment Account—State	
Appropriation . . . . .	\$356,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$5,112,000</del>))</b>
	<b>\$5,117,000</b>

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$356,000 of the workforce education investment account—state appropriation is provided solely to forecast the caseload for the Washington college grant program.
- (2) Within existing resources, and beginning with the November 2021 forecast, the caseload forecast council shall produce an unofficial forecast of the long-term caseload for juvenile rehabilitation as a courtesy.
- (3) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1218 (caseload forecast/tax credit). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))
- (4) Within the amounts appropriated in this section, the council must forecast the number of people eligible for the apple health expansion for Washington residents with incomes at or below 138 percent of the federal poverty level, regardless of immigration status, beginning in July 2024.

**Sec. 127.** 2023 c 475 s 129 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—COMMUNITY SERVICES AND HOUSING**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$334,486,000</del> ))
	\$414,862,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$391,233,000</del> ))
	\$434,870,000
General Fund—Federal Appropriation . . . . .	\$281,789,000
General Fund—Private/Local Appropriation . . . . .	\$5,252,000
Affordable Housing for All Account—State	
Appropriation . . . . .	\$109,227,000
Apple Health and Homes Account—State Appropriation . . . . .	\$28,452,000

Climate Commitment Account—State Appropriation. . . . .	\$35,000,000
Community Reinvestment Account—State Appropriation. . . . .	\$200,000,000
Community and Economic Development Fee Account—State Appropriation. . . . .	\$3,159,000
<del>((Coronavirus State Fiscal Recovery Fund— Federal Appropriation. . . . .</del>	<del>\$77,878,000))</del>
Covenant Homeownership Account—State Appropriation. . . . .	\$150,000,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation. . . . .	\$2,631,000
Home Security Fund Account—State Appropriation. . . . .	\$290,410,000
Lead Paint Account—State Appropriation. . . . .	\$233,000
Prostitution Prevention and Intervention Account— State Appropriation. . . . .	\$26,000
Washington Housing Trust Account—State Appropriation. . . . .	\$9,863,000
<b>TOTAL APPROPRIATION.....</b>	<b><del>(\$1,919,639,000)</del></b>
	<b>\$1,965,774,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,500,000 of the general fund—state appropriation for fiscal year 2024 and \$10,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to resolution Washington to build statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the retired senior volunteer program.

(3) Within existing resources, the department shall provide administrative and other indirect support to the developmental disabilities council.

(4) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington new Americans program. The department may require a cash match or in-kind contributions to be eligible for state funding.

(5) \$768,000 of the general fund—state appropriation for fiscal year 2024 and \$797,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a private, nonprofit organization to provide developmental disability ombuds services.

(6) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, \$1,000,000 of the home security fund—state appropriation, \$2,000,000 of the Washington housing trust account—state appropriation, and \$1,000,000 of the affordable housing for all account—state appropriation are provided solely for the department of commerce for services to homeless families and youth through the Washington youth and families fund.

(7) \$1,000,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000,000 of the home security fund—state appropriation are provided solely for the administration of the grant program required in chapter 43.185C RCW, linking homeless students and their families with stable housing.

~~(8) ((a) \$1,980,000 of the general fund state appropriation for fiscal year 2024 and \$1,980,000 of the general fund state appropriation for fiscal year 2025 are provided solely for community beds for individuals with a history of mental illness. Currently, there is little to no housing specific to populations with these co-occurring disorders; therefore, the department must consider how best to develop new bed capacity in combination with individualized support services, such as intensive case management and care coordination, clinical supervision, mental health, substance abuse treatment, and vocational and employment services. Case management and care coordination services must be provided. Increased case-managed housing will help to reduce the use of jails and emergency services and will help to reduce admissions to the state psychiatric hospitals. The department must coordinate with the health care authority and the department of social and health services in establishing conditions for the awarding of these funds. The department must contract with local entities to provide a mix of (i) shared permanent supportive housing; (ii) independent permanent supportive housing; and (iii) low and no-barrier housing beds for people with a criminal history, substance abuse disorder, and/or mental illness.~~

~~(b) Priority for permanent supportive housing must be given to individuals on the discharge list at the state psychiatric hospitals or in community psychiatric inpatient beds whose conditions present significant barriers to timely discharge.) [Reserved.]~~

(9) \$557,000 of the general fund—state appropriation for fiscal year 2024 and \$557,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to design and administer the achieving a better life experience program.

(10) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with organizations and attorneys to provide either legal representation or referral services for legal representation, or both, to indigent persons



who are in need of legal services for matters related to their immigration status. Persons eligible for assistance under any contract entered into pursuant to this subsection must be determined to be indigent under standards developed under chapter 10.101 RCW.

(11)(a) \$12,500,000 of the general fund—state appropriation for fiscal year 2024, \$12,500,000 of the general fund—state appropriation for fiscal year 2025, and \$37,000,000 of the affordable housing for all account—state appropriation are provided solely for grants to support the building operation, maintenance, and service costs of permanent supportive housing projects or units within housing projects that have or will receive funding from the housing trust fund—state account or other public capital funding that:

(i) Is dedicated as permanent supportive housing units;

(ii) Is occupied by low-income households with incomes at or below 30 percent of the area median income; and

(iii) Requires a supplement to rent income to cover ongoing property operating, maintenance, and service expenses.

(b) Permanent supportive housing projects receiving federal operating subsidies that do not fully cover the operation, maintenance, and service costs of the projects are eligible to receive grants as described in this subsection.

(c) The department may use a reasonable amount of funding provided in this subsection to administer the grants.

(12) \$7,000,000 of the home security fund—state appropriation is provided solely for the office of homeless youth prevention and protection programs to:

(a) Expand outreach, services, and housing for homeless youth and young adults including but not limited to secure crisis residential centers, crisis residential centers, and HOPE beds, so that resources are equitably distributed across the state;

(b) Contract with other public agency partners to test innovative program models that prevent youth from exiting public systems into homelessness; and

(c) Support the development of an integrated services model, increase performance outcomes, and enable providers to have the necessary skills and expertise to effectively operate youth programs.

(13) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to build infrastructure and services to support a continuum of interventions, including but not limited to prevention, crisis response, and long-term housing, to reduce youth homelessness in communities identified as part of the anchor community initiative.

(14) \$2,125,000 of the general fund—state appropriation for fiscal year 2024 and \$2,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to contract with one or more nonprofit organizations to provide youth services and young adult housing on a multi-acre youth campus located in the city of Tacoma. Youth services include, but are not limited to, HOPE beds and crisis residential centers to provide temporary shelter and permanency planning for youth under the age of 18. Young adult housing includes, but is not limited to, rental assistance and case management for young adults ages 18 to 24. The department shall submit an annual report to the legislature on the use of the funds. The report is due annually on June 30th. The report shall include but is not limited to:

(a) A breakdown of expenditures by program and expense type, including the cost per bed;

(b) The number of youth and young adults helped by each program;

(c) The number of youth and young adults on the waiting list for programs, if any; and

(d) Any other metric or measure the department deems appropriate to evaluate the effectiveness of the use of the funds.

(15) \$65,310,000 of the general fund—state appropriation for fiscal year 2024 and \$65,310,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the essential needs and housing support program and related services. The department may use a portion of the funds provided in this subsection to continue the pilot program established in section 127(106) of chapter 357, Laws of 2020 (addressing the immediate housing needs of low or extremely low-income elderly or disabled adults in certain counties who receive social security disability or retirement income). The department must ensure the timely redistribution of the funding provided in this subsection among entities or counties to reflect actual caseload changes as required under RCW 43.185C.220(5)(c).

(16) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$198,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to retain a behavioral health facilities siting administrator within the department to coordinate development of effective behavioral health housing options and provide technical assistance in siting of behavioral health treatment facilities statewide to aide in the governor's plan to discharge individuals from the state psychiatric hospitals into community settings. This position must work closely with the local government legislative authorities, planning departments, behavioral health providers, health care authority, department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity-building efforts. This position must work to integrate building behavioral health treatment and infrastructure capacity in addition to ongoing supportive housing benefits.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an entity located in the Beacon hill/Chinatown international

district area of Seattle to provide low income housing, low income housing support services, or both. To the extent practicable, the chosen location must be colocated with other programs supporting the needs of children, the elderly, or persons with disabilities.

(18) \$4,740,000 of the general fund—state appropriation for fiscal year 2024, \$4,740,000 of the general fund—state appropriation for fiscal year 2025, and \$4,500,000 of the home security fund—state appropriation are provided solely for the consolidated homeless grant program.

(a) Of the amounts provided in this subsection, \$4,500,000 of the home security fund—state appropriation is provided solely for permanent supportive housing targeted at those families who are chronically homeless and where at least one member of the family has a disability. The department will also connect these families to medicaid supportive services.

(b) Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for diversion services for those families and individuals who are at substantial risk of losing stable housing or who have recently become homeless and are determined to have a high probability of returning to stable housing.

(c) Of the amounts provided in this subsection, \$3,240,000 of the general fund—state appropriation for fiscal year 2024 and \$3,240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for up to nine months of rental assistance for individuals enrolled in the foundational community supports initiative who are transitioning off of benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The health care authority, department of social and health services, and department of commerce shall collaborate on this effort.

(19) \$958,000 of the general fund—state appropriation for fiscal year 2024 and \$1,332,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operations of the long-term care ombudsman program.

(20) \$1,007,000 of the general fund—state appropriation for fiscal year 2024 and \$1,007,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer a transitional housing program for nondependent homeless youth.

(21) \$80,000 of the general fund—state appropriation for fiscal year 2024 and \$80,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish an identification assistance and support program to assist homeless persons in collecting documentation and procuring an identicard issued by the department of licensing. This program may be operated through a contract for services. The program shall operate in one county west of the crest of the Cascade mountain range with a population of 1,000,000 or more and one county east of the crest of the Cascade mountain range with a population of 500,000 or more.

(22)(a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to administer flexible funding to support the anchor community initiative and anchor communities through the homeless prevention and diversion fund and serve eligible youth and young adults. The flexible funding administered under this subsection may be used for the immediate needs of eligible youth or young adults. An eligible youth or young adult may receive support under this subsection more than once.

(b) Flexible funding provided under this subsection may be used for purposes including but not limited to:

- (i) Car repair or other transportation assistance;
- (ii) Rental application fees, a security deposit, or short-term rental assistance;
- (iii) Offsetting costs for first and last month's rent and security deposits;
- (iv) Transportation costs to go to work;
- (v) Assistance in obtaining photo identification or birth certificates; and
- (vi) Other uses that will support the eligible youth or young adult's housing stability, education, or employment, or meet immediate basic needs.

(c) The flexible funding provided under this subsection may be provided to:

(i) Eligible youth and young adults. For the purposes of this subsection, an eligible youth or young adult is a person under age 25 who is experiencing or at risk of experiencing homelessness, including but not limited to those who are unsheltered, doubled up or in unsafe living situations, exiting inpatient programs, or in school;

(ii) Community-based providers assisting eligible youth or young adults in attaining safe and stable housing; and

(iii) Individuals or entities, including landlords, providing safe housing or other support designed to lead to housing for eligible youth or young adults.

(23) ~~(\$607,000)~~ \$3,607,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$607,000)~~ \$3,607,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to assist homeowners at risk of foreclosure pursuant to chapter 61.24 RCW. Funding provided in this section may be used for activities to prevent mortgage or tax lien foreclosure, housing counselors, a foreclosure prevention hotline, legal services for low-income individuals, mediation, and other activities that promote homeownership. The department may contract with other foreclosure fairness program state partners to carry out this work.

(24) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

department to contract with a nonprofit entity located in Seattle that focuses on poverty reduction and racial equity to convene and staff a poverty reduction workgroup steering committee comprised of individuals that have lived experience with poverty. Funding provided in this section may be used to reimburse steering committee members for travel, child care, and other costs associated with participation in the steering committee.

(25) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for capacity-building grants through the Latino community fund for emergency response services, educational programs, and human services support for children and families in rural and underserved communities.

(26) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to administer a competitive grant process to award funding to licensed youth shelters, HOPE centers, and crisis residential centers to provide behavioral health support services for youth in crisis, and to increase funding for current grantees.

(27) (~~(\$9,864,000)~~)\$11,844,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$9,864,000)~~)\$11,844,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for long-term rental subsidies for individuals with mental health and/or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served.

(28) \$9,575,000 of the general fund—state appropriation for fiscal year 2024 and \$9,575,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the Washington state office of firearm safety and violence prevention, including the creation of a state and federal grant funding plan to direct resources to cities that are most impacted by community violence. Of the amounts provided in this subsection:

(a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based violence prevention and intervention services to individuals identified through the King county shots fired social network analysis. The department must complete an evaluation of the program and provide a report to the governor and the appropriate legislative committees by June 30, 2023.

(b) \$5,318,000 of the general fund—state appropriation for fiscal year 2024 and \$5,318,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support existing programs and capacity building for new programs providing evidence-based violence prevention and intervention services to youth who are at high risk to perpetrate or be victims of firearm violence and who reside in areas with high rates of firearm violence as provided in RCW 43.330A.050.

(i) Priority shall be given to programs that partner with the University of Washington, school of medicine, department of psychiatry and behavioral sciences for training and support to deliver culturally relevant family integrated transition services through use of credible messenger advocates.

(ii) The office may enter into agreement with the University of Washington or another independent entity with expertise in evaluating community-based grant-funded programs to evaluate the grant program's effectiveness.

(iii) The office shall enter into agreement to provide funding to the University of Washington, school of medicine, department of psychiatry and behavioral sciences to directly deliver trainings and support to programs providing culturally relevant family integrated transition services through use of credible messenger and to train a third-party organization to similarly support those programs.

(iv) Of the amounts provided under (b) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a certified credible messenger program that does work in at least three regions of Washington state to train and certify credible messengers to implement a culturally responsive, evidence-based credible messenger violence prevention and intervention services program.

(c) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to further support firearm violence prevention and intervention programs and initiatives consistent with the duties of the office as set forth in RCW 43.330A.020.

(d) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to support safe storage programs and suicide prevention outreach and education efforts across the state.

(29) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to diaper banks for the purchase of diapers, wipes, and other essential baby products, for distribution to families in need. The department must give priority to providers serving or located in marginalized, low-income communities or communities of color; and providers that help support racial equity.

(30) \$4,500,000 of the general fund—state appropriation for fiscal year 2024 and \$4,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to counties to stabilize newly arriving refugees, including those from the 2021 Afghanistan conflict and the 2022 Ukraine-Russia conflict.

(31) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit resource center in King county that provides sexual assault advocacy services, therapy services, and prevention and outreach to begin a three-year, multigrade sexual violence prevention program in the Renton school district.

(32) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to colead a prevention work group with the department of children, youth, and families. The work group must focus on preventing youth and young adult homelessness and other related negative outcomes. The work group shall consist of members representing the department of social and health services, the employment security department, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the interagency work group on homelessness, community-based organizations, and young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement.

(a) The work group shall help guide implementation of:

(i) The state's strategic plan on prevention of youth homelessness;

(ii) Chapter 157, Laws of 2018 (SSB 6560);

(iii) Chapter 312, Laws of 2019 (E2SSB 5290);

(iv) Efforts to reform family reconciliation services; and

(v) Other state initiatives addressing the prevention of youth homelessness.

(b) The office of homeless youth prevention and protection programs must use the amounts provided in this subsection to contract with a community-based organization to support the involvement with the work group of young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement. The community-based organization must serve and be substantially governed by marginalized populations. The amounts provided in this subsection must supplement private funding to support the work group.

(33) \$22,802,000 of the general fund—state appropriation for fiscal year 2024 and \$22,803,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase existing grantee contracts providing rental or housing subsidy and services for eligible tenants in housing and homeless programs. The department must distribute funding in a manner that will prioritize maintaining current levels of homeless subsidies and services and stabilizing the homeless service provider workforce.

(34)(a) \$35,000,000 of the climate commitment account—state appropriation is provided solely for the department to administer grant funding through the existing network of federal low-income home energy assistance program grantees to provide low-income households with energy utility bill assistance.

(b) To qualify for assistance, a household must be below 80 percent of the area median income and living in a community that experiences high environmental health disparities.

(c) Under the grant program, each household accessing energy bill assistance must be offered an energy assessment that includes determining the household's need for clean cooling and heating system upgrades that improve safety and efficiency while meeting Washington's climate goals. If beneficial, households may be offered grant funding to cover the replacement of inefficient, outdated, or unsafe home heating and cooling systems with more energy efficient electric heating and cooling technologies, such as heat pumps.

(d) Of the amounts provided in this subsection, no more than 60 percent of the funding may be utilized by the department to target services to multifamily residential buildings across the state that experience high energy use, where a majority of the residents within the building are below 80 percent of the area median income and the community experiences high environmental health disparities.

(e) In serving low-income households who rent or lease a residence, the department must establish processes to ensure that the rent for the residence is not increased and the tenant is not evicted as a result of receiving assistance under the grant program.

(f) The department must incorporate data collected while implementing this program into future energy assistance reports as required under RCW 19.405.120. The department may publish information on its website on the number of furnace or heating and cooling system replacements, including replacements within multifamily housing units.

(g) The department may utilize a portion of the funding provided within this subsection to create an electronic application system.

(35) \$55,500,000 of the general fund—state appropriation for fiscal year 2024 and \$55,500,000 of the general fund—state appropriation for fiscal year 2025 (~~and \$55,500,000 of the coronavirus state fiscal recovery account—federal appropriation~~) are provided solely for the department to continue grant funding for emergency housing and shelter capacity and associated supports such as street outreach, diversion services, short-term rental assistance, hotel and motel vouchers, housing search and placement, and housing stability case management. Entities eligible for grant funding include local governments and nonprofit entities. The department may use existing programs, such as the consolidated homelessness grant program, to award funding under this subsection. Grants provided under this subsection must be used to maintain or increase current emergency housing capacity, funded by the

shelter program grant and other programs, as practicable due to increased costs of goods, services, and wages. Emergency housing includes transitional housing, congregate or noncongregate shelter, sanctioned encampments, or short-term hotel or motel stays.

(36)(a) \$75,050,000 of the general fund—state appropriation for fiscal year 2024 and \$75,050,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to transition persons residing in encampments to safer housing opportunities, with an emphasis on ensuring individuals living unsheltered reach permanent housing solutions. Eligible grant recipients include local governments and nonprofit organizations operating to provide housing or services. The department may provide funding to state agencies to ensure individuals accessing housing services are also able to access other wrap-around services that enable them to obtain housing such as food, personal identification, and other related services. Local government and nonprofit grant recipients may use grant funding to provide outreach, housing, case management, transportation, site monitoring, and other services needed to assist individuals residing in encampments and on public rights-of-way with moving into housing.

(b) Of the amounts provided in this subsection:

(i) No less than \$120,000,000 must be used for housing services for persons residing on state-owned rights-of-way; and

(ii) All remaining funds may be used for housing services for persons residing in encampments, including encampments located on public lands, as defined in RCW 79.02.010, or state parks and parkways.

(c) Grant criteria must include, but are not limited to:

(i) Whether a site where the grantee will conduct outreach and engagement has been identified as a location where individuals residing in encampments or on the public right-of-way are in specific circumstances or physical locations that expose them to especially or imminently unsafe conditions;

(ii) A commitment to resolve encampments through extensive outreach followed by matching individuals with temporary lodging or permanent housing that is reasonably likely to fit with their actual needs and situation, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability;

(iii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement within six months except under unusual circumstances;

(iv) Local government readiness and capacity to enter into and fulfill the grant requirements as applicable; and

(v) Other criteria as identified by the department.

(d) When awarding grants under (a) of this subsection, the department must prioritize applicants that focus on ensuring an expeditious path to sustainable permanent housing solutions, and that demonstrate an understanding of working with individuals to identify their optimal housing type and level of ongoing services through the effective use of outreach, engagement, and temporary lodging and permanent housing placement.

(e) Grant recipients under (a) of this subsection must enter into a memorandum of understanding with the department, and other state agencies if applicable, as a condition of receiving funds. Memoranda of understanding must specify the responsibilities of the grant recipients and the state agencies, consistent with the requirements of (c) of this subsection, and must include specific measurable outcomes for each entity signing the memorandum. The department must publish all signed memoranda on the department's website and must publish updates on outcomes for each memorandum at least every 90 days, while taking steps to protect the privacy of individuals served by the program. At a minimum, outcomes must include:

(i) The number of people actually living in any encampment identified for intervention by the department or grantees;

(ii) The demographics of those living in any encampment identified for intervention by the department or grantees;

(iii) The duration of engagement with individuals living within encampments;

(iv) The types of housing options that were offered;

(v) The number of individuals who accepted offered housing;

(vi) Any reasons given for why individuals declined offered housing;

(vii) The types of assistance provided to move individuals into offered housing;

(viii) Any services and benefits in which an individual was successfully enrolled; and

(ix) The housing outcomes of individuals who were placed into housing six months and one year after placement.

(f) Grant recipients under (a) of this subsection may not transition individuals from encampments or close encampments unless they have provided extensive outreach and offered each individual temporary lodging or permanent housing that matches the actual situation and needs of each person, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability. Grant recipients who initially match an individual to temporary lodging must make efforts to transition the person to a permanent housing placement within six months except under unusual circumstances. The department must establish criteria regarding the safety, accessibility, and habitability of housing options to be offered by grant recipients to ensure that such options are private, sanitary, healthy, and dignified, and that grant recipients provide options that are well-matched to an individual's assessed needs.

(g) Funding granted to eligible recipients under (a) of this subsection may not be used to supplant or replace existing funding provided for housing or homeless services.

(37) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase funding for the community services block grant program. Distribution of these funds to community action agencies shall prioritize racial equity and undoing inequity from historic underinvestment in Black, indigenous, and people of color, and rural communities.

(38) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization to identify opportunities for cities in Whatcom county to improve access to affordable housing through conducting market research, engaging stakeholders, and developing tools and implementation strategies for cities that will increase access to affordable housing. The grant recipient must be a nonprofit organization based in Bellingham that promotes affordable housing solutions and with a mission to create thriving communities.

(39) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization located in the city of Redmond that serves Latino low-income, immigrant, and Spanish-speaking communities in King and Snohomish counties through arts and culture events and community services. The grant funding may be used to expand existing programs including, but not limited to, support for small businesses, rent assistance, vaccination and COVID-19 outreach, programs aimed at increasing postsecondary enrollments in college and trade schools, and other community services and programs.

(40) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to community-based organizations that serve historically disadvantaged populations to conduct outreach and to assist community members in applying for state and federal assistance programs including, but not limited to, those administered by the department of social and health services, department of commerce, and department of children, youth, and families.

(41) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide a grant to a nonprofit organization located in the city of Issaquah to provide cultural programs and navigational supports for individuals and families who may face language or other cultural barriers when engaging with schools, public safety, health and human services, and local government agencies.

(42) \$200,000,000 of the community reinvestment account—state appropriation is provided solely for the department to distribute grants for economic development, civil and criminal legal assistance, community-based violence intervention and prevention services, and reentry services programs. Grants must be distributed in accordance with the recommendations of the community reinvestment plan developed pursuant to section 128(134), chapter 297, Laws of 2022 (ESSB 5693).

(43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000,000 of the covenant homeownership account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1474 (covenant homeownership prg.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional staffing for the developmental disabilities council.

(45) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Spokane to provide transitional housing, educational programs, and other resources for refugee and immigrant families.

(46) \$1,169,000 of the general fund—state appropriation for fiscal year 2024 and \$1,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(47) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a dispute resolution center located in Snohomish county to provide mediation and resolution services for landlords and tenants, with the goal of avoiding evictions.

(48) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for grants to nonprofit organizations to operate hunger relief response programs serving individuals living in permanent supportive housing. Of the amounts provided in this subsection:

(a) \$275,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in King county.

(b) \$225,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in Spokane county.

(49) \$180,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization operating a teen center in the city of Issaquah to provide case management and counseling services for youth ages 12 to 19.

(50)(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit community-based organization for the coordination of a gang violence prevention consortium with entities including community-based organizations, law enforcement, and members of the faith community, and to continue and expand after-school activities and social services for students and young adults in the Yakima valley. Social services may include, but are not limited to, employment, mental health, counseling, tutoring, and mentoring services. The grant recipient must be a community-based organization located in Granger operating a Spanish language public radio station and with the mission of addressing the social, educational, and health needs of economically disadvantaged Spanish-speaking residents of central and eastern Washington.

(b) By June 30, 2025, the department must provide a report to the appropriate committees of the legislature. The report must include: (i) A description of the gang violence prevention programs conducted by the consortium and how they were implemented; and (ii) The number of individuals who participated in or received services through the programs conducted by the consortium, including any relevant demographic data for those individuals.

(51) \$400,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with a nonprofit organization to develop an affordable housing predevelopment plan. The affordable housing predevelopment plan must assess the feasibility of using surplus public land located at or near north Seattle Community College and Highline Community College for the development of affordable colocated housing that could serve low and moderate-income state workers. The contract recipient must be an organization that provides consultation services on affordable housing development. In creating the predevelopment plan, the contract recipient must solicit input from interested parties including, but not limited to, low-income and affordable housing experts, policy staff in the office of the governor, state public employee unions, and legislators.

(52) \$781,000 of the general fund—state appropriation for fiscal year 2024 and \$781,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1406 (youth seeking housing assist). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(53)(a) \$1,750,000 of the general fund—state appropriation for fiscal year 2024 and \$1,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of firearm safety and violence prevention to continue a healthy youth and violence prevention initiative demonstration program serving south King county, with the goal of preventing violence, decreasing involvement with the juvenile justice system, and encouraging health and wellbeing for youth and young adults ages 12 to 24. As part of the demonstration program, the office must provide grant funding to and partner with a community-based organization to serve as a regional coordinator to:

(i) Connect youth and young adults ages 12 to 24 who are most vulnerable to violence with programs that provide services including, but not limited to, street outreach, youth employment and preapprenticeship programs, case management, behavioral health services, and other services as appropriate; and

(ii) Assist local governments, service providers, and nonprofit organizations in accessing and leveraging federal, state, and local funding for violence prevention and related services.

(b) The grant recipient under (a) of this subsection must be a nonprofit health system currently administering a violence prevention initiative in King and Pierce counties. The grant recipient may subgrant or subcontract funds to programs providing services as described in (a)(i) of this subsection.

(54) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit sexual assault resource center located in Renton. Grant funding may be used for information technology improvements focused on client data management that will improve client access to health services, cybersecurity, and data privacy.

(55)(a) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of existing contracts with a nonprofit organization to increase housing supply and equitable housing outcomes by advancing affordable housing developments, including supportive housing, transitional housing, shelter, or housing funded through the apple health and homes program, that are colocated with community services such as education centers, health clinics, nonprofit organizations, social services, or community spaces or facilities, available to residents or the public, on underutilized or tax-exempt land.

(b) The contract recipient must use the funding provided under this subsection to:

(i) Implement strategies to accelerate development of affordable housing with space for education centers, health clinics, nonprofit organizations, social services, or community space or facilities, available to residents or the public, on underutilized or tax-exempt land;

(ii) Analyze the suitability of properties and sites for affordable housing as described under (b)(i) of this subsection, including existing buildings for supportive housing, through completing due diligence, conceptual design, and financial analysis activities, and applying and implementing an equity lens in site selection, program planning, development, and operations;

(iii) Work with elected officials, local governments, educational institutions, public agencies, local housing and community development partners, early learning partners, health care providers, and nonprofit service organizations to:

- (A) Identify and catalyze surplus, underutilized, or tax-exempt properties for the development of affordable housing;
- (B) Provide catalytic funding and technical assistance to advance the development of affordable housing, including by identifying funding sources to support the needs of specific projects; and
- (C) Identify impediments to the development of affordable housing and develop recommendations and strategies to address those impediments, reduce costs, advance community vision and equitable outcomes, and accelerate predevelopment and development times associated with affordable housing;
- (iv) Organize community partners and build capacity to develop affordable housing sites;
- (v) Facilitate collaboration and codevelopment between affordable housing and education centers, health clinics, nonprofit organizations, social services, or community spaces and facilities available to residents or the public;
- (vi) Provide technical assistance and predevelopment services to support future development of sites; and
- (vii) Catalyze the redevelopment of at least 20 sites to create approximately 2,000 affordable homes.
- (c) Funding may also be used to:
- (i) Partner with state, regional, and local public entities, nonprofit housing developers, and service providers to develop a broad range of housing types for supportive housing for populations authorized to receive the housing benefit under the apple health and homes act;
- (ii) Provide technical assistance on the constructive alignment of state or local capital funds and other services for the construction, acquisition, refurbishment, redevelopment, master leasing of properties for noncongregate housing, or conversion of units from nonresidential to residential, of dwelling units for supportive housing funded through the apple health and homes program;
- (iii) Advise on local community engagement, especially with populations with lived experience of homelessness and housing insecurity, for supportive housing funded through the apple health and homes program;
- (iv) Subcontract for specialized predevelopment services, as needed, and subgrant to reimburse for supportive housing funded through the apple health and homes program; and
- (v) Hire staff necessary to implement activities under (b) and (c) of this subsection.
- (56)(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue a lifeline support system pilot project to assist individuals who have experienced or are at risk of entering into public systems of care. Public systems of care include office of homeless youth prevention and protection shelter and housing programs, the juvenile justice system, dependency under chapter 13.34 RCW, and inpatient behavioral health treatment.
- (b)(i) The lifeline must function as a no-wrong-door access point for support and connections to services for qualifying individuals who require assistance to overcome a life challenge that could escalate into a crisis, or who are in need of general mentorship and counsel. The lifeline support system must facilitate and promote partnerships across state agencies, federally recognized tribes, counties, and community-based providers to coordinate trauma-informed and culturally responsive services for youth and young adults and their supports. The department is authorized to implement lifeline services through contracts with community partners and nonprofit organizations.
- (ii) From amounts provided in this subsection, the department must allocate funding to establish a lifeline fund program. The department may use moneys allocated for the fund program to assist community partners and nonprofit organizations to implement lifeline services when those providers cannot identify an existing resource to resolve a recipient's need. The department must establish an application process and criteria for the fund program.
- (c) By June 30, 2025, the department shall report to the legislature regarding the success and shortcomings of the lifeline support system, request-for-service outcomes, and the demographics of beneficiaries.
- (57) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization to provide legal aid in subjects including, but not limited to, criminal law and civil rights cases for underserved populations focusing on Black gender-diverse communities. The grant recipient must be a nonprofit organization with offices in Seattle and Tacoma and with a mission to provide intersectional legal and social services for Black intersex and gender-diverse communities in Washington.
- (58) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization within the city of Tacoma that provides social services and educational programming to assist Latino and indigenous communities in honoring heritage and culture through the arts, and in overcoming barriers to social, political, economic, and cultural community development. Of the amounts provided in this subsection:
- (a) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for education and training programming in community health organizing, "promotora" health education, grassroots organizing, leadership development, and civic engagement focused on Latino and indigenous community members; and



(b) \$38,000 of the general fund—state appropriation for fiscal year 2024 and \$38,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for advocacy, translation services, emergency housing, and other services for victims of crime and domestic violence.

(59) ~~(\$500,000)~~ \$833,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$667,000 of the general fund—state appropriation for fiscal year 2025 are provided ~~((solely))~~ for the department to provide grants to nonprofit organizations including, but not limited to, religious nonprofits, "by and for" organizations, or cultural community centers, to fund the physical security or repair of such institutions. Grant recipients must ~~((have reasons to believe they have been subject to security threats and must demonstrate a need for enhanced security. Grant funding must be used and limited to the purchase of security hardware and equipment to enhance the security of the buildings and grounds of such organizations))~~ substantiate that their site or sites have been subject to or at risk of physical attacks, threats, vandalism, or damages based on their mission, ideology, or beliefs and demonstrate a need for investments in physical security enhancements, construction or renovation, target hardening, preparedness planning, training, or exercises.

(60) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grant funding to a nonprofit organization to provide supports, including behavioral health resources, housing services, and parenting education, to parents with substance use disorder. The grant recipient must be a nonprofit organization located in the south Puget Sound region that provides a parent child assistance program and focuses on building parenting skills and confidence to ensure children have safe and healthy childhoods.

(61) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs to develop and operate community-based residential housing and services for youth wellness spanning a range of needs and circumstances at the Pacific hospital preservation and development authority quarters, buildings three through 10 in Seattle. The amounts provided in this subsection may be used for planning, lease payments, and other related expenses for the development and operation of comprehensive residential programs providing housing, on-site social services, and community-based resources for youth identified by the department of commerce, the department of children, youth, and families, or the health care authority. The funding may also be used for the preparation and issuance of a request for qualifications for a site operator, or lease management and related administrative functions. The department is authorized to enter into a lease, with an option to enter into multiyear extensions, for the Pacific hospital preservation and development authority quarters, buildings three through 10.

(62) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in the city of Seattle that works to improve the quality of life for low-income families and members of the refugee and immigrant community, with a focus on the Somali and Oromos community. The grant funding may be used to expand current programs including, but not limited to, case management and referral services for immigrants and refugees, youth programs, and services for seniors.

(63) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization headquartered in Mount Vernon for costs to operate and provide homeless services at a low-barrier emergency temporary homeless center located in Burlington.

(64) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Seattle that provides legal assistance and representation to survivors of sexual and gender-based violence to expand their current services including, but not limited to, legal assistance and representation; technical assistance for advocates, providers, and attorneys; community education and trainings; and other legal support services. In providing services, the grant recipient must protect the privacy, safety, and civil rights of survivors and utilize trauma-informed practices and equity principles.

(65) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization serving King and Snohomish counties for a program conducted in partnership with King county, which serves individuals who are involved in the criminal justice system and who have experienced domestic, sexual, or gender-based violence. The grant recipient may use the funding for costs including, but not limited to, legal advocacy, outreach, connecting clients to housing and other resources, data analytics, and staffing.

(66) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of crime victims advocacy to contract for a study of the impacts of the commercial sex industry on Black and African American communities in Washington, with a focus on Black and African American persons who identify as female. The office must contract with an organization that has expertise on the topic of the commercial sex industry and Black communities in Washington. The study must include a review of the impacts of the commercial sex industry on Black and African American residents of Washington, and culturally informed and survivor-informed policy recommendations for reducing sex trafficking and sexual exploitation of Black and African American Washingtonians. The department must submit a

report of the study findings to the appropriate committees of the legislature by September 1, 2024.

(67) \$20,656,000 of the general fund—state appropriation for fiscal year 2024 and \$20,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to crime victims service providers to ensure continuity of services impacted by reductions in federal victims of crime act funding and to help address increased demand for services attributable to the COVID-19 pandemic. The department must distribute the funding in a manner that is consistent with the office of crime victims advocacy's state plan. Of the amounts provided in this subsection:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs operated by and for historically marginalized populations to support "by and for" culturally specific services for victims of domestic violence, sexual assault, and other crimes in historically marginalized populations. Marginalized populations can include, but are not limited to, organizations or groups composed along racial, ethnic, religious, sexual orientation, and gender lines.

(b) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs developed to support the enhancement and development of additional services for tribal members, including programs to address needs of crime victims, including strategies which integrate services or multiple crime types.

(68) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Seattle for start-up costs for the Seattle social housing developer and to meet the requirements of the city of Seattle initiative 135, which concerns developing and maintaining affordable social housing in Seattle. The funding provided under this subsection may only be used for costs associated with creating social housing developments, operating costs associated with maintaining social housing developments, and administrative costs of operating social housing.

(69) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to contract with a nonprofit to provide wraparound services for homeless families with children, including prevention, shelter, and stabilization services. The nonprofit must be located in Pierce county and be an affiliate of a national organization dedicated to preventing and ending family homelessness by providing prevention, shelter, and stabilization services.

(70) Within existing resources, the department must submit an interim and a final report to the appropriate committees of the legislature on efforts taken by the department to stabilize rents for tenants of affordable housing units financed through the housing assistance program created under RCW 43.185.015 including, but not limited to, efforts to limit or mitigate the impacts of rent increases for tenants of qualifying units. The department must submit the interim report by December 1, 2023, and the final report by December 1, 2024.

(71) Before awarding or entering into grants or contracts for the 2023-2025 fiscal biennium for homeless housing and service programs that are funded from the home security fund account or the affordable housing for all account, the department must first consult with local governments and eligible grantees to ensure that funding from these accounts is used to maintain the quantity and types of homeless housing and services funded in local communities as of February 28, 2023. The department may take into consideration local document recording fee balances and individual county fluctuations in recording fee collections when allocating state funds. The department must redeploy funds to other nonprofit and county grantees if originally granted amounts are not expended or committed within a reasonable timeline. The department may then provide funding to eligible entities to undertake the activities described in RCW 36.22.176(1)(c)(i), such as funding for project-based vouchers and other assistance necessary to support permanent supportive housing as defined in RCW 36.70A.030 or as administered by the office of apple health and homes created in RCW 43.330.181.

(72) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to an Everett-based affiliate of a national nonprofit human services organization to stabilize newly arriving refugees from the 2021 Afghanistan conflict and the 2022 Ukraine conflict.

(73) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit organization to expand private capacity to provide legal services for indigent foreign nationals in contested domestic relations and family law cases. The contract recipient must be a nonprofit organization headquartered in the city of Seattle that provides training to attorneys and judges on international family law issues and provides direct representation to qualified indigent clients. Amounts provided in this subsection may not be expended for direct private legal representation of clients in domestic relations and family law cases.

(74) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a youth development organization providing civic engagement and education through a youth and government program. The grant is provided solely for support of the organization's mock trial and youth legislature programs.

(75) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$229,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5198 (mobile home community sales). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$1,694,000 of the general fund—state appropriation for fiscal year 2024 and \$1,694,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5561 (law enforcement community grants). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(77) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5599 (protected health care/youth). The entirety of this amount is provided for the office of homeless youth for prevention and protection programs to provide supportive care grants to organizations to address the needs of youth seeking protected health care services. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(78) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Monroe to continue existing pilot projects that enable the city to dispatch human services and social services staff in conjunction with law enforcement staff to support unhoused residents and residents in crisis.

(79) \$2,850,000 of the general fund—state appropriation for fiscal year 2024 and \$2,850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5114 (sex trafficking). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~((81))~~ (80) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Bellevue for one-time expenses required for the operation of an expanded community service center to help low-income individuals and immigrant and refugee community members. The center will join with community partners to provide utility rate and rent relief; health care access; energy assistance; food access; medical, legal and financial services; housing; childcare resources; employment assistance; and resources for starting a business.

~~((82))~~ (81) \$215,000 of the general fund—state appropriation for fiscal year 2024 and \$345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce a report to the legislature detailing the scope of work, cost estimates, and implementation timeline to create or procure an online registry of rental units in Washington state subject to state information system planning and oversight requirements. The online rental unit registry must have the capacity to collect and report out timely information on each rental unit in the state. Information to collect includes, but is not limited to, the rental unit's physical address, identity of the property owner, monthly rent charged, and vacancy status. The scope of work must assume integration with existing rental registries operated by local governments. Cost and timeline estimates must provide two alternatives with one assuming statewide implementation and the other assuming implementation in the six largest counties of the state. The department shall consult with landlord representatives, tenant representatives, local governments operating existing rental registries, and other interested stakeholders as part of the process of developing the scope of work and timeline for the online rental unit registry. The department must submit the report to the legislature by December 1, 2024.

~~((83))~~ (82) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a Seattle based nonprofit to create a temporary space to allow youth and low-income populations to participate in ice rink related events during the 2024 national hockey league winter classic.

~~((84))~~ (83) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in Kitsap county that partners with the Bremerton and central Kitsap school districts, first responders, and other organizations to expand implementation of the handle with care program.

~~((85))~~ (84) \$371,000 of the general fund—state appropriation for fiscal year 2024 and \$371,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Pacific county to operate or participate in a drug task force to enhance coordination and intelligence while facilitating multijurisdictional criminal investigations.

~~((86))~~ (85) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to statewide and community asset building coalitions across Washington to support capacity in organizations that coordinate financial health services and outreach efforts around poverty reduction resources such as the earned income tax credit and the working families tax credit.

~~((87) \$400,000)~~ (86) \$200,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community based organization in Whatcom county to expand services to unhoused and low-income residents of Ferndale and north Whatcom county and to provide a safe parking program.

~~((88))~~ (87) \$155,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training, to develop and implement a program aimed at reducing workplace sexual harassment in the agricultural sector. Funding will be used to continue peer-to-peer trainings for farmworkers in Yakima county and expand services into Grant and Benton counties. Funding may also be used to support an established network of farmworker peer trainers whose primary purpose is to prevent workplace sexual harassment and assault through leadership and education. The organization is expected to share best practices from their peer-to-peer model at a statewide conference.

~~((89))~~ (88) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle-based nonprofit that provides holistic services to help refugee and immigrant women. Funds must be used to expand an existing program that increases equity in ice skating and hockey by providing skate lessons to preschoolers from diverse and low-income families.

~~((90))~~ (89) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to strengthen family resource center services and increase capacity statewide. Grant funding may be used: For an organization to provide new services in order to meet the statutory requirements of a family resource center, as defined in RCW 43.216.010; to increase capacity or enhance service provision at current family resource centers, including but not limited to direct staffing and administrative costs; and to conduct data collection, evaluation, and quality improvement activities. The department may award an amount from \$30,000 up to \$200,000 per grant recipient.

(b) Eligible applicants for a grant under (a) of this subsection include current family resource centers, as defined in RCW 43.330.010, or organizations in the process of becoming qualified as family resource centers. Applicants must affirm their ability and willingness to serve all families requesting services in order to receive a grant. Applicants must currently be or agree to become a member of a statewide family resource center network during the grant award period in order to receive a grant. Applicants must provide proof of certification in the standards of quality for family strengthening and support developed by the national family support network for one member of the applicant's organizational leadership in order to receive a grant.

(c) In distributing grant funding, the department must, to the extent it is practicable, award 75 percent of funding to organizations located west of the crest of the Cascade mountains, and 25 percent of funding to organizations located east of the crest of the Cascade mountains.

(d) By July 1, 2025, grant recipients must submit a report to the department on the use of grant funding, including, but not limited to, progress in attaining status as a family resource center, if applicable; the number and type of services offered to families; demographic and income data for families served; and family post-service outcomes. By September 1, 2025, the department must submit a report to the Legislature on topics including, but not limited to, the grant application process; needs identified by family resource centers; and use of funds by grant recipients.

(e) Of the amounts provided in (a) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to the statewide nonprofit organization that serves as the registered Washington state network member of the national family support network. The grant recipient may use the grant funding for costs including, but not limited to, outreach and engagement, data and evaluation, and providing training and development opportunities in support of family resource centers statewide.

~~((91))~~ (90) ~~(\$9,000,000)~~ \$29,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$9,000,000)~~ \$29,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants to local governments for maintaining programs and investments which are primarily funded through document recording fees pursuant to RCW ~~((36.22.178, 36.22.179, and 36.22.1791))~~ 36.22.250. In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties.

~~((93))~~ (91) (a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a law enforcement technology grant program for the purpose of providing law enforcement with modern vehicle pursuit management technology including, but not limited to, global positioning system tracking equipment, automated license plate reading technology, aircraft, and nonarmed and nonarmored drone technology.

(b) Grants must be awarded to local law enforcement agencies based on locally developed proposals. The department shall establish policies for applications under this subsection in addition to criteria for evaluating and selecting grant recipients. A proposal must include a request for specific technology and a specific plan for the implementation, use, and effectiveness reporting of that technology.

(c) Before grants are awarded, each local law enforcement agency seeking to acquire vehicle pursuit technology must:

(i) Establish data-sharing and management policies including policies related to sharing data between law enforcement agencies and other third parties; and

(ii) Establish policies ensuring all personnel who operate the vehicle pursuit technology, or access the vehicle pursuit technology data, are trained to use that technology and are able to comply with the data-sharing and management policies prior to the operational use of the vehicle pursuit technology.

(92) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the distribution of grants to cities, counties, or nonprofit organizations to support individuals in need of emergency housing assistance. Emergency housing assistance may include, but is not limited to, short-term rental assistance, moving costs, other one-time costs associated with identifying and obtaining housing, or temporary shelter in the event of a crisis or when people have been displaced. Funding provided under this subsection must be prioritized for entities that can demonstrate that the population served includes families with children, pregnant individuals, or other medically vulnerable individuals. The department may only distribute funding under this subsection upon coordination with the office of the governor.

(93) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to continue to provide grant funding to local multijurisdictional task forces that previously received funding through the federal Edward Byrne memorial justice assistance grant program. Grants provided under this section must be used consistent with the requirements of Edward Byrne memorial justice assistance grants and with national best practices for law enforcement.

(94) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of homeless youth prevention and protection programs to provide grants to nonprofit organizations implementing place-based health zone models to provide and strengthen youth development services and mental and behavioral health supports for youth and their families for clearly demarcated geographical health zones. The services and supports may range from primary prevention to crisis services. Grant funding may support health zone activities and evaluation activities. The office must distribute four grants, as follows:

(a) Two grants to nonprofits with established place-based health zone models, for costs to provide services and conduct evaluation activities; and

(b) Two grants to nonprofits who are currently developing and implementing place-based health zone models, for costs to establish and provide services and conduct evaluation activities.

(95) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a housing readiness program serving individuals experiencing homelessness in Cowlitz county. Funding may be used to operate severe weather shelters, housing navigation, case management, laundry and hygiene facilities, connection to other social services, and other programs serving unhoused individuals in Cowlitz county.

(96) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for operating costs of licensed assisted living facilities located in Clark county that have at least 50 percent of residents who were experiencing homelessness or were unstably housed immediately prior to admission to the facility.

(97) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to continue sexual assault prevention education programming to K-12 schools in Tacoma and expand services to the Franklin Pierce school district. The grant recipient must be a state-accredited community sexual assault program serving Pierce county that provides professional training, prevention education, intervention, and advocacy programs for victims of sexual assault, sexual abuse, and sex trafficking.

(98) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide community-based healing-centered arts engagement programming for populations including, but not limited to, survivors of gender-based violence and individuals working to reintegrate after incarceration. The grant recipient must be a nonprofit organization based in the city of Seattle with experience in providing arts engagement programming, including serving veteran and Latino cohorts.

(99) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a food bank serving African American and other BIPOC communities located in south King county. Funding may be used for food bank operations, food delivery services, and food storage.

(100) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit based in King county that exclusively serves foreign-trained physicians to help foreign-trained physicians prepare to work in a United States clinical setting and obtain a medical doctor: clinical experience license in Washington state. The nonprofit may use the amount provided in this subsection to:

(a) Provide stipends of up to \$2,000 per foreign-trained physician to:

(i) Take medical exams or English as a second language classes;

(ii) Obtain a professional resume review or interview skill development; or

(iii) Defray any other expenses that may limit their ability to become hire-ready physicians; and

(b) Operate an educational outreach program to help medical providers and institutions understand the medical doctor: clinical experience program including eligibility, licensure laws, and details of working with foreign-trained physicians in their facilities.

(101) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit in east King county, recognized as a by and for organization, to advance affordable housing. The grant recipient must be an organization that

partners in equitable, affordable housing development. The grant recipient must use the funding as follows:

- (a) To educate residents on the benefits of affordable housing in east King county;
- (b) To facilitate partnerships to enable equitable transit-oriented development across the east King county region that builds housing at scale;
- (c) For a project that will produce up to 33 affordable housing units on the Eastside; and
- (d) To identify strategies for land acquisition and assembly around high-capacity transit stations that will result in a mix of housing.

(102) \$625,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Snohomish county human services to provide technical assistance and contract with a nonprofit to support youth, parents, and families with school-based collaboration, and social activities for youth.

(103) \$477,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Kitsap county to provide 70 continuous-stay, low-barrier/harm reduction model shelter beds.

(104) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with a nonprofit in Seattle to develop a list of BIPOC families, with an emphasis on African American households, that want to live in Seattle for the purpose of assisting those families with finding and keeping housing in Seattle.

(105) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$420,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle-based community center that assists eastern European refugees and immigrants to provide short term housing assistance, immigration services, and support to individuals in Washington who fled the Ukraine-Russia conflict.

(106) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Bellingham-based nonprofit serving youth and young adults experiencing homelessness and housing insecurity to increase capacity and the ability for staff to support clients in attending appointments, providing navigating services, and assessing resources throughout Whatcom county.

(107) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Whatcom county to study the potential to create an interjurisdictional coordinating body focused on improving the housing market for tenants, landlords, and those interested in becoming landlords. The study should examine the potential for an office of healthy housing to:

- (a) Have a sustainable funding model and assist landlords and tenants in understanding leases and procedures;
- (b) Increase housing supply by providing resources to small landlords; and
- (c) Work with major local employers and local higher education institutions to ensure a thriving local housing market.

(108) \$45,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Seattle-based nonprofit that teaches math using hands-on learning experiences and collaborates with community partners to create equity-based, culturally relevant math education opportunities.

(109) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the city of Tacoma to support the continued operation of 307 emergency and temporary shelter beds.

(110) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Yakima-based center that works to raise and uphold standards in the workplace to expand access to education and legal aid for low-wage immigrant workers in order to curb workplace rights violations and foster economic stability.

(111) \$317,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to three resource centers that are expecting a reduction in funding from the office of crime victims advocacy. Funding is intended to cover any deficit these organizations experience to continue service levels to sexual assault survivors. Of this amount:

- (a) \$200,000 is for a nonprofit sexual assault resource center in King county;
- (b) \$77,000 is for a Richland-based accredited community sexual assault program; and
- (c) \$40,000 is for a nonprofit organization that provides crime victim support in multiple locations across the region, including in Spokane and Vancouver.

(112) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to assist fathers transitioning from incarceration to community and family reunification. The grant recipient must have experience contracting with the department of corrections to support incarcerated individual betterment projects and contracting with the department of social and health services to provide access and visitation services.

**Sec. 128.** 2023 c 475 s 130 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—LOCAL GOVERNMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$50,775,000 ))
	\$48,133,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$46,258,000 ))
	\$54,626,000

General Fund—Federal Appropriation. . . . .	(( \$39,374,000 ))
	<u>\$44,574,000</u>
General Fund—Private/Local Appropriation. . . . .	\$1,050,000
Climate Commitment Account—State Appropriation. . . . .	(( \$43,353,000 ))
	<u>\$54,403,000</u>
Community Preservation and Development Authority	
Account—State Appropriation. . . . .	\$4,750,000
Growth Management Planning and Environmental Review	
Fund—State Appropriation. . . . .	\$5,681,000
Liquor Excise Tax Account—State Appropriation. . . . .	\$986,000
Liquor Revolving Account—State Appropriation. . . . .	\$6,827,000
<u>Model Toxics Control Operating Account—State</u>	
<u>    Appropriation. . . . .</u>	<u>\$1,000,000</u>
Model Toxics Control Stormwater Account—State	
Appropriation. . . . .	\$100,000
Natural Climate Solutions Account—State	
Appropriation. . . . .	\$2,747,000
Public Facilities Construction Loan Revolving	
Account—State Appropriation. . . . .	\$1,026,000
Public Works Assistance Account—State Appropriation. . . . .	\$7,267,000
TOTAL APPROPRIATION. . . . .	(( \$210,194,000 ))
	<u>\$233,170,000</u>

The appropriations in this section are subject to the following conditions and limitations:

- (1) The department shall administer its growth management act technical assistance and pass-through grants so that smaller cities and counties receive proportionately more assistance than larger cities or counties.
- (2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as pass-through funding to Walla Walla Community College for its water and environmental center.
- (3) \$6,827,000 of the liquor revolving account—state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.
- (4) The department must develop a model ordinance for cities and counties to utilize for siting community based behavioral health facilities.
- (5) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce the biennial report identifying a list of projects to address incompatible developments near military installations as provided in RCW 43.330.520.
- (6) \$100,000 of the model toxics control stormwater account—state appropriation is provided solely for planning work related to stormwater runoff at the aurora bridge and I-5 ship canal bridge. Planning work may include, but is not limited to, coordination with project partners, community engagement, conducting engineering studies, and staff support.
- (7) \$2,000,000 of the community preservation and development authority account—state (~~operating~~) appropriation is provided solely for (~~the operations of~~) the Pioneer Square-International district community preservation and development authority established in RCW 43.167.060 to carry out the duties and responsibilities set forth in RCW 43.167.030.
- (8) \$1,160,000 of the general fund—state appropriation for fiscal year 2024 and \$1,159,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide broadband office established in RCW 43.330.532.
- (9) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants for updating and implementing comprehensive plans and development regulations in order to implement the requirements of the growth management act.
  - (a) In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties. Grants will be used primarily to fund the review and update requirements for counties and cities required by RCW 36.70A.130. Funding provided on this formula basis shall cover additional county and city costs, if applicable, to implement chapter 254, Laws of 2021 (Engrossed Second Substitute House Bill No. 1220) and to implement Second Substitute Senate Bill No. 5412 (land use permitting/local).
  - (b) Within the amounts not utilized under (a) of this subsection, the department shall establish a competitive grant program to implement requirements of the growth management act.
  - (c) Up to \$500,000 per biennium may be allocated toward growth management policy research and development or to assess the ongoing effectiveness of existing growth management policy.
  - (d) The department must develop a process for consulting with local governments, affected stakeholders, and the appropriate committees of the legislature to establish emphasis areas for competitive grant distribution and for research priorities.
- (10) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the municipal research and services center, in coordination with the Washington procurement technical assistance center, to provide training and technical assistance to local governments and contractors on public works contracting. Training topics may include utilization of supplemental bidding criteria, utilization of

alternate public works, contracting, cost estimating, obtaining performance and payment bonds, and increasing participation of women-owned and minority-owned businesses.

(11) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants and provide technical assistance to cities or counties for actions relating to adopting ordinances that plan for and accommodate housing. Of this amount:

(a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to cities and counties. Grants may be used for the following activities:

(i) Analyzing comprehensive plan policies and development regulations to determine the extent of amendments required to meet the goal of authorizing middle housing types on at least 30 percent of lots currently zoned as single family residential within the city, or for counties inside the unincorporated urban growth area. For the purposes of this subsection, "middle housing types" means buildings that are compatible in scale, form, and character with single family houses, and contain two or more attached, stacked, or clustered homes. This includes duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, courtyard apartments, and cottage housing;

(ii) Planning work to facilitate transit-oriented development, including costs associated with the preparation of state environmental policy act environmental impact statements, planned action ordinances, and subarea plans, costs associated with the use of other tools under the state environmental policy act, and the costs of local code adoption and implementation of such efforts; and

(iii) Planning for and accommodating housing that is affordable for individuals and families earning less than 50 percent of the area median income, including:

- (A) Land use and regulatory solutions to address homelessness and low-income housing; and
- (B) Bridging homeless service planning with land use planning.

(b) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an affordable housing auditing program to monitor ongoing affordability of income-restricted units constructed with affordable housing incentives, including the multifamily tax exemption.

(12) Within the amounts provided in this section, the department must publish on its website housing data needed to complete housing needs assessments required by RCW 36.70A.070(2)(a). The data shall include:

(a) Housing profiles for each county and city in the state, including cost burden, vacancy, and income;

(b) Data to assess racially disparate impacts, exclusion, and displacement; and

(c) A dashboard to display data in an easily accessible format.

(13) \$1,330,000 of the general fund—state appropriation for fiscal year 2024 and \$995,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(14) \$15,000,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to entities that provide digital navigator services, devices, and subscriptions. These services must include, but are not limited to, one-on-one assistance for people with limited access to services, including individuals seeking work, students seeking digital technical support, families supporting students, English language learners, medicaid clients, people experiencing poverty, and seniors.

(15) \$2,750,000 of the community preservation and development authority account—state appropriation is provided solely for ~~((the operations of))~~ the Central district community preservation and development authority established in RCW 43.167.070 to carry out the duties and responsibilities set forth in RCW 43.167.030.

(16) ~~((~~\$375,000~~))~~ \$187,000 of the general fund—state appropriation for fiscal year 2024 ~~((~~is~~))~~ and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Battle Ground to contract for a study to explore feasible options to redesign their downtown corridor to emphasize pedestrian accessibility, improve safety, and highlight community amenities.

(17) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Cheney fire department for the purchase of a new type 6 fire truck to replace one destroyed in a mutual aid fire.

(18) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to Ferry/Okanogan fire protection district number 14 for the purchase of a new ambulance and related costs for response to 911 calls, including those from local residents, recreators, and hunters.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the Pierce county public transportation benefit area corporation (Pierce transit) to administer a public transit and behavioral health coresponder pilot program in partnership with a Pierce county behavioral health professional agency.

(20) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the transportation demand management program at the canyon park subarea in the city of Bothell.



(21) ~~(((\$40,953,000))\$50,953,000~~ of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$490,000 of the public works assistance account—state appropriation is provided solely for the public works board to develop a data dashboard to map investments made by the public works board, the department of commerce, the department of health, the department of ecology, the department of transportation, the transportation improvement board, and by board partners to the system improvement team created in RCW 43.155.150.

(23) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$423,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct a study on the feasibility of implementing a Washington state zoning atlas project that will provide a publicly available mapping tool illustrating key features of zoning codes across jurisdictions.

(24) \$733,000 of the general fund—state appropriation for fiscal year 2024 and \$734,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$37,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$134,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the city of Tacoma for the operating costs of the hilltop community hub. The hilltop community fund shall support a distribution center to provide housing goods.

(27) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Ferndale for the purpose of implementing and improving a wayfinding system throughout the greater Ferndale market area.

(28) ~~(((\$3,464,000))\$464,000~~ of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$3,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5290 (local permit review). Of the amount provided in this subsection, at least \$3,000,000 is provided solely for grants to local governments. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(29) \$2,400,000 of the climate commitment account—state appropriation is provided solely for the Port Gamble S'Klallam Tribe for phase 3 of the Port Gamble shoreline restoration project.

(30) \$1,000,000 of the model toxics control account—state appropriation is provided solely for grants to address emergency drinking water problems in overburdened communities. The department may utilize existing programs to distribute the funding provided under this section, including the emergency rapid response program.

(31) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$46,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5834 (urban growth areas). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(32) \$57,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6015 (residential parking). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(33) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit, professional association of state, county, city, and town officials engaged in development, enforcement, and administration of building construction codes and ordinances to collaborate with the Washington state board for community and technical colleges to design and implement training programs to accelerate the hiring of city and county permit technicians.

(34) \$800,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided for the Bellevue and Redmond electric fire engines and infrastructure project. Of this amount, \$250,000 is provided to the city of Redmond and \$550,000 is provided to the city of Bellevue for the purposes of reducing the costs to purchase hybrid-electric fire engines and install associated electric charging infrastructure for the fire stations that will house the new electric vehicles.

(35) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Elma to place automatic external defibrillators in city vehicles and public spaces in city buildings.

(36) \$550,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Battle Ground to purchase a citywide document management system and hire staff or contract with a company to assist with scanning and uploading documents into the system.

(37) \$1,200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Lewis county to purchase and implement new tax and assessment software.

(38) \$225,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the Chelan-Douglas regional port authority to fund public engagement efforts in Chelan and Douglas counties related to a future regional sports complex.

Engagement efforts may include print and electronically mailed materials, media advertisements, social media, and other forms of communications related to study information, including but not limited to:

- (a) Consultants' analyses;
- (b) Steering committee recommendations;
- (c) Design and location options;
- (d) Artistic renderings;
- (e) Economic impacts;
- (f) Capital and operational costs;
- (g) Financing options; and
- (h) Other information.

(39) \$250,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for Island county to contract for a comprehensive assessment of drinking water infrastructure.

(40) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Enumclaw to design and build a community center that will serve the plateau area.

(41) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Okanogan county sheriff's office for the Okanogan county public safety radio network improvement project.

(42) \$67,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5955 (large port districts). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 129.** 2023 c 475 s 131 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—OFFICE OF ECONOMIC DEVELOPMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$25,089,000</del> ))
	<u>\$25,639,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$24,967,000</del> ))
	<u>\$31,731,000</u>
General Fund—Federal Appropriation. . . . .	\$108,069,000
General Fund—Private/Local Appropriation. . . . .	\$1,230,000
Dedicated Cannabis Account—State Appropriation (FY 2024). . . . .	\$3,446,000
Dedicated Cannabis Account—State Appropriation (FY 2025). . . . .	(( <del>\$3,587,000</del> ))
	<u>\$3,591,000</u>
Andy Hill Cancer Research Endowment Fund Match Transfer Account—State Appropriation. . . . .	(( <del>\$20,684,000</del> ))
	<u>\$32,684,000</u>
Climate Commitment Account—State Appropriation. . . . .	(( <del>\$352,000</del> ))
	<u>\$4,441,000</u>
Community and Economic Development Fee Account—State Appropriation. . . . .	\$765,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation. . . . .	\$22,400,000
Economic Development Strategic Reserve Account—State Appropriation. . . . .	\$2,786,000
Statewide Tourism Marketing Account—State Appropriation. . . . .	\$9,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$222,375,000</del>))</b>
	<b><u>\$245,782,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,304,000 of the general fund—state appropriation for fiscal year 2024 and \$4,304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for associate development organizations. During the 2023-2025 fiscal biennium, the department shall consider an associate development organization's total resources when making contracting and fund allocation decisions, in addition to the schedule provided in RCW 43.330.086. The department must distribute the funding as follows:

(a) For associate development organizations serving urban counties, which are counties other than rural counties as defined in RCW 82.14.370, a locally matched allocation of up to \$1.00 per capita, totaling no more than \$300,000 per organization; and

(b) For associate development organizations in rural counties, as defined in RCW 82.14.370, a \$1.00 per capita allocation with a base allocation of \$75,000.

(2) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the northwest agriculture business center.

(3) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the regulatory roadmap program for the construction industry and to identify and coordinate with businesses in key industry sectors to develop additional regulatory roadmap tools.

(4) \$1,070,000 of the general fund—state appropriation for fiscal year 2024 and \$1,070,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small business export assistance program. The department must ensure that at least one employee is located outside the city of Seattle for purposes of assisting rural businesses with export strategies.

(5) \$60,000 of the general fund—state appropriation for fiscal year 2024 and \$60,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to submit the necessary Washington state membership dues for the Pacific Northwest economic region.

(6) \$1,808,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,808,000)~~ \$2,438,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to identify and invest in strategic growth areas, support key sectors, and align existing economic development programs and priorities. The department must consider Washington's position as the most trade-dependent state when identifying priority investments. The department must engage states and provinces in the northwest as well as associate development organizations, small business development centers, chambers of commerce, ports, and other partners to leverage the funds provided. Sector leads established by the department must include the industries of: (a) Aerospace; (b) clean technology and renewable and nonrenewable energy; (c) wood products and other natural resource industries; (d) information and communication technology; (e) life sciences and global health; (f) maritime; (g) military and defense; and (h) creative industries. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with partner organizations and other agencies to serve in the role of sector lead.

(7) ~~(\$20,684,000)~~ \$32,684,000 of the Andy Hill cancer research endowment fund match transfer account—state appropriation is provided solely for the Andy Hill cancer research endowment program. Amounts provided in this subsection may be used for grants and administration costs.

(8) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish representation in key international markets that will provide the greatest opportunities for increased trade and investment for small businesses in the state of Washington. Prior to entering into any contract for representation, the department must consult with associate development organizations and other organizations and associations that represent small business, rural industries, and disadvantaged business enterprises.

(9) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to assist people with limited incomes in urban areas of the state start and sustain small businesses. The grant recipient must be a nonprofit organization involving a network of microenterprise organizations and professionals to support micro entrepreneurship and access to economic development resources.

(10) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization whose sole purpose is to provide grants, capacity building, and technical assistance support to a network of microenterprise development organizations. The microenterprise development organizations will support rural and urban Black, indigenous and people of color owned businesses, veteran owned businesses, and limited resourced and other hard to serve businesses with five or fewer employees throughout the state with business training, technical assistance, and microloans.

(11) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a business center that provides confidential, no-cost, one-on-one, client-centered assistance to small businesses to expand outreach in underserved communities, especially Black, indigenous, and people of color-owned businesses, providing targeted assistance where needed. Funding may also be used to collaborate the department, the Washington economic development association, and others to develop a more effective and efficient service delivery system for Washington's women and minority-owned small businesses.

(12) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to strengthen capacity of the keep Washington working act work group established in RCW 43.330.510.

(13) \$7,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to continue to administer the small business innovation and competitiveness fund program created in section 128(167), chapter 297, Laws of 2022 (ESSB 5693). The department may prioritize projects that received conditional awards in the 2021-2023 fiscal biennium but were not funded due to the project's inability to be substantially completed by June 30, 2023.

(14) \$2,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to administer grants to businesses and nonprofits in the arts, heritage, and science sectors, including those that operate live entertainment venues, to provide bridge funding for continued recovery from the COVID-19 pandemic and related economic impacts. The department must develop criteria for successful grant applications in coordination with the Washington state arts commission.

(15) \$352,000 of the climate commitment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). (~~##~~

~~the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(16) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an associate development organization located in Thurston county to provide a training curriculum to assist small businesses in scaling up to reach their next tier of operations. The contract recipient may use the funding for costs including, but not limited to, curriculum materials, trainers, and follow up coaching and mentorship in multiple languages.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract for technical assistance programs focused on assisting small minority, women, and veteran-owned businesses in south King and Pierce counties. The contract recipient must be a nonprofit organization located in Tukwila that provides educational and business assistance for underserved and minority groups, with a focus on the African American community. The department must provide a preliminary report on program outcomes by June 30, 2024, and a final report by June 30, 2025, to the relevant committees of the legislature. The preliminary and final reports must include outcome data including, but not limited to, the number of events or workshops provided, the number of businesses served, and ownership and other demographics of businesses served.

(18) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with a nonprofit organization to conduct workforce and economic development activities serving the south Puget Sound region. The contract recipient must be a nongovernmental nonprofit organization located in Federal Way that has been in operation for at least 10 years and whose mission is to develop resources to enhance the economy of the south sound region by facilitating innovation, job creation, and the growth and development of businesses.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide grant funding to a nonprofit biotech incubator and science research center located in the city of Tacoma. The grant funding is to provide support for programs aimed at increasing workforce readiness and entrepreneurship in the life sciences, with a focus on promoting access to science, technology, engineering, and math careers for individuals from underserved communities.

(20) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to associate development organizations pursuant to Substitute House Bill No. 1783 (grant writers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(21) \$9,000,000 of the statewide tourism marketing account—state appropriation is provided solely for the statewide tourism marketing program and operation of the statewide tourism marketing authority pursuant to chapter 43.384 RCW.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to renew licenses for cloud-based business engagement tools for state agencies and local workforce and economic development boards, and to procure additional licenses for state agency procurement professionals, to assist in complying with the department of enterprise services supplier diversity policy effective April 1, 2023.

(23) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for activities related to securing federal funding from programs created by or funded through federal legislation including, but not limited to, the inflation reduction act, P.L. 117-169; the chips and science act, P.L. 117-167; and the infrastructure investment and jobs act, P.L. 117-58. Funding provided under this subsection may be used to support regional and locally led initiatives seeking federal funding, to provide technical support for application development and grant writing, to conduct economic analysis of various sectors, and other activities the department deems necessary for the state and partners with the state to compete for federal funds.

(24) \$877,000 of the general fund—state appropriation for fiscal year 2024 and \$878,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5096 (employee ownership). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$409,000 of the general fund—state appropriation for fiscal year 2024 and \$411,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5269 (manufacturing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to support activities related to cooperation with governmental and public agencies of the Republic of Finland, the Kingdom of Sweden, and the Kingdom of Norway. Eligible activities include, but are not limited to, cooperation in clean energy, clean technology, clean transportation, telecommunications, agriculture and wood science technology, general economic development, and other areas of mutual interest with Nordic nations and institutions.

(27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Bellingham based nonprofit that assists entrepreneurs to create, build, and grow businesses in northwest Washington to help establish a network of innovation centers for entrepreneurs and innovative small businesses between Seattle and the Canadian border.

(28) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop strategies for cooperation with governmental agencies of Vietnam, including higher education institutions, and organizations around the following:

(i) Trade and investment, including, but not limited to, the agriculture, information technology, food processing, manufacturing, and textile industries;

(ii) Combating climate change, including, but not limited to, cooperation on clean energy, clean transportation, and climate-smart agriculture; and

(iii) Academic and cultural exchange.

(b) By June 30, 2024, the department must provide a report on the use of funds in this subsection, any key metrics and deliverables, and any recommendations for further opportunities for collaboration.

(29) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide an economic development grant to a nongovernmental organization established in Federal Way, in operation for at least 30 years, whose primary focus is the economic development of the greater Federal Way region, in order to provide assessment for the development of innovation campuses in identified economic corridors.

(30) \$200,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a grant to a Tacoma based automotive museum as businesses assistance to address COVID-19 pandemic impacts to revenues from decreased attendance and loss of other revenue generating opportunities.

(31) \$2,500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely to expand the industrial symbiosis program and create a circular economy market development program. At least 20 percent of the amount provided in this section must be prioritized to benefit individuals in overburdened communities.

(32) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state public stadium authority to modernize interior stadium infrastructure. Funding is provided to improve operational infrastructure such that stadium can accommodate and attract mega events benefiting the state. Improvements will include, but are not limited to, installing new seating, improving ADA access, upgrading hospitality features, and making security enhancements.

(33) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide grants to eligible sports commissions to support activities promoting sports tourism, sporting events, and tournaments, and fostering economic and community development.

(b) An "eligible sports commission" under this subsection means an entity whose primary purpose is to promote tourism through hosting sporting events in Washington state. Entities may be independent nonprofit organizations or a division of a regional or national convention or visitors bureau.

(c) The department must develop application criteria and eligible uses of funds for the grant program.

(d) In determining the distribution of grant awards under this subsection, the department may allocate funds in proportion to the population of the county or counties in which the eligible sports commission conducts its activities.

(e) The department must develop reporting requirements for grant recipients, including but not limited to how grant funds are used. All grant recipients must report back to the department by June 30, 2025.

(34) \$250,000 of the climate commitment account—state appropriation for fiscal year 2025 shall take effect January 1, 2025, and is provided solely for a study or studies to assess strategies necessary for the state of Washington to engage in the offshore wind supply chain. The study may address public infrastructure needed for manufacturing, assembly, and transport of supply chain components, and an assessment of workforce needs and community benefits. The department shall submit a summary of the status or findings of studies funded in this subsection to the governor and appropriate committees of the legislature by June 30, 2025.

(35) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Seattle-based nonprofit organization that functions as a workforce development intermediary to connect low-income individuals with living-wage jobs. Funding may be used to provide entry level assistance for 28 low-income mariners.

(36) \$184,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nongovernmental organization whose primary focus is community and economic development in downtown Renton to provide holistic navigation and education services.

(37) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Tacoma-based nonprofit organization that provides access and education through the arts to provide business training, technical assistance, and other services to emerging creative and cultural entrepreneurs.

(38) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

city of Seattle to lease space for nonprofit and academic institutions to incubate technology business startups, especially those focusing on artificial intelligence and develop and teach curricula to skill up workers to use artificial intelligence as a business resource.

(39) \$1,339,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the innovation cluster accelerator program. Funding provided in this subsection may only be used to develop and maintain clusters that aim to reduce and mitigate impacts from greenhouse gases in overburdened communities, deploy renewable energy resources, increase energy efficiency or reduction, or other permissible uses pursuant to RCW 70A.65.260.

**Sec. 130.** 2023 c 475 s 132 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—ENERGY AND INNOVATION**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$140,959,000))
	\$6,641,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$141,187,000))
	\$6,937,000
General Fund—Federal Appropriation . . . . .	(((\$39,461,000))
	\$325,724,000
General Fund—Private/Local Appropriation . . . . .	\$34,000
Building Code Council Account—State Appropriation . . . . .	\$13,000
Climate Commitment Account—State Appropriation . . . . .	(((\$52,611,000))
	\$233,599,000
Community and Economic Development Fee Account—State Appropriation . . . . .	\$160,000
Electric Vehicle Incentive Account—State Appropriation . . . . .	\$50,000,000
Low-Income Weatherization and Structural Rehabilitation Assistance Account—State Appropriation . . . . .	\$1,399,000
Natural Climate Solutions Account—State Appropriation . . . . .	(((\$167,000))
	\$1,167,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$425,991,000))</b>
	<b>\$625,674,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is authorized to require an applicant to pay an application fee to cover the cost of reviewing the project and preparing an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets.

(2)(a) \$50,000,000 of the electric vehicle incentive account—state appropriation is provided solely for the department to implement programs and incentives that promote the purchase of or conversion to alternative fuel vehicles. The department must work with the interagency electric vehicle coordinating council to develop and implement alternative fuel vehicle programs and incentives.

(b) In developing and implementing programs and incentives under this subsection, the department must prioritize programs and incentives that:

(i) Will serve individuals living in an overburdened community, as defined in RCW 70A.02.010;

(ii) Will serve individuals who are in greatest need of this assistance in order to reduce the carbon emissions and other environmental impacts of their current mode of transportation in the overburdened community in which they live; and

(iii) Will serve low-income communities, communities with the greatest health disparities, and communities of color that are most likely to receive the greatest health benefits from the programs through a reduction in greenhouse gas emissions and other pollutants that will result in improved groundwater and stormwater quality, improved air quality, and reductions in noise pollution.

(3) ~~(((\$69,000,000 of the general fund state appropriation for fiscal year 2024 and \$69,000,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the development of community electric vehicle charging infrastructure.~~

~~(a) Funding provided in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state.~~

~~(b) Projects that receive funding under this section must be implemented by, or include partners from, one or more of the following: Local governments, federally recognized tribal governments, or public and private electrical utilities that serve retail customers in the state.~~

~~(c) Grant funding must be used for level 2 or higher charging infrastructure and related costs including but not limited to construction and site improvements. Projects may include a robust public and private outreach plan that includes engaging with affected parties in conjunction with the new electric vehicle infrastructure.~~

~~(d) The department must prioritize funding for projects in the following order:~~

- ~~(i) Multifamily housing;~~
- ~~(ii) Publicly available charging at any location;~~
- ~~(iii) Schools and school districts;~~
- ~~(iv) State and local government buildings and office buildings;~~
- ~~(v) All other eligible projects.~~

~~(c) The department must coordinate with other electrification programs, including projects developed by the department of transportation, to determine the most effective distribution of the systems. The department must also collaborate with the interagency electric vehicle coordinating council established in RCW 43.392.030 to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022.~~

~~(4) \$37,000,000 of the general fund state appropriation for fiscal year 2024 and \$37,000,000 of the general fund state appropriation for fiscal year 2025 are provided solely for grants to increase solar deployment and installation of battery storage in community buildings to enhance grid resiliency and provide backup power for critical needs, such as plug load and refrigeration for medication, during outages or to provide incentives to support electric utility demand response programs that include customer-sited solar and battery storage systems. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities. For the purposes of this subsection "community buildings" means K-12 schools, community colleges, community centers, recreation centers, libraries, tribal buildings, state and local government buildings, and other publicly owned infrastructure.~~

~~(5) \$19,500,000 of the general fund state appropriation for fiscal year 2024 and \$19,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely for a grant program to provide solar and battery storage community solar projects for public assistance organizations serving low-income communities. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities.~~

~~(a) Grants are not to exceed 100 percent of the cost of the project, taking into account any federal tax credits or other federal or nonfederal grants or incentives that the project is benefiting from.~~

~~(b) Priority must be given to projects sited on "preferred sites" such as rooftops, structures, existing impervious surfaces, landfills, brownfields, previously developed sites, irrigation canals and ponds, storm water collection ponds, industrial areas, dual-use solar projects that ensure ongoing agricultural operations, and other sites that do not displace critical habitat or productive farmland.~~

~~(c) For the purposes of this subsection "low-income" has the same meaning as provided in RCW 19.405.020 and "community solar project" means a solar energy system that: Has a direct current nameplate capacity that is greater than 12 kilowatts but no greater than 1,000 kilowatts; and has, at minimum, either two subscribers or one low-income service provider subscriber.~~

~~(6) \$8,500,000 of the general fund state appropriation for fiscal year 2024 and \$8,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely to build a mapping and forecasting tool that provides locations and information on charging and refueling infrastructure as required in chapter 300, Laws of 2021 (zero emissions transp.). The department shall collaborate with the interagency electric vehicle coordinating council established in chapter 182, Laws of 2022 (transportation resources) when developing the tool and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).~~

~~(7)) \$10,000,000 of the climate commitment account—state appropriation is provided solely for grants to support port districts, counties, cities, towns, special purpose districts, any other municipal corporations or quasi-municipal corporations, and tribes to support siting and permitting of clean energy projects in the state. Eligible uses of grant funding provided in this section include supporting predevelopment work for sites intended for clean energy projects, land use studies, conducting or engaging in planning efforts such as planned actions and programmatic environmental impact statements, and staff to improve permit timeliness and certainty.~~

~~((+8)) (4) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more of the western national laboratories, or a similar independent research organization, in consultation with state and federal energy agencies, stakeholders, and relevant utilities, to conduct an analysis for new electricity generation, transmission, ancillary services, efficiency and storage sufficient to offset those presently provided by the lower Snake river dams. The analysis should include a list of requirements for a replacement portfolio that diversifies and improves the resilience and maintains the reliability and adequacy of the electric power system, is consistent with the state's statutory and regulatory requirements for clean electricity generation, and is supplementary to the resources that will be required to replace fossil fuels in the electrical generation, transportation, industry, and buildings sectors. The department and its contractor's assessment will include quantitative analysis based on available data as well as qualitative input gathered from tribal and other governments, the Northwest power and conservation council, relevant utilities, and other key stakeholders. The analysis must include the following:~~

~~(i) Expected trends for demand, and distinct scenarios that examine potential outcomes for electricity demand, generation, and storage technologies development, land use and land~~

use constraints, and cost through 2050, as well as the most recent analysis of future resource adequacy and reliability;

(ii) A resource portfolio approach in which a combination of commercially available generating resources, energy efficiency, conservation, and demand response programs, transmission resources, and other programs and resources that would be necessary prerequisites to replace the power and grid reliability services otherwise provided by the lower Snake river dams and the time frame needed to put those resources into operation;

(iii) Identification of generation and transmission siting options consistent with the overall replacement resource portfolio, in coordination with other state processes and requirements supporting the planning of clean energy and transmission siting;

(iv) An evaluation of alternatives for the development, ownership and operation of the replacement resource portfolio;

(v) Examination of possible impacts and opportunities that might result from the renewal of the Columbia river treaty, revisions of the Bonneville power administration preference contracts, implementation of the western resource adequacy program (WRAP), and other changes in operation and governance of the regional electric power system, consistent with statutory and regulatory requirements of the clean energy transformation act;

(vi) Identification of revenue and payment structures sufficient to maintain reliable and affordable electricity supplies for ratepayers, with emphasis on overburdened communities;

(vii) Development of distinct scenarios that examine different potential cost and timeline potentials for development and implementation of identified generation and transmission needs and options including planning, permitting, design, and construction, including relevant federal authorities, consistent with the statutory and regulatory requirements of the clean energy transformation act;

(viii) Quantification of impacts to greenhouse gas emissions including life-cycle emissions analysis associated with implementation of identified generation and transmission needs and options including (A) planning, permitting, design, and construction, and, if relevant, emissions associated with the acquisition of non-Washington state domestic or foreign sources of electricity, and (B) any additional operations of existing fossil-fueled generating resources; and

(ix) An inventory of electricity demand by state-owned or operated facilities and information needed to complete a request for proposals (RFP) to satisfy this demand through new nonhydro renewable energy generation and/or conservation.

(b) The department shall, to the extent determined practicable, consider related analyses undertaken by the federal government as part of the Columbia river system operation stay of litigation agreed to in *National Wildlife Federation et al. v. National Marine Fisheries Service et al.* in October 2021.

(c) The department shall provide a status update to the energy and environment committees of the legislature and governor's office by December 31, 2024.

~~((+9))~~ (5) \$10,664,000 of the climate commitment account—state appropriation is provided solely for the department to administer a pilot program to provide grants and technical assistance to support planning, predevelopment, and installation of commercial, dual-use solar power demonstration projects. Eligible grant recipients may include, but are not limited to, nonprofit organizations, public entities, and federally recognized tribes.

~~((+10))~~ (6) \$20,592,000 of the climate commitment account—state appropriation is provided solely for the department to administer a grant program to assist owners of public buildings in covering the costs of conducting an investment grade energy audit for those buildings. Public buildings include those owned by state and local governments, tribes, and school districts.

~~((+11))~~ (7) (a) \$300,000 of the climate commitment account—state appropriation is provided solely for the department to develop recommendations on a design for a statewide energy assistance program to address the energy burden and provide access to energy assistance for low-income households. The department may contract with a third-party entity to complete the work required in this subsection.

(b) The recommendations must include considerations for data collection on the energy burden and assistance need of households, universal intake coordination and data sharing across statewide programs serving low-income households, program eligibility, enrollment, multilingual services, outreach and community engagement, program administration, funding, and reporting.

(c) By January 1, 2024, the department must submit a report with the recommendations to the appropriate committees of the legislature.

~~((+12))~~ (8) \$250,000 of the climate commitment account—state appropriation is provided solely for a grant to a nonprofit for a smart buildings education program to educate building owners and operators about smart building practices and technologies, including the development of onsite and digital trainings that detail how to operate residential and commercial facilities in an energy efficient manner. The grant recipient must be located in a city with a population of more than 700,000 and must serve anyone within Washington with an interest in better understanding energy efficiency in commercial and institutional buildings.

~~((+13))~~ (9) \$111,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((+14))~~ (10) \$3,152,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy



siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(15))~~ (11) \$167,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(16))~~ (12) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to convene stakeholders and plan for a statewide energy rebate navigator aimed at assisting residential and small commercial buildings, with priority for buildings owned or occupied by low-income, Black, indigenous, and people of color and converting overburdened communities to clean energy. Of this amount:

(a) \$50,000 of the climate commitment account—state appropriation is for the department to convene a summit of stakeholders around building energy topics related to the development of a statewide energy rebate navigator, including initial and ongoing guidance regarding program design and implementation. The summit should develop recommendations for the program to improve and grow, addressing gaps in program design and implementation, outreach into overburdened communities, HEAL Act compliance, workforce development issues, and contractor needs.

(b) \$200,000 of the climate commitment account—state appropriation is for statewide rebate navigator evaluation and project planning, which shall include:

(i) Evaluation of how technical assistance can focus on serving Black, indigenous, and people of color, and low-income communities;

(ii) Research of existing data and software solutions the state can leverage to provide a one-stop-shop for energy improvements;

(iii) Evaluation of program delivery models to optimize energy service delivery, including realizing economies of scale and reaching high rates of penetration in overburdened communities, indigenous communities, and communities of color;

(iv) Evaluation and cultivation of potential program implementers who are qualified to deliver navigator program services, including community energy efficiency program grantees; and

(v) Evaluation and cultivation of qualified potential energy services providers, including providers owned by Black, indigenous, and people of color, utility trade ally programs, and weatherization plus health weatherization agencies.

~~((17))~~ (13) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(18))~~ (14) \$93,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(19))~~ (15)(a) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a third-party entity to conduct a study that analyzes how the economic impact of oil refining in Washington state is likely to impact Washington's refineries, refinery workers, and refinery communities. By December 31, 2024, the report must be distributed to the energy and environment committees of the state legislature.

(b) The study required in (a) of this subsection must include:

(i) An overview of Washington's five oil refineries including: Location, age, workforce demographics, direct and indirect jobs connected with the industry, health and environmental impacts, local tax revenues paid by refineries, and primary and secondary products and markets;

(ii) A summary of projected scenarios for Washington refineries' primary markets, taking into account realistic, real world outcomes, given existing mandated decarbonization targets, feedstock availability, and statutes that impact Washington refinery products;

(iii) A summary of anticipated short-term, medium-term, and long-term economic viability of the five Washington oil refineries based on refinery product demand forecasts as outlined in (b)(ii) of this subsection;

(iv) A forecast of direct and indirect effects of the projected petroleum decline, including indirect employment impacts, the geography of those impacts, and impacts to local jurisdictions, utilities, ports, and special purpose districts from reduction in tax revenues, and impacts to local nonprofits and community programs from the refining industry;

(v) An assessment of potential future uses of refinery sites that include energy industrial, nonenergy industrial, heavy manufacturing, and industrial symbiosis, including an assessment of previously closed refinery sites throughout the United States and current use of those sites. Each potential future use shall be assessed and include data regarding: Greenhouse gas emissions, local pollution and environmental health, direct and indirect employment benefits, estimated tax impacts, potential costs to Washington residents, and feasibility based on relevant market trends; and an assessment of previously closed refinery sites throughout the United States and current use of those sites;

(vi) The competitive position of Washington refineries to produce alternative fuels consistent with Washington's emissions reductions defined in RCW 70A.45.020, the anticipated regional, national, and global demand for these fuels between 2023 and 2050; and the likely

employment, tax, environmental, cultural, and treaty impacts of refinery conversion to these alternative fuels;

(vii) An identification of refinery workers' skillsets, potential alternative sectors and industries of employment, an assessment and comparison of total compensation and benefit packages including retirement and health care programs of current and alternative jobs, impacts to apprenticeship utilization, and the current and expected availability of those jobs in Pierce, Skagit, and Whatcom counties;

(viii) A land and water remediation analysis; including cost estimates, current terrestrial and aquatic pollution mapping, an overview of existing policies and regulations that determine accountability for cleanup and identifies gaps that may leave local and state taxpayers financially liable, and an assessment of the workforce and skills required for potential cleanup;

(ix) A summary of existing petroleum refining capacity and trends in Washington, the United States, and internationally; and

(x) An assessment of decline or loss of tax revenues supporting state environmental programs including the model toxics control act, the pollution liability insurance agency, and other programs, as well as the decline or loss of transportation gas tax revenues.

(c) The department may require data and analysis from refinery owners and operators to inform the study. Pursuant to RCW 42.56.270, data shared or obtained in the course of this study is not subject to public disclosure. Where unavailable, the department and entity commissioned to complete the study shall rely on the best available public data.

(d) The study must include a robust public engagement process including local and state elected officials, labor groups, fence line communities, port districts, economic development associations, and environmental organizations in Skagit, Whatcom, and Pierce counties, and the five Washington refineries.

(e) The department must offer early, meaningful, and individual consultation with any affected Indian tribe for the purpose of understanding potential impacts to tribal rights and resources including cultural resources, archaeological sites, sacred sites, fisheries, and human health.

~~((21)) (16) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). (If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(22)) (17) \$1,000,000 of the climate commitment account—state appropriation is provided solely for a grant to the Yakama Nation for an advanced rail energy storage project.~~

(18) \$800,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely to contract with a nonprofit entity to serve as a Washington state green bank. The funds are to be used to match federal funds available for green bank development to support development of sustainable and clean energy financing solutions within Washington.

(19)(a) \$1,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to build an internet web portal that provides a centralized location for grant seekers to find all state and federal grant and incentive opportunities in the energy, climate, and clean technology sectors. The portal shall include, but is not limited to, an interactive internet website that is launched to include, at a minimum, information identifying every grant administered by the state and incentive opportunities that will provide clean energy and climate assistance. The department, in consultation with the governor's office, shall ensure that the internet website is accessible and provides helpful information to a diverse set of potential applicants including, but not limited to, nonprofit and community-based organizations, and other entities that are working to support and benefit tribes, rural communities, and vulnerable and overburdened communities.

(b) Within the amounts provided in (a) of this subsection, the department must establish a marketing and outreach campaign that makes information about funding opportunities widely available and easy to understand, encouraging more people and organizations to participate. The department shall work with consultants and third-party administrators to identify a range of groups including tribes, vulnerable and overburdened communities, rural communities, local governments, businesses of all sizes, households, nonprofits, educational institutions, and the clean energy developers and clean tech manufacturers that would benefit from state and federal funding available for clean energy projects. The campaign shall include a comprehensive marketing and outreach strategy, using various ways to communicate, ensuring all materials are clear, simple, and available in multiple languages, and employing best practices for communicating with diverse and underserved communities. The department, along with selected partners and third-party administrators, shall work with organizations directly serving these communities to extend the reach of these communications, with a goal of directing at least 25 percent of the marketing and outreach funds expended to benefit vulnerable populations in overburdened communities.

(20)(a) \$5,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to administer a program to assist community-based organizations, local governments, ports, tribes, and other entities to access federal tax incentives and grants. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit organizations, and for-profit businesses. The department shall prioritize assistance that

benefits vulnerable populations in overburdened communities, with a goal of directing at least 25 percent of funds to this purpose.

(b) Within the amounts provided in (a) of this subsection, the department must contract with a nonprofit organization to provide the following services:

(i) Development of tax guidance resources for clean energy tax credits, including core legal documents to be used broadly across stakeholders;

(ii) Providing tailored marketing materials for these resources targeting underserved entities; and

(iii) Providing funds to subcontract with clean energy tax attorneys to pilot office hours style support available to eligible entities across the state.

(21)(a) \$2,500,000 of the climate commitment account—state appropriation is provided solely for the department to support a tribal clean energy innovation and training center in partnership and collocated at Northwest Indian College. The center aims to support tribal energy goals and pursue clean energy deployment opportunities that enhance tribal energy sovereignty and well-being among tribes.

(b) Activities of the center include, but are not limited to: (i) Developing technical training offerings that could build the tribal workforce pipeline, especially in emerging technologies like geothermal heat pumps and hydrogen technologies, and provide economic development opportunities and resources to the region; (ii) researching and demonstrating the feasibility of innovative clean energy technologies that protect the environment; and (iii) creating a model for tribal clean energy centers that can be adopted by other tribal colleges in the region to establish clean energy deployment and land use best practices built on tribal knowledge.

(22) \$3,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to administer a grant program to assist community-based organizations, local governments, ports, tribes, and other entities to author federal grant applications and to provide support for federal grant reporting for entities that receive federal grants. The department will determine a process for prioritizing applicants, including first time or underserved applicants, tribes, and rural areas of the state. The state may also partner with third-party administrators and regional and local partners, such as associate development organizations and other local nonprofits to ensure equitable access to resources. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit organizations, and for-profit businesses. The department shall prioritize grants that provide benefit to vulnerable populations in overburdened communities, with a goal of directing at least 25 percent of funds to this purpose.

(23) \$539,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to develop plans to test hydrogen combustion and resulting nitrogen oxides (NOx) emissions, technical assistance for strategic end uses of hydrogen, a feasibility assessment regarding underground storage of hydrogen in Washington, and an environmental justice toolkit for hydrogen projects.

(24) \$3,500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide and facilitate access to energy assistance programs, including incentives, energy audits, and rebate programs to retrofit homes and small businesses.

(25) \$750,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide technical assistance and education materials to help counties establish effective commercial property assessed clean energy and resiliency (C-PACER) programs.

(26) \$3,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to establish a Washington clean energy ambassadors program as a part of the clean energy community decarbonization expansion of the clean energy fund. This program will offer education, planning, technical assistance, and community engagement across the state. Ambassadors will link local entities with resources and best practices to enable clean energy access for all communities and promote a just transition to a net-zero economy. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined under RCW 70A.02.010. This program must:

(a) Identify a pilot cohort of intermediary organizations;

(b) Recruit and train clean energy ambassadors;

(c) Host community energy and resilience educational events and workshops; and

(d) Provide technical assistance to help governments, community-based organizations, businesses, and communities obtain clean energy resources.

(27) \$150,000,000 of the climate commitment account—state appropriation is provided solely for the department to provide grants for public and private electric utilities to provide one-time bill rebates for low-income and moderate-income residential electricity customers in the amount of \$200 per household. Funding shall be prioritized for customers that have participated in the low-income home energy assistance program or ratepayer-funded assistance programs. Utilities may, but are not required to, work with community action agencies to administer these funds following the eligibility criteria for the low-income home energy assistance program. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Each utility shall disburse funds directly to customer accounts by December 31, 2024, and adhere to program communications guidelines provided by the department. Utilities may account for

and recover in rates administrative costs associated with the disbursement of funds provided in this subsection.

(28) \$350,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the authority to contract with Tacoma power, to conduct a feasibility study, including scoping project costs, on pumped storage at Tacoma power's Mossyrock dam. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(29) \$1,000,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide grants to the following public utility districts for the costs of relocating utilities necessitated by fish barrier removal projects: Clallam, Grays Harbor, Jefferson, Kittitas, Mason public utility district no. 1, Mason public utility district no. 2, Skagit, and Thurston.

(30) \$182,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for wildfire recovery costs from the Gray wildfire that impacted the city of Medical Lake. Recovery costs include procurement of water for firefighting, restoration of water and sewer infrastructure, replacement of water meters, emergency sewer capping, and various other costs associated with wildfire recovery.

(31) \$250,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide a grant to a nonprofit entity that represents the maritime industry to publish a strategic framework regarding the production, supply, and use of sustainable maritime fuels and deployment of low and zero-emissions vessel technologies in Washington. Funding under this subsection may be used for activities including, but not limited to, convening stakeholders and building organizational capacity. Stakeholder engagement pursuant to this subsection shall include, at a minimum, engagement with federal and state agencies, ports, industry, labor, research institutions, nongovernmental organizations, and relevant federally recognized tribes. The department shall submit a copy of its strategic framework and findings to the legislature in accordance with RCW 43.01.036 by June 30, 2025.

(32) \$500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide a grant to the Muckleshoot Indian tribe for high-speed charging stations for electric vehicles on highway 164 near Dogwood street.

(33) \$150,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to the smart building center education program to develop a qualified energy manager training program. The program must be available on demand and at no cost to the owners and operators of all tier 2 buildings to assist in complying with Washington's clean buildings performance standards.

(34) \$150,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to conduct up to three feasibility studies that will investigate the expansion of sewer heat recovery programs and pilots, within Washington state, to support decarbonization of the built environment. The feasibility studies will explore and review sewer heat recovery systems' potential benefits, implementation strategies, and necessary considerations to maximize decarbonization. The sites will be selected from the following: Decarbonization of a university campus district steam system, a rural community with agricultural and/or industrial focus, a tribal development, and/or another appropriate site.

(35) (a) \$500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to establish the Washington just and rapid transition climate tech program. The grant will provide funding for the recruitment, development, business training, and support of underserved climate technology innovators, entrepreneurs, and organizations developing or deploying solutions in the areas of renewable energy, energy efficiency, sustainable transportation, and other technology solving for the environmental challenges facing overburdened communities in Washington.

(b) Activities may include supporting entrepreneurs in preparing for private investment; technical assistance for entrepreneurs receiving state directed federal equity and debt capital; assistance accessing or leveraging the use of federal funding; business coaching and mentoring; and connections to technical and business resources.

(c) The grant recipient must be a nonprofit organization that has been awarded, from the state of Washington, federal state small business credit initiative funds for investment in Washington climate tech entrepreneurs, and must also have experience managing investment funding and providing entrepreneurial support programs and federal funding assistance to early-stage climate start-ups and businesses based in Washington. The grant recipient should have experience providing services to individuals and companies led by individuals from underrepresented groups, including BIPOC, women, and individuals residing in rural communities and have working partnerships with state research universities, climate tech industry associations, and community-based organizations serving underserved communities.

(36) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide a grant for a study on how other states regulate and permit agritourism and bring the advocates of interested groups together to resolve outstanding issues about permitting in agricultural areas, the sale of beer, wine, and cider, and the use of agricultural buildings for agritourism purposes. A report of the findings and recommendations must be submitted to the legislature in accordance with RCW 43.01.036 by June 30, 2025.

(37) \$750,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to the city of Ellensburg for

decarbonization planning and implementation. The funding must be used by the city for staff or contractors to develop and implement strategies to comply with the requirements of climate commitment act and decarbonize their natural gas utility.

(38) \$199,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 131.** 2023 c 475 s 133 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2024)	(( \$26,300,000))
	<u>\$24,848,000</u>
General Fund—State Appropriation (FY 2025)	(( \$18,107,000))
	<u>\$19,893,000</u>
General Fund—Federal Appropriation	(( \$7,822,000))
	<u>\$7,875,000</u>
General Fund—Private/Local Appropriation	(( \$2,055,000))
	<u>\$2,073,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$5,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	\$7,000
Affordable Housing for All Account—State Appropriation	(( \$184,000))
	<u>\$186,000</u>
Building Code Council Account—State Appropriation	\$4,000
Climate Commitment Account—State Appropriation	<u>\$253,000</u>
Community and Economic Development Fee Account—State Appropriation	(( \$241,000))
	<u>\$246,000</u>
<u>Coronavirus State Fiscal Recovery Fund—Federal Appropriation</u>	<u>\$300,000</u>
Economic Development Strategic Reserve Account—State Appropriation	\$47,000
Energy Efficiency Account—State Appropriation	\$20,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation	\$47,000
Growth Management Planning and Environmental Review Fund—State Appropriation	\$147,000
Home Security Fund Account—State Appropriation	(( \$1,401,000))
	<u>\$1,413,000</u>
Lead Paint Account—State Appropriation	\$29,000
Liquor Excise Tax Account—State Appropriation	\$398,000
Liquor Revolving Account—State Appropriation	\$17,000
Low-Income Weatherization and Structural Rehabilitation Assistance Account—State Appropriation	\$10,000
Public Facilities Construction Loan Revolving Account—State Appropriation	(( \$320,000))
	<u>\$323,000</u>
Public Works Assistance Account—State Appropriation	(( \$2,005,000))
	<u>\$2,016,000</u>
Washington Housing Trust Account—State Appropriation	(( \$1,141,000))
	<u>\$1,155,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(( \$60,307,000))</b>
	<u><b>\$61,312,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants and associated technical assistance and administrative costs to foster collaborative partnerships that expand child care capacity in communities. Eligible applicants include nonprofit organizations, school districts, educational service districts, and local governments. These funds may be expended only after the approval of the director of the department of commerce and must be used to support planning and activities that help communities address the shortage of child care, prioritizing partnerships serving in whole or in part areas identified as child care access deserts. The department must submit a report to the legislature on the use of funds by June 30, 2025. The report shall include, but is not limited to:

- (a) The number and location of organizations, school districts, educational service districts, and local governments receiving grants;
- (b) The number of grants issued and their size; and

(c) Any information from grantee organizations on outcomes.

(2) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Vancouver that is the lead organization in a collaborative partnership to expand child care capacity in southwest Washington, for activities that will increase access to affordable, high-quality child care and help meet community needs.

(3) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the work group created in section 916 of this act to examine fire service delivery.

(4) (a) \$30,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to produce a study of the retirement preparedness of Washington residents and the feasibility of establishing a portable individual retirement account savings program with automatic enrollment (auto-IRA) for private sector workers who do not have workplace retirement benefits. To conduct the study, the department shall enter into an agreement with a nonprofit, nonpartisan think tank and research center based in Washington, D.C. that is unaffiliated with any institution of higher education and with a mission to generate a foundation of facts that enriches the public dialog and supports sound decision making. This research center will be responsible for the production of the study to the department. The center shall not be reimbursed for costs nor shall it receive or retain any of the funds. With the advice and consent of the department, the center may select a research institution, entity, or individual located in Washington state with expertise and proficiency in demographic analysis, retirement systems, or retirement planning to collaborate with on this study. The appropriation may be used by the department to enter into a contract with this partner entity for the partner entity's contributions to the study. Any funds not provided to the partner entity or otherwise unused shall be returned.

(b) The study must analyze current state and federal programs and recent state and federal statutory and rule changes that encourage citizens to save for retirement by participating in retirement savings plans, including plans pursuant to sections 401(k), 403(b), 408, 408(a), 408(k), 408(p), and 457(b) of the internal revenue code. The scope of the analysis must include:

(i) An examination of potential retirement savings options for self-employed individuals, part-time employees, and full-time employees whose employers do not offer a retirement savings plan;

(ii) Estimates of the impact on the state budget from shortfalls in retirement savings or income, including on public budgets from taxpayer-financed elderly assistance programs and a loss of economic activity by seniors;

(iii) The level of interest by private sector Washington employers in participating in an auto-IRA program;

(iv) A determination of how prepared financial institutions will be to offer these plans in compliance with federal requirements on all new retirement plans going into effect in 2025;

(v) Findings that clarify the gaps in retirement savings services currently offered by financial institutions;

(vi) An examination of the impact of retirement savings on income and wealth inequality;

(vii) An estimate of the costs to start up an auto-IRA program, an estimate of the time for the program to reach self-sufficiency, and potential funding options;

(viii) The experience of other states that have implemented or are implementing a similar auto-IRA program for employers and employees, as well as program impacts on the market for retirement plan products and services;

(ix) An evaluation of the feasibility and benefits of interstate partnerships and cooperative agreements with similar auto-IRA programs established in other jurisdictions, including contracting with another state to use that state's auto-IRA program, partnering with one or more states to create a joint auto-IRA program, or forming a consortium with one or more other states in which certain aspects of each state's auto-IRA program are combined for administrative convenience and efficiency;

(x) An assessment of potential changes in enrollment in a joint auto-IRA program if potential participants are concurrently enrolled in the federal "saver's credit" program;

(xi) An assessment of how a range of individuals or communities view wealth, as well as ways to accumulate assets;

(xii) The appropriate state agency and potential structure for implementing an auto-IRA program; and

(xiii) Recommendations for statutory changes or appropriations for establishing an auto-IRA program.

(c) By December 15, 2023, the department must submit a report to the appropriate committees of the legislature in compliance with RCW 43.01.036 on the study findings.

(5) \$253,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided for the department to incorporate equity and environmental justice into agency grant programs with the goal of reducing programmatic barriers to vulnerable populations in overburdened communities in accessing department funds. The department shall prioritize grant programs receiving funds from the accounts established under RCW 70A.65.080, 70A.65.240, 70A.65.250, and 70A.65.260.

**Sec. 132.** 2023 c 475 s 134 (uncodified) is amended to read as follows:  
**FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL**

General Fund—State Appropriation (FY 2024)	(( \$973,000 ))
	<u>\$1,155,000</u>
General Fund—State Appropriation (FY 2025)	(( \$1,040,000 ))
	<u>\$1,027,000</u>
Lottery Administrative Account—State Appropriation	\$50,000
<b>TOTAL APPROPRIATION</b>	<b><u>(( \$2,063,000 ))</u></b>
	<b><u>\$2,232,000</u></b>

**Sec. 133.** 2023 c 475 s 135 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund—State Appropriation (FY 2024)	(( \$19,943,000 ))
	<u>\$19,813,000</u>
General Fund—State Appropriation (FY 2025)	(( \$21,286,000 ))
	<u>\$21,843,000</u>
General Fund—Federal Appropriation	\$38,384,000
General Fund—Private/Local Appropriation	(( \$1,499,000 ))
	<u>\$3,943,000</u>
Climate Investment Account—State Appropriation	(( \$909,000 ))
	<u>\$811,000</u>
Climate Commitment Account—State Appropriation	\$4,485,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation	\$656,000
<del>((Economic Development Strategic Reserve Account—State Appropriation</del>	<del>..... \$68,000))</del>
Personnel Service Account—State Appropriation	(( \$26,815,000 ))
	<u>\$27,021,000</u>
Higher Education Personnel Services Account—State Appropriation	\$1,497,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation	\$300,000
Statewide Information Technology System Development Revolving Account—State Appropriation	(( \$105,745,000 ))
	<u>\$200,453,000</u>
Office of Financial Management Central Service Account—State Appropriation	(( \$30,929,000 ))
	<u>\$31,786,000</u>
<del>((Performance Audits of Government Account— State Appropriation</del>	<del>..... \$108,000)</del>
<del>Workforce Education Investment Account—State Appropriation</del>	<del>..... \$100,000))</del>
<b>TOTAL APPROPRIATION</b>	<b><u>(( \$252,724,000 ))</u></b>
	<b><u>\$350,992,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) The student achievement council and all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW shall ensure that data needed to analyze and evaluate the effectiveness of state financial aid programs are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

- (i) The number of Washington college grant and college bound recipients;
  - (ii) Persistence and completion rates of Washington college grant recipients and college bound recipients, disaggregated by institution of higher education;
  - (iii) Washington college grant recipients grade point averages; and
  - (iv) Washington college grant and college bound scholarship program costs.
- (b) The student achievement council shall submit student unit record data for state financial aid program applicants and recipients to the education data center.

(2) ~~(( \$100,000 of the workforce education investment account state appropriation is provided solely to the office of financial management to implement career connected learning.~~

~~(3)) (a) (( \$105,607,000 )) \$200,312,000 of the information technology system development revolving account—state appropriation is provided solely for the one Washington enterprise resource planning statewide program phase 1A (agency financial reporting system replacement) and is subject to the conditions, limitations, and review requirements of section 701 of this act.~~

(b) Of the amount provided in this subsection:

(i) ~~(( \$41,000,000 )) \$64,780,000 of the information technology system development revolving account—state appropriation is provided solely for a technology pool ((in fiscal year 2024)) to pay for phase 1A (agency financial reporting system replacement—core financials) state agency costs due to legacy system remediation work associated with impacted financial systems and interfaces. The office of financial management must manage the pool, authorize funds, track costs by agency by fiscal month, and report after each fiscal month close on the agency spending to the consolidated technology services agency so that the spending is included in the statewide dashboard actual spending;~~

(ii) \$5,650,000 of the information technology system development revolving account—state appropriation is provided solely for organizational change management;

(iii) (~~(\$690,000)~~) \$1,380,000 of the information technology system development revolving account—state appropriation is provided solely for an interagency agreement (~~(in fiscal year 2024)~~) with consolidated technology services for one dedicated information technology consultant and two dedicated system architect staff to be contracted from the office of the chief information officer. These staff will work with state agencies to ensure preparation and timely decommission of information technology systems that will no longer be necessary post implementation of phase 1A (agency financial reporting system replacement—core financials); and

(iv) \$1,854,000 of the information technology system development revolving account—state appropriation is provided solely for dedicated back office administrative support in fiscal year 2024. This includes resources for human resource staff, contract staff, information technology staff, and fiscal staff.

(c) The one Washington team must include at least the chair and ranking member of the technology committees and fiscal committees of the senate and house of representatives in system demonstrations of at least these key deliverables:

(i) Demonstration of integration build, which must be completed by July 31, 2023; and

(ii) Demonstration of workday tenant, which must be completed by November 30, 2023.

(d) The one Washington solution and team must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of two-week sprints.

(e) The one Washington solution must be capable of being continually updated, as necessary.

(f) Beginning July 1, 2023, the office of financial management shall provide written quarterly reports, within 30 calendar days of the end of each fiscal quarter, to legislative fiscal committees and the legislative evaluation and accountability program committee to include how funding was spent compared to the budget spending plan for the prior quarter by fiscal month and what the ensuing quarter budget will be by fiscal month. All reporting must be separated by phase of one Washington subprojects. The written report must also include:

(i) A list of quantifiable deliverables accomplished and amount spent associated with each deliverable, by fiscal month;

(ii) A report on the contract full-time equivalent charged compared to the budget spending plan by month for each contracted vendor, to include interagency agreements with other state agencies, and what the ensuing contract equivalent budget spending plan assumes by fiscal month;

(iii) A report identifying each state agency that applied for and received technology pool resources, the staffing equivalent used, and the cost by fiscal month by agency compared to the budget spending plan by fiscal month;

(iv) A report on budget spending plan by fiscal month by phase compared to actual spending by fiscal month, and the projected spending plan by fiscal month for the ensuing quarter; and

(v) A report on current financial office performance metrics that at least 10 state agencies use, to include the monthly performance data, that began July 1, 2021.

(g) Prior to the expenditure of the amounts provided in this subsection, the director of the office of financial management must review and approve the spending in writing.

(h) The legislature intends to provide additional funding for fiscal year 2025 costs for phase 1A (agency financial reporting system replacement) to be completed, which is scheduled to be done by June 30, 2025.

(~~(+4)~~) (3) \$250,000 of the office of financial management central services account—state appropriation is provided solely for a dedicated information technology budget staff for the work associated with statewide information technology projects that at least are subject to the conditions, limitations, and review requirements of section 701 of this act and are under the oversight of the office of the chief information officer. The staff will be responsible for providing a monthly financial report after each fiscal month close to fiscal staff of the senate ways and means and house appropriations committees to reflect at least:

(a) Fund balance of the information technology pool account after each fiscal month close;

(b) Amount by information technology project, differentiated if in the technology pool or the agency budget, of what funding has been approved to date and for the last fiscal month;

(c) Amount by agency of what funding has been approved to date and for the last fiscal month;

(d) Total amount approved to date, differentiated if in the technology pool or the agency budget, and for the last fiscal month;

(e) A projection for the information technology pool account by fiscal month through the 2023-2025 fiscal biennium close, and a calculation spent to date as a percentage of the total appropriation;

(f) A projection of each information technology project spending compared to budget spending plan by fiscal month through the 2023-2025 fiscal biennium, and a calculation of amount spent to date as a percentage of total project cost; and

(g) A list of agencies and projects that have not yet applied for nor been approved for funding by the office of financial management.

(~~(+5)~~) (4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 245, Laws of 2022 (state boards, etc./stipends).



~~((6))~~ ~~(\$137,000)~~ ~~(5)~~ \$39,000 of the climate investment account—state appropriation is provided solely for the office of financial management to complete an analysis of laws regulating greenhouse gas emissions as required by RCW 70A.65.200(10).

~~((7))~~ ~~(6)~~ \$3,060,000 of the general fund—federal appropriation and \$4,485,000 of the climate commitment account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ A minimum of 60 percent of climate service corps positions created pursuant to the bill shall be provided to members of vulnerable populations in overburdened communities as defined in RCW 70A.65.010, the climate commitment act.

~~((8))~~ ~~(7)~~ \$366,000 of the office of financial management central services account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5512 (higher ed. financial reports). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~(9))~~ ~~(8)~~ Within existing resources, the labor relations section shall produce a report annually on workforce data and trends for the previous fiscal year. At a minimum, the report must include a workforce profile; information on employee compensation, including salaries and cost of overtime; and information on retention, including average length of service and workforce turnover.

~~((10))~~ ~~(9)~~ \$298,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of financial management to convene a task force created in section 913 of this act to identify, plan, and make recommendations on the conversion of the Naselle youth camp property and facilities to an alternate use. Staff support for the task force must be provided by the office of financial management.

~~((11))~~ ~~(10)~~ Within existing resources, the office of financial management shall convene a work group with the goal to improve the state salary survey and provide employees with a voice in the process. The work group shall consist of five employees from the office of financial management, five representatives from employee labor organizations to act as a coalition on behalf of all labor organizations representing state employees, and one chairperson appointed by the director of the office of financial management, to share information and identify concerns with the state salary survey and benchmark job descriptions. By December 31, 2023, the work group shall provide a report of identified concerns to the fiscal and state government committees of the legislature and the director of the office of financial management.

~~((12))~~ ~~(11)~~ (a) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$615,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to establish a difficult to discharge task force to oversee a pilot program and make recommendations about how to address challenges faced with discharging patients from acute care settings and postacute care capacity by July 1, 2023.

(b) The task force shall consist of six members, one from each of the following:

- (i) The governor's office;
- (ii) The health care authority;
- (iii) The department of social and health services;
- (iv) The Washington state hospital association;
- (v) Harborview medical center; and
- (vi) Postacute care provider organizations.

(c) In consultation with stakeholder groups, the governor's office will identify task force members.

(d) The task force shall provide recommendations to the governor and appropriate committees of the legislature on topics including, but not limited to:

(i) Pilot program implementation and evaluation, and recommendations for statewide implementation;

- (ii) Available funding mechanisms;
- (iii) Postacute care and administrative day rates;
- (iv) Managed care contracting; and
- (v) Legal, regulatory, and administrative barriers to discharge.

(e) The task force shall consult with stakeholders with relevant expertise to inform recommendations, including the health care authority, the department of social and health services, hospitals, postacute care providers, and medicaid managed care organizations.

(f) The task force may assemble ad hoc subgroups of stakeholders as necessary to complete its work.

(g) The task force and its operations, including any associated ad hoc subgroups, shall be organized and facilitated by the University of Washington through October 31, 2023. Beginning November 1, 2023, the office shall identify a contractor to undertake the following responsibilities, with oversight from the task force:

- (i) Organization and facilitation of the task force, including any associated subgroups;
- (ii) Management of task force process to ensure deliverables, including report writing;
- (iii) Oversight of the launch of a ~~((five-site))~~ two-year pilot project based on a model created by Harborview medical center by November 1, 2023; and
- (iv) Coordination of pilot implementation, associated reports, and deliverables.

(h) The task force shall provide recommendations to the governor and appropriate committees of the legislature outlining its initial recommendations by November 1, 2023. A report outlining interim recommendations and findings shall be provided by July 1, 2024, and a final report shall be provided by July 1, 2025.

~~((13))~~ (12) \$277,000 of the office of financial management central services account—state appropriation is provided solely for implementation of House Bill No. 1679 (student homelessness group). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((14))~~ (13) \$772,000 of the climate investment account—state appropriation is provided solely for the office to develop a data portal and other materials and strategies to improve public and community understanding of expenditures, funding opportunities, and grants, from climate commitment act accounts. The development of the data portal must be coordinated with the department of ecology and the expenditure tracking process described in section 302(13) of this act. "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, the air quality and health disparities improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

~~((15))~~ (14) (a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a joint legislative and executive committee on behavioral health, with members as provided in this subsection:

(i) The president of the senate shall appoint three legislative members, including a chair of a senate committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(ii) The speaker of the house of representatives shall appoint three legislative members, including a chair of a house committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(iii) The governor or his or her designee;

(iv) The secretary of the department of social and health services or his or her designee;

(v) The director of the health care authority or his or her designee;

(vi) The insurance commissioner or his or her designee;

(vii) The secretary of the department of health or his or her designee; and

(viii) The secretary of the department of children, youth, and families or his or her designee;

(ix) Other agency directors or designees as necessary; and

(x) Two individuals representing the interests of individuals living with behavioral health conditions.

(b) (i) The committee must convene by September 1, 2023, and shall meet at least quarterly. Cochairs shall be one legislative member selected by members of the committee at the first meeting and the representative of the governor's office. All meetings are open to the public.

(ii) The office of financial management shall contract or hire dedicated staff to facilitate and provide staff support to the nonlegislative members and for facilitation and project management support of the committee. Senate committee services and the house of representatives office of program research shall provide staff support to the legislative members of the committee. The contractor shall support the work of all members of the committee, legislative and nonlegislative.

(iii) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate.

(c) The purpose of the committee is to identify key strategic actions to improve access to behavioral health services, by conducting at least, but not limited to, the following tasks:

(i) Establishing a profile of Washington's current population and its behavioral health needs and a projection of population growth and anticipated need through 2028;

(ii) Establishing an inventory of existing and anticipated behavioral health services and supports for adults, children, and youth, including health care providers and facilities;

(iii) Assessing the areas of the current system where additional support is needed for Washington's current population;

(iv) Establishing an anticipated inventory of future services and supports that will be required to meet the behavioral health needs of the population in 2028 and beyond with a specific emphasis on prevention, early intervention, and home or community-based capacity designed to reduce reliance on emergency, criminal legal, crisis, and involuntary services;

(v) Reviewing the integrated care initiative on access to timely and appropriate behavioral health services for individuals with acute behavioral health needs; and

(vi) (A) Developing a strategy of actions that the state may take to prepare for the future demographic trends in the population and building the necessary capacity to meet these demands, including but not limited to:

(I) Exploring the role that education, housing and homelessness response systems, the criminal legal system, primary health care, and insurance systems have in the identification and treatment of behavioral health issues;

(II) Evaluating behavioral health workforce demand and workforce education, training, and continuing education requirements; and

(III) Statutory and regulatory changes to promote the most efficient use of resources, such as simplifying administrative procedures, facilitating access to services and supports systems, and improving transitions between care settings.

(B) Strategies must:

(I) Be based on explicit and measurable actions;

(II) Identify what must be done, by whom, and by when to assure implementation;

(III) Estimate a cost to the party responsible for implementation;

(IV) Recommend specific fiscal strategies that rely predominately on state and federal funding;

(V) Include recommendations for needed and appropriate additional caseload forecasting for state-funded behavioral health services; and

(VI) Incorporate and reconcile, where necessary, recommendations from past and current behavioral health work groups created by the legislature and network adequacy standards established by the health care authority.

(d) The committee shall incorporate input from the office of the insurance commissioner, the caseload forecast council, the health care authority, and other appropriate entities with specialized knowledge of the needs and growth trends of the population and people with behavioral health issues. In the conduct of its business, the committee shall have access, upon request, to health-related data available to state agencies by statute, as allowed by state and federal law. All requested data or other relevant information maintained by an agency shall be provided in a timely manner.

(e) The committee shall submit a sustainable five-year plan to substantially improve access to behavioral health for all Washington residents to the governor, the office of financial management, and the legislature by June 1, 2025.

~~((16))~~ (15) The office of financial management must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((17))~~ (16) \$300,000 of the statewide 988 behavioral health crisis response and suicide prevention line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(17) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the purchase and distribution of accessible technology and devices to support the employment and reasonable accommodation for state employees with disabilities. The office may use funds to purchase accessible technology and devices or the office may provide funds to agencies that employ persons with a disability to purchase accessibility devices such as screen readers, large button/print equipment, magnifiers, accessibility software, and other equipment.

(18) (a) \$274,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to conduct an analysis of health care services for pregnancy-related health care, including preconception, prenatal, labor and delivery, and postpartum care. With regard to these types of services, the analysis shall include, but not be limited to:

(i) Access to services and disparities in access;

(ii) Cost;

(iii) Location and type of provider; and

(iv) Demographics of patients and providers.

(b) The office of financial management shall submit a report to the governor and the appropriate committees of the legislature by June 30, 2025. The report shall include the analysis in (a) of this subsection and must identify and represent the following information in both table and geographical map view:

(i) Community and hospital birth centers by name, city, and county;

(ii) Annual births by geographical location to include community and hospital birth center, if known;

(iii) Greatest gaps in service using data in this subsection.

(c) The report required in (b) of this subsection must also include any recommendations for how to fill the gaps in service identified in the data and any recommendations for future analysis.

(19) \$298,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to convene a task force created in section 905 of this act to identify, plan, and make recommendations on the future use of the Larch corrections center property and facilities to an alternate use. Staff support for the task force must be provided by the office of financial management.

(20) (a) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a third party to complete market research on incarcerated individual communication rates in the United States. The market research must include:

(i) Detail by state on the amount each state pays to the vendor contracted to provide communication service rates and rate structures for incarcerated individuals at discrete points of time to include, at least, January 1, 2024, January 1, 2020, and January 1, 2015 for, at least but not limited to:

(A) Voice communication;

(B) Video communication;

(C) Email communication; and

(D) Text messaging communication;

(ii) The amount families paid in total for a state's contracted telecom vendor each state fiscal year for at least fiscal years 2018, 2019, 2020, 2021, 2022, and 2023;

(iii) Comparative market research analysis on rate structures over time, how those rates compare to the telecommunication fees over the same time, and how the market is anticipated to change by calendar year from calendar year 2024 through calendar year 2030;

(iv) Analysis on how many states provide at least voice communication services or any other communication services free of charge to the person initiating and the person receiving the communication and what calendar date that began; and

(v) Comparative analysis of any impacted rate structures, and at least those in (a)(i) of this subsection, before communication services are made free of charge to the person initiating and the person receiving the communication compared to the new negotiated rate structures, and at least those in (a)(i) of this subsection, after communication services are made free of charge to the person initiating and the person receiving the communication.

(b) The report must be submitted to the governor and the appropriate committees of the legislature by December 31, 2024.

**Sec. 134.** 2023 c 475 s 136 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

Administrative Hearings Revolving Account—State	
Appropriation. . . . .	(( <del>\$72,194,000</del> ))
	<u>\$76,179,000</u>
Administrative Hearings Revolving Account—Local	
Appropriation. . . . .	\$12,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$72,206,000</del>))</b>
	<b><u>\$76,191,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$597,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(2) \$80,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$34,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$61,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$2,487,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

**Sec. 135.** 2023 c 475 s 137 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE LOTTERY**

Lottery Administrative Account—State Appropriation. . . . .	(( <del>\$32,896,000</del> ))
	<u>\$32,906,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$32,896,000</del>))</b>
	<b><u>\$32,906,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1) No portion of this appropriation may be used for acquisition of gaming system capabilities that violate state law.

(2) Pursuant to RCW 67.70.040, the commission shall take such action necessary to reduce retail commissions to an average of 5.1 percent of sales.

**Sec. 136.** 2023 c 475 s 138 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON HISPANIC AFFAIRS**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$1,494,000</del> ))
	<u>\$1,495,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$1,347,000</del> ))
	<u>\$1,346,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>\$2,841,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Hispanic and Latinx students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to gang youth intervention specialists for a pilot program within high schools in Washington. Grants may be provided without using a competitive selection process.

**Sec. 137.** 2023 c 475 s 139 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$660,000</del> ))
	<u>\$661,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	\$662,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,322,000</del>))</b>
	<b><u>\$1,323,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for African American and Black students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators, as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

**Sec. 138.** 2023 c 475 s 140 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS**

General Fund—State Appropriation (FY 2024) . . . . .	\$387,000
Department of Retirement Systems Expense Account—	
State Appropriation . . . . .	(( <del>\$115,088,000</del> ))
	<u>\$116,700,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$115,475,000</del>))</b>
	<b><u>\$117,087,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$34,491,000 of the department of retirement systems expense account—state appropriation is provided solely for pension system modernization, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$143,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1007 (military service credits). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(3) \$1,172,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5538 (postretirement nursing). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(4) \$1,058,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1056 (postretirement employment). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(5) \$199,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1055 (public safety telecommunicators). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(6) \$536,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1481 (tribal peace officers/LEOFF). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(7) \$116,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/

PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(8) \$265,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6197 (LEOFF plan 2 provisions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 139.** 2023 c 475 s 141 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF REVENUE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$427,926,000</del> ))
	<u>\$358,211,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$436,344,000</del> ))
	<u>\$395,095,000</u>
Climate Commitment Account—State Appropriation . . . . .	\$895,000
Timber Tax Distribution Account—State Appropriation . . . . .	(( <del>\$8,095,000</del> ))
	<u>\$8,099,000</u>
Business License Account—State Appropriation . . . . .	(( <del>\$19,774,000</del> ))
	<u>\$19,790,000</u>
Waste Reduction, Recycling, and Litter Control Account—State Appropriation . . . . .	\$183,000
Model Toxics Control Operating Account—State Appropriation . . . . .	\$127,000
Financial Services Regulation Account—State Appropriation . . . . .	\$5,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$898,344,000</del>))</b>
	<b><u>\$787,400,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,669,000 of the general fund—state appropriation for fiscal year 2024 and \$1,661,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 196, Laws of 2021 (capital gains tax).

(2) ((~~\$251,639,000~~))\$181,639,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$263,768,000~~))\$221,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 195, Laws of 2021 (working families tax exempt.). Of the total amounts provided in this subsection:

(a) \$16,639,000 of the general fund—state appropriation for fiscal year 2024 and \$15,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administration of the working families tax exemption program; and

(b) ((~~\$235,000,000~~))\$165,000,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$248,000,000~~))\$206,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for remittances under the working families tax exemption program.

(3) \$2,408,000 of the general fund—state appropriation for fiscal year 2024, \$780,000 of the general fund—state appropriation for fiscal year 2025, and \$895,000 of the climate commitment account—state appropriation are provided solely for the department to implement 2023 revenue legislation.

(4) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop an implementation plan for an online searchable database of all taxes and tax rates in the state for each taxing district. A report summarizing options, estimated costs, and timelines to implement each option must be submitted to the appropriate committees of the legislature by June 30, 2024. The implementation plan must include an array of options, including low cost options that may change the scope of the database. However, each low cost option must still provide ease of public access to state and local tax information that is currently difficult for the public to collect and efficiently navigate.

(5) \$19,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of House Bill No. 1303 (property tax administration). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(6) \$3,639,000 of the general fund—state appropriation for fiscal year 2024 and \$3,582,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1477 (working families' tax credit). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(7) \$48,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(8) \$31,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5565 (tax and revenue laws). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(9) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

department to research and analyze wealth taxes imposed in other countries and wealth tax legislation recently proposed by other states and the United States. At a minimum, the department must examine how existing and proposed wealth taxes are structured, compliance and administrative challenges of wealth taxes, best practices in the design and administration of wealth taxes, and potential data sources to aid the department in estimating the revenue impacts of future wealth tax proposals for this state or assisting the department in the administration of a wealth tax. As part of its examination and analysis, the department must seek to consult with relevant subject matter experts from within and outside of the United States.

(b) The department may contract with one or more institutions of higher education as defined in RCW 28B.10.016 for assistance in carrying out its obligations under this subsection.

(c) The department must submit a status report to the appropriate fiscal committees of the legislature by January 1, 2024, and a final report to the appropriate fiscal committees of the legislature by November 1, 2024. The final report must include the department's findings.

(10) \$42,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to study how to collect race and ethnicity information from organizations or entities that receive tax preferences, as defined in RCW 43.136.021.

(a) The department may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(b) The department must submit a report to appropriate committees of the legislature by June 30, 2025. The report must include cost and timeline estimates for collecting the race and ethnicity information. The department must consult with the office of equity to ensure that data collection is consistent with other efforts. The report must also include, but is not limited to, the following information:

(i) The cost and time required for the department to revise current reporting requirements to include race and ethnicity data;

(ii) The cost and time required for the department to incorporate the collection of race and ethnicity data into future reporting;

(iii) The cost and time required for the department to incorporate the collection of race and ethnicity data into its existing information technology systems;

(iv) Recommendations on any exclusions from the requirement to report race and ethnicity data; and

(v) Any statutory changes necessary to collect race and ethnicity data.

(12) \$3,000 of the general fund—state appropriation for fiscal year 2024 and \$251,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5334 (affordable housing funding). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(13) \$4,000 of the business license account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5897 (business license services). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) \$12,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5915 (ag. crop products/tax ex.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15) \$16,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6013 (homeownership dev. tax ex.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(16) \$4,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6030 (ADU tax exemptions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(17) \$32,000 of the general fund—state appropriation for fiscal year 2024 and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 6038 (child care tax preference). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(18) \$36,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(19) \$101,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6175 (existing structures/housing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(20) \$4,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6215 (tax and revenue laws). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**FOR THE BOARD OF TAX APPEALS**

General Fund—State Appropriation (FY 2024) . . . . .	\$2,810,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$2,808,000)</del>
	<u>\$2,810,000</u>
TOTAL APPROPRIATION.....	<del>(\$5,618,000)</del>
	<u>\$5,620,000</u>

**Sec. 141.** 2023 c 475 s 143 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

General Fund—State Appropriation (FY 2024) . . . . .	\$3,837,000
General Fund—State Appropriation (FY 2025) . . . . .	\$3,799,000
Minority and Women's Business Enterprises Account— State Appropriation. . . . .	<del>(\$6,062,000)</del>
	<u>\$6,066,000</u>
TOTAL APPROPRIATION.....	<del>(\$13,698,000)</del>
	<u>\$13,702,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of minority and women's business enterprises shall consult with the Washington state office of equity on the Washington state toolkit for equity in public spending.

(2) \$540,000 of the general fund—state appropriation for fiscal year 2024 and \$529,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$151,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a policy analyst position.

(4) \$941,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to expand its outreach and communications department.

**Sec. 142.** 2023 c 475 s 144 (uncodified) is amended to read as follows:

**FOR THE INSURANCE COMMISSIONER**

General Fund—Federal Appropriation. . . . .	\$4,723,000
Insurance Commissioner's Regulatory Account—State Appropriation. . . . .	<del>(\$79,157,000)</del>
	<u>\$80,799,000</u>
Insurance Commissioner's Fraud Account—State Appropriation. . . . .	<del>(\$4,269,000)</del>
	<u>\$4,270,000</u>
TOTAL APPROPRIATION.....	<del>(\$88,149,000)</del>
	<u>\$89,792,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5242 (abortion cost sharing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(2) \$63,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of House Bill No. 1120 (annuity transactions). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$72,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5036 (audio-only telemedicine). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$55,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5300 (behavioral health continuity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$19,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5396 (breast exam cost sharing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(7) \$260,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 87, Laws of 2023 (SSB 5338).

(8) \$1,206,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5066 (health care benefit managers).



~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$9,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 16, Laws of 2023 (SSB 5729).

(10) \$272,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5581 (maternal support services). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$237,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 42, Laws of 2023 (SB 5319).

(12) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5720 (risk mitigation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(13) (a) ~~(\$500,000)~~ \$700,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner, in collaboration with the office of the attorney general, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state, including but not limited to the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.

(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The office of the insurance commissioner and office of the attorney general shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

(14) \$190,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 27, Laws of 2023 (SHB 1266).

(15) \$66,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1222 (hearing instruments coverage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(16) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 21, Laws of 2023 (HB 1061).

(17) \$14,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute House Bill No. 1060 (mutual insurer reorg.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$132,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) (a) ~~(\$250,000)~~ \$50,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for an analysis of how health plans define, cover, and reimburse for maternity care services, including prenatal, delivery, and postpartum care. The commissioner shall:

(i) Obtain necessary information regarding health plans offered by carriers with more than one percent accident and health market share based upon the commissioner's most recent

annual market information report and health plans offered to public employees under chapter 41.05 RCW to evaluate:

- (A) How health plan benefit designs define maternity care services;
- (B) Whether and to what extent maternity care services are subject to deductibles and other cost-sharing requirements;
- (C) Which maternity care services are considered preventive services under section 2713 of the federal public health service act and are therefore exempt from cost sharing;
- (D) The five most used maternity care reimbursement methodologies used by each carrier; and
- (E) With respect to reimbursement methodologies that bundle payment for maternity care services, which specific services are included in the bundled payment;
- (ii) Estimate the total and per member per month impact on health plan rates of eliminating cost sharing for maternity care services in full, or for prenatal care only, for the following markets:
  - (A) Individual health plans other than Cascade select plans;
  - (B) Cascade select health plans;
  - (C) Small group health plans;
  - (D) Large group health plans;
  - (E) Health plans offered to public employees under chapter 41.05 RCW; and
  - (F) All health plans in the aggregate; and
- (iii) Submit a report on the findings and cost estimate to the appropriate committees of the legislature by July 1, 2024.

(b) The commissioner may contract for all or a portion of the analysis required in this subsection.

(20) \$86,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5821 (audio-only telemedicine). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$549,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(22) \$228,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5936 (palliative care work group). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(23) \$195,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(24) \$316,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$212,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5213 (pharmacy benefit managers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(26) \$12,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6127 (HIV prophylaxis). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 143.** 2023 c 475 s 145 (uncodified) is amended to read as follows:

**FOR THE STATE INVESTMENT BOARD**

State Investment Board Expense Account—State

Appropriation. . . . .	(( <del>\$83,426,000</del> ))
	<u>\$83,455,000</u>
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$83,426,000</del>))</b>
	<b><u>\$83,455,000</u></b>

The appropriation in this section is subject to the following conditions and limitations: \$41,000 of the state investment board expense account—state appropriation is provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

**Sec. 144.** 2023 c 475 s 146 (uncodified) is amended to read as follows:

**FOR THE LIQUOR AND CANNABIS BOARD**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$2,383,000</del> ))
	<u>\$2,478,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$850,000</del> ))
	<u>\$1,609,000</u>
General Fund—Federal Appropriation. . . . .	\$3,187,000
General Fund—Private/Local Appropriation. . . . .	\$75,000
Dedicated Cannabis Account—State Appropriation	

(FY 2024) . . . . .	\$13,481,000
Dedicated Cannabis Account—State Appropriation	
(FY 2025) . . . . .	(((\$14,041,000))
	<u>\$14,055,000</u>
Liquor Revolving Account—State Appropriation. . . . .	(((\$124,765,000))
	<u>\$126,603,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$158,782,000))</b>
	<b><u>\$161,488,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The liquor and cannabis board may require electronic payment of the cannabis excise tax levied by RCW 69.50.535. The liquor and cannabis board may allow a waiver to the electronic payment requirement for good cause as provided by rule.

(2) Of the liquor revolving account—state appropriation, \$35,278,000 is provided solely for the modernization of regulatory systems and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$1,526,000 of the liquor revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin).

(5) \$250,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$159,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC).

(6) ~~(((\$1,527,000))~~\$1,622,000 of the general fund—state appropriation for fiscal year 2024, \$357,000 of the general fund—state appropriation for fiscal year 2025, \$2,255,000 of the dedicated cannabis account—state appropriation for fiscal year 2024, and \$1,463,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity).

(7) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the liquor and cannabis board to conduct an agency analysis of commercial tobacco and vaping enforcement actions from fiscal year 2018 through fiscal year 2022 involving youth under the age of 18. This analysis shall be submitted to the appropriate committees of the legislature by December 1, 2023, and must include:

- (a) The total number of such interactions by fiscal year;
- (b) Information on the nature of those interactions;
- (c) How many interactions convert to administrative violation notices (AVNs);
- (d) How many of those interactions and AVNs convert to retailer education and violations;

and

(e) Descriptions of training for liquor and cannabis board officers, and the number of officers trained on interacting with youth, particularly LGBTQ youth and youth of color.

(8) \$4,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5365 (vapor and tobacco/minors). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$225,000 of the liquor revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1731 (short-term rentals/liquor). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$99,000 of the liquor revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$93,000 of the general fund—state appropriation is provided solely for implementation of Senate Bill No. 6133 (cannabis retail robberies). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$245,000 of the general fund—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5376 (cannabis waste). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$929,000 of the liquor revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5291 (liquor licenses). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) \$63,000 of the general fund—state appropriation is provided solely for implementation of Senate Bill No. 6271 (cannabis excise tax/THC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 145.** 2023 c 475 s 147 (uncodified) is amended to read as follows:

**FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	\$1,201,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$1,201,000))
	<u>\$1,276,000</u>

Public Service Revolving Account—State Appropriation. . . . .	(( <del>\$65,664,000</del> ))
	<u>\$66,168,000</u>
Public Service Revolving Account—Federal	
Appropriation. . . . .	\$100,000
Pipeline Safety Account—State Appropriation. . . . .	\$3,769,000
Pipeline Safety Account—Federal Appropriation. . . . .	\$3,404,000
TOTAL APPROPRIATION. . . . .	(( <del>\$75,339,000</del> ))
	<u>\$75,918,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to \$800,000 of the public service revolving account—state appropriation in this section is for the utilities and transportation commission to supplement funds committed by a telecommunications company to expand rural broadband service on behalf of an eligible governmental entity. The amount in this subsection represents payments collected by the utilities and transportation commission pursuant to the Qwest performance assurance plan.

(2) \$43,000 of the public service revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$100,000 of the public service revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$67,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$57,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(7) \$497,000 of the public service revolving account—state appropriation is provided solely for staff to advance the state's objectives for better transmission planning, organized electric power markets or similar regional power coordination, and expanded regional and interregional transmission capacity.

(8)(a) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to report to the legislature with information and recommendations for updating the statutes pertaining to the universal communications services program as described in chapter 80.36 RCW. The report must include:

- (i) How the program has been utilized and audited since fiscal year 2022;
- (ii) The most efficient and cost-effective technologies available to meet the state's broadband goals in rural areas;
- (iii) The ways in which this program can work with the Washington state broadband office to ensure that appropriations for this program are additive and not duplicative to the office's broadband goals and how new technologies would help meet those goals;
- (iv) The ways in which these dollars have been used to leverage federal funding;
- (v) A list of other sources of state and federal funding that are available to maintain and repair existing broadband infrastructure;
- (vi) How changes to the federal universal services fund could impact the provision of telecommunications services in Washington state; and
- (vii) Any additional relevant information regarding the benefits of continuing this program that would be helpful for future appropriation decisions.

(b) The report is due to the appropriate committees of the legislature in accordance with RCW 43.01.036 by December 1, 2024.

**Sec. 146.** 2023 c 475 s 148 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$16,490,000</del> ))
	<u>\$16,782,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$16,446,000</del> ))
	<u>\$16,947,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$146,122,000</del> ))
	<u>\$146,290,000</u>
911 Account—State Appropriation. . . . .	\$54,306,000
Disaster Response Account—State Appropriation. . . . .	(( <del>\$59,466,000</del> ))
	<u>\$62,179,000</u>
Disaster Response Account—Federal Appropriation. . . . .	(( <del>\$1,184,618,000</del> ))
	<u>\$1,905,454,000</u>
Military Department Rent and Lease Account—State	
Appropriation. . . . .	\$1,009,000

Military Department Active State Service Account—	
State Appropriation. . . . .	\$400,000
Natural Climate Solutions Account—State	
Appropriation. . . . .	\$113,000
Oil Spill Prevention Account—State Appropriation. . . . .	\$1,040,000
Worker and Community Right to Know Fund—State	
Appropriation. . . . .	\$2,042,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b><del>(\$1,482,052,000)</del></b>
	<b><u>\$2,206,562,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees by February 1st and October 31st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2023-2025 fiscal biennium based on current revenue and expenditure patterns.

(2) \$40,000,000 of the general fund—federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) \$11,000,000 of the 911 account—state appropriation is provided solely for financial assistance to counties.

(4) \$784,000 of the disaster response account—state appropriation is provided solely for fire suppression training, equipment, and supporting costs to national guard soldiers and airmen.

~~(5) (\$386,000 of the military department rental and lease account—state appropriation is provided solely for maintenance staff.~~

~~(6))~~ (6) \$876,000 of the disaster response account—state appropriation is provided solely for a dedicated access and functional needs program manager, access and functional need services, and a dedicated tribal liaison to assist with disaster preparedness and response.

~~((7))~~ (6) \$136,000 of the general fund—state appropriation for fiscal year 2024 and \$132,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(8))~~ (7) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to Whatcom county for disaster relief and recovery activities in response to the November 2021 flooding and mudslides presidentially-declared disaster.

~~((9))~~ (8) \$625,000 of the general fund—state appropriation for fiscal year 2024 and \$625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1728 (statewide resiliency program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(10))~~ (9) \$113,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(11))~~ (10) (a) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to administer grants to local governments and federally recognized tribes for costs to respond to community needs during periods of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke.

(b) To qualify for a grant under (a) of this subsection, a local government or federally recognized tribe must:

(i) Be located in a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, as determined by the department;

(ii) Have demonstrated a lack of local resources to address community needs; and

(iii) Have incurred eligible costs as described in (c) of this subsection for the benefit of vulnerable populations.

(c) Costs eligible for reimbursement under (a) of this subsection include:

(i) Establishing and operating warming and cooling centers, including rental of equipment, purchase of supplies and water, staffing, and other associated costs;

(ii) Transporting individuals and their pets to warming and cooling centers;

(iii) Purchasing fans or other supplies needed for cooling of congregate living settings;

(iv) Providing emergency temporary housing such as rental of a hotel or convention center;

(v) Retrofitting or establishing facilities within warming and cooling centers that are pet friendly in order to permit individuals to evacuate with their pets; and

(vi) Other activities necessary for life safety during a period of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke, as determined by the department.

((12)) (11) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(12) \$23,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5803 (national guard recruitment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$132,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6164 (county emergency management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 147. 2023 c 475 s 149 (uncodified) is amended to read as follows:

**FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	\$2,594,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$2,625,000</del> ))
	\$2,659,000
Personnel Service Account—State Appropriation . . . . .	\$4,825,000
Higher Education Personnel Services Account—State Appropriation . . . . .	\$1,629,000
TOTAL APPROPRIATION . . . . .	(( <del>\$11,673,000</del> ))
	\$11,707,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$98,000 of the higher education personnel services account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(2) \$34,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6194 (legislative employee bargaining). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 148. 2023 c 475 s 150 (uncodified) is amended to read as follows:

**FOR THE BOARD OF ACCOUNTANCY**

Certified Public Accountants' Account—State Appropriation . . . . .	(( <del>\$4,770,000</del> ))
	\$5,119,000
TOTAL APPROPRIATION . . . . .	(( <del>\$4,770,000</del> ))
	\$5,119,000

Sec. 149. 2023 c 475 s 151 (uncodified) is amended to read as follows:

**FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**

Volunteer Firefighters' and Reserve Officers' Administrative Account—State Appropriation . . . . .	(( <del>\$3,533,000</del> ))
	\$3,625,000
TOTAL APPROPRIATION . . . . .	(( <del>\$3,533,000</del> ))
	\$3,625,000

The appropriation in this section is subject to the following conditions and limitations: ((~~\$1,128,000~~)) (1) \$2,403,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for a benefits management system, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$91,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for contracting for small agency budget and accounting services with the department of enterprise services.

Sec. 150. 2023 c 475 s 152 (uncodified) is amended to read as follows:

**FOR THE FORENSIC INVESTIGATION COUNCIL**

Death Investigations Account—State Appropriation . . . . .	(( <del>\$822,000</del> ))
	\$821,000
TOTAL APPROPRIATION . . . . .	(( <del>\$822,000</del> ))
	\$821,000

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$250,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(b) Of the amount provided in this subsection, \$30,000 of the death investigations account—state appropriation is provided solely for the Adams county crime lab to investigate a double homicide that occurred in fiscal year 2021.

(2) \$210,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

(3) Within the amount appropriated in this section, the forensic investigation council may enter into an interagency agreement with the department of enterprise services for the department to provide services related to public records requests, to include responding to, or assisting the council in responding to, public disclosure requests received by the council.

**Sec. 151.** 2023 c 475 s 153 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$14,819,000</del> ))
	<u>\$15,268,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$13,426,000</del> ))
	<u>\$14,686,000</u>
General Fund—Private/Local Appropriation . . . . .	\$102,000
Building Code Council Account—State Appropriation . . . . .	(( <del>\$2,583,000</del> ))
	<u>\$2,584,000</u>
<u>Climate Commitment Account—State Appropriation . . . . .</u>	<u>\$500,000</u>
Electric Vehicle Incentive Account—State	
Appropriation . . . . .	\$1,722,000
Natural Climate Solutions Account—State	
Appropriation . . . . .	\$7,000,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$39,652,000</del>))</b>
	<b><u>\$41,862,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$6,970,000~~)) \$7,010,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$6,894,000~~)) \$7,028,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of facilities and services charges to include campus rent, parking, security, contracts, public and historic facilities, financial cost recovery, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, legislative support services, and joint legislative systems committee. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall maintain an interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to have all of the same rights of occupancy and space use on the capitol campus as historically established.

(2) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have approval from the director of the department of enterprise services. Agencies that are exempted from the requirement are the Washington state patrol, Washington state department of transportation, and the department of natural resources.

(3) From the fee charged to master contract vendors, the department shall transfer to the office of minority and women's business enterprises in equal monthly installments \$1,500,000 in fiscal year 2024 and \$1,300,000 in fiscal year 2025.

(4) Within existing resources, the department, in collaboration with consolidated technology services, must provide a report to the governor and fiscal committees of the legislative by October 31 of each calendar year that reflects information technology contract information based on a contract snapshot from June 30 of that same calendar year, and must also include any contract that was active since July 1 of the previous calendar year. The department will coordinate to receive contract information for all contracts to include those where the department has delegated authority so that the report includes statewide contract information. The report must contain a list of all information technology contracts to include the agency name, contract number, vendor name, contract term start and end dates, contract dollar amount in total, and contract dollar amounts by state fiscal year. The report must also include, by contract, the contract spending projections by state fiscal year for each ensuing state fiscal year through the contract term, and note the type of service delivered. The list of contracts must be provided electronically in Excel and be sortable by all field requirements. The report must also include trend analytics on information technology contracts, and recommendations for reducing costs where possible.

(5) \$654,000 of the general fund—state appropriation for fiscal year 2024 and \$654,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the state efficiency and environmental performance program, to implement the zero emission vehicle strategy.

(6) \$2,671,000 of the general fund—state appropriation for fiscal year 2024 and \$2,671,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installation. The electric vehicle charging equipment must allow for the collection of usage data and must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities, and at least where zero emission fleet vehicles are or are scheduled to be purchased. The department must report when and where the equipment was installed, usage data at each charging station, and the state

agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30. The department shall collaborate with the interagency electric vehicle coordinating council to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5491 (residential building exits). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(9))~~ (8) \$950,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for security enhancements to the governor's office lobby space and for security enhancement design for the remaining lobby and public spaces in the legislative building on the capitol campus. Enhancement designs must be provided to the senate committee on state government and elections and the house of representatives committee on state government and tribal relations no later than ~~((December 31, 2023))~~ June 30, 2024.

~~((10) \$162,000)~~ (9) \$245,000 of the general fund—state appropriation for fiscal year 2024 and ~~((162,000))~~ \$247,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to waive rent fees and charges through June 30, 2025, for vendors who are blind business enterprise program licensees by the department of services for the blind and who lease space and operate food service businesses, inclusive of delis, cafeterias, and espresso stands, in state ~~((government buildings))~~ facilities.

~~((11))~~ (10) \$7,000,000 of the natural climate solutions account—state appropriation is provided solely to advance the preferred alternative of the final environmental impact statement for the capitol lake-Deschutes estuary long-term management project completed in October 2022. At a minimum, the department shall:

- (a) Make tangible progress toward the next phase of design and permitting;
- (b) Advance the memorandum of understanding for governance and funding of a restored estuary to an interlocal agreement that will govern long-term management of the restored estuary; and
- (c) Initiate grant funding applications for design and permitting.

~~((12))~~ (11) \$400,000 of the state building code council account—state appropriation is provided solely for additional staffing to support the state building code council's work regarding the Washington state energy code.

~~((13))~~ (12) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$500,000 of the climate commitment account—state appropriation for fiscal year 2025 is provided solely for legal services and fees incurred by the state building code council.

**Sec. 152.** 2023 c 475 s 154 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$4,043,000)) \$4,047,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$4,010,000)) \$4,198,000
General Fund—Federal Appropriation. . . . .	(((\$2,899,000)) \$3,249,000
General Fund—Private/Local Appropriation. . . . .	\$14,000
Climate Commitment Account—State Appropriation. . . . .	\$977,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$11,943,000)) \$12,485,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(((\$103,000 of the general fund state appropriation for fiscal year 2024 and \$103,000 of the general fund state appropriation for fiscal year 2025 are provided solely for archaeological determinations and excavations of inadvertently discovered skeletal human remains, and removal and reinterment of such remains when necessary.~~

(2)) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington main street program.

~~((3))~~ (2) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the black historic sites survey project.

~~((4))~~ (3) \$477,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

(5)) (4) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(5) \$31,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.



**Sec. 153.** 2023 c 475 s 155 (uncodified) is amended to read as follows:  
**FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$21,697,000)) \$7,623,000)
General Fund—State Appropriation (FY 2025) . . . . .	(((\$1,700,000)) \$30,310,000)
<u>General Fund—Federal Appropriation . . . . .</u>	<u>\$134,292,000</u>
Consolidated Technology Services Revolving Account— State Appropriation . . . . .	(((\$124,249,000)) \$136,457,000)
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(((\$147,646,000)) \$308,682,000)</b>

The appropriations in this section are subject to the following conditions and limitations:

~~(1) ((\$14,752,000 of the consolidated technology services revolving account state appropriation is provided solely for the office of the chief information officer. Of this amount:~~

~~(a)) \$2,000,000 of the consolidated technology services revolving account—state appropriation is provided solely for experienced information technology project managers to provide critical support to agency IT projects that are under oversight from the office of the chief information officer. The staff or vendors will:~~

~~((+i)) (a) Provide master level project management guidance to agency IT stakeholders;~~

~~((+ii)) (b) Consider statewide best practices from the public and private sectors, independent review and analysis, vendor management, budget and timing quality assurance and other support of current or past IT projects in at least Washington state and share these with agency IT stakeholders and legislative fiscal staff at least twice annually and post these to the statewide IT dashboard; and~~

~~((+iii)) (c) Provide independent recommendations to legislative fiscal committees by December of each calendar year on oversight of IT projects to include opportunities for accountability and performance metrics.~~

~~((b) \$2,960,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.~~

~~(e)) (2) \$2,226,000 of the consolidated technology services revolving account—state appropriation is provided solely for the enterprise data management pilot project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.~~

~~((+2)) (3) \$16,890,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of cyber security.~~

~~((+3)) (4) \$2,737,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.~~

~~(5) The consolidated technology services agency shall work with customer agencies using the Washington state electronic records vault (WASERV) to identify opportunities to:~~

~~(a) Reduce storage volumes and costs associated with vault records stored beyond the agencies' record retention schedules; and~~

~~(b) Assess a customized service charge as defined in chapter 304, Laws of 2017 for costs of using WASERV to prepare data compilations in response to public records requests.~~

~~((+4)) (6) (a) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures must include the following:~~

~~(i) The agency's priority ranking of each information technology request;~~

~~(ii) The estimated cost by fiscal year and by fund for the current biennium;~~

~~(iii) The estimated cost by fiscal year and by fund for the ensuing biennium;~~

~~(iv) The estimated total cost for the current and ensuing biennium;~~

~~(v) The total cost by fiscal year, by fund, and in total, of the information technology project since it began;~~

~~(vi) The estimated cost by fiscal year and by fund over all biennia through implementation and close out and into maintenance and operations;~~

~~(vii) The estimated cost by fiscal year and by fund for service level agreements once the project is implemented;~~

~~(viii) The estimated cost by fiscal year and by fund for agency staffing for maintenance and operations once the project is implemented; and~~

~~(ix) The expected fiscal year when the agency expects to complete the request.~~

~~(b) The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.~~

~~((+5)) (7) The consolidated technology services agency must not increase fees charged for existing services without prior approval by the office of financial management. The agency may develop fees to recover the actual cost of new infrastructure to support increased use of cloud technologies.~~

~~((+6)) (8) Within existing resources, the agency must provide oversight of state procurement and contracting for information technology goods and services by the department of enterprise services.~~

~~((+7)) (9) Within existing resources, the agency must host, administer, and support the state employee directory in an online format to provide public employee contact information.~~

~~((9))~~ (10) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((9) \$4,508,000)~~ (11) \$7,084,000 of the consolidated technology services revolving account—state appropriation is provided solely for the creation and ongoing delivery of information technology services tailored to the needs of small agencies. The scope of services must include, at a minimum, full-service desktop support, service assistance, security, and consultation.

~~((10) \$75,935,000)~~ (12) \$82,811,000 of the consolidated technology services revolving account—state appropriation is provided solely for the procurement and distribution of Microsoft 365 licenses which must include advanced security features and cloud-based private branch exchange capabilities for state agencies. The office must report annually to fiscal committees of the legislature each December 31, on the count and type of licenses distributed by consolidated technology services to each state agency. The report must also separately report on the count and type of Microsoft 365 licenses that state agencies have in addition to those that are distributed by consolidated technology services so that the total count, type of license, and cost is known for statewide Microsoft 365 licenses.

~~((11))~~ (13) The office of the chief information officer shall maintain an information technology project dashboard that, at minimum, provides updated information each fiscal month on the projects subject to section 701 of this act.

(a) The statewide information technology dashboard must include, at a minimum, the:

- (i) Start date of the project;
- (ii) End date of the project, when the project will close out and implementation will commence;
- (iii) Term of the project in state fiscal years across all biennia to reflect the start of the project through the end of the project;
- (iv) Total project cost from start date through the end date of the project in total dollars, and a subtotal of near general fund outlook;
- (v) Near general fund outlook budget and actual spending in total dollars and by fiscal month for central service agencies that bill out project costs;
- (vi) Start date of maintenance and operations;
- (vii) Estimated annual state fiscal year cost of maintenance and operations after implementation and close out;
- (viii) Actual spending by state fiscal year and in total for state fiscal years that have closed;
- (ix) Date a feasibility study was completed or note if none has been completed to date;
- (x) Monthly project status assessments on scope, schedule, budget, and overall by the:
  - (A) Office of the chief information officer;
  - (B) Quality assurance vendor, if applicable; and
  - (C) Agency project team;
- (xi) Monthly quality assurance reports, if applicable;
- (xii) Monthly office of the chief information officer status reports on budget, scope, schedule, and overall project status; and
- (xiii) Historical project budget and expenditures through fiscal year 2023.

(b) The statewide dashboard must retain a roll up of the entire project cost, including all subprojects, that can display subproject detail. This includes coalition projects that are active. For projects that include multiple agencies or subprojects and roll up, the dashboard must display:

- (i) A separate technology budget and investment plan for each impacted agency; and
- (ii) A statewide project technology budget roll up that includes each affected agency at the subproject level.

(c) The office of the chief information officer may recommend additional elements to include but must have agreement with legislative fiscal committees and the office of financial management prior to including additional elements.

(d) The agency must ensure timely posting of project data on the statewide information technology dashboard for at least each project funded in the budget and those projects subject to the conditions of section 701 of this act to include, at a minimum, posting on the dashboard:

- (i) The budget funded level by project for each project under oversight within 30 calendar days of the budget being signed into law;
- (ii) The project historical expenditures through completed fiscal years by December 31; and
- (iii) Whether each project has completed a feasibility study.

(e) The office of the chief information officer must post to the statewide dashboard a list of funding received by fiscal year by enacted session law, and how much was received citing chapter law as a list of funding provided by fiscal year.

~~((12))~~ (14) Within existing resources, consolidated technology services must collaborate with the department of enterprise services on the annual contract report that provides information technology contract information. Consolidated technology services will:

(a) Provide data to the department of enterprise services annually by September 1 of each year; and

(b) Provide analysis on contract information for all agencies comparing spending across state fiscal years by, at least, the contract spending towers.

~~((13))~~ (15) \$8,666,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of the enterprise cloud computing program as outlined in the December 2020 Washington state cloud readiness report. Funding provided includes, but is not limited to, cloud service broker resources, cloud center of excellence, cloud management tools, a network assessment, cybersecurity governance, and a cloud security roadmap.

~~((14))~~ (16) \$3,498,000 of the consolidated technology services revolving account—state appropriation is provided solely for the implementation of the recommendations of the cloud transition task force report to include:

(a) A cloud readiness program to help agencies plan and prepare for transitioning to cloud computing;

(b) A cloud retraining program to provide a coordinated approach to skills development and retraining; and

(c) Staffing to define career pathways and core competencies for the state's information technology workforce.

~~((15) \$20,000,000)~~ (17) \$5,926,000 of the general fund—state appropriation for fiscal year 2024 ((is)), \$27,110,000 of the general fund—state appropriation for fiscal year 2025, and \$134,292,000 of the general fund—federal appropriation are provided solely for statewide electronic health records projects, which must comply with the approved statewide electronic health records plan. The purpose of the plan is to implement a common technology solution to leverage shared business processes and data across the state in support of client services.

(a) The statewide electronic health records plan must include, but is not limited to, the following elements:

(i) A proposed governance model for the electronic health records solution;

(ii) An implementation plan for the technology solution from kickoff through five years maintenance and operations post implementation;

(iii) A technology budget to include estimated budget and resources needed to implement the electronic health records solution by agency and across the state, including fund sources and all technology budget element requirements as outlined in section 701(4) of this act;

(iv) A licensing plan in consultation with the department of enterprise services that seeks to utilize the state data center;

(v) A procurement approach, in consultation with the department of enterprise services;

(vi) A system that must be capable of being continually updated, as necessary;

(vii) A system that will use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of every two-week sprint;

(viii) A system that will deploy usable functionality into production for users within 180 days from the date there is an executed procurement contract after a competitive request for proposal is closed;

(ix) A system that uses quantifiable deliverables that must include live, accessible demonstrations of software in development to program staff and end users at each sprint or at least monthly;

(x) A requirement that the agency implementing its electronic health record solution must invite the office and the agency comptrollers or their designee to sprint reviews;

(xi) A requirement that there is an annual independent audit of the system to evaluate compliance of the software solution vendor's performance standards and contractual requirements and technical code quality, and that it meets user needs;

(xii) A recommended program structure for implementing a statewide electronic health records solution;

(xiii) A list of individual state agency projects that will need to implement a statewide electronic health records solution and the readiness of each agency to successfully implement;

(xiv) The process for agencies to request funding from the consolidated technology services for their electronic health records projects. The submitted application must:

(A) Include at least a technology budget in compliance with the requirements of section 701(4) of this act that each agency budget office will assist with; and

(B) Be posted to the statewide information technology dashboard and meet all dashboard posting requirements as outlined in section ~~((155-11))~~ 152(13) of this act; and

(xv) The approval criteria for agencies to receive funds for their electronic health records project. The approval may not be given without an approved current technology budget, and the office must notify the fiscal committees of the legislature. The office may not approve funding for the project any earlier than 10 business days from the date of notification to the fiscal committees of the legislature.

(b) The plan described in (a) of this subsection:

(i) Must be submitted to the office of financial management, the chair and ranking member of the senate environment, energy, and information technology policy committee, the chairs and ranking members of the fiscal committees of the legislature, and the technology services board by July 1, 2023; and

(ii) Must be approved by the office of financial management and the technology services board established in RCW 43.105.285.

(c) ~~(((\$20,000,000))~~ \$5,926,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~, \$27,110,000 of the general fund—state appropriation for fiscal year 2025, and \$134,292,000 of the general fund—federal appropriation are provided solely for state agency electronic health record projects at the department of corrections, the department of social and health services, and the health care authority in accordance with the approved statewide electronic health record plan requirements in (a) of this subsection. For the amount provided in this subsection ~~((+15))~~ (17):

(i) Funding may not be released until the office of financial management and the technology services board have approved the statewide electronic health record plan.

(ii) As required in section 701(2) of this act, consolidated technology services may not approve funding for the project any earlier than 10 business days from the date of notification to the fiscal committees of the legislature.

(iii) Funding may not cover any costs incurred by the state agencies for services or project costs prior to the date of statewide electronic health record plan approval.

~~((+iii))~~ (iv) State agencies must submit their proposed electronic health records project and technology budget to the office of the chief information officer for approval. The submitted application must:

(A) Include at least a technology budget in compliance with the requirements of section 701(4) of this act that each agency budget office will assist with; and

(B) Be posted to the statewide information technology dashboard and meet all dashboard posting requirements as outlined in section 152(13) of this act.

~~((+iv))~~ (v) When a funding request is approved, consolidated technology services will transfer the funds to the agency to execute their electronic health records project.

(vi) The office must enter into an interagency agreement with the health care authority who is, and will be, the reporting entity to the federal government on the application for and use of the federal funding.

(vii) Consolidated technology services must include this enterprise electronic health records program on the statewide information technology program dashboard and must ensure that the program detail will roll up the below required subprojects:

(A) Enterprise foundational electronic health records system;

(B) Department of corrections electronic health records;

(C) Department of social and health services health records; and

(D) Health care authority electronic health records.

~~((+16))~~ (18) \$134,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((17))~~ (19) The office of the chief information officer must collaborate with the office of the secretary of state in the evaluation of the office of the secretary of state's information technology infrastructure and applications in determining the appropriate candidates for the location of data and the systems that could be exempt from consolidated technology services oversight.

~~((+18))~~ (20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$1,500,000))~~ \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for innovative technology solutions and modernization of legacy systems within state government. This funding is to be used for projects at other state agencies to improve the health of the state's overall information technology portfolio. Submitted projects are subject to review and approval by the technology services board as established in RCW 43.105.285. The agency must report to the office of financial management and the fiscal committees of the legislature within 90 days of the close of fiscal year 2024 with the following information to measure the quantity of projects considered for this purpose and use of this funding:

(a) The agency name, project name, estimated time duration, estimated cost, and technology service board recommendation result of each project submitted for funding;

(b) The actual length of time and cost of the projects approved by the technology services board, from start to completion; and

(c) Any other information or metric the agency determines is appropriate to measure the quantity and use of the funding in this subsection.

(21) In collaboration with the department of health and the health care authority, consolidated technology services must actively consult and provide oversight over:

(a) The department of health 988 technology platform that must provide interoperable capabilities between the 988 call center platform and the health care authority's 988-related system;

(b) The health care authority 988 technology platform that must provide interoperable capabilities between the 988-related system and the department of health's 988 call center platform; and

(c) How the platforms in (a) and (b) of this subsection will meet statutory requirements for technology platform functionality and implementation dates as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system) and must report on the

progress of both platforms' budget, scope, and schedule at a technology services board meeting by December 31, 2024.

**Sec. 154.** 2023 c 475 s 156 (uncodified) is amended to read as follows:

**FOR THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

Professional Engineers' Account—State Appropriation. . . . .	(( <del>\$4,622,000</del> ))
	<u>\$4,627,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$4,622,000</del>))</b>
	<b><u>\$4,627,000</u></b>

NEW SECTION. **Sec. 155.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS**

Financial Services Regulation Nonappropriated

Fund—State Appropriation. . . . .	\$728,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$728,000</b>

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$300,000 of the financial services regulation nonappropriated fund—state appropriation is provided solely for the department to study nontraditional financial services such as home equity sharing agreements, and their effect on communities of color, seniors, and other vulnerable populations.
- (2) \$428,000 of the financial services regulation nonappropriated fund—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6025 (predatory loans). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 156.** 2023 c 475 s 157 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE LEADERSHIP BOARD**

Washington State Leadership Board Account—State

Appropriation. . . . .	(( <del>\$1,691,000</del> ))
	<u>\$1,761,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,691,000</del>))</b>
	<b><u>\$1,761,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$374,000 of the Washington state leadership board account—state appropriation is provided solely for implementation of chapter 96, Laws of 2022 (WA state leadership board).
- (2) \$1,200,000 of the Washington state leadership board account—state appropriation is provided solely for implementing programming in RCW 43.388.010, and specifically the Washington world fellows program, sports mentoring program/boundless Washington, compassion scholars, and the Washington state leadership awards.

(End of part)

**PART II  
HUMAN SERVICES**

**Sec. 201.** 2023 c 475 s 201 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services

and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The department shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for public assistance benefits.

(7) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, support the adoption of a cohesive technology and data architecture, and maximize federal financial participation. The work of the coalition is subject to the conditions, limitations, and review provided in section 701 of this act.

(8)(a) The appropriations to the department of social and health services in this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs and subprograms after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the long-term care, developmental disabilities, and public assistance programs, the department may transfer state appropriations that are provided solely for a specified purpose. The department may not transfer funds, and the director of the office of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(9) The department may not transfer appropriations for the developmental disabilities program to any other program or subprograms of the department of social and health services.

**Sec. 202.** 2023 c 475 s 202 (uncodified) is amended to read as follows:

<b>FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM</b>	
General Fund—State Appropriation (FY 2024) . . . . .	(( \$610,452,000))
	\$808,919,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$679,312,000))
	\$782,615,000
General Fund—Federal Appropriation . . . . .	(( \$148,488,000))
	\$168,599,000
General Fund—Private/Local Appropriation . . . . .	(( \$10,732,000))
	\$6,500,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$1,448,984,000))</b>

\$1,766,633,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The state psychiatric hospitals and residential treatment facilities may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(2) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection are for the salaries, benefits, supplies, and equipment for the city of Lakewood to produce incident and police response reports, investigate potential criminal conduct, assist with charging consultations, liaison between staff and prosecutors, provide staff training on criminal justice procedures, assist with parking enforcement, and attend meetings with hospital staff.

(3) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(4) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community services officer for policing efforts at eastern state hospital. The department must collect data from the city of Medical Lake on the use of the funds and the number of calls responded to by the community policing program and submit a report with this information to the office of financial management and the appropriate fiscal committees of the legislature each December of the fiscal biennium.

(5) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Medical Lake for police services provided by the city at eastern state hospital and adjacent areas.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the health care authority, to develop and implement a predictive modeling tool which identifies clients who are at high risk of future involvement with the criminal justice system and for developing a model to estimate demand for civil and forensic state hospital bed needs pursuant to the following requirements.

(a) By the first day of each December during the fiscal biennium, the department, in coordination with the health care authority, must submit a report to the office of financial management and the appropriate committees of the legislature that summarizes how the predictive modeling tool has been implemented and includes the following: (i) The number of individuals identified by the tool as having a high risk of future criminal justice involvement; (ii) the method and frequency for which the department is providing lists of high-risk clients to contracted managed care organizations and behavioral health administrative services organizations; (iii) a summary of how the managed care organizations and behavioral health administrative services organizations are utilizing the data to improve the coordination of care for the identified individuals; and (iv) a summary of the administrative data to identify whether implementation of the tool is resulting in increased access and service levels and lower recidivism rates for high-risk clients at the state and regional level.

(b) The department must provide staff support for the forensic and long-term civil commitment bed forecast which must be conducted under the direction of the office of financial management. The forecast methodology, updates, and methodology changes must be conducted in coordination with staff from the department, the health care authority, the office of financial management, and the appropriate fiscal committees of the state legislature. The model shall incorporate factors for capacity in state hospitals as well as contracted facilities, which provide similar levels of care, referral patterns, wait lists, lengths of stay, and other factors identified as appropriate for estimating the number of beds needed to meet the demand for civil and forensic state hospital services. Factors should include identification of need for the services and analysis of the effect of community investments in behavioral health services and other types of beds that may reduce the need for long-term civil commitment needs. The forecast must be updated each February, June, and November during the fiscal biennium and the department must submit a report to the legislature and the appropriate committees of the legislature summarizing the updated forecast based on the caseload forecast council's schedule for entitlement program forecasts.

(7) \$9,119,000 of the general fund—state appropriation for fiscal year 2024 and \$9,145,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The department, in collaboration with the health care authority and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency

evaluations, competency restoration, forensic navigators, crisis diversion and supports, education and training, and workforce development.

(8) \$7,147,000 of the general fund—state appropriation for fiscal year 2024 and \$7,147,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain implementation of efforts to improve the timeliness of competency evaluation services for individuals who are in local jails pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services). This funding must be used solely to maintain increases in the number of competency evaluators that began in fiscal year 2016 pursuant to the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP.

(9) \$71,690,000 of the general fund—state appropriation for fiscal year 2024 and \$77,825,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services) and the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. These amounts must be used to maintain increases that were implemented between fiscal year 2016 and fiscal year 2021, and further increase the number of forensic beds at western state hospital during the 2023-2025 fiscal biennium. Pursuant to chapter 7, Laws of 2015 1st sp. sess. (timeliness of competency treatment and evaluation services), the department may contract some of these amounts for services at alternative locations if the secretary determines that there is a need.

(10) \$84,483,000 of the general fund—state appropriation for fiscal year 2024, \$77,343,000 of the general fund—state appropriation for fiscal year 2025, and \$1,042,000 of the general fund—federal appropriation are provided solely for the department to continue to implement an acuity based staffing tool at western state hospital and eastern state hospital in collaboration with the hospital staffing committees. The staffing tool must be used to identify, on a daily basis, the clinical acuity on each patient ward and determine the minimum level of direct care staff by profession to be deployed to meet the needs of the patients on each ward. The department must evaluate interrater reliability of the tool within each hospital and between the two hospitals. The department must also continue to update, in collaboration with the office of financial management's labor relations office, the staffing committees, and state labor unions, an overall state hospital staffing plan that looks at all positions and functions of the facilities.

(a) Within the amounts provided in this section, the department must establish, monitor, track, and report monthly staffing and expenditures at the state hospitals, including overtime and use of locums, to the functional categories identified in the recommended staffing plan. The allotments and tracking of staffing and expenditures must include all areas of the state hospitals, must be done at the ward level, and must include contracted facilities providing forensic restoration services as well as the office of forensic mental health services.

(b) By December 1, 2023, and December 1, 2024, the department must submit reports to the office of financial management and the appropriate committees of the legislature that provide a comparison of monthly spending, staffing levels, overtime, and use of locums for the prior year compared to allotments and to the recommended state hospital staffing model. The format for these reports must be developed in consultation with staff from the office of financial management and the appropriate committees of the legislature. The reports must include a summary of the results of the evaluation of the interrater reliability in use of the staffing acuity tool and an update from the hospital staffing committees.

(c) Monthly staffing levels and related expenditures at the state hospitals must not exceed official allotments without prior written approval from the director of the office of financial management. In the event the director of the office of financial management approves an increase in monthly staffing levels and expenditures beyond what is budgeted, notice must be provided to the appropriate committees of the legislature within 30 days of such approval. The notice must identify the reason for the authorization to exceed budgeted staffing levels and the time frame for the authorization. Extensions of authorizations under this subsection must also be submitted to the director of the office of financial management for written approval in advance of the expiration of an authorization. The office of financial management must notify the appropriate committees of the legislature of any extensions of authorizations granted under this subsection within 30 days of granting such authorizations and identify the reason and time frame for the extension.

(11) \$4,994,000 of the general fund—state appropriation for fiscal year 2024, \$7,535,000 of the general fund—state appropriation for fiscal year 2025, and \$672,000 of the general fund—federal appropriation are provided solely for the department to establish a violence reduction team at western state hospital to improve patient and staff safety at eastern and western state hospitals. A report must be submitted by December 1, 2023, and December 1, 2024, which includes a description of the violence reduction or safety strategy, a profile of the types of patients being served, the staffing model being used, and outcomes associated with each strategy. The outcomes section should include tracking data on facility-wide metrics related to patient and staff safety as well as individual outcomes related to the patients served.

(12) \$2,593,000 of the general fund—state appropriation for fiscal year 2024 and \$2,593,000 of the general fund—state appropriation for fiscal year 2025 are provided solely



for the department to increase services to patients found not guilty by reason of insanity under the *Ross v. Lashway* settlement agreement.

(13) Within the amounts provided in this subsection, the department must develop and submit an annual state hospital performance report for eastern and western state hospitals. Each measure included in the performance report must include baseline performance data, agency performance targets, and performance for the most recent fiscal year. The performance report must include a one page dashboard as well as charts for each fiscal year and quality of care measure broken out by hospital and including but not limited to: (a) Monthly FTE expenditures compared to allotments; (b) monthly dollar expenditures compared to allotments; (c) monthly FTE expenditures per thousand patient bed days; (d) monthly dollar expenditures per thousand patient bed days; (e) percentage of FTE expenditures for overtime; (f) average length of stay by category of patient; (g) average monthly civil wait list; (h) average monthly forensic wait list; (i) rate of staff assaults per thousand patient bed days; (j) rate of patient assaults per thousand patient bed days; (k) average number of days to release after a patient has been determined to be clinically ready for discharge; and (l) average monthly vacancy rates for key clinical positions. The department must submit the state hospital performance report to the office of financial management and the appropriate committees of the legislature by the first day of each December of the biennium.

(14) \$546,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for design and planning activities for the new forensic hospital being constructed on the grounds of western state hospital.

(15) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain an on-site safety compliance officer, stationed at western state hospital, to provide oversight and accountability of the hospital's response to safety concerns regarding the hospital's work environment.

(16) \$10,364,000 of the general fund state—appropriation for fiscal year 2024 are provided solely for the department to provide behavioral health and stabilization services at the King county south correctional entity to class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(17) \$2,619,000 of the general fund—state appropriation for fiscal year 2024 and \$5,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to hire additional forensic evaluators to provide in-jail competency evaluations and community-based evaluations.

(18) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to track compliance with the requirements of RCW 71.05.365 for transition of state hospital patients into community settings within 14 days of the determination that they no longer require active psychiatric treatment at an inpatient level of care. The department must use these amounts to track the following elements related to this requirement: (a) The date on which an individual is determined to no longer require active psychiatric treatment at an inpatient level of care; (b) the date on which the behavioral health entities and other organizations responsible for resource management services for the person is notified of this determination; and (c) the date on which either the individual is transitioned to the community or has been reevaluated and determined to again require active psychiatric treatment at an inpatient level of care. The department must provide this information in regular intervals to behavioral health entities and other organizations responsible for resource management services. The department must summarize the information and provide a report to the office of financial management and the appropriate committees of the legislature on progress toward meeting the 14 day standard by December 1, 2023, and December 1, 2024.

(19) (~~(\$10,547,000)~~) \$2,190,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$37,480,000)~~) \$28,742,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the 48 bed Clark county facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The department must use this facility to provide treatment services for individuals who have been committed to a state hospital pursuant to the dismissal of criminal charges and civil evaluation ordered under RCW 10.77.086 or 10.77.088. In considering placements at the facility, the department must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The department must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and December 1, 2024, providing a status update on progress toward opening the new facility.

(20) \$8,048,000 of the general fund—state appropriation for fiscal year 2024 and \$7,677,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to reopen and operate a 30 bed ward for civil patients at western state hospital. The department must prioritize placements on this ward for individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, in order to maximize forensic bed capacity for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social*

and Health Services, et al., United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(21) (~~(\$13,324,000)~~) \$14,466,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$44,813,000)~~) \$51,582,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the maple lane campus as described in (a) and (b) of this subsection. (~~(Of the amounts provided in this subsection:)~~)

(a) (~~(\$4,764,000 of the general fund state appropriation for fiscal year 2024 and \$5,239,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the)~~) The department (~~(to)~~) shall operate the Oak, Columbia, and Cascade cottages to provide:

(i) Treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088;

(ii) Treatment services to individuals acquitted of a crime by reason of insanity and subsequently ordered to receive treatment services under RCW 10.77.120; and

(iii) Through fiscal year 2024, competency restoration services at the Cascade cottage to individuals under RCW 10.77.086 or 10.77.088.

(b) (~~(\$8,560,000 of the general fund state appropriation for fiscal year 2024 and \$39,574,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the)~~) The department (~~(to)~~) shall open and operate the Baker and Chelan cottages to provide treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(c) In considering placements at the maple lane campus, the department must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(22) \$1,412,000 of the general fund—state appropriation for fiscal year 2024 and \$1,412,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for relocation, storage, and other costs associated with building demolition on the western state hospital campus.

(23) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for western state hospital's vocational rehabilitation program and eastern state hospital's work readiness program to pay patients working in the programs an hourly wage that is equivalent to the state's minimum hourly wage under RCW 49.46.020.

(24) \$4,054,000 of the general fund—state appropriation for fiscal year 2024 and \$5,236,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(25) \$2,233,000 of the general fund—state appropriation for fiscal year 2024, \$4,118,000 of the general fund—state appropriation for fiscal year 2025, and \$297,000 of the general fund—federal appropriation are provided solely for the department to address delays in patient discharge as provided in this subsection.

(a) The department shall hire staff dedicated to discharge reviews, including psychologists to complete reviews and staff for additional discharge review work, including, but not limited to, scheduling, planning, and providing transportation; and establish and implement a sex offense and problematic behavior program as part of the sex offense review and referral team program.

(b) Of the amounts provided in this subsection, \$504,000 per year shall be used for bed fees for patients who are not guilty by reason of insanity.

(c) The department shall track data as it relates to this subsection and, where available, compare it to historical data. The department will provide a report to the appropriate fiscal and policy committees of the legislature. A preliminary report is due by December 1, 2023, and the final report is due by September 15, 2024, and at a minimum must include the:

(i) Volume of patients discharged;

(ii) Volume of patients in a sex offense or problematic behavior program;

(iii) Number of beds held for not guilty by reason of insanity patients;

(iv) Average and median duration to complete discharges;

(v) Staffing as it relates to this subsection; and

(vi) Average discharge evaluation caseload.

(~~(27)~~) (26) (a) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to pursue immediate strategies to maximize existing forensic bed capacity for individuals in jails awaiting admission to the state hospitals that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The immediate strategies must include, but are not limited to:

(i) Additional approaches to resolving barriers to discharge for civil patients, including:

(A) In coordination with the behavioral health teaching facility at the University of Washington, identification of civil patients in the state hospitals that could receive appropriate treatment at the facility and work to resolve any barriers in such placement;

(B) Identification of civil patients in the state hospitals that could receive appropriate treatment at an enhanced services facility or any other community facility and work to resolve any barriers in such placement; and

(C) Coordination with the aging and long-term care administration and the office of public guardianship on the provision of qualified guardians for civil patients in need of guardianship that are otherwise eligible for discharge; and

(ii) Additional approaches to resolving any barriers to maximizing the use of existing civil wards at eastern state hospital for individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(b) By December 1, 2023, the department must submit a preliminary report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) The department's plan for utilizing the funds provided in this subsection and estimated outcomes.

(c) By September 1, 2024, the department must submit a final report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) Detailed reporting on how the funds provided in this subsection were used and the associated outcomes.

~~((28))~~ (27) \$53,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and \$94,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(29))~~ (28) Within the amounts provided in this section, the department is provided funding to operate civil long-term inpatient beds at the state hospitals as follows:

(a) Funding is sufficient for the department to operate 192 civil beds at eastern state hospital in both fiscal year 2024 and fiscal year 2025.

(b) Funding is sufficient for the department to operate 287 civil beds at western state hospital in both fiscal year 2024 and fiscal year 2025.

(c) The department shall fully operate funded civil capacity at eastern state hospital, including reopening and operating civil beds that are not needed for eastern Washington residents to provide services for western Washington residents.

(d) The department shall coordinate with the health care authority toward increasing community capacity for long-term inpatient services required under section 215(50) of this act.

(29) (a) \$60,776,000 of the general fund—state appropriation for fiscal year 2024 and \$75,188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate 72 beds in three wards in the Olympic heritage behavioral health facility.

(b) The department may not use the remaining 40 beds at the facility for any purpose and must permit the contractor selected by the health care authority to utilize the beds pursuant to and upon completion of the contracted process outlined in section 215 of this act.

(30) \$100,318,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to pay the court order filed July 7, 2023, issued in the case of Trueblood, et al. v. Department of Social and Health Services, et al., United States district court for the western district of Washington, cause no. 14-cv-01178-MJP, which requires the department to "pay all fines held in abeyance from September 2022 through May 2023, which totals \$100,318,000.00."

(31) \$6,900,000 of the general fund—state appropriation for fiscal year 2024 and \$13,610,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional 30 beds at western state hospital.

(32) \$3,228,000 of the general fund—state appropriation for fiscal year 2024 and \$6,088,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional eight beds at eastern state hospital.

(33) \$700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5690 (conditional release transition teams). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(34) \$1,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 203.** 2023 c 475 s 203 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM**

(1) COMMUNITY SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(\$1,129,397,000)
	<u>\$1,143,400,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$1,184,492,000)
	<u>\$1,209,080,000</u>
General Fund—Federal Appropriation . . . . .	(\$2,409,328,000)
	<u>\$2,446,165,000</u>
General Fund—Private/Local Appropriation . . . . .	\$4,058,000
Developmental Disabilities Community Services Account—State Appropriation . . . . .	\$32,120,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(\$4,759,395,000)</b>
	<u><b>\$4,834,823,000</b></u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments may not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 must be charged when adult family home providers file a change of ownership application.

(ii) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.

(iii) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.

(c) \$32,240,000 of the general fund—state appropriation for fiscal year 2024, \$52,060,000 of the general fund—state appropriation for fiscal year 2025, and \$108,994,000 of the general fund—federal appropriation are provided solely for the rate increase for the new consumer-directed employer contracted individual providers as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(d) \$5,095,000 of the general fund—state appropriation for fiscal year 2024, \$7,299,000 of the general fund—state appropriation for fiscal year 2025, and \$16,042,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(e) \$1,099,000 of the general fund—state appropriation for fiscal year 2024, \$2,171,000 of the general fund—state appropriation for fiscal year 2025, and \$5,515,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(f) \$328,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$998,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.

(g) \$9,371,000 of the general fund—state appropriation for fiscal year 2024, \$10,798,000 of the general fund—state appropriation for fiscal year 2025, and \$25,267,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(h) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(i) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(j) Sufficient appropriations are provided to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(i) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, and assisted living facility beds.

(ii) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (j) (i) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(iii) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (j) (i) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(iv) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(k) Sufficient appropriations are provided for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(l) \$476,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(m) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(n) \$2,648,000 of the general fund—state appropriation for fiscal year 2024, \$2,631,000 of the general fund—state appropriation for fiscal year 2025, and \$2,293,000 of the general fund—federal appropriation are provided solely for enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to partner with the state in the development of an individualized service plan that allows the child to remain in his or her home. The department must provide the legislature with a respite utilization report in January of each year that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(o) \$2,173,000 of the general fund—state appropriation for fiscal year 2024 and \$2,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for 13 community respite beds across the state for adults. These services are intended to provide families and caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The department must provide the legislature with a respite utilization report by January of each year that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(p) \$144,000 of the general fund—state appropriation for fiscal year 2025 and \$181,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v Office of Financial Management*, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the amounts provided in this subsection shall lapse.

(q) \$351,000 of the general fund—state appropriation for fiscal year 2024, \$375,000 of the general fund—state appropriation for fiscal year 2025, and \$905,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023.

(r) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(s) The appropriations in this section include sufficient funding to provide access to the individual and family services waiver and the basic plus waiver to those individuals on the service request list as forecasted by the caseload forecast council. For subsequent policy level budgets, the department shall submit a request for funding associated with individuals requesting to receive the individual and family services waiver and the basic plus waiver in accordance with the courtesies forecasts provided by the caseload forecast council.

(t) \$1,729,000 of the general fund—state appropriation for fiscal year 2024, \$2,669,000 of the general fund—state appropriation for fiscal year 2025, and \$4,206,000 of the general fund—federal appropriation are provided solely to operate intensive habilitation services and enhanced out-of-home services facilities.

(u) \$1,363,000 of the general fund—state appropriation for fiscal year 2024, \$1,363,000 of the general fund—state appropriation for fiscal year 2025, and \$2,092,000 of the general fund—federal appropriation are provided solely for additional staff to reduce the timeline for completion of financial eligibility determinations. No later than December 31, 2024, the department of social and health services shall submit a final report to the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes, including, but not limited to, a description of how the timeline for completion of these determinations has changed.

(v) \$485,000 of the general fund—state appropriation for fiscal year 2024 and \$484,000 of the general fund—federal appropriation are provided solely for a feasibility study of the developmental disabilities assessment tool and is subject to the conditions, limitations, and review requirements of section 701 of this act. The resulting study must determine whether the assessment and its technology can be improved to meet regulatory obligations, be quicker and person-centered, reduce manual notations, and maintain viability across age groups and settings.

(w) \$1,223,000 of the general fund—state appropriation for fiscal year 2024, \$2,763,000 of the general fund—state appropriation for fiscal year 2025, and \$3,248,000 of the general fund—federal appropriation are provided solely for supported employment and community inclusion services for those individuals with intellectual or developmental disabilities who are transitioning from high school in the 2023-2025 fiscal biennium and are anticipated to utilize these services.

(x) \$11,074,000 of the general fund—state appropriation for fiscal year 2024, \$13,222,000 of the general fund—state appropriation for fiscal year 2025, and \$19,206,000 of the general fund—federal appropriation are provided solely to increase rates paid to supported employment and community inclusion providers.

(y) (i) \$79,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, and \$121,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(ii) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(A) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required within each behavior support specialty setting and the necessary qualifications of these staff;

(B) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

(C) A plan for implementing the enhanced behavior support specialty contracts that includes:

(I) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(II) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(D) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(I) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(II) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(III) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(z) \$2,494,000 of the general fund—state appropriation for fiscal year 2024 and \$3,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 33 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(aa) \$2,605,000 of the general fund—state appropriation for fiscal year 2024, \$2,402,000 of the general fund—state appropriation for fiscal year 2025, and \$3,840,000 of the general fund—federal appropriation are provided solely to establish transition coordination teams to coordinate transitions of care for clients who move from one care setting to another. The department of social and health services shall submit annual reports no later than December 1, 2023, and December 1, 2024, to the appropriate committees of the legislature that detail how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served, the settings in which clients received care, and the progress made toward increasing stability of client placements;

(ii) A comparison of these outcomes against the outcomes achieved in prior fiscal years;

(iii) A description of lessons learned since the transition coordination teams were first implemented, including an identification of what processes were improved to reduce the timelines for completion; and

(iv) Recommendations for changes necessary to the transition coordination teams to improve increasing stability of client placements.

(bb) \$1,448,000 of the general fund—state appropriation for fiscal year 2024, \$1,807,000 of the general fund—state appropriation for fiscal year 2025, and \$3,626,000 of the general fund—federal appropriation are provided solely to pilot a specialty rate for adult family homes to serve up to 100 individuals with intellectual or developmental disabilities who also have co-occurring health or behavioral health diagnoses. No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served and the setting from which each client entered the adult family home receiving this specialty rate;

(ii) A comparison of the rate of admissions to the adult family homes receiving this specialty rate against the rate of admissions to other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(iii) A comparison of the length of stay in the setting from which the client entered the adult family home receiving this specialty rate against the average length of stay in settings prior to entering other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(cc) \$2,856,000 of the general fund—state appropriation for fiscal year 2024, \$3,104,000 of the general fund—state appropriation for fiscal year 2025, and \$5,948,000 of the general fund—federal appropriation are provided solely to pilot a program that provides a specialty rate for community residential providers who receive additional training to support individuals with complex physical and behavioral health needs.

(i) Of the amounts provided in this subsection, \$2,453,000 of the general fund—state appropriation for fiscal year 2024, \$2,705,000 of the general fund—state appropriation for fiscal year 2025, and \$5,259,000 of the general fund—federal appropriation are provided solely for the specialty rate for community residential providers to serve up to 30 individuals.

(ii) Of the amounts provided in this subsection, \$403,000 of the general fund—state appropriation for fiscal year 2024, \$399,000 of the general fund—state appropriation for fiscal year 2025, and \$689,000 of the general fund—federal appropriation are provided solely for the department to hire staff to support this specialty program, including expanding existing training programs available for community residential providers and to support providers in locating affordable housing.

(iii) No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(A) A detailed reporting of the number of clients served and the setting from which each client entered the community residential setting receiving this specialty rate;

(B) A comparison of the rate of admissions to the community residential setting receiving this specialty rate against the rate of admissions to other community residential settings not receiving this specialty rate as well as against the rate of admissions to other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(C) A comparison of the length of stay in the setting from which the client entered the community residential setting receiving this specialty rate against the average length of stay in settings prior to entering other community residential settings not receiving this specialty rate as well as prior to entering other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(dd) (i) \$104,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with the Ruckleshaus center for a progress report on the recommendations in the December 2019 report, "Rethinking Intellectual and Developmental Disability Policy to Empower Clients, Develop Providers and Improve Services."

(ii) By February 29, 2024, a final report shall be submitted to the governor and the appropriate committees of the legislature that includes:

(A) Detailed information about the successes and barriers related to meeting the recommendations in the December 2019 report;

(B) Identification of other potential issues or options for meeting the recommendations in the December 2019 report, including but not limited to, an exploration of the enhanced behavioral support homes concept;

(C) A review of other state's approaches and innovations regarding any of the recommendations in the December 2019 report;

(D) Identification of any emergent issues; and

(E) Identification or recommendation for the organization of focus groups of state agencies and respective stakeholders.

(iii) In compiling the final report, members of the previous workgroup, as well as other interested parties, should be consulted for their feedback and to identify areas where there is potential for agreement to move forward and to make process recommendations if applicable.

(ee) \$127,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely for adult day respite. Of the amounts appropriated in this subsection:

(i) \$27,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely to increase adult day respite rates from \$3.40 to \$5.45 per 15-minute unit to expand and ensure the sustainability of respite services for clients with intellectual or developmental disabilities and their family caregivers.

(ii) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to hire a project position to conduct a study and submit a report by December 1, 2023 to the governor and the appropriate committees of the legislature that examines the feasibility and operational resources needed to add adult day services to a state plan 1915(i) option or to the existing basic plus and core 1915(c) waivers.

(ff) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$4,284,000 of the general fund—state appropriation for fiscal year 2025, and \$4,178,000 of the general fund—federal appropriation are provided solely for the department to add 10 adult stabilization beds by June 2025, increase rates for existing adult stabilization beds by 23 percent, and expand mobile crisis diversion services to cover all three regions of the state.

(gg) (i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to study opportunities to enhance data collection on clients in family units with at least one parent having a developmental or intellectual disability. The study must identify:

(A) Opportunities to improve the existing assessment form and information technology systems by adding questions about clients' children, such as their ages, the number of children, and the K-12 enrollment status of each child;

(B) Ways to strengthen data sharing agreements with other departments, including the department of children, youth, and families, and local school districts;

(C) Strategies for surveying clients to collect information on their parenting and living arrangements, including support from other family members;

(D) Methods for analyzing new and existing data to determine and identify the total number of children with parents that have a developmental or intellectual disability, their needs, and access to specialized services;

(E) An inventory of existing support programs designed for families with a parent having a developmental or intellectual disability and their children, including educational support, financial assistance, and access to specialized services.

(ii) The department shall report its findings to the governor and appropriate committees of the legislature by June 30, 2024.

(hh) \$81,000 of the general fund—state appropriation for fiscal year 2024, \$219,000 of the general fund—state appropriation for fiscal year 2025, and \$371,000 of the general fund—federal appropriation are provided solely to implement House Bill No. 1407 (dev. disability/eligibility). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ii) \$62,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$116,000 of the general fund—federal appropriation are provided solely to implement Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(jj) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely for the department to conduct a study to explore opportunities to restructure services offered under the medicaid waivers for individuals with developmental disabilities served by the department. The plan should propose strategies to enhance service accessibility across the state and align services with the needs of clients, taking into account current and future demand. It must incorporate valuable input from



knowledgeable stakeholders and a national organization experienced in home and community-based waivers in other states. This plan must be submitted to the governor and relevant legislative committees by December 1, 2024.

(kk) \$5,431,000 of the general fund—state appropriation for fiscal year 2024, \$11,084,000 of the general fund—state appropriation for fiscal year 2025, and \$16,737,000 of the general fund—federal appropriation are provided solely to increase rates by 2.5 percent, effective January 1, 2024, for community residential service providers offering supported living, group home, group training home, licensed staff residential services, community protection, and children's out-of-home services to individuals with developmental disabilities.

(ll) \$456,000 of the general fund—state appropriation for fiscal year 2024, \$898,000 of the general fund—state appropriation for fiscal year 2025, and \$416,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(mm) \$446,000 of the general fund—state appropriation for fiscal year 2024, \$5,274,000 of the general fund—state appropriation for fiscal year 2025, and \$2,089,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(nn)(i) \$2,214,000 of the general fund—state appropriation for fiscal year 2024, \$10,104,000 of the general fund—state appropriation for fiscal year 2025, and \$2,934,000 of the general fund—federal appropriation are provided solely for the department to operate a staff-secure, voluntary, and transitional treatment facility specializing in services for adolescents over the age of 13 who have complex developmental disabilities, intellectual disabilities, or autism spectrum disorder and may also have a mental health or substance use diagnosis. These individuals require intensive behavioral supports and may also be in need of behavioral health services. Services must be provided at a property in lake Burien, serve no more than 12 youth at one time, and be implemented in a way that prioritizes transition to less restrictive community-based settings. Youth shall enter the facility only by their own consent or the consent of their guardian.

(ii) The department and health care authority shall collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments. This collaborative effort aims not only to enhance the funding available for the operation of the facility but also to maintain adherence to its fundamental objective of offering voluntary, transitional services. These services are designed to facilitate the transition of youth to community-based settings that are less restrictive, aligning with the facility's commitment to supporting youth with complex needs in a manner that encourages their movement toward independence.

(iii) By November 1, 2024, the department shall report to the governor and appropriate committees of the legislature on the program's design, results of preliminary implementation, financing opportunities, and recommendations. By June 30, 2025, the department shall report to the governor and appropriate committees of the legislature its initial findings, demographics on children served, and recommendations for program design and expansion.

(oo) \$40,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to pay for the cost of professional guardians for individuals who will transition from a residential habilitation center to a community residential setting.

(pp) \$63,000 of the general fund—state appropriation for fiscal year 2025 and \$62,000 of the general fund—federal appropriation are provided solely for the department, in cooperation with the health care authority, to study the feasibility and cost of implementing a point of contact for individuals diagnosed with a rare disease to increase access and reduce barriers in navigating programs, services, and resources offered by both agencies.

(qq) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to establish respite care beds for individuals with intellectual and developmental disabilities in the Tri-Cities.

(2) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$138,560,000</del> ))
	\$138,715,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$140,682,000</del> ))
	\$141,016,000
General Fund—Federal Appropriation . . . . .	(( <del>\$254,857,000</del> ))
	\$255,118,000
General Fund—Private/Local Appropriation . . . . .	\$19,488,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$553,587,000</del>))</b>
	<b>\$554,337,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments may not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$495,000 of the general fund—state appropriation for fiscal year 2024 and \$495,000 of the general fund—state appropriation for fiscal year 2025 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation,

building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) The residential habilitation centers may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(d) \$61,000 of the general fund—state appropriation for fiscal year 2024, \$61,000 of the general fund—state appropriation for fiscal year 2025, and \$117,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(e) \$73,000 of the general fund—state appropriation for fiscal year 2025 and \$73,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(3) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$4,103,000</del> ))
		<u>\$3,582,000</u>
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$4,179,000</del> ))
		<u>\$3,659,000</u>
General Fund—Federal Appropriation	.. . . .	(( <del>\$4,951,000</del> ))
		<u>\$4,249,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$13,233,000</del>))</b>
		<b><u>\$11,490,000</u></b>

(4) SPECIAL PROJECTS

General Fund—State Appropriation (FY 2024)	.. . . .	\$66,000
General Fund—State Appropriation (FY 2025)	.. . . .	\$66,000
General Fund—Federal Appropriation	.. . . .	\$1,094,000
<b>TOTAL APPROPRIATION</b>	.....	<b>\$1,226,000</b>

**Sec. 204.** 2023 c 475 s 204 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—AGING AND ADULT SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$2,202,547,000</del> ))
		<u>\$2,168,497,000</u>
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$2,385,171,000</del> ))
		<u>\$2,398,884,000</u>
General Fund—Federal Appropriation	.. . . .	(( <del>\$5,611,805,000</del> ))
		<u>\$5,660,562,000</u>
General Fund—Private/Local Appropriation	.. . . .	\$53,719,000
Traumatic Brain Injury Account—State Appropriation	.. . . .	(( <del>\$5,586,000</del> ))
		<u>\$4,486,000</u>
Skilled Nursing Facility Safety Net Trust Account— State Appropriation	.. . . .	\$133,360,000
Long-Term Services and Supports Trust Account—State Appropriation	.. . . .	(( <del>\$44,301,000</del> ))
		<u>\$51,902,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$10,436,489,000</del>))</b>
		<b><u>\$10,471,410,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate may not exceed \$341.41 for fiscal year 2024 and may not exceed \$364.67 for fiscal year 2025. The weighted average nursing facility payment rates in this subsection (1) (a) include the following:

(i) \$17,361,000 of the general fund—state appropriation for fiscal year 2024, \$17,361,000 of the general fund—state appropriation for fiscal year 2025, and \$34,722,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021-2023 fiscal biennium to address low-wage equity for low-wage direct care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be equal to the wage payment received on June 30, 2023.

(ii) \$2,227,000 of the general fund—state appropriation for fiscal year 2024, \$2,227,000 of the general fund—state appropriation for fiscal year 2025, and \$4,456,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021-2023 fiscal biennium to address low-wage equity for low-wage indirect care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be equal to the wage payment received on June 30, 2023.

(b) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(2) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure,

inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(b) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.

(c) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.

(3) The department is authorized to place long-term care clients residing in nursing homes and paid for with state-only funds into less restrictive community care settings while continuing to meet the client's care needs.

(4) \$69,777,000 of the general fund—state appropriation for fiscal year 2024, \$113,969,000 of the general fund—state appropriation for fiscal year 2025, and \$237,558,000 of the general fund—federal appropriation are provided solely for the rate increase for the new consumer-directed employer contracted individual providers as set by the consumer-directed rate setting board in accordance with RCW 74.39A.530.

(5) \$19,044,000 of the general fund—state appropriation for fiscal year 2024, \$30,439,000 of the general fund—state appropriation for fiscal year 2025, and \$63,986,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(6) \$2,385,000 of the general fund—state appropriation for fiscal year 2024, \$4,892,000 of the general fund—state appropriation for fiscal year 2025, and \$12,502,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(7) \$2,547,000 of the general fund—state appropriation for fiscal year 2024, \$3,447,000 of the general fund—state appropriation for fiscal year 2025, and \$7,762,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.

(8) \$425,000 of the general fund—state appropriation for fiscal year 2025 and \$542,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v Office of Financial Management*, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the amounts provided in this subsection shall lapse.

(9) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(10) In accordance with RCW 18.390.030, the biennial registration fee for continuing care retirement communities shall be \$900 for each facility.

(11) Within amounts appropriated in this subsection, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues.

(a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members, and four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee;

(v) A member from disability rights Washington and a member from the office of long-term care ombuds;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) Other agency directors or designees as necessary.

(b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington and to serve people with disabilities, including state budget and policy options, and may conduct, but are not limited to, the following tasks:

(i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(ii) Identify strategies and policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;

(iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(iv) Identify ways to promote advance planning and advance care directives and implementation strategies for the Bree collaborative palliative care and related guidelines;

(v) Identify ways to meet the needs of the aging demographic impacted by reduced federal support;

(vi) Identify ways to protect the rights of vulnerable adults through assisted decision-making and guardianship and other relevant vulnerable adult protections;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation.

(c) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(d) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures and meetings are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Meetings of the task force must be scheduled and conducted in accordance with the rules of both the senate and the house of representatives. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(12) Appropriations in this section are sufficient to fund discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(13) Appropriations in this section are sufficient to fund financial service specialists stationed at the state psychiatric hospitals. Financial service specialists will help to transition clients ready for hospital discharge into alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state hospitals.

(14) The department shall continue to administer tailored support for older adults and medicaid alternative care as described in initiative 2 of the 1115 demonstration waiver. This initiative will be funded by the health care authority through the medicaid quality improvement program. The secretary in collaboration with the director of the health care authority shall report to the office of financial management all expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested. The department shall not increase general fund—state expenditures on this initiative.

(15) \$61,209,000 of the general fund—state appropriation for fiscal year 2024, \$70,352,000 of the general fund—state appropriation for fiscal year 2025, and \$161,960,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(16) \$1,761,000 of the general fund—state appropriation for fiscal year 2024, \$1,761,000 of the general fund—state appropriation for fiscal year 2025, and \$4,162,000 of the general fund—federal appropriation are provided solely for case managers at the area agencies on aging to coordinate care for medicaid clients with mental illness who are living in their own homes. Work shall be accomplished within existing standards for case management and no requirements will be added or modified unless by mutual agreement between the department of social and health services and area agencies on aging.

(17) Appropriations provided in this section are sufficient for the department to contract with an organization to provide educational materials, legal services, and attorney training to support persons with dementia. The funding provided in this subsection must be used for:

(a) An advance care and legal planning toolkit for persons and families living with dementia, designed and made available online and in print. The toolkit should include educational topics including, but not limited to:

(i) The importance of early advance care, legal, and financial planning;

(ii) The purpose and application of various advance care, legal, and financial documents;

(iii) Dementia and capacity;

(iv) Long-term care financing considerations;

(v) Elder and vulnerable adult abuse and exploitation;

(vi) Checklists such as "legal tips for caregivers," "meeting with an attorney," and "life and death planning;"

(vii) Standardized forms such as general durable power of attorney forms and advance health care directives; and

(viii) A selected list of additional resources.

(b) Webinars about the dementia legal and advance care planning toolkit and related issues and topics with subject area experts. The subject area expert presenters must provide their services in-kind, on a volunteer basis.

(c) Continuing legal education programs for attorneys to advise and assist persons with dementia. The continuing education programs must be offered at no cost to attorneys who make a commitment to participate in the pro bono program.

(d) Administrative support costs to develop intake forms and protocols, perform client intake, match participating attorneys with eligible clients statewide, maintain records and data, and produce reports as needed.

(18) Appropriations provided in this section are sufficient to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(a) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, assisted living facility beds, adult residential care beds, and specialized dementia beds.

(b) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (a) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(c) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (a) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(d) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(19) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(20) \$5,094,000 of the general fund—state appropriation for fiscal year 2024 and \$5,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(21)(a) \$63,938,000 of the general fund—state appropriation for fiscal year 2024, \$40,714,000 of the general fund—state appropriation for fiscal year 2025, and \$110,640,000 of the general fund—federal appropriation are provided solely for rate adjustments for skilled nursing facilities.

(b) Of the amounts provided in this subsection, \$7,700,000 of the general fund—state appropriation for fiscal year 2025 and \$7,700,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5802 (nursing rate calculation). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(22) \$32,470,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$34,090,000)~~ \$35,372,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$72,783,000)~~ \$74,246,000 of the general fund—federal appropriation are provided solely for rate adjustments for assisted living providers. Of the amounts provided in this subsection:

(a) \$23,751,000 of the general fund—state appropriation for fiscal year 2024, \$25,487,000 of the general fund—state appropriation for fiscal year 2025, and \$54,687,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023. The department of social and health services shall report, by December 1st of each year, on medicaid resident utilization of and access to assisted living facilities.

(b) \$5,505,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$5,389,000)~~ \$6,671,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$11,588,000)~~ \$13,051,000 of the general fund—federal appropriation are provided solely for a specialty dementia care rate add-on for all assisted living facilities of ~~(\$43.48)~~ \$50.00 per patient per day.

(c) \$2,573,000 of the general fund—state appropriation for fiscal year 2024, \$2,573,000 of the general fund—state appropriation for fiscal year 2025, and \$5,146,000 of the general fund—federal appropriation are provided solely for a one-time bridge rate for assisted living facilities, enhanced adult residential centers, and adult residential centers, with high medicaid occupancy. The bridge rate does not replace or substitute the capital add-on rate found in RCW 74.39A.320 and the same methodology from RCW 74.39A.320 shall be used to determine each facility's medicaid occupancy percentage for the purposes of this one-time bridge rate add-on. Facilities with a medicaid occupancy level of 90 percent or more shall receive a \$20.99 add-on per resident day.

(d) \$641,000 of the general fund—state appropriation for fiscal year 2024, \$641,000 of the general fund—state appropriation for fiscal year 2025, and \$1,362,000 of the general fund—federal appropriation are provided solely to increase the rate add-on for expanded community services by 5 percent.

(23) Within available funds, the aging and long term support administration must maintain a unit within adult protective services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

(24) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(25) \$1,858,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation of the volunteer services program. Funding must be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(26) \$479,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$479,000)~~ \$989,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the kinship navigator program in the Colville Indian reservation, Yakama Nation, and other tribal areas.

(27) The traumatic brain injury council shall collaborate with other state agencies in their efforts to address traumatic brain injuries to ensure that efforts are complimentary and continue to support the state's broader efforts to address this issue.

(28) \$1,297,000 of the general fund—state appropriation for fiscal year 2024 and \$1,297,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based dementia education and support activities in three areas of the state, including dementia resource catalyst staff and direct services for people with dementia and their caregivers.

(29) \$5,410,000 of the general fund—state appropriation for fiscal year 2024, \$9,277,000 of the general fund—state appropriation for fiscal year 2025, and \$14,909,000 of the general fund—federal appropriation are provided solely for the operating costs associated with the phase-in of enhanced services facilities and specialized dementia care beds that were established with behavioral health community capacity grants.

(30) (a) \$71,000 of the general fund—state appropriation for fiscal year 2024, \$68,000 of the general fund—state appropriation for fiscal year 2025, and \$141,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(b) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(i) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required within each behavior support specialty setting and the necessary qualifications of these staff;

(ii) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

(iii) A plan for implementing the enhanced behavior support specialty contracts that includes:

(A) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(B) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(iv) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(A) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(B) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(C) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(31) (~~(\$2,874,000)~~) \$2,551,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$2,211,000)~~) \$2,534,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the general fund—federal appropriation are provided solely for the kinship care support program. Of the amounts provided in this subsection:

(a) (~~(\$667,000)~~) \$344,000 of the general fund—state appropriation for fiscal year 2024 (~~(+)~~) and \$323,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the kinship navigator case management pilot program.

(b) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the rates paid to kinship navigators and to increase the number of kinship navigators so that each area agency on aging has one kinship navigator and King county has two kinship navigators.

(32) \$2,574,000 of the general fund—state appropriation for fiscal year 2024 and \$2,567,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 40 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(33) \$691,000 of the general fund—state appropriation for fiscal year 2024, \$658,000 of the general fund—state appropriation for fiscal year 2025, and \$1,347,000 of the general fund—federal appropriation are provided solely for the department to provide staff support to the difficult to discharge task force described in section (~~(135(12))~~) 132(12) of this act, including any associated ad hoc subgroups, and to develop home and community services assessment timeliness requirements for pilot participants in cooperation with the health care authority as described in section 211(~~(+65))~~) (64) of this act.

(34) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a study of functional assessments conducted by the department prior to acute care hospital discharge and placement in a post-acute facility. No later than June 30, 2025, a report must be submitted to the governor and the appropriate committees of the legislature that evaluates:

(a) The timeliness of the completion of these assessments;

(b) How requiring these assessments impacts:

(i) The length of a patient's hospital stay;

(ii) The patient's medical, emotional, and mental well-being;

(iii) The hospital staff who care for these patients; and

(iv) Access to inpatient and emergency beds for other patients;

(c) Best practices from other states for placing hospitalized patients in post-acute care settings in a timely and effective manner that includes:

(i) Identification of the states that require these assessments prior to post-acute placement; and

(ii) An analysis of a patient's hospital length of stay and a patient's medical, emotional, and mental well-being in states that require these assessments compared to the states that do not; and

(d) The potential benefits of, and barriers to, outsourcing some or all of the functional assessment process to hospitals. Barriers evaluated must include department policies regarding staff workloads, outsourcing work, and computer system access.

(35) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely to employ and train staff for outreach efforts aimed at connecting adult family home owners and their employees with health care coverage through the adult family home training network as outlined in RCW 70.128.305. These outreach activities must consist of:

(a) Informing adult family home owners and their employees about various health insurance options;

(b) Creating and distributing culturally and linguistically relevant materials to assist these individuals in accessing affordable or free health insurance plans;

(c) Offering continuous technical support to adult family home owners and their employees regarding health insurance options and the application process; and

(d) Providing technical assistance as a certified assister for the health benefit exchange, enabling adult family home owners and their employees to comprehend, compare, apply for, and enroll in health insurance via Washington healthplanfinder. Participation in the certified assister program is dependent on meeting contractual, security, and other program requirements set by the health benefit exchange.

(36) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the office of the insurance commissioner and the office of the attorney general, to create a regulatory oversight plan for continuing care retirement communities, focusing primarily on establishing and implementing resident consumer protections, as recommended in the 2022 report of the office of the insurance commissioner. As part of the process, the agencies must engage with relevant stakeholder groups for consultation. The final plan must be submitted to the health care committees of the legislature by December 1, 2024.

(37) (~~(\$16,952,000)~~)\$11,509,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$23,761,000)~~)\$15,363,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$41,407,000)~~)\$27,344,000 of the general fund—federal appropriation are provided solely for nursing home services and emergent building costs at the transitional care center of Seattle. No later than December 1, 2024, the department must submit to the appropriate fiscal committees of the legislature a report that includes, but is not limited to:

(a) An itemization of the costs associated with providing direct care services to residents and managing and caring for the facility; and

(b) An examination of the impacts of this facility on clients and providers of the long-term care and medical care sectors of the state that includes, but is not limited to:

(i) An analysis of areas that have realized cost containment or savings as a result of this facility;

(ii) A comparison of individuals transitioned from hospitals to this facility compared to other skilled nursing facilities over the same period of time; and

(iii) Impacts of this facility on lengths of stay in acute care hospitals, other skilled nursing facility, and transitions to home and community-based settings.

(38) \$911,000 of the general fund—state appropriation for fiscal year 2024, \$935,000 of the general fund—state appropriation for fiscal year 2025, and \$365,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(39) \$562,000 of the general fund—state appropriation for fiscal year 2024, \$673,000 of the general fund—state appropriation for fiscal year 2025, and \$1,244,000 of the general fund—federal appropriation are provided solely to increase rates for long-term care case management services offered by area agencies on aging. The department must include this adjustment in the monthly per client rates paid to these agencies for case management services in the governor's projected maintenance level budget process, in accordance with RCW 43.88.030.

(40) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely to contract with an organization to design and deliver culturally and linguistically competent training programs for home care workers, including individual providers.

(41) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$400,000 of the general fund—federal appropriation are provided solely for a pilot project focused on providing translation services for interpreting mandatory training courses offered through the adult family home training network. The department of social and health services must collaborate with the adult family home council and the adult family home training network to assess the pilot project's outcomes. The department of social and health services shall submit a comprehensive report detailing the results to the governor and the appropriate committees of the legislature no later than September 30, 2025.

(42) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the current pilot projects to provide personal care services to homeless seniors and people with disabilities from the time the person presents at a shelter to the time they become eligible for medicaid.

(43) \$75,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$147,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(44) \$125,000 of the general fund—state appropriation for fiscal year 2024, \$125,000 of the general fund—state appropriation for fiscal year 2025, and \$250,000 of the general fund—federal appropriation are provided solely for the department, in collaboration with the consumer directed employer and home care agencies, to establish guidelines, collect and analyze data, and research the reasons and timing behind home care workers leaving the workforce.

(45) \$703,000 of the general fund—state appropriation for fiscal year 2024, \$3,297,000 of the general fund—state appropriation for fiscal year 2025, and \$2,735,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(46) (a) \$4,792,000 of the general fund—state appropriation for fiscal year 2024, \$4,894,000 of the general fund—state appropriation for fiscal year 2025, and \$9,881,000 of the general fund—federal appropriation are provided solely to support providers that are ready to accept patients who are in acute care beds and no longer require inpatient care, but are unable to be transitioned to appropriate postacute care settings. These patients are generally referred to as difficult to discharge hospital patients because of their behaviors.

(i) The department shall broaden the current discharge and referral case management practices for difficult to discharge hospital patients waiting in acute care hospitals to include referrals to all long-term care behavioral health settings, including enhanced services facilities, enhanced adult residential care, and enhanced adult residential care



with community stability supports contracts or community behavioral health support services, including supportive supervision and oversight and skills development and restoration. These home and community-based providers are contracted to provide various levels of personal care, nursing, and behavior supports for difficult to discharge hospital patients with significant behavior support needs.

(ii) Patients ready to discharge from acute care hospitals with diagnosed behaviors or behavior history, and a likelihood of unsuccessful placement in other licensed long-term care facilities, a history of rejected applications for admissions, or a history of unsuccessful placements shall be fully eligible for referral to available beds in enhanced services facilities or enhanced adult residential care with contracts that adequately meet the patient's long-term care needs.

(iii) Previous or current detention under the involuntary treatment act shall not be a requirement for individuals in acute care hospitals to be eligible for these specialized settings. The department shall develop a standard process for acute care hospitals to refer patients to the department for placement in enhanced services facilities and enhanced adult residential care with contracts to provide behavior support.

(b) The department must adopt a payment model that incorporates the following adjustments:

(i) The enhanced behavior services plus and enhanced behavior services respite rates for skilled nursing facilities shall be converted to \$175 per patient per day add-on in addition to daily base rates to recognize additional staffing and care needs for patients with behaviors.

(ii) Enhanced behavior services plus with specialized services rates for skilled nursing facilities shall be converted to \$235 per patient per day add-on on top of daily base rates.

(iii) The ventilator rate add-on for all skilled nursing facilities shall be \$192 per patient per day.

(iv) The tracheotomy rate add-on for all skilled nursing facilities shall be \$123 per patient per day.

(c) Of the amounts provided in (a) of this subsection, \$3,838,000 of the general fund—state appropriation for fiscal year 2024, \$3,917,000 of the general fund—state appropriation for fiscal year 2025, and \$7,911,000 of the general fund—federal appropriation are provided solely for an increase in the daily rate for enhanced services facilities to \$596.10 per patient per day.

(47) \$4,908,000 of the long-term services and supports trust account—state appropriation is provided solely to continue technological development for the Washington cares fund program and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(48) \$63,000 of the general fund—state appropriation for fiscal year 2025 and \$62,000 of the general fund—federal appropriation are provided solely for the department, in cooperation with the health care authority, to study the feasibility and cost of implementing a point of contact for individuals diagnosed with a rare disease to increase access and reduce barriers in navigating programs, services, and resources offered by both agencies.

(49) (a) Within amounts appropriated in this section, the department shall convene a work group comprised of representatives from the department of social and health services, the department of commerce, the health care authority, and organizations representing relevant assisted living and housing providers utilizing department of housing and urban development housing choice vouchers in assisted living facilities to examine how assisted living facilities can use these vouchers for medicaid residents in a manner that aligns with federal requirements and does not negatively impact receipt of federal medicaid funding.

(b) The work group shall submit a preliminary report by December 1, 2024, to the governor and the appropriate committees of the legislature that includes any findings and policy recommendations for how to use housing and urban development project-based rental vouchers for medicaid residents living in licensed assisted living facilities. The work group findings must identify any barriers within the state and federal systems that would prevent the use of housing and urban development project-based rental vouchers for medicaid residents, including, but not limited to, licensing requirements and duplication of services.

(c) It is the intent of the legislature that this work group will continue its work through September 30, 2025, in order to facilitate completion of a final report to the governor and the appropriate committees of the legislature at that time.

(50) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$48,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5640 (independent living residents). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(51) \$94,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(52) \$962,000 of the general fund—state appropriation for fiscal year 2025 and \$962,000 of the general fund—federal appropriation are provided solely for a 30 percent increase in the rates for adult day care and adult day health.

**Sec. 205.** 2023 c 475 s 205 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ECONOMIC SERVICES PROGRAM**  
General Fund—State Appropriation (FY 2024) . . . . . ((\$606,767,000))

	\$676,492,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$604,555,000))
	\$740,637,000
General Fund—Federal Appropriation. . . . .	(((\$1,648,987,000))
	\$1,689,559,000
General Fund—Private/Local Appropriation. . . . .	\$5,274,000
Domestic Violence Prevention Account—State Appropriation. . . . .	\$2,404,000
<u>Information Technology Investment Revolving Account— State Appropriation. . . . .</u>	<u>\$4,329,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(((\$2,867,987,000))</b>
	<b>\$3,118,695,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) ~~(((\$169,050,000))~~ \$172,628,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$164,246,000))~~ \$198,637,000 of the general fund—state appropriation for fiscal year 2025, and \$853,777,000 of the general fund—federal appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting a structure change.

(b) ~~(((\$450,773,000))~~ \$481,959,000 of the amounts in (a) of this subsection is for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance. Of the amounts provided in this subsection (1) (b):

(i) \$17,315,000 of the general fund—federal appropriation is provided solely to increase the temporary assistance for needy families and state family assistance cash grants by \$100 per month for households with a child under the age of three, effective November 1, 2023. The funding is intended to assist families with the cost of diapers as described in chapter 100, Laws of 2022.

(ii) \$3,060,000 of the general fund—state appropriation for fiscal year 2024, \$4,665,000 of the general fund—state appropriation for fiscal year 2025, and \$19,000,000 of the general fund—federal appropriation are provided solely for the department to increase temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$296,000 of the general fund—state appropriation for fiscal year 2024, \$5,293,000 of the general fund—state appropriation for fiscal year 2025, and \$1,089,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(iv) \$632,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the replacement of skimmed or cloned cash benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the temporary assistance for needy families and the state family assistance program. The replacement of stolen benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection (1) (b) (iv) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(c) \$167,710,000 of the amounts in (a) of this subsection is for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. Within amounts provided in this subsection (1) (c), the department shall implement the working family support program.

(i) \$2,474,000 of the amounts provided in this subsection (1) (c) is for enhanced transportation assistance. The department must prioritize the use of these funds for the recipients most in need of financial assistance to facilitate their return to work. The department must not utilize these funds to supplant repayment arrangements that are currently in place to facilitate the reinstatement of drivers' licenses.

(ii) \$482,000 of the general fund—state appropriation for fiscal year 2024 and \$1,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$185,000 of the general fund—state appropriation for fiscal year 2024 and \$1,820,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(d) Of the amounts in (a) of this subsection, \$353,402,000 of the general fund—federal appropriation is for the working connections child care program under RCW 43.216.020 within the department of children, youth, and families. The department is the lead agency for and recipient of the federal temporary assistance for needy families grant. A portion of this grant must be used to fund child care subsidies expenditures at the department of children, youth, and families.

(i) The department of social and health services shall work in collaboration with the department of children, youth, and families to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families.

(ii) Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(e) Of the amounts in (a) of this subsection, \$68,496,000 of the general fund—federal appropriation is for child welfare services within the department of children, youth, and families.

(f) Of the amounts in (a) of this subsection, ~~((~~\$146,692,000~~))~~ \$153,475,000 is for WorkFirst administration and overhead. Of the amounts provided in this subsection (1)(f):

(i) \$147,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(ii) \$204,000 of the general fund—state appropriation for fiscal year 2024, \$179,000 of the general fund—state appropriation for fiscal year 2025, and \$575,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(iii) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to process skimmed or cloned cash benefits for impacted recipients of the temporary assistance for needy families or state family assistance programs. Any unspent funds in this subsection (1)(f)(iii) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(g)(i) The department shall submit quarterly expenditure reports to the governor, the fiscal committees of the legislature, and the legislative WorkFirst poverty reduction oversight task force under RCW 74.08A.341. In addition to these requirements, the department must detail any fund transfers across budget units identified in (a) through (e) of this subsection. The department shall not initiate any services that require expenditure of state general fund moneys that are not consistent with policies established by the legislature.

(ii) The department may transfer up to 10 percent of funding between budget units identified in (b) through (f) of this subsection. The department shall provide notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst poverty reduction oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(h) On January 2nd and July 1st of each year, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst poverty reduction oversight task force. The report must detail the following information for temporary assistance for needy families:

(i) An overview of federal rules related to maintenance of effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;

(ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;

(iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;

(iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;

(v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort;

(vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation targets, and future reportable federal participation rate requirements; and

(vii) Proposed and enacted federal law changes affecting maintenance of effort or the participation rate, what impact these changes have on Washington's temporary assistance for needy families program, and the department's plan to comply with these changes.

(i) In the 2023-2025 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (a) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(2) \$3,545,000 of the general fund—state appropriation for fiscal year 2024 and \$3,545,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On January 1, 2024, and January 1, 2025, the department must report to the governor and the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be 100 percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(8) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational support of the Washington information network 211 organization.

(9) \$377,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consolidated emergency assistance program.

(10) \$560,000 of the general fund—state appropriation for fiscal year 2024 and \$560,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state-funded employment and training program for recipients of the state's food assistance program.

(11) ~~(\$5,244,000)~~ \$4,999,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$3,805,000)~~ \$2,155,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$21,115,000)~~ \$27,765,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project to create a comprehensive application and benefit status tracker for multiple programs, an application and enrollment portal for multiple programs, and to establish a foundational platform. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(12) ~~(\$3,307,000)~~ \$2,352,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$257,000)~~ \$1,230,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$8,318,000)~~ \$7,576,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project for the discovery, innovation, and customer experience phase. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(13) ~~(\$1,067,000)~~ \$2,267,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$1,067,000)~~ \$2,638,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$4,981,000)~~ \$11,481,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project office.

(14) \$189,000 of the general fund—state appropriation for fiscal year 2024 and \$953,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of the ongoing additional requirements program, effective April 1, 2024. Of the amount provided in this subsection, the maximum amount that may be expended on new items added to the ongoing additional requirements program is \$53,000 in fiscal year 2024 and \$710,000 in fiscal year 2025.

(15)(a) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors and a study to assess needs and develop recommendations for ongoing supports for this population.

(b) Of the amounts provided in (a) of this subsection, \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors in order to address financial hardship and support household well-being. Stabilization funds can be used to support the sponsorship household with costs of housing, childcare, transportation, internet and data services, household goods, and other unmet needs. The funds may be provided on behalf of an unaccompanied child when the following eligibility criteria are met:

(i) The unaccompanied child is between the ages of 0-17, has been placed in Washington under the care of a nonparental sponsor following release from the United States office of refugee resettlement custody, and has not been reunified with a parent; and

(ii) The sponsorship household demonstrates financial need and has an income below 250 percent of the federal poverty level. A sponsorship household receiving stabilization funds on behalf of a child who turns 18 may continue to receive funds for an additional 60 days after the child reaches 18 years of age.

(c) The department may work with community-based organizations to administer sponsorship stabilization supports. Up to 10 percent of the amounts provided in (b) of this subsection may be used by the community-based organizations to cover administrative expenses associated with the distribution of these supports.

(d) Of the amounts provided in (a) of this subsection, \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to cover the administrative resources necessary for the department to administer the sponsorship stabilization program and to convene a work group with the department of children, youth, and families, department of commerce's office of homeless youth prevention and programs, stakeholders, and community-based organization who have pertinent information regarding sponsorship households. The work group shall identify and analyze the resource and service needs for unaccompanied children and their sponsors, including the types and levels of financial supports and related services that will promote stability of sponsorship placements for this population.

(i) The department must produce a report that includes an overview of the number of impacted children and sponsors, existing services and supports that are available, any gaps in services, and potential changes to federal programs and policies that could impact unaccompanied children. The report shall include recommendations for how state agencies and community organizations can partner with the federal government to support sponsorship households, proposed services and supports that the state could provide to promote the ongoing stability of sponsorship households, and a recommended service delivery model.

(ii) The department shall submit the report required by (d)(i) of this subsection (15) to the governor and appropriate legislative committees no later than June 30, 2025.

(16) \$111,000 of the general fund—state appropriation for fiscal year 2024, \$1,016,000 of the general fund—state appropriation for fiscal year 2025, and \$21,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs) for the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance programs. (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(17) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with an organization located in Seattle with expertise in culturally and linguistically appropriate communications and outreach to conduct an outreach, education, and media campaign related to communities significantly impacted by or at risk for benefits trafficking, skimming, or other fraudulent activities, with particular focus on immigrant, refugee, migrant, and senior populations. This campaign must provide community-focused, culturally and linguistically appropriate education and assistance targeted to meet the needs of each community and related to safeguarding public assistance benefits provided through an electronic benefit card and how to avoid the trafficking or skimming of benefits. To the extent practical, the department must make available information and data to refine this campaign for those communities most impacted to ensure inclusion of any relevant groups not already identified in this provision. The contracted organization, in collaboration with the department, must focus its outreach in highly impacted geographic areas including, but not limited to, Burien, Federal Way, Kent, Lynnwood, White Center, West Seattle, Seattle's International District, Chinatown, and the Central District, Yakima and other identified locations.

(18) \$10,881,000 of the general fund—state appropriation for fiscal year 2024, \$10,131,000 of the general fund—state appropriation for fiscal year 2025, \$6,734,000 of the general fund—federal appropriation, and \$2,404,000 of the domestic violence prevention account—state appropriation are provided solely for domestic violence victim services. Of the amounts provided in this subsection, \$750,000 of the general fund—state appropriation for fiscal year 2024 must be distributed to domestic violence services providers proportionately, based upon bed capacity.

(19) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

department to meet the terms of its settlement agreement with the United States department of agriculture (USDA).

(a) Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to repay USDA as part of the settlement agreement.

(b) Of the amounts provided in this subsection, \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to fund employment and training program services and activities ((~~for~~)) targeted to able-bodied adults without dependents receiving food benefits from the USDA supplemental nutrition assistance program, but open to all basic food employment and training participants including participants who are not able-bodied adults without dependents.

(20) \$3,844,000 of the general fund—state appropriation for fiscal year 2024, \$7,921,000 of the general fund—state appropriation for fiscal year 2025, and \$1,374,000 of the general fund—federal appropriation are provided solely for the department to increase the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance grants by eight percent, effective January 1, 2024.

(21) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization in Pierce county to continue the operation of the guaranteed basic income program in Tacoma.

(22) \$58,000 of the general fund—state appropriation for fiscal year 2024 and \$59,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Substitute Senate Bill No. 5398 (domestic violence funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(23) \$113,000 of the general fund—state appropriation for fiscal year 2024, \$1,487,000 of the general fund—state appropriation for fiscal year 2025, and \$1,599,000 of the general fund—federal appropriation are provided solely to fully integrate the asset verification system into the automated client eligibility system (ACES).

(24) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$34,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the changes made to the state supplemental payment program in chapter 201, Laws of 2023.

(25) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the staffing necessary to process medical assistance cases resulting from the July 1, 2024, implementation for the apple health expansion program.

(26) \$2,786,000 of the general fund—state appropriation for fiscal year 2024, \$5,888,000 of the general fund—state appropriation for fiscal year 2025, and \$8,334,000 of the general fund—federal appropriation are provided solely for the transition of the automated client eligibility system (ACES) mainframe hardware operations to cloud technologies, using an enterprise contracted service through the consolidated technology services agency. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(27) \$5,024,000 of the general fund—state appropriation for fiscal year 2024, \$7,206,000 of the general fund—state appropriation for fiscal year 2025, and \$12,230,000 of the general fund—federal appropriation are provided solely for the implementation of the summer electronic benefit transfer program for the summer break months following the 2023-2024 and 2024-2025 school years. The program implementation must align with the federal summer electronic benefit program requirements defined in the consolidated appropriations act, 2023 (136 Stat. 4459). The department may use a third-party entity to administer the program.

(28) \$8,191,000 of the general fund—state appropriation for fiscal year 2024, \$464,000 of the general fund—state appropriation for fiscal year 2025, and \$8,314,000 of the general fund—federal appropriation are provided solely to cover the increased costs of the maintenance and operations of the automated client eligibility system (ACES), including but not limited to a one-time vendor transition.

(29) \$251,000 of the general fund—state appropriation for fiscal year 2025 and \$21,000 of the general fund—federal appropriation are provided solely to process and replace skimmed or cloned cash and food benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the pregnant women assistance, refugee cash assistance, aged, blind, or disabled assistance, and state food assistance program. The replacement of stolen cash and food benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(30)(a) \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to the office of refugee and immigrant assistance to expand support services for individuals newly arriving to the United States and Washington who do not qualify for federal refugee resettlement program services. Support services include, but are not limited to, housing assistance, food, transportation, childhood education services, education and employment supports, connection to legal services, and social services navigation.

(b) Of the amounts in (a) of this subsection, \$162,000 is provided solely for staffing at the office of refugee and immigrant assistance to cover the administrative expenses of coordinating a statewide approach to the supports described in (a) of this subsection.

(31) ~~(a) \$593,000 of the general fund—state appropriation for fiscal year 2024, \$1,406,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely to implement changes made through the fiscal responsibility act of 2023 (137 Stat. 10) for the supplemental nutrition assistance program's work requirements for able-bodied adults without dependents, and the corresponding impacts to the state food assistance program.~~

~~(b) Of the amounts in (a) of this subsection, \$104,000 of the general fund—state appropriation for fiscal year 2024, \$115,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely for administrative and information technology expenses.~~

(32) ~~(a) \$236,000 of the general fund—state appropriation for fiscal year 2024, \$3,367,000 of the general fund—state appropriation for fiscal year 2025, and \$1,329,000 of the general fund—federal appropriation are provided solely for the department to hire additional public benefit specialists to help reduce the call center and lobby wait times within the community services division.~~

~~(b) By June 30, 2025, the department must submit a report to the governor and the legislature that shows the prior fiscal year's call and lobby wait times by month and queue, number of customer contacts by month and queue, processing times for the various queues for the three most recent fiscal years along with an explanation for any changes to the most recent year's processing times, number of filled public benefit specialists 3 positions and vacancies by month, wait time impacts associated with individual technology solution enhancements, any telephonic savings experienced due to fewer customers waiting on hold, and recommendations to continue reducing customer wait times.~~

(33) ~~\$103,000 of the general fund—state appropriation for fiscal year 2025 and \$65,000 of the general fund—federal appropriation are provided solely to implement Senate Bill No. 5889 (customer voice council). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.~~

**Sec. 206.** 2023 c 475 s 206 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2024)	(( <del>\$26,670,000</del> ))
	<u>\$26,677,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$26,962,000</del> ))
	<u>\$26,975,000</u>
General Fund—Federal Appropriation	\$110,047,000
TOTAL APPROPRIATION	(( <del>\$163,679,000</del> ))
	<u>\$163,699,000</u>

**Sec. 207.** 2023 c 475 s 207 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SPECIAL COMMITMENT PROGRAM**

General Fund—State Appropriation (FY 2024)	(( <del>\$82,011,000</del> ))
	<u>\$81,275,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$81,976,000</del> ))
	<u>\$80,461,000</u>
TOTAL APPROPRIATION	(( <del>\$163,987,000</del> ))
	<u>\$161,736,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

~~((4))~~ (2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to:

(i) Explore regulatory framework options for conditional release less restrictive alternative placements and make recommendations for a possible future framework. This exploration shall include collaboration with the department of corrections regarding their community custody programs;

(ii) Review and refine agency policies regarding communication and engagement with impacted local governments related to less restrictive alternatives, including exploring options for public facing communications on current county fair share status and any projected future need;

(iii) Identify opportunities for greater collaboration and possible fiscal support for local government entities regarding placements of conditional release less restrictive alternatives; and

(iv) Provide recommendations to improve cost-effectiveness of all less restrictive alternative placements.

(b) The department shall submit a report to the governor and appropriate fiscal and policy committees of the legislature by December 1, 2023, with a summary of the results and provide any additional recommendations to the legislature that the department identifies. The report shall also include a summary of costs to the department for contracted and uncontracted less restrictive alternatives.

~~((5))~~ (3) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to conduct an assessment of wireless internet

implementation needs and options, and must include an assessment of satellite and fiber options. The department shall provide a report that includes the assessment and estimated implementation time frame and costs to the appropriate committees of the legislature by December 15, 2023.

(4) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 208.** 2023 c 475 s 208 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$49,968,000</del> ))
	\$50,926,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$50,544,000</del> ))
	\$57,903,000
General Fund—Federal Appropriation. . . . .	(( <del>\$57,444,000</del> ))
	\$62,572,000
<u>Climate Commitment Account—State Appropriation. . . . .</u>	<u>\$1,000,000</u>
<u>Information Technology Investment Revolving Account—</u>	
<u>State Appropriation. . . . .</u>	<u>\$4,876,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$157,956,000</del>))</b>
	<b>\$177,277,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(2) \$5,000 of the general fund—state appropriation for fiscal year 2024, \$22,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium as provided in section 907 of this act.

(3) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the joint legislative and executive committee on behavioral health established in section 135 of this act.

(4) \$115,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$64,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$100,000 of the general fund—state appropriation for fiscal year 2024, \$96,000 of the general fund—state appropriation for fiscal year 2025, and \$149,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5497 (medicaid expenditures). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$231,000 of the general fund—state appropriation for fiscal year 2024 and \$65,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5304 (language access/testing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(7) (a) \$2,961,000 of the general fund—federal appropriation is provided solely for the system for integrated leave, attendance, and scheduling (SILAS) project and is subject to the conditions, limitations, and review requirements of section 701 of this act. Funding is provided solely for continued project expansion at the:

- (i) Yakima Valley school;
- (ii) Maple Lane campus;
- (iii) Brockmann campus;
- (iv) Rainier school; and
- (v) Fircrest school.

(b) By July 1, 2024, the department must submit a report to the appropriate committees of the legislature to include, at least, the implementation schedule and budget plans by facility deployment for each of the facilities listed in (a) of this subsection.

(c) By June 30, 2025, the department must submit a report to the appropriate committees of the legislature to include, but not be limited to, how funding was spent compared to the spending plan and the actual roll out by facility compared to the implementation schedule for



each facility that the SILAS solution was planned and/or implemented at in the prior 12 calendar months.

(8) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the research and data administration of the department to analyze historical trends of admissions for felony civil conversion cases based on behavioral health administrative service organization regions. The research and data administration must create a report that provides information on the monthly averages for admission by region and any information about trends or cycles, and shall make a recommendation about how best to predict and model future admissions for this population by region. The report must be submitted to the governor, office of financial management, and appropriate committees of the legislature no later than November 1, 2024.

(9) \$1,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to pilot a statewide network of community assemblies with overburdened communities as defined in RCW 70A.02.010. The department must select topics for community assemblies that fall within its authority or must consult and coordinate with the agency who has authority on the proposed topic before selection. These assemblies will review state policy, program, and funding decisions.

(10) \$670,000 of the general fund—state appropriation for fiscal year 2025 and \$189,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5943 (resource data tool). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(11)(a) \$250,000 of general fund—state appropriation is provided solely for the department to complete a gap analysis of the existing housing and health care system and provide a report to the legislature detailing its findings. This report shall include, but not be limited to, a review of existing models related to individuals experiencing:

(i) Housing instability who have significant medical and/or behavioral health needs, including the inability to stay in or return to their current housing;

(ii) Homelessness and/or a significant history of being unhoused, including permanent supportive housing residents; and

(iii) Significant health-related social needs that are not severe enough to qualify for placement in existing facilities, but are too significant to be met in a shelter or permanent supportive housing.

(b) The gap analysis shall also include a review of:

(i) Hospitals with patients that have resolved the acute hospital-level needs of the patient, but cannot discharge patients to the community because there is no appropriate lower level of care available; and

(ii) Permanent supportive housing and shelter providers with residents whose medical needs exceed the location's ability to provide care.

(c) The department shall provide recommendations to fill the gaps identified in (a) and (b) of this subsection, which may include creation of complex care locations and enhanced behavioral health supports until an individual qualifies for either a higher or lower level of care.

(d) This report must be submitted to the appropriate committees of the legislature by December 1, 2024.

**Sec. 209.** 2023 c 475 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PAYMENTS TO OTHER AGENCIES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$63,781,000)) \$66,483,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$60,934,000)) \$63,617,000
General Fund—Federal Appropriation . . . . .	(((\$60,794,000)) \$61,814,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$185,509,000)) \$191,914,000</b>

The appropriations in this section are subject to the following conditions and limitations: Within the amounts appropriated in this section, the department must extend master property insurance to all buildings owned by the department valued over \$250,000 and to all locations leased by the department with contents valued over \$250,000.

**Sec. 210.** 2023 c 475 s 210 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY**

(1)(a) During the 2023-2025 fiscal biennium, the health care authority shall provide support and data as required by the office of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority.

(b) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

(2) The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) (a) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(b) The health care authority must submit a report on November 1, 2023, and annually thereafter, to the fiscal committees of the legislature. The report must include, at a minimum:

(i) A list of active coalition projects as of July 1st of the fiscal year. This must include all current and ongoing coalition projects, which coalition agencies are involved in these projects, and the funding being expended on each project, including in-kind funding. For each project, the report must include which federal requirements each coalition project is working to satisfy, and when each project is anticipated to satisfy those requirements; and

(ii) A list of coalition projects that are planned in the current and following fiscal year. This must include which coalition agencies are involved in these projects, including the anticipated in-kind funding by agency, and if a budget request will be submitted for funding. This must reflect all funding required by fiscal year and by fund source and include the budget outlook period.

(4) The appropriations to the health care authority in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the authority may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management. To the extent that appropriations in this section are insufficient to fund actual expenditures in excess of caseload forecast and utilization assumptions, the authority may transfer general fund—state appropriations for fiscal year 2024 that are provided solely for a specified purpose. The authority may not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification must include a narrative explanation and justification of changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications and transfers.

**Sec. 211.** 2023 c 475 s 211 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—MEDICAL ASSISTANCE**

General Fund—State Appropriation (FY 2024) . . . . .	(\$2,682,912,000))
	\$2,858,495,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$2,672,393,000))
	\$2,926,650,000
General Fund—Federal Appropriation. . . . .	(\$15,431,138,000))
	\$16,706,792,000
General Fund—Private/Local Appropriation. . . . .	(\$1,074,465,000))
	\$1,252,273,000
Dedicated Cannabis Account—State Appropriation	
(FY 2024) . . . . .	((25,544,000))
	\$21,513,000
Dedicated Cannabis Account—State Appropriation	
(FY 2025) . . . . .	((28,936,000))
	\$23,376,000
Emergency Medical Services and Trauma Care Systems	

Trust Account—State Appropriation. . . . .	\$15,086,000
<u>Family Medicine Workforce Development Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$7,000,000</u>
Hospital Safety Net Assessment Account—State	
Appropriation. . . . .	(( <del>\$1,524,493,000</del> ))
	\$1,517,493,000
<u>Long-Term Services and Supports Trust Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$314,000</u>
Medical Aid Account—State Appropriation. . . . .	\$540,000
Statewide 988 Behavioral Health Crisis Response Line	
Account—State Appropriation. . . . .	(( <del>\$21,606,000</del> ))
	\$11,624,000
Telebehavioral Health Access Account—State	
Appropriation. . . . .	(( <del>\$8,394,000</del> ))
	\$7,836,000
Ambulance Transport Fund—State Appropriation. . . . .	(( <del>\$13,872,000</del> ))
	\$14,316,000
<u>Professional Health Care Services Rate Enhancement</u>	
<u>Account—State Appropriation. . . . .</u>	<u>\$215,886,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$23,499,379,000</del>))</b>
	<b>\$25,579,194,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The authority shall submit an application to the centers for medicare and medicaid services to renew the 1115 demonstration waiver for an additional five years as described in subsections (2), (3), and (4) of this section. The authority may not accept or expend any federal funds received under an 1115 demonstration waiver except as described in this section unless the legislature has appropriated the federal funding. To ensure compliance with legislative requirements and terms and conditions of the waiver, the authority shall implement the renewal of the 1115 demonstration waiver and reporting requirements with oversight from the office of financial management. The legislature finds that appropriate management of the renewal of the 1115 demonstration waiver as set forth in subsections (2), (3), and (4) of this section requires sound, consistent, timely, and transparent oversight and analytic review in addition to lack of redundancy with other established measures. The patient must be considered first and foremost in the implementation and execution of the demonstration waiver. To accomplish these goals, the authority shall develop consistent performance measures that focus on population health and health outcomes. The authority shall limit the number of projects that accountable communities of health may participate in under initiative 1 to a maximum of six and shall seek to develop common performance measures when possible. The joint select committee on health care oversight will evaluate the measures chosen: (a) For effectiveness and appropriateness; and (b) to provide patients and health care providers with significant input into the implementation of the demonstration waiver to promote improved population health and patient health outcomes. In cooperation with the department of social and health services, the authority shall consult with and provide notification of work on applications for federal waivers, including details on waiver duration, financial implications, and potential future impacts on the state budget to the joint select committee on health care oversight prior to submitting these waivers for federal approval. Prior to final approval or acceptance of funds by the authority, the authority shall submit the special terms and conditions as submitted to the centers for medicare and medicaid services and the anticipated budget for the duration of the renewed waiver to the governor, the joint select committee on health care, and the fiscal committees of the legislature. By federal standard any programs created or funded by this waiver do not create an entitlement. The demonstration period for the waiver as described in subsections (2), (3), and (4) of this section begins July 1, 2023.

(2) (a) ((~~\$150,219,000~~)) \$342,398,000 of the general fund—federal appropriation and ((~~\$150,219,000~~)) \$213,592,000 of the general fund—local appropriation are provided solely for accountable communities of health described in initiative 1 of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. In renewing this initiative, the authority shall consider local input regarding community needs and shall limit total local projects to no more than six. To provide transparency to the appropriate fiscal committees of the legislature, the authority shall provide fiscal staff of the legislature query ability into any database of the fiscal intermediary that authority staff would be authorized to access. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) ((~~\$438,515,000~~)) \$467,787,000 of the general fund—federal appropriation and ((~~\$179,111,000~~)) \$191,068,000 of the general fund—private/local appropriation are provided solely for the medicaid quality improvement program and this is the maximum amount that may be expended for this purpose. Medicaid quality improvement program payments do not count against the 1115 demonstration waiver spending limits and are excluded from the waiver's budget neutrality calculation. The authority may provide medicaid quality improvement program

payments to apple health managed care organizations and their partnering providers as they meet designated milestones. Partnering providers and apple health managed care organizations must work together to achieve medicaid quality improvement program goals according to the performance period timelines and reporting deadlines as set forth by the authority. The authority may only use the medicaid quality improvement program to support initiatives 1, 2, and 3 as described in the 1115 demonstration waiver and may not pursue its use for other purposes. Any programs created or funded by the medicaid quality improvement program do not constitute an entitlement for clients or providers. The authority shall not supplement the amounts provided in this subsection with any general fund—state, general fund—federal, or general fund—local moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight not less than quarterly on financial and health outcomes. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) In collaboration with the accountable communities of health, the authority will submit a report to the governor and the joint select committee on health care oversight describing how each of the accountable community of health's work aligns with the community needs assessment no later than December 1, 2023.

(d) Performance measures and payments for accountable communities of health shall reflect accountability measures that demonstrate progress toward transparent, measurable, and meaningful goals that have an impact on improved population health and improved health outcomes, including a path to financial sustainability. While these goals may have variation to account for unique community demographics, measures should be standardized when possible.

(3) (~~(\$115,725,000)~~) \$87,666,000 of the general fund—federal appropriation and (~~(\$115,725,000)~~) \$87,666,000 of the general fund—local appropriation are provided solely for long-term support services as described in initiative 2 of the 1115 demonstration waiver as well as administrative expenses for initiative 3 and this is the maximum amount that may be expended for this purpose. The authority shall contract with and provide funding to the department of social and health services to administer initiative 2. The director in cooperation with the secretary of the department of social and health services shall report to the office of financial management all of the expenditures of this section and shall provide such fiscal data in the time, manner, and form requested. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section.

(4) (a) (~~(\$54,912,000)~~) \$46,450,000 of the general fund—federal appropriation and (~~(\$30,162,000)~~) \$21,432,000 of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its third-party administrator. The authority and the department, in consultation with the medical assistance expenditure forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) (~~The authority and the department shall seek~~) \$28,156,000 of the general fund—~~federal appropriation and \$22,067,000 of the general fund—local appropriation are provided solely for additional (flexibilities for) housing supports (through the centers for medicare and medicaid services and shall coordinate with the office of financial management and the department of commerce to ensure that services are not duplicated)~~ described in the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) The director shall report to the joint select committee on health care oversight no less than quarterly on utilization and caseload statistics for both supportive housing and employment services and its progress toward increasing uptake and availability for these services.

(5) \$1,432,000 of the general fund—state appropriation for fiscal year 2024 and \$3,008,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported employment services and \$1,478,000 of the general fund—state appropriation for fiscal year 2024 and \$3,162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported housing services, similar to the services described in

initiatives 3a and 3b of the 1115 demonstration waiver to individuals who are ineligible for medicaid. Under these initiatives, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its third-party administrator. Before authorizing services, eligibility for initiative 3a or 3b of the 1115 demonstration waiver must first be determined.

(6) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

(7) The legislature finds that medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(8) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

(9) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

(10) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

(11) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

(12) (~~(\$4,176,000)~~) \$4,261,000 of the general fund—state appropriation for fiscal year 2024, \$4,261,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$8,607,000)~~) \$8,522,000 of the general fund—federal appropriation are provided solely for low-income disproportionate share hospital payments.

(13) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

(14) \$7,000,000 of the general fund—federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

(15) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2023-2025 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2023, and by November 1, 2024, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2024 and fiscal year 2025, hospitals in the program shall be paid and shall retain 100 percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and 100 percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. For the purpose of determining the amount of any state grant under this subsection, payments will include the federal portion of medicaid program supplemental payments received by the hospitals. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the

fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2023-2025 biennial operating appropriations act and in effect on July 1, 2015, (b) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2019-2021 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within 11 months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. (~~(\$237,000 of the general fund state appropriation for fiscal year 2024 and \$218,000 of the general fund state appropriation for fiscal year 2025 are provided solely for state grants for the participating hospitals.)~~)

(16) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide ongoing support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

(17) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

(18) The authority shall submit reports to the governor and the legislature by September 15, 2023, and no later than September 15, 2024, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

(19) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

(20) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

(21) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(22) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$90,000 of the general fund—state appropriation for fiscal year 2025, and \$180,000 of the general fund—federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

(24) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(25) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

(26) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

(27) The authority shall use revenue appropriated from the dedicated cannabis account for contracts with community health centers under RCW 69.50.540 in lieu of general fund—state payments to community health centers for services provided to medical assistance clients, and

it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(28) Beginning no later than July 1, 2018, for any service eligible under the medicaid state plan for encounter payments, managed care organizations at the request of a rural health clinic shall pay the full published encounter rate directly to the clinic. At no time will a managed care organization be at risk for or have any right to the supplemental portion of the claim. Payments will be reconciled on at least an annual basis between the managed care organization and the authority, with final review and approval by the authority.

(29) Sufficient amounts are appropriated in this section for the authority to provide a medicaid equivalent adult dental benefit to clients enrolled in the medical care service program.

(30) During the 2023-2025 fiscal biennium, sufficient amounts are provided in this section for the authority to provide services identical to those services covered by the Washington state family planning waiver program as of August 2018 to individuals who:

(a) Are 19 years of age;

(b) Are at or below 260 percent of the federal poverty level as established in WAC 182-505-0100;

(c) Are not covered by other public or private insurance; and

(d) Need family planning services and are not currently covered by or eligible for another medical assistance program for family planning.

~~((32))~~ (31) (a) The authority shall ensure that appropriate resources are dedicated to implementing the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report. Additionally, the authority shall:

(i) Work to ensure the efficient operations of the managed care plans, including but not limited to, a deconflicting process for audits with and among the managed care plans and the medicaid fraud division at the attorney general's office, to ensure the authority staff perform central audits of cases that appear across multiple managed care plans, versus the audits performed by the individual managed care plans or the fraud division;

(ii) Remain accountable for operating in an effective and efficient manner, including performing program integrity activities that ensure high value in the medical assistance program in general and in medicaid managed care specifically;

(iii) Work with its contracted actuary and the medical assistance expenditure forecast work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting; and

(iv) Work with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024, \$50,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the general fund—federal appropriation are provided solely for the authority to consider, as part of its program integrity activities, whether it is providing economical, efficient, and quality prescription drug services through its administrative services model and the quantifiable cost and benefit of this service delivery method. The authority must establish an annual reporting requirement for all covered entities participating in the 340B drug pricing program that receive medicaid funds under this section; and the authority shall provide at an aggregate level, broken down by covered entities defined by 42 U.S.C. §256b(a)(4)(A)-(O), the following minimum information to the governor and fiscal committees of the legislature no later than October 15, 2023:

(i) The cost and benefits of providing these prescription drug benefits through a carved-out fee-for-service benefit, both total cost and net of rebates;

(ii) The cost and benefits of providing these prescription drug benefits through a carved-in managed care benefit, both total cost and net of rebates;

(iii) The cost and benefits of providing these prescription drug benefits through the administrative services model, both total and net of rebates;

(iv) The community benefit attributable to 340B providers as a result of the administrative services or carved-in model as compared to each other and as compared to the carved-out model; and

(v) The federal financial participation provided to the state under each of these models.

(c) The authority shall submit a report to the governor and appropriate committees of the legislature by October 1, 2023, that includes, but is not limited to:

(i) Specific, quantified actions that have been taken, to date, related to the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report;

(ii) Specific, quantified information regarding the work done with its contracted actuary and the medical assistance expenditure forecast expenditure work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting;

(iii) Specific, quantified information regarding the work done with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner;

(iv) Accounting by fiscal year, medicaid eligibility group, and service beginning with state fiscal year 2020 to include all program integrity recoveries attributable to the

authority, including how these recoveries are categorized, to which year they are reported, how these recoveries are applied against legislative savings requirements, and what recoveries are attributable to the office of the attorney general's medicaid fraud control division and how these recoveries are considered when reporting program integrity activity and determining managed care rates; and

(v) Information detailing when the agency acquired a new fraud and abuse detection system and to what extent this system is being utilized.

~~((33))~~ (32) (a) The authority shall not enter into any future value-based arrangements with federally qualified health centers or rural health clinics prior to receiving approval from the office of financial management and the appropriate committees of the legislature.

(b) The authority shall not modify the reconciliation process with federally qualified health centers or rural health clinics without notification to and the opportunity to comment from the office of financial management.

(c) The authority shall require all managed care organizations to provide information to the authority to account for all payments to rural health clinics and federally qualified health centers to include how payments are made, including any additional payments and whether there is a sub-capitation arrangement or value-based purchasing arrangement.

(d) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall reconcile on an annual basis with rural health clinics and federally qualified health centers.

(e) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall properly accrue for any anticipated reconciliations with rural health clinics and federally qualified health centers during the fiscal year close process following generally accepted accounting practices.

~~((34))~~ (33) Within the amounts appropriated in this section, the authority is to include allergen control bed and pillow covers as part of the durable medical equipment benefit for children with an asthma diagnosis enrolled in medical assistance programs.

~~((35) Within the amounts appropriated in this section, the authority shall reimburse for maternity services provided by doulas.~~

~~(36))~~ (34) \$23,000 of the general fund—state appropriation for fiscal year 2024, \$228,000 of the general fund—state appropriation for fiscal year 2025, and \$312,000 of the general fund—federal appropriation are provided solely for the reimbursement of services provided by doulas for apple health clients. The centers for medicare and medicaid services must approve a state plan amendment to reimburse for doula services prior to the implementation of this policy.

(35) Sufficient funds are provided in this section for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

~~((37))~~ (36) Sufficient funds are provided to continue reimbursing dental health aid therapists for services performed in tribal facilities for medicaid clients. The authority must leverage any federal funding that may become available as a result of appeal decisions from the centers for medicare and medicaid services or the United States court of appeals for the ninth circuit.

~~((38))~~ (37) Within the amounts appropriated in this section, the authority shall implement the requirements of RCW 74.09.830 (postpartum health care) and the American rescue plan act of 2021, P.L. 117-2, in extending health care coverage during the postpartum period. The authority shall make every effort to expedite and complete eligibility determinations for individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act to ensure the state is receiving maximum federal match. This includes, but is not limited to, working with managed care organizations to provide continuous outreach in various modalities until the individual's eligibility determination is completed. Beginning June 1, 2022, the authority must submit quarterly reports to the caseload forecast work group on the number of individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act but are waiting for the authority to complete eligibility determination, the number of individuals who were likely eligible but are now receiving health care coverage with the maximum federal match under Title XIX or Title XXI of the federal social security act, and outreach activities including the work with managed care organizations.

~~((39))~~ (38) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the perinatal support warm line to provide peer support, resources, and referrals to new and expectant parents and people in the emotional transition to parenthood experiencing, or at risk of, postpartum depression or other mental health issues.

~~((40))~~ (39) Sufficient funding is provided to remove the asset test from the medicare savings program review process.

~~((41))~~ (40) Sufficient funding is provided to eliminate the mid-certification review process for the aged, blind, or disabled and housing and essential needs referral programs.

~~((42))~~ (41) \$403,000 of the general fund—state appropriation for fiscal year 2025 and \$1,185,000 of the general fund—federal appropriation are provided solely for an adult acupuncture benefit beginning January 1, 2025.

~~((43))~~ (42) \$581,000 of the general fund—state appropriation for fiscal year 2025 and \$1,706,000 of the general fund—federal appropriation are provided solely for an adult chiropractic benefit beginning January 1, 2025.



~~((44))~~ (43) (a) \$4,109,000 of the general fund—state appropriation for fiscal year 2024 and \$2,055,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to establish a two-year grant program for reimbursement for services to patients up to age 18 provided by community health workers in primary care clinics whose patients are significantly comprised of pediatric patients enrolled in medical assistance under chapter 74.09 RCW beginning January 1, 2023. Community health workers funded under this subsection may provide outreach, informal counseling, and social supports for health-related social needs. The authority shall seek a state plan amendment or federal demonstration waiver should they determine these services are eligible for federal matching funds. Within the amounts provided in this subsection, the authority will provide an initial report to the governor and appropriate committees of the legislature by January 1, 2024, and a final report by January 1, 2025. The report shall include, but not be limited to, the quantitative impacts of the grant program, how many community health workers are participating in the grant program, how many clinics these community health workers represent, how many clients are being served, and evaluation of any measurable health outcomes identified in the planning period prior to January 2023.

(b) In collaboration with key stakeholders including pediatric primary care clinics and medicaid managed care organizations, the authority shall explore longer term, sustainable reimbursement options for the integration of community health workers in primary care to address the health-related social needs of families, including approaches to incorporate federal funding.

~~((45))~~ (44) \$1,635,000 of the general fund—state appropriation for fiscal year 2024, \$1,024,000 of the general fund—state appropriation for fiscal year 2025, and \$1,765,000 of the general fund—federal appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, for state programs within the health and human services coalition to uniformly identify clients across multiple service delivery systems. The coalition will clearly identify all state programs impacted by and all fund sources used in development and implementation of this project. This subsection is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((46))~~ (45) (a) Sufficient amounts are appropriated in this section for the authority to provide coverage for all federal food and drug administration-approved HIV antiviral drugs without prior authorization. This coverage must be provided to apple health clients enrolled in both fee-for-service and managed care programs.

(b) Beginning July 1, 2023, upon initiation or renewal of a contract with the authority to administer a medicaid managed care plan, a managed care health care system shall provide coverage without prior authorization for all federal food and drug administration-approved HIV antiviral drugs.

(c) By December 1, 2023, and December 1, 2024, the authority must submit to the fiscal committees of the legislature the projected and actual expenditures and percentage of medicaid clients who switch to a new drug class without prior authorization as described in (a) and (b) of this subsection.

~~((47))~~ (46) The authority shall consider evidence-based recommendations from the Oregon health evidence review commission when making coverage decisions for the treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome.

~~((48))~~ (47) \$2,120,000 of the general fund—state appropriation for fiscal year 2024, \$2,120,000 of the general fund—state appropriation for fiscal year 2025, and \$9,012,000 of the general fund—federal appropriation are provided solely to increase advanced life support code A0426 by 64 percent, basic life support base rates for nonemergency ambulance transports code A0428 by 80 percent, and mileage for both nonemergency and emergency ambulance transportation code A0425 by 35 percent, beginning July 1, 2023.

~~((49))~~ (48) \$2,047,000 of the general fund—state appropriation for fiscal year 2024, \$3,390,000 of the general fund—state appropriation for fiscal year 2025, and \$5,135,000 of the general fund—federal appropriation are provided solely to increase reimbursement rates by 20 percent for applied behavior analysis codes 0362T and 0373T for individuals with complex behavioral health care needs; and by 15 percent for all other applied behavior analysis codes with the exception of Q3014, beginning January 1, 2024.

~~((50))~~ (49) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$1,992,000 of the general fund—federal appropriation are provided solely for modular replacement costs of the ProviderOne pharmacy point of sale system and are subject to the conditions, limitations, and review provided in section 701 of this act.

~~((51))~~ (50) \$709,000 of the general fund—state appropriation for fiscal year 2024, \$1,410,000 of the general fund—state appropriation for fiscal year 2025, and \$4,075,000 of the general fund—federal appropriation are provided solely to maintain and increase access for behavioral health services through increased provider rates. The rate increases are effective January 1, 2024, and must be applied to the following codes for children and adults enrolled in the medicaid program: 90785, 90791, 90832, 90833, 90834, 90836, 90837, 90838, 90845, 90846, 90847, 90849, 90853, 96156, 96158, 96159, 96164, 96165, 96167, 96168, 96170, 96171, H0004, H0023, H0036, and H2015. The authority may use a substitute code in the event that any of the codes identified in this subsection are discontinued and replaced with an updated code covering the same service. Within the amounts provided in this subsection the authority must:

(a) Implement this rate increase in accordance with the process established in RCW 71.24.885 (medicaid rate increases);

(b) Raise the state fee-for-service rates for these codes by up to 7 percent, except that the state medicaid rate may not exceed the published medicare rate or an equivalent relative value unit rate if a published medicare rate is not available;

(c) Require in contracts with managed care organizations that, beginning January 2024, managed care organizations pay no lower than the fee-for-service rate for these codes, and adjust managed care capitation rates accordingly; and

(d) Not duplicate rate increases provided in subsection ~~((+52))~~(51) of this section.

~~((+52))~~(51) \$1,055,000 of the general fund—state appropriation for fiscal year 2025 and \$2,046,000 of the general fund—federal appropriation are provided solely to maintain and increase access for primary care services for medicaid-enrolled patients through increased provider rates beginning January 1, 2025. Within the amounts provided in this subsection the authority must:

(a) Increase the medical assistance rates for adult primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(b) Increase the medical assistance rates for pediatric primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(c) Increase the medical assistance rates for pediatric critical care, neonatal critical care, and neonatal intensive care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(d) Apply reimbursement rates required under this subsection to payment codes in a manner consistent with the temporary increase in medicaid reimbursement rates under federal rules and guidance in effect on January 1, 2014, implementing the patient protection and affordable care act, except that the authority may not require provider attestations;

(e) Pursue state plan amendments to require medicaid managed care organizations to increase rates under this subsection through adoption of a uniform percentage increase for network providers pursuant to 42 C.F.R. Sec. 438.6(c)(1)(iii)(B), as existing on January 1, 2023; and

(f) Not duplicate rate increases provided in subsection ~~((+51))~~(50) of this section.

~~((+53))~~(52) The authority shall seek a waiver from the federal department of health and human services necessary to implement the requirements of RCW 74.09.670 (medical assistance benefits—incarcerated or committed persons—suspension). Additionally, the authority shall ~~((explore—expanding))~~implement its waiver application for prerelease services ~~((from—30))~~up to 90 days; and provide the governor and fiscal committees of the legislature estimates of costs for implementation or maintenance of effort requirements of this expansion prior to entering into agreement with the centers for medicare and medicaid services.

(a) \$124,000 of the general fund—state appropriation for fiscal year 2025, \$60,925,000 of the general fund—federal appropriation, and \$60,785,000 of the general fund—private/local appropriation are provided solely for prerelease services including, but not limited to, case management, clinical consultations, medication assisted therapy, community health worker services, 30-day supply of medications, durable medical equipment, medications, laboratory services, and radiology services.

(b) The authority shall coordinate with the department of corrections for prison reentry implementation pursuant to the waiver terms. The authority will coordinate with tribes, other state agencies, and jail administrations as necessary to achieve the terms of the 1115 medicaid transformation waiver. The authority shall use its statutory reentry advisory work group and subgroups as necessary to coordinate with partners to achieve these goals.

~~((+54))~~(53) Within the amounts appropriated in this section the authority in collaboration with UW Medicine shall explore funding options for clinical training programs including, but not limited to, family medical practice, psychiatric residencies, advanced registered nurse practitioners, and other primary care providers. Options should include, but not be limited to, shifting direct medicaid graduate medical education payments or indirect medicaid graduate medical education payments, or both, from rates to a standalone program. The authority in collaboration with UW Medicine shall submit a report outlining its findings to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023.

~~((+55))~~(54) \$143,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((+56))~~(55) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5532 (small rural hospital payment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((+57))~~(56) \$56,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$166,000 of the general fund—federal appropriation are provided solely for the authority to increase pediatric palliative care rates to the equivalent medicare rates paid for hospice care in effect October 1, 2022, beginning January 1, 2024.

~~((+58))~~(57) \$598,000 of the general fund—state appropriation for fiscal year 2024 and \$591,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for work required of the authority as specified in RCW 41.05.840 (universal health care commission). Of the amounts provided in this subsection:

(i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are for staff dedicated to contract procurement, meeting coordination, legislative reporting, federal application requirements, and administrative support;

(ii) \$132,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are for additional staff dedicated to the work of the finance technical advisory committee; and

(iii) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are for consultant services, dedicated actuarial support, and economic modeling.

~~((59))~~ (58) \$2,395,000 of the general fund—state appropriation for fiscal year 2024, \$2,395,000 of the general fund—state appropriation for fiscal year 2025, and \$10,178,000 of the general fund—federal appropriation are provided solely to increase air ambulance-fixed wing code A0430 by 189 percent, air ambulance-rotary wing code A0431 by 265 percent, fixed wing air mileage code A0435 by 57 percent, and rotary wing air mileage code A0436 by 68 percent, beginning July 1, 2023.

~~((60))~~ (59) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$218,000 of the general fund—federal appropriation are provided solely for the authority to increase the allowable number of periodontal treatments to up to four per 12 month period for apple health eligible adults, ages 21 and over, with a current diagnosis of diabetes, beginning January 1, 2024.

~~((61))~~ (60) (a) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 ~~(is) and \$1,360,000 of the general fund—state appropriation for fiscal year 2025~~ are provided solely for one-time bridge grants to hospitals in financial distress.

(b) To qualify for these grants, a hospital must:

(i) Be located in Washington;

(ii) Serve individuals enrolled in state and federal medical assistance programs;

(iii) Continue to maintain a medicaid population at similar utilization levels as in calendar year 2022;

(iv) Be necessary for an adequate provider network for the medicaid program;

(v) Demonstrate a plan for long-term financial sustainability; and

(vi) Meet one of the following criteria:

(A) Lack adequate cash-on-hand to remain financially solvent;

(B) Have experienced financial losses during hospital fiscal year 2022; or

(C) Be at risk of bankruptcy.

(c) Of the amounts appropriated in this subsection for fiscal year 2024, \$4,000,000 must be distributed to a hospital that meets the qualifications in subsection (b) and is located on tribal land.

(d) Of the amounts appropriated in this subsection for fiscal year 2025, \$1,360,000 must be distributed to a hospital that:

(i) Had fewer than 150 acute care licensed beds in fiscal year 2011;

(ii) Has a level III adult trauma service designation from the department of health as of January 1, 2014; and

(iii) Is owned and operated by the state or a political subdivision.

~~((62))~~ (61) (a) Sufficient funds are provided in this section for an outpatient directed payment program.

(b) The authority shall:

(i) Maintain the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to expand the medicaid outpatient directed payment program for hospital outpatient services provided to medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;

(iii) Direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and

(iv) Increase medicaid payments for hospital outpatient services provided by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.

(c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.

(d) Participating hospitals shall retain the full amount of payments provided under this program.

~~((63))~~ (62) (a) No more than \$200,661,000 of the general fund—federal appropriation and no more than \$91,430,000 of the general fund—local appropriation may be expended for an inpatient directed payment program.

(b) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid inpatient directed payment program for hospital inpatient services provided to

medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;

(iii) Upon approval, direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and

(iv) Increase medicaid payments for hospital inpatient services provided by UW Medicine and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.

(c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.

(d) Participating hospitals shall retain the full amount of payments provided under this program.

(e) Participating hospitals will provide the local funds to fund the required nonfederal contribution.

(f) This program shall be effective as soon as administratively possible.

~~((64))~~ (63) Within the amounts appropriated in this section, the authority shall maintain and increase access for family planning services for patients seeking services through department of health sexual and reproductive health program family planning providers based on the rates in effect as of July 1, 2022.

~~((65))~~ (64) (a) ~~(((\$9,563,000))~~ \$5,063,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$12,727,000))~~ \$17,227,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to implement a ~~((five-site))~~ pilot program for difficult to discharge individuals as described in section ~~((135(12))~~ 132(12) of this act.

(b) The authority shall work in collaboration with the contractor and task force identified in section ~~((135(12))~~ 132(12) of this act to carry out the goals and objectives of the pilot program, including but not limited to:

(i) Providing enhanced care management and wraparound services that shall be provided by or delegated by managed care pilot participants, based on services currently provided by the Harborview medical center program;

(ii) Providing incentive payments to participating post acute care providers;

(iii) Developing home and community services assessment timeliness requirements for pilot participants in cooperation with the department of social and health services; and

(iv) Providing reimbursement for administrative support through Harborview medical center for the duration of the pilot project, including training and education to support pilot participants.

(c) Of the amounts provided in this subsection, \$44,000 of the general fund—state appropriation for fiscal year 2024, \$42,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to provide staff support to the difficult to discharge task force described in section ~~((135(12))~~ 132(12) of this act, including any associated ad hoc subgroups.

~~((66))~~ (65) (a) Within the amounts appropriated in this section the authority, in consultation with the health and human services enterprise coalition, community-based organizations, health plans, accountable communities of health, and safety net providers, shall determine the cost and implementation impacts of a statewide community information exchange (CIE). A CIE platform must serve as a tool for addressing the social determinants of health, defined as nonclinical community and social factors such as housing, food security, transportation, financial strain, and interpersonal safety, that affect health, functioning, and quality-of-life outcomes.

(b) Prior to issuing a request for proposals or beginning this project, the authority must work with stakeholders in (a) of this subsection to determine which platforms already exist within the Washington public and private health care system to determine interoperability needs and fiscal impacts to both the state and impacted providers and organizations that will be using a single statewide community information exchange platform.

(c) The authority shall provide the office of financial management and fiscal committees of the legislature a proposal to leverage medicaid enterprise financing or other federal funds prior to beginning this project and shall not expend funds under a 1115 waiver or any other waiver without legislative authorization.

(d) ~~((This subsection))~~ \$4,817,000 of the general fund—federal appropriation and \$4,817,000 of the general fund—private/local appropriation are provided solely for the authority to implement the community information exchange program. The technology solution chosen by the health care authority should be capable of interoperating with other state funded systems in Washington and should be able to electronically refer individuals to services using a closed-loop referral process. Funding for the community information exchange program is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((67))~~ (66) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$252,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to data review, analysis, and management, and policy analysis in support of the health care cost transparency board as described in chapter 70.390 RCW.

~~((68))~~ (67) \$76,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, \$152,000 of the general fund—federal appropriation, and \$606,000 of the telebehavioral health access account

—state appropriation are provided solely for additional staff support for the mental health referral service for children and teens.

~~((69))~~ (68) \$1,608,000 of the general fund—state appropriation for fiscal year 2024, \$2,015,000 of the general fund—state appropriation for fiscal year 2025, and \$3,681,000 of the general fund—federal appropriation are provided solely for a rate increase for the health homes program for fee-for-service enrollees, beginning July 1, 2023.

~~((70))~~ (69) \$295,000 of the general fund—state appropriation for fiscal year 2024, \$307,000 of the general fund—state appropriation for fiscal year 2025, and \$123,000 of the general fund—federal appropriation are provided solely for the first approach skills training program through the partnership access line.

~~((71))~~ (70) (a) ~~((358,000))~~ \$362,000 of the general fund—state appropriation for fiscal year 2024, ~~((358,000))~~ \$482,000 of the general fund—state appropriation for fiscal year 2025, and ~~((568,000))~~ \$895,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization) and the center for medicare and medicaid services' interoperability and prior authorization final rule (CMS-0057-F). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) The authority, in collaboration with managed care organizations, must provide a report to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023, outlining any challenges experienced by carriers in hiring sufficient numbers and types of staff to comply with the prior authorization response times required by Engrossed Second Substitute House Bill No. 1357 (prior authorization).

~~((72))~~ (71) \$9,369,000 of the general fund—state appropriation for fiscal year 2025 and \$22,611,000 of the general fund—federal appropriation are provided solely for an increase in medicaid reimbursement rates for professional services, beginning July 1, 2024, as follows:

(a) Service categories including diagnostics, intense outpatient, opioid treatment programs, emergency room, inpatient and outpatient surgery, inpatient visits, low-level behavioral health, office administered drugs, and other physician services are increased up to 50 percent of medicare rates.

(b) Service categories including office and home visits and consults are increased up to 65 percent of medicare rates.

(c) Service categories including maternity services are increased up to 100 percent of medicare rates.

~~((73))~~ ~~\$21,606,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$2,946,000 of the general fund—federal appropriation are provided solely for the 988 technology platform implementation project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act and any requirements as established in Engrossed Second Substitute House Bill No. 1134 (988 system).~~

~~((74))~~ (72) \$11,624,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$1,151,000 of the general fund—federal appropriation are provided solely for the 988 technology platform implementation project as described in RCW 71.24.890 (5) and (6). These amounts are subject to the conditions, limitations, and review requirements provided in section 701 of this act and any requirements as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system). The authority must actively collaborate with consolidated technology services and the department of health so that the statewide 988 technology solutions will be coordinated and interoperable.

(73) \$969,000 of the general fund—state appropriation for fiscal year 2024, \$1,938,000 of the general fund—state appropriation for fiscal year 2025, and \$3,024,000 of the general fund—federal appropriation are provided solely for the authority, beginning January 1, 2024, to increase the children's dental rate for procedure code D1120 by at least 40 percent above the medical assistance fee-for-service rate in effect on January 1, 2023.

~~((75))~~ (74) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the nonprofit foundation managing the Washington patient safety coalition to support the communication and resolution programs certification program to improve outcomes for patients by providing in-depth feedback to health care organizations.

~~((76))~~ (75) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a public-private partnership with a state-based oral health foundation to connect medicaid patients to dental services and reduce barriers to accessing care. The authority shall submit a progress report to the appropriate committees of the legislature by June 30, 2024.

~~((77))~~ (76) \$103,000 of the general fund—state appropriation for fiscal year 2024, \$205,000 of the general fund—state appropriation for fiscal year 2025, and \$442,000 of the general fund—federal appropriation are provided solely to increase birth center facility fee reimbursement to \$2,500 and home birth kit reimbursement to \$500 for providers approved by the authority within the planned home births and births in birth centers program.

~~((78))~~ (77) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$45,000 of the general fund—state appropriation for fiscal year 2025, and \$133,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1435 (home care safety net assess.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~((79))~~ (78) \$194,000 of the general fund—state appropriation for fiscal year 2024, \$1,724,000 of the general fund—state appropriation for fiscal year 2025 and \$1,918,000 of the general fund—federal appropriation are provided solely for the authority in coordination with the department of social and health services to develop and implement a Katie Beckett 1115 demonstration waiver. The authority shall limit enrollment to 1,000 clients during the waiver period. Based upon the experience developed during the waiver period, the authority shall make recommendations to the legislature for a future tax equity and fiscal responsibility act state plan option.

~~((80))~~ (79) \$1,089,000 of the general fund—state appropriation for fiscal year 2024, \$2,231,000 of the general fund—state appropriation for fiscal year 2025, and \$2,657,000 of the general fund—federal appropriation are provided solely for kidney dialysis services for medicaid-enrolled patients through increased reimbursement rates beginning January 1, 2024. Within the amounts provided in this subsection, the authority must increase the medical assistance rates for revenue code 0821 billed with procedure code 90999 and revenue codes 0831, 0841, and 0851, when reimbursed on a fee-for-service basis or through managed care plans, by at least 30 percent above the fee-for-service composite rates in effect on January 1, 2023.

~~((81))~~ (80) \$1,360,000 of the general fund—state appropriation for fiscal year 2024 and \$3,252,000 of the general fund—federal appropriation are provided solely to increase the rates paid to rural hospitals that meet the criteria in (a) through (d) of this subsection. Payments for state and federal medical assistance programs for services provided by such a hospital, regardless of the beneficiary's managed care enrollment status, must be increased to 150 percent of the hospital's fee-for-service rates. The authority must discontinue this rate increase after June 30, 2024, and return to the payment levels and methodology for these hospitals that were in place as of January 1, 2018. Hospitals participating in the certified public expenditures program may not receive increased reimbursement for inpatient services. Hospitals qualifying for this rate increase must:

(a) Be certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2014;

(b) Have had less than 150 acute care licensed beds in fiscal year 2011;

(c) Have a level III adult trauma service designation from the department of health as of January 1, 2014; and

(d) Be owned and operated by the state or a political subdivision.

~~((82))~~ (81) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with a medicaid managed care organization for continuous coverage beginning January 1, 2024, for individuals under age 26 that were enrolled in the unaccompanied refugee minor program as authorized by the office of refugee and immigrant assistance. There are no residency, social security number, or citizenship requirements to receive the continuous coverage as described in this subsection.

~~((83))~~ (82) (a) ~~(\$45,696,000)~~ \$221,000 of the general fund—state appropriation for fiscal year 2024 and \$48,348,000 of the general fund—state appropriation for fiscal year 2025 ~~(is)~~ are provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

(i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit exchange;

(ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and

(iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amounts provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

(i) Actual and forecasted expenditures;

(ii) Actual and forecasted data from the caseload forecast council; and

(iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount allowable for the purposes of this program.

~~((84))~~ (83) (a) \$604,000 of the general fund—state appropriation for fiscal year 2024, \$2,528,000 of the general fund—state appropriation for fiscal year 2025, and \$3,132,000 of the general fund—federal appropriation are provided solely for the authority to increase the eligibility threshold for the qualified medicare beneficiary program to up to 110 percent of the federal poverty level.

(b) The authority shall seek to maximize the availability of the qualified individual program through the centers for medicare and medicaid services.

(c) The authority may adopt any rules necessary to administer this subsection. Nothing in this subsection limits the authority's existing rule-making authority related to medicare savings programs.

~~((85))~~ (84) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$766,000 of the general fund—state appropriation for fiscal year 2025, and \$2,093,000 of the general fund—federal appropriation are provided solely for the costs of, and pursuant to the conditions prescribed for, implementing the rate increase directed in section 215(44) for children for whom base funding for community behavioral health services is provided within this section.

(85)(a) \$1,301,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the health care cost transparency board.

(b) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the health care cost transparency board, in conjunction with the health care authority, to study:

(i) Regulatory approaches to encouraging compliance with the health care cost growth benchmark established under chapter 70.390 RCW; and

(ii) Best practices from other states regarding the infrastructure of state health care cost growth programs, including the scope, financing, staffing, and agency structure of such programs.

(c) The board may conduct all or part of the study through the authority, by contract with a private entity, or by arrangement with another state agency conducting related work.

(d) The study, as well as any recommendations for changes to the health care cost transparency board arising from the study, must be submitted by the board as part of the annual report required under RCW 70.390.070, no later than December 1, 2024.

(86) The authority must enter into an interagency agreement with consolidated technology services for the federal funding authority for the electronic health records statewide solution given the authority is the single state agency responsible for reporting to the federal government on the application for and use of the federal funding.

(87) Within the amounts appropriated in this section, the authority shall make administrative and system changes in anticipation of receiving federal authority to provide continuous eligibility for children ages zero to six covered through the apple health children's health insurance program. The centers for medicare and medicaid services must approve the section 1115 medicaid waiver prior to the implementation of this policy.

(88)(a) No more than \$42,809,000 of the general fund—federal appropriation and no more than \$13,314,000 of the general fund—local appropriation may be expended for a medicaid managed care multidisciplinary graduate medical education direct payment program.

(b) Participating hospitals are:

(i) University of Washington medical center, a state-owned and operated teaching hospital; and

(ii) Harborview medical center, a state-operated teaching hospital.

(c) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid managed care direct payment program for hospital multidisciplinary graduate medical education program for state-owned and state-operated teaching hospitals;

(iii) Reimburse participating hospitals for the medicaid managed care program's share of the unfunded costs incurred in providing graduate medical education training; and

(iv) Make payments directly to participating hospitals.

(d) Participating hospitals shall continue to be paid for inpatient and outpatient services provided to fee-for-service clients according to fee-for-service policies and rates, including payments under the certified public expenditure program.

(e) Payments shall be additional and separate from any graduate medical education funding included in managed care capitation payments.

(f) The authority shall calculate the medicaid managed care graduate medical education direct payments using cost and utilization data from the participating hospital's most recently filed medicare cost report to identify the participating hospital's total graduate medical education cost.

(g) Total allowable graduate medical education costs shall be calculated using medicare methodologies and must:

(i) Exclude medicare full-time equivalent and per resident amount limits;

(ii) Include indirect medical education costs related to both outpatient and inpatient services; and

(iii) Include other reimbursable training costs incurred by participating hospitals.

(h) The authority shall:

(i) Use ProviderOne as the primary source for fee-for-service and managed care claims and encounter data;

(ii) Calculate the medicaid managed care program's share of the total allowable graduate medical education cost as the participating hospital's total allowable graduate medical education cost, as derived from the medicare cost report, times the total managed care charges divided by total medicaid fee-for-service charges plus managed care charges, as derived from ProviderOne data;

(iii) Reduce the medicaid managed care graduate medical education direct payments by the fee-for-service equivalent graduate medical education payment included in managed care organization payments by applying the fee-for-service APR-DRG and EAPG conversion factors and rate adjustments applicable to the same year as the medicare cost report used to calculate allowable graduate medical education costs; and

(iv) Calculate the medicaid managed care graduate medical education direct payments as graduate medical education allowable cost less fee-for-service equivalent graduate medical education payment for managed care services.

(i) Medicaid managed care graduate medical education direct payments must be calculated prior to the beginning of the payment year.

(j) Medicaid managed care graduate medical education direct payments must be made quarterly.

(k) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals up to an amount not to exceed \$150,000 per year.

(l) Participating hospitals shall retain the full amount of payments provided under this program.

(m) Payments received by hospitals and nonhospital participants in this program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.

(n) Participating hospitals shall provide the local funds to fund the required nonfederal contribution through intergovernmental transfer.

(o) The authority shall amend its current interagency agreement for funding and administration of similar programs to include the medicaid managed care graduate medical education direct payment program.

(p) This program shall be effective as soon as administratively possible.

(89)(a) \$69,957,000 of the general fund—state appropriation for fiscal year 2024, \$111,234,000 of the general fund—state appropriation for fiscal year 2025, and \$290,634,000 of the general fund—federal appropriation are provided solely for apple health managed care medical assistance and for the authority to maintain asymmetrical risk sharing corridors and requirements in their managed care contracts for managed care plan years 2024 and 2025. The authority must not change these requirements without first providing notice to the governor and fiscal committees of the legislature detailing anticipated and potential fiscal impacts, unless required by the centers for medicare and medicaid services.

(b) The authority must conduct annual retrospective rate acuity analyses to ensure that managed care rates have been set using appropriate acuity assumptions. Adjustments must be made as appropriate.

(c) For managed care plan year 2024 only, the authority must conduct a midyear acuity review to ensure that managed care rates for plan year 2024 were set using appropriate acuity assumptions and make any adjustments as appropriate reflective of the unique challenges of eligibility redeterminations and posteligibility review after the end of the public health emergency.

(d) The authority must provide information about any potential changes to rates or acuity assumptions to the medicaid expenditure forecast work group at the same time or before providing this information to managed care organizations.

(e) The authority must update managed care contracts as appropriate.

(90) \$250,000 of the general fund—state appropriation for fiscal year 2025 and \$250,000 of the general fund—federal appropriation are provided solely for the authority, in cooperation with the department of social and health services, to study the feasibility and cost of implementing a point of contact for individuals diagnosed with a rare disease to increase access and reduce barriers in navigating programs, services, and resources offered by both agencies.

(91) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to provide a report to the fiscal committees of the legislature by January 6, 2025, that details options for fully funding health care coverage for all individuals estimated to be eligible for the program described in subsection (82) of this section. The report must include data on how many residents are eligible for this program and cost estimates for providing full coverage to all eligible individuals.

(92)(a) \$100,000 of the general fund—state appropriation for fiscal year 2025 and \$100,000 of the general fund—federal appropriation are provided solely for the authority to contract with an external organization for participatory and equity-focused engagement with doula and doula partners across the state of Washington. This organization must work in collaboration with community partners who advance equitable access to improve perinatal outcomes and care through holistic services for multiracial communities.

(b) The external organization will be responsible for:

(i) Creating a design and implementation plan for a statewide doula hub and referral system; and

(ii) Drafting a report, in partnership with the authority, summarizing the design and implementation plan, outlining ongoing funding required to support the doula workforce and clients accessing doula services through apple health, and providing any recommendations for both the doula hub and referral system.

(c) The report will include, but not be limited to, prioritized recommendations on how to:

(i) Provide statewide professional and workforce development support for birth doulas;

(ii) Increase statewide access to doula services for apple health birthing people;



(iii) Assist doulas with department of health credentialing requirements;

(iv) Assist doulas with the medicaid provider enrollment process, including, but not limited to, support with:

(A) Provider enrollment with the authority;

(B) Contracting with medicaid managed care organizations;

(C) Provider billing and claims submission processes;

(D) Provider payment requirements; and

(E) Eligibility support within ProviderOne; and

(v) Establish communications with birthing people, families, birth workers, and healthcare providers who are seeking to connect with state-certified and medicaid-enrolled birth doulas through a statewide directory or referral system.

(d) The report required in (c) of this subsection is due to the governor and appropriate committees of the legislature no later than June 30, 2025.

(93) \$2,433,000 of the general fund—state appropriation for fiscal year 2025 and \$2,849,000 of the general fund—federal appropriation are provided solely for implementation of Second Engrossed Second Substitute Senate Bill No. 5580 (maternal health outcomes). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(94)(a) \$7,000,000 of the family medicine workforce development account—state appropriation and \$12,834,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the family medicine residency network and UW medicine, to establish a medicaid direct payment program to supplement family medicine provider graduate medical education funding in Washington state.

(b) The medicaid family medicine graduate medical education direct payment program shall:

(i) Support graduate medical education training;

(ii) Improve access to quality healthcare services;

(iii) Improve the state's ability to ensure that medicaid graduate medical education funding supports the state's workforce development goals; and

(iv) Focus on improving underserved populations' and regions' access to health care.

(c) The medicaid family medicine graduate medical education direct payment program participants shall include teaching sites that pay resident full-time equivalent costs that are eligible for federal financial participation.

(d) The authority must seek any necessary state plan amendments or waivers from the centers for medicare and medicaid services that are necessary to implement this program and receive federal financial participation at the earliest possible date, but no later than January 1, 2025.

(e) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the medicaid family medicine graduate medical education direct payment program up to an amount not to exceed \$100,000 per year.

(f) The family medicine family education advisory board created in RCW 70.112.080 will have administrative oversight, including the amount and methodologies used to distribute funds deposited within the family medicine workforce development account, subject to the conditions described in this subsection (94).

(g) Of the amounts provided in this section, \$150,000 of the family medicine workforce development account—state appropriation for fiscal year 2025 is provided for consultant assistance, including program design and a payment model to estimate the effect of family medicine family education advisory board allocation decisions on all family medicine residency network participants.

(h) Annual allocations from the family medicine workforce development account—state appropriation will be determined by the family medicine family education advisory board.

(i) Participants in the medicaid family medicine graduate medical education direct payment program shall retain the full amount of payments provided under this program.

(j) Payments received by participants in the medicaid family medicine graduate medical education direct payment program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.

(95)(a) \$569,000 of the general fund—state appropriation for fiscal year 2025 and \$489,000 of the general fund—federal appropriation are provided solely for the authority to conduct internal assessment of current staffing needs compared to current vacancies. The assessment shall include, but not be limited to:

(i) Reconciliation of current full time equivalent positions as appropriated through the legislative process, agency financial reporting system allotments, and vacancies;

(ii) Comparison of current needs in relation to current vacancies; and

(iii) Analysis of costs and benefits of reallocating positions, as appropriate, to meet immediate staffing needs, especially if positions have remained historically, or long-term vacant.

(b) The authority shall report its findings to the governor and fiscal committees of the legislature no later than December 31, 2024.

(96)(a) \$26,000,000 of the general fund—state appropriation for fiscal year 2024, \$51,000,000 of the general fund—state appropriation for fiscal year 2025, and \$172,000,000 of the general fund—federal appropriation are provided solely for program integrity managed care oversight, accountability, and savings. Within the amounts provided in this subsection, the authority shall:

(i) Report on the status of its fraud, abuse, and detection system, including when it was certified by the centers for medicare and medicaid services, and how it is currently being used to detect medicaid fraud, waste, and abuse;

(ii) Provide a quantifiable accounting, as required by the legislature, beginning with fiscal year 2020, to include all program integrity recoveries attributable to the authority, including how these recoveries are categorized, to which year they are reported, by medicaid eligibility group and service, how these recoveries are applied against legislative savings requirements, what recoveries are attributable to the office of the attorney general's medicaid fraud control division, and how these recoveries are considered when reporting program integrity activity and determining managed care rates; and

(iii) Employ statistically and algorithmically appropriate measures for reviewing managed care encounter data for fraud, waste, and abuse.

(b) The authority shall report its findings to the governor and fiscal committees of the legislature no later than December 31, 2024, and the legislature intends to require the authority to report its findings to the governor and fiscal committees of the legislature by December 31st each year thereafter.

(97) (a) \$3,232,000 of the general fund—state appropriation for fiscal year 2025 and \$7,827,000 of the general fund—federal appropriation are provided solely for the authority to increase inpatient per diem rates for inpatient prospective payment system hospitals providing services under the substance using pregnant people program beginning July 1, 2024. Hospitals participating in the certified public expenditures program or the sole community hospital program may not receive increased reimbursement under this subsection.

(b) Within the amounts appropriated in this section, the authority will review the rates for the substance using pregnant person program to determine if rebasing is appropriate and what rates would be required to sustain the program at current utilization levels.

(c) If the authority determines that rates require rebasing for this program, the authority will submit a request to the legislature through its normal budget process.

(98) \$314,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(99) The authority and department of social and health services must collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments for the treatment facility described in section 203(1)(nn) of this act.

(100) \$2,854,000 of the general fund—state appropriation for fiscal year 2025 and \$4,208,000 of the general fund—federal appropriation are provided solely for the authority to increase the nonemergency medical transportation broker administrative rate to ensure access to health care services for medicaid patients.

(101) \$215,886,000 of the professional health care services rate enhancement account—state appropriation is provided solely for the authority to maintain professional services payment rates covered by medicaid, including fee-for-service and managed care, effective January 1, 2025, to no less than the corresponding medicare rates for those services. The professional services included in this subsection apply to services delivered by physicians, physician assistants, and advanced registered nurse practitioners.

Sec. 212. 2023 c 475 s 212 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—PUBLIC EMPLOYEES' BENEFITS BOARD AND EMPLOYEE BENEFITS PROGRAM**

State Health Care Authority Administrative Account—

State Appropriation. . . . . ((\$44,102,000))  
\$44,929,000

TOTAL APPROPRIATION..... ((\$44,102,000))  
\$44,929,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Any savings from reduced claims costs must be reserved for funding employee benefits during future fiscal biennia and may not be used for administrative expenses. The health care authority shall deposit any moneys received on behalf of the uniform medical plan resulting from rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys received as a result of prior uniform medical plan claims payments, in the public employees' and retirees' insurance account to be used for insurance benefits.

(2) Any changes to benefits must be approved by the public employees' benefits board. The board shall not make any changes to benefits without considering a comprehensive analysis of the cost of those changes, and shall not increase benefits unless offsetting cost reductions from other benefit revisions are sufficient to fund the changes. The board shall not make any change in retiree eligibility criteria that reestablishes eligibility for enrollment in retiree benefits.

(3) Except as may be provided in a health care bargaining agreement pursuant to RCW 41.80.020, to provide benefits within the level of funding provided in part IX of this bill, the public employees' benefits board shall require: Employee premium copayments, increases increase in point-of-service cost sharing, the implementation of managed competition, or make other changes to benefits consistent with RCW 41.05.065.

(4) The board shall collect a surcharge payment of not less than \$25 dollars per month from members who use tobacco products, and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and

premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(5) \$78,000 of the health care authority administrative account—state appropriation is provided solely for administrative costs associated with extending retiree coverage under Substitute House Bill No. 1804 (PEBB/subdivision retirees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$500,000 of the state health care authority administrative account—state appropriation is provided solely for consultation with retirees, including conducting listening sessions and facilitating public forums to gather feedback about retiree needs. By December 1, 2023, the authority must report to the legislature with its findings, including an analysis of government self-insured plans with benefits that are equal to or richer, and with more affordable premiums, than uniform medical plan classic medicare. The legislature intends that the results of stakeholder engagements will be used to inform future health care plan selections.

(7) During the 2023-2025 fiscal biennium, the health care authority, in consultation with the office of financial management, shall review consolidating the administrative sections of the operating budget for the public employees' and school employees' benefits boards. Any change in budget structure must not result in changes to board or benefit policies. A budget structure change developed under this subsection may be included in the 2024 supplemental or the 2025-2027 biennial governor's budget submittal without being subject to the legislative evaluation and accountability program committee approval under RCW 43.88.030(7).

(8) (a) \$250,000 of the state health care authority administrative account—state appropriation is provided solely for costs associated with the report in this subsection. The legislature intends to consolidate the public employees' benefits board (PEBB) and school employees' benefits board (SEBB) programs. By December 1, 2024, the authority must report to the legislature the necessary statutory and program changes required to achieve consolidation of:

- (i) The PEBB and SEBB into a single governing board;
- (ii) The current risk pools described in RCW 41.05.022 (2) and (3);
- (iii) The existing eligibility provisions of the PEBB and SEBB programs; and
- (iv) Benefit offerings.

(b) The report should describe the timeline for consolidation, assuming partial implementation as early as January 1, 2026, and full implementation no later than January 1, 2027. The report should also include estimates of any administrative savings that can be realized by this consolidation.

(9) By December 1, 2024, the authority shall submit a report to the legislature describing options, and a recommendation, for possible future coverage in the uniform medical plan for food and drug administration approved glucagon-like peptide 1 agonists for the treatment of obesity and weight loss.

**Sec. 213.** 2023 c 475 s 213 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—SCHOOL EMPLOYEES' BENEFITS BOARD**

School Employees' Insurance Administrative Account—

State Appropriation. . . . .	(((\$33,743,000))
	\$33,723,000
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$33,743,000))</b>
	<b>\$33,723,000</b>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$324,000 of the school employees' insurance administrative account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5275 (SEBB benefit access). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(2) By December 1, 2024, the authority shall submit a report to the legislature describing options, and a recommendation, for possible future coverage in the uniform medical plan for food and drug administration approved glucagon-like peptide 1 agonists for the treatment of obesity and weight loss.

**Sec. 214.** 2023 c 475 s 214 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—HEALTH BENEFIT EXCHANGE**

General Fund—State Appropriation (FY 2024). . . . .	(((\$8,242,000))
	\$9,671,000
General Fund—State Appropriation (FY 2025). . . . .	(((\$6,472,000))
	\$7,186,000
General Fund—Federal Appropriation. . . . .	(((\$61,983,000))
	\$67,396,000
Education Legacy Trust Account—State Appropriation. . . . .	\$350,000
Health Benefit Exchange Account—State Appropriation. . . . .	(((\$76,214,000))
	\$83,528,000
State Health Care Affordability Account—State	
Appropriation. . . . .	(((\$110,000,000))
	\$125,000,000
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$263,261,000))</b>

\$293,131,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(2) (a) By July 15th, October 15th, and January 15th of each year, the authority shall make a payment of ~~((one-half))~~ 30 percent of the general fund—state appropriation, ((one-half))30 percent of the health benefit exchange account—state appropriation, and ((one-half))30 percent of the health care affordability account—state appropriation to the exchange. By April 15th of each year, the authority shall make a payment of 10 percent of the general fund—state appropriation, 10 percent of the health benefit exchange account—state appropriation, and 10 percent of the health care affordability account—state appropriation to the exchange.

(b) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier assessments to ensure expenditures do not exceed actual revenues.

(c) Payments made from general fund—state appropriation and health benefit exchange account—state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(3) \$1,939,000 of the health benefit exchange account—state appropriation and \$6,189,000 of the general fund—federal appropriation are provided solely for the modernizing healthplanfinder project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act.

(4) (a) ~~(((\$100,000,000))~~ \$115,000,000 of the state health care affordability account—state appropriation is provided solely for the exchange to administer a premium assistance program, beginning for plan year 2023, as established in RCW 43.71.110. An individual is eligible for the premium assistance provided if the individual: (i) Has income up to 250 percent of the federal poverty level; and (ii) meets other eligibility criteria as established in RCW 43.71.110(4)(a).

(b) \$260,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a study, in consultation with the health care authority and office of the insurance commissioner, of how the exchange's current section 1332 waiver could be amended to generate federal pass-through funding to support the affordability programs established in RCW 43.71.110. The actuarial study must focus on methods that could be most readily leveraged in Washington, considering those being used in other public option programs. Study findings must be reported to the appropriate committees of the legislature by December 1, 2023.

(5) \$10,000,000 of the state health care affordability account—state appropriation is provided solely to provide premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in subsection (4)(a) of this section, and is contingent upon continued approval of the applicable waiver described in RCW 43.71.120.

(6) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$865,000 of the general fund—federal appropriation, and \$123,000 of the health benefit exchange account—state appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, in Healthplanfinder to support the health and human services coalition in uniformly identifying clients across multiple state service delivery systems. These amounts are subject to the conditions, limitations, and review requirements of section 701 of this act.

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the exchange, in collaboration with the department of social and health services and the home training network as described in RCW 70.128.305, to provide educational resources and trainings to help connect owners and employees of adult family homes to health care coverage.

(8) \$299,000 of the general fund—state appropriation for fiscal year 2024, \$299,000 of the general fund—state appropriation for fiscal year 2025, and \$202,000 of the general fund—federal appropriation are provided solely for pass-through funding in the annual amount of \$100,000 for each lead navigator organization in the four regions with the highest concentration of citizens of the compact of free association (COFA) to:

(a) Support a staff position within the COFA community to provide enrollment assistance to the COFA community beyond the scope of the current COFA program; and

(b) Support COFA community-led outreach and enrollment activities.

(9) (a) \$300,000 of the health benefit exchange account—state appropriation is provided solely for staff and consultants to complete a study of options and recommendations for the state to ensure continuous health care coverage through qualified health plans for medicaid beneficiaries losing medicaid coverage through Washington Healthplanfinder. In coordination with the health care authority and department of social and health services, the study must include, but not be limited to:

- (i) An analysis of transitional solutions used in other states to continue coverage for individuals losing medicaid eligibility;
  - (ii) In coordination with the department of social and health services' research and data analysis division, an analysis of monthly enrollment rates for persons who are determined no longer eligible for medicaid, including demographic and employment information, and those who enroll in qualified health plans, including demographic and employment information; and
  - (iii) A feasibility analysis of auto-enrolling clients that lose medicaid eligibility and are eligible for a no-premium qualified health plan through Washington Healthplanfinder.
- (b) The study must be submitted to the office of financial management and appropriate committees of the legislature by December 31, 2024.
- (10) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5632 (health care/labor disputes). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 215.** 2023 c 475 s 215 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—COMMUNITY BEHAVIORAL HEALTH PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	((\$1,015,063,000))
	\$1,026,580,000
General Fund—State Appropriation (FY 2025) . . . . .	((\$1,097,193,000))
	\$1,192,213,000
General Fund—Federal Appropriation . . . . .	((\$2,853,321,000))
	\$3,072,853,000
General Fund—Private/Local Appropriation . . . . .	((\$38,826,000))
	\$38,904,000
Criminal Justice Treatment Account—State Appropriation . . . . .	\$22,001,000
Problem Gambling Account—State Appropriation . . . . .	((\$2,243,000))
	\$3,738,000
Dedicated Cannabis Account—State Appropriation (FY 2024) . . . . .	\$28,498,000
Dedicated Cannabis Account—State Appropriation (FY 2025) . . . . .	((\$28,501,000))
	\$28,251,000
Opioid Abatement Settlement Account—State Appropriation . . . . .	((\$54,415,000))
	\$79,820,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation . . . . .	((\$33,135,000))
	\$33,499,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((\$5,173,196,000))</b>
	<b>\$5,526,357,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) For the purposes of this section, "behavioral health entities" means managed care organizations and behavioral health administrative services organizations that reimburse providers for behavioral health services.

(2) Within the amounts appropriated in this section, funding is provided for implementation of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. In addition to amounts provided solely for implementation of the settlement agreement, class members must have access to supports and services funded throughout this section for which they meet eligibility and medical necessity requirements. The authority must include language in contracts that requires regional behavioral health entities to develop and implement plans for improving access to timely and appropriate treatment for individuals with behavioral health needs and current or prior criminal justice involvement who are eligible for services under these contracts.

(3)(a) \$44,320,000 of the general fund—state appropriation for fiscal year 2024, \$49,525,000 of the general fund—state appropriation for fiscal year 2025, and \$17,368,000 of the general fund—federal appropriation are provided solely to continue the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority, in collaboration with the department of social and health services and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, crisis diversion and supports, education and training, and workforce development. Within these amounts, sufficient funding is provided to implement Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(b) Of the amounts provided in this subsection, \$5,108,000 of the general fund—state appropriation for fiscal year 2024 and \$6,341,000 of the general fund—state appropriation for fiscal year 2025 are provided for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). Of these amounts, \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for

fiscal year 2025 are provided solely to increase compensation for staff in outpatient competency restoration programs pursuant to Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(4) ~~\$8,000,000~~ of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue diversion grant programs funded through contempt fines pursuant to *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority must consult with the plaintiffs and court monitor to determine, within the amounts provided, which of the programs will continue to receive funding through this appropriation. The programs shall use this funding to provide assessments, mental health treatment, substance use disorder treatment, case management, employment, and other social services. By December 1, 2023, the authority, in consultation with the plaintiffs and the court monitor, must submit a report to the office of financial management and the appropriate fiscal committees of the legislature which includes: Identification of the programs that receive funding through this subsection; a narrative description of each program model; the number of individuals being served by each program on a monthly basis; metrics or outcomes reported as part of the contracts; and recommendations related to further support of these programs in the 2023-2025 fiscal biennium.

(5) (a) \$12,359,000 of the general fund—state appropriation for fiscal year 2024, ((~~\$12,359,000~~)) \$17,222,000 of the general fund—state appropriation for fiscal year 2025, and ((~~\$23,444,000~~)) \$24,349,000 of the general fund—federal appropriation are provided solely for the authority and behavioral health entities to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to behavioral health entities with PACT teams, the authority shall consider the differences between behavioral health entities in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The authority may allow behavioral health entities which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under subsection (7) of this section. The authority and behavioral health entities shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section. Sufficient funding is provided in this section for the authority to increase rates for PACT teams to the rates identified in the behavioral health comparison rate—phase II report.

(b) Of the amounts provided in this subsection, \$4,080,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to distribute one-time stabilization funding to existing PACT teams to improve staff recruitment and retention and to cover general operating expenses to increase PACT capacity and utilization.

(6) \$1,428,000 of the general fund—state appropriation for fiscal year 2025 and \$3,520,000 of the general fund—federal appropriation ~~((is))~~ are provided solely for the authority to maintain a pilot project to incorporate peer bridging staff into behavioral health regional teams that provide transitional services to individuals returning to their communities.

(7) \$144,519,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$163,088,000~~)) \$144,519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of behavioral health entity spending must be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts must be distributed to behavioral health entities as follows:

(a) \$108,803,000 of the general fund—state appropriation for fiscal year 2024 and \$124,713,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations for behavioral health treatment services not covered under the medicaid program. Within these amounts, behavioral health administrative service organizations must provide a 15 percent rate increase to providers receiving state funds for nonmedicaid services under this section effective January 1, 2024.

(b) \$35,716,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$38,375,000~~)) \$22,978,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with medicaid managed care organizations for wraparound services to medicaid enrolled individuals that are not covered under the medicaid program. Within the amounts provided in this subsection:

(i) Medicaid managed care organizations must provide a 15 percent rate increase to providers receiving state funding for nonmedicaid services under this section effective January 1, 2024.

(ii) The authority shall assure that managed care organizations reimburse the department of social and health services, aging and long-term support administration for the general fund—state cost of individuals remaining on exceptional behavioral health personal care services for medicaid enrolled individuals who require these because of a psychiatric disability after the implementation of the community behavioral health support services—supportive supervision and oversight 1915(i) state plan amendment. Funding for the federal share of these services is separately appropriated to the department of social and health services.

(iii) Pursuant to RCW 41.56.029, during fiscal year 2024, the authority may work with the office of financial management to negotiate a tiered rate structure for behavioral health personal care services for adult family home providers serving medicaid enrollees. An agreement reached with the adult family home council must be submitted to the director of financial management by October 1, 2023, and certified as financially feasible in order to be considered for funding during the 2024 legislative session. Upon completion of bargaining, the authority shall coordinate with the department of social and health services to develop and submit to the centers for medicare and medicaid services an application to provide a 1915(i) state plan home and community-based services benefit. The application shall be developed to allow for the delivery of wraparound supportive behavioral health services for individuals with mental illnesses who also have a personal care need. The 1915(i) state plan shall be developed to standardize coverage and administration, improve the current benefit design, and clarify roles in administration of the behavioral health personal care services benefit.

~~(8)(a)~~ \$30,648,000 of the general fund—state appropriation for fiscal year 2025 and \$33,435,000 of the general fund—federal appropriation are provided solely for the authority to implement a tiered rate structure for supportive supervision and oversight in long-term care settings pursuant to a 1915(i) home and community based services state plan amendment and the collective bargaining agreement negotiated between the state and the adult family homes and set forth in part IX of this act. The authority may not implement a skills development and restoration benefit until funding is provided for that specific purpose.

~~(b)~~ Of the amounts provided in this subsection, \$30,648,000 of the general fund—state appropriation for fiscal year 2025 and \$33,435,000 of the general fund—federal appropriation are provided to implement tiered rates for supportive supervision and oversight in adult family home settings included in the collective bargaining agreement negotiated between the state and the adult family homes and set forth in part IX of this act.

~~(c)~~ Of the amounts provided in this subsection, \$5,611,000 of the general fund—state appropriation for fiscal year 2025 and \$6,128,000 of the general fund—federal appropriation are provided for supportive supervision and oversight tiered rates in other long-term care settings, including assisted living and enhanced adult residential care facilities.

~~(d)~~ Of the amounts provided in this subsection, \$376,000 of the general fund—state appropriation for fiscal year 2025 and \$376,000 of the general fund—federal appropriation are provided for administrative activities related to implementing the 1915(i) state plan amendment, including establishing a billing clearinghouse for these services.

(9) The authority is authorized to continue to contract directly, rather than through contracts with behavioral health entities for children's long-term inpatient facility services.

~~((+9))~~ (10) \$1,204,000 of the general fund—state appropriation for fiscal year 2024 and \$1,204,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

~~(11)~~ \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to reimburse King county for involuntary treatment act court costs.

~~((+10))~~ (12) Behavioral health entities may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, behavioral health entities may use a portion of the state funds allocated in accordance with subsection (7) of this section to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

~~((+11))~~ (13) \$2,291,000 of the general fund—state appropriation for fiscal year 2024 and \$2,291,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The authority must collect information from the behavioral health entities on their plan for using these funds, the numbers of individuals served, and the types of services provided.

~~((+12))~~ (14) Within the amounts appropriated in this section, funding is provided for the authority to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

~~((+13))~~ (15)(a) The authority must establish minimum and maximum funding levels for all reserves allowed under behavioral health administrative service organization contracts and include contract language that clearly states the requirements and limitations. The reserve levels must be informed by the types of risk carried by behavioral health administrative service organizations for mandatory services and also consider reasonable levels of operating reserves. The authority must monitor and ensure that behavioral health administrative service organization reserves do not exceed maximum levels. The authority must monitor revenue and expenditure reports and must require a behavioral health administrative service organization to submit a corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The authority must review and approve such plans and monitor to ensure compliance. If the authority determines that a behavioral health administrative service organization has failed to provide an adequate excess reserve corrective action plan or is

not complying with an approved plan, the authority must reduce payments to the entity in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the authority determines that the entity has come into substantial compliance with an approved excess reserve corrective action plan. The authority must submit to the office of financial management and the appropriate committees of the legislature, each December of the biennium, the minimum and maximum reserve levels established in contract for each of the behavioral health administrative service organizations for the prior fiscal year and the actual reserve levels reported at the end of the fiscal year.

(b) In contracts effective during fiscal year 2025, the authority must allow the north sound behavioral health administrative services organization to pilot reserve funding flexibility by allowing the north sound behavioral health administrative services organization to utilize, for other purposes, 30 percent of funding received prior to that contract period currently in reserves and that was received pursuant to a specific legislative proviso. Funding repurposed under this subsection must be used to support the duties of the administrative services organization under RCW 71.24.045 through programs serving individuals with severe and persistent behavioral health conditions and behavioral health services that promote stability and recovery within their regional service area. Expenditures pursuant to this pilot program may include, but are not limited to, crisis wraparound services, jail transition and diversion services, court costs, and co-responder programs. The authority, in partnership with the north sound behavioral health administrative services organization, must provide a report to the appropriate committees of the legislature by December 31, 2024, describing the impacts of this pilot program to the regional crisis continuum of care. The report must also include information on which specific legislative provisos north sound behavioral health administrative services organization repurposed funding from under this subsection and for what purpose those funds were used.

~~((14))~~ (16) During the 2023-2025 fiscal biennium, any amounts provided in this section that are used for case management services for pregnant and parenting women must be contracted directly between the authority and pregnant and parenting women case management providers.

~~((15))~~ (17) \$3,500,000 of the general fund—federal appropriation is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

~~((16))~~ (18) Within the amounts appropriated in this section, the authority may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, postpartum, and parenting women. For all contractors: (a) Service and other outcome data must be provided to the authority by request; and (b) indirect charges for administering the program must not exceed 10 percent of the total contract amount.

~~((17))~~ (19) Within the amounts provided in this section, behavioral health entities must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision. Contracts with behavioral health entities must require that behavioral health entities include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the authority must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served. The authority must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

~~((18))~~ (20) The criminal justice treatment account—state appropriation is provided solely for treatment and treatment support services for offenders with a substance use disorder pursuant to RCW 71.24.580. The authority must offer counties the option to administer their share of the distributions provided for under RCW 71.24.580(5)(a). If a county is not interested in administering the funds, the authority shall contract with behavioral health entities to administer these funds consistent with the plans approved by local panels pursuant to RCW 71.24.580(5)(b). Funding from the criminal justice treatment account may be used to provide treatment and support services through the conclusion of an individual's treatment plan to individuals participating in a drug court program as of February 24, 2021, if that individual wishes to continue treatment following dismissal of charges they were facing under RCW 69.50.4013(1). Such participation is voluntary and contingent upon substantial compliance with drug court program requirements. The authority must provide a report to the office of financial management and the appropriate committees of the legislature that identifies the distribution of criminal justice treatment account funds by September 30, 2023.

~~((19))~~ (21) (a) ~~((11,426,000))~~ \$10,535,000 of the general fund—state appropriation for fiscal year 2024, ~~((15,501,000))~~ \$14,610,000 of the general fund—state appropriation for fiscal year 2025, and ~~((21,554,000))~~ \$19,724,000 of the general fund—federal appropriation are provided solely for crisis triage facilities, crisis relief centers, or crisis stabilization units. Services in these facilities may include crisis stabilization and intervention, individual counseling, peer support, medication management, education, and referral assistance. The authority shall monitor each center's effectiveness at lowering the rate of state psychiatric hospital admissions.



(b) Within these amounts, the health care authority shall convene representatives from medicaid managed care organizations, behavioral health administrative organizations, private insurance carriers, self-insured organizations, crisis providers, and the office of the insurance commissioner to assess gaps in the current funding model for crisis services and recommend options for addressing these gaps including, but not limited to, an alternative funding model for crisis services. The assessment must consider available data to determine to what extent the costs of crisis services for clients of private insurance carriers, medicaid managed care organizations, and individuals enrolled in medicaid fee-for-service are being subsidized through state funded behavioral health administrative services organization contracts. The analysis shall examine crisis services provided by mobile crisis teams as well as facility-based services such as crisis triage and crisis stabilization units. In the development of an alternative funding model, the authority and office of the insurance commissioner must explore mechanisms that: (i) Determine the annual cost of operating crisis services and collect a proportional share of the program cost from each health insurance carrier; and (ii) differentiate between crisis services eligible for medicaid funding from other nonmedicaid eligible activities. The authority must submit a preliminary report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and a final report by December 1, 2024. Up to \$300,000 of the general fund—state appropriation for fiscal year 2024, and \$300,000 of the general fund—state appropriation for fiscal year 2025 may be used for the assessment and reporting activities required under this subsection.

(c) Sufficient funding is provided in this subsection to implement Second Substitute Senate Bill No. 5120 (crisis relief centers).

~~((20))~~ (22) \$9,795,000 of the general fund—state appropriation for fiscal year 2024, \$10,015,000 of the general fund—state appropriation for fiscal year 2025, and \$15,025,000 of the general fund—federal appropriation are provided solely for the operation of secure withdrawal management and stabilization facilities. The authority may not use any of these amounts for services in facilities that are subject to federal funding restrictions that apply to institutions for mental diseases, unless they have received a waiver that allows for full federal participation in these facilities. Within these amounts, funding is provided to increase the fee for service rate for these facilities up to \$650 per day. The authority must require in contracts with behavioral health entities that they pay no lower than the fee for service rate. The authority must coordinate with regional behavioral health entities to identify and implement purchasing strategies or regulatory changes that increase access to services for individuals with complex behavioral health needs at secure withdrawal management and stabilization facilities.

~~((21))~~ (23) \$1,401,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$1,401,000)~~ \$3,575,000 of the general fund—state appropriation for fiscal year 2025, and \$3,210,000 of the general fund—federal appropriation are provided solely for the implementation of intensive behavioral health treatment facilities within the community behavioral health service system pursuant to chapter 324, Laws of 2019 (2SHB 1394).

~~((22))~~ (24) (a) \$12,878,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and ~~(\$12,878,000)~~ \$12,628,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for:

(i) A memorandum of understanding with the department of children, youth, and families to provide substance abuse treatment programs;

(ii) A contract with the Washington state institute for public policy to conduct a cost-benefit evaluation of the implementations of chapter 3, Laws of 2013 (Initiative Measure No. 502);

(iii) Designing and administering the Washington state healthy youth survey and the Washington state young adult behavioral health survey;

(iv) Maintaining increased services to pregnant and parenting women provided through the parent child assistance program;

~~(v) ((Grants to the office of the superintendent of public instruction for life skills training to children and youth;~~

~~(vi))~~ Maintaining increased prevention and treatment service provided by tribes and federally recognized American Indian organization to children and youth;

~~((vii))~~ (vi) Maintaining increased residential treatment services for children and youth;

~~((viii))~~ (vii) Training and technical assistance for the implementation of evidence-based, research based, and promising programs which prevent or reduce substance use disorder;

~~((ix))~~ (viii) Expenditures into the home visiting services account; and

~~((x))~~ (ix) Grants to community-based programs that provide prevention services or activities to youth.

(b) The authority must allocate the amounts provided in (a) of this subsection amongst the specific activities proportionate to the fiscal year 2021 allocation.

~~((23))~~ (25) (a) \$1,125,000 of the general fund—state appropriation for fiscal year 2024 and \$1,125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Spokane behavioral health entities to implement services to reduce utilization and the census at eastern state hospital. Such services must include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the 16-bed evaluation and treatment facility.

(b) At least annually, the Spokane county behavioral health entities shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

~~((24))~~ (26) \$1,850,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$13,312,000 of the general fund—federal appropriation are provided solely for substance use disorder peer support services included in behavioral health capitation rates in accordance with section 213(5) (ss), chapter 299, Laws of 2018. The authority shall require managed care organizations to provide access to peer support services for individuals with substance use disorders transitioning from emergency departments, inpatient facilities, or receiving treatment as part of hub and spoke networks.

~~((25))~~ (27) \$1,423,000 of the general fund—state appropriation for fiscal year 2024, \$1,423,000 of the general fund—state appropriation for fiscal year 2025, and \$5,908,000 of the general fund—federal appropriation are provided solely for the authority to continue to implement discharge wraparound services for individuals with complex behavioral health conditions transitioning or being diverted from admission to psychiatric inpatient programs. The authority must coordinate with the department of social and health services in establishing the standards for these programs.

~~((26))~~ (28) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely for the authority to maintain a memorandum of understanding with the criminal justice training commission to provide funding for community grants pursuant to RCW 36.28A.450.

~~((27))~~ (29) \$350,000 of the general fund—federal appropriation and \$300,000 of the opioid abatement settlement account—state appropriation are provided solely to contract with a nationally recognized recovery residence organization and to provide technical assistance to operators of recovery residences seeking certification in accordance with chapter 264, Laws of 2019 (2SHB 1528).

~~((28))~~ (30) \$3,396,000 of the general fund—state appropriation for fiscal year 2024, \$3,396,000 of the general fund—state appropriation for fiscal year 2025, and \$16,200,000 of the general fund—federal appropriation are provided solely for support of and to continue to increase clubhouse programs across the state. The authority shall work with the centers for medicare and medicaid services to review opportunities to include clubhouse services as an optional "in lieu of" service in managed care organization contracts in order to maximize federal participation.

~~((29))~~ (31) \$708,000 of the general fund—state appropriation for fiscal year 2024, \$708,000 of the general fund—state appropriation for fiscal year 2025, and \$1,598,000 of the general fund—federal appropriation are provided solely for implementing mental health peer respite centers and a pilot project to implement a mental health drop-in center in accordance with chapter 324, Laws of 2019 (2SHB 1394).

~~((30))~~ (32) \$800,000 of the general fund—state appropriation for fiscal year 2024, \$800,000 of the general fund—state appropriation for fiscal year 2025, and \$1,452,000 of the general fund—federal appropriation are provided solely for the authority to implement strategies related to suicide prevention and treatment.

~~((31))~~ (33) \$446,000 of the general fund—state appropriation for fiscal year 2024, \$446,000 of the general fund—state appropriation for fiscal year 2025, and \$178,000 of the general fund—federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the authority to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The authority must collect information from the institute on the use of these funds and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

~~((32))~~ (34) As an element of contractual network adequacy requirements and reporting, the authority shall direct managed care organizations to make all reasonable efforts to develop or maintain contracts with provider networks that leverage local, federal, or philanthropic funding to enhance effectiveness of medicaid-funded integrated care services. These networks must promote medicaid clients' access to a system of services that addresses additional social support services and social determinants of health as defined in RCW 43.20.025 in a manner that is integrated with the delivery of behavioral health and medical treatment services.

~~((33))~~ (35) \$9,000,000 of the criminal justice treatment account—state appropriation is provided solely for the authority to maintain funding for new therapeutic courts created or expanded during fiscal year 2021, or to maintain the fiscal year 2021 expansion of services being provided to an already existing therapeutic court that engages in evidence-based practices, to include medication assisted treatment in jail settings pursuant to RCW 71.24.580. Funding provided under this subsection shall not supplant existing funds utilized for this purpose.

~~((34))~~ (36) In establishing, re-basing, enhancing, or otherwise updating medicaid rates for behavioral health services, the authority and contracted actuaries shall use a transparent process that provides an opportunity for medicaid managed care organizations, behavioral health administrative service organizations, and behavioral health provider agencies, and their representatives, to review and provide data and feedback on proposed rate changes within their region or regions of service operation. The authority and contracted actuaries shall transparently incorporate the information gained from this process and make adjustments allowable under federal law when appropriate.

~~((35))~~ (37) The authority shall seek input from representatives of the managed care organizations (MCOs), licensed community behavioral health agencies, and behavioral health administrative service organizations to develop specific metrics related to behavioral health outcomes under integrated managed care. These metrics must include, but are not limited to: (a) Revenues and expenditures for community behavioral health programs, including medicaid and nonmedicaid funding; (b) access to services, service denials, and utilization by state plan modality; (c) claims denials and record of timely payment to providers; (d) client demographics; and (e) social and recovery measures and managed care organization performance measures. The authority must work with managed care organizations and behavioral health administrative service organizations to integrate these metrics into an annual reporting structure designed to evaluate the performance of the behavioral health system in the state over time. The authority must submit a report to the office of financial management and the appropriate committees of the legislature, before December 30th of each year during the fiscal biennium, that details the implemented metrics and relevant performance outcomes for the prior calendar year.

~~((36))~~ (38) \$4,061,000 of the general fund—state appropriation for fiscal year 2024, \$3,773,000 of the general fund—state appropriation for fiscal year 2025, and \$6,419,000 of the general fund—federal appropriation are provided solely for the authority to maintain pilot programs for intensive outpatient services and partial hospitalization services for certain children and adolescents and, pursuant to chapter 94, Laws of 2022 (2SSB 5736), add coverage for these services into the state medicaid program beginning January 1, 2024.

(a) The authority must establish minimum standards, eligibility criteria, authorization and utilization review processes, and payment methodologies for the programs in contract.

(b) Eligibility for the pilot sites is limited pursuant to the following:

(i) Children and adolescents discharged from an inpatient hospital treatment program who require the level of services offered by the pilot programs in lieu of continued inpatient treatment;

(ii) Children and adolescents who require the level of services offered by the pilot programs in order to avoid inpatient hospitalization; and

(iii) Services may not be offered if there are less costly alternative community-based services that can effectively meet the needs of an individual referred to the program.

(c) Eligibility for services through the state medicaid program shall be consistent with criteria approved by the centers for medicare and medicaid services pursuant to implementation of chapter 94, Laws of 2022 (2SSB 5736).

(d) The authority must collect data on the program sites and work with the actuaries responsible for establishing managed care rates for medicaid enrollees to develop and submit an annual report to the office of financial management and the appropriate committees of the legislature each December of the fiscal biennium that includes the following information:

(i) A narrative description of the services provided at each program site and identification of any specific gaps the sites were able to fill in the current continuum of care;

(ii) Clinical outcomes and estimated reductions in psychiatric inpatient costs associated with each of the program sites;

(iii) Recommendations for whether the pilot models should be expanded statewide, whether modifications should be made to the models to better address gaps in the continuum identified through the pilot sites, whether the models could be expanded to community behavioral health providers, and whether statewide implementation should be achieved through a state plan amendment or some other mechanism for leveraging federal medicaid match;

(iv) Actuarial projections on the statewide need for services related to the pilot sites and estimated costs of adding each of the services to the medicaid behavioral health benefit for children and adolescents and adults; and

(v) Annual costs and any quantifiable cost offsets associated with the program sites.

~~((37))~~ (39) \$25,587,000 of the general fund—federal appropriation (ARPA) and \$9,828,000 of the general fund—federal appropriation are provided solely to promote the recovery of individuals with substance use disorders through expansion of substance use disorder services. The authority shall implement this funding to promote integrated, whole-person care to individuals with opioid use disorders, stimulant use disorders, and other substance use disorders. The authority shall use this funding to support evidence-based and promising practices as follows:

(a) \$8,500,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with substance use disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,500,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, mobile opioid use disorder treatment programs, law enforcement assisted diversion programs, contingency management interventions, modified assertive

community treatment, trauma informed care, crisis respite, and for reimbursement of one-time start-up operating costs for opening new beds in withdrawal management treatment programs.

(b) \$2,015,000 of the amounts provided in this subsection is provided solely for outreach programs that link individuals with substance use disorders to treatment options to include medication for opioid use disorder. The authority must contract for these services with programs that use interdisciplinary teams, which include peer specialists, to engage and facilitate linkage to treatment for individuals in community settings such as homeless encampments, shelters, emergency rooms, harm reduction programs, churches, community service offices, food banks, libraries, legal offices, and other settings where individuals with substance use disorders may be engaged. The services must be coordinated with emergency housing assistance and other services administered by the authority to promote access to a full continuum of treatment and recovery support options.

(c) \$7,500,000 of the amounts provided in this subsection is provided solely for substance use disorder recovery support services not covered by the medicaid program including, but not limited to, emergency housing, recovery housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(d) \$3,550,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with substance use disorders. This funding may be used for grants to urban Indian organizations, tribal opioid prevention media campaigns, and support for government to government communication, planning, and implementation of opioid use disorder related projects.

(e) \$5,000,000 of the amounts provided in this subsection is provided solely for the authority, in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs, and for law enforcement and emergency responders.

(f) \$7,100,000 of the amounts provided in this subsection is provided solely for community services grants that support the implementation and evaluation of substance use disorder prevention services.

(g) Up to \$1,750,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

~~((+38))~~ (40) \$3,109,000 of the general fund—state appropriation for fiscal year 2024 and \$3,109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for short-term rental subsidies for individuals with mental health or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served. Each December of the fiscal biennium, the authority must submit a report identifying the expenditures and number of individuals receiving short-term rental supports through the agency budget during the prior fiscal year broken out by region, treatment need, and the demographics of those served, including but not limited to age, country of origin within racial/ethnic categories, gender, and immigration status.

~~((+39))~~ (41) \$25,332,000 of the general fund—federal appropriation (ARPA) is provided solely to promote the recovery of individuals with mental health disorders through expansion of mental health services. The authority shall implement this funding to promote integrated, whole-person care through evidence based and promising practices as follows:

(a) \$8,153,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with mental health disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,000,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, law enforcement assisted diversion programs, modified assertive community treatment, and trauma informed care.

(b) \$8,200,000 of the amounts provided in this subsection is provided solely for mental health recovery support services not covered by the medicaid program including, but not limited to, supportive housing, emergency housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(c) \$2,553,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with mental health disorders.

(d) \$1,300,000 of the amounts provided in this subsection is provided solely to enhance crisis services and may be used for crisis respite care.

(e) \$2,600,000 of the amounts provided in this subsection is provided solely for the expansion of first episode psychosis programs.

(f) Up to \$1,279,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

~~((+40))~~ (42) The authority must pursue opportunities for shifting state costs to the state's unused allocation of federal institutions for mental disease disproportionate share hospital funding.

~~((41))~~ (43) \$500,000 of the general fund—federal appropriation is provided solely to establish an emotional support network program for individuals employed as peer specialists. The authority must contract for these services which shall include, but not be limited to, facilitating support groups for peer specialists, support for the recovery journeys of the peer specialists themselves, and targeted support for the secondary trauma inherent in peer work.

~~((42))~~ (44) \$1,500,000 of the general fund—federal appropriation is provided solely for the authority to contract on a one-time basis with the University of Washington behavioral health institute to continue and enhance its efforts related to training and workforce development. This funding may be used for the following activities:

(a) Making substance use disorder training content accessible to all community behavioral health providers;

(b) Refining and implementing a substance use disorder provider needs assessment to advance best practice implementation for treatment in inpatient and outpatient settings;

(c) Disseminating innovative best practices through training and technical assistance;

(d) Developing and launching a telebehavioral health training series, providing webinars and packaging the training content so that it is accessible to all community behavioral health providers;

(e) Planning for advanced telebehavioral health training and support to providers;

(f) Convening a race, equity, and social justice in behavioral health conference annually;

(g) Developing training and technical assistance opportunities for an annual series that translates lessons learned in behavioral health equity into actionable and sustainable change at the provider, organizational, and system levels;

(h) Developing recommendations for reducing health disparities and training the workforce in culturally and linguistically relevant practices to achieve improved outcomes;

(i) Increasing the number of community substance use providers that are trained in best practice assessment and treatment models;

(j) Convening a telebehavioral health summit of leading experts regarding long-term provider telebehavioral health training and workforce needs;

(k) Creating a behavioral health workforce strategy plan that identifies gaps that are not being addressed and suggests system improvements to address those gaps;

(l) Working with community partners and key stakeholders to identify best practice strategies to evaluate and measure equity and health disparities within the behavioral health system and make recommendations regarding potential metrics to help advance system change; and

(m) Developing metrics and evaluating telebehavioral health training needs and the impact of telebehavioral health training on provider knowledge and treatment protocols.

~~((43))~~ (45) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the King county behavioral health administrative services organization to maintain children's crisis outreach response system services that were previously funded through the department of children, youth, and families. The authority, in consultation with the behavioral health administrative services organization, medicaid managed care organizations, and the actuaries responsible for developing medicaid managed care rates, must work to maximize federal funding provided for the children's crisis outreach response system program.

~~((44))~~ (46) \$31,891,000 of the general fund—state appropriation for fiscal year 2024, \$63,395,000 of the general fund—state appropriation for fiscal year 2025, and \$172,425,000 of the general fund—federal appropriation are provided solely to implement a 15 percent increase to medicaid reimbursement for community behavioral health providers contracted through managed care organizations to be effective January 1, 2024. The authority must employ mechanisms such as directed payment or other options allowable under federal medicaid law to assure the funding is used by the managed care organizations for a 15 percent provider rate increase as intended and verify this pursuant to the process established in chapter 285, Laws of 2020 (EHB 2584). The rate increase shall be implemented to all behavioral health nonhospital inpatient, residential, and outpatient providers contracted through the medicaid managed care organizations. Psychiatric hospitals and other providers receiving rate increases under other subsections of this section must be excluded from the rate increase directed in this subsection.

~~((45))~~ (47) \$532,000 of the general fund—state appropriation for fiscal year 2024, \$2,935,000 of the general fund—state appropriation for fiscal year 2025, and \$3,467,000 of the general fund—federal appropriation are provided solely to increase the number of beds and rates for community children's long-term inpatient program providers. The number of beds is increased on a phased in basis to 72 beds by the end of fiscal year 2024. The bed day rates are increased from \$1,030 per day to \$1,121 per day effective July 1, 2023.

~~((46))~~ (48) \$505,000 of the general fund—state appropriation for fiscal year 2024, \$1,011,000 of the general fund—state appropriation for fiscal year 2025, and \$1,095,000 of the general fund—federal appropriation are provided solely to increase rates for parent child assistance program providers by 15 percent effective January 1, 2024.

~~((47))~~ (49) \$300,000 of the general fund—federal appropriation is provided solely for training of behavioral health consumer advocates. The authority must enter into a memorandum of understanding with the department of commerce to provide support for training of behavioral health consumer advocates pursuant to chapter 202, Laws of 2021 (E2SHB 1086).

~~((48))~~ (50) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the Washington chapter of the national alliance on mental illness, a Washington based statewide mental health nonprofit organization that provides free community and school-based mental health education and support programs for consumers and families. The contractor must use this funding to provide access to programs tailored to peers living with mental illness as well as family members of people with mental illness and the community at large. Services provided by the contracted program shall include education, support, and assistance to reduce isolation and help consumers and families understand the services available in their communities. This contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

~~((49))~~ (51) \$15,474,000 of the general fund—state appropriation for fiscal year 2024, ~~((15,474,000))~~ \$17,125,000 of the general fund—state appropriation for fiscal year 2025, and ~~((14,312,000))~~ \$14,562,000 of the general fund—federal appropriation are provided solely for maintaining the expansion of local behavioral health mobile crisis response team capacity and ensuring each region has at least one adult and one children and youth mobile crisis team that is able to respond to calls coming into the 988 crisis hotline.

(a) In prioritizing this funding, the health care authority shall assure that there are a minimum of ~~((six))~~ 13 new children and youth mobile crisis teams in comparison to the number of teams at the end of fiscal year 2021 and that there is one children and youth mobile crisis team in each region.

(b) In implementing funding for adult and youth mobile crisis response teams, the authority must establish standards in contracts with managed care organizations and behavioral health administrative services organizations for the services provided by these teams.

(c) Of these amounts, \$3,000,000 of the general fund—state appropriation for fiscal year 2024, \$3,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,024,000 of the general fund—federal appropriation are provided solely to maintain increased capacity for mobile crisis services in King county that was funded in fiscal year 2023. These amounts must supplement and not supplant funding to the county previously allocated by the authority under this subsection.

(d) Of these amounts, \$1,651,000 of the general fund—state appropriation for fiscal year 2025 and \$250,000 of the general fund—federal appropriation are provided solely for adding stabilization staff to existing youth mobile crisis teams.

~~((50) \$57,580,000)~~ (52) \$59,421,000 of the general fund—state appropriation for fiscal year 2024, ~~((61,807,000))~~ \$71,107,000 of the general fund—state appropriation for fiscal year 2025, and ~~((109,146,000))~~ \$69,409,000 of the general fund—federal appropriation are provided solely for the authority to contract with community hospitals or freestanding evaluation and treatment centers to provide long-term inpatient care beds as defined in RCW 71.24.025. Within these amounts, the authority must meet the requirements for reimbursing counties for the judicial services for patients being served in these settings in accordance with RCW 71.05.730. The authority must coordinate with the department of social and health services in developing the contract requirements, selecting contractors, and establishing processes for identifying patients that will be admitted to these facilities. Of the amounts in this subsection, sufficient amounts are provided in fiscal year 2024 and fiscal year 2025 for the authority to reimburse community hospitals and nonhospital residential treatment centers serving clients in long-term inpatient care beds as defined in RCW 71.24.025 as follows:

(a) For a hospital licensed under chapter 70.41 RCW that requires a hospital specific medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients because the hospital has completed a medicare cost report, the authority shall analyze the most recent medicare cost report of the hospital after a minimum of 200 medicaid inpatient psychiatric days. The authority shall establish the inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at 100 percent of the allowable cost of care, based on the most recent medicare cost report of the hospital.

(b) For a hospital licensed under chapter 70.41 RCW that has not completed a medicare cost report with more than 200 medicaid inpatient psychiatric days, the authority shall establish the medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at the higher of the hospital's current medicaid inpatient psychiatric rate; or the annually updated statewide average of the medicaid inpatient psychiatric per diem payment rate of all acute care hospitals licensed under chapter 70.41 RCW providing long-term civil commitment services.

(c) For a hospital licensed under chapter 71.12 RCW and currently providing long-term civil commitment services, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at ~~((940))~~ \$1,250 plus adjustments that may be needed to capture costs associated with long-term psychiatric patients that are not allowable on the medicare cost report or reimbursed separately. The hospital may provide the authority with supplemental data to be considered and used to make appropriate adjustments to the medicaid inpatient psychiatric per diem payment rate of the hospital. Adjustment of costs may include:

(i) Costs associated with professional services and fees not accounted for in the hospital's medicare cost report or reimbursed separately;

(ii) Costs associated with the hospital providing the long-term psychiatric patient access to involuntary treatment court services that are not reimbursed separately; and

(iii) Other costs associated with caring for long-term psychiatric patients that are not reimbursed separately.

(d) For a hospital licensed under chapter 71.12 RCW that requires an initial medicaid inpatient psychiatric per diem payment rate for long-term civil commitment services because it has not yet completed a medicare cost report, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at the higher of:

(i) The hospital's current medicaid inpatient psychiatric rate; or

(ii) The annually updated statewide average of the medicaid long-term inpatient psychiatric per diem payment rate of all freestanding psychiatric hospitals licensed under chapter 71.12 RCW providing long-term civil commitment services.

(e) For nonhospital residential treatment centers certified to provide long-term inpatient care beds as defined in RCW 71.24.025, the authority shall establish the medicaid psychiatric per diem payment rate at ~~((the fiscal year 2023 level))~~ \$1,250.

(f) Beginning in fiscal year 2024, the authority shall pay a rate enhancement for patients committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The enhancement shall be available to all hospital and nonhospital facilities providing services under this subsection except those whose rates are set at 100 percent of their most recent medicare cost report. The rate enhancement shall not exceed the tiered rate enhancements established under the 1915(i) state plan.

(g) Beginning in fiscal year 2025, the authority may pay a rate enhancement of \$500 per day for individuals with complex medical needs, challenging behaviors often diagnosed with co-occurring intellectual or developmental disability, traumatic brain injury, dementia, or significant medical issues requiring personal care. The rate enhancement is available to providers contracting directly with the authority.

(h) Provider payments for vacant bed days shall not exceed six percent of their annual contracted bed days.

~~((h))~~ (i) The authority, in coordination with the department of social and health services, the office of the governor, the office of financial management, and representatives from medicaid managed care organizations, behavioral health administrative service organizations, and community providers, must update its plan to continue the expansion of civil community long-term inpatient capacity. The plan shall identify gaps and barriers in the current array of community long-term inpatient beds in serving higher need individuals including those committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The plan shall identify strategies to overcome these barriers including, but not limited to, potential rate enhancements for high needs clients. The authority must submit its updated implementation plan to the office of financial management and the appropriate fiscal committees of the legislature by December 1, 2023, and submit a status update on the implementation plan by October 15, 2024.

~~((51))~~ (53) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a one-time grant to Island county to maintain support for a pilot program to improve behavioral health outcomes for young people in rural communities. In administering the pilot program, Island county shall coordinate with school districts, community groups, and health care providers to increase access to behavioral health programs for children and youth aged birth to 24 years of age. The grant funds shall be used to coordinate and expand behavioral health services. The grant funding must not be used to supplant funding from existing programs. No more than 10 percent of the funds may be used for administrative costs incurred by Island county in administering the program. Services that may be provided with the grant funding include, but are not limited to:

(i) Support for children and youth with significant behavioral health needs to address learning loss caused by COVID-19 and remote learning;

(ii) School based behavioral health education, assessment, and brief treatment;

(iii) Screening and referral of children and youth to long-term treatment services;

(iv) Behavioral health supports provided by community agencies serving youth year-round;

(v) Expansion of mental health first aid, a program designed to prepare adults who regularly interact with youth for how to help people in both crisis and noncrisis mental health situations;

(vi) Peer support services; and

(vii) Compensation for the incurred costs of clinical supervisors and internships.

(b) The authority, in coordination with Island county, must submit to the office of financial management and the appropriate committees of the legislature, a report summarizing how the funding was used and providing the number of children and youth served by the pilot during fiscal year 2024 by December 1, 2024.

~~((52))~~ (54) \$265,000 of the general fund—state appropriation for fiscal year 2024, \$281,000 of the general fund—state appropriation for fiscal year 2025, and \$546,000 of the general fund—federal appropriation are provided solely for the authority to provide specialized training and consultation for physicians and professionals to support children with developmental disabilities and behavioral health needs.

~~((53) — \$2,184,000)~~ (55) \$2,262,000 of the general fund—federal appropriation and ~~(( \$2,184,000 ))~~ \$2,262,000 of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Within these amounts, funding is provided for the authority to support community discharge efforts for patients at the state hospitals. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its providers or third

party administrator. The department and the authority in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not increase general fund—state expenditures above appropriated levels for this specific purpose. The secretary in collaboration with the director of the authority shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal committees of the legislature the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

~~((54))~~ (56) \$130,000 of the general fund—federal appropriation is provided solely for the authority to participate in efforts to ensure behavioral health agencies are compensated for their role as teaching clinics for students seeking professional education in behavioral health disciplines and for new graduates working toward licensure.

~~((55))~~ (57) \$250,000 of the general fund—state appropriation for fiscal year 2024, \$934,000 of the general fund—state appropriation for fiscal year 2025, and \$1,447,000 of the general fund—federal appropriation are provided solely for increasing case management services to pregnant and parenting women provided through the parent child assistance program and for increasing the number of residential treatment beds available for pregnant and parenting women.

~~((56))~~ (58) Within the amounts provided in this section, sufficient funding is provided for the authority to maintain and increase the capabilities of a tool to track medication assisted treatment provider capacity.

~~((57))~~ (59) \$2,000,000 of the general fund—federal appropriation is provided solely for grants to law enforcement and other first responders to include a mental health professional on the team of personnel responding to emergencies.

~~((58) — \$1,653,000)~~ (60) \$855,000 of the general fund—state appropriation for fiscal year 2025 and ~~((2,024,000))~~ \$1,149,000 of the general fund—federal appropriation are provided solely for the authority to contract for long-term involuntary treatment services in a 16-bed residential treatment facility being developed by the Tulalip tribe in Stanwood.

~~((59))~~ (61) \$956,000 of the general fund—state appropriation for fiscal year 2024 and \$956,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for wraparound with intensive services for youth ineligible for medicaid as outlined in the settlement agreement under *AGC v. Washington State Health Care Authority*, Thurston county superior court no. 21-2-00479-34.

~~((60))~~ (62) \$18,188,000 of the general fund—state appropriation for fiscal year 2024 and \$18,188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for claims for services rendered to medicaid eligible clients admitted to institutions of mental disease that were determined to be unallowable for federal reimbursement due to medicaid's institutions for mental disease exclusion rules.

~~((61))~~ (63) \$6,010,000 of the general fund—state appropriation for fiscal year 2024, \$6,010,000 of the general fund—state appropriation for fiscal year 2025, and \$1,980,000 of the general fund—federal appropriation are provided solely for the authority, in coordination with the department of health, to deploy an opioid awareness campaign and to contract with syringe service programs and other service settings assisting people with substance use disorders to: Prevent and respond to overdoses; provide other harm reduction services and supplies, including but not limited to distributing naloxone; fentanyl testing and other drug testing supplies; and for expanding contingency management services. The authority is encouraged to use these funds to leverage federal funding for this purpose to expand buying power when possible. The authority should prioritize funds for naloxone in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to deploy an opioid awareness campaign targeted at youth to increase the awareness of the dangers of fentanyl.

~~((62))~~ (64) \$4,763,000 of the general fund—state appropriation for fiscal year 2024, \$4,763,000 of the general fund—state appropriation for fiscal year 2025, and \$25,754,000 of the general fund—federal appropriation are provided solely to maintain a rate increase authorized for opioid treatment providers on January 1, 2023.

~~((63))~~ (65) \$2,387,000 of the general fund—state appropriation for fiscal year 2024 and \$2,387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support individuals enrolled in the foundational community supports initiative who are transitioning from benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The authority, department of social and health services, and department of commerce shall collaborate on this effort.

~~((64))~~ (66) \$2,249,000 of the general fund—state appropriation for fiscal year 2024 and \$2,249,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with programs to provide medical respite care for individuals with behavioral health needs. The programs must serve individuals with significant behavioral health needs and medical issues who do not require hospitalization but are unable to provide adequate self-care for their medical conditions. The programs must prioritize services to



individuals with complex medical and behavioral health issues who are homeless or who were recently discharged from a hospital setting. The services must meet quality standards and best practices developed by the national health care for the homeless council and may include, but are not limited to, medical oversight and health education; care transitions; and discharge planning to and from primary care, inpatient hospital, emergency rooms, and supportive housing. In selecting the contractors, the authority must prioritize projects that demonstrate the active involvement of an established medical provider that is able to leverage federal medicaid funding in the provision of these services. The authority must work with the medicaid managed care organizations to encourage their participation and assist the plans and the contractor in identifying mechanisms for appropriate use of medicaid reimbursement in this setting.

~~((65))~~ (67) \$988,000 of the general fund—state appropriation for fiscal year 2024, \$988,000 of the general fund—state appropriation for fiscal year 2025, and \$618,000 of the general fund—federal appropriation are provided solely for the authority to contract for three regional behavioral health mobile crisis response teams focused on supported housing to prevent individuals with behavioral health conditions at high risk of losing housing from becoming homeless, identify and prioritize serving the most vulnerable people experiencing homelessness, and increase alternative housing options to include short-term alternatives which may temporarily deescalate situations where there is high risk of a household from becoming homeless.

~~((66))~~ (68) \$5,623,000 of the general fund—state appropriation for fiscal year 2024, \$5,623,000 of the general fund—state appropriation for fiscal year 2025, and \$3,748,000 of the general fund—federal appropriation are provided solely to maintain and expand access to no barrier, and low-barrier programs using a housing first model designed to assist and stabilize housing supports for adults with behavioral health conditions. Housing supports and services shall be made available with no requirement for treatment for their behavioral health condition and must be individualized to the needs of the individual. The authority and department of commerce shall collaborate on this effort and must submit a status report to the office of financial management and the appropriate committees of the legislature by December 31, 2023.

~~((67))~~ (69) \$675,000 of the general fund—state appropriation for fiscal year 2024 and \$675,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rental voucher and bridge program and to implement strategies to reduce instances where an individual leaves a state operated behavioral or private behavioral health facility directly into homelessness. The authority must prioritize this funding for individuals being discharged from state operated behavioral health facilities.

~~((68))~~ (70) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$361,000 of the general fund—state appropriation for fiscal year 2025, and \$482,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the department of social and health services research and data analysis division, to implement community behavioral health service data into the existing executive management information system. Of these amounts, \$288,000 of the general fund—state appropriation for fiscal year 2024, \$288,000 of the general fund—state appropriation for fiscal year 2025, and \$384,000 of the general fund—federal appropriation are provided solely for the authority to reimburse the research and data analysis division for staff costs associated with this project. The data elements shall be incorporated into the monthly executive management information system reports on a phased-in basis, allowing for elements which are readily available to be incorporated in the initial phase, and elements which require further definition and data collection changes to be incorporated in a later phase. The authority must collaborate with the research and data analysis division to ensure data elements are clearly defined and must include requirements in medicaid managed care organization and behavioral health administrative services organization contracts to provide the data in a consistent and timely manner for inclusion into the system. The community behavioral health executive management system information data elements must include, but are not limited to: Psychiatric inpatient bed days; evaluation and treatment center bed days; long-term involuntary community psychiatric inpatient bed days; children's long-term inpatient bed days; substance use disorder inpatient, residential, withdrawal evaluation and management, and secure withdrawal evaluation and management bed days; crisis triage and stabilization services bed days; mental health residential bed days; mental health and substance use disorder outpatient treatment services; opioid substitution and medication assisted treatment services; program of assertive treatment team services; wraparound with intensive services; mobile outreach crisis services; recovery navigator team services; foundational community supports housing and employment services; projects for assistance in transition from homelessness services; housing and recovery through peer services; other housing services administered by the authority; mental health and substance use disorder peer services; designated crisis responder investigations and outcomes; involuntary commitment hearings and outcomes; pregnant and parenting women case management services; and single bed certifications and no available bed reports. Wherever possible and practical, the data must include historical monthly counts and shall be broken out to distinguish services to medicaid and nonmedicaid individuals and children and adults. The authority and the research and data analysis division must consult with the office of financial management and staff from the fiscal committees of the legislature on the development and implementation of the community behavioral health data elements.

~~((69))~~ (71) \$2,587,000 of the general fund—state appropriation for fiscal year 2024 and \$2,587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to support efforts by counties and cities to implement local response teams. Of these amounts:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to provide a grant to the association of Washington cities to assist cities with the costs of implementing alternative response teams. This funding must be used to reimburse cities for documented costs associated with creating co-responder teams within different alternative diversion models including law enforcement assisted diversion programs, community assistance referral and education programs, and as part of mobile crisis teams. Cities are encouraged to partner with each other to create a regional response model. In awarding these funds, the association must prioritize applicants with demonstrated capacity for facility-based crisis triage and stabilization services. The association and authority must collect and report information regarding the number of facility-based crisis stabilization and triage beds available in the locations receiving funding through this subsection and submit a report to the office of financial management and the appropriate committees of the legislature with this information by December 1, 2023.

(b) \$587,000 of the general fund—state appropriation for fiscal year 2024 and \$587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Whatcom county alternative response team.

~~((70))~~ (72) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the University of Washington addictions, drug, and alcohol institute. This funding must be used for advanced, evidence-based training for law enforcement to improve interactions with individuals who use drugs. The training must be developed so it can be adapted and used statewide to decrease stigmatizing beliefs among law enforcement through positive contact with people who use drugs and improve officer well-being and effectiveness by providing skills and techniques to address the drug overdose epidemic. The institute must develop and refine this training, leveraging prior work, and in partnership with a steering committee that includes people with lived or living experience of substance use disorder and criminal legal involvement, researchers, clinicians, law enforcement officers, and others. The training must complement, but not duplicate, existing curricula already provided by the criminal justice training commission. The institute must pilot the advanced training in a subset of regional law enforcement agencies and evaluate its acceptability and feasibility through participant interviews and pretraining and posttraining ratings of stigmatizing beliefs. The institute must incorporate feedback from the pilot training sessions into a final training program that it must make available to law enforcement agencies across the state.

~~((71))~~ (73) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue development and implementation of the certified community behavioral health clinic model for comprehensive behavioral health services. Funding must be used to secure actuarial expertise, conduct research into national data and other state models, including obtaining resources and expertise from the national council for mental well-being certified community behavioral health clinic success center; and engage stakeholders, including representatives of licensed community behavioral health agencies and medicaid managed care organizations, in the process. The authority must provide a report to the office of financial management and the appropriate committees of the legislature with findings, recommendations, and cost estimates by December 31, 2024. The study must build on the preliminary report submitted to the legislature in December 2022 and include:

(a) Overviews of options and considerations for implementing the certified community behavioral health clinic model within Washington state, including participation as a certified community behavioral health clinic demonstration state or for independent statewide implementation;

(b) An analysis of the impact of expanding the certified community behavioral health clinic model on the state's behavioral health systems;

(c) Relevant federal regulations and options to implement the certified community behavioral health clinic model under those regulations;

(d) Options for implementing a prospective payment system methodology;

(e) An analysis of the benefits and potential challenges for integrating the certified community behavioral health clinic reimbursement model within an integrated care environment;

(f) Actuarial analysis on the costs for implementing the certified community behavioral health clinic model, including opportunities for leveraging federal funding; and

(g) Recommendations to the legislature on a pathway for statewide implementation.

(h) Of the amounts provided in this subsection, \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to clinics who received certified community behavioral health clinic funding from the federal substance abuse and mental health services administration to continue their operations pending the end of their federal grant period.

~~((72))~~ (74) \$1,135,000 of the general fund—state appropriation for fiscal year 2025 and \$568,000 of the general fund—federal appropriation are provided solely to develop and operate a 16-bed substance use disorder inpatient facility in Grays Harbor county that specializes in treating pregnant and parenting women using a family preservation model. The authority must contract for these services through behavioral health entities in a manner

that allows leveraging of federal medicaid funds to pay for a portion of the costs. The authority must consult with the department of children, youth, and families in the implementation of this funding. The facility must allow families to reside together while a parent is receiving treatment. Of these amounts, \$568,000 may be used for documented startup costs including the recruitment, hiring, and training of staff. If the authority is able to identify a provider that can begin developing these services before July 2024, it must notify the office of financial management and the appropriate committees of the legislature and submit a request for funding in the fiscal year 2024 supplemental operating budget.

~~((73))~~ (75) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided on a one-time basis solely for the authority to continue a grant to the city of Snoqualmie to pilot behavioral health emergency response and coordination services through a regional behavioral health coordinator. The regional behavioral health coordinator shall be a licensed mental health or substance use disorder professional who works directly with and accompanies law enforcement officers and fire and rescue first responders to help respond to crises involving persons with behavioral health needs. The coordinator shall plan, implement, and coordinate services related to crisis response and social service needs with the city of Snoqualmie, the city of North Bend, the Snoqualmie police and fire departments, and the eastside fire and rescue agency serving North Bend, and local community services, school districts, hospitals, and crisis response systems provided by King county for the region. The coordinator shall support the social services needs identified through police and fire response in the lower Snoqualmie valley and serve as a liaison between law enforcement, first responders, and persons accessing or requesting emergency services with social service needs. The authority shall collect information on the pilot project and, in coordination with the city of Snoqualmie, must submit a report to the office of financial management and the appropriate committees of the legislature by December 31, 2023, summarizing the services provided through the grant funds and identifying recommendations on how to implement effective, integrated, coordinated behavioral health emergency response and community care services. The authority must also provide the report to the criminal justice training commission, the Washington association of sheriffs and police chiefs, and the Washington fire commissioners association.

~~((74))~~ (76) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract for services with a statewide recovery community organization. The authority must award this funding to an organization that: (a) Has experience building the capacity of the recovery community to advance substance use recovery and mental health wellness by catalyzing public understanding and shaping public policy; (b) is led and governed by representatives of local communities of recovery; (c) centers the voices of people with lived experience who are touched by addiction and mental health challenges, and harnesses the power of story to drive change in the mental health and addiction treatment systems; and (d) provides free community education, skills trainings, events, and a conference in order to increase the understanding of issues around behavioral health and recovery. Services provided by the contracted program must include education, support, and assistance to increase connection of the recovery community, recovery capital, and knowledge about recovery and mental health resources. In conducting this work, the contractor must engage diverse individuals in recovery, impacted families, and providers from all regions of the state and leverage the assistance of affiliated groups and organizations. The organization must also prioritize diversity, equity, and justice in their work to eradicate health disparities of marginalized communities.

~~((75))~~ (77) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue and expand a contract with a Seattle based nonprofit organization with experience matching voluntary specialty care providers with patients in need of care to provide pro bono counseling and behavioral health services to uninsured and underinsured individuals with incomes below 300 percent of the federal poverty level. The authority may require the contractor to seek, document, and report to the authority on efforts to leverage local, federal, or philanthropic funding to provide sustained operational support for the program.

~~((76))~~ (78) \$2,437,000 of the general fund—state appropriation for fiscal year 2024, \$4,772,000 of the general fund—state appropriation for fiscal year 2025, and \$1,705,000 of the general fund—federal appropriation are provided solely for the authority to contract for youth inpatient navigator services in seven regions of the state. The services must be provided through clinical response teams that receive referrals for children and youth inpatient services and manage a process to coordinate placements and alternative community treatment plans. Of these amounts for each fiscal year, \$445,000 of the general fund—state appropriation and \$79,000 of the general fund—federal appropriation are provided solely to contract for services through an existing program located in Pierce county.

~~((77))~~ (79) \$7,601,000 of the general fund—state appropriation for fiscal year 2024, \$7,601,000 of the general fund—state appropriation for fiscal year 2025, and \$2,820,000 of the general fund—federal appropriation are provided solely for assisted outpatient treatment and other costs associated with implementation of chapter 210, Laws of 2022 (SHB 1773). Of the amount provided in this subsection, \$1,000 is for implementation of Engrossed Senate Bill No. 5130 (assisted outpatient treatment).

~~((78) \$1,878,000)~~ (80) \$1,378,000 of the general fund—state appropriation for fiscal year 2024 and ~~((429,000))~~ \$929,000 of the general fund—state appropriation for fiscal year

2025 are provided solely to continue to support the children and youth behavioral health work group to consider and develop longer term strategies and recommendations regarding the delivery of behavioral health services for children, transitioning youth, and their caregivers pursuant to chapter 76, Laws of 2022 (2SHB 1890).

~~((79))~~ (81) Sufficient funding is provided for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

~~((80))~~ (82) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contingency management resources in accordance with chapter 311, Laws of 2021 (ESB 5476).

~~((81))~~ (83) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a contract for services funded in section 215(127), chapter 297, Laws of 2022 (ESSB 5693) to provide information and support related to safe housing and support services for youth exiting inpatient mental health and/or substance use disorder facilities to stakeholders, inpatient treatment facilities, young people, and other community providers that serve unaccompanied youth and young adults.

~~((82))~~ (84) \$2,336,000 of the general fund—state appropriation for fiscal year 2024, 2,336,000 of the general fund—state appropriation for fiscal year 2025, and \$3,036,000 of the general fund—federal appropriation are provided solely for the authority to contract with opioid treatment providers to operate mobile methadone units to address treatment gaps statewide.

~~((83))~~ (85) \$216,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$1,454,000 of the general fund—federal appropriation are provided solely for the authority to increase fee for service rates for mental health and substance use disorder treatment by 22 percent. This rate increase shall be effective January 1, 2024. This rate increase does not apply to per diem costs for long-term civil commitment inpatient services or for services for which rate increases were provided under other subsections of this section. Services affected by the psychiatric rebase in subsection ~~((84))~~ (86) of this section are excluded from this rate increase. The authority must include the proportional costs of increasing fee-for-service rates for mental health and substance use disorder treatment paid on behalf of tribal members not electing enrollment in managed care plans in any agency request decision package it submits during the fiscal biennium for increasing provider rates in the managed care behavioral health program.

~~((84))~~ (86) Sufficient amounts are provided in this section for the authority to rebase community hospital psychiatric inpatient rates effective January 1, 2024. Rebasings adjustments shall be based on adjusted calendar year 2020 medicare cost reports.

~~((85))~~ (87) (a) \$3,805,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

(i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit exchange;

(ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and

(iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amount provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

(i) Actual and forecasted expenditures;

(ii) Actual and forecasted data from the caseload forecast council; and

(iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount that may be expended for the purposes of this program.

~~((86))~~ (88) (a) \$2,317,000 of the general fund—state appropriation for fiscal year 2024 and \$4,433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to three behavioral health administrative services organizations to transition persons who are either being diverted from criminal prosecution to behavioral health treatment services or are in need of housing upon discharge from crisis stabilization services. The authority must provide an opportunity for all of the behavioral health administrative service organizations to submit plans for consideration.

(b) Grant criteria must include, but are not limited to:

(i) A commitment to matching individuals with temporary lodging or permanent housing, including supportive housing services and supports, that is reasonably likely to fit their actual needs and situation, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability; and

(ii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement, including appropriate supportive housing supports and services, within six months except under unusual circumstances.

(c) When awarding grants, the authority must prioritize applicants that:

(i) Provide matching resources;

(ii) Focus on ensuring an expeditious path to sustainable permanent housing solutions; and

(iii) Demonstrate an understanding of working with individuals who experience homelessness or have interactions with the criminal legal system to understand their optimal housing type and level of ongoing services.

~~((87))~~ (89) (a) \$2,266,000 of the general fund—state appropriation for fiscal year 2024, \$14,151,000 of the general fund—state appropriation for fiscal year 2025, and \$19,269,000 of the general fund—federal appropriation are provided solely for services to medicaid and state funded clients in behavioral health residential treatment facilities that are scheduled to open during the 2023-2025 fiscal biennium.

(b) Within the amounts provided in this subsection, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to reimburse the department of social and health services for staffing costs related to tracking behavioral health community capacity through the community behavioral health executive management information system and providing annual reports on the implementation of new behavioral health community capacity.

(c) The department of commerce, the department of health, and the authority must cooperate with the department of social and health services in collecting and providing the data necessary to incorporate tracking of behavioral health beds into the behavioral health executive management information system and to prepare the required reports. The agencies must work to ensure they are using consistent definitions in classifying behavioral health bed types for the purpose of reporting capacity and utilization.

(d) The authority and the department of social and health services must begin tracking behavioral health bed utilization for medicaid and state funded clients by type of bed in the executive management information system by October 1, 2023. The department of commerce shall identify to the department of social and health services all providers that have received funding through their capital grant program since the 2013-2015 fiscal biennium. The department of social and health services must incorporate tracking of services by provider including an element to identify providers that have received funding through the capital budget so that reports can be provided related to the average daily client counts for medicaid and state funded clients being served by provider and by facility type.

(e) By November 1, 2023, the department of social and health services, in coordination with the department of commerce, the department of health, and the authority, must submit an annual report to the office of financial management and the appropriate committees of the legislature. The first annual report must provide information on the facilities that received funding through the department of commerce's behavioral health community capacity grant funding since the 2013-2015 fiscal biennium and the utilization across all behavioral health facilities for medicaid and state funded clients. The report must provide the following information for each facility that has received funding through the capital budget: (i) The amount received by the state and the total project cost; (ii) the facility address; (iii) the number of new beds or additional bed capacity by the service type being provided; and (iv) the utilization of the additional beds by medicaid or state funded clients by service type.

(f) By November 1, 2024, the department of social and health services must submit the second annual report to the office of financial management and the appropriate committees of the legislature. The second annual report must update the bed capacity and utilization information required in the first report and compare that capacity to demand by service type by geographical region of the state.

~~((88))~~ (90) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the efforts of the joint legislative and executive committee on behavioral health established in section 135 of this act.

~~((89))~~ (91) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely to support the provision of behavioral health co-responder services on nonlaw enforcement emergency medical response teams.

~~((90))~~ (92) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the King county behavioral health administrative services organization to expand medication for opioid use disorder treatment services in King county.

~~((91))~~ (93) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the authority to contract on a one-time basis with the behavioral health administrative services organization serving Kitsap county for crisis triage services in the county that are not being reimbursed through the medicaid program.

~~((92))~~ (94) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the behavioral health administrative services organization serving Snohomish county for start-up costs in a new 32-bed community recovery center in Lynnwood that will provide crisis services to medicaid and other low income residents.

~~((93))~~ ~~\$3,142,000 of the general fund state appropriation for fiscal year 2024, \$3,869,000 of the general fund state appropriation for fiscal year 2025, and \$10,574,000 of the general fund federal appropriation are provided solely to reimburse the department of social and health services for the costs of medicaid services at a 16-bed residential treatment facility serving long-term involuntary inpatient patients. The authority and the department of social and health services must utilize case rate and cost based reimbursement models to maximize federal matching funds at the facility. Up to \$200,000 of the general fund—state appropriation for fiscal year 2024 may be used to facilitate these efforts.~~

~~((94))~~ (95) \$313,000 of the general fund—federal appropriation is provided solely to support a media campaign for Native Americans related to the prevention of substance abuse and suicide.

~~((95))~~ (96) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with up to two behavioral health agencies that are interested in offering or expanding wraparound with intensive services for children and youth. The funds may be used to support costs associated with recruitment, training, technical assistance, or other appropriate costs required to develop the capacity to offer these specialized services.

~~((96))~~ (97) \$22,000,000 of the general fund—state appropriation for fiscal year 2024 and \$22,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations to implement the statewide recovery navigator program established in chapter 311, Laws of 2021 (ESB 5476) and for related technical assistance to support this implementation. This includes funding for recovery navigator teams to provide community-based outreach and case management services based on the law enforcement assisted diversion model and for technical assistance support from the law enforcement assisted diversion national support bureau. Of the amounts provided in this subsection, \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 must be allocated to maintain recovery navigator services in King, Pierce, and Snohomish counties. These amounts must be in addition to the proportion of the allocation of the remaining funds in this subsection the regional behavioral health administrative services organizations serving those counties were allocated pursuant to section 22(1), chapter 311, Laws of 2021.

~~((97))~~ (98) \$3,114,000 of the general fund—state appropriation for fiscal year 2024, \$3,114,000 of the general fund—state appropriation for fiscal year 2025, and \$5,402,000 of the general fund—federal appropriation are provided solely for the authority to implement clubhouse services in every region of the state.

~~((98))~~ (99) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 and \$7,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to implement homeless outreach stabilization teams pursuant to chapter 311, Laws of 2021 (ESB 5476).

~~((99))~~ (100) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$2,500,000 of the general fund—state appropriation for fiscal year 2025, \$81,000 of the general fund—federal appropriation, and ~~((5,000,000))~~ \$12,280,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to expand efforts to provide opioid use disorder medication in city, county, regional, and tribal jails.

~~((100))~~ (101) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for behavioral health administrative service organizations to develop regional recovery navigator program plans pursuant to chapter 311, Laws of 2021 (ESB 5476), and to establish positions focusing on regional planning to improve access to and quality of regional behavioral health services with a focus on integrated care.

~~((101))~~ (102) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with an organization with expertise in supporting efforts to increase access to and improve quality in recovery housing and recovery residences. This funding shall be used to increase recovery housing availability through partnership with private landlords, increase accreditation of recovery residences statewide, operate a grievance process for resolving challenges with recovery residences, and conduct a recovery capital outcomes assessment for individuals living in recovery residences.

~~((102))~~ (103) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$4,000,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to provide short-term housing vouchers for individuals with substance use disorders.

~~((103))~~ (104) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for the authority to convene and provide staff and contracted services support to the recovery oversight committee established in chapter 311, Laws of 2021 (ESB 5476).

~~((104))~~ (105) \$2,565,000 of the general fund—state appropriation for fiscal year 2024 and \$2,565,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to develop and implement the recovery services plan and to carry out other requirements of chapter 311, Laws of 2021 (ESB 5476). Within these amounts, funding is provided for the authority to:

(a) Establish an occupational nurse consultant position within the authority to provide contract oversight, accountability, and performance improvement activities, and to ensure medicaid managed care organization plan compliance with provisions in law and contract related to care transitions work with local jails; and

(b) Establish a position within the authority to create and oversee a program to initiate and support emergency department programs for inducing medications for patients with opioid use disorder paired with a referral to community-based outreach and case management programs.

~~((105))~~ (106) \$400,000 of the general fund—federal appropriation is provided solely to support the development and implementation of the parent portal directed in chapter 134, Laws of 2022 (SHB 1800).

~~((106) \$23,763,000)~~ (107) \$23,148,000 of the general fund—federal appropriation is provided solely for the authority to contract with the University of Washington behavioral health teaching facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The authority must coordinate with the department of social and health services and the University of Washington to evaluate and determine criteria for the current population of state hospital patients, committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, who can be effectively treated at the University of Washington behavioral health teaching facility. The authority, in coordination with the department of social and health services and the University of Washington, must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, summarizing the numbers and types of patients that are committed to the state hospitals pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, the numbers and types that would be appropriate to be served at the University of Washington behavioral health teaching facility, and the criteria that was used to make the determination.

~~((107))~~ (108) \$444,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$716,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1515 (behavioral health contracts). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~(108))~~ (109) (a) \$320,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$796,000))~~ \$1,796,000 of the general fund—state appropriation for fiscal year 2025, and \$1,196,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1168 (prenatal substance exposure). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) Of the amounts provided in (a) of this subsection, \$500,000 of the general fund—federal appropriation is provided solely for the authority to contract with a statewide nonprofit entity with expertise in fetal alcohol spectrum disorders and experience in supporting parents and caregivers to offer free support groups for individuals living with fetal alcohol spectrum disorders and their parents and caregivers.

~~((109))~~ (110) \$91,000 of the general fund—state appropriation for fiscal year 2024, \$91,000 of the general fund—state appropriation for fiscal year 2025, and \$126,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(111) \$5,474,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$210,000 of the general fund—federal appropriation are provided solely for the authority to implement Engrossed Second Substitute House Bill No. 1134 (988 system).

(a) Within these amounts, \$4,000,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the authority to provide grants to new or existing mobile rapid response teams and to community-based crisis teams to support efforts for meeting the standards and criteria for receiving an endorsement pursuant to provisions of the bill. In awarding grants under this subsection, the authority must prioritize funding for proposals that demonstrate experience and strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

(b) Within the remaining amounts, sufficient funding is provided for the authority to conduct the actuarial analysis and development of options for payment mechanisms for rate enhancements as directed in section ~~((9 of Engrossed Second Substitute House Bill No. 1134 (988 system))~~ 9, chapter 454, Laws of 2023 and to implement other activities required by the bill.

~~((c) If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(112) \$26,854,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$17,636,000 of the general fund—federal appropriation are provided solely for the authority to expand and enhance regional crisis services. These amounts must

be used to expand services provided by mobile crisis teams and community-based crisis teams either endorsed or seeking endorsement pursuant to standards adopted by the authority. Beginning in fiscal year 2025, the legislature intends to direct amounts within this subsection to be used for performance payments to mobile rapid response teams and community-based crisis teams that receive endorsements pursuant to Engrossed Second Substitute House Bill No. 1134 (988 system).

(113) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to increase resources for behavioral health administrative service organizations and managed care organizations for the increased costs of room and board for behavioral health inpatient and residential services provided in nonhospital facilities.

(114) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a youth behavioral inpatient and outpatient program with facilities in Clark and Spokane counties that serve over 65 percent medicaid eligible clients for co-occurring substance use and mental health disorders and sexual exploitation behavioral health treatment. This funding is provided on a one-time basis and must be used for treatment and services.

(115) (~~(\$18,168,000)~~) \$36,993,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to address and remediate the opioid epidemic. Of these amounts:

(a) \$2,500,000 is provided solely for the authority to provide or contract for opioid prevention, outreach, treatment, or recovery support services that are not reimbursable under the state medicaid plan.

(b) \$500,000 is provided solely for Spanish language opioid prevention services.

(c) \$2,000,000 is provided solely to maintain prevention services that address underage drinking, cannabis and tobacco prevention, and opioid, prescription, and other drug misuse among individuals between the ages of 12 and 25.

(d) \$1,830,000 is provided solely for programs to prevent inappropriate opioid prescribing.

(e) \$538,000 is provided solely for technical support to improve access to medications for opioid use disorder in jails.

(f) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority, in coordination with the department of health, to develop and implement a health promotion and education campaign, with a focus on synthetic drug supplies, including fentanyl, and accurate harm reduction messaging for communities, law enforcement, emergency responders, and others.

(g) \$3,500,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide support funds to new and established clubhouses throughout the state.

(h) \$6,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide grants for the operational costs of new staffed recovery residences which serve individuals with substance use disorders who require more support than a level 1 recovery residence.

(i) \$1,675,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to contract with the downtown emergency service center, for the support of an opioid recovery and care access center. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(j) \$3,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to increase access to long-acting injectable buprenorphine products. The authority must use these funds to provide one-time grants to small providers that are not financially affiliated with a hospital to purchase long-acting injectable buprenorphine products. The authority shall study alternative models that will ease access to long-acting injectable buprenorphine and report recommendations to the office of financial management and the appropriate committees of the legislature by October 15, 2024.

(k) \$3,050,000 of the opioid abatement settlement account—state appropriation is provided solely for stabilization funding for current community prevention and wellness initiative programs across the state.

(l) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely to expand the number of health engagement hub pilot projects pursuant to chapter 1, Laws of 2023 sp. sess.

(m) \$750,000 of the opioid abatement settlement account—state appropriation is provided solely for additional outreach workers to support the expansion of oxford houses.

(n) \$450,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to purchase and maintain smart health machines. This purchase is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(o) \$3,700,000 of the opioid abatement settlement account—state appropriation is provided solely for five pilot programs of health care professionals that will assess and address the acute and chronic physical and behavioral health needs of people living homeless in encampments and on the streets with substance use disorders including opioid use disorder. Of the amounts provided:

(i) \$1,000,000 of the opioid abatement settlement account—state appropriation is for a grant to King county;



(ii) \$1,000,000 of the opioid abatement settlement account—state appropriation is for a grant to the city of Spokane;

(iii) \$1,000,000 of the opioid abatement settlement account—state appropriation is for a grant to the city of Tacoma;

(iv) \$500,000 of the opioid abatement settlement account—state appropriation is for a grant to the city of Everett; and

(v) \$200,000 of the opioid abatement settlement account—state appropriation is for a grant to Kitsap county.

(p) \$500,000 of the opioid abatement settlement account—state appropriation is provided solely to convene an annual tribal fentanyl summit.

(q) \$1,000,000 of the opioid abatement settlement account—state appropriation is provided solely for grants to tribes to implement the Icelandic model of prevention in their communities.

(r) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for a tribal opioid prevention campaign to inform and educate tribal communities about opioid misuse prevention, overdose response, and treatment.

(s) Of the amounts provided in this subsection, the authority may use up to 10 percent for staffing and administrative expenses.

~~((j))~~ (t) In contracting for programs and services under this subsection, the authority must consider data and implement strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

(116) \$5,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to maintain funding for ongoing grants to law enforcement assisted diversion programs outside of King county under RCW 71.24.590.

(117) \$5,500,000 of the opioid abatement settlement account—state appropriation is provided on a one-time basis solely for the authority to implement a pilot program to reimburse a licensed pediatric transitional care facility in Spokane county to provide neonatal abstinence syndrome services to infants who have prenatal substance exposure. The pilot program must study and evaluate the efficacy, outcomes, and impact of providing these services to avoid more costly medical interventions. Within these amounts, \$190,000 is provided solely for the authority to contract with Washington State University to conduct research analyzing the prevalence of neonatal abstinence syndrome and infant and maternal health outcomes associated with neonatal transitional nurseries in Washington. The university must submit a report articulating findings to the appropriate committees of the legislature by December 1, 2024. The report must identify to what extent the federal medicaid program allows for reimbursement of these services and identify the barriers in leveraging federal medicaid funding for these services in Washington's state medicaid plan.

(118) \$15,447,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to pass through to tribes and urban Indian health programs for opioid and overdose response activities. The funding must be used for prevention, outreach, treatment, recovery support services, and other strategies to address and mitigate the effects of the misuse and abuse of opioid related products. The authority must provide the tribes and urban Indian health programs the latitude to use the funding as they see fit to benefit their communities, provided the activities are allowable under the terms of the opioid settlement agreements.

(119) \$66,000 of the general fund—state appropriation for fiscal year 2024, \$502,000 of the general fund—state appropriation for fiscal year 2025, and \$171,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(120) \$190,000 of the general fund—state appropriation for fiscal year 2024, \$354,000 of the general fund—state appropriation for fiscal year 2025, and \$1,106,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5228 (behavioral health OT). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(121) \$3,605,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$1,539,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(122) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Arlington in partnership with the north county regional fire authority for a mobile integrated health pilot project. The project shall provide mobile integrated health services for residents who cannot navigate resources through typical methods through brief therapeutic intervention, biopsychosocial assessment and referral, and community care coordination.

(123) \$1,000 of the general fund—state appropriation for fiscal year 2024 is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

(124) \$300,000 of the opioid abatement settlement account—state appropriation is provided for support of a statewide safe supply work group. The purpose of the work group is to evaluate potential models for safe supply services and make recommendations on inclusion of a safe supply framework in the Washington state substance use recovery services plan to provide a regulated, tested supply of controlled substances to individuals at risk of drug overdose.

The work group membership shall be reflective of the community of individuals living with substance use disorder, including persons who are black, indigenous, and persons of color, persons with co-occurring substance use disorders and mental health conditions, as well as persons who represent the unique needs of rural communities.

(a) The work group membership shall consist of, but is not limited to, members appointed by the governor representing the following:

(i) At least one adult in recovery from substance use disorder;

(ii) At least one youth in recovery from substance use disorder;

(iii) One expert from the addictions, drug, and alcohol institute at the University of Washington;

(iv) One outreach services provider;

(v) One substance use disorder treatment provider;

(vi) One peer recovery services provider;

(vii) One recovery housing provider;

(viii) One expert in serving persons with co-occurring substance use disorders and mental health conditions;

(ix) One expert in antiracism and equity in health care delivery systems;

(x) One employee who provides substance use disorder treatment or services as a member of a labor union representing workers in the behavioral health field;

(xi) One representative of the association of Washington healthcare plans;

(xii) One representative of sheriffs and police chiefs;

(xiii) One representative of a federally recognized tribe; and

(xiv) One representative of local government.

(b) The work group's evaluation shall include, but is not limited to, the following:

(i) Examining the concept of "safe supply," defined as a legal and regulated supply of mind or body altering substances that traditionally only have been accessible through illicit markets;

(ii) Examining whether there is evidence that a proposed "safe supply" would have an impact on fatal or nonfatal overdose, drug diversion, or associated health and community impacts;

(iii) Examining whether there is evidence that a proposed "safe supply" would be accompanied by increased risks to individuals, the community, or other entities or jurisdictions;

(iv) Examining historical evidence regarding the overprescribing of opioids; and

(v) Examining whether there is evidence that a proposed "safe supply" would be accompanied by any other benefits or consequences.

(c) Staffing for the work group shall be provided by the authority.

(d) The work group shall provide a preliminary report and recommendations to the governor and the appropriate committees of the legislature by December 1, 2023, and shall provide a final report by December 1, 2024.

(125) Within existing resources, the authority shall collaborate with the department of social and health services to develop a new program for individuals admitted to a state hospital for purposes of civil commitment under RCW 10.77.086. The program must prioritize the use of assisted outpatient treatment resources for eligible individuals and draw upon existing programs, including the program of assertive community treatment and the governor's opportunity for supportive housing program to provide wraparound services for individuals who may be ready to quickly return to the community following an admission.

(126) \$820,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to Island county to maintain crisis stabilization services provided by the Ituha stabilization facility.

(127) \$760,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a one-time grant to evergreen treatment services to increase funding for three opioid treatment program mobile medication units. This grant must be used to ensure continued access to mobile medication services in critical areas to address the opioid epidemic.

(128) (a) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,035,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to solicit a provider to operate up to 40 beds at the Olympic heritage behavioral health facility and for the authority to contract with that provider to operate contracted beds beginning March 15, 2025.

(b) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to conduct a survey of provider interest to determine service options for operating up to 40 beds at the Olympic heritage behavioral health facility, with a target opening date of March 15, 2025. The primary focus of the survey shall be providers able to address the needs of adults with a history or likelihood of criminal legal involvement to reduce the number of people with behavioral health or other diagnoses accessing treatment through the criminal legal system. The survey must seek information from providers, including tribal governments, interested in offering one or more, but not limited to, the following types of services:

(i) Short-term or step down residential behavioral health care, particularly for individuals who may have received treatment or services through crisis stabilization or a 23-hour crisis facility;

(ii) Residential, transitional, or supportive services that would divert individuals from the criminal legal system or emergency departments;

(iii) Substance use or co-occurring treatment, including inpatient or outpatient programming as well as programs designed for the treatment of opioid use disorder; and

(iv) Supportive and residential services for individuals in outpatient competency restoration, subject to assisted outpatient treatment orders or released on personal recognizance while awaiting competency services.

(c) Based upon a review of the survey results and in consultation with the department of social and health services, the authority will develop a recommendation for approval from the office of financial management.

(d) No later than August 1, 2024, upon approval from the office of financial management, the authority shall release a request for proposals to operate up to 40 beds at the Olympic heritage behavioral health facility. The request for proposal shall include, but not be limited to:

(i) The proposed timeline for operations of selected service;

(ii) How the proposal would reduce the number of individuals with behavioral health needs entering the criminal legal system; and

(iii) Additional information solicited in the survey of interest.

(e) The authority must submit a report to the appropriate committees of the legislature by December 31, 2024, detailing the outcomes of the survey and request for proposals and, if applicable, the provider selected for operating the bed capacity and projections related to the provider cost of operating the contracted space.

(f) \$885,000 of the general fund—state appropriation for fiscal year 2025 provided in this subsection is provided solely for the authority to contract for services with the provider selected under (d) of this subsection. It is the intent of the legislature to align funding provided for these services with the cost of these services in the 2025 legislative session. Amounts appropriated should not be construed as minimum or maximum amounts available for contracted services and the authority must contract with the provider selected under (d) of this subsection at standard rates for the services offered.

(129) \$282,000 of the general fund—state appropriation for fiscal year 2025 and \$253,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6251 (behavioral crisis coord.). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(130) \$461,000 of the general fund—state appropriation for fiscal year 2025 and \$462,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 216. 2023 c 475 s 216 (uncodified) is amended to read as follows:

**FOR THE HUMAN RIGHTS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$4,799,000 ))
	\$4,804,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$4,720,000 ))
	\$4,726,000
General Fund—Federal Appropriation . . . . .	\$2,975,000
TOTAL APPROPRIATION . . . . .	(( \$12,494,000 ))
	\$12,505,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$448,000 of the general fund—state appropriation for fiscal year 2024 and \$420,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for investigative staff to address the commission's caseload backlog.

(2) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5186 (contracting/discrimination). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

Sec. 217. 2023 c 475 s 217 (uncodified) is amended to read as follows:

**FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

Worker and Community Right to Know Fund—State	
Appropriation . . . . .	\$10,000
Accident Account—State Appropriation . . . . .	(( \$27,516,000 ))
	\$27,520,000
Medical Aid Account—State Appropriation . . . . .	(( \$27,510,000 ))
	\$27,514,000
TOTAL APPROPRIATION . . . . .	(( \$55,036,000 ))
	\$55,044,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$650,000 of the accident account—state appropriation and \$650,000 of the medical aid account—state appropriation are provided solely for the board of appeals information system modernization project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$47,000 of the accident account—state appropriation and \$47,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(3) \$22,000 of the accident account—state appropriation and \$21,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

**Sec. 218.** 2023 c 475 s 218 (uncodified) is amended to read as follows:

**FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$53,805,000</del> ))
	<u>\$55,096,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$50,466,000</del> ))
	<u>\$58,713,000</u>
General Fund—Private/Local Appropriation. . . . .	(( <del>\$11,970,000</del> ))
	<u>\$7,901,000</u>
Death Investigations Account—State Appropriation. . . . .	\$1,708,000
Municipal Criminal Justice Assistance Account—State Appropriation. . . . .	\$460,000
Washington Auto Theft Prevention Authority Account— State Appropriation. . . . .	(( <del>\$7,167,000</del> ))
	<u>\$14,167,000</u>
Washington Internet Crimes Against Children Account— State Appropriation. . . . .	\$2,270,000
24/7 Sobriety Account—State Appropriation. . . . .	\$20,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$127,866,000</del>))</b>
	<b><u>\$140,335,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130.

(2) Funding in this section is sufficient for 75 percent of the costs of providing 23 statewide basic law enforcement trainings in each fiscal year 2024 and fiscal year 2025. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. At least three classes must be held in Spokane each year.

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(4) \$2,270,000 of the Washington internet crimes against children account—state appropriation is provided solely for the implementation of chapter 84, Laws of 2015.

(5) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the mental health field response team program administered by the Washington association of sheriffs and police chiefs. The association must distribute \$7,000,000 in grants to the phase one and phase two regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court—Western District, Cause No. 14-cv-01178-MJP. The association must submit an annual report to the Governor and appropriate committees of the legislature by September 1st of each year of the biennium. The report shall include best practice recommendations on law enforcement and behavioral health field response and include outcome measures on all grants awarded.

(6) \$899,000 of the general fund—state appropriation for fiscal year 2024 and \$899,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for crisis intervention training for the phase one regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court—Western District, Cause No. 14-cv-01178-MJP.

(7) \$1,598,000 of the death investigations account—state appropriation is provided solely for the commission to provide 240 hours of medicolegal forensic investigation training to coroners and medical examiners to meet the recommendations of the national commission on forensic science for certification and accreditation.

(8) \$346,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of chapter 321, Laws of 2021 (officer duty to intervene).

(9) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional grants to local jurisdictions to investigate instances where a purchase or transfer of a firearm was attempted by an individual who is prohibited from owning or possessing a firearm.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide grant funding to local law

enforcement agencies to support law enforcement wellness programs. Of the amount provided in this subsection:

(a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to provide grants to local law enforcement agencies for the purpose of establishing officer wellness programs. Grants provided under this subsection may be used for, but not limited to building resilience, injury prevention, peer support programs, physical fitness, proper nutrition, stress management, suicide prevention, and physical or behavioral health services. The commission must consult with a representative from the Washington association of sheriffs and police chiefs and a representative of the Washington state fraternal order of police and the Washington council of police and sheriffs in the development of the grant program.

(b) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington association of sheriffs and police chiefs to establish and coordinate an online or mobile-based application for any Washington law enforcement officer; 911 operator or dispatcher; and any other current or retired employee of a Washington law enforcement agency, and their families, to anonymously access on-demand wellness techniques, suicide prevention, resilience, physical fitness, nutrition, and other behavioral health and wellness supports.

(11) \$290,000 of the general fund—state appropriation for fiscal year 2024 and \$290,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for academy training for limited authority Washington peace officers employed by the Washington state gambling commission, Washington state liquor and cannabis board, Washington state parks and recreation commission, department of natural resources, and the office of the insurance commissioner.

(a) Up to 30 officers must be admitted to attend the basic law enforcement academy and up to 30 officers must be admitted to attend basic law enforcement equivalency academy.

(b) Allocation of the training slots amongst the agencies must be based on the earliest application date to the commission. Training does not need to commence within six months of employment.

(c) The state agencies must reimburse the commission for the actual cost of training.

(12) (~~(\$6,687,000)~~) \$6,987,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$4,668,000)~~) \$4,968,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish and provide basic law enforcement academy classes at three new regional training academies, one in Pasco, one in (~~Skagit~~) Snohomish county, and one in Clark county. Funding in this subsection is sufficient for 75 percent of the costs of providing six classes per year beginning in fiscal year 2024. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. The six classes per year are in addition to the classes in subsection (2) of this section.

(13) (~~(\$150,000)~~) \$120,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~) and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to develop plans for increasing training capacity. The planning process should include engagement with limited law enforcement agencies, tribal law enforcement representatives, and local law enforcement agencies and representatives. The criminal justice training commission will provide recommendations to the governor and the appropriate committees of the legislature in a preliminary report due November 15, 2023, and in a final report due September 30, 2024. The reports should include the following:

(a) Identifying the demand for additional basic law enforcement academy courses to support law enforcement agencies and develop a proposal to meet any identified training needs, including basic law enforcement academy and advanced training needs;

(b) A plan for how to provide basic law enforcement academy training to limited law enforcement officers and tribal law enforcement officers, including providing additional capacity for training classes. The plan should also consider alternatives for distribution of the costs of the training course; and

(c) A plan for providing at least two basic law enforcement training academy classes per year to candidates who are not yet employed with a law enforcement agency. The plan should, at a minimum, include the following:

(i) A recruitment strategy that emphasizes recruitment of diverse candidates from different geographic areas of the state; diverse race, ethnicity, gender, and sexual orientation; and candidates with diverse backgrounds and experiences including nontraditional educational programs or work experience;

(ii) Pathways from training to employment with a law enforcement agency; and

(iii) Plans to address capacity for and delivery of training.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide accreditation incentive awards.

(a) The commission may provide an accreditation incentive award totaling up to \$50,000 to each law enforcement agency that receives an accreditation during the fiscal biennium from a national or state accrediting entity recognized by the commission. The commission must divide award amounts provided pursuant to this section equally among qualifying law enforcement

agencies. A law enforcement agency may not receive more than one accreditation incentive award per fiscal biennium. Funds received by a law enforcement agency pursuant to this subsection must be made available to the law enforcement agency to which they are awarded and may not supplant or replace existing funding received by the law enforcement agency.

(b) The commission must submit a report to the legislature by June 30th of each fiscal year during the biennium that lists each law enforcement agency that received an accreditation incentive award during the fiscal year.

(15) \$1,085,000 of the general fund—state appropriation for fiscal year 2024 and \$1,040,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims & witnesses). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(16) \$236,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1132 (limited authority officers). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(17) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for body camera grant funding to local law enforcement agencies.

(a) The Washington association of sheriffs and police chiefs shall develop and implement a body-worn camera grant program. The purpose of the program is to assist law enforcement agencies to establish and expand body-worn camera programs.

(b) Law enforcement agencies may use the grants for: (i) The initial purchase, maintenance, and replacement of body-worn cameras; (ii) ongoing costs related to the maintenance and storage of data recorded by body worn cameras; (iii) costs associated with public records requests for body worn-camera footage; and (iv) hiring of personnel necessary to operate a body-worn camera program.

(c) The Washington association of sheriffs and police chiefs shall develop and implement a grant application process and review applications from agencies based on locally developed proposals to establish or expand body-worn camera programs.

(d) Law enforcement agencies that are awarded grants must:

(i) Comply with the provisions of chapter 10.109 RCW;

(ii) Demonstrate the ability to redact body-worn camera footage consistent with RCW 42.56.240 and other applicable provisions;

(iii) Provide training to officers who will wear body-worn cameras and other personnel associated with implementation of the body-worn camera program; and

(iv) Agree to comply with any data collection and reporting requirements that are established by the Washington association of sheriffs and police chiefs.

(e) The Washington association of sheriffs and police chiefs must submit an annual report regarding the grant program to the governor and appropriate committees of the legislature by December 1st of each year the program is funded. The report must be submitted in compliance with RCW 43.01.036.

(18) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(19) \$280,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for confidential secretary staff for the training bureau director and the accountability bureau director.

(20) \$694,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5780 (public defense & prosecution). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$4,446,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6242 (law enforcement training). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 219.** 2023 c 475 s 219 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF INDEPENDENT INVESTIGATIONS**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$17,037,000 ))
	\$17,049,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$17,211,000 ))
	\$18,725,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$34,248,000 ))</b>
	<b>\$35,774,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$9,383,000 of the general fund—state appropriation for fiscal year 2024 and \$9,383,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dedicated staffing at regional offices to include at least regional investigator supervisors, investigators, forensic investigators, family liaisons, and evidence technicians.

(2) \$1,124,000 of the general fund—state appropriation for fiscal year 2024 and \$1,124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with the Washington state patrol for laboratory-based testing and processing of crime scene evidence collected during investigations.

(3) \$251,000 of the general fund—state appropriation for fiscal year 2024 and \$251,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted specialized training for investigators relating to death investigations in cases involving deadly force.

(4) \$2,257,000 of the general fund—state appropriation for fiscal year 2024 and \$2,057,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for training development, additional staff training costs, crime lab processing, and contract services to include polygraphs, background checks, personnel evaluations, contracted security, and software licensing.

(5) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided for the office to pay for one-time tenant improvements necessary for a central evidence storage facility.

(6) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided for the office to pay for one-time tenant improvements for two regional offices.

**Sec. 220.** 2023 c 475 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$15,789,000))
	<u>\$17,531,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(((\$19,773,000))
	<u>\$25,217,000</u>
General Fund—Federal Appropriation . . . . .	(((\$11,470,000))
	<u>\$11,521,000</u>
Asbestos Account—State Appropriation . . . . .	\$629,000
Electrical License Account—State Appropriation . . . . .	(((\$71,526,000))
	<u>\$73,475,000</u>
Farm Labor Contractor Account—State Appropriation . . . . .	\$28,000
Opioid Abatement Settlement Account—State	
Appropriation . . . . .	\$250,000
Worker and Community Right to Know Fund—State	
Appropriation . . . . .	\$1,138,000
Construction Registration Inspection Account—State	
Appropriation . . . . .	(((\$30,754,000))
	<u>\$31,189,000</u>
Public Works Administration Account—State	
Appropriation . . . . .	(((\$18,304,000))
	<u>\$17,763,000</u>
Manufactured Home Installation Training Account—	
State Appropriation . . . . .	\$455,000
Accident Account—State Appropriation . . . . .	(((\$427,767,000))
	<u>\$432,165,000</u>
Accident Account—Federal Appropriation . . . . .	(((\$15,823,000))
	<u>\$19,953,000</u>
Medical Aid Account—State Appropriation . . . . .	(((\$414,710,000))
	<u>\$418,788,000</u>
Medical Aid Account—Federal Appropriation . . . . .	(((\$3,571,000))
	<u>\$3,920,000</u>
Plumbing Certificate Account—State Appropriation . . . . .	(((\$3,624,000))
	<u>\$3,633,000</u>
Pressure Systems Safety Account—State Appropriation . . . . .	(((\$5,065,000))
	<u>\$5,067,000</u>
Workforce Education Investment Account—State	
Appropriation . . . . .	(((\$14,200,000))
	<u>\$20,440,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$1,054,876,000))</b>
	<b><u>\$1,083,162,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(((\$4,714,000))~~\$6,756,000 of the accident account—state appropriation and ~~(((\$4,711,000))~~\$6,753,000 of the medical aid account—state appropriation are provided solely for the labor and industries workers' compensation information system replacement project and is subject to the conditions, limitations, and review provided in section 701 of this act. The department must:

(a) Submit quarterly data within 30 calendar days of the end of each quarter, effective July 1, 2023, on:

(i) The quantifiable deliverables accomplished and the amount spent by each deliverable in each of the following subprojects:

(A) Business readiness;

- (B) Change readiness;
- (C) Commercial off the shelf procurement;
- (D) Customer access;
- (E) Program foundations;
- (F) Independent assessment; and
- (G) In total by fiscal year;

(ii) All of the quantifiable deliverables accomplished by subprojects identified in (a) (i) (A) through (F) of this subsection and in total and the associated expenditures by each deliverable by fiscal month;

(iii) The contract full time equivalent charged by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, compared to the budget spending plan by month for each contracted vendor and what the ensuing contract equivalent budget spending plan by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, assumes by fiscal month;

(iv) The performance metrics by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, that are currently used, including monthly performance data; and

(v) The risks identified independently by at least the quality assurance vendor and the office of the chief information officer, and how the project:

- (A) Has mitigated each risk; and
- (B) Is working to mitigate each risk, and when it will be mitigated;

(b) Submit the report in (a) of this subsection to fiscal and policy committees of the legislature; and

(c) Receive an additional gated project sign off by the office of financial management, effective September 1, 2023. Prior to spending any project funding in this subsection each quarter, there is an additional gate of approval required for this project. The director of financial management must agree that the project shows accountability, effective and appropriate use of the funding, and that risks are being mitigated to the spending and sign off on the spending for the ensuing quarter.

(2) \$250,000 of the medical aid account—state appropriation and \$250,000 of the accident account—state appropriation are provided solely for the department of labor and industries safety and health assessment and research for prevention program to conduct research to address the high injury rates of the janitorial workforce. The research must quantify the physical demands of common janitorial work tasks and assess the safety and health needs of janitorial workers. The research must also identify potential risk factors associated with increased risk of injury in the janitorial workforce and measure workload based on the strain janitorial work tasks place on janitors' bodies. The department must conduct interviews with janitors and their employers to collect information on risk factors, identify the tools, technologies, and methodologies used to complete work, and understand the safety culture and climate of the industry. The department must produce annual progress reports through the year 2025 or until the tools are fully developed and deployed. The annual progress report must be submitted to the governor and legislature by December 1st of each year such report is due.

(3) \$258,000 of the accident account—state appropriation and \$258,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries safety and health assessment research for prevention program to conduct research to prevent the types of work-related injuries that require immediate hospitalization. The department will develop and maintain a tracking system to identify and respond to all immediate in-patient hospitalizations and will examine incidents in defined high-priority areas, as determined from historical data and public priorities. The research must identify and characterize hazardous situations and contributing factors using epidemiological, safety-engineering, and human factors/ergonomics methods. The research must also identify common factors in certain types of workplace injuries that lead to hospitalization. The department must submit a report to the governor and appropriate legislative committees by August 30, 2023, and annually thereafter, summarizing work-related immediate hospitalizations and prevention opportunities, actions that employers and workers can take to make workplaces safer, and ways to avoid severe injuries.

(4) (a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in aerospace and aerospace related supply chain industries by: Expanding the number of registered apprenticeships, preapprenticeships, and aerospace-related programs; and providing support for registered apprenticeships or programs in aerospace and aerospace-related supply chain industries.

(b) Grants awarded under this section may be used for:

- (i) Equipment upgrades or new equipment purchases for training purposes;
- (ii) New training space and lab locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations;
- (iii) Curriculum development and instructor training for industry experts;
- (iv) Tuition assistance for degrees in engineering and high-demand degrees that support the aerospace industry; and

(v) Funding to increase capacity and availability of child care options for shift work schedules.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit, nongovernmental, or institution of higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, aerospace-related degree programs, or incumbent worker training to prepare workers for the aerospace and aerospace-related supply chain industries.



(d) The department may use up to 5 percent of these funds for administration of these grants.

(5) \$3,774,000 of the accident account—state appropriation and \$890,000 of the medical aid account—state appropriation are provided solely for the creation of an agriculture compliance unit within the division of occupational safety and health. The compliance unit will perform compliance inspections and provide bilingual outreach to agricultural workers and employers.

(6) \$1,642,000 of the medical aid account—state appropriation is provided solely to cover the overhead rent costs to increase the number of labor and industry vocational specialists embedded in WorkSource offices and to implement a comprehensive quality-assurance team to ensure the continuous improvement of vocational services for injured workers through the workers' compensation program.

(7) \$1,798,000 of the public works administration account—state appropriation is provided solely to maintain expanded capacity to investigate and enforce prevailing-wage complaints.

(8) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the crime victims' compensation program to pay for medical exams for suspected victims of domestic violence. Neither the hospital, medical facility, nor victim is to pay for the cost of the medical exam. This funding must not supplant existing funding for sexual assault medical exams. If the cost of medical exams exceeds the funding provided in this subsection, the program shall not reduce the reimbursement rates for medical providers seeking reimbursement for other claimants, and instead the program shall return to paying for domestic violence medical exams after insurance.

(9) ~~(\$1,065,000)~~ (a) \$1,209,000 of the construction registration inspection account—state appropriation, ~~(\$57,000)~~ \$66,000 of the accident account—state appropriation, and ~~(\$12,000)~~ \$14,000 of the medical aid account—state appropriation are provided solely for the conveyance management system replacement project and are subject to the conditions, limitations, and review provided in section 701 of this act.

(b) \$270,000 of the construction registration inspection account—state appropriation, \$17,000 of the accident account—state appropriation, and \$3,000 of the medical aid account—state appropriation are provided solely for the maintenance and operations of the conveyance management system replacement project.

(10) \$250,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to analyze patients who are maintained on chronic opioids. The department must submit an annual report of its findings to the governor and the appropriate committees of the legislature no later than October 1st of each year of the fiscal biennium. The report shall include analysis of patient data, describing the characteristics of patients who are maintained on chronic opioids and their clinical needs, and a preliminary evaluation of potential interventions to improve care and reduce harms in this population.

(11) \$1,363,000 of the medical aid account—state appropriation is provided solely to improve access to medical and vocational providers of the workers' compensation program by expanding the use of navigators to recruit and assist providers in underserved communities and by ensuring access to high quality and reliable interpreter services.

(12) \$3,000,000 of the workforce education investment account—state appropriation, \$1,870,000 of the accident account—state appropriation, and \$330,000 of the medical aid account—state appropriation are provided solely for the department, in coordination with the Washington state apprenticeship council, to administer grants to continue the growth of behavioral health apprenticeship programs. Grants may be awarded for provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. Grant awardees must use a minimum of one-half of amounts provided to compensate behavioral health providers for employer implementation costs including mentor wage differentials, related instruction wages, and administrative costs. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(13) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the department, in coordination with the Washington state apprenticeship training council, to administer grants to address the behavioral health workforce shortage through behavioral health preapprenticeship and behavioral health entry level training, including nursing assistant certified programs. Grants may cover program costs including, but not limited to, provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(14) (a) \$300,000 of the workforce education investment account—state appropriation is provided solely for certified construction trade preapprenticeship programs that use a nationally approved multicraft curriculum and emphasize construction math, tool use, job safety, equipment, life skills, and financial literacy. The preapprenticeship programs should focus on disadvantaged, nontraditional, and underrepresented populations, and on populations

reentering the community from incarceration and houselessness. Funding provided in this subsection may be used to:

(i) Provide incentives for participation in preapprenticeship programs, such as covering program costs, providing stipends to preapprentices, or covering the costs of construction tools; or

(ii) Address barriers for participation in preapprenticeship programs, such as covering costs of child care or transportation, or facilitating interviews for apprenticeship programs.

(b) The department may use up to five percent of the amount provided in (a) of this subsection for administration of these grants.

(15)(a) \$400,000 of the workforce education investment account—state appropriation is provided solely for grants to nonprofit organizations to:

(i) Expand meatcutter registered apprenticeship and preapprenticeship programs to new locations; or

(ii) Develop a new fishmonger registered apprenticeship program.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training space and lab locations to support the expansion and establishment of apprenticeship and preapprenticeship training in new locations;

(iii) Curriculum development, including the creation of elearning content, and instructor training for apprenticeship and preapprenticeship instructors;

(iv) Tuition assistance for apprentices in registered apprenticeship programs accredited by a community or technical college;

(v) Stipends for preapprentices; and

(vi) Apprenticeship and preapprenticeship coordination and administration services.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit organization that administers or directly provides apprenticeship and preapprenticeship training opportunities, overseen by a committee with at least one labor union and one employer representative or with an active program with participation of both labor union and employer partners, for retail meatcutters and/or fishmongers.

(d) The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(16) (~~(\$6,000,000)~~) \$12,000,000 of the workforce education investment account—state appropriation is provided solely for the department to distribute funding to multiemployer nonprofit programs providing apprenticeship education and job training for general journey level (01) electricians to increase funding for related supplemental instruction costs. Funding shall be allocated to programs by formula based on delivered related supplemental instruction hours for active apprentices under chapter 49.04 RCW and operating in compliance for administrative procedures. If a program is partnered with a Washington community or technical college to deliver the related supplemental instruction, the program may apply for up to a 25 percent increase in allocated funding based on the level of contracted support provided by the college. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(17) (~~(\$1,249,000)~~) \$873,000 of the accident account—state appropriation and (~~(\$507,000)~~) \$883,000 of the medical aid account—state appropriation are provided solely for the creation of the center for work equity research. The center will study and systematically address employer and employment factors that place historically marginalized workers at increased risk for work-related injuries and illnesses and social and economic hardship.

(18) \$2,908,000 of the public works administration account—state appropriation is provided solely for system improvements to the prevailing wage program information technology system. This project is subject to the conditions, limitations, and review provided in section 701 of this act.

(19) \$205,000 of the general fund—state appropriation for fiscal year 2024 and \$205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue conducting a four-year retention study of state registered apprentices as provided in chapter 156, Laws of 2022 (apprenticeship programs). The study shall include the collection of data from all apprentices three months into their apprenticeship to understand challenges and barriers they face towards program participation. The aggregate data by trade must be displayed on a publicly available dashboard. Study data must be provided with apprenticeship coordinators to implement an early response to connect apprentices with needed supports. The department shall submit an annual report to the governor and appropriate legislative committees on June 30, 2024 and June 30, 2025.

(20) \$3,500,000 of the workforce education investment account—state appropriation is provided solely to administer a grant program intended to provide wraparound support services to mitigate barriers to beginning or participating in apprenticeship programs as described in chapter 156, Laws of 2022. Up to five percent of the total funding provided in this subsection may be used to cover administrative expenses.

(21) (~~(\$1,963,000)~~) \$1,798,000 of the accident account—state appropriation and (~~(\$797,000)~~) \$960,000 of the medical aid account—state appropriation are provided solely to expand access to worker rights and safety information for workers with limited English proficiency (LEP) through outreach and translation of safety-related information, training, and other materials. \$1,000,000 of the amount provided in this subsection is provided solely for grants to community-based organizations to provide workplace rights and safety outreach to underserved workers.

(22) \$857,000 of the accident account—state appropriation and \$855,000 of the medical aid account—state appropriation are provided solely for enhancements to the workers' compensation training modules to include strategies on reducing long-term disability among claimants.

(23) \$6,702,000 from the electrical license account—state appropriation is provided solely for an additional wage increase for all positions within the electrical construction inspector, electrical construction inspector lead, electrical inspection field supervisor/technical specialist, and electrical plans examiner job class series consistent with the July 1, 2023, range differentials, subject to an agreement between the state and the exclusive collective bargaining representative of the electrical construction inspectors.

(24) \$165,000 of the general fund—state appropriation for fiscal year 2024 and \$165,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training to continue implementation of a program aimed at reducing workplace sexual harassment in the agricultural sector. The department may use up to five percent of the amount provided in this subsection for administration of this grant. The organization receiving the grant must:

(a) Continue peer-to-peer trainings for farmworkers in Yakima county and expand to provide peer-to-peer trainings for farmworkers in Grant and Benton counties;

(b) Support an established network of peer trainings as farmworker leaders, whose primary purpose is to prevent workplace sexual harassment and assault through leadership, education, and other tools; and

(c) Share best practices from the peer-to-peer model at a statewide conference for farmworkers, industry representatives, and advocates.

(25) \$250,000 of the accident account—state appropriation and \$278,000 of the medical aid account—state appropriation is provided solely for implementation of House Bill No. 1197 (workers' comp. providers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) ~~(\$1,645,000)~~ \$1,088,000 of the public works administration account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1050 (apprenticeship utilization). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(27) ~~(\$365,000)~~ \$318,000 of the accident account—state appropriation and ~~(\$64,000)~~ \$56,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1217 (wage complaints). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(28) \$105,000 of the accident account—state appropriation and \$19,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1323 (fire-resistant materials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$239,000 of the accident account—state appropriation and \$239,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$256,000 of the construction registration inspection account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1534 (construction consumers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$1,311,000 of the accident account—state appropriation and \$243,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(32) \$431,000 of the accident account—state appropriation and \$76,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) \$560,000 of the public works administration account—state appropriation is provided solely to update computer applications for implementation of Senate Bill No. 5088 (contractor registration). This project is subject to the conditions, limitations, and review provided in section 701 of this act. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(34) \$84,000 of the accident account—state appropriation and \$84,000 of the medical aid account—state appropriation are provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(35) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5070 (nonfatal strangulation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(36) \$216,000 of the accident account—state appropriation and \$37,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5156 (farm internship program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(37) \$1,470,000 of the accident account—state appropriation and \$260,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5217 (musculoskeletal injuries/L&I). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(38) \$354,000 of the public works administration account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(39) \$234,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(40) \$230,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5111 (sick leave/construction). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(41) \$4,663,000 of the accident account—state appropriation and \$884,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(42) ~~(\$333,000)~~ \$367,000 of the accident account—state appropriation and ~~(\$333,000)~~ \$369,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(43) \$1,906,000 of the electrical license account—state appropriation is provided solely for electrical inspector staffing to expand capacity to conduct electrical inspections, effective July 1, 2024.

(44) \$200,000 of the accident account—state appropriation and \$200,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries to contract with a third-party vendor to produce a study that assesses post-traumatic stress disorder related workers' compensation policies and claims in Washington and other states. The intent of the study is to inform the department on policy and best practices that improve worker outcomes for law enforcement officers, firefighters, and nurses. The department shall submit a report describing the outcomes, best practices, and recommendations to the governor and appropriate legislative committees by June 30, 2025.

(45) \$240,000 of the workforce education investment account—state appropriation is provided solely for a grant to a statewide-serving nonprofit organization providing support services to apprentices and preapprentices for the provision of new work boots and other resources to state recognized apprenticeship preparation participants in correctional facilities and as they transition from incarceration to state registered apprenticeship programs. The work boots and other resources must be within allowable guidelines for incarcerated and community supervised individuals. The department may use up to five percent of the amount provided in this subsection for administration of this grant.

(46) \$300,000 of the surgical smoke evacuation nonappropriated account—state appropriation is provided solely to implement the reimbursement requirements established in chapter 129, Laws of 2022.

(47) (a) \$470,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of labor and industries to conduct a study to evaluate all construction-related training programs in Washington correctional facilities and to provide recommendations to strengthen and expand the state recognized preapprenticeship options in construction in those facilities and transitional supports toward enrollment in state registered apprenticeship programs, and to establish a work group facilitated by the department to help guide the development of the study and report on the study findings and recommendations. The work group shall include representatives from the department of corrections, the state board for community and technical colleges, the Washington student achievement council, an organization representing building trades labor organizations, the department of children, youth, and families, and construction-related registered apprenticeship programs. A report detailing the study and the associated recommendations must be submitted to the governor and appropriate committees of the legislature by December 1, 2024.

(b) Of the amount provided in (a) of this subsection:

(i) Up to \$150,000 is provided solely to compensate employers for their participation in the work group. The total amount available per employer is \$5,000.

(ii) Up to \$60,000 is provided to cover information technology and data costs for the state board for community and technical colleges and the department of corrections.

(iii) Up to \$50,000 is provided solely for the department to host an apprenticeship coordinator summit in partnership with college corrections navigator and department of corrections.

(48) \$175,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with the municipal research and services center to conduct a public works study. The study shall evaluate the application of public works requirements, including prevailing wage and apprentice utilization, on publicly funded construction, including those supported in part or in whole with state funds, the granting or

loaning of public dollars, and tax deferrals or reimbursements. The department may use up to five percent of these funds for administration. A report to the relevant committees of the legislature shall be submitted by June 30, 2025.

(49) \$100,000 of the medical aid account—state appropriation and \$100,000 of the accident account—state appropriation are provided solely for the staffing of a resolution process for complaints regarding light duty work under Title 51 RCW. The department shall submit a report to the appropriate committees of the legislature by June 30, 2025, on outcomes related to this funding and data regarding light duty resolution processes provided in this subsection.

(50) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to survey registered apprenticeship programs and assimilate data that documents the fee structure and contractual elements of partnerships between the various registered apprenticeship programs and community and technical college system. This information will be used to inform a report and recommendations to the legislature on registered apprenticeship funding and how this funding is directed to community and technical colleges. The department shall submit a report to the legislature summarizing the survey findings by November 15, 2024.

(51) Within the amounts provided in this section, the department of labor and industries shall provide support to the underground economy task force created in section 906 of this act.

(52) \$187,000 of the medical aid account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5368 (stay-at-work program). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(53) \$479,000 of the accident account—state appropriation and \$102,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5793 (paid sick leave). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(54) \$8,000 of the plumbing certificate account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5997 (plumbing hours reporting). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(55) \$477,000 of the accident account—state appropriation and \$84,000 of the medical account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(56) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$139,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 6069 (retirement savings). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(57) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$471,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5937 (crime victims/witnesses). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 221.** 2023 c 475 s 221 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

(1) The appropriations in this section are subject to the following conditions and limitations:

(a) The department of veterans affairs shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys that are unrelated to the coronavirus response and not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys that are unrelated to the coronavirus response, those moneys must be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(b) Each year, there is fluctuation in the revenue collected to support the operation of the state veteran homes. When the department has foreknowledge that revenue will decrease, such as from a loss of census or from the elimination of a program, the legislature expects the department to make reasonable efforts to reduce expenditures in a commensurate manner and to demonstrate that it has made such efforts. In response to any request by the department for general fund—state appropriation to backfill a loss of revenue, the legislature shall consider the department's efforts in reducing its expenditures in light of known or anticipated decreases to revenues.

(2) HEADQUARTERS

General Fund—State Appropriation (FY 2024) . . . . .	( <del>\$4,932,000</del> )
	\$4,974,000
General Fund—State Appropriation (FY 2025) . . . . .	( <del>\$4,978,000</del> )
	\$5,022,000

Charitable, Educational, Penal, and Reformatory Institutions Account—State Appropriation. . . . .	\$10,000
<b>TOTAL APPROPRIATION</b> .....	<b><u>(\$9,920,000)</u></b> <b><u>\$10,006,000</u></b>

(3) FIELD SERVICES

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$10,998,000</del> ))
	<u>\$11,016,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$10,860,000</del> ))
	<u>\$10,879,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$10,323,000</del> ))
	<u>\$10,328,000</u>
General Fund—Private/Local Appropriation. . . . .	(( <del>\$6,538,000</del> ))
	<u>\$6,542,000</u>
Veteran Estate Management Account—Private/Local Appropriation. . . . .	(( <del>\$717,000</del> ))
	<u>\$718,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b><u>(\$39,436,000)</u></b> <b><u>\$39,483,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5358 (veterans' services). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~) Of the amounts provided in this subsection:

(i) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one veterans service officer each in Island county, Walla Walla county, Clallam county, and Stevens county.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with an organization located in Thurston county that has experience in the delivery of no-cost equine therapy for military veterans and active members of the military.

(c) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(4) STATE VETERANS HOMES PROGRAM

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$25,818,000</del> ))
	<u>\$26,775,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$20,386,000</del> ))
	<u>\$19,995,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$127,227,000</del> ))
	<u>\$136,122,000</u>
General Fund—Private/Local Appropriation. . . . .	(( <del>\$17,330,000</del> ))
	<u>\$11,957,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b><u>(\$190,761,000)</u></b> <b><u>\$194,849,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) If the department receives additional unanticipated federal resources that are unrelated to the coronavirus response at any point during the remainder of the 2023-2025 fiscal biennium, an equal amount of general fund—state must be placed in unallotted status so as not to exceed the total appropriation level specified in this subsection. The department may submit as part of the policy level budget submittal documentation required by RCW 43.88.030 a request to maintain the general fund—state resources that were unallotted as required by this subsection.

(b) Appropriations have been adjusted in this section to reflect anticipated changes in state, federal, and local resources as a result of census changes. The department shall incorporate these adjustments in the governor's projected maintenance level budget required in RCW 43.88.030.

(5) CEMETERY SERVICES

General Fund—State Appropriation (FY 2024). . . . .	\$167,000
General Fund—State Appropriation (FY 2025). . . . .	\$169,000
General Fund—Federal Appropriation. . . . .	\$1,055,000
<b>TOTAL APPROPRIATION</b> .....	<b><u>\$1,391,000</u></b>

**Sec. 222.** 2023 c 475 s 222 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$168,127,000</del> ))
	<u>\$193,235,000</u>

General Fund—State Appropriation (FY 2025)	(((\$148,005,000))
	<u>\$174,686,000</u>
General Fund—Federal Appropriation	(((\$589,208,000))
	<u>\$602,409,000</u>
General Fund—Private/Local Appropriation	(((\$174,244,000))
	<u>\$187,720,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$11,863,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	(((\$12,356,000))
	<u>\$12,368,000</u>
Climate Commitment Account—State Appropriation	(((\$89,552,000))
	<u>\$90,880,000</u>
Climate Investment Account—State Appropriation	\$902,000
Foundational Public Health Services Account—State Appropriation	\$23,066,000
Hospital Data Collection Account—State Appropriation	\$592,000
Health Professions Account—State Appropriation	(((\$192,069,000))
	<u>\$195,627,000</u>
Aquatic Lands Enhancement Account—State Appropriation	\$642,000
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation	\$10,175,000
Medicaid Fraud Penalty Account—State Appropriation	\$3,027,000
Natural Climate Solutions Account—State Appropriation	\$72,000
<del>(Public Health Supplemental Account—State Appropriation</del>	<del>(((\$293,000))</del>
Safe Drinking Water Account—State Appropriation	(((\$8,946,000))
	<u>\$8,951,000</u>
Drinking Water Assistance Account—Federal Appropriation	(((\$25,867,000))
	<u>\$25,884,000</u>
Waterworks Operator Certification Account—State Appropriation	\$2,089,000
Drinking Water Assistance Administrative Account—State Appropriation	\$2,480,000
Site Closure Account—State Appropriation	\$197,000
Biotoxin Account—State Appropriation	\$1,773,000
Model Toxics Control Operating Account—State Appropriation	(((\$8,953,000))
	<u>\$15,494,000</u>
Medical Test Site Licensure Account—State Appropriation	\$5,239,000
Secure Drug Take-Back Program Account—State Appropriation	\$1,474,000
Youth Tobacco and Vapor Products Prevention Account—State Appropriation	\$3,273,000
Public Health Supplemental Account—Private/Local Appropriation	(((\$3,824,000))
	<u>\$4,118,000</u>
Accident Account—State Appropriation	\$388,000
Medical Aid Account—State Appropriation	\$58,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation	(((\$42,865,000))
	<u>\$53,045,000</u>
Coronavirus State Fiscal Recovery Fund—Federal Appropriation	(((\$27,022,000))
	<u>\$22,000</u>
Opioid Abatement Settlement Account—State Appropriation	(((\$7,400,000))
	<u>\$10,773,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(((\$1,566,041,000))</b>
	<b><u>\$1,642,522,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal

moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) During the 2023-2025 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to \$25 annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(3) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt license and certification fees in fiscal years 2024 and 2025 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(4) Within the amounts appropriated in this section, and in accordance with RCW 70.41.100, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 70.41.080.

(5) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt fees for the review and approval of mental health and substance use disorder treatment programs in fiscal years 2024 and 2025 as necessary to support the costs of the regulatory program. The department's fee schedule must have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(6) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(7) Within the amounts appropriated in this section, and in accordance with RCW 43.70.110 and 71.12.470, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 71.12.485.

(8) \$492,000 of the general fund—state appropriation for fiscal year 2024 and \$492,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with local health jurisdictions to establish and maintain comprehensive group B programs to ensure safe drinking water. These funds shall be used for implementation costs, including continued development and adoption of rules, policies, and procedures; technical assistance; and training.

(9) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community outreach to prepare culturally and linguistically appropriate hepatitis B information in a digital format to be distributed to ethnic and cultural leaders and organizations to share with foreign-born and limited or non-English speaking community networks.

(10) Within amounts appropriated in this section, the Washington (~~nursing commission~~) board of nursing must hire sufficient staff to process applications for nursing licenses so that the time required for processing does not exceed seven days.

(11) \$725,000 of the general fund—state appropriation for fiscal year 2024 and \$725,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington poison center. This funding is provided in addition to funding pursuant to RCW 69.50.540.

(12) \$622,000 of the general fund—state appropriation for fiscal year 2024, \$622,000 of the general fund—state appropriation for fiscal year 2025, and \$3,000,000 of the medicaid fraud penalty account—state appropriation are provided solely for the ongoing operations and maintenance of the prescription monitoring program maintained by the department.



(13) \$2,265,000 of the general fund—state appropriation for fiscal year 2024 and \$2,265,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

(a) Staffing by the department, the department of veterans affairs, and the department of corrections to expand statewide suicide prevention efforts, which efforts include suicide prevention efforts for military service members and veterans and incarcerated persons;

(b) A suicide prevention public awareness campaign to provide education regarding the signs of suicide, interventions, and resources for support;

(c) Staffing for call centers to support the increased volume of calls to suicide hotlines;

(d) Training for first responders to identify and respond to individuals experiencing suicidal ideation;

(e) Support for tribal suicide prevention efforts;

(f) Strengthening behavioral health and suicide prevention efforts in the agricultural sector;

(g) Support for the three priority areas of the governor's challenge regarding identifying suicide risk among service members and their families, increasing the awareness of resources available to service members and their families, and lethal means safety planning;

(h) Training for community health workers to include culturally informed training for suicide prevention;

(i) Coordination with the office of the superintendent of public instruction; and

(j) Support for the suicide prevention initiative housed in the University of Washington.

(14) ~~(\$4,500,000)~~ \$4,600,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,500,000)~~ \$4,600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the fruit and vegetable incentives program. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are for the fruit and vegetable prescription program, which provides food as medicine to individuals experiencing food insecurity or are at high risk of developing a chronic health condition.

(15) \$627,000 of the general fund—state appropriation for fiscal year 2024 and \$627,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the recommendations from the community health workers task force to provide statewide leadership, training, and integration of community health workers with insurers, health care providers, and public health systems.

(16) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington ~~((nursing commission))~~ board of nursing to manage a grant process to incentivize nurses to supervise nursing students in health care settings. The goal of the grant program is to create more clinical placements for nursing students to complete required clinical hours to earn their nursing degree and related licensure.

(17) \$1,490,000 of the health professional services account—state appropriation is provided solely for the Washington ~~((nursing commission))~~ board of nursing to continue to implement virtual nursing assistant training and testing modalities, create an apprenticeship pathway into nursing for nursing assistants, implement rule changes to support a career path for nursing assistants, and collaborate with the workforce training and educational coordinating board on a pilot project to transform the culture and practice in long term care settings. The goal of these activities is to expand the nursing workforce for long term care settings.

(18) \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to test for lead in child care facilities to prevent child lead exposure and to research, identify, and connect facilities to financial resources available for remediation costs.

(19) \$814,000 of the general fund—state appropriation for fiscal year 2024 and \$814,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to support school-based health centers and behavioral health services.

(20) \$1,300,000 of the general fund—state appropriation for fiscal year 2024 and \$1,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate and lead a multi-agency approach to youth suicide prevention and intervention.

(21)(a) \$486,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the community health worker platform and continued implementation of the community health worker trainings in the pediatric setting for children with behavioral health needs.

(b) Of the amounts provided in this subsection for fiscal year 2024, \$250,000 is provided solely for a grant to a pediatric organization to convene a learning collaborative to support community health workers to ensure their success while on the job with their multidisciplinary clinic teams and for the development of this new integrated health care worker field.

(22) \$1,390,000 of the general fund—state appropriation for fiscal year 2024 and \$1,378,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the child profile health promotion notification system.

(23) \$5,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone to first responders and agency staff in organizations such as syringe service programs, house providers, and street outreach programs.

(24) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to remediate the impacts of the opioid epidemic. This funding must be used consistent with conditions of the opioid settlement agreements that direct how funds deposited into the opioid abatement settlement account created in Engrossed Substitute Senate Bill No. 5293 must be used.

(25) \$400,000 of the opioid abatement settlement account—state appropriation is provided solely for the completion of work identified in the state opioid response plan related to maternal and infant health.

(26)(a) \$10,000,000 of the climate commitment account—state appropriation is provided solely to support and administer a workplace health and safety program for workers who are affected by climate impacts, including but not limited to, extreme heat and cold, wildfire smoke, drought, and flooding. This program will focus on workplace health and safety for farmworkers, construction workers, and other workers who face the most risk from climate-related impacts. This amount shall be limited to supporting vulnerable populations in overburdened communities under the climate commitment act as defined in RCW 70A.65.010. Funding shall be provided for:

(i) Pass through grants to community-based organizations, tribal governments, and tribal organizations to support workplace health and safety for workers who are burdened by the intersection of their work and climate impacts; and

(ii) Procurement and distribution of equipment and resources for workers who are burdened by the intersection of their work and climate impacts directly by the department of health, or through pass-through grants to community-based organizations, tribal governments, and tribal organizations. Equipment and resources may include but are not limited to: Personal protective equipment, other protective or safety clothing for cold and heat, air purifiers for the workplace or worker housing, protection from ticks and mosquitoes, and heating and cooling devices.

(b) The department of health, in consultation with the environmental justice council, community groups, and the department of labor and industries, shall evaluate mechanisms to provide workers with financial assistance to cover lost wages or other financial hardships caused by extreme weather events and climate threats.

(c) No more than five percent of this funding may be used to administer this grant program.

(27) (~~(\$5,996,000)~~)\$7,174,000 of the climate commitment account—state appropriation, of which \$1,178,000 takes effect January 1, 2025, is provided solely for the department to implement the healthy environment for all act under chapter 70A.02 RCW, including additional staff and support for the environmental justice council and implementation of a community engagement plan.

(28)(a) \$26,355,000 of the climate commitment account—state appropriation is provided solely for the department to administer capacity grants to tribes and tribal organizations and to overburdened communities and vulnerable populations to provide guidance and input:

(i) To agencies and to the environmental justice council on implementation of the healthy environment for all act; and

(ii) To the department on updates to the environmental health disparities map.

(b) At least 50 percent of the total amount distributed for capacity grants in this subsection must be reserved for grants to tribes and tribal organizations.

(c) Funding provided in this subsection may be used for tribes and tribal organizations to hire staff or to contract with consultants to engage in updating the environmental health disparities map or on implementing the healthy environment for all act.

(d) The department may use a reasonable amount of funding provided in this subsection to administer the grants.

(29) \$17,752,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to sustain information technology infrastructure, tools, and solutions developed to respond to the COVID-19 pandemic. The department shall submit a plan to the office of financial management by September 15, 2023, that identifies a new funding strategy to maintain these information technology investments within the department's existing state, local, and federal funding. Of this amount, a sufficient amount is appropriated for the department to create an implementation plan for real-time bed capacity and tracking for hospitals and skilled nursing facilities, excluding behavioral health hospitals and facilities. The department will provide the implementation plan and estimated cost for an information technology system and implementation costs to the office of financial management by September 15, 2023, for the bed capacity and tracking tool.

(30) \$20,000,000 of the (~~(coronavirus state fiscal recovery fund federal)~~)general fund—state appropriation for fiscal year 2024 is provided solely to support COVID-19 public health and response activities. The department must continue to distribute COVID-19 testing supplies to agricultural workers and tribal governments. The department must submit a spending plan to

the office of financial management for approval. These funds may only be allocated and expended after approval of the spending plan.

(31) \$7,657,000 of the general fund—state appropriation for fiscal year 2024 and \$7,853,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs and grants to maintain access to abortion care. Of the amounts provided in this subsection:

(a) \$2,939,000 of the general fund—state appropriation for fiscal year 2024 and \$2,939,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care;

(b) \$368,000 of the general fund—state appropriation for fiscal year 2024 and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for outreach, patient navigation, staffing at the department, and training;

(c) \$4,100,000 of the general fund—state appropriation for fiscal year 2024 and \$4,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care who participate in the department's sexual and reproductive health program for workforce retention and recruitment initiatives to ensure continuity of services; and

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care that participate in the department's sexual and reproductive health program for security investments.

(32) \$285,000 of the general fund—state appropriation for fiscal year 2024, \$295,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—private/local appropriation are provided solely for the behavioral health agency program for licensure and regulatory activities.

(33) \$104,000 of the general fund—state appropriation for fiscal year 2024, \$104,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the health professions account—state appropriation are provided solely for the department to conduct credentialing and inspections under chapter 324, Laws of 2019 (behavioral health facilities).

(34) ~~(\$3,298,000)~~ \$1,398,000 of the general fund—state appropriation for fiscal year 2024 ~~((=))~~ and \$1,900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the breast, cervical and colon screening program, comprehensive cancer community partnerships, and Washington state cancer registry.

(35) \$85,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for continued implementation of chapter 58, Laws of 2022 (cardiac & stroke response).

(36) \$671,000 of the general fund—state appropriation for fiscal year 2024 and \$329,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the care-a-van mobile health program.

(37) \$702,000 of the climate investment account—state appropriation is provided solely for implementation of chapter 316, Laws of 2021 (climate commitment act).

(38) \$200,000 of the climate investment account—state appropriation is provided solely for the environmental justice council to coordinate with the department of ecology on a process to track state agency expenditures from climate commitment act accounts, as described in section 302(13) of this act. Funding is for the following as they relate to development of the department of ecology process:

(a) Public engagement with tribes and vulnerable populations within the boundaries of overburdened communities; and

(b) Cost recovery or stipends for participants in the public process to reduce barriers to participation, as described in RCW 43.03.220.

(39) \$31,000 of the general fund—state appropriation for fiscal year 2024 and \$31,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 204, Laws of 2022 (truck drivers/restrooms).

(40) \$808,000 of the drinking water assistance administrative account—state appropriation is provided solely for the water system consolidation grant program.

(41) \$1,044,000 of the safe drinking water account—state appropriation is provided solely for the drinking water technical services program.

(42) \$288,000 of the secure drug take-back program account—state appropriation is provided solely for implementation of chapter 155, Laws of 2021 (drug take-back programs).

(43) \$7,146,000 of the drinking water assistance account—federal appropriation is provided solely for the office of drinking water to provide technical assistance, direct engineering support, and construction management to small water systems.

(44) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$607,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the early hearing detection, diagnosis, and intervention program.

(45) \$954,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(46) ~~(\$12,466,000)~~ \$26,096,000 of the health professions account—state appropriation is provided solely for the regulation of health professions.

(47) \$599,000 of the health professions account—state appropriation is provided solely for ongoing maintenance of the HEALWA web portal to provide access to health information for health care providers.

(48) \$1,359,000 of the general fund—state appropriation for fiscal year 2024, \$680,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—private/local appropriation are provided solely for the department to perform investigations to address the backlog of hospital complaints.

(49) \$12,000 of the health professions account—state appropriation is provided solely for implementation of chapter 204, Laws of 2021 (international medical grads).

(50) \$634,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to onboard systems to, and maintain, the master person index as part of the health and human services coalition master person index initiative, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(51) \$2,062,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete upgrades to the medical cannabis authorization database to improve reporting functions and accessibility, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(52) \$1,865,000 of the medical test site licensure account—state appropriation is provided solely for the medical test site licensure regulatory program for inspections and other regulatory activities.

(53) \$2,276,000 of the health professions account—state appropriation is provided solely for the (~~nursing care quality assurance commission~~) Washington board of nursing for nursing licensure and other regulatory activities.

(54) \$813,000 of the general fund—state appropriation for fiscal year 2024 and \$811,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to assist with access to safe drinking water for homes and businesses with individual wells or small water systems that are contaminated.

(55) \$146,000 of the model toxics control operating account—state appropriation is provided solely for implementation of chapter 264, Laws of 2022 (chemicals/consumer products).

(56) \$1,150,000 of the general fund—state appropriation for fiscal year 2024 and \$1,150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand the birth equity project with the goal of reducing prenatal and perinatal health disparities.

(57) \$1,738,000 of the general fund—private/local appropriation is provided solely for implementation of chapter 115, Laws of 2020 (psychiatric patient safety).

(58) \$23,066,000 of the foundational public health services account—state appropriation is provided solely for the department to maintain the RAINIER (reporting array for incident, noninfectious and infectious event response) suite, RHINO (rapid health information network) program, WAIIS (Washington immunization information system) system, and data exchange services.

(59) \$7,000,000 of the general fund—state appropriation for fiscal year 2024, \$7,355,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$7,022,000)~~) \$22,000 of the coronavirus state fiscal recovery—federal appropriation are provided solely for operation of the statewide medical logistics center. Within these amounts, the department must coordinate with the department of social and health services to develop processes that will minimize the disposal and destruction of personal protective equipment and for interagency distribution of personal protective equipment.

(60) \$315,000 of the general fund—state appropriation for fiscal year 2024 and \$315,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the universal development screening system.

(61) \$2,000,000 of the health professions account—state appropriation and \$293,000 of the public health supplemental account—state appropriation are provided solely for the Washington medical commission for regulatory activities, administration, and addressing equity issues in processes and policies.

(62) (~~(\$200,000)~~) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the Washington medical coordination center, to create an implementation plan for real-time bed capacity and tracking for hospitals. The department must provide the implementation plan and estimated costs for the bed capacity and tracing tool to the office of the governor and the office of financial management by (~~(September 15, 2023)~~) September 1, 2024.

(63) \$48,000 of the model toxics control operating account—state appropriation is provided solely for the Puget Sound clean air agency to coordinate meetings with local health jurisdictions in King, Pierce, Snohomish, and Kitsap counties to better understand air quality issues, align messaging, and facilitate delivery of ready-to-go air quality and health interventions. The amount provided in this subsection may be used for agency staff time, meetings and events, outreach materials, and tangible air quality and health interventions.

(64) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than \$525 annually for new or renewed licenses for the midwifery program.

(65) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of radiation protection to conduct a review of the state's readiness for licensing fusion energy projects. The legislature intends for Washington to support the deployment of fusion energy projects and larger research facilities by taking a leading role in the licensing of future fusion power plants. The department, in consultation with relevant state-level regulatory agencies, must review and provide recommendations and costs estimates for the necessary staffing and technical resources to fulfill the state's registration, inspection, and licensure obligations. The department must report its findings and any recommendations to the governor and appropriate legislative committees by December 1, 2023.

(66) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for blood supply relief. The department must distribute this amount equally between the four largest nonprofit blood donation organizations operating in the state. The amounts distributed may be used only for activities to rebuild the state's blood supply, including increased staffing support for donation centers and mobile blood drives.

(67) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for tobacco, vapor product, and nicotine control, cessation, treatment, and prevention, and other substance use prevention and education, with an emphasis on community-based strategies. These strategies must include programs that consider the disparate impacts of nicotine addiction on specific populations, including youth and racial or other disparities.

(68) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for an existing program that works with community members and partners to bridge health equity gaps to establish a pilot health care program in Pierce county to serve the unique needs of the African American community, including addressing diabetes, high blood pressure, low birth weight, and health care for preventable medical, dental, and behavioral health diagnoses.

(69) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Island county to contract for a study of cost-effective waste treatment solutions, as an alternative to septic and sewer, for unincorporated parts of Island county. The study must:

(a) Identify any regulatory barriers to the use of alternative technology-based solutions;

(b) Include an opportunity for review and consultation by the department; and

(c) Include any recommendations from the department in the final report.

(70) \$2,656,000 of the general fund—private/local appropriation is provided solely for the department to provide cystic fibrosis DNA testing and to engage with a courier service to transport specimens to the public health laboratory.

(71) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely in support of the department's activities pursuant to chapter 226, Laws of 2016 (commonly known as the caregiver advise, record, enable act). This funding must be used to:

(a) Create a communication campaign to notify hospitals across the state of available resources to support family caregivers;

(b) Curate or create a set of online training videos on common caregiving tasks including, but not limited to, medication management, injections, nebulizers, wound care, and transfers; and

(c) Provide information to patients and family caregivers upon admission.

(72) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1275 (athletic trainers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(73) \$126,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1001 (audiology & speech compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(74) \$9,157,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(75) \$1,016,000 of the general fund—state appropriation for fiscal year 2024, \$453,000 of the general fund—state appropriation for fiscal year 2025, \$30,000 of the general fund—private/local appropriation, and \$676,000 of the health professions account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$72,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(77) \$418,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(78) \$46,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1466 (dental auxiliaries). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(79) \$12,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1287 (dental hygienists). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(80) \$136,000 of the general fund—state appropriation for fiscal year 2025 and \$193,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1678 (dental therapists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(81) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1576 (dentist compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(82) \$4,000 of the general fund—state appropriation for fiscal year 2025 and \$700,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1503 (health care licenses/info.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(83) \$29,000 of the general fund—state appropriation for fiscal year 2024 and \$124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1255 (health care prof. SUD prg.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(84) \$48,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1694 (home care workforce shortage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(85) \$282,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1039 (intramuscular needling). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(86) \$1,892,000 of the general fund—state appropriation for fiscal year 2024 and \$2,895,000 of the general fund—private/local appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(87) \$407,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(88) \$65,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1073 (medical assistants). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(89) \$447,000 of the general fund—state appropriation for fiscal year 2024 and \$448,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(90) \$195,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor comp). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(91) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(92) ~~(\$400,000)~~ \$165,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$165,000)~~ \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1457 (motor carriers/restrooms). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(93) \$126,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$102,000)~~ \$202,000 of the general fund—state appropriation for fiscal year 2025, and \$81,000 of the health professions account—state appropriation are provided solely for implementation of Substitute House Bill No. 1247 (music therapists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(94) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1271 (organ transport vehicles). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(95) ~~(\$862,000)~~ \$627,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$526,000)~~ \$761,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1470 (private detention facilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(96) \$97,000 of the general fund—state appropriation for fiscal year 2024 and \$27,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1230 (school websites/drug info.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(97) \$77,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(98) \$2,773,000 of the general fund—state appropriation for fiscal year 2024 and \$2,773,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grant funding and administrative costs for the school-based health center program established in chapter 68, Laws of 2021 (school-based health centers).

(99) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based nonprofit organization located in the Yakima Valley to continue a Spanish-language public radio media campaign aimed at providing education on the COVID-19 pandemic through an outreach program. The goal of the radio media campaign is to reach residents considered "essential workers," including but not limited to farmworkers, and provide information on health and safety guidelines, promote vaccination events, and increase vaccine confidence. The nonprofit organization must coordinate with medical professionals and other stakeholders on the content of the radio media campaign. The department, in coordination with the nonprofit, must provide a preliminary report to the legislature no later than December 31, 2024. A final report to the legislature must be submitted no later than June 30, 2025. Both reports must include: (a) A description of the outreach program and its implementation; (b) the number of individuals reached through the outreach program; and (c) any relevant demographic data regarding those individuals.

(100) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an equity consultant to evaluate the effect of changes made by, and vulnerabilities in, Engrossed Substitute Senate Bill No. 5179 (death with dignity act). The consultant shall partner with interested parties, vulnerable populations, and communities of color to solicit feedback on barriers to accessing the provisions of the act, any unintended consequences, and any challenges and vulnerabilities in the provision of services under the act, recommendations on ways to improve data collection, and recommendations on additional measures to be reported to the department. The department must report the findings and recommendations to the legislature by June 30, 2025.

(101) \$350,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a rural nursing workforce initiative to create a hub for students to remain in rural environments while working toward nursing credentials, including for program personnel, support, and a rural nursing needs assessment. Funding is provided to develop a program based on the rural nursing needs assessment.

(102)(a) \$1,393,000 of the climate commitment account—state appropriation is provided solely for grants to King county to address the disproportionate rates of asthma among children who reside within 10 miles of the Seattle-Tacoma international airport.

(b) Of the amount provided in this subsection, \$971,000 is provided to increase access to community health worker asthma interventions.

(c) Of the amount provided in this subsection, \$412,000 is for an independent investigation of the added benefit of indoor air quality interventions, including high efficiency particulate air filters, on disparities in indoor air pollution.

(d) Of the amount provided in this subsection, \$10,000 is for a regional data analysis and surveillance of asthma diagnoses and hospitalizations in King county.

(e) The county may contract with the University of Washington for the work described in (c) and (d) of this subsection.

(103) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the collaboration between the local public health jurisdiction, related accountable communities of health, and health care providers to reduce potentially preventable hospitalizations in Pierce county. This collaboration will build from the first three years of the project, planning to align care coordination efforts across health care systems and support the related accountable communities of health initiatives, including innovative, collaborative models of care. Strategies to reduce costly hospitalizations include the following: (a) Working with partners to prevent chronic disease; (b) improving heart failure rates; (c) incorporating community health workers as part of the health care team and improving care coordination; (d) supporting the COVID-19 response with improved access to immunizations; and (e) the use of community health workers to provide necessary resources to prevent hospitalization of people who are in isolation and quarantine. By December 15, 2024, the members of the collaboration shall report to the legislature regarding the effectiveness of each of the strategies identified in this subsection. In addition, the report shall describe the most significant challenges and make further recommendations for reducing costly hospitalizations.

(104) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based organization to host a deliberative democratic processes workshop for the HEAL act interagency work group established under RCW 70A.02.110, then develop, in consultation with environmental justice council or its staff, best practices for how agencies can incorporate deliberative democratic processes into community engagement practices.

(105) \$1,305,000 of the climate commitment account—state appropriation is provided solely for the climate health adaptation initiative.

(106) \$65,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5179 (death with dignity act). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(107) \$604,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(108) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5389 (optometry). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(109) \$1,205,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(110) \$30,000 of the general fund state—appropriation for fiscal year 2024, \$25,000 of the general fund—state appropriation for fiscal year 2025, and \$52,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5547 (nursing pool transparency). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(111) \$32,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute Senate Bill No. 5569 (kidney disease centers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(112) \$446,000 of the general fund—state appropriation for fiscal year 2024 and \$441,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5453 (female genital mutilation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(113) \$466,000 of the general fund—state appropriation for fiscal year 2024 and \$487,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5278 (home care aide certification). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(114) \$131,000 of the general fund—state appropriation for fiscal year 2024 and \$91,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5523 (forensic pathologist). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(115) \$36,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(116) \$339,000 of the general fund—state appropriation for fiscal year 2024 and \$485,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(117) \$198,000 of the general fund—private/local appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5120 (crisis relief centers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(118) \$125,000 of the general fund—state appropriation for fiscal year 2024, \$207,000 of the general fund—state appropriation for fiscal year 2025, and \$133,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(119) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of health to provide grants to federally qualified health centers (FQHCs) for the purchase of long-acting reversible contraceptives (LARCs). For LARCs purchased with the funding provided in this subsection, FQHCs shall provide patients with LARCs the same day they are seeking that family planning option.

(a) The department shall develop criteria for how the grant dollars will be distributed, including that FQHCs are required to participate in contraceptive training related to patient-centered care, shared decision making, and reproductive bias and coercion.

(b) The department shall survey the FQHCs participating in the grant program regarding the use of LARCs by their patients, as compared to the two years prior to participation in the grant program, and report the results of the survey to the appropriate committees of the legislature by December 1, 2025.

(120) \$63,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to utilize materials from the "count the kicks" program in designing, preparing, and making available online written materials to inform health care providers and staff of evidence-based research and practices that reduce the incident of stillbirth, by December 31, 2023.



(121) \$351,000 of the general fund—state appropriation for fiscal year 2024 and \$624,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Snohomish county health department to convene a leadership planning group that will:

(a) Conduct a landscape analysis of current sexually transmitted infection, postexposure prophylaxis, preexposure prophylaxis, and hepatitis B virus services and identify treatment improvements for HIV preexposure prophylaxis;

(b) Establish sexually transmitted infection clinical services at the Snohomish county health department and identify opportunities to expand sexual health services provided outside of clinical settings;

(c) Conduct research on opportunities to expand jail-based sexual health services;

(d) Establish an epidemiology and technical team;

(e) Expand field-based treatment for syphilis; and

(f) Establish an in-house comprehensive, culturally responsive sexual health clinic at the Snohomish county health department.

(122) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$53,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(123) \$5,496,000 of the climate commitment account—state appropriation is provided solely for the department to provide grants to school districts making updates to existing heating, venting, and air conditioning systems using small district modernization grants.

(124) \$38,600,000 of the climate commitment account—state appropriation is provided solely for the department to develop a grant program to fund projects that benefit overburdened communities as defined in RCW 70A.02.010(11). Of the amount provided in this subsection:

(a) \$6,000,000 of the climate commitment account—state appropriation is provided solely (~~for fiscal year 2024~~) for the department and the environmental justice council created in RCW 70A.02.110 to engage in a participatory budgeting process with at least five geographically diverse overburdened communities, as identified by the department, to develop a process to select and fund projects that mitigate the disproportional impacts of climate change on overburdened communities. The process must allow for full community engagement and develop criteria for eligible entities and projects and establish priorities to achieve the greatest gain for decarbonization and resiliency. A report of the outcomes of the participatory budgeting process detailing its recommendations for funding as well as future improvements to the participatory budgeting process must be provided to the appropriate committees of the legislature by December 31, 2023.

(b) \$32,600,000 of the climate commitment account—state appropriation is provided solely (~~for fiscal year 2025~~) for the department to provide grants that benefit overburdened communities. The department must submit to the governor and the legislature a ranked list of projects consistent with the recommendations developed in (a) of this subsection. The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.

(125) \$5,430,000 of the general fund—state appropriation for fiscal year 2024 and \$5,326,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain the current level of credentialing staff until the completion of the study on fees by Results WA.

(126) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the central nursing resource center established in RCW 18.79.202 to facilitate communication between nursing education programs and health care facilities that offer clinical placements for the purpose of increasing clinical education and practice experiences for nursing students. The department shall contract with the central nursing resource center to:

(a) Gather data to assess current clinical placement practices, opportunities, and needs;

(b) Identify all approved nursing education programs and health care facilities that offer clinical placement opportunities in the state;

(c) Convene and facilitate quarterly stakeholder meetings between representatives from approved nursing education programs and health care facilities that offer clinical placement opportunities, and other relevant stakeholders, in order to:

(i) Connect representatives by region;

(ii) Facilitate discussions between representatives, by region, to determine:

(A) Clinical placement barriers;

(B) The number and types of clinical placement opportunities needed; and

(C) The number and types of clinical placement opportunities available; and

(iii) Develop strategies to resolve clinical placement barriers;

(d) Provide a digital message board and communication platform representatives can use to maintain ongoing communication and clinical placement needs and opportunities;

(e) Identify other policy options and recommendations to help increase the number of clinical placement opportunities, if possible; and

(f) Submit a report of findings, progress, and recommendations to the governor and appropriate committees of the legislature by December 1, 2025.

(127) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

department of health to contract with an organization located in Thurston county that dedicates itself to the promotion of education, holistic health, and trauma healing in the African American community to provide behavioral health education, mental wellness training, evidence based health programs, events, and conferences to individuals, youth/adults, parents/parent partners, and families, that have suffered from generational and systemic racism. In conducting this work, the organization will engage diverse individuals in racial healing and reparative justice in the field of mental wellness. The organization will also prioritize mental health equity and reparative justice in their work to eradicate health disparities that African American communities have faced due to generational racism.

(128) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(129) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for three full-time emergency medical technicians and other resources necessary for the Franklin county public health district to provide health services as part of medical transport operations services, including services to the Coyote Ridge corrections center.

(130) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct an analysis of the certificate of need program established under chapter 70.38 RCW and report its findings and recommendations for statutory updates to the governor and appropriate legislative committees by June 30, 2025. The department must, at a minimum, consider other state approaches to certificate of need, impacts on access to care, cost control of health services, and equity, and approaches to identifying health care service needs at the statewide and community levels.

(131) \$9,982,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the 988 technology platform implementation project as described in RCW 71.24.890(5)(a). This amount is subject to the conditions, limitations, and review requirements provided in section 701 of this act and any requirements as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system). The department must actively collaborate with consolidated technology services and the health care authority so that the statewide 988 technology solutions will be coordinated and interoperable.

(132) \$750,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to contract with rise above, a native youth focused nonprofit organization. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(133) (a) \$15,953,000 of the general fund—state appropriation for fiscal year 2025 and \$13,000,000 of the general fund—federal appropriation are provided solely to maintain public health information technology infrastructure in a cloud-based environment.

(b) The department shall develop an initial plan to identify efficiencies in the cloud-based environment and submit it to the office of financial management and the office of the chief information officer by October 1, 2024. The plan should include, at a minimum, strategies to identify efficiencies within the cloud-based environment; new funding strategies for cloud technology for the 2025-2027 fiscal biennium budget; an update on the department's cloud road map that identifies key systems that will be modernized, consolidated, and migrated or implemented in the cloud; an overview of existing public health technology data systems in the cloud and data systems that are scheduled to transition to the cloud with an estimated implementation schedule, including a summary of data retention policies; and strategies to minimize cost increases where possible through efficient implementation strategies.

(134) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely to implement actions provided in the nitrate water hazard mitigation plan to support safe drinking water in the lower Yakima valley. Implementation of this plan includes, but is not limited to, education and outreach, well testing, and provision of alternate water supplies. The department may contract with local governments, local health jurisdictions, and nonprofit organizations to administer the plan.

(135) \$5,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to entities that operate supportive housing or shelter programs for the purposes of remediating hazards related to chemical or hazardous material contamination.

(136) \$154,000 of the general fund—state appropriation for fiscal year 2025 and, effective January 1, 2025, \$150,000 of the climate commitment account—state appropriation are provided solely to support health equity zones, as defined in RCW 43.70.595, for identification and implementation of targeted interventions to have a significant impact on health outcomes and health disparities. Use of the climate commitment account—state appropriation must be for permitted uses defined in RCW 70A.65.260.

(137) \$112,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Senate Bill No. 6166 (pesticide application comm.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(138) \$49,000 of the health professions account—state appropriation is provided solely for implementation of Senate Bill No. 5184 (anesthesiologist assistants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(139) \$10,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5815 (physician assistant compact). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(140) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5880 (MRI technologists). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(141) \$29,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute Senate Bill No. 5920 (psychiatric/cert. of need). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(142) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5940 (medical assistant-EMT cert.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(143) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5983 (syphilis treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(144) \$161,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6101 (hospital at-home services). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(145) \$215,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6234 (newborn screening for BCKDK). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(146) \$198,000 of the behavioral health crisis response line account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6251 (behavioral crisis coord.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(147) \$67,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(148) \$49,000 of the general fund—state appropriation for fiscal 2025 is provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(149) \$59,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5271 (DOH facilities/enforcement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(150)(a) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to review and update the rules for school environmental health and safety. The state board of health and the department shall conduct the review in collaboration with a multi-disciplinary technical advisory committee. The proposed new rules shall establish the minimum statewide health and safety standards for schools. In developing proposed rules, the state board of health shall:

(i) Convene and consult with an advisory committee consisting of, at minimum, representatives from:

(A) The office of the superintendent of public instruction;

(B) Small and large school districts;

(C) The Washington association of school administrators;

(D) The Washington state school directors' association;

(E) The Washington association of maintenance and operations administrators; and

(F) The Washington association of school business officials;

(ii) Collaborate with the office of the superintendent of public institution and develop a fiscal analysis regarding proposed rules that considers the size of school districts, regional cost differences, range of costs for implementing the proposed rules by section or subject area, and any other variables that may affect costs as identified by the advisory committee; and

(iii) Assist the department in completing environmental justice assessments on any proposed rules.

(b) The office of the superintendent of public instruction, the department, the state board of health, the advisory committee, and local health jurisdictions shall work collaboratively to develop and provide a report to the office of the governor and appropriate committees of the legislature by June 30, 2025, detailing prioritized sections or subject areas of the proposed rules that will provide the greatest health and safety benefits for students, the order in which they should be implemented, and any additional recommendations for implementation.

(151)(a) \$450,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with an independent third-party consultant to review the department's commercial shellfish regulatory program, including licensing, testing, and certification practices and requirements. The consultant must assess how the department sets commercial shellfish fees under RCW 43.70.250.

(i) The consultant must seek input from the department, the commercial shellfish industry, and tribes and must consider:

(A) Data sources and methods used by the department in setting or proposing increases to commercial shellfish fees;

(B) All costs associated with administering the department's regulatory authority over the testing of shellfish, the certification of operations and the issuance of licenses, and issuing export certificates for the commercial shellfish industry;

(C) Activities conducted by the department related to regulating the shellfish industry's regulatory activities that should be exempt from inclusion in the fee; and

(D) Relevant fees, methods, and considerations from other states that regulate the commercial shellfish industry under the Model Ordinance of the Interstate Shellfish Sanitation Conference for comparable services the department is providing the shellfish industry.

(ii) The consultant must also evaluate the viability of the industry to support full cost recovery as required under RCW 43.70.250 and recommend strategies to address any shortfalls. The consultant shall submit a report to the governor and legislature by June 30, 2025.

(b) Using the amounts provided in this subsection, the department shall also contract with a LEAN management consultant to review the shellfish licensing and certification program to identify program improvements and consider methods to offer data transparency to the industry and measures to potentially reduce program administration costs. The LEAN assessment must be completed and provided to the department by June 30, 2025.

(c) The department shall not increase commercial shellfish fees under RCW 43.70.250 during fiscal year 2025.

(152)(a) \$300,000 of the general fund—state appropriation is provided solely for the department to collaborate with the department of commerce to assess the need for and feasibility of a statewide low-income assistance program for water utility customers. The study must include, but is not limited to:

(i) A summary of existing local, state, and federal low-income assistance;

(ii) A review of low-income populations' water utility service cost burden; and

(iii) Recommendations for the design of a statewide drinking water and wastewater utility assistance program, which must include:

(A) Ongoing data collection on water-related assistance need of households;

(B) Intake coordination and data sharing across statewide programs serving low-income households;

(C) Program eligibility;

(D) Multilingual services;

(E) Outreach and community engagement;

(F) Program administration;

(G) Funding; and

(H) Reporting.

(b) Before commencing the study, the department of health and the department of commerce must convene a stakeholder group to advise the agencies throughout the study. The stakeholder group must include representatives from the governor's office, low-income advocates, wastewater system operators, drinking water system operators, and other interested parties.

(c) By June 30, 2025, the department must submit the study to the appropriate committees of the legislature.

(153) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to cancer pathways to provide cancer risk reduction education classes in K-12 schools, treatment and prevention education, and to implement a program to address cancer in the workplace.

(154) \$465,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Washington-based organization with expertise in end-of-life care and in the requirements of chapter 70.245 RCW, to provide training, outreach, and education to medical professionals, hospice teams, and other Washingtonians, to support the provision of care under chapter 70.245 RCW.

(155) \$168,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to coordinate work related to dementia, including but not limited to:

(a) Coordinating dementia-related activities with the department of social and health services, the health care authority, and other state agencies as needed;

(b) Implementing recommendations from the dementia action collaborative in the updated state Alzheimer's plan within the department; and

(c) Other dementia-related activities as determined by the secretary.

(156) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5629 (hepatitis B and C). The amount provided is for the department to design an awareness campaign regarding hepatitis B and C. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(157) \$2,623,000 of opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5906 (drug overdose prevention). The amount provided is for implementation of a drug overdose prevention campaign for youth and adults. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(158) \$162,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6286 (nurse anesthetist workforce). The amount provided is for the department to provide grants to certified registered nurse anesthetists that precept nurse anesthesia residents. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(159) \$3,172,000 of the health professions account—state appropriation is provided solely for implementing improvements to licensure processes. Improvements may include, but are not limited to, updating internal policies and procedures, creating web-based tutorials for

applicants, updating existing web content for applicants, and researching the feasibility of live chat technology for applicants.

(160) \$972,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5937 (crime victims/witnesses). The amount provided is for creation of the statewide forensic nurse coordination program. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(161) \$384,000 of the general fund—state appropriation for fiscal year 2024 and \$384,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). Of the amounts provided in this subsection, \$359,000 of the general fund—state appropriation for fiscal year 2024 and \$359,000 of the general fund—state appropriation for fiscal year 2025 are for two full-time equivalent staff to provide health education to the Latinx community. If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(162) \$132,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6110 (child fatalities). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(163) \$114,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5829 (congenital cytomegalovirus). The amount provided is for the department to develop, translate, and distribute educational materials regarding congenital cytomegalovirus. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(164) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6127 (HIV prophylaxis). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 223.** 2023 c 475 s 223 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF CORRECTIONS**

The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multiorganization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, after approval by the director of financial management and unless specifically prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 between programs. The department may not transfer funds, and the director of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any deviations from appropriation levels. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) ADMINISTRATION AND SUPPORT SERVICES	
General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$96,389,000</del> ))
	\$100,912,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$95,589,000</del> ))
	\$101,146,000
General Fund—Federal Appropriation . . . . .	\$400,000
General Fund—Private/Local Appropriation . . . . .	\$168,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$192,378,000</del>))</b>
	<b>\$202,626,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) ((~~\$819,000~~)) \$1,959,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$58,000~~)) \$169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition,

the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(b) \$445,000 of the general fund—state appropriation for fiscal year 2024 and \$452,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(c) \$932,000 of the general fund—state appropriation for fiscal year 2024 and \$434,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training statewide program administration team.

(d) \$2,056,000 of the general fund—state appropriation for fiscal year 2024 and \$2,056,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(e) \$127,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(f) \$127,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(g) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(h) \$11,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5056 (habitual property offenders). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(i) \$17,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5299 (law enf. officer protection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(j) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5891 (school bus trespass). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(k) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5917 (bias-motivated defacement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(l) \$15,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(2) CORRECTIONAL OPERATIONS

General Fund—State Appropriation (FY 2024) . . . . .	(( \$729,679,000 ))
	\$445,521,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$738,933,000 ))
	\$765,035,000
General Fund—Federal Appropriation . . . . .	\$4,326,000
General Fund—Private/Local Appropriation . . . . .	\$334,000
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
<u>Appropriation . . . . .</u>	<u>\$294,000,000</u>
Washington Auto Theft Prevention Authority Account—	
State Appropriation . . . . .	\$4,837,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(( \$1,478,109,000 ))</b>
	<b>\$1,514,053,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department may contract for local jail beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The department shall not pay a rate greater than \$85 per day per offender excluding the costs of department of corrections provided services, including evidence-based substance abuse programming, dedicated department of corrections classification staff on-site for individualized case management, transportation of offenders to and from department of corrections facilities, and gender responsive training for jail staff. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as close medium or lower

security offenders. Programming provided for offenders held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meets standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at a jail facility, the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(b) ~~\$671,000 of the general fund—state appropriation for fiscal year 2024 ((and \$671,000 of the general fund—state appropriation for fiscal year 2025 are))~~ is provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester.

(c) ~~(((\$1,713,000))~~ \$4,270,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$146,000))~~ \$422,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(d) Within the appropriated amounts in this subsection, the department of corrections must provide a minimum of one dedicated prison rape elimination act compliance specialist at each institution.

(e) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuing two contracted parent navigator positions. One parent navigator must be located at the Washington correction center for women and one parent navigator position must be located at the Airway Heights corrections center or another state correctional facility that houses incarcerated male individuals and is selected by the department of corrections as a more suitable fit for a parent navigator. The parent navigators must have lived experience in navigating the child welfare system. The parent navigators must provide guidance and support to incarcerated individuals towards family reunification including, but not limited to, how to access services, navigating the court system, assisting with guardianship arrangements, and facilitating visitation with their children. The goal of the parent navigator program is to assist incarcerated parents involved in dependency or child welfare cases to maintain connections with their children and to assist these individuals in successfully transitioning and reuniting with their families upon release from incarceration. As part of the parent navigation program, the department of corrections must also review and provide a report to the legislature on the effectiveness of the program that includes the number of incarcerated individuals that received assistance from the parent navigators and the type of assistance the incarcerated individuals received, and that tracked the outcome of the parenting navigator program. A final report must be submitted to the legislature by September 1, 2024. Of the amounts provided in this subsection, \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department's review and report on the effectiveness of the parent navigator program.

(f) ~~(\$4,009,000)~~ \$5,417,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,009,000)~~ \$5,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(g) \$579,000 of the general fund—state appropriation for fiscal year 2024 and \$2,058,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

(h) \$1,294,000 of the general fund—state appropriation for fiscal year 2024 and \$1,294,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5131 (commissary funds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(j) \$1,839,000 of the general fund—state appropriation for fiscal year 2024 and \$1,839,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5134 (reentry services & supports) to

increase gate money from \$40 to \$300 at release. ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(k) \$2,871,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(l) \$586,000 of the general fund—state appropriation for fiscal year 2024 and \$576,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a planning and development manager and an executive secretary in the women's prison division.

(m) \$1,817,000 of the general fund—state appropriation for fiscal year 2024 and \$3,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in Disability Rights Washington v. Washington Department of Corrections, United States district court for the western district of Washington.

(n) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$3,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.

(o) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain the facility, property, and assets at the Larch corrections center in Yacolt.

(p) \$11,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(q) \$2,871,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(3) COMMUNITY SUPERVISION

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$242,761,000</del> ))
	<u>\$252,551,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$252,147,000</del> ))
	<u>\$258,839,000</u>
General Fund—Federal Appropriation . . . . .	\$4,142,000
General Fund—Private/Local Appropriation . . . . .	<u>\$10,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$499,050,000</del>))</b>
	<b><u>\$515,542,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall contract with local and tribal governments for jail capacity to house offenders who violate the terms of their community supervision. A contract rate increase may not exceed five percent each year. The department may negotiate to include medical care of offenders in the contract rate if medical payments conform to the department's offender health plan and pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff. If medical care of offender is included in the contract rate, the contract rate may exceed five percent to include the cost of that service. Beginning July 1, 2024, the department shall pay the bed rate for the day of release.

(b) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

(c) ((~~\$1,233,000~~))\$2,880,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$88,000~~))\$253,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(d) \$110,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the amend collaboration and training program.

(e) \$1,409,000 of the general fund—state appropriation for fiscal year 2024 and \$1,386,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Bellingham reentry center as a state-run facility.



(f) ~~(\$1,320,000)~~ \$615,000 of the general fund—state appropriation for fiscal year 2024 and \$1,320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Helen B. Ratcliff reentry center as a state-run facility.

(g) \$18,813,000 of the general fund—state appropriation for fiscal year 2024 and \$19,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(h) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a jail medical bed rate adjustment.

(i) \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(4) CORRECTIONAL INDUSTRIES

General Fund—State Appropriation (FY 2024)	.. . . .	<del>(\$12,638,000)</del>
		\$9,348,000
General Fund—State Appropriation (FY 2025)	.. . . .	<del>(\$12,836,000)</del>
		\$9,100,000
General Fund—Federal Appropriation	.. . . .	\$600,000
General Fund—Private/Local Appropriation	.. . . .	\$2,634,000
<b>TOTAL APPROPRIATION</b>	.....	<del>(\$25,474,000)</del>
		<b>\$21,682,000</b>

~~((The appropriations in this subsection are subject to the following conditions and limitations: \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$3,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.))~~

(5) INTERAGENCY PAYMENTS

General Fund—State Appropriation (FY 2024)	.. . . .	<del>(\$68,680,000)</del>
		\$69,190,000
General Fund—State Appropriation (FY 2025)	.. . . .	<del>(\$64,929,000)</del>
		\$65,612,000
<b>TOTAL APPROPRIATION</b>	.....	<del>(\$133,609,000)</del>
		<b>\$134,802,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

~~((b)) (a) \$19,000 of the general fund—state appropriation for fiscal year 2024 and \$19,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(e)) (b) \$36,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).~~

(c) \$36,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(d) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(6) OFFENDER CHANGE

General Fund—State Appropriation (FY 2024)	.. . . .	<del>(\$83,659,000)</del>
		\$85,926,000
General Fund—State Appropriation (FY 2025)	.. . . .	<del>(\$84,659,000)</del>
		\$89,157,000
General Fund—Federal Appropriation	.. . . .	\$1,436,000
<b>TOTAL APPROPRIATION</b>	.....	<del>(\$169,754,000)</del>
		<b>\$176,519,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall use funds appropriated in this subsection (6) for programming for incarcerated individuals. The department shall develop and implement a written comprehensive plan for programming for incarcerated individuals that prioritizes programs which follow the risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(b) The department of corrections shall collaborate with the state health care authority to explore ways to utilize federal medicaid funds as a match to fund residential substance use disorder treatment-based alternative beds under RCW 9.94A.664 under the drug offender sentencing alternative program and residential substance use disorder treatment beds that serve individuals on community custody.

(c) Within existing resources, the department of corrections may provide reentry support items such as disposable cell phones, prepaid phone cards, hygiene kits, housing vouchers, and release medications associated with individuals resentenced or ordered released from confinement as a result of policies or court decisions including, but not limited to, the *State v. Blake* decision.

(d) \$11,454,000 of the general fund—state appropriation for fiscal year 2024 and \$11,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded reentry investments to include, but not be limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

~~((+f))~~ (e) \$1,177,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment) for dedicated staffing for substance use disorder assessments and for coordinated treatment care in the community at release. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((g))~~ (f) \$150,000 of the general fund—state appropriation for fiscal year 2024 ~~((and \$150,000 of the general fund state appropriation for fiscal year 2025 are))~~ is provided solely for a grant to a nonprofit organization to assist fathers transitioning from incarceration to community and family reunification. The grant recipient must have experience contracting with the department of corrections to support incarcerated individual betterment projects and contracting with the department of social and health services to provide access and visitation services.

~~((h))~~ (g) \$424,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(h) \$424,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(i) \$122,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for continued cross agency reentry collaboration and work on the state's medicaid 1115 transformation waiver impacts to the department. By October 1, 2024, the department must report to fiscal committees of the legislature:

(i) The total spend in fiscal years 2022 and 2023 for authorized prerelease services under the medicaid 1115 transformation waiver, including but not limited to medications, laboratory services, and radiology; and

(ii) How much of each qualifying service listed in (i)(i) of this subsection would be required for reinvestment and how much would be allowable to offset existing expenditures based on federal medicaid rules for state fiscal years 2022 and 2023 if the waiver had been in place during those fiscal years.

(7) HEALTH CARE SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$241,145,000</del> ))
	\$250,846,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$245,589,000</del> ))
	\$259,333,000
General Fund—Federal Appropriation . . . . .	(( <del>\$3,084,000</del> ))
	\$6,720,000
<u>General Fund—Private/Local Appropriation . . . . .</u>	<u>\$2,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$489,818,000</del>))</b>
	<b>\$516,901,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state prison medical facilities may use funds appropriated in this subsection to purchase goods, supplies, and services through hospital or other group purchasing organizations when it is cost effective to do so.

~~((+e))~~ (b) \$842,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,192,000~~))~~ \$2,256,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

~~((+d))~~ (c) \$73,000 of the general fund—state appropriation for fiscal year 2024 and \$387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

~~((+e))~~ (d) \$1,236,000 of the general fund—state appropriation for fiscal year 2024 and \$1,236,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to,

transition services, enhanced health care discharge planning, case management, and evaluation of physical health and behavioral health.

~~((f))~~ (e) \$13,605,000 of the general fund—state appropriation for fiscal year 2024 and \$13,605,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for medical staffing in prisons for patient centered care and behavioral health care. Funding must be used to increase access to care, addiction care, and expanded screening of individuals in prison facilities to include chronic illnesses, infectious disease, diabetes, heart disease, serious mental health, and behavioral health services.

~~((g))~~ (f) \$1,612,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

~~((h))~~ (g) \$1,115,000 of the general fund—state appropriation for fiscal year 2024 and \$1,115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an electronic health records system solution and is subject to the conditions, limitations, and review requirements of section 701 of this act and must be in compliance with the statewide electronic health records plan that must be approved by the office of financial management and the technology services board.

~~((i))~~ (h) \$405,000 of the general fund—state appropriation for fiscal year 2024 and \$399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5768 (DOC/abortion medications). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(i) \$627,000 of the general fund—state appropriation for fiscal year 2024 and \$1,715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in *Disability Rights Washington v. Washington Department of Corrections*, United States district court for the western district of Washington.

(j) To promote the safety, health, and well-being of health care workers and to support patient quality of care, the department will continue to engage in reasonable efforts to reduce the use of overtime for licensed practical nurses, registered nurses, and certified nursing assistants.

(k) Within the appropriated amounts in this subsection, funding is provided to ensure every single person transferring into the department of corrections' custody on full confinement is provided medications for opioid use disorder if they were on medications for opioid use disorder in jail or out of custody.

(l) \$12,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(m) \$1,612,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 224.** 2023 c 475 s 224 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$7,061,000</del> ))
	\$7,064,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$7,387,000</del> ))
	\$9,217,000
General Fund—Federal Appropriation . . . . .	(( <del>\$25,672,000</del> ))
	\$32,824,000
General Fund—Private/Local Appropriation . . . . .	(( <del>\$61,000</del> ))
	\$67,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$40,181,000</del>))</b>
	<b>\$49,172,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$201,000 of the general fund—state appropriation for fiscal year 2024 and \$201,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of statewide services for blind or low vision youth under the age of 14.

(2) \$184,000 of the general fund—state appropriation for fiscal year 2024 and \$367,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the independent living program.

(3) \$1,820,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the renovation of the food service café located in the natural resources building.

**Sec. 225.** 2023 c 475 s 225 (uncodified) is amended to read as follows:

**FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$33,506,000</del> ))
	\$29,204,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$23,898,000</del> ))

	<u>\$28,400,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$216,616,000</del> ))
	<u>\$177,229,000</u>
General Fund—Private/Local Appropriation. . . . .	(( <del>\$38,458,000</del> ))
	<u>\$38,445,000</u>
Climate Commitment Account—State Appropriation. . . . .	\$404,000
Unemployment Compensation Administration Account— Federal Appropriation. . . . .	(( <del>\$270,724,000</del> ))
	<u>\$306,951,000</u>
Administrative Contingency Account—State Appropriation. . . . .	(( <del>\$28,741,000</del> ))
	<u>\$42,628,000</u>
Employment Service Administrative Account—State Appropriation. . . . .	(( <del>\$85,070,000</del> ))
	<u>\$96,695,000</u>
Family and Medical Leave Insurance Account—State Appropriation. . . . .	(( <del>\$158,644,000</del> ))
	<u>\$159,003,000</u>
Workforce Education Investment Account—State Appropriation. . . . .	(( <del>\$14,556,000</del> ))
	<u>\$15,555,000</u>
Long-Term Services and Supports Trust Account—State Appropriation. . . . .	(( <del>\$40,960,000</del> ))
	<u>\$51,988,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$911,577,000</del>))</b>
	<b><u>\$946,502,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is directed to maximize the use of federal funds. The department must update its budget annually to align expenditures with anticipated changes in projected revenues.

(2) \$15,399,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of the long-term services and support trust program information technology project and is subject to the conditions, limitations, and review provided in section 701 of this act.

(3) Within existing resources, the department must reassess its ongoing staffing and funding needs for the paid family medical leave program and submit documentation of the updated need to the governor and appropriate committees of the legislature by September 1, 2023, and annually thereafter.

(4) Within existing resources, the department shall coordinate outreach and education to paid family and medical leave benefit recipients with a statewide family resource, referral, and linkage system that connects families with children prenatal through age five and residing in Washington state to appropriate services and community resources. This coordination shall include but is not limited to placing information about the statewide family resource, referral, and linkage system on the paid family and medical leave program web site and in printed materials, and conducting joint events.

(5) Within existing resources, the department shall report the following to the legislature and the governor by October 15, 2023, and each year thereafter:

(a) An inventory of the department's programs, services, and activities, identifying federal, state, and other funding sources for each;

(b) Federal grants received by the department, segregated by line of business or activity, for the most recent five fiscal years, and the applicable rules;

(c) State funding available to the department, segregated by line of business or activity, for the most recent five fiscal years;

(d) A history of staffing levels by line of business or activity, identifying sources of state or federal funding, for the most recent five fiscal years;

(e) A projected spending plan for the employment services administrative account and the administrative contingency account. The spending plan must include forecasted revenues and estimated expenditures under various economic scenarios.

(6) ~~((~~\$14,510,000~~))~~ (a) \$15,510,000 of the workforce education investment account—state appropriation is provided solely for career connected learning grants as provided in RCW 28C.30.050, including sector intermediary grants and administrative expenses associated with grant administration.

(b) Within the amount provided in (a) of this subsection:

(i) Up to \$921,000 of the workforce education investment account—state appropriation may be used for the department to contract with the student achievement council to lead the career connected learning cross-agency work group and provide staffing support as required in RCW 28C.30.040.

(ii) Up to \$2,192,000 of the workforce education investment account—state appropriation may be used for technical assistance and implementation support grants associated with the career connected learning grant program as provided in RCW 28C.30.050.

(7) \$2,000,000 of the unemployment compensation administration account—federal appropriation is provided solely for the department to continue implementing the federal United States department of labor equity grant. This grant includes improving the translation

of notices sent to claimants as part of their unemployment insurance claims into any of the 10 languages most frequently spoken in the state and other language, demographic, and geographic equity initiatives approved by the grantor. The department must also ensure that letters, alerts, and notices produced manually or by the department's unemployment insurance technology system are written in plainly understood language and evaluated for ease of claimant comprehension before they are approved for use.

(8) \$3,136,000 of the unemployment compensation administration account—federal appropriation is provided solely for a continuous improvement team to make customer, employer, and equity enhancements to the unemployment insurance program. If the department does not receive adequate funding from the United States department of labor to cover these costs, the department may use funding made available to the state through section 903 (d), (f), and (g) of the social security act (Reed act) in an amount not to exceed the amount provided in this subsection.

(9) \$404,000 of the climate commitment account—state appropriation is provided solely for participation on the clean energy technology work force advisory committee and collaboration on the associated report established in Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(11) ~~((a) \$9,323,000))~~ \$18,948,000 of the employment service administrative account—state appropriation is provided solely for the replacement of the WorkSource integrated technology platform. The replacement system must support the workforce administration statewide to ensure adoption of the United States department of labor's integrated service delivery model and program performance requirements for the state's workforce innovation and opportunity act and other federal grants. This subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((b) \$2,290,000 of the employment services administrative account—state appropriation is provided solely for the maintenance and operation of the WorkSource integrated technology platform.))~~

(12) \$6,208,000 of the general fund—state appropriation for fiscal year 2024 and \$6,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the economic security for all program. The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the legislature on December 1 and June 1 of each year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(13) (a) \$5,292,000 of the employment service administrative account—state appropriation is provided to expand the economic security for all program to residents of Washington state that are over 200 percent of the federal poverty level but who demonstrate financial need for support services or assistance with training costs to either maintain or secure employment. ~~((Supports to each participant must not exceed \$5,000 per year.))~~ Unspent funds from this subsection may be used for economic security for all participants who are under 200 percent of the federal poverty level as defined in subsection (12) of this section.

(b) The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the legislature on December 1 and June 1 of each year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(c) Of the amounts in (a) of this subsection, the department may use \$146,000 each year to cover program administrative expenses.

(14) \$1,655,000 of the administrative contingency account—state appropriation is provided to increase the department's information security team to proactively address critical security vulnerabilities, audit findings, and process gaps.

(15) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two project managers to assist with the coordination of state audits.

(16) \$1,448,000 of the general fund—state appropriation for fiscal year 2024 and \$1,448,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for business navigators at the local workforce development boards to increase employer engagement in an effort to support industry recovery and growth. Of the amounts in this subsection, the department may use \$148,000 per year to cover associated administrative expenses.

(17) \$11,895,000 of the general fund—federal appropriation is provided solely for the implementation of the quality jobs, equity strategy, and training (QUEST) grant to enhance the workforce system's ongoing efforts to support employment equity and employment recovery from the COVID-19 pandemic. The funds are for partnership development, community outreach, business engagement, and comprehensive career and training services.

(18) \$3,264,000 of the employment services administration account—state appropriation is provided solely for the continuation of the office of agricultural and seasonal workforce services.

(19) \$3,539,000 of the long-term services and supports trust account—state appropriation is provided solely for the programs in the department's leave and care division to increase outreach to underserved communities, perform program evaluation and data management, perform necessary fiscal functions, and make customer experience enhancements.

~~((21))~~ (20) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time employee to provide casework on behalf of constituents who contact their legislators to escalate unresolved claims.

~~((22))~~ (21) (a) \$250,000 of the family and medical leave insurance account—state appropriation is provided solely for the department to contract with the University of Washington Evans school of public policy and governance to conduct a study on the impacts of the state family and medical leave program's job protection standards on equitable utilization of paid leave benefits under the program.

(b) The study shall consider the following:

(i) The rates at which paid leave benefits under chapter 50A.15 RCW are used by persons who qualify for job protection under RCW 50A.35.010 or the federal family and medical leave act;

(ii) Worker perspectives on the effects of job protection under RCW 50A.35.010 and the federal family and medical leave act on the use of paid leave benefits under chapter 50A.15 RCW; and

(iii) Employment outcomes and other impacts for persons using paid leave benefits under chapter 50A.15 RCW.

(c) (i) In conducting the study, the university must collect original data directly from workers about paid leave and job protection, including demographic information such as race, gender, income, geography, primary language, and industry or job sector.

(ii) In developing the study, the university must consult with the advisory committee under RCW 50A.05.030, including three briefings: An overview on the initial research design with an opportunity to provide feedback; a midpoint update; and final results. The university must consult with the committee regarding appropriate methods for collecting and assessing relevant data in order to protect the reliability of the study.

(d) A preliminary report, including the initial research design and available preliminary results must be submitted by December 1, 2023, and a final report by December 1, 2024, to the governor and the appropriate policy and fiscal committees of the legislature, in accordance with RCW 43.01.036.

~~((23))~~ (22) \$4,433,000 of the family and medical leave insurance account—state appropriation and \$351,000 of the unemployment compensation administration account—federal appropriation are provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~((24))~~ (23) \$50,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute House Bill No. 1458 (apprenticeship programs/UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~((25))~~ (24) (a) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~ \$11,227,000 of the general fund—state appropriation for fiscal year 2025, \$9,963,000 of the administrative contingency account—state appropriation, and \$4,271,000 of the employment services administrative account—state appropriation are provided solely to address a projected shortfall of federal revenue that supports the administration of the unemployment insurance program.

(b) The department must submit an initial report no later than November 1, 2023, and a subsequent report no later than November 1, 2024, to the governor and the appropriate committees of the legislature outlining how the funding in (a) of this subsection is being utilized and recommendations for long-term solutions to address future decreases in federal funding.

~~((26) \$11,976,000))~~ (25) \$7,644,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$4,332,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to create a dedicated team of staff to process the unemployment insurance overpayment caseload backlog.

~~((27))~~ (26) \$3,389,000 of the general fund—state appropriation for fiscal year 2024 and \$4,540,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the stipend for Washington service corps members to \$26,758 per year and for one staff member to assist with program outreach. The stipend increase is for members that enter into a service year with income below 200 percent of the federal poverty level.

~~((28))~~ (27) \$794,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute Senate Bill No. 5176 (employee-owned coop UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~((29))~~ (28) \$30,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5286 (paid leave premiums). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~(30))~~ (29) \$2,896,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5586 (paid leave data). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(31))~~ (30) \$35,000 of the employment service administrative account—state appropriation is provided solely for the department to provide research and consultation on the feasibility of replicating the unemployment insurance program for and expanding other social net programs to individuals regardless of their citizenship status.

~~((32))~~ (31) \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to design a form for employer use to voluntarily report no show, no call interview data. This data shall be used to inform potential trend analysis or policy development for job search compliance.

(32) \$5,655,000 of the family and medical leave insurance account—state appropriation is provided solely to increase staffing for the paid family and medical leave program to process claims and respond to customer inquiries in a timely manner.

(33) \$7,305,000 of the family and medical leave insurance account—state appropriation is provided solely for information technology staffing to complete system enhancements for any remaining statutorily required components of the paid family and medical leave program, including, but not limited to, the establishment and collection of overpayments, crossmatching eligibility with other programs, and elective coverage for tribes.

(34) \$51,000 of the employment services administrative account—state appropriation for fiscal year 2025 is provided solely to support the underground economy task force created in section 906 of this act.

(35) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to report how it will collect employee race and ethnicity information from employers that participate in the unemployment insurance program and employees who participate in the paid family medical leave program.

(a) The department may contract to complete the report.

(b) The department must submit a report to the legislature by June 30, 2025. The report must include accurate cost and time estimates needed to collect the race and ethnicity information from employers and employees. The department must consult with the office of equity to ensure that data collections is consistent with other efforts. The report must also include, but is not limited to, the following information:

(i) The cost and time required for the department to revise current reporting requirements to include race and ethnicity data;

(ii) The cost and time required for the department to incorporate the collection of race and ethnicity data into future reporting;

(iii) The cost and time required for the department to incorporate the collection of race and ethnicity data into its existing information technology systems;

(iv) Recommendations on any exclusions from the requirement to report race and ethnicity data; and

(v) Any statutory changes required to collect race and ethnicity data.

(36) \$961,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Senate Bill No. 6028 (unemployment overpayments). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(37)(a) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to convene a wage replacement program for undocumented workers work group. The work group shall convene by June 1, 2024, and must include:

(i) Three members representing immigrants' interests;

(ii) Two members representing workers' interests in unemployment, each of whom must be appointed from a list of names submitted by a recognized statewide organization of employees;

(iii) Two members representing employers' interests in unemployment, each of whom must be appointed from a list of names submitted by a recognized statewide organization of employers;

(iv) Three ex officio members, representing the state commission on African American affairs, the state commission on Hispanic affairs, and the state commission on Asian Pacific American affairs; and

(v) One ex officio member, representing the department and who will serve as the chair.

(b) The work group shall:

(i) Identify dedicated streams of revenue within the current unemployment insurance taxation model to fully fund an equitable wage replacement program for undocumented workers;

(ii) Review funding mechanisms from other states administering similar programs;

(iii) Identify funding mechanisms that do not duplicate employer contributions paid into the unemployment trust fund on behalf of undocumented workers nor increase social taxes paid for employers;

(iv) Explore the impact of identified funding mechanisms on solvency of the unemployment trust fund; and

(v) Provide a calculation of the amount of benefits that would be annually provided to undocumented workers through this program.

(c) By November 15, 2024, the department shall submit a report to the governor and related legislative committees that includes the information included in (b) of this subsection and a recommended plan of how to fully fund the program.

(38) \$11,054,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission

recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 226. 2023 c 475 s 226 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—GENERAL**

(1)(a) The appropriations to the department of children, youth, and families in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of children, youth, and families shall initially be allotted as required by this act. The department shall seek approval from the office of financial management prior to transferring moneys between sections of this act except as expressly provided in this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the foster care, adoption support, child protective services, working connections child care, and juvenile rehabilitation programs, the department may transfer appropriations that are provided solely for a specified purpose.

(2) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation.

(3) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department are subject to technical oversight by the office of the chief information officer.

Sec. 227. 2023 c 475 s 227 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—CHILDREN AND FAMILIES SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$488,869,000</del> ))
	\$488,623,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$500,457,000</del> ))
	\$524,250,000
General Fund—Federal Appropriation. . . . .	(( <del>\$503,359,000</del> ))
	\$518,560,000
General Fund—Private/Local Appropriation. . . . .	\$2,824,000
Opioid Abatement Settlement Account—State Appropriation. . . . .	(( <del>\$2,304,000</del> ))
	\$5,169,000
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$1,497,813,000</del>))</b>
	<b>\$1,539,426,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$748,000 of the general fund—state appropriation for fiscal year 2024 and \$748,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to 13 children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(2) \$453,000 of the general fund—state appropriation for fiscal year 2024 and \$453,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs of hub home foster and kinship families that provide a foster care delivery model that includes a hub home. Use of the hub home model is intended to support foster parent retention, provide support to biological families, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(3) \$579,000 of the general fund—state appropriation for fiscal year 2024, \$579,000 of the general fund—state appropriation for fiscal year 2025, and \$110,000 of the general fund



—federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(4) \$1,620,000 of the general fund—state appropriation for fiscal year 2024 and \$1,620,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services provided through children's advocacy centers.

(5) In fiscal year 2024 and in fiscal year 2025, the department shall provide a tracking report for social service specialists and corresponding social services support staff to the office of financial management, and the appropriate policy and fiscal committees of the legislature. The report shall detail continued implementation of the targeted 1:18 caseload ratio standard for child and family welfare services caseload-carrying staff and targeted 1:8 caseload ratio standard for child protection services caseload carrying staff. To the extent to which the information is available, the report shall include the following information identified separately for social service specialists doing case management work, supervisory work, and administrative support staff, and identified separately by job duty or program, including but not limited to intake, child protective services investigations, child protective services family assessment response, and child and family welfare services:

(a) Total full-time equivalent employee authority, allotments and expenditures by region, office, classification, and band, and job duty or program;

(b) Vacancy rates by region, office, and classification and band; and

(c) Average length of employment with the department, and when applicable, the date of exit for staff exiting employment with the department by region, office, classification and band, and job duty or program.

(6) \$94,000 of the general fund—state appropriation for fiscal year 2024 and \$94,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(7)(a) \$999,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, \$656,000 of the general fund—private/local appropriation, and \$252,000 of the general fund—federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, regions where backlogs of youth that have formerly requested educational outreach services exist, or youth with high educational needs. The department is encouraged to use private matching funds to maintain educational advocacy services.

(b) The department shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(8) For purposes of meeting the state's maintenance of effort for the state supplemental payment program, the department of children, youth, and families shall track and report to the department of social and health services the monthly state supplemental payment amounts attributable to foster care children who meet eligibility requirements specified in the state supplemental payment state plan. Such expenditures must equal at least \$3,100,000 annually and may not be claimed toward any other federal maintenance of effort requirement. Annual state supplemental payment expenditure targets must continue to be established by the department of social and health services. Attributable amounts must be communicated by the department of children, youth, and families to the department of social and health services on a monthly basis.

(9) \$197,000 of the general fund—state appropriation for fiscal year 2024 and \$197,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct biennial inspections and certifications of facilities, both overnight and day shelters, that serve those who are under 18 years old and are homeless.

(10)(a) ~~(\$6,195,000)~~ \$8,981,000 of the general fund—state appropriation for fiscal year 2024, and \$1,188,000 of the general fund—federal appropriation are provided solely for the department to operate emergent placement and enhanced emergent placement contracts.

(b) The department shall not include the costs to operate emergent placement contracts in the calculations for family foster home maintenance payments and shall submit as part of the budget submittal documentation required by RCW 43.88.030 any costs associated with increases in the number of emergent placement contract beds after the effective date of this section that cannot be sustained within existing appropriations.

(11) Beginning January 1, 2024, and continuing through the 2023-2025 fiscal biennium, the department must provide semiannual reports to the governor and appropriate legislative committees that includes the number of in-state behavioral rehabilitation services providers and licensed beds, the number of out-of-state behavioral rehabilitation services placements, and a comparison of these numbers to the same metrics expressed as an average over the prior six months. The report shall identify separately beds with the enhanced behavioral rehabilitation services rate. Effective January 1, 2024, and to the extent the information is available, the report shall include the same information for emergency placement services beds and enhanced emergency placement services beds.

(12) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for

implementing the supportive visitation model that utilizes trained visit navigators to provide a structured and positive visitation experience for children and their parents.

(13) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for enhanced adoption placement services for legally free children in state custody, through a partnership with a national nonprofit organization with private matching funds. These funds must supplement, but not supplant, the work of the department to secure permanent adoptive homes for children with high needs.

(14) The department of children, youth, and families shall make foster care maintenance payments to programs where children are placed with a parent in a residential program for substance abuse treatment. These maintenance payments are considered foster care maintenance payments for purposes of forecasting and budgeting at maintenance level as required by RCW 43.88.058.

(15) \$511,000 of the general fund—state appropriation for fiscal year 2024, \$511,000 of the general fund—state appropriation for fiscal year 2025, and \$306,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219) (youth counsel/dependency).

(16) If the department receives an allocation of federal funding through an unanticipated receipt, the department shall not expend more than what was approved or for another purpose than what was approved by the governor through the unanticipated receipt process pursuant to RCW 43.79.280.

(17) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more nonprofit, nongovernmental organizations to purchase and deliver concrete goods to low-income families.

(18) \$2,400,000 of the general fund—state appropriation for fiscal year 2024 and \$2,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(19) The department will only refer child welfare cases to the department of social and health services division of child support enforcement when the court has found a child to have been abandoned by their parent or guardian as defined in RCW 13.34.030.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and 100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of SafeCare, an evidence-based parenting program, for families in Grays Harbor county.

(21) ~~\$7,685,000~~ of the general fund—state appropriation for fiscal year 2024, ~~(\$8,354,000)~~ \$11,079,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$2,682,000)~~ \$3,326,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$276,000 of the general fund—state appropriation for fiscal year 2024, \$264,000 of the general fund—state appropriation for fiscal year 2025, and \$104,000 of the general fund—federal appropriation are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance, reporting on progress, and resolving disputes that may arise.

(b) \$2,022,000 of the general fund—state appropriation for fiscal year 2024, \$2,432,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the general fund—federal appropriation are provided solely for the statewide hub home model. The department shall develop and adapt the existing hub home model to serve youth as described in the settlement agreement.

(c) \$452,000 of the general fund—state appropriation for fiscal year 2024, \$864,000 of the general fund—state appropriation for fiscal year 2025, and \$334,000 of the general fund—federal appropriation are provided solely for the department to establish a negotiated rule-making method to align and update foster care and group care licensing standards.

(d) \$2,195,000 of the general fund—state appropriation for fiscal year 2024, \$2,110,000 of the general fund—state appropriation for fiscal year 2025, and \$238,000 of the general fund—federal appropriation are provided solely for revised referral and transition procedures for youth entering foster care.

(e) \$1,868,000 of the general fund—state appropriation for fiscal year 2024, \$1,852,000 of the general fund—state appropriation for fiscal year 2025, and \$1,543,000 of the general fund—federal appropriation are provided solely for the department to develop and implement a professional therapeutic foster care contract and licensing category. Therapeutic foster care professionals are not required to have another source of income and must receive specialized training and support.

(f) \$872,000 of the general fund—state appropriation for fiscal year 2024, \$832,000 of the general fund—state appropriation for fiscal year 2025, and \$421,000 of the general fund—federal appropriation are provided solely to update assessment and placement procedures prior to placing a youth in a qualified residential treatment program, as well as updating the assessment schedule to every 90 days.

(g) \$2,725,000 of the general fund—state appropriation for fiscal year 2025 and \$644,000 of the general fund—federal appropriation are provided solely for family team decision making and shared planning meetings as informed by attachment a—stakeholder facilitator and process description.

(h) The department shall implement all provisions of the settlement agreement, including those described in (a) through (f) of this subsection; revisions to shared planning meeting and family team decision-making policies and practices; and any and all additional settlement agreement requirements and timelines established.

(22) (~~(\$8,919,000)~~) \$7,379,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$19,521,000)~~) \$26,325,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$6,595,000)~~) \$7,195,000 of the general fund—federal appropriation are provided solely for implementation of a seven-level foster care support system. Of the amounts provided in this subsection:

(a) \$5,527,000 of the general fund—state appropriation for fiscal year 2024, \$11,054,000 of the general fund—state appropriation for fiscal year 2025, and \$5,284,000 of the general fund—federal appropriation are provided solely to expand foster care maintenance payments from a four-level to a seven-level support system, beginning January 1, 2024.

(b) (~~(\$2,572,000)~~) \$1,032,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$7,717,000)~~) \$14,521,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$1,173,000)~~) \$1,773,000 of the general fund—federal appropriation are provided solely for expanded caregiver support services. Services include, but are not limited to, placement, case aide, and after-hours support, as well as training, coaching, child care, and respite coordination.

(c) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project management to oversee the shift in systems and practices.

(d) \$247,000 of the general fund—state appropriation for fiscal year 2024, \$184,000 of the general fund—state appropriation for fiscal year 2025, and \$138,000 of the general fund—federal appropriation are provided solely for a contract with the department of social and health services research and data analysis division to track program outcomes through monitoring and analytics.

(23) \$732,000 of the general fund—state appropriation for fiscal year 2024, \$732,000 of the general fund—state appropriation for fiscal year 2025, and \$362,000 of the general fund—federal appropriation are provided solely to increase staff to support statewide implementation of the kinship caregiver engagement unit.

(24) (~~(\$7,332,000)~~) \$1,913,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$7,332,000)~~) \$4,119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to issue foster care maintenance payments for up to 90 days to those kinship caregivers who obtain an initial license.

(25) \$6,696,000 of the general fund—state appropriation for fiscal year 2024, \$6,696,000 of the general fund—state appropriation for fiscal year 2025, and \$2,940,000 of the general fund—federal appropriation are provided solely for contracted visitation services for children in temporary out-of-home care. Funding is provided to reimburse providers for certain uncompensated services, which may include work associated with missed or canceled visits.

(26) \$4,104,000 of the general fund—state appropriation for fiscal year 2024 and \$5,589,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand combined in-home services to serve more families. By December 1, 2023, and annually thereafter, the department shall provide a report to the legislature detailing combined in-home services expenditures and utilization, including the number of families served and a listing of services received by those families.

(27) \$892,000 of the general fund—state appropriation for fiscal year 2024, \$892,000 of the general fund—state appropriation for fiscal year 2025, and \$796,000 of the general fund—federal appropriation are provided solely for increased licensing staff. Licensing staff are increased in anticipation that more kinship placements will become licensed due to recent legislation and court decisions, including *In re Dependency of K.W.* and chapter 211, Laws of 2021 (E2SHB 1227) (child abuse or neglect).

(28) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$2,014,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5124 (nonrelative kin placement). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(29) \$338,000 of the general fund—state appropriation for fiscal year 2024, \$317,000 of the general fund—state appropriation for fiscal year 2025, and \$54,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(30) \$851,000 of the general fund—state appropriation for fiscal year 2024, \$2,412,000 of the general fund—state appropriation for fiscal year 2025, and \$108,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(31) \$2,304,000 of the opioid abatement settlement account—state appropriation is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

(32) \$375,000 of the general fund—state appropriation for fiscal year 2024, \$375,000 of the general fund—state appropriation for fiscal year 2025, and \$112,000 of the general fund—federal appropriation are provided solely for the department to develop, implement, and expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation services for children in temporary out-of-home care and their parents and siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature regarding these strategies by September 1, 2023. The report shall include the number and percentage of parents requiring supervised visitation and the number and percentage of parents with unsupervised visitation, prior to reunification.

(33) \$499,000 of the general fund—state appropriation for fiscal year 2024, \$499,000 of the general fund—state appropriation for fiscal year 2025, and \$310,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1204 (family connections program), which will support the family connections program in areas of the state in which the program is already established. To operate the program, the department must contract with a community-based organization that has experience working with the foster care population and administering the family connections program. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(34) \$2,020,000 of the general fund—state appropriation for fiscal year 2024, \$1,894,000 of the general fund—state appropriation for fiscal year 2025, and \$1,247,000 of the general fund—federal appropriation are provided solely to increase the basic foster care maintenance rate for all age groups and the supervised independent living subsidy for youth in extended foster care each by \$50 per youth per month effective July 1, 2023.

(35) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a Washington state mentoring organization to provide oversight and training for a pilot program that mentors foster youth. The goal of the program is to improve outcomes for youth in foster care by surrounding them with ongoing support from a caring adult mentor. Under the program, mentors provide a positive role model and develop a trusted relationship that helps the young person build self-confidence, explore career opportunities, access their own resourcefulness, and work to realize their fullest potential. The organization shall serve as the program administrator to provide grants to nonprofit organizations based in Washington state that meet department approved criteria specific to mentoring foster youth. Eligible grantees must have programs that currently provide mentoring services within the state and can provide mentors who provide one-to-one services to foster youth, or a maximum ratio of one mentor to three youth.

(36) ~~\$1,100,000 of the general fund—state appropriation for fiscal year 2024~~ and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization in Spokane that has experience administering a family-centered drug treatment and housing program for families experiencing substance use disorder. The amount provided in this subsection is intended to support the existing program while the department works to develop a sustainable model of the program and expand to new regions of the state.

(37) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to lead the development of a sustainable operating funding model for programs using the rising strong model that provides comprehensive, family-centered drug treatment and housing services to keep families together while receiving treatment and support. The department shall work in coordination with the health care authority, the department of commerce, other local agencies, and stakeholders on development of the model. The department shall submit the sustainable operating model to the appropriate committees of the legislature by July 1, 2024.

(38) \$107,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$50,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(39) \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$269,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the new foster home incentive payment for child-placing agencies to \$1,000 for each new foster home certified for licensure, effective July 1, 2023.

(40) \$1,350,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to establish a pilot for public health nurses, including contracts for up to eight public health nurses distributed by case count across the regions to support caseworkers in engaging and communicating with families about the risks of fentanyl and child health and safety practices.

(41) \$900,000 of the general fund—state appropriation for fiscal year 2025 and \$231,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5908 (extended foster care). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(42) \$333,000 of the general fund—state appropriation for fiscal year 2025 and \$76,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 6006 (victims of human trafficking). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(43) \$266,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5591 (dependent youth financial ed). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(44) (a) \$1,638,000 of the general fund—state appropriation for fiscal year 2025, \$337,000 of the general fund—federal appropriation, and \$1,515,000 of the opioid abatement settlement account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(b) Of the amounts provided in (a) of this subsection:

(i) \$1,515,000 of the opioid abatement settlement account—state appropriation is provided solely for a pilot program to include third-party safety plan participants and public health nurses in child protective services safety planning.

(ii) \$574,000 of the general fund—state appropriation for fiscal year 2025 and \$301,000 of the general fund—federal appropriation are provided solely for at least one legal liaison position in each region to work with both the department and the office of the attorney general for the purpose of assisting with the preparation of child abuse and neglect court cases.

(iii) \$972,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for two pilot programs to implement an evidence-based, comprehensive, intensive, in-home parenting services support model to serve children and families from birth to age 18 who are involved in the child welfare, children's mental health, or juvenile justice systems.

**Sec. 228.** 2023 c 475 s 228 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—JUVENILE REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$140,231,000))
	\$148,567,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$143,975,000))
	\$151,778,000
General Fund—Federal Appropriation . . . . .	\$694,000
General Fund—Private/Local Appropriation . . . . .	\$205,000
Washington Auto Theft Prevention Authority Account—	
State Appropriation . . . . .	\$196,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(\$285,301,000)</b>
	<b>\$301,440,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,841,000 of the general fund—state appropriation for fiscal year 2024 and \$2,841,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts for effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development, not just reducing recidivism. Additional funding for this purpose is provided through an interagency agreement with the health care authority. County juvenile courts shall apply to the department of children, youth, and families for funding for program-specific participation and the department shall provide grants to the courts consistent with the participant treatment costs identified by the institute. The block grant oversight committee, in consultation with the Washington state institute for public policy, shall identify effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development to receive funding.

(2) \$1,537,000 of the general fund—state appropriation for fiscal year 2024 and \$1,537,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expansion of the juvenile justice treatments and therapies in department of children, youth, and families programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The department may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(3) (a) \$6,198,000 of the general fund—state appropriation for fiscal year 2024 and \$6,198,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement evidence- and research-based programs through community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants. In addition to funding provided in this subsection, funding to implement alcohol and substance abuse treatment programs for locally committed offenders is provided through an interagency agreement with the health care authority.

(b) The department of children, youth, and families shall administer a block grant to county juvenile courts for the purpose of serving youth as defined in RCW 13.40.510(4)(a) in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service funds, community juvenile accountability act grants, chemical dependency/mental health disposition alternative, and suspended disposition alternative. The department of children, youth, and families shall follow the following formula and must prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for the assessment of low, moderate, and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency and mental health disposition alternative; and (vi) two percent for the suspended dispositional alternatives. Funding for the special sex offender disposition alternative shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the department of children, youth, and families and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(c) The department of children, youth, and families and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the department of children, youth, and families and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be co-chaired by the department of children, youth, and families and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. The committee may make changes to the formula categories in (b) of this subsection if it determines the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost/benefit savings to the state, including long-term cost/benefit savings. The committee must also consider these outcomes in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(d) The juvenile courts and administrative office of the courts must collect and distribute information and provide access to the data systems to the department of children, youth, and families and the Washington state institute for public policy related to program and outcome data. The department of children, youth, and families and the juvenile courts must work collaboratively to develop program outcomes that reinforce the greatest cost/benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(4) \$645,000 of the general fund—state appropriation for fiscal year 2024 and \$645,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

(5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant program focused on criminal street gang prevention and intervention. The department of children, youth, and families may award grants under this subsection. The department of children, youth, and families shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity receiving funds must report to the department of children, youth, and families on the number and types of youth served, the services provided, and the impact of those services on the youth and the community.

(6) The juvenile rehabilitation institutions may use funding appropriated in this subsection to purchase goods, supplies, and services through hospital group purchasing organizations when it is cost-effective to do so.

(7) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts to establish alternative detention facilities similar to the proctor house model in Jefferson county, Washington, that will provide less restrictive confinement alternatives to youth in their local communities. County juvenile courts shall apply to the department of children, youth, and families for funding and each entity receiving funds must report to the department on the number and types of youth serviced, the services provided, and the impact of those services on the youth and the community.

(8) \$432,000 of the general fund—state appropriation for fiscal year 2024 and \$432,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide housing services to clients releasing from incarceration into the community.

(9) (a) \$878,000 of the general fund—state appropriation for fiscal year 2024 and \$879,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for

implementation of chapter 206, Laws of 2021 (concerning juvenile rehabilitation community transition services).

(b) Of the amounts provided in (a) of this subsection, \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing vouchers.

(10) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 265, Laws of 2021 (supporting successful reentry).

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a credible messenger mentorship organization located in Kitsap county to provide peer counseling, peer support services, and mentorship for at-risk youth and families.

(12) \$1,791,000 of the general fund—state appropriation for fiscal year 2024 and \$1,754,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the facility, property, and assets at the facility formerly known as the Naselle youth camp in Naselle. The department of children, youth, and families must enter into an interagency agreement with the department of social and health services for the management and warm closure maintenance of the Naselle youth camp facility and grounds during the 2023-2025 fiscal biennium.

(13)(a) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1394 (sexual offenses by youth). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(b) The department of children, youth, and families—juvenile rehabilitation shall develop and implement a grant program that allows defense attorneys and counties to apply for funding for sex offender evaluation and treatment programs. The department shall provide funding to counties for: (a) Process mapping, site assessment, and training for additional sex offender treatment modalities such as multisystemic therapy-problem sexual behavior or problematic sexual behavior-cognitive behavioral therapy; and (b) for any evaluation and preadjudication treatment costs which are not covered by the court.

(14) \$2,436,000 of the general fund—state appropriation for fiscal year 2024 and \$2,206,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a dedicated institutional educational oversight and accountability team and 12 staff to provide a transition team at both green hill and echo glen that will serve as an education engagement team at the facility and will also coordinate and engage with community enrichment programs and community organizations to afford more successful transitions.

(15) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted services for housing for youth exiting juvenile rehabilitation facilities.

(16) ~~(\$3,306,000)~~ \$2,701,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$8,732,000)~~ \$9,915,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for caseload costs and staffing. Of the amount provided in this subsection: ~~(\$1,752,000)~~ \$1,221,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,428,000)~~ \$2,055,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing necessary to operate the baker cottage north living unit at green hill school that is anticipated to be operational by ~~(February)~~ March 1, 2024.

(17) \$967,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to purchase body scanners, one for echo glen, and two for green hill school, to comply with chapter 246-230 WAC (security screening systems).

(18) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for antibiotics training for girls, youth stipends for girls, and facilitation for girls in the continuum of the juvenile rehabilitation system.

(19) \$68,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6006 (victims of human trafficking). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 229.** 2023 c 475 s 229 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—EARLY LEARNING PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	<del>(\$576,454,000)</del>
	<u>\$587,754,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$699,147,000)</del>
	<u>\$749,967,000</u>
General Fund—Federal Appropriation. . . . .	<del>(\$525,447,000)</del>
	<u>\$659,630,000</u>
General Fund—Private/Local Appropriation. . . . .	\$104,000
Education Legacy Trust Account—State Appropriation. . . . .	<del>(\$385,965,000)</del>
	<u>\$385,401,000</u>
Home Visiting Services Account—State Appropriation. . . . .	<del>(\$35,809,000)</del>
	<u>\$35,795,000</u>
Home Visiting Services Account—Federal Appropriation. . . . .	<del>(\$36,417,000)</del>
	<u>\$37,256,000</u>

Opioid Abatement Settlement Account—State	
Appropriation. . . . .	\$3,179,000
Washington Opportunity Pathways Account—State	
Appropriation. . . . .	\$80,000,000
Workforce Education Investment Account—State	
Appropriation. . . . .	\$22,764,000
TOTAL APPROPRIATION. . . . .	<del>(\$2,362,107,000)</del> \$2,561,850,000

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) ~~(\$123,623,000)~~ \$132,698,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$148,314,000)~~ \$167,571,000 of the general fund—state appropriation for fiscal year 2025, \$91,810,000 of the education legacy trust account—state appropriation, and \$80,000,000 of the opportunity pathways account—state appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 16,778 slots in fiscal year 2024 and 17,278 slots in fiscal year 2025. Of the total slots in each fiscal year, 100 slots must be reserved for foster children to receive school-year-round enrollment.

(b) Of the amounts provided in (a) of this subsection:

(i) \$23,647,000 of the general fund—state appropriation for fiscal year 2024 and \$26,412,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a slot rate increase of 18 percent for full day slots, a 9 percent increase for extended day slots, and a 7 percent increase for part day slots, beginning July 1, 2023.

(ii) \$10,182,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a rate increase of 6 percent for full day slots and 10 percent for extended day slots, beginning July 1, 2024.

(iii) \$9,862,000 of the general fund—state appropriation for fiscal year 2024 and \$9,862,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to convert 1,000 part day slots to full day slots, and to increase full day slots by 500, beginning in fiscal year 2024.

~~((iii))~~ (iv) \$9,862,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to convert 1,000 part day slots to full day slots ~~(7)~~ and to increase full day slots by 500, beginning in fiscal year 2025.

(c) Of the amounts provided in (a) of this subsection, \$2,509,000 of the general fund—state appropriation for fiscal year 2024 and \$3,278,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for the early childhood education and assistance program.

(d) The department of children, youth, and families must develop a methodology to identify, at the school district level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district and the corresponding facility needs required to meet the entitlement in accordance with RCW 43.216.556. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(2) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies.

(3) The department of children, youth, and families shall work in collaboration with the department of social and health services to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families. Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(4) (a) ~~(\$144,632,000)~~ \$145,852,000 of the general fund—state appropriation for fiscal year 2024, \$208,181,000 of the general fund—state appropriation for fiscal year 2025, \$56,400,000 of the general fund—federal appropriation, and ~~(\$51,500,000)~~ \$99,100,000 of the general fund—federal appropriation (ARPA) are provided solely for enhancements to the working connections child care program.

(b) Of the amounts provided in (a) of this subsection:

(i) \$47,637,000 of the general fund—state appropriation for fiscal year 2024, \$87,556,000 of the general fund—state appropriation for fiscal year 2025, \$36,249,000 of the general fund—federal appropriation, and \$33,085,000 of the general fund—federal appropriation



(ARPA) are provided solely to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey for child care centers.

(ii) ~~(\$96,995,000)~~ \$98,215,000 of the general fund—state appropriation for fiscal year 2024, \$120,625,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided solely to implement the 2023-2025 collective bargaining agreement covering family child care providers as provided in section 907 of this act. Of the amounts provided in this subsection:

(A) \$8,263,000 of the general fund—state appropriation for fiscal year 2024 and \$9,793,000 of the general fund—state appropriation for fiscal year 2025 are for an 85 cent per hour per child rate increase for family, friends, and neighbor providers (FFNs) beginning July 1, 2023, and a 15 cent per hour per child rate increase beginning July 1, 2024.

(B) \$26,515,000 of the general fund—state appropriation for fiscal year 2024, \$48,615,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey.

(C) \$370,000 of the general fund—state appropriation for fiscal year 2024 and \$370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to pay the background check application and fingerprint processing fees.

(D) ~~(\$61,847,000)~~ \$63,067,000 of the general fund—state appropriation for fiscal year 2024 and \$61,847,000 of the general fund—state appropriation for fiscal year 2025 are for a cost of care rate enhancement.

(c) Funding in this subsection must be expended with internal controls that provide child-level detail for all transactions beginning in fiscal year 2025.

(d) On July 1, 2023, and July 1, 2024, the department, in collaboration with the department of social and health services, must report to the governor and the appropriate fiscal and policy committees of the legislature on the status of overpayments in the working connections child care program. The report must include the following information for the previous fiscal year:

(i) A summary of the number of overpayments that occurred;

(ii) The reason for each overpayment;

(iii) The total cost of overpayments;

(iv) A comparison to overpayments that occurred in the past two preceding fiscal years; and

(v) Any planned modifications to internal processes that will take place in the coming fiscal year to further reduce the occurrence of overpayments.

(e) Within available amounts, the department in consultation with the office of financial management shall report enrollments and active caseload for the working connections child care program to the governor and the legislative fiscal committees and the legislative-executive WorkFirst poverty reduction oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(5) \$2,362,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~, \$2,362,000 of the general fund—state appropriation for fiscal year 2025, and \$3,582,000 of the general fund—federal appropriation are provided solely to increase the nonstandard hours bonus ~~((to \$135 per child per month))~~. Of the amounts in this subsection:

(a) \$2,362,000 of the general fund—state appropriation for fiscal year 2024 and \$2,362,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the nonstandard hours bonus to \$135 per child per month, beginning July 1, 2023.

(b) \$3,582,000 of the general fund—federal appropriation is provided solely to increase the nonstandard hours bonus to \$300 per child per month, beginning July 1, 2024.

(6) \$22,764,000 of the workforce education investment account—state appropriation is provided solely for the working connections child care program under RCW 43.216.135.

(7) \$353,402,000 of the general fund—federal appropriation is reimbursed by the department of social and health services to the department of children, youth, and families for qualifying expenditures of the working connections child care program under RCW 43.216.135.

(8) \$1,560,000 of the general fund—state appropriation for fiscal year 2024, \$1,560,000 of the general fund—state appropriation for fiscal year 2025, and \$6,701,000 of the general fund—federal appropriation are provided solely for the seasonal child care program.

(9) \$871,000 of the general fund—state appropriation for fiscal year 2024 and \$871,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of children, youth, and families to contract with a countywide nonprofit organization with early childhood expertise in Pierce county for a project to prevent child abuse and neglect using nationally recognized models.

(a) The nonprofit organization must continue to implement a countywide resource and referral linkage system for families of children who are prenatal through age five.

(b) The nonprofit organization must offer a voluntary brief newborn home visiting program. The program must meet the diverse needs of Pierce county residents and, therefore, it must be flexible, culturally appropriate, and culturally responsive. The department, in collaboration with the nonprofit organization, must examine the feasibility of leveraging federal and other fund sources, including federal Title IV-E and medicaid funds, for home

visiting provided through the pilot. The department must report its findings to the governor and appropriate legislative committees by September 1, 2023.

(10) \$3,577,000 of the general fund—state appropriation for fiscal year 2024, \$3,587,000 of the general fund—state appropriation for fiscal year 2025, and \$9,588,000 of the education legacy trust account—state appropriation are provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. The department shall pursue opportunities to leverage other funding to continue and expand ECLIPSE services. Priority for services shall be given to children referred from the department.

(11) The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In a bi-annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements.

(12) \$1,728,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(13) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(14) \$4,000,000 of the education legacy trust account—state appropriation is provided solely for early intervention assessment and services.

(15) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(16) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued implementation of chapter 202, Laws of 2017 (children's mental health).

(17) Within existing resources, the department shall continue implementation of chapter 409, Laws of 2019 (early learning access).

(18) \$515,000 of the general fund—state appropriation for fiscal year 2024 and \$515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a statewide family resource and referral linkage system, with coordinated access point of resource navigators who will connect families with children prenatal through age five with services, programs, and community resources through a facilitated referral and linkage process.

(19)(a) \$114,000 of the general fund—state appropriation for fiscal year 2024, \$173,000 of the general fund—state appropriation for fiscal year 2025, \$6,000 of the general fund—federal appropriation, and \$31,000 of the general fund—federal appropriation (ARPA) are provided solely for the department to complete its pilot project to determine the feasibility of a child care license category for multi-site programs operating under one owner or one entity and to complete one year of transition activities. The department shall adopt rules to implement the pilot project and may waive or adapt licensing requirements when necessary to allow for the operation of a new license category. Pilot participants must include, at least:

- (i) One governmental agency;
- (ii) One nonprofit organization; and
- (iii) One for-profit private business.

(b) New or existing license child care providers may participate in the pilot. When selecting and approving pilot project locations, the department shall aim to select a mix of rural, urban, and suburban locations. By July 1, 2024, the department shall submit to the governor and relevant committees of the legislature a plan for permanent implementation of this license category, including any necessary changes to law.

(20) \$3,020,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for the home visiting program. Of the amounts in this subsection:

(a) \$2,020,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for a funding increase, including to increase funding for contracts to support wage and cost increases and create more equity in contracting among the home visiting workforce.

(b) \$1,000,000 of the home visiting account—state appropriation is provided solely for the expansion of visiting services.

(21) Within the amounts provided in this section, funding is provided for the department to make permanent the two language access coordinators with specialties in Spanish and Somali as funded in chapter 334, Laws of 2021.

(22)(a) The department must provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license-exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on

children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(b) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(c) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(d) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data every March for the previous school year.

(e) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(23) \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue implementation of an infant and early childhood mental health consultation initiative to support tribal child care and early learning programs. Funding may be used to provide culturally congruent infant and early childhood mental health supports for tribal child care, the tribal early childhood education and assistance program, and tribal head start providers. The department must consult with federally recognized tribes which may include round tables through the Indian policy early learning committee.

(24) \$860,000 of the general fund—state appropriation for fiscal year 2024 and \$860,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued expansion and support of family, friend, or neighbor caregivers with a focus on the provision of play and learn groups. The amounts provided in this subsection may be used for the department to:

(a) Fund consistent staffing across the state's six geographic regions to support the needs of family, friend, or neighbor caregivers;

(b) Contract with a statewide child care resource and referral program to sustain and expand the number of facilitated play groups to meet the needs of communities statewide;

(c) Support existing infrastructure for organizations that have developed the three existing play and learn program models so they have capacity to provide training, technical assistance, evaluation, data collection, and other support needed for implementation; and

(d) Provide direct implementation support to community-based organizations that offer play and learn groups.

(25) \$3,750,000 of the general fund—state appropriation for fiscal year 2024 and \$3,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for tribal early learning grants to be distributed to providers with tribal children enrolled in early childhood education and assistance program, early ECEAP, childcare, head start, early head start and home visiting programs. Grants will be administered by the department of children, youth and families office of tribal relations and may be awarded for purposes including but not limited to culturally appropriate mental health supports for addressing historical trauma, incorporating indigenous foods, culturally-responsive books and materials, staff professional development, curriculum adaptations and supplements, tribal language education, elders and storytelling in classrooms, traditional music and arts instruction, and transportation to facilitate tribal child participation in early childhood education. Of the amounts in this subsection, the department may use \$143,000 in fiscal year 2024 and up to \$136,000 in fiscal year 2025 to cover associated administrative expenses.

(26) \$7,698,000 of the general fund—state appropriation for fiscal year 2024 and \$7,698,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for child care providers.

(27) \$2,624,000 of the general fund—state appropriation for fiscal year 2024 and \$2,624,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for equity grants established under chapter 199, Laws of 2021 (E2SSB 5237).

(28) \$2,354,000 of the general fund—state appropriation for fiscal year 2024 and \$2,431,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the birth-to-three early childhood education and assistance program. Funding is sufficient for a 20 percent rate increase beginning July 1, 2023, and a 1.8 percent rate increase beginning July 1, 2024.

(29) \$3,352,000 of the general fund—state appropriation for fiscal year 2024 and \$9,916,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5225 (working conn. child care). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(30) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to help close the gap in childcare access in the King county region by providing pandemic recovery support funding to the Launch learning organization.

(31) ~~(\$533,000)~~ \$169,000 of the general fund—state appropriation for fiscal year 2024 ~~(is)~~ and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to submit an implementation plan to expand access to Washington's mixed delivery child care system. The plan must assume that any financial contribution by

families is capped at no more than seven percent of household income and that the child care workforce are provided living wages and benefits. The plan must be submitted to the appropriate committees of the legislature by June 30, 2025, and should:

- (a) Follow the intent of chapter 199, Laws of 2021;
- (b) Be aligned with the cost of quality care rate model;
- (c) Include timelines, costs, and statutory changes necessary for timely and effective implementation; and

(d) Be developed through partnership with the statewide child care resource and referral organization and the largest union representing child care providers, with consultation from families.

(32) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for infant and early childhood mental health consultation.

(33) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with Washington communities for children to maintain a community-based early childhood network.

(34) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a Washington state based nonprofit digital child care marketing and matching service to deliver child care marketing and matching services in order to increase the number of licensed providers offering nonstandard hours care and to provide effective outreach to workforces in order to help them find and match with available nonstandard hours care providers.

(35) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an organization that provides relationship-based professional development support to family, friend, and neighbor, child care center, and licensed family care providers to work with child care workers to establish new affordable, high quality child care and early learning programs. To be eligible to receive funding, the organization must:

- (a) Provide professional development services for child care providers and early childhood educators, including training and mentorship programs;
- (b) Provide mentorship and other services to assist with child care provider and facility licensing;
- (c) Administer or host a system of shared services and consulting related to operating a child care business; and
- (d) Administer a state sponsored substitute pool child care provider program.

(36) \$830,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(37) \$972,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1525 (apprenticeships/child care). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(38) \$2,438,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide a one-time rate enhancement in fiscal year 2024 for early support for infants and toddlers program providers.

(39) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the imagination library.

(40) \$1,313,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 420, Laws of 2023 (transition to kindergarten program).

(41) \$5,561,000 of the general fund—federal appropriation is provided solely to increase the infant rate enhancement for child care providers from \$90 to \$300, beginning July 1, 2024.

(42) \$650,000 of the general fund—federal appropriation is provided solely to expand the inclusion mentorship program for increasing access in child care team, which provides early learning providers with the necessary skills and knowledge to effectively care for and educate children with disabilities, developmental delays, or challenging behaviors.

(43) \$497,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to conduct a feasibility study and provide cost estimates for a pilot program to award start-up grants, in local jurisdictions over 100,000 persons, to assist in the establishment and operation of child care programs and services with nonstandard hours for the minor children of individuals in high demand professions, including, but not limited to, peace officers and criminal justice personnel, firefighters, medical professionals in rural areas, and construction workers during shift work and abnormal work hours. A report is due to the legislature by June 30, 2025.

(44) \$254,000 of the general fund—federal appropriation is provided solely for implementation of Substitute Senate Bill No. 5774 (fingerprint backgr. checks). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(45)(a) \$3,179,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(b) Of the amounts provided in (a) of this subsection:

(i) \$1,600,000 of the opioid abatement settlement account—state appropriation is provided solely to enter into targeted contracts with existing home visiting programs established by RCW 43.216.130 in locales with the historically highest rates of child welfare screened-in intake and shall be targeted to families experiencing high-potency synthetic opioid-related substance use disorder.

(ii) \$1,579,000 of the opioid abatement settlement account—state appropriation is provided solely to establish a pilot program for contracted child care slots for infants in child protective services in locales with the historically highest rates of child welfare screened-in intake due to the exposure or presence of high-potency synthetic opioids in the home, which may be used as part of a safety plan.

Sec. 230. 2023 c 475 s 230 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$269,989,000))
	\$372,098,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$267,333,000))
	\$287,874,000
General Fund—Federal Appropriation . . . . .	(((\$154,741,000))
	\$172,600,000
General Fund—Private/Local Appropriation . . . . .	(((\$2,133,000))
	\$2,131,000
Education Legacy Trust Account—State Appropriation . . . . .	(((\$180,000))
	\$744,000
Home Visiting Services Account—State Appropriation . . . . .	\$482,000
Home Visiting Services Account—Federal Appropriation . . . . .	\$380,000
Information Technology Investment Revolving Account—	
State Appropriation . . . . .	\$1,985,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$695,238,000))</b>
	<b>\$838,294,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Washington state mentoring organization to continue its public-private partnerships providing technical assistance and training to mentoring programs that serve at-risk youth.

(2) \$2,000 of the general fund—state appropriation for fiscal year 2024, \$6,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(3) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time employee to coordinate policies and programs to support pregnant and parenting individuals receiving chemical dependency or substance use disorder treatment.

(4) (((\$2,719,000))\$3,525,000 of the general fund—state appropriation for fiscal year 2024, (((\$2,632,000))\$4,145,000 of the general fund—state appropriation for fiscal year 2025, and (((\$174,000))\$248,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$2,406,000 of the general fund—state appropriation for fiscal year 2024, \$2,382,000 of the general fund—state appropriation for fiscal year 2025, and \$174,000 of the general fund—federal appropriation are provided solely for supported housing programs for hard-to-place foster youth age 16 and above. The department shall provide housing and case management supports that ensure youth placement stability, promote mental health and well-being, and prepare youth for independent living.

(b) \$313,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance, reporting on progress, and resolving disputes that may arise.

(c) \$806,000 of the general fund—state appropriation for fiscal year 2024, \$1,513,000 of the general fund—state appropriation for fiscal year 2025, and \$74,000 of the general fund—federal appropriation are provided solely for plaintiff legal fees, stakeholder facilitation, and fiduciary support to support rate modeling and payments for the emerging adult housing program, professional therapeutic foster parents, referrals and transitions, and hub homes.

(5) \$704,000 of the general fund—state appropriation for fiscal year 2024, \$1,022,000 of the general fund—state appropriation for fiscal year 2025, and \$222,000 of the general fund—federal appropriation are provided solely for the department to implement a language access plan, which will include but is not limited to:

(a) Translation of department materials;

(b) Hiring staff to form a centralized language access team to provide language access supports and coordination across all department divisions;

(c) Outreach to community organizations serving multilingual children and families regarding department programs;

(d) Webinars and other technical assistance provided in multiple languages for department programs;

(e) Training for department staff on language access resources; and

(f) Other means of increasing language access and equity for providers and caregivers in health and safety, licensing and regulations, and public funding opportunities for programs offered by the department.

(6) \$1,885,000 of the general fund—state appropriation for fiscal year 2024 and \$1,885,000 of the general fund—federal appropriation are provided solely for a feasibility study to develop an implementation plan and determine costs for a new child welfare information system.

(7) \$2,149,000 of the general fund—state appropriation for fiscal year 2024, \$7,851,000 of the general fund—state appropriation for fiscal year 2025, and \$10,000,000 of the general fund—federal appropriation are provided solely for a comprehensive child welfare information system. The funding in this section is sufficient to complete procurement and the initial stages of implementation and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(8) \$1,187,000 of the general fund—state appropriation for fiscal year 2024 and \$1,187,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing support services for youth exiting foster care and juvenile rehabilitation.

~~((+8))~~ (9) \$19,000 of the general fund—state appropriation for fiscal year 2024, \$19,000 of the general fund—state appropriation for fiscal year 2025, and \$6,000 of the general fund—federal appropriation are provided solely for indirect costs associated with the implementation of a seven-level foster care support system.

~~((+9))~~ (10) \$1,494,000 of the general fund—federal appropriation is provided solely for continued implementation of the family first prevention services act requirements, including technology enhancements to support the automated assessments, data quality, and reporting requirements. Funding provided in this subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((+10))~~ (11) \$717,000 of the general fund—state appropriation for fiscal year 2024, \$717,000 of the general fund—state appropriation for fiscal year 2025, and \$324,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219).

~~((+11))~~ (12) \$1,248,000 of the general fund—state appropriation for fiscal year 2024 and \$1,248,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the emergency adolescent housing pilot program. The housing pilot will serve hard-to-place foster youth who are at least 16 years old with housing and intensive case management.

~~((+12))~~ (13) \$319,000 of the general fund—state appropriation for fiscal year 2024, \$319,000 of the general fund—state appropriation for fiscal year 2025, and \$170,000 of the general fund—federal appropriation are provided solely to continue implementation of chapter 137, Laws of 2022 (2SHB 1905).

~~((+13))~~ (14) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue implementation of chapter 39, Laws of 2022 (SHB 2068).

~~((+14))~~ (15) \$23,000 of the general fund—state appropriation for fiscal year 2024, \$31,000 of the general fund—state appropriation for fiscal year 2025, and \$7,000 of the general fund—federal appropriation are provided solely to implement Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((+15))~~ (16) \$1,571,000 of the general fund—state appropriation for fiscal year 2024 and \$1,571,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Senate Bill No. 5316 (DCYF background check fees). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((+16))~~ (17) \$53,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and \$16,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(17))~~ (18) \$43,000 of the general fund—state appropriation for fiscal year 2024, \$78,000 of the general fund—state appropriation for fiscal year 2025, and \$18,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5124 (nonrelative kin placement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(18))~~ (19) \$2,627,000 of the general fund—state appropriation for fiscal year 2024 and \$2,628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5256 (child welfare housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(19))~~ (20) \$33,000 of the general fund—state appropriation for fiscal year 2024, \$58,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(20))~~ (21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership council for juvenile justice to consider and provide recommendations regarding juvenile justice policy projects and for one additional staff for ongoing policy and program analysis. The partnership council is authorized to consult with experts to study and gather research on best practices regarding juvenile justice, and to consult with relevant stakeholders regarding its potential recommendations. Relevant stakeholders may include but are not limited to the superior court judges association; Washington association of juvenile court administrators; Washington association of county clerks; the association of Washington counties; community-based organizations with expertise in legal financial obligation reform, community compensation funds, supporting victims and survivors of crime, or supporting youth who have been convicted or adjudicated of criminal offenses; law enforcement, prosecutors; public defenders; incarcerated and formerly incarcerated youth and young adults; the administrative office of the courts; the crime victims compensation program; and the office of crime victims advocacy.

(a) The council shall:

(i) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations for establishing a state-funded community compensation program to address out of pocket expenses for those who have been harmed by juvenile criminal offenses. Recommendations shall consider restorative principles and best practices and shall be developed in consultation with those who have been adjudicated and charged restitution and those who have been owed restitution. The council shall provide recommendations for program implementation including, but not limited to, structure and placement within state government; scope and scale of funding including eligibility criteria; retroactivity; documentation requirements; and coordination with the existing crime victims compensation fund. The council shall provide estimates of startup costs and ongoing operational costs, including administration and direct compensation to victims.

(ii) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations regarding retention, dissemination, confidentiality, sealing, consequences, and general treatment of juvenile court records. In making recommendations, the council shall take into consideration developments in brain science regarding decision-making amongst youth; the impact the juvenile court records can have on future individual well-being; principles of racial equity; and impacts that the recommendations could have on recidivism.

(iii) By June 30, 2025, report to the governor and appropriate committees of the legislature recommendations regarding implementation of juvenile court jurisdiction expansion to encompass persons 18, 19, and 20 years old. Recommendations shall include an implementation plan for the expansion, including necessary funding, essential personnel and programmatic resources, measures necessary to avoid a negative impact on the state's child protection response, and specific milestones related to operations and policy. The implementation plan shall also include a timeline for structural and systemic changes within the juvenile justice system for the juvenile rehabilitation division; the department of children, youth, and families; the department of corrections; and the juvenile court pursuant to chapter 13.04 RCW. The implementation plan shall also include an operations and business plan that defines benchmarks including possible changes to resource allocations; a review of the estimated costs avoided by local and state governments with the reduction of recidivism and an analysis of cost savings reinvestment options; and estimated new costs incurred to provide juvenile justice services to persons 18, 19, and 20 years old.

~~((21))~~ (22) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a statewide nonprofit with demonstrated capability of partnering with agencies and community organizations to develop public-facing regionalized data dashboards and reports to measure change in equitable early learning access as a result of programs and grants administered by the department. The nonprofit must provide the data in a consumer-friendly format and include updates on program supply and demand for subsidized child care and preschool programs. The data must be disaggregated by program and facility type, geography, family demographics, copayments, and outcomes of grants and rate enhancements disaggregated by staff role, program and facility type, and geography.

~~((22))~~ (23) \$1,206,000 of the general fund—state appropriation for fiscal year 2024, \$1,554,000 of the general fund—state appropriation for fiscal year 2025, and \$1,416,000 of

the general fund—private/local appropriation are provided solely for the department to contract with one or more community organizations with expertise in the LifeSet case management model to serve youth and adults currently being served in or exiting the foster care, juvenile justice, and mental health systems to successfully transition to adulthood.

~~((23))~~ (24) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase rates for independent living service providers.

~~((24))~~ (25) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

~~((25))~~ (26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an entity for three separate studies. The department must submit the studies to the governor and the legislature by June 30, 2025. The studies must analyze:

(a) The feasibility of implementing a universal child allowance, universal child care, and universal baby boxes;

(b) The feasibility of a social wealth fund for Washington state; and

(c) The current cash and cash-equivalent benefits currently available for Washington state residents who are nonworkers.

~~((26))~~ (27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an all-male, African American organization to mentor youth ages 12 through 19 in south King county.

~~((27))~~ (28) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$37,000 of the general fund—state appropriation for fiscal year 2025, and \$74,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(28))~~ (29) \$18,000 of the general fund—state appropriation for fiscal year 2024, \$18,000 of the general fund—state appropriation for fiscal year 2025, and \$8,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(29))~~ (30) (a) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$41,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to report on a plan to discontinue the practice of using any benefits, payments, funds, or accrual paid to or on behalf of a child or youth to reimburse itself for cost of care by the earliest date feasible. The report must include an implementation plan to conserve funds for the future needs of the child in a manner in which the funds will not count against eligibility for federal or state means tested programs. The report must include a strategy for developing the financial literacy and capability of youth and young adults exiting foster care and juvenile rehabilitation. The department will develop the report in consultation with stakeholders, including but not limited to:

(i) Individuals with disabilities and organizations representing the interests of or serving individuals with disabilities;

(ii) Youth in foster care and juvenile rehabilitation and their parents;

(iii) The social security administration; and

(iv) Other relevant state agencies.

(b) The department must provide periodic status updates and must submit the final report no later than October 1, 2024. The department must convene the first meeting of the work group no later than September 1, 2023.

(31) \$938,000 of the general fund—state appropriation for fiscal year 2024, \$961,000 of the general fund—state appropriation for fiscal year 2025, and \$172,000 of the general fund—federal appropriation are provided solely for:

(a) Compliance with the settlement agreement reached in *Ta'afulisia et al. v. Washington State Department of Children, Youth, and Families, et al.*, Thurston county superior court, cause no. 22-2-02974-34. The department must implement the provisions of the settlement agreement, which includes providing hearings to incarcerated youth under age 25 serving their sentence at a department of children, youth, and families facility prior to transfer to an adult corrections facility operated by the department of corrections; and

(b) Providing hearings for youth under age 25 transferred from a department of children, youth, and families community partial confinement facility to a department of children, youth, and families total confinement facility.

(32) \$94,615,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal costs that exceed the amount covered by the self-insurance liability account as follows:

(a) \$91,250,000 for the costs associated with a jury verdict resulting from *Cox et al. v. State of Washington et al.*, Pierce county superior court, cause no. 12-2-11389-6; and

(b) \$3,365,000 for the costs associated with a settlement agreement reached in *Aroni et al., v. State of Washington*, King county superior court, cause no. 21-2-16587-3.

(33) \$1,628,000 of the general fund—state appropriation for fiscal year 2025 and \$1,926,000 of the general fund—federal appropriation are provided solely for a feasibility study for the social service payment system replacement project.



(34) \$1,272,000 of the general fund—state appropriation is provided solely to transact with the necessary level of detail regarding working connections child care program payments to address the repeated findings made by the state auditor's office related to the child care and development fund and temporary assistance for needy families federal grants.

(End of part)

**PART III  
NATURAL RESOURCES**

**Sec. 301.** 2023 c 475 s 301 (uncodified) is amended to read as follows:

**FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund—State Appropriation (FY 2024)	\$1,728,000
General Fund—State Appropriation (FY 2025)	(((\$1,273,000))
	<u>\$1,288,000</u>
General Fund—Federal Appropriation	\$32,000
General Fund—Private/Local Appropriation	(((\$2,574,000))
	<u>\$2,589,000</u>
Climate Commitment Account—State Appropriation	\$138,000
<b>TOTAL APPROPRIATION</b>	<b>(((\$5,745,000))</b>
	<b><u>\$5,775,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a land use planner to provide land use planning services dedicated to Klickitat county. Because the activities of the land use planner are solely for the benefit of Washington state, Oregon is not required to provide matching funds for this activity.

(2) \$553,000 of the general fund—state appropriation for fiscal year 2024, \$352,000 of the general fund—state appropriation for fiscal year 2025, and \$905,000 of the general fund—private/local appropriation are provided solely for the access database replacement project. The commission must consult with the office of the chief information officer regarding the access database replacement project.

(3) \$138,000 of the climate commitment account—state appropriation is provided solely for staff to lead implementation of the agency's climate change action plan and to support implementation of the vital sign indicators monitoring program.

(4) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 302.** 2023 c 475 s 302 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

General Fund—State Appropriation (FY 2024)	(((\$39,381,000))
	<u>\$39,604,000</u>
General Fund—State Appropriation (FY 2025)	(((\$37,256,000))
	<u>\$39,546,000</u>
General Fund—Federal Appropriation	(((\$108,485,000))
	<u>\$145,439,000</u>
General Fund—Private/Local Appropriation	\$29,544,000
<u>Dedicated Cannabis Account—State Appropriation</u>	
(FY 2025)	<u>\$782,000</u>
Climate Commitment Account—State Appropriation	(((\$14,792,000))
	<u>\$25,163,000</u>
Emergency Drought Response Account—State	
Appropriation	\$6,000,000
Natural Climate Solutions Account—State	
Appropriation	(((\$12,795,000))
	<u>\$13,395,000</u>
Reclamation Account—State Appropriation	(((\$4,753,000))
	<u>\$4,762,000</u>
Flood Control Assistance Account—State Appropriation	(((\$5,041,000))
	<u>\$5,243,000</u>
Aquatic Lands Enhancement Account—State	
Appropriation	\$150,000
Refrigerant Emission Management Account—State	
Appropriation	(((\$2,795,000))
	<u>\$3,112,000</u>
State Emergency Water Projects Revolving Account—	
State Appropriation	\$40,000
Waste Reduction, Recycling, and Litter Control	
Account—State Appropriation	(((\$33,866,000))
	<u>\$33,915,000</u>

State Drought Preparedness Account—State	
Appropriation. . . . .	(( <del>\$2,204,000</del> ))
	<u>\$2,219,000</u>
State and Local Improvements Revolving Account—Water	
Supply Facilities—State Appropriation. . . . .	\$186,000
Water Rights Tracking System Account—State	
Appropriation. . . . .	\$48,000
Site Closure Account—State Appropriation. . . . .	\$582,000
Wood Stove Education and Enforcement Account—State	
Appropriation. . . . .	\$605,000
Worker and Community Right to Know Fund—State	
Appropriation. . . . .	(( <del>\$2,212,000</del> ))
	<u>\$2,215,000</u>
Water Rights Processing Account—State Appropriation. . . . .	\$39,000
Water Quality Permit Account—State Appropriation. . . . .	(( <del>\$65,774,000</del> ))
	<u>\$66,904,000</u>
Underground Storage Tank Account—State Appropriation. . . . .	(( <del>\$4,987,000</del> ))
	<u>\$5,001,000</u>
Biosolids Permit Account—State Appropriation. . . . .	(( <del>\$3,054,000</del> ))
	<u>\$3,056,000</u>
Hazardous Waste Assistance Account—State	
Appropriation. . . . .	(( <del>\$9,393,000</del> ))
	<u>\$9,429,000</u>
Radioactive Mixed Waste Account—State Appropriation. . . . .	(( <del>\$23,955,000</del> ))
	<u>\$24,305,000</u>
Air Pollution Control Account—State Appropriation. . . . .	(( <del>\$4,706,000</del> ))
	<u>\$4,904,000</u>
Oil Spill Prevention Account—State Appropriation. . . . .	(( <del>\$8,485,000</del> ))
	<u>\$9,098,000</u>
Air Operating Permit Account—State Appropriation. . . . .	(( <del>\$5,510,000</del> ))
	<u>\$5,565,000</u>
Wastewater Treatment Plant Operator Certification	
Account—State Appropriation. . . . .	(( <del>\$801,000</del> ))
	<u>\$805,000</u>
Oil Spill Response Account—State Appropriation. . . . .	\$7,076,000
Model Toxics Control Operating Account—State	
Appropriation. . . . .	(( <del>\$342,888,000</del> ))
	<u>\$349,102,000</u>
Model Toxics Control Operating Account—Local	
Appropriation. . . . .	\$499,000
Model Toxics Control Stormwater Account—State	
Appropriation. . . . .	\$16,991,000
Voluntary Cleanup Account—State Appropriation. . . . .	\$344,000
Paint Product Stewardship Account—State	
Appropriation. . . . .	\$151,000
Water Pollution Control Revolving Administration	
Account—State Appropriation. . . . .	(( <del>\$8,506,000</del> ))
	<u>\$8,606,000</u>
Clean Fuels Program Account—State Appropriation. . . . .	(( <del>\$4,801,000</del> ))
	<u>\$5,004,000</u>
Climate Investment Account—State Appropriation. . . . .	(( <del>\$50,290,000</del> ))
	<u>\$58,791,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$858,985,000</del>))</b>
	<b><u>\$928,220,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to grant to the northwest straits commission to provide funding, technical assistance, and/or coordination support equally to the seven Puget Sound marine resources committees.
- (2) \$170,000 of the oil spill prevention account—state appropriation is provided solely for a contract with the University of Washington's sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.
- (3) \$102,000 of the general fund—state appropriation for fiscal year 2024 and \$102,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Executive Order No. 12-07, Washington's response to ocean acidification.
- (4) \$24,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to local governments for the purpose of supporting local solid waste and financial assistance programs.
- (5) \$150,000 of the aquatic lands enhancement account—state appropriation is provided solely for implementation of the state marine management plan and ongoing costs of the

Washington coastal marine advisory council to serve as a forum and provide recommendations on coastal management issues.

(6) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to convene a stakeholder group, including representatives from overburdened communities, to assist with developing a water quality implementation plan for polychlorinated biphenyls and to address other emerging contaminants in the Spokane river. The department must also consult with the Spokane tribe of Indians and other interested tribes when developing and implementing actions to address water quality in the Spokane river.

(7) \$4,002,000 of the natural climate solutions account—state appropriation is provided solely to address flood prevention in the Nooksack basin and Sumas prairie. Of this amount:

(a) \$2,000,000 is provided solely to expand and sustain Whatcom county's floodplain integrated planning (FLIP) team planning process, including supporting communication, community participation, coordination, technical studies and analysis, and development of local solutions.

(b) \$900,000 is provided solely for the department to support transboundary coordination, including facilitation and technical support to develop and evaluate alternatives for managing transboundary flooding in Whatcom county and British Columbia.

(c) \$1,102,000 is provided solely to support dedicated local and department capacity for floodplain planning and technical support. Of the amount in this subsection (c), \$738,000 is solely for a grant to Whatcom county. The remaining amount is for the department to provide ongoing staff technical assistance and support to flood prevention efforts in this area.

(8) ~~(\$16,472,000)~~ \$21,504,000 of the climate investment account—state appropriation, of which \$5,032,000 takes effect January 1, 2025, is provided solely for capacity grants to federally recognized tribes for: (a) Consultation on spending decisions on grants in accordance with RCW 70A.65.305; ~~(and)~~ (b) consultation on clean energy siting projects; (c) activities supporting climate resilience and adaptation; (d) developing tribal clean energy projects; (e) applying for state or federal grant funding; and (f) other related work. In order to meet the requirements of RCW 70A.65.230(1)(b), tribal applicants are encouraged to include a tribal resolution supporting their request with their grant application.

(9) \$1,363,000 of the general fund—state appropriation for fiscal year 2024 and \$1,375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in water resource inventory area 1 (Nooksack).

(10) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$963,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in lake Roosevelt and its immediate tributaries.

(11) \$2,479,000 of the climate investment account—state appropriation is provided solely for addressing air quality in overburdened communities highly impacted by air pollution under RCW 70A.65.020.

(12) \$177,000 of the general fund—state appropriation for fiscal year 2024 and \$177,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to validate a proposed standardized channel migration zone mapping methodology, develop a statewide channel migration zone mapping implementation plan, and provide technical assistance to local and tribal governments looking to use the new standard.

(13)(a) \$640,000 of the climate investment account—state appropriation is provided solely for the department, in consultation with the office of financial management and the environmental justice council, to develop and implement a process to track, summarize, and report on state agency expenditures from climate commitment act accounts that provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities as described in RCW 70A.65.030 and 70A.65.230, and expenditures that are formally supported by a resolution of an Indian tribe as described in RCW 70A.65.230. The department must incorporate the process under this subsection into existing efforts to track climate commitment act expenditures under RCW 70A.65.300. The department must incorporate the Washington state proequity antiracism (PEAR) plan and playbook and executive order 22-04 into the work of this subsection as appropriate.

(b) The information that agencies provide to the department, and that the department tracks and reports on under this subsection, must include, at a minimum:

(i) The amount of each expenditure that provides direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities;

(ii) An explanation of how the expenditure provides such benefits;

(iii) The methods by which overburdened communities and vulnerable populations were identified by the agency and an explanation of the outcomes of those identification processes, including the geographic location impacted by the expenditure where relevant, and the geographic boundaries of overburdened communities identified by the agency;

(iv) The amount of each expenditure used for programs, activities, or projects formally supported by a resolution of an Indian tribe; and

(v) For expenditures that do not meet, or it is unclear whether they meet, (b)(i) or (iv) of this subsection, an explanation of why.

(c) The department, in consultation with the environmental justice council and the office of financial management, and in coordination with reporting under RCW 70A.65.300, must report to the appropriate committees of the legislature by September 30, 2024, on the following:

(i) A summary of the information provided by agencies through the process in this subsection; and

(ii) Any recommendations for improvements to the process under this subsection or potential amendments to RCW 70A.65.030, 70A.65.230, or 70A.02.080, or other statutes relevant to this subsection. In making recommendations, the department must consider any statutory changes necessary to ensure consistent tracking of the uses of climate commitment account funds, including standardization or coordination of the process for identifying the overburdened communities used for purposes of tracking expenditures and the methods for determining whether an expenditure contributes a direct and meaningful benefit to a vulnerable population or overburdened community.

(d) "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, the air quality and health disparities improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

(14) \$238,000 of the model toxics control operating account—state appropriation is provided solely for technical assistance and compliance assurance associated with the ban of certain hydrofluorocarbon-related products.

(15) \$2,500,000 of the model toxics control operating account—state appropriation is provided solely for the department to conduct a statewide compost emissions study, which will provide essential data needed to improve the quality of air permitting decisions, improve compost facility operations, and support state goals to reduce organic waste in landfills reducing climate change impacts.

(16) \$2,256,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide technical assistance to landowners and local governments to promote voluntary compliance, implement best management practices, and support implementation of water quality clean-up plans in shellfish growing areas, agricultural areas, forestlands, and other types of land uses, including technical assistance focused on protection and restoration of critical riparian management areas important for salmon recovery.

(17) \$2,702,000 of the model toxics control operating account—state appropriation is provided solely for the department to develop a 6PPD action plan and complete a safer alternatives assessment of the 6PPD compound used in tires, including obtaining any data necessary to complete the alternatives assessment. The action plan should identify, characterize, and evaluate uses and releases of 6PPD and related chemicals, and recommend actions to protect human health and the environment. The department shall provide a progress report on the action plan and alternatives assessment to the governor's office, the office of financial management, and the appropriate committees of the legislature by December 31, 2024. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(18) \$5,195,000 of the model toxics control operating account—state appropriation is provided solely to establish a program to monitor 6PPD compounds in water and sediment, identify effective best management practices to treat 6PPD in stormwater runoff, produce guidance on how and when to use best management practices for toxicity reduction to protect salmon and other aquatic life, and incorporate the guidance into stormwater management manuals. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(19) \$2,296,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Senate Bill No. 5104 (marine shoreline habitat). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20)(a) \$500,000 of the model toxics control operating account—state appropriation is provided solely for the department to carry out the following activities to inform the development of legislative proposals to increase recycling, reuse, and source reduction rates, which must include consideration of how to design and implement a producer responsibility model for consumer packaging, including paper, plastic, metal, and glass, and paper products:

(i) Conduct a recycling, reuse, and source reduction targets study; and

(ii) Carry out a community input process on the state's recycling system.

(b) The department must contract with an impartial third-party consultant with relevant technical expertise and capabilities in facilitation and gathering public input, including from overburdened communities, to carry out the activities specified in (a) of this subsection. In order to ensure that the state is receiving a variety of expert perspectives on the topic of packaging management, the contractor should include in their team individuals and/or subcontractors with a wide range of expertise and experience. The third party consultant must submit a report to the appropriate committees of the house of representatives and the senate by December 1, 2023.

(c) The recycling, reuse, and source reduction targets study must:

(i) Document recycling rates, reuse rates, and the reduction of single-use plastics for consumer packaging and paper products that have been adopted in other jurisdictions, measure methods used, and the basis or justification for recommended target rates selected;

(ii) Recommend highest achievable performance rates, including an overall recycling rate, a separate specific minimum reuse rate, a recycling rate for each material category, and a source reduction rate to be achieved solely by eliminating plastic components, that could be achieved under up to four different scenarios, including a producer responsibility program and other policies; and

(iii) Make recommendations that consider the commercial viability and technological feasibility of achieving rates based on current rates achieved in the state, rates achieved based on real world performance data, and other data, with performance rates designed to be achieved statewide by 2032.

(d) For purposes of this subsection, "eliminate" or "elimination," with respect to source reduction, means the removal of a plastic component from a covered material without replacing that component with a nonplastic component.

(e) The community input process on the state's recycling system must include:

(i) In-person and virtual workshops and community meetings held at locations in urban and rural areas and in ways that are accessible to stakeholders across the state, including overburdened communities;

(ii) Public opinion surveys that are representative of Washington residents across the state, including overburdened communities and urban and rural areas; and

(iii) A focus on eliciting an improved understanding of public values and opinions related to the state's recycling system, the current public experience with respect to the state's recycling systems, and ways the public believes that their recycling experience and system outcomes could be improved.

(21)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to conduct an analysis of water use for irrigation under the potential scenario of lower Snake river dam removal. Analysis must include continued water use during drawdown and thereafter from the river postremoval. The analysis must include the following:

(i) A plan identifying potential mitigation needs and interim approaches for delivery of water for irrigation pursuant to existing water rights for those using pumps, wells, or both, from Ice Harbor reservoir during a possible transition from the current reservoir-based irrigation to irrigation from the river;

(ii) Identification of cost-effective options for continued irrigation at current amounts and with existing water rights from the lower Snake river at the area of the current Ice Harbor pool; and

(iii) Cost estimates for any necessary irrigation system upgrades required to continue irrigation from the lower Snake river.

(b) The department may, as necessary and appropriate, consult for this analysis with irrigators and tribal governments.

(c) The department shall provide a status update to the environment and energy committees of the legislature and the office of the governor by December 31, 2024.

(22) \$3,914,000 of the natural climate solutions account—state appropriation is provided solely for activities related to coastal hazards, including expanding the coastal monitoring and analysis program, establishing a coastal hazard organizational resilience team, and establishing a coastal hazards grant program to help local communities design projects and apply for funding opportunities. At least 25 percent of the funding in this subsection must be used for the benefit of tribes.

(23) \$340,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1033 (compostable product usage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(24) \$1,124,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$139,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$6,000,000 of the emergency drought response account—state appropriation and \$2,000,000 of the state drought preparedness account—state appropriation are provided solely for implementation of Substitute House Bill No. 1138 (drought preparedness). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$1,123,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$43,000 of the underground storage tank account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(29) \$1,174,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$13,248,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$140,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) Expenditures on upgrading or developing the turboplan system, Washington fuel reporting system, and EAGL system are subject to the conditions, limitations, and review requirements of section 701 of this act.

(33) \$1,263,000 of the clean fuels program account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(34) \$370,000 of the climate commitment account—state appropriation is provided solely as a grant to the Puget Sound clean air agency to identify emission reduction projects and to help community-based organizations, local governments, and ports in overburdened communities author grant applications and provide support for grant reporting for entities that receive grants. The department must prioritize projects located in overburdened communities so that those communities can reap the public health benefits from the climate commitment act, inflation reduction act, and other new funding opportunities.

(35) \$1,220,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5144 (batteries/environment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(36) ~~(\$822,000)~~ \$77,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Senate Bill No. 5369 (polychlorinated biphenyls). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(37) \$330,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide a grant to Clark county for the purpose of developing and implementing a lake management plan to restore and maintain the health of Vancouver lake, a category 5 303(d) status impaired body of water. The department must work with the county to include involvement by property owners around the lake and within the watersheds that drain to the lake, the department of natural resources, other state agencies and local governments with proprietary or regulatory jurisdiction, tribes, and nonprofit organizations advocating for the health of the lake. The plan should incorporate work already completed by the county and other entities involved in development of the lake management strategy.

(38) \$276,000 of the model toxics control operating account—state appropriation is provided solely for a grant to San Juan county for the enhancement of ongoing oil spill response preparedness staff hiring, spill response equipment acquisition, and spill response training and operational expenses.

(39) \$1,460,000 of the natural climate solutions account—state appropriation is provided solely for the department to provide grants to the following organizations in the amounts specified for the purpose of coordinating, monitoring, restoring, and conducting research for Puget Sound kelp conservation and recovery:

- (a) \$300,000 to the Squaxin Island Tribe;
- (b) \$200,000 to the Samish Indian Nation;
- (c) \$144,000 to the Lower Elwha Klallam Tribe;
- (d) \$200,000 to the Northwest straits commission;
- (e) \$366,000 to the Puget Sound restoration fund to subcontract with sound data systems and Vashon nature center; and

- (f) \$250,000 to the reef check foundation.

(40) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department's engagement with the federal government, Indian tribes, water users, and local governments on a process that could result in a federal Indian water rights settlement through the Nooksack adjudication. The department shall produce a monthly report during the claims filing period to monitor the progress of claims filed by water users. The department shall provide a report to the appropriate standing committees of the legislature regarding the status of the adjudication and any potential settlement structure by June 30, 2024, and by June 30, 2025.

(41) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county to provide technical assistance that must be made available to all water users in WRIA 1 in filing adjudication claims under RCW 90.03.140. This assistance must be administered by Whatcom county and no portion of this funding may be used to contest the claims of any other claimant in the adjudication.

(42) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county acting as fiscal agent for the WRIA 1 watershed management board, in support of collaborative water supply planning in WRIA 1. Funding may be used to collect or analyze technical information, to develop and assess the feasibility of water supply solutions in WRIA 1, and for facilitation and mediation among parties including, but not limited to, the department, Whatcom county, the public utility district, the city of Bellingham, Lummi Nation, and the Nooksack Tribe. Specific funding allocations, including

purpose and amount, will be determined by the WRIA 1 watershed management board. Funding under this subsection will be available only after the filing of the Nooksack adjudication, and no funding provided for the Nooksack adjudication will be used to support the activities funded by this subsection. It is anticipated that these activities will run in parallel with the Nooksack adjudication.

(43) \$200,000 of the model toxics control operating account—state appropriation is provided solely for the department to contract with a consultant to develop a report that conducts a full emissions life cycle assessment for solid waste processed at the Spokane Waste to Energy Facility (WTEF) compared to solid waste processed at three other landfills within the region that waste may be sent to if the WTEF were to cease operations. The report must be submitted to the appropriate committees of the legislature by December 31, 2023.

(44) \$896,000 of the model toxics control operating account—state appropriation is provided solely for Washington conservation corps (WCC) cost-share requirements for qualifying organizations, as identified through a competitive application process that prioritizes communities that have not previously received WCC support, are in areas with a high cumulative impact on the department of health's environmental health disparities map, are identified by the office of financial management as distressed, and/or have a high percentile of people of color or low-income.

(45) \$410,000 of the model toxics control operating account—state appropriation is provided solely to implement the recommendations from the agency's June 2023 report on Puget Sound nutrient credit trading, including conducting a market feasibility analysis and developing a stakeholder outreach plan, a tribal engagement plan, and trading resource materials.

(46) \$782,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 is provided solely to create and sustain a program to accredit cannabis testing laboratories. If Second Substitute House Bill No. 2151 (cannabis lab accreditation) is enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$338,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to increase planning, engagement, and evaluation tools for effective ocean management and offshore wind energy development.

(48) \$2,408,000 of the model toxics control operating account—state appropriation is provided solely for the department to meet the increased demand for administrative orders authorized under chapter 90.48 RCW (the water pollution control act) for projects impacting state waters to proceed and to conduct a rule making to develop a permit program to protect wetlands and other Washington waterways no longer subject to federal jurisdiction. Through the rule making process the agency shall explore ways to fund the program, including through development of a fee schedule.

(49) \$500,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to grant to the Squaxin Island tribe for implementing and monitoring various blue carbon sequestration projects in south Puget Sound.

(50) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to develop a groundwater modeling guidance publication.

(a) The publication must provide consistency in the department's evaluation of groundwater models submitted for water right permitting actions and ensure continued transparency to water right applicants in the department's permitting processes. The core purpose of the publication is to establish best practices for groundwater modeling. The publication will:

(i) Define criteria for evaluating model suitability for proposed projects;

(ii) Identify the department's approach to evaluating model error and uncertainty;

(iii) Identify circumstances where model outputs are insufficient for permit decision making; and

(iv) Address the appropriateness of refining a regional groundwater model in water right permitting decisions.

(b) The department must convene a technical advisory committee of licensed hydrogeologists or professional engineers with experience in groundwater modeling to review the workplan and provide comments on the guidance. The publication must be peer reviewed by the United States geological survey or other state or national hydrogeologic professional organization.

(c) The department must invite any federally recognized Indian tribes that may be potentially affected by the publication to participate in the technical advisory committee and engage in consultation with any federally recognized Indian tribe as requested.

(d) The department must provide an update to the appropriate committees of the legislature and to the office of financial management by June 30, 2025. The department must indicate the estimated time to complete the publication, including draft guidance, recommended further research, and key implementation steps in the update.

(51) \$200,000 of the flood control assistance account—state appropriation is provided solely for a grant to the Cowlitz-Wahkiakum council of governments to advance the Spirit Lake-Toutle/Cowlitz river system collaborative by facilitating meetings, and supporting strategic communication and planning among federal, state, and local partners. The work of the collaborative includes flood risk reduction, ecosystem recovery, scientific research, and other activities related to sediment management and flooding in the Spirit Lake-Toutle/Cowlitz river system.

(52) \$650,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a feasibility and engineering study for the city of Spokane's waste to energy plant carbon emissions reductions project.

(53) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of the Spanaway lake cyanobacteria plan and the aquatic plant management plan, including testing, sample collection, and monitoring for tracking water quality and determining treatment options.

(54) \$130,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county to provide technical assistance that must be made available to all water users in WRIA 1 in filing adjudication claims under RCW 90.03.140. This assistance must be administered by Whatcom county and no portion of this funding may be used to contest the claims of any other claimant in the adjudication.

(55) \$300,000 of the model toxics control operating account—state appropriation is provided solely for a grant for the removal of tires containing 6PPD from docks serving floatplanes in salmon-bearing waterways. Funds may be used to reduce the cost of conversion to alternative products that are free of 6PPD.

(56) (a) \$300,000 of the model toxics control operating account—state appropriation is provided solely for an analysis of waste tires to better understand how the disposal, distribution, and management of waste tires contributes to 6PPD-g pollution. The department must conduct a study of the disposal, repurposing, reuse, recycling, handling, and management of waste tires in the state. At a minimum, the study must include a characterization of the markets for waste tires; a description of the sectoral and geographic origins and destinations of waste tires; an assessment of which Washington state policies and programs impact the market; and alternatives to using tire derived rubber in these markets.

(b) The department may contract with a third party for the study as outlined. A final study report is due to the appropriate committees of the legislature by June 30, 2025, in accordance with RCW 43.01.036.

(c) For purposes of this subsection, "waste tires" has the definition provided in RCW 70A.205.440.

(57) \$37,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5649 (floodproofing improvements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(58) \$76,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5812 (electric vehicle fires). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(59) \$665,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5931 (motorized vehicle tires/6PPD). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(60) \$44,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6061 (housing development/SEPA). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(61) \$50,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6164 (county emergency management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(62) \$1,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6010 (SEPA/trails and paths). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(63) \$748,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementing Engrossed Second Substitute Senate Bill No. 6092 (greenhouse gas disclosures). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(64) \$1,070,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(65) \$1,787,000 of the climate investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(66) \$114,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6163 (biosolids). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 303.** 2023 c 475 s 303 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM**

General Fund—Federal Appropriation. . . . .	((\$868,000))
Pollution Liability Insurance Agency Underground	\$1,237,000



Storage Tank Revolving Account—State	
Appropriation. . . . .	\$957,000
Pollution Liability Insurance Program Trust Account—	
State Appropriation. . . . .	(( <del>\$10,190,000</del> ))
	<u>\$10,203,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$12,015,000</del>))</b>
	<b><u>\$12,397,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: \$8,340,000 of the pollution liability insurance program trust account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

**Sec. 304.** 2023 c 475 s 304 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$39,617,000</del> ))
	<u>\$41,128,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$39,564,000</del> ))
	<u>\$42,845,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$7,231,000</del> ))
	<u>\$7,232,000</u>
Climate Commitment Account—State Appropriation. . . . .	(( <del>\$1,083,000</del> ))
	<u>\$2,883,000</u>
Natural Climate Solutions Account—State	
Appropriation. . . . .	(( <del>\$350,000</del> ))
	<u>\$650,000</u>
Winter Recreation Program Account—State	
Appropriation. . . . .	(( <del>\$4,928,000</del> ))
	<u>\$5,009,000</u>
ORV and Nonhighway Vehicle Account—State	
Appropriation. . . . .	\$396,000
Snowmobile Account—State Appropriation. . . . .	(( <del>\$5,715,000</del> ))
	<u>\$5,796,000</u>
Aquatic Lands Enhancement Account—State	
Appropriation. . . . .	\$367,000
Parks Renewal and Stewardship Account—State	
Appropriation. . . . .	(( <del>\$148,388,000</del> ))
	<u>\$154,722,000</u>
Parks Renewal and Stewardship Account—Private/Local	
Appropriation. . . . .	(( <del>\$420,000</del> ))
	<u>\$720,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$248,059,000</del>))</b>
	<b><u>\$261,748,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000 of the general fund—state appropriation for fiscal year 2024, \$5,000 of the general fund—state appropriation for fiscal year 2025, and \$142,000 of the parks renewal and stewardship account—state appropriation are provided solely for operating budget impacts from capital budget projects completed in the 2021-2023 fiscal biennium.

(2) \$127,000 of the general fund—state appropriation for fiscal year 2024, \$128,000 of the general fund—state appropriation for fiscal year 2025, and \$750,000 of the parks renewal and stewardship account—state appropriation are provided solely to monitor known cultural resource sites, perform needed evaluations for historic properties, manage historic preservation capital projects, and support native American grave protection and repatriation act compliance.

(3) \$299,000 of the general fund—state appropriation for fiscal year 2024, \$299,000 of the general fund—state appropriation for fiscal year 2025, and \$1,797,000 of the parks renewal and stewardship account—state appropriation are provided solely for additional staff and technical support for scoping and scheduling to proactively address tribal and community concerns and increase the quality of capital project requests.

(4) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to complete a park master plan and an environmental impact statement for Miller peninsula park.

(5) \$3,750,000 of the general fund—state appropriation for fiscal year 2024 and \$3,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the maintenance of state parks, including maintaining grounds and facilities, trails, restrooms, water access areas, and similar activities.

(6) ((~~\$1,083,000~~))\$2,883,000 of the climate commitment account—state appropriation and ((~~\$350,000~~))\$650,000 of the natural climate solutions account—state appropriation, of which \$1,800,000 of the climate commitment account—state appropriation and \$300,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, are

provided solely to identify and reduce the state park system's carbon emissions and assess areas of vulnerability for climate change.

(7) \$336,000 of the general fund—state appropriation for fiscal year 2024 and \$336,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to create a statewide data management system with the department of natural resources and the department of fish and wildlife to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(8) \$129,000 of the general fund—state appropriation for fiscal year 2024 and \$129,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(9) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(10)(a) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a statewide trail maintenance and hiking nonprofit organization to provide the emerging leaders program: expanding equity in the outdoors. The goal of the program is expanding both the number and diversity of trained, qualified individuals available for employment in the outdoor recreation and natural resource management sectors.

(b) The program must demonstrate a commitment to diversity, equity, and inclusion by providing a safe and supportive environment for individuals of diverse backgrounds, including those who have been historically underrepresented in the outdoor recreation and natural resource sectors, such as indigenous people and people of color.

(c) The program must provide both technical outdoor skills training and professional development opportunities that include, but are not limited to, outdoor leadership, representation in the outdoors, and team building.

(11) \$21,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$450,000 of the parks renewal and stewardship account—state appropriation is provided solely for grounds and facilities maintenance costs at the Fort Worden state park campus. The state parks and recreation commission shall work with the Fort Worden lifelong learning center public development authority to develop a report that reviews the historic public development authority financial records, identifies a cost-recovery model to pay for campus maintenance, and proposes any changes to the current lease structure necessary to maintain the public development authority. The commission must submit the report to the office of financial management and the fiscal committees of the legislature no later than June 1, 2024.

**Sec. 305.** 2023 c 475 s 305 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$10,190,000</del> ))
	\$10,323,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,501,000</del> ))
	\$6,782,000
General Fund—Federal Appropriation . . . . .	\$6,196,000
General Fund—Private/Local Appropriation . . . . .	\$24,000
Aquatic Lands Enhancement Account—State Appropriation . . . . .	\$464,000
Climate Investment Account—State Appropriation . . . . .	\$200,000
Firearms Range Account—State Appropriation . . . . .	\$37,000
Natural Climate Solutions Account—State Appropriation . . . . .	\$398,000
Recreation Resources Account—State Appropriation . . . . .	(( <del>\$5,040,000</del> ))
	\$5,058,000
NOVA Program Account—State Appropriation . . . . .	\$1,564,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$30,614,000</del>))</b>
	<b>\$31,046,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$37,000 of the firearms range account—state appropriation is provided solely to the recreation and conservation funding board for administration of the firearms range grant program as described in RCW 79A.25.210.

(2) \$5,040,000 of the recreation resources account—state appropriation is provided solely to the recreation and conservation funding board for administrative and coordinating costs of the recreation and conservation office and the board as described in RCW 79A.25.080(1).

(3) \$1,564,000 of the NOVA program account—state appropriation is provided solely to the recreation and conservation funding board for administration of the nonhighway and off-road vehicle activities program as described in chapter 46.09 RCW.

(4) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

governor's salmon recovery office to implement the governor's salmon recovery strategy update by convening the natural resources subcabinet on a regular basis and developing biennial statewide work priorities with a recommended budget for salmon recovery pursuant to RCW 77.85.030(4)(e) that align with tribal priorities and regional salmon recovery plans. The office shall submit the biennial implementation plan to the governor's office and the office of financial management no later than October 31, 2024.

(5) \$1,714,000 of the general fund—state appropriation for fiscal year 2024 and \$1,714,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational and administrative support of lead entities and salmon recovery regions.

(6) \$200,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.

(7) \$1,464,000 of the general fund—federal appropriation and \$50,000 of the aquatic lands enhancement account—state appropriation are provided solely to support removal efforts for flowering rush in the Columbia river basin and Whatcom county.

(8) \$398,000 of the natural climate solutions account—state appropriation is provided solely to establish a riparian coordinator position within the governor's salmon recovery office to work with state agencies to improve project coordination, develop common metrics across programs, and consolidate data platforms.

(9) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization with a mission for salmon and steelhead restoration to install near-term solutions to prevent steelhead mortality at the Hood canal bridge.

(10) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the connections and snow to sea programs, which provide youth outdoor learning experiences in the Blaine, Mount Baker, and Nooksack Valley school districts.

(12) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to local parks to address any maintenance backlog of existing facilities, trails, and capital improvements. The funds should be dispersed on a needs-based set of criteria and on a one-time basis. Grants are limited to \$100,000 per organization. Allowable uses of grant funding include, but are not limited to, maintenance, repair, or replacement of trails, restroom facilities, picnic sites, playgrounds, signage, and kiosks, as well as necessary Americans with disabilities act upgrades delayed due to the pandemic. Local parks agencies may partner with nonprofit organizations in deploying this maintenance and Americans with disabilities act funding.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for updating the economic analysis of outdoor recreation in Washington state and adding an analysis of the impacts of the outdoor recreation economy in underserved communities.

(14) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for motorized and nonmotorized boater education and outreach on Lake Union, with a specific goal of preventing boat and airplane conflicts on the lake during peak recreation season, given the provisions of the United States coast guard navigation rules that seaplanes must in general keep well clear of other vessels. The office may grant funding to local or federal government agencies or nonprofit organizations. The office must publish a publicly available summary report by June 30, 2025, on funding recipients, uses of the funding, and the successes and failures of programs funded. Funding provided in this subsection may not be used to preclude or restrict public use of Lake Union, including recreational, commercial, or tribal use of waters of the state.

**Sec. 306.** 2023 c 475 s 306 (uncodified) is amended to read as follows:

**FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE**

General Fund—State Appropriation (FY 2024) . . . . .	\$3,484,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>((3,792,000))</del>
	<u>\$4,180,000</u>
Climate Investment Account—State Appropriation . . . . .	\$898,000
<b>TOTAL APPROPRIATION</b> . . . . .	<del><b>((8,174,000))</b></del>
	<u><b>\$8,562,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$164,000 of the general fund—state appropriation for fiscal year 2024, \$379,000 of the general fund—state appropriation for fiscal year 2025, and \$898,000 of the climate investment account—state appropriation are provided solely for the agency to hire staff to respond to increased caseloads, including appeals as a result of the climate commitment act, chapter 316, Laws of 2021.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals).

((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(3) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

Sec. 307. 2023 c 475 s 307 (uncodified) is amended to read as follows:

**FOR THE CONSERVATION COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(\$16,461,000))
	<u>\$16,493,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$16,453,000))
	<u>\$17,197,000</u>
General Fund—Federal Appropriation . . . . .	\$2,482,000
Climate Commitment Account—State Appropriation . . . . .	\$30,200,000
Climate Investment Account—State Appropriation . . . . .	\$250,000
Natural Climate Solutions Account—State	
Appropriation . . . . .	\$20,023,000
Public Works Assistance Account—State Appropriation . . . . .	\$10,332,000
Model Toxics Control Operating Account—State	
Appropriation . . . . .	\$1,110,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$97,311,000))</b>
	<u><b>\$98,087,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$250,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.

(2) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase technical assistance and operational capacity of conservation districts.

(3) \$3,000,000 of the natural climate solutions account—state appropriation is provided solely to support the outreach, identification, and implementation of salmon riparian habitat restoration projects.

(4) \$5,000,000 of the natural climate solutions account—state appropriation is provided solely to the commission to work with conservation districts to address unhealthy forests and build greater community resiliency to wildfire.

(5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to connect scientists, practitioners, and researchers and coordinate efforts to monitor and quantify benefits of best management practices on agricultural lands, and better understand values and motivations of landowners to implement voluntary incentive programs.

(6) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the continued development of the disaster assistance program established in RCW 89.08.645, to provide short-term financial support for farmers and ranchers during disasters. Funding must be prioritized for farmers and ranchers who are the most economically vulnerable.

(7) \$1,420,000 of the public works assistance account—state appropriation is provided solely to support monitoring and reporting efforts necessary to evaluate the implementation and effectiveness of voluntary stewardship program work plans.

(8) \$8,533,000 of the public works assistance account—state appropriation is provided solely for implementation of the voluntary stewardship program. This amount may not be used to fund agency indirect and administrative expenses.

(9) \$30,000,000 of the climate commitment account—state appropriation is provided solely for grants through the sustainable farms and fields program for organic agricultural waste and greenhouse gas emissions reduction through climate-smart livestock management. Of the amounts provided in this subsection:

(a)(i) The commission may grant up to \$22,000,000 toward cost share agreements for anaerobic digester development to dairy farm owners. Grants awarded for anaerobic digester development must have at least a 50 percent nonstate match and be awarded through a competitive process that considers:

- (A) The amount of greenhouse gas reduction that will be achieved by the proposal; and
- (B) The amount of untreated effluent that will be decreased.

(ii) Recipients of grants under (a)(i) of this subsection must provide a report to the commission within one year of receipt of the grant, detailing the success of the project in meeting the stated criteria for the competitive process.

(b) The commission may grant up to \$6,000,000 for technical and financial assistance to increase implementation of climate-smart livestock management, alternative manure management, and other best management practices to reduce greenhouse gas emissions and increase carbon sequestration.

(c) The commission may grant up to \$2,000,000 for research on, or demonstration of, projects with greenhouse gas reduction benefits.

(d) When funding for specific technologies, including anaerobic digesters, the commission must enter into appropriate agreements to support the state's interest in advancing innovation solution to decarbonize while ensuring compliance with Article VIII, section 5 and Article XII, section 9 of the state Constitution.

(e) The commission must submit a report summarizing the grants awarded and the likely annual greenhouse gas emission reductions achieved as a result to the appropriate committees of the legislature by December 1, 2024.

(10) \$23,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$379,000 of the public works assistance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5353 (voluntary stewardship program). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the King county conservation district to reduce the impacts of artificial lighting on or near the water on the behavior of salmon and other aquatic life in Lake Sammamish and Lake Washington. The grant funding may be used for:

(a) Research, including quantifying light intensities and conducting field studies of fish behavior;

(b) Community education, engagement, and technical assistance; and

(c) Development of model lighting ordinances.

(14) \$2,000,000 of the natural climate solutions account—state appropriation is provided solely to develop and implement an educational communication plan to the general public and landowners in urban, suburban, rural, agricultural, and forested areas regarding the importance of riparian buffers and the actions they can take to protect and enhance these critical areas.

(15) \$200,000 of the climate commitment account—state appropriation is provided solely for the commission to conduct an evaluation of the current contribution that organic and climate smart agriculture makes toward Washington's climate response goals, what potential there is for increasing this contribution, and how additional investments will help realize this potential, while supporting resiliency. The commission must include the departments of agriculture and ecology and other relevant state agencies, Washington state university, conservation districts, tribal governments, nongovernmental organizations, and other relevant stakeholders who will participate in the evaluation. The commission must submit a report of its findings and recommendation to the appropriate committees of the legislature by May 1, ~~((2024))~~2025.

(16) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the commission to provide grants to local government and private landowners for fire wise projects to reduce forest fuel loading in areas deemed a high hazard for potential wildfire.

(17) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for staffing to support administrative operations of the commission. The commission will adopt an administrative rate policy for funding indirect support costs for future programmatic operating budget requests.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for post wildfire recovery actions in central Klickitat conservation district and eastern Klickitat conservation district to provide technical assistance and conduct fire recovery activities such as seeding, weed control, dozer line repair, forest health, and shrub steppe restoration, on areas that are necessary for public resource protection.

(19) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$41,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 6278 (organic agriculture). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 308.** 2023 c 475 s 308 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

General Fund—State Appropriation (FY 2024) . . . . .	(\$159,066,000)
	\$161,725,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$163,912,000)
	\$177,338,000
General Fund—Federal Appropriation. . . . .	(\$144,941,000)
	\$158,203,000
General Fund—Private/Local Appropriation. . . . .	(\$69,907,000)
	\$70,022,000
Climate Commitment Account—State Appropriation. . . . .	\$3,398,000
Natural Climate Solutions Account—State	

Appropriation. . . . .	(\$3,748,000)	
		<u>\$5,748,000</u>
ORV and Nonhighway Vehicle Account—State		
Appropriation. . . . .	\$696,000	
Aquatic Lands Enhancement Account—State		
Appropriation. . . . .	(\$14,104,000)	
		<u>\$14,125,000</u>
Recreational Fisheries Enhancement Account—State		
Appropriation. . . . .	(\$3,721,000)	
		<u>\$3,757,000</u>
Salmon Recovery Account—State Appropriation. . . . .	\$3,000,000	
Warm Water Game Fish Account—State Appropriation. . . . .	(\$3,088,000)	
		<u>\$3,089,000</u>
Eastern Washington Pheasant Enhancement Account—		
State Appropriation. . . . .	(\$673,000)	
		<u>\$675,000</u>
Limited Fish and Wildlife Account—State		
Appropriation. . . . .	(\$36,826,000)	
		<u>\$36,947,000</u>
Special Wildlife Account—State Appropriation. . . . .	(\$2,924,000)	
		<u>\$2,926,000</u>
Special Wildlife Account—Federal Appropriation. . . . .	\$531,000	
Special Wildlife Account—Private/Local Appropriation. . . . .	(\$3,819,000)	
		<u>\$3,843,000</u>
Wildlife Rehabilitation Account—State Appropriation. . . . .	\$661,000	
Ballast Water and Biofouling Management Account—		
State Appropriation. . . . .	\$10,000	
Regional Fisheries Enhancement Salmonid Recovery		
Account—Federal Appropriation. . . . .	\$5,001,000	
Oil Spill Prevention Account—State Appropriation. . . . .	\$1,284,000	
Aquatic Invasive Species Management Account—State		
Appropriation. . . . .	(\$1,154,000)	
		<u>\$1,158,000</u>
Model Toxics Control Operating Account—State		
Appropriation. . . . .	\$7,724,000	
Fish, Wildlife, and Conservation Account—State		
Appropriation. . . . .	(\$83,640,000)	
		<u>\$83,995,000</u>
Forest Resiliency Account—State Appropriation. . . . .	\$4,000,000	
Oyster Reserve Land Account—State Appropriation. . . . .	\$524,000	
<b>TOTAL APPROPRIATION</b> .....	<b>(\$718,352,000)</b>	
		<u><b>\$750,380,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,777,000 of the general fund—state appropriation for fiscal year 2024 and \$1,777,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to the northwest Indian fisheries commission for hatchery operations that are prioritized to increase prey abundance for southern resident orcas, including \$200,000 per fiscal year for tagging and marking costs, and the remainder to grant to tribes in the following amounts per fiscal year: \$150,000 for the Quinault Indian Nation, \$199,000 for the Tulalip Tribes, \$268,000 for the Quileute Tribe, \$186,000 for the Puyallup Tribe, \$122,000 for the Port Gamble S'Klallam Tribe, \$25,000 for the Muckleshoot Indian Tribe, \$207,000 for the Squaxin Island Tribe, \$142,000 for the Skokomish Indian Tribe, and \$278,000 for the Lummi Nation.

(2) \$330,000 of the general fund—state appropriation for fiscal year 2024 and \$330,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide to the Yakama Nation for hatchery operations that are prioritized to increase prey abundance for southern resident orcas.

(3) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to public utility districts for additional hatchery production that is prioritized to increase prey abundance for southern resident orcas.

(4) (~~(\$467,000)~~) \$217,000 of the general fund—state appropriation for fiscal year 2024 and \$467,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to pay for emergency fire suppression costs. These amounts may not be used to fund agency indirect and administrative expenses.

(5) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the United States army corps of engineers.

(6) (a) \$6,082,000 of the general fund—state appropriation for fiscal year 2024 and \$6,082,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement eradication and control measures on European green crabs

through coordination and grants with partner organizations. The department must provide quarterly progress reports on the success and challenges of the measures to the appropriate committees of the legislature.

(b) The department must develop a comprehensive long-term plan for Washington's response to European green crab. The plan must identify where permanent trapping efforts should occur, where efficiencies over current operations may be achieved, which agencies, tribes, or organizations require ongoing funding to support the state's eradication and control measures, and the potential for federal funding for control efforts, and include a recommended funding level to implement the plan in the 2025-2027 fiscal biennium. The plan shall be submitted to the governor and legislature by October 1, 2024.

(7) \$403,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop conflict mitigation strategies for wolf recovery and staff resources in northeast Washington for response to wolf-livestock conflicts. The department shall not hire contract range riders in northeast Washington unless there is a gap in coverage from entities funded through the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020. No contract riders shall be deployed in areas already sufficiently covered by other riders. The department must focus on facilitating coordination with other entities providing conflict deterrence, including range riding, and technical assistance to livestock producers in order to minimize wolf-livestock issues in the Kettle Range and other areas of northeast Washington with existing or emerging chronic conflict. The department is discouraged from the use of firearms from helicopters for removing wolves.

(8) \$852,000 of the general fund—state appropriation for fiscal year 2024 and \$852,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide additional capacity to the attorney general's office to prosecute environmental crimes. The department must provide an annual report by December 1st of each year, to the appropriate committees of the legislature, on the progress made in prosecuting environmental crimes.

(9) \$753,000 of the general fund—state appropriation for fiscal year 2024 and \$753,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded management of pinniped populations on the lower Columbia river and its tributaries with the goal of increasing chinook salmon abundance and prey availability for southern resident orcas.

(10) \$470,000 of the general fund—state appropriation for fiscal year 2024 and \$470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand efforts to survey the diets of seals and sea lions in the Salish sea and identify nonlethal management actions to deter them from preying on salmon and steelhead.

(11) \$518,000 of the general fund—state appropriation for fiscal year 2024 and \$519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to provide policy and scientific support to the department of ecology regarding surface and groundwater management issues as part of implementing chapter 90.94 RCW streamflow restoration.

(12) \$4,096,000 of the model toxics control operating account—state appropriation is provided solely to analyze salmon contaminants of emerging concern (CEC), including substances such as 6PPD-quinone and polychlorinated biphenyls (PCB) in already collected tissue samples. This research will accelerate recovery and protection by identifying the location and sources of CEC exposure.

(13) \$130,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an external facilitator to seek solutions through a collaborative process using the department's wolf advisory group.

(14) \$194,000 of the general fund—state appropriation for fiscal year 2024 and \$194,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to update and maintain rule making related to chapter 77.57 RCW, fishways, flow, and screening.

(15) \$822,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational steelhead spawning and harvest in freshwater streams and rivers in Puget Sound.

(16) \$2,714,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for additional law enforcement officers for marine and freshwater fisheries compliance and a patrol vessel dedicated to coastal operations.

(17) \$509,000 of the general fund—state appropriation for fiscal year 2024 and \$305,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational shellfish harvests, monitor intertidal and crustacean fisheries, address emerging environmental issues, maintain a new data management infrastructure, and develop a disease and pest management program to protect shellfish fisheries in the Puget Sound.

(18) \$360,000 of the general fund—state appropriation for fiscal year 2024 and \$224,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete and maintain a statewide prioritization of fish passage barriers in collaboration with regional salmon recovery organizations.

(19) \$997,000 of the general fund—state appropriation for fiscal year 2024 and \$997,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the assessment of riparian ecosystems. The assessment must include identifying common statewide definitions of terms for riparian usage, recommendations to improve data sharing,

and identifying any gaps in vegetated cover relative to a science-based standard for a fully functioning riparian ecosystem and comparing the status and gaps to water temperature impairments, known fish passage barriers, and status of salmonid stocks.

(20) ~~((~~\$900,000~~))~~ \$419,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Lummi Nation to make infrastructure updates at the Skookum hatchery.

(21) \$285,000 of the general fund—state appropriation for fiscal year 2024 and \$285,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to manage electronic tracked crab fishery gear to avoid whale entanglements during their migration as the agency develops a conservation plan to submit for an endangered species act incidental take permit.

(22) \$480,000 of the general fund—state appropriation for fiscal year 2024 and \$435,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to equip officers with body worn cameras to advance public safety.

(23) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$163,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(24) \$3,000,000 of the salmon recovery account—state appropriation is provided solely for pass-through to tribes of the upper Columbia river to support reintroduction of Chinook salmon above Grand Coulee and Chief Joseph dams.

(25) \$741,000 of the general fund—state appropriation for fiscal year 2024 and \$741,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation and maintenance capacity and technical assistance for state fish passage facilities.

(26) \$948,000 of the general fund—state appropriation for fiscal year 2024 and \$948,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue operations of the Toutle and Skamania hatcheries.

(27) \$283,000 of the general fund—state appropriation for fiscal year 2024 and \$283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to create a statewide data management system with the department of natural resources and the state parks and recreation commission to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(28) \$385,000 of the general fund—state appropriation for fiscal year 2024 and \$385,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase wildlife conflict specialists to address crop damage, dangerous wildlife interactions, and conflict preventative education and outreach.

(29) \$430,000 of the general fund—state appropriation for fiscal year 2024, \$430,000 of the general fund—state appropriation for fiscal year 2025, and \$3,564,000 of the natural climate solutions account—state appropriation are provided solely to increase capacity in three aspects of the department's mission most vulnerable to climate change including species recovery planning, providing technical assistance, permitting, and planning support, and managing agency lands and infrastructure.

(30) \$1,752,000 of the climate commitment account—state appropriation is provided solely for the first phase of the department's sustainability plan, including advancing energy efficiency and renewable energy projects, creating a commute trip reduction program, and supporting foundational research and capacity-building.

(31) \$4,000,000 of the forest resiliency account—state appropriation ((is))and, effective January 1, 2025, \$2,000,000 of the natural climate solutions account—state appropriation are provided solely to reduce severe wildfire risk and increase forest resiliency through fuels reduction, thinning, fuel break creation, and prescribed burning on agency lands. The amounts provided in this subsection may not be used to fund agency indirect and administrative expenses.

(32) (a) ~~((~~\$8,000,000~~))~~ \$7,280,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$15,000,000~~))~~ \$15,095,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the protection, recovery, and restoration of biodiversity, the recovery of threatened and endangered species, and a review of the department of fish and wildlife. Examples include habitat protection and restoration, technical assistance for growth management act planning, fish passage improvements, conservation education, scientific research for species and ecosystem protection, and similar activities. Funding in this subsection may include pass-throughs to public, nonprofit, academic, or tribal entities for the purposes of this subsection.

(b) Of the amounts provided in this subsection, ~~((~~\$300,000~~))~~ \$205,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))and~~ \$95,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Ruckelshaus center for a review of the department of fish and wildlife, as referenced in (a) of this subsection. The review must focus on the department's efforts to fulfill its obligations as the trustee of state fish and wildlife on behalf of all current and future Washingtonians, to meet the mixed goals of the mandate set forth in RCW 77.04.012, and to respond to the equity principles articulated in RCW 43.06D.020. The review must explore the following areas and recommend changes as appropriate:



- (i) The department's ability to meet threats created by climate change and biodiversity loss;
  - (ii) An alignment of mandate with the department's responsibility as a public trustee;
  - (iii) The department's governance structure;
  - (iv) The department's funding model; and
  - (v) Accountability and transparency in department decision making at both the commission and management levels.
- (c) Within this scope, the Ruckelshaus center must also examine the following areas and provide recommendations as appropriate:
- (i) Fish and wildlife commission structure, composition, duties, and compensation;
  - (ii) Influence on the department by special interest groups;
  - (iii) The process by which the department uses science and social values in its decision making;
  - (iv) Outreach and involvement of Washington citizens who have historically been excluded from fish and wildlife decisions, including nonconsumptive users and marginalized communities;
  - (v) The department's adherence to state laws, including the state environmental policy act and the public records act; and
  - (vi) Any other related issues that arise during the review.
- (d) Based on the results of the review, the Ruckelshaus center must provide options for making changes to the department's mandate and governance structure as deemed necessary to improve the department's ability to function as a trustee for state fish and wildlife.
- (e) The Ruckelshaus center must submit a report to the appropriate committees of the legislature by ~~((June 30, 2024))~~ December 1, 2024.
- (33) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with a nonprofit organization that operates a zoological garden in King county and that has developed an educators' toolkit for nature play programming for youth in communities historically excluded from nature experiences to provide inclusive nature-based programming statewide to children from racially, ethnically, and culturally diverse backgrounds.
- (34) \$310,000 of the general fund—state appropriation for fiscal year 2024 and \$160,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to perform the following tasks related to net ecological gain:
- (a) Of the amount provided in this subsection, \$160,000 in fiscal year 2024 and \$160,000 in fiscal year 2025 are provided solely for the department to facilitate a work group focused on developing a net ecological gain implementation framework.
    - (i) Participation in the work group is as follows:
      - (A) The work group must include representatives from the department, the department of commerce, the department of ecology, and the department of transportation; and
      - (B) The work group may include representatives from, and consultation with, as appropriate, other state agencies, federally recognized Indian tribes, local governments, and other relevant stakeholders.
        - (ii) The work group is responsible for accomplishing the following tasks:
          - (A) Define net ecological gain criteria;
          - (B) Create monitoring and assessment criteria related to net ecological gain;
          - (C) Develop an assessment model to evaluate and quantify contributions to overall net ecological gain;
          - (D) Consider the geographic scale at which net ecological gain criteria may be effectively applied;
          - (E) Provide budget and policy recommendations for net ecological gain to the legislature and to the office of financial management;
          - (F) Identify existing state-administered or state-funded programs and projects that:
            - (I) Already contribute to net ecological gain;
            - (II) Can or should give funding priority to funding applicants that commit to incorporating net ecological gain principles; and
            - (III) Programs and projects that can or should have a net ecological gain requirement in the future; and
          - (G) Generate interim recommendations for a project to serve as a net ecological gain proof of concept within a county that chooses to adopt a net ecological gain standard.
    - (iii) The department may contract with an independent entity to facilitate the work group, including the tasks identified in (b) of this subsection.
    - (iv) The work group must submit an interim and final report of its work, including any budget and policy recommendations, to the office of financial management and the appropriate committees of the legislature no later than June 30, 2024, and June 30, 2025.
  - (b) Of the amount provided in this subsection, \$150,000 in fiscal year 2024 is provided solely for the department to contract with an independent entity to perform the following tasks:
    - (i) Review existing grant programs; and
    - (ii) Make recommendations on the potential addition of net ecological gain into grant prioritization criteria.
- (35) (a) ~~(((\$400,000))~~ \$700,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$300,000))~~ \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to initiate a demonstration project to contribute to rebuilding of salmon runs in the Lake Washington basin through suppression of predatory fish species. The project shall include:

(i) Removal of nonnative species and northern pike minnow using trap, nets, or other means;

(ii) Assessment of the benefits of reduced predator abundance on juvenile salmon survival; and

(iii) Assessment of the recreational fishing rules that were implemented in 2020 in the Lake Washington basin.

(b) An interim report on the demonstration project must be provided to the appropriate committees of the legislature by December 1, 2024.

~~((37))~~ (36) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((38))~~ (37) \$184,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((39))~~ (38) \$1,026,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((40))~~ (39) \$620,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((41))~~ (40) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((42))~~ (41) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to enter into individual damage prevention contract agreements for the use of hiring range riders for proactive wolf-livestock conflict deterrence outside of the service area of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020.

~~((43))~~ (42) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a conflict resolution process mediated by the federal mediation and conciliation service. This funding must be used by the department to facilitate meetings between Skagit tribes, drainage and irrigation districts, and state and federal resource agencies and support the technical work necessary to resolve conflict. Invited parties must include the national marine fisheries service, Washington state department of agriculture, Washington state department of fish and wildlife, Swinomish Indian tribal community, Upper Skagit Indian Tribe, Sauk-Suiattle Indian Tribe, and Skagit drainage and irrigation districts consortium LLC. A report documenting meeting notes, points of resolution, and recommendations must be provided to the legislature no later than June 30, 2025.

~~((44))~~ (43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to evaluate the abundance and distribution of white and green sturgeon on the Washington coast and Puget Sound tributaries and to evaluate genetic relatedness with Columbia and Fraser river sturgeon populations. The funding is also provided to increase monitoring of the abundance and distribution of eulachon to use the information as a baseline for sturgeon and eulachon management plans.

~~((45))~~ (44) \$235,000 of the general fund—state appropriation for fiscal year 2024 and \$409,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the department of fish and wildlife to proactively survey for wildlife disease risks and provide action plans and management for healthy wildlife in Washington.

~~((46))~~ (45) \$325,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with a nonprofit organization that operates a zoological garden in King county for the purpose of an outreach campaign on pollinator health issues. The pollinator outreach campaign is intended to further the mission of the department's pollinator conservation efforts and the department of agriculture's pollinator health task force goals.

~~((47))~~ (46) Within amounts provided in this section, but not to exceed \$20,000, the department must prioritize derelict and abandoned crab pot removal in north Hood Canal.

~~((48))~~ (47) \$1,175,000 of the general fund—state appropriation for fiscal year 2024 and \$1,175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to restore shrubsteppe habitat and associated wildlife on public lands as well as private lands by landowners who are willing to participate. The restoration effort must be coordinated with other natural resource agencies and interested stakeholders.

~~((49))~~ (48) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic

sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((+50+))~~(49) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase the work of regional fisheries enhancement groups.

~~((+51+))~~(50) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to commercial fishers to modify fishing gear in order to facilitate participation in the emerging commercial fishery in the lower Columbia river, and to fund staffing and supplies needed to monitor the emerging commercial fishery on the lower Columbia river. The purpose of the grants to modify fishing gear is to support the state's efforts to develop fishing tools that allow for increased harvest of hatchery fish while minimizing impacts to salmonid species listed as threatened or endangered under the federal endangered species act. The department must provide a report of goods and services purchased with grant funds to the appropriate committees of the legislature by June 30, 2025.

(51) \$1,657,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for habitat recovery and restoration work on agency owned and managed lands damaged from wildfires.

(52) \$443,000 of the general fund—state appropriation for fiscal year 2024, \$6,313,000 of the general fund—state appropriation for fiscal year 2025, \$86,000 of the limited fish and wildlife account—state appropriation, and \$196,000 of the fish, wildlife, and conservation account—state appropriation are provided solely for additional safety capacity in each region, development of a technology solution for training requirements, increased support to remote employees, and a third-party review of the agency safety program.

(53) \$403,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for two new positions to support statewide fish health through veterinary services and maintenance support for the fish marking trailer fleet.

(54) \$17,000 of the fish, wildlife, and conservation account—state appropriation is provided solely for implementation of Senate Bill No. 5862 (hunting license/students). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(55) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6164 (county emergency management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(56) \$184,000 of the general fund—state appropriation for fiscal year 2024 and \$521,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5784 (deer & elk crop damage). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(57) \$81,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementing Substitute Senate Bill No. 6020 (nonspot shrimp pot license). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(58) \$801,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to rebuild an Autofish marking system.

**Sec. 309.** 2023 c 475 s 309 (uncodified) is amended to read as follows:

**FOR THE PUGET SOUND PARTNERSHIP**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$9,218,000</del> ))
	\$9,222,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$9,213,000</del> ))
	\$9,221,000
General Fund—Federal Appropriation. . . . .	(( <del>\$32,036,000</del> ))
	\$32,040,000
Aquatic Lands Enhancement Account—State Appropriation . . . . .	\$1,503,000
Model Toxics Control Operating Account—State Appropriation. . . . .	\$1,350,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$53,320,000</del>))</b>
	<b>\$53,336,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) By October 15, 2024, the Puget Sound partnership shall provide the governor and appropriate legislative fiscal committees a single, prioritized list of state agency 2025-2027 capital and operating budget requests related to Puget Sound recovery and restoration.

(2) \$14,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership to implement shipping noise reduction initiatives and monitoring programs in the Puget Sound, in coordination with Canadian and United States authorities. The partnership must contract with Washington maritime blue in order to establish and administer the quiet

sound program to better understand and reduce the cumulative effects of acoustic and physical disturbance from large commercial vessels on southern resident orcas throughout their range in Washington state. Washington maritime blue will support a quiet sound leadership committee and work groups that include relevant federal and state agencies, ports, industry, research institutions, and nongovernmental organizations and consult early and often with relevant federally recognized tribes.

**Sec. 310.** 2023 c 475 s 310 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$152,490,000))
	<u>\$180,640,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(((\$154,017,000))
	<u>\$157,997,000</u>
General Fund—Federal Appropriation. . . . .	(((\$49,985,000))
	<u>\$98,106,000</u>
General Fund—Private/Local Appropriation. . . . .	(((\$3,500,000))
	<u>\$6,055,000</u>
Access Road Revolving Nonappropriated Account—State Appropriation. . . . .	\$108,000
Climate Commitment Account—State Appropriation. . . . .	(((\$11,820,000))
	<u>\$12,682,000</u>
<u>Derelict Structure Removal Account—State</u> <u>Appropriation. . . . .</u>	<u>\$325,000</u>
((Contract Harvesting Revolving Nonappropriated Account—State Appropriation. . . . .	\$78,000))
Forest Development Account—State Appropriation. . . . .	(((\$58,594,000))
	<u>\$58,341,000</u>
Forest Fire Protection Assessment Nonappropriated Account—State Appropriation. . . . .	\$88,000
Forest Health Revolving Nonappropriated Account— State Appropriation. . . . .	\$106,000
Natural Climate Solutions Account—State Appropriation. . . . .	(((\$29,571,000))
	<u>\$30,164,000</u>
Natural Resources Federal Lands Revolving Nonappropriated Account—State Appropriation. . . . .	\$6,000
ORV and Nonhighway Vehicle Account—State Appropriation. . . . .	(((\$7,928,000))
	<u>\$7,958,000</u>
State Forest Nursery Revolving Nonappropriated Account—State Appropriation. . . . .	\$34,000
Surveys and Maps Account—State Appropriation. . . . .	(((\$2,376,000))
	<u>\$2,377,000</u>
Aquatic Lands Enhancement Account—State Appropriation. . . . .	(((\$20,003,000))
	<u>\$21,852,000</u>
Resource Management Cost Account—State Appropriation. . . . .	(((\$121,583,000))
	<u>\$122,543,000</u>
Surface Mining Reclamation Account—State Appropriation. . . . .	(((\$4,628,000))
	<u>\$4,632,000</u>
Disaster Response Account—State Appropriation. . . . .	(((\$23,594,000))
	<u>\$23,624,000</u>
Forest and Fish Support Account—State Appropriation. . . . .	(((\$12,667,000))
	<u>\$12,670,000</u>
Aquatic Land Dredged Material Disposal Site Account— State Appropriation. . . . .	\$405,000
Natural Resources Conservation Areas Stewardship Account—State Appropriation. . . . .	\$211,000
Forest Practices Application Account—State Appropriation. . . . .	(((\$2,181,000))
	<u>\$2,184,000</u>
Air Pollution Control Account—State Appropriation. . . . .	\$920,000
Model Toxics Control Operating Account—State Appropriation. . . . .	(((\$2,000,000))
	<u>\$2,474,000</u>
Wildfire Response, Forest Restoration, and Community Resilience Account—State Appropriation. . . . .	(((\$118,115,000))
	<u>\$120,033,000</u>
Derelict Vessel Removal Account—State Appropriation. . . . .	\$10,643,000
Community Forest Trust Account—State Appropriation. . . . .	\$52,000
Agricultural College Trust Management Account—State	

Appropriation. . . . .	(( <u>\$4,414,000</u> ))
	<u>\$4,419,000</u>
TOTAL APPROPRIATION.....	(( <u>\$792,117,000</u> ))
	<u>\$881,649,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,857,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to carry out the forest practices adaptive management program pursuant to RCW 76.09.370 and the May 24, 2012, settlement agreement entered into by the department and the department of ecology. Scientific research must be carried out according to the master project schedule and work plan of cooperative monitoring, evaluation, and research priorities adopted by the forest practices board.

(2) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small forest landowner office, in order to restore staffing capacity reduced during the great recession and to support small forest landowners, including assistance related to forest and fish act regulations.

(3) \$1,583,000 of the general fund—state appropriation for fiscal year 2024 and \$1,515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(4) (~~(\$60,883,000)~~) \$88,617,000 of the general fund—state appropriation for fiscal year 2024, \$60,883,000 of the general fund—state appropriation for fiscal year 2025, and \$16,050,000 of the disaster response account—state appropriation are provided solely for emergency response, including fire suppression. The department shall provide a monthly report to the office of financial management and the appropriate fiscal and policy committees of the legislature with an update of fire suppression costs incurred and the number and type of wildfires suppressed.

(5) \$5,647,000 of the general fund—state appropriation for fiscal year 2024, \$8,470,000 of the general fund—state appropriation for fiscal year 2025, and \$330,000 of the disaster response account—state appropriation are provided solely for indirect and administrative expenses related to fire suppression.

(6) \$5,500,000 of the forest and fish support account—state appropriation is provided solely for outcome-based performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. Of the amount provided in this subsection, \$500,000 is contingent upon receipts under RCW 82.04.261 exceeding \$8,000,000 per biennium. If receipts under RCW 82.04.261 are more than \$8,000,000 but less than \$8,500,000 for the biennium, an amount equivalent to the difference between actual receipts and \$8,500,000 shall lapse.

(7) Consistent with the recommendations of the *Wildfire Suppression Funding and Costs (18-02)* report of the joint legislative audit and review committee, the department shall submit a report to the governor and legislature by December 1, 2023, and December 1, 2024, describing the previous fire season. At a minimum, the report shall provide information for each wildfire in the state, including its location, impact by type of land ownership, the extent it involved timber or range lands, cause, size, costs, and cost-share with federal agencies and nonstate partners. The report must also be posted on the agency's website.

(8) \$4,206,000 of the aquatic land enhancement account—state appropriation is provided solely for the removal of creosote pilings and debris from the marine environment and to continue monitoring zooplankton and eelgrass beds on state-owned aquatic lands managed by the department. Actions will address recommendations to recover the southern resident orca population and to monitor ocean acidification as well as help implement the Puget Sound action agenda.

(9) \$279,000 of the general fund—state appropriation for fiscal year 2024 and \$286,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation to the trust beneficiaries and department for lost revenue from leases to amateur radio operators who use space on the department managed radio towers for their equipment. The department is authorized to lease sites at the rate of up to \$100 per year, per site, per lessee. The legislature makes this appropriation to fulfill the remaining costs of the leases at market rate per RCW 79.13.510.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,500,000)~~) \$3,280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to collect and refresh statewide lidar data.

(11) \$1,200,000 of the resource management cost account—state appropriation is provided solely for the agency to pursue opportunities to provide workforce housing on state trust lands.

(12)(a) \$1,500,000 of the natural climate solutions account—state appropriation is provided solely for the department, in close collaboration with the department of ecology, to convene a group composed of a balanced representation of experts and stakeholders to conduct a state ecosystem services inventory and develop a state lands ecosystem services asset plan. The plan must outline how state lands under the department's jurisdiction can be monetized, including ecosystem services credits, and utilized to reduce the overall greenhouse

emissions, or increase greenhouse gas sequestration and storage, in the state, including both public and private emissions.

(b) In developing the plan, the department must:

(i) Conduct a resource and asset inventory to identify all state-owned or controlled lands under its jurisdiction that could be eligible or utilized in ecosystem services credits, including carbon offset markets;

(ii) Explore opportunities for the department to utilize its inventoried proprietary assets in offering ecosystem services credits, including carbon offset credits, both under the regulatory offset programs, such as the one established under RCW 70A.65.170, and existing or future voluntary, private ecosystem service markets, including carbon offset programs;

(iii) Develop a marginal cost abatement model to inform highest and best use of state assets in ecosystem services markets, including carbon markets;

(iv) Conduct a needs assessment in relation to marketing state-owned carbon assets on state lands under the department's jurisdiction to third party developers, including a proposed implementation plan and recommendations for plan execution;

(v) Identify any known or suspected policy or regulatory limitations to the formation and full execution of the ecosystem services inventory and asset plan identified above;

(vi) Create an implementation plan for a virtual dashboard where public and private sector participants in regulatory or voluntary carbon markets can locate the inventory created under this subsection, understand the marginal cost abatement model, and locate any requests for proposals from state asset-involved carbon projects on lands under the department's jurisdiction; and

(vii) Make recommendations for the creation of an ecosystems services equity and innovation account that includes:

(A) New modes of ecosystem services; and

(B) Identification of new or different beneficiaries of carbon investments that increase the participation of historically marginalized groups in ecosystem service opportunities.

(c) The department must report its progress and findings under this subsection to the legislature no later than December 31, 2024.

(13) \$3,166,000 of the natural climate solutions account—state appropriation is provided solely for silvicultural treatments on forested trust lands in western Washington to support maintenance of healthy, resilient forests as a critical component of climate adaptation and mitigation efforts.

(14) \$2,185,000 of the general fund—state appropriation for fiscal year 2024 and \$1,705,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased law enforcement capacity on agency managed lands, to develop a statewide recreation plan, and to jointly create a statewide data management system with the Washington department of fish and wildlife and the state parks and recreation commission to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(15) \$2,066,000 of the natural climate solutions account—state appropriation is provided solely for the agency to develop a comprehensive strategy to tackle barriers to reforestation, including through expanding seed collection, increasing the capacity of the state's public nursery, and addressing workforce needs.

(16) \$2,864,000 of the natural climate solutions account—state appropriation is provided solely for the agency to implement aspects of their watershed resilience action plan for the Snohomish watershed, including activities to support kelp and eelgrass stewardship, a large woody debris program, aquatic restoration grants, and culvert removal.

(17) \$5,991,000 of the natural climate solutions account—state appropriation is provided solely for investment in urban forestry to support reduction of negative environmental conditions such as heat, flooding, and pollution and helping communities become greener, cleaner, healthier, and more resilient.

(18) \$7,791,000 of the climate commitment account—state appropriation is provided solely for the agency to analyze current infrastructure and build a plan for the department to achieve its greenhouse gas emission reduction targets.

(19) \$2,365,000 of the climate commitment account—state appropriation is provided solely for the department to make investments in education and training to bolster a statewide natural resources workforce to support the health and resilience of Washington's forests. Of this amount, \$800,000 is provided solely to provide wildland fire management training to tribal communities and members.

(20) \$3,356,000 of the natural climate solutions account—state appropriation is provided solely to increase the agency's capacity to provide active management of department of natural resources natural areas.

(21) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 (~~and~~), \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,817,000 of the aquatic lands enhancement account—state appropriation are provided solely for full-time and seasonal crews from the Washington conservation corps and other corps programs to conduct work benefiting the management of state managed lands, including aquatic reserves management, natural areas restoration and conservation, trail work, and forest resiliency activities as well as other recreation and habitat projects with agency partners.

(22) (a) \$475,000 of the general fund—state appropriation for fiscal year 2024, \$253,000 of the general fund—state appropriation for fiscal year 2025, and \$62,000 of the model

toxics control operating account—state appropriation are provided solely for a geoduck task force. Of the amounts provided in this subsection, \$411,000 of the general fund—state appropriation for fiscal year 2024 and \$208,000 of the general fund—state appropriation for fiscal year 2025 are for the department's costs for the task force, and the remaining amounts are for the department to provide to the department of ecology, the department of fish and wildlife, and the Puget Sound partnership for their projected costs for the task force.

(b) The task force must investigate opportunities to reduce negative impacts to tribal treaty and state geoduck harvest and promote long-term opportunities to expand or sustain geoduck harvest. The task force must provide a report to the commissioner of public lands and the legislature, in compliance with RCW 43.01.036, by December 1, 2024, that includes analysis and recommendations related to the following elements:

(i) The feasibility of intervention to enhance the wildstock of geoduck, including reseeded projects;

(ii) Factors that are preventing areas from being classified for commercial harvest of wildstock geoduck or factors that are leading to existing wildstock geoduck commercial tract classification downgrade, and recommendations to sustainably and cost-effectively increase the number and area of harvestable tracts, including:

(A) Consideration of opportunities and recommendations presented in previous studies and reports;

(B) An inventory of wastewater treatment plant and surface water runoff point sources impacting state and tribal geoduck harvesting opportunities within the classified commercial shellfish growing areas in Puget Sound;

(C) A ranking of outfalls and point sources identified in (b)(ii)(B) of this subsection prioritized for future correction to mitigate downgraded classification of areas with commercial geoduck harvest opportunity;

(D) An inventory of wildstock geoduck tracts that are most impacted by poor water quality or other factors impacting classification;

(E) Consideration of the role of sediment load and urban runoff, and pathways to mitigate these impacts; and

(F) Recommendations for future actions to improve the harvest quantity of wildstock geoduck and to prioritize areas that can attain improved classification most readily, while considering the influence of outfalls ranked pursuant to (b)(ii)(C) of this subsection.

(c) The commissioner of public lands must invite the following representatives to participate in the task force:

(i) A representative of the department of natural resources, who shall serve as the chair of the task force;

(ii) Representatives of tribes with treaty or reserved rights to geoduck harvest in Washington state;

(iii) A representative of the department of ecology;

(iv) A representative of the department of health;

(v) A representative of the department of fish and wildlife;

(vi) A representative of the Puget Sound partnership; and

(vii) A representative of the academic community.

(d) The commissioner of public lands must appoint each representative. The commissioner may invite and appoint other individuals to the task force, not to exceed the number of seats of tribal entities.

(e) Members of the task force may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

(23) \$636,000 of the general fund—state appropriation for fiscal year 2024 and \$353,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(24) \$65,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$350,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$250,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(27) \$164,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$591,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5433 (derelict aquatic structures). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$431,000 of the general fund—state appropriation for fiscal year 2024 and \$331,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1498 (aviation assurance funding). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) ~~(\$2,500,000)~~ \$2,822,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,500,000)~~ \$2,822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Of the amounts provided in this subsection, \$322,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to operate the post-fire debris flow program.

(31) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(32) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely for tire removal projects in Puget Sound, with specific priority to remove tire reefs.

(33) \$321,000 of the general fund—state appropriation for fiscal year 2024 and \$427,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5390 (forestlands/safeharbor). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(34) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to advance research and cooperation with governmental agencies of Finland and Finnish organizations to implement sustainable forestry practices. The department must report to the appropriate committees of the legislature by June 30, 2024, on the use of the funds and the research conducted and cooperation accomplished, and make recommendations for further opportunities for collaboration.

(35) \$278,000 of the natural climate solutions account—state appropriation is provided solely for the department to perform coordination and monitoring related to Puget Sound kelp conservation and recovery.

(36) \$312,000 of the general fund—state appropriation for fiscal year 2024 and \$313,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with the Olympic natural resources center to study emerging ecosystem threats such as Swiss needlecast disease, fully implement the T3 watershed experiments on state trust lands, continue field trials for long-term ecosystem productivity, and engage stakeholders through learning-based collaboration. The department may expend up to \$30,000 in one fiscal year to conduct Swiss needlecast surveys.

(37) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the work specified in section 3291, chapter 413, Laws of 2019 to assess public school seismic safety for school buildings not yet assessed, focused on highest risk areas of the state as a priority.

~~((+39+))~~ (38) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the department to prepare commercial thinning timber sales for the purposes of restoring spotted owl and riparian habitat as specified in the 1997 state lands habitat conservation plan, facilitating access to more timber volume than is possible under normal operating funding and increasing carbon sequestration. Thinning operations in designated spotted owl management areas must be conducted in stands that do not yet meet spotted owl habitat conditions. Thinning in riparian areas must comply with department procedures for restoring riparian habitat under the 1997 state lands habitat conservation plan.

~~((+40+))~~ (39) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((+41+))~~ (40) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement a pilot project to evaluate the costs and benefits of marketing and selling specialty forest products including cedar salvage, alder, and other hardwood products. The pilot project must include: Identifying suitable areas for hardwood or cedar sales within the administrative areas of the Olympic and Pacific Cascade regions, preparing and conducting sales, and evaluating the costs and benefits from conducting the sales.

(a) The pilot project must include an evaluation that:

(i) Determines if revenues from the sales are sufficient to cover the costs of preparing and conducting the sales;

(ii) Identifies and evaluates factors impacting the sales, including regulatory constraints, staffing levels, or other limitations;



- (iii) Compares the specialty sales to other timber sales that combine the sale of cedar and hardwoods with other species;
- (iv) Evaluates the bidder pool for the pilot sales and other factors that impact the costs and revenues received from the sales; and
- (v) Evaluates the current and future prices and market trends for cedar salvage and hardwood species.

(b) The department must work with affected stakeholders and report to the appropriate committees of the legislature with the results of the pilot project and make recommendations for any changes to statute by June 30, 2025.

(41) \$857,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to implement eradication and control measures on European green crabs on state-owned aquatic lands and adjacent lands as appropriate. The department must report to and coordinate with the department of fish and wildlife to support the department of fish and wildlife's quarterly progress reports to the legislature.

(42) \$710,000 of the general fund—state appropriation for fiscal year 2025 and \$473,000 of the model toxics control operating account—state appropriation are provided solely for the department to develop and lead a stakeholder-driven process to identify potential locations for development of target shooting ranges to create alternatives to dispersed shooting and to address lead pollution in known dispersed shooting sites.

(43) \$524,000 of the resource management cost account—state appropriation is provided solely for the agency to supplement the cost of the contract with the department of fish and wildlife for biological geoduck survey work. Within existing appropriations, the agency will develop a proposal with the department of fish and wildlife for the equitable and sustainable ongoing funding of this work.

(44) \$593,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to conduct the remote sensing, stressor studies, and imagery and survey work of kelp forests and eelgrass meadows pursuant to RCW 79.135.440 and development and management of the native kelp forest and eelgrass meadow health and conservation plan.

(45) \$1,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 6166 (pesticide application comm.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(46) \$83,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5667 (forestry riparian easements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$862,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(48) \$88,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 6120 (wildland urban interface). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 311.** 2023 c 475 s 311 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$52,938,000 ))
	\$91,987,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$69,710,000 ))
	\$73,461,000
General Fund—Federal Appropriation . . . . .	(( \$38,414,000 ))
	\$48,259,000
General Fund—Private/Local Appropriation . . . . .	\$193,000
<u>Agricultural Pest and Disease Response Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$2,000,000</u>
Aquatic Lands Enhancement Account—State	
<u>Appropriation . . . . .</u>	<u>(( \$2,839,000 ))</u>
	<u>\$2,840,000</u>
Climate Commitment Account—State Appropriation . . . . .	(( \$3,819,000 ))
	\$4,450,000
Natural Climate Solutions Account—State	
<u>Appropriation . . . . .</u>	<u>\$261,000</u>
Water Quality Permit Account—State Appropriation . . . . .	\$73,000
Model Toxics Control Operating Account—State	
<u>Appropriation . . . . .</u>	<u>(( \$13,589,000 ))</u>
	<u>\$13,613,000</u>
Northeast Washington Wolf-Livestock Management	
Nonappropriated Account—State Appropriation . . . . .	\$1,600,000
Coronavirus State Fiscal Recovery Fund—Federal	
<u>Appropriation . . . . .</u>	<u>(( \$36,875,000 ))</u>
	<u>\$10,875,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(( \$220,311,000 ))</b>

\$249,612,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$18,000,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the we feed Washington program, a state alternative to the United States department of agriculture farmers to families food box program, and provide resources for hunger relief organizations.

(2) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for local food system infrastructure and market access grants.

(3) (~~(\$3,655,000)~~) \$4,992,000 of the general fund—state appropriation for fiscal year 2024 and \$3,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a *Popillia japonica* monitoring and eradication program in central Washington.

(4) (~~(\$15,000,000)~~) \$51,000,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000,000 of the general fund—state appropriation for fiscal year 2025 (~~(and \$15,000,000 of the coronavirus state fiscal recovery fund—federal appropriation)~~) are provided solely for implementing the emergency food assistance program as defined in RCW 43.23.290.

(5) \$246,000 of the general fund—state appropriation for fiscal year 2024, \$246,000 of the general fund—state appropriation for fiscal year 2025, and \$1,550,000 of the general fund—federal appropriation are provided solely for implementing a *Vespa mandarinia* eradication program.

(6) \$1,600,000 of the northeast Washington wolf-livestock management nonappropriated account—state appropriation is provided solely for the department to conduct the following:

(a) Offer grants for the northeast Washington wolf-livestock management program as provided in RCW 16.76.020, in the amount of \$1,400,000 for the biennium.

(i) Funds from the grant program must be used only for the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a high probability of producing effective results. Grant proposals will be assessed partially on this intent. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other grantees of the program and other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape. Additionally, range riders must document their activities with GPS track logs and provide written description of their efforts to the department of fish and wildlife on a monthly basis. The department shall incorporate the requirements of this subsection into contract language with the grantees.

(ii) In order to provide continuity of services to meet the long-term intent of the program, no less than \$1,100,000 of the funding allocated in this subsection (a) shall be awarded to entities who have proven ability to meet program intent as described in (a)(i) of this subsection and who have been awarded funds through this grant program or pass-through funds from the northeast Washington wolf-livestock management nonappropriated account in the past. The remaining \$300,000 may be awarded to new applicants whose applications meet program intent and all of other requirements of the program. If no applications from new entities are deemed qualified, the unused funds shall be awarded in equal amounts to successful grantees. The department retains the final decision making authority over disbursement of funds. Annual reports from grantees will be assessed for how well grant objectives were met and used to decide whether future grant funds will be awarded to past grantees.

(b) Within the amounts provided in this subsection, the department must provide \$100,000 each fiscal year to the sheriffs offices of Ferry and Stevens counties for providing a local wildlife specialist to aid the department of fish and wildlife in the management of wolves in northeast Washington.

(7) \$1,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for grants and technical assistance to producers and processors for meat and poultry processing.

(8) \$842,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 135, Laws of 2022, which requires the department to establish cannabis testing lab quality standards by rule.

(9) \$3,038,000 of the climate commitment account—state appropriation is provided solely to implement organic materials legislation passed in the 2022 legislative session.

(10) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with Washington State University's IMPACT Center to conduct an analysis of the threats, barriers, and challenges facing the state's agricultural producers.

(11) \$581,000 of the climate commitment account—state appropriation is provided solely to implement a science-based, voluntary software program called saving tomorrow's agricultural resources (STAR) which provide producers tools to track soil health improvements and the ability to generate market-based incentives.

(12) \$1,492,000 of the model toxics control operating account—state appropriation is provided solely to increase capacity and support work to reduce nitrate pollution in groundwater from irrigated agriculture in the lower Yakima valley.

(13) ~~(\$88,000)~~ \$394,000 of the general fund—state appropriation for fiscal year 2024, \$88,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$702,000)~~ \$1,053,000 of the general fund—federal appropriation are provided solely to match federal funding for eradication treatments and follow-up monitoring of invasive moths.

(14) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the early detection program for the spotted lanternfly and the associated invasive *Ailanthus altissima*, known colloquially as tree-of-heaven, survey and control programs.

(15) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement changes that advance equity for underrepresented farmers and ranchers in the department's programs and services. In carrying out this duty, the department may focus on implementation of:

(a) Proequity and inclusion strategies within the activities and services of the regional markets program;

(b) Recommendations from the department's 2022 report to the legislature on equity for underrepresented farmers and ranchers; and

(c) Community-generated suggestions resulting from stakeholder engagement activities. In carrying out this duty, the department may engage with underrepresented farmers and ranchers to advise and provide guidance as the department works to implement changes to improve equity and inclusion in the department's services and programs, and where possible in the agricultural industry more broadly.

(16) \$261,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(17) \$200,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$116,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1500 (cottage food sales cap). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a community-based organization in Whatcom county for the food and farm finder program, which connects local food producers with retail and wholesale consumers throughout the state.

(21) \$10,600,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for local food system infrastructure and market access grants, the emergency food assistance program, and a state farmers to families food box program. The total expenditures from the coronavirus state fiscal recovery fund—federal for these purposes in fiscal year 2023 and fiscal year 2024 may not exceed the total amounts provided in section 311(1), (3), and (7), chapter 334, Laws of 2021, from the coronavirus state fiscal recovery fund—federal for these purposes.

(22) \$47,000 of the general fund—state appropriation for fiscal year 2024 and \$47,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a food bank in Pierce county for the continued provision of food bank services to low-income individuals, including costs related to the potential relocation of the food bank.

(24) \$128,000 of the general fund—state appropriation for fiscal year 2024 and \$127,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Tri-Cities food bank for operations including food storage.

(25) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue a shellfish coordinator position.

(26) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compliance-based laboratory analysis of pesticides in cannabis.

(27) \$220,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to partner with the department of commerce to conduct a study to better understand the opportunities and challenges, as well as identify solutions to existing barriers, to create a healthy marketplace for hemp.

(28) \$112,000 of the general fund—state appropriation for fiscal year 2024 and \$683,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to partner with organizations to promote diversity and develop agricultural leadership and educational opportunities.

(29) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to facilitate a work group and prepare a comprehensive report with recommendations regarding the establishment of a grant program to support farmers in the purchase of green fertilizer produced within the state of Washington.

(a) The work group convened by the department shall include representatives from the department of ecology, the department of commerce, Washington state agricultural organizations, manufacturers of green fertilizer products, and other relevant stakeholders as determined by the department.

(b) The work group shall review, analyze, and propose the structure of a grant program designed to encourage farmers to purchase green fertilizer produced within the state of Washington. The review shall include considerations of:

- (i) The environmental benefits of green fertilizer;
- (ii) Economic impacts on farmers;
- (iii) The development and capacity of local green fertilizer manufacturers; and
- (iv) Ensuring equitable access to the grant program among different agricultural sectors.

(c) The department shall submit a comprehensive report of its findings and recommendations to the governor and appropriate committees of the legislature no later than November 1, 2024, including a detailed plan for the administration of the proposed grant program and a recommended funding level. The report shall include legislative and regulatory changes, if necessary, to establish and manage the program effectively.

(30) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Washington based nonprofit organization that supports farmworkers to help develop and share farmworker ideas to improve production in ways that are meaningful to both workers and growers. These funds must be used to conduct outreach to farmworkers, provide support, and facilitate access to educational materials, tools, and technology to further the engagement and collaboration of both farmworkers and their employers.

(31) \$250,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to complete an assessment of how many acres of agricultural land could be removed from active production for the state to meet the requirements of the clean energy transformation act and the state energy strategy. The assessment may include a comparison of possible alternative scenarios ranging from lowest to highest impact. The department must report the legislature on its assessment in accordance with RCW 43.01.036 by June 30, 2025.

(32) \$131,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a dedicated position to lead and direct the department's climate strategy. Tasks for this position include research, stakeholder engagement, program inventory, and coordination, as well as long-term planning.

(33) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a food bank in Tacoma for the expanded provision of food bank services to low-income individuals.

(34) \$120,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6278 (organic agriculture). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(35) \$2,000,000 of the agricultural pest and disease response account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6036 (agriculture pest & disease). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(36) \$139,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5972 (neonicotinoid pesticides). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(37) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for research, including, but not limited to, ongoing research and trial research; larger scale treatment trials; and permit development, including required monitoring and review, to assist with development of an integrated pest management plan to find a suitable replacement for imidacloprid to address burrowing shrimp in Willapa bay and Grays Harbor and facilitate continued shellfish cultivation on tidelands. In selecting research recipients for this purpose, the department must incorporate the advice of the Willapa-Grays Harbor working group formed on October 15, 2019. Up to eight percent of the amount provided in this subsection may be used by the department to reimburse any participating group or individual for their expenses associated with meeting participation, preparation, or travel, in accordance with chapter 43.03 RCW.

**Sec. 312.** 2023 c 475 s 312 (uncodified) is amended to read as follows:

**FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	((\$924,000))
	\$893,000
General Fund—State Appropriation (FY 2025) . . . . .	((\$919,000))

	\$887,000
Climate Commitment Account—State Appropriation. . . . .	\$7,369,000
Energy Facility Site Evaluation Council Account— Private/Local Appropriation. . . . .	\$26,896,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$36,108,000)</b>
	<b>\$36,045,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,352,000 of the climate commitment account—state appropriation is provided solely to support agency operations and to hire additional environmental siting and compliance positions needed to support an anticipated workload increase from new clean energy projects.

(2) \$757,000 of the climate commitment account—state appropriation is provided solely for ~~((grants to tribes to review green energy project applications))~~ preapplication development and clean energy manufacturing review, reimbursement to tribes for costs associated with clean energy project application reviews, and contracted services for green hydrogen and clean energy manufacturing programs.

(3) \$358,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) The council must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(5) \$3,902,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(End of part)

**PART IV  
TRANSPORTATION**

**Sec. 401.** 2023 c 475 s 401 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$4,041,000</del> ))
	<u>\$4,043,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$3,640,000</del> ))
	<u>\$4,004,000</u>
Architects' License Account—State Appropriation. . . . .	(( <del>\$1,759,000</del> ))
	<u>\$1,823,000</u>
<u>Climate Investment Account—State Appropriation. . . . .</u>	<u>\$30,000,000</u>
Real Estate Commission Account—State Appropriation. . . . .	(( <del>\$15,753,000</del> ))
	<u>\$15,726,000</u>
Uniform Commercial Code Account—State Appropriation. . . . .	(( <del>\$3,481,000</del> ))
	<u>\$3,496,000</u>
Real Estate Education Program Account—State Appropriation. . . . .	(( <del>\$316,000</del> ))
	<u>\$308,000</u>
Real Estate Appraiser Commission Account—State Appropriation. . . . .	(( <del>\$2,067,000</del> ))
	<u>\$2,396,000</u>
Business and Professions Account—State Appropriation. . . . .	(( <del>\$30,924,000</del> ))
	<u>\$31,236,000</u>
Real Estate Research Account—State Appropriation. . . . .	\$461,000
Firearms Range Account—State Appropriation. . . . .	\$74,000
Funeral and Cemetery Account—State Appropriation. . . . .	(( <del>\$118,000</del> ))
	<u>\$125,000</u>
Landscape Architects' License Account—State Appropriation. . . . .	(( <del>\$86,000</del> ))
	<u>\$95,000</u>
Appraisal Management Company Account—State Appropriation. . . . .	(( <del>\$250,000</del> ))
	<u>\$258,000</u>
Concealed Pistol License Renewal Notification Account—State Appropriation. . . . .	\$142,000
Geologists' Account—State Appropriation. . . . .	(( <del>\$48,000</del> ))
	<u>\$55,000</u>
Derelict Vessel Removal Account—State Appropriation. . . . .	\$37,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$63,197,000)</b>
	<b>\$94,279,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$142,000 of the concealed pistol license renewal notification account—state appropriation and \$74,000 of the firearms range account—state appropriation are provided solely to implement chapter 74, Laws of 2017 (concealed pistol license).

(2) \$6,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$8,000 of the architects' license account—state appropriation, \$74,000 of the real estate commission account—state appropriation, \$14,000 of the uniform commercial code account—state appropriation, \$10,000 of the real estate appraiser commission account—state appropriation, and \$139,000 of the business and professions account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$7,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$5,000 of the architects' license account—state appropriation, \$43,000 of the real estate commission account—state appropriation, \$8,000 of the uniform commercial code account—state appropriation, \$8,000 of the real estate ((education program))appraiser commission account—state appropriation, \$166,000 of the business and professions account—state appropriation, \$9,000 of the funeral and cemetery account—state appropriation, \$3,000 of the landscape architects' license account—state appropriation, \$2,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(4) \$20,000 of the business and professions account—state appropriation is provided solely for implementation of House Bill No. 1017 (cosmetologists, licenses, etc.). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(5) \$320,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1143 (firearms purchase and transfer). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(6) \$5,000 of the architects' license account—state appropriation, \$31,000 of the real estate commission account—state appropriation, \$5,000 of the real estate appraiser commission account—state appropriation, \$64,000 of the business and professions account—state appropriation, \$5,000 of the funeral and cemetery account—state appropriation, \$5,000 of the landscape architects' license account—state appropriation, \$5,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of House Bill No. 1301 (license review and requirements). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(7) \$25,000 of the real estate ((appraiser)) commission account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5191 (real estate agency). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(8) \$19,000 of the funeral and cemetery account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5261 (cemetery authority deadlines). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(9) \$308,000 of the real estate appraiser commission account—state appropriation is provided solely for implementation of Engrossed House Bill No. 1797 (real estate appraisers). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(10) \$45,000 of the architects' license account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5794 (architecture licensing exams). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$354,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5995 (interpreters and translators). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) (a) \$30,000,000 of the climate investment account—state appropriation is provided solely for payments to support farm fuel users and transporters who have purchased fuel for agricultural purposes that is exempt from the requirements of the climate commitment act, as described in RCW 70A.65.080(7)(e), but paid a surcharge or an additional fee. In providing such payments, the department must prioritize:

- (i) Farming and transportation operations, prioritizing noncorporate farms first;
- (ii) Ease of use and accessibility for recipients; and
- (iii) Speed and efficiency in administering the payments.

(b) The department must use a tiered system of payments based on the annual number of gallons of agricultural fuel consumed, as determined by the farm fuel user or transporter in a signed attestation. The department shall use the following payment tiers:

- (i) \$600 to recipients with annual agricultural fuel use of less than 1,000 gallons;
- (ii) \$2,300 to recipients with annual agricultural fuel use greater than or equal to 1,000 gallons and less than 4,000 gallons; and

(iii) \$3,400 to recipients with annual agricultural fuel use greater than or equal to 4,000 gallons.

(c) Recipients of payments under this subsection may submit receipts and other documentation as part of their attestation showing that they were overcharged for fuel costs due to the impact of chapter 70A.65 RCW.

(d) The department may use no more than five percent of the amounts provided for this specific purpose on administration. The department must begin providing payments by September 1, 2024.

**Sec. 402.** 2023 c 475 s 402 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$77,651,000</del> ))
	<u>\$77,278,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$78,281,000</del> ))
	<u>\$83,583,000</u>
General Fund—Federal Appropriation . . . . .	\$16,972,000
General Fund—Private/Local Appropriation . . . . .	\$3,091,000
Death Investigations Account—State Appropriation . . . . .	(( <del>\$9,145,000</del> ))
	<u>\$9,592,000</u>
County Criminal Justice Assistance Account—State Appropriation . . . . .	(( <del>\$4,893,000</del> ))
	<u>\$4,894,000</u>
Municipal Criminal Justice Assistance Account—State Appropriation . . . . .	\$1,800,000
Fire Service Trust Account—State Appropriation . . . . .	\$131,000
Vehicle License Fraud Account—State Appropriation . . . . .	\$119,000
Disaster Response Account—State Appropriation . . . . .	\$8,000,000
Fire Service Training Account—State Appropriation . . . . .	(( <del>\$13,456,000</del> ))
	<u>\$13,457,000</u>
Model Toxics Control Operating Account—State Appropriation . . . . .	\$596,000
Fingerprint Identification Account—State Appropriation . . . . .	\$15,200,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$229,335,000</del>))</b>
	<b><u>\$234,713,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$8,000,000~~))~~ \$14,000,000 of the disaster response account—state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(2) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$146,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation adjustments for commissioned staff as provided for in the omnibus transportation appropriations act.

(3) \$20,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1179 (nonconviction data/auditor). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$26,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor compensation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$500,000 of the disaster response account—state appropriation, is provided solely to continue a pilot project for the early deployment or prepositioning of Washington state fire service resources in advance of an expected mobilization event. Any authorization for the deployment of resources under this section must be authorized in accordance with section 6 of the Washington state fire services resource mobilization plan.

(7) \$320,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$1,133,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$1,000,000 of the fire service training account—state appropriation is provided solely for the firefighter apprenticeship training program.

(10) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Washington state missing and murdered indigenous women and people task force in section 912 of this act.

(11) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for financial assistance to local jurisdictions to conduct DNA testing for unidentified remains, and for those remains that failed to yield a CODIS match, for forensic genetic genealogy DNA testing to be conducted. Local jurisdictions may contract for these services. "Forensic genetic genealogy DNA testing" means any technology performed in a forensic laboratory capable of producing a forensic genealogy profile with a minimum of 100,000 genetic markers and compatible with multiple genealogical databases consented for law enforcement use. Records from the DNA testing or forensic genetic genealogy DNA testing, including DNA profiles and markers, of unidentified remains shall be used solely for the purpose of establishing identification. Retention of such records following identification does not serve a public purpose. Upon successful identification, such records shall be destroyed.

(12) Any funds provided to the missing and exploited children task force shall ensure operations are adherent to federally established internet crimes against children standards.

(13) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5299 (law enf. officer protection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) Within existing resources, the Washington state patrol may provide security and protection to the secretary of state and to his or her family during a presidential election campaign and through two weeks following inauguration.

(15) \$88,742 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5812 (electrical vehicle fires). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(End of part)

**PART V  
EDUCATION**

**Sec. 501.** 2023 c 475 s 501 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$46,191,000</del> ))
	\$46,840,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$45,208,000</del> ))
	\$49,665,000
General Fund—Federal Appropriation . . . . .	(( <del>\$108,354,000</del> ))
	\$148,569,000
General Fund—Private/Local Appropriation . . . . .	\$8,079,000
Dedicated Cannabis Account—State Appropriation (FY 2024) . . . . .	(( <del>\$593,000</del> ))
	\$550,000
Dedicated Cannabis Account—State Appropriation (FY 2025) . . . . .	(( <del>\$618,000</del> ))
	\$550,000
Washington Opportunity Pathways Account—State Appropriation . . . . .	(( <del>\$8,429,000</del> ))
	\$16,890,000
Performance Audits of Government Account—State Appropriation . . . . .	\$213,000
Workforce Education Investment Account—State Appropriation . . . . .	\$9,479,000
Elementary and Secondary School Emergency Relief III Account—Federal Appropriation . . . . .	\$3,524,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$230,688,000</del>))</b>
	<b>\$284,359,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) **BASE OPERATIONS AND EXPENSES OF THE OFFICE**

(a) ((~~\$21,778,000~~))\$22,389,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$21,778,000~~))\$22,470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.



(ii) By October 31st of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in section 501, chapter 415, Laws of 2019 and sections 515 and 522, chapter 334, Laws of 2021. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status of proviso implementation, number of beneficiaries by year, list of beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(iii) Districts shall annually report to the office of the superintendent of public instruction on: (A) The annual number of graduating high school seniors within the district earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (B) the number of high school students earning competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

(iv) The office of the superintendent of public instruction shall perform ongoing program reviews of alternative learning experience programs, dropout reengagement programs, and other high risk programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(v) The superintendent of public instruction shall integrate climate change content into the Washington state learning standards across subject areas and grade levels. The office shall develop materials and resources that accompany the updated learning standards that encourage school districts to develop interdisciplinary units focused on climate change that include authentic learning experiences, that integrate a range of perspectives, and that are action oriented.

(vi) Funding provided in this subsection (1)(a) is sufficient for maintenance of the apportionment system, including technical staff and the data governance working group.

(b) \$494,000 of the general fund—state appropriation for fiscal year 2024 and \$494,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(c) \$61,000 of the general fund—state appropriation for fiscal year 2024 and \$61,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(d) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(e) \$285,000 of the Washington opportunity pathways account—state appropriation is provided solely for activities related to public schools other than common schools authorized under chapter 28A.710 RCW.

(f) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(g) \$1,060,000 of the general fund—state appropriation for fiscal year 2024 and \$1,060,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of native education to increase services to tribes, including but not limited to, providing assistance to tribes and school districts to implement Since Time Immemorial, applying to become tribal compact schools, convening the Washington state native American education advisory committee, and extending professional learning opportunities to provide instruction in tribal history, culture, and government. The professional development must be done in collaboration with school district administrators and school directors. Funding in this subsection is sufficient for the office, the Washington state school directors' association government-to-government task force, and the association of educational service districts to collaborate with the tribal leaders congress on education to develop a tribal consultation training and schedule. Of the amounts provided in this subsection: \$525,000 of the general fund—state appropriation for fiscal year 2024 and \$525,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of native education to convene a work group to develop the supports necessary to serve American Indian and Alaska Native students identified as needing additional literacy supports. The work group must include representation from Washington's federally recognized tribes and federally recognized tribes with reserved treaty rights in Washington. The work group must conduct tribal consultations, develop best practices, engage in professional learning, and develop curricula and resources that may be provided to school districts and state-tribal education compact schools to serve American Indian and Alaska Native students with appropriate, culturally affirming literacy supports.

(h) \$481,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional

full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(i) Districts shall report to the office the results of each collective bargaining agreement for certificated staff within their district using a uniform template as required by the superintendent, within thirty days of finalizing contracts. The data must include but is not limited to: Minimum and maximum base salaries, supplemental salary information, and average percent increase for all certificated instructional staff. Within existing resources by December 1st of each year, the office shall produce a report for the legislative evaluation and accountability program committee summarizing the district level collective bargaining agreement data.

(j) \$3,524,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for administrative costs related to the management of federal funds provided for COVID-19 response and other emergency needs.

(k) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the superintendent of public instruction to plan for the development and implementation of a common substitute teacher application platform.

(l) \$465,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for office of the attorney general legal services related to special education related litigation.

(2) DATA SYSTEMS

(a) \$1,802,000 of the general fund—state appropriation for fiscal year 2024 and \$1,802,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(b) \$281,000 of the general fund—state appropriation for fiscal year 2024 and \$281,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(c) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent of public instruction to develop and implement a statewide accountability system to address absenteeism and to improve student graduation rates. The system must use data to engage schools and districts in identifying successful strategies and systems that are based on federal and state accountability measures. Funding may also support the effort to provide assistance about successful strategies and systems to districts and schools that are underperforming in the targeted student subgroups.

(3) WORK GROUPS

(a) \$68,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(b) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to meet statutory obligations related to the provision of medically and scientifically accurate, age-appropriate, and inclusive sexual health education as authorized by chapter 206, Laws of 1988 (AIDS omnibus act) and chapter 265, Laws of 2007 (healthy youth act).

(c) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$118,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 75, Laws of 2018 (dyslexia).

(d) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 386, Laws of 2019 (social emotional learning).

(e) \$107,000 of the general fund—state appropriation for fiscal year 2024 and \$107,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to support the children and youth behavioral health work group created in chapter 130, Laws of 2020 (child. mental health wk. grp).

(4) STATEWIDE PROGRAMS

(a) \$2,590,000 of the general fund—state appropriation for fiscal year 2024 and \$2,590,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support statewide administration and district implementation of the inventory under RCW 28A.655.080.

(b) \$703,000 of the general fund—state appropriation for fiscal year 2024 and \$703,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 72, Laws of 2016 (educational opportunity gap).

(c) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to schools identified for comprehensive or targeted support and school districts that are implementing

comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(d) \$457,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 102, Laws of 2014 (biliteracy seal). Of the amounts provided in this subsection:

(i) \$197,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to develop and establish criteria for school districts to award the seal of biliteracy to graduating high school students.

(ii) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to provide students with access to methods for students to demonstrate proficiency in less commonly taught or assessed languages.

(e) (i) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school bullying and harassment prevention activities.

(ii) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 240, Laws of 2016 (school safety).

(iii) \$570,000 of the general fund—state appropriation for fiscal year 2024 and \$570,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide support and coordination for the regional network of behavioral health, school safety, and threat assessment established in chapter 333, Laws of 2019 (school safety and well-being).

(iv) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the school safety center within the office of the superintendent of public instruction.

(A) Within the amounts provided in this subsection (4)(e)(iv), \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a school safety program to provide school safety training for all school administrators and school safety personnel. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety.

(B) Within the amounts provided in this subsection (4)(e)(iv), \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administration of the school safety center. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, review and approve manuals and curricula used for school safety models and training, and maintain a school safety information web site.

(f) (i) \$162,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for youth suicide prevention activities.

(ii) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 64, Laws of 2018 (sexual abuse of students).

(g) (i) \$280,000 of the general fund—state appropriation for fiscal year 2024, \$280,000 of the general fund—state appropriation for fiscal year 2025, ~~((~~\$593,000~~))~~ \$550,000 of the dedicated cannabis account—state appropriation for fiscal year 2024, and ~~((~~\$618,000~~))~~ \$550,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for dropout prevention, intervention, and reengagement programs ~~((, including the jobs for America's graduates (JAG) program)),~~ dropout prevention programs that provide student mentoring, and the building bridges statewide program. ~~((Students in the foster care system or who are homeless shall be given priority by districts offering the jobs for America's graduates program.))~~ The office of the superintendent of public instruction shall convene staff representatives from high schools to meet and share best practices for dropout prevention. Of these amounts, the entire dedicated cannabis account—state appropriation is provided solely for the building bridges statewide program and for grants to districts for life skills training for children and youth in K-12.

(ii) \$293,000 of the general fund—state appropriation for fiscal year 2024 and \$293,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs in support of high-quality high school and beyond plans consistent with RCW 28A.230.090.

(iii) \$178,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 291, Laws of 2017 (truancy reduction efforts).

(h) Sufficient amounts are appropriated in this section for the office of the superintendent of public instruction to create a process and provide assistance to school districts in planning for future implementation of the summer knowledge improvement program grants.

(i) \$358,000 of the general fund—state appropriation for fiscal year 2024 and \$358,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 221, Laws of 2019 (CTE course equivalencies).

(j) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 252, Laws of 2019 (high school graduation reqs.).

(k) \$60,000 of the general fund—state appropriation for fiscal year 2024, \$60,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—federal appropriation are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply). Of the amounts provided in this subsection, \$680,000 of the general fund—federal appropriation is provided solely for title II SEA state-level activities to implement section 103, chapter 295, Laws of 2019 relating to the regional recruiters program.

(l) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison at the office of the superintendent of public instruction to facilitate access to and support enrollment in career connected learning opportunities for tribal students, including career awareness and exploration, career preparation, and career launch programs, as defined in RCW 28C.30.020, so that tribal students may receive high school or college credit to the maximum extent possible.

(m) \$57,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 288, Laws of 2020 (school meals at no cost).

(n) \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$142,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 353, Laws of 2020 (innovative learning pilot).

(o) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide coordination towards multicultural, culturally responsive, and anti-racist education to support academically, socially, and culturally literate learners. The office must engage community members and key interested parties to:

(i) Develop a clear definition and framework for African American studies to guide instruction in grades seven through twelve;

(ii) Develop a plan for aligning African American studies across all content areas; and

(iii) Identify professional development opportunities for educators and administrators to build capacity in creating high-quality learning environments centered in belonging and racial equity, anti-racist approaches, and asset-based methodologies that pull from all students' cultural funds of knowledge.

(p) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 38, Laws of 2021 (K-12 safety & security serv.).

(q) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 111, Laws of 2021 (learning assistance program).

(r) \$1,152,000 of the general fund—state appropriation for fiscal year 2024 and \$1,157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 164, Laws of 2021 (institutional ed./release).

(s) \$553,000 of the general fund—state appropriation for fiscal year 2024 and \$553,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to develop and implement a mathematics pathways pilot to modernize algebra II. The office should use research and engage stakeholders to develop a revised and expanded course.

(t) \$3,348,000 of the general fund—state appropriation for fiscal year 2024 and \$3,348,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 107, Laws of 2022 (language access in schools).

(u) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to establish a media literacy and digital citizenship ambassador program to promote the integration of media literacy and digital citizenship instruction.

(v) \$294,000 of the general fund—state appropriation for fiscal year 2024 and \$294,000 of the general fund—state appropriation for fiscal year 2025 provided solely for implementation of chapter 9, Laws of 2022 (school consultation/tribes).

(w) \$8,144,000 of the Washington state opportunity pathways account—state appropriation is provided solely for support to small school districts and public schools receiving allocations under chapters 28A.710 and 28A.715 RCW that have less than 800 enrolled students, are located in urban or suburban areas, and budgeted for less than \$20,000 per pupil in general fund expenditures in the 2022-23 school year. For eligible school districts and schools, the superintendent of public instruction must allocate an amount equal to the lesser of amount 1 or amount 2, as provided in (w)(i) and (ii) of this subsection, multiplied by the school district or school's budgeted enrollment in the 2022-23 school year.

(i) Amount 1 is \$1,550.

- (ii) Amount 2 is \$20,000 minus the school district or school's budgeted general fund expenditures per pupil in the 2022-23 school year.
- (x) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5072 (highly capable students). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (y) \$72,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5243 (high school and beyond plan). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (z) \$17,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5257 (elementary school recess). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (aa) \$169,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5315 (special education/nonpublic). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (bb) \$39,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5403 (school depreciation subfunds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~
- (cc) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5593 (student data transfer). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (dd) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5617 (career and technical education courses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~
- (ee) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a community-based youth development nonprofit organization for a pilot program to provide behavioral health support for youth and trauma-informed, culturally responsive staff training.
- (ff) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to consult with one or two public high schools that offer established courses in the early childhood development and services career pathway and develop model materials that may be employed by other school districts with an interest in establishing or expanding similar instructional offerings to students. The model materials must be developed by January 1, 2024.
- (gg) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of a deliberative democratic climate change education program in public high schools based on the Washington student climate assembly pilot program. The office must use the funding to develop and promote a full curriculum for student climate assemblies that can be replicated in public high schools across the state and to fund a part-time statewide coordinator position to oversee program outreach and implementation. By January 1, 2025, the office must collect and evaluate feedback from teachers, students, local government employees, and elected officials participating in the pilot program and report to the legislature on options to improve, expand, and extend the program.
- (hh) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental agency to coordinate and serve as a fiscal agent and to cover direct costs of the project education impact workgroup to achieve educational parity for students experiencing foster care and/or homelessness, consistent with chapter 233, Laws of 2020. The office must contract with a nongovernmental agency with experience coordinating administrative and fiscal support for project education impact.
- (ii) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract for a feasibility study for the creation of a maritime academy on the Olympic peninsula. The study must include the scope, location, design, and budget for the construction of the maritime academy. The study must include plans to address systems, policies, and practices that address disparities of historically marginalized communities in the maritime industry. A preliminary report is due to the legislature by December 1, 2023, with the final feasibility study due to the legislature by June 3, 2024. Funding provided in this subsection may be matched by a nonprofit organization that provides high school students with accredited career and technical postsecondary education for maritime vessel operations and maritime curriculum to high schools in Jefferson, Clallam, Kitsap, King, Mason, Pierce, Island, and Snohomish counties.
- (jj) \$74,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for

implementation of Substitute House Bill No. 1701 (institutional ed. programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(kk) \$141,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1308 (graduation pathway options). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ll) \$73,000 of the general fund—state appropriation for fiscal year 2024 and \$72,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1346 (purple star award). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(mm) (i) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to provide statewide professional development and technical assistance to school districts and to provide a limited number of grants for demonstration projects. The demonstration projects must build school-level and district-level systems that eliminate student isolation, track and reduce restraint use, and build schoolwide systems to support students in distress and prevent crisis escalation cycles that may result in restraint or isolation. The schoolwide systems must include trauma-informed positive behavior and intervention supports, de-escalation, and problem-solving skills. Of the amounts provided in this subsection:

(A) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are for grants for 10 district demonstration sites;

(B) \$1,334,000 of the general fund—state appropriation for fiscal year 2024 and \$1,334,000 of the general fund—state appropriation for fiscal year 2025 are for professional development and training; and

(C) \$166,000 of the general fund—state appropriation for fiscal year 2024 and \$166,000 of the general fund—state appropriation for fiscal year 2025 are for staff and administration support for the demonstration sites and the professional development and training.

(ii) The office must create a technical assistance manual to support the elimination of isolation and reduction of restraint and room clears based on the results of the demonstration projects, and must provide a report to the education committees of the legislature by September 1, 2024. The report must include:

(A) A status update on demonstration projects that occurred during the 2023-24 school year, the technical assistance manual, and professional development offered statewide;

(B) Key implementation challenges and findings; and

(C) Recommendations for statewide policy changes or funding.

(iii) In developing the manual, the office must consult with, at minimum:

(A) Representatives from state associations representing both certificated and classified staff;

(B) An association representing principals;

(C) An association representing school administrators;

(D) The Washington state school directors' association;

(E) An association representing parents;

(F) An individual with lived experience of restraint and isolation; and

(G) A representative of the protection and advocacy agency of Washington.

(iv) The office must prioritize the provision of professional development and selection of the demonstration sites to local education agencies, educational programs, and staff who provide educational services to students in prekindergarten through grade five and who have high incidents of isolation, restraint, or injury related to use of restraint or isolation. Grant recipients must commit to isolation phaseout and must report on restraint reduction and progress to the office by June 30, 2025.

(nn) \$498,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5849 (computer science/graduation). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(oo) \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5850 (chronically absent students). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(pp) \$430,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5462 (inclusive learning standards). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(qq) \$28,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5647 (school safety/temp employees). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(rr) \$581,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5852 (special education safety net). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(ss) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6053 (education data sharing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(tt) \$39,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6264 (competency-based education). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(uu) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to create and distribute age appropriate promotional and educational materials to school districts for Americans of Chinese descent history month.

(vv) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to print 5,000 copies, in Spanish, of the league of women voters Washington elementary civics textbook to distribute to students and teachers across the state.

(ww) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a study to examine how free and reduced-price school meal data is used as a funding driver for programs. The department must provide a report to the legislature by January 1, 2025, that includes recommendations for an alternative metric or metrics to utilize as a funding driver for educational programs in the state.

(5) CAREER CONNECTED LEARNING

(a) \$919,000 of the workforce education investment account—state appropriation is provided solely for expanding career connected learning as provided in RCW 28C.30.020.

(b) \$960,000 of the workforce education investment account—state appropriation is provided solely for increasing the funding per full-time equivalent for career launch programs as described in RCW 28A.700.130. In the 2023-2025 fiscal biennium, for career launch enrollment exceeding the funding provided in this subsection, funding is provided in section 504 of this act.

(c) \$3,600,000 of the workforce education investment account—state appropriation is provided solely for the office of the superintendent of public instruction to administer grants to skill centers for nursing programs to purchase or upgrade simulation laboratory equipment.

(d) \$4,000,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ Of the amount provided in this subsection, \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the Marysville school district to collaborate with Arlington school district, Everett Community College, other local school districts, local labor unions, local Washington state apprenticeship and training council registered apprenticeship programs, and local industry groups to continue the regional apprenticeship pathways program.

**Sec. 502.** 2023 c 475 s 502 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD OF EDUCATION**

General Fund—State Appropriation (FY 2024) . . . . .	(\$2,155,000)
	\$2,161,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$6,695,000)
	\$7,043,000
Elementary and Secondary School Emergency Relief III	
Account—Federal Appropriation. . . . .	\$1,779,000
Washington Opportunity Pathways Account—State	
Appropriation. . . . .	\$353,000
<b>TOTAL APPROPRIATION</b> .....	<del>(\$10,982,000)</del>
	<b>\$11,336,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,852,000 of the general fund—state appropriation for fiscal year 2024 and \$1,864,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the state board of education.

(2) \$1,779,000 of the elementary and secondary school emergency relief III account—federal appropriation, \$280,000 of the general fund—state appropriation for fiscal year 2024, and \$4,808,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the state board of education for implementation of mastery-based learning in school district demonstration sites. The state board of education shall require grant recipients to report on impacts and participate in a collaborative to share best practices. The funds must be used for grants to school districts, charter schools, or state tribal education compact schools established under chapter 28A.715 RCW; professional development of educators; development of a resource suite for school districts statewide; evaluation of the demonstration project; implementation and policy support provided by the state board of education and other partners; and a report outlining findings and recommendations to the governor and education committees of the legislature by December 31, 2025. Grants for mastery-based learning may be made in partnership with private matching funds.

(3) \$23,000 of the general fund—state appropriation for fiscal year 2024 and \$23,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the state board of education to be a member in the education commission of the states.

(4) \$6,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5849 (computer science/

graduation). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(5) \$156,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6264 (competency-based education). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 503.** 2023 c 475 s 503 (uncodified) is amended to read as follows:

**FOR THE PROFESSIONAL EDUCATOR STANDARDS BOARD**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$22,535,000</del> ))
	<u>\$17,335,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$21,417,000</del> ))
	<u>\$21,509,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$43,952,000</del>))</b>
	<b><u>\$38,844,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$1,930,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,945,000~~))~~ \$2,035,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the Washington professional educator standards board including implementation of chapter 172, Laws of 2017 (educator prep. data/PESB).

(2) (a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to improve preservice teacher training and funding of alternate routes to certification programs administered by the professional educator standards board.

(b) Within the amounts provided in this subsection (2), up to \$500,000 of the general fund—state appropriation for fiscal year 2024 and up to \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs.

(3) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,001,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the recruiting Washington teachers program with priority given to programs that support bilingual teachers, teachers from populations that are underrepresented, and English language learners. Of the amounts provided in this subsection (3), \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and expansion of the bilingual educator initiative pilot project established under RCW 28A.180.120.

(4) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply).

(5) ~~((~~\$17,535,000~~))~~ \$12,335,000 of the general fund—state appropriation for fiscal year 2024 and \$17,535,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 237, Laws of 2017 (paraeducators). Of the amounts provided in this subsection: ~~((~~\$16,873,000~~))~~ \$11,550,000 of the general fund—state appropriation for fiscal year 2024 and \$16,873,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to districts to provide two days of training per school year in the paraeducator certificate program to all paraeducators. Funds in this subsection are provided solely for reimbursement to school districts that provide paraeducators with two days of training in the paraeducator certificate program in each of the 2022-23 and 2023-24 school years. Funding provided in this subsection is sufficient for new paraeducators to receive four days of training in the paraeducator certificate program during their first year.

(6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$28,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the board to review national certification opportunities for educational staff associates through the relevant national associations for their profession and through the national board for professional teaching standards. The board must compare the standards and processes for achieving these certifications, including an analysis of how educational staff associate positions' national certification aligns with school roles and the professional expertise of school-based education staff associates. The board must submit the comparison report to the education committees of the legislature by October 1, 2024.

(7) \$147,000 of the general fund—state appropriation for fiscal year 2024 and \$158,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$71,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the professional educator standards board and the paraeducator board to collaborate with the office of the superintendent of public instruction to report on a plan to align bilingual education and English language learner endorsement standards and to determine language assessment requirements for multilingual teachers and paraeducators. The report is due to the legislature by September 1, 2023.



(9) \$1,012,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the professional educator standards board, in coordination with the office of the superintendent of public instruction, to develop a teacher residency program through Western Washington University focused on special education instruction beginning in the 2024-25 school year.

**Sec. 504.** 2023 c 475 s 504 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(\$9,765,637,000))
	<u>\$9,743,015,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$10,027,638,000))
	<u>\$9,739,510,000</u>
Education Legacy Trust Account—State Appropriation . . . . .	(\$1,538,730,000))
	<u>\$1,800,730,000</u>
<u>Washington Opportunity Pathways Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$28,000,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(\$21,332,005,000))</b>
	<b><u>\$21,311,255,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2023-24 and 2024-25 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary allocations in sections 504 and 505 of this act, excluding (c) of this subsection.

(c) From July 1, 2023, to August 31, 2023, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 504 and 505, chapter 297, Laws of 2022, as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(e)(i) Funding provided in part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210.

(g) For the 2023-24 and 2024-25 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) **CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS**

Allocations for certificated instructional staff salaries for the 2023-24 and 2024-25 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school, including those at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

General education class size:

Grade	RCW 28A.150.260	2023-24 School Year	2024-25 School Year
Grade K		17.00	17.00
Grade 1		17.00	17.00

Grade 2	17.00	17.00
Grade 3	17.00	17.00
Grade 4	27.00	27.00
Grades 5-6	27.00	27.00
Grades 7-8	28.53	28.53
Grades 9-12	28.74	28.74

The superintendent shall base allocations for: Laboratory science average class size as provided in RCW 28A.150.260; career and technical education (CTE) class size of 23.0; and skill center program class size of 19. Certificated instructional staff units provided for skills centers that exceed the minimum requirements of RCW 28A.150.260 achieve class size reductions under RCW 28A.400.007 and are part of the state's program of basic education.

(ii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iii) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260, as amended by chapter 109, Laws of 2022, and is considered certificated instructional staff.

(ii) For qualifying high-poverty schools in the 2023-24 school year, at which more than 50 percent of the students were eligible for free and reduced-price meals in the prior school year, in addition to the allocation under (d)(i) of this subsection, the superintendent shall allocate additional funding for guidance counselors for each level of prototypical school as follows:

	Elementa ry	Middle	High
Guidance counselo rs	0.166	0.166	0.157

(iii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

	2023-24 School Year	2024-25 School Year
Career and Technical Education	3.65	3.91
Skill Center	3.98	4.25

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2023-24 and 2024-25 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistant principals, and other certificated building level administrators:

Prototypical School Building:

Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors:

Career and Technical Education students. . . . .	1.025
Skill Center students. . . . .	1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2023-24 and 2024-25 school years are determined using the formula-

generated staff units provided in RCW 28A.150.260 and pursuant to this subsection, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2023-24 and 2024-25 school years for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b) and the increased allocations provided pursuant to subsections (2) and (4) of this section, by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.48 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by ~~((12.30))~~ 12.31 percent in the 2023-24 school year and ~~((12.46))~~ 12.44 percent in the 2024-25 school year for career and technical education students, and ~~((17.62))~~ 17.64 percent in the 2023-24 school year and ~~((17.79))~~ 17.77 percent in the 2024-25 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 17.97 percent in the 2023-24 school year and ~~((17.97))~~ 17.99 percent in the 2024-25 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 22.06 percent in the 2023-24 school year and ~~((21.56))~~ 21.58 percent in the 2024-25 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the rates specified in section 506 of this act, based on the number of benefit units determined as follows: Except for nonrepresented employees of educational service districts, the number of calculated benefit units determined below. Calculated benefit units are staff units multiplied by the benefit allocation factors established in the collective bargaining agreement referenced in section 909 of this act. These factors are intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent employees may be calculated on the basis of 630 hours of work per year, with no individual employee counted as more than one full-time equivalent. The number of benefit units is determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section multiplied by 1.02; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.43.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$178.98	<del>((182.72))</del> <u>\$182.38</u>
Utilities and Insurance	\$416.26	<del>((425.01))</del> <u>\$424.18</u>
Curriculum and Textbooks	\$164.48	<del>((167.94))</del> <u>\$167.61</u>

Other Supplies	\$326.54	( <del>(\$333.40)</del> ) <u>\$332.75</u>
Library Materials	\$22.65	( <del>(\$23.13)</del> ) <u>\$23.08</u>
Instructional Professional Development for Certificated and Classified Staff	\$25.44	( <del>(\$25.97)</del> ) <u>\$25.92</u>
Facilities Maintenance	\$206.22	( <del>(\$210.55)</del> ) <u>\$210.13</u>
Security and Central Office	\$142.87	( <del>(\$145.87)</del> ) <u>\$145.58</u>
TOTAL MSOC/STUDENT FTE	\$1,483.44	( <del>(\$1,514.59)</del> ) <u>\$1,511.63</u>

(ii) For the 2023-24 school year and 2024-25 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (a)(ii)(A) of this subsection (8) exceeds (a)(ii)(B) of this subsection (8), any proposed use of this difference and how this use will improve student achievement.

(iii) Within the amount provided in (a)(i) of this subsection (8), allocations for MSOC technology in excess of RCW 28A.150.260 are not part of the state's basic education.

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and (~~(\$1,760.84)~~)\$1,757.39 for the 2024-25 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and (~~(\$1,760.84)~~)\$1,757.39 for the 2024-25 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocations provided in (a) through (c) of this subsection at the following rate:

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$44.04	( <del>(\$44.97)</del> ) <u>\$51.88</u>
Curriculum and Textbooks	\$48.06	( <del>(\$49.06)</del> ) <u>\$51.37</u>
Other Supplies	\$94.07	\$96.04
Library Materials	\$6.05	\$6.18
Instructional Professional Development for Certificated and Classified Staff	\$8.01	( <del>(\$8.18)</del> ) <u>\$8.56</u>
TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE	\$200.23	( <del>(\$204.43)</del> ) <u>\$214.03</u>

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2023-24 and 2024-25 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2023, to August 31, 2023, are adjusted to reflect provisions of chapter 297, Laws of 2022, as amended (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under

RCW 28A.175.100 through 28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.

(12) ALL DAY KINDERGARTEN PROGRAMS

\$670,803,000 of the general fund—state appropriation for fiscal year 2024 and \$869,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to fund all day kindergarten programs in all schools in the 2023-24 school year and 2024-25 school year, pursuant to RCW 28A.150.220 and 28A.150.315. Beginning in the 2023-24 school year, funding for students admitted early to kindergarten under exceptions to the uniform entry qualifications under RCW 28A.225.160 must be limited to children deemed to be likely to be "successful in kindergarten."

(13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (13) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2024 and 2025 as follows:

(a) \$650,000 of the general fund—state appropriation for fiscal year 2024 and \$650,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(16) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(17) Funding in this section is sufficient to fund a maximum of 1.2 FTE enrollment for career launch students pursuant to RCW 28A.700.130. Expenditures for this purpose must come first from the appropriations provided in section 501(5) of this act; funding for career launch enrollment exceeding those appropriations is provided in this section. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by January 1, 2024. The report must include the total FTE enrollment for career launch students, the FTE enrollment for career launch students that exceeded the appropriations provided in section 501(5) of this act, and the amount expended from this section for those students.

(18)(a) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.4 FTE including school district and institution of higher education enrollment consistent with the running start course requirements provided in chapter 202, Laws of 2015 (dual credit education opportunities). In calculating the combined 1.4 FTE, the office of the superintendent of public instruction:

(i) Must adopt rules to fund the participating student's enrollment in running start courses provided by the institution of higher education during the summer academic term; and

(ii) May average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and the institution of higher education.

(iii) In consultation with the state board for community and technical colleges, the participating institutions of higher education, the student achievement council, and the education data center, must annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(b) \$1,000 of the general fund—state appropriation for fiscal year 2024 is provided for implementation of Second Substitute House Bill No. 1316 (dual credit program access).

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (13) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (13) of this section shall be reduced in increments of twenty percent per year.

(20)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed the lesser of five percent or the cap established in federal law of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support,

and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

(21) Funding in this section is sufficient to provide full general apportionment payments to school districts eligible for federal forest revenues as provided in RCW 28A.520.020. For the 2023-2025 biennium, general apportionment payments are not reduced for school districts receiving federal forest revenues.

(22) \$38,753,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 505.** 2023 c 475 s 505 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION**

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.260, and under section 504 of this act: For the 2023-24 school year and the 2024-25 school year salary allocations for certificated instructional staff, certificated administrative staff, and classified staff units are determined for each school district by multiplying the statewide minimum salary allocation for each staff type by the school district's regionalization factor shown in LEAP Document 3.

Statewide Minimum Salary Allocation

Staff Type	2023-24 School Year	2024-25 School Year
Certificated Instructional	\$75,419	(( <del>\$78,360</del> ) <u>\$78,209</u> )
Certificated Administrative	\$111,950	(( <del>\$116,316</del> ) <u>\$116,092</u> )
Classified	\$54,103	(( <del>\$56,213</del> ) <u>\$56,105</u> )

(2) For the purposes of this section, "LEAP Document 3" means the school district regionalization factors for certificated instructional, certificated administrative, and classified staff, as developed by the legislative evaluation and accountability program committee on April 20, 2023, at 6:09 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 17.33 percent for school year 2023-24 and ((~~17.33~~)17.35 percent for school year 2024-25 for certificated instructional and certificated administrative staff and 18.56 percent for school year 2023-24 and ((~~18.06~~)18.08 percent for the 2024-25 school year for classified staff.

(4) The salary allocations established in this section are for allocation purposes only except as provided in this subsection, and do not entitle an individual staff position to a particular paid salary except as provided in RCW 28A.400.200, as amended by chapter 13, Laws of 2017 3rd sp. sess. (fully funding the program of basic education).

**Sec. 506.** 2023 c 475 s 506 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$391,668,000</del> ) <u>\$390,257,000</u> )
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$871,433,000</del> ) <u>\$886,620,000</u> )
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$1,263,101,000</del>) <u>\$1,276,877,000</u>)</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The salary increases provided in this section are 3.7 percent for the 2023-24 school year, and ((~~3.9~~)3.7 percent for the 2024-25 school year, the annual inflationary adjustments pursuant to RCW 28A.400.205.

(2)(a) In addition to salary allocations, the appropriations in this section include funding for professional learning as defined in RCW 28A.415.430, 28A.415.432, and 28A.415.434. Funding for this purpose is calculated as the equivalent of three days of salary and benefits for each of the funded full-time equivalent certificated instructional staff units. Nothing in this section entitles an individual certificated instructional staff to any particular number of professional learning days.

(b) Of the funding provided for professional learning in this section, the equivalent of one day of salary and benefits for each of the funded full-time equivalent certificated instructional staff units in the 2023-24 school year must be used to train school district staff on cultural competency, diversity, equity, or inclusion, as required in chapter 197, Laws of 2021.

(3) (a) The appropriations in this section include associated incremental fringe benefit allocations at 17.33 percent for the 2023-24 school year and ~~((17.33))~~ 17.35 percent for the 2024-25 school year for certificated instructional and certificated administrative staff and 18.56 percent for the 2023-24 school year and ~~((18.06))~~ 18.08 percent for the 2024-25 school year for classified staff.

(b) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocations and methodology in sections 504 and 505 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 504 and 505 of this act. Changes for pupil transportation are determined by the superintendent of public instruction pursuant to RCW 28A.160.192, and impact compensation factors in sections 504, 505, and 506 of this act.

(c) The appropriations in this section include no salary adjustments for substitute teachers.

(4) The appropriations in this section are sufficient to fund the collective bargaining agreement referenced in part 9 of this act and reflect the incremental change in cost of allocating rates as follows: For the 2023-24 school year, \$1,100 per month and for the 2024-25 school year, ~~((1,157))~~ \$1,178 per month.

(5) The rates specified in this section are subject to revision each year by the legislature.

(6) \$46,426,000 of the general fund—state appropriation for fiscal year 2024 and \$211,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 50, Laws of 2023.

(7) \$5,155,000 of the general fund—state appropriation for fiscal year 2024 and \$12,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$864,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the special education enrollment funding cap in RCW 28A.150.390.

(9) \$3,995,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(10) \$671,000 of the general fund—state appropriation for fiscal year 2024 and \$1,555,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

**Sec. 507.** 2023 c 475 s 507 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$763,749,000</del> ))
	\$803,792,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$762,332,000</del> ))
	\$832,615,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,526,081,000</del>))</b>
	<b>\$1,636,407,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) (a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 507, chapter 297, Laws of 2022, as amended.

(3) Within amounts appropriated in this section, up to \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and up to \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are for a transportation alternate funding grant program based on the alternate funding process established in RCW 28A.160.191. The superintendent of public instruction must include a review of school district efficiency rating, key performance indicators and local school district characteristics such as unique geographic constraints in the grant award process.

(4) A maximum of \$939,000 of the general fund—state appropriation for fiscal year 2024 and a maximum of \$939,000 of the general fund—state appropriation for fiscal year 2025 may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state



transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(5) Subject to available funds under this section, school districts may provide student transportation for summer skills center programs.

(6) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(7) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(8) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

(9) (a) \$13,000,000 of the general fund—state appropriation for fiscal year 2024 and \$13,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to provide transportation safety net funding to school districts with a convincingly demonstrated need for additional transportation funding for special passengers. Transportation safety net awards shall only be provided when a school district's allowable transportation expenditures attributable to serving special passengers exceeds the amount allocated under subsection (2) (a) of this section and any excess transportation costs reimbursed by federal, state, tribal, or local child welfare agencies. A transportation safety net award may not exceed a school district's excess expenditures directly attributable to serving special passengers in the pupil transportation program.

(b) To be eligible for additional transportation safety net award funding, the school district must report, in accordance with statewide accounting guidance, the amount of the excess costs and the specific activities or services provided to special passengers that created the excess costs. The office of the superintendent of public instruction must request from school districts an application for transportation safety net funding. The office must submit to the office of financial management, and to the education and fiscal committees of the legislature, the total demonstrated need and awards by school district.

(c) Transportation safety net awards allocated under this subsection are not part of the state's program of basic education.

(10) \$23,033,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Substitute Senate Bill No. 5873 (student transportation), including: (a) \$4,000,000 is provided for supplemental transportation allocations to school districts that experience an increase in costs to pupil transportation services contracts due to new benefit requirements; (b) \$400 per student for 32,086 homeless students; (c) \$170,000 for the office of the superintendent of public instruction to collect student transportation expenditure data; and (d) \$6,000,000 for transportation allocations to school districts. If Substitute Senate Bill No. 5873 is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(11) \$130,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Engrossed Substitute Senate Bill No. 6031 (student transportation allocation). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$32,177,000 of the general fund—state appropriation for fiscal year 2024 and \$41,519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

**Sec. 508.** 2023 c 475 s 508 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SCHOOL FOOD SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$33,334,000</del> ))
	\$55,834,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$79,857,000</del> ))
	\$102,357,000
General Fund—Federal Appropriation . . . . .	(( <del>\$573,104,000</del> ))
	\$925,799,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$686,295,000</del>))</b>
	<b>\$1,083,990,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$11,548,000 of the general fund—state appropriation for fiscal year 2024 and \$11,548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(a) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades pre-kindergarten through twelfth grades who are eligible for reduced-price lunch as required in chapter 74, Laws of 2021 (reduced-price lunch copays);

(b) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(c) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced-price lunch, pursuant to chapter 287, Laws of 2005; and

(d) Assistance to school districts in initiating and expanding school breakfast programs.

(2) The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in subsection (1)(a) through (c) of this section.

(3) The superintendent of public instruction shall provide the department of health with the following data, where available, for all nutrition assistance programs that are funded by the United States department of agriculture and administered by the office of the superintendent of public instruction. The superintendent must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(4) (a) (~~(\$21,167,000)~~) \$44,167,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$52,167,000)~~) \$74,667,000 of the general fund—state appropriation for fiscal year 2025, and \$28,500,000 of the general fund—federal appropriation (CRRSA) are provided solely for reimbursements to school districts for schools and groups of schools required to participate in the federal community eligibility program under section 1, chapter 7, Laws of 2022 (schools/comm. eligibility) for meals not reimbursed at the federal free meal rate.

(b) \$119,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 271, Laws of 2018 (school meal payment) to increase the number of schools participating in the federal community eligibility program and to support breakfast after the bell programs authorized by the legislature that have adopted the community eligibility provision, and for staff at the office of the superintendent of public instruction to implement section 1, chapter 7, Laws of 2022 (schools/comm. eligibility).

(5) \$7,426,000 of the general fund—federal appropriation (CRRSA/GEER) and \$16,023,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1238 (free school meals). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

**Sec. 509.** 2023 c 475 s 509 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$1,719,541,000)</del> ) <u>\$1,804,368,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$1,789,729,000)</del> ) <u>\$1,916,079,000</u>
General Fund—Federal Appropriation . . . . .	( <del>(\$529,429,000)</del> ) <u>\$664,372,000</u>
Education Legacy Trust Account—State Appropriation . . . . .	\$54,694,000
<b>TOTAL APPROPRIATION</b> .....	<b>(<del>(\$4,093,393,000)</del>) <u>\$4,439,513,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 504 and 506 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2)(a) The superintendent of public instruction shall ensure that:

- (i) Special education students are basic education students first;
- (ii) As a class, special education students are entitled to the full basic education allocation; and
- (iii) Special education students are basic education students for the entire school day.

(b)(i) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006, except as provided in (b)(ii) of this subsection.

(ii) The superintendent of public instruction shall implement any changes to excess cost accounting methods required under Engrossed Substitute House Bill No. 1436 (special education funding).

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390, except that the calculation of the base allocation also includes allocations provided under section 504 (2) and (4) of this act and RCW 28A.150.415, which enhancement is within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school district programs for special education students as provided in section 509, chapter 297, Laws of 2022, as amended.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund—state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 15 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) (~~(\$106,931,000)~~)\$151,047,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$112,431,000)~~)\$151,046,000 of the general fund—state appropriation for fiscal year 2025, and \$29,574,000 of the general fund—federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2023-24 and 2024-25 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (education).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$1,250,000 may be expended from the general fund—state appropriations to fund teachers and aides at Seattle children's hospital. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$87,000 of the general fund—state appropriation for fiscal year 2024, \$87,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

(12)(a) \$13,538,000 of the general fund—federal appropriation (ARPA) is provided solely for allocations from federal funding as authorized in section 2014, the American rescue plan act of 2021, P.L. 117-2.

(b) \$1,777,000 of the general fund—federal appropriation (ARPA) is provided solely for providing preschool services to qualifying special education students under section 619 of the federal individuals with disabilities education act, pursuant to section 2002, the American rescue plan act of 2021, P.L. 117-2.

(13) \$153,091,000 of the general fund—state appropriation for fiscal year 2024 and \$199,246,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(14) \$12,542,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the special education enrollment funding cap in RCW 28A.150.390.

(15) \$6,590,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 510.** 2023 c 475 s 510 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <u>\$40,799,000</u> ))
	<u>\$41,625,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$35,780,000</u> ))
	<u>\$39,185,000</u>
Workforce Education Investment Account—State Appropriation . . . . .	\$2,700,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<u>\$79,279,000</u>))</b>
	<b><u>\$83,510,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007–2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) Funding in this section is provided for regional professional development related to English language arts curriculum and instructional strategies aligned with common core state standards. Each educational service district shall use this funding solely for salary and benefits for certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(4) Funding in this section is provided for regional technical support for the K-20 telecommunications network to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(5) Funding in this section is provided for a corps of nurses located at the educational service districts, to be dispatched in coordination with the office of the superintendent of public instruction, to provide direct care to students, health education, and training for school staff. In fiscal years 2024 and 2025, allocations for the corps of nurses is sufficient to provide one day per week of nursing services for all second-class school districts.

(6) Funding in this section is provided for staff and support at the nine educational service districts to provide a network of support for school districts to develop and implement comprehensive suicide prevention and behavioral health supports for students.

(7) Funding in this section is provided for staff and support at the nine educational service districts to provide assistance to school districts with comprehensive safe schools planning, conducting needs assessments, school safety and security trainings, coordinating appropriate crisis and emergency response and recovery, and developing threat assessment and crisis intervention teams. In fiscal years 2024 and 2025, allocations for staff and support for regional safety centers are increased to 3 full-time equivalent certificated instructional staff for each regional safety center.

(8) Funding in this section is provided for regional English language arts coordinators to provide professional development of teachers and principals around the new early screening for dyslexia requirements.

(9) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

(10) \$2,169,000 of the general fund—state appropriation for fiscal year 2024 and \$2,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each educational service district to provide technology consultation, procurement, and training required under chapter 301, Laws of 2021 (schools/computers & devices).

(11) \$1,009,000 of the general fund—state appropriation for fiscal year 2024 and \$1,009,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 87, Laws of 2022 (ed. service district funding).

(12) \$2,700,000 of the workforce education investment account—state appropriation is provided solely for the cost of employing one full-time equivalent employee at each of the nine education service districts to support the expansion of career connected learning.

(13) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts to provide students attending school in rural areas with access

to a mental health professional using telemedicine. Funding must be prioritized to districts where mental health services are inadequate or nonexistent due to geographic constraints. Funding may be used for schools or school districts for technology upgrades to provide secure access for students, for contracted services, or to pay applicable copays or fees for telemedicine visits if not covered by a student's public or private insurance.

(14) \$325,000 of the general fund—state appropriation for fiscal year 2024 and \$325,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound educational service district 121 to administer a Washington state capitol civic engagement grant program for the Auburn, Federal Way, Highline, Kent, Renton, and Tukwila public school districts. Grant recipients must use the grant awards to transport one grade of either fourth or fifth grade students to the Washington state capitol campus for a day of civic engagement, which may include a capitol tour, mock legislative committee hearings, presentations on the legislative process, meet and greets with legislative members, and other related activities. If funding remains after all eligible school districts have received grant awards, the remaining funding may be used to support the program for high school students within the eligible school districts. Of the amounts provided in this subsection, \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000 of the general fund—state appropriation for fiscal year 2025 are provided for the Puget Sound educational service district to administer the grant program.

(15) ~~\$5,000,000 of the general fund—state appropriation for fiscal year 2024~~ and ~~\$2,355,000 of the general fund—state appropriation for fiscal year 2025~~ are provided solely to continue behavioral health regional services grants to support school districts with the least access to behavioral health services. The office of the superintendent of public instruction shall conduct an evaluation of the investments in behavioral health supports and by December 31, 2024, report to the office of financial management and the fiscal committees of the legislature, the number of students served by specific behavioral health supports, how the students were selected for specific behavioral health supports, and how the students may have received behavioral health supports, and make recommendations for improving behavioral health supports for students.

(16) \$2,800,000 of the general fund—state appropriation for fiscal year 2024 and \$2,800,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the educational service districts to expand and maintain student behavioral health and mental health services.

(17) \$643,000 of the general fund—state appropriation for fiscal year 2024 and \$643,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts 121 and 101 to coordinate with local mental health agencies and local school districts to arrange for in-school placements of social worker associates licensed under RCW 18.225.145 and masters in social work candidates enrolled in an accredited university program who commit to working as school social workers, and to coordinate clinical supervision for approved supervisors that meet the requirements as defined in rule by the department of health to provide the necessary supervision to the social worker associates and masters in social work candidates.

(18) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to work with educational service districts, the health care authority, and the department of health to review and update materials for information sessions provided to students designed to prevent the use of opioids, including fentanyl, specifically outlining the risks of death related to uneven dosages and pills that look like prescription drugs. If Second Substitute House Bill No. 1956 (relating to fentanyl and other substance use prevention education) is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 511.** 2023 c 475 s 511 (uncodified) is amended to read as follows:

<b>FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE</b>	
General Fund—State Appropriation (FY 2024) . . . . .	(( \$215,327,000 ))
	\$213,689,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$211,159,000 ))
	\$211,467,000
TOTAL APPROPRIATION . . . . .	(( \$426,486,000 ))
	\$425,156,000

**Sec. 512.** 2023 c 475 s 512 (uncodified) is amended to read as follows:

<b>FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS</b>	
General Fund—State Appropriation (FY 2024) . . . . .	(( \$14,899,000 ))
	\$16,138,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$14,635,000 ))
	\$16,736,000
TOTAL APPROPRIATION . . . . .	(( \$29,534,000 ))
	\$32,874,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund—state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution's annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$701,000 of the general fund—state appropriation for fiscal year 2024 and \$701,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Within the amounts provided in this section, funding is provided to increase the capacity of institutional education programs to differentiate instruction to meet students' unique educational needs, including students with individualized educational plans. Those needs may include but are not limited to one-on-one instruction, enhanced access to counseling for social emotional needs of the student, and services to identify the proper level of instruction at the time of student entry into the facility. Allocations of amounts for this purpose in a school year must be based on 45 percent of full-time enrollment in institutional education receiving a differentiated instruction amount per pupil equal to the total statewide allocation generated by the distribution formula under RCW 28A.150.260 (4) (a), (5), (6), and (8) and the allocation under RCW 28A.150.415, per the statewide full-time equivalent enrollment in common schools.

(7) \$200,000 of the general fund—state appropriation in fiscal year 2024 and \$200,000 of the general fund—state appropriation in fiscal year 2025 are provided solely to support two student records coordinators to manage the transmission of academic records for each of the long-term juvenile institutions. One coordinator is provided for each of the following: The Issaquah school district for the Echo Glen children's center and for the Chehalis school district for Green Hill academic school.

(8) Ten percent of the funds allocated for the institution may be carried over from one year to the next.

(9) \$588,000 of the general fund—state appropriation for fiscal year 2024 and \$897,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one educational advocate to each institution with enrollments above 40 full-time equivalent students in addition to any educational advocates supported by federal funding. Educational advocates will provide the following supports to students enrolled in or just released from institutional education programs:

- (a) Advocacy for institutional education students to eliminate barriers to educational access and success;
- (b) Consultation with juvenile rehabilitation staff to develop educational plans for and with participating youth;
- (c) Monitoring educational progress of participating students;
- (d) Providing participating students with school and local resources that may assist in educational access and success upon release from institutional education facilities; and
- (e) Coaching students and caregivers to advocate for educational needs to be addressed at the school district upon return to the community.

(10) Within the amounts provided in this section, funding is provided to increase materials, supplies, and operating costs by \$85 per pupil for technology supports for institutional education programs. This funding is in addition to general education materials, supplies, and operating costs provided to institutional education programs, which exclude formula costs supported by the institutional facilities.

(11) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support instruction in cohorts of students grouped by similar age and academic levels.

**Sec. 513.** 2023 c 475 s 513 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$33,233,000</del> ))
	<u>\$33,171,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$32,990,000</del> ))
	<u>\$32,964,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$66,223,000</del>))</b>
	<b><u>\$66,135,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c) except that allocations must be based on 5.0 percent of each school district's full-time equivalent enrollment. In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the compensation rates as provided in sections 505 and 506 of this act.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 513, chapter 297, Laws of 2022, as amended.

**Sec. 514.** 2023 c 475 s 514 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR MISCELLANEOUS—EVERY STUDENT SUCCEEDS ACT**

General Fund—Federal Appropriation. . . . .	(( <u>\$9,802,000</u> ))
	<u>\$11,416,000</u>
<b>TOTAL APPROPRIATION.</b> .....	<b>((<u>\$9,802,000</u>))</b>
	<b><u>\$11,416,000</u></b>

**Sec. 515.** 2023 c 475 s 515 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—EDUCATION REFORM PROGRAMS**

General Fund—State Appropriation (FY 2024). . . . .	(( <u>\$139,296,000</u> ))
	<u>\$132,050,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <u>\$141,513,000</u> ))
	<u>\$145,739,000</u>
General Fund—Federal Appropriation. . . . .	(( <u>\$95,825,000</u> ))
	<u>\$97,181,000</u>
General Fund—Private/Local Appropriation. . . . .	\$1,450,000
Education Legacy Trust Account—State Appropriation. . . . .	\$1,664,000
<b>TOTAL APPROPRIATION.</b> .....	<b>((<u>\$379,748,000</u>))</b>
	<b><u>\$378,084,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ACCOUNTABILITY

(a) \$26,975,000 of the general fund—state appropriation for fiscal year 2024, \$26,975,000 of the general fund—state appropriation for fiscal year 2025, \$1,350,000 of the education legacy trust account—state appropriation, and \$15,868,000 of the general fund—federal appropriation are provided solely for development and implementation of the Washington state assessment system.

(b) \$14,352,000 of the general fund—state appropriation for fiscal year 2024 and \$14,352,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 159, Laws of 2013 (K-12 education - failing schools).

(2) EDUCATOR CONTINUUM

(a) ((\$75,317,000))\$70,518,000 of the general fund—state appropriation for fiscal year 2024 and ((\$77,424,000))\$78,626,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(i) For national board certified teachers, a bonus of \$6,206 per teacher in the 2023-24 school year and a bonus of \$6,336 per teacher in the 2024-25 school year;

(ii) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(iii) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(iv) During the 2023-24 and 2024-25 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary allocation and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after fully exhausting all years of candidacy as set by the national board for professional teaching standards are required to

repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(b) \$3,418,000 of the general fund—state appropriation for fiscal year 2024 and \$3,418,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(c) \$477,000 of the general fund—state appropriation for fiscal year 2024 and \$477,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(d) \$810,000 of the general fund—state appropriation for fiscal year 2024 and \$810,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(e) \$11,500,000 of the general fund—state appropriation for fiscal year 2024 and \$11,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a beginning educator support program (BEST). The program shall prioritize first year educators in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning educator aligned with professional certification; release time for mentors and new educators to work together; and educator observation time with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support first year educators in the mentoring program.

(f) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of training for teachers, principals, and principal evaluators in the performance-based teacher principal evaluation program.

(g) \$3,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with an approved educator preparation program run by a statewide labor organization representing educators to fund one cohort of teacher residents. This program shall choose its candidates from among the paraeducators working in those districts. Through completing this program, participants shall attain a teaching certification with an endorsement in special education.

(h) \$621,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with a statewide labor association that represents educators to provide a suite of supports and professional development opportunities for 15,000 emergency substitute teachers.

**Sec. 516.** 2023 c 475 s 516 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	((\$236,993,000))
	\$249,957,000
General Fund—State Appropriation (FY 2025) . . . . .	((\$236,173,000))
	\$260,357,000
General Fund—Federal Appropriation. . . . .	((\$107,124,000))
	\$137,117,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$580,290,000)</b>
	<b>\$647,431,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10)(b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through six and 6.7780 hours per week per transitional bilingual program student in grades seven through twelve in school years 2023-24 and 2024-25; (ii) additional instruction of 3.0000 hours per week in school



years 2023-24 and 2024-25 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the compensation rates as provided in sections 505 and 506 of this act. Pursuant to RCW 28A.180.040(1)(g), the instructional hours specified in (a)(ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 516, chapter 297, Laws of 2022, as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: ((1.75))1.63 percent for school year 2023-24 and ((1.74))1.57 percent for school year 2024-25.

(4) The general fund—federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund—state appropriation for fiscal year 2024 and \$35,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to track current and former transitional bilingual program students.

(6) \$1,461,000 of the general fund—state appropriation in fiscal year 2024 and \$1,916,000 of the general fund—state appropriation in fiscal year 2025 are provided solely for the central provision of assessments as provided in RCW 28A.180.090, and is in addition to the withholding amounts specified in subsection (3) of this section.

**Sec. 517.** 2023 c 475 s 517 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE LEARNING ASSISTANCE PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$467,338,000</del> ))
	<u>\$484,953,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$466,985,000</del> ))
	<u>\$491,111,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$533,487,000</del> ))
	<u>\$636,543,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,467,810,000</del>))</b>
	<b><u>\$1,612,607,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a). In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2023-24 and 2024-25 school years; (B) additional instruction of 1.1 hours per week per funded learning assistance program student for the 2023-24 and 2024-25 school years in qualifying high-poverty school building; (C) fifteen learning assistance program students per teacher; (D) 36 instructional weeks per year; (E) 900 instructional hours per teacher; and (F) the compensation rates as provided in sections 505 and 506 of this act.

(ii) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 517, chapter 297, Laws of 2022, as amended.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the school year period defined under RCW 28A.150.260(10)(a). A school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund—federal appropriation in this section is provided for Title I Part A allocations of the every student succeeds act of 2016.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) Within existing resources, during the 2023-24 and 2024-25 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

**Sec. 518.** 2023 c 475 s 518 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—PER PUPIL ALLOCATIONS**

Statewide Average Allocations		
Per Annual Average Full-Time Equivalent Student		
	2023-24	2024-25
	School Year	School Year
Basic Education Program		
General Apportionment	(( <del>\$10,329</del> ))	(( <del>\$10,814</del> ))
	<u>\$10,303</u>	<u>\$10,849</u>
Pupil Transportation	(( <del>\$725</del> ))	(( <del>\$745</del> ))
	<u>\$788</u>	<u>\$822</u>
Special Education Programs	(( <del>\$11,960</del> ))	(( <del>\$12,495</del> ))
	<u>\$12,214</u>	<u>\$12,750</u>
Institutional Education Programs	(( <del>\$26,938</del> ))	(( <del>\$27,909</del> ))
	<u>\$25,766</u>	<u>\$27,295</u>
Programs for Highly Capable Students	(( <del>\$648</del> ))	\$674
	<u>\$647</u>	
Transitional Bilingual Programs	(( <del>\$1,555</del> ))	(( <del>\$1,591</del> ))
	<u>\$1,571</u>	<u>\$1,620</u>
Learning Assistance Program	(( <del>\$1,008</del> ))	(( <del>\$1,049</del> ))
	<u>\$1,009</u>	<u>\$1,050</u>

**Sec. 519.** 2023 c 475 s 519 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocation purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) When adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, except as provided in ~~((subsection))~~ subsections (6) and (7) of this section.

(4) Appropriations in sections 504 and 506 of this act for insurance benefits under chapter 41.05 RCW are provided solely for the superintendent to allocate to districts for employee health benefits as provided in section 909 of this act. The superintendent may not allocate, and districts may not expend, these amounts for any other purpose beyond those authorized in section 909 of this act.

(5) As required by RCW 28A.710.110, the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

(6) By January 15, 2024, the office of the superintendent of public instruction must identify funding in this Part V from the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection (f), the American rescue plan act of 2021, P.L. 11 117-2 and general fund—federal appropriation (CRRSA/GEER) that are provided solely for the purposes defined in sections 507, 522, and 523 of this act and are at risk of being unobligated or unspent by federal deadlines, as of January 15, 2024. Funding identified at risk under this subsection must be reported to the fiscal committees of the legislature and expended as allocations to school districts in the same proportion as received under part A of title I of the elementary and secondary education act of 1965 in the most recent fiscal year.

(7) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, 2024, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year 2024 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment; employee compensation adjustments; pupil transportation; special education programs; institutional education programs; transitional bilingual programs; highly capable programs; and learning assistance programs.

(8) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

**Sec. 520.** 2023 c 475 s 520 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR CHARTER SCHOOLS**

Washington Opportunity Pathways Account—State	
Appropriation. . . . .	(((\$184,721,000))
	<u>\$181,579,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$184,721,000))</b>
	<b><u>\$181,579,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW. Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond the amounts provided under chapter 28A.710 RCW.

(2) \$3,293,000 of the opportunity pathways account—state appropriation is provided solely for implementation of chapter 50, Laws of 2023 (K-12 inflationary increases).

(3) \$1,421,000 of the opportunity pathways account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$161,000 of the opportunity pathways account—state appropriation is provided solely for grants to charter schools to recruit, retain, and provide wage increases to paraeducator staff. The office of the superintendent of public instruction shall establish standards and procedures for payment that consider regional cost differences between districts. The amount provided in this section is not part of the state's program of basic education.

(5) \$77,000 of the opportunity pathways account—state appropriation is provided solely to increase the special education enrollment funding cap in RCW 28A.150.390.

(6) \$11,128,000 of the opportunity pathways account—state appropriation is provided solely for payment for enrichment to state-tribal schools and charter schools.

(7) \$260,000 of the opportunity pathways account—state appropriation is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(8) \$969,000 of the opportunity pathways account—state appropriation is provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

**Sec. 521.** 2023 c 475 s 521 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION**

Washington Opportunity Pathways Account—State	
Appropriation. . . . .	(((\$23,000))
	<u>\$640,000</u>
Charter Schools Oversight Account—State	
Appropriation. . . . .	(((\$4,572,000))
	<u>\$4,571,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$4,595,000))</b>
	<b><u>\$5,211,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire Washington opportunity pathways account—state appropriation in this section is provided to the superintendent of public instruction solely for the operations of the Washington state charter school commission under chapter 28A.710 RCW.

(2) \$28,000 of the charter schools oversight account—state appropriation is provided solely to the Washington state charter school commission to enable each charter school to participate in the governance training required under chapter 197, Laws of 2021 (schools/ equity training).

(3) \$238,000 of the charter schools oversight account—state appropriation is provided solely for office of the attorney general legal services related to litigation challenging the commission's authority to oversee and regulate charter schools.

**Sec. 522.** 2023 c 475 s 522 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GRANTS AND PASS THROUGH FUNDING**

General Fund—State Appropriation (FY 2024). . . . .	(((\$85,370,000))
	<u>\$86,090,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(((\$81,400,000))
	<u>\$86,603,000</u>
General Fund—Federal Appropriation. . . . .	(((\$111,255,000))
	<u>\$113,347,000</u>

<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
Appropriation. . . . .	\$1,487,000
Elementary and Secondary School Emergency Relief III	
Account—Federal Appropriation. . . . .	\$897,895,000
TOTAL APPROPRIATION.....	(\$1,175,920,000)
	<u>\$1,185,422,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$132,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for global compensation changes.

(2) GRADUATION SUCCESS AND PREPARATION FOR POSTSECONDARY PATHWAYS

(a) \$4,894,000 of the general fund—state appropriation for fiscal year 2024 and \$4,894,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer programs and grants which increase equitable access to dual credit programs, including subsidizing or eliminating student costs for dual credit courses or exams. By November 2024, the office shall submit a report to relevant committees of the legislature describing options for entering into statewide agreements with dual credit exam companies that will reduce the overall costs for all students and eliminate costs for students who are low income.

(b) \$3,152,000 of the general fund—state appropriation for fiscal year 2024 and \$3,152,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008, including parts of programs receiving grants that serve students in grades four through six. If equally matched by private donations, \$1,475,000 of the 2024 appropriation and \$1,475,000 of the 2025 appropriation shall be used to support FIRST robotics programs in grades four through twelve. Of the amounts provided in this subsection (2)(b), \$800,000 of the fiscal year 2024 appropriation and \$800,000 of the fiscal year 2025 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(c) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2024, a high school must have offered a foundational project lead the way course during the 2022-23 school year. The 2024 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2023-24 school year. To be eligible for funding in 2025, a high school must have offered a foundational project lead the way course during the 2023-24 school year. The 2025 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2024-25 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(e) \$2,527,000 of the general fund—state appropriation for fiscal year 2024 and \$2,527,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for annual startup, expansion, or maintenance of core plus programs in maritime, construction, and aerospace and advanced manufacturing programs. To be eligible for funding to start up, maintain, or expand programs under (e)(i) through (iii) of this subsection (2), the skills center, high school, or middle school must be selected through a grant process administered by the office of the superintendent of public instruction in consultation with the advisory committee established in (e)(vi) of this subsection (2). The office and the education research and data center shall report annually student participation and long-term outcome data. Within the amounts provided in this subsection (2)(e):

(i) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in aerospace and advanced manufacturing programs.

(ii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in construction programs.

(iii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in maritime programs.

(iv) For (e)(i) through (iii) of this subsection (2), when the grant demand does not align with the specified allocation, the superintendent may allocate funding toward sector areas that meet criteria based on agreement from industry sector representatives.

(v) \$527,000 of the general fund—state appropriation for fiscal year 2024 and \$527,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer, evaluate, and promote programs under (e) (i) through (iii) of this subsection (2) based on industry sector recommendations, including contracts with sector-specific entities to expand sector-specific employer engagement programs, increase work placement opportunities, validate credentials necessary for direct employment, and provide professional development to support schools, teachers, and students. Professional development must include pedagogy-based learning to increase English language arts, mathematics, and science outcomes through core plus programming.

(vi) The office shall collaborate with industry sector leadership from the core plus program areas and a representative from a statewide business and manufacturing association to inform the administration and continual improvement of core plus programs, review data and outcomes, recommend program improvements, ensure core plus programs reflect current industry competencies, and identify appropriate program credentials.

(f) \$4,940,000 of the general fund—state appropriation for fiscal year 2024 and \$4,940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(g) \$1,454,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(h) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an education and workforce pathway pilot program at the northwest career and technical academy. The pilot program will oversee a pathway including high schools, skills centers, community and technical colleges, and employers that results in students earning a high school diploma and an associate in technical arts degree, while maintaining summer employment.

(i) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to distribute after-exit running start grants to school districts that identify running start students that have exceeded maximum enrollment under running start formulas and high school graduates who have 15 or fewer college credits to earn before meeting associate degree requirements for instruction not funded under section 504(18) of this act. High school graduates who meet these requirements are eligible to receive funds from these grants for fees to the community and technical college to earn up to 15 college credits during the summer academic term following their high school graduation.

(j) \$2,094,000 of the general fund—state appropriation for fiscal year 2024 and \$2,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the competitive grant program created in Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(k) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the West Sound STEM Network to increase STEM activities for students in school and after school and to develop industry education pathways in high demand sectors.

(l) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with a nongovernmental entity for a controls programmer apprenticeship program.

(m) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a skill center located in Vancouver, Washington to support the center's criminal justice and fire science programs.

(n) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to conduct summer open doors pilots with up to 12 dropout reengagement programs to support summer programming. To select pilot participants, the office must prioritize schools and programs that work with postresident youth as defined in RCW 28A.190.005. Amounts provided in this subsection must be used to support programming during the summer months and are in addition to funding generated by enrollment under state funding formulas.

(o) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to school districts for ninth grade success. Within the amounts in this subsection, funding is provided for the office to contract with an evaluator to conduct a yearly evaluation of the program's success.

(p) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for a grant to the Seattle public school district to conduct an analysis of why families have left the district and how they may be attracted back. The Seattle public school district shall provide a report to the office of financial management and the fiscal committees of the legislature by June 30, 2025, that addresses the reasons for families leaving the district and specific steps necessary for them to return to the district.

(q) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for grants to school districts to install at least one automatic external defibrillator. The office shall establish a grant program to assist school districts to offset the costs of purchasing an automatic external defibrillator (AED) or to maintain or replace an AED.

(r) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to small districts to enable access to skills centers and technical education. For purposes of this subsection (2)(r), "small district" means a district having an enrollment of fewer than 750 students.

(s) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office for a grant to Evergreen high school in Vancouver to support the associated student body at the high school.

(t) \$425,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to provide grants to school districts to provide opportunities for youth to participate in high demand science, technology, engineering, and math careers.

(u) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for grants to school districts to develop and implement capacity building supports for community-based youth development. School districts receiving grants under this subsection will offer programs that serve youth between the ages of 11 and 19.

(3) CURRICULUM DEVELOPMENT, DISSEMINATION, AND SUPPORTS

(a) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project citizen and we the people: The citizen and the constitution programs sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle and high school students. Of the amounts provided, \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for awarding a travel grant to the winner of the we the people: The citizen and the constitution state competition.

(b) \$373,000 of the general fund—state appropriation for fiscal year 2024 and \$373,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 127, Laws of 2018 (civics education). Of the amounts provided in this subsection (3)(b), \$10,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grant programs to school districts to help cover travel costs associated with civics education competitions.

(c) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional development for districts implementing the new frameworks.

(d) Within the amounts appropriated in this section the office of the superintendent of public instruction shall ensure career and technical education courses are aligned with high-demand, high-wage jobs. The superintendent shall verify that the current list of career and technical education courses meets the criteria established in RCW 28A.700.020(2). The superintendent shall remove from the list any career and technical education course that no longer meets such criteria.

(e) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide grants to school districts and educational service districts for science teacher training in the next generation science standards including training in the climate science standards. At a minimum, school districts shall ensure that teachers in one grade level in each elementary, middle, and high school participate in this science training. Of the amount appropriated \$1,000,000 is provided solely for community-based nonprofits including tribal education organizations to partner with public schools for next generation science standards.

(f) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Kip Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional

partnership activities, including instructional material purchases, teacher and principal professional development, and school and community engagement events. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(h) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(i) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction must use the computer science learning standards adopted pursuant to chapter 3, Laws of 2015 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. The office of the superintendent of public instruction may award up to \$500,000 each year, without a matching requirement, to districts with greater than fifty percent of students eligible for free and reduced-price meals. All other awards must be equally matched by private sources for the program, including gifts, grants, or endowments.

(j) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a qualified 501(c)(3) nonprofit community-based organization physically located in Washington state that has at least 18 years of experience collaborating with the office and school districts statewide to integrate the state learning standards in English language arts, mathematics, and science with FieldSTEM outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(k) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(i) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(ii) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(l) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities.

(m) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the centrum program at Fort Worden state park.

(n) \$20,000,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer an outdoor learning grant program to develop and support outdoor educational experiences for students in Washington public schools. A portion of the amount provided must be used to provide outdoor educational opportunities for people with disabilities. The office may consult with the Washington recreation and conservation office on outdoor learning program grants. Of the amounts provided in this subsection (3)(n):

(i) \$195,000 of the general fund—state appropriation for fiscal year 2024 and \$195,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to implement chapter 112, Laws of 2022 (outdoor learning grant prg.).

(ii) \$3,903,000 of the general fund—state appropriation for fiscal year 2024 and \$3,903,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the outdoor learning grant program, which consists of two types of grants:

(A) Allocation-based grants for school districts to develop or support outdoor educational experiences; and

(B) Competitive grants for outdoor education providers that are designed to support existing capacity and to increase future capacity for outdoor learning experiences.

(iii) \$15,902,000 of the general fund—state appropriation for fiscal year 2024 and \$15,902,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for the outdoor education experiences program. The office must prioritize providing the program to fifth and sixth grade students in high poverty schools, expanding to other fifth and sixth grade students subject to available funds.

(o) \$3,205,000 of the general fund—state appropriation for fiscal year 2024 and \$3,205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 238, Laws of 2022 (student financial literacy) which provides grants to school districts for integrating financial literacy education into professional development for certificated staff.

(p)(i) \$1,425,000 of the general fund—state appropriation for fiscal year 2024 and \$4,725,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dual language grants to grow capacity for high quality dual language learning. Grant funding may be used for new and existing dual language programs, heritage language programs for immigrant and refugee students, and indigenous language programs for native students. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for tribal language grants.

(ii) Each grant recipient must convene an advisory board to guide the development and continuous improvement of its dual language program, including but not limited to: Determining which schools and languages will be prioritized; conducting outreach to the community; and addressing enrollment considerations and the hiring of staff. At least half the members of the board must be parents of English learner students or current or former English learner students. The other members of the board must represent teachers, students, school leaders, governing board members, youth, and community-based organizations that support English learners.

(q) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a statewide information technology academy program. This public-private partnership will provide educational software, as well as information technology certification and software training opportunities for students and staff in public schools ((for the 2023-24 school year only)). The office must evaluate other options that may be available in the state for a future public-private partnership to deliver similar services to students and staff of public schools at no cost to the state.

(r) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental entity whose goals are to reduce disparities in student performance and improve algebraic achievement to create a statewide interactive math tutoring tool for middle and high school students that is accessible on a 24 hour basis to students, teachers, and parents across the state. The nongovernmental entity must have previously contracted with five other states and have demonstrated experience creating statewide interactive math tools with proven outcomes in math proficiency.

(s) \$2,036,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a gravitational wave observatory located in southeastern Washington that is supported through the national science foundation to purchase hands-on, interactive exhibits to expand the number of developmentally appropriate learning activities available for K-12 students attending the observatory.

(t) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the math improvement pilot program. Of the amounts provided in this subsection:

(i) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Spokane school district.

(ii) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Chehalis school district.

(u) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer grants to school districts for a plant-based school meals pilot program. Grants may be used for food supplies, delivery costs, equipment purchases, education, and other expenditures to increase access to plant-based school meals. Grant awards to school districts may not exceed \$10,000 per district and may only be distributed to school districts that have not received funding for the pilot program previously.

(v) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization that works with educators to secure salmon eggs, offer learning opportunities as the fry develop, and assist when students release their fry into local creeks and lakes. Funding may only be used for new programs located in elementary schools that are eligible for high-poverty allocations from the learning assistance program. Of the amounts provided in this subsection, the office may use no more than \$35,000 each fiscal year for office administration costs related to the contract.

(w) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for transitional support grants to school districts to support schools that incur costs transitioning from Native American school mascots, logos, or team names under chapter 301, Laws of 2021. In awarding grants under this subsection, the office must prioritize maximizing the number of schools that receive grant awards and address the most immediate



school needs in order to comply with chapter 301, Laws of 2021, and must prioritize applications that are narrowly tailored to address specific compliance issues. School districts receiving funding to comply with the requirements of chapter 301, Laws of 2021 must use the methods that are the least costly and that leave intact existing facilities, including interiors and flooring, to the greatest extent possible. Grants awarded under this section may not be used for general maintenance or improvements of school facilities.

(4) ELIMINATING INEQUITABLE STUDENT OUTCOMES

(a) \$5,895,000 of the general fund—state appropriation for fiscal year 2024, \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation, and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to chapter 71, Laws of 2016 (foster youth edu. outcomes). The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(i) Of the amount provided in this subsection (4)(a), \$446,000 of the general fund—state appropriation for fiscal year 2024 and \$446,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2013–2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(ii) Of the amount provided in this subsection (4)(a), \$1,015,000 of the general fund—state appropriation for fiscal year 2024 and \$1,015,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2015–2017 omnibus appropriations act, section 501(43)(b), chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(iii) Of the amounts provided in this subsection (4)(a), \$684,000 of the general fund—state appropriation for fiscal year 2024 and \$684,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in the 2017–2019 omnibus appropriations act, chapter 1, Laws of 2017, 3rd sp. sess., as amended.

(iv) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in this act.

(v) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintaining and implementing the data sharing agreement between the office, the department of children, youth, and families, and the contractors to support targeted service delivery, program evaluation, and statewide education outcomes measurement for students served under this section.

(vi) Of the amounts provided in this subsection (4)(a), \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation and \$1,105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of individualized education services such as monitoring and supporting completion of educational milestones, remediation needs, and special education needs of middle school students who are dependent pursuant to chapter 13.34 RCW.

(b) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 157, Laws of 2016 (homeless students).

(c) \$36,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 212, Laws of 2014 (homeless student educational outcomes).

(d) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracts with Washington state based nonprofit organizations that provide a career-integrated one-to-one mentoring program for disadvantaged students facing academic and personal challenges with the goal of keeping them on track for graduation and post-high school success. An applicant requesting funding under this subsection must successfully demonstrate to the office that it currently provides a career-integrated one-to-one volunteer mentoring program and has been mentoring school youth for at least 20 years in the state prior to application.

(e) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization to create an after-school and summer learning program in the city of Federal Way. The program shall provide comprehensive, culturally competent academic support and cultural enrichment for primarily latinx, spanish-speaking, low-income sixth, seventh, and eighth grade students. The department must contract with an organization with over forty years of experience that serves the latino community in Seattle and King county and has previously established an after-school and summer learning program.

(f) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to create and administer a grant program for districts to reduce associated student body fees or participation fees for students who are eligible to participate in the federal free and reduced-price meals program. The office must distribute grants for the 2023–24 school year to school districts by August 10, 2023, and grants for the 2024–25 school year by August 1, 2024.

(i) Grant awards must be prioritized in the following order:

(A) High schools implementing the United States department of agriculture community eligibility provision;

(B) High schools with the highest percentage of students in grades nine through twelve eligible to participate in the federal free and reduced-price meals program; and

(C) High schools located in school districts enrolling 5,000 or fewer students.

(ii) High schools that do not comply with the data collection and reporting requirements in RCW 28A.320.540 are not eligible for grant funding.

(iii) The office of the superintendent of public instruction shall award grants that are the lesser of the cost of the high school's associated student body card multiplied by the number of students eligible for the free or reduced-price meals program that purchased a student body card in either 2022-23 or 2023-24 school year, whichever is higher, or \$10,000.

(iv) The office may award additional funding if:

(A) The appropriations provided are greater than the total amount of funding requested at the end of the application cycle; and

(B) The applicant shows a demonstrated need for additional support.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a Washington-based nonprofit organization to promote equitable access in science, technology, engineering, and math education for historically underserved students and communities. The nonprofit shall provide a system of science educational programming specifically for migrant and bilingual students, including teacher professional development, culturally responsive classroom resources that are aligned with Washington state science and environmental and sustainability learning standards, and implementation support. At least 50 percent of the funding provided in this subsection must serve schools and school districts in eastern Washington. The nonprofit organization must have experience developing and implementing science and environmental science programming and resources for migrant and bilingual students.

(h) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization serving opportunity youth in Pierce, King and Snohomish counties. The organization must assist traditionally underrepresented students on nontraditional educational pathways by providing mentorship and technical assistance in navigating higher education and financial aid. The office may require the recipient of these funds to report the impacts of the efforts in alignment with the measures of the Washington school improvement framework.

(i) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school districts to support youth who are truant under chapter 28A.225 RCW or at risk of becoming truant, and for costs associated with filing or serving petitions under RCW 28A.225.030.

(j) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts and educational service districts operating institutional education programs for youth in state long-term juvenile institutions to provide access to computer science elective courses created in chapter 234, Laws of 2022 (computer science instruction).

(k) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts, charter schools, and state-tribal education compact schools to establish K-12 intensive tutoring programs. Grants shall be used to recruit, train, and hire tutors to provide one-on-one tutoring services to K-12 students experiencing learning loss as a result of the COVID-19 pandemic. The tutors must receive training in proven tutoring models to ensure their effectiveness in addressing learning loss.

(l) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 180, Laws of 2017 (Washington Aim program).

(m) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the pacific science center to increase hands-on learning opportunities for Title I K-5 students statewide by increasing access to science on wheels and virtual field trips.

(n) (i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer a peer support competitive grant program in Washington public schools. The office must award grants to eligible school districts starting in the 2023-24 school year. Programs should be designed to be primarily youth-led and aim to increase youth school engagement and support personal/cultural identities, and reduce risks associated with depression, school violence, and bullying. Successful grantees may consult with Washington teen link and the natural helper program in the development of the grant criteria, and the development of training material support. Program components should include:

(A) Identification of trusted peers and staff who other students confide in;

(B) Development or adaption of training materials;

(C) Intensive training for peer and staff supporters;

(D) Avenues to advertise peer support communication strategies; and

(E) Participant and program evaluations.

(ii) School districts may also use funds to develop a sister school rapid trauma response strategy. Under this component, successful applicants reach out to other schools also receiving a peer support grant to develop a trauma response plan that quickly organizes students and staff to contact peers within those schools during times of school trauma and offer support.

(iii) The office shall evaluate the program to share best practices and for consideration by other school districts.

(o) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization to develop and provide a Latino youth-on-youth gang violence prevention program for students. The program must target Latino students ages 11 through 17 who are either involved in or at risk of becoming involved in a gang or in gang activities. Eligible youth must be enrolled in either the Moses Lake or Federal Way school districts. The nonprofit organization must have at least 15 years of experience serving Latino communities and promoting advocacy and must provide social kindergarten through 12th grade social emotional learning, mental health wraparound services, and parent engagement programs in Washington.

(p) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer the technology grant program established under chapter 301, Laws of 2021.

(q) \$625,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with an organization located in SeaTac, Washington to provide wraparound social services and expand and maintain existing education and family engagement programs that serve students and their families in the Federal Way and Highline public school districts. The work of the organization must focus on housing and social services, education, and economic development for African immigrant and refugee communities.

(r) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization located in Everett, Washington to provide arts and culture programs to 500 low-income children and youth from diverse racial and ethnic backgrounds to close the education achievement gap in Snohomish county by improving student and youth confidence and improving mental health outcomes.

(s) \$360,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Shelton School District to contract with an organization that provides a free early childhood music education to teach music literacy and key skills to prepare children for success in school. The organization must provide Spanish, Mam, and Q'anjob'al versions of the early learning music education program during the 2023-24 school year.

(5) EDUCATOR GROWTH AND DEVELOPMENT

(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonviolence and ethical leadership training and professional development program provided by the institute for community leadership.

(b) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with the association of Washington school principals to provide support, mentoring, mediation, and professional learning services to school principals and assistant principals in the greater Seattle area.

(c) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization that supports Washington teachers in implementing lessons on the Holocaust for the expansion of comprehensive Holocaust and genocide education.

(6) FEDERAL GRANTS FOR COVID-19 RECOVERY

(a) \$7,791,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely to administer a grant program for community-based organizations to collaborate with school districts to support learning recovery and acceleration.

(b) \$102,002,000 of the general fund—federal appropriation (CRRSA/ESSER) from funds attributable to subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M is provided solely for subgrants to local education agencies. Total subgrants awarded under this subsection (6)(b), section 1517(47)(b) of this act, and section 12, chapter 3, Laws of 2021 may not exceed the federal amounts provided under subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(c) \$9,253,000 of the general fund—federal appropriation (CRRSA/GEER) ~~((+))~~ and \$1,487,000 of the general fund—federal appropriation (CSFRS) are provided solely to provide emergency assistance to nonpublic schools, as authorized in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M. Total funds provided under this subsection (6)(c), section 1517(47)(c)(i) of this act, and section 13, chapter 3, Laws of 2021 may not exceed the federal amounts provided in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(d) \$671,375,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to

subsection 2001(e)(2) the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies. Total subgrants awarded under this subsection (6)(d) and section 1517(47)(d) of this act may not exceed the federal amounts provided under subsection 2001(e)(2), the American rescue plan act of 2021, P.L. 117-2.

(e) \$123,373,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies to address learning loss. Total subgrants awarded under this subsection (6)(e) and section 1517(47)(e) of this act may not exceed the federal amounts provided under subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2, and may not exceed the funding authorized in section 1517(47)(e) of this act.

(f) \$10,335,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(3), the American rescue plan act of 2021, P.L. 117-2 is provided solely to support evidence-based comprehensive afterschool programs. Total funds provided under this subsection (6)(f) and section 1517(47)(g) of this act may not exceed the funding authorized in section 1517(47)(g) of this act.

(g) \$6,184,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to districts to expand the number of dual language classrooms in early grades and professional development to accelerate literacy gains in early grades, especially for English learners. Total funds provided under this subsection (6)(g) and section 1517(47)(h) of this act may not exceed the funding authorized in section 1517(47)(h) of this act.

(h)(i) \$8,428,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the purposes of identifying children and youth experiencing homelessness and providing children and youth experiencing homelessness with:

(A) Wrap-around services due to the challenges of the COVID-19 public health emergency; and

(B) Assistance needed to enable children and youth experiencing homelessness to attend school and participate fully in school activities.

(ii) Total funds provided under this subsection (6)(h) and section 1517(47)(n) of this act may not exceed the federal amounts provided in subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2.

(i) \$65,610,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for the office of the superintendent of public instruction to administer grants for the purposes of learning recovery and acceleration. Allowable uses of the funds are limited to:

(i) One-time contracts for classified, certificated, or administrative staff who will provide tiered academic and social-emotional supports to students most impacted by the disruption of in-person learning, including locating and reengaging students who have disengaged from school, one-on-one and small-group instruction, and other intensive learning supports;

(ii) Professional learning for educators focused on learning recovery and acceleration, including assessing student learning and social-emotional needs, transitioning to standards-based curricula and grading, adopting competency or mastery-based options specifically for credit retrieval purposes, and family and student engagement strategies;

(iii) Procuring assessment or data systems that provide actionable just-in-time data regarding student progress throughout the school year; and

(iv) Direct supports to students to improve school engagement and accelerate learning.

(j) \$995,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the office of the superintendent of public instruction to contract with the Washington school principals' education foundation to support pandemic related learning loss through outdoor learning and overnight camp experiences.

(k) \$173,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(2), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to entities or organizations to provide outdoor education summer enrichment programs to youth. Recipients must prioritize activities or programs that:

(i) Promote students connecting socially with their classmates;

(ii) Encourage students to engage in physical activity; and

(iii) Support families who have struggled with child care needs.

(l) \$143,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants for supplies, equipment, staffing, and services to increase access to summer meals and safe school meals in the 2023-24 school year and summer prior to the start of the school year.

(m) \$2,383,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2, is provided solely for grants to school districts to expand career and technical education graduation pathway options, including career-connected learning opportunities. Total funds provided under this subsection (6)(m) and section

1517(47) (i) of this act for the same purpose may not exceed the funding authorized in section 1517(47) (i) of this act.

**Sec. 523.** 2023 c 475 s 523 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITION TO KINDERGARTEN PROGRAMS**

General Fund—State Appropriation (FY 2024)	(( <del>\$5,172,000</del> ))
	<u>\$6,870,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$67,008,000</del> ))
	<u>\$69,959,000</u>
General Fund—Federal Appropriation	\$41,848,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$114,028,000</del>))</b>
	<b><u>\$118,677,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

((~~\$5,172,000~~))(1) \$6,720,000 of the general fund—state appropriation for fiscal year 2024, ((~~\$67,008,000~~))\$69,809,000 of the general fund—state appropriation for fiscal year 2025, and \$41,848,000 of the general fund—federal appropriation (CRRSA/GEER) are for implementation of Second Substitute House Bill No. 1550 (transition to kindergarten). If the bill is not enacted by June 30, 2023, the office of the superintendent of public instruction must distribute the amounts appropriated in this section for enrollment funding for transitional kindergarten programs to participating school districts, charter schools authorized pursuant to RCW 28A.710.080(2), and state-tribal education compact schools during the 2023-24 and 2024-25 school years. Enrollment funding for transitional kindergarten is not part of the state's statutory program of basic education.

(2) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff and administrative costs necessary to provide interdepartmental coordination and engagement with stakeholders with respect to the program authorized in chapter 420, Laws of 2023 (transition to kindergarten).

(End of part)

**PART VI  
HIGHER EDUCATION**

**Sec. 601.** 2023 c 475 s 605 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

General Fund—State Appropriation (FY 2024)	(( <del>\$918,693,000</del> ))
	<u>\$920,342,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$984,293,000</del> ))
	<u>\$986,321,000</u>
<u>Climate Commitment Account—State Appropriation</u>	<u>\$475,000</u>
Community/Technical College Capital Projects	
Account—State Appropriation	\$21,368,000
Education Legacy Trust Account—State Appropriation	\$164,067,000
<u>Invest in Washington Account—State Appropriation</u>	<u>\$92,000</u>
Workforce Education Investment Account—State	
Appropriation	(( <del>\$300,417,000</del> ))
	<u>\$302,271,000</u>
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$2,388,838,000</del>))</b>
	<b><u>\$2,394,936,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$33,261,000 of the general fund—state appropriation for fiscal year 2024 and \$33,261,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2024 and at least 7,170 full-time equivalent students in fiscal year 2025.

(2) \$5,000,000 of the general fund—state appropriation for fiscal year 2024, \$5,000,000 of the general fund—state appropriation for fiscal year 2025, and \$5,450,000 of the education legacy trust account—state appropriation are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature under RCW 43.01.036 regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$425,000 of the general fund—state appropriation for fiscal year 2024 and \$425,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Seattle Central College's expansion of allied health programs.

(4) \$5,250,000 of the general fund—state appropriation for fiscal year 2024 and \$5,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the student achievement initiative.

(5) \$1,610,000 of the general fund—state appropriation for fiscal year 2024, \$1,610,000 of the general fund—state appropriation for fiscal year 2025, and \$904,000 of the workforce education investment account—state appropriation are provided solely for the mathematics, engineering, and science achievement program.

(6) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace training and research center.

(7) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(8) (~~(\$23,748,000)~~)\$24,001,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$24,270,000)~~)\$24,601,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(9) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(10) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

(11) \$157,000 of the general fund—state appropriation for fiscal year 2024 and \$157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Wenatchee Valley college wildfire prevention program.

(12) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound welcome back center at Highline College to create a grant program for internationally trained individuals seeking employment in the behavioral health field in Washington state.

(13) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased enrollments in the integrated basic education and skills training program. Funding will support approximately 120 additional full-time equivalent enrollments annually.

(14) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity center for employment and education at North Seattle College.

(15) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Highline College to implement the Federal Way higher education initiative in partnership with the city of Federal Way and the University of Washington Tacoma campus.

(16) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Peninsula College to maintain the annual cohorts of the specified programs as follows:

(a) Medical assisting, 40 students;

(b) Nursing assistant, 60 students; and

(c) Registered nursing, 32 students.

(17) \$338,000 of the general fund—state appropriation for fiscal year 2024 and \$338,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state labor education and research center at South Seattle College.

(18) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace and advanced manufacturing center of excellence hosted by Everett Community College to develop a semiconductor and electronics manufacturing branch in Vancouver.

(19)(a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The state board for community and technical colleges must provide resources for up to two community or technical colleges, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The state board, in collaboration with the student achievement council and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health insurance coverage; and to provide recommendations on how to improve student access to health coverage based on data gathered from the pilot program.

(20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024, \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$75,847,000 of the workforce education investment account—state appropriation are provided solely for statewide implementation of guided pathways at each of the state's community and technical colleges or similar programs designed to improve student success, including, but not limited to, academic program redesign, student advising, and other student supports.

(21) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for college operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(22) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(23) \$40,800,000 of the workforce education investment account—state appropriation is provided solely to continue to fund nurse educator salaries.

(24) \$40,000,000 of the workforce education investment account—state appropriation is provided to continue to fund high-demand program faculty salaries, including but not limited to nurse educators, other health-related professions, information technology, computer science, and trades.

(25) ~~(\$8,000,000)~~ \$9,000,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to maintain high-demand and career launch enrollments, as provided under RCW 28C.30.020. Within the amounts provided in this subsection (25):

(a) ~~(\$6,000,000)~~ \$7,000,000 of the amounts in this subsection (25) are provided to maintain and grow career launch enrollments, as provided under RCW 28C.30.020. Up to three percent of this amount may be used for administration, technical assistance, and support for career launch programs within the community and technical colleges.

(b) \$2,000,000 of the amounts in this subsection (25) are provided to maintain enrollments in high demand programs. These programs include, but are not limited to, allied health, computer and information science, manufacturing, and other fields identified by the state board for community and technical colleges.

(c) The state board for community and technical colleges may transfer amounts between (a) and (b) of this subsection if either program does not have sufficient demand to spend the allocated funding. Any transfer must be approved by the state board for community and technical colleges and the office of financial management.

(26) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for the emergency assistance grant program in RCW 28B.50.295.

(27) \$1,119,000 of the general fund—state appropriation for fiscal year 2024, \$1,119,000 of the general fund—state appropriation for fiscal year 2025, and \$4,221,000 of the workforce education investment account—state appropriation are provided solely for implementation of diversity, equity, inclusion, and antiracism provisions in chapter 28B.10 RCW.

(28) \$20,473,000 of the workforce education investment account—state appropriation is provided solely for implementation of equity and access provisions in chapter 28B.50 RCW.

(29)(a) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in trucking and trucking-related supply chain industries and the school bus driving industry by expanding the number of registered apprenticeships, preapprenticeships, and trucking related training programs; and providing support for registered apprenticeships or programs in trucking and trucking-related supply chain industries and the school bus driving industry.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training spaces and locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations to include foster care and homeless transition populations and previously incarcerated persons;

(iii) Faculty curriculum development and instructor training for driving, repair, and service of technological advancements facing the industries;

(iv) Tuition assistance for commercial vehicle driver and related supply chain industry training, fees associated with driver testing, and other reasonable and necessary student support services, including child care costs; and

(v) Fees and other reasonable costs associated with commercial truck driving examiner training and certification.

(c) An entity is eligible to receive a grant if it is a nonprofit, nongovernmental, or institution of primary or higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, commercial vehicle driver training and testing, or vocational training related to mechanical and support functions that support the trucking industry or the school bus driving industry; or incumbent worker training to prepare workers for the trucking and trucking-related supply chain industries or the school bus driving industry. Preference will be given to entities in compliance with government approved or accredited programs. Reporting requirements, as determined by the board, shall be required.

(d) The board may use up to five percent of funds for administration of grants.

(30) \$3,200,000 of the workforce education investment account—state appropriation is provided solely for costs associated with grants awarded in fiscal year 2023 for nursing programs to purchase or upgrade simulation laboratory equipment.

(31)(a) \$9,336,000 of the workforce education investment account—state appropriation is provided solely to expand cybersecurity academic enrollments by 500 FTE students.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in section ~~((612(10)))~~ 608(10) of this act to submit a progress report on the new or expanded cybersecurity academic programs, including the number of students enrolled.

(32) \$410,000 of the workforce education investment account—state appropriation is provided solely to establish a center for excellence in cybersecurity.

(33) \$2,068,000 of the general fund—state appropriation for fiscal year 2024 and \$2,068,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation by employees within the community and technical college system challenging the denial of retirement and sick leave benefits. The cases include *Wolf v. State and SBCTC*, *Rush v. State and SBCTC* (retirement), and *Rush v. State and SBCTC* (sick leave).

(34) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity grant program to provide health care workforce grants for students.

(35) \$2,720,000 of the general fund—state appropriation for fiscal year 2024 and \$2,720,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each community and technical college to contract with a community-based organization to assist with financial aid access and support in communities.

(36) ~~((6,456,000))~~ \$7,456,000 of the workforce education investment account—state appropriation is provided solely for the expansion of existing programming to accommodate refugees and immigrants who have arrived in Washington state on or after July 1, 2021, and are eligible for federal refugee resettlement services, including those from Afghanistan and Ukraine.

(37)(a) \$2,160,000 of the general fund—state appropriation for fiscal year 2024, \$2,160,000 of the general fund—state appropriation for fiscal year 2025, and \$3,600,000 of the workforce education investment account—state appropriation are provided solely for nursing education, to increase the number of nursing slots by at least 400 new slots in the 2023-2025 fiscal biennium.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in section ~~((612(10)))~~ 608(10) of this act to submit a progress report on the new or expanded nursing academic programs, including the number of students enrolled per program.

(38) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Bellingham Technical College maritime apprenticeship program.

(39) \$2,100,000 of the workforce education investment account—state appropriation is provided solely for the Skagit Valley College dental therapy education program.

(40) \$855,000 of the workforce education investment account—state appropriation is provided solely for the Seattle Central College for partnership with the Seattle maritime academy. Seattle Central College must enter into a memorandum of agreement with Washington state ferries. Funding may not be expended until Seattle Central College certifies to the office of financial management that a memorandum of agreement with Washington state ferries has been executed. The memorandum of agreement must address:

(A) The shared use of training and other facilities and implementation of joint training opportunities where practicable;

(B) Development of a joint recruitment plan aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(C) Development of a training program and recruitment plan and a five-year operational plan.



(ii) The joint training program and recruitment plan and the five-year operational plan must be submitted to the appropriate policy and fiscal committees of the legislature by December 1, 2023.

(41) \$200,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to work with interested parties, such as local law enforcement agencies, the department of corrections, representatives of county or city jail facilities, the Washington state patrol, Washington community and technical colleges, and other organizations and entities as appropriate to assess the recruitment and retention challenges for their agencies and develop recommendations to meet the workforce needs. These recommendations should focus on education and training programs that meet the needs of law enforcement and corrections agencies and must include an outreach strategy designed to inform and attract students in non-traditional program pathways. The assessment and recommendations shall be provided in a report to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by October 1, 2024.

(42) \$12,000,000 of the workforce education investment account—state appropriation is provided solely to support the continued diversity, equity, and inclusion efforts of institutions.

(43) \$331,000 of the general fund—state appropriation for fiscal year 2024, \$331,000 of the general fund—state appropriation for fiscal year 2025, and \$1,360,000 of the workforce education investment account—state appropriation are provided solely for implementation of state registered apprenticeship provisions in chapter 28B.124 RCW.

(44) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Everett Community College parent leadership training institute to recruit and train new course instructors to build additional capacity.

(45) \$19,850,000 of the general fund—state appropriation for fiscal year 2024 and \$35,024,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(46) \$243,000 of the general fund—state appropriation for fiscal year 2024, \$180,000 of the general fund—state appropriation for fiscal year 2025, and \$400,000 of the workforce education investment account—state appropriation are provided solely for Renton Technical College. Of the amounts provided in this subsection:

(a) \$400,000 of the workforce education investment account—state appropriation is for the college to award full tuition and fees to students who attend the college and graduated high school in the school district where the main campus is located. Eligible students must complete a free application for federal student aid or the Washington application for state financial aid. A report on the number of students utilizing the funding must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by January 15, 2024.

(b) \$243,000 of the general fund—state appropriation for fiscal year 2024 and \$180,000 of the general fund—state appropriation for fiscal year 2025 are for continuing outreach and participation in running start and adult education programs, including the program described in (a) of this subsection.

(47)(a) \$700,000 of the workforce education investment account—state appropriation is provided solely for the state board to administer a pilot program to increase career and technical education dual credit participation and credential attainment in professional technical programs. The state board, in collaboration with the office of the superintendent of public instruction, must select up to three community and technical colleges to participate in the pilot program during the 2023-24 and 2024-25 academic years. The three colleges must be located within the same educational service district and one must be located in a county with a population between 115,000 and 150,000. Colleges and school districts participating in the career and technical education dual credit grant program may utilize funding to cover the following expenses:

(i) Subsidized out-of-pocket costs to students and families for supplies, textbooks, materials, and credit transcription fees;

(ii) Outreach to prospective students and students who have completed career and technical education dual credit courses and are eligible to receive postsecondary credit to encourage participation and credit transcription;

(iii) Costs associated with staff or teacher time dedicated to curriculum alignment or the development of articulation agreements; and

(iv) Equipment and supplies for career and technical education dual credit courses required to meet postsecondary learning objectives.

(b) By December 10, 2024, the state board, in collaboration with the office of the superintendent of public instruction, must issue a preliminary report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, with findings and recommendations regarding the pilot program that may be scaled statewide. The final report is due by December 10, 2025. The state board must establish a stakeholder committee that is representative of students, faculty, staff, and agency representatives to inform this work. The report must include recommendations on the following topics:

(i) Course articulation and development of model articulation agreements;

(ii) Data collection and reporting;

(iii) Credit transcription and transfer;

(iv) Student advising and career guidance supports;

- (v) Alignment of career and technical education dual credit programs with credential pathways and in-demand career fields;
- (vi) Funding for industry-recognized credentials;
- (vii) Identification of priority courses and programs; and
- (viii) Evaluation of the statewide enrollment and data system, and recommendations for improvements to or replacement of the system to reflect articulation agreement data, student data, and transcription information to support data validity, credit portability, and program improvement.

(48) \$500,000 of the workforce education investment account—state appropriation is provided solely for Olympic College to partner with regional high schools for college ~~((in))~~ at the high school courses on-site at one or more regional high schools.

(49) \$1,262,000 of the workforce education investment account—state appropriation is provided solely for the centers of excellence.

(50) \$5,236,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(51) \$3,718,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(52) ~~(((\$7,470,000))~~\$5,429,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(53) \$882,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(54) Within the amounts appropriated in this section, the state board for community and technical colleges shall develop a plan that includes the cost to provide compensation to part-time and adjunct faculty that equals or exceeds 85 percent of the compensation provided to comparably qualified full-time and tenured faculty by the 2026-27 academic year. The plan must be submitted to the governor and the higher education committees of the legislature, in accordance with RCW 43.01.036, by July 1, 2024.

(55) \$598,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the state board to move to the Jefferson building.

(56) \$475,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely to develop a climate solutions and climate justice curriculum at all 34 community and technical colleges.

(57) \$257,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the creation of a hospitality center of excellence hosted at Columbia basin college.

(58) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to the state board for community and technical colleges to collaborate with a nonprofit, professional association of state, county, city, and town officials engaged in development, enforcement, and administration of building construction codes and ordinances to design and implement training programs to accelerate the hiring of city and county permit technicians.

(59) \$819,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(60) \$12,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 6296 (retail industry work group). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(61) \$850,000 of the workforce education investment account—state appropriation is provided solely to expand the student aid outreach and completion initiative pilot program in RCW 28B.50.940 to participating community and technical colleges located within capital region educational service district 113.

(62) \$1,053,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 602.** 2023 c 475 s 606 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

General Fund—State Appropriation (FY 2024) . . . . .	<del>(((\$521,181,000))</del>
	\$523,299,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(((\$453,529,000))</del>
	\$546,621,000
Aquatic Lands Enhancement Account—State	
Appropriation. . . . .	\$1,646,000
Climate Commitment Account—State Appropriation. . . . .	<del>(((\$3,150,000))</del>
	\$3,413,000

Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation. . . . .	\$20,000,000
Natural Climate Solutions Account—State	
Appropriation. . . . .	\$837,000
Statewide 988 Behavioral Health Crisis Response Line	
Account—State Appropriation. . . . .	\$280,000
University of Washington Building Account—State	
Appropriation. . . . .	\$1,546,000
Education Legacy Trust Account—State Appropriation. . . . .	(( <del>\$39,643,000</del> ))
	<u>\$39,644,000</u>
Economic Development Strategic Reserve Account—State	
Appropriation. . . . .	\$3,127,000
Biotoxin Account—State Appropriation. . . . .	\$632,000
Dedicated Cannabis Account—State Appropriation	
(FY 2024). . . . .	\$351,000
Dedicated Cannabis Account—State Appropriation	
(FY 2025). . . . .	(( <del>\$365,000</del> ))
	<u>\$366,000</u>
Accident Account—State Appropriation. . . . .	\$8,586,000
Medical Aid Account—State Appropriation. . . . .	\$8,025,000
Workforce Education Investment Account—State	
Appropriation. . . . .	(( <del>\$89,216,000</del> ))
	<u>\$88,941,000</u>
Geoduck Aquaculture Research Account—State	
Appropriation. . . . .	\$414,000
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$1,152,528,000</del>))</b>
	<b><u>\$1,247,728,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$49,289,000~~))\$49,816,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$50,374,000~~))\$51,061,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the workforce education investment account—state appropriation are provided solely for ((labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges))one head archivist for the labor archives of Washington and reserved solely for labor archives activities, staffing, supplies, and equipment. The head will determine budget priorities and oversee expenditures on the budget. Budget funds will be reserved solely for the labor archives and shall not be used to supplant or supplement other activities of the University of Washington libraries unrelated to the collections and activities of the labor archives. The university and the head shall work in collaboration with the friends of the labor archives community advisory board.

(3) \$10,000,000 of the education legacy trust account—state appropriation is provided solely for the family medicine residency network at the university to maintain and expand the number of residency slots available in Washington.

(4) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(5) \$14,000,000 of the education legacy trust account—state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(6) \$3,062,000 of the economic development strategic reserve account—state appropriation is provided solely to support the joint center for aerospace innovation technology.

(7) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(8) \$7,345,000 of the general fund—state appropriation for fiscal year 2024 and \$7,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued operations and expansion of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(9) \$2,625,000 of the general fund—state appropriation for fiscal year 2024 and \$2,625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the institute for stem cell and regenerative medicine. Funds appropriated in this subsection must be dedicated to research utilizing pluripotent stem cells and related research methods.

(10) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to the University of Washington to support youth and young adults experiencing homelessness in the university

district of Seattle. Funding is provided for the university to work with community service providers and university colleges and departments to plan for and implement a comprehensive one-stop center with navigation services for homeless youth; the university may contract with the department of commerce to expand services that serve homeless youth in the university district.

(11) \$1,200,000 of the general fund—state appropriation for fiscal year 2024, \$1,200,000 of the general fund—state appropriation for fiscal year 2025, and \$1,200,000 of the workforce education investment account—state appropriation are provided solely for the adult psychiatry residency program at the University of Washington to offer additional residency positions that are approved by the accreditation council for graduate medical education.

(12) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—appropriation for fiscal year 2025 are provided solely for the University of Washington's psychiatry integrated care training program.

(13) \$427,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$426,000 of the workforce education investment account—state appropriation are provided solely for child and adolescent psychiatry residency positions that are approved by the accreditation council for graduate medical education, as provided in RCW 28B.20.445.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the University of Washington School of Dentistry to support its role as a major oral health provider to individuals covered by medicaid and the uninsured.

(15) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the pre-law pipeline and social justice program at the University of Washington-Tacoma.

(16) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's neurology department to create a telemedicine program to disseminate dementia care best practices to primary care practitioners using the project ECHO model. The program shall provide a virtual connection for providers and content experts and include didactics, case conferences, and an emphasis on practice transformation and systems-level issues that affect care delivery. The initial users of this program shall include referral sources in health care systems and clinics, such as the university's neighborhood clinics and Virginia Mason Memorial in Yakima with a goal of adding 15 to 20 providers from smaller clinics and practices per year.

(17) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$350,000 of the workforce education investment account—state appropriation are provided solely for the university's center for international trade in forest products.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$500,000 of the workforce education investment account—state appropriation are provided solely for the Latino center for health.

(19) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a firearm policy research program. The program will:

- (a) Support investigations of firearm death and injury risk factors;
- (b) Evaluate the effectiveness of state firearm laws and policies;
- (c) Assess the consequences of firearm violence; and
- (d) Develop strategies to reduce the toll of firearm violence to citizens of the state.

(20) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the climate impacts group in the college of the environment.

(21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the college of education to collaborate with teacher preparation programs and the office of the superintendent of public instruction to develop open access climate science educational curriculum for use in teacher preparation programs.

(22) \$300,000 of the general fund—state appropriation for fiscal year 2024, \$300,000 of the general fund—state appropriation for fiscal year 2025, and \$300,000 of the workforce education investment account—state appropriation are provided solely for the Harry Bridges center for labor studies. The center shall work in collaboration with the state board for community and technical colleges.

(23) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(24) \$8,000,000 of the workforce education investment account—state appropriation is provided solely to maintain degree production in the college of engineering at the Seattle campus.

(25) (a) \$2,724,000 of the workforce education investment account—state appropriation is provided solely to maintain the Washington state academic redshirt program on the Seattle campus and establish a program on the Bothell campus.

(b) The university must provide a report on the redshirt program at the Seattle and Bothell campuses, including, but not limited to, the following:

- (i) The number of students who have enrolled in the program and the number of students by cohort;
- (ii) The number of students who have completed the program and the number of students by cohort;
- (iii) The placements of students by academic major;
- (iv) The number of students placed in first-choice majors;
- (v) The number of underrepresented minority students in the program;
- (vi) The number of first-generation college students in the program;
- (vii) The number of Washington college grant eligible or Pell grant eligible students in the program;
- (viii) The number of Washington state opportunity scholarship recipients in the program;
- (ix) The number of students who completed the program and graduated with a science, technology, engineering, or math related degree and the number of graduates by cohort; and
- (x) Other program outcomes.

(c) A preliminary report is due to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2023, and a final report is due December 1, 2024.

(26) \$2,700,000 of the workforce education investment account—state appropriation is provided solely to maintain degree capacity and undergraduate enrollments in engineering, mathematics, and science programs to support the biomedical innovation partnership zone at the Bothell campus.

(27) \$3,268,000 of the workforce education investment account—state appropriation is provided solely to maintain bachelor of science programs in mechanical and civil engineering to support increased student and local employer demand for graduates in these fields at the Tacoma campus.

(28) \$150,000 of the general fund—state appropriation for fiscal year 2024, \$150,000 of the general fund—state appropriation for fiscal year 2025, and \$700,000 of the workforce education investment account—state appropriation are provided solely for Washington mathematics, engineering, science achievement programs to provide enrichment opportunities in mathematics, engineering, science, and technology to students who are traditionally underrepresented in these programs. Of the amounts provided in this subsection, \$500,000 of the workforce education investment account—state appropriation is for Washington State University to plan and implement expansion of MESA activities at the Everett campus to facilitate increased attendance and degree completion by students who are underrepresented in science, technology, engineering, and mathematics degrees.

(29) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community care coordinator for transitional-age youth for the doorway project in partnership with the Seattle campus.

(30) \$14,000,000 of the workforce education investment account—state appropriation is provided solely for the expansion of the Paul G. Allen school of computer science and engineering in order to award an additional 200 degrees per year focusing on traditionally underrepresented students. A report on the program graduation rates, waitlist for entry into the program, time to degree completion, and degrees awarded must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2024, and June 30, 2025.

(31) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand a series of online courses related to behavioral health and student well-being that are currently offered at the Bothell campus for school district staff. The standards for the courses must be consistent with knowledge, skill, and performance standards related to mental health and well-being of public school students. The online courses must provide:

- (a) Foundational knowledge in behavioral health, mental health, and mental illness;
- (b) Information on how to assess, intervene upon, and refer behavioral health and intersection of behavioral health and substance use issues; and
- (c) Approaches to promote health and positively influence student health behaviors.

(32) To ensure transparency and accountability, in the 2023-2025 fiscal biennium the University of Washington shall comply with any and all financial and accountability audits by the Washington state auditor including any and all audits of university services offered to the general public, including those offered through any public-private partnership, business venture, affiliation, or joint venture with a public or private entity, except the government of the United States. The university shall comply with all state auditor requests for the university's financial and business information including the university's governance and financial participation in these public-private partnerships, business ventures, affiliations, or joint ventures with a public or private entity. In any instance in which the university declines to produce the information to the state auditor, the university will provide the state auditor a brief summary of the documents withheld and a citation of the legal or contractual provision that prevents disclosure. The summaries must be compiled into a report by the state auditor and provided on a quarterly basis to the legislature.

(33) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Burke museum of natural history and culture to make education programs offered by the museum accessible to more students across Washington, especially students in underserved schools and locations. The funding shall be used for:

- (a) Increasing the number of students who participate in Burke education programs at reduced or no cost, including virtual programs;
- (b) Providing bus reimbursement for students visiting the museum on field trips and to support travel to bring museum programs across the state;
- (c) Staff who will form partnerships with school districts to serve statewide communities more efficiently and equitably, including through the Burkemobile program; and
- (d) Support of tribal consultation work, including expanding Native programming, and digitization of Native collections.
- (34) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$410,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's center for human rights. The appropriation must be used to supplement, not supplant, other funding sources for the center for human rights.
- (35) \$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the establishment and operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.
- (36) \$64,000 of the general fund—state appropriation for fiscal year 2024 and \$64,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.
- (37) ~~(\$443,000)~~ \$443,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$443,000)~~ \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation of the center for environmental forensic science.
- (38) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation are provided solely for the community-engagement test to facilitate clean energy transitions by partnering with communities, utilities, and project developers.
- (39) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational expenditures related to the battery fabrication testbed.
- (40) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for pharmacy behavioral health. The University of Washington school of pharmacy/medicine pharmacy services will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.
- (41) \$1,242,000 of the general fund—state appropriation for fiscal year 2024, \$1,242,000 of the general fund—state appropriation for fiscal year 2025, and \$742,000 of the workforce education investment account—state appropriation are provided solely for an increase in the number of nursing slots and graduates in the already established accelerated bachelor of science in nursing program. Of the amounts provided in this subsection, \$273,000 of the general fund—state appropriation for fiscal year 2024 and \$273,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Tacoma school of nursing and healthcare leadership.
- (42) ~~(\$100,000)~~ \$100,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$100,000)~~ \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the memory and brain wellness center to support the statewide expansion of the dementia friends program.
- (43) \$77,000 of the general fund—state appropriation for fiscal year 2024 and \$77,000 of the general fund—state appropriation are provided solely to maintain a data repository to assist the state and all political subdivisions with evaluating whether and to what extent existing laws and practices with respect to voting and elections are consistent with public policy, implementing best practices in voting and elections, and to investigate potential infringements upon the right to vote.
- (44) \$122,000 of the general fund—state appropriation for fiscal year 2024 and \$122,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sexual assault nurse examiner training.
- (45) ~~(\$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.~~
- ~~(46))~~ Within existing resources, the institution must resume a mentoring, organization, and social support for autism inclusion on campus program. The program must focus on academic coaching, peer-mentoring, support for social interactions, and career preparation.
- ~~((47))~~ (46) \$6,532,000 of the general fund—state appropriation for fiscal year 2024 and \$11,108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

~~((48))~~ (47) \$712,000 of the general fund—state appropriation for fiscal year 2024 and \$4,183,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the behavioral health teaching faculty physician and facility support.

~~((49))~~ (48) \$1,869,000 of the general fund—state appropriation for fiscal year 2024 and \$3,738,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operations and maintenance support of the behavioral health teaching faculty.

~~((50))~~ (49) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the center for indigenous health to increase the number of American Indian and Alaska Native physicians practicing in the state of Washington.

~~((51))~~ (50) \$484,000 of the workforce education investment account—state appropriation is provided solely to the university for Friday harbor labs in the amount of \$125,000 each fiscal year and the school of aquatic and fishery sciences in the amount of \$117,000 each fiscal year to perform coordinating, monitoring, and research related to Puget Sound kelp conservation and recovery.

~~((52))~~ (51) \$200,000 of the workforce education investment account—state appropriation is provided solely to develop a framework for research to help determine inequities in poverty, access to service, language, barriers, and access to justice for individuals of Middle Eastern descent.

~~((53))~~ (52) \$3,000,000 of the climate commitment account—state appropriation is provided solely for the development of an energy transformation strategy to modernize the energy infrastructure and better align the institution's sustainability values at the Seattle campus.

~~((54))~~ (53) \$2,854,000 of the workforce education investment account—state appropriation is provided solely for increasing enrollments in computing and engineering programs at the Tacoma campus.

~~((55))~~ (54) (a) \$800,000 of the workforce education investment account—state appropriation is provided solely for the colab for community and behavioral health policy to collaborate with ~~((the Latino center for health and))~~ allies in healthier systems for health and abundance in youth to pilot test a culturally responsive training curricula for an expanded children's mental health workforce in community behavioral health sites. Community and lived experience stakeholders, representing communities of color, must make up over half of the project team. The pilot implementation shall include expansion of:

(i) The clinical training of both a lived experience workforce and licensed workforce to provide culturally responsive and evidence-informed mental health services focused on families, children, and youth;

(ii) An implementation plan that allows for local flexibility and local community input; and

(iii) An evaluation plan that will yield information about the potential success in implementation statewide and the improved experiences of those seeking mental health services.

(b) The project team must report its findings and recommendations to the appropriate committees of the legislature in compliance with RCW 43.01.036 by June 30, 2025.

~~((56))~~ (55) \$520,000 of the natural climate solutions account—state appropriation is provided solely for the biological response to ocean acidification to advance high-priority biological experiments to better understand the relationship between marine organisms and ocean acidification.

~~((57))~~ (56) \$300,000 of the natural climate solutions account—state appropriation is provided solely for monitoring assistance at the Washington ocean acidification center.

~~((58))~~ (57) \$104,000 of the general fund—state appropriation for fiscal year 2024 and \$104,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued implementation of chapter 191, Laws of 2022 (veterans & military suicide).

~~((59))~~ (58) \$426,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/ review).

~~((60))~~ (59) \$205,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to organize and facilitate the difficult to discharge task force described in section ~~((135(12)))~~ 132(12) of this act and its operations, including any associated ad hoc subgroups through October 31, 2023.

~~((61))~~ (60) \$500,000 of the workforce education investment account—state appropriation is provided solely for the addictions, drug and alcohol institute to continue cannabis and public health impact research. Funding may be used to develop resources regarding the connection between first episode psychosis and cannabis use.

~~((62))~~ (61) \$2,224,000 of the workforce education investment account—state appropriation is provided solely for program support and student scholarships for the expansion of the master of arts in applied child and adolescent psychology program. Of the amounts provided in this subsection:

(a) \$1,116,000 of the workforce education investment account—state appropriation is provided solely for program support at the Seattle site.

(b) \$1,108,000 of the workforce education investment account—state appropriation is provided solely for student scholarships at the Seattle site.

~~((63))~~ (62) \$800,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a program to support pathways from prison to the university's Tacoma campus. The university shall collaborate with formerly incarcerated women, Tacoma Community College, the freedom education project Puget Sound, the

women's village, the state board for community and technical colleges, and the department of corrections, in development and implementation of the pathways program.

~~((64))~~ ~~(\$250,000)~~ (63) \$580,000 of the workforce education investment account—state appropriation is provided solely for the ~~((startup program))~~ Allen school scholars program.

~~((65))~~ (64) \$1,397,000 of the workforce education investment account—state appropriation is provided solely for increased student support services at the Tacoma campus.

~~((66))~~ (65) \$158,000 of the general fund—state appropriation for fiscal year 2024, \$158,000 of the general fund—state appropriation for fiscal year 2025, and \$798,000 of the workforce education investment account—state appropriation are provided solely for continued implementation of diversity, equity, inclusion, and antiracism professional development for faculty and staff, student training, and campus climate assessments in chapter 28B.10 RCW.

~~((67))~~ (66) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2024 are provided solely for the college of education to partner with the Chehalis and Spokane school districts to continue the math improvement pilot program.

~~((68))~~ (67) \$300,000 of the workforce education investment account—state appropriation is provided solely for support and promotion of a long-term care nursing residency program and externship.

~~((69))~~ (68) \$400,000 of the workforce education investment account—state appropriation is provided solely for nanocellulose based research to produce a replacement for cellophane and clear plastic products with one made with plant materials that is biodegradable.

~~((70))~~ (69) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of a pilot plant to produce nanocellulose based materials for evaluation by potential users, such as packaging manufacturers and companies that produce polylactic acid composites.

~~((71))~~ (70) \$1,238,000 of the workforce education investment account—state appropriation is provided solely to establish washpop, a statewide integrated data repository for population and policy research on topics, including criminal justice and safety, economic prosperity and equity, and health and social well-being.

~~((72))~~ (71) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuation of the collaborative for the advancement of telemedicine, hosted by the institution's telehealth services.

~~((73))~~ (72) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the center for health workforce studies to continue a program to track dental workforce trends, needs, and enhancements to better serve the increasing population and demand for access to adequate oral health care. The center shall continue the program in consultation with dental stakeholders including, but not limited to, provider associations and oral health philanthropic leaders. The workforce reporting program is to be considered a public-private partnership. The institutions may accept matching funds from interested stakeholders to help facilitate and administer the workforce reporting program. Information generated by the dental workforce reporting program shall be made available on the center's website in a deidentified, aggregate format.

~~((74))~~ (73) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

~~((75))~~ (74) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((76))~~ (75) \$440,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((77))~~ (76) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$669,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((78))~~ (77) \$150,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((79))~~ (78) \$208,000 of the statewide 988 behavioral health crisis response account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((80))~~ ~~(\$3,288,000)~~ (79) \$2,053,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((81))~~ (80) \$157,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health



support). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(82))~~ (81) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for support of staff, training, and other costs necessary to facilitate the opening of the behavioral health teaching facility.

~~((83))~~ (82) \$450,000 of the workforce education investment account—state appropriation is provided solely to continue financial student assistance in public service oriented graduate and professional degree programs, referred to as "fee-based" programs, whose tuition for public service degrees is over \$18,000 per year. Programs shall create mechanisms to prioritize assistance to traditionally underrepresented students, specifically those who have expressed a commitment to service in the physician assistant, community oriented public health, or social work programs. The institution may offer financial assistance for students that volunteer or work with public health agencies, including as contact tracers.

~~((84))~~ (83) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a pilot program for short-term stabilization and transition support for individuals incompetent to stand trial due to intellectual or developmental disability as provided in Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(85))~~ (84) \$1,464,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(86))~~ (85) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(87))~~ (86) \$80,000,000 of the general fund—state appropriation for fiscal year 2024, \$65,000,000 of the general fund—state appropriation for fiscal year 2025, and \$20,000,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely to support the operations and teaching mission of the University of Washington medical center and harborview medical center.

(87) \$239,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 232, Laws of 2023 (alternative jet fuel).

(88) \$263,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for two grant writers to offer technical assistance to tribal and community groups in the thriving communities technical assistance program.

(89) \$20,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support behavioral health care and training at the University of Washington medical center. A report detailing how these funds and any federal funds are expended for the medical center shall be submitted to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(90) \$2,505,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the expansion of the University of Washington school of dentistry regional initiatives in dental education (RIDE) program.

(91) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the University of Washington to establish a pilot program to support activities related to cooperation with academic institutions and governmental and public agencies of the Republic of Finland, the Kingdom of Sweden, and the Kingdom of Norway. Eligible activities include, but are not limited to, cooperation in clean energy, clean technology, clean transportation, telecommunications, agriculture and wood science technology, general economic development, and other areas of mutual interest with Nordic nations and institutions.

(92) \$180,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support project planning and management, soccer field renovation, and LED lighting upgrades to prepare for the 2026 World Cup hosted by Seattle.

(93) \$412,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to develop and implement the Washington reproductive access alliance, so the public hospital districts under chapter 70.44 RCW can provide substantially equivalent services under the reproductive privacy act under chapter 9.02 RCW. The alliance will provide a service coordination website and phone line, administrative support and coordination of the alliance, patient care coordination, and social support for patient travel.

(94) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5890 (ballot rejection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(95) \$4,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 6166 (pesticide application comm). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(96) \$264,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6308 (988 system timeline). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(97) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the behavioral health institute at Harborview medical center and the University of

Washington school of medicine, in consultation with the office of financial management, to develop recommendations considering multiple different long-term uses of up to 40 residential treatment facility licensed beds located at the Olympic heritage behavioral health facility. The recommendations shall include estimated costs and required staffing for each of the options presented and an assessment of the current landscape of inpatient and outpatient behavioral health care services in the region to determine community needs. Options for use may include care and treatment for: (i) Patients with co-occurring diagnoses of mental health and substance use disorders; (ii) individuals with developmental disabilities, dementia and traumatic brain injury; and (iii) individuals in need of intensive mental health treatment, including partial hospitalization and intensive outpatient care. The recommendations shall be provided to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2024.

(98) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5837 (state elections database). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(99) \$267,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(100) \$148,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6286 (nurse anesthetist workforce). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(101) \$630,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

Sec. 603. 2023 c 475 s 607 (uncodified) is amended to read as follows:

**FOR WASHINGTON STATE UNIVERSITY**

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$277,544,000</del> ))
		\$282,381,000
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$286,975,000</del> ))
		\$290,755,000
Climate Commitment Account—State Appropriation	.. . . .	\$8,321,000
Washington State University Building Account—State		
Appropriation	.. . . .	\$792,000
Education Legacy Trust Account—State Appropriation	.. . . .	\$33,995,000
Model Toxics Control Operating Account—State		
Appropriation	.. . . .	\$2,771,000
Dedicated Cannabis Account—State Appropriation		
(FY 2024)	.. . . .	\$189,000
Dedicated Cannabis Account—State Appropriation		
(FY 2025)	.. . . .	\$197,000
Workforce Education Investment Account—State		
Appropriation	.. . . .	\$48,117,000
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$658,901,000</del>))</b>
		<b>\$667,518,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rural economic development and outreach coordinator.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state match requirements related to the federal aviation administration grant.

(4) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

(5) \$7,000,000 of the general fund—state appropriation for fiscal year 2024, \$7,000,000 of the general fund—state appropriation for fiscal year 2025, and \$22,800,000 of the workforce education investment account—state appropriation are provided solely for the continued development and operations of a medical school program in Spokane.

(6) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a honey bee biology research position.

(7) ((~~\$35,037,000~~))\$35,411,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$35,808,000~~))\$36,296,000 of the general fund—state appropriation for fiscal year

2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(8) \$580,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of an organic agriculture systems degree program located at the university center in Everett.

(9) \$630,000 of the general fund—state appropriation for fiscal year 2024 and \$630,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of an electrical engineering program located in Bremerton. At full implementation, the university is expected to increase degree production by 25 new bachelor's degrees per year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(10) \$1,370,000 of the general fund—state appropriation for fiscal year 2024 and \$1,370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of software engineering and data analytic programs at the university center in Everett. At full implementation, the university is expected to enroll 50 students per academic year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(11) General fund—state appropriations in this section are reduced to reflect a reduction in state-supported tuition waivers for graduate students. When reducing tuition waivers, the university will not change its practices and procedures for providing eligible veterans with tuition waivers.

(12) \$1,154,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 82.16.120 and 82.16.165 (renewable energy, tax incentives).

(13) \$376,000 of the general fund—state appropriation for fiscal year 2024 and \$376,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 28B.30.357 (children's mental health).

(14) \$585,000 of the general fund—state appropriation for fiscal year 2024 and \$585,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 77.12.272 (elk hoof disease).

(15) \$2,076,000 of the model toxics control operating account—state appropriation is provided solely for the university's soil health initiative and its network of long-term agroecological research and extension (LTARE) sites. The network must include a Mount Vernon REC site.

(16) \$42,000 of the general fund—state appropriation for fiscal year 2024 and \$42,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(17) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$33,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for compensation funding for Western Washington University employees that work on the Washington State University Everett campus.

(18) \$327,000 of the general fund—state appropriation for fiscal year 2024 and \$327,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for pharmacy behavioral health. Washington State University college of pharmacy and pharmaceutical sciences will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.

(19) \$1,921,000 of the general fund—state appropriation for fiscal year 2024 and \$3,526,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(20) \$608,000 of the general fund—state appropriation for fiscal year 2024 and \$608,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state academy of sciences to provide support for core operations and to accomplish its mission of providing science in the service of Washington, pursuant to its memorandum of understanding with the university.

(21) \$188,000 of the general fund—state appropriation for fiscal year 2024 and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for stormwater research to study the long-term efficacy of green stormwater infrastructure that incorporates compost to remove pollutants.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the joint center for deployment and research in earth abundant materials.

(23) \$4,112,000 of the workforce education investment account—state appropriation is provided solely to establish a bachelor's degree in cybersecurity operations.

(24) \$568,000 of the general fund—state appropriation for fiscal year 2024 and \$568,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 212, Laws of 2022 (community solar projects).

(25) \$7,721,000 of the climate commitment account—state appropriation is provided solely for the creation of the institute for northwest energy futures.

(26) \$3,910,000 of the workforce education investment account—state appropriation is provided solely for increasing nursing salaries at the institution.

(27) \$476,000 of the workforce education investment account—state appropriation is provided solely for nursing program equipment.

(28) \$2,521,000 of the workforce education investment account—state appropriation is provided solely for the establishment of a bachelor of science in public health degree at the Pullman, Spokane, and Vancouver campuses.

(29) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increasing the base funding for the William D. Ruckleshaus Center.

(30) ~~(\$200,000)~~ \$50,000 of the general fund—state appropriation for fiscal year 2024 ~~(is)~~ and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Washington State University extension service to hire a qualified contractor to assess program performance of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020 and recipients of pass-through grants from the northeast Washington wolf-livestock management nonappropriated account. The program must be assessed for the period of 2021-2023 as to whether grant recipients met the intent of the appropriation.

(a) For recipients of grant funds from the program authorized in RCW 16.76.020, performance must be evaluated on the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a good probability of producing effective results. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape.

(b) For recipient of the pass-through funds from the northeast Washington wolf-livestock management nonappropriated account, performance must be based on the intent of conducting proactive deterrence activities with the goal to reduce the likelihood of cattle being injured or killed by wolves.

(c) The contractor must have at least five years of experience in the combination of field work as a range rider and running range riding programs in areas with wolf-livestock conflict in the western United States. In conducting the assessment, the contractor may access written range rider logs and georeferenced data produced by the grant recipients, in addition to reading annual reports of the recipients and interviewing relevant participants. The contractor may also provide general recommendations for improvement of programs intended to provide effective wolf-livestock deterrence, taking into account the terrain and other challenges faced in northeast Washington. The contractor must complete their assessment for Washington State University extension service to be delivered to the legislature, pursuant to RCW 43.01.036, by June 30, 2024.

(31) \$500,000 of the workforce education investment account—state appropriation is provided solely for the energy program for residential energy code education and support, including training, hotline support to the building industry, and information material and web resources.

(32) \$695,000 of the model toxics control operating account—state appropriation is provided solely for turf grass resilience research in high traffic areas.

(33) ~~((a))~~ \$95,000 of the general fund—state appropriation for fiscal year ((2025 is) 2024 and \$215,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the William D. Ruckelshaus center to ((conduct a jail modernization task force convening assessment and design a facilitated collaborative process and work plan for) support the jail modernization task force created in section 915 ((of this act)), chapter 475, Laws of 2023.

(a) Of the amounts provided in this subsection, \$95,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the center to conduct a jail modernization task force convening assessment and design a facilitated collaborative process and work plan for the jail modernization task force created in section 915, chapter 475, Laws of 2023.

(b) Of the amounts provided in this subsection, \$215,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the center to provide staff support, facilitation, and development of the task force's initial report of findings and recommendations described in section 915, chapter 475, Laws of 2023.

(c) The convening assessment shall include, but not be limited to:

(i) Gathering and reviewing additional background information relevant to the project;

(ii) Meeting and consulting with the Washington state association of counties to gather background on issues, confirm the list of members to interview, and provide updates throughout the duration of the work; and meeting and consulting with the Washington state institute for public policy to coordinate, inform, and share information and findings gathered; and

(iii) Setting up individual conversations with task force members, and others as needed, to assess their goals, expectations, interests, and desired outcomes for the task force. The purpose of these conversations will also be to gather insights and perspectives from members about, but not limited to, the following:

(A) What key components and issues should be included in a statewide jail modernization plan, what existing facilities are in need of upgrades or remodel, and any need for building new facilities;

(B) Identifying any additional key stakeholders;

(C) Employee retention issues and potential solutions;

(D) The impact of overtime, jail atmosphere, emergency response time, inexperienced corrections officers, and how to overcome these challenges;

(E) The type of and design of facilities needed to house those with behavioral health needs and associated costs of these facilities;

(F) Available diversion programs and their costs;

(G) Types of existing behavioral health facilities for those involved in the criminal justice system, the costs of building and running these facilities, how these facilities vary by location, the viability of offering facilities in every county, and potential system improvements to the types of services and supports offered and delivered to those with behavioral health needs;

(H) The types of services and supports provided to those exiting the jail system; and

(I) Reforms necessary to create and enhance a seamless transition back to the community following jail confinement.

~~((b))~~ (d) Center staff will provide a convening assessment report that will include the overall process design and work plan for the task force by June 30, ~~((2025))~~ 2024.

(34) \$1,596,000 of the workforce education investment account—state appropriation is provided solely for the creation of a bachelor's and master's degree in social work at the Tri-Cities campus.

(35) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(36) \$372,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(37) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(38) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting), for a least-conflict pumped storage siting project. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(39) \$125,000 of the workforce education investment account—state appropriation is provided solely for implementation of Senate Bill No. 5287 (wind turbine blades). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(40) (a) \$1,200,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a Native American scholarship program during the 2023-2025 biennium. Of the amounts in this subsection, no more than \$100,000 of the workforce education investment account—state appropriation for fiscal year 2024 and \$100,000 of the workforce education investment account—state appropriation for fiscal year 2025 may be spent on administration; development of the program; support services for students; outreach regarding the program; and technical support for application.

(b) "Eligible student" means a member of a federally recognized Indian tribe located within Washington who files a free application for federal student aid (FAFSA) and enrolls in an undergraduate degree program. Eligible students need to maintain satisfactory academic progress during the 2023-2025 biennium to remain eligible for the scholarship. The institution shall determine award priorities based on tribal consultation. Awards must be distributed to students no later than May of each fiscal year.

(c) The institution must submit a report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025. The report must include: The number of eligible students; the number of students who receive a scholarship; how recipients were determined; and how many members of federally recognized Indian tribes in Washington received scholarships versus members of federally recognized Indian tribes from other states.

(41) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(42) \$2,425,000 of the workforce education investment account—state appropriation is provided solely for the development and operations of a journalism fellowship program focused on civic affairs.

(43) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$4,271,000 of the general fund—state appropriation for fiscal year 2024 and \$2,573,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to purchase the obligated amount of carbon emission allowances.

(45) \$190,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to continue the statewide broadband coordinator position in the Washington State University extension program.

(46) \$1,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 6166 (pesticide application comm). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 604.** 2023 c 475 s 608 (uncodified) is amended to read as follows:  
**FOR EASTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$65,367,000</del> ))
	<u>\$65,677,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$67,576,000</del> ))
	<u>\$67,933,000</u>
Education Legacy Trust Account—State Appropriation . . . . .	\$16,838,000
Workforce Education Investment Account—State Appropriation . . . . .	(( <del>\$24,730,000</del> ))
	<u>\$24,889,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$174,511,000</del>))</b>
	<b><u>\$175,337,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) At least \$350,000 of the general fund—state appropriation for fiscal year 2024 and at least \$350,000 of the general fund—state appropriation for fiscal year 2025 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) ((~~\$12,586,000~~))\$12,720,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$12,862,000~~))\$13,038,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(5) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(6) \$2,274,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(7) \$2,636,000 of the workforce education investment account—state appropriation is provided solely to maintain a computer engineering degree program in the college of science, technology, engineering, and math.

(8) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(9) \$300,000 of the workforce education investment account—state appropriation is provided solely to establish a center for inclusive excellence for faculty and staff.

(10) \$536,000 of the workforce education investment account—state appropriation is provided solely for a professional masters of science cyber operations degree option.

(11) \$2,144,000 of the workforce education investment account—state appropriation is provided solely for the operation of a bachelor of science in cybersecurity degree option through the computer science program.

(12) \$2,108,000 of the workforce education investment account—state appropriation is provided solely for the operation of a coordinated care network that will help to maximize the collaboration of various student support services to create wraparound care for students to address obstacles to degree completion. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(13) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(14) \$4,598,000 of the workforce education investment account—state appropriation is provided solely to expand faculty and staff to create a cohort of 80 students in the bachelor of nursing program.

(15) \$476,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/review).

(16) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a summer bridge program.

(17) ~~(\$500,000)~~ \$1,020,000 of the workforce education investment account—state appropriation is provided solely for the establishment and operating support of a university mathematics, engineering, and science achievement program.

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(19) \$118,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(21) ~~(\$5,000,000)~~ \$3,977,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$127,000 of the workforce education investment account—state appropriation is provided solely to develop the postbaccalaureate dental therapy certificate in the college of health science and public health.

(24) \$535,000 of the workforce education investment account—state appropriation is provided solely to support college in high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 605.** 2023 c 475 s 609 (uncodified) is amended to read as follows:

**FOR CENTRAL WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	<del>(\$68,760,000)</del>
	<u>\$68,916,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$71,733,000)</del>
	<u>\$72,016,000</u>
Central Washington University Capital Projects	
Account—State Appropriation . . . . .	\$76,000
Education Legacy Trust Account—State Appropriation . . . . .	\$19,076,000
Workforce Education Investment Account—State	
Appropriation . . . . .	<del>(\$16,537,000)</del>
	<u>\$15,793,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<del>(\$176,182,000)</del>
	<u>\$175,877,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) ~~(\$14,186,000)~~ \$14,337,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$14,498,000)~~ \$14,696,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(5) \$2,236,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(6) \$1,050,000 of the workforce education investment account—state appropriation is provided solely to increase the number of certified K-12 teachers.

(7) \$736,000 of the workforce education investment account—state appropriation is provided solely to maintain mental health counseling positions.

(8) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two counselor positions to increase access to mental health counseling for traditionally underrepresented students.

(9) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health outreach and service coordination position who has knowledge of issues relevant to veterans.

(10) \$240,000 of the workforce education investment account—state appropriation is provided solely for expanding cybersecurity capacity by adding additional faculty resources in the department of computer science.

(11) \$586,000 of the workforce education investment account—state appropriation is provided solely for a peer mentoring program. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(12) \$286,000 of the workforce education investment account—state appropriation is provided solely for the operation of an extended orientation program to help promote retention of underserved students. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(13) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the cost of the criminal justice training center's use of office and classroom space at the Lynnwood campus.

(14) \$592,000 of the general fund—state appropriation for fiscal year 2024 and \$1,091,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(15) \$1,406,000 of the workforce education investment account—state appropriation is provided solely for student success. Students will receive discipline specific tutoring programs, peer assisted learning sessions, and academic success coaching.

(16) \$967,000 of the workforce education investment account—state appropriation is provided solely for grow your own teacher residency programs in high need areas of elementary, bilingual, special education, and English language learners.

(17) \$844,000 of the workforce education investment account—state appropriation is provided solely for dual language expansion programs in Yakima and Des Moines.

(18) \$126,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) \$25,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$57,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) ~~(((\$8,060,000))~~ \$5,709,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$398,000 of the workforce education investment account—state appropriation is provided solely to support two financial aid coaching specialists, the university food pantry, including a coordinator, and an assistant director and advocate to support students who have experienced sexual violence.

(24) Appropriations in this section are sufficient to implement provisions of the collective bargaining agreement that go into effect on or after July 1, 2024, between Central Washington University and the campus police officers and sergeants negotiated under chapter 41.80 RCW and as set forth in part IX of this act.

(25) \$1,209,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 606.** 2023 c 475 s 610 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$39,088,000</del> ))
	\$38,787,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$38,499,000</del> ))
	\$39,454,000
The Evergreen State College Capital Projects	
Account—State Appropriation . . . . .	\$80,000
Education Legacy Trust Account—State Appropriation . . . . .	\$5,450,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$5,554,000</del> ))
	\$6,347,000



TOTAL APPROPRIATION.....((~~\$88,671,000~~))  
\$90,118,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$4,315,000~~))\$4,361,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$4,410,000~~))\$4,470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(3) Within amounts appropriated in this section, the college is encouraged to increase the number of tenure-track positions created and hired.

(4) ((~~\$4,063,000~~))\$3,715,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$2,732,000~~))\$3,583,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state institute for public policy to initiate, sponsor, conduct, and publish research that is directly useful to policymakers and manage reviews and evaluations of technical and scientific topics as they relate to major long-term issues facing the state. Within the amounts provided in this subsection (4):

(a) \$1,665,000 of the amounts in fiscal year 2024 and \$1,685,000 of the amounts in fiscal year 2025 are provided for administration and core operations.

(b) ((~~\$1,229,000~~))\$1,069,000 of the amounts in fiscal year 2024 and ((~~\$529,000~~))\$709,000 of the amounts in fiscal year 2025 are provided solely for ongoing and continuing studies on the Washington state institute for public policy's work plan.

(c) ((~~\$202,000~~))\$142,000 of the amounts in fiscal year 2024 and ((~~\$80,000~~))\$140,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to update its adult corrections inventory of evidence-based, research-based, and promising programs and expand the inventory to include new programs that were not included in the last published Washington state institute for public policy inventory in 2018. This update must focus on programs for incarcerated individuals in prison facilities to include family and relationships programs, learning and working programs, and therapeutic and support programs. The institute should prioritize the addition of programs currently offered by the Washington state department of corrections. Of this amount:

(i) No later than ((~~December 31, 2023~~))June 30, 2024, the institute shall publish a preliminary report identifying the list of programs currently offered in Washington state department of corrections prison facilities and the list of new programs to be analyzed for inclusion on the updated adult corrections inventory. The preliminary report must include an indication of whether the Washington state department of corrections programs have ever been evaluated for their effect on recidivism; and

(ii) No later than December 31, 2024, the institute shall publish a final report with the updated adult corrections inventory classifying programs as evidence-based, research-based, or promising programs. The report shall include a list of programs currently offered in Washington state department of corrections prison facilities and a determination of their likely effectiveness in reducing recidivism based on the results of the adult corrections inventory.

(d)(i) \$154,000 of the amount for fiscal year ((2024))2025 is provided solely for the institute to examine the costs associated with conservation district elections under current law, and the projected costs and benefits for shifting conservation district election to be held on general election ballots under Title 29A RCW. The examination must include, to the extent that the data allows:

(A) An analysis of the amount of money that each conservation district spends on holding elections for supervisors under current law, and a description of the funding sources that each conservation district utilizes to fund its elections;

(B) Information about voter turnout in each conservation district supervisor election in at least the past six years and up to the past 20 years, if the conservation district has such data, as well as a calculation of the total cost per ballot cast that each conservation district spent in those elections;

(C) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if the district were to hold its supervisor elections on general election ballots under the processes and procedures in Title 29A RCW, including:

(I) Switching all supervisor positions to elected positions; and

(II) Changing term lengths to four years, with terms staggered such that elections are held every two years, to align with the elections for other local government officials;

(D) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if, in addition to the changes described in (d)(i)(C) of this subsection, the conservation districts were divided into zones such that each zone is represented by a single supervisor, rather than electing each supervisor at-large throughout the district; and

(E) An overall description of potential nonmonetary costs and benefits associated with switching conservation district supervisor elections to the general election ballots under Title 29A RCW and incorporating the changes described in (d)(i)(C) and (D) of this subsection.

(ii) A preliminary report which contains any available information to date must be completed by December 1, ((2023))2024. A final report must be completed by June 30,

((2024))2025, and submitted in accordance with RCW 43.01.036 to the standing committees of the house of representatives and the senate with jurisdiction over elections and conservation district issues.

(e) \$100,000 of the amounts for fiscal year 2024 and \$100,000 of the amounts for fiscal year 2025 are provided solely for the institute to conduct a review of all assessments and charges imposed on individuals incarcerated in department of corrections facilities and their family members and its effect on the financial status of incarcerated individuals. The review must include, at a minimum:

(i) An evaluation of all costs incurred by incarcerated individuals for items that include but are not limited to:

- (A) Food;
- (B) Commissary items;
- (C) Personal hygiene items;
- (D) Electronic devices and services, tablets, digital stamps, and downloadable media and services such as music, movies, and other programs;
- (E) Stationary, mail, and postage;
- (F) Communication devices such as telephones, local and nonlocal telephone services, and video chat services;
- (G) Clothing and shoes;
- (H) Copayments for medical, dental, and optometry visits, care, and medication;
- (I) Eyeglasses;
- (J) Gym, television services, and any other recreational activities;
- (K) Educational and vocational classes, programming, and related materials; and
- (L) Any and all items and services charged to incarcerated persons under RCW 72.09.450 and 72.09.470 including, but not limited to, a complete list of any other item that an individual was or could have been charged for while incarcerated;

(ii) A complete itemized list of: (A) All items in (e)(i) of this subsection; (B) the cost of each item and service purchased by the department or negotiated with a vendor in (e)(i) of this subsection; (C) the resale or purchased price charged to incarcerated individuals and their family members for the same items in (e)(i) of this subsection; (D) the revenue or profit retained or reinvested by the department for each individual item in (e)(i) of this subsection; (E) the cost of items and services listed in (e)(i) of this subsection compared to comparable items and services that are not provided through correctional industries; and (F) an assessment of the prices charged for the items and services listed in (e)(i) of this subsection as compared to comparable items and services provided by other companies and vendors that do not service prisons;

(iii) A complete list of all items including, but not limited to, clothing and personal hygiene items, that are distributed monthly free of charge: (A) To all incarcerated individuals irrespective of their financial status; and (B) solely to indigent inmates as defined in RCW 72.09.015 provided the individual remains in indigent status during his or her period of incarceration;

(iv) The average annual debt incurred by an individual while incarcerated. This includes debt solely recorded and posted by the department for debt incurred between the individual's first day of confinement within the department of corrections through the individual's day of release from incarceration from prison;

(v) The average debt owed by incarcerated individuals to the department for items and services under (e)(i) of this subsection upon release from confinement;

(vi) The average amount paid by incarcerated individuals to the department for items and services under (e)(i) of this subsection during their period of confinement;

(vii) A list of the: (A) Required deductions from wages and gratuities earned pursuant to RCW 72.09.100 through 72.09.111; (B) required deductions from the funds received, by the department on behalf of an incarcerated person from outside sources, in addition to an incarcerated individual's wages or gratuities pursuant to RCW 72.09.480; and (C) wages and gratuities earned by an incarcerated individual and any funds received, by the department on behalf of an incarcerated person, from outside sources for specific items listed in (e)(i) of this subsection that are exempt from statutory deductions;

(viii) The average amount of funds remaining in an incarcerated individual's savings account at the time of his or her release from confinement; and

(ix) A review and evaluation of the fines, fees, and commission generated from any of the items and services listed in (e)(i) of this subsection that are used in the department's budget.

The institute must provide a final report to the governor and the appropriate committees of the legislature by June 30, 2025.

(f) (i) ~~(\$50,000)~~ \$76,000 of the amount for fiscal year 2024 ~~(is)~~ and \$128,000 of the amount for fiscal year 2025 are provided solely for the institute to study the contracting practices for goods and services, and manufactured products, made or offered by correctional industries to state agencies and various political subdivisions within the state. A cost benefit analysis must be included in the report which must:

(A) Determine the costs of all contracts utilizing the labor of incarcerated individuals providing services or the manufacture of goods for state entities and other political subdivisions;

(B) Compare the cost savings to the state of Washington that is projected when those goods and services are procured from or produced by corrections industries and not private businesses engaged in a competitive bidding process with the state and its various political subdivisions;

(C) Provide a detailed break out of total number of labor positions that are offered to incarcerated individuals, ranked from least skilled to most skilled and the rate per hour of the gratuities the individuals are given monthly for this labor, including the amount if the gratuity given to incarcerated individuals was the federal or state mandated minimum wage;

(D) Provide a detailed listing of all commissary items purchased by and offered for sale to individuals incarcerated within the facilities operated by the department of corrections. This listing of individual items must also include the wholesale price from outside vendors that correction industries pays for each line item offered to incarcerated individuals, and the price charged to the incarcerated individual for those items; and

(E) Provide a comprehensive list of all positions offered by corrections industries that provide substantive training and labor ready skills for individuals to assume positions in the workforce outside of incarceration; and to the extent the data allows, provide the number of individuals who have positions upon release that were obtained with skills obtained through work at correctional industries.

(ii) The institute must submit a report to the appropriate committees of the legislature by June 30, 2025, in compliance with RCW 43.01.036.

(g)(i) \$260,000 of the amounts in fiscal year 2024 and \$98,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to conduct a study of the Washington jail system and county juvenile justice facilities.

(ii) The institute's report shall include, to the extent possible, consideration of the following:

(A) A longitudinal study of how the county jail and county juvenile detention populations have changed over the last 12 years including, but not limited to, an analysis of demographics, physical and behavioral health issues, number of inmates, and types of convictions;

(B) An analysis of county jail and county juvenile detention facility survey data provided by the Washington state association of counties as described in (g)(v) of this subsection; and

(C) Examination of the availability of criminal justice training commission classes for corrections officers.

(iii) The health care authority, department of social and health services, administrative office of the courts, criminal justice training commission, state auditor's office, office of financial management, and Washington state patrol must provide the institute with access to data or other resources if necessary to complete this work.

(iv) The institute shall submit the report to the appropriate committees of the legislature and the governor by December 1, 2024.

(v) As part of the study, the institute shall contract with the Washington state association of counties to conduct a survey of jail and juvenile detention facilities in Washington state. The survey shall include, but not be limited to, the following:

(A) Age of the facilities;

(B) Age of systems within the facilities;

(C) Cost of remodeling facilities;

(D) Cost of building new facilities;

(E) General maintenance costs of the facilities;

(F) Operational costs of the facilities;

(G) Workforce, to include, but not be limited to, employee vacancies as a percentage of total employees;

(H) Services, supports, and programming, to include, but not be limited to:

(I) Costs of housing those with behavioral health needs;

(II) Number of individuals with behavioral health needs;

(III) Cost of competency restoration;

(IV) Physical health services and related costs;

(V) Number of individuals booked and housed on behalf of state agencies;

(VI) Percent of individuals waiting for a state hospital;

(VII) Available nonincarcerative alternatives and diversion programs; and

(VIII) Available release and reentry services;

(I) Funding sources, to include, but not be limited to:

(I) County tax structure and revenue raising ability; and

(II) Jail and juvenile detention facility funding sources.

(vi) The Washington state association of counties shall consult with the Washington state institute for public policy during the design and distribution of the survey. Responses to the survey shall be compiled and provided to the Washington state institute for public policy by December 31, 2023.

(h)(i) \$240,000 of the amounts in fiscal year 2024 and \$240,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy, in consultation with the Washington traumatic brain injury strategic partnership advisory council, to study the potential need for developing specialized long-term services and supports for adults with traumatic brain injuries.

(ii) At a minimum, the study must include an examination of:

(A) The demographics of adults with traumatic brain injuries in the state who are anticipated to be in need of long-term services and supports, including an examination of those who are likely to be eligible for medicaid long-term services and supports;

(B) The industry standards of providing long-term care services and supports to individuals with traumatic brain injuries; and

(C) The methods other states are utilizing to provide long-term services and supports to individuals with traumatic brain injuries, including identifying the rates paid for these services and a description of any specialized facilities established to deliver these services.

(iii) A report of the findings of this study and any recommendations for increasing access to appropriate long-term services and supports for individuals with traumatic brain injuries shall be submitted to the governor and the appropriate committees of the legislature no later than June 30, 2025.

(i) \$163,000 of the amounts in fiscal year 2024 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(j) \$222,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 29, Laws of 2022 (reentry and rehabilitation).

(k) \$107,000 of the amounts in fiscal year 2025 is provided solely for the Washington state institute for public policy to examine programs in peer states related to breast cancer education and prevention prior to diagnosis and support and resources after diagnosis for native communities. The study must focus on programs that are operated by either the state, tribes solely, or tribes in coordination with the state. To identify peer states, the institute may consider factors such as the population of American Indians and Alaska natives, number of federally recognized tribes, and whether the state has expanded medicaid. The report shall include for each peer state the existence of any programs that meet the criteria described in this section, and summarize any research findings on these programs, if available. The institute must submit a report to the appropriate committees of the legislature by June 30, 2025, in compliance with RCW 43.01.036.

(l) Notwithstanding other provisions in this subsection, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute's 2023-25 work plan as necessary to efficiently manage workload.

(5) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional faculty to support Native American and indigenous programs.

(6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the native pathways program for an assistant director.

(7) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison position.

(8) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(9) \$137,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student mental health and wellness. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(10) \$196,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for additional laboratory, art, and media lab sections.

(11) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop and expand current corrections education programs offered in department of corrections facilities. The college shall appoint a project implementation team, collaborate with stakeholders to plan student success programs and curriculum which lead to transferable credit, associate and bachelor's degrees, and other workforce credentials, and train faculty and staff on working with incarcerated populations.

(12) \$2,636,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(13) \$670,000 of the workforce education investment account—state appropriation is provided solely to maintain enrollment capacity in psychology programs.

(14) \$600,000 of the workforce education investment account—state appropriation is provided solely to increase student success by maintaining support for a student precollege immersion program and the Evergreen first-year experience.

(15) \$988,000 of the workforce education investment account—state appropriation is provided solely for student enrollment and retention support. Funding is provided for hiring a student advisor and underserved student specialist to provide student support and administrative support for the native pathways program.

(16) \$554,000 of the workforce education investment account—state appropriation is provided solely for the expansion of corrections education offerings to currently incarcerated students and the expansion of reentry services.

(17) ~~(\$106,000)~~ \$161,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ Of the amount provided in this subsection, \$55,000

of the workforce education investment account—state appropriation is provided solely to increase the benefits navigator position to 1.0 FTE and extend the hours of operation for the student basic needs/advocacy center.

(18) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) \$6,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$738,000 of the workforce education investment account—state appropriation is provided solely for the Shelton promise pilot program.

(21) \$42,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 607.** 2023 c 475 s 611 (uncodified) is amended to read as follows:

**FOR WESTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$98,802,000)</del> )
	<u>\$99,084,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$103,707,000)</del> )
	<u>\$104,563,000</u>
Western Washington University Capital Projects	
Account—State Appropriation . . . . .	\$1,424,000
Education Legacy Trust Account—State Appropriation . . . . .	\$13,831,000
Workforce Education Investment Account—State	
Appropriation . . . . .	( <del>(\$21,399,000)</del> )
	<u>\$21,844,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<del>(\$239,163,000)</del>
	<u>\$240,746,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) ~~(\$19,580,000)~~ \$19,789,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$20,010,000)~~ \$20,283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation and implementation of an early childhood education degree program at the western on the peninsulas campus. The university must collaborate with Olympic college. At full implementation, the university is expected to grant approximately 75 bachelor's degrees in early childhood education per year at the western on the peninsulas campus.

(5) \$1,306,000 of the general fund—state appropriation for fiscal year 2024 and \$1,306,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to develop a new program in marine, coastal, and watershed sciences.

(6) \$886,000 of the general fund—state appropriation for fiscal year 2024 and \$886,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to reduce tuition rates for four-year degree programs offered in partnership with Olympic college—Bremerton, Olympic college—Poulsbo, and Peninsula college—Port Angeles that are currently above state-funded resident undergraduate tuition rates.

(7) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to recruit and retain high quality and diverse graduate students.

(8) \$548,000 of the general fund—state appropriation for fiscal year 2024 and \$548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for critical support services to ensure traditionally underrepresented students receive the same opportunities for academic success as their peers.

(9) \$48,000 of the general fund—state appropriation for fiscal year 2024 and \$48,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(10) \$530,000 of the general fund—state appropriation for fiscal year 2024 and \$530,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation of two bilingual educator programs in the south King county region, including a bilingual elementary education degree program and a secondary education degree program. At full implementation, each cohort shall support up to 25 students per year.

(11) \$361,000 of the general fund—state appropriation for fiscal year 2024 and \$361,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a master of science program in nursing.

(12) \$433,000 of the general fund—state appropriation for fiscal year 2024 and \$433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the registered nurse to bachelors in nursing program.

(13) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(14) \$2,256,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(15) \$3,426,000 of the workforce education investment account—state appropriation is provided solely to maintain access to science, technology, engineering, and mathematics degrees.

(16) \$908,000 of the workforce education investment account—state appropriation is provided solely to establish an academic curriculum in ethnic studies.

(17) \$400,000 of the workforce education investment account—state appropriation is provided solely for upgrading cyber range equipment and software.

(18) \$2,520,000 of the workforce education investment account—state appropriation is provided solely for student support services that include resources for outreach and financial aid support, retention initiatives including targeted support for underserved student populations, mental health support, and initiatives aimed at addressing learning disruption due to the global pandemic. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for student support services.

(19) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(20) \$500,000 of the workforce education investment account—state appropriation is provided solely for the student civic leaders initiative.

(21) \$1,610,000 of the general fund—state appropriation for fiscal year 2024 and \$2,875,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(22) \$3,186,000 of the workforce education investment account—state appropriation is provided solely for the western on the peninsulas expansion. This includes new two plus two degrees programs such as industrial engineering, data science, and sociology.

(23) \$1,577,000 of the workforce education investment account—state appropriation is provided solely for expanded remedial math and additional English 101 courses, as well first year seminars, and disability accommodation counselors. Of the amounts provided in this subsection for first year seminars, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided for the university to develop a student orientation program for students receiving the Washington college grant, focusing on first-generation and traditionally underrepresented students. The program may include evidence-based student success metrics, peer support, and mentorship following orientation. The program proposal must be submitted to the legislature by December 1, 2023 for implementation in the 2024-2025 academic year.

(24) \$100,000 of the workforce education investment account—state appropriation is provided solely for mental health first aid training for faculty.

(25) \$150,000 of the workforce education investment account—state appropriation is provided solely for the small business development center to increase technical assistance to black, indigenous, and other people of color small business owners in Whatcom county.

(26) \$694,000 of the workforce education investment account—state appropriation is provided to establish a master of social work program at western on the peninsulas.

(27) \$2,478,000 of the workforce education investment account—state appropriation is provided solely for expansion of bilingual educators education.

(28) \$1,000,000 of the workforce education investment account—state appropriation is provided for additional student support and outreach at western on the peninsulas.

(29) \$580,000 of the workforce education investment account—state appropriation is provided solely to convert the human services program at western on the peninsulas from self-sustaining to state-supported to reduce tuition rates for students in the program.

(30) \$118,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$23,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(33) \$1,306,000 of the workforce education investment account—state appropriation is provided solely to establish and administer a teacher residency program focused on special education instruction beginning in the 2024-25 school year. Amounts provided in this subsection are sufficient to support one cohort of 17 residents per school year, and must be prioritized to communities that are anticipated to be most positively impacted by teacher residents who fill teacher vacancies upon completing the teacher residency program and who remain in the communities in which they are mentored. The teacher residency program must meet the following requirements:

(a) Residents receive compensation equivalent to first year paraeducators, as defined in RCW 28A.413.010;

(b) Each resident is assigned a preservice mentor;

(c) Preservice mentors receive a stipend of \$2,500 per year;

(d) Residents receive at least 900 hours of preservice clinical practice over the course of the school year;

(e) At least half of the residency hours specified in (d) of this subsection are in a coteaching setting with the resident's preservice mentor and the other half of the residency hours are in a coteaching setting with another teacher;

(f) Residents may not be assigned the lead or primary responsibility for student learning;

(g) Coursework taught during the residency is codesigned by the teacher preparation program and the school district, state-tribal education compact school, or consortium, tightly integrated with residents' preservice clinical practice, and focused on developing culturally responsive teachers; and

(h) The program must prepare residents to meet or exceed the knowledge, skills, performance, and competency standards described in RCW 28A.410.270(1).

(34) \$445,000 of the workforce education investment account—state appropriation is provided solely to expand the undergraduate electrical and computer engineering program.

(35) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the university to contract with a nonprofit organization in Kitsap county that provides cyber security curriculum to postsecondary institutions for cyber security education in partnership with the Washington state cyber range in Poulsbo.

(36) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the university to contract with a nonprofit organization in Whatcom county that provides economic and financial education to conduct foundational research on the efficacy of financial education course formats.

**Sec. 608.** 2023 c 475 s 612 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—POLICY COORDINATION AND ADMINISTRATION**

General Fund—State Appropriation (FY 2024)	(( \$9,850,000 ))
	\$9,895,000
General Fund—State Appropriation (FY 2025)	(( \$9,416,000 ))
	\$9,978,000
General Fund—Federal Appropriation	(( \$20,996,000 ))
	\$20,998,000
Washington Student Loan Account—State Appropriation	(( \$90,000,000 ))
	\$50,000,000
Workforce Education Investment Account—State Appropriation	\$16,311,000
<b>TOTAL APPROPRIATION</b>	<b>(( \$146,573,000 ))</b>
	<b>\$107,182,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$126,000 of the general fund—state appropriation for fiscal year 2024 and \$126,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consumer protection unit.

(2) The student achievement council must ensure that all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW provide the data needed to analyze and evaluate the effectiveness of state financial aid programs. This data must be promptly transmitted to the education data center so that it is available and easily accessible.

(3) Community-based organizations that receive state funding under subsection (11) of this section and section ~~((605(35)))~~ 601(35) of this act are not eligible for Washington career and college pathways innovation challenge program grant funding for the same purpose.

(4) \$575,000 of the general fund—state appropriation for fiscal year 2024 and \$575,000 of the general fund—state appropriation for fiscal year 2025 are provided to increase the number of high school seniors and college bound scholars that complete the free application for federal student aid and the Washington application for state financial aid through digital engagement tools, expanded training, and increased events for high school students.

(5) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative support services to carry out duties and responsibilities necessary for recipients of the Washington college grant who are enrolled in a state registered apprenticeship program.

(6) (a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The student achievement council, in cooperation with the council of presidents, must provide resources for up to two four-year colleges or universities, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college and university staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The council, in collaboration with the council of presidents and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health insurance coverage; and to provide recommendations on how to improve student and staff access to health coverage based on data gathered from the pilot program.

(7) \$1,208,000 of the general fund—state appropriation for fiscal year 2024 and \$1,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington award for vocational excellence. Of the amount provided in this subsection, \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 may be used for administration and that is the maximum amount that may be expended for this purpose.

(8) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the career launch grant pool for the public four-year institutions.

(9) \$179,000 of the general fund—state appropriation for fiscal year 2024 and \$179,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the complete Washington program.

(10) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the council to submit a progress report on the new or expanded cybersecurity and nursing academic programs that receive funding in sections ~~((605 through 614))~~ 601 through 607 of this act, including the number of students enrolled. The council must coordinate with the institutions of higher education and the state board for community and technical colleges as provided in ~~((sections 603(3), 605(31), and 605(37)))~~ section 603(3), chapter 475, Laws of 2023 and section 601 (31) and (37) of this act. The progress report must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2024.

(11) \$5,778,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to contract with a statewide nonprofit organization located in King county to expand college services to support underserved students and improve college retention and completion rates.

(12) \$46,000 of the general fund—state appropriation for fiscal year 2024 and \$46,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the state of Washington's annual dues to the education commission of the state.

(13) \$150,000 of the workforce education investment account—state appropriation is provided solely for an implementation review of the passport to careers program. The review must include short and long-term recommendations to improve the reach and effectiveness of the passport program. The review must include consultation with organizations serving foster youth, the state board of community and technical colleges, public four-year institutions, and other organizations involved in the passport to college and passport to apprenticeship programs. Amounts provided in this subsection may be used to provide stipends for youth participating in the review who are receiving funds from passport programs or are eligible to receive funds from passport programs. The review must be submitted to the appropriate committees of the legislature by June 30, 2024.

(14) \$1,485,000 of the workforce education investment account—state appropriation and ~~(( \$90,000,000 ))~~ \$50,000,000 of the Washington student loan account—state appropriation are provided solely for implementation of Engrossed House Bill No. 1823 (WA student loan program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(15) \$16,000,000 of the general fund—federal appropriation is provided solely for the good jobs challenge grant expenditure authority.

(16) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for contraception vending machines for students and staff stocked with emergency



contraceptive medication and other forms of contraception, including condoms, at discreet and geographically accessible locations, such as gender-neutral restrooms and student union buildings, and locations that are accessible on weekends and after 5:00 p.m. The council must distribute \$10,000 to each public four-year institution and community and technical college who apply on a first-come, first-served basis.

(17) \$1,150,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for the council to provide grants to law schools in the state who offer a law clinic focusing on crime victim support.

(19) (a) \$100,000 of the workforce education investment account—state appropriation is provided solely to contract with a nonprofit organization located in Tacoma that focuses on coordinated systems of support for postsecondary success to conduct a comprehensive study on the feasibility and potential impacts on postsecondary enrollment of a policy of universal free application for federal financial aid (FAFSA) completion. For purposes of this subsection, universal FAFSA completion means making completion of the financial aid form a requirement for high school graduation and requiring schools to support students through the process. The study will include, but is not limited to, the following:

- (i) A landscape scan of existing state and local level universal FAFSA completion policies, both in Washington and nationally;
- (ii) Input from key stakeholder groups, including students, parents, state agency staff, K-12 district staff and leadership, and student serving organizations; and
- (iii) Recommendations for possible policy change at the state level.

(b) A report of findings and recommendations must be submitted to the appropriate committees of the legislature pursuant to RCW 43.01.036 by November 30, 2023.

(20) \$648,000 of the workforce education investment account—state appropriation is provided solely for distribution to four-year institutions of higher education participating in the students experiencing homelessness program without reduction by the Washington student achievement council, pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) \$46,000 of the workforce education investment account—state appropriation is provided solely for the administration of the students experiencing homelessness program pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$400,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5687 (wrestling grant program). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(23) \$356,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to staff the workforce education investment accountability and oversight board as provided in Engrossed Senate Bill No. 5534 (workforce investment board). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(24) \$191,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a full-time position to support an increased workload in contracting activities.

(25) \$330,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 609.** 2023 c 475 s 613 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—OFFICE OF STUDENT FINANCIAL ASSISTANCE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$302,029,000</del> ))
	<u>\$302,031,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$301,772,000</del> ))
	<u>\$301,775,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$12,250,000</del> ))
	<u>\$12,263,000</u>
General Fund—Private/Local Appropriation. . . . .	\$300,000
Education Legacy Trust Account—State Appropriation. . . . .	\$85,488,000
Washington Opportunity Pathways Account—State	
Appropriation. . . . .	(( <del>\$78,914,000</del> ))
	<u>\$76,603,000</u>
Aerospace Training Student Loan Account—State	
Appropriation. . . . .	\$220,000
Workforce Education Investment Account—State	
Appropriation. . . . .	(( <del>\$226,415,000</del> ))
	<u>\$328,722,000</u>
Health Professionals Loan Repayment and Scholarship	
Program Account—State Appropriation. . . . .	\$11,720,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,019,108,000</del>))</b>

\$1,119,122,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,834,000 of the general fund—state appropriation for fiscal year 2024 and \$7,835,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student financial aid payments under the state work study program, including up to four percent administrative allowance for the state work study program.

(2) \$276,416,000 of the general fund—state appropriation for fiscal year 2024, \$276,416,000 of the general fund—state appropriation for fiscal year 2025, (~~(\$169,036,000)~~) \$258,584,000 of the workforce education investment account—state appropriation, \$69,639,000 of the education legacy trust fund—state appropriation, and \$67,654,000 of the Washington opportunity pathways account—state appropriation are provided solely for the Washington college grant program as provided in RCW 28B.92.200.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2023-2025 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) \$1,165,000 of the general fund—state appropriation for fiscal year 2024, \$1,165,000 of the general fund—state appropriation for fiscal year 2025, \$15,849,000 of the education legacy trust account—state appropriation, and (~~(\$11,260,000)~~) \$8,949,000 of the Washington opportunity pathways account—state appropriation are provided solely for the college bound scholarship program and may support scholarships for summer session. The office of student financial assistance and the institutions of higher education shall not consider awards made by the opportunity scholarship program to be state-funded for the purpose of determining the value of an award amount under RCW 28B.118.010.

(5) \$6,999,000 of the general fund—state appropriation for fiscal year 2024 (~~and~~), \$6,999,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000,000 of the workforce education investment account—state appropriation are provided solely for the passport to college program. The maximum scholarship award is up to \$5,000. The council shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2024 and 2025 for this purpose.

(6) \$55,254,000 of the workforce education investment account—state appropriation is provided solely for an annual bridge grant of \$500 to eligible students. A student is eligible for a grant if the student receives a maximum college grant award and does not receive the college bound scholarship program under chapter 28B.118 RCW. Bridge grant funding provides supplementary financial support to low-income students to cover higher education expenses.

(7) \$500,000 of the workforce education investment account—state appropriation is provided solely for the behavioral health apprenticeship stipend pilot program, with stipends of \$3,000 available to students. The pilot program is intended to provide a stipend to assist students in high-demand programs for costs associated with completing a program, including child care, housing, transportation, and food.

(8) (~~(\$1,000,000)~~) \$1,425,000 of the workforce education investment account—state appropriation is provided solely for the national guard grant program. Of the amount provided in this subsection, \$425,000 of the workforce education investment account—state appropriation for fiscal year 2025 is provided solely to increase national guard grant award amounts.

(9) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for educator conditional scholarship and loan repayment programs established in chapter 28B.102 RCW. Dual language educators must receive priority.

(10) \$10,000,000 of the health professionals loan repayment and scholarship program account—state appropriation is provided solely to increase loans within the Washington health corps.

(11) \$1,156,000 of the workforce education investment account—state appropriation is provided solely for implementation of House Bill No. 1232 (college bound scholarship). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(12) \$500,000 of the workforce education investment account—state appropriation is provided solely for the Washington award for vocational excellence program.

(13) \$8,280,000 of the workforce education investment account—state appropriation is provided solely for implementation of Senate Bill No. 5904 (financial aid terms). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 610.** 2023 c 475 s 614 (uncodified) is amended to read as follows:

**FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$4,845,000)</del> )
	<u>\$4,847,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$4,311,000)</del> )
	<u>\$4,613,000</u>
General Fund—Federal Appropriation . . . . .	( <del>(\$55,868,000)</del> )

	<u>\$55,870,000</u>
General Fund—Private/Local Appropriation. . . . .	\$212,000
Climate Commitment Account—State Appropriation. . . . .	\$904,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation. . . . .	\$250,000
Workforce Education Investment Account—State Appropriation. . . . .	\$2,350,000
<b>TOTAL APPROPRIATION.....</b>	<b><del>(\$68,740,000)</del> <u>\$69,046,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the health workforce council of the state workforce training and education coordinating board. In partnership with the office of the governor, the health workforce council shall continue to assess workforce shortages across behavioral health disciplines and incorporate the recommended action plan completed in 2020.

(2) \$250,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for an accredited osteopathic medical school to purchase necessary equipment to support the education and training of community-focused occupational therapists.

(3) \$564,000 of the general fund—state appropriation for fiscal year 2024 and \$573,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to conduct health workforce surveys, in collaboration with the nursing care quality assurance commission, to collect and analyze data on the long-term care workforce, and to manage a stakeholder process to address retention and career pathways in long-term care facilities.

(4) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for apprenticeship grants, in collaboration with the nursing care quality assurance commission and the department of labor and industries, to address the long-term care workforce.

(5) \$109,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative expenditures for the Washington award for vocational excellence.

(6) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the workforce board to award grants for the purposes of providing apprenticeship, industry certifications and wraparound student supports to workers pursuing job advancement and enhancement through college readiness, apprenticeship, degree, certification, or professional development opportunities in the health care field. Grant recipients must be labor-management partnerships established under section 302 of the labor-management relations act, 29 U.S.C. Sec. 186 that demonstrate adequate funding match and competency in the provision of student supports, or employers who can demonstrate service serving greater than 50 percent medicaid populations who can demonstrate that they will use the grant to join or establish a labor-management partnership dedicated to the purposes of this section. Preference must be given to applications that demonstrate an ability to support students from racially diverse backgrounds, and that are focused on in-demand fields with career ladders to living wage jobs. Grant recipients must use the funds to provide services including, but not limited to, development and implementation of apprenticeship and industry certifications, benefits administration, tuition assistance, counseling and navigation, tutoring and test preparation, instructor/mentor training, materials and technology for students, childcare, and travel costs.

(7) \$92,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time information technology position to collaborate with other state workforce agencies to establish and support a governance structure that provides strategic direction on cross-organizational information technology projects. The board must submit a report to the governor's office and the appropriate committees of the legislature, pursuant to RCW 43.01.036, with a progress update and recommendations on a coalition model that will result in better service coordination and public stewardship that enables the efficient delivery of workforce development services by September 1, 2023, and September 1, 2024.

(8) The workforce board must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(9) \$84,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$904,000 of the climate commitment account—state appropriation is provided solely for the implementation of Second Substitute House Bill No. 1176 (climate-ready communities), which creates a clean energy technology workforce advisory committee. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ The agency must conduct a study in fiscal year 2024 of the feasibility of a transition to retirement program to ensure income and medical and retirement benefits are not interrupted for workers close to retirement that face job loss or transition because of clean energy technology sector changes.

(11) \$256,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(12) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a new application portal for the Washington award for vocational excellence scholarship program.

**Sec. 611.** 2023 c 475 s 615 (uncodified) is amended to read as follows:

**FOR THE STATE SCHOOL FOR THE BLIND**

General Fund—State Appropriation (FY 2024)	.. . . . .	(( <del>\$11,090,000</del> ))
		<u>\$11,093,000</u>
General Fund—State Appropriation (FY 2025)	.. . . . .	(( <del>\$11,186,000</del> ))
		<u>\$11,192,000</u>
General Fund—Private/Local Appropriation	.. . . . .	\$34,000
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$22,310,000</del>))</b>
		<u><b>\$22,319,000</b></u>

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades six through twelve for full-time instructional services at the Vancouver campus or online with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

**Sec. 612.** 2023 c 475 s 616 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON CENTER FOR DEAF AND HARD OF HEARING YOUTH**

General Fund—State Appropriation (FY 2024)	.. . . . .	(( <del>\$17,953,000</del> ))
		<u>\$18,421,000</u>
General Fund—State Appropriation (FY 2025)	.. . . . .	(( <del>\$17,997,000</del> ))
		<u>\$18,514,000</u>
General Fund—Private/Local Appropriation	.. . . . .	(( <del>\$3,050,000</del> ))
		<u>\$4,052,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$39,000,000</del>))</b>
		<u><b>\$40,987,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Funding provided in this section is sufficient for the center to offer students ages three through 21 enrolled at the center the opportunity to participate in a minimum of 1,080 hours of instruction and the opportunity to earn 24 high school credits.

(2) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a mentoring program for persons employed as educational interpreters in public schools.

(3) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for additional student-based safety training as well as diversity, equity, and inclusion training for staff.

**Sec. 613.** 2023 c 475 s 617 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund—State Appropriation (FY 2024)	.. . . . .	(( <del>\$6,615,000</del> ))
		<u>\$6,331,000</u>
General Fund—State Appropriation (FY 2025)	.. . . . .	(( <del>\$6,795,000</del> ))
		<u>\$7,241,000</u>
General Fund—Federal Appropriation	.. . . . .	(( <del>\$2,230,000</del> ))
		<u>\$2,830,000</u>
General Fund—Private/Local Appropriation	.. . . . .	\$184,000
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$15,824,000</del>))</b>
		<u><b>\$16,586,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$79,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creative districts program.

(2) \$868,000 of the general fund—state appropriation for fiscal year 2024 and \$867,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a tribal cultural affairs program. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support tribal cultural, arts, and creative programs.

(3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to hire a temporary collections technician to maintain and repair public art in the state art collection.

(4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to implement a pilot program for in-person and online arts programming, targeting adults and families impacted by housing instability, mental health challenges, and trauma.

(5) ~~(((\$489,000))\$199,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(((\$654,000))\$944,000~~ of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for an outdoor public art project in downtown Everett on the façade of the Schack art center. The project shall feature stainless steel images of Sasquatch and Pacific Northwest elements, honoring the rich cultural heritage of the region and the narrative history of the Coast Salish Tribes.

**Sec. 614.** 2023 c 475 s 618 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$5,327,000</del> ))
	<u>\$5,410,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$5,467,000</del> ))
	<u>\$6,185,000</u>
Local Museum Account—Washington State Historical Society—Private/Local Appropriation. . . . .	\$70,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$10,864,000</del>))</b>
	<b><u>\$11,665,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of supporting the Washington museums connect initiative, creating an inventory of rural, volunteer, and multidiscipline museums and place-based heritage groups to connect at-risk museums to a statewide funding and operational network. The department shall contract with an organization that works with and connects museums in Washington state.

(a) The contracted organization must:

(i) Submit to the department a report regarding funding needs for the museums and place-based heritage groups identified in the statewide inventory created in the first phase of the initiative;

(ii) Submit to the department a strategic plan assessing opportunities for the entities identified in the statewide inventory to access local, state, and national funding; and

(iii) Distribute to the entities identified in the inventory information regarding opportunities to apply for local, state, and national funding for the duration of the contract.

(b) The report and the strategic plan are due by June 30, 2025.

(2) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$88,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an assistant curator at the Washington state history museum.

(3) \$4,000 of the general fund—state appropriation for fiscal year 2024, \$4,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the local museum account—Washington state historical society—private/local appropriation are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) \$99,000 of the general fund—state appropriation for fiscal year 2024 and \$242,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state historical society to partner with statewide organizations specializing in the preservation of Washington state aviation history to organize a centennial celebration of the first round-the-world flight that captures the narratives and contributions of Washingtonians to the history of aviation.

(5) \$320,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state historical society to partner with a statewide organization specializing in the preservation of Washington state Jewish history to transform and expand the collection of oral histories from Jewish Washingtonians in order to build awareness and to provide education.

**Sec. 615.** 2023 c 475 s 619 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$4,429,000</del> ))
	<u>\$4,799,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$4,452,000</del> ))
	<u>\$4,661,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$8,881,000</del>))</b>
	<b><u>\$9,460,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$103,000 of the general fund—state appropriation for fiscal year 2024 and \$103,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a director of support services.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an information technology staff to replace the society's contracted information technology support.

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for acquisition, transportation, archiving, and storage of the following two collections:

(a) A collection of artworks created by Harold Balazs;

(b) A collection of Southern Plateau tribal beadwork and culturally historic photographs.

(End of part)

**PART VII  
SPECIAL APPROPRIATIONS**

**Sec. 701.** 2023 c 475 s 701 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—INFORMATION TECHNOLOGY INVESTMENT POOL**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$26,470,000)) \$27,023,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$9,022,000)) \$22,993,000
Other Appropriated Funds . . . . .	(((\$6,559,000)) \$18,508,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$42,051,000)) \$68,524,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for expenditure into the information technology investment revolving account created in RCW 43.41.433. Amounts in the account are provided solely for the information technology projects shown in LEAP omnibus documents IT-2023, dated April 22, 2023, and IT-2024, dated February 18, 2024, which ~~((is))~~are hereby incorporated by reference. To facilitate the transfer of moneys from other funds and accounts that are associated with projects contained in LEAP omnibus documents IT-2023, dated April 22, 2023, and IT-2024, dated February 18, 2024, the state treasurer is directed to transfer moneys from other funds and accounts to the information technology investment revolving account in accordance with schedules provided by the office of financial management. Restricted federal funds may be transferred only to the extent permitted by law, and will otherwise remain outside the information technology investment account. The projects affected remain subject to the other provisions of this section.

(2) Agencies must apply to the office of the chief information officer for certification and release of funding for each gate of the project. When the office of the chief information officer certifies the key deliverables of the gate have been met, a current technology budget is approved; and if applicable to the stage or gate of the project, that the project is putting functioning software into production that addresses user needs, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality that the office of the chief information officer will post to their website by July 1, 2023, it must notify the office of financial management and the fiscal committees of the legislature. The office of financial management may not approve funding for the certified project gate any earlier than ten business days from the date of notification to the fiscal committees of the legislature.

(3) (a) Allocations and allotments of information technology investment revolving account must be made for discrete stages of projects as determined by the technology budget approved by the office of the chief information officer and the office of financial management.

(b) Fifteen percent of total funding allocated by the office of financial management, or another amount as defined jointly by the office of financial management and the office of the chief information officer, will be retained in the account, but remain allocated to that project. The retained funding will be released to the agency only after successful completion of that stage of the project and only after the office of the chief information officer certifies the stage as required in subsection (2) of this section. For the one Washington project, the amount retained is increased to at least twenty percent of total funding allocated for any stage of that project. If there is no significant risk to the project, the holdback does not apply to the final gate during a biennial close.

(4) (a) Each project must have a technology budget. The technology budget must have the detail by fiscal month for the 2023-2025 fiscal biennium. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out, as well as at least five years of maintenance and operations costs.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit an updated technology budget, if changes occurred, to include detailed financial information to the office of financial management and the office of the chief information officer. The technology budget must describe the total cost of the project, as well as maintenance and operations costs, to include and identify at least:

(i) Fund sources:

(A) If the project is funded from the information technology revolving account, the technology budget must include a worksheet that provides the fund sources that were transferred into the account by fiscal year;

(B) If the project is by a central service agency, and funds are driven out by the central service model, the technology budget must provide a statewide impact by agency by fund as a worksheet in the technology budget file;

(ii) Full time equivalent staffing level to include job classification assumptions. This is to assure that the project has adequate state staffing and agency support to ensure success, ensure user acceptance, and adequately test the functionality being delivered in each sprint before it is accepted by the agency's contracting officer or their representative. Key project functions that are deemed "critical" must be retained by state personnel and not outsourced, to ensure that knowledge is retained within state government and that the state can self-sufficiently support the system and make improvements without long-term dependence on a vendor;

(iii) Discrete financial budget codes to include at least the appropriation index and program index;

(iv) Object and subobject codes of expenditures;

(v) Anticipated deliverables to include software demonstration dates;

(vi) Historical budget and expenditure detail by fiscal year; and

(vii) Maintenance and operations costs by fiscal year for at least five years as a separate worksheet.

(c) If a project technology budget changes and a revised technology budget is completed, a comparison of the revised technology budget to the last approved technology budget must be posted to the dashboard, to include a narrative rationale on what changed, why, and how that impacts the project in scope, budget, and schedule.

(5) (a) Each project must have a project charter. The charter must include:

(i) An organizational chart of the project management team that identifies team members and their roles and responsibilities, and shows that the project is adequately staffed by state personnel in key functions to ensure success;

(ii) The office of the chief information officer staff assigned to the project;

(iii) A project roadmap that includes the problems the team is solving and the sequence in which the team intends to take on those problems, updated periodically to reflect what has been learned;

(iv) Metrics to support the project strategy and vision, to determine that the project is incrementally meeting user needs;

(v) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project at each agency affected by the project;

(vi) Performance measures used to determine that the project is on time, within budget, and meeting expectations for quality of work product;

(vii) Ongoing maintenance and operations cost of the project post implementation and close out delineated by agency staffing, contracted staffing, and service level agreements; and

(viii) Financial budget coding to include at least discrete financial coding for the project.

(b) If required by the office of the chief information officer, a project may also need to have an investment plan. The office of the chief information officer must:

(i) Base the requirement of an agency needing to have an investment plan on the complexity and risk of the project;

(ii) Establish requirements by project risk level in statewide technology policy, and publish the requirements by September 30, 2023; and

(iii) In collaboration with the department of enterprise services, define the circumstances under which the vendor will be terminated or replaced and establish the process by which the agency will transition to a new vendor with a minimal reduction in project productivity.

(6) (a) Projects with estimated costs greater than \$100,000,000 from initiation to completion and implementation may be divided into discrete subprojects as determined by the office of the chief information officer, except for the one Washington project which must be divided into the following discrete subprojects: Core financials, expanding financials and procurement, budget, and human resources. Each subproject must have a technology budget as provided in this section.

(b) If the project affects more than one agency:

(i) A separate technology budget and investment plan must be prepared by each agency; and

(ii) There must be a budget roll up that includes each affected agency at the subproject level.

(7) The office of the chief information officer shall maintain a statewide information technology project dashboard that provides updated information each fiscal month on projects subject to this section. The statewide dashboard must meet the requirements in section 155 of this act.

(8) For any project that exceeds \$2,000,000 in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:

(a) Independent quality assurance services for the project must report independently to the office of the chief information officer;

(b) The office of the chief information officer, based on project risk assessments, may require additional quality assurance services and independent verification and validation services;

(c) The office of the chief information officer must review, and, if necessary, revise the proposed project to ensure it is flexible and adaptable to advances in technology;

(d) The technology budget must specifically identify the uses of any financing proceeds. No more than thirty percent of the financing proceeds may be used for payroll-related costs for state employees assigned to project management, installation, testing, or training;

(e) The agency must consult with the office of the state treasurer during the competitive procurement process to evaluate early in the process whether products and services to be solicited and the responsive bids from a solicitation may be financed;

(f) The agency must consult with the contracting division of the department of enterprise services for a review of all contracts and agreements related to the project's information technology procurements;

(g) The agency and project must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of every two-week sprint, except for:

(i) Hardware or infrastructure projects; and

(ii) Projects that have implemented all phases and are now in maintenance and operations;

(h) The project solution must be capable of being continually updated, as necessary; and

(i) The agency and project must deploy usable functionality into production for users within 180 days from the date of an executed procurement contract in response to a competitive request for proposal.

(9) The office of the chief information officer must evaluate the project at each stage and certify whether the project is putting functioning software into production that addresses user needs, is projected to be completed within budget, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality, and whether the project is planned, managed, and meeting deliverable targets as defined in the project's approved technology budget and investment plan.

(10) The office of the chief information officer may suspend or terminate a project at any time if it determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall unallot any unused funding and shall not make any expenditure for the project without the approval of the office of financial management. The office of the chief information officer must report on December 1 each calendar year any suspension or termination of a project in the previous 12-month period to the legislative fiscal committees.

(11) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section, including projects that are not separately identified within an agency budget. The office of the chief information officer must report on December 1 each calendar year any additional projects to be subjected to this section that were identified in the previous 12-month period to the legislative fiscal committees.

(12) Any cost to administer or implement this section for projects listed in subsection (1) of this section, must be paid from the information technology investment revolving account. For any other information technology project made subject to the conditions, limitations, and review of this section, the cost to implement this section must be paid from the funds for that project.

(13) The following information technology projects are subject to the conditions, limitations, and review of this section:

(a) The state network firewall replacement of the consolidated technology services agency;

(b) The resident portal of the consolidated technology services agency; and

(c) The resident identity and access management modernization project of the consolidated technology services agency.

**Sec. 702.** 2023 c 475 s 702 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT**

General Fund—State Appropriation (FY 2024) . . . . .	(\$1,419,445,000)
	\$1,401,902,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$1,549,610,000)
	\$1,495,940,000
State Building Construction Account—State Appropriation . . . . .	(\$14,092,000)
	\$20,863,000
<u>Columbia River Basin Water Supply Development</u> <u>Account—State Appropriation . . . . .</u>	\$3,000
Watershed Restoration and Enhancement Bond Account— State Appropriation . . . . .	(\$204,000)
	\$64,000



State Taxable Building Construction Account—State Appropriation. . . . .	\$876,000
Debt-Limit Reimbursable Bond Retirement Account— State Appropriation. . . . .	\$119,000
<b>TOTAL APPROPRIATION</b> .....	<b><del>(\$2,984,346,000)</del> \$2,919,767,000</b>

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

**Sec. 703.** 2023 c 475 s 703 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE**  
 Nondebt-Limit Reimbursable Bond Retirement Account—  
 State Appropriation. . . . . ((~~\$51,730,000~~))  
\$51,761,000

<u>School Construction and Skill Centers Building</u> <u>Account—State Appropriation</u> . . . . .	\$4,000
<b>TOTAL APPROPRIATION</b> .....	<b><del>(\$51,730,000)</del> \$51,765,000</b>

The appropriation in this section is subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt limit general fund bond retirement account.

**Sec. 704.** 2023 c 475 s 704 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES**  
 General Fund—State Appropriation (FY 2024). . . . . \$1,400,000  
 General Fund—State Appropriation (FY 2025). . . . . \$1,400,000  
 State Building Construction Account—State  
 Appropriation. . . . . ((~~\$2,821,000~~))  
\$3,921,000

Watershed Restoration and Enhancement Bond Account— State Appropriation. . . . .	(( <del>\$44,000</del> )) \$24,000
State Taxable Building Construction Account—State Appropriation. . . . .	\$176,000
<u>Columbia River Basin Water Supply Development</u> <u>Account—State Appropriation</u> . . . . .	\$1,000
<u>School Construction and Skill Centers Building</u> <u>Account—State Appropriation</u> . . . . .	\$1,000
<b>TOTAL APPROPRIATION</b> .....	<b><del>(\$5,841,000)</del> \$6,923,000</b>

**Sec. 705.** 2023 c 475 s 705 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF FINANCIAL MANAGEMENT—GOVERNOR'S EMERGENCY FUNDING**  
 General Fund—State Appropriation (FY 2024). . . . . ((~~\$3,500,000~~))  
\$5,000,000  
 General Fund—State Appropriation (FY 2025). . . . . \$3,500,000  
**TOTAL APPROPRIATION**..... ((~~\$7,000,000~~))  
\$8,500,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$1,000,000~~)) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided for the critically necessary work of any state agency in the event of an emergent or unforeseen circumstance. Prior to the allocation of funding from this subsection (1), the requesting agency and the office of financial management must comply with the provisions of RCW 43.88.250.

(2) ((~~\$2,500,000~~)) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided for individual assistance consistent with RCW 38.52.030(9) during an emergency proclaimed by the governor, as defined in RCW 38.52.010. The office of financial management must notify the fiscal committees of the legislature of the receipt by the governor or adjutant general of each application ((~~or~~)) request, or allocation for individual assistance from the amounts provided in this subsection (2). ((~~The office of financial management may not approve or release funding for 10 business days from the date of notification to the fiscal committees of the legislature.~~))

**Sec. 706.** 2023 c 475 s 717 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE HEALTH CARE AFFORDABILITY ACCOUNT**

General Fund—State Appropriation (FY 2024)	\$55,000,000
General Fund—State Appropriation (FY 2025)	<del>(\$30,000,000)</del>
	<u>\$45,000,000</u>
<b>TOTAL APPROPRIATION</b>	<b><del>(\$85,000,000)</del></b>
	<b><u>\$100,000,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for expenditure into the state health care affordability account created in RCW 43.71.130.

(2) It is the intent of the legislature to continue the policy of expending \$5,000,000 into the account each fiscal year in future biennia for the purpose of funding premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in section 214(4)(a) of this act. Future expenditures into the account are contingent upon approval of the waiver described in RCW 43.71.120.

NEW SECTION. **Sec. 707.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR SUNDRY CLAIMS**

The following sums, or so much thereof as may be necessary, are appropriated from the general fund for fiscal year 2024, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims.

These appropriations are to be disbursed on vouchers approved by the director of the department of enterprise services, except as otherwise provided, for reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110, as follows:

- (1) Clifford T. Snow, claim number 9991014081. . . . . \$13,659
- (2) Shanna S. Parker, claim number 9991013694. . . . . \$14,913
- (3) Leah M. Eggleston, claim number 9991013115. . . . . \$20,852
- (4) Shannon E. Garner, claim number 9991013103. . . . . \$15,325
- (5) Stephanie S. Westby, claim number 9991012517. . . . . \$199,459
- (6) Clyde E. McCoy, claim number 9991014232. . . . . \$139
- (7) Kevin R. Ash, claim number 9991014512. . . . . \$14,810
- (8) Kenneth M. Salazar, claim number 9991014683. . . . . \$231,920
- (9) Victor O. Alejandre-Mejia, claim number 9991014791. . . . . \$213,297
- (10) James K. Warren, claim number 9991014924. . . . . \$20,843
- (11) Marcus Buchanan, claim number 9991015324. . . . . \$70,102

**Sec. 708.** 2023 c 475 s 710 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—COUNTY CLERK LEGAL FINANCIAL OBLIGATION GRANTS**

General Fund—State Appropriation (FY 2024)	\$541,000
General Fund—State Appropriation (FY 2025)	<del>(\$441,000)</del>
	<u>\$800,000</u>
<b>TOTAL APPROPRIATION</b>	<b><del>(\$982,000)</del></b>
	<b><u>\$1,341,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: By October 1st of each fiscal year, the state treasurer shall distribute the appropriations to the following county clerk offices in the amounts designated as grants for the collection of legal financial obligations pursuant to RCW 2.56.190:

<b>County Clerk</b>	<b>FY 2024</b>	<b>FY 2025</b>
Adams County Clerk	\$2,103	<del>(\$1,714)</del> <u>\$3,109</u>
Asotin County Clerk	\$2,935	<del>(\$2,392)</del> <u>\$4,339</u>
Benton County Clerk	\$18,231	<del>(\$14,858)</del> <u>\$26,953</u>
Chelan County Clerk	\$7,399	<del>(\$6,030)</del> <u>\$10,939</u>
Clallam County Clerk	\$5,832	<del>(\$4,753)</del> <u>\$8,622</u>

## JOURNAL OF THE HOUSE

Clark Clerk	County	\$32,635	( ( <del>\$26,597</del> )) <u>\$48,249</u>
Columbia Clerk	County	\$384	( ( <del>\$313</del> ) ) <u>\$568</u>
Cowlitz Clerk	County	\$16,923	( ( <del>\$13,792</del> )) <u>\$25,020</u>
Douglas Clerk	County	\$3,032	( ( <del>\$2,471</del> )) <u>\$4,483</u>
Ferry Clerk	County	\$422	( ( <del>\$344</del> ) ) <u>\$624</u>
Franklin Clerk	County	\$5,486	( ( <del>\$4,471</del> )) <u>\$8,111</u>
Garfield Clerk	County	\$243	( ( <del>\$198</del> ) ) <u>\$359</u>
Grant Clerk	County	\$10,107	( ( <del>\$8,237</del> )) <u>\$14,942</u>
Grays County Clerk	Harbor	\$8,659	( ( <del>\$7,057</del> )) <u>\$12,802</u>
Island Clerk	County	\$3,059	( ( <del>\$2,493</del> )) <u>\$4,523</u>
Jefferson County Clerk		\$1,859	( ( <del>\$1,515</del> )) <u>\$2,748</u>
King Court Clerk	County	\$119,290	( ( <del>\$97,266</del> )) <u>\$176,446</u>
Kitsap Clerk	County	\$22,242	( ( <del>\$18,127</del> )) <u>\$32,883</u>
Kittitas Clerk	County	\$3,551	( ( <del>\$2,894</del> )) <u>\$5,250</u>
Klickitat County Clerk		\$2,151	( ( <del>\$1,753</del> )) <u>\$3,180</u>
Lewis Clerk	County	\$10,340	( ( <del>\$8,427</del> )) <u>\$15,287</u>
Lincoln Clerk	County	\$724	( ( <del>\$590</del> ) ) <u>\$1,070</u>
Mason Clerk	County	\$5,146	( ( <del>\$4,194</del> )) <u>\$7,608</u>
Okanogan Clerk	County	\$3,978	( ( <del>\$3,242</del> )) <u>\$5,881</u>
Pacific Clerk	County	\$2,411	( ( <del>\$1,965</del> )) <u>\$3,565</u>
Pend County Clerk	Oreille	\$611	( ( <del>\$498</del> ) ) <u>\$903</u>

Pierce County Clerk	\$77,102	<del>(( \$62,837 ))</del> <u>\$113,990</u>
San Juan County Clerk	\$605	<del>(( \$493 ))</del> <u>\$894</u>
Skagit County Clerk	\$11,059	<del>(( \$9,013 ))</del> <u>\$16,350</u>
Skamania County Clerk	\$1,151	<del>(( \$938 ))</del> <u>\$1,702</u>
Snohomish County Clerk	\$38,143	<del>(( \$31,086 ))</del> <u>\$56,392</u>
Spokane County Clerk	\$44,825	<del>(( \$36,578 ))</del> <u>\$66,355</u>
Stevens County Clerk	\$2,984	<del>(( \$2,432 ))</del> <u>\$4,412</u>
Thurston County Clerk	\$22,204	<del>(( \$18,096 ))</del> <u>\$32,827</u>
Wahkiakum County Clerk	\$400	<del>(( \$326 ))</del> <u>\$591</u>
Walla Walla County Clerk	\$4,935	<del>(( \$4,022 ))</del> <u>\$7,296</u>
Whatcom County Clerk	\$20,728	<del>(( \$16,893 ))</del> <u>\$30,645</u>
Whitman County Clerk	\$2,048	<del>(( \$1,669 ))</del> <u>\$3,028</u>
Yakima County Clerk	\$25,063	<del>(( \$20,426 ))</del> <u>\$37,054</u>
TOTAL APPROPRIATIONS	\$541,000	<del>(( \$441,000 ))</del> <u>\$800,000</u>

**Sec. 709.** 2023 c 475 s 715 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ANDY HILL CANCER RESEARCH ENDOWMENT FUND MATCH TRANSFER ACCOUNT**

General Fund—State Appropriation (FY 2024)	\$684,000
General Fund—State Appropriation (FY 2025)	\$3,486,000
<b>TOTAL APPROPRIATION</b>	<del>(\$684,000)</del> <b>\$4,170,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Andy Hill cancer research endowment fund match transfer account per RCW 43.348.080 to fund the Andy Hill cancer research endowment program. Matching funds using the amounts appropriated in this section may not be used to fund new grants that exceed two years in duration.

**Sec. 710.** 2023 c 475 s 726 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—LANDLORD MITIGATION PROGRAM ACCOUNT**

General Fund—State Appropriation (FY 2024)	\$8,000,000
General Fund—State Appropriation (FY 2025)	\$7,200,000
<b>TOTAL APPROPRIATION</b>	<del>(\$8,000,000)</del> <b>\$15,200,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the landlord mitigation program account created in RCW 43.31.615.

Sec. 711. 2023 c 475 s 727 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS**

(1) The appropriations in this section are subject to the following conditions and limitations: The appropriations for the law enforcement officers' and firefighters' retirement system shall be made on a monthly basis consistent with chapter 41.45 RCW, and the appropriations for the judges and judicial retirement systems shall be made on a quarterly basis consistent with chapters 2.10 and 2.12 RCW.

(2) There is appropriated for state contributions to the law enforcement officers' and firefighters' retirement system:

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$88,700,000</del> ))
	<u>\$94,400,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$92,600,000</del> ))
	<u>\$98,600,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$181,300,000</del>))</b>
	<b><u>\$193,000,000</u></b>

(3) There is appropriated for contributions to the judicial retirement system:

General Fund—State Appropriation (FY 2024) . . . . .	\$6,300,000
General Fund—State Appropriation (FY 2025) . . . . .	\$6,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$12,300,000</b>

(4) There is appropriated for contributions to the judges' retirement system:

General Fund—State Appropriation (FY 2024) . . . . .	\$300,000
General Fund—State Appropriation (FY 2025) . . . . .	\$300,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$600,000</b>

Sec. 712. 2023 c 475 s 734 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—RURAL JOBS PROGRAM MATCH TRANSFER ACCOUNT**

Workforce Education Investment Account—State

Appropriation . . . . .	(( <del>\$400,000</del> ))
	<u>\$404,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$400,000</del>))</b>
	<b><u>\$404,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the rural jobs program match transfer account created in RCW 28B.145.120.

Sec. 713. 2023 c 475 s 735 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—OPPORTUNITY SCHOLARSHIP MATCH TRANSFER ACCOUNT**

Workforce Education Investment Account—State

Appropriation . . . . .	(( <del>\$11,600,000</del> ))
	<u>\$14,856,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$11,600,000</del>))</b>
	<b><u>\$14,856,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the opportunity scholarship match transfer account created in RCW 28B.145.050.

Sec. 714. 2023 c 475 s 740 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LEADERSHIP BOARD ACCOUNT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$843,000</del> ))
	<u>\$1,019,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$848,000</del> ))
	<u>\$1,022,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,691,000</del>))</b>
	<b><u>\$2,041,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the Washington state leadership board account created in RCW 43.388.020.

Sec. 715. 2023 c 475 s 747 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CRIME VICTIM AND WITNESS ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$2,000,000</del> ))
	<u>\$4,000,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$2,000,000</del> ))
	<u>\$4,000,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$4,000,000</del>))</b>
	<b><u>\$8,000,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the state crime

victim and witness assistance account created in Engrossed Substitute House Bill No. 1169 (legal financial obligations). (~~If the bill is not enacted by June 30, 2023, the amounts appropriated in this section shall lapse.~~)

**Sec. 716.** 2023 c 475 s 745 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON HORSE RACING COMMISSION OPERATING ACCOUNT**  
 Coronavirus State Fiscal Recovery Fund—Federal

Appropriation. . . . .	\$1,150,000
General Fund—State Appropriation (FY 2025). . . . .	\$1,350,000
<b>TOTAL APPROPRIATION.</b> .....	<del>(\$1,150,000)</del> <b>\$2,500,000</b>

The appropriations in this section are subject to the following conditions and limitations: The (~~appropriation is~~) appropriations are provided solely for expenditure into the Washington horse racing commission operating account created in RCW 67.16.280.

NEW SECTION. **Sec. 717.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CORONAVIRUS STATE FISCAL RECOVERY**  
 Coronavirus State Fiscal Recovery Fund—Federal

Appropriation. . . . .	\$250,000,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$250,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The entire coronavirus state fiscal recovery fund—federal appropriation is provided solely to the office of financial management for allocation to state agencies for costs eligible to be paid from the coronavirus state fiscal recovery fund and where funding is provided elsewhere in this act or the capital omnibus appropriations act for those costs using a funding source other than the coronavirus state fiscal recovery fund. For any agency receiving an allocation under this section, the office must place an equal amount of the agency's state or other source appropriation authority in unallotted reserve status, and those amounts may not be expended. In determining the use of amounts appropriated in this section, the office of financial management shall prioritize the preservation of state general fund moneys. The office must report on the use of the amounts appropriated in this section to the fiscal committees of the legislature when all coronavirus state fiscal recovery fund moneys are expended or June 30, 2025, whichever is earlier.

NEW SECTION. **Sec. 718.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SKELETAL HUMAN REMAINS ASSISTANCE ACCOUNT**  
 General Fund—State Appropriation (FY 2025). . . . .

	\$500,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$500,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the skeletal human remains assistance account created in RCW 43.334.077.

NEW SECTION. **Sec. 719.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SURGICAL SMOKE EVACUATION ACCOUNT**  
 General Fund—State Appropriation (FY 2025). . . . .

	\$300,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$300,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the surgical smoke evacuation account created in RCW 49.17.505.

NEW SECTION. **Sec. 720.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LIBRARY OPERATIONS ACCOUNT**  
 General Fund—State Appropriation (FY 2025). . . . .

	\$2,000,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$2,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Washington state library operations account created in RCW 43.07.129.

NEW SECTION. **Sec. 721.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—QUENDALL TERMINALS SUPERFUND SITE ON LAKE WASHINGTON**  
 Model Toxics Control Operating Account—State

Appropriation. . . . .	\$8,500,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$8,500,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is for the remedial design for the Quendall terminals superfund site on Lake Washington. Expenditure of the appropriation is conditioned on reaching agreement with the environmental protection agency that offsets any money spent from this appropriation against any future state liability, and memorializing the agreement in an agreed order, settlement agreement, or other similar document.

NEW SECTION. **Sec. 722.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ELECTRIC VEHICLE ACCOUNT**  
General Fund—State Appropriation (FY 2024). . . . . \$4,000,000  
TOTAL APPROPRIATION..... \$4,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the electric vehicle account created in RCW 82.44.200, which is appropriated in the transportation budget, for the completion of an electric vehicle mapping tool as provided in chapter 300, Laws of 2021 (E2SHB 1287).

NEW SECTION. **Sec. 723.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—DOWN PAYMENT ASSISTANCE ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$250,000  
TOTAL APPROPRIATION..... \$250,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the down payment assistance account created in RCW 82.45.240.

NEW SECTION. **Sec. 724.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—LEGISLATIVE ORAL HISTORY ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$50,000  
TOTAL APPROPRIATION..... \$50,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the legislative oral history account created in RCW 44.04.345.

NEW SECTION. **Sec. 725.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—PORT DISTRICT EQUITY FUND**  
General Fund—State Appropriation (FY 2025). . . . . \$1,000,000  
TOTAL APPROPRIATION..... \$1,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the port district equity fund created in Engrossed Second Substitute Senate Bill No. 5955 (large port districts). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec. 726.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$18,000  
TOTAL APPROPRIATION..... \$18,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the municipal criminal justice assistance account to implement Engrossed Substitute Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec. 727.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$27,000  
TOTAL APPROPRIATION..... \$27,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the county criminal justice assistance account to implement Engrossed Substitute Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec. 728.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—HEALTH PROFESSIONS ACCOUNT**

Opioid Abatement Settlement Account—State	
Appropriation. . . . .	\$743,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$743,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the health professions account created in RCW 43.70.320 to implement Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amounts appropriated in this section shall lapse.

NEW SECTION. **Sec. 729.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SECRETARY OF STATE ARCHIVES AND RECORDS MANAGEMENT CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024). . . . .	(\$1,000)
General Fund—State Appropriation (FY 2025). . . . .	\$34,000
General Fund—Federal Appropriation. . . . .	\$10,000
General Fund—Private/Local Appropriation. . . . .	\$1,000
Other Appropriated Funds. . . . .	\$13,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$57,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the secretary of state's billing authority for archives and records management. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92C-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 730.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE AUDITOR AUDIT SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024). . . . .	\$2,000
General Fund—State Appropriation (FY 2025). . . . .	\$27,000
General Fund—Federal Appropriation. . . . .	\$11,000
Other Appropriated Funds. . . . .	\$9,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$49,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the state auditor's billing authority for state agency auditing services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92D-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 731.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF THE ATTORNEY GENERAL LEGAL SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024). . . . .	\$689,000
General Fund—State Appropriation (FY 2025). . . . .	\$1,622,000
General Fund—Federal Appropriation. . . . .	\$168,000
General Fund—Private/Local Appropriation. . . . .	\$9,000
Other Appropriated Funds. . . . .	\$1,072,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$3,560,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the attorney general's billing authority for legal services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92E-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 732.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ADMINISTRATIVE HEARINGS CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024). . . . .	\$4,000
General Fund—State Appropriation (FY 2025). . . . .	\$57,000
General Fund—Federal Appropriation. . . . .	\$52,000
Other Appropriated Funds. . . . .	\$102,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$215,000</b>



The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of administrative hearings' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92G-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 733.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CONSOLIDATED TECHNOLOGY SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$1,575,000
General Fund—State Appropriation (FY 2025)	\$4,367,000
General Fund—Federal Appropriation	\$1,164,000
General Fund—Private/Local Appropriation	\$75,000
Other Appropriated Funds	\$1,725,000
<b>TOTAL APPROPRIATION</b>	<b>\$8,906,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the consolidated technology services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92J-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 734.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—DEPARTMENT OF ENTERPRISE SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$73,000
General Fund—State Appropriation (FY 2025)	\$217,000
General Fund—Federal Appropriation	\$198,000
General Fund—Private/Local Appropriation	\$2,000
Other Appropriated Funds	(\$7,000)
<b>TOTAL APPROPRIATION</b>	<b>\$483,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the department of enterprise services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92K-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 735.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF FINANCIAL MANAGEMENT CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$12,688,000
General Fund—State Appropriation (FY 2025)	\$40,891,000
General Fund—Federal Appropriation	\$673,000
General Fund—Private/Local Appropriation	\$1,454,000
Other Appropriated Funds	\$16,960,000
<b>TOTAL APPROPRIATION</b>	<b>\$72,666,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of financial management billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92R-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

(End of part)

**PART VIII  
OTHER TRANSFERS AND APPROPRIATIONS**

**Sec. 801.** 2023 c 475 s 801 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

General Fund Appropriation for fire insurance premium distributions	(( <del>\$13,766,000</del> ))
	<u>\$14,606,000</u>
General Fund Appropriation for prosecuting attorney distributions	(( <del>\$8,284,000</del> ))
	<u>\$8,690,000</u>
General Fund Appropriation for boating safety and education distributions	\$4,272,000

General Fund Appropriation for public utility district excise tax distributions. . . . .	(( \$71,825,000 ))
	<u>\$71,424,000</u>
Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies. . . . .	(( \$4,947,000 ))
	<u>\$6,000,000</u>
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distributions. . . . .	\$140,000
Timber Tax Distribution Account Appropriation for distribution to "timber" counties. . . . .	(( \$82,143,000 ))
	<u>\$92,948,000</u>
County Criminal Justice Assistance Appropriation. . . . .	(( \$129,509,000 ))
	<u>\$129,925,000</u>
Municipal Criminal Justice Assistance Appropriation. . . . .	(( \$51,247,000 ))
	<u>\$51,744,000</u>
City-County Assistance Appropriation. . . . .	(( \$45,960,000 ))
	<u>\$34,604,000</u>
Liquor Excise Tax Account Appropriation for liquor excise tax distribution. . . . .	\$89,385,000
Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation. . . . .	\$9,587,000
Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians. . . . .	(( \$6,893,000 ))
	<u>\$6,919,000</u>
Liquor Revolving Account Appropriation for liquor profits distribution. . . . .	\$98,876,000
General Fund Appropriation for other tax distributions. . . . .	\$104,000
Dedicated Cannabis Account Appropriation for Cannabis Excise Tax distributions pursuant to Engrossed Second Substitute Senate Bill No. 5796 (cannabis revenue). . . . .	(( \$50,472,000 ))
	<u>\$52,831,000</u>
General Fund Appropriation for Habitat Conservation Program distributions. . . . .	\$5,754,000
General Fund Appropriation for payment in lieu of taxes to counties under Department of Fish and Wildlife Program. . . . .	\$4,496,000
Puget Sound Taxpayer Accountability Account Appropriation for distribution to counties in amounts not to exceed actual deposits into the account and attributable to those counties' share pursuant to RCW 43.79.520. . . . .	(( \$27,990,000 ))
	<u>\$28,630,000</u>
Manufacturing and Warehousing Job Centers Account Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistributions effect of sourcing law changes pursuant to chapter 83, Laws of 2021 (warehousing & manufacturing jobs). . . . .	\$7,780,000
State Crime Victim and Witness Assistance Account Appropriation for distribution to counties. (( <del>Engrossed Substitute House Bill No. 1169 is not enacted by June 30, 2023, this amount shall lapse.</del> )). . . . .	(( \$4,000,000 ))
	<u>\$8,000,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(( \$717,430,000 ))</b>
	<b><u>\$726,715,000</u></b>

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

**Sec. 802.** 2023 c 475 s 802 (uncodified) is amended to read as follows:

<b>FOR THE STATE TREASURER—FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT</b>	
Impaired Driving Safety Appropriation. . . . .	(( \$2,065,000 ))
	<u>\$1,642,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(( \$2,065,000 ))</b>
	<b><u>\$1,642,000</u></b>

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties);

chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

Sec. 803. 2023 c 475 s 803 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Impaired Driving Safety Appropriation. . . . .	(\$1,377,000)
	<u>\$1,095,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(\$1,377,000)</b>
	<u>\$1,095,000</u>

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium to all cities ratably based on population as last determined by the office of financial management. The distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

Sec. 804. 2023 c 475 s 805 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—TRANSFERS**

Dedicated Cannabis Account: For transfer to the basic health plan trust account, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, ( <del>(\$269,000,000)</del> ) <u>\$250,000,000</u> and this amount for fiscal year 2025, ( <del>(\$278,000,000)</del> ) <u>\$270,000,000</u> . . . . .	(\$547,000,000)
	<u>\$520,000,000</u>
Dedicated Cannabis Account: For transfer to the state general fund, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, ( <del>(\$162,000,000)</del> ) <u>\$155,000,000</u> and this amount for fiscal year 2025, ( <del>(\$172,000,000)</del> ) <u>\$170,000,000</u> . . . . .	(\$334,000,000)
	<u>\$325,000,000</u>
Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2024. . . . .	\$92,000,000
Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2025. . . . .	\$92,000,000
Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the tobacco arbitration payment to the tobacco settlement account, for fiscal year 2024. . . . .	\$24,500,000
State Treasurer's Service Account: For transfer to the state general fund, \$15,000,000 for fiscal year 2024 and \$15,000,000 for fiscal year 2025. It is the intent of the legislature to continue this policy in the subsequent fiscal biennium. . . . .	\$30,000,000
General Fund: For transfer to the fair fund under RCW 15.76.115, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025. . . . .	\$7,000,000
Financial Services Regulation Account: For transfer to the state general fund, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025. It is the intent of the legislature to continue this policy in the subsequent fiscal biennium. . . . .	\$7,000,000
General Fund: For transfer to the wildfire response,	

forest restoration, and community resilience account, solely for the implementation of chapter 298, Laws of 2021 (2SHB 1168) (long-term forest health), ((\$44,903,000)) \$52,224,000 for fiscal year 2024 and ((\$44,903,000))\$60,995,000 for fiscal year 2025. . . . . ((\$89,806,000)) \$113,219,000

Washington Rescue Plan Transition Account: For transfer to the state general fund, \$1,302,000,000 for fiscal year 2024. . . . . \$1,302,000,000

Washington Rescue Plan Transition Account: For transfer to the state general fund, \$319,978,000 for fiscal year 2025. . . . . \$319,978,000

Business License Account: For transfer to the state general fund, \$7,200,000 for fiscal year 2025. . . . . \$7,200,000

General Fund: For transfer to the manufacturing and warehousing job centers account pursuant to RCW 82.14.545 for distribution in section 801 of this act, \$4,320,000 for fiscal year 2024 and \$3,460,000 for fiscal year 2025. . . . . \$7,780,000

Long-Term Services and Supports Trust Account: For transfer to the state general fund as full repayment of the long-term services program start-up costs and interest, in an amount not to exceed the actual amount of the total remaining principal and interest of the loan, for fiscal year 2024. . . . . ((\$64,281,000)) \$66,000,000

General Fund: For transfer to the forest resiliency account trust fund, \$4,000,000 for fiscal year 2024. . . . . \$4,000,000

Water Pollution Control Revolving Administration Account: For transfer to the water pollution control revolving account, \$6,000,000 for fiscal year 2024. . . . . \$6,000,000

General Fund: For transfer to the salmon recovery account, \$3,000,000 for fiscal year 2024. . . . . \$3,000,000

Washington Student Loan Account: For transfer to the state general fund, \$40,000,000 for fiscal year 2024. . . . . \$40,000,000

Model Toxics Control Operating Account: For transfer to the state general fund, \$50,000,000 for fiscal year 2025. . . . . \$50,000,000

General Fund: For transfer to the home security fund, \$44,500,000 for fiscal year 2024 and \$4,500,000 for fiscal year 2025. . . . . \$49,000,000

General Fund: For transfer to the state drought preparedness account, \$2,000,000 for fiscal year 2024. . . . . \$2,000,000

General Fund: For transfer to the disaster response account, \$6,725,000 for fiscal year 2024. . . . . \$6,725,000

General Fund: For transfer to the motor vehicle account, \$14,000,000 for fiscal year 2024. . . . . \$14,000,000

Washington Student Loan Account: For transfer to the education legacy trust account, \$40,000,000 for fiscal year 2025. . . . . \$40,000,000

From auction proceeds received under RCW 70A.65.100(7)(b): For transfer to the air quality and health disparities improvement account, \$2,500,000 for fiscal year 2024. . . . . \$2,500,000

From auction proceeds received under RCW 70A.65.100(7)(c): For transfer to the air quality and health disparities improvement account, \$2,500,000 for fiscal year 2025. . . . . \$2,500,000

Climate Investment Account: For transfer to the carbon emissions reduction account, \$200,000,000 for fiscal year 2025. . . . . \$200,000,000

~~(Climate Investment Account: For transfer to the climate commitment account, \$100,000,000 for fiscal year 2025. . . . . \$100,000,000)~~

~~Climate Investment Account: For transfer to the natural climate solutions account, \$70,000,000 for fiscal year 2025. . . . . \$70,000,000))~~

Climate Investment Account: For transfer to the carbon emissions reduction account,

\$324,000,000 on January 1, 2025. . . . .	\$324,000,000
General Fund: For transfer to the local government	
archives account, \$1,900,000 for fiscal year	
2025. . . . .	\$1,900,000
General Fund: For transfer to the death	
investigations account, \$3,000,000 for fiscal	
year 2025. . . . .	\$3,000,000

(End of part)

**PART IX  
MISCELLANEOUS**

NEW SECTION. **Sec. 901.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**COLLECTIVE BARGAINING AGREEMENTS**

(1) In accordance with chapters 41.80 and 41.56 RCW, agreements have been reached between the governor and organizations representing state employee bargaining units and nonstate employee bargaining units for the 2025 fiscal year presented to the legislature during the 2024 legislative session. Funding is not provided for compensation and fringe benefit provisions not presented to the legislature by the end of the 2024 legislative session. Funding is approved for agreements and awards with the following organizations:

- (a) Fish and wildlife officers guild;
- (b) Teamsters local 760, department of fish and wildlife sergeants; and
- (c) Adult family home council, adult family home providers.

(2) In accordance with chapter 41.80 RCW, an agreement has been reached between Central Washington University, an institution of higher education, and an employee organization representing state employee bargaining units for the 2025 fiscal year and funding is provided in Part VI of this act for the agreement with the following organization: Central Washington University agreement with the campus police officers & sergeants.

(3) Expenditures for agreements in subsections (1) and (2) of this section may also be funded from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

**Sec. 902.** 2023 c 475 s 908 (uncodified) is amended to read as follows:

**COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE COALITION—INSURANCE BENEFITS**

(1)(a) An agreement was reached for the 2023-2025 biennium between the governor and the health care coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies, including institutions of higher education, are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement.

(b) Appropriations for state agencies in this act are sufficient for represented employees outside the coalition and for nonrepresented state employee health benefits.

(2) The appropriations for state agencies in this act are subject to the following conditions and limitations:

(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$1,145 per eligible employee for fiscal year 2024. For fiscal year 2025, the monthly employer funding rate shall not exceed ~~((~~\$1,194~~))~~ \$1,174 per eligible employee. These rates are sufficient to separate vision benefits out of medical plans into stand-alone vision insurance and increase the hardware benefit to \$200 every two years, beginning January 1, 2025, and sufficient to cover in the uniform medical plan, effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month. The rates are sufficient to cover a diabetes management program and apply the cost-share provisions outlined in chapter 366, Laws of 2023 (breast examinations—health plan cost sharing) in the uniform medical plan, effective January 1, 2025. The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(b) The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(c) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2024 and 2025, the subsidy shall be up to \$183 per month. Funds from reserves accumulated for future adverse claims experience, from past favorable claims

experience, or otherwise, may not be used to increase this retiree subsidy beyond what is authorized in this subsection.

(d) School districts and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(i) For each full-time employee, \$68.41 per month beginning September 1, 2023, and ~~(((\$78.58))~~\$80.38 beginning September 1, 2024;

(ii) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$68.41 each month beginning September 1, 2023, and ~~(((\$78.58))~~\$80.38 beginning September 1, 2024, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection do not apply to employees of a school district or educational service district who purchase insurance benefits through contracts with the health care authority.

(e) The board has the authority to forgo the federal retiree drug subsidy collected under RCW 41.05.068 for uniform medical plan classic medicare, only to leverage additional federal subsidies via adoption of a medicare part D employer group waiver plan to help reduce premiums for medicare retirees enrolled in uniform medical plan classic medicare.

**Sec. 903.** 2023 c 475 s 909 (uncodified) is amended to read as follows:

**COMPENSATION—SCHOOL EMPLOYEES—INSURANCE BENEFITS**

An agreement was reached for the 2023-2025 biennium between the governor and the school employee coalition under the provisions of chapters 41.56 and 41.59 RCW. Appropriations in this act for allocations to school districts are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, school employees' benefits board administration, retiree remittance, and the uniform medical plan, shall not exceed the rates identified in section 506(4) of this act.

(a) These rates are sufficient to cover, effective January 1, 2024:

(i) The following in the uniform medical plan:

(A) Offering a diabetes management program; and

(B) Effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month; and

(ii) The following in the uniform dental plan:

(A) Increasing the temporomandibular joint benefit to \$1,000 annually and \$5,000 per lifetime;

(B) Eliminating the deductible for children up to age 15;

(C) Covering composite fillings on posterior teeth; and

(D) Increasing plan coverage of crowns to 70 percent.

(b) These rates include funding to cover, effective January 1, 2025, ~~((increasing))~~:

(i) Increasing the stand-alone vision insurance hardware benefit to \$200 every 2 years;  
and

(ii) Applying the cost share provisions outlined in chapter 366, Laws of 2023 (Substitute Senate Bill No. 5396) in the uniform medical plan.

(c) The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(2) Rates established in subsection (1) of this section are sufficient to reduce member costs as provided in article 1.3 of the school employees health care funding agreement.

(3) Except as provided by the parties' health care agreement, in order to achieve the level of funding provided for health benefits, the school employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.740. The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(4) The health care authority shall deposit any moneys received on behalf of the school employees' medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the school employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

(5) When bargaining for funding for school employees health benefits for subsequent fiscal biennia, any proposal agreed upon must assume the imposition of a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the

actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

**Sec. 904.** 2023 c 475 s 911 (uncodified) is amended to read as follows:

**COMPENSATION—PENSION CONTRIBUTIONS**

The appropriations in this act for school districts and state agencies, including institutions of higher education, are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board, and as adjusted under Engrossed Substitute Senate Bill No. 5294 (plan 1 UAAL rates).

(2) An increase of 0.12 percent is funded for state employer contributions to the public employees' retirement system, the public safety employees' retirement systems, and the school employees' retirement system, and an increase of 0.23 percent for employer contributions to the teachers' retirement system is funded for the provisions of Senate Bill No. 5350 (providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for school districts and state agencies, including institutions of higher education, shall be held in unallotted status.

(3) An increase of 0.13 percent is funded for state employer contributions to the Washington state patrol retirement system and an increase of 0.01 percent is funded for state contributions to the law enforcement officers' and firefighters' retirement system plan 2 for the provisions of Substitute House Bill No. 1007 (military service credit). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(4) An increase of 0.01 percent for school district and state employer contributions is funded for the teachers' retirement system for the provisions of Substitute House Bill No. 1056 (postretirement employment). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(5) An increase of 0.13 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of chapter 199, Laws of 2023 (public safety telecommunicators).

(6) An increase of 0.03 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

**NEW SECTION. Sec. 905.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The office of financial management must convene a task force to identify, plan, and make recommendations on the conversion of the Larch corrections center property and facilities to an alternate use.

(2) The task force must include the state senator and a state representative whose district represents the Yacolt community.

(3) The task force must include representatives from the following entities and organizations:

(a) The Clark county commissioners;

(b) The tribe located nearest to the facility;

(c) The Clark county sheriff's office;

(d) A citizen residing near the Larch corrections center, chosen by the Clark county commissioners;

(e) The department of corrections;

(f) The department of ecology;

(g) The department of natural resources;

(h) The department of social and health services;

(i) The department of enterprise services; and

(j) The office of financial management.

(4) The task force must meet at least every other month, and the first meeting must be held by July 31, 2024.

(5) The task force shall report its findings and a prioritized list of recommendations to the governor and the fiscal committees of the legislature by June 30, 2025.

(6) Task force members that are not elected officials or a representative of a governmental entity may be reimbursed for travel expenses in accordance with chapter 43.03 RCW.

**NEW SECTION. Sec. 906.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The joint legislative task force on the underground economy in the Washington state construction industry is reestablished.

(2) For purposes of this section, "underground economy" means contracting and construction activities in which payroll is unreported or underreported with consequent nonpayment of payroll taxes to federal and state agencies including nonpayment of workers' compensation and unemployment compensation taxes.

(3) The task force shall study the nature and scope of the underground economy and recommend what policy changes, if any, are needed to address the underground economy, including whether greater cohesion and transparency among state agencies is needed. To assist the task force in achieving this goal and to determine the extent of and projected costs to the state and workers of the underground economy in the construction industry, the task force may contract with the institute for public policy, or, if the institute is unavailable, another entity with expertise capable of providing such assistance.

(4) (a) The task force shall consist of the following members:

(i) A member from each of the two largest caucuses of the senate appointed by the president of the senate;

(ii) A member from each of the two largest caucuses of the house of representatives appointed by the speaker of the house of representatives;

(iii) Four members representing the construction business, selected from nominations submitted by statewide construction business organizations and appointed jointly by the president of the senate and the speaker of the house of representatives;

(iv) Four members representing construction laborers, selected from nominations submitted by statewide labor organizations and appointed jointly by the president of the senate and the speaker of the house of representatives; and

(v) One representative from the office of the attorney general.

(b) In addition, the employment security department, the department of labor and industries, and the department of revenue shall cooperate with the task force and shall each maintain a liaison representative, who will be a nonvoting member of the task force. The departments shall cooperate with the task force and the institute for public policy, or other entity as appropriate, and shall provide information and data as the task force or the institute, or other entity as appropriate, may reasonably request.

(c) The legislative members will choose the chair or cochairs of the task force from among its legislative membership at the initial meeting. The legislative staff will schedule the initial meeting of the task force at a time and date agreed to by the legislative members.

(5) (a) The task force shall use legislative facilities and staff support shall be provided by senate committee services and the house of representatives office of program research. Within available funding, the task force may hire additional staff with specific technical expertise if such expertise is necessary to carry out the mandates of this study.

(b) Legislative members of the task force shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(c) The expenses of the task force will be paid jointly by the senate and house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations to the legislature by June 30, 2025.

**NEW SECTION. Sec. 907.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) Agencies may not expend funds from the: (a) Climate investment account; (b) climate commitment account; (c) natural climate solutions account; or (d) air quality and health disparities improvement account, on or after the effective date of chapter . . . (Initiative Measure No. 2117), Laws of 2025.

(2) Unspent appropriations in the 2023-2025 omnibus appropriations act, chapter 475, Laws of 2023 and chapter . . ., Laws of 2024 (this act), which are appropriated from the accounts listed in subsection (1) (a) through (d) of this section and which take effect before January 1, 2025, must thereafter be paid from the consolidated climate account as if they were appropriated from that account.

(3) Appropriations in this act from the accounts listed in subsection (1) (a) through (d) of this section which take effect on or after January 1, 2025, shall lapse.

(4) This section takes effect only if chapter . . . (Initiative Measure No. 2117), Laws of 2025, is approved by the voters at the next general election and certified by the secretary of state.

**Sec. 908.** RCW 28B.93.060 and 2023 c 475 s 924 and 2023 c 389 s 7 are each reenacted and amended to read as follows:

(1) The Washington student loan account is created in the state treasury. All receipts from the Washington student loan program must be deposited in the account. Expenditures from the account may be used only for administration and the issuance of new student loans. Moneys in the account may be spent only after appropriation. During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the Washington student loan account to the state general fund, the workforce education investment account, and the education legacy trust account.

(2) (a) The legislature may appropriate no more than a total of \$40,000,000 for the program during four consecutive fiscal years, beginning with the first fiscal year from which loans are issued from the account. In the fifth fiscal year following the fiscal year in which the first student loan was issued, the legislature may appropriate up to \$10,000,000 for the program.



(b) The legislature may appropriate moneys from the account for the administrative and implementation costs of the program in the fiscal years prior to the first fiscal year in which loans are issued from the account.

**Sec. 909.** RCW 43.101.220 and 2021 c 334 s 978 are each amended to read as follows:

(1) The corrections personnel of the state and all counties and municipal corporations initially employed on or after January 1, 1982, shall engage in basic corrections training which complies with standards adopted by the commission. The standards adopted must provide for basic corrections training of at least ten weeks in length for any corrections officers subject to the certification requirement under RCW ~~((43.101.096))~~ 43.101.095 who are hired on or after July 1, 2021, or on an earlier date set by the commission. The training shall be successfully completed during the first six months of employment of the personnel, unless otherwise extended or waived by the commission, and shall be requisite to the continuation of employment.

(2) The commission shall provide the training required in this section, together with facilities, supplies, materials, and the room and board for noncommuting attendees, except during the ~~((2017-2019, 2019-2021, and))~~ 2021-2023 and 2023-2025 fiscal biennia, when the employing county, municipal corporation, or state agency shall reimburse the commission for twenty-five percent of the cost of training its personnel.

(3)(a) Subsections (1) and (2) of this section do not apply to the Washington state department of corrections prisons division. The Washington state department of corrections is responsible for identifying training standards, designing curricula and programs, and providing the training for those corrections personnel employed by it. In doing so, the secretary of the department of corrections shall consult with staff development experts and correctional professionals both inside and outside of the agency, to include soliciting input from labor organizations.

(b) The commission and the department of corrections share the responsibility of developing and defining training standards and providing training for community corrections officers employed within the community corrections division of the department of corrections.

**Sec. 910.** RCW 67.16.280 and 2016 c 160 s 1 are each amended to read as follows:

(1)(a) The Washington horse racing commission operating account is created in the custody of the state treasurer. All receipts collected by the commission under RCW 67.16.105(2) must be deposited into the account. Expenditures from the account may be used only for the operating expenses of the commission and, for the 2023-2025 fiscal biennium, for purposes set forth in subsection (3) of this section. Only the commission or the commission's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(b) The commission has the authority to receive such gifts, grants, and endowments from public or private sources as may be made from time to time in trust or otherwise for the use and purpose of regulating or supporting nonprofit race meets as set forth in RCW 67.16.130 and 67.16.105(1); such gifts, grants, and endowments must also be deposited into the horse racing commission operating account and expended according to the terms of such gift, grant, or endowment.

(2) ~~((It))~~ Except during fiscal year 2025, in order to provide funding in support of the legislative findings in RCW 67.16.101 (1) through (3), and to provide additional necessary support to the nonprofit race meets beyond the funding provided by RCW 67.16.101(4) and 67.16.102(2), the commission is authorized to spend up to three hundred thousand dollars per fiscal year from its operating account for the purpose of developing the equine industry, maintaining and upgrading racing facilities, and assisting equine health research. When determining how to allocate the funds available for these purposes, the commission must give first consideration to uses that regulate and assist the nonprofit race meets and equine health research. These expenditures may occur only when sufficient funds remain for the continued operations of the horse racing commission.

(3)(a) For fiscal years 2024 and 2025, expenditures from the account must be used for the operating expenses of the commission, with the remaining amount distributed annually as follows:

(i) 10 percent for grants to nonprofit entities involved with equine rescue and rehoming organizations; and

(ii) 90 percent to class 1 racing associations allocated by grant by the commission only for payment of the annual horse racing integrity and safety authority gross assessment for Washington state. The gross assessment may include required expenses for veterinarians, advanced life support ambulances, advanced life support ambulance staff, and emergency medical technicians.

(b) By December 1, 2024, the commission must report to the appropriate committees of the legislature on the use of grant funds and criteria used to determine grant awards established in (a) of this subsection and uses of funds distributed to the commission for operating expenses.

(c) It is the intent of the legislature to continue the provisions of (a) of this subsection in subsequent fiscal biennia.

**Sec. 911.** RCW 69.50.540 and 2023 c 470 s 1015 are each amended to read as follows:

(1) For the purposes of this subsection (1), the legislature must appropriate the amounts provided in this subsection:

- (a) \$12,500,000 annually to the board for administration of this chapter as appropriated in the omnibus appropriations act;
- (b) \$11,000,000 annually to the department of health for the following:
- (i) Creation, implementation, operation, and management of a cannabis, vapor product, and commercial tobacco education and public health program that contains the following:
- (A) A cannabis use public health hotline that provides referrals to substance abuse treatment providers, uses evidence-based or research-based public health approaches to minimizing the harms associated with cannabis use, and does not solely advocate an abstinence-only approach;
- (B) Programs that support development and implementation of coordinated intervention strategies for the prevention and reduction of commercial tobacco, vapor product, and cannabis use by youth and cannabis cessation treatment services, including grant programs to local health departments or other local community agencies;
- (C) Media-based education campaigns across television, internet, radio, print, and out-of-home advertising, separately targeting youth and adults, that provide medically and scientifically accurate information about the health and safety risks posed by cannabis use; and
- (D) Outreach to priority populations regarding commercial tobacco, vapor product, and cannabis use, prevention, and cessation; and
- (ii) The Washington poison control center;
- (c) (i) \$3,000,000 annually to the department of commerce to fund cannabis social equity grants under RCW 43.330.540; and
- (ii) \$200,000 annually to the department of commerce to fund technical assistance through a roster of mentors under RCW 43.330.540;
- (d) \$200,000 annually, until June 30, 2032, to the health care authority to contract with the Washington state institute for public policy to conduct the cost-benefit evaluations and produce the reports described in RCW 69.50.550;
- (e) \$25,000 annually to the University of Washington alcohol and drug abuse institute for the creation, maintenance, and timely updating of web-based public education materials providing medically and scientifically accurate information about the health and safety risks posed by cannabis use;
- (f) \$300,000 annually to the University of Washington and \$175,000 annually to the Washington State University for research on the short-term and long-term effects of cannabis use to include, but not be limited to, formal and informal methods for estimating and measuring intoxication and impairments, and for the dissemination of such research;
- (g) \$550,000 annually to the office of the superintendent of public instruction to fund grants to building bridges programs under chapter 28A.175 RCW;
- (h) For fiscal year 2025, \$250,000 to the office of the superintendent of public instruction to fund grants for life skills training to children and youth, and it is the intent of the legislature to continue this policy in subsequent fiscal biennia;
- (i) \$782,000 for fiscal year 2025 to the department of ecology to create and sustain a program to accredit cannabis testing laboratories. It is the intent of the legislature that this policy will be continued in the 2025-2027 fiscal biennium;
- (j) \$2,423,000 for fiscal year 2022 and \$2,423,000 for fiscal year 2023 to the Washington state patrol for a drug enforcement task force;
- ~~((+))~~ (k) \$270,000 for fiscal year 2022 and \$290,000 for fiscal year 2023 to the department of ecology for implementation of accreditation of cannabis product testing laboratories;
- ~~((+))~~ (l) \$800,000 for each of fiscal years 2020 through 2023 to the department of health for the administration of the cannabis authorization database; ~~(and~~
- ~~(+))~~ (m) \$621,000 for fiscal year 2022 and \$635,000 for fiscal year 2023 to the department of agriculture for compliance-based laboratory analysis of pesticides in cannabis.
- (2) ~~((Subsections [Subsection]))~~ Subsection (1)(a) through (g) of this section must be adjusted annually based on the United States bureau of labor statistics' consumer price index for the Seattle area.
- (3) After appropriation of the amounts identified in subsection (1) of this section, the legislature must annually appropriate such remaining amounts for the purposes listed in this subsection (3) as follows:
- (a) Fifty-two percent to the state basic health plan trust account to be administered by the Washington basic health plan administrator and used as provided under chapter 70.47 RCW;
- (b) Eleven percent to the health care authority to:
- (i) Design and administer the Washington state healthy youth survey, analyze the collected data, and produce reports, in collaboration with the office of the superintendent of public instruction, department of health, department of commerce, family policy council, and board. The survey must be conducted at least every two years and include questions regarding, but not necessarily limited to, academic achievement, age at time of substance use initiation, antisocial behavior of friends, attitudes toward antisocial behavior, attitudes toward substance use, laws and community norms regarding antisocial behavior, family conflict, family management, parental attitudes toward substance use, peer rewarding of antisocial behavior, perceived risk of substance use, and rebelliousness. Funds disbursed under this subsection may be used to expand administration of the healthy youth survey to student populations attending institutions of higher education in Washington;
- (ii) Develop, implement, maintain, and evaluate programs and practices aimed at the prevention or reduction of maladaptive substance use, substance use disorder, substance abuse or substance dependence, as these terms are defined in the diagnostic and statistical manual of mental disorders, among middle school and high school-age students, whether as an explicit

goal of a given program or practice or as a consistently corresponding effect of its implementation, mental health services for children and youth, and services for pregnant and parenting women. In deciding which programs and practices to fund under this subsection (3) (b) (ii), the director of the health care authority must consult, at least annually, with the University of Washington's social development research group and the University of Washington's alcohol and drug abuse institute; and

(iii) Contract with community health centers to provide primary health and dental care services, migrant health services, and maternity health care services as provided under RCW 41.05.220;

(c) (i) One and one-half percent to counties, cities, and towns where licensed cannabis retailers are physically located. Each jurisdiction must receive a share of the revenue distribution under this subsection (3) (c) (i) based on the proportional share of the total revenues generated in the individual jurisdiction from the taxes collected under RCW 69.50.535, from licensed cannabis retailers physically located in each jurisdiction. For purposes of this subsection (3) (c), 100 percent of the proportional amount attributed to a retailer physically located in a city or town must be distributed to the city or town;

(ii) Three and one-half percent to counties, cities, and towns ratably on a per capita basis. Counties must receive 60 percent of the distribution based on each county's total proportional population. Funds may only be distributed to jurisdictions that do not prohibit the siting of any state licensed cannabis producer, processor, or retailer;

(iii) By September 15th of each year, the board must provide the state treasurer the annual distribution amount made under this subsection (3) (c), if any, for each county and city as determined in (c) (i) and (ii) of this subsection; and

(iv) Distribution amounts allocated to each county, city, and town in (c) (i) and (ii) of this subsection must be distributed in four installments by the last day of each fiscal quarter; and

(d) Thirty-two percent must be deposited in the state general fund except in fiscal year 2025 when this amount must instead be deposited into the professional health care services rate enhancement account. It is the intent of the legislature that this policy will be continued in the 2025-2027 fiscal biennium.

**Sec. 912.** RCW 70A.65.250 and 2023 c 475 s 938 and 2023 c 435 s 12 are each reenacted and amended to read as follows:

(1) (a) The climate investment account is created in the state treasury. Except as otherwise provided in chapter 316, Laws of 2021, all receipts from the auction of allowances authorized in this chapter must be deposited into the account. Moneys in the account may be spent only after appropriation.

(b) Projects or activities funded from the account must meet high labor standards, including family sustaining wages, providing benefits including health care and employer-contributed retirement plans, career development opportunities, and maximize access to economic benefits from such projects for local workers and diverse businesses. Each contracting entity's proposal must be reviewed for equity and opportunity improvement efforts, including: (i) Employer paid sick leave programs; (ii) pay practices in relation to living wage indicators such as the federal poverty level; (iii) efforts to evaluate pay equity based on gender identity, race, and other protected status under Washington law; (iv) facilitating career development opportunities, such as apprenticeship programs, internships, job-shadowing, and on-the-job training; and (v) employment assistance and employment barriers for justice affected individuals.

(2) Moneys in the account may be used only for projects and programs that achieve the purposes of the greenhouse gas emissions cap and invest program established under this chapter and for tribal capacity grants under RCW 70A.65.305. During the 2023-2025 fiscal biennium, moneys in the account may also be used for tribal capacity grant activities supporting climate resilience and adaptation, developing tribal clean energy projects, applying for state or federal grant funding, and other related work; and for providing reimbursement to agricultural fuel users. Moneys in the account as described in this subsection must first be appropriated for the administration of the requirements of this chapter, in an amount not to exceed five percent of the total receipt of funds from allowance auction proceeds under this chapter. Beginning July 1, 2023, and annually thereafter, the state treasurer shall distribute funds in the account that exceed the amounts appropriated for the purposes of this subsection (2) as follows:

(a) Seventy-five percent of the moneys to the climate commitment account created in RCW 70A.65.260; and

(b) Twenty-five percent of the moneys to the natural climate solutions account created in RCW 70A.65.270.

(3) The allocations specified in subsection (2) (a) and (b) of this section must be reviewed by the legislature on a biennial basis based on the changing needs of the state in meeting its clean economy and greenhouse gas reduction goals in a timely, economically advantageous, and equitable manner.

(4) During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the climate investment account to the carbon emissions reduction account, the climate commitment account, and the natural climate solutions account.

**Sec. 913.** RCW 70A.65.300 and 2021 c 316 s 46 are each amended to read as follows:

(1) The department shall prepare, post on the department website, and submit to the appropriate committees of the legislature an annual report that identifies all distributions of moneys from the accounts created in RCW 70A.65.240 through 70A.65.280.

(2) The report must identify, at a minimum, the recipient of the funding, the amount of the funding, the purpose of the funding, the actual end result or use of the funding, whether the project that received the funding produced any verifiable reduction in greenhouse gas emissions or other long-term impact to emissions, and if so, the quantity of reduced greenhouse gas emissions, the cost per carbon dioxide equivalent metric ton of reduced greenhouse gas emissions, and a comparison to other greenhouse gas emissions reduction projects in order to facilitate the development of cost-benefit ratios for greenhouse gas emissions reduction projects.

(3) The department shall require by rule that recipients of funds from the accounts created in RCW 70A.65.240 through 70A.65.280 report to the department, in a form and manner prescribed by the department, the information required for the department to carry out the department's duties established in this section.

(4) The department shall update its website with the information described in subsection (2) of this section as appropriate but no less frequently than once per calendar year.

(5) The department shall submit its report to the appropriate committees of the legislature with the information described in subsection (2) of this section no later than September 30 of each year. For fiscal year 2025, the report must be submitted no later than November 30, 2024.

NEW SECTION. **Sec. 914.** A new section is added to chapter 74.09 RCW to read as follows:

The professional health care services rate enhancement account is created in the state treasury. All receipts from RCW 69.50.540(3)(d) must be deposited into the account, and any amounts expended from the account that are later recouped by the health care authority through audit or otherwise must be returned to the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for medicaid professional service rates as follows: To make payments to health care providers and managed care organizations as specified in section 211 of this act; and to medicaid managed care organizations for funding the nonfederal share of increased capitation payments.

NEW SECTION. **Sec. 915.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 916.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Representatives Chambers, Hutchins and Schmick spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Macri and Riccelli spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

**ROLL CALL**

The Clerk called the roll on the adoption of amendment (1108) to the striking amendment (1094) and the amendment was not adopted by the following vote: Yeas, 42; Nays, 52; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, McEntire,

Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen and Mme. Speaker

Excused: Representatives Chandler, Dye, Maycumber and Wylie

Amendment (1108) to the striking amendment (1094) was not adopted.

**\*\*FORMAT CHANGED TO ACCOMMODATE TEXT\*\***

Representative Caldier moved the adoption of amendment (1109) to the striking amendment (1094):

Beginning on page 1, after line 2, strike all material through "immediately." on page 846, line 13 and insert the following:

**"PART I  
GENERAL GOVERNMENT**

**Sec. 101.** 2023 c 475 s 101 (uncodified) is amended to read as follows:  
**FOR THE HOUSE OF REPRESENTATIVES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$59,938,000</del> ))
	\$60,117,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$62,150,000</del> ))

	\$62,295,000
TOTAL APPROPRIATION.....	(((\$122,088,000))
	<u>\$122,412,000</u>

**Sec. 102.** 2023 c 475 s 102 (uncodified) is amended to read as follows:

**FOR THE SENATE**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$44,398,000))
	<u>\$44,427,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(((\$47,773,000))
	<u>\$47,805,000</u>
TOTAL APPROPRIATION.....	(((\$92,171,000))
	<u>\$92,232,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of membership dues to the council of state governments, the national conference of state legislatures, the pacific northwest economic region, the pacific fisheries legislative task force, and the western legislative forestry task force.

**Sec. 103.** 2023 c 475 s 103 (uncodified) is amended to read as follows:

**FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

Performance Audits of Government Account—State Appropriation. . . . .	(((\$14,936,000))
	<u>\$15,342,000</u>
TOTAL APPROPRIATION.....	(((\$14,936,000))
	<u>\$15,342,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Notwithstanding the provisions of this section, the joint legislative audit and review committee may adjust the due dates for projects included on the committee's 2023-2025 work plan as necessary to efficiently manage workload.

(2) \$250,000 of the performance audits of government account—state appropriation is for tax preference review costs from legislation enacted in the 2023 session.

(3) \$1,503,000 of the performance audits of government account—state appropriation is for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$626,000 of the performance audits of government account—state appropriation is for the audit required in Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) Within the amount appropriated in this section, the joint legislative audit and review committee shall conduct a review of the state's recreational boating programs. The committee shall complete the review by December 1, 2024. This review shall include examination of the following:

- (a) Revenue sources for state recreational boating programs;
- (b) Expenditures for state boating programs;
- (c) Methods of administrating state recreational boating programs, including the roles of both state and local government entities; and
- (d) Approaches other states have taken to funding and administering their recreational boating programs.

(6) (a) \$400,000 of the performance audits of government account—state appropriation is for the joint legislative audit and review committee to:

(i) Review the department of children, youth, and families-juvenile rehabilitation program's existing processes and staffing methodology used for determining adequate staffing ratios to meet the confinement and rehabilitative needs of the juveniles and ensure public safety;

(ii) Review procedures and protocols for professional development, hiring and recruitment, and training for staff serving youth in juvenile rehabilitation institutions, with a focus on how staff are trained to implement rehabilitative practices;

(iii) Review youth access to programming, treatment, and services including, but not limited to, educational programming, treatment and services for youth experiencing substance use disorder, behavioral health treatment, available reentry services such as housing, job training, and other supports, access to technology services, family and community connections, and other programming and services offered by the department to provide youth with rehabilitation and restorative interventions;

(iv) Review existing security and safety measures, including the use of disciplinary procedures for total isolation and room confinement, adopted by the department and their effectiveness in meeting the unique needs of the juvenile population in the custody of the department;

(v) Review how often and how many youth face new juvenile or adult criminal offense charges, convictions, or both while residing at juvenile rehabilitation institutions and

potential future consequences that may occur as a result such as sentence extension, likelihood of recidivism, health impacts, and effects regarding criminal records;

(vi) Assess gender equity regarding education, employment, and career options for female youth;

(vii) Review how staffing impacts youth-on-youth conflict and safety;

(viii) Review best practices from other states regarding security and safety measures, programming opportunities, reentry supports, staff training and professional development, and staffing ratios, and identify options that may be feasible to adopt in Washington state to increase public safety and the security, programming options, treatment services, and rehabilitation mission of the department's juvenile rehabilitation institutions;

(ix) Review the department's existing processes for responding to critical incidents, including communication and cooperation with local law enforcement, and identify areas for improvement; and

(x) Review the impacts of changes in average daily population, longer lengths of stay, longer sentences, increases in maximum age of release, increases in more serious offense types and adult sentences, and related effects of chapter 322, Laws of 2019.

(b) The joint legislative audit and review committee shall submit a preliminary report by June 30, 2025, to the governor and the appropriate committees of the legislature.

(c) It is the intent of the legislature that the joint legislative audit and review committee shall submit a final report with findings and recommendations to the governor and the appropriate committees of the legislature in the 2025-2027 fiscal biennium. The report shall include recommendations on supporting the juvenile rehabilitation program's efforts to gradually move young people from carceral settings to least restrictive environments to improve positive reentry outcomes.

**Sec. 104.** 2023 c 475 s 104 (uncodified) is amended to read as follows:

**FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

Performance Audits of Government Account—State

Appropriation. . . . .	\$5,326,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$5,326,000</b>

**Sec. 105.** 2023 c 475 s 105 (uncodified) is amended to read as follows:

**FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

General Fund—State Appropriation (FY 2024). . . . .	(( \$21,727,000 ))
	\$21,477,000
General Fund—State Appropriation (FY 2025). . . . .	(( \$19,625,000 ))
	\$20,759,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(( \$41,352,000 ))</b>
	<b>\$42,236,000</b>

The appropriations in this section are subject to the following conditions and limitations: Within the amounts provided in this section, the joint legislative systems committee shall provide information technology support, including but not limited to internet service, for the district offices of members of the house of representatives and the senate.

**Sec. 106.** 2023 c 475 s 106 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF STATE LEGISLATIVE LABOR RELATIONS**

General Fund—State Appropriation (FY 2024). . . . .	\$961,000
General Fund—State Appropriation (FY 2025). . . . .	(( \$964,000 ))
	\$965,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(( \$1,925,000 ))</b>
	<b>\$1,926,000</b>

**Sec. 107.** 2023 c 475 s 107 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE STATE ACTUARY**

General Fund—State Appropriation (FY 2024). . . . .	\$409,000
General Fund—State Appropriation (FY 2025). . . . .	\$423,000
State Health Care Authority Administrative Account—	
State Appropriation. . . . .	\$291,000
Department of Retirement Systems Expense Account—	
State Appropriation. . . . .	(( \$7,102,000 ))
	\$7,101,000
School Employees' Insurance Administrative Account—	
State Appropriation. . . . .	\$258,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(( \$8,483,000 ))</b>
	<b>\$8,482,000</b>

**Sec. 108.** 2023 c 475 s 108 (uncodified) is amended to read as follows:

**FOR THE STATUTE LAW COMMITTEE**

General Fund—State Appropriation (FY 2024). . . . .	\$6,201,000
General Fund—State Appropriation (FY 2025). . . . .	(( \$6,808,000 ))
	\$6,811,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(( \$13,009,000 ))</b>

\$13,012,000

**Sec. 109.** 2023 c 475 s 109 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES**

General Fund—State Appropriation (FY 2024)	(\$5,852,000)
	<u>\$5,893,000</u>
General Fund—State Appropriation (FY 2025)	(\$6,465,000)
	<u>\$6,653,000</u>
TOTAL APPROPRIATION	<u>(\$12,317,000)</u>
	<u>\$12,546,000</u>

**Sec. 110.** 2023 c 475 s 111 (uncodified) is amended to read as follows:  
**FOR THE SUPREME COURT**

General Fund—State Appropriation (FY 2024)	\$14,883,000
General Fund—State Appropriation (FY 2025)	(\$15,196,000)
	<u>\$16,269,000</u>
TOTAL APPROPRIATION	<u>(\$30,079,000)</u>
	<u>\$31,152,000</u>

**Sec. 111.** 2023 c 475 s 112 (uncodified) is amended to read as follows:  
**FOR THE COMMISSION ON JUDICIAL CONDUCT**

General Fund—State Appropriation (FY 2024)	(\$2,225,000)
	<u>\$2,224,000</u>
General Fund—State Appropriation (FY 2025)	(\$2,206,000)
	<u>\$2,208,000</u>
TOTAL APPROPRIATION	<u>(\$4,431,000)</u>
	<u>\$4,432,000</u>

**Sec. 112.** 2023 c 475 s 113 (uncodified) is amended to read as follows:  
**FOR THE COURT OF APPEALS**

General Fund—State Appropriation (FY 2024)	(\$25,901,000)
	<u>\$28,199,000</u>
General Fund—State Appropriation (FY 2025)	(\$26,491,000)
	<u>\$27,564,000</u>
TOTAL APPROPRIATION	<u>(\$52,392,000)</u>
	<u>\$55,763,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$764,000 of the general fund—state appropriation for fiscal year 2024 and \$764,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

**Sec. 113.** 2023 c 475 s 114 (uncodified) is amended to read as follows:  
**FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund—State Appropriation (FY 2024)	(\$123,740,000)
	<u>\$125,526,000</u>
General Fund—State Appropriation (FY 2025)	(\$118,331,000)
	<u>\$123,463,000</u>
General Fund—Federal Appropriation	\$2,209,000
General Fund—Private/Local Appropriation	\$681,000
Judicial Stabilization Trust Account—State Appropriation	(\$112,345,000)
	<u>\$119,616,000</u>
Judicial Information Systems Account—State Appropriation	\$79,530,000
Opioid Abatement Settlement Account—State Appropriation	\$479,000
TOTAL APPROPRIATION	<u>(\$436,836,000)</u>
	<u>\$451,504,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The distributions made under this section and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(2) (a) \$7,000,000 of the general fund—state appropriation for fiscal year 2024 and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to county juvenile court administrators for the costs associated with processing and case management of truancy, children in need of services, and at-risk youth referrals. The administrator for the courts, in conjunction with the juvenile court

administrators, shall develop an equitable funding distribution formula. The formula must neither reward counties with higher than average per-petition/referral processing costs nor shall it penalize counties with lower than average per-petition/referral processing costs.

(b) Each fiscal year during the 2023-2025 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than 60 days after a fiscal year ends. These reports are informational in nature and are not for the purpose of distributing funds.

(3) \$1,094,000 of the general fund—state appropriation for fiscal year 2024 and \$1,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide fiscal impact on Thurston county courts. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(4) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the ~~((general fund—state appropriation for fiscal year 2025))~~ judicial stabilization trust account—state appropriation are provided solely for distribution to local courts for costs associated with the court-appointed attorney and visitor requirements set forth in the uniform guardianship act, chapter 11.130 RCW. If the amount provided in this subsection is insufficient to fully fund the local court costs, distributions must be reduced on a proportional basis to ensure that expenditures remain within the available funds provided in this subsection. No later than December 31, 2023, the administrative office of the courts will provide a report on distributions to local courts including, but not limited to, the amount provided to each court, the number of guardianship cases funded at each court, costs segregated by attorney appointments and court visitor appointments, the amount of any pro rata reductions, and a recommendation on how to forecast distributions for potential future funding by the legislature.

(5) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to use as matching funds to distribute to small municipal and county courts, located in a rural county as defined in RCW 43.160.020, for the purpose of increasing security for court facilities. Grants must be used solely for security equipment and services for municipal, district, and superior courts and may not be used for staffing or administrative costs.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the administrative office of the courts to provide grants to superior courts for the purpose of creating or expanding sanitary lactation spaces or pods that provide privacy for courthouse visitors needing to breastfeed or express breast milk.

(7) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the administrative office of the courts to contract with an equity and justice nonprofit organization to expand the capacity of the existing equity dashboard program. The contract must review and organize newly available criminal case data with the goal of consolidating and collecting adult felony case data to determine disparities in the legal justice system. The equity dashboard program must be expanded to include adult felony case data that is consolidated, interactable, transparent, and accessible to the public.

(8) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1766 (protection orders/hope cards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(9) \$1,090,000 of the general fund—state appropriation for fiscal year 2024 and \$1,090,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to address data quality issues across Washington state court management systems.

(10) \$51,428,000 of the judicial stabilization trust account—state appropriation is provided solely to establish a direct refund process to individuals to refund legal financial obligations, collection costs, and document-verified costs paid to third parties previously paid by defendants whose convictions have been vacated by court order due to the *State v. Blake* ruling. Superior court clerks, district court administrators, and municipal court administrators must certify and send to the office the amount of any refund ordered by the court. The court order must either contain the amount of the refund or provide language for the clerk or court administrator to certify to the office the amount to be refunded to the individual.

(11) \$1,627,000 of the general fund—state appropriation for fiscal year 2024 ~~((+))~~ and \$1,812,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for activities of the office relating to the resentencing and/or vacating convictions of individuals and refund of legal financial obligations and costs associated with the *State v. Blake* ruling. In addition to contracting with cities and counties for the disbursement of funds appropriated for resentencing costs, the office must:

(a) Collaborate with superior court clerks, district court administrators, and municipal court administrators to prepare comprehensive reports, based on available court records, of all cause numbers impacted by *State v. Blake* going back to 1971. Such reports must include the refund amount related to each cause number;



(b) In collaboration with the office of public defense and the office of civil legal aid, establish a process that can be used by individuals seeking a refund, provide individuals information regarding the application process necessary to claim a refund, and issue payments from the refund bureau to individuals certified in subsection (10) of this section; and

(c) Collaborate with counties and municipalities to adopt standard coding for application to *State v. Blake* convictions and to develop a standardized practice regarding vacated convictions.

(12) \$38,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with costs of complying with the *State v. Blake* decision that arise from the county's role in operating the state's criminal justice system, including resentencing, vacating prior convictions for simple drug possession, and certifying refunds of legal financial obligations and collections costs. The office shall contract with counties for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a county. A county may designate the office to use available funding to administer a vacate process, or a portion of the vacate process, on behalf of the county. The office must collaborate with counties to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(13) \$11,500,000 of the judicial stabilization trust account—state appropriation is provided solely to assist cities with costs of complying with the *State v. Blake* decision that arise from the city's role in operating the city's criminal justice system, including vacating prior convictions for simple drug possession, to include cannabis and possession of paraphernalia, and certifying refunds of legal financial obligations and collections costs. The office shall contract with cities for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a city. A city may designate the office to use available funding to administer a vacate process, or a portion of the vacate process, on behalf of the city. The office must collaborate with cities to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(14) \$439,000 of the general fund—state appropriation for fiscal year 2024 and \$304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(15) ~~(((\$1,560,000))\$40,000~~ of the general fund—state appropriation for fiscal year 2024 ~~((is))and \$1,520,000 of the general fund—state appropriation for fiscal year 2025~~ are provided solely to the office to administer a jury pay pilot program in Pierce county. Funding must be used to increase jury pay up to ~~(((\$50))\$100~~ for each day served in Pierce county superior court. The funds provided in this subsection must supplement, and not supplant, existing local funding for juror pay. The office must compare juror demographics after the pay increase as compared to data collected from the 2022 jury demographic survey to measure the impact increasing juror pay has on jury diversity and juror response rates.

(16) \$1,800,000 of the judicial stabilization trust account—state appropriation is provided solely for distribution to counties to help cover the cost of electronic monitoring with victim notification technology when an individual seeking a protection order requests electronic monitoring with victim notification technology from the court and the respondent is unable to pay. Of the amount provided in this subsection, up to five percent of the funding each fiscal year may be used by the office for education and outreach to the courts regarding this technology.

(17) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1102 (judge pro tempore compensation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(18) \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute House Bill No. 1562 (violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) \$109,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed House Bill No. 1324 (prior juvenile offenses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20) \$659,000 of the general fund—state appropriation for fiscal year 2024 and \$639,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development and expansion of online and on-demand eLearning courses offered through the WACOURTS education portal for judicial officers, administrators, clerks, assistants, and other staff employed in state and local courts.

(21) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to fund public guardianship services provided by the office of public guardianship.

(22) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to develop a sequential intercept model pilot program. The intercept model pilot program must include the establishment of a coordinated care and services network in courts of limited jurisdiction located in two counties, one county east of the crest of the Cascade mountains and one county west of the crest of the Cascade mountains.

(a) In developing the pilot program, the administrative office of the courts must consult local government, the district and municipal court judges' association, the health care authority, the department of social and health services, the department of health, law enforcement agencies, and other impacted stakeholders as identified by the administrative office of the courts.

(ii) The pilot project shall include any sequential intercept mapping that is necessary to determine the availability of willing stakeholders and to determine gaps in services and programs in the geographic area served by the proposed coordinated care and services network.

(iii) The pilot project may include the use of a common source of peer support services as the means to link affected persons to the coordinated care and services network from the various intercepts in the sequential intercept model.

(iv) No court may be required by the administrative office of the courts to participate in the pilot program.

(v) For the purposes of this pilot project, "stakeholder" may include any public or private entity or individual that provides services, funds, or goods related to housing, shelter, education, employment, substance use disorder treatment or other behavioral health treatment, medical treatment, dental treatment, peer support, self-help, crisis care, income assistance, nutritional assistance, clothing, assistance with public benefits, or financial management and other life skills education.

(vi) The pilot project ends June 1, 2025. The administrative office of the courts shall submit a report to the legislature detailing the work of the pilot program project, which must include recommendations, if any, for continuation, modification, or expansion of the pilot program to other regions of the state, no later than June 30, 2025.

(23) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Washington state center for court research of the administrative office of the courts to conduct a study of legal financial obligations (LFO) charged by superior courts, juvenile courts, and courts of limited jurisdiction, including the reviews required in Engrossed Substitute House Bill No. 1169 (legal financial obligations). The administrative office of the courts must submit a report of the findings to the appropriate committees of the legislature by November 30, 2023. At a minimum, the study must include statewide and county-level data that shows, during the previous five state fiscal years that data is available:

(a) The total number of juvenile and criminal cases handled by court, the number of cases where legal financial obligations were imposed pursuant to chapter 13.40 RCW, the percentage of cases where legal financial obligations were not imposed, and the total amount of legal financial obligations that were collected;

(b) The total amount assessed to, collected from, and waived for all individuals, in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court, for each of the last five years data is available;

(c) The average amount assessed, collected, and waived per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court for each of the last five years data is available;

(d) The average amount collected per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, race, gender, LFO type, and charging court, for each of the last five years data is available;

(e) The estimated annual collection rate for restitution and nonrestitution LFOs for the last five years data is available;

(f) An estimate of the proportion of restitution assessed, disaggregated by victim type including natural persons, businesses, state agencies, and insurance companies, for each of the last five years data is available;

(g) The percentage, number of cases, and total amount of legal financial obligations that are uncollectible pursuant to RCW 13.40.190 or 13.40.192, or other statutory authority for the expiration of legal financial obligation debt including debt assessed in criminal cases; and

(h) The total amount of outstanding debt owed in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, race, gender, legal financial obligation type, charging court, and date of assessment.

(24) \$653,000 of the general fund—state appropriation for fiscal year 2024 and \$264,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(25) (a) \$165,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state center for court research of the administrative office of the courts to continue the study on legal financial obligations (LFO) charged by superior courts and courts of limited jurisdiction. The administrative office of the courts must submit a preliminary report to the appropriate committees of the legislature by November 30, 2024, and a final report by June 30, 2025. At a minimum, the report must include statewide data that shows, disaggregated by court type, LFO type, charge type, court user demographics, and community characteristics, during the previous five state fiscal years that data is available:

(i) The total number of juvenile and criminal cases handled by court, the number of cases where legal financial obligations were imposed pursuant to chapter 13.40 RCW, the percentage of cases where LFOs were imposed, and the total amount of LFOs that were collected;

(ii) The total amount assessed to, collected from, and waived for all individuals, in fees, court costs, fines, and restitution disaggregated by the defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court;

(iii) An estimate of the proportion of restitution owed in all cases, disaggregated by victim type including natural persons, businesses, state agencies, and insurance companies; and

(iv) A description of community level impact of LFO imposition measured as a ratio of aggregate debt to household income.

(b) Superior courts and courts of limited jurisdiction that do not enter their LFO data into a statewide data management system must provide their LFO data to the administrative office of the courts at dates to be set by the office to be included in the statewide report.

(c) Within the amounts provided in this subsection, the administrative office of the courts shall form a stakeholder group to review the report and make recommendations for data development and reporting topics.

(26) \$2,094,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5825 (guardianship). During the fiscal biennium, in conformity with RCW 2.72.030, the administrative office of the courts shall collect uniform and consistent data on decision making assistance to include, but not limited to: The number of requests for decision making assistance received from hospitals, the number of guardianships and less restrictive alternatives to guardianships provided, the support and housing provided, and any other data related to case monitoring and management. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(27) \$2,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5056 (habitual property offenders). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(28) \$218,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5836 (Clark county superior court). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(29) \$51,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5974 (unenforceable LFOs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(30) \$248,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6068 (dependency outcome reporting). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(31) \$479,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 114.** 2023 c 475 s 115 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF PUBLIC DEFENSE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$66,616,000</del> ))
	\$66,724,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$70,129,000</del> ))
	\$70,329,000
General Fund—Federal Appropriation . . . . .	\$385,000
Judicial Stabilization Trust Account—State Appropriation . . . . .	(( <del>\$9,894,000</del> ))
	\$16,146,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$147,024,000</del>))</b>
	<b>\$153,584,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of improving the quality of trial court public defense services as authorized by chapter 10.101 RCW. The office of public defense must allocate these amounts so that \$450,000 per fiscal year is distributed to counties, and \$450,000 per fiscal year is distributed to cities, for grants under chapter 10.101 RCW.

(2) ((~~\$6,000,000~~)) \$8,863,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with public defense services related to vacating the convictions of defendants and/or resentencing for defendants whose convictions or sentences are affected by the *State v. Blake* decision. Of the amount provided in this subsection:

(a) ~~((900,000))~~ \$1,863,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to provide statewide attorney training, technical assistance, data analysis and reporting, and quality oversight, to administer financial assistance for public defense costs related to *State v. Blake* impacts, and to maintain a triage team to provide statewide support to the management and flow of hearings for individuals impacted by the *State v. Blake* decision.

(b) ~~((5,100,000))~~ \$7,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties in providing counsel for defendants seeking to vacate a conviction and/or be resentenced under *State v. Blake*. Assistance shall be allocated to all counties based upon a formula established by the office of public defense. Counties may receive assistance by: (i) Applying for grant funding; and/or (ii) designating the office of public defense to contract directly with counsel.

(3) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to provide prefiling legal representation to pregnant parents and parents of newborns at risk of removal by the department of children, youth, and families.

(4) \$623,000 of the general fund—state appropriation for fiscal year 2024 and \$1,165,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$6,863,000 of the general fund—state appropriation for fiscal year 2024 and \$6,602,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5415 (public defense/insanity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$1,434,000 of the general fund—state appropriation for fiscal year 2024 and \$1,434,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the parents for parents program.

(7) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to establish and operate a telephone consultation line to provide contracted legal counsel for parents, guardians, or legal custodians when the department of children, youth, and families proposes a voluntary placement agreement when there is no pending dependency proceeding under chapter 13.34 RCW pursuant to RCW 13.34.090(4).

(8) \$442,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to administer a public defense recruitment program to recruit and retain a sufficient pool of qualified attorneys and other public defense professionals. The recruitment program shall engage with students and faculty at colleges and law schools on topics relating to public defense and other public law practices; provide technical assistance and training to county and city public defense coordinators on recruitment strategies including establishment of law clerk programs; and administer the public defense internship program as provided in Second Substitute Senate Bill No. 5780 (public defense & prosecution).

(9) \$10,000 of the general fund—state appropriation for fiscal year 2024 and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to address emergency safety assistance and other urgent needs for clients served by the parents representation program. Temporary, limited assistance may be made available for short-term housing, utilities, transportation, food assistance, and other urgent needs that, if unaddressed, could adversely impact case outcomes and impede successful family reunification. The office of public defense shall establish eligibility criteria and an expedited process for reviewing financial assistance requests submitted by parents representation program contractors.

(10) \$611,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5780 (public defense & prosecution). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$1,108,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 115.** 2023 c 475 s 116 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF CIVIL LEGAL AID**

General Fund—State Appropriation (FY 2024) . . . . .	<del>((53,283,000))</del>
	\$53,256,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>((59,838,000))</del>
	\$60,062,000
<del>((General Fund—Federal Appropriation . . . . .</del>	<del>\$1,468,000))</del>
Judicial Stabilization Trust Account—State Appropriation . . . . .	<del>((3,851,000))</del>
	\$6,698,000
TOTAL APPROPRIATION . . . . .	<del>((118,440,000))</del>
	\$120,016,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,917,000 of the general fund—state appropriation for fiscal year 2024 and \$7,711,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for children and youth in dependency cases under RCW 13.34.212(3) in accordance with revised practice, caseload, and training standards adopted by the supreme court commission on children in foster care and includes a vendor rate increase for contracted attorneys. By October 1, 2023, the office must develop a revised implementation schedule based on a caseload assumption of adding no more than 1,250 new dependency cases to the program each fiscal year for consideration by the governor and the legislature.

(2) \$2,408,000 of the general fund—state appropriation for fiscal year 2024 and \$2,579,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of civil legal information, advice, and representation for tenants at risk of eviction but not yet eligible for appointed counsel services under RCW 59.18.640.

(3) \$15,425,000 of the general fund—state appropriation for fiscal year 2024 and \$16,030,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for tenants in unlawful detainer cases established in RCW 59.18.640 and includes a vendor rate increase for contracted attorneys. The funding provided in this subsection does not create an entitlement to counsel in unlawful detainer cases. If funding provided under this subsection is insufficient to provide for appointed counsel for all indigent tenants in unlawful detainer cases, the office shall assign priority to providing legal representation to indigent tenants in those counties in which the most evictions occur and to indigent tenants who are disproportionately at risk of eviction, as provided in RCW 59.18.640, and may not move to delay or suspend an unlawful detainer case or attempt to decertify a court's ability to hear unlawful detainer cases.

(4) ~~(\$2,387,000)~~ \$5,234,000 of the judicial stabilization trust account—state appropriation is provided solely to continue legal information, advice, assistance, and representation for individuals eligible for civil relief under the supreme court's ruling in *State v. Blake*.

(5) An amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2024 and an amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2025 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are 60 years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(6) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the office of civil legal aid to establish a legal advice phone line to provide guidance and legal advice for kinship caregivers. The phone line must be staffed by two FTE contracted attorneys that have experience with kinship care, guardianship statutes, the child welfare system, and issues relating to legal custody.

(7) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to expand civil legal aid services for survivors of domestic violence, including legal services for protection order proceedings, family law cases, immigration assistance, and other civil legal issues arising from or related to the domestic violence they experienced.

(8) \$1,009,000 of the general fund—state appropriation for fiscal year 2024 and \$1,022,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to continue the statewide reentry legal aid project as established in section 115(12), chapter 357, Laws of 2020.

(9) \$222,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 116.** 2023 c 475 s 117 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE GOVERNOR**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$24,543,000 ))
	\$25,169,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$24,253,000 ))
	\$28,331,000
Economic Development Strategic Reserve Account—State	
Appropriation . . . . .	(( \$2,282,000 ))
	\$10,850,000
GOV Central Service Account—State Appropriation . . . . .	\$18,967,000
Performance Audits of Government Account—State	
Appropriation . . . . .	(( \$720,000 ))
	\$828,000
<u>Workforce Education Investment Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$100,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(( \$70,765,000 ))</b>
	<b>\$84,245,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$1,146,000)~~) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$1,146,000)~~) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the education ombuds.

(2) (~~(\$18,667,000 of the GOV central service account state appropriation is provided solely for the office of equity.~~)

(3) (~~\$480,000~~) \$554,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the governor to invite federally recognized tribes, local governments, agricultural producers, commercial and recreational fisher organizations, business organizations, salmon recovery organizations, forestry and agricultural organizations, and environmental organizations to participate in a process facilitated by an independent entity to develop recommendations on proposed changes in policy and spending priorities to improve riparian habitat to ensure salmon and steelhead recovery.

(a) The independent entity must develop recommendations on furthering riparian funding and policy, including but not limited to, strategies that can attract private investment in improving riparian habitat, and developing a regulatory or compensation strategy if voluntary programs do not achieve concrete targets.

(b) Preliminary recommendations shall be submitted to the legislature and governor by May 1, 2024, with a final report by June 30, 2024.

(c) The office of the governor may contract for an independent facilitator. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(~~(+4)~~) (3) \$3,020,000 of the general fund—state appropriation for fiscal year 2024 and \$2,980,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~) Within the amounts provided in this subsection:

(a) \$2,359,000 of the general fund—state appropriation for fiscal year 2024 and \$2,359,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for flexible funding to support children in crisis. Uses of the flexible funding include, but are not limited to:

(i) Residential, housing, or wraparound supports that facilitate the safe discharge of children in crisis from hospitals;

(ii) Support for families and caregivers to mitigate the risk of a child going into or returning to a state of crisis;

(iii) Respite and relief services for families and caregivers that would assist in the safe discharge of a child in crisis from a hospital, or prevent or mitigate a child's future hospitalization due to crisis; or

(iv) Any support or service that would expedite a safe discharge of a child in crisis from an acute care hospital or that would prevent or mitigate a child's future hospitalization due to crisis.

(b) Flexible funding expenditures may not be used for administrative expenses.

(c) The care coordinator created in Second Substitute House Bill No. 1580 (children in crisis) must approve any expenditures of flexible funding.

(~~(+5)~~) (4) \$300,000 of the GOV central service account—state appropriation is provided solely for the office of equity to conduct community engagement and develop an equity toolkit. Within the amounts provided in this subsection:

(a) The office of equity must consult with state boards and commissions that support the participation of people from underrepresented populations in policy-making processes, and may consult with other relevant state agencies, departments, and offices, to identify:

(i) Barriers to access and meaningful participation in stakeholder engagement by people from underrepresented populations who have lived experience;

(ii) Tools to support access and meaningful participation in stakeholder engagement;

(iii) Modifications to stakeholder engagement processes that promote an increase in access and opportunities for participation by people from underrepresented populations who have lived experience in policy-making processes. Any modifications identified may not restrict or otherwise prevent compliance with requirements under federal statute or regulations; and

(iv) Changes to law or agency rules that will promote increased access and participation in the policy-making process.

(b) The office of equity must submit a report, in compliance with RCW 43.01.036, to the appropriate committees of the legislature that details its findings under (a) of this subsection by July 1, 2024.

(c) By November 30, 2024, the office of equity must develop a toolkit on best practices for supporting meaningful engagement of underrepresented individuals with lived experience participating on statutory entities. The toolkit must be transmitted to all state agencies, including the office of the governor, members of the legislature, the secretary of the senate, and the chief clerk of the house of representatives. The toolkit must include:

(i) Best practices for identifying and recruiting underrepresented individuals with lived experience;

(ii) Best practices for appropriately and meaningfully engaging individuals from underrepresented populations with lived experience. Recommendations of these best practices may include suggestions from engagement conducted under (a) of this subsection;

(iii) Information on how to plan the work of a statutory entity using the principles of universal design, which may include suggestions from community engagement conducted under (a) of this subsection;

(iv) Best practices for onboarding all statutory entity members including how to support underrepresented individuals with lived experience in accessing compensation in accordance with chapter 43.03 RCW; and

(v) A list of state entities that appointing authorities may consult with when considering appointments to statutory entities for the purpose of increasing meaningful participation by people from underrepresented populations who have lived experience.

(d) For purposes of this subsection:

(i) "Lived experience" has the same meaning as provided in RCW 43.03.220.

(ii) "Statutory entity" means a multimember task force, work group, or advisory committee, that is temporary, established by legislation adopted after January 1, 2025, established for the specific purpose of examining a particular policy or issue which directly and tangibly affects one or more underrepresented populations, and is required to report to the legislature on the policy or issues it is tasked with examining. "Statutory entity" does not include legislative select committees or other statutorily created legislative entities composed of only legislative members.

(iii) "Underrepresented population" means a population group that is more likely to be at higher risk for disenfranchisement due to adverse socioeconomic factors such as unemployment, high housing and transportation costs relative to income, effects of environmental harms, limited access to nutritious food and adequate health care, linguistic isolation, and any other factors that may be barriers for participating in policy-making processes.

~~((6))~~ (5) Within the amounts appropriated in this section, the Washington state office of equity must cofacilitate the Washington digital equity forum with the statewide broadband office.

~~((7))~~ (6)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the corrections ombuds to prepare a report on incarcerated persons who have been in solitary confinement or any other form of restrictive housing more than 120 days in total during their period of incarceration or have been in solitary confinement or any other form of restrictive housing more than 45 consecutive days in the prior fiscal year. The report must:

(i) Include the basis on which each person was placed in restrictive housing;

(ii) Define the types of restrictive housing used by the department of corrections including, but not limited to, solitary confinement, administrative segregation, disciplinary segregation, protective custody, and maximum custody;

(iii) Identify the specific type of restrictive housing each incarcerated person was placed in and the reason for such placement;

(iv) Provide information regarding each incarcerated person's underlying offenses;

(v) Identify any sanctions imposed during the incarceration of each person;

(vi) State the amount of time each person has remaining in total confinement;

(vii) Document any attempted suicides by each individual in restrictive housing over the past 10 years and the reason, if known;

(viii) Describe the programming offered to and accepted by each incarcerated person during the person's period of restrictive confinement; and

(ix) Identify any short-term policies identified, implemented, or improved by the department for the restrictive housing population including, but not limited to, lighting, ventilation, and access to personal property, communication, and visitation.

(b) The department shall provide a report to the governor and appropriate committees of the legislature by June 30, 2024.

(7) Within existing resources, the governor's office of results Washington must conduct a review of the provisions in state law relating to statewide performance management in RCW 43.88.090 and 43.17.380 through 43.17.390 and other statutes as applicable. The office must produce a report to the governor and appropriate committees of the legislature by October 31, 2024, including recommendations for legislative actions to provide meaningful performance information and oversight for decision makers in the governor's office and other agencies responsible for enterprise-wide initiatives. Results Washington should consult with the office of financial management and other agencies as applicable to ensure that recommendations minimize duplication of effort and support their statutory oversight roles.

**Sec. 117.** 2023 c 475 s 118 (uncodified) is amended to read as follows:

**FOR THE LIEUTENANT GOVERNOR**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$1,619,000</del> ))
	<u>\$1,618,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$1,640,000</del> ))
	<u>\$1,646,000</u>
General Fund—Private/Local Appropriation . . . . .	\$90,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$3,349,000</del>))</b>
	<b><u>\$3,354,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the legislative committee on economic development and international relations to conduct an analysis of the statewide economic impact of the military and defense sector. The analysis

shall be completed and submitted to the governor and appropriate committees of the legislature by September 1, 2024.

Sec. 118. 2023 c 475 s 119 (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund—State Appropriation (FY 2024)	(( <del>\$6,105,000</del> ))
	\$6,107,000
General Fund—State Appropriation (FY 2025)	(( <del>\$5,913,000</del> ))
	\$6,043,000
Public Disclosure Transparency Account—State Appropriation	(( <del>\$2,271,000</del> ))
	\$2,301,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$14,289,000</del>))</b>
	<b>\$14,451,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) No moneys may be expended from the appropriations in this section to establish an electronic directory, archive, or other compilation of political advertising unless explicitly authorized by the legislature.

(2) ~~((~~\$2,171,000~~))~~ \$2,170,000 of the public disclosure transparency account—state appropriation is provided solely for the public disclosure commission for the purpose of improving the ability of the public to access information about political campaigns, lobbying, and elected officials, and facilitating accurate and timely reporting by the regulated community. The commission must report to the office of financial management and fiscal committees of the legislature by October 31st of each year detailing information on the public disclosure transparency account. The report shall include, but is not limited to:

(a) An investment plan of how funds would be used to improve the ability of the public to access information about political campaigns, lobbying, and elected officials, and facilitate accurate and timely reporting by the regulated community;

(b) A list of active projects as of July 1st of the fiscal year. This must include a breakdown of expenditures by project and expense type for all current and ongoing projects;

(c) A list of projects that are planned in the current and following fiscal year and projects the commission would recommend for future funding. The commission must identify priorities, and develop accountability measures to ensure the projects meet intended purposes; and

(d) Any other metric or measure the commission deems appropriate to track the outcome of the use of the funds.

(3) \$100,000 of the public disclosure transparency account—state appropriation is provided solely for implementation of Second Engrossed Substitute Senate Bill No. 5284 (campaign finance disclosure). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(4) \$93,047 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5857 (campaign disclosure reorg.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 119. 2023 c 475 s 120 (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund—State Appropriation (FY 2024)	(( <del>\$40,397,000</del> ))
	\$55,588,000
General Fund—State Appropriation (FY 2025)	(( <del>\$48,378,000</del> ))
	\$60,911,000
General Fund—Federal Appropriation	\$8,606,000
Public Records Efficiency, Preservation, and Access Account—State Appropriation	(( <del>\$11,621,000</del> ))
	\$11,625,000
Charitable Organization Education Account—State Appropriation	(( <del>\$1,161,000</del> ))
	\$1,233,000
Washington State Library Operations Account—State Appropriation	(( <del>\$14,652,000</del> ))
	\$14,659,000
Local Government Archives Account—State Appropriation	(( <del>\$11,997,000</del> ))
	\$12,001,000
Election Account—Federal Appropriation	\$4,487,000
Personnel Service Account—State Appropriation	\$2,262,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$143,561,000</del>))</b>
	<b>\$171,372,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$2,498,000~~))~~ \$16,998,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$12,196,000~~))~~ \$21,450,000 of the general fund—state appropriation for fiscal year



2025 are provided solely to reimburse counties for the state's share of primary and general election costs, the state's share of presidential primary costs, and the costs of conducting mandatory recounts on state measures. Funds may also be used by the secretary of state for costs associated with the printing and distribution of the presidential primary voters pamphlet. Counties shall be reimbursed only for those costs that the secretary of state validates as eligible for reimbursement.

(2)(a) \$4,052,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,052,000)~~\$5,052,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events statewide. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for humanities Washington speaker's bureau community conversations.

(5) \$114,000 of the general fund—state appropriation for fiscal year 2024 and \$114,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for election reconciliation reporting. Funding provides for one staff to compile county reconciliation reports, analyze the data, and to complete an annual statewide election reconciliation report for every state primary and general election. The report must be submitted annually on July 31, to legislative policy and fiscal committees. The annual report must include statewide analysis and by county analysis on the reasons for ballot rejection and an analysis of the ways ballots are received, counted, rejected and cure data that can be used by policymakers to better understand election administration.

(6) \$896,000 of the general fund—state appropriation for fiscal year 2024 and \$870,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to the maintenance and operations of the voter registration and election management system. These staff will manage database upgrades, database maintenance, system training and support to counties, and triage and customer service to system users.

(7) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

(a) Funding the security operations center, including identified needs for expanded operations, systems, technology tools, training resources;

(b) Additional staff dedicated to the cyber and physical security of election operations at the office and county election offices;

(c) Expanding security assessments, threat monitoring, enhanced security training; and

(d) Providing grants to county partners to address identified threats and expand existing grants and contracts with other public and private organizations such as the Washington military department, national guard, private companies providing cyber security, and county election offices.

(8) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5112 (voter registration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5182 (candidate filing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5208 (online voter registration). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(12) \$616,000 of the personnel service account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5015 (productivity board). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(13) (~~(\$350,000)~~) \$400,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$350,000)~~) \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with humanities Washington to expand the prime time family reading program.

(14) The office of the secretary of state must conduct a feasibility study of replacing the combined fund drive donor management system. The office must report its findings and a plan for replacement to the appropriate committees of the legislature by December 31, 2023.

(15) (~~(\$200,000)~~) \$525,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~) and \$325,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services costs for *Vet Voice Foundation et al. v. Hobbs*.

(16) \$3,724,000 of the general fund—state appropriation for fiscal year 2024 and \$2,674,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to design and implement strategies and products to counter false narratives surrounding election security and integrity, including community engagement with underserved populations such as young voters, voters with disabilities, tribal communities, and non-English-speaking voters. Of the amounts provided in this subsection, \$500,000 per fiscal year are provided solely for grants to county auditors for the same purposes.

(17) The office of the secretary of state must work with the office of the chief information officer to evaluate the office of the secretary of state's information technology infrastructure and applications to determine the appropriate candidates for the location of data and the systems that could be exempt from consolidated technology services oversight. The office shall report its findings to the appropriate committees of the legislature by December 31, 2023.

(18) \$83,000 of the general fund—state appropriation for fiscal year 2024 and \$67,000 of the general fund—state appropriation for fiscal year 2025 are provided solely the office of the secretary of state to assist businesses and nonprofits providing therapeutic rehabilitation within Washington state's juvenile secure residential facilities. It is well established that providing outreach and therapeutic education among incarcerated youth remains critical to successful community reentry. The amounts provided under this subsection are subject to the following conditions and limitations: To be eligible for a grant under this subsection, a business must (a) apply for or have applied for the grant; (b) be registered as a Washington state business or non-profit; (c) reported annual gross receipts are no more than \$1,000,000 in the most recent calendar year; (d) must have ability to conduct in-person business operations at one of Washington's juvenile correctional facilities; (e) of the total grant amount awarded, no more than 10 percent may be awarded for travel expenses; (f) agree to operate in-person, in accordance with the requirements of applicable federal, state, and local directives and guidance; and (g) at least one principal of entity must demonstrate the following educational credential, minimum masters degree in related field, and professional experience of conducting therapeutic gaming. The office of the secretary of state may use up to 10 percent of the amount provided in this subsection for administrative costs.

(19) \$730,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office's migration of its applications and systems to Azure cloud environments, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(20) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with the University of Washington Evans school of public policy and governance to complete a study based on the preliminary report and research design submitted to the office on June 30, 2022. The preliminary report analyzed the 2022 state auditor's performance audit titled "evaluating Washington's ballot rejection rates." The study must be reported to the governor and the appropriate committees of the legislature by November 1, 2023.

(21) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to continue developing a statewide digital assessment tool and protocol for the tool's usage. The office must use the tool and protocol it developed to reach additional underserved audiences and make improvements to the tool and protocol. The office must develop and publish recommendations to improve implementation of the tool by June 30, 2025.

(22) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish a Washington state library branch at Green Hill school.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with the University of Washington Evans school of public policy and governance to examine processes for providing voting registration, voting materials, and voting assistance for people held in Washington jails.

(a) The study must:

- (i) Identify challenges and obstacles to voting in Washington jails;
  - (ii) Examine how election offices and jails can ensure that voter registration, materials, and assistance are provided to registered voters and eligible citizens who are in jail prior to each election;
  - (iii) Develop recommendations for facilitating voter registration for eligible citizens and voting for registered voters in Washington jails; and
  - (iv) Develop recommendations for identifying individuals who are registered to vote upon jail admission and for providing voter assistance upon release from jail.
- (b) The study is due to the office, the governor, and the appropriate committees of the legislature by December 1, 2024.

(24) \$81,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5843 (election security breaches). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5890 (ballot rejections). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(26) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 120.** 2023 c 475 s 121 (uncodified) is amended to read as follows:  
**FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$801,000</del> ))
	\$802,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$797,000</del> ))
	\$904,000
Climate Commitment Account—State Appropriation . . . . .	\$658,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$2,256,000</del>))</b>
	<b>\$2,364,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

(2)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for native American students;
- (ii) Analyze the progress in developing effective government-to-government relations and identification and adoption of curriculum regarding tribal history, culture, and government as provided under RCW 28A.345.070;
- (iii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iv) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(3)(a) \$404,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). Within amounts provided in this subsection, the governor's office of Indian affairs, in consultation with the department of ecology, the department of commerce, and the department of archaeology and historic preservation, must coordinate government-to-government engagement with federally recognized Indian tribes who have treaty rights in Washington. Topics of engagement may include:

- (i) Implementation of environmental and energy laws, policy regulations, programs, and finances;
- (ii) The climate commitment act, chapter 316, Laws of 2021;
- (iii) Engrossed Second Substitute House Bill No. 1216 (clean energy siting); and
- (iv) Other related policy.

(b) Funding provided within this subsection may support:

- (i) Participation on the interagency clean energy siting coordinating council;
- (ii) Creation and maintenance of a list of contacts of federally recognized tribes, and tribal preferences regarding outreach about clean energy siting and permitting; and
- (iii) Development and delivery of training to clean energy project developers on consultation and engagement processes for federally recognized Indian tribes.

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 121.** 2023 c 475 s 122 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$913,000</del> ))
	<u>\$945,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$897,000</del> ))
	<u>\$901,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,810,000</del>))</b>
	<b><u>\$1,846,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Asian American students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Native Hawaiian and Pacific Islander students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

**Sec. 122.** 2023 c 475 s 123 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER**

State Treasurer's Service Account—State Appropriation. . . . .	(( <del>\$23,658,000</del> ))
	<u>\$24,432,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$23,658,000</del>))</b>
	<b><u>\$24,432,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

~~(1) ((\$500,000 of the state treasurer's service account—state appropriation is provided solely for the review of local government tax increment financing proposals as provided in RCW 39.114.020.~~

~~(2))~~ \$500,000 of the state treasurer's service account—state appropriation is provided solely for the office to study existing and proposed laws in other jurisdictions that limit consideration of material factors in public financing and investments. The study must consider any investment risk and economic risk to Washington associated with identified laws. Authorized uses of the amount provided in this subsection include, but are not limited to, staffing, consulting fees, travel expenditures, or other goods and services. The office must submit the study to the appropriate committees of the legislature by December 1, 2024.

~~((+3))~~ (2) Pursuant to RCW 82.08.225, the legislature authorizes the state treasurer to deposit up to \$3,000,000 of taxes collected pursuant to RCW 82.08.020(1) into the statewide tourism marketing account created in RCW 43.384.040 for the 2023–2025 fiscal biennium.

(3) \$280,000 of the state treasurer's service account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6069 (retirement savings). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 123.** 2023 c 475 s 124 (uncodified) is amended to read as follows:

**FOR THE STATE AUDITOR**

General Fund—State Appropriation (FY 2024) . . . . .	\$1,072,000
General Fund—State Appropriation (FY 2025) . . . . .	\$1,080,000
Auditing Services Revolving Account—State	

Appropriation. . . . .	(( <u>\$18,519,000</u> ))
	<u>\$18,533,000</u>
Performance Audits of Government Account—State	
Appropriation. . . . .	(( <u>\$1,871,000</u> ))
	<u>\$1,873,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<u>\$22,542,000</u>))</b>
	<b><u>\$22,558,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,585,000 of the performance audit of government account—state appropriation is provided solely for staff and related costs to verify the accuracy of reported school district data submitted for state funding purposes; conduct school district program audits of state-funded public school programs; establish the specific amount of state funding adjustments whenever audit exceptions occur and the amount is not firmly established in the course of regular public school audits; and to assist the state special education safety net committee when requested.

~~(2) ((Within existing resources of the performance audits of government account, the state auditor's office shall conduct a performance audit or accountability audit of Washington charter public schools to satisfy the requirement to contract for an independent performance audit pursuant to RCW 28A.710.030(2)).~~

~~(3))~~ \$825,000 of the auditing services revolving account—state appropriation is provided solely for accountability and risk based audits.

~~((+4))~~ (3) \$1,030,000 of the general fund—state appropriation for fiscal year 2024 and \$1,030,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for law enforcement audits pursuant to RCW 43.101.460 and 43.101.465.

**Sec. 124.** 2023 c 475 s 125 (uncodified) is amended to read as follows:

**FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS**

General Fund—State Appropriation (FY 2024). . . . .	(( <u>\$299,000</u> ))
	<u>\$305,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <u>\$295,000</u> ))
	<u>\$322,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<u>\$594,000</u>))</b>
	<b><u>\$627,000</u></b>

**Sec. 125.** 2023 c 475 s 126 (uncodified) is amended to read as follows:

**FOR THE ATTORNEY GENERAL**

General Fund—State Appropriation (FY 2024). . . . .	(( <u>\$39,778,000</u> ))
	<u>\$48,730,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <u>\$36,313,000</u> ))
	<u>\$41,861,000</u>
General Fund—Federal Appropriation. . . . .	(( <u>\$23,595,000</u> ))
	<u>\$25,263,000</u>
General Fund—Private/Local Appropriation. . . . .	<u>\$1,307,000</u>
Public Service Revolving Account—State Appropriation. . . . .	(( <u>\$4,717,000</u> ))
	<u>\$4,715,000</u>
New Motor Vehicle Arbitration Account—State	
Appropriation. . . . .	(( <u>\$1,889,000</u> ))
	<u>\$1,888,000</u>
Medicaid Fraud Penalty Account—State Appropriation. . . . .	\$6,584,000
Child Rescue Fund—State Appropriation. . . . .	(( <u>\$80,000</u> ))
	<u>\$200,000</u>
Legal Services Revolving Account—State Appropriation. . . . .	(( <u>\$401,733,000</u> ))
	<u>\$406,196,000</u>
Local Government Archives Account—State	
Appropriation. . . . .	\$1,117,000
Tobacco Prevention and Control Account—State	
Appropriation. . . . .	\$274,000
<b>TOTAL APPROPRIATION.....</b>	<b>((<u>\$516,080,000</u>))</b>
	<b><u>\$538,135,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The attorney general shall report each fiscal year on actual legal services expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year. As part of its by agency report to the legislative fiscal committees and the office of financial management, the office of the attorney general shall include information detailing the agency's expenditures for its agency-wide overhead and a breakdown by division of division administration expenses.

(2) Prior to entering into any negotiated settlement of a claim against the state that exceeds five million dollars, the attorney general shall notify the director of the office of

financial management and the chairs and ranking members of the senate committee on ways and means and the house of representatives committee on appropriations.

(3) The attorney general shall annually report to the fiscal committees of the legislature all new cy pres awards and settlements and all new accounts, disclosing their intended uses, balances, the nature of the claim or account, proposals, and intended timeframes for the expenditure of each amount. The report shall be distributed electronically and posted on the attorney general's web site. The report shall not be printed on paper or distributed physically.

(4) (~~(\$1,217,000)~~) \$1,806,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$1,217,000)~~) \$1,981,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for multi-year arbitrations of the state's diligent enforcement of its obligations to receive amounts withheld from tobacco master settlement agreement payments.

(5) \$6,189,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 326, Laws of 2021 (law enforcement data).

(6) (~~(\$1,958,000)~~) \$1,458,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$958,000)~~) \$1,458,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a program for receiving and responding to tips from the public regarding risks or potential risks to the safety or well-being of youth, called the YES tip line program. Risks to safety or well-being may include, but are not limited to, harm or threats of harm to self or others, sexual abuse, assault, rape, bullying or cyberbullying, substance use, and criminal acts. Any person contacting the YES tip line, whether for themselves or for another person, must receive timely assistance and not be turned away. The program must operate within the guidelines of this subsection.

(a) During the development and implementation of the YES tip line program the attorney general shall convene an advisory committee consisting of representatives from the Washington state patrol, the department of health, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the Washington association of educational service districts, and other participants the attorney general appoints.

(b) The attorney general shall develop and implement policies and processes for:

(i) Assessing tips based on the level of severity, urgency, and assistance needed using best triage practices including the YES tip line;

(ii) Risk assessment for referral of persons contacting the YES tip line to service providers;

(iii) Threat assessment that identifies circumstances requiring the YES tip line to alert law enforcement, mental health services, or other first responders immediately when immediate emergency response to a tip is warranted;

(iv) Referral and follow-up on tips to schools or postsecondary institution teams, local crisis services, law enforcement, and other entities;

(v) YES tip line information data retention and reporting requirements;

(vi) Ensuring the confidentiality of persons submitting a tip and to allow for disclosure when necessary to respond to a specific emergency threat to life; and

(vii) Systematic review, analysis, and reporting by the YES tip line program of YES tip line data including, but not limited to, reporting program utilization and evaluating whether the YES tip line is being implemented equitably across the state.

(c) The YES tip line shall be operated by a vendor selected by the attorney general through a competitive contracting process. The attorney general shall ensure that the YES tip line program vendor and its personnel are properly trained and resourced. The contract must require the vendor to be bound by confidentiality policies developed by the office. The contract must also provide that the state of Washington owns the data and information produced from the YES tip line and that vendor must comply with the state's data retention, use, and security requirements.

(d) The YES tip line program must develop and maintain a reference and best practices tool kit for law enforcement and mental health officials that identifies statewide and community mental health resources, services, and contacts, and provides best practices and strategies for investigators to use in investigating cases and assisting youths and their parents and guardians.

(e) The YES tip line program must promote and market the program and YES tip line to youth, families, community members, schools, and others statewide to build awareness of the program's resources and the YES tip line. Youth perspectives must be included and consulted in tip line development and implementation including creating marketing campaigns and materials required for the YES tip line program. The insights of youth representing marginalized and minority communities must be prioritized for their invaluable insight. Youths are eligible for stipends and reasonable allowances for reimbursement, lodging, and travel expenses as provided in RCW 43.03.220.

(7) \$561,000 of the general fund—state appropriation for fiscal year 2024 and \$508,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the attorney general to support the Washington state missing and murdered indigenous women and people task force in section 912 of this act.

(8) \$9,188,000 of the legal services revolving fund—state appropriation is provided solely for additional legal services to address additional legal services necessary for dependency actions where the state and federal Indian child welfare act apply. The office must report to the fiscal committees of the legislature within 90 days of the close of the

fiscal year the following information for new cases initiated in the previous fiscal year to measure quantity and use of this funding:

(a) The number and proportion of cases where the state and federal Indian child welfare act (ICWA) applies as compared to non-ICWA new cases;

(b) The amount of time spent advising on, preparing for court, and litigating issues and elements related to ICWA's requirements as compared to the amount of time advising on, preparing for court, and litigating issues and elements that are not related to ICWA's requirements;

(c) The length of state and federal Indian child welfare act cases as compared to non-ICWA cases measured by time or number of court hearings; and

(d) Any other information or metric the office determines is appropriate to measure the quantity and use of the funding in this subsection.

(9) (a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a truth and reconciliation tribal advisory committee to conduct research and outreach to understand the operations and impact of Indian boarding schools in Washington run by public and faith-based institutions, and to develop recommendations for the state to acknowledge and address the historical and intergenerational harms caused by Indian boarding schools and other cultural and linguistic termination practices.

(b) The advisory committee shall consist of five members nominated by the attorney general. The committee members must be citizens from federally recognized tribes in diverse geographic areas across the state that possess personal, policy, or specific expertise with Indian boarding school history and policies, or who have expertise in truth and healing endeavors that are traditionally and culturally appropriate.

(c) The advisory committee must hold its first meeting by September 30, 2023, and shall meet at least quarterly. The advisory committee may conduct meetings in person or virtually and must accept written testimony. The advisory committee may, when feasible, invite and consult with any entity, agency, or individual deemed necessary to further its work, or with experts or professionals involved, having expertise, or having lived experience regarding Indian boarding schools or tribal engagement.

(d) The office and the advisory committee must conduct at least six listening sessions in collaboration with tribes and Native-led organizations. The listening sessions must be held with consideration of the cultural, emotional, spiritual, and psychological well-being of survivors, family members, and community members. In planning and facilitating the listening sessions, the office must seek to avoid imposing undue burdens on survivors, family members, or community members.

(e) The office of the attorney general must administer and provide staff support for the advisory committee.

(f) By June 30, 2025, the office must submit a final report to the appropriate committees of the legislature that includes, but is not limited to:

(i) A summary of activities undertaken by the advisory committee;

(ii) Findings regarding the extent and types of support provided by the state to Indian boarding schools;

(iii) Findings regarding current state policies and practices that originate from Indian boarding schools or other assimilationist policies and practices and that cause disproportionate harm to American Indian and Alaska Native people and communities; and

(iv) Recommendations regarding how the state can address the harm done by Indian boarding schools and other cultural and linguistic termination practices through a truth and reconciliation model, including but not limited to:

(A) Resources and assistance that the state may provide to aid in the healing of trauma caused by Indian boarding school policies; and

(B) Actions to correct current state policies and practices with origins in assimilationist policies or that cause disproportionate harm to Native people and communities.

(10) \$1,381,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal services and other costs related to voter rights and redistricting commission litigation.

(11) \$566,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation challenging chapter 104, Laws of 2022 (ESSB 5078).

(12) \$749,000 of the general fund—state appropriation for fiscal year 2024 and \$689,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to the defense of the state and its agencies in a federal environmental cleanup action involving the Quendall terminals superfund site.

(13) \$731,000 of the general fund—state appropriation for fiscal year 2024 and \$1,462,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the prosecution of sexually violent predator cases pursuant to chapter 71.09 RCW.

(14) \$699,000 of the general fund—state appropriation for fiscal year 2024 and \$699,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the criminal litigation unit to address increased wrongfully convicted person claims under chapter 4.100 RCW and increased workload and complexity of cases referred to the unit.

(15) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$1,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

office to create a centralized statewide organized retail crime task force to coordinate, investigate, and prosecute multijurisdictional retail crime.

(16) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5078 (firearms industry duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(17) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the attorney general to update the introduction to Washington water law legal primer. The updated primer must cover subjects including, but not limited to, municipal water law, the trusts water rights program, instream flows, and significant appellate water law cases that have been decided since the previous introduction to Washington water law was prepared in 2000. The office must complete the updated primer by June 30, 2025.

(18) \$39,000 of the general fund—state appropriation for fiscal year 2024, \$39,000 of the general fund—state appropriation for fiscal year 2025, and \$30,000 of the legal services revolving fund—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) \$2,071,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$204,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) \$2,316,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$138,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for staff support to the joint legislative task force on jail standards authorized by RCW 70.48.801. The task force shall report finding and recommendations to the governor and the appropriate committees of the legislature no later than December 1, 2023.

(23) \$463,000 of the general fund—state appropriation for fiscal year 2024, \$454,000 of the general fund—state appropriation for fiscal year 2025, \$398,000 of the general fund—federal appropriation, \$91,000 of the public service revolving account—state appropriation, \$133,000 of the medicaid fraud penalty account—state appropriation, and \$6,740,000 of the legal services revolving fund—state appropriation are provided solely for implementation of the legal matter management system and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(24) \$50,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$138,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1469 (health care services/access). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$153,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1512 (missing persons). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(28) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,005,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1177 (indigenous women). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$26,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1470 (private detention facilities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$75,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$106,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees).



~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) \$338,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) (a) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the attorney general, in collaboration with the office of the insurance commissioner, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state including, but not limited to, the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.

(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The attorney general and office of the insurance commissioner shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

(34) \$9,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor compensation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(35) \$526,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(36) \$801,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to create a permanent sexual assault kit initiative program.

(37) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office, in collaboration with the Washington association of sheriffs and police chiefs, to support the Washington state indigenous demographic data collection work group of the Washington state missing and murdered indigenous women and people task force established in section 912, chapter 475, Laws of 2023.

(38) \$743,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5427 (hate crimes & bias incidents). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(39) \$34,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5640 (independent living residents). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(40) \$11,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5995 (interpreters and translators). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(41) \$131,000 of the general fund—state appropriation for fiscal year 2024 and \$528,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5838 (AI task force). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(42) \$45,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to support the underground economy task force created in section 906 of this act.

(43) \$3,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5271 (DOH/facilities enforcement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(44) \$1,307,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Senate Bill No. 5241 (health care marketplace). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(45) \$73,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(46) \$67,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$30,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5793 (paid sick leave). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(48) \$40,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(49) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a vehicular pursuit data collection and analysis task force.

(a) The task force shall:

(i) Include representation from law enforcement leadership and rank and file, community organizations, and traffic safety organizations, and shall strive to do its work in a collaborative manner; and

(ii) Reflect, to the greatest extent possible, the diversity of people with direct lived experience with vehicular pursuits, including members who reside in urban and rural communities, and with differing cultural and economic circumstances.

(b) The task force shall consist of the following members:

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate;

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives;

(iii) The office of the attorney general shall appoint members representing the following:

(A) The Washington association of sheriffs and police chiefs;

(B) The Washington state patrol;

(C) The Washington council of police and sheriffs;

(D) The Washington fraternal order of police;

(E) The criminal justice training commission;

(F) The Washington traffic safety commission;

(G) The Washington counties risk pool;

(H) The Washington cities insurance association;

(I) The association of Washington cities;

(J) The Washington association of counties;

(K) Whose streets our streets;

(L) The faith action network;

(M) The peace justice and action league of Spokane;

(N) The Washington coalition for police accountability;

(O) Spokane community against racism;

(P) The Pacific Islander community association of Washington;

(Q) The American automobile association of Washington;

(R) The transportation choices coalition;

(S) A representative of a federally recognized tribe; and

(T) One person with civilian oversight or auditing experience regarding law enforcement agencies; and

(iv) The attorney general shall appoint a designee who has knowledge of the use of force data collection requirements under chapter 10.118 RCW.

(c) The task force is responsible for providing recommendations to the legislature on what data should be collected by law enforcement agencies throughout the state so that the legislature and other policymakers have consistent and uniform information necessary to evaluate policies on vehicular pursuits. The task force shall:

(i) Review available data on vehicular pursuits, including:

(A) The date, time, location, maximum speed, and duration of the incident;

(B) The reason for initiating a pursuit;

(C) Whether the pursuing officer sought authorization for the pursuit, or only gave notice of the pursuit and whether authorization for the pursuit was granted;

(D) Whether a supervisor denied authorization for the pursuit and the reason for the denial;

- (E) The number of vehicles and officers involved in the pursuit;
- (F) The number of law enforcement agencies involved in the pursuit;
- (G) Whether pursuit intervention techniques are employed, and if so, which ones;
- (H) Whether the pursuit was terminated at any point, and if so, the reason for termination;
- (I) The officer's perception of the age, gender, race, ethnicity, or applicable tribal affiliation of the driver and any passengers of the motor vehicle being pursued;
- (J) Whether the pursuit resulted in no action, termination, apprehension, warning, citation, arrest and grounds for the arrest, or other action; and
- (K) Whether the pursuit resulted in any property damage, injury, or death, and to whom and what, including law enforcement, drivers, passengers, and bystanders;
- (ii) Recommend data to be collected and why, in relation to (c) (i) of this subsection;
- (iii) Develop a protocol for data collection and provide a statement regarding the use of such data and what its collection and analysis will establish;
- (iv) Make the data readily available to the public using standard open data protocols;
- (v) Recommend the entity responsible for collecting and managing this data on a statewide basis; and
- (vi) Recommend any changes in state law to accomplish and facilitate the collection and analysis of the data, including whether to align or integrate the data collection with the use of force data under chapter 10.118 RCW.
- (d) The legislative membership shall convene the initial meeting of the task force no later than May 1, 2024. The task force shall choose its cochairs from among its legislative membership, which must include one cochair from the house of representatives and one cochair from the senate.
- (e) The task force shall submit a preliminary report of its findings and any recommendations to the appropriate committees of the legislature by June 30, 2025, with the goal of completing a final report by November 15, 2025.
- (f) Staff support for the task force shall be provided by the office of the attorney general.
- (g) (i) Legislative members of the task force are reimbursed for expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization.
- (ii) Nonlegislative members are entitled to stipends in accordance with the provisions of RCW 43.03.220.

**Sec. 126.** 2023 c 475 s 127 (uncodified) is amended to read as follows:

**FOR THE CASELOAD FORECAST COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$2,378,000</del> ))
	\$2,380,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$2,378,000</del> ))
	\$2,381,000
Workforce Education Investment Account—State	
Appropriation . . . . .	\$356,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$5,112,000</del>))</b>
	<b>\$5,117,000</b>

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$356,000 of the workforce education investment account—state appropriation is provided solely to forecast the caseload for the Washington college grant program.
- (2) Within existing resources, and beginning with the November 2021 forecast, the caseload forecast council shall produce an unofficial forecast of the long-term caseload for juvenile rehabilitation as a courtesy.
- (3) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1218 (caseload forecast/tax credit). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))
- (4) Within the amounts appropriated in this section, the council must forecast the number of people eligible for the apple health expansion for Washington residents with incomes at or below 138 percent of the federal poverty level, regardless of immigration status, beginning in July 2024.

**Sec. 127.** 2023 c 475 s 129 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—COMMUNITY SERVICES AND HOUSING**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$334,486,000</del> ))
	\$414,862,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$391,233,000</del> ))
	\$434,870,000
General Fund—Federal Appropriation . . . . .	\$281,789,000
General Fund—Private/Local Appropriation . . . . .	\$5,252,000
Affordable Housing for All Account—State	
Appropriation . . . . .	\$109,227,000
Apple Health and Homes Account—State Appropriation . . . . .	\$28,452,000

Climate Commitment Account—State Appropriation. . . . .	\$35,000,000
Community Reinvestment Account—State Appropriation. . . . .	\$200,000,000
Community and Economic Development Fee Account—State Appropriation. . . . .	\$3,159,000
<del>((Coronavirus State Fiscal Recovery Fund— Federal Appropriation. . . . .</del>	<del>\$77,878,000))</del>
Covenant Homeownership Account—State Appropriation. . . . .	\$150,000,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation. . . . .	\$2,631,000
Home Security Fund Account—State Appropriation. . . . .	\$290,410,000
Lead Paint Account—State Appropriation. . . . .	\$233,000
Prostitution Prevention and Intervention Account— State Appropriation. . . . .	\$26,000
Washington Housing Trust Account—State Appropriation. . . . .	\$9,863,000
<b>TOTAL APPROPRIATION.....</b>	<b><del>(\$1,919,639,000)</del></b>
	<b><u>\$1,965,774,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,500,000 of the general fund—state appropriation for fiscal year 2024 and \$10,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to resolution Washington to build statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the retired senior volunteer program.

(3) Within existing resources, the department shall provide administrative and other indirect support to the developmental disabilities council.

(4) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington new Americans program. The department may require a cash match or in-kind contributions to be eligible for state funding.

(5) \$768,000 of the general fund—state appropriation for fiscal year 2024 and \$797,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a private, nonprofit organization to provide developmental disability ombuds services.

(6) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, \$1,000,000 of the home security fund—state appropriation, \$2,000,000 of the Washington housing trust account—state appropriation, and \$1,000,000 of the affordable housing for all account—state appropriation are provided solely for the department of commerce for services to homeless families and youth through the Washington youth and families fund.

(7) \$1,000,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000,000 of the home security fund—state appropriation are provided solely for the administration of the grant program required in chapter 43.185C RCW, linking homeless students and their families with stable housing.

~~(8) ((a) \$1,980,000 of the general fund state appropriation for fiscal year 2024 and \$1,980,000 of the general fund state appropriation for fiscal year 2025 are provided solely for community beds for individuals with a history of mental illness. Currently, there is little to no housing specific to populations with these co-occurring disorders; therefore, the department must consider how best to develop new bed capacity in combination with individualized support services, such as intensive case management and care coordination, clinical supervision, mental health, substance abuse treatment, and vocational and employment services. Case management and care coordination services must be provided. Increased case-managed housing will help to reduce the use of jails and emergency services and will help to reduce admissions to the state psychiatric hospitals. The department must coordinate with the health care authority and the department of social and health services in establishing conditions for the awarding of these funds. The department must contract with local entities to provide a mix of (i) shared permanent supportive housing; (ii) independent permanent supportive housing; and (iii) low and no-barrier housing beds for people with a criminal history, substance abuse disorder, and/or mental illness.~~

~~(b) Priority for permanent supportive housing must be given to individuals on the discharge list at the state psychiatric hospitals or in community psychiatric inpatient beds whose conditions present significant barriers to timely discharge.)) [Reserved.]~~

(9) \$557,000 of the general fund—state appropriation for fiscal year 2024 and \$557,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to design and administer the achieving a better life experience program.

(10) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with organizations and attorneys to provide either legal representation or referral services for legal representation, or both, to indigent persons

who are in need of legal services for matters related to their immigration status. Persons eligible for assistance under any contract entered into pursuant to this subsection must be determined to be indigent under standards developed under chapter 10.101 RCW.

(11)(a) \$12,500,000 of the general fund—state appropriation for fiscal year 2024, \$12,500,000 of the general fund—state appropriation for fiscal year 2025, and \$37,000,000 of the affordable housing for all account—state appropriation are provided solely for grants to support the building operation, maintenance, and service costs of permanent supportive housing projects or units within housing projects that have or will receive funding from the housing trust fund—state account or other public capital funding that:

- (i) Is dedicated as permanent supportive housing units;
- (ii) Is occupied by low-income households with incomes at or below 30 percent of the area median income; and
- (iii) Requires a supplement to rent income to cover ongoing property operating, maintenance, and service expenses.

(b) Permanent supportive housing projects receiving federal operating subsidies that do not fully cover the operation, maintenance, and service costs of the projects are eligible to receive grants as described in this subsection.

(c) The department may use a reasonable amount of funding provided in this subsection to administer the grants.

(12) \$7,000,000 of the home security fund—state appropriation is provided solely for the office of homeless youth prevention and protection programs to:

(a) Expand outreach, services, and housing for homeless youth and young adults including but not limited to secure crisis residential centers, crisis residential centers, and HOPE beds, so that resources are equitably distributed across the state;

(b) Contract with other public agency partners to test innovative program models that prevent youth from exiting public systems into homelessness; and

(c) Support the development of an integrated services model, increase performance outcomes, and enable providers to have the necessary skills and expertise to effectively operate youth programs.

(13) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to build infrastructure and services to support a continuum of interventions, including but not limited to prevention, crisis response, and long-term housing, to reduce youth homelessness in communities identified as part of the anchor community initiative.

(14) \$2,125,000 of the general fund—state appropriation for fiscal year 2024 and \$2,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to contract with one or more nonprofit organizations to provide youth services and young adult housing on a multi-acre youth campus located in the city of Tacoma. Youth services include, but are not limited to, HOPE beds and crisis residential centers to provide temporary shelter and permanency planning for youth under the age of 18. Young adult housing includes, but is not limited to, rental assistance and case management for young adults ages 18 to 24. The department shall submit an annual report to the legislature on the use of the funds. The report is due annually on June 30th. The report shall include but is not limited to:

- (a) A breakdown of expenditures by program and expense type, including the cost per bed;
- (b) The number of youth and young adults helped by each program;
- (c) The number of youth and young adults on the waiting list for programs, if any; and
- (d) Any other metric or measure the department deems appropriate to evaluate the effectiveness of the use of the funds.

(15) \$65,310,000 of the general fund—state appropriation for fiscal year 2024 and \$65,310,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the essential needs and housing support program and related services. The department may use a portion of the funds provided in this subsection to continue the pilot program established in section 127(106) of chapter 357, Laws of 2020 (addressing the immediate housing needs of low or extremely low-income elderly or disabled adults in certain counties who receive social security disability or retirement income). The department must ensure the timely redistribution of the funding provided in this subsection among entities or counties to reflect actual caseload changes as required under RCW 43.185C.220(5)(c).

(16) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$198,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to retain a behavioral health facilities siting administrator within the department to coordinate development of effective behavioral health housing options and provide technical assistance in siting of behavioral health treatment facilities statewide to aide in the governor's plan to discharge individuals from the state psychiatric hospitals into community settings. This position must work closely with the local government legislative authorities, planning departments, behavioral health providers, health care authority, department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity-building efforts. This position must work to integrate building behavioral health treatment and infrastructure capacity in addition to ongoing supportive housing benefits.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an entity located in the Beacon hill/Chinatown international

district area of Seattle to provide low income housing, low income housing support services, or both. To the extent practicable, the chosen location must be colocated with other programs supporting the needs of children, the elderly, or persons with disabilities.

(18) \$4,740,000 of the general fund—state appropriation for fiscal year 2024, \$4,740,000 of the general fund—state appropriation for fiscal year 2025, and \$4,500,000 of the home security fund—state appropriation are provided solely for the consolidated homeless grant program.

(a) Of the amounts provided in this subsection, \$4,500,000 of the home security fund—state appropriation is provided solely for permanent supportive housing targeted at those families who are chronically homeless and where at least one member of the family has a disability. The department will also connect these families to medicaid supportive services.

(b) Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for diversion services for those families and individuals who are at substantial risk of losing stable housing or who have recently become homeless and are determined to have a high probability of returning to stable housing.

(c) Of the amounts provided in this subsection, \$3,240,000 of the general fund—state appropriation for fiscal year 2024 and \$3,240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for up to nine months of rental assistance for individuals enrolled in the foundational community supports initiative who are transitioning off of benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The health care authority, department of social and health services, and department of commerce shall collaborate on this effort.

(19) \$958,000 of the general fund—state appropriation for fiscal year 2024 and \$1,332,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operations of the long-term care ombudsman program.

(20) \$1,007,000 of the general fund—state appropriation for fiscal year 2024 and \$1,007,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer a transitional housing program for nondependent homeless youth.

(21) \$80,000 of the general fund—state appropriation for fiscal year 2024 and \$80,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish an identification assistance and support program to assist homeless persons in collecting documentation and procuring an identicard issued by the department of licensing. This program may be operated through a contract for services. The program shall operate in one county west of the crest of the Cascade mountain range with a population of 1,000,000 or more and one county east of the crest of the Cascade mountain range with a population of 500,000 or more.

(22)(a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to administer flexible funding to support the anchor community initiative and anchor communities through the homeless prevention and diversion fund and serve eligible youth and young adults. The flexible funding administered under this subsection may be used for the immediate needs of eligible youth or young adults. An eligible youth or young adult may receive support under this subsection more than once.

(b) Flexible funding provided under this subsection may be used for purposes including but not limited to:

- (i) Car repair or other transportation assistance;
- (ii) Rental application fees, a security deposit, or short-term rental assistance;
- (iii) Offsetting costs for first and last month's rent and security deposits;
- (iv) Transportation costs to go to work;
- (v) Assistance in obtaining photo identification or birth certificates; and
- (vi) Other uses that will support the eligible youth or young adult's housing stability, education, or employment, or meet immediate basic needs.

(c) The flexible funding provided under this subsection may be provided to:

(i) Eligible youth and young adults. For the purposes of this subsection, an eligible youth or young adult is a person under age 25 who is experiencing or at risk of experiencing homelessness, including but not limited to those who are unsheltered, doubled up or in unsafe living situations, exiting inpatient programs, or in school;

(ii) Community-based providers assisting eligible youth or young adults in attaining safe and stable housing; and

(iii) Individuals or entities, including landlords, providing safe housing or other support designed to lead to housing for eligible youth or young adults.

(23) ~~(\$607,000)~~ \$3,607,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$607,000)~~ \$3,607,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to assist homeowners at risk of foreclosure pursuant to chapter 61.24 RCW. Funding provided in this section may be used for activities to prevent mortgage or tax lien foreclosure, housing counselors, a foreclosure prevention hotline, legal services for low-income individuals, mediation, and other activities that promote homeownership. The department may contract with other foreclosure fairness program state partners to carry out this work.

(24) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

department to contract with a nonprofit entity located in Seattle that focuses on poverty reduction and racial equity to convene and staff a poverty reduction workgroup steering committee comprised of individuals that have lived experience with poverty. Funding provided in this section may be used to reimburse steering committee members for travel, child care, and other costs associated with participation in the steering committee.

(25) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for capacity-building grants through the Latino community fund for emergency response services, educational programs, and human services support for children and families in rural and underserved communities.

(26) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to administer a competitive grant process to award funding to licensed youth shelters, HOPE centers, and crisis residential centers to provide behavioral health support services for youth in crisis, and to increase funding for current grantees.

(27) (~~(\$9,864,000)~~)\$11,844,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$9,864,000)~~)\$11,844,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for long-term rental subsidies for individuals with mental health and/or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served.

(28) \$9,575,000 of the general fund—state appropriation for fiscal year 2024 and \$9,575,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the Washington state office of firearm safety and violence prevention, including the creation of a state and federal grant funding plan to direct resources to cities that are most impacted by community violence. Of the amounts provided in this subsection:

(a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based violence prevention and intervention services to individuals identified through the King county shots fired social network analysis. The department must complete an evaluation of the program and provide a report to the governor and the appropriate legislative committees by June 30, 2023.

(b) \$5,318,000 of the general fund—state appropriation for fiscal year 2024 and \$5,318,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support existing programs and capacity building for new programs providing evidence-based violence prevention and intervention services to youth who are at high risk to perpetrate or be victims of firearm violence and who reside in areas with high rates of firearm violence as provided in RCW 43.330A.050.

(i) Priority shall be given to programs that partner with the University of Washington, school of medicine, department of psychiatry and behavioral sciences for training and support to deliver culturally relevant family integrated transition services through use of credible messenger advocates.

(ii) The office may enter into agreement with the University of Washington or another independent entity with expertise in evaluating community-based grant-funded programs to evaluate the grant program's effectiveness.

(iii) The office shall enter into agreement to provide funding to the University of Washington, school of medicine, department of psychiatry and behavioral sciences to directly deliver trainings and support to programs providing culturally relevant family integrated transition services through use of credible messenger and to train a third-party organization to similarly support those programs.

(iv) Of the amounts provided under (b) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a certified credible messenger program that does work in at least three regions of Washington state to train and certify credible messengers to implement a culturally responsive, evidence-based credible messenger violence prevention and intervention services program.

(c) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to further support firearm violence prevention and intervention programs and initiatives consistent with the duties of the office as set forth in RCW 43.330A.020.

(d) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to support safe storage programs and suicide prevention outreach and education efforts across the state.

(29) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to diaper banks for the purchase of diapers, wipes, and other essential baby products, for distribution to families in need. The department must give priority to providers serving or located in marginalized, low-income communities or communities of color; and providers that help support racial equity.

(30) \$4,500,000 of the general fund—state appropriation for fiscal year 2024 and \$4,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to counties to stabilize newly arriving refugees, including those from the 2021 Afghanistan conflict and the 2022 Ukraine-Russia conflict.

(31) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit resource center in King county that provides sexual assault advocacy services, therapy services, and prevention and outreach to begin a three-year, multigrade sexual violence prevention program in the Renton school district.

(32) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to colead a prevention work group with the department of children, youth, and families. The work group must focus on preventing youth and young adult homelessness and other related negative outcomes. The work group shall consist of members representing the department of social and health services, the employment security department, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the interagency work group on homelessness, community-based organizations, and young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement.

(a) The work group shall help guide implementation of:

(i) The state's strategic plan on prevention of youth homelessness;

(ii) Chapter 157, Laws of 2018 (SSB 6560);

(iii) Chapter 312, Laws of 2019 (E2SSB 5290);

(iv) Efforts to reform family reconciliation services; and

(v) Other state initiatives addressing the prevention of youth homelessness.

(b) The office of homeless youth prevention and protection programs must use the amounts provided in this subsection to contract with a community-based organization to support the involvement with the work group of young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement. The community-based organization must serve and be substantially governed by marginalized populations. The amounts provided in this subsection must supplement private funding to support the work group.

(33) \$22,802,000 of the general fund—state appropriation for fiscal year 2024 and \$22,803,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase existing grantee contracts providing rental or housing subsidy and services for eligible tenants in housing and homeless programs. The department must distribute funding in a manner that will prioritize maintaining current levels of homeless subsidies and services and stabilizing the homeless service provider workforce.

(34)(a) \$35,000,000 of the climate commitment account—state appropriation is provided solely for the department to administer grant funding through the existing network of federal low-income home energy assistance program grantees to provide low-income households with energy utility bill assistance.

(b) To qualify for assistance, a household must be below 80 percent of the area median income and living in a community that experiences high environmental health disparities.

(c) Under the grant program, each household accessing energy bill assistance must be offered an energy assessment that includes determining the household's need for clean cooling and heating system upgrades that improve safety and efficiency while meeting Washington's climate goals. If beneficial, households may be offered grant funding to cover the replacement of inefficient, outdated, or unsafe home heating and cooling systems with more energy efficient electric heating and cooling technologies, such as heat pumps.

(d) Of the amounts provided in this subsection, no more than 60 percent of the funding may be utilized by the department to target services to multifamily residential buildings across the state that experience high energy use, where a majority of the residents within the building are below 80 percent of the area median income and the community experiences high environmental health disparities.

(e) In serving low-income households who rent or lease a residence, the department must establish processes to ensure that the rent for the residence is not increased and the tenant is not evicted as a result of receiving assistance under the grant program.

(f) The department must incorporate data collected while implementing this program into future energy assistance reports as required under RCW 19.405.120. The department may publish information on its website on the number of furnace or heating and cooling system replacements, including replacements within multifamily housing units.

(g) The department may utilize a portion of the funding provided within this subsection to create an electronic application system.

(35) \$55,500,000 of the general fund—state appropriation for fiscal year 2024 and \$55,500,000 of the general fund—state appropriation for fiscal year 2025 (~~and \$55,500,000 of the coronavirus state fiscal recovery account—federal appropriation~~) are provided solely for the department to continue grant funding for emergency housing and shelter capacity and associated supports such as street outreach, diversion services, short-term rental assistance, hotel and motel vouchers, housing search and placement, and housing stability case management. Entities eligible for grant funding include local governments and nonprofit entities. The department may use existing programs, such as the consolidated homelessness grant program, to award funding under this subsection. Grants provided under this subsection must be used to maintain or increase current emergency housing capacity, funded by the



shelter program grant and other programs, as practicable due to increased costs of goods, services, and wages. Emergency housing includes transitional housing, congregate or noncongregate shelter, sanctioned encampments, or short-term hotel or motel stays.

(36)(a) \$75,050,000 of the general fund—state appropriation for fiscal year 2024 and \$75,050,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to transition persons residing in encampments to safer housing opportunities, with an emphasis on ensuring individuals living unsheltered reach permanent housing solutions. Eligible grant recipients include local governments and nonprofit organizations operating to provide housing or services. The department may provide funding to state agencies to ensure individuals accessing housing services are also able to access other wrap-around services that enable them to obtain housing such as food, personal identification, and other related services. Local government and nonprofit grant recipients may use grant funding to provide outreach, housing, case management, transportation, site monitoring, and other services needed to assist individuals residing in encampments and on public rights-of-way with moving into housing.

(b) Of the amounts provided in this subsection:

(i) No less than \$120,000,000 must be used for housing services for persons residing on state-owned rights-of-way; and

(ii) All remaining funds may be used for housing services for persons residing in encampments, including encampments located on public lands, as defined in RCW 79.02.010, or state parks and parkways.

(c) Grant criteria must include, but are not limited to:

(i) Whether a site where the grantee will conduct outreach and engagement has been identified as a location where individuals residing in encampments or on the public right-of-way are in specific circumstances or physical locations that expose them to especially or imminently unsafe conditions;

(ii) A commitment to resolve encampments through extensive outreach followed by matching individuals with temporary lodging or permanent housing that is reasonably likely to fit with their actual needs and situation, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability;

(iii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement within six months except under unusual circumstances;

(iv) Local government readiness and capacity to enter into and fulfill the grant requirements as applicable; and

(v) Other criteria as identified by the department.

(d) When awarding grants under (a) of this subsection, the department must prioritize applicants that focus on ensuring an expeditious path to sustainable permanent housing solutions, and that demonstrate an understanding of working with individuals to identify their optimal housing type and level of ongoing services through the effective use of outreach, engagement, and temporary lodging and permanent housing placement.

(e) Grant recipients under (a) of this subsection must enter into a memorandum of understanding with the department, and other state agencies if applicable, as a condition of receiving funds. Memoranda of understanding must specify the responsibilities of the grant recipients and the state agencies, consistent with the requirements of (c) of this subsection, and must include specific measurable outcomes for each entity signing the memorandum. The department must publish all signed memoranda on the department's website and must publish updates on outcomes for each memorandum at least every 90 days, while taking steps to protect the privacy of individuals served by the program. At a minimum, outcomes must include:

(i) The number of people actually living in any encampment identified for intervention by the department or grantees;

(ii) The demographics of those living in any encampment identified for intervention by the department or grantees;

(iii) The duration of engagement with individuals living within encampments;

(iv) The types of housing options that were offered;

(v) The number of individuals who accepted offered housing;

(vi) Any reasons given for why individuals declined offered housing;

(vii) The types of assistance provided to move individuals into offered housing;

(viii) Any services and benefits in which an individual was successfully enrolled; and

(ix) The housing outcomes of individuals who were placed into housing six months and one year after placement.

(f) Grant recipients under (a) of this subsection may not transition individuals from encampments or close encampments unless they have provided extensive outreach and offered each individual temporary lodging or permanent housing that matches the actual situation and needs of each person, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability. Grant recipients who initially match an individual to temporary lodging must make efforts to transition the person to a permanent housing placement within six months except under unusual circumstances. The department must establish criteria regarding the safety, accessibility, and habitability of housing options to be offered by grant recipients to ensure that such options are private, sanitary, healthy, and dignified, and that grant recipients provide options that are well-matched to an individual's assessed needs.

(g) Funding granted to eligible recipients under (a) of this subsection may not be used to supplant or replace existing funding provided for housing or homeless services.

(37) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase funding for the community services block grant program. Distribution of these funds to community action agencies shall prioritize racial equity and undoing inequity from historic underinvestment in Black, indigenous, and people of color, and rural communities.

(38) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization to identify opportunities for cities in Whatcom county to improve access to affordable housing through conducting market research, engaging stakeholders, and developing tools and implementation strategies for cities that will increase access to affordable housing. The grant recipient must be a nonprofit organization based in Bellingham that promotes affordable housing solutions and with a mission to create thriving communities.

(39) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization located in the city of Redmond that serves Latino low-income, immigrant, and Spanish-speaking communities in King and Snohomish counties through arts and culture events and community services. The grant funding may be used to expand existing programs including, but not limited to, support for small businesses, rent assistance, vaccination and COVID-19 outreach, programs aimed at increasing postsecondary enrollments in college and trade schools, and other community services and programs.

(40) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to community-based organizations that serve historically disadvantaged populations to conduct outreach and to assist community members in applying for state and federal assistance programs including, but not limited to, those administered by the department of social and health services, department of commerce, and department of children, youth, and families.

(41) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide a grant to a nonprofit organization located in the city of Issaquah to provide cultural programs and navigational supports for individuals and families who may face language or other cultural barriers when engaging with schools, public safety, health and human services, and local government agencies.

(42) \$200,000,000 of the community reinvestment account—state appropriation is provided solely for the department to distribute grants for economic development, civil and criminal legal assistance, community-based violence intervention and prevention services, and reentry services programs. Grants must be distributed in accordance with the recommendations of the community reinvestment plan developed pursuant to section 128(134), chapter 297, Laws of 2022 (ESSB 5693).

(43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000,000 of the covenant homeownership account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1474 (covenant homeownership prg.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional staffing for the developmental disabilities council.

(45) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Spokane to provide transitional housing, educational programs, and other resources for refugee and immigrant families.

(46) \$1,169,000 of the general fund—state appropriation for fiscal year 2024 and \$1,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(47) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a dispute resolution center located in Snohomish county to provide mediation and resolution services for landlords and tenants, with the goal of avoiding evictions.

(48) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for grants to nonprofit organizations to operate hunger relief response programs serving individuals living in permanent supportive housing. Of the amounts provided in this subsection:

(a) \$275,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in King county.

(b) \$225,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in Spokane county.

(49) \$180,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization operating a teen center in the city of Issaquah to provide case management and counseling services for youth ages 12 to 19.

(50)(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit community-based organization for the coordination of a gang violence prevention consortium with entities including community-based organizations, law enforcement, and members of the faith community, and to continue and expand after-school activities and social services for students and young adults in the Yakima valley. Social services may include, but are not limited to, employment, mental health, counseling, tutoring, and mentoring services. The grant recipient must be a community-based organization located in Granger operating a Spanish language public radio station and with the mission of addressing the social, educational, and health needs of economically disadvantaged Spanish-speaking residents of central and eastern Washington.

(b) By June 30, 2025, the department must provide a report to the appropriate committees of the legislature. The report must include: (i) A description of the gang violence prevention programs conducted by the consortium and how they were implemented; and (ii) The number of individuals who participated in or received services through the programs conducted by the consortium, including any relevant demographic data for those individuals.

(51) \$400,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with a nonprofit organization to develop an affordable housing predevelopment plan. The affordable housing predevelopment plan must assess the feasibility of using surplus public land located at or near north Seattle Community College and Highline Community College for the development of affordable colocated housing that could serve low and moderate-income state workers. The contract recipient must be an organization that provides consultation services on affordable housing development. In creating the predevelopment plan, the contract recipient must solicit input from interested parties including, but not limited to, low-income and affordable housing experts, policy staff in the office of the governor, state public employee unions, and legislators.

(52) \$781,000 of the general fund—state appropriation for fiscal year 2024 and \$781,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1406 (youth seeking housing assist). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(53)(a) \$1,750,000 of the general fund—state appropriation for fiscal year 2024 and \$1,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of firearm safety and violence prevention to continue a healthy youth and violence prevention initiative demonstration program serving south King county, with the goal of preventing violence, decreasing involvement with the juvenile justice system, and encouraging health and wellbeing for youth and young adults ages 12 to 24. As part of the demonstration program, the office must provide grant funding to and partner with a community-based organization to serve as a regional coordinator to:

(i) Connect youth and young adults ages 12 to 24 who are most vulnerable to violence with programs that provide services including, but not limited to, street outreach, youth employment and preapprenticeship programs, case management, behavioral health services, and other services as appropriate; and

(ii) Assist local governments, service providers, and nonprofit organizations in accessing and leveraging federal, state, and local funding for violence prevention and related services.

(b) The grant recipient under (a) of this subsection must be a nonprofit health system currently administering a violence prevention initiative in King and Pierce counties. The grant recipient may subgrant or subcontract funds to programs providing services as described in (a)(i) of this subsection.

(54) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit sexual assault resource center located in Renton. Grant funding may be used for information technology improvements focused on client data management that will improve client access to health services, cybersecurity, and data privacy.

(55)(a) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of existing contracts with a nonprofit organization to increase housing supply and equitable housing outcomes by advancing affordable housing developments, including supportive housing, transitional housing, shelter, or housing funded through the apple health and homes program, that are colocated with community services such as education centers, health clinics, nonprofit organizations, social services, or community spaces or facilities, available to residents or the public, on underutilized or tax-exempt land.

(b) The contract recipient must use the funding provided under this subsection to:

(i) Implement strategies to accelerate development of affordable housing with space for education centers, health clinics, nonprofit organizations, social services, or community space or facilities, available to residents or the public, on underutilized or tax-exempt land;

(ii) Analyze the suitability of properties and sites for affordable housing as described under (b)(i) of this subsection, including existing buildings for supportive housing, through completing due diligence, conceptual design, and financial analysis activities, and applying and implementing an equity lens in site selection, program planning, development, and operations;

(iii) Work with elected officials, local governments, educational institutions, public agencies, local housing and community development partners, early learning partners, health care providers, and nonprofit service organizations to:

(A) Identify and catalyze surplus, underutilized, or tax-exempt properties for the development of affordable housing;

(B) Provide catalytic funding and technical assistance to advance the development of affordable housing, including by identifying funding sources to support the needs of specific projects; and

(C) Identify impediments to the development of affordable housing and develop recommendations and strategies to address those impediments, reduce costs, advance community vision and equitable outcomes, and accelerate predevelopment and development times associated with affordable housing;

(iv) Organize community partners and build capacity to develop affordable housing sites;

(v) Facilitate collaboration and codevelopment between affordable housing and education centers, health clinics, nonprofit organizations, social services, or community spaces and facilities available to residents or the public;

(vi) Provide technical assistance and predevelopment services to support future development of sites; and

(vii) Catalyze the redevelopment of at least 20 sites to create approximately 2,000 affordable homes.

(c) Funding may also be used to:

(i) Partner with state, regional, and local public entities, nonprofit housing developers, and service providers to develop a broad range of housing types for supportive housing for populations authorized to receive the housing benefit under the apple health and homes act;

(ii) Provide technical assistance on the constructive alignment of state or local capital funds and other services for the construction, acquisition, refurbishment, redevelopment, master leasing of properties for noncongregate housing, or conversion of units from nonresidential to residential, of dwelling units for supportive housing funded through the apple health and homes program;

(iii) Advise on local community engagement, especially with populations with lived experience of homelessness and housing insecurity, for supportive housing funded through the apple health and homes program;

(iv) Subcontract for specialized predevelopment services, as needed, and subgrant to reimburse for supportive housing funded through the apple health and homes program; and

(v) Hire staff necessary to implement activities under (b) and (c) of this subsection.

(56)(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue a lifeline support system pilot project to assist individuals who have experienced or are at risk of entering into public systems of care. Public systems of care include office of homeless youth prevention and protection shelter and housing programs, the juvenile justice system, dependency under chapter 13.34 RCW, and inpatient behavioral health treatment.

(b)(i) The lifeline must function as a no-wrong-door access point for support and connections to services for qualifying individuals who require assistance to overcome a life challenge that could escalate into a crisis, or who are in need of general mentorship and counsel. The lifeline support system must facilitate and promote partnerships across state agencies, federally recognized tribes, counties, and community-based providers to coordinate trauma-informed and culturally responsive services for youth and young adults and their supports. The department is authorized to implement lifeline services through contracts with community partners and nonprofit organizations.

(ii) From amounts provided in this subsection, the department must allocate funding to establish a lifeline fund program. The department may use moneys allocated for the fund program to assist community partners and nonprofit organizations to implement lifeline services when those providers cannot identify an existing resource to resolve a recipient's need. The department must establish an application process and criteria for the fund program.

(c) By June 30, 2025, the department shall report to the legislature regarding the success and shortcomings of the lifeline support system, request-for-service outcomes, and the demographics of beneficiaries.

(57) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization to provide legal aid in subjects including, but not limited to, criminal law and civil rights cases for underserved populations focusing on Black gender-diverse communities. The grant recipient must be a nonprofit organization with offices in Seattle and Tacoma and with a mission to provide intersectional legal and social services for Black intersex and gender-diverse communities in Washington.

(58) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization within the city of Tacoma that provides social services and educational programming to assist Latino and indigenous communities in honoring heritage and culture through the arts, and in overcoming barriers to social, political, economic, and cultural community development. Of the amounts provided in this subsection:

(a) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for education and training programming in community health organizing, "promotora" health education, grassroots organizing, leadership development, and civic engagement focused on Latino and indigenous community members; and

(b) \$38,000 of the general fund—state appropriation for fiscal year 2024 and \$38,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for advocacy, translation services, emergency housing, and other services for victims of crime and domestic violence.

(59) ~~(\$500,000)~~ \$833,000 of the general fund—state appropriation for fiscal year 2024 ~~(is) and \$667,000 of the general fund—state appropriation for fiscal year 2025 are provided (solely)~~ for the department to provide grants to nonprofit organizations including, but not limited to, religious nonprofits, "by and for" organizations, or cultural community centers, to fund the physical security or repair of such institutions. Grant recipients must ~~((have reasons to believe they have been subject to security threats and must demonstrate a need for enhanced security. Grant funding must be used and limited to the purchase of security hardware and equipment to enhance the security of the buildings and grounds of such organizations))~~ substantiate that their site or sites have been subject to or at risk of physical attacks, threats, vandalism, or damages based on their mission, ideology, or beliefs and demonstrate a need for investments in physical security enhancements, construction or renovation, target hardening, preparedness planning, training, or exercises.

(60) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grant funding to a nonprofit organization to provide supports, including behavioral health resources, housing services, and parenting education, to parents with substance use disorder. The grant recipient must be a nonprofit organization located in the south Puget Sound region that provides a parent child assistance program and focuses on building parenting skills and confidence to ensure children have safe and healthy childhoods.

(61) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs to develop and operate community-based residential housing and services for youth wellness spanning a range of needs and circumstances at the Pacific hospital preservation and development authority quarters, buildings three through 10 in Seattle. The amounts provided in this subsection may be used for planning, lease payments, and other related expenses for the development and operation of comprehensive residential programs providing housing, on-site social services, and community-based resources for youth identified by the department of commerce, the department of children, youth, and families, or the health care authority. The funding may also be used for the preparation and issuance of a request for qualifications for a site operator, or lease management and related administrative functions. The department is authorized to enter into a lease, with an option to enter into multiyear extensions, for the Pacific hospital preservation and development authority quarters, buildings three through 10.

(62) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in the city of Seattle that works to improve the quality of life for low-income families and members of the refugee and immigrant community, with a focus on the Somali and Oromos community. The grant funding may be used to expand current programs including, but not limited to, case management and referral services for immigrants and refugees, youth programs, and services for seniors.

(63) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization headquartered in Mount Vernon for costs to operate and provide homeless services at a low-barrier emergency temporary homeless center located in Burlington.

(64) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Seattle that provides legal assistance and representation to survivors of sexual and gender-based violence to expand their current services including, but not limited to, legal assistance and representation; technical assistance for advocates, providers, and attorneys; community education and trainings; and other legal support services. In providing services, the grant recipient must protect the privacy, safety, and civil rights of survivors and utilize trauma-informed practices and equity principles.

(65) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization serving King and Snohomish counties for a program conducted in partnership with King county, which serves individuals who are involved in the criminal justice system and who have experienced domestic, sexual, or gender-based violence. The grant recipient may use the funding for costs including, but not limited to, legal advocacy, outreach, connecting clients to housing and other resources, data analytics, and staffing.

(66) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of crime victims advocacy to contract for a study of the impacts of the commercial sex industry on Black and African American communities in Washington, with a focus on Black and African American persons who identify as female. The office must contract with an organization that has expertise on the topic of the commercial sex industry and Black communities in Washington. The study must include a review of the impacts of the commercial sex industry on Black and African American residents of Washington, and culturally informed and survivor-informed policy recommendations for reducing sex trafficking and sexual exploitation of Black and African American Washingtonians. The department must submit a

report of the study findings to the appropriate committees of the legislature by September 1, 2024.

(67) \$20,656,000 of the general fund—state appropriation for fiscal year 2024 and \$20,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to crime victims service providers to ensure continuity of services impacted by reductions in federal victims of crime act funding and to help address increased demand for services attributable to the COVID-19 pandemic. The department must distribute the funding in a manner that is consistent with the office of crime victims advocacy's state plan. Of the amounts provided in this subsection:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs operated by and for historically marginalized populations to support "by and for" culturally specific services for victims of domestic violence, sexual assault, and other crimes in historically marginalized populations. Marginalized populations can include, but are not limited to, organizations or groups composed along racial, ethnic, religious, sexual orientation, and gender lines.

(b) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs developed to support the enhancement and development of additional services for tribal members, including programs to address needs of crime victims, including strategies which integrate services or multiple crime types.

(68) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Seattle for start-up costs for the Seattle social housing developer and to meet the requirements of the city of Seattle initiative 135, which concerns developing and maintaining affordable social housing in Seattle. The funding provided under this subsection may only be used for costs associated with creating social housing developments, operating costs associated with maintaining social housing developments, and administrative costs of operating social housing.

(69) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to contract with a nonprofit to provide wraparound services for homeless families with children, including prevention, shelter, and stabilization services. The nonprofit must be located in Pierce county and be an affiliate of a national organization dedicated to preventing and ending family homelessness by providing prevention, shelter, and stabilization services.

(70) Within existing resources, the department must submit an interim and a final report to the appropriate committees of the legislature on efforts taken by the department to stabilize rents for tenants of affordable housing units financed through the housing assistance program created under RCW 43.185.015 including, but not limited to, efforts to limit or mitigate the impacts of rent increases for tenants of qualifying units. The department must submit the interim report by December 1, 2023, and the final report by December 1, 2024.

(71) Before awarding or entering into grants or contracts for the 2023-2025 fiscal biennium for homeless housing and service programs that are funded from the home security fund account or the affordable housing for all account, the department must first consult with local governments and eligible grantees to ensure that funding from these accounts is used to maintain the quantity and types of homeless housing and services funded in local communities as of February 28, 2023. The department may take into consideration local document recording fee balances and individual county fluctuations in recording fee collections when allocating state funds. The department must redeploy funds to other nonprofit and county grantees if originally granted amounts are not expended or committed within a reasonable timeline. The department may then provide funding to eligible entities to undertake the activities described in RCW 36.22.176(1)(c)(i), such as funding for project-based vouchers and other assistance necessary to support permanent supportive housing as defined in RCW 36.70A.030 or as administered by the office of apple health and homes created in RCW 43.330.181.

(72) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to an Everett-based affiliate of a national nonprofit human services organization to stabilize newly arriving refugees from the 2021 Afghanistan conflict and the 2022 Ukraine conflict.

(73) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit organization to expand private capacity to provide legal services for indigent foreign nationals in contested domestic relations and family law cases. The contract recipient must be a nonprofit organization headquartered in the city of Seattle that provides training to attorneys and judges on international family law issues and provides direct representation to qualified indigent clients. Amounts provided in this subsection may not be expended for direct private legal representation of clients in domestic relations and family law cases.

(74) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a youth development organization providing civic engagement and education through a youth and government program. The grant is provided solely for support of the organization's mock trial and youth legislature programs.

(75) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$229,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5198 (mobile home community sales). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$1,694,000 of the general fund—state appropriation for fiscal year 2024 and \$1,694,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5561 (law enforcement community grants). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(77) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5599 (protected health care/youth). The entirety of this amount is provided for the office of homeless youth for prevention and protection programs to provide supportive care grants to organizations to address the needs of youth seeking protected health care services. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(78) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Monroe to continue existing pilot projects that enable the city to dispatch human services and social services staff in conjunction with law enforcement staff to support unhoused residents and residents in crisis.

(79) \$2,850,000 of the general fund—state appropriation for fiscal year 2024 and \$2,850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5114 (sex trafficking). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~((81))~~ (80) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Bellevue for one-time expenses required for the operation of an expanded community service center to help low-income individuals and immigrant and refugee community members. The center will join with community partners to provide utility rate and rent relief; health care access; energy assistance; food access; medical, legal and financial services; housing; childcare resources; employment assistance; and resources for starting a business.

~~((82))~~ (81) \$215,000 of the general fund—state appropriation for fiscal year 2024 and \$345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce a report to the legislature detailing the scope of work, cost estimates, and implementation timeline to create or procure an online registry of rental units in Washington state subject to state information system planning and oversight requirements. The online rental unit registry must have the capacity to collect and report out timely information on each rental unit in the state. Information to collect includes, but is not limited to, the rental unit's physical address, identity of the property owner, monthly rent charged, and vacancy status. The scope of work must assume integration with existing rental registries operated by local governments. Cost and timeline estimates must provide two alternatives with one assuming statewide implementation and the other assuming implementation in the six largest counties of the state. The department shall consult with landlord representatives, tenant representatives, local governments operating existing rental registries, and other interested stakeholders as part of the process of developing the scope of work and timeline for the online rental unit registry. The department must submit the report to the legislature by December 1, 2024.

~~((83))~~ (82) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a Seattle based nonprofit to create a temporary space to allow youth and low-income populations to participate in ice rink related events during the 2024 national hockey league winter classic.

~~((84))~~ (83) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in Kitsap county that partners with the Bremerton and central Kitsap school districts, first responders, and other organizations to expand implementation of the handle with care program.

~~((85))~~ (84) \$371,000 of the general fund—state appropriation for fiscal year 2024 and \$371,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Pacific county to operate or participate in a drug task force to enhance coordination and intelligence while facilitating multijurisdictional criminal investigations.

~~((86))~~ (85) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to statewide and community asset building coalitions across Washington to support capacity in organizations that coordinate financial health services and outreach efforts around poverty reduction resources such as the earned income tax credit and the working families tax credit.

~~((87) \$400,000)~~ (86) \$200,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community based organization in Whatcom county to expand services to unhoused and low-income residents of Ferndale and north Whatcom county and to provide a safe parking program.

~~((88))~~ (87) \$155,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training, to develop and implement a program aimed at reducing workplace sexual harassment in the agricultural sector. Funding will be used to continue peer-to-peer trainings for farmworkers in Yakima county and expand services into Grant and Benton counties. Funding may also be used to support an established network of farmworker peer trainers whose primary purpose is to prevent workplace sexual harassment and assault through leadership and education. The organization is expected to share best practices from their peer-to-peer model at a statewide conference.

~~((89))~~ (88) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle-based nonprofit that provides holistic services to help refugee and immigrant women. Funds must be used to expand an existing program that increases equity in ice skating and hockey by providing skate lessons to preschoolers from diverse and low-income families.

~~((90))~~ (89) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to strengthen family resource center services and increase capacity statewide. Grant funding may be used: For an organization to provide new services in order to meet the statutory requirements of a family resource center, as defined in RCW 43.216.010; to increase capacity or enhance service provision at current family resource centers, including but not limited to direct staffing and administrative costs; and to conduct data collection, evaluation, and quality improvement activities. The department may award an amount from \$30,000 up to \$200,000 per grant recipient.

(b) Eligible applicants for a grant under (a) of this subsection include current family resource centers, as defined in RCW 43.330.010, or organizations in the process of becoming qualified as family resource centers. Applicants must affirm their ability and willingness to serve all families requesting services in order to receive a grant. Applicants must currently be or agree to become a member of a statewide family resource center network during the grant award period in order to receive a grant. Applicants must provide proof of certification in the standards of quality for family strengthening and support developed by the national family support network for one member of the applicant's organizational leadership in order to receive a grant.

(c) In distributing grant funding, the department must, to the extent it is practicable, award 75 percent of funding to organizations located west of the crest of the Cascade mountains, and 25 percent of funding to organizations located east of the crest of the Cascade mountains.

(d) By July 1, 2025, grant recipients must submit a report to the department on the use of grant funding, including, but not limited to, progress in attaining status as a family resource center, if applicable; the number and type of services offered to families; demographic and income data for families served; and family post-service outcomes. By September 1, 2025, the department must submit a report to the Legislature on topics including, but not limited to, the grant application process; needs identified by family resource centers; and use of funds by grant recipients.

(e) Of the amounts provided in (a) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to the statewide nonprofit organization that serves as the registered Washington state network member of the national family support network. The grant recipient may use the grant funding for costs including, but not limited to, outreach and engagement, data and evaluation, and providing training and development opportunities in support of family resource centers statewide.

~~((91))~~ (90) \$9,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$9,000,000)~~ \$29,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants to local governments for maintaining programs and investments which are primarily funded through document recording fees pursuant to RCW ~~((36.22.178, 36.22.179, and 36.22.1791))~~ 36.22.250. In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties.

~~((93))~~ (91) (a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a law enforcement technology grant program for the purpose of providing law enforcement with modern vehicle pursuit management technology including, but not limited to, global positioning system tracking equipment, automated license plate reading technology, aircraft, and nonarmed and nonarmored drone technology.

(b) Grants must be awarded to local law enforcement agencies based on locally developed proposals. The department shall establish policies for applications under this subsection in addition to criteria for evaluating and selecting grant recipients. A proposal must include a request for specific technology and a specific plan for the implementation, use, and effectiveness reporting of that technology.

(c) Before grants are awarded, each local law enforcement agency seeking to acquire vehicle pursuit technology must:

(i) Establish data-sharing and management policies including policies related to sharing data between law enforcement agencies and other third parties; and



(ii) Establish policies ensuring all personnel who operate the vehicle pursuit technology, or access the vehicle pursuit technology data, are trained to use that technology and are able to comply with the data-sharing and management policies prior to the operational use of the vehicle pursuit technology.

(92) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the distribution of grants to cities, counties, or nonprofit organizations to support individuals in need of emergency housing assistance. Emergency housing assistance may include, but is not limited to, short-term rental assistance, moving costs, other one-time costs associated with identifying and obtaining housing, or temporary shelter in the event of a crisis or when people have been displaced. Funding provided under this subsection must be prioritized for entities that can demonstrate that the population served includes families with children, pregnant individuals, or other medically vulnerable individuals. The department may only distribute funding under this subsection upon coordination with the office of the governor.

(93) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to continue to provide grant funding to local multijurisdictional task forces that previously received funding through the federal Edward Byrne memorial justice assistance grant program. Grants provided under this section must be used consistent with the requirements of Edward Byrne memorial justice assistance grants and with national best practices for law enforcement.

(94) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of homeless youth prevention and protection programs to provide grants to nonprofit organizations implementing place-based health zone models to provide and strengthen youth development services and mental and behavioral health supports for youth and their families for clearly demarcated geographical health zones. The services and supports may range from primary prevention to crisis services. Grant funding may support health zone activities and evaluation activities. The office must distribute four grants, as follows:

(a) Two grants to nonprofits with established place-based health zone models, for costs to provide services and conduct evaluation activities; and

(b) Two grants to nonprofits who are currently developing and implementing place-based health zone models, for costs to establish and provide services and conduct evaluation activities.

(95) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a housing readiness program serving individuals experiencing homelessness in Cowlitz county. Funding may be used to operate severe weather shelters, housing navigation, case management, laundry and hygiene facilities, connection to other social services, and other programs serving unhoused individuals in Cowlitz county.

(96) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for operating costs of licensed assisted living facilities located in Clark county that have at least 50 percent of residents who were experiencing homelessness or were unstably housed immediately prior to admission to the facility.

(97) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to continue sexual assault prevention education programming to K-12 schools in Tacoma and expand services to the Franklin Pierce school district. The grant recipient must be a state-accredited community sexual assault program serving Pierce county that provides professional training, prevention education, intervention, and advocacy programs for victims of sexual assault, sexual abuse, and sex trafficking.

(98) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide community-based healing-centered arts engagement programming for populations including, but not limited to, survivors of gender-based violence and individuals working to reintegrate after incarceration. The grant recipient must be a nonprofit organization based in the city of Seattle with experience in providing arts engagement programming, including serving veteran and Latino cohorts.

(99) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a food bank serving African American and other BIPOC communities located in south King county. Funding may be used for food bank operations, food delivery services, and food storage.

(100) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit based in King county that exclusively serves foreign-trained physicians to help foreign-trained physicians prepare to work in a United States clinical setting and obtain a medical doctor: clinical experience license in Washington state. The nonprofit may use the amount provided in this subsection to:

(a) Provide stipends of up to \$2,000 per foreign-trained physician to:

(i) Take medical exams or English as a second language classes;

(ii) Obtain a professional resume review or interview skill development; or

(iii) Defray any other expenses that may limit their ability to become hire-ready physicians; and

(b) Operate an educational outreach program to help medical providers and institutions understand the medical doctor: clinical experience program including eligibility, licensure laws, and details of working with foreign-trained physicians in their facilities.

(101) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit in east King county, recognized as a by and for organization, to advance affordable housing. The grant recipient must be an organization that

partners in equitable, affordable housing development. The grant recipient must use the funding as follows:

- (a) To educate residents on the benefits of affordable housing in east King county;
- (b) To facilitate partnerships to enable equitable transit-oriented development across the east King county region that builds housing at scale;
- (c) For a project that will produce up to 33 affordable housing units on the Eastside; and
- (d) To identify strategies for land acquisition and assembly around high-capacity transit stations that will result in a mix of housing.

(102) \$625,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Snohomish county human services to provide technical assistance and contract with a nonprofit to support youth, parents, and families with school-based collaboration, and social activities for youth.

(103) \$477,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Kitsap county to provide 70 continuous-stay, low-barrier/harm reduction model shelter beds.

(104) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with a nonprofit in Seattle to develop a list of BIPOC families, with an emphasis on African American households, that want to live in Seattle for the purpose of assisting those families with finding and keeping housing in Seattle.

(105) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$420,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle-based community center that assists eastern European refugees and immigrants to provide short term housing assistance, immigration services, and support to individuals in Washington who fled the Ukraine-Russia conflict.

(106) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Bellingham-based nonprofit serving youth and young adults experiencing homelessness and housing insecurity to increase capacity and the ability for staff to support clients in attending appointments, providing navigating services, and assessing resources throughout Whatcom county.

(107) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Whatcom county to study the potential to create an interjurisdictional coordinating body focused on improving the housing market for tenants, landlords, and those interested in becoming landlords. The study should examine the potential for an office of healthy housing to:

- (a) Have a sustainable funding model and assist landlords and tenants in understanding leases and procedures;
- (b) Increase housing supply by providing resources to small landlords; and
- (c) Work with major local employers and local higher education institutions to ensure a thriving local housing market.

(108) \$45,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Seattle-based nonprofit that teaches math using hands-on learning experiences and collaborates with community partners to create equity-based, culturally relevant math education opportunities.

(109) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the city of Tacoma to support the continued operation of 307 emergency and temporary shelter beds.

(110) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Yakima-based center that works to raise and uphold standards in the workplace to expand access to education and legal aid for low-wage immigrant workers in order to curb workplace rights violations and foster economic stability.

(111) \$317,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to three resource centers that are expecting a reduction in funding from the office of crime victims advocacy. Funding is intended to cover any deficit these organizations experience to continue service levels to sexual assault survivors. Of this amount:

- (a) \$200,000 is for a nonprofit sexual assault resource center in King county;
- (b) \$77,000 is for a Richland-based accredited community sexual assault program; and
- (c) \$40,000 is for a nonprofit organization that provides crime victim support in multiple locations across the region, including in Spokane and Vancouver.

(112) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to assist fathers transitioning from incarceration to community and family reunification. The grant recipient must have experience contracting with the department of corrections to support incarcerated individual betterment projects and contracting with the department of social and health services to provide access and visitation services.

**Sec. 128.** 2023 c 475 s 130 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—LOCAL GOVERNMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$50,775,000 ))
	\$48,133,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$46,258,000 ))
	\$54,626,000

General Fund—Federal Appropriation. . . . .	(( \$39,374,000))
	<u>\$44,574,000</u>
General Fund—Private/Local Appropriation. . . . .	\$1,050,000
Climate Commitment Account—State Appropriation. . . . .	(( \$43,353,000))
	<u>\$54,403,000</u>
Community Preservation and Development Authority	
Account—State Appropriation. . . . .	\$4,750,000
Growth Management Planning and Environmental Review	
Fund—State Appropriation. . . . .	\$5,681,000
Liquor Excise Tax Account—State Appropriation. . . . .	\$986,000
Liquor Revolving Account—State Appropriation. . . . .	\$6,827,000
<u>Model Toxics Control Operating Account—State</u>	
<u>    Appropriation. . . . .</u>	<u>\$1,000,000</u>
Model Toxics Control Stormwater Account—State	
Appropriation. . . . .	\$100,000
Natural Climate Solutions Account—State	
Appropriation. . . . .	\$2,747,000
Public Facilities Construction Loan Revolving	
Account—State Appropriation. . . . .	\$1,026,000
Public Works Assistance Account—State Appropriation. . . . .	\$7,267,000
TOTAL APPROPRIATION. . . . .	(( \$210,194,000))
	<u>\$233,170,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall administer its growth management act technical assistance and pass-through grants so that smaller cities and counties receive proportionately more assistance than larger cities or counties.

(2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as pass-through funding to Walla Walla Community College for its water and environmental center.

(3) \$6,827,000 of the liquor revolving account—state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(4) The department must develop a model ordinance for cities and counties to utilize for siting community based behavioral health facilities.

(5) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce the biennial report identifying a list of projects to address incompatible developments near military installations as provided in RCW 43.330.520.

(6) \$100,000 of the model toxics control stormwater account—state appropriation is provided solely for planning work related to stormwater runoff at the aurora bridge and I-5 ship canal bridge. Planning work may include, but is not limited to, coordination with project partners, community engagement, conducting engineering studies, and staff support.

(7) \$2,000,000 of the community preservation and development authority account—state(~~operating~~) appropriation is provided solely for (~~the operations of~~) the Pioneer Square-International district community preservation and development authority established in RCW 43.167.060 to carry out the duties and responsibilities set forth in RCW 43.167.030.

(8) \$1,160,000 of the general fund—state appropriation for fiscal year 2024 and \$1,159,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide broadband office established in RCW 43.330.532.

(9) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants for updating and implementing comprehensive plans and development regulations in order to implement the requirements of the growth management act.

(a) In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties. Grants will be used primarily to fund the review and update requirements for counties and cities required by RCW 36.70A.130. Funding provided on this formula basis shall cover additional county and city costs, if applicable, to implement chapter 254, Laws of 2021 (Engrossed Second Substitute House Bill No. 1220) and to implement Second Substitute Senate Bill No. 5412 (land use permitting/local).

(b) Within the amounts not utilized under (a) of this subsection, the department shall establish a competitive grant program to implement requirements of the growth management act.

(c) Up to \$500,000 per biennium may be allocated toward growth management policy research and development or to assess the ongoing effectiveness of existing growth management policy.

(d) The department must develop a process for consulting with local governments, affected stakeholders, and the appropriate committees of the legislature to establish emphasis areas for competitive grant distribution and for research priorities.

(10) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the municipal research and services center, in coordination with the Washington procurement technical assistance center, to provide training and technical assistance to local governments and contractors on public works contracting. Training topics may include utilization of supplemental bidding criteria, utilization of

alternate public works, contracting, cost estimating, obtaining performance and payment bonds, and increasing participation of women-owned and minority-owned businesses.

(11) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants and provide technical assistance to cities or counties for actions relating to adopting ordinances that plan for and accommodate housing. Of this amount:

(a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to cities and counties. Grants may be used for the following activities:

(i) Analyzing comprehensive plan policies and development regulations to determine the extent of amendments required to meet the goal of authorizing middle housing types on at least 30 percent of lots currently zoned as single family residential within the city, or for counties inside the unincorporated urban growth area. For the purposes of this subsection, "middle housing types" means buildings that are compatible in scale, form, and character with single family houses, and contain two or more attached, stacked, or clustered homes. This includes duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, courtyard apartments, and cottage housing;

(ii) Planning work to facilitate transit-oriented development, including costs associated with the preparation of state environmental policy act environmental impact statements, planned action ordinances, and subarea plans, costs associated with the use of other tools under the state environmental policy act, and the costs of local code adoption and implementation of such efforts; and

(iii) Planning for and accommodating housing that is affordable for individuals and families earning less than 50 percent of the area median income, including:

- (A) Land use and regulatory solutions to address homelessness and low-income housing; and
- (B) Bridging homeless service planning with land use planning.

(b) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an affordable housing auditing program to monitor ongoing affordability of income-restricted units constructed with affordable housing incentives, including the multifamily tax exemption.

(12) Within the amounts provided in this section, the department must publish on its website housing data needed to complete housing needs assessments required by RCW 36.70A.070(2)(a). The data shall include:

(a) Housing profiles for each county and city in the state, including cost burden, vacancy, and income;

(b) Data to assess racially disparate impacts, exclusion, and displacement; and

(c) A dashboard to display data in an easily accessible format.

(13) \$1,330,000 of the general fund—state appropriation for fiscal year 2024 and \$995,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(14) \$15,000,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to entities that provide digital navigator services, devices, and subscriptions. These services must include, but are not limited to, one-on-one assistance for people with limited access to services, including individuals seeking work, students seeking digital technical support, families supporting students, English language learners, medicaid clients, people experiencing poverty, and seniors.

(15) \$2,750,000 of the community preservation and development authority account—state appropriation is provided solely for ~~((the operations of))~~ the Central district community preservation and development authority established in RCW 43.167.070 to carry out the duties and responsibilities set forth in RCW 43.167.030.

(16) ~~((~~\$375,000~~))~~ \$187,000 of the general fund—state appropriation for fiscal year 2024 ~~((~~is~~))~~ and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Battle Ground to contract for a study to explore feasible options to redesign their downtown corridor to emphasize pedestrian accessibility, improve safety, and highlight community amenities.

(17) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Cheney fire department for the purchase of a new type 6 fire truck to replace one destroyed in a mutual aid fire.

(18) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to Ferry/Okanogan fire protection district number 14 for the purchase of a new ambulance and related costs for response to 911 calls, including those from local residents, recreators, and hunters.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the Pierce county public transportation benefit area corporation (Pierce transit) to administer a public transit and behavioral health coresponder pilot program in partnership with a Pierce county behavioral health professional agency.

(20) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the transportation demand management program at the canyon park subarea in the city of Bothell.

(21) ~~(((\$40,953,000))\$50,953,000~~ of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$490,000 of the public works assistance account—state appropriation is provided solely for the public works board to develop a data dashboard to map investments made by the public works board, the department of commerce, the department of health, the department of ecology, the department of transportation, the transportation improvement board, and by board partners to the system improvement team created in RCW 43.155.150.

(23) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$423,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct a study on the feasibility of implementing a Washington state zoning atlas project that will provide a publicly available mapping tool illustrating key features of zoning codes across jurisdictions.

(24) \$733,000 of the general fund—state appropriation for fiscal year 2024 and \$734,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$37,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$134,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the city of Tacoma for the operating costs of the hilltop community hub. The hilltop community fund shall support a distribution center to provide housing goods.

(27) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Ferndale for the purpose of implementing and improving a wayfinding system throughout the greater Ferndale market area.

(28) ~~(((\$3,464,000))\$464,000~~ of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$3,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5290 (local permit review). Of the amount provided in this subsection, at least \$3,000,000 is provided solely for grants to local governments. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(29) \$2,400,000 of the climate commitment account—state appropriation is provided solely for the Port Gamble S'Klallam Tribe for phase 3 of the Port Gamble shoreline restoration project.

(30) \$1,000,000 of the model toxics control account—state appropriation is provided solely for grants to address emergency drinking water problems in overburdened communities. The department may utilize existing programs to distribute the funding provided under this section, including the emergency rapid response program.

(31) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$46,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5834 (urban growth areas). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(32) \$57,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6015 (residential parking). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(33) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit, professional association of state, county, city, and town officials engaged in development, enforcement, and administration of building construction codes and ordinances to collaborate with the Washington state board for community and technical colleges to design and implement training programs to accelerate the hiring of city and county permit technicians.

(34) \$800,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided for the Bellevue and Redmond electric fire engines and infrastructure project. Of this amount, \$250,000 is provided to the city of Redmond and \$550,000 is provided to the city of Bellevue for the purposes of reducing the costs to purchase hybrid-electric fire engines and install associated electric charging infrastructure for the fire stations that will house the new electric vehicles.

(35) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Elma to place automatic external defibrillators in city vehicles and public spaces in city buildings.

(36) \$550,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Battle Ground to purchase a citywide document management system and hire staff or contract with a company to assist with scanning and uploading documents into the system.

(37) \$1,200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Lewis county to purchase and implement new tax and assessment software.

(38) \$225,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the Chelan-Douglas regional port authority to fund public engagement efforts in Chelan and Douglas counties related to a future regional sports complex.

Engagement efforts may include print and electronically mailed materials, media advertisements, social media, and other forms of communications related to study information, including but not limited to:

- (a) Consultants' analyses;
- (b) Steering committee recommendations;
- (c) Design and location options;
- (d) Artistic renderings;
- (e) Economic impacts;
- (f) Capital and operational costs;
- (g) Financing options; and
- (h) Other information.

(39) \$250,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for Island county to contract for a comprehensive assessment of drinking water infrastructure.

(40) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Enumclaw to design and build a community center that will serve the plateau area.

(41) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Okanogan county sheriff's office for the Okanogan county public safety radio network improvement project.

(42) \$67,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5955 (large port districts). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 129. 2023 c 475 s 131 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—OFFICE OF ECONOMIC DEVELOPMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$25,089,000</del> ))
	<u>\$25,639,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$24,967,000</del> ))
	<u>\$31,731,000</u>
General Fund—Federal Appropriation. . . . .	\$108,069,000
General Fund—Private/Local Appropriation. . . . .	\$1,230,000
Dedicated Cannabis Account—State Appropriation (FY 2024). . . . .	\$3,446,000
Dedicated Cannabis Account—State Appropriation (FY 2025). . . . .	(( <del>\$3,587,000</del> ))
	<u>\$3,591,000</u>
Andy Hill Cancer Research Endowment Fund Match Transfer Account—State Appropriation. . . . .	(( <del>\$20,684,000</del> ))
	<u>\$32,684,000</u>
Climate Commitment Account—State Appropriation. . . . .	(( <del>\$352,000</del> ))
	<u>\$4,441,000</u>
Community and Economic Development Fee Account—State Appropriation. . . . .	\$765,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation. . . . .	\$22,400,000
Economic Development Strategic Reserve Account—State Appropriation. . . . .	\$2,786,000
Statewide Tourism Marketing Account—State Appropriation. . . . .	\$9,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$222,375,000</del>))</b>
	<b><u>\$245,782,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,304,000 of the general fund—state appropriation for fiscal year 2024 and \$4,304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for associate development organizations. During the 2023-2025 fiscal biennium, the department shall consider an associate development organization's total resources when making contracting and fund allocation decisions, in addition to the schedule provided in RCW 43.330.086. The department must distribute the funding as follows:

(a) For associate development organizations serving urban counties, which are counties other than rural counties as defined in RCW 82.14.370, a locally matched allocation of up to \$1.00 per capita, totaling no more than \$300,000 per organization; and

(b) For associate development organizations in rural counties, as defined in RCW 82.14.370, a \$1.00 per capita allocation with a base allocation of \$75,000.

(2) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the northwest agriculture business center.

(3) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the regulatory roadmap program for the construction industry and to identify and coordinate with businesses in key industry sectors to develop additional regulatory roadmap tools.

(4) \$1,070,000 of the general fund—state appropriation for fiscal year 2024 and \$1,070,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small business export assistance program. The department must ensure that at least one employee is located outside the city of Seattle for purposes of assisting rural businesses with export strategies.

(5) \$60,000 of the general fund—state appropriation for fiscal year 2024 and \$60,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to submit the necessary Washington state membership dues for the Pacific Northwest economic region.

(6) ~~(\$1,808,000)~~ \$2,438,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,808,000)~~ \$2,438,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to identify and invest in strategic growth areas, support key sectors, and align existing economic development programs and priorities. The department must consider Washington's position as the most trade-dependent state when identifying priority investments. The department must engage states and provinces in the northwest as well as associate development organizations, small business development centers, chambers of commerce, ports, and other partners to leverage the funds provided. Sector leads established by the department must include the industries of: (a) Aerospace; (b) clean technology and renewable and nonrenewable energy; (c) wood products and other natural resource industries; (d) information and communication technology; (e) life sciences and global health; (f) maritime; (g) military and defense; and (h) creative industries. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with partner organizations and other agencies to serve in the role of sector lead.

(7) ~~(\$20,684,000)~~ \$32,684,000 of the Andy Hill cancer research endowment fund match transfer account—state appropriation is provided solely for the Andy Hill cancer research endowment program. Amounts provided in this subsection may be used for grants and administration costs.

(8) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish representation in key international markets that will provide the greatest opportunities for increased trade and investment for small businesses in the state of Washington. Prior to entering into any contract for representation, the department must consult with associate development organizations and other organizations and associations that represent small business, rural industries, and disadvantaged business enterprises.

(9) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to assist people with limited incomes in urban areas of the state start and sustain small businesses. The grant recipient must be a nonprofit organization involving a network of microenterprise organizations and professionals to support micro entrepreneurship and access to economic development resources.

(10) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization whose sole purpose is to provide grants, capacity building, and technical assistance support to a network of microenterprise development organizations. The microenterprise development organizations will support rural and urban Black, indigenous and people of color owned businesses, veteran owned businesses, and limited resourced and other hard to serve businesses with five or fewer employees throughout the state with business training, technical assistance, and microloans.

(11) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a business center that provides confidential, no-cost, one-on-one, client-centered assistance to small businesses to expand outreach in underserved communities, especially Black, indigenous, and people of color-owned businesses, providing targeted assistance where needed. Funding may also be used to collaborate the department, the Washington economic development association, and others to develop a more effective and efficient service delivery system for Washington's women and minority-owned small businesses.

(12) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to strengthen capacity of the keep Washington working act work group established in RCW 43.330.510.

(13) \$7,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to continue to administer the small business innovation and competitiveness fund program created in section 128(167), chapter 297, Laws of 2022 (ESSB 5693). The department may prioritize projects that received conditional awards in the 2021-2023 fiscal biennium but were not funded due to the project's inability to be substantially completed by June 30, 2023.

(14) \$2,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to administer grants to businesses and nonprofits in the arts, heritage, and science sectors, including those that operate live entertainment venues, to provide bridge funding for continued recovery from the COVID-19 pandemic and related economic impacts. The department must develop criteria for successful grant applications in coordination with the Washington state arts commission.

(15) \$352,000 of the climate commitment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). (~~##~~

~~the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(16) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an associate development organization located in Thurston county to provide a training curriculum to assist small businesses in scaling up to reach their next tier of operations. The contract recipient may use the funding for costs including, but not limited to, curriculum materials, trainers, and follow up coaching and mentorship in multiple languages.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract for technical assistance programs focused on assisting small minority, women, and veteran-owned businesses in south King and Pierce counties. The contract recipient must be a nonprofit organization located in Tukwila that provides educational and business assistance for underserved and minority groups, with a focus on the African American community. The department must provide a preliminary report on program outcomes by June 30, 2024, and a final report by June 30, 2025, to the relevant committees of the legislature. The preliminary and final reports must include outcome data including, but not limited to, the number of events or workshops provided, the number of businesses served, and ownership and other demographics of businesses served.

(18) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with a nonprofit organization to conduct workforce and economic development activities serving the south Puget Sound region. The contract recipient must be a nongovernmental nonprofit organization located in Federal Way that has been in operation for at least 10 years and whose mission is to develop resources to enhance the economy of the south sound region by facilitating innovation, job creation, and the growth and development of businesses.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide grant funding to a nonprofit biotech incubator and science research center located in the city of Tacoma. The grant funding is to provide support for programs aimed at increasing workforce readiness and entrepreneurship in the life sciences, with a focus on promoting access to science, technology, engineering, and math careers for individuals from underserved communities.

(20) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to associate development organizations pursuant to Substitute House Bill No. 1783 (grant writers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(21) \$9,000,000 of the statewide tourism marketing account—state appropriation is provided solely for the statewide tourism marketing program and operation of the statewide tourism marketing authority pursuant to chapter 43.384 RCW.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to renew licenses for cloud-based business engagement tools for state agencies and local workforce and economic development boards, and to procure additional licenses for state agency procurement professionals, to assist in complying with the department of enterprise services supplier diversity policy effective April 1, 2023.

(23) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for activities related to securing federal funding from programs created by or funded through federal legislation including, but not limited to, the inflation reduction act, P.L. 117-169; the chips and science act, P.L. 117-167; and the infrastructure investment and jobs act, P.L. 117-58. Funding provided under this subsection may be used to support regional and locally led initiatives seeking federal funding, to provide technical support for application development and grant writing, to conduct economic analysis of various sectors, and other activities the department deems necessary for the state and partners with the state to compete for federal funds.

(24) \$877,000 of the general fund—state appropriation for fiscal year 2024 and \$878,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5096 (employee ownership). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$409,000 of the general fund—state appropriation for fiscal year 2024 and \$411,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5269 (manufacturing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to support activities related to cooperation with governmental and public agencies of the Republic of Finland, the Kingdom of Sweden, and the Kingdom of Norway. Eligible activities include, but are not limited to, cooperation in clean energy, clean technology, clean transportation, telecommunications, agriculture and wood science technology, general economic development, and other areas of mutual interest with Nordic nations and institutions.



(27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Bellingham based nonprofit that assists entrepreneurs to create, build, and grow businesses in northwest Washington to help establish a network of innovation centers for entrepreneurs and innovative small businesses between Seattle and the Canadian border.

(28) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop strategies for cooperation with governmental agencies of Vietnam, including higher education institutions, and organizations around the following:

(i) Trade and investment, including, but not limited to, the agriculture, information technology, food processing, manufacturing, and textile industries;

(ii) Combating climate change, including, but not limited to, cooperation on clean energy, clean transportation, and climate-smart agriculture; and

(iii) Academic and cultural exchange.

(b) By June 30, 2024, the department must provide a report on the use of funds in this subsection, any key metrics and deliverables, and any recommendations for further opportunities for collaboration.

(29) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide an economic development grant to a nongovernmental organization established in Federal Way, in operation for at least 30 years, whose primary focus is the economic development of the greater Federal Way region, in order to provide assessment for the development of innovation campuses in identified economic corridors.

(30) \$200,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a grant to a Tacoma based automotive museum as businesses assistance to address COVID-19 pandemic impacts to revenues from decreased attendance and loss of other revenue generating opportunities.

(31) \$2,500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely to expand the industrial symbiosis program and create a circular economy market development program. At least 20 percent of the amount provided in this section must be prioritized to benefit individuals in overburdened communities.

(32) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state public stadium authority to modernize interior stadium infrastructure. Funding is provided to improve operational infrastructure such that stadium can accommodate and attract mega events benefiting the state. Improvements will include, but are not limited to, installing new seating, improving ADA access, upgrading hospitality features, and making security enhancements.

(33) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide grants to eligible sports commissions to support activities promoting sports tourism, sporting events, and tournaments, and fostering economic and community development.

(b) An "eligible sports commission" under this subsection means an entity whose primary purpose is to promote tourism through hosting sporting events in Washington state. Entities may be independent nonprofit organizations or a division of a regional or national convention or visitors bureau.

(c) The department must develop application criteria and eligible uses of funds for the grant program.

(d) In determining the distribution of grant awards under this subsection, the department may allocate funds in proportion to the population of the county or counties in which the eligible sports commission conducts its activities.

(e) The department must develop reporting requirements for grant recipients, including but not limited to how grant funds are used. All grant recipients must report back to the department by June 30, 2025.

(34) \$250,000 of the climate commitment account—state appropriation for fiscal year 2025 shall take effect January 1, 2025, and is provided solely for a study or studies to assess strategies necessary for the state of Washington to engage in the offshore wind supply chain. The study may address public infrastructure needed for manufacturing, assembly, and transport of supply chain components, and an assessment of workforce needs and community benefits. The department shall submit a summary of the status or findings of studies funded in this subsection to the governor and appropriate committees of the legislature by June 30, 2025.

(35) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Seattle-based nonprofit organization that functions as a workforce development intermediary to connect low-income individuals with living-wage jobs. Funding may be used to provide entry level assistance for 28 low-income mariners.

(36) \$184,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nongovernmental organization whose primary focus is community and economic development in downtown Renton to provide holistic navigation and education services.

(37) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Tacoma-based nonprofit organization that provides access and education through the arts to provide business training, technical assistance, and other services to emerging creative and cultural entrepreneurs.

(38) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

city of Seattle to lease space for nonprofit and academic institutions to incubate technology business startups, especially those focusing on artificial intelligence and develop and teach curricula to skill up workers to use artificial intelligence as a business resource.

(39) \$1,339,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the innovation cluster accelerator program. Funding provided in this subsection may only be used to develop and maintain clusters that aim to reduce and mitigate impacts from greenhouse gases in overburdened communities, deploy renewable energy resources, increase energy efficiency or reduction, or other permissible uses pursuant to RCW 70A.65.260.

**Sec. 130.** 2023 c 475 s 132 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—ENERGY AND INNOVATION**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$140,959,000))
	\$6,641,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$141,187,000))
	\$6,937,000
General Fund—Federal Appropriation . . . . .	(((\$39,461,000))
	\$325,724,000
General Fund—Private/Local Appropriation . . . . .	\$34,000
Building Code Council Account—State Appropriation . . . . .	\$13,000
Climate Commitment Account—State Appropriation . . . . .	(((\$52,611,000))
	\$233,599,000
Community and Economic Development Fee Account—State Appropriation . . . . .	\$160,000
Electric Vehicle Incentive Account—State Appropriation . . . . .	\$50,000,000
Low-Income Weatherization and Structural Rehabilitation Assistance Account—State Appropriation . . . . .	\$1,399,000
Natural Climate Solutions Account—State Appropriation . . . . .	(((\$167,000))
	\$1,167,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$425,991,000))</b>
	<b>\$625,674,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is authorized to require an applicant to pay an application fee to cover the cost of reviewing the project and preparing an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets.

(2)(a) \$50,000,000 of the electric vehicle incentive account—state appropriation is provided solely for the department to implement programs and incentives that promote the purchase of or conversion to alternative fuel vehicles. The department must work with the interagency electric vehicle coordinating council to develop and implement alternative fuel vehicle programs and incentives.

(b) In developing and implementing programs and incentives under this subsection, the department must prioritize programs and incentives that:

(i) Will serve individuals living in an overburdened community, as defined in RCW 70A.02.010;

(ii) Will serve individuals who are in greatest need of this assistance in order to reduce the carbon emissions and other environmental impacts of their current mode of transportation in the overburdened community in which they live; and

(iii) Will serve low-income communities, communities with the greatest health disparities, and communities of color that are most likely to receive the greatest health benefits from the programs through a reduction in greenhouse gas emissions and other pollutants that will result in improved groundwater and stormwater quality, improved air quality, and reductions in noise pollution.

(3) ~~(((\$69,000,000 of the general fund state appropriation for fiscal year 2024 and \$69,000,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the development of community electric vehicle charging infrastructure.~~

~~(a) Funding provided in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state.~~

~~(b) Projects that receive funding under this section must be implemented by, or include partners from, one or more of the following: Local governments, federally recognized tribal governments, or public and private electrical utilities that serve retail customers in the state.~~

~~(c) Grant funding must be used for level 2 or higher charging infrastructure and related costs including but not limited to construction and site improvements. Projects may include a robust public and private outreach plan that includes engaging with affected parties in conjunction with the new electric vehicle infrastructure.~~

~~(d) The department must prioritize funding for projects in the following order:~~

- ~~(i) Multifamily housing;~~
- ~~(ii) Publicly available charging at any location;~~
- ~~(iii) Schools and school districts;~~
- ~~(iv) State and local government buildings and office buildings;~~
- ~~(v) All other eligible projects.~~

~~(c) The department must coordinate with other electrification programs, including projects developed by the department of transportation, to determine the most effective distribution of the systems. The department must also collaborate with the interagency electric vehicle coordinating council established in RCW 43.392.030 to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022.~~

~~(4) \$37,000,000 of the general fund state appropriation for fiscal year 2024 and \$37,000,000 of the general fund state appropriation for fiscal year 2025 are provided solely for grants to increase solar deployment and installation of battery storage in community buildings to enhance grid resiliency and provide backup power for critical needs, such as plug load and refrigeration for medication, during outages or to provide incentives to support electric utility demand response programs that include customer-sited solar and battery storage systems. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities. For the purposes of this subsection "community buildings" means K-12 schools, community colleges, community centers, recreation centers, libraries, tribal buildings, state and local government buildings, and other publicly owned infrastructure.~~

~~(5) \$19,500,000 of the general fund state appropriation for fiscal year 2024 and \$19,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely for a grant program to provide solar and battery storage community solar projects for public assistance organizations serving low-income communities. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities.~~

~~(a) Grants are not to exceed 100 percent of the cost of the project, taking into account any federal tax credits or other federal or nonfederal grants or incentives that the project is benefiting from.~~

~~(b) Priority must be given to projects sited on "preferred sites" such as rooftops, structures, existing impervious surfaces, landfills, brownfields, previously developed sites, irrigation canals and ponds, storm water collection ponds, industrial areas, dual-use solar projects that ensure ongoing agricultural operations, and other sites that do not displace critical habitat or productive farmland.~~

~~(c) For the purposes of this subsection "low-income" has the same meaning as provided in RCW 19.405.020 and "community solar project" means a solar energy system that: Has a direct current nameplate capacity that is greater than 12 kilowatts but no greater than 1,000 kilowatts; and has, at minimum, either two subscribers or one low-income service provider subscriber.~~

~~(6) \$8,500,000 of the general fund state appropriation for fiscal year 2024 and \$8,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely to build a mapping and forecasting tool that provides locations and information on charging and refueling infrastructure as required in chapter 300, Laws of 2021 (zero emissions transp.). The department shall collaborate with the interagency electric vehicle coordinating council established in chapter 182, Laws of 2022 (transportation resources) when developing the tool and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).~~

~~(7)) \$10,000,000 of the climate commitment account—state appropriation is provided solely for grants to support port districts, counties, cities, towns, special purpose districts, any other municipal corporations or quasi-municipal corporations, and tribes to support siting and permitting of clean energy projects in the state. Eligible uses of grant funding provided in this section include supporting predevelopment work for sites intended for clean energy projects, land use studies, conducting or engaging in planning efforts such as planned actions and programmatic environmental impact statements, and staff to improve permit timeliness and certainty.~~

~~((+8)) (4) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more of the western national laboratories, or a similar independent research organization, in consultation with state and federal energy agencies, stakeholders, and relevant utilities, to conduct an analysis for new electricity generation, transmission, ancillary services, efficiency and storage sufficient to offset those presently provided by the lower Snake river dams. The analysis should include a list of requirements for a replacement portfolio that diversifies and improves the resilience and maintains the reliability and adequacy of the electric power system, is consistent with the state's statutory and regulatory requirements for clean electricity generation, and is supplementary to the resources that will be required to replace fossil fuels in the electrical generation, transportation, industry, and buildings sectors. The department and its contractor's assessment will include quantitative analysis based on available data as well as qualitative input gathered from tribal and other governments, the Northwest power and conservation council, relevant utilities, and other key stakeholders. The analysis must include the following:~~

~~(i) Expected trends for demand, and distinct scenarios that examine potential outcomes for electricity demand, generation, and storage technologies development, land use and land~~

use constraints, and cost through 2050, as well as the most recent analysis of future resource adequacy and reliability;

(ii) A resource portfolio approach in which a combination of commercially available generating resources, energy efficiency, conservation, and demand response programs, transmission resources, and other programs and resources that would be necessary prerequisites to replace the power and grid reliability services otherwise provided by the lower Snake river dams and the time frame needed to put those resources into operation;

(iii) Identification of generation and transmission siting options consistent with the overall replacement resource portfolio, in coordination with other state processes and requirements supporting the planning of clean energy and transmission siting;

(iv) An evaluation of alternatives for the development, ownership and operation of the replacement resource portfolio;

(v) Examination of possible impacts and opportunities that might result from the renewal of the Columbia river treaty, revisions of the Bonneville power administration preference contracts, implementation of the western resource adequacy program (WRAP), and other changes in operation and governance of the regional electric power system, consistent with statutory and regulatory requirements of the clean energy transformation act;

(vi) Identification of revenue and payment structures sufficient to maintain reliable and affordable electricity supplies for ratepayers, with emphasis on overburdened communities;

(vii) Development of distinct scenarios that examine different potential cost and timeline potentials for development and implementation of identified generation and transmission needs and options including planning, permitting, design, and construction, including relevant federal authorities, consistent with the statutory and regulatory requirements of the clean energy transformation act;

(viii) Quantification of impacts to greenhouse gas emissions including life-cycle emissions analysis associated with implementation of identified generation and transmission needs and options including (A) planning, permitting, design, and construction, and, if relevant, emissions associated with the acquisition of non-Washington state domestic or foreign sources of electricity, and (B) any additional operations of existing fossil-fueled generating resources; and

(ix) An inventory of electricity demand by state-owned or operated facilities and information needed to complete a request for proposals (RFP) to satisfy this demand through new nonhydro renewable energy generation and/or conservation.

(b) The department shall, to the extent determined practicable, consider related analyses undertaken by the federal government as part of the Columbia river system operation stay of litigation agreed to in *National Wildlife Federation et al. v. National Marine Fisheries Service et al.* in October 2021.

(c) The department shall provide a status update to the energy and environment committees of the legislature and governor's office by December 31, 2024.

~~((+9))~~ (5) \$10,664,000 of the climate commitment account—state appropriation is provided solely for the department to administer a pilot program to provide grants and technical assistance to support planning, predevelopment, and installation of commercial, dual-use solar power demonstration projects. Eligible grant recipients may include, but are not limited to, nonprofit organizations, public entities, and federally recognized tribes.

~~((+10))~~ (6) \$20,592,000 of the climate commitment account—state appropriation is provided solely for the department to administer a grant program to assist owners of public buildings in covering the costs of conducting an investment grade energy audit for those buildings. Public buildings include those owned by state and local governments, tribes, and school districts.

~~((+11))~~ (7) (a) \$300,000 of the climate commitment account—state appropriation is provided solely for the department to develop recommendations on a design for a statewide energy assistance program to address the energy burden and provide access to energy assistance for low-income households. The department may contract with a third-party entity to complete the work required in this subsection.

(b) The recommendations must include considerations for data collection on the energy burden and assistance need of households, universal intake coordination and data sharing across statewide programs serving low-income households, program eligibility, enrollment, multilingual services, outreach and community engagement, program administration, funding, and reporting.

(c) By January 1, 2024, the department must submit a report with the recommendations to the appropriate committees of the legislature.

~~((+12))~~ (8) \$250,000 of the climate commitment account—state appropriation is provided solely for a grant to a nonprofit for a smart buildings education program to educate building owners and operators about smart building practices and technologies, including the development of onsite and digital trainings that detail how to operate residential and commercial facilities in an energy efficient manner. The grant recipient must be located in a city with a population of more than 700,000 and must serve anyone within Washington with an interest in better understanding energy efficiency in commercial and institutional buildings.

~~((+13))~~ (9) \$111,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((+14))~~ (10) \$3,152,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy

siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(15))~~ (11) \$167,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(16))~~ (12) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to convene stakeholders and plan for a statewide energy rebate navigator aimed at assisting residential and small commercial buildings, with priority for buildings owned or occupied by low-income, Black, indigenous, and people of color and converting overburdened communities to clean energy. Of this amount:

(a) \$50,000 of the climate commitment account—state appropriation is for the department to convene a summit of stakeholders around building energy topics related to the development of a statewide energy rebate navigator, including initial and ongoing guidance regarding program design and implementation. The summit should develop recommendations for the program to improve and grow, addressing gaps in program design and implementation, outreach into overburdened communities, HEAL Act compliance, workforce development issues, and contractor needs.

(b) \$200,000 of the climate commitment account—state appropriation is for statewide rebate navigator evaluation and project planning, which shall include:

(i) Evaluation of how technical assistance can focus on serving Black, indigenous, and people of color, and low-income communities;

(ii) Research of existing data and software solutions the state can leverage to provide a one-stop-shop for energy improvements;

(iii) Evaluation of program delivery models to optimize energy service delivery, including realizing economies of scale and reaching high rates of penetration in overburdened communities, indigenous communities, and communities of color;

(iv) Evaluation and cultivation of potential program implementers who are qualified to deliver navigator program services, including community energy efficiency program grantees; and

(v) Evaluation and cultivation of qualified potential energy services providers, including providers owned by Black, indigenous, and people of color, utility trade ally programs, and weatherization plus health weatherization agencies.

~~((17))~~ (13) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(18))~~ (14) \$93,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(19))~~ (15)(a) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a third-party entity to conduct a study that analyzes how the economic impact of oil refining in Washington state is likely to impact Washington's refineries, refinery workers, and refinery communities. By December 31, 2024, the report must be distributed to the energy and environment committees of the state legislature.

(b) The study required in (a) of this subsection must include:

(i) An overview of Washington's five oil refineries including: Location, age, workforce demographics, direct and indirect jobs connected with the industry, health and environmental impacts, local tax revenues paid by refineries, and primary and secondary products and markets;

(ii) A summary of projected scenarios for Washington refineries' primary markets, taking into account realistic, real world outcomes, given existing mandated decarbonization targets, feedstock availability, and statutes that impact Washington refinery products;

(iii) A summary of anticipated short-term, medium-term, and long-term economic viability of the five Washington oil refineries based on refinery product demand forecasts as outlined in (b)(ii) of this subsection;

(iv) A forecast of direct and indirect effects of the projected petroleum decline, including indirect employment impacts, the geography of those impacts, and impacts to local jurisdictions, utilities, ports, and special purpose districts from reduction in tax revenues, and impacts to local nonprofits and community programs from the refining industry;

(v) An assessment of potential future uses of refinery sites that include energy industrial, nonenergy industrial, heavy manufacturing, and industrial symbiosis, including an assessment of previously closed refinery sites throughout the United States and current use of those sites. Each potential future use shall be assessed and include data regarding: Greenhouse gas emissions, local pollution and environmental health, direct and indirect employment benefits, estimated tax impacts, potential costs to Washington residents, and feasibility based on relevant market trends; and an assessment of previously closed refinery sites throughout the United States and current use of those sites;

(vi) The competitive position of Washington refineries to produce alternative fuels consistent with Washington's emissions reductions defined in RCW 70A.45.020, the anticipated regional, national, and global demand for these fuels between 2023 and 2050; and the likely

employment, tax, environmental, cultural, and treaty impacts of refinery conversion to these alternative fuels;

(vii) An identification of refinery workers' skillsets, potential alternative sectors and industries of employment, an assessment and comparison of total compensation and benefit packages including retirement and health care programs of current and alternative jobs, impacts to apprenticeship utilization, and the current and expected availability of those jobs in Pierce, Skagit, and Whatcom counties;

(viii) A land and water remediation analysis; including cost estimates, current terrestrial and aquatic pollution mapping, an overview of existing policies and regulations that determine accountability for cleanup and identifies gaps that may leave local and state taxpayers financially liable, and an assessment of the workforce and skills required for potential cleanup;

(ix) A summary of existing petroleum refining capacity and trends in Washington, the United States, and internationally; and

(x) An assessment of decline or loss of tax revenues supporting state environmental programs including the model toxics control act, the pollution liability insurance agency, and other programs, as well as the decline or loss of transportation gas tax revenues.

(c) The department may require data and analysis from refinery owners and operators to inform the study. Pursuant to RCW 42.56.270, data shared or obtained in the course of this study is not subject to public disclosure. Where unavailable, the department and entity commissioned to complete the study shall rely on the best available public data.

(d) The study must include a robust public engagement process including local and state elected officials, labor groups, fence line communities, port districts, economic development associations, and environmental organizations in Skagit, Whatcom, and Pierce counties, and the five Washington refineries.

(e) The department must offer early, meaningful, and individual consultation with any affected Indian tribe for the purpose of understanding potential impacts to tribal rights and resources including cultural resources, archaeological sites, sacred sites, fisheries, and human health.

~~((21)) (16) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). (If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(22)) (17) \$1,000,000 of the climate commitment account—state appropriation is provided solely for a grant to the Yakama Nation for an advanced rail energy storage project.~~

(18) \$800,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely to contract with a nonprofit entity to serve as a Washington state green bank. The funds are to be used to match federal funds available for green bank development to support development of sustainable and clean energy financing solutions within Washington.

(19)(a) \$1,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to build an internet web portal that provides a centralized location for grant seekers to find all state and federal grant and incentive opportunities in the energy, climate, and clean technology sectors. The portal shall include, but is not limited to, an interactive internet website that is launched to include, at a minimum, information identifying every grant administered by the state and incentive opportunities that will provide clean energy and climate assistance. The department, in consultation with the governor's office, shall ensure that the internet website is accessible and provides helpful information to a diverse set of potential applicants including, but not limited to, nonprofit and community-based organizations, and other entities that are working to support and benefit tribes, rural communities, and vulnerable and overburdened communities.

(b) Within the amounts provided in (a) of this subsection, the department must establish a marketing and outreach campaign that makes information about funding opportunities widely available and easy to understand, encouraging more people and organizations to participate. The department shall work with consultants and third-party administrators to identify a range of groups including tribes, vulnerable and overburdened communities, rural communities, local governments, businesses of all sizes, households, nonprofits, educational institutions, and the clean energy developers and clean tech manufacturers that would benefit from state and federal funding available for clean energy projects. The campaign shall include a comprehensive marketing and outreach strategy, using various ways to communicate, ensuring all materials are clear, simple, and available in multiple languages, and employing best practices for communicating with diverse and underserved communities. The department, along with selected partners and third-party administrators, shall work with organizations directly serving these communities to extend the reach of these communications, with a goal of directing at least 25 percent of the marketing and outreach funds expended to benefit vulnerable populations in overburdened communities.

(20)(a) \$5,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to administer a program to assist community-based organizations, local governments, ports, tribes, and other entities to access federal tax incentives and grants. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit organizations, and for-profit businesses. The department shall prioritize assistance that

benefits vulnerable populations in overburdened communities, with a goal of directing at least 25 percent of funds to this purpose.

(b) Within the amounts provided in (a) of this subsection, the department must contract with a nonprofit organization to provide the following services:

(i) Development of tax guidance resources for clean energy tax credits, including core legal documents to be used broadly across stakeholders;

(ii) Providing tailored marketing materials for these resources targeting underserved entities; and

(iii) Providing funds to subcontract with clean energy tax attorneys to pilot office hours style support available to eligible entities across the state.

(21)(a) \$2,500,000 of the climate commitment account—state appropriation is provided solely for the department to support a tribal clean energy innovation and training center in partnership and collocated at Northwest Indian College. The center aims to support tribal energy goals and pursue clean energy deployment opportunities that enhance tribal energy sovereignty and well-being among tribes.

(b) Activities of the center include, but are not limited to: (i) Developing technical training offerings that could build the tribal workforce pipeline, especially in emerging technologies like geothermal heat pumps and hydrogen technologies, and provide economic development opportunities and resources to the region; (ii) researching and demonstrating the feasibility of innovative clean energy technologies that protect the environment; and (iii) creating a model for tribal clean energy centers that can be adopted by other tribal colleges in the region to establish clean energy deployment and land use best practices built on tribal knowledge.

(22) \$3,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to administer a grant program to assist community-based organizations, local governments, ports, tribes, and other entities to author federal grant applications and to provide support for federal grant reporting for entities that receive federal grants. The department will determine a process for prioritizing applicants, including first time or underserved applicants, tribes, and rural areas of the state. The state may also partner with third-party administrators and regional and local partners, such as associate development organizations and other local nonprofits to ensure equitable access to resources. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit organizations, and for-profit businesses. The department shall prioritize grants that provide benefit to vulnerable populations in overburdened communities, with a goal of directing at least 25 percent of funds to this purpose.

(23) \$539,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to develop plans to test hydrogen combustion and resulting nitrogen oxides (NOx) emissions, technical assistance for strategic end uses of hydrogen, a feasibility assessment regarding underground storage of hydrogen in Washington, and an environmental justice toolkit for hydrogen projects.

(24) \$3,500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide and facilitate access to energy assistance programs, including incentives, energy audits, and rebate programs to retrofit homes and small businesses.

(25) \$750,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide technical assistance and education materials to help counties establish effective commercial property assessed clean energy and resiliency (C-PACER) programs.

(26) \$3,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to establish a Washington clean energy ambassadors program as a part of the clean energy community decarbonization expansion of the clean energy fund. This program will offer education, planning, technical assistance, and community engagement across the state. Ambassadors will link local entities with resources and best practices to enable clean energy access for all communities and promote a just transition to a net-zero economy. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined under RCW 70A.02.010. This program must:

(a) Identify a pilot cohort of intermediary organizations;

(b) Recruit and train clean energy ambassadors;

(c) Host community energy and resilience educational events and workshops; and

(d) Provide technical assistance to help governments, community-based organizations, businesses, and communities obtain clean energy resources.

(27) \$150,000,000 of the climate commitment account—state appropriation is provided solely for the department to provide grants for public and private electric utilities to provide one-time bill rebates for low-income and moderate-income residential electricity customers in the amount of \$200 per household. Funding shall be prioritized for customers that have participated in the low-income home energy assistance program or ratepayer-funded assistance programs. Utilities may, but are not required to, work with community action agencies to administer these funds following the eligibility criteria for the low-income home energy assistance program. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Each utility shall disburse funds directly to customer accounts by December 31, 2024, and adhere to program communications guidelines provided by the department. Utilities may account for

and recover in rates administrative costs associated with the disbursement of funds provided in this subsection.

(28) \$350,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the authority to contract with Tacoma power, to conduct a feasibility study, including scoping project costs, on pumped storage at Tacoma power's Mossyrock dam. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(29) \$1,000,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide grants to the following public utility districts for the costs of relocating utilities necessitated by fish barrier removal projects: Clallam, Grays Harbor, Jefferson, Kittitas, Mason public utility district no. 1, Mason public utility district no. 2, Skagit, and Thurston.

(30) \$182,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for wildfire recovery costs from the Gray wildfire that impacted the city of Medical Lake. Recovery costs include procurement of water for firefighting, restoration of water and sewer infrastructure, replacement of water meters, emergency sewer capping, and various other costs associated with wildfire recovery.

(31) \$250,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide a grant to a nonprofit entity that represents the maritime industry to publish a strategic framework regarding the production, supply, and use of sustainable maritime fuels and deployment of low and zero-emissions vessel technologies in Washington. Funding under this subsection may be used for activities including, but not limited to, convening stakeholders and building organizational capacity. Stakeholder engagement pursuant to this subsection shall include, at a minimum, engagement with federal and state agencies, ports, industry, labor, research institutions, nongovernmental organizations, and relevant federally recognized tribes. The department shall submit a copy of its strategic framework and findings to the legislature in accordance with RCW 43.01.036 by June 30, 2025.

(32) \$500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to provide a grant to the Muckleshoot Indian tribe for high-speed charging stations for electric vehicles on highway 164 near Dogwood street.

(33) \$150,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to the smart building center education program to develop a qualified energy manager training program. The program must be available on demand and at no cost to the owners and operators of all tier 2 buildings to assist in complying with Washington's clean buildings performance standards.

(34) \$150,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to conduct up to three feasibility studies that will investigate the expansion of sewer heat recovery programs and pilots, within Washington state, to support decarbonization of the built environment. The feasibility studies will explore and review sewer heat recovery systems' potential benefits, implementation strategies, and necessary considerations to maximize decarbonization. The sites will be selected from the following: Decarbonization of a university campus district steam system, a rural community with agricultural and/or industrial focus, a tribal development, and/or another appropriate site.

(35)(a) \$500,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to establish the Washington just and rapid transition climate tech program. The grant will provide funding for the recruitment, development, business training, and support of underserved climate technology innovators, entrepreneurs, and organizations developing or deploying solutions in the areas of renewable energy, energy efficiency, sustainable transportation, and other technology solving for the environmental challenges facing overburdened communities in Washington.

(b) Activities may include supporting entrepreneurs in preparing for private investment; technical assistance for entrepreneurs receiving state directed federal equity and debt capital; assistance accessing or leveraging the use of federal funding; business coaching and mentoring; and connections to technical and business resources.

(c) The grant recipient must be a nonprofit organization that has been awarded, from the state of Washington, federal state small business credit initiative funds for investment in Washington climate tech entrepreneurs, and must also have experience managing investment funding and providing entrepreneurial support programs and federal funding assistance to early-stage climate start-ups and businesses based in Washington. The grant recipient should have experience providing services to individuals and companies led by individuals from underrepresented groups, including BIPOC, women, and individuals residing in rural communities and have working partnerships with state research universities, climate tech industry associations, and community-based organizations serving underserved communities.

(36) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide a grant for a study on how other states regulate and permit agritourism and bring the advocates of interested groups together to resolve outstanding issues about permitting in agricultural areas, the sale of beer, wine, and cider, and the use of agricultural buildings for agritourism purposes. A report of the findings and recommendations must be submitted to the legislature in accordance with RCW 43.01.036 by June 30, 2025.

(37) \$750,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a grant to the city of Ellensburg for



decarbonization planning and implementation. The funding must be used by the city for staff or contractors to develop and implement strategies to comply with the requirements of climate commitment act and decarbonize their natural gas utility.

(38) \$199,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 131.** 2023 c 475 s 133 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2024)	(( \$26,300,000))
	<u>\$24,848,000</u>
General Fund—State Appropriation (FY 2025)	(( \$18,107,000))
	<u>\$19,893,000</u>
General Fund—Federal Appropriation	(( \$7,822,000))
	<u>\$7,875,000</u>
General Fund—Private/Local Appropriation	(( \$2,055,000))
	<u>\$2,073,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$5,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	\$7,000
Affordable Housing for All Account—State Appropriation	(( \$184,000))
	<u>\$186,000</u>
Building Code Council Account—State Appropriation	\$4,000
Climate Commitment Account—State Appropriation	<u>\$253,000</u>
Community and Economic Development Fee Account—State Appropriation	(( \$241,000))
	<u>\$246,000</u>
<u>Coronavirus State Fiscal Recovery Fund—Federal Appropriation</u>	<u>\$300,000</u>
Economic Development Strategic Reserve Account—State Appropriation	\$47,000
Energy Efficiency Account—State Appropriation	\$20,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation	\$47,000
Growth Management Planning and Environmental Review Fund—State Appropriation	\$147,000
Home Security Fund Account—State Appropriation	(( \$1,401,000))
	<u>\$1,413,000</u>
Lead Paint Account—State Appropriation	\$29,000
Liquor Excise Tax Account—State Appropriation	\$398,000
Liquor Revolving Account—State Appropriation	\$17,000
Low-Income Weatherization and Structural Rehabilitation Assistance Account—State Appropriation	\$10,000
Public Facilities Construction Loan Revolving Account—State Appropriation	(( \$320,000))
	<u>\$323,000</u>
Public Works Assistance Account—State Appropriation	(( \$2,005,000))
	<u>\$2,016,000</u>
Washington Housing Trust Account—State Appropriation	(( \$1,141,000))
	<u>\$1,155,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(( \$60,307,000))</b>
	<b><u>\$61,312,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants and associated technical assistance and administrative costs to foster collaborative partnerships that expand child care capacity in communities. Eligible applicants include nonprofit organizations, school districts, educational service districts, and local governments. These funds may be expended only after the approval of the director of the department of commerce and must be used to support planning and activities that help communities address the shortage of child care, prioritizing partnerships serving in whole or in part areas identified as child care access deserts. The department must submit a report to the legislature on the use of funds by June 30, 2025. The report shall include, but is not limited to:

- (a) The number and location of organizations, school districts, educational service districts, and local governments receiving grants;
- (b) The number of grants issued and their size; and

(c) Any information from grantee organizations on outcomes.

(2) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Vancouver that is the lead organization in a collaborative partnership to expand child care capacity in southwest Washington, for activities that will increase access to affordable, high-quality child care and help meet community needs.

(3) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the work group created in section 916 of this act to examine fire service delivery.

(4) (a) \$30,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to produce a study of the retirement preparedness of Washington residents and the feasibility of establishing a portable individual retirement account savings program with automatic enrollment (auto-IRA) for private sector workers who do not have workplace retirement benefits. To conduct the study, the department shall enter into an agreement with a nonprofit, nonpartisan think tank and research center based in Washington, D.C. that is unaffiliated with any institution of higher education and with a mission to generate a foundation of facts that enriches the public dialog and supports sound decision making. This research center will be responsible for the production of the study to the department. The center shall not be reimbursed for costs nor shall it receive or retain any of the funds. With the advice and consent of the department, the center may select a research institution, entity, or individual located in Washington state with expertise and proficiency in demographic analysis, retirement systems, or retirement planning to collaborate with on this study. The appropriation may be used by the department to enter into a contract with this partner entity for the partner entity's contributions to the study. Any funds not provided to the partner entity or otherwise unused shall be returned.

(b) The study must analyze current state and federal programs and recent state and federal statutory and rule changes that encourage citizens to save for retirement by participating in retirement savings plans, including plans pursuant to sections 401(k), 403(b), 408, 408(a), 408(k), 408(p), and 457(b) of the internal revenue code. The scope of the analysis must include:

(i) An examination of potential retirement savings options for self-employed individuals, part-time employees, and full-time employees whose employers do not offer a retirement savings plan;

(ii) Estimates of the impact on the state budget from shortfalls in retirement savings or income, including on public budgets from taxpayer-financed elderly assistance programs and a loss of economic activity by seniors;

(iii) The level of interest by private sector Washington employers in participating in an auto-IRA program;

(iv) A determination of how prepared financial institutions will be to offer these plans in compliance with federal requirements on all new retirement plans going into effect in 2025;

(v) Findings that clarify the gaps in retirement savings services currently offered by financial institutions;

(vi) An examination of the impact of retirement savings on income and wealth inequality;

(vii) An estimate of the costs to start up an auto-IRA program, an estimate of the time for the program to reach self-sufficiency, and potential funding options;

(viii) The experience of other states that have implemented or are implementing a similar auto-IRA program for employers and employees, as well as program impacts on the market for retirement plan products and services;

(ix) An evaluation of the feasibility and benefits of interstate partnerships and cooperative agreements with similar auto-IRA programs established in other jurisdictions, including contracting with another state to use that state's auto-IRA program, partnering with one or more states to create a joint auto-IRA program, or forming a consortium with one or more other states in which certain aspects of each state's auto-IRA program are combined for administrative convenience and efficiency;

(x) An assessment of potential changes in enrollment in a joint auto-IRA program if potential participants are concurrently enrolled in the federal "saver's credit" program;

(xi) An assessment of how a range of individuals or communities view wealth, as well as ways to accumulate assets;

(xii) The appropriate state agency and potential structure for implementing an auto-IRA program; and

(xiii) Recommendations for statutory changes or appropriations for establishing an auto-IRA program.

(c) By December 15, 2023, the department must submit a report to the appropriate committees of the legislature in compliance with RCW 43.01.036 on the study findings.

(5) \$253,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided for the department to incorporate equity and environmental justice into agency grant programs with the goal of reducing programmatic barriers to vulnerable populations in overburdened communities in accessing department funds. The department shall prioritize grant programs receiving funds from the accounts established under RCW 70A.65.080, 70A.65.240, 70A.65.250, and 70A.65.260.

**Sec. 132.** 2023 c 475 s 134 (uncodified) is amended to read as follows:  
**FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL**

General Fund—State Appropriation (FY 2024)	(\$973,000)
	<u>\$1,155,000</u>
General Fund—State Appropriation (FY 2025)	(\$1,040,000)
	<u>\$1,027,000</u>
Lottery Administrative Account—State Appropriation	\$50,000
<b>TOTAL APPROPRIATION</b>	<b><u>(\$2,063,000)</u></b>
	<b><u>\$2,232,000</u></b>

**Sec. 133.** 2023 c 475 s 135 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund—State Appropriation (FY 2024)	(\$19,943,000)
	<u>\$19,813,000</u>
General Fund—State Appropriation (FY 2025)	(\$21,286,000)
	<u>\$21,843,000</u>
General Fund—Federal Appropriation	\$38,384,000
General Fund—Private/Local Appropriation	(\$1,499,000)
	<u>\$3,943,000</u>
Climate Investment Account—State Appropriation	(\$909,000)
	<u>\$811,000</u>
Climate Commitment Account—State Appropriation	\$4,485,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation	\$656,000
<del>(Economic Development Strategic Reserve Account—State Appropriation</del>	<del>\$68,000)</del>
Personnel Service Account—State Appropriation	(\$26,815,000)
	<u>\$27,021,000</u>
Higher Education Personnel Services Account—State Appropriation	\$1,497,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation	\$300,000
Statewide Information Technology System Development Revolving Account—State Appropriation	(\$105,745,000)
	<u>\$200,453,000</u>
Office of Financial Management Central Service Account—State Appropriation	(\$30,929,000)
	<u>\$31,786,000</u>
<del>(Performance Audits of Government Account— State Appropriation</del>	<del>\$108,000)</del>
<del>Workforce Education Investment Account—State Appropriation</del>	<del>\$100,000)</del>
<b>TOTAL APPROPRIATION</b>	<b><u>(\$252,724,000)</u></b>
	<b><u>\$350,992,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) The student achievement council and all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW shall ensure that data needed to analyze and evaluate the effectiveness of state financial aid programs are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

- (i) The number of Washington college grant and college bound recipients;
  - (ii) Persistence and completion rates of Washington college grant recipients and college bound recipients, disaggregated by institution of higher education;
  - (iii) Washington college grant recipients grade point averages; and
  - (iv) Washington college grant and college bound scholarship program costs.
- (b) The student achievement council shall submit student unit record data for state financial aid program applicants and recipients to the education data center.

(2) ~~(\$100,000 of the workforce education investment account state appropriation is provided solely to the office of financial management to implement career connected learning.~~

~~(3)) (a) (\$105,607,000) \$200,312,000 of the information technology system development revolving account—state appropriation is provided solely for the one Washington enterprise resource planning statewide program phase 1A (agency financial reporting system replacement) and is subject to the conditions, limitations, and review requirements of section 701 of this act.~~

(b) Of the amount provided in this subsection:

(i) ~~(\$41,000,000) \$64,780,000 of the information technology system development revolving account—state appropriation is provided solely for a technology pool ((in fiscal year 2024)) to pay for phase 1A (agency financial reporting system replacement—core financials) state agency costs due to legacy system remediation work associated with impacted financial systems and interfaces. The office of financial management must manage the pool, authorize funds, track costs by agency by fiscal month, and report after each fiscal month close on the agency spending to the consolidated technology services agency so that the spending is included in the statewide dashboard actual spending;~~

(ii) \$5,650,000 of the information technology system development revolving account—state appropriation is provided solely for organizational change management;

(iii) (~~(\$690,000)~~) \$1,380,000 of the information technology system development revolving account—state appropriation is provided solely for an interagency agreement (~~(in fiscal year 2024)~~) with consolidated technology services for one dedicated information technology consultant and two dedicated system architect staff to be contracted from the office of the chief information officer. These staff will work with state agencies to ensure preparation and timely decommission of information technology systems that will no longer be necessary post implementation of phase 1A (agency financial reporting system replacement—core financials); and

(iv) \$1,854,000 of the information technology system development revolving account—state appropriation is provided solely for dedicated back office administrative support in fiscal year 2024. This includes resources for human resource staff, contract staff, information technology staff, and fiscal staff.

(c) The one Washington team must include at least the chair and ranking member of the technology committees and fiscal committees of the senate and house of representatives in system demonstrations of at least these key deliverables:

(i) Demonstration of integration build, which must be completed by July 31, 2023; and

(ii) Demonstration of workday tenant, which must be completed by November 30, 2023.

(d) The one Washington solution and team must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of two-week sprints.

(e) The one Washington solution must be capable of being continually updated, as necessary.

(f) Beginning July 1, 2023, the office of financial management shall provide written quarterly reports, within 30 calendar days of the end of each fiscal quarter, to legislative fiscal committees and the legislative evaluation and accountability program committee to include how funding was spent compared to the budget spending plan for the prior quarter by fiscal month and what the ensuing quarter budget will be by fiscal month. All reporting must be separated by phase of one Washington subprojects. The written report must also include:

(i) A list of quantifiable deliverables accomplished and amount spent associated with each deliverable, by fiscal month;

(ii) A report on the contract full-time equivalent charged compared to the budget spending plan by month for each contracted vendor, to include interagency agreements with other state agencies, and what the ensuing contract equivalent budget spending plan assumes by fiscal month;

(iii) A report identifying each state agency that applied for and received technology pool resources, the staffing equivalent used, and the cost by fiscal month by agency compared to the budget spending plan by fiscal month;

(iv) A report on budget spending plan by fiscal month by phase compared to actual spending by fiscal month, and the projected spending plan by fiscal month for the ensuing quarter; and

(v) A report on current financial office performance metrics that at least 10 state agencies use, to include the monthly performance data, that began July 1, 2021.

(g) Prior to the expenditure of the amounts provided in this subsection, the director of the office of financial management must review and approve the spending in writing.

(h) The legislature intends to provide additional funding for fiscal year 2025 costs for phase 1A (agency financial reporting system replacement) to be completed, which is scheduled to be done by June 30, 2025.

(~~(+4)~~) (3) \$250,000 of the office of financial management central services account—state appropriation is provided solely for a dedicated information technology budget staff for the work associated with statewide information technology projects that at least are subject to the conditions, limitations, and review requirements of section 701 of this act and are under the oversight of the office of the chief information officer. The staff will be responsible for providing a monthly financial report after each fiscal month close to fiscal staff of the senate ways and means and house appropriations committees to reflect at least:

(a) Fund balance of the information technology pool account after each fiscal month close;

(b) Amount by information technology project, differentiated if in the technology pool or the agency budget, of what funding has been approved to date and for the last fiscal month;

(c) Amount by agency of what funding has been approved to date and for the last fiscal month;

(d) Total amount approved to date, differentiated if in the technology pool or the agency budget, and for the last fiscal month;

(e) A projection for the information technology pool account by fiscal month through the 2023-2025 fiscal biennium close, and a calculation spent to date as a percentage of the total appropriation;

(f) A projection of each information technology project spending compared to budget spending plan by fiscal month through the 2023-2025 fiscal biennium, and a calculation of amount spent to date as a percentage of total project cost; and

(g) A list of agencies and projects that have not yet applied for nor been approved for funding by the office of financial management.

(~~(+5)~~) (4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 245, Laws of 2022 (state boards, etc./stipends).

~~((6))~~ ~~(\$137,000)~~ ~~(5)~~ \$39,000 of the climate investment account—state appropriation is provided solely for the office of financial management to complete an analysis of laws regulating greenhouse gas emissions as required by RCW 70A.65.200(10).

~~((7))~~ ~~(6)~~ \$3,060,000 of the general fund—federal appropriation and \$4,485,000 of the climate commitment account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ A minimum of 60 percent of climate service corps positions created pursuant to the bill shall be provided to members of vulnerable populations in overburdened communities as defined in RCW 70A.65.010, the climate commitment act.

~~((8))~~ ~~(7)~~ \$366,000 of the office of financial management central services account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5512 (higher ed. financial reports). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~(9))~~ ~~(8)~~ Within existing resources, the labor relations section shall produce a report annually on workforce data and trends for the previous fiscal year. At a minimum, the report must include a workforce profile; information on employee compensation, including salaries and cost of overtime; and information on retention, including average length of service and workforce turnover.

~~((10))~~ ~~(9)~~ \$298,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of financial management to convene a task force created in section 913 of this act to identify, plan, and make recommendations on the conversion of the Naselle youth camp property and facilities to an alternate use. Staff support for the task force must be provided by the office of financial management.

~~((11))~~ ~~(10)~~ Within existing resources, the office of financial management shall convene a work group with the goal to improve the state salary survey and provide employees with a voice in the process. The work group shall consist of five employees from the office of financial management, five representatives from employee labor organizations to act as a coalition on behalf of all labor organizations representing state employees, and one chairperson appointed by the director of the office of financial management, to share information and identify concerns with the state salary survey and benchmark job descriptions. By December 31, 2023, the work group shall provide a report of identified concerns to the fiscal and state government committees of the legislature and the director of the office of financial management.

~~((12))~~ ~~(11)~~ (a) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$615,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to establish a difficult to discharge task force to oversee a pilot program and make recommendations about how to address challenges faced with discharging patients from acute care settings and postacute care capacity by July 1, 2023.

(b) The task force shall consist of six members, one from each of the following:

- (i) The governor's office;
- (ii) The health care authority;
- (iii) The department of social and health services;
- (iv) The Washington state hospital association;
- (v) Harborview medical center; and
- (vi) Postacute care provider organizations.

(c) In consultation with stakeholder groups, the governor's office will identify task force members.

(d) The task force shall provide recommendations to the governor and appropriate committees of the legislature on topics including, but not limited to:

- (i) Pilot program implementation and evaluation, and recommendations for statewide implementation;
- (ii) Available funding mechanisms;
- (iii) Postacute care and administrative day rates;
- (iv) Managed care contracting; and
- (v) Legal, regulatory, and administrative barriers to discharge.

(e) The task force shall consult with stakeholders with relevant expertise to inform recommendations, including the health care authority, the department of social and health services, hospitals, postacute care providers, and medicaid managed care organizations.

(f) The task force may assemble ad hoc subgroups of stakeholders as necessary to complete its work.

(g) The task force and its operations, including any associated ad hoc subgroups, shall be organized and facilitated by the University of Washington through October 31, 2023. Beginning November 1, 2023, the office shall identify a contractor to undertake the following responsibilities, with oversight from the task force:

- (i) Organization and facilitation of the task force, including any associated subgroups;
- (ii) Management of task force process to ensure deliverables, including report writing;
- (iii) Oversight of the launch of a ~~((five-site))~~ two-year pilot project based on a model created by Harborview medical center by November 1, 2023; and
- (iv) Coordination of pilot implementation, associated reports, and deliverables.

(h) The task force shall provide recommendations to the governor and appropriate committees of the legislature outlining its initial recommendations by November 1, 2023. A report outlining interim recommendations and findings shall be provided by July 1, 2024, and a final report shall be provided by July 1, 2025.

~~((13))~~ (12) \$277,000 of the office of financial management central services account—state appropriation is provided solely for implementation of House Bill No. 1679 (student homelessness group). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((14))~~ (13) \$772,000 of the climate investment account—state appropriation is provided solely for the office to develop a data portal and other materials and strategies to improve public and community understanding of expenditures, funding opportunities, and grants, from climate commitment act accounts. The development of the data portal must be coordinated with the department of ecology and the expenditure tracking process described in section 302(13) of this act. "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, the air quality and health disparities improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

~~((15))~~ (14) (a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a joint legislative and executive committee on behavioral health, with members as provided in this subsection:

(i) The president of the senate shall appoint three legislative members, including a chair of a senate committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(ii) The speaker of the house of representatives shall appoint three legislative members, including a chair of a house committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(iii) The governor or his or her designee;

(iv) The secretary of the department of social and health services or his or her designee;

(v) The director of the health care authority or his or her designee;

(vi) The insurance commissioner or his or her designee;

(vii) The secretary of the department of health or his or her designee; and

(viii) The secretary of the department of children, youth, and families or his or her designee;

(ix) Other agency directors or designees as necessary; and

(x) Two individuals representing the interests of individuals living with behavioral health conditions.

(b) (i) The committee must convene by September 1, 2023, and shall meet at least quarterly. Cochairs shall be one legislative member selected by members of the committee at the first meeting and the representative of the governor's office. All meetings are open to the public.

(ii) The office of financial management shall contract or hire dedicated staff to facilitate and provide staff support to the nonlegislative members and for facilitation and project management support of the committee. Senate committee services and the house of representatives office of program research shall provide staff support to the legislative members of the committee. The contractor shall support the work of all members of the committee, legislative and nonlegislative.

(iii) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate.

(c) The purpose of the committee is to identify key strategic actions to improve access to behavioral health services, by conducting at least, but not limited to, the following tasks:

(i) Establishing a profile of Washington's current population and its behavioral health needs and a projection of population growth and anticipated need through 2028;

(ii) Establishing an inventory of existing and anticipated behavioral health services and supports for adults, children, and youth, including health care providers and facilities;

(iii) Assessing the areas of the current system where additional support is needed for Washington's current population;

(iv) Establishing an anticipated inventory of future services and supports that will be required to meet the behavioral health needs of the population in 2028 and beyond with a specific emphasis on prevention, early intervention, and home or community-based capacity designed to reduce reliance on emergency, criminal legal, crisis, and involuntary services;

(v) Reviewing the integrated care initiative on access to timely and appropriate behavioral health services for individuals with acute behavioral health needs; and

(vi) (A) Developing a strategy of actions that the state may take to prepare for the future demographic trends in the population and building the necessary capacity to meet these demands, including but not limited to:

(I) Exploring the role that education, housing and homelessness response systems, the criminal legal system, primary health care, and insurance systems have in the identification and treatment of behavioral health issues;

(II) Evaluating behavioral health workforce demand and workforce education, training, and continuing education requirements; and

(III) Statutory and regulatory changes to promote the most efficient use of resources, such as simplifying administrative procedures, facilitating access to services and supports systems, and improving transitions between care settings.

(B) Strategies must:

(I) Be based on explicit and measurable actions;

(II) Identify what must be done, by whom, and by when to assure implementation;

(III) Estimate a cost to the party responsible for implementation;

(IV) Recommend specific fiscal strategies that rely predominately on state and federal funding;

(V) Include recommendations for needed and appropriate additional caseload forecasting for state-funded behavioral health services; and

(VI) Incorporate and reconcile, where necessary, recommendations from past and current behavioral health work groups created by the legislature and network adequacy standards established by the health care authority.

(d) The committee shall incorporate input from the office of the insurance commissioner, the caseload forecast council, the health care authority, and other appropriate entities with specialized knowledge of the needs and growth trends of the population and people with behavioral health issues. In the conduct of its business, the committee shall have access, upon request, to health-related data available to state agencies by statute, as allowed by state and federal law. All requested data or other relevant information maintained by an agency shall be provided in a timely manner.

(e) The committee shall submit a sustainable five-year plan to substantially improve access to behavioral health for all Washington residents to the governor, the office of financial management, and the legislature by June 1, 2025.

~~((16))~~ (15) The office of financial management must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((17))~~ (16) \$300,000 of the statewide 988 behavioral health crisis response and suicide prevention line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(17) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the purchase and distribution of accessible technology and devices to support the employment and reasonable accommodation for state employees with disabilities. The office may use funds to purchase accessible technology and devices or the office may provide funds to agencies that employ persons with a disability to purchase accessibility devices such as screen readers, large button/print equipment, magnifiers, accessibility software, and other equipment.

(18) (a) \$274,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to conduct an analysis of health care services for pregnancy-related health care, including preconception, prenatal, labor and delivery, and postpartum care. With regard to these types of services, the analysis shall include, but not be limited to:

(i) Access to services and disparities in access;

(ii) Cost;

(iii) Location and type of provider; and

(iv) Demographics of patients and providers.

(b) The office of financial management shall submit a report to the governor and the appropriate committees of the legislature by June 30, 2025. The report shall include the analysis in (a) of this subsection and must identify and represent the following information in both table and geographical map view:

(i) Community and hospital birth centers by name, city, and county;

(ii) Annual births by geographical location to include community and hospital birth center, if known;

(iii) Greatest gaps in service using data in this subsection.

(c) The report required in (b) of this subsection must also include any recommendations for how to fill the gaps in service identified in the data and any recommendations for future analysis.

(19) \$298,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to convene a task force created in section 905 of this act to identify, plan, and make recommendations on the future use of the Larch corrections center property and facilities to an alternate use. Staff support for the task force must be provided by the office of financial management.

(20) (a) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a third party to complete market research on incarcerated individual communication rates in the United States. The market research must include:

(i) Detail by state on the amount each state pays to the vendor contracted to provide communication service rates and rate structures for incarcerated individuals at discrete points of time to include, at least, January 1, 2024, January 1, 2020, and January 1, 2015 for, at least but not limited to:

(A) Voice communication;

(B) Video communication;

(C) Email communication; and

(D) Text messaging communication;

(ii) The amount families paid in total for a state's contracted telecom vendor each state fiscal year for at least fiscal years 2018, 2019, 2020, 2021, 2022, and 2023;

(iii) Comparative market research analysis on rate structures over time, how those rates compare to the telecommunication fees over the same time, and how the market is anticipated to change by calendar year from calendar year 2024 through calendar year 2030;

(iv) Analysis on how many states provide at least voice communication services or any other communication services free of charge to the person initiating and the person receiving the communication and what calendar date that began; and

(v) Comparative analysis of any impacted rate structures, and at least those in (a)(i) of this subsection, before communication services are made free of charge to the person initiating and the person receiving the communication compared to the new negotiated rate structures, and at least those in (a)(i) of this subsection, after communication services are made free of charge to the person initiating and the person receiving the communication.

(b) The report must be submitted to the governor and the appropriate committees of the legislature by December 31, 2024.

**Sec. 134.** 2023 c 475 s 136 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

Administrative Hearings Revolving Account—State	
Appropriation. . . . .	(( <del>\$72,194,000</del> ))
	<u>\$76,179,000</u>
Administrative Hearings Revolving Account—Local	
Appropriation. . . . .	\$12,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$72,206,000</del>))</b>
	<b><u>\$76,191,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$597,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(2) \$80,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$34,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$61,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$2,487,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

**Sec. 135.** 2023 c 475 s 137 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE LOTTERY**

Lottery Administrative Account—State Appropriation. . . . .	(( <del>\$32,896,000</del> ))
	<u>\$32,906,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$32,896,000</del>))</b>
	<b><u>\$32,906,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1) No portion of this appropriation may be used for acquisition of gaming system capabilities that violate state law.

(2) Pursuant to RCW 67.70.040, the commission shall take such action necessary to reduce retail commissions to an average of 5.1 percent of sales.

**Sec. 136.** 2023 c 475 s 138 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON HISPANIC AFFAIRS**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$1,494,000</del> ))
	<u>\$1,495,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$1,347,000</del> ))
	<u>\$1,346,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>\$2,841,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:



- (i) Conduct a detailed analysis of the opportunity gap for Hispanic and Latinx students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to gang youth intervention specialists for a pilot program within high schools in Washington. Grants may be provided without using a competitive selection process.

**Sec. 137.** 2023 c 475 s 139 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$660,000</del> ))
	<u>\$661,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	\$662,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,322,000</del>))</b>
	<b><u>\$1,323,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for African American and Black students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators, as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

**Sec. 138.** 2023 c 475 s 140 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS**

General Fund—State Appropriation (FY 2024) . . . . .	\$387,000
Department of Retirement Systems Expense Account—	
State Appropriation . . . . .	(( <del>\$115,088,000</del> ))
	<u>\$116,700,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$115,475,000</del>))</b>
	<b><u>\$117,087,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$34,491,000 of the department of retirement systems expense account—state appropriation is provided solely for pension system modernization, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$143,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1007 (military service credits). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(3) \$1,172,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5538 (postretirement nursing). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(4) \$1,058,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1056 (postretirement employment). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(5) \$199,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1055 (public safety telecommunicators). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(6) \$536,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1481 (tribal peace officers/LEOFF). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(7) \$116,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/

PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(8) \$265,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6197 (LEOFF plan 2 provisions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 139.** 2023 c 475 s 141 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF REVENUE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$427,926,000</del> ))
	<u>\$358,211,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$436,344,000</del> ))
	<u>\$395,095,000</u>
Climate Commitment Account—State Appropriation . . . . .	\$895,000
Timber Tax Distribution Account—State Appropriation . . . . .	(( <del>\$8,095,000</del> ))
	<u>\$8,099,000</u>
Business License Account—State Appropriation . . . . .	(( <del>\$19,774,000</del> ))
	<u>\$19,790,000</u>
Waste Reduction, Recycling, and Litter Control	
Account—State Appropriation . . . . .	\$183,000
Model Toxics Control Operating Account—State	
Appropriation . . . . .	\$127,000
Financial Services Regulation Account—State	
Appropriation . . . . .	\$5,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$898,344,000</del>))</b>
	<b><u>\$787,400,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,669,000 of the general fund—state appropriation for fiscal year 2024 and \$1,661,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 196, Laws of 2021 (capital gains tax).

(2) ((~~\$251,639,000~~))\$181,639,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$263,768,000~~))\$221,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 195, Laws of 2021 (working families tax exempt.). Of the total amounts provided in this subsection:

(a) \$16,639,000 of the general fund—state appropriation for fiscal year 2024 and \$15,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administration of the working families tax exemption program; and

(b) ((~~\$235,000,000~~))\$165,000,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$248,000,000~~))\$206,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for remittances under the working families tax exemption program.

(3) \$2,408,000 of the general fund—state appropriation for fiscal year 2024, \$780,000 of the general fund—state appropriation for fiscal year 2025, and \$895,000 of the climate commitment account—state appropriation are provided solely for the department to implement 2023 revenue legislation.

(4) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop an implementation plan for an online searchable database of all taxes and tax rates in the state for each taxing district. A report summarizing options, estimated costs, and timelines to implement each option must be submitted to the appropriate committees of the legislature by June 30, 2024. The implementation plan must include an array of options, including low cost options that may change the scope of the database. However, each low cost option must still provide ease of public access to state and local tax information that is currently difficult for the public to collect and efficiently navigate.

(5) \$19,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of House Bill No. 1303 (property tax administration). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(6) \$3,639,000 of the general fund—state appropriation for fiscal year 2024 and \$3,582,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1477 (working families' tax credit). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(7) \$48,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(8) \$31,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5565 (tax and revenue laws). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(9) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

department to research and analyze wealth taxes imposed in other countries and wealth tax legislation recently proposed by other states and the United States. At a minimum, the department must examine how existing and proposed wealth taxes are structured, compliance and administrative challenges of wealth taxes, best practices in the design and administration of wealth taxes, and potential data sources to aid the department in estimating the revenue impacts of future wealth tax proposals for this state or assisting the department in the administration of a wealth tax. As part of its examination and analysis, the department must seek to consult with relevant subject matter experts from within and outside of the United States.

(b) The department may contract with one or more institutions of higher education as defined in RCW 28B.10.016 for assistance in carrying out its obligations under this subsection.

(c) The department must submit a status report to the appropriate fiscal committees of the legislature by January 1, 2024, and a final report to the appropriate fiscal committees of the legislature by November 1, 2024. The final report must include the department's findings.

(10) \$42,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to study how to collect race and ethnicity information from organizations or entities that receive tax preferences, as defined in RCW 43.136.021.

(a) The department may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(b) The department must submit a report to appropriate committees of the legislature by June 30, 2025. The report must include cost and timeline estimates for collecting the race and ethnicity information. The department must consult with the office of equity to ensure that data collection is consistent with other efforts. The report must also include, but is not limited to, the following information:

(i) The cost and time required for the department to revise current reporting requirements to include race and ethnicity data;

(ii) The cost and time required for the department to incorporate the collection of race and ethnicity data into future reporting;

(iii) The cost and time required for the department to incorporate the collection of race and ethnicity data into its existing information technology systems;

(iv) Recommendations on any exclusions from the requirement to report race and ethnicity data; and

(v) Any statutory changes necessary to collect race and ethnicity data.

(12) \$3,000 of the general fund—state appropriation for fiscal year 2024 and \$251,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5334 (affordable housing funding). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(13) \$4,000 of the business license account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5897 (business license services). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) \$12,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5915 (ag. crop products/tax ex.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15) \$16,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6013 (homeownership dev. tax ex.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(16) \$4,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6030 (ADU tax exemptions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(17) \$32,000 of the general fund—state appropriation for fiscal year 2024 and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 6038 (child care tax preference). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(18) \$36,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(19) \$101,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6175 (existing structures/housing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(20) \$4,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6215 (tax and revenue laws). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**FOR THE BOARD OF TAX APPEALS**

General Fund—State Appropriation (FY 2024)	\$2,810,000
General Fund—State Appropriation (FY 2025)	<del>(\$2,808,000)</del>
	<u>\$2,810,000</u>
<b>TOTAL APPROPRIATION</b>	<b><u>(\$5,618,000)</u></b>
	<u>\$5,620,000</u>

**Sec. 141.** 2023 c 475 s 143 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

General Fund—State Appropriation (FY 2024)	\$3,837,000
General Fund—State Appropriation (FY 2025)	\$3,799,000
Minority and Women's Business Enterprises Account— State Appropriation	<del>(\$6,062,000)</del>
	<u>\$6,066,000</u>
<b>TOTAL APPROPRIATION</b>	<b><u>(\$13,698,000)</u></b>
	<u>\$13,702,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of minority and women's business enterprises shall consult with the Washington state office of equity on the Washington state toolkit for equity in public spending.

(2) \$540,000 of the general fund—state appropriation for fiscal year 2024 and \$529,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$151,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a policy analyst position.

(4) \$941,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to expand its outreach and communications department.

**Sec. 142.** 2023 c 475 s 144 (uncodified) is amended to read as follows:

**FOR THE INSURANCE COMMISSIONER**

General Fund—Federal Appropriation	\$4,723,000
Insurance Commissioner's Regulatory Account—State Appropriation	<del>(\$79,157,000)</del>
	<u>\$80,799,000</u>
Insurance Commissioner's Fraud Account—State Appropriation	<del>(\$4,269,000)</del>
	<u>\$4,270,000</u>
<b>TOTAL APPROPRIATION</b>	<b><u>(\$88,149,000)</u></b>
	<u>\$89,792,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5242 (abortion cost sharing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(2) \$63,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of House Bill No. 1120 (annuity transactions). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$72,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5036 (audio-only telemedicine). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$55,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5300 (behavioral health continuity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$19,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5396 (breast exam cost sharing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(7) \$260,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 87, Laws of 2023 (SSB 5338).

(8) \$1,206,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5066 (health care benefit managers).

~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$9,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 16, Laws of 2023 (SSB 5729).

(10) \$272,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5581 (maternal support services). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$237,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 42, Laws of 2023 (SB 5319).

(12) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5720 (risk mitigation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(13) (a) ~~(\$500,000)~~ \$700,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner, in collaboration with the office of the attorney general, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state, including but not limited to the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.

(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The office of the insurance commissioner and office of the attorney general shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

(14) \$190,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 27, Laws of 2023 (SHB 1266).

(15) \$66,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1222 (hearing instruments coverage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(16) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 21, Laws of 2023 (HB 1061).

(17) \$14,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute House Bill No. 1060 (mutual insurer reorg.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$132,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) (a) ~~(\$250,000)~~ \$50,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for an analysis of how health plans define, cover, and reimburse for maternity care services, including prenatal, delivery, and postpartum care. The commissioner shall:

(i) Obtain necessary information regarding health plans offered by carriers with more than one percent accident and health market share based upon the commissioner's most recent

annual market information report and health plans offered to public employees under chapter 41.05 RCW to evaluate:

- (A) How health plan benefit designs define maternity care services;
- (B) Whether and to what extent maternity care services are subject to deductibles and other cost-sharing requirements;
- (C) Which maternity care services are considered preventive services under section 2713 of the federal public health service act and are therefore exempt from cost sharing;
- (D) The five most used maternity care reimbursement methodologies used by each carrier; and
- (E) With respect to reimbursement methodologies that bundle payment for maternity care services, which specific services are included in the bundled payment;
- (ii) Estimate the total and per member per month impact on health plan rates of eliminating cost sharing for maternity care services in full, or for prenatal care only, for the following markets:
  - (A) Individual health plans other than Cascade select plans;
  - (B) Cascade select health plans;
  - (C) Small group health plans;
  - (D) Large group health plans;
  - (E) Health plans offered to public employees under chapter 41.05 RCW; and
  - (F) All health plans in the aggregate; and
- (iii) Submit a report on the findings and cost estimate to the appropriate committees of the legislature by July 1, 2024.

(b) The commissioner may contract for all or a portion of the analysis required in this subsection.

(20) \$86,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5821 (audio-only telemedicine). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$549,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(22) \$228,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5936 (palliative care work group). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(23) \$195,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(24) \$316,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$212,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5213 (pharmacy benefit managers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(26) \$12,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6127 (HIV prophylaxis). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 143.** 2023 c 475 s 145 (uncodified) is amended to read as follows:

**FOR THE STATE INVESTMENT BOARD**

State Investment Board Expense Account—State

Appropriation. . . . .	(( <del>\$83,426,000</del> ))
	<u>\$83,455,000</u>
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$83,426,000</del>))</b>
	<b><u>\$83,455,000</u></b>

The appropriation in this section is subject to the following conditions and limitations: \$41,000 of the state investment board expense account—state appropriation is provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

**Sec. 144.** 2023 c 475 s 146 (uncodified) is amended to read as follows:

**FOR THE LIQUOR AND CANNABIS BOARD**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$2,383,000</del> ))
	<u>\$2,478,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$850,000</del> ))
	<u>\$1,609,000</u>
General Fund—Federal Appropriation. . . . .	\$3,187,000
General Fund—Private/Local Appropriation. . . . .	\$75,000
Dedicated Cannabis Account—State Appropriation	

(FY 2024) . . . . .	\$13,481,000
Dedicated Cannabis Account—State Appropriation	
(FY 2025) . . . . .	(( <del>\$14,041,000</del> ))
	\$14,055,000
Liquor Revolving Account—State Appropriation . . . . .	(( <del>\$124,765,000</del> ))
	\$126,603,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$158,782,000</del>))</b>
	<b>\$161,488,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The liquor and cannabis board may require electronic payment of the cannabis excise tax levied by RCW 69.50.535. The liquor and cannabis board may allow a waiver to the electronic payment requirement for good cause as provided by rule.

(2) Of the liquor revolving account—state appropriation, \$35,278,000 is provided solely for the modernization of regulatory systems and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$1,526,000 of the liquor revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(4) \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin).

(5) \$250,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$159,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC).

(6) (~~(\$1,527,000)~~) \$1,622,000 of the general fund—state appropriation for fiscal year 2024, \$357,000 of the general fund—state appropriation for fiscal year 2025, \$2,255,000 of the dedicated cannabis account—state appropriation for fiscal year 2024, and \$1,463,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity).

(7) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the liquor and cannabis board to conduct an agency analysis of commercial tobacco and vaping enforcement actions from fiscal year 2018 through fiscal year 2022 involving youth under the age of 18. This analysis shall be submitted to the appropriate committees of the legislature by December 1, 2023, and must include:

- (a) The total number of such interactions by fiscal year;
- (b) Information on the nature of those interactions;
- (c) How many interactions convert to administrative violation notices (AVNs);
- (d) How many of those interactions and AVNs convert to retailer education and violations;

and  
(e) Descriptions of training for liquor and cannabis board officers, and the number of officers trained on interacting with youth, particularly LGBTQ youth and youth of color.

(8) \$4,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5365 (vapor and tobacco/minors). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(9) \$225,000 of the liquor revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1731 (short-term rentals/liquor). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(10) \$99,000 of the liquor revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$93,000 of the general fund—state appropriation is provided solely for implementation of Senate Bill No. 6133 (cannabis retail robberies). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$245,000 of the general fund—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5376 (cannabis waste). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$929,000 of the liquor revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5291 (liquor licenses). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) \$63,000 of the general fund—state appropriation is provided solely for implementation of Senate Bill No. 6271 (cannabis excise tax/THC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 145.** 2023 c 475 s 147 (uncodified) is amended to read as follows:

**FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	\$1,201,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$1,201,000</del> ))
	\$1,276,000

Public Service Revolving Account—State Appropriation. . . . .	(( <del>\$65,664,000</del> ))
	<u>\$66,168,000</u>
Public Service Revolving Account—Federal	
Appropriation. . . . .	\$100,000
Pipeline Safety Account—State Appropriation. . . . .	\$3,769,000
Pipeline Safety Account—Federal Appropriation. . . . .	\$3,404,000
TOTAL APPROPRIATION. . . . .	(( <del>\$75,339,000</del> ))
	<u>\$75,918,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to \$800,000 of the public service revolving account—state appropriation in this section is for the utilities and transportation commission to supplement funds committed by a telecommunications company to expand rural broadband service on behalf of an eligible governmental entity. The amount in this subsection represents payments collected by the utilities and transportation commission pursuant to the Qwest performance assurance plan.

(2) \$43,000 of the public service revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$100,000 of the public service revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$67,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$57,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(7) \$497,000 of the public service revolving account—state appropriation is provided solely for staff to advance the state's objectives for better transmission planning, organized electric power markets or similar regional power coordination, and expanded regional and interregional transmission capacity.

(8)(a) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to report to the legislature with information and recommendations for updating the statutes pertaining to the universal communications services program as described in chapter 80.36 RCW. The report must include:

(i) How the program has been utilized and audited since fiscal year 2022;

(ii) The most efficient and cost-effective technologies available to meet the state's broadband goals in rural areas;

(iii) The ways in which this program can work with the Washington state broadband office to ensure that appropriations for this program are additive and not duplicative to the office's broadband goals and how new technologies would help meet those goals;

(iv) The ways in which these dollars have been used to leverage federal funding;

(v) A list of other sources of state and federal funding that are available to maintain and repair existing broadband infrastructure;

(vi) How changes to the federal universal services fund could impact the provision of telecommunications services in Washington state; and

(vii) Any additional relevant information regarding the benefits of continuing this program that would be helpful for future appropriation decisions.

(b) The report is due to the appropriate committees of the legislature in accordance with RCW 43.01.036 by December 1, 2024.

**Sec. 146.** 2023 c 475 s 148 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$16,490,000</del> ))
	<u>\$16,782,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$16,446,000</del> ))
	<u>\$16,947,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$146,122,000</del> ))
	<u>\$146,290,000</u>
911 Account—State Appropriation. . . . .	\$54,306,000
Disaster Response Account—State Appropriation. . . . .	(( <del>\$59,466,000</del> ))
	<u>\$62,179,000</u>
Disaster Response Account—Federal Appropriation. . . . .	(( <del>\$1,184,618,000</del> ))
	<u>\$1,905,454,000</u>
Military Department Rent and Lease Account—State	
Appropriation. . . . .	\$1,009,000



Military Department Active State Service Account—	
State Appropriation. . . . .	\$400,000
Natural Climate Solutions Account—State	
Appropriation. . . . .	\$113,000
Oil Spill Prevention Account—State Appropriation. . . . .	\$1,040,000
Worker and Community Right to Know Fund—State	
Appropriation. . . . .	\$2,042,000
<b>TOTAL APPROPRIATION.....</b>	<b><del>(\$1,482,052,000)</del></b>
	<b><u>\$2,206,562,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees by February 1st and October 31st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2023-2025 fiscal biennium based on current revenue and expenditure patterns.

(2) \$40,000,000 of the general fund—federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) \$11,000,000 of the 911 account—state appropriation is provided solely for financial assistance to counties.

(4) \$784,000 of the disaster response account—state appropriation is provided solely for fire suppression training, equipment, and supporting costs to national guard soldiers and airmen.

~~(5) (\$386,000 of the military department rental and lease account—state appropriation is provided solely for maintenance staff.~~

~~(6))~~ (6) \$876,000 of the disaster response account—state appropriation is provided solely for a dedicated access and functional needs program manager, access and functional need services, and a dedicated tribal liaison to assist with disaster preparedness and response.

~~((7))~~ (6) \$136,000 of the general fund—state appropriation for fiscal year 2024 and \$132,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(8))~~ (7) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to Whatcom county for disaster relief and recovery activities in response to the November 2021 flooding and mudslides presidentially-declared disaster.

~~((9))~~ (8) \$625,000 of the general fund—state appropriation for fiscal year 2024 and \$625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1728 (statewide resiliency program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(10))~~ (9) \$113,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(11))~~ (10) (a) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to administer grants to local governments and federally recognized tribes for costs to respond to community needs during periods of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke.

(b) To qualify for a grant under (a) of this subsection, a local government or federally recognized tribe must:

(i) Be located in a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, as determined by the department;

(ii) Have demonstrated a lack of local resources to address community needs; and

(iii) Have incurred eligible costs as described in (c) of this subsection for the benefit of vulnerable populations.

(c) Costs eligible for reimbursement under (a) of this subsection include:

(i) Establishing and operating warming and cooling centers, including rental of equipment, purchase of supplies and water, staffing, and other associated costs;

(ii) Transporting individuals and their pets to warming and cooling centers;

(iii) Purchasing fans or other supplies needed for cooling of congregate living settings;

(iv) Providing emergency temporary housing such as rental of a hotel or convention center;

(v) Retrofitting or establishing facilities within warming and cooling centers that are pet friendly in order to permit individuals to evacuate with their pets; and

(vi) Other activities necessary for life safety during a period of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke, as determined by the department.

((12)) (11) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(12) \$23,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5803 (national guard recruitment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$132,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6164 (county emergency management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 147.** 2023 c 475 s 149 (uncodified) is amended to read as follows:

**FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	\$2,594,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$2,625,000)</del>
	\$2,659,000
Personnel Service Account—State Appropriation . . . . .	\$4,825,000
Higher Education Personnel Services Account—State Appropriation . . . . .	\$1,629,000
<b>TOTAL APPROPRIATION</b> .....	<del>(\$11,673,000)</del>
	<b>\$11,707,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$98,000 of the higher education personnel services account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(2) \$34,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6194 (legislative employee bargaining). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 148.** 2023 c 475 s 150 (uncodified) is amended to read as follows:

**FOR THE BOARD OF ACCOUNTANCY**

Certified Public Accountants' Account—State Appropriation . . . . .	<del>(\$4,770,000)</del>
	\$5,119,000
<b>TOTAL APPROPRIATION</b> .....	<del>(\$4,770,000)</del>
	<b>\$5,119,000</b>

**Sec. 149.** 2023 c 475 s 151 (uncodified) is amended to read as follows:

**FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**

Volunteer Firefighters' and Reserve Officers' Administrative Account—State Appropriation . . . . .	<del>(\$3,533,000)</del>
	\$3,625,000
<b>TOTAL APPROPRIATION</b> .....	<del>(\$3,533,000)</del>
	<b>\$3,625,000</b>

The appropriation in this section is subject to the following conditions and limitations:  
~~(\$1,128,000)~~ (1) \$2,403,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for a benefits management system, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$91,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for contracting for small agency budget and accounting services with the department of enterprise services.

**Sec. 150.** 2023 c 475 s 152 (uncodified) is amended to read as follows:

**FOR THE FORENSIC INVESTIGATION COUNCIL**

Death Investigations Account—State Appropriation . . . . .	<del>(\$822,000)</del>
	\$821,000
<b>TOTAL APPROPRIATION</b> .....	<del>(\$822,000)</del>
	<b>\$821,000</b>

The appropriation in this section is subject to the following conditions and limitations:

(1) (a) \$250,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(b) Of the amount provided in this subsection, \$30,000 of the death investigations account—state appropriation is provided solely for the Adams county crime lab to investigate a double homicide that occurred in fiscal year 2021.

(2) \$210,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

(3) Within the amount appropriated in this section, the forensic investigation council may enter into an interagency agreement with the department of enterprise services for the department to provide services related to public records requests, to include responding to, or assisting the council in responding to, public disclosure requests received by the council.

**Sec. 151.** 2023 c 475 s 153 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$14,819,000</del> ))
	<u>\$15,268,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$13,426,000</del> ))
	<u>\$14,686,000</u>
General Fund—Private/Local Appropriation . . . . .	\$102,000
Building Code Council Account—State Appropriation . . . . .	(( <del>\$2,583,000</del> ))
	<u>\$2,584,000</u>
<u>Climate Commitment Account—State Appropriation . . . . .</u>	<u>\$500,000</u>
Electric Vehicle Incentive Account—State	
Appropriation . . . . .	\$1,722,000
Natural Climate Solutions Account—State	
Appropriation . . . . .	\$7,000,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$39,652,000</del>))</b>
	<b><u>\$41,862,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$6,970,000~~)) \$7,010,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$6,894,000~~)) \$7,028,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of facilities and services charges to include campus rent, parking, security, contracts, public and historic facilities, financial cost recovery, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, legislative support services, and joint legislative systems committee. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall maintain an interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to have all of the same rights of occupancy and space use on the capitol campus as historically established.

(2) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have approval from the director of the department of enterprise services. Agencies that are exempted from the requirement are the Washington state patrol, Washington state department of transportation, and the department of natural resources.

(3) From the fee charged to master contract vendors, the department shall transfer to the office of minority and women's business enterprises in equal monthly installments \$1,500,000 in fiscal year 2024 and \$1,300,000 in fiscal year 2025.

(4) Within existing resources, the department, in collaboration with consolidated technology services, must provide a report to the governor and fiscal committees of the legislative by October 31 of each calendar year that reflects information technology contract information based on a contract snapshot from June 30 of that same calendar year, and must also include any contract that was active since July 1 of the previous calendar year. The department will coordinate to receive contract information for all contracts to include those where the department has delegated authority so that the report includes statewide contract information. The report must contain a list of all information technology contracts to include the agency name, contract number, vendor name, contract term start and end dates, contract dollar amount in total, and contract dollar amounts by state fiscal year. The report must also include, by contract, the contract spending projections by state fiscal year for each ensuing state fiscal year through the contract term, and note the type of service delivered. The list of contracts must be provided electronically in Excel and be sortable by all field requirements. The report must also include trend analytics on information technology contracts, and recommendations for reducing costs where possible.

(5) \$654,000 of the general fund—state appropriation for fiscal year 2024 and \$654,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the state efficiency and environmental performance program, to implement the zero emission vehicle strategy.

(6) \$2,671,000 of the general fund—state appropriation for fiscal year 2024 and \$2,671,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installation. The electric vehicle charging equipment must allow for the collection of usage data and must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities, and at least where zero emission fleet vehicles are or are scheduled to be purchased. The department must report when and where the equipment was installed, usage data at each charging station, and the state

agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30. The department shall collaborate with the interagency electric vehicle coordinating council to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5491 (residential building exits). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(9))~~ (8) \$950,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for security enhancements to the governor's office lobby space and for security enhancement design for the remaining lobby and public spaces in the legislative building on the capitol campus. Enhancement designs must be provided to the senate committee on state government and elections and the house of representatives committee on state government and tribal relations no later than ~~((December 31, 2023))~~ June 30, 2024.

~~((10) \$162,000)~~ (9) \$245,000 of the general fund—state appropriation for fiscal year 2024 and ~~((162,000))~~ \$247,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to waive rent fees and charges through June 30, 2025, for vendors who are blind business enterprise program licensees by the department of services for the blind and who lease space and operate food service businesses, inclusive of delis, cafeterias, and espresso stands, in state ~~((government buildings))~~ facilities.

~~((11))~~ (10) \$7,000,000 of the natural climate solutions account—state appropriation is provided solely to advance the preferred alternative of the final environmental impact statement for the capitol lake-Deschutes estuary long-term management project completed in October 2022. At a minimum, the department shall:

- (a) Make tangible progress toward the next phase of design and permitting;
- (b) Advance the memorandum of understanding for governance and funding of a restored estuary to an interlocal agreement that will govern long-term management of the restored estuary; and
- (c) Initiate grant funding applications for design and permitting.

~~((12))~~ (11) \$400,000 of the state building code council account—state appropriation is provided solely for additional staffing to support the state building code council's work regarding the Washington state energy code.

~~((13))~~ (12) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$500,000 of the climate commitment account—state appropriation for fiscal year 2025 is provided solely for legal services and fees incurred by the state building code council.

**Sec. 152.** 2023 c 475 s 154 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$4,043,000)) \$4,047,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$4,010,000)) \$4,198,000
General Fund—Federal Appropriation. . . . .	(((\$2,899,000)) \$3,249,000
General Fund—Private/Local Appropriation. . . . .	\$14,000
Climate Commitment Account—State Appropriation. . . . .	\$977,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$11,943,000)) \$12,485,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(((\$103,000 of the general fund state appropriation for fiscal year 2024 and \$103,000 of the general fund state appropriation for fiscal year 2025 are provided solely for archaeological determinations and excavations of inadvertently discovered skeletal human remains, and removal and reinterment of such remains when necessary.~~

(2)) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington main street program.

~~((3))~~ (2) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the black historic sites survey project.

~~((4))~~ (3) \$477,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

(5)) (4) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(5) \$31,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 153. 2023 c 475 s 155 (uncodified) is amended to read as follows:

**FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$21,697,000</del> ))
	<u>\$7,623,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$1,700,000</del> ))
	<u>\$30,310,000</u>
<u>General Fund—Federal Appropriation . . . . .</u>	<u>\$134,292,000</u>
Consolidated Technology Services Revolving Account—	
State Appropriation . . . . .	(( <del>\$124,249,000</del> ))
	<u>\$136,457,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$147,646,000</del>))</b>
	<b><u>\$308,682,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

~~(1) ((\$14,752,000 of the consolidated technology services revolving account state appropriation is provided solely for the office of the chief information officer. Of this amount:~~

~~(a)) \$2,000,000 of the consolidated technology services revolving account—state appropriation is provided solely for experienced information technology project managers to provide critical support to agency IT projects that are under oversight from the office of the chief information officer. The staff or vendors will:~~

~~((i)) (a) Provide master level project management guidance to agency IT stakeholders;~~

~~((ii)) (b) Consider statewide best practices from the public and private sectors, independent review and analysis, vendor management, budget and timing quality assurance and other support of current or past IT projects in at least Washington state and share these with agency IT stakeholders and legislative fiscal staff at least twice annually and post these to the statewide IT dashboard; and~~

~~((iii)) (c) Provide independent recommendations to legislative fiscal committees by December of each calendar year on oversight of IT projects to include opportunities for accountability and performance metrics.~~

~~((b) \$2,960,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.~~

~~(e)) (2) \$2,226,000 of the consolidated technology services revolving account—state appropriation is provided solely for the enterprise data management pilot project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.~~

~~((2)) (3) \$16,890,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of cyber security.~~

~~((3)) (4) \$2,737,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.~~

~~(5) The consolidated technology services agency shall work with customer agencies using the Washington state electronic records vault (WASERV) to identify opportunities to:~~

~~(a) Reduce storage volumes and costs associated with vault records stored beyond the agencies' record retention schedules; and~~

~~(b) Assess a customized service charge as defined in chapter 304, Laws of 2017 for costs of using WASERV to prepare data compilations in response to public records requests.~~

~~((4)) (6) (a) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures must include the following:~~

~~(i) The agency's priority ranking of each information technology request;~~

~~(ii) The estimated cost by fiscal year and by fund for the current biennium;~~

~~(iii) The estimated cost by fiscal year and by fund for the ensuing biennium;~~

~~(iv) The estimated total cost for the current and ensuing biennium;~~

~~(v) The total cost by fiscal year, by fund, and in total, of the information technology project since it began;~~

~~(vi) The estimated cost by fiscal year and by fund over all biennia through implementation and close out and into maintenance and operations;~~

~~(vii) The estimated cost by fiscal year and by fund for service level agreements once the project is implemented;~~

~~(viii) The estimated cost by fiscal year and by fund for agency staffing for maintenance and operations once the project is implemented; and~~

~~(ix) The expected fiscal year when the agency expects to complete the request.~~

~~(b) The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.~~

~~((5)) (7) The consolidated technology services agency must not increase fees charged for existing services without prior approval by the office of financial management. The agency may develop fees to recover the actual cost of new infrastructure to support increased use of cloud technologies.~~

~~((6)) (8) Within existing resources, the agency must provide oversight of state procurement and contracting for information technology goods and services by the department of enterprise services.~~

~~((7)) (9) Within existing resources, the agency must host, administer, and support the state employee directory in an online format to provide public employee contact information.~~

~~((9))~~ (10) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((9) \$4,508,000)~~ (11) \$7,084,000 of the consolidated technology services revolving account—state appropriation is provided solely for the creation and ongoing delivery of information technology services tailored to the needs of small agencies. The scope of services must include, at a minimum, full-service desktop support, service assistance, security, and consultation.

~~((10) \$75,935,000)~~ (12) \$82,811,000 of the consolidated technology services revolving account—state appropriation is provided solely for the procurement and distribution of Microsoft 365 licenses which must include advanced security features and cloud-based private branch exchange capabilities for state agencies. The office must report annually to fiscal committees of the legislature each December 31, on the count and type of licenses distributed by consolidated technology services to each state agency. The report must also separately report on the count and type of Microsoft 365 licenses that state agencies have in addition to those that are distributed by consolidated technology services so that the total count, type of license, and cost is known for statewide Microsoft 365 licenses.

~~((11))~~ (13) The office of the chief information officer shall maintain an information technology project dashboard that, at minimum, provides updated information each fiscal month on the projects subject to section 701 of this act.

(a) The statewide information technology dashboard must include, at a minimum, the:

- (i) Start date of the project;
- (ii) End date of the project, when the project will close out and implementation will commence;
- (iii) Term of the project in state fiscal years across all biennia to reflect the start of the project through the end of the project;
- (iv) Total project cost from start date through the end date of the project in total dollars, and a subtotal of near general fund outlook;
- (v) Near general fund outlook budget and actual spending in total dollars and by fiscal month for central service agencies that bill out project costs;
- (vi) Start date of maintenance and operations;
- (vii) Estimated annual state fiscal year cost of maintenance and operations after implementation and close out;
- (viii) Actual spending by state fiscal year and in total for state fiscal years that have closed;
- (ix) Date a feasibility study was completed or note if none has been completed to date;
- (x) Monthly project status assessments on scope, schedule, budget, and overall by the:
  - (A) Office of the chief information officer;
  - (B) Quality assurance vendor, if applicable; and
  - (C) Agency project team;
- (xi) Monthly quality assurance reports, if applicable;
- (xii) Monthly office of the chief information officer status reports on budget, scope, schedule, and overall project status; and
- (xiii) Historical project budget and expenditures through fiscal year 2023.

(b) The statewide dashboard must retain a roll up of the entire project cost, including all subprojects, that can display subproject detail. This includes coalition projects that are active. For projects that include multiple agencies or subprojects and roll up, the dashboard must display:

- (i) A separate technology budget and investment plan for each impacted agency; and
- (ii) A statewide project technology budget roll up that includes each affected agency at the subproject level.

(c) The office of the chief information officer may recommend additional elements to include but must have agreement with legislative fiscal committees and the office of financial management prior to including additional elements.

(d) The agency must ensure timely posting of project data on the statewide information technology dashboard for at least each project funded in the budget and those projects subject to the conditions of section 701 of this act to include, at a minimum, posting on the dashboard:

- (i) The budget funded level by project for each project under oversight within 30 calendar days of the budget being signed into law;
- (ii) The project historical expenditures through completed fiscal years by December 31; and
- (iii) Whether each project has completed a feasibility study.

(e) The office of the chief information officer must post to the statewide dashboard a list of funding received by fiscal year by enacted session law, and how much was received citing chapter law as a list of funding provided by fiscal year.

~~((12))~~ (14) Within existing resources, consolidated technology services must collaborate with the department of enterprise services on the annual contract report that provides information technology contract information. Consolidated technology services will:

(a) Provide data to the department of enterprise services annually by September 1 of each year; and

(b) Provide analysis on contract information for all agencies comparing spending across state fiscal years by, at least, the contract spending towers.

~~((13))~~ (15) \$8,666,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of the enterprise cloud computing program as outlined in the December 2020 Washington state cloud readiness report. Funding provided includes, but is not limited to, cloud service broker resources, cloud center of excellence, cloud management tools, a network assessment, cybersecurity governance, and a cloud security roadmap.

~~((14))~~ (16) \$3,498,000 of the consolidated technology services revolving account—state appropriation is provided solely for the implementation of the recommendations of the cloud transition task force report to include:

(a) A cloud readiness program to help agencies plan and prepare for transitioning to cloud computing;

(b) A cloud retraining program to provide a coordinated approach to skills development and retraining; and

(c) Staffing to define career pathways and core competencies for the state's information technology workforce.

~~((15) \$20,000,000)~~ (17) \$5,926,000 of the general fund—state appropriation for fiscal year 2024 ((is)), \$27,110,000 of the general fund—state appropriation for fiscal year 2025, and \$134,292,000 of the general fund—federal appropriation are provided solely for statewide electronic health records projects, which must comply with the approved statewide electronic health records plan. The purpose of the plan is to implement a common technology solution to leverage shared business processes and data across the state in support of client services.

(a) The statewide electronic health records plan must include, but is not limited to, the following elements:

(i) A proposed governance model for the electronic health records solution;

(ii) An implementation plan for the technology solution from kickoff through five years maintenance and operations post implementation;

(iii) A technology budget to include estimated budget and resources needed to implement the electronic health records solution by agency and across the state, including fund sources and all technology budget element requirements as outlined in section 701(4) of this act;

(iv) A licensing plan in consultation with the department of enterprise services that seeks to utilize the state data center;

(v) A procurement approach, in consultation with the department of enterprise services;

(vi) A system that must be capable of being continually updated, as necessary;

(vii) A system that will use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of every two-week sprint;

(viii) A system that will deploy usable functionality into production for users within 180 days from the date there is an executed procurement contract after a competitive request for proposal is closed;

(ix) A system that uses quantifiable deliverables that must include live, accessible demonstrations of software in development to program staff and end users at each sprint or at least monthly;

(x) A requirement that the agency implementing its electronic health record solution must invite the office and the agency comptrollers or their designee to sprint reviews;

(xi) A requirement that there is an annual independent audit of the system to evaluate compliance of the software solution vendor's performance standards and contractual requirements and technical code quality, and that it meets user needs;

(xii) A recommended program structure for implementing a statewide electronic health records solution;

(xiii) A list of individual state agency projects that will need to implement a statewide electronic health records solution and the readiness of each agency to successfully implement;

(xiv) The process for agencies to request funding from the consolidated technology services for their electronic health records projects. The submitted application must:

(A) Include at least a technology budget in compliance with the requirements of section 701(4) of this act that each agency budget office will assist with; and

(B) Be posted to the statewide information technology dashboard and meet all dashboard posting requirements as outlined in section ~~((155-11))~~ 152(13) of this act; and

(xv) The approval criteria for agencies to receive funds for their electronic health records project. The approval may not be given without an approved current technology budget, and the office must notify the fiscal committees of the legislature. The office may not approve funding for the project any earlier than 10 business days from the date of notification to the fiscal committees of the legislature.

(b) The plan described in (a) of this subsection:

(i) Must be submitted to the office of financial management, the chair and ranking member of the senate environment, energy, and information technology policy committee, the chairs and ranking members of the fiscal committees of the legislature, and the technology services board by July 1, 2023; and

(ii) Must be approved by the office of financial management and the technology services board established in RCW 43.105.285.

(c) ~~(((\$20,000,000))~~ \$5,926,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~, \$27,110,000 of the general fund—state appropriation for fiscal year 2025, and \$134,292,000 of the general fund—federal appropriation are provided solely for state agency electronic health record projects at the department of corrections, the department of social and health services, and the health care authority in accordance with the approved statewide electronic health record plan requirements in (a) of this subsection. For the amount provided in this subsection ~~((+15))~~ (17):

(i) Funding may not be released until the office of financial management and the technology services board have approved the statewide electronic health record plan.

(ii) As required in section 701(2) of this act, consolidated technology services may not approve funding for the project any earlier than 10 business days from the date of notification to the fiscal committees of the legislature.

(iii) Funding may not cover any costs incurred by the state agencies for services or project costs prior to the date of statewide electronic health record plan approval.

~~((+iii))~~ (iv) State agencies must submit their proposed electronic health records project and technology budget to the office of the chief information officer for approval. The submitted application must:

(A) Include at least a technology budget in compliance with the requirements of section 701(4) of this act that each agency budget office will assist with; and

(B) Be posted to the statewide information technology dashboard and meet all dashboard posting requirements as outlined in section 152(13) of this act.

~~((+iv))~~ (v) When a funding request is approved, consolidated technology services will transfer the funds to the agency to execute their electronic health records project.

(vi) The office must enter into an interagency agreement with the health care authority who is, and will be, the reporting entity to the federal government on the application for and use of the federal funding.

(vii) Consolidated technology services must include this enterprise electronic health records program on the statewide information technology program dashboard and must ensure that the program detail will roll up the below required subprojects:

(A) Enterprise foundational electronic health records system;

(B) Department of corrections electronic health records;

(C) Department of social and health services health records; and

(D) Health care authority electronic health records.

~~((+16))~~ (18) \$134,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((17))~~ (19) The office of the chief information officer must collaborate with the office of the secretary of state in the evaluation of the office of the secretary of state's information technology infrastructure and applications in determining the appropriate candidates for the location of data and the systems that could be exempt from consolidated technology services oversight.

~~((+18))~~ (20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$1,500,000))~~ \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for innovative technology solutions and modernization of legacy systems within state government. This funding is to be used for projects at other state agencies to improve the health of the state's overall information technology portfolio. Submitted projects are subject to review and approval by the technology services board as established in RCW 43.105.285. The agency must report to the office of financial management and the fiscal committees of the legislature within 90 days of the close of fiscal year 2024 with the following information to measure the quantity of projects considered for this purpose and use of this funding:

(a) The agency name, project name, estimated time duration, estimated cost, and technology service board recommendation result of each project submitted for funding;

(b) The actual length of time and cost of the projects approved by the technology services board, from start to completion; and

(c) Any other information or metric the agency determines is appropriate to measure the quantity and use of the funding in this subsection.

(21) In collaboration with the department of health and the health care authority, consolidated technology services must actively consult and provide oversight over:

(a) The department of health 988 technology platform that must provide interoperable capabilities between the 988 call center platform and the health care authority's 988-related system;

(b) The health care authority 988 technology platform that must provide interoperable capabilities between the 988-related system and the department of health's 988 call center platform; and

(c) How the platforms in (a) and (b) of this subsection will meet statutory requirements for technology platform functionality and implementation dates as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system) and must report on the



progress of both platforms' budget, scope, and schedule at a technology services board meeting by December 31, 2024.

**Sec. 154.** 2023 c 475 s 156 (uncodified) is amended to read as follows:

**FOR THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

Professional Engineers' Account—State Appropriation. . . . .	(((\$4,622,000))
	<u>\$4,627,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$4,622,000))</b>
	<b><u>\$4,627,000</u></b>

NEW SECTION. **Sec. 155.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS**

Financial Services Regulation Nonappropriated

Fund—State Appropriation. . . . .	\$728,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$728,000</b>

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$300,000 of the financial services regulation nonappropriated fund—state appropriation is provided solely for the department to study nontraditional financial services such as home equity sharing agreements, and their effect on communities of color, seniors, and other vulnerable populations.
- (2) \$428,000 of the financial services regulation nonappropriated fund—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6025 (predatory loans). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 156.** 2023 c 475 s 157 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE LEADERSHIP BOARD**

Washington State Leadership Board Account—State

Appropriation. . . . .	(((\$1,691,000))
	<u>\$1,761,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$1,691,000))</b>
	<b><u>\$1,761,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$374,000 of the Washington state leadership board account—state appropriation is provided solely for implementation of chapter 96, Laws of 2022 (WA state leadership board).
- (2) \$1,200,000 of the Washington state leadership board account—state appropriation is provided solely for implementing programming in RCW 43.388.010, and specifically the Washington world fellows program, sports mentoring program/boundless Washington, compassion scholars, and the Washington state leadership awards.

(End of part)

**PART II  
HUMAN SERVICES**

**Sec. 201.** 2023 c 475 s 201 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services

and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The department shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for public assistance benefits.

(7) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, support the adoption of a cohesive technology and data architecture, and maximize federal financial participation. The work of the coalition is subject to the conditions, limitations, and review provided in section 701 of this act.

(8)(a) The appropriations to the department of social and health services in this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs and subprograms after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the long-term care, developmental disabilities, and public assistance programs, the department may transfer state appropriations that are provided solely for a specified purpose. The department may not transfer funds, and the director of the office of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(9) The department may not transfer appropriations for the developmental disabilities program to any other program or subprograms of the department of social and health services.

**Sec. 202.** 2023 c 475 s 202 (uncodified) is amended to read as follows:

<b>FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM</b>	
General Fund—State Appropriation (FY 2024) . . . . .	(( \$610,452,000))
	\$808,919,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$679,312,000))
	\$782,615,000
General Fund—Federal Appropriation . . . . .	(( \$148,488,000))
	\$168,599,000
General Fund—Private/Local Appropriation . . . . .	(( \$10,732,000))
	\$6,500,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$1,448,984,000))</b>

\$1,766,633,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The state psychiatric hospitals and residential treatment facilities may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(2) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection are for the salaries, benefits, supplies, and equipment for the city of Lakewood to produce incident and police response reports, investigate potential criminal conduct, assist with charging consultations, liaison between staff and prosecutors, provide staff training on criminal justice procedures, assist with parking enforcement, and attend meetings with hospital staff.

(3) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(4) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community services officer for policing efforts at eastern state hospital. The department must collect data from the city of Medical Lake on the use of the funds and the number of calls responded to by the community policing program and submit a report with this information to the office of financial management and the appropriate fiscal committees of the legislature each December of the fiscal biennium.

(5) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Medical Lake for police services provided by the city at eastern state hospital and adjacent areas.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the health care authority, to develop and implement a predictive modeling tool which identifies clients who are at high risk of future involvement with the criminal justice system and for developing a model to estimate demand for civil and forensic state hospital bed needs pursuant to the following requirements.

(a) By the first day of each December during the fiscal biennium, the department, in coordination with the health care authority, must submit a report to the office of financial management and the appropriate committees of the legislature that summarizes how the predictive modeling tool has been implemented and includes the following: (i) The number of individuals identified by the tool as having a high risk of future criminal justice involvement; (ii) the method and frequency for which the department is providing lists of high-risk clients to contracted managed care organizations and behavioral health administrative services organizations; (iii) a summary of how the managed care organizations and behavioral health administrative services organizations are utilizing the data to improve the coordination of care for the identified individuals; and (iv) a summary of the administrative data to identify whether implementation of the tool is resulting in increased access and service levels and lower recidivism rates for high-risk clients at the state and regional level.

(b) The department must provide staff support for the forensic and long-term civil commitment bed forecast which must be conducted under the direction of the office of financial management. The forecast methodology, updates, and methodology changes must be conducted in coordination with staff from the department, the health care authority, the office of financial management, and the appropriate fiscal committees of the state legislature. The model shall incorporate factors for capacity in state hospitals as well as contracted facilities, which provide similar levels of care, referral patterns, wait lists, lengths of stay, and other factors identified as appropriate for estimating the number of beds needed to meet the demand for civil and forensic state hospital services. Factors should include identification of need for the services and analysis of the effect of community investments in behavioral health services and other types of beds that may reduce the need for long-term civil commitment needs. The forecast must be updated each February, June, and November during the fiscal biennium and the department must submit a report to the legislature and the appropriate committees of the legislature summarizing the updated forecast based on the caseload forecast council's schedule for entitlement program forecasts.

(7) \$9,119,000 of the general fund—state appropriation for fiscal year 2024 and \$9,145,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The department, in collaboration with the health care authority and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency

evaluations, competency restoration, forensic navigators, crisis diversion and supports, education and training, and workforce development.

(8) \$7,147,000 of the general fund—state appropriation for fiscal year 2024 and \$7,147,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain implementation of efforts to improve the timeliness of competency evaluation services for individuals who are in local jails pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services). This funding must be used solely to maintain increases in the number of competency evaluators that began in fiscal year 2016 pursuant to the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP.

(9) \$71,690,000 of the general fund—state appropriation for fiscal year 2024 and \$77,825,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services) and the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. These amounts must be used to maintain increases that were implemented between fiscal year 2016 and fiscal year 2021, and further increase the number of forensic beds at western state hospital during the 2023-2025 fiscal biennium. Pursuant to chapter 7, Laws of 2015 1st sp. sess. (timeliness of competency treatment and evaluation services), the department may contract some of these amounts for services at alternative locations if the secretary determines that there is a need.

(10) \$84,483,000 of the general fund—state appropriation for fiscal year 2024, \$77,343,000 of the general fund—state appropriation for fiscal year 2025, and \$1,042,000 of the general fund—federal appropriation are provided solely for the department to continue to implement an acuity based staffing tool at western state hospital and eastern state hospital in collaboration with the hospital staffing committees. The staffing tool must be used to identify, on a daily basis, the clinical acuity on each patient ward and determine the minimum level of direct care staff by profession to be deployed to meet the needs of the patients on each ward. The department must evaluate interrater reliability of the tool within each hospital and between the two hospitals. The department must also continue to update, in collaboration with the office of financial management's labor relations office, the staffing committees, and state labor unions, an overall state hospital staffing plan that looks at all positions and functions of the facilities.

(a) Within the amounts provided in this section, the department must establish, monitor, track, and report monthly staffing and expenditures at the state hospitals, including overtime and use of locums, to the functional categories identified in the recommended staffing plan. The allotments and tracking of staffing and expenditures must include all areas of the state hospitals, must be done at the ward level, and must include contracted facilities providing forensic restoration services as well as the office of forensic mental health services.

(b) By December 1, 2023, and December 1, 2024, the department must submit reports to the office of financial management and the appropriate committees of the legislature that provide a comparison of monthly spending, staffing levels, overtime, and use of locums for the prior year compared to allotments and to the recommended state hospital staffing model. The format for these reports must be developed in consultation with staff from the office of financial management and the appropriate committees of the legislature. The reports must include a summary of the results of the evaluation of the interrater reliability in use of the staffing acuity tool and an update from the hospital staffing committees.

(c) Monthly staffing levels and related expenditures at the state hospitals must not exceed official allotments without prior written approval from the director of the office of financial management. In the event the director of the office of financial management approves an increase in monthly staffing levels and expenditures beyond what is budgeted, notice must be provided to the appropriate committees of the legislature within 30 days of such approval. The notice must identify the reason for the authorization to exceed budgeted staffing levels and the time frame for the authorization. Extensions of authorizations under this subsection must also be submitted to the director of the office of financial management for written approval in advance of the expiration of an authorization. The office of financial management must notify the appropriate committees of the legislature of any extensions of authorizations granted under this subsection within 30 days of granting such authorizations and identify the reason and time frame for the extension.

(11) \$4,994,000 of the general fund—state appropriation for fiscal year 2024, \$7,535,000 of the general fund—state appropriation for fiscal year 2025, and \$672,000 of the general fund—federal appropriation are provided solely for the department to establish a violence reduction team at western state hospital to improve patient and staff safety at eastern and western state hospitals. A report must be submitted by December 1, 2023, and December 1, 2024, which includes a description of the violence reduction or safety strategy, a profile of the types of patients being served, the staffing model being used, and outcomes associated with each strategy. The outcomes section should include tracking data on facility-wide metrics related to patient and staff safety as well as individual outcomes related to the patients served.

(12) \$2,593,000 of the general fund—state appropriation for fiscal year 2024 and \$2,593,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for the department to increase services to patients found not guilty by reason of insanity under the *Ross v. Lashway* settlement agreement.

(13) Within the amounts provided in this subsection, the department must develop and submit an annual state hospital performance report for eastern and western state hospitals. Each measure included in the performance report must include baseline performance data, agency performance targets, and performance for the most recent fiscal year. The performance report must include a one page dashboard as well as charts for each fiscal year and quality of care measure broken out by hospital and including but not limited to: (a) Monthly FTE expenditures compared to allotments; (b) monthly dollar expenditures compared to allotments; (c) monthly FTE expenditures per thousand patient bed days; (d) monthly dollar expenditures per thousand patient bed days; (e) percentage of FTE expenditures for overtime; (f) average length of stay by category of patient; (g) average monthly civil wait list; (h) average monthly forensic wait list; (i) rate of staff assaults per thousand patient bed days; (j) rate of patient assaults per thousand patient bed days; (k) average number of days to release after a patient has been determined to be clinically ready for discharge; and (l) average monthly vacancy rates for key clinical positions. The department must submit the state hospital performance report to the office of financial management and the appropriate committees of the legislature by the first day of each December of the biennium.

(14) \$546,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for design and planning activities for the new forensic hospital being constructed on the grounds of western state hospital.

(15) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain an on-site safety compliance officer, stationed at western state hospital, to provide oversight and accountability of the hospital's response to safety concerns regarding the hospital's work environment.

(16) \$10,364,000 of the general fund state—appropriation for fiscal year 2024 are provided solely for the department to provide behavioral health and stabilization services at the King county south correctional entity to class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(17) \$2,619,000 of the general fund—state appropriation for fiscal year 2024 and \$5,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to hire additional forensic evaluators to provide in-jail competency evaluations and community-based evaluations.

(18) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to track compliance with the requirements of RCW 71.05.365 for transition of state hospital patients into community settings within 14 days of the determination that they no longer require active psychiatric treatment at an inpatient level of care. The department must use these amounts to track the following elements related to this requirement: (a) The date on which an individual is determined to no longer require active psychiatric treatment at an inpatient level of care; (b) the date on which the behavioral health entities and other organizations responsible for resource management services for the person is notified of this determination; and (c) the date on which either the individual is transitioned to the community or has been reevaluated and determined to again require active psychiatric treatment at an inpatient level of care. The department must provide this information in regular intervals to behavioral health entities and other organizations responsible for resource management services. The department must summarize the information and provide a report to the office of financial management and the appropriate committees of the legislature on progress toward meeting the 14 day standard by December 1, 2023, and December 1, 2024.

(19) (~~(\$10,547,000)~~) \$2,190,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$37,480,000)~~) \$28,742,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the 48 bed Clark county facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The department must use this facility to provide treatment services for individuals who have been committed to a state hospital pursuant to the dismissal of criminal charges and civil evaluation ordered under RCW 10.77.086 or 10.77.088. In considering placements at the facility, the department must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The department must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and December 1, 2024, providing a status update on progress toward opening the new facility.

(20) \$8,048,000 of the general fund—state appropriation for fiscal year 2024 and \$7,677,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to reopen and operate a 30 bed ward for civil patients at western state hospital. The department must prioritize placements on this ward for individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, in order to maximize forensic bed capacity for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social*

and Health Services, et al., United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(21) (~~(\$13,324,000)~~) \$14,466,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$44,813,000)~~) \$51,582,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the maple lane campus as described in (a) and (b) of this subsection. (~~(Of the amounts provided in this subsection:)~~)

(a) (~~(\$4,764,000 of the general fund state appropriation for fiscal year 2024 and \$5,239,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the)~~) The department (~~(to)~~) shall operate the Oak, Columbia, and Cascade cottages to provide:

(i) Treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088;

(ii) Treatment services to individuals acquitted of a crime by reason of insanity and subsequently ordered to receive treatment services under RCW 10.77.120; and

(iii) Through fiscal year 2024, competency restoration services at the Cascade cottage to individuals under RCW 10.77.086 or 10.77.088.

(b) (~~(\$8,560,000 of the general fund state appropriation for fiscal year 2024 and \$39,574,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the)~~) The department (~~(to)~~) shall open and operate the Baker and Chelan cottages to provide treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(c) In considering placements at the maple lane campus, the department must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(22) \$1,412,000 of the general fund—state appropriation for fiscal year 2024 and \$1,412,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for relocation, storage, and other costs associated with building demolition on the western state hospital campus.

(23) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for western state hospital's vocational rehabilitation program and eastern state hospital's work readiness program to pay patients working in the programs an hourly wage that is equivalent to the state's minimum hourly wage under RCW 49.46.020.

(24) \$4,054,000 of the general fund—state appropriation for fiscal year 2024 and \$5,236,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(25) \$2,233,000 of the general fund—state appropriation for fiscal year 2024, \$4,118,000 of the general fund—state appropriation for fiscal year 2025, and \$297,000 of the general fund—federal appropriation are provided solely for the department to address delays in patient discharge as provided in this subsection.

(a) The department shall hire staff dedicated to discharge reviews, including psychologists to complete reviews and staff for additional discharge review work, including, but not limited to, scheduling, planning, and providing transportation; and establish and implement a sex offense and problematic behavior program as part of the sex offense review and referral team program.

(b) Of the amounts provided in this subsection, \$504,000 per year shall be used for bed fees for patients who are not guilty by reason of insanity.

(c) The department shall track data as it relates to this subsection and, where available, compare it to historical data. The department will provide a report to the appropriate fiscal and policy committees of the legislature. A preliminary report is due by December 1, 2023, and the final report is due by September 15, 2024, and at a minimum must include the:

(i) Volume of patients discharged;

(ii) Volume of patients in a sex offense or problematic behavior program;

(iii) Number of beds held for not guilty by reason of insanity patients;

(iv) Average and median duration to complete discharges;

(v) Staffing as it relates to this subsection; and

(vi) Average discharge evaluation caseload.

(~~(27)~~) (26) (a) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to pursue immediate strategies to maximize existing forensic bed capacity for individuals in jails awaiting admission to the state hospitals that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The immediate strategies must include, but are not limited to:

(i) Additional approaches to resolving barriers to discharge for civil patients, including:

(A) In coordination with the behavioral health teaching facility at the University of Washington, identification of civil patients in the state hospitals that could receive appropriate treatment at the facility and work to resolve any barriers in such placement;

(B) Identification of civil patients in the state hospitals that could receive appropriate treatment at an enhanced services facility or any other community facility and work to resolve any barriers in such placement; and

(C) Coordination with the aging and long-term care administration and the office of public guardianship on the provision of qualified guardians for civil patients in need of guardianship that are otherwise eligible for discharge; and

(ii) Additional approaches to resolving any barriers to maximizing the use of existing civil wards at eastern state hospital for individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(b) By December 1, 2023, the department must submit a preliminary report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) The department's plan for utilizing the funds provided in this subsection and estimated outcomes.

(c) By September 1, 2024, the department must submit a final report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) Detailed reporting on how the funds provided in this subsection were used and the associated outcomes.

~~((28))~~ (27) \$53,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and \$94,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(29))~~ (28) Within the amounts provided in this section, the department is provided funding to operate civil long-term inpatient beds at the state hospitals as follows:

(a) Funding is sufficient for the department to operate 192 civil beds at eastern state hospital in both fiscal year 2024 and fiscal year 2025.

(b) Funding is sufficient for the department to operate 287 civil beds at western state hospital in both fiscal year 2024 and fiscal year 2025.

(c) The department shall fully operate funded civil capacity at eastern state hospital, including reopening and operating civil beds that are not needed for eastern Washington residents to provide services for western Washington residents.

(d) The department shall coordinate with the health care authority toward increasing community capacity for long-term inpatient services required under section 215(50) of this act.

(29) (a) \$60,776,000 of the general fund—state appropriation for fiscal year 2024 and \$75,188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate 72 beds in three wards in the Olympic heritage behavioral health facility.

(b) The department may not use the remaining 40 beds at the facility for any purpose and must permit the contractor selected by the health care authority to utilize the beds pursuant to and upon completion of the contracted process outlined in section 215 of this act.

(30) \$100,318,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to pay the court order filed July 7, 2023, issued in the case of Trueblood, et al. v. Department of Social and Health Services, et al., United States district court for the western district of Washington, cause no. 14-cv-01178-MJP, which requires the department to "pay all fines held in abeyance from September 2022 through May 2023, which totals \$100,318,000.00."

(31) \$6,900,000 of the general fund—state appropriation for fiscal year 2024 and \$13,610,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional 30 beds at western state hospital.

(32) \$3,228,000 of the general fund—state appropriation for fiscal year 2024 and \$6,088,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional eight beds at eastern state hospital.

(33) \$700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5690 (conditional release transition teams). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(34) \$1,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 203.** 2023 c 475 s 203 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM**

(1) COMMUNITY SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(\$1,129,397,000)
	<u>\$1,143,400,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$1,184,492,000)
	<u>\$1,209,080,000</u>
General Fund—Federal Appropriation . . . . .	(\$2,409,328,000)
	<u>\$2,446,165,000</u>
General Fund—Private/Local Appropriation . . . . .	\$4,058,000
Developmental Disabilities Community Services Account—State Appropriation . . . . .	\$32,120,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(\$4,759,395,000)</b>
	<u><b>\$4,834,823,000</b></u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments may not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 must be charged when adult family home providers file a change of ownership application.

(ii) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.

(iii) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.

(c) \$32,240,000 of the general fund—state appropriation for fiscal year 2024, \$52,060,000 of the general fund—state appropriation for fiscal year 2025, and \$108,994,000 of the general fund—federal appropriation are provided solely for the rate increase for the new consumer-directed employer contracted individual providers as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(d) \$5,095,000 of the general fund—state appropriation for fiscal year 2024, \$7,299,000 of the general fund—state appropriation for fiscal year 2025, and \$16,042,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(e) \$1,099,000 of the general fund—state appropriation for fiscal year 2024, \$2,171,000 of the general fund—state appropriation for fiscal year 2025, and \$5,515,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(f) \$328,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$998,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.

(g) \$9,371,000 of the general fund—state appropriation for fiscal year 2024, \$10,798,000 of the general fund—state appropriation for fiscal year 2025, and \$25,267,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(h) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(i) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(j) Sufficient appropriations are provided to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.



(i) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, and assisted living facility beds.

(ii) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (j) (i) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(iii) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (j) (i) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(iv) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(k) Sufficient appropriations are provided for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(l) \$476,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(m) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(n) \$2,648,000 of the general fund—state appropriation for fiscal year 2024, \$2,631,000 of the general fund—state appropriation for fiscal year 2025, and \$2,293,000 of the general fund—federal appropriation are provided solely for enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to partner with the state in the development of an individualized service plan that allows the child to remain in his or her home. The department must provide the legislature with a respite utilization report in January of each year that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(o) \$2,173,000 of the general fund—state appropriation for fiscal year 2024 and \$2,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for 13 community respite beds across the state for adults. These services are intended to provide families and caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The department must provide the legislature with a respite utilization report by January of each year that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(p) \$144,000 of the general fund—state appropriation for fiscal year 2025 and \$181,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v Office of Financial Management*, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the amounts provided in this subsection shall lapse.

(q) \$351,000 of the general fund—state appropriation for fiscal year 2024, \$375,000 of the general fund—state appropriation for fiscal year 2025, and \$905,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023.

(r) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(s) The appropriations in this section include sufficient funding to provide access to the individual and family services waiver and the basic plus waiver to those individuals on the service request list as forecasted by the caseload forecast council. For subsequent policy level budgets, the department shall submit a request for funding associated with individuals requesting to receive the individual and family services waiver and the basic plus waiver in accordance with the courtesy forecasts provided by the caseload forecast council.

(t) \$1,729,000 of the general fund—state appropriation for fiscal year 2024, \$2,669,000 of the general fund—state appropriation for fiscal year 2025, and \$4,206,000 of the general fund—federal appropriation are provided solely to operate intensive habilitation services and enhanced out-of-home services facilities.

(u) \$1,363,000 of the general fund—state appropriation for fiscal year 2024, \$1,363,000 of the general fund—state appropriation for fiscal year 2025, and \$2,092,000 of the general fund—federal appropriation are provided solely for additional staff to reduce the timeline for completion of financial eligibility determinations. No later than December 31, 2024, the department of social and health services shall submit a final report to the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes, including, but not limited to, a description of how the timeline for completion of these determinations has changed.

(v) \$485,000 of the general fund—state appropriation for fiscal year 2024 and \$484,000 of the general fund—federal appropriation are provided solely for a feasibility study of the developmental disabilities assessment tool and is subject to the conditions, limitations, and review requirements of section 701 of this act. The resulting study must determine whether the assessment and its technology can be improved to meet regulatory obligations, be quicker and person-centered, reduce manual notations, and maintain viability across age groups and settings.

(w) \$1,223,000 of the general fund—state appropriation for fiscal year 2024, \$2,763,000 of the general fund—state appropriation for fiscal year 2025, and \$3,248,000 of the general fund—federal appropriation are provided solely for supported employment and community inclusion services for those individuals with intellectual or developmental disabilities who are transitioning from high school in the 2023-2025 fiscal biennium and are anticipated to utilize these services.

(x) \$11,074,000 of the general fund—state appropriation for fiscal year 2024, \$13,222,000 of the general fund—state appropriation for fiscal year 2025, and \$19,206,000 of the general fund—federal appropriation are provided solely to increase rates paid to supported employment and community inclusion providers.

(y) (i) \$79,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, and \$121,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(ii) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(A) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required within each behavior support specialty setting and the necessary qualifications of these staff;

(B) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

(C) A plan for implementing the enhanced behavior support specialty contracts that includes:

(I) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(II) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(D) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(I) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(II) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(III) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(z) \$2,494,000 of the general fund—state appropriation for fiscal year 2024 and \$3,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 33 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(aa) \$2,605,000 of the general fund—state appropriation for fiscal year 2024, \$2,402,000 of the general fund—state appropriation for fiscal year 2025, and \$3,840,000 of the general fund—federal appropriation are provided solely to establish transition coordination teams to coordinate transitions of care for clients who move from one care setting to another. The department of social and health services shall submit annual reports no later than December 1, 2023, and December 1, 2024, to the appropriate committees of the legislature that detail how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served, the settings in which clients received care, and the progress made toward increasing stability of client placements;

(ii) A comparison of these outcomes against the outcomes achieved in prior fiscal years;

(iii) A description of lessons learned since the transition coordination teams were first implemented, including an identification of what processes were improved to reduce the timelines for completion; and

(iv) Recommendations for changes necessary to the transition coordination teams to improve increasing stability of client placements.

(bb) \$1,448,000 of the general fund—state appropriation for fiscal year 2024, \$1,807,000 of the general fund—state appropriation for fiscal year 2025, and \$3,626,000 of the general fund—federal appropriation are provided solely to pilot a specialty rate for adult family homes to serve up to 100 individuals with intellectual or developmental disabilities who also have co-occurring health or behavioral health diagnoses. No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served and the setting from which each client entered the adult family home receiving this specialty rate;

(ii) A comparison of the rate of admissions to the adult family homes receiving this specialty rate against the rate of admissions to other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(iii) A comparison of the length of stay in the setting from which the client entered the adult family home receiving this specialty rate against the average length of stay in settings prior to entering other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(cc) \$2,856,000 of the general fund—state appropriation for fiscal year 2024, \$3,104,000 of the general fund—state appropriation for fiscal year 2025, and \$5,948,000 of the general fund—federal appropriation are provided solely to pilot a program that provides a specialty rate for community residential providers who receive additional training to support individuals with complex physical and behavioral health needs.

(i) Of the amounts provided in this subsection, \$2,453,000 of the general fund—state appropriation for fiscal year 2024, \$2,705,000 of the general fund—state appropriation for fiscal year 2025, and \$5,259,000 of the general fund—federal appropriation are provided solely for the specialty rate for community residential providers to serve up to 30 individuals.

(ii) Of the amounts provided in this subsection, \$403,000 of the general fund—state appropriation for fiscal year 2024, \$399,000 of the general fund—state appropriation for fiscal year 2025, and \$689,000 of the general fund—federal appropriation are provided solely for the department to hire staff to support this specialty program, including expanding existing training programs available for community residential providers and to support providers in locating affordable housing.

(iii) No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(A) A detailed reporting of the number of clients served and the setting from which each client entered the community residential setting receiving this specialty rate;

(B) A comparison of the rate of admissions to the community residential setting receiving this specialty rate against the rate of admissions to other community residential settings not receiving this specialty rate as well as against the rate of admissions to other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(C) A comparison of the length of stay in the setting from which the client entered the community residential setting receiving this specialty rate against the average length of stay in settings prior to entering other community residential settings not receiving this specialty rate as well as prior to entering other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(dd) (i) \$104,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with the Ruckleshaus center for a progress report on the recommendations in the December 2019 report, "Rethinking Intellectual and Developmental Disability Policy to Empower Clients, Develop Providers and Improve Services."

(ii) By February 29, 2024, a final report shall be submitted to the governor and the appropriate committees of the legislature that includes:

(A) Detailed information about the successes and barriers related to meeting the recommendations in the December 2019 report;

(B) Identification of other potential issues or options for meeting the recommendations in the December 2019 report, including but not limited to, an exploration of the enhanced behavioral support homes concept;

(C) A review of other state's approaches and innovations regarding any of the recommendations in the December 2019 report;

(D) Identification of any emergent issues; and

(E) Identification or recommendation for the organization of focus groups of state agencies and respective stakeholders.

(iii) In compiling the final report, members of the previous workgroup, as well as other interested parties, should be consulted for their feedback and to identify areas where there is potential for agreement to move forward and to make process recommendations if applicable.

(ee) \$127,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely for adult day respite. Of the amounts appropriated in this subsection:

(i) \$27,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely to increase adult day respite rates from \$3.40 to \$5.45 per 15-minute unit to expand and ensure the sustainability of respite services for clients with intellectual or developmental disabilities and their family caregivers.

(ii) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to hire a project position to conduct a study and submit a report by December 1, 2023 to the governor and the appropriate committees of the legislature that examines the feasibility and operational resources needed to add adult day services to a state plan 1915(i) option or to the existing basic plus and core 1915(c) waivers.

(ff) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$4,284,000 of the general fund—state appropriation for fiscal year 2025, and \$4,178,000 of the general fund—federal appropriation are provided solely for the department to add 10 adult stabilization beds by June 2025, increase rates for existing adult stabilization beds by 23 percent, and expand mobile crisis diversion services to cover all three regions of the state.

(gg) (i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to study opportunities to enhance data collection on clients in family units with at least one parent having a developmental or intellectual disability. The study must identify:

(A) Opportunities to improve the existing assessment form and information technology systems by adding questions about clients' children, such as their ages, the number of children, and the K-12 enrollment status of each child;

(B) Ways to strengthen data sharing agreements with other departments, including the department of children, youth, and families, and local school districts;

(C) Strategies for surveying clients to collect information on their parenting and living arrangements, including support from other family members;

(D) Methods for analyzing new and existing data to determine and identify the total number of children with parents that have a developmental or intellectual disability, their needs, and access to specialized services;

(E) An inventory of existing support programs designed for families with a parent having a developmental or intellectual disability and their children, including educational support, financial assistance, and access to specialized services.

(ii) The department shall report its findings to the governor and appropriate committees of the legislature by June 30, 2024.

(hh) \$81,000 of the general fund—state appropriation for fiscal year 2024, \$219,000 of the general fund—state appropriation for fiscal year 2025, and \$371,000 of the general fund—federal appropriation are provided solely to implement House Bill No. 1407 (dev. disability/eligibility). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ii) \$62,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$116,000 of the general fund—federal appropriation are provided solely to implement Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(jj) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely for the department to conduct a study to explore opportunities to restructure services offered under the medicaid waivers for individuals with developmental disabilities served by the department. The plan should propose strategies to enhance service accessibility across the state and align services with the needs of clients, taking into account current and future demand. It must incorporate valuable input from

knowledgeable stakeholders and a national organization experienced in home and community-based waivers in other states. This plan must be submitted to the governor and relevant legislative committees by December 1, 2024.

(kk) \$5,431,000 of the general fund—state appropriation for fiscal year 2024, \$11,084,000 of the general fund—state appropriation for fiscal year 2025, and \$16,737,000 of the general fund—federal appropriation are provided solely to increase rates by 2.5 percent, effective January 1, 2024, for community residential service providers offering supported living, group home, group training home, licensed staff residential services, community protection, and children's out-of-home services to individuals with developmental disabilities.

(ll) \$456,000 of the general fund—state appropriation for fiscal year 2024, \$898,000 of the general fund—state appropriation for fiscal year 2025, and \$416,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(mm) \$446,000 of the general fund—state appropriation for fiscal year 2024, \$5,274,000 of the general fund—state appropriation for fiscal year 2025, and \$2,089,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(nn)(i) \$2,214,000 of the general fund—state appropriation for fiscal year 2024, \$10,104,000 of the general fund—state appropriation for fiscal year 2025, and \$2,934,000 of the general fund—federal appropriation are provided solely for the department to operate a staff-secure, voluntary, and transitional treatment facility specializing in services for adolescents over the age of 13 who have complex developmental disabilities, intellectual disabilities, or autism spectrum disorder and may also have a mental health or substance use diagnosis. These individuals require intensive behavioral supports and may also be in need of behavioral health services. Services must be provided at a property in lake Burien, serve no more than 12 youth at one time, and be implemented in a way that prioritizes transition to less restrictive community-based settings. Youth shall enter the facility only by their own consent or the consent of their guardian.

(ii) The department and health care authority shall collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments. This collaborative effort aims not only to enhance the funding available for the operation of the facility but also to maintain adherence to its fundamental objective of offering voluntary, transitional services. These services are designed to facilitate the transition of youth to community-based settings that are less restrictive, aligning with the facility's commitment to supporting youth with complex needs in a manner that encourages their movement toward independence.

(iii) By November 1, 2024, the department shall report to the governor and appropriate committees of the legislature on the program's design, results of preliminary implementation, financing opportunities, and recommendations. By June 30, 2025, the department shall report to the governor and appropriate committees of the legislature its initial findings, demographics on children served, and recommendations for program design and expansion.

(oo) \$40,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to pay for the cost of professional guardians for individuals who will transition from a residential habilitation center to a community residential setting.

(pp) \$63,000 of the general fund—state appropriation for fiscal year 2025 and \$62,000 of the general fund—federal appropriation are provided solely for the department, in cooperation with the health care authority, to study the feasibility and cost of implementing a point of contact for individuals diagnosed with a rare disease to increase access and reduce barriers in navigating programs, services, and resources offered by both agencies.

(qq) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to establish respite care beds for individuals with intellectual and developmental disabilities in the Tri-Cities.

(2) INSTITUTIONAL SERVICES	
General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$138,560,000</del> ))
	\$138,715,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$140,682,000</del> ))
	\$141,016,000
General Fund—Federal Appropriation. . . . .	(( <del>\$254,857,000</del> ))
	\$255,118,000
General Fund—Private/Local Appropriation. . . . .	\$19,488,000
TOTAL APPROPRIATION.....	(( <del>\$553,587,000</del> ))
	\$554,337,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments may not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$495,000 of the general fund—state appropriation for fiscal year 2024 and \$495,000 of the general fund—state appropriation for fiscal year 2025 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation,

building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) The residential habilitation centers may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(d) \$61,000 of the general fund—state appropriation for fiscal year 2024, \$61,000 of the general fund—state appropriation for fiscal year 2025, and \$117,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(e) \$73,000 of the general fund—state appropriation for fiscal year 2025 and \$73,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(3) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2024) . . . . .	(( \$4,103,000))
	<u>\$3,582,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$4,179,000))
	<u>\$3,659,000</u>
General Fund—Federal Appropriation . . . . .	(( \$4,951,000))
	<u>\$4,249,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$13,233,000))</b>
	<b><u>\$11,490,000</u></b>

(4) SPECIAL PROJECTS

General Fund—State Appropriation (FY 2024) . . . . .	\$66,000
General Fund—State Appropriation (FY 2025) . . . . .	\$66,000
General Fund—Federal Appropriation . . . . .	\$1,094,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$1,226,000</b>

**Sec. 204.** 2023 c 475 s 204 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—AGING AND ADULT SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$2,202,547,000))
	<u>\$2,168,497,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$2,385,171,000))
	<u>\$2,398,884,000</u>
General Fund—Federal Appropriation . . . . .	(( \$5,611,805,000))
	<u>\$5,660,562,000</u>
General Fund—Private/Local Appropriation . . . . .	\$53,719,000
Traumatic Brain Injury Account—State Appropriation . . . . .	(( \$5,586,000))
	<u>\$4,486,000</u>
Skilled Nursing Facility Safety Net Trust Account— State Appropriation . . . . .	\$133,360,000
Long-Term Services and Supports Trust Account—State Appropriation . . . . .	(( \$44,301,000))
	<u>\$51,902,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$10,436,489,000))</b>
	<b><u>\$10,471,410,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate may not exceed \$341.41 for fiscal year 2024 and may not exceed \$364.67 for fiscal year 2025. The weighted average nursing facility payment rates in this subsection (1) (a) include the following:

(i) \$17,361,000 of the general fund—state appropriation for fiscal year 2024, \$17,361,000 of the general fund—state appropriation for fiscal year 2025, and \$34,722,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021-2023 fiscal biennium to address low-wage equity for low-wage direct care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be equal to the wage payment received on June 30, 2023.

(ii) \$2,227,000 of the general fund—state appropriation for fiscal year 2024, \$2,227,000 of the general fund—state appropriation for fiscal year 2025, and \$4,456,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021-2023 fiscal biennium to address low-wage equity for low-wage indirect care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be equal to the wage payment received on June 30, 2023.

(b) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(2) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure,

inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(b) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.

(c) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.

(3) The department is authorized to place long-term care clients residing in nursing homes and paid for with state-only funds into less restrictive community care settings while continuing to meet the client's care needs.

(4) \$69,777,000 of the general fund—state appropriation for fiscal year 2024, \$113,969,000 of the general fund—state appropriation for fiscal year 2025, and \$237,558,000 of the general fund—federal appropriation are provided solely for the rate increase for the new consumer-directed employer contracted individual providers as set by the consumer-directed rate setting board in accordance with RCW 74.39A.530.

(5) \$19,044,000 of the general fund—state appropriation for fiscal year 2024, \$30,439,000 of the general fund—state appropriation for fiscal year 2025, and \$63,986,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(6) \$2,385,000 of the general fund—state appropriation for fiscal year 2024, \$4,892,000 of the general fund—state appropriation for fiscal year 2025, and \$12,502,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(7) \$2,547,000 of the general fund—state appropriation for fiscal year 2024, \$3,447,000 of the general fund—state appropriation for fiscal year 2025, and \$7,762,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.

(8) \$425,000 of the general fund—state appropriation for fiscal year 2025 and \$542,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v Office of Financial Management*, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the amounts provided in this subsection shall lapse.

(9) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(10) In accordance with RCW 18.390.030, the biennial registration fee for continuing care retirement communities shall be \$900 for each facility.

(11) Within amounts appropriated in this subsection, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues.

(a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members, and four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee;

(v) A member from disability rights Washington and a member from the office of long-term care ombuds;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) Other agency directors or designees as necessary.

(b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington and to serve people with disabilities, including state budget and policy options, and may conduct, but are not limited to, the following tasks:

(i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(ii) Identify strategies and policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;

(iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(iv) Identify ways to promote advance planning and advance care directives and implementation strategies for the Bree collaborative palliative care and related guidelines;

(v) Identify ways to meet the needs of the aging demographic impacted by reduced federal support;

(vi) Identify ways to protect the rights of vulnerable adults through assisted decision-making and guardianship and other relevant vulnerable adult protections;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation.

(c) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(d) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures and meetings are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Meetings of the task force must be scheduled and conducted in accordance with the rules of both the senate and the house of representatives. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(12) Appropriations in this section are sufficient to fund discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(13) Appropriations in this section are sufficient to fund financial service specialists stationed at the state psychiatric hospitals. Financial service specialists will help to transition clients ready for hospital discharge into alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state hospitals.

(14) The department shall continue to administer tailored support for older adults and medicaid alternative care as described in initiative 2 of the 1115 demonstration waiver. This initiative will be funded by the health care authority through the medicaid quality improvement program. The secretary in collaboration with the director of the health care authority shall report to the office of financial management all expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested. The department shall not increase general fund—state expenditures on this initiative.

(15) \$61,209,000 of the general fund—state appropriation for fiscal year 2024, \$70,352,000 of the general fund—state appropriation for fiscal year 2025, and \$161,960,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(16) \$1,761,000 of the general fund—state appropriation for fiscal year 2024, \$1,761,000 of the general fund—state appropriation for fiscal year 2025, and \$4,162,000 of the general fund—federal appropriation are provided solely for case managers at the area agencies on aging to coordinate care for medicaid clients with mental illness who are living in their own homes. Work shall be accomplished within existing standards for case management and no requirements will be added or modified unless by mutual agreement between the department of social and health services and area agencies on aging.

(17) Appropriations provided in this section are sufficient for the department to contract with an organization to provide educational materials, legal services, and attorney training to support persons with dementia. The funding provided in this subsection must be used for:

(a) An advance care and legal planning toolkit for persons and families living with dementia, designed and made available online and in print. The toolkit should include educational topics including, but not limited to:

(i) The importance of early advance care, legal, and financial planning;

(ii) The purpose and application of various advance care, legal, and financial documents;

(iii) Dementia and capacity;

(iv) Long-term care financing considerations;

(v) Elder and vulnerable adult abuse and exploitation;

(vi) Checklists such as "legal tips for caregivers," "meeting with an attorney," and "life and death planning;"

(vii) Standardized forms such as general durable power of attorney forms and advance health care directives; and

(viii) A selected list of additional resources.

(b) Webinars about the dementia legal and advance care planning toolkit and related issues and topics with subject area experts. The subject area expert presenters must provide their services in-kind, on a volunteer basis.



(c) Continuing legal education programs for attorneys to advise and assist persons with dementia. The continuing education programs must be offered at no cost to attorneys who make a commitment to participate in the pro bono program.

(d) Administrative support costs to develop intake forms and protocols, perform client intake, match participating attorneys with eligible clients statewide, maintain records and data, and produce reports as needed.

(18) Appropriations provided in this section are sufficient to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(a) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, assisted living facility beds, adult residential care beds, and specialized dementia beds.

(b) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (a) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(c) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (a) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(d) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(19) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(20) \$5,094,000 of the general fund—state appropriation for fiscal year 2024 and \$5,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(21)(a) \$63,938,000 of the general fund—state appropriation for fiscal year 2024, \$40,714,000 of the general fund—state appropriation for fiscal year 2025, and \$110,640,000 of the general fund—federal appropriation are provided solely for rate adjustments for skilled nursing facilities.

(b) Of the amounts provided in this subsection, \$7,700,000 of the general fund—state appropriation for fiscal year 2025 and \$7,700,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5802 (nursing rate calculation). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(22) \$32,470,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$34,090,000)~~ \$35,372,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$72,783,000)~~ \$74,246,000 of the general fund—federal appropriation are provided solely for rate adjustments for assisted living providers. Of the amounts provided in this subsection:

(a) \$23,751,000 of the general fund—state appropriation for fiscal year 2024, \$25,487,000 of the general fund—state appropriation for fiscal year 2025, and \$54,687,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023. The department of social and health services shall report, by December 1st of each year, on medicaid resident utilization of and access to assisted living facilities.

(b) \$5,505,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$5,389,000)~~ \$6,671,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$11,588,000)~~ \$13,051,000 of the general fund—federal appropriation are provided solely for a specialty dementia care rate add-on for all assisted living facilities of ~~(\$43.48)~~ \$50.00 per patient per day.

(c) \$2,573,000 of the general fund—state appropriation for fiscal year 2024, \$2,573,000 of the general fund—state appropriation for fiscal year 2025, and \$5,146,000 of the general fund—federal appropriation are provided solely for a one-time bridge rate for assisted living facilities, enhanced adult residential centers, and adult residential centers, with high medicaid occupancy. The bridge rate does not replace or substitute the capital add-on rate found in RCW 74.39A.320 and the same methodology from RCW 74.39A.320 shall be used to determine each facility's medicaid occupancy percentage for the purposes of this one-time bridge rate add-on. Facilities with a medicaid occupancy level of 90 percent or more shall receive a \$20.99 add-on per resident day.

(d) \$641,000 of the general fund—state appropriation for fiscal year 2024, \$641,000 of the general fund—state appropriation for fiscal year 2025, and \$1,362,000 of the general fund—federal appropriation are provided solely to increase the rate add-on for expanded community services by 5 percent.

(23) Within available funds, the aging and long term support administration must maintain a unit within adult protective services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

(24) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(25) \$1,858,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation of the volunteer services program. Funding must be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(26) \$479,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$479,000)~~ \$989,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the kinship navigator program in the Colville Indian reservation, Yakama Nation, and other tribal areas.

(27) The traumatic brain injury council shall collaborate with other state agencies in their efforts to address traumatic brain injuries to ensure that efforts are complimentary and continue to support the state's broader efforts to address this issue.

(28) \$1,297,000 of the general fund—state appropriation for fiscal year 2024 and \$1,297,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based dementia education and support activities in three areas of the state, including dementia resource catalyst staff and direct services for people with dementia and their caregivers.

(29) \$5,410,000 of the general fund—state appropriation for fiscal year 2024, \$9,277,000 of the general fund—state appropriation for fiscal year 2025, and \$14,909,000 of the general fund—federal appropriation are provided solely for the operating costs associated with the phase-in of enhanced services facilities and specialized dementia care beds that were established with behavioral health community capacity grants.

(30) (a) \$71,000 of the general fund—state appropriation for fiscal year 2024, \$68,000 of the general fund—state appropriation for fiscal year 2025, and \$141,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(b) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(i) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required within each behavior support specialty setting and the necessary qualifications of these staff;

(ii) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

(iii) A plan for implementing the enhanced behavior support specialty contracts that includes:

(A) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(B) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(iv) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(A) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(B) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(C) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(31) (~~(\$2,874,000)~~) \$2,551,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$2,211,000)~~) \$2,534,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the general fund—federal appropriation are provided solely for the kinship care support program. Of the amounts provided in this subsection:

(a) (~~(\$667,000)~~) \$344,000 of the general fund—state appropriation for fiscal year 2024 (~~(+)~~) and \$323,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the kinship navigator case management pilot program.

(b) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the rates paid to kinship navigators and to increase the number of kinship navigators so that each area agency on aging has one kinship navigator and King county has two kinship navigators.

(32) \$2,574,000 of the general fund—state appropriation for fiscal year 2024 and \$2,567,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 40 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(33) \$691,000 of the general fund—state appropriation for fiscal year 2024, \$658,000 of the general fund—state appropriation for fiscal year 2025, and \$1,347,000 of the general fund—federal appropriation are provided solely for the department to provide staff support to the difficult to discharge task force described in section (~~(135(12))~~) 132(12) of this act, including any associated ad hoc subgroups, and to develop home and community services assessment timeliness requirements for pilot participants in cooperation with the health care authority as described in section 211(~~(+65))~~) (64) of this act.

(34) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a study of functional assessments conducted by the department prior to acute care hospital discharge and placement in a post-acute facility. No later than June 30, 2025, a report must be submitted to the governor and the appropriate committees of the legislature that evaluates:

(a) The timeliness of the completion of these assessments;

(b) How requiring these assessments impacts:

(i) The length of a patient's hospital stay;

(ii) The patient's medical, emotional, and mental well-being;

(iii) The hospital staff who care for these patients; and

(iv) Access to inpatient and emergency beds for other patients;

(c) Best practices from other states for placing hospitalized patients in post-acute care settings in a timely and effective manner that includes:

(i) Identification of the states that require these assessments prior to post-acute placement; and

(ii) An analysis of a patient's hospital length of stay and a patient's medical, emotional, and mental well-being in states that require these assessments compared to the states that do not; and

(d) The potential benefits of, and barriers to, outsourcing some or all of the functional assessment process to hospitals. Barriers evaluated must include department policies regarding staff workloads, outsourcing work, and computer system access.

(35) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely to employ and train staff for outreach efforts aimed at connecting adult family home owners and their employees with health care coverage through the adult family home training network as outlined in RCW 70.128.305. These outreach activities must consist of:

(a) Informing adult family home owners and their employees about various health insurance options;

(b) Creating and distributing culturally and linguistically relevant materials to assist these individuals in accessing affordable or free health insurance plans;

(c) Offering continuous technical support to adult family home owners and their employees regarding health insurance options and the application process; and

(d) Providing technical assistance as a certified assister for the health benefit exchange, enabling adult family home owners and their employees to comprehend, compare, apply for, and enroll in health insurance via Washington healthplanfinder. Participation in the certified assister program is dependent on meeting contractual, security, and other program requirements set by the health benefit exchange.

(36) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the office of the insurance commissioner and the office of the attorney general, to create a regulatory oversight plan for continuing care retirement communities, focusing primarily on establishing and implementing resident consumer protections, as recommended in the 2022 report of the office of the insurance commissioner. As part of the process, the agencies must engage with relevant stakeholder groups for consultation. The final plan must be submitted to the health care committees of the legislature by December 1, 2024.

(37) (~~(\$16,952,000)~~)\$11,509,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$23,761,000)~~)\$15,363,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$41,407,000)~~)\$27,344,000 of the general fund—federal appropriation are provided solely for nursing home services and emergent building costs at the transitional care center of Seattle. No later than December 1, 2024, the department must submit to the appropriate fiscal committees of the legislature a report that includes, but is not limited to:

(a) An itemization of the costs associated with providing direct care services to residents and managing and caring for the facility; and

(b) An examination of the impacts of this facility on clients and providers of the long-term care and medical care sectors of the state that includes, but is not limited to:

(i) An analysis of areas that have realized cost containment or savings as a result of this facility;

(ii) A comparison of individuals transitioned from hospitals to this facility compared to other skilled nursing facilities over the same period of time; and

(iii) Impacts of this facility on lengths of stay in acute care hospitals, other skilled nursing facility, and transitions to home and community-based settings.

(38) \$911,000 of the general fund—state appropriation for fiscal year 2024, \$935,000 of the general fund—state appropriation for fiscal year 2025, and \$365,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(39) \$562,000 of the general fund—state appropriation for fiscal year 2024, \$673,000 of the general fund—state appropriation for fiscal year 2025, and \$1,244,000 of the general fund—federal appropriation are provided solely to increase rates for long-term care case management services offered by area agencies on aging. The department must include this adjustment in the monthly per client rates paid to these agencies for case management services in the governor's projected maintenance level budget process, in accordance with RCW 43.88.030.

(40) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely to contract with an organization to design and deliver culturally and linguistically competent training programs for home care workers, including individual providers.

(41) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$400,000 of the general fund—federal appropriation are provided solely for a pilot project focused on providing translation services for interpreting mandatory training courses offered through the adult family home training network. The department of social and health services must collaborate with the adult family home council and the adult family home training network to assess the pilot project's outcomes. The department of social and health services shall submit a comprehensive report detailing the results to the governor and the appropriate committees of the legislature no later than September 30, 2025.

(42) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the current pilot projects to provide personal care services to homeless seniors and people with disabilities from the time the person presents at a shelter to the time they become eligible for medicaid.

(43) \$75,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$147,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(44) \$125,000 of the general fund—state appropriation for fiscal year 2024, \$125,000 of the general fund—state appropriation for fiscal year 2025, and \$250,000 of the general fund—federal appropriation are provided solely for the department, in collaboration with the consumer directed employer and home care agencies, to establish guidelines, collect and analyze data, and research the reasons and timing behind home care workers leaving the workforce.

(45) \$703,000 of the general fund—state appropriation for fiscal year 2024, \$3,297,000 of the general fund—state appropriation for fiscal year 2025, and \$2,735,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(46) (a) \$4,792,000 of the general fund—state appropriation for fiscal year 2024, \$4,894,000 of the general fund—state appropriation for fiscal year 2025, and \$9,881,000 of the general fund—federal appropriation are provided solely to support providers that are ready to accept patients who are in acute care beds and no longer require inpatient care, but are unable to be transitioned to appropriate postacute care settings. These patients are generally referred to as difficult to discharge hospital patients because of their behaviors.

(i) The department shall broaden the current discharge and referral case management practices for difficult to discharge hospital patients waiting in acute care hospitals to include referrals to all long-term care behavioral health settings, including enhanced services facilities, enhanced adult residential care, and enhanced adult residential care

with community stability supports contracts or community behavioral health support services, including supportive supervision and oversight and skills development and restoration. These home and community-based providers are contracted to provide various levels of personal care, nursing, and behavior supports for difficult to discharge hospital patients with significant behavior support needs.

(ii) Patients ready to discharge from acute care hospitals with diagnosed behaviors or behavior history, and a likelihood of unsuccessful placement in other licensed long-term care facilities, a history of rejected applications for admissions, or a history of unsuccessful placements shall be fully eligible for referral to available beds in enhanced services facilities or enhanced adult residential care with contracts that adequately meet the patient's long-term care needs.

(iii) Previous or current detention under the involuntary treatment act shall not be a requirement for individuals in acute care hospitals to be eligible for these specialized settings. The department shall develop a standard process for acute care hospitals to refer patients to the department for placement in enhanced services facilities and enhanced adult residential care with contracts to provide behavior support.

(b) The department must adopt a payment model that incorporates the following adjustments:

(i) The enhanced behavior services plus and enhanced behavior services respite rates for skilled nursing facilities shall be converted to \$175 per patient per day add-on in addition to daily base rates to recognize additional staffing and care needs for patients with behaviors.

(ii) Enhanced behavior services plus with specialized services rates for skilled nursing facilities shall be converted to \$235 per patient per day add-on on top of daily base rates.

(iii) The ventilator rate add-on for all skilled nursing facilities shall be \$192 per patient per day.

(iv) The tracheotomy rate add-on for all skilled nursing facilities shall be \$123 per patient per day.

(c) Of the amounts provided in (a) of this subsection, \$3,838,000 of the general fund—state appropriation for fiscal year 2024, \$3,917,000 of the general fund—state appropriation for fiscal year 2025, and \$7,911,000 of the general fund—federal appropriation are provided solely for an increase in the daily rate for enhanced services facilities to \$596.10 per patient per day.

(47) \$4,908,000 of the long-term services and supports trust account—state appropriation is provided solely to continue technological development for the Washington cares fund program and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(48) \$63,000 of the general fund—state appropriation for fiscal year 2025 and \$62,000 of the general fund—federal appropriation are provided solely for the department, in cooperation with the health care authority, to study the feasibility and cost of implementing a point of contact for individuals diagnosed with a rare disease to increase access and reduce barriers in navigating programs, services, and resources offered by both agencies.

(49) (a) Within amounts appropriated in this section, the department shall convene a work group comprised of representatives from the department of social and health services, the department of commerce, the health care authority, and organizations representing relevant assisted living and housing providers utilizing department of housing and urban development housing choice vouchers in assisted living facilities to examine how assisted living facilities can use these vouchers for medicaid residents in a manner that aligns with federal requirements and does not negatively impact receipt of federal medicaid funding.

(b) The work group shall submit a preliminary report by December 1, 2024, to the governor and the appropriate committees of the legislature that includes any findings and policy recommendations for how to use housing and urban development project-based rental vouchers for medicaid residents living in licensed assisted living facilities. The work group findings must identify any barriers within the state and federal systems that would prevent the use of housing and urban development project-based rental vouchers for medicaid residents, including, but not limited to, licensing requirements and duplication of services.

(c) It is the intent of the legislature that this work group will continue its work through September 30, 2025, in order to facilitate completion of a final report to the governor and the appropriate committees of the legislature at that time.

(50) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$48,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5640 (independent living residents). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(51) \$94,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(52) \$962,000 of the general fund—state appropriation for fiscal year 2025 and \$962,000 of the general fund—federal appropriation are provided solely for a 30 percent increase in the rates for adult day care and adult day health.

**Sec. 205.** 2023 c 475 s 205 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ECONOMIC SERVICES PROGRAM**  
General Fund—State Appropriation (FY 2024) . . . . . ((\$606,767,000))

	\$676,492,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$604,555,000))
	\$740,637,000
General Fund—Federal Appropriation. . . . .	(((\$1,648,987,000))
	\$1,689,559,000
General Fund—Private/Local Appropriation. . . . .	\$5,274,000
Domestic Violence Prevention Account—State Appropriation. . . . .	\$2,404,000
<u>Information Technology Investment Revolving Account— State Appropriation. . . . .</u>	<u>\$4,329,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(((\$2,867,987,000))</b>
	<b>\$3,118,695,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) ~~(((\$169,050,000))~~ \$172,628,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$164,246,000))~~ \$198,637,000 of the general fund—state appropriation for fiscal year 2025, and \$853,777,000 of the general fund—federal appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting a structure change.

(b) ~~(((\$450,773,000))~~ \$481,959,000 of the amounts in (a) of this subsection is for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance. Of the amounts provided in this subsection (1) (b):

(i) \$17,315,000 of the general fund—federal appropriation is provided solely to increase the temporary assistance for needy families and state family assistance cash grants by \$100 per month for households with a child under the age of three, effective November 1, 2023. The funding is intended to assist families with the cost of diapers as described in chapter 100, Laws of 2022.

(ii) \$3,060,000 of the general fund—state appropriation for fiscal year 2024, \$4,665,000 of the general fund—state appropriation for fiscal year 2025, and \$19,000,000 of the general fund—federal appropriation are provided solely for the department to increase temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$296,000 of the general fund—state appropriation for fiscal year 2024, \$5,293,000 of the general fund—state appropriation for fiscal year 2025, and \$1,089,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(iv) \$632,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the replacement of skimmed or cloned cash benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the temporary assistance for needy families and the state family assistance program. The replacement of stolen benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection (1) (b) (iv) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(c) \$167,710,000 of the amounts in (a) of this subsection is for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. Within amounts provided in this subsection (1) (c), the department shall implement the working family support program.

(i) \$2,474,000 of the amounts provided in this subsection (1) (c) is for enhanced transportation assistance. The department must prioritize the use of these funds for the recipients most in need of financial assistance to facilitate their return to work. The department must not utilize these funds to supplant repayment arrangements that are currently in place to facilitate the reinstatement of drivers' licenses.

(ii) \$482,000 of the general fund—state appropriation for fiscal year 2024 and \$1,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$185,000 of the general fund—state appropriation for fiscal year 2024 and \$1,820,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(d) Of the amounts in (a) of this subsection, \$353,402,000 of the general fund—federal appropriation is for the working connections child care program under RCW 43.216.020 within the department of children, youth, and families. The department is the lead agency for and recipient of the federal temporary assistance for needy families grant. A portion of this grant must be used to fund child care subsidies expenditures at the department of children, youth, and families.

(i) The department of social and health services shall work in collaboration with the department of children, youth, and families to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families.

(ii) Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(e) Of the amounts in (a) of this subsection, \$68,496,000 of the general fund—federal appropriation is for child welfare services within the department of children, youth, and families.

(f) Of the amounts in (a) of this subsection, ~~((~~\$146,692,000~~))~~ \$153,475,000 is for WorkFirst administration and overhead. Of the amounts provided in this subsection (1)(f):

(i) \$147,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(ii) \$204,000 of the general fund—state appropriation for fiscal year 2024, \$179,000 of the general fund—state appropriation for fiscal year 2025, and \$575,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(iii) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to process skimmed or cloned cash benefits for impacted recipients of the temporary assistance for needy families or state family assistance programs. Any unspent funds in this subsection (1)(f)(iii) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(g)(i) The department shall submit quarterly expenditure reports to the governor, the fiscal committees of the legislature, and the legislative WorkFirst poverty reduction oversight task force under RCW 74.08A.341. In addition to these requirements, the department must detail any fund transfers across budget units identified in (a) through (e) of this subsection. The department shall not initiate any services that require expenditure of state general fund moneys that are not consistent with policies established by the legislature.

(ii) The department may transfer up to 10 percent of funding between budget units identified in (b) through (f) of this subsection. The department shall provide notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst poverty reduction oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(h) On January 2nd and July 1st of each year, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst poverty reduction oversight task force. The report must detail the following information for temporary assistance for needy families:

(i) An overview of federal rules related to maintenance of effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;

(ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;

(iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;

(iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;

(v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort;

(vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation targets, and future reportable federal participation rate requirements; and

(vii) Proposed and enacted federal law changes affecting maintenance of effort or the participation rate, what impact these changes have on Washington's temporary assistance for needy families program, and the department's plan to comply with these changes.

(i) In the 2023-2025 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (a) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(2) \$3,545,000 of the general fund—state appropriation for fiscal year 2024 and \$3,545,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On January 1, 2024, and January 1, 2025, the department must report to the governor and the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be 100 percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(8) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational support of the Washington information network 211 organization.

(9) \$377,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consolidated emergency assistance program.

(10) \$560,000 of the general fund—state appropriation for fiscal year 2024 and \$560,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state-funded employment and training program for recipients of the state's food assistance program.

(11) (~~(\$5,244,000)~~) \$4,999,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$3,805,000)~~) \$2,155,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$21,115,000)~~) \$27,765,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project to create a comprehensive application and benefit status tracker for multiple programs, an application and enrollment portal for multiple programs, and to establish a foundational platform. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(12) (~~(\$3,307,000)~~) \$2,352,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$257,000)~~) \$1,230,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$8,318,000)~~) \$7,576,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project for the discovery, innovation, and customer experience phase. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(13) (~~(\$1,067,000)~~) \$2,267,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$1,067,000)~~) \$2,638,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$4,981,000)~~) \$11,481,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project office.

(14) \$189,000 of the general fund—state appropriation for fiscal year 2024 and \$953,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of the ongoing additional requirements program, effective April 1, 2024. Of the amount provided in this subsection, the maximum amount that may be expended on new items added to the ongoing additional requirements program is \$53,000 in fiscal year 2024 and \$710,000 in fiscal year 2025.



(15)(a) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors and a study to assess needs and develop recommendations for ongoing supports for this population.

(b) Of the amounts provided in (a) of this subsection, \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors in order to address financial hardship and support household well-being. Stabilization funds can be used to support the sponsorship household with costs of housing, childcare, transportation, internet and data services, household goods, and other unmet needs. The funds may be provided on behalf of an unaccompanied child when the following eligibility criteria are met:

(i) The unaccompanied child is between the ages of 0-17, has been placed in Washington under the care of a nonparental sponsor following release from the United States office of refugee resettlement custody, and has not been reunified with a parent; and

(ii) The sponsorship household demonstrates financial need and has an income below 250 percent of the federal poverty level. A sponsorship household receiving stabilization funds on behalf of a child who turns 18 may continue to receive funds for an additional 60 days after the child reaches 18 years of age.

(c) The department may work with community-based organizations to administer sponsorship stabilization supports. Up to 10 percent of the amounts provided in (b) of this subsection may be used by the community-based organizations to cover administrative expenses associated with the distribution of these supports.

(d) Of the amounts provided in (a) of this subsection, \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to cover the administrative resources necessary for the department to administer the sponsorship stabilization program and to convene a work group with the department of children, youth, and families, department of commerce's office of homeless youth prevention and programs, stakeholders, and community-based organization who have pertinent information regarding sponsorship households. The work group shall identify and analyze the resource and service needs for unaccompanied children and their sponsors, including the types and levels of financial supports and related services that will promote stability of sponsorship placements for this population.

(i) The department must produce a report that includes an overview of the number of impacted children and sponsors, existing services and supports that are available, any gaps in services, and potential changes to federal programs and policies that could impact unaccompanied children. The report shall include recommendations for how state agencies and community organizations can partner with the federal government to support sponsorship households, proposed services and supports that the state could provide to promote the ongoing stability of sponsorship households, and a recommended service delivery model.

(ii) The department shall submit the report required by (d)(i) of this subsection (15) to the governor and appropriate legislative committees no later than June 30, 2025.

(16) \$111,000 of the general fund—state appropriation for fiscal year 2024, \$1,016,000 of the general fund—state appropriation for fiscal year 2025, and \$21,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs) for the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance programs. (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(17) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with an organization located in Seattle with expertise in culturally and linguistically appropriate communications and outreach to conduct an outreach, education, and media campaign related to communities significantly impacted by or at risk for benefits trafficking, skimming, or other fraudulent activities, with particular focus on immigrant, refugee, migrant, and senior populations. This campaign must provide community-focused, culturally and linguistically appropriate education and assistance targeted to meet the needs of each community and related to safeguarding public assistance benefits provided through an electronic benefit card and how to avoid the trafficking or skimming of benefits. To the extent practical, the department must make available information and data to refine this campaign for those communities most impacted to ensure inclusion of any relevant groups not already identified in this provision. The contracted organization, in collaboration with the department, must focus its outreach in highly impacted geographic areas including, but not limited to, Burien, Federal Way, Kent, Lynnwood, White Center, West Seattle, Seattle's International District, Chinatown, and the Central District, Yakima and other identified locations.

(18) \$10,881,000 of the general fund—state appropriation for fiscal year 2024, \$10,131,000 of the general fund—state appropriation for fiscal year 2025, \$6,734,000 of the general fund—federal appropriation, and \$2,404,000 of the domestic violence prevention account—state appropriation are provided solely for domestic violence victim services. Of the amounts provided in this subsection, \$750,000 of the general fund—state appropriation for fiscal year 2024 must be distributed to domestic violence services providers proportionately, based upon bed capacity.

(19) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

department to meet the terms of its settlement agreement with the United States department of agriculture (USDA).

(a) Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to repay USDA as part of the settlement agreement.

(b) Of the amounts provided in this subsection, \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to fund employment and training program services and activities ((for))targeted to able-bodied adults without dependents receiving food benefits from the USDA supplemental nutrition assistance program, but open to all basic food employment and training participants including participants who are not able-bodied adults without dependents.

(20) \$3,844,000 of the general fund—state appropriation for fiscal year 2024, \$7,921,000 of the general fund—state appropriation for fiscal year 2025, and \$1,374,000 of the general fund—federal appropriation are provided solely for the department to increase the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance grants by eight percent, effective January 1, 2024.

(21) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization in Pierce county to continue the operation of the guaranteed basic income program in Tacoma.

(22) \$58,000 of the general fund—state appropriation for fiscal year 2024 and \$59,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Substitute Senate Bill No. 5398 (domestic violence funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(23) \$113,000 of the general fund—state appropriation for fiscal year 2024, \$1,487,000 of the general fund—state appropriation for fiscal year 2025, and \$1,599,000 of the general fund—federal appropriation are provided solely to fully integrate the asset verification system into the automated client eligibility system (ACES).

(24) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$34,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the changes made to the state supplemental payment program in chapter 201, Laws of 2023.

(25) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the staffing necessary to process medical assistance cases resulting from the July 1, 2024, implementation for the apple health expansion program.

(26) \$2,786,000 of the general fund—state appropriation for fiscal year 2024, \$5,888,000 of the general fund—state appropriation for fiscal year 2025, and \$8,334,000 of the general fund—federal appropriation are provided solely for the transition of the automated client eligibility system (ACES) mainframe hardware operations to cloud technologies, using an enterprise contracted service through the consolidated technology services agency. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(27) \$5,024,000 of the general fund—state appropriation for fiscal year 2024, \$7,206,000 of the general fund—state appropriation for fiscal year 2025, and \$12,230,000 of the general fund—federal appropriation are provided solely for the implementation of the summer electronic benefit transfer program for the summer break months following the 2023-2024 and 2024-2025 school years. The program implementation must align with the federal summer electronic benefit program requirements defined in the consolidated appropriations act, 2023 (136 Stat. 4459). The department may use a third-party entity to administer the program.

(28) \$8,191,000 of the general fund—state appropriation for fiscal year 2024, \$464,000 of the general fund—state appropriation for fiscal year 2025, and \$8,314,000 of the general fund—federal appropriation are provided solely to cover the increased costs of the maintenance and operations of the automated client eligibility system (ACES), including but not limited to a one-time vendor transition.

(29) \$251,000 of the general fund—state appropriation for fiscal year 2025 and \$21,000 of the general fund—federal appropriation are provided solely to process and replace skimmed or cloned cash and food benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the pregnant women assistance, refugee cash assistance, aged, blind, or disabled assistance, and state food assistance program. The replacement of stolen cash and food benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(30)(a) \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to the office of refugee and immigrant assistance to expand support services for individuals newly arriving to the United States and Washington who do not qualify for federal refugee resettlement program services. Support services include, but are not limited to, housing assistance, food, transportation, childhood education services, education and employment supports, connection to legal services, and social services navigation.

(b) Of the amounts in (a) of this subsection, \$162,000 is provided solely for staffing at the office of refugee and immigrant assistance to cover the administrative expenses of coordinating a statewide approach to the supports described in (a) of this subsection.

(31) (a) ~~\$593,000 of the general fund—state appropriation for fiscal year 2024, \$1,406,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely to implement changes made through the fiscal responsibility act of 2023 (137 Stat. 10) for the supplemental nutrition assistance program's work requirements for able-bodied adults without dependents, and the corresponding impacts to the state food assistance program.~~

(b) ~~Of the amounts in (a) of this subsection, \$104,000 of the general fund—state appropriation for fiscal year 2024, \$115,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely for administrative and information technology expenses.~~

(32) (a) ~~\$236,000 of the general fund—state appropriation for fiscal year 2024, \$3,367,000 of the general fund—state appropriation for fiscal year 2025, and \$1,329,000 of the general fund—federal appropriation are provided solely for the department to hire additional public benefit specialists to help reduce the call center and lobby wait times within the community services division.~~

(b) ~~By June 30, 2025, the department must submit a report to the governor and the legislature that shows the prior fiscal year's call and lobby wait times by month and queue, number of customer contacts by month and queue, processing times for the various queues for the three most recent fiscal years along with an explanation for any changes to the most recent year's processing times, number of filled public benefit specialists 3 positions and vacancies by month, wait time impacts associated with individual technology solution enhancements, any telephonic savings experienced due to fewer customers waiting on hold, and recommendations to continue reducing customer wait times.~~

(33) ~~\$103,000 of the general fund—state appropriation for fiscal year 2025 and \$65,000 of the general fund—federal appropriation are provided solely to implement Senate Bill No. 5889 (customer voice council). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.~~

**Sec. 206.** 2023 c 475 s 206 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$26,670,000</del> ))
	<u>\$26,677,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$26,962,000</del> ))
	<u>\$26,975,000</u>
General Fund—Federal Appropriation . . . . .	\$110,047,000
TOTAL APPROPRIATION . . . . .	(( <del>\$163,679,000</del> ))
	<u>\$163,699,000</u>

**Sec. 207.** 2023 c 475 s 207 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SPECIAL COMMITMENT PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$82,011,000</del> ))
	<u>\$81,275,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$81,976,000</del> ))
	<u>\$80,461,000</u>
TOTAL APPROPRIATION . . . . .	(( <del>\$163,987,000</del> ))
	<u>\$161,736,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

~~((4))~~ (2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to:

(i) Explore regulatory framework options for conditional release less restrictive alternative placements and make recommendations for a possible future framework. This exploration shall include collaboration with the department of corrections regarding their community custody programs;

(ii) Review and refine agency policies regarding communication and engagement with impacted local governments related to less restrictive alternatives, including exploring options for public facing communications on current county fair share status and any projected future need;

(iii) Identify opportunities for greater collaboration and possible fiscal support for local government entities regarding placements of conditional release less restrictive alternatives; and

(iv) Provide recommendations to improve cost-effectiveness of all less restrictive alternative placements.

(b) The department shall submit a report to the governor and appropriate fiscal and policy committees of the legislature by December 1, 2023, with a summary of the results and provide any additional recommendations to the legislature that the department identifies. The report shall also include a summary of costs to the department for contracted and uncontracted less restrictive alternatives.

~~((5))~~ (3) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to conduct an assessment of wireless internet

implementation needs and options, and must include an assessment of satellite and fiber options. The department shall provide a report that includes the assessment and estimated implementation time frame and costs to the appropriate committees of the legislature by December 15, 2023.

(4) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 208.** 2023 c 475 s 208 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$49,968,000</del> ))
	\$50,926,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$50,544,000</del> ))
	\$57,903,000
General Fund—Federal Appropriation. . . . .	(( <del>\$57,444,000</del> ))
	\$62,572,000
<u>Climate Commitment Account—State Appropriation. . . . .</u>	<u>\$1,000,000</u>
<u>Information Technology Investment Revolving Account—</u>	
<u>State Appropriation. . . . .</u>	<u>\$4,876,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$157,956,000</del>))</b>
	<b>\$177,277,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(2) \$5,000 of the general fund—state appropriation for fiscal year 2024, \$22,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium as provided in section 907 of this act.

(3) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the joint legislative and executive committee on behavioral health established in section 135 of this act.

(4) \$115,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$64,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$100,000 of the general fund—state appropriation for fiscal year 2024, \$96,000 of the general fund—state appropriation for fiscal year 2025, and \$149,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5497 (medicaid expenditures). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$231,000 of the general fund—state appropriation for fiscal year 2024 and \$65,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5304 (language access/testing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(7) (a) \$2,961,000 of the general fund—federal appropriation is provided solely for the system for integrated leave, attendance, and scheduling (SILAS) project and is subject to the conditions, limitations, and review requirements of section 701 of this act. Funding is provided solely for continued project expansion at the:

- (i) Yakima Valley school;
- (ii) Maple Lane campus;
- (iii) Brockmann campus;
- (iv) Rainier school; and
- (v) Fircrest school.

(b) By July 1, 2024, the department must submit a report to the appropriate committees of the legislature to include, at least, the implementation schedule and budget plans by facility deployment for each of the facilities listed in (a) of this subsection.

(c) By June 30, 2025, the department must submit a report to the appropriate committees of the legislature to include, but not be limited to, how funding was spent compared to the spending plan and the actual roll out by facility compared to the implementation schedule for

each facility that the SILAS solution was planned and/or implemented at in the prior 12 calendar months.

(8) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the research and data administration of the department to analyze historical trends of admissions for felony civil conversion cases based on behavioral health administrative service organization regions. The research and data administration must create a report that provides information on the monthly averages for admission by region and any information about trends or cycles, and shall make a recommendation about how best to predict and model future admissions for this population by region. The report must be submitted to the governor, office of financial management, and appropriate committees of the legislature no later than November 1, 2024.

(9) \$1,000,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to pilot a statewide network of community assemblies with overburdened communities as defined in RCW 70A.02.010. The department must select topics for community assemblies that fall within its authority or must consult and coordinate with the agency who has authority on the proposed topic before selection. These assemblies will review state policy, program, and funding decisions.

(10) \$670,000 of the general fund—state appropriation for fiscal year 2025 and \$189,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5943 (resource data tool). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(11)(a) \$250,000 of general fund—state appropriation is provided solely for the department to complete a gap analysis of the existing housing and health care system and provide a report to the legislature detailing its findings. This report shall include, but not be limited to, a review of existing models related to individuals experiencing:

(i) Housing instability who have significant medical and/or behavioral health needs, including the inability to stay in or return to their current housing;

(ii) Homelessness and/or a significant history of being unhoused, including permanent supportive housing residents; and

(iii) Significant health-related social needs that are not severe enough to qualify for placement in existing facilities, but are too significant to be met in a shelter or permanent supportive housing.

(b) The gap analysis shall also include a review of:

(i) Hospitals with patients that have resolved the acute hospital-level needs of the patient, but cannot discharge patients to the community because there is no appropriate lower level of care available; and

(ii) Permanent supportive housing and shelter providers with residents whose medical needs exceed the location's ability to provide care.

(c) The department shall provide recommendations to fill the gaps identified in (a) and (b) of this subsection, which may include creation of complex care locations and enhanced behavioral health supports until an individual qualifies for either a higher or lower level of care.

(d) This report must be submitted to the appropriate committees of the legislature by December 1, 2024.

**Sec. 209.** 2023 c 475 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PAYMENTS TO OTHER AGENCIES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(\$63,781,000)
	\$66,483,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$60,934,000)
	\$63,617,000
General Fund—Federal Appropriation . . . . .	(\$60,794,000)
	\$61,814,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(\$185,509,000)</b>
	<b>\$191,914,000</b>

The appropriations in this section are subject to the following conditions and limitations: Within the amounts appropriated in this section, the department must extend master property insurance to all buildings owned by the department valued over \$250,000 and to all locations leased by the department with contents valued over \$250,000.

**Sec. 210.** 2023 c 475 s 210 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY**

(1)(a) During the 2023-2025 fiscal biennium, the health care authority shall provide support and data as required by the office of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority.

(b) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

(2) The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) (a) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(b) The health care authority must submit a report on November 1, 2023, and annually thereafter, to the fiscal committees of the legislature. The report must include, at a minimum:

(i) A list of active coalition projects as of July 1st of the fiscal year. This must include all current and ongoing coalition projects, which coalition agencies are involved in these projects, and the funding being expended on each project, including in-kind funding. For each project, the report must include which federal requirements each coalition project is working to satisfy, and when each project is anticipated to satisfy those requirements; and

(ii) A list of coalition projects that are planned in the current and following fiscal year. This must include which coalition agencies are involved in these projects, including the anticipated in-kind funding by agency, and if a budget request will be submitted for funding. This must reflect all funding required by fiscal year and by fund source and include the budget outlook period.

(4) The appropriations to the health care authority in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the authority may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management. To the extent that appropriations in this section are insufficient to fund actual expenditures in excess of caseload forecast and utilization assumptions, the authority may transfer general fund—state appropriations for fiscal year 2024 that are provided solely for a specified purpose. The authority may not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification must include a narrative explanation and justification of changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications and transfers.

**Sec. 211.** 2023 c 475 s 211 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—MEDICAL ASSISTANCE**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$2,682,912,000))
	\$2,858,495,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$2,672,393,000))
	\$2,926,650,000
General Fund—Federal Appropriation. . . . .	(( \$15,431,138,000))
	\$16,706,792,000
General Fund—Private/Local Appropriation. . . . .	(( \$1,074,465,000))
	\$1,252,273,000
Dedicated Cannabis Account—State Appropriation	
(FY 2024) . . . . .	(( \$25,544,000))
	\$21,513,000
Dedicated Cannabis Account—State Appropriation	
(FY 2025) . . . . .	(( \$28,936,000))
	\$23,376,000
Emergency Medical Services and Trauma Care Systems	

Trust Account—State Appropriation. . . . .	\$15,086,000
<u>Family Medicine Workforce Development Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$7,000,000</u>
Hospital Safety Net Assessment Account—State	
Appropriation. . . . .	(( <del>\$1,524,493,000</del> ))
	\$1,517,493,000
<u>Long-Term Services and Supports Trust Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$314,000</u>
Medical Aid Account—State Appropriation. . . . .	\$540,000
Statewide 988 Behavioral Health Crisis Response Line	
Account—State Appropriation. . . . .	(( <del>\$21,606,000</del> ))
	\$11,624,000
Telebehavioral Health Access Account—State	
Appropriation. . . . .	(( <del>\$8,394,000</del> ))
	\$7,836,000
Ambulance Transport Fund—State Appropriation. . . . .	(( <del>\$13,872,000</del> ))
	\$14,316,000
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$23,499,379,000</del>))</b>
	<b>\$25,363,308,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The authority shall submit an application to the centers for medicare and medicaid services to renew the 1115 demonstration waiver for an additional five years as described in subsections (2), (3), and (4) of this section. The authority may not accept or expend any federal funds received under an 1115 demonstration waiver except as described in this section unless the legislature has appropriated the federal funding. To ensure compliance with legislative requirements and terms and conditions of the waiver, the authority shall implement the renewal of the 1115 demonstration waiver and reporting requirements with oversight from the office of financial management. The legislature finds that appropriate management of the renewal of the 1115 demonstration waiver as set forth in subsections (2), (3), and (4) of this section requires sound, consistent, timely, and transparent oversight and analytic review in addition to lack of redundancy with other established measures. The patient must be considered first and foremost in the implementation and execution of the demonstration waiver. To accomplish these goals, the authority shall develop consistent performance measures that focus on population health and health outcomes. The authority shall limit the number of projects that accountable communities of health may participate in under initiative 1 to a maximum of six and shall seek to develop common performance measures when possible. The joint select committee on health care oversight will evaluate the measures chosen: (a) For effectiveness and appropriateness; and (b) to provide patients and health care providers with significant input into the implementation of the demonstration waiver to promote improved population health and patient health outcomes. In cooperation with the department of social and health services, the authority shall consult with and provide notification of work on applications for federal waivers, including details on waiver duration, financial implications, and potential future impacts on the state budget to the joint select committee on health care oversight prior to submitting these waivers for federal approval. Prior to final approval or acceptance of funds by the authority, the authority shall submit the special terms and conditions as submitted to the centers for medicare and medicaid services and the anticipated budget for the duration of the renewed waiver to the governor, the joint select committee on health care, and the fiscal committees of the legislature. By federal standard any programs created or funded by this waiver do not create an entitlement. The demonstration period for the waiver as described in subsections (2), (3), and (4) of this section begins July 1, 2023.

(2) (a) ((~~\$150,219,000~~))\$342,398,000 of the general fund—federal appropriation and ((~~\$150,219,000~~))\$213,592,000 of the general fund—local appropriation are provided solely for accountable communities of health described in initiative 1 of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. In renewing this initiative, the authority shall consider local input regarding community needs and shall limit total local projects to no more than six. To provide transparency to the appropriate fiscal committees of the legislature, the authority shall provide fiscal staff of the legislature query ability into any database of the fiscal intermediary that authority staff would be authorized to access. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) ((~~\$438,515,000~~))\$467,787,000 of the general fund—federal appropriation and ((~~\$179,111,000~~))\$191,068,000 of the general fund—private/local appropriation are provided solely for the medicaid quality improvement program and this is the maximum amount that may be expended for this purpose. Medicaid quality improvement program payments do not count against the 1115 demonstration waiver spending limits and are excluded from the waiver's budget neutrality calculation. The authority may provide medicaid quality improvement program payments to apple health managed care organizations and their partnering providers as they meet designated milestones. Partnering providers and apple health managed care organizations

must work together to achieve medicaid quality improvement program goals according to the performance period timelines and reporting deadlines as set forth by the authority. The authority may only use the medicaid quality improvement program to support initiatives 1, 2, and 3 as described in the 1115 demonstration waiver and may not pursue its use for other purposes. Any programs created or funded by the medicaid quality improvement program do not constitute an entitlement for clients or providers. The authority shall not supplement the amounts provided in this subsection with any general fund—state, general fund—federal, or general fund—local moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight not less than quarterly on financial and health outcomes. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) In collaboration with the accountable communities of health, the authority will submit a report to the governor and the joint select committee on health care oversight describing how each of the accountable community of health's work aligns with the community needs assessment no later than December 1, 2023.

(d) Performance measures and payments for accountable communities of health shall reflect accountability measures that demonstrate progress toward transparent, measurable, and meaningful goals that have an impact on improved population health and improved health outcomes, including a path to financial sustainability. While these goals may have variation to account for unique community demographics, measures should be standardized when possible.

(3) ~~(((\$115,713,000))~~ \$87,665,000 of the general fund—federal appropriation and ~~(((\$115,725,000))~~ \$87,666,000 of the general fund—local appropriation are provided solely for long-term support services as described in initiative 2 of the 1115 demonstration waiver as well as administrative expenses for initiative 3 and this is the maximum amount that may be expended for this purpose. The authority shall contract with and provide funding to the department of social and health services to administer initiative 2. The director in cooperation with the secretary of the department of social and health services shall report to the office of financial management all of the expenditures of this section and shall provide such fiscal data in the time, manner, and form requested. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section.

(4) (a) ~~(((\$54,912,000))~~ \$46,450,000 of the general fund—federal appropriation and ~~(((\$30,162,000))~~ \$21,432,000 of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its third-party administrator. The authority and the department, in consultation with the medical assistance expenditure forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) ~~((The authority and the department shall seek))~~ \$28,156,000 of the general fund—federal appropriation and \$22,067,000 of the general fund—local appropriation are provided solely for additional ((flexibilities for)) housing supports ((through the centers for medicare and medicaid services and shall coordinate with the office of financial management and the department of commerce to ensure that services are not duplicated)) described in the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) The director shall report to the joint select committee on health care oversight no less than quarterly on utilization and caseload statistics for both supportive housing and employment services and its progress toward increasing uptake and availability for these services.

(5) \$1,432,000 of the general fund—state appropriation for fiscal year 2024 and \$3,008,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported employment services and \$1,478,000 of the general fund—state appropriation for fiscal year 2024 and \$3,162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported housing services, similar to the services described in initiatives 3a and 3b of the 1115 demonstration waiver to individuals who are ineligible for medicaid. Under these initiatives, the authority and the department of social and health



services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its third-party administrator. Before authorizing services, eligibility for initiative 3a or 3b of the 1115 demonstration waiver must first be determined.

(6) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

(7) The legislature finds that medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(8) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

(9) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

(10) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

(11) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

(12) (~~(\$4,176,000)~~) \$4,261,000 of the general fund—state appropriation for fiscal year 2024, \$4,261,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$8,607,000)~~) \$8,522,000 of the general fund—federal appropriation are provided solely for low-income disproportionate share hospital payments.

(13) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

(14) \$7,000,000 of the general fund—federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

(15) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2023-2025 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2023, and by November 1, 2024, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2024 and fiscal year 2025, hospitals in the program shall be paid and shall retain 100 percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and 100 percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. For the purpose of determining the amount of any state grant under this subsection, payments will include the federal portion of medicaid program supplemental payments received by the hospitals. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2023-2025 biennial

operating appropriations act and in effect on July 1, 2015, (b) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2019-2021 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within 11 months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. (~~(\$237,000 of the general fund state appropriation for fiscal year 2024 and \$218,000 of the general fund state appropriation for fiscal year 2025 are provided solely for state grants for the participating hospitals.)~~)

(16) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide ongoing support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

(17) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

(18) The authority shall submit reports to the governor and the legislature by September 15, 2023, and no later than September 15, 2024, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

(19) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

(20) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

(21) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(22) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$90,000 of the general fund—state appropriation for fiscal year 2025, and \$180,000 of the general fund—federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

(24) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(25) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

(26) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

(27) The authority shall use revenue appropriated from the dedicated cannabis account for contracts with community health centers under RCW 69.50.540 in lieu of general fund—state payments to community health centers for services provided to medical assistance clients, and it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(28) Beginning no later than July 1, 2018, for any service eligible under the medicaid state plan for encounter payments, managed care organizations at the request of a rural health clinic shall pay the full published encounter rate directly to the clinic. At no time will a managed care organization be at risk for or have any right to the supplemental portion of the claim. Payments will be reconciled on at least an annual basis between the managed care organization and the authority, with final review and approval by the authority.

(29) Sufficient amounts are appropriated in this section for the authority to provide a medicaid equivalent adult dental benefit to clients enrolled in the medical care service program.

(30) During the 2023-2025 fiscal biennium, sufficient amounts are provided in this section for the authority to provide services identical to those services covered by the Washington state family planning waiver program as of August 2018 to individuals who:

(a) Are 19 years of age;

(b) Are at or below 260 percent of the federal poverty level as established in WAC 182-505-0100;

(c) Are not covered by other public or private insurance; and

(d) Need family planning services and are not currently covered by or eligible for another medical assistance program for family planning.

~~((32))~~ (31) (a) The authority shall ensure that appropriate resources are dedicated to implementing the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report. Additionally, the authority shall:

(i) Work to ensure the efficient operations of the managed care plans, including but not limited to, a deconflicting process for audits with and among the managed care plans and the medicaid fraud division at the attorney general's office, to ensure the authority staff perform central audits of cases that appear across multiple managed care plans, versus the audits performed by the individual managed care plans or the fraud division;

(ii) Remain accountable for operating in an effective and efficient manner, including performing program integrity activities that ensure high value in the medical assistance program in general and in medicaid managed care specifically;

(iii) Work with its contracted actuary and the medical assistance expenditure forecast work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting; and

(iv) Work with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024, \$50,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the general fund—federal appropriation are provided solely for the authority to consider, as part of its program integrity activities, whether it is providing economical, efficient, and quality prescription drug services through its administrative services model and the quantifiable cost and benefit of this service delivery method. The authority must establish an annual reporting requirement for all covered entities participating in the 340B drug pricing program that receive medicaid funds under this section; and the authority shall provide at an aggregate level, broken down by covered entities defined by 42 U.S.C. §256b(a)(4)(A)-(O), the following minimum information to the governor and fiscal committees of the legislature no later than October 15, 2023:

(i) The cost and benefits of providing these prescription drug benefits through a carved-out fee-for-service benefit, both total cost and net of rebates;

(ii) The cost and benefits of providing these prescription drug benefits through a carved-in managed care benefit, both total cost and net of rebates;

(iii) The cost and benefits of providing these prescription drug benefits through the administrative services model, both total and net of rebates;

(iv) The community benefit attributable to 340B providers as a result of the administrative services or carved-in model as compared to each other and as compared to the carved-out model; and

(v) The federal financial participation provided to the state under each of these models.

(c) The authority shall submit a report to the governor and appropriate committees of the legislature by October 1, 2023, that includes, but is not limited to:

(i) Specific, quantified actions that have been taken, to date, related to the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report;

(ii) Specific, quantified information regarding the work done with its contracted actuary and the medical assistance expenditure forecast expenditure work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting;

(iii) Specific, quantified information regarding the work done with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner;

(iv) Accounting by fiscal year, medicaid eligibility group, and service beginning with state fiscal year 2020 to include all program integrity recoveries attributable to the authority, including how these recoveries are categorized, to which year they are reported, how these recoveries are applied against legislative savings requirements, and what

recoveries are attributable to the office of the attorney general's medicaid fraud control division and how these recoveries are considered when reporting program integrity activity and determining managed care rates; and

(v) Information detailing when the agency acquired a new fraud and abuse detection system and to what extent this system is being utilized.

~~((33))~~ (32) (a) The authority shall not enter into any future value-based arrangements with federally qualified health centers or rural health clinics prior to receiving approval from the office of financial management and the appropriate committees of the legislature.

(b) The authority shall not modify the reconciliation process with federally qualified health centers or rural health clinics without notification to and the opportunity to comment from the office of financial management.

(c) The authority shall require all managed care organizations to provide information to the authority to account for all payments to rural health clinics and federally qualified health centers to include how payments are made, including any additional payments and whether there is a sub-capitation arrangement or value-based purchasing arrangement.

(d) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall reconcile on an annual basis with rural health clinics and federally qualified health centers.

(e) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall properly accrue for any anticipated reconciliations with rural health clinics and federally qualified health centers during the fiscal year close process following generally accepted accounting practices.

~~((34))~~ (33) Within the amounts appropriated in this section, the authority is to include allergen control bed and pillow covers as part of the durable medical equipment benefit for children with an asthma diagnosis enrolled in medical assistance programs.

~~((35) Within the amounts appropriated in this section, the authority shall reimburse for maternity services provided by doulas.~~

~~((36))~~ (34) \$23,000 of the general fund—state appropriation for fiscal year 2024, \$228,000 of the general fund—state appropriation for fiscal year 2025, and \$312,000 of the general fund—federal appropriation are provided solely for the reimbursement of services provided by doulas for apple health clients. The centers for medicare and medicaid services must approve a state plan amendment to reimburse for doula services prior to the implementation of this policy.

(35) Sufficient funds are provided in this section for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

~~((37))~~ (36) Sufficient funds are provided to continue reimbursing dental health aid therapists for services performed in tribal facilities for medicaid clients. The authority must leverage any federal funding that may become available as a result of appeal decisions from the centers for medicare and medicaid services or the United States court of appeals for the ninth circuit.

~~((38))~~ (37) Within the amounts appropriated in this section, the authority shall implement the requirements of RCW 74.09.830 (postpartum health care) and the American rescue plan act of 2021, P.L. 117-2, in extending health care coverage during the postpartum period. The authority shall make every effort to expedite and complete eligibility determinations for individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act to ensure the state is receiving maximum federal match. This includes, but is not limited to, working with managed care organizations to provide continuous outreach in various modalities until the individual's eligibility determination is completed. Beginning June 1, 2022, the authority must submit quarterly reports to the caseload forecast work group on the number of individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act but are waiting for the authority to complete eligibility determination, the number of individuals who were likely eligible but are now receiving health care coverage with the maximum federal match under Title XIX or Title XXI of the federal social security act, and outreach activities including the work with managed care organizations.

~~((39))~~ (38) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the perinatal support warm line to provide peer support, resources, and referrals to new and expectant parents and people in the emotional transition to parenthood experiencing, or at risk of, postpartum depression or other mental health issues.

~~((40))~~ (39) Sufficient funding is provided to remove the asset test from the medicare savings program review process.

~~((41))~~ (40) Sufficient funding is provided to eliminate the mid-certification review process for the aged, blind, or disabled and housing and essential needs referral programs.

~~((42))~~ (41) \$403,000 of the general fund—state appropriation for fiscal year 2025 and \$1,185,000 of the general fund—federal appropriation are provided solely for an adult acupuncture benefit beginning January 1, 2025.

~~((43))~~ (42) \$581,000 of the general fund—state appropriation for fiscal year 2025 and \$1,706,000 of the general fund—federal appropriation are provided solely for an adult chiropractic benefit beginning January 1, 2025.

~~((44))~~ (43) (a) \$4,109,000 of the general fund—state appropriation for fiscal year 2024 and \$2,055,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to establish a two-year grant program for reimbursement for services

to patients up to age 18 provided by community health workers in primary care clinics whose patients are significantly comprised of pediatric patients enrolled in medical assistance under chapter 74.09 RCW beginning January 1, 2023. Community health workers funded under this subsection may provide outreach, informal counseling, and social supports for health-related social needs. The authority shall seek a state plan amendment or federal demonstration waiver should they determine these services are eligible for federal matching funds. Within the amounts provided in this subsection, the authority will provide an initial report to the governor and appropriate committees of the legislature by January 1, 2024, and a final report by January 1, 2025. The report shall include, but not be limited to, the quantitative impacts of the grant program, how many community health workers are participating in the grant program, how many clinics these community health workers represent, how many clients are being served, and evaluation of any measurable health outcomes identified in the planning period prior to January 2023.

(b) In collaboration with key stakeholders including pediatric primary care clinics and medicaid managed care organizations, the authority shall explore longer term, sustainable reimbursement options for the integration of community health workers in primary care to address the health-related social needs of families, including approaches to incorporate federal funding.

~~((45))~~ (44) \$1,635,000 of the general fund—state appropriation for fiscal year 2024, \$1,024,000 of the general fund—state appropriation for fiscal year 2025, and \$1,765,000 of the general fund—federal appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, for state programs within the health and human services coalition to uniformly identify clients across multiple service delivery systems. The coalition will clearly identify all state programs impacted by and all fund sources used in development and implementation of this project. This subsection is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((46))~~ (45) (a) Sufficient amounts are appropriated in this section for the authority to provide coverage for all federal food and drug administration-approved HIV antiviral drugs without prior authorization. This coverage must be provided to apple health clients enrolled in both fee-for-service and managed care programs.

(b) Beginning July 1, 2023, upon initiation or renewal of a contract with the authority to administer a medicaid managed care plan, a managed care health care system shall provide coverage without prior authorization for all federal food and drug administration-approved HIV antiviral drugs.

(c) By December 1, 2023, and December 1, 2024, the authority must submit to the fiscal committees of the legislature the projected and actual expenditures and percentage of medicaid clients who switch to a new drug class without prior authorization as described in (a) and (b) of this subsection.

~~((47))~~ (46) The authority shall consider evidence-based recommendations from the Oregon health evidence review commission when making coverage decisions for the treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome.

~~((48))~~ (47) \$2,120,000 of the general fund—state appropriation for fiscal year 2024, \$2,120,000 of the general fund—state appropriation for fiscal year 2025, and \$9,012,000 of the general fund—federal appropriation are provided solely to increase advanced life support code A0426 by 64 percent, basic life support base rates for nonemergency ambulance transports code A0428 by 80 percent, and mileage for both nonemergency and emergency ambulance transportation code A0425 by 35 percent, beginning July 1, 2023.

~~((49))~~ (48) \$2,047,000 of the general fund—state appropriation for fiscal year 2024, \$3,390,000 of the general fund—state appropriation for fiscal year 2025, and \$5,135,000 of the general fund—federal appropriation are provided solely to increase reimbursement rates by 20 percent for applied behavior analysis codes 0362T and 0373T for individuals with complex behavioral health care needs; and by 15 percent for all other applied behavior analysis codes with the exception of Q3014, beginning January 1, 2024.

~~((50))~~ (49) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$1,992,000 of the general fund—federal appropriation are provided solely for modular replacement costs of the ProviderOne pharmacy point of sale system and are subject to the conditions, limitations, and review provided in section 701 of this act.

~~((51))~~ (50) \$709,000 of the general fund—state appropriation for fiscal year 2024, \$1,410,000 of the general fund—state appropriation for fiscal year 2025, and \$4,075,000 of the general fund—federal appropriation are provided solely to maintain and increase access for behavioral health services through increased provider rates. The rate increases are effective January 1, 2024, and must be applied to the following codes for children and adults enrolled in the medicaid program: 90785, 90791, 90832, 90833, 90834, 90836, 90837, 90838, 90845, 90846, 90847, 90849, 90853, 96156, 96158, 96159, 96164, 96165, 96167, 96168, 96170, 96171, H0004, H0023, H0036, and H2015. The authority may use a substitute code in the event that any of the codes identified in this subsection are discontinued and replaced with an updated code covering the same service. Within the amounts provided in this subsection the authority must:

(a) Implement this rate increase in accordance with the process established in RCW 71.24.885 (medicaid rate increases);

(b) Raise the state fee-for-service rates for these codes by up to 7 percent, except that the state medicaid rate may not exceed the published medicare rate or an equivalent relative value unit rate if a published medicare rate is not available;

(c) Require in contracts with managed care organizations that, beginning January 2024, managed care organizations pay no lower than the fee-for-service rate for these codes, and adjust managed care capitation rates accordingly; and

(d) Not duplicate rate increases provided in subsection ~~((+52))~~(51) of this section.

~~((+52))~~(51) \$1,055,000 of the general fund—state appropriation for fiscal year 2025 and \$2,046,000 of the general fund—federal appropriation are provided solely to maintain and increase access for primary care services for medicaid-enrolled patients through increased provider rates beginning January 1, 2025. Within the amounts provided in this subsection the authority must:

(a) Increase the medical assistance rates for adult primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(b) Increase the medical assistance rates for pediatric primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(c) Increase the medical assistance rates for pediatric critical care, neonatal critical care, and neonatal intensive care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(d) Apply reimbursement rates required under this subsection to payment codes in a manner consistent with the temporary increase in medicaid reimbursement rates under federal rules and guidance in effect on January 1, 2014, implementing the patient protection and affordable care act, except that the authority may not require provider attestations;

(e) Pursue state plan amendments to require medicaid managed care organizations to increase rates under this subsection through adoption of a uniform percentage increase for network providers pursuant to 42 C.F.R. Sec. 438.6(c)(1)(iii)(B), as existing on January 1, 2023; and

(f) Not duplicate rate increases provided in subsection ~~((+51))~~(50) of this section.

~~((+53))~~(52) The authority shall seek a waiver from the federal department of health and human services necessary to implement the requirements of RCW 74.09.670 (medical assistance benefits—incarcerated or committed persons—suspension). Additionally, the authority shall ~~((explore expanding))~~implement its waiver application for prerelease services ~~((from 30))~~up to 90 days; and provide the governor and fiscal committees of the legislature estimates of costs for implementation or maintenance of effort requirements of this expansion prior to entering into agreement with the centers for medicare and medicaid services.

(a) \$124,000 of the general fund—state appropriation for fiscal year 2025, \$60,925,000 of the general fund—federal appropriation, and \$60,785,000 of the general fund—private/local appropriation are provided solely for prerelease services including, but not limited to, case management, clinical consultations, medication assisted therapy, community health worker services, 30-day supply of medications, durable medical equipment, medications, laboratory services, and radiology services.

(b) The authority shall coordinate with the department of corrections for prison reentry implementation pursuant to the waiver terms. The authority will coordinate with tribes, other state agencies, and jail administrations as necessary to achieve the terms of the 1115 medicaid transformation waiver. The authority shall use its statutory reentry advisory work group and subgroups as necessary to coordinate with partners to achieve these goals.

~~((+54))~~(53) Within the amounts appropriated in this section the authority in collaboration with UW Medicine shall explore funding options for clinical training programs including, but not limited to, family medical practice, psychiatric residencies, advanced registered nurse practitioners, and other primary care providers. Options should include, but not be limited to, shifting direct medicaid graduate medical education payments or indirect medicaid graduate medical education payments, or both, from rates to a standalone program. The authority in collaboration with UW Medicine shall submit a report outlining its findings to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023.

~~((+55))~~(54) \$143,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((+56))~~(55) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5532 (small rural hospital payment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((+57))~~(56) \$56,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$166,000 of the general fund—federal appropriation are provided solely for the authority to increase pediatric palliative care rates to the equivalent medicare rates paid for hospice care in effect October 1, 2022, beginning January 1, 2024.

~~((+58))~~(57) \$598,000 of the general fund—state appropriation for fiscal year 2024 and \$591,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for work required of the authority as specified in RCW 41.05.840 (universal health care commission). Of the amounts provided in this subsection:

(i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are for staff dedicated to contract procurement, meeting coordination, legislative reporting, federal application requirements, and administrative support;

(ii) \$132,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are for additional staff dedicated to the work of the finance technical advisory committee; and

(iii) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are for consultant services, dedicated actuarial support, and economic modeling.

~~((59))~~ (58) \$2,395,000 of the general fund—state appropriation for fiscal year 2024, \$2,395,000 of the general fund—state appropriation for fiscal year 2025, and \$10,178,000 of the general fund—federal appropriation are provided solely to increase air ambulance-fixed wing code A0430 by 189 percent, air ambulance-rotary wing code A0431 by 265 percent, fixed wing air mileage code A0435 by 57 percent, and rotary wing air mileage code A0436 by 68 percent, beginning July 1, 2023.

~~((60))~~ (59) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$218,000 of the general fund—federal appropriation are provided solely for the authority to increase the allowable number of periodontal treatments to up to four per 12 month period for apple health eligible adults, ages 21 and over, with a current diagnosis of diabetes, beginning January 1, 2024.

~~((61))~~ (60) (a) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$1,360,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one-time bridge grants to hospitals in financial distress.

(b) To qualify for these grants, a hospital must:

(i) Be located in Washington;

(ii) Serve individuals enrolled in state and federal medical assistance programs;

(iii) Continue to maintain a medicaid population at similar utilization levels as in calendar year 2022;

(iv) Be necessary for an adequate provider network for the medicaid program;

(v) Demonstrate a plan for long-term financial sustainability; and

(vi) Meet one of the following criteria:

(A) Lack adequate cash-on-hand to remain financially solvent;

(B) Have experienced financial losses during hospital fiscal year 2022; or

(C) Be at risk of bankruptcy.

(c) Of the amounts appropriated in this subsection for fiscal year 2024, \$4,000,000 must be distributed to a hospital that meets the qualifications in subsection (b) and is located on tribal land.

(d) Of the amounts appropriated in this subsection for fiscal year 2025, \$1,360,000 must be distributed to a hospital that:

(i) Had fewer than 150 acute care licensed beds in fiscal year 2011;

(ii) Has a level III adult trauma service designation from the department of health as of January 1, 2014; and

(iii) Is owned and operated by the state or a political subdivision.

~~((62))~~ (61) (a) Sufficient funds are provided in this section for an outpatient directed payment program.

(b) The authority shall:

(i) Maintain the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to expand the medicaid outpatient directed payment program for hospital outpatient services provided to medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;

(iii) Direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and

(iv) Increase medicaid payments for hospital outpatient services provided by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.

(c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.

(d) Participating hospitals shall retain the full amount of payments provided under this program.

~~((63))~~ (62) (a) No more than \$200,661,000 of the general fund—federal appropriation and no more than \$91,430,000 of the general fund—local appropriation may be expended for an inpatient directed payment program.

(b) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid inpatient directed payment program for hospital inpatient services provided to medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;

(iii) Upon approval, direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and

(iv) Increase medicaid payments for hospital inpatient services provided by UW Medicine and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.

(c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.

(d) Participating hospitals shall retain the full amount of payments provided under this program.

(e) Participating hospitals will provide the local funds to fund the required nonfederal contribution.

(f) This program shall be effective as soon as administratively possible.

~~((64))~~ (63) Within the amounts appropriated in this section, the authority shall maintain and increase access for family planning services for patients seeking services through department of health sexual and reproductive health program family planning providers based on the rates in effect as of July 1, 2022.

~~((65))~~ (64) (a) ~~((9,563,000))~~ \$5,063,000 of the general fund—state appropriation for fiscal year 2024, ~~((12,727,000))~~ \$17,227,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to implement a ~~((five-site))~~ pilot program for difficult to discharge individuals as described in section ~~((135(12)))~~ 132(12) of this act.

(b) The authority shall work in collaboration with the contractor and task force identified in section ~~((135(12)))~~ 132(12) of this act to carry out the goals and objectives of the pilot program, including but not limited to:

(i) Providing enhanced care management and wraparound services that shall be provided by or delegated by managed care pilot participants, based on services currently provided by the Harborview medical center program;

(ii) Providing incentive payments to participating post acute care providers;

(iii) Developing home and community services assessment timeliness requirements for pilot participants in cooperation with the department of social and health services; and

(iv) Providing reimbursement for administrative support through Harborview medical center for the duration of the pilot project, including training and education to support pilot participants.

(c) Of the amounts provided in this subsection, \$44,000 of the general fund—state appropriation for fiscal year 2024, \$42,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to provide staff support to the difficult to discharge task force described in section ~~((135(12)))~~ 132(12) of this act, including any associated ad hoc subgroups.

~~((66))~~ (65) (a) Within the amounts appropriated in this section the authority, in consultation with the health and human services enterprise coalition, community-based organizations, health plans, accountable communities of health, and safety net providers, shall determine the cost and implementation impacts of a statewide community information exchange (CIE). A CIE platform must serve as a tool for addressing the social determinants of health, defined as nonclinical community and social factors such as housing, food security, transportation, financial strain, and interpersonal safety, that affect health, functioning, and quality-of-life outcomes.

(b) Prior to issuing a request for proposals or beginning this project, the authority must work with stakeholders in (a) of this subsection to determine which platforms already exist within the Washington public and private health care system to determine interoperability needs and fiscal impacts to both the state and impacted providers and organizations that will be using a single statewide community information exchange platform.

(c) The authority shall provide the office of financial management and fiscal committees of the legislature a proposal to leverage medicaid enterprise financing or other federal funds prior to beginning this project and shall not expend funds under a 1115 waiver or any other waiver without legislative authorization.

(d) ~~((This subsection))~~ \$4,817,000 of the general fund—federal appropriation and \$4,817,000 of the general fund—private/local appropriation are provided solely for the authority to implement the community information exchange program. The technology solution chosen by the health care authority should be capable of interoperating with other state funded systems in Washington and should be able to electronically refer individuals to services using a closed-loop referral process. Funding for the community information exchange program is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((67))~~ (66) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$252,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to data review, analysis, and management, and policy analysis in support of the health care cost transparency board as described in chapter 70.390 RCW.

~~((68))~~ (67) \$76,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, \$152,000 of the general fund—federal appropriation, and \$606,000 of the telebehavioral health access account—state appropriation are provided solely for additional staff support for the mental health referral service for children and teens.



~~((69))~~ (68) \$1,608,000 of the general fund—state appropriation for fiscal year 2024, \$2,015,000 of the general fund—state appropriation for fiscal year 2025, and \$3,681,000 of the general fund—federal appropriation are provided solely for a rate increase for the health homes program for fee-for-service enrollees, beginning July 1, 2023.

~~((70))~~ (69) \$295,000 of the general fund—state appropriation for fiscal year 2024, \$307,000 of the general fund—state appropriation for fiscal year 2025, and \$123,000 of the general fund—federal appropriation are provided solely for the first approach skills training program through the partnership access line.

~~((71))~~ (70) (a) ~~((358,000))~~ \$362,000 of the general fund—state appropriation for fiscal year 2024, ~~((358,000))~~ \$482,000 of the general fund—state appropriation for fiscal year 2025, and ~~((568,000))~~ \$895,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization) and the center for medicare and medicaid services' interoperability and prior authorization final rule (CMS-0057-F). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) The authority, in collaboration with managed care organizations, must provide a report to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023, outlining any challenges experienced by carriers in hiring sufficient numbers and types of staff to comply with the prior authorization response times required by Engrossed Second Substitute House Bill No. 1357 (prior authorization).

~~((72))~~ (71) \$9,369,000 of the general fund—state appropriation for fiscal year 2025 and \$22,611,000 of the general fund—federal appropriation are provided solely for an increase in medicaid reimbursement rates for professional services, beginning July 1, 2024, as follows:

(a) Service categories including diagnostics, intense outpatient, opioid treatment programs, emergency room, inpatient and outpatient surgery, inpatient visits, low-level behavioral health, office administered drugs, and other physician services are increased up to 50 percent of medicare rates.

(b) Service categories including office and home visits and consults are increased up to 65 percent of medicare rates.

(c) Service categories including maternity services are increased up to 100 percent of medicare rates.

~~((73))~~ \$21,606,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$2,946,000 of the general fund—federal appropriation are provided solely for the 988 technology platform implementation project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act and any requirements as established in Engrossed Second Substitute House Bill No. 1134 (988 system).

~~((74))~~ (72) \$11,624,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$1,151,000 of the general fund—federal appropriation are provided solely for the 988 technology platform implementation project as described in RCW 71.24.890 (5) and (6). These amounts are subject to the conditions, limitations, and review requirements provided in section 701 of this act and any requirements as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system). The authority must actively collaborate with consolidated technology services and the department of health so that the statewide 988 technology solutions will be coordinated and interoperable.

(73) \$969,000 of the general fund—state appropriation for fiscal year 2024, \$1,938,000 of the general fund—state appropriation for fiscal year 2025, and \$3,024,000 of the general fund—federal appropriation are provided solely for the authority, beginning January 1, 2024, to increase the children's dental rate for procedure code D1120 by at least 40 percent above the medical assistance fee-for-service rate in effect on January 1, 2023.

~~((75))~~ (74) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the nonprofit foundation managing the Washington patient safety coalition to support the communication and resolution programs certification program to improve outcomes for patients by providing in-depth feedback to health care organizations.

~~((76))~~ (75) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a public-private partnership with a state-based oral health foundation to connect medicaid patients to dental services and reduce barriers to accessing care. The authority shall submit a progress report to the appropriate committees of the legislature by June 30, 2024.

~~((77))~~ (76) \$103,000 of the general fund—state appropriation for fiscal year 2024, \$205,000 of the general fund—state appropriation for fiscal year 2025, and \$442,000 of the general fund—federal appropriation are provided solely to increase birth center facility fee reimbursement to \$2,500 and home birth kit reimbursement to \$500 for providers approved by the authority within the planned home births and births in birth centers program.

~~((78))~~ (77) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$45,000 of the general fund—state appropriation for fiscal year 2025, and \$133,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1435 (home care safety net assess.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~((79))~~ (78) \$194,000 of the general fund—state appropriation for fiscal year 2024, \$1,724,000 of the general fund—state appropriation for fiscal year 2025 and \$1,918,000 of

the general fund—federal appropriation are provided solely for the authority in coordination with the department of social and health services to develop and implement a Katie Beckett 1115 demonstration waiver. The authority shall limit enrollment to 1,000 clients during the waiver period. Based upon the experience developed during the waiver period, the authority shall make recommendations to the legislature for a future tax equity and fiscal responsibility act state plan option.

~~((80))~~ (79) \$1,089,000 of the general fund—state appropriation for fiscal year 2024, \$2,231,000 of the general fund—state appropriation for fiscal year 2025, and \$2,657,000 of the general fund—federal appropriation are provided solely for kidney dialysis services for medicaid-enrolled patients through increased reimbursement rates beginning January 1, 2024. Within the amounts provided in this subsection, the authority must increase the medical assistance rates for revenue code 0821 billed with procedure code 90999 and revenue codes 0831, 0841, and 0851, when reimbursed on a fee-for-service basis or through managed care plans, by at least 30 percent above the fee-for-service composite rates in effect on January 1, 2023.

~~((81))~~ (80) \$1,360,000 of the general fund—state appropriation for fiscal year 2024 and \$3,252,000 of the general fund—federal appropriation are provided solely to increase the rates paid to rural hospitals that meet the criteria in (a) through (d) of this subsection. Payments for state and federal medical assistance programs for services provided by such a hospital, regardless of the beneficiary's managed care enrollment status, must be increased to 150 percent of the hospital's fee-for-service rates. The authority must discontinue this rate increase after June 30, 2024, and return to the payment levels and methodology for these hospitals that were in place as of January 1, 2018. Hospitals participating in the certified public expenditures program may not receive increased reimbursement for inpatient services. Hospitals qualifying for this rate increase must:

(a) Be certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2014;

(b) Have had less than 150 acute care licensed beds in fiscal year 2011;

(c) Have a level III adult trauma service designation from the department of health as of January 1, 2014; and

(d) Be owned and operated by the state or a political subdivision.

~~((82))~~ (81) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with a medicaid managed care organization for continuous coverage beginning January 1, 2024, for individuals under age 26 that were enrolled in the unaccompanied refugee minor program as authorized by the office of refugee and immigrant assistance. There are no residency, social security number, or citizenship requirements to receive the continuous coverage as described in this subsection.

~~((83))~~ (82) (a) ~~((45,696,000))~~ \$221,000 of the general fund—state appropriation for fiscal year 2024 and \$48,348,000 of the general fund—state appropriation for fiscal year 2025 ~~((is))~~ are provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

(i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit exchange;

(ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and

(iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amounts provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

(i) Actual and forecasted expenditures;

(ii) Actual and forecasted data from the caseload forecast council; and

(iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount allowable for the purposes of this program.

~~((84))~~ (83) (a) \$604,000 of the general fund—state appropriation for fiscal year 2024, \$2,528,000 of the general fund—state appropriation for fiscal year 2025, and \$3,132,000 of the general fund—federal appropriation are provided solely for the authority to increase the eligibility threshold for the qualified medicare beneficiary program to up to 110 percent of the federal poverty level.

(b) The authority shall seek to maximize the availability of the qualified individual program through the centers for medicare and medicaid services.

(c) The authority may adopt any rules necessary to administer this subsection. Nothing in this subsection limits the authority's existing rule-making authority related to medicare savings programs.

~~((85))~~ (84) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$766,000 of the general fund—state appropriation for fiscal year 2025, and \$2,093,000 of the general fund—federal appropriation are provided solely for the costs of, and pursuant to the conditions prescribed for, implementing the rate increase directed in section 215(44) for children for whom base funding for community behavioral health services is provided within this section.

(85)(a) \$1,301,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the health care cost transparency board.

(b) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the health care cost transparency board, in conjunction with the health care authority, to study:

(i) Regulatory approaches to encouraging compliance with the health care cost growth benchmark established under chapter 70.390 RCW; and

(ii) Best practices from other states regarding the infrastructure of state health care cost growth programs, including the scope, financing, staffing, and agency structure of such programs.

(c) The board may conduct all or part of the study through the authority, by contract with a private entity, or by arrangement with another state agency conducting related work.

(d) The study, as well as any recommendations for changes to the health care cost transparency board arising from the study, must be submitted by the board as part of the annual report required under RCW 70.390.070, no later than December 1, 2024.

(86) The authority must enter into an interagency agreement with consolidated technology services for the federal funding authority for the electronic health records statewide solution given the authority is the single state agency responsible for reporting to the federal government on the application for and use of the federal funding.

(87) Within the amounts appropriated in this section, the authority shall make administrative and system changes in anticipation of receiving federal authority to provide continuous eligibility for children ages zero to six covered through the apple health children's health insurance program. The centers for medicare and medicaid services must approve the section 1115 medicaid waiver prior to the implementation of this policy.

(88)(a) No more than \$42,809,000 of the general fund—federal appropriation and no more than \$13,314,000 of the general fund—local appropriation may be expended for a medicaid managed care multidisciplinary graduate medical education direct payment program.

(b) Participating hospitals are:

(i) University of Washington medical center, a state-owned and operated teaching hospital; and

(ii) Harborview medical center, a state-operated teaching hospital.

(c) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid managed care direct payment program for hospital multidisciplinary graduate medical education program for state-owned and state-operated teaching hospitals;

(iii) Reimburse participating hospitals for the medicaid managed care program's share of the unfunded costs incurred in providing graduate medical education training; and

(iv) Make payments directly to participating hospitals.

(d) Participating hospitals shall continue to be paid for inpatient and outpatient services provided to fee-for-service clients according to fee-for-service policies and rates, including payments under the certified public expenditure program.

(e) Payments shall be additional and separate from any graduate medical education funding included in managed care capitation payments.

(f) The authority shall calculate the medicaid managed care graduate medical education direct payments using cost and utilization data from the participating hospital's most recently filed medicare cost report to identify the participating hospital's total graduate medical education cost.

(g) Total allowable graduate medical education costs shall be calculated using medicare methodologies and must:

(i) Exclude medicare full-time equivalent and per resident amount limits;

(ii) Include indirect medical education costs related to both outpatient and inpatient services; and

(iii) Include other reimbursable training costs incurred by participating hospitals.

(h) The authority shall:

(i) Use ProviderOne as the primary source for fee-for-service and managed care claims and encounter data;

(ii) Calculate the medicaid managed care program's share of the total allowable graduate medical education cost as the participating hospital's total allowable graduate medical education cost, as derived from the medicare cost report, times the total managed care charges divided by total medicaid fee-for-service charges plus managed care charges, as derived from ProviderOne data;

(iii) Reduce the medicaid managed care graduate medical education direct payments by the fee-for-service equivalent graduate medical education payment included in managed care organization payments by applying the fee-for-service APR-DRG and EAPG conversion factors and

rate adjustments applicable to the same year as the medicare cost report used to calculate allowable graduate medical education costs; and

(iv) Calculate the medicaid managed care graduate medical education direct payments as graduate medical education allowable cost less fee-for-service equivalent graduate medical education payment for managed care services.

(i) Medicaid managed care graduate medical education direct payments must be calculated prior to the beginning of the payment year.

(j) Medicaid managed care graduate medical education direct payments must be made quarterly.

(k) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals up to an amount not to exceed \$150,000 per year.

(l) Participating hospitals shall retain the full amount of payments provided under this program.

(m) Payments received by hospitals and nonhospital participants in this program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.

(n) Participating hospitals shall provide the local funds to fund the required nonfederal contribution through intergovernmental transfer.

(o) The authority shall amend its current interagency agreement for funding and administration of similar programs to include the medicaid managed care graduate medical education direct payment program.

(p) This program shall be effective as soon as administratively possible.

(89)(a) \$69,957,000 of the general fund—state appropriation for fiscal year 2024, \$111,234,000 of the general fund—state appropriation for fiscal year 2025, and \$290,634,000 of the general fund—federal appropriation are provided solely for apple health managed care medical assistance and for the authority to maintain asymmetrical risk sharing corridors and requirements in their managed care contracts for managed care plan years 2024 and 2025. The authority must not change these requirements without first providing notice to the governor and fiscal committees of the legislature detailing anticipated and potential fiscal impacts, unless required by the centers for medicare and medicaid services.

(b) The authority must conduct annual retrospective rate acuity analyses to ensure that managed care rates have been set using appropriate acuity assumptions. Adjustments must be made as appropriate.

(c) For managed care plan year 2024 only, the authority must conduct a midyear acuity review to ensure that managed care rates for plan year 2024 were set using appropriate acuity assumptions and make any adjustments as appropriate reflective of the unique challenges of eligibility redeterminations and posteligibility review after the end of the public health emergency.

(d) The authority must provide information about any potential changes to rates or acuity assumptions to the medicaid expenditure forecast work group at the same time or before providing this information to managed care organizations.

(e) The authority must update managed care contracts as appropriate.

(90) \$250,000 of the general fund—state appropriation for fiscal year 2025 and \$250,000 of the general fund—federal appropriation are provided solely for the authority, in cooperation with the department of social and health services, to study the feasibility and cost of implementing a point of contact for individuals diagnosed with a rare disease to increase access and reduce barriers in navigating programs, services, and resources offered by both agencies.

(91) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to provide a report to the fiscal committees of the legislature by January 6, 2025, that details options for fully funding health care coverage for all individuals estimated to be eligible for the program described in subsection (82) of this section. The report must include data on how many residents are eligible for this program and cost estimates for providing full coverage to all eligible individuals.

(92)(a) \$100,000 of the general fund—state appropriation for fiscal year 2025 and \$100,000 of the general fund—federal appropriation are provided solely for the authority to contract with an external organization for participatory and equity-focused engagement with doulas and doula partners across the state of Washington. This organization must work in collaboration with community partners who advance equitable access to improve perinatal outcomes and care through holistic services for multiracial communities.

(b) The external organization will be responsible for:

(i) Creating a design and implementation plan for a statewide doula hub and referral system; and

(ii) Drafting a report, in partnership with the authority, summarizing the design and implementation plan, outlining ongoing funding required to support the doula workforce and clients accessing doula services through apple health, and providing any recommendations for both the doula hub and referral system.

(c) The report will include, but not be limited to, prioritized recommendations on how to:

(i) Provide statewide professional and workforce development support for birth doulas;

(ii) Increase statewide access to doula services for apple health birthing people;

(iii) Assist doulas with department of health credentialing requirements;

(iv) Assist doulas with the medicaid provider enrollment process, including, but not limited to, support with:

- (A) Provider enrollment with the authority;
- (B) Contracting with medicaid managed care organizations;
- (C) Provider billing and claims submission processes;
- (D) Provider payment requirements; and
- (E) Eligibility support within ProviderOne; and

(v) Establish communications with birthing people, families, birth workers, and healthcare providers who are seeking to connect with state-certified and medicaid-enrolled birth doula through a statewide directory or referral system.

(d) The report required in (c) of this subsection is due to the governor and appropriate committees of the legislature no later than June 30, 2025.

(93) \$2,433,000 of the general fund—state appropriation for fiscal year 2025 and \$2,849,000 of the general fund—federal appropriation are provided solely for implementation of Second Engrossed Second Substitute Senate Bill No. 5580 (maternal health outcomes). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(94) (a) \$7,000,000 of the family medicine workforce development account—state appropriation and \$12,834,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the family medicine residency network and UW medicine, to establish a medicaid direct payment program to supplement family medicine provider graduate medical education funding in Washington state.

(b) The medicaid family medicine graduate medical education direct payment program shall:

(i) Support graduate medical education training;

(ii) Improve access to quality healthcare services;

(iii) Improve the state's ability to ensure that medicaid graduate medical education funding supports the state's workforce development goals; and

(iv) Focus on improving underserved populations' and regions' access to health care.

(c) The medicaid family medicine graduate medical education direct payment program participants shall include teaching sites that pay resident full-time equivalent costs that are eligible for federal financial participation.

(d) The authority must seek any necessary state plan amendments or waivers from the centers for medicare and medicaid services that are necessary to implement this program and receive federal financial participation at the earliest possible date, but no later than January 1, 2025.

(e) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the medicaid family medicine graduate medical education direct payment program up to an amount not to exceed \$100,000 per year.

(f) The family medicine family education advisory board created in RCW 70.112.080 will have administrative oversight, including the amount and methodologies used to distribute funds deposited within the family medicine workforce development account, subject to the conditions described in this subsection (94).

(g) Of the amounts provided in this section, \$150,000 of the family medicine workforce development account—state appropriation for fiscal year 2025 is provided for consultant assistance, including program design and a payment model to estimate the effect of family medicine family education advisory board allocation decisions on all family medicine residency network participants.

(h) Annual allocations from the family medicine workforce development account—state appropriation will be determined by the family medicine family education advisory board.

(i) Participants in the medicaid family medicine graduate medical education direct payment program shall retain the full amount of payments provided under this program.

(j) Payments received by participants in the medicaid family medicine graduate medical education direct payment program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.

(95) (a) \$569,000 of the general fund—state appropriation for fiscal year 2025 and \$489,000 of the general fund—federal appropriation are provided solely for the authority to conduct internal assessment of current staffing needs compared to current vacancies. The assessment shall include, but not be limited to:

(i) Reconciliation of current full time equivalent positions as appropriated through the legislative process, agency financial reporting system allotments, and vacancies;

(ii) Comparison of current needs in relation to current vacancies; and

(iii) Analysis of costs and benefits of reallocating positions, as appropriate, to meet immediate staffing needs, especially if positions have remained historically, or long-term vacant.

(b) The authority shall report its findings to the governor and fiscal committees of the legislature no later than December 31, 2024.

(96) (a) \$26,000,000 of the general fund—state appropriation for fiscal year 2024, \$51,000,000 of the general fund—state appropriation for fiscal year 2025, and \$172,000,000 of the general fund—federal appropriation are provided solely for program integrity managed care oversight, accountability, and savings. Within the amounts provided in this subsection, the authority shall:

(i) Report on the status of its fraud, abuse, and detection system, including when it was certified by the centers for medicare and medicaid services, and how it is currently being used to detect medicaid fraud, waste, and abuse;

(ii) Provide a quantifiable accounting, as required by the legislature, beginning with fiscal year 2020, to include all program integrity recoveries attributable to the authority, including how these recoveries are categorized, to which year they are reported, by medicaid

eligibility group and service, how these recoveries are applied against legislative savings requirements, what recoveries are attributable to the office of the attorney general's medicaid fraud control division, and how these recoveries are considered when reporting program integrity activity and determining managed care rates; and

(iii) Employ statistically and algorithmically appropriate measures for reviewing managed care encounter data for fraud, waste, and abuse.

(b) The authority shall report its findings to the governor and fiscal committees of the legislature no later than December 31, 2024, and the legislature intends to require the authority to report its findings to the governor and fiscal committees of the legislature by December 31st each year thereafter.

(97)(a) \$3,232,000 of the general fund—state appropriation for fiscal year 2025 and \$7,827,000 of the general fund—federal appropriation are provided solely for the authority to increase inpatient per diem rates for inpatient prospective payment system hospitals providing services under the substance using pregnant people program beginning July 1, 2024. Hospitals participating in the certified public expenditures program or the sole community hospital program may not receive increased reimbursement under this subsection.

(b) Within the amounts appropriated in this section, the authority will review the rates for the substance using pregnant person program to determine if rebasing is appropriate and what rates would be required to sustain the program at current utilization levels.

(c) If the authority determines that rates require rebasing for this program, the authority will submit a request to the legislature through its normal budget process.

(98) \$314,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(99) The authority and department of social and health services must collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments for the treatment facility described in section 203(1)(nn) of this act.

(100) \$2,854,000 of the general fund—state appropriation for fiscal year 2025 and \$4,208,000 of the general fund—federal appropriation are provided solely for the authority to increase the nonemergency medical transportation broker administrative rate to ensure access to health care services for medicaid patients.

Sec. 212. 2023 c 475 s 212 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—PUBLIC EMPLOYEES' BENEFITS BOARD AND EMPLOYEE BENEFITS PROGRAM**

State Health Care Authority Administrative Account—	
State Appropriation. . . . .	(((\$44,102,000)) \$44,929,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(((\$44,102,000)) \$44,929,000</b>

The appropriation in this section is subject to the following conditions and limitations:

(1) Any savings from reduced claims costs must be reserved for funding employee benefits during future fiscal biennia and may not be used for administrative expenses. The health care authority shall deposit any moneys received on behalf of the uniform medical plan resulting from rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys received as a result of prior uniform medical plan claims payments, in the public employees' and retirees' insurance account to be used for insurance benefits.

(2) Any changes to benefits must be approved by the public employees' benefits board. The board shall not make any changes to benefits without considering a comprehensive analysis of the cost of those changes, and shall not increase benefits unless offsetting cost reductions from other benefit revisions are sufficient to fund the changes. The board shall not make any change in retiree eligibility criteria that reestablishes eligibility for enrollment in retiree benefits.

(3) Except as may be provided in a health care bargaining agreement pursuant to RCW 41.80.020, to provide benefits within the level of funding provided in part IX of this bill, the public employees' benefits board shall require: Employee premium copayments, increases increase in point-of-service cost sharing, the implementation of managed competition, or make other changes to benefits consistent with RCW 41.05.065.

(4) The board shall collect a surcharge payment of not less than \$25 dollars per month from members who use tobacco products, and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(5) \$78,000 of the health care authority administrative account—state appropriation is provided solely for administrative costs associated with extending retiree coverage under Substitute House Bill No. 1804 (PEBB/subdivision retirees). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(6) \$500,000 of the state health care authority administrative account—state appropriation is provided solely for consultation with retirees, including conducting

listening sessions and facilitating public forums to gather feedback about retiree needs. By December 1, 2023, the authority must report to the legislature with its findings, including an analysis of government self-insured plans with benefits that are equal to or richer, and with more affordable premiums, than uniform medical plan classic medicare. The legislature intends that the results of stakeholder engagements will be used to inform future health care plan selections.

(7) During the 2023-2025 fiscal biennium, the health care authority, in consultation with the office of financial management, shall review consolidating the administrative sections of the operating budget for the public employees' and school employees' benefits boards. Any change in budget structure must not result in changes to board or benefit policies. A budget structure change developed under this subsection may be included in the 2024 supplemental or the 2025-2027 biennial governor's budget submittal without being subject to the legislative evaluation and accountability program committee approval under RCW 43.88.030(7).

(8)(a) \$250,000 of the state health care authority administrative account—state appropriation is provided solely for costs associated with the report in this subsection. The legislature intends to consolidate the public employees' benefits board (PEBB) and school employees' benefits board (SEBB) programs. By December 1, 2024, the authority must report to the legislature the necessary statutory and program changes required to achieve consolidation of:

- (i) The PEBB and SEBB into a single governing board;
- (ii) The current risk pools described in RCW 41.05.022 (2) and (3);
- (iii) The existing eligibility provisions of the PEBB and SEBB programs; and
- (iv) Benefit offerings.

(b) The report should describe the timeline for consolidation, assuming partial implementation as early as January 1, 2026, and full implementation no later than January 1, 2027. The report should also include estimates of any administrative savings that can be realized by this consolidation.

(9) By December 1, 2024, the authority shall submit a report to the legislature describing options, and a recommendation, for possible future coverage in the uniform medical plan for food and drug administration approved glucagon-like peptide 1 agonists for the treatment of obesity and weight loss.

**Sec. 213.** 2023 c 475 s 213 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—SCHOOL EMPLOYEES' BENEFITS BOARD**

School Employees' Insurance Administrative Account—

State Appropriation. . . . .	(( <del>\$33,743,000</del> ))
	<u>\$33,723,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$33,743,000</del>))</b>
	<b><u>\$33,723,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$324,000 of the school employees' insurance administrative account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5275 (SEBB benefit access). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(2) By December 1, 2024, the authority shall submit a report to the legislature describing options, and a recommendation, for possible future coverage in the uniform medical plan for food and drug administration approved glucagon-like peptide 1 agonists for the treatment of obesity and weight loss.

**Sec. 214.** 2023 c 475 s 214 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—HEALTH BENEFIT EXCHANGE**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$8,242,000</del> ))
	<u>\$9,671,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$6,472,000</del> ))
	<u>\$7,186,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$61,983,000</del> ))
	<u>\$67,396,000</u>
Education Legacy Trust Account—State Appropriation. . . . .	\$350,000
Health Benefit Exchange Account—State Appropriation. . . . .	(( <del>\$76,214,000</del> ))
	<u>\$83,528,000</u>
State Health Care Affordability Account—State Appropriation. . . . .	(( <del>\$110,000,000</del> ))
	<u>\$125,000,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$263,261,000</del>))</b>
	<b><u>\$293,131,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(2)(a) By July 15th, ~~October 15th~~, and January 15th of each year, the authority shall make a payment of ~~((one-half))~~ 30 percent of the general fund—state appropriation, ~~((one-~~

~~half))30 percent of the health benefit exchange account—state appropriation, and ((one-half))30 percent of the health care affordability account—state appropriation to the exchange. By April 15th of each year, the authority shall make a payment of 10 percent of the general fund—state appropriation, 10 percent of the health benefit exchange account—state appropriation, and 10 percent of the health care affordability account—state appropriation to the exchange.~~

(b) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier assessments to ensure expenditures do not exceed actual revenues.

(c) Payments made from general fund—state appropriation and health benefit exchange account—state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(3) \$1,939,000 of the health benefit exchange account—state appropriation and \$6,189,000 of the general fund—federal appropriation are provided solely for the modernizing healthplanfinder project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act.

(4) (a) (~~(\$100,000,000)~~)\$115,000,000 of the state health care affordability account—state appropriation is provided solely for the exchange to administer a premium assistance program, beginning for plan year 2023, as established in RCW 43.71.110. An individual is eligible for the premium assistance provided if the individual: (i) Has income up to 250 percent of the federal poverty level; and (ii) meets other eligibility criteria as established in RCW 43.71.110(4) (a).

(b) \$260,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a study, in consultation with the health care authority and office of the insurance commissioner, of how the exchange's current section 1332 waiver could be amended to generate federal pass-through funding to support the affordability programs established in RCW 43.71.110. The actuarial study must focus on methods that could be most readily leveraged in Washington, considering those being used in other public option programs. Study findings must be reported to the appropriate committees of the legislature by December 1, 2023.

(5) \$10,000,000 of the state health care affordability account—state appropriation is provided solely to provide premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in subsection (4)(a) of this section, and is contingent upon continued approval of the applicable waiver described in RCW 43.71.120.

(6) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$865,000 of the general fund—federal appropriation, and \$123,000 of the health benefit exchange account—state appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, in Healthplanfinder to support the health and human services coalition in uniformly identifying clients across multiple state service delivery systems. These amounts are subject to the conditions, limitations, and review requirements of section 701 of this act.

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the exchange, in collaboration with the department of social and health services and the home training network as described in RCW 70.128.305, to provide educational resources and trainings to help connect owners and employees of adult family homes to health care coverage.

(8) \$299,000 of the general fund—state appropriation for fiscal year 2024, \$299,000 of the general fund—state appropriation for fiscal year 2025, and \$202,000 of the general fund—federal appropriation are provided solely for pass-through funding in the annual amount of \$100,000 for each lead navigator organization in the four regions with the highest concentration of citizens of the compact of free association (COFA) to:

(a) Support a staff position within the COFA community to provide enrollment assistance to the COFA community beyond the scope of the current COFA program; and

(b) Support COFA community-led outreach and enrollment activities.

(9) (a) \$300,000 of the health benefit exchange account—state appropriation is provided solely for staff and consultants to complete a study of options and recommendations for the state to ensure continuous health care coverage through qualified health plans for medicaid beneficiaries losing medicaid coverage through Washington Healthplanfinder. In coordination with the health care authority and department of social and health services, the study must include, but not be limited to:

(i) An analysis of transitional solutions used in other states to continue coverage for individuals losing medicaid eligibility;

(ii) In coordination with the department of social and health services' research and data analysis division, an analysis of monthly enrollment rates for persons who are determined no longer eligible for medicaid, including demographic and employment information, and those who enroll in qualified health plans, including demographic and employment information; and

(iii) A feasibility analysis of auto-enrolling clients that lose medicaid eligibility and are eligible for a no-premium qualified health plan through Washington Healthplanfinder.

(b) The study must be submitted to the office of financial management and appropriate committees of the legislature by December 31, 2024.



(10) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5632 (health care/labor disputes). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 215.** 2023 c 475 s 215 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—COMMUNITY BEHAVIORAL HEALTH PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(\$1,015,063,000)
	<u>\$1,026,580,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$1,097,193,000)
	<u>\$1,192,213,000</u>
General Fund—Federal Appropriation. . . . .	(\$2,853,321,000)
	<u>\$3,072,853,000</u>
General Fund—Private/Local Appropriation. . . . .	(\$38,826,000)
	<u>\$38,904,000</u>
Criminal Justice Treatment Account—State Appropriation. . . . .	\$22,001,000
Problem Gambling Account—State Appropriation. . . . .	(\$2,243,000)
	<u>\$3,738,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2024). . . . .	\$28,498,000
Dedicated Cannabis Account—State Appropriation (FY 2025). . . . .	(\$28,501,000)
	<u>\$28,251,000</u>
Opioid Abatement Settlement Account—State Appropriation. . . . .	(\$54,415,000)
	<u>\$79,820,000</u>
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation. . . . .	(\$33,135,000)
	<u>\$33,499,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(\$5,173,196,000)</b>
	<u><b>\$5,526,357,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) For the purposes of this section, "behavioral health entities" means managed care organizations and behavioral health administrative services organizations that reimburse providers for behavioral health services.

(2) Within the amounts appropriated in this section, funding is provided for implementation of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. In addition to amounts provided solely for implementation of the settlement agreement, class members must have access to supports and services funded throughout this section for which they meet eligibility and medical necessity requirements. The authority must include language in contracts that requires regional behavioral health entities to develop and implement plans for improving access to timely and appropriate treatment for individuals with behavioral health needs and current or prior criminal justice involvement who are eligible for services under these contracts.

(3)(a) \$44,320,000 of the general fund—state appropriation for fiscal year 2024, \$49,525,000 of the general fund—state appropriation for fiscal year 2025, and \$17,368,000 of the general fund—federal appropriation are provided solely to continue the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority, in collaboration with the department of social and health services and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, crisis diversion and supports, education and training, and workforce development. Within these amounts, sufficient funding is provided to implement Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(b) Of the amounts provided in this subsection, \$5,108,000 of the general fund—state appropriation for fiscal year 2024 and \$6,341,000 of the general fund—state appropriation for fiscal year 2025 are provided for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). Of these amounts, \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase compensation for staff in outpatient competency restoration programs pursuant to Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(4) ~~\$8,000,000~~ of the general fund—state appropriation for fiscal year 2024 ~~((\$8,000,000))~~ and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue diversion grant programs funded through contempt fines pursuant to *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority must consult with the plaintiffs and court monitor to determine, within the amounts provided, which of the programs will continue to receive funding through this appropriation. The programs shall use

this funding to provide assessments, mental health treatment, substance use disorder treatment, case management, employment, and other social services. By December 1, 2023, the authority, in consultation with the plaintiffs and the court monitor, must submit a report to the office of financial management and the appropriate fiscal committees of the legislature which includes: Identification of the programs that receive funding through this subsection; a narrative description of each program model; the number of individuals being served by each program on a monthly basis; metrics or outcomes reported as part of the contracts; and recommendations related to further support of these programs in the 2023-2025 fiscal biennium.

(5)(a) ~~(\$12,359,000)~~ \$12,359,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$17,222,000)~~ \$17,222,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$23,444,000)~~ \$24,349,000 of the general fund—federal appropriation are provided solely for the authority and behavioral health entities to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to behavioral health entities with PACT teams, the authority shall consider the differences between behavioral health entities in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The authority may allow behavioral health entities which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under subsection (7) of this section. The authority and behavioral health entities shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section. Sufficient funding is provided in this section for the authority to increase rates for PACT teams to the rates identified in the behavioral health comparison rate—phase II report.

(b) Of the amounts provided in this subsection, \$4,080,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to distribute one-time stabilization funding to existing PACT teams to improve staff recruitment and retention and to cover general operating expenses to increase PACT capacity and utilization.

(6) \$1,428,000 of the general fund—state appropriation for fiscal year 2025 and \$3,520,000 of the general fund—federal appropriation ~~(is)~~ are provided solely for the authority to maintain a pilot project to incorporate peer bridging staff into behavioral health regional teams that provide transitional services to individuals returning to their communities.

(7) ~~(\$163,088,000)~~ \$144,519,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$163,088,000)~~ \$144,519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of behavioral health entity spending must be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts must be distributed to behavioral health entities as follows:

(a) \$108,803,000 of the general fund—state appropriation for fiscal year 2024 and \$124,713,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations for behavioral health treatment services not covered under the medicaid program. Within these amounts, behavioral health administrative service organizations must provide a 15 percent rate increase to providers receiving state funds for nonmedicaid services under this section effective January 1, 2024.

(b) ~~(\$38,375,000)~~ \$35,716,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$38,375,000)~~ \$22,978,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with medicaid managed care organizations for wraparound services to medicaid enrolled individuals that are not covered under the medicaid program. Within the amounts provided in this subsection:

(i) Medicaid managed care organizations must provide a 15 percent rate increase to providers receiving state funding for nonmedicaid services under this section effective January 1, 2024.

(ii) The authority shall assure that managed care organizations reimburse the department of social and health services, aging and long-term support administration for the general fund—state cost of individuals remaining on exceptional behavioral health personal care services for medicaid enrolled individuals who require these because of a psychiatric disability after the implementation of the community behavioral health support services—supportive supervision and oversight 1915(i) state plan amendment. Funding for the federal share of these services is separately appropriated to the department of social and health services.

(iii) Pursuant to RCW 41.56.029, during fiscal year 2024, the authority may work with the office of financial management to negotiate a tiered rate structure for behavioral health personal care services for adult family home providers serving medicaid enrollees. An agreement reached with the adult family home council must be submitted to the director of financial management by October 1, 2023, and certified as financially feasible in order to be considered for funding during the 2024 legislative session. Upon completion of bargaining, the authority shall coordinate with the department of social and health services to develop and submit to the centers for medicare and medicaid services an application to provide a 1915(i) state plan home and community-based services benefit. The application shall be developed to allow for the delivery of wraparound supportive behavioral health services for

individuals with mental illnesses who also have a personal care need. The 1915(i) state plan shall be developed to standardize coverage and administration, improve the current benefit design, and clarify roles in administration of the behavioral health personal care services benefit.

(8)(a) \$30,648,000 of the general fund—state appropriation for fiscal year 2025 and \$33,435,000 of the general fund—federal appropriation are provided solely for the authority to implement a tiered rate structure for supportive supervision and oversight in long-term care settings pursuant to a 1915(i) home and community based services state plan amendment and the collective bargaining agreement negotiated between the state and the adult family homes and set forth in part IX of this act. The authority may not implement a skills development and restoration benefit until funding is provided for that specific purpose.

(b) Of the amounts provided in this subsection, \$30,648,000 of the general fund—state appropriation for fiscal year 2025 and \$33,435,000 of the general fund—federal appropriation are provided to implement tiered rates for supportive supervision and oversight in adult family home settings included in the collective bargaining agreement negotiated between the state and the adult family homes and set forth in part IX of this act.

(c) Of the amounts provided in this subsection, \$5,611,000 of the general fund—state appropriation for fiscal year 2025 and \$6,128,000 of the general fund—federal appropriation are provided for supportive supervision and oversight tiered rates in other long-term care settings, including assisted living and enhanced adult residential care facilities.

(d) Of the amounts provided in this subsection, \$376,000 of the general fund—state appropriation for fiscal year 2025 and \$376,000 of the general fund—federal appropriation are provided for administrative activities related to implementing the 1915(i) state plan amendment, including establishing a billing clearinghouse for these services.

(9) The authority is authorized to continue to contract directly, rather than through contracts with behavioral health entities for children's long-term inpatient facility services.

~~((+9))~~ (10) \$1,204,000 of the general fund—state appropriation for fiscal year 2024 and \$1,204,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(11) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to reimburse King county for involuntary treatment act court costs.

~~((+10))~~ (12) Behavioral health entities may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, behavioral health entities may use a portion of the state funds allocated in accordance with subsection (7) of this section to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

~~((+11))~~ (13) \$2,291,000 of the general fund—state appropriation for fiscal year 2024 and \$2,291,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The authority must collect information from the behavioral health entities on their plan for using these funds, the numbers of individuals served, and the types of services provided.

~~((+12))~~ (14) Within the amounts appropriated in this section, funding is provided for the authority to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

~~((+13))~~ (15)(a) The authority must establish minimum and maximum funding levels for all reserves allowed under behavioral health administrative service organization contracts and include contract language that clearly states the requirements and limitations. The reserve levels must be informed by the types of risk carried by behavioral health administrative service organizations for mandatory services and also consider reasonable levels of operating reserves. The authority must monitor and ensure that behavioral health administrative service organization reserves do not exceed maximum levels. The authority must monitor revenue and expenditure reports and must require a behavioral health administrative service organization to submit a corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The authority must review and approve such plans and monitor to ensure compliance. If the authority determines that a behavioral health administrative service organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the authority must reduce payments to the entity in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the authority determines that the entity has come into substantial compliance with an approved excess reserve corrective action plan. The authority must submit to the office of financial management and the appropriate committees of the legislature, each December of the biennium, the minimum and maximum reserve levels established in contract for each of the behavioral health administrative service organizations for the prior fiscal year and the actual reserve levels reported at the end of the fiscal year.

(b) In contracts effective during fiscal year 2025, the authority must allow the north sound behavioral health administrative services organization to pilot reserve funding flexibility by allowing the north sound behavioral health administrative services organization to utilize, for other purposes, 30 percent of funding received prior to that contract period currently in reserves and that was received pursuant to a specific legislative proviso. Funding repurposed under this subsection must be used to support the duties of the administrative services organization under RCW 71.24.045 through programs serving individuals with severe and persistent behavioral health conditions and behavioral health services that promote stability and recovery within their regional service area. Expenditures pursuant to this pilot program may include, but are not limited to, crisis wraparound services, jail transition and diversion services, court costs, and co-responder programs. The authority, in partnership with the north sound behavioral health administrative services organization, must provide a report to the appropriate committees of the legislature by December 31, 2024, describing the impacts of this pilot program to the regional crisis continuum of care. The report must also include information on which specific legislative provisos north sound behavioral health administrative services organization repurposed funding from under this subsection and for what purpose those funds were used.

~~((14))~~ (16) During the 2023-2025 fiscal biennium, any amounts provided in this section that are used for case management services for pregnant and parenting women must be contracted directly between the authority and pregnant and parenting women case management providers.

~~((15))~~ (17) \$3,500,000 of the general fund—federal appropriation is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

~~((16))~~ (18) Within the amounts appropriated in this section, the authority may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, postpartum, and parenting women. For all contractors: (a) Service and other outcome data must be provided to the authority by request; and (b) indirect charges for administering the program must not exceed 10 percent of the total contract amount.

~~((17))~~ (19) Within the amounts provided in this section, behavioral health entities must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision. Contracts with behavioral health entities must require that behavioral health entities include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the authority must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served. The authority must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

~~((18))~~ (20) The criminal justice treatment account—state appropriation is provided solely for treatment and treatment support services for offenders with a substance use disorder pursuant to RCW 71.24.580. The authority must offer counties the option to administer their share of the distributions provided for under RCW 71.24.580(5)(a). If a county is not interested in administering the funds, the authority shall contract with behavioral health entities to administer these funds consistent with the plans approved by local panels pursuant to RCW 71.24.580(5)(b). Funding from the criminal justice treatment account may be used to provide treatment and support services through the conclusion of an individual's treatment plan to individuals participating in a drug court program as of February 24, 2021, if that individual wishes to continue treatment following dismissal of charges they were facing under RCW 69.50.4013(1). Such participation is voluntary and contingent upon substantial compliance with drug court program requirements. The authority must provide a report to the office of financial management and the appropriate committees of the legislature that identifies the distribution of criminal justice treatment account funds by September 30, 2023.

~~((19))~~ (21) (a) ~~((11,426,000))~~ \$10,535,000 of the general fund—state appropriation for fiscal year 2024, ~~((15,501,000))~~ \$14,610,000 of the general fund—state appropriation for fiscal year 2025, and ~~((21,554,000))~~ \$19,724,000 of the general fund—federal appropriation are provided solely for crisis triage facilities, crisis relief centers, or crisis stabilization units. Services in these facilities may include crisis stabilization and intervention, individual counseling, peer support, medication management, education, and referral assistance. The authority shall monitor each center's effectiveness at lowering the rate of state psychiatric hospital admissions.

(b) Within these amounts, the health care authority shall convene representatives from medicaid managed care organizations, behavioral health administrative organizations, private insurance carriers, self-insured organizations, crisis providers, and the office of the insurance commissioner to assess gaps in the current funding model for crisis services and recommend options for addressing these gaps including, but not limited to, an alternative funding model for crisis services. The assessment must consider available data to determine to what extent the costs of crisis services for clients of private insurance carriers, medicaid managed care organizations, and individuals enrolled in medicaid fee-for-service are being subsidized through state funded behavioral health administrative services organization contracts. The analysis shall examine crisis services provided by mobile crisis teams as well

as facility-based services such as crisis triage and crisis stabilization units. In the development of an alternative funding model, the authority and office of the insurance commissioner must explore mechanisms that: (i) Determine the annual cost of operating crisis services and collect a proportional share of the program cost from each health insurance carrier; and (ii) differentiate between crisis services eligible for medicaid funding from other nonmedicaid eligible activities. The authority must submit a preliminary report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and a final report by December 1, 2024. Up to \$300,000 of the general fund—state appropriation for fiscal year 2024, and \$300,000 of the general fund—state appropriation for fiscal year 2025 may be used for the assessment and reporting activities required under this subsection.

(c) Sufficient funding is provided in this subsection to implement Second Substitute Senate Bill No. 5120 (crisis relief centers).

~~((20))~~ (22) \$9,795,000 of the general fund—state appropriation for fiscal year 2024, \$10,015,000 of the general fund—state appropriation for fiscal year 2025, and \$15,025,000 of the general fund—federal appropriation are provided solely for the operation of secure withdrawal management and stabilization facilities. The authority may not use any of these amounts for services in facilities that are subject to federal funding restrictions that apply to institutions for mental diseases, unless they have received a waiver that allows for full federal participation in these facilities. Within these amounts, funding is provided to increase the fee for service rate for these facilities up to \$650 per day. The authority must require in contracts with behavioral health entities that they pay no lower than the fee for service rate. The authority must coordinate with regional behavioral health entities to identify and implement purchasing strategies or regulatory changes that increase access to services for individuals with complex behavioral health needs at secure withdrawal management and stabilization facilities.

~~((21))~~ (23) \$1,401,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$1,401,000)~~ \$3,575,000 of the general fund—state appropriation for fiscal year 2025, and \$3,210,000 of the general fund—federal appropriation are provided solely for the implementation of intensive behavioral health treatment facilities within the community behavioral health service system pursuant to chapter 324, Laws of 2019 (2SHB 1394).

~~((22))~~ (24) (a) \$12,878,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and ~~(\$12,878,000)~~ \$12,628,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for:

(i) A memorandum of understanding with the department of children, youth, and families to provide substance abuse treatment programs;

(ii) A contract with the Washington state institute for public policy to conduct a cost-benefit evaluation of the implementations of chapter 3, Laws of 2013 (Initiative Measure No. 502);

(iii) Designing and administering the Washington state healthy youth survey and the Washington state young adult behavioral health survey;

(iv) Maintaining increased services to pregnant and parenting women provided through the parent child assistance program;

~~(v) ((Grants to the office of the superintendent of public instruction for life skills training to children and youth;~~

~~(vi))~~ Maintaining increased prevention and treatment service provided by tribes and federally recognized American Indian organization to children and youth;

~~((vii))~~ (vi) Maintaining increased residential treatment services for children and youth;

~~((viii))~~ (vii) Training and technical assistance for the implementation of evidence-based, research based, and promising programs which prevent or reduce substance use disorder;

~~((ix))~~ (viii) Expenditures into the home visiting services account; and

~~((x))~~ (ix) Grants to community-based programs that provide prevention services or activities to youth.

(b) The authority must allocate the amounts provided in (a) of this subsection amongst the specific activities proportionate to the fiscal year 2021 allocation.

~~((23))~~ (25) (a) \$1,125,000 of the general fund—state appropriation for fiscal year 2024 and \$1,125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Spokane behavioral health entities to implement services to reduce utilization and the census at eastern state hospital. Such services must include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the 16-bed evaluation and treatment facility.

(b) At least annually, the Spokane county behavioral health entities shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

~~((24))~~ (26) \$1,850,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$13,312,000 of the general fund—federal appropriation are provided solely for substance use disorder peer

support services included in behavioral health capitation rates in accordance with section 213(5)(ss), chapter 299, Laws of 2018. The authority shall require managed care organizations to provide access to peer support services for individuals with substance use disorders transitioning from emergency departments, inpatient facilities, or receiving treatment as part of hub and spoke networks.

~~((25))~~ (27) \$1,423,000 of the general fund—state appropriation for fiscal year 2024, \$1,423,000 of the general fund—state appropriation for fiscal year 2025, and \$5,908,000 of the general fund—federal appropriation are provided solely for the authority to continue to implement discharge wraparound services for individuals with complex behavioral health conditions transitioning or being diverted from admission to psychiatric inpatient programs. The authority must coordinate with the department of social and health services in establishing the standards for these programs.

~~((26))~~ (28) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely for the authority to maintain a memorandum of understanding with the criminal justice training commission to provide funding for community grants pursuant to RCW 36.28A.450.

~~((27))~~ (29) \$350,000 of the general fund—federal appropriation and \$300,000 of the opioid abatement settlement account—state appropriation are provided solely to contract with a nationally recognized recovery residence organization and to provide technical assistance to operators of recovery residences seeking certification in accordance with chapter 264, Laws of 2019 (2SHB 1528).

~~((28))~~ (30) \$3,396,000 of the general fund—state appropriation for fiscal year 2024, \$3,396,000 of the general fund—state appropriation for fiscal year 2025, and \$16,200,000 of the general fund—federal appropriation are provided solely for support of and to continue to increase clubhouse programs across the state. The authority shall work with the centers for medicare and medicaid services to review opportunities to include clubhouse services as an optional "in lieu of" service in managed care organization contracts in order to maximize federal participation.

~~((29))~~ (31) \$708,000 of the general fund—state appropriation for fiscal year 2024, \$708,000 of the general fund—state appropriation for fiscal year 2025, and \$1,598,000 of the general fund—federal appropriation are provided solely for implementing mental health peer respite centers and a pilot project to implement a mental health drop-in center in accordance with chapter 324, Laws of 2019 (2SHB 1394).

~~((30))~~ (32) \$800,000 of the general fund—state appropriation for fiscal year 2024, \$800,000 of the general fund—state appropriation for fiscal year 2025, and \$1,452,000 of the general fund—federal appropriation are provided solely for the authority to implement strategies related to suicide prevention and treatment.

~~((31))~~ (33) \$446,000 of the general fund—state appropriation for fiscal year 2024, \$446,000 of the general fund—state appropriation for fiscal year 2025, and \$178,000 of the general fund—federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the authority to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The authority must collect information from the institute on the use of these funds and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

~~((32))~~ (34) As an element of contractual network adequacy requirements and reporting, the authority shall direct managed care organizations to make all reasonable efforts to develop or maintain contracts with provider networks that leverage local, federal, or philanthropic funding to enhance effectiveness of medicaid-funded integrated care services. These networks must promote medicaid clients' access to a system of services that addresses additional social support services and social determinants of health as defined in RCW 43.20.025 in a manner that is integrated with the delivery of behavioral health and medical treatment services.

~~((33))~~ (35) \$9,000,000 of the criminal justice treatment account—state appropriation is provided solely for the authority to maintain funding for new therapeutic courts created or expanded during fiscal year 2021, or to maintain the fiscal year 2021 expansion of services being provided to an already existing therapeutic court that engages in evidence-based practices, to include medication assisted treatment in jail settings pursuant to RCW 71.24.580. Funding provided under this subsection shall not supplant existing funds utilized for this purpose.

~~((34))~~ (36) In establishing, re-basing, enhancing, or otherwise updating medicaid rates for behavioral health services, the authority and contracted actuaries shall use a transparent process that provides an opportunity for medicaid managed care organizations, behavioral health administrative service organizations, and behavioral health provider agencies, and their representatives, to review and provide data and feedback on proposed rate changes within their region or regions of service operation. The authority and contracted actuaries shall transparently incorporate the information gained from this process and make adjustments allowable under federal law when appropriate.

~~((35))~~ (37) The authority shall seek input from representatives of the managed care organizations (MCOs), licensed community behavioral health agencies, and behavioral health administrative service organizations to develop specific metrics related to behavioral health

outcomes under integrated managed care. These metrics must include, but are not limited to: (a) Revenues and expenditures for community behavioral health programs, including medicaid and nonmedicaid funding; (b) access to services, service denials, and utilization by state plan modality; (c) claims denials and record of timely payment to providers; (d) client demographics; and (e) social and recovery measures and managed care organization performance measures. The authority must work with managed care organizations and behavioral health administrative service organizations to integrate these metrics into an annual reporting structure designed to evaluate the performance of the behavioral health system in the state over time. The authority must submit a report to the office of financial management and the appropriate committees of the legislature, before December 30th of each year during the fiscal biennium, that details the implemented metrics and relevant performance outcomes for the prior calendar year.

((+36-)) (38) \$4,061,000 of the general fund—state appropriation for fiscal year 2024, \$3,773,000 of the general fund—state appropriation for fiscal year 2025, and \$6,419,000 of the general fund—federal appropriation are provided solely for the authority to maintain pilot programs for intensive outpatient services and partial hospitalization services for certain children and adolescents and, pursuant to chapter 94, Laws of 2022 (2SSB 5736), add coverage for these services into the state medicaid program beginning January 1, 2024.

(a) The authority must establish minimum standards, eligibility criteria, authorization and utilization review processes, and payment methodologies for the programs in contract.

(b) Eligibility for the pilot sites is limited pursuant to the following:

(i) Children and adolescents discharged from an inpatient hospital treatment program who require the level of services offered by the pilot programs in lieu of continued inpatient treatment;

(ii) Children and adolescents who require the level of services offered by the pilot programs in order to avoid inpatient hospitalization; and

(iii) Services may not be offered if there are less costly alternative community-based services that can effectively meet the needs of an individual referred to the program.

(c) Eligibility for services through the state medicaid program shall be consistent with criteria approved by the centers for medicare and medicaid services pursuant to implementation of chapter 94, Laws of 2022 (2SSB 5736).

(d) The authority must collect data on the program sites and work with the actuaries responsible for establishing managed care rates for medicaid enrollees to develop and submit an annual report to the office of financial management and the appropriate committees of the legislature each December of the fiscal biennium that includes the following information:

(i) A narrative description of the services provided at each program site and identification of any specific gaps the sites were able to fill in the current continuum of care;

(ii) Clinical outcomes and estimated reductions in psychiatric inpatient costs associated with each of the program sites;

(iii) Recommendations for whether the pilot models should be expanded statewide, whether modifications should be made to the models to better address gaps in the continuum identified through the pilot sites, whether the models could be expanded to community behavioral health providers, and whether statewide implementation should be achieved through a state plan amendment or some other mechanism for leveraging federal medicaid match;

(iv) Actuarial projections on the statewide need for services related to the pilot sites and estimated costs of adding each of the services to the medicaid behavioral health benefit for children and adolescents and adults; and

(v) Annual costs and any quantifiable cost offsets associated with the program sites.

((+37-)) (39) \$25,587,000 of the general fund—federal appropriation (ARPA) and \$9,828,000 of the general fund—federal appropriation are provided solely to promote the recovery of individuals with substance use disorders through expansion of substance use disorder services. The authority shall implement this funding to promote integrated, whole-person care to individuals with opioid use disorders, stimulant use disorders, and other substance use disorders. The authority shall use this funding to support evidence-based and promising practices as follows:

(a) \$8,500,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with substance use disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,500,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, mobile opioid use disorder treatment programs, law enforcement assisted diversion programs, contingency management interventions, modified assertive community treatment, trauma informed care, crisis respite, and for reimbursement of one-time start-up operating costs for opening new beds in withdrawal management treatment programs.

(b) \$2,015,000 of the amounts provided in this subsection is provided solely for outreach programs that link individuals with substance use disorders to treatment options to include medication for opioid use disorder. The authority must contract for these services with programs that use interdisciplinary teams, which include peer specialists, to engage and facilitate linkage to treatment for individuals in community settings such as homeless encampments, shelters, emergency rooms, harm reduction programs, churches, community service offices, food banks, libraries, legal offices, and other settings where individuals with substance use disorders may be engaged. The services must be coordinated with emergency

housing assistance and other services administered by the authority to promote access to a full continuum of treatment and recovery support options.

(c) \$7,500,000 of the amounts provided in this subsection is provided solely for substance use disorder recovery support services not covered by the medicaid program including, but not limited to, emergency housing, recovery housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(d) \$3,550,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with substance use disorders. This funding may be used for grants to urban Indian organizations, tribal opioid prevention media campaigns, and support for government to government communication, planning, and implementation of opioid use disorder related projects.

(e) \$5,000,000 of the amounts provided in this subsection is provided solely for the authority, in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs, and for law enforcement and emergency responders.

(f) \$7,100,000 of the amounts provided in this subsection is provided solely for community services grants that support the implementation and evaluation of substance use disorder prevention services.

(g) Up to \$1,750,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

~~((39))~~ (40) \$3,109,000 of the general fund—state appropriation for fiscal year 2024 and \$3,109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for short-term rental subsidies for individuals with mental health or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served. Each December of the fiscal biennium, the authority must submit a report identifying the expenditures and number of individuals receiving short-term rental supports through the agency budget during the prior fiscal year broken out by region, treatment need, and the demographics of those served, including but not limited to age, country of origin within racial/ethnic categories, gender, and immigration status.

~~((39))~~ (41) \$25,332,000 of the general fund—federal appropriation (ARPA) is provided solely to promote the recovery of individuals with mental health disorders through expansion of mental health services. The authority shall implement this funding to promote integrated, whole-person care through evidence based and promising practices as follows:

(a) \$8,153,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with mental health disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,000,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, law enforcement assisted diversion programs, modified assertive community treatment, and trauma informed care.

(b) \$8,200,000 of the amounts provided in this subsection is provided solely for mental health recovery support services not covered by the medicaid program including, but not limited to, supportive housing, emergency housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(c) \$2,553,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with mental health disorders.

(d) \$1,300,000 of the amounts provided in this subsection is provided solely to enhance crisis services and may be used for crisis respite care.

(e) \$2,600,000 of the amounts provided in this subsection is provided solely for the expansion of first episode psychosis programs.

(f) Up to \$1,279,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

~~((40))~~ (42) The authority must pursue opportunities for shifting state costs to the state's unused allocation of federal institutions for mental disease disproportionate share hospital funding.

~~((41))~~ (43) \$500,000 of the general fund—federal appropriation is provided solely to establish an emotional support network program for individuals employed as peer specialists. The authority must contract for these services which shall include, but not be limited to, facilitating support groups for peer specialists, support for the recovery journeys of the peer specialists themselves, and targeted support for the secondary trauma inherent in peer work.

~~((42))~~ (44) \$1,500,000 of the general fund—federal appropriation is provided solely for the authority to contract on a one-time basis with the University of Washington behavioral health institute to continue and enhance its efforts related to training and workforce development. This funding may be used for the following activities:



- (a) Making substance use disorder training content accessible to all community behavioral health providers;
- (b) Refining and implementing a substance use disorder provider needs assessment to advance best practice implementation for treatment in inpatient and outpatient settings;
- (c) Disseminating innovative best practices through training and technical assistance;
- (d) Developing and launching a telebehavioral health training series, providing webinars and packaging the training content so that it is accessible to all community behavioral health providers;
- (e) Planning for advanced telebehavioral health training and support to providers;
- (f) Convening a race, equity, and social justice in behavioral health conference annually;
- (g) Developing training and technical assistance opportunities for an annual series that translates lessons learned in behavioral health equity into actionable and sustainable change at the provider, organizational, and system levels;
- (h) Developing recommendations for reducing health disparities and training the workforce in culturally and linguistically relevant practices to achieve improved outcomes;
- (i) Increasing the number of community substance use providers that are trained in best practice assessment and treatment models;
- (j) Convening a telebehavioral health summit of leading experts regarding long-term provider telebehavioral health training and workforce needs;
- (k) Creating a behavioral health workforce strategy plan that identifies gaps that are not being addressed and suggests system improvements to address those gaps;
- (l) Working with community partners and key stakeholders to identify best practice strategies to evaluate and measure equity and health disparities within the behavioral health system and make recommendations regarding potential metrics to help advance system change; and
- (m) Developing metrics and evaluating telebehavioral health training needs and the impact of telebehavioral health training on provider knowledge and treatment protocols.

~~((43))~~ (45) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the King county behavioral health administrative services organization to maintain children's crisis outreach response system services that were previously funded through the department of children, youth, and families. The authority, in consultation with the behavioral health administrative services organization, medicaid managed care organizations, and the actuaries responsible for developing medicaid managed care rates, must work to maximize federal funding provided for the children's crisis outreach response system program.

~~((44))~~ (46) \$31,891,000 of the general fund—state appropriation for fiscal year 2024, \$63,395,000 of the general fund—state appropriation for fiscal year 2025, and \$172,425,000 of the general fund—federal appropriation are provided solely to implement a 15 percent increase to medicaid reimbursement for community behavioral health providers contracted through managed care organizations to be effective January 1, 2024. The authority must employ mechanisms such as directed payment or other options allowable under federal medicaid law to assure the funding is used by the managed care organizations for a 15 percent provider rate increase as intended and verify this pursuant to the process established in chapter 285, Laws of 2020 (EHB 2584). The rate increase shall be implemented to all behavioral health nonhospital inpatient, residential, and outpatient providers contracted through the medicaid managed care organizations. Psychiatric hospitals and other providers receiving rate increases under other subsections of this section must be excluded from the rate increase directed in this subsection.

~~((45))~~ (47) \$532,000 of the general fund—state appropriation for fiscal year 2024, \$2,935,000 of the general fund—state appropriation for fiscal year 2025, and \$3,467,000 of the general fund—federal appropriation are provided solely to increase the number of beds and rates for community children's long-term inpatient program providers. The number of beds is increased on a phased in basis to 72 beds by the end of fiscal year 2024. The bed day rates are increased from \$1,030 per day to \$1,121 per day effective July 1, 2023.

~~((46))~~ (48) \$505,000 of the general fund—state appropriation for fiscal year 2024, \$1,011,000 of the general fund—state appropriation for fiscal year 2025, and \$1,095,000 of the general fund—federal appropriation are provided solely to increase rates for parent child assistance program providers by 15 percent effective January 1, 2024.

~~((47))~~ (49) \$300,000 of the general fund—federal appropriation is provided solely for training of behavioral health consumer advocates. The authority must enter into a memorandum of understanding with the department of commerce to provide support for training of behavioral health consumer advocates pursuant to chapter 202, Laws of 2021 (E2SHB 1086).

~~((48))~~ (50) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the Washington chapter of the national alliance on mental illness, a Washington based statewide mental health nonprofit organization that provides free community and school-based mental health education and support programs for consumers and families. The contractor must use this funding to provide access to programs tailored to peers living with mental illness as well as family members of people with mental illness and the community at large. Services provided by the contracted program shall include education, support, and assistance to reduce isolation and help consumers and families understand the

services available in their communities. This contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

~~((49))~~ ~~(51)~~ \$15,474,000 of the general fund—state appropriation for fiscal year 2024, ~~((15,474,000))~~ \$17,125,000 of the general fund—state appropriation for fiscal year 2025, and ~~((14,312,000))~~ \$14,562,000 of the general fund—federal appropriation are provided solely for maintaining the expansion of local behavioral health mobile crisis response team capacity and ensuring each region has at least one adult and one children and youth mobile crisis team that is able to respond to calls coming into the 988 crisis hotline.

(a) In prioritizing this funding, the health care authority shall assure that there are a minimum of ~~((13))~~ 13 new children and youth mobile crisis teams in comparison to the number of teams at the end of fiscal year 2021 and that there is one children and youth mobile crisis team in each region.

(b) In implementing funding for adult and youth mobile crisis response teams, the authority must establish standards in contracts with managed care organizations and behavioral health administrative services organizations for the services provided by these teams.

(c) Of these amounts, \$3,000,000 of the general fund—state appropriation for fiscal year 2024, \$3,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,024,000 of the general fund—federal appropriation are provided solely to maintain increased capacity for mobile crisis services in King county that was funded in fiscal year 2023. These amounts must supplement and not supplant funding to the county previously allocated by the authority under this subsection.

(d) Of these amounts, \$1,651,000 of the general fund—state appropriation for fiscal year 2025 and \$250,000 of the general fund—federal appropriation are provided solely for adding stabilization staff to existing youth mobile crisis teams.

~~((50))~~ ~~(\$57,580,000)~~ ~~(52)~~ \$59,421,000 of the general fund—state appropriation for fiscal year 2024, ~~((61,807,000))~~ \$71,107,000 of the general fund—state appropriation for fiscal year 2025, and ~~((109,146,000))~~ \$69,409,000 of the general fund—federal appropriation are provided solely for the authority to contract with community hospitals or freestanding evaluation and treatment centers to provide long-term inpatient care beds as defined in RCW 71.24.025. Within these amounts, the authority must meet the requirements for reimbursing counties for the judicial services for patients being served in these settings in accordance with RCW 71.05.730. The authority must coordinate with the department of social and health services in developing the contract requirements, selecting contractors, and establishing processes for identifying patients that will be admitted to these facilities. Of the amounts in this subsection, sufficient amounts are provided in fiscal year 2024 and fiscal year 2025 for the authority to reimburse community hospitals and nonhospital residential treatment centers serving clients in long-term inpatient care beds as defined in RCW 71.24.025 as follows:

(a) For a hospital licensed under chapter 70.41 RCW that requires a hospital specific medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients because the hospital has completed a medicare cost report, the authority shall analyze the most recent medicare cost report of the hospital after a minimum of 200 medicaid inpatient psychiatric days. The authority shall establish the inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at 100 percent of the allowable cost of care, based on the most recent medicare cost report of the hospital.

(b) For a hospital licensed under chapter 70.41 RCW that has not completed a medicare cost report with more than 200 medicaid inpatient psychiatric days, the authority shall establish the medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at the higher of the hospital's current medicaid inpatient psychiatric rate; or the annually updated statewide average of the medicaid inpatient psychiatric per diem payment rate of all acute care hospitals licensed under chapter 70.41 RCW providing long-term civil commitment services.

(c) For a hospital licensed under chapter 71.12 RCW and currently providing long-term civil commitment services, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at ~~((940))~~ \$1,250 plus adjustments that may be needed to capture costs associated with long-term psychiatric patients that are not allowable on the medicare cost report or reimbursed separately. The hospital may provide the authority with supplemental data to be considered and used to make appropriate adjustments to the medicaid inpatient psychiatric per diem payment rate of the hospital. Adjustment of costs may include:

(i) Costs associated with professional services and fees not accounted for in the hospital's medicare cost report or reimbursed separately;

(ii) Costs associated with the hospital providing the long-term psychiatric patient access to involuntary treatment court services that are not reimbursed separately; and

(iii) Other costs associated with caring for long-term psychiatric patients that are not reimbursed separately.

(d) For a hospital licensed under chapter 71.12 RCW that requires an initial medicaid inpatient psychiatric per diem payment rate for long-term civil commitment services because it has not yet completed a medicare cost report, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at the higher of:

(i) The hospital's current medicaid inpatient psychiatric rate; or

(ii) The annually updated statewide average of the medicaid long-term inpatient psychiatric per diem payment rate of all freestanding psychiatric hospitals licensed under chapter 71.12 RCW providing long-term civil commitment services.

(e) For nonhospital residential treatment centers certified to provide long-term inpatient care beds as defined in RCW 71.24.025, the authority shall establish the medicaid psychiatric per diem payment rate at ~~((the fiscal year 2023 level))~~ \$1,250.

(f) Beginning in fiscal year 2024, the authority shall pay a rate enhancement for patients committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The enhancement shall be available to all hospital and nonhospital facilities providing services under this subsection except those whose rates are set at 100 percent of their most recent medicare cost report. The rate enhancement shall not exceed the tiered rate enhancements established under the 1915(i) state plan.

(g) Beginning in fiscal year 2025, the authority may pay a rate enhancement of \$500 per day for individuals with complex medical needs, challenging behaviors often diagnosed with co-occurring intellectual or developmental disability, traumatic brain injury, dementia, or significant medical issues requiring personal care. The rate enhancement is available to providers contracting directly with the authority.

(h) Provider payments for vacant bed days shall not exceed six percent of their annual contracted bed days.

~~((h))~~ (i) The authority, in coordination with the department of social and health services, the office of the governor, the office of financial management, and representatives from medicaid managed care organizations, behavioral health administrative service organizations, and community providers, must update its plan to continue the expansion of civil community long-term inpatient capacity. The plan shall identify gaps and barriers in the current array of community long-term inpatient beds in serving higher need individuals including those committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The plan shall identify strategies to overcome these barriers including, but not limited to, potential rate enhancements for high needs clients. The authority must submit its updated implementation plan to the office of financial management and the appropriate fiscal committees of the legislature by December 1, 2023, and submit a status update on the implementation plan by October 15, 2024.

~~((51))~~ (53) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a one-time grant to Island county to maintain support for a pilot program to improve behavioral health outcomes for young people in rural communities. In administering the pilot program, Island county shall coordinate with school districts, community groups, and health care providers to increase access to behavioral health programs for children and youth aged birth to 24 years of age. The grant funds shall be used to coordinate and expand behavioral health services. The grant funding must not be used to supplant funding from existing programs. No more than 10 percent of the funds may be used for administrative costs incurred by Island county in administering the program. Services that may be provided with the grant funding include, but are not limited to:

(i) Support for children and youth with significant behavioral health needs to address learning loss caused by COVID-19 and remote learning;

(ii) School based behavioral health education, assessment, and brief treatment;

(iii) Screening and referral of children and youth to long-term treatment services;

(iv) Behavioral health supports provided by community agencies serving youth year-round;

(v) Expansion of mental health first aid, a program designed to prepare adults who regularly interact with youth for how to help people in both crisis and noncrisis mental health situations;

(vi) Peer support services; and

(vii) Compensation for the incurred costs of clinical supervisors and internships.

(b) The authority, in coordination with Island county, must submit to the office of financial management and the appropriate committees of the legislature, a report summarizing how the funding was used and providing the number of children and youth served by the pilot during fiscal year 2024 by December 1, 2024.

~~((52))~~ (54) \$265,000 of the general fund—state appropriation for fiscal year 2024, \$281,000 of the general fund—state appropriation for fiscal year 2025, and \$546,000 of the general fund—federal appropriation are provided solely for the authority to provide specialized training and consultation for physicians and professionals to support children with developmental disabilities and behavioral health needs.

~~((53) — \$2,184,000)~~ (55) \$2,262,000 of the general fund—federal appropriation and ~~(( \$2,184,000 ))~~ \$2,262,000 of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Within these amounts, funding is provided for the authority to support community discharge efforts for patients at the state hospitals. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its providers or third party administrator. The department and the authority in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not increase general fund—state expenditures above appropriated levels for this specific purpose. The secretary in collaboration with the director of the authority shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal

committees of the legislature the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

~~((54))~~ (56) \$130,000 of the general fund—federal appropriation is provided solely for the authority to participate in efforts to ensure behavioral health agencies are compensated for their role as teaching clinics for students seeking professional education in behavioral health disciplines and for new graduates working toward licensure.

~~((55))~~ (57) \$250,000 of the general fund—state appropriation for fiscal year 2024, \$934,000 of the general fund—state appropriation for fiscal year 2025, and \$1,447,000 of the general fund—federal appropriation are provided solely for increasing case management services to pregnant and parenting women provided through the parent child assistance program and for increasing the number of residential treatment beds available for pregnant and parenting women.

~~((56))~~ (58) Within the amounts provided in this section, sufficient funding is provided for the authority to maintain and increase the capabilities of a tool to track medication assisted treatment provider capacity.

~~((57))~~ (59) \$2,000,000 of the general fund—federal appropriation is provided solely for grants to law enforcement and other first responders to include a mental health professional on the team of personnel responding to emergencies.

~~((58) \$1,653,000)~~ (60) \$855,000 of the general fund—state appropriation for fiscal year 2025 and ~~((2,024,000))~~ \$1,149,000 of the general fund—federal appropriation are provided solely for the authority to contract for long-term involuntary treatment services in a 16-bed residential treatment facility being developed by the Tulalip tribe in Stanwood.

~~((59))~~ (61) \$956,000 of the general fund—state appropriation for fiscal year 2024 and \$956,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for wraparound with intensive services for youth ineligible for medicaid as outlined in the settlement agreement under *AGC v. Washington State Health Care Authority*, Thurston county superior court no. 21-2-00479-34.

~~((60))~~ (62) \$18,188,000 of the general fund—state appropriation for fiscal year 2024 and \$18,188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for claims for services rendered to medicaid eligible clients admitted to institutions of mental disease that were determined to be unallowable for federal reimbursement due to medicaid's institutions for mental disease exclusion rules.

~~((61))~~ (63) \$6,010,000 of the general fund—state appropriation for fiscal year 2024, \$6,010,000 of the general fund—state appropriation for fiscal year 2025, and \$1,980,000 of the general fund—federal appropriation are provided solely for the authority, in coordination with the department of health, to deploy an opioid awareness campaign and to contract with syringe service programs and other service settings assisting people with substance use disorders to: Prevent and respond to overdoses; provide other harm reduction services and supplies, including but not limited to distributing naloxone; fentanyl testing and other drug testing supplies; and for expanding contingency management services. The authority is encouraged to use these funds to leverage federal funding for this purpose to expand buying power when possible. The authority should prioritize funds for naloxone in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to deploy an opioid awareness campaign targeted at youth to increase the awareness of the dangers of fentanyl.

~~((62))~~ (64) \$4,763,000 of the general fund—state appropriation for fiscal year 2024, \$4,763,000 of the general fund—state appropriation for fiscal year 2025, and \$25,754,000 of the general fund—federal appropriation are provided solely to maintain a rate increase authorized for opioid treatment providers on January 1, 2023.

~~((63))~~ (65) \$2,387,000 of the general fund—state appropriation for fiscal year 2024 and \$2,387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support individuals enrolled in the foundational community supports initiative who are transitioning from benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The authority, department of social and health services, and department of commerce shall collaborate on this effort.

~~((64))~~ (66) \$2,249,000 of the general fund—state appropriation for fiscal year 2024 and \$2,249,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with programs to provide medical respite care for individuals with behavioral health needs. The programs must serve individuals with significant behavioral health needs and medical issues who do not require hospitalization but are unable to provide adequate self-care for their medical conditions. The programs must prioritize services to individuals with complex medical and behavioral health issues who are homeless or who were recently discharged from a hospital setting. The services must meet quality standards and best practices developed by the national health care for the homeless council and may include, but are not limited to, medical oversight and health education; care transitions; and discharge planning to and from primary care, inpatient hospital, emergency rooms, and supportive housing. In selecting the contractors, the authority must prioritize projects that demonstrate the active involvement of an established medical provider that is able to

leverage federal medicaid funding in the provision of these services. The authority must work with the medicaid managed care organizations to encourage their participation and assist the plans and the contractor in identifying mechanisms for appropriate use of medicaid reimbursement in this setting.

~~((65))~~ (67) \$988,000 of the general fund—state appropriation for fiscal year 2024, \$988,000 of the general fund—state appropriation for fiscal year 2025, and \$618,000 of the general fund—federal appropriation are provided solely for the authority to contract for three regional behavioral health mobile crisis response teams focused on supported housing to prevent individuals with behavioral health conditions at high risk of losing housing from becoming homeless, identify and prioritize serving the most vulnerable people experiencing homelessness, and increase alternative housing options to include short-term alternatives which may temporarily deescalate situations where there is high risk of a household from becoming homeless.

~~((66))~~ (68) \$5,623,000 of the general fund—state appropriation for fiscal year 2024, \$5,623,000 of the general fund—state appropriation for fiscal year 2025, and \$3,748,000 of the general fund—federal appropriation are provided solely to maintain and expand access to no barrier, and low-barrier programs using a housing first model designed to assist and stabilize housing supports for adults with behavioral health conditions. Housing supports and services shall be made available with no requirement for treatment for their behavioral health condition and must be individualized to the needs of the individual. The authority and department of commerce shall collaborate on this effort and must submit a status report to the office of financial management and the appropriate committees of the legislature by December 31, 2023.

~~((67))~~ (69) \$675,000 of the general fund—state appropriation for fiscal year 2024 and \$675,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rental voucher and bridge program and to implement strategies to reduce instances where an individual leaves a state operated behavioral or private behavioral health facility directly into homelessness. The authority must prioritize this funding for individuals being discharged from state operated behavioral health facilities.

~~((68))~~ (70) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$361,000 of the general fund—state appropriation for fiscal year 2025, and \$482,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the department of social and health services research and data analysis division, to implement community behavioral health service data into the existing executive management information system. Of these amounts, \$288,000 of the general fund—state appropriation for fiscal year 2024, \$288,000 of the general fund—state appropriation for fiscal year 2025, and \$384,000 of the general fund—federal appropriation are provided solely for the authority to reimburse the research and data analysis division for staff costs associated with this project. The data elements shall be incorporated into the monthly executive management information system reports on a phased-in basis, allowing for elements which are readily available to be incorporated in the initial phase, and elements which require further definition and data collection changes to be incorporated in a later phase. The authority must collaborate with the research and data analysis division to ensure data elements are clearly defined and must include requirements in medicaid managed care organization and behavioral health administrative services organization contracts to provide the data in a consistent and timely manner for inclusion into the system. The community behavioral health executive management information data elements must include, but are not limited to: Psychiatric inpatient bed days; evaluation and treatment center bed days; long-term involuntary community psychiatric inpatient bed days; children's long-term inpatient bed days; substance use disorder inpatient, residential, withdrawal evaluation and management, and secure withdrawal evaluation and management bed days; crisis triage and stabilization services bed days; mental health residential bed days; mental health and substance use disorder outpatient treatment services; opioid substitution and medication assisted treatment services; program of assertive treatment team services; wraparound with intensive services; mobile outreach crisis services; recovery navigator team services; foundational community supports housing and employment services; projects for assistance in transition from homelessness services; housing and recovery through peer services; other housing services administered by the authority; mental health and substance use disorder peer services; designated crisis responder investigations and outcomes; involuntary commitment hearings and outcomes; pregnant and parenting women case management services; and single bed certifications and no available bed reports. Wherever possible and practical, the data must include historical monthly counts and shall be broken out to distinguish services to medicaid and nonmedicaid individuals and children and adults. The authority and the research and data analysis division must consult with the office of financial management and staff from the fiscal committees of the legislature on the development and implementation of the community behavioral health data elements.

~~((69))~~ (71) \$2,587,000 of the general fund—state appropriation for fiscal year 2024 and \$2,587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to support efforts by counties and cities to implement local response teams. Of these amounts:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to provide a grant to the association of Washington cities to assist cities with the costs of implementing alternative response teams. This funding must be used to

reimburse cities for documented costs associated with creating co-responder teams within different alternative diversion models including law enforcement assisted diversion programs, community assistance referral and education programs, and as part of mobile crisis teams. Cities are encouraged to partner with each other to create a regional response model. In awarding these funds, the association must prioritize applicants with demonstrated capacity for facility-based crisis triage and stabilization services. The association and authority must collect and report information regarding the number of facility-based crisis stabilization and triage beds available in the locations receiving funding through this subsection and submit a report to the office of financial management and the appropriate committees of the legislature with this information by December 1, 2023.

(b) \$587,000 of the general fund—state appropriation for fiscal year 2024 and \$587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Whatcom county alternative response team.

~~((70))~~(72) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the University of Washington addictions, drug, and alcohol institute. This funding must be used for advanced, evidence-based training for law enforcement to improve interactions with individuals who use drugs. The training must be developed so it can be adapted and used statewide to decrease stigmatizing beliefs among law enforcement through positive contact with people who use drugs and improve officer well-being and effectiveness by providing skills and techniques to address the drug overdose epidemic. The institute must develop and refine this training, leveraging prior work, and in partnership with a steering committee that includes people with lived or living experience of substance use disorder and criminal legal involvement, researchers, clinicians, law enforcement officers, and others. The training must complement, but not duplicate, existing curricula already provided by the criminal justice training commission. The institute must pilot the advanced training in a subset of regional law enforcement agencies and evaluate its acceptability and feasibility through participant interviews and pretraining and posttraining ratings of stigmatizing beliefs. The institute must incorporate feedback from the pilot training sessions into a final training program that it must make available to law enforcement agencies across the state.

~~((71))~~(73) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue development and implementation of the certified community behavioral health clinic model for comprehensive behavioral health services. Funding must be used to secure actuarial expertise, conduct research into national data and other state models, including obtaining resources and expertise from the national council for mental well-being certified community behavioral health clinic success center; and engage stakeholders, including representatives of licensed community behavioral health agencies and medicaid managed care organizations, in the process. The authority must provide a report to the office of financial management and the appropriate committees of the legislature with findings, recommendations, and cost estimates by December 31, 2024. The study must build on the preliminary report submitted to the legislature in December 2022 and include:

(a) Overviews of options and considerations for implementing the certified community behavioral health clinic model within Washington state, including participation as a certified community behavioral health clinic demonstration state or for independent statewide implementation;

(b) An analysis of the impact of expanding the certified community behavioral health clinic model on the state's behavioral health systems;

(c) Relevant federal regulations and options to implement the certified community behavioral health clinic model under those regulations;

(d) Options for implementing a prospective payment system methodology;

(e) An analysis of the benefits and potential challenges for integrating the certified community behavioral health clinic reimbursement model within an integrated care environment;

(f) Actuarial analysis on the costs for implementing the certified community behavioral health clinic model, including opportunities for leveraging federal funding; and

(g) Recommendations to the legislature on a pathway for statewide implementation.

(h) Of the amounts provided in this subsection, \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to clinics who received certified community behavioral health clinic funding from the federal substance abuse and mental health services administration to continue their operations pending the end of their federal grant period.

~~((72))~~(74) \$1,135,000 of the general fund—state appropriation for fiscal year 2025 and \$568,000 of the general fund—federal appropriation are provided solely to develop and operate a 16-bed substance use disorder inpatient facility in Grays Harbor county that specializes in treating pregnant and parenting women using a family preservation model. The authority must contract for these services through behavioral health entities in a manner that allows leveraging of federal medicaid funds to pay for a portion of the costs. The authority must consult with the department of children, youth, and families in the implementation of this funding. The facility must allow families to reside together while a parent is receiving treatment. Of these amounts, \$568,000 may be used for documented startup costs including the recruitment, hiring, and training of staff. If the authority is able to identify a provider that can begin developing these services before July 2024, it must notify the office of financial management and the appropriate committees of the legislature and submit a request for funding in the fiscal year 2024 supplemental operating budget.

~~((73))~~ (75) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided on a one-time basis solely for the authority to continue a grant to the city of Snoqualmie to pilot behavioral health emergency response and coordination services through a regional behavioral health coordinator. The regional behavioral health coordinator shall be a licensed mental health or substance use disorder professional who works directly with and accompanies law enforcement officers and fire and rescue first responders to help respond to crises involving persons with behavioral health needs. The coordinator shall plan, implement, and coordinate services related to crisis response and social service needs with the city of Snoqualmie, the city of North Bend, the Snoqualmie police and fire departments, and the eastside fire and rescue agency serving North Bend, and local community services, school districts, hospitals, and crisis response systems provided by King county for the region. The coordinator shall support the social services needs identified through police and fire response in the lower Snoqualmie valley and serve as a liaison between law enforcement, first responders, and persons accessing or requesting emergency services with social service needs. The authority shall collect information on the pilot project and, in coordination with the city of Snoqualmie, must submit a report to the office of financial management and the appropriate committees of the legislature by December 31, 2023, summarizing the services provided through the grant funds and identifying recommendations on how to implement effective, integrated, coordinated behavioral health emergency response and community care services. The authority must also provide the report to the criminal justice training commission, the Washington association of sheriffs and police chiefs, and the Washington fire commissioners association.

~~((74))~~ (76) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract for services with a statewide recovery community organization. The authority must award this funding to an organization that: (a) Has experience building the capacity of the recovery community to advance substance use recovery and mental health wellness by catalyzing public understanding and shaping public policy; (b) is led and governed by representatives of local communities of recovery; (c) centers the voices of people with lived experience who are touched by addiction and mental health challenges, and harnesses the power of story to drive change in the mental health and addiction treatment systems; and (d) provides free community education, skills trainings, events, and a conference in order to increase the understanding of issues around behavioral health and recovery. Services provided by the contracted program must include education, support, and assistance to increase connection of the recovery community, recovery capital, and knowledge about recovery and mental health resources. In conducting this work, the contractor must engage diverse individuals in recovery, impacted families, and providers from all regions of the state and leverage the assistance of affiliated groups and organizations. The organization must also prioritize diversity, equity, and justice in their work to eradicate health disparities of marginalized communities.

~~((75))~~ (77) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue and expand a contract with a Seattle based nonprofit organization with experience matching voluntary specialty care providers with patients in need of care to provide pro bono counseling and behavioral health services to uninsured and underinsured individuals with incomes below 300 percent of the federal poverty level. The authority may require the contractor to seek, document, and report to the authority on efforts to leverage local, federal, or philanthropic funding to provide sustained operational support for the program.

~~((76))~~ (78) \$2,437,000 of the general fund—state appropriation for fiscal year 2024, \$4,772,000 of the general fund—state appropriation for fiscal year 2025, and \$1,705,000 of the general fund—federal appropriation are provided solely for the authority to contract for youth inpatient navigator services in seven regions of the state. The services must be provided through clinical response teams that receive referrals for children and youth inpatient services and manage a process to coordinate placements and alternative community treatment plans. Of these amounts for each fiscal year, \$445,000 of the general fund—state appropriation and \$79,000 of the general fund—federal appropriation are provided solely to contract for services through an existing program located in Pierce county.

~~((77))~~ (79) \$7,601,000 of the general fund—state appropriation for fiscal year 2024, \$7,601,000 of the general fund—state appropriation for fiscal year 2025, and \$2,820,000 of the general fund—federal appropriation are provided solely for assisted outpatient treatment and other costs associated with implementation of chapter 210, Laws of 2022 (SHB 1773). Of the amount provided in this subsection, \$1,000 is for implementation of Engrossed Senate Bill No. 5130 (assisted outpatient treatment).

~~((78) \$1,878,000)~~ (80) \$1,378,000 of the general fund—state appropriation for fiscal year 2024 and ~~((429,000))~~ \$929,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to support the children and youth behavioral health work group to consider and develop longer term strategies and recommendations regarding the delivery of behavioral health services for children, transitioning youth, and their caregivers pursuant to chapter 76, Laws of 2022 (2SHB 1890).

~~((79))~~ (81) Sufficient funding is provided for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

~~((80))~~ (82) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contingency management resources in accordance with chapter 311, Laws of 2021 (ESB 5476).

~~((81))~~ (83) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a contract for services funded in section 215(127), chapter 297, Laws of 2022 (ESSB 5693) to provide information and support related to safe housing and support services for youth exiting inpatient mental health and/or substance use disorder facilities to stakeholders, inpatient treatment facilities, young people, and other community providers that serve unaccompanied youth and young adults.

~~((82))~~ (84) \$2,336,000 of the general fund—state appropriation for fiscal year 2024, 2,336,000 of the general fund—state appropriation for fiscal year 2025, and \$3,036,000 of the general fund—federal appropriation are provided solely for the authority to contract with opioid treatment providers to operate mobile methadone units to address treatment gaps statewide.

~~((83))~~ (85) \$216,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$1,454,000 of the general fund—federal appropriation are provided solely for the authority to increase fee for service rates for mental health and substance use disorder treatment by 22 percent. This rate increase shall be effective January 1, 2024. This rate increase does not apply to per diem costs for long-term civil commitment inpatient services or for services for which rate increases were provided under other subsections of this section. Services affected by the psychiatric rebase in subsection ~~((84))~~ (86) of this section are excluded from this rate increase. The authority must include the proportional costs of increasing fee-for-service rates for mental health and substance use disorder treatment paid on behalf of tribal members not electing enrollment in managed care plans in any agency request decision package it submits during the fiscal biennium for increasing provider rates in the managed care behavioral health program.

~~((84))~~ (86) Sufficient amounts are provided in this section for the authority to rebase community hospital psychiatric inpatient rates effective January 1, 2024. Rebasing adjustments shall be based on adjusted calendar year 2020 medicare cost reports.

~~((85))~~ (87) (a) \$3,805,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

- (i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit exchange;
- (ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and
- (iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amount provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

- (i) Actual and forecasted expenditures;
- (ii) Actual and forecasted data from the caseload forecast council; and
- (iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount that may be expended for the purposes of this program.

~~((86))~~ (88) (a) \$2,317,000 of the general fund—state appropriation for fiscal year 2024 and \$4,433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to three behavioral health administrative services organizations to transition persons who are either being diverted from criminal prosecution to behavioral health treatment services or are in need of housing upon discharge from crisis stabilization services. The authority must provide an opportunity for all of the behavioral health administrative service organizations to submit plans for consideration.

(b) Grant criteria must include, but are not limited to:

(i) A commitment to matching individuals with temporary lodging or permanent housing, including supportive housing services and supports, that is reasonably likely to fit their actual needs and situation, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability; and

(ii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement, including appropriate supportive housing supports and services, within six months except under unusual circumstances.

(c) When awarding grants, the authority must prioritize applicants that:



- (i) Provide matching resources;
  - (ii) Focus on ensuring an expeditious path to sustainable permanent housing solutions;
- and
- (iii) Demonstrate an understanding of working with individuals who experience homelessness or have interactions with the criminal legal system to understand their optimal housing type and level of ongoing services.

~~((87))~~ (89) (a) \$2,266,000 of the general fund—state appropriation for fiscal year 2024, \$14,151,000 of the general fund—state appropriation for fiscal year 2025, and \$19,269,000 of the general fund—federal appropriation are provided solely for services to medicaid and state funded clients in behavioral health residential treatment facilities that are scheduled to open during the 2023-2025 fiscal biennium.

(b) Within the amounts provided in this subsection, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to reimburse the department of social and health services for staffing costs related to tracking behavioral health community capacity through the community behavioral health executive management information system and providing annual reports on the implementation of new behavioral health community capacity.

(c) The department of commerce, the department of health, and the authority must cooperate with the department of social and health services in collecting and providing the data necessary to incorporate tracking of behavioral health beds into the behavioral health executive management information system and to prepare the required reports. The agencies must work to ensure they are using consistent definitions in classifying behavioral health bed types for the purpose of reporting capacity and utilization.

(d) The authority and the department of social and health services must begin tracking behavioral health bed utilization for medicaid and state funded clients by type of bed in the executive management information system by October 1, 2023. The department of commerce shall identify to the department of social and health services all providers that have received funding through their capital grant program since the 2013-2015 fiscal biennium. The department of social and health services must incorporate tracking of services by provider including an element to identify providers that have received funding through the capital budget so that reports can be provided related to the average daily client counts for medicaid and state funded clients being served by provider and by facility type.

(e) By November 1, 2023, the department of social and health services, in coordination with the department of commerce, the department of health, and the authority, must submit an annual report to the office of financial management and the appropriate committees of the legislature. The first annual report must provide information on the facilities that received funding through the department of commerce's behavioral health community capacity grant funding since the 2013-2015 fiscal biennium and the utilization across all behavioral health facilities for medicaid and state funded clients. The report must provide the following information for each facility that has received funding through the capital budget: (i) The amount received by the state and the total project cost; (ii) the facility address; (iii) the number of new beds or additional bed capacity by the service type being provided; and (iv) the utilization of the additional beds by medicaid or state funded clients by service type.

(f) By November 1, 2024, the department of social and health services must submit the second annual report to the office of financial management and the appropriate committees of the legislature. The second annual report must update the bed capacity and utilization information required in the first report and compare that capacity to demand by service type by geographical region of the state.

~~((88))~~ (90) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the efforts of the joint legislative and executive committee on behavioral health established in section 135 of this act.

~~((89))~~ (91) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely to support the provision of behavioral health co-responder services on nonlaw enforcement emergency medical response teams.

~~((90))~~ (92) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the King county behavioral health administrative services organization to expand medication for opioid use disorder treatment services in King county.

~~((91))~~ (93) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the authority to contract on a one-time basis with the behavioral health administrative services organization serving Kitsap county for crisis triage services in the county that are not being reimbursed through the medicaid program.

~~((92))~~ (94) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the behavioral health administrative services organization serving Snohomish county for start-up costs in a new 32-bed community recovery center in Lynnwood that will provide crisis services to medicaid and other low income residents.

~~((93))~~ \$3,142,000 of the general fund—state appropriation for fiscal year 2024, \$3,869,000 of the general fund—state appropriation for fiscal year 2025, and \$10,574,000 of

~~the general fund—federal appropriation are provided solely to reimburse the department of social and health services for the costs of medicaid services at a 16-bed residential treatment facility serving long-term involuntary inpatient patients. The authority and the department of social and health services must utilize case rate and cost based reimbursement models to maximize federal matching funds at the facility. Up to \$200,000 of the general fund—state appropriation for fiscal year 2024 may be used to facilitate these efforts.~~

~~((94))~~ (95) \$313,000 of the general fund—federal appropriation is provided solely to support a media campaign for Native Americans related to the prevention of substance abuse and suicide.

~~((95))~~ (96) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with up to two behavioral health agencies that are interested in offering or expanding wraparound with intensive services for children and youth. The funds may be used to support costs associated with recruitment, training, technical assistance, or other appropriate costs required to develop the capacity to offer these specialized services.

~~((96))~~ (97) \$22,000,000 of the general fund—state appropriation for fiscal year 2024 and \$22,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations to implement the statewide recovery navigator program established in chapter 311, Laws of 2021 (ESB 5476) and for related technical assistance to support this implementation. This includes funding for recovery navigator teams to provide community-based outreach and case management services based on the law enforcement assisted diversion model and for technical assistance support from the law enforcement assisted diversion national support bureau. Of the amounts provided in this subsection, \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 must be allocated to maintain recovery navigator services in King, Pierce, and Snohomish counties. These amounts must be in addition to the proportion of the allocation of the remaining funds in this subsection the regional behavioral health administrative services organizations serving those counties were allocated pursuant to section 22(1), chapter 311, Laws of 2021.

~~((97))~~ (98) \$3,114,000 of the general fund—state appropriation for fiscal year 2024, \$3,114,000 of the general fund—state appropriation for fiscal year 2025, and \$5,402,000 of the general fund—federal appropriation are provided solely for the authority to implement clubhouse services in every region of the state.

~~((98))~~ (99) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 and \$7,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to implement homeless outreach stabilization teams pursuant to chapter 311, Laws of 2021 (ESB 5476).

~~((99))~~ (100) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$2,500,000 of the general fund—state appropriation for fiscal year 2025, \$81,000 of the general fund—federal appropriation, and ~~((5,000,000))~~ \$12,280,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to expand efforts to provide opioid use disorder medication in city, county, regional, and tribal jails.

~~((100))~~ (101) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for behavioral health administrative service organizations to develop regional recovery navigator program plans pursuant to chapter 311, Laws of 2021 (ESB 5476), and to establish positions focusing on regional planning to improve access to and quality of regional behavioral health services with a focus on integrated care.

~~((101))~~ (102) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with an organization with expertise in supporting efforts to increase access to and improve quality in recovery housing and recovery residences. This funding shall be used to increase recovery housing availability through partnership with private landlords, increase accreditation of recovery residences statewide, operate a grievance process for resolving challenges with recovery residences, and conduct a recovery capital outcomes assessment for individuals living in recovery residences.

~~((102))~~ (103) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$4,000,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to provide short-term housing vouchers for individuals with substance use disorders.

~~((103))~~ (104) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to convene and provide staff and contracted services support to the recovery oversight committee established in chapter 311, Laws of 2021 (ESB 5476).

~~((104))~~ (105) \$2,565,000 of the general fund—state appropriation for fiscal year 2024 and \$2,565,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to develop and implement the recovery services plan and to carry out other requirements of chapter 311, Laws of 2021 (ESB 5476). Within these amounts, funding is provided for the authority to:

(a) Establish an occupational nurse consultant position within the authority to provide contract oversight, accountability, and performance improvement activities, and to ensure

medicaid managed care organization plan compliance with provisions in law and contract related to care transitions work with local jails; and

(b) Establish a position within the authority to create and oversee a program to initiate and support emergency department programs for inducing medications for patients with opioid use disorder paired with a referral to community-based outreach and case management programs.

~~((105))~~ (106) \$400,000 of the general fund—federal appropriation is provided solely to support the development and implementation of the parent portal directed in chapter 134, Laws of 2022 (SHB 1800).

~~((106) \$23,763,000)~~ (107) \$23,148,000 of the general fund—federal appropriation is provided solely for the authority to contract with the University of Washington behavioral health teaching facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The authority must coordinate with the department of social and health services and the University of Washington to evaluate and determine criteria for the current population of state hospital patients, committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, who can be effectively treated at the University of Washington behavioral health teaching facility. The authority, in coordination with the department of social and health services and the University of Washington, must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, summarizing the numbers and types of patients that are committed to the state hospitals pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, the numbers and types that would be appropriate to be served at the University of Washington behavioral health teaching facility, and the criteria that was used to make the determination.

~~((107))~~ (108) \$444,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$716,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1515 (behavioral health contracts). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~(108))~~ (109) (a) \$320,000 of the general fund—state appropriation for fiscal year 2024, ~~(( \$796,000 ))~~ \$1,796,000 of the general fund—state appropriation for fiscal year 2025, and \$1,196,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1168 (prenatal substance exposure). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) Of the amounts provided in (a) of this subsection, \$500,000 of the general fund—federal appropriation is provided solely for the authority to contract with a statewide nonprofit entity with expertise in fetal alcohol spectrum disorders and experience in supporting parents and caregivers to offer free support groups for individuals living with fetal alcohol spectrum disorders and their parents and caregivers.

~~((109))~~ (110) \$91,000 of the general fund—state appropriation for fiscal year 2024, \$91,000 of the general fund—state appropriation for fiscal year 2025, and \$126,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(111) \$5,474,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$210,000 of the general fund—federal appropriation are provided solely for the authority to implement Engrossed Second Substitute House Bill No. 1134 (988 system).

(a) Within these amounts, \$4,000,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the authority to provide grants to new or existing mobile rapid response teams and to community-based crisis teams to support efforts for meeting the standards and criteria for receiving an endorsement pursuant to provisions of the bill. In awarding grants under this subsection, the authority must prioritize funding for proposals that demonstrate experience and strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

(b) Within the remaining amounts, sufficient funding is provided for the authority to conduct the actuarial analysis and development of options for payment mechanisms for rate enhancements as directed in section ~~((8 of Engrossed Second Substitute House Bill No. 1134 (988 system)))~~ 9, chapter 454, Laws of 2023 and to implement other activities required by the bill.

~~((c) If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(112) \$26,854,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$17,636,000 of the general fund—federal appropriation are provided solely for the authority to expand and enhance regional crisis services. These amounts must be used to expand services provided by mobile crisis teams and community-based crisis teams either endorsed or seeking endorsement pursuant to standards adopted by the authority. Beginning in fiscal year 2025, the legislature intends to direct amounts within this subsection to be used for performance payments to mobile rapid response teams and community-based crisis teams that receive endorsements pursuant to Engrossed Second Substitute House Bill No. 1134 (988 system).

(113) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to increase resources for behavioral health administrative service

organizations and managed care organizations for the increased costs of room and board for behavioral health inpatient and residential services provided in nonhospital facilities.

(114) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a youth behavioral inpatient and outpatient program with facilities in Clark and Spokane counties that serve over 65 percent medicaid eligible clients for co-occurring substance use and mental health disorders and sexual exploitation behavioral health treatment. This funding is provided on a one-time basis and must be used for treatment and services.

(115) ~~(\$18,168,000)~~ \$36,993,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to address and remediate the opioid epidemic. Of these amounts:

(a) \$2,500,000 is provided solely for the authority to provide or contract for opioid prevention, outreach, treatment, or recovery support services that are not reimbursable under the state medicaid plan.

(b) \$500,000 is provided solely for Spanish language opioid prevention services.

(c) \$2,000,000 is provided solely to maintain prevention services that address underage drinking, cannabis and tobacco prevention, and opioid, prescription, and other drug misuse among individuals between the ages of 12 and 25.

(d) \$1,830,000 is provided solely for programs to prevent inappropriate opioid prescribing.

(e) \$538,000 is provided solely for technical support to improve access to medications for opioid use disorder in jails.

(f) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority, in coordination with the department of health, to develop and implement a health promotion and education campaign, with a focus on synthetic drug supplies, including fentanyl, and accurate harm reduction messaging for communities, law enforcement, emergency responders, and others.

(g) \$3,500,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide support funds to new and established clubhouses throughout the state.

(h) \$6,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide grants for the operational costs of new staffed recovery residences which serve individuals with substance use disorders who require more support than a level 1 recovery residence.

(i) \$1,675,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to contract with the downtown emergency service center, for the support of an opioid recovery and care access center. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(j) \$3,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to increase access to long-acting injectable buprenorphine products. The authority must use these funds to provide one-time grants to small providers that are not financially affiliated with a hospital to purchase long-acting injectable buprenorphine products. The authority shall study alternative models that will ease access to long-acting injectable buprenorphine and report recommendations to the office of financial management and the appropriate committees of the legislature by October 15, 2024.

(k) \$3,050,000 of the opioid abatement settlement account—state appropriation is provided solely for stabilization funding for current community prevention and wellness initiative programs across the state.

(l) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely to expand the number of health engagement hub pilot projects pursuant to chapter 1, Laws of 2023 sp. sess.

(m) \$750,000 of the opioid abatement settlement account—state appropriation is provided solely for additional outreach workers to support the expansion of oxford houses.

(n) \$450,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to purchase and maintain smart health machines. This purchase is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(o) \$3,700,000 of the opioid abatement settlement account—state appropriation is provided solely for five pilot programs of health care professionals that will assess and address the acute and chronic physical and behavioral health needs of people living homeless in encampments and on the streets with substance use disorders including opioid use disorder. Of the amounts provided:

(i) \$1,000,000 of the opioid abatement settlement account—state appropriation is for a grant to King county;

(ii) \$1,000,000 of the opioid abatement settlement account—state appropriation is for a grant to the city of Spokane;

(iii) \$1,000,000 of the opioid abatement settlement account—state appropriation is for a grant to the city of Tacoma;

(iv) \$500,000 of the opioid abatement settlement account—state appropriation is for a grant to the city of Everett; and

(v) \$200,000 of the opioid abatement settlement account—state appropriation is for a grant to Kitsap county.

(p) \$500,000 of the opioid abatement settlement account—state appropriation is provided solely to convene an annual tribal fentanyl summit.

(q) \$1,000,000 of the opioid abatement settlement account—state appropriation is provided solely for grants to tribes to implement the Icelandic model of prevention in their communities.

(r) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for a tribal opioid prevention campaign to inform and educate tribal communities about opioid misuse prevention, overdose response, and treatment.

(s) Of the amounts provided in this subsection, the authority may use up to 10 percent for staffing and administrative expenses.

~~((j))~~ (t) In contracting for programs and services under this subsection, the authority must consider data and implement strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

(116) \$5,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to maintain funding for ongoing grants to law enforcement assisted diversion programs outside of King county under RCW 71.24.590.

(117) \$5,500,000 of the opioid abatement settlement account—state appropriation is provided on a one-time basis solely for the authority to implement a pilot program to reimburse a licensed pediatric transitional care facility in Spokane county to provide neonatal abstinence syndrome services to infants who have prenatal substance exposure. The pilot program must study and evaluate the efficacy, outcomes, and impact of providing these services to avoid more costly medical interventions. Within these amounts, \$190,000 is provided solely for the authority to contract with Washington State University to conduct research analyzing the prevalence of neonatal abstinence syndrome and infant and maternal health outcomes associated with neonatal transitional nurseries in Washington. The university must submit a report articulating findings to the appropriate committees of the legislature by December 1, 2024. The report must identify to what extent the federal medicaid program allows for reimbursement of these services and identify the barriers in leveraging federal medicaid funding for these services in Washington's state medicaid plan.

(118) \$15,447,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to pass through to tribes and urban Indian health programs for opioid and overdose response activities. The funding must be used for prevention, outreach, treatment, recovery support services, and other strategies to address and mitigate the effects of the misuse and abuse of opioid related products. The authority must provide the tribes and urban Indian health programs the latitude to use the funding as they see fit to benefit their communities, provided the activities are allowable under the terms of the opioid settlement agreements.

(119) \$66,000 of the general fund—state appropriation for fiscal year 2024, \$502,000 of the general fund—state appropriation for fiscal year 2025, and \$171,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(120) \$190,000 of the general fund—state appropriation for fiscal year 2024, \$354,000 of the general fund—state appropriation for fiscal year 2025, and \$1,106,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5228 (behavioral health OT). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(121) \$3,605,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$1,539,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(122) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Arlington in partnership with the north county regional fire authority for a mobile integrated health pilot project. The project shall provide mobile integrated health services for residents who cannot navigate resources through typical methods through brief therapeutic intervention, biopsychosocial assessment and referral, and community care coordination.

(123) \$1,000 of the general fund—state appropriation for fiscal year 2024 is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

(124) \$300,000 of the opioid abatement settlement account—state appropriation is provided for support of a statewide safe supply work group. The purpose of the work group is to evaluate potential models for safe supply services and make recommendations on inclusion of a safe supply framework in the Washington state substance use recovery services plan to provide a regulated, tested supply of controlled substances to individuals at risk of drug overdose. The work group membership shall be reflective of the community of individuals living with substance use disorder, including persons who are black, indigenous, and persons of color, persons with co-occurring substance use disorders and mental health conditions, as well as persons who represent the unique needs of rural communities.

(a) The work group membership shall consist of, but is not limited to, members appointed by the governor representing the following:

(i) At least one adult in recovery from substance use disorder;

(ii) At least one youth in recovery from substance use disorder;

(iii) One expert from the addictions, drug, and alcohol institute at the University of Washington;

- (iv) One outreach services provider;
  - (v) One substance use disorder treatment provider;
  - (vi) One peer recovery services provider;
  - (vii) One recovery housing provider;
  - (viii) One expert in serving persons with co-occurring substance use disorders and mental health conditions;
  - (ix) One expert in antiracism and equity in health care delivery systems;
  - (x) One employee who provides substance use disorder treatment or services as a member of a labor union representing workers in the behavioral health field;
  - (xi) One representative of the association of Washington healthcare plans;
  - (xii) One representative of sheriffs and police chiefs;
  - (xiii) One representative of a federally recognized tribe; and
  - (xiv) One representative of local government.
- (b) The work group's evaluation shall include, but is not limited to, the following:
- (i) Examining the concept of "safe supply," defined as a legal and regulated supply of mind or body altering substances that traditionally only have been accessible through illicit markets;
  - (ii) Examining whether there is evidence that a proposed "safe supply" would have an impact on fatal or nonfatal overdose, drug diversion, or associated health and community impacts;
  - (iii) Examining whether there is evidence that a proposed "safe supply" would be accompanied by increased risks to individuals, the community, or other entities or jurisdictions;
  - (iv) Examining historical evidence regarding the overprescribing of opioids; and
  - (v) Examining whether there is evidence that a proposed "safe supply" would be accompanied by any other benefits or consequences.
- (c) Staffing for the work group shall be provided by the authority.
- (d) The work group shall provide a preliminary report and recommendations to the governor and the appropriate committees of the legislature by December 1, 2023, and shall provide a final report by December 1, 2024.

(125) Within existing resources, the authority shall collaborate with the department of social and health services to develop a new program for individuals admitted to a state hospital for purposes of civil commitment under RCW 10.77.086. The program must prioritize the use of assisted outpatient treatment resources for eligible individuals and draw upon existing programs, including the program of assertive community treatment and the governor's opportunity for supportive housing program to provide wraparound services for individuals who may be ready to quickly return to the community following an admission.

(126) \$820,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to Island county to maintain crisis stabilization services provided by the Ituha stabilization facility.

(127) \$760,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a one-time grant to evergreen treatment services to increase funding for three opioid treatment program mobile medication units. This grant must be used to ensure continued access to mobile medication services in critical areas to address the opioid epidemic.

(128) (a) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,035,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to solicit a provider to operate up to 40 beds at the Olympic heritage behavioral health facility and for the authority to contract with that provider to operate contracted beds beginning March 15, 2025.

(b) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to conduct a survey of provider interest to determine service options for operating up to 40 beds at the Olympic heritage behavioral health facility, with a target opening date of March 15, 2025. The primary focus of the survey shall be providers able to address the needs of adults with a history or likelihood of criminal legal involvement to reduce the number of people with behavioral health or other diagnoses accessing treatment through the criminal legal system. The survey must seek information from providers, including tribal governments, interested in offering one or more, but not limited to, the following types of services:

(i) Short-term or step down residential behavioral health care, particularly for individuals who may have received treatment or services through crisis stabilization or a 23-hour crisis facility;

(ii) Residential, transitional, or supportive services that would divert individuals from the criminal legal system or emergency departments;

(iii) Substance use or co-occurring treatment, including inpatient or outpatient programming as well as programs designed for the treatment of opioid use disorder; and

(iv) Supportive and residential services for individuals in outpatient competency restoration, subject to assisted outpatient treatment orders or released on personal recognizance while awaiting competency services.

(c) Based upon a review of the survey results and in consultation with the department of social and health services, the authority will develop a recommendation for approval from the office of financial management.

(d) No later than August 1, 2024, upon approval from the office of financial management, the authority shall release a request for proposals to operate up to 40 beds at the Olympic

heritage behavioral health facility. The request for proposal shall include, but not be limited to:

(i) The proposed timeline for operations of selected service;

(ii) How the proposal would reduce the number of individuals with behavioral health needs entering the criminal legal system; and

(iii) Additional information solicited in the survey of interest.

(e) The authority must submit a report to the appropriate committees of the legislature by December 31, 2024, detailing the outcomes of the survey and request for proposals and, if applicable, the provider selected for operating the bed capacity and projections related to the provider cost of operating the contracted space.

(f) \$885,000 of the general fund—state appropriation for fiscal year 2025 provided in this subsection is provided solely for the authority to contract for services with the provider selected under (d) of this subsection. It is the intent of the legislature to align funding provided for these services with the cost of these services in the 2025 legislative session. Amounts appropriated should not be construed as minimum or maximum amounts available for contracted services and the authority must contract with the provider selected under (d) of this subsection at standard rates for the services offered.

(129) \$282,000 of the general fund—state appropriation for fiscal year 2025 and \$253,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6251 (behavioral crisis coord.). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(130) \$461,000 of the general fund—state appropriation for fiscal year 2025 and \$462,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 216. 2023 c 475 s 216 (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund—State Appropriation (FY 2024) . . . . .	((\$4,799,000))
	\$4,804,000
General Fund—State Appropriation (FY 2025) . . . . .	((\$4,720,000))
	\$4,726,000
General Fund—Federal Appropriation . . . . .	\$2,975,000
TOTAL APPROPRIATION . . . . .	((\$12,494,000))
	<u>\$12,505,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$448,000 of the general fund—state appropriation for fiscal year 2024 and \$420,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for investigative staff to address the commission's caseload backlog.

(2) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5186 (contracting/discrimination). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

Sec. 217. 2023 c 475 s 217 (uncodified) is amended to read as follows:

FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

Worker and Community Right to Know Fund—State Appropriation . . . . .	\$10,000
Accident Account—State Appropriation . . . . .	((\$27,516,000))
	\$27,520,000
Medical Aid Account—State Appropriation . . . . .	((\$27,510,000))
	\$27,514,000
TOTAL APPROPRIATION . . . . .	((\$55,036,000))
	<u>\$55,044,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$650,000 of the accident account—state appropriation and \$650,000 of the medical aid account—state appropriation are provided solely for the board of appeals information system modernization project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$47,000 of the accident account—state appropriation and \$47,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(3) \$22,000 of the accident account—state appropriation and \$21,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

Sec. 218. 2023 c 475 s 218 (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund—State Appropriation (FY 2024) . . . . .	(( \$53,805,000 ))
	<u>\$55,096,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$50,466,000 ))
	<u>\$58,713,000</u>
General Fund—Private/Local Appropriation . . . . .	(( \$11,970,000 ))
	<u>\$7,901,000</u>
Death Investigations Account—State Appropriation . . . . .	\$1,708,000
Municipal Criminal Justice Assistance Account—State Appropriation . . . . .	\$460,000
Washington Auto Theft Prevention Authority Account— State Appropriation . . . . .	(( \$7,167,000 ))
	<u>\$14,167,000</u>
Washington Internet Crimes Against Children Account— State Appropriation . . . . .	\$2,270,000
24/7 Sobriety Account—State Appropriation . . . . .	\$20,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$127,866,000 ))</b>
	<b><u>\$140,335,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130.

(2) Funding in this section is sufficient for 75 percent of the costs of providing 23 statewide basic law enforcement trainings in each fiscal year 2024 and fiscal year 2025. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. At least three classes must be held in Spokane each year.

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(4) \$2,270,000 of the Washington internet crimes against children account—state appropriation is provided solely for the implementation of chapter 84, Laws of 2015.

(5) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the mental health field response team program administered by the Washington association of sheriffs and police chiefs. The association must distribute \$7,000,000 in grants to the phase one and phase two regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court—Western District, Cause No. 14-cv-01178-MJP. The association must submit an annual report to the Governor and appropriate committees of the legislature by September 1st of each year of the biennium. The report shall include best practice recommendations on law enforcement and behavioral health field response and include outcome measures on all grants awarded.

(6) \$899,000 of the general fund—state appropriation for fiscal year 2024 and \$899,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for crisis intervention training for the phase one regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court—Western District, Cause No. 14-cv-01178-MJP.

(7) \$1,598,000 of the death investigations account—state appropriation is provided solely for the commission to provide 240 hours of medicolegal forensic investigation training to coroners and medical examiners to meet the recommendations of the national commission on forensic science for certification and accreditation.

(8) \$346,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of chapter 321, Laws of 2021 (officer duty to intervene).

(9) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional grants to local jurisdictions to investigate instances where a purchase or transfer of a firearm was attempted by an individual who is prohibited from owning or possessing a firearm.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide grant funding to local law enforcement agencies to support law enforcement wellness programs. Of the amount provided in this subsection:

(a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to provide grants to local law enforcement agencies for the purpose of establishing officer wellness programs. Grants provided under this subsection may be used for, but not limited to building resilience, injury prevention, peer support programs, physical fitness, proper nutrition, stress management, suicide prevention, and physical or behavioral health services. The commission must consult with a representative from the Washington association of sheriffs and police chiefs and a representative of the Washington



state fraternal order of police and the Washington council of police and sheriffs in the development of the grant program.

(b) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington association of sheriffs and police chiefs to establish and coordinate an online or mobile-based application for any Washington law enforcement officer; 911 operator or dispatcher; and any other current or retired employee of a Washington law enforcement agency, and their families, to anonymously access on-demand wellness techniques, suicide prevention, resilience, physical fitness, nutrition, and other behavioral health and wellness supports.

(11) \$290,000 of the general fund—state appropriation for fiscal year 2024 and \$290,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for academy training for limited authority Washington peace officers employed by the Washington state gambling commission, Washington state liquor and cannabis board, Washington state parks and recreation commission, department of natural resources, and the office of the insurance commissioner.

(a) Up to 30 officers must be admitted to attend the basic law enforcement academy and up to 30 officers must be admitted to attend basic law enforcement equivalency academy.

(b) Allocation of the training slots amongst the agencies must be based on the earliest application date to the commission. Training does not need to commence within six months of employment.

(c) The state agencies must reimburse the commission for the actual cost of training.

(12) (~~(\$6,687,000)~~) \$6,987,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$4,668,000)~~) \$4,968,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish and provide basic law enforcement academy classes at three new regional training academies, one in Pasco, one in (~~Skagit~~) Snohomish county, and one in Clark county. Funding in this subsection is sufficient for 75 percent of the costs of providing six classes per year beginning in fiscal year 2024. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. The six classes per year are in addition to the classes in subsection (2) of this section.

(13) (~~(\$150,000)~~) \$120,000 of the general fund—state appropriation for fiscal year 2024 (~~(\$30,000)~~) and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to develop plans for increasing training capacity. The planning process should include engagement with limited law enforcement agencies, tribal law enforcement representatives, and local law enforcement agencies and representatives. The criminal justice training commission will provide recommendations to the governor and the appropriate committees of the legislature in a preliminary report due November 15, 2023, and in a final report due September 30, 2024. The reports should include the following:

(a) Identifying the demand for additional basic law enforcement academy courses to support law enforcement agencies and develop a proposal to meet any identified training needs, including basic law enforcement academy and advanced training needs;

(b) A plan for how to provide basic law enforcement academy training to limited law enforcement officers and tribal law enforcement officers, including providing additional capacity for training classes. The plan should also consider alternatives for distribution of the costs of the training course; and

(c) A plan for providing at least two basic law enforcement training academy classes per year to candidates who are not yet employed with a law enforcement agency. The plan should, at a minimum, include the following:

(i) A recruitment strategy that emphasizes recruitment of diverse candidates from different geographic areas of the state; diverse race, ethnicity, gender, and sexual orientation; and candidates with diverse backgrounds and experiences including nontraditional educational programs or work experience;

(ii) Pathways from training to employment with a law enforcement agency; and

(iii) Plans to address capacity for and delivery of training.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide accreditation incentive awards.

(a) The commission may provide an accreditation incentive award totaling up to \$50,000 to each law enforcement agency that receives an accreditation during the fiscal biennium from a national or state accrediting entity recognized by the commission. The commission must divide award amounts provided pursuant to this section equally among qualifying law enforcement agencies. A law enforcement agency may not receive more than one accreditation incentive award per fiscal biennium. Funds received by a law enforcement agency pursuant to this subsection must be made available to the law enforcement agency to which they are awarded and may not supplant or replace existing funding received by the law enforcement agency.

(b) The commission must submit a report to the legislature by June 30th of each fiscal year during the biennium that lists each law enforcement agency that received an accreditation incentive award during the fiscal year.

(15) \$1,085,000 of the general fund—state appropriation for fiscal year 2024 and \$1,040,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims & witnesses). (~~(\$1~~

~~the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(16) \$236,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1132 (limited authority officers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(17) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for body camera grant funding to local law enforcement agencies.

(a) The Washington association of sheriffs and police chiefs shall develop and implement a body-worn camera grant program. The purpose of the program is to assist law enforcement agencies to establish and expand body-worn camera programs.

(b) Law enforcement agencies may use the grants for: (i) The initial purchase, maintenance, and replacement of body-worn cameras; (ii) ongoing costs related to the maintenance and storage of data recorded by body worn cameras; (iii) costs associated with public records requests for body worn-camera footage; and (iv) hiring of personnel necessary to operate a body-worn camera program.

(c) The Washington association of sheriffs and police chiefs shall develop and implement a grant application process and review applications from agencies based on locally developed proposals to establish or expand body-worn camera programs.

(d) Law enforcement agencies that are awarded grants must:

(i) Comply with the provisions of chapter 10.109 RCW;

(ii) Demonstrate the ability to redact body-worn camera footage consistent with RCW 42.56.240 and other applicable provisions;

(iii) Provide training to officers who will wear body-worn cameras and other personnel associated with implementation of the body-worn camera program; and

(iv) Agree to comply with any data collection and reporting requirements that are established by the Washington association of sheriffs and police chiefs.

(e) The Washington association of sheriffs and police chiefs must submit an annual report regarding the grant program to the governor and appropriate committees of the legislature by December 1st of each year the program is funded. The report must be submitted in compliance with RCW 43.01.036.

(18) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) \$280,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for confidential secretary staff for the training bureau director and the accountability bureau director.

(20) \$694,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5780 (public defense & prosecution). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$4,446,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6242 (law enforcement training). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 219.** 2023 c 475 s 219 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF INDEPENDENT INVESTIGATIONS**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$17,037,000))
	<u>\$17,049,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(((\$17,211,000))
	<u>\$18,725,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$34,248,000))</b>
	<b><u>\$35,774,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$9,383,000 of the general fund—state appropriation for fiscal year 2024 and \$9,383,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dedicated staffing at regional offices to include at least regional investigator supervisors, investigators, forensic investigators, family liaisons, and evidence technicians.

(2) \$1,124,000 of the general fund—state appropriation for fiscal year 2024 and \$1,124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with the Washington state patrol for laboratory-based testing and processing of crime scene evidence collected during investigations.

(3) \$251,000 of the general fund—state appropriation for fiscal year 2024 and \$251,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted specialized training for investigators relating to death investigations in cases involving deadly force.

(4) \$2,257,000 of the general fund—state appropriation for fiscal year 2024 and \$2,057,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for training development, additional staff training costs, crime lab processing, and contract services to include polygraphs, background checks, personnel evaluations, contracted security, and software licensing.

(5) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided for the office to pay for one-time tenant improvements necessary for a central evidence storage facility.

(6) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided for the office to pay for one-time tenant improvements for two regional offices.

**Sec. 220.** 2023 c 475 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund—State Appropriation (FY 2024)	(( <del>\$15,789,000</del> ))
	<u>\$17,531,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$19,773,000</del> ))
	<u>\$25,217,000</u>
General Fund—Federal Appropriation	(( <del>\$11,470,000</del> ))
	<u>\$11,521,000</u>
Asbestos Account—State Appropriation	\$629,000
Electrical License Account—State Appropriation	(( <del>\$71,526,000</del> ))
	<u>\$73,475,000</u>
Farm Labor Contractor Account—State Appropriation	\$28,000
Opioid Abatement Settlement Account—State Appropriation	\$250,000
Worker and Community Right to Know Fund—State Appropriation	\$1,138,000
Construction Registration Inspection Account—State Appropriation	(( <del>\$30,754,000</del> ))
	<u>\$31,189,000</u>
Public Works Administration Account—State Appropriation	(( <del>\$18,304,000</del> ))
	<u>\$17,763,000</u>
Manufactured Home Installation Training Account— State Appropriation	\$455,000
Accident Account—State Appropriation	(( <del>\$427,767,000</del> ))
	<u>\$432,165,000</u>
Accident Account—Federal Appropriation	(( <del>\$15,823,000</del> ))
	<u>\$19,953,000</u>
Medical Aid Account—State Appropriation	(( <del>\$414,710,000</del> ))
	<u>\$418,788,000</u>
Medical Aid Account—Federal Appropriation	(( <del>\$3,571,000</del> ))
	<u>\$3,920,000</u>
Plumbing Certificate Account—State Appropriation	(( <del>\$3,624,000</del> ))
	<u>\$3,633,000</u>
Pressure Systems Safety Account—State Appropriation	(( <del>\$5,065,000</del> ))
	<u>\$5,067,000</u>
Workforce Education Investment Account—State Appropriation	(( <del>\$14,200,000</del> ))
	<u>\$20,440,000</u>
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$1,054,876,000</del>))</b>
	<b><u>\$1,083,162,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$4,714,000~~)) \$6,756,000 of the accident account—state appropriation and ((~~\$4,711,000~~)) \$6,753,000 of the medical aid account—state appropriation are provided solely for the labor and industries workers' compensation information system replacement project and is subject to the conditions, limitations, and review provided in section 701 of this act. The department must:

(a) Submit quarterly data within 30 calendar days of the end of each quarter, effective July 1, 2023, on:

(i) The quantifiable deliverables accomplished and the amount spent by each deliverable in each of the following subprojects:

- (A) Business readiness;
- (B) Change readiness;
- (C) Commercial off the shelf procurement;
- (D) Customer access;
- (E) Program foundations;
- (F) Independent assessment; and
- (G) In total by fiscal year;

(ii) All of the quantifiable deliverables accomplished by subprojects identified in (a) (i) (A) through (F) of this subsection and in total and the associated expenditures by each deliverable by fiscal month;

(iii) The contract full time equivalent charged by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, compared to the budget spending plan by month

for each contracted vendor and what the ensuing contract equivalent budget spending plan by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, assumes by fiscal month;

(iv) The performance metrics by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, that are currently used, including monthly performance data; and

(v) The risks identified independently by at least the quality assurance vendor and the office of the chief information officer, and how the project:

(A) Has mitigated each risk; and

(B) Is working to mitigate each risk, and when it will be mitigated;

(b) Submit the report in (a) of this subsection to fiscal and policy committees of the legislature; and

(c) Receive an additional gated project sign off by the office of financial management, effective September 1, 2023. Prior to spending any project funding in this subsection each quarter, there is an additional gate of approval required for this project. The director of financial management must agree that the project shows accountability, effective and appropriate use of the funding, and that risks are being mitigated to the spending and sign off on the spending for the ensuing quarter.

(2) \$250,000 of the medical aid account—state appropriation and \$250,000 of the accident account—state appropriation are provided solely for the department of labor and industries safety and health assessment and research for prevention program to conduct research to address the high injury rates of the janitorial workforce. The research must quantify the physical demands of common janitorial work tasks and assess the safety and health needs of janitorial workers. The research must also identify potential risk factors associated with increased risk of injury in the janitorial workforce and measure workload based on the strain janitorial work tasks place on janitors' bodies. The department must conduct interviews with janitors and their employers to collect information on risk factors, identify the tools, technologies, and methodologies used to complete work, and understand the safety culture and climate of the industry. The department must produce annual progress reports through the year 2025 or until the tools are fully developed and deployed. The annual progress report must be submitted to the governor and legislature by December 1st of each year such report is due.

(3) \$258,000 of the accident account—state appropriation and \$258,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries safety and health assessment research for prevention program to conduct research to prevent the types of work-related injuries that require immediate hospitalization. The department will develop and maintain a tracking system to identify and respond to all immediate in-patient hospitalizations and will examine incidents in defined high-priority areas, as determined from historical data and public priorities. The research must identify and characterize hazardous situations and contributing factors using epidemiological, safety-engineering, and human factors/ergonomics methods. The research must also identify common factors in certain types of workplace injuries that lead to hospitalization. The department must submit a report to the governor and appropriate legislative committees by August 30, 2023, and annually thereafter, summarizing work-related immediate hospitalizations and prevention opportunities, actions that employers and workers can take to make workplaces safer, and ways to avoid severe injuries.

(4) (a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in aerospace and aerospace related supply chain industries by: Expanding the number of registered apprenticeships, preapprenticeships, and aerospace-related programs; and providing support for registered apprenticeships or programs in aerospace and aerospace-related supply chain industries.

(b) Grants awarded under this section may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training space and lab locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations;

(iii) Curriculum development and instructor training for industry experts;

(iv) Tuition assistance for degrees in engineering and high-demand degrees that support the aerospace industry; and

(v) Funding to increase capacity and availability of child care options for shift work schedules.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit, nongovernmental, or institution of higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, aerospace-related degree programs, or incumbent worker training to prepare workers for the aerospace and aerospace-related supply chain industries.

(d) The department may use up to 5 percent of these funds for administration of these grants.

(5) \$3,774,000 of the accident account—state appropriation and \$890,000 of the medical aid account—state appropriation are provided solely for the creation of an agriculture compliance unit within the division of occupational safety and health. The compliance unit will perform compliance inspections and provide bilingual outreach to agricultural workers and employers.

(6) \$1,642,000 of the medical aid account—state appropriation is provided solely to cover the overhead rent costs to increase the number of labor and industry vocational specialists embedded in WorkSource offices and to implement a comprehensive quality-assurance team to

ensure the continuous improvement of vocational services for injured workers through the workers' compensation program.

(7) \$1,798,000 of the public works administration account—state appropriation is provided solely to maintain expanded capacity to investigate and enforce prevailing-wage complaints.

(8) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the crime victims' compensation program to pay for medical exams for suspected victims of domestic violence. Neither the hospital, medical facility, nor victim is to pay for the cost of the medical exam. This funding must not supplant existing funding for sexual assault medical exams. If the cost of medical exams exceeds the funding provided in this subsection, the program shall not reduce the reimbursement rates for medical providers seeking reimbursement for other claimants, and instead the program shall return to paying for domestic violence medical exams after insurance.

(9) ~~(\$1,065,000)~~ (a) \$1,209,000 of the construction registration inspection account—state appropriation, ~~(\$57,000)~~ \$66,000 of the accident account—state appropriation, and ~~(\$12,000)~~ \$14,000 of the medical aid account—state appropriation are provided solely for the conveyance management system replacement project and are subject to the conditions, limitations, and review provided in section 701 of this act.

(b) \$270,000 of the construction registration inspection account—state appropriation, \$17,000 of the accident account—state appropriation, and \$3,000 of the medical aid account—state appropriation are provided solely for the maintenance and operations of the conveyance management system replacement project.

(10) \$250,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to analyze patients who are maintained on chronic opioids. The department must submit an annual report of its findings to the governor and the appropriate committees of the legislature no later than October 1st of each year of the fiscal biennium. The report shall include analysis of patient data, describing the characteristics of patients who are maintained on chronic opioids and their clinical needs, and a preliminary evaluation of potential interventions to improve care and reduce harms in this population.

(11) \$1,363,000 of the medical aid account—state appropriation is provided solely to improve access to medical and vocational providers of the workers' compensation program by expanding the use of navigators to recruit and assist providers in underserved communities and by ensuring access to high quality and reliable interpreter services.

(12) \$3,000,000 of the workforce education investment account—state appropriation, \$1,870,000 of the accident account—state appropriation, and \$330,000 of the medical aid account—state appropriation are provided solely for the department, in coordination with the Washington state apprenticeship council, to administer grants to continue the growth of behavioral health apprenticeship programs. Grants may be awarded for provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. Grant awardees must use a minimum of one-half of amounts provided to compensate behavioral health providers for employer implementation costs including mentor wage differentials, related instruction wages, and administrative costs. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(13) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the department, in coordination with the Washington state apprenticeship training council, to administer grants to address the behavioral health workforce shortage through behavioral health preapprenticeship and behavioral health entry level training, including nursing assistant certified programs. Grants may cover program costs including, but not limited to, provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(14) (a) \$300,000 of the workforce education investment account—state appropriation is provided solely for certified construction trade preapprenticeship programs that use a nationally approved multicraft curriculum and emphasize construction math, tool use, job safety, equipment, life skills, and financial literacy. The preapprenticeship programs should focus on disadvantaged, nontraditional, and underrepresented populations, and on populations reentering the community from incarceration and houselessness. Funding provided in this subsection may be used to:

(i) Provide incentives for participation in preapprenticeship programs, such as covering program costs, providing stipends to preapprentices, or covering the costs of construction tools; or

(ii) Address barriers for participation in preapprenticeship programs, such as covering costs of child care or transportation, or facilitating interviews for apprenticeship programs.

(b) The department may use up to five percent of the amount provided in (a) of this subsection for administration of these grants.

(15)(a) \$400,000 of the workforce education investment account—state appropriation is provided solely for grants to nonprofit organizations to:

(i) Expand meatcutter registered apprenticeship and preapprenticeship programs to new locations; or

(ii) Develop a new fishmonger registered apprenticeship program.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training space and lab locations to support the expansion and establishment of apprenticeship and preapprenticeship training in new locations;

(iii) Curriculum development, including the creation of elearning content, and instructor training for apprenticeship and preapprenticeship instructors;

(iv) Tuition assistance for apprentices in registered apprenticeship programs accredited by a community or technical college;

(v) Stipends for preapprentices; and

(vi) Apprenticeship and preapprenticeship coordination and administration services.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit organization that administers or directly provides apprenticeship and preapprenticeship training opportunities, overseen by a committee with at least one labor union and one employer representative or with an active program with participation of both labor union and employer partners, for retail meatcutters and/or fishmongers.

(d) The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(16) (~~(\$6,000,000)~~) \$12,000,000 of the workforce education investment account—state appropriation is provided solely for the department to distribute funding to multiemployer nonprofit programs providing apprenticeship education and job training for general journey level (01) electricians to increase funding for related supplemental instructional costs. Funding shall be allocated to programs by formula based on delivered related supplemental instruction hours for active apprentices under chapter 49.04 RCW and operating in compliance for administrative procedures. If a program is partnered with a Washington community or technical college to deliver the related supplemental instruction, the program may apply for up to a 25 percent increase in allocated funding based on the level of contracted support provided by the college. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(17) (~~(\$1,249,000)~~) \$873,000 of the accident account—state appropriation and (~~(\$507,000)~~) \$883,000 of the medical aid account—state appropriation are provided solely for the creation of the center for work equity research. The center will study and systematically address employer and employment factors that place historically marginalized workers at increased risk for work-related injuries and illnesses and social and economic hardship.

(18) \$2,908,000 of the public works administration account—state appropriation is provided solely for system improvements to the prevailing wage program information technology system. This project is subject to the conditions, limitations, and review provided in section 701 of this act.

(19) \$205,000 of the general fund—state appropriation for fiscal year 2024 and \$205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue conducting a four-year retention study of state registered apprentices as provided in chapter 156, Laws of 2022 (apprenticeship programs). The study shall include the collection of data from all apprentices three months into their apprenticeship to understand challenges and barriers they face towards program participation. The aggregate data by trade must be displayed on a publicly available dashboard. Study data must be provided with apprenticeship coordinators to implement an early response to connect apprentices with needed supports. The department shall submit an annual report to the governor and appropriate legislative committees on June 30, 2024 and June 30, 2025.

(20) \$3,500,000 of the workforce education investment account—state appropriation is provided solely to administer a grant program intended to provide wraparound support services to mitigate barriers to beginning or participating in apprenticeship programs as described in chapter 156, Laws of 2022. Up to five percent of the total funding provided in this subsection may be used to cover administrative expenses.

(21) (~~(\$1,963,000)~~) \$1,798,000 of the accident account—state appropriation and (~~(\$797,000)~~) \$960,000 of the medical aid account—state appropriation are provided solely to expand access to worker rights and safety information for workers with limited English proficiency (LEP) through outreach and translation of safety-related information, training, and other materials. \$1,000,000 of the amount provided in this subsection is provided solely for grants to community-based organizations to provide workplace rights and safety outreach to underserved workers.

(22) \$857,000 of the accident account—state appropriation and \$855,000 of the medical aid account—state appropriation are provided solely for enhancements to the workers' compensation training modules to include strategies on reducing long-term disability among claimants.

(23) \$6,702,000 from the electrical license account—state appropriation is provided solely for an additional wage increase for all positions within the electrical construction inspector, electrical construction inspector lead, electrical inspection field supervisor/technical specialist, and electrical plans examiner job class series consistent with the July 1, 2023, range differentials, subject to an agreement between the state and the exclusive collective bargaining representative of the electrical construction inspectors.

(24) \$165,000 of the general fund—state appropriation for fiscal year 2024 and \$165,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training to continue implementation of a program aimed at reducing workplace sexual harassment in the agricultural sector. The department may use up to five percent of the amount provided in this subsection for administration of this grant. The organization receiving the grant must:

(a) Continue peer-to-peer trainings for farmworkers in Yakima county and expand to provide peer-to-peer trainings for farmworkers in Grant and Benton counties;

(b) Support an established network of peer trainings as farmworker leaders, whose primary purpose is to prevent workplace sexual harassment and assault through leadership, education, and other tools; and

(c) Share best practices from the peer-to-peer model at a statewide conference for farmworkers, industry representatives, and advocates.

(25) \$250,000 of the accident account—state appropriation and \$278,000 of the medical aid account—state appropriation is provided solely for implementation of House Bill No. 1197 (workers' comp. providers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) ~~((~~\$1,645,000~~))~~ \$1,088,000 of the public works administration account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1050 (apprenticeship utilization). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(27) ~~((~~\$365,000~~))~~ \$318,000 of the accident account—state appropriation and ~~((~~\$64,000~~))~~ \$56,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1217 (wage complaints). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(28) \$105,000 of the accident account—state appropriation and \$19,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1323 (fire-resistant materials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$239,000 of the accident account—state appropriation and \$239,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$256,000 of the construction registration inspection account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1534 (construction consumers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$1,311,000 of the accident account—state appropriation and \$243,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(32) \$431,000 of the accident account—state appropriation and \$76,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) \$560,000 of the public works administration account—state appropriation is provided solely to update computer applications for implementation of Senate Bill No. 5088 (contractor registration). This project is subject to the conditions, limitations, and review provided in section 701 of this act. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(34) \$84,000 of the accident account—state appropriation and \$84,000 of the medical aid account—state appropriation are provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(35) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5070 (nonfatal strangulation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(36) \$216,000 of the accident account—state appropriation and \$37,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5156 (farm internship program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(37) \$1,470,000 of the accident account—state appropriation and \$260,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5217 (musculoskeletal injuries/L&I). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(38) \$354,000 of the public works administration account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(39) \$234,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second

~~Substitute Senate Bill No. 5582 (nurse supply). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~(40) \$230,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5111 (sick leave/construction). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~(41) \$4,663,000 of the accident account—state appropriation and \$884,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~(42) ((\$333,000))\$367,000 of the accident account—state appropriation and ((\$333,000))\$369,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~(43) \$1,906,000 of the electrical license account—state appropriation is provided solely for electrical inspector staffing to expand capacity to conduct electrical inspections, effective July 1, 2024.~~

~~(44) \$200,000 of the accident account—state appropriation and \$200,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries to contract with a third-party vendor to produce a study that assesses post-traumatic stress disorder related workers' compensation policies and claims in Washington and other states. The intent of the study is to inform the department on policy and best practices that improve worker outcomes for law enforcement officers, firefighters, and nurses. The department shall submit a report describing the outcomes, best practices, and recommendations to the governor and appropriate legislative committees by June 30, 2025.~~

~~(45) \$240,000 of the workforce education investment account—state appropriation is provided solely for a grant to a statewide-serving nonprofit organization providing support services to apprentices and preapprentices for the provision of new work boots and other resources to state recognized apprenticeship preparation participants in correctional facilities and as they transition from incarceration to state registered apprenticeship programs. The work boots and other resources must be within allowable guidelines for incarcerated and community supervised individuals. The department may use up to five percent of the amount provided in this subsection for administration of this grant.~~

~~(46) \$300,000 of the surgical smoke evacuation nonappropriated account—state appropriation is provided solely to implement the reimbursement requirements established in chapter 129, Laws of 2022.~~

~~(47)(a) \$470,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of labor and industries to conduct a study to evaluate all construction-related training programs in Washington correctional facilities and to provide recommendations to strengthen and expand the state recognized preapprenticeship options in construction in those facilities and transitional supports toward enrollment in state registered apprenticeship programs, and to establish a work group facilitated by the department to help guide the development of the study and report on the study findings and recommendations. The work group shall include representatives from the department of corrections, the state board for community and technical colleges, the Washington student achievement council, an organization representing building trades labor organizations, the department of children, youth, and families, and construction-related registered apprenticeship programs. A report detailing the study and the associated recommendations must be submitted to the governor and appropriate committees of the legislature by December 1, 2024.~~

~~(b) Of the amount provided in (a) of this subsection:~~

~~(i) Up to \$150,000 is provided solely to compensate employers for their participation in the work group. The total amount available per employer is \$5,000.~~

~~(ii) Up to \$60,000 is provided to cover information technology and data costs for the state board for community and technical colleges and the department of corrections.~~

~~(iii) Up to \$50,000 is provided solely for the department to host an apprenticeship coordinator summit in partnership with college corrections navigator and department of corrections.~~

~~(48) \$175,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with the municipal research and services center to conduct a public works study. The study shall evaluate the application of public works requirements, including prevailing wage and apprentice utilization, on publicly funded construction, including those supported in part or in whole with state funds, the granting or loaning of public dollars, and tax deferrals or reimbursements. The department may use up to five percent of these funds for administration. A report to the relevant committees of the legislature shall be submitted by June 30, 2025.~~

~~(49) \$100,000 of the medical aid account—state appropriation and \$100,000 of the accident account—state appropriation are provided solely for the staffing of a resolution process for complaints regarding light duty work under Title 51 RCW. The department shall submit a report to the appropriate committees of the legislature by June 30, 2025, on outcomes related to this funding and data regarding light duty resolution processes provided in this subsection.~~

~~(50) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to survey registered apprenticeship programs and assimilate data~~



that documents the fee structure and contractual elements of partnerships between the various registered apprenticeship programs and community and technical college system. This information will be used to inform a report and recommendations to the legislature on registered apprenticeship funding and how this funding is directed to community and technical colleges. The department shall submit a report to the legislature summarizing the survey findings by November 15, 2024.

(51) Within the amounts provided in this section, the department of labor and industries shall provide support to the underground economy task force created in section 906 of this act.

(52) \$187,000 of the medical aid account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5368 (stay-at-work program). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(53) \$479,000 of the accident account—state appropriation and \$102,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5793 (paid sick leave). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(54) \$8,000 of the plumbing certificate account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5997 (plumbing hours reporting). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(55) \$477,000 of the accident account—state appropriation and \$84,000 of the medical account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(56) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$139,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 6069 (retirement savings). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(57) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$471,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5937 (crime victims/witnesses). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 221. 2023 c 475 s 221 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

(1) The appropriations in this section are subject to the following conditions and limitations:

(a) The department of veterans affairs shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys that are unrelated to the coronavirus response and not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys that are unrelated to the coronavirus response, those moneys must be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(b) Each year, there is fluctuation in the revenue collected to support the operation of the state veteran homes. When the department has foreknowledge that revenue will decrease, such as from a loss of census or from the elimination of a program, the legislature expects the department to make reasonable efforts to reduce expenditures in a commensurate manner and to demonstrate that it has made such efforts. In response to any request by the department for general fund—state appropriation to backfill a loss of revenue, the legislature shall consider the department's efforts in reducing its expenditures in light of known or anticipated decreases to revenues.

(2) HEADQUARTERS

General Fund—State Appropriation (FY 2024) . . . . .	(\$4,932,000)
	\$4,974,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$4,978,000)
	\$5,022,000
Charitable, Educational, Penal, and Reformatory Institutions Account—State Appropriation . . . . .	\$10,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$9,920,000)</b>
	<b>\$10,006,000</b>

(3) FIELD SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(\$10,998,000)
	\$11,016,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$10,860,000)
	\$10,879,000
General Fund—Federal Appropriation . . . . .	(\$10,323,000)

	<u>\$10,328,000</u>
General Fund—Private/Local Appropriation. . . . .	(( <del>\$6,538,000</del> ))
	<u>\$6,542,000</u>
Veteran Estate Management Account—Private/Local Appropriation. . . . .	(( <del>\$717,000</del> ))
	<u>\$718,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$39,436,000</del>))</b>
	<b><u>\$39,483,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5358 (veterans' services). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)) Of the amounts provided in this subsection:

(i) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one veterans service officer each in Island county, Walla Walla county, Clallam county, and Stevens county.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with an organization located in Thurston county that has experience in the delivery of no-cost equine therapy for military veterans and active members of the military.

(c) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(4) STATE VETERANS HOMES PROGRAM

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$25,818,000</del> ))
	<u>\$26,775,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$20,386,000</del> ))
	<u>\$19,995,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$127,227,000</del> ))
	<u>\$136,122,000</u>
General Fund—Private/Local Appropriation. . . . .	(( <del>\$17,330,000</del> ))
	<u>\$11,957,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$190,761,000</del>))</b>
	<b><u>\$194,849,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) If the department receives additional unanticipated federal resources that are unrelated to the coronavirus response at any point during the remainder of the 2023-2025 fiscal biennium, an equal amount of general fund—state must be placed in unallotted status so as not to exceed the total appropriation level specified in this subsection. The department may submit as part of the policy level budget submittal documentation required by RCW 43.88.030 a request to maintain the general fund—state resources that were unallotted as required by this subsection.

(b) Appropriations have been adjusted in this section to reflect anticipated changes in state, federal, and local resources as a result of census changes. The department shall incorporate these adjustments in the governor's projected maintenance level budget required in RCW 43.88.030.

(5) CEMETERY SERVICES

General Fund—State Appropriation (FY 2024). . . . .	\$167,000
General Fund—State Appropriation (FY 2025). . . . .	\$169,000
General Fund—Federal Appropriation. . . . .	\$1,055,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$1,391,000</b>

**Sec. 222.** 2023 c 475 s 222 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$168,127,000</del> ))
	<u>\$193,235,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$148,005,000</del> ))
	<u>\$174,686,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$589,208,000</del> ))
	<u>\$602,409,000</u>
General Fund—Private/Local Appropriation. . . . .	(( <del>\$174,244,000</del> ))
	<u>\$187,720,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2024). . . . .	\$11,863,000
Dedicated Cannabis Account—State Appropriation (FY 2025). . . . .	(( <del>\$12,356,000</del> ))

	<u>\$12,368,000</u>
Climate Commitment Account—State Appropriation. . . . .	(( <del>\$89,552,000</del> ))
	<u>\$90,880,000</u>
Climate Investment Account—State Appropriation. . . . .	\$902,000
Foundational Public Health Services Account—State Appropriation. . . . .	\$23,066,000
Hospital Data Collection Account—State Appropriation. . . . .	\$592,000
Health Professions Account—State Appropriation. . . . .	(( <del>\$192,069,000</del> ))
	<u>\$195,627,000</u>
Aquatic Lands Enhancement Account—State Appropriation. . . . .	\$642,000
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation. . . . .	\$10,175,000
Medicaid Fraud Penalty Account—State Appropriation. . . . .	\$3,027,000
Natural Climate Solutions Account—State Appropriation. . . . .	\$72,000
((Public Health Supplemental Account—State Appropriation. . . . .	<u>\$293,000</u> ))
Safe Drinking Water Account—State Appropriation. . . . .	(( <del>\$8,946,000</del> ))
	<u>\$8,951,000</u>
Drinking Water Assistance Account—Federal Appropriation. . . . .	(( <del>\$25,867,000</del> ))
	<u>\$25,884,000</u>
Waterworks Operator Certification Account—State Appropriation. . . . .	\$2,089,000
Drinking Water Assistance Administrative Account— State Appropriation. . . . .	\$2,480,000
Site Closure Account—State Appropriation. . . . .	\$197,000
Biotoxin Account—State Appropriation. . . . .	\$1,773,000
Model Toxics Control Operating Account—State Appropriation. . . . .	(( <del>\$8,953,000</del> ))
	<u>\$15,494,000</u>
Medical Test Site Licensure Account—State Appropriation. . . . .	\$5,239,000
Secure Drug Take-Back Program Account—State Appropriation. . . . .	\$1,474,000
Youth Tobacco and Vapor Products Prevention Account— State Appropriation. . . . .	\$3,273,000
Public Health Supplemental Account—Private/Local Appropriation. . . . .	(( <del>\$3,824,000</del> ))
	<u>\$4,118,000</u>
Accident Account—State Appropriation. . . . .	\$388,000
Medical Aid Account—State Appropriation. . . . .	\$58,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation. . . . .	(( <del>\$42,865,000</del> ))
	<u>\$53,045,000</u>
Coronavirus State Fiscal Recovery Fund—Federal Appropriation. . . . .	(( <del>\$27,022,000</del> ))
	<u>\$22,000</u>
Opioid Abatement Settlement Account—State Appropriation. . . . .	(( <del>\$7,400,000</del> ))
	<u>\$10,773,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$1,566,041,000</del>))</b>
	<b><u>\$1,642,522,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) During the 2023-2025 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to \$25 annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(3) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt license and certification fees in fiscal years 2024 and 2025 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(4) Within the amounts appropriated in this section, and in accordance with RCW 70.41.100, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 70.41.080.

(5) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt fees for the review and approval of mental health and substance use disorder treatment programs in fiscal years 2024 and 2025 as necessary to support the costs of the regulatory program. The department's fee schedule must have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(6) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(7) Within the amounts appropriated in this section, and in accordance with RCW 43.70.110 and 71.12.470, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 71.12.485.

(8) \$492,000 of the general fund—state appropriation for fiscal year 2024 and \$492,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with local health jurisdictions to establish and maintain comprehensive group B programs to ensure safe drinking water. These funds shall be used for implementation costs, including continued development and adoption of rules, policies, and procedures; technical assistance; and training.

(9) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community outreach to prepare culturally and linguistically appropriate hepatitis B information in a digital format to be distributed to ethnic and cultural leaders and organizations to share with foreign-born and limited or non-English speaking community networks.

(10) Within amounts appropriated in this section, the Washington (~~nursing commission~~) board of nursing must hire sufficient staff to process applications for nursing licenses so that the time required for processing does not exceed seven days.

(11) \$725,000 of the general fund—state appropriation for fiscal year 2024 and \$725,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington poison center. This funding is provided in addition to funding pursuant to RCW 69.50.540.

(12) \$622,000 of the general fund—state appropriation for fiscal year 2024, \$622,000 of the general fund—state appropriation for fiscal year 2025, and \$3,000,000 of the medicaid fraud penalty account—state appropriation are provided solely for the ongoing operations and maintenance of the prescription monitoring program maintained by the department.

(13) \$2,265,000 of the general fund—state appropriation for fiscal year 2024 and \$2,265,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

(a) Staffing by the department, the department of veterans affairs, and the department of corrections to expand statewide suicide prevention efforts, which efforts include suicide prevention efforts for military service members and veterans and incarcerated persons;

(b) A suicide prevention public awareness campaign to provide education regarding the signs of suicide, interventions, and resources for support;

(c) Staffing for call centers to support the increased volume of calls to suicide hotlines;

- (d) Training for first responders to identify and respond to individuals experiencing suicidal ideation;
- (e) Support for tribal suicide prevention efforts;
- (f) Strengthening behavioral health and suicide prevention efforts in the agricultural sector;
- (g) Support for the three priority areas of the governor's challenge regarding identifying suicide risk among service members and their families, increasing the awareness of resources available to service members and their families, and lethal means safety planning;
- (h) Training for community health workers to include culturally informed training for suicide prevention;
- (i) Coordination with the office of the superintendent of public instruction; and
- (j) Support for the suicide prevention initiative housed in the University of Washington.
- (14) \$4,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$4,500,000))~~\$4,600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the fruit and vegetable incentives program. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are for the fruit and vegetable prescription program, which provides food as medicine to individuals experiencing food insecurity or are at high risk of developing a chronic health condition.
- (15) \$627,000 of the general fund—state appropriation for fiscal year 2024 and \$627,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the recommendations from the community health workers task force to provide statewide leadership, training, and integration of community health workers with insurers, health care providers, and public health systems.
- (16) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington ~~((nursing commission))~~board of nursing to manage a grant process to incentivize nurses to supervise nursing students in health care settings. The goal of the grant program is to create more clinical placements for nursing students to complete required clinical hours to earn their nursing degree and related licensure.
- (17) \$1,490,000 of the health professional services account—state appropriation is provided solely for the Washington ~~((nursing commission))~~board of nursing to continue to implement virtual nursing assistant training and testing modalities, create an apprenticeship pathway into nursing for nursing assistants, implement rule changes to support a career path for nursing assistants, and collaborate with the workforce training and educational coordinating board on a pilot project to transform the culture and practice in long term care settings. The goal of these activities is to expand the nursing workforce for long term care settings.
- (18) \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to test for lead in child care facilities to prevent child lead exposure and to research, identify, and connect facilities to financial resources available for remediation costs.
- (19) \$814,000 of the general fund—state appropriation for fiscal year 2024 and \$814,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to support school-based health centers and behavioral health services.
- (20) \$1,300,000 of the general fund—state appropriation for fiscal year 2024 and \$1,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate and lead a multi-agency approach to youth suicide prevention and intervention.
- (21) (a) \$486,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the community health worker platform and continued implementation of the community health worker trainings in the pediatric setting for children with behavioral health needs.
- (b) Of the amounts provided in this subsection for fiscal year 2024, \$250,000 is provided solely for a grant to a pediatric organization to convene a learning collaborative to support community health workers to ensure their success while on the job with their multidisciplinary clinic teams and for the development of this new integrated health care worker field.
- (22) \$1,390,000 of the general fund—state appropriation for fiscal year 2024 and \$1,378,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the child profile health promotion notification system.
- (23) \$5,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone to first responders and agency staff in organizations such as syringe service programs, house providers, and street outreach programs.
- (24) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to remediate the impacts of the opioid epidemic. This funding must be used consistent with conditions of the

opioid settlement agreements that direct how funds deposited into the opioid abatement settlement account created in Engrossed Substitute Senate Bill No. 5293 must be used.

(25) \$400,000 of the opioid abatement settlement account—state appropriation is provided solely for the completion of work identified in the state opioid response plan related to maternal and infant health.

(26)(a) \$10,000,000 of the climate commitment account—state appropriation is provided solely to support and administer a workplace health and safety program for workers who are affected by climate impacts, including but not limited to, extreme heat and cold, wildfire smoke, drought, and flooding. This program will focus on workplace health and safety for farmworkers, construction workers, and other workers who face the most risk from climate-related impacts. This amount shall be limited to supporting vulnerable populations in overburdened communities under the climate commitment act as defined in RCW 70A.65.010. Funding shall be provided for:

(i) Pass through grants to community-based organizations, tribal governments, and tribal organizations to support workplace health and safety for workers who are burdened by the intersection of their work and climate impacts; and

(ii) Procurement and distribution of equipment and resources for workers who are burdened by the intersection of their work and climate impacts directly by the department of health, or through pass-through grants to community-based organizations, tribal governments, and tribal organizations. Equipment and resources may include but are not limited to: Personal protective equipment, other protective or safety clothing for cold and heat, air purifiers for the workplace or worker housing, protection from ticks and mosquitoes, and heating and cooling devices.

(b) The department of health, in consultation with the environmental justice council, community groups, and the department of labor and industries, shall evaluate mechanisms to provide workers with financial assistance to cover lost wages or other financial hardships caused by extreme weather events and climate threats.

(c) No more than five percent of this funding may be used to administer this grant program.

(27) ~~(\$5,996,000)~~ \$7,174,000 of the climate commitment account—state appropriation, of which \$1,178,000 takes effect January 1, 2025, is provided solely for the department to implement the healthy environment for all act under chapter 70A.02 RCW, including additional staff and support for the environmental justice council and implementation of a community engagement plan.

(28)(a) \$26,355,000 of the climate commitment account—state appropriation is provided solely for the department to administer capacity grants to tribes and tribal organizations and to overburdened communities and vulnerable populations to provide guidance and input:

(i) To agencies and to the environmental justice council on implementation of the healthy environment for all act; and

(ii) To the department on updates to the environmental health disparities map.

(b) At least 50 percent of the total amount distributed for capacity grants in this subsection must be reserved for grants to tribes and tribal organizations.

(c) Funding provided in this subsection may be used for tribes and tribal organizations to hire staff or to contract with consultants to engage in updating the environmental health disparities map or on implementing the healthy environment for all act.

(d) The department may use a reasonable amount of funding provided in this subsection to administer the grants.

(29) \$17,752,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to sustain information technology infrastructure, tools, and solutions developed to respond to the COVID-19 pandemic. The department shall submit a plan to the office of financial management by September 15, 2023, that identifies a new funding strategy to maintain these information technology investments within the department's existing state, local, and federal funding. Of this amount, a sufficient amount is appropriated for the department to create an implementation plan for real-time bed capacity and tracking for hospitals and skilled nursing facilities, excluding behavioral health hospitals and facilities. The department will provide the implementation plan and estimated cost for an information technology system and implementation costs to the office of financial management by September 15, 2023, for the bed capacity and tracking tool.

(30) \$20,000,000 of the ~~((coronavirus state fiscal recovery fund federal))~~ general fund—state appropriation for fiscal year 2024 is provided solely to support COVID-19 public health and response activities. The department must continue to distribute COVID-19 testing supplies to agricultural workers and tribal governments. The department must submit a spending plan to the office of financial management for approval. These funds may only be allocated and expended after approval of the spending plan.

(31) \$7,657,000 of the general fund—state appropriation for fiscal year 2024 and \$7,853,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs and grants to maintain access to abortion care. Of the amounts provided in this subsection:

(a) \$2,939,000 of the general fund—state appropriation for fiscal year 2024 and \$2,939,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care;

(b) \$368,000 of the general fund—state appropriation for fiscal year 2024 and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for outreach, patient navigation, staffing at the department, and training;

(c) \$4,100,000 of the general fund—state appropriation for fiscal year 2024 and \$4,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care who participate in the department's sexual and reproductive health program for workforce retention and recruitment initiatives to ensure continuity of services; and

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care that participate in the department's sexual and reproductive health program for security investments.

(32) \$285,000 of the general fund—state appropriation for fiscal year 2024, \$295,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—private/local appropriation are provided solely for the behavioral health agency program for licensure and regulatory activities.

(33) \$104,000 of the general fund—state appropriation for fiscal year 2024, \$104,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the health professions account—state appropriation are provided solely for the department to conduct credentialing and inspections under chapter 324, Laws of 2019 (behavioral health facilities).

(34) ~~(\$3,298,000)~~ \$1,398,000 of the general fund—state appropriation for fiscal year 2024 ~~((\$3,298,000))~~ and \$1,900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the breast, cervical and colon screening program, comprehensive cancer community partnerships, and Washington state cancer registry.

(35) \$85,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for continued implementation of chapter 58, Laws of 2022 (cardiac & stroke response).

(36) \$671,000 of the general fund—state appropriation for fiscal year 2024 and \$329,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the care-a-van mobile health program.

(37) \$702,000 of the climate investment account—state appropriation is provided solely for implementation of chapter 316, Laws of 2021 (climate commitment act).

(38) \$200,000 of the climate investment account—state appropriation is provided solely for the environmental justice council to coordinate with the department of ecology on a process to track state agency expenditures from climate commitment act accounts, as described in section 302(13) of this act. Funding is for the following as they relate to development of the department of ecology process:

(a) Public engagement with tribes and vulnerable populations within the boundaries of overburdened communities; and

(b) Cost recovery or stipends for participants in the public process to reduce barriers to participation, as described in RCW 43.03.220.

(39) \$31,000 of the general fund—state appropriation for fiscal year 2024 and \$31,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 204, Laws of 2022 (truck drivers/restrooms).

(40) \$808,000 of the drinking water assistance administrative account—state appropriation is provided solely for the water system consolidation grant program.

(41) \$1,044,000 of the safe drinking water account—state appropriation is provided solely for the drinking water technical services program.

(42) \$288,000 of the secure drug take-back program account—state appropriation is provided solely for implementation of chapter 155, Laws of 2021 (drug take-back programs).

(43) \$7,146,000 of the drinking water assistance account—federal appropriation is provided solely for the office of drinking water to provide technical assistance, direct engineering support, and construction management to small water systems.

(44) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$607,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the early hearing detection, diagnosis, and intervention program.

(45) \$954,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(46) ~~(\$12,466,000)~~ \$26,096,000 of the health professions account—state appropriation is provided solely for the regulation of health professions.

(47) \$599,000 of the health professions account—state appropriation is provided solely for ongoing maintenance of the HEALWA web portal to provide access to health information for health care providers.

(48) \$1,359,000 of the general fund—state appropriation for fiscal year 2024, \$680,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—private/local appropriation are provided solely for the department to perform investigations to address the backlog of hospital complaints.

(49) \$12,000 of the health professions account—state appropriation is provided solely for implementation of chapter 204, Laws of 2021 (international medical grads).

(50) \$634,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to onboard systems to, and maintain, the master person index as part of the health and human services coalition master person index initiative, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(51) \$2,062,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete upgrades to the medical cannabis authorization database to improve reporting functions and accessibility, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(52) \$1,865,000 of the medical test site licensure account—state appropriation is provided solely for the medical test site regulatory program for inspections and other regulatory activities.

(53) \$2,276,000 of the health professions account—state appropriation is provided solely for the (~~nursing care quality assurance commission~~) Washington board of nursing for nursing licensure and other regulatory activities.

(54) \$813,000 of the general fund—state appropriation for fiscal year 2024 and \$811,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to assist with access to safe drinking water for homes and businesses with individual wells or small water systems that are contaminated.

(55) \$146,000 of the model toxics control operating account—state appropriation is provided solely for implementation of chapter 264, Laws of 2022 (chemicals/consumer products).

(56) \$1,150,000 of the general fund—state appropriation for fiscal year 2024 and \$1,150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand the birth equity project with the goal of reducing prenatal and perinatal health disparities.

(57) \$1,738,000 of the general fund—private/local appropriation is provided solely for implementation of chapter 115, Laws of 2020 (psychiatric patient safety).

(58) \$23,066,000 of the foundational public health services account—state appropriation is provided solely for the department to maintain the RAINIER (reporting array for incident, noninfectious and infectious event response) suite, RHINO (rapid health information network) program, WAIS (Washington immunization information system) system, and data exchange services.

(59) \$7,000,000 of the general fund—state appropriation for fiscal year 2024, \$7,355,000 of the general fund—state appropriation for fiscal year 2025, and ((\$7,022,000))\$22,000 of the coronavirus state fiscal recovery—federal appropriation are provided solely for operation of the statewide medical logistics center. Within these amounts, the department must coordinate with the department of social and health services to develop processes that will minimize the disposal and destruction of personal protective equipment and for interagency distribution of personal protective equipment.

(60) \$315,000 of the general fund—state appropriation for fiscal year 2024 and \$315,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the universal development screening system.

(61) \$2,000,000 of the health professions account—state appropriation and \$293,000 of the public health supplemental account—state appropriation are provided solely for the Washington medical commission for regulatory activities, administration, and addressing equity issues in processes and policies.

(62) (~~(\$200,000))\$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the Washington medical coordination center, to create an implementation plan for real-time bed capacity and tracking for hospitals. The department must provide the implementation plan and estimated costs for the bed capacity and tracing tool to the office of the governor and the office of financial management by ((September 15, 2023))September 1, 2024.~~

(63) \$48,000 of the model toxics control operating account—state appropriation is provided solely for the Puget Sound clean air agency to coordinate meetings with local health jurisdictions in King, Pierce, Snohomish, and Kitsap counties to better understand air quality issues, align messaging, and facilitate delivery of ready-to-go air quality and health interventions. The amount provided in this subsection may be used for agency staff time, meetings and events, outreach materials, and tangible air quality and health interventions.

(64) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than \$525 annually for new or renewed licenses for the midwifery program.

(65) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of radiation protection to conduct a review of the state's readiness for licensing fusion energy projects. The legislature intends for Washington to support the deployment of fusion energy projects and larger research facilities by taking a leading role in the licensing of future fusion power plants. The department, in consultation with relevant state-level regulatory agencies, must review and provide recommendations and costs estimates for the necessary staffing and technical resources to fulfill the state's registration, inspection, and licensure obligations. The department must report its findings and any recommendations to the governor and appropriate legislative committees by December 1, 2023.

(66) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for blood supply relief. The department must distribute this amount equally between the four largest nonprofit blood donation organizations operating in the state. The amounts



distributed may be used only for activities to rebuild the state's blood supply, including increased staffing support for donation centers and mobile blood drives.

(67) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for tobacco, vapor product, and nicotine control, cessation, treatment, and prevention, and other substance use prevention and education, with an emphasis on community-based strategies. These strategies must include programs that consider the disparate impacts of nicotine addiction on specific populations, including youth and racial or other disparities.

(68) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for an existing program that works with community members and partners to bridge health equity gaps to establish a pilot health care program in Pierce county to serve the unique needs of the African American community, including addressing diabetes, high blood pressure, low birth weight, and health care for preventable medical, dental, and behavioral health diagnoses.

(69) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Island county to contract for a study of cost-effective waste treatment solutions, as an alternative to septic and sewer, for unincorporated parts of Island county. The study must:

(a) Identify any regulatory barriers to the use of alternative technology-based solutions;

(b) Include an opportunity for review and consultation by the department; and

(c) Include any recommendations from the department in the final report.

(70) \$2,656,000 of the general fund—private/local appropriation is provided solely for the department to provide cystic fibrosis DNA testing and to engage with a courier service to transport specimens to the public health laboratory.

(71) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely in support of the department's activities pursuant to chapter 226, Laws of 2016 (commonly known as the caregiver advise, record, enable act). This funding must be used to:

(a) Create a communication campaign to notify hospitals across the state of available resources to support family caregivers;

(b) Curate or create a set of online training videos on common caregiving tasks including, but not limited to, medication management, injections, nebulizers, wound care, and transfers; and

(c) Provide information to patients and family caregivers upon admission.

(72) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1275 (athletic trainers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(73) \$126,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1001 (audiology & speech compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(74) \$9,157,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(75) \$1,016,000 of the general fund—state appropriation for fiscal year 2024, \$453,000 of the general fund—state appropriation for fiscal year 2025, \$30,000 of the general fund—private/local appropriation, and \$676,000 of the health professions account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$72,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(77) \$418,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(78) \$46,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1466 (dental auxiliaries). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(79) \$12,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1287 (dental hygienists). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(80) \$136,000 of the general fund—state appropriation for fiscal year 2025 and \$193,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1678 (dental therapists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(81) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1576 (dentist compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(82) \$4,000 of the general fund—state appropriation for fiscal year 2025 and \$700,000 of the health professions account—state appropriation are provided solely for implementation of

Engrossed Substitute House Bill No. 1503 (health care licenses/info.). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(83) \$29,000 of the general fund—state appropriation for fiscal year 2024 and \$124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1255 (health care prof. SUD prg.). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(84) \$48,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1694 (home care workforce shortage). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(85) \$282,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1039 (intramuscular needling). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(86) \$1,892,000 of the general fund—state appropriation for fiscal year 2024 and \$2,895,000 of the general fund—private/local appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(87) \$407,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(88) \$65,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1073 (medical assistants). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(89) \$447,000 of the general fund—state appropriation for fiscal year 2024 and \$448,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(90) \$195,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor comp). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(91) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(92) (~~(\$400,000)~~)\$165,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$165,000)~~)\$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1457 (motor carriers/restrooms). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(93) \$126,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$102,000)~~)\$202,000 of the general fund—state appropriation for fiscal year 2025, and \$81,000 of the health professions account—state appropriation are provided solely for implementation of Substitute House Bill No. 1247 (music therapists). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(94) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1271 (organ transport vehicles). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(95) (~~(\$862,000)~~)\$627,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$526,000)~~)\$761,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1470 (private detention facilities). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(96) \$97,000 of the general fund—state appropriation for fiscal year 2024 and \$27,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1230 (school websites/drug info.). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(97) \$77,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(98) \$2,773,000 of the general fund—state appropriation for fiscal year 2024 and \$2,773,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grant funding and administrative costs for the school-based health center program established in chapter 68, Laws of 2021 (school-based health centers).

(99) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based nonprofit organization located in the Yakima Valley to continue a Spanish-language public radio media campaign aimed at providing education on the COVID-19 pandemic through an outreach program. The goal of the radio media

campaign is to reach residents considered "essential workers," including but not limited to farmworkers, and provide information on health and safety guidelines, promote vaccination events, and increase vaccine confidence. The nonprofit organization must coordinate with medical professionals and other stakeholders on the content of the radio media campaign. The department, in coordination with the nonprofit, must provide a preliminary report to the legislature no later than December 31, 2024. A final report to the legislature must be submitted no later than June 30, 2025. Both reports must include: (a) A description of the outreach program and its implementation; (b) the number of individuals reached through the outreach program; and (c) any relevant demographic data regarding those individuals.

(100) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an equity consultant to evaluate the effect of changes made by, and vulnerabilities in, Engrossed Substitute Senate Bill No. 5179 (death with dignity act). The consultant shall partner with interested parties, vulnerable populations, and communities of color to solicit feedback on barriers to accessing the provisions of the act, any unintended consequences, and any challenges and vulnerabilities in the provision of services under the act, recommendations on ways to improve data collection, and recommendations on additional measures to be reported to the department. The department must report the findings and recommendations to the legislature by June 30, 2025.

(101) \$350,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a rural nursing workforce initiative to create a hub for students to remain in rural environments while working toward nursing credentials, including for program personnel, support, and a rural nursing needs assessment. Funding is provided to develop a program based on the rural nursing needs assessment.

(102) (a) \$1,393,000 of the climate commitment account—state appropriation is provided solely for grants to King county to address the disproportionate rates of asthma among children who reside within 10 miles of the Seattle-Tacoma international airport.

(b) Of the amount provided in this subsection, \$971,000 is provided to increase access to community health worker asthma interventions.

(c) Of the amount provided in this subsection, \$412,000 is for an independent investigation of the added benefit of indoor air quality interventions, including high efficiency particulate air filters, on disparities in indoor air pollution.

(d) Of the amount provided in this subsection, \$10,000 is for a regional data analysis and surveillance of asthma diagnoses and hospitalizations in King county.

(e) The county may contract with the University of Washington for the work described in (c) and (d) of this subsection.

(103) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the collaboration between the local public health jurisdiction, related accountable communities of health, and health care providers to reduce potentially preventable hospitalizations in Pierce county. This collaboration will build from the first three years of the project, planning to align care coordination efforts across health care systems and support the related accountable communities of health initiatives, including innovative, collaborative models of care. Strategies to reduce costly hospitalizations include the following: (a) Working with partners to prevent chronic disease; (b) improving heart failure rates; (c) incorporating community health workers as part of the health care team and improving care coordination; (d) supporting the COVID-19 response with improved access to immunizations; and (e) the use of community health workers to provide necessary resources to prevent hospitalization of people who are in isolation and quarantine. By December 15, 2024, the members of the collaboration shall report to the legislature regarding the effectiveness of each of the strategies identified in this subsection. In addition, the report shall describe the most significant challenges and make further recommendations for reducing costly hospitalizations.

(104) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based organization to host a deliberative democratic processes workshop for the HEAL act interagency work group established under RCW 70A.02.110, then develop, in consultation with environmental justice council or its staff, best practices for how agencies can incorporate deliberative democratic processes into community engagement practices.

(105) \$1,305,000 of the climate commitment account—state appropriation is provided solely for the climate health adaptation initiative.

(106) \$65,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5179 (death with dignity act). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(107) \$604,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(108) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5389 (optometry). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(109) \$1,205,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(110) \$30,000 of the general fund state—appropriation for fiscal year 2024, \$25,000 of the general fund—state appropriation for fiscal year 2025, and \$52,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5547 (nursing pool transparency). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(111) \$32,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute Senate Bill No. 5569 (kidney disease centers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(112) \$446,000 of the general fund—state appropriation for fiscal year 2024 and \$441,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5453 (female genital mutilation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(113) \$466,000 of the general fund—state appropriation for fiscal year 2024 and \$487,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5278 (home care aide certification). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(114) \$131,000 of the general fund—state appropriation for fiscal year 2024 and \$91,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5523 (forensic pathologist). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(115) \$36,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(116) \$339,000 of the general fund—state appropriation for fiscal year 2024 and \$485,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(117) \$198,000 of the general fund—private/local appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5120 (crisis relief centers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(118) \$125,000 of the general fund—state appropriation for fiscal year 2024, \$207,000 of the general fund—state appropriation for fiscal year 2025, and \$133,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(119) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of health to provide grants to federally qualified health centers (FQHCs) for the purchase of long-acting reversible contraceptives (LARCs). For LARCs purchased with the funding provided in this subsection, FQHCs shall provide patients with LARCs the same day they are seeking that family planning option.

(a) The department shall develop criteria for how the grant dollars will be distributed, including that FQHCs are required to participate in contraceptive training related to patient-centered care, shared decision making, and reproductive bias and coercion.

(b) The department shall survey the FQHCs participating in the grant program regarding the use of LARCs by their patients, as compared to the two years prior to participation in the grant program, and report the results of the survey to the appropriate committees of the legislature by December 1, 2025.

(120) \$63,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to utilize materials from the "count the kicks" program in designing, preparing, and making available online written materials to inform health care providers and staff of evidence-based research and practices that reduce the incident of stillbirth, by December 31, 2023.

(121) \$351,000 of the general fund—state appropriation for fiscal year 2024 and \$624,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Snohomish county health department to convene a leadership planning group that will:

(a) Conduct a landscape analysis of current sexually transmitted infection, postexposure prophylaxis, preexposure prophylaxis, and hepatitis B virus services and identify treatment improvements for HIV preexposure prophylaxis;

(b) Establish sexually transmitted infection clinical services at the Snohomish county health department and identify opportunities to expand sexual health services provided outside of clinical settings;

(c) Conduct research on opportunities to expand jail-based sexual health services;

(d) Establish an epidemiology and technical team;

(e) Expand field-based treatment for syphilis; and

(f) Establish an in-house comprehensive, culturally responsive sexual health clinic at the Snohomish county health department.

(122) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$53,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(123) \$5,496,000 of the climate commitment account—state appropriation is provided solely for the department to provide grants to school districts making updates to existing heating, venting, and air conditioning systems using small district modernization grants.

(124) \$38,600,000 of the climate commitment account—state appropriation is provided solely for the department to develop a grant program to fund projects that benefit overburdened communities as defined in RCW 70A.02.010(11). Of the amount provided in this subsection:

(a) \$6,000,000 of the climate commitment account—state appropriation is provided solely (~~for fiscal year 2024~~) for the department and the environmental justice council created in RCW 70A.02.110 to engage in a participatory budgeting process with at least five geographically diverse overburdened communities, as identified by the department, to develop a process to select and fund projects that mitigate the disproportional impacts of climate change on overburdened communities. The process must allow for full community engagement and develop criteria for eligible entities and projects and establish priorities to achieve the greatest gain for decarbonization and resiliency. A report of the outcomes of the participatory budgeting process detailing its recommendations for funding as well as future improvements to the participatory budgeting process must be provided to the appropriate committees of the legislature by December 31, 2023.

(b) \$32,600,000 of the climate commitment account—state appropriation is provided solely (~~for fiscal year 2025~~) for the department to provide grants that benefit overburdened communities. The department must submit to the governor and the legislature a ranked list of projects consistent with the recommendations developed in (a) of this subsection. The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.

(125) \$5,430,000 of the general fund—state appropriation for fiscal year 2024 and \$5,326,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain the current level of credentialing staff until the completion of the study on fees by Results WA.

(126) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the central nursing resource center established in RCW 18.79.202 to facilitate communication between nursing education programs and health care facilities that offer clinical placements for the purpose of increasing clinical education and practice experiences for nursing students. The department shall contract with the central nursing resource center to:

(a) Gather data to assess current clinical placement practices, opportunities, and needs;

(b) Identify all approved nursing education programs and health care facilities that offer clinical placement opportunities in the state;

(c) Convene and facilitate quarterly stakeholder meetings between representatives from approved nursing education programs and health care facilities that offer clinical placement opportunities, and other relevant stakeholders, in order to:

(i) Connect representatives by region;

(ii) Facilitate discussions between representatives, by region, to determine:

(A) Clinical placement barriers;

(B) The number and types of clinical placement opportunities needed; and

(C) The number and types of clinical placement opportunities available; and

(iii) Develop strategies to resolve clinical placement barriers;

(d) Provide a digital message board and communication platform representatives can use to maintain ongoing communication and clinical placement needs and opportunities;

(e) Identify other policy options and recommendations to help increase the number of clinical placement opportunities, if possible; and

(f) Submit a report of findings, progress, and recommendations to the governor and appropriate committees of the legislature by December 1, 2025.

(127) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of health to contract with an organization located in Thurston county that dedicates itself to the promotion of education, holistic health, and trauma healing in the African American community to provide behavioral health education, mental wellness training, evidence based health programs, events, and conferences to individuals, youth/adults, parents/parent partners, and families, that have suffered from generational and systemic racism. In conducting this work, the organization will engage diverse individuals in racial healing and reparative justice in the field of mental wellness. The organization will also prioritize mental health equity and reparative justice in their work to eradicate health disparities that African American communities have faced due to generational racism.

(128) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(129) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for three full-time emergency medical technicians and other resources necessary for the Franklin county public health district to provide health services as part of medical transport operations services, including services to the Coyote Ridge corrections center.

(130) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct an analysis of the certificate of need program established under chapter 70.38 RCW and report its findings and recommendations for statutory updates to the governor and appropriate legislative committees by June 30, 2025. The department must, at a minimum, consider other state approaches to certificate of need, impacts on access to care, cost control of health services, and equity, and approaches to identifying health care service needs at the statewide and community levels.

(131) \$9,982,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the 988 technology platform implementation project as described in RCW 71.24.890(5)(a). This amount is subject to the conditions, limitations, and review requirements provided in section 701 of this act and any requirements as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system). The department must actively collaborate with consolidated technology services and the health care authority so that the statewide 988 technology solutions will be coordinated and interoperable.

(132) \$750,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to contract with rise above, a native youth focused nonprofit organization. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(133) (a) \$15,953,000 of the general fund—state appropriation for fiscal year 2025 and \$13,000,000 of the general fund—federal appropriation are provided solely to maintain public health information technology infrastructure in a cloud-based environment.

(b) The department shall develop an initial plan to identify efficiencies in the cloud-based environment and submit it to the office of financial management and the office of the chief information officer by October 1, 2024. The plan should include, at a minimum, strategies to identify efficiencies within the cloud-based environment; new funding strategies for cloud technology for the 2025-2027 fiscal biennium budget; an update on the department's cloud road map that identifies key systems that will be modernized, consolidated, and migrated or implemented in the cloud; an overview of existing public health technology data systems in the cloud and data systems that are scheduled to transition to the cloud with an estimated implementation schedule, including a summary of data retention policies; and strategies to minimize cost increases where possible through efficient implementation strategies.

(134) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely to implement actions provided in the nitrate water hazard mitigation plan to support safe drinking water in the lower Yakima valley. Implementation of this plan includes, but is not limited to, education and outreach, well testing, and provision of alternate water supplies. The department may contract with local governments, local health jurisdictions, and nonprofit organizations to administer the plan.

(135) \$5,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to entities that operate supportive housing or shelter programs for the purposes of remediating hazards related to chemical or hazardous material contamination.

(136) \$154,000 of the general fund—state appropriation for fiscal year 2025 and, effective January 1, 2025, \$150,000 of the climate commitment account—state appropriation are provided solely to support health equity zones, as defined in RCW 43.70.595, for identification and implementation of targeted interventions to have a significant impact on health outcomes and health disparities. Use of the climate commitment account—state appropriation must be for permitted uses defined in RCW 70A.65.260.

(137) \$112,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Senate Bill No. 6166 (pesticide application comm.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(138) \$49,000 of the health professions account—state appropriation is provided solely for implementation of Senate Bill No. 5184 (anesthesiologist assistants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(139) \$10,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5815 (physician assistant compact). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(140) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5880 (MRI technologists). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(141) \$29,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute Senate Bill No. 5920 (psychiatric/cert. of need). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(142) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5940 (medical assistant-EMT cert.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(143) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5983 (syphilis treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(144) \$161,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6101 (hospital at-home services). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(145) \$215,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6234 (newborn screening for BCKDK). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(146) \$198,000 of the behavioral health crisis response line account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6251 (behavioral crisis coord.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(147) \$67,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(148) \$49,000 of the general fund—state appropriation for fiscal 2025 is provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(149) \$59,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5271 (DOH facilities/enforcement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(150)(a) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to review and update the rules for school environmental health and safety. The state board of health and the department shall conduct the review in collaboration with a multi-disciplinary technical advisory committee. The proposed new rules shall establish the minimum statewide health and safety standards for schools. In developing proposed rules, the state board of health shall:

(i) Convene and consult with an advisory committee consisting of, at minimum, representatives from:

(A) The office of the superintendent of public instruction;

(B) Small and large school districts;

(C) The Washington association of school administrators;

(D) The Washington state school directors' association;

(E) The Washington association of maintenance and operations administrators; and

(F) The Washington association of school business officials;

(ii) Collaborate with the office of the superintendent of public institution and develop a fiscal analysis regarding proposed rules that considers the size of school districts, regional cost differences, range of costs for implementing the proposed rules by section or subject area, and any other variables that may affect costs as identified by the advisory committee; and

(iii) Assist the department in completing environmental justice assessments on any proposed rules.

(b) The office of the superintendent of public instruction, the department, the state board of health, the advisory committee, and local health jurisdictions shall work collaboratively to develop and provide a report to the office of the governor and appropriate committees of the legislature by June 30, 2025, detailing prioritized sections or subject areas of the proposed rules that will provide the greatest health and safety benefits for students, the order in which they should be implemented, and any additional recommendations for implementation.

(151)(a) \$450,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with an independent third-party consultant to review the department's commercial shellfish regulatory program, including licensing, testing, and certification practices and requirements. The consultant must assess how the department sets commercial shellfish fees under RCW 43.70.250.

(i) The consultant must seek input from the department, the commercial shellfish industry, and tribes and must consider:

(A) Data sources and methods used by the department in setting or proposing increases to commercial shellfish fees;

(B) All costs associated with administering the department's regulatory authority over the testing of shellfish, the certification of operations and the issuance of licenses, and issuing export certificates for the commercial shellfish industry;

(C) Activities conducted by the department related to regulating the shellfish industry's regulatory activities that should be exempt from inclusion in the fee; and

(D) Relevant fees, methods, and considerations from other states that regulate the commercial shellfish industry under the Model Ordinance of the Interstate Shellfish Sanitation Conference for comparable services the department is providing the shellfish industry.

(ii) The consultant must also evaluate the viability of the industry to support full cost recovery as required under RCW 43.70.250 and recommend strategies to address any shortfalls. The consultant shall submit a report to the governor and legislature by June 30, 2025.

(b) Using the amounts provided in this subsection, the department shall also contract with a LEAN management consultant to review the shellfish licensing and certification program to identify program improvements and consider methods to offer data transparency to the industry and measures to potentially reduce program administration costs. The LEAN assessment must be completed and provided to the department by June 30, 2025.

(c) The department shall not increase commercial shellfish fees under RCW 43.70.250 during fiscal year 2025.

(152) (a) \$300,000 of the general fund—state appropriation is provided solely for the department to collaborate with the department of commerce to assess the need for and feasibility of a statewide low-income assistance program for water utility customers. The study must include, but is not limited to:

(i) A summary of existing local, state, and federal low-income assistance;

(ii) A review of low-income populations' water utility service cost burden; and

(iii) Recommendations for the design of a statewide drinking water and wastewater utility assistance program, which must include:

(A) Ongoing data collection on water-related assistance need of households;

(B) Intake coordination and data sharing across statewide programs serving low-income households;

(C) Program eligibility;

(D) Multilingual services;

(E) Outreach and community engagement;

(F) Program administration;

(G) Funding; and

(H) Reporting.

(b) Before commencing the study, the department of health and the department of commerce must convene a stakeholder group to advise the agencies throughout the study. The stakeholder group must include representatives from the governor's office, low-income advocates, wastewater system operators, drinking water system operators, and other interested parties.

(c) By June 30, 2025, the department must submit the study to the appropriate committees of the legislature.

(153) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to cancer pathways to provide cancer risk reduction education classes in K-12 schools, treatment and prevention education, and to implement a program to address cancer in the workplace.

(154) \$465,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Washington-based organization with expertise in end-of-life care and in the requirements of chapter 70.245 RCW, to provide training, outreach, and education to medical professionals, hospice teams, and other Washingtonians, to support the provision of care under chapter 70.245 RCW.

(155) \$168,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to coordinate work related to dementia, including but not limited to:

(a) Coordinating dementia-related activities with the department of social and health services, the health care authority, and other state agencies as needed;

(b) Implementing recommendations from the dementia action collaborative in the updated state Alzheimer's plan within the department; and

(c) Other dementia-related activities as determined by the secretary.

(156) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5629 (hepatitis B and C). The amount provided is for the department to design an awareness campaign regarding hepatitis B and C. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(157) \$2,623,000 of opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5906 (drug overdose prevention). The amount provided is for implementation of a drug overdose prevention campaign for youth and adults. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(158) \$162,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6286 (nurse anesthetist workforce). The amount provided is for the department to provide grants to certified registered nurse anesthetists that precept nurse anesthesia residents. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(159) \$3,172,000 of the health professions account—state appropriation is provided solely for implementing improvements to licensure processes. Improvements may include, but are not limited to, updating internal policies and procedures, creating web-based tutorials for applicants, updating existing web content for applicants, and researching the feasibility of live chat technology for applicants.

(160) \$972,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5937 (crime victims/witnesses). The amount provided is for creation of the statewide forensic nurse coordination program. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(161) \$384,000 of the general fund—state appropriation for fiscal year 2024 and \$384,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). Of the amounts provided in this subsection, \$359,000 of the general fund—state appropriation for fiscal year 2024 and \$359,000 of the general fund—state appropriation for fiscal year 2025 are for two full-time equivalent staff to provide health education to the Latinx community. If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.



(162) \$132,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6110 (child fatalities). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(163) \$114,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5829 (congenital cytomegalovirus). The amount provided is for the department to develop, translate, and distribute educational materials regarding congenital cytomegalovirus. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(164) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6127 (HIV prophylaxis). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 223.** 2023 c 475 s 223 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF CORRECTIONS**

The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multiorganization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, after approval by the director of financial management and unless specifically prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 between programs. The department may not transfer funds, and the director of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any deviations from appropriation levels. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) ADMINISTRATION AND SUPPORT SERVICES	
General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$96,389,000</del> ))
	\$100,912,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$95,589,000</del> ))
	\$101,146,000
General Fund—Federal Appropriation . . . . .	\$400,000
General Fund—Private/Local Appropriation . . . . .	\$168,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$192,378,000</del>))</b>
	<b>\$202,626,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) ~~((~~\$819,000~~))~~ \$1,959,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$58,000~~))~~ \$169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(b) \$445,000 of the general fund—state appropriation for fiscal year 2024 and \$452,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(c) \$932,000 of the general fund—state appropriation for fiscal year 2024 and \$434,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training statewide program administration team.

(d) \$2,056,000 of the general fund—state appropriation for fiscal year 2024 and \$2,056,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(e) \$127,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(f) \$127,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(g) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(h) \$11,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5056 (habitual property offenders). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(i) \$17,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5299 (law enf. officer protection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(j) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5891 (school bus trespass). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(k) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5917 (bias-motivated defacement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(l) \$15,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(2) CORRECTIONAL OPERATIONS

General Fund—State Appropriation (FY 2024) . . . . .	(((\$729,679,000))
	\$445,521,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$738,933,000))
	\$765,035,000
General Fund—Federal Appropriation . . . . .	\$4,326,000
General Fund—Private/Local Appropriation . . . . .	\$334,000
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
<u>Appropriation . . . . .</u>	<u>\$294,000,000</u>
Washington Auto Theft Prevention Authority Account—	
State Appropriation . . . . .	\$4,837,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$1,478,109,000))</b>
	<b>\$1,514,053,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department may contract for local jail beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The department shall not pay a rate greater than \$85 per day per offender excluding the costs of department of corrections provided services, including evidence-based substance abuse programming, dedicated department of corrections classification staff on-site for individualized case management, transportation of offenders to and from department of corrections facilities, and gender responsive training for jail staff. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as close medium or lower security offenders. Programming provided for offenders held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meets standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at a jail facility, the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(b) ~~\$671,000 of the general fund—state appropriation for fiscal year 2024 ((and \$671,000 of the general fund—state appropriation for fiscal year 2025 are))~~ is provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester.

(c) ~~(((\$1,713,000))~~\$4,270,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$146,000))~~\$422,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(d) Within the appropriated amounts in this subsection, the department of corrections must provide a minimum of one dedicated prison rape elimination act compliance specialist at each institution.

(e) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuing two contracted parent navigator positions. One parent navigator must be located at the Washington correction center for women and one parent navigator position must be located at the Airway Heights corrections center or another state correctional facility that houses incarcerated male individuals and is selected by the department of corrections as a more suitable fit for a parent navigator. The parent navigators must have lived experience in navigating the child welfare system. The parent navigators must provide guidance and support to incarcerated individuals towards family reunification including, but not limited to, how to access services, navigating the court system, assisting with guardianship arrangements, and facilitating visitation with their children. The goal of the parent navigator program is to assist incarcerated parents involved in dependency or child welfare cases to maintain connections with their children and to assist these individuals in successfully transitioning and reuniting with their families upon release from incarceration. As part of the parent navigation program, the department of corrections must also review and provide a report to the legislature on the effectiveness of the program that includes the number of incarcerated individuals that received assistance from the parent navigators and the type of assistance the incarcerated individuals received, and that tracked the outcome of the parenting navigator program. A final report must be submitted to the legislature by September 1, 2024. Of the amounts provided in this subsection, \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department's review and report on the effectiveness of the parent navigator program.

(f) ~~(((\$4,009,000))~~\$5,417,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$4,009,000))~~\$5,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(g) \$579,000 of the general fund—state appropriation for fiscal year 2024 and \$2,058,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

(h) \$1,294,000 of the general fund—state appropriation for fiscal year 2024 and \$1,294,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5131 (commissary funds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(j) \$1,839,000 of the general fund—state appropriation for fiscal year 2024 and \$1,839,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5134 (reentry services & supports) to increase gate money from \$40 to \$300 at release. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(k) \$2,871,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(l) \$586,000 of the general fund—state appropriation for fiscal year 2024 and \$576,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a planning and development manager and an executive secretary in the women's prison division.

(m) \$1,817,000 of the general fund—state appropriation for fiscal year 2024 and \$3,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in *Disability Rights Washington v. Washington Department of Corrections*, United States district court for the western district of Washington.

(n) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$3,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.

(o) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain the facility, property, and assets at the Larch corrections center in Yacolt.

(p) \$11,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(q) \$2,871,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(3) COMMUNITY SUPERVISION

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$242,761,000</del> ))
	\$252,551,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$252,147,000</del> ))
	\$258,839,000
General Fund—Federal Appropriation . . . . .	\$4,142,000
General Fund—Private/Local Appropriation . . . . .	\$10,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$499,050,000</del>))</b>
	<b>\$515,542,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall contract with local and tribal governments for jail capacity to house offenders who violate the terms of their community supervision. A contract rate increase may not exceed five percent each year. The department may negotiate to include medical care of offenders in the contract rate if medical payments conform to the department's offender health plan and pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff. If medical care of offender is included in the contract rate, the contract rate may exceed five percent to include the cost of that service. Beginning July 1, 2024, the department shall pay the bed rate for the day of release.

(b) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

(c) ~~((~~\$1,233,000~~))~~ \$2,880,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$88,000~~))~~ \$253,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(d) \$110,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the amend collaboration and training program.

(e) \$1,409,000 of the general fund—state appropriation for fiscal year 2024 and \$1,386,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Bellingham reentry center as a state-run facility.

(f) ~~((~~\$1,320,000~~))~~ \$615,000 of the general fund—state appropriation for fiscal year 2024 and \$1,320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Helen B. Ratcliff reentry center as a state-run facility.

(g) \$18,813,000 of the general fund—state appropriation for fiscal year 2024 and \$19,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

(h) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a jail medical bed rate adjustment.

(i) \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(4) CORRECTIONAL INDUSTRIES

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$12,638,000</del> ))
	<u>\$9,348,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$12,836,000</del> ))
	<u>\$9,100,000</u>
General Fund—Federal Appropriation . . . . .	\$600,000
General Fund—Private/Local Appropriation . . . . .	<u>\$2,634,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$25,474,000</del>))</b>
	<b><u>\$21,682,000</u></b>

(The appropriations in this subsection are subject to the following conditions and limitations: \$3,500,000 of the general fund state appropriation for fiscal year 2024 and \$3,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.)

(5) INTERAGENCY PAYMENTS

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$68,680,000</del> ))
	<u>\$69,190,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$64,929,000</del> ))
	<u>\$65,612,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$133,609,000</del>))</b>
	<b><u>\$134,802,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

~~((b))~~ (a) \$19,000 of the general fund—state appropriation for fiscal year 2024 and \$19,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

(e)) (b) \$36,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(c) \$36,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(d) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(6) OFFENDER CHANGE

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$83,659,000</del> ))
	<u>\$85,926,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$84,659,000</del> ))
	<u>\$89,157,000</u>
General Fund—Federal Appropriation . . . . .	\$1,436,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$169,754,000</del>))</b>
	<b><u>\$176,519,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall use funds appropriated in this subsection (6) for programming for incarcerated individuals. The department shall develop and implement a written comprehensive plan for programming for incarcerated individuals that prioritizes programs which follow the risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(b) The department of corrections shall collaborate with the state health care authority to explore ways to utilize federal medicaid funds as a match to fund residential substance use disorder treatment-based alternative beds under RCW 9.94A.664 under the drug offender sentencing alternative program and residential substance use disorder treatment beds that serve individuals on community custody.

(c) Within existing resources, the department of corrections may provide reentry support items such as disposable cell phones, prepaid phone cards, hygiene kits, housing vouchers, and release medications associated with individuals resentenced or ordered released from confinement as a result of policies or court decisions including, but not limited to, the *State v. Blake* decision.

(d) \$11,454,000 of the general fund—state appropriation for fiscal year 2024 and \$11,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded reentry investments to include, but not be limited to, transition services,

preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, and community partnership programs.

~~((f))~~ (e) \$1,177,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment) for dedicated staffing for substance use disorder assessments and for coordinated treatment care in the community at release. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((g))~~ (f) \$150,000 of the general fund—state appropriation for fiscal year 2024 ~~((and \$150,000 of the general fund—state appropriation for fiscal year 2025 are))~~ is provided solely for a grant to a nonprofit organization to assist fathers transitioning from incarceration to community and family reunification. The grant recipient must have experience contracting with the department of corrections to support incarcerated individual betterment projects and contracting with the department of social and health services to provide access and visitation services.

~~((h))~~ (g) \$424,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(h) \$424,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(i) \$122,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for continued cross agency reentry collaboration and work on the state's medicaid 1115 transformation waiver impacts to the department. By October 1, 2024, the department must report to fiscal committees of the legislature:

(i) The total spend in fiscal years 2022 and 2023 for authorized prerelease services under the medicaid 1115 transformation waiver, including but not limited to medications, laboratory services, and radiology; and

(ii) How much of each qualifying service listed in (i)(i) of this subsection would be required for reinvestment and how much would be allowable to offset existing expenditures based on federal medicaid rules for state fiscal years 2022 and 2023 if the waiver had been in place during those fiscal years.

(7) HEALTH CARE SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$241,145,000</del> ))
	\$250,846,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$245,589,000</del> ))
	\$259,333,000
General Fund—Federal Appropriation. . . . .	(( <del>\$3,084,000</del> ))
	\$6,720,000
General Fund—Private/Local Appropriation. . . . .	\$2,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$489,818,000</del>))</b>
	<b>\$516,901,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state prison medical facilities may use funds appropriated in this subsection to purchase goods, supplies, and services through hospital or other group purchasing organizations when it is cost effective to do so.

~~((e))~~ (b) \$842,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,192,000~~))~~ \$2,256,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

~~((d))~~ (c) \$73,000 of the general fund—state appropriation for fiscal year 2024 and \$387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

~~((e))~~ (d) \$1,236,000 of the general fund—state appropriation for fiscal year 2024 and \$1,236,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, enhanced health care discharge planning, case management, and evaluation of physical health and behavioral health.

~~((f))~~ (e) \$13,605,000 of the general fund—state appropriation for fiscal year 2024 and \$13,605,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for medical staffing in prisons for patient centered care and behavioral health care. Funding must be used to increase access to care, addiction care, and expanded screening of individuals in prison facilities to include chronic illnesses, infectious disease, diabetes, heart disease, serious mental health, and behavioral health services.

~~((g))~~ (f) \$1,612,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

~~((h))~~ (g) \$1,115,000 of the general fund—state appropriation for fiscal year 2024 and \$1,115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an electronic health records system solution and is subject to the conditions,

limitations, and review requirements of section 701 of this act and must be in compliance with the statewide electronic health records plan that must be approved by the office of financial management and the technology services board.

~~((+))~~ (h) \$405,000 of the general fund—state appropriation for fiscal year 2024 and \$399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5768 (DOC/abortion medications). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(i) \$627,000 of the general fund—state appropriation for fiscal year 2024 and \$1,715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in Disability Rights Washington v. Washington Department of Corrections, United States district court for the western district of Washington.

(j) To promote the safety, health, and well-being of health care workers and to support patient quality of care, the department will continue to engage in reasonable efforts to reduce the use of overtime for licensed practical nurses, registered nurses, and certified nursing assistants.

(k) Within the appropriated amounts in this subsection, funding is provided to ensure every single person transferring into the department of corrections' custody on full confinement is provided medications for opioid use disorder if they were on medications for opioid use disorder in jail or out of custody.

(l) \$12,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(m) \$1,612,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6187 (DOC body scanner pilot) to operate body scanner programs at the Washington corrections center for women and the Washington corrections center for men. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 224.** 2023 c 475 s 224 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

General Fund—State Appropriation (FY 2024)	.. . . .	<del>(\$7,061,000)</del>
		\$7,064,000
General Fund—State Appropriation (FY 2025)	.. . . .	<del>(\$7,387,000)</del>
		\$9,217,000
General Fund—Federal Appropriation	.. . . .	<del>(\$25,672,000)</del>
		\$32,824,000
General Fund—Private/Local Appropriation	.. . . .	<del>(\$61,000)</del>
		\$67,000
<b>TOTAL APPROPRIATION</b>	.....	<del>(\$40,181,000)</del>
		<u>\$49,172,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$201,000 of the general fund—state appropriation for fiscal year 2024 and \$201,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of statewide services for blind or low vision youth under the age of 14.

(2) \$184,000 of the general fund—state appropriation for fiscal year 2024 and \$367,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the independent living program.

(3) \$1,820,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the renovation of the food service café located in the natural resources building.

**Sec. 225.** 2023 c 475 s 225 (uncodified) is amended to read as follows:

**FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund—State Appropriation (FY 2024)	.. . . .	<del>(\$33,506,000)</del>
		\$29,204,000
General Fund—State Appropriation (FY 2025)	.. . . .	<del>(\$23,898,000)</del>
		\$28,400,000
General Fund—Federal Appropriation	.. . . .	<del>(\$216,616,000)</del>
		\$177,229,000
General Fund—Private/Local Appropriation	.. . . .	<del>(\$38,458,000)</del>
		\$38,445,000
Climate Commitment Account—State Appropriation	.. . . .	\$404,000
Unemployment Compensation Administration Account—		
Federal Appropriation	.. . . .	<del>(\$270,724,000)</del>
		\$306,951,000
Administrative Contingency Account—State		
Appropriation	.. . . .	<del>(\$28,741,000)</del>
		\$42,628,000
Employment Service Administrative Account—State		

Appropriation. . . . .	(( <del>\$85,070,000</del> ))
	<u>\$96,695,000</u>
Family and Medical Leave Insurance Account—State	
Appropriation. . . . .	(( <del>\$158,644,000</del> ))
	<u>\$159,003,000</u>
Workforce Education Investment Account—State	
Appropriation. . . . .	(( <del>\$14,556,000</del> ))
	<u>\$15,555,000</u>
Long-Term Services and Supports Trust Account—State	
Appropriation. . . . .	(( <del>\$40,960,000</del> ))
	<u>\$51,988,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$911,577,000</del>))</b>
	<b><u>\$946,502,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is directed to maximize the use of federal funds. The department must update its budget annually to align expenditures with anticipated changes in projected revenues.

(2) \$15,399,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of the long-term services and support trust program information technology project and is subject to the conditions, limitations, and review provided in section 701 of this act.

(3) Within existing resources, the department must reassess its ongoing staffing and funding needs for the paid family medical leave program and submit documentation of the updated need to the governor and appropriate committees of the legislature by September 1, 2023, and annually thereafter.

(4) Within existing resources, the department shall coordinate outreach and education to paid family and medical leave benefit recipients with a statewide family resource, referral, and linkage system that connects families with children prenatal through age five and residing in Washington state to appropriate services and community resources. This coordination shall include but is not limited to placing information about the statewide family resource, referral, and linkage system on the paid family and medical leave program web site and in printed materials, and conducting joint events.

(5) Within existing resources, the department shall report the following to the legislature and the governor by October 15, 2023, and each year thereafter:

- (a) An inventory of the department's programs, services, and activities, identifying federal, state, and other funding sources for each;
- (b) Federal grants received by the department, segregated by line of business or activity, for the most recent five fiscal years, and the applicable rules;
- (c) State funding available to the department, segregated by line of business or activity, for the most recent five fiscal years;
- (d) A history of staffing levels by line of business or activity, identifying sources of state or federal funding, for the most recent five fiscal years;
- (e) A projected spending plan for the employment services administrative account and the administrative contingency account. The spending plan must include forecasted revenues and estimated expenditures under various economic scenarios.

(6) ~~(\$14,510,000)~~ (a) \$15,510,000 of the workforce education investment account—state appropriation is provided solely for career connected learning grants as provided in RCW 28C.30.050, including sector intermediary grants and administrative expenses associated with grant administration.

(b) Within the amount provided in (a) of this subsection:

(i) Up to \$921,000 of the workforce education investment account—state appropriation may be used for the department to contract with the student achievement council to lead the career connected learning cross-agency work group and provide staffing support as required in RCW 28C.30.040.

(ii) Up to \$2,192,000 of the workforce education investment account—state appropriation may be used for technical assistance and implementation support grants associated with the career connected learning grant program as provided in RCW 28C.30.050.

(7) \$2,000,000 of the unemployment compensation administration account—federal appropriation is provided solely for the department to continue implementing the federal United States department of labor equity grant. This grant includes improving the translation of notices sent to claimants as part of their unemployment insurance claims into any of the 10 languages most frequently spoken in the state and other language, demographic, and geographic equity initiatives approved by the grantor. The department must also ensure that letters, alerts, and notices produced manually or by the department's unemployment insurance technology system are written in plainly understood language and evaluated for ease of claimant comprehension before they are approved for use.

(8) \$3,136,000 of the unemployment compensation administration account—federal appropriation is provided solely for a continuous improvement team to make customer, employer, and equity enhancements to the unemployment insurance program. If the department does not receive adequate funding from the United States department of labor to cover these costs, the department may use funding made available to the state through section 903 (d), (f), and (g) of the social security act (Reed act) in an amount not to exceed the amount provided in this subsection.



(9) \$404,000 of the climate commitment account—state appropriation is provided solely for participation on the clean energy technology work force advisory committee and collaboration on the associated report established in Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(11) ~~((~~(a) \$9,323,000~~))~~ \$18,948,000 of the employment service administrative account—state appropriation is provided solely for the replacement of the WorkSource integrated technology platform. The replacement system must support the workforce administration statewide to ensure adoption of the United States department of labor's integrated service delivery model and program performance requirements for the state's workforce innovation and opportunity act and other federal grants. This subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((~~(b) \$2,290,000 of the employment services administrative account—state appropriation is provided solely for the maintenance and operation of the WorkSource integrated technology platform.~~))~~

(12) \$6,208,000 of the general fund—state appropriation for fiscal year 2024 and \$6,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the economic security for all program. The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the legislature on December 1 and June 1 of each year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(13) (a) \$5,292,000 of the employment service administrative account—state appropriation is provided to expand the economic security for all program to residents of Washington state that are over 200 percent of the federal poverty level but who demonstrate financial need for support services or assistance with training costs to either maintain or secure employment. ~~((Supports to each participant must not exceed \$5,000 per year.))~~ Unspent funds from this subsection may be used for economic security for all participants who are under 200 percent of the federal poverty level as defined in subsection (12) of this section.

(b) The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the legislature on December 1 and June 1 of each year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(c) Of the amounts in (a) of this subsection, the department may use \$146,000 each year to cover program administrative expenses.

(14) \$1,655,000 of the administrative contingency account—state appropriation is provided to increase the department's information security team to proactively address critical security vulnerabilities, audit findings, and process gaps.

(15) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two project managers to assist with the coordination of state audits.

(16) \$1,448,000 of the general fund—state appropriation for fiscal year 2024 and \$1,448,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for business navigators at the local workforce development boards to increase employer engagement in an effort to support industry recovery and growth. Of the amounts in this subsection, the department may use \$148,000 per year to cover associated administrative expenses.

(17) \$11,895,000 of the general fund—federal appropriation is provided solely for the implementation of the quality jobs, equity strategy, and training (QUEST) grant to enhance the workforce system's ongoing efforts to support employment equity and employment recovery from the COVID-19 pandemic. The funds are for partnership development, community outreach, business engagement, and comprehensive career and training services.

(18) \$3,264,000 of the employment services administration account—state appropriation is provided solely for the continuation of the office of agricultural and seasonal workforce services.

(19) \$3,539,000 of the long-term services and supports trust account—state appropriation is provided solely for the programs in the department's leave and care division to increase outreach to underserved communities, perform program evaluation and data management, perform necessary fiscal functions, and make customer experience enhancements.

~~((~~(21)~~))~~ (20) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time employee to provide casework on behalf of constituents who contact their legislators to escalate unresolved claims.

~~((~~(22)~~))~~ (21) (a) \$250,000 of the family and medical leave insurance account—state appropriation is provided solely for the department to contract with the University of

Washington Evans school of public policy and governance to conduct a study on the impacts of the state family and medical leave program's job protection standards on equitable utilization of paid leave benefits under the program.

(b) The study shall consider the following:

(i) The rates at which paid leave benefits under chapter 50A.15 RCW are used by persons who qualify for job protection under RCW 50A.35.010 or the federal family and medical leave act;

(ii) Worker perspectives on the effects of job protection under RCW 50A.35.010 and the federal family and medical leave act on the use of paid leave benefits under chapter 50A.15 RCW; and

(iii) Employment outcomes and other impacts for persons using paid leave benefits under chapter 50A.15 RCW.

(c) (i) In conducting the study, the university must collect original data directly from workers about paid leave and job protection, including demographic information such as race, gender, income, geography, primary language, and industry or job sector.

(ii) In developing the study, the university must consult with the advisory committee under RCW 50A.05.030, including three briefings: An overview on the initial research design with an opportunity to provide feedback; a midpoint update; and final results. The university must consult with the committee regarding appropriate methods for collecting and assessing relevant data in order to protect the reliability of the study.

(d) A preliminary report, including the initial research design and available preliminary results must be submitted by December 1, 2023, and a final report by December 1, 2024, to the governor and the appropriate policy and fiscal committees of the legislature, in accordance with RCW 43.01.036.

~~((23))~~ (22) \$4,433,000 of the family and medical leave insurance account—state appropriation and \$351,000 of the unemployment compensation administration account—federal appropriation are provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(24))~~ (23) \$50,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute House Bill No. 1458 (apprenticeship programs/UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(25))~~ (24) (a) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~ \$11,227,000 of the general fund—state appropriation for fiscal year 2025, \$9,963,000 of the administrative contingency account—state appropriation, and \$4,271,000 of the employment services administrative account—state appropriation are provided solely to address a projected shortfall of federal revenue that supports the administration of the unemployment insurance program.

(b) The department must submit an initial report no later than November 1, 2023, and a subsequent report no later than November 1, 2024, to the governor and the appropriate committees of the legislature outlining how the funding in (a) of this subsection is being utilized and recommendations for long-term solutions to address future decreases in federal funding.

~~((26) \$11,976,000))~~ (25) \$7,644,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$4,332,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to create a dedicated team of staff to process the unemployment insurance overpayment caseload backlog.

~~((27))~~ (26) \$3,389,000 of the general fund—state appropriation for fiscal year 2024 and \$4,540,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the stipend for Washington service corps members to \$26,758 per year and for one staff member to assist with program outreach. The stipend increase is for members that enter into a service year with income below 200 percent of the federal poverty level.

~~((28))~~ (27) \$794,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute Senate Bill No. 5176 (employee-owned coop UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(29))~~ (28) \$30,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5286 (paid leave premiums). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(30))~~ (29) \$2,896,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5586 (paid leave data). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(31))~~ (30) \$35,000 of the employment service administrative account—state appropriation is provided solely for the department to provide research and consultation on the feasibility of replicating the unemployment insurance program for and expanding other social net programs to individuals regardless of their citizenship status.

~~((32))~~ (31) \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to design a form for employer use to voluntarily report no show, no call interview data. This data shall be used to inform potential trend analysis or policy development for job search compliance.

(32) \$5,655,000 of the family and medical leave insurance account—state appropriation is provided solely to increase staffing for the paid family and medical leave program to process claims and respond to customer inquiries in a timely manner.

(33) \$7,305,000 of the family and medical leave insurance account—state appropriation is provided solely for information technology staffing to complete system enhancements for any remaining statutorily required components of the paid family and medical leave program, including, but not limited to, the establishment and collection of overpayments, crossmatching eligibility with other programs, and elective coverage for tribes.

(34) \$51,000 of the employment services administrative account—state appropriation for fiscal year 2025 is provided solely to support the underground economy task force created in section 906 of this act.

(35) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to report how it will collect employee race and ethnicity information from employers that participate in the unemployment insurance program and employees who participate in the paid family medical leave program.

(a) The department may contract to complete the report.

(b) The department must submit a report to the legislature by June 30, 2025. The report must include accurate cost and time estimates needed to collect the race and ethnicity information from employers and employees. The department must consult with the office of equity to ensure that data collections is consistent with other efforts. The report must also include, but is not limited to, the following information:

(i) The cost and time required for the department to revise current reporting requirements to include race and ethnicity data;

(ii) The cost and time required for the department to incorporate the collection of race and ethnicity data into future reporting;

(iii) The cost and time required for the department to incorporate the collection of race and ethnicity data into its existing information technology systems;

(iv) Recommendations on any exclusions from the requirement to report race and ethnicity data; and

(v) Any statutory changes required to collect race and ethnicity data.

(36) \$961,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Senate Bill No. 6028 (unemployment overpayments). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(37) (a) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to convene a wage replacement program for undocumented workers work group. The work group shall convene by June 1, 2024, and must include:

(i) Three members representing immigrants' interests;

(ii) Two members representing workers' interests in unemployment, each of whom must be appointed from a list of names submitted by a recognized statewide organization of employees;

(iii) Two members representing employers' interests in unemployment, each of whom must be appointed from a list of names submitted by a recognized statewide organization of employers;

(iv) Three ex officio members, representing the state commission on African American affairs, the state commission on Hispanic affairs, and the state commission on Asian Pacific American affairs; and

(v) One ex officio member, representing the department and who will serve as the chair.

(b) The work group shall:

(i) Identify dedicated streams of revenue within the current unemployment insurance taxation model to fully fund an equitable wage replacement program for undocumented workers;

(ii) Review funding mechanisms from other states administering similar programs;

(iii) Identify funding mechanisms that do not duplicate employer contributions paid into the unemployment trust fund on behalf of undocumented workers nor increase social taxes paid for employers;

(iv) Explore the impact of identified funding mechanisms on solvency of the unemployment trust fund; and

(v) Provide a calculation of the amount of benefits that would be annually provided to undocumented workers through this program.

(c) By November 15, 2024, the department shall submit a report to the governor and related legislative committees that includes the information included in (b) of this subsection and a recommended plan of how to fully fund the program.

(38) \$11,054,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6072 (LTSS commission recs.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 226.** 2023 c 475 s 226 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—GENERAL**

(1)(a) The appropriations to the department of children, youth, and families in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of children, youth, and families shall initially be allotted as required by this act. The department shall seek approval from the office of financial management prior to transferring moneys between sections of this act except as expressly provided in this act. Subsequent allotment modifications shall not include

transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the foster care, adoption support, child protective services, working connections child care, and juvenile rehabilitation programs, the department may transfer appropriations that are provided solely for a specified purpose.

(2) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation.

(3) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department are subject to technical oversight by the office of the chief information officer.

**Sec. 227.** 2023 c 475 s 227 (uncodified) is amended to read as follows:

<b>FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—CHILDREN AND FAMILIES SERVICES PROGRAM</b>	
General Fund—State Appropriation (FY 2024) . . . . .	(\$488,869,000)
	\$488,623,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$500,457,000)
	\$524,250,000
General Fund—Federal Appropriation . . . . .	(\$503,359,000)
	\$518,560,000
General Fund—Private/Local Appropriation . . . . .	\$2,824,000
Opioid Abatement Settlement Account—State Appropriation . . . . .	(\$2,304,000)
	\$5,169,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$1,497,813,000)</b>
	<b>\$1,539,426,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$748,000 of the general fund—state appropriation for fiscal year 2024 and \$748,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to 13 children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(2) \$453,000 of the general fund—state appropriation for fiscal year 2024 and \$453,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs of hub home foster and kinship families that provide a foster care delivery model that includes a hub home. Use of the hub home model is intended to support foster parent retention, provide support to biological families, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(3) \$579,000 of the general fund—state appropriation for fiscal year 2024, \$579,000 of the general fund—state appropriation for fiscal year 2025, and \$110,000 of the general fund—federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(4) \$1,620,000 of the general fund—state appropriation for fiscal year 2024 and \$1,620,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services provided through children's advocacy centers.

(5) In fiscal year 2024 and in fiscal year 2025, the department shall provide a tracking report for social service specialists and corresponding social services support staff to the office of financial management, and the appropriate policy and fiscal committees of the legislature. The report shall detail continued implementation of the targeted 1:18 caseload ratio standard for child and family welfare services caseload-carrying staff and targeted 1:8 caseload ratio standard for child protection services caseload carrying staff. To the extent

to which the information is available, the report shall include the following information identified separately for social service specialists doing case management work, supervisory work, and administrative support staff, and identified separately by job duty or program, including but not limited to intake, child protective services investigations, child protective services family assessment response, and child and family welfare services:

(a) Total full-time equivalent employee authority, allotments and expenditures by region, office, classification, and band, and job duty or program;

(b) Vacancy rates by region, office, and classification and band; and

(c) Average length of employment with the department, and when applicable, the date of exit for staff exiting employment with the department by region, office, classification and band, and job duty or program.

(6) \$94,000 of the general fund—state appropriation for fiscal year 2024 and \$94,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(7) (a) \$999,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, \$656,000 of the general fund—private/local appropriation, and \$252,000 of the general fund—federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, regions where backlogs of youth that have formerly requested educational outreach services exist, or youth with high educational needs. The department is encouraged to use private matching funds to maintain educational advocacy services.

(b) The department shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(8) For purposes of meeting the state's maintenance of effort for the state supplemental payment program, the department of children, youth, and families shall track and report to the department of social and health services the monthly state supplemental payment amounts attributable to foster care children who meet eligibility requirements specified in the state supplemental payment state plan. Such expenditures must equal at least \$3,100,000 annually and may not be claimed toward any other federal maintenance of effort requirement. Annual state supplemental payment expenditure targets must continue to be established by the department of social and health services. Attributable amounts must be communicated by the department of children, youth, and families to the department of social and health services on a monthly basis.

(9) \$197,000 of the general fund—state appropriation for fiscal year 2024 and \$197,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct biennial inspections and certifications of facilities, both overnight and day shelters, that serve those who are under 18 years old and are homeless.

(10) (a) ~~\$6,195,000~~ \$8,981,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$6,195,000)~~ \$8,981,000 of the general fund—state appropriation for fiscal year 2025, and \$1,188,000 of the general fund—federal appropriation are provided solely for the department to operate emergent placement and enhanced emergent placement contracts.

(b) The department shall not include the costs to operate emergent placement contracts in the calculations for family foster home maintenance payments and shall submit as part of the budget submittal documentation required by RCW 43.88.030 any costs associated with increases in the number of emergent placement contract beds after the effective date of this section that cannot be sustained within existing appropriations.

(11) Beginning January 1, 2024, and continuing through the 2023-2025 fiscal biennium, the department must provide semiannual reports to the governor and appropriate legislative committees that includes the number of in-state behavioral rehabilitation services providers and licensed beds, the number of out-of-state behavioral rehabilitation services placements, and a comparison of these numbers to the same metrics expressed as an average over the prior six months. The report shall identify separately beds with the enhanced behavioral rehabilitation services rate. Effective January 1, 2024, and to the extent the information is available, the report shall include the same information for emergency placement services beds and enhanced emergency placement services beds.

(12) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing the supportive visitation model that utilizes trained visit navigators to provide a structured and positive visitation experience for children and their parents.

(13) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for enhanced adoption placement services for legally free children in state custody, through a partnership with a national nonprofit organization with private matching funds. These funds must supplement, but not supplant, the work of the department to secure permanent adoptive homes for children with high needs.

(14) The department of children, youth, and families shall make foster care maintenance payments to programs where children are placed with a parent in a residential program for substance abuse treatment. These maintenance payments are considered foster care maintenance

payments for purposes of forecasting and budgeting at maintenance level as required by RCW 43.88.058.

(15) \$511,000 of the general fund—state appropriation for fiscal year 2024, \$511,000 of the general fund—state appropriation for fiscal year 2025, and \$306,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219) (youth counsel/dependency).

(16) If the department receives an allocation of federal funding through an unanticipated receipt, the department shall not expend more than what was approved or for another purpose than what was approved by the governor through the unanticipated receipt process pursuant to RCW 43.79.280.

(17) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more nonprofit, nongovernmental organizations to purchase and deliver concrete goods to low-income families.

(18) \$2,400,000 of the general fund—state appropriation for fiscal year 2024 and \$2,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(19) The department will only refer child welfare cases to the department of social and health services division of child support enforcement when the court has found a child to have been abandoned by their parent or guardian as defined in RCW 13.34.030.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and 100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of SafeCare, an evidence-based parenting program, for families in Grays Harbor county.

(21) ~~\$7,685,000~~ of the general fund—state appropriation for fiscal year 2024, ~~(\$8,354,000)~~ \$11,079,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$2,682,000)~~ \$3,326,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$276,000 of the general fund—state appropriation for fiscal year 2024, \$264,000 of the general fund—state appropriation for fiscal year 2025, and \$104,000 of the general fund—federal appropriation are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance, reporting on progress, and resolving disputes that may arise.

(b) \$2,022,000 of the general fund—state appropriation for fiscal year 2024, \$2,432,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the general fund—federal appropriation are provided solely for the statewide hub home model. The department shall develop and adapt the existing hub home model to serve youth as described in the settlement agreement.

(c) \$452,000 of the general fund—state appropriation for fiscal year 2024, \$864,000 of the general fund—state appropriation for fiscal year 2025, and \$334,000 of the general fund—federal appropriation are provided solely for the department to establish a negotiated rule-making method to align and update foster care and group care licensing standards.

(d) \$2,195,000 of the general fund—state appropriation for fiscal year 2024, \$2,110,000 of the general fund—state appropriation for fiscal year 2025, and \$238,000 of the general fund—federal appropriation are provided solely for revised referral and transition procedures for youth entering foster care.

(e) \$1,868,000 of the general fund—state appropriation for fiscal year 2024, \$1,852,000 of the general fund—state appropriation for fiscal year 2025, and \$1,543,000 of the general fund—federal appropriation are provided solely for the department to develop and implement a professional therapeutic foster care contract and licensing category. Therapeutic foster care professionals are not required to have another source of income and must receive specialized training and support.

(f) \$872,000 of the general fund—state appropriation for fiscal year 2024, \$832,000 of the general fund—state appropriation for fiscal year 2025, and \$421,000 of the general fund—federal appropriation are provided solely to update assessment and placement procedures prior to placing a youth in a qualified residential treatment program, as well as updating the assessment schedule to every 90 days.

(g) \$2,725,000 of the general fund—state appropriation for fiscal year 2025 and \$644,000 of the general fund—federal appropriation are provided solely for family team decision making and shared planning meetings as informed by attachment a-stakeholder facilitator and process description.

(h) The department shall implement all provisions of the settlement agreement, including those described in (a) through (f) of this subsection; revisions to shared planning meeting

and family team decision-making policies and practices; and any and all additional settlement agreement requirements and timelines established.

(22) ~~((\$8,919,000))~~ \$7,379,000 of the general fund—state appropriation for fiscal year 2024, ~~((\$19,521,000))~~ \$26,325,000 of the general fund—state appropriation for fiscal year 2025, and ~~((\$6,595,000))~~ \$7,195,000 of the general fund—federal appropriation are provided solely for implementation of a seven-level foster care support system. Of the amounts provided in this subsection:

(a) \$5,527,000 of the general fund—state appropriation for fiscal year 2024, \$11,054,000 of the general fund—state appropriation for fiscal year 2025, and \$5,284,000 of the general fund—federal appropriation are provided solely to expand foster care maintenance payments from a four-level to a seven-level support system, beginning January 1, 2024.

(b) ~~((\$2,572,000))~~ \$1,032,000 of the general fund—state appropriation for fiscal year 2024, ~~((\$7,717,000))~~ \$14,521,000 of the general fund—state appropriation for fiscal year 2025, and ~~((\$1,173,000))~~ \$1,773,000 of the general fund—federal appropriation are provided solely for expanded caregiver support services. Services include, but are not limited to, placement, case aide, and after-hours support, as well as training, coaching, child care, and respite coordination.

(c) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project management to oversee the shift in systems and practices.

(d) \$247,000 of the general fund—state appropriation for fiscal year 2024, \$184,000 of the general fund—state appropriation for fiscal year 2025, and \$138,000 of the general fund—federal appropriation are provided solely for a contract with the department of social and health services research and data analysis division to track program outcomes through monitoring and analytics.

(23) \$732,000 of the general fund—state appropriation for fiscal year 2024, \$732,000 of the general fund—state appropriation for fiscal year 2025, and \$362,000 of the general fund—federal appropriation are provided solely to increase staff to support statewide implementation of the kinship caregiver engagement unit.

(24) ~~((\$7,332,000))~~ \$1,913,000 of the general fund—state appropriation for fiscal year 2024 and ~~((\$7,332,000))~~ \$4,119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to issue foster care maintenance payments for up to 90 days to those kinship caregivers who obtain an initial license.

(25) \$6,696,000 of the general fund—state appropriation for fiscal year 2024, \$6,696,000 of the general fund—state appropriation for fiscal year 2025, and \$2,940,000 of the general fund—federal appropriation are provided solely for contracted visitation services for children in temporary out-of-home care. Funding is provided to reimburse providers for certain uncompensated services, which may include work associated with missed or canceled visits.

(26) \$4,104,000 of the general fund—state appropriation for fiscal year 2024 and \$5,589,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand combined in-home services to serve more families. By December 1, 2023, and annually thereafter, the department shall provide a report to the legislature detailing combined in-home services expenditures and utilization, including the number of families served and a listing of services received by those families.

(27) \$892,000 of the general fund—state appropriation for fiscal year 2024, \$892,000 of the general fund—state appropriation for fiscal year 2025, and \$796,000 of the general fund—federal appropriation are provided solely for increased licensing staff. Licensing staff are increased in anticipation that more kinship placements will become licensed due to recent legislation and court decisions, including *In re Dependency of K.W.* and chapter 211, Laws of 2021 (E2SHB 1227) (child abuse or neglect).

(28) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$2,014,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5124 (nonrelative kin placement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$338,000 of the general fund—state appropriation for fiscal year 2024, \$317,000 of the general fund—state appropriation for fiscal year 2025, and \$54,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$851,000 of the general fund—state appropriation for fiscal year 2024, \$2,412,000 of the general fund—state appropriation for fiscal year 2025, and \$108,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(31) \$2,304,000 of the opioid abatement settlement account—state appropriation is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

(32) \$375,000 of the general fund—state appropriation for fiscal year 2024, \$375,000 of the general fund—state appropriation for fiscal year 2025, and \$112,000 of the general fund—federal appropriation are provided solely for the department to develop, implement, and expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation services for children in temporary out-of-home care and their parents and

siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature regarding these strategies by September 1, 2023. The report shall include the number and percentage of parents requiring supervised visitation and the number and percentage of parents with unsupervised visitation, prior to reunification.

(33) \$499,000 of the general fund—state appropriation for fiscal year 2024, \$499,000 of the general fund—state appropriation for fiscal year 2025, and \$310,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1204 (family connections program), which will support the family connections program in areas of the state in which the program is already established. To operate the program, the department must contract with a community-based organization that has experience working with the foster care population and administering the family connections program. (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(34) \$2,020,000 of the general fund—state appropriation for fiscal year 2024, \$1,894,000 of the general fund—state appropriation for fiscal year 2025, and \$1,247,000 of the general fund—federal appropriation are provided solely to increase the basic foster care maintenance rate for all age groups and the supervised independent living subsidy for youth in extended foster care each by \$50 per youth per month effective July 1, 2023.

(35) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a Washington state mentoring organization to provide oversight and training for a pilot program that mentors foster youth. The goal of the program is to improve outcomes for youth in foster care by surrounding them with ongoing support from a caring adult mentor. Under the program, mentors provide a positive role model and develop a trusted relationship that helps the young person build self-confidence, explore career opportunities, access their own resourcefulness, and work to realize their fullest potential. The organization shall serve as the program administrator to provide grants to nonprofit organizations based in Washington state that meet department approved criteria specific to mentoring foster youth. Eligible grantees must have programs that currently provide mentoring services within the state and can provide mentors who provide one-to-one services to foster youth, or a maximum ratio of one mentor to three youth.

(36) ~~\$1,100,000 of the general fund—state appropriation for fiscal year 2024~~ and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization in Spokane that has experience administering a family-centered drug treatment and housing program for families experiencing substance use disorder. The amount provided in this subsection is intended to support the existing program while the department works to develop a sustainable model of the program and expand to new regions of the state.

(37) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to lead the development of a sustainable operating funding model for programs using the rising strong model that provides comprehensive, family-centered drug treatment and housing services to keep families together while receiving treatment and support. The department shall work in coordination with the health care authority, the department of commerce, other local agencies, and stakeholders on development of the model. The department shall submit the sustainable operating model to the appropriate committees of the legislature by July 1, 2024.

(38) \$107,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$50,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(39) \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$269,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the new foster home incentive payment for child-placing agencies to \$1,000 for each new foster home certified for licensure, effective July 1, 2023.

(40) \$1,350,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to establish a pilot for public health nurses, including contracts for up to eight public health nurses distributed by case count across the regions to support caseworkers in engaging and communicating with families about the risks of fentanyl and child health and safety practices.

(41) \$900,000 of the general fund—state appropriation for fiscal year 2025 and \$231,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5908 (extended foster care). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(42) \$333,000 of the general fund—state appropriation for fiscal year 2025 and \$76,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 6006 (victims of human trafficking). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(43) \$266,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5591 (dependent youth financial ed). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.



(44) (a) \$1,638,000 of the general fund—state appropriation for fiscal year 2025, \$337,000 of the general fund—federal appropriation, and \$1,515,000 of the opioid abatement settlement account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(b) Of the amounts provided in (a) of this subsection:

(i) \$1,515,000 of the opioid abatement settlement account—state appropriation is provided solely for a pilot program to include third-party safety plan participants and public health nurses in child protective services safety planning.

(ii) \$574,000 of the general fund—state appropriation for fiscal year 2025 and \$301,000 of the general fund—federal appropriation are provided solely for at least one legal liaison position in each region to work with both the department and the office of the attorney general for the purpose of assisting with the preparation of child abuse and neglect court cases.

(iii) \$972,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for two pilot programs to implement an evidence-based, comprehensive, intensive, in-home parenting services support model to serve children and families from birth to age 18 who are involved in the child welfare, children's mental health, or juvenile justice systems.

**Sec. 228.** 2023 c 475 s 228 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—JUVENILE REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(\$140,231,000)
	\$148,567,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$143,975,000)
	\$151,778,000
General Fund—Federal Appropriation . . . . .	\$694,000
General Fund—Private/Local Appropriation . . . . .	\$205,000
Washington Auto Theft Prevention Authority Account—	
State Appropriation . . . . .	\$196,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(\$285,301,000)</b>
	<b>\$301,440,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,841,000 of the general fund—state appropriation for fiscal year 2024 and \$2,841,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts for effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development, not just reducing recidivism. Additional funding for this purpose is provided through an interagency agreement with the health care authority. County juvenile courts shall apply to the department of children, youth, and families for funding for program-specific participation and the department shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute. The block grant oversight committee, in consultation with the Washington state institute for public policy, shall identify effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development to receive funding.

(2) \$1,537,000 of the general fund—state appropriation for fiscal year 2024 and \$1,537,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expansion of the juvenile justice treatments and therapies in department of children, youth, and families programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The department may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(3) (a) \$6,198,000 of the general fund—state appropriation for fiscal year 2024 and \$6,198,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement evidence- and research-based programs through community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants. In addition to funding provided in this subsection, funding to implement alcohol and substance abuse treatment programs for locally committed offenders is provided through an interagency agreement with the health care authority.

(b) The department of children, youth, and families shall administer a block grant to county juvenile courts for the purpose of serving youth as defined in RCW 13.40.510(4)(a) in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service funds, community juvenile accountability act grants, chemical dependency/mental health disposition alternative, and suspended disposition alternative. The department of children, youth, and families shall follow the following formula and must prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for the assessment of low, moderate, and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations;

(v) three percent for the chemical dependency and mental health disposition alternative; and (vi) two percent for the suspended dispositional alternatives. Funding for the special sex offender disposition alternative shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the department of children, youth, and families and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(c) The department of children, youth, and families and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the department of children, youth, and families and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be co-chaired by the department of children, youth, and families and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. The committee may make changes to the formula categories in (b) of this subsection if it determines the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost/benefit savings to the state, including long-term cost/benefit savings. The committee must also consider these outcomes in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(d) The juvenile courts and administrative office of the courts must collect and distribute information and provide access to the data systems to the department of children, youth, and families and the Washington state institute for public policy related to program and outcome data. The department of children, youth, and families and the juvenile courts must work collaboratively to develop program outcomes that reinforce the greatest cost/benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(4) \$645,000 of the general fund—state appropriation for fiscal year 2024 and \$645,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

(5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant program focused on criminal street gang prevention and intervention. The department of children, youth, and families may award grants under this subsection. The department of children, youth, and families shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity receiving funds must report to the department of children, youth, and families on the number and types of youth served, the services provided, and the impact of those services on the youth and the community.

(6) The juvenile rehabilitation institutions may use funding appropriated in this subsection to purchase goods, supplies, and services through hospital group purchasing organizations when it is cost-effective to do so.

(7) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts to establish alternative detention facilities similar to the proctor house model in Jefferson county, Washington, that will provide less restrictive confinement alternatives to youth in their local communities. County juvenile courts shall apply to the department of children, youth, and families for funding and each entity receiving funds must report to the department on the number and types of youth serviced, the services provided, and the impact of those services on the youth and the community.

(8) \$432,000 of the general fund—state appropriation for fiscal year 2024 and \$432,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide housing services to clients releasing from incarceration into the community.

(9) (a) \$878,000 of the general fund—state appropriation for fiscal year 2024 and \$879,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 206, Laws of 2021 (concerning juvenile rehabilitation community transition services).

(b) Of the amounts provided in (a) of this subsection, \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing vouchers.

(10) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 265, Laws of 2021 (supporting successful reentry).

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a credible messenger mentorship organization located in Kitsap county to provide peer counseling, peer support services, and mentorship for at-risk youth and families.

(12) \$1,791,000 of the general fund—state appropriation for fiscal year 2024 and \$1,754,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the facility, property, and assets at the facility formerly known as the Naselle youth camp in Naselle. The department of children, youth, and families must enter into an interagency agreement with the department of social and health services for the management and warm closure maintenance of the Naselle youth camp facility and grounds during the 2023-2025 fiscal biennium.

(13) (a) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1394 (sexual offenses by youth). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(b) The department of children, youth, and families—juvenile rehabilitation shall develop and implement a grant program that allows defense attorneys and counties to apply for funding for sex offender evaluation and treatment programs. The department shall provide funding to counties for: (a) Process mapping, site assessment, and training for additional sex offender treatment modalities such as multisystemic therapy-problem sexual behavior or problematic sexual behavior-cognitive behavioral therapy; and (b) for any evaluation and preadjudication treatment costs which are not covered by the court.

(14) \$2,436,000 of the general fund—state appropriation for fiscal year 2024 and \$2,206,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a dedicated institutional educational oversight and accountability team and 12 staff to provide a transition team at both green hill and echo glen that will serve as an education engagement team at the facility and will also coordinate and engage with community enrichment programs and community organizations to afford more successful transitions.

(15) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted services for housing for youth exiting juvenile rehabilitation facilities.

(16) (~~(\$3,306,000)~~) \$2,701,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$8,732,000)~~) \$9,915,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for caseload costs and staffing. Of the amount provided in this subsection: (~~(\$1,752,000)~~) \$1,221,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,428,000)~~) \$2,055,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing necessary to operate the baker cottage north living unit at green hill school that is anticipated to be operational by (~~February~~) March 1, 2024.

(17) \$967,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to purchase body scanners, one for echo glen, and two for green hill school, to comply with chapter 246-230 WAC (security screening systems).

(18) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for antibias training for girls, youth stipends for girls, and facilitation for girls in the continuum of the juvenile rehabilitation system.

(19) \$68,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6006 (victims of human trafficking). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 229.** 2023 c 475 s 229 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—EARLY LEARNING PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$576,454,000</del> ))
	\$587,754,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$699,147,000</del> ))
	\$749,967,000
General Fund—Federal Appropriation . . . . .	(( <del>\$525,447,000</del> ))
	\$659,630,000
General Fund—Private/Local Appropriation . . . . .	\$104,000
Education Legacy Trust Account—State Appropriation . . . . .	(( <del>\$385,965,000</del> ))
	\$385,401,000
Home Visiting Services Account—State Appropriation . . . . .	(( <del>\$35,809,000</del> ))
	\$35,795,000
Home Visiting Services Account—Federal Appropriation . . . . .	(( <del>\$36,417,000</del> ))
	\$37,256,000
<u>Opioid Abatement Settlement Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$3,179,000</u>
Washington Opportunity Pathways Account—State	
Appropriation . . . . .	\$80,000,000
Workforce Education Investment Account—State	
Appropriation . . . . .	\$22,764,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$2,362,107,000</del>))</b>
	<b>\$2,561,850,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) (~~(\$123,623,000)~~) \$132,698,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$148,314,000)~~) \$167,571,000 of the general fund—state appropriation for fiscal year 2025, \$91,810,000 of the education legacy trust account—state appropriation, and \$80,000,000 of the opportunity pathways account—state appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 16,778 slots in fiscal year 2024 and 17,278 slots in fiscal year 2025. Of the total slots in each fiscal year, 100 slots must be reserved for foster children to receive school-year-round enrollment.

(b) Of the amounts provided in (a) of this subsection:

(i) \$23,647,000 of the general fund—state appropriation for fiscal year 2024 and \$26,412,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a slot rate increase of 18 percent for full day slots, a 9 percent increase for extended day slots, and a 7 percent increase for part day slots, beginning July 1, 2023.

(ii) \$10,182,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a rate increase of 6 percent for full day slots and 10 percent for extended day slots, beginning July 1, 2024.

(iii) \$9,862,000 of the general fund—state appropriation for fiscal year 2024 and \$9,862,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to convert 1,000 part day slots to full day slots, and to increase full day slots by 500, beginning in fiscal year 2024.

(~~(iii)~~) (iv) \$9,862,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to convert 1,000 part day slots to full day slots (~~(v)~~) and to increase full day slots by 500, beginning in fiscal year 2025.

(c) Of the amounts provided in (a) of this subsection, \$2,509,000 of the general fund—state appropriation for fiscal year 2024 and \$3,278,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for the early childhood education and assistance program.

(d) The department of children, youth, and families must develop a methodology to identify, at the school district level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district and the corresponding facility needs required to meet the entitlement in accordance with RCW 43.216.556. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(2) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies.

(3) The department of children, youth, and families shall work in collaboration with the department of social and health services to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families. Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(4) (a) (~~(\$144,632,000)~~) \$145,852,000 of the general fund—state appropriation for fiscal year 2024, \$208,181,000 of the general fund—state appropriation for fiscal year 2025, \$56,400,000 of the general fund—federal appropriation, and (~~(\$51,500,000)~~) \$99,100,000 of the general fund—federal appropriation (ARPA) are provided solely for enhancements to the working connections child care program.

(b) Of the amounts provided in (a) of this subsection:

(i) \$47,637,000 of the general fund—state appropriation for fiscal year 2024, \$87,556,000 of the general fund—state appropriation for fiscal year 2025, \$36,249,000 of the general fund—federal appropriation, and \$33,085,000 of the general fund—federal appropriation (ARPA) are provided solely to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey for child care centers.

(ii) (~~(\$96,995,000)~~) \$98,215,000 of the general fund—state appropriation for fiscal year 2024, \$120,625,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided solely to implement the 2023-2025 collective bargaining agreement covering family child care providers as provided in section 907 of this act. Of the amounts provided in this subsection:

(A) \$8,263,000 of the general fund—state appropriation for fiscal year 2024 and \$9,793,000 of the general fund—state appropriation for fiscal year 2025 are for an 85 cent

per hour per child rate increase for family, friends, and neighbor providers (FFNs) beginning July 1, 2023, and a 15 cent per hour per child rate increase beginning July 1, 2024.

(B) \$26,515,000 of the general fund—state appropriation for fiscal year 2024, \$48,615,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey.

(C) \$370,000 of the general fund—state appropriation for fiscal year 2024 and \$370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to pay the background check application and fingerprint processing fees.

(D) ~~(\$61,847,000)~~ \$63,067,000 of the general fund—state appropriation for fiscal year 2024 and \$61,847,000 of the general fund—state appropriation for fiscal year 2025 are for a cost of care rate enhancement.

(c) Funding in this subsection must be expended with internal controls that provide child-level detail for all transactions beginning in fiscal year 2025.

(d) On July 1, 2023, and July 1, 2024, the department, in collaboration with the department of social and health services, must report to the governor and the appropriate fiscal and policy committees of the legislature on the status of overpayments in the working connections child care program. The report must include the following information for the previous fiscal year:

(i) A summary of the number of overpayments that occurred;

(ii) The reason for each overpayment;

(iii) The total cost of overpayments;

(iv) A comparison to overpayments that occurred in the past two preceding fiscal years; and

(v) Any planned modifications to internal processes that will take place in the coming fiscal year to further reduce the occurrence of overpayments.

(e) Within available amounts, the department in consultation with the office of financial management shall report enrollments and active caseload for the working connections child care program to the governor and the legislative fiscal committees and the legislative-executive WorkFirst poverty reduction oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(5) ~~\$2,362,000 of the general fund—state appropriation for fiscal year 2024 ((and))~~, ~~\$2,362,000 of the general fund—state appropriation for fiscal year 2025, and \$3,582,000 of the general fund—federal appropriation~~ are provided solely to increase the nonstandard hours bonus ~~((to \$135 per child per month))~~. Of the amounts in this subsection:

(a) \$2,362,000 of the general fund—state appropriation for fiscal year 2024 and \$2,362,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the nonstandard hours bonus to \$135 per child per month, beginning July 1, 2023.

(b) \$3,582,000 of the general fund—federal appropriation is provided solely to increase the nonstandard hours bonus to \$300 per child per month, beginning July 1, 2024.

(6) \$22,764,000 of the workforce education investment account—state appropriation is provided solely for the working connections child care program under RCW 43.216.135.

(7) \$353,402,000 of the general fund—federal appropriation is reimbursed by the department of social and health services to the department of children, youth, and families for qualifying expenditures of the working connections child care program under RCW 43.216.135.

(8) \$1,560,000 of the general fund—state appropriation for fiscal year 2024, \$1,560,000 of the general fund—state appropriation for fiscal year 2025, and \$6,701,000 of the general fund—federal appropriation are provided solely for the seasonal child care program.

(9) \$871,000 of the general fund—state appropriation for fiscal year 2024 and \$871,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of children, youth, and families to contract with a countywide nonprofit organization with early childhood expertise in Pierce county for a project to prevent child abuse and neglect using nationally recognized models.

(a) The nonprofit organization must continue to implement a countywide resource and referral linkage system for families of children who are prenatal through age five.

(b) The nonprofit organization must offer a voluntary brief newborn home visiting program. The program must meet the diverse needs of Pierce county residents and, therefore, it must be flexible, culturally appropriate, and culturally responsive. The department, in collaboration with the nonprofit organization, must examine the feasibility of leveraging federal and other fund sources, including federal Title IV-E and medicaid funds, for home visiting provided through the pilot. The department must report its findings to the governor and appropriate legislative committees by September 1, 2023.

(10) \$3,577,000 of the general fund—state appropriation for fiscal year 2024, \$3,587,000 of the general fund—state appropriation for fiscal year 2025, and \$9,588,000 of the education legacy trust account—state appropriation are provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. The department shall pursue opportunities to leverage other funding to continue and expand ECLIPSE services. Priority for services shall be given to children referred from the department.

(11) The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In a bi-annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements.

(12) \$1,728,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(13) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(14) \$4,000,000 of the education legacy trust account—state appropriation is provided solely for early intervention assessment and services.

(15) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(16) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued implementation of chapter 202, Laws of 2017 (children's mental health).

(17) Within existing resources, the department shall continue implementation of chapter 409, Laws of 2019 (early learning access).

(18) \$515,000 of the general fund—state appropriation for fiscal year 2024 and \$515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a statewide family resource and referral linkage system, with coordinated access point of resource navigators who will connect families with children prenatal through age five with services, programs, and community resources through a facilitated referral and linkage process.

(19) (a) \$114,000 of the general fund—state appropriation for fiscal year 2024, \$173,000 of the general fund—state appropriation for fiscal year 2025, \$6,000 of the general fund—federal appropriation, and \$31,000 of the general fund—federal appropriation (ARPA) are provided solely for the department to complete its pilot project to determine the feasibility of a child care license category for multi-site programs operating under one owner or one entity and to complete one year of transition activities. The department shall adopt rules to implement the pilot project and may waive or adapt licensing requirements when necessary to allow for the operation of a new license category. Pilot participants must include, at least:

- (i) One governmental agency;
- (ii) One nonprofit organization; and
- (iii) One for-profit private business.

(b) New or existing license child care providers may participate in the pilot. When selecting and approving pilot project locations, the department shall aim to select a mix of rural, urban, and suburban locations. By July 1, 2024, the department shall submit to the governor and relevant committees of the legislature a plan for permanent implementation of this license category, including any necessary changes to law.

(20) \$3,020,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for the home visiting program. Of the amounts in this subsection:

(a) \$2,020,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for a funding increase, including to increase funding for contracts to support wage and cost increases and create more equity in contracting among the home visiting workforce.

(b) \$1,000,000 of the home visiting account—state appropriation is provided solely for the expansion of visiting services.

(21) Within the amounts provided in this section, funding is provided for the department to make permanent the two language access coordinators with specialties in Spanish and Somali as funded in chapter 334, Laws of 2021.

(22) (a) The department must provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license-exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(b) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(c) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(d) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives

appropriations committee and the senate ways and means committee using available data every March for the previous school year.

(e) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(23) \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue implementation of an infant and early childhood mental health consultation initiative to support tribal child care and early learning programs. Funding may be used to provide culturally congruent infant and early childhood mental health supports for tribal child care, the tribal early childhood education and assistance program, and tribal head start providers. The department must consult with federally recognized tribes which may include round tables through the Indian policy early learning committee.

(24) \$860,000 of the general fund—state appropriation for fiscal year 2024 and \$860,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued expansion and support of family, friend, or neighbor caregivers with a focus on the provision of play and learn groups. The amounts provided in this subsection may be used for the department to:

(a) Fund consistent staffing across the state's six geographic regions to support the needs of family, friend, or neighbor caregivers;

(b) Contract with a statewide child care resource and referral program to sustain and expand the number of facilitated play groups to meet the needs of communities statewide;

(c) Support existing infrastructure for organizations that have developed the three existing play and learn program models so they have capacity to provide training, technical assistance, evaluation, data collection, and other support needed for implementation; and

(d) Provide direct implementation support to community-based organizations that offer play and learn groups.

(25) \$3,750,000 of the general fund—state appropriation for fiscal year 2024 and \$3,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for tribal early learning grants to be distributed to providers with tribal children enrolled in early childhood education and assistance program, early ECEAP, childcare, head start, early head start and home visiting programs. Grants will be administered by the department of children, youth and families office of tribal relations and may be awarded for purposes including but not limited to culturally appropriate mental health supports for addressing historical trauma, incorporating indigenous foods, culturally-responsive books and materials, staff professional development, curriculum adaptations and supplements, tribal language education, elders and storytelling in classrooms, traditional music and arts instruction, and transportation to facilitate tribal child participation in early childhood education. Of the amounts in this subsection, the department may use \$143,000 in fiscal year 2024 and up to \$136,000 in fiscal year 2025 to cover associated administrative expenses.

(26) \$7,698,000 of the general fund—state appropriation for fiscal year 2024 and \$7,698,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for child care providers.

(27) \$2,624,000 of the general fund—state appropriation for fiscal year 2024 and \$2,624,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for equity grants established under chapter 199, Laws of 2021 (E2SSB 5237).

(28) \$2,354,000 of the general fund—state appropriation for fiscal year 2024 and \$2,431,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the birth-to-three early childhood education and assistance program. Funding is sufficient for a 20 percent rate increase beginning July 1, 2023, and a 1.8 percent rate increase beginning July 1, 2024.

(29) \$3,352,000 of the general fund—state appropriation for fiscal year 2024 and \$9,916,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5225 (working conn. child care). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(30) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to help close the gap in childcare access in the King county region by providing pandemic recovery support funding to the Launch learning organization.

(31) (~~(\$533,000)~~) \$169,000 of the general fund—state appropriation for fiscal year 2024 (~~(is)~~) and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to submit an implementation plan to expand access to Washington's mixed delivery child care system. The plan must assume that any financial contribution by families is capped at no more than seven percent of household income and that the child care workforce are provided living wages and benefits. The plan must be submitted to the appropriate committees of the legislature by June 30, 2025, and should:

(a) Follow the intent of chapter 199, Laws of 2021;

(b) Be aligned with the cost of quality care rate model;

(c) Include timelines, costs, and statutory changes necessary for timely and effective implementation; and

(d) Be developed through partnership with the statewide child care resource and referral organization and the largest union representing child care providers, with consultation from families.

(32) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for infant and early childhood mental health consultation.

(33) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with Washington communities for children to maintain a community-based early childhood network.

(34) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a Washington state based nonprofit digital child care marketing and matching service to deliver child care marketing and matching services in order to increase the number of licensed providers offering nonstandard hours care and to provide effective outreach to workforces in order to help them find and match with available nonstandard hours care providers.

(35) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an organization that provides relationship-based professional development support to family, friend, and neighbor, child care center, and licensed family care providers to work with child care workers to establish new affordable, high quality child care and early learning programs. To be eligible to receive funding, the organization must:

(a) Provide professional development services for child care providers and early childhood educators, including training and mentorship programs;

(b) Provide mentorship and other services to assist with child care provider and facility licensing;

(c) Administer or host a system of shared services and consulting related to operating a child care business; and

(d) Administer a state sponsored substitute pool child care provider program.

(36) \$830,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse-))

(37) \$972,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1525 (apprenticeships/child care). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse-))

(38) \$2,438,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide a one-time rate enhancement in fiscal year 2024 for early support for infants and toddlers program providers.

(39) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the imagination library.

(40) \$1,313,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 420, Laws of 2023 (transition to kindergarten program).

(41) \$5,561,000 of the general fund—federal appropriation is provided solely to increase the infant rate enhancement for child care providers from \$90 to \$300, beginning July 1, 2024.

(42) \$650,000 of the general fund—federal appropriation is provided solely to expand the inclusion mentorship program for increasing access in child care team, which provides early learning providers with the necessary skills and knowledge to effectively care for and educate children with disabilities, developmental delays, or challenging behaviors.

(43) \$497,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to conduct a feasibility study and provide cost estimates for a pilot program to award start-up grants, in local jurisdictions over 100,000 persons, to assist in the establishment and operation of child care programs and services with nonstandard hours for the minor children of individuals in high demand professions, including, but not limited to, peace officers and criminal justice personnel, firefighters, medical professionals in rural areas, and construction workers during shift work and abnormal work hours. A report is due to the legislature by June 30, 2025.

(44) \$254,000 of the general fund—federal appropriation is provided solely for implementation of Substitute Senate Bill No. 5774 (fingerprint backgr. checks). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(45) (a) \$3,179,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(b) Of the amounts provided in (a) of this subsection:

(i) \$1,600,000 of the opioid abatement settlement account—state appropriation is provided solely to enter into targeted contracts with existing home visiting programs established by RCW 43.216.130 in locales with the historically highest rates of child welfare screened-in intake and shall be targeted to families experiencing high-potency synthetic opioid-related substance use disorder.



(ii) \$1,579,000 of the opioid abatement settlement account—state appropriation is provided solely to establish a pilot program for contracted child care slots for infants in child protective services in locales with the historically highest rates of child welfare screened-in intake due to the exposure or presence of high-potency synthetic opioids in the home, which may be used as part of a safety plan.

**Sec. 230.** 2023 c 475 s 230 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$269,989,000</del> ))
	\$372,098,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$267,333,000</del> ))
	\$287,874,000
General Fund—Federal Appropriation . . . . .	(( <del>\$154,741,000</del> ))
	\$172,600,000
General Fund—Private/Local Appropriation . . . . .	(( <del>\$2,133,000</del> ))
	\$2,131,000
Education Legacy Trust Account—State Appropriation . . . . .	(( <del>\$180,000</del> ))
	\$744,000
Home Visiting Services Account—State Appropriation . . . . .	\$482,000
Home Visiting Services Account—Federal Appropriation . . . . .	\$380,000
<u>Information Technology Investment Revolving Account—</u>	
<u>State Appropriation . . . . .</u>	<u>\$1,985,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$695,238,000</del>))</b>
	<b>\$838,294,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Washington state mentoring organization to continue its public-private partnerships providing technical assistance and training to mentoring programs that serve at-risk youth.

(2) \$2,000 of the general fund—state appropriation for fiscal year 2024, \$6,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(3) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time employee to coordinate policies and programs to support pregnant and parenting individuals receiving chemical dependency or substance use disorder treatment.

(4) ~~((~~\$2,719,000~~))~~ \$3,525,000 of the general fund—state appropriation for fiscal year 2024, ~~((~~\$2,632,000~~))~~ \$4,145,000 of the general fund—state appropriation for fiscal year 2025, and ~~((~~\$174,000~~))~~ \$248,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$2,406,000 of the general fund—state appropriation for fiscal year 2024, \$2,382,000 of the general fund—state appropriation for fiscal year 2025, and \$174,000 of the general fund—federal appropriation are provided solely for supported housing programs for hard-to-place foster youth age 16 and above. The department shall provide housing and case management supports that ensure youth placement stability, promote mental health and well-being, and prepare youth for independent living.

(b) \$313,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance, reporting on progress, and resolving disputes that may arise.

(c) \$806,000 of the general fund—state appropriation for fiscal year 2024, \$1,513,000 of the general fund—state appropriation for fiscal year 2025, and \$74,000 of the general fund—federal appropriation are provided solely for plaintiff legal fees, stakeholder facilitation, and fiduciary support to support rate modeling and payments for the emerging adult housing program, professional therapeutic foster parents, referrals and transitions, and hub homes.

(5) \$704,000 of the general fund—state appropriation for fiscal year 2024, \$1,022,000 of the general fund—state appropriation for fiscal year 2025, and \$222,000 of the general fund—federal appropriation are provided solely for the department to implement a language access plan, which will include but is not limited to:

- (a) Translation of department materials;
- (b) Hiring staff to form a centralized language access team to provide language access supports and coordination across all department divisions;
- (c) Outreach to community organizations serving multilingual children and families regarding department programs;
- (d) Webinars and other technical assistance provided in multiple languages for department programs;
- (e) Training for department staff on language access resources; and
- (f) Other means of increasing language access and equity for providers and caregivers in health and safety, licensing and regulations, and public funding opportunities for programs offered by the department.

(6) \$1,885,000 of the general fund—state appropriation for fiscal year 2024 and \$1,885,000 of the general fund—federal appropriation are provided solely for a feasibility study to develop an implementation plan and determine costs for a new child welfare information system.

(7) \$2,149,000 of the general fund—state appropriation for fiscal year 2024, \$7,851,000 of the general fund—state appropriation for fiscal year 2025, and \$10,000,000 of the general fund—federal appropriation are provided solely for a comprehensive child welfare information system. The funding in this section is sufficient to complete procurement and the initial stages of implementation and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(8) \$1,187,000 of the general fund—state appropriation for fiscal year 2024 and \$1,187,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing support services for youth exiting foster care and juvenile rehabilitation.

~~((+8))~~ (9) \$19,000 of the general fund—state appropriation for fiscal year 2024, \$19,000 of the general fund—state appropriation for fiscal year 2025, and \$6,000 of the general fund—federal appropriation are provided solely for indirect costs associated with the implementation of a seven-level foster care support system.

~~((+9))~~ (10) \$1,494,000 of the general fund—federal appropriation is provided solely for continued implementation of the family first prevention services act requirements, including technology enhancements to support the automated assessments, data quality, and reporting requirements. Funding provided in this subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((+10))~~ (11) \$717,000 of the general fund—state appropriation for fiscal year 2024, \$717,000 of the general fund—state appropriation for fiscal year 2025, and \$324,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219).

~~((+11))~~ (12) \$1,248,000 of the general fund—state appropriation for fiscal year 2024 and \$1,248,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the emergency adolescent housing pilot program. The housing pilot will serve hard-to-place foster youth who are at least 16 years old with housing and intensive case management.

~~((+12))~~ (13) \$319,000 of the general fund—state appropriation for fiscal year 2024, \$319,000 of the general fund—state appropriation for fiscal year 2025, and \$170,000 of the general fund—federal appropriation are provided solely to continue implementation of chapter 137, Laws of 2022 (2SHB 1905).

~~((+13))~~ (14) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue implementation of chapter 39, Laws of 2022 (SHB 2068).

~~((+14))~~ (15) \$23,000 of the general fund—state appropriation for fiscal year 2024, \$31,000 of the general fund—state appropriation for fiscal year 2025, and \$7,000 of the general fund—federal appropriation are provided solely to implement Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((+15))~~ (16) \$1,571,000 of the general fund—state appropriation for fiscal year 2024 and \$1,571,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Senate Bill No. 5316 (DCYF background check fees). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((+16))~~ (17) \$53,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and \$16,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((+17))~~ (18) \$43,000 of the general fund—state appropriation for fiscal year 2024, \$78,000 of the general fund—state appropriation for fiscal year 2025, and \$18,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5124 (nonrelative kin placement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((+18))~~ (19) \$2,627,000 of the general fund—state appropriation for fiscal year 2024 and \$2,628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5256 (child welfare housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(19))~~ (20) \$33,000 of the general fund—state appropriation for fiscal year 2024, \$58,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(20))~~ (21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership council for juvenile justice to consider and provide recommendations regarding juvenile justice policy projects and for one additional staff for ongoing policy and program analysis. The partnership council is authorized to consult with experts to study and gather research on best practices regarding juvenile justice, and to consult with relevant stakeholders regarding its potential recommendations. Relevant stakeholders may include but are not limited to the superior court judges association; Washington association of juvenile court administrators; Washington association of county clerks; the association of Washington counties; community-based organizations with expertise in legal financial obligation reform, community compensation funds, supporting victims and survivors of crime, or supporting youth who have been convicted or adjudicated of criminal offenses; law enforcement, prosecutors; public defenders; incarcerated and formerly incarcerated youth and young adults; the administrative office of the courts; the crime victims compensation program; and the office of crime victims advocacy.

(a) The council shall:

(i) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations for establishing a state-funded community compensation program to address out of pocket expenses for those who have been harmed by juvenile criminal offenses. Recommendations shall consider restorative principles and best practices and shall be developed in consultation with those who have been adjudicated and charged restitution and those who have been owed restitution. The council shall provide recommendations for program implementation including, but not limited to, structure and placement within state government; scope and scale of funding including eligibility criteria; retroactivity; documentation requirements; and coordination with the existing crime victims compensation fund. The council shall provide estimates of startup costs and ongoing operational costs, including administration and direct compensation to victims.

(ii) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations regarding retention, dissemination, confidentiality, sealing, consequences, and general treatment of juvenile court records. In making recommendations, the council shall take into consideration developments in brain science regarding decision-making amongst youth; the impact the juvenile court records can have on future individual well-being; principles of racial equity; and impacts that the recommendations could have on recidivism.

(iii) By June 30, 2025, report to the governor and appropriate committees of the legislature recommendations regarding implementation of juvenile court jurisdiction expansion to encompass persons 18, 19, and 20 years old. Recommendations shall include an implementation plan for the expansion, including necessary funding, essential personnel and programmatic resources, measures necessary to avoid a negative impact on the state's child protection response, and specific milestones related to operations and policy. The implementation plan shall also include a timeline for structural and systemic changes within the juvenile justice system for the juvenile rehabilitation division; the department of children, youth, and families; the department of corrections; and the juvenile court pursuant to chapter 13.04 RCW. The implementation plan shall also include an operations and business plan that defines benchmarks including possible changes to resource allocations; a review of the estimated costs avoided by local and state governments with the reduction of recidivism and an analysis of cost savings reinvestment options; and estimated new costs incurred to provide juvenile justice services to persons 18, 19, and 20 years old.

~~((21))~~ (22) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a statewide nonprofit with demonstrated capability of partnering with agencies and community organizations to develop public-facing regionalized data dashboards and reports to measure change in equitable early learning access as a result of programs and grants administered by the department. The nonprofit must provide the data in a consumer-friendly format and include updates on program supply and demand for subsidized child care and preschool programs. The data must be disaggregated by program and facility type, geography, family demographics, copayments, and outcomes of grants and rate enhancements disaggregated by staff role, program and facility type, and geography.

~~((22))~~ (23) \$1,206,000 of the general fund—state appropriation for fiscal year 2024, \$1,554,000 of the general fund—state appropriation for fiscal year 2025, and \$1,416,000 of the general fund—private/local appropriation are provided solely for the department to contract with one or more community organizations with expertise in the LifeSet case management model to serve youth and adults currently being served in or exiting the foster care, juvenile justice, and mental health systems to successfully transition to adulthood.

~~((23))~~ (24) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase rates for independent living service providers.

~~((24))~~ (25) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

~~((25))~~ (26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an entity for three separate studies. The department must submit the studies to the governor and the legislature by June 30, 2025. The studies must analyze:

(a) The feasibility of implementing a universal child allowance, universal child care, and universal baby boxes;

(b) The feasibility of a social wealth fund for Washington state; and

(c) The current cash and cash-equivalent benefits currently available for Washington state residents who are nonworkers.

~~((26))~~ (27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an all-male, African American organization to mentor youth ages 12 through 19 in south King county.

~~((27))~~ (28) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$37,000 of the general fund—state appropriation for fiscal year 2025, and \$74,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(28))~~ (29) \$18,000 of the general fund—state appropriation for fiscal year 2024, \$18,000 of the general fund—state appropriation for fiscal year 2025, and \$8,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(29))~~ (30) (a) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$41,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to report on a plan to discontinue the practice of using any benefits, payments, funds, or accrual paid to or on behalf of a child or youth to reimburse itself for cost of care by the earliest date feasible. The report must include an implementation plan to conserve funds for the future needs of the child in a manner in which the funds will not count against eligibility for federal or state means tested programs. The report must include a strategy for developing the financial literacy and capability of youth and young adults exiting foster care and juvenile rehabilitation. The department will develop the report in consultation with stakeholders, including but not limited to:

(i) Individuals with disabilities and organizations representing the interests of or serving individuals with disabilities;

(ii) Youth in foster care and juvenile rehabilitation and their parents;

(iii) The social security administration; and

(iv) Other relevant state agencies.

(b) The department must provide periodic status updates and must submit the final report no later than October 1, 2024. The department must convene the first meeting of the work group no later than September 1, 2023.

(31) \$938,000 of the general fund—state appropriation for fiscal year 2024, \$961,000 of the general fund—state appropriation for fiscal year 2025, and \$172,000 of the general fund—federal appropriation are provided solely for:

(a) Compliance with the settlement agreement reached in *Ta'afulisia et al. v. Washington State Department of Children, Youth, and Families, et al.*, Thurston county superior court, cause no. 22-2-02974-34. The department must implement the provisions of the settlement agreement, which includes providing hearings to incarcerated youth under age 25 serving their sentence at a department of children, youth, and families facility prior to transfer to an adult corrections facility operated by the department of corrections; and

(b) Providing hearings for youth under age 25 transferred from a department of children, youth, and families community partial confinement facility to a department of children, youth, and families total confinement facility.

(32) \$94,615,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal costs that exceed the amount covered by the self-insurance liability account as follows:

(a) \$91,250,000 for the costs associated with a jury verdict resulting from *Cox et al. v. State of Washington et al.*, Pierce county superior court, cause no. 12-2-11389-6; and

(b) \$3,365,000 for the costs associated with a settlement agreement reached in *Aroni et al., v. State of Washington*, King county superior court, cause no. 21-2-16587-3.

(33) \$1,628,000 of the general fund—state appropriation for fiscal year 2025 and \$1,926,000 of the general fund—federal appropriation are provided solely for a feasibility study for the social service payment system replacement project.

(34) \$1,272,000 of the general fund—state appropriation is provided solely to transact with the necessary level of detail regarding working connections child care program payments to address the repeated findings made by the state auditor's office related to the child care and development fund and temporary assistance for needy families federal grants.

(End of part)

**PART III  
NATURAL RESOURCES**

**Sec. 301.** 2023 c 475 s 301 (uncodified) is amended to read as follows:

**FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund—State Appropriation (FY 2024)	\$1,728,000
General Fund—State Appropriation (FY 2025)	<del>(\$1,273,000)</del>
	<u>\$1,288,000</u>
General Fund—Federal Appropriation	\$32,000
General Fund—Private/Local Appropriation	<del>(\$2,574,000)</del>
	<u>\$2,589,000</u>
Climate Commitment Account—State Appropriation	\$138,000
<b>TOTAL APPROPRIATION</b>	<del><b>(\$5,745,000)</b></del>
	<u><b>\$5,775,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a land use planner to provide land use planning services dedicated to Klickitat county. Because the activities of the land use planner are solely for the benefit of Washington state, Oregon is not required to provide matching funds for this activity.

(2) \$553,000 of the general fund—state appropriation for fiscal year 2024, \$352,000 of the general fund—state appropriation for fiscal year 2025, and \$905,000 of the general fund—private/local appropriation are provided solely for the access database replacement project. The commission must consult with the office of the chief information officer regarding the access database replacement project.

(3) \$138,000 of the climate commitment account—state appropriation is provided solely for staff to lead implementation of the agency's climate change action plan and to support implementation of the vital sign indicators monitoring program.

(4) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 302.** 2023 c 475 s 302 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

General Fund—State Appropriation (FY 2024)	<del>(\$39,381,000)</del>
	<u>\$39,604,000</u>
General Fund—State Appropriation (FY 2025)	<del>(\$37,256,000)</del>
	<u>\$39,546,000</u>
General Fund—Federal Appropriation	<del>(\$108,485,000)</del>
	<u>\$145,439,000</u>
General Fund—Private/Local Appropriation	\$29,544,000
<u>Dedicated Cannabis Account—State Appropriation</u>	
<u>(FY 2025)</u>	<u>\$782,000</u>
Climate Commitment Account—State Appropriation	<del>(\$14,792,000)</del>
	<u>\$25,163,000</u>
Emergency Drought Response Account—State	
Appropriation	\$6,000,000
Natural Climate Solutions Account—State	
Appropriation	<del>(\$12,795,000)</del>
	<u>\$13,395,000</u>
Reclamation Account—State Appropriation	<del>(\$4,753,000)</del>
	<u>\$4,762,000</u>
Flood Control Assistance Account—State Appropriation	<del>(\$5,041,000)</del>
	<u>\$5,243,000</u>
Aquatic Lands Enhancement Account—State	
Appropriation	\$150,000
Refrigerant Emission Management Account—State	
Appropriation	<del>(\$2,795,000)</del>
	<u>\$3,112,000</u>
State Emergency Water Projects Revolving Account—	
State Appropriation	\$40,000
Waste Reduction, Recycling, and Litter Control	
Account—State Appropriation	<del>(\$33,866,000)</del>
	<u>\$33,915,000</u>
State Drought Preparedness Account—State	
Appropriation	<del>(\$2,204,000)</del>
	<u>\$2,219,000</u>
State and Local Improvements Revolving Account—Water	
Supply Facilities—State Appropriation	\$186,000
Water Rights Tracking System Account—State	
Appropriation	\$48,000

Site Closure Account—State Appropriation. . . . .	\$582,000
Wood Stove Education and Enforcement Account—State Appropriation. . . . .	\$605,000
Worker and Community Right to Know Fund—State Appropriation. . . . .	(( <del>\$2,212,000</del> )) <u>\$2,215,000</u>
Water Rights Processing Account—State Appropriation. . . . .	\$39,000
Water Quality Permit Account—State Appropriation. . . . .	(( <del>\$65,774,000</del> )) <u>\$66,904,000</u>
Underground Storage Tank Account—State Appropriation. . . . .	(( <del>\$4,987,000</del> )) <u>\$5,001,000</u>
Biosolids Permit Account—State Appropriation. . . . .	(( <del>\$3,054,000</del> )) <u>\$3,056,000</u>
Hazardous Waste Assistance Account—State Appropriation. . . . .	(( <del>\$9,393,000</del> )) <u>\$9,429,000</u>
Radioactive Mixed Waste Account—State Appropriation. . . . .	(( <del>\$23,955,000</del> )) <u>\$24,305,000</u>
Air Pollution Control Account—State Appropriation. . . . .	(( <del>\$4,706,000</del> )) <u>\$4,904,000</u>
Oil Spill Prevention Account—State Appropriation. . . . .	(( <del>\$8,485,000</del> )) <u>\$9,098,000</u>
Air Operating Permit Account—State Appropriation. . . . .	(( <del>\$5,510,000</del> )) <u>\$5,565,000</u>
Wastewater Treatment Plant Operator Certification Account—State Appropriation. . . . .	(( <del>\$801,000</del> )) <u>\$805,000</u>
Oil Spill Response Account—State Appropriation. . . . .	\$7,076,000
Model Toxics Control Operating Account—State Appropriation. . . . .	(( <del>\$342,888,000</del> )) <u>\$349,102,000</u>
Model Toxics Control Operating Account—Local Appropriation. . . . .	\$499,000
Model Toxics Control Stormwater Account—State Appropriation. . . . .	\$16,991,000
Voluntary Cleanup Account—State Appropriation. . . . .	\$344,000
Paint Product Stewardship Account—State Appropriation. . . . .	\$151,000
Water Pollution Control Revolving Administration Account—State Appropriation. . . . .	(( <del>\$8,506,000</del> )) <u>\$8,606,000</u>
Clean Fuels Program Account—State Appropriation. . . . .	(( <del>\$4,801,000</del> )) <u>\$5,004,000</u>
Climate Investment Account—State Appropriation. . . . .	(( <del>\$50,290,000</del> )) <u>\$58,791,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$858,985,000</del>))</b> <b><u>\$928,220,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to grant to the northwest straits commission to provide funding, technical assistance, and/or coordination support equally to the seven Puget Sound marine resources committees.

(2) \$170,000 of the oil spill prevention account—state appropriation is provided solely for a contract with the University of Washington's sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.

(3) \$102,000 of the general fund—state appropriation for fiscal year 2024 and \$102,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Executive Order No. 12-07, Washington's response to ocean acidification.

(4) \$24,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to local governments for the purpose of supporting local solid waste and financial assistance programs.

(5) \$150,000 of the aquatic lands enhancement account—state appropriation is provided solely for implementation of the state marine management plan and ongoing costs of the Washington coastal marine advisory council to serve as a forum and provide recommendations on coastal management issues.

(6) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to convene a stakeholder group, including representatives from overburdened communities, to assist with developing a water quality implementation plan for polychlorinated biphenyls and to address other emerging contaminants in the Spokane river. The department must also consult with the Spokane tribe of Indians and other

interested tribes when developing and implementing actions to address water quality in the Spokane river.

(7) \$4,002,000 of the natural climate solutions account—state appropriation is provided solely to address flood prevention in the Nooksack basin and Sumas prairie. Of this amount:

(a) \$2,000,000 is provided solely to expand and sustain Whatcom county's floodplain integrated planning (FLIP) team planning process, including supporting communication, community participation, coordination, technical studies and analysis, and development of local solutions.

(b) \$900,000 is provided solely for the department to support transboundary coordination, including facilitation and technical support to develop and evaluate alternatives for managing transboundary flooding in Whatcom county and British Columbia.

(c) \$1,102,000 is provided solely to support dedicated local and department capacity for floodplain planning and technical support. Of the amount in this subsection (c), \$738,000 is solely for a grant to Whatcom county. The remaining amount is for the department to provide ongoing staff technical assistance and support to flood prevention efforts in this area.

(8) ~~(\$16,472,000)~~ \$21,504,000 of the climate investment account—state appropriation, of which \$5,032,000 takes effect January 1, 2025, is provided solely for capacity grants to federally recognized tribes for: (a) Consultation on spending decisions on grants in accordance with RCW 70A.65.305; ~~(and)~~ (b) consultation on clean energy siting projects; (c) activities supporting climate resilience and adaptation; (d) developing tribal clean energy projects; (e) applying for state or federal grant funding; and (f) other related work. In order to meet the requirements of RCW 70A.65.230(1)(b), tribal applicants are encouraged to include a tribal resolution supporting their request with their grant application.

(9) \$1,363,000 of the general fund—state appropriation for fiscal year 2024 and \$1,375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in water resource inventory area 1 (Nooksack).

(10) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$963,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in lake Roosevelt and its immediate tributaries.

(11) \$2,479,000 of the climate investment account—state appropriation is provided solely for addressing air quality in overburdened communities highly impacted by air pollution under RCW 70A.65.020.

(12) \$177,000 of the general fund—state appropriation for fiscal year 2024 and \$177,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to validate a proposed standardized channel migration zone mapping methodology, develop a statewide channel migration zone mapping implementation plan, and provide technical assistance to local and tribal governments looking to use the new standard.

(13) (a) \$640,000 of the climate investment account—state appropriation is provided solely for the department, in consultation with the office of financial management and the environmental justice council, to develop and implement a process to track, summarize, and report on state agency expenditures from climate commitment act accounts that provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities as described in RCW 70A.65.030 and 70A.65.230, and expenditures that are formally supported by a resolution of an Indian tribe as described in RCW 70A.65.230. The department must incorporate the process under this subsection into existing efforts to track climate commitment act expenditures under RCW 70A.65.300. The department must incorporate the Washington state proequity antiracism (PEAR) plan and playbook and executive order 22-04 into the work of this subsection as appropriate.

(b) The information that agencies provide to the department, and that the department tracks and reports on under this subsection, must include, at a minimum:

(i) The amount of each expenditure that provides direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities;

(ii) An explanation of how the expenditure provides such benefits;

(iii) The methods by which overburdened communities and vulnerable populations were identified by the agency and an explanation of the outcomes of those identification processes, including the geographic location impacted by the expenditure where relevant, and the geographic boundaries of overburdened communities identified by the agency;

(iv) The amount of each expenditure used for programs, activities, or projects formally supported by a resolution of an Indian tribe; and

(v) For expenditures that do not meet, or it is unclear whether they meet, (b)(i) or (iv) of this subsection, an explanation of why.

(c) The department, in consultation with the environmental justice council and the office of financial management, and in coordination with reporting under RCW 70A.65.300, must report to the appropriate committees of the legislature by September 30, 2024, on the following:

(i) A summary of the information provided by agencies through the process in this subsection; and

(ii) Any recommendations for improvements to the process under this subsection or potential amendments to RCW 70A.65.030, 70A.65.230, or 70A.02.080, or other statutes relevant to this subsection. In making recommendations, the department must consider any statutory changes necessary to ensure consistent tracking of the uses of climate commitment account funds, including standardization or coordination of the process for identifying the overburdened communities used for purposes of tracking expenditures and the methods for

determining whether an expenditure contributes a direct and meaningful benefit to a vulnerable population or overburdened community.

(d) "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, the air quality and health disparities improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

(14) \$238,000 of the model toxics control operating account—state appropriation is provided solely for technical assistance and compliance assurance associated with the ban of certain hydrofluorocarbon-related products.

(15) \$2,500,000 of the model toxics control operating account—state appropriation is provided solely for the department to conduct a statewide compost emissions study, which will provide essential data needed to improve the quality of air permitting decisions, improve compost facility operations, and support state goals to reduce organic waste in landfills reducing climate change impacts.

(16) \$2,256,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide technical assistance to landowners and local governments to promote voluntary compliance, implement best management practices, and support implementation of water quality clean-up plans in shellfish growing areas, agricultural areas, forestlands, and other types of land uses, including technical assistance focused on protection and restoration of critical riparian management areas important for salmon recovery.

(17) \$2,702,000 of the model toxics control operating account—state appropriation is provided solely for the department to develop a 6PPD action plan and complete a safer alternatives assessment of the 6PPD compound used in tires, including obtaining any data necessary to complete the alternatives assessment. The action plan should identify, characterize, and evaluate uses and releases of 6PPD and related chemicals, and recommend actions to protect human health and the environment. The department shall provide a progress report on the action plan and alternatives assessment to the governor's office, the office of financial management, and the appropriate committees of the legislature by December 31, 2024. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(18) \$5,195,000 of the model toxics control operating account—state appropriation is provided solely to establish a program to monitor 6PPD compounds in water and sediment, identify effective best management practices to treat 6PPD in stormwater runoff, produce guidance on how and when to use best management practices for toxicity reduction to protect salmon and other aquatic life, and incorporate the guidance into stormwater management manuals. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(19) \$2,296,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Senate Bill No. 5104 (marine shoreline habitat). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20)(a) \$500,000 of the model toxics control operating account—state appropriation is provided solely for the department to carry out the following activities to inform the development of legislative proposals to increase recycling, reuse, and source reduction rates, which must include consideration of how to design and implement a producer responsibility model for consumer packaging, including paper, plastic, metal, and glass, and paper products:

(i) Conduct a recycling, reuse, and source reduction targets study; and

(ii) Carry out a community input process on the state's recycling system.

(b) The department must contract with an impartial third-party consultant with relevant technical expertise and capabilities in facilitation and gathering public input, including from overburdened communities, to carry out the activities specified in (a) of this subsection. In order to ensure that the state is receiving a variety of expert perspectives on the topic of packaging management, the contractor should include in their team individuals and/or subcontractors with a wide range of expertise and experience. The third party consultant must submit a report to the appropriate committees of the house of representatives and the senate by December 1, 2023.

(c) The recycling, reuse, and source reduction targets study must:

(i) Document recycling rates, reuse rates, and the reduction of single-use plastics for consumer packaging and paper products that have been adopted in other jurisdictions, measure methods used, and the basis or justification for recommended target rates selected;

(ii) Recommend highest achievable performance rates, including an overall recycling rate, a separate specific minimum reuse rate, a recycling rate for each material category, and a source reduction rate to be achieved solely by eliminating plastic components, that could be achieved under up to four different scenarios, including a producer responsibility program and other policies; and

(iii) Make recommendations that consider the commercial viability and technological feasibility of achieving rates based on current rates achieved in the state, rates achieved based on real world performance data, and other data, with performance rates designed to be achieved statewide by 2032.

(d) For purposes of this subsection, "eliminate" or "elimination," with respect to source reduction, means the removal of a plastic component from a covered material without replacing that component with a nonplastic component.



(e) The community input process on the state's recycling system must include:

(i) In-person and virtual workshops and community meetings held at locations in urban and rural areas and in ways that are accessible to stakeholders across the state, including overburdened communities;

(ii) Public opinion surveys that are representative of Washington residents across the state, including overburdened communities and urban and rural areas; and

(iii) A focus on eliciting an improved understanding of public values and opinions related to the state's recycling system, the current public experience with respect to the state's recycling systems, and ways the public believes that their recycling experience and system outcomes could be improved.

(21)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to conduct an analysis of water use for irrigation under the potential scenario of lower Snake river dam removal. Analysis must include continued water use during drawdown and thereafter from the river postremoval. The analysis must include the following:

(i) A plan identifying potential mitigation needs and interim approaches for delivery of water for irrigation pursuant to existing water rights for those using pumps, wells, or both, from Ice Harbor reservoir during a possible transition from the current reservoir-based irrigation to irrigation from the river;

(ii) Identification of cost-effective options for continued irrigation at current amounts and with existing water rights from the lower Snake river at the area of the current Ice Harbor pool; and

(iii) Cost estimates for any necessary irrigation system upgrades required to continue irrigation from the lower Snake river.

(b) The department may, as necessary and appropriate, consult for this analysis with irrigators and tribal governments.

(c) The department shall provide a status update to the environment and energy committees of the legislature and the office of the governor by December 31, 2024.

(22) \$3,914,000 of the natural climate solutions account—state appropriation is provided solely for activities related to coastal hazards, including expanding the coastal monitoring and analysis program, establishing a coastal hazard organizational resilience team, and establishing a coastal hazards grant program to help local communities design projects and apply for funding opportunities. At least 25 percent of the funding in this subsection must be used for the benefit of tribes.

(23) \$340,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1033 (compostable product usage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(24) \$1,124,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$139,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$6,000,000 of the emergency drought response account—state appropriation and \$2,000,000 of the state drought preparedness account—state appropriation are provided solely for implementation of Substitute House Bill No. 1138 (drought preparedness). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$1,123,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$43,000 of the underground storage tank account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(29) \$1,174,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$13,248,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$140,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) Expenditures on upgrading or developing the turboplan system, Washington fuel reporting system, and EAGL system are subject to the conditions, limitations, and review requirements of section 701 of this act.

(33) \$1,263,000 of the clean fuels program account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(34) \$370,000 of the climate commitment account—state appropriation is provided solely as a grant to the Puget Sound clean air agency to identify emission reduction projects and to help community-based organizations, local governments, and ports in overburdened communities author grant applications and provide support for grant reporting for entities that receive grants. The department must prioritize projects located in overburdened communities so that those communities can reap the public health benefits from the climate commitment act, inflation reduction act, and other new funding opportunities.

(35) \$1,220,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5144 (batteries/environment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(36) ~~(\$22,000)~~ \$77,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Senate Bill No. 5369 (polychlorinated biphenyls). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(37) \$330,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide a grant to Clark county for the purpose of developing and implementing a lake management plan to restore and maintain the health of Vancouver lake, a category 5 303(d) status impaired body of water. The department must work with the county to include involvement by property owners around the lake and within the watersheds that drain to the lake, the department of natural resources, other state agencies and local governments with proprietary or regulatory jurisdiction, tribes, and nonprofit organizations advocating for the health of the lake. The plan should incorporate work already completed by the county and other entities involved in development of the lake management strategy.

(38) \$276,000 of the model toxics control operating account—state appropriation is provided solely for a grant to San Juan county for the enhancement of ongoing oil spill response preparedness staff hiring, spill response equipment acquisition, and spill response training and operational expenses.

(39) \$1,460,000 of the natural climate solutions account—state appropriation is provided solely for the department to provide grants to the following organizations in the amounts specified for the purpose of coordinating, monitoring, restoring, and conducting research for Puget Sound kelp conservation and recovery:

- (a) \$300,000 to the Squaxin Island Tribe;
- (b) \$200,000 to the Samish Indian Nation;
- (c) \$144,000 to the Lower Elwha Klallam Tribe;
- (d) \$200,000 to the Northwest straits commission;
- (e) \$366,000 to the Puget Sound restoration fund to subcontract with sound data systems and Vashon nature center; and
- (f) \$250,000 to the reef check foundation.

(40) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department's engagement with the federal government, Indian tribes, water users, and local governments on a process that could result in a federal Indian water rights settlement through the Nooksack adjudication. The department shall produce a monthly report during the claims filing period to monitor the progress of claims filed by water users. The department shall provide a report to the appropriate standing committees of the legislature regarding the status of the adjudication and any potential settlement structure by June 30, 2024, and by June 30, 2025.

(41) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county to provide technical assistance that must be made available to all water users in WRIA 1 in filing adjudication claims under RCW 90.03.140. This assistance must be administered by Whatcom county and no portion of this funding may be used to contest the claims of any other claimant in the adjudication.

(42) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county acting as fiscal agent for the WRIA 1 watershed management board, in support of collaborative water supply planning in WRIA 1. Funding may be used to collect or analyze technical information, to develop and assess the feasibility of water supply solutions in WRIA 1, and for facilitation and mediation among parties including, but not limited to, the department, Whatcom county, the public utility district, the city of Bellingham, Lummi Nation, and the Nooksack Tribe. Specific funding allocations, including purpose and amount, will be determined by the WRIA 1 watershed management board. Funding under this subsection will be available only after the filing of the Nooksack adjudication, and no funding provided for the Nooksack adjudication will be used to support the activities funded by this subsection. It is anticipated that these activities will run in parallel with the Nooksack adjudication.

(43) \$200,000 of the model toxics control operating account—state appropriation is provided solely for the department to contract with a consultant to develop a report that

conducts a full emissions life cycle assessment for solid waste processed at the Spokane Waste to Energy Facility (WTEF) compared to solid waste processed at three other landfills within the region that waste may be sent to if the WTEF were to cease operations. The report must be submitted to the appropriate committees of the legislature by December 31, 2023.

(44) \$896,000 of the model toxics control operating account—state appropriation is provided solely for Washington conservation corps (WCC) cost-share requirements for qualifying organizations, as identified through a competitive application process that prioritizes communities that have not previously received WCC support, are in areas with a high cumulative impact on the department of health's environmental health disparities map, are identified by the office of financial management as distressed, and/or have a high percentile of people of color or low-income.

(45) \$410,000 of the model toxics control operating account—state appropriation is provided solely to implement the recommendations from the agency's June 2023 report on Puget Sound nutrient credit trading, including conducting a market feasibility analysis and developing a stakeholder outreach plan, a tribal engagement plan, and trading resource materials.

(46) \$782,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 is provided solely to create and sustain a program to accredit cannabis testing laboratories. If Second Substitute House Bill No. 2151 (cannabis lab accreditation) is enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$338,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to increase planning, engagement, and evaluation tools for effective ocean management and offshore wind energy development.

(48) \$2,408,000 of the model toxics control operating account—state appropriation is provided solely for the department to meet the increased demand for administrative orders authorized under chapter 90.48 RCW (the water pollution control act) for projects impacting state waters to proceed and to conduct a rule making to develop a permit program to protect wetlands and other Washington waterways no longer subject to federal jurisdiction. Through the rule making process the agency shall explore ways to fund the program, including through development of a fee schedule.

(49) \$500,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to grant to the Squaxin Island tribe for implementing and monitoring various blue carbon sequestration projects in south Puget Sound.

(50) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to develop a groundwater modeling guidance publication.

(a) The publication must provide consistency in the department's evaluation of groundwater models submitted for water right permitting actions and ensure continued transparency to water right applicants in the department's permitting processes. The core purpose of the publication is to establish best practices for groundwater modeling. The publication will:

(i) Define criteria for evaluating model suitability for proposed projects;

(ii) Identify the department's approach to evaluating model error and uncertainty;

(iii) Identify circumstances where model outputs are insufficient for permit decision making; and

(iv) Address the appropriateness of refining a regional groundwater model in water right permitting decisions.

(b) The department must convene a technical advisory committee of licensed hydrogeologists or professional engineers with experience in groundwater modeling to review the workplan and provide comments on the guidance. The publication must be peer reviewed by the United States geological survey or other state or national hydrogeologic professional organization.

(c) The department must invite any federally recognized Indian tribes that may be potentially affected by the publication to participate in the technical advisory committee and engage in consultation with any federally recognized Indian tribe as requested.

(d) The department must provide an update to the appropriate committees of the legislature and to the office of financial management by June 30, 2025. The department must indicate the estimated time to complete the publication, including draft guidance, recommended further research, and key implementation steps in the update.

(51) \$200,000 of the flood control assistance account—state appropriation is provided solely for a grant to the Cowlitz-Wahkiakum council of governments to advance the Spirit Lake-Toutle/Cowlitz river system collaborative by facilitating meetings, and supporting strategic communication and planning among federal, state, and local partners. The work of the collaborative includes flood risk reduction, ecosystem recovery, scientific research, and other activities related to sediment management and flooding in the Spirit Lake-Toutle/Cowlitz river system.

(52) \$650,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a feasibility and engineering study for the city of Spokane's waste to energy plant carbon emissions reductions project.

(53) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of the Spanaway lake cyanobacteria plan and the aquatic plant management plan, including testing, sample collection, and monitoring for tracking water quality and determining treatment options.

(54) \$130,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant

to Whatcom county to provide technical assistance that must be made available to all water users in WRIA 1 in filing adjudication claims under RCW 90.03.140. This assistance must be administered by Whatcom county and no portion of this funding may be used to contest the claims of any other claimant in the adjudication.

(55) \$300,000 of the model toxics control operating account—state appropriation is provided solely for a grant for the removal of tires containing 6PPD from docks serving floatplanes in salmon-bearing waterways. Funds may be used to reduce the cost of conversion to alternative products that are free of 6PPD.

(56) (a) \$300,000 of the model toxics control operating account—state appropriation is provided solely for an analysis of waste tires to better understand how the disposal, distribution, and management of waste tires contributes to 6PPD-g pollution. The department must conduct a study of the disposal, repurposing, reuse, recycling, handling, and management of waste tires in the state. At a minimum, the study must include a characterization of the markets for waste tires; a description of the sectoral and geographic origins and destinations of waste tires; an assessment of which Washington state policies and programs impact the market; and alternatives to using tire derived rubber in these markets.

(b) The department may contract with a third party for the study as outlined. A final study report is due to the appropriate committees of the legislature by June 30, 2025, in accordance with RCW 43.01.036.

(c) For purposes of this subsection, "waste tires" has the definition provided in RCW 70A.205.440.

(57) \$37,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5649 (floodproofing improvements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(58) \$76,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5812 (electric vehicle fires). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(59) \$665,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5931 (motorized vehicle tires/6PPD). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(60) \$44,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6061 (housing development/SEPA). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(61) \$50,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6164 (county emergency management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(62) \$1,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6010 (SEPA/trails and paths). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(63) \$748,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementing Engrossed Second Substitute Senate Bill No. 6092 (greenhouse gas disclosures). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(64) \$1,070,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(65) \$1,787,000 of the climate investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(66) \$114,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6163 (biosolids). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 303.** 2023 c 475 s 303 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM**

General Fund—Federal Appropriation. . . . .	(( \$868,000 ))
	<u>\$1,237,000</u>
Pollution Liability Insurance Agency Underground	
Storage Tank Revolving Account—State	
Appropriation. . . . .	\$957,000
Pollution Liability Insurance Program Trust Account—	
State Appropriation. . . . .	(( \$10,190,000 ))
	<u>\$10,203,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(( \$12,015,000 ))</b>
	<b><u>\$12,397,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: \$8,340,000 of the pollution liability insurance program trust account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

**Sec. 304.** 2023 c 475 s 304 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$39,617,000</del> ))	
			<u>\$41,128,000</u>
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$39,564,000</del> ))	
			<u>\$42,845,000</u>
General Fund—Federal Appropriation	.. . . .	(( <del>\$7,231,000</del> ))	
			<u>\$7,232,000</u>
Climate Commitment Account—State Appropriation	.. . . .	(( <del>\$1,083,000</del> ))	
			<u>\$2,883,000</u>
Natural Climate Solutions Account—State Appropriation	.. . . .	(( <del>\$350,000</del> ))	
			<u>\$650,000</u>
Winter Recreation Program Account—State Appropriation	.. . . .	(( <del>\$4,928,000</del> ))	
			<u>\$5,009,000</u>
ORV and Nonhighway Vehicle Account—State Appropriation	.. . . .	\$396,000	
Snowmobile Account—State Appropriation	.. . . .	(( <del>\$5,715,000</del> ))	
			<u>\$5,796,000</u>
Aquatic Lands Enhancement Account—State Appropriation	.. . . .	\$367,000	
Parks Renewal and Stewardship Account—State Appropriation	.. . . .	(( <del>\$148,388,000</del> ))	
			<u>\$154,722,000</u>
Parks Renewal and Stewardship Account—Private/Local Appropriation	.. . . .	(( <del>\$420,000</del> ))	
			<u>\$720,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$248,059,000</del>))</b>	<b><u>\$261,748,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000 of the general fund—state appropriation for fiscal year 2024, \$5,000 of the general fund—state appropriation for fiscal year 2025, and \$142,000 of the parks renewal and stewardship account—state appropriation are provided solely for operating budget impacts from capital budget projects completed in the 2021-2023 fiscal biennium.

(2) \$127,000 of the general fund—state appropriation for fiscal year 2024, \$128,000 of the general fund—state appropriation for fiscal year 2025, and \$750,000 of the parks renewal and stewardship account—state appropriation are provided solely to monitor known cultural resource sites, perform needed evaluations for historic properties, manage historic preservation capital projects, and support native American grave protection and repatriation act compliance.

(3) \$299,000 of the general fund—state appropriation for fiscal year 2024, \$299,000 of the general fund—state appropriation for fiscal year 2025, and \$1,797,000 of the parks renewal and stewardship account—state appropriation are provided solely for additional staff and technical support for scoping and scheduling to proactively address tribal and community concerns and increase the quality of capital project requests.

(4) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to complete a park master plan and an environmental impact statement for Miller peninsula park.

(5) \$3,750,000 of the general fund—state appropriation for fiscal year 2024 and \$3,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the maintenance of state parks, including maintaining grounds and facilities, trails, restrooms, water access areas, and similar activities.

(6) ~~((~~\$1,083,000~~))~~ \$2,883,000 of the climate commitment account—state appropriation and ~~((~~\$350,000~~))~~ \$650,000 of the natural climate solutions account—state appropriation, of which \$1,800,000 of the climate commitment account—state appropriation and \$300,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, are provided solely to identify and reduce the state park system's carbon emissions and assess areas of vulnerability for climate change.

(7) \$336,000 of the general fund—state appropriation for fiscal year 2024 and \$336,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to create a statewide data management system with the department of natural resources and the department of fish and wildlife to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(8) \$129,000 of the general fund—state appropriation for fiscal year 2024 and \$129,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(9) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(10)(a) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a statewide trail maintenance and hiking nonprofit organization to provide the emerging leaders program: expanding equity in the outdoors. The goal of the program is expanding both the number and diversity of trained, qualified individuals available for employment in the outdoor recreation and natural resource management sectors.

(b) The program must demonstrate a commitment to diversity, equity, and inclusion by providing a safe and supportive environment for individuals of diverse backgrounds, including those who have been historically underrepresented in the outdoor recreation and natural resource sectors, such as indigenous people and people of color.

(c) The program must provide both technical outdoor skills training and professional development opportunities that include, but are not limited to, outdoor leadership, representation in the outdoors, and team building.

(11) \$21,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$450,000 of the parks renewal and stewardship account—state appropriation is provided solely for grounds and facilities maintenance costs at the Fort Worden state park campus. The state parks and recreation commission shall work with the Fort Worden lifelong learning center public development authority to develop a report that reviews the historic public development authority financial records, identifies a cost-recovery model to pay for campus maintenance, and proposes any changes to the current lease structure necessary to maintain the public development authority. The commission must submit the report to the office of financial management and the fiscal committees of the legislature no later than June 1, 2024.

**Sec. 305.** 2023 c 475 s 305 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$10,190,000</del> ))
	<u>\$10,323,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,501,000</del> ))
	<u>\$6,782,000</u>
General Fund—Federal Appropriation . . . . .	\$6,196,000
General Fund—Private/Local Appropriation . . . . .	\$24,000
Aquatic Lands Enhancement Account—State Appropriation . . . . .	\$464,000
Climate Investment Account—State Appropriation . . . . .	\$200,000
Firearms Range Account—State Appropriation . . . . .	\$37,000
Natural Climate Solutions Account—State Appropriation . . . . .	\$398,000
Recreation Resources Account—State Appropriation . . . . .	(( <del>\$5,040,000</del> ))
	<u>\$5,058,000</u>
NOVA Program Account—State Appropriation . . . . .	\$1,564,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$30,614,000</del>))</b>
	<b><u>\$31,046,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$37,000 of the firearms range account—state appropriation is provided solely to the recreation and conservation funding board for administration of the firearms range grant program as described in RCW 79A.25.210.

(2) \$5,040,000 of the recreation resources account—state appropriation is provided solely to the recreation and conservation funding board for administrative and coordinating costs of the recreation and conservation office and the board as described in RCW 79A.25.080(1).

(3) \$1,564,000 of the NOVA program account—state appropriation is provided solely to the recreation and conservation funding board for administration of the nonhighway and off-road vehicle activities program as described in chapter 46.09 RCW.

(4) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the governor's salmon recovery office to implement the governor's salmon recovery strategy update by convening the natural resources subcommittee on a regular basis and developing biennial statewide work priorities with a recommended budget for salmon recovery pursuant to RCW 77.85.030(4)(e) that align with tribal priorities and regional salmon recovery plans. The office shall submit the biennial implementation plan to the governor's office and the office of financial management no later than October 31, 2024.

(5) \$1,714,000 of the general fund—state appropriation for fiscal year 2024 and \$1,714,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational and administrative support of lead entities and salmon recovery regions.

(6) \$200,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.

(7) \$1,464,000 of the general fund—federal appropriation and \$50,000 of the aquatic lands enhancement account—state appropriation are provided solely to support removal efforts for flowering rush in the Columbia river basin and Whatcom county.

(8) \$398,000 of the natural climate solutions account—state appropriation is provided solely to establish a riparian coordinator position within the governor's salmon recovery office to work with state agencies to improve project coordination, develop common metrics across programs, and consolidate data platforms.

(9) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization with a mission for salmon and steelhead restoration to install near-term solutions to prevent steelhead mortality at the Hood canal bridge.

(10) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the connections and snow to sea programs, which provide youth outdoor learning experiences in the Blaine, Mount Baker, and Nooksack Valley school districts.

(12) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to local parks to address any maintenance backlog of existing facilities, trails, and capital improvements. The funds should be dispersed on a needs-based set of criteria and on a one-time basis. Grants are limited to \$100,000 per organization. Allowable uses of grant funding include, but are not limited to, maintenance, repair, or replacement of trails, restroom facilities, picnic sites, playgrounds, signage, and kiosks, as well as necessary Americans with disabilities act upgrades delayed due to the pandemic. Local parks agencies may partner with nonprofit organizations in deploying this maintenance and Americans with disabilities act funding.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for updating the economic analysis of outdoor recreation in Washington state and adding an analysis of the impacts of the outdoor recreation economy in underserved communities.

(14) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for motorized and nonmotorized boater education and outreach on Lake Union, with a specific goal of preventing boat and airplane conflicts on the lake during peak recreation season, given the provisions of the United States coast guard navigation rules that seaplanes must in general keep well clear of other vessels. The office may grant funding to local or federal government agencies or nonprofit organizations. The office must publish a publicly available summary report by June 30, 2025, on funding recipients, uses of the funding, and the successes and failures of programs funded. Funding provided in this subsection may not be used to preclude or restrict public use of Lake Union, including recreational, commercial, or tribal use of waters of the state.

**Sec. 306.** 2023 c 475 s 306 (uncodified) is amended to read as follows:

**FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE**

General Fund—State Appropriation (FY 2024) . . . . .	\$3,484,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$3,792,000)</del>
	<u>\$4,180,000</u>
Climate Investment Account—State Appropriation . . . . .	\$898,000
<b>TOTAL APPROPRIATION</b> . . . . .	<del>(\$8,174,000)</del>
	<u>\$8,562,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$164,000 of the general fund—state appropriation for fiscal year 2024, \$379,000 of the general fund—state appropriation for fiscal year 2025, and \$898,000 of the climate investment account—state appropriation are provided solely for the agency to hire staff to respond to increased caseloads, including appeals as a result of the climate commitment act, chapter 316, Laws of 2021.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 307.** 2023 c 475 s 307 (uncodified) is amended to read as follows:

**FOR THE CONSERVATION COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$16,461,000</del> ))
	<u>\$16,493,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$16,453,000</del> ))
	<u>\$17,197,000</u>
General Fund—Federal Appropriation . . . . .	\$2,482,000
Climate Commitment Account—State Appropriation . . . . .	\$30,200,000
Climate Investment Account—State Appropriation . . . . .	\$250,000
Natural Climate Solutions Account—State Appropriation . . . . .	\$20,023,000
Public Works Assistance Account—State Appropriation . . . . .	\$10,332,000
Model Toxics Control Operating Account—State Appropriation . . . . .	\$1,110,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$97,311,000</del>))</b>
	<b><u>\$98,087,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$250,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.

(2) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase technical assistance and operational capacity of conservation districts.

(3) \$3,000,000 of the natural climate solutions account—state appropriation is provided solely to support the outreach, identification, and implementation of salmon riparian habitat restoration projects.

(4) \$5,000,000 of the natural climate solutions account—state appropriation is provided solely to the commission to work with conservation districts to address unhealthy forests and build greater community resiliency to wildfire.

(5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to connect scientists, practitioners, and researchers and coordinate efforts to monitor and quantify benefits of best management practices on agricultural lands, and better understand values and motivations of landowners to implement voluntary incentive programs.

(6) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the continued development of the disaster assistance program established in RCW 89.08.645, to provide short-term financial support for farmers and ranchers during disasters. Funding must be prioritized for farmers and ranchers who are the most economically vulnerable.

(7) \$1,420,000 of the public works assistance account—state appropriation is provided solely to support monitoring and reporting efforts necessary to evaluate the implementation and effectiveness of voluntary stewardship program work plans.

(8) \$8,533,000 of the public works assistance account—state appropriation is provided solely for implementation of the voluntary stewardship program. This amount may not be used to fund agency indirect and administrative expenses.

(9) \$30,000,000 of the climate commitment account—state appropriation is provided solely for grants through the sustainable farms and fields program for organic agricultural waste and greenhouse gas emissions reduction through climate-smart livestock management. Of the amounts provided in this subsection:

(a)(i) The commission may grant up to \$22,000,000 toward cost share agreements for anaerobic digester development to dairy farm owners. Grants awarded for anaerobic digester development must have at least a 50 percent nonstate match and be awarded through a competitive process that considers:

- (A) The amount of greenhouse gas reduction that will be achieved by the proposal; and
- (B) The amount of untreated effluent that will be decreased.

(ii) Recipients of grants under (a)(i) of this subsection must provide a report to the commission within one year of receipt of the grant, detailing the success of the project in meeting the stated criteria for the competitive process.

(b) The commission may grant up to \$6,000,000 for technical and financial assistance to increase implementation of climate-smart livestock management, alternative manure management, and other best management practices to reduce greenhouse gas emissions and increase carbon sequestration.

(c) The commission may grant up to \$2,000,000 for research on, or demonstration of, projects with greenhouse gas reduction benefits.

(d) When funding for specific technologies, including anaerobic digesters, the commission must enter into appropriate agreements to support the state's interest in advancing innovation solution to decarbonize while ensuring compliance with Article VIII, section 5 and Article XIII, section 9 of the state Constitution.



(e) The commission must submit a report summarizing the grants awarded and the likely annual greenhouse gas emission reductions achieved as a result to the appropriate committees of the legislature by December 1, 2024.

(10) \$23,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$379,000 of the public works assistance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5353 (voluntary stewardship program). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the King county conservation district to reduce the impacts of artificial lighting on or near the water on the behavior of salmon and other aquatic life in Lake Sammamish and Lake Washington. The grant funding may be used for:

- (a) Research, including quantifying light intensities and conducting field studies of fish behavior;
- (b) Community education, engagement, and technical assistance; and
- (c) Development of model lighting ordinances.

(14) \$2,000,000 of the natural climate solutions account—state appropriation is provided solely to develop and implement an educational communication plan to the general public and landowners in urban, suburban, rural, agricultural, and forested areas regarding the importance of riparian buffers and the actions they can take to protect and enhance these critical areas.

(15) \$200,000 of the climate commitment account—state appropriation is provided solely for the commission to conduct an evaluation of the current contribution that organic and climate smart agriculture makes toward Washington's climate response goals, what potential there is for increasing this contribution, and how additional investments will help realize this potential, while supporting resiliency. The commission must include the departments of agriculture and ecology and other relevant state agencies, Washington state university, conservation districts, tribal governments, nongovernmental organizations, and other relevant stakeholders who will participate in the evaluation. The commission must submit a report of its findings and recommendation to the appropriate committees of the legislature by May 1, ~~((2024))~~ 2025.

(16) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the commission to provide grants to local government and private landowners for fire wise projects to reduce forest fuel loading in areas deemed a high hazard for potential wildfire.

(17) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for staffing to support administrative operations of the commission. The commission will adopt an administrative rate policy for funding indirect support costs for future programmatic operating budget requests.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for post wildfire recovery actions in central Klickitat conservation district and eastern Klickitat conservation district to provide technical assistance and conduct fire recovery activities such as seeding, weed control, dozer line repair, forest health, and shrub steppe restoration, on areas that are necessary for public resource protection.

(19) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$41,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 6278 (organic agriculture). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 308.** 2023 c 475 s 308 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$159,066,000)) \$161,725,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$163,912,000)) \$177,338,000
General Fund—Federal Appropriation . . . . .	(((\$144,941,000)) \$158,203,000
General Fund—Private/Local Appropriation . . . . .	(((\$69,907,000)) \$70,022,000
Climate Commitment Account—State Appropriation . . . . .	\$3,398,000
Natural Climate Solutions Account—State Appropriation . . . . .	(((\$3,748,000)) \$5,748,000
ORV and Nonhighway Vehicle Account—State Appropriation . . . . .	\$696,000
Aquatic Lands Enhancement Account—State Appropriation . . . . .	(((\$14,104,000))

	<u>\$14,125,000</u>
Recreational Fisheries Enhancement Account—State	
Appropriation. . . . .	(( <u>\$3,721,000</u> ))
	<u>\$3,757,000</u>
Salmon Recovery Account—State Appropriation. . . . .	\$3,000,000
Warm Water Game Fish Account—State Appropriation. . . . .	(( <u>\$3,088,000</u> ))
	<u>\$3,089,000</u>
Eastern Washington Pheasant Enhancement Account—	
State Appropriation. . . . .	(( <u>\$673,000</u> ))
	<u>\$675,000</u>
Limited Fish and Wildlife Account—State	
Appropriation. . . . .	(( <u>\$36,826,000</u> ))
	<u>\$36,947,000</u>
Special Wildlife Account—State Appropriation. . . . .	(( <u>\$2,924,000</u> ))
	<u>\$2,926,000</u>
Special Wildlife Account—Federal Appropriation. . . . .	\$531,000
Special Wildlife Account—Private/Local Appropriation. . . . .	(( <u>\$3,819,000</u> ))
	<u>\$3,843,000</u>
Wildlife Rehabilitation Account—State Appropriation. . . . .	\$661,000
Ballast Water and Biofouling Management Account—	
State Appropriation. . . . .	\$10,000
Regional Fisheries Enhancement Salmonid Recovery	
Account—Federal Appropriation. . . . .	\$5,001,000
Oil Spill Prevention Account—State Appropriation. . . . .	\$1,284,000
Aquatic Invasive Species Management Account—State	
Appropriation. . . . .	(( <u>\$1,154,000</u> ))
	<u>\$1,158,000</u>
Model Toxics Control Operating Account—State	
Appropriation. . . . .	\$7,724,000
Fish, Wildlife, and Conservation Account—State	
Appropriation. . . . .	(( <u>\$83,640,000</u> ))
	<u>\$83,995,000</u>
Forest Resiliency Account—State Appropriation. . . . .	\$4,000,000
Oyster Reserve Land Account—State Appropriation. . . . .	\$524,000
TOTAL APPROPRIATION.....	(( <u>\$718,352,000</u> ))
	<u>\$750,380,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,777,000 of the general fund—state appropriation for fiscal year 2024 and \$1,777,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to the northwest Indian fisheries commission for hatchery operations that are prioritized to increase prey abundance for southern resident orcas, including \$200,000 per fiscal year for tagging and marking costs, and the remainder to grant to tribes in the following amounts per fiscal year: \$150,000 for the Quinault Indian Nation, \$199,000 for the Tulalip Tribes, \$268,000 for the Quileute Tribe, \$186,000 for the Puyallup Tribe, \$122,000 for the Port Gamble S'Klallam Tribe, \$25,000 for the Muckleshoot Indian Tribe, \$207,000 for the Squaxin Island Tribe, \$142,000 for the Skokomish Indian Tribe, and \$278,000 for the Lummi Nation.

(2) \$330,000 of the general fund—state appropriation for fiscal year 2024 and \$330,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide to the Yakama Nation for hatchery operations that are prioritized to increase prey abundance for southern resident orcas.

(3) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to public utility districts for additional hatchery production that is prioritized to increase prey abundance for southern resident orcas.

(4) ~~((\$467,000))~~ \$217,000 of the general fund—state appropriation for fiscal year 2024 and \$467,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to pay for emergency fire suppression costs. These amounts may not be used to fund agency indirect and administrative expenses.

(5) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the United States army corps of engineers.

(6) (a) \$6,082,000 of the general fund—state appropriation for fiscal year 2024 and \$6,082,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement eradication and control measures on European green crabs through coordination and grants with partner organizations. The department must provide quarterly progress reports on the success and challenges of the measures to the appropriate committees of the legislature.

(b) The department must develop a comprehensive long-term plan for Washington's response to European green crab. The plan must identify where permanent trapping efforts should occur, where efficiencies over current operations may be achieved, which agencies, tribes, or

organizations require ongoing funding to support the state's eradication and control measures, and the potential for federal funding for control efforts, and include a recommended funding level to implement the plan in the 2025-2027 fiscal biennium. The plan shall be submitted to the governor and legislature by October 1, 2024.

(7) \$403,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop conflict mitigation strategies for wolf recovery and staff resources in northeast Washington for response to wolf-livestock conflicts. The department shall not hire contract range riders in northeast Washington unless there is a gap in coverage from entities funded through the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020. No contract riders shall be deployed in areas already sufficiently covered by other riders. The department must focus on facilitating coordination with other entities providing conflict deterrence, including range riding, and technical assistance to livestock producers in order to minimize wolf-livestock issues in the Kettle Range and other areas of northeast Washington with existing or emerging chronic conflict. The department is discouraged from the use of firearms from helicopters for removing wolves.

(8) \$852,000 of the general fund—state appropriation for fiscal year 2024 and \$852,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide additional capacity to the attorney general's office to prosecute environmental crimes. The department must provide an annual report by December 1st of each year, to the appropriate committees of the legislature, on the progress made in prosecuting environmental crimes.

(9) \$753,000 of the general fund—state appropriation for fiscal year 2024 and \$753,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded management of pinniped populations on the lower Columbia river and its tributaries with the goal of increasing chinook salmon abundance and prey availability for southern resident orcas.

(10) \$470,000 of the general fund—state appropriation for fiscal year 2024 and \$470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand efforts to survey the diets of seals and sea lions in the Salish sea and identify nonlethal management actions to deter them from preying on salmon and steelhead.

(11) \$518,000 of the general fund—state appropriation for fiscal year 2024 and \$519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to provide policy and scientific support to the department of ecology regarding surface and groundwater management issues as part of implementing chapter 90.94 RCW streamflow restoration.

(12) \$4,096,000 of the model toxics control operating account—state appropriation is provided solely to analyze salmon contaminants of emerging concern (CEC), including substances such as 6PPD-quinone and polychlorinated biphenyls (PCB) in already collected tissue samples. This research will accelerate recovery and protection by identifying the location and sources of CEC exposure.

(13) \$130,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an external facilitator to seek solutions through a collaborative process using the department's wolf advisory group.

(14) \$194,000 of the general fund—state appropriation for fiscal year 2024 and \$194,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to update and maintain rule making related to chapter 77.57 RCW, fishways, flow, and screening.

(15) \$822,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational steelhead spawning and harvest in freshwater streams and rivers in Puget Sound.

(16) \$2,714,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for additional law enforcement officers for marine and freshwater fisheries compliance and a patrol vessel dedicated to coastal operations.

(17) \$509,000 of the general fund—state appropriation for fiscal year 2024 and \$305,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational shellfish harvests, monitor intertidal and crustacean fisheries, address emerging environmental issues, maintain a new data management infrastructure, and develop a disease and pest management program to protect shellfish fisheries in the Puget Sound.

(18) \$360,000 of the general fund—state appropriation for fiscal year 2024 and \$224,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete and maintain a statewide prioritization of fish passage barriers in collaboration with regional salmon recovery organizations.

(19) \$997,000 of the general fund—state appropriation for fiscal year 2024 and \$997,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the assessment of riparian ecosystems. The assessment must include identifying common statewide definitions of terms for riparian usage, recommendations to improve data sharing, and identifying any gaps in vegetated cover relative to a science-based standard for a fully functioning riparian ecosystem and comparing the status and gaps to water temperature impairments, known fish passage barriers, and status of salmonid stocks.

(20) ~~(\$900,000)~~ \$419,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Lummi Nation to make infrastructure updates at the Skookum hatchery.

(21) \$285,000 of the general fund—state appropriation for fiscal year 2024 and \$285,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to manage electronic tracked crab fishery gear to avoid whale entanglements during their migration as the agency develops a conservation plan to submit for an endangered species act incidental take permit.

(22) \$480,000 of the general fund—state appropriation for fiscal year 2024 and \$435,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to equip officers with body worn cameras to advance public safety.

(23) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$163,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). (~~if the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(24) \$3,000,000 of the salmon recovery account—state appropriation is provided solely for pass-through to tribes of the upper Columbia river to support reintroduction of Chinook salmon above Grand Coulee and Chief Joseph dams.

(25) \$741,000 of the general fund—state appropriation for fiscal year 2024 and \$741,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation and maintenance capacity and technical assistance for state fish passage facilities.

(26) \$948,000 of the general fund—state appropriation for fiscal year 2024 and \$948,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue operations of the Toutle and Skamania hatcheries.

(27) \$283,000 of the general fund—state appropriation for fiscal year 2024 and \$283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to create a statewide data management system with the department of natural resources and the state parks and recreation commission to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(28) \$385,000 of the general fund—state appropriation for fiscal year 2024 and \$385,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase wildlife conflict specialists to address crop damage, dangerous wildlife interactions, and conflict preventative education and outreach.

(29) \$430,000 of the general fund—state appropriation for fiscal year 2024, \$430,000 of the general fund—state appropriation for fiscal year 2025, and \$3,564,000 of the natural climate solutions account—state appropriation are provided solely to increase capacity in three aspects of the department's mission most vulnerable to climate change including species recovery planning, providing technical assistance, permitting, and planning support, and managing agency lands and infrastructure.

(30) \$1,752,000 of the climate commitment account—state appropriation is provided solely for the first phase of the department's sustainability plan, including advancing energy efficiency and renewable energy projects, creating a commute trip reduction program, and supporting foundational research and capacity-building.

(31) \$4,000,000 of the forest resiliency account—state appropriation (~~is~~) and, effective January 1, 2025, \$2,000,000 of the natural climate solutions account—state appropriation are provided solely to reduce severe wildfire risk and increase forest resiliency through fuels reduction, thinning, fuel break creation, and prescribed burning on agency lands. The amounts provided in this subsection may not be used to fund agency indirect and administrative expenses.

(32) (a) (~~(\$8,000,000))~~ \$7,280,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$15,000,000))~~ \$15,095,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the protection, recovery, and restoration of biodiversity, the recovery of threatened and endangered species, and a review of the department of fish and wildlife. Examples include habitat protection and restoration, technical assistance for growth management act planning, fish passage improvements, conservation education, scientific research for species and ecosystem protection, and similar activities. Funding in this subsection may include pass-throughs to public, nonprofit, academic, or tribal entities for the purposes of this subsection.

(b) Of the amounts provided in this subsection, (~~(\$300,000))~~ \$205,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~) and \$95,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Ruckelshaus center for a review of the department of fish and wildlife, as referenced in (a) of this subsection. The review must focus on the department's efforts to fulfill its obligations as the trustee of state fish and wildlife on behalf of all current and future Washingtonians, to meet the mixed goals of the mandate set forth in RCW 77.04.012, and to respond to the equity principles articulated in RCW 43.06D.020. The review must explore the following areas and recommend changes as appropriate:

- (i) The department's ability to meet threats created by climate change and biodiversity loss;
- (ii) An alignment of mandate with the department's responsibility as a public trustee;
- (iii) The department's governance structure;
- (iv) The department's funding model; and

(v) Accountability and transparency in department decision making at both the commission and management levels.

(c) Within this scope, the Ruckelshaus center must also examine the following areas and provide recommendations as appropriate:

(i) Fish and wildlife commission structure, composition, duties, and compensation;

(ii) Influence on the department by special interest groups;

(iii) The process by which the department uses science and social values in its decision making;

(iv) Outreach and involvement of Washington citizens who have historically been excluded from fish and wildlife decisions, including nonconsumptive users and marginalized communities;

(v) The department's adherence to state laws, including the state environmental policy act and the public records act; and

(vi) Any other related issues that arise during the review.

(d) Based on the results of the review, the Ruckelshaus center must provide options for making changes to the department's mandate and governance structure as deemed necessary to improve the department's ability to function as a trustee for state fish and wildlife.

(e) The Ruckelshaus center must submit a report to the appropriate committees of the legislature by ~~((June 30, 2024))~~ December 1, 2024.

(33) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with a nonprofit organization that operates a zoological garden in King county and that has developed an educators' toolkit for nature play programming for youth in communities historically excluded from nature experiences to provide inclusive nature-based programming statewide to children from racially, ethnically, and culturally diverse backgrounds.

(34) \$310,000 of the general fund—state appropriation for fiscal year 2024 and \$160,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to perform the following tasks related to net ecological gain:

(a) Of the amount provided in this subsection, \$160,000 in fiscal year 2024 and \$160,000 in fiscal year 2025 are provided solely for the department to facilitate a work group focused on developing a net ecological gain implementation framework.

(i) Participation in the work group is as follows:

(A) The work group must include representatives from the department, the department of commerce, the department of ecology, and the department of transportation; and

(B) The work group may include representatives from, and consultation with, as appropriate, other state agencies, federally recognized Indian tribes, local governments, and other relevant stakeholders.

(ii) The work group is responsible for accomplishing the following tasks:

(A) Define net ecological gain criteria;

(B) Create monitoring and assessment criteria related to net ecological gain;

(C) Develop an assessment model to evaluate and quantify contributions to overall net ecological gain;

(D) Consider the geographic scale at which net ecological gain criteria may be effectively applied;

(E) Provide budget and policy recommendations for net ecological gain to the legislature and to the office of financial management;

(F) Identify existing state-administered or state-funded programs and projects that:

(I) Already contribute to net ecological gain;

(II) Can or should give funding priority to funding applicants that commit to incorporating net ecological gain principles; and

(III) Programs and projects that can or should have a net ecological gain requirement in the future; and

(G) Generate interim recommendations for a project to serve as a net ecological gain proof of concept within a county that chooses to adopt a net ecological gain standard.

(iii) The department may contract with an independent entity to facilitate the work group, including the tasks identified in (b) of this subsection.

(iv) The work group must submit an interim and final report of its work, including any budget and policy recommendations, to the office of financial management and the appropriate committees of the legislature no later than June 30, 2024, and June 30, 2025.

(b) Of the amount provided in this subsection, \$150,000 in fiscal year 2024 is provided solely for the department to contract with an independent entity to perform the following tasks:

(i) Review existing grant programs; and

(ii) Make recommendations on the potential addition of net ecological gain into grant prioritization criteria.

(35) (a) ~~(((\$400,000))~~ \$700,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$300,000))~~ \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to initiate a demonstration project to contribute to rebuilding of salmon runs in the Lake Washington basin through suppression of predatory fish species. The project shall include:

(i) Removal of nonnative species and northern pike minnow using trap, nets, or other means;

(ii) Assessment of the benefits of reduced predator abundance on juvenile salmon survival; and

(iii) Assessment of the recreational fishing rules that were implemented in 2020 in the Lake Washington basin.

(b) An interim report on the demonstration project must be provided to the appropriate committees of the legislature by December 1, 2024.

~~((37))~~ (36) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((38))~~ (37) \$184,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((39))~~ (38) \$1,026,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((40))~~ (39) \$620,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((41))~~ (40) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((42))~~ (41) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to enter into individual damage prevention contract agreements for the use of hiring range riders for proactive wolf-livestock conflict deterrence outside of the service area of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020.

~~((43))~~ (42) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a conflict resolution process mediated by the federal mediation and conciliation service. This funding must be used by the department to facilitate meetings between Skagit tribes, drainage and irrigation districts, and state and federal resource agencies and support the technical work necessary to resolve conflict. Invited parties must include the national marine fisheries service, Washington state department of agriculture, Washington state department of fish and wildlife, Swinomish Indian tribal community, Upper Skagit Indian Tribe, Sauk-Suiattle Indian Tribe, and Skagit drainage and irrigation districts consortium LLC. A report documenting meeting notes, points of resolution, and recommendations must be provided to the legislature no later than June 30, 2025.

~~((44))~~ (43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to evaluate the abundance and distribution of white and green sturgeon on the Washington coast and Puget Sound tributaries and to evaluate genetic relatedness with Columbia and Fraser river sturgeon populations. The funding is also provided to increase monitoring of the abundance and distribution of eulachon to use the information as a baseline for sturgeon and eulachon management plans.

~~((45))~~ (44) \$235,000 of the general fund—state appropriation for fiscal year 2024 and \$409,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the department of fish and wildlife to proactively survey for wildlife disease risks and provide action plans and management for healthy wildlife in Washington.

~~((46))~~ (45) \$325,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with a nonprofit organization that operates a zoological garden in King county for the purpose of an outreach campaign on pollinator health issues. The pollinator outreach campaign is intended to further the mission of the department's pollinator conservation efforts and the department of agriculture's pollinator health task force goals.

~~((47))~~ (46) Within amounts provided in this section, but not to exceed \$20,000, the department must prioritize derelict and abandoned crab pot removal in north Hood Canal.

~~((48))~~ (47) \$1,175,000 of the general fund—state appropriation for fiscal year 2024 and \$1,175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to restore shrubsteppe habitat and associated wildlife on public lands as well as private lands by landowners who are willing to participate. The restoration effort must be coordinated with other natural resource agencies and interested stakeholders.

~~((49))~~ (48) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((50))~~ (49) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase the work of regional fisheries enhancement groups.

((51)) (50) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to commercial fishers to modify fishing gear in order to facilitate participation in the emerging commercial fishery in the lower Columbia river, and to fund staffing and supplies needed to monitor the emerging commercial fishery on the lower Columbia river. The purpose of the grants to modify fishing gear is to support the state's efforts to develop fishing tools that allow for increased harvest of hatchery fish while minimizing impacts to salmonid species listed as threatened or endangered under the federal endangered species act. The department must provide a report of goods and services purchased with grant funds to the appropriate committees of the legislature by June 30, 2025.

(51) \$1,657,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for habitat recovery and restoration work on agency owned and managed lands damaged from wildfires.

(52) \$443,000 of the general fund—state appropriation for fiscal year 2024, \$6,313,000 of the general fund—state appropriation for fiscal year 2025, \$86,000 of the limited fish and wildlife account—state appropriation, and \$196,000 of the fish, wildlife, and conservation account—state appropriation are provided solely for additional safety capacity in each region, development of a technology solution for training requirements, increased support to remote employees, and a third-party review of the agency safety program.

(53) \$403,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for two new positions to support statewide fish health through veterinary services and maintenance support for the fish marking trailer fleet.

(54) \$17,000 of the fish, wildlife, and conservation account—state appropriation is provided solely for implementation of Senate Bill No. 5862 (hunting license/students). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(55) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6164 (county emergency management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(56) \$184,000 of the general fund—state appropriation for fiscal year 2024 and \$521,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5784 (deer & elk crop damage). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(57) \$81,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementing Substitute Senate Bill No. 6020 (nonspot shrimp pot license). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(58) \$801,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to rebuild an Autofish marking system.

**Sec. 309.** 2023 c 475 s 309 (uncodified) is amended to read as follows:

**FOR THE PUGET SOUND PARTNERSHIP**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$9,218,000</del> ))
	<u>\$9,222,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$9,213,000</del> ))
	<u>\$9,221,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$32,036,000</del> ))
	<u>\$32,040,000</u>
Aquatic Lands Enhancement Account—State	
Appropriation . . . . .	\$1,503,000
Model Toxics Control Operating Account—State	
Appropriation . . . . .	\$1,350,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$53,320,000</del>))</b>
	<b><u>\$53,336,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) By October 15, 2024, the Puget Sound partnership shall provide the governor and appropriate legislative fiscal committees a single, prioritized list of state agency 2025-2027 capital and operating budget requests related to Puget Sound recovery and restoration.

(2) \$14,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership to implement shipping noise reduction initiatives and monitoring programs in the Puget Sound, in coordination with Canadian and United States authorities. The partnership must contract with Washington maritime blue in order to establish and administer the quiet sound program to better understand and reduce the cumulative effects of acoustic and physical disturbance from large commercial vessels on southern resident orcas throughout their range in Washington state. Washington maritime blue will support a quiet sound leadership committee and work groups that include relevant federal and state agencies, ports, industry, research

institutions, and nongovernmental organizations and consult early and often with relevant federally recognized tribes.

**Sec. 310.** 2023 c 475 s 310 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund—State Appropriation (FY 2024)	(((\$152,490,000))
	\$180,640,000
General Fund—State Appropriation (FY 2025)	(((\$154,017,000))
	\$157,997,000
General Fund—Federal Appropriation	(((\$49,985,000))
	\$98,106,000
General Fund—Private/Local Appropriation	(((\$3,500,000))
	\$6,055,000
Access Road Revolving Nonappropriated Account—State Appropriation	\$108,000
Climate Commitment Account—State Appropriation	(((\$11,820,000))
	\$12,682,000
<u>Derelict Structure Removal Account—State Appropriation</u>	\$325,000
<del>((Contract Harvesting Revolving Nonappropriated Account—State Appropriation</del>	<del>\$78,000))</del>
Forest Development Account—State Appropriation	(((\$58,594,000))
	\$58,341,000
Forest Fire Protection Assessment Nonappropriated Account—State Appropriation	\$88,000
Forest Health Revolving Nonappropriated Account— State Appropriation	\$106,000
Natural Climate Solutions Account—State Appropriation	(((\$29,571,000))
	\$30,164,000
Natural Resources Federal Lands Revolving Nonappropriated Account—State Appropriation	\$6,000
ORV and Nonhighway Vehicle Account—State Appropriation	(((\$7,928,000))
	\$7,958,000
State Forest Nursery Revolving Nonappropriated Account—State Appropriation	\$34,000
Surveys and Maps Account—State Appropriation	(((\$2,376,000))
	\$2,377,000
Aquatic Lands Enhancement Account—State Appropriation	(((\$20,003,000))
	\$21,852,000
Resource Management Cost Account—State Appropriation	(((\$121,583,000))
	\$122,543,000
Surface Mining Reclamation Account—State Appropriation	(((\$4,628,000))
	\$4,632,000
Disaster Response Account—State Appropriation	(((\$23,594,000))
	\$23,624,000
Forest and Fish Support Account—State Appropriation	(((\$12,667,000))
	\$12,670,000
Aquatic Land Dredged Material Disposal Site Account— State Appropriation	\$405,000
Natural Resources Conservation Areas Stewardship Account—State Appropriation	\$211,000
Forest Practices Application Account—State Appropriation	(((\$2,181,000))
	\$2,184,000
Air Pollution Control Account—State Appropriation	\$920,000
Model Toxics Control Operating Account—State Appropriation	(((\$2,000,000))
	\$2,474,000
Wildfire Response, Forest Restoration, and Community Resilience Account—State Appropriation	(((\$118,115,000))
	\$120,033,000
Derelict Vessel Removal Account—State Appropriation	\$10,643,000
Community Forest Trust Account—State Appropriation	\$52,000
Agricultural College Trust Management Account—State Appropriation	(((\$4,414,000))
	\$4,419,000
<b>TOTAL APPROPRIATION</b>	<b>(((\$792,117,000))</b>
	<b>\$881,649,000</b>



The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,857,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to carry out the forest practices adaptive management program pursuant to RCW 76.09.370 and the May 24, 2012, settlement agreement entered into by the department and the department of ecology. Scientific research must be carried out according to the master project schedule and work plan of cooperative monitoring, evaluation, and research priorities adopted by the forest practices board.

(2) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small forest landowner office, in order to restore staffing capacity reduced during the great recession and to support small forest landowners, including assistance related to forest and fish act regulations.

(3) \$1,583,000 of the general fund—state appropriation for fiscal year 2024 and \$1,515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(4) (~~(\$60,883,000)~~) \$88,617,000 of the general fund—state appropriation for fiscal year 2024, \$60,883,000 of the general fund—state appropriation for fiscal year 2025, and \$16,050,000 of the disaster response account—state appropriation are provided solely for emergency response, including fire suppression. The department shall provide a monthly report to the office of financial management and the appropriate fiscal and policy committees of the legislature with an update of fire suppression costs incurred and the number and type of wildfires suppressed.

(5) \$5,647,000 of the general fund—state appropriation for fiscal year 2024, \$8,470,000 of the general fund—state appropriation for fiscal year 2025, and \$330,000 of the disaster response account—state appropriation are provided solely for indirect and administrative expenses related to fire suppression.

(6) \$5,500,000 of the forest and fish support account—state appropriation is provided solely for outcome-based performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. Of the amount provided in this subsection, \$500,000 is contingent upon receipts under RCW 82.04.261 exceeding \$8,000,000 per biennium. If receipts under RCW 82.04.261 are more than \$8,000,000 but less than \$8,500,000 for the biennium, an amount equivalent to the difference between actual receipts and \$8,500,000 shall lapse.

(7) Consistent with the recommendations of the *Wildfire Suppression Funding and Costs (18-02)* report of the joint legislative audit and review committee, the department shall submit a report to the governor and legislature by December 1, 2023, and December 1, 2024, describing the previous fire season. At a minimum, the report shall provide information for each wildfire in the state, including its location, impact by type of land ownership, the extent it involved timber or range lands, cause, size, costs, and cost-share with federal agencies and nonstate partners. The report must also be posted on the agency's website.

(8) \$4,206,000 of the aquatic land enhancement account—state appropriation is provided solely for the removal of creosote pilings and debris from the marine environment and to continue monitoring zooplankton and eelgrass beds on state-owned aquatic lands managed by the department. Actions will address recommendations to recover the southern resident orca population and to monitor ocean acidification as well as help implement the Puget Sound action agenda.

(9) \$279,000 of the general fund—state appropriation for fiscal year 2024 and \$286,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation to the trust beneficiaries and department for lost revenue from leases to amateur radio operators who use space on the department managed radio towers for their equipment. The department is authorized to lease sites at the rate of up to \$100 per year, per site, per lessee. The legislature makes this appropriation to fulfill the remaining costs of the leases at market rate per RCW 79.13.510.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,500,000)~~) \$3,280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to collect and refresh statewide lidar data.

(11) \$1,200,000 of the resource management cost account—state appropriation is provided solely for the agency to pursue opportunities to provide workforce housing on state trust lands.

(12)(a) \$1,500,000 of the natural climate solutions account—state appropriation is provided solely for the department, in close collaboration with the department of ecology, to convene a group composed of a balanced representation of experts and stakeholders to conduct a state ecosystem services inventory and develop a state lands ecosystem services asset plan. The plan must outline how state lands under the department's jurisdiction can be monetized, including ecosystem services credits, and utilized to reduce the overall greenhouse emissions, or increase greenhouse gas sequestration and storage, in the state, including both public and private emissions.

(b) In developing the plan, the department must:

(i) Conduct a resource and asset inventory to identify all state-owned or controlled lands under its jurisdiction that could be eligible or utilized in ecosystem services credits, including carbon offset markets;

(ii) Explore opportunities for the department to utilize its inventoried proprietary assets in offering ecosystem services credits, including carbon offset credits, both under the regulatory offset programs, such as the one established under RCW 70A.65.170, and existing or future voluntary, private ecosystem service markets, including carbon offset programs;

(iii) Develop a marginal cost abatement model to inform highest and best use of state assets in ecosystem services markets, including carbon markets;

(iv) Conduct a needs assessment in relation to marketing state-owned carbon assets on state lands under the department's jurisdiction to third party developers, including a proposed implementation plan and recommendations for plan execution;

(v) Identify any known or suspected policy or regulatory limitations to the formation and full execution of the ecosystem services inventory and asset plan identified above;

(vi) Create an implementation plan for a virtual dashboard where public and private sector participants in regulatory or voluntary carbon markets can locate the inventory created under this subsection, understand the marginal cost abatement model, and locate any requests for proposals from state asset-involved carbon projects on lands under the department's jurisdiction; and

(vii) Make recommendations for the creation of an ecosystems services equity and innovation account that includes:

(A) New modes of ecosystem services; and

(B) Identification of new or different beneficiaries of carbon investments that increase the participation of historically marginalized groups in ecosystem service opportunities.

(c) The department must report its progress and findings under this subsection to the legislature no later than December 31, 2024.

(13) \$3,166,000 of the natural climate solutions account—state appropriation is provided solely for silvicultural treatments on forested trust lands in western Washington to support maintenance of healthy, resilient forests as a critical component of climate adaptation and mitigation efforts.

(14) \$2,185,000 of the general fund—state appropriation for fiscal year 2024 and \$1,705,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased law enforcement capacity on agency managed lands, to develop a statewide recreation plan, and to jointly create a statewide data management system with the Washington department of fish and wildlife and the state parks and recreation commission to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(15) \$2,066,000 of the natural climate solutions account—state appropriation is provided solely for the agency to develop a comprehensive strategy to tackle barriers to reforestation, including through expanding seed collection, increasing the capacity of the state's public nursery, and addressing workforce needs.

(16) \$2,864,000 of the natural climate solutions account—state appropriation is provided solely for the agency to implement aspects of their watershed resilience action plan for the Snohomish watershed, including activities to support kelp and eelgrass stewardship, a large woody debris program, aquatic restoration grants, and culvert removal.

(17) \$5,991,000 of the natural climate solutions account—state appropriation is provided solely for investment in urban forestry to support reduction of negative environmental conditions such as heat, flooding, and pollution and helping communities become greener, cleaner, healthier, and more resilient.

(18) \$7,791,000 of the climate commitment account—state appropriation is provided solely for the agency to analyze current infrastructure and build a plan for the department to achieve its greenhouse gas emission reduction targets.

(19) \$2,365,000 of the climate commitment account—state appropriation is provided solely for the department to make investments in education and training to bolster a statewide natural resources workforce to support the health and resilience of Washington's forests. Of this amount, \$800,000 is provided solely to provide wildland fire management training to tribal communities and members.

(20) \$3,356,000 of the natural climate solutions account—state appropriation is provided solely to increase the agency's capacity to provide active management of department of natural resources natural areas.

(21) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 (~~and~~) \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,817,000 of the aquatic lands enhancement account—state appropriation are provided solely for full-time and seasonal crews from the Washington conservation corps and other corps programs to conduct work benefiting the management of state managed lands, including aquatic reserves management, natural areas restoration and conservation, trail work, and forest resiliency activities as well as other recreation and habitat projects with agency partners.

(22) (a) \$475,000 of the general fund—state appropriation for fiscal year 2024, \$253,000 of the general fund—state appropriation for fiscal year 2025, and \$62,000 of the model toxics control operating account—state appropriation are provided solely for a geoduck task force. Of the amounts provided in this subsection, \$411,000 of the general fund—state appropriation for fiscal year 2024 and \$208,000 of the general fund—state appropriation for

fiscal year 2025 are for the department's costs for the task force, and the remaining amounts are for the department to provide to the department of ecology, the department of fish and wildlife, and the Puget Sound partnership for their projected costs for the task force.

(b) The task force must investigate opportunities to reduce negative impacts to tribal treaty and state geoduck harvest and promote long-term opportunities to expand or sustain geoduck harvest. The task force must provide a report to the commissioner of public lands and the legislature, in compliance with RCW 43.01.036, by December 1, 2024, that includes analysis and recommendations related to the following elements:

(i) The feasibility of intervention to enhance the wildstock of geoduck, including reseeding projects;

(ii) Factors that are preventing areas from being classified for commercial harvest of wildstock geoduck or factors that are leading to existing wildstock geoduck commercial tract classification downgrade, and recommendations to sustainably and cost-effectively increase the number and area of harvestable tracts, including:

(A) Consideration of opportunities and recommendations presented in previous studies and reports;

(B) An inventory of wastewater treatment plant and surface water runoff point sources impacting state and tribal geoduck harvesting opportunities within the classified commercial shellfish growing areas in Puget Sound;

(C) A ranking of outfalls and point sources identified in (b)(ii)(B) of this subsection prioritized for future correction to mitigate downgraded classification of areas with commercial geoduck harvest opportunity;

(D) An inventory of wildstock geoduck tracts that are most impacted by poor water quality or other factors impacting classification;

(E) Consideration of the role of sediment load and urban runoff, and pathways to mitigate these impacts; and

(F) Recommendations for future actions to improve the harvest quantity of wildstock geoduck and to prioritize areas that can attain improved classification most readily, while considering the influence of outfalls ranked pursuant to (b)(ii)(C) of this subsection.

(c) The commissioner of public lands must invite the following representatives to participate in the task force:

(i) A representative of the department of natural resources, who shall serve as the chair of the task force;

(ii) Representatives of tribes with treaty or reserved rights to geoduck harvest in Washington state;

(iii) A representative of the department of ecology;

(iv) A representative of the department of health;

(v) A representative of the department of fish and wildlife;

(vi) A representative of the Puget Sound partnership; and

(vii) A representative of the academic community.

(d) The commissioner of public lands must appoint each representative. The commissioner may invite and appoint other individuals to the task force, not to exceed the number of seats of tribal entities.

(e) Members of the task force may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

(23) \$636,000 of the general fund—state appropriation for fiscal year 2024 and \$353,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(24) \$65,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$350,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$250,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(27) \$164,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$591,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5433 (derelict aquatic structures). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$431,000 of the general fund—state appropriation for fiscal year 2024 and \$331,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1498 (aviation assurance funding). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) ~~\$2,500,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,500,000)~~ \$2,822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Of the amounts provided in this subsection, \$322,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to operate the post-fire debris flow program.

(31) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(32) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely for tire removal projects in Puget Sound, with specific priority to remove tire reefs.

(33) \$321,000 of the general fund—state appropriation for fiscal year 2024 and \$427,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5390 (forestlands/safeharbor). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(34) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to advance research and cooperation with governmental agencies of Finland and Finnish organizations to implement sustainable forestry practices. The department must report to the appropriate committees of the legislature by June 30, 2024, on the use of the funds and the research conducted and cooperation accomplished, and make recommendations for further opportunities for collaboration.

(35) \$278,000 of the natural climate solutions account—state appropriation is provided solely for the department to perform coordination and monitoring related to Puget Sound kelp conservation and recovery.

(36) \$312,000 of the general fund—state appropriation for fiscal year 2024 and \$313,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with the Olympic natural resources center to study emerging ecosystem threats such as Swiss needlecast disease, fully implement the T3 watershed experiments on state trust lands, continue field trials for long-term ecosystem productivity, and engage stakeholders through learning-based collaboration. The department may expend up to \$30,000 in one fiscal year to conduct Swiss needlecast surveys.

(37) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the work specified in section 3291, chapter 413, Laws of 2019 to assess public school seismic safety for school buildings not yet assessed, focused on highest risk areas of the state as a priority.

~~((39))~~ (38) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the department to prepare commercial thinning timber sales for the purposes of restoring spotted owl and riparian habitat as specified in the 1997 state lands habitat conservation plan, facilitating access to more timber volume than is possible under normal operating funding and increasing carbon sequestration. Thinning operations in designated spotted owl management areas must be conducted in stands that do not yet meet spotted owl habitat conditions. Thinning in riparian areas must comply with department procedures for restoring riparian habitat under the 1997 state lands habitat conservation plan.

~~((40))~~ (39) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((41))~~ (40) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement a pilot project to evaluate the costs and benefits of marketing and selling specialty forest products including cedar salvage, alder, and other hardwood products. The pilot project must include: Identifying suitable areas for hardwood or cedar sales within the administrative areas of the Olympic and Pacific Cascade regions, preparing and conducting sales, and evaluating the costs and benefits from conducting the sales.

(a) The pilot project must include an evaluation that:

(i) Determines if revenues from the sales are sufficient to cover the costs of preparing and conducting the sales;

(ii) Identifies and evaluates factors impacting the sales, including regulatory constraints, staffing levels, or other limitations;

(iii) Compares the specialty sales to other timber sales that combine the sale of cedar and hardwoods with other species;

(iv) Evaluates the bidder pool for the pilot sales and other factors that impact the costs and revenues received from the sales; and

(v) Evaluates the current and future prices and market trends for cedar salvage and hardwood species.

(b) The department must work with affected stakeholders and report to the appropriate committees of the legislature with the results of the pilot project and make recommendations for any changes to statute by June 30, 2025.

(41) \$857,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to implement eradication and control measures on European green crabs on state-owned aquatic lands and adjacent lands as appropriate. The department must report to and coordinate with the department of fish and wildlife to support the department of fish and wildlife's quarterly progress reports to the legislature.

(42) \$710,000 of the general fund—state appropriation for fiscal year 2025 and \$473,000 of the model toxics control operating account—state appropriation are provided solely for the department to develop and lead a stakeholder-driven process to identify potential locations for development of target shooting ranges to create alternatives to dispersed shooting and to address lead pollution in known dispersed shooting sites.

(43) \$524,000 of the resource management cost account—state appropriation is provided solely for the agency to supplement the cost of the contract with the department of fish and wildlife for biological geoduck survey work. Within existing appropriations, the agency will develop a proposal with the department of fish and wildlife for the equitable and sustainable ongoing funding of this work.

(44) \$593,000 of the natural climate solutions account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to conduct the remote sensing, stressor studies, and imagery and survey work of kelp forests and eelgrass meadows pursuant to RCW 79.135.440 and development and management of the native kelp forest and eelgrass meadow health and conservation plan.

(45) \$1,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 6166 (pesticide application comm.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(46) \$83,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5667 (forestry riparian easements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$862,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(48) \$88,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 6120 (wildland urban interface). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 311.** 2023 c 475 s 311 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$52,938,000)) \$91,987,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$69,710,000)) \$73,461,000
General Fund—Federal Appropriation. . . . .	(((\$38,414,000)) \$48,259,000
General Fund—Private/Local Appropriation. . . . .	\$193,000
<u>Agricultural Pest and Disease Response Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$2,000,000</u>
<u>Aquatic Lands Enhancement Account—State</u>	
<u>Appropriation. . . . .</u>	<u>(((\$2,839,000)) \$2,840,000</u>
<u>Climate Commitment Account—State Appropriation. . . . .</u>	<u>(((\$3,819,000)) \$4,450,000</u>
<u>Natural Climate Solutions Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$261,000</u>
<u>Water Quality Permit Account—State Appropriation. . . . .</u>	<u>\$73,000</u>
<u>Model Toxics Control Operating Account—State</u>	
<u>Appropriation. . . . .</u>	<u>(((\$13,589,000)) \$13,613,000</u>
<u>Northeast Washington Wolf-Livestock Management</u>	
<u>Nonappropriated Account—State Appropriation. . . . .</u>	<u>\$1,600,000</u>
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
<u>Appropriation. . . . .</u>	<u>(((\$36,875,000)) \$10,875,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$220,311,000)) \$249,612,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$18,000,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the we feed Washington program, a state alternative to the United States

department of agriculture farmers to families food box program, and provide resources for hunger relief organizations.

(2) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for local food system infrastructure and market access grants.

(3) (~~(\$3,655,000)~~) \$4,992,000 of the general fund—state appropriation for fiscal year 2024 and \$3,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a *Popillia japonica* monitoring and eradication program in central Washington.

(4) (~~(\$15,000,000)~~) \$51,000,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000,000 of the general fund—state appropriation for fiscal year 2025 (~~(and \$15,000,000 of the coronavirus state fiscal recovery fund federal appropriation)~~) are provided solely for implementing the emergency food assistance program as defined in RCW 43.23.290.

(5) \$246,000 of the general fund—state appropriation for fiscal year 2024, \$246,000 of the general fund—state appropriation for fiscal year 2025, and \$1,550,000 of the general fund—federal appropriation are provided solely for implementing a *Vespa mandarinia* eradication program.

(6) \$1,600,000 of the northeast Washington wolf-livestock management nonappropriated account—state appropriation is provided solely for the department to conduct the following:

(a) Offer grants for the northeast Washington wolf-livestock management program as provided in RCW 16.76.020, in the amount of \$1,400,000 for the biennium.

(i) Funds from the grant program must be used only for the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a high probability of producing effective results. Grant proposals will be assessed partially on this intent. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other grantees of the program and other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape. Additionally, range riders must document their activities with GPS track logs and provide written description of their efforts to the department of fish and wildlife on a monthly basis. The department shall incorporate the requirements of this subsection into contract language with the grantees.

(ii) In order to provide continuity of services to meet the long-term intent of the program, no less than \$1,100,000 of the funding allocated in this subsection (a) shall be awarded to entities who have proven ability to meet program intent as described in (a)(i) of this subsection and who have been awarded funds through this grant program or pass-through funds from the northeast Washington wolf-livestock management nonappropriated account in the past. The remaining \$300,000 may be awarded to new applicants whose applications meet program intent and all of other requirements of the program. If no applications from new entities are deemed qualified, the unused funds shall be awarded in equal amounts to successful grantees. The department retains the final decision making authority over disbursement of funds. Annual reports from grantees will be assessed for how well grant objectives were met and used to decide whether future grant funds will be awarded to past grantees.

(b) Within the amounts provided in this subsection, the department must provide \$100,000 each fiscal year to the sheriffs offices of Ferry and Stevens counties for providing a local wildlife specialist to aid the department of fish and wildlife in the management of wolves in northeast Washington.

(7) \$1,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for grants and technical assistance to producers and processors for meat and poultry processing.

(8) \$842,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 135, Laws of 2022, which requires the department to establish cannabis testing lab quality standards by rule.

(9) \$3,038,000 of the climate commitment account—state appropriation is provided solely to implement organic materials legislation passed in the 2022 legislative session.

(10) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with Washington State University's IMPACT Center to conduct an analysis of the threats, barriers, and challenges facing the state's agricultural producers.

(11) \$581,000 of the climate commitment account—state appropriation is provided solely to implement a science-based, voluntary software program called saving tomorrow's agricultural resources (STAR) which provide producers tools to track soil health improvements and the ability to generate market-based incentives.

(12) \$1,492,000 of the model toxics control operating account—state appropriation is provided solely to increase capacity and support work to reduce nitrate pollution in groundwater from irrigated agriculture in the lower Yakima valley.

(13) (~~(\$88,000)~~) \$394,000 of the general fund—state appropriation for fiscal year 2024, \$88,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$702,000)~~) \$1,053,000 of the general fund—federal appropriation are provided solely to match federal funding for eradication treatments and follow-up monitoring of invasive moths.

(14) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the early detection program for the spotted lanternfly and the associated invasive *Ailanthus altissima*, known colloquially as tree-of-heaven, survey and control programs.

(15) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement changes that advance equity for underrepresented farmers and ranchers in the department's programs and services. In carrying out this duty, the department may focus on implementation of:

(a) Proequity and inclusion strategies within the activities and services of the regional markets program;

(b) Recommendations from the department's 2022 report to the legislature on equity for underrepresented farmers and ranchers; and

(c) Community-generated suggestions resulting from stakeholder engagement activities. In carrying out this duty, the department may engage with underrepresented farmers and ranchers to advise and provide guidance as the department works to implement changes to improve equity and inclusion in the department's services and programs, and where possible in the agricultural industry more broadly.

(16) \$261,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(17) \$200,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$116,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1500 (cottage food sales cap). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a community-based organization in Whatcom county for the food and farm finder program, which connects local food producers with retail and wholesale consumers throughout the state.

(21) \$10,600,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for local food system infrastructure and market access grants, the emergency food assistance program, and a state farmers to families food box program. The total expenditures from the coronavirus state fiscal recovery fund—federal for these purposes in fiscal year 2023 and fiscal year 2024 may not exceed the total amounts provided in section 311(1), (3), and (7), chapter 334, Laws of 2021, from the coronavirus state fiscal recovery fund—federal for these purposes.

(22) \$47,000 of the general fund—state appropriation for fiscal year 2024 and \$47,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a food bank in Pierce county for the continued provision of food bank services to low-income individuals, including costs related to the potential relocation of the food bank.

(24) \$128,000 of the general fund—state appropriation for fiscal year 2024 and \$127,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Tri-Cities food bank for operations including food storage.

(25) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue a shellfish coordinator position.

(26) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compliance-based laboratory analysis of pesticides in cannabis.

(27) \$220,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to partner with the department of commerce to conduct a study to better understand the opportunities and challenges, as well as identify solutions to existing barriers, to create a healthy marketplace for hemp.

(28) \$112,000 of the general fund—state appropriation for fiscal year 2024 and \$683,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to partner with organizations to promote diversity and develop agricultural leadership and educational opportunities.

(29) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to facilitate a work group and prepare a comprehensive report with recommendations regarding the establishment of a grant program to support farmers in the purchase of green fertilizer produced within the state of Washington.

(a) The work group convened by the department shall include representatives from the department of ecology, the department of commerce, Washington state agricultural organizations, manufacturers of green fertilizer products, and other relevant stakeholders as determined by the department.

(b) The work group shall review, analyze, and propose the structure of a grant program designed to encourage farmers to purchase green fertilizer produced within the state of Washington. The review shall include considerations of:

- (i) The environmental benefits of green fertilizer;
- (ii) Economic impacts on farmers;
- (iii) The development and capacity of local green fertilizer manufacturers; and
- (iv) Ensuring equitable access to the grant program among different agricultural sectors.

(c) The department shall submit a comprehensive report of its findings and recommendations to the governor and appropriate committees of the legislature no later than November 1, 2024, including a detailed plan for the administration of the proposed grant program and a recommended funding level. The report shall include legislative and regulatory changes, if necessary, to establish and manage the program effectively.

(30) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Washington based nonprofit organization that supports farmworkers to help develop and share farmworker ideas to improve production in ways that are meaningful to both workers and growers. These funds must be used to conduct outreach to farmworkers, provide support, and facilitate access to educational materials, tools, and technology to further the engagement and collaboration of both farmworkers and their employers.

(31) \$250,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for the department to complete an assessment of how many acres of agricultural land could be removed from active production for the state to meet the requirements of the clean energy transformation act and the state energy strategy. The assessment may include a comparison of possible alternative scenarios ranging from lowest to highest impact. The department must report the legislature on its assessment in accordance with RCW 43.01.036 by June 30, 2025.

(32) \$131,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for a dedicated position to lead and direct the department's climate strategy. Tasks for this position include research, stakeholder engagement, program inventory, and coordination, as well as long-term planning.

(33) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a food bank in Tacoma for the expanded provision of food bank services to low-income individuals.

(34) \$120,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6278 (organic agriculture). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(35) \$2,000,000 of the agricultural pest and disease response account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6036 (agriculture pest & disease). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(36) \$139,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5972 (neonicotinoid pesticides). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(37) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for research, including, but not limited to, ongoing research and trial research; larger scale treatment trials; and permit development, including required monitoring and review, to assist with development of an integrated pest management plan to find a suitable replacement for imidacloprid to address burrowing shrimp in Willapa bay and Grays Harbor and facilitate continued shellfish cultivation on tidelands. In selecting research recipients for this purpose, the department must incorporate the advice of the Willapa-Grays Harbor working group formed on October 15, 2019. Up to eight percent of the amount provided in this subsection may be used by the department to reimburse any participating group or individual for their expenses associated with meeting participation, preparation, or travel, in accordance with chapter 43.03 RCW.

**Sec. 312.** 2023 c 475 s 312 (uncodified) is amended to read as follows:

**FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$924,000</del> ))
	\$893,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$919,000</del> ))
	\$887,000
Climate Commitment Account—State Appropriation . . . . .	\$7,369,000
Energy Facility Site Evaluation Council Account—	
Private/Local Appropriation . . . . .	\$26,896,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$36,108,000</del>))</b>
	<b>\$36,045,000</b>



The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,352,000 of the climate commitment account—state appropriation is provided solely to support agency operations and to hire additional environmental siting and compliance positions needed to support an anticipated workload increase from new clean energy projects.

(2) \$757,000 of the climate commitment account—state appropriation is provided solely for ~~((grants to tribes to review green energy project applications))~~ preapplication development and clean energy manufacturing review, reimbursement to tribes for costs associated with clean energy project application reviews, and contracted services for green hydrogen and clean energy manufacturing programs.

(3) \$358,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) The council must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(5) \$3,902,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(End of part)

**PART IV  
TRANSPORTATION**

**Sec. 401.** 2023 c 475 s 401 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING**

General Fund—State Appropriation (FY 2024) . . . . .	(\$4,041,000)
	\$4,043,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$3,640,000)
	\$4,004,000
Architects' License Account—State Appropriation. . . . .	(\$1,759,000)
	\$1,823,000
Climate Investment Account—State Appropriation. . . . .	\$30,000,000
Real Estate Commission Account—State Appropriation. . . . .	(\$15,753,000)
	\$15,726,000
Uniform Commercial Code Account—State Appropriation. . . . .	(\$3,481,000)
	\$3,496,000
Real Estate Education Program Account—State Appropriation. . . . .	(\$316,000)
	\$308,000
Real Estate Appraiser Commission Account—State Appropriation. . . . .	(\$2,067,000)
	\$2,396,000
Business and Professions Account—State Appropriation. . . . .	(\$30,924,000)
	\$31,236,000
Real Estate Research Account—State Appropriation. . . . .	\$461,000
Firearms Range Account—State Appropriation. . . . .	\$74,000
Funeral and Cemetery Account—State Appropriation. . . . .	(\$118,000)
	\$125,000
Landscape Architects' License Account—State Appropriation. . . . .	(\$86,000)
	\$95,000
Appraisal Management Company Account—State Appropriation. . . . .	(\$250,000)
	\$258,000
Concealed Pistol License Renewal Notification Account—State Appropriation. . . . .	\$142,000
Geologists' Account—State Appropriation. . . . .	(\$48,000)
	\$55,000
Derelict Vessel Removal Account—State Appropriation. . . . .	\$37,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$63,197,000)</b>
	<b>\$94,279,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$142,000 of the concealed pistol license renewal notification account—state appropriation and \$74,000 of the firearms range account—state appropriation are provided solely to implement chapter 74, Laws of 2017 (concealed pistol license).

(2) \$6,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$8,000 of the architects' license account—state appropriation, \$74,000 of the real estate commission account—state

appropriation, \$14,000 of the uniform commercial code account—state appropriation, \$10,000 of the real estate appraiser commission account—state appropriation, and \$139,000 of the business and professions account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$7,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$5,000 of the architects' license account—state appropriation, \$43,000 of the real estate commission account—state appropriation, \$8,000 of the uniform commercial code account—state appropriation, \$8,000 of the real estate (~~education program~~) appraiser commission account—state appropriation, \$166,000 of the business and professions account—state appropriation, \$9,000 of the funeral and cemetery account—state appropriation, \$3,000 of the landscape architects' license account—state appropriation, \$2,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(4) \$20,000 of the business and professions account—state appropriation is provided solely for implementation of House Bill No. 1017 (cosmetologists, licenses, etc.). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(5) \$320,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1143 (firearms purchase and transfer). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(6) \$5,000 of the architects' license account—state appropriation, \$31,000 of the real estate commission account—state appropriation, \$5,000 of the real estate appraiser commission account—state appropriation, \$64,000 of the business and professions account—state appropriation, \$5,000 of the funeral and cemetery account—state appropriation, \$5,000 of the landscape architects' license account—state appropriation, \$5,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of House Bill No. 1301 (license review and requirements). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(7) \$25,000 of the real estate (~~appraiser~~) commission account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5191 (real estate agency). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(8) \$19,000 of the funeral and cemetery account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5261 (cemetery authority deadlines). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(9) \$308,000 of the real estate appraiser commission account—state appropriation is provided solely for implementation of Engrossed House Bill No. 1797 (real estate appraisers). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(10) \$45,000 of the architects' license account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5794 (architecture licensing exams). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$354,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5995 (interpreters and translators). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12)(a) \$30,000,000 of the climate investment account—state appropriation is provided solely for payments to support farm fuel users and transporters who have purchased fuel for agricultural purposes that is exempt from the requirements of the climate commitment act, as described in RCW 70A.65.080(7)(e), but paid a surcharge or an additional fee. In providing such payments, the department must prioritize:

(i) Farming and transportation operations, prioritizing noncorporate farms first;

(ii) Ease of use and accessibility for recipients; and

(iii) Speed and efficiency in administering the payments.

(b) The department must use a tiered system of payments based on the annual number of gallons of agricultural fuel consumed, as determined by the farm fuel user or transporter in a signed attestation. The department shall use the following payment tiers:

(i) \$600 to recipients with annual agricultural fuel use of less than 1,000 gallons;

(ii) \$2,300 to recipients with annual agricultural fuel use greater than or equal to 1,000 gallons and less than 4,000 gallons; and

(iii) \$3,400 to recipients with annual agricultural fuel use greater than or equal to 4,000 gallons.

(c) Recipients of payments under this subsection may submit receipts and other documentation as part of their attestation showing that they were overcharged for fuel costs due to the impact of chapter 70A.65 RCW.

(d) The department may use no more than five percent of the amounts provided for this specific purpose on administration. The department must begin providing payments by September 1, 2024.

Sec. 402. 2023 c 475 s 402 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$77,651,000</del> ))
	<u>\$77,278,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$78,281,000</del> ))
	<u>\$83,583,000</u>
General Fund—Federal Appropriation . . . . .	\$16,972,000
General Fund—Private/Local Appropriation . . . . .	\$3,091,000
Death Investigations Account—State Appropriation . . . . .	(( <del>\$9,145,000</del> ))
	<u>\$9,592,000</u>
County Criminal Justice Assistance Account—State Appropriation . . . . .	(( <del>\$4,893,000</del> ))
	<u>\$4,894,000</u>
Municipal Criminal Justice Assistance Account—State Appropriation . . . . .	\$1,800,000
Fire Service Trust Account—State Appropriation . . . . .	\$131,000
Vehicle License Fraud Account—State Appropriation . . . . .	\$119,000
Disaster Response Account—State Appropriation . . . . .	\$8,000,000
Fire Service Training Account—State Appropriation . . . . .	(( <del>\$13,456,000</del> ))
	<u>\$13,457,000</u>
Model Toxics Control Operating Account—State Appropriation . . . . .	\$596,000
Fingerprint Identification Account—State Appropriation . . . . .	\$15,200,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$229,335,000</del>))</b>
	<b><u>\$234,713,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$8,000,000~~))~~ \$14,000,000 of the disaster response account—state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(2) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$146,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation adjustments for commissioned staff as provided for in the omnibus transportation appropriations act.

(3) \$20,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1179 (nonconviction data/auditor). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$26,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor compensation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$500,000 of the disaster response account—state appropriation, is provided solely to continue a pilot project for the early deployment or prepositioning of Washington state fire service resources in advance of an expected mobilization event. Any authorization for the deployment of resources under this section must be authorized in accordance with section 6 of the Washington state fire services resource mobilization plan.

(7) \$320,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$1,133,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$1,000,000 of the fire service training account—state appropriation is provided solely for the firefighter apprenticeship training program.

(10) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Washington state missing and murdered indigenous women and people task force in section 912 of this act.

(11) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for financial assistance to local jurisdictions to conduct DNA testing for unidentified remains, and for those remains that failed to yield a CODIS match, for forensic

genetic genealogy DNA testing to be conducted. Local jurisdictions may contract for these services. "Forensic genetic genealogy DNA testing" means any technology performed in a forensic laboratory capable of producing a forensic genealogy profile with a minimum of 100,000 genetic markers and compatible with multiple genealogical databases consented for law enforcement use. Records from the DNA testing or forensic genetic genealogy DNA testing, including DNA profiles and markers, of unidentified remains shall be used solely for the purpose of establishing identification. Retention of such records following identification does not serve a public purpose. Upon successful identification, such records shall be destroyed.

(12) Any funds provided to the missing and exploited children task force shall ensure operations are adherent to federally established internet crimes against children standards.

(13) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5299 (law enf. officer protection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) Within existing resources, the Washington state patrol may provide security and protection to the secretary of state and to his or her family during a presidential election campaign and through two weeks following inauguration.

(15) \$88,742 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5812 (electrical vehicle fires). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(End of part)

**PART V  
EDUCATION**

**Sec. 501.** 2023 c 475 s 501 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund—State Appropriation (FY 2024)	(( <del>\$46,191,000</del> ))
	\$46,840,000
General Fund—State Appropriation (FY 2025)	(( <del>\$45,208,000</del> ))
	\$49,665,000
General Fund—Federal Appropriation	(( <del>\$108,354,000</del> ))
	\$148,569,000
General Fund—Private/Local Appropriation	\$8,079,000
Dedicated Cannabis Account—State Appropriation (FY 2024)	(( <del>\$593,000</del> ))
	\$550,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	(( <del>\$618,000</del> ))
	\$550,000
Washington Opportunity Pathways Account—State Appropriation	(( <del>\$8,429,000</del> ))
	\$16,890,000
Performance Audits of Government Account—State Appropriation	\$213,000
Workforce Education Investment Account—State Appropriation	\$9,479,000
Elementary and Secondary School Emergency Relief III Account—Federal Appropriation	\$3,524,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$230,688,000</del>))</b>
	<b>\$284,359,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) **BASE OPERATIONS AND EXPENSES OF THE OFFICE**

(a) ((~~\$21,778,000~~))\$22,389,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$21,778,000~~))\$22,470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(ii) By October 31st of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in section 501, chapter 415, Laws of 2019 and sections 515 and 522, chapter 334, Laws of 2021. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status of proviso implementation, number of beneficiaries by year, list of beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(iii) Districts shall annually report to the office of the superintendent of public instruction on: (A) The annual number of graduating high school seniors within the district

earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (B) the number of high school students earning competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

(iv) The office of the superintendent of public instruction shall perform ongoing program reviews of alternative learning experience programs, dropout reengagement programs, and other high risk programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(v) The superintendent of public instruction shall integrate climate change content into the Washington state learning standards across subject areas and grade levels. The office shall develop materials and resources that accompany the updated learning standards that encourage school districts to develop interdisciplinary units focused on climate change that include authentic learning experiences, that integrate a range of perspectives, and that are action oriented.

(vi) Funding provided in this subsection (1)(a) is sufficient for maintenance of the apportionment system, including technical staff and the data governance working group.

(b) \$494,000 of the general fund—state appropriation for fiscal year 2024 and \$494,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(c) \$61,000 of the general fund—state appropriation for fiscal year 2024 and \$61,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(d) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(e) \$285,000 of the Washington opportunity pathways account—state appropriation is provided solely for activities related to public schools other than common schools authorized under chapter 28A.710 RCW.

(f) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(g) \$1,060,000 of the general fund—state appropriation for fiscal year 2024 and \$1,060,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of native education to increase services to tribes, including but not limited to, providing assistance to tribes and school districts to implement Since Time Immemorial, applying to become tribal compact schools, convening the Washington state native American education advisory committee, and extending professional learning opportunities to provide instruction in tribal history, culture, and government. The professional development must be done in collaboration with school district administrators and school directors. Funding in this subsection is sufficient for the office, the Washington state school directors' association government-to-government task force, and the association of educational service districts to collaborate with the tribal leaders congress on education to develop a tribal consultation training and schedule. Of the amounts provided in this subsection: \$525,000 of the general fund—state appropriation for fiscal year 2024 and \$525,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of native education to convene a work group to develop the supports necessary to serve American Indian and Alaska Native students identified as needing additional literacy supports. The work group must include representation from Washington's federally recognized tribes and federally recognized tribes with reserved treaty rights in Washington. The work group must conduct tribal consultations, develop best practices, engage in professional learning, and develop curricula and resources that may be provided to school districts and state-tribal education compact schools to serve American Indian and Alaska Native students with appropriate, culturally affirming literacy supports.

(h) \$481,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(i) Districts shall report to the office the results of each collective bargaining agreement for certificated staff within their district using a uniform template as required by the superintendent, within thirty days of finalizing contracts. The data must include but is not limited to: Minimum and maximum base salaries, supplemental salary information, and average percent increase for all certificated instructional staff. Within existing resources by December 1st of each year, the office shall produce a report for the legislative evaluation and accountability program committee summarizing the district level collective bargaining agreement data.

(j) \$3,524,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for administrative costs related to the management of federal funds provided for COVID-19 response and other emergency needs.

(k) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the superintendent of public instruction to plan for the development and implementation of a common substitute teacher application platform.

(l) \$465,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for office of the attorney general legal services related to special education related litigation.

(2) DATA SYSTEMS

(a) \$1,802,000 of the general fund—state appropriation for fiscal year 2024 and \$1,802,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(b) \$281,000 of the general fund—state appropriation for fiscal year 2024 and \$281,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(c) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent of public instruction to develop and implement a statewide accountability system to address absenteeism and to improve student graduation rates. The system must use data to engage schools and districts in identifying successful strategies and systems that are based on federal and state accountability measures. Funding may also support the effort to provide assistance about successful strategies and systems to districts and schools that are underperforming in the targeted student subgroups.

(3) WORK GROUPS

(a) \$68,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(b) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to meet statutory obligations related to the provision of medically and scientifically accurate, age-appropriate, and inclusive sexual health education as authorized by chapter 206, Laws of 1988 (AIDS omnibus act) and chapter 265, Laws of 2007 (healthy youth act).

(c) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$118,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 75, Laws of 2018 (dyslexia).

(d) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 386, Laws of 2019 (social emotional learning).

(e) \$107,000 of the general fund—state appropriation for fiscal year 2024 and \$107,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to support the children and youth behavioral health work group created in chapter 130, Laws of 2020 (child. mental health wk. grp).

(4) STATEWIDE PROGRAMS

(a) \$2,590,000 of the general fund—state appropriation for fiscal year 2024 and \$2,590,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support statewide administration and district implementation of the inventory under RCW 28A.655.080.

(b) \$703,000 of the general fund—state appropriation for fiscal year 2024 and \$703,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 72, Laws of 2016 (educational opportunity gap).

(c) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to schools identified for comprehensive or targeted support and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(d) \$457,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 102, Laws of 2014 (biliteracy seal). Of the amounts provided in this subsection:

(i) \$197,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to develop and establish criteria for school districts to award the seal of biliteracy to graduating high school students.

(ii) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to provide students with access to methods for students to demonstrate proficiency in less commonly taught or assessed languages.

(e) (i) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school bullying and harassment prevention activities.

(ii) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 240, Laws of 2016 (school safety).

(iii) \$570,000 of the general fund—state appropriation for fiscal year 2024 and \$570,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide support and coordination for the regional network of behavioral health, school safety, and threat assessment established in chapter 333, Laws of 2019 (school safety and well-being).

(iv) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the school safety center within the office of the superintendent of public instruction.

(A) Within the amounts provided in this subsection (4)(e)(iv), \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a school safety program to provide school safety training for all school administrators and school safety personnel. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety.

(B) Within the amounts provided in this subsection (4)(e)(iv), \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administration of the school safety center. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, review and approve manuals and curricula used for school safety models and training, and maintain a school safety information web site.

(f) (i) \$162,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for youth suicide prevention activities.

(ii) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 64, Laws of 2018 (sexual abuse of students).

(g) (i) \$280,000 of the general fund—state appropriation for fiscal year 2024, \$280,000 of the general fund—state appropriation for fiscal year 2025, ~~(((\$593,000))\$550,000~~ of the dedicated cannabis account—state appropriation for fiscal year 2024, and ~~(((\$618,000))\$550,000~~ of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for dropout prevention, intervention, and reengagement programs ~~((, including the jobs for America's graduates (JAG) program)), dropout prevention programs that provide student mentoring, and the building bridges statewide program. ((Students in the foster care system or who are homeless shall be given priority by districts offering the jobs for America's graduates program.))~~ The office of the superintendent of public instruction shall convene staff representatives from high schools to meet and share best practices for dropout prevention. Of these amounts, the entire dedicated cannabis account—state appropriation is provided solely for the building bridges statewide program and for grants to districts for life skills training for children and youth in K-12.

(ii) \$293,000 of the general fund—state appropriation for fiscal year 2024 and \$293,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs in support of high-quality high school and beyond plans consistent with RCW 28A.230.090.

(iii) \$178,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 291, Laws of 2017 (truancy reduction efforts).

(h) Sufficient amounts are appropriated in this section for the office of the superintendent of public instruction to create a process and provide assistance to school districts in planning for future implementation of the summer knowledge improvement program grants.

(i) \$358,000 of the general fund—state appropriation for fiscal year 2024 and \$358,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 221, Laws of 2019 (CTE course equivalencies).

(j) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 252, Laws of 2019 (high school graduation reqs.).

(k) \$60,000 of the general fund—state appropriation for fiscal year 2024, \$60,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—federal appropriation are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply). Of the amounts provided in this subsection, \$680,000 of the

general fund—federal appropriation is provided solely for title II SEA state-level activities to implement section 103, chapter 295, Laws of 2019 relating to the regional recruiters program.

(l) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison at the office of the superintendent of public instruction to facilitate access to and support enrollment in career connected learning opportunities for tribal students, including career awareness and exploration, career preparation, and career launch programs, as defined in RCW 28C.30.020, so that tribal students may receive high school or college credit to the maximum extent possible.

(m) \$57,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 288, Laws of 2020 (school meals at no cost).

(n) \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$142,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 353, Laws of 2020 (innovative learning pilot).

(o) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide coordination towards multicultural, culturally responsive, and anti-racist education to support academically, socially, and culturally literate learners. The office must engage community members and key interested parties to:

(i) Develop a clear definition and framework for African American studies to guide instruction in grades seven through twelve;

(ii) Develop a plan for aligning African American studies across all content areas; and

(iii) Identify professional development opportunities for educators and administrators to build capacity in creating high-quality learning environments centered in belonging and racial equity, anti-racist approaches, and asset-based methodologies that pull from all students' cultural funds of knowledge.

(p) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 38, Laws of 2021 (K-12 safety & security serv.).

(q) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 111, Laws of 2021 (learning assistance program).

(r) \$1,152,000 of the general fund—state appropriation for fiscal year 2024 and \$1,157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 164, Laws of 2021 (institutional ed./release).

(s) \$553,000 of the general fund—state appropriation for fiscal year 2024 and \$553,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to develop and implement a mathematics pathways pilot to modernize algebra II. The office should use research and engage stakeholders to develop a revised and expanded course.

(t) \$3,348,000 of the general fund—state appropriation for fiscal year 2024 and \$3,348,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 107, Laws of 2022 (language access in schools).

(u) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to establish a media literacy and digital citizenship ambassador program to promote the integration of media literacy and digital citizenship instruction.

(v) \$294,000 of the general fund—state appropriation for fiscal year 2024 and \$294,000 of the general fund—state appropriation for fiscal year 2025 provided solely for implementation of chapter 9, Laws of 2022 (school consultation/tribes).

(w) \$8,144,000 of the Washington state opportunity pathways account—state appropriation is provided solely for support to small school districts and public schools receiving allocations under chapters 28A.710 and 28A.715 RCW that have less than 800 enrolled students, are located in urban or suburban areas, and budgeted for less than \$20,000 per pupil in general fund expenditures in the 2022-23 school year. For eligible school districts and schools, the superintendent of public instruction must allocate an amount equal to the lesser of amount 1 or amount 2, as provided in (w)(i) and (ii) of this subsection, multiplied by the school district or school's budgeted enrollment in the 2022-23 school year.

(i) Amount 1 is \$1,550.

(ii) Amount 2 is \$20,000 minus the school district or school's budgeted general fund expenditures per pupil in the 2022-23 school year.

(x) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5072 (highly capable students). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(y) \$72,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5243 (high school and beyond plan). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~



(z) \$17,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5257 (elementary school recess). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(aa) \$169,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5315 (special education/nonpublic). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(bb) \$39,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5403 (school depreciation subfunds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(cc) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5593 (student data transfer). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(dd) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5617 (career and technical education courses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ee) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a community-based youth development nonprofit organization for a pilot program to provide behavioral health support for youth and trauma-informed, culturally responsive staff training.

(ff) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to consult with one or two public high schools that offer established courses in the early childhood development and services career pathway and develop model materials that may be employed by other school districts with an interest in establishing or expanding similar instructional offerings to students. The model materials must be developed by January 1, 2024.

(gg) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of a deliberative democratic climate change education program in public high schools based on the Washington student climate assembly pilot program. The office must use the funding to develop and promote a full curriculum for student climate assemblies that can be replicated in public high schools across the state and to fund a part-time statewide coordinator position to oversee program outreach and implementation. By January 1, 2025, the office must collect and evaluate feedback from teachers, students, local government employees, and elected officials participating in the pilot program and report to the legislature on options to improve, expand, and extend the program.

(hh) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental agency to coordinate and serve as a fiscal agent and to cover direct costs of the project education impact workgroup to achieve educational parity for students experiencing foster care and/or homelessness, consistent with chapter 233, Laws of 2020. The office must contract with a nongovernmental agency with experience coordinating administrative and fiscal support for project education impact.

(ii) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract for a feasibility study for the creation of a maritime academy on the Olympic peninsula. The study must include the scope, location, design, and budget for the construction of the maritime academy. The study must include plans to address systems, policies, and practices that address disparities of historically marginalized communities in the maritime industry. A preliminary report is due to the legislature by December 1, 2023, with the final feasibility study due to the legislature by June 3, 2024. Funding provided in this subsection may be matched by a nonprofit organization that provides high school students with accredited career and technical postsecondary education for maritime vessel operations and maritime curriculum to high schools in Jefferson, Clallam, Kitsap, King, Mason, Pierce, Island, and Snohomish counties.

(jj) \$74,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1701 (institutional ed. programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(kk) \$141,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1308 (graduation pathway options). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ll) \$73,000 of the general fund—state appropriation for fiscal year 2024 and \$72,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1346 (purple star award). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(mm) (i) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for the office to provide statewide professional development and technical assistance to school districts and to provide a limited number of grants for demonstration projects. The demonstration projects must build school-level and district-level systems that eliminate student isolation, track and reduce restraint use, and build schoolwide systems to support students in distress and prevent crisis escalation cycles that may result in restraint or isolation. The schoolwide systems must include trauma-informed positive behavior and intervention supports, de-escalation, and problem-solving skills. Of the amounts provided in this subsection:

(A) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are for grants for 10 district demonstration sites;

(B) \$1,334,000 of the general fund—state appropriation for fiscal year 2024 and \$1,334,000 of the general fund—state appropriation for fiscal year 2025 are for professional development and training; and

(C) \$166,000 of the general fund—state appropriation for fiscal year 2024 and \$166,000 of the general fund—state appropriation for fiscal year 2025 are for staff and administration support for the demonstration sites and the professional development and training.

(ii) The office must create a technical assistance manual to support the elimination of isolation and reduction of restraint and room clears based on the results of the demonstration projects, and must provide a report to the education committees of the legislature by September 1, 2024. The report must include:

(A) A status update on demonstration projects that occurred during the 2023-24 school year, the technical assistance manual, and professional development offered statewide;

(B) Key implementation challenges and findings; and

(C) Recommendations for statewide policy changes or funding.

(iii) In developing the manual, the office must consult with, at minimum:

(A) Representatives from state associations representing both certificated and classified staff;

(B) An association representing principals;

(C) An association representing school administrators;

(D) The Washington state school directors' association;

(E) An association representing parents;

(F) An individual with lived experience of restraint and isolation; and

(G) A representative of the protection and advocacy agency of Washington.

(iv) The office must prioritize the provision of professional development and selection of the demonstration sites to local education agencies, educational programs, and staff who provide educational services to students in prekindergarten through grade five and who have high incidents of isolation, restraint, or injury related to use of restraint or isolation. Grant recipients must commit to isolation phaseout and must report on restraint reduction and progress to the office by June 30, 2025.

(nn) \$498,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5849 (computer science/graduation). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(oo) \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5850 (chronically absent students). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(pp) \$430,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5462 (inclusive learning standards). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(qq) \$28,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5647 (school safety/temp employees). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(rr) \$581,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5852 (special education safety net). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(ss) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6053 (education data sharing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(tt) \$39,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6264 (competency-based education). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(uu) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to create and distribute age appropriate promotional and educational materials to school districts for Americans of Chinese descent history month.

(vv) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to print 5,000 copies, in Spanish, of the league of women voters Washington elementary civics textbook to distribute to students and teachers across the state.

(ww) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a study to examine how free and reduced-price school meal data is used as a funding driver for programs. The department must provide a report to the legislature by

January 1, 2025, that includes recommendations for an alternative metric or metrics to utilize as a funding driver for educational programs in the state.

(5) CAREER CONNECTED LEARNING

(a) \$919,000 of the workforce education investment account—state appropriation is provided solely for expanding career connected learning as provided in RCW 28C.30.020.

(b) \$960,000 of the workforce education investment account—state appropriation is provided solely for increasing the funding per full-time equivalent for career launch programs as described in RCW 28A.700.130. In the 2023-2025 fiscal biennium, for career launch enrollment exceeding the funding provided in this subsection, funding is provided in section 504 of this act.

(c) \$3,600,000 of the workforce education investment account—state appropriation is provided solely for the office of the superintendent of public instruction to administer grants to skill centers for nursing programs to purchase or upgrade simulation laboratory equipment.

(d) \$4,000,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ Of the amount provided in this subsection, \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the Marysville school district to collaborate with Arlington school district, Everett Community College, other local school districts, local labor unions, local Washington state apprenticeship and training council registered apprenticeship programs, and local industry groups to continue the regional apprenticeship pathways program.

**Sec. 502.** 2023 c 475 s 502 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD OF EDUCATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$2,155,000</del> ))
	\$2,161,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,695,000</del> ))
	\$7,043,000
Elementary and Secondary School Emergency Relief III	
Account—Federal Appropriation. . . . .	\$1,779,000
Washington Opportunity Pathways Account—State	
Appropriation. . . . .	\$353,000
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$10,982,000</del>))</b>
	<b>\$11,336,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,852,000 of the general fund—state appropriation for fiscal year 2024 and \$1,864,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the state board of education.

(2) \$1,779,000 of the elementary and secondary school emergency relief III account—federal appropriation, \$280,000 of the general fund—state appropriation for fiscal year 2024, and \$4,808,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the state board of education for implementation of mastery-based learning in school district demonstration sites. The state board of education shall require grant recipients to report on impacts and participate in a collaborative to share best practices. The funds must be used for grants to school districts, charter schools, or state tribal education compact schools established under chapter 28A.715 RCW; professional development of educators; development of a resource suite for school districts statewide; evaluation of the demonstration project; implementation and policy support provided by the state board of education and other partners; and a report outlining findings and recommendations to the governor and education committees of the legislature by December 31, 2025. Grants for mastery-based learning may be made in partnership with private matching funds.

(3) \$23,000 of the general fund—state appropriation for fiscal year 2024 and \$23,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the state board of education to be a member in the education commission of the states.

(4) \$6,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5849 (computer science/graduation). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(5) \$156,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6264 (competency-based education). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 503.** 2023 c 475 s 503 (uncodified) is amended to read as follows:

**FOR THE PROFESSIONAL EDUCATOR STANDARDS BOARD**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$22,535,000</del> ))
	\$17,335,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$21,417,000</del> ))

	<u>\$21,509,000</u>
TOTAL APPROPRIATION.....	<u>(\$43,952,000)</u>
	<u>\$38,844,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,930,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,945,000)~~ \$2,035,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the Washington professional educator standards board including implementation of chapter 172, Laws of 2017 (educator prep. data/PESB).

(2) (a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to improve preservice teacher training and funding of alternate routes to certification programs administered by the professional educator standards board.

(b) Within the amounts provided in this subsection (2), up to \$500,000 of the general fund—state appropriation for fiscal year 2024 and up to \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs.

(3) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,001,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the recruiting Washington teachers program with priority given to programs that support bilingual teachers, teachers from populations that are underrepresented, and English language learners. Of the amounts provided in this subsection (3), \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and expansion of the bilingual educator initiative pilot project established under RCW 28A.180.120.

(4) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply).

(5) ~~(\$17,535,000)~~ \$12,335,000 of the general fund—state appropriation for fiscal year 2024 and \$17,535,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 237, Laws of 2017 (paraeducators). Of the amounts provided in this subsection: ~~(\$16,873,000)~~ \$11,550,000 of the general fund—state appropriation for fiscal year 2024 and \$16,873,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to districts to provide two days of training per school year in the paraeducator certificate program to all paraeducators. Funds in this subsection are provided solely for reimbursement to school districts that provide paraeducators with two days of training in the paraeducator certificate program in each of the 2022-23 and 2023-24 school years. Funding provided in this subsection is sufficient for new paraeducators to receive four days of training in the paraeducator certificate program during their first year.

(6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$28,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the board to review national certification opportunities for educational staff associates through the relevant national associations for their profession and through the national board for professional teaching standards. The board must compare the standards and processes for achieving these certifications, including an analysis of how educational staff associate positions' national certification aligns with school roles and the professional expertise of school-based education staff associates. The board must submit the comparison report to the education committees of the legislature by October 1, 2024.

(7) \$147,000 of the general fund—state appropriation for fiscal year 2024 and \$158,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$71,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the professional educator standards board and the paraeducator board to collaborate with the office of the superintendent of public instruction to report on a plan to align bilingual education and English language learner endorsement standards and to determine language assessment requirements for multilingual teachers and paraeducators. The report is due to the legislature by September 1, 2023.

(9) \$1,012,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the professional educator standards board, in coordination with the office of the superintendent of public instruction, to develop a teacher residency program through Western Washington University focused on special education instruction beginning in the 2024-25 school year.

**Sec. 504.** 2023 c 475 s 504 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT**

General Fund—State Appropriation (FY 2024) . . . . .	<del>(\$9,765,637,000)</del>
	<u>\$9,743,015,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	<del>(\$10,027,638,000)</del>
	<u>\$9,739,510,000</u>

Education Legacy Trust Account—State Appropriation. . . . .	((\$1,538,730,000))
	<u>\$1,800,730,000</u>
<u>Washington Opportunity Pathways Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$28,000,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((\$21,332,005,000))</b>
	<u>\$21,311,255,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2023-24 and 2024-25 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary allocations in sections 504 and 505 of this act, excluding (c) of this subsection.

(c) From July 1, 2023, to August 31, 2023, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 504 and 505, chapter 297, Laws of 2022, as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(e)(i) Funding provided in part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210.

(g) For the 2023-24 and 2024-25 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2023-24 and 2024-25 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school, including those at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

General education class size:

Grade	RCW 28A.150.260	2023-24 School Year	2024-25 School Year
Grade K		17.00	17.00
Grade 1		17.00	17.00
Grade 2		17.00	17.00
Grade 3		17.00	17.00
Grade 4		27.00	27.00
Grades 5-6		27.00	27.00
Grades 7-8		28.53	28.53
Grades 9-12		28.74	28.74

The superintendent shall base allocations for: Laboratory science average class size as provided in RCW 28A.150.260; career and technical education (CTE) class size of 23.0; and skill center program class size of 19. Certificated instructional staff units provided for

skills centers that exceed the minimum requirements of RCW 28A.150.260 achieve class size reductions under RCW 28A.400.007 and are part of the state's program of basic education.

(ii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iii) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260, as amended by chapter 109, Laws of 2022, and is considered certificated instructional staff.

(ii) For qualifying high-poverty schools in the 2023-24 school year, at which more than 50 percent of the students were eligible for free and reduced-price meals in the prior school year, in addition to the allocation under (d)(i) of this subsection, the superintendent shall allocate additional funding for guidance counselors for each level of prototypical school as follows:

	Elementary	Middle	High
Guidance counselors	0.166	0.166	0.157

(iii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

	2023-24 School Year	2024-25 School Year
Career and Technical Education	3.65	3.91
Skill Center	3.98	4.25

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2023-24 and 2024-25 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistant principals, and other certificated building level administrators:

Prototypical School Building:

Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors:

Career and Technical Education students . . . . .	1.025
Skill Center students . . . . .	1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2023-24 and 2024-25 school years are determined using the formula-generated staff units provided in RCW 28A.150.260 and pursuant to this subsection, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2023-24 and 2024-25 school years for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b) and the increased allocations provided pursuant to subsections (2) and (4) of this section, by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.48 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by ~~((12.30))~~ 12.31 percent in the 2023-24 school year and ~~((12.46))~~ 12.44 percent in the 2024-25 school year for career and technical education students, and ~~((17.62))~~ 17.64 percent in the 2023-24 school year and ~~((17.79))~~ 17.77 percent in the 2024-25 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 17.97 percent in the 2023-24 school year and ~~((17.97))~~ 17.99 percent in the 2024-25 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 22.06 percent in the 2023-24 school year and ~~((21.56))~~ 21.58 percent in the 2024-25 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the rates specified in section 506 of this act, based on the number of benefit units determined as follows: Except for nonrepresented employees of educational service districts, the number of calculated benefit units determined below. Calculated benefit units are staff units multiplied by the benefit allocation factors established in the collective bargaining agreement referenced in section 909 of this act. These factors are intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent employees may be calculated on the basis of 630 hours of work per year, with no individual employee counted as more than one full-time equivalent. The number of benefit units is determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section multiplied by 1.02; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.43.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$178.98	<del>((182.72))</del> <u>182.38</u>
Utilities and Insurance	\$416.26	<del>((425.01))</del> <u>424.18</u>
Curriculum and Textbooks	\$164.48	<del>((167.94))</del> <u>167.61</u>
Other Supplies	\$326.54	<del>((333.40))</del> <u>332.75</u>
Library Materials	\$22.65	<del>((23.13))</del> <u>23.08</u>
Instructional Professional Development for Certificated and Classified Staff	\$25.44	<del>((25.97))</del> <u>25.92</u>
Facilities Maintenance	\$206.22	<del>((210.55))</del> <u>210.13</u>
Security and Central Office	\$142.87	<del>((145.87))</del> <u>145.58</u>

TOTAL MSOC/STUDENT FTE	\$1,483.44	(( <del>\$1,514.59</del> ))
		<u>\$1,511.63</u>

(ii) For the 2023-24 school year and 2024-25 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (a)(ii)(A) of this subsection (8) exceeds (a)(ii)(B) of this subsection (8), any proposed use of this difference and how this use will improve student achievement.

(iii) Within the amount provided in (a)(i) of this subsection (8), allocations for MSOC technology in excess of RCW 28A.150.260 are not part of the state's basic education.

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and ((~~\$1,760.84~~))\$1,757.39 for the 2024-25 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and ((~~\$1,760.84~~))\$1,757.39 for the 2024-25 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocations provided in (a) through (c) of this subsection at the following rate:

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$44.04	(( <del>\$44.97</del> )) <u>\$51.88</u>
Curriculum and Textbooks	\$48.06	(( <del>\$49.06</del> )) <u>\$51.37</u>
Other Supplies	\$94.07	\$96.04
Library Materials	\$6.05	\$6.18
Instructional Professional Development for Certified and Classified Staff	\$8.01	(( <del>\$8.18</del> )) <u>\$8.56</u>
TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE	\$200.23	(( <del>\$204.43</del> )) <u>\$214.03</u>

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2023-24 and 2024-25 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2023, to August 31, 2023, are adjusted to reflect provisions of chapter 297, Laws of 2022, as amended (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through 28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.

(12) ALL DAY KINDERGARTEN PROGRAMS

\$670,803,000 of the general fund—state appropriation for fiscal year 2024 and \$869,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to fund all day kindergarten programs in all schools in the 2023-24 school year and 2024-25 school year, pursuant to RCW 28A.150.220 and 28A.150.315. Beginning in the 2023-24 school year, funding for students admitted early to kindergarten under exceptions to the uniform entry qualifications under RCW 28A.225.160 must be limited to children deemed to be likely to be "successful in kindergarten."



## (13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (13) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2024 and 2025 as follows:

(a) \$650,000 of the general fund—state appropriation for fiscal year 2024 and \$650,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(16) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(17) Funding in this section is sufficient to fund a maximum of 1.2 FTE enrollment for career launch students pursuant to RCW 28A.700.130. Expenditures for this purpose must come first from the appropriations provided in section 501(5) of this act; funding for career launch enrollment exceeding those appropriations is provided in this section. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by January 1, 2024. The report must include the total FTE enrollment for career launch students, the FTE enrollment for career launch students that exceeded the appropriations provided in section 501(5) of this act, and the amount expended from this section for those students.

(18) (a) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.4 FTE including school district and institution of higher education enrollment consistent with the running start course requirements provided in chapter 202, Laws of 2015 (dual credit education opportunities). In calculating the combined 1.4 FTE, the office of the superintendent of public instruction:

(i) Must adopt rules to fund the participating student's enrollment in running start courses provided by the institution of higher education during the summer academic term; and

(ii) May average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and the institution of higher education.

(iii) In consultation with the state board for community and technical colleges, the participating institutions of higher education, the student achievement council, and the education data center, must annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(b) \$1,000 of the general fund—state appropriation for fiscal year 2024 is provided for implementation of Second Substitute House Bill No. 1316 (dual credit program access).

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (13) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (13) of this section shall be reduced in increments of twenty percent per year.

(20) (a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed the lesser of five percent or the cap established in federal law of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

(21) Funding in this section is sufficient to provide full general apportionment payments to school districts eligible for federal forest revenues as provided in RCW 28A.520.020. For the 2023-2025 biennium, general apportionment payments are not reduced for school districts receiving federal forest revenues.

(22) \$38,753,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 505.** 2023 c 475 s 505 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION**

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.260, and under section 504 of this act: For the 2023-24 school year and the 2024-25 school year salary allocations for certificated instructional staff, certificated administrative staff, and classified staff units are determined for each school district by multiplying the statewide minimum salary allocation for each staff type by the school district's regionalization factor shown in LEAP Document 3.

Statewide Minimum Salary Allocation

Staff Type	2023-24 School Year	2024-25 School Year
Certificated Instructional	\$75,419	( <del>(\$78,360)</del> ) <u>\$78,209</u>
Certificated Administrative	\$111,950	( <del>(\$116,316)</del> ) <u>\$116,092</u>
Classified	\$54,103	( <del>(\$56,213)</del> ) <u>\$56,105</u>

(2) For the purposes of this section, "LEAP Document 3" means the school district regionalization factors for certificated instructional, certificated administrative, and classified staff, as developed by the legislative evaluation and accountability program committee on April 20, 2023, at 6:09 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 17.33 percent for school year 2023-24 and (~~(17.33)~~)17.35 percent for school year 2024-25 for certificated instructional and certificated administrative staff and 18.56 percent for school year 2023-24 and (~~(18.06)~~)18.08 percent for the 2024-25 school year for classified staff.

(4) The salary allocations established in this section are for allocation purposes only except as provided in this subsection, and do not entitle an individual staff position to a particular paid salary except as provided in RCW 28A.400.200, as amended by chapter 13, Laws of 2017 3rd sp. sess. (fully funding the program of basic education).

**Sec. 506.** 2023 c 475 s 506 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$391,668,000)</del> ) <u>\$390,257,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$871,433,000)</del> ) <u>\$886,620,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(<del>(\$1,263,101,000)</del>)</b> <b><u>\$1,276,877,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The salary increases provided in this section are 3.7 percent for the 2023-24 school year, and (~~(3.9)~~)3.7 percent for the 2024-25 school year, the annual inflationary adjustments pursuant to RCW 28A.400.205.

(2)(a) In addition to salary allocations, the appropriations in this section include funding for professional learning as defined in RCW 28A.415.430, 28A.415.432, and 28A.415.434. Funding for this purpose is calculated as the equivalent of three days of salary and benefits for each of the funded full-time equivalent certificated instructional staff units. Nothing in this section entitles an individual certificated instructional staff to any particular number of professional learning days.

(b) Of the funding provided for professional learning in this section, the equivalent of one day of salary and benefits for each of the funded full-time equivalent certificated instructional staff units in the 2023-24 school year must be used to train school district staff on cultural competency, diversity, equity, or inclusion, as required in chapter 197, Laws of 2021.

(3)(a) The appropriations in this section include associated incremental fringe benefit allocations at 17.33 percent for the 2023-24 school year and (~~(17.33)~~)17.35 percent for the 2024-25 school year for certificated instructional and certificated administrative staff and 18.56 percent for the 2023-24 school year and (~~(18.06)~~)18.08 percent for the 2024-25 school year for classified staff.

(b) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocations and methodology in sections 504 and 505 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 504 and 505 of this act. Changes for pupil transportation

are determined by the superintendent of public instruction pursuant to RCW 28A.160.192, and impact compensation factors in sections 504, 505, and 506 of this act.

(c) The appropriations in this section include no salary adjustments for substitute teachers.

(4) The appropriations in this section are sufficient to fund the collective bargaining agreement referenced in part 9 of this act and reflect the incremental change in cost of allocating rates as follows: For the 2023-24 school year, \$1,100 per month and for the 2024-25 school year, ~~((\$1,157))~~ \$1,178 per month.

(5) The rates specified in this section are subject to revision each year by the legislature.

(6) \$46,426,000 of the general fund—state appropriation for fiscal year 2024 and \$211,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 50, Laws of 2023.

(7) \$5,155,000 of the general fund—state appropriation for fiscal year 2024 and \$12,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$864,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the special education enrollment funding cap in RCW 28A.150.390.

(9) \$3,995,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(10) \$671,000 of the general fund—state appropriation for fiscal year 2024 and \$1,555,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

**Sec. 507.** 2023 c 475 s 507 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$763,749,000</del> ))
	<u>\$803,792,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$762,332,000</del> ))
	<u>\$832,615,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$1,526,081,000</del>))</b>
	<b><u>\$1,636,407,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 507, chapter 297, Laws of 2022, as amended.

(3) Within amounts appropriated in this section, up to \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and up to \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are for a transportation alternate funding grant program based on the alternate funding process established in RCW 28A.160.191. The superintendent of public instruction must include a review of school district efficiency rating, key performance indicators and local school district characteristics such as unique geographic constraints in the grant award process.

(4) A maximum of \$939,000 of the general fund—state appropriation for fiscal year 2024 and a maximum of \$939,000 of the general fund—state appropriation for fiscal year 2025 may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(5) Subject to available funds under this section, school districts may provide student transportation for summer skills center programs.

(6) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(7) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(8) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

(9) (a) \$13,000,000 of the general fund—state appropriation for fiscal year 2024 and \$13,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to provide transportation safety net funding to school districts with a convincingly demonstrated need for additional transportation funding for special passengers. Transportation safety net awards shall only be provided when a school district's allowable transportation expenditures attributable to serving special passengers exceeds the amount allocated under subsection (2) (a) of this section and any excess transportation costs reimbursed by federal, state, tribal, or local child welfare agencies. A transportation safety net award may not exceed a school district's excess expenditures directly attributable to serving special passengers in the pupil transportation program.

(b) To be eligible for additional transportation safety net award funding, the school district must report, in accordance with statewide accounting guidance, the amount of the excess costs and the specific activities or services provided to special passengers that created the excess costs. The office of the superintendent of public instruction must request from school districts an application for transportation safety net funding. The office must submit to the office of financial management, and to the education and fiscal committees of the legislature, the total demonstrated need and awards by school district.

(c) Transportation safety net awards allocated under this subsection are not part of the state's program of basic education.

(10) \$23,033,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Substitute Senate Bill No. 5873 (student transportation), including: (a) \$4,000,000 is provided for supplemental transportation allocations to school districts that experience an increase in costs to pupil transportation services contracts due to new benefit requirements; (b) \$400 per student for 32,086 homeless students; (c) \$170,000 for the office of the superintendent of public instruction to collect student transportation expenditure data; and (d) \$6,000,000 for transportation allocations to school districts. If Substitute Senate Bill No. 5873 is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(11) \$130,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Engrossed Substitute Senate Bill No. 6031 (student transportation allocation). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$32,177,000 of the general fund—state appropriation for fiscal year 2024 and \$41,519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

**Sec. 508.** 2023 c 475 s 508 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SCHOOL FOOD SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$33,334,000 ))
	\$55,834,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$79,857,000 ))
	\$102,357,000
General Fund—Federal Appropriation . . . . .	(( \$573,104,000 ))
	\$925,799,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$686,295,000 ))</b>
	<b>\$1,083,990,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$11,548,000 of the general fund—state appropriation for fiscal year 2024 and \$11,548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(a) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades pre-kindergarten through twelfth grades who are eligible for reduced-price lunch as required in chapter 74, Laws of 2021 (reduced-price lunch copays);

(b) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(c) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced-price lunch, pursuant to chapter 287, Laws of 2005; and

(d) Assistance to school districts in initiating and expanding school breakfast programs.

(2) The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in subsection (1) (a) through (c) of this section.

(3) The superintendent of public instruction shall provide the department of health with the following data, where available, for all nutrition assistance programs that are funded by the United States department of agriculture and administered by the office of the superintendent of public instruction. The superintendent must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(4) (a) (~~(\$21,167,000)~~) \$44,167,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$52,167,000)~~) \$74,667,000 of the general fund—state appropriation for fiscal year 2025, and \$28,500,000 of the general fund—federal appropriation (CRRSA) are provided solely for reimbursements to school districts for schools and groups of schools required to participate in the federal community eligibility program under section 1, chapter 7, Laws of 2022 (schools/comm. eligibility) for meals not reimbursed at the federal free meal rate.

(b) \$119,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 271, Laws of 2018 (school meal payment) to increase the number of schools participating in the federal community eligibility program and to support breakfast after the bell programs authorized by the legislature that have adopted the community eligibility provision, and for staff at the office of the superintendent of public instruction to implement section 1, chapter 7, Laws of 2022 (schools/comm. eligibility).

(5) \$7,426,000 of the general fund—federal appropriation (CRRSA/GEER) and \$16,023,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1238 (free school meals). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

**Sec. 509.** 2023 c 475 s 509 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$1,719,541,000)</del> )
	<u>\$1,804,368,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$1,789,729,000)</del> )
	<u>\$1,916,079,000</u>
General Fund—Federal Appropriation. . . . .	( <del>(\$529,429,000)</del> )
	<u>\$664,372,000</u>
Education Legacy Trust Account—State Appropriation. . . . .	\$54,694,000
<b>TOTAL APPROPRIATION</b> .....	<b>(<del>(\$4,093,393,000)</del>)</b>
	<b><u>\$4,439,513,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 504 and 506 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2) (a) The superintendent of public instruction shall ensure that:

- (i) Special education students are basic education students first;
- (ii) As a class, special education students are entitled to the full basic education allocation; and
- (iii) Special education students are basic education students for the entire school day.

(b) (i) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006, except as provided in (b)(ii) of this subsection.

(ii) The superintendent of public instruction shall implement any changes to excess cost accounting methods required under Engrossed Substitute House Bill No. 1436 (special education funding).

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4) (a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390, except that the calculation of the base allocation also includes allocations provided under section 504 (2) and (4) of this act and RCW 28A.150.415, which enhancement is within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school district programs for special education students as provided in section 509, chapter 297, Laws of 2022, as amended.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund—

state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 15 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) (~~(\$106,931,000)~~)\$151,047,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$112,431,000)~~)\$151,046,000 of the general fund—state appropriation for fiscal year 2025, and \$29,574,000 of the general fund—federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2023-24 and 2024-25 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (education).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$1,250,000 may be expended from the general fund—state appropriations to fund teachers and aides at Seattle children's hospital. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$87,000 of the general fund—state appropriation for fiscal year 2024, \$87,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

(12) (a) \$13,538,000 of the general fund—federal appropriation (ARPA) is provided solely for allocations from federal funding as authorized in section 2014, the American rescue plan act of 2021, P.L. 117-2.

(b) \$1,777,000 of the general fund—federal appropriation (ARPA) is provided solely for providing preschool services to qualifying special education students under section 619 of the federal individuals with disabilities education act, pursuant to section 2002, the American rescue plan act of 2021, P.L. 117-2.

(13) \$153,091,000 of the general fund—state appropriation for fiscal year 2024 and \$199,246,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(14) \$12,542,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the special education enrollment funding cap in RCW 28A.150.390.

(15) \$6,590,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 510.** 2023 c 475 s 510 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$40,799,000)</del> ) \$41,625,000
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$35,780,000)</del> ) \$39,185,000
Workforce Education Investment Account—State Appropriation . . . . .	\$2,700,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(<del>(\$79,279,000)</del>) \$83,510,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) Funding in this section is provided for regional professional development related to English language arts curriculum and instructional strategies aligned with common core state standards. Each educational service district shall use this funding solely for salary and benefits for certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(4) Funding in this section is provided for regional technical support for the K-20 telecommunications network to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(5) Funding in this section is provided for a corps of nurses located at the educational service districts, to be dispatched in coordination with the office of the superintendent of public instruction, to provide direct care to students, health education, and training for school staff. In fiscal years 2024 and 2025, allocations for the corps of nurses is sufficient to provide one day per week of nursing services for all second-class school districts.

(6) Funding in this section is provided for staff and support at the nine educational service districts to provide a network of support for school districts to develop and implement comprehensive suicide prevention and behavioral health supports for students.

(7) Funding in this section is provided for staff and support at the nine educational service districts to provide assistance to school districts with comprehensive safe schools planning, conducting needs assessments, school safety and security trainings, coordinating appropriate crisis and emergency response and recovery, and developing threat assessment and crisis intervention teams. In fiscal years 2024 and 2025, allocations for staff and support for regional safety centers are increased to 3 full-time equivalent certificated instructional staff for each regional safety center.

(8) Funding in this section is provided for regional English language arts coordinators to provide professional development of teachers and principals around the new early screening for dyslexia requirements.

(9) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

(10) \$2,169,000 of the general fund—state appropriation for fiscal year 2024 and \$2,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each educational service district to provide technology consultation, procurement, and training required under chapter 301, Laws of 2021 (schools/computers & devices).

(11) \$1,009,000 of the general fund—state appropriation for fiscal year 2024 and \$1,009,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 87, Laws of 2022 (ed. service district funding).

(12) \$2,700,000 of the workforce education investment account—state appropriation is provided solely for the cost of employing one full-time equivalent employee at each of the nine education service districts to support the expansion of career connected learning.

(13) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts to provide students attending school in rural areas with access to a mental health professional using telemedicine. Funding must be prioritized to districts where mental health services are inadequate or nonexistent due to geographic constraints. Funding may be used for schools or school districts for technology upgrades to provide secure access for students, for contracted services, or to pay applicable copays or fees for telemedicine visits if not covered by a student's public or private insurance.

(14) \$325,000 of the general fund—state appropriation for fiscal year 2024 and \$325,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound educational service district 121 to administer a Washington state capitol civic engagement grant program for the Auburn, Federal Way, Highline, Kent, Renton, and Tukwila public school districts. Grant recipients must use the grant awards to transport one grade of either fourth or fifth grade students to the Washington state capitol campus for a day of civic engagement, which may include a capitol tour, mock legislative committee hearings, presentations on the legislative process, meet and greets with legislative members, and other related activities. If funding remains after all eligible school districts have received



grant awards, the remaining funding may be used to support the program for high school students within the eligible school districts. Of the amounts provided in this subsection, \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000 of the general fund—state appropriation for fiscal year 2025 are provided for the Puget Sound educational service district to administer the grant program.

(15) ~~\$5,000,000 of the general fund—state appropriation for fiscal year 2024 ((=))and \$2,355,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue behavioral health regional services grants to support school districts with the least access to behavioral health services. The office of the superintendent of public instruction shall conduct an evaluation of the investments in behavioral health supports and by December 31, 2024, report to the office of financial management and the fiscal committees of the legislature, the number of students served by specific behavioral health supports, how the students were selected for specific behavioral health supports, and how the students may have received behavioral health supports, and make recommendations for improving behavioral health supports for students.~~

(16) \$2,800,000 of the general fund—state appropriation for fiscal year 2024 and \$2,800,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the educational service districts to expand and maintain student behavioral health and mental health services.

(17) \$643,000 of the general fund—state appropriation for fiscal year 2024 and \$643,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts 121 and 101 to coordinate with local mental health agencies and local school districts to arrange for in-school placements of social worker associates licensed under RCW 18.225.145 and masters in social work candidates enrolled in an accredited university program who commit to working as school social workers, and to coordinate clinical supervision for approved supervisors that meet the requirements as defined in rule by the department of health to provide the necessary supervision to the social worker associates and masters in social work candidates.

(18) ~~\$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to work with educational service districts, the health care authority, and the department of health to review and update materials for information sessions provided to students designed to prevent the use of opioids, including fentanyl, specifically outlining the risks of death related to uneven dosages and pills that look like prescription drugs. If Second Substitute House Bill No. 1956 (relating to fentanyl and other substance use prevention education) is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

**Sec. 511.** 2023 c 475 s 511 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$215,327,000</del> ))
	<u>\$213,689,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$211,159,000</del> ))
	<u>\$211,467,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$426,486,000</del>))</b>
	<b><u>\$425,156,000</u></b>

**Sec. 512.** 2023 c 475 s 512 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$14,899,000</del> ))
	<u>\$16,138,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$14,635,000</del> ))
	<u>\$16,736,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$29,534,000</del>))</b>
	<b><u>\$32,874,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund—state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution's annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$701,000 of the general fund—state appropriation for fiscal year 2024 and \$701,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent

certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Within the amounts provided in this section, funding is provided to increase the capacity of institutional education programs to differentiate instruction to meet students' unique educational needs, including students with individualized educational plans. Those needs may include but are not limited to one-on-one instruction, enhanced access to counseling for social emotional needs of the student, and services to identify the proper level of instruction at the time of student entry into the facility. Allocations of amounts for this purpose in a school year must be based on 45 percent of full-time enrollment in institutional education receiving a differentiated instruction amount per pupil equal to the total statewide allocation generated by the distribution formula under RCW 28A.150.260 (4) (a), (5), (6), and (8) and the allocation under RCW 28A.150.415, per the statewide full-time equivalent enrollment in common schools.

(7) \$200,000 of the general fund—state appropriation in fiscal year 2024 and \$200,000 of the general fund—state appropriation in fiscal year 2025 are provided solely to support two student records coordinators to manage the transmission of academic records for each of the long-term juvenile institutions. One coordinator is provided for each of the following: The Issaquah school district for the Echo Glen children's center and for the Chehalis school district for Green Hill academic school.

(8) Ten percent of the funds allocated for the institution may be carried over from one year to the next.

(9) \$588,000 of the general fund—state appropriation for fiscal year 2024 and \$897,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one educational advocate to each institution with enrollments above 40 full-time equivalent students in addition to any educational advocates supported by federal funding. Educational advocates will provide the following supports to students enrolled in or just released from institutional education programs:

- (a) Advocacy for institutional education students to eliminate barriers to educational access and success;
- (b) Consultation with juvenile rehabilitation staff to develop educational plans for and with participating youth;
- (c) Monitoring educational progress of participating students;
- (d) Providing participating students with school and local resources that may assist in educational access and success upon release from institutional education facilities; and
- (e) Coaching students and caregivers to advocate for educational needs to be addressed at the school district upon return to the community.

(10) Within the amounts provided in this section, funding is provided to increase materials, supplies, and operating costs by \$85 per pupil for technology supports for institutional education programs. This funding is in addition to general education materials, supplies, and operating costs provided to institutional education programs, which exclude formula costs supported by the institutional facilities.

(11) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support instruction in cohorts of students grouped by similar age and academic levels.

**Sec. 513.** 2023 c 475 s 513 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$33,233,000</del> ))
	<u>\$33,171,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$32,990,000</del> ))
	<u>\$32,964,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$66,223,000</del>))</b>
	<b><u>\$66,135,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

- (1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.
- (2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c) except that allocations must be based on 5.0 percent of each school district's full-time equivalent enrollment. In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the compensation rates as provided in sections 505 and 506 of this act.
- (b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 513, chapter 297, Laws of 2022, as amended.

**Sec. 514.** 2023 c 475 s 514 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR MISCELLANEOUS—EVERY STUDENT SUCCEEDS ACT**

General Fund—Federal Appropriation. . . . .	(( <del>\$9,802,000</del> ))
	<u>\$11,416,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$9,802,000</del>))</b>
	<b><u>\$11,416,000</u></b>

**Sec. 515.** 2023 c 475 s 515 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—EDUCATION REFORM PROGRAMS**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$139,296,000</del> ))
	<u>\$132,050,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$141,513,000</del> ))
	<u>\$145,739,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$95,825,000</del> ))
	<u>\$97,181,000</u>
General Fund—Private/Local Appropriation. . . . .	\$1,450,000
Education Legacy Trust Account—State Appropriation. . . . .	\$1,664,000
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$379,748,000</del>))</b>
	<b><u>\$378,084,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ACCOUNTABILITY

(a) \$26,975,000 of the general fund—state appropriation for fiscal year 2024, \$26,975,000 of the general fund—state appropriation for fiscal year 2025, \$1,350,000 of the education legacy trust account—state appropriation, and \$15,868,000 of the general fund—federal appropriation are provided solely for development and implementation of the Washington state assessment system.

(b) \$14,352,000 of the general fund—state appropriation for fiscal year 2024 and \$14,352,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 159, Laws of 2013 (K-12 education - failing schools).

(2) EDUCATOR CONTINUUM

(a) ((~~\$75,317,000~~)) \$70,518,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$77,424,000~~)) \$78,626,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(i) For national board certified teachers, a bonus of \$6,206 per teacher in the 2023-24 school year and a bonus of \$6,336 per teacher in the 2024-25 school year;

(ii) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(iii) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(iv) During the 2023-24 and 2024-25 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary allocation and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after fully exhausting all years of candidacy as set by the national board for professional teaching standards are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(b) \$3,418,000 of the general fund—state appropriation for fiscal year 2024 and \$3,418,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(c) \$477,000 of the general fund—state appropriation for fiscal year 2024 and \$477,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(d) \$810,000 of the general fund—state appropriation for fiscal year 2024 and \$810,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(e) \$11,500,000 of the general fund—state appropriation for fiscal year 2024 and \$11,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a beginning educator support program (BEST). The program shall prioritize first year educators in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning educator aligned with professional certification; release time for mentors and new educators to work together; and educator observation time with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support first year educators in the mentoring program.

(f) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of training for teachers, principals, and principal evaluators in the performance-based teacher principal evaluation program.

(g) \$3,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with an approved educator preparation program run by a statewide labor organization representing educators to fund one cohort of teacher residents. This program shall choose its candidates from among the paraeducators working in those districts. Through completing this program, participants shall attain a teaching certification with an endorsement in special education.

(h) \$621,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with a statewide labor association that represents educators to provide a suite of supports and professional development opportunities for 15,000 emergency substitute teachers.

**Sec. 516.** 2023 c 475 s 516 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(\$236,993,000)
	<u>\$249,957,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$236,173,000)
	<u>\$260,357,000</u>
General Fund—Federal Appropriation. . . . .	(\$107,124,000)
	<u>\$137,117,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(\$580,290,000)</b>
	<u><b>\$647,431,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10)(b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through six and 6.7780 hours per week per transitional bilingual program student in grades seven through twelve in school years 2023-24 and 2024-25; (ii) additional instruction of 3.0000 hours per week in school years 2023-24 and 2024-25 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the compensation rates as provided in sections 505 and 506 of this act. Pursuant to RCW 28A.180.040(1)(g), the instructional hours specified in (a)(ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 516, chapter 297, Laws of 2022, as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: ((1.75))1.63 percent for school year 2023-24 and ((1.74))1.57 percent for school year 2024-25.

(4) The general fund—federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund—state appropriation for fiscal year 2024 and \$35,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to track current and former transitional bilingual program students.

(6) \$1,461,000 of the general fund—state appropriation in fiscal year 2024 and \$1,916,000 of the general fund—state appropriation in fiscal year 2025 are provided solely for the central provision of assessments as provided in RCW 28A.180.090, and is in addition to the withholding amounts specified in subsection (3) of this section.

**Sec. 517.** 2023 c 475 s 517 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE LEARNING ASSISTANCE PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$467,338,000</del> ))
	<u>\$484,953,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$466,985,000</del> ))
	<u>\$491,111,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$533,487,000</del> ))
	<u>\$636,543,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$1,467,810,000</del>))</b>
	<b><u>\$1,612,607,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a). In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2023-24 and 2024-25 school years; (B) additional instruction of 1.1 hours per week per funded learning assistance program student for the 2023-24 and 2024-25 school years in qualifying high-poverty school building; (C) fifteen learning assistance program students per teacher; (D) 36 instructional weeks per year; (E) 900 instructional hours per teacher; and (F) the compensation rates as provided in sections 505 and 506 of this act.

(ii) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 517, chapter 297, Laws of 2022, as amended.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the school year period defined under RCW 28A.150.260(10)(a). A school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund—federal appropriation in this section is provided for Title I Part A allocations of the every student succeeds act of 2016.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) Within existing resources, during the 2023-24 and 2024-25 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

**Sec. 518.** 2023 c 475 s 518 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—PER PUPIL ALLOCATIONS**

Statewide Average Allocations  
Per Annual Average Full-Time Equivalent Student

Basic Education Program	2023-24 School Year	2024-25 School Year
General Apportionment	(( <del>\$10,329</del> )) <u>\$10,303</u>	(( <del>\$10,814</del> )) <u>\$10,849</u>
Pupil Transportation	(( <del>\$725</del> )) <u>\$788</u>	(( <del>\$745</del> )) <u>\$822</u>

Special Education Programs	<del>(( \$11,960 ))</del>	<del>(( \$12,495 ))</del>
	<u>\$12,214</u>	<u>\$12,750</u>
Institutional Education Programs	<del>(( \$26,938 ))</del>	<del>(( \$27,909 ))</del>
	<u>\$25,766</u>	<u>\$27,295</u>
Programs for Highly Capable Students	<del>(( \$648 ))</del>	\$674
	<u>\$647</u>	
Transitional Bilingual Programs	<del>(( \$1,555 ))</del>	<del>(( \$1,591 ))</del>
	<u>\$1,571</u>	<u>\$1,620</u>
Learning Assistance Program	<del>(( \$1,008 ))</del>	<del>(( \$1,049 ))</del>
	<u>\$1,009</u>	<u>\$1,050</u>

**Sec. 519.** 2023 c 475 s 519 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocation purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) When adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, except as provided in ~~((subsubsection))~~ subsections (6) and (7) of this section.

(4) Appropriations in sections 504 and 506 of this act for insurance benefits under chapter 41.05 RCW are provided solely for the superintendent to allocate to districts for employee health benefits as provided in section 909 of this act. The superintendent may not allocate, and districts may not expend, these amounts for any other purpose beyond those authorized in section 909 of this act.

(5) As required by RCW 28A.710.110, the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

(6) By January 15, 2024, the office of the superintendent of public instruction must identify funding in this Part V from the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f), the American rescue plan act of 2021, P.L. 11 117-2 and general fund—federal appropriation (CRRSA/GEER) that are provided solely for the purposes defined in sections 507, 522, and 523 of this act and are at risk of being unobligated or unspent by federal deadlines, as of January 15, 2024. Funding identified at risk under this subsection must be reported to the fiscal committees of the legislature and expended as allocations to school districts in the same proportion as received under part A of title I of the elementary and secondary education act of 1965 in the most recent fiscal year.

(7) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, 2024, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year 2024 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment; employee compensation adjustments; pupil transportation; special education programs; institutional education programs; transitional bilingual programs; highly capable programs; and learning assistance programs.

(8) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

**Sec. 520.** 2023 c 475 s 520 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR CHARTER SCHOOLS**

Washington Opportunity Pathways Account—State	
Appropriation. . . . .	(( \$184,721,000 ))
	<u>\$181,579,000</u>
TOTAL APPROPRIATION.....	<del>(( \$184,721,000 ))</del>
	<u>\$181,579,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW. Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond the amounts provided under chapter 28A.710 RCW.

(2) \$3,293,000 of the opportunity pathways account—state appropriation is provided solely for implementation of chapter 50, Laws of 2023 (K-12 inflationary increases).

(3) \$1,421,000 of the opportunity pathways account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(4) \$161,000 of the opportunity pathways account—state appropriation is provided solely for grants to charter schools to recruit, retain, and provide wage increases to paraeducator staff. The office of the superintendent of public instruction shall establish standards and procedures for payment that consider regional cost differences between districts. The amount provided in this section is not part of the state's program of basic education.

(5) \$77,000 of the opportunity pathways account—state appropriation is provided solely to increase the special education enrollment funding cap in RCW 28A.150.390.

(6) \$11,128,000 of the opportunity pathways account—state appropriation is provided solely for payment for enrichment to state-tribal schools and charter schools.

(7) \$260,000 of the opportunity pathways account—state appropriation is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(8) \$969,000 of the opportunity pathways account—state appropriation is provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

**Sec. 521.** 2023 c 475 s 521 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION**

Washington Opportunity Pathways Account—State	
Appropriation. . . . .	(( \$23,000))
	\$640,000
Charter Schools Oversight Account—State	
Appropriation. . . . .	(( \$4,572,000))
	\$4,571,000
<b>TOTAL APPROPRIATION.....</b>	<b>(( \$4,595,000))</b>
	<b>\$5,211,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire Washington opportunity pathways account—state appropriation in this section is provided to the superintendent of public instruction solely for the operations of the Washington state charter school commission under chapter 28A.710 RCW.

(2) \$28,000 of the charter schools oversight account—state appropriation is provided solely to the Washington state charter school commission to enable each charter school to participate in the governance training required under chapter 197, Laws of 2021 (schools/ equity training).

(3) \$238,000 of the charter schools oversight account—state appropriation is provided solely for office of the attorney general legal services related to litigation challenging the commission's authority to oversee and regulate charter schools.

**Sec. 522.** 2023 c 475 s 522 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GRANTS AND PASS THROUGH FUNDING**

General Fund—State Appropriation (FY 2024). . . . .	(( \$85,370,000))
	\$86,090,000
General Fund—State Appropriation (FY 2025). . . . .	(( \$81,400,000))
	\$86,603,000
General Fund—Federal Appropriation. . . . .	(( \$111,255,000))
	\$113,347,000
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
<u>Appropriation. . . . .</u>	<u>\$1,487,000</u>
Elementary and Secondary School Emergency Relief III	
Account—Federal Appropriation. . . . .	\$897,895,000
<b>TOTAL APPROPRIATION.....</b>	<b>(( \$1,175,920,000))</b>
	<b>\$1,185,422,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$132,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for global compensation changes.

(2) GRADUATION SUCCESS AND PREPARATION FOR POSTSECONDARY PATHWAYS

(a) \$4,894,000 of the general fund—state appropriation for fiscal year 2024 and \$4,894,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer programs and grants which increase equitable access to dual credit programs, including subsidizing or eliminating student costs for dual credit courses or exams. By November 2024, the office shall submit a report to relevant committees of the legislature describing options for entering into statewide agreements with dual credit exam companies that will reduce the overall costs for all students and eliminate costs for students who are low income.

(b) \$3,152,000 of the general fund—state appropriation for fiscal year 2024 and \$3,152,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008, including parts of programs receiving grants that serve students in grades four through six. If equally matched by private donations, \$1,475,000 of the 2024 appropriation and \$1,475,000 of the 2025 appropriation shall be used to support FIRST robotics programs in grades four through twelve. Of the amounts provided in this subsection (2)(b), \$800,000 of the fiscal year 2024 appropriation and \$800,000 of the fiscal year 2025 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(c) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2024, a high school must have offered a foundational project lead the way course during the 2022-23 school year. The 2024 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2023-24 school year. To be eligible for funding in 2025, a high school must have offered a foundational project lead the way course during the 2023-24 school year. The 2025 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2024-25 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(e) \$2,527,000 of the general fund—state appropriation for fiscal year 2024 and \$2,527,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for annual startup, expansion, or maintenance of core plus programs in maritime, construction, and aerospace and advanced manufacturing programs. To be eligible for funding to start up, maintain, or expand programs under (e)(i) through (iii) of this subsection (2), the skills center, high school, or middle school must be selected through a grant process administered by the office of the superintendent of public instruction in consultation with the advisory committee established in (e)(vi) of this subsection (2). The office and the education research and data center shall report annually student participation and long-term outcome data. Within the amounts provided in this subsection (2)(e):

(i) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in aerospace and advanced manufacturing programs.

(ii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in construction programs.

(iii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in maritime programs.

(iv) For (e)(i) through (iii) of this subsection (2), when the grant demand does not align with the specified allocation, the superintendent may allocate funding toward sector areas that meet criteria based on agreement from industry sector representatives.

(v) \$527,000 of the general fund—state appropriation for fiscal year 2024 and \$527,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer, evaluate, and promote programs under (e)(i) through (iii) of this subsection (2) based on industry sector recommendations, including contracts with sector-specific entities to expand sector-specific employer engagement programs, increase work placement opportunities, validate credentials necessary for direct employment, and provide professional development to support schools, teachers, and students. Professional development must include pedagogy-based learning to increase English language arts, mathematics, and science outcomes through core plus programming.

(vi) The office shall collaborate with industry sector leadership from the core plus program areas and a representative from a statewide business and manufacturing association to inform the administration and continual improvement of core plus programs, review data and outcomes, recommend program improvements, ensure core plus programs reflect current industry competencies, and identify appropriate program credentials.



(f) \$4,940,000 of the general fund—state appropriation for fiscal year 2024 and \$4,940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(g) \$1,454,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(h) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an education and workforce pathway pilot program at the northwest career and technical academy. The pilot program will oversee a pathway including high schools, skills centers, community and technical colleges, and employers that results in students earning a high school diploma and an associate in technical arts degree, while maintaining summer employment.

(i) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to distribute after-exit running start grants to school districts that identify running start students that have exceeded maximum enrollment under running start formulas and high school graduates who have 15 or fewer college credits to earn before meeting associate degree requirements for instruction not funded under section 504(18) of this act. High school graduates who meet these requirements are eligible to receive funds from these grants for fees to the community and technical college to earn up to 15 college credits during the summer academic term following their high school graduation.

(j) \$2,094,000 of the general fund—state appropriation for fiscal year 2024 and \$2,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the competitive grant program created in Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(k) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the West Sound STEM Network to increase STEM activities for students in school and after school and to develop industry education pathways in high demand sectors.

(l) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with a nongovernmental entity for a controls programmer apprenticeship program.

(m) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a skill center located in Vancouver, Washington to support the center's criminal justice and fire science programs.

(n) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to conduct summer open doors pilots with up to 12 dropout reengagement programs to support summer programming. To select pilot participants, the office must prioritize schools and programs that work with postresident youth as defined in RCW 28A.190.005. Amounts provided in this subsection must be used to support programming during the summer months and are in addition to funding generated by enrollment under state funding formulas.

(o) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to school districts for ninth grade success. Within the amounts in this subsection, funding is provided for the office to contract with an evaluator to conduct a yearly evaluation of the program's success.

(p) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for a grant to the Seattle public school district to conduct an analysis of why families have left the district and how they may be attracted back. The Seattle public school district shall provide a report to the office of financial management and the fiscal committees of the legislature by June 30, 2025, that addresses the reasons for families leaving the district and specific steps necessary for them to return to the district.

(q) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for grants to school districts to install at least one automatic external defibrillator. The office shall establish a grant program to assist school districts to offset the costs of purchasing an automatic external defibrillator (AED) or to maintain or replace an AED.

(r) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to small districts to enable access to skills centers and technical education. For purposes

of this subsection (2)(r), "small district" means a district having an enrollment of fewer than 750 students.

(s) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office for a grant to Evergreen high school in Vancouver to support the associated student body at the high school.

(t) \$425,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to provide grants to school districts to provide opportunities for youth to participate in high demand science, technology, engineering, and math careers.

(u) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for grants to school districts to develop and implement capacity building supports for community-based youth development. School districts receiving grants under this subsection will offer programs that serve youth between the ages of 11 and 19.

(3) CURRICULUM DEVELOPMENT, DISSEMINATION, AND SUPPORTS

(a) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project citizen and we the people: The citizen and the constitution programs sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle and high school students. Of the amounts provided, \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for awarding a travel grant to the winner of the we the people: The citizen and the constitution state competition.

(b) \$373,000 of the general fund—state appropriation for fiscal year 2024 and \$373,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 127, Laws of 2018 (civics education). Of the amounts provided in this subsection (3)(b), \$10,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grant programs to school districts to help cover travel costs associated with civics education competitions.

(c) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional development for districts implementing the new frameworks.

(d) Within the amounts appropriated in this section the office of the superintendent of public instruction shall ensure career and technical education courses are aligned with high-demand, high-wage jobs. The superintendent shall verify that the current list of career and technical education courses meets the criteria established in RCW 28A.700.020(2). The superintendent shall remove from the list any career and technical education course that no longer meets such criteria.

(e) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide grants to school districts and educational service districts for science teacher training in the next generation science standards including training in the climate science standards. At a minimum, school districts shall ensure that teachers in one grade level in each elementary, middle, and high school participate in this science training. Of the amount appropriated \$1,000,000 is provided solely for community-based nonprofits including tribal education organizations to partner with public schools for next generation science standards.

(f) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Kip Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities, including instructional material purchases, teacher and principal professional development, and school and community engagement events. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(h) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(i) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction

must use the computer science learning standards adopted pursuant to chapter 3, Laws of 2015 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. The office of the superintendent of public instruction may award up to \$500,000 each year, without a matching requirement, to districts with greater than fifty percent of students eligible for free and reduced-price meals. All other awards must be equally matched by private sources for the program, including gifts, grants, or endowments.

(j) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a qualified 501(c)(3) nonprofit community-based organization physically located in Washington state that has at least 18 years of experience collaborating with the office and school districts statewide to integrate the state learning standards in English language arts, mathematics, and science with FieldSTEM outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(k) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(i) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(ii) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(l) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities.

(m) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the centrum program at Fort Worden state park.

(n) \$20,000,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer an outdoor learning grant program to develop and support outdoor educational experiences for students in Washington public schools. A portion of the amount provided must be used to provide outdoor educational opportunities for people with disabilities. The office may consult with the Washington recreation and conservation office on outdoor learning program grants. Of the amounts provided in this subsection (3)(n):

(i) \$195,000 of the general fund—state appropriation for fiscal year 2024 and \$195,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to implement chapter 112, Laws of 2022 (outdoor learning grant prg.).

(ii) \$3,903,000 of the general fund—state appropriation for fiscal year 2024 and \$3,903,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the outdoor learning grant program, which consists of two types of grants:

(A) Allocation-based grants for school districts to develop or support outdoor educational experiences; and

(B) Competitive grants for outdoor education providers that are designed to support existing capacity and to increase future capacity for outdoor learning experiences.

(iii) \$15,902,000 of the general fund—state appropriation for fiscal year 2024 and \$15,902,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the outdoor education experiences program. The office must prioritize providing the program to fifth and sixth grade students in high poverty schools, expanding to other fifth and sixth grade students subject to available funds.

(o) \$3,205,000 of the general fund—state appropriation for fiscal year 2024 and \$3,205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 238, Laws of 2022 (student financial literacy) which provides grants to school districts for integrating financial literacy education into professional development for certificated staff.

(p) (i) \$1,425,000 of the general fund—state appropriation for fiscal year 2024 and \$4,725,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dual language grants to grow capacity for high quality dual language learning. Grant funding may be used for new and existing dual language programs, heritage language programs for immigrant and refugee students, and indigenous language programs for native students. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for tribal language grants.

(ii) Each grant recipient must convene an advisory board to guide the development and continuous improvement of its dual language program, including but not limited to: Determining which schools and languages will be prioritized; conducting outreach to the community; and addressing enrollment considerations and the hiring of staff. At least half the members of the board must be parents of English learner students or current or former English learner students. The other members of the board must represent teachers, students, school leaders, governing board members, youth, and community-based organizations that support English learners.

(q) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a statewide information technology academy program. This public-private partnership will provide educational software, as well as information technology certification and software training opportunities for students and staff in public schools ((for the 2023-24 school year only)). The office must evaluate other options that may be available in the state for a future public-private partnership to deliver similar services to students and staff of public schools at no cost to the state.

(r) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental entity whose goals are to reduce disparities in student performance and improve algebraic achievement to create a statewide interactive math tutoring tool for middle and high school students that is accessible on a 24 hour basis to students, teachers, and parents across the state. The nongovernmental entity must have previously contracted with five other states and have demonstrated experience creating statewide interactive math tools with proven outcomes in math proficiency.

(s) \$2,036,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a gravitational wave observatory located in southeastern Washington that is supported through the national science foundation to purchase hands-on, interactive exhibits to expand the number of developmentally appropriate learning activities available for K-12 students attending the observatory.

(t) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the math improvement pilot program. Of the amounts provided in this subsection:

(i) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Spokane school district.

(ii) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Chehalis school district.

(u) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer grants to school districts for a plant-based school meals pilot program. Grants may be used for food supplies, delivery costs, equipment purchases, education, and other expenditures to increase access to plant-based school meals. Grant awards to school districts may not exceed \$10,000 per district and may only be distributed to school districts that have not received funding for the pilot program previously.

(v) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization that works with educators to secure salmon eggs, offer learning opportunities as the fry develop, and assist when students release their fry into local creeks and lakes. Funding may only be used for new programs located in elementary schools that are eligible for high-poverty allocations from the learning assistance program. Of the amounts provided in this subsection, the office may use no more than \$35,000 each fiscal year for office administration costs related to the contract.

(w) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for transitional support grants to school districts to support schools that incur costs transitioning from Native American school mascots, logos, or team names under chapter 301, Laws of 2021. In awarding grants under this subsection, the office must prioritize maximizing the number of schools that receive grant awards and address the most immediate school needs in order to comply with chapter 301, Laws of 2021, and must prioritize applications that are narrowly tailored to address specific compliance issues. School districts receiving funding to comply with the requirements of chapter 301, Laws of 2021 must use the methods that are the least costly and that leave intact existing facilities, including interiors and flooring, to the greatest extent possible. Grants awarded under this section may not be used for general maintenance or improvements of school facilities.

#### (4) ELIMINATING INEQUITABLE STUDENT OUTCOMES

(a) \$5,895,000 of the general fund—state appropriation for fiscal year 2024, \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation, and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to chapter 71, Laws of 2016 (foster youth edu. outcomes). The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(i) Of the amount provided in this subsection (4)(a), \$446,000 of the general fund—state appropriation for fiscal year 2024 and \$446,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(ii) Of the amount provided in this subsection (4)(a), \$1,015,000 of the general fund—state appropriation for fiscal year 2024 and \$1,015,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2015-2017 omnibus appropriations act, section 501(43)(b), chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(iii) Of the amounts provided in this subsection (4)(a), \$684,000 of the general fund—state appropriation for fiscal year 2024 and \$684,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in the 2017-2019 omnibus appropriations act, chapter 1, Laws of 2017, 3rd sp. sess., as amended.

(iv) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in this act.

(v) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintaining and implementing the data sharing agreement between the office, the department of children, youth, and families, and the contractors to support targeted service delivery, program evaluation, and statewide education outcomes measurement for students served under this section.

(vi) Of the amounts provided in this subsection (4)(a), \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation and \$1,105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of individualized education services such as monitoring and supporting completion of educational milestones, remediation needs, and special education needs of middle school students who are dependent pursuant to chapter 13.34 RCW.

(b) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 157, Laws of 2016 (homeless students).

(c) \$36,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 212, Laws of 2014 (homeless student educational outcomes).

(d) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracts with Washington state based nonprofit organizations that provide a career-integrated one-to-one mentoring program for disadvantaged students facing academic and personal challenges with the goal of keeping them on track for graduation and post-high school success. An applicant requesting funding under this subsection must successfully demonstrate to the office that it currently provides a career-integrated one-to-one volunteer mentoring program and has been mentoring school youth for at least 20 years in the state prior to application.

(e) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization to create an after-school and summer learning program in the city of Federal Way. The program shall provide comprehensive, culturally competent academic support and cultural enrichment for primarily latinx, spanish-speaking, low-income sixth, seventh, and eighth grade students. The department must contract with an organization with over forty years of experience that serves the latino community in Seattle and King county and has previously established an after-school and summer learning program.

(f) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to create and administer a grant program for districts to reduce associated student body fees or participation fees for students who are eligible to participate in the federal free and reduced-price meals program. The office must distribute grants for the 2023-24 school year to school districts by August 10, 2023, and grants for the 2024-25 school year by August 1, 2024.

(i) Grant awards must be prioritized in the following order:

(A) High schools implementing the United States department of agriculture community eligibility provision;

(B) High schools with the highest percentage of students in grades nine through twelve eligible to participate in the federal free and reduced-price meals program; and

(C) High schools located in school districts enrolling 5,000 or fewer students.

(ii) High schools that do not comply with the data collection and reporting requirements in RCW 28A.320.540 are not eligible for grant funding.

(iii) The office of the superintendent of public instruction shall award grants that are the lesser of the cost of the high school's associated student body card multiplied by the number of students eligible for the free or reduced-price meals program that purchased a student body card in either 2022-23 or 2023-24 school year, whichever is higher, or \$10,000.

(iv) The office may award additional funding if:

(A) The appropriations provided are greater than the total amount of funding requested at the end of the application cycle; and

(B) The applicant shows a demonstrated need for additional support.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a Washington-based nonprofit organization to promote equitable access in science, technology, engineering, and math education for historically underserved students and communities. The nonprofit shall provide a system of science educational programming specifically for migrant and bilingual students, including teacher professional development, culturally responsive classroom resources that are aligned with Washington state science and environmental and sustainability learning standards, and implementation support. At least 50 percent of the funding provided in this subsection must serve schools and school districts in eastern Washington. The nonprofit organization must have experience developing and implementing science and environmental science programming and resources for migrant and bilingual students.

(h) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization serving opportunity youth in Pierce, King and Snohomish counties. The organization must assist traditionally underrepresented students on nontraditional educational pathways by providing mentorship and technical assistance in navigating higher education and financial aid. The office may require the recipient of these funds to report the impacts of the efforts in alignment with the measures of the Washington school improvement framework.

(i) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school districts to support youth who are truant under chapter 28A.225 RCW or at risk of becoming truant, and for costs associated with filing or serving petitions under RCW 28A.225.030.

(j) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts and educational service districts operating institutional education programs for youth in state long-term juvenile institutions to provide access to computer science elective courses created in chapter 234, Laws of 2022 (computer science instruction).

(k) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts, charter schools, and state-tribal education compact schools to establish K-12 intensive tutoring programs. Grants shall be used to recruit, train, and hire tutors to provide one-on-one tutoring services to K-12 students experiencing learning loss as a result of the COVID-19 pandemic. The tutors must receive training in proven tutoring models to ensure their effectiveness in addressing learning loss.

(l) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 180, Laws of 2017 (Washington Aim program).

(m) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the pacific science center to increase hands-on learning opportunities for Title I K-5 students statewide by increasing access to science on wheels and virtual field trips.

(n) (i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer a peer support competitive grant program in Washington public schools. The office must award grants to eligible school districts starting in the 2023-24 school year. Programs should be designed to be primarily youth-led and aim to increase youth school engagement and support personal/cultural identities, and reduce risks associated with depression, school violence, and bullying. Successful grantees may consult with Washington teen link and the natural helper program in the development of the grant criteria, and the development of training material support. Program components should include:

- (A) Identification of trusted peers and staff who other students confide in;
- (B) Development or adaption of training materials;
- (C) Intensive training for peer and staff supporters;
- (D) Avenues to advertise peer support communication strategies; and
- (E) Participant and program evaluations.

(ii) School districts may also use funds to develop a sister school rapid trauma response strategy. Under this component, successful applicants reach out to other schools also receiving a peer support grant to develop a trauma response plan that quickly organizes students and staff to contact peers within those schools during times of school trauma and offer support.

(iii) The office shall evaluate the program to share best practices and for consideration by other school districts.

(o) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization to develop and provide a Latino youth-on-youth gang violence prevention program for students. The program must target Latino students ages 11 through 17 who are either involved in or at risk of becoming involved in a gang or in gang activities. Eligible youth must be enrolled in either the Moses Lake or Federal Way school districts. The nonprofit organization must have at least 15 years of experience serving Latino communities and promoting advocacy and must provide social kindergarten through 12th

grade social emotional learning, mental health wraparound services, and parent engagement programs in Washington.

(p) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer the technology grant program established under chapter 301, Laws of 2021.

(q) \$625,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with an organization located in SeaTac, Washington to provide wraparound social services and expand and maintain existing education and family engagement programs that serve students and their families in the Federal Way and Highline public school districts. The work of the organization must focus on housing and social services, education, and economic development for African immigrant and refugee communities.

(r) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization located in Everett, Washington to provide arts and culture programs to 500 low-income children and youth from diverse racial and ethnic backgrounds to close the education achievement gap in Snohomish county by improving student and youth confidence and improving mental health outcomes.

(s) \$360,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Shelton School District to contract with an organization that provides a free early childhood music education to teach music literacy and key skills to prepare children for success in school. The organization must provide Spanish, Mam, and Q'anjob'al versions of the early learning music education program during the 2023-24 school year.

(5) EDUCATOR GROWTH AND DEVELOPMENT

(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonviolence and ethical leadership training and professional development program provided by the institute for community leadership.

(b) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with the association of Washington school principals to provide support, mentoring, mediation, and professional learning services to school principals and assistant principals in the greater Seattle area.

(c) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization that supports Washington teachers in implementing lessons on the Holocaust for the expansion of comprehensive Holocaust and genocide education.

(6) FEDERAL GRANTS FOR COVID-19 RECOVERY

(a) \$7,791,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely to administer a grant program for community-based organizations to collaborate with school districts to support learning recovery and acceleration.

(b) \$102,002,000 of the general fund—federal appropriation (CRRSA/ESSER) from funds attributable to subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M is provided solely for subgrants to local education agencies. Total subgrants awarded under this subsection (6)(b), section 1517(47)(b) of this act, and section 12, chapter 3, Laws of 2021 may not exceed the federal amounts provided under subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(c) \$9,253,000 of the general fund—federal appropriation (CRRSA/GEER) ~~((i))~~ and \$1,487,000 of the general fund—federal appropriation (CSFRS) are provided solely to provide emergency assistance to nonpublic schools, as authorized in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M. Total funds provided under this subsection (6)(c), section 1517(47)(c)(i) of this act, and section 13, chapter 3, Laws of 2021 may not exceed the federal amounts provided in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(d) \$671,375,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(2) the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies. Total subgrants awarded under this subsection (6)(d) and section 1517(47)(d) of this act may not exceed the federal amounts provided under subsection 2001(e)(2), the American rescue plan act of 2021, P.L. 117-2.

(e) \$123,373,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies to address learning loss. Total subgrants awarded under this subsection (6)(e) and section 1517(47)(e) of this act may not exceed the federal amounts provided under subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2, and may not exceed the funding authorized in section 1517(47)(e) of this act.

(f) \$10,335,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(3), the American rescue plan act of 2021, P.L. 117-2 is provided solely to support evidence-based comprehensive

afterschool programs. Total funds provided under this subsection (6)(f) and section 1517(47)(g) of this act may not exceed the funding authorized in section 1517(47)(g) of this act.

(g) \$6,184,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to districts to expand the number of dual language classrooms in early grades and professional development to accelerate literacy gains in early grades, especially for English learners. Total funds provided under this subsection (6)(g) and section 1517(47)(h) of this act may not exceed the funding authorized in section 1517(47)(h) of this act.

(h)(i) \$8,428,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the purposes of identifying children and youth experiencing homelessness and providing children and youth experiencing homelessness with:

(A) Wrap-around services due to the challenges of the COVID-19 public health emergency; and

(B) Assistance needed to enable children and youth experiencing homelessness to attend school and participate fully in school activities.

(ii) Total funds provided under this subsection (6)(h) and section 1517(47)(n) of this act may not exceed the federal amounts provided in subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2.

(i) \$65,610,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for the office of the superintendent of public instruction to administer grants for the purposes of learning recovery and acceleration. Allowable uses of the funds are limited to:

(i) One-time contracts for classified, certificated, or administrative staff who will provide tiered academic and social-emotional supports to students most impacted by the disruption of in-person learning, including locating and reengaging students who have disengaged from school, one-on-one and small-group instruction, and other intensive learning supports;

(ii) Professional learning for educators focused on learning recovery and acceleration, including assessing student learning and social-emotional needs, transitioning to standards-based curricula and grading, adopting competency or mastery-based options specifically for credit retrieval purposes, and family and student engagement strategies;

(iii) Procuring assessment or data systems that provide actionable just-in-time data regarding student progress throughout the school year; and

(iv) Direct supports to students to improve school engagement and accelerate learning.

(j) \$995,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the office of the superintendent of public instruction to contract with the Washington school principals' education foundation to support pandemic related learning loss through outdoor learning and overnight camp experiences.

(k) \$173,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(2), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to entities or organizations to provide outdoor education summer enrichment programs to youth. Recipients must prioritize activities or programs that:

(i) Promote students connecting socially with their classmates;

(ii) Encourage students to engage in physical activity; and

(iii) Support families who have struggled with child care needs.

(l) \$143,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants for supplies, equipment, staffing, and services to increase access to summer meals and safe school meals in the 2023-24 school year and summer prior to the start of the school year.

(m) \$2,383,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2, is provided solely for grants to school districts to expand career and technical education graduation pathway options, including career-connected learning opportunities. Total funds provided under this subsection (6)(m) and section 1517(47)(i) of this act for the same purpose may not exceed the funding authorized in section 1517(47)(i) of this act.

**Sec. 523.** 2023 c 475 s 523 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITION TO KINDERGARTEN PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$5,172,000</del> ))
	<u>\$6,870,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$67,008,000</del> ))
	<u>\$69,959,000</u>
General Fund—Federal Appropriation. . . . .	\$41,848,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$114,028,000</del>))</b>
	<b><u>\$118,677,000</u></b>



The appropriations in this section are subject to the following conditions and limitations:

((~~\$5,172,000~~))(1) \$6,720,000 of the general fund—state appropriation for fiscal year 2024, ((~~\$67,008,000~~))\$69,809,000 of the general fund—state appropriation for fiscal year 2025, and \$41,848,000 of the general fund—federal appropriation (CRRSA/GEER) are for implementation of Second Substitute House Bill No. 1550 (transition to kindergarten). If the bill is not enacted by June 30, 2023, the office of the superintendent of public instruction must distribute the amounts appropriated in this section for enrollment funding for transitional kindergarten programs to participating school districts, charter schools authorized pursuant to RCW 28A.710.080(2), and state-tribal education compact schools during the 2023-24 and 2024-25 school years. Enrollment funding for transitional kindergarten is not part of the state's statutory program of basic education.

(2) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff and administrative costs necessary to provide interdepartmental coordination and engagement with stakeholders with respect to the program authorized in chapter 420, Laws of 2023 (transition to kindergarten).

(End of part)

**PART VI  
HIGHER EDUCATION**

**Sec. 601.** 2023 c 475 s 605 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$918,693,000</del> ))
	<u>\$920,342,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$984,293,000</del> ))
	<u>\$986,321,000</u>
<u>Climate Commitment Account—State Appropriation . . . . .</u>	<u>\$475,000</u>
Community/Technical College Capital Projects	
Account—State Appropriation . . . . .	\$21,368,000
Education Legacy Trust Account—State Appropriation . . . . .	\$164,067,000
<u>Invest in Washington Account—State Appropriation . . . . .</u>	<u>\$92,000</u>
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$300,417,000</del> ))
	<u>\$302,271,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$2,388,838,000</del>))</b>
	<b><u>\$2,394,936,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$33,261,000 of the general fund—state appropriation for fiscal year 2024 and \$33,261,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2024 and at least 7,170 full-time equivalent students in fiscal year 2025.

(2) \$5,000,000 of the general fund—state appropriation for fiscal year 2024, \$5,000,000 of the general fund—state appropriation for fiscal year 2025, and \$5,450,000 of the education legacy trust account—state appropriation are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature under RCW 43.01.036 regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$425,000 of the general fund—state appropriation for fiscal year 2024 and \$425,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Seattle Central College's expansion of allied health programs.

(4) \$5,250,000 of the general fund—state appropriation for fiscal year 2024 and \$5,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the student achievement initiative.

(5) \$1,610,000 of the general fund—state appropriation for fiscal year 2024, \$1,610,000 of the general fund—state appropriation for fiscal year 2025, and \$904,000 of the workforce education investment account—state appropriation are provided solely for the mathematics, engineering, and science achievement program.

(6) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace training and research center.

(7) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(8) (~~(\$23,748,000)~~)\$24,001,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$24,270,000)~~)\$24,601,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(9) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(10) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

(11) \$157,000 of the general fund—state appropriation for fiscal year 2024 and \$157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Wenatchee Valley college wildfire prevention program.

(12) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound welcome back center at Highline College to create a grant program for internationally trained individuals seeking employment in the behavioral health field in Washington state.

(13) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased enrollments in the integrated basic education and skills training program. Funding will support approximately 120 additional full-time equivalent enrollments annually.

(14) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity center for employment and education at North Seattle College.

(15) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Highline College to implement the Federal Way higher education initiative in partnership with the city of Federal Way and the University of Washington Tacoma campus.

(16) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Peninsula College to maintain the annual cohorts of the specified programs as follows:

(a) Medical assisting, 40 students;

(b) Nursing assistant, 60 students; and

(c) Registered nursing, 32 students.

(17) \$338,000 of the general fund—state appropriation for fiscal year 2024 and \$338,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state labor education and research center at South Seattle College.

(18) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace and advanced manufacturing center of excellence hosted by Everett Community College to develop a semiconductor and electronics manufacturing branch in Vancouver.

(19)(a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The state board for community and technical colleges must provide resources for up to two community or technical colleges, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The state board, in collaboration with the student achievement council and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health

insurance coverage; and to provide recommendations on how to improve student access to health coverage based on data gathered from the pilot program.

(20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024, \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$75,847,000 of the workforce education investment account—state appropriation are provided solely for statewide implementation of guided pathways at each of the state's community and technical colleges or similar programs designed to improve student success, including, but not limited to, academic program redesign, student advising, and other student supports.

(21) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for college operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(22) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(23) \$40,800,000 of the workforce education investment account—state appropriation is provided solely to continue to fund nurse educator salaries.

(24) \$40,000,000 of the workforce education investment account—state appropriation is provided to continue to fund high-demand program faculty salaries, including but not limited to nurse educators, other health-related professions, information technology, computer science, and trades.

(25) ~~(\$8,000,000)~~ \$9,000,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to maintain high-demand and career launch enrollments, as provided under RCW 28C.30.020. Within the amounts provided in this subsection (25):

(a) ~~(\$6,000,000)~~ \$7,000,000 of the amounts in this subsection (25) are provided to maintain and grow career launch enrollments, as provided under RCW 28C.30.020. Up to three percent of this amount may be used for administration, technical assistance, and support for career launch programs within the community and technical colleges.

(b) \$2,000,000 of the amounts in this subsection (25) are provided to maintain enrollments in high demand programs. These programs include, but are not limited to, allied health, computer and information science, manufacturing, and other fields identified by the state board for community and technical colleges.

(c) The state board for community and technical colleges may transfer amounts between (a) and (b) of this subsection if either program does not have sufficient demand to spend the allocated funding. Any transfer must be approved by the state board for community and technical colleges and the office of financial management.

(26) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for the emergency assistance grant program in RCW 28B.50.295.

(27) \$1,119,000 of the general fund—state appropriation for fiscal year 2024, \$1,119,000 of the general fund—state appropriation for fiscal year 2025, and \$4,221,000 of the workforce education investment account—state appropriation are provided solely for implementation of diversity, equity, inclusion, and antiracism provisions in chapter 28B.10 RCW.

(28) \$20,473,000 of the workforce education investment account—state appropriation is provided solely for implementation of equity and access provisions in chapter 28B.50 RCW.

(29) (a) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in trucking and trucking-related supply chain industries and the school bus driving industry by expanding the number of registered apprenticeships, preapprenticeships, and trucking related training programs; and providing support for registered apprenticeships or programs in trucking and trucking-related supply chain industries and the school bus driving industry.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training spaces and locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations to include foster care and homeless transition populations and previously incarcerated persons;

(iii) Faculty curriculum development and instructor training for driving, repair, and service of technological advancements facing the industries;

(iv) Tuition assistance for commercial vehicle driver and related supply chain industry training, fees associated with driver testing, and other reasonable and necessary student support services, including child care costs; and

(v) Fees and other reasonable costs associated with commercial truck driving examiner training and certification.

(c) An entity is eligible to receive a grant if it is a nonprofit, nongovernmental, or institution of primary or higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, commercial vehicle driver training and testing, or vocational training related to mechanical and support functions that support the trucking industry or the school bus driving industry; or incumbent worker training to prepare workers for the trucking and trucking-related supply chain industries or the school bus driving industry. Preference will be given to entities in compliance with

government approved or accredited programs. Reporting requirements, as determined by the board, shall be required.

(d) The board may use up to five percent of funds for administration of grants.

(30) \$3,200,000 of the workforce education investment account—state appropriation is provided solely for costs associated with grants awarded in fiscal year 2023 for nursing programs to purchase or upgrade simulation laboratory equipment.

(31)(a) \$9,336,000 of the workforce education investment account—state appropriation is provided solely to expand cybersecurity academic enrollments by 500 FTE students.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in section ~~((612(10)))~~ 608(10) of this act to submit a progress report on the new or expanded cybersecurity academic programs, including the number of students enrolled.

(32) \$410,000 of the workforce education investment account—state appropriation is provided solely to establish a center for excellence in cybersecurity.

(33) \$2,068,000 of the general fund—state appropriation for fiscal year 2024 and \$2,068,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation by employees within the community and technical college system challenging the denial of retirement and sick leave benefits. The cases include *Wolf v. State and SBCTC*, *Rush v. State and SBCTC* (retirement), and *Rush v. State and SBCTC* (sick leave).

(34) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity grant program to provide health care workforce grants for students.

(35) \$2,720,000 of the general fund—state appropriation for fiscal year 2024 and \$2,720,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each community and technical college to contract with a community-based organization to assist with financial aid access and support in communities.

(36) ~~((\$6,456,000))~~ \$7,456,000 of the workforce education investment account—state appropriation is provided solely for the expansion of existing programming to accommodate refugees and immigrants who have arrived in Washington state on or after July 1, 2021, and are eligible for federal refugee resettlement services, including those from Afghanistan and Ukraine.

(37)(a) \$2,160,000 of the general fund—state appropriation for fiscal year 2024, \$2,160,000 of the general fund—state appropriation for fiscal year 2025, and \$3,600,000 of the workforce education investment account—state appropriation are provided solely for nursing education, to increase the number of nursing slots by at least 400 new slots in the 2023–2025 fiscal biennium.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in section ~~((612(10)))~~ 608(10) of this act to submit a progress report on the new or expanded nursing academic programs, including the number of students enrolled per program.

(38) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Bellingham Technical College maritime apprenticeship program.

(39) \$2,100,000 of the workforce education investment account—state appropriation is provided solely for the Skagit Valley College dental therapy education program.

(40) \$855,000 of the workforce education investment account—state appropriation is provided solely for the Seattle Central College for partnership with the Seattle maritime academy. Seattle Central College must enter into a memorandum of agreement with Washington state ferries. Funding may not be expended until Seattle Central College certifies to the office of financial management that a memorandum of agreement with Washington state ferries has been executed. The memorandum of agreement must address:

(A) The shared use of training and other facilities and implementation of joint training opportunities where practicable;

(B) Development of a joint recruitment plan aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(C) Development of a training program and recruitment plan and a five-year operational plan.

(ii) The joint training program and recruitment plan and the five-year operational plan must be submitted to the appropriate policy and fiscal committees of the legislature by December 1, 2023.

(41) \$200,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to work with interested parties, such as local law enforcement agencies, the department of corrections, representatives of county or city jail facilities, the Washington state patrol, Washington community and technical colleges, and other organizations and entities as appropriate to assess the recruitment and retention challenges for their agencies and develop recommendations to meet the workforce needs. These recommendations should focus on education and training programs that meet the needs of law enforcement and corrections agencies and must include an outreach strategy designed to inform and attract students in non-traditional program pathways. The assessment and recommendations shall be provided in a report to the

governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by October 1, 2024.

(42) \$12,000,000 of the workforce education investment account—state appropriation is provided solely to support the continued diversity, equity, and inclusion efforts of institutions.

(43) \$331,000 of the general fund—state appropriation for fiscal year 2024, \$331,000 of the general fund—state appropriation for fiscal year 2025, and \$1,360,000 of the workforce education investment account—state appropriation are provided solely for implementation of state registered apprenticeship provisions in chapter 28B.124 RCW.

(44) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Everett Community College parent leadership training institute to recruit and train new course instructors to build additional capacity.

(45) \$19,850,000 of the general fund—state appropriation for fiscal year 2024 and \$35,024,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(46) \$243,000 of the general fund—state appropriation for fiscal year 2024, \$180,000 of the general fund—state appropriation for fiscal year 2025, and \$400,000 of the workforce education investment account—state appropriation are provided solely for Renton Technical College. Of the amounts provided in this subsection:

(a) \$400,000 of the workforce education investment account—state appropriation is for the college to award full tuition and fees to students who attend the college and graduated high school in the school district where the main campus is located. Eligible students must complete a free application for federal student aid or the Washington application for state financial aid. A report on the number of students utilizing the funding must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by January 15, 2024.

(b) \$243,000 of the general fund—state appropriation for fiscal year 2024 and \$180,000 of the general fund—state appropriation for fiscal year 2025 are for continuing outreach and participation in running start and adult education programs, including the program described in (a) of this subsection.

(47) (a) \$700,000 of the workforce education investment account—state appropriation is provided solely for the state board to administer a pilot program to increase career and technical education dual credit participation and credential attainment in professional technical programs. The state board, in collaboration with the office of the superintendent of public instruction, must select up to three community and technical colleges to participate in the pilot program during the 2023-24 and 2024-25 academic years. The three colleges must be located within the same educational service district and one must be located in a county with a population between 115,000 and 150,000. Colleges and school districts participating in the career and technical education dual credit grant program may utilize funding to cover the following expenses:

(i) Subsidized out-of-pocket costs to students and families for supplies, textbooks, materials, and credit transcription fees;

(ii) Outreach to prospective students and students who have completed career and technical education dual credit courses and are eligible to receive postsecondary credit to encourage participation and credit transcription;

(iii) Costs associated with staff or teacher time dedicated to curriculum alignment or the development of articulation agreements; and

(iv) Equipment and supplies for career and technical education dual credit courses required to meet postsecondary learning objectives.

(b) By December 10, 2024, the state board, in collaboration with the office of the superintendent of public instruction, must issue a preliminary report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, with findings and recommendations regarding the pilot program that may be scaled statewide. The final report is due by December 10, 2025. The state board must establish a stakeholder committee that is representative of students, faculty, staff, and agency representatives to inform this work. The report must include recommendations on the following topics:

(i) Course articulation and development of model articulation agreements;

(ii) Data collection and reporting;

(iii) Credit transcription and transfer;

(iv) Student advising and career guidance supports;

(v) Alignment of career and technical education dual credit programs with credential pathways and in-demand career fields;

(vi) Funding for industry-recognized credentials;

(vii) Identification of priority courses and programs; and

(viii) Evaluation of the statewide enrollment and data system, and recommendations for improvements to or replacement of the system to reflect articulation agreement data, student data, and transcription information to support data validity, credit portability, and program improvement.

(48) \$500,000 of the workforce education investment account—state appropriation is provided solely for Olympic College to partner with regional high schools for college ~~((in))~~ at the high school courses on-site at one or more regional high schools.

(49) \$1,262,000 of the workforce education investment account—state appropriation is provided solely for the centers of excellence.

(50) \$5,236,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(51) \$3,718,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(52) ~~((~~\$7,470,000~~))~~ \$5,429,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(53) \$882,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(54) Within the amounts appropriated in this section, the state board for community and technical colleges shall develop a plan that includes the cost to provide compensation to part-time and adjunct faculty that equals or exceeds 85 percent of the compensation provided to comparably qualified full-time and tenured faculty by the 2026-27 academic year. The plan must be submitted to the governor and the higher education committees of the legislature, in accordance with RCW 43.01.036, by July 1, 2024.

(55) \$598,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the state board to move to the Jefferson building.

(56) \$475,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely to develop a climate solutions and climate justice curriculum at all 34 community and technical colleges.

(57) \$257,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the creation of a hospitality center of excellence hosted at Columbia basin college.

(58) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to the state board for community and technical colleges to collaborate with a nonprofit, professional association of state, county, city, and town officials engaged in development, enforcement, and administration of building construction codes and ordinances to design and implement training programs to accelerate the hiring of city and county permit technicians.

(59) \$819,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(60) \$12,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 6296 (retail industry work group). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(61) \$850,000 of the workforce education investment account—state appropriation is provided solely to expand the student aid outreach and completion initiative pilot program in RCW 28B.50.940 to participating community and technical colleges located within capital region educational service district 113.

(62) \$1,053,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 602.** 2023 c 475 s 606 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$521,181,000</del> ))
	\$523,299,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$453,529,000</del> ))
	\$546,621,000
Aquatic Lands Enhancement Account—State Appropriation . . . . .	\$1,646,000
Climate Commitment Account—State Appropriation . . . . .	(( <del>\$3,150,000</del> ))
	\$3,413,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation . . . . .	\$20,000,000
Natural Climate Solutions Account—State Appropriation . . . . .	\$837,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation . . . . .	\$280,000
University of Washington Building Account—State Appropriation . . . . .	\$1,546,000
Education Legacy Trust Account—State Appropriation . . . . .	(( <del>\$39,643,000</del> ))
	\$39,644,000
Economic Development Strategic Reserve Account—State Appropriation . . . . .	\$3,127,000

Biotoxin Account—State Appropriation. . . . .	\$632,000
Dedicated Cannabis Account—State Appropriation (FY 2024). . . . .	\$351,000
Dedicated Cannabis Account—State Appropriation (FY 2025). . . . .	(( <del>\$365,000</del> ))
	<u>\$366,000</u>
Accident Account—State Appropriation. . . . .	\$8,586,000
Medical Aid Account—State Appropriation. . . . .	\$8,025,000
Workforce Education Investment Account—State Appropriation. . . . .	(( <del>\$89,216,000</del> ))
	<u>\$88,941,000</u>
Geoduck Aquaculture Research Account—State Appropriation. . . . .	\$414,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,152,528,000</del>))</b>
	<b><u>\$1,247,728,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$49,289,000~~))\$49,816,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$50,374,000~~))\$51,061,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the workforce education investment account—state appropriation are provided solely for (~~labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges~~)one head archivist for the labor archives of Washington and reserved solely for labor archives activities, staffing, supplies, and equipment. The head will determine budget priorities and oversee expenditures on the budget. Budget funds will be reserved solely for the labor archives and shall not be used to supplant or supplement other activities of the University of Washington libraries unrelated to the collections and activities of the labor archives. The university and the head shall work in collaboration with the friends of the labor archives community advisory board.

(3) \$10,000,000 of the education legacy trust account—state appropriation is provided solely for the family medicine residency network at the university to maintain and expand the number of residency slots available in Washington.

(4) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(5) \$14,000,000 of the education legacy trust account—state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(6) \$3,062,000 of the economic development strategic reserve account—state appropriation is provided solely to support the joint center for aerospace innovation technology.

(7) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(8) \$7,345,000 of the general fund—state appropriation for fiscal year 2024 and \$7,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued operations and expansion of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(9) \$2,625,000 of the general fund—state appropriation for fiscal year 2024 and \$2,625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the institute for stem cell and regenerative medicine. Funds appropriated in this subsection must be dedicated to research utilizing pluripotent stem cells and related research methods.

(10) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to the University of Washington to support youth and young adults experiencing homelessness in the university district of Seattle. Funding is provided for the university to work with community service providers and university colleges and departments to plan for and implement a comprehensive one-stop center with navigation services for homeless youth; the university may contract with the department of commerce to expand services that serve homeless youth in the university district.

(11) \$1,200,000 of the general fund—state appropriation for fiscal year 2024, \$1,200,000 of the general fund—state appropriation for fiscal year 2025, and \$1,200,000 of the workforce education investment account—state appropriation are provided solely for the adult psychiatry residency program at the University of Washington to offer additional residency positions that are approved by the accreditation council for graduate medical education.

(12) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—appropriation for fiscal year 2025 are provided solely for the University of Washington's psychiatry integrated care training program.

(13) \$427,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$426,000 of the workforce education investment account—state appropriation are provided solely for child and adolescent psychiatry residency positions that are approved by the accreditation council for graduate medical education, as provided in RCW 28B.20.445.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the University of Washington School of Dentistry to support its role as a major oral health provider to individuals covered by medicaid and the uninsured.

(15) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the pre-law pipeline and social justice program at the University of Washington-Tacoma.

(16) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's neurology department to create a telemedicine program to disseminate dementia care best practices to primary care practitioners using the project ECHO model. The program shall provide a virtual connection for providers and content experts and include didactics, case conferences, and an emphasis on practice transformation and systems-level issues that affect care delivery. The initial users of this program shall include referral sources in health care systems and clinics, such as the university's neighborhood clinics and Virginia Mason Memorial in Yakima with a goal of adding 15 to 20 providers from smaller clinics and practices per year.

(17) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$350,000 of the workforce education investment account—state appropriation are provided solely for the university's center for international trade in forest products.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$500,000 of the workforce education investment account—state appropriation are provided solely for the Latino center for health.

(19) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a firearm policy research program. The program will:

- (a) Support investigations of firearm death and injury risk factors;
- (b) Evaluate the effectiveness of state firearm laws and policies;
- (c) Assess the consequences of firearm violence; and
- (d) Develop strategies to reduce the toll of firearm violence to citizens of the state.

(20) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the climate impacts group in the college of the environment.

(21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the college of education to collaborate with teacher preparation programs and the office of the superintendent of public instruction to develop open access climate science educational curriculum for use in teacher preparation programs.

(22) \$300,000 of the general fund—state appropriation for fiscal year 2024, \$300,000 of the general fund—state appropriation for fiscal year 2025, and \$300,000 of the workforce education investment account—state appropriation are provided solely for the Harry Bridges center for labor studies. The center shall work in collaboration with the state board for community and technical colleges.

(23) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(24) \$8,000,000 of the workforce education investment account—state appropriation is provided solely to maintain degree production in the college of engineering at the Seattle campus.

(25) (a) \$2,724,000 of the workforce education investment account—state appropriation is provided solely to maintain the Washington state academic redshirt program on the Seattle campus and establish a program on the Bothell campus.

(b) The university must provide a report on the redshirt program at the Seattle and Bothell campuses, including, but not limited to, the following:

- (i) The number of students who have enrolled in the program and the number of students by cohort;
- (ii) The number of students who have completed the program and the number of students by cohort;
- (iii) The placements of students by academic major;
- (iv) The number of students placed in first-choice majors;
- (v) The number of underrepresented minority students in the program;
- (vi) The number of first-generation college students in the program;



- (vii) The number of Washington college grant eligible or Pell grant eligible students in the program;
- (viii) The number of Washington state opportunity scholarship recipients in the program;
- (ix) The number of students who completed the program and graduated with a science, technology, engineering, or math related degree and the number of graduates by cohort; and
- (x) Other program outcomes.
- (c) A preliminary report is due to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2023, and a final report is due December 1, 2024.
- (26) \$2,700,000 of the workforce education investment account—state appropriation is provided solely to maintain degree capacity and undergraduate enrollments in engineering, mathematics, and science programs to support the biomedical innovation partnership zone at the Bothell campus.
- (27) \$3,268,000 of the workforce education investment account—state appropriation is provided solely to maintain bachelor of science programs in mechanical and civil engineering to support increased student and local employer demand for graduates in these fields at the Tacoma campus.
- (28) \$150,000 of the general fund—state appropriation for fiscal year 2024, \$150,000 of the general fund—state appropriation for fiscal year 2025, and \$700,000 of the workforce education investment account—state appropriation are provided solely for Washington mathematics, engineering, science achievement programs to provide enrichment opportunities in mathematics, engineering, science, and technology to students who are traditionally underrepresented in these programs. Of the amounts provided in this subsection, \$500,000 of the workforce education investment account—state appropriation is for Washington State University to plan and implement expansion of MESA activities at the Everett campus to facilitate increased attendance and degree completion by students who are underrepresented in science, technology, engineering, and mathematics degrees.
- (29) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community care coordinator for transitional-age youth for the doorway project in partnership with the Seattle campus.
- (30) \$14,000,000 of the workforce education investment account—state appropriation is provided solely for the expansion of the Paul G. Allen school of computer science and engineering in order to award an additional 200 degrees per year focusing on traditionally underrepresented students. A report on the program graduation rates, waitlist for entry into the program, time to degree completion, and degrees awarded must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2024, and June 30, 2025.
- (31) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand a series of online courses related to behavioral health and student well-being that are currently offered at the Bothell campus for school district staff. The standards for the courses must be consistent with knowledge, skill, and performance standards related to mental health and well-being of public school students. The online courses must provide:
- (a) Foundational knowledge in behavioral health, mental health, and mental illness;
- (b) Information on how to assess, intervene upon, and refer behavioral health and intersection of behavioral health and substance use issues; and
- (c) Approaches to promote health and positively influence student health behaviors.
- (32) To ensure transparency and accountability, in the 2023-2025 fiscal biennium the University of Washington shall comply with any and all financial and accountability audits by the Washington state auditor including any and all audits of university services offered to the general public, including those offered through any public-private partnership, business venture, affiliation, or joint venture with a public or private entity, except the government of the United States. The university shall comply with all state auditor requests for the university's financial and business information including the university's governance and financial participation in these public-private partnerships, business ventures, affiliations, or joint ventures with a public or private entity. In any instance in which the university declines to produce the information to the state auditor, the university will provide the state auditor a brief summary of the documents withheld and a citation of the legal or contractual provision that prevents disclosure. The summaries must be compiled into a report by the state auditor and provided on a quarterly basis to the legislature.
- (33) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Burke museum of natural history and culture to make education programs offered by the museum accessible to more students across Washington, especially students in underserved schools and locations. The funding shall be used for:
- (a) Increasing the number of students who participate in Burke education programs at reduced or no cost, including virtual programs;
- (b) Providing bus reimbursement for students visiting the museum on field trips and to support travel to bring museum programs across the state;
- (c) Staff who will form partnerships with school districts to serve statewide communities more efficiently and equitably, including through the Burkemobile program; and
- (d) Support of tribal consultation work, including expanding Native programming, and digitization of Native collections.

(34) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$410,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's center for human rights. The appropriation must be used to supplement, not supplant, other funding sources for the center for human rights.

(35) \$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the establishment and operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.

(36) \$64,000 of the general fund—state appropriation for fiscal year 2024 and \$64,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(37) ~~(\$443,000)~~ \$750,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$443,000)~~ \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation of the center for environmental forensic science.

(38) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation are provided solely for the community-engagement test to facilitate clean energy transitions by partnering with communities, utilities, and project developers.

(39) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational expenditures related to the battery fabrication testbed.

(40) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for pharmacy behavioral health. The University of Washington school of pharmacy/medicine pharmacy services will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.

(41) \$1,242,000 of the general fund—state appropriation for fiscal year 2024, \$1,242,000 of the general fund—state appropriation for fiscal year 2025, and \$742,000 of the workforce education investment account—state appropriation are provided solely for an increase in the number of nursing slots and graduates in the already established accelerated bachelor of science in nursing program. Of the amounts provided in this subsection, \$273,000 of the general fund—state appropriation for fiscal year 2024 and \$273,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Tacoma school of nursing and healthcare leadership.

(42) ~~(\$100,000)~~ \$150,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$100,000)~~ \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the memory and brain wellness center to support the statewide expansion of the dementia friends program.

(43) \$77,000 of the general fund—state appropriation for fiscal year 2024 and \$77,000 of the general fund—state appropriation are provided solely to maintain a data repository to assist the state and all political subdivisions with evaluating whether and to what extent existing laws and practices with respect to voting and elections are consistent with public policy, implementing best practices in voting and elections, and to investigate potential infringements upon the right to vote.

(44) \$122,000 of the general fund—state appropriation for fiscal year 2024 and \$122,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sexual assault nurse examiner training.

~~(45) (~~(\$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.~~~~

~~(46))~~ Within existing resources, the institution must resume a mentoring, organization, and social support for autism inclusion on campus program. The program must focus on academic coaching, peer-mentoring, support for social interactions, and career preparation.

~~((47))~~ (46) \$6,532,000 of the general fund—state appropriation for fiscal year 2024 and \$11,108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

~~((48))~~ (47) \$712,000 of the general fund—state appropriation for fiscal year 2024 and \$4,183,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the behavioral health teaching faculty physician and facility support.

~~((49))~~ (48) \$1,869,000 of the general fund—state appropriation for fiscal year 2024 and \$3,738,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operations and maintenance support of the behavioral health teaching faculty.

~~((50))~~ (49) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the center for indigenous health to increase the number of American Indian and Alaska Native physicians practicing in the state of Washington.

~~((51))~~ (50) \$484,000 of the workforce education investment account—state appropriation is provided solely to the university for Friday harbor labs in the amount of \$125,000 each fiscal year and the school of aquatic and fishery sciences in the amount of \$117,000 each fiscal year to perform coordinating, monitoring, and research related to Puget Sound kelp conservation and recovery.

~~((52))~~ (51) \$200,000 of the workforce education investment account—state appropriation is provided solely to develop a framework for research to help determine inequities in poverty, access to service, language, barriers, and access to justice for individuals of Middle Eastern descent.

~~((53))~~ (52) \$3,000,000 of the climate commitment account—state appropriation is provided solely for the development of an energy transformation strategy to modernize the energy infrastructure and better align the institution's sustainability values at the Seattle campus.

~~((54))~~ (53) \$2,854,000 of the workforce education investment account—state appropriation is provided solely for increasing enrollments in computing and engineering programs at the Tacoma campus.

~~((55))~~ (54) (a) \$800,000 of the workforce education investment account—state appropriation is provided solely for the colab for community and behavioral health policy to collaborate with ~~((the Latino center for health and))~~ allies in healthier systems for health and abundance in youth to pilot test a culturally responsive training curricula for an expanded children's mental health workforce in community behavioral health sites. Community and lived experience stakeholders, representing communities of color, must make up over half of the project team. The pilot implementation shall include expansion of:

(i) The clinical training of both a lived experience workforce and licensed workforce to provide culturally responsive and evidence-informed mental health services focused on families, children, and youth;

(ii) An implementation plan that allows for local flexibility and local community input; and

(iii) An evaluation plan that will yield information about the potential success in implementation statewide and the improved experiences of those seeking mental health services.

(b) The project team must report its findings and recommendations to the appropriate committees of the legislature in compliance with RCW 43.01.036 by June 30, 2025.

~~((56))~~ (55) \$520,000 of the natural climate solutions account—state appropriation is provided solely for the biological response to ocean acidification to advance high-priority biological experiments to better understand the relationship between marine organisms and ocean acidification.

~~((57))~~ (56) \$300,000 of the natural climate solutions account—state appropriation is provided solely for monitoring assistance at the Washington ocean acidification center.

~~((58))~~ (57) \$104,000 of the general fund—state appropriation for fiscal year 2024 and \$104,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued implementation of chapter 191, Laws of 2022 (veterans & military suicide).

~~((59))~~ (58) \$426,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/review).

~~((60))~~ (59) \$205,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to organize and facilitate the difficult to discharge task force described in section ~~((135(12)))~~ 132(12) of this act and its operations, including any associated ad hoc subgroups through October 31, 2023.

~~((61))~~ (60) \$500,000 of the workforce education investment account—state appropriation is provided solely for the addictions, drug and alcohol institute to continue cannabis and public health impact research. Funding may be used to develop resources regarding the connection between first episode psychosis and cannabis use.

~~((62))~~ (61) \$2,224,000 of the workforce education investment account—state appropriation is provided solely for program support and student scholarships for the expansion of the master of arts in applied child and adolescent psychology program. Of the amounts provided in this subsection:

(a) \$1,116,000 of the workforce education investment account—state appropriation is provided solely for program support at the Seattle site.

(b) \$1,108,000 of the workforce education investment account—state appropriation is provided solely for student scholarships at the Seattle site.

~~((63))~~ (62) \$800,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a program to support pathways from prison to the university's Tacoma campus. The university shall collaborate with formerly incarcerated women, Tacoma Community College, the freedom education project Puget Sound, the women's village, the state board for community and technical colleges, and the department of corrections, in development and implementation of the pathways program.

~~((64—\$250,000))~~ (63) \$580,000 of the workforce education investment account—state appropriation is provided solely for the ~~((startup program))~~ Allen school scholars program.

~~((65))~~ (64) \$1,397,000 of the workforce education investment account—state appropriation is provided solely for increased student support services at the Tacoma campus.

~~((66))~~ (65) \$158,000 of the general fund—state appropriation for fiscal year 2024, \$158,000 of the general fund—state appropriation for fiscal year 2025, and \$798,000 of the workforce education investment account—state appropriation are provided solely for continued

implementation of diversity, equity, inclusion, and antiracism professional development for faculty and staff, student training, and campus climate assessments in chapter 28B.10 RCW.

~~((67))~~ (66) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2024 are provided solely for the college of education to partner with the Chehalis and Spokane school districts to continue the math improvement pilot program.

~~((68))~~ (67) \$300,000 of the workforce education investment account—state appropriation is provided solely for support and promotion of a long-term care nursing residency program and externship.

~~((69))~~ (68) \$400,000 of the workforce education investment account—state appropriation is provided solely for nanocellulose based research to produce a replacement for cellophane and clear plastic products with one made with plant materials that is biodegradable.

~~((70))~~ (69) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of a pilot plant to produce nanocellulose based materials for evaluation by potential users, such as packaging manufacturers and companies that produce polylactic acid composites.

~~((71))~~ (70) \$1,238,000 of the workforce education investment account—state appropriation is provided solely to establish washpop, a statewide integrated data repository for population and policy research on topics, including criminal justice and safety, economic prosperity and equity, and health and social well-being.

~~((72))~~ (71) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuation of the collaborative for the advancement of telemedicine, hosted by the institution's telehealth services.

~~((73))~~ (72) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the center for health workforce studies to continue a program to track dental workforce trends, needs, and enhancements to better serve the increasing population and demand for access to adequate oral health care. The center shall continue the program in consultation with dental stakeholders including, but not limited to, provider associations and oral health philanthropic leaders. The workforce reporting program is to be considered a public-private partnership. The institutions may accept matching funds from interested stakeholders to help facilitate and administer the workforce reporting program. Information generated by the dental workforce reporting program shall be made available on the center's website in a deidentified, aggregate format.

~~((74))~~ (73) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

~~((75))~~ (74) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((76))~~ (75) \$440,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((77))~~ (76) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$669,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((78))~~ (77) \$150,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((79))~~ (78) \$208,000 of the statewide 988 behavioral health crisis response account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((80))~~ ~~\$3,288,000)~~ (79) \$2,053,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((81))~~ (80) \$157,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((82))~~ (81) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for support of staff, training, and other costs necessary to facilitate the opening of the behavioral health teaching facility.

~~((83))~~ (82) \$450,000 of the workforce education investment account—state appropriation is provided solely to continue financial student assistance in public service oriented graduate and professional degree programs, referred to as "fee-based" programs, whose tuition for public service degrees is over \$18,000 per year. Programs shall create mechanisms to

prioritize assistance to traditionally underrepresented students, specifically those who have expressed a commitment to service in the physician assistant, community oriented public health, or social work programs. The institution may offer financial assistance for students that volunteer or work with public health agencies, including as contact tracers.

~~((84))~~ (83) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a pilot program for short-term stabilization and transition support for individuals incompetent to stand trial due to intellectual or developmental disability as provided in Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(85))~~ (84) \$1,464,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(86))~~ (85) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(87))~~ (86) \$80,000,000 of the general fund—state appropriation for fiscal year 2024, \$65,000,000 of the general fund—state appropriation for fiscal year 2025, and \$20,000,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely to support the operations and teaching mission of the University of Washington medical center and harborview medical center.

(87) \$239,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 232, Laws of 2023 (alternative jet fuel).

(88) \$263,000 of the climate commitment account—state appropriation shall take effect January 1, 2025, and is provided solely for two grant writers to offer technical assistance to tribal and community groups in the thriving communities technical assistance program.

(89) \$20,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support behavioral health care and training at the University of Washington medical center. A report detailing how these funds and any federal funds are expended for the medical center shall be submitted to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(90) \$2,505,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the expansion of the University of Washington school of dentistry regional initiatives in dental education (RIDE) program.

(91) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the University of Washington to establish a pilot program to support activities related to cooperation with academic institutions and governmental and public agencies of the Republic of Finland, the Kingdom of Sweden, and the Kingdom of Norway. Eligible activities include, but are not limited to, cooperation in clean energy, clean technology, clean transportation, telecommunications, agriculture and wood science technology, general economic development, and other areas of mutual interest with Nordic nations and institutions.

(92) \$180,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support project planning and management, soccer field renovation, and LED lighting upgrades to prepare for the 2026 World Cup hosted by Seattle.

(93) \$412,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to develop and implement the Washington reproductive access alliance, so the public hospital districts under chapter 70.44 RCW can provide substantially equivalent services under the reproductive privacy act under chapter 9.02 RCW. The alliance will provide a service coordination website and phone line, administrative support and coordination of the alliance, patient care coordination, and social support for patient travel.

(94) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5890 (ballot rejection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(95) \$4,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 6166 (pesticide application comm). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(96) \$264,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6308 (988 system timeline). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(97) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the behavioral health institute at Harborview medical center and the University of Washington school of medicine, in consultation with the office of financial management, to develop recommendations considering multiple different long-term uses of up to 40 residential treatment facility licensed beds located at the Olympic heritage behavioral health facility. The recommendations shall include estimated costs and required staffing for each of the options presented and an assessment of the current landscape of inpatient and outpatient behavioral health care services in the region to determine community needs. Options for use may include care and treatment for: (i) Patients with co-occurring diagnoses of mental health and substance use disorders; (ii) individuals with developmental disabilities, dementia and traumatic brain injury; and (iii) individuals in need of intensive mental health treatment,

including partial hospitalization and intensive outpatient care. The recommendations shall be provided to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2024.

(98) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5837 (state elections database). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(99) \$267,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(100) \$148,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6286 (nurse anesthetist workforce). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(101) \$630,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 603.** 2023 c 475 s 607 (uncodified) is amended to read as follows:  
**FOR WASHINGTON STATE UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$277,544,000</del> ))
	\$282,381,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$286,975,000</del> ))
	\$290,755,000
Climate Commitment Account—State Appropriation . . . . .	\$8,321,000
Washington State University Building Account—State Appropriation . . . . .	\$792,000
Education Legacy Trust Account—State Appropriation . . . . .	\$33,995,000
Model Toxics Control Operating Account—State Appropriation . . . . .	\$2,771,000
Dedicated Cannabis Account—State Appropriation (FY 2024) . . . . .	\$189,000
Dedicated Cannabis Account—State Appropriation (FY 2025) . . . . .	\$197,000
Workforce Education Investment Account—State Appropriation . . . . .	\$48,117,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$658,901,000</del>))</b>
	<b>\$667,518,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rural economic development and outreach coordinator.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state match requirements related to the federal aviation administration grant.

(4) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

(5) \$7,000,000 of the general fund—state appropriation for fiscal year 2024, \$7,000,000 of the general fund—state appropriation for fiscal year 2025, and \$22,800,000 of the workforce education investment account—state appropriation are provided solely for the continued development and operations of a medical school program in Spokane.

(6) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a honey bee biology research position.

(7) ((~~\$35,037,000~~)) \$35,411,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$35,808,000~~)) \$36,296,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(8) \$580,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of an organic agriculture systems degree program located at the university center in Everett.

(9) \$630,000 of the general fund—state appropriation for fiscal year 2024 and \$630,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of an electrical engineering program located in Bremerton. At full implementation,

the university is expected to increase degree production by 25 new bachelor's degrees per year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(10) \$1,370,000 of the general fund—state appropriation for fiscal year 2024 and \$1,370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of software engineering and data analytic programs at the university center in Everett. At full implementation, the university is expected to enroll 50 students per academic year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(11) General fund—state appropriations in this section are reduced to reflect a reduction in state-supported tuition waivers for graduate students. When reducing tuition waivers, the university will not change its practices and procedures for providing eligible veterans with tuition waivers.

(12) \$1,154,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 82.16.120 and 82.16.165 (renewable energy, tax incentives).

(13) \$376,000 of the general fund—state appropriation for fiscal year 2024 and \$376,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 28B.30.357 (children's mental health).

(14) \$585,000 of the general fund—state appropriation for fiscal year 2024 and \$585,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 77.12.272 (elk hoof disease).

(15) \$2,076,000 of the model toxics control operating account—state appropriation is provided solely for the university's soil health initiative and its network of long-term agroecological research and extension (LTARE) sites. The network must include a Mount Vernon REC site.

(16) \$42,000 of the general fund—state appropriation for fiscal year 2024 and \$42,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(17) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$33,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for compensation funding for Western Washington University employees that work on the Washington State University Everett campus.

(18) \$327,000 of the general fund—state appropriation for fiscal year 2024 and \$327,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for pharmacy behavioral health. Washington State University college of pharmacy and pharmaceutical sciences will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.

(19) \$1,921,000 of the general fund—state appropriation for fiscal year 2024 and \$3,526,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(20) \$608,000 of the general fund—state appropriation for fiscal year 2024 and \$608,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state academy of sciences to provide support for core operations and to accomplish its mission of providing science in the service of Washington, pursuant to its memorandum of understanding with the university.

(21) \$188,000 of the general fund—state appropriation for fiscal year 2024 and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for stormwater research to study the long-term efficacy of green stormwater infrastructure that incorporates compost to remove pollutants.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the joint center for deployment and research in earth abundant materials.

(23) \$4,112,000 of the workforce education investment account—state appropriation is provided solely to establish a bachelor's degree in cybersecurity operations.

(24) \$568,000 of the general fund—state appropriation for fiscal year 2024 and \$568,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 212, Laws of 2022 (community solar projects).

(25) \$7,721,000 of the climate commitment account—state appropriation is provided solely for the creation of the institute for northwest energy futures.

(26) \$3,910,000 of the workforce education investment account—state appropriation is provided solely for increasing nursing salaries at the institution.

(27) \$476,000 of the workforce education investment account—state appropriation is provided solely for nursing program equipment.

(28) \$2,521,000 of the workforce education investment account—state appropriation is provided solely for the establishment of a bachelor of science in public health degree at the Pullman, Spokane, and Vancouver campuses.

(29) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increasing the base funding for the William D. Ruckleshaus Center.

(30) ~~(\$200,000)~~ \$50,000 of the general fund—state appropriation for fiscal year 2024 ~~(is) and \$150,000 of the general fund—state appropriation for fiscal year 2025 are~~ provided solely for Washington State University extension service to hire a qualified contractor to assess program performance of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020 and recipients of pass-through grants from the northeast Washington wolf-livestock management nonappropriated account. The program must be assessed for the period of 2021-2023 as to whether grant recipients met the intent of the appropriation.

(a) For recipients of grant funds from the program authorized in RCW 16.76.020, performance must be evaluated on the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a good probability of producing effective results. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape.

(b) For recipient of the pass-through funds from the northeast Washington wolf-livestock management nonappropriated account, performance must be based on the intent of conducting proactive deterrence activities with the goal to reduce the likelihood of cattle being injured or killed by wolves.

(c) The contractor must have at least five years of experience in the combination of field work as a range rider and running range riding programs in areas with wolf-livestock conflict in the western United States. In conducting the assessment, the contractor may access written range rider logs and georeferenced data produced by the grant recipients, in addition to reading annual reports of the recipients and interviewing relevant participants. The contractor may also provide general recommendations for improvement of programs intended to provide effective wolf-livestock deterrence, taking into account the terrain and other challenges faced in northeast Washington. The contractor must complete their assessment for Washington State University extension service to be delivered to the legislature, pursuant to RCW 43.01.036, by June 30, 2024.

(31) \$500,000 of the workforce education investment account—state appropriation is provided solely for the energy program for residential energy code education and support, including training, hotline support to the building industry, and information material and web resources.

(32) \$695,000 of the model toxics control operating account—state appropriation is provided solely for turf grass resilience research in high traffic areas.

(33) ~~(a)~~ \$95,000 of the general fund—state appropriation for fiscal year ~~(2025 is)~~ 2024 and \$215,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the William D. Ruckelshaus center to ~~(conduct a jail modernization task force convening assessment and design a facilitated collaborative process and work plan for)~~ support the jail modernization task force created in section 915 ~~(of this act)~~, chapter 475, Laws of 2023.

(a) Of the amounts provided in this subsection, \$95,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the center to conduct a jail modernization task force convening assessment and design a facilitated collaborative process and work plan for the jail modernization task force created in section 915, chapter 475, Laws of 2023.

(b) Of the amounts provided in this subsection, \$215,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the center to provide staff support, facilitation, and development of the task force's initial report of findings and recommendations described in section 915, chapter 475, Laws of 2023.

(c) The convening assessment shall include, but not be limited to:

(i) Gathering and reviewing additional background information relevant to the project;

(ii) Meeting and consulting with the Washington state association of counties to gather background on issues, confirm the list of members to interview, and provide updates throughout the duration of the work; and meeting and consulting with the Washington state institute for public policy to coordinate, inform, and share information and findings gathered; and

(iii) Setting up individual conversations with task force members, and others as needed, to assess their goals, expectations, interests, and desired outcomes for the task force. The purpose of these conversations will also be to gather insights and perspectives from members about, but not limited to, the following:

(A) What key components and issues should be included in a statewide jail modernization plan, what existing facilities are in need of upgrades or remodel, and any need for building new facilities;

(B) Identifying any additional key stakeholders;

(C) Employee retention issues and potential solutions;

(D) The impact of overtime, jail atmosphere, emergency response time, inexperienced corrections officers, and how to overcome these challenges;

(E) The type of and design of facilities needed to house those with behavioral health needs and associated costs of these facilities;

(F) Available diversion programs and their costs;

(G) Types of existing behavioral health facilities for those involved in the criminal justice system, the costs of building and running these facilities, how these facilities vary



by location, the viability of offering facilities in every county, and potential system improvements to the types of services and supports offered and delivered to those with behavioral health needs;

(H) The types of services and supports provided to those exiting the jail system; and

(I) Reforms necessary to create and enhance a seamless transition back to the community following jail confinement.

~~((b))~~ (d) Center staff will provide a convening assessment report that will include the overall process design and work plan for the task force by June 30, ~~((2025))~~ 2024.

(34) \$1,596,000 of the workforce education investment account—state appropriation is provided solely for the creation of a bachelor's and master's degree in social work at the Tri-Cities campus.

(35) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(36) \$372,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(37) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(38) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting), for a least-conflict pumped storage siting project. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(39) \$125,000 of the workforce education investment account—state appropriation is provided solely for implementation of Senate Bill No. 5287 (wind turbine blades). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(40) (a) \$1,200,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a Native American scholarship program during the 2023-2025 biennium. Of the amounts in this subsection, no more than \$100,000 of the workforce education investment account—state appropriation for fiscal year 2024 and \$100,000 of the workforce education investment account—state appropriation for fiscal year 2025 may be spent on administration; development of the program; support services for students; outreach regarding the program; and technical support for application.

(b) "Eligible student" means a member of a federally recognized Indian tribe located within Washington who files a free application for federal student aid (FAFSA) and enrolls in an undergraduate degree program. Eligible students need to maintain satisfactory academic progress during the 2023-2025 biennium to remain eligible for the scholarship. The institution shall determine award priorities based on tribal consultation. Awards must be distributed to students no later than May of each fiscal year.

(c) The institution must submit a report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025. The report must include: The number of eligible students; the number of students who receive a scholarship; how recipients were determined; and how many members of federally recognized Indian tribes in Washington received scholarships versus members of federally recognized Indian tribes from other states.

(41) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(42) \$2,425,000 of the workforce education investment account—state appropriation is provided solely for the development and operations of a journalism fellowship program focused on civic affairs.

(43) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$4,271,000 of the general fund—state appropriation for fiscal year 2024 and \$2,573,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to purchase the obligated amount of carbon emission allowances.

(45) \$190,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to continue the statewide broadband coordinator position in the Washington State University extension program.

(46) \$1,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 6166 (pesticide application comm). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 604.** 2023 c 475 s 608 (uncodified) is amended to read as follows:  
**FOR EASTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$65,367,000</del> ))
	<u>\$65,677,000</u>

General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$67,576,000</del> ))
	<u>\$67,933,000</u>
Education Legacy Trust Account—State Appropriation . . . . .	\$16,838,000
Workforce Education Investment Account—State Appropriation . . . . .	(( <del>\$24,730,000</del> ))
	<u>\$24,889,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$174,511,000</del>))</b>
	<b><u>\$175,337,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) At least \$350,000 of the general fund—state appropriation for fiscal year 2024 and at least \$350,000 of the general fund—state appropriation for fiscal year 2025 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) ((~~\$12,586,000~~)) \$12,720,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$12,862,000~~)) \$13,038,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(5) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(6) \$2,274,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(7) \$2,636,000 of the workforce education investment account—state appropriation is provided solely to maintain a computer engineering degree program in the college of science, technology, engineering, and math.

(8) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(9) \$300,000 of the workforce education investment account—state appropriation is provided solely to establish a center for inclusive excellence for faculty and staff.

(10) \$536,000 of the workforce education investment account—state appropriation is provided solely for a professional masters of science cyber operations degree option.

(11) \$2,144,000 of the workforce education investment account—state appropriation is provided solely for the operation of a bachelor of science in cybersecurity degree option through the computer science program.

(12) \$2,108,000 of the workforce education investment account—state appropriation is provided solely for the operation of a coordinated care network that will help to maximize the collaboration of various student support services to create wraparound care for students to address obstacles to degree completion. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(13) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(14) \$4,598,000 of the workforce education investment account—state appropriation is provided solely to expand faculty and staff to create a cohort of 80 students in the bachelor of nursing program.

(15) \$476,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/review).

(16) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a summer bridge program.

(17) ((~~\$500,000~~)) \$1,020,000 of the workforce education investment account—state appropriation is provided solely for the establishment and operating support of a university mathematics, engineering, and science achievement program.

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(19) \$118,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary

student needs). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(20) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(21) (~~(\$5,000,000)~~)\$3,977,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(23) \$127,000 of the workforce education investment account—state appropriation is provided solely to develop the postbaccalaureate dental therapy certificate in the college of health science and public health.

(24) \$535,000 of the workforce education investment account—state appropriation is provided solely to support college in high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 605.** 2023 c 475 s 609 (uncodified) is amended to read as follows:

**FOR CENTRAL WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$68,760,000)</del> )
	\$68,916,000
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$71,733,000)</del> )
	\$72,016,000
Central Washington University Capital Projects	
Account—State Appropriation . . . . .	\$76,000
Education Legacy Trust Account—State Appropriation . . . . .	\$19,076,000
Workforce Education Investment Account—State	
Appropriation . . . . .	( <del>(\$16,537,000)</del> )
	\$15,793,000
<b>TOTAL APPROPRIATION</b> .....	<del>(\$176,182,000)</del>
	<b>\$175,877,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) (~~(\$14,186,000)~~)\$14,337,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$14,498,000)~~)\$14,696,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(5) \$2,236,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(6) \$1,050,000 of the workforce education investment account—state appropriation is provided solely to increase the number of certified K-12 teachers.

(7) \$736,000 of the workforce education investment account—state appropriation is provided solely to maintain mental health counseling positions.

(8) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two counselor positions to increase access to mental health counseling for traditionally underrepresented students.

(9) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health outreach and service coordination position who has knowledge of issues relevant to veterans.

(10) \$240,000 of the workforce education investment account—state appropriation is provided solely for expanding cybersecurity capacity by adding additional faculty resources in the department of computer science.

(11) \$586,000 of the workforce education investment account—state appropriation is provided solely for a peer mentoring program. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(12) \$286,000 of the workforce education investment account—state appropriation is provided solely for the operation of an extended orientation program to help promote retention of underserved students. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(13) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the cost of the criminal justice training center's use of office and classroom space at the Lynnwood campus.

(14) \$592,000 of the general fund—state appropriation for fiscal year 2024 and \$1,091,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(15) \$1,406,000 of the workforce education investment account—state appropriation is provided solely for student success. Students will receive discipline specific tutoring programs, peer assisted learning sessions, and academic success coaching.

(16) \$967,000 of the workforce education investment account—state appropriation is provided solely for grow your own teacher residency programs in high need areas of elementary, bilingual, special education, and English language learners.

(17) \$844,000 of the workforce education investment account—state appropriation is provided solely for dual language expansion programs in Yakima and Des Moines.

(18) \$126,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) \$25,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$57,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) ~~((~~\$8,060,000~~))~~ \$5,709,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$398,000 of the workforce education investment account—state appropriation is provided solely to support two financial aid coaching specialists, the university food pantry, including a coordinator, and an assistant director and advocate to support students who have experienced sexual violence.

(24) Appropriations in this section are sufficient to implement provisions of the collective bargaining agreement that go into effect on or after July 1, 2024, between Central Washington University and the campus police officers and sergeants negotiated under chapter 41.80 RCW and as set forth in part IX of this act.

(25) \$1,209,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

**Sec. 606.** 2023 c 475 s 610 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$39,088,000</del> ))
	\$38,787,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$38,499,000</del> ))
	\$39,454,000
The Evergreen State College Capital Projects	
Account—State Appropriation . . . . .	\$80,000
Education Legacy Trust Account—State Appropriation . . . . .	\$5,450,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$5,554,000</del> ))
	\$6,347,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$88,671,000</del>))</b>
	<b>\$90,118,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$4,315,000~~))~~ \$4,361,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$4,410,000~~))~~ \$4,470,000 of the general fund—state appropriation for fiscal year 2025

are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(3) Within amounts appropriated in this section, the college is encouraged to increase the number of tenure-track positions created and hired.

(4) (~~(\$4,063,000)~~) \$3,715,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,732,000)~~) \$3,583,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state institute for public policy to initiate, sponsor, conduct, and publish research that is directly useful to policymakers and manage reviews and evaluations of technical and scientific topics as they relate to major long-term issues facing the state. Within the amounts provided in this subsection (4):

(a) \$1,665,000 of the amounts in fiscal year 2024 and \$1,685,000 of the amounts in fiscal year 2025 are provided for administration and core operations.

(b) (~~(\$1,229,000)~~) \$1,069,000 of the amounts in fiscal year 2024 and (~~(\$529,000)~~) \$709,000 of the amounts in fiscal year 2025 are provided solely for ongoing and continuing studies on the Washington state institute for public policy's work plan.

(c) (~~(\$202,000)~~) \$142,000 of the amounts in fiscal year 2024 and (~~(\$80,000)~~) \$140,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to update its adult corrections inventory of evidence-based, research-based, and promising programs and expand the inventory to include new programs that were not included in the last published Washington state institute for public policy inventory in 2018. This update must focus on programs for incarcerated individuals in prison facilities to include family and relationships programs, learning and working programs, and therapeutic and support programs. The institute should prioritize the addition of programs currently offered by the Washington state department of corrections. Of this amount:

(i) No later than (~~December 31, 2023~~) June 30, 2024, the institute shall publish a preliminary report identifying the list of programs currently offered in Washington state department of corrections prison facilities and the list of new programs to be analyzed for inclusion on the updated adult corrections inventory. The preliminary report must include an indication of whether the Washington state department of corrections programs have ever been evaluated for their effect on recidivism; and

(ii) No later than December 31, 2024, the institute shall publish a final report with the updated adult corrections inventory classifying programs as evidence-based, research-based, or promising programs. The report shall include a list of programs currently offered in Washington state department of corrections prison facilities and a determination of their likely effectiveness in reducing recidivism based on the results of the adult corrections inventory.

(d)(i) \$154,000 of the amount for fiscal year (~~2024~~) 2025 is provided solely for the institute to examine the costs associated with conservation district elections under current law, and the projected costs and benefits for shifting conservation district election to be held on general election ballots under Title 29A RCW. The examination must include, to the extent that the data allows:

(A) An analysis of the amount of money that each conservation district spends on holding elections for supervisors under current law, and a description of the funding sources that each conservation district utilizes to fund its elections;

(B) Information about voter turnout in each conservation district supervisor election in at least the past six years and up to the past 20 years, if the conservation district has such data, as well as a calculation of the total cost per ballot cast that each conservation district spent in those elections;

(C) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if the district were to hold its supervisor elections on general election ballots under the processes and procedures in Title 29A RCW, including:

(I) Switching all supervisor positions to elected positions; and

(II) Changing term lengths to four years, with terms staggered such that elections are held every two years, to align with the elections for other local government officials;

(D) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if, in addition to the changes described in (d)(i)(C) of this subsection, the conservation districts were divided into zones such that each zone is represented by a single supervisor, rather than electing each supervisor at-large throughout the district; and

(E) An overall description of potential nonmonetary costs and benefits associated with switching conservation district supervisor elections to the general election ballots under Title 29A RCW and incorporating the changes described in (d)(i)(C) and (D) of this subsection.

(ii) A preliminary report which contains any available information to date must be completed by December 1, (~~2023~~) 2024. A final report must be completed by June 30, (~~2024~~) 2025, and submitted in accordance with RCW 43.01.036 to the standing committees of the house of representatives and the senate with jurisdiction over elections and conservation district issues.

(e) \$100,000 of the amounts for fiscal year 2024 and \$100,000 of the amounts for fiscal year 2025 are provided solely for the institute to conduct a review of all assessments and charges imposed on individuals incarcerated in department of corrections facilities and their

family members and its effect on the financial status of incarcerated individuals. The review must include, at a minimum:

(i) An evaluation of all costs incurred by incarcerated individuals for items that include but are not limited to:

- (A) Food;
- (B) Commissary items;
- (C) Personal hygiene items;
- (D) Electronic devices and services, tablets, digital stamps, and downloadable media and services such as music, movies, and other programs;
- (E) Stationary, mail, and postage;
- (F) Communication devices such as telephones, local and nonlocal telephone services, and video chat services;
- (G) Clothing and shoes;
- (H) Copayments for medical, dental, and optometry visits, care, and medication;
- (I) Eyeglasses;
- (J) Gym, television services, and any other recreational activities;
- (K) Educational and vocational classes, programming, and related materials; and
- (L) Any and all items and services charged to incarcerated persons under RCW 72.09.450 and 72.09.470 including, but not limited to, a complete list of any other item that an individual was or could have been charged for while incarcerated;

(ii) A complete itemized list of: (A) All items in (e)(i) of this subsection; (B) the cost of each item and service purchased by the department or negotiated with a vendor in (e)(i) of this subsection; (C) the resale or purchased price charged to incarcerated individuals and their family members for the same items in (e)(i) of this subsection; (D) the revenue or profit retained or reinvested by the department for each individual item in (e)(i) of this subsection; (E) the cost of items and services listed in (e)(i) of this subsection compared to comparable items and services that are not provided through correctional industries; and (F) an assessment of the prices charged for the items and services listed in (e)(i) of this subsection as compared to comparable items and services provided by other companies and vendors that do not service prisons;

(iii) A complete list of all items including, but not limited to, clothing and personal hygiene items, that are distributed monthly free of charge: (A) To all incarcerated individuals irrespective of their financial status; and (B) solely to indigent inmates as defined in RCW 72.09.015 provided the individual remains in indigent status during his or her period of incarceration;

(iv) The average annual debt incurred by an individual while incarcerated. This includes debt solely recorded and posted by the department for debt incurred between the individual's first day of confinement within the department of corrections through the individual's day of release from incarceration from prison;

(v) The average debt owed by incarcerated individuals to the department for items and services under (e)(i) of this subsection upon release from confinement;

(vi) The average amount paid by incarcerated individuals to the department for items and services under (e)(i) of this subsection during their period of confinement;

(vii) A list of the: (A) Required deductions from wages and gratuities earned pursuant to RCW 72.09.100 through 72.09.111; (B) required deductions from the funds received, by the department on behalf of an incarcerated person from outside sources, in addition to an incarcerated individual's wages or gratuities pursuant to RCW 72.09.480; and (C) wages and gratuities earned by an incarcerated individual and any funds received, by the department on behalf of an incarcerated person, from outside sources for specific items listed in (e)(i) of this subsection that are exempt from statutory deductions;

(viii) The average amount of funds remaining in an incarcerated individual's savings account at the time of his or her release from confinement; and

(ix) A review and evaluation of the fines, fees, and commission generated from any of the items and services listed in (e)(i) of this subsection that are used in the department's budget.

The institute must provide a final report to the governor and the appropriate committees of the legislature by June 30, 2025.

(f) (i) (~~(\$50,000)~~) \$76,000 of the amount for fiscal year 2024 (~~(is)~~) and \$128,000 of the amount for fiscal year 2025 are provided solely for the institute to study the contracting practices for goods and services, and manufactured products, made or offered by correctional industries to state agencies and various political subdivisions within the state. A cost benefit analysis must be included in the report which must:

(A) Determine the costs of all contracts utilizing the labor of incarcerated individuals providing services or the manufacture of goods for state entities and other political subdivisions;

(B) Compare the cost savings to the state of Washington that is projected when those goods and services are procured from or produced by corrections industries and not private businesses engaged in a competitive bidding process with the state and its various political subdivisions;

(C) Provide a detailed break out of total number of labor positions that are offered to incarcerated individuals, ranked from least skilled to most skilled and the rate per hour of the gratuities the individuals are given monthly for this labor, including the amount if the gratuity given to incarcerated individuals was the federal or state mandated minimum wage;

(D) Provide a detailed listing of all commissary items purchased by and offered for sale to individuals incarcerated within the facilities operated by the department of corrections. This listing of individual items must also include the wholesale price from outside vendors

that correction industries pays for each line item offered to incarcerated individuals, and the price charged to the incarcerated individual for those items; and

(E) Provide a comprehensive list of all positions offered by corrections industries that provide substantive training and labor ready skills for individuals to assume positions in the workforce outside of incarceration; and to the extent the data allows, provide the number of individuals who have positions upon release that were obtained with skills obtained through work at correctional industries.

(ii) The institute must submit a report to the appropriate committees of the legislature by June 30, 2025, in compliance with RCW 43.01.036.

(g)(i) \$260,000 of the amounts in fiscal year 2024 and \$98,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to conduct a study of the Washington jail system and county juvenile justice facilities.

(ii) The institute's report shall include, to the extent possible, consideration of the following:

(A) A longitudinal study of how the county jail and county juvenile detention populations have changed over the last 12 years including, but not limited to, an analysis of demographics, physical and behavioral health issues, number of inmates, and types of convictions;

(B) An analysis of county jail and county juvenile detention facility survey data provided by the Washington state association of counties as described in (g)(v) of this subsection; and

(C) Examination of the availability of criminal justice training commission classes for corrections officers.

(iii) The health care authority, department of social and health services, administrative office of the courts, criminal justice training commission, state auditor's office, office of financial management, and Washington state patrol must provide the institute with access to data or other resources if necessary to complete this work.

(iv) The institute shall submit the report to the appropriate committees of the legislature and the governor by December 1, 2024.

(v) As part of the study, the institute shall contract with the Washington state association of counties to conduct a survey of jail and juvenile detention facilities in Washington state. The survey shall include, but not be limited to, the following:

(A) Age of the facilities;

(B) Age of systems within the facilities;

(C) Cost of remodeling facilities;

(D) Cost of building new facilities;

(E) General maintenance costs of the facilities;

(F) Operational costs of the facilities;

(G) Workforce, to include, but not be limited to, employee vacancies as a percentage of total employees;

(H) Services, supports, and programming, to include, but not be limited to:

(I) Costs of housing those with behavioral health needs;

(II) Number of individuals with behavioral health needs;

(III) Cost of competency restoration;

(IV) Physical health services and related costs;

(V) Number of individuals booked and housed on behalf of state agencies;

(VI) Percent of individuals waiting for a state hospital;

(VII) Available nonincarcerative alternatives and diversion programs; and

(VIII) Available release and reentry services;

(I) Funding sources, to include, but not be limited to:

(I) County tax structure and revenue raising ability; and

(II) Jail and juvenile detention facility funding sources.

(vi) The Washington state association of counties shall consult with the Washington state institute for public policy during the design and distribution of the survey. Responses to the survey shall be compiled and provided to the Washington state institute for public policy by December 31, 2023.

(h)(i) \$240,000 of the amounts in fiscal year 2024 and \$240,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy, in consultation with the Washington traumatic brain injury strategic partnership advisory council, to study the potential need for developing specialized long-term services and supports for adults with traumatic brain injuries.

(ii) At a minimum, the study must include an examination of:

(A) The demographics of adults with traumatic brain injuries in the state who are anticipated to be in need of long-term services and supports, including an examination of those who are likely to be eligible for medicaid long-term services and supports;

(B) The industry standards of providing long-term care services and supports to individuals with traumatic brain injuries; and

(C) The methods other states are utilizing to provide long-term services and supports to individuals with traumatic brain injuries, including identifying the rates paid for these services and a description of any specialized facilities established to deliver these services.

(iii) A report of the findings of this study and any recommendations for increasing access to appropriate long-term services and supports for individuals with traumatic brain

injuries shall be submitted to the governor and the appropriate committees of the legislature no later than June 30, 2025.

(i) \$163,000 of the amounts in fiscal year 2024 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(j) \$222,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 29, Laws of 2022 (reentry and rehabilitation).

(k) \$107,000 of the amounts in fiscal year 2025 is provided solely for the Washington state institute for public policy to examine programs in peer states related to breast cancer education and prevention prior to diagnosis and support and resources after diagnosis for native communities. The study must focus on programs that are operated by either the state, tribes solely, or tribes in coordination with the state. To identify peer states, the institute may consider factors such as the population of American Indians and Alaska natives, number of federally recognized tribes, and whether the state has expanded medicaid. The report shall include for each peer state the existence of any programs that meet the criteria described in this section, and summarize any research findings on these programs, if available. The institute must submit a report to the appropriate committees of the legislature by June 30, 2025, in compliance with RCW 43.01.036.

(l) Notwithstanding other provisions in this subsection, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute's 2023-25 work plan as necessary to efficiently manage workload.

(5) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional faculty to support Native American and indigenous programs.

(6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the native pathways program for an assistant director.

(7) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison position.

(8) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(9) \$137,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student mental health and wellness. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(10) \$196,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for additional laboratory, art, and media lab sections.

(11) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop and expand current corrections education programs offered in department of corrections facilities. The college shall appoint a project implementation team, collaborate with stakeholders to plan student success programs and curriculum which lead to transferable credit, associate and bachelor's degrees, and other workforce credentials, and train faculty and staff on working with incarcerated populations.

(12) \$2,636,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(13) \$670,000 of the workforce education investment account—state appropriation is provided solely to maintain enrollment capacity in psychology programs.

(14) \$600,000 of the workforce education investment account—state appropriation is provided solely to increase student success by maintaining support for a student precollege immersion program and the Evergreen first-year experience.

(15) \$988,000 of the workforce education investment account—state appropriation is provided solely for student enrollment and retention support. Funding is provided for hiring a student advisor and underserved student specialist to provide student support and administrative support for the native pathways program.

(16) \$554,000 of the workforce education investment account—state appropriation is provided solely for the expansion of corrections education offerings to currently incarcerated students and the expansion of reentry services.

(17) ~~(\$106,000)~~ \$161,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)) Of the amount provided in this subsection, \$55,000 of the workforce education investment account—state appropriation is provided solely to increase the benefits navigator position to 1.0 FTE and extend the hours of operation for the student basic needs/advocacy center.

(18) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for



implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(19) \$6,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(20) \$738,000 of the workforce education investment account—state appropriation is provided solely for the Shelton promise pilot program.

(21) \$42,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 607.** 2023 c 475 s 611 (uncodified) is amended to read as follows:

**FOR WESTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$98,802,000)</del> )
	<u>\$99,084,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$103,707,000)</del> )
	<u>\$104,563,000</u>
Western Washington University Capital Projects	
Account—State Appropriation . . . . .	\$1,424,000
Education Legacy Trust Account—State Appropriation . . . . .	\$13,831,000
Workforce Education Investment Account—State	
Appropriation . . . . .	( <del>(\$21,399,000)</del> )
	<u>\$21,844,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(<del>(\$239,163,000)</del>)</b>
	<b><u>\$240,746,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) (~~(\$19,580,000)~~) \$19,789,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$20,010,000)~~) \$20,283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation and implementation of an early childhood education degree program at the western on the peninsulas campus. The university must collaborate with Olympic college. At full implementation, the university is expected to grant approximately 75 bachelor's degrees in early childhood education per year at the western on the peninsulas campus.

(5) \$1,306,000 of the general fund—state appropriation for fiscal year 2024 and \$1,306,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to develop a new program in marine, coastal, and watershed sciences.

(6) \$886,000 of the general fund—state appropriation for fiscal year 2024 and \$886,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to reduce tuition rates for four-year degree programs offered in partnership with Olympic college—Bremerton, Olympic college—Poulsbo, and Peninsula college—Port Angeles that are currently above state-funded resident undergraduate tuition rates.

(7) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to recruit and retain high quality and diverse graduate students.

(8) \$548,000 of the general fund—state appropriation for fiscal year 2024 and \$548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for critical support services to ensure traditionally underrepresented students receive the same opportunities for academic success as their peers.

(9) \$48,000 of the general fund—state appropriation for fiscal year 2024 and \$48,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(10) \$530,000 of the general fund—state appropriation for fiscal year 2024 and \$530,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation of two bilingual educator programs in the south King county region, including a bilingual elementary education degree program and a secondary education degree program. At full implementation, each cohort shall support up to 25 students per year.

(11) \$361,000 of the general fund—state appropriation for fiscal year 2024 and \$361,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a master of science program in nursing.

(12) \$433,000 of the general fund—state appropriation for fiscal year 2024 and \$433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the registered nurse to bachelors in nursing program.

(13) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(14) \$2,256,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(15) \$3,426,000 of the workforce education investment account—state appropriation is provided solely to maintain access to science, technology, engineering, and mathematics degrees.

(16) \$908,000 of the workforce education investment account—state appropriation is provided solely to establish an academic curriculum in ethnic studies.

(17) \$400,000 of the workforce education investment account—state appropriation is provided solely for upgrading cyber range equipment and software.

(18) \$2,520,000 of the workforce education investment account—state appropriation is provided solely for student support services that include resources for outreach and financial aid support, retention initiatives including targeted support for underserved student populations, mental health support, and initiatives aimed at addressing learning disruption due to the global pandemic. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for student support services.

(19) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(20) \$500,000 of the workforce education investment account—state appropriation is provided solely for the student civic leaders initiative.

(21) \$1,610,000 of the general fund—state appropriation for fiscal year 2024 and \$2,875,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(22) \$3,186,000 of the workforce education investment account—state appropriation is provided solely for the western on the peninsulas expansion. This includes new two plus two degrees programs such as industrial engineering, data science, and sociology.

(23) \$1,577,000 of the workforce education investment account—state appropriation is provided solely for expanded remedial math and additional English 101 courses, as well first year seminars, and disability accommodation counselors. Of the amounts provided in this subsection for first year seminars, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided for the university to develop a student orientation program for students receiving the Washington college grant, focusing on first-generation and traditionally underrepresented students. The program may include evidence-based student success metrics, peer support, and mentorship following orientation. The program proposal must be submitted to the legislature by December 1, 2023 for implementation in the 2024-2025 academic year.

(24) \$100,000 of the workforce education investment account—state appropriation is provided solely for mental health first aid training for faculty.

(25) \$150,000 of the workforce education investment account—state appropriation is provided solely for the small business development center to increase technical assistance to black, indigenous, and other people of color small business owners in Whatcom county.

(26) \$694,000 of the workforce education investment account—state appropriation is provided to establish a master of social work program at western on the peninsulas.

(27) \$2,478,000 of the workforce education investment account—state appropriation is provided solely for expansion of bilingual educators education.

(28) \$1,000,000 of the workforce education investment account—state appropriation is provided for additional student support and outreach at western on the peninsulas.

(29) \$580,000 of the workforce education investment account—state appropriation is provided solely to convert the human services program at western on the peninsulas from self-sustaining to state-supported to reduce tuition rates for students in the program.

(30) \$118,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$23,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) \$1,306,000 of the workforce education investment account—state appropriation is provided solely to establish and administer a teacher residency program focused on special education instruction beginning in the 2024-25 school year. Amounts provided in this subsection are sufficient to support one cohort of 17 residents per school year, and must be prioritized to communities that are anticipated to be most positively impacted by teacher residents who fill teacher vacancies upon completing the teacher residency program and who remain in the communities in which they are mentored. The teacher residency program must meet the following requirements:

- (a) Residents receive compensation equivalent to first year paraeducators, as defined in RCW 28A.413.010;
- (b) Each resident is assigned a preservice mentor;
- (c) Preservice mentors receive a stipend of \$2,500 per year;
- (d) Residents receive at least 900 hours of preservice clinical practice over the course of the school year;
- (e) At least half of the residency hours specified in (d) of this subsection are in a coteaching setting with the resident's preservice mentor and the other half of the residency hours are in a coteaching setting with another teacher;
- (f) Residents may not be assigned the lead or primary responsibility for student learning;
- (g) Coursework taught during the residency is codesigned by the teacher preparation program and the school district, state-tribal education compact school, or consortium, tightly integrated with residents' preservice clinical practice, and focused on developing culturally responsive teachers; and
- (h) The program must prepare residents to meet or exceed the knowledge, skills, performance, and competency standards described in RCW 28A.410.270(1).

(34) \$445,000 of the workforce education investment account—state appropriation is provided solely to expand the undergraduate electrical and computer engineering program.

(35) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the university to contract with a nonprofit organization in Kitsap county that provides cyber security curriculum to postsecondary institutions for cyber security education in partnership with the Washington state cyber range in Poulsbo.

(36) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the university to contract with a nonprofit organization in Whatcom county that provides economic and financial education to conduct foundational research on the efficacy of financial education course formats.

**Sec. 608.** 2023 c 475 s 612 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—POLICY COORDINATION AND ADMINISTRATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$9,850,000 ))
	\$9,895,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$9,416,000 ))
	\$9,978,000
General Fund—Federal Appropriation . . . . .	(( \$20,996,000 ))
	\$20,998,000
Washington Student Loan Account—State Appropriation . . . . .	(( \$90,000,000 ))
	\$50,000,000
Workforce Education Investment Account—State Appropriation . . . . .	\$16,311,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$146,573,000 ))</b>
	<b>\$107,182,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$126,000 of the general fund—state appropriation for fiscal year 2024 and \$126,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consumer protection unit.

(2) The student achievement council must ensure that all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW provide the data needed to analyze and evaluate the effectiveness of state financial aid programs. This data must be promptly transmitted to the education data center so that it is available and easily accessible.

(3) Community-based organizations that receive state funding under subsection (11) of this section and section ~~((605(35)))~~ 601(35) of this act are not eligible for Washington career and college pathways innovation challenge program grant funding for the same purpose.

(4) \$575,000 of the general fund—state appropriation for fiscal year 2024 and \$575,000 of the general fund—state appropriation for fiscal year 2025 are provided to increase the number of high school seniors and college bound scholars that complete the free application for federal student aid and the Washington application for state financial aid through digital engagement tools, expanded training, and increased events for high school students.

(5) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative support services to carry out duties and responsibilities necessary for recipients of the Washington college grant who are enrolled in a state registered apprenticeship program.

(6) (a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The student achievement council, in cooperation with the council of presidents, must provide resources for up to two four-year colleges or universities, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college and university staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The council, in collaboration with the council of presidents and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health insurance coverage; and to provide recommendations on how to improve student and staff access to health coverage based on data gathered from the pilot program.

(7) \$1,208,000 of the general fund—state appropriation for fiscal year 2024 and \$1,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington award for vocational excellence. Of the amount provided in this subsection, \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 may be used for administration and that is the maximum amount that may be expended for this purpose.

(8) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the career launch grant pool for the public four-year institutions.

(9) \$179,000 of the general fund—state appropriation for fiscal year 2024 and \$179,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the complete Washington program.

(10) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the council to submit a progress report on the new or expanded cybersecurity and nursing academic programs that receive funding in sections ~~((605 through 611))~~ 601 through 607 of this act, including the number of students enrolled. The council must coordinate with the institutions of higher education and the state board for community and technical colleges as provided in ~~((sections 603(3), 605(31), and 605(37)))~~ section 603(3), chapter 475, Laws of 2023 and section 601 (31) and (37) of this act. The progress report must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2024.

(11) \$5,778,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to contract with a statewide nonprofit organization located in King county to expand college services to support underserved students and improve college retention and completion rates.

(12) \$46,000 of the general fund—state appropriation for fiscal year 2024 and \$46,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the state of Washington's annual dues to the education commission of the state.

(13) \$150,000 of the workforce education investment account—state appropriation is provided solely for an implementation review of the passport to careers program. The review must include short and long-term recommendations to improve the reach and effectiveness of the passport program. The review must include consultation with organizations serving foster youth, the state board of community and technical colleges, public four-year institutions, and other organizations involved in the passport to college and passport to apprenticeship programs. Amounts provided in this subsection may be used to provide stipends for youth participating in the review who are receiving funds from passport programs or are eligible to receive funds from passport programs. The review must be submitted to the appropriate committees of the legislature by June 30, 2024.

(14) \$1,485,000 of the workforce education investment account—state appropriation and ~~(((\$90,000,000))~~ \$50,000,000 of the Washington student loan account—state appropriation are provided solely for implementation of Engrossed House Bill No. 1823 (WA student loan program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(15) \$16,000,000 of the general fund—federal appropriation is provided solely for the good jobs challenge grant expenditure authority.

(16) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for contraception vending machines for students and staff stocked with emergency contraceptive medication and other forms of contraception, including condoms, at discreet and geographically accessible locations, such as gender-neutral restrooms and student union buildings, and locations that are accessible on weekends and after 5:00 p.m. The council must distribute \$10,000 to each public four-year institution and community and technical college who apply on a first-come, first-served basis.

(17) \$1,150,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for the council to provide grants to law schools in the state who offer a law clinic focusing on crime victim support.

(19) (a) \$100,000 of the workforce education investment account—state appropriation is provided solely to contract with a nonprofit organization located in Tacoma that focuses on coordinated systems of support for postsecondary success to conduct a comprehensive study on the feasibility and potential impacts on postsecondary enrollment of a policy of universal free application for federal financial aid (FAFSA) completion. For purposes of this subsection, universal FAFSA completion means making completion of the financial aid form a requirement for high school graduation and requiring schools to support students through the process. The study will include, but is not limited to, the following:

(i) A landscape scan of existing state and local level universal FAFSA completion policies, both in Washington and nationally;

(ii) Input from key stakeholder groups, including students, parents, state agency staff, K-12 district staff and leadership, and student serving organizations; and

(iii) Recommendations for possible policy change at the state level.

(b) A report of findings and recommendations must be submitted to the appropriate committees of the legislature pursuant to RCW 43.01.036 by November 30, 2023.

(20) \$648,000 of the workforce education investment account—state appropriation is provided solely for distribution to four-year institutions of higher education participating in the students experiencing homelessness program without reduction by the Washington student achievement council, pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) \$46,000 of the workforce education investment account—state appropriation is provided solely for the administration of the students experiencing homelessness program pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$400,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5687 (wrestling grant program). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(23) \$356,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to staff the workforce education investment accountability and oversight board as provided in Engrossed Senate Bill No. 5534 (workforce investment board). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(24) \$191,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a full-time position to support an increased workload in contracting activities.

(25) \$330,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 609.** 2023 c 475 s 613 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—OFFICE OF STUDENT FINANCIAL ASSISTANCE**

General Fund—State Appropriation (FY 2024)	(( <del>\$302,029,000</del> ))
	\$302,031,000
General Fund—State Appropriation (FY 2025)	(( <del>\$301,772,000</del> ))
	\$301,775,000
General Fund—Federal Appropriation	(( <del>\$12,250,000</del> ))
	\$12,263,000
General Fund—Private/Local Appropriation	\$300,000
Education Legacy Trust Account—State Appropriation	\$85,488,000
Washington Opportunity Pathways Account—State Appropriation	(( <del>\$78,914,000</del> ))
	\$76,603,000
Aerospace Training Student Loan Account—State Appropriation	\$220,000
Workforce Education Investment Account—State Appropriation	(( <del>\$226,415,000</del> ))
	\$328,722,000
Health Professionals Loan Repayment and Scholarship Program Account—State Appropriation	\$11,720,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$1,019,108,000</del>))</b>
	<b>\$1,119,122,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,834,000 of the general fund—state appropriation for fiscal year 2024 and \$7,835,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student financial aid payments under the state work study program, including up to four percent administrative allowance for the state work study program.

(2) \$276,416,000 of the general fund—state appropriation for fiscal year 2024, \$276,416,000 of the general fund—state appropriation for fiscal year 2025, (~~(\$169,036,000)~~) \$258,584,000 of the workforce education investment account—state appropriation, \$69,639,000 of the education legacy trust fund—state appropriation, and \$67,654,000 of the Washington opportunity pathways account—state appropriation are provided solely for the Washington college grant program as provided in RCW 28B.92.200.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2023-2025 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) \$1,165,000 of the general fund—state appropriation for fiscal year 2024, \$1,165,000 of the general fund—state appropriation for fiscal year 2025, \$15,849,000 of the education legacy trust account—state appropriation, and (~~(\$11,260,000)~~) \$8,949,000 of the Washington opportunity pathways account—state appropriation are provided solely for the college bound scholarship program and may support scholarships for summer session. The office of student financial assistance and the institutions of higher education shall not consider awards made by the opportunity scholarship program to be state-funded for the purpose of determining the value of an award amount under RCW 28B.118.010.

(5) \$6,999,000 of the general fund—state appropriation for fiscal year 2024 (~~and~~), \$6,999,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000,000 of the workforce education investment account—state appropriation are provided solely for the passport to college program. The maximum scholarship award is up to \$5,000. The council shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2024 and 2025 for this purpose.

(6) \$55,254,000 of the workforce education investment account—state appropriation is provided solely for an annual bridge grant of \$500 to eligible students. A student is eligible for a grant if the student receives a maximum college grant award and does not receive the college bound scholarship program under chapter 28B.118 RCW. Bridge grant funding provides supplementary financial support to low-income students to cover higher education expenses.

(7) \$500,000 of the workforce education investment account—state appropriation is provided solely for the behavioral health apprenticeship stipend pilot program, with stipends of \$3,000 available to students. The pilot program is intended to provide a stipend to assist students in high-demand programs for costs associated with completing a program, including child care, housing, transportation, and food.

(8) (~~(\$1,000,000)~~) \$1,425,000 of the workforce education investment account—state appropriation is provided solely for the national guard grant program. Of the amount provided in this subsection, \$425,000 of the workforce education investment account—state appropriation for fiscal year 2025 is provided solely to increase national guard grant award amounts.

(9) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for educator conditional scholarship and loan repayment programs established in chapter 28B.102 RCW. Dual language educators must receive priority.

(10) \$10,000,000 of the health professionals loan repayment and scholarship program account—state appropriation is provided solely to increase loans within the Washington health corps.

(11) \$1,156,000 of the workforce education investment account—state appropriation is provided solely for implementation of House Bill No. 1232 (college bound scholarship). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(12) \$500,000 of the workforce education investment account—state appropriation is provided solely for the Washington award for vocational excellence program.

(13) \$8,280,000 of the workforce education investment account—state appropriation is provided solely for implementation of Senate Bill No. 5904 (financial aid terms). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 610.** 2023 c 475 s 614 (uncodified) is amended to read as follows:

**FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$4,845,000)</del> )
	\$4,847,000
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$4,311,000)</del> )
	\$4,613,000
General Fund—Federal Appropriation. . . . .	( <del>(\$55,868,000)</del> )
	\$55,870,000
General Fund—Private/Local Appropriation. . . . .	\$212,000
Climate Commitment Account—State Appropriation. . . . .	\$904,000

Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation. . . . .	\$250,000
Workforce Education Investment Account—State	
Appropriation. . . . .	\$2,350,000
TOTAL APPROPRIATION.....	<del>(\$68,740,000)</del>
	<u>\$69,046,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the health workforce council of the state workforce training and education coordinating board. In partnership with the office of the governor, the health workforce council shall continue to assess workforce shortages across behavioral health disciplines and incorporate the recommended action plan completed in 2020.

(2) \$250,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for an accredited osteopathic medical school to purchase necessary equipment to support the education and training of community-focused occupational therapists.

(3) \$564,000 of the general fund—state appropriation for fiscal year 2024 and \$573,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to conduct health workforce surveys, in collaboration with the nursing care quality assurance commission, to collect and analyze data on the long-term care workforce, and to manage a stakeholder process to address retention and career pathways in long-term care facilities.

(4) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for apprenticeship grants, in collaboration with the nursing care quality assurance commission and the department of labor and industries, to address the long-term care workforce.

(5) \$109,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative expenditures for the Washington award for vocational excellence.

(6) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the workforce board to award grants for the purposes of providing apprenticeship, industry certifications and wraparound student supports to workers pursuing job advancement and enhancement through college readiness, apprenticeship, degree, certification, or professional development opportunities in the health care field. Grant recipients must be labor-management partnerships established under section 302 of the labor-management relations act, 29 U.S.C. Sec. 186 that demonstrate adequate funding match and competency in the provision of student supports, or employers who can demonstrate service serving greater than 50 percent medicaid populations who can demonstrate that they will use the grant to join or establish a labor-management partnership dedicated to the purposes of this section. Preference must be given to applications that demonstrate an ability to support students from racially diverse backgrounds, and that are focused on in-demand fields with career ladders to living wage jobs. Grant recipients must use the funds to provide services including, but not limited to, development and implementation of apprenticeship and industry certifications, benefits administration, tuition assistance, counseling and navigation, tutoring and test preparation, instructor/mentor training, materials and technology for students, childcare, and travel costs.

(7) \$92,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time information technology position to collaborate with other state workforce agencies to establish and support a governance structure that provides strategic direction on cross-organizational information technology projects. The board must submit a report to the governor's office and the appropriate committees of the legislature, pursuant to RCW 43.01.036, with a progress update and recommendations on a coalition model that will result in better service coordination and public stewardship that enables the efficient delivery of workforce development services by September 1, 2023, and September 1, 2024.

(8) The workforce board must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(9) \$84,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$904,000 of the climate commitment account—state appropriation is provided solely for the implementation of Second Substitute House Bill No. 1176 (climate-ready communities), which creates a clean energy technology workforce advisory committee. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ The agency must conduct a study in fiscal year 2024 of the feasibility of a transition to retirement program to ensure income and medical and retirement benefits are not interrupted for workers close to retirement that face job loss or transition because of clean energy technology sector changes.

(11) \$256,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse

supply). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a new application portal for the Washington award for vocational excellence scholarship program.

**Sec. 611.** 2023 c 475 s 615 (uncodified) is amended to read as follows:

**FOR THE STATE SCHOOL FOR THE BLIND**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$11,090,000</del> ))
	<u>\$11,093,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$11,186,000</del> ))
	<u>\$11,192,000</u>
General Fund—Private/Local Appropriation . . . . .	\$34,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$22,310,000</del>))</b>
	<b><u>\$22,319,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades six through twelve for full-time instructional services at the Vancouver campus or online with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

**Sec. 612.** 2023 c 475 s 616 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON CENTER FOR DEAF AND HARD OF HEARING YOUTH**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$17,953,000</del> ))
	<u>\$18,421,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$17,997,000</del> ))
	<u>\$18,514,000</u>
General Fund—Private/Local Appropriation . . . . .	(( <del>\$3,050,000</del> ))
	<u>\$4,052,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$39,000,000</del>))</b>
	<b><u>\$40,987,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Funding provided in this section is sufficient for the center to offer students ages three through 21 enrolled at the center the opportunity to participate in a minimum of 1,080 hours of instruction and the opportunity to earn 24 high school credits.

(2) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a mentoring program for persons employed as educational interpreters in public schools.

(3) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for additional student-based safety training as well as diversity, equity, and inclusion training for staff.

**Sec. 613.** 2023 c 475 s 617 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$6,615,000</del> ))
	<u>\$6,331,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,795,000</del> ))
	<u>\$7,241,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$2,230,000</del> ))
	<u>\$2,830,000</u>
General Fund—Private/Local Appropriation . . . . .	\$184,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$15,824,000</del>))</b>
	<b><u>\$16,586,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$79,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creative districts program.

(2) \$868,000 of the general fund—state appropriation for fiscal year 2024 and \$867,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a tribal cultural affairs program. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support tribal cultural, arts, and creative programs.

(3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to hire a temporary collections technician to maintain and repair public art in the state art collection.

(4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the



commission to implement a pilot program for in-person and online arts programming, targeting adults and families impacted by housing instability, mental health challenges, and trauma.

(5) ~~(((\$489,000))\$199,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(((\$654,000))\$944,000~~ of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for an outdoor public art project in downtown Everett on the façade of the Schack art center. The project shall feature stainless steel images of Sasquatch and Pacific Northwest elements, honoring the rich cultural heritage of the region and the narrative history of the Coast Salish Tribes.

**Sec. 614.** 2023 c 475 s 618 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$5,327,000</del> ))
	\$5,410,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$5,467,000</del> ))
	\$6,185,000
Local Museum Account—Washington State Historical Society—Private/Local Appropriation . . . . .	\$70,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$10,864,000</del>))</b>
	<b><u>\$11,665,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of supporting the Washington museums connect initiative, creating an inventory of rural, volunteer, and multidiscipline museums and place-based heritage groups to connect at-risk museums to a statewide funding and operational network. The department shall contract with an organization that works with and connects museums in Washington state.

(a) The contracted organization must:

(i) Submit to the department a report regarding funding needs for the museums and place-based heritage groups identified in the statewide inventory created in the first phase of the initiative;

(ii) Submit to the department a strategic plan assessing opportunities for the entities identified in the statewide inventory to access local, state, and national funding; and

(iii) Distribute to the entities identified in the inventory information regarding opportunities to apply for local, state, and national funding for the duration of the contract.

(b) The report and the strategic plan are due by June 30, 2025.

(2) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$88,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an assistant curator at the Washington state history museum.

(3) \$4,000 of the general fund—state appropriation for fiscal year 2024, \$4,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the local museum account—Washington state historical society—private/local appropriation are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) \$99,000 of the general fund—state appropriation for fiscal year 2024 and \$242,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state historical society to partner with statewide organizations specializing in the preservation of Washington state aviation history to organize a centennial celebration of the first round-the-world flight that captures the narratives and contributions of Washingtonians to the history of aviation.

(5) \$320,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state historical society to partner with a statewide organization specializing in the preservation of Washington state Jewish history to transform and expand the collection of oral histories from Jewish Washingtonians in order to build awareness and to provide education.

**Sec. 615.** 2023 c 475 s 619 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$4,429,000</del> ))
	\$4,799,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$4,452,000</del> ))
	\$4,661,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$8,881,000</del>))</b>
	<b><u>\$9,460,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$103,000 of the general fund—state appropriation for fiscal year 2024 and \$103,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a director of support services.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an information technology staff to replace the society's contracted information technology support.

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for acquisition, transportation, archiving, and storage of the following two collections:

(a) A collection of artworks created by Harold Balazs;

(b) A collection of Southern Plateau tribal beadwork and culturally historic photographs.

(End of part)

**PART VII  
SPECIAL APPROPRIATIONS**

**Sec. 701.** 2023 c 475 s 701 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—INFORMATION TECHNOLOGY INVESTMENT POOL**

General Fund—State Appropriation (FY 2024) . . . . .	(( <u>\$26,470,000</u> ))
	<u>\$27,023,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$9,022,000</u> ))
	<u>\$22,993,000</u>
Other Appropriated Funds . . . . .	(( <u>\$6,559,000</u> ))
	<u>\$18,508,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<u>\$42,051,000</u>))</b>
	<b><u>\$68,524,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for expenditure into the information technology investment revolving account created in RCW 43.41.433. Amounts in the account are provided solely for the information technology projects shown in LEAP omnibus documents IT-2023, dated April 22, 2023, and IT-2024, dated February 18, 2024, which ~~((is))~~are hereby incorporated by reference. To facilitate the transfer of moneys from other funds and accounts that are associated with projects contained in LEAP omnibus documents IT-2023, dated April 22, 2023, and IT-2024, dated February 18, 2024, the state treasurer is directed to transfer moneys from other funds and accounts to the information technology investment revolving account in accordance with schedules provided by the office of financial management. Restricted federal funds may be transferred only to the extent permitted by law, and will otherwise remain outside the information technology investment account. The projects affected remain subject to the other provisions of this section.

(2) Agencies must apply to the office of the chief information officer for certification and release of funding for each gate of the project. When the office of the chief information officer certifies the key deliverables of the gate have been met, a current technology budget is approved; and if applicable to the stage or gate of the project, that the project is putting functioning software into production that addresses user needs, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality that the office of the chief information officer will post to their website by July 1, 2023, it must notify the office of financial management and the fiscal committees of the legislature. The office of financial management may not approve funding for the certified project gate any earlier than ten business days from the date of notification to the fiscal committees of the legislature.

(3)(a) Allocations and allotments of information technology investment revolving account must be made for discrete stages of projects as determined by the technology budget approved by the office of the chief information officer and the office of financial management.

(b) Fifteen percent of total funding allocated by the office of financial management, or another amount as defined jointly by the office of financial management and the office of the chief information officer, will be retained in the account, but remain allocated to that project. The retained funding will be released to the agency only after successful completion of that stage of the project and only after the office of the chief information officer certifies the stage as required in subsection (2) of this section. For the one Washington project, the amount retained is increased to at least twenty percent of total funding allocated for any stage of that project. If there is no significant risk to the project, the holdback does not apply to the final gate during a biennial close.

(4)(a) Each project must have a technology budget. The technology budget must have the detail by fiscal month for the 2023-2025 fiscal biennium. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out, as well as at least five years of maintenance and operations costs.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit an updated technology budget, if changes occurred, to include

detailed financial information to the office of financial management and the office of the chief information officer. The technology budget must describe the total cost of the project, as well as maintenance and operations costs, to include and identify at least:

(i) Fund sources:

(A) If the project is funded from the information technology revolving account, the technology budget must include a worksheet that provides the fund sources that were transferred into the account by fiscal year;

(B) If the project is by a central service agency, and funds are driven out by the central service model, the technology budget must provide a statewide impact by agency by fund as a worksheet in the technology budget file;

(ii) Full time equivalent staffing level to include job classification assumptions. This is to assure that the project has adequate state staffing and agency support to ensure success, ensure user acceptance, and adequately test the functionality being delivered in each sprint before it is accepted by the agency's contracting officer or their representative. Key project functions that are deemed "critical" must be retained by state personnel and not outsourced, to ensure that knowledge is retained within state government and that the state can self-sufficiently support the system and make improvements without long-term dependence on a vendor;

(iii) Discrete financial budget codes to include at least the appropriation index and program index;

(iv) Object and subobject codes of expenditures;

(v) Anticipated deliverables to include software demonstration dates;

(vi) Historical budget and expenditure detail by fiscal year; and

(vii) Maintenance and operations costs by fiscal year for at least five years as a separate worksheet.

(c) If a project technology budget changes and a revised technology budget is completed, a comparison of the revised technology budget to the last approved technology budget must be posted to the dashboard, to include a narrative rationale on what changed, why, and how that impacts the project in scope, budget, and schedule.

(5) (a) Each project must have a project charter. The charter must include:

(i) An organizational chart of the project management team that identifies team members and their roles and responsibilities, and shows that the project is adequately staffed by state personnel in key functions to ensure success;

(ii) The office of the chief information officer staff assigned to the project;

(iii) A project roadmap that includes the problems the team is solving and the sequence in which the team intends to take on those problems, updated periodically to reflect what has been learned;

(iv) Metrics to support the project strategy and vision, to determine that the project is incrementally meeting user needs;

(v) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project at each agency affected by the project;

(vi) Performance measures used to determine that the project is on time, within budget, and meeting expectations for quality of work product;

(vii) Ongoing maintenance and operations cost of the project post implementation and close out delineated by agency staffing, contracted staffing, and service level agreements; and

(viii) Financial budget coding to include at least discrete financial coding for the project.

(b) If required by the office of the chief information officer, a project may also need to have an investment plan. The office of the chief information officer must:

(i) Base the requirement of an agency needing to have an investment plan on the complexity and risk of the project;

(ii) Establish requirements by project risk level in statewide technology policy, and publish the requirements by September 30, 2023; and

(iii) In collaboration with the department of enterprise services, define the circumstances under which the vendor will be terminated or replaced and establish the process by which the agency will transition to a new vendor with a minimal reduction in project productivity.

(6) (a) Projects with estimated costs greater than \$100,000,000 from initiation to completion and implementation may be divided into discrete subprojects as determined by the office of the chief information officer, except for the one Washington project which must be divided into the following discrete subprojects: Core financials, expanding financials and procurement, budget, and human resources. Each subproject must have a technology budget as provided in this section.

(b) If the project affects more than one agency:

(i) A separate technology budget and investment plan must be prepared by each agency; and

(ii) There must be a budget roll up that includes each affected agency at the subproject level.

(7) The office of the chief information officer shall maintain a statewide information technology project dashboard that provides updated information each fiscal month on projects subject to this section. The statewide dashboard must meet the requirements in section 155 of this act.

(8) For any project that exceeds \$2,000,000 in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:

- (a) Independent quality assurance services for the project must report independently to the office of the chief information officer;
- (b) The office of the chief information officer, based on project risk assessments, may require additional quality assurance services and independent verification and validation services;
- (c) The office of the chief information officer must review, and, if necessary, revise the proposed project to ensure it is flexible and adaptable to advances in technology;
- (d) The technology budget must specifically identify the uses of any financing proceeds. No more than thirty percent of the financing proceeds may be used for payroll-related costs for state employees assigned to project management, installation, testing, or training;
- (e) The agency must consult with the office of the state treasurer during the competitive procurement process to evaluate early in the process whether products and services to be solicited and the responsive bids from a solicitation may be financed;
- (f) The agency must consult with the contracting division of the department of enterprise services for a review of all contracts and agreements related to the project's information technology procurements;
- (g) The agency and project must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of every two-week sprint, except for:
  - (i) Hardware or infrastructure projects; and
  - (ii) Projects that have implemented all phases and are now in maintenance and operations;
- (h) The project solution must be capable of being continually updated, as necessary; and
- (i) The agency and project must deploy usable functionality into production for users within 180 days from the date of an executed procurement contract in response to a competitive request for proposal.
- (9) The office of the chief information officer must evaluate the project at each stage and certify whether the project is putting functioning software into production that addresses user needs, is projected to be completed within budget, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality, and whether the project is planned, managed, and meeting deliverable targets as defined in the project's approved technology budget and investment plan.
- (10) The office of the chief information officer may suspend or terminate a project at any time if it determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall unallot any unused funding and shall not make any expenditure for the project without the approval of the office of financial management. The office of the chief information officer must report on December 1 each calendar year any suspension or termination of a project in the previous 12-month period to the legislative fiscal committees.
- (11) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section, including projects that are not separately identified within an agency budget. The office of the chief information officer must report on December 1 each calendar year any additional projects to be subjected to this section that were identified in the previous 12-month period to the legislative fiscal committees.
- (12) Any cost to administer or implement this section for projects listed in subsection (1) of this section, must be paid from the information technology investment revolving account. For any other information technology project made subject to the conditions, limitations, and review of this section, the cost to implement this section must be paid from the funds for that project.
- (13) The following information technology projects are subject to the conditions, limitations, and review of this section:
  - (a) The state network firewall replacement of the consolidated technology services agency;
  - (b) The resident portal of the consolidated technology services agency; and
  - (c) The resident identity and access management modernization project of the consolidated technology services agency.

**Sec. 702.** 2023 c 475 s 702 (uncodified) is amended to read as follows:

<b>FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT</b>	
General Fund—State Appropriation (FY 2024) . . . . .	((\$1,419,445,000))
	<u>\$1,401,902,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	((\$1,549,610,000))
	<u>\$1,495,940,000</u>
State Building Construction Account—State	
Appropriation . . . . .	((\$14,092,000))
	<u>\$20,863,000</u>
<u>Columbia River Basin Water Supply Development</u>	
<u>Account—State Appropriation . . . . .</u>	<u>\$3,000</u>
Watershed Restoration and Enhancement Bond Account—	
State Appropriation . . . . .	((\$204,000))
	<u>\$64,000</u>
State Taxable Building Construction Account—State	
Appropriation . . . . .	\$876,000

Debt-Limit Reimbursable Bond Retirement Account—	
State Appropriation. . . . .	\$119,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$2,984,346,000)</u></b>
	<b><u>\$2,919,767,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

**Sec. 703.** 2023 c 475 s 703 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE**

Nondebt-Limit Reimbursable Bond Retirement Account—	
State Appropriation. . . . .	<del>(\$51,730,000)</del>
	<u>\$51,761,000</u>

<u>School Construction and Skill Centers Building</u>	
Account—State Appropriation. . . . .	\$4,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$51,730,000)</u></b>
	<b><u>\$51,765,000</u></b>

The appropriation in this section is subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt limit general fund bond retirement account.

**Sec. 704.** 2023 c 475 s 704 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES**

General Fund—State Appropriation (FY 2024). . . . .	\$1,400,000
General Fund—State Appropriation (FY 2025). . . . .	\$1,400,000
State Building Construction Account—State	
Appropriation. . . . .	<del>(\$2,821,000)</del>
	<u>\$3,921,000</u>

Watershed Restoration and Enhancement Bond Account—	
State Appropriation. . . . .	<del>(\$44,000)</del>
	<u>\$24,000</u>

State Taxable Building Construction Account—State	
Appropriation. . . . .	\$176,000

<u>Columbia River Basin Water Supply Development</u>	
Account—State Appropriation. . . . .	\$1,000

<u>School Construction and Skill Centers Building</u>	
Account—State Appropriation. . . . .	\$1,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$5,841,000)</u></b>
	<b><u>\$6,923,000</u></b>

**Sec. 705.** 2023 c 475 s 705 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—GOVERNOR'S EMERGENCY FUNDING**

General Fund—State Appropriation (FY 2024). . . . .	<del>(\$3,500,000)</del>
	<u>\$5,000,000</u>
General Fund—State Appropriation (FY 2025). . . . .	\$3,500,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$7,000,000)</u></b>
	<b><u>\$8,500,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$1,000,000)~~ \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided for the critically necessary work of any state agency in the event of an emergent or unforeseen circumstance. Prior to the allocation of funding from this subsection (1), the requesting agency and the office of financial management must comply with the provisions of RCW 43.88.250.

(2) ~~(\$2,500,000)~~ \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided for individual assistance consistent with RCW 38.52.030(9) during an emergency proclaimed by the governor, as defined in RCW 38.52.010. The office of financial management must notify the fiscal committees of the legislature of the receipt by the governor or adjutant general of each application ~~((or)), request, or allocation~~ for individual assistance from the amounts provided in this subsection (2). ~~((The office of financial management may not approve or release funding for 10 business days from the date of notification to the fiscal committees of the legislature.))~~

**Sec. 706.** 2023 c 475 s 717 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE HEALTH CARE AFFORDABILITY ACCOUNT**

General Fund—State Appropriation (FY 2024). . . . .	\$55,000,000
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General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$30,000,000</del> ))
	<u>\$45,000,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$85,000,000</del>))</b>
	<b><u>\$100,000,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for expenditure into the state health care affordability account created in RCW 43.71.130.

(2) It is the intent of the legislature to continue the policy of expending \$5,000,000 into the account each fiscal year in future biennia for the purpose of funding premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in section 214(4)(a) of this act. Future expenditures into the account are contingent upon approval of the waiver described in RCW 43.71.120.

NEW SECTION. **Sec. 707.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR SUNDRY CLAIMS**

The following sums, or so much thereof as may be necessary, are appropriated from the general fund for fiscal year 2024, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims.

These appropriations are to be disbursed on vouchers approved by the director of the department of enterprise services, except as otherwise provided, for reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110, as follows:

- (1) Clifford T. Snow, claim number 9991014081. . . . . \$13,659
- (2) Shanna S. Parker, claim number 9991013694. . . . . \$14,913
- (3) Leah M. Eggleston, claim number 9991013115. . . . . \$20,852
- (4) Shannon E. Garner, claim number 9991013103. . . . . \$15,325
- (5) Stephanie S. Westby, claim number 9991012517. . . . . \$199,459
- (6) Clyde E. McCoy, claim number 9991014232. . . . . \$139
- (7) Kevin R. Ash, claim number 9991014512. . . . . \$14,810
- (8) Kenneth M. Salazar, claim number 9991014683. . . . . \$231,920
- (9) Victor O. Alejandre-Mejia, claim number 9991014791. . . . . \$213,297
- (10) James K. Warren, claim number 9991014924. . . . . \$20,843
- (11) Marcus Buchanan, claim number 9991015324. . . . . \$70,102

**Sec. 708.** 2023 c 475 s 710 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—COUNTY CLERK LEGAL FINANCIAL OBLIGATION GRANTS**

General Fund—State Appropriation (FY 2024) . . . . .	\$541,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$441,000</del> ))
	<u>\$800,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$982,000</del>))</b>
	<b><u>\$1,341,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: By October 1st of each fiscal year, the state treasurer shall distribute the appropriations to the following county clerk offices in the amounts designated as grants for the collection of legal financial obligations pursuant to RCW 2.56.190:

<b>County Clerk</b>		<b>FY 2024</b>	<b>FY 2025</b>
Adams	County Clerk	\$2,103	(( <del>\$1,714</del> ))
			)
			<u>\$3,109</u>
Asotin	County Clerk	\$2,935	(( <del>\$2,392</del> ))
			)
			<u>\$4,339</u>
Benton	County Clerk	\$18,231	(( <del>\$14,858</del> ))
			)
			<u>\$26,953</u>
Chelan	County Clerk	\$7,399	(( <del>\$6,030</del> ))
			)
			<u>\$10,939</u>
Clallam	County Clerk	\$5,832	(( <del>\$4,753</del> ))
			)
			<u>\$8,622</u>
Clark	County Clerk	\$32,635	(( <del>\$26,597</del> ))
			)
			<u>\$48,249</u>

## JOURNAL OF THE HOUSE

Columbia County Clerk	\$384	( ( <del>\$313</del> ) ) <u>\$568</u>
Cowlitz County Clerk	\$16,923	( ( <del>\$13,792</del> ) ) <u>\$25,020</u>
Douglas County Clerk	\$3,032	( ( <del>\$2,471</del> ) ) <u>\$4,483</u>
Ferry County Clerk	\$422	( ( <del>\$344</del> ) ) <u>\$624</u>
Franklin County Clerk	\$5,486	( ( <del>\$4,471</del> ) ) <u>\$8,111</u>
Garfield County Clerk	\$243	( ( <del>\$198</del> ) ) <u>\$359</u>
Grant County Clerk	\$10,107	( ( <del>\$8,237</del> ) ) <u>\$14,942</u>
Grays Harbor County Clerk	\$8,659	( ( <del>\$7,057</del> ) ) <u>\$12,802</u>
Island County Clerk	\$3,059	( ( <del>\$2,493</del> ) ) <u>\$4,523</u>
Jefferson County Clerk	\$1,859	( ( <del>\$1,515</del> ) ) <u>\$2,748</u>
King County Court Clerk	\$119,290	( ( <del>\$97,266</del> ) ) <u>\$176,446</u>
Kitsap County Clerk	\$22,242	( ( <del>\$18,127</del> ) ) <u>\$32,883</u>
Kittitas County Clerk	\$3,551	( ( <del>\$2,894</del> ) ) <u>\$5,250</u>
Klickitat County Clerk	\$2,151	( ( <del>\$1,753</del> ) ) <u>\$3,180</u>
Lewis County Clerk	\$10,340	( ( <del>\$8,427</del> ) ) <u>\$15,287</u>
Lincoln County Clerk	\$724	( ( <del>\$590</del> ) ) <u>\$1,070</u>
Mason County Clerk	\$5,146	( ( <del>\$4,194</del> ) ) <u>\$7,608</u>
Okanogan County Clerk	\$3,978	( ( <del>\$3,242</del> ) ) <u>\$5,881</u>
Pacific County Clerk	\$2,411	( ( <del>\$1,965</del> ) ) <u>\$3,565</u>
Pend Oreille County Clerk	\$611	( ( <del>\$498</del> ) ) <u>\$903</u>
Pierce County Clerk	\$77,102	( ( <del>\$62,837</del> ) ) <u>\$113,990</u>

San Juan County Clerk	\$605	(( <del>\$493</del> )) <u>\$894</u>
Skagit County Clerk	\$11,059	(( <del>\$9,013</del> )) <u>\$16,350</u>
Skamania County Clerk	\$1,151	(( <del>\$938</del> )) <u>\$1,702</u>
Snohomish County Clerk	\$38,143	(( <del>\$31,086</del> )) <u>\$56,392</u>
Spokane County Clerk	\$44,825	(( <del>\$36,578</del> )) <u>\$66,355</u>
Stevens County Clerk	\$2,984	(( <del>\$2,432</del> )) <u>\$4,412</u>
Thurston County Clerk	\$22,204	(( <del>\$18,096</del> )) <u>\$32,827</u>
Wahkiakum County Clerk	\$400	(( <del>\$326</del> )) <u>\$591</u>
Walla Walla County Clerk	\$4,935	(( <del>\$4,022</del> )) <u>\$7,296</u>
Whatcom County Clerk	\$20,728	(( <del>\$16,893</del> )) <u>\$30,645</u>
Whitman County Clerk	\$2,048	(( <del>\$1,669</del> )) <u>\$3,028</u>
Yakima County Clerk	\$25,063	(( <del>\$20,426</del> )) <u>\$37,054</u>
TOTAL APPROPRIATIONS	\$541,000	(( <del>\$441,000</del> )) <u>\$800,000</u>

**Sec. 709.** 2023 c 475 s 715 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ANDY HILL CANCER RESEARCH ENDOWMENT FUND MATCH TRANSFER ACCOUNT**  
 General Fund—State Appropriation (FY 2024) . . . . . \$684,000  
 General Fund—State Appropriation (FY 2025) . . . . . \$3,486,000  
 TOTAL APPROPRIATION . . . . . ((~~\$684,000~~))  
\$4,170,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Andy Hill cancer research endowment fund match transfer account per RCW 43.348.080 to fund the Andy Hill cancer research endowment program. Matching funds using the amounts appropriated in this section may not be used to fund new grants that exceed two years in duration.

**Sec. 710.** 2023 c 475 s 726 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF FINANCIAL MANAGEMENT—LANDLORD MITIGATION PROGRAM ACCOUNT**  
 General Fund—State Appropriation (FY 2024) . . . . . \$8,000,000  
 General Fund—State Appropriation (FY 2025) . . . . . \$7,200,000  
 TOTAL APPROPRIATION . . . . . ((~~\$8,000,000~~))  
\$15,200,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the landlord mitigation program account created in RCW 43.31.615.

**Sec. 711.** 2023 c 475 s 727 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS**



(1) The appropriations in this section are subject to the following conditions and limitations: The appropriations for the law enforcement officers' and firefighters' retirement system shall be made on a monthly basis consistent with chapter 41.45 RCW, and the appropriations for the judges and judicial retirement systems shall be made on a quarterly basis consistent with chapters 2.10 and 2.12 RCW.

(2) There is appropriated for state contributions to the law enforcement officers' and firefighters' retirement system:

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$88,700,000</del> ))
		<u>\$94,400,000</u>
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$92,600,000</del> ))
		<u>\$98,600,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$181,300,000</del>))</b>
		<b><u>\$193,000,000</u></b>

(3) There is appropriated for contributions to the judicial retirement system:		
General Fund—State Appropriation (FY 2024)	.. . . .	\$6,300,000
General Fund—State Appropriation (FY 2025)	.. . . .	\$6,000,000
<b>TOTAL APPROPRIATION</b>	.....	<b>\$12,300,000</b>

(4) There is appropriated for contributions to the judges' retirement system:		
General Fund—State Appropriation (FY 2024)	.. . . .	\$300,000
General Fund—State Appropriation (FY 2025)	.. . . .	\$300,000
<b>TOTAL APPROPRIATION</b>	.....	<b>\$600,000</b>

**Sec. 712.** 2023 c 475 s 734 (uncodified) is amended to read as follows:  
**FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—RURAL JOBS PROGRAM MATCH TRANSFER ACCOUNT**

Workforce Education Investment Account—State		
Appropriation	.. . . .	(( <del>\$400,000</del> ))
		<u>\$404,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$400,000</del>))</b>
		<b><u>\$404,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the rural jobs program match transfer account created in RCW 28B.145.120.

**Sec. 713.** 2023 c 475 s 735 (uncodified) is amended to read as follows:  
**FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—OPPORTUNITY SCHOLARSHIP MATCH TRANSFER ACCOUNT**

Workforce Education Investment Account—State		
Appropriation	.. . . .	(( <del>\$11,600,000</del> ))
		<u>\$14,856,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$11,600,000</del>))</b>
		<b><u>\$14,856,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the opportunity scholarship match transfer account created in RCW 28B.145.050.

**Sec. 714.** 2023 c 475 s 740 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LEADERSHIP BOARD ACCOUNT**

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$843,000</del> ))
		<u>\$1,019,000</u>
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$848,000</del> ))
		<u>\$1,022,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$1,691,000</del>))</b>
		<b><u>\$2,041,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the Washington state leadership board account created in RCW 43.388.020.

**Sec. 715.** 2023 c 475 s 747 (uncodified) is amended to read as follows:  
**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CRIME VICTIM AND WITNESS ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$2,000,000</del> ))
		<u>\$4,000,000</u>
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$2,000,000</del> ))
		<u>\$4,000,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$4,000,000</del>))</b>
		<b><u>\$8,000,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the state crime victim and witness assistance account created in Engrossed Substitute House Bill No. 1169

(legal financial obligations). ((If the bill is not enacted by June 30, 2023, the amounts appropriated in this section shall lapse.))

**Sec. 716.** 2023 c 475 s 745 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON HORSE RACING COMMISSION OPERATING ACCOUNT**

Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation. . . . .	\$1,150,000
General Fund—State Appropriation (FY 2025). . . . .	\$1,350,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(((\$1,150,000))</b> <b>\$2,500,000</b>

The appropriations in this section are subject to the following conditions and limitations: The ((appropriation is)) appropriations are provided solely for expenditure into the Washington horse racing commission operating account created in RCW 67.16.280.

NEW SECTION. **Sec. 717.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CORONAVIRUS STATE FISCAL RECOVERY**

Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation. . . . .	\$250,000,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$250,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The entire coronavirus state fiscal recovery fund—federal appropriation is provided solely to the office of financial management for allocation to state agencies for costs eligible to be paid from the coronavirus state fiscal recovery fund and where funding is provided elsewhere in this act or the capital omnibus appropriations act for those costs using a funding source other than the coronavirus state fiscal recovery fund. For any agency receiving an allocation under this section, the office must place an equal amount of the agency's state or other source appropriation authority in unallotted reserve status, and those amounts may not be expended. In determining the use of amounts appropriated in this section, the office of financial management shall prioritize the preservation of state general fund moneys. The office must report on the use of the amounts appropriated in this section to the fiscal committees of the legislature when all coronavirus state fiscal recovery fund moneys are expended or June 30, 2025, whichever is earlier.

NEW SECTION. **Sec. 718.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SKELETAL HUMAN REMAINS ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2025). . . . .	\$500,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$500,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the skeletal human remains assistance account created in RCW 43.334.077.

NEW SECTION. **Sec. 719.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SURGICAL SMOKE EVACUATION ACCOUNT**

General Fund—State Appropriation (FY 2025). . . . .	\$300,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$300,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the surgical smoke evacuation account created in RCW 49.17.505.

NEW SECTION. **Sec. 720.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LIBRARY OPERATIONS ACCOUNT**

General Fund—State Appropriation (FY 2025). . . . .	\$2,000,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$2,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Washington state library operations account created in RCW 43.07.129.

NEW SECTION. **Sec. 721.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—QUENDALL TERMINALS SUPERFUND SITE ON LAKE WASHINGTON**

Model Toxics Control Operating Account—State	
Appropriation. . . . .	\$8,500,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>\$8,500,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is for the remedial design for the Quendall terminals superfund site on Lake Washington. Expenditure of the appropriation is conditioned on reaching agreement with the environmental protection agency that offsets any money spent from this appropriation against any future state liability, and memorializing the agreement in an agreed order, settlement agreement, or other similar document.

NEW SECTION. **Sec. 722.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ELECTRIC VEHICLE ACCOUNT**  
General Fund—State Appropriation (FY 2024). . . . . \$4,000,000  
TOTAL APPROPRIATION..... \$4,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the electric vehicle account created in RCW 82.44.200, which is appropriated in the transportation budget, for the completion of an electric vehicle mapping tool as provided in chapter 300, Laws of 2021 (E2SHB 1287).

NEW SECTION. **Sec. 723.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—DOWN PAYMENT ASSISTANCE ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$250,000  
TOTAL APPROPRIATION..... \$250,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the down payment assistance account created in RCW 82.45.240.

NEW SECTION. **Sec. 724.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—LEGISLATIVE ORAL HISTORY ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$50,000  
TOTAL APPROPRIATION..... \$50,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the legislative oral history account created in RCW 44.04.345.

NEW SECTION. **Sec. 725.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—PORT DISTRICT EQUITY FUND**  
General Fund—State Appropriation (FY 2025). . . . . \$1,000,000  
TOTAL APPROPRIATION..... \$1,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the port district equity fund created in Engrossed Second Substitute Senate Bill No. 5955 (large port districts). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec. 726.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$18,000  
TOTAL APPROPRIATION..... \$18,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the municipal criminal justice assistance account to implement Engrossed Substitute Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec. 727.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT**  
General Fund—State Appropriation (FY 2025). . . . . \$27,000  
TOTAL APPROPRIATION..... \$27,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the county criminal justice assistance account to implement Engrossed Substitute Senate Bill No. 5032 (impaired driving). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec. 728.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—HEALTH PROFESSIONS ACCOUNT**

Opioid Abatement Settlement Account—State	
Appropriation. . . . .	\$743,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$743,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the health professions account created in RCW 43.70.320 to implement Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amounts appropriated in this section shall lapse.

NEW SECTION. **Sec. 729.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SECRETARY OF STATE ARCHIVES AND RECORDS MANAGEMENT CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(\$1,000)
General Fund—State Appropriation (FY 2025) . . . . .	\$34,000
General Fund—Federal Appropriation. . . . .	\$10,000
General Fund—Private/Local Appropriation. . . . .	\$1,000
Other Appropriated Funds. . . . .	\$13,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$57,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the secretary of state's billing authority for archives and records management. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92C-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 730.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE AUDITOR AUDIT SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	\$2,000
General Fund—State Appropriation (FY 2025) . . . . .	\$27,000
General Fund—Federal Appropriation. . . . .	\$11,000
Other Appropriated Funds. . . . .	\$9,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$49,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the state auditor's billing authority for state agency auditing services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92D-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 731.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF THE ATTORNEY GENERAL LEGAL SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	\$689,000
General Fund—State Appropriation (FY 2025) . . . . .	\$1,622,000
General Fund—Federal Appropriation. . . . .	\$168,000
General Fund—Private/Local Appropriation. . . . .	\$9,000
Other Appropriated Funds. . . . .	\$1,072,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$3,560,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the attorney general's billing authority for legal services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92E-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 732.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—ADMINISTRATIVE HEARINGS CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	\$4,000
General Fund—State Appropriation (FY 2025) . . . . .	\$57,000
General Fund—Federal Appropriation. . . . .	\$52,000
Other Appropriated Funds. . . . .	\$102,000
<b>TOTAL APPROPRIATION.</b> .....	<b>\$215,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of administrative hearings' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92G-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 733.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CONSOLIDATED TECHNOLOGY SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$1,575,000
General Fund—State Appropriation (FY 2025)	\$4,367,000
General Fund—Federal Appropriation	\$1,164,000
General Fund—Private/Local Appropriation	\$75,000
Other Appropriated Funds	\$1,725,000
<b>TOTAL APPROPRIATION</b>	<b>\$8,906,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the consolidated technology services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92J-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 734.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—DEPARTMENT OF ENTERPRISE SERVICES CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$73,000
General Fund—State Appropriation (FY 2025)	\$217,000
General Fund—Federal Appropriation	\$198,000
General Fund—Private/Local Appropriation	\$2,000
Other Appropriated Funds	(\$7,000)
<b>TOTAL APPROPRIATION</b>	<b>\$483,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the department of enterprise services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92K-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 735.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF FINANCIAL MANAGEMENT CENTRAL SERVICES**

General Fund—State Appropriation (FY 2024)	\$12,688,000
General Fund—State Appropriation (FY 2025)	\$40,891,000
General Fund—Federal Appropriation	\$673,000
General Fund—Private/Local Appropriation	\$1,454,000
Other Appropriated Funds	\$16,960,000
<b>TOTAL APPROPRIATION</b>	<b>\$72,666,000</b>

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of financial management billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified, in LEAP omnibus document 92R-2024, dated February 18, 2024, and adjust appropriation schedules accordingly.

NEW SECTION. **Sec. 736.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE DEPARTMENT OF TRANSPORTATION**

Ferry Construction Account—State Appropriation	\$450,000,000
<b>TOTAL APPROPRIATION</b>	<b>\$450,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the department of transportation to purchase two new diesel ferries.

(End of part)

**Sec. 801.** 2023 c 475 s 801 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

General Fund Appropriation for fire insurance premium distributions. . . . .	(( <del>\$13,766,000</del> ))
	<u>\$14,606,000</u>
General Fund Appropriation for prosecuting attorney distributions. . . . .	(( <del>\$8,284,000</del> ))
	<u>\$8,690,000</u>
General Fund Appropriation for boating safety and education distributions. . . . .	\$4,272,000
General Fund Appropriation for public utility district excise tax distributions. . . . .	(( <del>\$71,825,000</del> ))
	<u>\$71,424,000</u>
Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies. . . . .	(( <del>\$4,947,000</del> ))
	<u>\$6,000,000</u>
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distributions. . . . .	\$140,000
Timber Tax Distribution Account Appropriation for distribution to "timber" counties. . . . .	(( <del>\$82,143,000</del> ))
	<u>\$92,948,000</u>
County Criminal Justice Assistance Appropriation. . . . .	(( <del>\$129,509,000</del> ))
	<u>\$129,925,000</u>
Municipal Criminal Justice Assistance Appropriation. . . . .	(( <del>\$51,247,000</del> ))
	<u>\$51,744,000</u>
City-County Assistance Appropriation. . . . .	(( <del>\$45,960,000</del> ))
	<u>\$34,604,000</u>
Liquor Excise Tax Account Appropriation for liquor excise tax distribution. . . . .	\$89,385,000
Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation. . . . .	\$9,587,000
Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians. . . . .	(( <del>\$6,893,000</del> ))
	<u>\$6,919,000</u>
Liquor Revolving Account Appropriation for liquor profits distribution. . . . .	\$98,876,000
General Fund Appropriation for other tax distributions. . . . .	\$104,000
Dedicated Cannabis Account Appropriation for Cannabis Excise Tax distributions pursuant to Engrossed Second Substitute Senate Bill No. 5796 (cannabis revenue). . . . .	(( <del>\$50,472,000</del> ))
	<u>\$52,831,000</u>
General Fund Appropriation for Habitat Conservation Program distributions. . . . .	\$5,754,000
General Fund Appropriation for payment in lieu of taxes to counties under Department of Fish and Wildlife Program. . . . .	\$4,496,000
Puget Sound Taxpayer Accountability Account Appropriation for distribution to counties in amounts not to exceed actual deposits into the account and attributable to those counties' share pursuant to RCW 43.79.520. . . . .	(( <del>\$27,990,000</del> ))
	<u>\$28,630,000</u>
Manufacturing and Warehousing Job Centers Account Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistributions effect of sourcing law changes pursuant to chapter 83, Laws of 2021 (warehousing & manufacturing jobs). . . . .	\$7,780,000
State Crime Victim and Witness Assistance Account Appropriation for distribution to counties. (( <del>If Engrossed Substitute House Bill No. 1169 is not enacted by June 30, 2023, this amount shall lapse.</del> )). . . . .	(( <del>\$4,000,000</del> ))
	<u>\$8,000,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$717,430,000</del>))</b>
	<b><u>\$726,715,000</u></b>

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

**Sec. 802.** 2023 c 475 s 802 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Impaired Driving Safety Appropriation. . . . .	(( <del>\$2,065,000</del> ))
	<u>\$1,642,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$2,065,000</del>))</b>
	<b><u>\$1,642,000</u></b>

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

**Sec. 803.** 2023 c 475 s 803 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Impaired Driving Safety Appropriation. . . . .	(( <del>\$1,377,000</del> ))
	<u>\$1,095,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$1,377,000</del>))</b>
	<b><u>\$1,095,000</u></b>

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium to all cities ratably based on population as last determined by the office of financial management. The distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

**Sec. 804.** 2023 c 475 s 805 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—TRANSFERS**

Dedicated Cannabis Account: For transfer to the basic health plan trust account, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, (( <del>\$269,000,000</del> )) <u>\$250,000,000</u> and this amount for fiscal year 2025, (( <del>\$278,000,000</del> )) <u>\$270,000,000</u> . . . . .	(( <del>\$547,000,000</del> ))
	<u>\$520,000,000</u>
Dedicated Cannabis Account: For transfer to the state general fund, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, (( <del>\$162,000,000</del> )) <u>\$155,000,000</u> and this amount for fiscal year 2025, (( <del>\$172,000,000</del> )) <u>\$170,000,000</u> . . . . .	(( <del>\$334,000,000</del> ))
	<u>\$325,000,000</u>
Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2024. . . . .	\$92,000,000
Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2025. . . . .	\$92,000,000
Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the tobacco arbitration payment to the tobacco settlement account, for fiscal year 2024. . . . .	\$24,500,000
State Treasurer's Service Account: For transfer to the state general fund, \$15,000,000 for fiscal year 2024 and \$15,000,000 for fiscal year 2025. It is the intent of the legislature to continue	

this policy in the subsequent fiscal biennium.. . . . .	\$30,000,000
General Fund: For transfer to the fair fund under RCW 15.76.115, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025. . . . .	\$7,000,000
Financial Services Regulation Account: For transfer to the state general fund, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025. It is the intent of the legislature to continue this policy in the subsequent fiscal biennium.. . . . .	\$7,000,000
General Fund: For transfer to the wildfire response, forest restoration, and community resilience account, solely for the implementation of chapter 298, Laws of 2021 (2SHB 1168) (long-term forest health), ((\$44,903,000)) \$52,224,000 for fiscal year 2024 and ((\$44,903,000))\$60,995,000 for fiscal year 2025. . . . .	(((\$89,806,000)) \$113,219,000
Washington Rescue Plan Transition Account: For transfer to the state general fund, \$1,302,000,000 for fiscal year 2024. . . . .	\$1,302,000,000
<u>Washington Rescue Plan Transition Account: For     transfer to the ferry construction account,     \$450,000,000 for fiscal year 2025. . . . .</u>	\$450,000,000
Business License Account: For transfer to the state general fund, \$7,200,000 for fiscal year 2025. . . . .	\$7,200,000
General Fund: For transfer to the manufacturing and warehousing job centers account pursuant to RCW 82.14.545 for distribution in section 801 of this act, \$4,320,000 for fiscal year 2024 and \$3,460,000 for fiscal year 2025. . . . .	\$7,780,000
Long-Term Services and Supports Trust Account: For transfer to the state general fund as full repayment of the long-term services program start-up costs and interest, <u>in an amount not     to exceed the actual amount of the total     remaining principal and interest of the loan,</u> for fiscal year 2024. . . . .	(((\$64,281,000)) \$66,000,000
General Fund: For transfer to the forest resiliency account trust fund, \$4,000,000 for fiscal year 2024. . . . .	\$4,000,000
Water Pollution Control Revolving Administration Account: For transfer to the water pollution control revolving account, \$6,000,000 for fiscal year 2024. . . . .	\$6,000,000
General Fund: For transfer to the salmon recovery account, \$3,000,000 for fiscal year 2024. . . . .	\$3,000,000
Washington Student Loan Account: For transfer to the state general fund, \$40,000,000 for fiscal year 2024. . . . .	\$40,000,000
Model Toxics Control Operating Account: For transfer to the state general fund, \$50,000,000 for fiscal year 2025. . . . .	\$50,000,000
General Fund: For transfer to the home security fund, \$44,500,000 for fiscal year 2024 and \$4,500,000 for fiscal year 2025. . . . .	\$49,000,000
General Fund: For transfer to the state drought preparedness account, \$2,000,000 for fiscal year 2024. . . . .	\$2,000,000
<u>General Fund: For transfer to the disaster response     account, \$6,725,000 for fiscal year 2024. . . . .</u>	\$6,725,000
<u>General Fund: For transfer to the motor vehicle     account, \$14,000,000 for fiscal year 2024. . . . .</u>	\$14,000,000
<u>Washington Student Loan Account: For transfer to the     education legacy trust account, \$40,000,000 for     fiscal year 2025. . . . .</u>	\$40,000,000
From auction proceeds received under RCW 70A.65.100(7)(b): For transfer to the air quality and health disparities improvement account, \$2,500,000 for fiscal year 2024. . . . .	\$2,500,000
From auction proceeds received under RCW 70A.65.100(7)(c): For transfer to the air quality and health disparities improvement account, \$2,500,000 for fiscal year 2025. . . . .	\$2,500,000



Climate Investment Account: For transfer to the carbon emissions reduction account, \$200,000,000 for fiscal year 2025. . . . .	\$200,000,000
<del>((Climate Investment Account: For transfer to the climate commitment account, \$100,000,000 for fiscal year 2025. . . . .</del>	<del>\$100,000,000</del>
<del>Climate Investment Account: For transfer to the natural climate solutions account, \$70,000,000 for fiscal year 2025. . . . .</del>	<del>\$70,000,000))</del>
Climate Investment Account: For transfer to the carbon emissions reduction account, \$324,000,000 on January 1, 2025. . . . .	\$324,000,000
General Fund: For transfer to the local government archives account, \$1,900,000 for fiscal year 2025. . . . .	\$1,900,000
General Fund: For transfer to the death investigations account, \$3,000,000 for fiscal year 2025. . . . .	\$3,000,000

(End of part)

**PART IX  
MISCELLANEOUS**

NEW SECTION. **Sec. 901.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**COLLECTIVE BARGAINING AGREEMENTS**

(1) In accordance with chapters 41.80 and 41.56 RCW, agreements have been reached between the governor and organizations representing state employee bargaining units and nonstate employee bargaining units for the 2025 fiscal year presented to the legislature during the 2024 legislative session. Funding is not provided for compensation and fringe benefit provisions not presented to the legislature by the end of the 2024 legislative session. Funding is approved for agreements and awards with the following organizations:

- (a) Fish and wildlife officers guild;
- (b) Teamsters local 760, department of fish and wildlife sergeants; and
- (c) Adult family home council, adult family home providers.

(2) In accordance with chapter 41.80 RCW, an agreement has been reached between Central Washington University, an institution of higher education, and an employee organization representing state employee bargaining units for the 2025 fiscal year and funding is provided in Part VI of this act for the agreement with the following organization: Central Washington University agreement with the campus police officers & sergeants.

(3) Expenditures for agreements in subsections (1) and (2) of this section may also be funded from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

**Sec. 902.** 2023 c 475 s 908 (uncodified) is amended to read as follows:

**COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE COALITION—INSURANCE BENEFITS**

(1) (a) An agreement was reached for the 2023-2025 biennium between the governor and the health care coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies, including institutions of higher education, are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement.

(b) Appropriations for state agencies in this act are sufficient for represented employees outside the coalition and for nonrepresented state employee health benefits.

(2) The appropriations for state agencies in this act are subject to the following conditions and limitations:

(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$1,145 per eligible employee for fiscal year 2024. For fiscal year 2025, the monthly employer funding rate shall not exceed ~~(((\$1,194))~~\$1,174 per eligible employee. These rates are sufficient to separate vision benefits out of medical plans into stand-alone vision insurance and increase the hardware benefit to \$200 every two years, beginning January 1, 2025, and sufficient to cover in the uniform medical plan, effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month. The rates are sufficient to cover a diabetes management program and apply the cost-share provisions outlined in chapter 366, Laws of 2023 (breast examinations—health plan cost sharing) in the uniform medical plan, effective January 1, 2025. The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(b) The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who

cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(c) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2024 and 2025, the subsidy shall be up to \$183 per month. Funds from reserves accumulated for future adverse claims experience, from past favorable claims experience, or otherwise, may not be used to increase this retiree subsidy beyond what is authorized in this subsection.

(d) School districts and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(i) For each full-time employee, \$68.41 per month beginning September 1, 2023, and ~~(\$78.58)~~ \$80.38 beginning September 1, 2024;

(ii) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$68.41 each month beginning September 1, 2023, and ~~(\$78.58)~~ \$80.38 beginning September 1, 2024, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection do not apply to employees of a school district or educational service district who purchase insurance benefits through contracts with the health care authority.

(e) The board has the authority to forgo the federal retiree drug subsidy collected under RCW 41.05.068 for uniform medical plan classic medicare, only to leverage additional federal subsidies via adoption of a medicare part D employer group waiver plan to help reduce premiums for medicare retirees enrolled in uniform medical plan classic medicare.

**Sec. 903.** 2023 c 475 s 909 (uncodified) is amended to read as follows:

**COMPENSATION—SCHOOL EMPLOYEES—INSURANCE BENEFITS**

An agreement was reached for the 2023-2025 biennium between the governor and the school employee coalition under the provisions of chapters 41.56 and 41.59 RCW. Appropriations in this act for allocations to school districts are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, school employees' benefits board administration, retiree remittance, and the uniform medical plan, shall not exceed the rates identified in section 506(4) of this act.

(a) These rates are sufficient to cover, effective January 1, 2024:

(i) The following in the uniform medical plan:

(A) Offering a diabetes management program; and

(B) Effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month; and

(ii) The following in the uniform dental plan:

(A) Increasing the temporomandibular joint benefit to \$1,000 annually and \$5,000 per lifetime;

(B) Eliminating the deductible for children up to age 15;

(C) Covering composite fillings on posterior teeth; and

(D) Increasing plan coverage of crowns to 70 percent.

(b) These rates include funding to cover, effective January 1, 2025, ~~(increasing)~~:

(i) Increasing the stand-alone vision insurance hardware benefit to \$200 every 2 years;

and  
(ii) Applying the cost share provisions outlined in chapter 366, Laws of 2023 (Substitute Senate Bill No. 5396) in the uniform medical plan.

(c) The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(2) Rates established in subsection (1) of this section are sufficient to reduce member costs as provided in article 1.3 of the school employees health care funding agreement.

(3) Except as provided by the parties' health care agreement, in order to achieve the level of funding provided for health benefits, the school employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.740. The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(4) The health care authority shall deposit any moneys received on behalf of the school employees' medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the school employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

(5) When bargaining for funding for school employees health benefits for subsequent fiscal biennia, any proposal agreed upon must assume the imposition of a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

**Sec. 904.** 2023 c 475 s 911 (uncodified) is amended to read as follows:

**COMPENSATION—PENSION CONTRIBUTIONS**

The appropriations in this act for school districts and state agencies, including institutions of higher education, are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board, and as adjusted under Engrossed Substitute Senate Bill No. 5294 (plan 1 UAAL rates).

(2) An increase of 0.12 percent is funded for state employer contributions to the public employees' retirement system, the public safety employees' retirement systems, and the school employees' retirement system, and an increase of 0.23 percent for employer contributions to the teachers' retirement system is funded for the provisions of Senate Bill No. 5350 (providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for school districts and state agencies, including institutions of higher education, shall be held in unallotted status.

(3) An increase of 0.13 percent is funded for state employer contributions to the Washington state patrol retirement system and an increase of 0.01 percent is funded for state contributions to the law enforcement officers' and firefighters' retirement system plan 2 for the provisions of Substitute House Bill No. 1007 (military service credit). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(4) An increase of 0.01 percent for school district and state employer contributions is funded for the teachers' retirement system for the provisions of Substitute House Bill No. 1056 (postretirement employment). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(5) An increase of 0.13 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of chapter 199, Laws of 2023 (public safety telecommunicators).

(6) An increase of 0.03 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of Substitute Senate Bill No. 6106 (DSHS workers/PERS). If the bill is not enacted by June 30, 2024, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

**NEW SECTION. Sec. 905.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The office of financial management must convene a task force to identify, plan, and make recommendations on the conversion of the Larch corrections center property and facilities to an alternate use.

(2) The task force must include the state senator and a state representative whose district represents the Yacolt community.

(3) The task force must include representatives from the following entities and organizations:

(a) The Clark county commissioners;

(b) The tribe located nearest to the facility;

(c) The Clark county sheriff's office;

(d) A citizen residing near the Larch corrections center, chosen by the Clark county commissioners;

(e) The department of corrections;

(f) The department of ecology;

(g) The department of natural resources;

(h) The department of social and health services;

(i) The department of enterprise services; and

(j) The office of financial management.

(4) The task force must meet at least every other month, and the first meeting must be held by July 31, 2024.

(5) The task force shall report its findings and a prioritized list of recommendations to the governor and the fiscal committees of the legislature by June 30, 2025.

(6) Task force members that are not elected officials or a representative of a governmental entity may be reimbursed for travel expenses in accordance with chapter 43.03 RCW.

**NEW SECTION. Sec. 906.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The joint legislative task force on the underground economy in the Washington state construction industry is reestablished.

(2) For purposes of this section, "underground economy" means contracting and construction activities in which payroll is unreported or underreported with consequent nonpayment of payroll taxes to federal and state agencies including nonpayment of workers' compensation and unemployment compensation taxes.

(3) The task force shall study the nature and scope of the underground economy and recommend what policy changes, if any, are needed to address the underground economy, including whether greater cohesion and transparency among state agencies is needed. To assist the task force in achieving this goal and to determine the extent of and projected costs to the state and workers of the underground economy in the construction industry, the task force may contract with the institute for public policy, or, if the institute is unavailable, another entity with expertise capable of providing such assistance.

(4) (a) The task force shall consist of the following members:

(i) A member from each of the two largest caucuses of the senate appointed by the president of the senate;

(ii) A member from each of the two largest caucuses of the house of representatives appointed by the speaker of the house of representatives;

(iii) Four members representing the construction business, selected from nominations submitted by statewide construction business organizations and appointed jointly by the president of the senate and the speaker of the house of representatives;

(iv) Four members representing construction laborers, selected from nominations submitted by statewide labor organizations and appointed jointly by the president of the senate and the speaker of the house of representatives; and

(v) One representative from the office of the attorney general.

(b) In addition, the employment security department, the department of labor and industries, and the department of revenue shall cooperate with the task force and shall each maintain a liaison representative, who will be a nonvoting member of the task force. The departments shall cooperate with the task force and the institute for public policy, or other entity as appropriate, and shall provide information and data as the task force or the institute, or other entity as appropriate, may reasonably request.

(c) The legislative members will choose the chair or cochairs of the task force from among its legislative membership at the initial meeting. The legislative staff will schedule the initial meeting of the task force at a time and date agreed to by the legislative members.

(5) (a) The task force shall use legislative facilities and staff support shall be provided by senate committee services and the house of representatives office of program research. Within available funding, the task force may hire additional staff with specific technical expertise if such expertise is necessary to carry out the mandates of this study.

(b) Legislative members of the task force shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(c) The expenses of the task force will be paid jointly by the senate and house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations to the legislature by June 30, 2025.

**NEW SECTION. Sec. 907.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) Agencies may not expend funds from the: (a) Climate investment account; (b) climate commitment account; (c) natural climate solutions account; or (d) air quality and health disparities improvement account, on or after the effective date of chapter . . . (Initiative Measure No. 2117), Laws of 2025.

(2) Unspent appropriations in the 2023-2025 omnibus appropriations act, chapter 475, Laws of 2023 and chapter . . . , Laws of 2024 (this act), which are appropriated from the accounts listed in subsection (1) (a) through (d) of this section and which take effect before January 1, 2025, must thereafter be paid from the consolidated climate account as if they were appropriated from that account.

(3) Appropriations in this act from the accounts listed in subsection (1) (a) through (d) of this section which take effect on or after January 1, 2025, shall lapse.

(4) This section takes effect only if chapter . . . (Initiative Measure No. 2117), Laws of 2025, is approved by the voters at the next general election and certified by the secretary of state.

**Sec. 908.** RCW 28B.93.060 and 2023 c 475 s 924 and 2023 c 389 s 7 are each reenacted and amended to read as follows:

(1) The Washington student loan account is created in the state treasury. All receipts from the Washington student loan program must be deposited in the account. Expenditures from the account may be used only for administration and the issuance of new student loans. Moneys in the account may be spent only after appropriation. During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the Washington student loan account to the state general fund, the workforce education investment account, and the education legacy trust account.

(2)(a) The legislature may appropriate no more than a total of \$40,000,000 for the program during four consecutive fiscal years, beginning with the first fiscal year from which loans are issued from the account. In the fifth fiscal year following the fiscal year in which the first student loan was issued, the legislature may appropriate up to \$10,000,000 for the program.

(b) The legislature may appropriate moneys from the account for the administrative and implementation costs of the program in the fiscal years prior to the first fiscal year in which loans are issued from the account.

**Sec. 909.** RCW 43.101.220 and 2021 c 334 s 978 are each amended to read as follows:

(1) The corrections personnel of the state and all counties and municipal corporations initially employed on or after January 1, 1982, shall engage in basic corrections training which complies with standards adopted by the commission. The standards adopted must provide for basic corrections training of at least ten weeks in length for any corrections officers subject to the certification requirement under RCW ~~((43.101.096))~~ 43.101.095 who are hired on or after July 1, 2021, or on an earlier date set by the commission. The training shall be successfully completed during the first six months of employment of the personnel, unless otherwise extended or waived by the commission, and shall be requisite to the continuation of employment.

(2) The commission shall provide the training required in this section, together with facilities, supplies, materials, and the room and board for noncommuting attendees, except during the ~~((2017-2019, 2019-2021, and))~~ 2021-2023 and 2023-2025 fiscal biennia, when the employing county, municipal corporation, or state agency shall reimburse the commission for twenty-five percent of the cost of training its personnel.

(3)(a) Subsections (1) and (2) of this section do not apply to the Washington state department of corrections prisons division. The Washington state department of corrections is responsible for identifying training standards, designing curricula and programs, and providing the training for those corrections personnel employed by it. In doing so, the secretary of the department of corrections shall consult with staff development experts and correctional professionals both inside and outside of the agency, to include soliciting input from labor organizations.

(b) The commission and the department of corrections share the responsibility of developing and defining training standards and providing training for community corrections officers employed within the community corrections division of the department of corrections.

**Sec. 910.** RCW 67.16.280 and 2016 c 160 s 1 are each amended to read as follows:

(1)(a) The Washington horse racing commission operating account is created in the custody of the state treasurer. All receipts collected by the commission under RCW 67.16.105(2) must be deposited into the account. Expenditures from the account may be used only for the operating expenses of the commission and, for the 2023-2025 fiscal biennium, for purposes set forth in subsection (3) of this section. Only the commission or the commission's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(b) The commission has the authority to receive such gifts, grants, and endowments from public or private sources as may be made from time to time in trust or otherwise for the use and purpose of regulating or supporting nonprofit race meets as set forth in RCW 67.16.130 and 67.16.105(1); such gifts, grants, and endowments must also be deposited into the horse racing commission operating account and expended according to the terms of such gift, grant, or endowment.

(2) ~~((In))~~ Except during fiscal year 2025, in order to provide funding in support of the legislative findings in RCW 67.16.101 (1) through (3), and to provide additional necessary support to the nonprofit race meets beyond the funding provided by RCW 67.16.101(4) and 67.16.102(2), the commission is authorized to spend up to three hundred thousand dollars per fiscal year from its operating account for the purpose of developing the equine industry, maintaining and upgrading racing facilities, and assisting equine health research. When determining how to allocate the funds available for these purposes, the commission must give first consideration to uses that regulate and assist the nonprofit race meets and equine health research. These expenditures may occur only when sufficient funds remain for the continued operations of the horse racing commission.

(3)(a) For fiscal years 2024 and 2025, expenditures from the account must be used for the operating expenses of the commission, with the remaining amount distributed annually as follows:

(i) 10 percent for grants to nonprofit entities involved with equine rescue and rehoming organizations; and

(ii) 90 percent to class 1 racing associations allocated by grant by the commission only for payment of the annual horse racing integrity and safety authority gross assessment for

Washington state. The gross assessment may include required expenses for veterinarians, advanced life support ambulances, advanced life support ambulance staff, and emergency medical technicians.

(b) By December 1, 2024, the commission must report to the appropriate committees of the legislature on the use of grant funds and criteria used to determine grant awards established in (a) of this subsection and uses of funds distributed to the commission for operating expenses.

(c) It is the intent of the legislature to continue the provisions of (a) of this subsection in subsequent fiscal biennia.

**Sec. 911.** RCW 69.50.540 and 2023 c 470 s 1015 are each amended to read as follows:

(1) For the purposes of this subsection (1), the legislature must appropriate the amounts provided in this subsection:

(a) \$12,500,000 annually to the board for administration of this chapter as appropriated in the omnibus appropriations act;

(b) \$11,000,000 annually to the department of health for the following:

(i) Creation, implementation, operation, and management of a cannabis, vapor product, and commercial tobacco education and public health program that contains the following:

(A) A cannabis use public health hotline that provides referrals to substance abuse treatment providers, uses evidence-based or research-based public health approaches to minimizing the harms associated with cannabis use, and does not solely advocate an abstinence-only approach;

(B) Programs that support development and implementation of coordinated intervention strategies for the prevention and reduction of commercial tobacco, vapor product, and cannabis use by youth and cannabis cessation treatment services, including grant programs to local health departments or other local community agencies;

(C) Media-based education campaigns across television, internet, radio, print, and out-of-home advertising, separately targeting youth and adults, that provide medically and scientifically accurate information about the health and safety risks posed by cannabis use; and

(D) Outreach to priority populations regarding commercial tobacco, vapor product, and cannabis use, prevention, and cessation; and

(ii) The Washington poison control center;

(c) (i) \$3,000,000 annually to the department of commerce to fund cannabis social equity grants under RCW 43.330.540; and

(ii) \$200,000 annually to the department of commerce to fund technical assistance through a roster of mentors under RCW 43.330.540;

(d) \$200,000 annually, until June 30, 2032, to the health care authority to contract with the Washington state institute for public policy to conduct the cost-benefit evaluations and produce the reports described in RCW 69.50.550;

(e) \$25,000 annually to the University of Washington alcohol and drug abuse institute for the creation, maintenance, and timely updating of web-based public education materials providing medically and scientifically accurate information about the health and safety risks posed by cannabis use;

(f) \$300,000 annually to the University of Washington and \$175,000 annually to the Washington State University for research on the short-term and long-term effects of cannabis use to include, but not be limited to, formal and informal methods for estimating and measuring intoxication and impairments, and for the dissemination of such research;

(g) \$550,000 annually to the office of the superintendent of public instruction to fund grants to building bridges programs under chapter 28A.175 RCW;

(h) For fiscal year 2025, \$250,000 to the office of the superintendent of public instruction to fund grants for life skills training to children and youth, and it is the intent of the legislature to continue this policy in subsequent fiscal biennia;

(i) \$782,000 for fiscal year 2025 to the department of ecology to create and sustain a program to accredit cannabis testing laboratories. It is the intent of the legislature that this policy will be continued in the 2025-2027 fiscal biennium;

(j) \$2,423,000 for fiscal year 2022 and \$2,423,000 for fiscal year 2023 to the Washington state patrol for a drug enforcement task force;

((+)) (k) \$270,000 for fiscal year 2022 and \$290,000 for fiscal year 2023 to the department of ecology for implementation of accreditation of cannabis product testing laboratories;

((+)) (l) \$800,000 for each of fiscal years 2020 through 2023 to the department of health for the administration of the cannabis authorization database; ((and

(+)) (m) \$621,000 for fiscal year 2022 and \$635,000 for fiscal year 2023 to the department of agriculture for compliance-based laboratory analysis of pesticides in cannabis.

(2) ((Subsections [Subsection])) Subsection (1) (a) through (g) of this section must be adjusted annually based on the United States bureau of labor statistics' consumer price index for the Seattle area.

(3) After appropriation of the amounts identified in subsection (1) of this section, the legislature must annually appropriate such remaining amounts for the purposes listed in this subsection (3) as follows:

(a) Fifty-two percent to the state basic health plan trust account to be administered by the Washington basic health plan administrator and used as provided under chapter 70.47 RCW;

(b) Eleven percent to the health care authority to:

(i) Design and administer the Washington state healthy youth survey, analyze the collected data, and produce reports, in collaboration with the office of the superintendent of public instruction, department of health, department of commerce, family policy council, and board. The survey must be conducted at least every two years and include questions regarding, but not necessarily limited to, academic achievement, age at time of substance use initiation, antisocial behavior of friends, attitudes toward antisocial behavior, attitudes toward substance use, laws and community norms regarding antisocial behavior, family conflict, family management, parental attitudes toward substance use, peer rewarding of antisocial behavior, perceived risk of substance use, and rebelliousness. Funds disbursed under this subsection may be used to expand administration of the healthy youth survey to student populations attending institutions of higher education in Washington;

(ii) Develop, implement, maintain, and evaluate programs and practices aimed at the prevention or reduction of maladaptive substance use, substance use disorder, substance abuse or substance dependence, as these terms are defined in the diagnostic and statistical manual of mental disorders, among middle school and high school-age students, whether as an explicit goal of a given program or practice or as a consistently corresponding effect of its implementation, mental health services for children and youth, and services for pregnant and parenting women. In deciding which programs and practices to fund under this subsection (3) (b)(ii), the director of the health care authority must consult, at least annually, with the University of Washington's social development research group and the University of Washington's alcohol and drug abuse institute; and

(iii) Contract with community health centers to provide primary health and dental care services, migrant health services, and maternity health care services as provided under RCW 41.05.220;

(c)(i) One and one-half percent to counties, cities, and towns where licensed cannabis retailers are physically located. Each jurisdiction must receive a share of the revenue distribution under this subsection (3)(c)(i) based on the proportional share of the total revenues generated in the individual jurisdiction from the taxes collected under RCW 69.50.535, from licensed cannabis retailers physically located in each jurisdiction. For purposes of this subsection (3)(c), 100 percent of the proportional amount attributed to a retailer physically located in a city or town must be distributed to the city or town;

(ii) Three and one-half percent to counties, cities, and towns ratably on a per capita basis. Counties must receive 60 percent of the distribution based on each county's total proportional population. Funds may only be distributed to jurisdictions that do not prohibit the siting of any state licensed cannabis producer, processor, or retailer;

(iii) By September 15th of each year, the board must provide the state treasurer the annual distribution amount made under this subsection (3)(c), if any, for each county and city as determined in (c)(i) and (ii) of this subsection; and

(iv) Distribution amounts allocated to each county, city, and town in (c)(i) and (ii) of this subsection must be distributed in four installments by the last day of each fiscal quarter; and

(d) Thirty-two percent must be deposited in the state general fund.

**Sec. 912.** RCW 70A.65.250 and 2023 c 475 s 938 and 2023 c 435 s 12 are each reenacted and amended to read as follows:

(1)(a) The climate investment account is created in the state treasury. Except as otherwise provided in chapter 316, Laws of 2021, all receipts from the auction of allowances authorized in this chapter must be deposited into the account. Moneys in the account may be spent only after appropriation.

(b) Projects or activities funded from the account must meet high labor standards, including family sustaining wages, providing benefits including health care and employer-contributed retirement plans, career development opportunities, and maximize access to economic benefits from such projects for local workers and diverse businesses. Each contracting entity's proposal must be reviewed for equity and opportunity improvement efforts, including: (i) Employer paid sick leave programs; (ii) pay practices in relation to living wage indicators such as the federal poverty level; (iii) efforts to evaluate pay equity based on gender identity, race, and other protected status under Washington law; (iv) facilitating career development opportunities, such as apprenticeship programs, internships, job-shadowing, and on-the-job training; and (v) employment assistance and employment barriers for justice affected individuals.

(2) Moneys in the account may be used only for projects and programs that achieve the purposes of the greenhouse gas emissions cap and invest program established under this chapter and for tribal capacity grants under RCW 70A.65.305. During the 2023-2025 fiscal biennium, moneys in the account may also be used for tribal capacity grant activities supporting climate resilience and adaptation, developing tribal clean energy projects, applying for state or federal grant funding, and other related work; and for providing reimbursement to agricultural fuel users. Moneys in the account as described in this subsection must first be appropriated for the administration of the requirements of this chapter, in an amount not to exceed five percent of the total receipt of funds from allowance auction proceeds under this chapter. Beginning July 1, 2023, and annually thereafter, the state treasurer shall distribute funds in the account that exceed the amounts appropriated for the purposes of this subsection (2) as follows:

(a) Seventy-five percent of the moneys to the climate commitment account created in RCW 70A.65.260; and

(b) Twenty-five percent of the moneys to the natural climate solutions account created in RCW 70A.65.270.

(3) The allocations specified in subsection (2)(a) and (b) of this section must be reviewed by the legislature on a biennial basis based on the changing needs of the state in meeting its clean economy and greenhouse gas reduction goals in a timely, economically advantageous, and equitable manner.

(4) During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the climate investment account to the carbon emissions reduction account, the climate commitment account, and the natural climate solutions account.

**Sec. 913.** RCW 70A.65.300 and 2021 c 316 s 46 are each amended to read as follows:

(1) The department shall prepare, post on the department website, and submit to the appropriate committees of the legislature an annual report that identifies all distributions of moneys from the accounts created in RCW 70A.65.240 through 70A.65.280.

(2) The report must identify, at a minimum, the recipient of the funding, the amount of the funding, the purpose of the funding, the actual end result or use of the funding, whether the project that received the funding produced any verifiable reduction in greenhouse gas emissions or other long-term impact to emissions, and if so, the quantity of reduced greenhouse gas emissions, the cost per carbon dioxide equivalent metric ton of reduced greenhouse gas emissions, and a comparison to other greenhouse gas emissions reduction projects in order to facilitate the development of cost-benefit ratios for greenhouse gas emissions reduction projects.

(3) The department shall require by rule that recipients of funds from the accounts created in RCW 70A.65.240 through 70A.65.280 report to the department, in a form and manner prescribed by the department, the information required for the department to carry out the department's duties established in this section.

(4) The department shall update its website with the information described in subsection (2) of this section as appropriate but no less frequently than once per calendar year.

(5) The department shall submit its report to the appropriate committees of the legislature with the information described in subsection (2) of this section no later than September 30 of each year. For fiscal year 2025, the report must be submitted no later than November 30, 2024.

**NEW SECTION. Sec. 914.** A new section is added to chapter 47.60 RCW to read as follows:

The ferry construction account is created in the state treasury. Revenues to the account shall consist of appropriations and transfers by the legislature and all other moneys directed for deposit into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used for Washington state ferry construction pursuant to chapter . . . , Laws of 2024 (House Bill No. 2498) (declaring the ferry system to be in a state of emergency) and the purchase of diesel ferries.

**Sec. 915.** RCW 43.79.555 and 2023 c 475 s 929 are each amended to read as follows:

The Washington rescue plan transition account is created in the state treasury. Moneys in the account may be spent only after appropriation. Revenues to the account consist of moneys directed by the legislature to the account. Allowable uses of moneys in the account include responding to the impacts of the COVID-19 pandemic including those related to education, human services, health care, and the economy. In addition, the legislature may appropriate from the account to continue activities begun with, or augmented with, COVID-19 related federal funding. During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the Washington rescue plan transition account to the state general fund and into the ferry construction account.

**NEW SECTION. Sec. 916.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 917.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Representatives Caldier, Barkis and Hutchins spoke in favor of the adoption of the amendment to the striking amendment.

Representative Fey spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

**ROLL CALL**

The Clerk called the roll on the adoption of amendment (1109) to the striking amendment (1094) and the amendment was

not adopted by the following vote: Yeas, 39; Nays, 56; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Fey, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Slatter, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff,



Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler, Dye and Maycumber

Amendment (1109) to the striking amendment (1094) was not adopted.

Representative Ormsby spoke in favor of the adoption of the striking amendment as amended.

Representative Corry spoke against the adoption of the striking amendment as amended.

The striking amendment (1094), as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Gregerson, Berg, Macri, Cortes, Bergquist and Ormsby spoke in favor of the passage of the bill.

Representatives Corry, Chambers, Connors and Couture spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5950, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5950, as amended by the House, and the bill passed the House by the following vote: Yeas, 58; Nays, 37; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Dye and Maycumber

ENGROSSED SUBSTITUTE SENATE BILL NO. 5950, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

**SIGNED BY THE SPEAKER**

The Speaker signed the following bills:

- SUBSTITUTE HOUSE BILL NO. 1249
- HOUSE BILL NO. 1455
- HOUSE BILL NO. 1530
- HOUSE BILL NO. 1920
- HOUSE BILL NO. 1954
- HOUSE BILL NO. 1972
- HOUSE BILL NO. 1975
- HOUSE BILL NO. 2111
- SUBSTITUTE HOUSE BILL NO. 2136
- SUBSTITUTE HOUSE BILL NO. 2293
- SUBSTITUTE HOUSE BILL NO. 2296

There being no objection, the House advanced to the eighth order of business.

**MOTION**

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

- SENATE BILL NO. 5843
- SENATE BILL NO. 5979
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5985
- ENGROSSED SENATE BILL NO. 6095
- ENGROSSED SENATE BILL NO. 6151
- SENATE CONCURRENT RESOLUTION NO. 8414
- SECOND SUBSTITUTE SENATE BILL NO. 5893
- SENATE BILL NO. 6088
- SENATE BILL NO. 6027
- SUBSTITUTE SENATE BILL NO. 5786
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5793
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6110
- SUBSTITUTE SENATE BILL NO. 5980
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5983
- SUBSTITUTE SENATE BILL NO. 6186
- SUBSTITUTE SENATE BILL NO. 5857
- ENGROSSED SENATE JOINT MEMORIAL NO. 8006
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5788
- SUBSTITUTE SENATE BILL NO. 6227
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5828
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5973
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6105
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6009
- SUBSTITUTE SENATE BILL NO. 6301
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5796
- SUBSTITUTE SENATE BILL NO. 6146
- SUBSTITUTE SENATE BILL NO. 5804
- SENATE BILL NO. 5913
- SUBSTITUTE SENATE BILL NO. 6269
- SENATE BILL NO. 5805
- SENATE BILL NO. 6166
- SUBSTITUTE SENATE BILL NO. 5787
- SUBSTITUTE SENATE BILL NO. 6157
- SECOND SUBSTITUTE SENATE BILL NO. 5444
- SENATE BILL NO. 5883
- SENATE BILL NO. 6017
- ENGROSSED SENATE BILL NO. 6246
- SUBSTITUTE SENATE BILL NO. 5917
- SUBSTITUTE SENATE BILL NO. 5998
- ENGROSSED SENATE BILL NO. 5824
- ENGROSSED SENATE BILL NO. 5790
- SENATE BILL NO. 6178
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6127
- SENATE BILL NO. 5184
- SENATE BILL NO. 5647
- SUBSTITUTE SENATE BILL NO. 5649
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5670
- SENATE BILL NO. 5821
- SUBSTITUTE SENATE BILL NO. 5834
- SUBSTITUTE SENATE BILL NO. 5835
- SUBSTITUTE SENATE BILL NO. 5840
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5891
- SUBSTITUTE SENATE BILL NO. 5925
- ENGROSSED SENATE BILL NO. 5997
- SUBSTITUTE SENATE BILL NO. 6053
- ENGROSSED SENATE BILL NO. 6089
- SUBSTITUTE SENATE BILL NO. 6108
- SUBSTITUTE SENATE BILL NO. 6140
- SENATE BILL NO. 6222
- SENATE BILL NO. 6234
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6291
- ENGROSSED SENATE BILL NO. 6296
- SENATE BILL NO. 5419
- SUBSTITUTE SENATE BILL NO. 5785

There being no objection, the House adjourned until 9:55 a.m., Monday, February 26, 2024, the 50th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## FIFTIETH DAY

House Chamber, Olympia, Monday, February 26, 2024

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4678**, by Representatives Farivar, Waters, Fitzgibbon, Taylor, Pollet, Leavitt, Thai, Ryu, Berry, Duerr, Fosse, Ortiz-Self, Morgan, Walen, Bateman, Gregerson, Bronoske, Kloba, Senn, Goodman, Reeves, Orwall, Simmons, Robertson, Springer, Street, Peterson, Chapman, Mena, Callan, Doglio, Stonier, Ramel, Santos, Hutchins, Macri, Cortes, Paul, and Slatter

WHEREAS, The Persian New Year, or Nowruz, originated in the Iranian plateau more than 3,000 years ago and is celebrated annually marking the Spring Equinox in the northern hemisphere, which this year will fall on March 19th at 8:06 p.m.; and

WHEREAS, Nowruz is a significant cultural holiday for individuals in Iran, Afghanistan, Tajikistan, Uzbekistan, and many other countries which is celebrated by nearly 300 million people across the globe of different faiths and cultures, particularly in and by more than 1 million Americans, including tens of thousands in Washington state; and

WHEREAS, Nowruz welcomes spring and regrowth after winter and periods of cold and dormancy and it celebrates nature, life, and opportunity for regrowth and blossoming; and

WHEREAS, In this time where mistrust and fear often threaten to divide us, the spirit of Nowruz inspires us to realize our commonalities and strive for new levels of compassion, understanding, and love for our fellow human beings irrespective of religion or ethnicity; and

WHEREAS, Many Middle Eastern and Central Asian individuals immigrate to Washington to flee persecution for their beliefs, seeking personal and religious freedoms in the United States; and

WHEREAS, Middle Eastern and Central Asians are an important part of our communities and continue to make noteworthy and lasting contributions to Washington state through their leadership in business, government, higher education, medicine, military service, law, social justice, and many other arenas; and

WHEREAS, Nowruz presents a fitting opportunity to recognize these contributions and the resilience of the Middle Eastern and Central Asian communities who continue to advocate for their communities; and

WHEREAS, Nowruz is a time for all of us to come together to reflect on the year that has passed and celebrate the universal values of generosity, compassion, selflessness, and community stewardship in the year ahead;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives celebrate the honored holiday of Nowruz; recognize the historical and cultural significance thereof; stand with the communities that celebrate Nowruz in times of crisis and in times of celebration; and wish a happy and prosperous new year to all.

With the consent of the House, HOUSE RESOLUTION NO. 4678 was adopted.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4683**, by Representatives Taylor, Connors, Orwall, Christian, Bronoske, Duerr, Berg, Stearns, Simmons, Senn, Pollet, Ryu, Barnard, Mosbrucker, Robertson, Ortiz-Self, Kloba, Fosse, Eslick, and Goodman

WHEREAS, 111 years ago, Juliette Gordon Low organized the first Girl Scout troop in Savannah, Georgia. At a time in which women in the United States were not allowed to vote, this gathering of 18 women all believed that they could do anything; and

WHEREAS, Over 50 million women in the United States today were Girl Scouts during their childhood; and

WHEREAS, 58 percent of women serving in the United States House of Representatives and 72 percent of female United States Senators are Girl Scout Alumni; and

WHEREAS, Girl Scouts of Western Washington, Girl Scouts of Eastern Washington and Northern Idaho, and Girl Scouts of Oregon and Southwest Washington councils are proud to provide a safe learning environment for scouts of all backgrounds through the end of high school; and

WHEREAS, Girl Scouts is known for its cookies. Cookie season is a time for scouts to develop business ethics, money management, and people skills. From confidence-building and goal-setting, to understanding profit margins and digital marketing, cookie season is a hands-on educational experience unlike any other; and

WHEREAS, Girl Scouts is about so much more than cookies, it allows scouts to learn about leadership, civic engagement, volunteerism, business, outdoors, environmental stewardship, planning, financial literacy, travel, STEM, and many other skills. There is something tailored to each scout's interests; and

WHEREAS, Girl Scouting provides opportunities to girls to develop skills essential to effective leadership including developing a strong sense of self, displaying positive values, seeking challenges, forming healthy relationships, and engaging in community problem solving; and

WHEREAS, Girl Scouts is a place where girls can make friends, have fun, find adventure, and give back to their communities; and

WHEREAS, Girl Scouting builds girls of courage, confidence, and character, who make the world a better place;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize the Girl Scouts for its services to the youth of the state and the development of the next generation of leaders.

With the consent of the House, HOUSE RESOLUTION NO. 4683 was adopted.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4684**, by Representative Schmidt

WHEREAS, The Washington State House of Representatives recognizes excellence in every field of endeavor; and

WHEREAS, Sydney Frost, an 11th grade student at Mount Spokane High School, is a 2024 Poetry Out Loud Regional Champion; and

WHEREAS, Poetry Out Loud is a national program that encourages high school students to learn about poetry through memorization, performance, and competition; and

WHEREAS, Over 9,000 students participated at the classroom level at 42 high schools statewide; and

WHEREAS, Sydney is one of nine regional champions who will progress to the Poetry Out Loud Final; and

WHEREAS, The State Final Champion will represent Washington at the National Poetry Out Loud competition;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives congratulate Sydney Frost on her stellar performance at the Poetry Out Loud Regional Championship; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Sydney Frost.

With the consent of the House, HOUSE RESOLUTION NO. 4684 was adopted.

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4685**, by Representatives Goehner and Steele

WHEREAS, The Washington State House of Representatives recognize excellence in all fields and endeavors; and

WHEREAS, The Manson High School Girls Cross Country team has won the Washington Interscholastic Activities Association 2023 Fall Academic State Champions award; and

WHEREAS, This award is given to teams with the highest average grade point average for their activity and classification; and

WHEREAS, Manson High School's team of five girls have achieved an average grade point average of 3.970; and

WHEREAS, This award is a testament to the hard work, dedication, and determination these athletes put towards their academic studies; and

WHEREAS, These athletes all have standout talent on and off the field, shown by their outstanding performance in their sports while maintaining a high grade point average; and

WHEREAS, A great team must have a great staff around it; Head Coach Jeffrey England, the assistant coaching staff, Principal Kamie Kronbauer, teachers, and all the other staff at Manson High School that help these girls are crucial to their successes;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives congratulate the Manson High School Girls Cross Country team on their academic state championship; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Superintendent of Manson Public Schools, Principal of Manson High School, and the Cross Country Coaching Staff.

With the consent of the House, HOUSE RESOLUTION NO. 4685 was adopted.

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4686**, by Representative McClintock

WHEREAS, Faith Tarrant, a junior at Prairie High School, demonstrated exceptional skill and determination by winning her third girls 235-pound wrestling state championship in the 3A/4A class at the Tacoma Dome on Saturday, February 17th; and

WHEREAS, Faith Tarrant achieved a remarkable victory by pinning Katherine Petersen from Tahoma High School in the second round, securing her third championship match win in her junior year and completing her second-straight undefeated season with a record of 38-0 by pinning every opponent; and

WHEREAS, Her championship match, which notably extended into the second round for the first time, showcased her strategic prowess and confidence, with Faith successfully leveraging her superior positioning to secure the win; and

WHEREAS, Faith Tarrant's journey to her third state title was marked by increased confidence and a focused determination, attributes that she credited to her experiences and rigorous preparation in practice; and

WHEREAS, Since the inclusion of girls wrestling at the Mat Classic in 2004, Faith Tarrant has distinguished herself as the 15th girl to earn at least three state titles, joining an elite group of

athletes and contributing to the growth and visibility of girls wrestling in Washington State; and

WHEREAS, Faith Tarrant has been a vocal advocate for the camaraderie and community within girls wrestling, emphasizing the unique and supportive relationships formed among competitors, thereby enriching the sport's culture; and

WHEREAS, Faith Tarrant has acknowledged the unwavering support and inspiration provided by her mother, Nicole Tarrant, her number one fan, as well as the invaluable guidance and encouragement from teammates Seth Blick and Aaliyah Young, all of whom have played pivotal roles in her success; and

WHEREAS, Faith Tarrant's ambition extends beyond her current achievements, with sights set on capturing a fourth state title in her senior year, a feat accomplished by only four girls before her, demonstrating her commitment to excellence and her contribution to the legacy of girls wrestling in Washington;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor Faith Tarrant for her outstanding accomplishments in girls wrestling, her significant contribution to the sport's growth and inclusivity, and her role as an exemplary model of dedication, perseverance, and sportsmanship for young athletes in Washington State and beyond; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Faith Tarrant of Prairie High School.

With the consent of the House, HOUSE RESOLUTION NO. 4686 was adopted.

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4687**, by Representatives Dent, Christian, Taylor, Bronoske, Mosbrucker, Jacobsen, Ryu, Callan, Pollet, Peterson, Schmick, Goehner, Orwall, Chopp, Chapman, Sandlin, Springer, Graham, Robertson, Orcutt, Davis, Ortiz-Self, Kloba, Walsh, Fosse, Rule, Eslick, Slatter, Corry, Barkis, and Caldier

WHEREAS, 2024 marks the centennial of the first around the world flight which originated from Washington state, departing from Seattle's Sand Point Park; and

WHEREAS, On April 6, 1924, four Douglas World Cruisers, the Seattle, New Orleans, Chicago, and Boston, embarked on a grueling six-month journey to complete the first around the world flight; and

WHEREAS, Two crewmen operated each pontoon equipped biplane, without radios, parachutes, life preservers, or rafts due to weight restraints. Fortunately, the biplanes were flanked by ground and sea support from the United States Navy, Coast Guard, and Bureau of Fisheries; and

WHEREAS, The airmen covered 26,345 miles, touched down in 29 countries in over 76 flights, and survived five forced landings. In the end, two of the four Douglas World Cruisers completed the entire journey; and

WHEREAS, On September 28, 1924, the Chicago and the New Orleans arrived at Seattle's Sand Point Park before 50,000 enthusiastic fans 175 days after the flight had departed; and

WHEREAS, To commemorate the depth and breadth of Washington state's aeronautical history, Friends of Magnuson Park will host a multiday event leading up to September 28, 2024;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the many contributions made to our state by the aeronautics and aviation community, and the Friends of Magnuson Park for bringing this important piece of history to our attention; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the 2024 Planning Committee of the Friends of Magnuson Park.

With the consent of the House, HOUSE RESOLUTION NO. 4687 was adopted.

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4688**, by Representative Schmidt

WHEREAS, Libby Roberts, a junior at University High School in Spokane Valley, demonstrated exceptional skill and determination by winning her third girls 105-pound wrestling state championship in the 3A/4A class at the Tacoma Dome on Saturday, February 17th; and

WHEREAS, Libby achieved a remarkable victory by pinning her opponent from Sumner High School in the first round at the 50 second mark, securing a third championship match win; and

WHEREAS, Libby's championship match showcased strategic prowess and confidence, with Libby successfully leveraging superior positioning to secure the win; and

WHEREAS, Since the inclusion of girls' wrestling at the Mat Classic in 2004, Libby has joined an elite group of athletes and contributing to the growth and visibility of girls' wrestling in Washington State; and

WHEREAS, Libby has three state titles, a USA Wrestling All-American, and is undefeated against Washington state girls; and

WHEREAS, Libby Roberts earned an impressive 3.88 grade point average assisting her team in winning the 2024 Washington Interscholastic Activities Association Academic State Championship; and

WHEREAS, Libby attributes a lot of her success to her coach and father, Kevin Roberts, who has taught her focus, work ethic, and strength in both athletics and academics; and

WHEREAS, Libby's ambition extends beyond her current achievements, with sights set on capturing a fourth state title in her senior year, a feat accomplished by only four girls before her, demonstrating her commitment to excellence and her contribution to the legacy of girls wrestling in Washington;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor Libby Roberts for her outstanding accomplishments in girls wrestling, her significant contribution to the sport's growth and inclusivity, and her role as an exemplary model of dedication, perseverance, and sportsmanship for young athletes in Washington State and beyond; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Libby Roberts and Coach Kevin Roberts of University High School.

With the consent of the House, HOUSE RESOLUTION NO. 4688 was adopted.

#### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4689**, by Representative Schmidt

WHEREAS, The Washington State House of Representatives recognize excellence in every field of endeavor; and

WHEREAS, The Liberty Lake Falcons Ridgeline High School Volleyball Team demonstrated focus and discipline, overcoming adversity with hard work in the classroom throughout the year while demonstrating exemplary athleticism throughout the duration of their season; and

WHEREAS, The Falcons have won the 2023 3A Washington Interscholastic Activities Association Academic State Championship, which honors the team with the highest grade point average in the state; and

WHEREAS, As one, the Falcons achieved an impressive cumulative grade point average of 3.894; and

WHEREAS, The team consisted of thirteen players, three sophomores, nine juniors, and two seniors, of which, nine were returning varsity athletes; and

WHEREAS, The team total of advanced placement classes taken during the championship is 23; and

WHEREAS, No team can be successful without all the teachers, administrators, and coaching staff at Ridgeline High School, who all played a pivotal role in their athletes' success;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the tremendous achievement by the

Ridgeline Volleyball Team of winning the 2023 3A Washington Interscholastic Activities Association academic championship; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Ridgeline High School Volleyball Team, Principal Jesse Hardt, and Coach Whitney Abell.

With the consent of the House, HOUSE RESOLUTION NO. 4689 was adopted.

#### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4690**, by Representatives Goehner and Steele

WHEREAS, The Washington state House of Representatives recognize excellence in all fields and endeavors; and

WHEREAS, The Manson High School volleyball team has made history by not only winning the 2023 2B state volleyball championships for the first time, but also winning the school's first ever state championship of any sport in school history; and

WHEREAS, The team had a perfect season as they ended the year unbeaten with a record of 24 to 0; and

WHEREAS, After a slow start in the opening of the final four, the Manson Trojans were able to bounce back and defeat the Colfax Bulldogs, earning them the opportunity to play for the state title, which they ended up winning after defeating Lind-Ritzville-Sprague in a 3 to 0 match; and

WHEREAS, These athletes all have standout talent on the court; and

WHEREAS, A great team must have a great staff around it, and Head Coach Hayli Thompson, the assistant coaching staff, Principal Kami Kronbauer, and all the other staff at Manson High School that help these girls are crucial to their successes;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives congratulate the Manson High School volleyball team on their state championship, and their fans, supportive alumni, and the entire community for this phenomenal achievement.

With the consent of the House, HOUSE RESOLUTION NO. 4690 was adopted.

#### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4691**, by Representative Maycumber

WHEREAS, Congresswoman Cathy McMorris Rodgers brought her dedication and an unwavering sense of duty to the United States House of Representatives and the Washington State Legislature; and

WHEREAS, Growing up on an orchard and fruit stand in Kettle Falls, McMorris Rodgers developed a lifelong interest in boosting rural economies and creating better futures for our children; and

WHEREAS, McMorris Rodgers was appointed to the House of Representatives in 1994 to serve an unexpired term and went on to serve five terms; and

WHEREAS, Since first being elected to the United States House of Representatives, in 2004, McMorris Rodgers has earned the trust of her constituents and praise on Capitol Hill for her hard work, conservative principles, bipartisan outreach, and leadership to get results for Eastern Washington; and

WHEREAS, In 2006, Cathy married Brian Rodgers, a Spokane native and retired 26-year Navy Commander; and

WHEREAS, In 2007, she gave birth to Cole Rodgers, who was born with an extra 21st chromosome and inspired McMorris Rodgers to become a leader in the disabilities community; and

WHEREAS, McMorris Rodgers has since welcomed two daughters into the world: Grace, in December 2010; and Brynn, in November 2013; and

WHEREAS, McMorris Rodgers faithfully represented Washington in the United States Congress, serving 10 terms in the United States House of Representatives, including as the Chair of the House Energy and Commerce Committee, which has broad

jurisdiction over the issues that matter most to the people of Eastern Washington; and

WHEREAS, McMorris Rodgers served as Chair of the House Republican Conference from 2012 to 2018; and

WHEREAS, McMorris Rodgers was the 200th woman ever elected to serve in the United States House of Representatives and the first woman to give birth three times while in office; and

WHEREAS, McMorris Rodgers' top priority has always been to get results for the people of Eastern Washington that she has the honor of representing;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and honor Cathy McMorris Rodgers for her service to our state and to our nation.

With the consent of the House, HOUSE RESOLUTION NO. 4691 was adopted.

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4692**, by Representative Schmidt

WHEREAS, The University High School Titans Girls Wrestling Team of Spokane Valley demonstrated focus and discipline, overcoming adversity with hard work in the classroom throughout the year while demonstrating exemplary athleticism both before and during the state tournament; and

WHEREAS, The Titans have won the 2024 Washington Interscholastic Activities Association Academic State Championship, which honors the team with the highest grade point average in the state; and

WHEREAS, The Titans achieved an impressive cumulative grade point average of 3.868; and

WHEREAS, Libby Roberts, a 3-time state champion, earned a 3.88 grade point average; and

WHEREAS, Samara Weinstock, a state participant, earned a 3.95 grade point average; and

WHEREAS, Olivia Vignere, a state alternate, earned a 3.772 grade point average; and

WHEREAS, No team can be successful without a great staff behind them: Coach Kevin Roberts, Principal Rob Bartlett, and all the teachers and administrators at University High School who played a pivotal role in their athletes' success;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the tremendous achievement by the University High School Girls Wrestling Team of winning the 2024 Academic State Championship; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the University High School Girls Wrestling Team, Principal Rob Bartlett, and Coach Kevin Roberts.

With the consent of the House, HOUSE RESOLUTION NO. 4692 was adopted.

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4693**, by Representative Schmidt

WHEREAS, The Washington State House of Representatives seek to recognize excellence in every field of endeavor; and

WHEREAS, The Spokane Valley University High School Titans Slowpitch Team demonstrated focus and discipline, overcoming adversity with hard work throughout the year while demonstrating exemplary athleticism throughout the duration of their season; and

WHEREAS, The Titans won the 2023 Greater Spokane League Championship, placing second in state; and

WHEREAS, The 2023 University High School Titans Slowpitch Team were the two time defending 2A/3A State Champions; and

WHEREAS, The 2023 Titans, with a record of 21 to 3, had five All Greater Spokane League First Team Selections: Seniors Haley Walker, Jordan Bailey, Natalie Singer, Maliyah Mann, and

unanimous Greater Spokane League most valuable player Abby Watkins; and

WHEREAS, In three seasons the Titans Slowpitch Team is 61 to 7; with 19 All Greater Spokane League 1st Team Selections: Autumn Hibbs, Macie Connor, Jenna Williamson, Bethany Ray, Jordan Bailey, Kaidyn Howard, Natalie Singer, Tayla Eliason, Haley Walker, 2022 most valuable player Maliyah Mann, 2023 most valuable player Abby Watkins, and 2022 Coach of the Year Matt Connor;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the tremendous achievement by the University High School Titans Slowpitch Team of winning the 2023 Greater Spokane League championship; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to University High School Titans Slowpitch Team Principal Rob Bartlett and Coach Matt Connor.

With the consent of the House, HOUSE RESOLUTION NO. 4693 was adopted.

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4694**, by Representatives Thai, Ramos, Slatter, Bergquist, Ryu, Walen, Kloba, Santos, Gregerson, Paul, and Dent

WHEREAS, The United States census bureau estimates that 949,560 individuals of diverse Asian, Native Hawaiian, and Pacific Islander ethnic identities reside in Washington, the fastest-growing demographic population in the state, who among them speak more than 100 different languages and dialects; and

WHEREAS, The history of Asians, Native Hawaiians, and Pacific Islanders is inextricably tied to the rich history of Washington state, contributing since territorial times to the development of our heritage industries including forestry, fishing, and farming as well as to the leadership of our state in a variety of educational, economic, political, and social endeavors; and

WHEREAS, In 1972, Governor Daniel J. Evans created a State Asian American Advisory Council "to examine and define issues pertaining to the rights and needs of Asian Americans in contemporary America, and to make recommendations to the Governor and state agencies with respect to desirable changes in program and law," ultimately leading the 43rd Washington state legislature to establish the Commission on Asian Pacific American Affairs (CAPAA) as a stand-alone cabinet-level agency on February 26, 1974; and

WHEREAS, Pursuant to Chapter 43.117 RCW, CAPAA is charged with improving the lives of Asians, Native Hawaiians, and Pacific Islanders in Washington state by ensuring their access to full and equal participation in the fields of government, business, education, and other areas, working in partnership with communities and state leaders to respond to and rectify institutional bias and discrimination; and by ushering forward long-term solutions for positive change; and

WHEREAS, With incidents of anti-Asian hate and xenophobia on the rise, the work of CAPAA is more urgent and relevant than ever before in protecting and preserving the rights of Asian, Native Hawaiian, and Pacific Islander people to access resources and to enjoy representation in Washington state government and society; and

WHEREAS, A testament to the dedication, resilience, and accomplishments of the Asian, Native Hawaiian, and Pacific Islander communities throughout Washington and to the many volunteer commissioners and agency staff since its founding, CAPAA will celebrate the 50th anniversary of its establishment in 2024 with a golden gala;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives encourage all Washington residents to recognize and celebrate the pioneering contributions of the Washington state Commission on Asian Pacific American Affairs in elevating the strength of our diversity by advancing policies of equity and inclusion; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of

Representatives to the Washington state Commission on Asian Pacific American Affairs.

With the consent of the House, HOUSE RESOLUTION NO. 4694 was adopted.

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4695**, by Representatives Goehner and Steele

WHEREAS, The Washington state House of Representatives recognize excellence in all fields and endeavors; and

WHEREAS, The Chelan High School volleyball team has won the 2023 1A volleyball state championship, making them 4-time back-to-back volleyball state champions; and

WHEREAS, The team had an exceptional season with only two losses; and

WHEREAS, They were the number one seed headed into the tournament after winning the league and district titles and defeating their opponent in a regional crossover match; and

WHEREAS, These athletes all have standout talent on the court; and

WHEREAS, A great team must have a great staff around it, and Head Coach Abby Lewellen, the assistant coaching staff, Principal Jamie Pancho, and all the other staff at Chelan High School that help these girls are crucial to their successes;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives congratulate the Chelan High School volleyball team on their state championship, and their fans, supportive alumni, and the entire community for this phenomenal achievement.

With the consent of the House, HOUSE RESOLUTION NO. 4695 was adopted.

There being no objection, the House advanced to the fifth order of business.

### REPORTS OF STANDING COMMITTEES

February 23, 2024

HB 2089 Prime Sponsor, Representative Tharinger: Concerning the capital budget. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Alvarado; Bateman; Cheney; Christian; Dye; Eslick; Farivar; Fosse; Kloba; Kretz; Leavitt; Maycumber; Morgan; Mosbrucker; Orwall; Peterson; Reed; Rule; Sandlin; Shavers; Stearns and Waters.

Referred to Committee on Rules for second reading

February 23, 2024

HB 2276 Prime Sponsor, Representative Berg: Increasing the supply of affordable and workforce housing. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Chopp; Ramel; Santos; Thai and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Springer; Walen; and Wilcox.

Referred to Committee on Rules for second reading

February 23, 2024

SB 5897 Prime Sponsor, Senator Mullet: Modifying provisions of the business licensing service program. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

Referred to Committee on Rules for second reading

February 23, 2024

SB 6013 Prime Sponsor, Senator Shewmake: Expanding the homeownership development property tax exemption to include real property sold to low-income households for building residences using mutual self-help housing construction. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

Referred to Committee on Rules for second reading

February 23, 2024

SB 6030 Prime Sponsor, Senator Braun: Amending the county population threshold for counties that may exempt from taxation the value of accessory dwelling units to incentivize rental to low-income households. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Jacobsen, Assistant Ranking Minority Member; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Orcutt, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Barnard; and Chopp.

Referred to Committee on Rules for second reading

February 22, 2024

SB 6080 Prime Sponsor, Senator Boehnke: Simplifying the funding provisions of the statewide tourism marketing account. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 23, 2024

SB 6215 Prime Sponsor, Senator Schoesler: Improving tax and revenue laws. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

Referred to Committee on Rules for second reading

February 23, 2024

SB 6238 Prime Sponsor, Senator Dozier: Updating thresholds for the property tax exemption for widows and widowers of honorably discharged veterans. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 84.39.010 and 2015 c 86 s 314 are each amended to read as follows:

A person is entitled to a property tax exemption in the form of a grant as provided in this chapter. The person is entitled to assistance for the payment of all or a portion of the amount of excess and regular real property taxes imposed on the person's residence in the year in which a claim is filed in accordance with the following:

(1) The claimant must meet all requirements for an exemption for the residence under RCW 84.36.381(~~(, other than the income limits under RCW 84.36.381)~~).

(2)(a) The person making the claim must be:

(i) (~~(Sixty-two)~~) 62 years of age or older on December 31st of the year in which the claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of disability; and

(ii) A widow or widower of a veteran who:

(A) Died as a result of a service-connected disability;

(B) Was rated as (~~(one hundred)~~) 100 percent disabled by the United States veterans' administration for the (~~(ten)~~) 10 years prior to his or her death;

(C) Was a former prisoner of war as substantiated by the United States veterans' administration and was rated as (~~(one hundred)~~) 100 percent disabled by the United States veterans' administration for one or more years prior to his or her death; or

(D) Died on active duty or in active training status as a member of the United States uniformed services, reserves, or national guard; and

(b) The person making the claim must not have remarried.

(3) The claimant must have a combined disposable income of (~~(forty thousand dollars or less)~~) equal to or less than income threshold 3.

(4) The claimant must have owned, at the time of filing, the residence on which the real property taxes have been imposed. For purposes of this subsection, a residence

owned by cotenants is deemed to be owned by each cotenant. A claimant who has only a share ownership in cooperative housing, a life estate, a lease for life, or a revocable trust does not satisfy the ownership requirement.

(5) A person who otherwise qualifies under this section is entitled to assistance in an amount equal to regular and excess property taxes imposed on the difference between the value of the residence eligible for exemption under RCW 84.36.381(5) and:

(a) The first (~~(one hundred thousand dollars)~~) \$200,000 of assessed value of the residence for a person who has a combined disposable income of (~~(thirty thousand dollars or less)~~) equal to or less than income threshold 1;

(b) The first (~~(seventy-five thousand dollars)~~) \$150,000 of assessed value of the residence for a person who has a combined disposable income (~~(of thirty-five thousand dollars or less but greater than thirty thousand dollars)~~) equal to or less than income threshold 2 but greater than income threshold 1; or

(c) The first (~~(fifty thousand dollars)~~) \$100,000 of assessed value of the residence for a person who has a combined disposable income (~~(of forty thousand dollars or less but greater than thirty-five thousand dollars)~~) equal to or less than income threshold 3 but greater than income threshold 2.

(6) As used in this section:

(a) "Veteran" has the same meaning as provided under RCW 41.04.005.

(b) The meanings attributed in RCW 84.36.383 to the terms "residence," "combined disposable income," "disposable income," (~~(and)~~) "disability," "income threshold 1," "income threshold 2," and "income threshold 3" apply (~~(equally to)~~) throughout this section.

NEW SECTION. **Sec. 2.** This act applies to taxes levied for collection in 2025 and thereafter.

NEW SECTION. **Sec. 3.** RCW 82.32.805 and 82.32.808 do not apply to this act. The legislature intends for this tax preference and its expansion to be permanent."

Correct the title.

Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

Referred to Committee on Rules for second reading

February 23, 2024

SSJM 8009 Prime Sponsor, Business, Financial Services, Gaming & Trade: Concerning the federal harbor maintenance tax. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.



MINORITY recommendation: Without recommendation. Signed by Representative Orcutt, Ranking Minority Member.

Referred to Committee on Rules for second reading

There being no objection, the bills and memorial listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Representative Orwall presiding) called upon Representative Fitzgibbon to preside.

**FIRST SUPPLEMENTAL REPORT OF STANDING COMMITTEES**

February 26, 2024

ESSB 5334 Prime Sponsor, Local Government, Land Use & Tribal Affairs: Providing a local government option for the funding of essential affordable housing programs. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended by Committee on Local Government. Signed by Representatives Berg, Chair; Street, Vice Chair; Chopp; Ramel; Santos; Thai; Walen and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Springer; and Wilcox.

Referred to Committee on Rules for second reading

February 22, 2024

SB 5881 Prime Sponsor, Senator MacEwen: Concerning membership in the public employees' retirement system for certain part-time bus drivers employed full-time by the federal government. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

E2SSB 5955 Prime Sponsor, Ways & Means: Mitigating harm and improving equity in large port districts. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Alvarado; Bateman; Farivar; Fosse; Kloba; Leavitt; Morgan; Orwall; Peterson; Reed; Rule; Shavers and Stearns.

MINORITY recommendation: Do not pass. Signed by Representatives Steele, Assistant Ranking Minority Member; Christian; Eslick; Kretz; Sandlin; and Waters.

MINORITY recommendation: Without recommendation. Signed by Representatives Abbarno, Ranking Minority

Member; McClintock, Assistant Ranking Minority Member; Maycumber; and Mosbrucker.

Referred to Committee on Rules for second reading

February 26, 2024

ESSB 6038 Prime Sponsor, Ways & Means: Reducing the costs associated with providing child care. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

Referred to Committee on Rules for second reading

February 26, 2024

ESSB 6039 Prime Sponsor, Environment, Energy & Technology: Promoting the development of geothermal energy resources. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass as amended by Committee on Environment & Energy. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Alvarado; Bateman; Christian; Eslick; Farivar; Fosse; Kloba; Kretz; Leavitt; Maycumber; Morgan; Mosbrucker; Orwall; Peterson; Reed; Rule; Sandlin; Shavers; Stearns and Waters.

Referred to Committee on Rules for second reading

February 26, 2024

ESSB 6040 Prime Sponsor, State Government & Elections: Concerning prompt payment in public works. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that prompt pay requirements address the acceptable amount of time that payments must be made to contractors and subcontractors, and under what circumstances exceptions can be made. Washington state has prompt pay statutes that apply to public works commissioned by the state or local public entities such as counties, cities, towns, port districts, school districts, and other public entities in the state. These statutes intend to promote efficient implementation of public works projects by, among other things, requiring timely payment to assist contractors and subcontractors in operating their businesses and meet working capital and cash flow needs, while enabling public entities to address such things as disagreements over amounts owed, unsatisfactory performance, and noncompliance with the terms of the contract.

(2) The legislature intends to review how well prompt pay provisions are working for

small businesses, particularly women and minority-owned businesses, potential improvements that could be considered, and the potential impacts on the industry any recommendations might have.

NEW SECTION. **Sec. 2.** (1) (a) The capital projects advisory review board created in chapter 39.10 RCW shall review the extent to which prompt pay statutes meet the needs of small businesses, as defined in RCW 39.26.010, particularly women and minority-owned businesses as certified under chapter 39.19 RCW or as officially recognized as such by a local public entity. These statutes include RCW 39.04.250, 39.76.011, and 39.76.020.

(b) The capital projects advisory review board must present findings and any recommendations the board develops to the appropriate committees of the legislature on or before November 1, 2024.

(2) In carrying out the review and considering possible recommendations under subsection (1) of this section, the board shall engage with a broad range of stakeholders.

NEW SECTION. **Sec. 3.** In considering possible recommendations under section 2(1) (b) of this act, at a minimum the capital projects advisory review board shall consider:

(1) Requiring the state and local entities to pay the prime contractor within 30 days for work satisfactorily completed or materials delivered by a subcontractor of any tier that is a small business certified with the office of minority and women's business enterprises under chapter 39.19 RCW, or is recognized as a women or minority-owned business enterprise in a state of Washington port, county, or municipal small business or women or minority-owned business enterprise program;

(2) Requiring that, within 10 days of receipt of payment, the prime contractor and each higher tier subcontractor must make payment to its subcontractor until the subcontractor that is a certified small business or recognized women or minority-owned business has received payment.

NEW SECTION. **Sec. 4.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Alvarado; Bateman; Christian; Eslick; Farivar; Fosse; Kloba; Kretz; Leavitt; Maycumber; Morgan; Mosbrucker; Orwall; Peterson; Reed; Rule; Sandlin; Shavers; Stearns and Waters.

Referred to Committee on Rules for second reading

February 22, 2024

SB 6094

Prime Sponsor, Senator Robinson: Aligning statutory language concerning the retired state employee and retired or disabled school employee health insurance subsidy with the historical interpretation and implementation of the relevant subsidy language in the operating budget. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SB 6173

Prime Sponsor, Senator Nobles: Encouraging investments in affordable homeownership unit development. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Street, Vice Chair; Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Barnard; Chopp; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

Referred to Committee on Rules for second reading

February 26, 2024

E2SSB 6175

Prime Sponsor, Ways & Means: Providing a sales and use tax incentive for existing structures. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended by Committee on Housing. Signed by Representatives Berg, Chair; Street, Vice Chair; Jacobsen, Assistant Ranking Minority Member; Barnard; Ramel; Santos; Springer; Thai; Walen; Wilcox and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Orcutt, Ranking Minority Member; and Chopp.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 6192

Prime Sponsor, Labor & Commerce: Addressing additional work and change orders on public and private construction projects. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Alvarado; Bateman; Christian; Eslick; Farivar; Fosse; Kloba; Kretz; Leavitt; Maycumber; Morgan; Mosbrucker; Orwall; Peterson; Reed; Rule; Sandlin; Shavers; Stearns and Waters.

Referred to Committee on Rules for second reading

February 26, 2024

SB 6229

Prime Sponsor, Senator Shewmake:  
Modifying match requirements for the green  
transportation capital grant program.  
Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Goehner; Griffey; Volz; and Walsh.

Referred to Committee on Rules for second reading

February 22, 2024

SB 6308

Prime Sponsor, Senator Dhingra: Extending  
timelines for implementation of the 988  
system. Reported by Committee on  
Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 71.24.890 and 2023 c 454 s 5 and 2023 c 433 s 16 are each reenacted and amended to read as follows:

(1) Establishing the state designated 988 contact hubs and enhancing the crisis response system will require collaborative work between the department and the authority within their respective roles. The department shall have primary responsibility for establishing and designating the designated 988 contact hubs. The authority shall have primary responsibility for developing and implementing the crisis response system and services to support the work of the designated 988 contact hubs. In any instance in which one agency is identified as the lead, the expectation is that agency will be communicating and collaborating with the other to ensure seamless, continuous, and effective service delivery within the statewide crisis response system.

(2) The department shall provide adequate funding for the state's crisis call centers to meet an expected increase in the use of the call centers based on the implementation of the 988 crisis hotline. The funding level shall be established at a level anticipated to achieve an in-state call response rate of at least 90 percent by July 22, 2022. The funding level shall be determined by considering standards and cost per call predictions provided by the administrator of the national suicide prevention lifeline, call volume predictions, guidance on crisis call center performance metrics, and necessary technology upgrades. In contracting with the crisis call centers, the department:

(a) May provide funding to support crisis call centers and designated 988 contact hubs to enter into limited on-site partnerships with the public safety answering point to

increase the coordination and transfer of behavioral health calls received by certified public safety telecommunicators that are better addressed by clinic interventions provided by the 988 system. Tax revenue may be used to support on-site partnerships;

(b) Shall require that crisis call centers enter into data-sharing agreements, when appropriate, with the department, the authority, and applicable regional behavioral health administrative services organizations to provide reports and client level data regarding 988 crisis hotline calls, as allowed by and in compliance with existing federal and state law governing the sharing and use of protected health information, including dispatch time, arrival time, and disposition of the outreach for each call referred for outreach by each region. The department and the authority shall establish requirements that the crisis call centers report the data identified in this subsection (2)(b) to regional behavioral health administrative services organizations for the purposes of maximizing medicaid reimbursement, as appropriate, and implementing this chapter and chapters 71.05 and 71.34 RCW including, but not limited to, administering crisis services for the assigned regional service area, contracting with a sufficient number of licensed or certified providers for crisis services, establishing and maintaining quality assurance processes, maintaining patient tracking, and developing and implementing strategies to coordinate care for individuals with a history of frequent crisis system utilization.

(3) The department shall adopt rules by January 1, 2025, to establish standards for designation of crisis call centers as designated 988 contact hubs. The department shall collaborate with the authority and other agencies to assure coordination and availability of services, and shall consider national guidelines for behavioral health crisis care as determined by the federal substance abuse and mental health services administration, national behavioral health accrediting bodies, and national behavioral health provider associations to the extent they are appropriate, and recommendations from the crisis response improvement strategy committee created in RCW 71.24.892.

(4) The department shall designate designated 988 contact hubs by January 1, 2026. The designated 988 contact hubs shall provide crisis intervention services, triage, care coordination, referrals, and connections to individuals contacting the 988 crisis hotline from any jurisdiction within Washington 24 hours a day, seven days a week, using the system platform developed under subsection (5) of this section.

(a) To be designated as a designated 988 contact hub, the applicant must demonstrate to the department the ability to comply with the requirements of this section and to contract to provide designated 988 contact hub services. The department may revoke the designation of any designated 988 contact hub that fails to substantially comply with the contract.

(b) The contracts entered shall require designated 988 contact hubs to:

(i) Have an active agreement with the administrator of the national suicide prevention lifeline for participation within its network;

(ii) Meet the requirements for operational and clinical standards established by the department and based upon the national suicide prevention lifeline best practices guidelines and other recognized best practices;

(iii) Employ highly qualified, skilled, and trained clinical staff who have sufficient training and resources to provide empathy to callers in acute distress, de-escalate crises, assess behavioral health disorders and suicide risk, triage to system partners for callers that need additional clinical interventions, and provide case management and documentation. Call center staff shall be trained to make every effort to resolve cases in the least restrictive environment and without law enforcement involvement whenever possible. Call center staff shall coordinate with certified peer counselors to provide follow-up and outreach to callers in distress as available. It is intended for transition planning to include a pathway for continued employment and skill advancement as needed for experienced crisis call center employees;

(iv) Train employees on agricultural community cultural competencies for suicide prevention, which may include sharing resources with callers that are specific to members from the agricultural community. The training must prepare staff to provide appropriate assessments, interventions, and resources to members of the agricultural community. Employees may make warm transfers and referrals to a crisis hotline that specializes in working with members from the agricultural community, provided that no person contacting 988 shall be transferred or referred to another service if they are currently in crisis and in need of emotional support;

(v) Prominently display 988 crisis hotline information on their websites and social media, including a description of what the caller should expect when contacting the crisis call center and a description of the various options available to the caller, including call lines specialized in the behavioral health needs of veterans, American Indian and Alaska Native persons, Spanish-speaking persons, and LGBTQ populations. The website may also include resources for programs and services related to suicide prevention for the agricultural community;

(vi) Collaborate with the authority, the national suicide prevention lifeline, and veterans crisis line networks to assure consistency of public messaging about the 988 crisis hotline;

(vii) Develop and submit to the department protocols between the designated 988 contact hub and 911 call centers within the region in which the designated crisis call center operates and receive approval of the protocols by the department and the state 911 coordination office;

(viii) Develop, in collaboration with the region's behavioral health administrative services organizations, and jointly submit to the authority protocols related to the

dispatching of mobile rapid response crisis teams and community-based crisis teams endorsed under RCW 71.24.903 and receive approval of the protocols by the authority;

(ix) Provide data and reports and participate in evaluations and related quality improvement activities, according to standards established by the department in collaboration with the authority; and

(x) Enter into data-sharing agreements with the department, the authority, and applicable regional behavioral health administrative services organizations to provide reports and client level data regarding 988 crisis hotline calls, as allowed by and in compliance with existing federal and state law governing the sharing and use of protected health information, including dispatch time, arrival time, and disposition of the outreach for each call referred for outreach by each region. The department and the authority shall establish requirements that the designated 988 contact hubs report the data identified in this subsection (4)(b)(x) to regional behavioral health administrative services organizations for the purposes of maximizing medicaid reimbursement, as appropriate, and implementing this chapter and chapters 71.05 and 71.34 RCW including, but not limited to, administering crisis services for the assigned regional service area, contracting with a sufficient number or licensed or certified providers for crisis services, establishing and maintaining quality assurance processes, maintaining patient tracking, and developing and implementing strategies to coordinate care for individuals with a history of frequent crisis system utilization.

(c) The department and the authority shall incorporate recommendations from the crisis response improvement strategy committee created under RCW 71.24.892 in its agreements with designated 988 contact hubs, as appropriate.

(5) The department and authority must coordinate to develop the technology and platforms necessary to manage and operate the behavioral health crisis response and suicide prevention system. The department and the authority must include the crisis call centers and designated 988 contact hubs in the decision-making process for selecting any technology platforms that will be used to operate the system. No decisions made by the department or the authority shall interfere with the routing of the 988 crisis hotline calls, texts, or chat as part of Washington's active agreement with the administrator of the national suicide prevention lifeline or 988 administrator that routes 988 contacts into Washington's system. The technologies developed must include:

(a) A new technologically advanced behavioral health and suicide prevention crisis call center system platform for use in designated 988 contact hubs designated by the department under subsection (4) of this section. This platform, which shall be fully funded by ~~((July 1, 2024))~~ January 1, 2026, shall be developed by the department and must include the capacity to receive crisis assistance requests through phone calls, texts, chats, and other similar methods of

communication that may be developed in the future that promote access to the behavioral health crisis system; and

(b) A behavioral health integrated client referral system capable of providing system coordination information to designated 988 contact hubs and the other entities involved in behavioral health care. This system shall be developed by the authority.

(6) In developing the new technologies under subsection (5) of this section, the department and the authority must coordinate to designate a primary technology system to provide each of the following:

(a) Access to real-time information relevant to the coordination of behavioral health crisis response and suicide prevention services, including:

(i) Real-time bed availability for all behavioral health bed types and recliner chairs, including but not limited to crisis stabilization services, 23-hour crisis relief centers, psychiatric inpatient, substance use disorder inpatient, withdrawal management, peer-run respite centers, and crisis respite services, inclusive of both voluntary and involuntary beds, for use by crisis response workers, first responders, health care providers, emergency departments, and individuals in crisis; and

(ii) Real-time information relevant to the coordination of behavioral health crisis response and suicide prevention services for a person, including the means to access:

(A) Information about any less restrictive alternative treatment orders or mental health advance directives related to the person; and

(B) Information necessary to enable the designated 988 contact hub to actively collaborate with emergency departments, primary care providers and behavioral health providers within managed care organizations, behavioral health administrative services organizations, and other health care payers to establish a safety plan for the person in accordance with best practices and provide the next steps for the person's transition to follow-up noncrisis care. To establish information-sharing guidelines that fulfill the intent of this section the authority shall consider input from the confidential information compliance and coordination subcommittee established under RCW 71.24.892;

~~((b))~~ (b) The means to track the outcome of the 988 call to enable appropriate follow-up, cross-system coordination, and accountability, including as appropriate: (i) Any immediate services dispatched and reports generated from the encounter; (ii) the validation of a safety plan established for the caller in accordance with best practices; (iii) the next steps for the caller to follow in transition to noncrisis follow-up care, including a next-day appointment for callers experiencing urgent, symptomatic behavioral health care needs; and (iv) the means to verify and document whether the caller was successful in making the transition to appropriate noncrisis follow-up care indicated in the safety plan for the person, to be completed either by the care coordinator provided through the person's managed care organization, health plan, or

behavioral health administrative services organization, or if such a care coordinator is not available or does not follow through, by the staff of the designated 988 contact hub;

(c) A means to facilitate actions to verify and document whether the person's transition to follow-up noncrisis care was completed and services offered, to be performed by a care coordinator provided through the person's managed care organization, health plan, or behavioral health administrative services organization, or if such a care coordinator is not available or does not follow through, by the staff of the designated 988 contact hub;

(d) The means to provide geographically, culturally, and linguistically appropriate services to persons who are part of high-risk populations or otherwise have need of specialized services or accommodations, and to document these services or accommodations; and

(e) When appropriate, consultation with tribal governments to ensure coordinated care in government-to-government relationships, and access to dedicated services to tribal members.

(7) The authority shall:

(a) Collaborate with county authorities and behavioral health administrative services organizations to develop procedures to dispatch behavioral health crisis services in coordination with designated 988 contact hubs to effectuate the intent of this section;

(b) Establish formal agreements with managed care organizations and behavioral health administrative services organizations by January 1, 2023, to provide for the services, capacities, and coordination necessary to effectuate the intent of this section, which shall include a requirement to arrange next-day appointments for persons contacting the 988 crisis hotline experiencing urgent, symptomatic behavioral health care needs with geographically, culturally, and linguistically appropriate primary care or behavioral health providers within the person's provider network, or, if uninsured, through the person's behavioral health administrative services organization;

(c) Create best practices guidelines by July 1, 2023, for deployment of appropriate and available crisis response services by designated 988 contact hubs to assist 988 hotline callers to minimize nonessential reliance on emergency room services and the use of law enforcement, considering input from relevant stakeholders and recommendations made by the crisis response improvement strategy committee created under RCW 71.24.892;

(d) Develop procedures to allow appropriate information sharing and communication between and across crisis and emergency response systems for the purpose of real-time crisis care coordination including, but not limited to, deployment of crisis and outgoing services, follow-up care, and linked, flexible services specific to crisis response; and

(e) Establish guidelines to appropriately serve high-risk populations who request crisis services. The authority shall design these guidelines to promote behavioral

health equity for all populations with attention to circumstances of race, ethnicity, gender, socioeconomic status, sexual orientation, and geographic location, and include components such as training requirements for call response workers, policies for transferring such callers to an appropriate specialized center or subnetwork within or external to the national suicide prevention lifeline network, and procedures for referring persons who access the 988 crisis hotline to linguistically and culturally competent care.

(8) The department shall monitor trends in 988 crisis hotline caller data, as reported by designated 988 contact hubs under subsection (4)(b)(x) of this section, and submit an annual report to the governor and the appropriate committees of the legislature summarizing the data and trends beginning December 1, 2027.

**Sec. 2.** RCW 71.24.892 and 2023 c 454 s 6 are each amended to read as follows:

(1) The crisis response improvement strategy committee is established for the purpose of providing advice in developing an integrated behavioral health crisis response and suicide prevention system containing the elements described in this section. The work of the committee shall be received and reviewed by a steering committee, which shall in turn form subcommittees to provide the technical analysis and input needed to formulate system change recommendations.

(2) The behavioral health institute at Harborview medical center shall facilitate and provide staff support to the steering committee and to the crisis response improvement strategy committee. The behavioral health institute may contract for the provision of these services.

(3) The steering committee shall consist of the five members specified as serving on the steering committee in this subsection and one additional member who has been appointed to serve pursuant to the criteria in either (j), (k), (l), or (m) of this subsection. The steering committee shall select three cochairs from among its members to lead the crisis response improvement strategy committee. The crisis response improvement strategy committee shall consist of the following members, who shall be appointed or requested by the authority, unless otherwise noted:

(a) The director of the authority, or his or her designee, who shall also serve on the steering committee;

(b) The secretary of the department, or his or her designee, who shall also serve on the steering committee;

(c) A member representing the office of the governor, who shall also serve on the steering committee;

(d) The Washington state insurance commissioner, or his or her designee;

(e) Up to two members representing federally recognized tribes, one from eastern Washington and one from western Washington, who have expertise in behavioral health needs of their communities;

(f) One member from each of the two largest caucuses of the senate, one of whom shall also be designated to participate on

the steering committee, to be appointed by the president of the senate;

(g) One member from each of the two largest caucuses of the house of representatives, one of whom shall also be designated to participate on the steering committee, to be appointed by the speaker of the house of representatives;

(h) The director of the Washington state department of veterans affairs, or his or her designee;

(i) The state 911 coordinator, or his or her designee;

(j) A member with lived experience of a suicide attempt;

(k) A member with lived experience of a suicide loss;

(l) A member with experience of participation in the crisis system related to lived experience of a mental health disorder;

(m) A member with experience of participation in the crisis system related to lived experience with a substance use disorder;

(n) A member representing each crisis call center in Washington that is contracted with the national suicide prevention lifeline;

(o) Up to two members representing behavioral health administrative services organizations, one from an urban region and one from a rural region;

(p) A member representing the Washington council for behavioral health;

(q) A member representing the association of alcoholism and addiction programs of Washington state;

(r) A member representing the Washington state hospital association;

(s) A member representing the national alliance on mental illness Washington;

(t) A member representing the behavioral health interests of persons of color recommended by Sea Mar community health centers;

(u) A member representing the behavioral health interests of persons of color recommended by Asian counseling and referral service;

(v) A member representing law enforcement;

(w) A member representing a university-based suicide prevention center of excellence;

(x) A member representing an emergency medical services department with a CARES program;

(y) A member representing medicaid managed care organizations, as recommended by the association of Washington healthcare plans;

(z) A member representing commercial health insurance, as recommended by the association of Washington healthcare plans;

(aa) A member representing the Washington association of designated crisis responders;

(bb) A member representing the children and youth behavioral health work group;

(cc) A member representing a social justice organization addressing police accountability and the use of deadly force; and

(dd) A member representing an organization specializing in facilitating

behavioral health services for LGBTQ populations.

(4) The crisis response improvement strategy committee shall assist the steering committee to identify potential barriers and make recommendations necessary to implement and effectively monitor the progress of the 988 crisis hotline in Washington and make recommendations for the statewide improvement of behavioral health crisis response and suicide prevention services.

(5) The steering committee must develop a comprehensive assessment of the behavioral health crisis response and suicide prevention services system by January 1, 2022, including an inventory of existing statewide and regional behavioral health crisis response, suicide prevention, and crisis stabilization services and resources, and taking into account capital projects which are planned and funded. The comprehensive assessment shall identify:

(a) Statewide and regional insufficiencies and gaps in behavioral health crisis response and suicide prevention services and resources needed to meet population needs;

(b) Quantifiable goals for the provision of statewide and regional behavioral health crisis services and targeted deployment of resources, which consider factors such as reported rates of involuntary commitment detentions, single-bed certifications, suicide attempts and deaths, substance use disorder-related overdoses, overdose or withdrawal-related deaths, and incarcerations due to a behavioral health incident;

(c) A process for establishing outcome measures, benchmarks, and improvement targets, for the crisis response system; and

(d) Potential funding sources to provide statewide and regional behavioral health crisis services and resources.

(6) The steering committee, taking into account the comprehensive assessment work under subsection (5) of this section as it becomes available, after discussion with the crisis response improvement strategy committee and hearing reports from the subcommittees, shall report on the following:

(a) A recommended vision for an integrated crisis network in Washington that includes, but is not limited to: An integrated 988 crisis hotline and designated 988 contact hubs; mobile rapid response crisis teams and community-based crisis teams endorsed under RCW 71.24.903; mobile crisis response units for youth, adult, and geriatric population; a range of crisis stabilization services; an integrated involuntary treatment system; access to peer-run services, including peer-run respite centers; adequate crisis respite services; and data resources;

(b) Recommendations to promote equity in services for individuals of diverse circumstances of culture, race, ethnicity, gender, socioeconomic status, sexual orientation, and for individuals in tribal, urban, and rural communities;

(c) Recommendations for a work plan with timelines to implement appropriate local responses to calls to the 988 crisis hotline within Washington in accordance with the

time frames required by the national suicide hotline designation act of 2020;

(d) The necessary components of each of the new technologically advanced behavioral health crisis call center system platform and the new behavioral health integrated client referral system, as provided under RCW 71.24.890, for assigning and tracking response to behavioral health crisis calls and providing real-time bed and outpatient appointment availability to 988 operators, emergency departments, designated crisis responders, and other behavioral health crisis responders, which shall include but not be limited to:

(i) Identification of the components that designated 988 contact hub staff need to effectively coordinate crisis response services and find available beds and available primary care and behavioral health outpatient appointments;

(ii) Evaluation of existing bed tracking models currently utilized by other states and identifying the model most suitable to Washington's crisis behavioral health system;

(iii) Evaluation of whether bed tracking will improve access to all behavioral health bed types and other impacts and benefits; and

(iv) Exploration of how the bed tracking and outpatient appointment availability platform can facilitate more timely access to care and other impacts and benefits;

(e) The necessary systems and capabilities that licensed or certified behavioral health agencies, behavioral health providers, and any other relevant parties will require to report, maintain, and update inpatient and residential bed and outpatient service availability in real time to correspond with the crisis call center system platform or behavioral health integrated client referral system identified in RCW 71.24.890, as appropriate;

(f) A work plan to establish the capacity for the designated 988 contact hubs to integrate Spanish language interpreters and Spanish-speaking call center staff into their operations, and to ensure the availability of resources to meet the unique needs of persons in the agricultural community who are experiencing mental health stresses, which explicitly addresses concerns regarding confidentiality;

(g) A work plan with timelines to enhance and expand the availability of mobile rapid response crisis teams and community-based crisis teams endorsed under RCW 71.24.903 based in each region, including specialized teams as appropriate to respond to the unique needs of youth, including American Indian and Alaska Native youth and LGBTQ youth, and geriatric populations, including older adults of color and older adults with comorbid dementia;

(h) The identification of other personal and systemic behavioral health challenges which implementation of the 988 crisis hotline has the potential to address in addition to suicide response and behavioral health crises;

(i) The development of a plan for the statewide equitable distribution of crisis stabilization services, behavioral health beds, and peer-run respite services;

(j) Recommendations concerning how health plans, managed care organizations, and behavioral health administrative services organizations shall fulfill requirements to provide assignment of a care coordinator and to provide next-day appointments for enrollees who contact the behavioral health crisis system;

(k) Appropriate allocation of crisis system funding responsibilities among medicaid managed care organizations, commercial insurers, and behavioral health administrative services organizations;

(l) Recommendations for constituting a statewide behavioral health crisis response and suicide prevention oversight board or similar structure for ongoing monitoring of the behavioral health crisis system and where this should be established; and

(m) Cost estimates for each of the components of the integrated behavioral health crisis response and suicide prevention system.

(7) The steering committee shall consist only of members appointed to the steering committee under this section. The steering committee shall convene the committee, form subcommittees, assign tasks to the subcommittees, and establish a schedule of meetings and their agendas.

(8) The subcommittees of the crisis response improvement strategy committee shall focus on discrete topics. The subcommittees may include participants who are not members of the crisis response improvement strategy committee, as needed to provide professional expertise and community perspectives. Each subcommittee shall have at least one member representing the interests of stakeholders in a rural community, at least one member representing the interests of stakeholders in an urban community, and at least one member representing the interests of youth stakeholders. The steering committee shall form the following subcommittees:

(a) A Washington tribal 988 subcommittee, which shall examine and make recommendations with respect to the needs of tribes related to the 988 system, and which shall include representation from the American Indian health commission;

(b) A credentialing and training subcommittee, to recommend workforce needs and requirements necessary to implement chapter 302, Laws of 2021, including minimum education requirements such as whether it would be appropriate to allow designated 988 contact hubs to employ clinical staff without a bachelor's degree or master's degree based on the person's skills and life or work experience;

(c) A technology subcommittee, to examine issues and requirements related to the technology needed to implement chapter 302, Laws of 2021;

(d) A cross-system crisis response collaboration subcommittee, to examine and define the complementary roles and interactions between mobile rapid response crisis teams and community-based crisis teams endorsed under RCW 71.24.903, designated crisis responders, law enforcement, emergency medical services teams, 911 and 988 operators, public and private health plans, behavioral health

crisis response agencies, nonbehavioral health crisis response agencies, and others needed to implement chapter 302, Laws of 2021;

(e) A confidential information compliance and coordination subcommittee, to examine issues relating to sharing and protection of health information needed to implement chapter 302, Laws of 2021;

(f) A 988 geolocation subcommittee, to examine privacy issues related to federal planning efforts to route 988 crisis hotline calls based on the person's location, rather than area code, including ways to implement the federal efforts in a manner that maintains public and clinical confidence in the 988 crisis hotline. The 988 geolocation subcommittee must include persons with lived experience with behavioral health conditions as well as representatives of crisis call centers, the behavioral health interests of persons of color, and behavioral health providers; and

(g) Any other subcommittee needed to facilitate the work of the committee, at the discretion of the steering committee.

(9) The proceedings of the crisis response improvement strategy committee must be open to the public and invite testimony from a broad range of perspectives. The committee shall seek input from tribes, veterans, the LGBTQ community, and communities of color to help discern how well the crisis response system is currently working and recommend ways to improve the crisis response system.

(10) Legislative members of the crisis response improvement strategy committee shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(11) The steering committee, with the advice of the crisis response improvement strategy committee, shall provide a progress report and the result of its comprehensive assessment under subsection (5) of this section to the governor and appropriate policy and fiscal committee of the legislature by January 1, 2022. The steering committee shall report the crisis response improvement strategy committee's further progress and the steering committee's recommendations related to designated 988 contact hubs to the governor and appropriate policy and fiscal committees of the legislature by January 1, 2023, and January 1, 2024. The steering committee shall provide its final report to the governor and the appropriate policy and fiscal committees of the legislature by ~~((January 1, 2025))~~ July 1, 2026.

(12) This section expires ~~((June 30, 2025))~~ December 31, 2026."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority



Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

**\*\*FORMAT CHANGED TO ACCOMMODATE TEXT\*\***

## SECOND SUPPLEMENTAL REPORT OF STANDING COMMITTEES

February 26, 2024

2ESSB 5150 Prime Sponsor, Agriculture, Water, Natural Resources & Parks: Concerning the beef commission's levied assessment. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Agriculture & Natural Resources. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

E2SSB 5213 Prime Sponsor, Ways & Means: Concerning pharmacy benefit managers. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Harris; and Rude.

MINORITY recommendation: Without recommendation. Signed by Representatives Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

ESB 5241 Prime Sponsor, Senator Randall: Concerning material changes to the operations and governance structure of participants in the health care marketplace. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Civil Rights & Judiciary.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds and declares that:

(1) The existence of accessible and affordable health care services that are responsive to the needs of the community is an important public policy goal.

(2) The COVID-19 pandemic laid bare both the crucial importance of our health care systems and the inequities that exist and exacerbate harm to marginalized communities, including in access to and delivery of affordable, quality care.

(3) Health entity mergers, acquisitions, and contracting affiliations impact cost, quality, and access to health care, and affect working conditions and employee benefits.

(4) Health entity mergers, acquisitions, and contracting affiliations have been shown to result in anticompetitive consequences, including higher prices and a lack of any meaningful choice among health care providers within a community or geographic region. These negative outcomes are exacerbated for those in rural areas with few health care providers.

(5) The legislature is committed to ensuring that Washingtonians have access to the full range of reproductive, end-of-life, and gender affirming health care services. Yet, Washingtonians continue to experience difficulty accessing gender affirming care, and health entity mergers and acquisitions in Washington state have resulted in material reductions in reproductive and end-of-life health care services, to the detriment of communities and patients.

(6) Health entity mergers, acquisitions, and contracting affiliations must improve rather than harm access to affordable quality health care.

**Sec. 2.** RCW 19.390.010 and 2019 c 267 s 1 are each amended to read as follows:

(1) It is the intent of the legislature to ensure that competition beneficial to consumers in health care markets across Washington remains vigorous and robust and that health care be affordable and accessible. The legislature supports ~~((that intent))~~ these intents through this chapter, which provides the attorney general with notice of all material health care transactions in this state so that the attorney general has the information necessary to determine whether an investigation under the consumer protection act is

warranted for potential anticompetitive conduct and consumer harm. This chapter is intended to supplement the federal Hart-Scott-Rodino antitrust improvements act, Title 15 U.S.C. Sec. 18a, by requiring notice of transactions not reportable under Hart-Scott-Rodino reporting thresholds and by providing the attorney general with a copy of any filings made pursuant to the Hart-Scott-Rodino act. In addition to ensuring vigorous and robust competition in health care markets, this chapter is also intended to ensure material change transactions result in the affected communities having the same or greater access to quality, affordable care, including emergency care, primary care, reproductive care, end-of-life care including services provided in accordance with chapter 70.245 RCW, and gender affirming care.

(2) Notwithstanding the language in this chapter regarding the attorney general's authority to determine the effect of a material change transaction on access to care, nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

**Sec. 3.** RCW 19.390.020 and 2019 c 267 s 2 are each amended to read as follows:

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

(1) "Acquisition" means an agreement, arrangement, or activity the consummation of which results in a person acquiring directly or indirectly the control of another person, and includes the acquisition of voting securities and noncorporate interests, such as assets, capital stock, membership interests, or equity interests.

(2) "Affiliate" means a person that directly, or indirectly through one or more intermediaries, controls or has ownership of, is controlled or owned by, or is under common control or ownership of a person. A provider organization that is not otherwise affiliated with a hospital or hospital system is not considered an affiliate of a hospital or hospital system solely on the basis that it contracts with the hospital or hospital system to provide facility-based services including, but not limited to, emergency, anesthesiology, pathology, radiology, or hospital services.

(3) "Carrier" means the same as in RCW 48.43.005.

~~((3))~~ (4) "Contracting affiliation" means the formation of a relationship between two or more entities that permits the entities to negotiate jointly with carriers or third-party administrators over rates for professional medical services, or for one entity to negotiate on behalf of the other entity with carriers or third-party administrators over rates for professional medical services. "Contracting affiliation" does not include arrangements among entities under common ownership or arrangements where at least one entity in the arrangement is owned or operated by a state entity.

~~((4))~~ (5) "Gender affirming care" means a service or product that a health care provider, as defined in RCW 70.02.010, prescribes to an individual to treat any condition related to the individual's gender identity and is prescribed in accordance with generally accepted standards of care. Gender affirming care must be covered in a manner compliant with the federal mental health parity and addiction equity act of 2008 and the federal patient protection and affordable care act of 2010. Gender affirming care can be prescribed to two spirit, transgender, nonbinary, intersex, and other gender diverse individuals.

(6) "Health care revenue" means combined Washington-derived revenue from health care services or administration from a party and all of its affiliates including, but not limited to, patient revenue and premiums paid to carriers, as applicable.

(7) "Health care services" means medical, surgical, chiropractic, hospital, optometric, podiatric, pharmaceutical, ambulance, mental health, substance use disorder, therapeutic, preventative, diagnostic, curative, rehabilitative, palliative, custodial, and any other services relating to the prevention, cure, or treatment of illness, injury, or disease. Health care services may be provided virtually, on-demand, or in brick and mortar settings.

~~((5) "Health care services revenue" means the total revenue received for health care services in the previous twelve months.~~

~~(6))~~ (8) "Health maintenance organization" means an organization receiving a certificate of registration pursuant to chapter 48.46 RCW which provides comprehensive health care services to enrolled participants of such organization on a group practice per capita prepayment basis or on a prepaid individual practice plan, except for an enrolled participant's responsibility for copayments and deductibles, either directly or through contractual or other arrangements with other institutions, entities, or persons, and which qualifies as a health maintenance organization pursuant to RCW 48.46.030 and 48.46.040.

~~((7))~~ (9) "Hospital" means a facility licensed under chapter 70.41 or 71.12 RCW.

~~((8))~~ (10) "Hospital system" means:

(a) A parent corporation of one or more hospitals and any entity affiliated with such parent corporation ~~((through ownership or control)); or~~

(b) A hospital and any entity affiliated with such hospital ~~((through ownership)).~~

~~((9))~~ (11) "Merger" means a consolidation of two or more organizations, including two or more organizations joining through a common parent organization or two or more organizations forming a new organization, but does not include a corporate reorganization.

~~((10))~~ (12) "Person" means, where applicable, natural persons, corporations, trusts, and partnerships.

~~((11))~~ (13) "Provider" means a natural person who practices a profession identified in RCW 18.130.040.

~~((12))~~ (14) "Provider organization" means a corporation, partnership, business trust, association, or organized group of persons, whether incorporated or not, which is in the business of health care delivery or management and that represents seven or more health care providers in contracting with carriers or third-party administrators for the payments of health care services. A "provider organization" includes physician organizations, physician-hospital organizations, independent practice associations, provider networks, and accountable care organizations.

~~((13))~~ (15) "Reproductive health care" means any medical services or treatments, including pharmaceutical and preventive care services or treatments, directly involved in the reproductive system and its processes, functions, and organs involved in reproduction, in all stages of life.

(16) "Successor persons" means persons formed by, resulting from, or surviving any material change transaction under this chapter.

(17) "Third-party administrator" means an entity that administers payments for health care services on behalf of a client in exchange for an administrative fee.

**Sec. 4.** RCW 19.390.030 and 2019 c 267 s 3 are each amended to read as follows:

(1) Not less than ~~((sixty))~~ 120 days prior to the effective date of any transaction that results in a material change, the parties to the transaction shall submit written notice to the attorney general of such material change transaction.

(2) For the purposes of this ~~((section))~~ chapter, a material change transaction includes a merger, acquisition, or contracting affiliation ~~((between))~~:

(a) Between two or more ((entities)) of the following ((types)) entities:

~~((a))~~ (i) Hospitals;

~~((b))~~ (ii) Hospital systems; or

~~((c))~~ (iii) Provider organizations; or

(b) Between the following entities:

(i) An entity described in (a) of this subsection and a carrier or an insurance holding company system, as defined in RCW 48.31B.005; or

(ii) An entity described in (a) of this subsection and any other person or entity that has as its primary function the provision of health care services or that is a parent organization of, has control over, or governance of, an entity that has as its primary function the provision of health care services.

(3) A material change transaction includes proposed changes identified in subsection (2) of this section between ~~((a Washington entity and an out-of-state entity where the out-of-state entity generates ten million dollars or more in health care services revenue from patients residing in Washington state, and the entities are of the types identified in subsection (2) of this section))~~ Washington entities. A material change transaction also includes transactions between Washington entities described in subsection (2)(a) of this section and out-of-state entities if the transaction will impact health care in Washington. Any party to a material change transaction that is licensed or operating in Washington state shall submit a notice as required under this section.

(4) For purposes of subsection (2) of this section, a merger, acquisition, or contracting affiliation between two or more ~~((hospitals, hospital systems, or provider organizations))~~ entities only qualifies as a material change transaction if the ~~((hospitals, hospital systems, or provider organizations))~~ entities did not previously have common ownership or a contracting affiliation.

(5)(a) In a case of an extraordinary emergency situation that threatens access to health care services and has the potential to immediately harm consumers, the attorney general may allow parties to a transaction to submit notice less than 120 days before the effective date of any transaction.

(b) If the parties to a material change transaction seek to submit notice less than 120 days before the effective date of a transaction, the parties shall provide documentation to the attorney general's office demonstrating the existence of an extraordinary emergency situation, including a complete statement of facts, circumstances, and conditions which demonstrate the extraordinary emergency situation.

(c) No later than 45 days after receiving notice under (b) of this subsection, the attorney general's office must notify the parties whether the material change transaction is subject to emergency review or is subject to preliminary review requiring parties to provide documentation pursuant to RCW 19.390.040. If the material change transaction is accepted for emergency review, the attorney general's office must approve or deny the transaction within 90 days. If the attorney general denies emergency review, the transaction shall be subject to preliminary review.

**Sec. 5.** RCW 19.390.040 and 2019 c 267 s 4 are each amended to read as follows:

(1) ~~((The))~~ For material change transactions where none of the parties have generated \$25,000,000 or more in health care revenue in any of their preceding three fiscal years, or if any of the parties is a federally qualified health center or rural health clinic as those terms are defined by 42 U.S.C. Sec. 1395x(aa), the written notice provided by the parties, as required by RCW 19.390.030, must include:

(a) The names of the parties and their current business addresses;

(b) Identification of all locations where health care services are currently provided by each party and its affiliates;

(c) A brief description of the nature and purpose of the proposed material change transaction; and

(d) The anticipated effective date of the proposed material change transaction.

(2) For material change transactions where none of the parties are hospitals or hospital systems or an affiliate of a hospital or hospital system and all of the parties serve predominantly low-income, medically underserved individuals, and all of the parties had for each of their preceding three fiscal years at least 50 percent of their total patient revenue come from medicaid or local, state, or federal funding to provide care to uninsured or underinsured individuals, and the material change transaction would not result in materially lowering the overall level of care the successor persons' provide to individuals on medicaid or who are uninsured or underinsured, or cause, for the successor persons, the percentage of total patient revenue that comes from medicaid or local, state, or federal funding to provide care to uninsured or underinsured individuals to drop below 50 percent, the written notice provided by the parties, as required by RCW 19.390.030, must include:

(a) The information and documentation required under subsection (1)(a) through (d) of this section; and

(b) Documentation demonstrating that all the parties to the material change transaction had for each of their preceding three fiscal years at least 50 percent of their total patient revenue come from medicaid or local, state, or federal funding to provide care to uninsured or underinsured individuals, and a statement from the parties describing how the material change transaction will result in the successor persons complying with the requirements under this subsection.

(3)(a) For all material change transactions other than those specified under subsections (1) and (2) of this section, and except for transactions that fall under subsection (4) of this section, the written notice provided by the parties, as required by RCW 19.390.030, must include the following information, unless the attorney general agrees to narrow the scope of information needed relevant to the material change transaction:

(i) The information and documentation required under subsection (1)(a) through (d) of this section; and

(ii) Additional documentation established by rule making, including, but not limited to, information about the parties' organizational structure, finances, and the potential impact of the transaction on health care services, patient access and affordability, policies and procedures, community benefit, and staffing.

(b) When documents are readily available from a publicly available source for state or federal agencies, the parties may indicate the public availability to the attorney general with information on how to access the documents rather than providing the documents directly.

(4)(a) In cases of an extraordinary emergency situation that threatens access to health care services and has the potential to immediately harm consumers, the attorney general may limit the information otherwise required by subsection (3) of this section for the sole purpose of expediting the review process.

(b) If the parties to a material change transaction seek expedited review under (a) of this subsection, the parties shall provide documentation to the attorney general's office demonstrating the existence of an extraordinary emergency situation including a complete statement of facts, circumstances, and conditions which demonstrate the extraordinary emergency situation.

(c) The attorney general shall respond within 10 days to advise the parties as to whether any information otherwise required by subsection (3) of this section may be waived.

(d) Nothing in this subsection alters the preliminary or comprehensive review and oversight required under RCW 19.390.050, 19.390.070, and 19.390.080 and sections 7, 9 through 17, and 19 through 21 of this act.

(e) Nothing in this subsection alters the information collection requirements in other sections of this chapter including the requirement of a public hearing under section 12 of this act.

(5) The attorney general shall charge an applicant fee sufficient to cover the costs of implementing this chapter. Fees for a specific material change transaction review must be set relative to whether the review is preliminary or comprehensive.

(6) The attorney general may request and the parties shall provide additional information that is necessary to implement the goals of this chapter.

(7) Nothing in this section prohibits the parties to a material change transaction from voluntarily providing additional information to the attorney general.

**Sec. 6.** RCW 19.390.050 and 2019 c 267 s 5 are each amended to read as follows:

~~((The))~~ For the purpose of conducting an investigation under chapter 19.86 RCW or federal antitrust laws, the attorney general shall make any requests for additional information from the parties under RCW 19.86.110 within ~~((thirty))~~ 30 days of the date notice is received under RCW 19.390.030 and 19.390.040. ~~((Nothing))~~ Regardless of whether the attorney general requests additional information from the parties, nothing in this section precludes the attorney general from conducting an investigation or enforcing any state or federal ~~((antitrust))~~ laws at a later date.

**NEW SECTION. Sec. 7.** (1) The attorney general shall determine if the notice required under RCW 19.390.030 and 19.390.040 is complete for the purposes of review. If the attorney general determines that a notice is incomplete, it shall notify the parties within 15 working days after the date the notice was received stating the reasons for its determination of incompleteness.

(2) A completed notice shall be deemed received on the date when all the information required by RCW 19.390.040 has been submitted to the attorney general's office.

(3) For all material change transactions included under RCW 19.390.040(3), the attorney general shall, within five working days after receipt of a completed notice, include information about the notice on the attorney general's website and in a newspaper of general circulation in the county or counties where communities impacted by the material change transaction are located. In addition, the attorney general shall notify by first-class United States mail, email, or facsimile transmission, any person who has requested notice of the filing of such notices. The information must state that a notice has been received, state the names of the parties to the material change transaction, describe the contents of the written notice in clear and simple terms, and state the date and process by which a person may submit written comments about the notice to the attorney general's office.

(4) The attorney general is not required to make public any information submitted pursuant to its investigative authority under chapter 19.86 RCW, or any information or analysis associated with an investigation under chapter 19.86 RCW.

**Sec. 8.** RCW 19.390.080 and 2019 c 267 s 8 are each amended to read as follows:

Any person who fails to comply with ~~((any provision of this chapter))~~ RCW 19.390.030 or 19.390.040 is liable to the state for a civil penalty of ~~((not more than two hundred dollars per day for each day during which such person is in violation of this chapter))~~ up to 15 percent of the value of the material change transaction, in the discretion of the attorney general.

NEW SECTION. **Sec. 9.** (1) No material change transaction under this chapter may take place if it would detrimentally affect the continued existence of accessible, affordable health care in Washington state. To this end the material change transaction must result in the affected communities having the same or greater access to quality, affordable care, including but not limited to emergency care, primary care, reproductive health care, gender affirming care, and end-of-life care including services provided in accordance with chapter 70.245 RCW, and essential health benefit categories as that term is defined in RCW 48.43.005.

(2) In determining whether a material change transaction fulfills the requirements of subsection (1) of this section, the attorney general shall take into consideration whether the material change transaction:

- (a) Will reduce or maintain the growth in patient and health plan sponsor costs;
- (b) Will increase or maintain access to services, especially in medically underserved areas;
- (c) Will rectify historical and contemporary factors contributing to a lack of health equities or access to services;
- (d) Will improve or maintain health outcomes for residents of this state;
- (e) Will lower wages, reduce jobs, slow wage growth, or worsen benefits or other working conditions. However, nothing in this section prevents a health entity from revoking privileges due to quality of care or patient safety concerns;
- (f) Will result in a reduction in staffing capacity for the provision of medically necessary services to the extent such reductions would diminish patients' access to quality care;
- (g) Is necessary to maintain the solvency of an entity involved in the transaction. However, the attorney general may not determine that a material change transaction is necessary to maintain the solvency of an entity without first having an independent contractor prepare a financial assessment of the entity. Such assessment must include possible alternatives to the material change transaction and the likely impact of those alternatives, if implemented, on the entity's solvency.

(3) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

NEW SECTION. **Sec. 10.** (1) For all material change transactions included under RCW 19.390.040(3), the attorney general shall conduct a preliminary review of the completed notice to determine if the material change transaction will fulfill the requirements under section 9 of this act. The review must include, but is not limited to, an analysis of the information and documentation provided under RCW 19.390.040 and one public hearing.

(2) After conducting the preliminary review, if the attorney general determines that the material change transaction is likely to fulfill the requirements under section 9 of this act, the attorney general may not conduct a comprehensive review of the material change transaction as provided under sections 11, 13, and 14 of this act.

(3) The attorney general shall, within 60 days of receiving a completed notice, inform parties to a material change transaction as to whether a comprehensive review of the material change transaction is required as provided under sections 11, 13, and 14 of this act.

(4) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

**NEW SECTION. Sec. 11.** (1) For all material change transactions included under RCW 19.390.040(3) that are not limited to the preliminary review under section 10 of this act, the attorney general shall review the completed notice and conduct a comprehensive review. After conducting a comprehensive review, the attorney general shall within 120 days of receiving the completed notice:

(a) Approve the material change transaction in writing. The approval of a material change transaction pursuant to this chapter does not constitute approval for the purpose of RCW 19.86.170, or any other provision of state or federal consumer protection or antitrust law. Such approval pursuant to this chapter does not preclude the attorney general from taking any action to enforce state or federal consumer protection or antitrust law;

(b) Impose conditions or modifications on the material change transaction to ensure the requirements of section 9 of this act are met and that sufficient safeguards are in place to ensure communities have continued or improved access to affordable quality care. The imposition of such conditions or modifications shall be in writing and constitute a final decision subject to all appellate rights contained within this chapter; or

(c) Disapprove the material change transaction in writing with written justification, which shall constitute a final decision subject to all appellate rights contained within this act.

(2) Within 30 days after a final decision of the attorney general either denying or approving with modifications a material change transaction, any party to the material change transaction may appeal the decision to the superior court for review. The court may grant relief from the attorney general's final decision, but only upon a basis for relief recognized in RCW 34.05.570(3). An appeal to the superior court shall be to the superior court of a county in which the material change transaction is to have occurred or to the superior court for Thurston county. Such appeal shall be perfected by filing with the clerk of the court a notice of appeal and by serving a copy thereof by mail, or personally, on the attorney general or their appointed designee. The attorney general shall, in all cases within 15 days after the receipt of such notice of appeal, serve and file its notice of appearance and such appeal shall thereupon be deemed at issue. The attorney general shall serve upon the appealing party and file with the clerk of the court within 30 days of the filing of the appeal, a certified copy of the attorney general's official record which shall include the final decision, and all accompanying documents, subject to the same confidentiality protections provided to such documents in the underlying act. These shall become the record in the case subject to leave of the court. The superior court shall review the final decision of the attorney general, subject to the statutory requirements of the underlying act and chapter 34.05 RCW.

(3) The attorney general may not make its decision to disapprove the material change transaction subject to any condition not directly and rationally related to the requirements under section 9 of this act and any condition or modification must bear a direct and rational relationship to the notice under review and the requirements under section 9 of this act.

(4) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

**NEW SECTION. Sec. 12.** During the course of the preliminary review of notices of material change transactions under RCW 19.390.040(3), as provided under section 10 of this act, the attorney general shall conduct one or more in person or remote public hearings. If a public hearing is conducted in person, it must be in a county where one of the communities impacted by the material change transaction is located and the attorney general must allow individuals to participate remotely in the hearing. If a material change transaction undergoes the comprehensive review process as provided for under sections 11, 13, and 14 of this act, the attorney general may conduct additional public hearings. At the hearings, anyone may file written comments and exhibits or appear and make a statement.

(1) The first public hearing must be held no later than 30 days after the attorney general receives a completed notice.

(2) At least 15 days prior to the public hearing, the attorney general shall provide notice of the time and place of the hearing on its website and to any person who has requested notice of the hearing in writing.

(3)(a) At least 15 days prior to the public hearing, the parties to the material change transaction shall provide notice of the time and place of the hearing. The notice must be provided:

(i) Through publication in a newspaper of general circulation in the communities that will be impacted by the material change transaction;

(ii) At the public entrance and on the bulletin board designated for legal or public notices of any hospital, hospital system, provider organization, and other health care facility that is the subject of the material change transaction;

(iii) Prominently on the website available to the public of any hospital, hospital system, provider organization, and other health care facility that is the subject of the material change transaction; and

(iv) On the website available to the employees of any hospital, hospital system, provider organization, and other health care facility that is the subject of the material change transaction. The notice of the time and place of the meeting must be provided in English and in the languages spoken by more than 10 percent of the population in the county or counties

in which the hospitals, hospital systems, provider organizations, or other health care facilities that are the subject of the material change transaction are located.

(b) For purposes of this section, "health care facility" means a hospital, clinic, nursing home, laboratory, office, or similar place where a health care provider provides health care to patients.

(4) Within 15 business days of the last hearing, the attorney general shall compile a summary report of each public hearing proceeding and post the summary report on its website.

(5) If during the course of the preliminary or comprehensive review, there is any change in the terms of the material change transaction that materially alters any of the information that the parties to the material change transaction provided under RCW 19.390.040(3), the attorney general shall conduct an additional public hearing to ensure adequate public comment regarding the proposed change.

(6) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

**NEW SECTION. Sec. 13.** (1) For any material change transactions included under RCW 19.390.040(3), which are not limited to the preliminary review under section 10 of this act, the attorney general must hire an independent contractor to prepare a health equity assessment. The independent contractor shall be screened for any conflicts of interest in advance, agree to maintain confidentiality of information pursuant to this chapter, agree to charge a reasonable market-rate fee, and have necessary experience and expertise. In creating a health equity assessment, the independent contractor must engage with and provide input in the assessment from the department of health, local public health jurisdictions, emergency health care coalitions, health care entities, public health experts, organizations representing employees of the applicant, health care advocates, community members who reside in the service areas of the parties to the material change transaction, the parties to the material change transaction, and other individuals or organizations the attorney general, secretary of health, or independent contractor determine should be consulted. Any assessment conducted under this section must be completed 30 days prior to the attorney general's deadline to complete a review under section 10 of this act.

(2) The health equity assessment must contain information and data, including health services data, to better inform the attorney general as to whether the parties meet the requirements for a material change transaction under section 9 of this act.

(3) The health equity assessment must include, but is not limited to, the following information:

(a) An assessment of whether the material change transaction will improve or reduce access to health services in the communities impacted by the material change transaction including, but not limited to, emergency care services, primary care services, specialty services, reproductive health care services, gender affirming health care, and end-of-life services including services provided in accordance with chapter 70.245 RCW;

(b) An assessment of whether the material change transaction will reduce health disparities with particular reference to members of medically underserved groups in the parties' service areas;

(c) An assessment of the effect of the material change transaction on the affordability and provision of health care services to individuals eligible for medical assistance under chapter 74.09 RCW or medicare, indigent individuals, individuals with disabilities, women, racial and ethnic minorities, lesbian, gay, bisexual, transgender, gender diverse, or queer individuals, terminally ill individuals, and other underserved or marginalized populations;

(d) An assessment of the effect of the material change transaction on the level and type of charity care the parties to the material change transaction will provide;

(e) An assessment of the effect of the material change transaction on any community benefit program that the parties to the material change transaction have historically funded or operated;

(f) An assessment of the effect of the material change transaction on staffing for patient care and areas of patient care within facilities as it may affect availability of care, on the likely retention of employees as it may affect continuity of care, and on the rights of employees to provide input on health quality and staffing issues;

(g) An assessment of the effect of the material change transaction on the cost of patient care;

(h) An assessment of the prior performance of the parties to the material change transaction in meeting state and federal requirements to provide uncompensated care, community services, and access by minorities and people with disabilities to programs receiving federal financial assistance, including the existence of any civil rights access complaints against any of the parties, and how the material change transaction will impact the fulfillment of these requirements;

(i) An assessment of whether the material change transaction will have a positive or negative impact on effective communication between the hospitals, hospital systems, or provider organizations and people with limited English-speaking ability and those with speech, hearing, or visual impairments;

(j) An assessment of whether the material change transaction will reduce architectural barriers for people with mobility impairments with specific input from the department of health;

(k) A review of how the parties to the material change transaction will maintain or improve the quality of health services including a review of:

(i) Demographics of the parties' service areas;

(ii) Economic status of the population of the parties' services area;

(iii) Physician and professional staffing issues related to the material change transaction;

(iv) Availability of similar services at other institutions in or near the parties' services area; and

(v) Historical and projected market shares of hospitals, hospital systems, and provider organizations in the parties' service area;

(l) A financial and economic assessment that includes a description of current costs and competition in the relevant geographic and product market and any anticipated changes in such costs and competition as a result of the material change transaction; and

(m) A discussion of alternatives, and anticipated impacts of alternatives, to the material change transaction, including: (i) Closure of any of the health facilities that are the subject of the material change transaction; and (ii) recommendations for additional feasible mitigation measures that would reduce or eliminate any significant adverse effect on health care services and affordability identified in the health equity assessment.

(4) The information contained in the independent health equity assessment must be used by the attorney general's office in determining under section 11 of this act whether to impose conditions or modifications or disapprove the material change transaction.

(5) The health equity assessment must be posted on the attorney general's website.

**NEW SECTION. Sec. 14.** (1) The attorney general may at its discretion appoint a review board of stakeholders to conduct a comprehensive review and make recommendations as to whether a material change transaction under RCW 19.390.040(3), other than material change transactions limited to the preliminary review under section 10 of this act, fulfills the requirements under section 9 of this act.

(2) A review board convened by the attorney general under this section must consist of members of the communities affected by the material change transaction, consumer advocates, and health care experts.

(3) No more than one-third of the members of the review board may be representatives of institutional health care providers. The attorney general may not appoint to a review board an individual who is employed by or has a contract with a party to the material change transaction or is employed by a competitor that is of a similar size to a party to the material change transaction.

(4) A member of a review board shall file a notice of conflict of interest and the notice shall be made public.

**NEW SECTION. Sec. 15.** (1) The secretary of state may not accept any forms or documents in connection with any material change transaction if the attorney general, in accordance with section 11 of this act, disapproved the material change transaction or the parties to the material change transaction have not agreed to any conditions or modifications imposed by the attorney general in accordance with section 11 of this act.

(2) The attorney general may seek an injunction to prevent any material change transaction that has been disapproved by the attorney general in accordance with section 11 of this act or that does not incorporate any conditions or modifications imposed by the attorney general in accordance with section 11 of this act.

**NEW SECTION. Sec. 16.** For any material change transaction included under RCW 19.390.040(3), the following apply:

(1) Once a material change transaction is finalized the parties shall inform the attorney general in the form and manner prescribed by the attorney general.

(2) For at least 10 years, the attorney general shall monitor the parties' and any successor persons' ongoing compliance with this chapter.

(3) The attorney general shall, for 10 years, require biennial reports from the parties to the material change transaction or any successor persons to ensure compliance with section 9 of this act and any conditions or modifications the attorney general imposed on the material change transaction. The attorney general may request information and documents and conduct on-site compliance audits.

(4) To effectively monitor ongoing compliance, the attorney general shall regularly provide the opportunity for the public to submit written comments, and may, in its discretion, contract with experts and consultants. Contract costs must not exceed an amount that is reasonable and necessary to conduct the review and evaluation.

(5) If the attorney general has reason to believe that the parties or successor persons' of a material change transaction no longer satisfy the requirements of section 9 of this act, or are not complying with any conditions or modifications imposed by the attorney general under section 11 of this act, the attorney general shall conduct an investigation. As part of the investigation the attorney general will provide public notice of the investigation and obtain input from community members impacted by the material change transaction. Following the investigation, the attorney general shall publish a report of its findings.

(6) If after the investigation, the attorney general determines that the parties or successor persons no longer satisfy the requirements of section 9 of this act, or are not complying with conditions or modifications imposed under section 11 of this act, the attorney



general shall issue an order directing the parties or successor persons to come into compliance with this chapter and a timeline by which the parties must enter into compliance.

(7) If the parties or successor persons do not enter into compliance with the attorney general's order, the attorney general may impose civil fines of no less than \$10,000 per day until the parties or successor persons comply with the order, and may take legal action under section 17 of this act.

(8) The cost of the investigation and any on-site reviews related to determining the validity of the information will be borne by the parties to the material change transaction or successor persons.

(9) The attorney general may bill the parties or successor persons and the parties or successor persons billed by the attorney general shall promptly pay. If the parties or successor persons fail to pay within 30 days, the attorney general may assess a civil fine of five percent of the billed amount for each day the party does not pay.

**NEW SECTION. Sec. 17.** The attorney general has the authority to ensure compliance with commitments that inure to the public interest. The attorney general may take legal action to enforce this chapter, any conditions or modifications the attorney general imposes on a material change transaction, or any order the attorney general issues under section 16 of this act. The attorney general may obtain restitution, injunctive relief, civil penalties, disgorgement of profits, attorneys' fees, and such other relief as the court deems necessary to ensure compliance. The remedies provided under this chapter are in addition to any other remedy that may be available under any other provision of law.

**Sec. 18.** RCW 19.390.070 and 2019 c 267 s 7 are each amended to read as follows:

(1) Information submitted to the attorney general (~~(pursuant to this chapter)~~) under RCW 19.390.050 shall be maintained and used by the attorney general in the same manner and under the same protections as provided in RCW 19.86.110. The information, including documentary material, answers to written interrogatories, or transcripts of oral testimony produced pursuant to a demand or copies, must not, unless otherwise ordered by a superior court for good cause shown, be produced for inspection or copying pursuant to chapter 42.56 RCW by the person who produced the material, answered written interrogatories or gave oral testimony.

(2)(a) The parties to a material change transaction may designate portions of documents submitted pursuant to RCW 19.390.040 and any documents thereafter submitted by the parties as confidential if the information is sensitive financial, commercial, or proprietary information or is protected from disclosure by state or federal law. The applicant shall provide two versions of any document designated as confidential. One shall be marked as "CONFIDENTIAL" and shall contain the full unredacted version of the document and shall be maintained as such by the attorney general, the entity providing the financial assessment pursuant to section 9 of this act, and the entity providing the health equity assessment pursuant to section 13 of this act. The second shall be marked as "PUBLIC" and shall contain a redacted version of the materials from which the confidential portions have been removed or obscured and shall be made available by the attorney general to the public and the review board of stakeholders pursuant to section 14 of this act. An applicant claiming confidentiality in respect to documents shall include a redaction log that provides a reasonably detailed statement of the grounds on which confidentiality is claimed, citing the applicable basis for confidentiality of each portion.

(b) Confidential materials provided by a party to a material change transaction that is subject to review by the attorney general shall be maintained as confidential materials and not subject to disclosure under chapter 42.56 RCW.

(3) All materials provided during public hearings are considered public records for purposes of chapter 42.56 RCW.

(4) Nothing in this chapter limits the attorney general's authority under RCW 19.86.110 or 19.86.115. Nothing in this chapter expands the attorney general's authority under chapter 19.86 RCW, federal or state antitrust law, or any other law. Failure to comply with this chapter does not provide a private cause of action.

**NEW SECTION. Sec. 19.** No provision of chapter 19.390 RCW derogates from the common law or statutory authority of the attorney general.

**NEW SECTION. Sec. 20.** The attorney general may adopt rules necessary to implement chapter 19.390 RCW and may contract with and provide reasonable reimbursement to qualified persons to assist in determining whether parties or successor persons are in compliance with the requirements under this chapter.

**NEW SECTION. Sec. 21.** If a material change transaction is also subject to review under chapter 70.38 or 70.45 RCW, the review under those chapters shall be concurrent with the review under this chapter, to the extent practicable.

**NEW SECTION. Sec. 22.** Every four years, the attorney general shall commission a study of the impact of material change transactions in Washington state. The study must review material change transactions occurring during the previous four-year period and include an analysis of:

- (1) The impact on costs to consumers and health sponsors for health care; and

(2) Any increases or decreases in the quality of care, including:

(a) Improvement or reductions in morbidity;

(b) Improvement or reductions in the management of population health;

(c) Improvement or reductions in access to emergency care services, primary care services, reproductive health care services, gender affirming care services, and end-of-life care services including services provided in accordance with chapter 70.245 RCW; and

(d) Changes to health and patient outcomes, particularly for underserved and uninsured individuals, recipients of medical assistance and other low-income individuals, and individuals living in rural areas, as measured by nationally recognized measures of the quality of health care, such as measures used or endorsed by the national committee for quality assurance, the national quality forum, the physician consortium for performance improvement, or the agency for health care research and quality.

(3) The attorney general shall commission the first study under this section no later than January 1, 2028.

NEW SECTION. **Sec. 23.** (1) By January, 2026, the attorney general shall complete a study on the impact of health care mergers and acquisitions in Washington state between health carriers as defined in RCW 48.43.005 and hospitals, hospital systems, or provider organizations. The study shall include:

(a) The impact on costs to consumers and health sponsors for health care; and

(b) Any increases or decreases in the quality of care, including:

(i) Improvement or reductions in morbidity;

(ii) Improvement or reductions in the management of population health;

(iii) Improvement or reductions in access to emergency care services, primary care services, reproductive health care services, gender affirming care services, and end-of-life care services including services provided in accordance with chapter 70.245 RCW; and

(iv) Changes to health and patient outcomes, particularly for underserved and uninsured individuals, recipients of medical assistance and other low-income individuals, and individuals living in rural areas, as measured by nationally recognized measures of the quality of health care, such as measures used or endorsed by the national committee for quality assurance, the national quality forum, the physician consortium for performance improvement, or the agency for health care research and quality.

(2) This section expires July 1, 2026.

NEW SECTION. **Sec. 24.** This act does not apply to any pending material change transaction with a letter of intent signed in 2023.

NEW SECTION. **Sec. 25.** This act may be known and cited as the keep our care act.

NEW SECTION. **Sec. 26.** The attorney general may take the necessary steps to ensure that this act is implemented on July 1, 2025.

NEW SECTION. **Sec. 27.** Sections 7, 9 through 17, and 19 through 25 of this act are each added to chapter 19.390 RCW.

NEW SECTION. **Sec. 28.** This act takes effect July 1, 2025.

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

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Springer.

Referred to Committee on Rules for second reading

February 26, 2024

ESSB 5271

Prime Sponsor, Health & Long Term Care: Protecting patients in facilities regulated by the department of health by establishing uniform enforcement tools. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 5376 Prime Sponsor, Labor & Commerce: Allowing the sale of cannabis waste. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Regulated Substances & Gaming. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

ESSB 5424 Prime Sponsor, Labor & Commerce: Concerning flexible work for general and limited authority Washington peace officers. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Community Safety, Justice, & Reentry. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 5427 Prime Sponsor, Ways & Means: Supporting people who have been targeted or affected by hate crimes and bias incidents by establishing a reporting hotline and tracking hate crimes and bias incidents. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

ESB 5462 Prime Sponsor, Senator Liias: Promoting inclusive learning standards and instructional materials in public schools. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Education.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature recognizes that Washington state law prohibits discrimination in public schools for certain protected classes. The legislature also acknowledges that school districts are required to adopt a policy related to the selection or removal of instructional materials. Under state rule, the instructional materials policy of each school district must establish and use appropriate screening criteria to identify and eliminate bias pertaining to protected classes.

(2) The legislature intends to expand these requirements by requiring school districts to adopt policies and procedures that incorporate adopting inclusive curricula and selecting inclusive instructional materials that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups. The legislature recognizes that inclusive curricula have been shown to often improve the mental health, academic performance, attendance rates, and graduation rates of marginalized communities. Research on students' sense of belonging and community in the school setting confirms that inclusive curricula and learning environments contribute to increased school motivation, participation, and achievement.

(3) The legislature intends to promote culturally and experientially representative learning opportunities for all students by directing the office of the superintendent of

public instruction, when revising or developing state learning standards, to screen for inappropriate bias in the proposed state learning standards and to ensure that the histories, contributions, and perspectives of underrepresented peoples and communities are included in the standards.

(4) The legislature believes that promoting inclusive learning standards, curricula, and instructional materials will improve student achievement, attendance, parent and family engagement, and other dimensions that contribute to student success.

NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.345 RCW to read as follows:

(1) By June 1, 2025, the Washington state school directors' association, with the assistance of the office of the superintendent of public instruction, must review and update a model policy and procedure regarding course design, selection, and adoption of instructional materials.

(2) The model policy and procedure must require that school district boards of directors, within available materials, adopt inclusive curricula and select diverse, equitable, inclusive, age-appropriate instructional materials that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups including, but not limited to, people from various racial, ethnic, and religious backgrounds, people with differing learning needs, people with disabilities, LGBTQ people as the term is defined in RCW 43.114.010, and people with various socioeconomic and immigration backgrounds.

(3) The model policy and procedure must require that, in adopting curricula and selecting instructional materials in accordance with this section, school district boards of directors must seek curricula and instructional materials that are as culturally and experientially diverse as possible, recognizing that the availability of materials that include the histories, contributions, and perspectives of historically marginalized groups may vary.

(4) By October 1, 2025, school district boards of directors must amend the policy and procedures required under RCW 28A.320.230 to conform with the model policy and procedure required by this section. Additionally, by October 1, 2025, charter school boards and schools subject to state-tribal education compacts must adopt or amend their policies and procedures governing curricula adoption and the selection of instructional materials to conform with the model policy and procedure required by this section. For the purpose of documenting compliance with this section and assisting school districts in accordance with section 6 of this act, school district boards of directors, within 10 days of completing the policy and procedure updates required by this subsection (4), shall provide notice of the completed actions and electronic copies of the applicable policies and procedures to the office of the superintendent of public instruction.

(5) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020, and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts.

**Sec. 3.** RCW 28A.320.230 and 1989 c 371 s 1 are each amended to read as follows:

Every board of directors, unless otherwise specifically provided by law, shall:

(1) (~~Prepare~~) In accordance with section 2 of this act, prepare, negotiate, set forth in writing and adopt, policy relative to the selection or deletion of instructional materials. Such policy shall:

(a) State the school district's goals and principles relative to instructional materials;

(b) Delegate responsibility for the preparation and recommendation of teachers' reading lists and specify the procedures to be followed in the selection of all instructional materials including text books;

(c) Establish an instructional materials committee to be appointed, with the approval of the school board, by the school district's chief administrative officer. This committee shall consist of representative members of the district's professional staff, including representation from the district's curriculum development committees, and, in the case of districts which operate elementary school(s) only, the educational service district superintendent, one of whose responsibilities shall be to assure the correlation of those elementary district adoptions with those of the high school district(s) which serve their children. The committee may include parents at the school board's discretion: PROVIDED, That parent members shall make up less than one-half of the total membership of the committee;

(d) Provide for reasonable notice to parents of the opportunity to serve on the committee and for terms of office for members of the instructional materials committee;

(e) Provide a system for receiving, considering and acting upon written complaints regarding instructional materials used by the school district;

(f) Provide free text books, supplies and other instructional materials to be loaned to the pupils of the school, when, in its judgment, the best interests of the district will be subserved thereby and prescribe rules and regulations to preserve such books, supplies and other instructional materials from unnecessary damage.

Recommendation of instructional materials shall be by the district's instructional materials committee in accordance with district policy. Approval or disapproval shall be by the local school district's board of directors.

Districts may pay the necessary travel and subsistence expenses for expert counsel from outside the district. In addition, the committee's expenses incidental to visits to observe other districts' selection procedures may be reimbursed by the school district.

Districts may, within limitations stated in board policy, use and experiment with instructional materials for a period of time before general adoption is formalized.

Within the limitations of board policy, a school district's chief administrator may purchase instructional materials to meet deviant needs or rapidly changing circumstances.

(2) Establish a depreciation scale for determining the value of texts which students wish to purchase.

**Sec. 4.** RCW 28A.655.070 and 2019 c 252 s 119 are each amended to read as follows:

(1) The superintendent of public instruction shall develop state learning standards that identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, develop student assessments, and implement the accountability recommendations and requests regarding assistance, rewards, and recognition of the state board of education.

(2) The superintendent of public instruction shall:

(a) Periodically revise the state learning standards, as needed, based on the student learning goals in RCW 28A.150.210. Goals one and two shall be considered primary. To the maximum extent possible, the superintendent shall integrate goal four and the knowledge and skill areas in the other goals in the state learning standards; ~~((and))~~

(b) Include a screening for biased content in each development or revision of a state learning standard and ensure that the concepts of diversity, equity, and inclusion, as those terms are defined in RCW 28A.415.443, are incorporated into each new or revised state learning standard. In meeting the requirements of this subsection (2)(b), the superintendent of public instruction shall consult with the applicable commissions established in Title 43 RCW and other persons and organizations with relevant expertise; and

(c) Review and prioritize the state learning standards and identify, with clear and concise descriptions, the grade level content expectations to be assessed on the statewide student assessment and used for state or federal accountability purposes. The review, prioritization, and identification shall result in more focus and targeting with an emphasis on depth over breadth in the number of grade level content expectations assessed at each grade level. Grade level content expectations shall be articulated over the grades as a sequence of expectations and performances that are logical, build with increasing depth after foundational knowledge and skills are acquired, and reflect, where appropriate, the sequential nature of the discipline. The office of the superintendent of public instruction, within seven working days, shall post on its website any grade level content expectations provided to an assessment vendor for use in constructing the statewide student assessment.

(3) (a) In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of reading, writing, mathematics, and science for use in the elementary, middle, and high school years designed to determine if each student has mastered the state learning standards identified in subsection (1) of this section. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system may include a variety of assessment methods, including criterion-referenced and performance-based measures.

(b) Effective with the 2009 administration of the Washington assessment of student learning and continuing with the statewide student assessment, the superintendent shall redesign the assessment in the content areas of reading, mathematics, and science in all grades except high school by shortening test administration and reducing the number of short answer and extended response questions.

(c) By the 2014-15 school year, the superintendent of public instruction, in consultation with the state board of education, shall modify the statewide student assessment system to transition to assessments developed with a multistate consortium, as provided in this subsection:

(i) The assessments developed with a multistate consortium to assess student proficiency in English language arts and mathematics shall be administered beginning in the 2014-15 school year, and beginning with the graduating class of 2020, the assessments must be administered to students in the tenth grade. The reading and writing assessments shall not be administered by the superintendent of public instruction or schools after the 2013-14 school year.

(ii) The high school assessments in English language arts and mathematics in (c) (i) of this subsection shall be used for the purposes of federal and state accountability and for assessing student career and college readiness.

(d) The statewide academic assessment system must also include the Washington access to instruction and measurement assessment for students with significant cognitive challenges.

(4) If the superintendent proposes any modification to the state learning standards or the statewide assessments, then the superintendent shall, upon request, provide opportunities for the education committees of the house of representatives and the senate to review the assessments and proposed modifications to the state learning standards before the modifications are adopted.

(5) The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not mastered the state learning standards at the appropriate periods in the student's educational development.

(6) By September 2007, the results for reading and mathematics shall be reported in a format that will allow parents and teachers to determine the academic gain a student has acquired in those content areas from one school year to the next.

(7) To assist parents and teachers in their efforts to provide educational support to individual students, the superintendent of public instruction shall provide as much individual student performance information as possible within the constraints of the assessment system's item bank. The superintendent shall also provide to school districts:

(a) Information on classroom-based and other assessments that may provide additional achievement information for individual students; and

(b) A collection of diagnostic tools that educators may use to evaluate the academic status of individual students. The tools shall be designed to be inexpensive, easily administered, and quickly and easily scored, with results provided in a format that may be easily shared with parents and students.

(8) To the maximum extent possible, the superintendent shall integrate knowledge and skill areas in development of the assessments.

(9) Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the state learning standards and assessments for goals one and two.

(10) The superintendent shall develop assessments that are directly related to the state learning standards, and are not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(11) The superintendent shall review available and appropriate options for competency-based assessments that meet the state learning standards. In accordance with the review required by this subsection, the superintendent shall provide a report and recommendations to the education committees of the house of representatives and the senate by November 1, 2019.

(12) The superintendent shall consider methods to address the unique needs of special education students when developing the assessments under this section.

(13) The superintendent shall consider methods to address the unique needs of highly capable students when developing the assessments under this section.

(14) The superintendent shall post on the superintendent's website lists of resources and model assessments in social studies, the arts, and health and fitness.

(15) The superintendent shall integrate financial education skills and content knowledge into the state learning standards pursuant to RCW 28A.300.460(2)(d).

(16)(a) The superintendent shall notify the state board of education in writing before initiating the development or revision of the state learning standards under subsections (1) and (2) of this section. The notification must be provided to the state board of education in advance for review at a regularly scheduled or special board meeting and must include the following information:

(i) The subject matter of the state learning standards;

(ii) The reason or reasons the superintendent is initiating the development or revision; and

(iii) The process and timeline that the superintendent intends to follow for the development or revision.

(b) The state board of education may provide a response to the superintendent's notification for consideration in the development or revision process in (a) of this subsection.

(c) Prior to adoption by the superintendent of any new or revised state learning standards, the superintendent shall submit the proposed new or revised state learning standards to the state board of education in advance in writing for review at a regularly scheduled or special board meeting. The state board of education may provide a response to the superintendent's proposal for consideration prior to final adoption.

(17) The state board of education may propose new or revised state learning standards to the superintendent. The superintendent must respond to the state board of education's proposal in writing.

(18) The superintendent shall produce and post on its website a schedule for the revision of state learning standards under subsection (2) of this section by September 1, 2025. In addition to notifying parents, schools, and the public of the revision schedules and timelines, the website posting must be updated as necessary to inform persons of the status of any pending revisions, and of any plans or actions related to developing new state learning standards under subsection (1) of this section.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.300 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, in collaboration with the statewide association of educational service districts, the legislative youth advisory council established under RCW 43.15.095, and the Washington state school directors' association, must create an open collection of educational resources for inclusive curricula. The office of the superintendent of public instruction must consult with the Washington state office of equity established in RCW 43.06D.020 and any other relevant state agencies when creating the open collection of educational resources.

(2) The open collection of educational resources must include resources that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.300 RCW to read as follows:

(1) The office of the superintendent of public instruction shall, as soon as is practicable, compile information received under section 2(4) of this act and, based on the

received materials, prepare best practices and other informative materials to support school districts, charter schools, and state-tribal education compact schools in meeting the requirements of section 2 of this act.

(2) This section expires June 30, 2028."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

2E2SSB 5580 Prime Sponsor, Ways & Means: Improving maternal health outcomes. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Health Care & Wellness.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 74.09 RCW to read as follows:

(1) By no later than January 1, 2026, the authority shall create a postdelivery and transitional care program that allows for extended postdelivery hospital care for people with a substance use disorder at the time of delivery. The authority shall:

(a) Allow for up to five additional days of hospitalization stay for the birth parent;

(b) Provide the birth parent access to integrated care and medical services including, but not limited to, access to clinical health, medication management, behavioral health, addiction medicine, specialty consultations, and psychiatric providers;

(c) Provide the birth parent access to social work support which includes coordination with the department of children, youth, and families to develop a plan for safe care;

(d) Allow dedicated time for health professionals to assist in facilitating early bonding between the birth parent and infant by helping the birth parent recognize and respond to their infant's cues; and

(e) Establish provider requirements and pay only those qualified providers for the services provided through the program.

(2) In administering the program, the authority shall seek any available federal financial participation under the medical assistance program, as codified at Title XIX of the federal social security act, the state children's health insurance program, as codified at Title XXI of the federal social security act, and any other federal funding sources that are now available or may become available.

**NEW SECTION. Sec. 2.** A new section is added to chapter 74.09 RCW to read as follows:

(1) Subject to the amounts appropriated for this specific purpose, the authority shall update the maternity support services program to address perinatal outcomes and increase equity and healthier birth outcomes. By January 1, 2026, the authority shall:

(a) Update current screening tools to be culturally relevant, include current risk factors, ensure the tools address health equity, and include questions identifying various social determinants of health that impact a healthy birth outcome and improve health equity;

(b) Ensure care coordination, including sharing screening tools with the patient's health care providers as necessary;

(c) Develop a mechanism to collect the results of the maternity support services screenings and evaluate the outcomes of the program. At minimum, the program evaluation shall:

(i) Identify gaps, strengths, and weaknesses of the program; and

(ii) Make recommendations for how the program may improve to better align with the authority's maternal and infant health initiatives; and

(d) Increase the allowable benefit and reimbursement rates with the goal of increasing utilization of services to all eligible maternity support services clients who choose to receive the services.

(2) The authority shall adopt rules to implement this section.

**NEW SECTION. Sec. 3.** A new section is added to chapter 74.09 RCW to read as follows:

By November 1, 2024, the income standards for a pregnant person eligible for Washington apple health pregnancy coverage shall have countable income equal to or below 210 percent of the federal poverty level.

**Sec. 4.** RCW 74.09.830 and 2021 c 90 s 2 are each amended to read as follows:

(1) The authority shall extend health care coverage from 60 days postpartum to one year postpartum for pregnant or postpartum persons who, on or after the expiration date of the

federal public health emergency declaration related to COVID-19, are receiving postpartum coverage provided under this chapter.

(2) By June 1, 2022, the authority must:

(a) Provide health care coverage to postpartum persons who reside in Washington state, have countable income equal to or below 193 percent of the federal poverty level, and are not otherwise eligible under Title XIX or Title XXI of the federal social security act; and

(b) Ensure all persons approved for pregnancy or postpartum coverage at any time are continuously eligible for postpartum coverage for 12 months after the pregnancy ends regardless of whether they experience a change in income during the period of eligibility.

(3) By November 1, 2024, the income standards for a postpartum person eligible for Washington apple health pregnancy or postpartum coverage shall have countable income equal to or below 210 percent of the federal poverty level.

(4) Health care coverage under this section must be provided during the 12-month period beginning on the last day of the pregnancy.

~~((4))~~ (5) The authority shall not provide health care coverage under this section to individuals who are eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act. Health care coverage for these individuals shall be provided by a program that is funded by Title XIX or Title XXI of the federal social security act. Further, the authority shall make every effort to expedite and complete eligibility determinations for individuals who are presumptively eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act to ensure the state is receiving the maximum federal match. This includes, but is not limited to, working with the managed care organizations to provide continuous outreach in various modalities until the individual's eligibility determination is completed. Beginning January 1, 2022, the authority must submit quarterly reports to the caseload forecast work group on the number of individuals who are presumptively eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act but are awaiting for the authority to complete eligibility determination, the number of individuals who were presumptively eligible but are now receiving health care coverage with the maximum federal match under Title XIX or Title XXI of the federal social security act, and outreach activities including the work with managed care organizations.

~~((5))~~ (6) To ensure continuity of care and maximize the efficiency of the program, the amount and scope of health care services provided to individuals under this section must be the same as that provided to pregnant and postpartum persons under medical assistance, as defined in RCW 74.09.520.

~~((6))~~ (7) In administering this program, the authority must seek any available federal financial participation under the medical assistance program, as codified at Title XIX of the federal social security act, the state children's health insurance program, as codified at Title XXI of the federal social security act, and any other federal funding sources that are now available or may become available. This includes, but is not limited to, ensuring the state is receiving the maximum federal match for individuals who are presumptively eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act by expediting completion of the individual's eligibility determination.

~~((7))~~ (8) Working with stakeholder and community organizations and the Washington health benefit exchange, the authority must establish a comprehensive community education and outreach campaign to facilitate applications for and enrollment in the program or into a more appropriate program where the state receives maximum federal match. Subject to the availability of amounts appropriated for this specific purpose, the education and outreach campaign must provide culturally and linguistically accessible information to facilitate participation in the program, including but not limited to enrollment procedures, program services, and benefit utilization.

~~((8))~~ (9) Beginning January 1, 2022, the managed care organizations contracted with the authority to provide postpartum coverage must annually report to the legislature on their work to improve maternal health for enrollees, including but not limited to postpartum services offered to enrollees, the percentage of enrollees utilizing each postpartum service offered, outreach activities to engage enrollees in available postpartum services, and efforts to collect eligibility information for the authority to ensure the enrollee is in the most appropriate program for the state to receive the maximum federal match.

**NEW SECTION. Sec. 5.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 5588

Prime Sponsor, Law & Justice: Concerning the mental health sentencing alternative. Reported by Committee on Appropriations



MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Community Safety, Justice, & Reentry.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9.94A.695 and 2021 c 242 s 1 are each amended to read as follows:

(1) A defendant is eligible for the mental health sentencing alternative if:

(a) The defendant is convicted of a felony that is not a serious violent offense or sex offense;

(b) The defendant is diagnosed with a serious mental illness recognized by the diagnostic manual in use by mental health professionals at the time of sentencing;

(c) The defendant and the community would benefit from supervision and treatment, as determined by the judge; and

(d) The defendant is willing to participate in the sentencing alternative.

(2) A motion for a sentence under this section may be made by any party or the court, but is contingent upon the defendant's agreement to participate in the sentencing alternative. To determine whether the defendant has a serious mental illness, the court may rely on information including reports completed pursuant to chapters 71.05 and 10.77 RCW, or other mental health professional as defined in RCW 71.05.020, or other information and records related to mental health services. Information and records relating to mental health services must be handled consistently with RCW 9.94A.500(2). If insufficient information is available to determine whether a defendant has a serious mental illness, the court may order an examination of the defendant.

(3) To assist the court in its determination, the department shall provide a written report, which shall be in the form of a presentence investigation. Such report may be ordered by the court on the motion of a party prior to conviction if such a report will facilitate negotiations. The court may waive the production of this report if sufficient information is available to the court to make a determination under subsection (4) of this section. The report must contain:

(a) A proposed treatment plan for the defendant's mental illness, including at a minimum:

(i) The name and address of ~~((the))~~a treatment provider that ~~((has agreed))~~is agreeing to provide treatment to the defendant, including an intake evaluation, a psychiatric evaluation, and development of an individualized plan of treatment which shall be submitted as soon as possible to the department and the court; and

(ii) An agreement by the treatment provider to monitor the progress of the defendant on the sentencing alternative and notify the department and the court at any time during the duration of the order if reasonable efforts to engage the defendant fail to produce substantial compliance with court-ordered treatment conditions;

(b) A proposed monitoring plan, including any requirements regarding living conditions, lifestyle requirements, and monitoring by family members and others;

(c) Recommended crime-related prohibitions and affirmative conditions; and

(d) A release of information, signed by the defendant, allowing the parties and the department to confirm components of the treatment and monitoring plan.

(4) After consideration of all available information and determining whether the defendant is eligible, the court shall consider whether the defendant and the community will benefit from the use of this sentencing alternative. The court shall consider the victim's opinion whether the defendant should receive a sentence under this section. If the sentencing court determines that a sentence under this section is appropriate, the court shall waive imposition of the sentence within the standard range. The court shall impose a term of community custody between 12 and 24 months if the midpoint of the defendant's standard range sentence is less than or equal to 36 months, and a term of community custody between 12 months and 36 months if the midpoint of the defendant's standard range sentence is longer than 36 months. The actual length of community custody within these ranges shall be at the discretion of the court.

(5) If the court imposes an alternative sentence under this section, the department shall assign a community corrections officer to supervise the defendant. The department shall provide a community corrections officer assigned under this section with appropriate training in mental health to be determined by the department.

(6) ~~((+))~~For a defendant participating in this sentencing alternative, the court and correctional facility may delay the defendant's release from total confinement in order to facilitate adherence to the defendant's treatment plan. This may include delaying release in order to:

(a) Allow a defendant to transfer directly to an inpatient treatment facility or supportive housing provider;

(b) Ensure appropriate transportation is established and available; or

(c) Release the defendant during business hours on a weekday when services are available.

(7)(a) The court may schedule progress hearings for the defendant to evaluate the defendant's progress in treatment and compliance with conditions of supervision.

(b) Before any progress hearing, the department and the treatment provider shall each submit a written report informing the parties of the defendant's progress and compliance with treatment, unless waived by the court. At the progress hearing, the court shall hear from the parties regarding the defendant's compliance and may modify the conditions of community custody if the modification serves the interests of justice and the best interests of the defendant.

~~((7-))~~ (8)(a) If the court imposes this sentencing alternative, the court shall impose conditions under RCW 9.94A.703 that ~~((do not conflict))~~ are consistent with this section and may impose any additional conditions recommended by any of the written reports regarding the defendant.

(b) The court shall impose specific treatment conditions:

(i) Meet with treatment providers and follow the recommendations provided in the individualized treatment plan as initially constituted or subsequently modified by the treatment provider;

(ii) Take medications as prescribed, including monitoring of compliance with medication if needed;

(iii) Refrain from using alcohol and nonprescribed controlled substances if the defendant has a diagnosis of a substance use disorder. The court may order the department to monitor for the use of alcohol or nonprescribed controlled substances if the court prohibits use of those substances.

~~((9-))~~ (9) Treatment issues arising during supervision shall be discussed collaboratively. The treatment provider, community corrections officer, and any representative of the person's medical assistance plan shall jointly determine intervention for violation of a treatment condition. The community corrections officer shall have the authority to address the violation independently if:

(a) The violation is safety related with respect to the defendant or others;

(b) The treatment violation consists of decompensation related to psychosis that presents a risk to the community or the defendant and cannot be mitigated by community intervention. The community corrections officer may intervene with available resources such as a designated crisis responder; or

(c) The violation relates to a standard condition for supervision.

~~((9-))~~ (10) The community corrections officer, treatment provider, and any engaged representative of the defendant's medical assistance plan should collaborate prior to a progress update to the court. Required treatment interventions taken between court progress hearings shall be reported to the court as a part of the regular progress update to the court.

~~((10-))~~ (11) The court may schedule a review hearing for a defendant under this sentencing alternative at any time to evaluate the defendant's progress with treatment or to determine if any violations have occurred.

(a) At a review hearing the court may modify the terms of the community custody or impose sanctions if the court finds that the conditions have been violated or that different or additional terms are in the best interest of the defendant.

(b) The court may order the defendant to serve a term of total or partial confinement for violating the terms of community custody or failing to make satisfactory progress in treatment.

~~((11-))~~ (12) The court shall schedule a termination hearing one month prior to the end of the defendant's community custody. A termination hearing may also be scheduled if the department or the state reports that the defendant has violated the terms of community custody imposed by the court. At that hearing, the court may:

(a) Authorize the department to terminate the defendant's community custody status on the expiration date; or

(b) Continue the hearing to a date before the expiration date of community custody, with or without modifying the conditions of community custody; or

(c) Revoke the sentencing alternative and impose a term of total or partial confinement within the standard sentence range or impose an exceptional sentence below the standard sentencing range if compelling reasons are found by the court or the parties agree to the downward departure. The defendant shall receive credit for time served while actively supervised in the community against any term of total confinement. The court must issue written findings indicating a substantial and compelling reason to revoke this sentencing alternative.

~~((12-))~~ (13)(a) The health care authority shall contract with a behavioral health agency, or an organization whose membership includes behavioral health agencies, in order to directly reimburse behavioral health providers for the following services for individuals participating in the sentencing alternative:

(i) In-custody mental health assessments;

(ii) In-custody preliminary treatment plan development; and

(iii) Ongoing monitoring of the defendant's adherence to the defendant's treatment plan and the requirements of the sentencing alternative, including reporting to the court and the department.

(b) A behavioral health provider may be reimbursed for the services provided under this subsection in an amount not to exceed \$1,000 for each individual participating in the sentencing alternative.

(14) For the purposes of this section:

(a) "Behavioral health provider" has the same meaning as in RCW 71.24.025.

(b) "Serious mental illness" means a mental, behavioral, or emotional disorder resulting in a serious functional impairment, which substantially interferes with or limits one or more major life activities.

~~((b-))~~ (c) "Victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a result of the crime charged. "Victim" also means a parent or guardian of a victim who is a minor child unless the parent or guardian is the perpetrator of the offense.

NEW SECTION. **Sec. 2.** A new section is added to chapter 71.24 RCW to read as follows:

Beginning January 1, 2025, the authority shall require that any contract with a managed care organization include a requirement that the managed care organization prioritize existing care coordination responsibilities, including in-custody mental health evaluations, treatment plan development, and same-day prescription access, for incarcerated individuals who are recommended for the mental health sentencing alternative under RCW 9.94A.695."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; and Schmick.

Referred to Committee on Rules for second reading

February 26, 2024

E2SSB 5635 Prime Sponsor, Ways & Means: Concerning victims' rights. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Community Safety, Justice, & Reentry. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 5652 Prime Sponsor, Transportation: Providing compensation for tow truck operators for keeping the public roadways clear. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz; Walsh and Wylie.

Referred to Committee on Rules for second reading

February 26, 2024

2SSB 5660 Prime Sponsor, Ways & Means: Establishing a mental health advance directive effective implementation work group. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 5667 Prime Sponsor, Agriculture, Water, Natural Resources & Parks: Concerning eligibility, enrollment, and compensation of small forestland owners volunteering for participation in the forestry riparian easement program. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 76.13.120 and 2017 c 140 s 1 are each amended to read as follows:

(1) The legislature finds that the state should acquire easements primarily along riparian and other sensitive aquatic areas from qualifying small forestland owners willing to sell or donate easements to the state provided that the state will not be required to acquire the easements if they are subject to unacceptable liabilities. Therefore the legislature establishes a forestry riparian easement program.

(2) The definitions in this subsection apply throughout this section and RCW 76.13.100, 76.13.110, 76.13.140, and 76.13.160 unless the context clearly requires otherwise.

(a) "Forestry riparian easement" means an easement covering qualifying timber granted voluntarily to the state by a qualifying small forestland owner.

(b) "Qualifying small forestland owner" means a landowner meeting all of the following characteristics as of the date the department offers compensation for a forestry riparian easement:

(i) Is a small forestland owner as defined in (d) of this subsection; and

(ii) Is an individual, partnership, corporation, or other nongovernmental for-profit legal entity.

(c) "Qualifying timber" means those forest trees on land owned by a qualifying small forestland owner for which the small forestland owner is willing to grant the state a forestry riparian easement and meets all of the following:

(i) The forest trees are covered by a forest practices application that the small forestland owner is required to leave unharvested under the rules adopted under RCW 76.09.040, 76.09.055, and 76.09.370 or that is made uneconomic to harvest by those rules;

(ii) The forest trees are within or bordering a commercially reasonable harvest unit as determined under rules adopted by the forest practices board, or for which an approved forest practices application for timber harvest cannot be obtained because of restrictions under the forest practices rules;

(iii) The forest trees are located within, or affected by forest practices rules pertaining to any one, or all, of the following:

(A) Riparian or other sensitive aquatic areas;

(B) Channel migration zones; or

(C) Areas of potentially unstable slopes or landforms, verified by the department, and must meet all of the following:

(I) Are addressed in a forest practices application;

(II) Are adjacent to a commercially reasonable harvest area; and

(III) Have the potential to deliver sediment or debris to a public resource or threaten public safety.

(d) "Small forestland owner" means a landowner meeting all of the following characteristics:

(i) A forestland owner as defined in RCW 76.09.020 whose interest in the land and timber is in fee or who has rights to the timber to be included in the forestry riparian easement that extend at least (~~(fifty)~~) 40 years from the date the completed forestry riparian easement application associated with the easement is submitted;

(ii) An entity that has harvested from its own lands in this state during the three years prior to the year of application an average timber volume that would qualify the owner as a small harvester under RCW 84.33.035; and

(iii) An entity that certifies at the time of application that it does not expect to harvest from its own lands more than the volume allowed by RCW 84.33.035 during the (~~(ten)~~) 10 years following application. If a landowner's prior three-year average harvest exceeds the limit of RCW 84.33.035, or the landowner expects to exceed this limit during the (~~(ten)~~) 10 years following application, and that landowner establishes to the department's reasonable satisfaction that the harvest limits were or will be exceeded to raise funds to pay estate taxes or equally compelling and unexpected obligations such as court-ordered judgments or extraordinary medical expenses, the landowner shall be deemed to be a small forestland owner. For purposes of determining whether a person qualifies as a small forestland owner, the small forestland owner office, created in RCW 76.13.110, shall evaluate the landowner under this definition, pursuant to RCW 76.13.160, as of the date that the forest practices application is submitted and the date that the department offers compensation for the forestry riparian easement. A small forestland owner can include an individual, partnership, corporation, or other nongovernmental legal entity. If a landowner grants timber rights to another entity for less than five years, the landowner may still qualify as a small forestland owner under this section. If a landowner is unable to obtain an approved forest practices application for timber harvest for any of his or her land because of restrictions under the forest practices rules, the landowner may still qualify as a small forestland owner under this section.

(e) "Completion of harvest" means that the trees have been commercially harvested from an area and that further entry into that area by mechanized logging or slash treating equipment is not expected.

(3) Nothing in the eligibility limit identified in subsection (2)(c)(i) through (iii) of this section precludes inclusion of land in future mitigation programs.

(4) The department is authorized and directed to accept and hold in the name of the state of Washington forestry riparian easements granted by qualifying small forestland owners covering qualifying timber and to pay compensation to the landowners in accordance with this section. The department may not transfer the easements to any entity other than another state agency.

(~~(4)~~) (5) Forestry riparian easements shall be effective for (~~(fifty)~~) 40 years from the date of the completed forestry riparian easement application, unless the easement is voluntarily terminated earlier by the department, based on a determination that termination is in the best interest of the state, or under the terms of a termination clause in the easement.

(~~(5)~~) (6) Forestry riparian easements shall be restrictive of the timber only, and shall preserve all lawful uses of the easement premises by the landowner that are consistent with the terms of the easement and the requirement to protect riparian functions during the term of the easement, subject to the restriction that the leave trees required by the rules to be left on the easement premises may not be cut during the term of the easement. No right of public access to or across, or any public use of the easement premises is created by this statute or by the easement. Forestry riparian easements shall not be deemed to trigger the

compensating tax of or otherwise disqualify land from being taxed under chapter 84.33 or 84.34 RCW.

~~((6))~~ (7) The small forestland owner office shall determine what constitutes a completed application for a forestry riparian easement. An application shall, at a minimum, include documentation of the owner's status as a qualifying small forestland owner, identification of location and the types of qualifying timber, and notification of completion of harvest, if applicable.

~~((7))~~ (8) Upon receipt of the qualifying small forestland owner's forestry riparian easement application, and subject to the availability of amounts appropriated for this specific purpose, the following must occur:

(a) The small forestland owner office must determine the compensation to be offered to the qualifying small forestland owner for qualifying timber after the department accepts the completed forestry riparian easement application and the landowner has completed marking the boundary of the area containing the qualifying timber. The legislature recognizes that there is not readily available market transaction evidence of value for easements of the nature required by this section, and thus establishes the methodology provided in this subsection to ascertain the value for forestry riparian easements. Values so determined may not be considered competent evidence of value for any other purpose.

(b) The small forestland owner office, subject to the availability of amounts appropriated for this specific purpose, is responsible for assessing the volume of qualifying timber. However, no more than ~~((fifty))~~ 50 percent of the total amounts appropriated for the forestry riparian easement program may be applied to determine the volume of qualifying timber for completed forestry riparian easement applications. Based on the volume established by the small forestland owner office and using data obtained or maintained by the department of revenue under RCW 84.33.074 and 84.33.091, the small forestland owner office shall attempt to determine the fair market value of the qualifying timber as of the date of the ~~((complete forestry riparian easement application is))~~ completed harvest. To the extent reasonably possible, the forestry riparian easement applications should be processed in the order received. Removal of any qualifying timber before the expiration of the easement must be in accordance with the forest practices rules and the terms of the easement. There shall be no reduction in compensation for reentry.

~~((8))~~ (9) (a) ~~((Except as provided in subsection (9) of this section and subject))~~ Subject to the availability of amounts appropriated for this specific purpose, the small forestland owner office shall offer compensation for qualifying timber to the qualifying small forestland owner in the amount of ~~((fifty))~~ 70 percent of the value determined by the small forestland owner office, plus the compliance and reimbursement costs as determined in accordance with RCW 76.13.140. However, compensation for any qualifying small forestland owner for qualifying timber located on potentially unstable slopes or landforms may not exceed a total of ~~((fifty thousand dollars))~~ \$100,000 during any biennial funding period.

(b) If the landowner accepts the offer for qualifying timber, the department shall pay the compensation promptly upon:

(i) Completion of harvest in the area within a commercially reasonable harvest unit with which the forestry riparian easement is associated under an approved forest practices application, unless an approved forest practices application for timber harvest cannot be obtained because of restrictions under the forest practices rules;

(ii) Verification that the landowner has no outstanding violations under chapter 76.09 RCW or any associated rules; and

(iii) Execution and delivery of the easement to the department.

(c) Upon donation or payment of compensation, the department may record the easement.

~~((9) For approved forest practices applications for which the regulatory impact is greater than the average percentage impact for all small forestland owners as determined by an analysis by the department under the regulatory fairness act, chapter 19.85 RCW, the compensation offered will be increased to one hundred percent for that portion of the regulatory impact that is in excess of the average. Regulatory impact includes all trees identified as qualifying timber. A separate average or high impact regulatory threshold shall be established for western and eastern Washington. Criteria for these measurements and payments shall be established by the small forestland owner office.))~~

(10) (a) The forest practices board shall adopt rules under the administrative procedure act, chapter 34.05 RCW, to implement the forestry riparian easement program, including the following:

~~((a))~~ (i) A standard version of a forestry riparian easement application as well as all additional documents necessary or advisable to create the forestry riparian easements as provided for in this section;

~~((b))~~ (ii) Standards for descriptions of the easement premises with a degree of precision that is reasonable in relation to the values involved;

~~((c))~~ (iii) Methods and standards for cruises and valuation of forestry riparian easements for purposes of establishing the compensation. The department shall perform the timber cruises of forestry riparian easements required under this chapter and chapter 76.09 RCW. Timber cruises are subject to amounts appropriated for this purpose. However, no more than ~~((fifty))~~ 50 percent of the total appropriated funding for the forestry riparian easement program may be applied to determine the volume of qualifying timber for completed forestry riparian easement applications. Any rules concerning the methods and standards for valuations of forestry riparian easements shall apply only to the department, qualifying small forestland owners, and the small forestland owner office;

~~((d))~~ (iv) A method to determine that a forest practices application involves a commercially reasonable harvest, and adopt criteria for entering into a forestry riparian

easement where a commercially reasonable harvest is not possible or a forest practices application that has been submitted cannot be approved because of restrictions under the forest practices rules;

~~((e))~~ (v) A method to address blowdown of qualified timber falling outside the easement premises;

~~((f))~~ (vi) A formula for sharing of proceeds in relation to the acquisition of qualified timber covered by an easement through the exercise or threats of eminent domain by a federal or state agency with eminent domain authority, based on the present value of the department's and the landowner's relative interests in the qualified timber;

~~((g) High impact regulatory thresholds;~~

~~(h))~~ (vii) A method to determine timber that is qualifying timber because it is rendered uneconomic to harvest by the rules adopted under RCW 76.09.055 and 76.09.370;

~~((i))~~ (viii) A method for internal department review of small forestland owner office compensation decisions under this section; and

~~((j))~~ (ix) Consistent with RCW 76.13.180, a method to collect reimbursement from landowners who received compensation for a forestry riparian easement and who, within the first ~~((ten))~~ 10 years after receipt of compensation for a forestry riparian easement, sells the land on which an easement is located to a nonqualifying landowner.

(b) At least semiannually, the department shall consult with the small forestland owner advisory committee established in RCW 76.13.110(4) to review landowner complaints, administrative processes, rule recommendations, and related issues where the department is actively seeking the small forestland owner advisory committee's advice on potential improved efficiencies and effectiveness.

(11) The legislature finds that the overall societal benefits of economically viable working forests are multiple, and include the protection of clean, cold water, the provision of wildlife habitat, the sheltering of cultural resources from development, and the natural carbon storage potential of growing trees. As such, working forests and the ~~((forest [forestry]))~~ forestry riparian easement program may be part of the state's overall carbon sequestration strategy. If the state creates a climate strategy, the department must share information regarding the carbon sequestration benefits of the ~~((forest [forestry]))~~ forestry riparian easement program with other state programs using methods and protocols established in the state climate strategy that attempt to quantify carbon storage or account for carbon emissions. The department must promote the expansion of funding for the ~~((forest [forestry]))~~ forestry riparian easement program and the ecosystem services supported by the program based on the findings stated in RCW 76.13.100. Nothing in this subsection allows a landowner to be reimbursed by the state more than once for the same forest riparian easement application.

(12) It is the intent of the legislature that the small forestland owner office complete forestry riparian easement program application transactions within two years of the application receipt consistent with the goals of RCW 70A.65.270(2)(b)(iii).

**Sec. 2.** RCW 76.13.140 and 2011 c 218 s 2 are each amended to read as follows:

In order to assist small forestland owners to remain economically viable, the legislature intends that the qualifying small forestland owners be able to net ~~((fifty))~~ 70 percent of the value of the trees left in the buffer areas. The small forestland owner office may utilize landowners' actual mill receipts to help determine fair market value but may not require these documents in any valuation process. The amount of compensation offered in RCW 76.13.120 shall also include the compliance costs for participation in the forestry riparian easement program, including the cost of preparing and recording the forestry riparian easement, and any business and occupation tax and real estate excise tax imposed because of entering into the forestry riparian easement. The small forestland owner office may contract with private consultants that the office finds qualified to perform timber cruises of forestry riparian easements or to lay out streamside buffers and comply with other forest practices regulatory requirements related to the forestry riparian easement program. The department shall reimburse qualifying small forestland owners for the actual costs incurred for laying out the streamside buffers and marking the qualifying timber once a contract has been executed for the forestry riparian easement program. Reimbursement is subject to the work being acceptable to the department. The small forestland owner office shall determine how the reimbursement costs will be calculated."

Correct the title.

Signed by Representatives Tharinger, Chair; Callan, Vice Chair; Hackney, Vice Chair; Abbarno, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Steele, Assistant Ranking Minority Member; Alvarado; Bateman; Christian; Eslick; Farivar; Fosse; Kloba; Kretz; Leavitt; Maycumber; Morgan; Mosbrucker; Orwall; Peterson; Reed; Rule; Sandlin; Shavers; Stearns and Waters.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 5774

Prime Sponsor, Early Learning & K-12 Education: Increasing the capacity to conduct timely fingerprint-based background checks for prospective child care employees and other programs. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Human Services, Youth, & Early Learning. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Macri, Vice Chair.

Referred to Committee on Rules for second reading

February 26, 2024

2SSB 5780 Prime Sponsor, Ways & Means: Encouraging participation in public defense and prosecution professions. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

2SSB 5784 Prime Sponsor, Ways & Means: Concerning deer and elk damage to commercial crops. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Agriculture & Natural Resources. Signed by Representatives Bergquist, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Ormsby, Chair; Gregerson, Vice Chair; Macri, Vice Chair.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 5802 Prime Sponsor, Ways & Means: Providing flexibility in calculation of nursing rates. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 74.46.020 and 2016 c 131 s 4 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Appraisal" means the process of estimating the fair market value or reconstructing the historical cost of an asset acquired in a past period as performed by a professionally designated real estate appraiser with no pecuniary interest in the property to be appraised. It includes a systematic, analytic determination and the recording and analyzing of property facts, rights, investments, and values based on a personal inspection and inventory of the property.

(2) "Arm's-length transaction" means a transaction resulting from good-faith bargaining between a buyer and seller who are not related organizations and have adverse positions in the market place. Sales or exchanges of nursing home facilities among two or more parties in which all parties subsequently continue to own one or more of the facilities involved in the transactions shall not be considered as arm's-length transactions for purposes of this chapter. Sale of a nursing home facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered as an arm's-length transaction for purposes of this chapter.

(3) "Assets" means economic resources of the contractor, recognized and measured in conformity with generally accepted accounting principles.

(4) "Audit" or "department audit" means an examination of the records of a nursing facility participating in the medicaid payment system, including but not limited to: The contractor's financial and statistical records, cost reports and all supporting documentation and schedules, receivables, and resident trust funds, to be performed as deemed necessary by the department and according to department rule.

(5) "Capital component" means a fair market rental system that sets a price per nursing facility bed.

(6) "Capitalization" means the recording of an expenditure as an asset.

- (7) "Case mix" means a measure of the intensity of care and services needed by the residents of a nursing facility or a group of residents in the facility.
- (8) "Case mix index" means a number representing the average case mix of a nursing facility.
- (9) "Case mix weight" means a numeric score that identifies the relative resources used by a particular group of a nursing facility's residents.
- (10) "Contractor" means a person or entity licensed under chapter 18.51 RCW to operate a medicare and medicaid certified nursing facility, responsible for operational decisions, and contracting with the department to provide services to medicaid recipients residing in the facility.
- (11) "Default case" means no initial assessment has been completed for a resident and transmitted to the department by the cut-off date, or an assessment is otherwise past due for the resident, under state and federal requirements.
- (12) "Department" means the department of social and health services (DSHS) and its employees.
- (13) "Depreciation" means the systematic distribution of the cost or other basis of tangible assets, less salvage, over the estimated useful life of the assets.
- (14) "Direct care component" means nursing care and related care provided to nursing facility residents and includes the therapy care component, along with food, laundry, and dietary services of the previous system.
- (15) "Direct care supplies" means medical, pharmaceutical, and other supplies required for the direct care of a nursing facility's residents.
- (16) "Entity" means an individual, partnership, corporation, limited liability company, or any other association of individuals capable of entering enforceable contracts.
- (17) "Equity" means the net book value of all tangible and intangible assets less the recorded value of all liabilities, as recognized and measured in conformity with generally accepted accounting principles.
- (18) "Essential community provider" means a facility which is the only nursing facility within a commuting distance radius of at least forty minutes duration, traveling by automobile.
- (19) "Facility" or "nursing facility" means a nursing home licensed in accordance with chapter 18.51 RCW, excepting nursing homes certified as institutions for mental diseases, or that portion of a multiservice facility licensed as a nursing home, or that portion of a hospital licensed in accordance with chapter 70.41 RCW which operates as a nursing home.
- (20) "Fair market value" means the replacement cost of an asset less observed physical depreciation on the date for which the market value is being determined.
- (21) "Financial statements" means statements prepared and presented in conformity with generally accepted accounting principles including, but not limited to, balance sheet, statement of operations, statement of changes in financial position, and related notes.
- (22) "Generally accepted accounting principles" means accounting principles approved by the financial accounting standards board (FASB) or its successor.
- (23) "Grouper" means a computer software product that groups individual nursing facility residents into case mix classification groups based on specific resident assessment data and computer logic.
- (24) "High labor-cost county" means an urban county in which the median allowable facility cost per case mix unit is more than ten percent higher than the median allowable facility cost per case mix unit among all other urban counties, excluding that county.
- (25) "Historical cost" means the actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architect's fees, and engineering studies.
- (26) "Home and central office costs" means costs that are incurred in the support and operation of a home and central office. Home and central office costs include centralized services that are performed in support of a nursing facility. The department may exclude from this definition costs that are nonduplicative, documented, ordinary, necessary, and related to the provision of care services to authorized patients.
- (27) "Indirect care component" means the elements of administrative expenses, maintenance costs, taxes, and housekeeping services from the previous system.
- (28) "Large nonessential community providers" means nonessential community providers with more than sixty licensed beds, regardless of how many beds are set up or in use.
- (29) "Lease agreement" means a contract between two parties for the possession and use of real or personal property or assets for a specified period of time in exchange for specified periodic payments. Elimination (due to any cause other than death or divorce) or addition of any party to the contract, expiration, or modification of any lease term in effect on January 1, 1980, or termination of the lease by either party by any means shall constitute a termination of the lease agreement. An extension or renewal of a lease agreement, whether or not pursuant to a renewal provision in the lease agreement, shall be considered a new lease agreement. A strictly formal change in the lease agreement which modifies the method, frequency, or manner in which the lease payments are made, but does not increase the total lease payment obligation of the lessee, shall not be considered modification of a lease term.
- (30) "Medical care program" or "medicaid program" means medical assistance, including nursing care, provided under RCW 74.09.500 or authorized state medical care services.
- (31) "Medical care recipient," "medicaid recipient," or "recipient" means an individual determined eligible by the department for the services provided under chapter 74.09 RCW.
- (32) "Minimum data set" means the overall data component of the resident assessment instrument, indicating the strengths, needs, and preferences of an individual nursing facility resident.



(33) "Net book value" means the historical cost of an asset less accumulated depreciation.

(34) "Net invested funds" means the net book value of tangible fixed assets employed by a contractor to provide services under the medical care program, including land, buildings, and equipment as recognized and measured in conformity with generally accepted accounting principles.

(35) "Nonurban county" means a county which is not located in a metropolitan statistical area as determined and defined by the United States office of management and budget or other appropriate agency or office of the federal government.

(36) "Owner" means a sole proprietor, general or limited partners, members of a limited liability company, and beneficial interest holders of five percent or more of a corporation's outstanding stock.

(37) "Patient day" or "resident day" means a calendar day of care provided to a nursing facility resident, regardless of payment source, which will include the day of admission and exclude the day of discharge; except that, when admission and discharge occur on the same day, one day of care shall be deemed to exist. A "medicaid day" or "recipient day" means a calendar day of care provided to a medicaid recipient determined eligible by the department for services provided under chapter 74.09 RCW, subject to the same conditions regarding admission and discharge applicable to a patient day or resident day of care.

(38) "Patient-driven payment method" means a case mix system implemented by the centers for medicare and medicaid services to classify skilled nursing facility patients into payment groups based on specific data-driven patient characteristics.

(39) "Qualified therapist" means:

(a) A mental health professional as defined by chapter 71.05 RCW;

(b) An intellectual disabilities professional who is a therapist approved by the department who has had specialized training or one year's experience in treating or working with persons with intellectual or developmental disabilities;

(c) A speech pathologist who is eligible for a certificate of clinical competence in speech pathology or who has the equivalent education and clinical experience;

(d) A physical therapist as defined by chapter 18.74 RCW;

(e) An occupational therapist who is a graduate of a program in occupational therapy, or who has the equivalent of such education or training; and

(f) A respiratory care practitioner certified under chapter 18.89 RCW.

~~((39))~~ (40) "Quality enhancement component" means a rate enhancement offered to facilities that meet or exceed the standard established for the quality measures.

~~((40))~~ (41) "Rate" or "rate allocation" means the medicaid per-patient-day payment amount for medicaid patients calculated in accordance with the allocation methodology set forth in ~~((part E of this chapter))~~ RCW 74.46.421 through 74.46.531.

~~((41))~~ (42) "Rebased rate" or "cost-rebased rate" means a facility-specific component rate assigned to a nursing facility for a particular rate period established on desk-reviewed, adjusted costs reported for that facility covering at least six months of a prior calendar year designated as a year to be used for cost-rebasing payment rate allocations under the provisions of this chapter.

~~((42))~~ (43) "Records" means those data supporting all financial statements and cost reports including, but not limited to, all general and subsidiary ledgers, books of original entry, and transaction documentation, however such data are maintained.

~~((43))~~ (44) "Resident assessment instrument," including federally approved modifications for use in this state, means a federally mandated, comprehensive nursing facility resident care planning and assessment tool, consisting of the minimum data set and resident assessment protocols.

~~((44))~~ (45) "Resident assessment protocols" means those components of the resident assessment instrument that use the minimum data set to trigger or flag a resident's potential problems and risk areas.

~~((45) "Resource utilization groups" means a case mix classification system that identifies relative resources needed to care for an individual nursing facility resident.)~~

(46) "Secretary" means the secretary of the department of social and health services.

(47) "Small nonessential community providers" means nonessential community providers with sixty or fewer licensed beds, regardless of how many beds are set up or in use.

(48) "Therapy care" means those services required by a nursing facility resident's comprehensive assessment and plan of care, that are provided by qualified therapists, or support personnel under their supervision, including related costs as designated by the department.

(49) "Title XIX" or "medicaid" means the 1965 amendments to the social security act, P.L. 89-07, as amended and the medicaid program administered by the department.

(50) "Urban county" means a county which is located in a metropolitan statistical area as determined and defined by the United States office of management and budget or other appropriate agency or office of the federal government.

**Sec. 2.** RCW 74.46.485 and 2021 c 334 s 991 are each amended to read as follows:

(1) The legislature recognizes that staff and resources needed to adequately care for individuals with cognitive or behavioral impairments is not limited to support for activities of daily living. Therefore, the department shall:

(a) ~~(Employ the resource utilization group IV case mix classification methodology. The department shall use the fifty-seven group index maximizing model for the resource utilization group IV grouper version MDS 3.05, but in the 2021-2023 biennium the department~~

may revise or update the methodology used to establish case mix classifications to reflect advances or refinements in resident assessment or classification, as made available by the federal government. The department may adjust by no more than thirteen percent the case mix index for resource utilization group categories beginning with PA1 through PB2 to any case mix index that aids in achieving the purpose and intent of RCW 74.39A.007 and cost-efficient care, excluding behaviors, and allowing for exceptions for limited placement options; and

~~(b) Implement minimum data set 3.0 under the authority of this section. The department must notify nursing home contractors twenty-eight days in advance the date of implementation of the minimum data set 3.0. In the notification, the department must identify for all semiannual rate settings following the date of minimum data set 3.0 implementation a previously established semiannual case mix adjustment established for the semiannual rate settings that will be used for semiannual case mix calculations in direct care until minimum data set 3.0 is fully implemented.)~~ Beginning July 1, 2024, implement a method for applying case mix to the rate. This method should be informed by the minimum data set collected by the centers for medicare and medicaid services;

~~(b) Subject to the availability of amounts appropriated for this specific purpose, employ the case mix adjustment method to adjust rates of individual facilities for case mix changes;~~

~~(c) Upon the discontinuation of resource utilization group's scores, and in collaboration with appropriate stakeholders, create a new case mix adjustment method for adjusting direct care rates based on changes in case mix using the patient-driven payment method;~~

~~(d) By December 1, 2024, provide an initial report to the governor and appropriate legislative committees outlining a phased implementation plan; and~~

~~(e) By December 1, 2026, provide a final report to the appropriate legislative committees. These reports must include the following information:~~

~~(i) An analysis of the potential impact of the new case mix classification methodology on nursing facility payment rates;~~

~~(ii) Proposed payment adjustments for capturing specific client needs that may not be clearly captured in the data available from the centers for medicare and medicaid services; and~~

~~(iii) A plan to continuously monitor the effects of the new methodologies on each facility to ensure certain client populations or needs are not unintentionally negatively impacted.~~

~~(2) ((The department is authorized to adjust upward the weights for resource utilization groups BA1-BB2 related to cognitive or behavioral health to ensure adequate access to appropriate levels of care.~~

~~(3)) A default case mix group shall be established for cases in which the resident dies or is discharged for any purpose prior to completion of the resident's initial assessment. The default case mix group and case mix weight for these cases shall be designated by the department.~~

~~((4)) (3) A default case mix group may also be established for cases in which there is an untimely assessment for the resident. The default case mix group and case mix weight for these cases shall be designated by the department.~~

**Sec. 3.** RCW 74.46.496 and 2011 1st sp.s. c 7 s 5 are each amended to read as follows:

(1) Each case mix classification group shall be assigned a case mix weight. The case mix weight for each resident of a nursing facility for each calendar quarter or six-month period during a calendar year shall be based on data from resident assessment instruments completed for the resident and weighted by the number of days the resident was in each case mix classification group. Days shall be counted as provided in this section.

~~(2) ((The case mix weights shall be based on the average minutes per registered nurse, licensed practical nurse, and certified nurse aide, for each case mix group, and using the United States department of health and human services nursing facility staff time measurement study. Those minutes shall be weighted by statewide ratios of registered nurse to certified nurse aide, and licensed practical nurse to certified nurse aide, wages, including salaries and benefits, which shall be based on cost report data for this state.~~

~~(3) The case mix weights shall be determined as follows:~~

~~(a) Set the certified nurse aide wage weight at 1.000 and calculate wage weights for registered nurse and licensed practical nurse average wages by dividing the certified nurse aide average wage into the registered nurse average wage and licensed practical nurse average wage;~~

~~(b) Calculate the total weighted minutes for each case mix group in the resource utilization group classification system by multiplying the wage weight for each worker classification by the average number of minutes that classification of worker spends caring for a resident in that resource utilization group classification group, and summing the products;~~

~~(c) Assign the lowest case mix weight to the resource utilization group with the lowest total weighted minutes and calculate case mix weights by dividing the lowest group's total weighted minutes into each group's total weighted minutes and rounding weight calculations to the third decimal place.~~

~~(4) The case mix weights in this state may be revised if the United States department of health and human services updates its nursing facility staff time measurement studies. The case mix weights shall be revised, but only when direct care component rates are cost-rebased as provided in subsection (5) of this section, to be effective on the July 1st effective date of each cost-rebased direct care component rate. However, the department may revise case mix~~

~~weights more frequently if, and only if, significant variances in wage ratios occur among direct care staff in the different caregiver classifications identified in this section.~~

~~(5) Case mix weights shall be revised when direct care component rates are cost-rebased as provided in RCW 74.46.431(4).) The case mix weights shall be based on finalized case mix weights as published by the centers for medicare and medicaid services in the federal register.~~

**Sec. 4.** RCW 74.46.501 and 2021 c 334 s 992 are each amended to read as follows:

(1) From individual case mix weights for the applicable quarter, the department shall determine two average case mix indexes for each medicaid nursing facility, one for all residents in the facility, known as the facility average case mix index, and one for medicaid residents, known as the medicaid average case mix index.

(2)(a) In calculating a facility's two average case mix indexes for each quarter, the department shall include all residents or medicaid residents, as applicable, who were physically in the facility during the quarter in question based on the resident assessment instrument completed by the facility and the requirements and limitations for the instrument's completion and transmission (January 1st through March 31st, April 1st through June 30th, July 1st through September 30th, or October 1st through December 31st).

(b) The facility average case mix index shall exclude all default cases as defined in this chapter. However, the medicaid average case mix index shall include all default cases.

(3) Both the facility average and the medicaid average case mix indexes shall be determined by multiplying the case mix weight of each resident, or each medicaid resident, as applicable, by the number of days, as defined in this section and as applicable, the resident was at each particular case mix classification or group, and then averaging.

(4) In determining the number of days a resident is classified into a particular case mix group, the department shall determine a start date for calculating case mix grouping periods as specified by rule.

(5) The cut-off date for the department to use resident assessment data, for the purposes of calculating both the facility average and the medicaid average case mix indexes, and for establishing and updating a facility's direct care component rate, shall be one month and one day after the end of the quarter for which the resident assessment data applies.

~~(6)((+a)) Although the facility average and the medicaid average case mix indexes shall both be calculated quarterly, the cost-rebasing period facility average case mix index will be used throughout the applicable cost-rebasing period in combination with cost report data as specified by RCW 74.46.561, to establish a facility's allowable cost per case mix unit. ((To allow for the transition to minimum data set 3.0 and implementation of resource utilization group IV for July 1, 2015, through June 30, 2016, the department shall calculate rates using the medicaid average case mix scores effective for January 1, 2015, rates adjusted under RCW 74.46.485(1)(a), and the scores shall be increased each six months during the transition period by one-half of one percent. The July 1, 2016, direct care cost per case mix unit shall be calculated by utilizing 2014 direct care costs, patient days, and 2014 facility average case mix indexes based on the minimum data set 3.0 resource utilization group IV grouper 57. Otherwise, a)) A facility's medicaid average case mix index shall be used to update a nursing facility's direct care component rate semiannually.~~

~~((b) Except during the 2021-2023 fiscal biennium, the facility average case mix index used to establish each nursing facility's direct care component rate shall be based on an average of calendar quarters of the facility's average case mix indexes from the four calendar quarters occurring during the cost report period used to rebase the direct care component rate allocations as specified in RCW 74.46.561.~~

~~(c) Except during the 2021-2023 fiscal biennium, the medicaid average case mix index used to update or recalibrate a nursing facility's direct care component rate semiannually shall be from the calendar six-month period commencing nine months prior to the effective date of the semiannual rate. For example, July 1, 2010, through December 31, 2010, direct care component rates shall utilize case mix averages from the October 1, 2009, through March 31, 2010, calendar quarters, and so forth.~~

~~(d) The department shall establish a methodology to use the case mix to set the direct care component [rate] in the 2021-2023 fiscal biennium.)"~~

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 5803

Prime Sponsor, Ways & Means: Concerning the recruitment and retention of Washington national guard members.  
Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking

Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SB 5811 Prime Sponsor, Senator Kauffman: Expanding the definition of family member for individual providers. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Health Care & Wellness.

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 18.88B.041 and 2023 c 424 s 7 are each amended to read as follows:

(1) The following long-term care workers are not required to become a certified home care aide pursuant to this chapter:

(a) (i) (A) Registered nurses, licensed practical nurses, certified nursing assistants or persons who are in an approved training program for certified nursing assistants under chapter 18.88A RCW, medicare-certified home health aides, or other persons who hold a similar health credential, as determined by the secretary, or persons with special education training and an endorsement granted by the superintendent of public instruction, as described in RCW 28A.300.010, if the secretary determines that the circumstances do not require certification.

(B) A person who was initially hired as a long-term care worker prior to January 7, 2012, and who completes all of the training requirements in effect as of the date the person was hired.

(ii) Individuals exempted by (a) (i) of this subsection may obtain certification as a home care aide without fulfilling the training requirements in RCW 74.39A.074 (1) (d) (ii) but must successfully complete a certification examination pursuant to RCW 18.88B.031.

(b) All long-term care workers employed by community residential service businesses.

(c) (i) An individual provider caring only for the individual provider's ~~((biological, step, or adoptive))~~ child or parent, including when related by marriage or domestic partnership; and

(ii) An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership.

(d) A person working as an individual provider who provides ~~((twenty))~~ 20 hours or less of nonrespite care for one person in any calendar month.

(e) A person working as an individual provider who only provides respite services and works less than ~~((three hundred))~~ 300 hours in any calendar year.

(f) A long-term care worker providing approved services only for a spouse or registered domestic partner, pursuant to the long-term services and supports trust program established in chapter 50B.04 RCW.

(g) A long-term care worker providing approved services only for a spouse or registered domestic partner and funded through the United States department of veterans affairs home and community-based programs.

(2) A long-term care worker exempted by this section from the training requirements contained in RCW 74.39A.074 may not be prohibited from enrolling in training pursuant to that section.

(3) The department shall adopt rules to implement this section.

**Sec. 2.** RCW 74.39A.076 and 2023 c 424 s 8 are each amended to read as follows:

(1) Beginning January 7, 2012, except for long-term care workers exempt from certification under RCW 18.88B.041 (1) (a):

(a) A ~~((biological, step, or adoptive))~~ parent who is the individual provider only for the person's developmentally disabled ~~((son or daughter))~~ child, including when related by marriage or domestic partnership, must receive ~~((twelve))~~ 12 hours of training relevant to the needs of individuals with developmental disabilities within the first ~~((one hundred twenty))~~ 120 days after becoming an individual provider.

(b) A spouse or registered domestic partner who is a long-term care worker only for a spouse or domestic partner, pursuant to the long-term services and supports trust program established in chapter 50B.04 RCW, must receive ~~((fifteen))~~ 15 hours of basic training, and at least six hours of additional focused training based on the care-receiving spouse's or partner's needs, within the first ~~((one hundred twenty))~~ 120 days after becoming a long-term care worker.

(c) A person working as an individual provider who (i) provides respite care services only for individuals with developmental disabilities receiving services under Title 71A RCW or only for individuals who receive services under this chapter, and (ii) works ~~((three hundred))~~ 300 hours or less in any calendar year, must complete ~~((fourteen))~~ 14 hours of training within the first ~~((one hundred twenty))~~ 120 days after becoming an individual provider. Five of the ~~((fourteen))~~ 14 hours must be completed before becoming eligible to provide care, including two hours of orientation training regarding the caregiving role and terms of employment and three hours of safety training. The training partnership identified

in RCW 74.39A.360 must offer at least ~~((twelve))~~12 of the ~~((fourteen))~~14 hours online, and five of those online hours must be individually selected from elective courses.

(d) Individual providers identified in (d)(i) or (ii) of this subsection must complete ~~((thirty-five))~~35 hours of training within the first ~~((one hundred twenty))~~120 days after becoming an individual provider. Five of the ~~((thirty-five))~~35 hours must be completed before becoming eligible to provide care. Two of these five hours shall be devoted to an orientation training regarding an individual provider's role as caregiver and the applicable terms of employment, and three hours shall be devoted to safety training, including basic safety precautions, emergency procedures, and infection control. Individual providers subject to this requirement include:

(i) (A) ~~((An))~~Unless covered by (a) of this subsection, an individual provider caring only for the individual provider's ~~((biological, step, or adoptive))~~ child or parent ~~((unless covered by (a) of this subsection))~~, including when related by marriage or domestic partnership; ~~((and))~~

(B) An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership;

(ii) A person working as an individual provider who provides ~~((twenty))~~20 hours or less of care for one person in any calendar month; and

(iii) A long-term care worker providing approved services only for a spouse or registered domestic partner and funded through the United States department of veterans affairs home and community-based programs.

(2) In computing the time periods in this section, the first day is the date of hire.

(3) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

(4) If a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete training as required by this section, the department may adopt rules to allow long-term care workers additional time to complete the training requirements.

(a) Rules adopted under this subsection (4) are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that all long-term care workers who were unable to complete the training required in subsection (1) of this section have had adequate access to complete the required training, whichever is later. Once the department determines a rule adopted under this subsection (4) is no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of training compliance with subsection (1) of this section and provide the legislature with a report.

(5) The department shall adopt rules to implement this section.

**Sec. 3.** RCW 74.39A.341 and 2023 c 424 s 6 are each amended to read as follows:

(1) All long-term care workers shall complete ~~((twelve))~~12 hours of continuing education training in advanced training topics each year. This requirement applies beginning July 1, 2012.

(2) Completion of continuing education as required in this section is a prerequisite to maintaining home care aide certification under chapter 18.88B RCW.

(3) Unless voluntarily certified as a home care aide under chapter 18.88B RCW, subsection (1) of this section does not apply to:

(a) ~~((An individual provider caring only for his or her biological, step, or adoptive child;~~

~~((b)))~~ An individual provider caring only for the individual provider's child, parent, sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership;

~~((c)))~~ (b) Registered nurses and licensed practical nurses licensed under chapter 18.79 RCW;

~~((d)))~~ (c) Before January 1, 2016, a long-term care worker employed by a community residential service business;

~~((e)))~~ (d) A person working as an individual provider who provides ~~((twenty))~~20 hours or less of care for one person in any calendar month;

~~((f)))~~ (e) A person working as an individual provider who only provides respite services and works less than ~~((three hundred))~~300 hours in any calendar year; or

~~((g)))~~ (f) A person whose certificate has been expired for less than five years who seeks to restore the certificate to active status. The person does not need to complete continuing education requirements in order for their certificate to be restored to active status. Subsection (1) of this section applies to persons once the certificate has been restored to active status, beginning on the date the certificate is restored to active status.

(4) Beginning July 1, 2024, individual providers covered under subsection (3) of this section may voluntarily take continuing education. The consumer directed employer must pay individual providers covered in subsection (3) of this section for any continuing education that they may take, up to 12 hours of continuing education annually.

(5) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

~~((5))~~ (6) Individual providers under RCW 74.39A.270 shall be compensated for training time required by this section.

~~((6))~~ (7) If a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete training as required by this section, the department may adopt rules to allow long-term care workers additional time to complete the training requirements.

(a) Rules adopted under this subsection ~~((6))~~ (7) are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that all long-term care workers who were unable to complete the training required in this section have had adequate access to complete the required training, whichever is later. Once the department determines a rule adopted under this subsection ~~((6))~~ (7) is no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of training compliance with subsection (1) of this section and provide the legislature with a report.

~~((7))~~ (8) The department of health shall adopt rules to implement subsection (1) of this section.

~~((8))~~ (9) The department shall adopt rules to implement subsection (2) of this section.

NEW SECTION. **Sec. 4.** Section 3 of this act takes effect July 1, 2024."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

2SSB 5825 Prime Sponsor, Ways & Means: Concerning guardianship and conservatorship. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Civil Rights & Judiciary. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SB 5836 Prime Sponsor, Senator Wilson, L.: Adding an additional superior court judge in Clark county. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SB 5837 Prime Sponsor, Senator Valdez: Codifying the state election database to publish, evaluate, and analyze certain election data. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

E2SSB 5838 Prime Sponsor, Ways & Means: Establishing an artificial intelligence task force. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Consumer Protection & Business.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that artificial intelligence is a fast-evolving technology that holds extraordinary potential and has a myriad of uses for both the public and private sectors. Advances in artificial intelligence technology have led to programs that are capable of creating text, audio, and media that are difficult to distinguish from media created by a human. This technology has the potential to provide great benefits to people if used well and to cause great harm if used irresponsibly.

The legislature further finds that generative artificial intelligence has become widely available to consumers and has great potential to become a versatile tool for a wide audience. It can streamline tasks, save time and money for users, and facilitate further innovation. Artificial intelligence has the potential to help solve urgent challenges, while making our world more prosperous, productive, innovative, and secure when used responsibly.

Washington state is in a unique position to become a center for artificial intelligence and machine learning. When used irresponsibly, artificial intelligence has the potential to further perpetuate bias and harm to historically excluded groups. It is vital that the fundamental rights to privacy and freedom from discrimination are properly safeguarded as society explores this emerging technology.

The federal government has not yet enacted binding regulations, however in July 2023, the federal government announced voluntary commitments by seven leading artificial intelligence companies, including three companies headquartered in Washington, to move toward safe, secure, and transparent development of artificial intelligence technology. The October 2023 executive order on the safe, secure, and trustworthy development and use of artificial intelligence builds on this work by directing developers of artificial intelligence systems to share their safety test results for certain highly capable models with the United States government.

Numerous businesses and agencies have developed principles for artificial intelligence. In Washington, Washington technology solutions (WaTech) developed guiding principles for artificial intelligence use by state agencies. These principles share common themes: Accountability, transparency, human control, privacy and security, advancing equity, and promoting innovation and economic development.

The legislature finds that the possible impacts of advancements in generative artificial intelligence for Washingtonians requires careful consideration in order to mitigate risks and potential harms, while promoting transparency, accountability, equity, and innovation that drives technological breakthroughs. On January 30, 2024, governor Inslee issued Executive Order 24-01 directing WaTech to identify generative artificial intelligence initiatives that could be implemented in state operations and issue guidelines for public sector procurement and usage.

**NEW SECTION. Sec. 2.** (1) Subject to the availability of amounts appropriated for this specific purpose, a task force to assess current uses and trends and make recommendations to the legislature regarding guidelines and potential legislation for the use of artificial intelligence systems is established.

(2) The task force is composed of an executive committee consisting of members as provided in this subsection.

(a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(c) The attorney general shall appoint the following members, selecting only individuals with experience in technology policy:

(i) One member from the office of the governor;

(ii) One member from the office of the attorney general;

(iii) One member from Washington technology solutions;

(iv) One member from the Washington state auditor;

(v) One member representing universities or research institutions that are experts in the design and effect of an algorithmic system;

(vi) One member representing private technology industry groups;

(vii) One member representing business associations;

(viii) Three members representing community advocate organizations that represent communities that are disproportionately vulnerable to being harmed by algorithmic bias;

(ix) One member representing the LGBTQ+ community;

(x) One member representing the retail industry;

(xi) One member representing the hospitality industry;

(xii) One member representing statewide labor organizations; and

(xiii) One member representing public safety.

- (d) The task force may meet in person or by telephone conference call, videoconference, or other similar telecommunications method, or a combination of such methods.
- (e) The executive committee may convene subcommittees to advise the task force on the recommendations and findings set out in subsection (4) of this section.
- (i) The executive committee shall define the scope of activity and subject matter focus required of the subcommittees including, but not limited to: Education and workforce development; public safety and ethics; health care and accessibility; labor; government and public sector efficiency; state security and cybersecurity; consumer protection and privacy; and industry and innovation.
- (ii) Subcommittees and their members may be invited to participate on an ongoing, recurring, or one-time basis.
- (iii) The executive committee in collaboration with the attorney general shall appoint members to the subcommittees that must be comprised of industry participants, subject matter experts, representatives of federally recognized tribes, or other relevant stakeholders.
- (iv) Each subcommittee must contain at least one member possessing relevant industry expertise and at least one member from an advocacy organization that represents communities that are disproportionately vulnerable to being harmed by algorithmic bias including, but not limited to: African American; Hispanic American; Native American; Asian American; Native Hawaiian and Pacific Islander communities; religious minorities; individuals with disabilities; and other vulnerable communities.
- (v) Meeting summaries and reports delivered by the subcommittees to the executive committee must be made available on the attorney general's website within 30 days of delivery.
- (3) The office of the attorney general must administer and provide staff support for the task force. The office of the attorney general may, when deemed necessary by the task force, retain consultants to provide data analysis, research, recommendations, training, and other services to the task force for the purposes provided in subsection (4) of this section. The office of the attorney general may work with the task force to determine appropriate subcommittees as needed.
- (4) The executive committee and subcommittees of the task force shall examine the development and use of artificial intelligence by private and public sector entities and make recommendations to the legislature regarding guidelines and potential legislation for the use and regulation of artificial intelligence systems to protect Washingtonians' safety, privacy, and civil and intellectual property rights. The task force findings and recommendations must include:
- (a) A literature review of public policy issues with artificial intelligence, including benefits and risks to the public broadly, historically excluded communities, and other identifiable groups, racial equity considerations, workforce impacts, and ethical concerns;
- (b) A review of existing protections under state and federal law for individual data and privacy rights, safety, civil rights, and intellectual property rights, and how federal, state, and local laws relating to artificial intelligence align, differ, conflict, and interact across levels of government;
- (c) A recommended set of guiding principles for artificial intelligence use informed by standards established by relevant bodies, including recommending a definition for ethical artificial intelligence and guiding principles;
- (d) Identification of high-risk uses of artificial intelligence, including those that may negatively affect safety or fundamental rights;
- (e) Opportunities to support and promote the innovation of artificial intelligence technologies through grants and incentives;
- (f) Recommendations on appropriate uses of and limitations on the use of artificial intelligence by state and local governments and the private sector;
- (g) Recommendations relating to the appropriate and legal use of training data;
- (h) Algorithmic discrimination issues which may occur when artificial intelligence systems are used and contribute to unjustified differential treatment or impacts disfavoring people on the basis of race, color, national origin, citizen or immigration status, families with children, creed, religious belief or affiliation, sex, marital status, the presence of any sensory, mental, or physical disability, age, honorably discharged veteran or military status, sexual orientation, gender expression or gender identity, or any other protected class under RCW 49.60.010 and recommendations to mitigate and protect against algorithmic discrimination;
- (i) Recommendations on minimizing unlawful discriminatory or biased outputs or applications;
- (j) Recommendations on prioritizing transparency so that the behavior and functional components artificial intelligence can be understood in order to enable the identification of performance issues, safety and privacy concerns, biases, exclusionary practices, and unintended outcomes;
- (k) Racial equity issues posed by artificial intelligence systems and ways to mitigate the concerns to build equity into the systems;
- (l) Civil liberties issues posed by artificial intelligence systems and civil rights and civil liberties protections to be incorporated into artificial intelligence systems;
- (m) Recommendations as to how the state should educate the public on the development and use of artificial intelligence, including information about data privacy and security, data collection and retention practices, use of individual data in machine learning, and intellectual property considerations regarding generative artificial intelligence;



(n) A review of protections of personhood, including replicas of voice or likeness, in typical contract structures, and a review of artificial intelligence tools used to support employment decisions;

(o) Proposed state guidelines for the use of artificial intelligence to inform the development, deployment, and use of artificial intelligence systems to:

(i) Retain appropriate human agency and oversight;

(ii) Be subject to internal and external security testing of systems before public release for high-risk artificial intelligence systems;

(iii) Protect data privacy and security;

(iv) Promote appropriate transparency for consumers when they interact with artificial intelligence systems or products created by artificial intelligence; and

(v) Ensure accountability, considering oversight, impact assessment, auditability, and due diligence mechanisms;

(p) A review of existing civil and criminal remedies for addressing potential harms resulting from the use of artificial intelligence systems and recommendations, if needed, for new means of enforcement and remedies; and

(q) Recommendations for establishing an ongoing committee that must study emerging technologies not limited to artificial technology.

(5) The executive committee of the task force must hold its first meeting within 45 days of final appointments to the task force and must meet at least twice each year thereafter. The task force must submit reports to the governor and the appropriate committees of the legislature detailing its findings and recommendations. A preliminary report must be delivered by December 31, 2024, an interim report by December 1, 2025, and a final report by July 1, 2026. Meeting summaries must be posted to the website of the attorney general's office within 30 days of any meeting by the task force.

(6) Legislative members of the task force shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(7) To ensure that the task force has diverse and inclusive representation of those affected by its work, task force members, including subcommittee members, whose participation in the task force may be hampered by financial hardship and may be compensated as provided in RCW 43.03.220.

(8) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Artificial intelligence" means the use of machine learning and related technologies that use data to train statistical models for the purpose of enabling computer systems to perform tasks normally associated with human intelligence or perception, such as computer vision, speech or natural language processing, and content generation.

(b) "Generative artificial intelligence" means an artificial intelligence system that generates novel data or content based on a foundation model.

(c) "Machine learning" means the process by which artificial intelligence is developed using data and algorithms to draw inferences therefrom to automatically adapt or improve its accuracy without explicit programming.

(d) "Training data" means labeled data that is used to teach artificial intelligence models or machine learning algorithms to make proper decisions. Training data may include, but is not limited to, annotated text, images, video, or audio.

(9) This section expires June 30, 2027.

**NEW SECTION. Sec. 3.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; and Sandlin.

Referred to Committee on Rules for second reading

February 26, 2024

SB 5852

Prime Sponsor, Senator Braun: Concerning special education safety net awards. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

E2SSB 5853 Prime Sponsor, Ways & Means: Extending the crisis relief center model to provide behavioral health crisis services for minors. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

2SSB 5882 Prime Sponsor, Ways & Means: Increasing prototypical school staffing to better meet student needs. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** Youth mental and behavioral health has been a rising crisis for a decade. As youth grapple with new pressures from social media and impacts of a pandemic, their needs can manifest as disruptive behaviors in the school environment. Teachers, counselors, administrators, and education support professionals have identified the need to have more caring and committed education staff in schools to meet the needs of students.

Education support professionals are vital team members in a school and often directly support students. Educational staff professionals drive students safely to school, provide one-on-one individualized instruction for special education students, run small group instruction for English language learners and for students struggling with certain academic concepts, supervise and monitor students before and after school, at lunch, and during recess, provide physical and behavioral health services in schools, serve lunches, keep buildings clean and maintained, and many other support services that are essential to school operations and student learning.

Therefore, to improve the individualized support for student learning and behavioral needs, the legislature intends to increase staffing allocations for paraprofessionals in instructional and noninstructional roles. The intent of this additional funding is to assist school districts in hiring additional support staff or providing the staff they already employ with better wages.

**Sec. 2.** RCW 28A.150.260 and 2023 c 379 s 6 are each amended to read as follows:

The purpose of this section is to provide for the allocation of state funding that the legislature deems necessary to support school districts in offering the minimum instructional program of basic education under RCW 28A.150.220. The allocation shall be determined as follows:

(1) The governor shall and the superintendent of public instruction may recommend to the legislature a formula for the distribution of a basic education instructional allocation for each common school district.

(2)(a) The distribution formula under this section shall be for allocation purposes only. Except as may be required under subsections (4)(b) and (c), (5)(b) and (c), and (9) of this section, chapter 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in this section requires school districts to use basic education instructional funds to implement a particular instructional approach or service. Nothing in this section requires school districts to maintain a particular classroom teacher-to-student ratio or other staff-to-student ratio or to use allocated funds to pay for particular types or classifications of staff. Nothing in this section entitles an individual teacher to a particular teacher planning period.

(b) To promote transparency in state funding allocations, the superintendent of public instruction must report state per-pupil allocations for each school district for the general apportionment, special education, learning assistance, transitional bilingual, highly capable, and career and technical education programs. The superintendent must report this information in a user-friendly format on the main page of the office's website. School districts must include a link to the superintendent's per-pupil allocations report on the main page of the school district's website. In addition, the budget documents published by the legislature for the enacted omnibus operating appropriations act must report statewide average per-pupil allocations for general apportionment and the categorical programs listed in this subsection.

(3)(a) To the extent the technical details of the formula have been adopted by the legislature and except when specifically provided as a school district allocation, the distribution formula for the basic education instructional allocation shall be based on minimum staffing and nonstaff costs the legislature deems necessary to support instruction and operations in prototypical schools serving high, middle, and elementary school students

as provided in this section. The use of prototypical schools for the distribution formula does not constitute legislative intent that schools should be operated or structured in a similar fashion as the prototypes. Prototypical schools illustrate the level of resources needed to operate a school of a particular size with particular types and grade levels of students using commonly understood terms and inputs, such as class size, hours of instruction, and various categories of school staff. It is the intent that the funding allocations to school districts be adjusted from the school prototypes based on the actual number of annual average full-time equivalent students in each grade level at each school in the district and not based on the grade-level configuration of the school to the extent that data is available. The allocations shall be further adjusted from the school prototypes with minimum allocations for small schools and to reflect other factors identified in the omnibus appropriations act.

(b) For the purposes of this section, prototypical schools are defined as follows:

(i) A prototypical high school has 600 average annual full-time equivalent students in grades nine through 12;

(ii) A prototypical middle school has 432 average annual full-time equivalent students in grades seven and eight; and

(iii) A prototypical elementary school has 400 average annual full-time equivalent students in grades kindergarten through six.

(4) (a) (i) The minimum allocation for each level of prototypical school shall be based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours under RCW 28A.150.220 and provide at least one teacher planning period per school day, and based on the following general education average class size of full-time equivalent students per teacher:

	General education average class size
Grades K-3. . . . .	17.00
Grade 4. . . . .	27.00
Grades 5-6. . . . .	27.00
Grades 7-8. . . . .	28.53
Grades 9-12. . . . .	28.74

(ii) The minimum class size allocation for each prototypical high school shall also provide for enhanced funding for class size reduction for two laboratory science classes within grades nine through 12 per full-time equivalent high school student multiplied by a laboratory science course factor of 0.0833, based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours in RCW 28A.150.220, and providing at least one teacher planning period per school day:

	Laboratory science average class size
Grades 9-12. . . . .	19.98

(b) (i) Beginning September 1, 2019, funding for average K-3 class sizes in this subsection (4) may be provided only to the extent of, and proportionate to, the school district's demonstrated actual class size in grades K-3, up to the funded class sizes.

(ii) The office of the superintendent of public instruction shall develop rules to implement this subsection (4) (b).

(c) (i) The minimum allocation for each prototypical middle and high school shall also provide for full-time equivalent classroom teachers based on the following number of full-time equivalent students per teacher in career and technical education:

	Career and technical education average class size
Approved career and technical education offered at the middle school and high school level. . . . .	23.00
Skill center programs meeting the standards established by the office of the superintendent of public instruction. . . . .	19.00

(ii) Funding allocated under this subsection (4) (c) is subject to RCW 28A.150.265.

(d) In addition, the omnibus appropriations act shall at a minimum specify:

(i) A high-poverty average class size in schools where more than 50 percent of the students are eligible for free and reduced-price meals; and

(ii) A specialty average class size for advanced placement and international baccalaureate courses.

(5) (a) The minimum allocation for each level of prototypical school shall include allocations for the following types of staff in addition to classroom teachers:

	Elementa ry School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators. . . . .	1.253	1.353	1.880

Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs. . . . .	0.663	0.519	0.523
<del>((Teaching assistance))</del> Paraeducators, including any aspect of educational instructional services provided by classified employees. . . . .	<del>((0.936))</del> 1.004	<del>((0.700))</del> 0.768	<del>((0.652))</del> 0.720
Office support and other noninstructional aides. . . . .	<del>((2.012))</del> 2.080	<del>((2.325))</del> 2.393	<del>((3.269))</del> 3.337
Custodians. . . . .	1.657	1.942	2.965
Nurses. . . . .	0.585	0.888	0.824
Social workers. . . . .	0.311	0.088	0.127
Psychologists. . . . .	0.104	0.024	0.049
Counselors. . . . .	0.993	1.716	3.039
Classified staff providing student and staff safety	0.079	0.092	0.141
Parent involvement coordinators. . . . .	0.0825	0.00	0.00

(b)(i) The superintendent may only allocate funding, up to the combined minimum allocations, for nurses, social workers, psychologists, counselors, classified staff providing student and staff safety, and parent involvement coordinators under (a) of this subsection to the extent of and proportionate to a school district's demonstrated actual ratios of: Full-time equivalent physical, social, and emotional support staff to full-time equivalent students.

(ii) The superintendent must adopt rules to implement this subsection (5)(b) and the rules must require school districts to prioritize funding allocated as required by (b)(i) of this subsection for physical, social, and emotional support staff who hold a valid educational staff associate certificate appropriate for the staff's role.

(iii) For the purposes of this subsection (5)(b), "physical, social, and emotional support staff" include nurses, social workers, psychologists, counselors, classified staff providing student and staff safety, parent involvement coordinators, and other school district employees and contractors who provide physical, social, and emotional support to students as defined by the superintendent.

(c) The superintendent shall develop rules that require school districts to use the additional funding provided under (a) of this subsection to support increased staffing, prevent layoffs, or increase salaries for the following staff types in the 2024-25 school year: Paraeducators, office support, and noninstructional aides. The superintendent shall collect data from school districts on how the increased allocations are used.

(6)(a) The minimum staffing allocation for each school district to provide district-wide support services shall be allocated per one thousand annual average full-time equivalent students in grades K-12 as follows:

	Staff per 1,000 K-12 students
Technology. . . . .	0.628
Facilities, maintenance, and grounds. . . . .	1.813
Warehouse, laborers, and mechanics. . . . .	0.332

(b) The minimum allocation of staff units for each school district to support certificated and classified staffing of central administration shall be 5.30 percent of the staff units generated under subsections (4)(a) and (5) of this section and (a) of this subsection.

(7) The distribution formula shall include staffing allocations to school districts for career and technical education and skill center administrative and other school-level certificated staff, as specified in the omnibus appropriations act.

(8)(a) Except as provided in (b) of this subsection, the minimum allocation for each school district shall include allocations per annual average full-time equivalent student for the following materials, supplies, and operating costs as provided in the 2017-18 school year, after which the allocations shall be adjusted annually for inflation as specified in the omnibus appropriations act:

	Per annual average full-time equivalent student in grades K-12
Technology. . . . .	\$130.76
Utilities and insurance. . . . .	\$355.30
Curriculum and textbooks. . . . .	\$140.39
Other supplies . . . . .	\$278.05
Library materials. . . . .	\$20.00
Instructional professional development for certificated and classified staff. . . . .	\$21.71

Facilities maintenance. . . . .	\$176.01
Security and central office administration. . . . .	\$121.94

(b) In addition to the amounts provided in (a) of this subsection, beginning in the 2014-15 school year, the omnibus appropriations act shall provide the following minimum allocation for each annual average full-time equivalent student in grades nine through 12 for the following materials, supplies, and operating costs, to be adjusted annually for inflation:

	Per annual average full-time equivalent student in grades 9-12
Technology. . . . .	\$36.35
Curriculum and textbooks. . . . .	\$39.02
Other supplies . . . . .	\$77.28
Library materials. . . . .	\$5.56
Instructional professional development for certificated and classified staff. . . . .	\$6.04

(9) In addition to the amounts provided in subsection (8) of this section and subject to RCW 28A.150.265, the omnibus appropriations act shall provide an amount based on full-time equivalent student enrollment in each of the following:

(a) Exploratory career and technical education courses for students in grades seven through 12;

(b) Preparatory career and technical education courses for students in grades nine through 12 offered in a high school; and

(c) Preparatory career and technical education courses for students in grades 11 and 12 offered through a skill center.

(10) In addition to the allocations otherwise provided under this section, amounts shall be provided to support the following programs and services:

(a)(i) To provide supplemental instruction and services for students who are not meeting academic standards through the learning assistance program under RCW 28A.165.005 through 28A.165.065, allocations shall be based on the greater of either: The district percentage of students in kindergarten through grade 12 who were eligible for free or reduced-price meals for the school year immediately preceding the district's participation, in whole or part, in the United States department of agriculture's community eligibility provision, or the district percentage of students in grades K-12 who were eligible for free or reduced-price meals in the prior school year. The minimum allocation for the program shall, except as provided in (a)(iii) of this subsection, provide for each level of prototypical school resources to provide, on a statewide average, 2.3975 hours per week in extra instruction with a class size of 15 learning assistance program students per teacher.

(ii) In addition to funding allocated under (a)(i) of this subsection, to provide supplemental instruction and services for students who are not meeting academic standards in qualifying schools. A qualifying school, except as provided in (a)(iv) of this subsection, means a school in which the three-year rolling average of the prior year total annual average enrollment that qualifies for free or reduced-price meals equals or exceeds 50 percent or more of its total annual average enrollment. A school continues to meet the definition of a qualifying school if the school: Participates in the United States department of agriculture's community eligibility provision; and met the definition of a qualifying school in the year immediately preceding their participation. The minimum allocation for this additional high poverty-based allocation must provide for each level of prototypical school resources to provide, on a statewide average, 1.1 hours per week in extra instruction with a class size of 15 learning assistance program students per teacher, under RCW 28A.165.055, school districts must distribute the high poverty-based allocation to the schools that generated the funding allocation.

(iii) For the 2024-25 and 2025-26 school years, allocations under (a)(i) of this subsection for school districts providing meals at no charge to students under RCW 28A.235.135 that are not participating, in whole or in part, in the United States department of agriculture's community eligibility provision shall be based on the school district percentage of students in grades K-12 who were eligible for free or reduced-price meals in school years 2019-20 through 2022-23 or the prior school year, whichever is greatest.

(iv) For the 2024-25 and 2025-26 school years, a school providing meals at no charge to students under RCW 28A.235.135 that is not participating in the department of agriculture's community eligibility provision continues to meet the definition of a qualifying school under (a)(ii) of this subsection if the school met the definition during one year of the 2019-20 through 2022-23 school years, or in the prior school year.

(b)(i) To provide supplemental instruction and services for students whose primary language is other than English, allocations shall be based on the head count number of students in each school who are eligible for and enrolled in the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080. The minimum allocation for each level of prototypical school shall provide resources to provide, on a statewide average, 4.7780 hours per week in extra instruction for students in grades kindergarten through six and 6.7780 hours per week in extra instruction for students in grades seven through 12, with 15 transitional bilingual instruction program students per teacher. Notwithstanding other provisions of this subsection (10), the actual per-student allocation may be scaled to provide a larger allocation for students needing more intensive intervention and a

commensurate reduced allocation for students needing less intensive intervention, as detailed in the omnibus appropriations act.

(ii) To provide supplemental instruction and services for students who have exited the transitional bilingual program, allocations shall be based on the head count number of students in each school who have exited the transitional bilingual program within the previous two years based on their performance on the English proficiency assessment and are eligible for and enrolled in the transitional bilingual instruction program under RCW 28A.180.040(1)(g). The minimum allocation for each prototypical school shall provide resources to provide, on a statewide average, 3.0 hours per week in extra instruction with 15 exited students per teacher.

(c) To provide additional allocations to support programs for highly capable students under RCW 28A.185.010 through 28A.185.030, allocations shall be based on 5.0 percent of each school district's full-time equivalent basic education enrollment. The minimum allocation for the programs shall provide resources to provide, on a statewide average, 2.1590 hours per week in extra instruction with fifteen highly capable program students per teacher.

(11) The allocations under subsections (4)(a), (5), (6), and (8) of this section shall be enhanced as provided under RCW 28A.150.390 on an excess cost basis to provide supplemental instructional resources for students with disabilities.

(12)(a) For the purposes of allocations for prototypical high schools and middle schools under subsections (4) and (10) of this section that are based on the percent of students in the school who are eligible for free and reduced-price meals, the actual percent of such students in a school shall be adjusted by a factor identified in the omnibus appropriations act to reflect underreporting of free and reduced-price meal eligibility among middle and high school students.

(b) Allocations or enhancements provided under subsections (4), (7), and (9) of this section for exploratory and preparatory career and technical education courses shall be provided only for courses approved by the office of the superintendent of public instruction under chapter 28A.700 RCW.

(13)(a) This formula for distribution of basic education funds shall be reviewed biennially by the superintendent and governor. The recommended formula shall be subject to approval, amendment or rejection by the legislature.

(b) In the event the legislature rejects the distribution formula recommended by the governor, without adopting a new distribution formula, the distribution formula for the previous school year shall remain in effect.

(c) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the first school day of each month, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. The definition of full-time equivalent student shall be determined by rules of the superintendent of public instruction and shall be included as part of the superintendent's biennial budget request. The definition shall be based on the minimum instructional hour offerings required under RCW 28A.150.220. Any revision of the present definition shall not take effect until approved by the house ways and means committee and the senate ways and means committee.

(d) The office of financial management shall make a monthly review of the superintendent's reported full-time equivalent students in the common schools in conjunction with RCW 43.62.050.

**Sec. 3.** RCW 28A.400.007 and 2022 c 109 s 5 are each amended to read as follows:

(1) In addition to the staffing units in RCW 28A.150.260, the superintendent of public instruction must provide school districts with allocations for the following staff units if and to the extent that funding is specifically appropriated and designated for that category of staffing unit in the omnibus operating appropriations act.

(a) Additional staffing units for each level of prototypical school in RCW 28A.150.260:

	Elementa ry School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators. . . . .	0.0470	0.0470	0.0200
Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs. . . . .	0.3370	0.4810	0.4770
<del>((Teaching assistance))</del> <u>Paraeducators</u> , including any aspect of educational instructional services provided by classified employees. . . . .	<del>((1.0640))</del> <u>0.996</u>	<del>((0.300))</del> <u>0.232</u>	<del>((0.348))</del> <u>0.280</u>
Office support and other noninstructional aides. . . . .	<del>((0.9880))</del> <u>0.92</u>	<del>((1.175))</del> <u>1.107</u>	<del>((0.231))</del> <u>0.163</u>
Custodians. . . . .	0.0430	0.0580	0.0350

Classified staff providing student and staff safety	0.0000	0.6080	1.1590
Parent involvement coordinators. . . . .	0.9175	1.0000	1.0000

(b) Additional certificated instructional staff units sufficient to achieve the following reductions in class size in each level of prototypical school under RCW 28A.150.260:

	General education certificated instructional staff units sufficient to achieve class size reduction of:		
Grades K-3 class size. . . . .			0.00
Grade 4. . . . .			2.00
Grades 5-6. . . . .			2.00
Grades 7-8. . . . .			3.53
Grades 9-12. . . . .			3.74
CTE. . . . .			4.00
Skills. . . . .			3.00

	High poverty certificated instructional staff units sufficient to achieve class size reduction of:		
Grades K-3 class size. . . . .			2.00
Grade 4. . . . .			5.00
Grades 5-6. . . . .			4.00
Grades 7-8. . . . .			5.53
Grades 9-12. . . . .			5.74

(2) The staffing units in subsection (1) of this section are an enrichment to and are beyond the state's statutory program of basic education in RCW 28A.150.220 and 28A.150.260. However, if and to the extent that any of these additional staffing units are funded by specific reference to this section in the omnibus operating appropriations act, those units become part of prototypical school funding formulas and a component of the state funding that the legislature deems necessary to support school districts in offering the statutory program of basic education under Article IX, section 1 of the state Constitution.

NEW SECTION. **Sec. 4.** The state must provide the full school year amount for paraeducators, including any aspect of educational instructional services provided by classified employees, and office support and other noninstructional aides provided in this act, for the 2023-24 school year. The first month's distribution of additional amounts provided under this act in the 2023-24 school year must be a proportion of the total annual additional amount provided in this act equal to the sum of the proportional shares under RCW 28A.510.250 from September 2023 to the first month's distribution. Staff units for nurses, social workers, psychologists, and counselors in this act, above those provided in section 5, chapter 379, Laws of 2023 may not be allocated until the 2024-25 school year.

NEW SECTION. **Sec. 5.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SB 5904 Prime Sponsor, Senator Nobles: Extending the terms of eligibility for financial aid programs. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28B.92.200 and 2022 c 214 s 5 are each amended to read as follows:

(1) The Washington college grant program is created to provide a statewide free college program for eligible participants and greater access to postsecondary education for Washington residents. The Washington college grant program is intended to increase the number of high school graduates and adults that can attain a postsecondary credential and provide them with the qualifications needed to compete for job opportunities in Washington.

(2) The office shall implement and administer the Washington college grant program and is authorized to establish rules necessary for implementation of the program.

(3) The legislature shall appropriate funding for the Washington college grant program. Allocations must be made on the basis of estimated eligible participants enrolled in eligible institutions of higher education or apprenticeship programs. All eligible students are entitled to a Washington college grant beginning in academic year 2020-21.

(4) The office shall award Washington college grants to all eligible students beginning in academic year 2020-21.

(5) To be eligible for the Washington college grant, students must meet the following requirements:

(a)(i) Demonstrate financial need under RCW 28B.92.205;

(ii) Receive one of the following types of public assistance:

(A) Aged, blind, or disabled assistance benefits under chapter 74.62 RCW;

(B) Essential needs and housing support program benefits under RCW 43.185C.220; or

(C) Pregnant women assistance program financial grants under RCW 74.62.030; or

(iii) Be a Washington high school student in the 10th, 11th, or 12th grade whose parent or legal guardian is receiving one of the types of public assistance listed in (a)(ii) of this subsection and have received a certificate confirming eligibility from the office in accordance with RCW 28B.92.225;

(b)(i) Be enrolled or accepted for enrollment for at least three quarter credits or the equivalent semester credits at an institution of higher education in Washington as defined in RCW 28B.92.030; or

(ii) Be enrolled in a registered apprenticeship program approved under chapter 49.04 RCW;

(c) Be a resident student as defined in RCW 28B.15.012(2) (a) through (e);

(d) File an annual application for financial aid as approved by the office; and

(e) Must not have earned a baccalaureate degree or higher from a postsecondary institution.

(6) Washington college grant eligibility may not extend beyond ~~((five))~~ six years or ~~((one hundred twenty-five))~~ 150 percent of the published length of the program in which the student is enrolled or the credit or clock-hour equivalent.

(7) Institutional aid administrators shall determine whether a student eligible for the Washington college grant in a given academic year may remain eligible for the ensuing year if the student's family income increases by no more than three percent.

(8) Qualifications for receipt and renewal include maintaining satisfactory academic progress toward completion of an eligible program as determined by the office and established in rule.

(9) Should a recipient terminate his or her enrollment for any reason during the academic year, the unused portion of the grant shall be returned to the state educational grant fund by the institution of higher education according to the institution of higher education's policy for issuing refunds, except as provided in RCW 28B.92.070.

(10) An eligible student enrolled on a part-time basis shall receive a prorated portion of the Washington college grant for any academic period in which he or she is enrolled on a part-time basis.

(11) The Washington college grant is intended to be used to meet the costs of postsecondary education for students with financial need. The student shall be awarded all need-based financial aid for which the student qualifies as determined by the institution.

(12) Students and participating institutions of higher education shall comply with all the rules adopted by the council for the administration of this chapter.

**Sec. 2.** RCW 28B.118.010 and 2023 c 174 s 2 are each amended to read as follows:

The office of student financial assistance shall design the Washington college bound scholarship program in accordance with this section and in alignment with the Washington college grant program in chapter 28B.92 RCW unless otherwise provided in this section. The right of an eligible student to receive a college bound scholarship vest upon enrollment in the program that is earned by meeting the requirements of this section as it exists at the time of the student's enrollment under subsection (2) of this section.

(1) "Eligible students" are those students who:

(a) Qualify for free or reduced-price lunches.

(i) If a student qualifies in the seventh or eighth grade, the student remains eligible even if the student does not receive free or reduced-price lunches thereafter.

(ii) Beginning in the 2019-20 academic year, if a student qualifies for free or reduced-price lunches in the ninth grade and was previously ineligible during the seventh or eighth grade while he or she was a student in Washington, the student is eligible for the college bound scholarship program;

(b) Are dependent pursuant to chapter 13.34 RCW and:

(i) In grade seven through 12; or

(ii) Are between the ages of 18 and 21 and have not graduated from high school; or

(c) Were dependent pursuant to chapter 13.34 RCW and were adopted between the ages of 14 and 18 with a negotiated adoption agreement that includes continued eligibility for the Washington state college bound scholarship program pursuant to RCW 74.13A.025.

(2)(a) Every eligible student shall be automatically enrolled by the office of student financial assistance, with no action necessary by the student, student's family, or student's guardians.

(b) Eligible students and the students' parents or guardians shall be notified of the student's enrollment in the Washington college bound scholarship program and the requirements



for award of the scholarship by the office of student financial assistance. To the maximum extent practicable, an eligible student must acknowledge enrollment in the college bound scholarship program and receipt of the requirements for award of the scholarship.

(c) The office of the superintendent of public instruction and the department of children, youth, and families must provide the office of student financial assistance with a list of eligible students when requested. The office of student financial assistance must determine the most effective methods, including timing and frequency, to notify eligible students of enrollment in the Washington college bound scholarship program. The office of student financial assistance must take reasonable steps to ensure that eligible students acknowledge enrollment in the college bound scholarship program and receipt of the requirements for award of the scholarship. The office of student financial assistance shall also make available to every school district information, brochures, and posters to increase awareness and to enable school districts to notify eligible students directly or through school teachers, counselors, or school activities.

(3) Except as provided in subsection (4) of this section, an eligible student must:

(a) (i) Graduate from a public high school under RCW 28A.150.010, an approved private high school under chapter 28A.195 RCW in Washington, or have received home-based instruction under chapter 28A.200 RCW; and

(ii) For eligible students enrolling in a postsecondary educational institution for the first time beginning with the 2023-24 academic year, graduate with at least a "C" average for consideration of direct admission to a public or private four-year institution of higher education;

(b) Have no felony convictions;

(c) Be a resident student as defined in RCW 28B.15.012(2) (a) through (e); and

(d) Have a family income that does not exceed 65 percent of the state median family income at the time of high school graduation.

(4) (a) An eligible student who is a resident student under RCW 28B.15.012(2)(e) must also provide the institution, as defined in RCW 28B.15.012, an affidavit indicating that the individual will file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so and a willingness to engage in any other activities necessary to acquire citizenship, including but not limited to citizenship or civics review courses.

(b) For eligible students as defined in subsection (1)(b) and (c) of this section, a student may also meet the requirement in subsection (3)(a) of this section by receiving a high school equivalency certificate as provided in RCW 28B.50.536.

(5) (a) For students attending two or four-year institutions of higher education as defined in RCW 28B.10.016, the value of the award shall be (i) the difference between the student's tuition and required fees, less the value of any state-funded grant, scholarship, or waiver assistance the student receives; (ii) plus five hundred dollars for books and materials.

(b) For students attending private four-year institutions of higher education in Washington, the award amount shall be the representative average of awards granted to students in public research universities in Washington or the representative average of awards granted to students in public research universities in Washington in the 2014-15 academic year, whichever is greater.

(c) For students attending private vocational schools in Washington, the award amount shall be the representative average of awards granted to students in public community and technical colleges in Washington or the representative average of awards granted to students in public community and technical colleges in Washington in the 2014-15 academic year, whichever is greater.

(6) Eligible students must enroll no later than the fall term, as defined by the institution of higher education, one academic year following high school graduation. ~~((Eligible students may receive no more than four full-time years' worth of scholarship awards within a five-year period))~~ College bound scholarship eligibility may not extend beyond six years or 150 percent of the published length of the program in which the student is enrolled or the credit or clock-hour equivalent.

(7) Institutions of higher education shall award the student all need-based and merit-based financial aid for which the student would otherwise qualify. The Washington college bound scholarship is intended to replace unmet need, loans, and, at the student's option, work-study award before any other grants or scholarships are reduced.

(8) The first scholarships shall be awarded to students graduating in 2012.

(9) The eligible student has a property right in the award, but the state of Washington retains legal ownership of tuition units awarded as scholarships under this chapter until the tuition units are redeemed. These tuition units shall remain separately held from any tuition units owned under chapter 28B.95 RCW by a Washington college bound scholarship recipient.

(10) ~~((The scholarship award must be used within five years of receipt. Any unused scholarship tuition units revert to the Washington college bound scholarship account.~~

~~((11))~~ Should the recipient terminate his or her enrollment for any reason during the academic year, the unused portion of the scholarship tuition units shall revert to the Washington college bound scholarship account.

**Sec. 3.** RCW 28B.118.005 and 2007 c 405 s 1 are each amended to read as follows:

The legislature intends to inspire and encourage all Washington students to dream big by creating a guaranteed ~~((four-year))~~ tuition scholarship program for students from low-income families who enroll within one year of high school graduation. The legislature finds that,

too often, financial barriers prevent many of the brightest students from considering college as a future possibility. Often the cost of tuition coupled with the complexity of finding and applying for financial aid is enough to prevent a student from even applying to college. Many students become disconnected from the education system early on and may give up or drop out before graduation. It is the intent of the legislature to alert students early in their educational career to the options and opportunities available beyond high school.

**Sec. 4.** RCW 28B.117.030 and 2019 c 470 s 23 are each amended to read as follows:

(1) The office shall design and, to the extent funds are appropriated for this purpose, implement, passport to careers with two programmatic pathways: The passport to college promise program and the passport to apprenticeship opportunities program. Both programs offer supplemental scholarship and student assistance for students who were under the care of the state foster care system, tribal foster care system, or federal foster care system, and verified unaccompanied youth or young adults who have experienced homelessness.

(2) The office shall convene and consult with an advisory committee to assist with program design and implementation. The committee shall include but not be limited to former foster care and unaccompanied homeless youth and their advocates; representatives from the state board for community and technical colleges, public and private agencies that assist current and former foster care recipients and unaccompanied youth or young adults experiencing homelessness in their transition to adulthood; student support specialists from public and private colleges and universities; the state workforce training and education coordinating board; the employment security department; and the state apprenticeship council.

(3) To the extent that sufficient funds have been appropriated for this purpose, a student is eligible for assistance under this section if he or she:

(a)(i) Was in the care of the state foster care system, tribal foster care system, or federal foster care system in Washington state at any time before age twenty-one subsequent to the following:

- (A) Age fifteen as of July 1, 2018;
- (B) Age fourteen as of July 1, 2019; and
- (C) Age thirteen as of July 1, 2020; or

(ii) Beginning July 1, 2019, was verified on or after July 1st of the prior academic year as an unaccompanied youth experiencing homelessness, before age twenty-one;

(b) Is a resident student, as defined in RCW 28B.15.012(2), or if unable to establish residency because of homelessness or placement in out-of-state foster care under the interstate compact for the placement of children, has residency determined through verification by the office;

(c) Is enrolled with or will enroll on at least a half-time basis with an institution of higher education or a registered apprenticeship or recognized preapprenticeship in Washington state by the age of twenty-one;

(d) Is making satisfactory academic progress toward the completion of a degree, certificate program, or registered apprenticeship or recognized preapprenticeship, if receiving supplemental scholarship assistance;

(e) Has not earned a bachelor's or professional degree; and

(f) Is not pursuing a degree in theology.

(4) The office shall define a process for verifying unaccompanied homeless status for determining eligibility under subsection (3)(a)(ii) of this section. The office may use a letter from the following persons or entities to provide verification: A high school or school district McKinney-Vento liaison; the director or designated staff member of an emergency shelter, transitional housing program, or homeless youth drop-in center; or other similar professional case manager or school employee. Students who have no formal connection with such a professional may also submit to the office an essay that describes their experience with homelessness and the barriers it created to their academic progress. The office may consider this essay in lieu of a letter of homelessness determination and may interview the student if further information is needed to verify eligibility.

(5) A passport to college promise program is created.

(a) A passport to college promise scholarship under this section:

(i) Shall not exceed resident undergraduate tuition and fees at the highest-priced public institution of higher education in the state; and

(ii) Shall not exceed the student's financial need, when combined with all other public and private grant, scholarship, and waiver assistance the student receives.

(b) ~~((An eligible student may receive a passport))~~ Passport to college promise scholarship ((under this section for a maximum of five years after the student first enrolls with an institution of higher education or until the student turns age twenty-six, whichever occurs first. If a student turns age twenty-six during an academic year, and would otherwise be eligible for a scholarship under this section, the student shall continue to be eligible for a scholarship for the remainder of the academic year)) eligibility may not extend beyond six years or 150 percent of the published length of the program in which the student is enrolled or the credit or clock-hour equivalent.

(c) The office, in consultation with and with assistance from the state board for community and technical colleges, shall perform an annual analysis to verify that those institutions of higher education at which students have received a scholarship under this section have awarded the student all available need-based and merit-based grant and scholarship aid for which the student qualifies.

(d) In designing and implementing the passport to college promise student support program under this section, the office, in consultation with and with assistance from the state board

for community and technical colleges, shall ensure that a participating college or university:

(i) Has a viable plan for identifying students eligible for assistance under this section, for tracking and enhancing their academic progress, for addressing their unique needs for assistance during school vacations and academic interims, and for linking them to appropriate sources of assistance in their transition to adulthood;

(ii) Receives financial and other incentives for achieving measurable progress in the recruitment, retention, and graduation of eligible students.

(e) To the extent funds are appropriated for this specific purpose, the office shall contract with at least one nongovernmental entity to provide services to support effective program implementation, resulting in increased postsecondary completion rates for passport scholars.

(6) The passport to apprenticeship opportunities program is created. The office shall:

(a) Identify students and applicants who are eligible for services under RCW 28B.117.030 through coordination of certain agencies as detailed in RCW 28B.117.040;

(b) Provide financial assistance through the nongovernmental entity or entities in RCW 28B.117.055 for registered apprenticeship and recognized preapprenticeship entrance requirements and occupational-specific costs that does not exceed the individual's financial need; and

(c) Extend financial assistance to any eligible applicant for ~~((a maximum of))~~ six years ~~((after first enrolling with a registered apprenticeship or recognized preapprenticeship, or until the applicant turns twenty-six, whichever occurs first))~~ or 150 percent of the published length of the program in which the student is enrolled or the credit or clock-hour equivalent.

(7) Recipients may utilize passport to college promise or passport to apprenticeship opportunities at different times, but not concurrently. The total award an individual may receive in any combination of the programs shall not exceed the equivalent amount that would have been awarded for the individual to attend a public university for ~~((five))~~ six years with the highest annual tuition and state-mandated fees in the state.

(8) Personally identifiable information shared pursuant to this section retains its confidentiality and may not be further disclosed except as allowed under state and federal law.

**NEW SECTION. Sec. 5.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Rude; Schmick; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Harris; Sandlin; and Stokesbary.

Referred to Committee on Rules for second reading

February 26, 2024

ESB 5906

Prime Sponsor, Senator Wilson, L.: Implementing a statewide drug overdose prevention and education campaign.  
Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 43.70 RCW to read as follows:

(1) The department shall develop, implement, and maintain a statewide drug overdose prevention and awareness campaign to address the drug overdose epidemic.

(2)(a) The campaign must educate the public about the dangers of methamphetamines and opioids, including fentanyl, and the harms caused by drug use. The campaign must include outreach to both youth and adults aimed at preventing substance use and overdose deaths.

(b) The department, in consultation with the health care authority, may also include messaging focused on substance use disorder and overdose death prevention, resources for addiction treatment and services, and information on immunity for people who seek medical assistance in a drug overdose situation pursuant to RCW 69.50.315.

(3) The 2024 and 2025 campaigns must focus on increasing the awareness of the dangers of fentanyl and other synthetic opioids, including the high possibility that other drugs are contaminated with synthetic opioids and that even trace amounts of synthetic opioids can be lethal.

(4) Beginning June 30, 2025, and each year thereafter, the department must submit a report to the appropriate committees of the legislature on the content and distribution of

the statewide drug overdose prevention and awareness campaign. The report must include a summary of the messages distributed during the campaign, the mediums through which the campaign was operated, and data on how many individuals received information through the campaign. The report must be submitted in compliance with RCW 43.01.036.

(5) This section expires July 1, 2029.

**NEW SECTION. Sec. 2.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

E2SSB 5908 Prime Sponsor, Ways & Means: Providing extended foster care services to youth ages 18 to 21. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Human Services, Youth, & Early Learning. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chambers, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Rude; Sandlin; Schmick; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Harris; and Stokesbary.

Referred to Committee on Rules for second reading

February 26, 2024

E2SSB 5937 Prime Sponsor, Ways & Means: Supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 5940 Prime Sponsor, Health & Long Term Care: Creating a medical assistant-EMT certification. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Bergquist, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Ormsby, Chair; Gregerson, Vice Chair; Macri, Vice Chair; Fitzgibbon; and Stonier.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 5953 Prime Sponsor, Human Services: Concerning financial aid grants for incarcerated students. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Postsecondary Education & Workforce. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Rude; Sandlin; Schmick; and Stokesbary.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 5972 Prime Sponsor, Agriculture, Water, Natural Resources & Parks: Concerning the use of neonicotinoid pesticides. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Agriculture & Natural Resources. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Couture, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 5986 Prime Sponsor, Ways & Means: Protecting consumers from out-of-network health care services charges. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Health Care & Wellness. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Chambers, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Harris; and Rude.

Referred to Committee on Rules for second reading

February 26, 2024

2SSB 6006 Prime Sponsor, Ways & Means: Supporting victims of human trafficking and sexual abuse. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Community Safety, Justice, & Reentry. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 6025 Prime Sponsor, Business, Financial Services, Gaming & Trade: Protecting consumers from predatory loans. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

ESSB 6031 Prime Sponsor, Ways & Means: Modifying the student transportation allocation to accommodate multiple vehicle types for transporting students. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec.** A new section is added to chapter 28A.160 RCW to read as follows:

By January 1, 2026, the office of the superintendent of public instruction must perform a study of school district transportation costs and allocations in the 2024-25 school year. The purpose of the study is to recommend revisions to pupil transportation formulas beginning in the 2026-27 school year to make allocations more predictable, transparent, and comprehensive. The superintendent must report any findings and recommendations to the education and fiscal committees of the house of representatives and senate and submit agency request legislation as necessary to implement a new formula. The study must compare 2024-25

school year allocations provided by distribution formulas under RCW 28A.160.150 through 28A.160.180 and 28A.160.192 to alternative allocation formulas.

(1) The alternative allocation formulas studied must include, at a minimum, the following:

(a) A cost and methodology for reimbursing special transportation for students receiving special education services, students experiencing homelessness, and students in foster care. For any expenditures in 2024-25 that would be reimbursed under an alternative formula, the superintendent must report the expenditures by program, object, and activity as defined under accounting rules for the 2024-25 school year.

(b) An approach to accommodate multiple vehicle types that are used for pupil transportation.

(c) A rate per rider for transportation costs above proposed reimbursements in subsection (1) (a).

(d) A rate per mile for transportation costs above proposed reimbursements in subsection (1) (a).

(e) A minimum allocation formula.

(f) An inflation factor.

(2) The superintendent must use actual data from the 2024-25 school year to calculate alternative allocations in the study. To collect the data necessary, the superintendent must require school districts to report the following for the 2024-25 school year in addition to information reported under RCW 28A.160.170.

(a) Passengers eligible for and receiving special education that require transportation as a related service of their individualized education program.

(b) Passengers that are homeless students requiring transportation under the federal McKinney-Vento homeless assistance act, Title 42 U.S.C. Sec. 11431 et seq..

(c) Passengers that are foster students receiving transportation as required under the federal every student succeeds act, Title 20 U.S.C. Sec. 6312(c)(5)(b).

(d) The number of miles driven per vehicle type.

(e) Other data deemed necessary by the superintendent to develop alternative allocations.

(3) The office of the superintendent of public instruction may establish rules as necessary to implement this section.

(4) This section expires September 1, 2027."

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Rude; Ryu; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Harris; and Sandlin.

Referred to Committee on Rules for second reading

February 26, 2024

E2SSB 6058 Prime Sponsor, Ways & Means: Facilitating linkage of Washington's carbon market with the California-Quebec carbon market. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Environment & Energy.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 70A.65.010 and 2022 c 181 s 10 are each amended to read as follows:

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

(1) "Allowance" means an authorization to emit up to one metric ton of carbon dioxide equivalent.

(2) "Allowance price containment reserve" means an account maintained by the department with allowances available for sale through separate reserve auctions at predefined prices to assist in containing compliance costs for covered and opt-in entities in the event of unanticipated high costs for compliance instruments.

(3) "Annual allowance budget" means the total number of greenhouse gas allowances allocated for auction and distribution for one calendar year by the department.

(4) "Asset controlling supplier" means any entity that owns or operates interconnected electricity generating facilities or serves as an exclusive marketer for these facilities even though it does not own them, and has been designated by the department and received a department-published emissions factor for the wholesale electricity procured from its system. The department shall use a methodology consistent with the methodology used by an external greenhouse gas emissions trading program that shares the regional electricity transmission system. Electricity from an asset controlling supplier is considered a specified source of electricity.

(5) "Auction" means the process of selling greenhouse gas allowances by offering them up for bid, taking bids, and then distributing the allowances to winning bidders.

(6) "Auction floor price" means a price for allowances below which bids at auction are not eligible to be accepted.

(7) "Auction purchase limit" means the limit on the number of allowances one registered entity or a group of affiliated registered entities may purchase from the share of allowances sold at an auction.

(8) "Balancing authority" means the responsible entity that integrates resource plans ahead of time, maintains load-interchange-generation balance within a balancing authority area, and supports interconnection frequency in real time.

(9) "Balancing authority area" means the collection of generation, transmission, and load within the metered boundaries of a balancing authority. A balancing authority maintains load-resource balance within this area.

(10) "Best available technology" means a technology or technologies that will achieve the greatest reduction in greenhouse gas emissions, taking into account the fuels, processes, and equipment used by facilities to produce goods of comparable type, quantity, and quality. Best available technology must be technically feasible, commercially available, economically viable, not create excessive environmental impacts, and be compliant with all applicable laws while not changing the characteristics of the good being manufactured.

(11) "Biomass" means nonfossilized and biodegradable organic material originating from plants, animals, and microorganisms, including products, by-products, residues, and waste from agriculture, forestry, and related industries as well as the nonfossilized and biodegradable organic fractions of municipal wastewater and industrial waste, including gases and liquids recovered from the decomposition of nonfossilized and biodegradable organic material.

(12) "Biomass-derived fuels," "biomass fuels," or "biofuels" means ~~((fuels derived from biomass that have at least 40 percent lower greenhouse gas emissions based on a full life-cycle analysis when compared to petroleum fuels for which biofuels are capable as serving as a substitute))~~ whichever of the following fuels derived from biomass has lower associated life-cycle greenhouse gas emissions: (a) Fuels that have at least 30 percent lower greenhouse gas emissions based on a full life-cycle analysis when compared to petroleum fuels for which biofuels are capable as serving as a substitute; or (b) fuels that meet a standard adopted by the department by rule that align with the definition of biofuel, or other standards applicable to biofuel, established by a jurisdiction with which the department has entered into a linkage agreement.

(13) "Carbon dioxide equivalents" means a measure used to compare the emissions from various greenhouse gases based on their global warming potential.

(14) "Carbon dioxide removal" means deliberate human activities removing carbon dioxide from the atmosphere and durably storing it in geological, terrestrial, or ocean reservoirs, or in products. "Carbon dioxide removal" includes existing and potential anthropogenic enhancement of biological or geochemical sinks and including, but not limited to, carbon mineralization and direct air capture and storage.

(15) "Climate commitment" means the process and mechanisms to ensure a coordinated and strategic approach to advancing climate resilience and environmental justice and achieving an equitable and inclusive transition to a carbon neutral economy.

(16) "Climate resilience" is the ongoing process of anticipating, preparing for, and adapting to changes in climate and minimizing negative impacts to our natural systems, infrastructure, and communities. For natural systems, increasing climate resilience involves restoring and increasing the health, function, and integrity of our ecosystems and improving their ability to absorb and recover from climate-affected disturbances. For communities, increasing climate resilience means enhancing their ability to understand, prevent, adapt, and recover from climate impacts to people and infrastructure.

(17) "Closed facility" means a facility at which the current owner or operator has elected to permanently stop production and will no longer be an emissions source.

(18) "Compliance instrument" means an allowance or offset credit issued by the department or by an external greenhouse gas emissions trading program to which Washington has linked its greenhouse gas emissions cap and invest program. One compliance instrument is equal to one metric ton of carbon dioxide equivalent.

(19) "Compliance obligation" means the requirement to submit to the department the number of compliance instruments equivalent to a covered or opt-in entity's covered emissions during the compliance period.

(20) "Compliance period" means the four-year period, except as provided in RCW 70A.65.070(1)(a)(ii), for which the compliance obligation is calculated for covered entities.

(21) "Cost burden" means the impact on rates or charges to customers of electric utilities in Washington state for the incremental cost of electricity service to serve load due to the compliance cost for greenhouse gas emissions caused by the program. Cost burden includes administrative costs from the utility's participation in the program.

(22) "Covered emissions" means the emissions for which a covered entity has a compliance obligation under RCW 70A.65.080.

(23) "Covered entity" means a person that is designated by the department as subject to RCW 70A.65.060 through 70A.65.210.

(24) "Cumulative environmental health impact" has the same meaning as provided in RCW 70A.02.010.

(25) "Curtailed facility" means a facility at which the owner or operator has temporarily suspended production but for which the owner or operator maintains operating permits and retains the option to resume production if conditions become amenable.

(26) "Department" means the department of ecology.

(27) "Electricity importer" means:

(a) For electricity that is scheduled with a NERC e-tag to a final point of delivery into a balancing authority area located entirely within the state of Washington, the electricity

importer is identified on the NERC e-tag as the purchasing-selling entity on the last segment of the tag's physical path with the point of receipt located outside the state of Washington and the point of delivery located inside the state of Washington;

(b) For facilities physically located outside the state of Washington with the first point of interconnection to a balancing authority area located entirely within the state of Washington when the electricity is not scheduled on a NERC e-tag, the electricity importer is the facility operator or owner;

(c) For electricity imported through a centralized market, the electricity importer will be defined by rule consistent with the rules required under RCW 70A.65.080(1) (c);

(d) For electricity provided as balancing energy in the state of Washington, including balancing energy that is also inside a balancing authority area that is not located entirely within the state of Washington, the electricity importer may be defined by the department by rule;

(e) For electricity from facilities allocated to serve retail electricity customers of a multijurisdictional electric company, the electricity importer is the multijurisdictional electric company;

~~((e))~~ (f) If the importer identified under (a) of this subsection is a federal power marketing administration over which the state of Washington does not have jurisdiction, and the federal power marketing administration has not voluntarily elected to comply with the program, then the electricity importer is the next purchasing-selling entity in the physical path on the NERC e-tag, or if no additional purchasing-selling entity over which the state of Washington has jurisdiction, then the electricity importer is the electric utility that operates the Washington transmission or distribution system, or the generation balancing authority;

~~((f))~~ (g) For electricity that is imported into the state by a federal power marketing administration and sold to a public body or cooperative customer or direct service industrial customer located in Washington pursuant to section 5(b) or (d) of the Pacific Northwest electric power planning and conservation act of 1980, P.L. 96-501, the electricity importer is the federal marketing administration;

~~((g))~~ (h) If the importer identified under ~~((f))~~ (g) of this subsection has not voluntarily elected to comply with the program, then the electricity importer is the public body or cooperative customer or direct service industrial customer; ~~((e))~~

~~((h))~~ (i) For electricity from facilities allocated to a consumer-owned utility inside the state of Washington from a multijurisdictional consumer-owned utility, the electricity importer is the consumer-owned utility inside the state of Washington; or

(j) For imported electricity not otherwise assigned an electricity importer by this subsection, the electricity importer may be defined by the department by rule.

(28) "Emissions containment reserve allowance" means a conditional allowance that is withheld from sale at an auction by the department or its agent to secure additional emissions reductions in the event prices fall below the emissions containment reserve trigger price.

(29) "Emissions containment reserve trigger price" means the price below which allowances will be withheld from sale by the department or its agent at an auction, as determined by the department by rule.

(30) "Emissions threshold" means the greenhouse gas emission level at or above which a person has a compliance obligation.

(31) "Environmental benefits" has the same meaning as defined in RCW 70A.02.010.

(32) "Environmental harm" has the same meaning as defined in RCW 70A.02.010.

(33) "Environmental impacts" has the same meaning as defined in RCW 70A.02.010.

(34) "Environmental justice" has the same meaning as defined in RCW 70A.02.010.

(35) "Environmental justice assessment" has the same meaning as identified in RCW 70A.02.060.

(36) "External greenhouse gas emissions trading program" means a government program, other than Washington's program created in this chapter, that restricts greenhouse gas emissions from sources outside of Washington and that allows emissions trading.

(37) "Facility" means any physical property, plant, building, structure, source, or stationary equipment located on one or more contiguous or adjacent properties in actual physical contact or separated solely by a public roadway or other public right-of-way and under common ownership or common control, that emits or may emit any greenhouse gas.

(38) "First jurisdictional deliverer" means the owner or operator of an electric generating facility in Washington or an electricity importer.

(39) "General market participant" means a registered entity that is not identified as a covered entity or an opt-in entity that is registered in the program registry and intends to purchase, hold, sell, or voluntarily retire compliance instruments.

(40) "Greenhouse gas" has the same meaning as in RCW 70A.45.010.

(41) "Holding limit" means the maximum number of allowances that may be held for use or trade by a registered entity at any one time.

(42) "Imported electricity" means electricity generated outside the state of Washington with a final point of delivery within the state.

(a) "Imported electricity" includes electricity from an organized market, such as the energy imbalance market.

(b) "Imported electricity" includes imports from linked jurisdictions, but such imports shall be construed as having no emissions.

(c) Electricity from a system that is marketed by a federal power marketing administration shall be construed as "imported electricity," not electricity generated in the state of Washington.



(d) "Imported electricity" does not include any electricity (~~(imports of unspecified electricity that are netted by exports of unspecified electricity to any jurisdiction not covered by a linked program by the same entity within the same hour)~~)that the department determines by rule to be: (i) Wheeled through the state; or (ii) separately accounted for in this chapter.

(e) For a multijurisdictional electric company, "imported electricity" means electricity, other than from in-state facilities, that contributes to a common system power pool. Where a multijurisdictional electric company has a cost allocation methodology approved by the utilities and transportation commission, the allocation of specific facilities to Washington's retail load will be in accordance with that methodology.

(f) For a multijurisdictional consumer-owned utility, "imported electricity" includes electricity from facilities that contribute to a common system power pool that are allocated to a consumer-owned utility inside the state of Washington pursuant to a methodology approved by the governing board of the consumer-owned utility.

(43) "Leakage" means a reduction in emissions of greenhouse gases within the state that is offset by a directly attributable increase in greenhouse gas emissions outside the state and outside the geography of another jurisdiction with a linkage agreement with Washington.

(44) "Limits" means the greenhouse gas emissions reductions required by RCW 70A.45.020.

(45) "Linkage" means a bilateral or multilateral decision under a linkage agreement between greenhouse gas market programs to accept compliance instruments issued by a participating jurisdiction to meet the obligations of regulated entities in a partner jurisdiction and to otherwise coordinate activities to facilitate operation of a joint market.

(46) "Linkage agreement" means a nonbinding agreement that connects two or more greenhouse gas market programs and articulates a mutual understanding of how the participating jurisdictions will work together to facilitate a connected greenhouse gas market.

(47) "Linked jurisdiction" means a jurisdiction with which Washington has entered into a linkage agreement.

(48) "Multijurisdictional consumer-owned utility" means a consumer-owned utility that provides electricity to member owners in Washington and in one or more other states in a contiguous service territory or from a common power system.

(49) "Multijurisdictional electric company" means an investor-owned utility that provides electricity to customers in Washington and in one or more other states in a contiguous service territory or from a common power system.

(50) "NERC e-tag" means North American electric reliability corporation (NERC) energy tag representing transactions on the North American bulk electricity market scheduled to flow between or across balancing authority areas.

(51) "Offset credit" means a tradable compliance instrument that represents an emissions reduction or emissions removal of one metric ton of carbon dioxide equivalent.

(52) "Offset project" means a project that reduces or removes greenhouse gases that are not covered emissions under this chapter.

(53) "Offset protocols" means a set of procedures and standards to quantify greenhouse gas reductions or greenhouse gas removals achieved by an offset project.

(54) "Overburdened community" means a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts or risks due to exposure to environmental pollutants or contaminants through multiple pathways, which may result in significant disparate adverse health outcomes or effects.

(a) "Overburdened community" includes, but is not limited to:

(i) Highly impacted communities as defined in RCW 19.405.020;

(ii) Communities located in census tracts that are fully or partially on "Indian country" as defined in 18 U.S.C. Sec. 1151; and

(iii) Populations, including Native Americans or immigrant populations, who may be exposed to environmental contaminants and pollutants outside of the geographic area in which they reside based on the populations' use of traditional or cultural foods and practices, such as the use of resources, access to which is protected under treaty rights in ceded areas, when those exposures in conjunction with other exposures may result in disproportionately greater risks, including risks of certain cancers or other adverse health effects and outcomes.

(b) Overburdened communities identified by the department may include the same communities as those identified by the department through its process for identifying overburdened communities under RCW 70A.02.010.

(55) "Person" has the same meaning as defined in RCW 70A.15.2200(5) ~~((h))~~ (g)(iii).

(56) "Point of delivery" means a point on the electricity transmission or distribution system where a deliverer makes electricity available to a receiver, or available to serve load. This point may be an interconnection with another system or a substation where the transmission provider's transmission and distribution systems are connected to another system, or a distribution substation where electricity is imported into the state over a multijurisdictional retail provider's distribution system.

(57) "Price ceiling unit" means the units issued at a fixed price by the department for the purpose of limiting price increases and funding further investments in greenhouse gas reductions.

(58) "Program" means the greenhouse gas emissions cap and invest program created by and implemented pursuant to this chapter.

(59) "Program registry" means the data system in which covered entities, opt-in entities, and general market participants are registered and in which compliance instruments are recorded and tracked.

(60) "Registered entity" means a covered entity, opt-in entity, or general market participant that has completed the process for registration in the program registry.

(61) "Resilience" means the ability to prepare, mitigate and plan for, withstand, recover from, and more successfully adapt to adverse events and changing conditions, and reorganize in an equitable manner that results in a new and better condition.

(62) "Retire" means to permanently remove a compliance instrument such that the compliance instrument may never be sold, traded, or otherwise used again.

(63) "Specified source of electricity" or "specified source" means a facility, unit, or asset controlling supplier that is permitted to be claimed as the source of electricity delivered. The reporting entity must have either full or partial ownership in the facility or a written power contract to procure electricity generated by that facility or unit or from an asset controlling supplier at the time of entry into the transaction to procure electricity.

(64) "Supplier" means a supplier of fuel in Washington state as defined in RCW 70A.15.2200(5) ~~((h))~~ (g)(ii).

(65) "Tribal lands" has the same meaning as defined in RCW 70A.02.010.

(66) "Unspecified source of electricity" or "unspecified source" means a source of electricity that is not a specified source at the time of entry into the transaction to procure electricity.

(67) "Voluntary renewable reserve account" means a holding account maintained by the department from which allowances may be retired for voluntary renewable electricity generation, which is directly delivered to the state and has not and will not be sold or used to meet any other mandatory requirements in the state or any other jurisdiction, on behalf of voluntary renewable energy purchasers or end users.

(68) "Vulnerable populations" has the same meaning as defined in RCW 70A.02.010.

(69) "Electricity wheeled through the state" means electricity that is generated outside the state of Washington and delivered into Washington with the final point of delivery outside Washington including, but not limited to, electricity wheeled through the state on a single NERC e-tag, or wheeled into and out of Washington at a common point or trading hub on the power system on separate e-tags within the same hour.

**Sec. 2.** RCW 70A.65.060 and 2021 c 316 s 8 are each amended to read as follows:

(1) In order to ensure that greenhouse gas emissions are reduced by covered entities consistent with the limits established in RCW 70A.45.020, the department must implement a cap on greenhouse gas emissions from covered entities and a program to track, verify, and enforce compliance through the use of compliance instruments.

(2) The program must consist of:

(a) Annual allowance budgets that limit emissions from covered entities, as provided in this section and RCW 70A.65.070 and 70A.65.080;

(b) Defining those entities covered by the program, and those entities that may voluntarily opt into coverage under the program, as provided in this section and RCW 70A.65.070 and 70A.65.080;

(c) Distribution of emission allowances, as provided in RCW 70A.65.100, and through the allowance price containment provisions under RCW 70A.65.140 and 70A.65.150;

(d) Providing for offset credits as a method for meeting a compliance obligation, pursuant to RCW 70A.65.170;

(e) Defining the compliance obligations of covered entities, as provided in chapter 316, Laws of 2021;

(f) Establishing the authority of the department to enforce the program requirements, as provided in RCW 70A.65.200;

(g) Creating a climate investment account for the deposit of receipts from the distribution of emission allowances, as provided in RCW 70A.65.250;

(h) Providing for the transfer of allowances and recognition of compliance instruments, including those issued by jurisdictions with which Washington has linkage agreements;

(i) Providing monitoring and oversight of the sale and transfer of allowances by the department;

(j) Creating a price ceiling and associated mechanisms as provided in RCW 70A.65.160; and

(k) Providing for the allocation of allowances to emissions-intensive, trade-exposed industries pursuant to RCW 70A.65.110.

(3) The department shall consider opportunities to implement the program in a manner that allows linking the state's program with those of other jurisdictions. The department must evaluate whether such linkage will provide for a more cost-effective means for covered entities to meet their compliance obligations in Washington while recognizing the special characteristics of the state's economy, communities, and industries. The department is authorized to enter into a linkage agreement with another jurisdiction after conducting an environmental justice assessment and after formal notice and opportunity for a public hearing, and when consistent with the requirements of RCW 70A.65.210. The department is authorized to withdraw from a linkage agreement and every linkage agreement must provide that the department reserves the right to withdraw from the agreement.

(4) During the 2022 regular legislative session, the department must bring forth agency request legislation developed in consultation with emissions-intensive, trade-exposed businesses, covered entities, environmental advocates, and overburdened communities that

outlines a compliance pathway specific to emissions-intensive, trade-exposed businesses for achieving their proportionate share of the state's emissions reduction limits through 2050.

(5) By December 1, 2027, and ~~((at least every four years thereafter))~~ by December 1st of each year that is one year after the end of a compliance period, and in compliance with RCW 43.01.036, the department must submit a report to the legislature that includes a comprehensive review of the implementation of the program to date, including but not limited to outcomes relative to the state's emissions reduction limits, overburdened communities, covered entities, and emissions-intensive, trade-exposed businesses. The department must transmit the report to the environmental justice council at the same time it is submitted to the legislature.

(6) The department must bring forth agency request legislation if the department finds that any provision of this chapter prevents linking Washington's cap and invest program with that of any other jurisdiction.

**Sec. 3.** RCW 70A.65.070 and 2022 c 181 s 1 are each amended to read as follows:

(1) (a) (i) The department shall commence the program by January 1, 2023, by determining an emissions baseline establishing the proportionate share that the total greenhouse gas emissions of covered entities for the first compliance period bears to the total anthropogenic greenhouse gas emissions in the state during 2015 through 2019, based on data reported to the department under RCW 70A.15.2200 or provided as required by this chapter, as well as other relevant data. By October 1, 2022, the department shall adopt annual allowance budgets for the first compliance period of the program, calendar years 2023 through 2026, to be distributed from January 1, 2023, through December 31, 2026.

(ii) If the department enters into a linkage agreement, and the linked jurisdictions do not amend their rules to synchronize with Washington's compliance periods, the department must amend its rules to synchronize Washington's compliance periods with those of the linked jurisdiction or jurisdictions. The department may not by rule amend the length of the first compliance period to end on a date other than December 31, 2026.

(b) By October 1, 2026, the department shall add to its emissions baseline by incorporating the proportionate share that the total greenhouse gas emissions of new covered entities in the second compliance period bear to the total anthropogenic greenhouse gas emissions in the state during 2015 through 2019. In determining the addition to the baseline, the department may exclude a year from the determination if the department identifies that year to have been an outlier due to a state of emergency. The department shall adopt annual allowance budgets for the second compliance period of the program ~~((, calendar years 2027 through 2030,))~~ that will be distributed ~~((from January 1, 2027, through December 31, 2030))~~ during the second compliance period.

(c) By October 1, 2028, the department shall adopt by rule the annual allowance budgets for ~~((calendar years 2031))~~ the end of the second compliance period through 2040.

(2) The annual allowance budgets must be set to achieve the share of reductions by covered entities necessary to achieve the 2030, 2040, and 2050 statewide emissions limits established in RCW 70A.45.020, based on data reported to the department under chapter 70A.15 RCW or provided as required by this chapter. Annual allowance budgets must be set such that the use of offsets as compliance instruments, consistent with RCW 70A.65.170, does not prevent the achievement of the emissions limits established in RCW 70A.45.020. In so setting annual allowance budgets, the department must reduce the annual allowance budget relative to the limits in an amount equivalent to offset use, or in accordance with a similar methodology adopted by the department. The department must adopt annual allowance budgets for the program on a calendar year basis that provide for progressively equivalent reductions year over year. An allowance distributed under the program, either directly by the department under RCW 70A.65.110 through 70A.65.130 or through auctions under RCW 70A.65.100, does not expire and may be held or banked consistent with RCW 70A.65.100(6) and 70A.65.150(1).

(3) The department must complete evaluations by December 31, 2027, and ~~((by))~~ December ((31, 2035)) 31st of the year following the conclusion of the third compliance period, of the performance of the program, including its performance in reducing greenhouse gases. If the evaluation shows that adjustments to the annual allowance budgets are necessary for covered entities to achieve their proportionate share of the 2030 and 2040 emission reduction limits identified in RCW 70A.45.020, as applicable, the department shall adjust the annual allowance budgets accordingly. The department must complete additional evaluations of the performance of the program by December ~~((31, 2040, and by December 31, 2045))~~ 31st of the year following the conclusion of the fifth and sixth compliance periods, and make any necessary adjustments in the annual allowance budgets to ensure that covered entities achieve their proportionate share of the 2050 emission reduction limit identified in RCW 70A.45.020. Nothing in this subsection precludes the department from making additional adjustments to annual allowance budgets as necessary to ensure successful achievement of the proportionate emission reduction limits by covered entities. The department shall determine and make public the circumstances, metrics, and processes that would initiate the public consideration of additional allowance budget adjustments to ensure successful achievement of the proportionate emission reduction limits.

(4) Data reported to the department under RCW 70A.15.2200 or provided as required by this chapter for 2015 through 2019 is deemed sufficient for the purpose of adopting annual allowance budgets and serving as the baseline by which covered entities demonstrate compliance under the first compliance period of the program. Data reported to the department under RCW 70A.15.2200 or provided as required by this chapter for 2023 through 2025 is deemed

sufficient for adopting annual allowance budgets and serving as the baseline by which covered entities demonstrate compliance under the second compliance period of the program.

(5) The legislature intends to promote a growing and sustainable economy and to avoid leakage of emissions from manufacturing to other jurisdictions. Therefore, the legislature finds that implementation of this section is contingent upon the enactment of RCW 70A.65.110.

**Sec. 4.** RCW 70A.65.080 and 2022 c 179 s 14 are each amended to read as follows:

(1) A person is a covered entity as of the beginning of the first compliance period and all subsequent compliance periods if the person reported emissions under RCW 70A.15.2200 for any calendar year from 2015 through 2019, or if additional data provided as required by this chapter indicates that emissions for any calendar year from 2015 through 2019 equaled or exceeded any of the following thresholds, or if the person is a first jurisdictional deliverer and imports electricity into the state during the compliance period:

(a) Where the person owns or operates a facility and the facility's emissions equal or exceed 25,000 metric tons of carbon dioxide equivalent;

(b) Where the person is a first jurisdictional deliverer and generates electricity in the state and emissions associated with this generation equals or exceeds 25,000 metric tons of carbon dioxide equivalent;

(c)(i) Where the person is a first jurisdictional deliverer importing electricity into the state and:

(A) For specified sources, the cumulative annual total of emissions associated with the imported electricity (whether from specified or unspecified sources) exceeds 25,000 metric tons of carbon dioxide equivalent;

(B) For unspecified sources, the cumulative annual total of emissions associated with the imported electricity exceeds 0 metric tons of carbon dioxide equivalent; or

(C) For electricity purchased from a federal power marketing administration pursuant to section 5(b) of the Pacific Northwest electric power planning and conservation act of 1980, P.L. 96-501, if the department determines such electricity is not from a specified source, the cumulative annual total of emissions associated with the imported electricity exceeds 25,000 metric tons of carbon dioxide equivalent.

(ii) In consultation with any linked jurisdiction to the program created by this chapter, by October 1, 2026, the department, in consultation with the department of commerce and the utilities and transportation commission, shall adopt by rule a methodology for addressing imported electricity associated with a centralized electricity market;

(d) Where the person is a supplier of fossil fuel other than natural gas and from that fuel 25,000 metric tons or more of carbon dioxide equivalent emissions would result from the full combustion or oxidation, excluding the amounts for fuel products that are produced or imported with a documented final point of delivery outside of Washington and combusted outside of Washington; and

(e)(i) Where the person supplies natural gas in amounts that would result in exceeding 25,000 metric tons of carbon dioxide equivalent emissions if fully combusted or oxidized, excluding the amounts for fuel products that are produced or imported with a documented final point of delivery outside of Washington and combusted outside of Washington, and excluding the amounts: (A) Supplied to covered entities under (a) through (d) of this subsection; and (B) delivered to opt-in entities;

(ii) Where the person who is not a natural gas company and has a tariff with a natural gas company to deliver to an end-use customer in the state in amounts that would result in exceeding 25,000 metric tons of carbon dioxide equivalent emissions if fully combusted or oxidized, excluding the amounts: (A) Supplied to covered entities under (a) through (d) of this subsection; and (B) the amounts delivered to opt-in entities;

(iii) Where the person is an end-use customer in the state who directly purchases natural gas from a person that is not a natural gas company and has the natural gas delivered through an interstate pipeline to a distribution system owned by the purchaser in amounts that would result in exceeding 25,000 metric tons of carbon dioxide equivalent emissions if fully combusted or oxidized, excluding the amounts: (A) Supplied to covered entities under (a) through (d) of this subsection; and (B) delivered to opt-in entities.

(2) A person is a covered entity as of the beginning of the second compliance period and all subsequent compliance periods if the person reported emissions under RCW 70A.15.2200 or provided emissions data as required by this chapter for any calendar year from 2023 through 2025, where the person owns or operates a waste to energy facility utilized by a county and city solid waste management program and the facility's emissions equal or exceed 25,000 metric tons of carbon dioxide equivalent.

(3) A person is a covered entity (~~beginning January 1, 2031~~) as of the beginning of the third compliance period, and all subsequent compliance periods if the person reported emissions under RCW 70A.15.2200 or provided emissions data as required by this chapter for (~~any calendar year from~~) 2027 (~~through 2029~~) or 2028, where the person owns or operates a railroad company, as that term is defined in RCW 81.04.010, and the railroad company's emissions equal or exceed 25,000 metric tons of carbon dioxide equivalent.

(4) When a covered entity reports, during a compliance period, emissions from a facility under RCW 70A.15.2200 that are below the thresholds specified in subsection (1) or (2) of this section, the covered entity continues to have a compliance obligation through the current compliance period. When a covered entity reports emissions below the threshold for each year during an entire compliance period, or has ceased all processes at the facility requiring reporting under RCW 70A.15.2200, the entity is no longer a covered entity as of the beginning of the subsequent compliance period unless the department provides notice at least

12 months before the end of the compliance period that the facility's emissions were within 10 percent of the threshold and that the person will continue to be designated as a covered entity in order to ensure equity among all covered entities. Whenever a covered entity ceases to be a covered entity, the department shall notify the appropriate policy and fiscal committees of the legislature of the name of the entity and the reason the entity is no longer a covered entity.

(5) For types of emission sources described in subsection (1) of this section that begin or modify operation after January 1, 2023, and types of emission sources described in subsection (2) of this section that begin or modify operation after 2027, coverage under the program starts in the calendar year in which emissions from the source exceed the applicable thresholds in subsection (1) or (2) of this section, or upon formal notice from the department that the source is expected to exceed the applicable emissions threshold, whichever happens first. Sources meeting these conditions are required to transfer their first allowances on the first transfer deadline of the year following the year in which their emissions were equal to or exceeded the emissions threshold.

(6) For emission sources described in subsection (1) of this section that are in operation or otherwise active between 2015 and 2019 but were not required to report emissions for those years under RCW 70A.15.2200 for the reporting periods between 2015 and 2019, coverage under the program starts in the calendar year following the year in which emissions from the source exceed the applicable thresholds in subsection (1) of this section as reported pursuant to RCW 70A.15.2200 or provided as required by this chapter, or upon formal notice from the department that the source is expected to exceed the applicable emissions threshold for the first year that source is required to report emissions, whichever happens first. Sources meeting these criteria are required to transfer their first allowances on the first transfer deadline of the year following the year in which their emissions, as reported under RCW 70A.15.2200 or provided as required by this chapter, were equal to or exceeded the emissions threshold.

(7) The following emissions are exempt from coverage in the program, regardless of the emissions reported under RCW 70A.15.2200 or provided as required by this chapter:

(a) Emissions from the combustion of aviation fuels;

(b) Emissions from watercraft fuels supplied in Washington that are combusted outside of Washington;

(c) Emissions from a coal-fired electric generation facility exempted from additional greenhouse gas limitations, requirements, or performance standards under RCW 80.80.110;

(d) Carbon dioxide emissions from the combustion of biomass or biofuels;

(e) (i) Motor vehicle fuel or special fuel that is used exclusively for agricultural purposes by a farm fuel user. This exemption is available only if a buyer of motor vehicle fuel or special fuel provides the seller with an exemption certificate in a form and manner prescribed by the department. For the purposes of this subsection, "agricultural purposes" and "farm fuel user" have the same meanings as provided in RCW 82.08.865.

(ii) The department must determine a method for expanding the exemption provided under (e) (i) of this subsection to include fuels used for the purpose of transporting agricultural products on public highways. The department must maintain this expanded exemption for a period of five years, in order to provide the agricultural sector with a feasible transition period;

(f) Emissions from facilities with North American industry classification system code 92811 (national security); and

(g) Emissions from municipal solid waste landfills that are subject to, and in compliance with, chapter 70A.540 RCW.

(8) The department shall not require multiple covered entities to have a compliance obligation for the same emissions. The department may by rule authorize refineries, fuel suppliers, facilities using natural gas, and natural gas utilities to provide by agreement for the assumption of the compliance obligation for fuel or natural gas supplied and combusted in the state. The department must be notified of such an agreement at least 12 months prior to the compliance obligation period for which the agreement is applicable.

(9) (a) The legislature intends to promote a growing and sustainable economy and to avoid leakage of emissions from manufacturing to other locations. The legislature further intends to see innovative new businesses locate and grow in Washington that contribute to Washington's prosperity and environmental objectives.

(b) Consistent with the intent of the legislature to avoid the leakage of emissions to other jurisdictions, in achieving the state's greenhouse gas limits in RCW 70A.45.020, the state, including lead agencies under chapter 43.21C RCW, shall pursue the limits in a manner that recognizes that the siting and placement of new or expanded best-in-class facilities with lower carbon emitting processes is in the economic and environmental interests of the state of Washington.

(c) In conducting a life-cycle analysis, if required, for new or expanded facilities that require review under chapter 43.21C RCW, a lead agency must evaluate and attribute any potential net cumulative greenhouse gas emissions resulting from the project as compared to other existing facilities or best available technology including best-in-class facilities and emerging lower carbon processes that supply the same product or end use. The department may adopt rules to determine the appropriate threshold for applying this analysis.

(d) Covered emissions from an entity that is or will be a covered entity under this chapter may not be the basis for denial of a permit for a new or expanded facility. Covered emissions must be included in the analysis undertaken pursuant to (c) of this subsection. Nothing in this subsection requires a lead agency or a permitting agency to approve or issue a permit to a permit applicant, including to a new or expanded fossil fuel project.

(e) A lead agency under chapter 43.21C RCW or a permitting agency shall allow a new or expanded facility that is a covered entity or opt-in entity to satisfy a mitigation requirement for its covered emissions under this chapter (~~(316, Laws of 2021)~~) and under any greenhouse gas emission mitigation requirements for covered emissions under chapter 43.21C RCW by submitting to the department the number of compliance instruments equivalent to its covered emissions during a compliance period.

**Sec. 5.** RCW 70A.65.100 and 2023 c 475 s 937 are each amended to read as follows:

(1) Except as provided in RCW 70A.65.110, 70A.65.120, and 70A.65.130, the department shall distribute allowances through auctions as provided in this section and in rules adopted by the department to implement these sections. An allowance is not a property right.

(2) (a) The department shall hold a maximum of four auctions annually, plus any necessary reserve auctions. An auction may include allowances from the annual allowance budget of the current year and allowances from the annual allowance budgets from prior years that remain to be distributed. The department must transmit to the environmental justice council an auction notice at least 60 days prior to each auction, as well as a summary results report and a postauction public proceeds report within 60 days after each auction. The department must communicate the results of the previous calendar year's auctions to the environmental justice council on an annual basis beginning in 2024.

(b) The department must make future vintage allowances available through parallel auctions at least twice annually in addition to the auctions through which current vintage allowances are exclusively offered under (a) of this subsection.

(3) The department shall engage a qualified, independent contractor to run the auctions. The department shall also engage a qualified financial services administrator to hold the bid guarantees, evaluate bid guarantees, and inform the department of the value of bid guarantees once the bids are accepted.

(4) Auctions are open to covered entities, opt-in entities, and general market participants that are registered entities in good standing. The department shall adopt by rule the requirements for a registered entity to register and participate in a given auction.

(a) Registered entities intending to participate in an auction must submit an application to participate at least 30 days prior to the auction. The application must include the documentation required for review and approval by the department. A registered entity is eligible to participate only after receiving a notice of approval by the department.

(b) Each registered entity that elects to participate in the auction must have a different representative. Only a representative with an approved auction account is authorized to access the auction platform to submit an application or confirm the intent to bid for the registered entity, submit bids on behalf of the registered entity during the bidding window, or to download reports specific to the auction.

(5) The department may require a bid guarantee, payable to the financial services administrator, in an amount greater than or equal to the sum of the maximum value of the bids to be submitted by the registered entity.

(6) To protect the integrity of the auctions, a registered entity or group of registered entities with a direct corporate association are subject to auction purchase and holding limits. The department may impose additional limits if it deems necessary to protect the integrity and functioning of the auctions:

(a) A covered entity or an opt-in entity may not buy more than ~~((10))~~25 percent of the allowances offered during a single auction;

(b) A general market participant may not buy more than four percent of the allowances offered during a single auction ~~((and))~~;

(c) Until Washington links with a jurisdiction that does not have this requirement, a general market participant may not in aggregate own more than 10 percent of total allowances to be issued in a calendar year;

~~((e))~~ (d) No registered entity may buy more than the entity's bid guarantee; and

~~((d))~~ (e) No registered entity may buy allowances that would exceed the entity's holding limit at the time of the auction.

(7) (a) For fiscal year 2023, upon completion and verification of the auction results, the financial services administrator shall notify winning bidders and transfer the auction proceeds to the state treasurer for deposit as follows: (i) \$127,341,000 must first be deposited into the carbon emissions reduction account created in RCW 70A.65.240; and (ii) the remaining auction proceeds to the climate investment account created in RCW 70A.65.250 and the air quality and health disparities improvement account created in RCW 70A.65.280.

(b) For fiscal year 2024, upon completion and verification of the auction results, the financial services administrator shall notify winning bidders and transfer the auction proceeds to the state treasurer for deposit as follows: (i) \$356,697,000 must first be deposited into the carbon emissions reduction account created in RCW 70A.65.240, except during fiscal year 2024, the deposit as provided in this subsection (7) (b) (i) may be prorated equally across each of the auctions occurring in fiscal year 2024; and (ii) the remaining auction proceeds to the climate investment account created in RCW 70A.65.250 and the air quality and health disparities improvement account created in RCW 70A.65.280, which may be prorated equally across each of the auctions occurring in fiscal year 2024.

(c) For fiscal year 2025, upon completion and verification of the auction results, the financial services administrator shall notify winning bidders and transfer the auction proceeds to the state treasurer for deposit as follows: (i) \$366,558,000 must first be deposited into the carbon emissions reduction account created in RCW 70A.65.240, except that during fiscal year 2025, the deposit as provided in this subsection (7) (c) (i) may be prorated

equally across each of the auctions occurring in fiscal year 2025; and (ii) the remaining auction proceeds to the climate investment account created in RCW 70A.65.250 and the air quality and health disparities improvement account created in RCW 70A.65.280, which may be prorated equally across each of the auctions occurring in fiscal year 2025.

(d) For fiscal years 2026 through 2037, upon completion and verification of the auction results, the financial services administrator shall notify winning bidders and transfer the auction proceeds to the state treasurer for deposit as follows: (i) \$359,117,000 per year must first be deposited into the carbon emissions reduction account created in RCW 70A.65.240; and (ii) the remaining auction proceeds to the climate investment account created in RCW 70A.65.250 and the air quality and health disparities improvement account created in RCW 70A.65.280.

(e) The deposits into the carbon emissions reduction account pursuant to (a) through (d) of this subsection must not exceed \$5,200,000,000 over the first 16 fiscal years and any remaining auction proceeds must be deposited into the climate investment account created in RCW 70A.65.250 and the air quality and health disparities improvement account created in RCW 70A.65.280.

(f) For fiscal year 2038 and each year thereafter, upon completion and verification of the auction results, the financial services administrator shall notify winning bidders and transfer the auction proceeds to the state treasurer for deposit as follows: (i) 50 percent of the auction proceeds to the carbon emissions reduction account created in RCW 70A.65.240; and (ii) the remaining auction proceeds to the climate investment account created in RCW 70A.65.250 and the air quality and health disparities improvement account created in RCW 70A.65.280.

(8) The department shall adopt by rule provisions to guard against bidder collusion and minimize the potential for market manipulation. A registered entity may not release or disclose any bidding information including: Intent to participate or refrain from participation; auction approval status; intent to bid; bidding strategy; bid price or bid quantity; or information on the bid guarantee provided to the financial services administrator. The department may cancel or restrict a previously approved auction participation application or reject a new application if the department determines that a registered entity has:

- (a) Provided false or misleading facts;
- (b) Withheld material information that could influence a decision by the department;
- (c) Violated any part of the auction rules;
- (d) Violated registration requirements; or
- (e) Violated any of the rules regarding the conduct of the auction.

(9) Records containing the following information are confidential and are exempt from public disclosure in their entirety:

- (a) Bidding information as identified in subsection (8) of this section;
- (b) Information contained in the secure, online electronic tracking system established by the department pursuant to RCW 70A.65.090(6);
- (c) Financial, proprietary, and other market sensitive information as determined by the department that is submitted to the department pursuant to this chapter;
- (d) Financial, proprietary, and other market sensitive information as determined by the department that is submitted to the independent contractor or the financial services administrator engaged by the department pursuant to subsection (3) of this section; and
- (e) Financial, proprietary, and other market sensitive information as determined by the department that is submitted to a jurisdiction with which the department has entered into a linkage agreement pursuant to RCW 70A.65.210, and which is shared with the department, the independent contractor, or the financial services administrator pursuant to a linkage agreement.

(10) Any cancellation or restriction approved by the department under subsection (8) of this section may be permanent or for a specified number of auctions and the cancellation or restriction imposed is not exclusive and is in addition to the remedies that may be available pursuant to chapter 19.86 RCW or other state or federal laws, if applicable.

(11) The department shall design allowance auctions so as to allow, to the maximum extent practicable, linking with external greenhouse gas emissions trading programs in other jurisdictions and to facilitate the transfer of allowances when the state's program has entered into a linkage agreement with other external greenhouse gas emissions trading programs. The department may conduct auctions jointly with linked jurisdictions.

(12) In setting the number of allowances offered at each auction, the department shall consider the allowances in the marketplace due to the marketing of allowances issued as required under RCW 70A.65.110, 70A.65.120, and 70A.65.130 in the department's determination of the number of allowances to be offered at auction. The department shall offer only such number of allowances at each auction as will enhance the likelihood of achieving the goals of RCW 70A.45.020.

**Sec. 6.** RCW 70A.65.110 and 2021 c 316 s 13 are each amended to read as follows:

(1) Facilities owned or operated by a covered entity must receive an allocation of allowances for the covered emissions at those facilities under this subsection at no cost if the operations of the facility are classified as emissions-intensive and trade-exposed, as determined by being engaged in one or more of the processes described by the following industry descriptions and codes in the North American industry classification system:

(a) Metals manufacturing, including iron and steel making, ferroalloy and primary metals manufacturing, secondary aluminum smelting and alloying, aluminum sheet, plate, and foil

manufacturing, and smelting, refining, and alloying of other nonferrous metals, North American industry classification system codes beginning with 331;

(b) Paper manufacturing, including pulp mills, paper mills, and paperboard milling, North American industry classification system codes beginning with 322;

(c) Aerospace product and parts manufacturing, North American industry classification system codes beginning with 3364;

(d) Wood products manufacturing, North American industry classification system codes beginning with 321;

(e) Nonmetallic mineral manufacturing, including glass container manufacturing, North American industry classification system codes beginning with 327;

(f) Chemical manufacturing, North American industry classification system codes beginning with 325;

(g) Computer and electronic product manufacturing, including semiconductor and related device manufacturing, North American industry classification system codes beginning with 334;

(h) Food manufacturing, North American industry classification system codes beginning with 311;

(i) Cement manufacturing, North American industry classification system code 327310;

(j) Petroleum refining, North American industry classification system code 324110;

(k) Asphalt paving mixtures and block manufacturing from refined petroleum, North American industry classification system code 324121;

(l) Asphalt shingle and coating manufacturing from refined petroleum, North American industry classification system code 324122; and

(m) All other petroleum and coal products manufacturing from refined petroleum, North American industry classification system code 324199.

(2) By July 1, 2022, the department must adopt by rule objective criteria for both emissions' intensity and trade exposure for the purpose of identifying emissions-intensive, trade-exposed manufacturing businesses during the second compliance period of the program and subsequent compliance periods. A facility covered by subsection (1)(a) through (m) of this section is considered an emissions-intensive, trade-exposed facility and is eligible for allocation of no cost allowances as described in this section. In addition, any covered party that is a manufacturing business that can demonstrate to the department that it meets the objective criteria adopted by rule is also eligible for treatment as emissions-intensive, trade-exposed and is eligible for allocation of no cost allowances as described in this section. In developing the objective criteria under this subsection, the department must consider the locations of facilities potentially identified as emissions-intensive, trade-exposed manufacturing businesses relative to overburdened communities.

(3) (a) For the ~~((first compliance period beginning in January 1, 2023))~~ years 2023 through 2026, the annual allocation of no cost allowances for direct distribution to a facility identified as emissions-intensive and trade-exposed must be equal to the facility's baseline carbon intensity established using data from 2015 through 2019, or other data as allowed under this section, multiplied by the facility's actual production for each calendar year during the compliance period. For facilities using the mass-based approach, the allocation of no cost allowances shall be equal to the facility's mass-based baseline using data from 2015 through 2019, or other data as allowed under this section.

(b) For the ~~((second compliance period, beginning in January, 2027,))~~ four years beginning January 2027 and in each subsequent ~~((compliance))~~ four-year period, the annual allocation of no cost allowances established in (a) of this subsection shall be adjusted according to the benchmark reduction schedules established in (b)(ii) and (iii) and (e) of this subsection multiplied by the facility's actual production during the period. The department shall adjust the no cost allocation of allowances and credits to an emissions-intensive and trade-exposed facility to avoid duplication with any no cost allowances transferred pursuant to RCW 70A.65.120 and 70A.65.130, if applicable.

(i) For the purpose of this section, "carbon intensity" means the amount of carbon dioxide equivalent emissions from a facility in metric tons divided by the facility specific measure of production including, but not limited to, units of product manufactured or sold, over the same time interval.

(ii) If an emissions-intensive and trade-exposed facility is not able to feasibly determine a carbon intensity benchmark based on its unique circumstances, the entity may elect to use a mass-based baseline that does not vary based on changes in production volumes. The mass-based baseline must be based upon data from 2015 through 2019, unless the emissions-intensive, trade-exposed facility can demonstrate that there have been abnormal periods of operation that materially impacted the facility and the baseline period should be expanded to include years prior to 2015. For ~~((each year during the first four year compliance period that begins January 1, 2023))~~ the years 2023 through 2026, these facilities must be awarded no cost allowances equal to 100 percent of the facility's mass-based baseline. For each year during the ~~((second four year compliance period that begins January 1, 2027))~~ years 2027 through 2030, these facilities must be awarded no cost allowances equal to 97 percent of the facility's mass-based baseline. For each year during the ~~((third compliance period that begins January 1, 2031))~~ years 2031 through 2034, these facilities must be awarded no cost allowances equal to 94 percent of the facility's mass-based baseline. Except as provided in (b)(iii) of this subsection, if a facility elects to use a mass-based baseline, it may not later convert to a carbon intensity benchmark during the ~~((first three compliance periods))~~ years 2023 through 2034.

(iii) A facility with a North American industry classification system code beginning with 3364 that is utilizing a mass-based baseline in (b)(ii) of this subsection must receive an additional no cost allowance allocation under this section in order to accommodate an



increase in production that increases its emissions above the baseline on a basis equivalent in principle to those awarded to entities utilizing a carbon intensity benchmark pursuant to this subsection (3)(b). The department shall establish methods to award, for any annual period, additional no cost allowance allocations under this section and, if appropriate based on projected production, to achieve a similar ongoing result through the adjustment of the facility's mass-based baseline. An eligible facility under this subsection that has elected to use a mass-based baseline may not convert to a carbon intensity benchmark until the next compliance period.

(c)(i) By September 15, 2022, each emissions-intensive, trade-exposed facility shall submit its carbon intensity baseline for the first compliance period to the department. The carbon intensity baseline for the first compliance period must use data from 2015-2019, unless the emissions-intensive, trade-exposed facility can demonstrate that there have been abnormal periods of operation that materially impacted the facility and the baseline period should be expanded to include years prior to 2015.

(ii) By November 15, 2022, the department shall review and approve each emissions-intensive, trade-exposed facility's baseline carbon intensity for the ~~((first compliance period))~~ years 2023 through 2026.

(d) During the ~~((first four-year compliance period that begins January 1, 2023))~~ years 2023 through 2026, each emissions-intensive, trade-exposed facility must record its facility-specific carbon intensity baseline based on its actual production.

(e)(i) For the ~~((second four-year compliance period that begins January 1, 2027))~~ years 2027 through 2030, the second period benchmark for each emissions-intensive, trade-exposed facility is three percent below the first period baseline specified in (a), (b), and (c) of this subsection.

(ii) For the ~~((third four-year compliance period that begins January 1, 2031))~~ years 2031 through 2034, the third period benchmark for each emissions-intensive, trade-exposed facility is three percent lower than the ~~((second period benchmark))~~ years 2027 through 2030.

(f) Prior to the beginning of ~~((either the second, third, or subsequent compliance))~~ 2027, 2031, or subsequent four-year periods, the department may make an upward adjustment in the next ~~((compliance))~~ four-year period's benchmark for an emissions-intensive, trade-exposed facility based on the facility's demonstration to the department that additional reductions in carbon intensity or mass emissions are not technically or economically feasible. The department may base the upward adjustment applicable to an emissions-intensive, trade-exposed facility in the next ~~((compliance))~~ four-year period on the facility's best available technology analysis. The department shall by rule provide for emissions-intensive, trade-exposed facilities to apply to the department for an adjustment to the allocation for direct distribution of no cost allowances based on its facility-specific carbon intensity benchmark or mass emissions baseline. The department shall make adjustments based on:

(i) A significant change in the emissions use or emissions attributable to the manufacture of an individual good or goods in this state by an emissions-intensive, trade-exposed facility based on a finding by the department that an adjustment is necessary to accommodate for changes in the manufacturing process that have a material impact on emissions;

(ii) Significant changes to an emissions-intensive, trade-exposed facility's external competitive environment that result in a significant increase in leakage risk; or

(iii) Abnormal operating periods when an emissions-intensive, trade-exposed facility's carbon intensity has been materially affected so that these abnormal operating periods are either excluded or otherwise considered in the establishment of the ~~((compliance period))~~ carbon intensity benchmarks.

(4)(a) By December 1, 2026, the department shall provide a report to the appropriate committees of the senate and house of representatives that describes alternative methods for determining the amount and a schedule of allowances to be provided to facilities owned or operated by each covered entity designated as an emissions-intensive, trade-exposed facility from January 1, 2035, through January 1, 2050. The report must include a review of global best practices in ensuring against emissions leakage and economic harm to businesses in carbon pricing programs and describe alternative methods of emissions performance benchmarking and mass-based allocation of no cost allowances. At a minimum, the department must evaluate benchmarks based on both carbon intensity and mass, as well as the use of best available technology as a method for compliance. In developing the report, the department shall form an advisory group that includes representatives of the manufacturers listed in subsection (1) of this section.

(b) If the legislature does not adopt a compliance obligation for emissions-intensive, trade-exposed facilities by December 1, 2027, those facilities must continue to receive allowances as provided in the ~~((third four-year compliance period that begins January 1, 2031))~~ years 2031 through 2034.

(5) If the actual emissions of an emissions-intensive, trade-exposed facility exceed the facility's no cost allowances assigned for that compliance period, it must acquire additional compliance instruments such that the total compliance instruments transferred to its compliance account consistent with this chapter ~~((316, Laws of 2021))~~ equals emissions during the compliance period. An emissions-intensive, trade-exposed facility must be allowed to bank unused allowances, including for future sale and investment in best available technology when economically feasible. The department shall limit the use of offset credits for compliance by an emissions-intensive, trade-exposed facility, such that the quantity of no cost allowances plus the provision of offset credits does not exceed 100 percent of the facility's total compliance obligation over a compliance period.

(6) The department must withhold or withdraw the relevant share of allowances allocated to a covered entity under this section in the event that the covered entity ceases production in the state and becomes a closed facility. In the event an entity curtails all production and becomes a curtailed facility, the allowances are retained but cannot be traded, sold, or transferred and are still subject to the emission reduction requirements specified in this section. An owner or operator of a curtailed facility may transfer the allowances to a new operator of the facility that will be operated under the same North American industry classification system codes. If the curtailed facility becomes a closed facility, then all unused allowances will be transferred to the emissions containment reserve. A curtailed facility is not eligible to receive free allowances during a period of curtailment. Any allowances withheld or withdrawn under this subsection must be transferred to the emissions containment reserve.

(7) An owner or operator of more than one facility receiving no cost allowances under this section may transfer allowances among the eligible facilities.

(8) Rules adopted by the department under this section must include protocols for allocating allowances at no cost to an eligible facility built after July 25, 2021. The protocols must include consideration of the products and criteria pollutants being produced by the facility, as well as the local environmental and health impacts associated with the facility. For a facility that is built on tribal lands or is determined by the department to impact tribal lands and resources, the protocols must be developed in consultation with the affected tribal nations.

**Sec. 7.** RCW 70A.65.170 and 2022 c 181 s 12 are each amended to read as follows:

(1) The department shall adopt by rule the protocols for establishing offset projects and ~~((securing))~~ generating offset credits that may be used to meet a portion of a covered or opt-in entity's compliance obligation under this chapter. The protocols adopted by the department under this section must align with the policies of the state established under RCW 70A.45.090 and 70A.45.100.

(2) Offset projects must:

(a) Provide direct environmental benefits to the state or be located in a jurisdiction with which Washington has entered into a linkage agreement;

(b) Result in greenhouse gas reductions or removals that:

(i) Are real, permanent, quantifiable, verifiable, and enforceable; and

(ii) Are in addition to greenhouse gas emission reductions or removals otherwise required by law and other greenhouse gas emission reductions or removals that would otherwise occur; and

(c) Have been certified by a recognized registry.

(3) (a) A total of no more than five percent of a covered or opt-in entity's compliance obligation during the first compliance period may be met by transferring offset credits, regardless of whether or not the offset project is located on federally recognized tribal land. During these years, at least 50 percent of a covered or opt-in entity's compliance obligation satisfied by offset credits must be sourced from offset projects that provide direct environmental benefits in the state.

(b) A total of no more than four percent of a covered or opt-in entity's compliance obligation during the second compliance period may be met by transferring offset credits, regardless of whether or not the offset project is located on federally recognized tribal land. During these years, at least 75 percent of a covered or opt-in entity's compliance obligation satisfied by offset credits must be sourced from offset projects that provide direct environmental benefits in the state. The department may reduce the 75 percent requirement if it determines there is not sufficient offset supply in the state to meet offset demand during the second compliance period.

(c) The limits in (a) and (b) of this subsection may be modified by rule as adopted by the department when appropriate to ensure achievement of the proportionate share of statewide emissions limits established in RCW 70A.45.020 and to provide for alignment with other jurisdictions to which the state has linked.

(d) The limits in (a) and (b) of this subsection may be reduced for a specific covered or opt-in entity if the department determines, in consultation with the environmental justice council, that the covered or opt-in entity has or is likely to:

(i) Contribute substantively to cumulative air pollution burden in an overburdened community as determined by criteria established by the department, in consultation with the environmental justice council; or

(ii) Violate any permits required by any federal, state, or local air pollution control agency where the violation may result in an increase in emissions.

(e) ~~((An offset project on federally recognized tribal land does not count against))~~ In addition to the offset credit limits described in (a) and (b) of this subsection((-));

(i) No more than an additional three percent of a covered or opt-in entity's compliance obligation may be met by transferring offset credits from projects on federally recognized tribal land during the first compliance period.

(ii) No more than an additional two percent of a covered or opt-in entity's compliance obligation may be met by transferring offset credits from projects on federally recognized tribal land during the second compliance period.

(4) In adopting protocols governing offset projects and covered and opt-in entities' use of offset credits, the department shall:

(a) Take into consideration standards, rules, or protocols for offset projects and offset credits established by other states, provinces, and countries with programs comparable to the program established in this chapter;

(b) Take into consideration forest practices rules where a project is located, or applicable best management practices established by federal, state, or local governments that relate to forest management;

(c) Encourage opportunities for the development of offset projects in this state by adopting offset protocols that may include, but need not be limited to, protocols that make use of aggregation or other mechanisms to reduce transaction costs related to the development of offset projects and that support the development of carbon dioxide removal projects;

~~((e-))~~ (d) Adopt a process for monitoring and invalidating offset credits as necessary to ensure the credit reflects emission reductions or removals that continue to meet the standards required by subsection (1) of this section. If an offset credit is invalidated, the covered or opt-in entity must, within six months of the invalidation, transfer replacement credits or allowances to meet its compliance obligation. Failure to transfer the required credits or allowances is a violation subject to penalties as provided in RCW 70A.65.200; and

~~((d-))~~ (e) Make use of aggregation or other mechanisms, including cost-effective inventory and monitoring provisions, to increase the development of offset and carbon removal projects by landowners across the broadest possible variety of types and sizes of lands, including lands owned by small forestland owners.

(5) Any offset credits used must:

(a) Not be in addition to or allow for an increase in the emissions limits established under RCW 70A.45.020, as reflected in the annual allowance budgets developed under RCW 70A.65.070;

(b) Have been issued for reporting periods wholly after July 25, 2021, or within two years prior to July 25, 2021; and

~~(c) ((Be consistent with offset protocols adopted by the department))~~ For offset credits issued by a jurisdiction with which Washington has entered into a linkage agreement, come from offset projects located in Washington or in the linked jurisdiction.

(6) The offset credit must be registered and tracked as a compliance instrument.

(7) Beginning in 2031, the limits established in subsection (3)(b) and (e)(ii) of this section apply unless modified by rule as adopted by the department after a public consultation process.

**Sec. 8.** RCW 70A.65.200 and 2022 c 181 s 4 are each amended to read as follows:

(1) All covered and opt-in entities are required to submit compliance instruments in a timely manner to meet the entities' compliance obligations and shall comply with all requirements for monitoring, reporting, holding, and transferring emission allowances and other provisions of this chapter.

(2) If a covered or opt-in entity does not submit sufficient compliance instruments to meet its compliance obligation by the specified transfer dates, a penalty of four allowances for every one compliance instrument that is missing must be submitted to the department within six months. When a covered entity or opt-in entity reasonably believes that it will be unable to meet a compliance obligation, the entity shall immediately notify the department. Upon receiving notification, the department shall issue an order requiring the entity to submit the penalty allowances.

(3) If a covered entity or opt-in entity fails to submit penalty allowances as required by subsection (2) of this section, the department must issue an order or issue a penalty of up to \$10,000 per day per violation, or both, for failure to submit penalty allowances as required by subsection (2) of the section. The order may include a plan and schedule for coming into compliance.

(4) The department may issue a penalty of up to \$50,000 per day per violation for violations of RCW 70A.65.100(8) (a) through (e).

(5) Except as provided in subsections (3) and (4) of this section, any person that violates the terms of this chapter or an order issued under this chapter incurs a penalty of up to \$10,000 per day per violation for each day that the person does not comply. All penalties under subsections (3) and (4) of this section and this subsection must be deposited into the climate investment account created in RCW 70A.65.250.

(6) Orders and penalties issued under this chapter are appealable to the pollution control hearings board under chapter 43.21B RCW.

~~((For))~~ Until the department enters into a linkage agreement or until the end of the first compliance period, whichever is sooner, the department may reduce the amount of the penalty by adjusting the monetary amount or the number of penalty allowances described in subsections (2) and (3) of this section.

(8) An electric utility or natural gas utility must notify its retail customers and the environmental justice council in published form within three months of paying a monetary penalty under this section.

(9)(a) No city, town, county, township, or other subdivision or municipal corporation of the state may implement a charge or tax based exclusively upon the quantity of greenhouse gas emissions.

(b) No state agency may adopt or enforce a greenhouse gas pricing or market-based emissions cap and reduce program for stationary sources, or adopt or enforce emission limitations on greenhouse gas emissions from stationary sources except as:

(i) Provided in this chapter;

(ii) Authorized or directed by a state statute in effect as of July 1, 2022; or

(iii) Required to implement a federal statute, rule, or program.

(c) This chapter preempts the provisions of chapter 173-442 WAC, and the department shall repeal chapter 173-442 WAC.

(10)(a) By December 1, 2023, the office of financial management must submit a report to the appropriate committees of the legislature that summarizes two categories of state laws other than this chapter:

(i) Laws that regulate greenhouse gas emissions from stationary sources, and the greenhouse gas emission reductions attributable to each chapter, relative to a baseline in which this chapter and all other state laws that regulate greenhouse gas emissions are presumed to remain in effect; and

(ii) Laws whose implementation may effectuate reductions in greenhouse gas emissions from stationary sources.

(b) The state laws that the office of financial management may address in completing the report required in this subsection include, but are not limited to:

(i) Chapter 19.27A RCW;

(ii) Chapter 19.280 RCW;

(iii) Chapter 19.405 RCW;

(iv) Chapter 36.165 RCW;

(v) Chapter 43.21F RCW;

(vi) Chapter 70.30 RCW;

(vii) Chapter 70A.15 RCW;

(viii) Chapter 70A.45 RCW;

(ix) Chapter 70A.60 RCW;

(x) Chapter 70A.535 RCW;

(xi) Chapter 80.04 RCW;

(xii) Chapter 80.28 RCW;

(xiii) Chapter 80.70 RCW;

(xiv) Chapter 80.80 RCW; and

(xv) Chapter 81.88 RCW.

(c) The office of financial management may contract for all or part of the work product required under this subsection.

**Sec. 9.** RCW 70A.65.210 and 2021 c 316 s 24 are each amended to read as follows:

(1) Subject to making the findings and conducting the public comment process described in subsection (3) of this section, the department shall seek to enter into linkage agreements with other jurisdictions with external greenhouse gas emissions trading programs in order to:

(a) Allow for the mutual use and recognition of compliance instruments issued by Washington and other linked jurisdictions;

(b) Broaden the greenhouse gas emission reduction opportunities to reduce the costs of compliance on covered entities and consumers;

(c) Enable allowance auctions to be held jointly and provide for the use of a unified tracking system for compliance instruments;

(d) Enhance market security;

(e) Reduce program administration costs; and

(f) Provide consistent requirements for covered entities whose operations span jurisdictional boundaries.

(2) The director of the department is authorized to execute linkage agreements with other jurisdictions with external greenhouse gas emissions trading programs consistent with the requirements in this chapter. A linkage agreement must cover the following:

(a) Provisions relating to regular, periodic auctions, including requirements for eligibility for auction participation, the use of a single auction provider to facilitate joint auctions, publication of auction-related information, processes for auction participation, purchase limits by auction participant type, bidding processes, dates of auctions, and financial requirements;

(b) Provisions related to holding limits to ensure no entities in any of the programs are disadvantaged relative to their counterparts in the other jurisdictions;

(c) Other requirements, such as greenhouse gas reporting and verification, offset protocols, criteria and process, and supervision and enforcement, to prevent fraud, abuse, and market manipulation;

(d) Common program registry, electronic auction platform, tracking systems for compliance instruments, and monitoring of compliance instruments;

(e) Provisions to ensure coordinated administrative and technical support;

(f) Provisions for public notice and participation; and

(g) Provisions to collectively resolve differences, amend the agreements, and delink or otherwise withdraw from the agreements.

(3) Before entering into a linkage agreement under this section, the department must evaluate and make a finding regarding whether the aggregate number of unused allowances in a linked program would reduce the stringency of Washington's program and the state's ability to achieve its greenhouse gas emissions reduction limits. The department must include in its evaluation a consideration of pre-2020 unused allowances that may exist in the program with which it is proposing to link. Before entering into a linkage agreement, the department must also establish a finding that the linking jurisdiction and the linkage agreement meet certain criteria identified under this subsection and conduct a public comment process to obtain input and a review of the linkage agreement by relevant stakeholders and other interested parties. The department must consider input received from the public comment process before

finalizing a linkage agreement. In the event that the department determines that a full linkage agreement is unlikely to meet the criteria, it may enter into a linkage agreement with limitations, including limits on the share of compliance that may be met with allowances originating from linked jurisdictions and other limitations deemed necessary by the department. A linkage agreement approved by the department must:

- (a) Achieve the purposes identified in subsection (1) of this section;
- (b) Ensure that the linking jurisdiction has provisions to ensure the distribution of benefits from the program to vulnerable populations and overburdened communities;
- (c) Be determined by the department to not yield net adverse impacts to either jurisdictions' highly impacted communities or analogous communities in the aggregate, relative to the baseline level of emissions; and
- (d) Not adversely impact Washington's ability to achieve the emission reduction limits established in RCW 70A.45.020.

(4) Before entering a linkage agreement, the department must post and maintain on its website, and provide notification to the appropriate policy and fiscal committees of the legislature, a quarterly status update regarding any potential linkage agreement that the department has determined to seek to enter into under this section. The status report must include:

- (a) An outline of the expected steps that the department expects that it and linked jurisdictions will need to take prior to entering into a linkage agreement, including the requirements of subsection (3) of this section;
  - (b) Notation of any steps completed or initiated under (a) of this subsection; and
  - (c) An estimate of the time frames of possible completion for any steps identified under (a) of this subsection that have not yet been completed.
- (5) The state retains all legal and policymaking authority over its program design and enforcement.

**Sec. 10.** RCW 70A.65.310 and 2022 c 181 s 2 are each amended to read as follows:

(1) A covered or opt-in entity has a compliance obligation for its emissions during each ~~((four-year))~~ compliance period, with the first compliance period commencing January 1, 2023. The department shall by rule require that covered or opt-in entities annually transfer a percentage of compliance instruments, but must fully satisfy their compliance obligation, for each compliance period.

(2) Compliance occurs through the transfer of the required compliance instruments or price ceiling units, on or before the transfer date, from the holding account to the compliance account of the covered or opt-in entity as described in RCW 70A.65.080.

(3)(a) A covered entity may substitute the submission of compliance instruments with price ceiling units.

(b) A covered or opt-in entity submitting insufficient compliance instruments to meet its compliance obligation is subject to a penalty as provided in RCW 70A.65.200.

(4) Older vintage allowances must be retired before newer vintage allowances.

(5) Upon receipt by the department of all compliance instruments transferred by a covered entity or opt-in entity to meet its compliance obligation, the department shall retire the allowances or offset credits.

NEW SECTION. **Sec. 11.** A new section is added to chapter 70A.65 RCW to read as follows:

(1) A federal power marketing administration may elect to voluntarily participate in the program by registering as an opt-in entity pursuant to the requirements of this section.

(2) In registering as an opt-in entity under this section, a federal power marketing administration may assume the compliance obligations associated with either:

(a) All electricity marketed in the state by the federal power marketing administration;

or

(b) Only the electricity marketed by the federal power marketing administration in the state through a centralized electricity market.

(3) A federal power marketing administration that voluntarily elects to comply with the program must register with the department as an opt-in entity at least 90 days prior to January 1st of the calendar year in which the federal power marketing administration would assume the compliance obligations associated with federally marketed electricity in the state, in accordance with the requirements of this section.

(4) If a federal power marketing administration registers as an opt-in entity under this section, then beginning January 1st of the calendar year in which the federal power marketing administration would assume the compliance obligations associated with federally marketed electricity in the state, a covered or opt-in entity must not include in its covered emissions the emissions associated with federally marketed electricity in the state for which the federal power marketing administration has assumed the compliance obligation.

(5) After consulting with a federal power marketing administration, the department must determine the appropriate registration requirements for that federal power marketing administration.

(6)(a) An electric utility may voluntarily elect to transfer all or a designated number of the utility's allowances allocated at no cost to a federal power marketing administration registered as an opt-in entity under this section to be used for direct compliance. An electric utility wishing to transfer allowances allocated at no cost from the utility's holding account to a holding account of a federal power marketing administration to be used

for direct compliance may submit a request to the department requesting the transfer and providing the following information:

- (i) The electric utility's holding account number;
- (ii) The holding account number of the federal power marketing administration;
- (iii) The number and vintage of no cost allowances to be transferred; and
- (iv) The relationship between the electric utility and the federal power marketing administration.

(b) The department may transfer the allowances only if:

(i) The electric utility has an agreement to purchase electricity from the federal power marketing administration, or a power purchase agreement, including a custom product contract, with the federal power marketing administration; and

(ii) The transfer does not violate the federal power marketing administration's holding limit.

(7)(a) In addition to the manual transfer request process provided under subsection (6) of this section, the department must also provide for an optional process by which an electric utility may approve the automatic distribution of all or a designated number of the utility's allowances allocated at no cost directly into a holding account of a federal power marketing administration to be used for direct compliance, without first being distributed to the utility's holding account.

(b) An electric utility receiving an allocation of allowances at no cost must inform the department by September 1st of each year of the accounts into which the allocation or a portion of the allocation is to be automatically distributed under this subsection. If an electric utility fails to submit its distribution preference by September 1st, the department must automatically place all directly allocated allowances for the following calendar year into the electric utility's holding account. Nothing in this subsection (7)(b) precludes an electric utility from requesting a manual transfer of allowances under subsection (6) of this section after September 1st of each year.

**Sec. 12.** RCW 70A.15.2200 and 2022 c 181 s 9 are each amended to read as follows:

(1) The board of any activated authority or the department, may classify air contaminant sources, by ordinance, resolution, rule or regulation, which in its judgment may cause or contribute to air pollution, according to levels and types of emissions and other characteristics which cause or contribute to air pollution, and may require registration or reporting or both for any such class or classes. Classifications made pursuant to this section may be for application to the area of jurisdiction of such authority, or the state as a whole or to any designated area within the jurisdiction, and shall be made with special reference to effects on health, economic and social factors, and physical effects on property.

(2) Except as provided in subsection (3) of this section, any person operating or responsible for the operation of air contaminant sources of any class for which the ordinances, resolutions, rules or regulations of the department or board of the authority, require registration or reporting shall register therewith and make reports containing information as may be required by such department or board concerning location, size and height of contaminant outlets, processes employed, nature of the contaminant emission and such other information as is relevant to air pollution and available or reasonably capable of being assembled. In the case of emissions of greenhouse gases as defined in RCW 70A.45.010 the department shall adopt rules requiring reporting of those emissions. The department or board may require that such registration or reporting be accompanied by a fee, and may determine the amount of such fee for such class or classes: PROVIDED, That the amount of the fee shall only be to compensate for the costs of administering such registration or reporting program which shall be defined as initial registration and annual or other periodic reports from the source owner providing information directly related to air pollution registration, on-site inspections necessary to verify compliance with registration requirements, data storage and retrieval systems necessary for support of the registration program, emission inventory reports and emission reduction credits computed from information provided by sources pursuant to registration program requirements, staff review, including engineering or other reliable analysis for accuracy and currentness, of information provided by sources pursuant to registration program requirements, clerical and other office support provided in direct furtherance of the registration program, and administrative support provided in directly carrying out the registration program: PROVIDED FURTHER, That any such registration made with either the board or the department shall preclude a further registration and reporting with any other board or the department, except that emissions of greenhouse gases as defined in RCW 70A.45.010 must be reported as required under subsection (5) of this section.

All registration program and reporting fees collected by the department shall be deposited in the air pollution control account. All registration program fees collected by the local air authorities shall be deposited in their respective treasuries.

(3) If a registration or report has been filed for a grain warehouse or grain elevator as required under this section, registration, reporting, or a registration program fee shall not, after January 1, 1997, again be required under this section for the warehouse or elevator unless the capacity of the warehouse or elevator as listed as part of the license issued for the facility has been increased since the date the registration or reporting was last made. If the capacity of the warehouse or elevator listed as part of the license is increased, any registration or reporting required for the warehouse or elevator under this

section must be made by the date the warehouse or elevator receives grain from the first harvest season that occurs after the increase in its capacity is listed in the license.

This subsection does not apply to a grain warehouse or grain elevator if the warehouse or elevator handles more than 10,000,000 bushels of grain annually.

(4) For the purposes of subsection (3) of this section:

(a) A "grain warehouse" or "grain elevator" is an establishment classified in standard industrial classification (SIC) code 5153 for wholesale trade for which a license is required and includes, but is not limited to, such a licensed facility that also conducts cleaning operations for grain;

(b) A "license" is a license issued by the department of agriculture licensing a facility as a grain warehouse or grain elevator under chapter 22.09 RCW or a license issued by the federal government licensing a facility as a grain warehouse or grain elevator for purposes similar to those of licensure for the facility under chapter 22.09 RCW; and

(c) "Grain" means a grain or a pulse.

(5)(a) The department shall adopt rules requiring persons to report emissions of greenhouse gases as defined in RCW 70A.45.010 where those emissions from a single facility, or from ~~((electricity or))~~ fossil fuels sold in Washington by a single supplier or local distribution company, meet or exceed 10,000 metric tons of carbon dioxide equivalent annually. The department's rules may also require electric power entities to report emissions of greenhouse gases from all electricity that is purchased, sold, imported, exported, or exchanged in Washington. The rules adopted by the department must support implementation of the program created in RCW 70A.65.060. In addition, the rules must require that:

(i) Emissions of greenhouse gases resulting from the combustion of fossil fuels be reported separately from emissions of greenhouse gases resulting from the combustion of biomass; ~~((and))~~

(ii) Each annual report must include emissions data for the preceding calendar year and must be submitted to the department by March 31st of the year in which the report is due, except for an electric power entity, which must submit its report by June 1st of the year in which the report is due; and

(iii) To the extent practicable, the department's rules must seek to minimize reporting burdens through the utilization of existing reports and disclosures for electric power entities who report greenhouse gas emissions that equal 10,000 metric tons of carbon dioxide equivalent or less annually from all electricity that is purchased, sold, imported, exported, or exchanged in Washington.

(b)(i) The department may by rule include additional gases to the definition of "greenhouse gas" in RCW 70A.45.010 only if the gas has been designated as a greenhouse gas by the United States congress, by the United States environmental protection agency, or included in external greenhouse gas emission trading programs with which Washington has pursuant to RCW 70A.65.210. Prior to including additional gases to the definition of "greenhouse gas" in RCW 70A.45.010, the department shall notify the appropriate committees of the legislature.

(ii) The department may by rule exempt persons who are required to report greenhouse gas emissions to the United States environmental protection agency and who emit less than 10,000 metric tons carbon dioxide equivalent annually.

(iii) The department must establish greenhouse gas emission reporting methodologies for persons who are required to report under this section. The department's reporting methodologies must be designed to address the needs of ensuring accuracy of reported emissions and maintaining consistency over time, and may, to the extent practicable, be similar to reporting methodologies of jurisdictions with which Washington has entered into a linkage agreement.

(iv) The department must establish a methodology for persons who are not required to report under this section to voluntarily report their greenhouse gas emissions.

~~(c) ((i) The department shall review and if necessary update its rules whenever:~~

~~(A) The United States environmental protection agency adopts final amendments to 40 C.F.R. Part 98 to ensure consistency with federal reporting requirements for emissions of greenhouse gases; or~~

~~(B) Needed to ensure consistency with emissions reporting requirements for jurisdictions with which Washington has entered a linkage agreement.~~

~~(ii) The department shall not amend its rules in a manner that conflicts with this section.~~

~~(d))~~ The department shall share any reporting information reported to it with the local air authority in which the person reporting under the rules adopted by the department operates.

~~((e))~~ (d) The fee provisions in subsection (2) of this section apply to reporting of emissions of greenhouse gases. Persons required to report under (a) of this subsection who fail to report or pay the fee required in subsection (2) of this section are subject to enforcement penalties under this chapter. The department shall enforce the reporting rule requirements. When a person that holds a compliance obligation under RCW 70A.65.080 fails to submit an emissions data report or fails to obtain a positive emissions data verification statement in accordance with ~~((e))~~ (f) (ii) of this subsection, the department may assign an emissions level for that person.

~~((f))~~ (e) The energy facility site evaluation council shall, simultaneously with the department, adopt rules that impose greenhouse gas reporting requirements in site certifications on owners or operators of a facility permitted by the energy facility site evaluation council. The greenhouse gas reporting requirements imposed by the energy facility site evaluation council must be the same as the greenhouse gas reporting requirements imposed by the department. The department shall share any information reported to it from facilities

permitted by the energy facility site evaluation council with the council, including notice of a facility that has failed to report as required. The energy facility site evaluation council shall contract with the department to monitor the reporting requirements adopted under this section.

~~((g))~~ (f) (i) The department must establish by rule the methods of verifying the accuracy of emissions reports.

(ii) Verification requirements apply at a minimum to persons required to report under (a) of this subsection with emissions that equal or exceed 25,000 metric tons of carbon dioxide equivalent emissions, including carbon dioxide from biomass-derived fuels, or to persons who have a compliance obligation under RCW 70A.65.080 in any year of the current compliance period. The department may adopt rules to accept verification reports from another jurisdiction with a linkage agreement pursuant to RCW 70A.65.180 in cases where the department deems that the methods or procedures are substantively similar.

~~((h))~~ (g) (i) The definitions in RCW 70A.45.010 apply throughout this subsection (5) unless the context clearly requires otherwise.

(ii) For the purpose of this subsection (5), the term "supplier" includes: (A) Suppliers that produce, import, or deliver, or any combination of producing, importing, or delivering, a quantity of fuel products in Washington that, if completely combusted, oxidized, or used in other processes, would result in the release of greenhouse gases in Washington equivalent to or higher than the threshold established under (a) of this subsection; and (B) suppliers of carbon dioxide that produce, import, or deliver a quantity of carbon dioxide in Washington that, if released, would result in emissions equivalent to or higher than the threshold established under (a) of this subsection.

(iii) For the purpose of this subsection (5), the term "person" includes: (A) An owner or operator of a facility; (B) a supplier; or (C) an electric power entity.

(iv) For the purpose of this subsection (5), the term "facility" includes facilities that directly emit greenhouse gases in Washington equivalent to the threshold established under (a) of this subsection with at least one source category listed in the United States environmental protection agency's mandatory greenhouse gas reporting regulation, 40 C.F.R. Part 98 Subparts C through II and RR through UU, as adopted on April 25, 2011.

(v) For the purpose of this subsection (5), the term "electric power entity" includes any of the following that supply electric power in Washington with associated emissions of greenhouse gases equal to or above the threshold established under (a) of this subsection: (A) Electricity importers and exporters; (B) retail providers, including multijurisdictional retail providers; and (C) first jurisdictional deliverers, as defined in RCW 70A.65.010, not otherwise included here.

NEW SECTION. **Sec. 13.** This act is not a conflicting measure dealing with the same subject as Initiative Measure No. 2117 within the meaning of Article II, section 1 of the state Constitution, but if a court of competent jurisdiction enters a final judgment that is no longer subject to appeal directing the secretary of state to place this act on the 2024 ballot as a conflicting measure to Initiative Measure No. 2117, this act is null and void and may not be placed on the 2024 ballot.

NEW SECTION. **Sec. 14.** This act takes effect January 1, 2025, only if Initiative Measure No. 2117 is not approved by a vote of the people in the 2024 general election. If Initiative Measure No. 2117 is approved by a vote of the people in the 2024 general election, this act is null and void."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 6059

Prime Sponsor, Housing: Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Housing. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024



E2SSB 6068 Prime Sponsor, Ways & Means: Reporting on dependency outcomes. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** Dependency courts should work to ensure the well-being of dependent children and to ensure that every young person who leaves foster care has relational permanency - meaning they have various long-term relationships that help them feel loved and connected. This includes relationships with siblings, parents, family members, extended family, family friends, mentors, tribes, and where appropriate, former foster family members.

Legal permanency, achieved through reunification, guardianship, or adoption is important, but it is not the only way to provide a sense of belonging and meaningful connections for young people. The federal children's bureau has cautioned that, legal permanence alone does not guarantee secure attachments and lifelong relationships. The relational aspects of permanency are critically important and fundamental to overall well-being, administration on children, youth and families, information memorandum ACYF-CB-IM-20-09, January 5, 2021. Relational permanency is one component of a child's overall well-being. Washington state's data collection should reflect the importance of both relational and legal permanency as well as child well-being.

**Sec. 2.** RCW 13.34.820 and 2017 3rd sp.s. c 6 s 309 are each amended to read as follows:

(1) The administrative office of the courts, in consultation with the attorney general's office and the department, shall compile an annual report, providing information about cases that fail to meet statutory guidelines to achieve permanency for dependent children.

(2) The administrative office of the courts shall submit the annual report required by this section to appropriate committees of the legislature by December 1st of each year, beginning on December 1, 2007. The administrative office of the courts shall also submit the annual report to a representative of the foster parent association of Washington state.

(3) The annual report shall include information regarding whether foster parents received timely notification of dependency hearings as required by RCW 13.34.096 and 13.34.145 and whether caregivers submitted reports to the court.

(4) Subject to the availability of amounts appropriated for this specific purpose, the administrative office of the courts shall, in consultation with others, identify measures of relational permanency and child well-being and shall report to the legislature by July 1, 2025, in compliance with RCW 43.01.036, the following information:

(a) A plan for reporting on child well-being and relational permanency;

(b) A plan for tracking and reporting on whether an order or portion of an order was agreed or contested, and if contested, by which party or parties;

(c) How to make such information publicly available;

(d) What can be reported using existing data;

(e) What additional information should be collected;

(f) What data-sharing agreements are necessary to ensure an accurate picture of the needs of families in the dependency system; and

(g) How many children in dependency have incarcerated parents.

(5) In making these determinations the administrative office of the courts must consult with representatives who have knowledge of data collection systems from the office of the superintendent of public instruction; the health care authority; the department of children, youth, and families; the department of social and health services; the department of corrections; tribal data experts; and any other entity holding relevant data or expertise.

(6) Consistent with RCW 13.50.280, to collect data necessary to evaluate the relational permanency and well-being of dependent children, the administrative office of the courts may execute data-sharing agreements with the office of the superintendent of public instruction, the health care authority, the department of children, youth, and families, the department of corrections, and the department of social and health services."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

ESSB 6069 Prime Sponsor, Ways & Means: Improving retirement security for Washingtonians by establishing Washington saves, an automatic enrollment individual retirement savings account program, and updating the Washington retirement marketplace statute. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Consumer Protection & Business.

Strike everything after the enacting clause and insert the following:

**"PART I  
WASHINGTON SAVES**

NEW SECTION. **Sec. 1.** ESTABLISHMENT. (1) Washington saves is established to serve as a vehicle through which covered employees may, on a voluntary basis, provide for additional retirement security through a state-facilitated retirement savings program in a convenient, cost-effective, and portable manner.

(2) Washington saves is intended as a public-private partnership that will encourage, not replace or compete with, employer-sponsored retirement plans.

NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Administrative account" means the Washington saves administrative treasury trust account created in section 12 of this act.

(2) "Complainant" means a covered employee, or that employee's designee who has written or legal authority to act on behalf of the employee, who files a complaint alleging an employer administrative violation of section 3 of this act who learned of the alleged violation by way of their employment with a covered employer.

(3) "Consumer price index" means the consumer price index for all urban consumers, all items, for the Seattle area as calculated by the United States bureau of labor statistics or its successor agency.

(4) "Covered employee" means an individual who is 18 years of age or older, who is employed by a covered employer.

(5) "Covered employer" means any employer that:

(a) Has been in business in this state for at least two years as of the immediately preceding calendar year;

(b) Maintains a physical presence;

(c) Does not offer a qualified retirement plan to their covered employees who have had continuous employment of one year or more; and

(d) Employs, and at any point during the immediately preceding calendar year employed, employees working a combined minimum of 10,400 hours.

(6) "Department" means the department of labor and industries.

(7) "Employer" means a person or entity engaged in a business, profession, trade, or other enterprise in the state, whether for profit or not for profit. "Employer" does not include federal or state entities, agencies, or instrumentalities, or any political subdivision thereof.

(8) "Employer administrative duties" include all requirements of covered employers under section 3 of this act that do not involve amounts due to the employee.

(9) "Employment" has the same meaning as in RCW 50.04.100.

(10) "Governing board" means the board created in section 4 of this act.

(11) "Individual account" means an IRA established by or for an individual participant and owned by the individual participant pursuant to this chapter.

(12) "Individual participant" means any individual who is contributing to, or has a balance credited in, an IRA through the program.

(13) "Internal revenue code" means the federal internal revenue code of 1986, as amended, or any successor law.

(14) "IRA" means a traditional or Roth individual retirement account or individual retirement annuity described in section 408(a), 408(b), or 408A of the internal revenue code.

(15) "Office" means the office of the state treasurer.

(16) "Payroll deduction IRA agreement" means an arrangement by which a participating employer makes payroll deductions authorized by this chapter and remits amounts deducted as contributions to IRAs on behalf of individual participants.

(17) "Program" means the Washington saves program established under this chapter.

(18) "Qualified retirement plan" means a retirement plan in compliance with applicable federal law for employees including those described in section 401(a), 401(k), 403(a), 403(b), 408(k), or 408(p) of the internal revenue code. A qualified retirement plan may require continuous employment of up to one year to be eligible for employee participation.

(19) "Wages" means any commission, compensation, salary, or other remuneration, as defined by section 219(f)(1) of the internal revenue code, received by a covered employee from a covered employer.

NEW SECTION. **Sec. 3.** GENERAL PROVISIONS. (1) The program:

(a) Allows covered employees to contribute to an IRA through automatic payroll deductions;

(b) Requires covered employers to fulfill the requirements provided in subsection (3) of this section;

(c) Facilitates automatic enrollment for covered employees and allows for covered employees to opt out of the plan;

(d) Has a default contribution rate, set by the governing board by rule. The default contribution rate may not be less than three percent or more than seven percent of wages; and

(e) Has a default escalation rate, set by the governing board by rule. The default escalation rate may not exceed one percent per year. The maximum contribution rate based on the default escalation rate may not exceed 10 percent of wages.

(2)(a) Covered employees, who do not opt out of the program, are automatically enrolled in the program at the default rate or at an amount expressly specified by the employee in connection with the payroll deduction IRA agreement. Individual participants may modify their contribution rates or amounts or terminate their participation in the program at any time, subject to procedure defined by rule by the governing board. All contribution amounts are subject to the dollar limits on contributions provided by federal law.

(b) Contributions must be invested in the default investment option unless the individual participant affirmatively elects to invest some or all balances in one or more approved investment options offered by the program. An individual participant must have the opportunity to change investments for either future contributions or existing balances, or both, subject to requirements defined by rule by the governing board.

(c) Individual accounts are portable. A former individual participant who is either unemployed, or is employed by a noncovered employer, must be permitted to contribute to their individual account.

(d) An individual participant's and former individual participant's ability to withdraw, roll over, or transfer account balances is subject to, and liable for, all fees, penalties, and taxes under applicable law.

(e) An individual participant's or former individual participant's ability to receive distributions of contributions and earnings is subject to applicable law.

(3)(a) Each covered employer must facilitate the opportunity for covered employees to participate in the program by fulfilling the following administrative duties, as defined by rule by the governing board:

(i) Register with the program and provide the program administrator relevant information about covered employees;

(ii)(A) Assist the program by offering all covered employees the choice to either participate by voluntarily contributing to an IRA or opt out; or

(B) Automatically enroll covered employees in a qualified retirement plan offered by a trade association or chamber of commerce and permit covered employees to opt out;

(iii) Timely remit participant contributions; and

(iv) Distribute program information and disclosures to covered employees, as provided in section 4(12) of this act.

(b) The employers' role in the program is solely ministerial. In accordance with federal law, employers are prohibited from contributing funds to the IRAs through the program.

(c) Employers are not fiduciaries with respect to, or are liable for, the program, related information, educational materials, or forms or disclosures approved by the governing board, or the selection or performance of vendors selected by the governing board. An employer is not responsible for or obligated to monitor a covered employee's or individual participant's decision to participate in or opt out of the program, for contribution decisions, investment decisions, or failure to comply with the statutory eligibility conditions or limits on IRA contributions. An employer does not guarantee any investment, rate of return, or interest on assets in any individual participant account or the administrative account or is liable for any market losses, failure to realize gains, or any other adverse consequences, including the loss of favorable tax treatment or public assistance benefits, incurred by any person as a result of participating in the program. Nothing in this section relieves an employer from liability for criminal, fraudulent, tortious, or otherwise actionable conduct including liability related to the failure to remit employee contributions.

(4)(a) The governing board must determine the type or types of IRA accounts available under the program.

(b) An individual participant's contributions and earnings may be combined for investment and custodial purposes only. Separate records and accounting are required for individual accounts. Reports on the status of individual accounts must be provided to each individual participant at least annually. Individual participants must have online access to their accounts.

(c) Any moneys placed in these accounts may not be counted as assets for the purposes of state or local means-tested program eligibility or levels of state means-tested program eligibility.

**NEW SECTION. Sec. 4. GOVERNING BOARD—RESPONSIBILITIES.** (1) The governing board shall design and administer the program for the exclusive benefit of individual participants and beneficiaries with the care and skill of a knowledgeable, prudent individual.

(2) The governing board is comprised of nine members as follows:

(a) The state treasurer;

(b) The director of the department or the director's designee; and

(c) The following members, appointed by the governor:

(i) Three members with demonstrated financial, legal, or other relevant program experience;

(ii) One member representing the financial industry;

(iii) One member representing a retirement advocacy organization;

(iv) One member representing covered employees; and

(v) One member representing covered employers.

(3) The state treasurer shall chair the governing board.

(4) Members who are appointed by the governor serve three-year terms and may be appointed for a second three-year term at the discretion of the governor. Members who are appointed by the governor may serve up to two terms over the course of their lifetime. The governor may stagger the terms of the appointed members.

(5) The governing board may appoint work groups to support the design and administration of the program. Work groups do not serve a voting function on the governing board and may include individuals who are not members of the governing board. Any work group established by the governing board is a class one group under RCW 43.03.220. Work group members receive compensation accordingly.

(6) Other state agencies must provide appropriate and reasonable assistance to the program as needed, including gathering data and information, in order for the governing board to carry out the purposes of this chapter. The governing board may reimburse the other state agencies from the administrative account for reasonable expenses incurred in providing appropriate and reasonable assistance.

(7) (a) Beginning in 2025, the governing board shall meet at least four times annually and periodically as specified by the chair or a majority of the governing board.

(b) The governing board may conduct meetings remotely by teleconference or videoconference, including to obtain a quorum and to take votes on any measure.

(c) Each governing board member has one vote. The powers of the governing board must be exercised by a majority of all members present at the meeting of the governing board, whether in person or remotely. Four members constitute the necessary quorum to convene a meeting of the governing board and to act on any measure before the governing board.

(8) The governing board shall establish, design, develop, implement, maintain, and oversee the program in accordance with this chapter and best practices for retirement saving vehicles.

(9) Regarding investments, the governing board:

(a) Has the sole responsibility for contracting with outside firms to provide investment management for the program funds and manage the performance of investment managers under those contracts;

(b) Must adopt an investment policy statement and ensure that the investment options offered, including default investment options, are consistent with the objectives of the program. The menu of investment options may encompass a range of risk and return opportunities and must take the following into account:

(i) The nature and objectives of the program;

(ii) The diverse needs of individual participants;

(iii) The desirability of limiting investment choices under the program to a reasonable number; and

(iv) The extensive investment choices available to participants outside of the program.

(10) Regarding the design of the program, the governing board must:

(a) Ensure the program is designed and operated in a manner that will not cause it to be subject to or preempted by the federal employment retirement income security act of 1974, as amended, and that any employer that is not a covered employer shall have no reporting or registration obligation or requirement to take any action under the program other than to claim an exemption from coverage by the program;

(b) Design and operate the program to:

(i) Minimize costs to individual participants, covered employers, and the state;

(ii) Minimize the risk that covered employees will exceed applicable annual contribution limits;

(iii) Facilitate and encourage employee participation in the program and participant saving;

(iv) Maximize simplicity, including ease of administration for covered employers and ease of use for individual participants;

(v) Maximize portability of individual accounts;

(vi) Maximize financial security in retirement; and

(vii) Maximize the availability of funds to individual participants with a goal of having funds available within three business days following the remittance of payroll deductions by covered employers, if feasible;

(c) Design the program to be compliant with all applicable requirements under the internal revenue code, including requirements for favorable tax treatment of IRAs, and any other applicable law or regulation;

(d) Consult with the office, the department, the office of minority and women's business enterprises, and the office of the secretary of state to create a strategy to educate and inform covered employers about employer administrative duties under this chapter, including the development of culturally relevant and responsive approaches centered in cultural humility with outreach to employers that are considered socially vulnerable, historically marginalized, or face cultural or language barriers to participate in workplace retirement savings programs;

(e) Launch the program by January 1, 2027. The board may stagger implementation in stages after that date, which may include phasing in implementation based on the size of employers, or other factors.

(11) The governing board may adopt rules to govern the program, including to govern the following:

(a) Employee registration and enrollment process;

(b) Employee alternative election procedure including, but not limited to, the method in which a participating individual may opt out of participation, change their contribution rate, opt out of auto-escalation, make nonpayroll contributions, and make withdrawals;

(c) Contribution limits, the initial automatic default contribution rate, and the automatic default escalation rate;

(d) Outreach, marketing, and educational initiatives or publication of online resources, encouragement of participation, retirement savings, and sound investment practices. Outreach, marketing, and educational initiatives must promote cultural humility and engage culturally relevant and responsive approaches while including special consideration for socially vulnerable communities historically, or are known to often be, excluded from, marginalized by, or face barriers to participation in workplace retirement savings programs; and

(e) A process in which individuals who are not covered employees may participate in the program, including unemployed individuals, self-employed individuals, and other independent contractors.

(12) The governing board shall develop:

(a) Information regarding the program;

(b) The following disclosures:

(i) A description of the benefits and risks associated with making contributions under the program;

(ii) Instructions about how to obtain additional information about the program;

(iii) A description of the tax consequences of an IRA, which may consist of or include the disclosure statement required to be distributed by the trustee under the internal revenue code and treasury regulations thereunder;

(iv) A statement that covered employees seeking financial advice should contact their own financial advisers, that covered employers are not in a position to provide financial advice, and that covered employers are not liable for decisions covered employees make under this chapter;

(v) A statement that the program is not an employer-sponsored retirement plan;

(vi) A statement that the covered employee's IRA established under the program is not guaranteed by the state; and

(vii) A statement that neither a covered employer nor the state will monitor or has an obligation to monitor the covered employee's eligibility under the internal revenue code to make contributions to an IRA or to monitor whether the covered employee's contributions to the IRA established for the covered employee exceed the maximum permissible IRA contribution; that it is the covered employee's responsibility to monitor such matters; and that the state, the program, and the covered employer have no liability with respect to any failure of the covered employee to be eligible to make IRA contributions or any contribution in excess of the maximum IRA contribution;

(c) Information, forms, and instructions to be furnished to covered employees, at such times as the governing board determines, that provide the covered employee with the procedures for:

(i) Making contributions to the covered employee's IRA established under the program, including a description of the automatic enrollment rate, the automatic escalation rate and frequency, and the right to elect to make no contribution or to change the contribution rate under the program;

(ii) Making an investment election with respect to the covered employee's IRA established under the program, including a description of the default investment fund; and

(iii) Making transfers, rollovers, withdrawals including instructions on how to access funds, and other distributions from the covered employee's IRA.

(13) The governing board must evaluate options to assist covered employees and employers to identify private sector providers of financial advice, to the extent feasible and unless prohibited by state or federal laws. The governing board must consider options including, but not limited to, a website established and maintained by the governing board.

(14) The governing board may create or enter into, on behalf of the program, a consortium, alliance, joint venture, partnership, compact, or contract with another state or states or their programs or boards.

(15) The governing board must collect administrative fees to defray the costs of administering the program. If the governing board creates or enters into a joint program agreement, as provided in subsection (14) of this section, the rate of the administrative fee for covered employees may not exceed the rate charged to covered employees of another state participating in the same program.

(16) Members of the governing board and the office are not an insurer of the funds or assets of the investment fund or individual accounts. Neither of these two entities are liable for the action or inaction of the other.

(17) Members of the governing board and the office are not liable to the state, to the fund, or to any other person as a result of their activities as members, whether ministerial or discretionary, except for willful dishonesty or intentional violation of law. Members of the governing board and the office may purchase liability insurance.

(18) The governing board shall submit an annual report to the appropriate committees of the legislature, in accordance with RCW 43.01.036, providing information about the program including, but not limited to, the following:

(a) Participation;

(b) Account performance;

(c) Board decisions; and

(d) Any recommendations to the legislature regarding the program.

(19) The governing board may consult with the state investment board and the department of financial institutions regarding program design and implementation.

(20) The governing board shall assure any administrative contract services for the program provide culturally responsive and relevant supports rooted in cultural humility while including special considerations for socially vulnerable communities historically, or are known to often be, excluded from, marginalized by, or face barriers to participation in workplace retirement savings programs.

**NEW SECTION. Sec. 5. OFFICE OF THE STATE TREASURER—RESPONSIBILITIES.** (1) Subject to the availability of amounts appropriated for this specific purpose, the office must provide staff and administrative support for the governing board. The office must consult with the governing board regarding staffing and administrative support needs before selecting any staff pursuant to this section.

(2) The office may initiate and manage all procurement and regulatory processes related to the program and carry out other related functions as delegated by the governing board.

**NEW SECTION. Sec. 6. INVESTMENT MANAGER—RESPONSIBILITIES.** (1)(a) After consultation with the governing board, the investment manager may invest funds associated with the program. The investment manager, after consultation with the governing board regarding any recommendations, must provide a set of options for eligible individuals to choose from for self-directed investment. Any self-directed investment options must comply with the internal revenue code.

(b) All investment and operating costs of the investment manager associated with making self-directed investments must be paid by participants and recovered under procedures agreed to by the governing board and the investment manager. All other expenses caused by self-directed investments must be paid by the participant in accordance with the rules established by the governing board. With the exception of these expenses, all earnings from self-directed investments accrue to the individual accounts.

(2) The investment manager must invest and manage the assets entrusted to it:

(a) With reasonable care, skill, prudence, and diligence under circumstances then prevailing which a prudent person acting in a like capacity and familiar with such matters would use to conduct of an activity of like character and purpose; and

(b) In accordance with the investment policy established by the governing board.

(3) The authority to establish all policies relating to implementation, design, and management of the program resides with the governing board.

(4) The investment manager must routinely consult and communicate with the governing board on the investment policy, performance of the accounts, and related needs of the program.

**NEW SECTION. Sec. 7. LABOR AND INDUSTRIES—RESPONSIBILITIES.** (1) The department has the following responsibilities related to covered employers, as provided in this chapter:

(a) Educate participating employers of their administrative duties under this chapter;

(b) In the case of noncompliance with employer administrative duties, investigate complaints, educate employers about how to come into compliance, and, in the case of willful violations, issue citations and collect penalties;

(c) In the case of impermissible withholding of amounts due to employees, investigate and enforce the complaint as an alleged violation of a wage payment requirement, as defined in RCW 49.48.082; and

(d) Facilitate a process in which employers may appeal complaints.

(2) Collections of unpaid citations assessing civil penalties by the department under this chapter must be made pursuant to RCW 49.48.086.

**NEW SECTION. Sec. 8. LABOR AND INDUSTRIES—COMPLIANCE WITH EMPLOYER ADMINISTRATIVE DUTIES.** (1) Covered employers shall comply with employer administrative duties provided under this chapter.

(2) If a complainant files a complaint with the department alleging any administrative violation, the department shall investigate the complaint and:

(a) If the complaint is filed before January 1, 2030, offer technical assistance to the employer to bring them into compliance. Civil penalties may not be assessed before January 1, 2030;

(b) If the complaint is filed on or after January 1, 2030, educate the employer on how to come into compliance and, if necessary and as provided in this section, enforce penalties for willful violations.

(3) The department may not investigate any alleged violation of rights that occurred more than three years before the date that the complainant filed the complaint.

(4)(a) If the department finds an employer administrative violation, the department must first provide an educational letter outlining the violations and provide 90 days for the employer to remedy the violations. The employer may ask for an extension for good cause. The department may extend the period by providing written notice to the employee and the employer, specifying the duration of the extension. If the employer fails to remedy the violation within 90 days, the department may issue a citation and notice of assessment with a civil penalty.

(b) Except as provided otherwise in this chapter, the maximum penalty for a first-time willful violation is \$100 and \$250 for a second willful violation. For the purposes of this section, "willful" means a knowing and intentional action that is neither accidental nor the result of a bona fide dispute. For each subsequent willful violation, the employer is subject to a maximum penalty amount of \$500 for each violation.

(c) The department may not assess a civil penalty if the employer reasonably relied on: (i) A rule related to any of the requirements of this chapter; (ii) a written order, ruling, approval, opinion, advice, determination, or interpretation of the director of the department; or (iii) an interpretive or administrative policy issued by the department and filed pursuant to chapter 34.05 RCW. In accordance with the department's retention schedule obligations under chapter 40.14 RCW, the department shall maintain a complete and accurate record of all written orders, rulings, approvals, opinions, advice, determinations, and interpretations for purposes of determining whether an employer is immune from civil penalties under (b) of this subsection.

(5) The department may, at any time, waive or reduce a civil penalty assessed under this section if the director of the department determines that the employer has taken corrective action to resolve the violation.

(6) The department shall deposit all civil penalties paid under this section in the supplemental pension fund established under RCW 51.44.033.

**NEW SECTION. Sec. 9. LABOR AND INDUSTRIES—ADMINISTRATIVE CITATION APPEALS.** (1) A person, firm, or corporation aggrieved by a citation and notice of assessment by the department under this chapter may appeal the citation and notice of assessment to the director of the department by filing a notice of appeal with the director within 30 days of the department's issuance of the citation and notice of assessment. A citation and notice of assessment not appealed within 30 days is final and binding, and not subject to further appeal.

(2) A notice of appeal filed with the director of the department under this section must state the effectiveness of the citation and notice of assessment pending final review of the appeal by the director as provided for in chapter 34.05 RCW.

(3) Upon receipt of a notice of appeal, the director of the department must assign the hearing to an administrative law judge of the office of administrative hearings to conduct the hearing and issue an initial order. The hearing and review procedures must be conducted in accordance with chapter 34.05 RCW, and the standard of review by the administrative law judge of an appealed citation and notice of assessment must be de novo. Any party who seeks to challenge an initial order must file a petition for administrative review with the director within 30 days after service of the initial order. The director must conduct administrative review in accordance with chapter 34.05 RCW.

(4) The director of the department must issue all final orders after appeal of the initial order. The final order of the director is subject to judicial review in accordance with chapter 34.05 RCW.

(5) Orders that are not appealed within the time period specified in this section and chapter 34.05 RCW are final and binding, and not subject to further appeal.

(6) An employer who fails to allow adequate inspection of records in an investigation by the department under this section within a reasonable time period may not use such records in any appeal under this section to challenge the correctness of any determination by the department of the penalty assessed.

**NEW SECTION. Sec. 10. LABOR AND INDUSTRIES—ENFORCEMENT OF AMOUNTS DUE.** (1) Employers may not impermissibly withhold any amounts due to the employee related to the employer's obligations under section 3 of this act. If any employee files a complaint with the department alleging that the employer impermissibly withheld any amounts due to the employee related to the employer's obligations under section 3 of this act, the department shall investigate and otherwise enforce the complaint as an alleged violation of a wage payment requirement, as defined in RCW 49.48.082.

(2) During an investigation, if the department discovers information suggesting additional violations of impermissibly withheld amounts due to the employees related to the employer's obligations under section 3 of this act, the department may investigate and take appropriate enforcement action without any additional complaint. The department may also initiate an investigation on behalf of one or more employees for any such violation when the director otherwise has reason to believe that a violation has occurred or will occur.

(3) The department may conduct a consolidated investigation for any alleged withheld amounts due to the employees related to the employer's obligations under section 3 of this act when there are common questions of law or fact involving the employees. If the department consolidates such matters into a single investigation, it shall provide notice to the employer.

(4) The department may, for the purposes of enforcing this section, issue subpoenas to compel the attendance of witnesses or parties and the production of documents, administer oaths and examine witnesses under oath, take depositions, and seek affidavits or other verifications. The department may require the employer perform a self-audit of any records. The results or conclusions of the self-audit must be provided to the department within a reasonable time. The department must specify the timelines in the self-audit request. The records examined by the employer in order to perform the self-audit must be made available to the department upon request.

(5) Any citation or determination of compliance issued under this section is subject to RCW 49.48.083, 49.48.084, 49.48.085, and 49.48.086.

**NEW SECTION. Sec. 11. PRIVATE AND CONFIDENTIAL INFORMATION.** (1) Any information or records concerning an individual or employer obtained by the office or the governing board to administer this chapter are private and confidential, except as otherwise provided in this section.

(a) If information provided to the office or the governing board by a governmental agency is held private and confidential by state or federal law, the office and the governing board may not release such information, unless otherwise provided in this section.

(b) Information provided to the office or the governing board by a governmental entity conditioned upon privacy and confidentiality under a provision of law is to be held private and confidential according to the agreement between the office or the governing board and the other governmental agency, unless otherwise provided in this title.

(2) Persons requesting disclosure of information held by the office or the governing board under this section must request such disclosure from the governmental agency that provided the information to the office or the governing board, rather than from the office or the governing board.

(3) If the governing board creates or enters into, on behalf of the program, a consortium, alliance, joint venture, partnership, compact, or contract with another state or states or their programs or boards, the laws of the state that is most protective of individual and employer confidentiality governs.

(4) The governing board has the authority to adopt, amend, or rescind rules interpreting and implementing this chapter.

(5)(a) An individual must have access to all records and information concerning that individual held by the office or the governing board.

(b) An employer must have access to its own records relating to their compliance with the program and any audit conducted or penalty assessed under this chapter.

(c) The office or the governing board may disclose information and records deemed confidential under this chapter to a third party acting on behalf of an individual or employer that would otherwise be eligible to receive records under this section when the office or the governing board receives a signed release from the individual or employer. The release must include a statement:

(i) Specifically identifying the information that is to be disclosed;

(ii) The acknowledgment that state government files will be assessed to obtain that information;

(iii) The specific purpose for which the information is sought and a statement that information obtained under the release will only be used for that purpose; and

(iv) Indicating all parties who will receive the information disclosed.

(d) The office or the governing board may disclose information or records deemed private and confidential under this chapter to any private person or organization, including the trustee, and, by extension, the agents of any private person or organization, when the disclosure is necessary to permit private contracting parties to assist in the operation, management, and implementation of the program. The private person or organization may only use the information or records solely for the purpose for which the information was disclosed and are bound by the same rules of privacy and confidentiality as the office and the governing board.

(6) (a) A decision under this chapter by the office, the department, the governing board, or the appeals tribunal may not be deemed private and confidential under this section, unless the decision is based on information obtained in a closed hearing.

(b) Information or records deemed private and confidential under this section must be available to parties to judicial or formal administrative proceedings only upon a written finding by the presiding officer that the need for the information or records in the proceeding outweighs any reasons for the privacy and confidentiality of the information on record.

(7) (a) All private persons, governmental agencies, and organizations authorized to receive information from the office or the governing board under this chapter have an affirmative duty to prevent unauthorized disclosure of confidential information and are prohibited from disclosing confidential information unless expressly permitted by this section.

(b) If misuse of an unauthorized disclosure of confidential records or information occurs, all parties who are aware of the violation must inform the office immediately and must take all reasonable available actions to rectify the disclosure to the office's standards.

(c) The misuse or unauthorized release of records or information deemed private and confidential under this chapter by any private person, governmental agency, or organization will subject the person, governmental agency, or organization to a civil penalty up to \$20,000 in the first year of the program. Beginning the December of the second year of the program and each December thereafter, the office must adjust the maximum civil penalty amount by multiplying the current maximum civil penalty by one plus the percentage by which the most current consumer price index available on December 1st of the current year exceeds the consumer price index for the prior 12-month period, and rounding the result to the nearest \$1,000. If an adjustment under this subsection (7) (c) would reduce the maximum civil penalty, the office must not adjust the maximum civil penalty for use in the following year. Other applicable sanctions under state and federal law also apply.



(d) Suit to enforce this section must be brought by the attorney general and the amount of any penalties collected must be paid into the administrative account created in section 12 of this act. The attorney general may recover reasonable attorneys' fees for any action brought to enforce this section.

(8) This section does not contain a rule of evidence.

**NEW SECTION. Sec. 12.** WASHINGTON SAVES ADMINISTRATIVE TREASURY TRUST ACCOUNT. (1) The Washington saves administrative treasury trust account is created in the custody of the state treasurer.

(2) Expenditures from the account may be used only for the purposes of administrative and operating expenses of the program established under this chapter.

(3) Only the state treasurer or state treasurer's designee may authorize expenditures from the account. The account is exempt from appropriation and allotment provisions under chapter 43.88 RCW.

(4) The account may receive grants, gifts, or other moneys appropriated for administrative purposes from the state and the federal government.

(5) Any interest incurred by the account will be retained within the account.

**NEW SECTION. Sec. 13.** INVESTMENT ACCOUNT. (1) The Washington saves investment account is established as a trust, with the governing board created under this chapter as its trustee.

(2)(a) Moneys in the account consist of moneys received from individual participants and participating employers pursuant to automatic payroll deductions and contributions to savings made under this chapter. The governing board shall determine how the account operates, provided that the account is operated so that the individual accounts established under the program meet the requirements for IRAs under the internal revenue code.

(b) The assets of the account are not state money, common cash, or revenue to the state. Amounts in the account may not be commingled with state funds and the state has no claim to or against, or interest in, such funds.

(3) Disbursements from the account are exempt from appropriations and the allotment provisions of chapter 43.88 RCW. An appropriation is not required for expenditures.

(4) Only the governing board or the governing board's designee may authorize expenditures from the account.

## PART II

### RETIREMENT MARKETPLACE

**NEW SECTION. Sec. 14.** RCW 43.330.730 (Finding—2015 c 296) is decodified.

**Sec. 15.** RCW 43.330.732 and 2015 c 296 s 2 are each amended to read as follows:

The definitions in this section apply throughout this subchapter unless the context clearly requires otherwise.

(1) "Approved plans" means retirement plans offered by private sector financial services firms that meet the requirements of this chapter to participate in the marketplace.

(2) "Balanced fund" means a mutual fund that has an investment mandate to balance its portfolio holdings. The fund generally includes a mix of stocks and bonds in varying proportions according to the fund's investment outlook.

(3) "Eligible employer" means a self-employed individual, sole proprietor, or an employer with ~~((fewer than))~~ at least one ~~((hundred))~~ qualified employee~~((s))~~ at the time of enrollment.

(4) "Enrollee" means any employee who is voluntarily enrolled in an approved plan offered by an eligible employer through the Washington small business retirement marketplace.

(5) ~~((("myRA" means the myRA retirement program administered by the United States department of the treasury that is available to all employers and employees with no fees or no minimum contribution requirements. A myRA is a Roth IRA option and investments in these accounts are backed by the United States department of the treasury.~~

~~((6))~~ "Participating employer" means any eligible employer with employees enrolled in an approved plan offered through the Washington small business retirement marketplace who chooses to participate in the marketplace and offers approved plans to employees for voluntary enrollment.

~~((7))~~ (6) "Private sector financial services firms" or "financial services firms" mean persons or entities licensed or holding a certificate of authority and in good standing by either the department of financial institutions or the office of the insurance commissioner and meeting all federal laws and regulations to offer retirement plans.

~~((8))~~ (7) "Qualified employee" means those workers who are defined by the federal internal revenue service to be eligible to participate in a specific qualified plan.

~~((9))~~ (8) "Target date or other similar fund" means a hybrid mutual fund that automatically resets the asset mix of stocks, bonds, and cash equivalents in its portfolio according to a selected time frame that is appropriate for a particular investor. A target date is structured to address a projected retirement date.

~~((10))~~ (9) "Washington small business retirement marketplace" or "marketplace" means the retirement savings program created to connect eligible employers and their employees with approved plans to increase retirement savings.

**Sec. 16.** RCW 43.330.735 and 2017 c 69 s 1 are each amended to read as follows:

(1) The Washington small business retirement marketplace is created.

(2) Prior to connecting any eligible employer with an approved plan in the marketplace, the director shall design a plan for the operation of the marketplace.

(3) The director shall consult with the Washington state department of retirement systems, the Washington state investment board, and the department of financial institutions in designing and managing the marketplace.

(4) The director shall approve for participation in the marketplace all private sector financial services firms ~~((that meet the requirements of)), as defined in RCW 43.330.732((+7))~~.

(5) A range of investment options must be provided to meet the needs of investors with various levels of risk tolerance and various ages. The director must approve a diverse array of private retirement plan options that are available to employers on a voluntary basis, including but not limited to life insurance plans that are designed for retirement purposes, and plans for eligible employer participation such as ~~((+ (a) A))~~ a SIMPLE IRA-type plan that provides for employer contributions to participating enrollee accounts ~~((; and (b) a payroll deduction individual retirement account type plan or workplace-based individual retirement accounts open to all workers in which the employer does not contribute to the employees' account))~~.

(6) (a) Prior to approving a plan to be offered on the marketplace, the department must receive verification from the department of financial institutions or the office of the insurance commissioner:

(i) That the private sector financial services firm offering the plan meets the ~~((requirements of))~~ definition in RCW 43.330.732 ~~((+7))~~; and

(ii) That the plan meets the requirements of this section excluding subsection (9) of this section which is subject to federal laws and regulations.

(b) If the plan includes either life insurance or annuity products, or both, the office of the insurance commissioner may request that the department of financial institutions conduct the plan review as provided in (a)(ii) of this subsection prior to submitting its verification to the department.

(c) The director may remove approved plans that no longer meet the requirements of this chapter.

(7) The financial services firms participating in the marketplace must offer a minimum of two product options: (a) A target date or other similar fund, with asset allocations and maturities designed to coincide with the expected date of retirement and (b) a balanced fund. ~~((The marketplace must offer myRA.))~~

(8) In order for the marketplace to operate, there must be at least two approved plans on the marketplace; however, nothing in this subsection shall be construed to limit the number of private sector financial services firms with approved plans from participating in the marketplace.

(9) Approved plans must meet federal law or regulation for internal revenue service approved retirement plans.

(10) The approved plans must include the option for enrollees to roll pretax contributions into a different individual retirement account or another eligible retirement plan after ceasing participation in a plan approved by the Washington small business retirement marketplace.

(11) Financial services firms selected by the department to offer approved plans on the marketplace may not charge the participating employer an administrative fee and may not charge enrollees more than one hundred basis points in total annual fees and must provide information about their product's historical investment performance. Financial services firms may charge enrollees a de minimis fee for new and/or low balance accounts in amounts negotiated and agreed upon by the department and financial services firms. The director shall limit plans to those with total fees the director considers reasonable based on all the facts and circumstances.

(12) Participation in the Washington small business retirement marketplace is voluntary for both eligible employers and qualified employees.

(13) Enrollment in any approved plan offered in the marketplace is not an entitlement.

### **PART III**

#### **WASHINGTON SAVES - ADMINISTRATIVE ACCOUNT - RETAIN OWN INTEREST**

**Sec. 17.** RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, 2023 c 170 s 19, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statutory hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the pollution liability insurance program trust account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

**Sec. 18.** RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies.

The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statutory hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

#### **PART IV MISCELLANEOUS**

NEW SECTION. **Sec. 19.** Section 17 of this act expires July 1, 2030.

NEW SECTION. **Sec. 20.** (1) Section 17 of this act takes effect July 1, 2024.  
(2) Section 18 of this act takes effect July 1, 2030.

NEW SECTION. **Sec. 21.** Sections 1 through 13 of this act constitute a new chapter in Title 19 RCW.

NEW SECTION. **Sec. 22.** If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is inoperative solely to the extent of the conflict, and the finding or determination does not affect the operation of the remainder of this act. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state."

Correct the title.

Signed by Representatives Bergquist, Vice Chair; Berg; Callan; Chopp; Davis; Harris; Lekanoff; Pollet; Riccelli; Ryu; Sandlin; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Couture, Assistant Ranking Minority Member; and Schmick.

MINORITY recommendation: Without recommendation. Signed by Representatives Ormsby, Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Fitzgibbon; Rude; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

ESB 6072 Prime Sponsor, Senator Keiser: Addressing recommendations of the long-term services and supports trust commission. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Harris; Rude; Schmick; Stokesbary; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Sandlin.

Referred to Committee on Rules for second reading

February 26, 2024

ESB 6087 Prime Sponsor, Senator King: Concerning the fire service training account. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.43.944 and 2020 c 88 s 6 are each amended to read as follows:

(1) The fire service training account is hereby established in the state treasury. The primary purpose of the account is firefighter training for both volunteer and career firefighters. The fund shall consist of:

(a) All fees received by the Washington state patrol for fire service training;

(b) All grants and bequests accepted by the Washington state patrol under RCW 43.43.940;

(c) ~~((Twenty))~~ Twenty-five percent of all moneys received by the state on fire insurance premiums;

(d) Revenue from penalties established under RCW 19.27.740; and

(e) General fund—state moneys appropriated into the account by the legislature.

(2) Moneys in the account may be appropriated for: (a) Fire service training; (b) school fire prevention activities within the Washington state patrol; and (c) the maintenance, operations, and capital projects of the state fire training academy. However, expenditures for purposes of (b) and (c) of this subsection may only be made to the extent that these expenditures do not adversely affect expenditures for the purpose of (a) of this subsection. The state patrol may use amounts appropriated from the fire service training account under this section to contract with the Washington state firefighters apprenticeship trust for the operation of the firefighter joint apprenticeship training program. The contract may call for payments on a monthly basis.

(3) Any general fund—state moneys appropriated into the account shall be allocated solely to the firefighter joint apprenticeship training program. The Washington state patrol may contract with outside entities for the administration and delivery of the firefighter joint apprenticeship training program."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

E2SSB 6092 Prime Sponsor, Ways & Means: Concerning disclosure of greenhouse gas emissions. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Harris.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 6099 Prime Sponsor, Ways & Means: Creating the tribal opioid prevention and treatment account. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that American Indians and Alaska Natives are affected disproportionately by the opioid crisis and that opioid overdose rates are higher for American Indians and Alaska Natives than in any other category by race and ethnicity. Therefore, it is the intent of the legislature to prioritize moneys received from opioid settlements to address specific impacts in tribal communities through the creation of a dedicated tribal opioid prevention and treatment account.

**Sec. 2.** RCW 43.79.483 and 2023 c 435 s 5 are each amended to read as follows:

(1) The opioid abatement settlement account is created in the state treasury. All settlement receipts and moneys that are designated to be used by the state of Washington to abate the opioid epidemic for state use must be deposited into the account. Money in the account may be spent only after appropriation. Expenditures from the account may only be used for future opioid remediation as provided in the applicable settlement. For purposes of this account, "opioid remediation" means the care, treatment, and other programs and expenditures, designed to: (a) Address the use and abuse of opioid products; (b) treat or mitigate opioid use or related disorders; or (c) mitigate other alleged effects of, including those injured as a result of, the opioid epidemic.

(2) All money remaining in the state opioid settlement account established under RCW 43.88.195 must be transferred to the opioid abatement settlement account created in this section.

(3) Beginning July 1, 2025, and each fiscal year thereafter through June 30, 2031, the state treasurer shall transfer into the tribal opioid prevention and treatment account created in section 3 of this act from the opioid abatement settlement account an amount equal to the greater of \$7,750,000 or 20 percent of the settlement receipts and moneys deposited into the opioid abatement settlement account during the prior fiscal year.

(4) Beginning July 1, 2031, and each fiscal year thereafter, the state treasurer shall transfer into the tribal opioid prevention and treatment account created in section 3 of this act from the opioid abatement settlement account an amount equal to 20 percent of the settlement receipts and moneys deposited into the opioid abatement settlement account during the prior fiscal year.

(5) No transfer shall be required if the average amount of revenue received by the account per fiscal year over the prior two fiscal years is less than \$7,750,000.

**NEW SECTION. Sec. 3.** A new section is added to chapter 43.79 RCW to read as follows:

The tribal opioid prevention and treatment account is created in the state treasury. All receipts from the transfer directed in RCW 43.79.483(3) must be deposited in the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used for addressing the impact of the opioid epidemic in tribal communities, including: (1) Prevention and recovery services; (2) treatment programs including medication-

assisted treatment; (3) peer services; (4) awareness campaigns and education; and (5) support for first responders.

**Sec. 4.** RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10, 2023 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3, 2023 c 73 s 10, and 2023 c 41 s 4 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the ambulance transport fund, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the opioid abatement settlement account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the higher education retirement plan supplemental benefit fund, the Washington student loan account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the Interstate 5 bridge replacement project account, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account, the public health supplemental account, the public works assistance account, the Puget Sound

capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the reserve officers' relief and pension principal fund, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the second injury fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state hazard mitigation revolving loan account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the JUDY transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tribal opioid prevention and treatment account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

**Sec. 5.** RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10, 2023 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3, 2023 c 73 s 10, and 2023 c 41 s 4 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:



(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the opioid abatement settlement account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the higher education retirement plan supplemental benefit fund, the Washington student loan account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the Interstate 5 bridge replacement project account, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the reserve officers' relief and pension principal fund, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the second injury fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state hazard mitigation revolving loan account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the JUDY transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tribal opioid prevention and treatment account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account,

the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. **Sec. 6.** Section 4 of this act expires July 1, 2028.

NEW SECTION. **Sec. 7.** (1) Except for section 5 of this act, this act takes effect July 1, 2024.

(2) Section 5 of this act takes effect July 1, 2028."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 22, 2024

SSB 6100 Prime Sponsor, Ways & Means: Making expenditures from the budget stabilization account for declared catastrophic events. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Couture, Assistant Ranking Minority Member; Dye; Harris; Rude; Sandlin; and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Schmick; and Stokesbary.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 6106 Prime Sponsor, Ways & Means: Including in the public safety employees' retirement system specified workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

E2SSB 6109 Prime Sponsor, Ways & Means: Supporting children and families. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Human Services, Youth, & Early Learning.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that since 2018 there has been a significant increase in the number of child fatalities and near fatalities involving fentanyl.

(2) The legislature finds that fentanyl and other highly potent synthetic opioids pose a unique and growing threat to the safety of children in Washington state. Fentanyl is a high-

potency synthetic opioid and, according to the centers for disease control and prevention, is 50 times more potent than heroin and 100 times more potent than morphine. Even in very small quantities high-potency synthetic opioids may be lethal to a child.

(3) The legislature intends to provide clarity to judges, social workers, advocates, and families about the safety threat that high-potency synthetic opioids pose to vulnerable children. The legislature declares that the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids should be given great weight in determining whether a child is at risk of imminent physical harm due to child abuse or neglect.

(4) The legislature recognizes the challenges for recovery and rehabilitation regarding opioid use and resolves to increase services and supports. The legislature further resolves to increase training and resources for state and judicial employees to accomplish their mission and goals in a safe and effective manner.

(5) The legislature recognizes that supporting families in crisis with interventions and services, including preventative services, voluntary services, and family assessment response, minimizes child trauma from further child welfare involvement and strengthens families.

**PART I  
HIGH-POTENCY SYNTHETIC OPIOIDS AND CHILD WELFARE**

**Sec. 101.** RCW 13.34.030 and 2021 c 304 s 1 and 2021 c 67 s 2 are each reenacted and amended to read as follows:

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

(1) "Abandoned" means when the child's parent, guardian, or other custodian has expressed, either by statement or conduct, an intent to forego, for an extended period, parental rights or responsibilities despite an ability to exercise such rights and responsibilities. If the court finds that the petitioner has exercised due diligence in attempting to locate the parent, no contact between the child and the child's parent, guardian, or other custodian for a period of three months creates a rebuttable presumption of abandonment, even if there is no expressed intent to abandon.

(2) "Child," "juvenile," and "youth" mean:

(a) Any individual under the age of eighteen years; or

(b) Any individual age eighteen to twenty-one years who is eligible to receive and who elects to receive the extended foster care services authorized under RCW 74.13.031. A youth who remains dependent and who receives extended foster care services under RCW 74.13.031 shall not be considered a "child" under any other statute or for any other purpose.

(3) "Current placement episode" means the period of time that begins with the most recent date that the child was removed from the home of the parent, guardian, or legal custodian for purposes of placement in out-of-home care and continues until: (a) The child returns home; (b) an adoption decree, a permanent custody order, or guardianship order is entered; or (c) the dependency is dismissed, whichever occurs first.

(4) "Department" means the department of children, youth, and families.

(5) "Dependency guardian" means the person, nonprofit corporation, or Indian tribe appointed by the court pursuant to this chapter for the limited purpose of assisting the court in the supervision of the dependency.

(6) "Dependent child" means any child who:

(a) Has been abandoned;

(b) Is abused or neglected as defined in chapter 26.44 RCW by a person legally responsible for the care of the child;

(c) Has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development; or

(d) Is receiving extended foster care services, as authorized by RCW 74.13.031.

(7) "Developmental disability" means a disability attributable to intellectual disability, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary of the department of social and health services to be closely related to an intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities, which disability originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial limitation to the individual.

(8) "Educational liaison" means a person who has been appointed by the court to fulfill responsibilities outlined in RCW 13.34.046.

(9) "Experiencing homelessness" means lacking a fixed, regular, and adequate nighttime residence, including circumstances such as sharing the housing of other persons due to loss of housing, economic hardship, fleeing domestic violence, or a similar reason as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter I) as it existed on January 1, 2021.

(10) "Extended foster care services" means residential and other support services the department is authorized to provide under RCW 74.13.031. These services may include placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(11) "Guardian" means the person or agency that: (a) Has been appointed as the guardian of a child in a legal proceeding, including a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the legal right to custody of the child pursuant to such appointment. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under this chapter.

(12) "Guardian ad litem" means a person, appointed by the court to represent the best interests of a child in a proceeding under this chapter, or in any matter which may be consolidated with a proceeding under this chapter. A "court-appointed special advocate" appointed by the court to be the guardian ad litem for the child, or to perform substantially the same duties and functions as a guardian ad litem, shall be deemed to be guardian ad litem for all purposes and uses of this chapter.

(13) "Guardian ad litem program" means a court-authorized volunteer program, which is or may be established by the superior court of the county in which such proceeding is filed, to manage all aspects of volunteer guardian ad litem representation for children alleged or found to be dependent. Such management shall include but is not limited to: Recruitment, screening, training, supervision, assignment, and discharge of volunteers.

(14) "Guardianship" means a guardianship pursuant to chapter 13.36 RCW or a limited guardianship of a minor pursuant to RCW 11.130.215 or equivalent laws of another state or a federally recognized Indian tribe.

(15) "High-potency synthetic opioid" means an unprescribed synthetic opioid classified as a schedule II controlled substance or controlled substance analog in chapter 69.50 RCW or by the pharmacy quality assurance commission in rule including, but not limited to, fentanyl.

(16) "Housing assistance" means appropriate referrals by the department or other agencies to federal, state, local, or private agencies or organizations, assistance with forms, applications, or financial subsidies or other monetary assistance for housing. For purposes of this chapter, "housing assistance" is not a remedial service or family reunification service as described in RCW 13.34.025(2).

~~((16))~~ (17) "Indigent" means a person who, at any stage of a court proceeding, is:

(a) Receiving one of the following types of public assistance: Temporary assistance for needy families, aged, blind, or disabled assistance benefits, medical care services under RCW 74.09.035, pregnant women assistance benefits, poverty-related veterans' benefits, food stamps or food stamp benefits transferred electronically, refugee resettlement benefits, medicaid, or supplemental security income; or

(b) Involuntarily committed to a public mental health facility; or

(c) Receiving an annual income, after taxes, of one hundred twenty-five percent or less of the federally established poverty level; or

(d) Unable to pay the anticipated cost of counsel for the matter before the court because his or her available funds are insufficient to pay any amount for the retention of counsel.

~~((17))~~ (18) "Nonminor dependent" means any individual age eighteen to twenty-one years who is participating in extended foster care services authorized under RCW 74.13.031.

~~((18))~~ (19) "Out-of-home care" means placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or placement in a home, other than that of the child's parent, guardian, or legal custodian, not required to be licensed pursuant to chapter 74.15 RCW.

~~((19))~~ (20) "Parent" means the biological or adoptive parents of a child, or an individual who has established a parent-child relationship under RCW 26.26A.100, unless the legal rights of that person have been terminated by a judicial proceeding pursuant to this chapter, chapter 26.33 RCW, or the equivalent laws of another state or a federally recognized Indian tribe.

~~((20))~~ (21) "Prevention and family services and programs" means specific mental health prevention and treatment services, substance abuse prevention and treatment services, and in-home parent skill-based programs that qualify for federal funding under the federal family first prevention services act, P.L. 115-123. For purposes of this chapter, prevention and family services and programs are not remedial services or family reunification services as described in RCW 13.34.025(2).

~~((21))~~ (22) "Prevention services" means preservation services, as defined in chapter 74.14C RCW, and other reasonably available services, including housing assistance, capable of preventing the need for out-of-home placement while protecting the child. Prevention services include, but are not limited to, prevention and family services and programs as defined in this section.

~~((22))~~ (23) "Qualified residential treatment program" means a program that meets the requirements provided in RCW 13.34.420, qualifies for funding under the family first prevention services act under 42 U.S.C. Sec. 672(k), and, if located within Washington state, is licensed as a group care facility under chapter 74.15 RCW.

~~((23))~~ (24) "Relative" includes persons related to a child in the following ways:

(a) Any blood relative, including those of half-blood, and including first cousins, second cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(b) Stepfather, stepmother, stepbrother, and stepsister;

(c) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law;

(d) Spouses of any persons named in (a), (b), or (c) of this subsection, even after the marriage is terminated;

(e) Relatives, as named in (a), (b), (c), or (d) of this subsection, of any half sibling of the child; or

(f) Extended family members, as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent who provides care in the family abode on a twenty-four hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4).

~~((24))~~ (25) "Shelter care" means temporary physical care in a facility licensed pursuant to RCW 74.15.030 or in a home not required to be licensed pursuant to RCW 74.15.030.

~~((25))~~ (26) "Sibling" means a child's birth brother, birth sister, adoptive brother, adoptive sister, half-brother, or half-sister, or as defined by the law or custom of the Indian child's tribe for an Indian child as defined in RCW 13.38.040.

~~((26))~~ (27) "Social study" means a written evaluation of matters relevant to the disposition of the case that contains the information required by RCW 13.34.430.

~~((27))~~ (28) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. Supervised independent living settings must be approved by the department or the court.

~~((28))~~ (29) "Voluntary placement agreement" means, for the purposes of extended foster care services, a written voluntary agreement between a nonminor dependent who agrees to submit to the care and authority of the department for the purposes of participating in the extended foster care program.

**Sec. 102.** RCW 13.34.050 and 2021 c 211 s 6 are each amended to read as follows:

(1) The court may enter an order directing a law enforcement officer, probation counselor, or child protective services official to take a child into custody if: (a) A petition is filed with the juvenile court with sufficient corroborating evidence to establish that the child is dependent; (b) ~~((the allegations contained in the petition, if true, establish that there are reasonable grounds to believe that removal is necessary to prevent imminent physical harm to the child due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, or a pattern of severe neglect; and (c))~~ an affidavit or declaration is filed by the department in support of the petition setting forth specific factual information evidencing insufficient time to serve a parent with a dependency petition and hold a hearing prior to removal; and (c) the allegations contained in the petition, if true, establish that there are reasonable grounds to believe that removal is necessary to prevent imminent physical harm to the child due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a pattern of severe neglect, or a high-potency synthetic opioid. The court shall give great weight to the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids in determining whether removal is necessary to prevent imminent physical harm to the child due to child abuse or neglect.

(2) Any petition that does not have the necessary affidavit or declaration demonstrating a risk of imminent harm requires that the parents are provided notice and an opportunity to be heard before the order may be entered.

(3) The petition and supporting documentation must be served on the parent, and if the child is in custody at the time the child is removed, on the entity with custody other than the parent. If the court orders that a child be taken into custody under subsection (1) of this section, the petition and supporting documentation must be served on the parent at the time of the child's removal unless, after diligent efforts, the parents cannot be located at the time of removal. If the parent is not served at the time of removal, the department shall make diligent efforts to personally serve the parent. Failure to effect service does not invalidate the petition if service was attempted and the parent could not be found.

**Sec. 103.** RCW 13.34.065 and 2021 c 211 s 9, 2021 c 208 s 1, and 2021 c 67 s 4 are each reenacted and amended to read as follows:

(1)(a) When a child is removed or when the petitioner is seeking the removal of a child from the child's parent, guardian, or legal custodian, the court shall hold a shelter care hearing within 72 hours, excluding Saturdays, Sundays, and holidays. The primary purpose of the shelter care hearing is to determine whether the child can be immediately and safely returned home while the adjudication of the dependency is pending. The court shall hold an additional shelter care hearing within 72 hours, excluding Saturdays, Sundays, and holidays if the child is removed from the care of a parent, guardian, or legal custodian at any time after an initial shelter care hearing under this section.

(b) Any child's attorney, parent, guardian, or legal custodian who for good cause is unable to attend or adequately prepare for the shelter care hearing may request that the initial shelter care hearing be continued or that a subsequent shelter care hearing be scheduled. The request shall be made to the clerk of the court where the petition is filed prior to the initial shelter care hearing. Upon the request of the child's attorney, parent, guardian, or legal custodian, the court shall schedule the hearing within 72 hours of the request, excluding Saturdays, Sundays, and holidays. The clerk shall notify all other parties of the hearing by any reasonable means. If the parent, guardian, or legal custodian is not represented by counsel, the clerk shall provide information to the parent, guardian, or legal custodian regarding how to obtain counsel.

(2)(a) If it is likely that the child will remain in shelter care longer than 72 hours, the department shall submit a recommendation to the court as to the further need for shelter care in all cases in which the child will remain in shelter care longer than the 72 hour

period. In all other cases, the recommendation shall be submitted by the juvenile court probation counselor.

(b) All parties have the right to present testimony to the court regarding the need or lack of need for shelter care.

(c) Hearsay evidence before the court regarding the need or lack of need for shelter care must be supported by sworn testimony, affidavit, or declaration of the person offering such evidence.

(3) (a) At the commencement of the hearing, the court shall notify the parent, guardian, or custodian of the following:

(i) The parent, guardian, or custodian has the right to a shelter care hearing;

(ii) The nature of the shelter care hearing, the rights of the parents, and the proceedings that will follow; and

(iii) If the parent, guardian, or custodian is not represented by counsel, the right to be represented. If the parent, guardian, or custodian is indigent, the court shall appoint counsel as provided in RCW 13.34.090; and

(b) If a parent, guardian, or legal custodian desires to waive the shelter care hearing, the court shall determine, on the record and with the parties present, whether such waiver is knowing and voluntary. A parent may not waive his or her right to the shelter care hearing unless he or she appears in court, in person, or by remote means, and the court determines that the waiver is knowing and voluntary. Regardless of whether the court accepts the parental waiver of the shelter care hearing, the court must provide notice to the parents of their rights required under (a) of this subsection and make the finding required under subsection (4) of this section.

(4) At the shelter care hearing the court shall examine the need for shelter care and inquire into the status of the case. The paramount consideration for the court shall be the health, welfare, and safety of the child. At a minimum, the court shall inquire into the following:

(a) Whether the notice required under RCW 13.34.062 was given to all known parents, guardians, or legal custodians of the child. The court shall make an express finding as to whether the notice required under RCW 13.34.062 was given to the parent, guardian, or legal custodian. If actual notice was not given to the parent, guardian, or legal custodian and the whereabouts of such person is known or can be ascertained, the court shall order the department to make diligent efforts to advise the parent, guardian, or legal custodian of the status of the case, including the date and time of any subsequent hearings, and their rights under RCW 13.34.090;

(b) Whether the child can be safely returned home while the adjudication of the dependency is pending;

(c) What efforts have been made to place the child with a relative. The court shall ask the parents whether the department discussed with them the placement of the child with a relative or other suitable person described in RCW 13.34.130(1)(b) and shall determine what efforts have been made toward such a placement;

(d) What services were provided to the family to prevent or eliminate the need for removal of the child from the child's home. If the dependency petition or other information before the court alleges that experiencing homelessness or the lack of suitable housing was a significant factor contributing to the removal of the child, the court shall inquire as to whether housing assistance was provided to the family to prevent or eliminate the need for removal of the child or children;

(e) Is the placement proposed by the department the least disruptive and most family-like setting that meets the needs of the child;

(f) Whether it is in the best interest of the child to remain enrolled in the school, developmental program, or child care the child was in prior to placement and what efforts have been made to maintain the child in the school, program, or child care if it would be in the best interest of the child to remain in the same school, program, or child care;

(g) Appointment of a guardian ad litem or attorney;

(h) Whether the child is or may be an Indian child as defined in RCW 13.38.040, whether the provisions of the federal Indian child welfare act or chapter 13.38 RCW apply, and whether there is compliance with the federal Indian child welfare act and chapter 13.38 RCW, including notice to the child's tribe;

(i) Whether, as provided in RCW 26.44.063, restraining orders, or orders expelling an allegedly abusive household member from the home of a nonabusive parent, guardian, or legal custodian, will allow the child to safely remain in the home;

(j) Whether any orders for examinations, evaluations, or immediate services are needed. The court may not order a parent to undergo examinations, evaluation, or services at the shelter care hearing unless the parent agrees to the examination, evaluation, or service;

(k) The terms and conditions for parental, sibling, and family visitation.

(5) (a) The court shall release a child alleged to be dependent to the care, custody, and control of the child's parent, guardian, or legal custodian unless the court finds there is reasonable cause to believe that:

(i) After consideration of the specific services that have been provided, reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home; and

(ii) (A) The child has no parent, guardian, or legal custodian to provide supervision and care for such child; or

(B) (I) Removal of the child is necessary to prevent imminent physical harm due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a high-potency synthetic opioid, or a pattern of severe neglect, notwithstanding an order

entered pursuant to RCW 26.44.063. The evidence must show a causal relationship between the particular conditions in the home and imminent physical harm to the child. The existence of community or family poverty, isolation, single parenthood, age of the parent, crowded or inadequate housing, substance abuse, prenatal drug or alcohol exposure, mental illness, disability or special needs of the parent or child, or nonconforming social behavior does not by itself constitute imminent physical harm. The court shall give great weight to the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids when determining whether removal of the child is necessary to prevent imminent physical harm due to child abuse or neglect;

(II) It is contrary to the welfare of the child to be returned home; and

(III) After considering the particular circumstances of the child, any imminent physical harm to the child outweighs the harm the child will experience as a result of removal; or

(C) The parent, guardian, or custodian to whom the child could be released has been charged with violating RCW 9A.40.060 or 9A.40.070.

(b) If the court finds that the elements of (a)(ii)(B) of this subsection require removal of the child, the court shall further consider:

(i) Whether participation by the parents, guardians, or legal custodians in any prevention services would prevent or eliminate the need for removal and, if so, shall inquire of the parent whether they are willing to participate in such services. If the parent agrees to participate in the prevention services identified by the court that would prevent or eliminate the need for removal, the court shall place the child with the parent. The court shall give great weight to the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids when deciding whether to place the child with the parent. The court shall not order a parent to participate in prevention services over the objection of the parent, however, parents shall have the opportunity to consult with counsel prior to deciding whether to agree to proposed prevention services as a condition of having the child return to or remain in the care of the parent; and

(ii) Whether the issuance of a temporary order of protection directing the removal of a person or persons from the child's residence would prevent the need for removal of the child.

(c)(i) If the court does not release the child to his or her parent, guardian, or legal custodian, the court shall order placement with a relative or other suitable person as described in RCW 13.34.130(1)(b), unless the petitioner establishes that there is reasonable cause to believe that:

(A) Placement in licensed foster care is necessary to prevent imminent physical harm to the child due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a high-potency synthetic opioid, or a pattern of severe neglect, because no relative or other suitable person is capable of ensuring the basic safety of the child; or

(B) The efforts to reunite the parent and child will be hindered.

(ii) In making the determination in (c)(i) of this subsection, the court shall:

(A) Inquire of the petitioner and any other person present at the hearing for the child whether there are any relatives or other suitable persons who are willing to care for the child. This inquiry must include whether any relative or other suitable person:

(I) Has expressed an interest in becoming a caregiver for the child;

(II) Is able to meet any special needs of the child;

(III) Is willing to facilitate the child's sibling and parent visitation if such visitation is ordered by the court; and

(IV) Supports reunification of the parent and child once reunification can safely occur; and

(B) Give great weight to the stated preference of the parent, guardian, or legal custodian, and the child.

(iii) If a relative or other suitable person expressed an interest in caring for the child, can meet the child's special needs, can support parent-child reunification, and will facilitate court-ordered sibling or parent visitation, the following must not prevent the child's placement with such relative or other suitable person:

(A) An incomplete department or fingerprint-based background check, if such relative or other suitable person appears otherwise suitable and competent to provide care and treatment, but the background checks must be completed as soon as possible after placement;

(B) Uncertainty on the part of the relative or other suitable person regarding potential adoption of the child;

(C) Disbelief on the part of the relative or other suitable person that the parent, guardian, or legal custodian presents a danger to the child, provided the caregiver will protect the safety of the child and comply with court orders regarding contact with a parent, guardian, or legal custodian; or

(D) The conditions of the relative or other suitable person's home are not sufficient to satisfy the requirements of a licensed foster home. The court may order the department to provide financial or other support to the relative or other suitable person necessary to ensure safe conditions in the home.

(d) If the child was not initially placed with a relative or other suitable person, and the court does not release the child to his or her parent, guardian, or legal custodian, the department shall make reasonable efforts to locate a relative or other suitable person pursuant to RCW 13.34.060(1).

(e) If the court does not order placement with a relative or other suitable person, the court shall place the child in licensed foster care and shall set forth its reasons for the order. If the court orders placement of the child with a person not related to the child and

not licensed to provide foster care, the placement is subject to all terms and conditions of this section that apply to relative placements.

(f) Any placement with a relative, or other suitable person approved by the court pursuant to this section, shall be contingent upon cooperation with the department's or agency's case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts, sibling contacts, and any other conditions imposed by the court. Noncompliance with the case plan or court order is grounds for removal of the child from the home of the relative or other suitable person, subject to review by the court.

(g) If the child is placed in a qualified residential treatment program as defined in this chapter, the court shall, within 60 days of placement, hold a hearing to:

(i) Consider the assessment required under RCW 13.34.420 and submitted as part of the department's social study, and any related documentation;

(ii) Determine whether placement in foster care can meet the child's needs or if placement in another available placement setting best meets the child's needs in the least restrictive environment; and

(iii) Approve or disapprove the child's placement in the qualified residential treatment program.

(h) Uncertainty by a parent, guardian, legal custodian, relative, or other suitable person that the alleged abuser has in fact abused the child shall not, alone, be the basis upon which a child is removed from the care of a parent, guardian, or legal custodian under (a) of this subsection, nor shall it be a basis, alone, to preclude placement with a relative or other suitable person under (c) of this subsection.

(i) If the court places with a relative or other suitable person, and that person has indicated a desire to become a licensed foster parent, the court shall order the department to commence an assessment of the home of such relative or other suitable person within 10 days and thereafter issue an initial license as provided under RCW 74.15.120 for such relative or other suitable person, if qualified, as a foster parent. The relative or other suitable person shall receive a foster care maintenance payment, starting on the date the department approves the initial license. If such home is found to be unqualified for licensure, the department shall report such fact to the court within one week of that determination. The department shall report on the status of the licensure process during the entry of any dispositional orders in the case.

(j) If the court places the child in licensed foster care:

(i) The petitioner shall report to the court, at the shelter care hearing, the location of the licensed foster placement the petitioner has identified for the child and the court shall inquire as to whether:

(A) The identified placement is the least restrictive placement necessary to meet the needs of the child;

(B) The child will be able to remain in the same school and whether any orders of the court are necessary to ensure educational stability for the child;

(C) The child will be placed with a sibling or siblings, and whether court-ordered sibling contact would promote the well-being of the child;

(D) The licensed foster placement is able to meet the special needs of the child;

(E) The location of the proposed foster placement will impede visitation with the child's parent or parents;

(ii) The court may order the department to:

(A) Place the child in a less restrictive placement;

(B) Place the child in a location in closer proximity to the child's parent, home, or school;

(C) Place the child with the child's sibling or siblings;

(D) Take any other necessary steps to ensure the child's health, safety, and well-being;

(iii) The court shall advise the petitioner that:

(A) Failure to comply with court orders while a child is in shelter care will be considered when determining whether reasonable efforts have been made by the department during a hearing under RCW 13.34.110; and

(B) Placement moves while a child is in shelter care will be considered when determining whether reasonable efforts have been made by the department during a hearing under RCW 13.34.110.

(6) (a) A shelter care order issued pursuant to this section shall include the requirement for a case conference as provided in RCW 13.34.067. However, if the parent is not present at the shelter care hearing, or does not agree to the case conference, the court shall not include the requirement for the case conference in the shelter care order.

(b) If the court orders a case conference, the shelter care order shall include notice to all parties and establish the date, time, and location of the case conference which shall be no later than 30 days before the fact-finding hearing.

(c) The court may order another conference, case staffing, or hearing as an alternative to the case conference required under RCW 13.34.067 so long as the conference, case staffing, or hearing ordered by the court meets all requirements under RCW 13.34.067, including the requirement of a written agreement specifying the services to be provided to the parent.

(7) (a) (i) A shelter care order issued pursuant to this section may be amended at any time with notice and hearing thereon. The shelter care decision of placement shall be modified only upon a showing of change in circumstances. No child may be placed in shelter care for longer than thirty days without an order, signed by the judge, authorizing continued shelter care.



(ii) If the court previously ordered that visitation between a parent and child be supervised or monitored, there shall be a presumption that such supervision or monitoring will no longer be necessary following a continued shelter care order under (a)(i) of this subsection. To overcome this presumption, a party must provide a report to the court including evidence establishing that removing visit supervision or monitoring would create a risk to the child's safety, and the court shall make a determination as to whether visit supervision or monitoring must continue.

(b)(i) An order releasing the child on any conditions specified in this section may at any time be amended, with notice and hearing thereon, so as to return the child to shelter care for failure of the parties to conform to the conditions originally imposed.

(ii) The court shall consider whether nonconformance with any conditions resulted from circumstances beyond the control of the parent, guardian, or legal custodian and give weight to that fact before ordering return of the child to shelter care.

(8) The department and its employees shall not be held liable in any civil action for complying with an order issued under this section for placement: With a parent who has agreed to accept services, a relative, or a suitable person.

(9)(a) If a child is placed out of the home of a parent, guardian, or legal custodian following a shelter care hearing, the court shall order the petitioner to provide regular visitation with the parent, guardian, or legal custodian, and siblings. Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and allowing family reunification. The court shall order a visitation plan individualized to the needs of the family with a goal of providing the maximum parent, child, and sibling contact possible.

(b) Visitation under this subsection shall not be limited as a sanction for a parent's failure to comply with recommended services during shelter care.

(c) Visitation under this subsection may only be limited where necessary to ensure the health, safety, or welfare of the child.

(d) The first visit must take place within 72 hours of the child being delivered into the custody of the department, unless the court finds that extraordinary circumstances require delay.

(e) If the first visit under (d) of this subsection occurs in an in-person format, this first visit must be supervised unless the department determines that visit supervision is not necessary.

**Sec. 104.** RCW 13.34.130 and 2019 c 172 s 12 are each amended to read as follows:

If, after a fact-finding hearing pursuant to RCW 13.34.110, it has been proven by a preponderance of the evidence that the child is dependent within the meaning of RCW 13.34.030 after consideration of the social study prepared pursuant to RCW 13.34.110 and after a disposition hearing has been held pursuant to RCW 13.34.110, the court shall enter an order of disposition pursuant to this section.

(1) The court shall order one of the following dispositions of the case:

(a) Order a disposition that maintains the child in his or her home, which shall provide a program designed to alleviate the immediate danger to the child, to mitigate or cure any damage the child has already suffered, and to aid the parents so that the child will not be endangered in the future. In determining the disposition, the court should choose services to assist the parents in maintaining the child in the home, including housing assistance, if appropriate, that least interfere with family autonomy and are adequate to protect the child.

(b)(i) Order the child to be removed from his or her home and into the custody, control, and care of a relative or other suitable person, the department, or agency responsible for supervision of the child's placement. If the court orders that the child be placed with a caregiver over the objections of the parent or the department, the court shall articulate, on the record, his or her reasons for ordering the placement. The court may not order an Indian child, as defined in RCW 13.38.040, to be removed from his or her home unless the court finds, by clear and convincing evidence including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

(ii) The department has the authority to place the child, subject to review and approval by the court (A) with a relative as defined in RCW 74.15.020(2)(a), (B) in the home of another suitable person if the child or family has a preexisting relationship with that person, and the person has completed all required criminal history background checks and otherwise appears to the department to be suitable and competent to provide care for the child, or (C) in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW.

(iii) The department may also consider placing the child, subject to review and approval by the court, with a person with whom the child's sibling or half-sibling is residing or a person who has adopted the sibling or half-sibling of the child being placed as long as the person has completed all required criminal history background checks and otherwise appears to the department to be competent to provide care for the child.

(2) Absent good cause, the department shall follow the wishes of the natural parent regarding the placement of the child in accordance with RCW 13.34.260.

(3) The department may only place a child with a person not related to the child as defined in RCW 74.15.020(2)(a), including a placement provided for in subsection (1)(b)(iii) of this section, when the court finds that such placement is in the best interest of the child. Unless there is reasonable cause to believe that the health, safety, or welfare of the child would be jeopardized or that efforts to reunite the parent and child will be hindered, the child shall be placed with a person who is willing, appropriate, and available to care

for the child, and who is: (I) Related to the child as defined in RCW 74.15.020(2)(a) with whom the child has a relationship and is comfortable; or (II) a suitable person as described in subsection (1)(b) of this section. The court shall consider the child's existing relationships and attachments when determining placement.

(4) If the child is placed in a qualified residential treatment program as defined in this chapter, the court shall, within sixty days of placement, hold a hearing to:

~~((i) [(a)])~~ (a) Consider the assessment required under RCW 13.34.420 and submitted as part of the department's social study, and any related documentation;

~~((ii) [(b)])~~ (b) Determine whether placement in foster care can meet the child's needs or if placement in another available placement setting best meets the child's needs in the least restrictive environment; and

~~((iii) [(c)])~~ (c) Approve or disapprove the child's placement in the qualified residential treatment program.

(5) When placing an Indian child in out-of-home care, the department shall follow the placement preference characteristics in RCW 13.38.180.

(6) Placement of the child with a relative or other suitable person as described in subsection (1)(b) of this section shall be given preference by the court. An order for out-of-home placement may be made only if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home, specifying the services, including housing assistance, that have been provided to the child and the child's parent, guardian, or legal custodian, and that prevention services have been offered or provided and have failed to prevent the need for out-of-home placement, unless the health, safety, and welfare of the child cannot be protected adequately in the home, and that:

(a) There is no parent or guardian available to care for such child;

(b) The parent, guardian, or legal custodian is not willing to take custody of the child;

or

(c) The court finds, by clear, cogent, and convincing evidence, a manifest danger exists that the child will suffer serious abuse or neglect if the child is not removed from the home and an order under RCW 26.44.063 would not protect the child from danger. The court shall give great weight to the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids, including fentanyl, when deciding whether a manifest danger exists.

(7) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section, the court shall consider whether it is in a child's best interest to be placed with, have contact with, or have visits with siblings.

(a) There shall be a presumption that such placement, contact, or visits are in the best interests of the child provided that:

(i) The court has jurisdiction over all siblings subject to the order of placement, contact, or visitation pursuant to petitions filed under this chapter or the parents of a child for whom there is no jurisdiction are willing to agree; and

(ii) There is no reasonable cause to believe that the health, safety, or welfare of any child subject to the order of placement, contact, or visitation would be jeopardized or that efforts to reunite the parent and child would be hindered by such placement, contact, or visitation. In no event shall parental visitation time be reduced in order to provide sibling visitation.

(b) The court may also order placement, contact, or visitation of a child with a stepbrother or stepsister provided that in addition to the factors in (a) of this subsection, the child has a relationship and is comfortable with the stepsibling.

(8) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section and placed into nonparental or nonrelative care, the court shall order a placement that allows the child to remain in the same school he or she attended prior to the initiation of the dependency proceeding when such a placement is practical and in the child's best interest.

(9) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section, the court may order that a petition seeking termination of the parent and child relationship be filed if the requirements of RCW 13.34.132 are met.

(10) If there is insufficient information at the time of the disposition hearing upon which to base a determination regarding the suitability of a proposed placement with a relative or other suitable person, the child shall remain in foster care and the court shall direct the department to conduct necessary background investigations as provided in chapter 74.15 RCW and report the results of such investigation to the court within thirty days. However, if such relative or other person appears otherwise suitable and competent to provide care and treatment, the criminal history background check need not be completed before placement, but as soon as possible after placement. Any placements with relatives or other suitable persons, pursuant to this section, shall be contingent upon cooperation by the relative or other suitable person with the agency case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts, sibling contacts, and any other conditions imposed by the court. Noncompliance with the case plan or court order shall be grounds for removal of the child from the relative's or other suitable person's home, subject to review by the court.

**Sec. 105.** RCW 26.44.050 and 2021 c 211 s 5 are each amended to read as follows:

(1) Except as provided in RCW 26.44.030(12), upon the receipt of a report alleging that abuse or neglect has occurred, the law enforcement agency or the department must investigate

and provide the protective services section with a report in accordance with chapter 74.13 RCW, and where necessary to refer such report to the court.

(2) A law enforcement officer may take, or cause to be taken, a child into custody without a court order if there is probable cause to believe that taking the child into custody is necessary to prevent imminent physical harm to the child due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a high-potency synthetic opioid, or a pattern of severe neglect, and the child would be seriously injured or could not be taken into custody if it were necessary to first obtain a court order pursuant to RCW 13.34.050. The law enforcement agency or the department investigating such a report is hereby authorized to photograph such a child for the purpose of providing documentary evidence of the physical condition of the child.

**Sec. 106.** RCW 26.44.056 and 2021 c 211 s 4 are each amended to read as follows:

(1) An administrator of a hospital or similar institution or any physician, licensed pursuant to chapters 18.71 or 18.57 RCW, may detain a child without consent of a person legally responsible for the child whether or not medical treatment is required, if there is probable cause to believe that detaining the child is necessary to prevent imminent physical harm to the child due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a high-potency synthetic opioid, or a pattern of severe neglect, and the child would be seriously injured or could not be taken into custody if it were necessary to first obtain a court order under RCW 13.34.050: PROVIDED, That such administrator or physician shall notify or cause to be notified the appropriate law enforcement agency or child protective services pursuant to RCW 26.44.040. Such notification shall be made as soon as possible and in no case longer than ~~((seventy-two))~~ 72 hours. Such temporary protective custody by an administrator or doctor shall not be deemed an arrest. Child protective services may detain the child until the court assumes custody, but in no case longer than ~~((seventy-two))~~ 72 hours, excluding Saturdays, Sundays, and holidays.

(2) A child protective services employee, an administrator, doctor, or law enforcement officer shall not be held liable in any civil action for the decision for taking the child into custody, if done in good faith under this section.

NEW SECTION. **Sec. 107.** A new section is added to chapter 43.216 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, at least one legal liaison position shall be established within the department in each of its regions to work with both the department and the office of the attorney general for the purpose of assisting with the preparation of child abuse and neglect court cases.

(2)(a) To the extent possible, the workload of the legal liaisons shall be geographically divided to reflect where the highest risk and most vulnerable child abuse and neglect cases are filed.

(b) For the purpose of this subsection, "highest risk" and "most vulnerable" are determined by the age of the child and whether the child is particularly vulnerable given the child's medical or developmental conditions.

(3) The department may determine the necessary qualifications for the legal liaison positions established in this section.

**Sec. 108.** RCW 2.56.230 and 2008 c 279 s 2 are each amended to read as follows:

(1) A superior court may apply for grants from the family and juvenile court improvement grant program by submitting a local improvement plan with the administrator for the courts. To be eligible for grant funds, a superior court's local improvement plan must meet the criteria developed by the administrator for the courts and approved by the board for judicial administration. The criteria must be consistent with the principles adopted for unified family courts. At a minimum, the criteria must require that the court's local improvement plan meet the following requirements:

(a) Commit to a chief judge assignment to the family and juvenile court for a minimum of two years;

(b) Implementation of the principle of one judicial team hearing all of the proceedings in a case involving one family, especially in dependency cases;

(c) Require court commissioners and judges assigned to family and juvenile court to receive a minimum of thirty hours specialized training in topics related to family and juvenile matters within six months of assuming duties in family and juvenile court. Where possible, courts should utilize local, statewide, and national training forums. A judicial officer's recorded educational history may be applied toward the thirty-hour requirement. The topics for training must include:

(i) Parentage;

(ii) Adoption;

(iii) Domestic relations;

(iv) Dependency and termination of parental rights;

(v) Child development;

(vi) The impact of child abuse and neglect;

(vii) Domestic violence;

(viii) Substance ~~((abuse))~~ use disorder, including the risk and danger presented to children and youth;

(ix) Mental health;

- (x) Juvenile status offenses;
  - (xi) Juvenile offenders;
  - (xii) Self-representation issues;
  - (xiii) Cultural competency;
  - (xiv) Roles of family and juvenile court judges and commissioners;
  - (xv) How to apply the child safety framework to crucial aspects of dependency cases, including safety assessment, safety planning, and case planning; and
  - (xvi) The legal standards for removal of a child based on abuse or neglect; and
- (d) As part of the application for grant funds, submit a spending proposal detailing how the superior court would use the grant funds.
- (2) Courts receiving grant money must use the funds to improve and support family and juvenile court operations based on standards developed by the administrator for the courts and approved by the board for judicial administration. The standards may allow courts to use the funds to:
- (a) Pay for family and juvenile court training of commissioners and judges or pay for pro tem commissioners and judges to assist the court while the commissioners and judges receive training;
  - (b) Pay for the training of other professionals involved in child welfare court proceedings including, but not limited to, attorneys and guardians ad litem;
  - (c) Increase judicial and nonjudicial staff, including administrative staff to improve case coordination and referrals in family and juvenile cases, guardian ad litem volunteers or court-appointed special advocates, security, and other staff;
  - ~~((+e))~~ (d) Improve the court facility to better meet the needs of children and families;
  - ~~((+d))~~ (e) Improve referral and treatment options for court participants, including enhancing court facilitator programs and family treatment court and increasing the availability of alternative dispute resolution;
  - ~~((+e))~~ (f) Enhance existing family and children support services funded by the courts and expand access to social service programs for families and children ordered by the court; and
  - ~~((+f))~~ (g) Improve or support family and juvenile court operations in any other way deemed appropriate by the administrator for the courts.
- (3) The administrator for the courts shall allocate available grant moneys based upon the needs of the court as expressed in their local improvement plan.
- (4) Money received by the superior court under this program must be used to supplement, not supplant, any other local, state, and federal funds for the court.
- (5) Upon receipt of grant funds, the superior court shall submit to the administrator for the courts a spending plan detailing the use of funds. At the end of the fiscal year, the superior court shall submit to the administrator for the courts a financial report comparing the spending plan to actual expenditures. The administrator for the courts shall compile the financial reports and submit them to the appropriate committees of the legislature.

NEW SECTION. **Sec. 109.** A new section is added to chapter 43.70 RCW to read as follows:

- (1) The department, in collaboration with the department of children, youth, and families and the poison information centers described under chapter 18.76 RCW, shall convene a work group on exposure of children to fentanyl to provide information for child welfare workers, juvenile courts, caregivers, and families regarding the risks of fentanyl exposure for children receiving child welfare services defined under RCW 74.13.020 or child protective services under RCW 26.44.020 and child welfare workers. The information shall be made publicly available and distributed to child welfare court professionals, including:
- (a) Department of children, youth, and families employees supporting or providing child welfare services as defined in RCW 74.13.020 or child protective services as defined in RCW 26.44.020;
  - (b) Attorneys;
  - (c) Judicial officers; and
  - (d) Guardians ad litem.
- (2) This section expires July 1, 2025.

NEW SECTION. **Sec. 110.** A new section is added to chapter 2.56 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the administrative office of the courts shall develop, deliver, and regularly update training regarding child safety and the risk and danger presented to children and youth by high-potency synthetic opioids and other substances impacting families.

(2) The training established in this section must be:

- (a) Informed by the information developed under section 109 of this act; and
- (b) Developed for and made available to judicial officers and system partners in the dependency court system.

## **PART II SERVICES FOR FAMILIES**

NEW SECTION. **Sec. 201.** A new section is added to chapter 43.216 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the department shall establish a pilot program for contracted child care slots for infants in

child protective services in locales with the historically highest rates of child welfare screened-in intake due to the exposure or presence of high-potency synthetic opioids in the home, which may be used as part of a safety plan. Unused slots under this section may be used for children who are screened in due to a parent's substance use disorder when the substance use disorder is related to a substance other than a high-potency synthetic opioid.

**NEW SECTION. Sec. 202.** A new section is added to chapter 43.216 RCW to read as follows:

(1) Home visiting established by RCW 43.216.130 has been shown to enhance child development and well-being by reducing the incidence of child abuse and neglect, promoting connection to community-based supports, and increasing school readiness for young children and their families.

(2) Subject to the availability of amounts appropriated for this specific purpose, the department shall enter into targeted contracts with existing home visiting programs established by RCW 43.216.130 in locales with the historically highest rates of child welfare screened-in intake to serve families.

(3) Targeted contracted home visiting slots for families experiencing high-potency synthetic opioid-related substance use disorder promotes expedited access to supports that enhance strengthened parenting skills and allows home visiting providers to have predictable funding. Any targeted contracted slots the department creates under this section must meet the requirements as provided for in this act.

(4) Only existing home visiting providers are eligible to be awarded targeted contracted slots. The targeted contracted slots are reserved for programs in locales with the historically highest rates of child welfare screened-in intakes.

(5) The department shall provide training specific to substance use disorders for the home visiting providers selected for this program.

(6) Families referred to home visiting services via the process established in subsection (8) of this section must be contacted by the contracted program within seven days of referral.

(7) The department shall award the contracted slots via a competitive process. The department shall pay providers for each targeted contracted slot using the rate provided to existing home visiting providers.

(8) Eligible families shall be referred to the targeted contracted slots through a referral process developed by the department. The referral process shall include referrals from the department's child welfare staff as well as community organizations working with families meeting the criteria established in subsection (9) of this section.

(9) Priority for targeted contracted home visiting slots shall be given to:

- (a) Families with child protective services open cases;
- (b) Families with family assessment response open cases; and
- (c) Families with family voluntary services open cases.

**NEW SECTION. Sec. 203.** A new section is added to chapter 41.05 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the authority shall expand specific treatment and services to children and youth with prenatal substance exposure who would benefit from evidence-based services impacting their behavioral and physical health.

(2) The authority shall contract for the services authorized in this section with behavioral health entities in a manner that allows leveraging of federal medicaid funds to pay for a portion of the costs.

(3) The authority shall consult with the department of children, youth, and families in the implementation of the program and services authorized under this section.

**NEW SECTION. Sec. 204.** (1) The department of children, youth, and families shall provide funding and support for two pilot programs to implement an evidence-based, comprehensive, intensive, in-home parenting services support model to serve children and families from birth to age 18 who are involved in child welfare, children's mental health, or juvenile justice systems.

(2) The pilot programs established in this section are intended to prevent or limit out-of-home placement through trauma-informed support to the child, caregivers, and families with three in-person, in-home sessions per week and provide on-call crisis support 24 hours a day, seven days a week.

(3) One pilot program established in this section will serve families west of the crest of the Cascade mountain range and one pilot program established in this section will serve families east of the crest of the Cascade mountain range. Each pilot program will build upon existing programs to avoid duplication of existing services available to children and families at risk of entering the child welfare system.

(4) This section expires July 1, 2026.

**NEW SECTION. Sec. 205.** (1) Subject to the availability of funds for this specific purpose, the department of health shall provide funding to support promotoras in at least two communities. These promotoras shall provide culturally sensitive, lay health education for the Latinx community, and act as liaisons between their community, health professionals, and human and social service organizations.

(2) In determining which communities will be served by the promotoras under this section, the department of health shall provide funding to support one community west of the crest of the Cascade mountain range and one community east of the crest of the Cascade mountain range.

NEW SECTION. **Sec. 206.** A new section is added to chapter 74.13 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the department shall establish a pilot program to include third-party safety plan participants and public health nurses in child protective services safety planning. The pilot program established in this section must:

(1) Include contracts in up to four department offices for third-party safety plan participants and public health nurses to support child protective services workers in safety planning; and

(2) Provide support for cases involving high-potency synthetic opioids and families who do not have natural supports to aid in safety planning.

NEW SECTION. **Sec. 207.** A new section is added to chapter 74.13 RCW to read as follows:

The department shall make available to department staff high-potency synthetic opioid testing strips that can detect the presence of high-potency synthetic opioids that may be provided to families for personal use or used by department staff to maintain their safety.

NEW SECTION. **Sec. 208.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 6115

Prime Sponsor, Transportation: Concerning speed safety camera systems. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 46.16A.120 and 2012 c 83 s 5 are each amended to read as follows:

(1) Each court and government agency located in this state having jurisdiction over standing, stopping, and parking violations, the use of a photo toll system under RCW 46.63.160, the use of automated traffic safety cameras under RCW 46.63.170, ~~((and))~~ the use of automated school bus safety cameras under RCW 46.63.180, and the use of speed safety camera systems under RCW 46.63.200 may forward to the department any outstanding:

(a) Standing, stopping, and parking violations;

(b) Civil penalties for toll nonpayment detected through the use of photo toll systems issued under RCW 46.63.160;

(c) Automated traffic safety camera infractions issued under RCW 46.63.030(1)(d); ~~((and))~~

(d) Automated school bus safety camera infractions issued under RCW 46.63.030(1)(e); and

(e) Speed safety camera system infractions issued under RCW 46.63.030(1)(f).

(2) Violations, civil penalties, and infractions described in subsection (1) of this section must be reported to the department in the manner described in RCW 46.20.270(3).

(3) The department shall:

(a) Record the violations, civil penalties, and infractions on the matching vehicle records; and

(b) Send notice approximately ~~((one hundred twenty))~~ 120 days in advance of the current vehicle registration expiration date to the registered owner listing the dates and jurisdictions in which the violations, civil penalties, and infractions occurred, the amounts of unpaid fines and penalties, and the surcharge to be collected. Only those violations, civil penalties, and infractions received by the department ~~((one hundred twenty))~~ 120 days or more before the current vehicle registration expiration date will be included in the notice. Violations, civil penalties, and infractions received by the department later than ~~((one hundred twenty))~~ 120 days before the current vehicle registration expiration date that are not satisfied will be delayed until the next vehicle registration expiration date.

(4) The department, county auditor or other agent, or subagent appointed by the director shall not renew a vehicle registration if there are any outstanding standing, stopping, and parking violations, and other civil penalties issued under RCW 46.63.160 for the vehicle unless:

(a) The outstanding standing, stopping, or parking violations and civil penalties were received by the department within (~~one hundred twenty~~) 120 days before the current vehicle registration expiration;

(b) There is a change in registered ownership; or

(c) The registered owner presents proof of payment of each violation, civil penalty, and infraction provided in this section and the registered owner pays the surcharge required under RCW 46.17.030.

(5) The department shall:

(a) Forward a change in registered ownership information to the court or government agency who reported the outstanding violations, civil penalties, or infractions; and

(b) Remove the outstanding violations, civil penalties, and infractions from the vehicle record.

**Sec. 2.** RCW 46.20.270 and 2015 c 189 s 1 are each amended to read as follows:

(1) Every court having jurisdiction over offenses committed under this chapter, or any other act of this state or municipal ordinance adopted by a local authority regulating the operation of motor vehicles on highways, or any federal authority having jurisdiction over offenses substantially the same as those set forth in this title which occur on federal installations within this state, shall immediately forward to the department a forfeiture of bail or collateral deposited to secure the defendant's appearance in court, a payment of a fine, penalty, or court cost, a plea of guilty or nolo contendere or a finding of guilt, or a finding that any person has committed a traffic infraction an abstract of the court record in the form prescribed by rule of the supreme court, showing the conviction of any person or the finding that any person has committed a traffic infraction in said court for a violation of any said laws other than regulations governing standing, stopping, parking, and pedestrian offenses.

(2) Every state agency or municipality having jurisdiction over offenses committed under this chapter, or under any other act of this state or municipal ordinance adopted by a state or local authority regulating the operation of motor vehicles on highways, may forward to the department within (~~ten~~) 10 days of failure to respond, failure to pay a penalty, failure to appear at a hearing to contest the determination that a violation of any statute, ordinance, or regulation relating to standing, stopping, parking, or civil penalties issued under RCW 46.63.160 or 46.63.200 has been committed, or failure to appear at a hearing to explain mitigating circumstances, an abstract of the citation record in the form prescribed by rule of the department, showing the finding by such municipality that two or more violations of laws governing standing, stopping, and parking or one or more civil penalties issued under RCW 46.63.160 or 46.63.200 have been committed and indicating the nature of the defendant's failure to act. Such violations or infractions may not have occurred while the vehicle is stolen from the registered owner. The department may enter into agreements of reciprocity with the duly authorized representatives of the states for reporting to each other violations of laws governing standing, stopping, and parking.

(3) For the purposes of this title and except as defined in RCW 46.25.010, "conviction" means a final conviction in a state or municipal court or by any federal authority having jurisdiction over offenses substantially the same as those set forth in this title which occur on federal installations in this state, an unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court, the payment of a fine or court cost, a plea of guilty or nolo contendere, or a finding of guilt on a traffic law violation charge, regardless of whether the imposition of sentence or sanctions are deferred or the penalty is suspended, but not including entry into a deferred prosecution agreement under chapter 10.05 RCW.

(4) Perfection of a notice of appeal shall stay the execution of the sentence pertaining to the withholding of the driving privilege.

(5) For the purposes of this title, "finding that a traffic infraction has been committed" means a failure to respond to a notice of infraction or a determination made by a court pursuant to this chapter. Payment of a monetary penalty made pursuant to RCW 46.63.070(2) is deemed equivalent to such a finding.

**Sec. 3.** RCW 46.63.110 and 2023 c 388 s 2 are each amended to read as follows:

(1)(a) A person found to have committed a traffic infraction shall be assessed a monetary penalty. No penalty may exceed \$250 for each offense unless authorized by this chapter or title.

(b) The court may waive or remit any monetary penalty, fee, cost, assessment, or other monetary obligation associated with a traffic infraction unless the specific monetary obligation in question is prohibited from being waived or remitted by state law.

(2) The monetary penalty for a violation of (a) RCW 46.55.105(2) is \$250 for each offense; (b) RCW 46.61.210(1) is \$500 for each offense. No penalty assessed under this subsection (2) may be reduced.

(3) The supreme court shall prescribe by rule a schedule of monetary penalties for designated traffic infractions. This rule shall also specify the conditions under which local courts may exercise discretion in assessing fines and penalties for traffic infractions. The legislature respectfully requests the supreme court to adjust this schedule every two years for inflation.

(4) There shall be a penalty of \$25 for failure to respond to a notice of traffic infraction except where the infraction relates to parking as defined by local law, ordinance, regulation, or resolution or failure to pay a monetary penalty imposed pursuant to this

chapter. A local legislative body may set a monetary penalty not to exceed \$25 for failure to respond to a notice of traffic infraction relating to parking as defined by local law, ordinance, regulation, or resolution. The local court, whether a municipal, police, or district court, shall impose the monetary penalty set by the local legislative body.

(5) Monetary penalties provided for in chapter 46.70 RCW which are civil in nature and penalties which may be assessed for violations of chapter 46.44 RCW relating to size, weight, and load of motor vehicles are not subject to the limitation on the amount of monetary penalties which may be imposed pursuant to this chapter.

(6) Whenever a monetary penalty, fee, cost, assessment, or other monetary obligation is imposed by a court under this chapter, it is immediately payable and is enforceable as a civil judgment under Title 6 RCW. If the court determines that a person is not able to pay a monetary obligation in full, the court shall enter into a payment plan with the person in accordance with RCW 46.63.190 and standards that may be set out in court rule.

(7) In addition to any other penalties imposed under this section and not subject to the limitation of subsection (1) of this section, a person found to have committed a traffic infraction shall be assessed:

(a) A fee of \$5 per infraction. Under no circumstances shall this fee be reduced or waived. Revenue from this fee shall be forwarded to the state treasurer for deposit in the emergency medical services and trauma care system trust account under RCW 70.168.040;

(b) A fee of \$10 per infraction. Under no circumstances shall this fee be reduced or waived. Revenue from this fee shall be forwarded to the state treasurer for deposit in the general fund; and

(c) A fee of \$5 per infraction. Under no circumstances shall this fee be reduced or waived. Revenue from this fee shall be forwarded to the state treasurer for deposit in the traumatic brain injury account established in RCW 74.31.060.

(8)(a) In addition to any other penalties imposed under this section and not subject to the limitation of subsection (1) of this section, a person found to have committed a traffic infraction other than of RCW 46.61.527 or 46.61.212 shall be assessed an additional penalty of \$24. The court may not reduce, waive, or suspend the additional penalty unless the court finds the offender to be indigent. If a court authorized community restitution program for offenders is available in the jurisdiction, the court shall allow offenders to offset all or a part of the penalty due under this subsection (8) by participation in the court authorized community restitution program.

(b) \$12.50 of the additional penalty under (a) of this subsection shall be remitted to the state treasurer. The remaining revenue from the additional penalty must be remitted under chapters 2.08, 3.46, 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted under this subsection to the state treasurer must be deposited as follows: \$8.50 in the state general fund and \$4 in the driver licensing technology support account created under RCW 46.68.067. The moneys deposited into the driver licensing technology support account must be used to support information technology systems used by the department to communicate with the judicial information system, manage driving records, and implement court orders. The balance of the revenue received by the county or city treasurer under this subsection must be deposited into the county or city current expense fund. Moneys retained by the city or county under this subsection shall constitute reimbursement for any liabilities under RCW 43.135.060.

(9) If a legal proceeding, such as garnishment, has commenced to collect any delinquent amount owed by the person for any penalty imposed by the court under this section, the person may request a payment plan pursuant to RCW 46.63.190.

(10) The monetary penalty for violating RCW 46.37.395 is: (a) \$250 for the first violation; (b) \$500 for the second violation; and (c) \$750 for each violation thereafter.

(11) The additional monetary penalty for a violation of RCW 46.20.500 is not subject to assessments or fees provided under this section.

(12) The additional monetary fine for a violation of RCW 46.61.110, 46.61.145, 46.61.180, 46.61.185, 46.61.190, and 46.61.205 is not subject to assessments or fees provided under this section.

(13) The additional monetary penalties for a violation of RCW 46.61.165 are not subject to assessments or fees provided under this section.

(14) The monetary penalty for a violation of RCW 46.63.200 is not subject to assessments or fees provided under this section.

**Sec. 4.** RCW 46.63.200 and 2023 c 17 s 3 are each amended to read as follows:

(1) This section applies to the use of speed safety camera systems in state highway work zones.

(2) Nothing in this section prohibits a law enforcement officer from issuing a notice of infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

(3)(a) The department of transportation is responsible for all actions related to the operation and administration of speed safety camera systems in state highway work zones including, but not limited to, the procurement and administration of contracts necessary for the implementation of speed safety camera systems ~~((and))~~, the mailing of notices of infraction, and the development and maintenance of a public-facing website for the purpose of educating the traveling public about the use of speed safety camera systems in state highway work zones. By July 1, 2024, the department of transportation, in consultation with the Washington state patrol, department of licensing, office of administrative hearings, Washington traffic safety commission, and other organizations committed to protecting civil



rights must adopt rules addressing such actions and take all necessary steps to implement this section.

(b) The Washington state patrol is responsible for all actions related to the enforcement and adjudication of speed violations under this section including, but not limited to, notice of infraction verification and issuance authorization, and determining which types of emergency vehicles are exempt from being issued notices of infraction under this section. By July 1, 2024, the Washington state patrol, in consultation with the department of transportation, department of licensing, office of administrative hearings, Washington traffic safety commission, and other organizations committed to protecting civil rights must adopt rules addressing such actions and take all necessary steps to implement this section.

(c) When establishing rules under this subsection (3), the department of transportation and the Washington state patrol may also consult with other public and private agencies that have an interest in the use of speed safety camera systems in state highway work zones.

(4) Beginning July 1, 2024:

(a) ~~((A notice of infraction may only be issued under this section if a speed safety camera system captures a speed violation in a state highway work zone when workers are present.))~~ No person may drive a vehicle in a state highway work zone at a speed greater than that allowed by traffic control devices.

(b) A notice of infraction may only be issued under this section if a speed safety camera system captures a speed violation in a state highway work zone when workers are present.

(5) The penalty for a speed safety camera system violation is: (a) \$0 for the first violation; and (b) \$248 for the second violation, and for each violation thereafter.

(6) During the 30-day period after the first speed safety camera system is put in place, the department is required to conduct a public awareness campaign to inform the public of the use of speed safety camera systems in state highway work zones.

(7)(a) A notice of infraction issued under this section may be mailed to the registered owner of the vehicle within 30 days of the violation, or to the renter of a vehicle within 30 days of establishing the renter's name and address. The law enforcement officer issuing the notice of infraction shall include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by a speed safety camera stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this section. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the violation. ((A person receiving a notice of infraction based on evidence detected by a speed safety camera system may, within 30 days of receiving the notice of infraction, remit payment in the amount of the penalty assessed for the violation. If a person receiving a notice of infraction fails to remit payment in the amount of the penalty assessed within 30 days of receiving the notice of infraction, or if such person wishes to dispute the violation, it must be adjudicated in accordance with (b) of this subsection.))

(b) A notice of infraction that has not been timely paid or a disputed notice of infraction shall be referred to the office of administrative hearings for adjudication consistent with chapter 34.05 RCW.

(e)) (b) A notice of infraction represents a determination that an infraction has been committed, and the determination will be final unless contested as provided under this section.

(c) A person receiving a notice of infraction based on evidence detected by a speed safety camera system must, within 30 days of receiving the notice of infraction: (i) Except for a first violation under subsection (5)(a) of this section, remit payment in the amount of the penalty assessed for the violation; (ii) contest the determination that the infraction occurred by following the instructions on the notice of infraction; or (iii) admit to the infraction but request a hearing to explain mitigating circumstances surrounding the infraction.

(d) If a person fails to respond to a notice of infraction, a final order shall be entered finding that the person committed the infraction and assessing monetary penalties required under subsection (5)(b) of this section.

(e) If a person contests the determination that the infraction occurred or requests a mitigation hearing, the notice of infraction shall be referred to the office of administrative hearings for adjudication consistent with chapter 34.05 RCW.

(f) At a hearing to contest an infraction, the agency issuing the infraction has the burden of proving, by a preponderance of the evidence, that the infraction was committed.

(g) A person may request a payment plan at any time for the payment of any penalty or other monetary obligation associated with an infraction under this section. The agency issuing the infraction shall provide information about how to submit evidence of inability to pay, how to obtain a payment plan, and that failure to pay or enter into a payment plan may result in collection action or nonrenewal of the vehicle registration. The office of administrative hearings may authorize a payment plan if it determines that a person is not able to pay the monetary obligation, and it may modify a payment plan at any time.

(8)(a) Speed safety camera systems may only take photographs, microphotographs, or electronic images of the vehicle and vehicle license plate and only while a speed violation is occurring. The photograph, microphotograph, or electronic image must not reveal the face of the driver or any passengers in the vehicle. The department of transportation shall consider installing speed safety camera systems in a manner that minimizes the impact of camera flash on drivers.

~~((d))~~ (b) The registered owner of a vehicle is responsible for a traffic infraction under RCW 46.63.030 unless the registered owner overcomes the presumption in RCW 46.63.075 or, in the case of a rental car business, satisfies the conditions under ~~((h))~~ (f) of this subsection. If appropriate under the circumstances, a renter identified under ~~((h))~~ (f)(i) of this subsection is responsible for the traffic infraction.

~~((e))~~ (c) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images, or any other personally identifying data prepared under this section are for the exclusive use of the Washington state patrol and department of transportation in the discharge of duties under this section and are not open to the public and may not be used in court in a pending action or proceeding unless the action or proceeding relates to a speed violation under this section. This data may be used in administrative appeal proceedings relative to a violation under this section.

~~((f))~~ (d) All locations where speed safety camera systems are used must be clearly marked before activation of the camera system by placing signs in locations that clearly indicate to a driver that they are entering a state highway work zone where posted speed limits are monitored by a speed safety camera system. Additionally, where feasible and constructive, radar speed feedback signs will be placed in advance of the speed safety camera system to assist drivers in complying with posted speed limits. Signs placed in these locations must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW.

~~((g) Speed violations)~~ (e) Imposition of a penalty for a speed violation detected through the use of speed safety camera systems (are not) shall not be deemed a conviction as defined in RCW 46.25.010, and shall not be part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of speed safety camera systems under this section shall be processed in the same manner as parking infractions, including for the purposes of RCW 46.16A.120 and 46.20.270(2).

~~((h))~~ (f) If the registered owner of the vehicle is a rental car business, the department of transportation shall, before a notice of infraction may be issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 30 days of receiving the written notice, provide to the issuing agency by return mail:

(i) (A) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the speed violation occurred;

(B) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the speed violation occurred because the vehicle was stolen at the time of the violation. A statement provided under this subsection ~~((4) (h))~~ (8) (f)(i) (B) must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(C) In lieu of identifying the vehicle operator, payment of the applicable penalty.

(ii) Timely mailing of a statement to the department of transportation relieves a rental car business of any liability under this chapter for the notice of infraction.

~~((5))~~ (9) Revenue generated from the deployment of speed safety camera systems must be deposited into the highway safety fund and first used exclusively for the operating and administrative costs under this section. The operation of speed safety camera systems is intended to increase safety in state highway work zones by changing driver behavior. Consequently, any revenue generated that exceeds the operating and administrative costs under this section must be distributed for the purpose of traffic safety including, but not limited to, driver training education and local DUI emphasis patrols.

~~((6))~~ (10) The Washington state patrol and department of transportation, in collaboration with the Washington traffic safety commission, must report to the transportation committees of the legislature by July 1, 2025, and biennially thereafter, on the data and efficacy of speed safety camera system use in state highway work zones. The final report due on July 1, 2029, must include a recommendation on whether or not to continue such speed safety camera system use beyond June 30, 2030.

~~((7))~~ (11) For the purposes of this section:

(a) "Speed safety camera system" means employing the use of speed measuring devices and cameras synchronized to automatically record one or more sequenced photographs, microphotographs, or other electronic images of a motor vehicle that exceeds a posted state highway work zone speed limit as detected by the speed measuring devices.

(b) "State highway work zone" means an area of any highway with construction, maintenance, utility work, or incident response activities authorized by the department of transportation. A state highway work zone is identified by the placement of temporary traffic control devices that may include signs, channelizing devices, barriers, pavement markings, and/or work vehicles with warning lights. It extends from the first warning sign or high intensity rotating, flashing, oscillating, or strobe lights on a vehicle to the end road work sign or the last temporary traffic control device or vehicle.

~~((8))~~ (12) This section expires June 30, 2030."

Correct the title.

Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz; Walsh and Wylie.

Referred to Committee on Rules for second reading

February 26, 2024

ESB 6120 Prime Sponsor, Senator Van De Wege: Concerning the Wildland Urban Interface Code. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Local Government. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Gregerson, Vice Chair; Macri, Vice Chair.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 6121 Prime Sponsor, Environment, Energy & Technology: Concerning agricultural and forestry biomass. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Macri, Vice Chair.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 6125 Prime Sponsor, Ways & Means: Preserving records and artifacts regarding the historical treatment of people with intellectual and developmental disabilities in Washington state. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

E2SSB 6194 Prime Sponsor, Ways & Means: Concerning state legislative employee collective bargaining. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Labor & Workplace Standards.

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 44.90.020 and 2022 c 283 s 3 are each amended to read as follows:

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

(1) "Collective bargaining" means the performance of the mutual obligations of the employer and the exclusive bargaining representative to meet at reasonable times, except that neither party may be compelled to negotiate during a legislative session or on committee assembly days, to confer and negotiate in good faith, and to execute a written agreement with respect to the subjects of bargaining specified under RCW 44.90.090. The obligation to bargain does not compel either party to agree to a proposal or to make a concession unless otherwise provided in this chapter.

(2) "Commission" means the legislative commission created in section 17 of this act at the public employment relations commission, until the legislative commission expires on December 31, 2029. After December 31, 2029, "commission" means the public employment relations commission created under RCW 41.58.010(1).

~~((2-))~~ (3) "Confidential employee" means an employee designated by the employer to assist in a confidential capacity, or serve as counsel to, persons who formulate, determine, and effectuate employer policies with regard to labor relations and personnel matters or who has authorized access to information relating to the effectuation or review of the employer's collective bargaining policies, strategies, or process to the extent that such access creates a conflict of interest, or who assists or aids an employee with managerial authority.

(4) "Director" means the director of the office of state legislative labor relations.

~~((3-))~~ (5) (a) "Employee" means:

(i) Any regular partisan employee of the house of representatives or the senate who is covered by this chapter; and

(ii) Any regular employee who is staff of the:

(A) Office of legislative support services;

(B) Legislative service center;

(C) Office of the code reviser who, during any legislative session, does not work full time on drafting and finalizing legislative bills to be included in the Revised Code of Washington; and

(D) House of representatives and senate administrations.

(b) "Employee" also includes temporary staff hired to perform substantially similar work to that performed by employees included under (a) of this subsection.

(c) All other regular employees and temporary employees, including casual employees, interns, and pages, and employees in the office of program research and senate committee services work groups of the house of representatives and the senate are excluded from the definition of "employee" for the purposes of this chapter.

(6) "Employee organization" means any organization, union, or association in which employees participate and that exists for the purpose, in whole or in part, of collective bargaining with employers.

((+4)) (7) "Employee with managerial authority" means any employee designated by the employer who, regardless of job title: (a) Directs the staff who work for a legislative chamber, caucus, agency, or subdivision thereof; (b) has substantial responsibility in personnel administration, or the preparation and administration of the employer's budgets; and (c) exercises authority that is not merely routine or clerical in nature and requires the use of independent judgment.

(8) "Employer" means:

(a) The chief clerk of the house of representatives, or the chief clerk's designee, for employees of the house of representatives;

(b) The secretary of the senate, or the secretary's designee, for employees of the senate; and

(c) The chief clerk of the house of representatives and the secretary of the senate, acting jointly, or their designees, for the regular employees who are staff of the office of legislative support services, the legislative service center, and the office of the code reviser.

(9) "Exclusive bargaining representative" means any employee organization that has been certified under this chapter as the representative of the employees in an appropriate bargaining unit.

((+5)) (10) "Labor dispute" means any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment with respect to the subjects of bargaining provided in this chapter, regardless of whether the disputants stand in the proximate relation of employer and employee.

(11) "Legislative agencies" means the joint legislative audit and review committee, the statute law committee, the legislative ethics board, the legislative evaluation and accountability program committee, the office of the state actuary, the legislative service center, the office of legislative support services, the joint transportation committee, and the redistricting commission.

((+6)) (12) "Office" means the office of state legislative labor relations.

(13) "Supervisor" means an employee designated by the employer to provide supervision to and have authority over legislative employees on an ongoing basis as part of the employee's regular and usual job duties. Supervision includes the authority to direct employees, approve and deny leave, and effectively recommend decisions to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, or to adjust employee grievances, when the exercise of the authority is not of a merely routine nature but requires the exercise of individual judgment.

**NEW SECTION. Sec. 2.** A new section is added to chapter 44.90 RCW to read as follows:

(1) This chapter does not apply to any legislative employee who has managerial authority, is a confidential employee, or who does not meet the definition of employee for the purpose of collective bargaining.

(2) This chapter also does not apply to:

(a) Elected or appointed members of the legislature;

(b) Any person appointed to office under statute, ordinance, or resolution for a specific term of office as a member of a multimember board, commission, or committee;

(c) Caucus chiefs of staff and caucus deputy chiefs of staff;

(d) The speaker's attorney, house counsel, and leadership counsel to the minority caucus of the house of representatives; and

(e) The counsel for the senate that provide direct legal advice to the administration of the senate.

(3) Notwithstanding any other provision of this chapter, the employer has the sole and exclusive authority to designate confidential employees, supervisors, and employees who have managerial authority, except that those designated employees may not, collectively, exceed 20 percent of the total employee positions of the employer.

**Sec. 3.** RCW 44.90.030 and 2022 c 283 s 2 are each amended to read as follows:

(1) The office of state legislative labor relations is created to assist the house of representatives, the senate, and legislative agencies in implementing and managing the process of collective bargaining for employees of the legislative branch of state government.

(2) (a) Subject to (b) of this subsection, the secretary of the senate and the chief clerk of the house of representatives shall employ a director of the office. The director serves at the pleasure of the secretary of the senate and the chief clerk of the house of representatives, who shall fix the director's salary.

(b) The secretary of the senate and the chief clerk of the house of representatives shall, before employing a director, consult with legislative employees, the senate facilities and operations committee, the house executive rules committee, and the human resources officers of the house of representatives, the senate, and legislative agencies.

(c) The director serves as the executive and administrative head of the office and may employ additional employees to assist in carrying out the duties of the office. The duties of the office include, but are not limited to, establishing bargaining teams and conducting negotiations on behalf of the employer.

~~((d) The director shall contract with an external consultant for the purposes of gathering input from legislative employees, taking into consideration RCW 42.52.020 and rules of the house of representatives and the senate. The gathering of input must be in the form of, at a minimum, surveys.~~

~~(3) The director, in consultation with the secretary of the senate, the chief clerk of the house of representatives, and the administrative heads of legislative agencies shall:~~

~~(a) Examine issues related to collective bargaining for employees of the house of representatives, the senate, and legislative agencies; and~~

~~(b) After consultation with the external consultant, develop best practices and options for the legislature to consider in implementing and administering collective bargaining for employees of the house of representatives, the senate, and legislative agencies.~~

~~(4) (a) By December 1, 2022, the director shall submit a preliminary report to the appropriate committees of the legislature that provides a progress report on the director's considerations.~~

~~(b) By October 1, 2023, the director shall submit a final report to the appropriate committees of the legislature. At a minimum, the final report must address considerations on the following issues:~~

~~(i) Which employees of the house of representatives, the senate, and legislative agencies for whom collective bargaining may be appropriate;~~

~~(ii) Mandatory, permissive, and prohibited subjects of bargaining;~~

~~(iii) Who would negotiate on behalf of the house of representatives, the senate, and legislative agencies, and which entity or entities would be considered the employer for purposes of bargaining;~~

~~(iv) Definitions for relevant terms;~~

~~(v) Common public employee collective bargaining agreement frameworks related to grievance procedures and processes for disciplinary actions;~~

~~(vi) Procedures related to the commission certifying exclusive bargaining representatives, determining bargaining units, adjudicating unfair labor practices, determining representation questions, and coalition bargaining;~~

~~(vii) The efficiency and feasibility of coalition bargaining;~~

~~(viii) Procedures for approving negotiated collective bargaining agreements;~~

~~(ix) Procedures for submitting requests for funding to the appropriate legislative committees if appropriations are necessary to implement provisions of the collective bargaining agreements; and~~

~~(x) Approaches taken by other state legislatures that have authorized collective bargaining for legislative employees.~~

~~(5) The report must include a summary of any statutory changes needed to address the considerations listed in subsection (4) of this section related to the collective bargaining process for legislative employees.))~~

**NEW SECTION. Sec. 4.** A new section is added to chapter 44.90 RCW to read as follows:

(1) As provided by this chapter, the commission or the court shall determine all questions described by this chapter as under the commission's authority. However, such authority may not result in an order or rule that intrudes upon or interferes with the legislature's core function of efficient and effective law making or the essential operation of the legislature, including that an order or rule may not:

(a) Modify any matter relating to the qualifications and elections of members of the legislature, or the holding of office of members of the legislature;

(b) Modify any matter relating to the legislature or each house thereof choosing its officers, adopting rules for its proceedings, selecting committees necessary for the conduct of business, considering or enacting legislation, or otherwise exercising the legislative power of this state;

(c) Modify any matter relating to legislative calendars, schedules, and deadlines of the legislature; or

(d) Modify laws, rules, policies, or procedures regarding ethics or conflicts of interest.

(2) No member of the legislature may be compelled by subpoena or other means to attend a proceeding related to matters covered by this chapter during a legislative session, committee assembly days, or for 15 days before commencement of each session.

**Sec. 5.** RCW 44.90.050 and 2022 c 283 s 5 are each amended to read as follows:

(1) Except as may be specifically limited by this chapter, legislative employees shall have the right to self-organization, to form, join, or assist employee organizations, and to

bargain collectively through representatives of their own choosing for the purpose of collective bargaining free from interference, restraint, or coercion. Legislative employees shall also have the right to refrain from any or all such activities.

(2) Except as may be specifically limited by this chapter, the commission shall determine all questions pertaining to ascertaining exclusive bargaining representatives for legislative employees and collectively bargaining under this chapter. However, no employee organization shall be recognized or certified as the exclusive bargaining representative of a bargaining unit of employees of the legislative branch unless it receives the votes of a majority of employees in the petitioned for bargaining unit voting in a secret election (~~by mail ballot~~) administered by the commission. The commission's process must allow for an employee, group of employees, employee organizations, employer, or their agents to have the right to petition on any question concerning representation.

(3) ~~((The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.))~~ The commission must adopt rules that provide for at least the following:

- (a) Secret balloting;
- (b) Consulting with employee organizations;
- (c) Access to lists of employees, job titles, work locations, and home mailing addresses;
- (d) Absentee voting;
- (e) Procedures for the greatest possible participation in voting;
- (f) Campaigning on the employer's property during working hours; and
- (g) Election observers.

(4) (a) If an employee organization has been certified as the exclusive bargaining representative of the employees of multiple bargaining units, the employee organization may act for and negotiate a master collective bargaining agreement that includes within the coverage of the agreement all covered employees in the bargaining units.

(b) If a master collective bargaining agreement is in effect for the newly certified exclusive bargaining representative, it applies to the bargaining unit for which the new certification has been issued. Nothing in this subsection (4)(b) requires the parties to engage in new negotiations during the term of that agreement.

(5) The certified exclusive bargaining representative is responsible for representing the interests of all the employees in the bargaining unit. This section may not be construed to limit an exclusive bargaining representative's right to exercise its discretion to refuse to process grievances of employees that are unmeritorious.

(6) No question concerning representation may be raised if:

- (a) Fewer than 12 months have elapsed since the last certification or election; or
- (b) A valid collective bargaining agreement exists covering the unit, except for that period of no more than 120 calendar days nor less than 90 calendar days before the expiration of the contract.

**NEW SECTION. Sec. 6.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission, after hearing upon reasonable notice to all interested parties, shall decide, in each application for certification as an exclusive bargaining representative, the unit appropriate for certification. In determining the new units or modifications of existing units, the commission must consider: The duties, skills, and working conditions of the employees; the history of collective bargaining; the extent of organization among the employees; the desires of the employees; and the avoidance of excessive fragmentation. However, a unit is not appropriate if it includes:

- (a) Both supervisors and nonsupervisory employees. A unit that includes only supervisors may be considered appropriate if a majority of the supervisory employees indicates by vote that they desire to be included in such a unit;
- (b) Both house of representatives and senate employees;
- (c) Both partisan and nonpartisan employees;
- (d) Employees of the majority party caucus and the minority party caucus, unless a majority of the employees of each caucus indicate by vote that they desire to be included together in the same unit; or
- (e) Employees of the legislative service center, office of legislative support services, and the office of the code reviser, in any combination with each other or in any combination with employees of the house of representatives or employees of the senate.

(2) If a single employee organization is the exclusive bargaining representative for two or more units, upon petition by the employee organization, the units may be consolidated into a single larger unit if the commission considers the larger unit to be appropriate. If consolidation is appropriate, the commission shall certify the employee organization as the exclusive bargaining representative of the new unit.

**NEW SECTION. Sec. 7.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The parties to a collective bargaining agreement must reduce the agreement to writing and both execute it.

(2) Except as provided in this chapter, a collective bargaining agreement must contain provisions that provide for a grievance procedure of all disputes arising over the interpretation or application of the collective bargaining agreement and that is valid and enforceable under its terms when entered into in accordance with this chapter.

(3) RCW 41.56.037 applies to this chapter.

(4)(a) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and an employee organization representing the same bargaining units, the effective date of the collective bargaining agreement may be the day after the termination of the previous collective bargaining agreement, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(b) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and the exclusive bargaining representative representing different bargaining units, the effective date of the collective bargaining agreement may be the day after the termination date of whichever previous collective bargaining agreement covering one or more of the units terminated first, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(5) The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.

**Sec. 8.** RCW 44.90.060 and 2022 c 283 s 6 are each amended to read as follows:

~~((During a legislative session or committee assembly days, nothing))~~ Nothing contained in this chapter permits or grants to any legislative employee the right to strike, participate in a work stoppage, or refuse to perform their official duties.

**Sec. 9.** RCW 44.90.070 and 2022 c 283 s 7 are each amended to read as follows:

(1) Collective bargaining negotiations under this chapter must commence no later than July 1st of each even-numbered year after a bargaining unit has been certified.

(2) The duration of any collective bargaining agreement shall not exceed one fiscal biennium.

(3)(a) The director must submit ratified collective bargaining agreements, with cost estimates, to the employer by October 1st before the legislative session at which the request for funds is to be considered. The transmission by the legislature to the governor under RCW 43.88.090 must include a request for funds necessary to implement the provisions of all collective bargaining agreements covering legislative employees.

(b) If the legislature or governor fails to provide the funds for a collective bargaining agreement for legislative employees, either party may reopen all or part of the agreement or the exclusive bargaining representative may seek to implement the procedures provided for in section 10 of this act.

(4) Negotiation for economic terms will be by a coalition of all exclusive bargaining representatives. Any such provisions agreed to by the employer and the coalition must be included in all collective bargaining agreements negotiated by the parties. The director and the exclusive bargaining representative or representatives are authorized to enter into supplemental bargaining of bargaining unit specific issues for inclusion in the collective bargaining agreement, subject to the parties' agreement regarding the issues and procedures for supplemental bargaining. This subsection does not prohibit cooperation and coordination of bargaining between two or more exclusive bargaining representatives.

(5) If a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties must immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

**NEW SECTION. Sec. 10.** A new section is added to chapter 44.90 RCW to read as follows:

(1) Should the parties fail to reach agreement in negotiating a collective bargaining agreement, either party may request of the commission the assistance of an impartial third party to mediate the negotiations. If a collective bargaining agreement previously negotiated under this chapter expires while negotiations are underway, the terms and conditions specified in the collective bargaining agreement remain in effect for a period not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(2) Nothing in this section may be construed to prohibit an employer and an exclusive bargaining representative from agreeing to substitute, at their own expense, their own procedure for resolving impasses in collective bargaining for that provided in this section or from agreeing to utilize for the purposes of this section any other governmental or other agency or person in lieu of the commission.

(3) The commission shall bear costs for mediator services.

**Sec. 11.** RCW 44.90.080 and 2022 c 283 s 8 are each amended to read as follows:

(1) It is an unfair labor practice for an employer in the legislative branch of state government:

(a) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed by this chapter;

(b) To dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it: PROVIDED, That subject to rules adopted by the commission, an employer shall not be prohibited from permitting employees to confer with it or its representatives or agents during working hours without loss of time or pay;

(c) To encourage or discourage membership in any employee organization by discrimination in regard to hire, tenure of employment, or any term or condition of employment;

(d) To discharge or discriminate otherwise against an employee because that employee has filed charges or given testimony under this chapter;

(e) To refuse to bargain collectively with the exclusive bargaining representatives of its employees.

(2) Notwithstanding any other law, the expression of any views, arguments, or opinions, or the dissemination thereof in any form, by a member of the legislature related to this chapter or matters within the scope of representation, shall not constitute, or be evidence of, an unfair labor practice unless the employer has authorized the member to express that view, argument, or opinion on behalf of the employer or as an employer.

(3) It is an unfair labor practice for an employee organization:

(a) To restrain or coerce an employee in the exercise of the rights guaranteed by this chapter: PROVIDED, That this subsection shall not impair the right of an employee organization to prescribe its own rules with respect to the acquisition or retention of membership in the employee organization or to an employer in the selection of its representatives for the purpose of bargaining or the adjustment of grievances;

(b) To cause or attempt to cause an employer to discriminate against an employee in violation of subsection (1)(c) of this section;

(c) To discriminate against an employee because that employee has filed charges or given testimony under this chapter;

(d) To refuse to bargain collectively with an employer.

~~((3))~~ (4) The expressing of any views, arguments, or opinion, or the dissemination thereof to the public, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under this chapter, if such expression contains no threat of reprisal or force or promise of benefit.

**NEW SECTION. Sec. 12.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission is empowered and directed to prevent any unfair labor practice and to issue appropriate remedial orders. However, a complaint may not be processed for any unfair labor practice occurring more than six months before the filing of the complaint with the commission or in Thurston county superior court. This power may not be affected or impaired by any means of adjustment, mediation, or conciliation in labor disputes that have been or may hereafter be established by law.

(2) Except as may be specifically limited by this chapter, if the commission or court determines that any person has engaged in or is engaging in an unfair labor practice, the commission or court shall issue and cause to be served upon the person an order requiring the person to cease and desist from such unfair labor practice, and to take such affirmative action as will effectuate the purposes and policy of this chapter, such as the payment of damages.

(3) The commission may petition the Thurston county superior court for the enforcement of its order and for appropriate temporary relief.

**Sec. 13.** RCW 44.90.090 and 2022 c 283 s 9 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, the matters subject to bargaining include wages, hours, terms and conditions of employment, and the negotiation of any question arising under a collective bargaining agreement.

(2) The employer shall not bargain over rights of management which, in addition to all powers, duties, and rights established by constitutional provision or statute, shall include, but not be limited to, the following:

(a) Any item listed in section 4(1) of this act;

(b) The functions and programs of the employer, the use of technology, and the structure of the organization, including the size and composition of standing committees;

~~((b))~~ (c) The employer's budget and the size of the employer's workforce, including determining the financial basis for layoffs;

~~((e))~~ (d) The right to direct and supervise employees;

~~((d))~~ (e) The hours of work during legislative session and the cutoff calendar for a legislative session. This subsection (2)(e) does not prohibit bargaining over hours of work during interim and bargaining over compensation for hours of work in excess of a 40-hour workweek, except that bargaining for hours of work during interim and compensation for hours worked in excess of a 40-hour workweek may only occur for agreements that take effect after July 1, 2027; ~~(and~~

~~((e))~~ (f) The employer's authority to: (i) Lay off employees when there has been a change to the number of members in, or the makeup of, a caucus due to an election or appointment that necessitates a change in the number of staff; (ii) lay off an employee following an election, appointment, or resignation of a legislator; and (iii) terminate an employee for engaging in partisan activities that are incompatible with the employee's job duties or position;



(g) Health care benefits and other employee insurance benefits. The amount paid by a legislative employee for health care premiums must be the same as that paid by a represented state employee covered by RCW 41.80.020(3);

(h) The right to take whatever actions are deemed necessary to carry out the mission of the legislature and its agencies during emergencies; and

(i) Retirement plans and retirement benefits.

~~((2-))~~ (3) Except for an applicable code of conduct policy adopted by a chamber of the legislature or a legislative agency, if a conflict exists between policies adopted by the legislature relating to wages, hours, and terms and conditions of employment and a provision of a collective bargaining agreement negotiated under this chapter, the collective bargaining agreement shall prevail. A provision of a collective bargaining agreement that conflicts with a statute or an applicable term of a code of conduct policy adopted by a chamber of the legislature or a legislative agency is invalid and unenforceable.

**NEW SECTION. Sec. 14.** A new section is added to chapter 44.90 RCW to read as follows:

(1) Upon authorization of an employee within the bargaining unit and after the certification or recognition of the bargaining unit's exclusive bargaining representative, the employer must deduct from the payments to the employee the monthly amount of dues as certified by the secretary of the exclusive bargaining representative and must transmit the same to the treasurer of the exclusive bargaining representative.

(2)(a) An employee's written, electronic, or recorded voice authorization to have the employer deduct membership dues from the employee's salary must be made by the employee to the exclusive bargaining representative. If the employer receives a request for authorization of deductions, the employer must, as soon as practicable, forward the request to the exclusive bargaining representative.

(b) Upon receiving notice of the employee's authorization, the employer must deduct from the employee's salary membership dues and remit the amounts to the exclusive bargaining representative.

(c) The employee's authorization remains in effect until expressly revoked by the employee in accordance with the terms and conditions of the authorization.

(d) An employee's request to revoke authorization for payroll deductions must be in writing and submitted by the employee to the exclusive bargaining representative in accordance with the terms and conditions of the authorization.

(e) After the employer receives confirmation from the exclusive bargaining representative that the employee has revoked authorization for deductions, the employer must end the deduction no later than the second payroll after receipt of the confirmation.

(f) The employer must rely on information provided by the exclusive bargaining representative regarding the authorization and revocation of deductions.

**NEW SECTION. Sec. 15.** A new section is added to chapter 44.90 RCW to read as follows:

(1) If the parties to a collective bargaining agreement negotiated under this chapter agree to final and binding arbitration under grievance procedures allowed by section 7 of this act, the parties may agree on one or more permanent umpires to serve as arbitrator, or may agree on any impartial person to serve as arbitrator, or may agree to select arbitrators from any source available to them, including federal and private agencies, in addition to the staff and list of arbitrators maintained by the commission. If the parties cannot agree to the selection of an arbitrator, the commission must supply a list of names in accordance with the procedures established by the commission.

(2) The authority of an arbitrator shall be subject to the limits and restrictions specified under section 4 of this act.

(3) Except as limited by this chapter, an arbitrator may require any person to attend as a witness and to bring with them any book, record, document, or other evidence. The fees for such attendance must be paid by the party requesting issuance of the subpoena and must be the same as the fees of witnesses in the superior court. Arbitrators may administer oaths. Subpoenas must issue and be signed by the arbitrator and must be served in the same manner as subpoenas to testify before a court of record in this state. If any person so summoned to testify refuses or neglects to obey such subpoena, upon petition authorized by the arbitrator, the superior court may compel the attendance of the person before the arbitrator or punish the person for contempt in the same manner provided for the attendance of witnesses or the punishment of them in the courts of this state.

(4) Except as limited by this chapter, the arbitrator shall appoint a time and place for the hearing and notify the parties thereof, and may adjourn the hearing from time to time as may be necessary, and, on application of either party and for good cause, may postpone the hearing to a time not extending beyond the date fixed by the collective bargaining agreement for making the award. The arbitration award must be in writing and signed by the arbitrator. The arbitrator must, promptly upon its rendition, serve a true copy of the award on each of the parties or their attorneys of record.

(5) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to submit a grievance for arbitration, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order compelling arbitration. Disputes concerning compliance with grievance procedures shall be reserved for determination by the arbitrator. Arbitration shall be ordered if the grievance states a claim that on its face is covered by the collective bargaining agreement. Doubts as to the coverage of the arbitration clause shall be resolved in favor of arbitration.

(6) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to comply with the award of an arbitrator determining a grievance arising under the collective bargaining agreement, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order enforcing the arbitration award.

**Sec. 16.** RCW 41.58.010 and 2012 c 117 s 89 are each amended to read as follows:

(1) There is hereby created the public employment relations commission (hereafter called the "commission") to administer the provisions of this chapter. ~~((The))~~Notwithstanding section 17 of this act, the commission shall consist of three members who shall be citizens appointed by the governor by and with the advice and consent of the senate. One of the original members shall be appointed for a term of three years, one for a term of four years, and one for a term of five years. Their successors shall be appointed for terms of five years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he or she succeeds. Commission members shall be eligible for reappointment. The governor shall designate one member to serve as chair of the commission. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Commission members shall not be eligible for state retirement under chapter 41.40 RCW by virtue of their service on the commission.

(2) In making citizen member appointments initially, and subsequently thereafter, the governor shall be cognizant of the desirability of appointing persons knowledgeable in the area of labor relations in the state.

(3) A vacancy in the commission shall not impair the right of the remaining members to exercise all of the powers of the commission, and two members of the commission shall, at all times, constitute a quorum of the commission.

(4) The commission shall at the close of each fiscal year make a report in writing to the legislature and to the governor stating the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the commission, and an account of all moneys it has disbursed.

NEW SECTION. **Sec. 17.** A new section is added to chapter 41.58 RCW to read as follows:

(1)(a) There is established a legislative commission (hereafter called "the legislative commission") exclusively for the purpose of certification of bargaining representatives, adjusting and settling complaints, grievances, and disputes arising out of employer-employee relations, and otherwise carrying out the duties required of the commission under chapter 44.90 RCW.

(b) The legislative commission shall consist of three members who shall be appointed as follows:

(i) One member shall be appointed by the speaker of the house of representatives;

(ii) One member shall be appointed by the president of the senate;

(iii) By mutual consent, the two appointed members shall appoint the third member who shall be the chair of the legislative commission.

(c) All appointments must be made by September 30, 2024. The members of the legislative commission, and any person appointed to fill a vacancy, are appointed for the entire term until the legislative commission expires under subsection (9) of this section.

(d) Until all the members of the legislative commission are appointed, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

(2) The commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation, and, if applicable, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the legislative commission.

(3) Unless specifically provided, the legislative commission shall not be considered part of the commission created under RCW 41.58.010(1). The powers and duties granted in this chapter to the commission created under RCW 41.58.010(1) do not apply to the legislative commission, unless specifically provided.

(4) A member of the legislative commission may be removed by the speaker of the house of representatives and the president of the senate acting jointly, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(5) In making their appointments, the speaker of the house of representatives and the president of the senate shall be cognizant of the desirability of appointing a person who is knowledgeable in the area of labor relations and of the legislature.

(6) Members of the legislative commission are not eligible for state retirement under chapter 41.40 RCW by virtue of the member's service as a commissioner.

(7) The compensation and travel reimbursement provision under RCW 41.58.015(1) shall apply to members of the legislative commission.

(8) The legislative commission shall at the close of each fiscal year make a report in writing to the legislature stating the cases it has heard and decisions it has rendered.

(9)(a) The legislative commission expires December 31, 2029.

(b) After December 31, 2029, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

**Sec. 18.** RCW 41.58.015 and 1984 c 287 s 71 are each amended to read as follows:

(1) Each member of the commission shall be compensated in accordance with RCW 43.03.250. Members of the commission shall also be reimbursed for travel expenses incurred in the discharge of their official duties on the same basis as is provided in RCW 43.03.050 and 43.03.060.

(2) The commission shall appoint an executive director whose annual salary shall be determined under the provisions of RCW 43.03.028. The executive director shall perform such duties and have such powers as the commission shall prescribe in order to implement and enforce the provisions of this chapter. In addition to the performance of administrative duties, the commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation of labor disputes, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement, and, in certain cases, fact-finding or arbitration of disputes concerning the terms of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the commission. The executive director, with such assistance as may be provided by the attorney general and such additional legal assistance consistent with chapter 43.10 RCW, shall have authority on behalf of the commission, when necessary to carry out or enforce any action or decision of the commission, to petition any court of competent jurisdiction for an order requiring compliance with the action or decision.

(3)(a) The commission shall employ such employees as it may from time to time find necessary for the proper performance of its duties, consistent with the provisions of this chapter.

(b) The employees of the commission shall also provide staff support to the legislative commission in carrying out the legislative commission's duties under chapter 44.90 RCW until the legislative commission expires on December 31, 2029, under section 17 of this act.

(4) The payment of all of the expenses of the commission, including travel expenses incurred by the members or employees of the commission under its orders, shall be subject to the provisions of RCW 43.03.050 and 43.03.060.

**NEW SECTION. Sec. 19.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The following activities conducted by or on behalf of legislative employees related to collective bargaining under this chapter are exempt from the restrictions contained in RCW 42.52.020 and 42.52.160:

(a) Using paid time and public resources by an employee to negotiate or administer a collective bargaining agreement when the employee is assigned to negotiate or administer the collective bargaining agreement and the use of paid time and public resources does not include state-purchased supplies or equipment, does not interfere with or distract from the conduct of state business, and is consistent with the employer's policy on the use of paid time;

(b) Lobbying conducted by an employee organization, lobbyist, association, or third party on behalf of legislative employees concerning legislation that directly impacts legislative workplace conditions;

(c) Communication with a prospective employee organization during nonwork hours and without the use of public resources; or

(d) Conducting the day-to-day work of organizing and representing legislative employees in the workplace while serving in a legislative employee organization leadership position.

(2)(a) Nothing in this section affects the application of the prohibition against the use of special privileges under RCW 42.52.070, confidentiality requirements under RCW 42.52.050, or other applicable provisions of chapter 42.52 RCW to legislative employees.

(b) Nothing in this section permits any direct lobbying by a legislative employee.

(3) As used in this section, "lobby" and "lobbyist" have the meanings provided in RCW 42.17A.005.

**Sec. 20.** RCW 42.52.020 and 1996 c 213 s 2 are each amended to read as follows:

(1) No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.

(2) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

**Sec. 21.** RCW 42.52.160 and 2023 c 91 s 3 are each amended to read as follows:

(1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

(2) This section does not prohibit the use of public resources to benefit others as part of a state officer's or state employee's official duties. It is not a violation of this section for a legislator or an appropriate legislative staff designee to engage in activities listed under RCW 42.52.070(2) or 42.52.822.

(3) This section does not prohibit de minimis use of state facilities to provide employees with information about (a) medical, surgical, and hospital care; (b) life insurance or accident and health disability insurance; or (c) individual retirement accounts, by any

person, firm, or corporation administering such program as part of authorized payroll deductions pursuant to RCW 41.04.020.

(4) The appropriate ethics boards may adopt rules providing exceptions to this section for occasional use of the state officer or state employee, of de minimis cost and value, if the activity does not result in interference with the proper performance of public duties.

(5) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

**NEW SECTION. Sec. 22.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect May 1, 2024."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 6197 Prime Sponsor, Ways & Means: Concerning the law enforcement officers' and firefighters' retirement system plan 2. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"Part I**

**Statute of Limitations for Applying for the Special Death Benefit**

**Sec. 101.** RCW 41.26.048 and 2010 c 261 s 2 are each amended to read as follows:

(1) A two hundred fourteen thousand dollar death benefit shall be paid to the member's estate, or such person or persons, trust or organization as the member shall have nominated by written designation duly executed and filed with the department. If there be no such designated person or persons still living at the time of the member's death, such member's death benefit shall be paid to the member's surviving spouse or domestic partner as if in fact such spouse or domestic partner had been nominated by written designation, or if there be no such surviving spouse or domestic partner, then to such member's legal representatives.

(2) The benefit under this section shall be paid only when death occurs: (a) As a result of injuries sustained in the course of employment; or (b) as a result of an occupational disease or infection that arises naturally and proximately out of employment covered under this chapter. The determination of eligibility for the benefit shall be made consistent with Title 51 RCW by the department of labor and industries. There is no statute of limitations for this benefit. The department of labor and industries shall notify the department of retirement systems by order under RCW 51.52.050.

(3) The department of labor and industries shall determine eligibility under subsection (2) of this section for the special death benefit for any beneficiaries who were denied the special death benefit for failing to meet the statute of limitations under Title 51 RCW. If the department of labor and industries determines the beneficiary is eligible for the special death benefit the department must provide the beneficiary an option to reelect their pension benefit under RCW 41.26.510(2) and if the member elects an ongoing pension benefit the department must pay the beneficiary retroactive to the date of the member's death.

(4)(a) Beginning July 1, 2010, and every year thereafter, the department shall determine the following information:

(i) The index for the 2008 calendar year, to be known as "index A;"

(ii) The index for the calendar year prior to the date of determination, to be known as "index B;" and

(iii) The ratio obtained when index B is divided by index A.

(b) The value of the ratio obtained shall be the annual adjustment to the original death benefit and shall be applied beginning every July 1st. In no event, however, shall the annual adjustment:

(i) Produce a benefit which is lower than two hundred fourteen thousand dollars;

(ii) Exceed three percent in the initial annual adjustment; or

(iii) Differ from the previous year's annual adjustment by more than three percent.

(c) For the purposes of this section, "index" means, for any calendar year, that year's average consumer price index — Seattle, Washington area for urban wage earners and clerical workers, all items, compiled by the bureau of labor statistics, United States department of labor.

**Part II**  
**Definition of Firefighter**

**Sec. 201.** RCW 41.26.030 and 2021 c 12 s 2 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) "Accumulated contributions" means the employee's contributions made by a member, including any amount paid under RCW 41.50.165(2), plus accrued interest credited thereon.

(2) "Actuarial reserve" means a method of financing a pension or retirement plan wherein reserves are accumulated as the liabilities for benefit payments are incurred in order that sufficient funds will be available on the date of retirement of each member to pay the member's future benefits during the period of retirement.

(3) "Actuarial valuation" means a mathematical determination of the financial condition of a retirement plan. It includes the computation of the present monetary value of benefits payable to present members, and the present monetary value of future employer and employee contributions, giving effect to mortality among active and retired members and also to the rates of disability, retirement, withdrawal from service, salary and interest earned on investments.

(4)(a) "Basic salary" for plan 1 members, means the basic monthly rate of salary or wages, including longevity pay but not including overtime earnings or special salary or wages, upon which pension or retirement benefits will be computed and upon which employer contributions and salary deductions will be based.

(b) "Basic salary" for plan 2 members, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, and shall include wages and salaries deferred under provisions established pursuant to sections 403(b), 414(h), and 457 of the United States Internal Revenue Code, but shall exclude lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay. In any year in which a member serves in the legislature the member shall have the option of having such member's basic salary be the greater of:

(i) The basic salary the member would have received had such member not served in the legislature; or

(ii) Such member's actual basic salary received for nonlegislative public employment and legislative service combined. Any additional contributions to the retirement system required because basic salary under (b)(i) of this subsection is greater than basic salary under (b)(ii) of this subsection shall be paid by the member for both member and employer contributions.

(5)(a) "Beneficiary" for plan 1 members, means any person in receipt of a retirement allowance, disability allowance, death benefit, or any other benefit described herein.

(b) "Beneficiary" for plan 2 members, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(6)(a) "Child" or "children" means an unmarried person who is under the age of eighteen or mentally or physically disabled as determined by the department, except a person who is disabled and in the full time care of a state institution, who is:

(i) A natural born child;

(ii) A stepchild where that relationship was in existence prior to the date benefits are payable under this chapter;

(iii) A posthumous child;

(iv) A child legally adopted or made a legal ward of a member prior to the date benefits are payable under this chapter; or

(v) An illegitimate child legitimized prior to the date any benefits are payable under this chapter.

(b) A person shall also be deemed to be a child up to and including the age of twenty years and eleven months while attending any high school, college, or vocational or other educational institution accredited, licensed, or approved by the state, in which it is located, including the summer vacation months and all other normal and regular vacation periods at the particular educational institution after which the child returns to school.

(7) "Department" means the department of retirement systems created in chapter 41.50 RCW.

(8) "Director" means the director of the department.

(9) "Disability board" for plan 1 members means either the county disability board or the city disability board established in RCW 41.26.110.

(10) "Disability leave" means the period of six months or any portion thereof during which a member is on leave at an allowance equal to the member's full salary prior to the commencement of disability retirement. The definition contained in this subsection shall apply only to plan 1 members.

(11) "Disability retirement" for plan 1 members, means the period following termination of a member's disability leave, during which the member is in receipt of a disability retirement allowance.

(12) "Domestic partners" means two adults who have registered as domestic partners under RCW 26.60.020.

(13) "Employee" means any law enforcement officer or firefighter as defined in subsections (17) and (19) of this section.

(14)(a) "Employer" for plan 1 members, means the legislative authority of any city, town, county, district, or regional fire protection service authority or the elected officials of any municipal corporation that employs any law enforcement officer and/or firefighter, any authorized association of such municipalities, and, except for the purposes of RCW 41.26.150,

any labor guild, association, or organization, which represents the firefighters or law enforcement officers of at least seven cities of over 20,000 population and the membership of each local lodge or division of which is composed of at least sixty percent law enforcement officers or firefighters as defined in this chapter.

(b) "Employer" for plan 2 members, means the following entities to the extent that the entity employs any law enforcement officer and/or firefighter:

(i) The legislative authority of any city, town, county, district, public corporation, or regional fire protection service authority established under RCW 35.21.730 to provide emergency medical services as defined in RCW 18.73.030;

(ii) The elected officials of any municipal corporation;

(iii) The governing body of any other general authority law enforcement agency;

(iv) A four-year institution of higher education having a fully operational fire department as of January 1, 1996; or

(v) The department of social and health services or the department of corrections when employing firefighters serving at a prison or civil commitment center on an island.

(c) Except as otherwise specifically provided in this chapter, "employer" does not include a government contractor. For purposes of this subsection, a "government contractor" is any entity, including a partnership, limited liability company, for-profit or nonprofit corporation, or person, that provides services pursuant to a contract with an "employer." The determination whether an employer-employee relationship has been established is not based on the relationship between a government contractor and an "employer," but is based solely on the relationship between a government contractor's employee and an "employer" under this chapter.

(15)(a) "Final average salary" for plan 1 members, means (i) for a member holding the same position or rank for a minimum of twelve months preceding the date of retirement, the basic salary attached to such same position or rank at time of retirement; (ii) for any other member, including a civil service member who has not served a minimum of twelve months in the same position or rank preceding the date of retirement, the average of the greatest basic salaries payable to such member during any consecutive twenty-four month period within such member's last ten years of service for which service credit is allowed, computed by dividing the total basic salaries payable to such member during the selected twenty-four month period by twenty-four; (iii) in the case of disability of any member, the basic salary payable to such member at the time of disability retirement; (iv) in the case of a member who hereafter vests pursuant to RCW 41.26.090, the basic salary payable to such member at the time of vesting.

(b) "Final average salary" for plan 2 members, means the monthly average of the member's basic salary for the highest consecutive sixty service credit months of service prior to such member's retirement, termination, or death. Periods constituting authorized unpaid leaves of absence may not be used in the calculation of final average salary.

(c) In calculating final average salary under (a) or (b) of this subsection, the department of retirement systems shall include:

(i) Any compensation forgone by a member employed by a state agency or institution during the 2009-2011 fiscal biennium as a result of reduced work hours, mandatory or voluntary leave without pay, temporary reduction in pay implemented prior to December 11, 2010, or temporary layoffs if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer;

(ii) Any compensation forgone by a member employed by the state or a local government employer during the 2011-2013 fiscal biennium as a result of reduced work hours, mandatory leave without pay, temporary layoffs, or reductions to current pay if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer. Reductions to current pay shall not include elimination of previously agreed upon future salary increases; and

(iii) Any compensation forgone by a member employed by the state or a local government employer during the 2019-2021 and 2021-2023 fiscal biennia as a result of reduced work hours, mandatory leave without pay, temporary layoffs, furloughs, reductions to current pay, or other similar measures resulting from the COVID-19 budgetary crisis, if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer. Reductions to current pay shall not include elimination of previously agreed upon future salary increases.

(16) "Fire department" includes a fire station operated by the department of social and health services or the department of corrections when employing firefighters serving a prison or civil commitment center on an island.

(17) "Firefighter" means:

(a) Any person who is serving on a full time, fully compensated basis as a member of a fire department of an employer and who is serving in a position which requires passing a civil service examination for firefighter, and who is actively employed as such;

(b) Anyone who is actively employed as a full time firefighter where the fire department does not have a civil service examination;

(c) Supervisory firefighter personnel;

(d) Any full time executive secretary of an association of fire protection districts authorized under RCW 52.12.031. The provisions of this subsection (17)(d) shall not apply to plan 2 members;

(e) The executive secretary of a labor guild, association or organization (which is an employer under subsection (14) of this section), if such individual has five years previous membership in a retirement system established in chapter 41.16 or 41.18 RCW. The provisions of this subsection (17)(e) shall not apply to plan 2 members;

(f) Any person who is serving on a full time, fully compensated basis for an employer, as a fire dispatcher, in a department in which, on March 1, 1970, a dispatcher was required to have passed a civil service examination for firefighter;

(g) Any person who on March 1, 1970, was employed on a full time, fully compensated basis by an employer, and who on May 21, 1971, was making retirement contributions under the provisions of chapter 41.16 or 41.18 RCW; ~~((and))~~

(h) Any person who is employed on a full-time, fully compensated basis by an employer as an emergency medical technician that meets the requirements of RCW 18.71.200 or 18.73.030~~((+12))~~ (13), and whose duties include providing emergency medical services as defined in RCW 18.73.030; and

(i) Personnel serving on a full-time, fully compensated basis as an employee of a fire department in positions that necessitate experience as a firefighter to perform the essential functions of those positions.

(18) "General authority law enforcement agency" means any agency, department, or division of a municipal corporation, political subdivision, or other unit of local government of this state, and any agency, department, or division of state government, having as its primary function the detection and apprehension of persons committing infractions or violating the traffic or criminal laws in general, but not including the Washington state patrol. Such an agency, department, or division is distinguished from a limited authority law enforcement agency having as one of its functions the apprehension or detection of persons committing infractions or violating the traffic or criminal laws relating to limited subject areas, including but not limited to, the state departments of natural resources and social and health services, the state gambling commission, the state lottery commission, the state parks and recreation commission, the state utilities and transportation commission, the state liquor and cannabis board, and the state department of corrections. A general authority law enforcement agency under this chapter does not include a government contractor.

(19) "Law enforcement officer" beginning January 1, 1994, means any person who is commissioned and employed by an employer on a full time, fully compensated basis to enforce the criminal laws of the state of Washington generally, with the following qualifications:

(a) No person who is serving in a position that is basically clerical or secretarial in nature, and who is not commissioned shall be considered a law enforcement officer;

(b) Only those deputy sheriffs, including those serving under a different title pursuant to county charter, who have successfully completed a civil service examination for deputy sheriff or the equivalent position, where a different title is used, and those persons serving in unclassified positions authorized by RCW 41.14.070 except a private secretary will be considered law enforcement officers;

(c) Only such full time commissioned law enforcement personnel as have been appointed to offices, positions, or ranks in the police department which have been specifically created or otherwise expressly provided for and designated by city charter provision or by ordinance enacted by the legislative body of the city shall be considered city police officers;

(d) The term "law enforcement officer" also includes the executive secretary of a labor guild, association or organization (which is an employer under subsection (14) of this section) if that individual has five years previous membership in the retirement system established in chapter 41.20 RCW. The provisions of this subsection (19)(d) shall not apply to plan 2 members; and

(e) The term "law enforcement officer" also includes a person employed on or after January 1, 1993, as a public safety officer or director of public safety, so long as the job duties substantially involve only either police or fire duties, or both, and no other duties in a city or town with a population of less than ten thousand. The provisions of this subsection (19)(e) shall not apply to any public safety officer or director of public safety who is receiving a retirement allowance under this chapter as of May 12, 1993.

(20) "Medical services" for plan 1 members, shall include the following as minimum services to be provided. Reasonable charges for these services shall be paid in accordance with RCW 41.26.150.

(a) Hospital expenses: These are the charges made by a hospital, in its own behalf, for

(i) Board and room not to exceed semiprivate room rate unless private room is required by the attending physician due to the condition of the patient.

(ii) Necessary hospital services, other than board and room, furnished by the hospital.

(b) Other medical expenses: The following charges are considered "other medical expenses," provided that they have not been considered as "hospital expenses".

(i) The fees of the following:

(A) A physician or surgeon licensed under the provisions of chapter 18.71 RCW;

(B) An osteopathic physician and surgeon licensed under the provisions of chapter 18.57 RCW;

(C) A chiropractor licensed under the provisions of chapter 18.25 RCW.

(ii) The charges of a registered graduate nurse other than a nurse who ordinarily resides in the member's home, or is a member of the family of either the member or the member's spouse.

(iii) The charges for the following medical services and supplies:

(A) Drugs and medicines upon a physician's prescription;

(B) Diagnostic X-ray and laboratory examinations;

(C) X-ray, radium, and radioactive isotopes therapy;

(D) Anesthesia and oxygen;

(E) Rental of iron lung and other durable medical and surgical equipment;

(F) Artificial limbs and eyes, and casts, splints, and trusses;

(G) Professional ambulance service when used to transport the member to or from a hospital when injured by an accident or stricken by a disease;

(H) Dental charges incurred by a member who sustains an accidental injury to his or her teeth and who commences treatment by a legally licensed dentist within ninety days after the accident;

(I) Nursing home confinement or hospital extended care facility;

(J) Physical therapy by a registered physical therapist;

(K) Blood transfusions, including the cost of blood and blood plasma not replaced by voluntary donors;

(L) An optometrist licensed under the provisions of chapter 18.53 RCW.

(21) "Member" means any firefighter, law enforcement officer, or other person as would apply under subsection (17) or (19) of this section whose membership is transferred to the Washington law enforcement officers' and firefighters' retirement system on or after March 1, 1970, and every law enforcement officer and firefighter who is employed in that capacity on or after such date.

(22) "Plan 1" means the law enforcement officers' and firefighters' retirement system, plan 1 providing the benefits and funding provisions covering persons who first became members of the system prior to October 1, 1977.

(23) "Plan 2" means the law enforcement officers' and firefighters' retirement system, plan 2 providing the benefits and funding provisions covering persons who first became members of the system on and after October 1, 1977.

(24) "Position" means the employment held at any particular time, which may or may not be the same as civil service rank.

(25) "Regular interest" means such rate as the director may determine.

(26) "Retiree" for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(27) "Retirement fund" means the "Washington law enforcement officers' and firefighters' retirement system fund" as provided for herein.

(28) "Retirement system" means the "Washington law enforcement officers' and firefighters' retirement system" provided herein.

(29)(a) "Service" for plan 1 members, means all periods of employment for an employer as a firefighter or law enforcement officer, for which compensation is paid, together with periods of suspension not exceeding thirty days in duration. For the purposes of this chapter service shall also include service in the armed forces of the United States as provided in RCW 41.26.190. Credit shall be allowed for all service credit months of service rendered by a member from and after the member's initial commencement of employment as a firefighter or law enforcement officer, during which the member worked for seventy or more hours, or was on disability leave or disability retirement. Only service credit months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter.

(i) For members retiring after May 21, 1971 who were employed under the coverage of a prior pension act before March 1, 1970, "service" shall also include (A) such military service not exceeding five years as was creditable to the member as of March 1, 1970, under the member's particular prior pension act, and (B) such other periods of service as were then creditable to a particular member under the provisions of RCW 41.18.165, 41.20.160, or 41.20.170. However, in no event shall credit be allowed for any service rendered prior to March 1, 1970, where the member at the time of rendition of such service was employed in a position covered by a prior pension act, unless such service, at the time credit is claimed therefor, is also creditable under the provisions of such prior act.

(ii) A member who is employed by two employers at the same time shall only be credited with service to one such employer for any month during which the member rendered such dual service.

(iii) Reduction efforts such as furloughs, reduced work hours, mandatory leave without pay, temporary layoffs, or other similar situations as contemplated by subsection (15)(c) (iii) of this section do not result in a reduction in service credit that otherwise would have been earned for that month of work, and the member shall receive the full service credit for the hours that were scheduled to be worked before the reduction.

(b)(i) "Service" for plan 2 members, means periods of employment by a member for one or more employers for which basic salary is earned for ninety or more hours per calendar month which shall constitute a service credit month. Periods of employment by a member for one or more employers for which basic salary is earned for at least seventy hours but less than ninety hours per calendar month shall constitute one-half service credit month. Periods of employment by a member for one or more employers for which basic salary is earned for less than seventy hours shall constitute a one-quarter service credit month.

(ii) Members of the retirement system who are elected or appointed to a state elective position may elect to continue to be members of this retirement system.

(iii) Service credit years of service shall be determined by dividing the total number of service credit months of service by twelve. Any fraction of a service credit year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

(iv) If a member receives basic salary from two or more employers during any calendar month, the individual shall receive one service credit month's service credit during any calendar month in which multiple service for ninety or more hours is rendered; or one-half service credit month's service credit during any calendar month in which multiple service for at least seventy hours but less than ninety hours is rendered; or one-quarter service credit



month during any calendar month in which multiple service for less than seventy hours is rendered.

(v) Reduction efforts such as furloughs, reduced work hours, mandatory leave without pay, temporary layoffs, or other similar situations as contemplated by subsection (15)(c)(iii) of this section do not result in a reduction in service credit that otherwise would have been earned for that month of work, and the member shall receive the full service credit for the hours that were scheduled to be worked before the reduction.

(30) "Service credit month" means a full service credit month or an accumulation of partial service credit months that are equal to one.

(31) "Service credit year" means an accumulation of months of service credit which is equal to one when divided by twelve.

(32) "State actuary" or "actuary" means the person appointed pursuant to RCW 44.44.010(2).

(33) "State elective position" means any position held by any person elected or appointed to statewide office or elected or appointed as a member of the legislature.

(34) "Surviving spouse" means the surviving widow or widower of a member. "Surviving spouse" shall not include the divorced spouse of a member except as provided in RCW 41.26.162.

**Sec. 202.** RCW 41.26.030 and 2023 c 77 s 1 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) "Accumulated contributions" means the employee's contributions made by a member, including any amount paid under RCW 41.50.165(2), plus accrued interest credited thereon.

(2) "Actuarial reserve" means a method of financing a pension or retirement plan wherein reserves are accumulated as the liabilities for benefit payments are incurred in order that sufficient funds will be available on the date of retirement of each member to pay the member's future benefits during the period of retirement.

(3) "Actuarial valuation" means a mathematical determination of the financial condition of a retirement plan. It includes the computation of the present monetary value of benefits payable to present members, and the present monetary value of future employer and employee contributions, giving effect to mortality among active and retired members and also to the rates of disability, retirement, withdrawal from service, salary and interest earned on investments.

(4)(a) "Basic salary" for plan 1 members, means the basic monthly rate of salary or wages, including longevity pay but not including overtime earnings or special salary or wages, upon which pension or retirement benefits will be computed and upon which employer contributions and salary deductions will be based.

(b) "Basic salary" for plan 2 members, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, and shall include wages and salaries deferred under provisions established pursuant to sections 403(b), 414(h), and 457 of the United States Internal Revenue Code, but shall exclude lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay. In any year in which a member serves in the legislature the member shall have the option of having such member's basic salary be the greater of:

(i) The basic salary the member would have received had such member not served in the legislature; or

(ii) Such member's actual basic salary received for nonlegislative public employment and legislative service combined. Any additional contributions to the retirement system required because basic salary under (b)(i) of this subsection is greater than basic salary under (b)(ii) of this subsection shall be paid by the member for both member and employer contributions.

(5)(a) "Beneficiary" for plan 1 members, means any person in receipt of a retirement allowance, disability allowance, death benefit, or any other benefit described herein.

(b) "Beneficiary" for plan 2 members, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(6)(a) "Child" or "children" means an unmarried person who is under the age of eighteen or mentally or physically disabled as determined by the department, except a person who is disabled and in the full time care of a state institution, who is:

(i) A natural born child;

(ii) A stepchild where that relationship was in existence prior to the date benefits are payable under this chapter;

(iii) A posthumous child;

(iv) A child legally adopted or made a legal ward of a member prior to the date benefits are payable under this chapter; or

(v) An illegitimate child legitimized prior to the date any benefits are payable under this chapter.

(b) A person shall also be deemed to be a child up to and including the age of twenty years and eleven months while attending any high school, college, or vocational or other educational institution accredited, licensed, or approved by the state, in which it is located, including the summer vacation months and all other normal and regular vacation periods at the particular educational institution after which the child returns to school.

(7) "Department" means the department of retirement systems created in chapter 41.50 RCW.

(8) "Director" means the director of the department.

(9) "Disability board" for plan 1 members means either the county disability board or the city disability board established in RCW 41.26.110.

(10) "Disability leave" means the period of six months or any portion thereof during which a member is on leave at an allowance equal to the member's full salary prior to the commencement of disability retirement. The definition contained in this subsection shall apply only to plan 1 members.

(11) "Disability retirement" for plan 1 members, means the period following termination of a member's disability leave, during which the member is in receipt of a disability retirement allowance.

(12) "Domestic partners" means two adults who have registered as domestic partners under RCW 26.60.020.

(13) "Employee" means any law enforcement officer or firefighter as defined in subsections (17) and (19) of this section.

(14) (a) "Employer" for plan 1 members, means the legislative authority of any city, town, county, district, or regional fire protection service authority or the elected officials of any municipal corporation that employs any law enforcement officer and/or firefighter, any authorized association of such municipalities, and, except for the purposes of RCW 41.26.150, any labor guild, association, or organization, which represents the firefighters or law enforcement officers of at least seven cities of over 20,000 population and the membership of each local lodge or division of which is composed of at least sixty percent law enforcement officers or firefighters as defined in this chapter.

(b) "Employer" for plan 2 members, means the following entities to the extent that the entity employs any law enforcement officer and/or firefighter:

(i) The legislative authority of any city, town, county, district, public corporation, or regional fire protection service authority established under RCW 35.21.730 to provide emergency medical services as defined in RCW 18.73.030;

(ii) The elected officials of any municipal corporation;

(iii) The governing body of any other general authority law enforcement agency;

(iv) A four-year institution of higher education having a fully operational fire department as of January 1, 1996; or

(v) The department of social and health services or the department of corrections when employing firefighters serving at a prison or civil commitment center on an island.

(c) Except as otherwise specifically provided in this chapter, "employer" does not include a government contractor. For purposes of this subsection, a "government contractor" is any entity, including a partnership, limited liability company, for-profit or nonprofit corporation, or person, that provides services pursuant to a contract with an "employer." The determination whether an employer-employee relationship has been established is not based on the relationship between a government contractor and an "employer," but is based solely on the relationship between a government contractor's employee and an "employer" under this chapter.

(15) (a) "Final average salary" for plan 1 members, means (i) for a member holding the same position or rank for a minimum of twelve months preceding the date of retirement, the basic salary attached to such same position or rank at time of retirement; (ii) for any other member, including a civil service member who has not served a minimum of twelve months in the same position or rank preceding the date of retirement, the average of the greatest basic salaries payable to such member during any consecutive twenty-four month period within such member's last ten years of service for which service credit is allowed, computed by dividing the total basic salaries payable to such member during the selected twenty-four month period by twenty-four; (iii) in the case of disability of any member, the basic salary payable to such member at the time of disability retirement; (iv) in the case of a member who hereafter vests pursuant to RCW 41.26.090, the basic salary payable to such member at the time of vesting.

(b) "Final average salary" for plan 2 members, means the monthly average of the member's basic salary for the highest consecutive sixty service credit months of service prior to such member's retirement, termination, or death. Periods constituting authorized unpaid leaves of absence may not be used in the calculation of final average salary.

(c) In calculating final average salary under (a) or (b) of this subsection, the department of retirement systems shall include:

(i) Any compensation forgone by a member employed by a state agency or institution during the 2009-2011 fiscal biennium as a result of reduced work hours, mandatory or voluntary leave without pay, temporary reduction in pay implemented prior to December 11, 2010, or temporary layoffs if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer;

(ii) Any compensation forgone by a member employed by the state or a local government employer during the 2011-2013 fiscal biennium as a result of reduced work hours, mandatory leave without pay, temporary layoffs, or reductions to current pay if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer. Reductions to current pay shall not include elimination of previously agreed upon future salary increases; and

(iii) Any compensation forgone by a member employed by the state or a local government employer during the 2019-2021 and 2021-2023 fiscal biennia as a result of reduced work hours, mandatory leave without pay, temporary layoffs, furloughs, reductions to current pay, or other similar measures resulting from the COVID-19 budgetary crisis, if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer. Reductions to current pay shall not include elimination of previously agreed upon future salary increases.

(16) "Fire department" includes a fire station operated by the department of social and health services or the department of corrections when employing firefighters serving a prison or civil commitment center on an island.

(17) "Firefighter" means:

(a) Any person who is serving on a full time, fully compensated basis as a member of a fire department of an employer and who is serving in a position which requires passing a civil service examination for firefighter, and who is actively employed as such;

(b) Anyone who is actively employed as a full time firefighter where the fire department does not have a civil service examination;

(c) Supervisory firefighter personnel;

(d) Any full time executive secretary of an association of fire protection districts authorized under RCW 52.12.031. The provisions of this subsection (17)(d) shall not apply to plan 2 members;

(e) The executive secretary of a labor guild, association or organization (which is an employer under subsection (14) of this section), if such individual has five years previous membership in a retirement system established in chapter 41.16 or 41.18 RCW. The provisions of this subsection (17)(e) shall not apply to plan 2 members;

(f) Any person who is serving on a full time, fully compensated basis for an employer, as a fire dispatcher, in a department in which, on March 1, 1970, a dispatcher was required to have passed a civil service examination for firefighter;

(g) Any person who on March 1, 1970, was employed on a full time, fully compensated basis by an employer, and who on May 21, 1971, was making retirement contributions under the provisions of chapter 41.16 or 41.18 RCW; ~~(and)~~

(h) Any person who is employed on a full-time, fully compensated basis by an employer as an emergency medical technician that meets the requirements of RCW 18.71.200 or 18.73.030(13), and whose duties include providing emergency medical services as defined in RCW 18.73.030; and

(i) Personnel serving on a full-time, fully compensated basis as an employee of a fire department in positions that necessitate experience as a firefighter to perform the essential functions of those positions.

(18) "General authority law enforcement agency" means any agency, department, or division of a municipal corporation, political subdivision, or other unit of local government of this state, the government of a federally recognized tribe, and any agency, department, or division of state government, having as its primary function the detection and apprehension of persons committing infractions or violating the traffic or criminal laws in general, but not including the Washington state patrol. Such an agency, department, or division is distinguished from a limited authority law enforcement agency having as one of its functions the apprehension or detection of persons committing infractions or violating the traffic or criminal laws relating to limited subject areas, including but not limited to, the state departments of natural resources and social and health services, the state gambling commission, the state lottery commission, the state parks and recreation commission, the state utilities and transportation commission, the state liquor and cannabis board, and the state department of corrections. A general authority law enforcement agency under this chapter does not include a government contractor.

(19) "Law enforcement officer" beginning January 1, 1994, means any person who is commissioned and employed by an employer on a full time, fully compensated basis to enforce the criminal laws of the state of Washington generally, with the following qualifications:

(a) No person who is serving in a position that is basically clerical or secretarial in nature, and who is not commissioned shall be considered a law enforcement officer;

(b) Only those deputy sheriffs, including those serving under a different title pursuant to county charter, who have successfully completed a civil service examination for deputy sheriff or the equivalent position, where a different title is used, and those persons serving in unclassified positions authorized by RCW 41.14.070 except a private secretary will be considered law enforcement officers;

(c) Only such full time commissioned law enforcement personnel as have been appointed to offices, positions, or ranks in the police department which have been specifically created or otherwise expressly provided for and designated by city charter provision or by ordinance enacted by the legislative body of the city shall be considered city police officers;

(d) The term "law enforcement officer" also includes the executive secretary of a labor guild, association or organization (which is an employer under subsection (14) of this section) if that individual has five years previous membership in the retirement system established in chapter 41.20 RCW. The provisions of this subsection (19)(d) shall not apply to plan 2 members;

(e) The term "law enforcement officer" also includes a person employed on or after January 1, 1993, as a public safety officer or director of public safety, so long as the job duties substantially involve only either police or fire duties, or both, and no other duties in a city or town with a population of less than ten thousand. The provisions of this subsection (19)(e) shall not apply to any public safety officer or director of public safety who is receiving a retirement allowance under this chapter as of May 12, 1993; and

(f) The term "law enforcement officer" also includes a person who is employed on or after January 1, 2024, on a full-time basis by the government of a federally recognized tribe within the state of Washington that meets the terms and conditions of RCW 41.26.565, is employed in a police department maintained by that tribe, and who is currently certified as a general authority peace officer under chapter 43.101 RCW.

(20) "Medical services" for plan 1 members, shall include the following as minimum services to be provided. Reasonable charges for these services shall be paid in accordance with RCW 41.26.150.

(a) Hospital expenses: These are the charges made by a hospital, in its own behalf, for

(i) Board and room not to exceed semiprivate room rate unless private room is required by the attending physician due to the condition of the patient.

(ii) Necessary hospital services, other than board and room, furnished by the hospital.

(b) Other medical expenses: The following charges are considered "other medical expenses," provided that they have not been considered as "hospital expenses".

(i) The fees of the following:

(A) A physician or surgeon licensed under the provisions of chapter 18.71 RCW;

(B) An osteopathic physician and surgeon licensed under the provisions of chapter 18.57 RCW;

(C) A chiropractor licensed under the provisions of chapter 18.25 RCW.

(ii) The charges of a registered graduate nurse other than a nurse who ordinarily resides in the member's home, or is a member of the family of either the member or the member's spouse.

(iii) The charges for the following medical services and supplies:

(A) Drugs and medicines upon a physician's prescription;

(B) Diagnostic X-ray and laboratory examinations;

(C) X-ray, radium, and radioactive isotopes therapy;

(D) Anesthesia and oxygen;

(E) Rental of iron lung and other durable medical and surgical equipment;

(F) Artificial limbs and eyes, and casts, splints, and trusses;

(G) Professional ambulance service when used to transport the member to or from a hospital when injured by an accident or stricken by a disease;

(H) Dental charges incurred by a member who sustains an accidental injury to his or her teeth and who commences treatment by a legally licensed dentist within ninety days after the accident;

(I) Nursing home confinement or hospital extended care facility;

(J) Physical therapy by a registered physical therapist;

(K) Blood transfusions, including the cost of blood and blood plasma not replaced by voluntary donors;

(L) An optometrist licensed under the provisions of chapter 18.53 RCW.

(21) "Member" means any firefighter, law enforcement officer, or other person as would apply under subsection (17) or (19) of this section whose membership is transferred to the Washington law enforcement officers' and firefighters' retirement system on or after March 1, 1970, and every law enforcement officer and firefighter who is employed in that capacity on or after such date.

(22) "Plan 1" means the law enforcement officers' and firefighters' retirement system, plan 1 providing the benefits and funding provisions covering persons who first became members of the system prior to October 1, 1977.

(23) "Plan 2" means the law enforcement officers' and firefighters' retirement system, plan 2 providing the benefits and funding provisions covering persons who first became members of the system on and after October 1, 1977.

(24) "Position" means the employment held at any particular time, which may or may not be the same as civil service rank.

(25) "Regular interest" means such rate as the director may determine.

(26) "Retiree" for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(27) "Retirement fund" means the "Washington law enforcement officers' and firefighters' retirement system fund" as provided for herein.

(28) "Retirement system" means the "Washington law enforcement officers' and firefighters' retirement system" provided herein.

(29)(a) "Service" for plan 1 members, means all periods of employment for an employer as a firefighter or law enforcement officer, for which compensation is paid, together with periods of suspension not exceeding thirty days in duration. For the purposes of this chapter service shall also include service in the armed forces of the United States as provided in RCW 41.26.190. Credit shall be allowed for all service credit months of service rendered by a member from and after the member's initial commencement of employment as a firefighter or law enforcement officer, during which the member worked for seventy or more hours, or was on disability leave or disability retirement. Only service credit months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter.

(i) For members retiring after May 21, 1971 who were employed under the coverage of a prior pension act before March 1, 1970, "service" shall also include (A) such military service not exceeding five years as was creditable to the member as of March 1, 1970, under the member's particular prior pension act, and (B) such other periods of service as were then creditable to a particular member under the provisions of RCW 41.18.165, 41.20.160, or 41.20.170. However, in no event shall credit be allowed for any service rendered prior to March 1, 1970, where the member at the time of rendition of such service was employed in a position covered by a prior pension act, unless such service, at the time credit is claimed therefor, is also creditable under the provisions of such prior act.

(ii) A member who is employed by two employers at the same time shall only be credited with service to one such employer for any month during which the member rendered such dual service.

(iii) Reduction efforts such as furloughs, reduced work hours, mandatory leave without pay, temporary layoffs, or other similar situations as contemplated by subsection (15)(c)(iii) of this section do not result in a reduction in service credit that otherwise would have been earned for that month of work, and the member shall receive the full service credit for the hours that were scheduled to be worked before the reduction.

(b)(i) "Service" for plan 2 members, means periods of employment by a member for one or more employers for which basic salary is earned for ninety or more hours per calendar month which shall constitute a service credit month. Periods of employment by a member for one or more employers for which basic salary is earned for at least seventy hours but less than ninety hours per calendar month shall constitute one-half service credit month. Periods of employment by a member for one or more employers for which basic salary is earned for less than seventy hours shall constitute a one-quarter service credit month.

(ii) Members of the retirement system who are elected or appointed to a state elective position may elect to continue to be members of this retirement system.

(iii) Service credit years of service shall be determined by dividing the total number of service credit months of service by twelve. Any fraction of a service credit year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

(iv) If a member receives basic salary from two or more employers during any calendar month, the individual shall receive one service credit month's service credit during any calendar month in which multiple service for ninety or more hours is rendered; or one-half service credit month's service credit during any calendar month in which multiple service for at least seventy hours but less than ninety hours is rendered; or one-quarter service credit month during any calendar month in which multiple service for less than seventy hours is rendered.

(v) Reduction efforts such as furloughs, reduced work hours, mandatory leave without pay, temporary layoffs, or other similar situations as contemplated by subsection (15)(c)(iii) of this section do not result in a reduction in service credit that otherwise would have been earned for that month of work, and the member shall receive the full service credit for the hours that were scheduled to be worked before the reduction.

(30) "Service credit month" means a full service credit month or an accumulation of partial service credit months that are equal to one.

(31) "Service credit year" means an accumulation of months of service credit which is equal to one when divided by twelve.

(32) "State actuary" or "actuary" means the person appointed pursuant to RCW 44.44.010(2).

(33) "State elective position" means any position held by any person elected or appointed to statewide office or elected or appointed as a member of the legislature.

(34) "Surviving spouse" means the surviving widow or widower of a member. "Surviving spouse" shall not include the divorced spouse of a member except as provided in RCW 41.26.162.

NEW SECTION. **Sec. 203.** Section 201 of this act expires July 1, 2025.

NEW SECTION. **Sec. 204.** Section 202 of this act takes effect July 1, 2025.

### **Part III**

#### **Pension Overpayment Responsibility**

**Sec. 301.** RCW 41.50.130 and 1997 c 254 s 15 are each amended to read as follows:

(1) The director may at any time correct errors appearing in the records of the retirement systems listed in RCW 41.50.030. Should any error in such records result in any member, beneficiary, or other person or entity receiving more or less than he or she would have been entitled to had the records been correct, the director, subject to the conditions set forth in this section, shall adjust the payment in such a manner that the benefit to which such member, beneficiary, or other person or entity was correctly entitled shall be paid in accordance with the following:

(a) In the case of underpayments to a member or beneficiary, the retirement system shall correct all future payments from the point of error detection, and shall compute the additional payment due for the allowable prior period which shall be paid in a lump sum by the appropriate retirement system.

(b) In the case of overpayments to a retiree or other beneficiary, the retirement system shall adjust the payment so that the retiree or beneficiary receives the benefit to which he or she is correctly entitled. The retiree or beneficiary shall either repay the overpayment in a lump sum within ninety days of notification or, if he or she is entitled to a continuing benefit, elect to have that benefit actuarially reduced by an amount equal to the overpayment. The retiree or beneficiary is not responsible for repaying the overpayment if the employer is liable under RCW 41.50.139 or section 302 of this act.

(c) In the case of overpayments to a person or entity other than a member or beneficiary, the overpayment shall constitute a debt from the person or entity to the department, recovery of which shall not be barred by laches or statute of limitations.

(2) Except in the case of actual fraud or overpayments under section 302 of this act, in the case of overpayments to a member or beneficiary, the benefits shall be adjusted to reflect only the amount of overpayments made within three years of discovery of the error, notwithstanding any provision to the contrary in chapter 4.16 RCW.

(3) Except in the case of actual fraud, no monthly benefit shall be reduced by more than fifty percent of the member's or beneficiary's corrected benefit. Any overpayment not recovered due to the inability to actuarially reduce a member's benefit due to: (a) The provisions of this subsection; or (b) the fact that the retiree's monthly retirement allowance is less than the monthly payment required to effectuate an actuarial reduction, shall constitute a claim against the estate of a member, beneficiary, or other person or entity in receipt of an overpayment.

(4) Except as provided in subsection (2) of this section, obligations of employers or members until paid to the department shall constitute a debt from the employer or member to the department, recovery of which shall not be barred by laches or statutes of limitation.

NEW SECTION. **Sec. 302.** A new section is added to chapter 41.26 RCW to read as follows:

(1) If an overpayment for a law enforcement officers' and firefighters' retirement system plan 2 retiree was due to an employer erroneously reporting law enforcement officers' and firefighters' retirement system plan 2 member information to the department, and the erroneous reporting was not the result of the member's nondisclosure, fraud, misrepresentation, or other fault, the employer is liable for the resulting overpayment.

(2) Upon receipt of a billing from the department, the employer shall pay into the Washington law enforcement officers' and firefighters' system plan 2 retirement fund the amount of the overpayment plus interest as determined by the director. The employer's liability under this section shall not exceed the amount of overpayments plus interest received by the retiree within one year of the date of discovery, except in the case of fraud committed by the employer. In the case of fraud committed by the employer, the employer is liable for the entire overpayment plus interest.

NEW SECTION. **Sec. 303.** Sections 301 and 302 of this act take effect January 1, 2025.

#### **Part IV Disability Pension Benefits**

**Sec. 401.** RCW 41.26.470 and 2016 c 115 s 3 are each amended to read as follows:

(1) A member of the retirement system who becomes totally incapacitated for continued employment by an employer as determined by the director shall be eligible to receive an allowance under the provisions of RCW 41.26.410 through 41.26.550. Such member shall receive a monthly disability allowance computed as provided for in RCW 41.26.420 and shall have such allowance actuarially reduced to reflect the difference in the number of years between age at disability and the attainment of age fifty-three, except under subsection (7) of this section.

(2) Any member who receives an allowance under the provisions of this section shall be subject to such comprehensive medical examinations as required by the department. If such medical examinations reveal that such a member has recovered from the incapacitating disability and the member is no longer entitled to benefits under Title 51 RCW, the retirement allowance shall be canceled and the member shall be restored to duty in the same civil service rank, if any, held by the member at the time of retirement or, if unable to perform the duties of the rank, then, at the member's request, in such other like or lesser rank as may be or become open and available, the duties of which the member is then able to perform. In no event shall a member previously drawing a disability allowance be returned or be restored to duty at a salary or rate of pay less than the current salary attached to the rank or position held by the member at the date of the retirement for disability. If the department determines that the member is able to return to service, the member is entitled to notice and a hearing. Both the notice and the hearing shall comply with the requirements of chapter 34.05 RCW, the administrative procedure act.

(3) Those members subject to this chapter who became disabled in the line of duty on or after July 23, 1989, and who receive benefits under RCW 41.04.500 through 41.04.530 or similar benefits under RCW 41.04.535 shall receive or continue to receive service credit subject to the following:

(a) No member may receive more than one month's service credit in a calendar month.

(b) No service credit under this section may be allowed after a member separates or is separated without leave of absence.

(c) Employer contributions shall be paid by the employer at the rate in effect for the period of the service credited.

(d) Employee contributions shall be collected by the employer and paid to the department at the rate in effect for the period of service credited.

(e) State contributions shall be as provided in RCW 41.45.060 and 41.45.067.

(f) Contributions shall be based on the regular compensation which the member would have received had the disability not occurred.

(g) The service and compensation credit under this section shall be granted for a period not to exceed six consecutive months.

(h) Should the legislature revoke the service credit authorized under this section or repeal this section, no affected employee is entitled to receive the credit as a matter of contractual right.

(4) (a) If the recipient of a monthly retirement allowance under this section dies before the total of the retirement allowance paid to the recipient equals the amount of the accumulated contributions at the date of retirement, then the balance shall be paid to the member's estate, or such person or persons, trust, or organization as the recipient has nominated by written designation duly executed and filed with the director, or, if there is no such designated person or persons still living at the time of the recipient's death, then to the surviving spouse or domestic partner, or, if there is neither such designated person or persons still living at the time of his or her death nor a surviving spouse or domestic partner, then to his or her legal representative.

(b) If a recipient of a monthly retirement allowance under this section died before April 27, 1989, and before the total of the retirement allowance paid to the recipient equaled the amount of his or her accumulated contributions at the date of retirement, then the department shall pay the balance of the accumulated contributions to the member's surviving spouse or, if there is no surviving spouse, then in equal shares to the member's children. If there is no surviving spouse or children, the department shall retain the contributions.

(5) Should the disability retirement allowance of any disability beneficiary be canceled for any cause other than reentrance into service or retirement for service, he or she shall be paid the excess, if any, of the accumulated contributions at the time of retirement over all payments made on his or her behalf under this chapter.

(6) A member who becomes disabled in the line of duty, and who ceases to be an employee of an employer except by service or disability retirement, may request a refund of one hundred fifty percent of the member's accumulated contributions. Any accumulated contributions attributable to restorations made under RCW 41.50.165(2) shall be refunded at one hundred percent. A person in receipt of this benefit is a retiree.

(7) A member who becomes disabled in the line of duty shall be entitled to receive a minimum retirement allowance equal to ten percent of such member's final average salary. The member shall additionally receive a retirement allowance equal to two percent of such member's average final salary for each year of service beyond five.

(8) A member who became disabled in the line of duty before January 1, 2001, and is receiving an allowance under RCW 41.26.430 or subsection (1) of this section shall be entitled to receive a minimum retirement allowance equal to ten percent of such member's final average salary. The member shall additionally receive a retirement allowance equal to two percent of such member's average final salary for each year of service beyond five, and shall have the allowance actuarially reduced to reflect the difference in the number of years between age at disability and the attainment of age fifty-three. An additional benefit shall not result in a total monthly benefit greater than that provided in subsection (1) of this section.

(9) A member who is totally disabled in the line of duty is entitled to receive a retirement allowance equal to seventy percent of the member's final average salary. The allowance provided under this subsection shall be offset by:

(a) Temporary disability wage-replacement benefits or permanent total disability benefits provided to the member under Title 51 RCW; and

(b) Federal social security disability benefits, if any;

so that such an allowance does not result in the member receiving combined benefits that exceed one hundred percent of the member's final average salary. However, the offsets shall not in any case reduce the allowance provided under this subsection below the member's accrued retirement allowance.

A member is considered totally disabled if he or she is unable to perform any substantial gainful activity due to a physical or mental condition that may be expected to result in death or that has lasted or is expected to last at least twelve months. Substantial gainful activity is defined as average earnings in excess of eight hundred sixty dollars a month in 2006 adjusted annually as determined by the director based on federal social security disability standards. The department may require a person in receipt of an allowance under this subsection to provide any financial records that are necessary to determine continued eligibility for such an allowance. A person in receipt of an allowance under this subsection whose earnings exceed the threshold for substantial gainful activity shall have their benefit converted to a line-of-duty disability retirement allowance as provided in subsection (7) of this section.

Any person in receipt of an allowance under the provisions of this section is subject to comprehensive medical examinations as may be required by the department under subsection (2) of this section in order to determine continued eligibility for such an allowance.

(10) (a) In addition to the retirement allowance provided in subsection (9) of this section, the retirement allowance of a member who is totally disabled in the line of duty shall include reimbursement for any payments made by the member after June 10, 2010, for premiums on employer-provided medical insurance, insurance authorized by the consolidated omnibus budget reconciliation act of 1985 (COBRA), medicare part A (hospital insurance), and medicare part B (medical insurance). A member who is entitled to medicare must enroll and maintain enrollment in both medicare part A and medicare part B in order to remain eligible for the reimbursement provided in this subsection. The legislature reserves the right to amend or repeal the benefits provided in this subsection in the future and no member or beneficiary has a contractual right to receive any distribution not granted prior to that time.

(b) The retirement allowance of a member who is not eligible for reimbursement provided in (a) of this subsection shall include reimbursement for any payments made after June 30, 2013, for premiums on other medical insurance. However, in no instance shall the reimbursement exceed the amount reimbursed for premiums authorized by the consolidated omnibus budget reconciliation act of 1985 (COBRA).

(11) A member who has left the employ of an employer due to service in the national guard, military reserves, federal emergency management agency, or national disaster medical system of the United States department of health and human services and who becomes totally incapacitated for continued employment by an employer as determined by the director while performing service in response to a disaster, major emergency, special event, federal exercise, or official training on or after March 22, 2014, shall be eligible to receive an allowance under the provisions of RCW 41.26.410 through 41.26.550. Such member shall receive a monthly disability allowance computed as provided for in RCW 41.26.420 except such allowance is not subject to an actuarial reduction for early retirement as provided in RCW 41.26.430. The member's retirement allowance is computed under RCW 41.26.420, except that the member shall be entitled to a minimum retirement allowance equal to ten percent of such member's final average salary. The member shall additionally receive a retirement allowance equal to two percent of such member's average final salary for each year of service beyond five.

(12) A member who is in receipt of a nonduty disability benefit under subsection (1) of this section, for a disabling condition that was not considered an occupational disease by the department of labor and industries at the time the member retired but is now considered an occupational disease in accordance with the definition of posttraumatic stress disorder in RCW 51.08.165, may file a new application with the department for a determination of their eligibility for an in the line of duty disability retirement benefit under subsections (7) and (9) of this section with the current occupational disease eligibility applied to their application. If the department finds that the member is eligible for an in the line of duty disability retirement the benefit must be paid retroactive to the disabling condition being made eligible as an occupational disease under RCW 51.08.165.

#### **Part V**

#### **Civil Service Exemption for Management and Research Personnel**

**Sec. 501.** RCW 41.26.717 and 2018 c 272 s 2 are each amended to read as follows:

The law enforcement officers' and firefighters' plan 2 retirement board established in section 4, chapter 2, Laws of 2003 has the following duties and powers in addition to any other duties or powers authorized or required by law. The board:

(1) Shall hire an executive director, and shall fix the salary of the executive director subject to periodic review by the board and in consultation with the director of the office of financial management and shall provide notice to the chairs of the house of representatives and senate fiscal committees of changes;

(2) Shall employ a deputy director and research and policy analysts who shall be exempt from civil service under chapter 41.06 RCW. Compensation levels for the deputy director and research and policy analysts employed by the board shall be established and fixed by the board in consultation with the director of the office of financial management. When setting salaries for these positions, the board must consider comparable public sector positions using market-driven data. Once compensation levels are determined, the board shall provide notice to the chairs of the fiscal committees of the house of representatives and the senate of proposed changes to the compensation levels for the positions;

(3) Shall employ other staff as necessary to implement the purposes of chapter 2, Laws of 2003. Staff must be state employees under ~~(Title 41 RCW)~~ this title;

~~((3))~~ (4) Shall adopt an annual budget as provided in section 5, chapter 2, Laws of 2003. Expenses of the board are paid from the expense fund created in RCW 41.26.732;

~~((4))~~ (5) May make, execute, and deliver contracts, conveyances, and other instruments necessary to exercise and discharge its powers and duties;

~~((5))~~ (6) May contract for all or part of the services necessary for the management and operation of the board with other state or nonstate entities authorized to do business in the state; and

~~((6))~~ (7) May contract with actuaries, auditors, and other consultants as necessary to carry out its responsibilities."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

2SSB 6228

Prime Sponsor, Ways & Means: Concerning treatment of substance use disorders. Reported by Committee on Appropriations



MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Health Care & Wellness.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that ensuring that individuals with substance use disorders can enter into and complete residential addiction treatment is an important public policy objective. Substance use disorder providers forcing patients to leave treatment prematurely and insurance authorization barriers both present impediments to realizing this goal.

(2) The legislature further finds that patients with substance use disorders should be provided information regarding and access to the full panoply of treatment options for their condition, as would be the case with any other life-threatening disease. Pharmacotherapies are incredibly effective and severely underutilized tools in the treatment of opioid use disorder and alcohol use disorder. The federal food and drug administration has approved three medications for the treatment of opioid use disorder and three medications for the treatment of alcohol use disorder. Only 37 percent of individuals with opioid use disorder and nine percent of individuals with alcohol use disorder receive medication to treat their condition.

(3) Therefore, it is the intent of the legislature to reduce forced patient discharges from residential addiction treatment, to remove arbitrary insurance authorization barriers to residential addiction treatment, and to ensure that patients with opioid use disorder and alcohol use disorder receive access to care that is consistent with clinical best practices.

**NEW SECTION. Sec. 2.** A new section is added to chapter 71.24 RCW to read as follows:

(1)(a) By October 1, 2024, each licensed or certified behavioral health agency providing voluntary inpatient or residential substance use disorder treatment services or withdrawal management services shall submit to the department any policies that the agency maintains regarding the transfer or discharge of a person without the person's consent from a facility providing those services. The policies that agencies must submit include any policies related to situations in which the agency transfers or discharges a person without the person's consent, therapeutic progressive disciplinary processes that the agency maintains, and procedures to assure safe transfers and discharges when a patient is discharged without the patient's consent. Behavioral health agencies that do not maintain such policies must provide an attestation to this effect.

(b) By April 1, 2025, the department shall adopt a model policy for licensed or certified behavioral health agencies providing voluntary inpatient or residential substance use disorder treatment services or withdrawal management services to consider when adopting policies related to the transfer or discharge of a person without the person's consent from a facility providing those services. In developing the model policy, the department shall consider the policies submitted by agencies under (a) of this subsection and establish factors to be used in making a decision to transfer or discharge a person without the person's consent. Factors may include, but are not limited to, the person's medical condition, the clinical determination that the person no longer requires treatment or withdrawal management services at the facility, the risk of physical injury presented by the person to the person's self or to other persons at the facility, the extent to which the person's behavior risks the recovery goals of other persons at the facility, and the extent to which the agency has applied a therapeutic progressive disciplinary process. The model policy must include provisions addressing the use of an appropriate therapeutic progressive disciplinary process and procedures to assure safe transfers and discharges of a patient who is discharged without the patient's consent.

(2)(a) Beginning July 1, 2025, every licensed or certified behavioral health agency providing voluntary inpatient or residential substance use disorder treatment services or withdrawal management services shall submit a report to the department for each instance in which a person receiving services either: (i) Was transferred or discharged from the facility by the agency without the person's consent; or (ii) released the person's self from the facility prior to a clinical determination that the person had completed treatment.

(b) The department shall adopt rules to implement the reporting requirement under (a) of this subsection, using a standard form. The rules must require that the agency provide a description of the circumstances related to the person's departure from the facility, including whether the departure was voluntary or involuntary, the extent to which a therapeutic progressive disciplinary process was applied, the patient's self-reported understanding of the reasons for discharge, efforts that were made to avert the discharge, and efforts that were made to establish a safe discharge plan prior to the patient leaving the facility.

(3) Patient health care information contained in reports submitted under subsection (2) of this section is exempt from disclosure under RCW 42.56.360.

(4) This section does not apply to hospitals licensed under chapter 70.41 RCW and psychiatric hospitals licensed under chapter 71.12 RCW.

**NEW SECTION. Sec. 3.** A new section is added to chapter 28B.20 RCW to read as follows:

The addictions, drug, and alcohol institute at the University of Washington shall create a patient shared decision-making tool to assist behavioral health and medical providers when

discussing medication treatment options for patients with alcohol use disorder. The institute shall distribute the tool to behavioral health and medical providers and instruct them on ways to incorporate the use of the tool into their practices. The institute shall conduct regular evaluations of the tool and update the tool as necessary.

**Sec. 4.** RCW 71.24.037 and 2023 c 454 s 2 are each amended to read as follows:

(1) The secretary shall license or certify any agency or facility that: (a) Submits payment of the fee established under RCW 43.70.110 and 43.70.250; (b) submits a complete application that demonstrates the ability to comply with requirements for operating and maintaining an agency or facility in statute or rule; and (c) successfully completes the precicensure inspection requirement.

(2) The secretary shall establish by rule minimum standards for licensed or certified behavioral health agencies that must, at a minimum, establish: (a) Qualifications for staff providing services directly to persons with mental disorders, substance use disorders, or both; (b) the intended result of each service; and (c) the rights and responsibilities of persons receiving behavioral health services pursuant to this chapter and chapter 71.05 RCW. The secretary shall provide for deeming of licensed or certified behavioral health agencies as meeting state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department.

(3) The department shall review reports or other information alleging a failure to comply with this chapter or the standards and rules adopted under this chapter and may initiate investigations and enforcement actions based on those reports.

(4) The department shall conduct inspections of agencies and facilities, including reviews of records and documents required to be maintained under this chapter or rules adopted under this chapter.

(5) The department may suspend, revoke, limit, restrict, or modify an approval, or refuse to grant approval, for failure to meet the provisions of this chapter, or the standards adopted under this chapter. RCW 43.70.115 governs notice of a license or certification denial, revocation, suspension, or modification and provides the right to an adjudicative proceeding.

(6) No licensed or certified behavioral health agency may advertise or represent itself as a licensed or certified behavioral health agency if approval has not been granted or has been denied, suspended, revoked, or canceled.

(7) Licensure or certification as a behavioral health agency is effective for one calendar year from the date of issuance of the license or certification. The license or certification must specify the types of services provided by the behavioral health agency that meet the standards adopted under this chapter. Renewal of a license or certification must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.

(8) Licensure or certification as a licensed or certified behavioral health agency must specify the types of services provided that meet the standards adopted under this chapter. Renewal of a license or certification must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.

(9) The department shall develop a process by which a provider may obtain dual licensure as an evaluation and treatment facility and secure withdrawal management and stabilization facility.

(10) Licensed or certified behavioral health agencies may not provide types of services for which the licensed or certified behavioral health agency has not been certified. Licensed or certified behavioral health agencies may provide services for which approval has been sought and is pending, if approval for the services has not been previously revoked or denied.

(11) The department periodically shall inspect licensed or certified behavioral health agencies at reasonable times and in a reasonable manner.

(12) Upon petition of the department and after a hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the department authorizing him or her to enter and inspect at reasonable times, and examine the books and accounts of, any licensed or certified behavioral health agency refusing to consent to inspection or examination by the department or which the department has reasonable cause to believe is operating in violation of this chapter.

(13) The department shall maintain and periodically publish a current list of licensed or certified behavioral health agencies.

(14) Each licensed or certified behavioral health agency shall file with the department or the authority upon request, data, statistics, schedules, and information the department or the authority reasonably requires. A licensed or certified behavioral health agency that without good cause fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent returns thereof, may have its license or certification revoked or suspended.

(15) The authority shall use the data provided in subsection (14) of this section to evaluate each program that admits children to inpatient substance use disorder treatment upon application of their parents. The evaluation must be done at least once every twelve months. In addition, the authority shall randomly select and review the information on individual children who are admitted on application of the child's parent for the purpose of determining whether the child was appropriately placed into substance use disorder treatment based on an objective evaluation of the child's condition and the outcome of the child's treatment.

(16) Any settlement agreement entered into between the department and licensed or certified behavioral health agencies to resolve administrative complaints, license or certification violations, license or certification suspensions, or license or certification revocations may not reduce the number of violations reported by the department unless the department concludes, based on evidence gathered by inspectors, that the licensed or certified behavioral health agency did not commit one or more of the violations.

(17) In cases in which a behavioral health agency that is in violation of licensing or certification standards attempts to transfer or sell the behavioral health agency to a family member, the transfer or sale may only be made for the purpose of remedying license or certification violations and achieving full compliance with the terms of the license or certification. Transfers or sales to family members are prohibited in cases in which the purpose of the transfer or sale is to avoid liability or reset the number of license or certification violations found before the transfer or sale. If the department finds that the owner intends to transfer or sell, or has completed the transfer or sale of, ownership of the behavioral health agency to a family member solely for the purpose of resetting the number of violations found before the transfer or sale, the department may not renew the behavioral health agency's license or certification or issue a new license or certification to the behavioral health service provider.

(18) Every licensed or certified outpatient behavioral health agency shall display the 988 crisis hotline number in common areas of the premises and include the number as a calling option on any phone message for persons calling the agency after business hours.

(19) Every licensed or certified inpatient or residential behavioral health agency must include the 988 crisis hotline number in the discharge summary provided to individuals being discharged from inpatient or residential services.

(20)(a) Licensed or certified behavioral health agencies providing voluntary inpatient or residential substance use disorder treatment services or withdrawal management services:

(i) Must comply with the policy submission and mandatory reporting requirements established in section 2 of this act; and

(ii) May not prohibit a person from receiving services at or being admitted to the agency based solely on prior instances of the person releasing the person's self from the facility prior to a clinical determination that the person had completed treatment.

(b) This subsection (20) does not apply to hospitals licensed under chapter 70.41 RCW and psychiatric hospitals licensed under chapter 71.12 RCW.

(21)(a) A licensed or certified behavioral health agency shall provide each patient seeking treatment for opioid use disorder or alcohol use disorder, whether receiving inpatient or outpatient treatment, with education related to pharmacological treatment options specific to the patient's diagnosed condition. The education must include an unbiased explanation of all recognized forms of treatment approved by the federal food and drug administration, as required under RCW 7.70.050 and 7.70.060, that are clinically appropriate for the patient and covered by the patient's insurance. Providers may use the patient shared decision-making tools for opioid use disorder and alcohol use disorder developed by the addictions, drug, and alcohol institute at the University of Washington. If the patient elects a clinically appropriate pharmacological treatment option, the behavioral health agency shall support the patient with the implementation of the pharmacological treatment either by direct provision of the medication or by a warm handoff referral, if the treating provider is unable to directly provide the medication.

(b) Unless it meets the requirements of (a) of this subsection, a behavioral health agency may not:

(i) Advertise that it treats opioid use disorder or alcohol use disorder; or

(ii) Treat patients for opioid use disorder or alcohol use disorder, regardless of the form of treatment that the patient chooses.

(c)(i) Failure to meet the education requirements of (a) of this subsection may be an element of proof in demonstrating a breach of the duty to secure an informed consent under RCW 7.70.050.

(ii) Failure to meet the education and facilitation requirements of (a) of this subsection may be the basis of a disciplinary action under this section.

(d) Subsections (b) and (c) of this subsection do not apply to licensed behavioral health agencies that are units within a hospital licensed under chapter 70.41 RCW or a psychiatric hospital licensed under chapter 71.12 RCW.

**NEW SECTION. Sec. 5.** A new section is added to chapter 70.41 RCW to read as follows:

A hospital licensed under this chapter shall provide each patient seeking treatment for opioid use disorder or alcohol use disorder with education related to pharmacological treatment options specific to the patient's diagnosed condition. The education must include an unbiased explanation of all recognized forms of treatment approved by the federal food and drug administration, as required under RCW 7.70.050 and 7.70.060, that are clinically appropriate for the patient and covered by the patient's insurance. A hospital may use the patient shared decision-making tools for opioid use disorder and alcohol use disorder developed by the University of Washington addictions, drug, and alcohol institute. If the patient elects a clinically appropriate pharmacological treatment option, the hospital shall support the patient with the implementation of the pharmacological treatment, either by direct provision of the medication or by a referral, if the hospital is unable to directly provide the medication.

**NEW SECTION. Sec. 6.** A new section is added to chapter 71.24 RCW to read as follows:

(1) If a behavioral health provider or licensed or certified behavioral health agency that provides withdrawal management services to a patient seeks to discontinue usage or reduce dosage amounts of a medication, including a psychotropic medication, that the patient has been using in accordance with the directions of a prescribing health care provider, the withdrawal management provider shall engage in individualized, patient-centered, shared decision making, using nonjudgmental and compassionate communication and, with the consent of the patient, make a good faith effort to consult the prescribing health care provider. A withdrawal management provider may not, by philosophy or practice, categorically require all patients to discontinue all psychotropic medications, including benzodiazepines and medications for attention deficit hyperactivity disorder.

(2) This section does not apply to hospitals licensed under chapter 70.41 RCW and psychiatric hospitals licensed under chapter 71.12 RCW.

**Sec. 7.** RCW 41.05.526 and 2020 c 345 s 2 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, a health plan offered to employees and their covered dependents under this chapter issued or renewed on or after January 1, 2021, may not require an enrollee to obtain prior authorization for withdrawal management services or inpatient or residential substance use disorder treatment services in a behavioral health agency licensed or certified under RCW 71.24.037.

(2) (a) A health plan offered to employees and their covered dependents under this chapter issued or renewed on or after January 1, 2021, must:

(i) Provide coverage for no less than two business days, excluding weekends and holidays, in a behavioral health agency that provides inpatient or residential substance use disorder treatment prior to conducting a utilization review; and

(ii) Provide coverage for no less than three days in a behavioral health agency that provides withdrawal management services prior to conducting a utilization review.

(b) (i) The health plan may not require an enrollee to obtain prior authorization for the services specified in (a) of this subsection as a condition for payment of services prior to the times specified in (a) of this subsection.

(ii) Once the times specified in (a) of this subsection have passed, the health plan may initiate utilization management review procedures if the behavioral health agency continues to provide services or is in the process of arranging for a seamless transfer to an appropriate facility or lower level of care under subsection (6) of this section. For a health plan issued or renewed on or after January 1, 2025, if a health plan authorizes inpatient or residential substance use disorder treatment services pursuant to (a) (i) of this subsection following the initial medical necessity review process under (c) (iii) of this subsection, the length of the initial authorization may not be less than 14 days from the date that the patient was admitted to the behavioral health agency. Any subsequent reauthorization that the health plan approves after the first 14 days must continue for no less than seven days prior to requiring further reauthorization. Nothing prohibits a health plan from requesting information to assist with a seamless transfer under this subsection.

(c) (i) The behavioral health agency under (a) of this subsection must notify an enrollee's health plan as soon as practicable after admitting the enrollee, but not later than twenty-four hours after admitting the enrollee. The time of notification does not reduce the requirements established in (a) of this subsection.

(ii) The behavioral health agency under (a) of this subsection must provide the health plan with its initial assessment and initial treatment plan for the enrollee within two business days of admission, excluding weekends and holidays, or within three days in the case of a behavioral health agency that provides withdrawal management services.

(iii) After the time period in (a) of this subsection and receipt of the material provided under (c) (ii) of this subsection, the plan may initiate a medical necessity review process. Medical necessity review must be based on the standard set of criteria established under RCW 41.05.528. In a review for inpatient or residential substance use disorder treatment services, a health plan may not make a determination that a patient does not meet medical necessity criteria based primarily on the patient's length of abstinence. If the patient's abstinence from substance use was due to incarceration, hospitalization, or inpatient treatment, a health plan may not consider the patient's length of abstinence in determining medical necessity. If the health plan determines within one business day from the start of the medical necessity review period and receipt of the material provided under (c) (ii) of this subsection that the admission to the facility was not medically necessary and advises the agency of the decision in writing, the health plan is not required to pay the facility for services delivered after the start of the medical necessity review period, subject to the conclusion of a filed appeal of the adverse benefit determination. If the health plan's medical necessity review is completed more than one business day after ~~(the)~~ the start of the medical necessity review period and receipt of the material provided under (c) (ii) of this subsection, the health plan must pay for the services delivered from the time of admission until the time at which the medical necessity review is completed and the agency is advised of the decision in writing.

(3) (a) The behavioral health agency shall document to the health plan the patient's need for continuing care and justification for level of care placement following the current treatment period, based on the standard set of criteria established under RCW 41.05.528, with documentation recorded in the patient's medical record.

(b) For a health plan issued or renewed on or after January 1, 2025, for inpatient or residential substance use disorder treatment services, the health plan may not consider the

patient's length of stay at the behavioral health agency when making decisions regarding the authorization to continue care at the behavioral health agency.

(4) Nothing in this section prevents a health carrier from denying coverage based on insurance fraud.

(5) If the behavioral health agency under subsection (2)(a) of this section is not in the enrollee's network:

(a) The health plan is not responsible for reimbursing the behavioral health agency at a greater rate than would be paid had the agency been in the enrollee's network; and

(b) The behavioral health agency may not balance bill, as defined in RCW 48.43.005.

(6) When the treatment plan approved by the health plan involves transfer of the enrollee to a different facility or to a lower level of care, the care coordination unit of the health plan shall work with the current agency to make arrangements for a seamless transfer as soon as possible to an appropriate and available facility or level of care. The health plan shall pay the agency for the cost of care at the current facility until the seamless transfer to the different facility or lower level of care is complete. A seamless transfer to a lower level of care may include same day or next day appointments for outpatient care, and does not include payment for nontreatment services, such as housing services. If placement with an agency in the health plan's network is not available, the health plan shall pay the current agency until a seamless transfer arrangement is made.

(7) The requirements of this section do not apply to treatment provided in out-of-state facilities.

(8) For the purposes of this section "withdrawal management services" means twenty-four hour medically managed or medically monitored detoxification and assessment and treatment referral for adults or adolescents withdrawing from alcohol or drugs, which may include induction on medications for addiction recovery.

**Sec. 8.** RCW 48.43.761 and 2020 c 345 s 3 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, a health plan issued or renewed on or after January 1, 2021, may not require an enrollee to obtain prior authorization for withdrawal management services or inpatient or residential substance use disorder treatment services in a behavioral health agency licensed or certified under RCW 71.24.037.

(2)(a) A health plan issued or renewed on or after January 1, 2021, must:

(i) Provide coverage for no less than two business days, excluding weekends and holidays, in a behavioral health agency that provides inpatient or residential substance use disorder treatment prior to conducting a utilization review; and

(ii) Provide coverage for no less than three days in a behavioral health agency that provides withdrawal management services prior to conducting a utilization review.

(b)(i) The health plan may not require an enrollee to obtain prior authorization for the services specified in (a) of this subsection as a condition for payment of services prior to the times specified in (a) of this subsection.

(ii) Once the times specified in (a) of this subsection have passed, the health plan may initiate utilization management review procedures if the behavioral health agency continues to provide services or is in the process of arranging for a seamless transfer to an appropriate facility or lower level of care under subsection (6) of this section. For a health plan issued or renewed on or after January 1, 2025, if a health plan authorizes inpatient or residential substance use disorder treatment services pursuant to (a)(i) of this subsection following the initial medical necessity review process under (c)(iii) of this subsection, the length of the initial authorization may not be less than 14 days from the date that the patient was admitted to the behavioral health agency. Any subsequent reauthorization that the health plan approves after the first 14 days must continue for no less than seven days prior to requiring further reauthorization. Nothing prohibits a health plan from requesting information to assist with a seamless transfer under this subsection.

(c)(i) The behavioral health agency under (a) of this subsection must notify an enrollee's health plan as soon as practicable after admitting the enrollee, but not later than twenty-four hours after admitting the enrollee. The time of notification does not reduce the requirements established in (a) of this subsection.

(ii) The behavioral health agency under (a) of this subsection must provide the health plan with its initial assessment and initial treatment plan for the enrollee within two business days of admission, excluding weekends and holidays, or within three days in the case of a behavioral health agency that provides withdrawal management services.

(iii) After the time period in (a) of this subsection and receipt of the material provided under (c)(ii) of this subsection, the plan may initiate a medical necessity review process. Medical necessity review must be based on the standard set of criteria established under RCW 41.05.528. In a review for inpatient or residential substance use disorder treatment services, a health plan may not make a determination that a patient does not meet medical necessity criteria based primarily on the patient's length of abstinence. If the patient's abstinence from substance use was due to incarceration, hospitalization, or inpatient treatment, a health plan may not consider the patient's length of abstinence in determining medical necessity. If the health plan determines within one business day from the start of the medical necessity review period and receipt of the material provided under (c)

(ii) of this subsection that the admission to the facility was not medically necessary and advises the agency of the decision in writing, the health plan is not required to pay the facility for services delivered after the start of the medical necessity review period, subject to the conclusion of a filed appeal of the adverse benefit determination. If the health plan's medical necessity review is completed more than one business day after

(~~the~~)the start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection, the health plan must pay for the services delivered from the time of admission until the time at which the medical necessity review is completed and the agency is advised of the decision in writing.

(3)(a) The behavioral health agency shall document to the health plan the patient's need for continuing care and justification for level of care placement following the current treatment period, based on the standard set of criteria established under RCW 41.05.528, with documentation recorded in the patient's medical record.

(b) For a health plan issued or renewed on or after January 1, 2025, for inpatient or residential substance use disorder treatment services, the health plan may not consider the patient's length of stay at the behavioral health agency when making decisions regarding the authorization to continue care at the behavioral health agency.

(4) Nothing in this section prevents a health carrier from denying coverage based on insurance fraud.

(5) If the behavioral health agency under subsection (2)(a) of this section is not in the enrollee's network:

(a) The health plan is not responsible for reimbursing the behavioral health agency at a greater rate than would be paid had the agency been in the enrollee's network; and

(b) The behavioral health agency may not balance bill, as defined in RCW 48.43.005.

(6) When the treatment plan approved by the health plan involves transfer of the enrollee to a different facility or to a lower level of care, the care coordination unit of the health plan shall work with the current agency to make arrangements for a seamless transfer as soon as possible to an appropriate and available facility or level of care. The health plan shall pay the agency for the cost of care at the current facility until the seamless transfer to the different facility or lower level of care is complete. A seamless transfer to a lower level of care may include same day or next day appointments for outpatient care, and does not include payment for nontreatment services, such as housing services. If placement with an agency in the health plan's network is not available, the health plan shall pay the current agency until a seamless transfer arrangement is made.

(7) The requirements of this section do not apply to treatment provided in out-of-state facilities.

(8) For the purposes of this section "withdrawal management services" means twenty-four hour medically managed or medically monitored detoxification and assessment and treatment referral for adults or adolescents withdrawing from alcohol or drugs, which may include induction on medications for addiction recovery.

**Sec. 9.** RCW 71.24.618 and 2020 c 345 s 4 are each amended to read as follows:

(1) Beginning January 1, 2021, a managed care organization may not require an enrollee to obtain prior authorization for withdrawal management services or inpatient or residential substance use disorder treatment services in a behavioral health agency licensed or certified under RCW 71.24.037.

(2)(a) Beginning January 1, 2021, a managed care organization must:

(i) Provide coverage for no less than two business days, excluding weekends and holidays, in a behavioral health agency that provides inpatient or residential substance use disorder treatment prior to conducting a utilization review; and

(ii) Provide coverage for no less than three days in a behavioral health agency that provides withdrawal management services prior to conducting a utilization review.

(b)(i) The managed care organization may not require an enrollee to obtain prior authorization for the services specified in (a) of this subsection as a condition for payment of services prior to the times specified in (a) of this subsection.

(ii) Once the times specified in (a) of this subsection have passed, the managed care organization may initiate utilization management review procedures if the behavioral health agency continues to provide services or is in the process of arranging for a seamless transfer to an appropriate facility or lower level of care under subsection (6) of this section. Beginning January 1, 2025, if a managed care organization authorizes inpatient or residential substance use disorder treatment services pursuant to (a)(i) of this subsection following the initial medical necessity review process under (c)(iii) of this subsection, the length of the initial authorization may not be less than 14 days from the date that the patient was admitted to the behavioral health agency. Any subsequent reauthorization that the managed care organization approves after the first 14 days must continue for no less than seven days prior to requiring further reauthorization. Nothing prohibits a managed care organization from requesting information to assist with a seamless transfer under this subsection.

(c)(i) The behavioral health agency under (a) of this subsection must notify an enrollee's managed care organization as soon as practicable after admitting the enrollee, but not later than twenty-four hours after admitting the enrollee. The time of notification does not reduce the requirements established in (a) of this subsection.

(ii) The behavioral health agency under (a) of this subsection must provide the managed care organization with its initial assessment and initial treatment plan for the enrollee within two business days of admission, excluding weekends and holidays, or within three days in the case of a behavioral health agency that provides withdrawal management services.

(iii) After the time period in (a) of this subsection and receipt of the material provided under (c)(ii) of this subsection, the managed care organization may initiate a medical necessity review process. Medical necessity review must be based on the standard set of criteria established under RCW 41.05.528. In a review for inpatient or residential

substance use disorder treatment services, a managed care organization may not make a determination that a patient does not meet medical necessity criteria based primarily on the patient's length of abstinence. If the patient's abstinence from substance use was due to incarceration, hospitalization, or inpatient treatment, a managed care organization may not consider the patient's length of abstinence in determining medical necessity. If the health plan determines within one business day from the start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection that the admission to the facility was not medically necessary and advises the agency of the decision in writing, the health plan is not required to pay the facility for services delivered after the start of the medical necessity review period, subject to the conclusion of a filed appeal of the adverse benefit determination. If the managed care organization's medical necessity review is completed more than one business day after ~~((the))~~ the start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection, the managed care organization must pay for the services delivered from the time of admission until the time at which the medical necessity review is completed and the agency is advised of the decision in writing.

(3)(a) The behavioral health agency shall document to the managed care organization the patient's need for continuing care and justification for level of care placement following the current treatment period, based on the standard set of criteria established under RCW 41.05.528, with documentation recorded in the patient's medical record.

(b) Beginning January 1, 2025, for inpatient or residential substance use disorder treatment services, the managed care organization may not consider the patient's length of stay at the behavioral health agency when making decisions regarding the authorization to continue care at the behavioral health agency.

(4) Nothing in this section prevents a health carrier from denying coverage based on insurance fraud.

(5) If the behavioral health agency under subsection (2)(a) of this section is not in the enrollee's network:

(a) The managed care organization is not responsible for reimbursing the behavioral health agency at a greater rate than would be paid had the agency been in the enrollee's network; and

(b) The behavioral health agency may not balance bill, as defined in RCW 48.43.005.

(6) When the treatment plan approved by the managed care organization involves transfer of the enrollee to a different facility or to a lower level of care, the care coordination unit of the managed care organization shall work with the current agency to make arrangements for a seamless transfer as soon as possible to an appropriate and available facility or level of care. The managed care organization shall pay the agency for the cost of care at the current facility until the seamless transfer to the different facility or lower level of care is complete. A seamless transfer to a lower level of care may include same day or next day appointments for outpatient care, and does not include payment for nontreatment services, such as housing services. If placement with an agency in the managed care organization's network is not available, the managed care organization shall pay the current agency at the service level until a seamless transfer arrangement is made.

(7) The requirements of this section do not apply to treatment provided in out-of-state facilities.

(8) For the purposes of this section "withdrawal management services" means twenty-four hour medically managed or medically monitored detoxification and assessment and treatment referral for adults or adolescents withdrawing from alcohol or drugs, which may include induction on medications for addiction recovery.

**NEW SECTION. Sec. 10.** (1) The health care authority, in collaboration with the insurance commissioner, shall convene a work group consisting of commercial health carriers, medicaid managed care organizations, and behavioral health agencies that provide inpatient or residential substance use disorder treatment services. The work group shall develop recommendations for streamlining commercial health carrier and medicaid managed care organization requirements and processes related to the authorization and reauthorization of inpatient or residential substance use disorder treatment. The recommendations must include a universal format accepted by all health carriers and medicaid managed care organizations for behavioral health agencies to use for service authorization and reauthorization requests with common data requirements and a standardized form and simplified electronic process. The health care authority shall submit the recommendations of the work group to the appropriate policy committees of the legislature by December 1, 2024.

(2) This section expires June 1, 2025.

**NEW SECTION. Sec. 11.** A new section is added to chapter 41.05 RCW to read as follows:  
When updated versions of the ASAM Criteria, treatment criteria for addictive, substance related, and co-occurring conditions, inclusive of adolescent and transition age youth versions, are published by the American society of addiction medicine, the health care authority and the office of the insurance commissioner shall jointly determine whether to use the updated version, and, if so, the date upon which the updated version must begin to be used by medicaid managed care organizations, carriers, and other relevant entities. Both agencies shall post notice of their decision on their websites. For purposes of the ASAM Criteria, 4th edition, medicaid managed care organizations and carriers shall begin to use the updated criteria no later than January 1, 2026, unless the health care authority and the office of the insurance commissioner jointly determine that it should not be used.

**NEW SECTION. Sec. 12.** A new section is added to chapter 48.43 RCW to read as follows:

When updated versions of the ASAM Criteria, treatment criteria for addictive, substance related, and co-occurring conditions, inclusive of adolescent and transition age youth versions, are published by the American society of addiction medicine, the health care authority and the office of the insurance commissioner shall jointly determine whether to use the updated version, and, if so, the date upon which the updated version must begin to be used by medicaid managed care organizations, carriers, and other relevant entities. Both agencies shall post notice of their decision on their websites. For purposes of the ASAM Criteria, 4th edition, medicaid managed care organizations and carriers shall begin to use the updated criteria no later than January 1, 2026, unless the health care authority and the office of the insurance commissioner jointly determine that it should not be used.

**NEW SECTION. Sec. 13.** A new section is added to chapter 71.24 RCW to read as follows:

When updated versions of the ASAM Criteria, treatment criteria for addictive, substance related, and co-occurring conditions, inclusive of adolescent and transition age youth versions, are published by the American society of addiction medicine, the health care authority and the office of the insurance commissioner shall jointly determine whether to use the updated version, and, if so, the date upon which the updated version must begin to be used by medicaid managed care organizations, carriers, and other relevant entities. Both agencies shall post notice of their decision on their websites. For purposes of the ASAM Criteria, 4th edition, medicaid managed care organizations and carriers shall begin to use the updated criteria no later than January 1, 2026, unless the health care authority and the office of the insurance commissioner jointly determine that it should not be used.

**NEW SECTION. Sec. 14.** The health care authority shall provide a gap analysis of nonemergency transportation benefits provided to medicaid enrollees in Washington, Oregon, and other comparison states selected by the health care authority and provide an analysis of the costs and benefits of available alternatives to the governor and appropriate committees of the legislature by December 1, 2024, including the option of an enhanced nonemergency transportation benefit for persons being discharged from a behavioral health emergency services provider to the next level of care in circumstances when a prudent layperson acting reasonably would believe such transportation is necessary to protect the enrollee from relapse or other discontinuity in care that would jeopardize the health or safety of the enrollee. In recognizing that some behavioral health patients are not well-served by the current nonemergency transportation system for medical assistance patients due to inflexible rules, the authority shall also evaluate the possibility of creating a network of peer-led, trauma-informed transportation providers that could provide nonemergency transportation to youth and adult medical assistance patients traveling to receive behavioral health services.

**Sec. 15.** RCW 43.70.250 and 2023 c 469 s 21 are each amended to read as follows:

(1) It shall be the policy of the state of Washington that the cost of each professional, occupational, or business licensing program be fully borne by the members of that profession, occupation, or business.

(2) The secretary shall from time to time establish the amount of all application fees, license fees, registration fees, examination fees, permit fees, renewal fees, and any other fee associated with licensing or regulation of professions, occupations, or businesses administered by the department. Any and all fees or assessments, or both, levied on the state to cover the costs of the operations and activities of the interstate health professions licensure compacts with participating authorities listed under chapter 18.130 RCW shall be borne by the persons who hold licenses issued pursuant to the authority and procedures established under the compacts. In fixing said fees, the secretary shall set the fees for each program at a sufficient level to defray the costs of administering that program and the cost of regulating licensed volunteer medical workers in accordance with RCW 18.130.360, except as provided in RCW 18.79.202. In no case may the secretary impose any certification, examination, or renewal fee upon a person seeking certification as a certified peer specialist trainee under chapter 18.420 RCW or, between July 1, 2025, and July 1, 2030, impose a certification, examination, or renewal fee of more than \$100 upon any person seeking certification as a certified peer specialist under chapter 18.420 RCW. Subject to amounts appropriated for this specific purpose, between July 1, 2024, and July 1, 2029, the secretary may not impose any certification or certification renewal fee on a person seeking certification as a substance use disorder professional or substance use disorder professional trainee under chapter 18.205 RCW of more than \$100.

(3) All such fees shall be fixed by rule adopted by the secretary in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

**NEW SECTION. Sec. 16.** A new section is added to chapter 71.05 RCW to read as follows:

The authority must contract with an association that represents designated crisis responders in Washington to develop and begin delivering by July 1, 2025, a training program for social workers licensed under chapter 18.225 RCW who practice in an emergency department with responsibilities related to civil commitments under this chapter. The training must include instruction emphasizing standards and procedures relating to the civil commitment of persons with substance use disorders and mental illness, including which clinical presentations warrant summoning a designated crisis responder. The training must emphasize the manner in which a patient with a primary substance use disorder may present as a risk of



harm to self or others, or gravely disabled. Each hospital shall ensure that, by July 1, 2026, or within three months of hire, all social workers employed in the emergency department with responsibilities relating to civil commitments under this chapter complete the training every three years.

**Sec. 17.** RCW 41.05.527 and 2021 c 273 s 10 are each amended to read as follows:

(1) A health plan offered to public employees and their covered dependents under this chapter that is issued or renewed on or after January 1, 2023, must participate in the bulk purchasing and distribution program for opioid overdose reversal medication established in RCW 70.14.170 once the program is operational.

(2) For health plans issued or renewed on or after January 1, 2025, a health carrier must reimburse a hospital or psychiatric hospital that bills:

(a) For opioid overdose reversal medication dispensed or distributed to a patient under RCW 70.41.485 as a separate reimbursable expense; and

(b) For the administration of long-acting injectable buprenorphine as a separate reimbursable expense.

(3) Reimbursements provided under subsection (2) of this section must be separate from any bundled payment for hospital or emergency department services.

**Sec. 18.** RCW 48.43.762 and 2021 c 273 s 11 are each amended to read as follows:

(1) For health plans issued or renewed on or after January 1, 2023, health carriers must participate in the opioid overdose reversal medication bulk purchasing and distribution program established in RCW 70.14.170 once the program is operational. A health plan may not impose enrollee cost sharing related to opioid overdose reversal medication provided through the bulk purchasing and distribution program established in RCW 70.14.170.

(2) For health plans issued or renewed on or after January 1, 2025, a health carrier must reimburse a hospital or psychiatric hospital that bills:

(a) For opioid overdose reversal medication dispensed or distributed to a patient under RCW 70.41.485 as a separate reimbursable expense; and

(b) For the administration of long-acting injectable buprenorphine as a separate reimbursable expense.

(3) Reimbursements provided under subsection (2) of this section must be separate from any bundled payment for hospital or emergency department services.

**NEW SECTION. Sec. 19.** A new section is added to chapter 74.09 RCW to read as follows:

(1) The authority shall establish appropriate billing codes for hospitals and psychiatric hospitals that administer long-acting injectable buprenorphine to use for billing patients enrolled in a medical assistance program.

(2) Upon initiation or renewal of a contract with the authority to administer a medicaid managed care plan, a managed care organization must reimburse a hospital or psychiatric hospital that bills for the administration of long-acting injectable buprenorphine as a separate reimbursable expense.

(3) Beginning January 1, 2025, for individuals enrolled in a medical assistance program that is not a medicaid managed care plan, the authority must reimburse a hospital or psychiatric hospital that bills for the administration of long-acting injectable buprenorphine administered as a separate reimbursable expense.

(4) Reimbursements provided under this section must be separate from any bundled payment for hospital or emergency department services.

**Sec. 20.** RCW 42.56.360 and 2023 sp.s. c 1 s 23 are each amended to read as follows:

(1) The following health care information is exempt from disclosure under this chapter:

(a) Information obtained by the pharmacy quality assurance commission as provided in RCW 69.45.090;

(b) Information obtained by the pharmacy quality assurance commission or the department of health and its representatives as provided in RCW 69.41.044, 69.41.280, and 18.64.420;

(c) Information and documents created specifically for, and collected and maintained by a quality improvement committee under RCW 43.70.510, 70.230.080, or 70.41.200, or by a peer review committee under RCW 4.24.250, or by a quality assurance committee pursuant to RCW 74.42.640 or 18.20.390, or by a hospital, as defined in RCW 43.70.056, for reporting of health care-associated infections under RCW 43.70.056, a notification of an incident under RCW 70.56.040(5), and reports regarding adverse events under RCW 70.56.020(2)(b), regardless of which agency is in possession of the information and documents;

(d)(i) Proprietary financial and commercial information that the submitting entity, with review by the department of health, specifically identifies at the time it is submitted and that is provided to or obtained by the department of health in connection with an application for, or the supervision of, an antitrust exemption sought by the submitting entity under RCW 43.72.310;

(ii) If a request for such information is received, the submitting entity must be notified of the request. Within ten business days of receipt of the notice, the submitting entity shall provide a written statement of the continuing need for confidentiality, which shall be provided to the requester. Upon receipt of such notice, the department of health shall continue to treat information designated under this subsection (1)(d) as exempt from disclosure;

(iii) If the requester initiates an action to compel disclosure under this chapter, the submitting entity must be joined as a party to demonstrate the continuing need for confidentiality;

(e) Records of the entity obtained in an action under RCW 18.71.300 through 18.71.340;

(f) Complaints filed under chapter 18.130 RCW after July 27, 1997, to the extent provided in RCW 18.130.095(1);

(g) Information obtained by the department of health under chapter 70.225 RCW;

(h) Information collected by the department of health under chapter 70.245 RCW except as provided in RCW 70.245.150;

(i) Cardiac and stroke system performance data submitted to national, state, or local data collection systems under RCW 70.168.150(2)(b);

(j) All documents, including completed forms, received pursuant to a wellness program under RCW 41.04.362, but not statistical reports that do not identify an individual;

(k) Data and information exempt from disclosure under RCW 43.371.040;

(l) Medical information contained in files and records of members of retirement plans administered by the department of retirement systems or the law enforcement officers' and firefighters' plan 2 retirement board, as provided to the department of retirement systems under RCW 41.04.830; and

(m) Data submitted to the data integration platform under RCW 71.24.908.

(2) Chapter 70.02 RCW applies to public inspection and copying of health care information of patients.

(3) (a) Documents related to infant mortality reviews conducted pursuant to RCW 70.05.170 are exempt from disclosure as provided for in RCW 70.05.170(3).

(b) (i) If an agency provides copies of public records to another agency that are exempt from public disclosure under this subsection (3), those records remain exempt to the same extent the records were exempt in the possession of the originating entity.

(ii) For notice purposes only, agencies providing exempt records under this subsection (3) to other agencies may mark any exempt records as "exempt" so that the receiving agency is aware of the exemption, however whether or not a record is marked exempt does not affect whether the record is actually exempt from disclosure.

(4) Information and documents related to maternal mortality reviews conducted pursuant to RCW 70.54.450 are confidential and exempt from public inspection and copying.

(5) Patient health care information contained in reports submitted under section 2(2) of this act are confidential and exempt from public inspection.

**NEW SECTION. Sec. 21.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Couture, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Harris; Rude; Sandlin; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SB 6247

Prime Sponsor, Senator Hunt: Concerning public employees' retirement system plan 2 service credit for officers of labor organizations. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg; Callan; Chopp; Davis; Fitzgibbon; Lekanoff; Pollet; Riccelli; Rude; Ryu; Senn; Simmons; Slatter; Springer; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Couture, Assistant Ranking Minority Member; and Sandlin.

MINORITY recommendation: Without recommendation. Signed by Representatives Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Harris; Schmick; Stokesbary; and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

E2SSB 6251

Prime Sponsor, Ways & Means: Coordinating regional behavioral crisis response services. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 71.24 RCW to read as follows:

Behavioral health administrative services organizations shall use their authorities under RCW 71.24.045 to establish coordination within the behavioral health crisis response system in each regional service area including, but not limited to, establishing comprehensive protocols for dispatching mobile rapid response crisis teams and community-based crisis teams. In furtherance of this:

(1) The behavioral health administrative services organization may convene regional behavioral health crisis response system partners and stakeholders within available resources for the purpose of establishing clear regional protocols which memorialize expectations, understandings, lines of communication, and strategies for optimizing crisis response in the regional service area. The regional protocols must describe how crisis response partners will share information consistent with data-sharing requirements under RCW 71.24.890, including real-time information sharing between 988 contact hubs, regional crisis lines, or their successors, to create a seamless delivery system that is person-centered;

(2) Behavioral health administrative services organizations shall submit regional protocols created under subsection (1) of this section to the authority for approval. If the authority does not respond within 90 days of submission, the regional protocols shall be considered approved until such time as the behavioral health administrative services organization and the authority agree to updated protocols. A behavioral health administrative services organization must notify the authority by January 1, 2025, if it does not intend to develop and submit regional protocols;

(3) A behavioral health administrative services organization may recommend to the department the 988 contact hub or hubs which it determines to be the best fit for partnership and implementation of regional protocols in its regional service area among candidates which are able to meet necessary state and federal requirements. The 988 contact hub or hubs recommended by the behavioral health administrative services organization must be able to connect to the culturally appropriate behavioral health crisis response services established under this chapter;

(4) The department may designate additional 988 contact hubs recommended by a behavioral health administrative services organization within available resources and when the addition of more hubs is consistent with the rules adopted under RCW 71.24.890 and a need identified in regional protocols. If the department declines to designate a 988 contact hub that has been recommended by a behavioral health administrative services organization, the department shall provide a written explanation of its reasons to the behavioral health administrative services organization;

(5) The department and the authority shall provide support to a behavioral health administrative services organization in the development of protocols under subsection (1) of this section upon request by the behavioral health administrative services organization;

(6) Regional protocols established under subsection (1) of this section must be in writing and, once approved, copies shall be provided to the department, authority, and state 911 coordination office. The regional protocols should be updated as needed and at intervals of no longer than three years; and

(7) For the purpose of subsection (1) of this section, partners and stakeholders in the coordinated regional behavioral health crisis response system include but are not limited to regional crisis lines, 988 contact hubs, certified public safety telecommunicators, local governments, tribal governments, first responders, co-response teams, mobile rapid response crisis teams, hospitals, organizations representing persons with lived experience, and behavioral health agencies.

**Sec. 2.** RCW 71.24.025 and 2023 c 454 s 1 and 2023 c 433 s 1 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "23-hour crisis relief center" means a community-based facility or portion of a facility serving adults, which is licensed or certified by the department of health and open 24 hours a day, seven days a week, offering access to mental health and substance use care for no more than 23 hours and 59 minutes at a time per patient, and which accepts all behavioral health crisis walk-ins drop-offs from first responders, and individuals referred through the 988 system regardless of behavioral health acuity, and meets the requirements under RCW 71.24.916.

(2) "988 crisis hotline" means the universal telephone number within the United States designated for the purpose of the national suicide prevention and mental health crisis hotline system operating through the national suicide prevention lifeline.

(3) "Acutely mentally ill" means a condition which is limited to a short-term severe crisis episode of:

(a) A mental disorder as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020;

(b) Being gravely disabled as defined in RCW 71.05.020 or, in the case of a child, a gravely disabled minor as defined in RCW 71.34.020; or

(c) Presenting a likelihood of serious harm as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

(4) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(5) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program licensed or certified by the department as meeting standards adopted under this chapter.

(6) "Authority" means the Washington state health care authority.

(7) "Available resources" means funds appropriated for the purpose of providing community behavioral health programs, federal funds, except those provided according to Title XIX of the Social Security Act, and state funds appropriated under this chapter or chapter 71.05 RCW by the legislature during any biennium for the purpose of providing residential services, resource management services, community support services, and other behavioral health services. This does not include funds appropriated for the purpose of operating and administering the state psychiatric hospitals.

(8) "Behavioral health administrative services organization" means an entity contracted with the authority to administer behavioral health services and programs under RCW 71.24.381, including crisis services and administration of chapter 71.05 RCW, the involuntary treatment act, for all individuals in a defined regional service area.

(9) "Behavioral health aide" means a counselor, health educator, and advocate who helps address individual and community-based behavioral health needs, including those related to alcohol, drug, and tobacco abuse as well as mental health problems such as grief, depression, suicide, and related issues and is certified by a community health aide program of the Indian health service or one or more tribes or tribal organizations consistent with the provisions of 25 U.S.C. Sec. 16161 and RCW 43.71B.010 (7) and (8).

(10) "Behavioral health provider" means a person licensed under chapter 18.57, 18.71, 18.71A, 18.83, 18.205, 18.225, or 18.79 RCW, as it applies to registered nurses and advanced registered nurse practitioners.

(11) "Behavioral health services" means mental health services, substance use disorder treatment services, and co-occurring disorder treatment services as described in this chapter and chapter 71.36 RCW that, depending on the type of service, are provided by licensed or certified behavioral health agencies, behavioral health providers, or integrated into other health care providers.

(12) "Child" means a person under the age of eighteen years.

(13) "Chronically mentally ill adult" or "adult who is chronically mentally ill" means an adult who has a mental disorder and meets at least one of the following criteria:

(a) Has undergone two or more episodes of hospital care for a mental disorder within the preceding two years; or

(b) Has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months' duration within the preceding year; or

(c) Has been unable to engage in any substantial gainful activity by reason of any mental disorder which has lasted for a continuous period of not less than twelve months. "Substantial gainful activity" shall be defined by the authority by rule consistent with Public Law 92-603, as amended.

(14) "Clubhouse" means a community-based program that provides rehabilitation services and is licensed or certified by the department.

(15) "Community behavioral health program" means all expenditures, services, activities, or programs, including reasonable administration and overhead, designed and conducted to prevent or treat substance use disorder, mental illness, or both in the community behavioral health system.

(16) "Community behavioral health service delivery system" means public, private, or tribal agencies that provide services specifically to persons with mental disorders, substance use disorders, or both, as defined under RCW 71.05.020 and receive funding from public sources.

(17) "Community support services" means services authorized, planned, and coordinated through resource management services including, at a minimum, assessment, diagnosis, emergency crisis intervention available twenty-four hours, seven days a week, prescreening determinations for persons who are mentally ill being considered for placement in nursing homes as required by federal law, screening for patients being considered for admission to residential services, diagnosis and treatment for children who are acutely mentally ill or severely emotionally or behaviorally disturbed discovered under screening through the federal Title XIX early and periodic screening, diagnosis, and treatment program, investigation, legal, and other nonresidential services under chapter 71.05 RCW, case management services, psychiatric treatment including medication supervision, counseling, psychotherapy, assuring transfer of relevant patient information between service providers, recovery services, and other services determined by behavioral health administrative services organizations.

(18) "Community-based crisis team" means a team that is part of an emergency medical services agency, a fire service agency, a public health agency, a medical facility, a nonprofit crisis response provider, or a city or county government entity, other than a law enforcement agency, that provides the on-site community-based interventions of a mobile rapid response crisis team for individuals who are experiencing a behavioral health crisis.

(19) "Consensus-based" means a program or practice that has general support among treatment providers and experts, based on experience or professional literature, and may have anecdotal or case study support, or that is agreed but not possible to perform studies with random assignment and controlled groups.

(20) "County authority" means the board of county commissioners, county council, or county executive having authority to establish a behavioral health administrative services organization, or two or more of the county authorities specified in this subsection which have entered into an agreement to establish a behavioral health administrative services organization.

(21) "Crisis stabilization services" means services such as 23-hour crisis relief centers, crisis stabilization units, short-term respite facilities, peer-run respite services, and same-day walk-in behavioral health services, including within the overall crisis system components that operate like hospital emergency departments that accept all walk-ins, and ambulance, fire, and police drop-offs, or determine the need for involuntary hospitalization of an individual.

(22) "Crisis stabilization unit" has the same meaning as under RCW 71.05.020.

(23) "Department" means the department of health.

(24) "Designated 988 contact hub" or "988 contact hub" means a state-designated contact center that streamlines clinical interventions and access to resources for people experiencing a behavioral health crisis and participates in the national suicide prevention lifeline network to respond to statewide or regional 988 contacts that meets the requirements of RCW 71.24.890.

(25) "Designated crisis responder" has the same meaning as in RCW 71.05.020.

(26) "Director" means the director of the authority.

(27) "Drug addiction" means a disease characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(28) "Early adopter" means a regional service area for which all of the county authorities have requested that the authority purchase medical and behavioral health services through a managed care health system as defined under RCW 71.24.380(7).

(29) "Emerging best practice" or "promising practice" means a program or practice that, based on statistical analyses or a well established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in subsection (30) of this section.

(30) "Evidence-based" means a program or practice that has been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome. "Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

(31) "First responders" includes ambulance, fire, mobile rapid response crisis team, coresponder team, designated crisis responder, fire department mobile integrated health team, community assistance referral and education services program under RCW 35.21.930, and law enforcement personnel.

(32) "Indian health care provider" means a health care program operated by the Indian health service or by a tribe, tribal organization, or urban Indian organization as those terms are defined in the Indian health care improvement act (25 U.S.C. Sec. 1603).

(33) "Intensive behavioral health treatment facility" means a community-based specialized residential treatment facility for individuals with behavioral health conditions, including individuals discharging from or being diverted from state and local hospitals, whose impairment or behaviors do not meet, or no longer meet, criteria for involuntary inpatient commitment under chapter 71.05 RCW, but whose care needs cannot be met in other community-based placement settings.

(34) "Licensed or certified behavioral health agency" means:

(a) An entity licensed or certified according to this chapter or chapter 71.05 RCW;

(b) An entity deemed to meet state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department; or

(c) An entity with a tribal attestation that it meets state minimum standards for a licensed or certified behavioral health agency.

(35) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

(36) "Long-term inpatient care" means inpatient services for persons committed for, or voluntarily receiving intensive treatment for, periods of ninety days or greater under chapter 71.05 RCW. "Long-term inpatient care" as used in this chapter does not include: (a) Services for individuals committed under chapter 71.05 RCW who are receiving services pursuant to a conditional release or a court-ordered less restrictive alternative to detention; or (b) services for individuals voluntarily receiving less restrictive alternative treatment on the grounds of the state hospital.

(37) "Managed care organization" means an organization, having a certificate of authority or certificate of registration from the office of the insurance commissioner, that contracts with the authority under a comprehensive risk contract to provide prepaid health care services to enrollees under the authority's managed care programs under chapter 74.09 RCW.

(38) "Mental health peer-run respite center" means a peer-run program to serve individuals in need of voluntary, short-term, noncrisis services that focus on recovery and wellness.

(39) Mental health "treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department of social and health services or the authority, by behavioral health administrative services organizations and their staffs, by managed care organizations and their staffs, or by treatment facilities. "Treatment records" do not include notes or records maintained for personal use by a person providing treatment services for the entities listed in this subsection, or a treatment facility if the notes or records are not available to others.

(40) "Mentally ill persons," "persons who are mentally ill," and "the mentally ill" mean persons and conditions defined in subsections (3), (13), (48), and (49) of this section.

(41) "Mobile rapid response crisis team" means a team that provides professional on-site community-based intervention such as outreach, de-escalation, stabilization, resource connection, and follow-up support for individuals who are experiencing a behavioral health crisis, that shall include certified peer counselors as a best practice to the extent practicable based on workforce availability, and that meets standards for response times established by the authority.

(42) "Recovery" means a process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential.

(43) "Research-based" means a program or practice that has been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in subsection (30) of this section but does not meet the full criteria for evidence-based.

(44) "Residential services" means a complete range of residences and supports authorized by resource management services and which may involve a facility, a distinct part thereof, or services which support community living, for persons who are acutely mentally ill, adults who are chronically mentally ill, children who are severely emotionally disturbed, or adults who are seriously disturbed and determined by the behavioral health administrative services organization or managed care organization to be at risk of becoming acutely or chronically mentally ill. The services shall include at least evaluation and treatment services as defined in chapter 71.05 RCW, acute crisis respite care, long-term adaptive and rehabilitative care, and supervised and supported living services, and shall also include any residential services developed to service persons who are mentally ill in nursing homes, residential treatment facilities, assisted living facilities, and adult family homes, and may include outpatient services provided as an element in a package of services in a supported housing model. Residential services for children in out-of-home placements related to their mental disorder shall not include the costs of food and shelter, except for children's long-term residential facilities existing prior to January 1, 1991.

(45) "Resilience" means the personal and community qualities that enable individuals to rebound from adversity, trauma, tragedy, threats, or other stresses, and to live productive lives.

(46) "Resource management services" mean the planning, coordination, and authorization of residential services and community support services administered pursuant to an individual service plan for: (a) Adults and children who are acutely mentally ill; (b) adults who are chronically mentally ill; (c) children who are severely emotionally disturbed; or (d) adults who are seriously disturbed and determined by a behavioral health administrative services organization or managed care organization to be at risk of becoming acutely or chronically mentally ill. Such planning, coordination, and authorization shall include mental health screening for children eligible under the federal Title XIX early and periodic screening, diagnosis, and treatment program. Resource management services include seven day a week, twenty-four hour a day availability of information regarding enrollment of adults and children who are mentally ill in services and their individual service plan to designated crisis responders, evaluation and treatment facilities, and others as determined by the behavioral health administrative services organization or managed care organization, as applicable.

(47) "Secretary" means the secretary of the department of health.

(48) "Seriously disturbed person" means a person who:

(a) Is gravely disabled or presents a likelihood of serious harm to himself or herself or others, or to the property of others, as a result of a mental disorder as defined in chapter 71.05 RCW;

(b) Has been on conditional release status, or under a less restrictive alternative order, at some time during the preceding two years from an evaluation and treatment facility or a state mental health hospital;

(c) Has a mental disorder which causes major impairment in several areas of daily living;

(d) Exhibits suicidal preoccupation or attempts; or

(e) Is a child diagnosed by a mental health professional, as defined in chapter 71.34 RCW, as experiencing a mental disorder which is clearly interfering with the child's functioning in family or school or with peers or is clearly interfering with the child's personality development and learning.

(49) "Severely emotionally disturbed child" or "child who is severely emotionally disturbed" means a child who has been determined by the behavioral health administrative services organization or managed care organization, if applicable, to be experiencing a mental disorder as defined in chapter 71.34 RCW, including those mental disorders that result in a behavioral or conduct disorder, that is clearly interfering with the child's functioning in family or school or with peers and who meets at least one of the following criteria:

- (a) Has undergone inpatient treatment or placement outside of the home related to a mental disorder within the last two years;
- (b) Has undergone involuntary treatment under chapter 71.34 RCW within the last two years;
- (c) Is currently served by at least one of the following child-serving systems: Juvenile justice, child-protection/welfare, special education, or developmental disabilities;
- (d) Is at risk of escalating maladjustment due to:
- (i) Chronic family dysfunction involving a caretaker who is mentally ill or inadequate;
- (ii) Changes in custodial adult;
- (iii) Going to, residing in, or returning from any placement outside of the home, for example, psychiatric hospital, short-term inpatient, residential treatment, group or foster home, or a correctional facility;
- (iv) Subject to repeated physical abuse or neglect;
- (v) Drug or alcohol abuse; or
- (vi) Homelessness.
- (50) "State minimum standards" means minimum requirements established by rules adopted and necessary to implement this chapter by:
- (a) The authority for:
- (i) Delivery of mental health and substance use disorder services; and
- (ii) Community support services and resource management services;
- (b) The department of health for:
- (i) Licensed or certified behavioral health agencies for the purpose of providing mental health or substance use disorder programs and services, or both;
- (ii) Licensed behavioral health providers for the provision of mental health or substance use disorder services, or both; and
- (iii) Residential services.
- (51) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.
- (52) "Tribe," for the purposes of this section, means a federally recognized Indian tribe.
- (53) "Coordinated regional behavioral health crisis response system" means the coordinated operation of 988 call centers, regional crisis lines, certified public safety telecommunicators, and other behavioral health crisis system partners within each regional service area.
- (54) "Regional crisis line" means the behavioral health crisis hotline in each regional service area which provides crisis response services 24 hours a day, seven days a week, 365 days a year including but not limited to dispatch of mobile rapid response crisis teams, community-based crisis teams, and designated crisis responders.
- Sec. 3.** RCW 71.24.045 and 2022 c 210 s 27 are each amended to read as follows:
- (1) The behavioral health administrative services organization contracted with the authority pursuant to RCW 71.24.381 shall:
- (a) Administer crisis services for the assigned regional service area. Such services must include:
- (i) A behavioral health crisis hotline for its assigned regional service area;
- (ii) Crisis response services twenty-four hours a day, seven days a week, three hundred sixty-five days a year;
- (iii) Services related to involuntary commitments under chapters 71.05 and 71.34 RCW;
- (iv) Tracking of less restrictive alternative orders issued within the region by superior courts, and providing notification to a managed care organization in the region when one of its enrollees receives a less restrictive alternative order so that the managed care organization may ensure that the person is connected to services and that the requirements of RCW 71.05.585 are complied with. If the person receives a less restrictive alternative order and is returning to another region, the behavioral health administrative services organization shall notify the behavioral health administrative services organization in the home region of the less restrictive alternative order so that the home behavioral health administrative services organization may notify the person's managed care organization or provide services if the person is not enrolled in medicaid and does not have other insurance which can pay for those services;
- (v) Additional noncrisis behavioral health services, within available resources, to individuals who meet certain criteria set by the authority in its contracts with the behavioral health administrative services organization. These services may include services provided through federal grant funds, provisos, and general fund state appropriations;
- (vi) Care coordination, diversion services, and discharge planning for nonmedicaid individuals transitioning from state hospitals or inpatient settings to reduce rehospitalization and utilization of crisis services, as required by the authority in contract; ~~(and)~~
- (vii) Regional coordination, cross-system and cross-jurisdiction coordination with tribal governments, and capacity building efforts, such as supporting the behavioral health advisory board and efforts to support access to services or to improve the behavioral health system; and
- (viii) Duties under section 1 of this act;

(b) Administer and provide for the availability of an adequate network of evaluation and treatment services to ensure access to treatment, investigation, transportation, court-related, and other services provided as required under chapter 71.05 RCW;

(c) Coordinate services for individuals under RCW 71.05.365;

(d) Administer and provide for the availability of resource management services, residential services, and community support services as required under its contract with the authority;

(e) Contract with a sufficient number, as determined by the authority, of licensed or certified providers for crisis services and other behavioral health services required by the authority;

(f) Maintain adequate reserves or secure a bond as required by its contract with the authority;

(g) Establish and maintain quality assurance processes;

(h) Meet established limitations on administrative costs for agencies that contract with the behavioral health administrative services organization; and

(i) Maintain patient tracking information as required by the authority.

(2) The behavioral health administrative services organization must collaborate with the authority and its contracted managed care organizations to develop and implement strategies to coordinate care with tribes and community behavioral health providers for individuals with a history of frequent crisis system utilization.

(3) The behavioral health administrative services organization shall:

(a) Assure that the special needs of minorities, older adults, individuals with disabilities, children, and low-income persons are met;

(b) Collaborate with local government entities to ensure that policies do not result in an adverse shift of persons with mental illness into state and local correctional facilities; and

(c) Work with the authority to expedite the enrollment or reenrollment of eligible persons leaving state or local correctional facilities and institutions for mental diseases.

(4) The behavioral health administrative services organization shall employ an assisted outpatient treatment program coordinator to oversee system coordination and legal compliance for assisted outpatient treatment under RCW 71.05.148 and 71.34.815.

**Sec. 4.** RCW 71.24.890 and 2023 c 454 s 5 and 2023 c 433 s 16 are each reenacted and amended to read as follows:

(1) Establishing the state designated 988 contact hubs and enhancing the crisis response system will require collaborative work between the department (~~(and)~~), the authority, and regional system partners within their respective roles. The department shall have primary responsibility for (~~establishing and~~) designating (~~the designated~~) 988 contact hubs, and shall seek recommendations from the behavioral health administrative services organizations to determine which 988 contact hubs best meet regional needs. The authority shall have primary responsibility for developing (~~and~~), implementing, and facilitating coordination of the crisis response system and services to support the work of the designated 988 contact hubs, regional crisis lines, and other coordinated regional behavioral health crisis response system partners. In any instance in which one agency is identified as the lead, the expectation is that agency will (~~be communicating and collaborating~~) communicate and collaborate with the other to ensure seamless, continuous, and effective service delivery within the statewide crisis response system.

(2) The department shall provide adequate funding for the state's crisis call centers to meet an expected increase in the use of the (~~call centers~~) 988 contact hubs based on the implementation of the 988 crisis hotline. The funding level shall be established at a level anticipated to achieve an in-state call response rate of at least 90 percent by July 22, 2022. The funding level shall be determined by considering standards and cost per call predictions provided by the administrator of the national suicide prevention lifeline, call volume predictions, guidance on crisis call center performance metrics, and necessary technology upgrades. (~~In contracting~~) Contracts with the (~~crisis call centers, the department~~) 988 contact hubs:

(a) May provide funding to support (~~crisis call centers and~~) designated 988 contact hubs to enter into limited (~~on-site~~) partnerships with the public safety answering point to increase the coordination and transfer of behavioral health calls received by certified public safety telecommunicators that are better addressed by clinic interventions provided by the 988 system. Tax revenue may be used to support (~~on-site~~) partnerships. These partnerships with 988 and public safety may be expanded to include regional crisis lines administered by behavioral health administrative services organizations;

(b) Shall require that (~~crisis call centers~~) 988 contact hubs enter into data-sharing agreements, when appropriate, with the department, the authority, regional crisis lines, and applicable regional behavioral health administrative services organizations to provide reports and client level data regarding 988 (~~crisis hotline~~) contact hub calls, as allowed by and in compliance with existing federal and state law governing the sharing and use of protected health information (~~, including~~). Data-sharing agreements with regional crisis lines must include real-time information sharing. All coordinated regional behavioral health crisis response system partners must share dispatch time, arrival time, and disposition (~~of the outreach for each call~~) for behavioral health calls referred for outreach by each region consistent with any regional protocols developed under section 1 of this act. The department and the authority shall establish requirements (~~that the crisis call centers~~) for 988 contact hubs to report (~~the~~) data (~~identified in this subsection (2)(b))~~) to regional



behavioral health administrative services organizations for the purposes of maximizing medicaid reimbursement, as appropriate, and implementing this chapter and chapters 71.05 and 71.34 RCW ~~((including, but not limited to,))~~. The behavioral health administrative services organization may use information received from the 988 contact hubs in administering crisis services for the assigned regional service area, contracting with a sufficient number of licensed or certified providers for crisis services, establishing and maintaining quality assurance processes, maintaining patient tracking, and developing and implementing strategies to coordinate care for individuals with a history of frequent crisis system utilization.

(3) The department shall adopt rules by January 1, 2025, to establish standards for designation of crisis call centers as designated 988 contact hubs. The department shall collaborate with the authority ~~((and)), other agencies, and coordinated regional behavioral health crisis response system partners~~ to assure coordination and availability of services, and shall consider national guidelines for behavioral health crisis care as determined by the federal substance abuse and mental health services administration, national behavioral health accrediting bodies, and national behavioral health provider associations to the extent they are appropriate, and recommendations from behavioral health administrative services organizations and the crisis response improvement strategy committee created in RCW 71.24.892.

(4) The department shall designate ~~((designated))~~ 988 contact hubs considering the recommendations of behavioral health administrative services organizations by January 1, 2026. The designated 988 contact hubs shall provide connections to crisis intervention services, triage, care coordination, and referrals~~((, and connections to))~~ for individuals contacting the 988 ~~((crisis hotline))~~ contact hubs from any jurisdiction within Washington 24 hours a day, seven days a week, using the system platform developed under subsection (5) of this section. The department may not designate more than a total of four 988 contact hubs without legislative approval.

(a) To be designated as a ~~((designated))~~ 988 contact hub, the applicant must demonstrate to the department the ability to comply with the requirements of this section and to contract to provide ~~((designated))~~ 988 contact hub services. ~~((The department may revoke the designation of any designated 988 contact hub that fails to substantially comply with the contract))~~ If a 988 contact hub fails to substantially comply with the contract, data-sharing requirements, or approved regional protocols developed under section 1 of this act, the department may revoke the designation of the 988 contact hub and, after consulting with the affected behavioral health administrative services organization, may designate a 988 contact hub recommended by a behavioral health administrative services organization which is able to meet necessary state and federal requirements.

(b) The contracts entered shall require designated 988 contact hubs to:

(i) Have an active agreement with the administrator of the national suicide prevention lifeline for participation within its network;

(ii) Meet the requirements for operational and clinical standards established by the department and based upon the national suicide prevention lifeline best practices guidelines and other recognized best practices;

(iii) Employ highly qualified, skilled, and trained clinical staff who have sufficient training and resources to provide empathy to callers in acute distress, de-escalate crises, assess behavioral health disorders and suicide risk, triage to system partners for callers that need additional clinical interventions, and provide case management and documentation. Call center staff shall be trained to make every effort to resolve cases in the least restrictive environment and without law enforcement involvement whenever possible. Call center staff shall coordinate with certified peer counselors to provide follow-up and outreach to callers in distress as available. It is intended for transition planning to include a pathway for continued employment and skill advancement as needed for experienced crisis call center employees;

(iv) Train employees on agricultural community cultural competencies for suicide prevention, which may include sharing resources with callers that are specific to members from the agricultural community. The training must prepare staff to provide appropriate assessments, interventions, and resources to members of the agricultural community. Employees may make warm transfers and referrals to a crisis hotline that specializes in working with members from the agricultural community, provided that no person contacting 988 shall be transferred or referred to another service if they are currently in crisis and in need of emotional support;

(v) Prominently display 988 crisis hotline information on their websites and social media, including a description of what the caller should expect when contacting the crisis call center and a description of the various options available to the caller, including call lines specialized in the behavioral health needs of veterans, American Indian and Alaska Native persons, Spanish-speaking persons, and LGBTQ populations. The website may also include resources for programs and services related to suicide prevention for the agricultural community;

(vi) Collaborate with the authority, the national suicide prevention lifeline, and veterans crisis line networks to assure consistency of public messaging about the 988 crisis hotline;

~~((Develop and submit to the department protocols between the designated 988 contact hub and 911 call centers within the region in which the designated crisis call center operates and receive approval of the protocols by the department and the state 911 coordination office;~~

~~((viii) Develop, in collaboration with the region's behavioral health administrative services organizations, and jointly submit to the authority))~~ Collaborate with coordinated

regional behavioral health crisis response system partners within the 988 contact hub's regional service area to develop protocols under section 1 of this act, including protocols related to the dispatching of mobile rapid response crisis teams and community-based crisis teams endorsed under RCW 71.24.903 ((and receive approval of the protocols by the authority));

~~((ix))~~ (viii) Provide data and reports and participate in evaluations and related quality improvement activities, according to standards established by the department in collaboration with the authority; and

~~((x))~~ (ix) Enter into data-sharing agreements with the department, the authority, regional crisis lines, and applicable ~~((regional))~~ behavioral health administrative services organizations to provide reports and client level data regarding 988 ~~((crisis hotline))~~ contact hub calls, as allowed by and in compliance with existing federal and state law governing the sharing and use of protected health information, ~~((including dispatch time, arrival time, and disposition of the outreach for each call referred for outreach by each region))~~ which shall include sharing real-time information with regional crisis lines. The department and the authority shall establish requirements that the designated 988 contact hubs report ~~((the))~~ data ~~((identified in this subsection (4)(b)(x)))~~ to regional behavioral health administrative services organizations for the purposes of maximizing medicaid reimbursement, as appropriate, and implementing this chapter and chapters 71.05 and 71.34 RCW including, but not limited to, administering crisis services for the assigned regional service area, contracting with a sufficient number ~~((of))~~ of licensed or certified providers for crisis services, establishing and maintaining quality assurance processes, maintaining patient tracking, and developing and implementing strategies to coordinate care for individuals with a history of frequent crisis system utilization.

(c) The department and the authority shall incorporate recommendations from the crisis response improvement strategy committee created under RCW 71.24.892 in its agreements with designated 988 contact hubs, as appropriate.

(5) The department and authority must coordinate to develop the technology and platforms necessary to manage and operate the behavioral health crisis response and suicide prevention system. The department and the authority must include ~~((the crisis call centers and))~~ designated 988 contact hubs, regional crisis lines, and behavioral health administrative services organizations in the decision-making process for selecting any technology platforms that will be used to operate the system. No decisions made by the department or the authority shall interfere with the routing of the 988 ~~((crisis hotline))~~ contact hubs calls, texts, or chat as part of Washington's active agreement with the administrator of the national suicide prevention lifeline or 988 administrator that routes 988 contacts into Washington's system. The technologies developed must include:

(a) A new technologically advanced behavioral health and suicide prevention crisis call center system platform for use in ~~((designated))~~ 988 contact hubs designated by the department under subsection (4) of this section. This platform, which shall be fully funded by July 1, 2024, shall be developed by the department and must include the capacity to receive crisis assistance requests through phone calls, texts, chats, and other similar methods of communication that may be developed in the future that promote access to the behavioral health crisis system; and

(b) A behavioral health integrated client referral system capable of providing system coordination information to designated 988 contact hubs and the other entities involved in behavioral health care. This system shall be developed by the authority.

(6) In developing the new technologies under subsection (5) of this section, the department and the authority must coordinate to designate a primary technology system to provide each of the following:

(a) Access to real-time information relevant to the coordination of behavioral health crisis response and suicide prevention services, including:

(i) Real-time bed availability for all behavioral health bed types and recliner chairs, including but not limited to crisis stabilization services, 23-hour crisis relief centers, psychiatric inpatient, substance use disorder inpatient, withdrawal management, peer-run respite centers, and crisis respite services, inclusive of both voluntary and involuntary beds, for use by crisis response workers, first responders, health care providers, emergency departments, and individuals in crisis; and

(ii) Real-time information relevant to the coordination of behavioral health crisis response and suicide prevention services for a person, including the means to access:

(A) Information about any less restrictive alternative treatment orders or mental health advance directives related to the person; and

(B) Information necessary to enable the designated 988 contact ~~((hub))~~ hubs to actively collaborate with regional crisis lines, emergency departments, primary care providers and behavioral health providers within managed care organizations, behavioral health administrative services organizations, and other health care payers to establish a safety plan for the person in accordance with best practices and provide the next steps for the person's transition to follow-up noncrisis care. To establish information-sharing guidelines that fulfill the intent of this section the authority shall consider input from the confidential information compliance and coordination subcommittee established under RCW 71.24.892;

~~((b))~~ (b) The means to track the outcome of the 988 call to enable appropriate follow-up, cross-system coordination, and accountability, including as appropriate: (i) Any immediate services dispatched and reports generated from the encounter; (ii) the validation of a safety plan established for the caller in accordance with best practices; (iii) the next steps for the caller to follow in transition to noncrisis follow-up care, including a next-

day appointment for callers experiencing urgent, symptomatic behavioral health care needs; and (iv) the means to verify and document whether the caller was successful in making the transition to appropriate noncrisis follow-up care indicated in the safety plan for the person, to be completed either by the care coordinator provided through the person's managed care organization, health plan, or behavioral health administrative services organization, or if such a care coordinator is not available or does not follow through, by the staff of the designated 988 contact hub;

(c) A means to facilitate actions to verify and document whether the person's transition to follow-up noncrisis care was completed and services offered, to be performed by a care coordinator provided through the person's managed care organization, health plan, or behavioral health administrative services organization, or if such a care coordinator is not available or does not follow through, by the staff of the designated 988 contact hub;

(d) The means to provide geographically, culturally, and linguistically appropriate services to persons who are part of high-risk populations or otherwise have need of specialized services or accommodations, and to document these services or accommodations; and

(e) When appropriate, consultation with tribal governments to ensure coordinated care in government-to-government relationships, and access to dedicated services to tribal members.

(7) The authority shall:

(a) Collaborate with county authorities and behavioral health administrative services organizations to develop procedures to dispatch behavioral health crisis services in coordination with designated 988 contact hubs to effectuate the intent of this section;

(b) Establish formal agreements with managed care organizations and behavioral health administrative services organizations by January 1, 2023, to provide for the services, capacities, and coordination necessary to effectuate the intent of this section, which shall include a requirement to arrange next-day appointments for persons contacting the 988 ~~((crisis hotline))~~ contact hub or a regional crisis line experiencing urgent, symptomatic behavioral health care needs with geographically, culturally, and linguistically appropriate primary care or behavioral health providers within the person's provider network, or, if uninsured, through the person's behavioral health administrative services organization;

(c) Create best practices guidelines by July 1, 2023, for deployment of appropriate and available crisis response services by behavioral health administrative services organizations in coordination with designated 988 contact hubs to assist 988 hotline callers to minimize nonessential reliance on emergency room services and the use of law enforcement, considering input from relevant stakeholders and recommendations made by the crisis response improvement strategy committee created under RCW 71.24.892;

(d) Develop procedures to allow appropriate information sharing and communication between and across crisis and emergency response systems for the purpose of real-time crisis care coordination including, but not limited to, deployment of crisis and outgoing services, follow-up care, and linked, flexible services specific to crisis response; and

(e) Establish guidelines to appropriately serve high-risk populations who request crisis services. The authority shall design these guidelines to promote behavioral health equity for all populations with attention to circumstances of race, ethnicity, gender, socioeconomic status, sexual orientation, and geographic location, and include components such as training requirements for call response workers, policies for transferring such callers to an appropriate specialized center or subnetwork within or external to the national suicide prevention lifeline network, and procedures for referring persons who access the 988 ~~((crisis hotline))~~ contact hubs to linguistically and culturally competent care.

(8) The department shall monitor trends in 988 crisis hotline caller data, as reported by designated 988 contact hubs under subsection (4) (b) ~~((\*)~~) (ix) of this section, and submit an annual report to the governor and the appropriate committees of the legislature summarizing the data and trends beginning December 1, 2027.

(9) Subject to authorization by the national 988 administrator and the availability of amounts appropriated for this specific purpose, any Washington state subnetwork of the 988 crisis hotline dedicated to the crisis assistance needs of American Indian and Alaska Native persons shall offer services by text, chat, and other similar methods of communication to the same extent as does the general 988 crisis hotline. The department shall coordinate with the substance abuse and mental health services administration for the authorization."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SB 6263

Prime Sponsor, Senator Wilson, L.: Concerning death benefits provided by the 1955 act for firefighters' relief and pensions. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

Referred to Committee on Rules for second reading

February 26, 2024

SSB 6277

Prime Sponsor, Transportation: Creating a new statutory framework for the use of public-private partnerships for transportation projects. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1. FINDINGS.** (1) The legislature finds that a full set of project procurement, contracting, and funding tools are needed to enable the delivery of transportation projects in a manner most advantageous to the public. Current public-private partnership laws have failed to spur innovative proposals from the private sector or new project delivery approaches from the department. The legislature confirms the findings from previous studies that current laws and administrative processes are the primary obstacle impairing the state's ability to utilize public-private partnerships.

(2) The legislature finds that a new public-private partnership law is needed to:

- (a) Transparently demonstrate and deliver better value for the public including, but not limited to, expedited project delivery and more effective management of project life-cycle costs;
- (b) Provide an additional option for delivering complex transportation projects;
- (c) Incorporate private sector expertise and innovation into transportation project delivery;
- (d) Allocate project risks to the parties best able to manage those risks;
- (e) Allow new sources for private capital;
- (f) Increase access to federal funding and financing mechanisms;
- (g) Better align private sector incentives with public priorities; and
- (h) Provide consistency in the review and approval processes for the full range of project delivery tools and contracting methods.

(3) The legislature further finds that a new public-private partnership law must only be used for projects where the engineer's estimate of the cost of the project is less than \$500,000,000.

(4) The legislature further finds that a new public-private partnership law may not be used for rail projects.

**NEW SECTION. Sec. 2. DEFINITIONS.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Commission" means the transportation commission.
- (2) "Department" means the department of transportation.
- (3) "Eligible project" means any project eligible for development under section 4 of this act.
- (4) "Private sector partner" and "private partner" means a person, entity, or organization that is not the federal government, a state, or a political subdivision of a state.
- (5) "Public funds" means all moneys derived from taxes, fees, charges, tolls, or other levies of money from the public.
- (6) "Public sector partner" and "public partner" means any federal or state unit of government, bistrate transportation organization, or any other political subdivision of any state.
- (7) "State finance committee" means the entity created in chapter 43.33 RCW.
- (8) "Transportation project" means a project that is not a rail project, whether capital or operating, and where the engineer's estimate of the cost of the project is less than \$500,000,000 and the state's purpose for the project is to preserve or facilitate the safe transport of people or goods via any mode of travel.
- (9) "Unit of government" means any department or agency of the federal government, any state or agency, office, or department of a state, any city, county, district, commission, authority, entity, port, or other public corporation organized and existing under statutory law or under a voter-approved charter or initiative, and any intergovernmental entity created under chapter 39.34 RCW or this chapter.

**NEW SECTION. Sec. 3. WASHINGTON STATE DEPARTMENT OF TRANSPORTATION POWERS AND DUTIES.** (1) The department shall develop policies and, where appropriate, rules to carry out this chapter and govern the use of public-private partnerships for transportation projects. At a minimum, the department's policies and rules must address the following issues:

- (a) Consistent with section 4 of this act, the types of projects allowed;
- (b) Consistent with section 7 of this act, a process and methodology for determining whether a public-private partnership delivery model will be in the public's interest;
- (c) Consistent with section 12 of this act, a process and methodology for determining whether a negotiated partnership agreement will result in greater public value to the state than if the project is delivered using other procurement and contracting methods;

- (d) The types of contracts allowed, with consideration given to the best practices available;
- (e) Minimum standards and criteria required of all proposals;
- (f) Procedures for the proper identification, solicitation, acceptance, review, and evaluation of projects, consistent with existing project procurement and contracting requirements and practices;
- (g) Criteria to be considered in the evaluation and selection of proposals that includes:
- (i) Comparison with the department's internal ability to complete the project that documents the advantages of completing the project as a partnership versus solely as a public venture; and
- (ii) Factors such as, but not limited to: Priority, life-cycle cost, risk sharing, scheduling, innovation, and management conditions;
- (h) The protection of confidential proprietary information while still meeting the need for transparency and public disclosure that is consistent with section 13 of this act;
- (i) Protection for local contractors to participate in subcontracting opportunities;
- (j) Specifying that maintenance issues must be resolved in a manner consistent with chapter 41.80 RCW;
- (k) Guidelines to address security and performance issues.
- (2) Preliminary rules, policies, and guidelines developed under this section must be submitted to the chairs and ranking members of both transportation committees by November 30, 2026, for review and comment, along with draft legislation to implement any necessary changes to govern the use of public-private partnerships for transportation projects under this chapter. The department may not adopt rules to carry out this chapter.

**NEW SECTION. Sec. 4. ELIGIBLE PROJECTS.** (1) Projects eligible for development under this chapter include transportation projects.

(2) For any project that requires the imposition of tolls on a state facility, the legislature must approve the imposition of such tolls consistent with RCW 47.56.820.

(3) For any project that requires setting or adjusting toll rates on a state facility, the commission has sole responsibility consistent with RCW 47.56.850.

**NEW SECTION. Sec. 5. ELIGIBLE FINANCING.** (1) Subject to the limitations in this section, the department may, in connection with the evaluation of eligible projects, consider any financing mechanisms from any lawful source, either integrated as part of a project proposal or as a separate, stand-alone proposal to finance a project. Financing may be considered for all or part of a proposed project. A project may be financed in whole or in part with:

(a) The proceeds of grant anticipation revenue bonds authorized under 23 U.S.C. Sec. 122 and applicable state law. Legislative authorization and appropriation are required to use this source of financing;

(b) Grants, loans, loan guarantees, lines of credit, revolving lines of credit, or other financing arrangements available under the transportation infrastructure finance and innovation act under 23 U.S.C. Sec. 181 et seq., or any other applicable federal law;

(c) Infrastructure loans or assistance from the state infrastructure bank established under RCW 82.44.195;

(d) Federal, state, or local revenues, subject to appropriation by the applicable legislative authority;

(e) User fees, tolls, fares, lease proceeds, rents, gross or net receipts from sales, proceeds from the sale of development rights, franchise fees, or any other lawful form of consideration. However, projects financed by tolls must first be authorized by the legislature under RCW 47.56.820;

(f) Loans, pledges, or contributions of funds, including equity investments, from private entities.

(2) Subject to subsection (4) of this section, the department may develop a plan of finance that would require either the state or a private partner, or both, to: Issue debt, equity, or other securities or obligations; enter into contracts, leases, concessions, and grant and loan agreements; or secure any financing with a pledge of funds to be appropriated by the legislature or with a lien or exchange of real property.

(3) As security for the payment of any financing, the revenues from the project may be pledged, but no such pledge of revenues constitutes in any manner or to any extent a general obligation of the state, unless specifically authorized by the legislature. Any financing described in this section may be structured on a senior, parity, or subordinate basis to any other financing.

(4) The department shall not execute any agreement, including any agreement that could materially impact the state's debt capacity or credit rating, without prior review and approval of the plan of finance and proposed financing terms by the state finance committee.

**NEW SECTION. Sec. 6. USE OF FEDERAL FUNDS OR OTHER SOURCES.** (1) The department may accept from the United States or any of its agencies such funds as are available to this state or to any other unit of government for carrying out the purposes of this chapter, whether the funds are made available by grant, loan, or other financing arrangement. The department may enter into such agreements and other arrangements with the United States or any of its agencies as may be necessary, proper, and convenient for carrying out the purposes of this chapter, subject to subsection (2) of this section.

(2) (a) The department may accept from any source any grant, donation, gift, or other form of conveyance of land, money, other real or personal property, or other valuable thing made to the state of Washington, the department, or a local government for carrying out the purposes of this chapter.

(b) Any eligible project may be financed in whole or in part by contribution of any funds or property made by any private entity or public sector partner that is a party to any agreement entered into under this chapter.

NEW SECTION. **Sec. 7. PUBLIC INTEREST FINDING.** (1) The department may evaluate projects that are already programmed for other delivery methods to determine their appropriateness for delivery under a public-private partnership model.

(2) Before entering into a formal solicitation or procurement to develop a project as a public-private partnership, the department must make formal findings that utilizing a public-private partnership delivery method is in the public's interest. The department must develop rules detailing the process and criteria for making such findings. At a minimum, the criteria must consider whether:

(a) Public ownership of the asset can be retained;

(b) Transparency during the consideration of a public-private partnership agreement can be provided;

(c) Public oversight of the private entity's management of the asset can be provided; and

(d) Additional criteria that reflects the legislative findings in section 1 of this act.

(3) Upon a finding of public interest pursuant to subsection (2) of this section, the department must provide written notification of their finding of public interest and intent to deliver the project as a public-private partnership to the general public, to the chairs and ranking members of the transportation committees of the legislature, and to the governor.

(4) Before commencing any solicitation to deliver the project as a public-private partnership, the department must provide an opportunity for public comment on the proposed project and delivery method.

(5) Upon a finding of public interest pursuant to subsection (2) of this section, the department may:

(a) Solicit concepts or proposals for the identified public-private partnership project from private entities and units of government;

(b) Evaluate the concepts or proposals received under this section. The evaluation under this subsection must include consultation with any appropriate unit of government; and

(c) Select potential projects based on the concepts or proposals.

NEW SECTION. **Sec. 8. USE OF FUNDS FOR PROPOSAL PURPOSES.** (1) The department may spend such moneys as may be necessary for stipends for respondents to a solicitation, the evaluation of concepts or proposals for eligible projects, and for negotiating agreements for eligible projects authorized under this chapter. Expenses incurred by the department under this section before the issuance of transportation project bonds or other financing must be paid by the department and charged to the appropriate project. The department must keep records and accounts showing each charged amount.

(2) Unless otherwise provided in the omnibus transportation appropriations act, the funds spent by the department under this section in connection with the project must be repaid from the proceeds of the bonds or other financing upon the sale of transportation project bonds or upon obtaining other financing for an eligible project, as allowed by law or contract.

NEW SECTION. **Sec. 9. EXPERT CONSULTATION.** The department may consult with legal, financial, technical, and other experts in the public and private sector in the evaluation, negotiation, and development of projects under this chapter.

NEW SECTION. **Sec. 10. CONTRACTED STUDIES.** In the absence of any direct federal funding or direction, the department may contract with a private developer of a selected project proposal to conduct environmental impact studies and engineering and technical studies.

NEW SECTION. **Sec. 11. PARTNERSHIP AGREEMENTS.** (1) The following provisions must be included in any transportation project agreement entered into under the authority of this chapter and to which the state is a party:

(a) For any project that proposes terms for stand alone maintenance or asset management services for a public facility, those services must be provided in a manner consistent with any collective bargaining agreements, chapter 41.80 RCW, and civil service laws that are in effect for the public facility;

(b) A finding of public interest, as issued by the department pursuant to section 7 of this act;

(c) If there is a tolling component to the project, it must be specified that tolling technology used in the project must be consistent with tolling technology standards adopted by the department for transportation-related projects;

(d) Provisions for bonding, financial guarantees, deposits, or the posting of other security to secure the payment of laborers, subcontractors, and suppliers who perform work or provide materials as part of the project;

(e) All projects must be financed in a manner consistent with section 6 of this act.

(2) At a minimum, agreements between the state and private sector partners entered into under this section must specifically include the following contractual elements:

- (a) The point in the project at which public and private sector partners will enter the project and which partners will assume responsibility for specific project elements;
- (b) How the partners will share management of the risks of the project;
- (c) The compensation method and amount for the private partner, establishing a maximum rate of return, and identifying how project revenue, if any, in excess of the maximum rate of return will be distributed;
- (d) How the partners will share the costs of development of the project;
- (e) How the partners will allocate financial responsibility for cost overruns;
- (f) The penalties for nonperformance;
- (g) The incentives for performance;
- (h) The accounting and auditing standards to be used to evaluate work on the project;
- (i) For any project that reverts to public ownership, the responsibility for reconstruction or renovations that are required for a facility to meet all service standards and state of good repair upon reversion of the facility to the state;
- (j) Provisions and remedies for default by either party, and provisions for termination of the agreement for or without cause;
- (l) Provisions for public communication and participation with respect to the development of the project.

**NEW SECTION. Sec. 12. BEST VALUE FINDING AND AGREEMENT EXECUTION.** Before executing an agreement under this chapter, the department must make a formal finding that the negotiated partnership agreement is expected to result in best value for the public, and the agreement must be approved through duly enacted legislation. The department must develop and adopt a process and criteria for measuring, determining, and transparently reporting best value relevant to the proposed project. At minimum, the criteria must include:

- (1) A comparison of the total cost to deliver the project, including any operations and maintenance costs, as a public-private partnership compared to traditional or other alternative delivery methods available to the department;
- (2) A comparison with the department's current plan, resources, delivery capacity, and schedule to complete the project that documents the advantages of completing the project as a public-private partnership versus solely as a public venture; and
- (3) Factors such as, but not limited to: Priority, cost, risk sharing, scheduling, asset and service quality, innovation, and management conditions.

**NEW SECTION. Sec. 13. CONFIDENTIALITY.** A proposer must identify those portions of a proposal that the proposer considers to be confidential, proprietary information, or trade secrets and provide any justification as to why these materials, upon request, should not be disclosed by the department. Patent information will be covered until the patent expires. Other information, such as originality of design or records of negotiation, may only be protected under this section until an agreement is reached. Disclosure must occur before final agreement and execution of the contract. Projects under federal jurisdiction or using federal funds must conform to federal regulations under the freedom of information act.

**NEW SECTION. Sec. 14. PREVAILING WAGES.** If public funds are used to pay any costs of construction of a public facility that is part of an eligible project, chapter 39.12 RCW applies to the entire eligible public works project.

**NEW SECTION. Sec. 15. GOVERNMENT AGREEMENTS.** The state may, either separately or in combination with any other public sector partner, enter into working agreements, coordination agreements, or similar implementation agreements, including the formation of bistate transportation organizations, to carry out the joint implementation and operation of a transportation project selected under this chapter. The state may enter into agreements with other units of government or Canadian provinces for transborder transportation projects.

**NEW SECTION. Sec. 16. EMINENT DOMAIN.** The state may exercise the power of eminent domain to acquire property, rights-of-way, or other rights in property for projects that are necessary to implement an eligible project developed under this chapter. Any property acquired pursuant to this section must be owned in fee simple by the state.

**NEW SECTION. Sec. 17. FEDERAL LAWS.** Applicable federal laws, rules, and regulations govern in any situation that involves federal funds if the federal laws, rules, or regulations:

- (1) Conflict with any provision of this chapter;
- (2) Require procedures that are additional to or different from those provided in this chapter; or
- (3) Require contract provisions not authorized in this chapter. If federal funds are provided, disadvantaged business enterprise inclusion requirements as established, monitored, and administered by the department's office of equity and civil rights apply. If no federal funds are provided, state laws, rates, and rules must govern, including the small business enforceable goals program required through 49 C.F.R. Sec. 26.39 as established, monitored, and administered by the department's office of equity and civil rights.

**NEW SECTION. Sec. 18.** PUBLIC-PRIVATE PARTNERSHIPS ACCOUNT. (1) The public-private partnerships account is created in the custody of the state treasurer.

(2) The following moneys must be deposited into the account:

(a) Proceeds from bonds or other financing instruments issued under section 19 of this act;

(b) Revenues received from any transportation project developed under this chapter or developed under the general powers granted to the department; and

(c) Any other moneys that are by donation, grant, contract, law, or other means transferred, allocated, or appropriated to the account.

(3) Expenditures from the account may be used only to ensure the repayment of loan guarantees or extensions of credit made to or on behalf of private entities engaged in the planning, acquisition, financing, development, design, construction, reconstruction, replacement, improvement, maintenance, preservation, management, repair, or operation of any eligible project under this chapter. The lien of a pledge made under this subsection is subordinate to the lien of a pledge securing bonds payable from moneys in the motor vehicle fund created in RCW 46.68.070.

(4) The state treasurer may establish separate subaccounts within the public-private partnerships account for each transportation project that is initiated under this chapter or under the general powers granted to the department. The state may pledge moneys in the public-private partnerships account to secure revenue bonds or any other debt obligations relating to the project for which the account is established.

(5) Only the secretary or the secretary's designee may authorize distributions from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

**NEW SECTION. Sec. 19.** A new section is added to chapter 47.10 RCW to read as follows:

**BOND ISSUANCE.** (1) In addition to any authority the department has to issue and sell bonds and other similar obligations, this section establishes continuing authority for the issuance and sale of bonds and other similar obligations in a manner consistent with this section. To finance a project as authorized in chapter 47.--- RCW (the new chapter created in section 24 of this act) in whole or in part, the department may request that the state treasurer issue revenue bonds on behalf of the public sector partner. The bonds must be secured by a pledge of, and a lien on, and be payable only from moneys in the public-private partnerships account created in section 18 of this act, and any other revenues specifically pledged to repayment of the bonds. Such a pledge by the public partner creates a lien that is valid and binding from the time the pledge is made. Revenue bonds issued under this section are not general obligations of the state or local government and are not secured by or payable from any funds or assets of the state other than the moneys and revenues specifically pledged to the repayment of such revenue bonds.

(2) Moneys received from the issuance of revenue bonds or other debt obligations, including any investment earnings thereon, may be spent:

(a) For the purpose of financing the costs of the project for which the bonds are issued;

(b) To pay the costs and other administrative expenses of the bonds;

(c) To pay the costs of credit enhancement or to fund any reserves determined to be necessary or advantageous in connection with the revenue bonds; and

(d) To reimburse the public sector partners for any costs related to carrying out the projects authorized under this chapter.

**Sec. 20.** RCW 47.56.030 and 2023 c 429 s 6 are each amended to read as follows:

(1) Except as permitted under chapter ((47.29))47.--- RCW (the new chapter created in section 24 of this act) or 47.46 RCW:

(a) Unless otherwise delegated, and subject to RCW 47.56.820, the department of transportation shall have full charge of the planning, analysis, and construction of all toll bridges and other toll facilities including the Washington state ferries, and the operation and maintenance thereof.

(b) The transportation commission shall determine and establish the tolls and charges thereon.

(c) Unless otherwise delegated, and subject to RCW 47.56.820, the department shall have full charge of planning, analysis, and design of all toll facilities. The department may conduct the planning, analysis, and design of toll facilities as necessary to support the legislature's consideration of toll authorization.

(d) The department shall utilize and administer toll collection systems that are simple, unified, and interoperable. To the extent practicable, the department shall avoid the use of toll booths. The department shall set the statewide standards and protocols for all toll facilities within the state, including those authorized by local authorities.

(e) Except as provided in this section, the department shall proceed with the construction of such toll bridges and other facilities and the approaches thereto by contract in the manner of state highway construction immediately upon there being made available funds for such work and shall prosecute such work to completion as rapidly as practicable. The department is authorized to negotiate contracts for any amount without bid under (e)(i) and (ii) of this subsection:

(i) Emergency contracts, in order to make repairs to ferries or ferry terminal facilities or removal of such facilities whenever continued use of ferries or ferry terminal facilities constitutes a real or immediate danger to the traveling public or precludes prudent use of such ferries or facilities; and



(ii) Single source contracts for vessel dry dockings, when there is clearly and legitimately only one available bidder to conduct dry dock-related work for a specific class or classes of vessels. The contracts may be entered into for a single vessel dry docking or for multiple vessel dry dockings for a period not to exceed two years.

(f) Any new vessel planning, construction, purchase, analysis, or design work must be consistent with RCW 47.60.810, except as otherwise provided in RCW 47.60.826.

(2) The department shall proceed with the procurement of materials, supplies, services, and equipment needed for the support, maintenance, and use of a ferry, ferry terminal, or other facility operated by Washington state ferries, in accordance with chapter 43.19 RCW except as follows:

(a) When the secretary of the department of transportation determines in writing that the use of invitation for bid is either not practicable or not advantageous to the state and it may be necessary to make competitive evaluations, including technical or performance evaluations among acceptable proposals to complete the contract award, a contract may be entered into by use of a competitive sealed proposals method, and a formal request for proposals solicitation. Such formal request for proposals solicitation shall include a functional description of the needs and requirements of the state and the significant factors.

(b) When purchases are made through a formal request for proposals solicitation the contract shall be awarded to the responsible proposer whose competitive sealed proposal is determined in writing to be the most advantageous to the state taking into consideration price and other evaluation factors set forth in the request for proposals. No significant factors may be used in evaluating a proposal that are not specified in the request for proposals. Factors that may be considered in evaluating proposals include but are not limited to: Price; maintainability; reliability; commonality; performance levels; life-cycle cost if applicable under this section; cost of transportation or delivery; delivery schedule offered; installation cost; cost of spare parts; availability of parts and service offered; and the following:

(i) The ability, capacity, and skill of the proposer to perform the contract or provide the service required;

(ii) The character, integrity, reputation, judgment, experience, and efficiency of the proposer;

(iii) Whether the proposer can perform the contract within the time specified;

(iv) The quality of performance of previous contracts or services;

(v) The previous and existing compliance by the proposer with laws relating to the contract or services;

(vi) Objective, measurable criteria defined in the request for proposal. These criteria may include but are not limited to items such as discounts, delivery costs, maintenance services costs, installation costs, and transportation costs; and

(vii) Such other information as may be secured having a bearing on the decision to award the contract.

(c) When purchases are made through a request for proposal process, proposals received shall be evaluated based on the evaluation factors set forth in the request for proposal. When issuing a request for proposal for the procurement of propulsion equipment or systems that include an engine, the request for proposal must specify the use of a life-cycle cost analysis that includes an evaluation of fuel efficiency. When a life-cycle cost analysis is used, the life-cycle cost of a proposal shall be given at least the same relative importance as the initial price element specified in the request of proposal documents. The department may reject any and all proposals received. If the proposals are not rejected, the award shall be made to the proposer whose proposal is most advantageous to the department, considering price and the other evaluation factors set forth in the request for proposal.

**Sec. 21.** RCW 47.56.031 and 2005 c 335 s 2 are each amended to read as follows:

No tolls may be imposed on new or existing highways or bridges without specific legislative authorization, or upon a majority vote of the people within the boundaries of the unit of government empowered to impose tolls. This section applies to chapter 47.56 RCW and to any tolls authorized under chapter (~~47.29 RCW, the transportation innovative partnership act of 2005~~) 47.--- RCW (the new chapter created in section 24 of this act).

**Sec. 22.** RCW 70A.15.4030 and 2020 c 20 s 1126 are each amended to read as follows:

(1) A county, city, or town may, as part of its commute trip reduction plan, designate existing activity centers listed in its comprehensive plan or new activity centers as growth and transportation efficiency centers and establish a transportation demand management program in the designated area.

(a) The transportation demand management program for the growth and transportation efficiency center shall be developed in consultation with local transit agencies, the applicable regional transportation planning organization, major employers, and other interested parties.

(b) In order to be eligible for state funding provided for the purposes of this section, designated growth and transportation efficiency centers shall be certified by the applicable regional transportation organization to: (i) Meet the minimum land use and transportation criteria established in collaboration among local jurisdictions, transit agencies, the regional transportation planning organization, and other interested parties as part of the regional commute trip reduction plan; and (ii) have established a transportation demand management program that includes the elements identified in (c) of this subsection and is

consistent with the rules established by the department of transportation in RCW 70A.15.4060(2). If a designated growth and transportation efficiency center is denied certification, the local jurisdiction may appeal the decision to the commute trip reduction board.

(c) Transportation demand management programs for growth and transportation efficiency centers shall include, but are not limited to: (i) Goals for reductions in the proportion of single-occupant vehicle trips that are more aggressive than the state program goal established by the commute trip reduction board; (ii) a sustainable financial plan demonstrating how the program can be implemented to meet state and regional trip reduction goals, indicating resources from public and private sources that are reasonably expected to be made available to carry out the plan, and recommending any innovative financing techniques consistent with chapter ~~((47.29 RCW))~~ 47.--- RCW (the new chapter created in section 24 of this act), including public/private partnerships, to finance needed facilities, services, and programs; (iii) a proposed organizational structure for implementing the program; (iv) a proposal to measure performance toward the goal and implementation progress; and (v) an evaluation to which local land use and transportation policies apply, including parking policies and ordinances, to determine the extent that they complement and support the trip reduction investments of major employers. Each of these program elements shall be consistent with the rules established under RCW 70A.15.4060.

(d) A designated growth and transportation efficiency center shall be consistent with the land use and transportation elements of the local comprehensive plan.

(e) Transit agencies, local governments, and regional transportation planning organizations shall identify certified growth and transportation efficiency centers as priority areas for new service and facility investments in their respective investment plans.

(2) A county, city, or town that has established a growth and transportation efficiency center program shall support vehicle trip reduction activities in the designated area. The implementing jurisdiction shall adopt policies, ordinances, and funding strategies that will lead to attainment of program goals in those areas.

**NEW SECTION. Sec. 23.** The following acts or parts of acts are each repealed:

- (1) RCW 47.29.010 (Finding—Intent) and 2006 c 334 s 48 & 2005 c 317 s 1;
- (2) RCW 47.29.020 (Definitions) and 2005 c 317 s 2;
- (3) RCW 47.29.030 (Transportation commission powers and duties) and 2005 c 317 s 3;
- (4) RCW 47.29.040 (Purpose) and 2005 c 317 s 4;
- (5) RCW 47.29.050 (Eligible projects) and 2005 c 317 s 5;
- (6) RCW 47.29.060 (Eligible financing) and 2008 c 122 s 18 & 2005 c 317 s 6;
- (7) RCW 47.29.070 (Use of federal funds and similar revenues) and 2005 c 317 s 7;
- (8) RCW 47.29.080 (Other sources of funds or property) and 2005 c 317 s 8;
- (9) RCW 47.29.090 (Project review, evaluation, and selection) and 2005 c 317 s 9;
- (10) RCW 47.29.100 (Administrative fee) and 2005 c 317 s 10;
- (11) RCW 47.29.110 (Funds for proposal evaluation and negotiation) and 2005 c 317 s 11;
- (12) RCW 47.29.120 (Expert consultation) and 2005 c 317 s 12;
- (13) RCW 47.29.130 (Contracted studies) and 2005 c 317 s 13;
- (14) RCW 47.29.140 (Partnership agreements) and 2005 c 317 s 14;
- (15) RCW 47.29.150 (Public involvement and participation) and 2005 c 317 s 15;
- (16) RCW 47.29.160 (Approval and execution) and 2005 c 317 s 16;
- (17) RCW 47.29.170 (Unsolicited proposals) and 2017 c 313 s 711, 2015 1st sp.s. c 10 s 704, 2013 c 306 s 708, 2011 c 367 s 701, 2009 c 470 s 702, 2007 c 518 s 702, 2006 c 370 s 604, & 2005 c 317 s 17;
- (18) RCW 47.29.180 (Advisory committees) and 2005 c 317 s 18;
- (19) RCW 47.29.190 (Confidentiality) and 2005 c 317 s 19;
- (20) RCW 47.29.200 (Prevailing wages) and 2005 c 317 s 20;
- (21) RCW 47.29.210 (Government agreements) and 2005 c 317 s 21;
- (22) RCW 47.29.220 (Eminent domain) and 2005 c 317 s 22;
- (23) RCW 47.29.230 (Transportation innovative partnership account) and 2005 c 317 s 23;
- (24) RCW 47.29.240 (Use of account) and 2005 c 317 s 24;
- (25) RCW 47.29.250 (Issuing bonds and other obligations) and 2005 c 317 s 25;
- (26) RCW 47.29.260 (Study and report) and 2005 c 317 s 26;
- (27) RCW 47.29.270 (Federal laws) and 2005 c 317 s 27;
- (28) RCW 47.29.280 (Expert review panel on proposed project agreements—Creation—Authority) and 2006 c 334 s 49; and
- (29) RCW 47.29.290 (Expert review panel on proposed project agreements—Execution of agreements) and 2006 c 334 s 50.

**NEW SECTION. Sec. 24.** Sections 1 through 18 of this act constitute a new chapter in Title 47 RCW.

**NEW SECTION. Sec. 25.** This act takes effect January 1, 2026."

Correct the title.

Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Berry; Chapman; Cortes; Dent; Doglio; Duerr; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel and Schmidt.

MINORITY recommendation: Without recommendation. Signed by Representatives Bronoske; Entenman; Ramos; Volz; Walsh; and Wylie.

Referred to Committee on Rules for second reading

February 26, 2024

SB 6283 Prime Sponsor, Senator Nobles: Eliminating the expiration date for the Sandy Williams connecting communities program. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Doglio; Duerr; Entenman; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Dent; Goehner; and Walsh.

Referred to Committee on Rules for second reading

February 26, 2024

ESSB 6286 Prime Sponsor, Ways & Means: Addressing the anesthesia workforce shortage by reducing barriers and expanding educational opportunities to increase the supply of certified registered nurse anesthetists in Washington. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Fitzgibbon; Harris; Lekanoff; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Slatter; Springer; Stokesbary; Stonier; Tharinger and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Couture, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

There being no objection, the bills listed on the day's first and second supplemental committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 9:00 a.m., Tuesday, February 27, 2024, the 51st Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## FIFTY FIRST DAY

House Chamber, Olympia, Tuesday, February 27, 2024

The House was called to order at 9:00 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present. The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Cale Hastings and Josie Plemons. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The National Anthem was performed by Abby Faulk of the Tri Cities. The prayer was offered by Pastor David Sellstrom, the Remnant Church, Tumwater.

**SPEAKER'S PRIVILEGE**

The Speaker (Representative Bronoske presiding) welcomed and the following guests from the Consulate General of Korea in recognition of House Resolution 4679, Celebrating Kimchi Day: Consul General Seo Eunji; Deputy Consul General Park Mijo; Consul Cho Yoonhee; and Chief of Staff Bak Chaerin.

The Speaker (Representative Bronoske presiding) welcomed and the following guests in recognition of House Resolution 4678, Celebrating Nowruz: Kabul Washington; Hazara Community of Washington; Seattle-Isfahan Sister City Advocacy; Peyvand; Seattle-Tashkent Sister City Association; Junichi Sumi, Deputy Consul General, Consulate-General of Japan; the Iranian Community; the Afghan Community; the Tajik Community; and the Hazara Community.

**POINT OF PERSONAL PRIVILEGE**

Representative Santos recognized the passing of former Representative Peggy Maxie, who represented the 37th legislative district from 1971 to 1982.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the sixth order of business.

**SECOND READING**

**SENATE BILL NO. 5979, by Senators Keiser, Conway, Saldaña, Randall, Kuderer, Liias, Kauffman, Van De Wege, Hasegawa, Nobles, Valdez and Wilson, C.**

**Concerning accrued leave for construction workers.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Berry and Schmidt spoke in favor of the passage of the bill.

**MOTION**

On motion of Representative Griffey, Representatives Chandler and Volz were excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5979.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5979, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Volz

SENATE BILL NO. 5979, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6234, by Senators Wilson, L., Hasegawa and Lovick**

**Screening newborn infants for branched-chain ketoacid dehydrogenase kinase deficiency.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Thai spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6234.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 6234, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Volz

SENATE BILL NO. 6234, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6060, by Senate Committee on Labor & Commerce (originally sponsored by Nguyen, Hasegawa, Keiser, Saldaña, Stanford, Valdez and Wilson, C.)**

**Concerning the acceptance of electronic signatures by the public employment relations commission for new organizing petitions.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Berry and Schmidt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6060.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6060, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Christian, Jacobsen and Klicker

Excused: Representatives Chandler and Volz

SUBSTITUTE SENATE BILL NO. 6060, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 6095, by Senators Robinson and Valdez**

**Establishing clear authority for the secretary of health to issue standing orders.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Bateman spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6095.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6095, and the bill passed the House by the following vote: Yeas, 59; Nays, 37; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Kretz, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Volz

ENGROSSED SENATE BILL NO. 6095, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5985, by Senate Committee on Law & Justice (originally sponsored by Hansen, Dhingra, Frame, Hasegawa, Hunt, Kuderer, Liias, Lovick, Nguyen, Pedersen, Stanford, Trudeau, Valdez, Wellman and Wilson, C.)**

**Concerning firearms background check program.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Civil Rights & Judiciary was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Taylor spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5985, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5985, as amended by the House, and the bill passed the House by the following vote: Yeas, 63; Nays, 33; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Hutchins, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Caldier, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Graham, Griffey, Harris, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Volz

ENGROSSED SUBSTITUTE SENATE BILL NO. 5985, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5834, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Short, Lovelett, Billig, Gildon, Mullet, Padden and Torres)**

**Concerning urban growth areas.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goehner and Duerr spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5834.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5834, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Volz

SUBSTITUTE SENATE BILL NO. 5834, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

There being no objection, the House reverted to the third order of business.

**MESSAGE FROM THE SENATE**

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed:

- HOUSE BILL NO. 1879
- HOUSE BILL NO. 1890
- HOUSE BILL NO. 1898
- SUBSTITUTE HOUSE BILL NO. 1947
- HOUSE BILL NO. 1948
- HOUSE BILL NO. 1978
- HOUSE BILL NO. 1987
- SUBSTITUTE HOUSE BILL NO. 2015
- SUBSTITUTE HOUSE BILL NO. 2086
- ENGROSSED HOUSE BILL NO. 2088
- SUBSTITUTE HOUSE BILL NO. 2156
- SUBSTITUTE HOUSE BILL NO. 2165
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2256

and the same are herewith transmitted.

Sarah Bannister, Secretary

There being no objection, the House advanced to the sixth order of business.

**SECOND READING**

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5828, by Senate Committee on Law & Justice (originally sponsored by Shewmake, Lovelett, Dhingra, Lovick and Nobles)**

**Concerning water rights adjudication commissioners and referees.**

The bill was read the second time.

Representative Lekanoff moved the adoption of amendment (1124):

On page 1, after line 20, insert the following:

"(5)(a) A person appointed as a water commissioner must receive training as soon as reasonably practicable from the administrative office of the courts on the following topics:

(i) Water law, including state, federal, tribal, and international statutory and case law;

(ii) Indian law, including statutory and case law, agreements, executive orders, and treaties;

(iii) An overview of subjects in water science, such as physical and groundwater hydrology, hydrogeology, and irrigation management; and

(iv) Cultural awareness, including state and tribal history related to treaty and non-treaty tribes and governmental relationships with federally recognized tribes.

(b) The administrative office of the courts may contract with one or more academic institutions in Washington, as appropriate, to develop and deliver the training described in (a) of this subsection."

Representatives Lekanoff and Walsh spoke in favor of the adoption of the amendment.

Amendment (1124) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Taylor and Walsh spoke in favor of the passage of the bill.

**MOTION**

On motion of Representative Griffey, Representative Corry was excused.

Representative Timmons spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5828, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5828, as amended by the House, and the

bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker  
Excused: Representatives Chandler, Corry and Volz

ENGROSSED SUBSTITUTE SENATE BILL NO. 5828, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 6127, by Senate Committee on Health & Long Term Care (originally sponsored by Liiias, Rivers, Muzzall, Randall, Frame, Hasegawa, Kuderer, Lovick, Nobles and Pedersen)**

**Increasing access to human immunodeficiency virus postexposure prophylaxis drugs or therapies.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Health Care & Wellness was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Slatter and Hutchins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6127, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6127, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker  
Excused: Representatives Chandler, Corry and Volz

ENGROSSED SUBSTITUTE SENATE BILL NO. 6127, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 6296, by Senators Boehnke and Dozier**

#### **Establishing a retail industry work group.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Ybarra spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6296.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6296, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker  
Excused: Representatives Chandler, Corry and Volz

ENGROSSED SENATE BILL NO. 6296, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 6246, by Senators Dhingra, Kuderer, Nobles, Saldaña, Valdez, Wellman and Wilson, C.**

**Concerning transmission of information relating to firearm prohibitions for persons committed for mental health treatment.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Civil Rights & Judiciary was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Farivar spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6246, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6246, as amended by the House, and the bill passed the House by the following vote: Yeas, 84; Nays, 11; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan,

Chambers, Chapman, Cheney, Chopp, Connors, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Kloba, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Christian, Dent, Klicker, Kretz, Maycumber, McEntire, Orcutt, Rude, Sandlin and Walsh

Excused: Representatives Chandler, Corry and Volz

ENGROSSED SENATE BILL NO. 6246, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE CONCURRENT RESOLUTION NO. 8414, by Senators Lovick, Torres, Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Holy, Hunt, Keiser, Kuderer, Liias, Lovelett, Muzzall, Nguyen, Nobles, Pedersen, Rivers, Saldaña, Shewmake, Stanford, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.**

**Creating a joint select committee on civic health.**

The concurrent resolution was read the second time.

There being no objection, the committee striking amendment by the Committee on State Government & Tribal Relations was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Stearns and Cheney spoke in favor of the adoption of the concurrent resolution.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of Senate Concurrent Resolution No. 8414, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the adoption of Senate Concurrent Resolution No. 8414, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry and Volz

SENATE CONCURRENT RESOLUTION NO. 8414, as amended by the House, having received the necessary constitutional majority, was adopted.

**SECOND SUBSTITUTE SENATE BILL NO. 5893, by Senate Committee on Ways & Means (originally sponsored by**

**Wilson, C., Kuderer, Frame, Hasegawa, Nguyen, Nobles, Trudeau and Wellman)**

**Providing gate money to incarcerated individuals at the department of corrections.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Simmons spoke in favor of the passage of the bill.

Representative Mosbrucker spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5893.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5893, and the bill passed the House by the following vote: Yeas, 69; Nays, 26; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Harris, Hutchins, Jacobsen, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barnard, Cheney, Christian, Connors, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmidt, Stokesbary, Walsh and Waters

Excused: Representatives Chandler, Corry and Volz

SECOND SUBSTITUTE SENATE BILL NO. 5893, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6222, by Senators Wagoner, Dhingra and Lovick**

**Concerning the number of district court judges.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Low and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 6222.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6222, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye,



Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker  
Excused: Representatives Chandler, Corry and Volz

SENATE BILL NO. 6222, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6088, by Senators Conway, King, Lovick and Nguyen**

**Concerning minor league baseball players subject to the terms of a collective bargaining agreement regarding employment status.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmidt, Berry and Goehner spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 6088.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6088, and the bill passed the House by the following vote: Yeas, 93; Nays, 2; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Kretz and Robertson  
Excused: Representatives Chandler, Corry and Volz

SENATE BILL NO. 6088, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

#### SECOND READING

**SENATE BILL NO. 6178, by Senators Randall, Torres, Nobles, Trudeau, Kuderer, Dhingra, Saldaña, Shewmake and Wilson, C.**

**Aligning the legend drug act to reflect the prescriptive authority for licensed midwives.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6178.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6178, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry and Volz

SENATE BILL NO. 6178, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5857, by Senate Committee on State Government & Elections (originally sponsored by Hunt and Nobles)**

**Reorganizing statutes on campaign disclosure and contribution.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on State Government & Tribal Relations was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Stearns and Cheney spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5857, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5857, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul,

Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry and Volz

SUBSTITUTE SENATE BILL NO. 5857, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6269, by Senate Committee on State Government & Elections (originally sponsored by Valdez, Hunt, Kuderer, Nobles and Saldaña)**

**Establishing an alternative voter verification options pilot project.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Stearns spoke in favor of the passage of the bill.

Representative Cheney spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6269.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6269, and the bill passed the House by the following vote: Yeas, 58; Nays, 37; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Corry and Volz

SUBSTITUTE SENATE BILL NO. 6269, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 5997, by Senators King, Keiser, Frame, Saldaña, Valdez and Wagoner**

**Making technical corrections to plumbing supervision and trainee hours reporting.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmidt and Fosse spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5997.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5997, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry and Volz

ENGROSSED SENATE BILL NO. 5997, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5883, by Senators Trudeau, Braun, Dhingra, Frame, Hasegawa, Kauffman, Nobles, Saldaña, Valdez and Wilson, C.**

**Concerning the burden of proof for special education due process hearings.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet and Couture spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5883.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5883, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative McEntire

Excused: Representatives Chandler, Corry and Volz

SENATE BILL NO. 5883, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5793, by Senate Committee on Labor & Commerce (originally**

**sponsored by Saldaña, Keiser, Kuderer, Lovelett, Nobles, Stanford, Valdez and Wilson, C.)**

**Concerning paid sick leave.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fosse and Schmidt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5793.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5793, and the bill passed the House by the following vote: Yeas, 76; Nays, 19; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Chambers, Chapman, Christian, Connors, Couture, Dent, Dye, Graham, Harris, Jacobsen, Maycumber, McEntire, Mosbrucker, Orcutt, Schmick, Walsh and Ybarra

Excused: Representatives Chandler, Corry and Volz

ENGROSSED SUBSTITUTE SENATE BILL NO. 5793, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5980, by Senate Committee on Labor & Commerce (originally sponsored by Keiser, Conway, Liias, Van De Wege, Hasegawa, Nobles, Salomon and Valdez)**

**Concerning the timeline for issuing a citation for a violation of the Washington industrial safety and health act.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Berry and Schmidt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5980.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5980, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris,

Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker  
Excused: Representatives Chandler, Corry and Volz

SUBSTITUTE SENATE BILL NO. 5980, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6186, by Senate Committee on Human Services (originally sponsored by Kauffman, Dhingra, Hasegawa, Valdez and Wilson, C.)**

**Concerning disclosure of certain recipient information to the Washington state patrol.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Mosbrucker spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6186.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6186, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry and Volz

SUBSTITUTE SENATE BILL NO. 6186, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5647, by Senators Torres, Conway, King, Lovelett, Wilson, C. and Wilson, J.**

**Providing temporary employees necessary information about school safety policies and procedures.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rude and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5647.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5647, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry and Volz

SENATE BILL NO. 5647, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6227, by Senate Committee on Law & Justice (originally sponsored by Dhingra, Cleveland, Hasegawa, Keiser, Nobles, Randall, Torres and Wilson, C.)**

**Allowing entry of a civil protection order to protect victims when a person is found not guilty by reason of insanity.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Farivar spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6227.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6227, and the bill passed the House by the following vote: Yeas, 92; Nays, 3; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Jacobsen, McEntire and Walsh  
Excused: Representatives Chandler, Corry and Volz

SUBSTITUTE SENATE BILL NO. 6227, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5843, by Senators Nguyen, Boehnke, Hasegawa, Hunt, Kuderer, Mullet, Nobles, Randall and Valdez**

**Concerning security breaches of election systems and election-related systems.**

The bill was read the second time.

Representative Christian moved the adoption of amendment (1119):

On page 2, line 1, after "(2)" strike "Every county must" and insert "Any county may"

On page 4, after line 8, insert the following:

**"NEW SECTION. Sec. 3.** A new section is added to chapter 29A.12 RCW to read as follows:

By December 1, 2024, the office of the secretary of state must, in consultation with the Washington state association of county auditors, submit a report, in compliance with RCW 43.01.036, to the chairs and ranking members of the appropriate legislative committees from the senate and house of representatives regarding the efficacy of the Albert intrusion detection system and other methods for detecting malicious activity and security breaches. For the purposes of this section "malicious activity" and "security breach" have the same meaning as in RCW 29A.12.180."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representative Christian spoke in favor of the adoption of the amendment.

Representative Stearns spoke against the adoption of the amendment.

Amendment (1119) was not adopted.

Representative Cheney moved the adoption of amendment (1128):

On page 2, line 2, after "system" insert "approved by the office of the secretary of state"

On page 2, line 9, after "patterns." insert "The office of the secretary of state must approve at least two and a maximum of three options for intrusion detection systems. The office of the secretary of state may reimburse counties for the cost of acquiring and maintaining an approved intrusion detection system."

Representative Cheney spoke in favor of the adoption of the amendment.

Representative Ramos spoke against the adoption of the amendment.

Amendment (1128) was not adopted.

Representative Christian moved the adoption of amendment (1118):

On page 2, line 9, after "patterns." insert "An intrusion detection system may"

not operate behind the firewall of a county auditor."

Representative Christian spoke in favor of the adoption of the amendment.

Representative Stearns spoke against the adoption of the amendment.

Amendment (1118) was not adopted.

Representative Christian moved the adoption of amendment (1117):

On page 2, line 10, after "(3)" insert "The state, rather than the county, is liable for any malicious activity caused by an intrusion detection system required under subsection 2 of this section.

(4)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Christian spoke in favor of the adoption of the amendment.

Representative Mena spoke against the adoption of the amendment.

Amendment (1117) was not adopted.

Representative Cheney moved the adoption of amendment (1127):

On page 2, line 10, after "(3)" insert "The intrusion detection system provider may be held liable for any malicious activity directly attributable to the intrusion detection system required under subsection (2) of this section.

(4)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Cheney spoke in favor of the adoption of the amendment.

Representative Ramos spoke against the adoption of the amendment.

Amendment (1127) was not adopted.

Representative Christian moved the adoption of amendment (1120):

On page 9, line 6, after "and" and insert ", after conviction,"

Representative Christian spoke in favor of the adoption of the amendment.

Representative Mena spoke against the adoption of the amendment.

Amendment (1120) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Ramos spoke in favor of the passage of the bill.

Representatives Cheney and Christian spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5843.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5843, and the bill passed the House by the following vote: Yeas, 58; Nays, 37; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Corry and Volz

SENATE BILL NO. 5843, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5690, by Senate Committee on Human Services (originally sponsored by Dhingra, Nobles, Saldaña and Wilson, C.)**

### Concerning conditional release transition teams.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Civil Rights & Judiciary was before the House for purpose of amendment. For Committee amendment, see Journal, Day 44, Tuesday, February 20, 2024.

Representative Farivar moved the adoption of amendment (1093) to the committee striking amendment:

On page 6, line 25 of the striking amendment, after "considered for" strike "unescorted access to the community" and insert "partial conditional release"

On page 7, line 5 of the striking amendment, after "considered for" strike "unescorted access to the community" and insert "partial conditional release"

Representatives Farivar and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1093) to the committee striking amendment was adopted.

Representative Cheney moved the adoption of amendment (1113) to the committee striking amendment:

On page 9, line 5 of the striking amendment, after "(b)" insert "Before ordering conditional release to a proposed less restrictive alternative, the court must consider the report of the community corrections officer with any additional recommended conditions, and the

recommendation of the independent public safety review panel under RCW 10.77.270."

Representatives Cheney, Walsh and Graham spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Farivar spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of amendment (1113) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 44; Nays, 51; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Barkis, Barnard, Bronoske, Calder, Chambers, Cheney, Christian, Connors, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Orwall, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler, Corry and Volz

Amendment (1113) to the committee striking amendment was not adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Farivar spoke in favor of the passage of the bill.

Representatives Walsh, Griffey, Couture and Graham spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5690, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5690, as amended by the House, and the bill passed the House by the following vote: Yeas, 59; Nays, 36; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Calder, Chambers, Cheney, Christian, Connors, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Corry and Volz

ENGROSSED SUBSTITUTE SENATE BILL NO. 5690, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5785, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Warnick, Shewmake, Liias, Mullet, Nobles, Saldaña and Van De Wege)**

**Concerning department of fish and wildlife authority with regard to certain nonprofit and volunteer organizations.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Agriculture & Natural Resources was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Dent and Reeves spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5785, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5785, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry and Volz

SUBSTITUTE SENATE BILL NO. 5785, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6027, by Senators Stanford, Kuderer and Nobles**

**Concerning the insurance holding company act.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hackney and Robertson spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6027.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 6027, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry and Volz

SENATE BILL NO. 6027, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5973, by Senate Committee on Law & Justice (originally sponsored by Liias, Nguyen, Kuderer, Mullet, Nobles, Shewmake and Valdez)**

**Concerning heat pumps in common interest communities.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ramel and Klicker spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5973.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5973, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry and Volz

ENGROSSED SUBSTITUTE SENATE BILL NO. 5973, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5649, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Braun)**

**Concerning floodproofing improvements to residential structures undertaken in accordance with the Chehalis basin strategy.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Local Government was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Goehner, Duerr and Abbarno spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5649, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5649, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry and Volz

SUBSTITUTE SENATE BILL NO. 5649, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6017, by Senators Shewmake, King, Liias and Nobles**

**Expanding the use of the border area fuel tax.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Timmons and Hutchins spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6017.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 6017, and the bill passed the House by the following vote: Yeas, 90; Nays, 5; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman,

Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Jacobsen, McEntire, Orcutt and Walsh

Excused: Representatives Chandler, Corry and Volz

SENATE BILL NO. 6017, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5983, by Senate Committee on Health & Long Term Care (originally sponsored by Liias, Rivers, Dhingra, Nobles, Pedersen, Robinson and Van De Wege)**

**Implementing recommendations from the 2022 sexually transmitted infection and hepatitis B virus legislative advisory group for the treatment of syphilis.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Health Care & Wellness was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Bateman and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5983, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5983, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry and Volz

ENGROSSED SUBSTITUTE SENATE BILL NO. 5983, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5840, by Senate Committee on Law & Justice (originally sponsored by Padden, Pedersen and Kuderer)**

**Concerning leases.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Klicker and Alvarado spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5840.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5840, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry and Volz

SUBSTITUTE SENATE BILL NO. 5840, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5804, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Kuderer, Wellman, Dhingra, Frame, Hasegawa, Hunt, Liias, Lovelett, Nguyen, Nobles, Stanford, Valdez and Wilson, C.)**

**Concerning opioid overdose reversal medication in public schools.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Education was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Santos and Rude spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5804, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5804, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris,



Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker  
Excused: Representatives Chandler, Corry and Volz

SUBSTITUTE SENATE BILL NO. 5804, as amended by the House, having received the necessary constitutional majority, was declared passed.

### RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which ENGROSSED SUBSTITUTE SENATE BILL NO. 5690, as amended by the House, passed the House.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5690, as amended by the House, on reconsideration.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5690, as amended by the House, on reconsideration, and the bill passed the House by the following vote: Yeas, 58; Nays, 37; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Corry and Volz

ENGROSSED SUBSTITUTE SENATE BILL NO. 5690, as amended by the House, on reconsideration, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

### SECOND READING

**SUBSTITUTE SENATE BILL NO. 6157, by Senate Committee on State Government & Elections (originally sponsored by Lovick, Hasegawa, Hunt, Kuderer, Saldaña, Salomon, Torres, Trudeau, Valdez and Wilson, C.)**

**Reforming civil service to permit deferred action for childhood arrivals recipients to apply for civil service and incorporate civil service advantage for bilingual and multilingual applicants, applicants with higher education, and applicants with prior work experience in social services.**

The bill was read the second time.

Representative Cheney moved the adoption of amendment (1122):

On page 6, after line 29, insert the following:

**"NEW SECTION. Sec. 9.** A new section is added to chapter 41.04 to read as follows:

Any agency that employs a deferred action for childhood arrivals recipient under RCW 41.08.070, RCW 41.12.070, RCW 41.14.100, or RCW 77.15.075 may not be held liable for any breach of contract resulting from changes in federal law that would prohibit the agency from employing a deferred action for childhood arrivals recipient."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 9, after line 18, insert the following:

**"Sec. 10.** RCW 41.06.157 and 2015 3rd sp.s. c 1 s 315 are each amended to read as follows:

(1) To promote the most effective use of the state's workforce and improve the effectiveness and efficiency of the delivery of services to the citizens of the state, the director shall adopt and maintain a comprehensive classification plan for all positions in the classified service. The classification plan must:

- (a) Be simple and streamlined;
- (b) Support state agencies in responding to changing technologies, economic and social conditions, and the needs of its citizens;
- (c) Value workplace diversity;
- (d) Facilitate the reorganization and decentralization of governmental services;
- (e) Enhance mobility and career advancement opportunities; ~~(and)~~
- (f) Consider rates in other public employment and private employment in the state; and

(g) Recognize that persons legally authorized to work in the United States under federal law, including deferred action for childhood arrivals recipients, are eligible for employment unless prohibited by other state or federal law.

(2) An appointing authority and an employee organization representing classified employees of the appointing authority for collective bargaining purposes may jointly request the director of financial management to initiate a classification study.

(3) For institutions of higher education and related boards, the director may adopt special salary ranges to be competitive with positions of a similar nature in the state or the locality in which the institution of higher education or related board is located.

(4) The director may undertake salary surveys of positions in other public and private employment to establish market rates. Any salary survey information collected from private employers which identifies a specific employer with salary rates which the employer pays to its employees shall not be subject to public disclosure under chapter 42.56 RCW."

Correct the title.

Representatives Cheney and Ramos spoke in favor of the adoption of the amendment.

Amendment (1122) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Mena, Cheney and Ybarra spoke in favor of the passage of the bill.

#### MOTION

On motion of Representative Griffey, Representative Dye was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6157, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6157, as amended by the House, and the bill passed the House by the following vote: Yeas, 83; Nays, 11; Absent, 0; Excused, 4

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Leavitt, Lekanoff, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Christian, Eslick, Graham, Jacobsen, Kretz, Low, Maycumber, McEntire, Orcutt and Walsh

Excused: Representatives Chandler, Corry, Dye and Volz

SUBSTITUTE SENATE BILL NO. 6157, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5786, by Senate Committee on Law & Justice (originally sponsored by Pedersen, Padden, Mullet, Nobles and Salomon)**

**Making updates to the Washington business corporation act.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Taylor and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5786.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5786, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry, Dye and Volz

SUBSTITUTE SENATE BILL NO. 5786, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5805, by Senators Frame, Boehnke, Kuderer, Nguyen, Nobles, Trudeau and Wilson, C.**

**Developing a schedule for court appointment of attorneys for children and youth in dependency and termination proceedings.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Civil Rights & Judiciary was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Taylor and Cheney spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5805, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5805, as amended by the House, and the bill passed the House by the following vote: Yeas, 62; Nays, 32; Absent, 0; Excused, 4

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Harris, Kloba, Leavitt, Lekanoff, Macri, McClintock, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Christian, Connors, Couture, Dent, Eslick, Goehner, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Wilcox and Ybarra

Excused: Representatives Chandler, Corry, Dye and Volz

SENATE BILL NO. 5805, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5913, by Senators Valdez, MacEwen, Hunt and Nobles**

**Concerning communication between employees of state institutions of higher education and student athletes regarding name, image, and likeness use.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Berg and Low spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5913.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5913, and the bill passed the House by the following vote: Yeas, 92; Nays, 2; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Cheney and Hutchins

Excused: Representatives Chandler, Corry, Dye and Volz

SENATE BILL NO. 5913, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 6151, by Senators Randall, Wilson, C., Nobles, Trudeau, Kuderer, Dhingra, Frame, Hasegawa, Keiser, Liias, Saldaña, Stanford and Valdez**

#### Concerning the provision of an ultrasound.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Health Care & Wellness was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Bateman, Schmick, Caldier and Connors spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6151, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6151, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber,

McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry, Dye and Volz

ENGROSSED SENATE BILL NO. 6151, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5884, by Senators Trudeau, Pedersen, Dhingra, Hasegawa, Lovelett, Nobles, Saldaña, Salomon, Stanford and Valdez**

#### Concerning court-ordered restitution in environmental criminal cases.

The bill was read the second time.

Representative Cheney moved the adoption of the striking amendment (1116):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 90.48 RCW to read as follows:

In determining restitution following a criminal conviction under this chapter or chapter 90.56 RCW, the court is authorized to order restitution for harm to natural resources or the environment. A restitution order must be based on the existence of a causal relationship between the crime charged and proven and harm to natural resources or the environment. A restitution order for a felony or misdemeanor conviction under this chapter or under chapter 90.56 RCW must be consistent with the provisions of RCW 9.94A.753(3).

**NEW SECTION. Sec. 2.** A new section is added to chapter 70A.15 RCW to read as follows:

In determining restitution following a criminal conviction under this chapter, the court is authorized to order restitution for harm to natural resources or the environment. A restitution order must be based on the existence of a causal relationship between the crime charged and proven and harm to natural resources or the environment. A restitution order for a felony or misdemeanor conviction under this chapter must be consistent with the provisions of RCW 9.94A.753(3).

**NEW SECTION. Sec. 3.** A new section is added to chapter 70A.300 RCW to read as follows:

In determining restitution following a criminal conviction under this chapter, the court is authorized to order restitution for harm to natural resources or the environment. A restitution order must be based on the existence of a causal relationship between the crime charged and proven and harm to natural resources or the environment. A restitution order for a felony or misdemeanor conviction under this

chapter must be consistent with the provisions of RCW 9.94A.753(3)."

Correct the title.

Representatives Cheney and Stokesbary spoke in favor of the adoption of the striking amendment.

Representative Mena spoke against the adoption of the striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 36 - YEAS; 57 - NAYS.

The striking amendment (1116) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Mena spoke in favor of the passage of the bill.

Representatives Abbarno, Cheney and Stokesbary spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5884.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5884, and the bill passed the House by the following vote: Yeas, 58; Nays, 36; Absent, 0; Excused, 4

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Corry, Dye and Volz

SENATE BILL NO. 5884, having received the necessary constitutional majority, was declared passed.

**SECOND SUBSTITUTE SENATE BILL NO. 5444, by Senate Committee on Ways & Means (originally sponsored by Valdez, Hunt, Kuderer, Nguyen, Pedersen and Saldaña)**

**Restricting the possession of weapons, excluding carrying a pistol by a person licensed to carry a concealed pistol, on the premises of libraries, zoos, aquariums, and transit facilities.**

The bill was read the second time.

Representative Farivar moved the adoption of amendment (1115):

On page 3, at the beginning of line 14, beginning with "including" strike all material through "system" on line 24 and insert ". For purposes of this subsection, "transit station" and "transit facility" have the same meaning as defined in RCW 9.91.025. "Transit station" and "transit facility" do not include any "transit

vehicle" as that term is defined in RCW 9.91.025"

Representatives Farivar and Walsh spoke in favor of the adoption of the amendment.

Amendment (1115) was adopted.

Representative Walsh moved the adoption of amendment (1131):

On page 7, line 6, after "(16)" strike "Any" and insert "((Any)) Except as provided in subsection (17), any"

On page 7, after line 7, insert the following:

"(17) Any person violating subsection (1) or (2) of this section is guilty of a class C felony if the person has a prior conviction for a criminal street gang-related offense, most serious offense, violent offense, or sex offense as those terms are defined in RCW 9.94A.030; or has been sentenced to additional time in total confinement pursuant to RCW 9.94A.533(3) or (4)."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Correct the title.

Representative Walsh spoke in favor of the adoption of the amendment.

Representative Farivar spoke against the adoption of the amendment.

Amendment (1131) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Senn spoke in favor of the passage of the bill.

Representatives Walsh, Graham and Abbarno spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5444, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5444, as amended by the House, and the bill passed the House by the following vote: Yeas, 58; Nays, 36; Absent, 0; Excused, 4

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Corry, Dye and Volz

SECOND SUBSTITUTE SENATE BILL NO. 5444, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5925, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Torres, Lovelett, Short and Van De Wege)**

**Concerning fire protection district commissioner per diem compensation.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goehner and Duerr spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5925.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5925, and the bill passed the House by the following vote: Yeas, 93; Nays, 1; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Entenman

Excused: Representatives Chandler, Corry, Dye and Volz

SUBSTITUTE SENATE BILL NO. 5925, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6140, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Short, Lovelett, Braun and Kuderer)**

**Concerning limited areas of more intensive rural development.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goehner and Duerr spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6140.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6140, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Corry, Dye and Volz

SUBSTITUTE SENATE BILL NO. 6140, having received the necessary constitutional majority, was declared passed.

#### RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SENATE BILL NO. 5805, as amended by the House, passed the House.

There being no objection, the rules were suspended, and SENATE BILL NO. 5805 was returned to second reading for the purpose of amendment.

There being no objection, the committee striking amendment by the Committee on Civil Rights & Judiciary was not adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Taylor spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5805, on reconsideration.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5805, on reconsideration, and the bill passed the House by the following vote: Yeas, 58; Nays, 36; Absent, 0; Excused, 4

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Corry, Dye and Volz

SENATE BILL NO. 5805, on reconsideration, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

## SECOND READING

**SUBSTITUTE SENATE BILL NO. 5917, by Senate Committee on Law & Justice (originally sponsored by Billig, Dhingra, Pedersen, Trudeau, Hasegawa, Kuderer, Liias, Lovick, Mullet, Nguyen, Nobles, Salomon, Valdez and Wilson, C.)**

**Concerning criminal penalties for bias-motivated defacement of private or public property.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Mosbrucker spoke in favor of the passage of the bill.

Representative Jacobsen spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5917.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5917, and the bill passed the House by the following vote: Yeas, 68; Nays, 27; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Connors, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Griffey, Hackney, Harris, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wylie and Mme. Speaker

Voting Nay: Representatives Barkis, Caldier, Chambers, Cheney, Christian, Corry, Dent, Goehner, Graham, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Orcutt, Robertson, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Wilcox and Ybarra

Excused: Representatives Chandler, Dye and Volz

SUBSTITUTE SENATE BILL NO. 5917, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 5790, by Senators Dhingra, Wellman, Kuderer, Nobles, Trudeau, Hunt, Fortunato, Hasegawa, Lovick, Saldaña, Stanford, Valdez, Van De Wege and Wilson, C.**

**Concerning bleeding control equipment in schools.**

The bill was read the second time.

Representative Stonier moved the adoption of amendment (1143):

On page 2, beginning on line 34, strike all of section 2

Correct the title.

Representative Stonier spoke in favor of the adoption of the amendment.

Representative Rude spoke against the adoption of the amendment.

An electronic roll call was requested.

## ROLL CALL

The Clerk called the roll on the adoption of amendment (1143) and the amendment was adopted by the following vote: Yeas, 56; Nays, 39; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Timmons, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Dye and Volz

Amendment (1143) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Santos and Rude spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5790, as amended by the House.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5790, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Dye and Volz

ENGROSSED SENATE BILL NO. 5790, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5998, by Senate Committee on Law & Justice (originally sponsored by Hansen, Billig, Dhingra, Nguyen and Saldaña)**

**Timing of eligibility for vacation of nonfelony convictions.**

The bill was read the second time.

Representative Cheney moved the adoption of amendment (1147):

On page 3, beginning on line 12, after "treatment" insert "or restitution"

On page 3, at the beginning of line 14, insert "non-restitution"

On page 3, line 18, after "later of" insert ": the applicant completed payment of any restitution imposed as a condition of sentencing;"

With the consent of the House, Representative Cheney withdrew amendment (1147).

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Simmons spoke in favor of the passage of the bill.

Representative Mosbrucker spoke against the passage of the bill.

#### MOTION

On motion of Representative Griffey, Representative Kretz was excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5998.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5998, and the bill passed the House by the following vote: Yeas, 58; Nays, 36; Absent, 0; Excused, 4

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Dye, Kretz and Volz

SUBSTITUTE SENATE BILL NO. 5998, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6108, by Senate Committee on Labor & Commerce (originally sponsored by King, Stanford and Mullet)**

**Addressing retainage on private construction projects.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmidt and Berry spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6108.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6108, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Dye, Kretz and Volz

SUBSTITUTE SENATE BILL NO. 6108, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5891, by Senate Committee on Law & Justice (originally sponsored by Boehnke, Lovick, Keiser, Liias, Mullet, Torres, Wagoner, Warnick, Wilson, C. and Wilson, J.)**

**Designating trespassing on a school bus as a felony offense.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Community Safety, Justice, & Reentry was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Klicker, Goodman and Barnard spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5891, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5891, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Dye, Kretz and Volz

ENGROSSED SUBSTITUTE SENATE BILL NO. 5891, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 6105, by Senate Committee on Labor & Commerce (originally sponsored by Saldaña, Trudeau, Nguyen, Hunt, Lovelett, Pedersen and Wilson, C.)**

**Creating safer working conditions in adult entertainment establishments.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Labor & Workplace Standards was before the House for purpose of amendment. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

With the consent of the House, amendment (1151) was withdrawn.

Representative Walen moved the adoption of amendment (1121) to the committee striking amendment:

On page 1, line 28 of the striking amendment, after "(i)" strike "July" and insert "March"

On page 3, line 11 of the striking amendment, after "procedures" insert "for implementing the requirements of this subsection, which must include a process"

On page 3, line 13 of the striking amendment, after "subsection" insert ". Upon the request of the department, an establishment must make written policies and procedures and any records under this subsection available for inspection by the department"

On page 3, line 16 of the striking amendment, after "security" insert "including monitoring interactions between entertainers and patrons"

On page 4, line 1 of the striking amendment, after "(8)" insert "(a)"

On page 4, beginning on line 3 of the striking amendment, after "chapter" strike all material through "alcohol." on line 8 and insert "

(b) If an establishment is eligible for and applies for a license under chapter 66.24 RCW and any applicable rules, the liquor and cannabis board must notify the department. The department must conduct an inspection of the establishment to verify compliance with this section within 90 days of receipt of the notice under this subsection. The department must share information regarding violations of this section with the liquor and cannabis board.

(c) The liquor and cannabis board must notify the department if it observes a violation of subsection (3), (5), or (6) of this section on the premises of any establishment operating with a license under chapter 66.24 RCW."

On page 8, after line 3 of the striking amendment, insert the following:

"NEW SECTION. Sec. 5. The liquor and cannabis board shall repeal WAC 314-11-050 in its entirety. The liquor and cannabis board is preempted from adopting any similar rule as provided under section 4 of this act."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Walen and Rude spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1121) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Walen, Pollet, Macri and Wylie spoke in favor of the passage of the bill.

Representative Rude spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6105, as amended by the House.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6105, as amended by the House, and the bill passed the House by the following vote: Yeas, 58; Nays, 36; Absent, 0; Excused, 4

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kloba, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Dye, Kretz and Volz

ENGROSSED SUBSTITUTE SENATE BILL NO. 6105, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

## MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

SENATE BILL NO. 5180  
ENGROSSED SENATE BILL NO. 5241  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5424  
SUBSTITUTE SENATE BILL NO. 5427  
ENGROSSED SENATE BILL NO. 5462  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5589  
ENGROSSED SENATE BILL NO. 5632



SUBSTITUTE SENATE BILL NO. 5774  
     SENATE BILL NO. 5800  
 SUBSTITUTE SENATE BILL NO. 5803  
 SUBSTITUTE SENATE BILL NO. 5806  
     SENATE BILL NO. 5811  
 SECOND SUBSTITUTE SENATE BILL NO. 5825  
     SUBSTITUTE SENATE BILL NO. 5829  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
     5853  
     SENATE BILL NO. 5904  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
     5908  
     SUBSTITUTE SENATE BILL NO. 5920  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
     5937  
     SUBSTITUTE SENATE BILL NO. 5953  
     SUBSTITUTE SENATE BILL NO. 5986  
     SUBSTITUTE SENATE BILL NO. 6025  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
     6109  
     SENATE BILL NO. 6229  
     SENATE BILL NO. 6283  
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8009  
     HOUSE BILL NO. 2489  
     SUBSTITUTE SENATE BILL NO. 5306  
 SECOND ENGROSSED SECOND SUBSTITUTE SENATE  
     BILL NO. 5580  
     SENATE BILL NO. 5631  
     SUBSTITUTE SENATE BILL NO. 5667  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5801  
     SUBSTITUTE SENATE BILL NO. 5869  
     SENATE BILL NO. 6079  
     SENATE BILL NO. 6084  
     SUBSTITUTE SENATE BILL NO. 6164  
     SUBSTITUTE SENATE BILL NO. 6192

There being no objection, the House adjourned until 10:00  
 a.m., Wednesday, February 28, 2024, the 52nd Day of the 2024  
 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

FIFTY SECOND DAY

House Chamber, Olympia, Wednesday, February 28, 2024

The House was called to order at 10:00 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the sixth order of business.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Girl Scout Troops 46836 and 46735. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Dr. Kelle Brown, Senior Pastor, Plymouth Church, Seattle.

SECOND READING

**SUBSTITUTE SENATE BILL NO. 5986, by Senate Committee on Ways & Means (originally sponsored by Cleveland, Muzzall, Hasegawa, Kuderer, Mullet, Nobles, Randall, Salomon, Valdez and Wellman)**

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

**Protecting consumers from out-of-network health care services charges.**

SPEAKER'S PRIVILEGE

The Speaker (Representative Bronoske presiding) is pleased to recognize guests, including Andrea Anderson, CEO, Girl Scouts of Western Washington, who are with us today in recognition of House Resolution 4683, Celebrating the Girl Scouts.

The bill was read the second time.

The Speaker assumed the chair.

There being no objection, the committee striking amendment by the Committee on Health Care & Wellness was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

- HOUSE BILL NO. 1879
- HOUSE BILL NO. 1890
- HOUSE BILL NO. 1898
- SUBSTITUTE HOUSE BILL NO. 1947
- HOUSE BILL NO. 1948
- HOUSE BILL NO. 1978
- HOUSE BILL NO. 1987
- SUBSTITUTE HOUSE BILL NO. 2015
- SUBSTITUTE HOUSE BILL NO. 2086
- ENGROSSED HOUSE BILL NO. 2088
- SUBSTITUTE HOUSE BILL NO. 2156
- SUBSTITUTE HOUSE BILL NO. 2165
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2256

Representatives Riccelli, Schmick and Hutchins spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Ramel, Representative Morgan was excused.

On motion of Representative Griffey, Representative Chandler was excused.

The Speaker called upon Representative Bronoske to preside.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5986, as amended by the House.

There being no objection, the House advanced to the third order of business.

ROLL CALL

MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5986, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2

The Senate has passed:

- HOUSE BILL NO. 1153
- HOUSE BILL NO. 1876
- SUBSTITUTE HOUSE BILL NO. 1889
- SUBSTITUTE HOUSE BILL NO. 1905
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2041
- SUBSTITUTE HOUSE BILL NO. 2048
- SUBSTITUTE HOUSE BILL NO. 2061
- HOUSE BILL NO. 2137
- SUBSTITUTE HOUSE BILL NO. 2329
- HOUSE BILL NO. 2433

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Harris  
Excused: Representatives Chandler and Morgan

and the same are herewith transmitted.

SUBSTITUTE SENATE BILL NO. 5986, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5853, by Senate Committee on Ways & Means (originally sponsored by Dhingra, Wagoner, Frame, Hasegawa, Kuderer, Lovelett, Lovick, Muzzall, Nguyen, Nobles, Shewmake, Stanford, Torres, Valdez and Wilson, C.)**

**Extending the crisis relief center model to provide behavioral health crisis services for minors.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Senn and Eslick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5853.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5853, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Dent, Jacobsen, McEntire and Walsh

Excused: Representatives Chandler and Morgan

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5853, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5424, by Senate Committee on Labor & Commerce (originally sponsored by Lovick, Holy, Dhingra, Frame, Keiser, Kuderer, Shewmake, Stanford, Valdez, Warnick and Wellman)**

**Concerning flexible work for general and limited authority Washington peace officers.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Community Safety, Justice, & Reentry was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Shavers, Mosbrucker and Paul spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5424, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5424, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

ENGROSSED SUBSTITUTE SENATE BILL NO. 5424, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5803, by Senate Committee on Ways & Means (originally sponsored by Conway, Boehnke, Dozier, Frame, Holy, Hunt, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Nobles, Padden, Stanford, Wagoner, Warnick and Wellman)**

**Concerning the recruitment and retention of Washington national guard members.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Leavitt and Volz spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5803.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5803, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SUBSTITUTE SENATE BILL NO. 5803, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5801, by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Dozier, Pedersen, Hunt, Mullet and Wilson, J.)**

**Concerning special deposits.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walen and Robertson spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5801.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5801, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goeher, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

ENGROSSED SUBSTITUTE SENATE BILL NO. 5801, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

**SECOND READING**

**ENGROSSED SUBSTITUTE SENATE BILL NO. 6009, by Senate Committee on Law & Justice (originally sponsored by Trudeau, Lovick, Frame, Hasegawa, Nguyen, Nobles, Saldaña, Stanford, Valdez, Wellman and Wilson, C.)**

**Prohibiting the use of hog-tying.**

The bill was read the second time.

With the consent of the House, amendments (1152) and (1153) were withdrawn.

Representative Graham moved the adoption of amendment (1130):

On page 2, after line 15, insert the following:

**"NEW SECTION. Sec. 3.** A new section is added to chapter 43.101

RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the commission shall establish and administer a grant program for law enforcement agencies, as defined in RCW 10.116.010, to acquire alternatives to hog-tie restraints and

related training. The commission shall give priority to smaller agencies and agencies with limited financial resources when selecting grant recipients. Amounts awarded through the grant program must include funding to acquire and properly train on the use of alternative equipment."

Correct the title.

Representative Graham spoke in favor of the adoption of the amendment.

Representative Goodman spoke against the adoption of the amendment.

Amendment (1130) was not adopted.

Representative Mena moved the adoption of the striking amendment (1129):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds it is imperative that our criminal justice systems, including the law enforcement profession, must secure public trust and ensure accountability. In order to do so, the legislature finds that it is important to discontinue practices and tactics that dehumanize and create unnecessary risk of harm and/or death to the people they serve. Additionally, it is important that law enforcement is using up-to-date tactics that come with adequate training from the criminal justice training commission to ensure continuity and oversight in the standards applied across the profession. This includes tactics that comply with the model use of force policies put forward by our state's attorney general.

The legislature finds that, in the quest to ensure that all communities are and feel safe, it is important to take guidance from published model policies, comport with statewide standards and training on restraint tactics, and prohibit hog-tying and other similar tactics that are inhumane, outdated, and have led to the unnecessary loss of human life.

**NEW SECTION. Sec. 2.** A new section is added to chapter 10.116 RCW to read as follows:

(1) A peace officer is prohibited from:  
(a) Hog-tying a person; or  
(b) Assisting in putting a person into a hog-tie.

(2) Hog-tying shall constitute the use of excessive force for the purposes of RCW 10.93.190.

(3) This section shall not be interpreted to prohibit the use of any other alternative restraint product or device that is administered to reduce the incidence of respiratory fatigue or positional asphyxia if such restraint product or device does not violate this section.

(4) For purposes of this section, "hog-tie" or "hog-tying" means fastening together bound or restrained ankles to bound or restrained wrists. "Hog-tie" or "hog-tying" does not include the following:

(a) Use of transport chains or waist chains to transport prisoners; or

(b) Use of a product or device that does not require bound or restrained ankles to be fastened together to bound or restrained wrists."

Correct the title.

Representative Graham moved the adoption of amendment (1148) to the striking amendment (1129):

On page 1, after line 20 of the striking amendment, insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 43.101

RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the commission shall establish and administer a grant program for law enforcement agencies, as defined in RCW 10.116.010, to acquire alternatives to hog-tie restraints and related training. The commission shall give priority to smaller agencies and agencies with limited financial resources when selecting grant recipients. Amounts awarded through the grant program must include funding to acquire and properly train on the use of alternative equipment."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Graham and Robertson spoke in favor of the adoption of the amendment to the striking amendment.

Representative Goodman spoke against the adoption of the amendment to the striking amendment.

Amendment (1148) to the striking amendment (1129) was not adopted.

Representatives Mena and Mosbrucker spoke in favor of the adoption of the striking amendment.

The striking amendment (1129) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Mena, Mosbrucker and Graham spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6009, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6009, as amended by the House, and the bill passed the House by the following vote: Yeas, 89; Nays, 7; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt,

Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Christian, Jacobsen, Klicker, McEntire, Orcutt and Walsh

Excused: Representatives Chandler and Morgan

ENGROSSED SUBSTITUTE SENATE BILL NO. 6009, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker called upon Representative Orwall to preside.

There being no objection, the House reverted to the third order of business.

#### MESSAGE FROM THE SENATE

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed:

HOUSE BILL NO. 1726  
SUBSTITUTE HOUSE BILL NO. 1880  
HOUSE BILL NO. 1901  
HOUSE BILL NO. 1955  
HOUSE BILL NO. 1962  
SUBSTITUTE HOUSE BILL NO. 1974  
HOUSE BILL NO. 2034  
SUBSTITUTE HOUSE BILL NO. 2075  
SECOND SUBSTITUTE HOUSE BILL NO. 2151  
SUBSTITUTE HOUSE BILL NO. 2216  
SUBSTITUTE HOUSE BILL NO. 2355  
SUBSTITUTE HOUSE BILL NO. 2368

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

#### MESSAGE FROM THE SENATE

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 6316

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the sixth order of business.

#### SECOND READING

**SENATE BILL NO. 5821, by Senators Muzzall, Randall, Kuderer and Rivers**

**Establishing a uniform standard for creating an established relationship for the purposes of coverage of audio-only telemedicine services.**

The bill was read the second time.

Representative Caldier moved the adoption of amendment (1156):

On page 3, line 25, after "delivered" insert "and furnish the patient with the name of a provider or provider group, with a physical address in Washington, to which the

patient will be referred if unable to be treated through audio-only telemedicine"

On page 7, line 37, after "delivered" insert "and furnish the patient with the name of a provider or provider group, with a physical address in Washington, to which the patient will be referred if unable to be treated through audio-only telemedicine"

On page 12, line 14, after "delivered" strike "and" and insert "((and))"

On page 12, line 15, after "recipients" insert ", and furnish the patient with the name of a provider or provider group, with a physical address in Washington, to which the patient will be referred if unable to be treated through audio-only telemedicine"

With the consent of the House, Representative Caldier withdrew amendment (1156).

Representative Caldier moved the adoption of amendment (1155):

On page 4, line 30, after "past" strike "three" and insert "((three)) two"

On page 4, beginning on line 31, after "appointment" strike all material through "technology," on line 32 and insert "((~~or at least one real-time interactive appointment using both audio and video technology,~~)"

On page 4, beginning on line 40, after "past" strike all material through "technology," on page 5, line 2 and insert "((three)) two years, at least one in-person appointment((~~, or at least one real-time interactive appointment using both audio and video technology,~~)"

On page 9, line 1, after "past" strike "three" and insert "((three)) two"

On page 9, beginning on line 2, after "appointment" strike all material through "technology," on line 3 and insert "((~~or at least one real-time interactive appointment using both audio and video technology,~~)"

On page 9, beginning on line 11, after "past" strike all material through "technology," on line 13 and insert "((three)) two years, at least one in-person appointment((~~, or at least one real-time interactive appointment using both audio and video technology,~~)"

On page 13, line 24, after "past" strike "three" and insert "((three)) two"

On page 13, beginning on line 25, after "appointment" strike all material through "technology," on line 26 and insert "((~~or at least one real-time interactive appointment using both audio and video technology,~~)"

On page 13, beginning on line 34, after "past" strike all material through "technology," on line 36 and insert "((three)) two years, at least one in-person

appointment((~~, or at least one real-time interactive appointment using both audio and video technology,~~))"

Representatives Caldier, Walsh and Orcutt spoke in favor of the adoption of the amendment.

Representative Riccelli spoke against the adoption of the amendment.

Amendment (1155) was not adopted.

Representative Caldier moved the adoption of amendment (1123):

On page 14, after line 34, insert the following:

"**NEW SECTION. Sec. 4.** A new section is added to chapter 48.43 RCW to read as follows:

(1) On January 31 of each year, a health carrier shall report to the commissioner on:

(a) The number and types of non-behavioral health services provided through audio-only telemedicine for which the health carrier reimbursed providers in the previous calendar year; and

(b) Whether the health carrier reimbursed a provider for duplicate in-person services provided to the same patient.

(2) By March 31 of each year, the commissioner shall aggregate the information received under subsection (1) of this section and submit a report to the appropriate standing committees of the legislature."

Correct the title.

With the consent of the House, Representative Caldier withdrew amendment (1123).

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Harris spoke in favor of the passage of the bill.

Representatives Schmick, Orcutt and Caldier spoke against the passage of the bill.

## MOTION

On motion of Representative Ramel, Representative Reeves was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5821.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5821, and the bill passed the House by the following vote: Yeas, 79; Nays, 16; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Rule, Ryu, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor,

Thai, Tharinger, Timmons, Volz, Walen, Waters, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barkis, Caldier, Chambers, Christian, Dye, Klicker, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Stokesbary, Walsh and Wilcox

Excused: Representatives Chandler, Morgan and Reeves

SENATE BILL NO. 5821, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Senate Bill No. 5821.  
Representative Barkis, 2nd District

#### SECOND READING

**ENGROSSED SENATE BILL NO. 5824, by Senators Hunt, Keiser, Kuderer, Liias and Nobles**

**Concerning the dissolution of libraries and library districts.**

The bill was read the second time.

Representative Reed moved the adoption of amendment (1150):

On page 1, beginning on line 12, after "~~library~~")" strike all material through "(b)" on line 13

Representative Reed spoke in favor of the adoption of the amendment.

Representative Cheney spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 55 - YEAS; 39 - NAYS.

Amendment (1150) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Ramos and Low spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5824, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5824, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 5; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Jacobsen, McEntire, Mosbrucker, Walsh and Waters

Excused: Representatives Chandler, Morgan and Reeves

ENGROSSED SENATE BILL NO. 5824, as amended by the House, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Senate Bill No. 5824.  
Representative Graham, 6th District

#### SECOND READING

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5589, by Senate Committee on Law & Justice (originally sponsored by Stanford)**

**Concerning probate.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Taylor spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5589.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5589, and the bill passed the House by the following vote: Yeas, 93; Nays, 2; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives McEntire and Walsh  
Excused: Representatives Chandler, Morgan and Reeves

ENGROSSED SUBSTITUTE SENATE BILL NO. 5589, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5774, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Billig, Hawkins, Wilson, C., Wellman, Dozier, Frame, Kuderer, Lovick, Mullet, Nguyen, Nobles, Padden, Salomon and Shewmake)**

**Increasing the capacity to conduct timely fingerprint-based background checks for prospective child care employees and other programs.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Human Services, Youth, & Early Learning

was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Senn and Eslick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5774, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5774, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Morgan and Reeves

SUBSTITUTE SENATE BILL NO. 5774, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5829, by Senate Committee on Health & Long Term Care (originally sponsored by Frame, Rivers, Shewmake, Trudeau, Lovelett, Dhingra, Hasegawa, Kuderer, Liias, Nobles, Valdez and Wilson, C.)**

**Screening newborn infants for congenital cytomegalovirus.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5829.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5829, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu,

Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Morgan and Reeves

SUBSTITUTE SENATE BILL NO. 5829, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5806, by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Kuderer, Hunt, Dhingra, Hasegawa and Nobles)**

**Concerning the confidentiality of insurance company data.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walen and Robertson spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5806.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5806, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Morgan and Reeves

SUBSTITUTE SENATE BILL NO. 5806, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5908, by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Frame, Billig, Dhingra, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Stanford, Trudeau and Valdez)**

**Providing extended foster care services to youth ages 18 to 21.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Human Services, Youth, & Early Learning was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Cortes spoke in favor of the passage of the bill.



Representative Couture spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5908, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5908, as amended by the House, and the bill passed the House by the following vote: Yeas, 57; Nays, 38; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Morgan and Reeves

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5908, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5427, by Senate Committee on Ways & Means (originally sponsored by Valdez, Billig, Cleveland, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Saldaña, Salomon, Stanford and Wilson, C.)**

**Supporting people who have been targeted or affected by hate crimes and bias incidents by establishing a reporting hotline and tracking hate crimes and bias incidents.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Taylor and Santos spoke in favor of the passage of the bill.

Representatives Walsh and Jacobsen spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5427.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5427, and the bill passed the House by the following vote: Yeas, 56; Nays, 39; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Morgan and Reeves

SUBSTITUTE SENATE BILL NO. 5427, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6229, by Senators Shewmake, Cleveland, King, Holy, Liias, Lovick and Nobles**

**Modifying match requirements for the green transportation capital grant program.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Timmons and Robertson spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 6229.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6229, and the bill passed the House by the following vote: Yeas, 74; Nays, 21; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Connors, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Caldier, Chambers, Christian, Corry, Couture, Dent, Dye, Goehner, Graham, Griffey, Harris, Jacobsen, Klicker, McEntire, Sandlin, Schmick, Steele, Volz, Walsh, Waters and Ybarra

Excused: Representatives Chandler, Morgan and Reeves

SENATE BILL NO. 6229, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6079, by Senators Boehnke and Wilson, C.**

**Making juvenile detention records available to managed health care systems.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Couture and Senn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 6079.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6079, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Morgan and Reeves

SENATE BILL NO. 6079, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6283, by Senators Nobles, Billig, Shewmake, Holy, King, Liias, Lovick, Wilson, C., Wilson, J., Valdez, Kauffman, Hawkins, Lovelett, Padden, Fortunato, Cleveland, Trudeau, Frame, Hasegawa, Kuderer, Saldaña and Stanford**

**Eliminating the expiration date for the Sandy Williams connecting communities program.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Donaghy, Low and Riccelli spoke in favor of the passage of the bill.

Representative Goehner spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 6283.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6283, and the bill passed the House by the following vote: Yeas, 87; Nays, 8; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Dent, Goehner, Graham, Jacobsen, McEntire, Sandlin, Steele and Walsh

Excused: Representatives Chandler, Morgan and Reeves

SENATE BILL NO. 6283, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE JOINT MEMORIAL NO. 8009, by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Hasegawa, Wagoner, Dozier, Fortunato, Frame and Stanford)**

**Concerning the federal harbor maintenance tax.**

The bill was read the second time.

Representative Orcutt moved the adoption of amendment (1154):

Beginning on page 2, line 39, after "(1)" strike all material through "(2)" on page 3, line 6

On page 3, at the beginning of line 11, strike "(3)" and insert "(2)"

On page 3, at the beginning of line 17, strike "(4)" and insert "(3)"

On page 3, at the beginning of line 22, strike "(5)" and insert "(4)"

On page 3, after line 27, insert the following:

"(5) Congress shall conduct a study that includes the following:

(i) Assesses the degree to which the harbor maintenance tax causes the redirection of imports through foreign ports in Canada and Mexico; and

(ii) Assesses if additional harbor maintenance tax appropriations to donor ports would incentivize importers who currently divert imports through foreign ports to begin to import through domestic ports."

Representative Orcutt spoke in favor of the adoption of the amendment.

Representative Berg spoke against the adoption of the amendment.

Amendment (1154) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Berg spoke in favor of the passage of the memorial.

Representative Orcutt spoke against the passage of the memorial.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Joint Memorial No. 8009.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Joint Memorial No. 8009, and the bill passed the House by the following vote: Yeas, 83; Nays, 12; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Harris, Hutchins, Jacobsen, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Christian, Couture, Dent, Graham, Griffey, Klicker, Orcutt, Sandlin, Schmidt and Volz

Excused: Representatives Chandler, Morgan and Reeves

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8009, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

## SECOND READING

**SENATE BILL NO. 5800, by Senators Wilson, C., Torres, Billig, Kuderer, Mullet, Nobles and Shewmake**

**Improving access to department of licensing issued documents by clarifying the application requirements for a minor, modifying the requirements for at-cost identicards, and studying the feasibility of reduced-fee identicards.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Transportation was adopted. For Committee amendment, see Journal, Day 48, Saturday, February 24, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Entenman and Robertson spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5800, as amended by the House.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5800, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Morgan and Reeves

SENATE BILL NO. 5800, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6109, by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Boehnke, Braun, Gildon, Hasegawa, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Saldaña, Short, Warnick and Wilson, J.)**

**Supporting children and families.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Human Services, Youth, & Early Learning

was not adopted. For Committee amendment, see Journal, Day 44, Tuesday, February 20, 2024.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

Representative Couture moved the adoption of amendment (1164) to the committee striking amendment:

On page 1, beginning on line 16 of the striking amendment, after "that" strike all material through "neglect" on line 20 and insert "there is a rebuttable presumption that removal of the child is necessary to prevent imminent physical harm when a parent's use or possession of a high-potency synthetic opioid, or failure to protect a child from another individual's use or possession of a high-potency synthetic opioid, creates a risk that a child will be exposed to, ingest, inhale, or have contact with a high-potency synthetic opioid"

On page 7, beginning on line 3 of the striking amendment, strike all of sections 102, 103, and 104 and insert the following:

**"Sec. 1.** RCW 13.34.050 and 2021 c 211 s 6 are each amended to read as follows:

(1)(a) The court may enter an order directing a law enforcement officer, probation counselor, or child protective services official to take a child into custody if: ~~((+a))~~ (i) A petition is filed with the juvenile court with sufficient corroborating evidence to establish that the child is dependent; ~~((+b))~~ (ii) the allegations contained in the petition, if true, establish that there are reasonable grounds to believe that removal is necessary to prevent imminent physical harm to the child due to child abuse or neglect ~~((- including that which results from sexual abuse, sexual exploitation, or a pattern of severe neglect))~~; and ~~((+e))~~ (iii) an affidavit or declaration is filed by the department in support of the petition setting forth specific factual information evidencing insufficient time to serve a parent with a dependency petition and hold a hearing prior to removal.

(b) The child abuse or neglect establishing the basis for a determination of imminent physical harm under (a) of this subsection may include, but is not limited to, child abuse or neglect resulting from:

- (i) Sexual abuse;
- (ii) Sexual exploitation;
- (iii) A high-potency synthetic opioid; or
- (iv) A pattern of severe neglect.

(c) There is a rebuttable presumption that removal of the child is necessary to prevent imminent physical harm when a parent's use or possession of a high-potency synthetic opioid or failure to protect a child from another individual's use or possession of a high-potency synthetic opioid creates a risk that a child will be exposed to, ingest, inhale, or have contact with a high-potency synthetic opioid. A parent's promise to secure high-potency synthetic opioids or use them only when the child is not in the vicinity is not

sufficient to overcome this rebuttable presumption.

(2) Any petition that does not have the necessary affidavit or declaration demonstrating a risk of imminent harm requires that the parents are provided notice and an opportunity to be heard before the order may be entered.

(3) The petition and supporting documentation must be served on the parent, and if the child is in custody at the time the child is removed, on the entity with custody other than the parent. If the court orders that a child be taken into custody under subsection (1) of this section, the petition and supporting documentation must be served on the parent at the time of the child's removal unless, after diligent efforts, the parents cannot be located at the time of removal. If the parent is not served at the time of removal, the department shall make diligent efforts to personally serve the parent. Failure to effect service does not invalidate the petition if service was attempted and the parent could not be found.

**Sec. 2.** RCW 13.34.065 and 2021 c 211 s 9, 2021 c 208 s 1, and 2021 c 67 s 4 are each reenacted and amended to read as follows:

(1)(a) When a child is removed or when the petitioner is seeking the removal of a child from the child's parent, guardian, or legal custodian, the court shall hold a shelter care hearing within 72 hours, excluding Saturdays, Sundays, and holidays. The primary purpose of the shelter care hearing is to determine whether the child can be immediately and safely returned home while the adjudication of the dependency is pending. The court shall hold an additional shelter care hearing within 72 hours, excluding Saturdays, Sundays, and holidays if the child is removed from the care of a parent, guardian, or legal custodian at any time after an initial shelter care hearing under this section.

(b) Any child's attorney, parent, guardian, or legal custodian who for good cause is unable to attend or adequately prepare for the shelter care hearing may request that the initial shelter care hearing be continued or that a subsequent shelter care hearing be scheduled. The request shall be made to the clerk of the court where the petition is filed prior to the initial shelter care hearing. Upon the request of the child's attorney, parent, guardian, or legal custodian, the court shall schedule the hearing within 72 hours of the request, excluding Saturdays, Sundays, and holidays. The clerk shall notify all other parties of the hearing by any reasonable means. If the parent, guardian, or legal custodian is not represented by counsel, the clerk shall provide information to the parent, guardian, or legal custodian regarding how to obtain counsel.

(2)(a) If it is likely that the child will remain in shelter care longer than 72 hours, the department shall submit a recommendation to the court as to the further need for shelter care in all cases in which the child will remain in shelter

care longer than the 72 hour period. In all other cases, the recommendation shall be submitted by the juvenile court probation counselor.

(b) All parties have the right to present testimony to the court regarding the need or lack of need for shelter care.

(c) Hearsay evidence before the court regarding the need or lack of need for shelter care must be supported by sworn testimony, affidavit, or declaration of the person offering such evidence.

(3)(a) At the commencement of the hearing, the court shall notify the parent, guardian, or custodian of the following:

(i) The parent, guardian, or custodian has the right to a shelter care hearing;

(ii) The nature of the shelter care hearing, the rights of the parents, and the proceedings that will follow; and

(iii) If the parent, guardian, or custodian is not represented by counsel, the right to be represented. If the parent, guardian, or custodian is indigent, the court shall appoint counsel as provided in RCW 13.34.090; and

(b) If a parent, guardian, or legal custodian desires to waive the shelter care hearing, the court shall determine, on the record and with the parties present, whether such waiver is knowing and voluntary. A parent may not waive his or her right to the shelter care hearing unless he or she appears in court, in person, or by remote means, and the court determines that the waiver is knowing and voluntary. Regardless of whether the court accepts the parental waiver of the shelter care hearing, the court must provide notice to the parents of their rights required under (a) of this subsection and make the finding required under subsection (4) of this section.

(4) At the shelter care hearing the court shall examine the need for shelter care and inquire into the status of the case. The paramount consideration for the court shall be the health, welfare, and safety of the child. At a minimum, the court shall inquire into the following:

(a) Whether the notice required under RCW 13.34.062 was given to all known parents, guardians, or legal custodians of the child. The court shall make an express finding as to whether the notice required under RCW 13.34.062 was given to the parent, guardian, or legal custodian. If actual notice was not given to the parent, guardian, or legal custodian and the whereabouts of such person is known or can be ascertained, the court shall order the department to make diligent efforts to advise the parent, guardian, or legal custodian of the status of the case, including the date and time of any subsequent hearings, and their rights under RCW 13.34.090;

(b) Whether the child can be safely returned home while the adjudication of the dependency is pending;

(c) What efforts have been made to place the child with a relative. The court shall ask the parents whether the department discussed with them the placement of the child with a relative or other suitable person described in RCW 13.34.130(1)(b) and shall determine what efforts have been made toward such a placement;

(d) What services were provided to the family to prevent or eliminate the need for removal of the child from the child's home. If the dependency petition or other information before the court alleges that experiencing homelessness or the lack of suitable housing was a significant factor contributing to the removal of the child, the court shall inquire as to whether housing assistance was provided to the family to prevent or eliminate the need for removal of the child or children;

(e) Is the placement proposed by the department the least disruptive and most family-like setting that meets the needs of the child;

(f) Whether it is in the best interest of the child to remain enrolled in the school, developmental program, or child care the child was in prior to placement and what efforts have been made to maintain the child in the school, program, or child care if it would be in the best interest of the child to remain in the same school, program, or child care;

(g) Appointment of a guardian ad litem or attorney;

(h) Whether the child is or may be an Indian child as defined in RCW 13.38.040, whether the provisions of the federal Indian child welfare act or chapter 13.38 RCW apply, and whether there is compliance with the federal Indian child welfare act and chapter 13.38 RCW, including notice to the child's tribe;

(i) Whether, as provided in RCW 26.44.063, restraining orders, or orders expelling an allegedly abusive household member from the home of a nonabusive parent, guardian, or legal custodian, will allow the child to safely remain in the home;

(j) Whether any orders for examinations, evaluations, or immediate services are needed. The court may not order a parent to undergo examinations, evaluation, or services at the shelter care hearing unless the parent agrees to the examination, evaluation, or service;

(k) The terms and conditions for parental, sibling, and family visitation.

(5)(a) The court shall release a child alleged to be dependent to the care, custody, and control of the child's parent, guardian, or legal custodian unless the court finds there is reasonable cause to believe that:

(i) After consideration of the specific services that have been provided, reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home; and

(ii)(A) The child has no parent, guardian, or legal custodian to provide supervision and care for such child; or

(B)(I) Removal of the child is necessary to prevent imminent physical harm due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a high-potency synthetic opioid, or a pattern of severe neglect, notwithstanding an order entered pursuant to RCW 26.44.063. There is a rebuttable presumption that removal of the child is necessary to prevent imminent physical harm when a parent's use or possession of a high-

potency synthetic opioid or failure to protect a child from another individual's use or possession of a high-potency synthetic opioid creates a risk that a child will be exposed to, ingest, inhale, or have contact with a high-potency synthetic opioid. A parent's promise to secure high-potency synthetic opioids or use them only when the child is not in the vicinity is not sufficient to overcome this rebuttable presumption. The evidence must show a causal relationship between the particular conditions in the home and imminent physical harm to the child. The existence of community or family poverty, isolation, single parenthood, age of the parent, crowded or inadequate housing, substance abuse, prenatal drug or alcohol exposure, mental illness, disability or special needs of the parent or child, or nonconforming social behavior does not by itself constitute imminent physical harm;

(II) It is contrary to the welfare of the child to be returned home; and

(III) After considering the particular circumstances of the child, any imminent physical harm to the child outweighs the harm the child will experience as a result of removal; or

(C) The parent, guardian, or custodian to whom the child could be released has been charged with violating RCW 9A.40.060 or 9A.40.070.

(b) If the court finds that the elements of (a)(ii)(B) of this subsection require removal of the child, the court shall further consider:

(i) Whether participation by the parents, guardians, or legal custodians in any prevention services would prevent or eliminate the need for removal and, if so, shall inquire of the parent whether they are willing to participate in such services. When a parent's use or possession of a high-potency synthetic opioid, or failure to protect a child from another individual's use or possession of a high-potency synthetic opioid, creates a risk that a child will be exposed to, ingest, inhale, or have contact with a high-potency synthetic opioid, prevention services that would prevent or eliminate the need for removal are only those that are immediately available and provide for 24-hour supervision of the child. If the parent agrees to participate in the prevention services identified by the court that would prevent or eliminate the need for removal, the court shall place the child with the parent. The court shall not order a parent to participate in prevention services over the objection of the parent, however, parents shall have the opportunity to consult with counsel prior to deciding whether to agree to proposed prevention services as a condition of having the child return to or remain in the care of the parent; and

(ii) Whether the issuance of a temporary order of protection directing the removal of a person or persons from the child's residence would prevent the need for removal of the child.

(c)(i) If the court does not release the child to his or her parent, guardian, or legal custodian, the court shall order

placement with a relative or other suitable person as described in RCW 13.34.130(1)(b), unless the petitioner establishes that there is reasonable cause to believe that:

(A) Placement in licensed foster care is necessary to prevent imminent physical harm to the child due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a high-potency synthetic opioid, or a pattern of severe neglect, because no relative or other suitable person is capable of ensuring the basic safety of the child; or

(B) The efforts to reunite the parent and child will be hindered.

(ii) In making the determination in (c)(i) of this subsection, the court shall:

(A) Inquire of the petitioner and any other person present at the hearing for the child whether there are any relatives or other suitable persons who are willing to care for the child. This inquiry must include whether any relative or other suitable person:

(I) Has expressed an interest in becoming a caregiver for the child;

(II) Is able to meet any special needs of the child;

(III) Is willing to facilitate the child's sibling and parent visitation if such visitation is ordered by the court; and

(IV) Supports reunification of the parent and child once reunification can safely occur; and

(B) Give great weight to the stated preference of the parent, guardian, or legal custodian, and the child.

(iii) If a relative or other suitable person expressed an interest in caring for the child, can meet the child's special needs, can support parent-child reunification, and will facilitate court-ordered sibling or parent visitation, the following must not prevent the child's placement with such relative or other suitable person:

(A) An incomplete department or fingerprint-based background check, if such relative or other suitable person appears otherwise suitable and competent to provide care and treatment, but the background checks must be completed as soon as possible after placement;

(B) Uncertainty on the part of the relative or other suitable person regarding potential adoption of the child;

(C) Disbelief on the part of the relative or other suitable person that the parent, guardian, or legal custodian presents a danger to the child, provided the caregiver will protect the safety of the child and comply with court orders regarding contact with a parent, guardian, or legal custodian; or

(D) The conditions of the relative or other suitable person's home are not sufficient to satisfy the requirements of a licensed foster home. The court may order the department to provide financial or other support to the relative or other suitable person necessary to ensure safe conditions in the home.

(d) If the child was not initially placed with a relative or other suitable person, and the court does not release the child to his or her parent, guardian, or legal

custodian, the department shall make reasonable efforts to locate a relative or other suitable person pursuant to RCW 13.34.060(1).

(e) If the court does not order placement with a relative or other suitable person, the court shall place the child in licensed foster care and shall set forth its reasons for the order. If the court orders placement of the child with a person not related to the child and not licensed to provide foster care, the placement is subject to all terms and conditions of this section that apply to relative placements.

(f) Any placement with a relative, or other suitable person approved by the court pursuant to this section, shall be contingent upon cooperation with the department's or agency's case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts, sibling contacts, and any other conditions imposed by the court. Noncompliance with the case plan or court order is grounds for removal of the child from the home of the relative or other suitable person, subject to review by the court.

(g) If the child is placed in a qualified residential treatment program as defined in this chapter, the court shall, within 60 days of placement, hold a hearing to:

(i) Consider the assessment required under RCW 13.34.420 and submitted as part of the department's social study, and any related documentation;

(ii) Determine whether placement in foster care can meet the child's needs or if placement in another available placement setting best meets the child's needs in the least restrictive environment; and

(iii) Approve or disapprove the child's placement in the qualified residential treatment program.

(h) Uncertainty by a parent, guardian, legal custodian, relative, or other suitable person that the alleged abuser has in fact abused the child shall not, alone, be the basis upon which a child is removed from the care of a parent, guardian, or legal custodian under (a) of this subsection, nor shall it be a basis, alone, to preclude placement with a relative or other suitable person under (c) of this subsection.

(i) If the court places with a relative or other suitable person, and that person has indicated a desire to become a licensed foster parent, the court shall order the department to commence an assessment of the home of such relative or other suitable person within 10 days and thereafter issue an initial license as provided under RCW 74.15.120 for such relative or other suitable person, if qualified, as a foster parent. The relative or other suitable person shall receive a foster care maintenance payment, starting on the date the department approves the initial license. If such home is found to be unqualified for licensure, the department shall report such fact to the court within one week of that determination. The department shall report on the status of the licensure process during the entry of any dispositional orders in the case.

(j) If the court places the child in licensed foster care:

(i) The petitioner shall report to the court, at the shelter care hearing, the location of the licensed foster placement the petitioner has identified for the child and the court shall inquire as to whether:

(A) The identified placement is the least restrictive placement necessary to meet the needs of the child;

(B) The child will be able to remain in the same school and whether any orders of the court are necessary to ensure educational stability for the child;

(C) The child will be placed with a sibling or siblings, and whether court-ordered sibling contact would promote the well-being of the child;

(D) The licensed foster placement is able to meet the special needs of the child;

(E) The location of the proposed foster placement will impede visitation with the child's parent or parents;

(ii) The court may order the department to:

(A) Place the child in a less restrictive placement;

(B) Place the child in a location in closer proximity to the child's parent, home, or school;

(C) Place the child with the child's sibling or siblings;

(D) Take any other necessary steps to ensure the child's health, safety, and well-being;

(iii) The court shall advise the petitioner that:

(A) Failure to comply with court orders while a child is in shelter care will be considered when determining whether reasonable efforts have been made by the department during a hearing under RCW 13.34.110; and

(B) Placement moves while a child is in shelter care will be considered when determining whether reasonable efforts have been made by the department during a hearing under RCW 13.34.110.

(6)(a) A shelter care order issued pursuant to this section shall include the requirement for a case conference as provided in RCW 13.34.067. However, if the parent is not present at the shelter care hearing, or does not agree to the case conference, the court shall not include the requirement for the case conference in the shelter care order.

(b) If the court orders a case conference, the shelter care order shall include notice to all parties and establish the date, time, and location of the case conference which shall be no later than 30 days before the fact-finding hearing.

(c) The court may order another conference, case staffing, or hearing as an alternative to the case conference required under RCW 13.34.067 so long as the conference, case staffing, or hearing ordered by the court meets all requirements under RCW 13.34.067, including the requirement of a written agreement specifying the services to be provided to the parent.

(7)(a)(i) A shelter care order issued pursuant to this section may be amended at any time with notice and hearing thereon.

The shelter care decision of placement shall be modified only upon a showing of change in circumstances. No child may be placed in shelter care for longer than thirty days without an order, signed by the judge, authorizing continued shelter care.

(ii) If the court previously ordered that visitation between a parent and child be supervised or monitored, there shall be a presumption that such supervision or monitoring will no longer be necessary following a continued shelter care order under (a)(i) of this subsection. To overcome this presumption, a party must provide a report to the court including evidence establishing that removing visit supervision or monitoring would create a risk to the child's safety, and the court shall make a determination as to whether visit supervision or monitoring must continue.

(b)(i) An order releasing the child on any conditions specified in this section may at any time be amended, with notice and hearing thereon, so as to return the child to shelter care for failure of the parties to conform to the conditions originally imposed.

(ii) The court shall consider whether nonconformance with any conditions resulted from circumstances beyond the control of the parent, guardian, or legal custodian and give weight to that fact before ordering return of the child to shelter care.

(8) The department and its employees shall not be held liable in any civil action for complying with an order issued under this section for placement: With a parent who has agreed to accept services, a relative, or a suitable person.

(9)(a) If a child is placed out of the home of a parent, guardian, or legal custodian following a shelter care hearing, the court shall order the petitioner to provide regular visitation with the parent, guardian, or legal custodian, and siblings. Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and allowing family reunification. The court shall order a visitation plan individualized to the needs of the family with a goal of providing the maximum parent, child, and sibling contact possible.

(b) Visitation under this subsection shall not be limited as a sanction for a parent's failure to comply with recommended services during shelter care.

(c) Visitation under this subsection may only be limited where necessary to ensure the health, safety, or welfare of the child.

(d) The first visit must take place within 72 hours of the child being delivered into the custody of the department, unless the court finds that extraordinary circumstances require delay.

(e) If the first visit under (d) of this subsection occurs in an in-person format, this first visit must be supervised unless the department determines that visit supervision is not necessary.

**Sec. 3.** RCW 13.34.130 and 2019 c 172 s 12 are each amended to read as follows:

If, after a fact-finding hearing pursuant to RCW 13.34.110, it has been proven by a preponderance of the evidence that the child

is dependent within the meaning of RCW 13.34.030 after consideration of the social study prepared pursuant to RCW 13.34.110 and after a disposition hearing has been held pursuant to RCW 13.34.110, the court shall enter an order of disposition pursuant to this section.

(1) The court shall order one of the following dispositions of the case:

(a) Order a disposition that maintains the child in his or her home, which shall provide a program designed to alleviate the immediate danger to the child, to mitigate or cure any damage the child has already suffered, and to aid the parents so that the child will not be endangered in the future. In determining the disposition, the court should choose services to assist the parents in maintaining the child in the home, including housing assistance, if appropriate, that least interfere with family autonomy and are adequate to protect the child.

(b) (i) Order the child to be removed from his or her home and into the custody, control, and care of a relative or other suitable person, the department, or agency responsible for supervision of the child's placement. If the court orders that the child be placed with a caregiver over the objections of the parent or the department, the court shall articulate, on the record, his or her reasons for ordering the placement. The court may not order an Indian child, as defined in RCW 13.38.040, to be removed from his or her home unless the court finds, by clear and convincing evidence including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

(ii) The department has the authority to place the child, subject to review and approval by the court (A) with a relative as defined in RCW 74.15.020(2)(a), (B) in the home of another suitable person if the child or family has a preexisting relationship with that person, and the person has completed all required criminal history background checks and otherwise appears to the department to be suitable and competent to provide care for the child, or (C) in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW.

(iii) The department may also consider placing the child, subject to review and approval by the court, with a person with whom the child's sibling or half-sibling is residing or a person who has adopted the sibling or half-sibling of the child being placed as long as the person has completed all required criminal history background checks and otherwise appears to the department to be competent to provide care for the child.

(2) Absent good cause, the department shall follow the wishes of the natural parent regarding the placement of the child in accordance with RCW 13.34.260.

(3) The department may only place a child with a person not related to the child as defined in RCW 74.15.020(2)(a), including a placement provided for in subsection (1)(b)(iii) of this section, when the court finds that such placement is in the best

interest of the child. Unless there is reasonable cause to believe that the health, safety, or welfare of the child would be jeopardized or that efforts to reunite the parent and child will be hindered, the child shall be placed with a person who is willing, appropriate, and available to care for the child, and who is: (I) Related to the child as defined in RCW 74.15.020(2)(a) with whom the child has a relationship and is comfortable; or (II) a suitable person as described in subsection (1)(b) of this section. The court shall consider the child's existing relationships and attachments when determining placement.

(4) If the child is placed in a qualified residential treatment program as defined in this chapter, the court shall, within sixty days of placement, hold a hearing to:

~~((i) [(a)])~~ (a) Consider the assessment required under RCW 13.34.420 and submitted as part of the department's social study, and any related documentation;

~~((ii) [(b)])~~ (b) Determine whether placement in foster care can meet the child's needs or if placement in another available placement setting best meets the child's needs in the least restrictive environment; and

~~((iii) [(c)])~~ (c) Approve or disapprove the child's placement in the qualified residential treatment program.

(5) When placing an Indian child in out-of-home care, the department shall follow the placement preference characteristics in RCW 13.38.180.

(6) Placement of the child with a relative or other suitable person as described in subsection (1)(b) of this section shall be given preference by the court. An order for out-of-home placement may be made only if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home, specifying the services, including housing assistance, that have been provided to the child and the child's parent, guardian, or legal custodian, and that prevention services have been offered or provided and have failed to prevent the need for out-of-home placement, unless the health, safety, and welfare of the child cannot be protected adequately in the home, and that:

(a) There is no parent or guardian available to care for such child. There is a rebuttable presumption that a parent is unavailable if the parent has deficiencies that jeopardize the child's right to be nurtured, physical health, mental health, or basic safety, including that which results from substance abuse or a parent's use or possession of a high-potency synthetic opioid, or failure to protect a child from another individual's use or possession of a high-potency synthetic opioid. A parent's promise to secure high-potency synthetic opioids or use them only when the child is not in the vicinity is not sufficient to overcome this rebuttable presumption;

(b) The parent, guardian, or legal custodian is not willing to take custody of the child; or

(c) The court finds, by clear, cogent, and convincing evidence, a manifest danger



exists that the child will suffer serious abuse or neglect if the child is not removed from the home and an order under RCW 26.44.063 would not protect the child from danger. There is a rebuttable presumption that removal of the child is necessary and a manifest danger exists that the child will suffer serious abuse or neglect when a parent's use or possession of a high-potency synthetic opioid, or failure to protect a child from another individual's use or possession of a high-potency synthetic opioid, creates a risk that a child will be exposed to, ingest, inhale, or have contact with a high-potency synthetic opioid. A parent's promise to secure high-potency synthetic opioids or use them only when the child is not in the vicinity is not sufficient to overcome this rebuttable presumption.

(7) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section, the court shall consider whether it is in a child's best interest to be placed with, have contact with, or have visits with siblings.

(a) There shall be a presumption that such placement, contact, or visits are in the best interests of the child provided that:

(i) The court has jurisdiction over all siblings subject to the order of placement, contact, or visitation pursuant to petitions filed under this chapter or the parents of a child for whom there is no jurisdiction are willing to agree; and

(ii) There is no reasonable cause to believe that the health, safety, or welfare of any child subject to the order of placement, contact, or visitation would be jeopardized or that efforts to reunite the parent and child would be hindered by such placement, contact, or visitation. In no event shall parental visitation time be reduced in order to provide sibling visitation.

(b) The court may also order placement, contact, or visitation of a child with a stepbrother or stepsister provided that in addition to the factors in (a) of this subsection, the child has a relationship and is comfortable with the stepsibling.

(8) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section and placed into nonparental or nonrelative care, the court shall order a placement that allows the child to remain in the same school he or she attended prior to the initiation of the dependency proceeding when such a placement is practical and in the child's best interest.

(9) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section, the court may order that a petition seeking termination of the parent and child relationship be filed if the requirements of RCW 13.34.132 are met.

(10) If there is insufficient information at the time of the disposition hearing upon which to base a determination regarding the suitability of a proposed placement with a relative or other suitable person, the child shall remain in foster care and the court shall direct the department to conduct

necessary background investigations as provided in chapter 74.15 RCW and report the results of such investigation to the court within thirty days. However, if such relative or other person appears otherwise suitable and competent to provide care and treatment, the criminal history background check need not be completed before placement, but as soon as possible after placement. Any placements with relatives or other suitable persons, pursuant to this section, shall be contingent upon cooperation by the relative or other suitable person with the agency case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts, sibling contacts, and any other conditions imposed by the court. Noncompliance with the case plan or court order shall be grounds for removal of the child from the relative's or other suitable person's home, subject to review by the court."

Representatives Couture, Corry, Cheney, Hutchins, Barnard, Christian, Connors, Caldier, Jacobsen, Griffey, Walsh and Maycumber spoke in favor of the adoption of the amendment to the committee striking amendment.

Representatives Taylor and Senn spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

#### ROLL CALL

The Clerk called the roll on the adoption of amendment (1164) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 46; Nays, 49; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Nance, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Kloba, Leavitt, Lekanoff, Macri, Mena, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler, Morgan and Reeves

Amendment (1164) to the committee striking amendment was not adopted.

There being no objection, the committee striking amendment by the Committee on Appropriations was adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Senn and Couture spoke in favor of the passage of the bill.

#### MOTION

On motion of Representative Griffey, Representative Wilcox was excused.

Representative Ortiz-Self spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 6109, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6109, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Morgan, Reeves and Wilcox

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6109, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5811, by Senators Kauffman, Wilson, C., Cleveland, Dhingra, Frame, Hasegawa, Keiser, Liias, Lovelett, Nguyen, Nobles, Shewmake, Trudeau and Wellman**

**Expanding the definition of family member for individual providers.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Health Care & Wellness was not adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

Representative Alvarado moved the adoption of amendment (1165) to the committee striking amendment:

On page 5, line 20 of the striking amendment, after "Beginning" strike "July 1, 2024" and insert "January 1, 2025"

On page 6, beginning on line 15 of the striking amendment, after "effect" strike "July 1, 2024" and insert "January 1, 2025"

Representatives Alvarado and Schmick spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1165) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Alvarado and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5811, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5811, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Morgan, Reeves and Wilcox

SENATE BILL NO. 5811, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5306, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Short, Van De Wege, Nobles and Stanford)**

**Authorizing the department of fish and wildlife to establish disease interdiction and control check stations.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent and Chapman spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5306.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5306, and the bill passed the House by the following vote: Yeas, 93; Nays, 1; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai,

Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Mena

Excused: Representatives Chandler, Morgan, Reeves and Wilcox

SUBSTITUTE SENATE BILL NO. 5306, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute Senate Bill No. 5306.

Representative Mena, 29th District

#### SECOND READING

**ENGROSSED SENATE BILL NO. 5632, by Senators Keiser, Cleveland, Conway, Hasegawa, Hunt, Kuderer, Lovelett, Stanford, Valdez and Wilson, C.**

**Protecting the health care of workers participating in a labor dispute.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Labor & Workplace Standards was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Berry spoke in favor of the passage of the bill.

Representative Schmidt spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5632, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5632, as amended by the House, and the bill passed the House by the following vote: Yeas, 56; Nays, 38; Absent, 0; Excused, 4

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters and Ybarra

Excused: Representatives Chandler, Morgan, Reeves and Wilcox

ENGROSSED SENATE BILL NO. 5632, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5937, by Senate Committee on Ways & Means (originally sponsored by Dhingra, Braun, Hasegawa, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Stanford, Trudeau, Valdez, Wellman and Wilson, C.)**

**Supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall and Mosbrucker spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5937.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5937, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Morgan, Reeves and Wilcox

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5937, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6146, by Senate Committee on Law & Justice (originally sponsored by Dhingra, Kauffman, Robinson, Stanford, Hasegawa, Randall, Wellman, Kuderer, Lovelett, Nobles, Saldaña, Shewmake, Valdez and Wilson, C.)**

**Concerning tribal warrants.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Community Safety, Justice, & Reentry was before the House for purpose of amendment. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

Representative Lekanoff moved the adoption of amendment (1114) to the committee striking amendment:

On page 9, line 7 of the striking amendment, after "judges;" strike "and"

On page 9, line 8 of the striking amendment, after "(e)" insert "State and tribal court clerks;

(f) State and tribal jail administrators and directors; and

(g) "

Representatives Lekanoff and Mosbrucker spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1114) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Goodman and Mosbrucker spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6146, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6146, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Morgan, Reeves and Wilcox

SUBSTITUTE SENATE BILL NO. 6146, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6192, by Senate Committee on Labor & Commerce (originally sponsored by King, Stanford, Mullet and Nobles)**

**Addressing additional work and change orders on public and private construction projects.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Abbarno and Tharinger spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6192.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6192, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris,

Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Morgan, Reeves and Wilcox

SUBSTITUTE SENATE BILL NO. 6192, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6047, by Senate Committee on State Government & Elections (originally sponsored by Warnick, Boehnke and Short)**

**Concerning executive sessions under the open public meetings act in order to comply with the climate commitment act.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on State Government & Tribal Relations was adopted. For Committee amendment, see Journal, Day 43, Monday, February 19, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Ybarra and Ramos spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6047, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6047, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 2; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives McEntire and Walsh

Excused: Representatives Chandler, Morgan, Reeves and Wilcox

SUBSTITUTE SENATE BILL NO. 6047, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5580, by Senate Committee on Ways & Means (originally sponsored by Muzzall, Cleveland, Braun, Rivers, Warnick, Hasegawa, Kuderer, Lovelett, Randall, Shewmake and Wilson, J.)**

**Improving maternal health outcomes.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Health Care & Wellness was not adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

With the consent of the House, amendment (1159) was withdrawn.

Representative Davis moved the adoption of amendment (1168) to the committee striking amendment:

On page 1, line 24 of the striking amendment, after "(2)" insert "In order to provide technical assistance to participating hospitals regarding the postdelivery and transitional care program, the authority shall contract with the Washington state chapter of a national organization that provides a physician-led professional community for those who prevent, treat, and promote remission and recovery from the disease of addiction and whose comprehensive set of guidelines for determining placement, continued stay, and transfer or discharge of enrollees with substance use disorders and co-occurring disorders have been incorporated into medicaid managed care contracts.

(3) "

On page 1, line 28 of the striking amendment, after "act," insert "the federal family first prevention services act,"

Representatives Davis and Schmick spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1168) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hutchins and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Engrossed Second Substitute Senate Bill No. 5580, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Second Substitute Senate Bill No. 5580, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low,

Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Morgan, Reeves and Wilcox

SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5580, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Stonier to preside.

There being no objection, the House advanced to the eighth order of business.

### MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5213  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5271  
 SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5284  
 SUBSTITUTE SENATE BILL NO. 5376  
 ENGROSSED SENATE BILL NO. 5592  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5778  
 SENATE BILL NO. 5799  
 SUBSTITUTE SENATE BILL NO. 5808  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5838  
 SENATE BILL NO. 5842  
 SECOND SUBSTITUTE SENATE BILL NO. 5882  
 SENATE BILL NO. 5897  
 SUBSTITUTE SENATE BILL NO. 5931  
 SUBSTITUTE SENATE BILL NO. 5936  
 SUBSTITUTE SENATE BILL NO. 5940  
 SECOND SUBSTITUTE SENATE BILL NO. 6006  
 SENATE BILL NO. 6013  
 SUBSTITUTE SENATE BILL NO. 6015  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6039  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6058  
 SUBSTITUTE SENATE BILL NO. 6059  
 SUBSTITUTE SENATE BILL NO. 6100  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6286  
 SENATE BILL NO. 6308  
 SECOND SUBSTITUTE SENATE BILL NO. 5660  
 SECOND SUBSTITUTE SENATE BILL NO. 5780  
 SENATE BILL NO. 5836  
 SENATE BILL NO. 5881  
 SENATE BILL NO. 6030  
 ENGROSSED SENATE BILL NO. 6120  
 SENATE BILL NO. 6238  
 SENATE BILL NO. 6263  
 SENATE JOINT MEMORIAL NO. 8008

There being no objection, the House adjourned until 9:00 a.m., Thursday, February 29, 2024, the 53rd Day of the 2024 Regular Session.

Laurie Jinkins, Speaker

Bernard Dean, Chief Clerk

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

FIFTY THIRD DAY

House Chamber, Olympia, Thursday, February 29, 2024

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Becca Smith and Hyett Melton. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Roger Goodman, 45th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker assumed the chair.

**SIGNED BY THE SPEAKER**

The Speaker signed the following bills:

- HOUSE BILL NO. 1153
- HOUSE BILL NO. 1726
- HOUSE BILL NO. 1876
- SUBSTITUTE HOUSE BILL NO. 1880
- SUBSTITUTE HOUSE BILL NO. 1889
- HOUSE BILL NO. 1955
- HOUSE BILL NO. 1962
- SUBSTITUTE HOUSE BILL NO. 1974
- HOUSE BILL NO. 2034
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2041
- SUBSTITUTE HOUSE BILL NO. 2075
- SECOND SUBSTITUTE HOUSE BILL NO. 2151
- SUBSTITUTE HOUSE BILL NO. 2216
- SUBSTITUTE HOUSE BILL NO. 2329
- SUBSTITUTE HOUSE BILL NO. 2355
- SUBSTITUTE HOUSE BILL NO. 2368
- HOUSE BILL NO. 2433
- SENATE BILL NO. 5508
- SENATE BILL NO. 5885
- SENATE BILL NO. 5886
- SUBSTITUTE SENATE BILL NO. 5935
- SENATE BILL NO. 5970
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5974
- SENATE BILL NO. 5982
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6007

The Speaker called upon Representative Orwall to preside.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SENATE**

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed:

- THIRD SUBSTITUTE HOUSE BILL NO. 1228
- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508
- SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541
- HOUSE BILL NO. 1752
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1835
- HOUSE BILL NO. 1917

- SUBSTITUTE HOUSE BILL NO. 1939
- HOUSE BILL NO. 1961
- SUBSTITUTE HOUSE BILL NO. 1985
- SUBSTITUTE HOUSE BILL NO. 1989
- SUBSTITUTE HOUSE BILL NO. 1999
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2019
- HOUSE BILL NO. 2209
- SUBSTITUTE HOUSE BILL NO. 2217
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2303
- SUBSTITUTE HOUSE BILL NO. 2467
- HOUSE BILL NO. 2481

and the same are herewith transmitted.

Sarah Bannister, Secretary

**MESSAGE FROM THE SENATE**

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed:

- HOUSE BILL NO. 1983

and the same is herewith transmitted.

Sarah Bannister, Secretary

**MESSAGE FROM THE SENATE**

Wednesday, February 28, 2024

Mme. Speaker:

The President has signed:

- SUBSTITUTE HOUSE BILL NO. 1249
- HOUSE BILL NO. 1455
- HOUSE BILL NO. 1530
- HOUSE BILL NO. 1920
- HOUSE BILL NO. 1954
- HOUSE BILL NO. 1972
- HOUSE BILL NO. 1975
- HOUSE BILL NO. 2111
- SUBSTITUTE HOUSE BILL NO. 2136
- SUBSTITUTE HOUSE BILL NO. 2293
- SUBSTITUTE HOUSE BILL NO. 2296

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Wednesday, February 28, 2024

Mme. Speaker:

The President has signed:

- SENATE BILL NO. 5508
- SENATE BILL NO. 5885
- SENATE BILL NO. 5886
- SUBSTITUTE SENATE BILL NO. 5935

SENATE BILL NO. 5970  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5974  
 SENATE BILL NO. 5982  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6007

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

### INTRODUCTION & FIRST READING

SSB 6316 by Senate Committee on Transportation (originally sponsored by Pedersen and King)

AN ACT Relating to the state route number 520 corridor; amending RCW 47.56.870; adding a new section to chapter 47.01 RCW; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the sixth order of business.

### SECOND READING

**SUBSTITUTE SENATE BILL NO. 6025, by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Stanford, Dhingra, Frame, Hasegawa, Kuderer, Nguyen, Saldaña, Trudeau, Valdez and Wilson, C.)**

#### Protecting consumers from predatory loans.

The bill was read the second time.

Representative Robertson moved the adoption of amendment (1157):

On page 7, after line 6, insert the following:

"NEW SECTION. Sec. 5. This act shall apply prospectively only. The changes made to chapter 31.04 RCW by this act shall not be construed to apply to any loan issued prior to the effective date of the act, unless the loan is renegotiated or modified after the effective date of the act."

Correct the title.

Representatives Robertson and Walen spoke in favor of the adoption of the amendment.

### MOTIONS

On motion of Representative Griffey, Representative Chandler was excused.

On motion of Representative Ramel, Representative Morgan was excused.

Amendment (1157) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Walen and Robertson spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6025, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6025, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SUBSTITUTE SENATE BILL NO. 6025, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5904, by Senators Nobles, Hansen, Dhingra, Frame, Hasegawa, Kuderer, Liias, Lovelett, Nguyen, Randall, Stanford, Trudeau, Valdez and Wilson, C.**

**Extending the terms of eligibility for financial aid programs.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

Representative Chambers moved the adoption of amendment (1160) to the committee striking amendment:

On page 10, line 7 of the striking amendment, after "void." insert the following:

"NEW SECTION. Sec. 6. The education research and data center shall report to the legislature by December 1, 2024, and each year thereafter, on the impacts of this act on degree completion outcomes, including any increase in the number of students utilizing the extended eligibility provided under this act."

Representatives Chambers and Slatter spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1160) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Slatter spoke in favor of the passage of the bill.

Representatives Ybarra and Caldier spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5904, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5904, as amended by the House, and the bill passed the House by the following vote: Yeas, 61; Nays, 35; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Jacobsen, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Morgan

SENATE BILL NO. 5904, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6164, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Wagoner)**

#### Concerning county emergency management plans.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Innovation, Community & Economic Development, & Veterans was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Low and Paul spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6164, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6164, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street,

Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SUBSTITUTE SENATE BILL NO. 6164, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5778, by Senate Committee on Labor & Commerce (originally sponsored by Keiser, Lovick, Conway, Trudeau, Stanford, Randall, Shewmake, Dhingra, Van De Wege, Nguyen, Valdez, Kauffman, Hasegawa, Lovelett, Liias, Frame, Hunt, Cleveland, Kuderer, Nobles, Salomon and Wilson, C.)**

**Protecting the rights of workers to refrain from attending meetings or listening to their employer's speech on political or religious matters.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Fosse spoke in favor of the passage of the bill.

Representatives Schmidt, Walsh and Hutchins spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5778.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5778, and the bill passed the House by the following vote: Yeas, 55; Nays, 41; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Springer, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Morgan

ENGROSSED SUBSTITUTE SENATE BILL NO. 5778, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6058, by Senate Committee on Ways & Means (originally sponsored by Nguyen, Hunt, Kuderer, Liias, Mullet, Pedersen, Saldaña, Shewmake and Stanford)**

**Facilitating linkage of Washington's carbon market with the California-Quebec carbon market.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Environment & Energy was not adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.



There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

Representative Sandlin moved the adoption of amendment (1140) to the committee striking amendment:

On page 4, line 17, after "(26)" strike "Department" and insert "(Department)"  
(a) Except as provided in (b) of this subsection, "department"

On page 4, after line 17, insert the following:

"(b) For the purposes of RCW 70A.65.210 and in the context of linkage throughout this chapter, "department" means the department of agriculture."

Representatives Sandlin, Klicker, Schmick, Maycumber, Abbarno and Dent spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Mena spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

#### ROLL CALL

The Clerk called the roll on the adoption of amendment (1140) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 41; Nays, 55; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler and Morgan

Amendment (1140) to the committee striking amendment was not adopted.

Representative Dye moved the adoption of amendment (1138) to the committee striking amendment:

On page 35, line 34, after "to" strike "execute" and insert "(execute) recommend to the legislature"

On page 36, line 19, after "Before" strike "entering" and insert "(entering) recommending that the legislature enter"

On page 36, line 26, after "Before" strike "entering" and insert "(entering) recommending that the legislature enter"

On page 36, line 33, after "agreement" insert "to recommend to the legislature for approval"

On page 36, line 35, after "may" insert "recommend to the legislature that Washington"

On page 36, at the beginning of line 39, strike "approved" and insert "(approved) recommended"

On page 37, line 12, after "(4)" insert "A recommendation to the legislature to enter into a linkage agreement under this section must be accompanied by a published report that includes:

(a) The latest forecast of allowance prices over the upcoming four fiscal years in each jurisdiction with which the department proposes to link;

(b) The department's estimate of the change in revenue for Washington relative to the current projected revenue under an unlinked cap and invest market;

(c) A recommended date for the proposed linkage agreement to take effect;

(d) The proposed terms of the linkage agreement; and

(e) An appendix summary of public comments received during a 30-day public comment period that the department must hold after the initial publication of the remainder of the report required under this subsection.

(5) Upon the receipt of a recommendation from the department to enter into a linkage agreement, the legislature must provide additional statutory authorization prior to the linkage agreement taking effect.

(6)"

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Representatives Dye, Abbarno, Goehner, Walsh, Couture, Harris and Christian spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Doglio spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

#### ROLL CALL

The Clerk called the roll on the adoption of amendment (1138) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 40; Nays, 56; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler and Morgan

Amendment (1138) to the committee striking amendment was not adopted.

Representative Dye moved the adoption of amendment (1137) to the committee striking amendment:

On page 35, line 34, after "(2)" strike "The" and insert "(The)" On or after January 14, 2025, the

Representatives Dye, Abbarno, Walsh and Couture spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Fitzgibbon spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of amendment (1137) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 39; Nays, 57; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler and Morgan

Amendment (1137) to the committee striking amendment was not adopted.

Representative Dye moved the adoption of amendment (1133) to the committee striking amendment:

On page 30, after line 17, insert the following:

"**Sec. 7.** RCW 70A.65.160 and 2022 c 181 s 7 are each amended to read as follows:

(1)(a) The department shall establish a price ceiling to provide cost protection for covered entities obligated to comply with this chapter. ((The))Except as provided in (b) of this subsection, the ceiling must be set at a level sufficient to facilitate investments to achieve further emission reductions beyond those enabled by the price ceiling, with the intent that investments accelerate the state's achievement of greenhouse gas limits established under RCW 70A.45.020. The price ceiling must increase annually in proportion to the reserve auction floor price established in RCW 70A.65.150(1).

(b) If the department enters into a linkage agreement under this chapter, effective as of the day that the linkage agreement takes effect, the department must set the price ceiling at an amount no more than the highest auction settlement price

that occurred at any single auction during calendar year 2023.

(2) In the event that no allowances remain in the allowance price containment reserve, the department must issue the number of price ceiling units for sale sufficient to provide cost protection for covered entities as established under subsection (1) of this section. Purchases must be limited to entities that do not have sufficient eligible compliance instruments in their holding and compliance accounts for the current compliance period and these entities may only purchase what they need to meet their compliance obligation for the current compliance period. Price ceiling units may not be sold or transferred and must be retired for compliance in the current compliance period. A price ceiling unit is not a property right.

(3) The price ceiling unit emission reduction investment account is created in the state treasury. All receipts from the sale of price ceiling units must be deposited in the account. Moneys in the account may only be spent after appropriation. Moneys in the account must be expended to achieve emissions reductions on at least a metric ton for metric ton basis that are real, permanent, quantifiable, verifiable, enforceable by the state, and in addition to any greenhouse gas emission reduction otherwise required by law or regulation and any other greenhouse gas emission reduction that otherwise would occur."

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Representatives Dye, Klicker, Corry, Abbarno, Walsh, Christian and Orcutt spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Doglio spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of amendment (1133) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 43; Nays, 53; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler and Morgan

Amendment (1133) to the committee striking amendment was not adopted.

Representative Dye moved the adoption of amendment (1139) to the committee striking amendment:

On page 36, line 19, after "(3)" insert "Before finalizing and entering into a proposed linkage agreement, the department must arrange for an independent third-party analysis of anticipated allowance prices in each linking jurisdiction through the date on which the linkage agreement is proposed to take effect, and under the terms of the proposed linkage agreement through calendar year 2030 of program implementation in linked markets that include Washington. The analysis under this subsection must include a baseline scenario based on the current program stringency of each potentially linking jurisdiction, and an analysis based on any contemplated or incomplete planned increases to program stringency proposed in a linking jurisdiction. The analysis must include a forecast, under each scenario, of the impacts of allowance prices on gasoline and diesel prices per gallon of fuel. The analysis of the relationship between allowance prices and fuel prices must be consistent with the assumptions and methods used by the California legislative analyst's office."

(4)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Dye, Abbarno, Corry, Walsh, Goehner and Dent spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Mena spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

#### ROLL CALL

The Clerk called the roll on the adoption of amendment (1139) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 40; Nays, 56; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler and Morgan

Amendment (1139) to the committee striking amendment was not adopted.

Representative Dye moved the adoption of amendment (1134) to the committee striking amendment:

On page 37, line 6, after "(c)" insert "(i) Be determined by the department, based on economic analysis of the proposed linkage agreement, to not result in allowance prices under this chapter that exceed the highest auction settlement price that occurred at any single auction during calendar year 2023. The economic analysis must be based on a forecast of potential linking jurisdiction allowance prices under current program stringency through 2030 and a model of program stringency that assumes program stringency levels are increased through 2030 in a manner consistent with plans outlined in the most current scoping plan, rule-making proposal, or rule of each potential linking jurisdiction; and

(ii) Provide an automatic process for the withdrawal of Washington's program from the linkage agreement if the allowance prices under this chapter sold at auction exceed the highest auction settlement price that occurred at any single auction during calendar year 2023;

(d)"

Reletter the remaining subsection consecutively and correct any internal references accordingly.

Representatives Dye, Klicker, Corry and Christian spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Doglio spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

#### ROLL CALL

The Clerk called the roll on the adoption of amendment (1134) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 39; Nays, 57; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler and Morgan

Amendment (1134) to the committee striking amendment was not adopted.

Representative Goehner moved the adoption of amendment (1132) to the committee striking amendment:

On page 37, line 12, after "(4)" insert "A linkage agreement between Washington and any linking jurisdiction must provide that if the linking jurisdiction enacts a law or adopts a rule, after the effective date of the linkage agreement, that reduces the supply of allowances from the linked

jurisdiction by lowering the emissions cap or increasing the rate of emissions reductions required under the linked jurisdiction's program, the linkage agreement is terminated upon the effective date of the other jurisdiction's law or rule, and the department must adopt emergency rules suspending the program under this chapter.

(5)"

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Representatives Goehner, Dye, Corry and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Doglio spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of amendment (1132) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 39; Nays, 57; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler and Morgan

Amendment (1132) to the committee striking amendment was not adopted.

Representative Dye moved the adoption of amendment (1135) to the committee striking amendment:

On page 37, line 12, after "(4)" insert "In seeking to enter into any linkage agreements with other jurisdictions, the department must consider any substantive discussion or negotiation between officials representing Washington and officials representing any linked jurisdictions concerning the topic of linkage to be a public meeting at which the public must have the ability to attend, whether in an in-person or virtual format. This requirement applies to all state officials and employees, including elected officials and employees of the department, employees of other state agencies, and employees of the office of the governor. The department must post on its website, within five business days of the conclusion of the meeting, a summary containing minutes from the meeting, as well as a recording of the meeting. The department and other state officials and employees may not discuss linkage, other

than for the purposes of the scheduling of meetings and otherwise arranging for the logistics of a discussion or negotiation, with officials representing any other jurisdiction in a manner that does not meet the requirements of this subsection.

(5)"

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Representatives Dye, Abbarno, Goehner, Christian and Harris spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Fitzgibbon spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of amendment (1135) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 42; Nays, 54; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler and Morgan

Amendment (1135) to the committee striking amendment was not adopted.

Representative Dye moved the adoption of amendment (1136) to the committee striking amendment:

On page 43, line 16, after "agreement." insert "Nothing in this subsection requires the reporting of greenhouse gas emissions, or authorizes the department to require the reporting of greenhouse gas emissions, from sources or persons other than those specified in (a) of this subsection. In addition, nothing in this subsection requires the reporting of scope 2 or 3 greenhouse gas emissions other than those specified in (a) of this subsection."

On page 45, after line 20, insert the following:

"(vi) For the purpose of this subsection (5), "scope 2 emissions" means indirect greenhouse gas emissions from electricity purchased and used by a reporting entity, regardless of location.

(vii)(A) For the purpose of this subsection (5), "scope 3 emissions" means indirect greenhouse gas emissions, other than scope 2 emissions, from activities of a reporting entity that stem from sources that the reporting entity does not own or directly control and may include, but are

not limited to, emissions associated with the reporting entity's supply chain, business travel, employee commutes, procurement, waste, and water usage, regardless of location.

(B) For the oil, gas, coal, and natural gas industries, scope 3 emissions include emissions from the use of products sold by that reporting entity."

Representatives Dye, Ybarra and Abbarno spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Fitzgibbon spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of amendment (1136) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 39; Nays, 57; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representatives Chandler and Morgan

Amendment (1136) to the committee striking amendment was not adopted.

There being no objection, the committee striking amendment by the Committee on Appropriations was adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Doglio, Reeves, Fitzgibbon and Mena spoke in favor of the passage of the bill.

Representatives Dye, Christian, Corry, Goehner, McEntire, Schmick, Orcutt, McClintock, Schmidt, Dent, Walsh, Graham, Couture, Caldier, Volz, Jacobsen, Harris, Abbarno, Sandlin and Maycumber spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 6058, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6058, as amended by the House, and the bill passed the House by the following vote: Yeas, 57; Nays, 39; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt,

Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Morgan

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6058, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5931, by Senate Committee on Environment, Energy & Technology (originally sponsored by Salomon, Kauffman, Billig, Frame, Lovelett, Pedersen, Shewmake and Wellman)**

**Addressing 6PPD in motorized vehicle tires through safer products for Washington.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Environment & Energy was before the House for purpose of amendment. For Committee amendment, see Journal, Day 43, Monday, February 19, 2024.

Representative Dye moved the adoption of amendment (1158) to the committee striking amendment:

On page 2, line 21, after "chemical, a" insert "motorized"

On page 3, beginning on line 7, after "6PPD" strike all material through "subsection" on line 10

Representatives Dye and Doglio spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1158) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Doglio, Dye and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5931, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5931, as amended by the House, and the bill passed the House by the following vote: Yeas, 85; Nays, 11; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Cheney, Chopp, Christian, Connors, Corry, Cortes, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, Mena, Nance,

Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Chapman, Couture, Dent, Jacobsen, McClintock, McEntire, Mosbrucker, Orcutt, Sandlin, Volz and Walsh

Excused: Representatives Chandler and Morgan

SUBSTITUTE SENATE BILL NO. 5931, as amended by the House, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2489, by Representatives Orcutt, Donaghy and Schmidt**

**Creating several new special license plates.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2489 was substituted for House Bill No. 2489 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2489 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt and Donaghy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2489.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2489, and the bill passed the House by the following vote: Yeas, 86; Nays, 10; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fosse, Goehner, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Pollet, Ramel, Ramos, Reeves, Riccelli, Robertson, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Fitzgibbon, Goodman, Leavitt, McEntire, Peterson, Reed, Rude, Senn, Volz and Walsh

Excused: Representatives Chandler and Morgan

SUBSTITUTE HOUSE BILL NO. 2489, having received the necessary constitutional majority, was declared passed.

With the consent of the House, SUBSTITUTE HOUSE BILL NO. 2489 was immediately transmitted to the Senate.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

**SECOND READING**

**SUBSTITUTE SENATE BILL NO. 5869, by Senate Committee on Local Government, Land Use & Tribal Affairs**

**(originally sponsored by Short, Lovelett, Dozier, Nobles, Shewmake, Torres, Wagoner and Warnick)**

**Concerning rural fire district stations.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goehner and Duerr spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5869.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5869, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SUBSTITUTE SENATE BILL NO. 5869, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5897, by Senators Mullet and Wilson, L.**

**Modifying provisions of the business licensing service program.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walen and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5897.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5897, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule,

Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SENATE BILL NO. 5897, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5184, by Senators Rivers, Cleveland, Braun, Dhingra, Mullet, Muzzall and Rolfes**

**Concerning licensure of anesthesiologist assistants.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Health Care & Wellness was before the House for purpose of amendment. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

Representative Riccelli moved the adoption of amendment (1146) to the committee striking amendment:

On page 1, line 7 of the striking amendment, after "18.71" insert ", 18.71B,"

On page 1, beginning on line 8 of the striking amendment, after "residency" strike all material through "osteopathic board of" on line 9 and insert "or equivalent training in"

Representatives Riccelli and Schmick spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1146) to the committee striking amendment was adopted.

Representative Caldier moved the adoption of amendment (1125) to the committee striking amendment:

On page 3, line 12 of the striking amendment, after "than" strike "four" and insert "two"

Representative Caldier spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Riccelli spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1125) to the committee striking amendment was not adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Schmick, Taylor and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5184, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5184, as amended by the House, and the bill passed the House by the following vote: Yeas, 82; Nays, 14; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Callan, Chambers, Chapman,

Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Nance, Ormsby, Ortiz-Self, Peterson, Pollet, Ramel, Ramos, Reeves, Riccelli, Robertson, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Slatter, Springer, Stearns, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Berry, Bronoske, Caldier, Dent, Leavitt, Mosbrucker, Orcutt, Orwall, Paul, Reed, Rude, Shavers, Simmons and Steele

Excused: Representatives Chandler and Morgan

SENATE BILL NO. 5184, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 6286, by Senate Committee on Ways & Means (originally sponsored by Rivers, Cleveland, Dhingra, Dozier, Nobles, Padden, Robinson, Wellman and Wilson, L.)**

**Addressing the anesthesia workforce shortage by reducing barriers and expanding educational opportunities to increase the supply of certified registered nurse anesthetists in Washington.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6286.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6286, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

ENGROSSED SUBSTITUTE SENATE BILL NO. 6286, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5799, by Senators Wilson, C., Trudeau, Dhingra, Hasegawa, Liias, Nobles, Salomon, Shewmake, Van De Wege and Wellman**

**Concerning the sale of halal foods.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stearns and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5799.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5799, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SENATE BILL NO. 5799, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 6039, by Senate Committee on Environment, Energy & Technology (originally sponsored by Lovelett, Shewmake, Dhingra, Frame, Hasegawa, Keiser, Liias, Nguyen, Nobles and Saldaña)**

**Promoting the development of geothermal energy resources.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Environment & Energy was before the House for purpose of amendment. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

Representative Lekanoff moved the adoption of amendment (1181) to the committee striking amendment:

On page 2, beginning on line 17 of the striking amendment, after "impacting", strike "the rights of federally recognized Indian tribes" and insert "federally reserved tribal rights and resources including, but not limited to, those protected by treaty, executive order, or federal law"

On page 2, beginning on line 34 of the striking amendment, after "impacting" strike "the rights of federally recognized Indian tribes" and insert "federally reserved tribal rights and resources including, but not limited to, those protected by treaty, executive order, or federal law"

Representatives Lekanoff and Dye spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1181) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Ramel and Dye spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6039, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6039, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

ENGROSSED SUBSTITUTE SENATE BILL NO. 6039, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5940, by Senate Committee on Health & Long Term Care (originally sponsored by Van De Wege, Hasegawa, Keiser, Lovick, Muzzall and Wagoner)**

**Creating a medical assistant-EMT certification.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5940.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5940, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule,



Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SUBSTITUTE SENATE BILL NO. 5940, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5836, by Senators Wilson, L., Cleveland, Dhingra, Frame, Mullet, Padden and Rivers**

**Adding an additional superior court judge in Clark county.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cheney and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5836.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5836, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Chapman

Excused: Representatives Chandler and Morgan

SENATE BILL NO. 5836, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the third order of business.

**MESSAGE FROM THE SENATE**

Wednesday, February 28, 2024

Mme. Speaker:

The President has signed:

- SENATE BILL NO. 5647
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5793
- SUBSTITUTE SENATE BILL NO. 5834
- SUBSTITUTE SENATE BILL NO. 5840
- SENATE BILL NO. 5843
- SENATE BILL NO. 5883
- SECOND SUBSTITUTE SENATE BILL NO. 5893
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5973
- SENATE BILL NO. 5979
- SUBSTITUTE SENATE BILL NO. 5980
- ENGROSSED SENATE BILL NO. 5997
- SENATE BILL NO. 6017

- SUBSTITUTE SENATE BILL NO. 6060
- ENGROSSED SENATE BILL NO. 6095
- SENATE BILL NO. 6234

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed:

- HOUSE BILL NO. 1146
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1608
- SUBSTITUTE HOUSE BILL NO. 1916
- SECOND SUBSTITUTE HOUSE BILL NO. 1929
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2003
- SUBSTITUTE HOUSE BILL NO. 2020
- SUBSTITUTE HOUSE BILL NO. 2091
- HOUSE BILL NO. 2110
- SUBSTITUTE HOUSE BILL NO. 2127
- SECOND SUBSTITUTE HOUSE BILL NO. 2214
- HOUSE BILL NO. 2260
- HOUSE BILL NO. 2318
- SUBSTITUTE HOUSE BILL NO. 2335
- SUBSTITUTE HOUSE BILL NO. 2428

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the sixth order of business.

**SECOND READING**

**SECOND SUBSTITUTE SENATE BILL NO. 5825, by Senate Committee on Ways & Means (originally sponsored by Pedersen and Padden)**

**Concerning guardianship and conservatorship.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Civil Rights & Judiciary was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Bateman and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5825, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5825, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris,

Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SECOND SUBSTITUTE SENATE BILL NO. 5825, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5936, by Senate Committee on Health & Long Term Care (originally sponsored by Conway, Dozier, Frame, Hasegawa, Kuderer, Nobles, Rivers and Salomon)**

**Convening a palliative care benefit work group.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5936.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5936, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SUBSTITUTE SENATE BILL NO. 5936, having received the necessary constitutional majority, was declared passed.

**SECOND SUBSTITUTE SENATE BILL NO. 6006, by Senate Committee on Ways & Means (originally sponsored by Dhingra, Wagoner, Braun, Conway, Frame, Hasegawa, Keiser, Kuderer, Liias, McCune, Nguyen, Nobles, Salomon, Stanford, Torres, Valdez and Wilson, C.)**

**Supporting victims of human trafficking and sexual abuse.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Community Safety, Justice, & Reentry was before the House for purpose of amendment. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

Representative Davis moved the adoption of amendment (1179) to the committee striking amendment:

On page 7, beginning on line 7 of the striking amendment, after "general" strike all material through "support" on line 8

Representatives Davis and Mosbrucker spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1179) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Orwall spoke in favor of the passage of the bill.

There being no objection, the House deferred action on SECOND SUBSTITUTE SENATE BILL NO. 6006, and the bill held its place on the third reading calendar.

#### SECOND READING

**SENATE BILL NO. 6308, by Senators Dhingra, Robinson, Kuderer, Nobles and Trudeau**

**Extending timelines for implementation of the 988 system.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

With the consent of the House, amendment (1126) was withdrawn.

Representative Orwall moved the adoption of amendment (1142) to the committee striking amendment:

On page 5, line 23, after "be" insert "implemented as soon as possible and"

On page 8, line 29, after "(2)" strike "The" and insert "((The)) (a) Through January 1, 2025, the"

On page 8, after line 33, insert the following:

"(b) Beginning January 2, 2025, the authority shall facilitate and provide staff support to the steering committee and to the crisis response improvement strategy committee. The authority may contract for the provision of these services."

On page 15, at the beginning of line 15, strike "((January 1, 2025)) July 1, 2026" and insert "January 1, 2025"

Representatives Orwall and Schmick spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1142) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Orwall and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6308, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6308, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SENATE BILL NO. 6308, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SECOND SUBSTITUTE SENATE BILL NO. 5660, by Senate Committee on Ways & Means (originally sponsored by Boehnke, Dhingra, Saldaña, Wellman and Wilson, C.)**

**Establishing a mental health advance directive effective implementation work group.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farivar and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5660.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5660, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SECOND SUBSTITUTE SENATE BILL NO. 5660, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5376, by Senate Committee on Labor & Commerce (originally sponsored by Stanford, Rivers, Keiser, Saldaña and Wilson, C.)**

**Allowing the sale of cannabis waste.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Regulated Substances & Gaming was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kloba and Chambers spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5376, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5376, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Christian and Mosbrucker

Excused: Representatives Chandler and Morgan

SUBSTITUTE SENATE BILL NO. 5376, as amended by the House, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute Senate Bill No. 5376.  
Representative Mosbrucker, 14th District

#### SECOND READING

**SENATE BILL NO. 5842, by Senators Kuderer, Frame, Dhingra, Hasegawa, Hunt, Nobles, Wellman and Wilson, C.**

**Restricting the use of social security numbers by insurance companies for the purpose of determining child support debt.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farivar and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5842.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5842, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SENATE BILL NO. 5842, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6015, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Shewmake, Kuderer and Liias)**

#### Concerning residential parking configurations.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Local Government was before the House for purpose of amendment. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

With the consent of the House, amendment (1144) was withdrawn.

Representative Orwall moved the adoption of amendment (1112) to the committee striking amendment:

On page 1, at the beginning of line 5 of the striking amendment, insert "(1)"

On page 1, at the beginning of line 8 of the striking amendment, strike "(1)" and insert "(a)"

On page 1, at the beginning of line 10 of the striking amendment, strike "(2)" and insert "(b)"

On page 1, at the beginning of line 12 of the striking amendment, strike "(3)" and insert "(c)"

On page 1, at the beginning of line 18 of the striking amendment, strike "(4)" and insert "(d)"

On page 1, at the beginning of line 22 of the striking amendment, strike "(5)" and insert "(e)"

On page 1, at the beginning of line 24 of the striking amendment, strike "(6)" and insert "(f)"

On page 1, at the beginning of line 29 of the striking amendment, strike "(7)" and insert "(g)"

On page 1, after line 30 of the striking amendment, insert the following:

"(2) The provisions in subsection (1) of this section do not apply to portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements."

Representatives Orwall and Goehner spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1112) to the committee striking amendment was adopted.

Representative Goehner moved the adoption of amendment (1163) to the committee striking amendment:

On page 1, at the beginning of line 5 of the striking amendment, insert "(1)"

On page 1, at the beginning of line 8 of the striking amendment, strike "(1)" and insert "(a)"

On page 1, at the beginning of line 10 of the striking amendment, strike "(2)" and insert "(b)"

On page 1, at the beginning of line 12 of the striking amendment, strike "(3)" and insert "(c)"

On page 1, at the beginning of line 18 of the striking amendment, strike "(4)" and insert "(d)"

On page 1, at the beginning of line 22 of the striking amendment, strike "(5)" and insert "(e)"

On page 1, at the beginning of line 24 of the striking amendment, strike "(6)" and insert "(f)"

On page 1, at the beginning of line 29 of the striking amendment, strike "(7)" and insert "(g)"

On page 1, after line 30 of the striking amendment, insert the following:

"(2) Existing parking spaces that do not conform to the requirements of this section by the effective date of this act are not required to be modified or resized, except for compliance with the Americans with disabilities act. Existing paved parking lots are not required to change the size of existing parking spaces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations."

Representatives Goehner and Duerr spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1163) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Duerr and Goehner spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6015, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6015, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Abbarno

Excused: Representatives Chandler and Morgan

SUBSTITUTE SENATE BILL NO. 6015, as amended by the House, having received the necessary constitutional majority, was declared passed.

#### **SENATE BILL NO. 5881, by Senators MacEwen, Conway and Robinson**

**Concerning membership in the public employees' retirement system for certain part-time bus drivers employed full-time by the federal government.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Couture and Paul spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5881.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5881, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet,

Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SENATE BILL NO. 5881, having received the necessary constitutional majority, was declared passed.

#### **ENGROSSED SUBSTITUTE SENATE BILL NO. 5271, by Senate Committee on Health & Long Term Care (originally sponsored by Cleveland, Robinson, Kuderer, Nobles, Wellman and Wilson, C.)**

**Protecting patients in facilities regulated by the department of health by establishing uniform enforcement tools.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Riccelli (again) spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5271.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5271, and the bill passed the House by the following vote: Yeas, 61; Nays, 35; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Kretz, Leavitt, Lekanoff, Macri, McClintock, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Low, Maycumber, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Morgan

ENGROSSED SUBSTITUTE SENATE BILL NO. 5271, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Substitute Senate Bill No. 5271.

Representative Harris, 17th District

#### SECOND READING

**ENGROSSED SENATE BILL NO. 5592, by Senators Hunt, Cleveland, Conway, Lovick, Randall, Valdez, Van De Wege and Wilson, C.**

**Requiring semiautomatic external defibrillator at fitness centers.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Health Care & Wellness was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Bateman spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5592, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5592, as amended by the House, and the bill passed the House by the following vote: Yeas, 72; Nays, 24; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Corry, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Hackney, Harris, Hutchins, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Christian, Connors, Couture, Dye, Eslick, Goehner, Griffey, Jacobsen, Klicker, Kretz, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Rude, Sandlin, Schmick, Schmidt, Stokesbary, Volz and Walsh

Excused: Representatives Chandler and Morgan

ENGROSSED SENATE BILL NO. 5592, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6263, by Senators Wilson, L., Boehnke, Cleveland, Conway, Keiser, Lovelett, Lovick, Rivers, Schoesler, Torres and Wellman**

**Concerning death benefits provided by the 1955 act for firefighters' relief and pensions.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Griffey and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6263.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6263, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye,

Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Walen

Excused: Representatives Chandler and Morgan

SENATE BILL NO. 6263, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5953, by Senate Committee on Human Services (originally sponsored by Wilson, C., Frame, Hasegawa, Kuderer, Lovelett, Nguyen, Nobles, Salomon, Trudeau and Valdez)**

**Concerning financial aid grants for incarcerated students.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Postsecondary Education & Workforce was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Leavitt and Waters spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5953, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5953, as amended by the House, and the bill passed the House by the following vote: Yeas, 79; Nays, 17; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Harris, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rule, Ryu, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Caldier, Christian, Connors, Corry, Couture, Dent, Dye, Graham, Griffey, Hutchins, Maycumber, McEntire, Rude, Sandlin, Schmick, Volz and Walsh

Excused: Representatives Chandler and Morgan

SUBSTITUTE SENATE BILL NO. 5953, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6053, by Senate Committee on Higher Education & Workforce Development (originally sponsored by Holy, Lovick, Mullet, Nguyen, Shewmake, Valdez and Wilson, C.)**

**Improving equitable access to postsecondary education.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Postsecondary Education & Workforce was adopted. For Committee amendment, see Journal, Day 44, Tuesday, February 20, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Reed and Ybarra spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6053, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6053, as amended by the House, and the bill passed the House by the following vote: Yeas, 85; Nays, 11; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Chopp, Connors, Corry, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Hackney, Harris, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, Mena, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Cheney, Christian, Couture, Griffey, Hutchins, McClintock, McEntire, Orcutt and Walsh

Excused: Representatives Chandler and Morgan

SUBSTITUTE SENATE BILL NO. 6053, as amended by the House, having received the necessary constitutional majority, was declared passed.

### ENGROSSED SENATE BILL NO. 6120, by Senators Van De Wege, Braun and Short

#### Concerning the Wildland Urban Interface Code.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Local Government was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Duerr and Goehner spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6120, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6120, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder,

Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

ENGROSSED SENATE BILL NO. 6120, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

### MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5150  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5481  
 SUBSTITUTE SENATE BILL NO. 5652  
 SECOND SUBSTITUTE SENATE BILL NO. 5784  
 SENATE BILL NO. 5792  
 SUBSTITUTE SENATE BILL NO. 5798  
 SUBSTITUTE SENATE BILL NO. 5802  
 SUBSTITUTE SENATE BILL NO. 5812  
 ENGROSSED SENATE BILL NO. 5816  
 SENATE BILL NO. 5852  
 ENGROSSED SENATE BILL NO. 5856  
 ENGROSSED SENATE BILL NO. 5906  
 SUBSTITUTE SENATE BILL NO. 5919  
 SUBSTITUTE SENATE BILL NO. 5934  
 SENATE BILL NO. 5938  
 SENATE BILL NO. 5952  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5955  
 SUBSTITUTE SENATE BILL NO. 5972  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6031  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6040  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6068  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6069  
 SENATE BILL NO. 6080  
 ENGROSSED SENATE BILL NO. 6087  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6092  
 SENATE BILL NO. 6094  
 SUBSTITUTE SENATE BILL NO. 6099  
 SUBSTITUTE SENATE BILL NO. 6106  
 SUBSTITUTE SENATE BILL NO. 6115  
 SUBSTITUTE SENATE BILL NO. 6121  
 SUBSTITUTE SENATE BILL NO. 6125  
 SENATE BILL NO. 6173  
 SUBSTITUTE SENATE BILL NO. 6197  
 SENATE BILL NO. 6215  
 SECOND SUBSTITUTE SENATE BILL NO. 6228  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6251  
 ENGROSSED SENATE JOINT MEMORIAL NO. 8005  
 SENATE JOINT MEMORIAL NO. 8007

The Speaker assumed the chair.

### SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE BILL NO. 1146  
 THIRD SUBSTITUTE HOUSE BILL NO. 1228  
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508  
 SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL  
 NO. 1541  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1608  
 HOUSE BILL NO. 1752  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1835  
 HOUSE BILL NO. 1901  
 SUBSTITUTE HOUSE BILL NO. 1905  
 SUBSTITUTE HOUSE BILL NO. 1916  
 HOUSE BILL NO. 1917  
 SECOND SUBSTITUTE HOUSE BILL NO. 1929  
 SUBSTITUTE HOUSE BILL NO. 1939  
 HOUSE BILL NO. 1961  
 HOUSE BILL NO. 1983  
 SUBSTITUTE HOUSE BILL NO. 1985  
 SUBSTITUTE HOUSE BILL NO. 1989  
 SUBSTITUTE HOUSE BILL NO. 1999  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2003  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2019  
 SUBSTITUTE HOUSE BILL NO. 2020  
 SUBSTITUTE HOUSE BILL NO. 2048  
 SUBSTITUTE HOUSE BILL NO. 2061  
 SUBSTITUTE HOUSE BILL NO. 2091  
 HOUSE BILL NO. 2110  
 SUBSTITUTE HOUSE BILL NO. 2127  
 HOUSE BILL NO. 2137  
 HOUSE BILL NO. 2209  
 SECOND SUBSTITUTE HOUSE BILL NO. 2214  
 SUBSTITUTE HOUSE BILL NO. 2217  
 HOUSE BILL NO. 2260  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2303  
 HOUSE BILL NO. 2318  
 SUBSTITUTE HOUSE BILL NO. 2335  
 SUBSTITUTE HOUSE BILL NO. 2428  
 SUBSTITUTE HOUSE BILL NO. 2467  
 HOUSE BILL NO. 2481  
 SENATE BILL NO. 5647  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5793  
 SUBSTITUTE SENATE BILL NO. 5834  
 SUBSTITUTE SENATE BILL NO. 5840  
 SENATE BILL NO. 5843  
 SENATE BILL NO. 5883  
 SECOND SUBSTITUTE SENATE BILL NO. 5893  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5973  
 SENATE BILL NO. 5979  
 SUBSTITUTE SENATE BILL NO. 5980  
 ENGROSSED SENATE BILL NO. 5997  
 SENATE BILL NO. 6017  
 SUBSTITUTE SENATE BILL NO. 6060  
 ENGROSSED SENATE BILL NO. 6095  
 SENATE BILL NO. 6234

The Speaker called upon Representative Bronoske to preside.

**SECOND READING**

**SUBSTITUTE SENATE BILL NO. 6059, by Senate Committee on Housing (originally sponsored by Frame, McCune, Keiser, Kuderer, Randall, Saldaña, Valdez, Van De Wege, Wellman and Wilson, C.)**

**Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Housing was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Leavitt and Connors spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6059, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6059, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SUBSTITUTE SENATE BILL NO. 6059, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5838, by Senate Committee on Ways & Means (originally sponsored by Nguyen, Conway, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Muzzall, Nobles, Saldaña, Salomon, Stanford, Torres, Valdez and Wellman)**

**Establishing an artificial intelligence task force.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Consumer Protection & Business was not adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the committee striking amendment by the Committee on Appropriations was adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Shavers, Couture and Robertson spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5838, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5838, as amended by the House, and the bill passed the House by the following vote: Yeas, 68; Nays, 28; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance,



Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Dent, Dye, Eslick, Graham, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Schmidt, Volz, Walsh and Ybarra

Excused: Representatives Chandler and Morgan

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5838, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5920, by Senate Committee on Health & Long Term Care (originally sponsored by Padden, Fortunato, Keiser, Warnick and Wilson, L.)**

**Lifting certificate of need requirements for psychiatric hospitals and beds.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5920.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5920, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SUBSTITUTE SENATE BILL NO. 5920, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6013, by Senators Shewmake, Dhingra, Kuderer and Saldaña**

**Expanding the homeownership development property tax exemption to include real property sold to low-income households for building residences using mutual self-help housing construction.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Berg and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6013.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6013, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SENATE BILL NO. 6013, having received the necessary constitutional majority, was declared passed.

#### RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SENATE BILL NO. 6263 passed the House.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6263, on reconsideration.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6263, on reconsideration, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Morgan

SENATE BILL NO. 6263, on reconsideration, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

#### SECOND READING

**ENGROSSED SENATE BILL NO. 5462, by Senators Lias, Wilson, C., Kuderer, Lovelett, Nguyen, Pedersen, Randall, Saldaña and Valdez**

**Promoting inclusive learning standards and instructional materials in public schools.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Education was not adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

With the consent of the House, amendment (1217) was withdrawn.

Representative Stonier moved the adoption of amendment (1190) to the committee striking amendment:

On page 1, line 18, after "of" strike "marginalized" and insert "historically marginalized and underrepresented"

On page 1, line 28, after "of" insert "historically marginalized and"

On page 2, line 26, after "marginalized" insert "and underrepresented"

Representatives Stonier and Rude spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1190) to the committee striking amendment was adopted.

Representative Rude moved the adoption of amendment (1216) to the committee striking amendment:

On page 1, line 26, after "to" insert ", in accordance with the well-considered advice, experience, and diverse perspectives of the educational opportunity gap oversight and accountability committee,"

On page 5, at the beginning of line 7, strike "applicable commissions established in Title 43 RCW" and insert "educational opportunity gap oversight and accountability committee created in RCW 28A.300.136"

Representative Rude spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Ortiz-Self spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1216) to the committee striking amendment was not adopted.

Representative Hutchins moved the adoption of amendment (1210) to the committee striking amendment:

On page 2, after line 2, insert the following:

"(5) The legislature finds that the United States of America, one of the most diverse countries in the world, is a beacon of hope, a guarantor of freedoms, and a model of opportunity and inclusivity that other societies aspire to emulate. The legislature reaffirms that, as the Declaration of Independence states, "all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

Representatives Hutchins and Rude spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Santos spoke against the adoption of the amendment to the committee striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 38 - YEAS; 55 - NAYS.

Amendment (1210) to the committee striking amendment was not adopted.

Representative Couture moved the adoption of amendment (1213) to the committee striking amendment:

On page 2, line 18, after "43.114.010" insert ", people serving on active duty in the uniformed services of the United States and family members of people on active duty in the uniformed services of the United States, crime victims, and survivors of the Holocaust and surviving family members of the Holocaust"

Representative Couture spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Stonier spoke against the adoption of the amendment to the committee striking amendment.

## MOTIONS

On motion of Representative Ramel, Representative Tharinger was excused.

On motion of Representative Griffey, Representative Dye was excused.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 38 - YEAS; 51 - NAYS.

Amendment (1213) to the committee striking amendment was not adopted.

Representative Rude moved the adoption of amendment (1206) to the committee striking amendment:

On page 2, line 20, after "(3)" insert "(a)"

On page 2, after line 26, insert the following:

"(b) The model policy and procedure must also require that the use of any curricula and instructional materials that directly or indirectly relate to sexual behaviors, attitudes, and preferences or gender identity be, as with materials for comprehensive sexual health education under RCW 28A.300.475, subject to the following:

(i) Any parent or legal guardian who wishes to have his or her child excused from instruction that uses curricula and instructional materials that directly or indirectly relate to sexual behaviors, attitudes, and preferences or gender identity may do so upon filing a written request with the school district board of directors or its designee, the principal of the school his or her child attends, or the principal's designee. The person or entity to whom the request is directed must grant the request. In addition, any parent or

legal guardian may review the curricula and instructional materials used in his or her child's school that directly or indirectly relate to sexual behaviors, attitudes, and preferences or gender identity by filing a written request with the school district board of directors, the principal of the school his or her child attends, or the principal's designee; and

(ii) Each school choosing to use curricula and instructional materials that directly or indirectly relate to sexual behaviors, attitudes, and preferences or gender identity must notify parents and guardians, in writing or in accordance with the methods the school finds most effective in communicating with parents, that the school will be using the curricula and instructional materials during the school year. The notice must include, or provide a means for electronic access to, all course materials, by grade, that will be used at the school during the instruction."

Representative Rude spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Stonier spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1206) to the committee striking amendment was not adopted.

Representative Steele moved the adoption of amendment (1215) to the committee striking amendment:

On page 4, after line 24, insert the following:

"(3) Post and annually update on their websites, a list of all curricula and instructional materials adopted and selected in accordance with section 2 of this act."

Representatives Steele and Couture spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Berg spoke against the adoption of the amendment to the committee striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 38 - YEAS; 51 - NAYS.

Amendment (1215) to the committee striking amendment was not adopted.

Representative Hutchins moved the adoption of amendment (1212) to the committee striking amendment:

On page 5, beginning on line 3, after "inclusion" strike all material through "28A.415.443," on line 4

On page 8, after line 30, insert the following:

"(19) For the purposes of this section:

(a) "Diversity" has the same meaning as in RCW 28A.415.443.

(b) "Equity" describes developing and supporting fairness in systems, procedures, and resource distribution mechanisms to seek equal opportunity for all individuals. Equity may include eliminating barriers that prevent the full participation of individuals, but does not include supporting changes that guarantee equal outcomes.

(c) "Inclusion" has the same meaning as in RCW 28A.415.443."

Representatives Hutchins and Griffey spoke in favor of the adoption of the amendment to the committee striking amendment.

Representatives Ortiz-Self and Santos spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1212) to the committee striking amendment was not adopted.

Representative Cheney moved the adoption of amendment (1207) to the committee striking amendment:

On page 8, after line 30, insert the following:

"(19) In recognition of the significant public interest in the development and revision of state learning standards, the superintendent of public instruction shall ensure that: Actions to develop or revise state learning standards are conducted in conformity with chapter 42.30 RCW; and members of the public are provided with ample opportunities to participate in and comment on the development and revision processes."

Representatives Cheney, Abbarno and Couture spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Stonier spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1207) to the committee striking amendment was not adopted.

Representative Walsh moved the adoption of amendment (1208) to the committee striking amendment:

On page 8, after line 30, insert the following:

"(19) New or revised state learning standards adopted in accordance with this section may not include or imply that:

(a) One race or sex is inherently superior to another race or sex;

(b) An individual's moral character is determined by their race or sex;

(c) An individual should be discriminated against or receive adverse treatment solely or partly because of their race or sex;

(d) Meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race;

(e) An individual, by virtue of their race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;

(f) An individual, by virtue of their race or sex, is inherently racist, sexist, or oppressive; or

(g) The United States is fundamentally racist or sexist."

Representative Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Santos spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1208) to the committee striking amendment was not adopted.

Representative McEntire moved the adoption of amendment (1209) to the committee striking amendment:

On page 8, after line 30, insert the following:

"(19) State learning standards that are developed or revised in accordance with subsection (2)(b) of this section do not take effect until approved by the legislature."

Representatives McEntire and Couture spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Santos spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1209) to the committee striking amendment was not adopted.

Representative Couture moved the adoption of amendment (1211) to the committee striking amendment:

On page 9, after line 15, insert the following:

"NEW SECTION. Sec. 7. This act takes effect when the statewide long-term student proficiency rates of 90 percent for mathematics and English language arts, as established in the consolidated plan for Washington state required by the elementary and secondary education act of 1965, as amended by the every student succeeds act of 2015, have been achieved."

Representatives Couture, Griffey, Walsh and Rude spoke in favor of the adoption of the amendment to the committee striking amendment.

Representatives Santos and Stonier spoke against the adoption of the amendment to the committee striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 38 - YEAS; 51 - NAYS.

Amendment (1211) to the committee striking amendment was not adopted.

Representative Harris moved the adoption of amendment (1214) to the committee striking amendment:

On page 9, after line 15, insert the following:

"NEW SECTION. Sec. 7. (1) The office of the superintendent of public instruction shall examine the availability of curricula and instructional materials for use in public schools that:

(a) Comply with the requirements for new and revised state learning standards in RCW 28A.655.070(2)(b); and

(b) Include the histories, contributions, and perspectives of individuals or groups that are part of a protected class under chapter 28A.640 or 28A.642 RCW, for each protected class in those chapters.

(2) By December 1, 2026, the office of the superintendent of public instruction shall, in accordance with RCW 43.01.036, report its examination findings, which must address the availability of curricula and instructional materials that meet the

requirements of subsection (1)(a) and (b) of this section before and after the effective date of this section, to the education committees of the legislature.

(3) This section expires August 1, 2027."

Representative Harris spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Stonier spoke against the adoption of the amendment to the committee striking amendment.

### MOTION

On motion of Representative Griffey, Representative Barkis was excused.

Representative Couture spoke in favor of the adoption of the amendment to the committee striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 37 - YEAS; 52 - NAYS.

Amendment (1214) to the committee striking amendment was not adopted.

Representative McClintock moved the adoption of amendment (1218) to the committee striking amendment:

On page 9, after line 15, insert the following:

"NEW SECTION. Sec. 7. A new section is added to chapter 28A.300 RCW to read as follows:

(1) The office of the superintendent of public instruction, in consultation with the Washington school information processing cooperative, shall establish and maintain a confidential online survey for parents or guardians to complete, at their option, upon transferring or withdrawing their student or students from a public school or school district. For the purpose of avoiding duplication in the data collection process, the survey must use the statewide student identifier for each student for which there is a survey response. The purpose of the survey, which must be operational by September 1, 2024, is to:

(a) Collect data for school officials, policymakers, and the public about the purposes and reasons that parents or guardians transfer or withdraw students from public schools and school districts; and

(b) Identify, through the collected data, potential opportunities for improving the public school system to better meet the needs of students and their parents or guardians.

(2) Public schools must notify parents or guardians of the survey and provide a link to the survey upon receiving a request from a parent or guardian to transfer or withdraw a student.

(3)(a) Beginning December 1, 2025, and annually thereafter, the office of the superintendent of public instruction shall provide a summary of the data received through the survey during the school year preceding the issuance of the report to:

(i) The public schools and school districts from which the survey responses from parents or guardians originated; and

(ii) The education and fiscal committees of the legislature, in compliance with RCW 43.01.036.

(b) The office of the superintendent of public instruction shall annually post and maintain on its website an aggregate statewide summary of the data summaries required by (a) of this subsection (3).

(4) The office of the superintendent of public instruction shall ensure that the implementation of this section occurs in conformity with requirements governing the privacy of student education records.

(5) For the purposes of this section:

(a) "Public schools" has the same meaning as in RCW 28A.150.010; and

(b) "Statewide student identifier" has the same meaning as in RCW 28B.10.041.

**NEW SECTION. Sec. 8.** Section 7 of this act takes effect after a new or revised state learning standard has been adopted in conformity with RCW 28A.655.070 (2) (b)."

Representatives McClintock, Rude and Volz spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Santos spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1218) to the committee striking amendment was not adopted.

Representative Caldier moved the adoption of amendment (1219) to the committee striking amendment:

On page 9, after line 15, insert the following:

**"NEW SECTION. Sec. 7.** A new section is added to chapter 28A.630 RCW to read as follows:

(1) The Washington state institute for public policy shall evaluate the impacts of sections 2 through 4 of this act on student enrollments in school districts and the passage rates of school district levy and bond ballot measures. In meeting the requirements of this subsection, the Washington state institute for public policy must examine data for student enrollments and ballot measure passage rates before and after the effective date of this section.

(2) The evaluation required by this section must, in accordance with RCW 43.01.036, be reported by December 1, 2029, to the applicable committees of the legislature, the superintendent of public instruction, and the state board of education.

(3) This section expires June 30, 2030."

Representatives Caldier, Couture, Volz and Rude spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Street spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1219) to the committee striking amendment was not adopted.

Representative Connors moved the adoption of amendment (1220) to the committee striking amendment:

On page 9, after line 15, insert the following:

**"NEW SECTION. Sec. 7.** A new section is added to chapter 28A.320 RCW to read as follows:

(1) Each school district, prior to implementing curricula and instructional materials adopted and selected in accordance with section 2 of this act, must conduct at least one presentation during weekend and evening hours for the parents and guardians of students to inspect the curricula and instructional materials. The parents and guardians must be notified by the school district of the presentation and that the curricula and instructional materials are available for inspection.

(2) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020, and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts."

Representatives Connors and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Thai spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1220) to the committee striking amendment was not adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Santos and Stonier spoke in favor of the passage of the bill.

Representatives Rude, Couture and McEntire spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5462, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5462, as amended by the House, and the bill passed the House by the following vote: Yeas, 56; Nays, 37; Absent, 0; Excused, 5

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire,

Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Barkis, Chandler, Dye, Morgan and Tharinger

ENGROSSED SENATE BILL NO. 5462, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5670, by Senate Committee on Ways & Means (originally sponsored by Hawkins, Randall, Holy, Kuderer, Nguyen, Nobles, Saldaña and Wilson, L.)**

**Permitting 10th grade students to participate in running start in online settings.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rude and Paul spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5670.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5670, and the bill passed the House by the following vote: Yeas, 92; Nays, 1; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Leavitt

Excused: Representatives Barkis, Chandler, Dye, Morgan and Tharinger

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5670, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5787, by Senate Committee on Law & Justice (originally sponsored by Pedersen, Padden, Mullet, Nobles and Salomon)**

**Enacting the uniform electronic estate planning documents act.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Taylor and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5787.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5787, and the bill passed the House by the following vote: Yeas, 92; Nays, 1; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Reeves

Excused: Representatives Barkis, Chandler, Dye, Morgan and Tharinger

SUBSTITUTE SENATE BILL NO. 5787, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5213, by Senate Committee on Ways & Means (originally sponsored by Kuderer, Short, Cleveland, Conway, Dhingra, Rolfes, Wellman and Wilson, C.)**

**Concerning pharmacy benefit managers.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Health Care & Wellness was before the House for purpose of amendment. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

Representative Bronoske moved the adoption of amendment (1141) to the committee striking amendment:

On page 14, beginning on line 5 of the striking amendment, strike all of section 7

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Bronoske and Harris spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Riccelli spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1141) to the committee striking amendment was not adopted.

There being no objection, the committee striking amendment by the Committee on Health Care & Wellness was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Stonier, Schmick and Caldier spoke in favor of the passage of the bill.

Representative Hutchins spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5213, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5213, as amended by the House, and the bill passed the House by the following vote: Yeas, 73; Nays, 20; Absent, 0; Excused, 5

Voting Yea: Representatives Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Corry, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Timmons, Walen, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Bronoske, Connors, Couture, Graham, Griffey, Harris, Hutchins, Jacobsen, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Stokesbary, Volz, Walsh and Waters

Excused: Representatives Barkis, Chandler, Dye, Morgan and Tharinger

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5213, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

### SECOND READING

**SUBSTITUTE SENATE BILL NO. 6106, by Senate Committee on Ways & Means (originally sponsored by Conway, Keiser, Robinson, Hunt, Dhingra, Frame, Holy, Kuderer, Lovick, Nobles, Valdez and Wilson, C.)**

**Including in the public safety employees' retirement system specified workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Leavitt and Couture spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6106.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6106, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber,

McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler, Dye, Morgan and Tharinger

SUBSTITUTE SENATE BILL NO. 6106, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194, by Senate Committee on Ways & Means (originally sponsored by Stanford, Saldaña, Cleveland, Conway, Dhingra, Hasegawa, Hunt, Kuderer, Lüias, Lovelett, Nobles, Randall, Trudeau, Valdez, Van De Wege and Wilson, C.)**

**Concerning state legislative employee collective bargaining.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Labor & Workplace Standards was not adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the committee striking amendment by the Committee on Appropriations was not adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

Representative Fitzgibbon moved the adoption of the striking amendment (1187):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 44.90.020 and 2022 c 283 s 3 are each amended to read as follows:

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

(1) "Collective bargaining" means the performance of the mutual obligations of the employer and the exclusive bargaining representative to meet at reasonable times, except that neither party may be compelled to negotiate during a legislative session or on committee assembly days, to confer and negotiate in good faith, and to execute a written agreement with respect to the subjects of bargaining specified under RCW 44.90.090. The obligation to bargain does not compel either party to agree to a proposal or to make a concession unless otherwise provided in this chapter.

(2) "Commission" means the legislative commission created in section 17 of this act at the public employment relations commission, until the legislative commission expires on December 31, 2029. After December 31, 2029, "commission" means the public employment relations commission created under RCW 41.58.010(1).

((+2)) (3) "Confidential employee" means an employee designated by the employer: (a) To assist in a confidential capacity, or serve as counsel to, persons who formulate, determine, and effectuate employer policies with regard to labor relations and personnel matters; or (b) who has authorized access to information relating to the effectuation or

review of the employer's collective bargaining policies, strategies, or process to the extent that such access creates a conflict of interest; or (c) who assists or aids an employee with managerial authority; or (d) whose duties normally require access to confidential information that contributes to the development of the employer's collective bargaining policies or bargaining strategies. Such employees may include, but are not limited to, employees whose primary functions include supporting the offices of the secretary of the senate or chief clerk of the house of representatives, or conducting accounting, payroll, labor management, collective bargaining, or human resources activities.

(4) "Director" means the director of the office of state legislative labor relations.

((+3)) (5) (a) "Employee" means:

(i) Any regular partisan employee of the house of representatives or the senate who is covered by this chapter; and

(ii) Any regular employee who is staff of the:

(A) Office of legislative support services;

(B) Legislative service center;

(C) Office of the code reviser who, during any legislative session, does not work full time on drafting and finalizing legislative bills to be included in the Revised Code of Washington; and

(D) House of representatives and senate administrations.

(b) "Employee" also includes temporary staff hired to perform substantially similar work to that performed by employees included under (a) of this subsection.

(c) All other regular employees and temporary employees, including casual employees, interns, and pages, and employees in the office of program research and senate committee services work groups of the house of representatives and the senate are excluded from the definition of "employee" for the purposes of this chapter.

(6) "Employee organization" means any organization, union, or association in which employees participate and that exists for the purpose, in whole or in part, of collective bargaining with employers.

((+4)) (7) "Employee with managerial authority" means any employee designated by the employer who, regardless of job title:

(a) Directs the staff who work for a legislative chamber, caucus, agency, or subdivision thereof; (b) has substantial responsibility in personnel administration, or the preparation and administration of the employer's budgets; and (c) exercises authority that is not merely routine or clerical in nature and requires the use of independent judgment.

(8) "Employer" means:

(a) The chief clerk of the house of representatives, or the chief clerk's designee, for employees of the house of representatives;

(b) The secretary of the senate, or the secretary's designee, for employees of the senate; and

(c) The chief clerk of the house of representatives and the secretary of the senate, acting jointly, or their designees, for the regular employees who are staff of

the office of legislative support services, the legislative service center, and the office of the code reviser.

(9) "Exclusive bargaining representative" means any employee organization that has been certified under this chapter as the representative of the employees in an appropriate bargaining unit.

((+5)) (10) "Labor dispute" means any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment with respect to the subjects of bargaining provided in this chapter, regardless of whether the disputants stand in the proximate relation of employer and employee.

(11) "Legislative agencies" means the joint legislative audit and review committee, the statute law committee, the legislative ethics board, the legislative evaluation and accountability program committee, the office of the state actuary, the legislative service center, the office of legislative support services, the joint transportation committee, and the redistricting commission.

((+6)) (12) "Office" means the office of state legislative labor relations.

(13) "Supervisor" means an employee designated by the employer to provide supervision to and have authority over legislative employees on an ongoing basis as part of the employee's regular and usual job duties. Supervision includes the authority to direct employees, approve and deny leave, and effectively recommend decisions to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, or to adjust employee grievances, when the exercise of the authority is not of a merely routine nature but requires the exercise of individual judgment.

NEW SECTION. Sec. 2. A new section is added to chapter 44.90 RCW to read as follows:

(1) This chapter does not apply to any legislative employee who has managerial authority, is a confidential employee, or who does not meet the definition of employee for the purpose of collective bargaining.

(2) This chapter also does not apply to:

(a) Elected or appointed members of the legislature;

(b) Any person appointed to office under statute, ordinance, or resolution for a specific term of office as a member of a multimember board, commission, or committee;

(c) The deputy secretary of the senate and the deputy chief clerk of the house of representatives;

(d) The senate human resources officer, the human resources director of the house of representatives, and the human resources officers or directors of the legislative support services, legislative service center, and office of the code reviser;

(e) The senate director of accounting and the director of accounting for the house of representatives, and the directors of accounting for the legislative support



services, legislative service center, and office of the code reviser;

(f) Caucus chiefs of staff and caucus deputy chiefs of staff;

(g) The speaker's attorney, house counsel, and leadership counsel to the minority caucus of the house of representatives; and

(h) The counsels for the senate that provide direct legal advice to the administration of the senate.

(3)(a) Notwithstanding any other provision of this chapter, the employer has the sole and exclusive authority to designate supervisors. Notwithstanding any other provision of this chapter, the employer also has the sole and exclusive authority to designate confidential employees and employees who have managerial authority, subject to the limitations in (b) of this subsection.

(b) The number of employees designated as confidential employees and employees with managerial authority may not exceed 20 percent of the total employees, as defined under RCW 44.90.020(5)(a)(i), of the employer. However, for the office of legislative support services, the legislative service center, and the office of the code reviser, the number of employees designated as confidential employees and employees with managerial authority may not exceed 20 percent of the total employees in each of those respective agencies.

**Sec. 3.** RCW 44.90.030 and 2022 c 283 s 2 are each amended to read as follows:

(1) The office of state legislative labor relations is created to assist the house of representatives, the senate, and legislative agencies in implementing and managing the process of collective bargaining for employees of the legislative branch of state government.

(2)(a) Subject to (b) of this subsection, the secretary of the senate and the chief clerk of the house of representatives shall employ a director of the office. The director serves at the pleasure of the secretary of the senate and the chief clerk of the house of representatives, who shall fix the director's salary.

(b) The secretary of the senate and the chief clerk of the house of representatives shall, before employing a director, consult with legislative employees, the senate facilities and operations committee, the house executive rules committee, and the human resources officers of the house of representatives, the senate, and legislative agencies.

(c) The director serves as the executive and administrative head of the office and may employ additional employees to assist in carrying out the duties of the office. The duties of the office include, but are not limited to, establishing bargaining teams and conducting negotiations on behalf of the employer.

~~((d) The director shall contract with an external consultant for the purposes of gathering input from legislative employees, taking into consideration RCW 42.52.020 and rules of the house of representatives and~~

~~the senate. The gathering of input must be in the form of, at a minimum, surveys.~~

~~(3) The director, in consultation with the secretary of the senate, the chief clerk of the house of representatives, and the administrative heads of legislative agencies shall:~~

~~(a) Examine issues related to collective bargaining for employees of the house of representatives, the senate, and legislative agencies; and~~

~~(b) After consultation with the external consultant, develop best practices and options for the legislature to consider in implementing and administering collective bargaining for employees of the house of representatives, the senate, and legislative agencies.~~

~~(4)(a) By December 1, 2022, the director shall submit a preliminary report to the appropriate committees of the legislature that provides a progress report on the director's considerations.~~

~~(b) By October 1, 2023, the director shall submit a final report to the appropriate committees of the legislature. At a minimum, the final report must address considerations on the following issues:~~

~~(i) Which employees of the house of representatives, the senate, and legislative agencies for whom collective bargaining may be appropriate;~~

~~(ii) Mandatory, permissive, and prohibited subjects of bargaining;~~

~~(iii) Who would negotiate on behalf of the house of representatives, the senate, and legislative agencies, and which entity or entities would be considered the employer for purposes of bargaining;~~

~~(iv) Definitions for relevant terms;~~

~~(v) Common public employee collective bargaining agreement frameworks related to grievance procedures and processes for disciplinary actions;~~

~~(vi) Procedures related to the commission certifying exclusive bargaining representatives, determining bargaining units, adjudicating unfair labor practices, determining representation questions, and coalition bargaining;~~

~~(vii) The efficiency and feasibility of coalition bargaining;~~

~~(viii) Procedures for approving negotiated collective bargaining agreements;~~

~~(ix) Procedures for submitting requests for funding to the appropriate legislative committees if appropriations are necessary to implement provisions of the collective bargaining agreements; and~~

~~(x) Approaches taken by other state legislatures that have authorized collective bargaining for legislative employees.~~

~~(5) The report must include a summary of any statutory changes needed to address the considerations listed in subsection (4) of this section related to the collective bargaining process for legislative employees.))~~

**NEW SECTION. Sec. 4.** A new section is added to chapter 44.90 RCW to read as follows:

(1) As provided by this chapter, the commission or the court shall determine all questions described by this chapter as under

the commission's authority. However, such authority may not result in an order or rule that intrudes upon or interferes with the legislature's core function of efficient and effective law making or the essential operation of the legislature, including that an order or rule may not:

(a) Modify any matter relating to the qualifications and elections of members of the legislature, or the holding of office of members of the legislature;

(b) Modify any matter relating to the legislature or each house thereof choosing its officers, adopting rules for its proceedings, selecting committees necessary for the conduct of business, considering or enacting legislation, or otherwise exercising the legislative power of this state;

(c) Modify any matter relating to legislative calendars, schedules, and deadlines of the legislature; or

(d) Modify laws, rules, policies, or procedures regarding ethics or conflicts of interest.

(2) No member of the legislature may be compelled by subpoena or other means to attend a proceeding related to matters covered by this chapter during a legislative session, committee assembly days, or for 15 days before commencement of each session.

**Sec. 5.** RCW 44.90.050 and 2022 c 283 s 5 are each amended to read as follows:

(1) Except as may be specifically limited by this chapter, legislative employees shall have the right to self-organization, to form, join, or assist employee organizations, and to bargain collectively through representatives of their own choosing for the purpose of collective bargaining free from interference, restraint, or coercion. Legislative employees shall also have the right to refrain from any or all such activities.

(2) Except as may be specifically limited by this chapter, the commission shall determine all questions pertaining to ascertaining exclusive bargaining representatives for legislative employees and collectively bargaining under this chapter. However, no employee organization shall be recognized or certified as the exclusive bargaining representative of a bargaining unit of employees of the legislative branch unless it receives the votes of a majority of employees in the petitioned for bargaining unit voting in a secret election ((by mail ballot)) administered by the commission. The commission's process must allow for an employee, group of employees, employee organizations, employer, or their agents to have the right to petition on any question concerning representation.

(3) ~~((The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as~~

~~members.))~~ The commission must adopt rules that provide for at least the following:

(a) Secret balloting;

(b) Consulting with employee organizations;

(c) Access to lists of employees, job titles, work locations, and home mailing addresses;

(d) Absentee voting;

(e) Procedures for the greatest possible participation in voting;

(f) Campaigning on the employer's property during working hours; and

(g) Election observers.

(4)(a) If an employee organization has been certified as the exclusive bargaining representative of the employees of multiple bargaining units, the employee organization may act for and negotiate a master collective bargaining agreement that includes within the coverage of the agreement all covered employees in the bargaining units.

(b) If a master collective bargaining agreement is in effect for the newly certified exclusive bargaining representative, it applies to the bargaining unit for which the new certification has been issued. Nothing in this subsection (4)(b) requires the parties to engage in new negotiations during the term of that agreement.

(5) The certified exclusive bargaining representative is responsible for representing the interests of all the employees in the bargaining unit. This section may not be construed to limit an exclusive bargaining representative's right to exercise its discretion to refuse to process grievances of employees that are unmeritorious.

(6) No question concerning representation may be raised if:

(a) Fewer than 12 months have elapsed since the last certification or election; or

(b) A valid collective bargaining agreement exists covering the unit, except for that period of no more than 120 calendar days nor less than 90 calendar days before the expiration of the contract.

**NEW SECTION. Sec. 6.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission, after hearing upon reasonable notice to all interested parties, shall decide, in each application for certification as an exclusive bargaining representative, the unit appropriate for certification. In determining the new units or modifications of existing units, the commission must consider: The duties, skills, and working conditions of the employees; the history of collective bargaining; the extent of organization among the employees; the desires of the employees; and the avoidance of excessive fragmentation. However, a unit is not appropriate if it includes:

(a) Both supervisors and nonsupervisory employees. A unit that includes only supervisors may be considered appropriate if a majority of the supervisory employees indicates by vote that they desire to be included in such a unit;

(b) Both house of representatives and senate employees;

(c) Both partisan and nonpartisan employees;

(d) Employees of the majority party caucus and the minority party caucus, unless a majority of the employees of each caucus indicate by vote that they desire to be included together in the same unit; or

(e) Employees of the legislative service center, office of legislative support services, and the office of the code reviser, in any combination with each other or in any combination with employees of the house of representatives or employees of the senate.

(2) If a single employee organization is the exclusive bargaining representative for two or more units, upon petition by the employee organization, the units may be consolidated into a single larger unit if the commission considers the larger unit to be appropriate. If consolidation is appropriate, the commission shall certify the employee organization as the exclusive bargaining representative of the new unit.

NEW SECTION. **Sec. 7.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The parties to a collective bargaining agreement must reduce the agreement to writing and both execute it.

(2) Except as provided in this chapter, a collective bargaining agreement must contain provisions that provide for a grievance procedure of all disputes arising over the interpretation or application of the collective bargaining agreement and that is valid and enforceable under its terms when entered into in accordance with this chapter.

(3) RCW 41.56.037 applies to this chapter.

(4)(a) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and an employee organization representing the same bargaining units, the effective date of the collective bargaining agreement may be the day after the termination of the previous collective bargaining agreement, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(b) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and the exclusive bargaining representative representing different bargaining units, the effective date of the collective bargaining agreement may be the day after the termination date of whichever previous collective bargaining agreement covering one or more of the units terminated first, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(5) The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.

**Sec. 8.** RCW 44.90.060 and 2022 c 283 s 6 are each amended to read as follows:

~~((During a legislative session or committee assembly days, nothing))~~ Nothing contained in this chapter permits or grants to any legislative employee the right to strike, participate in a work stoppage, or refuse to perform their official duties.

**Sec. 9.** RCW 44.90.070 and 2022 c 283 s 7 are each amended to read as follows:

(1) Collective bargaining negotiations under this chapter must commence no later than July 1st of each even-numbered year after a bargaining unit has been certified.

(2) The duration of any collective bargaining agreement shall not exceed one fiscal biennium.

(3)(a) The director must submit ratified collective bargaining agreements, with cost estimates, to the employer by October 1st before the legislative session at which the request for funds is to be considered. The transmission by the legislature to the governor under RCW 43.88.090 must include a request for funds necessary to implement the provisions of all collective bargaining agreements covering legislative employees.

(b) If the legislature or governor fails to provide the funds for a collective bargaining agreement for legislative employees, either party may reopen all or part of the agreement or the exclusive bargaining representative may seek to implement the procedures provided for in section 10 of this act.

(4) Negotiation for economic terms will be by a coalition of all exclusive bargaining representatives. Any such provisions agreed to by the employer and the coalition must be included in all collective bargaining agreements negotiated by the parties. The director and the exclusive bargaining representative or representatives are authorized to enter into supplemental bargaining of bargaining unit specific issues for inclusion in the collective bargaining agreement, subject to the parties' agreement regarding the issues and procedures for supplemental bargaining. This subsection does not prohibit cooperation and coordination of bargaining between two or more exclusive bargaining representatives.

(5) If a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties must immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

**NEW SECTION. Sec. 10.** A new section is added to chapter 44.90 RCW to read as follows:

(1) Should the parties fail to reach agreement in negotiating a collective bargaining agreement, either party may request of the commission the assistance of an impartial third party to mediate the negotiations. If a collective bargaining agreement previously negotiated under this chapter expires while negotiations are underway, the terms and conditions specified in the collective bargaining agreement remain in effect for a period not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(2) Nothing in this section may be construed to prohibit an employer and an exclusive bargaining representative from agreeing to substitute, at their own expense, their own procedure for resolving impasses in collective bargaining for that provided in this section or from agreeing to utilize for the purposes of this section any other governmental or other agency or person in lieu of the commission.

(3) The commission shall bear costs for mediator services.

**Sec. 11.** RCW 44.90.080 and 2022 c 283 s 8 are each amended to read as follows:

(1) It is an unfair labor practice for an employer in the legislative branch of state government:

(a) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed by this chapter;

(b) To dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it: PROVIDED, That subject to rules adopted by the commission, an employer shall not be prohibited from permitting employees to confer with it or its representatives or agents during working hours without loss of time or pay;

(c) To encourage or discourage membership in any employee organization by discrimination in regard to hire, tenure of employment, or any term or condition of employment;

(d) To discharge or discriminate otherwise against an employee because that employee has filed charges or given testimony under this chapter;

(e) To refuse to bargain collectively with the exclusive bargaining representatives of its employees.

(2) Notwithstanding any other law, the expression of any views, arguments, or opinions, or the dissemination thereof in any form, by a member of the legislature related to this chapter or matters within the scope of representation, shall not constitute, or be evidence of, an unfair labor practice unless the employer has authorized the member to express that view, argument, or opinion on behalf of the employer or as an employer.

(3) It is an unfair labor practice for an employee organization:

(a) To restrain or coerce an employee in the exercise of the rights guaranteed by this chapter: PROVIDED, That this subsection

shall not impair the right of an employee organization to prescribe its own rules with respect to the acquisition or retention of membership in the employee organization or to an employer in the selection of its representatives for the purpose of bargaining or the adjustment of grievances;

(b) To cause or attempt to cause an employer to discriminate against an employee in violation of subsection (1)(c) of this section;

(c) To discriminate against an employee because that employee has filed charges or given testimony under this chapter;

(d) To refuse to bargain collectively with an employer.

~~((3))~~(4) The expressing of any views, arguments, or opinion, or the dissemination thereof to the public, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under this chapter, if such expression contains no threat of reprisal or force or promise of benefit.

**NEW SECTION. Sec. 12.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission is empowered and directed to prevent any unfair labor practice and to issue appropriate remedial orders. However, a complaint may not be processed for any unfair labor practice occurring more than six months before the filing of the complaint with the commission or in Thurston county superior court. This power may not be affected or impaired by any means of adjustment, mediation, or conciliation in labor disputes that have been or may hereafter be established by law.

(2) Except as may be specifically limited by this chapter, if the commission or court determines that any person has engaged in or is engaging in an unfair labor practice, the commission or court shall issue and cause to be served upon the person an order requiring the person to cease and desist from such unfair labor practice, and to take such affirmative action as will effectuate the purposes and policy of this chapter, such as the payment of damages.

(3) The commission may petition the Thurston county superior court for the enforcement of its order and for appropriate temporary relief.

**Sec. 13.** RCW 44.90.090 and 2022 c 283 s 9 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, the matters subject to bargaining include wages, hours, terms and conditions of employment, and the negotiation of any question arising under a collective bargaining agreement.

(2) The employer shall not bargain over rights of management which, in addition to all powers, duties, and rights established by constitutional provision or statute, shall include, but not be limited to, the following:

(a) Any item listed in section 4(1) of this act;

(b) The functions and programs of the employer, the use of technology, and the

structure of the organization, including the size and composition of standing committees;

~~((b))~~(c) The employer's budget and the size of the employer's workforce, including determining the financial basis for layoffs;

~~((e))~~(d) The right to direct and supervise employees;

~~((d))~~(e) The hours of work during legislative session ((and the cutoff calendar for a legislative session)) and committee assembly days, and the hours of work during the 60 calendar days before the first day of legislative session and during the 20 calendar days after the last day of legislative session. This subsection (2)(e) does not prohibit bargaining over hours of work during any other period and bargaining over compensation for hours of work in excess of a 40-hour workweek, except that bargaining over hours of work during periods not otherwise prohibited and compensation for hours worked in excess of a 40-hour workweek may only occur for agreements that take effect after July 1, 2027; ((and

~~(e))~~(f) The cutoff calendar for a legislative session;

(g) The employer's authority to: (i) Lay off employees when there has been a change to the number of members in, or the makeup of, a caucus due to an election or appointment that necessitates a change in the number of staff; (ii) lay off an employee following an election, appointment, or resignation of a legislator; and (iii) terminate an employee for engaging in partisan activities that are incompatible with the employee's job duties or position;

(h) Health care benefits and other employee insurance benefits. The amount paid by a legislative employee for health care premiums must be the same as that paid by a represented state employee covered by RCW 41.80.020(3);

(i) The right to take whatever actions are deemed necessary to carry out the mission of the legislature and its agencies during emergencies; and

(j) Retirement plans and retirement benefits.

~~((2))~~(3) Except for an applicable code of conduct policy adopted by a chamber of the legislature or a legislative agency, if a conflict exists between policies adopted by the legislature relating to wages, hours, and terms and conditions of employment and a provision of a collective bargaining agreement negotiated under this chapter, the collective bargaining agreement shall prevail. A provision of a collective bargaining agreement that conflicts with a statute or an applicable term of a code of conduct policy adopted by a chamber of the legislature or a legislative agency is invalid and unenforceable.

**NEW SECTION. Sec. 14.** A new section is added to chapter 44.90 RCW to read as follows:

(1) Upon authorization of an employee within the bargaining unit and after the certification or recognition of the bargaining unit's exclusive bargaining representative, the employer must deduct from the payments to the employee the monthly amount of dues as certified by the

secretary of the exclusive bargaining representative and must transmit the same to the treasurer of the exclusive bargaining representative.

(2)(a) An employee's written, electronic, or recorded voice authorization to have the employer deduct membership dues from the employee's salary must be made by the employee to the exclusive bargaining representative. If the employer receives a request for authorization of deductions, the employer must, as soon as practicable, forward the request to the exclusive bargaining representative.

(b) Upon receiving notice of the employee's authorization, the employer must deduct from the employee's salary membership dues and remit the amounts to the exclusive bargaining representative.

(c) The employee's authorization remains in effect until expressly revoked by the employee in accordance with the terms and conditions of the authorization.

(d) An employee's request to revoke authorization for payroll deductions must be in writing and submitted by the employee to the exclusive bargaining representative in accordance with the terms and conditions of the authorization.

(e) After the employer receives confirmation from the exclusive bargaining representative that the employee has revoked authorization for deductions, the employer must end the deduction no later than the second payroll after receipt of the confirmation.

(f) The employer must rely on information provided by the exclusive bargaining representative regarding the authorization and revocation of deductions.

**NEW SECTION. Sec. 15.** A new section is added to chapter 44.90 RCW to read as follows:

(1) If the parties to a collective bargaining agreement negotiated under this chapter agree to final and binding arbitration under grievance procedures allowed by section 7 of this act, the parties may agree on one or more permanent umpires to serve as arbitrator, or may agree on any impartial person to serve as arbitrator, or may agree to select arbitrators from any source available to them, including federal and private agencies, in addition to the staff and list of arbitrators maintained by the commission. If the parties cannot agree to the selection of an arbitrator, the commission must supply a list of names in accordance with the procedures established by the commission.

(2) The authority of an arbitrator shall be subject to the limits and restrictions specified under section 4 of this act.

(3) Except as limited by this chapter, an arbitrator may require any person to attend as a witness and to bring with them any book, record, document, or other evidence. The fees for such attendance must be paid by the party requesting issuance of the subpoena and must be the same as the fees of witnesses in the superior court. Arbitrators may administer oaths. Subpoenas must issue and be signed by the arbitrator and must be served in the same manner as subpoenas to

testify before a court of record in this state. If any person so summoned to testify refuses or neglects to obey such subpoena, upon petition authorized by the arbitrator, the superior court may compel the attendance of the person before the arbitrator or punish the person for contempt in the same manner provided for the attendance of witnesses or the punishment of them in the courts of this state.

(4) Except as limited by this chapter, the arbitrator shall appoint a time and place for the hearing and notify the parties thereof, and may adjourn the hearing from time to time as may be necessary, and, on application of either party and for good cause, may postpone the hearing to a time not extending beyond the date fixed by the collective bargaining agreement for making the award. The arbitration award must be in writing and signed by the arbitrator. The arbitrator must, promptly upon its rendition, serve a true copy of the award on each of the parties or their attorneys of record.

(5) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to submit a grievance for arbitration, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order compelling arbitration. Disputes concerning compliance with grievance procedures shall be reserved for determination by the arbitrator. Arbitration shall be ordered if the grievance states a claim that on its face is covered by the collective bargaining agreement. Doubts as to the coverage of the arbitration clause shall be resolved in favor of arbitration.

(6) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to comply with the award of an arbitrator determining a grievance arising under the collective bargaining agreement, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order enforcing the arbitration award.

**Sec. 16.** RCW 41.58.010 and 2012 c 117 s 89 are each amended to read as follows:

(1) There is hereby created the public employment relations commission (hereafter called the "commission") to administer the provisions of this chapter. ~~(The)~~Notwithstanding section 17 of this act, the commission shall consist of three members who shall be citizens appointed by the governor by and with the advice and consent of the senate. One of the original members shall be appointed for a term of three years, one for a term of four years, and one for a term of five years. Their successors shall be appointed for terms of five years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he or she succeeds. Commission members shall be eligible for reappointment. The

governor shall designate one member to serve as chair of the commission. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Commission members shall not be eligible for state retirement under chapter 41.40 RCW by virtue of their service on the commission.

(2) In making citizen member appointments initially, and subsequently thereafter, the governor shall be cognizant of the desirability of appointing persons knowledgeable in the area of labor relations in the state.

(3) A vacancy in the commission shall not impair the right of the remaining members to exercise all of the powers of the commission, and two members of the commission shall, at all times, constitute a quorum of the commission.

(4) The commission shall at the close of each fiscal year make a report in writing to the legislature and to the governor stating the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the commission, and an account of all moneys it has disbursed.

NEW SECTION. **Sec. 17.** A new section is added to chapter 41.58 RCW to read as follows:

(1)(a) There is established a legislative commission (hereafter called "the legislative commission") exclusively for the purpose of certification of bargaining representatives, adjusting and settling complaints, grievances, and disputes arising out of employer-employee relations, and otherwise carrying out the duties required of the commission under chapter 44.90 RCW.

(b) The legislative commission shall consist of three members who shall be appointed as follows:

(i) One member shall be appointed by the speaker of the house of representatives;

(ii) One member shall be appointed by the president of the senate;

(iii) By mutual consent, the two appointed members shall appoint the third member who shall be the chair of the legislative commission.

(c) All appointments must be made by September 30, 2024. The members of the legislative commission, and any person appointed to fill a vacancy, are appointed for the entire term until the legislative commission expires under subsection (9) of this section.

(d) Until all the members of the legislative commission are appointed, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

(2) The commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation, and, if applicable, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement. Such delegation shall not eliminate a party's

right of appeal to the legislative commission.

(3) Unless specifically provided, the legislative commission shall not be considered part of the commission created under RCW 41.58.010(1). The powers and duties granted in this chapter to the commission created under RCW 41.58.010(1) do not apply to the legislative commission, unless specifically provided.

(4) A member of the legislative commission may be removed by the speaker of the house of representatives and the president of the senate acting jointly, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(5) In making their appointments, the speaker of the house of representatives and the president of the senate shall be cognizant of the desirability of appointing a person who is knowledgeable in the area of labor relations and of the legislature.

(6) Members of the legislative commission are not eligible for state retirement under chapter 41.40 RCW by virtue of the member's service as a commissioner.

(7) The compensation and travel reimbursement provision under RCW 41.58.015(1) shall apply to members of the legislative commission.

(8) The legislative commission shall at the close of each fiscal year make a report in writing to the legislature stating the cases it has heard and decisions it has rendered.

(9)(a) The legislative commission expires December 31, 2029.

(b) After December 31, 2029, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

**Sec. 18.** RCW 41.58.015 and 1984 c 287 s 71 are each amended to read as follows:

(1) Each member of the commission shall be compensated in accordance with RCW 43.03.250. Members of the commission shall also be reimbursed for travel expenses incurred in the discharge of their official duties on the same basis as is provided in RCW 43.03.050 and 43.03.060.

(2) The commission shall appoint an executive director whose annual salary shall be determined under the provisions of RCW 43.03.028. The executive director shall perform such duties and have such powers as the commission shall prescribe in order to implement and enforce the provisions of this chapter. In addition to the performance of administrative duties, the commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation of labor disputes, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement, and, in certain cases, fact-finding or arbitration of disputes concerning the terms of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the commission. The executive director, with such assistance as

may be provided by the attorney general and such additional legal assistance consistent with chapter 43.10 RCW, shall have authority on behalf of the commission, when necessary to carry out or enforce any action or decision of the commission, to petition any court of competent jurisdiction for an order requiring compliance with the action or decision.

(3)(a) The commission shall employ such employees as it may from time to time find necessary for the proper performance of its duties, consistent with the provisions of this chapter.

(b) The employees of the commission shall also provide staff support to the legislative commission in carrying out the legislative commission's duties under chapter 44.90 RCW until the legislative commission expires on December 31, 2029, under section 17 of this act.

(4) The payment of all of the expenses of the commission, including travel expenses incurred by the members or employees of the commission under its orders, shall be subject to the provisions of RCW 43.03.050 and 43.03.060.

**NEW SECTION. Sec. 19.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The following activities conducted by or on behalf of legislative employees related to collective bargaining under this chapter are exempt from the restrictions contained in RCW 42.52.020 and 42.52.160:

(a) Using paid time and public resources by an employee to negotiate or administer a collective bargaining agreement when the employee is assigned to negotiate or administer the collective bargaining agreement and the use of paid time and public resources does not include state-purchased supplies or equipment, does not interfere with or distract from the conduct of state business, and is consistent with the employer's policy on the use of paid time;

(b) Lobbying conducted by an employee organization, lobbyist, association, or third party on behalf of legislative employees concerning legislation that directly impacts legislative workplace conditions;

(c) Communication with a prospective employee organization during nonwork hours and without the use of public resources; or

(d) Conducting the day-to-day work of organizing and representing legislative employees in the workplace while serving in a legislative employee organization leadership position.

(2)(a) Nothing in this section affects the application of the prohibition against the use of special privileges under RCW 42.52.070, confidentiality requirements under RCW 42.52.050, or other applicable provisions of chapter 42.52 RCW to legislative employees.

(b) Nothing in this section permits any direct lobbying by a legislative employee.

(3) As used in this section, "lobby" and "lobbyist" have the meanings provided in RCW 42.17A.005.

**Sec. 20.** RCW 42.52.020 and 1996 c 213 s 2 are each amended to read as follows:

(1) No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.

(2) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

**Sec. 21.** RCW 42.52.160 and 2023 c 91 s 3 are each amended to read as follows:

(1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

(2) This section does not prohibit the use of public resources to benefit others as part of a state officer's or state employee's official duties. It is not a violation of this section for a legislator or an appropriate legislative staff designee to engage in activities listed under RCW 42.52.070(2) or 42.52.822.

(3) This section does not prohibit de minimis use of state facilities to provide employees with information about (a) medical, surgical, and hospital care; (b) life insurance or accident and health disability insurance; or (c) individual retirement accounts, by any person, firm, or corporation administering such program as part of authorized payroll deductions pursuant to RCW 41.04.020.

(4) The appropriate ethics boards may adopt rules providing exceptions to this section for occasional use of the state officer or state employee, of de minimis cost and value, if the activity does not result in interference with the proper performance of public duties.

(5) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

**NEW SECTION. Sec. 22.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect May 1, 2024."

Correct the title.

Representatives Fitzgibbon and Rude spoke in favor of the adoption of the striking amendment.

The striking amendment (1187) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Fitzgibbon spoke in favor of the passage of the bill.

Representative Rude spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House, and the bill passed the House by the following vote: Yeas, 56; Nays, 37; Absent, 0; Excused, 5

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Barkis, Chandler, Dye, Morgan and Tharinger

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6238, by Senators Dozier, Conway, Fortunato, Hasegawa, Lovelett, Lovick, Torres, Wagoner, Warnick, Wilson, C. and Wilson, J.**

**Updating thresholds for the property tax exemption for widows and widowers of honorably discharged veterans.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Finance was adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Orcutt and Berg spoke in favor of the passage of the bill.

#### MOTION

On motion of Representative Ramel, Representative Fey was excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6238, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6238, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber,



McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler, Dye, Fey, Morgan and Tharinger

SENATE BILL NO. 6238, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SECOND SUBSTITUTE SENATE BILL NO. 6228, by Senate Committee on Ways & Means (originally sponsored by Dhingra, Hasegawa, Kuderer, Lovelett, Nobles, Randall, Shewmake, Valdez and Wilson, C.)**

**Concerning treatment of substance use disorders.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Health Care & Wellness was not adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 14, 2024.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

Representative Davis moved the adoption of amendment (1193) to the committee striking amendment:

On page 7, line 14 of the striking amendment, after "for the patient" strike "and covered by the patient's insurance"

On page 7, line 36 of the striking amendment, after "(d)" strike "Subsections (b) and (c) of this subsection do" and insert "This subsection does"

On page 8, beginning on line 1 of the striking amendment, strike all of section 5

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 21, line 21 of the striking amendment, after "bills" insert "for the following outpatient services"

On page 21, line 28 of the striking amendment, after "for" insert "outpatient"

On page 22, line 3 of the striking amendment, after "bills" insert "for the following outpatient services"

On page 22, line 10 of the striking amendment, after "for" insert "outpatient"

On page 22, line 16 of the striking amendment, after "buprenorphine" insert "on an outpatient basis"

On page 22, line 21 of the striking amendment, after "buprenorphine" insert "on an outpatient basis"

On page 22, line 26 of the striking amendment, after "buprenorphine" insert "on an outpatient basis"

On page 22, line 29 of the striking amendment, after "for" insert "outpatient"

Representatives Davis and Schmick spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1193) to the committee striking amendment was adopted.

Representative Schmick moved the adoption of amendment (1222) to the committee striking amendment:

On page 9, line 32 of the striking amendment, after "than" strike "14" and insert "seven"

On page 9, line 34 of the striking amendment, after "first" strike "14" and insert "seven"

On page 12, line 26 of the striking amendment, after "than" strike "14" and insert "seven"

On page 12, line 28 of the striking amendment, after "first" strike "14" and insert "seven"

On page 15, line 20 of the striking amendment, after "than" strike "14" and insert "seven"

On page 15, line 23 of the striking amendment, after "first" strike "14" and insert "seven"

Representative Schmick spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Riccelli spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1222) to the committee striking amendment was not adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Davis spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 6228, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 6228, as amended by the House, and the bill passed the House by the following vote: Yeas, 84; Nays, 8; Absent, 0; Excused, 6

Voting Yea: Representatives Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low,

Macri, Maycumber, McClintock, Mena, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Christian, Corry, Couture, McEntire, Orcutt, Schmick and Walsh

Excused: Representatives Barkis, Chandler, Dye, Fey, Morgan and Tharinger

SECOND SUBSTITUTE SENATE BILL NO. 6228, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5180, by Senators Hunt, Hawkins and Mullet**

**Adopting the interstate teacher mobility compact.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Education was before the House for purpose of amendment. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

With the consent of the House, amendment (1196) was withdrawn.

Representative Rude moved the adoption of amendment (1195) to the committee striking amendment:

On page 2, line 5 of the striking amendment, after "in the" strike "uniformed services" and insert "armed forces"

On page 2, line 30 of the striking amendment, after "active" strike "uniformed services" and insert "armed forces"

On page 12, line 36 of the striking amendment, after "or rule" insert "of the commission"

Representatives Rude and Santos spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1195) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Santos, Rude and Chambers spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5180, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5180, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker,

Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler, Dye, Fey, Morgan and Tharinger

SENATE BILL NO. 5180, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE JOINT MEMORIAL NO. 8008, by Senator Wilson, J.**

**Designating mileposts 45 to 51 of state route number 6 as the Washington state patrol trooper Justin R. Schaffer memorial highway.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McEntire, Donaghy and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Joint Memorial No. 8008.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8008, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler, Dye, Fey, Morgan and Tharinger

SENATE JOINT MEMORIAL NO. 8008, having received the necessary constitutional majority, was declared passed.

**SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5150, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Shewmake)**

**Concerning the beef commission's levied assessment.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Agriculture & Natural Resources was adopted. For Committee amendment, see Journal, Day 44, Tuesday, February 20, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Timmons, Dent and Chapman spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 5150, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5150, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler, Dye, Fey, Morgan and Tharinger

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5150, as amended by the House, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Second Engrossed Substitute Senate Bill No. 5150.

Representative Mosbrucker, 14th District

### SECOND READING

**SECOND SUBSTITUTE SENATE BILL NO. 5882, by Senate Committee on Ways & Means (originally sponsored by Stanford, Wellman, Hunt, Pedersen, Wilson, C., Conway, Hasegawa, Kuderer, Nobles, Salomon, Shewmake, Valdez and Van De Wege)**

**Increasing prototypical school staffing to better meet student needs.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

Representative Bergquist moved the adoption of amendment (1188) to the committee striking amendment:

On page 5, line 9, strike  
"1.0040.7680.720"  
and insert the following:  
"1.0120.7760.728"

On page 5, line 11, strike  
"2.0802.3933.337"  
and insert the following:  
"2.0882.4013.345"

On page 11, line 15, strike  
"0.9960.2320.280"  
and insert the following:  
"0.988 0.2240.272"

On page 11, line 17, strike  
"0.921.1070.163"  
and insert the following:  
"0.9121.0990.155"

Representative Bergquist spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Corry spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1188) to the committee striking amendment was adopted.

Representative Corry moved the adoption of amendment (1192) to the committee striking amendment:

On page 5, line 9, strike  
"1.0040.7680.720"  
and insert the following:  
"1.0540.8170.769"

On page 5, line 11, strike  
"2.0802.3933.337"  
and insert the following:  
"2.1302.4423.386"

On page 11, line 15, strike  
"0.9960.2320.280"  
and insert the following:  
"0.94600.18300.2310"

On page 11, line 17, strike  
"0.921.1070.163"  
and insert the following:  
"0.87001.05800.1140"

On page 12, beginning on line 17, after "**Sec. 4.**" Strike all material through "year" on line 28 and insert "Sections 2 and 3 of this act take effect September 1, 2024"

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representative Corry spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Bergquist spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of amendment (1192) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 38; Nays, 54; Absent, 0; Excused, 6

Voting Yea: Representatives Abbarno, Barnard, Calder, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representatives Barkis, Chandler, Dye, Fey, Morgan and Tharinger

Amendment (1192) to the committee striking amendment was not adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Stonier and Chambers spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5882, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5882, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 2; Absent, 0; Excused, 6

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives McEntire and Walsh

Excused: Representatives Barkis, Chandler, Dye, Fey, Morgan and Tharinger

SECOND SUBSTITUTE SENATE BILL NO. 5882, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5808, by Senate Committee on Labor & Commerce (originally sponsored by Van De Wege, Lovick, Conway, Trudeau, Nguyen, Kuderer, Randall, Dhingra, Hunt, Valdez, Keiser, Stanford, Liias, Hasegawa, Shewmake, Mullet, Nobles and Salomon)**

**Granting interest arbitration to certain public safety telecommunicators.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Berry and Schmidt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5808.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5808, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler, Dye, Fey, Morgan and Tharinger

SUBSTITUTE SENATE BILL NO. 5808, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6084, by Senators Wagoner and Lovick**

**Providing collector vehicles the ability to tow trailers.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Low and Timmons spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6084.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6084, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler, Dye, Fey, Morgan and Tharinger

SENATE BILL NO. 6084, having received the necessary constitutional majority, was declared passed.

**SECOND SUBSTITUTE SENATE BILL NO. 5780, by Senate Committee on Ways & Means (originally sponsored by Torres, Dhingra, Padden, Boehnke, Wilson, L., Braun, Frame, Hasegawa, Kuderer, Lovick, Mullet, Nguyen, Warnick and Wilson, J.)**

**Encouraging participation in public defense and prosecution professions.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walsh and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5780.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5780, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler, Dye, Fey, Morgan and Tharinger

SECOND SUBSTITUTE SENATE BILL NO. 5780, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

The House resumed consideration of SECOND SUBSTITUTE SENATE BILL NO. 6006 on third reading.

**THIRD READING**

**SECOND SUBSTITUTE SENATE BILL NO. 6006, by Senate Committee on Ways & Means (originally sponsored by Dhingra, Wagoner, Braun, Conway, Frame, Hasegawa, Keiser, Kuderer, Liias, McCune, Nguyen, Nobles, Salomon, Stanford, Torres, Valdez and Wilson, C.)**

**Supporting victims of human trafficking and sexual abuse.**

The bill was read the third time.

There being no objection, the rules were suspended, and SECOND SUBSTITUTE SENATE BILL NO. 6006 was returned to second reading for the purpose of further amendment.

There being no objection, the committee striking amendment by the Committee on Community Safety, Justice, & Reentry was before the House for purpose of further amendment. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

Representative Graham moved the adoption of amendment (1221) to the committee striking amendment:

On page 6, after line 10, insert the following:

**"NEW SECTION. Sec. 2.** A new section is added to chapter 9A.40 RCW to read as follows:

(1) A person convicted of any of the following offenses shall be sentenced under subsection (2) of this section if the victim was a minor at the time of the offense:

(a) Trafficking in the first degree under RCW 9A.40.100(1)(a)(i) involving a sexually explicit act or a commercial sex act;

(b) Trafficking in the first degree under RCW 9A.40.100(1)(a)(ii) involving a sexually explicit act or commercial sex act;

(c) Trafficking in the first degree under RCW 9A.40.100(1)(b)(ii);

(d) Trafficking in the second degree under RCW 9A.40.100(3)(a) involving a sexually explicit act or a commercial sex act; or

(e) Trafficking in the second degree under RCW 9A.40.100(3)(b) involving a sexually explicit act or a commercial sex act.

(2) A person convicted under subsection (1) of this section who:

(a) Was 18 years of age or older at the time of the offense shall be sentenced to life imprisonment without the opportunity for parole. A person sentenced under this subsection shall not have that sentence suspended, deferred, or commuted by any judicial officer and the indeterminate sentence review board or its successor may not parole such prisoner nor reduce the period of confinement in any manner whatsoever including but not limited to any sort of good-time calculation;

(b) Was less than 18 years old at the time of the offense shall be sentenced to a maximum term of life imprisonment and a minimum term of total confinement of no less than 25 years. In setting a minimum term, the court must take into account mitigating factors that account for the diminished culpability of youth as provided in *Miller v. Alabama*, 132 S.Ct. 2455 (2012) including, but not limited to, the age of the individual, the youth's childhood and life experience, the degree of responsibility the youth was capable of exercising, and the youth's chances of becoming rehabilitated.

**Sec. 3.** RCW 9.94A.515 and 2023 c 196 s 3 and 2023 c 7 s 3 are each reenacted and amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN EACH  
SERIOUSNESS LEVEL

XVI Aggravated Murder 1 (RCW  
10.95.020)

Trafficking 1 (if the  
victim was a minor and  
the offense involved a  
sexually explicit act or  
a commercial sex act)  
(RCW 9A.40.100(1)(a)(i))

	<u>Trafficking 1 (if the victim was a minor and the offense involved a sexually explicit act or a commercial sex act) (RCW 9A.40.100(1)(a)(ii))</u>		<u>the victim is a minor and the offense involved a sexually explicit act or a commercial sex act under RCW 9A.40.100(3)(a) (RCW 9A.40.100(3))</u>
	<u>Trafficking 1 (if the victim was a minor) (RCW 9A.40.100(1)(b)(ii))</u>	XI	Manslaughter 1 (RCW 9A.32.060)
	<u>Trafficking 2 (if the victim was a minor and the offense involved a sexually explicit act or a commercial sex act) (RCW 9A.40.100(3)(a))</u>		Rape 2 (RCW 9A.44.050)
	<u>Trafficking 2 (if the victim was a minor and the offense involved a sexually explicit act or a commercial sex act) (RCW 9A.40.100(3)(b))</u>		Rape of a Child 2 (RCW 9A.44.076)
XV	Homicide by abuse (RCW 9A.32.055)		Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
	Malicious explosion 1 (RCW 70.74.280(1))		Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
	Murder 1 (RCW 9A.32.030)	X	Child Molestation 1 (RCW 9A.44.083)
XIV	Murder 2 (RCW 9A.32.050)		Criminal Mistreatment 1 (RCW 9A.42.020)
	<u>Trafficking 1 (except Trafficking 1 where the victim is a minor under RCW 9A.40.100(1)(a)(ii) or (b)(ii) or where the victim is a minor and the offense involved a sexually explicit act or a commercial sex act under RCW 9A.40.100(1)(a)(i)) (RCW 9A.40.100(1))</u>		Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
XII	Malicious explosion 2 (RCW 70.74.280(2))		Kidnapping 1 (RCW 9A.40.020)
I	Malicious placement of an explosive 1 (RCW 70.74.270(1))		Leading Organized Crime (RCW 9A.82.060(1)(a))
XII	Assault 1 (RCW 9A.36.011)		Malicious explosion 3 (RCW 70.74.280(3))
	Assault of a Child 1 (RCW 9A.36.120)		Sexually Violent Predator Escape (RCW 9A.76.115)
	Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))	IX	Abandonment of Dependent Person 1 (RCW 9A.42.060)
	Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)		Assault of a Child 2 (RCW 9A.36.130)
	Rape 1 (RCW 9A.44.040)		Explosive devices prohibited (RCW 70.74.180)
	Rape of a Child 1 (RCW 9A.44.073)		Hit and Run—Death (RCW 46.52.020(4)(a))
	<u>Trafficking 2 (except Trafficking 2 where the victim is a minor under RCW 9A.40.100(3)(b) or</u>		Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
			Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
			Malicious placement of an explosive 2 (RCW 70.74.270(2))
			Robbery 1 (RCW 9A.56.200)
			Sexual Exploitation (RCW 9.68A.040)

VII	Arson 1 (RCW 9A.48.020)	Preemption Device (RCW 46.37.675)	
I	Commercial Sexual Abuse of a Minor (RCW 9.68A.100)	Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))	
	Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)	Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))	
	Manslaughter 2 (RCW 9A.32.070)	Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))	
	Promoting Prostitution 1 (RCW 9A.88.070)	Use of a Machine Gun or Bump-fire Stock in Commission of a Felony (RCW 9.41.225)	
	Theft of Ammonia (RCW 69.55.010)	Vehicle Homicide, by disregard for the safety of others (RCW 46.61.520)	
VII	Air bag diagnostic systems (causing bodily injury or death) (RCW 46.37.660(2)(b))	VI	Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
	Air bag replacement requirements (causing bodily injury or death) (RCW 46.37.660(1)(b))		Bribery (RCW 9A.68.010)
	Burglary 1 (RCW 9A.52.020)		Incest 1 (RCW 9A.64.020(1))
	Child Molestation 2 (RCW 9A.44.086)		Intimidating a Judge (RCW 9A.72.160)
	Civil Disorder Training (RCW 9A.48.120)		Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
	Custodial Sexual Misconduct 1 (RCW 9A.44.160)		Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
	Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))		Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
	Drive-by Shooting (RCW 9A.36.045)		Rape of a Child 3 (RCW 9A.44.079)
	False Reporting 1 (RCW 9A.84.040(2)(a))		Theft of a Firearm (RCW 9A.56.300)
	Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)		Theft from a Vulnerable Adult 1 (RCW 9A.56.400(1))
	Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1)(b) and (c))		Unlawful Storage of Ammonia (RCW 69.55.020)
	Introducing Contraband 1 (RCW 9A.76.140)	V	Abandonment of Dependent Person 2 (RCW 9A.42.070)
	Malicious placement of an explosive 3 (RCW 70.74.270(3))		Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
	Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death) (RCW 46.37.650(1)(b))		Air bag diagnostic systems (RCW 46.37.660(2)(c))
	Negligently Causing Death By Use of a Signal		

Air bag replacement requirements (RCW 46.37.660(1)(c))		Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))		Sexually Violating Human Remains (RCW 9A.44.105)
Child Molestation 3 (RCW 9A.44.089)		Stalking (RCW 9A.46.110)
Criminal Mistreatment 2 (RCW 9A.42.030)	IV	Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
Custodial Sexual Misconduct 2 (RCW 9A.44.170)		Arson 2 (RCW 9A.48.030)
Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))		Assault 2 (RCW 9A.36.021)
Domestic Violence Court Order Violation (RCW 7.105.450, 10.99.040, 10.99.050, 26.09.300, 26.26B.050, or 26.52.070)		Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
Extortion 1 (RCW 9A.56.120)		Assault 4 (third domestic violence offense) (RCW 9A.36.041(3))
Extortionate Extension of Credit (RCW 9A.82.020)		Assault by Watercraft (RCW 79A.60.060)
Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)		Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
Incest 2 (RCW 9A.64.020(2))		Cheating 1 (RCW 9.46.1961)
Kidnapping 2 (RCW 9A.40.030)		Commercial Bribery (RCW 9A.68.060)
Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (RCW 46.37.650(1)(c))		Counterfeiting (RCW 9.16.035(4))
Perjury 1 (RCW 9A.72.020)		Driving While Under the Influence (RCW 46.61.502(6))
Persistent prison misbehavior (RCW 9.94.070)		Endangerment with a Controlled Substance (RCW 9A.42.100)
Possession of a Stolen Firearm (RCW 9A.56.310)		Escape 1 (RCW 9A.76.110)
Rape 3 (RCW 9A.44.060)		Hate Crime (RCW 9A.36.080)
Rendering Criminal Assistance 1 (RCW 9A.76.070)		Hit and Run—Injury (RCW 46.52.020(4)(b))
Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(c))		Hit and Run with Vessel—Injury Accident (RCW 79A.60.200(3))
Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))		Identity Theft 1 (RCW 9.35.020(2))
		Indecent Exposure to Person Under Age 14 (subsequent sex offense) (RCW 9A.88.010)
		Influencing Outcome of Sporting Event (RCW 9A.82.070)
		Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))
		Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))



Residential Burglary (RCW 9A.52.025)	Burglary 2 (RCW 9A.52.030)
Robbery 2 (RCW 9A.56.210)	Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
Theft of Livestock 1 (RCW 9A.56.080)	Criminal Gang Intimidation (RCW 9A.46.120)
Threats to Bomb (RCW 9.61.160)	Custodial Assault (RCW 9A.36.100)
Trafficking in Stolen Property 1 (RCW 9A.82.050)	Cyber Harassment (RCW 9A.90.120(2)(b))
Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))	Escape 2 (RCW 9A.76.120)
Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))	Extortion 2 (RCW 9A.56.130)
Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))	False Reporting 2 (RCW 9A.84.040(2)(b))
Unlawful transaction of insurance business (RCW 48.15.023(3))	Harassment (RCW 9A.46.020)
Unlicensed practice as an insurance professional (RCW 48.17.063(2))	Hazing (RCW 28B.10.901(2)(b))
Use of Proceeds of Criminal Profiteering (RCW 9A.82.080(1) and (2))	Intimidating a Public Servant (RCW 9A.76.180)
Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))	Introducing Contraband 2 (RCW 9A.76.150)
Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)	Malicious Injury to Railroad Property (RCW 81.60.070)
Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))	Manufacture of Untraceable Firearm with Intent to Sell (RCW 9.41.190)
III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))	Manufacture or Assembly of an Undetectable Firearm or Untraceable Firearm (RCW 9.41.325)
Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))	Mortgage Fraud (RCW 19.144.080)
Assault of a Child 3 (RCW 9A.36.140)	Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)
Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))	Organized Retail Theft 1 (RCW 9A.56.350(2))
	Perjury 2 (RCW 9A.72.030)
	Possession of Incendiary Device (RCW 9.40.120)
	Possession of Machine Gun, Bump-Fire Stock, Undetectable Firearm, or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
	Promoting Prostitution 2 (RCW 9A.88.080)
	Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))
	Securities Act violation (RCW 21.20.400)
	Tampering with a Witness (RCW 9A.72.120)

Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))	subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)
Theft of Livestock 2 (RCW 9A.56.083)	Health Care False Claims (RCW 48.80.030)
Theft with the Intent to Resell 1 (RCW 9A.56.340(2))	Identity Theft 2 (RCW 9.35.020(3))
Trafficking in Stolen Property 2 (RCW 9A.82.055)	Improperly Obtaining Financial Information (RCW 9.35.010)
Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))	Malicious Mischief 1 (RCW 9A.48.070)
Unlawful Imprisonment (RCW 9A.40.040)	Organized Retail Theft 2 (RCW 9A.56.350(3))
Unlawful Misbranding of Fish or Shellfish 1 (RCW 77.140.060(3))	Possession of Stolen Property 1 (RCW 9A.56.150)
Unlawful possession of firearm in the second degree (RCW 9.41.040(2))	Possession of a Stolen Vehicle (RCW 9A.56.068)
Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))	Retail Theft with Special Circumstances 2 (RCW 9A.56.360(3))
Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))	Scrap Processing, Recycling, or Supplying Without a License (second or subsequent offense) (RCW 19.290.100)
Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))	Theft 1 (RCW 9A.56.030)
Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)	Theft of a Motor Vehicle (RCW 9A.56.065)
II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))	Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at \$5,000 or more) (RCW 9A.56.096(5)(a))
Computer Trespass 1 (RCW 9A.90.040)	Theft with the Intent to Resell 2 (RCW 9A.56.340(3))
Counterfeiting (RCW 9.16.035(3))	Trafficking in Insurance Claims (RCW 48.30A.015)
Electronic Data Service Interference (RCW 9A.90.060)	Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))
Electronic Data Tampering 1 (RCW 9A.90.080)	Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))
Electronic Data Theft (RCW 9A.90.100)	Unlawful Practice of Law (RCW 2.48.180)
Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))	Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))
Escape from Community Custody (RCW 72.09.310)	Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))
Failure to Register as a Sex Offender (second or	

Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))

Voyeurism 1 (RCW 9A.44.115)

I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)

False Verification for Welfare (RCW 74.08.055)

Forgery (RCW 9A.60.020)

Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)

Malicious Mischief 2 (RCW 9A.48.080)

Mineral Trespass (RCW 78.44.330)

Possession of Stolen Property 2 (RCW 9A.56.160)

Reckless Burning 1 (RCW 9A.48.040)

Spotlighting Big Game 1 (RCW 77.15.450(3)(b))

Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))

Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)

Theft 2 (RCW 9A.56.040)

Theft from a Vulnerable Adult 2 (RCW 9A.56.400(2))

Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at \$750 or more but less than \$5,000) (RCW 9A.56.096(5)(b))

Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)

Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))

Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)

Unlawful Possession of Fictitious Identification (RCW 9A.56.320)

Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)

Unlawful Possession of Payment Instruments (RCW 9A.56.320)

Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)

Unlawful Production of Payment Instruments (RCW 9A.56.320)

Unlawful Releasing, Planting, Possessing, or Placing Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))

Unlawful Trafficking in Food Stamps (RCW 9.91.142)

Unlawful Use of Food Stamps (RCW 9.91.144)

Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))

Vehicle Prowl 1 (RCW 9A.52.095)

Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b)) "

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Representatives Graham and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Goodman spoke against the adoption of the amendment to the committee striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Bronoske presiding) divided the House. The result was 37 - YEAS; 52 - NAYS.

Amendment (1221) to the committee striking amendment was not adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Orwall and Mosbrucker spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 6006, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 6006, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry,

Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler, Dye, Fey, Morgan and Tharinger

SECOND SUBSTITUTE SENATE BILL NO. 6006, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:30 a.m., Friday, March 1, 2024, the 54th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## FIFTY FOURTH DAY

House Chamber, Olympia, Friday, March 1, 2024

The House was called to order at 9:30 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Salem Stamatiou and Liam Hill. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Greg Asimakoupoulos, Chaplain for Mercer Island Police Department and Eastside Fire & Rescue.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SENATE**

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1097  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1618  
 SUBSTITUTE HOUSE BILL NO. 1911  
 HOUSE BILL NO. 1946  
 HOUSE BILL NO. 1976  
 HOUSE BILL NO. 1992  
 SUBSTITUTE HOUSE BILL NO. 1996  
 HOUSE BILL NO. 2004  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2021  
 HOUSE BILL NO. 2044  
 SUBSTITUTE HOUSE BILL NO. 2072  
 SECOND SUBSTITUTE HOUSE BILL NO. 2084  
 SUBSTITUTE HOUSE BILL NO. 2230  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2306

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Thursday, February 29, 2024

Mme. Speaker:

The President has signed:

HOUSE BILL NO. 1153  
 HOUSE BILL NO. 1726  
 HOUSE BILL NO. 1876  
 HOUSE BILL NO. 1879  
 SUBSTITUTE HOUSE BILL NO. 1880  
 SUBSTITUTE HOUSE BILL NO. 1889  
 HOUSE BILL NO. 1890  
 HOUSE BILL NO. 1898  
 SUBSTITUTE HOUSE BILL NO. 1947  
 HOUSE BILL NO. 1948  
 HOUSE BILL NO. 1955  
 HOUSE BILL NO. 1962  
 SUBSTITUTE HOUSE BILL NO. 1974

HOUSE BILL NO. 1978  
 HOUSE BILL NO. 1987  
 SUBSTITUTE HOUSE BILL NO. 2015  
 HOUSE BILL NO. 2034  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2041  
 SUBSTITUTE HOUSE BILL NO. 2075  
 SUBSTITUTE HOUSE BILL NO. 2086  
 ENGROSSED HOUSE BILL NO. 2088  
 SECOND SUBSTITUTE HOUSE BILL NO. 2151  
 SUBSTITUTE HOUSE BILL NO. 2156  
 SUBSTITUTE HOUSE BILL NO. 2165  
 SUBSTITUTE HOUSE BILL NO. 2216  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2256  
 SUBSTITUTE HOUSE BILL NO. 2329  
 SUBSTITUTE HOUSE BILL NO. 2355  
 SUBSTITUTE HOUSE BILL NO. 2368  
 HOUSE BILL NO. 2433

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the sixth order of business.

**SECOND READING**

**SUBSTITUTE SENATE BILL NO. 5972, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Liias, Van De Wege, Billig, Nobles, Pedersen and Salomon)**

**Concerning the use of neonicotinoid pesticides.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Agriculture & Natural Resources was before the House for purpose of amendment. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

Representative Dent moved the adoption of amendment (1226) to the committee striking amendment:

On page 1, line 10 of the striking amendment, after "used" strike "pesticides" and insert "insecticides"

On page 2, at the beginning of line 4 of the striking amendment, strike "pesticides" and insert "insecticides"

On page 2, at the beginning of line 10 of the striking amendment, strike "pesticides" and insert "insecticides"

On page 2, line 15 of the striking amendment, after "neonicotinoid" strike "pesticide" and insert "insecticide"

On page 2, line 17 of the striking amendment, after "harmful" strike "pesticides" and insert "insecticides"

On page 2, line 26 of the striking amendment, after "neonicotinoid" strike "pesticides" and insert "insecticides"

On page 2, line 35 of the striking amendment, after "Neonicotinoid" strike "pesticide" and insert "insecticide"

On page 2, line 35 of the striking amendment, after "any" strike "pesticide" and insert "insecticide"

Representatives Dent and Chapman spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1226) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Chapman and Dent spoke in favor of the passage of the bill.

#### MOTIONS

On motion of Representative Griffey, Representatives Barkis, Chandler and Maycumber were excused.

On motion of Representative Ramel, Representative Simmons was excused.

Representative Caldier spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5972, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5972, as amended by the House, and the bill passed the House by the following vote: Yeas, 78; Nays, 16; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Hackney, Harris, Hutchins, Jacobsen, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Barnard, Chambers, Christian, Connors, Corry, Couture, Griffey, Klicker, McClintock, McEntire, Mosbrucker, Robertson, Schmidt, Stokesbary, Walsh and Ybarra

Excused: Representatives Barkis, Chandler, Maycumber and Simmons

SUBSTITUTE SENATE BILL NO. 5972, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5481, by Senate Committee on Health & Long Term Care (originally sponsored by Cleveland and Pedersen)**

**Concerning the uniform law commission's uniform telehealth act.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Health Care & Wellness was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Stonier and Hutchins spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5481, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5481, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler, Maycumber and Simmons

ENGROSSED SUBSTITUTE SENATE BILL NO. 5481, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5652, by Senate Committee on Transportation (originally sponsored by Lovick, Dozier, Hawkins, Hunt, Saldaña, Short and Stanford)**

**Providing compensation for tow truck operators for keeping the public roadways clear.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Low and Donaghy spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5652.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5652, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner,

Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 5652, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 6040, by Senate Committee on State Government & Elections (originally sponsored by Valdez, Keiser, Conway, Hasegawa and Nobles)**

**Concerning prompt payment in public works.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Capital Budget was adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Tharinger and Abbarno spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6040, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6040, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler and Maycumber

ENGROSSED SUBSTITUTE SENATE BILL NO. 6040, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6068, by Senate Committee on Ways & Means (originally sponsored by Boehnke and Wilson, C.)**

**Reporting on dependency outcomes.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Couture and Entenman spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 6068, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6068, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler and Maycumber

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6068, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6173, by Senators Nobles, Trudeau, Kuderer, Lovelett, Mullet, Nguyen, Randall, Torres and Wilson, C.**

**Encouraging investments in affordable homeownership unit development.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Leavitt and Goehner spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6173.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 6173, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street,

Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler and Maycumber

SENATE BILL NO. 6173, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6251, by Senate Committee on Ways & Means (originally sponsored by Dhingra, Keiser, Kuderer, Lovelett, Lovick, Nguyen, Nobles, Robinson, Saldaña, Trudeau, Valdez, Wellman, Wilson, C. and Wilson, J.)**

**Coordinating regional behavioral crisis response services.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Orwall and Hutchins spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 6251, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6251, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler and Maycumber

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6251, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5802, by Senate Committee on Ways & Means (originally sponsored by Muzzall, Hasegawa, Lovelett, Nobles, Rivers and Robinson)**

**Providing flexibility in calculation of nursing rates.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Schmick and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5802, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5802, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 5802, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5852, by Senators Braun, Mullet, Short, Torres and Wilson, L.**

**Concerning special education safety net awards.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ybarra, Santos and Abbarno spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5852.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5852, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler and Maycumber

SENATE BILL NO. 5852, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6125, by Senate Committee on Ways & Means (originally sponsored by Kauffman, Frame, Wellman, Trudeau, Wilson, J., Conway,**



**Kuderer, Lovick, Nguyen, Nobles, Saldaña, Valdez, Wagoner and Wilson, C.)**

**Preserving records and artifacts regarding the historical treatment of people with intellectual and developmental disabilities in Washington state.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ramos and Christian spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6125.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6125, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 6125, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 6291, by Senate Committee on State Government & Elections (originally sponsored by Wilson, L., Lovick, Dozier and Short)**

**Streamlining the state building code council operating procedures by establishing criteria for statewide amendments to the state building code.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goehner and Ramel spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6291.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6291, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris,

Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barkis, Chandler and Maycumber

ENGROSSED SUBSTITUTE SENATE BILL NO. 6291, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

There being no objection, the House advanced to the eighth order of business.

### MOTION

There being no objection, the Committee on Rules was relieved of the following bill and the bill was placed on the second reading calendar:

SUBSTITUTE SENATE BILL NO. 5588

The Speaker assumed the chair.

### SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1097  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1618  
SUBSTITUTE HOUSE BILL NO. 1911  
HOUSE BILL NO. 1946  
HOUSE BILL NO. 1976  
HOUSE BILL NO. 1992  
SUBSTITUTE HOUSE BILL NO. 1996  
HOUSE BILL NO. 2004  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2021  
HOUSE BILL NO. 2044  
SUBSTITUTE HOUSE BILL NO. 2072  
SECOND SUBSTITUTE HOUSE BILL NO. 2084  
SUBSTITUTE HOUSE BILL NO. 2230  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2306

The Speaker called upon Representative Orwall to preside.

There being no objection, the House reverted to the sixth order of business.

### SECOND READING

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5788, by Senate Committee on Law & Justice (originally sponsored by Pedersen, Wagoner, Kuderer, Mullet and Saldaña)**

**Concerning service animal training.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Taylor and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5788.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5788, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

ENGROSSED SUBSTITUTE SENATE BILL NO. 5788, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5798, by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Kuderer, Shewmake, Hasegawa and Wellman)**

**Extending certain insurance notice requirements.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Consumer Protection & Business was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Ryu and Robertson spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5798, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5798, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 5798, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5796, by Senate Committee on Law & Justice (originally sponsored by Pedersen, Rivers, Kuderer, Nobles and Shewmake)**

**Concerning common interest communities.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Housing was before the House for purpose of amendment. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

Representative Harris moved the adoption of amendment (1236) to the committee striking amendment:

On page 1 of the striking amendment, strike all material after line 2 and insert the following:

**"NEW SECTION. Sec. 1.** (1) The office of the attorney general shall convene a work group to make recommendations to the legislature regarding the effects of retroactively applying chapter 64.90 RCW to all common interest communities. The work group must consist of the following members:

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

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

(c) One representative from the Washington state chapter of the community associations institute;

(d) One representative from Washington realtors;

(e) One representative from the Washington state bar association;

(f) One representative from a common interest community with less than 50 units;

(g) One representative from a common interest community with 50 or more units but less than 100 units;

(h) One representative from a common interest community with 100 or more units, but less than 500 units;

(i) One representative from a common interest community with 500 or more units;

(j) One representative from a common interest community subject to chapter 64.32 RCW;

(k) One representative from a common interest community subject to chapter 64.34 RCW;

(l) One representative from a common interest community subject to chapter 64.38 RCW; and

(m) One representative from a common interest community subject to chapter 64.90 RCW.

(2) The duties of the work group include, but are not limited to:

(a) Researching the administrative costs and financial implications of updating governing documents to conform with chapter 64.90 RCW;

(b) Researching the impacts of managing entities on common interest communities;

(c) Researching the effects of resale certificates on real estate transactions in common interest communities;

(d) Comparing association responsibilities and liabilities under

chapters 64.32, 64.34, 64.38, and 64.90 RCW; and

(e) Making recommendations on the retroactive application of chapter 64.90 RCW to all common interest communities.

(3) By December 1, 2025, the work group shall report its findings and recommendations to the appropriate committees of the legislature.

Correct the title."

Representative Harris spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Peterson spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1236) to the committee striking amendment was not adopted.

There being no objection, the committee striking amendment by the Committee on Housing was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Peterson spoke in favor of the passage of the bill.

Representative Connors spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5796, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5796, as amended by the House, and the bill passed the House by the following vote: Yeas, 59; Nays, 36; Absent, 1; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Steele, Stokesbary, Stonier, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Maycumber

ENGROSSED SUBSTITUTE SENATE BILL NO. 5796, as amended by the House, having received the necessary constitutional majority, was declared passed.

#### RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which ENGROSSED SUBSTITUTE SENATE BILL NO. 5796, as amended by the House, passed the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5796, as amended by the House, on reconsideration.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5796, as amended by the House, on reconsideration, and the bill passed the House by the following vote: Yeas, 59; Nays, 37; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Steele, Stokesbary, Stonier, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Maycumber

ENGROSSED SUBSTITUTE SENATE BILL NO. 5796, as amended by the House, on reconsideration, having received the necessary constitutional majority, was declared passed.

#### ENGROSSED SENATE BILL NO. 6087, by Senators King, Lovick and Mullet

##### Concerning the fire service training account.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Fitzgibbon and Chambers spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6087, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6087, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

ENGROSSED SENATE BILL NO. 6087, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE JOINT MEMORIAL NO. 8005, by Senators Hasegawa and Wilson, C.**

**Addressing "de-risking" by financial institutions.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Ryu spoke in favor of the passage of the bill.

Representative Robertson spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Joint Memorial No. 8005.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Senate Joint Memorial No. 8005, and the bill passed the House by the following vote: Yeas, 59; Nays, 37; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Maycumber

ENGROSSED SENATE JOINT MEMORIAL NO. 8005, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6115, by Senate Committee on Transportation (originally sponsored by King, Liias, Lovick, Nobles, Saldaña, Shewmake and Wilson, C.)**

**Concerning speed safety camera systems.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Transportation was before the House for purpose of amendment. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

Representative Fey moved the adoption of amendment (1237) to the committee striking amendment:

On page 7, line 1 of the striking amendment, after "zones." strike "By July 1, 2024" and insert "~~((By July 1, 2024))~~ Prior to the use of a speed safety camera system to capture a violation established in this section for enforcement purposes"

On page 7, line 5 of the striking amendment, after "rights" insert "└"

On page 7, line 12 of the striking amendment, after "section." strike "By July 1, 2024" and insert "~~((By July 1, 2024))~~"

Prior to the use of a speed safety camera system to capture a violation established in this section for enforcement purposes"

On page 7, line 16 of the striking amendment, after "rights" insert "└"

On page 7, line 23 of the striking amendment, after "(4)" strike "Beginning July 1, 2024:" and insert "~~((Beginning July 1, 2024+))~~"

Representatives Fey and Low spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1237) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Fey, Dent and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6115, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6115, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 6115, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6197, by Senate Committee on Ways & Means (originally sponsored by Holy, Conway, Van De Wege, Fortunato, Hasegawa, Kuderer, Mullet, Nobles and Valdez)**

**Concerning the law enforcement officers' and firefighters' retirement system plan 2.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Chambers, Fitzgibbon, Volz, Chambers (again) and Abbarno spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6197, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6197, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 6197, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE JOINT MEMORIAL NO. 8007, by Senators Kauffman, Hasegawa and Hunt**

**Requesting Congress to fully fund 40 percent of the costs of IDEA.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos, Rude and Couture spoke in favor of the passage of the bill.

Representative McEntire spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Joint Memorial No. 8007.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8007, and the bill passed the House by the following vote: Yeas, 90; Nays, 6; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Dye, Graham, McClintock, McEntire, Volz and Walsh

Excused: Representatives Chandler and Maycumber

SENATE JOINT MEMORIAL NO. 8007, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

#### SECOND READING

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5955, by Senate Committee on Ways & Means (originally sponsored by Keiser, Hasegawa, Kauffman, Nguyen and Wilson, C.)**

**Mitigating harm and improving equity in large port districts.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall, Goehner, Wilcox and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5955.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5955, and the bill passed the House by the following vote: Yeas, 83; Nays, 13; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Chopp, Connors, Corry, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Cheney, Christian, Dent, Eslick, Graham, Klicker, Kretz, McClintock, McEntire, Sandlin, Volz and Walsh

Excused: Representatives Chandler and Maycumber

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5955, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5419, by Senators Gildon, Billig, Liias, Mullet and Wilson, C.**

**Removing a Washington state institute of public policy outcome evaluation requirement.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Eslick and Senn spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5419.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5419, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SENATE BILL NO. 5419, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5919, by Senate Committee on Environment, Energy & Technology (originally sponsored by King)**

**Concerning the sale of biogenic carbon dioxide and other coproducts of biogas processing.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dye and Mena spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5919.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5919, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 5919, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5952, by Senators Schoesler, Keiser and Dozier**

**Aligning deputy inspector credentials with national standards.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ybarra and Berry spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5952.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5952, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SENATE BILL NO. 5952, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6099, by Senate Committee on Ways & Means (originally sponsored by Braun, Kauffman and Mullet)**

**Creating the tribal opioid prevention and treatment account.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Corry and Lekanoff spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6099, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6099, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner,

Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 6099, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6121, by Senate Committee on Environment, Energy & Technology (originally sponsored by Van De Wege, Nobles and Randall)**

**Concerning agricultural and forestry biomass.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Doglio, Ybarra, Orcutt, Goehner and Sandlin spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6121.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6121, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 6121, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6301, by Senate Committee on Ways & Means (originally sponsored by Lovick, Dhingra, Boehnke, Hunt, Kuderer, Lovelett, MacEwen, Mullet, Padden, Shewmake, Warnick and Wilson, J.)**

**Concerning basic law enforcement academy.**

The bill was read the second time.

Representative Donaghy moved the adoption of amendment (1251):

On page 1, line 7, after "authorized to" insert "accept any money or property donated, devised, or bequeathed to the commission, and"

On page 1, beginning on line 12, strike all of subsections (2) and (3) and insert the following:

"(2) The commission is prohibited from considering any input on the commission's policy decisions or curricula from any person who has donated, devised, or bequeathed property under this section. The commission may determine the value of any property donated, devised, or bequeathed for the purpose of recognizing donations under this section. To the extent feasible, the commission shall coordinate any money or property donated, devised, or bequeathed to the commission with any grant applications or any other sources of funding or gifts."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Donaghy and Mosbrucker spoke in favor of the adoption of the amendment.

Amendment (1251) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Donaghy and Mosbrucker spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6301, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6301, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 6; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Barkis, Barnard, Bateman, Berg, Bergquist, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramos, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Alvarado, Berry, Macri, Ramel, Reed and Taylor

Excused: Representatives Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 6301, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 6089, by Senators King, Keiser and Mullet**

**Eliminating certain minimum requirement equivalencies for electrical inspectors.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rude and Berry spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6089.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6089, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

ENGROSSED SENATE BILL NO. 6089, having received the necessary constitutional majority, was declared passed.

**SECOND SUBSTITUTE SENATE BILL NO. 5784, by Senate Committee on Ways & Means (originally sponsored by Van De Wege, Muzzall, Mullet, Nobles, Wagoner and Warnick)**

**Concerning deer and elk damage to commercial crops.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Agriculture & Natural Resources was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Chapman, Dent, Cheney, Goehner and McEntire spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5784, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5784, as amended by the House, and the bill passed the House by the following vote: Yeas, 91; Nays, 5; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Couture, Davis, Dent, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Callan, Cortes, Doglio, Pollet and Ramos

Excused: Representatives Chandler and Maycumber

SECOND SUBSTITUTE SENATE BILL NO. 5784, as amended by the House, having received the necessary constitutional majority, was declared passed.

#### SENATE BILL NO. 6094, by Senator Robinson

**Aligning statutory language concerning the retired state employee and retired or disabled school employee health insurance subsidy with the historical interpretation and implementation of the relevant subsidy language in the operating budget.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon and Corry spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6094.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6094, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SENATE BILL NO. 6094, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5812, by Senate Committee on Transportation (originally sponsored by Wilson, J., Nguyen, Lovick and McCune)**

**Concerning the response to electric vehicle fires.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walsh and Donaghy spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5812.

#### ROLL CALL



The Clerk called the roll on the final passage of Substitute Senate Bill No. 5812, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 5812, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5588, by Senate Committee on Law & Justice (originally sponsored by Nobles, Wagoner, Dhingra, Lovelett, Pedersen, Saldaña, Wellman and Wilson, C.)**

**Concerning the mental health sentencing alternative.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Community Safety, Justice, & Reentry was not adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

Representative Davis moved the adoption of amendment (1180) to the committee striking amendment:

On page 5, beginning on line 4 of the striking amendment, after "a" strike "term of total or partial confinement within the" and insert "~~((term of total or partial confinement within the))~~"

On page 5, line 5 of the striking amendment, after "standard" strike "sentence range" and insert "~~((sentence))~~ range sentence"

On page 5, line 9 of the striking amendment, after "while" insert "in compliance and"

On page 5, beginning on line 13 of the striking amendment, after "(13)" strike all material through "alternative" on line 26 and insert "The health care authority shall reimburse for the following services provided for individuals participating in the sentencing alternative:

(a) In-custody mental health assessments;

(b) In-custody preliminary treatment plan development; and

(c) Ongoing monitoring of the defendant's adherence to the defendant's treatment plan and the requirements of the sentencing alternative, including reporting to the court and the department"

On page 5, beginning on line 28 of the striking amendment, strike all of subsection (a)

Reletter the remaining subsections consecutively and correct any internal references accordingly.

Representatives Davis and Mosbrucker spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1180) to the committee striking amendment was adopted.

Representative Davis moved the adoption of amendment (1255) to the committee striking amendment:

On page 6, beginning on line 1 of the striking amendment, strike all of section 2

Representatives Davis and Mosbrucker spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1255) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Davis and Mosbrucker spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5588, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5588, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 5588, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5938, by Senators Wilson, C., Lovelett, Frame, Hasegawa, Kuderer, Nguyen, Nobles and Wellman**

**Modifying the community parenting alternative for eligible participants in the residential parenting program at the department of corrections.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Simmons, Mosbrucker and Jacobsen spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5938.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5938, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SENATE BILL NO. 5938, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 6031, by Senate Committee on Ways & Means (originally sponsored by Braun, Dozier, Kuderer, Rivers and Schoesler)**

**Modifying the student transportation allocation to accommodate multiple vehicle types for transporting students.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Corry and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6031, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6031, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 6; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick,

Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Christian, Graham, Harris, Jacobsen, Schmidt and Volz

Excused: Representatives Chandler and Maycumber

ENGROSSED SUBSTITUTE SENATE BILL NO. 6031, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5792, by Senators Padden, Pedersen, Billig, Mullet and Wilson, J.**

**Concerning the definition of multiunit residential buildings.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Klicker and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5792.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5792, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SENATE BILL NO. 5792, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 5816, by Senators Van De Wege, Trudeau, Mullet and Nguyen**

**Concerning alcohol server permits.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wylie and Waters spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5816.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5816, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

ENGROSSED SENATE BILL NO. 5816, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6080, by Senators Boehnke, Dozier, Mullet and Shewmake**

**Simplifying the funding provisions of the statewide tourism marketing account.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Corry and Ryu spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6080.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 6080, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SENATE BILL NO. 6080, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 6215, by Senators Schoesler, Robinson and Mullet**

**Improving tax and revenue laws.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt and Berg spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 6215.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 6215, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SENATE BILL NO. 6215, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5934, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Padden, Van De Wege, Dhingra, Liias, Salomon and Warnick)**

**Concerning pollinator habitat.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Local Government was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Goehner, Riccelli and Schmidt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5934, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5934, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street,

Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 5934, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 6069, by Senate Committee on Ways & Means (originally sponsored by Mullet, Valdez, Hunt, Liias, Nguyen, Saldaña and Van De Wege)**

**Improving retirement security for Washingtonians by establishing Washington saves, an automatic enrollment individual retirement savings account program, and updating the Washington retirement marketplace statute.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Consumer Protection & Business was not adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the committee striking amendment by the Committee on Appropriations was not adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

With the consent of the House, amendment (1252) was withdrawn.

Representative Santos moved the adoption of the striking amendment (1232):

Strike everything after the enacting clause and insert the following:

**"PART I  
WASHINGTON SAVES**

NEW SECTION. **Sec. 1.** ESTABLISHMENT.

(1) Washington saves is established to serve as a vehicle through which covered employees may, on a voluntary basis, provide for additional retirement security through a state-facilitated retirement savings program in a convenient, cost-effective, and portable manner.

(2) Washington saves is intended as a public-private partnership that will encourage, not replace or compete with, employer-sponsored retirement plans.

(3) Washington saves must be designed in consultation with covered employers and covered employees to ensure that the businesses and workers intended to benefit from the program are provided ample opportunity to learn about and give input on the program design and timeline for implementation before the program is made publicly available.

NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Administrative account" means the Washington saves administrative treasury trust account created in section 11 of this act.

(2) "Complainant" means a covered employee, or that employee's designee who

has written or legal authority to act on behalf of the employee, who files a complaint alleging an employer administrative violation of section 3 of this act who learned of the alleged violation by way of their employment with a covered employer.

(3) "Consumer price index" means the consumer price index for all urban consumers, all items, for the Seattle area as calculated by the United States bureau of labor statistics or its successor agency.

(4) "Covered employee" means an individual who is 18 years of age or older, who is employed by a covered employer.

(5) "Covered employer" means any employer that:

(a) Has been in business in this state for at least two years as of the immediately preceding calendar year;

(b) Maintains a physical presence;

(c) Does not offer a qualified retirement plan to their covered employees who have had continuous employment of one year or more; and

(d) Employs, and at any point during the immediately preceding calendar year employed, employees working a combined minimum of 10,400 hours.

(6) "Department" means the department of labor and industries.

(7) "Employer" means a person or entity engaged in a business, profession, trade, or other enterprise in the state, whether for profit or not for profit. "Employer" does not include federal or state entities, agencies, or instrumentalities, or any political subdivision thereof.

(8) "Employer administrative duties" include all requirements of covered employers under section 3 of this act that do not involve amounts due to the employee.

(9) "Employment" has the same meaning as in RCW 50.04.100.

(10) "Governing board" means the board created in section 4 of this act.

(11) "Individual account" means an IRA established by or for an individual participant and owned by the individual participant pursuant to this chapter.

(12) "Individual participant" means any individual who is contributing to, or has a balance credited in, an IRA through the program.

(13) "Internal revenue code" means the federal internal revenue code of 1986, as amended, or any successor law.

(14) "IRA" means a traditional or Roth individual retirement account or individual retirement annuity described in section 408(a), 408(b), or 408A of the internal revenue code.

(15) "Payroll deduction IRA agreement" means an arrangement by which a participating employer makes payroll deductions authorized by this chapter and remits amounts deducted as contributions to IRAs on behalf of individual participants.

(16) "Program" means the Washington saves program established under this chapter.

(17) "Qualified retirement plan" means a retirement plan in compliance with applicable federal law for employees including those described in section 401(a), 401(k), 403(a), 403(b), 408(k), or 408(p) of the internal revenue code. A qualified

retirement plan may require continuous employment of up to one year to be eligible for employee participation.

(18) "Wages" means any commission, compensation, salary, or other remuneration, as defined by section 219(f)(1) of the internal revenue code, received by a covered employee from a covered employer.

**NEW SECTION. Sec. 3. GENERAL PROVISIONS.** (1) The program:

(a) Allows covered employees to contribute to an IRA through automatic payroll deductions or additional retirement savings vehicles;

(b) Requires covered employers to fulfill the requirements provided in subsection (3) of this section;

(c) Facilitates automatic enrollment for covered employees and allows for covered employees to opt out of the plan;

(d) Has a default contribution rate, set by the governing board by rule. The default contribution rate may not be less than three percent or more than seven percent of wages; and

(e) Has a default escalation rate, set by the governing board by rule. The default escalation rate may not exceed one percent per year. The maximum contribution rate based on the default escalation rate may not exceed 10 percent of wages.

(2)(a) Covered employees, who do not opt out of the program, are automatically enrolled in the program at the default rate or at an amount expressly specified by the employee in connection with the payroll deduction IRA agreement. Individual participants may modify their contribution rates or amounts or terminate their participation in the program at any time, subject to procedure defined by rule by the governing board. All contribution amounts are subject to the dollar limits on contributions provided by federal law.

(b) Contributions must be invested in the default investment option unless the individual participant affirmatively elects to invest some or all balances in one or more approved investment options offered by the program. An individual participant must have the opportunity to change investments for either future contributions or existing balances, or both, subject to requirements defined by rule by the governing board.

(c) Individual accounts are portable. A former individual participant who is either unemployed, or is employed by a noncovered employer, must be permitted to contribute to their individual account.

(d) An individual participant's and former individual participant's ability to withdraw, roll over, or transfer account balances is subject to, and liable for, all fees, penalties, and taxes under applicable law.

(e) An individual participant's or former individual participant's ability to receive distributions of contributions and earnings is subject to applicable law.

(3)(a) Each covered employer must facilitate the opportunity for covered employees to participate in the program by fulfilling the following administrative

duties, as defined by rule by the governing board:

(i) Register with the program and provide the program administrator relevant information about covered employees;

(ii)(A) Assist the program by offering all covered employees the choice to either participate by voluntarily contributing to an IRA or opt out; or

(B) Automatically enroll covered employees in a qualified retirement plan offered by a trade association or chamber of commerce and permit covered employees to opt out;

(iii) Timely remit participant contributions; and

(iv) Distribute program information and disclosures to covered employees, as provided in section 4(14) of this act.

(b) The employers' role in the program is solely ministerial. In accordance with federal law, employers are prohibited from contributing funds to the IRAs through the program.

(c) Employers are not fiduciaries with respect to, or are liable for, the program, related information, educational materials, or forms or disclosures approved by the governing board, or the selection or performance of vendors selected by the governing board. An employer is not responsible for or obligated to monitor a covered employee's or individual participant's decision to participate in or opt out of the program, for contribution decisions, investment decisions, or failure to comply with the statutory eligibility conditions or limits on IRA contributions. An employer does not guarantee any investment, rate of return, or interest on assets in any individual participant account or the administrative account or is liable for any market losses, failure to realize gains, or any other adverse consequences, including the loss of favorable tax treatment or public assistance benefits, incurred by any person as a result of participating in the program. Nothing in this section relieves an employer from liability for criminal, fraudulent, tortious, or otherwise actionable conduct including liability related to the failure to remit employee contributions.

(4)(a) The governing board must determine the type or types of IRA accounts available under the program.

(b) An individual participant's contributions and earnings may be combined for investment and custodial purposes only. Separate records and accounting are required for individual accounts. Reports on the status of individual accounts must be provided to each individual participant at least annually. Individual participants must have online access to their accounts.

(c) Any moneys placed in these accounts may not be counted as assets for the purposes of state or local means-tested program eligibility or levels of state means-tested program eligibility.

**NEW SECTION. Sec. 4. GOVERNING BOARD —RESPONSIBILITIES.** (1) The governing board shall design and administer the program for the exclusive benefit of individual

participants and beneficiaries with the care and skill of a knowledgeable, prudent individual.

(2) The governing board is comprised of 15 members as follows:

(a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate;

(b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives;

(c) The state treasurer;

(d) The director of the department or the director's designee; and

(e) The following members representing the diversity and geography of the state, appointed by the governor:

(i) One member representing the securities industry;

(ii) One member representing the insurance industry;

(iii) One member who is a certified financial planner recommended by the national association of insurance and financial advisors of Washington;

(iv) One member representing the interests of small, independent businesses in Washington;

(v) One member representing the interests of minority-owned and women-owned businesses in Washington;

(vi) One member representing the Washington asset building coalition;

(vii) One member representing a retirement advocacy organization;

(viii) One member representing covered employees; and

(ix) One member representing covered employers.

(3)(a) The legislative member from the majority caucus of the house of representatives shall convene the initial meeting of the governing board. The governing board shall choose cochairs selected from the legislative membership for the design stage of the program until July 1, 2027. The governing board shall provide recommendations in the legislative report about who should be the chair of the governing board once the program is operational after July 1, 2027.

(b) After July 1, 2027, the legislative members of the governing board serve in an ex officio, advisory role to the governing board.

(4) Members who are appointed by the governor serve three-year terms and may be appointed for a second three-year term at the discretion of the governor. Members who are appointed by the governor may serve up to two terms over the course of their lifetime. The governor may stagger the terms of the appointed members.

(5) The governing board may appoint work groups to support the design and administration of the program. Work groups do not serve a voting function on the governing board and may include individuals who are not members of the governing board. Any work group established by the governing board is a class one group under RCW 43.03.220. Work group members receive compensation accordingly.

(6) Other state agencies must provide appropriate and reasonable assistance to the

program as needed, including gathering data and information, in order for the governing board to carry out the purposes of this chapter. The governing board may reimburse the other state agencies from the administrative account for reasonable expenses incurred in providing appropriate and reasonable assistance.

(7)(a) The governing board must begin meeting in 2025.

(b) The governing board may conduct meetings remotely by teleconference or videoconference, including to obtain a quorum and to take votes on any measure.

(c) Each voting governing board member has one vote. The powers of the governing board must be exercised by a majority of all voting members present at the meeting of the governing board, whether in person or remotely. A quorum is required to convene a meeting of the governing board and to act on any measure before the governing board.

(8) The governing board shall establish, design, develop, implement, maintain, and oversee the program in accordance with this chapter and best practices for retirement saving vehicles.

(9) The department of financial institutions shall staff the governing board and shall provide administrative support to the governing board.

(10) The governing board shall conduct an outreach and education initiative regarding the design and implementation of the program. The governing board shall consult, educate, and receive feedback from covered employers and covered employees regarding the program design and implementation. The outreach and education initiative must ensure that diverse employer and employee communities are consulted, that interpreters are provided, and that written documents and materials are translated. In order to facilitate accessibility for diverse affected businesses and employees, the governing board shall work with the various state commissions to develop culturally and linguistically responsive outreach and education plans.

(11) Regarding investments, the governing board:

(a) Has the sole responsibility for contracting with outside firms to provide investment management for the program funds and manage the performance of investment managers under those contracts;

(b) Must adopt an investment policy statement and ensure that the investment options offered, including default investment options, are consistent with the objectives of the program. The menu of investment options may encompass a range of risk and return opportunities and must take the following into account:

(i) The nature and objectives of the program;

(ii) The diverse needs of individual participants;

(iii) The desirability of limiting investment choices under the program to a reasonable number; and

(iv) The extensive investment choices available to participants outside of the program.

(12) Regarding the design of the program, the governing board must:

(a) Ensure the program is designed and operated in a manner that will not cause it to be subject to or preempted by the federal employment retirement income security act of 1974, as amended, and that any employer that is not a covered employer shall have no reporting or registration obligation or requirement to take any action under the program other than to claim an exemption from coverage by the program;

(b) Design and operate the program to:

(i) Minimize costs to individual participants, covered employers, and the state;

(ii) Minimize the risk that covered employees will exceed applicable annual contribution limits;

(iii) Facilitate and encourage employee participation in the program and participant saving;

(iv) Maximize simplicity, including ease of administration for covered employers and ease of use for individual participants;

(v) Maximize portability of individual accounts;

(vi) Maximize financial security in retirement; and

(vii) Maximize the availability of funds to individual participants with a goal of having funds available within three business days following the remittance of payroll deductions by covered employers, if feasible;

(c) Design the program to be compliant with all applicable requirements under the internal revenue code, including requirements for favorable tax treatment of IRAs, and any other applicable law or regulation;

(d) Consult with the department of financial institutions, the department, the office of minority and women's business enterprises, and the office of the secretary of state to create a strategy to educate and inform covered employers about employer administrative duties under this chapter, including the development of culturally relevant and responsive approaches centered in cultural humility with outreach to employers that are considered socially vulnerable, historically marginalized, or face cultural or language barriers to participate in workplace retirement savings programs;

(e) Launch the program by July 1, 2027. The board may stagger implementation in stages after that date, which may include phasing in implementation based on the size of employers, or other factors.

(13) The governing board may adopt rules to govern the program, including to govern the following:

(a) Employee registration and enrollment process;

(b) Employee alternative election procedure including, but not limited to, the method in which a participating individual may opt out of participation, change their contribution rate, opt out of auto-escalation, make nonpayroll contributions, and make withdrawals;

(c) Contribution limits, the initial automatic default contribution rate, and the automatic default escalation rate;

(d) Outreach, marketing, and educational initiatives or publication of online

resources, encouragement of participation, retirement savings, and sound investment practices. Outreach, marketing, and educational initiatives must promote cultural humility and engage culturally relevant and responsive approaches while including special consideration for socially vulnerable communities historically, or are known to often be, excluded from, marginalized by, or face barriers to participation in workplace retirement savings programs; and

(e) A process in which individuals who are not covered employees may participate in the program, including unemployed individuals, self-employed individuals, and other independent contractors.

(14) The governing board shall develop:

(a) Information regarding the program;

(b) The following disclosures:

(i) A description of the benefits and risks associated with making contributions under the program;

(ii) Instructions about how to obtain additional information about the program;

(iii) A description of the tax consequences of an IRA, which may consist of or include the disclosure statement required to be distributed by the trustee under the internal revenue code and treasury regulations thereunder;

(iv) A statement that covered employees seeking financial advice should contact their own financial advisers, that covered employers are not in a position to provide financial advice, and that covered employers are not liable for decisions covered employees make under this chapter;

(v) A statement that the program is not an employer-sponsored retirement plan;

(vi) A statement that the covered employee's IRA established under the program is not guaranteed by the state; and

(vii) A statement that neither a covered employer nor the state will monitor or has an obligation to monitor the covered employee's eligibility under the internal revenue code to make contributions to an IRA or to monitor whether the covered employee's contributions to the IRA established for the covered employee exceed the maximum permissible IRA contribution; that it is the covered employee's responsibility to monitor such matters; and that the state, the program, and the covered employer have no liability with respect to any failure of the covered employee to be eligible to make IRA contributions or any contribution in excess of the maximum IRA contribution;

(c) Information, forms, and instructions to be furnished to covered employees, at such times as the governing board determines, that provide the covered employee with the procedures for:

(i) Making contributions to the covered employee's IRA established under the program, including a description of the automatic enrollment rate, the automatic escalation rate and frequency, and the right to elect to make no contribution or to change the contribution rate under the program;

(ii) Making an investment election with respect to the covered employee's IRA established under the program, including a

description of the default investment fund; and

(iii) Making transfers, rollovers, withdrawals including instructions on how to access funds, and other distributions from the covered employee's IRA.

(15) The governing board must evaluate options to assist covered employees and employers to identify private sector providers of financial advice, to the extent feasible and unless prohibited by state or federal laws. The governing board must consider options including, but not limited to, a website established and maintained by the governing board.

(16) The governing board may create or enter into, on behalf of the program, a consortium, alliance, joint venture, partnership, compact, or contract with another state or states or their programs or boards.

(17) The governing board must collect administrative fees to defray the costs of administering the program. If the governing board creates or enters into a joint program agreement, as provided in subsection (16) of this section, the rate of the administrative fee for covered employees may not exceed the rate charged to covered employees of another state participating in the same program.

(18) Members of the governing board and the department of financial institutions are not an insurer of the funds or assets of the investment fund or individual accounts. Neither of these two entities are liable for the action or inaction of the other.

(19) Members of the governing board and the department of financial institutions are not liable to the state, to the fund, or to any other person as a result of their activities as members, whether ministerial or discretionary, except for willful dishonesty or intentional violation of law. Members of the governing board and the department of financial institutions may purchase liability insurance.

(20) The governing board shall submit progress reports to the appropriate committees of the legislature, in accordance with RCW 43.01.036.

(a) The first preliminary report is due December 1, 2025, and must include feedback to the legislature on the proposed timeline set forth under this chapter and progress on outreach initiatives and program implementation.

(b) The final report on program design and implementation recommendations is due December 1, 2026, and must include the following:

(i) A comprehensive summary of outreach activities conducted by the governing board to receive feedback on design elements and implementation for the program, including:

(A) Types of outreach conducted;

(B) Specific calendar dates and time frames in which outreach occurred;

(C) Covered employers and covered employees who were contacted;

(D) Subject matters discussed regarding the program and proposed program structure;

(E) The types of retirement account programs covered employers and covered employees preferred;

(F) Explanations of concerns received during the outreach activities and how those concerns were addressed;

(ii) Recommendations on whether the legislature should make changes to the program's structure or whether any statutory changes need to occur; and

(iii) Recommendations regarding the governing board structure, including who should chair the governing board and who should staff the governing board once the program is established and operational, with consideration for a potential new agency, an existing state agency, or the office of a standalone statewide elected official.

(c) Annual reports including program updates and program information must begin December 1, 2028, and include information on:

(i) Participation;

(ii) Account performance;

(iii) Board decisions; and

(iv) Any recommendations to the legislature regarding the program.

(21) The governing board may consult with the state investment board and the department of financial institutions regarding program design and implementation.

(22) The governing board shall assure any administrative contract services for the program provide culturally responsive and relevant supports rooted in cultural humility while including special considerations for socially vulnerable communities historically, or are known to often be, excluded from, marginalized by, or face barriers to participation in workplace retirement savings programs.

**NEW SECTION. Sec. 5. INVESTMENT**

**MANAGER—RESPONSIBILITIES.** (1)(a) After consultation with the governing board, the investment manager may invest funds associated with the program. The investment manager, after consultation with the governing board regarding any recommendations, must provide a set of options for eligible individuals to choose from for self-directed investment. Any self-directed investment options must comply with the internal revenue code.

(b) All investment and operating costs of the investment manager associated with making self-directed investments must be paid by participants and recovered under procedures agreed to by the governing board and the investment manager. All other expenses caused by self-directed investments must be paid by the participant in accordance with the rules established by the governing board. With the exception of these expenses, all earnings from self-directed investments accrue to the individual accounts.

(2) The investment manager must invest and manage the assets entrusted to it:

(a) With reasonable care, skill, prudence, and diligence under circumstances then prevailing which a prudent person acting in a like capacity and familiar with such matters would use to conduct of an activity of like character and purpose; and

(b) In accordance with the investment policy established by the governing board.



(3) The authority to establish all policies relating to implementation, design, and management of the program resides with the governing board.

(4) The investment manager must routinely consult and communicate with the governing board on the investment policy, performance of the accounts, and related needs of the program.

**NEW SECTION. Sec. 6. LABOR AND INDUSTRIES—RESPONSIBILITIES.** (1) The department has the following responsibilities related to covered employers, as provided in this chapter:

(a) Educate participating employers of their administrative duties under this chapter;

(b) In the case of noncompliance with employer administrative duties, investigate complaints, educate employers about how to come into compliance, and, in the case of willful violations, issue citations and collect penalties;

(c) In the case of impermissible withholding of amounts due to employees, investigate and enforce the complaint as an alleged violation of a wage payment requirement, as defined in RCW 49.48.082; and

(d) Facilitate a process in which employers may appeal complaints.

(2) Collections of unpaid citations assessing civil penalties by the department under this chapter must be made pursuant to RCW 49.48.086.

**NEW SECTION. Sec. 7. LABOR AND INDUSTRIES—COMPLIANCE WITH EMPLOYER ADMINISTRATIVE DUTIES.** (1) Covered employers shall comply with employer administrative duties provided under this chapter.

(2) If a complainant files a complaint with the department alleging any administrative violation, the department shall investigate the complaint and:

(a) If the complaint is filed before January 1, 2030, offer technical assistance to the employer to bring them into compliance. Civil penalties may not be assessed before January 1, 2030;

(b) If the complaint is filed on or after January 1, 2030, educate the employer on how to come into compliance and, if necessary and as provided in this section, enforce penalties for willful violations.

(3) The department may not investigate any alleged violation of rights that occurred more than three years before the date that the complainant filed the complaint.

(4)(a) If the department finds an employer administrative violation, the department must first provide an educational letter outlining the violations and provide 90 days for the employer to remedy the violations. The employer may ask for an extension for good cause. The department may extend the period by providing written notice to the employee and the employer, specifying the duration of the extension. If the employer fails to remedy the violation within 90 days, the department may issue a

citation and notice of assessment with a civil penalty.

(b) Except as provided otherwise in this chapter, the maximum penalty for a first-time willful violation is \$100 and \$250 for a second willful violation. For the purposes of this section, "willful" means a knowing and intentional action that is neither accidental nor the result of a bona fide dispute. For each subsequent willful violation, the employer is subject to a maximum penalty amount of \$500 for each violation.

(c) The department may not assess a civil penalty if the employer reasonably relied on: (i) A rule related to any of the requirements of this chapter; (ii) a written order, ruling, approval, opinion, advice, determination, or interpretation of the director of the department; or (iii) an interpretive or administrative policy issued by the department and filed pursuant to chapter 34.05 RCW. In accordance with the department's retention schedule obligations under chapter 40.14 RCW, the department shall maintain a complete and accurate record of all written orders, rulings, approvals, opinions, advice, determinations, and interpretations for purposes of determining whether an employer is immune from civil penalties under (b) of this subsection.

(5) The department may, at any time, waive or reduce a civil penalty assessed under this section if the director of the department determines that the employer has taken corrective action to resolve the violation.

(6) The department shall deposit all civil penalties paid under this section in the supplemental pension fund established under RCW 51.44.033.

**NEW SECTION. Sec. 8. LABOR AND INDUSTRIES—ADMINISTRATIVE CITATION APPEALS.**

(1) A person, firm, or corporation aggrieved by a citation and notice of assessment by the department under this chapter may appeal the citation and notice of assessment to the director of the department by filing a notice of appeal with the director within 30 days of the department's issuance of the citation and notice of assessment. A citation and notice of assessment not appealed within 30 days is final and binding, and not subject to further appeal.

(2) A notice of appeal filed with the director of the department under this section must state the effectiveness of the citation and notice of assessment pending final review of the appeal by the director as provided for in chapter 34.05 RCW.

(3) Upon receipt of a notice of appeal, the director of the department must assign the hearing to an administrative law judge of the office of administrative hearings to conduct the hearing and issue an initial order. The hearing and review procedures must be conducted in accordance with chapter 34.05 RCW, and the standard of review by the administrative law judge of an appealed citation and notice of assessment must be de novo. Any party who seeks to challenge an initial order must file a petition for administrative review with the director

within 30 days after service of the initial order. The director must conduct administrative review in accordance with chapter 34.05 RCW.

(4) The director of the department must issue all final orders after appeal of the initial order. The final order of the director is subject to judicial review in accordance with chapter 34.05 RCW.

(5) Orders that are not appealed within the time period specified in this section and chapter 34.05 RCW are final and binding, and not subject to further appeal.

(6) An employer who fails to allow adequate inspection of records in an investigation by the department under this section within a reasonable time period may not use such records in any appeal under this section to challenge the correctness of any determination by the department of the penalty assessed.

**NEW SECTION. Sec. 9. LABOR AND INDUSTRIES—ENFORCEMENT OF AMOUNTS DUE.** (1) Employers may not impermissibly withhold any amounts due to the employee related to the employer's obligations under section 3 of this act. If any employee files a complaint with the department alleging that the employer impermissibly withheld any amounts due to the employee related to the employer's obligations under section 3 of this act, the department shall investigate and otherwise enforce the complaint as an alleged violation of a wage payment requirement, as defined in RCW 49.48.082.

(2) During an investigation, if the department discovers information suggesting additional violations of impermissibly withheld amounts due to the employees related to the employer's obligations under section 3 of this act, the department may investigate and take appropriate enforcement action without any additional complaint. The department may also initiate an investigation on behalf of one or more employees for any such violation when the director otherwise has reason to believe that a violation has occurred or will occur.

(3) The department may conduct a consolidated investigation for any alleged withheld amounts due to the employees related to the employer's obligations under section 3 of this act when there are common questions of law or fact involving the employees. If the department consolidates such matters into a single investigation, it shall provide notice to the employer.

(4) The department may, for the purposes of enforcing this section, issue subpoenas to compel the attendance of witnesses or parties and the production of documents, administer oaths and examine witnesses under oath, take depositions, and seek affidavits or other verifications. The department may require the employer perform a self-audit of any records. The results or conclusions of the self-audit must be provided to the department within a reasonable time. The department must specify the timelines in the self-audit request. The records examined by the employer in order to perform the self-audit must be made available to the department upon request.

(5) Any citation or determination of compliance issued under this section is subject to RCW 49.48.083, 49.48.084, 49.48.085, and 49.48.086.

**NEW SECTION. Sec. 10. PRIVATE AND CONFIDENTIAL INFORMATION.** (1) Any information or records concerning an individual or employer obtained by the department of financial institutions or the governing board to administer this chapter are private and confidential, except as otherwise provided in this section.

(a) If information provided to the department of financial institutions or the governing board by a governmental agency is held private and confidential by state or federal law, the department of financial institutions and the governing board may not release such information, unless otherwise provided in this section.

(b) Information provided to the department of financial institutions or the governing board by a governmental entity conditioned upon privacy and confidentiality under a provision of law is to be held private and confidential according to the agreement between the department of financial institutions or the governing board and the other governmental agency, unless otherwise provided in this title.

(2) Persons requesting disclosure of information held by the department of financial institutions or the governing board under this section must request such disclosure from the governmental agency that provided the information to the department of financial institutions or the governing board, rather than from the department of financial institutions or the governing board.

(3) If the governing board creates or enters into, on behalf of the program, a consortium, alliance, joint venture, partnership, compact, or contract with another state or states or their programs or boards, the laws of the state that is most protective of individual and employer confidentiality governs.

(4) The governing board has the authority to adopt, amend, or rescind rules interpreting and implementing this chapter.

(5)(a) An individual must have access to all records and information concerning that individual held by the department of financial institutions or the governing board.

(b) An employer must have access to its own records relating to their compliance with the program and any audit conducted or penalty assessed under this chapter.

(c) The department of financial institutions or the governing board may disclose information and records deemed confidential under this chapter to a third party acting on behalf of an individual or employer that would otherwise be eligible to receive records under this section when the department of financial institutions or the governing board receives a signed release from the individual or employer. The release must include a statement:

(i) Specifically identifying the information that is to be disclosed;

(ii) The acknowledgment that state government files will be assessed to obtain that information;

(iii) The specific purpose for which the information is sought and a statement that information obtained under the release will only be used for that purpose; and

(iv) Indicating all parties who will receive the information disclosed.

(d) The department of financial institutions or the governing board may disclose information or records deemed private and confidential under this chapter to any private person or organization, including the trustee, and, by extension, the agents of any private person or organization, when the disclosure is necessary to permit private contracting parties to assist in the operation, management, and implementation of the program. The private person or organization may only use the information or records solely for the purpose for which the information was disclosed and are bound by the same rules of privacy and confidentiality as the department of financial institutions and the governing board.

(6) (a) A decision under this chapter by the department of financial institutions, the department, the governing board, or the appeals tribunal may not be deemed private and confidential under this section, unless the decision is based on information obtained in a closed hearing.

(b) Information or records deemed private and confidential under this section must be available to parties to judicial or formal administrative proceedings only upon a written finding by the presiding officer that the need for the information or records in the proceeding outweighs any reasons for the privacy and confidentiality of the information on record.

(7) (a) All private persons, governmental agencies, and organizations authorized to receive information from the department of financial institutions or the governing board under this chapter have an affirmative duty to prevent unauthorized disclosure of confidential information and are prohibited from disclosing confidential information unless expressly permitted by this section.

(b) If misuse of an unauthorized disclosure of confidential records or information occurs, all parties who are aware of the violation must inform the department of financial institutions immediately and must take all reasonable available actions to rectify the disclosure to the department of financial institutions' standards.

(c) The misuse or unauthorized release of records or information deemed private and confidential under this chapter by any private person, governmental agency, or organization will subject the person, governmental agency, or organization to a civil penalty up to \$20,000 in the first year of the program. Beginning the December of the second year of the program and each December thereafter, the department of financial institutions must adjust the maximum civil penalty amount by multiplying the current maximum civil penalty by one plus the percentage by which the most

current consumer price index available on December 1st of the current year exceeds the consumer price index for the prior 12-month period, and rounding the result to the nearest \$1,000. If an adjustment under this subsection (7) (c) would reduce the maximum civil penalty, the department of financial institutions must not adjust the maximum civil penalty for use in the following year. Other applicable sanctions under state and federal law also apply.

(d) Suit to enforce this section must be brought by the attorney general and the amount of any penalties collected must be paid into the administrative account created in section 11 of this act. The attorney general may recover reasonable attorneys' fees for any action brought to enforce this section.

(8) This section does not contain a rule of evidence.

NEW SECTION. **Sec. 11.** WASHINGTON SAVES ADMINISTRATIVE TREASURY TRUST ACCOUNT.

(1) The Washington saves administrative treasury trust account is created in the custody of the state treasurer.

(2) Expenditures from the account may be used only for the purposes of administrative and operating expenses of the program established under this chapter.

(3) Only the director of the department of financial institutions or the director's designee may authorize expenditures from the account. The account is exempt from appropriation and allotment provisions under chapter 43.88 RCW.

(4) The account may receive grants, gifts, or other moneys appropriated for administrative purposes from the state and the federal government.

(5) Any interest incurred by the account will be retained within the account.

NEW SECTION. **Sec. 12.** INVESTMENT ACCOUNT. (1) The Washington saves investment account is established as a trust, with the governing board created under this chapter as its trustee.

(2) (a) Moneys in the account consist of moneys received from individual participants and participating employers pursuant to automatic payroll deductions and contributions to savings made under this chapter. The governing board shall determine how the account operates, provided that the account is operated so that the individual accounts established under the program meet the requirements for IRAs under the internal revenue code.

(b) The assets of the account are not state money, common cash, or revenue to the state. Amounts in the account may not be commingled with state funds and the state has no claim to or against, or interest in, such funds.

(3) Disbursements from the account are exempt from appropriations and the allotment provisions of chapter 43.88 RCW. An appropriation is not required for expenditures.

(4) Only the governing board or the governing board's designee may authorize expenditures from the account.

**PART II  
RETIREMENT MARKETPLACE**

NEW SECTION. **Sec. 13.** RCW 43.330.730 (Finding—2015 c 296) is decodified.

**Sec. 14.** RCW 43.330.732 and 2015 c 296 s 2 are each amended to read as follows:

The definitions in this section apply throughout this subchapter unless the context clearly requires otherwise.

(1) "Approved plans" means retirement plans offered by private sector financial services firms that meet the requirements of this chapter to participate in the marketplace.

(2) "Balanced fund" means a mutual fund that has an investment mandate to balance its portfolio holdings. The fund generally includes a mix of stocks and bonds in varying proportions according to the fund's investment outlook.

(3) "Eligible employer" means a self-employed individual, sole proprietor, or an employer with ~~((fewer than))~~ at least one ~~((hundred))~~ qualified employee ~~((s))~~ at the time of enrollment.

(4) "Enrollee" means any employee who is voluntarily enrolled in an approved plan offered by an eligible employer through the Washington small business retirement marketplace.

(5) ~~((("myRA" means the myRA retirement program administered by the United States department of the treasury that is available to all employers and employees with no fees or no minimum contribution requirements. A myRA is a Roth IRA option and investments in these accounts are backed by the United States department of the treasury.~~

~~((6))~~ "Participating employer" means any eligible employer with employees enrolled in an approved plan offered through the Washington small business retirement marketplace who chooses to participate in the marketplace and offers approved plans to employees for voluntary enrollment.

~~((7))~~ (6) "Private sector financial services firms" or "financial services firms" mean persons or entities licensed or holding a certificate of authority and in good standing by either the department of financial institutions or the office of the insurance commissioner and meeting all federal laws and regulations to offer retirement plans.

~~((8))~~ (7) "Qualified employee" means those workers who are defined by the federal internal revenue service to be eligible to participate in a specific qualified plan.

~~((9))~~ (8) "Target date or other similar fund" means a hybrid mutual fund that automatically resets the asset mix of stocks, bonds, and cash equivalents in its portfolio according to a selected time frame that is appropriate for a particular investor. A target date is structured to address a projected retirement date.

~~((10))~~ (9) "Washington small business retirement marketplace" or "marketplace" means the retirement savings program created to connect eligible employers and their employees with approved plans to increase retirement savings.

**Sec. 15.** RCW 43.330.735 and 2017 c 69 s 1 are each amended to read as follows:

(1) The Washington small business retirement marketplace is created.

(2) Prior to connecting any eligible employer with an approved plan in the marketplace, the director shall design a plan for the operation of the marketplace.

(3) The director shall consult with the Washington state department of retirement systems, the Washington state investment board, and the department of financial institutions in designing and managing the marketplace.

(4) The director shall approve for participation in the marketplace all private sector financial services firms ~~((that meet the requirements of))~~, as defined in RCW 43.330.732 ~~((7))~~.

(5) A range of investment options must be provided to meet the needs of investors with various levels of risk tolerance and various ages. The director must approve a diverse array of private retirement plan options that are available to employers on a voluntary basis, including but not limited to life insurance plans that are designed for retirement purposes, and plans for eligible employer participation such as ~~((+ (a) A))~~ a SIMPLE IRA-type plan that provides for employer contributions to participating enrollee accounts ~~((; and (b) a payroll deduction individual retirement account type plan or workplace-based individual retirement accounts open to all workers in which the employer does not contribute to the employees' account))~~.

(6) (a) Prior to approving a plan to be offered on the marketplace, the department must receive verification from the department of financial institutions or the office of the insurance commissioner:

(i) That the private sector financial services firm offering the plan meets the ~~((requirements of))~~ definition in RCW 43.330.732 ~~((7))~~; and

(ii) That the plan meets the requirements of this section excluding subsection (9) of this section which is subject to federal laws and regulations.

(b) If the plan includes either life insurance or annuity products, or both, the office of the insurance commissioner may request that the department of financial institutions conduct the plan review as provided in (a)(ii) of this subsection prior to submitting its verification to the department.

(c) The director may remove approved plans that no longer meet the requirements of this chapter.

(7) The financial services firms participating in the marketplace must offer a minimum of two product options: (a) A target date or other similar fund, with asset allocations and maturities designed to coincide with the expected date of retirement and (b) a balanced fund. ~~((The marketplace must offer myRA.))~~

(8) In order for the marketplace to operate, there must be at least two approved plans on the marketplace; however, nothing in this subsection shall be construed to limit the number of private sector financial services firms with approved plans from participating in the marketplace.

(9) Approved plans must meet federal law or regulation for internal revenue service approved retirement plans.

(10) The approved plans must include the option for enrollees to roll pretax contributions into a different individual retirement account or another eligible retirement plan after ceasing participation in a plan approved by the Washington small business retirement marketplace.

(11) Financial services firms selected by the department to offer approved plans on the marketplace may not charge the participating employer an administrative fee and may not charge enrollees more than one hundred basis points in total annual fees and must provide information about their product's historical investment performance. Financial services firms may charge enrollees a de minimis fee for new and/or low balance accounts in amounts negotiated and agreed upon by the department and financial services firms. The director shall limit plans to those with total fees the director considers reasonable based on all the facts and circumstances.

(12) Participation in the Washington small business retirement marketplace is voluntary for both eligible employers and qualified employees.

(13) Enrollment in any approved plan offered in the marketplace is not an entitlement.

### **PART III**

#### **WASHINGTON SAVES - ADMINISTRATIVE ACCOUNT - RETAIN OWN INTEREST**

**Sec. 16.** RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, 2023 c 170 s 19, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statuary hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the pollution liability insurance program trust account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating

account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

**Sec. 17.** RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased

banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) (a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statuary hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the produce railcar pool account,

the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

#### **PART IV MISCELLANEOUS**

NEW SECTION. **Sec. 18.** Section 16 of this act expires July 1, 2030.

NEW SECTION. **Sec. 19.** (1) Section 16 of this act takes effect July 1, 2024.

(2) Section 17 of this act takes effect July 1, 2030.

NEW SECTION. **Sec. 20.** Sections 1 through 12 of this act constitute a new chapter in Title 19 RCW.

NEW SECTION. **Sec. 21.** If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is inoperative solely to the extent of the conflict, and the finding or determination does not affect the operation of the remainder of this act. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state."

Correct the title.

Representative Walen moved the adoption of amendment (1233) to the striking amendment (1232):

On page 3, line 21 of the striking amendment, after "plan" insert "at any time"

On page 8, line 19 of the striking amendment, after "(v)" insert "Provide a simple process for covered employees to opt out of the program at any time or modify their payroll deductions;  
(vi)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 9, line 6 of the striking amendment, after "participation" insert "at any time"

On page 10, line 2 of the striking amendment, after "state;" strike "and"

On page 10, line 3 of the striking amendment, after "(vii)" insert "A statement that the program is voluntary for covered employees, and a covered employee may opt out of the program at any time; and  
(viii)"

On page 10, line 20 of the striking amendment, after "frequency," strike "and"

On page 10, line 21 of the striking amendment, after "program" insert ", and how to opt out of the program at any time"

Representatives Walen and Robertson spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1233) to the striking amendment (1232) was adopted.

Representative Santos moved the adoption of amendment (1253) to the striking amendment (1232):

On page 7, line 12 of the striking amendment, after "The" strike "department of financial institutions" and insert "office of financial management"

On page 11, beginning on line 4 of the striking amendment, after "and the" strike "department of financial institutions" and insert "office of financial management"

On page 11, beginning on line 8 of the striking amendment, after "and the" strike "department of financial institutions" and insert "office of financial management"

On page 11, line 13 of the striking amendment, after "the" strike "department of financial institutions" and insert "office of financial management"

On page 17, line 3 of the striking amendment, after "by the" strike "department of financial institutions" and insert "office of financial management"

On page 17, beginning on line 6 of the striking amendment, after "the" strike "department of financial institutions" and insert "office of financial management"

On page 17, beginning on line 11 of the striking amendment, after "the" strike "department of financial institutions" and insert "office of financial management"

On page 17, line 15 of the striking amendment, after "between the" strike "department of financial institutions" and insert "office of financial management"

On page 17, at the beginning of line 19 of the striking amendment, strike "department of financial institutions" and insert "office of financial management"

On page 17, beginning on line 21 of the striking amendment, after "to the" strike "department of financial institutions" and insert "office of financial management"

On page 17, beginning on line 22 of the striking amendment, after "from the" strike "department of financial institutions" and insert "office of financial management"

On page 17, beginning on line 32 of the striking amendment, after "the" strike "department of financial institutions" and insert "office of financial management"

On page 17, line 37 of the striking amendment, after "(c) The" strike "department of financial institutions" and insert "office of financial management"

On page 18, line 1 of the striking amendment, after "when the" strike "department of financial institutions" and insert "office of financial management"

On page 18, line 13 of the striking amendment, after "(d) The" strike

"department of financial institutions" and insert "office of financial management"

On page 18, beginning on line 22 of the striking amendment, after "the" strike "department of financial institutions" and insert "office of financial management"

On page 18, beginning on line 24 of the striking amendment, after "the" strike "department of financial institutions" and insert "office of financial management"

On page 18, beginning on line 36 of the striking amendment, after "the" strike "department of financial institutions" and insert "office of financial management"

On page 19, line 3 of the striking amendment, after "the" strike "department of financial institutions" and insert "office of financial management"

On page 19, line 5 of the striking amendment, after "to the" strike "department of financial institutions" and insert "office of financial management's"

On page 19, at the beginning of line 13 of the striking amendment, strike "department of financial institutions" and insert "office of financial management"

On page 19, beginning on line 19 of the striking amendment, after "penalty, the" strike "department of financial institutions" and insert "office of financial management"

On page 19, line 35 of the striking amendment, after "of the" strike "department of financial institutions" and insert "office of financial management"

Representatives Santos and Robertson spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1253) to the striking amendment (1232) was adopted.

Representative Robertson moved the adoption of amendment (1254) to the striking amendment (1232):

On page 7, line 12 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 11, at the beginning of line 5 of the striking amendment, strike "financial institutions" and insert "retirement systems"

On page 11, at the beginning of line 9 of the striking amendment, strike "financial institutions" and insert "retirement systems"

On page 11, line 13 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 17, line 3 of the striking amendment, after "of" strike "financial



institutions" and insert "retirement systems"

On page 17, beginning on line 6 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 17, beginning on line 11 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 17, line 15 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 17, line 19 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 17, beginning on line 21 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 17, line 23 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 17, at the beginning of line 33 of the striking amendment, strike "financial institutions" and insert "retirement systems"

On page 17, line 37 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 18, line 1 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 18, line 13 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 18, at the beginning of line 23 of the striking amendment, strike "financial institutions" and insert "retirement systems"

On page 18, at the beginning of line 25 of the striking amendment, strike "financial institutions" and insert "retirement systems"

On page 18, line 37 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 19, line 3 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 19, line 5 of the striking amendment, after "of" strike "financial

institutions'" and insert "retirement systems'"

On page 19, line 13 of the striking amendment, after "of" strike "financial institutions" and insert "retirement systems"

On page 19, at the beginning of line 20 of the striking amendment, strike "financial institutions" and insert "retirement systems"

On page 19, line 35 of the striking amendment, after "department of" strike "financial institutions" and insert "retirement systems"

With the consent of the House, Representative Robertson withdrew amendment (1254).

Representatives Santos and Robertson spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (1232), as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Reeves and Santos spoke in favor of the passage of the bill.

Representatives McClintock, Robertson and Jacobsen spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6069, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6069, as amended by the House, and the bill passed the House by the following vote: Yeas, 66; Nays, 30; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Cheney, Chopp, Corry, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Harris, Hutchins, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Chapman, Christian, Connors, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Jacobsen, Klicker, Kretz, Low, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Schmidt, Stokesbary, Timmons, Volz, Walsh, Waters and Wilcox  
Excused: Representatives Chandler and Maycumber

ENGROSSED SUBSTITUTE SENATE BILL NO. 6069, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 5906, by Senators Wilson, L., Dozier, Gildon, Holy, Mullet, Torres, Warnick and Wilson, J.**

**Implementing a statewide drug overdose prevention and education campaign.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Harris and Leavitt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5906, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5906, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

ENGROSSED SENATE BILL NO. 5906, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5667, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Muzzall, Van De Wege, Short, Wagoner and Wellman)**

**Concerning eligibility, enrollment, and compensation of small forestland owners volunteering for participation in the forestry riparian easement program.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Capital Budget was not adopted. For Committee amendment, see Journal, Day 50, Monday, February 26, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent and Chapman spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5667.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5667, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier,

Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Maycumber

SUBSTITUTE SENATE BILL NO. 5667, having received the necessary constitutional majority, was declared passed.

### RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which ENGROSSED SUBSTITUTE SENATE BILL NO. 6069, as amended by the House, passed the House.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6069, as amended by the House, on reconsideration.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6069, as amended by the House, on reconsideration, and the bill passed the House by the following vote: Yeas, 57; Nays, 39; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Schmick, Schmidt, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Maycumber

ENGROSSED SUBSTITUTE SENATE BILL NO. 6069, as amended by the House, on reconsideration, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SENATE BILL NO. 5241, by Senators Randall, Rolfes, Kuderer, Trudeau, Pedersen, Shewmake, Hunt, Saldaña, Kauffman, Valdez, Lovick, Robinson, Lovelett, Lias, Frame, Nguyen, Stanford and Wilson, C.**

**Concerning material changes to the operations and governance structure of participants in the health care marketplace.**

The bill was read the second time.

There being no objection, the House deferred action on ENGROSSED SENATE BILL NO. 5241, and the bill held its place on the second reading calendar.

There being no objection, the House adjourned until 10:30 a.m., Monday, March 4, 2024, the 57th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

FIFTY SEVENTH DAY

House Chamber, Olympia, Monday, March 4, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Brighton Rodriguez and Immanuel Robertson-Stewart. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Mike Chapman, 24th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

**SPEAKER'S PRIVILEGE**

The Speaker (Representative Orwall presiding) recognized former House member and current Congressman Dan Newhouse in the gallery and thanked him for his service.

There being no objection, the House advanced to the third order of business.

**MESSAGE FROM THE SENATE**

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed:

- SUBSTITUTE HOUSE BILL NO. 1818
- HOUSE BILL NO. 1867
- SUBSTITUTE HOUSE BILL NO. 1892
- SUBSTITUTE HOUSE BILL NO. 1919
- HOUSE BILL NO. 1927
- SECOND SUBSTITUTE HOUSE BILL NO. 1941
- SUBSTITUTE HOUSE BILL NO. 1942
- HOUSE BILL NO. 1958
- HOUSE BILL NO. 1963
- SUBSTITUTE HOUSE BILL NO. 1970
- SUBSTITUTE HOUSE BILL NO. 1979
- HOUSE BILL NO. 1982
- SUBSTITUTE HOUSE BILL NO. 2012
- SECOND SUBSTITUTE HOUSE BILL NO. 2014
- SUBSTITUTE HOUSE BILL NO. 2025
- SUBSTITUTE HOUSE BILL NO. 2097
- SUBSTITUTE HOUSE BILL NO. 2102
- SECOND SUBSTITUTE HOUSE BILL NO. 2112
- ENGROSSED HOUSE BILL NO. 2199
- HOUSE BILL NO. 2204
- HOUSE BILL NO. 2246
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2311
- HOUSE BILL NO. 2375
- HOUSE BILL NO. 2415

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Friday, March 1, 2024

Mme. Speaker:

The President has signed:

- HOUSE BILL NO. 1146
- THIRD SUBSTITUTE HOUSE BILL NO. 1228
- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508
- SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1608
- HOUSE BILL NO. 1752
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1835
- HOUSE BILL NO. 1901
- SUBSTITUTE HOUSE BILL NO. 1905
- SUBSTITUTE HOUSE BILL NO. 1916
- HOUSE BILL NO. 1917
- SECOND SUBSTITUTE HOUSE BILL NO. 1929
- SUBSTITUTE HOUSE BILL NO. 1939
- HOUSE BILL NO. 1961
- HOUSE BILL NO. 1983
- SUBSTITUTE HOUSE BILL NO. 1985
- SUBSTITUTE HOUSE BILL NO. 1989
- SUBSTITUTE HOUSE BILL NO. 1999
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2003
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2019
- SUBSTITUTE HOUSE BILL NO. 2020
- SUBSTITUTE HOUSE BILL NO. 2048
- SUBSTITUTE HOUSE BILL NO. 2061
- SUBSTITUTE HOUSE BILL NO. 2091
- HOUSE BILL NO. 2110
- SUBSTITUTE HOUSE BILL NO. 2127
- HOUSE BILL NO. 2137
- HOUSE BILL NO. 2209
- SECOND SUBSTITUTE HOUSE BILL NO. 2214
- SUBSTITUTE HOUSE BILL NO. 2217
- HOUSE BILL NO. 2260
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2303
- HOUSE BILL NO. 2318
- SUBSTITUTE HOUSE BILL NO. 2335
- SUBSTITUTE HOUSE BILL NO. 2428
- SUBSTITUTE HOUSE BILL NO. 2467
- HOUSE BILL NO. 2481

and the same are herewith transmitted.

Sarah Bannister, Secretary

**MESSAGE FROM THE SENATE**

Friday, March 1, 2024

Mme. Speaker:

The President has signed:

- SUBSTITUTE SENATE BILL NO. 5786
- SENATE BILL NO. 5805
- SENATE BILL NO. 5884
- SENATE BILL NO. 5913
- SUBSTITUTE SENATE BILL NO. 5917
- SUBSTITUTE SENATE BILL NO. 5925
- SUBSTITUTE SENATE BILL NO. 5998
- SENATE BILL NO. 6027
- SENATE BILL NO. 6088
- SUBSTITUTE SENATE BILL NO. 6108
- SUBSTITUTE SENATE BILL NO. 6140
- SENATE BILL NO. 6178

SUBSTITUTE SENATE BILL NO. 6186  
SENATE BILL NO. 6222  
SUBSTITUTE SENATE BILL NO. 6227  
SUBSTITUTE SENATE BILL NO. 6269  
ENGROSSED SENATE BILL NO. 6296

MINORITY recommendation: Do not pass. Signed by Representative Pollet.

March 1, 2024

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

HI 2111

Prime Sponsor, Representative People of the State of Washington: Concerning taxes on personal income. Reported by Committee on Finance

**MESSAGE FROM THE SENATE**

Monday, March 4, 2024

Mme. Speaker:

The President has signed:

MAJORITY recommendation: Do pass. Signed by Representatives Berg, Chair; Jacobsen, Assistant Ranking Minority Member; Barnard; Springer; Walen; Wilcox and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Street, Vice Chair; Chopp; Ramel; Santos; and Thai.

March 1, 2024

SUBSTITUTE SENATE BILL NO. 5306  
SUBSTITUTE SENATE BILL NO. 5427  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5589  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5801  
SUBSTITUTE SENATE BILL NO. 5803  
SUBSTITUTE SENATE BILL NO. 5806  
SENATE BILL NO. 5821  
SUBSTITUTE SENATE BILL NO. 5829  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5853  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5937  
SENATE BILL NO. 6079  
SUBSTITUTE SENATE BILL NO. 6192  
SENATE BILL NO. 6229  
SENATE BILL NO. 6283  
SUBSTITUTE SENATE JOINT MEMORIAL NO. 8009

HI 2113

Prime Sponsor, Representative People of the State of Washington: Concerning vehicular pursuits by peace officers. Reported by Committee on Community Safety, Justice, & Reentry

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis; Fosse; Graham and Ramos.

MINORITY recommendation: Do not pass. Signed by Representatives Simmons, Vice Chair; and Farivar.

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the bills listed on the day's committee reports under the fifth order of business under suspension of the rules were placed on the third reading calendar.

There being no objection, the House advanced to the sixth order of business.

**MESSAGE FROM THE SENATE**

Monday, March 4, 2024

Mme. Speaker:

The Senate has passed:

SENATE INITIATIVE NO. 2081  
SENATE INITIATIVE NO. 2111  
SENATE INITIATIVE NO. 2113

**SECOND READING**

**SUBSTITUTE SENATE BILL NO. 6100, by Senate Committee on Ways & Means (originally sponsored by Robinson and Nguyen)**

**Making expenditures from the budget stabilization account for declared catastrophic events.**

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Gregerson spoke in favor of the passage of the bill.

Representative Corry spoke against the passage of the bill.

There being no objection, the House advanced to the fifth order of business.

**REPORTS OF STANDING COMMITTEES**

March 1, 2024

HI 2081

Prime Sponsor, Representative People of the State of Washington: Concerning parental rights relating to their children's public school education. Reported by Committee on Education

**MOTION**

On motion of Representative Griffey, Representative Chandler was excused.

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist; Couture; Eslick; Harris; McClintock; Nance; Ortiz-Self; Steele; Stonier and Timmons.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6100.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6100, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Christian, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Hackney, Harris, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Steele, Stokesbary, Walsh, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE SENATE BILL NO. 6100, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

**THIRD READING**

**MESSAGE FROM THE SENATE**

Thursday, February 22, 2024

Mme. Speaker:

The Senate has passed HOUSE BILL NO. 1054, with the following amendment(s): 1054 AMS LAW S4910.2

Strike everything after the enacting clause and insert the following:

NEW SECTION. **Sec. 1.** A new section is added to chapter 64.32 RCW to read as follows:

Except for occupancy limits on short-term rentals as defined in RCW 64.37.010 and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code, city ordinance, or county ordinance, an association of apartment owners may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that regulates or limits the number of unrelated persons that may occupy an apartment.

NEW SECTION. **Sec. 2.** A new section is added to chapter 64.34 RCW to read as follows:

Except for occupancy limits on short-term rentals as defined in RCW 64.37.010 and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code, city ordinance, or county ordinance, a unit owners' association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that regulates or limits the number of unrelated persons that may occupy a unit.

NEW SECTION. **Sec. 3.** A new section is added to chapter 64.38 RCW to read as follows:

Except for occupancy limits on short-term rentals as defined in RCW 64.37.010 and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code, city ordinance, or county ordinance, a homeowners' association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that regulates or limits the number of unrelated persons that may occupy a lot.

NEW SECTION. **Sec. 4.** A new section is added to chapter 64.90 RCW to read as follows:

Except for occupancy limits on short-term rentals as defined in RCW 64.37.010 and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code, city ordinance, or county ordinance, a unit owners association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that regulates or limits the number of unrelated persons that may occupy a unit.

NEW SECTION. **Sec. 5.** If chapter . . . (Engrossed Substitute Senate Bill No. 5796), Laws of 2024 is enacted by June 30, 2024, sections 1 through 3 of this act expire January 1, 2028."

On page 1, line 3 of the title, after "persons;" strike the remainder of the title and insert "adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; and providing a contingent expiration date."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1054 and advanced the bill, as amended by the Senate, to final passage.

Representative Walen spoke in favor of the passage of the bill.

Representative Klicker spoke against the passage of the bill.

**FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1054, as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1054, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 68; Nays, 29; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Graham, Griffey, Harris, Jacobsen, Klicker, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh and Waters

Excused: Representative Chandler

HOUSE BILL NO. 1054, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1105, with the following amendment(s): 1105-S AMS SGE S5310.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 42.30 RCW to read as follows:

(1) A public agency that is required by state law to solicit public comment for a statutorily specified period of time, and is required by state law to provide notice that it is soliciting public comment, must specify the first and last date and time by which written public comment may be submitted.

(2) An agency that provides a notice that violates this section is subject to the same fines under the same procedures as other violations of this chapter are subject to under RCW 42.30.120."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "requiring public agencies to provide notice for public comment that includes the first and last date and time by which such public comment must be submitted; and adding a new section to chapter 42.30 RCW."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1105 and advanced the bill, as amended by the Senate, to final passage.

Representatives Kloba and Cheney spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1105, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1105, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1105, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Friday, February 23, 2024

Mme. Speaker:

The Senate has passed HOUSE BILL NO. 1226, with the following amendment(s): 1226 AMS AWNP S5074.3

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that as Washington's growing population accesses limited natural resources, there is a need to increase compliance, and provide education, on appropriate gear, seasons, and species take limits.

(2) The legislature further finds that previously unregulated species are under increased recreational harvest. Recreational licensing is an appropriate mechanism to educate the public and preserve opportunity in the future.

(3) The legislature further finds that eulachon, also known as Pacific smelt and Columbia river smelt, are listed as a threatened species under the endangered species act and licensing requirements are needed to provide angler education and allow for better regulation and monitoring to prevent them from becoming endangered.

(4) The legislature also finds that licensing for carp will aid in enforcement of illegal fishing where people fishing for regulated species without a required license have claimed to be fishing for carp, thereby negatively affecting the fisheries of other regulated species.

(5) The legislature further finds that licensing for crawfish will provide the public with education that enables them to

distinguish between native and invasive crawfish species, facilitating the removal of invasive crawfish.

**Sec. 2.** RCW 77.32.010 and 2019 c 290 s 3 are each amended to read as follows:

(1) Except as otherwise provided in this chapter or department rule, a recreational license issued by the director is required to hunt, fish, or take wildlife or seaweed. A ~~((recreational fishing or shellfish license is not required for carp, freshwater smelt, and crawfish, and a))~~ hunting license is not required for bullfrogs.

(2) A pass or permit issued under RCW 79A.80.020, 79A.80.030, or 79A.80.040 is required to park or operate a motor vehicle on a recreation site or lands, as defined in RCW 79A.80.010.

(3) The commission may, by rule, indicate that a fishing permit issued to a nontribal member by the Colville Tribes shall satisfy the license requirements in subsection (1) of this section on the waters of Lake Rufus Woods and on the north shore of Lake Rufus Woods, and that a Colville Tribes tribal member identification card shall satisfy the license requirements in subsection (1) of this section on all waters of Lake Rufus Woods.

(4) A recreational fishing license is not required to fish for carp in Moses Lake or Vancouver Lake."

On page 1, line 2 of the title, after "carp;" strike the remainder of the title and insert "amending RCW 77.32.010; and creating a new section."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1226 and advanced the bill, as amended by the Senate, to final passage.

Representative Chapman spoke in favor of the passage of the bill.

Representatives Orcutt and Abbarno spoke against the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1226, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1226, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

HOUSE BILL NO. 1226, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Thursday, February 22, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1241, with the following amendment(s): 1241-S AMS ENGR S4527.E

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 9A.46.020 and 2023 c 102 s 16 are each amended to read as follows:

(1) A person is guilty of harassment if:

(a) Without lawful authority, the person knowingly threatens:

(i) To cause bodily injury immediately or in the future to the person threatened or to any other person; or

(ii) To cause physical damage to the property of a person other than the actor; or

(iii) To subject the person threatened or any other person to physical confinement or restraint; or

(iv) Maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical health or safety; and

(b) The person by words or conduct places the person threatened in reasonable fear that the threat will be carried out. "Words or conduct" includes, in addition to any other form of communication or conduct, the sending of an electronic communication.

(2)(a) Except as provided in (b) of this subsection, a person who harasses another is guilty of a gross misdemeanor.

(b) A person who harasses another is guilty of a class C felony if any of the following apply: (i) The person has previously been convicted in this or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a no-contact or no-harassment order; (ii) the person harasses another person under subsection (1)(a)(i) of this section by threatening to kill the person threatened or any other person; (iii) the person harasses a criminal justice participant or election official who is performing his or her official duties at the time the threat is made; or (iv) the person harasses a criminal justice participant or election official because of an action taken or decision made by the criminal justice participant or election official during the performance of his or her official duties. For the purposes of (b)(iii) and (iv) of this subsection, the



fear from the threat must be a fear that a reasonable criminal justice participant or election official would have under all the circumstances. Threatening words do not constitute harassment if it is apparent to the criminal justice participant or election official that the person does not have the present and future ability to carry out the threat.

(3) Any criminal justice participant or election official who is a target for threats or harassment prohibited under subsection (2)(b)(iii) or (iv) of this section, and any ~~((family members))~~ person residing with him or her, shall be eligible for the address confidentiality program created under RCW 40.24.030.

(4) For purposes of this section, a criminal justice participant includes any (a) federal, state, or local law enforcement agency employee; (b) federal, state, or local prosecuting attorney or deputy prosecuting attorney; (c) staff member of any adult corrections institution or local adult detention facility; (d) staff member of any juvenile corrections institution or local juvenile detention facility; (e) community corrections officer, probation, or parole officer; (f) member of the indeterminate sentence review board; (g) advocate from a crime victim/witness program; or (h) defense attorney.

(5) For the purposes of this section, an election official includes any staff member of the office of the secretary of state or staff member of a county auditor's office, regardless of whether the member is employed on a temporary or part-time basis, whose duties relate to voter registration or the processing of votes as provided in Title 29A RCW.

(6) The penalties provided in this section for harassment do not preclude the victim from seeking any other remedy otherwise available under law.

**Sec. 2.** RCW 40.24.030 and 2023 c 462 s 501 and 2023 c 193 s 18 are each reenacted and amended to read as follows:

(1)(a) An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an ~~((incapacitated person))~~ individual subject to guardianship as defined in RCW 11.130.010, (b) any election official as described in RCW 9A.46.020 or 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.46.020 or 9A.90.120(2)(b) (iii) or (iv), and any person residing with such person ~~((+))~~, (c) any criminal justice participant as defined in RCW 9A.46.020 who is a target for threats or harassment prohibited under RCW 9A.46.020(2)(b) (iii) or (iv) and any criminal justice participant as defined in RCW 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv), and any person residing with such person, and (d) any protected health care services provider, employee, or an affiliate of such provider, who provides, attempts to provide, assists in the provision, or attempts to assist in the provision of protected health care services as defined in RCW 7.115.010, and any family

members residing with such person, may apply to the secretary of state to have an address designated by the secretary of state serve as the person's address or the address of the minor or incapacitated person. The secretary of state shall approve an application if it is filed in the manner and on the form prescribed by the secretary of state and if it contains:

(i) A sworn statement, under penalty of perjury, by the applicant that the applicant has good reason to believe (A) that the applicant, or the minor or incapacitated person on whose behalf the application is made, is a victim of domestic violence, sexual assault, trafficking, or stalking and that the applicant fears for the applicant's safety or the applicant's children's safety, or the safety of the minor or incapacitated person on whose behalf the application is made; (B) that the applicant, as an election official as described in RCW 9A.46.020 or 9A.90.120, is a target for threats or harassment prohibited under RCW 9A.46.020 or 9A.90.120(2)(b) (iii) or (iv); (C) that the applicant, as a criminal justice participant as defined in RCW 9A.46.020, is a target for threats or harassment prohibited under RCW 9A.46.020(2)(b) (iii) or (iv), or that the applicant, as a criminal justice participant as defined in RCW 9A.90.120 is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv); or (D) that the applicant, as a protected health care services provider, employee, or an affiliate of such provider, who provides, attempts to provide, assists in the provision, or attempts to assist in the provision of protected health care services as defined in RCW 7.115.010, is a target for threats or harassment prohibited under RCW 9A.90.120 or 9A.46.020;

(ii) If applicable, a sworn statement, under penalty of perjury, by the applicant, that the applicant has reason to believe they are a victim of (A) domestic violence, sexual assault, or stalking perpetrated by an employee of a law enforcement agency, (B) threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv) or 9A.46.020(2)(b) (iii) or (iv), or (C) threats or harassment as described in (a)(i) (D) of this subsection;

(iii) A designation of the secretary of state as agent for purposes of service of process and for the purpose of receipt of mail;

(iv) The residential address and any telephone number where the applicant can be contacted by the secretary of state, which shall not be disclosed because disclosure will increase the risk of (A) domestic violence, sexual assault, trafficking, or stalking, (B) threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv) or 9A.46.020(2)(b) (iii) or (iv), or (C) threats or harassment as described in (a)(i)(D) of this subsection;

(v) The signature of the applicant and of any individual or representative of any office designated in writing under RCW 40.24.080 who assisted in the preparation of the application, and the date on which the applicant signed the application.

(2) Applications shall be filed with the office of the secretary of state.

(3) Upon filing a properly completed application, the secretary of state shall certify the applicant as a program participant. Applicants shall be certified for four years following the date of filing unless the certification is withdrawn or invalidated before that date. The secretary of state shall by rule establish a renewal procedure.

(4)(a) During the application process, the secretary of state shall provide each applicant a form to direct the department of licensing to change the address of registration for vehicles or vessels solely or jointly registered to the applicant and the address associated with the applicant's driver's license or identicard to the applicant's address as designated by the secretary of state upon certification in the program. The directive to the department of licensing is only valid if signed by the applicant. The directive may only include information required by the department of licensing to verify the applicant's identity and ownership information for vehicles and vessels. This information is limited to the:

(i) Applicant's full legal name;

(ii) Applicant's Washington driver's license or identicard number;

(iii) Applicant's date of birth;

(iv) Vehicle identification number and license plate number for each vehicle solely or jointly registered to the applicant; and

(v) Hull identification number or vessel document number and vessel decal number for each vessel solely or jointly registered to the applicant.

(b) Upon certification of the applicants, the secretary of state shall transmit completed and signed directives to the department of licensing.

(c) Within 30 days of receiving a completed and signed directive, the department of licensing shall update the applicant's address on registration and licensing records.

(d) Applicants are not required to sign the directive to the department of licensing to be certified as a program participant.

(5) A person who knowingly provides false or incorrect information upon making an application or falsely attests in an application that disclosure of the applicant's address would endanger (a) the applicant's safety or the safety of the applicant's children or the minor or incapacitated person on whose behalf the application is made, (b) the safety of any election official as described in RCW 9A.46.020 or 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.46.020 or 9A.90.120(2)(b) (iii) or (iv), (c) the safety of any criminal justice participant as defined in RCW 9A.46.020 who is a target for threats or harassment prohibited under RCW 9A.46.020(2)(b) (iii) or (iv) or of any criminal justice participant as defined in RCW 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv), or (d) the safety of any person as described in subsection (1)(a)(i)(D) of this section who is a target for threats or harassment, or any family members residing with such person, shall be punished under RCW 40.16.030 or other applicable statutes.

NEW SECTION. **Sec. 3.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

On page 1, line 1 of the title, after "harassment;" strike the remainder of the title and insert "amending RCW 9A.46.020; reenacting and amending RCW 40.24.030; and declaring an emergency."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1241 and advanced the bill, as amended by the Senate, to final passage.

Representatives Leavitt and Mosbrucker spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1241, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1241, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Christian, Graham, Jacobsen, McEntire, Orcutt, Schmidt, Volz and Walsh

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1241, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1903, with the following amendment(s): 1903-S AMS MCCU S5566.1; 1903-S AMS MCCU S5564.1

On page 2, line 5, after "\$1,000." insert "If multiple firearms are lost or stolen in a single event, the owner or person who was lawfully in possession of the firearms at the time of loss or theft who fails to report the event shall be subject to a single monetary penalty."

On page 2, after line 5, insert the following:

"(4) The duly constituted licensing authority of any city, town, or political subdivision of this state, upon issuing a firearm dealer's license in accordance with RCW 9.41.110, shall issue the dealer signage the dealer must post in a conspicuous place at each point-of-sale that states in block letters not less than one inch in height: "FAILURE TO KEEP FIREARMS IN SECURE GUN STORAGE, OR SECURED WITH A TRIGGER LOCK OR SIMILAR DEVICE THAT IS DESIGNED TO PREVENT THE UNAUTHORIZED USE OR DISCHARGE OF THE FIREARM MAY SUBJECT YOU TO CRIMINAL PENALTIES.

FAILURE TO REPORT THE LOSS OR THEFT OF A FIREARM MAY SUBJECT YOU TO A CIVIL PENALTY UP TO \$1,000."

and the same are herewith transmitted.

Sarah Bannister, Secretary

### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1903 and advanced the bill, as amended by the Senate, to final passage.

Representative Berry spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1903, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1903, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1903, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957, with the following amendment(s): 1957-S.E AMS HLTC S5061.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 48.43.047 and 2018 c 14 s 1 are each amended to read as follows:

(1) A nongrandfathered health plan issued on or after ((June 7, 2018))the effective date of this section, must, at a minimum, provide coverage for the ((same))following preventive services ((required to be covered under 42 U.S.C. Sec. 300gg-13 (2016) and any federal rules or guidance in effect on December 31, 2016, implementing 42 U.S.C. Sec. 300gg-13))as the recommendations or guidelines existed on January 8, 2024:

(a) Evidence-based items or services that have a rating of A or B in the current recommendations of the United States preventive services task force with respect to the enrollee;

(b) Immunizations for routine use in children, adolescents, and adults that have in effect a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention with respect to the enrollee. For purposes of this subsection, a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention is considered in effect after the recommendation has been adopted by the director of the centers for disease control and prevention, and a recommendation is considered to be for routine use if the recommendation is listed on the immunization schedules of the centers for disease control and prevention;

(c) With respect to infants, children, and adolescents, evidence-informed preventive care and screenings provided for in comprehensive guidelines supported by the health resources and services administration; and

(d) With respect to women, additional preventive care and screenings that are not listed with a rating of A or B by the United States preventive services task force but that are provided for in comprehensive guidelines supported by the health resources and services administration.

(2) ((The))A nongrandfathered health plan must provide coverage for the preventive services required to be covered under subsection (1) of this section consistent with federal rules and guidance related to coverage of preventive services in effect on January 8, 2024.

(3) A nongrandfathered health plan must provide coverage for the preventive services required to be covered under subsection (1) of this section for plan years that begin on or after the date that is one year after the date the recommendation or guideline is issued.

(4) A nongrandfathered health plan is no longer required to provide coverage for particular items or services specified in the recommendations or guidelines described in subsection (1) of this section if such a recommendation or guideline is revised by

the recommending entities described in subsection (1) of this section to no longer include the preventive item or service as defined in subsection (1) of this section.

(5) Annually, a health carrier shall determine whether any additional items or services must be covered without cost-sharing requirements or whether any items or services are no longer required to be covered as provided in subsections (2) and (3) of this section. The carrier's determination must be included in its health plan filings submitted to the commissioner.

(6)(a) Except as provided in (b) of this subsection, the health plan may not impose cost-sharing requirements for the preventive services required to be covered under subsection (1) of this section when the services are provided by an in-network provider. If a plan does not have in its network a provider who can provide an item or service described in subsection (1) of this section, the plan must cover the item or service when performed by an out-of-network provider and may not impose cost sharing with respect to the item or service.

((3)) (b) If any portion of 42 U.S.C. Sec. 300gg-13 is found invalid, for a health plan offered as a qualifying health plan for a health savings account, the carrier may apply cost sharing to coverage of the services that have been invalidated only at the minimum level necessary to preserve the enrollee's ability to claim tax exempt contributions and withdrawals from the enrollee's health savings account under internal revenue service laws and regulations.

(7) A carrier may use reasonable medical management techniques to determine the frequency, method, treatment, or setting for an item or service described in subsection (1) of this section to the extent not specified in the relevant recommendation or guideline, federal rules and guidance related to the coverage of preventive services in effect on January 8, 2024, and any rules adopted by the insurance commissioner.

(8) The insurance commissioner shall enforce this section consistent with federal rules (~~, guidance, and case law in effect on December 31, 2016, applicable to 42 U.S.C. 300gg-13 (2016)~~) and guidance in effect on January 8, 2024.

(9) The insurance commissioner may adopt rules necessary to implement this section, consistent with federal statutes, rules, and guidance in effect on January 8, 2024. The insurance commissioner may also adopt rules related to any future preventive services recommendations and guidelines issued by the United States preventive services task force, the advisory committee on immunization practices of the centers for disease control and prevention, and the health resources and services administration or related federal rules or guidance."

On page 1, line 2 of the title, after "sharing;" strike the remainder of the title and insert "and amending RCW 48.43.047."

and the same is herewith transmitted.

Sarah Bannister, Secretary

## SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957 and advanced the bill, as amended by the Senate, to final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1957, as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1957, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

## MESSAGE FROM THE SENATE

Thursday, February 22, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1998, with the following amendment(s): 1998-S.E AMS SALO S5291.1

On page 4, line 28, after "for" strike "utility connections" and insert "sewer connections, unless the city or county makes a finding, based on facts, that the connection fees should exceed the one-half threshold"

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

## SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1998 and advanced the bill, as amended by the Senate, to final passage.

Representatives Gregerson and Barkis spoke in favor of the passage of the bill.

**FINAL PASSAGE OF HOUSE BILL AS SENATE  
AMENDED**

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1998, as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1998, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1998, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

Friday, February 23, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2115, with the following amendment(s): 2115-S.E AMS HLTC S5101.1

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 69.41.050 and 2003 c 53 s 325 are each amended to read as follows:

(1) To every box, bottle, jar, tube, or other container of a legend drug, which is dispensed by a practitioner authorized to prescribe legend drugs, there shall be affixed a label bearing the name of the prescriber, complete directions for use, the name of the drug either by the brand or generic name and strength per unit dose, name of patient and date: PROVIDED, That the practitioner may omit the name and dosage of the drug if he or she determines that his or her patient should not have this information and that, if the drug dispensed is a trial sample in its original package and which is labeled in accordance with federal law or regulation, there need be set forth additionally only the name of the issuing practitioner and the name of the patient.

(2)(a) Notwithstanding subsection (1) of this section, at a prescriber's request, the prescription label for abortion medications may include the prescribing and dispensing health care facility name instead of the name of the practitioner.

(b) For the purposes of this subsection, "abortion medications" means substances used in the course of medical treatment intended to induce the termination of a pregnancy including, but not limited to, mifepristone.

(3) A violation of this section is a misdemeanor."

On page 1, line 2 of the title, after "abortion;" strike the remainder of the title and insert "and amending RCW 69.41.050."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2115 and advanced the bill, as amended by the Senate, to final passage.

Representative Thai spoke in favor of the passage of the bill.

Representative Caldier spoke against the passage of the bill.

**FINAL PASSAGE OF HOUSE BILL AS SENATE  
AMENDED**

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2115, as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2115, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 61; Nays, 36; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Harris, Kloba, Leavitt, Lekanoff, Macri, McEntire, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2115, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

Thursday, February 22, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2295, with the following amendment(s): 2295-S AMS HLTC S5102.1

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that:

(a) "Hospital at home" is a service that provides safe and effective care, improves outcomes, and benefits patients. It was developed by Johns Hopkins healthcare solutions and has been used by the veteran's health administration and medical centers in the United States and around the world;

(b) Washington hospitals began offering this service following the launch of the centers for medicare and medicaid services acute hospital care at-home program in response to the COVID-19 pandemic. Since that time, participating Washington patients have experienced fewer readmissions and shorter treatment periods and report high rates of satisfaction;

(c) Authorizing the continuation of this service would benefit patients in Washington, a state with one of the lowest number of beds per patient population in the country and a track record of providing high quality inpatient care; and

(d) Immediate authorization of this service is necessary to preserve continuity of care and provision of services without disruption.

(2) It is the intent of the legislature to authorize acute care hospitals licensed under this chapter to continue providing hospital at-home services and direct the department to adopt rules including those services among those that may be offered by such hospitals.

**NEW SECTION. Sec. 2.** A new section is added to chapter 70.41 RCW to read as follows:

(1) Hospitals subject to this chapter may provide hospital at-home services if they have an active federal program waiver prior to when the department adopts rules pursuant to this section. Hospitals that have an active federal program waiver and intend to operate hospital at-home services within Washington state shall notify the department within 30 days of receiving the waiver.

(2)(a) The department shall adopt rules by December 31, 2025, to implement this act and add hospital at-home services to those services that may be provided by an acute care hospital licensed under this chapter. The rules shall establish standards for the operation of a hospital at-home program. In establishing the initial standards, the department shall consider the provisions of the federal program and endeavor to make the standards substantially similar. The standards may not include requirements that would make a hospital ineligible for or preclude a hospital from complying with the requirements of the federal program. The department may adopt additional standards to promote safe care and treatment of patients as needed.

(b) In the event that the federal program expires before the department establishes rules, hospitals shall continue to follow federal program requirements that were in effect as of the date of the federal program's expiration and the department shall enforce such requirements until the department adopts rules.

(c) Once rules are established, hospitals that intend to offer or continue offering hospital at-home services shall apply to the

department for approval to add hospital at-home services as a hospital service line. Hospitals that have secured a federal program waiver prior to rule adoption may provide hospital at-home services while applying for approval. The department shall approve a hospital to provide hospital at-home services if the application is consistent with the standards established in rule. RCW 43.70.115 and chapter 34.05 RCW govern notice and adjudicative proceedings related to denial of an application. The department may set a one-time application fee in rule. The application fees charged shall not exceed the actual cost of staff time to review. The administration of the program must be covered by licensing fees set by the department under the authority of RCW 70.41.100 and 43.70.250.

(3) Hospital at-home services are not subject to chapter 70.126 or 70.127 RCW.

(4) Hospital at-home services do not count as an increase in the number of the hospital's licensed beds and are not subject to chapter 70.38 RCW.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Hospital at-home services" means acute care services provided by a licensed acute care hospital to a patient outside of the hospital's licensed facility and within a home or any location determined by the patient receiving the service.

(b) "Federal program" means the acute hospital care at-home program established by the federal centers for medicare and medicaid services under 42 U.S.C. Sec. 1320b-5 and extended by 42 U.S.C. Sec. 1395cc-7, or any successor program.

**NEW SECTION. Sec. 3.** A new section is added to chapter 70.126 RCW to read as follows:

This chapter does not apply to hospital at-home services provided by an acute care hospital licensed under chapter 70.41 RCW.

**Sec. 4.** RCW 70.127.040 and 2020 c 258 s 2 are each amended to read as follows:

The following are not subject to regulation for the purposes of this chapter:

(1) A family member providing home health, hospice, or home care services;

(2) A person who provides only meal services in an individual's permanent or temporary residence;

(3) An individual providing home care through a direct agreement with a recipient of care in an individual's permanent or temporary residence;

(4) A person furnishing or delivering home medical supplies or equipment that does not involve the provision of services beyond those necessary to deliver, set up, and monitor the proper functioning of the equipment and educate the user on its proper use;

(5) A person who provides services through a contract with a licensed agency;

(6) An employee or volunteer of a licensed agency who provides services only as an employee or volunteer;

(7) Facilities and institutions, including but not limited to nursing homes

under chapter 18.51 RCW, hospitals under chapter 70.41 RCW, adult family homes under chapter 70.128 RCW, assisted living facilities under chapter 18.20 RCW, developmental disability residential programs under chapter 71A.12 RCW, other entities licensed under chapter 71.12 RCW, or other licensed facilities and institutions, only when providing services to persons residing within the facility or institution;

(8) Local and combined city-county health departments providing services under chapters 70.05 and 70.08 RCW;

(9) An individual providing care to ill individuals, individuals with disabilities, or vulnerable individuals through a contract with the department of social and health services;

(10) Nursing homes, hospitals, or other institutions, agencies, organizations, or persons that contract with licensed home health, hospice, or home care agencies for the delivery of services;

(11) In-home assessments of an ill individual, an individual with a disability, or a vulnerable individual that does not result in regular ongoing care at home;

(12) Services conducted by and for the adherents of a church or religious denomination that rely upon spiritual means alone through prayer for healing in accordance with the tenets and practices of such church or religious denomination and the bona fide religious beliefs genuinely held by such adherents;

(13) A medicare-approved dialysis center operating a medicare-approved home dialysis program;

(14) A person providing case management services. For the purposes of this subsection, "case management" means the assessment, coordination, authorization, planning, training, and monitoring of home health, hospice, and home care, and does not include the direct provision of care to an individual;

(15) Pharmacies licensed under RCW 18.64.043 that deliver prescription drugs and durable medical equipment that does not involve the use of professional services beyond those authorized to be performed by licensed pharmacists pursuant to chapter 18.64 RCW and those necessary to set up and monitor the proper functioning of the equipment and educate the person on its proper use;

(16) A volunteer hospice complying with the requirements of RCW 70.127.050;

(17) A person who provides home care services without compensation;

(18) Nursing homes that provide telephone or web-based transitional care management services; ~~((and))~~

(19) A rural health clinic providing health services in a home health shortage area as declared by the department pursuant to 42 C.F.R. Sec. 405.2416; and

(20) Hospital at-home services provided by a hospital pursuant to section 2 of this act.

**Sec. 5.** RCW 70.38.111 and 2021 c 277 s 1 are each amended to read as follows:

(1) The department shall not require a certificate of need for the offering of an inpatient tertiary health service by:

(a) A health maintenance organization or a combination of health maintenance organizations if (i) the organization or combination of organizations has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals, (ii) the facility in which the service will be provided is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination;

(b) A health care facility if (i) the facility primarily provides or will provide inpatient health services, (ii) the facility is or will be controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations which has, in the service area of the organization or service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals, (iii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iv) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination; or

(c) A health care facility (or portion thereof) if (i) the facility is or will be leased by a health maintenance organization or combination of health maintenance organizations which has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals and, on the date the application is submitted under subsection (2) of this section, at least fifteen years remain in the term of the lease, (ii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization; if, with respect to such offering or obligation by a nursing home, the department has, upon application under subsection (2) of this section, granted an exemption from such requirement to the organization, combination of organizations, or facility.

(2) A health maintenance organization, combination of health maintenance organizations, or health care facility shall not be exempt under subsection (1) of this section from obtaining a certificate of need before offering a tertiary health service unless:

(a) It has submitted at least thirty days prior to the offering of services reviewable under RCW 70.38.105(4) (d) an application for such exemption; and

(b) The application contains such information respecting the organization, combination, or facility and the proposed offering or obligation by a nursing home as the department may require to determine if the organization or combination meets the requirements of subsection (1) of this section or the facility meets or will meet such requirements; and

(c) The department approves such application. The department shall approve or disapprove an application for exemption within thirty days of receipt of a completed application. In the case of a proposed health care facility (or portion thereof) which has not begun to provide tertiary health services on the date an application is submitted under this subsection with respect to such facility (or portion), the facility (or portion) shall meet the applicable requirements of subsection (1) of this section when the facility first provides such services. The department shall approve an application submitted under this subsection if it determines that the applicable requirements of subsection (1) of this section are met.

(3) A health care facility (or any part thereof) with respect to which an exemption was granted under subsection (1) of this section may not be sold or leased and a controlling interest in such facility or in a lease of such facility may not be acquired and a health care facility described in subsection (1)(c) of this section which was granted an exemption under subsection (1) of this section may not be used by any person other than the lessee described in subsection (1)(c) of this section unless:

(a) The department issues a certificate of need approving the sale, lease, acquisition, or use; or

(b) The department determines, upon application, that (i) the entity to which the facility is proposed to be sold or leased, which intends to acquire the controlling interest, or which intends to use the facility is a health maintenance organization or a combination of health maintenance organizations which meets the requirements of subsection (1)(a)(i) of this section, and (ii) with respect to such facility, meets the requirements of subsection (1)(a)(ii) or (iii) of this section or the requirements of subsection (1)(b)(i) and (ii) of this section.

(4) In the case of a health maintenance organization, an ambulatory care facility, or a health care facility, which ambulatory or health care facility is controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations, the department may under the program apply its certificate of need requirements to the offering of inpatient tertiary health services to the extent that such offering is not exempt under the provisions of this section or RCW 70.38.105(7).

(5)(a) The department shall not require a certificate of need for the construction, development, or other establishment of a nursing home, or the addition of beds to an existing nursing home, that is owned and operated by a continuing care retirement community that:

(i) Offers services only to contractual members;

(ii) Provides its members a contractually guaranteed range of services from independent living through skilled nursing, including some assistance with daily living activities;

(iii) Contractually assumes responsibility for the cost of services exceeding the member's financial responsibility under the contract, so that no third party, with the exception of insurance purchased by the retirement community or its members, but including the medicaid program, is liable for costs of care even if the member depletes his or her personal resources;

(iv) Has offered continuing care contracts and operated a nursing home continuously since January 1, 1988, or has obtained a certificate of need to establish a nursing home;

(v) Maintains a binding agreement with the state assuring that financial liability for services to members, including nursing home services, will not fall upon the state;

(vi) Does not operate, and has not undertaken a project that would result in a number of nursing home beds in excess of one for every four living units operated by the continuing care retirement community, exclusive of nursing home beds; and

(vii) Has obtained a professional review of pricing and long-term solvency within the prior five years which was fully disclosed to members.

(b) A continuing care retirement community shall not be exempt under this subsection from obtaining a certificate of need unless:

(i) It has submitted an application for exemption at least thirty days prior to commencing construction of, is submitting an application for the licensure of, or is commencing operation of a nursing home, whichever comes first; and

(ii) The application documents to the department that the continuing care retirement community qualifies for exemption.

(c) The sale, lease, acquisition, or use of part or all of a continuing care retirement community nursing home that qualifies for exemption under this subsection shall require prior certificate of need approval to qualify for licensure as a nursing home unless the department determines such sale, lease, acquisition, or use is by a continuing care retirement community that meets the conditions of (a) of this subsection.

(6) A rural hospital, as defined by the department, reducing the number of licensed beds to become a rural primary care hospital under the provisions of Part A Title XVIII of the Social Security Act Section 1820, 42 U.S.C., 1395c et seq. may, within three years of the reduction of beds licensed under chapter 70.41 RCW, increase the number of licensed beds to no more than the previously licensed number without being subject to the provisions of this chapter.

(7) A rural health care facility licensed under RCW 70.175.100 formerly licensed as a hospital under chapter 70.41 RCW may, within three years of the effective date of the



rural health care facility license, apply to the department for a hospital license and not be subject to the requirements of RCW 70.38.105(4)(a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW and there is no redistribution in the number of beds used for acute care or long-term care, the rural health care facility has been in continuous operation, and the rural health care facility has not been purchased or leased.

(8) A rural hospital determined to no longer meet critical access hospital status for state law purposes as a result of participation in the Washington rural health access preservation pilot identified by the state office of rural health and formerly licensed as a hospital under chapter 70.41 RCW may apply to the department to renew its hospital license and not be subject to the requirements of RCW 70.38.105(4)(a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW. If all or part of a formerly licensed rural hospital is sold, purchased, or leased during the period the rural hospital does not meet critical access hospital status as a result of participation in the Washington rural health access preservation pilot and the new owner or lessor applies to renew the rural hospital's license, then the sale, purchase, or lease of part or all of the rural hospital is subject to the provisions of this chapter.

(9)(a) A nursing home that voluntarily reduces the number of its licensed beds to provide assisted living, licensed assisted living facility care, adult day care, adult day health, respite care, hospice, outpatient therapy services, congregate meals, home health, or senior wellness clinic, or to reduce to one or two the number of beds per room or to otherwise enhance the quality of life for residents in the nursing home, may convert the original facility or portion of the facility back, and thereby increase the number of nursing home beds to no more than the previously licensed number of nursing home beds without obtaining a certificate of need under this chapter, provided the facility has been in continuous operation and has not been purchased or leased. Any conversion to the original licensed bed capacity, or to any portion thereof, shall comply with the same life and safety code requirements as existed at the time the nursing home voluntarily reduced its licensed beds; unless waivers from such requirements were issued, in which case the converted beds shall reflect the conditions or standards that then existed pursuant to the approved waivers.

(b) To convert beds back to nursing home beds under this subsection, the nursing home must:

(i) Give notice of its intent to preserve conversion options to the department of health no later than thirty days after the effective date of the license reduction; and

(ii) Give notice to the department of health and to the department of social and health services of the intent to convert

beds back. If construction is required for the conversion of beds back, the notice of intent to convert beds back must be given, at a minimum, one year prior to the effective date of license modification reflecting the restored beds; otherwise, the notice must be given a minimum of ninety days prior to the effective date of license modification reflecting the restored beds. Prior to any license modification to convert beds back to nursing home beds under this section, the licensee must demonstrate that the nursing home meets the certificate of need exemption requirements of this section.

The term "construction," as used in (b)(ii) of this subsection, is limited to those projects that are expected to equal or exceed the expenditure minimum amount, as determined under this chapter.

(c) Conversion of beds back under this subsection must be completed no later than four years after the effective date of the license reduction. However, for good cause shown, the four-year period for conversion may be extended by the department of health for one additional four-year period.

(d) Nursing home beds that have been voluntarily reduced under this section shall be counted as available nursing home beds for the purpose of evaluating need under RCW 70.38.115(2)(a) and (k) so long as the facility retains the ability to convert them back to nursing home use under the terms of this section.

(e) When a building owner has secured an interest in the nursing home beds, which are intended to be voluntarily reduced by the licensee under (a) of this subsection, the applicant shall provide the department with a written statement indicating the building owner's approval of the bed reduction.

(10)(a) The department shall not require a certificate of need for a hospice agency if:

(i) The hospice agency is designed to serve the unique religious or cultural needs of a religious group or an ethnic minority and commits to furnishing hospice services in a manner specifically aimed at meeting the unique religious or cultural needs of the religious group or ethnic minority;

(ii) The hospice agency is operated by an organization that:

(A) Operates a facility, or group of facilities, that offers a comprehensive continuum of long-term care services, including, at a minimum, a licensed, medicare-certified nursing home, assisted living, independent living, day health, and various community-based support services, designed to meet the unique social, cultural, and religious needs of a specific cultural and ethnic minority group;

(B) Has operated the facility or group of facilities for at least ten continuous years prior to the establishment of the hospice agency;

(iii) The hospice agency commits to coordinating with existing hospice programs in its community when appropriate;

(iv) The hospice agency has a census of no more than forty patients;

(v) The hospice agency commits to obtaining and maintaining medicare certification;

(vi) The hospice agency only serves patients located in the same county as the majority of the long-term care services offered by the organization that operates the agency; and

(vii) The hospice agency is not sold or transferred to another agency.

(b) The department shall include the patient census for an agency exempted under this subsection (10) in its calculations for future certificate of need applications.

(11) To alleviate the need to board psychiatric patients in emergency departments and increase capacity of hospitals to serve individuals on ninety-day or one hundred eighty-day commitment orders, for the period of time from May 5, 2017, through June 30, 2023:

(a) The department shall suspend the certificate of need requirement for a hospital licensed under chapter 70.41 RCW that changes the use of licensed beds to increase the number of beds to provide psychiatric services, including involuntary treatment services. A certificate of need exemption under this subsection (11)(a) shall be valid for two years.

(b) The department may not require a certificate of need for:

(i) The addition of beds as described in RCW 70.38.260 (2) and (3); or

(ii) The construction, development, or establishment of a psychiatric hospital licensed as an establishment under chapter 71.12 RCW that will have no more than sixteen beds and provide treatment to adults on ninety or one hundred eighty-day involuntary commitment orders, as described in RCW 70.38.260(4).

(12)(a) An ambulatory surgical facility is exempt from all certificate of need requirements if the facility:

(i) Is an individual or group practice and, if the facility is a group practice, the privilege of using the facility is not extended to physicians outside the group practice;

(ii) Operated or received approval to operate, prior to January 19, 2018; and

(iii) Was exempt from certificate of need requirements prior to January 19, 2018, because the facility either:

(A) Was determined to be exempt from certificate of need requirements pursuant to a determination of reviewability issued by the department; or

(B) Was a single-specialty endoscopy center in existence prior to January 14, 2003, when the department determined that endoscopy procedures were surgeries for purposes of certificate of need.

(b) The exemption under this subsection:

(i) Applies regardless of future changes of ownership, corporate structure, or affiliations of the individual or group practice as long as the use of the facility remains limited to physicians in the group practice; and

(ii) Does not apply to changes in services, specialties, or number of operating rooms.

(13) A rural health clinic providing health services in a home health shortage area as declared by the department pursuant to 42 C.F.R. Sec. 405.2416 is not subject to

certificate of need review under this chapter.

(14) Hospital at-home services, as defined in section 2 of this act, are not subject to certificate of need review under this chapter.

NEW SECTION. **Sec. 6.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "amending RCW 70.127.040 and 70.38.111; adding a new section to chapter 70.41 RCW; adding a new section to chapter 70.126 RCW; creating a new section; and declaring an emergency."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2295 and advanced the bill, as amended by the Senate, to final passage.

Representatives Bateman and Hutchins spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2295, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2295, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2295, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2321, with the following amendment(s): 2321-S.E AMS HANS S5453.1

On page 14, line 14, after "(b)" insert "Areas designated as sole-source aquifers by the United States environmental protection agency on islands in the Puget Sound;

(c)"

Reletter the remaining subsections consecutively and correct any internal references accordingly.

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2321 and advanced the bill, as amended by the Senate, to final passage.

Representatives Bateman and Barkis spoke in favor of the passage of the bill.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2321, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2321, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Dye, McEntire, Schmick and Walsh

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2321, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2382, with the following amendment(s): 2382-S AMS ENGR S5177.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature intends to extend survivor death benefits under the industrial insurance act for the surviving dependents of transportation network company drivers when certain conditions are met. The legislature recognizes the devastating impact that such a death has on the surviving family members.

(2) By the enactment of section 2 of this act, the legislature honors the memory of transportation network company drivers who have died while working in Washington in recent years, including Cherno Ceesay, who died in 2020, Mohamed Kediye, who died in 2022, Mohamadou Kabba and Amare Geda, who died in 2023, and Abdikadir Gedi Shariif, who died in 2024.

NEW SECTION. Sec. 2. A new section is added to chapter 51.32 RCW to read as follows:

(1) In addition to the coverage provided in RCW 51.16.250, death benefits shall be payable in accordance with RCW 51.32.050 when a transportation network company driver's death results from an injury occurring while the driver is:

(a) Logged onto the transportation network company's digital network as available for work;

(b) Physically inside the transportation network company driver's vehicle or within the immediate proximity of the transportation network company driver's vehicle; and

(c) Not otherwise covered by this title.

(2) As applicable, for the purposes of this section, the definitions in RCW 49.46.300 apply.

(3) For the purposes of this section, the applicable statute of limitations begins upon the driver's death.

(4) The department may adopt rules to implement this section.

Sec. 3. RCW 51.16.250 and 2022 c 281 s 11 are each amended to read as follows:

(1) Beginning January 1, 2023, the department shall assess premiums for transportation network companies, as defined in RCW 49.46.300, in accordance with RCW 51.16.035 and this section, for workers' compensation coverage applicable to drivers, as defined in RCW 49.46.300, while the driver is engaged in passenger platform time and dispatch platform time, as those terms are defined in RCW 49.46.300.

(2) For the purposes of calculating the premium for drivers under subsection (1) of this section, the department shall multiply the total number of hours spent by drivers in passenger platform time and dispatch platform time on the transportation network company's driver platform by the rates established for taxicab companies. The department may subsequently adjust premiums in accordance with department rules.

(3) For a death that is covered under section 2 of this act, the cost of the benefits must be included in the consideration of rate increases for the risk class and not attributed to a single transportation network company. Such cost shall not be included in the calculation of

any individual transportation network company's experience modification factor.

(4) Transportation network companies, not qualifying as a self-insurer, shall insure with the state and shall, on or before the last day of January, April, July, and October of each year thereafter, furnish the department with a true and accurate statement of the hours for which drivers, as defined in RCW 49.46.300, were engaged in passenger platform time and dispatch platform time on the transportation network company's driver platform during the preceding calendar quarter and the total amount paid to such drivers engaged in passenger platform time on the transportation network company's driver platform during the preceding calendar quarter, and shall pay its premium based on the total passenger platform time and dispatch platform time to the appropriate fund. Premiums for a calendar quarter, whether reported or not, shall become due and delinquent on the day immediately following the last day of the month following the calendar quarter. The sufficiency of such statement shall be subject to the approval of the director: PROVIDED, That the director may in his or her discretion and for the effective administration of this title require a transportation network company in individual instances to furnish a supplementary report containing the name of each individual driver, his or her hours engaged in passenger platform time and dispatch platform time on the transportation network company's driver platform, and his or her compensation: PROVIDED FURTHER, That the department may promulgate rules and regulations in accordance with chapter 34.05 RCW to establish other reporting periods and payment due dates in lieu of reports and payments following each calendar quarter, and may also establish terms and conditions for payment of premiums and assessments based on estimated passenger platform time and dispatch platform time on the transportation network company's driver platform, with such payments being subject to approval as to sufficiency of the estimated passenger platform time and dispatch platform time on the transportation network company's driver platform by the department, and also subject to appropriate periodic adjustments made by the department based on actual passenger platform time and dispatch platform time on the transportation network company's driver platform.

~~((4))~~ (5) The department may adopt rules to carry out the purposes of this section, including rules providing for alternative reporting requirements.

~~((5))~~ (6) This section does not apply to any worker who is not a driver, and who is employed by the transportation network company. For those workers the processes for determining coverage, calculating premiums, reporting requirements, reporting periods, and payment due dates are subject to the provisions of this title that apply generally to employers and workers.

NEW SECTION.      **Sec. 4.**      (1) The department of labor and industries shall

conduct or contract out for a study using administrative and other available data and report to the legislature by July 1, 2029. The study shall include, but not be limited to: The number and frequency of transportation network company drivers filing claims with the department of labor and industries who are victims of crime while connected to work through a transportation network company's digital network; whether those claims were accepted or denied; and if denied, the reason for the denial. The study shall not include remote workers working from their homes.

(2) This section expires December 31, 2029."

On page 1, line 2 of the title, after "companies;" strike the remainder of the title and insert "amending RCW 51.16.250; adding a new section to chapter 51.32 RCW; creating new sections; and providing an expiration date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2382 and advanced the bill, as amended by the Senate, to final passage.

Representative Berry spoke in favor of the passage of the bill.

Representative Schmidt spoke against the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2382, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2382, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2382, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

There being no objection, the House reverted to the third order of business.

**MESSAGE FROM THE SENATE**

Monday, March 4, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1862

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the seventh order of business.

**THIRD READING**

**HOUSE INITIATIVE NO. 2113, by People of the State of Washington**

**Concerning vehicular pursuits by peace officers.**

The bill was read the third time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walsh, Goodman, Abbarno, Sandlin, Chambers, Barnard, Griffey, Donaghy, Corry, Jacobsen, Orcutt, Low, Barkis, Graham, Christian, Cheney, Schmidt, Ybarra, Connors, Chapman, Hutchins, Couture, Dent, Klicker, Maycumber and Mosbrucker spoke in favor of the passage of the bill.

Representatives Entenman and Farivar spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Initiative No. 2113.

**ROLL CALL**

The Clerk called the roll on the final passage of House Initiative No. 2113, and the bill passed the House by the following vote: Yeas, 77; Nays, 20; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, Berg, Bergquist, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Eslick, Fey, Fosse, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Maycumber, McClintock, McEntire, Mosbrucker, Nance, Orcutt, Ortiz-Self, Orwall, Paul, Peterson, Ramel, Ramos, Reeves, Riccelli, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Taylor, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Alvarado, Bateman, Berry, Chopp, Entenman, Farivar, Fitzgibbon, Gregerson, Macri, Mena, Morgan, Ormsby, Pollet, Reed, Ryu, Santos, Senn, Simmons, Street and Thai

Excused: Representative Chandler

HOUSE INITIATIVE NO. 2113, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote NAY on House Initiative No. 2113.

Representative Doglio, 22nd District

**THIRD READING**

**HOUSE INITIATIVE NO. 2081, by People of the State of Washington**

**Concerning parental rights relating to their children's public school education.**

The bill was read the third time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walsh, Santos, Jacobsen, Abbarno, Chambers, Christian, Graham, Ortiz-Self, Caldier, Barnard, Stonier, Goehner, Volz, Couture and Callan spoke in favor of the passage of the bill.

Representative Macri spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Initiative No. 2081.

**ROLL CALL**

The Clerk called the roll on the final passage of House Initiative No. 2081, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, Bateman, Berg, Bergquist, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Fey, Fitzgibbon, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Maycumber, McClintock, McEntire, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Ramos, Reeves, Riccelli, Robertson, Rude, Rule, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Alvarado, Berry, Chopp, Cortes, Farivar, Fosse, Macri, Mena, Morgan, Pollet, Ramel, Reed, Ryu, Simmons and Walen

Excused: Representative Chandler

HOUSE INITIATIVE NO. 2081, having received the necessary constitutional majority, was declared passed.

**HOUSE INITIATIVE NO. 2111, by People of the State of Washington**

**Concerning taxes on personal income.**

The bill was read the third time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walsh, Berg and Orcutt spoke in favor of the passage of the bill.

Representative Street spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Initiative No. 2111.

**ROLL CALL**

The Clerk called the roll on the final passage of House Initiative No. 2111, and the bill passed the House by the following vote: Yeas, 76; Nays, 21; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, Berg, Bergquist, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Donaghy, Duerr, Dye, Entenman, Eslick, Fey, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Lekanoff, Low, Maycumber, McClintock, McEntire, Mosbrucker, Nance, Orcutt, Ortiz-Self, Orwall, Paul, Peterson, Ramel, Ramos, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Taylor, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Alvarado, Bateman, Berry, Chopp, Cortes, Davis, Doglio, Farivar, Fitzgibbon, Fosse, Gregerson, Kloba, Macri, Mena, Morgan, Ormsby, Pollet, Reed, Santos, Street and Thai

Excused: Representative Chandler

HOUSE INITIATIVE NO. 2111, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

**SIGNED BY THE SPEAKER**

The Speaker signed the following bills:

- SUBSTITUTE HOUSE BILL NO. 1818
- HOUSE BILL NO. 1867
- SUBSTITUTE HOUSE BILL NO. 1892
- SUBSTITUTE HOUSE BILL NO. 1919
- HOUSE BILL NO. 1927
- SECOND SUBSTITUTE HOUSE BILL NO. 1941
- SUBSTITUTE HOUSE BILL NO. 1942
- HOUSE BILL NO. 1958
- HOUSE BILL NO. 1963
- SUBSTITUTE HOUSE BILL NO. 1970
- SUBSTITUTE HOUSE BILL NO. 1979
- HOUSE BILL NO. 1982
- SUBSTITUTE HOUSE BILL NO. 2012
- SECOND SUBSTITUTE HOUSE BILL NO. 2014
- SUBSTITUTE HOUSE BILL NO. 2025
- SUBSTITUTE HOUSE BILL NO. 2097
- SUBSTITUTE HOUSE BILL NO. 2102
- SECOND SUBSTITUTE HOUSE BILL NO. 2112
- ENGROSSED HOUSE BILL NO. 2199
- HOUSE BILL NO. 2204
- HOUSE BILL NO. 2246
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2311
- HOUSE BILL NO. 2375
- HOUSE BILL NO. 2415
- SUBSTITUTE SENATE BILL NO. 5306
- SENATE BILL NO. 5419
- SUBSTITUTE SENATE BILL NO. 5427
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5589
- SUBSTITUTE SENATE BILL NO. 5652
- SUBSTITUTE SENATE BILL NO. 5667
- SUBSTITUTE SENATE BILL NO. 5786
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5788
- SENATE BILL NO. 5792
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5801
- SUBSTITUTE SENATE BILL NO. 5803
- SENATE BILL NO. 5805
- SUBSTITUTE SENATE BILL NO. 5806
- SUBSTITUTE SENATE BILL NO. 5812
- ENGROSSED SENATE BILL NO. 5816
- SENATE BILL NO. 5821
- SUBSTITUTE SENATE BILL NO. 5829
- SENATE BILL NO. 5852
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5853
- SENATE BILL NO. 5884

- SENATE BILL NO. 5913
- SUBSTITUTE SENATE BILL NO. 5917
- SUBSTITUTE SENATE BILL NO. 5919
- SUBSTITUTE SENATE BILL NO. 5925
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5937
- SENATE BILL NO. 5938
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5955
- SUBSTITUTE SENATE BILL NO. 5998
- SENATE BILL NO. 6027
- SENATE BILL NO. 6079
- SENATE BILL NO. 6080
- SENATE BILL NO. 6088
- ENGROSSED SENATE BILL NO. 6089
- SUBSTITUTE SENATE BILL NO. 6108
- SUBSTITUTE SENATE BILL NO. 6121
- SUBSTITUTE SENATE BILL NO. 6125
- SUBSTITUTE SENATE BILL NO. 6140
- SENATE BILL NO. 6173
- SENATE BILL NO. 6178
- SUBSTITUTE SENATE BILL NO. 6186
- SUBSTITUTE SENATE BILL NO. 6192
- SENATE BILL NO. 6215
- SENATE BILL NO. 6222
- SUBSTITUTE SENATE BILL NO. 6227
- SENATE BILL NO. 6229
- SUBSTITUTE SENATE BILL NO. 6269
- SENATE BILL NO. 6283
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6291
- ENGROSSED SENATE BILL NO. 6296
- ENGROSSED SENATE JOINT MEMORIAL NO. 8005
- SENATE JOINT MEMORIAL NO. 8007
- SUBSTITUTE SENATE JOINT MEMORIAL NO. 8009

The Speaker called upon Representative Orwall to preside.

**THIRD READING**

**MESSAGE FROM THE SENATE**

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1915, with the following amendment(s): 1915-S AMS ENGR S5552.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION.     **Sec. 1.**     (1) The legislature recognizes that acquiring and applying a basic knowledge of personal finance is critical to the economic well-being of all adults. Without this knowledge, persons are much less well equipped to navigate the complicated financial issues of modern life, including household budgets, consumer debt, loan applications and obligations, and successful retirement planning.

(2) The legislature also recognizes that it has taken meaningful steps to support financial education instruction in public schools, including establishing the financial education public-private partnership in 2004, adopting financial education learning standards in 2015, and providing funds in 2022 for financial education professional development for certificated staff.

(3) In recognition of the relevance and importance of personal finance knowledge, the ongoing efforts of the financial

education public-private partnership, and the ability of public schools to teach or continue teaching financial education instruction, the legislature intends to ensure that all Washington students are provided financial education instruction. Therefore, the legislature intends to make financial education instruction a required component of public education while maximizing flexibility for school districts to implement the instruction in a manner that recognizes their local circumstances.

**Sec. 2.** RCW 28A.300.468 and 2015 c 211 s 4 are each amended to read as follows:

~~((1))~~ After consulting with the financial education public-private partnership, the office of the superintendent of public instruction shall make available to all school districts a list of instructional materials that align with the financial education learning standards ~~((integrated into the state learning standards pursuant to RCW 28A.300.460(2)(d)).~~

~~(2) School districts shall provide all students in grades nine through twelve the opportunity to access the financial education standards, whether through a regularly scheduled class period; before or after school; during lunch periods; at library and study time; at home; via online learning opportunities; through career and technical education course equivalencies; or other opportunities. School districts shall publicize the availability of financial education opportunities to students and their families. School districts are encouraged to grant credit toward high school graduation to students who successfully complete financial education courses)~~ adopted in RCW 28A.300.469.

NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.230 RCW to read as follows:

(1)(a) Beginning in or before the 2027-28 school year, each school district that operates a high school shall provide all high school students with access to no less than one-half credit of financial education instruction.

(b) The content and instruction required by this subsection (1) may be provided in stand-alone courses or embedded into other courses and subject areas.

(c) Instruction provided in accordance with this subsection (1) must conform with the state financial education learning standards adopted in RCW 28A.300.469.

(2)(a) By December 15, 2025, school districts shall submit to the state board of education and the financial education public-private partnership established in RCW 28A.300.450:

(i) A list of the financial education instruction courses implemented for students during or prior to the 2024-25 school year; and

(ii) A description of the school district actions and other considerations necessary to implement this section.

(b) The financial education public-private partnership shall analyze the information provided under (a) of this

subsection and create a statewide implementation plan for the requirements of this section. The plan, which must be submitted to the office of the superintendent of public instruction, the state board of education, and, in accordance with RCW 43.01.036, the appropriate committees of the legislature by September 30, 2026, may include recommendations for additional funding for grants to integrate financial literacy education into professional development for certificated staff and other school district resources in accordance with submissions provided under (a) of this subsection.

(3) Beginning no later than the 2027-28 school year, school districts shall publicize the offering of financial education instruction to students and their parents or legal guardians.

(4)(a) The state board of education shall review and monitor financial education offerings to ensure school district compliance with the requirements of subsection (1)(a) of this section. The reviews and monitoring required by this subsection (4) may be conducted concurrently with other oversight and monitoring conducted by the state board of education.

(b) The state board of education, in accordance with RCW 43.01.036, shall provide a summary of the information collected under this subsection (4) for school years 2027-28 and 2028-29 to the appropriate committees of the legislature by January 10, 2030.

(5) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020, and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts.

NEW SECTION. **Sec. 4.** Section 2 of this act takes effect August 31, 2027."

On page 1, line 2 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28A.300.468; adding a new section to chapter 28A.230 RCW; creating a new section; and providing an effective date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House granted the Senate's request for a Conference on SUBSTITUTE HOUSE BILL NO. 1915. The Speaker (Representative Orwall presiding) appointed the following members as Conferees: Representatives Rude, Santos and Stonier.

#### MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134, with the following amendment(s): 2134-S.E AMS ENGR S5501.E

Strike everything after the enacting clause and insert the following:

"2023-2025 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 101. 2023 c 472 s 105 (unmodified) is amended to read as follows: FOR THE DEPARTMENT OF AGRICULTURE Motor Vehicle Account—State Appropriation. ((\$1,462,000)) \$1,473,000

Sec. 102. 2023 c 472 s 108 (unmodified) is amended to read as follows: FOR THE DEPARTMENT OF COMMERCE Carbon Emissions Reduction Account—State Appropriation. . . . \$5,000,000 Electric Vehicle Account—State Appropriation . . . . \$220,000 Multimodal Transportation Account—State Appropriation. . . . \$300,000 TOTAL APPROPRIATION. . . . \$5,520,000

The ((appropriation)) appropriations in this section ((is)) are subject to the following conditions and limitations:

(1) \$220,000 of the electric vehicle account—state appropriation is provided solely to the department to commission an independent study, based on the findings of the transportation electrification strategy authorized under RCW 43.392.040, of costs of installation, maintenance, and operation of electrical distribution infrastructure on the utility's side of the meter to commercial customers installing electric vehicle supply equipment. The department shall gather data from at least five electric utilities serving retail customers in the state for purposes of completing the study. The department shall submit a report of study findings and an explanation of how those findings will support implementation of the transportation electrification strategy authorized under RCW 43.392.040 to the governor and appropriate legislative committees by November 1, 2024.

(2) Beginning January 1, 2025, \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for a tribal electric boat grant program. Federally recognized tribes are eligible to apply for grant funds for the purchase of or conversion to electric boats and motors.

(3)(a) \$300,000 of the multimodal transportation account—state appropriation is provided solely to the department, in collaboration with the interagency electric vehicle coordinating council, appropriate state and local agencies, climate and environmental justice organizations, consumer and ratepayer advocates, industry representatives, labor representatives, consumer-owned electric utilities, investor-owned electric utilities, and building owners and operators, to develop legislative recommendations regarding:

(i) Maximum timelines for electric vehicle supply equipment project permitting and interconnection;

(ii) Necessary reporting requirements for electric utilities on transportation electrification efforts;

(iii) Requirements for consumer information on electric vehicle supply equipment;

(iv) Extending right-to-charge policies to tenants and homeowners outside of common interest communities;

(v) Reliability standards for both publicly funded and publicly available electric vehicle supply equipment; and

(vi) Other policies to implement recommendations on improving electric vehicle supply equipment availability and use in the transportation electrification strategy under RCW 43.392.040.

(b) The department, in collaboration with the entities listed under (a) of this subsection, must also evaluate the best method to develop a comprehensive and publicly available inventory of all electric vehicle supply equipment in Washington, to include, but not be limited to:

(i) Reporting requirements for electric vehicle supply equipment providers, owners, and operators or any other entities necessary to develop and implement the inventory;

(ii) Rules necessary to determine required information, such as counts of operational electric vehicle supply equipment and ports, electrical power, utilization, reliability data, and other nonproprietary data, and a reporting process for collecting such data for the inventory; and

(iii) Identifying data that may be classified as confidential and a means for protecting such data, including data aggregation and the consideration of using a third-party entity to receive and secure data.

(c) The department must provide a report to the appropriate committees of the legislature on initial recommendations described under (a) of this subsection and the evaluation results under (b) of this subsection by December 31, 2024, and a final report with all remaining recommendations by June 30, 2025.

Sec. 103. 2023 c 472 s 109 (unmodified) is amended to read as follows: FOR THE BOARD OF PILOTAGE COMMISSIONERS Pilotage Account—State Appropriation. ((\$3,574,000)) \$3,577,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The board of pilotage commissioners shall file the annual report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) by September 1, 2023, and annually thereafter. The report must include the continuation of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.



(2) \$232,000 of the pilotage account—state appropriation is for a temporary environmental planner position to support rule making to fulfill the requirements of chapter 289, Laws of 2019.

Sec. 104. 2023 c 472 s 111 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

Motor Vehicle Account—State Appropriation.	<u>\$1,470,000</u>
Multimodal Transportation Account—State Appropriation. . . . .	<u>(\$5,000,000)</u>
	<u>\$5,060,000</u>
<b>TOTAL APPROPRIATION. . . .</b>	<b><u>\$6,530,000</u></b>

The ~~(appropriation)~~ appropriations in this section ~~((is))~~ are subject to the following conditions and limitations:

(1) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the University of Washington's sidewalk inventory and accessibility mapping project to develop a public dataset under an open license and develop the tools needed to publish that data according to an open data specification. The project must include, but is not limited to, utilization of existing data sources, imagery, detailed surveys, and manually collected, detailed data for city streets, county rural and urban local access roads and collectors/arterials, state roads of all types, and roads owned by other entities. The project may draw on partially developed sidewalk data for all state facilities. To the extent practicable, the final product must be suitable for use by the department of transportation, local and regional agencies, tribal governments, and the general public. For the 2023-2025 fiscal biennium, the project will produce a base active transportation data layer for all counties, with priority given to counties with high proportions of overburdened communities. A project status report is due to the transportation committees of the legislature on December 1st of each year until the work is completed. The legislature intends that in the 2025-2027 fiscal biennium, \$5,000,000 of multimodal transportation account funds be provided to complete a second phase of work on the active transportation data.

(2) (a) \$60,000 of the multimodal transportation account—state appropriation is provided solely for the University of Washington center for real estate research, in collaboration with the Puget Sound regional council, to complete a review of transit-oriented development conditions in cities in King, Pierce, Spokane, Clark, and Snohomish counties that (i) have populations of more than 12,500; and (ii) have at least one major transit stop, as defined in RCW 36.70A.030.

(b) The review must be based on any comprehensive plans, housing-focused local tax and fee programs, and development regulations required to be adopted on or before December 31, 2024. The review must also include the following elements in a report that enables comparison of transit-oriented development conditions on a city-by-city basis:

(i) A summary of zoned density, floor area ratio, height or bulk limitations, parking requirements, impact fees, and other relevant development constraints or requirements, fees, charges, or conditions that apply to transit-oriented development within the jurisdiction;

(ii) A summary and analysis of any local or state housing tax, charge or fee rates, exactions and incentives, affordable housing requirements, and antidisplacement strategies that apply to transit-oriented development; and

(iii) Recommendations on strategies to increase the supply and affordability of transit-oriented development.

(c) The review must apply to areas within the following distances of a major transit stop:

(i) One-half mile radius of an entrance to a train station with a stop on a light rail system, a commuter rail stop, or a stop on rail or fixed guideway system; and

(ii) One-quarter mile radius of a stop on a fixed route bus system that is funded in part or in full by the United States department of transportation funding for bus rapid transit.

(d) The center must seek input from a broad range of stakeholders with expertise in transit-oriented development, including nonprofit and for-profit developers of affordable housing, developers of market-rate and workforce housing, local governments, the Washington housing finance commission, and other stakeholders as determined by the center.

(e) The center must provide its review and a preliminary report to the appropriate committees of the legislature by December 31, 2024, and a final report, updated to reflect any intervening comprehensive plan revisions, by June 30, 2025.

(3) (a) \$1,470,000 of the motor vehicle account—state appropriation is provided solely for the Washington state transportation center to fund:

(i) Intern programs with the department of transportation;

(ii) A road scholars short-term training program; and

(iii) Professional master's degree fellowships between the department of transportation and the University of Washington within a program in civil and environmental engineering.

(b) Of the amounts provided in this subsection, \$81,000 is provided solely for the center to consult with the board of registration for professional engineers & land surveyors to conduct a statewide survey and analysis assessing workforce shortages of civil engineers, civil engineering technicians, land surveyors, land surveyor technicians, and related disciplines. The center shall create a recommended action plan, with input from the legislative transportation committees, to address engineering workforce shortages and to meet the increased demand for services. The analysis and recommended action plan must include, for civil engineers, civil engineering technicians, land surveyors, land surveyor technicians, and related disciplines, at a minimum:

- (i) Opportunities to create diverse and equitable engineering workforce;
  - (ii) Workforce data and gaps;
  - (iii) Current education pathways and licensure processes;
  - (iv) Current programs focused on workforce development and position skill-up opportunities;
  - (v) Strategies to retain workforce within the state;
  - (vi) Outreach opportunities and interinstitutional partnerships with middle schools, high schools, postsecondary institutions, and postgraduate programs; and
  - (vii) Recommendations for additional scholarships, internship and apprenticeship opportunities, undergraduate and graduate fellowship opportunities, and industry partnership opportunities.
- (c) The center shall provide a preliminary plan with proposed actions, budgets, and outcomes to the transportation committees of the legislature by November 2024. The center shall provide a final action plan report with relevant recommendations to the transportation committees of the legislature by December 31, 2024.

**Sec. 105.** 2023 c 472 s 114 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**  
 Carbon Emissions Reduction Account—State  
 Appropriation. . . . . \$6,000,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$6,000,000 of the carbon emissions reduction account—state appropriation is provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installations. The electric vehicle charging equipment (~~must allow for the collection of usage data and~~) must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities and where zero emission fleet vehicles are located or are scheduled to be purchased.

(2) The department must report when and where the equipment was installed(~~(usage data at each charging station,))~~ and the state agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30, 2025, with an interim report due January 2, 2024. The department shall collaborate with the interagency electric vehicle coordinating council to implement this section and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

(3) In carrying out this section, the department shall cooperate and provide assistance, as requested, in the joint transportation committee's development of program delivery evaluation tools and methodologies provided under section 204 (~~(of this act)~~), chapter 472, Laws of 2023

for programs that receive funding from the carbon emissions reduction account.

(4) The department, with the assistance of designated staff in the Washington state department of transportation, must register for the clean fuels credit program and start tracking revenue generation pursuant to chapter 70A.535 RCW for investments funded in an omnibus transportation appropriations act.

NEW SECTION. **Sec. 106.** A new section is added to 2023 c 472 (uncodified) to read as follows:

**FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

Ignition Interlock Device Revolving Account—State  
 Appropriation. . . . . \$400,000

The appropriation in this section is subject to the following conditions and limitations: \$400,000 of the ignition interlock device revolving account—state appropriation is provided solely for an evaluation of compliance and results associated with the state's ignition interlock device requirements. The evaluation must include, but is not limited to, the following: (1) An assessment of the compliance rates for individuals with a legal requirement to have an ignition interlock device installed on their vehicle; (2) a review of impediments or barriers to individual compliance with ignition interlock device installation and use requirements; (3) an examination of state and local agency performance in monitoring and enforcing ignition interlock device requirements; and (4) prioritized recommendations of potential procedural, policy, or statutory changes, including additional fiscal resources to state or local agencies, which will improve ignition interlock device compliance rates. The office of financial management shall place the amount provided in this section in unallotted status until the joint legislative and audit review committee indicates that the evaluation can be completed within its workplan for the 2023-2025 fiscal biennium. If the evaluation cannot be initiated in the 2023-2025 fiscal biennium, the joint legislative and audit review committee must prioritize the evaluation of compliance and results associated with the state's ignition interlock device requirements in its workplan for the 2025-2027 fiscal biennium. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature before making a decision to allot these funds.

NEW SECTION. **Sec. 107.** A new section is added to 2023 c 472 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**  
 Model Toxics Control Capital Account—State  
 Appropriation. . . . . \$15,715,000

The appropriation in this section is subject to the following conditions and

limitations: \$15,715,000 of the model toxics control capital account—state appropriation is provided solely for the department to provide grants to transition from diesel school buses and other student transport vehicles to zero emissions vehicles and for the necessary fueling infrastructure needed for zero emissions student transportation. The department must prioritize school districts serving tribes and vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Up to five percent of the appropriation in this section may be used for technical assistance and grant administration.

NEW SECTION. **Sec. 108.** A new section is added to 2023 c 472 (uncodified) to read as follows:

**FOR WESTERN WASHINGTON UNIVERSITY**

Multimodal Transportation Account—State Appropriation. . . . . \$140,000

The appropriation in this section is subject to the following conditions and limitations: \$140,000 of the multimodal transportation account—state appropriation is provided solely for the Western Washington University center for economic and business research to conduct an economic study focused on multiple economic activities surrounding the Washington state ferry system. Specifically, the study must analyze the direct economic impacts of Washington state ferry system spending, along with peer-reviewed, estimated ranges for economic activities supported by the ferry fleets' movement of passengers and freight as it relates to tourism, labor, and commerce. The department must collaborate with the university regarding the analysis by making administrative data, including financial and ridership data, available to the university. The university must submit a report summarizing the analysis to the office of the governor and the transportation committees of the legislature by December 31, 2024.

NEW SECTION. **Sec. 109.** A new section is added to 2023 c 472 (uncodified) to read as follows:

**FOR WASHINGTON STATE UNIVERSITY**

Highway Safety Account—State Appropriation. \$150,000  
Multimodal Transportation Account—State Appropriation. . . . . \$100,000  
**TOTAL APPROPRIATION..... \$250,000**

The appropriations in this section are subject to the following conditions and limitations: \$150,000 of the highway safety account—state appropriation is provided solely to convene a work group that includes, but is not limited to, the attorney general's office, the department of transportation, Washington state patrol, and the Washington traffic safety commission, to develop recommended legislation, by December 1, 2024, regarding the use of sobriety checkpoints in DUI enforcement. The work group must review the legal findings and holdings by the Washington supreme court in *City of Seattle v. Mesiani* and evaluate previous legislation from Washington and

other states, as well as federal case law, authorizing the use of sobriety checkpoints.

NEW SECTION. **Sec. 110.** A new section is added to 2023 c 472 (uncodified) to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

Aeronautics Account—State Appropriation. \$188,000

The appropriation in this section is subject to the following conditions and limitations: \$188,000 of the aeronautics account—state appropriation is provided solely for the Washington state institute for public policy to:

(1) Conduct an independent, nonpartisan assessment of the passenger and air cargo forecasts cited in the Puget Sound regional council regional aviation baseline study, including an evaluation of the underlying data, assumptions, methodologies, and calculation of the level of uncertainty around the forecast;

(2) Conduct a comprehensive literature review to identify effective national and international strategies to reduce demand for air travel, including diverting such demand to other modes to avoid environmental impacts to overburdened communities and vulnerable populations;

(3) Conduct a review of existing operational and technological enhancements to address environmental impacts from commercial aviation activities, including, but not limited to, climate friendly routing of aircraft, innovations intended to address the climate change effects of noncarbon dioxide emissions from aviation activities, simulation models applied to congested airports, and online tools to track, analyze, and improve carbon footprints related to aviation activities. The review should identify the feasibility of enhancements to be deployed in the state of Washington; and

(4) Provide a report to the office of the governor and the transportation committees of the legislature by December 31, 2025.

**Sec. 111.** 2023 c 472 s 110 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE GOVERNOR**

State Patrol Highway Account—State Appropriation. . . . . \$750,000

The appropriation in this section is subject to the following conditions and limitations: \$750,000 of the state patrol highway account—state appropriation is provided solely to the state office of equity to contract with an independent consultant to conduct the studies, evaluations, and reporting functions required in RCW 43.06D.060(2), and for the office to conduct the work specified in RCW 43.06D.060 (1) and (3).

(End of part)

**TRANSPORTATION AGENCIES—OPERATING**

**Sec. 201.** 2023 c 472 s 201 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**  
 Highway Safety Account—State Appropriation.  
 ((\$5,252,000))  
\$8,841,000  
 Highway Safety Account—Federal Appropriation  
 . . . . . ((\$27,735,000))  
\$35,744,000  
 Highway Safety Account—Private/Local  
 Appropriation. . . . . \$60,000  
 Cooper Jones Active Transportation Safety  
 Account—  
 State Appropriation. . . . . ((\$636,000))  
\$836,000  
 School Zone Safety Account—State  
 Appropriation. . . . . \$850,000  
**TOTAL APPROPRIATION.....** ~~(\$34,533,000)~~  
\$46,331,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Within existing resources, the commission must examine national safety reports and recommendations on alcohol and drug impaired driving and report to the transportation committees of the legislature, by December 15, 2023, any recommendations for legislative or policy changes to improve traffic safety in Washington state.

(2)(a) \$235,500 of the Cooper Jones active transportation safety account—state appropriation is provided solely for the commission to conduct research pertaining to the issue of street lighting and safety, including a public input component and learning from counties, cities, the state, and other impacted entities. Research may include the following:

(i) Interviewing additional local and regional roads departments, water-sewer districts, and other utility services to gather a holistic data set or further input on which authority assumes primary responsibility for street illumination in various underserved areas throughout the state;

(ii) Systematically soliciting information from communities with poor street illumination and lighting to gather input as to whether this is an issue the community would like to see improved;

(iii) Conferring with regional and state-level police, fire, and emergency medical services to assess and document potential delays in emergency response times due to poor street illumination;

(iv) Further assessing the impact of using LED lights in roadway and pedestrian scale lighting in reducing carbon emissions and light pollution throughout the United States; and

(v) Subject to more in-depth findings, convening a meeting with appropriate state, regional, and local stakeholders and community partners.

(b) The commission must report research results and provide any recommendations for legislative or policy action to the transportation committees of the legislature by January 1, 2025.

(3) Within existing resources, the commission, through the Cooper Jones active transportation safety council, must prioritize the review of pedestrian, bicyclist, or nonmotorist fatality and

serious injury review when the victim is a member of a federally recognized tribe. Consistent with RCW 43.59.156(5), the commission may recommend any policy or legislative changes to improve traffic safety for tribes through such review.

(4) Within existing resources, the commission must review and report to the transportation committees of the legislature, by December 15, 2023, on strategies and technologies used in other states to prevent and respond to wrong-way driving crashes.

~~(5) ((The Washington traffic safety commission shall coordinate with each city that implements a pilot program as authorized in RCW 46.63.170(6) to provide the transportation committees of the legislature with the following information by June 30, 2025:~~

~~(a) The number of warnings and infractions issued to first-time violators under the pilot program;~~

~~(b) The number of warnings and infractions issued to the registered owners of vehicles that are not registered with an address located in the city conducting the pilot program; and~~

~~(c) The frequency with which warnings and infractions are issued on weekdays versus weekend days.~~

~~(6))~~ \$50,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((7))~~ (6) The Washington traffic safety commission may oversee a pilot program in up to three cities implementing the use of automated vehicle noise enforcement cameras in zones that have been designated by ordinance as "Stay Out of Areas of Racing."

(a) Any programs authorized by the commission must be authorized by December 31, 2024.

(b) If a city has established an authorized automated vehicle noise enforcement camera pilot program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based upon the value of the equipment and services provided or rendered in support of the system.

(c) Any city administering a pilot program overseen by the traffic safety commission shall use the following guidelines to administer the program:

(i) Automated vehicle noise enforcement camera may record photographs or audio of the vehicle and vehicle license plate only while a violation is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(ii) The law enforcement agency of the city or county government shall install two signs facing opposite directions within 200 feet, or otherwise consistent with the uniform manual on traffic control devices, where the automated vehicle noise enforcement camera is used that state "Street Racing Noise Pilot Program in Progress";

(iii) Cities testing the use of automated vehicle noise enforcement cameras must post information on the city website and notify local media outlets indicating the zones in which the automated vehicle noise enforcement cameras will be used;

(iv) A city may only issue a warning notice with no penalty for a violation detected by automated vehicle noise enforcement cameras in a Stay Out of Areas of Racing zone. Warning notices must be mailed to the registered owner of a vehicle within 14 days of the detected violation;

(v) A violation detected through the use of automated vehicle noise enforcement cameras is not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120;

(vi) Notwithstanding any other provision of law, all photographs, videos, microphotographs, audio recordings, or electronic images prepared under this subsection ((7)) (6) are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding. No photograph, microphotograph, audio recording, or electronic image may be used for any purpose other than the issuance of warnings for violations under this section or retained longer than necessary to issue a warning notice as required under this subsection ((7)) (6); and

(vii) By June 30, 2025, the participating cities shall provide a report to the commission and appropriate committees of the legislature regarding the use, public acceptance, outcomes, warnings issued, data retention and use, and other relevant issues regarding automated vehicle noise enforcement cameras demonstrated by the pilot projects.

(7) \$200,000 of the Cooper Jones active transportation safety account—state appropriation is provided solely for the commission, in consultation with the Cooper Jones active transportation safety council, to research and develop a pilot program for the use of light meters by law enforcement to measure lighting levels at locations where a serious injury or fatality involving a vehicle has occurred. However, the funds must be held in unallotted status until the commission submits a spending plan for the pilot program to the transportation committees of the legislature and the office of the governor.

(8) \$300,000 of the highway safety account—state appropriation is provided solely for the commission to purchase telematics data from a qualified vendor that provides anonymized information on vehicle speeds and driver behaviors, such as hard braking, on a statewide basis and in selected geographical areas based upon demographic characteristics and crash history. The commission must provide an annual report summarizing findings from the telematics data to the transportation committees of the legislature beginning by June 30, 2025, and until June 30, 2027.

(9) \$750,000 of the highway safety account—state appropriation is provided solely for a pilot program for dedicated

probation or compliance officers at the local level to improve compliance with ignition interlock device installation requirements associated with impaired driving offenses. The commission must select locations based on an assessment of ignition interlock device compliance rates, and the willingness and ability to have staff dedicated to this activity. By June 30, 2025, the commission must provide to the transportation committees of the legislature a status report on the specific locations selected and any outcome information.

(10) \$2,000,000 of the highway safety account—state appropriation is provided solely to implement a multifaceted approach to supplement existing funding targeted at impaired driving and other enforcement. The areas of emphasis expected to be funded include additional high visibility enforcement, indigenous knowledge-informed tribal traffic safety support, expanded enforcement training, and additional traffic enforcement equipment. Funding is also provided for the commission to administer and provide oversight of these activities. By June 30, 2025, the commission must provide a report to the transportation committees of the legislature on these funded activities and any outcome information.

<b>Sec. 202.</b>	2023 c 472 s 202
(unmodified) is amended to read as follows:	
<b>FOR THE COUNTY ROAD ADMINISTRATION BOARD</b>	
Rural Arterial Trust Account—State	
Appropriation. . . . .	(\$2,405,000)
	\$1,766,000
Motor Vehicle Account—State Appropriation.	
((3,005,000))	
	\$3,373,000
County Arterial Preservation Account—State	
Appropriation. . . . .	(\$1,808,000)
	\$1,840,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(\$7,218,000)</b>
	<b>\$6,979,000</b>

The appropriations in this section are subject to the following conditions and limitations: Within appropriated funds, the county road administration board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

<b>Sec. 203.</b>	2023 c 472 s 203
(unmodified) is amended to read as follows:	
<b>FOR THE TRANSPORTATION IMPROVEMENT BOARD</b>	
Transportation Improvement Account—State	
Appropriation. . . . .	(\$4,798,000)
	\$4,820,000

The appropriation in this section is subject to the following conditions and limitations: Within appropriated funds, the transportation improvement board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under

chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

Sec. 204. 2023 c 472 s 204 (uncodified) is amended to read as follows:

**FOR THE JOINT TRANSPORTATION COMMITTEE**

Carbon Emissions Reduction Account—State Appropriation. . . . .	\$3,000,000
Multimodal Transportation Account—State Appropriation. . . . .	<del>(\$125,000)</del>
	<u>\$602,000</u>
Motor Vehicle Account—State Appropriation. ( <del>\$4,270,000</del> )	
	<u>\$6,050,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b><del>(\$7,395,000)</del></b>
	<b><u>\$9,652,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$300,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to convene a study of a statewide retail delivery fee on orders of taxable retail items delivered by motor vehicles within the state. The study must:

- (i) Determine the annual revenue generation potential of a range of fee amounts;
- (ii) Examine options for revenue distributions to state and local governments based upon total deliveries, lane miles, or other factors;
- (iii) Estimate total implementation costs, including start-up and ongoing administrative costs; and
- (iv) Evaluate the potential impacts to consumers, including consideration of low-income households and vulnerable populations and potential impacts to businesses.

(b) The study should document and evaluate similar programs adopted in other states. The joint transportation committee must submit a report on the study to the transportation committees of the legislature by June 30, 2024.

(2)(a) \$400,000 of the motor vehicle account—state appropriation is for the joint transportation committee, in collaboration with the department of transportation, to convene a work group to study and recommend a new statutory framework for the department's public-private partnership program. The committee may contract with a third-party consultant for work group support and drafting the new statutory framework.

(b)(i) The work group must consist of, but is not limited to, the following members:

- (A) The secretary of transportation or their designee;
- (B) Joint transportation committee executive committee members or their designees;
- (C) The state treasurer or the state treasurer's designee;

(D) A representative of a national nonprofit organization specializing in public-private partnership program development;

(E) A representative of the construction trades; and

(F) A representative from an organization representing general contractors.

(ii) The work group must also consult with the Washington state transportation commission and the department of commerce.

(c)(i) The work group must review the 2012 joint transportation committee's "Evaluation of Public-Private Partnerships" study, consisting of an evaluation of the recommendations for replacing chapter 47.29 RCW and development of a process for implementing public-private partnerships that serve the defined public interest, including, but not limited to:

(A) Protecting the state's ability to retain public ownership of assets constructed or managed under a public-private partnership contract;

(B) Allowing for the most transparency during the negotiation of terms of a public-private partnership agreement; and

(C) Addressing the state's ability to oversee the private entity's management of the asset.

(ii)(A) The work group must identify any barriers to the implementation of funding models that best protect the public interest, including statutory and constitutional barriers.

(B) The work group may also evaluate public-private partnership opportunities for required fish passage and culvert work on state highways, for the construction of, replacement of, or commercial retail options within Washington state ferries' terminals, and for other projects as determined by the work group.

(iii) The work group must update the 2012 recommendations and devise an implementation plan for the state.

(d) The work group must submit a preliminary report, including any recommendations or draft legislation, to the office of the governor and the transportation committees of the legislature by December 15, 2023. The work group must submit a final report with draft legislation to the office of the governor and the transportation committees of the legislature by July 1, 2024.

~~((4))~~ (3) \$300,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to contract with the municipal research and services center to convene a department of transportation-local government partnership work group to create a procedure in which the department of transportation can partner with a local jurisdiction to perform preservation and maintenance and construct projects on state highways.

(a) The work group must consist of, but is not limited to, the following members:

- (i) One representative from a city with a population of more than 5,000 and fewer than 50,000;

(ii) One representative from a city with a population of more than 50,000;

(iii) One representative from a county with a population of more than 100,000 and fewer than 400,000;

(iv) One representative from a county with a population of more than 400,000;

(v) At least one representative of a public port;

(vi) A representative from the county road administration board;

(vii) A representative of the transportation improvement board;

(viii) At least one representative from the department of transportation's local programs division;

(ix) At least two representatives from the department of transportation with expertise in procurement and legal services; and

(x) At least one member from the house of representatives transportation committee and at least one member from the senate transportation committee.

(b) Of the members described in (a) of this subsection, at least one of the city representatives and one of the county representatives must have public works contracting experience, and at least one of the city representatives and one of the county representatives must have public works project management experience.

(c) The work group must make recommendations of how the department of transportation could better work in partnership with local jurisdictions to ensure that roadway construction projects can be performed when funds are made available in the omnibus transportation appropriations act even if the department of transportation does not have the capacity to be the project manager on a project and a local jurisdiction is ready, willing, and able to implement the project within the time frames envisioned in the omnibus transportation appropriations act. In developing its recommendations, the work group must consider, at a minimum:

(i) Differing roadway and construction standards between state and local agencies;

(ii) Revenue, reimbursement, and financial agreements between state and local agencies;

(iii) Differing procurement processes between state and local agencies;

(iv) Liability; and

(v) Other issues as determined by the work group.

(d) The work group must submit a preliminary report, including any recommendations, to the office of the governor and the transportation committees of the legislature by December 15, 2023. The work group must submit a final report to the office of the governor and the transportation committees of the legislature by July 1, 2024.

~~((5))~~ (4) (a) \$2,000,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee:

(i) The design of an infrastructure and incentive strategy to drive the purchase and use of zero emission medium and heavy duty vehicles, as well as cargo handling and off-

road equipment, in the state including, but not limited to, programs for tractor trucks, box trucks, drayage trucks, refuse trucks, step and panel vans, heavy and medium-duty buses, school buses, on and off-road terminal tractors, transport refrigeration units, forklifts, container handling equipment, airport cargo loaders, and railcar movers; and

(ii) A review of the passenger vehicle tax incentive in current law and evaluation of its utility, to include possible modification of the criteria for eligibility and tax incentive amount maximums, as applicable.

(b) Design development must include recommendations for encouraging vehicle conversions for smaller commercial vehicle fleets and owner-operators of commercial vehicles, as well as tools for facilitating carbon emission reductions to benefit vulnerable populations and overburdened communities. Infrastructure and incentive programs recommended may include, but are not limited to, grant, rebate, tax incentive, and financing assistance programs.

(c) Consultation with legislative members identified by the chair and ranking members of the transportation committees of the legislature throughout design of the infrastructure and incentive strategy is required. A report is due to the transportation committees of the legislature by January 2, 2024.

~~((6))~~ (5) \$125,000 of the motor vehicle account—state appropriation and \$125,000 of the multimodal transportation account—state appropriation are for the joint transportation committee to evaluate potential options and make recommendations for a statewide household travel survey and additional analytical capacity regarding transportation research.

(a) The recommendation on the statewide household travel survey must be based on how well a statewide survey investment would: Address policy questions related to household travel; address gaps between separate regional and local transportation models; and create a dataset to allow both for analysis and response to policymakers' questions relating to household travel and for transportation modeling and development. In evaluating potential survey options, the committee shall consider opportunities for the state to partner and expand on developed established household travel surveys, including surveys conducted at both the Puget Sound regional council and the federal highway administration. In its recommendation, the committee shall outline the process required for a statewide survey, including the costs and timing of each option.

(b) The committee shall recommend an agency or agencies to perform ongoing analysis of a statewide household travel survey and other transportation research. The committee shall consider the ability of an agency or agencies to meet shorter timeline policy needs, as well as longer timeline research projects. The recommendation must include the timing and

costs associated with the development of such analytical capacity.

~~((7-))~~ (6) \$1,000,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee the development of tools and methodologies to assist in program delivery evaluation for programs that receive appropriations from the carbon emissions reduction account. Program delivery evaluation must include carbon emissions reduction estimates by program and by unit of time, program cost per unit of emission reduction, quantified benefits to vulnerable populations and overburdened communities by program cost, any additional appropriate qualitative and quantitative metrics, and actionable recommendations for improvements in program delivery. A report is due to the transportation committees of the legislature by October 1, 2024.

~~((8-))~~ (7) \$500,000 of the motor vehicle account—state appropriation is for the joint transportation committee to engage an independent review team to work in coordination with the Washington state department of transportation's analysis, funded in section 217(~~((11) of this act))~~ (10), chapter 472, Laws of 2023, of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail.

(a) The department shall include the independent review team in all phases of the analysis to enable the team to develop an independent assessment of the analysis, assumptions, stakeholder engagement, and cost and impact estimates. Summary findings from the independent assessment must be provided to the department, the governor's office, and the transportation committees of the legislature on a quarterly basis, with ~~((a final))~~ an end of biennium report due to the governor and the transportation committees of the legislature by June 30, 2025.

(b) The independent review team must conduct an independent stakeholder engagement effort. The river transportation work group must be formed to provide data and guidance to the independent review team for the independent stakeholder engagement effort. The river transportation work group must be made up of stakeholders, including farming and agricultural production, ~~((federally recognized tribes and))~~ fishing industry, tug and barge operators, shippers and receivers, public ports, railroad operators, cruise lines, the federal highway administration, and the army corps of engineers. Consultations with federally recognized tribes must also occur in coordination with the Washington state department of transportation.

(c) The independent review team shall make regular presentations to the joint transportation committee and, by request, to the transportation committees of the legislature.

~~((9-))~~ (8) The joint transportation committee shall also convene a work group that includes, but is not limited to, the

executive committee of the joint transportation committee, the office of financial management, the Washington state department of transportation, and the Washington state treasurer's office to develop recommendations, by October 15, 2023, to meet the challenge of identifying an achievable delivery schedule for completing transportation projects across the state.

(9) \$300,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to review the composition of boards of Washington transit agencies. As part of the assessment, the review must survey current governance structures identifying unique or innovative models, and best practices currently being deployed. Working with agencies and key stakeholders, the study must develop a list of options for transit agencies to consider for increasing representation or engagement from transit riders, labor, and other underrepresented community groups identified through the process. A report of preliminary findings must be submitted to the transportation committees of the legislature by December 15, 2024. A final report is due to the transportation committees of the legislature by June 30, 2025, including any recommended revisions to current statutes that are necessary to implement any identified options.

(10)(a) \$400,000 of the motor vehicle account—state appropriation is for the joint transportation committee to conduct a study and make recommendations on alternative project delivery methods that may be used by the Washington state department of transportation in public works contracting. The study must review use of design-build, design-bid-build, progressive design build, general contractor/construction manager, public-private partnerships, and other contracting methods, and how choice of project delivery method impacts cost, contract competition, and project delivery schedule. The study must also include recommendations on any changes to current practices and statutory requirements.

(b) In developing project delivery method recommendations, the joint transportation committee must engage with industry stakeholders including, but not limited to, engineering, contracting, and women and minority-owned business communities.

(c) To assist the department as it continues to make progress on meeting the requirements of the federal U.S. v. Washington court injunction and to address estimated programmatic cost increases, and within the funding provided in this subsection, the department shall analyze contracting methods, alternative bundling concepts, and other options to manage costs.

(d) A preliminary report is due to the office of the governor and the transportation committees of the legislature by December 15, 2024. A final report is due to the office of the governor and the transportation committees of the legislature by June 30, 2025.

(11)(a) \$300,000 of the motor vehicle account—state appropriation is to conduct a



study and make recommendations on opportunities for streamlining current Washington state department of transportation project permitting practices to accelerate project delivery. The study should:

(i) Identify the types of permits required for projects by local, state, and federal agencies for various project types across the state;

(ii) Conduct a case study of at least six recently completed projects that are geographically distributed across the state, and a mix of projects that were either completed in a timely manner or faced delays; and

(iii) Review and recommend practices for streamlining the permitting processes with local, state, and federal agencies that would result in accelerating project delivery.

(b) A preliminary report is due to the transportation committees of the legislature by December 15, 2024. A final report is due to transportation committees of the legislature by June 30, 2025.

(12)(a) \$300,000 of the motor vehicle account—state appropriation is to conduct a study and make recommendations on opportunities for innovative project delivery practices that could be utilized to accelerate project delivery. The study should evaluate practices utilized around the country and evaluate Washington state-specific possibilities such as:

(i) Increased use of the advanced environmental mitigation revolving account and advance right-of-way revolving fund as cost containment strategies; and

(ii) Benefits and costs associated with bundling bridge, culvert, or other groups of projects into single procurement packages.

(b) A preliminary report is due to the transportation committees of the legislature by December 15, 2024. A final report is due to transportation committees of the legislature by June 30, 2025.

(13) \$400,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract for a staffing and performance review and audit of the field operations bureau of the Washington state patrol.

(a) The contractor must be assisted by, consult with, and seek guidance from the Washington state patrol as the contractor deems appropriate to conduct its work. The contractor must review relevant previous recommendations made by the joint legislative and audit review committee and evaluate compliance and improvements made from those prior recommendations.

(b) The fact finding phase of the work may include a review of and findings on: (i) The field operations bureau staffing levels to meet the current traffic safety needs statewide and by regions; (ii) whether the proportion of the agency's budget dedicated to the field operations bureau to meet its core traffic safety functions are proportionally weighed against its nonfield operations bureau needs and funding level; (iii) whether the agency's current staffing deployment or allocation methods are being driven by need based on speeding violations,

driving under the influence behaviors, collisions, car accidents, reckless driving, and other appropriate metrics; (iv) methods and documentation used in evaluating trooper and field operation bureau productivity; (v) the agency's policy and procedure manuals in comparison to state law enforcement agency best practices and current standards; and (vi) whether the agency is using the most effective use of its available tools to reduce turnover, maximize new cadet and lateral recruitment, and achieve full field operations bureau authorized staffing levels.

(c) The contractor must conduct its own independent review and develop recommendations on staffing levels for the field operations bureau, trooper staffing allocation informed by the appropriate metrics, response availability for priority calls, overall response time, performance measures that are related to outputs or outcomes that can be affected by the agency, and the necessary ongoing reporting and monitoring of those performance measures targeted at traffic safety.

(d) The contractor must provide at least two presentations to the joint transportation committee before presenting its final report and recommendations by December 1, 2025.

(14)(a) \$375,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract with the municipal research and services center to convene a project delivery streamlining work group to review streamlining options and recommend practices that support expedited project delivery.

(b) The work group must consist of, but is not limited to, the following members:

(i) One representative from a city with a population of more than 5,000 and fewer than 50,000;

(ii) One representative from a city with a population of more than 50,000;

(iii) One representative from a county with a population of more than 100,000 and fewer than 400,000;

(iv) One representative from a county with a population of more than 400,000;

(v) At least one representative of a transit agency serving a rural county;

(vi) At least one representative of a transit agency serving an urban county;

(vii) At least one representative of a regional transit authority;

(viii) At least one representative of a public port;

(ix) A representative from the county road administration board;

(x) A representative of the transportation improvement board;

(xi) At least one representative from the department of transportation's local programs division with experience in federal funding oversight; and

(xii) At least two representatives from the department of transportation with expertise in procurement and the multiagency permit program.

(c) Of the members described in (b) of this subsection, at least one of the city representatives and one of the county representatives must have public works

contracting experience, and at least one of the city representatives and one of the county representatives must have public works project management experience.

(d) The work group must review options for project streamlining to expedite project delivery that include, but are not limited to: Preapplication communication; partnership agreements; contracting processes; fund sources; mitigation; land use; rights-of-way; permitting; and shared technology; and must identify opportunities for pilot projects to test some of these recommendations.

(e) The work group must submit a preliminary report to the office of the governor and the transportation committees of the legislature by December 15, 2024. The work group must submit a final report to the office of the governor and the transportation committees of the legislature by June 30, 2025.

**Sec. 205.** 2023 c 472 s 205 (uncodified) is amended to read as follows:  
**FOR THE TRANSPORTATION COMMISSION**

Motor Vehicle Account—State Appropriation.  
((~~\$3,029,000~~))

\$3,039,000

Interstate 405 and State Route Number 167 Express

Toll Lanes Account—State Appropriation.  
\$150,000

Multimodal Transportation Account—State Appropriation. . . . . \$200,000

State Route Number 520 Corridor Account—State Appropriation. . . . . ((~~\$288,000~~))  
\$413,000

Tacoma Narrows Toll Bridge Account—State Appropriation. . . . . \$179,000

Alaskan Way Viaduct Replacement Project Account—

State Appropriation. . . . . \$167,000

**TOTAL APPROPRIATION.....((~~\$4,013,000~~))**

\$4,148,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$125,000 of the multimodal transportation account—state appropriation and \$125,000 of the motor vehicle account—state appropriation are provided solely for the commission to update the statewide transportation plan required under RCW 47.01.071(4). The update process must be informed by guidance from a steering committee comprised of the commission, the joint transportation committee's executive committee, the governor's office, the secretary of the department of transportation, and representatives of metropolitan and regional transportation planning organizations. As part of the update process, the commission shall undertake specific actions in the following order:

(a) Conduct stakeholder outreach, gathering input, and framing the outreach around the current plan's policy construct and high level priorities, the 2022 transportation revenue package, and recently enacted significant policy legislation;

(b) Report outreach findings and results to the joint transportation committee for review and input;

(c) Restructure the plan to (i) primarily focus on high level policy priorities within the six transportation policy goals under RCW 47.04.280 and (ii) align policies, strategies, and objectives with the interests of stakeholders and legislators;

(d) Gather further input from stakeholders and the joint transportation committee on the restructured plan's format and content; and

(e) Finalize the updated plan, based upon input from stakeholders and the joint transportation committee.

(2) The legislature finds that the current balance of and projected revenues into the Alaskan Way viaduct replacement project account are sufficient to meet financial obligations during fiscal years 2024 and 2025.

(3) Within the parameters established under RCW 47.56.880, the commission shall review toll revenue performance on the Interstate 405 and state route number 167 corridor and adjust Interstate 405 tolls as appropriate to increase toll revenue to provide sufficient funds for payments of future debt pursuant to RCW 47.10.896 and to support improvements to the corridor. The commission shall consider adjusting maximum toll rates, minimum toll rates, and time-of-day rates, and restricting direct access ramps to transit and HOV vehicles only, or any combination thereof, in setting tolls to increase toll revenue. The commission is encouraged to make any adjustments to toll rates in coordination with the planned expansion of express toll lanes between the cities of Renton and Bellevue.

(4) \$500,000 of the motor vehicle account—state appropriation is provided solely for the commission to conduct a route jurisdiction study aimed at assessing the current state highway inventory and local roadway designations to determine if changes are needed in jurisdictional assignment between the state, county, and city road systems. The study must also review current criteria used to define the state highway system to determine if such criteria continue to be applicable. The commission shall submit a report of study findings and recommendations to the transportation committees of the legislature by July 1, 2025.

(5) The commission may coordinate with the department of transportation to jointly seek federal funds available through the federal strategic innovations in revenue collection grant program, applying toll credits for meeting match requirements. The commission must provide draft applications for federal grant opportunities to the chairs and ranking members of the transportation committees of the legislature for review and comment prior to submission.

(6) The transportation commission shall conduct an assessment aimed at identifying approaches to streamlining the current rule-making process for setting toll rates and policies for eligible toll facilities, while maintaining public access and providing opportunities to provide input on proposals.

The intent of the assessment is to identify rule-making approaches that support the state's ability to set toll rates and policies in a timely and efficient manner, so that the state can meet anticipated funding obligations. This assessment should include a review of rate-setting processes used by toll authorities in other states. The transportation commission shall provide recommendations to the transportation committees of the legislature by July 31, 2024.

(7) The commission shall provide regular updates on the status of ongoing coordination with the state of Oregon on any bistate agreements regarding the mutual or joint setting, adjustment, and review of toll rates and exemptions. Prior to finalizing any such agreement, the commission shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the commission shall advise on the status of any bistate agreements to the joint transportation committee beginning in September 2023 and quarterly thereafter until any agreements are finalized.

(8) \$200,000 of the motor vehicle account—state appropriation is provided solely for the commission to carry out a study assessing approaches to increasing safety and compliance of high occupancy vehicle lanes, express toll lanes, tolled facilities, and construction zones, facilitated by advanced technologies.

(a) The approaches assessed must, at a minimum, focus on advanced roadside technologies that: Are able to operate independently without connection to the department of transportation's existing communication systems and utilities; have a limited physical footprint that does not use over-roadway infrastructure; and have a 95 percent or greater license plate reading accuracy.

(b) The study must review current laws, including assessing underlying policies related to prohibitions on program cost coverage coming from infraction or other revenues generated by advanced technology systems, and identify provisions needed to enable a future technology-based safety and compliance program.

(c) The commission shall submit an interim report to the transportation committees of the legislature by January 10, 2024, that, at a minimum, provides an initial assessment of the viability of deploying a system into operation. A final report of findings and recommendations must be submitted to the transportation committees of the legislature by June 30, 2024.

(9) \$75,000 of the multimodal transportation account—state appropriation is provided solely for the commission to carry out an initial assessment and scoping effort to determine the feasibility of creating a future west coast transportation network plan. This plan would serve to proactively identify and coordinate improvements and investments across the west coast states to freight rail, passenger rail, highways, and air transportation. The intent for the plan is to leverage and align

west coast efforts to reduce our collective carbon footprint, improve freight and passenger mobility, and strengthen west coast resiliency. This effort must be carried out in partnership with the Oregon and California transportation commissions and the state department of transportations from each state, and must consider, but not be limited to:

(a) Current state activities, investments, and plans that support the establishment of clean transportation in the air, on the highways, and on rail lines moving freight and passengers;

(b) Currently identified resiliency risks along the west coast and existing strategic plans and investments that could inform a future west coast unified plan; and

(c) Incorporation of work from the statewide transportation policy plan.

(10) \$125,000 of the state route number 520 corridor account—state appropriation is provided solely for the commission, in consultation with the department of transportation, to initiate a public outreach campaign regarding the potential for implementing segment tolling on the state route number 520 corridor. By July 1, 2025, the commission shall submit a status report to the transportation committees of the legislature regarding the outreach.

**Sec. 206.** 2023 c 472 s 206 (uncodified) is amended to read as follows:

**FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Multimodal Transportation Account—State	
Appropriation. . . . .	\$400,000
Freight Mobility Investment Account—State	
Appropriation. . . . .	(\$1,591,000)
	<u>\$1,596,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(\$1,991,000)</b>
	<u>\$1,996,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Within appropriated funds, the freight mobility strategic investment board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

(2) The board shall on an annual basis provide a status update on project delivery, including information on project timeline, cost, and budgeted cash flow over time to the office of financial management and the transportation committees of the legislature on the delivery of the freight mobility strategic investment projects on LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS, as developed on ((April—21, 2023))February 20, 2024.

(3) \$731,000 of the freight mobility investment account—state appropriation is provided solely for the implementation of chapter 167, Laws of 2023 (freight mobility priorities). If chapter 167, Laws of 2023 is

not enacted by June 30, 2023, the amount provided in this subsection lapses.

(4) \$400,000 of the multimodal transportation account—state appropriation is provided solely for the board, in consultation with the department of transportation, to develop an implementation plan for specific truck parking solutions. It is the intent of the legislature for the board to identify specific sites to increase truck parking capacity in the near term, as well as to recommend other steps that can be taken in the 2024 and 2025 legislative sessions to increase truck parking capacity. The board must provide a status report that includes funding recommendations for the 2024 legislative session to the transportation committees of the legislature by December 1, 2023, and a final report that includes detailed findings on additional specific sites and specific actions recommended to expand truck parking capacity in the near term to the transportation committees of the legislature by December 1, 2024.

Sec. 207. 2023 c 472 s 207 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

Alaskan Way Viaduct Replacement Project Account—	
State Appropriation. . . . .	\$43,000
State Patrol Highway Account—State Appropriation. . . . .	<del>(\$610,711,000)</del>
	<u>\$626,400,000</u>
State Patrol Highway Account—Federal Appropriation. . . . .	
	<del>(\$20,340,000)</del>
	<u>\$19,359,000</u>
State Patrol Highway Account—Private/Local Appropriation. . . . .	
	\$4,594,000
Highway Safety Account—State Appropriation. <del>(\$1,447,000)</del>	
	<u>\$1,736,000</u>
Ignition Interlock Device Revolving Account—State Appropriation. . . . .	
	<del>(\$1,959,000)</del>
	<u>\$2,209,000</u>
Multimodal Transportation Account—State Appropriation. . . . .	
	\$316,000
State Route Number 520 Corridor Account—State Appropriation. . . . .	
	\$89,000
Tacoma Narrows Toll Bridge Account—State Appropriation. . . . .	
	\$275,000
I-405 and SR 167 Express Toll Lanes Account—State Appropriation. . . . .	
	\$2,895,000
<b>TOTAL APPROPRIATION. . . . .</b>	
	<del><b>(\$642,669,000)</b></del>
	<u><b>\$657,916,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity

conducted by the license investigation unit. Beginning October 1, 2023, and semiannually thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since July 1, 2023, to the director of the office of financial management and the transportation committees of the legislature. At the end of the fiscal quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since July 1, 2023, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406 ~~((of this act))~~, chapter 472, Law of 2023.

(2) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(3)(a) By December 1st of each year during the 2023-2025 fiscal biennium, the Washington state patrol must report to the transportation committees of the legislature on the status of recruitment and retention activities as follows:

- (i) A summary of recruitment and retention strategies;
- (ii) The number of transportation funded staff vacancies by major category;
- (iii) The number of applicants for each of the positions by these categories;
- (iv) The composition of workforce;
- (v) Other relevant outcome measures with comparative information with recent comparable months in prior years; and
- (vi) Activities related to the implementation of the agency's workforce diversity plan, including short-term and long-term, specific comprehensive outreach, and recruitment strategies to increase populations underrepresented within both commissioned and noncommissioned employee groups.

(b) During the 2023-2025 fiscal biennium, the office of financial management, with assistance of the Washington state patrol, must conduct two surveys regarding the competitiveness with law enforcement agencies within the boundaries of the state of Washington pursuant to RCW 43.43.380, with the first survey being informational regarding the change since the last survey was conducted and the second survey used as part of the collective bargaining process. Prior to the 2024 legislative session, the office of financial management, with assistance of the Washington state patrol, must also provide comparison information regarding recruitment bonus amounts currently being offered by local law enforcement agencies in the state.

(4)(a) \$6,575,000 of the state patrol highway account—state appropriation is provided solely for the land mobile radio

system replacement, upgrade, and other related activities.

(b) Beginning January 1, 2024, the Washington state patrol must report semiannually to the office of the chief information officer on the progress related to the projects and activities associated with the land mobile radio system, including the governance structure, outcomes achieved in the prior six-month time period, and how the activities are being managed holistically as recommended by the office of the chief information officer. At the time of submittal to the office of the chief information officer, the report must be transmitted to the office of financial management and the transportation committees of the legislature.

~~((6-))~~ (5) \$2,688,000 of the state patrol highway account—state appropriation is provided solely for enhancing the state patrol's diversity, equity, and inclusion program, a community engagement program to improve relationships with historically underrepresented communities and to recruit and retain a diverse workforce, and contracting with an external psychologist to perform exams. The state patrol will work with the governor's office of equity and meet all reporting requirements and responsibilities pursuant to RCW 43.06D.060. Funds provided for the community engagement program must ensure engagement with communities throughout the state.

~~((7-))~~ (6) (a) \$10,000 of the state patrol highway account—state appropriation is provided solely for the Washington state patrol to administer a pilot program that implements a yellow alert system notifying the public when a hit-and-run accident resulting in a fatality or substantial bodily harm has occurred and been reported to the state patrol or other local law enforcement entity. The Washington state patrol must post on traffic message boards or share on public communication systems any identifying information acquired including, but not limited to, a complete or partial license plate number or a description of the vehicle. Each alert must be posted or shared as such for at least 24 hours.

(b) The Washington state patrol must report the following to the transportation committees of the legislature annually until June 30, 2025:

- (i) The number of yellow alerts received;
- (ii) The number of arrests made from accidents reported on the yellow alert system;
- (iii) The number of hit-and-run accidents resulting in a fatality or substantial bodily harm statewide;
- (iv) The number of arrests made from accidents described under (b)(iii) of this subsection; and
- (v) The number of hit-and-run accidents reported statewide.

(c) The Washington state patrol must also report on the efficacy of the program and recommend in its final report if the pilot program should continue or be enacted on a permanent basis and implemented statewide, based on the results of the report.

~~((8-))~~ (7) (a) ~~(\$2,608,000)~~ \$2,243,000 of the state patrol highway account—state

appropriation is provided solely for administrative costs, advertising, outreach, and bonus payments associated with developing and implementing a state trooper expedited recruitment incentive program for the purpose of recruiting and filling vacant trooper positions in the 2023-2025 fiscal biennium. The legislature is committed to continuing the state trooper expedited recruitment incentive program until the vacancy levels are significantly reduced from current levels. The recruitment, advertising, and outreach associated with this program must continue efforts to create a more diverse workforce and must also provide an accelerated pathway for joining the state patrol for high quality individuals who have previously been employed as a general authority peace officer.

(b) The state trooper expedited recruitment incentive program established by the Washington state patrol must include:

(i) Thorough hiring procedures to ensure that only the highest quality candidates are selected as cadets and as lateral hires, including extensive review of past law enforcement employment history through extensive reference checks, Brady list identification, and any other issues that may impact the performance, credibility, and integrity of the individual.

(ii) An accelerated training program for lateral hires from other agencies that recognizes the knowledge and experience of candidates previously employed in law enforcement; and

(iii) A sign-on bonus for each trooper hired through the expedited recruitment incentive program as follows:

(A) \$5,000 for each cadet after completion of the Washington state patrol academy;

(B) \$5,000 for each successful graduating cadet after completion of a one-year probation period;

(C) \$8,000 for each lateral hire after completion of the accelerated training program for lateral hires;

(D) \$6,000 for each lateral hire after completion of a one-year probation period; and

(E) \$6,000 for each lateral hire after completion of two years of service.

(c) The expenditure on the state trooper expedited recruitment incentive program is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Expenditures and eligibility for the state trooper expedited recruitment incentive program established in this section are subject to the availability of amounts appropriated for this specific purpose.

(d) For the purposes of this subsection:

(i) "Cadet" means a person employed for the express purpose of receiving the on-the-job training required for attendance at the Washington state patrol academy and for becoming a commissioned trooper.

(ii) "Lateral hire" means an eligible employee previously employed as a general authority peace officer.

~~((9))~~ (8) \$3,896,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras). If chapter 17, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((10))~~ (9) \$500,000 of the state patrol highway account—state appropriation is provided solely for bonuses and other recruitment and retention-related compensation adjustments for communication officers and other noncommissioned staff of the Washington state patrol who are covered by a collective bargaining agreement. Funding in this subsection must first be used for targeted adjustments for communication officers. Remaining amounts may be used for compensation adjustments for other noncommissioned staff. Funding provided in this subsection is contingent upon the governor or the governor's designee reaching an appropriate memorandum of understanding with the exclusive bargaining representative. Agreements reached for compensation adjustments under this section may not exceed the amounts provided. If any agreement or combination of agreements exceed the amount provided in this subsection, all the agreements are subject to the requirements of RCW 41.80.010(3).

~~((11) \$4,732,000)~~ (10) \$3,226,000 of the state patrol highway account—state appropriation is provided solely for two accelerated training programs for lateral hires. It is the intent of the legislature that the second accelerated training program for lateral hires offered in fiscal year 2025 achieves at least 40 qualified graduates based on the Washington state patrol aggressively recruiting, advertising bonus policies, and taking other steps to achieve this outcome.

~~((12))~~ (11) \$98,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 26, Laws of 2023 (nonconviction data). If chapter 26, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((13))~~ (12) \$76,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((14))~~ (13) \$107,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 462, Laws of 2023 (domestic violence). If chapter 462, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((15))~~ (14) By December 1, 2024, the Washington state patrol must provide a report to the governor and appropriate committees of the legislature on the status of *McClain v. Washington State Patrol* and an update on legal expenses associated with the case.

~~((16))~~ (15) \$32,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 283, Laws of 2023 (illegal racing).

If chapter 283, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(16) \$5,905,000 of the state patrol highway account—state appropriation is provided solely for a third arming and third trooper basic training class. The cadet class is expected to graduate in June 2025.

(17) \$1,905,000 of the state patrol highway account—state appropriation is provided solely for the Washington state patrol to implement the provisions of the settlement agreement under *Washington State Patrol Troopers Association v. Washington State Patrol*, Public Employment Relations Commission Case No. 134557-U-21.

(18) \$2,307,000 of the state patrol highway account—state appropriation is provided solely for the migration of the agency's active directory into the state enterprise active directory.

(19) \$250,000 of the state patrol highway account—state appropriation is provided solely to expand the activities of the license investigation unit to King county on a pilot basis beyond the unit's current activities in southwestern Washington. By February 15, 2025, the Washington state patrol must provide a status report on the pilot implementation.

(20) \$2,222,000 of the state patrol highway account—state appropriation is provided solely for replacing one aging Cessna aircraft. This funding was provided in the 2023-2025 omnibus transportation appropriations act. It is the intent of the legislature to fund an additional Cessna replacement without financing the acquisition as soon as the aircraft can be received in the 2025-2027 fiscal biennium, and therefore, the Washington state patrol may take the necessary steps to ensure delivery of the aircraft as soon as possible in the 2025-2027 fiscal biennium.

(21) \$300,000 of the state patrol highway account—state appropriation is provided solely for individual gun safes for troopers and other staff to allow the safe storage of firearms used in the performance of their duties.

(22) \$35,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 6146), Laws of 2024 (tribal warrants). If chapter . . . (Substitute Senate Bill No. 6146), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(23) \$250,000 of the ignition interlock device revolving account—state appropriation is provided solely to improve compliance with ignition interlock device requirements associated with impaired driving offenses. By June 30, 2025, the Washington state patrol must provide a report detailing the staff hired, the activities undertaken, and outcome information associated with improving ignition interlock device compliance rates.

**Sec. 208.** 2023 c 472 s 208 (unmodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF LICENSING**

Driver Licensing Technology Support Account—State	
Appropriation. . . . .	\$1,743,000
Marine Fuel Tax Refund Account—State	
Appropriation. . . . .	\$34,000
Motorcycle Safety Education Account—State	
Appropriation. . . . .	<del>(\$5,299,000)</del>
	<u>\$5,321,000</u>
Limited Fish and Wildlife Account—State	
Appropriation. . . . .	<del>(\$765,000)</del>
	<u>\$769,000</u>
Highway Safety Account—State Appropriation.	
( <del>\$277,256,000</del> )	
	<u>\$282,392,000</u>
Highway Safety Account—Federal Appropriation	
. . . . .	\$2,371,000
Motor Vehicle Account—State Appropriation.	
( <del>\$98,824,000</del> )	
	<u>\$101,981,000</u>
Motor Vehicle Account—Private/Local	
Appropriation. . . . .	\$1,336,000
Ignition Interlock Device Revolving Account—State	
Appropriation. . . . .	<del>(\$6,401,000)</del>
	<u>\$6,417,000</u>
Department of Licensing Services Account—State	
Appropriation. . . . .	<del>(\$8,972,000)</del>
	<u>\$9,128,000</u>
License Plate Technology Account—State	
Appropriation. . . . .	<del>(\$4,204,000)</del>
	<u>\$4,657,000</u>
Abandoned Recreational Vehicle Account—State	
Appropriation. . . . .	\$3,091,000
Limousine Carriers Account—State	
Appropriation. . . . .	\$126,000
Electric Vehicle Account—State Appropriation	
. . . . .	\$443,000
DOL Technology Improvement & Data Management Account—State Appropriation. .	\$944,000
Agency Financial Transaction Account—State	
Appropriation. . . . .	\$16,998,000
Move Ahead WA Flexible Account—State	
Appropriation. . . . .	\$2,096,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b><del>(\$430,903,000)</del></b>
	<b><u>\$439,847,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,100,000 of the highway safety account—state appropriation and \$1,100,000 of the move ahead WA flexible account—state appropriation are provided solely for the department to provide an interagency transfer to the department of children, youth, and families for the purpose of providing driver's license support. In addition to support services required under RCW 74.13.338(2), support services may include reimbursement of:

(a) The cost for a youth in foster care of any eligible age to complete a driver training education course, as outlined in chapter 46.82 or 28A.220 RCW;

(b) The costs incurred by foster youth in foster care for a motor vehicle insurance policy;

(c) The costs of roadside assistance, motor vehicle insurance deductibles, motor vehicle registration fees, towing services, car maintenance, comprehensive car insurance, and gas cards; and

(d) Any other costs related to obtaining a driver's license and driving legally and safely.

(2) \$150,000 of the highway safety account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing a mobile application for driver licensing. The department must submit a report of the study findings and any recommendations to the governor and the transportation committees of the legislature by December 1, 2024. The study must:

(a) Review the adoption actions in other states, including successes and lessons learned;

(b) Examine existing technical infrastructure and potential changes needed to maximize interoperability, utility, and privacy protection;

(c) Identify the technical investments and other costs associated with issuing digital drivers' licenses through a mobile application;

(d) Identify how the technology may impact and can be used by external stakeholders, such as law enforcement;

(e) Recommend any process changes required to implement the program successfully and ensure customer satisfaction; and

(f) Recommend any statutory changes required to allow for the usage of digital drivers' licenses, including recognition of interstate travelers.

(3)(a) \$350,000 of the highway safety account—state appropriation is provided solely for the department, in consultation with the Washington traffic safety commission, the department of health, the elder law section of the Washington state bar association, organizations representing older drivers, and driver rehabilitation specialists, to develop a comprehensive plan aimed at improving older driver safety. The department must submit a report on the comprehensive plan to the governor and the transportation committees of the legislature by December 1, 2024. The plan must include, but is not limited to:

(i) A comprehensive review of department policies surrounding older drivers and medically at-risk drivers, including:

(A) The medical assessment review process; and

(B) The counter assessment process in licensing service offices;

(ii) A feasibility analysis of the department establishing a medical advisory board to advise on general policy for at-risk drivers, driving privileges for individual medically at-risk drivers, and an appeals process for drivers whose privileges are revoked or restricted due to medical conditions;

(iii) A recommended assessment tool to determine a driver's potential risk to themselves or others when operating a motor vehicle so the department may make informed decisions on appropriate courses of action within the older driver program; and

(iv) Detailed information on how each component of the plan improves the safety associated with older drivers, while

preserving the maximum level of older driver independence and privacy;

(b) The department may also use funds provided in this subsection to implement improvements to older driver traffic safety within existing authority.

(4) \$5,499,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade and improve its prorated and fuel tax system, and is subject to the conditions, limitations, and review requirements of section 701 (~~(of this act)~~), chapter 472, Laws of 2023. In each phase of the project, the department must ensure and document the increase in business capabilities and customer service outcomes, the improvements in fuel tax collection related information designed to resolve historical discrepancies in reporting information, and how the implementation plan mitigates risks associated with the proposed timeline and results in the sustainability of systems and platforms for the future. Before initiating the implementation phase of the project, the department must report to the office of the chief information officer on how the project meets its FAST act modernization roadmap, and vendor management and resource plans.

(5) \$16,000 of the motorcycle safety education account—state appropriation, \$2,000 of the limited fish and wildlife account—state appropriation, \$947,000 of the highway safety account—state appropriation, \$308,000 of the motor vehicle account—state appropriation, \$14,000 of the ignition interlock device revolving account—state appropriation, and \$14,000 of the department of licensing services account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements in section 701 (~~(of this act)~~), chapter 472, Laws of 2023.

(6) The department shall report on a quarterly basis on licensing service office operations, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued and renewed, and the number of primary drivers' licenses and identicards issued and renewed. By November 1, 2024, the department must prepare a report with recommendations on the future of licensing service office operations based on the recent implementation of efficiency measures designed to reduce the time for licensing transactions and wait times, and the implementation of statutory and policy changes made during the pandemic.

(7) For the 2023-2025 fiscal biennium, the department shall charge \$1,336,000 for the administration and collection of a motor vehicle excise tax on behalf of a regional transit authority, as authorized under RCW 82.44.135. The amount in this subsection must be deducted before distributing any revenues to a regional transit authority.

(8) \$742,000 of the motor vehicle account—state appropriation is provided solely for the increased costs associated with improvements desired to resolve delays in the production of license plates, including converting all subagents to the standard ordering process as recommended in the December 2022 plate inventory report, and to provide updated annual reports detailing changes in license plate production, inventory, and other practices taken to guard against plate production delays. The reports must be submitted to the governor and the transportation committees of the legislature by December 1, 2023, and December 1, 2024.

(9) \$243,000 of the highway safety account—state appropriation is provided solely for the department to continue to provide written materials on, place signage in licensing service offices regarding, and include into new driver training curricula, the requirements of RCW 46.61.212, the slow down and move over law.

~~((411))~~ (10) \$3,082,000 of the abandoned recreational vehicle disposal account—state appropriation is provided solely for providing reimbursements in accordance with the department's abandoned recreational vehicle disposal reimbursement program. It is the intent of the legislature that the department prioritize this funding for allowable and approved reimbursements and not to build a reserve of funds within the account. During the 2023-2025 fiscal biennium, the department must report any amounts recovered to the office of financial management and appropriate committees of the legislature on a quarterly basis.

~~((412))~~ (11) \$1,077,000 of the highway safety account—federal appropriation is provided solely for implementation of chapter 35, Laws of 2023 (CDL drug and alcohol clearinghouse) (~~(or chapter . . . (House Bill No. 1448), Laws of 2023 (CDL drug and alcohol clearinghouse))~~). If ~~((neither))~~ chapter 35, Laws of 2023 (~~(or chapter . . . (House Bill No. 1448), Laws of 2023 are))~~ is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((413))~~ (12) \$116,000 of the highway safety account—state appropriation is provided solely for implementation of ~~((chapter . . . (Senate Bill No. 5251), Laws of 2023 (streamlining CDL issuance) or))~~ chapter 57, Laws of 2023 (streamlining CDL issuance). If ~~((neither chapter . . . (Senate Bill No. 5251), Laws of 2023 or))~~ chapter 57, Laws of 2023 (~~(are))~~ is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((414))~~ (13) \$845,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 445, Laws of 2023 (improving young driver safety). If chapter 445, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((415))~~ (14) \$180,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 440, Laws of 2023 (open motor vehicle safety recalls). If chapter 440, Laws of 2023 is not enacted by June 30,



2023, the amount provided in this subsection lapses.

~~((16))~~ (15) \$497,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 466, Laws of 2023 (updating processes related to voter registration). If chapter 466, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((20))~~ (16) \$29,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 118, Laws of 2023 (driver's abstract changes). If chapter 118, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((21))~~ (17) \$47,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 453, Laws of 2023 (competency evaluations). If chapter 453, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((22))~~ (18) \$23,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 283, Laws of 2023 (illegal racing). If chapter 283, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((23))~~ (19) \$155,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 316, Laws of 2023 (jury diversity). If chapter 316, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((24))~~ (20) (a) \$36,000 of the motor vehicle account—state appropriation is provided solely for the issuance of nonemergency medical transportation vehicle decals to implement the high occupancy vehicle lane access pilot program established in section 217(2) ~~((of this act))~~, chapter 472, Laws of 2023. A for hire nonemergency medical transportation vehicle is a vehicle that is a "for hire vehicle" under RCW 46.04.190 that provides nonemergency medical transportation, including for life-sustaining transportation purposes, to meet the medical transportation needs of individuals traveling to medical practices and clinics, cancer centers, dialysis facilities, hospitals, and other care providers.

(b) As part of this pilot program, the owner of a for hire nonemergency medical transportation vehicle may apply to the department, county auditor or other agent, or subagent appointed by the director, for a high occupancy vehicle exempt decal for a for hire nonemergency medical transportation vehicle. The high occupancy vehicle exempt decal allows the for hire nonemergency medical transportation vehicle to use a high occupancy vehicle lane as specified in RCW 46.61.165 and 47.52.025 during the 2023-2025 fiscal biennium.

(c) For the exemption in this subsection to apply to a for hire nonemergency medical transportation vehicle, the decal:

(i) Must be displayed on the vehicle so that it is clearly visible from outside the vehicle;

(ii) Must identify that the vehicle is exempt from the high occupancy vehicle requirements; and

(iii) Must be visible from the rear of the vehicle.

(d) The owner of a for hire nonemergency medical transportation vehicle or the owner's representative must apply for a high occupancy vehicle exempt decal on a form provided or approved by the department. The application must include:

(i) The name and address of the person who is the owner of the vehicle;

(ii) A full description of the vehicle, including its make, model, year, and the vehicle identification number;

(iii) The purpose for which the vehicle is principally used;

(iv) An attestation signed by the vehicle's owner or the owner's representative that the vehicle's owner has a minimum of one contract or service agreement to provide for hire transportation services for medical purposes with one or more of the following entities: A health insurance company; a hospital, clinic, dialysis center, or other medical institution; a day care center, retirement home, or group home; a federal, state, or local agency or jurisdiction; or a broker who negotiates these services on behalf of one or more of these entities; and

(v) Other information as required by the department upon application.

(e) The department, county auditor or other agent, or subagent appointed by the director shall collect the fee required under (f) of this subsection when issuing or renewing a high occupancy vehicle exempt decal.

(f) The department, county auditor or other agent, or subagent must collect a \$5 fee when issuing or renewing a decal under this subsection, in addition to any other fees and taxes required by law.

(g) A high occupancy vehicle exempt decal expires June 30, 2025, and must be marked to indicate its expiration date. The decal may be renewed if the pilot program is continued past the date of a decal's expiration. The status as an exempt vehicle continues until the high occupancy vehicle exempt decal is suspended or revoked for misuse, the vehicle is no longer used as a for hire nonemergency medical transportation vehicle, or the pilot program established in section 217(2) ~~((of this act))~~, chapter 472, Laws of 2023 is terminated.

(h) The department may adopt rules to implement this subsection.

~~((25))~~ (21) (a) \$265,000 of the highway safety account—state appropriation is provided solely for the department to provide an interagency transfer to the Washington center for deaf and hard of hearing youth, in consultation with the department and the office of the superintendent of public instruction, to fund the cost of interpreters for driver training education for deaf and hard of hearing youth to enable them to access driver training education at the same cost as their peers, and to pilot a sustainable driver training education program to determine how best to meet the driver

training education needs of deaf and hard of hearing youth in the state in the future. The pilot must include:

(i) Determination of an appropriate number of instructors and an appropriate method of certification for instructors who are fluent in American Sign Language (ASL);

(ii) Determination of how best to provide driver training education statewide to deaf and hard of hearing novice drivers;

(iii) Development of a program to offer the required curriculum under RCW 28A.220.035 to deaf and hard of hearing novice drivers; and

(iv) Capped course instruction costs for deaf and hard of hearing students at the average rate of their hearing peers.

(b) The department shall submit a report to the transportation committees of the legislature developed by the Washington center for deaf and hard of hearing youth by March 1, 2024, that provides recommendations for a permanent program to make driver education equitably accessible for deaf and hard of hearing students.

~~((+26+))~~ (22) \$350,000 of the highway safety account—state appropriation is provided solely for the department to improve the process for commercial driver's license (CDL) holders to submit medical certification documents and update self-certification status to the department. The department shall:

(a) Update license express to improve the process and make it more user friendly;

(b) Add options for the driver to renew or replace the driver's CDL credentials as part of the medical or self-certification process;

(c) Add a customer verification step confirming the requested changes and clearly stating how this change will impact the driver's CDL; and

(d) Add improved messaging throughout the process.

In addition, the department shall make available on the driving record abstract a complete medical certificate downgrade history, and provide a one-time mailing to all current CDL holders explaining the process to update their medical certificate documents and self-certification.

~~((+27+))~~ (23) \$1,962,000 of the highway safety account—state appropriation is provided solely for the establishment of a pilot mobile licensing unit to provide licensing and identocard services. By December 1, 2024, the department must submit a report to the governor and the transportation committees of the legislature detailing the locations served, the number and type of documents issued, and other outcome measures associated with the mobile licensing unit. The report must include consideration of the facility needs of licensing service offices in the context of flexible mobile licensing services.

~~((+28) \$2,000,000)~~ (24) \$2,500,000 of the highway safety account—state appropriation is provided solely for driver's license assistance and support services in King county with an existing provider that is already providing these services to low-income immigrant and refugee women, and for additional contracts in fiscal year 2025

with organizations providing driver's license assistance and other related support services in other parts of the state. By December 1st of each year, the department must submit information on the contracted ((provider))providers, including: The annual budget of the contracted ((provider))providers in the preceding year; information regarding private and other governmental support for the activities of the ((provider))providers; and a description of the number of people served, services delivered, and outcome measures. In developing its 2025-2027 biennial budget submittal, the department, after consulting with the existing provider in King county and organizations receiving funds within the fiscal year 2025 expansion, must develop a statewide delivery plan that maximizes the number of people served, promotes efficiency in service delivery, and recognizes different models based on needs in particular areas of the state.

~~((+30+))~~ (25) \$8,000 of the motorcycle safety education account—state appropriation is provided solely for the implementation of chapter 137, Laws of 2023 (motorcycle safety board). If chapter 137, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((+32+))~~ (26) \$29,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 431, Laws of 2023 (transportation resources). If chapter 431, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((+34+))~~ (27) \$282,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(28) \$4,464,000 of the highway safety account—state appropriation is provided solely for costs associated with relocating licensing service offices during the 2023-2025 fiscal biennium. This includes \$2,790,000 provided for relocations in the 2023-2025 omnibus transportation appropriations act. By June 30th of each year, the department must submit a status report on licensing service offices planned for relocation during the 2023-2025 fiscal biennium.

(29) \$1,564,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Engrossed House Bill No. 1964), Laws of 2024 (enhancing prorate and fuel tax collections). If chapter . . . (Engrossed House Bill No. 1964), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(30) \$100,000 of the highway safety account—state appropriation is provided solely for implementation of chapter . . . (Senate Bill No. 5800), Laws of 2024 (improving access to department of licensing issued documents). If chapter . . . (Senate Bill No. 5800), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(31) \$294,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Senate Bill No. 5032), Laws of 2024 (impaired driving). If chapter . . . (Engrossed Senate Bill No. 5032), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(32) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing a process for the electronic submittal of title and registration documents for motor vehicles, within the current vehicle licensing model. The department must submit a report of the study findings and any recommendations to the governor and the transportation committees of the legislature by September 1, 2025. The study must: (a) Review the current processes in Washington and other states, including how such processes addressed fraud prevention and document security; (b) examine existing technical infrastructure and potential changes needed to allow for completion and submittal of lien and titling documents by financial institutions and vehicle dealers to vehicle licensing offices and the department of licensing, while maximizing interoperability, utility, data security, and customer privacy; (c) identify the technical investments and other costs associated with the submission of electronic documents by financial institutions and vehicle dealers to vehicle licensing offices and the department of licensing; (d) recommend any statutory changes required to allow for the submission of electronic documentation to vehicle licensing offices; and (e) examine the impact of these technology changes on external stakeholders including, but not limited to, vehicle licensing offices, financial institutions, vehicle dealers, and insurance companies.

(33) \$8,000 of the motorcycle safety education account—state appropriation, \$1,000 of the limited fish and wildlife account—state appropriation, \$572,000 of the highway safety account—state appropriation, \$193,000 of the motor vehicle account—state appropriation, \$7,000 of the ignition interlock device revolving account—state appropriation, and \$9,000 of the department of licensing services account—state appropriation are provided solely for the department for additional finance and budget staff. By December 1, 2024, the department shall submit a report to the governor and appropriate committees of the legislature on the specific steps the department has taken to address the findings of the state auditor's office fiscal year 2022 accountability audit report no. 1032793.

(34) \$75,000 of the highway safety account—state appropriation is provided solely for the department, in conjunction with development of its comprehensive implementation plan to expand driver training education requirements for driver's license purposes to persons age 18 through 24, due to the legislature by October 1, 2024, pursuant to chapter 445, Laws of 2023, to analyze inclusion of a mandatory driver's education refresher course consisting of in-

person or virtual classroom-based instruction on risk management and hazard protections one year after licensure. The department must consider related policies regarding appropriate subsidies to help pay for the refresher course and course appropriateness for intermediate license holders. The department must include this analysis in the plan due by October 1, 2024, or, alternatively, as an appendix to the plan or in a separate report due to the legislature by March 1, 2025.

(35) \$38,000 of the highway safety account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 6115), Laws of 2024 (speed safety cameras). If chapter . . . (Substitute Senate Bill No. 6115), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(36) \$28,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Senate Bill No. 5590), Laws of 2024 (Mount St. Helens license plate). If chapter . . . (Engrossed Senate Bill No. 5590), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

Sec. 209. 2023 c 472 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B**

State Route Number 520 Corridor Account—	
State	
Appropriation. . . . .	(((\$58,854,000))
	\$62,913,000
State Route Number 520 Civil Penalties	
Account—State	
Appropriation. . . . .	\$4,178,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation. . . . .	(((\$30,729,000))
	\$34,398,000
Alaskan Way Viaduct Replacement Project	
Account—	
State Appropriation. . . . .	(((\$20,701,000))
	\$22,542,000
Interstate 405 and State Route Number 167	
Express	
Toll Lanes Account—State Appropriation.	
(((\$23,756,000))	
	\$25,524,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(((\$138,218,000))</b>
	<b>\$149,555,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$12,484,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated

for operations and maintenance purposes have been exhausted.

(2) As long as the facility is tolled, the department must provide annual reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips; and

(b) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(3) \$314,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$734,000 of the state route number 520 corridor account—state appropriation, \$315,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$413,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the reappropriation of unspent funds on the new tolling back office system from the 2021-2023 fiscal biennium.

(4) The department shall make detailed annual reports to the transportation committees of the legislature and the public on the department's website in a manner consistent with past practices as specified in section 209(5), chapter 186, Laws of 2022.

(5) As part of the department's 2025-2027 biennial budget request, the department shall update the cost allocation recommendations that assign appropriate costs to each of the toll funds for services provided by relevant Washington state department of transportation programs, the Washington state patrol, and the transportation commission. The recommendations shall be based on updated traffic and toll transaction patterns and other relevant factors.

(6) Up to \$16,460,000 of the amounts provided for operations and maintenance expenses on the state route number 520 facility from the state route number 520 corridor account during the 2023-2025 fiscal biennium in this act are derived from the receipt of federal American rescue plan act of 2021 funds and not toll revenues.

(7) \$500,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to begin a traffic and revenue study of segment tolling on the state route number 520 corridor. The department, in consultation with the transportation commission, shall

initiate planning work regarding the anticipation of segment tolling on the state route number 520 corridor.

**Sec. 210.** 2023 c 472 s 210 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM C**

Transportation Partnership Account—State	
Appropriation. . . . .	\$1,494,000
Motor Vehicle Account—State Appropriation.	
(((\$122,240,000))	
	<u>\$122,725,000</u>
Puget Sound Ferry Operations Account—State	
Appropriation. . . . .	\$307,000
Multimodal Transportation Account—State	
Appropriation. . . . .	(((\$2,986,000))
	<u>\$2,988,000</u>
Transportation 2003 Account (Nickel Account)	
—State	
Appropriation. . . . .	\$1,488,000
<b>TOTAL APPROPRIATION. ....</b>	<b>(((\$128,515,000))</b>
	<b><u>\$129,002,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

((1)) \$2,006,000 of the motor vehicle account—state appropriation is provided solely for hardware cost increases. Before any hardware replacement, the department, in consultation with WaTech, must further review leasing options.

~~((2) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.))~~

**Sec. 211.** 2023 c 472 s 211 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

Motor Vehicle Account—State Appropriation.	
(((\$39,987,000))	
	<u>\$40,354,000</u>
Move Ahead WA Account—State Appropriation.	
\$2,532,000	
State Route Number 520 Corridor Account—	
State	
Appropriation. . . . .	\$34,000
<b>TOTAL APPROPRIATION. ....</b>	<b>(((\$42,553,000))</b>
	<b><u>\$42,920,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

((2)(a)(i)) (1) \$500,000 of the move ahead WA account—state appropriation is provided solely for the department to conduct a detailed space study and develop an implementation plan that builds off the findings and recommendations of the department's "Telework Impact Study" completed in September 2022. Such efforts must also incorporate office space use reduction requirements for the department in this act as well as current and planned telework levels. The detailed space study and development of the implementation plan

must be conducted in consultation with the office of financial management and the department of enterprise services, and must focus on office and administrative space efficiency, providing specific recommendations, cost estimates, and cost savings. While focused on office and administrative space, the department is encouraged to review other types of facilities where efficiencies can be achieved. The final study report must include:

((A)) (a) The development of low, medium, and high scenarios based on reducing space use, with the high space reduction scenario being based on a minimum of a 30 percent reduction by 2030;

((B)) (b) Detailed information on any increased capital and other implementation costs under each scenario;

((C)) (c) Detailed information on reduced costs, such as leases, facility maintenance, and utilities, under each scenario;

((D)) (d) An analysis of opportunities to collocate with other state, local, and other public agencies to reduce costs and improve cost-efficiency while meeting utilization standards; and

((E)) (e) An assessment of the commercial value and return to the state transportation funds associated with the sale of the property from consolidation and other space efficiency measures.

((i)) (2) (a) The department must submit the implementation plan and final report from the detailed space study to the office of financial management and the transportation committees of the legislature by October 1, 2024.

(b) ((i)) Conducting the detailed space study under ((a)) subsection (1) of this ((subsection)) section must not prevent or delay the department from meeting other space use and related requirements, or where warranted by current information or opportunities.

((ii)) (c) In addition to the reporting requirement under ((a)) subsection (1) of this ((subsection)) section, the department must provide information to the office of financial management in its comparative analysis of office space, leases, and relocation costs required by the omnibus operating appropriations act.

Sec. 212. 2023 c 472 s 212 (unmodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—PROGRAM E**

Motor Vehicle Account—State Appropriation. \$700,000

Move Ahead WA Account—State Appropriation. \$20,000,000

Multimodal Transportation Account—State Appropriation. . . . . \$433,000

TOTAL APPROPRIATION. . . . . ((~~\$20,433,000~~)) \$21,133,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire move ahead WA account—state appropriation is provided solely for the department's costs related to replacing

obsolete transportation equipment and replacing fuel sites. Beginning December 1, 2024, and annually thereafter, the department must provide a report to the office of financial management and the transportation committees of the legislature detailing the current progress on replacing obsolete equipment, progress towards reaching a level purchasing state, and the status of a fuel site replacement prioritization plan. The report must also include:

(a) A list of department owned and managed fuel sites prioritized by urgency of replacement;

(b) A discussion of department practices that would create a sustained revenue source for capital repair and replacement of fuel sites; and

(c) A discussion of to what extent the fuel site infrastructure can support zero emissions vehicles.

(2) (a) \$100,000 of the multimodal transportation account—state appropriation is provided solely for the department to administer a pilot program to install and test intelligent speed monitoring technology in a portion of the department's fleet of vehicles while using global positioning system technology and other mapping tools to monitor vehicle location and corresponding speed limits on traveled roadways.

(b) The pilot program must begin by January 1, 2024, for a 12-month period. By June 30, 2025, the department must report to the transportation committees of the legislature the results of the pilot program and provide any legislative or policy recommendations.

Sec. 213. 2023 c 472 s 213 (unmodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

Aeronautics Account—State Appropriation. ((~~\$13,979,000~~))

\$14,572,000

Aeronautics Account—Federal Appropriation. ((~~\$3,650,000~~))

\$5,579,000

Aeronautics Account—Private/Local Appropriation. . . . . \$60,000

TOTAL APPROPRIATION. . . . . ((~~\$17,689,000~~)) \$20,211,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,000,000 of the aeronautics account—state appropriation is provided solely for the move ahead WA aviation grants. The department shall prioritize projects eligible for federal funding.

(2) \$1,476,000 of the aeronautics account—state appropriation is provided solely for sustainable aviation grants recommended by the department under the sustainable aviation grants program. The department shall submit a report to the transportation committees of the legislature by October 1, 2024, identifying a selection of sustainable aviation projects for funding by the legislature. In considering projects to recommend to fund, the department shall only consider projects that advance the state of

sustainable aviation technology and lead to future innovation. Innovative sustainable aviation projects may include, but are not limited to, pilot projects demonstrating the use of:

- (a) Mobile battery charging technology;
- (b) Hydrogen electrolyzers and storage;
- (c) Electric ground equipment; and
- (d) Hanger charging technology.

(3) \$300,000 of the aeronautics account—state appropriation is provided solely for the department to develop a statewide advanced air mobility aircraft plan to develop and integrate advanced air mobility aircraft into current modal systems. The department shall submit a report by June 1, 2025, to the office of financial management and the transportation committees of the legislature including, but not limited to:

(a) Near, medium, and long-term recommendations for land use planning for advanced and urban air mobility vertiports and vertistops;

(b) An inventory of infrastructure needs to support a statewide vertiport network and a recommended program to deploy funds to local governments to share costs;

(c) Proposed state governance structures and regulatory mechanisms to adequately complement federal aviation administration oversight;

(d) Recommended policies to foster vertiport and vertistop infrastructure development that ensure open public access, efficiency in land use siting, and equitable distribution across the state; and

(e) In consultation with local jurisdictions, planning organizations, and other modal managers, recommendations on advanced air mobility aircraft integration into statewide transportation plans.

(4) \$1,931,000 of the aeronautics account—state appropriation is provided solely for the implementation of chapter 463, Laws of 2023 (commercial aviation services), to support the work of the department and the commercial aviation work group including, but not limited to, conducting meaningful community engagement with overburdened and vulnerable populations to address the state's transportation needs and the environmental justice impact of aviation on communities. ((If chapter 463, Laws of 2023 is not enacted by June 30, 2023, the amount in this subsection lapses.))

**Sec. 214.** 2023 c 472 s 214 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H**

Motor Vehicle Account—State Appropriation. ((\$64,470,000))

Motor Vehicle Account—Federal Appropriation \$65,155,000  
..... \$500,000

Multimodal Transportation Account—State Appropriation. . . . . ((\$851,000))  
\$1,351,000

Move Ahead WA Flexible Account—State Appropriation. . . . . \$572,000

**TOTAL APPROPRIATION..... ((\$66,393,000))**  
**\$67,578,000**

The appropriations in this section are subject to the following conditions and limitations:

(1) During the 2023-2025 fiscal biennium, if the department takes possession of the property situated in the city of Edmonds for which a purchase agreement was executed between Unocal and the department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department confirms that the property is still no longer needed for transportation purposes, the department shall provide the city of Edmonds with the first right of purchase at fair market value in accordance with RCW 47.12.063(3) for the city's intended use of the property to rehabilitate near-shore habitat for salmon and related species.

(2) \$469,000 of the motor vehicle account—state appropriation is reappropriated and provided solely for the implementation of chapter 217, Laws of 2021 (noxious weeds).

(3) The department shall determine the fair market value of the northern parcel of site 14 on the Puget Sound Gateway Program SR 509 Completion Project Surplus Property list, located immediately south of S. 216th Street and adjacent to the Barnes Creek Nature Trail in Des Moines, to be submitted to the transportation committees of the legislature by December 15, 2023, for an evaluation of possible next steps for use of the property that is in the public interest.

~~(4) ((The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.~~

~~(5))~~ (a) \$572,000 of the move ahead WA flexible account—state appropriation is provided solely to track and maximize clean fuels credits and revenue generated by state agencies pursuant to chapter 70A.535 RCW.

(b) The LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024, anticipates fulfillment of the requirements under chapter 70A.535 RCW of generating credits and revenue for transportation investments funded in an omnibus transportation appropriations act, including the move ahead WA transportation package. The omnibus transportation appropriations act anticipates credits for ferry electrification for new hybrid electric vessels, active transportation, transit programs and projects, alternative fuel infrastructure, connecting communities, and multimodal investments.

(c) Pursuant to the reporting requirements of RCW 70A.535.050(5), the department must present a detailed projection of the credit revenues generated and achieved directly as a result of the funding and activities in this subsection.

~~((+6))~~ (5) \$93,000 of the multimodal transportation account—state appropriation is provided solely for the implementation of chapter 169, Laws of 2023 (climate resilience strategy). If chapter 169, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(6)(a) \$1,600,000 of the motor vehicle account—state appropriation is provided solely for real estate services activities. The legislature finds that the following sections of public roadway owned by the department are no longer necessary for the state highway system:

(i) That segment of 267th Street NW located south of state route number 532 and west of Interstate 5 in the vicinity of the intersection of state route number 532 and 19th Avenue NW, serving parcel numbers: 32042600202300, 32042600102200, 32042600100600, 32042600100700, 32042600100400, 32042600100800, and 32042600102300;

(ii) That segment of Tester Road located adjacent to the south side of state route number 532;

(iii) That segment of 91st Ave SE located adjacent to the south side of state route number 522 in the vicinity of the intersection with 212th Street SE;

(iv) That segment of Bostian Road including as it turns and becomes 224th Street SE located on the south side of state route number 522 in the vicinity of 87th Ave SE;

(v) That segment of W. Bostian Road located on the north side of state route number 522; and

(vi) That segment of 268th Street NW located south of state route number 532.

(b) Therefore, pursuant to RCW 36.75.090, the department shall certify that these roadways are no longer needed by the state and convey the roadways to the county for continued use as public highways for motor vehicle use. Additionally, in consideration of the value of maintenance services provided by the county on the roadway comprising 267th Street NW during the time of department ownership, the department shall grant temporary access permits, for those properties abutting the conveyed segment of 267th Street NW, to use 19th Avenue NW for access to state route number 532, upon such terms and conditions as the department deems appropriate. The temporary access permits may be terminated when the conveyed segment of 267th Street NW is extended out to intersect with Sunday Lake Road, or when an alternate access route is established connecting to Sunday Lake Road.

(7)(a) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the department to explore alternative uses of the state's highway rights-of-way to address pressing public needs relating to climate change, equitable communications, renewable energy generation, electrical transmission and distribution projects, broadband projects, vegetation management, inductive charging in travel lanes, alternative fueling facilities, and other appropriate uses. In exploring alternative uses of the state's highway rights-of-way, the department shall:

(i) Review the utility accommodation policy and make recommendations to update the policy to include clean energy and connectivity projects under 23 C.F.R. Part 645. At a minimum, the recommendations for updated clean energy and connectivity

projects must include renewable energy and electrical transmission and distribution;

(ii) Review and update the department's integrated roadside vegetation management plans to maximize carbon sequestration and develop habitat and forage for native pollinators, Monarch butterflies, and honeybees through plantings of native noninvasive flowering plants and grasses on the state highways rights-of-way and at safety rest areas;

(iii) Assess the state highways rights-of-way land areas most suitable for solar development by considering slope, elevation, vegetative cover, and solar radiation; and

(iv) Identify existing highway rights-of-way suitable as designated energy corridors for electric transmission and distribution and other energy infrastructure.

(b) In carrying out the requirements in (a) of this subsection, the department may consult with an organization that uses an advanced rights-of-way solar mapping tool that uses ArcGIS Pro software for faster and more precise analysis of rights-of-way solar using the state's full spatial rights-of-way data sets.

(c) The department must report its findings, recommendations, and status of its updates to the transportation committees of the legislature by January 15, 2025.

Sec. 215. 2023 c 472 s 215 (unmodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

Motor Vehicle Account—State Appropriation.	(\$694,000)	\$1,074,000
Electric Vehicle Account—State Appropriation	(\$4,746,000)	\$8,746,000
Multimodal Transportation Account—State Appropriation.	\$4,400,000	
Multimodal Transportation Account—Federal Appropriation.	\$25,000,000	
Carbon Emissions Reduction Account—State Appropriation.	(\$164,600,000)	\$123,300,000
<b>TOTAL APPROPRIATION....</b>	<b>(\$199,440,000)</b>	<b>\$162,520,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,746,000 of the electric vehicle account—state appropriation and \$30,000,000 of the carbon emissions reduction ((emissions)) account—state appropriation are provided solely for the clean alternative fuel vehicle charging and refueling infrastructure program in chapter 287, Laws of 2019 (advancing green transportation adoption).

(2) \$1,000,000 of the electric vehicle account—state appropriation and \$500,000 of the multimodal transportation account—state appropriation are provided solely for a colocated DC fast charging and hydrogen fueling station near the Wenatchee or East Wenatchee area near a state route or near or on a publicly owned facility to service passenger, light-duty and heavy-duty vehicles. The hydrogen fueling station must include a DC fast charging station colocated

at the hydrogen fueling station site. Funds may be used for one or more fuel cell electric vehicles that would utilize the fueling stations. The department must contract with a public utility district that produces hydrogen in the area to own and/or manage and provide technical assistance for the design, planning, permitting, construction, maintenance and operation of the hydrogen fueling station. The department and public utility district are encouraged to collaborate with and seek contributions from additional public and private partners for the fueling station.

~~((5))~~ (3) The public-private partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

~~((6))~~ (4) \$1,200,000 of the multimodal transportation account—state appropriation and \$2,000,000 of the carbon emissions reduction (~~(emissions)~~) account—state appropriation are provided solely for the pilot program established under chapter 287, Laws of 2019 (advancing green transportation adoption) to provide clean alternative fuel vehicle use opportunities to underserved communities and low to moderate income members of the workforce not readily served by transit or located in transportation corridors with emissions that exceed federal or state emissions standards. Consistent with the geographical diversity element described in RCW 47.04.355(4), the legislature strongly encourages the department to consider implementing the pilot in both urban and rural communities if possible, to obtain valuable information on the needs of underserved communities located in different geographical locations in Washington.

~~((7—\$120,000,000))~~ (5) \$58,700,000 of the carbon emissions reduction account—state appropriation is provided solely for implementation of zero-emission commercial vehicle infrastructure and incentive programs and for the replacement of school buses powered by fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure.

(a) Of this amount, \$20,000,000 is for the department to administer an early action grant program to provide expedited funding ~~((to zero-emission commercial vehicle infrastructure demonstration projects))~~ for the replacement of school buses powered by fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure. The department must contract with ~~((a third-party administrator))~~ the department of ecology to implement the early action grant program.

(b) The office of financial management shall place the remaining ~~((100,000,000))~~ \$38,700,000 in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle infrastructure and incentive strategy required under section 204 ~~((of this act))~~, chapter 472, Laws of 2023. The director of the office of financial management or the director's designee shall consult with the chairs and

ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

~~((8))~~ (6) \$3,000,000 of the carbon emissions reduction account—state appropriation is provided solely for hydrogen refueling infrastructure investments. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle infrastructure and incentive strategy required under section 204 ~~((of this act))~~, chapter 472, Laws of 2023. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

~~((9))~~ (7) \$2,100,000 of the carbon emissions reduction account—state appropriation is provided solely to fund electric vehicle charging infrastructure for the electric charging megasite project at Mount Vernon library commons.

~~((10))~~ (8) \$2,500,000 of the carbon emissions reduction account—state appropriation is provided solely for zero emission cargo handling equipment incentives. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle and cargo handling and off-road equipment infrastructure and incentive strategy required under section 204 ~~((of this act))~~, chapter 472, Laws of 2023. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

~~((11))~~ (9) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for clean off-road equipment incentives. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle and cargo handling and off-road equipment infrastructure and incentive strategy required under section 204 ~~((of this act))~~, chapter 472, Laws of 2023. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

~~((12))~~ (10) \$2,500,000 of the multimodal transportation account—state appropriation is provided solely for the department to coordinate with cities, counties, ports, and private entities to develop actionable recommendations for state assistance in the development of specific candidate truck parking sites to be developed with amenities, identified by location. The department shall identify private land parcels for potential development of sites,



which may include, but should not be limited to, a feasibility analysis of sites adjacent to Interstate 90 near North Bend for a 400 to 600 space truck parking site. The public benefit of each potential truck parking site must be included in this assessment. The department shall consider opportunities for the state to provide assistance in the development of truck parking sites, including possible opportunities to provide assistance in land acquisition and evaluating land use requirements. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.

(11) Beginning January 1, 2025, \$20,000,000 of the carbon emissions reduction account—state appropriation is provided solely for grants, and to serve as a state match for secured federal funds, to finance hydrogen refueling infrastructure for medium and heavy-duty vehicles in disadvantaged and overburdened communities. The department, in consultation with the interagency electric vehicle coordinating council, must pursue any federal funding available through the charging and fueling infrastructure discretionary grant program and any other sources under the federal infrastructure investment and jobs act (P.L. 29 117-58).

(12) \$370,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 6277), Laws of 2024 (public-private partnerships). If chapter . . . (Substitute Senate Bill No. 6277), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

**Sec. 216.** 2023 c 472 s 216 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**  
Motor Vehicle Account—State Appropriation.  
((~~\$535,033,000~~))

	<u>\$544,847,000</u>
Motor Vehicle Account—Federal Appropriation	\$7,000,000
Move Ahead WA Account—State Appropriation.	\$50,000,000
RV Account—State Appropriation. . .	\$1,100,000
State Route Number 520 Corridor Account— State	Appropriation. . . . . (( <del>\$4,838,000</del> ))
	<u>\$4,841,000</u>
Tacoma Narrows Toll Bridge Account—State Appropriation. . . . .	\$1,585,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation. . . . .	\$8,752,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation.	\$2,624,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$609,832,000</del>))</b>
	<b><u>\$620,749,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for snow and ice removal. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(2) (a) \$115,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to enter into a dispute resolution process with local jurisdictions to produce interagency agreements to address the ongoing facility and landscape maintenance of the three state route number 520 eastside lids and surrounding areas at the Evergreen Point Road, 84th Avenue NE, and 92nd Avenue NE.

(b) The agreements pursuant to (a) of this subsection must be executed by June 30, 2024.

~~(3) ((The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.~~

~~(4-))~~ (a) ((~~\$7,000,000~~)) \$9,000,000 of the motor vehicle account—state appropriation is provided solely for the department to address the risks to safety and public health associated with homeless encampments on department owned rights-of-way. The department must coordinate and work with local government officials and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to help prevent future encampments from forming on highway rights-of-way and may reimburse the organizations doing this outreach assistance who transition people into treatment or housing or for debris clean up on highway rights-of-way. A minimum of \$2,000,000 of this appropriation must be used to deliver more frequent removal of litter on the highway rights-of-way that is generated by unsheltered people and may be used to hire crews specializing in collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public and department employees. The department may use these funds to either reimburse local law enforcement costs or the Washington state patrol if they are providing enhanced safety to department staff during debris cleanup or during efforts to prevent future encampments from forming on highway rights-of-way.

(b) Beginning November 1, 2023, and semiannually thereafter, the Washington state patrol and the department of transportation must jointly submit a report to the governor and the transportation committees of the legislature on the status of these efforts, including:

(i) A summary of the activities related to addressing encampments, including information on arrangements with local governments or other entities related to these activities;

(ii) A description of the planned activities in the ensuing two quarters to further address the emergency hazards and risks along state highway rights-of-way; and

(iii) Recommendations for executive branch or legislative action to achieve the desired outcome of reduced emergency hazards and risks along state highway rights-of-way.

((+5-)) (4) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Spokane, to be administered in conjunction with subsection ((+4-)) (3) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$555,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Spokane shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

((+6-)) (5) \$1,025,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019, to be administered in conjunction with subsection ((+4-)) (3) of this section. The department must maintain a crew dedicated solely to collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or people encamped upon department-owned rights-of-way. The department may request assistance from the Washington state patrol as necessary in order for both agencies to provide enhanced safety-related activities regarding the emergency hazards along state highway rights-of-way in the Seattle area.

((+7-)) (6) \$1,015,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Tacoma, to be administered in conjunction with subsection ((+4-)) (3) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$570,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Tacoma shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

((+8-)) (7) \$1,500,000 of the motor vehicle account—state appropriation is provided solely for the department to contract with the city of Fife to address the risks to safety and public health associated with homeless encampments on department-owned rights-of-way along the SR 167/SR 509 Puget Sound Gateway project corridor in and adjacent to the city limits pursuant to section 216(10), chapter 186,

Laws of 2022. However, the amount provided in this subsection must be placed in unallotted status and may not be spent prior to November 1, 2023. If, after November 1, 2023, the department, in consultation with the office of financial management, determines that the department fully spent the \$2,000,000 appropriated in section 216(10), chapter 186, Laws of 2022, within the 2021-2023 fiscal biennium for this purpose, the amount provided in this subsection must remain in unallotted status and unspent. If the department did not fully spend the \$2,000,000 within the 2021-2023 fiscal biennium, the department may only spend from the appropriation in this subsection an amount not in excess of the amount unspent from the \$2,000,000 within the 2021-2023 fiscal biennium, with any remaining amount to remain in unallotted status and unspent. In no event may the department spend more than \$2,000,000 within the 2021-2023 and 2023-2025 fiscal biennia for this purpose.

(8) To the greatest extent practicable, the department shall schedule mowing along state highways to occur after litter pickup has been performed in the area to be mowed. This subsection is not intended to prevent mowing or other similar maintenance activities from being undertaken in the event litter pickup has not been performed.

Sec. 217. 2023 c 472 s 217 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
TRANSPORTATION OPERATIONS—PROGRAM Q—  
OPERATING**

Highway Safety Fund—State Appropriation.	
((+3,529,000))	\$7,529,000
Motor Vehicle Account—State Appropriation.	
((+85,466,000))	\$87,535,000
Motor Vehicle Account—Federal Appropriation	
.....	\$2,050,000
Motor Vehicle Account—Private/Local	
Appropriation.....	\$294,000
Move Ahead WA Account—State Appropriation.	
\$3,090,000	
Multimodal Transportation Account—State	
Appropriation.....	\$5,000,000
State Route Number 520 Corridor Account—	
State	
Appropriation.....	\$247,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.....	\$44,000
Alaskan Way Viaduct Replacement Project	
Account—	
State Appropriation.....	\$1,122,000
Interstate 405 and State Route Number 167	
Express	
Toll Lanes Account—State Appropriation.	
\$37,000	
<b>TOTAL APPROPRIATION.....</b>	<b>((+100,879,000))</b>
	<b>\$106,948,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or

provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2) (a) During the 2023-2025 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(b) The department shall expand the high occupancy vehicle lane access pilot program to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) The department shall expand the high occupancy vehicle lane access pilot program to for hire nonemergency medical transportation vehicles, when in use for medical purposes, as described in section 208 ~~((24) of this act)~~ (20), chapter 472, Laws of 2023. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, nonemergency medical transportation vehicles that meet the requirements identified in section 208 ~~((24) of this act)~~ (20), chapter 472, Laws of 2023 must be authorized to use the reserved portion of the highway.

(d) Nothing in this subsection is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for express toll lanes.

(3) The appropriations in this section assume implementation of additional cost

recovery mechanisms to recoup at least \$100,000 in credit card and other financial transaction costs related to the collection of fees imposed under RCW 46.17.400, 46.44.090, and 46.44.0941 for driver and vehicle fee transactions beginning January 1, 2023. The department may recover transaction fees incurred through credit card transactions.

(4) The department shall promote safety messages encouraging drivers to slow down and move over and pay attention when emergency lights are flashing on the side of the road and other suitable safety messages on electronic message boards the department operates across the state. The messages must be promoted through June 30, 2025. The department may coordinate such messaging with any statewide public awareness campaigns being developed by the department of licensing or the Washington state traffic safety commission, or both.

(5) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to address emergent issues related to safety for pedestrians and bicyclists. Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium.

~~((7))~~ (6) \$3,529,000 of the highway safety account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras). If chapter 17, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((8))~~ (7) \$1,279,000 of the move ahead WA account—state appropriation is provided solely for maintenance and operations of the virtual coordination center. The department is encouraged to apply for federal grant funds for the virtual coordination center and may use state funds as a match. By December 1, 2023, the department shall report to the transportation committees of the legislature: (a) Recommendations to expand the center's operations, including specific additional jurisdictions and corridors across the state; and (b) amounts received and dates of receipt of any new cash and in-kind matches from virtual coordination center partners including, but not limited to, the city of Seattle, King county, other state and local jurisdictions, and private sector partners.

~~((9))~~ (8) \$100,000 of the motor vehicle account—state appropriation is provided solely for the department to prepare and submit a report to the transportation committees of the legislature by December 1, 2024, with a prioritized list of recommendations for improving safety and mobility on Interstate 90 between North Bend and Cle Elum during winter weather events, including estimated costs. The recommendations must include, but are not limited to, options to improve compliance with traction tire and chain requirements and reduce snow-related closures.

~~((11))~~ (9) (a) \$5,000,000 of the motor vehicle account—state appropriation is

provided solely for the department, in coordination with the independent review team of the joint transportation committee, to conduct an analysis of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail. The study should generate volume estimates and evaluate scenarios for changes in infrastructure and operations that would be necessary to address those additional volumes. The assessment must include quantitative analysis based on available data in terms of both financial and carbon emission costs; and qualitative input gathered from tribal governments, local governments, freight interests, and other key stakeholders, including impacts on disadvantaged/underserved communities. The analysis must include a robust public engagement process to solicit feedback from interested stakeholders including but not limited to: Residents and officials in affected cities and counties; stakeholders involved in railroad, agriculture, fishing, trucking, shipping and other related industries; appropriate Native American tribes; representatives of advocacy and community organizations; and transportation, public works, and economic development organizations in the affected areas, federal highway administration and army corps of engineers. The analysis must be informed by the work of the joint transportation committee's independent review team, and must include the following:

(i) Existing volumes and traffic patterns;

(ii) Potential changes in volumes and traffic patterns immediately following the loss of freight movement by barge and over the following 20 years, including the carbon emissions impact of this mode shift;

(iii) Identification of whether regional geography, land availability, and state and federal regulatory processes would allow for rail and road expansions and increased capacity;

(iv) Identification of potential infrastructure and operational improvements to existing highways, other roads, and rail, including additional access to facilities, needed to accommodate the higher freight volumes and impacts and potential opportunities to mitigate impacts on shipping rates;

(v) Identification of rail line development options, including impacts and potential opportunities to mitigate impacts on grain storage and handling facilities at regional unit train yards and port export facilities;

(vi) An assessment of costs associated with mitigating potential slope failure and stabilization necessitated by the drawdown of the river. An assessment of impacts and potential opportunities to mitigate impacts on adjacent roads, bridges, railroads, and utility corridors shall be included;

(vii) Both financial and carbon cost estimates for development and implementation of identified needs and options, including planning, design, and construction;

(viii) Analysis of the impacts and potential opportunities to mitigate impacts of these infrastructure changes on environmental justice and disadvantaged/underserved communities during construction, as well as from future operations;

(ix) Analysis of safety impacts and potential opportunities to mitigate impacts for a shift from barge transportation to rail or truck, including increases in rural community traffic and consistency with the Washington State Strategic Highway Safety Plan: Target Zero;

(x) Impacts and potential opportunities to mitigate impacts on highly affected commodities, including agriculture, petroleum, project cargo, and wind energy components;

(xi) Analysis of the impacts and potential opportunities to mitigate impacts that reduced competition resulting from removing barging of agricultural products on the Snake river would have on Washington's agricultural industry along with impacts modal shifts would have on the entire supply chain, including export facilities and ports on the Lower Columbia River; and

(xii) Determination of the feasibility that additional east-west freight rail capacity can be achieved, particularly through Columbia River Gorge, and the alternative routes that exist in the event that adding more infrastructure on these routes is not feasible.

(b) The department shall provide status updates on a quarterly basis in coordination with the joint transportation committee. The legislature intends to require a final report to the governor and the transportation committees of the legislature by December 31, 2026.

(10) \$4,000,000 of the highway safety account—state appropriation is provided solely for the department, in consultation with the Washington traffic safety commission, to evaluate and identify between 10 to 20 geographical locations in both urban and rural highway settings to install and implement wrong-way driving prevention strategies. Such prevention strategies may include improved signage and pavement markings as recommended by the traffic safety commission's report on wrong-way driving, "Strategies and Technologies to Prevent and Respond to Wrong-Way Driving Crashes." The department must report to the legislature any crash data or wrong-way violations that occur at the selected locations by June 30, 2025.

(11) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the department to develop an automated highway speed safety camera pilot program to test two to three automated traffic safety cameras technologies on state highways in no more than three testing locations, with at least one location on each side of the Cascade mountains. The goals of the automated highway speed safety camera pilot program are to test existing speed camera technology, determine the impact on speeding behavior in testing locations, and compile public response to the use of traffic safety cameras on highways. The department must work with the

Washington state patrol and the traffic safety commission to develop the pilot program including, but not limited to: Selection of technology; placement of cameras in high speed, collision, or fatality locations; establishment of public notification and warning signs before entering into an area with a speed safety camera; outreach and public engagement in the program development and site selection process; and a process to collect and report data including rates of speed before, during, and after the presence of speed safety cameras and public response to cameras. The Washington state patrol is responsible for selecting testing locations and must use accident reports, including department and traffic safety commission crash data as needed, to identify high speed and high collision areas. Automated traffic safety cameras may only take pictures of the vehicle and the vehicle license plates, and the ticketing of violators is prohibited during the pilot program. The department may notify drivers of their rates of speed. The department shall provide a pilot program progress report to the governor and transportation committees of the legislature by September 30, 2024, to include public input to safety cameras, evaluation of technologies, and changes in speeding behavior.

**Sec. 218.** 2023 c 472 s 218 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

Motor Vehicle Account—State Appropriation.  
 ((\$62,639,000))

	\$63,494,000
Motor Vehicle Account—Federal Appropriation	\$780,000
Motor Vehicle Account—Private/Local Appropriation	\$500,000
Move Ahead WA Flexible Account—State Appropriation	\$5,400,000
Puget Sound Ferry Operations Account—State Appropriation	\$510,000
Multimodal Transportation Account—State Appropriation	\$22,323,000
State Route Number 520 Corridor Account—State Appropriation	\$220,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$136,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$127,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$114,000
<b>TOTAL APPROPRIATION.....</b>	<b><del>(\$92,749,000)</del></b>
	<b>\$93,604,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$2,000,000 of the motor vehicle account—state appropriation and \$5,400,000 of the move ahead WA flexible account—state appropriation are provided solely for efforts to increase diversity in the

transportation construction workforce through:

(i) The preapprenticeship support services (PASS) and career opportunity maritime preapprenticeship support services (COMPASS) programs, which aim to increase diversity in the highway construction and maritime workforces and prepare individuals interested in entering the highway construction and maritime workforces. In addition to the services allowed under RCW 47.01.435, the PASS and COMPASS programs may provide housing assistance for youth aging out of the foster care and juvenile rehabilitation systems to support their participation in a transportation-related preapprenticeship program and support services to obtain necessary maritime documents and coast guard certification; and

(ii) Assisting minority and women-owned businesses to perform work in the highway construction industry.

(b) The department shall report annually to the transportation committees of the legislature on efforts to increase diversity in the transportation construction workforce.

(2) \$1,512,000 of the motor vehicle account—state appropriation and \$488,000 of the Puget Sound ferry operations account—state appropriation are provided solely for the department to develop, track, and monitor the progress of community workforce agreements, and to assist with the development and implementation of internal diversity, equity, and inclusion efforts and serve as subject matter experts on federal and state civil rights provisions. The department shall engage with relevant stakeholders, and provide a progress report on the implementation of efforts under this subsection to the transportation committees of the legislature and the governor by December 1, 2024.

(3) For Washington state department of transportation small works roster projects under RCW 39.04.155, the department may only allow firms certified as small business enterprises, under 49 C.F.R. 26.39, to bid on the contract, unless the department determines there would be insufficient bidders for a particular project. The department shall report on the effectiveness of this policy to the transportation committees of the legislature by December 1, 2024.

(4) \$21,195,000 of the motor vehicle account—state appropriation and \$21,194,000 of the multimodal transportation account—state appropriation are provided solely for the department to upgrade the transportation reporting and accounting information system to the current cloud version of the software, and is subject to the conditions, limitations, and review requirements of section 701 ((~~ef this act~~)), chapter 472, Laws of 2023.

((~~46~~)) (5) \$56,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 230, Laws of 2023 (clean energy siting). If chapter 230, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

Sec. 219. 2023 c 472 s 219 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
TRANSPORTATION PLANNING, DATA, AND RESEARCH—  
PROGRAM T**

Carbon Emissions Reduction Account—State Appropriation. . . . .	<del>(\$3,000,000)</del> <u>\$4,000,000</u>
Motor Vehicle Account—State Appropriation. ( <del>\$32,089,000</del> )	<u>\$32,687,000</u>
Motor Vehicle Account—Federal Appropriation . . . . .	<del>(\$31,412,000)</del> <u>\$31,527,000</u>
Motor Vehicle Account—Private/Local Appropriation. . . . .	\$400,000
Move Ahead WA Flexible Account—State Appropriation. . . . .	\$11,922,000
Multimodal Transportation Account—State Appropriation. . . . .	<del>(\$2,414,000)</del> <u>\$3,214,000</u>
Multimodal Transportation Account—Federal Appropriation. . . . .	\$2,809,000
Multimodal Transportation Account—Private/ Local Appropriation. . . . .	\$100,000
<b>TOTAL APPROPRIATION.....</b>	<del>(\$84,146,000)</del> <u>\$86,659,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$750,000 of the multimodal transportation account—state appropriation is provided solely for the department to partner with the department of commerce and regional transportation planning organizations in implementing vehicle miles traveled targets and supporting actions. As part of target setting, important factors that must be considered include land use patterns, safety, and vulnerable populations. The department shall provide an interim report by June 30, 2024, and a final report by June 30, 2025.

~~((3))~~(2) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to continue implementation of a performance-based project evaluation model. The department must issue a report by September 1, 2024.

~~((4))~~(3)(a) \$180,000 of the multimodal transportation account—state appropriation is provided solely for Thurston regional planning council (TRPC) to conduct a study examining options for multimodal high capacity transportation (HCT) to serve travelers on the Interstate 5 corridor between central Thurston county (Olympia area) and Pierce county.

(b) The study will include an assessment of travelsheds and ridership potential and identify and provide an evaluation of options to enhance connectivity and accessibility for the greater south Puget Sound region with an emphasis on linking to planned or existing commuter or regional light rail. The study must account for previous and ongoing efforts by transit agencies and the department. The study will emphasize collaboration with a diverse community of interests, including but not limited to transit, business, public agencies, tribes, and providers and users of

transportation who because of age, income, or ability may face barriers and challenges.

(c) The study is due to the governor and transportation committees of the legislature by September 1, 2024.

~~((5) \$400,000)~~ (4) \$700,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle's office of planning and community development to support an equitable development initiative to reconnect the South Park neighborhood, currently divided by state route number 99.

(a) The support work must include:  
(i) A public engagement and visioning process led by a neighborhood-based, community organization; and

(ii) A feasibility study of decommissioning state route number 99 in the South Park neighborhood to include, but not be limited to, traffic studies, environmental impact analysis, and development of alternatives, including the transfer of the land to a neighborhood-led community land trust.

(b) The support work must be conducted in coordination and partnership with neighborhood residents, neighborhood industrial and commercial representatives, the state department of transportation, and other entities and neighborhoods potentially impacted by changes to the operation of state route number 99.

(c) The city must provide a report on the plan that includes recommendations to the Seattle city council, state department of transportation, and the transportation committees of the legislature by ~~((December 1, 2024))~~ June 30, 2025.

~~((6))~~ (5) \$2,557,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade the department's linear referencing system (LRS) and highway performance monitoring system (HPMS), and is subject to the conditions, limitations, and review requirements in section 701 ~~((of this act)),~~ chapter 472, Laws of 2023.

~~((7))~~ (6) \$306,000 of the multimodal transportation account—state appropriation is provided solely for the department to appoint or designate a liaison to serve as a point of contact and resource for the department, local governments, and project proponents regarding land use decisions and processing development permit applications. The liaison must, as a priority, facilitate and expedite any department decisions required for project approval.

~~((8) \$627,000)~~ (7) \$742,000 of the motor vehicle account—federal appropriation is provided solely for remaining work on the "Forward Drive" road usage charge research project overseen by the transportation commission using the remaining amounts of the federal grant award. The remaining work of this project includes:

(a) Analysis of road usage charge simulation and participant surveys;

(b) Follow up on road usage charge experiences related to payment installments, mileage exemptions, and vehicle-based mileage reporting;

(c) Completion of technology research; and

(d) Development of the final "Forward Drive" research program report.

~~((9))~~ (8) (a) \$11,922,000 of the move ahead WA flexible account—~~(federal))~~ state appropriation is provided solely for an Interstate 5 planning and environmental linkage study and a statewide Interstate 5 master plan, building upon existing work under way in the corridor. It is the intent of the legislature to provide a total of \$40,000,000 for this work by 2029.

(b) The work under (a) of this subsection must include, but is not limited to, the following:

(i) Seismic resiliency planning to refine the level of effort and develop informed cost estimates for the seismic vulnerability analysis;

(ii) HOV lane system-wide performance planning and initial steps to launch a pilot project that progresses innovative and emerging technologies;

(iii) Interstate 5 corridor planning work, including development of a framework, coordination of corridor needs, development of core evaluation criteria and a prioritization process, and identification of early action priority projects that address safety or resiliency, or both, along the corridor; and

(iv) A report to the transportation committees of the legislature by December 1, 2024, with recommendations for future phases and a detailed funding request for work planned through 2029.

(c) Of the amounts provided in this subsection, \$300,000 is provided solely for the department to conduct a Seattle Interstate 5 ramp reconfiguration study. The study must be conducted in coordination and partnership with the city of Seattle's department of transportation, informed by the input of Interstate 5 lid stakeholders, and coordinated with work under (a) and (b) of this subsection. The department must provide a study report, including recommendations, to the city of Seattle's department of transportation and the transportation committees of the legislature by December 1, 2024. The study must include an analysis of:

(i) Options and opportunities to reconfigure, relocate, or remove Interstate 5 ramps within and between Chinatown-International District and the University District for the purpose of improving through-traffic operations, enhancing multimodal transportation safety, and enabling more efficient air rights development;

(ii) Potential mitigation needs and cost estimates of ramp changes and demolitions;

(iii) Benefits of ramp changes and demolitions to pedestrian and bicycle travel, transit operations, and future lid design;

(iv) Ramps for the mainline, collector-distributor lanes and express lanes including, at a minimum, ramps connecting to and from James Street, Cherry Street, 6th Avenue, Madison Street, Seneca Street, Spring Street, University Street, Union Street, Olive Way, Yale Avenue, NE 45th Street, and NE 50th Street;

(v) Removal of the existing ramps at Seneca Street, Spring Street, and University Street; and

(vi) Removal and consolidation options of the existing NE 45th Street and NE 50th Street ramps.

(d) The department shall work with the emergency management division of the military department to identify strategic transportation corridors, opportunities to improve resilience and reinforce the corridors against natural disasters, and opportunities to secure federal funding for investments in the resilience of the transportation network. The department shall provide a report to the transportation committees of the legislature by December 1, 2023, on:

(i) Strategic transportation corridors and opportunities to improve their resilience;

(ii) Federal funding opportunities the state should pursue; and

(iii) Recommendations for actions to maximize federal funding for the state of Washington.

~~((10))~~ (9) The department shall continue to coordinate planning work focused on the transportation system in western Washington across modes with the goal of maximizing system performance toward the policy goals in RCW 47.04.280 in the most cost-effective manner. This coordination must include, but is not limited to: The Interstate 5 highway corridor, existing rail infrastructure and future high-speed rail alignment, and commercial aviation capacity. The department must report to the joint transportation committee through existing reporting mechanisms on the status of these planning efforts including, but not limited to, a long-term strategy for addressing resilience of the transportation system in western Washington through consideration of changing demand, modal integration, and preservation needs. The coordinated work must include an analysis of different alternatives to promote system resilience, including performance and cost of each scenario.

~~((11))~~ (10) \$3,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department, in coordination with the department's HEAL act team and environmental services office, to develop and implement a community outreach, education, and technical assistance program for overburdened communities and their community partners in order to develop community-centered carbon reduction strategies to make meaningful impacts in a community, and to provide assistance in gaining access to available funding to implement these strategies, where applicable. The department may provide appropriate compensation to members of overburdened communities who provide solicited community participation and input needed by the department to implement and administer the program established in this subsection. By June 1, 2024, and by June 1, 2025, the department must submit a report to the transportation committees of the legislature and to the governor that provides an update on the department's community outreach, education, and technical

assistance program development and implementation efforts.

(11) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle department of transportation to create a digital conflict area awareness management program to provide machine-readable information for transportation operators, such as autonomous vehicle fleet operators, to be aware of conflict areas, such as emergency response zones, work zones, schools, pick up and drop off locations, and other areas where vulnerable road users may be present.

(a) Program work must include:

(i) The city of Seattle engaging with first responders and transportation management officials and other relevant stakeholders, to determine program implementation needs and processes; and

(ii) A feasibility study of implementing the program's mobility and curb data specifications, to include, but not be limited to, necessary partners, data platforms, ability to integrate real-time 911 dispatch, emergency vehicles, work zones, and other areas to reduce conflicts for transportation operators of autonomous vehicle fleets on public roads and in the right-of-way.

(b) Program work must also be conducted in coordination and partnership with city of Seattle departments, the nonprofit steward of the program's mobility and curb data specifications, the Washington state department of transportation, and other entities potentially impacted by the implementation of the program.

(c) As feasible, the city of Seattle shall prepare an implementation pilot of the program to make a standardized data feed available publicly for transportation operator use.

(d) The city of Seattle must provide a report on any findings and recommendations of the program and any implementation needs and process mapping for use by other jurisdictions to the Washington state department of transportation and the transportation committees of the legislature by June 30, 2025.

(12) \$200,000 of the motor vehicle account—state appropriation is provided solely for planning and intersection improvements along state route number 904 and improvements to the local network that would feed intersections with state route number 904. This work must include, but is not limited to, the Medical Lake/Four Lakes Road/West 3rd Ave intersection and feeding local network. The department must collaborate with Spokane county and the city of Cheney on this work and other improvement ideas along the corridor.

(13) (a) \$500,000 of the motor vehicle account—state appropriation is provided solely for planning and preliminary engineering necessary to complete cost estimates and structure designs associated with construction of wildlife crossings at the top two statewide priority locations to enhance habitat connectivity.

(b) The department shall submit a report to the appropriate committees of the

legislature by December 1, 2024, including at a minimum:

(i) Identification of statewide priority locations for habitat connectivity;

(ii) The basis for the determination of the locations included on the identification list; and

(iii) Estimates of costs necessary to complete remaining design, permitting, right-of-way acquisition, and construction of wildlife crossing structures at the locations identified.

(c) The legislature intends to use the information collected to consider the allocation of fund matching in future biennia for federal grants to construct wildlife crossings at the statewide priority locations.

(14) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to fund one full-time equivalent liaison position within the local program multiagency permit program. Within the amounts provided in this section, the department shall work to enhance its multiagency permit program capabilities, with an emphasis on multiagency agreements that streamline, prioritize, and expedite project-level and programmatic permits and approvals. The department shall review current multiagency permit program practices and provide a report with recommendations on the enhancement of the program to the transportation committees of the legislature by December 1, 2024.

(15) Beginning January 1, 2025, \$1,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to contract with a world cup organizing committee based in Seattle to undertake low carbon transportation planning efforts that will help prepare for the increase in visitors due to the 2026 FIFA world cup soccer matches in Seattle and other venues in the state. The planning, to be developed in coordination with the department and local mobility agencies, must identify critical infrastructure and operational improvements that will support active transportation and reliability of transit, making it easier for the public to choose options other than single-occupancy vehicles. A progress report including best practices for future events must be delivered to the department, office of the governor, and transportation committees of the legislature by June 30, 2025.

Sec. 220. 2023 c 472 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—PROGRAM U**

Aeronautics Account—State Appropriation.	
\$1,000	
Transportation Partnership Account—State Appropriation. . . . .	(((\$29,000))
	\$56,000
Motor Vehicle Account—State Appropriation. (((\$105,197,000))	
	\$110,703,000
Puget Sound Ferry Operations Account—State Appropriation. . . . .	\$244,000



State Route Number 520 Corridor Account— State	
Appropriation. . . . .	\$69,000
Connecting Washington Account—State	
Appropriation. . . . .	<del>(\$233,000)</del>
	<u>\$452,000</u>
Multimodal Transportation Account—State	
Appropriation. . . . .	<del>(\$5,585,000)</del>
	<u>\$6,315,000</u>
Tacoma Narrows Toll Bridge Account—State	
Appropriation. . . . .	\$43,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation. . . . .	\$38,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation. ( <del>\$40,000</del> )	
	<u>\$43,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b><del>(\$111,479,000)</del></b>
	<b><u>\$117,964,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Consistent with existing protocol and practices, for any negotiated settlement of a claim against the state for the department that exceeds \$5,000,000, the department, in conjunction with the attorney general and the department of enterprise services, shall notify the director of the office of financial management and the transportation committees of the legislature.

(2) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the Washington state ferry system to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; (c) defense costs associated with those claims and settlements; and (d) information on the impacts of moving legal costs associated with the Washington state ferry system into the statewide self-insurance pool.

(3) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.

(4) When the department identifies significant legal issues that have potential transportation budget implications, the department must initiate a briefing for appropriate legislative members or staff through the office of the attorney general and its legislative briefing protocol.

**Sec. 221.** 2023 c 472 s 221 (uncodified) is amended to read as follows:

<b>FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V</b>	
Carbon Emissions Reduction Account—State	
Appropriation. . . . .	<del>(\$500,000)</del>
	<u>\$10,500,000</u>
Climate Transit Programs Account—State	
Appropriation. . . . .	<del>(\$406,287,000)</del>
	<u>\$410,545,000</u>
State Vehicle Parking Account—State	
Appropriation. . . . .	\$784,000
Regional Mobility Grant Program Account— State	
Appropriation. . . . .	<del>(\$115,060,000)</del>
	<u>\$126,275,000</u>
Rural Mobility Grant Program Account—State	
Appropriation. . . . .	<del>(\$32,774,000)</del>
	<u>\$33,077,000</u>
Multimodal Transportation Account—State	
Appropriation. . . . .	<del>(\$118,255,000)</del>
	<u>\$125,737,000</u>
Multimodal Transportation Account—Federal	
Appropriation. . . . .	\$4,374,000
Multimodal Transportation Account—Private/ Local	
Appropriation. . . . .	\$100,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b><del>(\$678,134,000)</del></b>
	<b><u>\$711,392,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$64,354,000)~~ \$64,906,000 of the multimodal transportation account—state appropriation and ~~(\$78,100,000)~~ \$78,325,000 of the climate transit programs account—state appropriation are provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$14,420,000 of the multimodal transportation account—state appropriation and \$17,963,000 of the climate transit programs account—state appropriation are provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$48,278,000 of the multimodal transportation account—state appropriation and \$60,137,000 of the climate transit programs account—state appropriation are provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2021 as reported in the "2021 Summary of Public Transportation" published by the department of transportation. No transit agency may receive more than 30 percent of these distributions. Fuel type may not be a factor in the grant selection process.

(c) (~~(\$1,656,000)~~) \$2,208,000 of the multimodal transportation account—state appropriation (~~(is)~~) and \$225,000 of the climate transit programs account—state appropriation are provided solely for the reappropriation of amounts provided for this purpose in the 2021-2023 fiscal biennium.

(2) (~~(\$32,774,000)~~) \$33,077,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel type may not be a factor in the grant selection process.

(3) (~~(\$11,382,000)~~) \$11,598,000 of the multimodal transportation account—state appropriation is provided solely for a public transit rideshare grant program for: (a) Public transit agencies to add or replace rideshare vehicles; and (b) incentives and outreach to increase rideshare use. The grant program for public transit agencies may cover capital costs only, and costs for operating vanpools at public transit agencies are not eligible for funding under this grant program. Awards from the grant program must not be used to supplant transit funds currently funding ride share programs, or to hire additional employees. Fuel type may not be a factor in the grant selection process. Of the amounts provided in this subsection, (~~(\$1,092,000)~~) \$1,308,000 is for the reappropriation of amounts provided for this purpose in the 2021-2023 fiscal biennium.

(4) (~~(\$37,382,000)~~) \$48,597,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024, Program - Public Transportation Program (V).

(5) (a) \$77,679,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2023, and December 15, 2024, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be

completed on schedule. A grantee may not receive more than 25 percent of the amount appropriated in this subsection unless all other funding is awarded. Additionally, when allocating funding for the 2023-2025 fiscal biennium, no more than 30 percent of the total grant program may directly benefit or support one grantee unless all other funding is awarded. Fuel type may not be a factor in the grant selection process.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2023-2025 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(c) \$1,500,000 of the amount appropriated in this subsection is provided solely for a contingency fund to assist current regional mobility grantees with cost escalations and overages. The department shall create a system for grantees to request funds, and set a cap of contingency funds per grantee to ensure an equitable distribution among requesters.

(d) During the 2023-2025 fiscal biennium, the department shall consider applications submitted by regional transportation planning organizations and metropolitan planning organizations for the regional mobility grant program funding in the 2025-2027 fiscal biennium.

(6) \$6,195,000 of the multimodal transportation account—state appropriation, \$3,300,000 of the climate transit programs account—state appropriation, and \$784,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Fuel type may not be a factor in the grant selection process. Of this amount, \$495,000 of the multimodal transportation account—state appropriation is reappropriated and provided solely for continuation of previously approved projects under the first mile/last mile connections grant program.

(7) (~~(\$11,914,000)~~) \$16,318,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024. It is the intent of the legislature that entities identified to receive funding in the LEAP transportation document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed

a project in the LEAP transportation document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(8) The department shall not require more than a 10 percent match from nonprofit transportation providers for state grants.

(9) ~~\$12,000,000~~ of the multimodal transportation account—state appropriation and ~~\$39,400,000~~ of the climate transit programs account—state appropriation are provided solely for the green transportation capital projects identified in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed (~~April 21, 2023~~)February 20, 2024, Program - Public Transportation Program (V). Of the amount of climate transit program account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(10) (~~(\$4,407,000)~~)\$5,950,000 of the multimodal transportation account—state appropriation (~~is~~) and \$1,249,000 of the climate transit programs account—state appropriation are reappropriated and provided solely for the green transportation capital grant projects identified in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed (~~April 21, 2023~~)February 20, 2024, Program - Public Transportation Program (V).

(11) (~~(\$10,000,000)~~)\$10,167,000 of the climate transit programs account—state appropriation is provided solely for tribal transit grants. Up to one percent of the amount provided in this subsection may be used for program administration and staffing.

(a) The department must establish a tribal transit competitive grant program (~~to be administered as part of the department's consolidated grant program~~). Grants to federally recognized tribes may be for any transit purpose, including planning, operating costs, maintenance, and capital costs. The department shall report to the transportation committees of the legislature and the office of financial management with a list of projects recommended for funding by September 1, ((2023))2024, along with recommendations on how to remove barriers for tribes to access grant funds, including removal of grant match requirements, and recommendations for how the department can provide technical assistance.

(b) Within the amount provided in this subsection, (~~(\$5,038,000)~~)\$10,167,000 is provided solely for move ahead Washington tribal transit grant projects as listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed (~~April 21, 2023~~)February 20, 2024. Of this amount, \$529,000 is for the Sauk-Suiattle Commuter project (L1000318).

(12) (~~(\$188,900,000)~~)\$188,930,000 of the climate transit programs account—state appropriation is provided solely for transit support grants for public transit agencies that have adopted a zero-fare policy for youth 18 years of age and under by October 1, 2022. The department must confirm zero-fare policies are in effect at transit

agencies to be eligible for biennial distributions.

(13) \$38,000,000 of the climate transit programs account—state appropriation is provided solely for the bus and bus facility grant program for replacement, rehabilitation, and purchase of transit rolling stock, or construction, modification, or rehabilitation of transit facilities.

(14) \$2,000,000 of the climate transit programs account—state appropriation is provided solely for newly selected transit coordination grants. The department shall prioritize grant proposals that promote the formation of joint partnerships between transit agencies or merge service delivery across entities.

(15) \$46,587,000 of the climate transit programs account—state appropriation is provided solely for move ahead Washington transit projects as listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed (~~April 21, 2023~~)February 20, 2024, Move Ahead WA - Transit Projects.

(a) For projects funded as part of this subsection, if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used within the 2023-2025 fiscal biennium to advance one or more of the projects listed, prioritizing projects first by tier then by project readiness.

(b) In instances when projects listed in the LEAP transportation document referenced in this subsection (15) are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations on certain funds provided. In the event that the listed project has been completed, the local jurisdictions may, rather than submitting an alternative project, be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(c) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(16) (~~(\$580,000)~~)\$702,000 of the multimodal transportation account—state appropriation is provided solely for the department to provide a statewide vanpool benefit for all state employees. For department employees working in remote job sites, such as mountain passes, the department must ensure employees are able to access job sites via a subsidized vanpool or provide a modal alternative for the "last mile" to ensure employees can access the job site without additional charge.

(17) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to update the 2019 feasibility study to add a fifth travel Washington intercity bus line in the Yakima Valley. The department must provide a summary report of the updated feasibility and cost estimates to the transportation committees of the legislature by December 1, 2024.

~~((19))~~ (18) \$555,000 of the multimodal transportation account—state appropriation and \$500,000 of the carbon emissions reduction account—state appropriation are provided solely for an interagency transfer to the Washington State University extension energy program to administer a technical assistance and education program for public agencies on the use of alternative fuel vehicles. The Washington State University extension energy program shall prepare a report regarding the utilization of the program and submit this report to the transportation committees of the legislature by November 15, 2023.

~~((20))~~ (19) (a) \$400,000 of the multimodal transportation account—state appropriation is provided solely for King county metro to develop a pilot program to place teams, including human services personnel, along routes that are enduring significant public safety issues and various disruptive behavior in south King county. The team would be available to deescalate disruptions, provide immediate access to transit resources, and refer customers to community resources to break cycles of inappropriate behavior. The teams must consist of individuals trained in deescalation and outreach. Team functions and duties should be cocreated with community stakeholders.

(b) King county metro must provide a report to the transportation committees of the legislature by June 30, 2024, regarding the effectiveness of the program, any suggestions for improving its efficacy, and any modifications that might be necessary for other transit providers to institute similar programs.

~~((21))~~ (20) \$500,000 of the multimodal transportation account—state appropriation is provided solely for planning to move Grays Harbor transit operation and administration facilities from the current location.

(21) As part of the department's 2025-2027 biennial budget request, the department must submit budget materials for the public transportation division separated into operating and capital budgeted programs.

(22) Beginning January 1, 2025, \$2,000,000 of the carbon emissions reduction account—state appropriation is provided solely for new transit coordination grants, prioritizing projects that coordinate transit service to and from Washington state ferry terminals. Program eligibility must be expanded to include proposals from transit agencies in counties with fewer than 700,000 that coordinate service to and from Washington state ferry terminals.

(23) Beginning January 1, 2025, \$1,200,000 of the carbon emissions reduction

account—state appropriation is provided solely for the department to continue research on level of and access to transit service. The department shall define levels and types of demand-response service and measure access to these services within the state. The department shall also collect data and develop systems to achieve more accurate and precise analysis of disparities in access to transit service focusing on accessibility and inclusion of people with disabilities, vulnerable populations in overburdened communities, and other underserved communities. The department must also establish a financial model to fund transit at a statewide standard that is calibrated for geography, population density, and financial constraints of the existing transit agencies across the state. The department shall submit a report to the transportation committees of the legislature and the office of financial management by June 30, 2025.

(24) Beginning January 1, 2025, \$6,800,000 of the carbon emissions reduction account—state appropriation is provided solely for the following projects identified in LEAP Transportation Document 2024-2 ALL PROJECTS as developed February 20, 2024:

(a) Base Refurbish & Expansion for Growth/Columbia County Public Transportation (L4000182);

(b) Kitsap Transit: Design & Shore Power (G2000115); and

(c) Pierce Transit - Meridian (L2021197).

**Sec. 222.** 2023 c 472 s 222 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**

Puget Sound Ferry Operations Account—State	Appropriation. . . . .	<del>((575,986,000))</del>
		\$573,666,000
Puget Sound Ferry Operations Account—Federal	Appropriation. . . . .	<del>((163,791,000))</del>
		\$198,650,000
Puget Sound Ferry Operations Account—Private/Local	Appropriation. . . . .	\$121,000
	<b>TOTAL APPROPRIATION. ....</b>	<del>((739,898,000))</del>
		\$772,437,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2023-2025 supplemental and 2025-2027 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs. The data in the tables in the report must be supplied in a digital file format.

(2) ~~((90,014,000))~~ \$97,060,000 of the Puget Sound ferry operations account—federal appropriation and ~~((50,067,000))~~ \$51,450,000 of the Puget Sound ferry operations account—state appropriation are provided solely for

auto ferry vessel operating fuel in the 2023-2025 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703 (~~of this act~~), chapter 472, Laws of 2023. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall review future use of alternative fuels and dual fuel configurations, including hydrogen.

(3) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(4) The department must work to increase its outreach and recruitment of populations underrepresented in maritime careers and continue working to expand apprenticeship and internship programs, with an emphasis on programs that are shown to improve recruitment for positions with the state ferry system.

(5) \$175,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to continue a study of passenger demographics. The study may be included as part of a larger origin and destination study. The department shall report study results to the transportation committees of the legislature by December 1, 2023. Following completion of the study, the department must compare study results to the composition of groups outlined in RCW 47.60.310, both by overall representation of ferry riders and by route. A summary is due to the office of the governor and transportation committees of the legislature by December 1, 2024.

(6) The department shall continue to oversee a consultant study to identify and recommend cost-effective strategies to maximize walk-on passenger ridership of the Anacortes - San Juan ferry routes. The study is due to the transportation committees of the legislature by December 1, 2023. By December 1, 2024, any feasible near to medium term solutions identified from the study must be reported to the office of the governor and transportation committees of the legislature and include cost estimates for implementation.

(7) ~~(\$11,842,000)~~ \$15,985,000 of the Puget Sound ferry operations account—state appropriation is provided solely for Washington state ferries to:

(a) Provide scholarships, coursework fees, and stipends for candidates to become licensed deck officers (mates);

(b) Improve the process for unlicensed candidates who have achieved able-bodied sailor (AB) status to earn their mate's license;

(c) Annually hire, orient, train, and develop entry level engine room staff at the wiper classification with the intention of successfully promoting to oiler classification;

(d) Create an operations project management office; ~~((and))~~

(e) Increase human resources capacity and add a workforce ombuds; and

(f) Hire additional dispatch staff.

~~(8) \$988,000 of the Puget Sound ferry operations account—state appropriation is provided solely for expansion of the wiper to oiler program to develop engine room workforce.~~

~~(9) \$169,000 of the Puget Sound ferry operations account—state appropriation is provided solely for hiring an additional service planner.~~

~~(10)(a) During negotiations of the 2025-2027 collective bargaining agreements, the department must conduct a review and analysis of the collective bargaining agreements governing state ferry employees, to identify provisions that create barriers for, or contribute to creating a disparate impact on, newly hired ferry employees, including those who are women, people of color, veterans, and other employees belonging to communities that have historically been underrepresented in the workforce. The review and analysis must incorporate, to the extent practicable, the findings and recommendations from the December 2022 joint transportation committee study on Washington state ferries' workforce, and must also include, but not be limited to, provisions regarding seniority, work assignments, and work shifts. The review and analysis must also include consultation with the governor's office of labor relations, the governor's office of equity, and the attorney general's office.~~

(b) For future negotiations or modifications of the collective bargaining agreements, it is the intent of the legislature that the collective bargaining representatives for the state and ferry employee organizations may consider the findings of the review and analysis required in (a) of this subsection and negotiate in a manner to remove identified barriers and address identified impacts so as not to perpetuate negative impacts.

~~((9) \$1,500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the restoration of service to Sidney, British Columbia. Funds must be held in unallotted status pending completion of the assessment referenced in subsection (12) of this section.~~

~~((10))~~ (11) \$1,504,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the implementation of chapter 188, Laws of 2023 (state ferry workforce development issues). If chapter 188, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((11) \$1,000,000)~~ (12) \$5,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for support of the Kitsap transit passenger ferry to supplement service on the Seattle-Bremerton route.

~~((12))~~ (13) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely to assess temporary service restoration options for the Sidney, British Columbia route until Washington state ferries can resume its service. Washington state ferries must provide

service options and recommendations to the office of financial management and the transportation committees of the legislature by December 15, 2023.

~~((13) \$2,100,000))~~ (14) \$2,549,000 of the Puget Sound ferry operations account—state appropriation is provided solely for security services at Colman Dock.

~~((14) \$9,000,000))~~ (15) \$13,856,000 of the Puget Sound ferry operations account—state appropriation is provided solely for overtime and familiarization expenses incurred by engine, deck, and terminal staff. The department must provide updated staffing cost estimates for fiscal years 2024 and 2025 with its annual budget submittal and updated estimates by January 1, 2024.

~~((15))~~ (16) \$1,064,000 of the Puget Sound ferry operations account—state appropriation is provided solely for traffic control at ferry terminals at Seattle, Fauntleroy, Kingston, Edmonds, Mukilteo, and Bainbridge Island, during peak ferry travel times, with a particular focus on Sundays and holiday weekends.

~~((16))~~ (17) \$93,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the Washington state ferries to secure housing for workforce training sessions and to pay in advance for the costs of transportation worker identification credentials, merchant mariner credentials, and medical examinations for incoming ferry system employees and trainees.

~~((17))~~ (18) \$10,417,000 of the Puget Sound ferry operations account—state appropriation is provided solely for vessel maintenance initiatives to:

(a) Add a second shift at the Eagle Harbor maintenance facility;

(b) Establish maintenance management project controls to maximize vessel maintenance work at the Eagle Harbor facility;

(c) Expand the existing Washington state ferries Eagle Harbor apprenticeship program from two to eight apprentices; and

(d) Maintain assets in a state of good repair by investing in enterprise asset management operating capacity.

~~((18))~~ (19) (a) \$855,000 of the Puget Sound ferry operations account—state appropriation is provided solely for Washington state ferries to provide to Seattle Central Community College for a pilot with the Seattle Maritime Academy for the 2023-2025 fiscal biennium. Funding may not be expended until Washington state ferries certifies to the office of financial management that a memorandum of agreement with Seattle Central Community College has been executed, and the office of financial management determines that funds provided in this subsection are utilized for programs that are a benefit to the Washington state ferries or the prospective workforce pipeline of the Washington state ferries. The memorandum of agreement with Seattle Central Community College must address:

(i) Prioritized use of training and other facilities and implementation of joint training opportunities for Washington state ferries' employees and trainees;

(ii) Development of a joint recruitment plan with Seattle Central Community College aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, including maritime skills center students, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(iii) Consultation between the parties on the development of the training program, recruitment plan and operational plan, with an emphasis on increasing enrollment of women and people of color.

(b) The joint training and recruitment plan must be submitted to the appropriate policy and fiscal committees of the legislature by December 1, 2023. The Washington state ferries must submit findings of program effectiveness and recommendations for continuation of the pilot, to the appropriate committees of the legislature by December 1, 2024.

~~((19))~~ (20) \$420,000 of the Puget Sound ferry operations account appropriation—state is provided solely for a contract with an organization with experience evaluating and developing recommendations for the Washington state ferries' workforce to provide expertise on short-term strategies including, but not limited to, addressing recruitment, retention, diversity, training needs, leadership development, and succession planning. The consultant shall provide additional assistance as deemed necessary by the Washington state ferries to implement recommendations from the joint transportation committee 2022 workforce study. Periodic updates must be given to the joint transportation committee and the governor.

~~((20))~~ (21) By December 31st of each year, as part of the annual ferries division performance report, the department must report on the status of efforts to increase the staff available for maintaining the customary level of ferry service, including staff for deck, engine, and terminals. The report must include data for a 12-month period up to the most recent data available, by staff group, showing the number of employees at the beginning of the 12-month period, the number of new employees hired, the number of employees separating from service, and the number of employees at the end of the 12-month period. The department report on additional performance measures must include:

(a) Numbers of trip cancellations due to crew availability or vessel mechanical issues; ~~(and)~~

(b) Current level of service compared to the full-service schedules in effect in 2019; and

(c) Retention rates of employees who have completed on the job workforce development programs and overall employee retention rates.

(22) \$10,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to increase deck and engine positions across the system, prioritizing positions that will

mitigate crew related cancellations and reduce overtime expenditures. The department must include an update on the number of positions hired by job class as part of the annual performance report. The legislature intends to provide \$16,000,000 on an ongoing basis to support additional crew efforts.

(23) (a) \$600,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to evaluate the feasibility of passenger-only ferry service to support existing ferry service routes in the San Juan Islands. The department must contract with a third-party entity to:

(i) Prioritize evaluating options and provide recommendations for a San Juan county interisland passenger-only ferry to include, but not be limited to, an analysis of estimated ridership, availability of passenger-only vessels that align with existing ferry terminals or nearby dock facilities, options and cost estimates for purchasing or leasing a ferry vessel, options for contracting with an existing passenger-only ferry service, and operating costs including labor and fuel; and

(ii) Evaluate governance structures for any viable passenger-only ferry routes and recommend entities or organizations best suited to deliver services. The analysis must include a cost-benefit analysis of public versus private operators for viable routes, and public engagement for identified areas, including the San Juan county council.

(b) A progress report is due to the governor and transportation committees of the legislature by December 31, 2024. A final report is due to the office of the governor and transportation committees of the legislature by June 30, 2025.

(24) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to reimburse walk-on customers for emergency expenses incurred as a result of a cancellation of the last sailing of the day. In consideration for receiving the reimbursement, an applicant must sign a release of claims drafted by the department. The department shall create a process for reimbursement and set a per diem limit for reimbursement per individual.

(25) \$2,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the temporary extension, due to extraordinary circumstances, of multiuse passes from 90 days to 120 days through June 30, 2025.

(26) \$3,170,000 of the Puget Sound ferry operations account—state appropriation is provided solely for temporary expanded weekday midday King county water taxi service support to and from Vashon Island.

**Sec. 223.** 2023 c 472 s 223 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING**  
Carbon Emissions Reduction Account—State  
Appropriation. . . . . \$2,250,000  
Multimodal Transportation Account—State  
Appropriation. . . . . ((\$90,565,000))

	\$85,842,000
<u>Multimodal Transportation Account—Federal</u>	
Appropriation. . . . .	\$13,122,000
Multimodal Transportation Account—Private/Local	
Appropriation. . . . .	\$46,000
<u>Transportation Infrastructure Account—State</u>	
Appropriation. . . . .	\$2,000,000
<b>TOTAL APPROPRIATION.....</b>	<b>(\$92,861,000)</b>
	<b>\$103,260,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall continue to pursue restoring Amtrak Cascades service to pre-COVID service levels, and to the service levels committed to through the department's obligation of funding from the federal American recovery and reinvestment act. A status report must be provided to the transportation committees of the legislature and the office of financial management by September 1, 2023.

(2) (a) \$2,250,000 of the multimodal transportation account—state appropriation is provided solely for the continued coordination, engagement, and planning for a new ultra high-speed ground transportation corridor with participation from Washington state, Oregon state, and British Columbia, and is a reappropriation of funds appropriated in the 2021-2023 fiscal biennium. For purposes of this subsection, "ultra high-speed" means a maximum testing speed of at least 250 miles per hour. These efforts are to support and advance activities and must abide by the memorandum of understanding signed by the governors of Washington and Oregon states, and the premier of the province of British Columbia in November 2021. The department shall establish a policy committee with participation from Washington state, Oregon state, and British Columbia, including representation from the two largest caucuses of each chamber of the Washington state legislature, and coordinate the activities of the policy committee to include:

(i) Developing an organizational framework that facilitates input in decision-making from all parties;

(ii) Developing a public engagement approach with a focus on equity, inclusion, and meaningful engagement with communities, businesses, federal, state, provincial, and local governments including indigenous communities;

(iii) Developing and leading a collaborative approach to prepare and apply for potential future federal, state, and provincial funding opportunities, including development of strategies for incorporating private sector participation and private sector contributions to funding, including through the possible use of public-private partnerships;

(iv) Beginning work on scenario analysis addressing advanced transportation technologies, land use and growth assumptions, and an agreed to and defined corridor vision statement; and

(v) Developing a recommendation on the structure and membership of a formal coordinating entity that will be responsible for advancing the project through the

project initiation stage to project development and recommended next steps for establishment of the coordinating entity. Project development processes must include consideration of negative and positive impacts on communities of color, low-income households, indigenous peoples, and other disadvantaged communities.

(b) By June 30, 2024, the department shall provide to the governor and the transportation committees of the legislature a high-level status update that includes, but is not limited to, the status of the items included in (a)(i) through (v) of this subsection.

(c) By June 30, 2025, the department shall provide to the governor and the transportation committees of the legislature a report detailing the work conducted by the policy committee and recommendations for establishing a coordinating entity. The report must also include an assessment of current activities and results relating to stakeholder engagement, planning, and any federal funding application. As applicable, the assessment should also be sent to the executive and legislative branches of government in Oregon state and appropriate government bodies in the province of British Columbia.

~~((+4))~~ (3) \$1,800,000 of the multimodal transportation account—state appropriation ~~(+)~~ and \$12,000,000 of the multimodal transportation account—federal appropriation are provided solely for the department ~~((to pursue federal grant opportunities))~~ to develop and implement a technology-based truck parking availability system along the Interstate 5 Corridor in partnership with Oregon state and California state to maximize utilization of existing truck parking capacity and deliver real-time parking availability information to truck drivers. The department may use a portion of the appropriation in this subsection for grant proposal development and as state match funding for technology-based truck parking availability system federal grant applications. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.

~~((+5) — \$5,950,000)~~ (4) (a) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for ~~((implementation of truck parking improvements recommended by the freight mobility strategic investment board in consultation with the department under section 206(4) of this act. The office of financial management must place this amount in unallotted status))~~ the design on the I-5 Fort Lewis weigh station and SR 906 Phase 3 truck parking improvements.

(b) The legislature intends to provide \$4,950,000 in the 2025-2027 fiscal biennium for additional truck parking improvements. As part of the department's 2025-2027 budget submittal, the department and the freight mobility strategic investment board, after consulting with appropriate entities, must provide a list of specific truck parking solutions within the amounts provided in

this subsection (4)(b). The list may also include additional funding recommendations beyond this amount for more immediate expansion of truck parking capacity.

(5) Consistent with the ongoing planning and service improvement for the intercity passenger rail program, \$335,000 of the multimodal transportation account—federal appropriation is provided solely for the Cascades service development plan, to be used to analyze current and future market conditions and to develop a structured assessment of service options and goals based on anticipated demand and the results of the state and federally required 2019 state rail plan, including identifying implementation alternatives to meet the future service goals for the Amtrak Cascades route. The work must be consistent with federal railroad administration guidance and direction on developing service development plans.

(6) The department shall continue to provide high quality intercity passenger rail service, align planning efforts for continued growth and on-time performance improvements consistent with federally recognized corridor development programs, and implement improvements consistent with planning efforts through leveraging federal funding opportunities. New passenger rail equipment is essential to service enhancements. The department shall make every effort to coordinate with service partners to prepare for the arrival of new trainsets and implementation of service enhancements. A status report must be provided to the transportation committees of the legislature and the office of financial management by December 1, 2024.

(7) \$500,000 of the multimodal transportation account—federal appropriation is provided solely for the Cascades corridor planning as part of the corridor identification and development program, in coordination with the Oregon state department of transportation. The department must continue to pursue funding opportunities for the Cascades corridor though the corridor identification and development program and the federal-state partnership programs at the federal rail administration. The department must notify the office of the governor and the transportation committees of the legislature of funding opportunities from the programs and any corresponding state match needs.

(8) \$2,000,000 of the transportation infrastructure account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 6302), Laws of 2024 (supply chain competitiveness infrastructure program). Of the amount provided in this subsection, \$1,000,000 of the transportation infrastructure account—state appropriation must be held in unallotted status pending completion of the stakeholder process and establishment of the grant and loan programs. If chapter . . . , (Substitute Senate Bill No. 6302), Laws of 2024 is not enacted by June 30, 2024, the amount in this subsection lapses.

(9) \$500,000 of the multimodal transportation account—state appropriation



is provided solely for the department to coordinate with partners on Amtrak long distance rail service.

**Sec. 224.** 2023 c 472 s 224 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING**

Carbon Emissions Reduction Account—State	
Appropriation. . . . .	\$275,000
Motor Vehicle Account—State Appropriation.	
(((\$13,569,000))	
	\$14,129,000
Motor Vehicle Account—Federal Appropriation	
. . . . .	\$2,567,000
Multiuse Roadway Safety Account—State	
Appropriation. . . . .	\$1,230,000
Multimodal Transportation Account—State	
Appropriation. . . . . (((\$1,450,000))	
	\$1,500,000
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$18,816,000))</b>
	<b>\$19,701,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$500,000 of the motor vehicle account—state appropriation is provided solely for development, administration, program management, and evaluation of the federal fund exchange pilot program.

(2) \$1,063,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to:

(a) Contract with the department of fish and wildlife to identify, inventory, and prioritize county-owned fish passage barriers;

(b) Continue streamlining and updating the county road administration board's data dashboard, to provide a more detailed, more transparent, and user-friendly platform for data management, reporting, and research by the public and other interested parties;

(c) Commission a study to develop guidance for county public works departments conducting environmental justice assessments in their communities and recommend best practices for community engagement plans to address environmental health disparities for identified overburdened communities;

(d) Contract for a study to identify best practices within public works for the recruitment and retention of employees, including: Recommendations for improving outreach and recruitment to underrepresented populations, methods to partner with local community colleges and universities, methods to expand apprenticeship and internship programs, strategies to increase training and development opportunities, and recommendations for career advancement programs and better work-life balance outcomes;

(e) Update the 2020 county transportation revenue study; and

(f) By December 15, 2024, report to the office of financial management and the appropriate committees of the legislature the deliverables from and the amounts

expended on the purposes enumerated in this subsection.

~~((45))~~(4) (a) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to develop the preliminary phase of an action plan for the establishment of cycle highways in locations that connect population centers and support mode shift.

(b) The action plan may complement and incorporate existing resources, including the state trails database maintained by the recreation and conservation office, local and regional plans, and the state active transportation plan.

(c) The action plan may also include, but is not limited to:

(i) Recommended design; geometric and operational criteria and typologies appropriate to urban, suburban, and rural settings; settings that include shared use; and incremental approaches to achieve desired facility types;

(ii) A model or methodology to project potential demand and carrying capacity based on facility quality, level of traffic stress, location, directness, land use, and other key attributes;

(iii) Examination of the feasibility of developing high-capacity infrastructure for bicycle and micromobility device use within a variety of contexts and recommendations for pilot projects;

(iv) Identification of key gaps in regional networks, including planned and aspirational routes and locations within three miles of high-capacity transit or existing shared-use paths and trails suitable for transportation;

(v) Identification of legal, regulatory, financial, collaboration, and practical barriers to development and community acceptance and support of such facilities; and

(vi) Recommended strategies to consider and address issues to avoid unintended consequences such as displacement, and to ensure equity in long-term development of such facilities.

(d) The department must provide a report with its initial findings, and recommendations for next steps, to the transportation committees of the legislature by June 30, 2025.

~~((46))~~ \$140,000 of the motor vehicle account—state appropriation is provided solely for the Pierce county ferry to eliminate fares for passengers 18 years of age and younger.

~~(7))~~(5) \$750,000 of the multimodal transportation account—state appropriation is provided solely for a grant program to support local initiatives that expand or establish civilian intervention programs for nonmoving violations, focusing on nonpunitive interventions such as helmet voucher programs, fee offset programs, fix-it tickets, and repair vouchers that provide solutions for vehicle equipment failures for low-income road users.

(a) Grants must be awarded to local jurisdictions based on locally developed proposals to establish or expand existing programs, including programs with community led organizations. Eligible jurisdictions

under the grant program include cities, counties, tribal government entities, tribal organizations, law enforcement agencies, or nonprofit organizations.

(b) The department shall report on its website by December 1st of each year on the recipients, locations, and types of projects funded under this subsection.

~~((+))~~ (6) \$146,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 428, Laws of 2023 (Wahkiakum ferry). If chapter 428, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(7) (a) \$50,000 of the multimodal transportation account—state appropriation is provided solely for the department to examine the feasibility of creating a new budget program for the active transportation division, including, but not limited to, examining:

(i) Estimated cost, new staffing needs, and time frame to establish the program;

(ii) A proposed budget structure, and whether both operating and capital components should be established; and

(iii) Identification of staff, capital projects, and other resources that would need to be transferred from other existing programs.

(b) By December 1, 2024, the department shall report examination findings and recommendations to the office of financial management and the transportation committees of the legislature.

(8) Beginning January 1, 2025, \$275,000 of the carbon emissions reduction account—state appropriation is provided solely to support Pierce, Skagit, Whatcom, and Wahkiakum county ferries with youth zero-fare policies.

(End of part)

**TRANSPORTATION AGENCIES—CAPITAL**

**Sec. 301.** 2023 c 472 s 301 (unmodified) is amended to read as follows:  
**FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account—State Appropriation. . . . . ~~((7,700,000))~~  
\$7,800,000

The appropriation in this section is subject to the following conditions and limitations:

(1) ~~((7,700,000))~~ \$7,800,000 of the state patrol highway account—state appropriation is provided solely for the following projects:

(a) \$250,000 is for emergency repairs;

(b) \$2,000,000 is for roof replacements;

(c) \$350,000 is for fuel tank decommissioning;

(d) \$500,000 is for generator and electrical replacement;

(e) \$500,000 is for the exterior envelope of the Yakima office;

(f) \$2,000,000 is for energy efficiency projects;

(g) \$1,000,000 is for pavement surface improvements;

(h) \$300,000 is for fire alarm panel replacement;

(i) \$100,000 is for repairs at the Bellevue district office;

(j) \$200,000 is for an academy master plan. As part of the academy master plan, the Washington state patrol must review and provide an analysis on the potential to colocate some training programs with other state agencies, including the department of corrections, the department fish and wildlife, the liquor and cannabis board, and the criminal justice training commission. The Washington state patrol must consult with the other state agencies to determine where cost efficiencies and mutually beneficial shared arrangements for training delivery could occur. The funding for this academy master plan is not a commitment to fund any components related to the expansion of the academy in the future;

~~((+))~~ (k) \$500,000 reappropriation is for the Tacoma district office generator replacement project; and

~~((+))~~ (l) \$100,000 reappropriation is for the energy improvement project at the SeaTac northbound facility.

(2) The Washington state patrol may transfer funds between projects specified in subsection (1) of this section to address cash flow requirements.

(3) If a project specified in subsection (1) of this section is completed for less than the amount provided, the remainder may be transferred to another project specified in subsection (1) of this section not to exceed the total appropriation provided in subsection (1) of this section after notifying the office of financial management and the transportation committees of the legislature 20 days before any transfer.

(4) By December 1, 2023, the Washington state patrol shall provide a report to the transportation committees of the legislature detailing utility incentives that will reduce the cost of heating, ventilating, and air conditioning systems funded in this section.

(5) By December 1, 2023, the Washington state patrol shall provide its capital improvement and preservation plan for agency facilities to the appropriate committees of the legislature.

**Sec. 302.** 2023 c 472 s 302 (unmodified) is amended to read as follows:  
**FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Move Ahead WA Account—State Appropriation. \$9,333,000

Rural Arterial Trust Account—State Appropriation. . . . . ~~((58,000,000))~~  
\$62,487,000

Motor Vehicle Account—State Appropriation. \$2,456,000

County Arterial Preservation Account—State Appropriation. . . . . \$35,500,000

TOTAL APPROPRIATION. . . . . ~~((105,289,000))~~  
\$109,776,000

**Sec. 303.** 2023 c 472 s 304 (unmodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF TRANSPORTATION—**

**FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

Connecting Washington Account—State Appropriation. . . . . \$3,000

Motor Vehicle Account—State Appropriation.	
(( <del>\$29,173,000</del> ))	
	\$29,810,000
Move Ahead WA Account—State Appropriation.	
\$12,011,000	
Multimodal Transportation Account—State	
Appropriation. . . . .	\$1,200,000
TOTAL APPROPRIATION. . . . .	(( <del>\$42,384,000</del> ))
	<u>\$43,024,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,025,000 of the motor vehicle account—state appropriation is provided solely for payments of a financing contract issued pursuant to chapter 39.94 RCW for the department facility located at 15700 Dayton Ave N in Shoreline. All payments from the department of ecology pursuant to the agreement with the department to pay a share of the financing contract for this facility must be deposited into the motor vehicle account.

(2)(a) \$10,011,000 of the move ahead WA account—state appropriation is provided solely for the department to improve its ability to keep facility assets in a state of good repair. In using the funds appropriated in this subsection, the department, with periodic reporting to the joint transportation committee, must develop and implement a prioritization of facility capital preservation needs and repair projects. The legislature intends these to be reasonable, forward-thinking investments that consider potential future space efficiency measures and consolidations, including those assessed as having high commercial value and potential returns to state transportation funds associated with the sale of the property. Prioritization must be based on, but not limited to, the following criteria: (i) Employee safety and facility security; (ii) state and federal regulatory and statutory requirements and compliance issues, including clean buildings requirements; (iii) quality of work issues; (iv) facility condition assessment evaluations and scoring; (v) asset preservation; and (vi) amount of operational support provided by the facility to the achievement of the department's performance measures and outcomes, including facility utilization based on field operations work supported at the location. "Field operations" include maintenance, transportation operations, materials testing, and construction.

(b) By October 15, 2024, covering the first 15 months of the 2023-2025 fiscal biennium, the department must provide a report based on the prioritization of facility preservation needs and repair projects developed pursuant to (a) of this subsection to the office of financial management and the transportation committees of the legislature. The report must include: (i) A by facility ranking based on the criteria implemented; (ii) detailed information on the actions taken in the previous period to address the identified issues and deficiencies; and (iii) the plan, by facility, to address issues and deficiencies for the remainder of the

2023-2025 fiscal biennium and the 2025-2027 fiscal biennium.

(c) The by facility ranking developed under (b) of this subsection must be the basis of an agency budget submittal for the 2025-2027 fiscal biennium.

(3)(a) \$1,200,000 of the multimodal transportation account—state appropriation is provided solely for the department to evaluate safety rest areas along Interstate 5 and Interstate 90 for potential truck parking expansion opportunities. The department shall also evaluate commercial vehicle inspection locations, in coordination with the Washington state patrol, for potential truck parking expansion opportunities.

(b) These evaluations must include assessments of opportunities to provide additional truck parking through rest stop and inspection location reconfiguration, expansion, and conversion, as well as evaluation of potential improvements to restroom facilities at weigh stations with truck parking. The department shall consider opportunities to expand rest stop footprints onto additional department-owned property, as well as opportunities to acquire property for rest stop expansion. Opportunities to convert a rest stop to a commercial vehicle-only rest stop must be considered if property is available to develop a new light-duty vehicle rest stop within a reasonable distance. The department shall include an evaluation of a potential truck parking site at John Hill Rest Area along the Interstate 90 corridor identified in the joint transportation committee's "Truck Parking Action Plan." Evaluations must include cost estimates for reconfiguration, expansion, and conversion, as well as other recommendations for the development of these sites.

(c) The department should consult with the federal highway administration, the Washington state patrol, the Washington trucking association, the freight mobility strategic investment board, and local communities.

(d) The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.

(4) \$15,457,000 of the motor vehicle account—state appropriation is provided solely for making improvements to the department facility located at 11018 NE 51st Cir in Vancouver to meet the Washington state clean buildings performance standard.

(5)(a) \$4,100,000 of the move ahead WA account—state appropriation is provided solely for preliminary engineering and design associated with the demolition and replacement of the department's vehicle repair and parts building at 6431 Corson Avenue South in Seattle. The department must include any requested construction costs of the facility as a separate project as part of its agency budget submittal for the 2025-2027 fiscal biennium utilizing form C-100 for capital projects. The design information must also include detailed information on square footage, components of

the facility, and cost comparisons with similar maintenance facilities.

(b) By September 1, 2024, the office of financial management, in consultation with the department, must develop criteria for preservation and improvement minor works lists for the department's facilities program. The criteria must incorporate, adjusted where appropriate, provisions already in use in the omnibus capital budget act for minor works, including: (i) The dollar limitation for each project to be included in the list; (ii) the types of projects appropriate to be included in the list; (iii) the project length limitation appropriate to be included in the list; and (iv) a recommended initial allotment, revision request approval, and revision notification process associated with the list. The criteria must be the basis of the preservation and improvement minor works list included in the agency budget submittal beginning with the 2025-2027 fiscal biennium.

(c) By September 1, 2024, the office of financial management, in consultation with the department, must also develop criteria for providing building related capital requests in a comparable format, adjusted where appropriate, to provisions already in use in the omnibus capital appropriations act for building projects, including the C-100 capital request form and other detail requirements for omnibus capital appropriations act building submissions.

**Sec. 304.** 2023 c 472 s 305 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**

Alaskan Way Viaduct Replacement Project Account—	
State Appropriation. . . . .	\$23,794,000
Climate Active Transportation Account—State Appropriation. . . . .	\$2,000,000
Move Ahead WA Account—Private/Local Appropriation. . . . .	\$137,500,000
State Route Number 520 Civil Penalties Account—State Appropriation. . . . .	\$10,000,000
Transportation 2003 Account (Nickel Account)—State Appropriation. . . . .	(\$317,000)
	\$634,000
Transportation Partnership Account—State Appropriation. . . . .	(\$32,643,000)
	\$47,649,000
Motor Vehicle Account—State Appropriation. (\$80,524,000)	
	\$92,903,000
Motor Vehicle Account—Federal Appropriation . . . . .	(\$445,933,000)
	\$497,782,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation. . . . .	(\$300,000,000)
	\$337,144,000
Motor Vehicle Account—Private/Local Appropriation. . . . .	(\$52,530,000)
	\$74,115,000
Connecting Washington Account—State Appropriation. . . . .	(\$2,143,116,000)
	\$1,950,666,000

Special Category C Account—State Appropriation. . . . .	(\$133,749,000)
	\$143,917,000
Multimodal Transportation Account—State Appropriation. . . . .	(\$5,915,000)
	\$10,511,000
State Route Number 520 Corridor Account—State Appropriation. . . . .	(\$400,000)
	\$500,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation. (\$304,480,000)	
	\$325,464,000
Move Ahead WA Account—State Appropriation. (\$590,313,000)	
	\$737,961,000
Move Ahead WA Account—Federal Appropriation . . . . .	(\$340,300,000)
	\$373,155,000
JUDY Transportation Future Funding Program Account—State Appropriation. . . . .	\$52,000,000
Model Toxics Control Stormwater Account—State. . . . .	\$15,000,000
	(\$4,593,514,000)
	\$4,832,695,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2023-1))2024-1 as developed ((April 21, 2023))February 20, 2024, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 ((of this act)), chapter 472, Laws of 2023.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the

transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The connecting Washington account—state appropriation includes up to ~~((\$1,737,009,000))~~ \$1,350,479,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account—state appropriation includes up to \$118,773,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

(6) The transportation partnership account—state appropriation includes up to \$32,643,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(7) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an allotment modification, reductions in the amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this fiscal biennium;

(b) Allotment modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2023-2025 fiscal biennium in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ February 20, 2024;

(c) Allotment modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Connecting Washington account—state, and move ahead WA account—state; and

(d) The office of financial management must provide notice of allotment modifications authorized under this subsection within 10 working days to the transportation committees of the legislature. By December 1, 2023, and December 1, 2024, the department must submit a report to the transportation committees of the legislature regarding the actions taken to date under this subsection.

(8) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's annual budget submittal. It is the intent of the legislature that new

facility construction must be transparent and not appropriated within larger highway construction projects.

(9) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70A.205.700, the legislature reaffirms its determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

(10) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of their lease terms and consolidate the Lacey project engineering office and the Tumwater project engineering office into the department's Olympic regional headquarters.

(11) The legislature intends that any savings realized on the following projects will not be attributable to the application of practical design, retired risk, or unused contingency funding for the purposes of RCW 47.01.480:

(a) I-5/Marvin Road/SR 510 Interchange (L1100110); and

(b) I-82/EB WB On and Off Ramps (L2000123).

(12) (a) ~~((\$300,000,000))~~ \$337,114,000 of the coronavirus state fiscal recovery fund—federal appropriation, ~~((\$312,653,000))~~ \$110,439,000 of the motor vehicle account—federal appropriation, ~~((\$427,459,000))~~ \$576,827,000 of the move ahead WA account—state appropriation, and ~~((\$1,293,000))~~ \$8,329,000 of the motor vehicle account—state appropriation are provided solely for the Fish Passage Barrier Removal project (0BI4001) with the intent of fully complying with the federal *U.S. v. Washington* court injunction by 2030.

(b) The fish passage barrier removal program, in consultation with the office of innovative partnerships, shall explore opportunities to employ innovative delivery methods to ensure compliance with the court injunction including, but not limited to, public-private partnerships and batched contracts. It is the intent of the legislature that appropriations for this purpose may be used to jointly leverage state and local funds for match requirements in applying for competitive federal aid grants provided in the infrastructure investment and jobs act for removals of fish passage barriers under the national culvert removal, replacement, and restoration program. State funds used for the purpose described in this subsection must not compromise full compliance with the court injunction by 2030.

(c) The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach by replacing both state and local culverts guided by the principle of providing the

greatest fish habitat gain at the earliest time. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of other barriers, project readiness, culvert conditions, other transportation projects in the area, and transportation impacts. The department and Brian Abbott fish barrier removal board must provide updates on the implementation of the statewide culvert remediation plan to the legislature by November 1, 2023, and June 1, 2024.

(d) The department must keep track of, for each barrier removed: (i) The location; (ii) the amount of fish habitat gain; and (iii) the amount spent to comply with the injunction.

(e) During the 2023-2025 fiscal biennium, the department shall provide reports of the amounts of federal funding received for this project to the governor and transportation committees of the legislature by November 1, 2023, and semiannually thereafter.

(13) (a) (~~(\$6,000,000 of the move ahead WA account—state appropriation)~~) \$15,000,000 of the model toxics control stormwater account—state appropriation is provided solely for the Stormwater Retrofits and Improvements project (L4000040). It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide \$500,000,000 for this program.

(b) (~~(The appropriation in this subsection)~~) Of the amounts provided in this subsection, \$6,000,000 is provided solely for the Urban Stormwater Partnership - I-5 Ship-Canal Bridge Pilot (Seattle) project.

(c) The funding provided for stormwater retrofits and improvements must enhance stormwater runoff treatment from existing roads and infrastructure with an emphasis on green infrastructure retrofits. Projects must be prioritized based on benefits to salmon recovery and ecosystem health, reducing toxic pollution, addressing health disparities, and cost-effectiveness. The department of transportation must submit progress reports on its efforts to reduce the toxicity of stormwater runoff from existing infrastructure, recommendations for addressing barriers to innovative solutions, and anticipated demand for funding each fiscal biennium.

(14) (a) (~~(\$35,465,000)~~) \$25,067,000 of the connecting Washington account—state appropriation is provided solely for the SR 3 Freight Corridor (T30400R) project. The legislature intends to provide a total of \$78,910,000 for this project, including an increase of \$12,000,000 in future biennia to safeguard against inflation and supply/labor interruptions and ensure that:

(i) The northern terminus remains at Lake Flora Road and the southern terminus at the intersection of SR 3/SR 302;

(ii) Multimodal safety improvements at the southern terminus remain in the project to provide connections to North Mason school district and provide safe routes to schools; and

(iii) Intersections on the freight corridor are constructed at Romance Hill and Log Yard road.

(b) With respect to right-of-way acquisition and the construction of the SR 3 Freight Corridor project (T30400R), tribal consultation with the Suquamish tribe shall begin at the earliest stage of planning, including without limitation on all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe shall continue throughout the duration of any funding or program decisions and proposed project approval.

(15) \$6,000,000 of the move ahead WA account—state appropriation and \$10,000,000 of the move ahead WA account—federal appropriation are provided solely for the SR 3/Gorst Area - Widening project (L4000017). Tribal consultation with the Suquamish tribe must begin at the earliest stage of planning, including, without limitation, all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe must continue throughout the duration of any funding program and proposed project approval.

(16) (a) (~~(\$84,500,000)~~) \$94,500,000 of the move ahead WA account—federal appropriation, \$137,500,000 of the move ahead WA account—private/local appropriation, and (~~(\$53,000,000)~~) \$43,000,000 of the move ahead WA account—state appropriation are provided solely for the I-5 Columbia river bridge project (L4000054). The legislature finds that the replacement of the I-5 Columbia river bridge is a project of national significance and is critical for the

movement of freight. One span is now 105 years old, at risk for collapse in the event of a major earthquake, and no longer satisfies the needs of commerce and travel. Replacing the aging interstate bridge with a modern, seismically resilient, multimodal structure that provides improved mobility for people, goods, and services is a high priority. Therefore, the legislature intends to support the replacement of the I-5 Columbia river bridge with an investment of \$1,000,000 over the 16-year move ahead WA investment program.

(b) The legislature recognizes the importance of the I-5/Mill Plain Boulevard project (L2000099) and intends to provide funding for reconstruction of the existing interchange in coordination with construction of the Interstate 5 bridge over the Columbia river.

(c) The department shall provide regular updates on the status of ongoing coordination with the state of Oregon on any interstate agreements regarding sharing of revenues, use of revenues, and fiscal responsibilities of each state. Prior to finalizing any such agreement, the department shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the department shall advise on the status of any interstate agreements to the joint transportation committee beginning in September 2023 and quarterly thereafter until any agreements are finalized.

(17) The legislature recognizes the importance of the US-12/Walla Walla Corridor Improvements project (T20900R) and intends to advance funding to provide matching funds if competitive federal funding is awarded for the final remaining four-lane section between Wallula and Nine Mile Hill. The department, in consultation with local governments in the vicinity, must pursue any federal funding available.

(18) \$2,642,000 of the move ahead WA account—state appropriation is provided solely for the US 101/Simdars Bypass project (L4000013).

(19) ~~(\$570,842,000)~~ \$338,512,000 of the connecting Washington account—state appropriation, ~~(\$155,000)~~ \$3,109,000 of the multimodal transportation account—state appropriation, ~~(\$26,537,000)~~ \$27,201,000 of the motor vehicle account—private/local appropriation, ~~(\$200,800,000)~~ \$178,543,000 of the move ahead WA account—federal appropriation, ~~(\$68,191,000)~~ \$36,370,000 of the move ahead WA account—state appropriation, and ~~(\$6,980,000)~~ \$211,131,000 of the motor vehicle account—federal appropriation are provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

(a) Any savings on the project must stay on the Puget Sound Gateway corridor until the project is complete.

(b) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall continue to collaborate with the affected stakeholders as it implements the corridor construction and implementation plan for state route number

167 and state route number 509. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(c) The entire multimodal transportation account—state appropriation in this subsection is for:

(i) The design phase of the Puyallup to Tacoma multiuse trail along the state route number 167 right-of-way acquired for the project to connect a network of new and existing trails from Mount Rainier to Point Defiance Park; and

(ii) Segment 2 of the state route number 167 completion project shared-use path to provide connections to the interchange of state route number 167 at 54th to the intersection of state route number 509 and Taylor Way in Tacoma.

(d) It is the intent of the legislature that the SR 167/SR 509 Puget Sound Gateway project (M00600R): (i) Receive its current revenue assumption of \$160,000,000 from the connecting Washington account—state in the 2027-2029 fiscal biennium; (ii) maintain the existing \$180,000,000 toll revenue assumption in the 2025-2027 fiscal biennium; (iii) reduce funding in the amount of \$160,000,000 from the Puget Sound Gateway facility account—state in the 2027-2029 fiscal biennium; and (iv) as referenced in the list in subsection (1) of this section, be updated and the LEAP totals be adjusted accordingly.

(20) \$2,213,000 of the connecting Washington account—state appropriation is provided solely for the SR 224/Red Mountain Vicinity Improvement project (L1000291). The department shall provide funding to the city of West Richland to complete the project within the project scope identified by the legislature and within the total amount provided by the legislature. The department shall not amend the project's scope of work to add pavement preservation on state route number 224 from the West Richland city limits to Antinori Road.

(21) (a) ~~(\$394,963,000)~~ \$409,667,000 of the connecting Washington account—state appropriation, ~~(\$400,000)~~ \$500,000 of the state route number 520 corridor account—state appropriation, and ~~(\$4,496,000)~~ \$5,592,000 of the motor vehicle account—private/local appropriation are provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R).

(b) Upon completion of the Montlake Phase of the West End project (~~(current anticipated contract completion of 2023)~~), the department shall sell or transfer that portion of the property not ~~((used))~~ necessary for ~~((permanent))~~ transportation ~~((improvements))~~ purposes, and shall initiate a process to convey ~~((that))~~ or transfer such portion of the surplus property to a subsequent owner.

(c) Of the amounts provided in this subsection, \$400,000 of the state route number 520 corridor account—state appropriation is provided solely for noise mitigation activities. It is the intent of

the legislature to provide an additional \$600,000 for noise mitigation activities.

(d) Pursuant to section 2, chapter . . . (Senate Bill No. 6316), Laws of 2024, the department shall apply for a sales tax deferral for construction work on the SR 520 Seattle Corridor Improvements - West End project (M00400R).

(22)(a) \$750,000 of the transportation partnership account—state appropriation is provided solely for the state route number 520 bridge replacement and HOV (8BI1003) to implement signage for the state route number 520 interchange with Montlake Boulevard as a result of public engagement.

(b) The amounts appropriated in this subsection must be used for the following:

(i) Removal of an existing sign bridge on Montlake Boulevard, located immediately south of the Lake Washington Boulevard intersection;

(ii) Replacement of the sign bridge with a pole with mast arm structure bearing appropriate directional signs for northbound motorists, and installation of a similar, advance-notice sign pole and mast arm for northbound motorists on Montlake Blvd at 24th Avenue;

(iii) Repainting, as necessary, an existing sign bridge on the newly constructed Montlake lid with a color decided upon through a public process; and

(iv) Fabrication and installation of a third pole with mast arm structure on southbound Montlake Boulevard immediately north of the west bound state route number 520 bridge onramp with signs directing southbound motorists.

((+21-)) (23) \$450,000 of the motor vehicle account—state appropriation is provided solely for the SR 900 Safety Improvements project (L2021118). The department must: (a) Work in collaboration with King county and the Skyway coalition to align community assets, transportation infrastructure needs, and initial design for safety improvements along state route number 900; and (b) work with the Skyway coalition to lead community planning engagement and active transportation activities.

((+22-)) (24) \$25,000,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state, and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. ~~((22,500,000))~~ \$23,750,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination

that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

((+23- \$5,000,000)) (25) \$9,593,000 of the motor vehicle account—state appropriation, ~~((5,000,000))~~ \$552,000 of the connecting Washington account—state appropriation, and ~~((5,000,000))~~ \$209,000 of the move ahead WA account—state appropriation are provided solely for the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) project (NPARADI), specifically for design of, preliminary engineering, and right-of-way acquisition for the interchange and widening as a single project. The department must consider reserving portions of state route number 522, including designated lanes or ramps, for the exclusive or preferential use of public transportation vehicles, privately owned buses, motorcycles, private motor vehicles carrying not less than a specified number of passengers, or private transportation provider vehicles pursuant to RCW 47.52.025.

(26) Prior to initiating new advertisements or requests for qualifications for projects N00900R, N52600R, M00800R, L1000199, 0BP2001, and M00600R, the department shall convene an expert review panel to review the planned procurement methods and cost estimates for these projects. The panel must consist of up to five representatives of the contracting community with expertise in multiple procurement methods. The panel shall provide recommendations on procurement methods and cost estimates to the office of financial management, the department, and the transportation committees of the legislature by July 1, 2024, for each project stated in this subsection. After the panel's recommendations have been provided, the department may initiate new advertisements and requests for qualifications incorporating the recommendations as appropriate.

(27) \$750,000 of the motor vehicle account—state appropriation is provided solely for the Grady Way Overpass at Rainier Avenue South I-405 BRT Access study (L1000333).

(28) \$2,972,000 of the connecting Washington account—state appropriation is provided solely for the I-5/North Lewis County Interchange project (L2000204) in the 2023-2025 fiscal biennium. It is the intent of the legislature that the total amounts provided for this project on the list in subsection (1) of this section be reduced in future biennia by \$2,500,000.



**Sec. 305.** 2023 c 472 s 306 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF TRANSPORTATION—  
 PRESERVATION—PROGRAM P**  
Carbon Emissions Reduction Account—State  
 Appropriation. . . . . \$50,000,000  
 Move Ahead WA Account—State Appropriation.  
 ((\$13,291,000))  
 \$105,219,000  
 Recreational Vehicle Account—State  
 Appropriation. . . . . ((\$793,000))  
 \$769,000  
 Transportation 2003 Account (Nickel Account)  
 —State  
 Appropriation. . . . . ((\$48,759,000))  
 \$70,411,000  
 Motor Vehicle Account—State Appropriation.  
 ((\$135,073,000))  
 \$154,960,000  
 Motor Vehicle Account—Federal Appropriation  
 . . . . . ((\$534,350,000))  
 \$577,602,000  
 Motor Vehicle Account—Private/Local  
 Appropriation. . . . . ((\$12,000,000))  
 \$17,010,000  
 Connecting Washington Account—State  
 Appropriation. . . . . ((\$37,078,000))  
 \$48,726,000  
 State Route Number 520 Corridor Account—  
 State  
 Appropriation. . . . . ((\$5,481,000))  
 \$7,434,000  
 Tacoma Narrows Toll Bridge Account—State  
 Appropriation. . . . . ((\$10,892,000))  
 \$12,202,000  
 Alaskan Way Viaduct Replacement Project  
 Account—  
 State Appropriation. . . . . ((\$12,000))  
 \$1,662,000  
 Interstate 405 and State Route Number 167  
 Express  
 Toll Lanes Account—State Appropriation.  
 ((\$27,026,000))  
 \$15,183,000  
 Transportation Partnership Account—State  
 Appropriation. . . . . ((\$10,000,000))  
 \$12,036,000  
**TOTAL APPROPRIATION. . . . . ((\$834,755,000))**  
**\$1,073,214,000**

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2023-1))2024-1 as developed ((April 21, 2023))February 20, 2024, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 ((of this act)), chapter 472, Laws of 2023.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle

account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The transportation partnership account—state appropriation includes up to \$10,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(5) \$22,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund (L2000290). The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted.

(6) Within the connecting Washington account—state appropriation, the department may transfer funds from Highway System Preservation (L1100071) to other preservation projects listed in the LEAP transportation document identified in subsection (1) of this section, if it is determined necessary for completion of these high priority preservation projects. The department's next budget submittal after using this subsection must appropriately reflect the transfer.

(7) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of their lease terms and consolidate the Lacey project engineering office and the Tumwater

project engineering office into the department's Olympic regional headquarters.

(8) The appropriations in this section include funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(9) \$25,000,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. ~~(\$22,500,000)~~ \$23,750,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

(10) \$21,000 of motor vehicle account—state appropriation is provided solely for the implementation of chapter 54, Laws of 2023 (bridge jumping signs) (G2000114). ~~((# chapter 54, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.))~~

(11) \$154,500 of the move ahead Washington account—state appropriation is provided solely for SR 525 Bridge Replacement - Mukilteo (L2021084). The amount in this subsection must be transferred to the city of Mukilteo for purposes of community planning and business engagement.

(12) Beginning January 1, 2025, \$50,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to construct active transportation components on preservation projects (L4000057), consistent with the complete streets requirements under RCW 47.04.035. The department must provide a report that

identifies the active transportation components funded with this appropriation to the transportation committees of the legislature by December 1, 2024.

(13) \$100,000,000 of the Move Ahead WA account—state appropriation is provided solely for additional preservation activities (L4000057).

<b>Sec. 306.</b>	2023 c 472 s 307
(uncodified) is amended to read as follows:	
<b>FOR THE DEPARTMENT OF TRANSPORTATION—</b>	
<b>TRANSPORTATION OPERATIONS—PROGRAM Q—CAPITAL</b>	
Motor Vehicle Account—State Appropriation.	
	(\$9,738,000)
	\$10,605,000
Motor Vehicle Account—Federal Appropriation	
.....	(\$5,100,000)
	\$12,226,000
Motor Vehicle Account—Private/Local	
Appropriation.....	\$500,000
Move Ahead WA Account—State Appropriation.	
\$611,000	
TOTAL APPROPRIATION.....	(\$15,338,000)
	\$23,942,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$4,918,000)~~ \$5,547,000 of the motor vehicle account—state appropriation ~~((is))~~ \$8,830,000 of the motor vehicle account—federal appropriation, and \$500,000 of the motor vehicle account—private/local appropriation are provided solely for Programmatic Investment for Traffic Operations Capital projects (000005Q). By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all traffic operations capital project investments completed in the prior fiscal biennium.

(2) \$3,080,000 of the motor vehicle account—state appropriation is provided solely to construct pedestrian signals at nine locations on state route number 7 from 124th Street South to 189th Street South (0000YYY).

(3) \$1,463,000 of the motor vehicle account—state appropriation is provided solely for the replacement of 22 existing traffic cameras and installation of 10 new traffic cameras, including five pole installation sites, on the Interstate 90 corridor between mileposts 34 and 82 (L2021144). The department shall consult with news media organizations to explore options to allow such organizations access to traffic camera feeds.

<b>Sec. 307.</b>	2023 c 472 s 308
(uncodified) is amended to read as follows:	
<b>FOR THE DEPARTMENT OF TRANSPORTATION—</b>	
<b>WASHINGTON STATE FERRIES CONSTRUCTION—</b>	
<b>PROGRAM W</b>	
Carbon Emissions Reduction Account—State	
Appropriation.....	(\$74,027,000)
	\$335,127,000
Move Ahead WA Account—State Appropriation.	
(\$17,114,000)	
	\$32,728,000
Puget Sound Capital Construction Account—	
State	
Appropriation.....	(\$341,969,000)

	\$386,196,000
Puget Sound Capital Construction Account— Federal	
Appropriation . . . . .	(( <del>\$33,698,000</del> ))
	\$81,826,000
Puget Sound Capital Construction Account— Private/Local Appropriation (( <del>\$1,081,000</del> ))	
	\$2,150,000
<u>Transportation 2003 Account (Nickel Account)</u> <u>—State</u>	
Appropriation . . . . .	\$472,000
Transportation Partnership Account—State	
Appropriation . . . . .	(( <del>\$7,442,000</del> ))
	\$9,705,000
Connecting Washington Account—State	
Appropriation . . . . .	(( <del>\$10,809,000</del> ))
	\$21,883,000
Capital Vessel Replacement Account—State	
Appropriation . . . . .	(( <del>\$46,818,000</del> ))
	\$33,242,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$532,958,000</del>))</b>
	<b>\$903,329,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024, Program - Washington State Ferries Capital Program (W).

(2) ((~~\$5,000,000~~))\$24,260,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(3) ((~~\$46,818,000~~))\$33,242,000 of the capital vessel replacement account—state appropriation is provided solely for the acquisition of a 144-car hybrid-electric vessel (L2000329). The amounts provided in this subsection are contingent upon the enactment of chapter 429, Laws of 2023.

(4) ((The legislature intends that funding will be provided in the 2025-2027 fiscal biennium))It is the intent of the legislature, that if bids and cash flow permit, the department shall pursue construction of three vessels simultaneously for the initial delivery of hybrid electric Olympic class vessels. In the event that bids are higher than the engineer's estimate, the legislature intends that the department proceed with the best value bid, or bids, for two vessels in the initial delivery.

(5) Beginning January 1, 2025, \$42,000,000 of the carbon emissions reduction account—state appropriation is provided solely for construction of the first hybrid electric Olympic class vessel (L2000329).

(6) \$1,500,000 of the Puget Sound capital construction account—state appropriation is provided solely for the Future Hybrid Electric Ferry Class Pre-Design study (L2021131) to advance procurement of a new class of vessel that will account for changes in technology, staffing, and system needs. The department shall initiate a

vessel design to replace the aging Issaquah class ferries with a new automobile hybrid electric ferry intended to operate on the Vashon Southworth-Fauntleroy route. The ((legislature intends that part of the)) predesign study must include a review of the benefits and costs of constructing all future new vessels based on the same design. The review may also compare and contrast the benefits and costs of ((a 144-vehicle capacity vessel))utilizing the existing hybrid electric Olympic class vessel design with a 124-vehicle capacity vessel.

((45)) (7) \$8,032,000 of the Puget Sound capital construction account—state appropriation is provided solely for modernization of the ticketing and reservation system (990052C). Of this amount, \$3,032,000 must be held in unallotted status until Washington state ferries has consulted with the office of the chief information officer on the project scope and integration capabilities of the reservation system with existing Good to Go! and ORCA next generation products, and reported results to the office of financial management and the transportation committees of the legislature.

((46)) (8) \$125,000 of the Puget Sound capital construction account—state appropriation and \$125,000 of the Puget sound capital construction account—federal appropriation are provided solely for development of a terminal wait times information system (998609A). Washington state ferries must consult with the office of the chief information officer on a technology solution for automated vehicle detection, and report the project scope, along with office of the chief information officer recommendations, to the office of financial management and the transportation committees of the legislature by December 1, 2024.

((47)) (9) The transportation partnership account—state appropriation includes up to \$7,195,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

((48)) (10) For the purposes of ferry and terminal electrification, the department must apply to the department of ecology for additional competitive grant funds available from Volkswagen settlement funds, and report on the status of the grant application by December 1, 2023.

((49)) (11) For the 2023-2025 fiscal biennium, the marine division shall provide to the office of financial management and the transportation committees of the legislature a report for ferry capital projects in a manner consistent with past practices as specified in section 308, chapter 186, Laws of 2022.

(12) Beginning January 1, 2025, \$30,145,000 of the carbon emissions reduction account—state appropriation is provided solely for Electric Ferry - Conversion (G2000084).

(13) Beginning January 1, 2025, \$125,000,000 of the carbon emissions reduction account—state appropriation is provided solely for construction of hybrid electric vessels (L2021073).

(14) Beginning January 1, 2025, \$21,100,000 of the carbon emissions

reduction account—state appropriation is provided solely for Seattle Bainbridge terminal electrification (L2021087).

(15) Beginning January 1, 2025, \$40,000,000 of the carbon emissions reduction account—state appropriation is provided solely for hybrid vessel conversions (L1000339).

(16) Beginning January 1, 2025, \$2,855,000 of the carbon emissions reduction account—state appropriation is provided solely for terminal electrification (L1000341).

Sec. 308. 2023 c 472 s 309 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**

Carbon Emissions Reduction Account—State	
Appropriation. . . . .	(( <del>\$104,300,000</del> ))
	\$87,800,000
Essential Rail Assistance Account—State	
Appropriation. . . . .	(( <del>\$676,000</del> ))
	\$762,000
<u>Motor Vehicle Account—State Appropriation.</u>	
	\$697,000
<u>Move Ahead WA Account—State Appropriation.</u>	
	\$1,500,000
Move Ahead WA Flexible Account—State	
Appropriation. . . . .	(( <del>\$35,000,000</del> ))
	\$33,500,000
<u>Multimodal Transportation Account—Private/Local</u>	
Appropriation. . . . .	\$12,000
Transportation Infrastructure Account—State	
Appropriation. . . . .	(( <del>\$10,369,000</del> ))
	\$11,271,000
Multimodal Transportation Account—State	
Appropriation. . . . .	(( <del>\$63,334,000</del> ))
	\$101,403,000
Multimodal Transportation Account—Federal	
Appropriation. . . . .	(( <del>\$18,882,000</del> ))
	\$25,903,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$232,561,000</del>))</b>
	<b>\$262,848,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024, Program - Rail Program (Y).

(2)(a) \$2,030,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than 15 years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(b) ((~~\$7,970,000~~))\$5,650,000 of the transportation infrastructure account—state appropriation is provided solely for new

FRIB program loans recommended by the department for 2024 supplemental transportation appropriations. The department shall submit a prioritized list for any loans recommended to the office of financial management and the transportation committees of the legislature by November 15, 2023.

(c) The department may change the terms of existing loans in the essential rail assistance account for repayment of loans, including the repayment schedule and rate of interest, for a period of up to 15 years for any recipient with a total loan value in the program of over 10 percent as of June 30, 2023.

(3) ((~~\$7,566,836~~))\$7,567,000 of the multimodal transportation account—state appropriation is provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$369,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely for final reimbursement to Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects.

(5) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2024, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(6) \$50,000,000 of the carbon emissions reduction account—state appropriation is provided solely for state match contributions to support the department's application for federal grant opportunities for a new ultra high-speed ground transportation corridor. These funds are to remain in unallotted status and are available only upon award of federal funds. The department must provide periodic grant application updates to the transportation committees of the legislature, as well as anticipated state match estimates for successful grants.

(7) ((~~\$33,500,000~~))\$29,500,000 of the move ahead WA flexible account—state appropriation is provided solely for rehabilitation of the Palouse River and Coulee City Railroad (L400079). Up to \$433,000 of the amount in this subsection may be used for management and oversight of operation and maintenance activities.

(8) ((~~\$15,000,000~~))\$19,990,000 of the multimodal transportation account—federal appropriation is provided solely for the rehabilitation of the Salmon Bay drawbridge (752010A) to ensure the efficient movement of freight and passenger trains.

(9) \$6,300,000 of the carbon emissions reduction account—state appropriation is

provided solely to fund a zero emission drayage truck demonstration project (L1000324) at Northwest Seaport Alliance facilities.

(10) \$14,000,000 of the carbon emissions reduction account—state appropriation is provided solely to fund a zero emission shore power infrastructure demonstration project at Northwest Seaport Alliance facilities (L1000325). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

(11) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely to fund the replacement of two Tacoma rail diesel-electric switcher locomotives with zero emission battery-electric switcher locomotives and to install on-site charging equipment at a Tacoma rail facility (L1000327). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

(12) \$150,000 of the multimodal transportation account—state appropriation is provided solely for the application of durable markings along state route number 906 to create up to 20 parking spaces for larger vehicles, including trucks (L1000336).

(13) \$26,500,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification competitive grants (L2021182). ~~((To be eligible to receive state funds under this section, a))~~ All public ports are eligible to receive funds under this subsection. A port seeking to use funds under this subsection to install shore power must ((first)) adopt a policy that requires vessels that dock at the port facility to use shore power if such vessel is capable of using such power and when such power is available at the port facility. Of the amounts provided in this subsection, \$11,500,000 is for Puyallup tribal port electrification projects, which are exempt from the shore power policy requirements under this subsection.

(14) Beginning January 1, 2025, \$8,500,000 of the carbon emissions reduction account—state appropriation is provided solely for Puyallup tribal port electrification projects, which are exempt from the shore power policy requirements under this subsection.

(15) \$2,000,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification at the port of Bremerton (L1000337), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

~~((15))~~ (16) \$500,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification at the port of Anacortes (L1000338), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

(17) \$25,000,000 of the carbon emissions reduction account—state appropriation is provided solely for ultra high speed rail (L2021074). The legislature intends to provide \$50,000,000 for the project in the 2025-2027 fiscal biennium, and that it be changed accordingly on the LEAP transportation documents referenced in this section.

**Sec. 309.** 2023 c 472 s 310 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

Carbon Emissions Reduction Account—State Appropriation. . . . .	(\$21,000,000)	
		\$50,162,000
Climate Active Transportation Account—State Appropriation. . . . .	(\$157,463,000)	
		\$169,442,000
Freight Mobility Investment Account—State Appropriation. . . . .	(\$21,098,000)	
		\$21,847,000
Freight Mobility Multimodal Account—State Appropriation. . . . .	(\$22,728,000)	
		\$27,216,000
Highway Infrastructure Account—State Appropriation. . . . .	(\$793,000)	
		\$1,060,000
Highway Infrastructure Account—Federal Appropriation . . . . .	(\$1,600,000)	
		\$1,500,000
Move Ahead WA Account—State Appropriation. (((\$106,707,000))		\$112,540,000
((Move Ahead WA Account—Federal Appropriation. . . . .	(\$10,000,000)	
Move Ahead WA Flexible Account—State Appropriation. . . . .	(\$29,000,000)	
		\$34,500,000
((Transportation Partnership Account—State Appropriation. . . . .	\$500,000)	
Motor Vehicle Account—State Appropriation. (((\$36,785,000))		\$47,410,000
Motor Vehicle Account—Federal Appropriation . . . . .	(\$103,553,000)	
		\$129,698,000
Connecting Washington Account—State Appropriation. . . . .	(\$99,032,000)	
		\$117,410,000
Multimodal Transportation Account—State Appropriation. . . . .	(\$73,818,000)	
		\$101,552,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(\$684,077,000)</b>	<b>\$814,337,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ February 20, 2024, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) (~~(\$34,673,000)~~)\$47,707,000 of the multimodal transportation account—state appropriation and (~~(\$37,563,000)~~)\$43,058,000 of the climate active transportation account—state appropriation are provided solely for pedestrian and bicycle safety program projects (L2000188 and L1000335). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(b) (~~(\$19,137,000)~~)\$31,553,000 of the motor vehicle account—federal appropriation, (~~(\$38,915,000)~~)\$45,399,000 of the climate active transportation account—state appropriation, and (~~(\$12,844,000)~~)\$21,157,000 of the multimodal transportation account—state appropriation are provided solely for safe routes to school projects (L2000189 and L1000334). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(c) For future rounds of grant selection, the department must reevaluate the criteria to increase geographic diversity of jurisdictions consistent with the requirements of the healthy environment for all (HEAL) act.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2023, and December 1, 2024, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program and the Sandy Williams connecting communities grant program.

(4) (~~(\$6,875,000)~~)\$10,906,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) (~~(\$36,640,000)~~)\$46,580,000 of the motor vehicle account—federal appropriation is provided solely for acceleration of local preservation projects that ensure the reliable movement of freight on the national highway freight system (G2000100). The department will select projects as part of its update of the state freight plan, in consultation with the freight mobility strategic investment board and other stakeholders.

(6) \$23,750,000 of the motor vehicle account—state appropriation is provided solely for a federal fund exchange pilot program. The pilot program will allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The entirety of the appropriation in this subsection must be held in unallotted status until: Surface transportation block grant population funding has been offered to the state, the department determines that a federalized project or projects funded in section 305 or 306 (~~(of this act)~~), chapter 472, Laws of 2023 is eligible to spend the surface transportation block grant population funding, and state funds appropriated in section 305 or 306 for the

eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding have been placed in unallotted status. A report on the effectiveness of the exchange program, the total estimated cost of program administration, and recommendations for continuing the pilot program is due to the governor and transportation committees of the legislature by December 1, 2024. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

(7) (~~(\$128,400,000)~~)\$132,400,000 of the move ahead WA account—state appropriation and (~~(\$19,500,000)~~)\$25,000,000 of the move ahead WA flexible account—state appropriation are provided solely for new move ahead WA road and highway projects listed in LEAP Transportation Document ((2023-2)2024-2 ALL PROJECTS as developed ((April 21, 2023)February 20, 2024, Program - Local Programs Program (Z).

(a) For projects funded in this subsection, the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used in the 2023-2025 fiscal biennium to advance one or more of the projects listed in LEAP Transportation Document ((2023-2)2024-2 ALL PROJECTS as developed ((April 21, 2023)February 20, 2024, Program - Local Programs Program (Z), prioritizing projects first by project readiness.

(i) In instances when projects listed in the LEAP transportation documents referenced in (a) of this subsection are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations of certain funds provided. In the event that the listed project has been completed the local jurisdictions may, rather than submitting an alternative project, instead be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(ii) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(b) Of the amounts provided in this subsection, \$21,000,000 of the move ahead WA account—state appropriation is provided solely for three roundabouts to be constructed on state route number 507 in partnership with local authorities. The roundabout at Vail is with Thurston county,

the roundabout at Bald Hills is with the city of Yelm, and the roundabout at state route number 702 is with Pierce county. The department is to work cooperatively with each local jurisdiction to construct these facilities within department rights-of-way. The department must provide all project pre-design and design information developed to date to the local jurisdictions and have a project implementation agreement in place with each local jurisdiction within 180 calendar days of the effective date of this act. The implementation agreement may provide full control for the local authority to construct the project. Once the roundabouts are completed, the operations and maintenance of the roundabouts are the responsibility of the department.

(8) \$39,185,000 of the climate active transportation account—state appropriation and \$3,000,000 of the move ahead WA flexible account—state appropriation are provided solely for move ahead WA pedestrian and bike projects listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024, Program - Local Programs Program (Z). For projects funded in this subsection, if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used in the 2023-2025 fiscal biennium to advance one or more of the projects listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))February 20, 2024, Program - Local Programs Program (Z), prioritizing projects first by tier then by project readiness.

(a) In instances when projects listed in the LEAP transportation document referenced in this subsection (8) of this section are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations of certain funds provided. In the event that the listed project has been completed the local jurisdictions may, rather than submitting an alternative project, instead be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(b) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(9) \$16,800,000 of the climate active transportation account—state appropriation is provided solely for the statewide school-based bicycle education grant program (L1000309). The department may partner with a statewide nonprofit to deliver programs.

(10) \$25,000,000 of the climate active transportation account—state appropriation is provided solely for the Sandy Williams

connecting communities pilot program (L1000308) to deliver projects to reconnect communities that have been bifurcated by state highways. Priority must be given to historically marginalized or overburdened communities. The department may consult with the Cooper Jones active transportation safety council to identify geographic locations where there are high incidences of serious injuries and fatalities of active transportation users among vulnerable populations.

(11) \$14,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the Guemes Ferry Boat Replacement project (L4000124).

(12) \$6,500,000 of the move ahead WA flexible account—state appropriation is provided solely for development of an applied sustainable aviation evaluation center (L2021135). Snohomish county, in partnership with Washington State University, shall plan and establish facilities to evaluate, qualify or certify, and research technologies that can minimize the impact of aviation on human health and the environment. Funds may be used for, but are not limited to, planning, construction, and land acquisition for sustainable aviation fuel (SAF) qualification testing (ASTM D4054), research on the impact of SAF on the environment and human health, and SAF storage for the purpose of advancing sustainable aviation. At a minimum, three sustainable aviation platforms must be considered:

- (a) Sustainable aviation fuel (SAF);
- (b) Hydrogen; and
- (c) Battery electric energy storage mechanisms.

(13) The legislature intends to fund the Ballard and Magnolia Bridge project (L4000123) ((and the Aurora Avenue North Safety Improvements project (L4000154))), as described in section 911(18) and (19) ((of this act)), chapter 472, Laws of 2023.

(14) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the Seattle office of planning and community development to update and add to the 2020 I-5 Lid Feasibility Study with additional test cases with ramp changes and removals in downtown Seattle and alternative assumptions with regards to parking, expansion of Freeway Park, affordable housing, and commercial real estate (L2021140). The Seattle office of planning and community development shall conduct ongoing community engagement with underrepresented constituencies to support the technical work of this study and raise public awareness of opportunities of I-5 lids. Focus should be given to low-income households living and working in the I-5 lid study areas in central Seattle.

(15) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to award grants to local jurisdictions to implement network-wide traffic conflict screening programs using video analytics in controlled intersections with a disproportionate number of traffic violations and injuries to active transportation users (L2021149). Grants must

be awarded proportionally across the state and include controlled intersections in both urban and rural environments and along state highways and county roads. Grant recipients must report back to the department all traffic violation and active transportation facility data acquired during the grant period and provide the department with appropriate next steps for the state and the local jurisdiction to improve traffic safety for active transportation users in such intersections. The department must report such findings and recommendations to the transportation committees of the legislature by December 1, 2024.

(16) (a) (i) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish a program for providing rebates to qualifying persons who purchase e-bikes and qualifying equipment and services from a qualifying retailer. Of this amount, \$3,000,000 is for rebate amounts as described under (a) (iii) (A) of this subsection, and \$2,000,000 is for rebate amounts as described under (a) (iii) (B) of this subsection.

(ii) To qualify for and use the rebate under this subsection, a person must be a resident of Washington state and purchase an e-bike and qualifying equipment and services, if any, from a qualifying retailer in this state. Qualifying equipment and services must be purchased as part of the same transaction as the e-bike.

(iii) (A) For persons who are at least 16 years of age and reside in households with incomes at or below 80 percent of the county area median income, the amount of the rebate is up to \$1,200 on the sale of an e-bike and any qualifying equipment and services.

(B) For all other persons who are at least 16 years of age, the amount of the rebate is up to \$300 on the sale of an e-bike and any qualifying equipment and services.

(C) No more than one rebate may be awarded per household.

(iv) (A) The department must establish application procedures for e-bike retailers to participate in the rebate program, and application and award procedures for applicants to participate in the program. If an applicant qualifies for a rebate amount and there is sufficient funds to award the applicant with the appropriate rebate amount, the department must provide the qualifying individual the rebate amount in a format that can be redeemed at the time of purchase at a qualifying retailer.

(B) An applicant must provide contact information, including a physical address, email address, and phone number, and demographic information, including the applicant's age, gender, race, and ethnicity, to the department on a form provided by the department at the time of applying for the rebate. The department may share or provide access to such information with the University of Washington to provide the University of Washington an opportunity to ask program applicants and recipients to fill out a survey collecting information only to the extent to inform its report described under (d) of this subsection.

(v) A qualifying retailer must register with the department before participating in the rebate program. A qualifying retailer must:

(A) Verify the identity of the qualifying individual at the time of purchase; and

(B) Calculate and apply the rebate at the time of purchase.

(vi) The department must reimburse a qualifying retailer that accepts a rebate from a qualifying individual no later than 30 days after the rebate is redeemed.

(vii) For purposes of this subsection (16) (a):

(A) "E-bike" means an electric assisted bicycle as defined in RCW 46.04.169, but does not include mountain bikes.

(B) "Qualifying equipment and services" means a bicycle helmet, safety vest, bicycle light, or bicycle lock, and any maintenance or other services agreed upon by the qualifying retailer and qualifying individual at the time of purchase.

(C) "Qualifying retailer" means a retail business establishment with one or more physical retail locations in this state that provides on-site e-bike sales, service, and repair and has registered with the department to participate in the rebate program established under this subsection.

(b) For fiscal year 2025, \$2,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish an e-bike lending library and ownership grant program. The department may accept grant applications from other state entities, local governments, and tribes that administer or plan to administer an e-bike lending library or ownership program for their employees for commute trip reduction purposes. The department may also accept grant applications from nonprofit organizations or tribal governments that serve persons who are low-income or reside in overburdened communities and that administer or plan to administer an e-bike lending library or ownership program for qualifying persons. Grant recipients must report program information and participation data to the University of Washington to inform its report described under (d) of this subsection.

(c) It is the intent of the legislature that funding provided in (a) and (b) of this subsection continue to be appropriated in the 2025-2027 and 2027-2029 fiscal biennia.

(d) Of the amounts provided in this subsection (16), \$90,000 is for the department to contract with the University of Washington's sustainable transportation lab to publish a general policy brief that provides innovative e-bike rebate and lending library or ownership grant program models and recommendations, a report on survey results based on data and demographic information collected under the e-bike rebate program established in (a) of this subsection, and a report on program information and data collected under the e-bike lending library and ownership grant program established in (b) of this subsection. An initial brief and report must be submitted to the transportation committees of the legislature by July 1,



2024, with the final policy brief and report due to the transportation committees of the legislature by July 1, 2025.

(e) The department may not collect more than five percent of appropriated amounts to administer the programs under (a) and (b) of this subsection.

(17) ~~((\$21,098,000))~~ \$21,847,000 of the freight mobility investment account—state appropriation and ~~((\$22,728,000))~~ \$27,216,000 of the freight mobility multimodal account—state appropriation are provided solely for freight mobility strategic investment board projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(18) \$4,150,000 of the motor vehicle account—state appropriation is provided solely for matching funds for federal funds to reconstruct Grant county and Adams county bridges as part of the Odessa groundwater replacement program (L1000322).

(19) \$9,240,000 of the connecting Washington account—state appropriation is provided solely for the Aberdeen US 12 Highway-Rail Separation project (L1000331).

(20) ~~((\$750,000 of the motor vehicle account—state appropriation is provided solely for the Grady Way overpass at Rainier Avenue South I-405 BRT Access study (L1000333)).~~

~~(21))~~ The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an allotment modification, reductions in the amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this fiscal biennium;

(b) Allotment modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2023-2025 fiscal biennium in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ February 20, 2024;

(c) Allotment modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Connecting Washington account—state, and move ahead WA account—state; and

(d) The office of financial management must provide notice of allotment modifications authorized under this subsection within 10 working days to the transportation committees of the legislature. By December 1, 2023, and December 1, 2024, the department must submit a report to the transportation committees of the legislature regarding the actions taken to date under this subsection.

(21) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to assist local jurisdictions in addressing emergent issues related to safety for pedestrians and bicyclists (LXXXPBF). Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium. Reporting may be done in conjunction with the transportation operations division.

(22) Beginning January 1, 2025, \$29,162,000 of the carbon emissions reduction account—state appropriation is provided solely for the following projects identified in LEAP Transportation Document 2024-2 ALL PROJECTS as developed February 20, 2024:

(a) North Aurora Safety Improvements (L4000154);

(b) Maple Valley Pedestrian Bridge Over SR 169 (L2021093);

(c) North Broadway Pedestrian Bridge (L2021082);

(d) State Route 547 Pedestrian and Bicycle Safety Trail (Kendall Trail) (L4000144);

(e) Mountains to Sound Greenway "Bellevue Gap" (L4000152);

(f) Olympic Discovery Trail/US 101 Safety (L2021192);

(g) 72nd Ave & Washington Ave Active Transportation Components (L2021194);

(h) Bluff Trail Hood River to White Salmon (L2021199);

(i) Columbia Heights Safety Improvements (L2021195);

(j) Eustis Hunt and 216th Sidewalks (L2021083);

(k) La Center Pac. Hwy Shared Use Path (L2021196);

(l) SR 240/Aaron Dr Complete Streets Improvements (L2021193);

(m) Wallace Kneeland Blvd Active Transportation (L2021198);

(n) Wide Hollow Creek Active Transportation Improvements (L2021200);

(o) Yakima Greenway Active Transportation (L2021201); and

(p) Cowiche Canyon Trail (G2000010).

(23) It is the intent of the legislature that \$500,000 of the motor vehicle account—state appropriation be provided for the Log Yard Road Connector in a future fiscal biennium, and that \$500,000 of the motor vehicle account—state appropriation be provided for Romance Hill Connector project in a future fiscal biennium, and that the list referenced in subsection (1) of this section be updated accordingly.

(End of part)

#### TRANSFERS AND DISTRIBUTIONS

**Sec. 401.** 2023 c 472 s 401 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS**

**AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE**

Transportation Partnership Account—State  
 Appropriation. . . . . ((\$1,101,000))  
\$225,000

Connecting Washington Account—State  
 Appropriation. . . . . ((\$11,951,000))  
\$3,463,000

Special Category C Account—State  
 Appropriation. . . . . ((\$922,000))  
\$452,000

Highway Bond Retirement Account—State  
 Appropriation. . . . . ((\$1,470,291,000))  
\$1,413,786,000

Ferry Bond Retirement Account—State  
 Appropriation. . . . . \$4,616,000

Transportation Improvement Board Bond  
 Retirement  
 Account—State Appropriation.  
 ((\$10,895,000))  
\$10,305,000

Nondebt-Limit Reimbursable Bond Retirement  
 Account—  
 State Appropriation. . . . . ((\$28,606,000))  
\$28,262,000

Toll Facility Bond Retirement Account—State  
 Appropriation. . . . . \$76,372,000

**TOTAL APPROPRIATION... ((\$1,604,754,000))**  
**\$1,537,481,000**

**Sec. 402.** 2023 c 472 s 402  
 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—BOND RETIREMENT AND  
 INTEREST, AND ONGOING BOND REGISTRATION AND  
 TRANSFER CHARGES: FOR BOND SALE EXPENSES AND  
 FISCAL AGENT CHARGES**

Transportation Partnership Account—State  
 Appropriation. . . . . ((\$220,000))  
\$47,000

(~~Transportation Improvement Account—State  
 Appropriation. . . . . \$20,000~~)

Connecting Washington Account—State  
 Appropriation. . . . . ((\$2,391,000))  
\$686,000

Special Category C Account—State  
 Appropriation. . . . . ((\$183,000))  
\$89,000

**TOTAL APPROPRIATION..... ((\$2,814,000))**  
**\$822,000**

**Sec. 403.** 2023 c 472 s 403  
 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—STATE REVENUES FOR  
 DISTRIBUTION**

Motor Vehicle Account—State Appropriation:  
 For motor  
 vehicle fuel tax statutory distributions  
 to  
 cities and counties. . . . . ((\$465,354,000))  
\$461,954,000

Multimodal Transportation Account—State  
 Appropriation: For distribution to cities  
 and  
 counties. . . . . \$26,786,000

Motor Vehicle Account—State Appropriation:  
 For  
 distribution to cities and counties.  
 \$23,438,000

**TOTAL APPROPRIATION.... ((\$515,578,000))**  
**\$512,178,000**

**Sec. 404.** 2023 c 472 s 404  
 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—TRANSFERS**

Motor Vehicle Account—State Appropriation:  
 For motor  
 vehicle fuel tax refunds and statutory  
 transfers. . . . . ((\$1,969,182,000))  
\$1,955,782,000

**Sec. 405.** 2023 c 472 s 405  
 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

Motor Vehicle Account—State Appropriation:  
 For motor  
 vehicle fuel tax refunds and transfers.  
 ((\$246,480,000))  
\$253,180,000

**Sec. 406.** 2023 c 472 s 406  
 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—ADMINISTRATIVE  
 TRANSFERS**

(1) ~~((a)) Pilotage Account State  
 Appropriation: For  
 transfer to the Multimodal Transportation  
 Account State. . . . . \$200,000~~  
~~(b) The amount transferred in this  
 subsection represents partial repayment of  
 prior biennium transfers to cover self-  
 insurance liability premiums.~~  
~~(2)) Transportation Partnership Account  
 —State  
 Appropriation: For transfer to the Motor  
 Vehicle  
 Account—State. . . . . \$175,000,000~~  
~~((3)) Connecting Washington Account—  
 State  
 Appropriation: For transfer to the Move  
 Ahead WA  
 Account—State. . . . . \$200,000,000~~  
~~(4)) (2) Electric Vehicle Account—State  
 appropriation:  
 For transfer to the Move Ahead WA Flexible  
 Account—State. . . . . \$29,200,000~~  
~~((5)) (3) Electric Vehicle Account—  
 State  
 Appropriation: For transfer to the  
 Multimodal  
 Transportation Account—State. . . \$23,330,000~~  
~~((6)) (4) Washington State Aviation  
 Account—State  
 Appropriation: For transfer to the  
 Aeronautics  
 Account—State. . . . . \$150,000~~  
~~((7)) (5) Carbon Emissions Reduction  
 Account—State  
 Appropriation: For transfer to the Climate  
 Active  
 Transportation Account—State. . \$178,885,000~~  
~~((8)) (6) Carbon Emissions Reduction  
 Account—State  
 Appropriation: For transfer to the Climate  
 Transit  
 Programs Account—State. . . . . \$408,000,000~~  
~~((9)) (7) Carbon Emissions Reduction  
 Account—State  
 Appropriation: For transfer to the Puget  
 Sound Ferry  
 Operations Account—State. . . . . \$4,200,000~~  
~~((10)) (8) Move Ahead WA Flexible  
 Account—State  
 Appropriation: For transfer to the Move  
 Ahead WA  
 Account—State. . . . . \$100,000,000~~

~~((11))~~ (9) Alaskan Way Viaduct Replacement Project  
 Account—State Appropriation: For transfer to the Motor Vehicle Account—State. . . \$25,000,000

~~((12))~~ (10) Highway Safety Account—State  
 Appropriation: For transfer to the State Patrol Highway Account—State. . . . . ~~(\$77,000,000)~~  
\$80,000,000

~~((13))~~ (11) (a) Transportation Partnership  
 Account—State Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account—State. . \$6,611,000

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the impact of toll increases. An equivalent reimbursing transfer is to occur after the debt service and deferred sales tax on the Tacoma Narrows bridge construction costs are fully repaid in accordance with chapter 195, Laws of 2018.

~~((14))~~ Motor Vehicle Account—State Appropriation: For transfer to the State Patrol Highway Account—State. . . . . \$1,500,000

~~(15))~~ (12) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State. . . . . \$4,844,000

~~((16))~~ (13) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State. . . . . \$8,511,000

~~((17))~~ (14) Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State. . . . . \$4,844,000

~~((18))~~ (15) Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State. . . . \$9,688,000

~~((19))~~ (16) (a) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the Motor Vehicle Account—State. . . . . \$1,000,000

(b) The transfer in this subsection is to repay moneys loaned to the state route number 520 civil penalties account in the 2019-2021 fiscal biennium.

~~((20))~~ (17) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State. . . . . \$560,000

~~((21))~~ (18) (a) Capital Vessel Replacement Account—State Appropriation: For transfer to the Connecting Washington Account—State. . . \$29,000,000

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the use of bonding in the connecting Washington account.

~~((22))~~ (19) Multimodal Transportation Account—State Appropriation: For transfer to the Complete Streets Grant Program Account—State. . . \$14,670,000

~~((23))~~ (20) Multimodal Transportation Account—State Appropriation: For transfer to the Highway Safety Account—State. . . . . \$3,000,000

~~((24))~~ (21) Multimodal Transportation Account—State Appropriation: For transfer to the Motor Vehicle Account—State. . . . . ~~(\$15,000,000)~~  
\$30,000,000

~~((25))~~ (22) Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State. . . . \$8,511,000

~~((26))~~ (23) Multimodal Transportation Account—State Appropriation: For transfer to the Move Ahead WA Flexible Account—State. . . . . \$11,790,000

~~((27))~~ (24) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State. ~~(\$175,000,000)~~  
\$173,000,000

~~((28))~~ (25) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State. . . . . ~~(\$38,500,000)~~  
\$88,500,000

~~((29))~~ (26) Multimodal Transportation Account—State Appropriation: For transfer to the Regional Mobility Grant Program Account—State. . . \$27,679,000

~~((30))~~ (27) Multimodal Transportation Account—State Appropriation: For transfer to the Rural Mobility Grant Program Account—State. . . \$12,223,000

~~((31))~~ (28) Multimodal Transportation Account—State Appropriation: For transfer to the State Patrol Highway Account—State. . . . . \$59,000,000

~~((32))~~ (29) (a) Alaskan Way Viaduct Replacement Project Account—State Appropriation: For transfer to the Transportation Partnership Account—State. . . . . \$47,899,000

(b) \$22,899,000 of the amount transferred in this subsection represents repayment of debt service incurred for the construction of the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

~~((33))~~ (30) Tacoma Narrows Toll Bridge Account—State Appropriation: For transfer to the Motor Vehicle Account—State. . . . . \$543,000

~~((34))~~ (31) (a) General Fund Account—State Appropriation: For transfer to the State Patrol Highway

Account—State. . . . . \$625,000  
 (b) The state treasurer shall transfer the funds only after receiving notification from the Washington state patrol under section 207 ((of this act)), chapter 472, Laws of 2023.  
 ((+35-)) (32) Puget Sound Ferry Operations Account—State  
 Appropriation: For transfer to the Puget Sound Capital Construction Account—State. . . \$121,828,000  
 ((+36-)) (33) Move Ahead WA Account—State  
 Appropriation: For transfer to the Puget Sound Ferry Operations Account—State. . . . \$120,000,000  
 (34) Highway Safety Account—State  
Appropriation: For transfer to the Motor Vehicle Account—State \$1,000,000  
 (35) Recreational Vehicle Account—State  
Appropriation: For transfer to the Motor Vehicle Account—State. . . . . \$3,000,000  
 (36) Motor Vehicle Account—State  
Appropriation: For transfer to the Puget Sound Ferry Operations Account—State. . . . . \$3,500,000  
 (37) Multimodal Transportation Account—State  
Appropriation: For transfer to the Pilotage Account—State. . . . . \$190,000  
 (38) Advance Right-Of-Way Revolving Fund—State  
Appropriation: For transfer to the JUDY Transportation Future Funding Program Account—State. . . . \$40,000,000

**Sec. 407.** 2023 c 472 s 407 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**  
 Toll Facility Bond Retirement Account—Federal  
 Appropriation. . . . . (((\$194,241,000)) \$157,240,000  
 Toll Facility Bond Retirement Account—State  
 Appropriation. . . . . (((\$25,372,000)) \$26,562,000  
**TOTAL APPROPRIATION. .... (((\$219,613,000)) \$183,802,000**

The appropriations in this section are subject to the following conditions and limitations: \$35,250,000 of the toll facility bond retirement account—federal appropriation may be used to prepay certain outstanding bonds if sufficient debt service savings can be obtained.

(End of part)

**IMPLEMENTING PROVISIONS**

**Sec. 501.** 2023 c 472 s 601 (uncodified) is amended to read as follows:  
**MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN SESSION**  
 (1) The 2005 transportation partnership projects or improvements and 2015 connecting

Washington projects or improvements are listed in the LEAP Transportation Document ((2023-1))2024-1 as developed ((April 21, 2023))February 20, 2024, which consists of a list of specific projects by fund source and amount over multiple biennia. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a 16-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and connecting Washington account projects on the LEAP transportation document referenced in this subsection. For the 2023-2025 project appropriations, unless otherwise provided in this act, the director of the office of financial management may provide written authorization for a transfer of appropriation authority between projects funded with transportation partnership account appropriations or connecting Washington account appropriations to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

- (a) Transfers may only be made within each specific fund source referenced on the respective project list;
- (b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;
- (c) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;
- (d) Transfers may not occur for projects not identified on the applicable project list;
- (e) Transfers to a project may not occur if that project is a programmatic funding item described in broad general terms on the applicable project list without referencing a specific state route number;
- (f) Transfers may not be made while the legislature is in session;
- (g) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;
- (h) Except for transfers made under (l) of this subsection, transfers may only be made in fiscal year 2024;
- (i) The total amount of transfers under this section may not exceed \$50,000,000;
- (j) Except as otherwise provided in (l) of this subsection, transfers made to a single project may not cumulatively total more than \$20,000,000 per fiscal biennium;
- (k) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature; and
- (l) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection (l), provided that the transfer amount to a single project does not exceed \$250,000 or 10 percent of the total project per fiscal biennium, whichever is less. These transfers must be reported quarterly to the director of the office of

financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers under this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the chairs and ranking members of the transportation committees of the legislature.

(4) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner and address any concerns raised by the chairs and ranking members of the transportation committees.

(5) No fewer than 10 days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the department of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

**Sec. 502.** 2023 c 472 s 606 (uncodified) is amended to read as follows:  
**TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING**

By November 15th of each year, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((~~April 21, 2023~~)February 20, 2024), in a manner consistent with past practices as specified in section 602, chapter 186, Laws of 2022.

**Sec. 503.** 2023 c 472 s 609 (uncodified) is amended to read as follows:  
**LOCAL PARTNER COOPERATIVE AGREEMENTS**

(1) If a transportation project, where the Washington state department of transportation is the lead and the project is scheduled to be delivered or completed in the 2023-2025 fiscal biennium as shown on the LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((~~April 21, 2023~~)February 20, 2024), is in jeopardy of being delayed because the department is unable to deliver or complete the project within the 2023-2025 fiscal biennium and other local jurisdictions are

able to deliver or complete the work, the department must coordinate with the appropriate local jurisdictions to determine if a potential local partner is ready, willing, and able to execute delivery and completion of the project within the 2023-2025 fiscal biennium.

(2) The department must compile a list of projects under this section, including the timing under which the local partner agency can deliver or complete the projects within the 2023-2025 and 2025-2027 fiscal biennia. The department must submit the compiled list of projects to the governor and the transportation committees of the legislature by November 1, 2023.

(End of part)

#### MISCELLANEOUS 2023-2025 FISCAL BIENNIUM

**Sec. 601.** RCW 46.68.060 and 2023 c 472 s 705 are each amended to read as follows:

There is hereby created in the state treasury a fund to be known as the highway safety fund to the credit of which must be deposited all moneys directed by law to be deposited therein. This fund must be used for carrying out the provisions of law relating to driver licensing, driver improvement, financial responsibility, cost of furnishing abstracts of driving records and maintaining such case records, and to carry out the purposes set forth in RCW 43.59.010, chapters 46.72 and 46.72A RCW, and RCW 47.04.410. During the 2021-2023 and 2023-2025 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the highway safety fund to the multimodal transportation account, the motor vehicle fund, and the state patrol highway account.

**Sec. 602.** RCW 46.68.300 and 2023 c 472 s 708 and 2023 c 167 s 8 are each reenacted and amended to read as follows:

The freight mobility investment account is hereby created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for freight mobility projects that have been ((~~approved~~)recommended) by the freight mobility strategic investment board in RCW 47.06A.020 and may include any principal and interest on bonds authorized for the projects or improvements. During the ((~~2019-2021~~ and)) 2021-2023 and 2023-2025 fiscal biennia, the expenditures from the account may also be used for the administrative expenses of the freight mobility strategic investment board.

**Sec. 603.** RCW 36.79.020 and 1997 c 81 s 2 are each amended to read as follows:

There is created in the motor vehicle fund the rural arterial trust account. All moneys deposited in the motor vehicle fund to be credited to the rural arterial trust account shall be expended for (1) the construction and improvement of county rural arterials and collectors, (2) the construction of replacement bridges funded by the federal bridge replacement program on

access roads in rural areas, and (3) those expenses of the board associated with the administration of the rural arterial program. During the 2023-2025 fiscal biennium, account funds may also be used for staffing and other administrative expenses related to assisting local governments individually and collectively in qualifying for additional federal funds.

**Sec. 604.** RCW 82.70.020 and 2015 3rd sp.s. c 44 s 413 are each amended to read as follows:

(1) Employers in this state who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to their own or other employees for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before January 1, ~~((2024))~~2025, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of employees for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed ~~((sixty dollars))~~\$60 per employee per fiscal year.

(2) Property managers who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to persons employed at a worksite in this state managed by the property manager for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before January 1, 2024, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of these persons for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed ~~((sixty dollars))~~ \$60 per person per fiscal year.

(3) The credit under this section is equal to the amount paid to or on behalf of each employee multiplied by ~~((fifty))~~50 percent, but may not exceed ~~((sixty dollars))~~\$60 per employee per fiscal year. No refunds may be granted for credits under this section.

(4) A person may not receive credit under this section for amounts paid to or on behalf of the same employee under both chapters 82.04 and 82.16 RCW.

(5) A person may not take a credit under this section for amounts claimed for credit by other persons.

**Sec. 605.** RCW 82.70.040 and 2022 c 182 s 311 are each amended to read as follows:

(1)(a) The department must keep a running total of all credits allowed under RCW 82.70.020 during each fiscal year. The department may not allow any credits that would cause the total amount allowed to exceed \$2,750,000 in any fiscal year.

(b) If the total amount of credit applied for by all applicants in any year exceeds the limit in this subsection, the department must ratably reduce the amount of credit allowed for all applicants so that the limit in this subsection is not exceeded. If a credit is reduced under this subsection, the

amount of the reduction may not be carried forward and claimed in subsequent fiscal years.

(2)(a) Tax credits under RCW 82.70.020 may not be claimed in excess of the amount of tax otherwise due under chapter 82.04 or 82.16 RCW.

(b) Through June 30, 2005, a person with taxes equal to or in excess of the credit under RCW 82.70.020, and therefore not subject to the limitation in (a) of this subsection, may elect to defer tax credits for a period of not more than three years after the year in which the credits accrue. For credits approved by the department through June 30, 2015, the approved credit may be carried forward and used for tax reporting periods through December 31, 2016. Credits approved after June 30, 2015, must be used for tax reporting periods within the calendar year for which they are approved by the department and may not be carried forward to subsequent tax reporting periods. Credits carried forward as authorized by this subsection are subject to the limitation in subsection (1)(a) of this section for the fiscal year for which the credits were originally approved.

(3) No person may be approved for tax credits under RCW 82.70.020 in excess of \$100,000 in any fiscal year. This limitation does not apply to credits carried forward from prior years under subsection (2)(b) of this section.

(4) No person may claim tax credits after June 30, ~~((2024))~~2025.

**Sec. 606.** RCW 82.70.900 and 2023 c 374 s 18 are each amended to read as follows:

This chapter expires July 1, ~~((2024))~~2025.

**NEW SECTION. Sec. 607.** (1) This section is the tax preference performance statement for section 604, chapter . . . , Laws of 2024 (section 604 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for the preferential tax treatment.

(2) The tax preference performance statement in section 413, chapter 44, Laws of 2015 3rd sp. sess. applies to the expansion of the tax preference in section 604 of this act.

**Sec. 608.** 2022 c 182 s 503 (uncodified) is amended to read as follows:

~~((Sections 311 and))~~Section 403 of this act ~~((expire))~~expires July 1, 2024.

**Sec. 609.** RCW 46.68.170 and 2013 c 306 s 705 are each amended to read as follows:

There is hereby created in the motor vehicle fund the RV account. All monies hereafter deposited in said account shall be used by the department of transportation for the construction, maintenance, and operation of recreational vehicle sanitary disposal systems at safety rest areas in accordance with the department's highway system plan as prescribed in chapter 47.06 RCW. During the

~~((2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the RV account to the motor vehicle fund such amounts as reflect the excess fund balance of the RV account to accomplish the purposes identified in this section))~~ 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys from the RV account to the motor vehicle fund.

**Sec. 610.** RCW 47.12.244 and 2013 c 306 s 714 are each amended to read as follows:

There is created the "advance right-of-way revolving fund" in the custody of the treasurer, into which the department is authorized to deposit directly and expend without appropriation:

(1) An initial deposit of ~~((ten million dollars))~~ \$10,000,000 from the motor vehicle fund included in the department of transportation's 1991-93 budget;

(2) All moneys received by the department as rental income from real properties that are not subject to federal aid reimbursement, except moneys received from rental of capital facilities properties as defined in chapter 47.13 RCW; and

(3) Any federal moneys available for acquisition of right-of-way for future construction under the provisions of section 108 of Title 23, United States Code.

~~During the ((2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the advance right-of-way revolving fund to the motor vehicle account [fund] amounts as reflect the excess fund balance of the advance right-of-way revolving fund))~~ 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys from the advance right-of-way revolving fund to the JUDY transportation future funding program account.

**NEW SECTION. Sec. 611.** A new section is added to 2023 c 472 (uncodified) to read as follows:

(1) The transportation carbon emissions reduction account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account are intended to affect reductions in transportation sector carbon emissions through a variety of carbon reducing investments. Such investments may include, but are not limited to: Transportation alternatives to single occupancy passenger vehicles; reductions in single occupancy passenger vehicle miles traveled; reductions in per mile emissions in vehicles, including through the funding of alternative fuel infrastructure and incentive programs; and emissions reduction programs for freight transportation, including motor vehicles and rail, as well as for ferries and other maritime and port activities. Expenditures from the account may be made only for transportation carbon emissions reducing purposes and may not be made for highway purposes authorized under the 18th Amendment of the Washington state Constitution, other than as specified in this section, and must be made in accordance with subsection (2) of this section. It is

the legislature's intent that expenditures from the account used to reduce carbon emissions be made with the goal of achieving equity for communities that historically have been omitted or adversely impacted by past transportation policies and practices.

(2) Appropriations in an omnibus transportation appropriations act from the transportation carbon emissions reduction account must be made exclusively to fund the following activities:

- (i) Active transportation;
- (ii) Transit programs and projects;
- (iii) Alternative fuel and electrification;
- (iv) Ferries; and
- (v) Rail.

(3) Unspent appropriations in the 2023-2025 omnibus transportation appropriations act, chapter 472, Laws of 2023, and chapter . . ., Laws of 2024 (this act), which are appropriated from the carbon emissions reduction account before January 1, 2025, must thereafter be paid from the transportation carbon emissions reduction account as if they were appropriated from that account.

(4) Any appropriations from the carbon emissions reduction account beginning January 1, 2025, must lapse.

(5) Any residual balance of funds remaining in the carbon emissions reduction account on or after December 5, 2024, must be transferred by the state treasurer to the transportation carbon emissions reduction account created in this section.

(6) This section expires July 1, 2025.

**NEW SECTION. Sec. 612.** Section 611 of this act takes effect only if the carbon emissions reduction account is abolished on or after December 5, 2024.

(End of part)

#### MISCELLANEOUS

**NEW SECTION. Sec. 701.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 702.** Except for section 611 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "amending RCW 46.68.060, 36.79.020, 82.70.020, 82.70.040, 82.70.900, 46.68.170, and 47.12.244; amending 2023 c 472 ss 105, 108, 109, 111, 114, 110, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 301, 302, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 601, 606, and 609 (uncodified); amending 2022 c 182 s 503 (uncodified); reenacting and amending RCW

46.68.300; adding new sections to 2023 c 472 (uncodified); creating a new section; making appropriations and authorizing expenditures for capital improvements; providing a contingent effective date; providing expiration dates; and declaring an emergency."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House refused to concur in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134 and asked the Senate for a conference thereon. The Speaker (Representative Orwall presiding) appointed Representatives Barikis, Fey and Paul as conferees.

There being no objection, the House will immediately reconsider the motion on SUBSTITUTE HOUSE BILL NO. 1915.

**MESSAGE FROM THE SENATE**

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1915, with the following amendment(s): 1915-S AMS ENGR S5552.E

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature recognizes that acquiring and applying a basic knowledge of personal finance is critical to the economic well-being of all adults. Without this knowledge, persons are much less well equipped to navigate the complicated financial issues of modern life, including household budgets, consumer debt, loan applications and obligations, and successful retirement planning.

(2) The legislature also recognizes that it has taken meaningful steps to support financial education instruction in public schools, including establishing the financial education public-private partnership in 2004, adopting financial education learning standards in 2015, and providing funds in 2022 for financial education professional development for certificated staff.

(3) In recognition of the relevance and importance of personal finance knowledge, the ongoing efforts of the financial education public-private partnership, and the ability of public schools to teach or continue teaching financial education instruction, the legislature intends to ensure that all Washington students are provided financial education instruction. Therefore, the legislature intends to make financial education instruction a required component of public education while maximizing flexibility for school districts to implement the instruction in a manner that recognizes their local circumstances.

**Sec. 2.** RCW 28A.300.468 and 2015 c 211 s 4 are each amended to read as follows:

~~((1)) After consulting with the financial education public-private partnership, the office of the superintendent of public instruction shall make available to all school districts a list of instructional materials that align with the financial education learning standards ~~((integrated into the state learning standards pursuant to RCW 28A.300.460(2)(d)).~~~~

~~(2) School districts shall provide all students in grades nine through twelve the opportunity to access the financial education standards, whether through a regularly scheduled class period; before or after school; during lunch periods; at library and study time; at home; via online learning opportunities; through career and technical education course equivalencies; or other opportunities. School districts shall publicize the availability of financial education opportunities to students and their families. School districts are encouraged to grant credit toward high school graduation to students who successfully complete financial education courses)) adopted in RCW 28A.300.469.~~

**NEW SECTION. Sec. 3.** A new section is added to chapter 28A.230 RCW to read as follows:

(1) (a) Beginning in or before the 2027-28 school year, each school district that operates a high school shall provide all high school students with access to no less than one-half credit of financial education instruction.

(b) The content and instruction required by this subsection (1) may be provided in stand-alone courses or embedded into other courses and subject areas.

(c) Instruction provided in accordance with this subsection (1) must conform with the state financial education learning standards adopted in RCW 28A.300.469.

(2) (a) By December 15, 2025, school districts shall submit to the state board of education and the financial education public-private partnership established in RCW 28A.300.450:

(i) A list of the financial education instruction courses implemented for students during or prior to the 2024-25 school year; and

(ii) A description of the school district actions and other considerations necessary to implement this section.

(b) The financial education public-private partnership shall analyze the information provided under (a) of this subsection and create a statewide implementation plan for the requirements of this section. The plan, which must be submitted to the office of the superintendent of public instruction, the state board of education, and, in accordance with RCW 43.01.036, the appropriate committees of the legislature by September 30, 2026, may include recommendations for additional funding for grants to integrate financial literacy education into professional development for certificated staff and other school district resources in accordance with submissions provided under (a) of this subsection.



(3) Beginning no later than the 2027-28 school year, school districts shall publicize the offering of financial education instruction to students and their parents or legal guardians.

(4) (a) The state board of education shall review and monitor financial education offerings to ensure school district compliance with the requirements of subsection (1)(a) of this section. The reviews and monitoring required by this subsection (4) may be conducted concurrently with other oversight and monitoring conducted by the state board of education.

(b) The state board of education, in accordance with RCW 43.01.036, shall provide a summary of the information collected under this subsection (4) for school years 2027-28 and 2028-29 to the appropriate committees of the legislature by January 10, 2030.

(5) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020, and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts.

NEW SECTION. **Sec. 4.** Section 2 of this act takes effect August 31, 2027."

On page 1, line 2 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28A.300.468; adding a new section to chapter 28A.230 RCW; creating a new section; and providing an effective date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### **SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House refused to concur in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1915 and asked the Senate for a conference thereon. The Speaker (Representative Orwall presiding) appointed Representatives Rude, Santos and Stonier as conferees.

There being no objection, the House adjourned until 10:30 a.m., Tuesday, March 5, 2024, the 58th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

FIFTY EIGHTH DAY

House Chamber, Olympia, Tuesday, March 5, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Harshita Sinha and William Purves. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Josh Hall, Spokane First Assembly.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

SPEAKER'S PRIVILEGE

The Speaker (Representative Bronoske presiding) recognized Chief James A. Delissio and his wife Roberta of Monroe. Chief Delissio is a recipient of the Medal of Honor and two Medals of Valor and was previously recognized by House Resolution 4681.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

Monday, March 4, 2024

Mme. Speaker:

The President has signed:

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1097
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1618
SUBSTITUTE HOUSE BILL NO. 1911
HOUSE BILL NO. 1946
HOUSE BILL NO. 1976
HOUSE BILL NO. 1992
SUBSTITUTE HOUSE BILL NO. 1996
HOUSE BILL NO. 2004
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2021
HOUSE BILL NO. 2044
SUBSTITUTE HOUSE BILL NO. 2072
SECOND SUBSTITUTE HOUSE BILL NO. 2084
SUBSTITUTE HOUSE BILL NO. 2230
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2306

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

MESSAGE FROM THE SENATE

Monday, March 4, 2024

Mme. Speaker:

The President has signed:

- SENATE BILL NO. 5419
SUBSTITUTE SENATE BILL NO. 5652
SUBSTITUTE SENATE BILL NO. 5667
ENGROSSED SUBSTITUTE SENATE BILL NO. 5788
SENATE BILL NO. 5792
SUBSTITUTE SENATE BILL NO. 5812
ENGROSSED SENATE BILL NO. 5816

- SENATE BILL NO. 5852
SUBSTITUTE SENATE BILL NO. 5919
SENATE BILL NO. 5938
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5955
SENATE BILL NO. 6080
ENGROSSED SENATE BILL NO. 6089
SUBSTITUTE SENATE BILL NO. 6121
SUBSTITUTE SENATE BILL NO. 6125
SENATE BILL NO. 6173
SENATE BILL NO. 6215
ENGROSSED SUBSTITUTE SENATE BILL NO. 6291
ENGROSSED SENATE JOINT MEMORIAL NO. 8005
SENATE JOINT MEMORIAL NO. 8007

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

MESSAGE FROM THE SENATE

Monday, March 4, 2024

Mme. Speaker:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

- SUBSTITUTE SENATE BILL NO. 5857
SECOND SUBSTITUTE SENATE BILL NO. 5882
ENGROSSED SUBSTITUTE SENATE BILL NO. 5890
ENGROSSED SUBSTITUTE SENATE BILL NO. 5891
SENATE BILL NO. 5904
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5908
SUBSTITUTE SENATE BILL NO. 5953
ENGROSSED SUBSTITUTE SENATE BILL NO. 5983
ENGROSSED SUBSTITUTE SENATE BILL NO. 5985
SUBSTITUTE SENATE BILL NO. 5986
SECOND SUBSTITUTE SENATE BILL NO. 6006
ENGROSSED SUBSTITUTE SENATE BILL NO. 6009
SUBSTITUTE SENATE BILL NO. 6015

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

MESSAGE FROM THE SENATE

Monday, March 4, 2024

Mme. Speaker:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

- SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5150
SENATE BILL NO. 5184
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5213
SUBSTITUTE SENATE BILL NO. 5376
ENGROSSED SUBSTITUTE SENATE BILL NO. 5424
SECOND SUBSTITUTE SENATE BILL NO. 5444
ENGROSSED SENATE BILL NO. 5462

SECOND ENGROSSED SECOND SUBSTITUTE SENATE  
 BILL NO. 5580  
 ENGROSSED SENATE BILL NO. 5592  
 ENGROSSED SENATE BILL NO. 5632  
 SUBSTITUTE SENATE BILL NO. 5649  
 SUBSTITUTE SENATE BILL NO. 5774  
 SUBSTITUTE SENATE BILL NO. 5785  
 SENATE BILL NO. 5800  
 SUBSTITUTE SENATE BILL NO. 5804  
 ENGROSSED SENATE BILL NO. 5824  
 SECOND SUBSTITUTE SENATE BILL NO. 5825  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5828  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 5838

3 YEA; 0 NAY; 0 ABSTAIN; and 0 ABSENT

BOARD OF COUNTY COMMISSIONERS  
 PACIFIC COUNTY, WASHINGTON

Lisa Olsen, Chair

Jerry Doyle, Commissioner

David Tobin, Commissioner

ATTEST:

Amanda Bennett, Clerk of the Board

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM PACIFIC COUNTY**

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
 PACIFIC COUNTY, WASHINGTON  
 RESOLUTION NO. 2024-010

MATTER OF APPOINTING LILIAN HALE AS  
 TEMPORARY SUCCESSOR TO FILL  
 THE POSITION OF 19TH DISTRICT STATE  
 REPRESENTATIVE DUE TO  
 REPRESENTATIVE JOEL MCENTIRE ENTERING  
 ACTIVE SERVICE OR TRAINING AS PROVIDED FOR  
 UNDER RCW 73.16.041

WHEREAS, pursuant to the provisions of RCW 73.16.041 when any elected officer of the state shall enter active service or training as provided for in RCW 73.16.031, 73.16.033, and 73.16.035 the Board which would ordinarily fill the vacancy created by the death or resignation of the elected official so ordered to such service shall grant an extended leave of absence to cover the period of such active service or training and may appoint a temporary successor to the position so vacated. No leave of absence provided for in this statute shall operate to extend the term for which the occupant of any elected position shall have been elected; and

WHEREAS, Joel McEntire, 19th District State Representative, has advised the Board of County Commissioners that he has been called to active service or training for a leave of absence beginning March 5, 2024, and ending on March 8, 2024.

WHEREAS, pursuant to the provisions of RCW 73.16.041, the Board of County Commissioners is desirous of granting a leave of absence to Joel McEntire, 19th District State Representative for a time frame from approximately March 5, 2024, and ending on March 8, 2024 military orders as well as appointing a temporary successor to the position so vacated.

Now, THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners of Pacific County, pursuant to the provisions of RCW 73.16.041, that the Board does hereby:

1. Grant a leave of absence to Joel McEntire, 19th District State Representative to cover the period of his active service and/or training for the time frame from approximately March 5, 2024, and ending on March 8, 2024.

2. Appoint Lilian Hale as temporary successor of 19th District State Representative for the time frame from March 5, 2024, and ending on March 8, 2024.

PASSED by the following vote this 13th day of February, 2024 by the Board of Pacific County Commissioners meeting in regular session at South Bend, Washington, then signed by its membership and attested to by its Clerk in authorization of such passage:

**MESSAGE FROM LEWIS COUNTY**

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
 LEWIS COUNTY, WASHINGTON

IN THE MATTER OF: RESOLUTION NO. 24-066  
 APPOINT LILIAN HALE AS TEMPORARY  
 SUCCESSOR TO 19TH LEGISLATIVE DISTRICT  
 STATE REPRESENTATIVE JOEL MCENTIRE AS  
 PROVIDED UNDER RCW 73.16.041

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Lewis County Board of County Commissioners (BOCC) has the care of county property and the management of county funds and business; and

WHEREAS, pursuant to the provisions of RCW 73.16.041, when any elected officer of the state enters active service or training as provided for in RCW 73.16.031, 73.16.033 and 73.16.035, the Board that would ordinarily fill the vacancy created by the death or resignation of the elected official so ordered to such service shall grant an extended leave of absence to cover the period of such active service or training and may appoint a temporary successor to the position so vacated. No leave of absence provided for in this statute shall operate to extend the term for which the occupant of any elected position shall have been elected; and

WHEREAS, 19th Legislative District State Representative Joel McEntire who represents parts of Lewis County in addition to parts of Cowlitz, Grays Harbor, Pacific, Thurston and Wahkiakum counties - has advised the BOCC that he has been called to active service or training for a time frame of approximately March 5, 2024, through March 8, 2024; and

WHEREAS, pursuant to the provisions of RCW 73.16.041, the BOCC wishes to grant a leave of absence to 19th Legislative District State Representative Joel McEntire for a time frame of March 5, 2024, through March 8, 2024; and

WHEREAS, pursuant to the provisions of RCW 73.16.041, the BOCC also wishes to appoint a temporary successor to the position so vacated.

NOW THEREFORE BE IT RESOLVED that pursuant to the provisions of RCW 73.16.041 -- to the extent the BOCC has the authority per applicable law with consideration for the same and possible shared statutory authority with the counties of Cowlitz, Grays Harbor, Pacific, Thurston and Wahkiakum the BOCC hereby approves:

1. Granting a leave of absence to Joel McEntire, 19th Legislative District State Representative, to cover the period of his active service and/or training for the time frame of March 5, 2024, through March 8, 2024; and

2. Appointing Lilian Hale as temporary successor of 19th Legislative District State Representative for the time frame of March 5, 2024, through March 8, 2024.

DONE IN OPEN SESSION this 20th day of February, 2024.

BOARD OF COUNTY COMMISSIONERS  
 LEWIS COUNTY, WASHINGTON

Scott J. Brummer, Chair

Lindsey R. Pollock, DVM, Vice Chair

Sean D. Swope, Commissioner

APPROVED AS TO FORM:

Jonathan Meyer, Prosecuting Attorney

David Bailey, Chief Civil Deputy Prosecuting Attorney

ATTEST:

Rieva Lester, CMC  
Clerk of the Lewis County Board of  
County Commissioners

**MESSAGE FROM GRAYS HARBOR COUNTY**

GRAYS HARBOR COUNTY RESOLUTION NO. 2024-024

A RESOLUTION of the Grays Harbor County Board of Commissioners ("Board") granting a leave of absence for 19th Legislative District State Representative Joel McEntire and appointing Lilian Hale as his temporary successor.

WHEREAS, under RCW 73.16.041, if an elected official enters active service or training under RCWs 73.16.031, 73.16.033, and 73.16.035, then the proper officer, board, or other agency that would:

- (a) ordinarily be authorized to grant leave of absence, or
- (b) fill a vacancy created the death or resignation of the official

shall grant extended leave of absence to cover the period of active service or training, and may appoint a temporary successor to the vacated position; and

WHEREAS, Article II, Section 15 of the Washington State Constitution states in relevant part that:

"in case of a vacancy occurring in the office of joint representative, the vacancy shall be filled from a list of three nominees selected by the state central committee, by appointment by the joint action of the boards of county legislative authorities of the counties composing the joint representative district, the person appointed to fill the vacancy must be from the same legislative district and of the same political party as the legislator whose office has been vacated, and in case a majority of the members of the county legislative authority do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district and of the same political party as the legislator whose office has been vacated."

Washington Constitution Article II, Section 15; and

WHEREAS, Washington State Legislative District 19 includes Pacific and Wahkiakum Counties and parts of Cowlitz, Lewis, and Grays Harbor Counties; and

WHEREAS, on or about February 12, 2024, 19th Legislative District State Representative Joel McEntire notified the Board that he must report for United States Marine Corps Reserve training for the time period beginning on March 5, 2024 and ending on March 8, 2024 ("Period of Training"), and requested a leave of absence to cover the Period of Training.

WHEREAS, Representative McEntire also requested that the Board appoint Lilian Hale as his temporary successor during the Period of Training.

NOW THEREFORE, BE IT HEREBY RESOLVED that:

1. The Board grants Representative McEntire's request for a leave of absence during the Period of Training.

2. The Board appoints Lilian Hale as Representative McEntire's temporary successor during the Period of Training.

ADOPTED this 20th day of February 2023.

BOARD OF COMMISSIONERS  
GRAYS HARBOR COUNTY

Kevin Pine, Chair, District 2

Jill Warne, District 1

Vickie Raines, District 3

ATTEST:

Wendy Chatham, Clerk of the Board

Approved as to form:

Jon Beltran  
Chief Civil Deputy Prosecuting Attorney

**MESSAGE FROM THURSTON COUNTY**

RESOLUTION NO. 16368

A RESOLUTION of the Board of County Commissioners of Thurston County appointing Lilian Hale as temporary successor to fill the position of 19th District State Representative due to Representative Joel McEntire entering active service or training, per RCW 73.16.041.

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners of Thurston County has the care of County property and the management of County funds and business; and

WHEREAS, pursuant to the provisions of RCW 73.16.041 when any elected officer of the state shall enter active service or training as provided for in RCW 73.16.031, 73.16.033, and 73.16.035 the Board which would ordinarily fill the vacancy created by the death or resignation of the elected official so ordered to such service shall grant an extended leave of absence to cover the period of such active service or training and may appoint a temporary successor to the position so vacated. No leave of absence provided for in this statute shall operate to extend the term for which the occupant of any elected position shall have been elected; and

WHEREAS, Joel McEntire, 19th District State Representative, has advised the Board of County Commissioners that he has been called to active service or training for a leave of absence beginning March 5, 2024, and ending on March 8, 2024; and

WHEREAS, pursuant to the provisions of RCW 73.16.041, the Board of County Commissioners is desirous of granting a leave of absence to Joel McEntire, 19th District State Representative for a time frame from approximately March 5, 2024, and ending on March 8, 2024.

NOW, THEREFORE, the Board of County Commissioners of Thurston County, State of Washington, does resolve as follows, pursuant to the provisions of RCW 73.16.041:

Section 1. Grant a leave of absence to Joel McEntire, 19th District State Representative to cover the period of his active service and/or training for the time frame from approximately March 5, 2024, and ending on March 8, 2024.

Section 2. Appoint Lilian Hale as temporary successor of 19th District State Representative for the time frame from March 5, 2024, and ending on March 8, 2024.

ADOPTED: February 20, 2024

BOARD OF COUNTY COMMISSIONERS  
THURSTON COUNTY, WASHINGTON

TYE MENSER, Chair

WAYNE FOURNIER, Vice Chair

GARY EDWARDS, Commissioner

CAROLINE MEJIA, Commissioner

EMILY CLOUSE, Commissioner

ATTEST:

Amy Davis  
Clerk of the Board

APPROVED AS TO FORM:

Jon Tunheim  
Prosecuting Attorney

Elizabeth Patrick  
Deputy Prosecuting Attorney

**MESSAGE FROM WAHKIAKUM COUNTY**

RESOLUTION NO. 24-24

A RESOLUTION APPOINTING LILIAN HALE AS  
TEMPORARY SUCCESSOR TO FILL  
THE POSITION OF 19TH DISTRICT STATE  
REPRESENTATIVE DUE TO  
REPRESENTATIVE JOEL MCENTIRE ENTERING  
ACTIVE SERVICE OR TRAINING AS PROVIDED FOR  
UNDER RCW 73.16.041

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners of Wahkiakum County has the care of County property and the management of County funds and business; and

WHEREAS, pursuant to the provisions of RCW 73.16.041 when any elected officer of the state shall enter active service or training as provided for in RCW 73.16.031, 73.16.033, and 73.16.035 the Board which would ordinarily fill the vacancy created by the death or resignation of the elected official so ordered to such service shall grant an extended leave of absence to cover the period of such active service or training and may appoint a temporary successor to the position so vacated. No leave of absence provided for in this statute shall operate to extend the term for which the occupant of any elected position shall have been elected; and

WHEREAS, Joel McEntire, 19th District state Representative, has advised the Board of County Commissioners that he has been called to active service or training for a leave of absence beginning March 5, 2024, and ending on March 8, 2024; and

WHEREAS, pursuant to the provisions of RCW 73.16.041, the Board of County Commissioners is desirous of granting a leave of absence to Joel McEntire, 19th District State Representative for a time frame from approximately March 5, 2024, and ending on March 8, 2024 military orders as well as appointing a temporary successor to the position so vacated; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of County Commissioners of Wahkiakum County, pursuant to the provisions of RCW 73.16.041, the Board does hereby:

1. Grant a leave of absence to Joel McEntire, 19th District State Representative to cover the period of his active service and/or training for the time frame from approximately March 5, 2024 and ending on March 8, 2024.

2. Appoint Lilian Hale as temporary successor of 19th District State Representative for the time frame from March 5, 2024 and ending on March 8, 2024.

DULY PASSED AND ADOPTED this 20th day of February, 2024.

BOARD OF COUNTY COMMISSIONERS  
OF WAHKIAKUM COUNTY, WASHINGTON

Eugene Strong, Chairman

Lee Tischer, Commissioner

Daniel L. Cothren, Commissioner

ATTEST:

Dianna Adsero  
Clerk of the Board

APPROVED AS TO FORM

Daniel H. Bigelow  
Prosecuting Attorney

Wahkiakum Board of County Commissioners  
District No. 1 Commissioner: Lee Tischer  
District No. 2 Commissioner: Daniel L. Cothren  
District No. 3 Commissioner: Gene Strong, Chair

**MESSAGE FROM COWLITZ COUNTY**

BEFORE THE BOARD OF COMMISSIONERS OF  
COWLITZ COUNTY, WA.

In the Matter of Appointing Lilian Hale )  
As Temporary Successor to Fill the Position )  
Of 19th District State Representative, Joel )  
McEntire as provided under RCW 73.16.041 )

RESOLUTION NO. 24-017

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners of Cowlitz County has the care of County property and the management of funds and business and in the name of the county prosecute and defend all actions for and against the county, and such other power as are or may be conferred by law; and

WHEREAS, pursuant to the provisions of RCW 73.16.041, when any elective officer of this state or any political subdivision thereof, including any judicial officer, shall enter upon active service or training as provided in RCW 73.16.031, 73.16.033 and 73.16.035, the proper officer, board or other agency, which would ordinarily be authorized to grant leave of absence or fill a vacancy created by the death or resignation of the elective official so ordered to such service, shall grant an extended leave of absence to cover the period of such active service or training and may appoint a temporary successor to the position so vacated. No leave of absence provided for herein shall operate to extend the term for which the occupant of any elective position shall have been elected.

WHEREAS, Joel McEntire, 19th District State Representative, has advised the Board of County Commissioners that he has been called to active service or training beginning on March 5, 2024, and ending on March 8, 2024; and

WHEREAS, the Board of County Commissioners wishes to grant a leave of absence to Joel McEntire, 19th District, State

Representative, to cover the period of his active service or training, and appoint Lilian Hale as temporary successor of the 19th District State Representative, beginning March 5, 2024, through March 8, 2024; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Commissioners of Cowlitz County that Lilian Hale is hereby appointed to temporarily serve as 19th District State Representative, beginning March 5, 2024, through March 8th, 2024.

Approved in Open Session this 28th day of February 2024.

BOARD OF COUNTY COMMISSIONERS  
OF COWLITZ COUNTY, WASHINGTON

Richard P. Dahl, Chairman

Dennis P. Weber, Commissioner District 2

Ame Mortensen, Commissioner District 1

ATTEST:

Kelly Dombrowsky, Clerk of the Board

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HB 2500 by Representatives Rule, Stearns, Slatter, Ramos, Simmons, Santos, Ryu, Nance, Callan and Bergquist

AN ACT Relating to protecting access to assisted reproductive services; adding a new section to chapter 1.12 RCW; adding a new chapter to Title 70 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 2501 by Representatives Street, Santos and Nance

AN ACT Relating to improving the end-of-life management of electric vehicle batteries; amending RCW 70A.205.505 and 70A.555.010; reenacting and amending RCW 43.21B.110 and 43.21B.300; adding a new chapter to Title 70A RCW; and prescribing penalties.

Referred to Committee on Environment & Energy.

HB 2502 by Representatives Rule, Slatter, Ramos, Simmons, Santos, Ryu, Nance, Callan and Bergquist

AN ACT Relating to promoting reproductive autonomy by protecting access to contraceptive methods; reenacting and amending RCW 18.130.180; adding a new section to chapter 18.130 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the seventh order of business.

**THIRD READING**

**MESSAGE FROM THE SENATE**

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1012, with the following amendment(s): 1012-S AMS SGE S5299.1

Strike everything after the enacting clause and insert the following:

NEW SECTION. **Sec. 1.** This act may be known and cited as the extreme weather protection act.

NEW SECTION. **Sec. 2.** (1) The legislature finds that cold storm patterns in the winter months, dangerous heat waves in the summer, and other major weather events present severe public health challenges for individuals and families in Washington.

(2) Moreover, the legislature finds that these challenges are not experienced equally across the population. The elderly, people with disabilities, people with low incomes, farmworkers, people experiencing homelessness, and people who historically were zoned to areas that faced increased environmental impacts during weather events are the most at risk for losing their life or being severely impacted by weather-related ailments.

(3) The legislature finds that pets are particularly vulnerable to extreme weather conditions, including increased risk of heatstroke-related illness and death, and the inability for pet owners to find pet friendly accommodations is a major barrier to accessing heating and cooling centers and other resources and prevents individuals from evacuating to safety.

(4) The legislature finds that during the record heatwave of 2021, the deadliest weather-related disaster in Washington on record, over 100 people in Washington and nearly 800 people in the northwest region lost their lives as a result of inability to access cooling centers or resources and hundreds more visited emergency rooms with heat-related illnesses.

(5) The legislature acknowledges that according to scientists at the Pacific Northwest national laboratory, it is predicted that these severe weather events will happen more frequently because of the changing climate.

(6) The legislature finds that the cost to local governments to provide heating and cooling centers are sometimes insurmountable and intends to provide supplemental resources to local jurisdictions and tribal partners where local resources are not available during extreme weather events.

NEW SECTION. **Sec. 3.** A new section is added to chapter 38.52 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department shall develop and implement an extreme weather response grant program for the purpose of assisting political subdivisions and federally recognized tribes, in geographic areas where vulnerable populations face combined, multiple environmental harms and health impacts as determined by the department,

with the costs of responding to community needs during periods of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke. The department may adopt rules to administer the extreme weather response grant program.

(2) (a) The department may award grants to political subdivisions and federally recognized tribes, in geographic areas where vulnerable populations face combined, multiple environmental harms and health impacts as determined by the department, for reimbursement of costs in accordance with subsection (3) of this section if the costs were incurred by communities that have demonstrated a lack of local resources to address community needs and were incurred for the benefit of vulnerable populations. For the purposes of this section, vulnerability refers to the resilience of communities when confronted by external stresses on human health, such as natural or human-caused disasters. Vulnerable populations include, but are not limited to, individuals with disabilities, individuals without vehicles, older adults, individuals with low incomes or experiencing homelessness, and individuals with limited English proficiency.

(b) The department may utilize grant dollars to purchase temporary, movable shelters, which shall remain in the custody of the department to be loaned out to political subdivisions when requested by the executive head to assist with emergency response to extreme weather events.

(3) The costs associated with the following activities are eligible for reimbursement under the extreme weather response grant program:

(a) Establishing and operating warming and cooling centers, including rental of equipment, purchase of supplies and water, staffing, and other associated costs;

(b) Transporting individuals and their pets to warming and cooling centers;

(c) Purchasing fans or other supplies needed for cooling of congregate living settings;

(d) Providing emergency temporary housing such as rental of a hotel or convention center;

(e) Retrofitting or establishing facilities within warming and cooling centers that are pet friendly in order to permit individuals to evacuate with their pets; and

(f) Other related activities necessary for life safety during a period of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke as determined by the department.

(4) The department shall, upon request, provide information to political subdivisions and federally recognized tribes regarding the establishment and operation of warming and cooling centers.

(5) Grant funding awarded under this section must be used to supplement, not supplant, other federal, state, and local funding for emergency response.

(6) For purposes of this section, "political subdivision" means any county, city, or town that has established a local organization for emergency management or any joint local organization for emergency

management established pursuant to RCW 38.52.070.

**Sec. 4.** RCW 38.52.105 and 2022 c 157 s 10 are each amended to read as follows:

The disaster response account is created in the state treasury. Moneys may be placed in the account from legislative appropriations and transfers, federal appropriations, or any other lawful source. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for support of state agency and local government disaster response and recovery efforts, including the awarding of grants under section 3 of this act, response by state and local government and federally recognized tribes to the novel coronavirus pursuant to the gubernatorial declaration of emergency of February 29, 2020, and to reimburse the workers' compensation funds and self-insured employers under RCW 51.16.220. Expenditures from the disaster response account may be used for military department operations and to support wildland fire suppression preparedness, prevention, and restoration activities by state agencies and local governments. The legislature may direct the treasurer to make transfers of moneys in the disaster response account to the state general fund."

On page 1, line 1 of the title, after "events;" strike the remainder of the title and insert "amending RCW 38.52.105; adding a new section to chapter 38.52 RCW; and creating new sections."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1012 and advanced the bill, as amended by the Senate, to final passage.

Representatives Leavitt and Volz spoke in favor of the passage of the bill.

#### MOTION

On motion of Representative Griffey, Representatives Chandler and Barnard were excused.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1012, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1012, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 70; Nays, 25; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall,

Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Barkis, Caldier, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Maycumber, Orcutt, Robertson, Rude, Schmick, Schmidt, Volz, Walsh and Ybarra

Excused: Representatives Barnard and Chandler

SUBSTITUTE HOUSE BILL NO. 1012, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1205, with the following amendment(s): 1205-S2 AMS ENGR S5294.E

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 13.34.080 and 2000 c 122 s 9 are each amended to read as follows:

(1) The court shall direct the ~~((clerk))~~ petitioner to publish notice in a legal newspaper ~~((printed in the county, qualified to publish summons)), as described under RCW 65.16.020, once a week for three consecutive weeks, with the first publication of the notice to be at least twenty-five days prior to the date fixed for the hearing when it appears by the petition or verified statement that:~~

(a)(i) The parent or guardian is a nonresident of this state; or

(ii) The name or place of residence or whereabouts of the parent or guardian is unknown; and

(b) After due diligence, the person attempting service of the summons or notice provided for in RCW 13.34.070 has been unable to make service, and a copy of the notice has been deposited in the post office, postage prepaid, directed to such person at his or her last known place of residence. If the parent, guardian, or legal custodian is believed to be a resident of another state or a county other than the county in which the petition has been filed, notice also shall be published in the county in which the parent, guardian, or legal custodian is believed to reside.

(2) Publication may proceed simultaneously with efforts to provide service in person or by mail, when the court determines there is reason to believe that service in person or by mail will not be successful. Notice shall be directed to the parent, parents, or other person claiming the right to the custody of the child, if their names are known. If their names are unknown, the phrase "To whom it may concern" shall be used, apply to, and be binding upon, those persons whose names are unknown. The name of the court, the name of the child (or children if of one family), the date of the filing of the petition, the date of hearing, and the object of the proceeding in

general terms shall be set forth. There shall be filed with the clerk an affidavit showing due publication of the notice. ~~((The))~~

(3)(a) Except as provided in (b) of this subsection, the cost of publication shall be paid by the ~~((county))~~ petitioner at a rate not greater than the rate paid for other legal notices.

(b) If the petitioner is a minor child or the court finds that the petitioner is an indigent parent or legal guardian, the cost of publication shall be paid or reimbursed by the office of civil legal aid where the petitioner is a minor child, or the office of public defense where the petitioner is a parent or legal guardian, pursuant to procedures set by each agency.

(4) The publication of notice shall be deemed equivalent to personal service upon all persons, known or unknown, who have been designated as provided in this section.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void.

NEW SECTION. Sec. 3. This act takes effect January 31, 2026."

On page 1, line 3 of the title, after "cases;" strike the remainder of the title and insert "amending RCW 13.34.080; creating a new section; and providing an effective date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 1205 and advanced the bill, as amended by the Senate, to final passage.

Representatives Taylor and Walsh spoke in favor of the passage of the bill.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1205, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1205, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons,



Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barnard and Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 1205, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272, with the following amendment(s): 1272-S2.E AMS SGE S4572.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 29A.32.010 and 2003 c 111 s 801 are each amended to read as follows:

The secretary of state shall, whenever at least one statewide measure or office is scheduled to appear on the general election ballot, print and distribute a voters' pamphlet.

The secretary of state shall distribute the voters' pamphlet to each household in the state, to public libraries, and to any other locations ~~((he or she))~~ the secretary deems appropriate. The secretary of state shall also produce ~~((taped))~~ recorded or Braille transcripts of the voters' pamphlet, publicize their availability, and mail without charge a copy to any person who requests one.

The secretary of state may make the material required to be distributed by this chapter available to the public in electronic form. The secretary of state may provide the material in electronic form to ~~((computer bulletin boards))~~ web based, print, and broadcast news media ~~((, community computer networks,))~~ and similar services at the cost of reproduction or transmission of the data.

**Sec. 2.** RCW 29A.32.020 and 2003 c 111 s 802 are each amended to read as follows:

No person or entity may publish or distribute any campaign material that is deceptively similar in design or appearance to a voters' pamphlet that was published by the secretary of state during the ~~((ten))~~ 10-year period before the publication or distribution of the campaign material by the person or entity. The secretary of state shall take reasonable measures to prevent or to stop violations of this section. Such measures may include, among others, petitioning the superior court for a temporary restraining order or other appropriate injunctive relief. In addition, the secretary may request the superior court to impose a civil fine on a violator of this section. The court is authorized to levy on and recover from each violator a civil fine not to exceed the greater of: (1) ~~((Two dollars))~~ \$5 for each copy of the deceptive material distributed, or (2) ~~((one thousand dollars))~~ \$10,000. In addition, the violator is liable for the state's legal expenses and

other costs resulting from the violation. Any funds recovered under this section must be transmitted to the state treasurer for deposit in the general fund.

**Sec. 3.** RCW 29A.32.031 and 2023 c 109 s 8 are each amended to read as follows:

The voters' pamphlet published or distributed under RCW 29A.32.010 must contain:

(1) Information about each ballot measure initiated by or referred to the voters for their approval or rejection as required by RCW 29A.32.070;

(2) In even-numbered years, statements, if submitted, from candidates for the office of president and vice president of the United States, United States senator, United States representative, governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, commissioner of public lands, superintendent of public instruction, insurance commissioner, state senator, state representative, justice of the supreme court, judge of the court of appeals, or judge of the superior court. Candidates may also submit campaign contact information and a photograph not more than five years old in a format that the secretary of state determines to be suitable for reproduction in the voters' pamphlet;

(3) In odd-numbered years, ~~((if))~~ statements, if submitted, from candidates for any office ~~((voted upon statewide))~~ listed in subsection (2) of this section that appears on the ballot due to a vacancy ~~((, then statements and photographs for candidates for any vacant office listed in subsection (2) of this section must appear))~~ . Candidates may also submit campaign contact information and a photograph not more than five years old in a format that the secretary of state determines to be suitable for reproduction in the voters' pamphlet;

(4) Contact information for the public disclosure commission established under RCW 42.17A.100, including the following statement: "For a list of the people and organizations that donated to state and local candidates and ballot measure campaigns, visit [www.pdc.wa.gov](http://www.pdc.wa.gov)." The statement must be placed in a prominent position, such as ~~((on the cover or on))~~ the first two pages of the voters' pamphlet. The secretary of state may substitute such language as is necessary for accuracy and clarity and consistent with the intent of this section;

(5) Contact information for major political parties;

(6) A brief statement explaining the deletion and addition of language for proposed measures under RCW 29A.32.080;

(7) A list of all student engagement hubs as designated under RCW 29A.40.180;

(8) A page providing information about how to access the internet presentation of the information created in RCW 44.48.160 about the state budgets, including a uniform resource locator, a quick response code, and a phone number for the legislative information center. The uniform resource locator and quick response codes will lead

the voter to the internet information required in RCW 44.48.160; and

(9) Any additional information pertaining to elections as may be required by law or in the judgment of the secretary of state is deemed informative to the voters.

**Sec. 4.** RCW 29A.32.060 and 2015 c 171 s 2 are each amended to read as follows:

Committees shall write and submit arguments advocating the approval or rejection of each statewide ballot issue and rebuttals of those arguments. The secretary of state, the presiding officer of the senate, and the presiding officer of the house of representatives shall appoint the initial two members of each committee. In making these committee appointments the secretary of state and presiding officers of the senate and house of representatives shall consider legislators, sponsors of initiatives and referendums, and other interested groups known to advocate or oppose the ballot measure. Committees must have the explanatory and fiscal impact statements available before preparing their arguments.

The initial two members may select up to four additional members, and the committee shall elect a chairperson. The remaining committee member or members may fill vacancies through appointment.

After the committee submits its initial argument statements to the secretary of state, the secretary of state shall transmit the statements to the opposite committee. The opposite committee may then prepare rebuttal arguments. Rebuttals may not interject new points.

The voters' pamphlet may contain only text argument statements prepared according to this section. (~~Arguments may contain graphs and charts supported by factual statistical data and pictures or other illustrations. Cartoons~~) Graphs, charts, photographs, cartoons, or caricatures are not permitted.

**Sec. 5.** RCW 29A.32.070 and 2023 c 109 s 2 are each amended to read as follows:

The secretary of state shall determine the format and layout of the voters' pamphlet published under RCW 29A.32.010. The secretary of state shall print the pamphlet in clear, readable type on a size, quality, and weight of paper that in the judgment of the secretary of state best serves the voters. The pamphlet must contain a table of contents. Measures and arguments must be printed in the order specified by RCW 29A.72.290.

The secretary of state's name may not appear in the voters' pamphlet in (~~his or her~~) an official capacity if the secretary is a candidate for office during the same year. (~~His or her~~) The secretary's name may only be included as part of the information normally included for candidates.

The voters' pamphlet must provide the following information for each statewide issue on the ballot:

(1) The legal identification of the measure by serial designation or number;

(2) The official ballot title of the measure;

(3) A statement prepared by the attorney general explaining the law as it presently exists;

(4) A statement prepared by the attorney general explaining the effect of the proposed measure if it becomes law;

(5) The fiscal impact statement prepared under RCW 29A.72.025;

(6) The total number of votes cast for and against the measure in the senate and house of representatives, if the measure has been passed by the legislature;

(7) An argument advocating the voters' approval of the measure together with any statement in rebuttal of the opposing argument;

(8) An argument advocating the voters' rejection of the measure together with any statement in rebuttal of the opposing argument;

(9) Each argument or rebuttal statement must be followed by the names of the committee members who submitted them, and may be followed by a telephone number that citizens may call to obtain information on the ballot measure;

(10) The full text of the measure.

**Sec. 6.** RCW 29A.32.121 and 2004 c 271 s 168 are each amended to read as follows:

(1) The maximum number of words for statements submitted by candidates is as follows: State representative, (~~one hundred~~) 100 words; state senator, judge of the superior court, judge of the court of appeals, justice of the supreme court, and all state offices voted upon throughout the state, except that of governor, (~~two hundred~~) 200 words; president and vice president, United States senator, United States representative, and governor, (~~three hundred~~) 300 words.

(2) Arguments written by committees under RCW 29A.32.060 may not exceed (~~two hundred fifty~~) 250 words in length.

(3) Rebuttal arguments written by committees may not exceed (~~seventy-five~~) 75 words in length.

(4) The secretary of state or county auditor shall allocate space in the pamphlet based on the number of candidates or nominees for each office.

**Sec. 7.** RCW 29A.32.210 and 2020 c 337 s 6 are each amended to read as follows:

Before any primary or general election, or any special election held under RCW 29A.04.321 or 29A.04.330, each county auditor shall print and distribute a local voters' pamphlet. The pamphlet shall provide information on all measures and candidates appearing on ballots within that (~~jurisdiction~~) county. The format of any local voters' pamphlet shall, whenever applicable, comply with the provisions of this chapter regarding the publication of the state candidates' and voters' pamphlets.

**Sec. 8.** RCW 29A.32.220 and 2003 c 111 s 814 are each amended to read as follows:

(1) Not later than (~~ninety~~) 90 days before the publication and distribution of a local voters' pamphlet by a county, the county auditor shall notify each city, town,

or special taxing district (~~located wholly~~) with issues or offices appearing on ballots within that county that a pamphlet will be produced.

(2) ~~((If a))~~ All voters' ((pamphlet is)) pamphlets published by the county ~~((for a primary or general election, the pamphlet shall be published for))~~ pursuant to RCW 29A.32.210 must include the elective offices and ballot measures of the county and ((for) the elective offices and ballot measures of each unit of local government ((located entirely)) within the county which will appear on the ballot at that primary or election. ((However, the offices and measures of a first-class or code city shall not be included in the pamphlet if the city publishes and distributes its own voters' pamphlet for the primary or election for its offices and measures. The offices and measures of any other town or city are not required to appear in the county's pamphlet if the town or city is obligated by ordinance or charter to publish and distribute a voters' pamphlet for the primary or election for its offices and measures and it does so.))

If the required appearance in a county's voters' pamphlet of the offices or measures of a unit of local government would create undue financial hardship for the unit of government, the legislative authority of the unit may petition the legislative authority of the county to waive this requirement. The legislative authority of the county may provide such a waiver if it does so not later than ~~((sixty))~~ 60 days before the publication of the pamphlet and it finds that the requirement would create such hardship.

(3) If a city, town, or district is located within more than one county, ((the respective county auditors may enter into an interlocal agreement to permit the distribution of each county's local voters' pamphlet into those parts of the city, town, or district located outside of that county)) all appropriate information for that jurisdiction must appear in the local voters' pamphlet for each of the counties containing the jurisdiction. Arguments, candidate statements, and photographs must be submitted to the county auditor of the county that accepted any resolutions or candidate filings for that jurisdiction. The auditor that receives this information shall provide it to the other county auditors after reviewing and accepting the submissions.

~~((4))~~ If a first-class or code city authorizes the production and distribution of a local voters' pamphlet, the city clerk of that city shall notify any special taxing district located wholly within that city that a pamphlet will be produced. Notification shall be provided in the manner required or provided for in subsection (1) of this section.

(5) A unit of local government located within a county and the county may enter into an interlocal agreement for the publication of a voters' pamphlet for offices or measures not required by subsection (2) of this section to appear in a county's pamphlet.)

**Sec. 9.** RCW 29A.32.241 and 2020 c 208 s 12 are each amended to read as follows:

(1) The local voters' pamphlet shall include but not be limited to the following:

(a) Appearing on the cover, the words "official local voters' pamphlet," the name of the jurisdiction producing the pamphlet, and the date of the election or primary;

(b) A list of jurisdictions that have measures or candidates in the pamphlet;

(c) Information on how a person may register to vote and obtain a ballot;

(d) Candidate statements and photographs;

~~(e)~~ The text of each measure accompanied by an explanatory statement prepared by the prosecuting attorney for any county measure or by the attorney for the jurisdiction submitting the measure if other than a county measure. All explanatory statements for city, town, or district measures not approved by the attorney for the jurisdiction submitting the measure shall be reviewed and approved by the county prosecuting attorney or city attorney, when applicable, before inclusion in the pamphlet;

~~((e))~~ (f) The arguments for and against each measure submitted by committees selected pursuant to RCW 29A.32.280; and

~~((f))~~ (g) A list of all student engagement hubs in the county as designated under RCW 29A.40.180 ((; and

~~(g) For partisan primary elections, information on how to vote the applicable ballot format and an explanation that minor political party candidates and independent candidates will appear only on the general election ballot)).~~

(2) The county auditor's name may not appear in the local voters' pamphlet in ~~((his or her))~~ an official capacity if the county auditor is a candidate for office during the same year. ~~((His or her))~~ The auditor's name may only be included as part of the information normally included for candidates.

**Sec. 10.** RCW 29A.32.250 and 2003 c 111 s 817 are each amended to read as follows:

~~((If the legislative authority of a county or first-class or code city provides for the inclusion of candidates in the local voters' pamphlet, the pamphlet))~~ Local voters' pamphlets shall include ((the) candidate statements ((from candidates)) accepted by the county auditor and may also include ((these)) candidates' photographs accepted by the county auditor.

**Sec. 11.** RCW 29A.32.260 and 2022 c 193 s 2 are each amended to read as follows:

As soon as practicable before the primary, special election, or general election, the county auditor ~~((, or if applicable, the city clerk of a first-class or code city, as appropriate,))~~ shall mail the local voters' pamphlet to every residence in each jurisdiction ~~((that has included information))~~ within the county that is participating in the associated primary or election and for which election information is included in the pamphlet. The county auditor ~~((or city clerk, as appropriate,))~~ may choose to mail the pamphlet to each registered voter in each

~~jurisdiction ((that has included information in the pamphlet))within the county that is participating in the associated primary or election and for which election information is included in the pamphlet, if in ((his or her))the auditor's judgment, a more economical and effective distribution of the pamphlet would result. The county auditor shall either mail or send a printable electronic version of the state and local voters' pamphlets to any service or overseas voter registered in the jurisdiction who has requested them.~~

**Sec. 12.** RCW 29A.32.280 and 2015 c 146 s 3 are each amended to read as follows:

(1) For each measure from a unit of local government ~~((that is))~~ included in a local voters' pamphlet, the legislative authority of that jurisdiction shall, not later than the resolution deadline, formally appoint a committee to prepare arguments advocating voters' approval of the measure and shall formally appoint a committee to prepare arguments advocating voters' rejection of the measure.

(2) The authority shall appoint persons that reside within the jurisdictional boundaries and are known to favor the measure to serve on the committee advocating approval and shall, whenever possible, appoint persons that reside within the jurisdictional boundaries and are known to oppose the measure to serve on the committee advocating rejection.

(3) Each committee shall have not more than three members, however, a committee may seek the advice of any person or persons.

(4) If the legislative authority of a unit of local government fails to make such appointments by the prescribed deadline, the county auditor shall ~~((whenever possible make the appointments))~~issue a media release and publish information on the auditor's election website announcing the opportunity to form committees and provide statements. If the legislative authority is unable to make appointments, the auditor shall make appointments on a first-come, first-served basis if qualified committee members contact the auditor by the appropriate deadline.

(5) If no statement is produced, the auditor shall include a statement in the pamphlet stating that no person in the jurisdiction contacted the auditor to provide a statement, and there are no statements for that measure.

**NEW SECTION. Sec. 13.** This act takes effect January 1, 2025."

On page 1, line 2 of the title, after "pamphlets;" strike the remainder of the title and insert "amending RCW 29A.32.010, 29A.32.020, 29A.32.031, 29A.32.060, 29A.32.070, 29A.32.121, 29A.32.210, 29A.32.220, 29A.32.241, 29A.32.250, 29A.32.260, and 29A.32.280; and providing an effective date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272 and advanced the bill, as amended by the Senate, to final passage.

Representatives Bergquist and Cheney spoke in favor of the passage of the bill.

**FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1272, as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1272, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; Nays, 10; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Corry, Couture, Dent, Jacobsen, Kretz, Maycumber, Mosbrucker, Walsh and Ybarra

Excused: Representatives Barnard and Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277, with the following amendment(s): 1277-S.E AMS EDU S5373.1

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature acknowledges that it created the paraeducator board to adopt standards of practice and required school districts to provide to paraeducators a four-day fundamental course of study on the standards to paraeducators. The legislature finds that it required that at least one day of the fundamental course of study be provided in person due to the benefits of in-person instruction, including that instructors can confirm the participant's application of learning objectives.

(2) The legislature recognizes that paraeducators benefit from in-person training that is part of the hiring and onboarding process. The legislature intends to expand this benefit by generally requiring two days of the fundamental course

of study be provided to paraeducators in person. The legislature recognizes that an exemption from this in-person requirement is necessary for some small school districts that experience barriers to providing the fundamental course of study in person due to long commute times for paraeducators, irregular hiring dates in small school districts, and other extenuating circumstances.

(3) However, it is the intent of the legislature to ensure that all paraeducators in Washington receive high quality and consistent professional development through the fundamental course of study, with a significant majority of paraeducators being trained in person.

**NEW SECTION. Sec. 2.** A new section is added to chapter 28A.413 RCW to read as follows:

(1) By July 1, 2025, the board must update rules on the implementation of the fundamental course of study under RCW 28A.413.060 to require that a significant majority of paraeducators are provided with the course in person. Under the rules, the board may grant an exemption from the in-person requirement of RCW 28A.413.060 for second-class school districts hiring paraeducators after the beginning of the school year.

(2) By July 1, 2025, the board must publish guidance for school districts on how to provide the fundamental course of study under RCW 28A.413.060 to improve the consistency and quality of staff development.

**Sec. 3.** RCW 28A.413.060 and 2019 c 268 s 3 are each amended to read as follows:

(1) School districts must implement this section only in school years for which state funding is appropriated specifically for the purposes of this section and only for the number of days that are funded by the appropriation.

(2) (a) School districts must provide a four-day fundamental course of study on the state standards of practice, as defined by the board, to paraeducators who have not completed the course, either in the district or in another district within the state. ~~((At least one day of the fundamental course of study must be provided in person.))~~

(b) School districts must use best efforts to provide the fundamental course of study before the paraeducator begins to work with students and their families, and at a minimum by the following deadlines ~~((provided in subsection (3) of this section.))~~

~~((3) Except as provided in (b) of this subsection, school districts must provide the fundamental course of study required in subsection (2) of this section by the deadlines provided in (a) of this subsection)):~~

~~((+))~~ (i) For paraeducators hired ~~((or~~ before ~~((September 1st))~~ the beginning of the school year, the first two days of the fundamental course of study must be provided ~~((by September 30th of that year))~~ in person before the beginning of the school year and the second two days of the

fundamental course of study must be provided within six months of the date of hire ~~((regardless of the size of the district));~~ and

(ii) For paraeducators hired after ~~((September 1st))~~ the beginning of the school year:

(A) For paraeducators hired by first-class districts ~~((with ten thousand or more students))~~, the first two days of the fundamental course of study must be provided in person within four months of the date of hire and the second two days of the fundamental course of study must be provided within six months of the date of hire or by September 1st of the following year, whichever is sooner; and

(B) For paraeducators hired by second-class districts ~~((with fewer than ten thousand students))~~, the four-day fundamental course of study must be provided no later than September 1st of the following year, with two of the days provided in person unless the district has applied for and received an exemption under section 2 of this act.

~~((b))~~ (i) For paraeducators hired for the 2018-19 school year, by September 1, 2020; and

~~((ii))~~ For paraeducators not hired for the 2018-19 school year, but hired for the 2019-20 school year, by September 1, 2021.

~~((4))~~ (3) School districts may collaborate with other school districts or educational service districts to meet the requirements of this section."

On page 1, line 2 of the title, after "paraeducators;" strike the remainder of the title and insert "amending RCW 28A.413.060; adding a new section to chapter 28A.413 RCW; and creating a new section."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277 and advanced the bill, as amended by the Senate, to final passage.

Representatives Donaghy and Rude spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1277, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1277, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low,

Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Barnard and Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377, with the following amendment(s): 1377-S.E2 AMS EDU S5162.2

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.410.277 and 2021 c 77 s 1 are each amended to read as follows:

(1) The Washington professional educator standards board must adopt rules for renewal of administrator certificates and teacher certificates that meet the continuing education requirements of this section.

(2) To renew an administrator certificate on or after July 1, 2023, continuing education must meet the following requirements: 10 percent must focus on equity-based school practices, 10 percent must focus on the national professional standards for education leaders, and five percent must focus on government-to-government relationships with federally recognized tribes.

(3) To renew a teacher certificate on or after July 1, 2023, 15 percent of continuing education must focus on equity-based school practices. This subsection (3) does not apply to a person renewing both a teacher certificate and an administrator certificate.

(4)(a) Except as provided under ~~((b))~~ (c) of this subsection (4), continuing education must be provided by one or more of the following entities, if they are an approved clock hour provider:

- (i) The office of the superintendent of public instruction;
- (ii) A school district;
- (iii) An educational service district;
- (iv) A Washington professional educator standards board-approved administrator or teacher preparation program;
- (v) The association of Washington school principals; ~~((e))~~
- (vi) The Washington education association; or
- (vii) Other organizations approved by the Washington professional educator standards board.

~~(b)~~ ((Continuing)) Beginning with the 2025-26 school year, the professional educator standards board must approve clock hour providers under this section through a revised application process. As part of the revised application process, entities must

submit an application to the professional educator standards board that, at a minimum, includes the following:

- (i) The entity's mission and vision;
- (ii) The entity's experience and expertise in providing professional development to educators generally, as well as specific experience and expertise in equity-based practices;
- (iii) Possible subject matter topics of continuing education to be provided by the entity;
- (iv) Information on clock hour pricing;
- (v) Transcript processes; and
- (vi) Other application elements deemed appropriate by the professional educator standards board.

(c) To meet the requirements of subsection (2) of this section, continuing education related to government-to-government relationships with federally recognized tribes must be provided by one or more subject matter experts approved by the governor's office on Indian affairs in collaboration with the tribal leaders congress on education and the office of Native education in the office of the superintendent of public instruction.

~~((4))~~ (d) The office of the superintendent of public instruction and the Washington professional educator standards board must maintain a list of subject matter experts approved under (c) of this subsection on their respective websites.

(5) An entity providing an administrator or teacher continuing education program focused on equity-based school practices or the national professional standards for education leaders must publicly post the learning objectives of the program on its website. If the entity does not have a website, it must post the learning objectives of the program in a conspicuous place in the entity's main office and submit a copy of the learning objectives to the Washington professional educator standards board.

(6) Continuing education focused on equity-based school practices must be aligned with the standards ~~((for cultural competency developed))~~ of practice developed by the Washington professional educator standards board under RCW 28A.410.260.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.410 RCW to read as follows:

(1) By September 1, 2024, the Washington professional educator standards board must develop a process for the temporary or permanent revocation of continuing education provider status.

(a) Continuing education provider status may be revoked for providers that meet any of the following criteria:

(i) Providers that receive a substantial number of complaints filed against the provider, as determined by the board;

(ii) Providers found to not be in substantial compliance with RCW 28A.410.277; or

(iii) Providers found to offer course material that is not in substantial alignment with the cultural competency, diversity, equity, and inclusion standards

of practices adopted in RCW 28A.410.260, as determined by the board.

(b) Entities authorized to submit a complaint under this section are limited to the following:

- (i) Educators;
- (ii) Local education agencies;
- (iii) The office of the superintendent of public instruction;
- (iv) Organizations representing principals;
- (v) Organizations representing school board members;
- (vi) Organizations representing school administrators;
- (vii) Labor organizations representing classified instructional staff; and
- (viii) Labor organizations representing teachers.

(2) By December 1, 2024, the professional educator standards board in consultation with the office of the superintendent of public instruction must submit to the relevant committees of the legislature a report on how to implement an auditing system of continuing education providers and other recommendations for improving the clock hour system.

(3) For the purposes of this section, "approved provider" and "provider" have the same meaning as "approved in-service education agency" in WAC 181-85-045, but apply only to providers of administrator or teacher continuing education programs focused on either equity-based school practices or the national professional standards for education leaders."

On page 1, line 5 of the title, after "teachers;" strike the remainder of the title and insert "amending RCW 28A.410.277; and adding a new section to chapter 28A.410 RCW."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377 and advanced the bill, as amended by the Senate, to final passage.

Representatives Santos and Rude spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Engrossed Substitute House Bill No. 1377, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 1377, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner,

Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker  
Excused: Representative Chandler

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1851, with the following amendment(s): 1851-S AMS HS S5095.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 71.24.061 and 2021 c 126 s 1 are each amended to read as follows:

(1) The authority shall provide flexibility to encourage licensed or certified community behavioral health agencies to subcontract with an adequate, culturally competent, and qualified children's mental health provider network.

(2) To the extent that funds are specifically appropriated for this purpose or that nonstate funds are available, a children's mental health evidence-based practice institute shall be established at the University of Washington department of psychiatry and behavioral sciences. The institute shall closely collaborate with entities currently engaged in evaluating and promoting the use of evidence-based, research-based, promising, or consensus-based practices in children's mental health treatment, including but not limited to the University of Washington department of psychiatry and behavioral sciences, Seattle children's hospital, the University of Washington school of nursing, the University of Washington school of social work, and the Washington state institute for public policy. To ensure that funds appropriated are used to the greatest extent possible for their intended purpose, the University of Washington's indirect costs of administration shall not exceed ten percent of appropriated funding. The institute shall:

(a) Improve the implementation of evidence-based and research-based practices by providing sustained and effective training and consultation to licensed children's mental health providers and child-serving agencies who are implementing evidence-based or researched-based practices for treatment of children's emotional or behavioral disorders, or who are interested in adapting these practices to better serve ethnically or culturally diverse children. Efforts under this subsection should include a focus on appropriate oversight of implementation of evidence-based practices

to ensure fidelity to these practices and thereby achieve positive outcomes;

(b) Continue the successful implementation of the "partnerships for success" model by consulting with communities so they may select, implement, and continually evaluate the success of evidence-based practices that are relevant to the needs of children, youth, and families in their community;

(c) Partner with youth, family members, family advocacy, and culturally competent provider organizations to develop a series of information sessions, literature, and online resources for families to become informed and engaged in evidence-based and research-based practices;

(d) Participate in the identification of outcome-based performance measures under RCW 71.36.025(2) and partner in a statewide effort to implement statewide outcomes monitoring and quality improvement processes; and

(e) Serve as a statewide resource to the authority and other entities on child and adolescent evidence-based, research-based, promising, or consensus-based practices for children's mental health treatment, maintaining a working knowledge through ongoing review of academic and professional literature, and knowledge of other evidence-based practice implementation efforts in Washington and other states.

(3)(a) To the extent that funds are specifically appropriated for this purpose, the authority in collaboration with the University of Washington department of psychiatry and behavioral sciences and Seattle children's hospital shall implement the following access lines:

(i) The partnership access line to support primary care providers in the assessment and provision of appropriate diagnosis and treatment of children with mental and behavioral health disorders and track outcomes of this program;

(ii) The partnership access line for moms to support obstetricians, pediatricians, primary care providers, mental health professionals, and other health care professionals providing care to pregnant women and new mothers through same-day telephone consultations in the assessment and provision of appropriate diagnosis and treatment of depression in pregnant women and new mothers; ~~((and))~~

(iii) The mental health referral service for children and teens to facilitate referrals to children's mental health services and other resources for parents and guardians with concerns related to the mental health of the parent or guardian's child. Facilitation activities include assessing the level of services needed by the child; within an average of seven days from call intake processing with a parent or guardian, identifying mental health professionals who are in-network with the child's health care coverage who are accepting new patients and taking appointments; coordinating contact between the parent or guardian and the mental health professional; and providing postreferral reviews to determine if the child has outstanding needs. In conducting its referral activities, the program shall

collaborate with existing databases and resources to identify in-network mental health professionals; and

(iv) The first approach skills training program to provide brief, evidence-based behavioral therapy for youth and families with common mental health concerns.

(b) The program activities described in (a) of this subsection shall be designed to promote more accurate diagnoses and treatment through timely case consultation between primary care providers and child psychiatric specialists, and focused educational learning collaboratives with primary care providers.

(4) The authority, in collaboration with the University of Washington department of psychiatry and behavioral sciences and Seattle children's hospital, shall report on the following:

(a) The number of individuals who have accessed the resources described in subsection (3) of this section;

(b) The number of providers, by type, who have accessed the resources described in subsection (3) of this section;

(c) Demographic information, as available, for the individuals described in (a) of this subsection. Demographic information may not include any personally identifiable information and must be limited to the individual's age, gender, and city and county of residence;

(d) A description of resources provided;

(e) Average time frames from receipt of call to referral for services or resources provided; and

(f) Systemic barriers to services, as determined and defined by the health care authority, the University of Washington department of psychiatry and behavioral sciences, and Seattle children's hospital.

(5) Beginning December 30, 2019, and annually thereafter, the authority must submit, in compliance with RCW 43.01.036, a report to the governor and appropriate committees of the legislature with findings and recommendations for improving services and service delivery from subsection (4) of this section.

(6) The authority shall enforce requirements in managed care contracts to ensure care coordination and network adequacy issues are addressed in order to remove barriers to access to mental health services identified in the report described in subsection (4) of this section.

**Sec. 2.** RCW 71.24.063 and 2020 c 291 s 3 are each amended to read as follows:

(1) The University of Washington department of psychiatry and behavioral ~~((health))~~ sciences shall collect the following information for the ~~((partnership access line described in RCW 71.24.061(3)(a)-(i)),~~) partnership access line for moms described in RCW 71.24.061(3)(a)(ii) ~~((-A))~~, and the psychiatric consultation line described in RCW 71.24.062, in coordination with any hospital that it collaborates with to administer the programs:

(a) The number of individuals served;

(b) Demographic information regarding the individuals served, as available, including the individual's age, gender, and city and



county of residence. Demographic information may not include any personally identifiable information;

(c) Demographic information regarding the providers placing the calls, including type of practice, and city and county of practice;

(d) Insurance information, including health plan and carrier, as available;

(e) A description of the resources provided; and

(f) Provider satisfaction.

(2) ~~The ((University of Washington department of psychiatry and behavioral health sciences)) authority shall collect the following information for the program called the ((partnership access line for kids referral and assistance service)) mental health referral service for children and teens described in RCW 71.24.061((3)(a)(ii)-(B)) (3)(a)(iii), and the partnership access line described in RCW 71.24.061(3)(a)(i), in coordination with ((any)) Seattle children's hospital ((that it collaborates with)) to administer the program:~~

(a) The number of individuals served;

(b) Demographic information regarding the individuals served, as available, including the individual's age, gender, and city and county of residence. Demographic information may not include any personally identifiable information;

(c) Demographic information regarding the parents or guardians placing the calls, including family location;

(d) Insurance information, including health plan and carrier, as available;

(e) A description of the resources provided;

(f) Average time frames from receipt of the call to referral for services or resources provided;

(g) The most frequently requested issues that parents and guardians are asking for assistance with;

(h) The most frequently requested issues that families are asking for referral assistance with;

(i) The number of individuals that receive an appointment based on referral assistance; and

(j) Parent or guardian satisfaction.

(3) The authority shall collect the following information for the first approach skills training program (FAST) described in RCW 71.24.061(3)(a)(iv), in coordination with Seattle children's hospital to administer the program:

(a) The number of providers trained;

(b) The number of clinics supported;

(c) The number of ongoing consultation training sessions delivered;

(d) The utilization rates of the FAST website video and materials; and

(e) Updates on all new materials created, such as new translations, for the program.

**Sec. 3.** RCW 71.24.064 and 2020 c 291 s 4 are each amended to read as follows:

(1) Beginning July 1, 2021, the partnership access lines described in RCW 71.24.061(3)(a), ~~((and))~~ the psychiatric consultation line described in RCW 71.24.062, and the first approach skills training program described in RCW

71.24.061(3)(a)(iv) shall be funded as follows:

(a) The authority, in consultation with the University of Washington department of psychiatry and behavioral sciences and Seattle children's hospital shall determine the annual costs of operating each program, as well as the authority's costs for administering the programs.

(b) For each program, the authority shall calculate the proportion of clients that are covered by programs administered pursuant to chapter 74.09 RCW. The state must cover the cost for programs administered pursuant to chapter 74.09 RCW through state and federal funds, as appropriated.

(c)(i) The authority shall collect a proportional share of program costs from each of the following entities that are not for covered lives under contract with the authority as medicaid managed care organizations:

(A) Health carriers, as defined in RCW 48.43.005;

(B) Self-funded multiple employer welfare arrangements, as defined in RCW 48.125.010;

(C) Employers or other entities that provide health care in this state, including self-funding entities or employee welfare benefit plans.

(ii) For entities listed in (c)(i) of this subsection, a proportional share of the entity's annual program costs for each program must be calculated by determining the annual cost of operating the program not covered under (b) of this subsection and multiplying it by a fraction that in which the numerator is the entity's total number of resident insured persons among the population served by the program and the denominator is the total number of residents in the state who are served by the program and not covered by programs administered pursuant to chapter 74.09 RCW. The total number of resident insured persons among the population served by the program shall be determined according to the covered lives per calendar year determined by covered person months.

(iii) The entities listed in (c)(i) of this subsection shall provide information needed to calculate the proportional share of program costs under this section to the authority.

(d) The authority's administrative costs for these programs may not be included in the assessments.

(2) The authority may contract with a third-party administrator to calculate and administer the assessments of the entities identified in subsection (1)(c)(i) of this section.

(3) The authority shall develop separate performance measures for the partnership access lines described in RCW 71.24.061(3)(a), and the psychiatric consultation line described in RCW 71.24.062.

(4) The University of Washington department of psychiatry and behavioral sciences, in coordination with any hospital that it collaborates with to administer the programs, shall provide quarterly reports to the authority on the demographic data collected by each program, as described in RCW 71.24.063 (1) and (2), any performance measures specified by the authority, and

systemic barriers to services, as determined and defined by the authority, the University of Washington, and Seattle children's hospital."

On page 1, line 3 of the title, after "program;" strike the remainder of the title and insert "and amending RCW 71.24.061, 71.24.063, and 71.24.064."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1851 and advanced the bill, as amended by the Senate, to final passage.

Representatives Callan and Couture spoke in favor of the passage of the bill.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1851, as amended by the Senate.

ROLL CALL

MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1945, with the following amendment(s): 1945-S AMS EDU S5370.1

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.216.1368 and 2023 c 222 s 4 are each amended to read as follows:

(1) It is the intent of the legislature to increase working families' access to affordable, high quality child care and to support the expansion of the workforce to support businesses and the statewide economy.

(2) Beginning October 1, 2021, a family is eligible for working connections child care when the household's annual income is at or below 60 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision; and

(b) The household meets all other program eligibility requirements.

(3) Beginning July 1, 2025, a family is eligible for working connections child care when the household's annual income is above 60 percent and at or below 75 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision; and

(b) The household meets all other program eligibility requirements.

(4) Beginning July 1, 2027, and subject to the availability of amounts appropriated for this specific purpose, a family is eligible for working connections child care when the household's annual income is above 75 percent of the state median income and is at or below 85 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision; and

(b) The household meets all other program eligibility requirements.

(5) (a) Beginning October 1, 2021, through June 30, 2023, the department must calculate a monthly copayment according to the following schedule:

Table with 2 columns: 'If the household's income is:' and 'Then the household's maximum monthly copayment is:'. Row 1: 'At or below 20 percent of the state median income' / 'Waived to the extent allowable under federal law; otherwise, a maximum of \$15'.

The Clerk called the roll on the final passage of Substitute House Bill No. 1851, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1851, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

\*\*FORMAT CHANGED TO ACCOMMODATE TEXT\*\*

Above 20 percent and at or below 36 percent of the state median income	\$65
Above 36 percent and at or below 50 percent of the state median income	\$115 until December 31, 2021, and \$90 beginning January 1, 2022
Above 50 percent and at or below 60 percent of the state median income	\$115

(b) Beginning July 1, 2023, the department must calculate a monthly copayment according to the following schedule:

If the household's income is:	Then the household's maximum monthly copayment is:
At or below 20 percent of the state median income	Waived to the extent allowable under federal law; otherwise, a maximum of \$15
Above 20 percent and at or below 36 percent of the state median income	\$65
Above 36 percent and at or below 50 percent of the state median income	\$90
Above 50 percent and at or below 60 percent of the state median income	\$165

(c) Beginning July 1, 2025, the department must calculate a maximum monthly copayment of \$215 for households with incomes above 60 percent and at or below 75 percent of the state median income.

(d) Subject to the availability of amounts appropriated for this specific purpose, the department shall adopt a copayment model for households with annual incomes above 75 percent of the state median income and at or below 85 percent of the state median income. The model must calculate a copayment for each household that is no greater than seven percent of the household's countable income within this income range.

(e) The department may adjust the copayment schedule to comply with federal law.

(6) Beginning November 1, 2024, when an applicant or consumer is a member of an assistance unit that is eligible for or receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program the department must determine that the household income eligibility requirements in this section are met.

(7) The department must adopt rules to implement this section, including an income phase-out eligibility period.

~~((7))~~ (8) This section does not apply to households eligible for the working connections child care program under RCW 43.216.145 and 43.216.1364.

**Sec. 2.** RCW 43.216.505 and 2021 c 199 s 204 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 43.216.500 through 43.216.559, 43.216.900, and 43.216.901.

(1) "Advisory committee" means the advisory committee under RCW 43.216.520.

(2) "Approved programs" means those state-supported education and special assistance programs which are recognized by the department as meeting the minimum program rules adopted by the department to qualify under RCW 43.216.500 through 43.216.550, 43.216.900, and 43.216.901 and are designated as eligible for funding by the department under RCW 43.216.530 and 43.216.540.

(3) "Comprehensive" means an assistance program that focuses on the needs of the child and includes education, health, and family support services.

(4) "Eligible child" means a three to five-year old child who is not age-eligible for kindergarten, is not a participant in a federal or state program providing comprehensive services, and who:

(a) Has a family with ~~((financial need))~~ an income at or below 50 percent of the state median income adjusted for family size;

(b) Is experiencing homelessness;

(c) Has participated in early head start or a successor federal program providing comprehensive services for children from birth through two years of age, the early support for infants and toddlers program or received class C developmental services, the birth to three early childhood education and assistance program, or the early childhood intervention and prevention services program;

(d) Is eligible for special education due to disability under RCW 28A.155.020;

(e) Is a member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program;

(f) Is Indian as defined in rule by the department after consultation and agreement with Washington state's federally recognized tribes pursuant to RCW 43.216.5052 and is at or below 100 percent of the state median income adjusted for family size; or

~~((f))~~ (g) Meets criteria under rules adopted by the department if the number of such children equals not more than ten percent of the total enrollment in the early childhood

program. Preference for enrollment in this group shall be given to children from families with the lowest income, children in foster care, or to eligible children from families with multiple needs.

(5) "Experiencing homelessness" means a child without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter VI, part B) as it existed on January 1, 2021.

(6) "Family support services" means providing opportunities for parents to:

- (a) Actively participate in their child's early childhood program;
- (b) Increase their knowledge of child development and parenting skills;
- (c) Further their education and training;
- (d) Increase their ability to use needed services in the community;
- (e) Increase their self-reliance; and
- (f) Connect with culturally competent, disability positive therapists and supports where appropriate.

~~((7) "Family with financial need" means families with incomes at or below 36 percent of the state median income adjusted for family size until the 2030-31 school year. Beginning in the 2030-31 school year, "family with financial need" means families with incomes at or below 50 percent of the state median income adjusted for family size.))~~

**Sec. 3.** RCW 43.216.512 and 2019 c 409 s 2 are each amended to read as follows:

(1) The department shall adopt rules that allow the enrollment of children who meet one or more of the following criteria in the early childhood education and assistance program, as space is available if the number of such children equals not more than twenty-five percent of total statewide enrollment ~~((, whose family income is))~~:

(a) ~~((Above))~~ The child's family income is above one hundred ten percent but less than or equal to one hundred thirty percent of the federal poverty level; ~~((or))~~

(b) ~~((Above))~~ The child's family income is above one hundred thirty percent but less than or equal to two hundred percent of the federal poverty level if the child meets at least one of the risk factor criterion described in subsection (2) of this section; or

(c) Beginning November 1, 2024, the child is not eligible under RCW 43.216.505 and is a member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program.

(2) Children enrolled in the early childhood education and assistance program pursuant to subsection (1)(b) of this section must be prioritized for available funded slots according to a prioritization system adopted in rule by the department that considers risk factors that have a disproportionate effect on kindergarten readiness and school performance, including:

- (a) Family income as a percent of the federal poverty level;
- (b) Homelessness;
- (c) Child welfare system involvement;
- (d) Developmental delay or disability that does not meet the eligibility criteria for special education described in RCW 28A.155.020;
- (e) Domestic violence;
- (f) English as a second language;
- (g) Expulsion from an early learning setting;
- (h) A parent who is incarcerated;
- (i) A parent with a substance use disorder or mental health treatment need; and
- (j) Other risk factors determined by the department to be linked by research to school performance.

(3) The department shall adopt rules that allow a child to enroll in the early childhood education and assistance program, as space is available, when the child is not eligible under RCW 43.216.505 and the child turns three years old at any time during the school year when the child:

- (a) Has a family income at or below two hundred percent of the federal poverty level or meets at least one risk factor criterion adopted by the department in rule; and
- (b) Has received services from or participated in:
  - (i) The early support for infants and toddlers program;
  - (ii) The early head start or a successor federal program providing comprehensive services for children from birth through two years of age; or
  - (iii) The birth to three early childhood education and assistance program, if such a program is established.

(4) Children enrolled in the early childhood education and assistance program under this section are not considered eligible children as defined in RCW 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW 43.216.556.

**Sec. 4.** RCW 43.216.512 and 2021 c 199 s 205 are each amended to read as follows:

(1) The department shall adopt rules that allow the enrollment of children in the early childhood education and assistance program, as space is available, if the number of such children equals not more than 25 percent of total statewide enrollment, when the child is not eligible under RCW 43.216.505 and ~~((whose))~~:

(a) Has a family income level ~~((is))~~ above 36 percent of the state median income but at or below 50 percent of the state median income adjusted for family size and the child meets at least one of the risk factor criterion described in subsection (2) of this section; or

(b) Is a member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program.

(2) Children enrolled in the early childhood education and assistance program pursuant to this section must be prioritized for available funded slots according to a prioritization system adopted in rule by the department that considers risk factors that have a disproportionate effect on kindergarten readiness and school performance, including:

- (a) Family income as a percent of the state median income;
- (b) Child welfare system involvement;
- (c) Eligible for services under part C of the federal individuals with disabilities education act but not eligible for services under part B of the federal individuals with disabilities education act;
- (d) Domestic violence;
- (e) English as a second language;
- (f) Expulsion from an early learning setting;
- (g) A parent who is incarcerated;
- (h) A parent with a behavioral health treatment need; and
- (i) Other risk factors determined by the department to be linked by research to school performance.

(3) Children enrolled in the early childhood education and assistance program under this section are not considered eligible children as defined in RCW 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW 43.216.556.

(4) This section expires August 1, 2030.

**Sec. 5.** RCW 43.216.578 and 2019 c 408 s 8 are each amended to read as follows:

(1) Within resources available under the federal preschool development grant birth to five grant award received in December 2018, the department shall develop a plan for phased implementation of a birth to three early childhood education and assistance program pilot project for eligible children under thirty-six months old. Funds to implement the pilot project may include a combination of federal, state, or private sources.

(2) The department may adopt rules to implement the pilot project and may waive or adapt early childhood education and assistance program requirements when necessary to allow for the operation of the birth to three early childhood education and assistance program. The department shall consider early head start rules and regulations when developing the provider and family eligibility requirements and program requirements. Any deviations from early head start standards, rules, or regulations must be identified and explained by the department in its annual report under subsection (6) of this section.

(3)(a) Upon securing adequate funds to begin implementation, the pilot project programs must be delivered through child care centers and family home providers who meet minimum licensing standards and are enrolled in the early achievers program.

(b) The department must determine minimum early achievers ratings scores for programs participating in the pilot project.

(4) When selecting pilot project locations for service delivery, the department may allow each pilot project location to have up to three classrooms per location. When selecting and approving pilot project locations, the department shall attempt to select a combination of rural, urban, and suburban locations. The department shall prioritize locations with programs currently operating early head start, head start, or the early childhood education and assistance program.

(5) ~~((F))~~ Until November 1, 2024, to be eligible for the birth to three early childhood education and assistance program, a child's family income must be at or below one hundred thirty percent of the federal poverty level and the child must be under thirty-six months old. Beginning November 1, 2024, to be eligible for the birth to three early childhood education and assistance program, a child must be under 36 months old and either:

(a) From a family with a household income at or below 130 percent of the federal poverty level; or

(b) A member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program.

(6) Beginning November 1, 2020, and each November 1st thereafter during pilot project activity, the department shall submit an annual report to the governor and legislature that includes a status update that describes the planning work completed, the status of funds secured, and any implementation activities of the pilot project. Implementation activity reports must include a description of the participating programs and number of children and families served.

**Sec. 6.** RCW 43.216.578 and 2021 c 199 s 403 are each amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department shall administer a birth to three early childhood education and assistance program for eligible children under thirty-six months old. Funds to implement the program may include a combination of federal, state, or private sources.

(2) The department may adopt rules to implement the program and may waive or adapt early childhood education and assistance program requirements when necessary to allow for the operation of the birth to three early childhood education and assistance program. The department shall consider early head start rules and regulations when developing the provider and family eligibility requirements and program requirements.

(3)(a) The birth to three early childhood education and assistance program must be delivered through child care centers and family home providers who meet minimum licensing standards and are enrolled in the early achievers program.

(b) The department must determine minimum early achievers ratings scores for participating contractors.

(4) To be eligible for the birth to three early childhood education and assistance program, a ~~((child's family income must be at or below 50 percent of the state median income and the child must be under thirty-six months old))~~ child must be under 36 months old and either:

(a) From a family with a household income at or below 50 percent of the state median income; or

(b) A member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program.

**NEW SECTION. Sec. 7.** Section 2 of this act takes effect August 1, 2030. Sections 4 and 6 of this act take effect July 1, 2026.

**NEW SECTION. Sec. 8.** Sections 3 and 5 of this act expire July 1, 2026."

On page 1, line 2 of the title, after "assistance;" strike the remainder of the title and insert "amending RCW 43.216.1368, 43.216.512, 43.216.512, 43.216.578, and 43.216.578; reenacting and amending RCW 43.216.505; providing effective dates; and providing an expiration date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1945 and advanced the bill, as amended by the Senate, to final passage.

Representatives Alvarado and Couture spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1945, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1945, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Walsh  
Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1945, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1956, with the following amendment(s): 1956-S2.E AMS WM S5570.1

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that overdoses and overdose deaths, particularly from synthetic opioids, have increased in recent years. According to the federal centers for disease control and prevention, among persons aged 14 through 18, overdose deaths increased 94 percent from 2019 to 2020 and 20 percent from 2020 to 2021. In 2021, over 75 percent of all drug overdose deaths involved opioids, with synthetic opioids, including fentanyl, accounting for nearly 88 percent of those deaths. Between 2022 and 2023, Washington saw the largest increase in overdose deaths of any state at 40 percent.

(2) The legislature recognizes that fatal overdose risk among adolescents is increasing due to widespread availability of illicitly manufactured fentanyl, proliferation of counterfeit pills resembling prescription drugs but containing illicit drugs, and ease of purchasing pills through social media. The United States drug enforcement administration states that there is significant risk that illegal drugs have been intentionally contaminated with fentanyl. As a result, many young people may ingest a lethal dose without knowing that they are consuming fentanyl.

(3) The legislature acknowledges that the level of public health crisis created by use of fentanyl and other synthetic opioids requires an immediate, substantial, and coordinated effort by national, state, and local public health, social service, and educational agencies working together.

(4) The legislature also acknowledges that the popularity of drugs grows and wanes forming distinct drug epidemics, similar to disease epidemics. As the popularity and

availability of synthetic opioids wanes, it is likely that some other substance will pose the next acute public health crisis.

(5) Therefore, in order to combat the current public health crisis of abuse of fentanyl and other synthetic opioids, and to be prepared to address the next drug epidemic before it reaches crisis level, the legislature intends to direct the state department of health to deploy a statewide substance use prevention and awareness campaign that evolves to address the substance or substances with the greatest impact on the health of Washington youth and their families, diverse regions and communities, and the broader public. The legislature also intends for the public education system to actively incorporate campaign messages and materials in classrooms, as well as in family and community communications.

**NEW SECTION. Sec. 2.** A new section is added to chapter 43.70 RCW to read as follows:

(1) The department shall develop, implement, and maintain a statewide drug overdose prevention and awareness campaign to address the drug overdose epidemic.

(2)(a) The campaign must educate the public about the dangers of methamphetamines and opioids, including fentanyl, and the harms caused by drug use. The campaign must include outreach to both youth and adults aimed at preventing substance use and overdose deaths.

(b) The department, in consultation with the health care authority, may also include messaging focused on substance use disorder and overdose death prevention, resources for addiction treatment and services, and information on immunity for people who seek medical assistance in a drug overdose situation pursuant to RCW 69.50.315.

(3) The 2024 and 2025 campaigns must focus on increasing the awareness of the dangers of fentanyl and other synthetic opioids, including the high possibility that other drugs are contaminated with synthetic opioids and that even trace amounts of synthetic opioids can be lethal.

(4) Beginning June 30, 2025, and each year thereafter, the department must submit a report to the appropriate committees of the legislature on the content and distribution of the statewide drug overdose prevention and awareness campaign. The report must include a summary of the messages distributed during the campaign, the mediums through which the campaign was operated, and data on how many individuals received information through the campaign. The department must identify measurable benchmarks to determine the effectiveness of the campaign and recommend whether the campaign should continue and if any changes should be made to the campaign. The report must be submitted in compliance with RCW 43.01.036.

**NEW SECTION. Sec. 3.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) The office of the superintendent of public instruction shall collaborate with

the department of health, the health care authority, other state agencies, and educational service districts to develop age-appropriate substance use prevention and awareness materials for school and classroom uses. These materials must be periodically updated to align with substance use prevention and awareness campaigns implemented by the department of health and the health care authority.

(2) The office of the superintendent of public instruction shall actively distribute the materials developed under subsection (1) of this section to school districts, public schools, educational service districts, and community-based organizations that provide extended learning opportunities, and strongly encourage the incorporation of age-appropriate materials in classrooms, as well as in family and community communications.

**NEW SECTION. Sec. 4.** (1) The office of the superintendent of public instruction shall collaborate with the department of health, the health care authority, other state agencies, and educational service districts to develop school and classroom materials on the lethality of fentanyl and other opioids in coordination with the public health campaign created in section 2 of this act. The office of the superintendent of public instruction must make these materials available to school districts and public schools.

(2) By December 1, 2025, the office of the superintendent of public instruction shall adjust the state health and physical education learning standards for middle and high school students to add opioids to the list of drugs included in drug-related education and update the school and classroom materials developed under subsection (1) of this section to reflect the adjusted standards required by this subsection (2). The office of the superintendent of public instruction must make these materials available to school districts and public schools.

(3) This section expires July 1, 2026.

**NEW SECTION. Sec. 5.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

**NEW SECTION. Sec. 6.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void.

**NEW SECTION. Sec. 7.** This act may be known and cited as the Lucas Petty act."

On page 1, line 2 of the title, after "education;" strike the remainder of the title and insert "adding a new section to chapter 43.70 RCW; adding a new section to chapter 28A.300 RCW; creating new sections; providing an expiration date; and declaring an emergency."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1956 and advanced the bill, as amended by the Senate, to final passage.

Representatives Leavitt and Rude spoke in favor of the passage of the bill.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1956, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1956, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1956, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2007, with the following amendment(s): 2007-S AMS WM S5469.3

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.08A.010 and 2023 c 418 s 3 are each amended to read as follows:

(1) A family that includes an adult who has received temporary assistance for needy families for 60 months after July 27, 1997, shall be ineligible for further temporary assistance for needy families assistance.

(2) For the purposes of applying the rules of this section, the department shall count any month in which an adult family member received a temporary assistance for needy families cash assistance grant unless the assistance was provided when the adult family member was a minor child and not the

head of the household or married to the head of the household.

(3) The department shall refer recipients who require specialized assistance to appropriate department programs, crime victims' programs through the department of commerce, or the crime victims' compensation program of the department of labor and industries.

(4) The department shall add to adopted rules related to temporary assistance for needy families time limit extensions, the following criteria by which the department shall exempt a recipient and the recipient's family from the application of subsection (1) of this section:

(a) By reason of hardship, including when:

(i) The recipient's family includes a child or youth who is without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter VI, part B) as it existed on January 1, 2020;

(ii) The recipient received temporary assistance for needy families during a month on or after March 1, 2020, when Washington state's unemployment rate as published by the Washington employment security department was equal to or greater than seven percent, and the recipient is otherwise eligible for temporary assistance for needy families except that they have exceeded 60 months. The extension provided for under this subsection (4)(a)(ii) is equal to the number of months that the recipient received temporary assistance for needy families during a month on or after March 1, 2020, when the unemployment rate was equal to or greater than seven percent, and is applied sequentially to any other hardship extensions that may apply under this subsection (4) or in rule; or

(iii) Beginning July 1, 2022, the Washington state unemployment rate most recently published by the Washington employment security department is equal to or greater than seven percent; (~~or~~)

(b) If the family includes an individual who meets the family violence options of section 402(A)(7) of Title IVA of the federal social security act as amended by P.L. 104-193; or

(c) If the recipient or applicant is a parent or legal guardian to a child under the age of two who lives in the same household and qualifies for an infant, toddler, or postpartum exemption from WorkFirst activities.

(5) The department shall not exempt a recipient and his or her family from the application of subsection (1) of this section until after the recipient has received 52 months of assistance under this chapter.

(6) The department shall provide transitional food assistance for a period of five months to a household that ceases to receive temporary assistance for needy families assistance and is not in full-family sanction status. If a member of a household has been sanctioned but the household is still receiving benefits, the remaining eligible household members may receive transitional food assistance. If



necessary, the department shall extend the household's basic food certification until the end of the transition period.

(7) The department may adopt rules specifying which published employment security department unemployment rates to use for the purposes of subsection (4)(a)(ii) and (iii) of this section.

NEW SECTION. **Sec. 2.** This act takes effect July 1, 2024.

NEW SECTION. **Sec. 3.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 74.08A.010; creating a new section; and providing an effective date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2007 and advanced the bill, as amended by the Senate, to final passage.

Representatives Peterson and Couture spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2007, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2007, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; Nays, 17; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Corry, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, Mena, Morgan, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barnard, Caldier, Christian, Connors, Dent, Dye, Graham, Jacobsen, Klicker, McClintock, Mosbrucker, Rude, Sandlin, Schmick, Schmidt, Volz and Walsh

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2007, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Friday, February 23, 2024

Mme. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 2022, with the following amendment(s): 2022-S2 AMS ENGR S5418.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that there is significant opportunity to improve worker and public safety in tower crane assembly, disassembly, and reconfiguration. The Seattle tower crane incident on April 27, 2019, killing two members of the public, Sarah Pantip Wong and Alan Jay Justad, and two iron workers, Travis Daniel Corbet and Andrew W. Yoder, exposed weaknesses in construction safety efforts. Requirements for permitting, street closures, and penalties are created to ensure that assembly, disassembly, and reconfiguration of tower cranes proceed safely.

NEW SECTION. **Sec. 2.** A new section is added to chapter 49.17 RCW to read as follows:

Sections 3 through 10 of this act apply to construction crane safety.

**Sec. 3.** RCW 49.17.400 and 2007 c 27 s 2 are each amended to read as follows:

The definitions in this section apply throughout ((RCW 49.17.400 through 49.17.430)) this section and sections 4 through 7 of this act unless the context clearly requires otherwise.

(1) "Apprentice operator or trainee" means a crane operator who has not met requirements established by the department under RCW 49.17.430.

(2) "Attachments" includes, but is not limited to, crane-attached or suspended hooks, magnets, grapples, clamshell buckets, orange peel buckets, concrete buckets, drag lines, personnel platforms, augers, or drills and pile-driving equipment.

(3) "Certified crane inspector" means a crane inspector who has been certified by the department.

(4) "Construction" means all or any part of excavation, construction, erection, alteration, repair, demolition, and dismantling of buildings and other structures and all related operations; the excavation, construction, alteration, and repair of sewers, trenches, caissons, conduits, pipelines, roads, and all related operations; the moving of buildings and other structures, and the construction, alteration, repair, or removal of wharfs, docks, bridges, culverts, trestles, piers, abutments, or any other related construction, alteration, repair, or removal work. "Construction" does not include manufacturing facilities or powerhouses.

(5) "Crane" means power-operated equipment used in construction that can hoist, lower, and horizontally move a suspended load. "Crane" includes, but is not limited to: Articulating cranes, such as knuckle-boom cranes; crawler cranes;

floating cranes; cranes on barges; locomotive cranes; mobile cranes, such as wheel-mounted, rough-terrain, all-terrain, commercial truck mounted, and boom truck cranes; multipurpose machines when ~~((configured))~~ used to ~~((hoist))~~ lift and lower ~~((by means of a winch or hook and))~~ a suspended load, or horizontally move a suspended load; industrial cranes, such as carry-deck cranes; dedicated pile drivers; service/mechanic trucks with a hoisting device; a crane on a monorail; tower cranes, such as fixed jib, hammerhead boom, luffing boom, and self-erecting; pedestal cranes; portal cranes; overhead and gantry cranes; straddle cranes; side-boom tractors; derricks; and variations of such equipment.

(6) "Crane operator" means an individual engaged in the operation of a crane.

(7) "Professional engineer" means a professional engineer as defined in RCW 18.43.020.

(8) "Qualified crane operator" means a crane operator who meets the requirements established by the department under RCW 49.17.430.

(9) "Safety or health standard" means a standard adopted under this chapter.

(10) "Assembly, disassembly, and reconfiguration" means the assembly, disassembly, or reconfiguration of cranes covered under this section and sections 4 through 7 of this act.

(11) "Assembly/disassembly work zone" is applicable to tower cranes and means the total area that the crane and/or components or attachments could reach if the crane were to collapse. Height of the crane, length of boom, attachments, and loads, shall all be considered to calculate the area, which can shrink or grow as the work progresses.

(12) "Crane owner" means the company or entity that has custodial control of a crane by virtue of lease or ownership.

(13) "Prime contractor" means the person or entity that has overall responsibility for the construction of the project, its planning, quality, and completion and serves as the site supervisor.

(14) "Reconfiguration" means adding or subtracting components that alter the height, length, or capacity of a crane. The set-up of a crane is not considered reconfiguration.

**NEW SECTION. Sec. 4.** A new section is added to chapter 49.17 RCW to read as follows:

(1) The department shall establish, by rule, a permit for the performance of any work involving the operation, assembly, disassembly, or reconfiguration of a tower crane, subject to the requirements of subsection (2) of this section.

(2) The tower crane permit established by rule under subsection (1) of this section must include the following provisions, at a minimum:

(a) Require a complete application, subject to the requirements of subsection (5) of this section;

(b) Require a safety conference prior to issuing the permit, subject to the requirements of subsection (6) of this section;

(c) Require the department to issue or deny a permit, subject to the requirements of subsections (7) and (8) of this section;

(d) Allow the department to suspend or revoke a permit, subject to the requirements of subsection (9) of this section;

(e) Require the department to provide written notice of denials, suspensions, or revocation of a permit specifying the reasons for the denial, suspension, or revocation;

(f) Allow appeals of a denial, suspension, or revocation of a permit, subject to the requirements of subsection (10) of this section;

(g) Require advance notification to the department of any assembly, disassembly, or reconfiguration of a tower crane and require confirmation from the department to proceed;

(h) Allow the department to require additional information or updated safety conferences before issuing a confirmation to proceed under (g) of this subsection;

(i) Require the department to inspect permitted activities for the tower crane once assembled, following any reconfiguration, or any other permitted activities; and

(j) Require that if the department identifies deficiencies that directly affect the structural integrity or safe operation of a tower crane, the deficiencies be addressed immediately, and the tower crane not be operated until the deficiencies are corrected.

(3) Beginning January 1, 2026, a prime contractor must obtain a permit from the department, as established under this section, prior to performing or allowing the performance of any work involving the operation, assembly, disassembly, or reconfiguration of a tower crane. An exemption from the permit requirement may be allowed by the department for exceptions as determined by the department.

(4)(a) The prime contractor must possess a permit, as required under subsection (3) of this section, at all times a tower crane is present on a construction worksite.

(b) If the prime contractor's permit is suspended or revoked, the tower crane may not be used in operations, nor can assembly, disassembly, or reconfiguration take place until all deficiencies have been addressed and the permit is reinstated by the department.

(5) The prime contractor must apply for a permit required under subsection (3) of this section in a manner and form prescribed by the department that must include, but is not limited to, the following:

(a) Name of the assembly/disassembly director;

(b) Beginning the later of January 1, 2027, or 12 months after the date an assembly/disassembly director program is approved by a nationally accredited organization recognized by the department, the application must include a copy of the assembly/disassembly director's national assembly/disassembly director certification; and

(c) Certification from the prime contractor that all assembly, disassembly, and reconfigurations will be performed with a technical representative of the

distributor or manufacturer present to assure that such processes and operations are performed in accordance with manufacturer operation instructions and guidelines. The technical representative must be knowledgeable of assembly, disassembly, and reconfiguration procedures.

(6) (a) Prior to issuing a permit as required under subsection (3) of this section, the department must complete a safety permit conference, which may be conducted using remote videoconference technology, to ensure all parties involved with the assembly, disassembly, and reconfiguration of the tower crane are aware of the requirements and responsibilities under the permit, including manufacturer operation instructions and guidelines, and recommended best practices. The department must establish the information and materials required to be submitted prior to the safety conference, the information and material required to be reviewed at the safety conference, and the required attendees at the safety conference.

(b) During the safety conference, at a minimum the following items must be evaluated:

(i) The potential risks of the procedures, including those addressed in the crane operating manual, as well as specific measures to be taken by the permit applicant and all entities required in the operation, assembly, disassembly, and reconfiguration of the tower crane to minimize these risks;

(ii) The written accident prevention programs of the permit applicant and all entities involved in the operation, assembly, disassembly, and reconfiguration of the tower crane;

(iii) The permit applicant's written job plan as required under RCW 49.17.440; and

(iv) For each employee directly involved with the permitted work, a review of their experience and qualifications, including a copy of the crane operator's license.

(7) The department shall issue a permit under this section within five working days of the initial project permit safety conference under subsection (6) of this section, if the application materials are complete and the materials presented by the prime contractor at the safety conference are complete. If the application or safety conference materials are not complete, the prime contractor must be given a written list, before leaving the safety conference, of the materials or information outstanding. The department shall then either issue the permit within five working days of receiving the outstanding materials or deny the permit in writing pursuant to the requirements under this chapter and rules established by the department. The department may issue conditional permits, including when specific information is not yet available.

(8) The department must deny a permit if the permit applicant has a record of safety and health violations which indicates that the permit applicant may not be maintaining a safe worksite or operation.

(9) The department must suspend or revoke a permit if the permit holder:

(a) Has failed to comply with applicable occupational health and safety standards or regulations involving tower cranes;

(b) Fails to notify the department in advance of the assembly, disassembly, or reconfiguration of a fixed tower crane as required under this section;

(c) Fails to ensure that a technical representative of the distributor or manufacturer of the tower crane who is knowledgeable of assembly, disassembly, and reconfiguration procedures was present during assembly, disassembly, or reconfiguration;

(d) Fails to immediately correct deficiencies directly affecting the structural integrity of a tower crane;

(e) Fails to correct deficiencies directly affecting the safe operation of a tower crane; or

(f) Has refused the department entry to a worksite that contains activity for which a permit is required.

(10) (a) A denial, suspension, or revocation of a permit may be appealed to department within 15 working days after the denial, suspension, or revocation order is communicated.

(b) The department shall hold a hearing at such place designated by the director or authorized representative for the convenience of the attending parties within 2 working days of the applicant's or suspended or revoked permit holder's appeal.

(c) The applicant or suspended or revoked permit holder has the burden of establishing that it qualifies for a permit.

(d) The director or authorized representative shall preside at the hearing, which must be open to employees or employees' representatives.

(e) The applicant or permit holder shall notify the employees or employees' representatives of such hearing a reasonable time prior to the hearing, but in no case later than 24 hours prior to the hearing. Proof of such notification by the applicant or permit holder must be made at the hearing.

(f) The director or authorized representative shall issue a decision within 10 business days of the hearing. The director's or authorized representative's decision may affirm the order, reverse the order, or reverse the order with conditions to mitigate any deficiencies.

(g) The director's or authorized representative's decision is subject to appeal to the board of industrial insurance appeal under RCW 49.17.140.

**Sec. 5.** RCW 49.17.420 and 2007 c 27 s 4 are each amended to read as follows:

(1) The department shall establish, by rule, a crane certification program for cranes used in construction. In establishing rules, the department shall consult nationally recognized crane standards.

(2) The crane certification program must include, at a minimum, the following:

(a) The department shall establish certification requirements for crane inspectors, including an experience requirement, an education requirement, a training requirement, and other necessary requirements determined by the director;

(b) The department shall establish a process for certified crane inspectors to

issue temporary certificates of operation for a crane and the department to issue a final certificate of operation for a crane after a certified crane inspector determines that the crane meets safety or health standards, including meeting or exceeding national periodic inspection requirements recognized by the department;

(c) Crane owners must ensure that cranes are inspected and load proof tested by a certified crane inspector at least annually and after any significant modification or significant repairs of structural parts. If the use of weights for a unit proof load test is not possible or reasonable, other recording test equipment may be used. In adopting rules implementing this requirement, the department may consider similar standards and practices used by the federal government;

(d) Tower cranes and tower crane assembly parts must be inspected by a certified crane inspector ~~((both))~~ prior to and following every assembly ~~((and following erection))~~, disassembly, and reconfiguration of a tower crane. Any issues identified throughout the procedure must be tracked and corrected according to this chapter and applicable department rule;

(e) Before installation of a nonstandard tower crane base, the engineering design of the nonstandard base shall be reviewed and acknowledged as acceptable by an independent professional engineer;

(f) A certified crane inspector must notify the department and the crane owner if, after inspection, the certified crane inspector finds that the crane does not meet safety or health standards. A certified crane inspector shall not attest that a crane meets safety or health standards until any deficiencies are corrected and the correction is verified by the certified crane inspector; and

(g) Inspection reports including all information and documentation obtained from a crane inspection shall be made available or provided to the department by a certified crane inspector upon request.

(3) Except as provided in RCW 49.17.410(2), any crane operated in the state must have a valid temporary or final certificate of operation issued by the certified crane inspector or department posted in the operator's cab or station.

(4) Certificates of operation issued by the department under the crane certification program established in this section are valid for one year from the effective date of the temporary operating certificate issued by the certified crane inspector.

(5) This section does not apply to maritime cranes regulated by the department.

**Sec. 6.** RCW 49.17.440 and 2007 c 27 s 6 are each amended to read as follows:

(1) The department of labor and industries shall adopt rules necessary to implement ~~((RCW 49.17.400 through 49.17.430))~~ sections 3 through 7 of this act.

(2) The department shall adopt rules for tower crane assembly, disassembly, and reconfiguration including, but not limited to:

(a) A process for determining when the department will be present for the assembly, disassembly, and reconfiguration of a tower crane;

(b) Requirements that the prime contractors of construction projects acknowledge all applicable safety orders, crane manufacturer operation instructions and guidelines, written procedures from a registered professional structural engineer, and recommended practices prior to the assembly, disassembly, and reconfiguration of a tower crane;

(c) Requirements that the prime contractor of the construction project ensure that a qualified technical representative of the distributor or manufacturer who is knowledgeable of assembly, disassembly, and reconfiguration procedures will be present during assembly, disassembly, and reconfiguration of a tower crane to assure that such procedures are performed in accordance with manufacturer operation instructions and guidelines;

(d) Requiring prime contractors of construction projects to follow crane manufacturer operation instructions and guidelines or alternate plans/instructions approved by a registered professional engineer when assembling, disassembling, and reconfiguring a tower crane;

(e) Requiring the presence of an assembly/disassembly director at every tower crane assembly, disassembly, and reconfiguration to directly oversee all work performed. The assembly/disassembly director may not serve in any other capacity while directly supervising a tower crane assembly, disassembly, or reconfiguration procedure;

(f) Conducting programmed inspections of workplaces that contain tower cranes;

(g) Establishing requirements for the maximum allowable wind speed for tower crane assembly, disassembly, and reconfiguration;

(h) Establishing requirements for a written job plan that addresses the requirements of the manufacturer's manual tailored to the site conditions where the tower crane will be installed, as appropriate for assembly, disassembly, and reconfiguration of a tower crane;

(i) Establishing requirements that must be met to be considered a competent and qualified assembly/disassembly director including, beginning January 1, 2027, or 12 months after the date an applicable certification program is approved by a nationally accredited organization recognized by the department, certification from a national organization recognized by the department;

(j) Establishing effective stop work procedures that ensure the authority of any employee, including employees of contractors, to refuse or delay the performance of a task related to a tower crane that the employee believes could reasonably result in serious physical harm or death. The rules must ensure that employees who exercise stop work authority are protected from intimidation, retaliation, or discrimination; and

(k) Other rules necessary to implement sections 3 through 7 of this act.

(3) The department may set fees in rule to be charged for permits issued under

section 4 of this act in an amount sufficient to cover the costs of administering section 4 of this act. Fees shall be deposited in the industrial insurance trust funds.

**NEW SECTION. Sec. 7.** A new section is added to chapter 49.17 RCW to read as follows:

A tower crane manufacturer and distributor shall, without exception, provide all relevant manufacturer operation instructions and guidelines, including assembly, disassembly, and reconfiguration instructions, for the safe use and maintenance of all of the manufacturer's or distributor's tower cranes located in the state to any person who requests access to such materials. The prescribed information, format, and distribution channel must be determined by the department. These materials must be written in the English language with customary grammar and punctuation. Information must be provided within a reasonable time frame, as determined by the department.

**NEW SECTION. Sec. 8.** A new section is added to chapter 36.70B RCW to read as follows:

(1) When a worksite contains a tower crane, the local government in which the tower crane is located must, at a minimum, do the following before any assembly, disassembly, or reconfiguration of the tower crane:

(a) Align permit issuance for street closures with the definition of assembly/disassembly work zone when a tower crane is being assembled, disassembled, reconfigured, or otherwise not fully stabilized and secure;

(b) Issue street closure permits with consideration for sufficient time, as defined by the permit applicant, to safely conduct assembly, disassembly, or reconfiguration; and

(c) Develop permitting procedures that provide notice to residents and occupants in buildings within the assembly/disassembly work zone in advance of any assembly, disassembly, or reconfiguration.

(2) For purposes of this section, "assembly, disassembly, or reconfiguration" and "assembly/disassembly work zone" have the same meanings as those terms are defined in RCW 49.17.400.

**NEW SECTION. Sec. 9.** A new section is added to chapter 49.17 RCW to read as follows:

The provisions of this act do not apply to cranes used on marine vessels and at ports, terminals, and marine facilities for maritime activities regulated by the department.

**Sec. 10.** RCW 49.17.190 and 2011 c 96 s 40 are each amended to read as follows:

(1) Any person who gives advance notice of any inspection to be conducted under the authority of this chapter, without the consent of the director or his or her authorized representative, shall, upon

conviction be guilty of a gross misdemeanor and be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months, or by both.

(2) Whoever knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this chapter shall, upon conviction be guilty of a gross misdemeanor and be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months or by both.

(3) Any employer who willfully and knowingly violates the requirements of RCW 49.17.060, any safety or health standard promulgated under this chapter, any existing rule or regulation governing the safety or health conditions of employment and adopted by the director, or any order issued granting a variance under RCW 49.17.080 or 49.17.090 and that violation caused death to any employee shall, upon conviction be guilty of a gross misdemeanor and be punished by a fine of not more than (~~one hundred thousand dollars~~) \$100,000 or by imprisonment for not more than six months or by both; except, that if the conviction is for a violation committed after a first conviction of such person, punishment shall be a fine of not more than (~~two hundred thousand dollars~~) \$200,000 or by imprisonment for not more than (~~three hundred sixty-four~~) 364 days, or by both.

(4) Any employer who has been issued an order immediately restraining a condition, practice, method, process, or means in the workplace, pursuant to RCW 49.17.130 or 49.17.170, and who nevertheless continues such condition, practice, method, process, or means, or who continues to use a machine or equipment or part thereof to which a notice prohibiting such use has been attached, shall be guilty of a gross misdemeanor, and upon conviction shall be punished by a fine of not more than (~~ten thousand dollars~~) \$10,000 or by imprisonment for not more than six months, or by both.

(5) Any employer who shall knowingly remove, displace, damage, or destroy, or cause to be removed, displaced, damaged, or destroyed any safety device or safeguard required to be present and maintained by any safety or health standard, rule, or order promulgated pursuant to this chapter, or pursuant to the authority vested in the director under RCW 43.22.050 shall, upon conviction, be guilty of a misdemeanor and be punished by a fine of not more than (~~one thousand dollars~~) \$1,000 or by imprisonment for not more than (~~ninety~~) 90 days, or by both.

(6) An employer is guilty of a misdemeanor if the employer: (a) Allows any person to engage in the assembly, disassembly, or reconfiguration of a tower crane without direct supervision by a competent and qualified assembly/disassembly director as required under this chapter and defined by the department; or (b) allows a tower crane to be assembled, disassembled, or reconfigured not in accordance with manufacturer operation instructions, manufacturer guidelines, or written

procedures from a registered professional structural engineer.

(7) Whenever the director has reasonable cause to believe that any provision of this section defining a crime has been violated by an employer, the director shall cause a record of such alleged violation to be prepared, a copy of which shall be referred to the prosecuting attorney of the county wherein such alleged violation occurred, and the prosecuting attorney of such county shall in writing advise the director of the disposition he or she shall make of the alleged violation.

NEW SECTION. **Sec. 11.** This act takes effect January 1, 2025."

On page 1, line 1 of the title, after "safety;" strike the remainder of the title and insert "amending RCW 49.17.400, 49.17.420, 49.17.440, and 49.17.190; adding new sections to chapter 49.17 RCW; adding a new section to chapter 36.70B RCW; creating a new section; providing an effective date; and prescribing penalties."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 2022 and advanced the bill, as amended by the Senate, to final passage.

Representatives Reed and Schmidt spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2022, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2022, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmidt, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2022, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2039, with the following amendment(s): 2039-S.E AMS ENGR S5242.E

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 34.05.518 and 2021 c 305 s 2 are each amended to read as follows:

(1) ~~(a)~~ The final decision of an administrative agency in an adjudicative proceeding under this chapter may be directly reviewed by the court of appeals ~~((upon))~~ either: (i) Upon certification by the superior court pursuant to this ~~((section))~~ subsection and subsections (2) and (3) of this section; or (ii) if the final decision is from an environmental board as identified in RCW 43.21B.005 and the final decision relates to a clean energy project as defined in RCW 43.158.010, pursuant to subsection (4) of this section.

~~((Transfer of cases pursuant to this section does not require the filing of a motion for discretionary review with the court of appeals.))~~ ~~(b)~~ The superior court may certify cases for transfer to the court of appeals upon finding that:

~~((a))~~ (i) All parties have consented to the transfer to the court of appeals and agreed that the judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

~~((b))~~ (ii) One or more of the parties have not consented to the transfer, but the superior court finds that transfer would serve the interest of justice, would not cause substantial prejudice to any party, including any unrepresented party, and further finds that:

~~((i))~~ (A) The judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

~~((ii))~~ (B) The superior court has completed any necessary supplementation of the record pursuant to RCW 34.05.562, such that only issues of law remain for determination.

(2) If the superior court certifies a final decision of an administrative agency in an adjudicative proceeding, the superior court shall transfer the matter to the court of appeals as a direct appeal.

(3) A party contesting a superior court decision granting or denying certification for direct review may file a motion for discretionary review with the court of appeals.

(4) (a) For the appeal of a permit related to a clean energy project, as defined in RCW 43.158.010, that is the subject of a final adjudicative decision of an environmental board, as identified in RCW 43.21B.005, upon a motion filed by any party to the appeal, the superior court shall certify a case for transfer to the court of appeals upon a finding that:

(i) The judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

(ii) The superior court has completed any necessary supplementation of the record pursuant to RCW 34.05.562.

(b) If the superior court certifies a final decision of an administrative agency in an adjudicative proceeding, the superior court shall transfer the matter to the court of appeals as a direct appeal.

(c) A party contesting a superior court decision granting or denying certification for direct review may file a motion for discretionary review with the court of appeals. Where a contesting party demonstrates that substantial prejudice would result from direct review by the court of appeals, the court of appeals may remand to the superior court.

(5) Transfer of cases pursuant to this section does not require the filing of a motion for discretionary review with the court of appeals.

**Sec. 2.** RCW 34.05.518 and 2021 c 305 s 5 are each amended to read as follows:

(1) The final decision of an administrative agency in an adjudicative proceeding under this chapter may be directly reviewed by the court of appeals either (a) upon certification by the superior court pursuant to subsection (2) of this section ~~((or))~~; (b) if the final decision is from an environmental board as ~~((defined in))~~ identified in RCW 43.21B.005 and the final decision relates to a clean energy project as defined in RCW 43.158.010, pursuant to subsection (3) of this section ~~((, upon acceptance by the court of appeals after a certificate of appealability has been filed by the environmental board that rendered the final decision))~~; or (c) if the final decision is from an environmental board identified in RCW 43.21B.005 and the final decision does not relate to a clean energy project as defined in RCW 43.158.010, pursuant to subsection (4) of this section. Transfer of a case pursuant to subsections (3) or (4) of this section does not require the filing of a motion for discretionary review with the court of appeals.

(2)(a) For direct review upon certification by the superior court, an application for direct review must be filed with the superior court within thirty days of the filing of the petition for review in superior court. The superior court may certify a case for direct review only if the judicial review is limited to the record of the agency proceeding and the court finds that:

~~((a))~~(i) Fundamental and urgent issues affecting the future administrative process or the public interest are involved which require a prompt determination;

~~((b))~~(ii) Delay in obtaining a final and prompt determination of such issues would be detrimental to any party or the public interest;

~~((e))~~(iii) An appeal to the court of appeals would be likely regardless of the determination in superior court; and

~~((d))~~(iv) The appellate court's determination in the proceeding would have significant precedential value.

(b) Procedures for certification shall be established by court rule.

(3)(a) For the ~~((purposes of direct review of final decisions of environmental boards, environmental boards include those boards identified in RCW 43.21B.005 and the growth management hearings board as identified in RCW 36.70A.250.~~

~~(b) An environmental board may issue a certificate of appealability if it finds that delay in obtaining a final and prompt determination of the issues would be detrimental to any party or the public interest and either:~~

~~(i) Fundamental and urgent statewide or regional issues are raised; or~~

~~(ii) The proceeding is likely to have significant precedential value.~~

~~(4) The environmental board shall state in the certificate of appealability which criteria it applied, explain how that criteria was met, and file with the certificate a copy of the final decision.~~

~~(5) For an appellate court to accept direct review of a final decision of an environmental board, it shall consider the same criteria outlined in subsection (3) of this section.~~

~~(6) The procedures for direct review of final decisions of environmental boards include:~~

~~(a) Within thirty days after filing the petition for review with the superior court, a party may file an application for direct review with the superior court and serve the appropriate environmental board and all parties of record. The application shall request the environmental board to file a certificate of appealability.~~

~~(b) If an issue on review is the jurisdiction of the environmental board, the board may file an application for direct review on that issue.~~

~~(c) The environmental board shall have thirty days to grant or deny the request for a certificate of appealability and its decision shall be filed with the superior court and served on all parties of record.~~

~~(d) If a certificate of appealability is issued, the parties shall have fifteen days from the date of service to file a notice of discretionary review in the superior court, and the notice shall include a copy of the certificate of appealability and a copy of the final decision.~~

~~(e) If the appellate court accepts review, the certificate of appealability shall be transmitted to the court of appeals as part of the certified record.~~

~~(f) If a certificate of appealability is denied, review shall be by the superior court. The superior court's decision may be appealed to the court of appeals.)~~ appeal of a permit related to a clean energy project, as defined in RCW 43.158.010, that is the subject of a final adjudicative decision of an environmental board, as identified in RCW 43.21B.005, upon a motion filed by any party to the appeal, the superior court shall certify a case for transfer to the court of appeals upon a finding that:

(i) The judicial review can occur based upon the agency record developed before the

administrative body without supplementing the record pursuant to RCW 34.05.562; or

(ii) The superior court has completed any necessary supplementation of the record pursuant to RCW 34.05.562.

(b) If the superior court certifies a final decision of an administrative agency in an adjudicative proceeding, the superior court shall transfer the matter to the court of appeals as a direct appeal.

(c) A party contesting a superior court decision granting or denying certification for direct review may file a motion for discretionary review with the court of appeals. Where a contesting party demonstrates that substantial prejudice would result from direct review by the court of appeals, the court of appeals may remand to superior court.

(4)(a) The final adjudicative decision of an environmental board, as identified in RCW 43.21B.005, that does not relate to a clean energy project as defined in RCW 43.158.010, may be directly reviewed by the court of appeals upon certification by the superior court pursuant to this subsection. The superior court shall certify cases for transfer to the court of appeals upon finding that:

(i) All parties have consented to the transfer to the court of appeals and agreed that the judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

(ii) One or more of the parties have not consented to the transfer, but the superior court finds that transfer would serve the interest of justice, would not cause substantial prejudice to any party, including any unrepresented party, and further finds that:

(A) The judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

(B) The superior court has completed any necessary supplementation of the record pursuant to RCW 34.05.562, such that only issues of law remain for determination.

(b) If the superior court certifies a final decision of an administrative agency in an adjudicative proceeding, the superior court shall transfer the matter to the court of appeals as a direct appeal.

(c) A party contesting a superior court decision granting or denying certification for direct review may file a motion for discretionary review with the court of appeals. Where a contesting party demonstrates that substantial prejudice would result from direct review by the court of appeals, the court of appeals may remand to the superior court.

**NEW SECTION. Sec. 3.** A new section is added to chapter 43.21B RCW to read as follows:

(1) Where multiple permits for the same underlying clean energy project, as defined in RCW 43.158.010, are appealed to one or more of the environmental boards, as identified in RCW 43.21B.005, the presiding officer shall consolidate the appeals for

hearing when one or more of the following criteria are met:

(a) When appeals for the permits related to the same underlying project are either:

(i) Filed within 60 days of each other; or

(ii) If the permits are not filed within 60 days of each other and the environmental board issues a stay of the appeal of the permit following the applicant's request. Such a stay must include a stay of the construction of the project pending appeal pursuant to RCW 43.21B.320, to allow other anticipated appeals of permits for the same underlying project to be filed with the environmental boards to accommodate consolidation pursuant to this section, but the environmental board may set a deadline after which an appeal may proceed in the absence of other permit appeals in order to ensure efficient resolution of appeals; or

(b) The presiding officer determines that the following three criteria have been met:

(i) Consolidation will expedite disposition of the appeals;

(ii) Consolidation will avoid duplication of testimony; and

(iii) Consolidation will not prejudice the rights of the parties.

(2) When all appeals of individual permits consolidated pursuant to this section are within the jurisdiction of the pollution control hearings board, the pollution control hearings board shall retain jurisdiction over the consolidated matter. When all appeals of individual permits consolidated pursuant to this section are within the jurisdiction of the shorelines hearings board, the shorelines hearings board shall retain jurisdiction over the consolidated matter. When appeals to the pollution control hearings board and appeals to the shorelines hearings board are consolidated pursuant to this section, the following applies:

(a) The consolidated appeals must be heard by the pollution control hearings board;

(b) The pollution control hearings board must issue its decision on the consolidated appeal within 240 days, which must be measured from the date that the last of the consolidated appeals was filed; and

(c) The time period in (b) of this subsection may be extended 60 days on a motion from a party or by the pollution control hearings board upon a finding of good cause. The time period in (b) of this subsection may also be waived if agreed to by all parties.

**Sec. 4.** RCW 90.58.180 and 2011 c 277 s 4 are each amended to read as follows:

(1)(a) Any person aggrieved by the granting, denying, or rescinding of a permit on shorelines of the state pursuant to RCW 90.58.140 may seek review from the shorelines hearings board by filing a petition for review within ~~((twenty-one))~~ 21 days of the date of filing of the decision as defined in RCW 90.58.140(6).

(b) Within seven days of the filing of any petition for review with the board as provided in this section pertaining to a final decision of a local government, the



petitioner shall serve copies of the petition on the department, the office of the attorney general, and the local government. The department and the attorney general may intervene to protect the public interest and ensure that the provisions of this chapter are complied with at any time within ~~((fifteen))~~ 15 days from the date of the receipt by the department or the attorney general of a copy of the petition for review filed pursuant to this section. The shorelines hearings board shall schedule review proceedings on the petition for review without regard as to whether the period for the department or the attorney general to intervene has or has not expired.

(2) The department or the attorney general may obtain review of any final decision granting a permit, or granting or denying an application for a permit issued by a local government by filing a written petition with the shorelines hearings board and the appropriate local government within ~~((twenty-one))~~ 21 days from the date the final decision was filed as provided in RCW 90.58.140(6).

(3) The review proceedings authorized in subsections (1) and (2) of this section are subject to the provisions of chapter 34.05 RCW pertaining to procedures in adjudicative proceedings. Judicial review of such proceedings of the shorelines hearings board is governed by chapter 34.05 RCW. The board shall issue its decision on the appeal authorized under subsections (1) and (2) of this section within ~~((one hundred eighty))~~ 180 days after the date the petition is filed with the board or a petition to intervene is filed by the department or the attorney general, whichever is later. The time period may be extended by the board for a period of ~~((thirty))~~ 30 days upon a showing of good cause or may be waived by the parties.

(4) Any person may appeal any rules, regulations, or guidelines adopted or approved by the department within ~~((thirty))~~ 30 days of the date of the adoption or approval. The board shall make a final decision within ~~((sixty))~~ 60 days following the hearing held thereon.

(5) The board shall find the rule, regulation, or guideline to be valid and enter a final decision to that effect unless it determines that the rule, regulation, or guideline:

(a) Is clearly erroneous in light of the policy of this chapter; or

(b) Constitutes an implementation of this chapter in violation of constitutional or statutory provisions; or

(c) Is arbitrary and capricious; or

(d) Was developed without fully considering and evaluating all material submitted to the department during public review and comment; or

(e) Was not adopted in accordance with required procedures.

(6) If the board makes a determination under subsection (5)(a) through (e) of this section, it shall enter a final decision declaring the rule, regulation, or guideline invalid, remanding the rule, regulation, or guideline to the department with a statement of the reasons in support of the determination, and directing the department

to adopt, after a thorough consultation with the affected local government and any other interested party, a new rule, regulation, or guideline consistent with the board's decision.

(7) A decision of the board on the validity of a rule, regulation, or guideline shall be subject to review in superior court, if authorized pursuant to chapter 34.05 RCW. A petition for review of the decision of the shorelines hearings board on a rule, regulation, or guideline shall be filed within ~~((thirty))~~ 30 days after the date of final decision by the shorelines hearings board.

(8) Where multiple permits for the same underlying clean energy project, as defined in RCW 43.158.010, have been appealed to one or more of the environmental boards, as identified in RCW 43.21B.005, the presiding officer shall consolidate the appeals, including appeals to the shorelines hearings board, pursuant to section 3 of this act.

**Sec. 5.** RCW 43.21B.110 and 2023 c 455 s 5, 2023 c 434 s 20, 2023 c 344 s 5, and 2023 c 135 s 6 are each reenacted and amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70A.15 RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to chapter 70A.230 RCW and RCW 18.104.155, 70A.15.3160, 70A.300.090, 70A.20.050, 70A.205.280, 70A.355.070, 70A.430.070, 70A.500.260, 70A.505.100, 70A.505.110, 70A.530.040, 70A.350.070, 70A.515.060, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.245.130, 70A.245.140, 70A.65.200, 70A.455.090, 70A.550.030, 70A.555.110, 70A.560.020, 76.09.170, 77.55.440, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 18.104.130, 43.27A.190, 70A.15.2520, 70A.15.3010, 70A.15.4530, 70A.15.6010, 70A.205.280, 70A.214.140, 70A.300.120, 70A.350.070, 70A.245.020, 70A.65.200, 70A.555.110, 70A.560.020, 86.16.020, 88.46.070, 90.03.665, 90.14.130, 90.46.250, 90.48.120, ((and)) 90.48.240, 90.56.330, and 90.64.040.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, ~~((or))~~ a decision to approve or deny a solid waste management plan under RCW 70A.205.055, approval or denial of an

application for a ~~((solid waste permit exemption))~~ beneficial use determination under RCW 70A.205.260, an application for a change under RCW 90.03.383, or a permit to distribute reclaimed water under RCW 90.46.220.

(d) Decisions of local health departments regarding the ~~((grant))~~ granting or denial of solid waste permits pursuant to chapter 70A.205 RCW, including appeals by the department as provided in RCW 70A.205.130.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70A.226.090.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820 ~~((, and decisions of the department regarding waste-derived soil amendments under RCW 70A.205.145))~~.

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026 as provided in RCW 90.64.028.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW, to issue a stop work order, to issue a notice to comply, to issue a civil penalty, or to issue a notice of intent to disapprove applications.

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(n) Decisions of the department of ecology that are appealable under RCW 70A.245.020 to set recycled minimum postconsumer content for covered products or to temporarily exclude types of covered products in plastic containers from minimum postconsumer recycled content requirements.

(o) Orders by the department of ecology under RCW 70A.455.080.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW, except where appeals to the pollution control hearings

board and appeals to the shorelines hearings board have been consolidated pursuant to section 3 of this act.

(b) Hearings conducted by the department pursuant to RCW 70A.15.3010, 70A.15.3070, 70A.15.3080, 70A.15.3090, 70A.15.3100, 70A.15.3110, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

**Sec. 6.** RCW 43.21B.300 and 2023 c 455 s 6, 2023 c 434 s 21, and 2023 c 135 s 7 are each reenacted and amended to read as follows:

(1) Any civil penalty provided in RCW 18.104.155, 70A.15.3160, 70A.205.280, 70A.230.080, 70A.300.090, 70A.20.050, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.245.130, 70A.245.140, 70A.65.200, 70A.430.070, 70A.455.090, 70A.500.260, 70A.505.110, 70A.555.110, 70A.560.020, 86.16.081, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102 and chapter 70A.355 RCW shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the penalty from the department or the local air authority, describing the violation with reasonable particularity. For penalties issued by local air authorities, within 30 days after the notice is received, the person incurring the penalty may apply in writing to the authority for the remission or mitigation of the penalty. Upon receipt of the application, the authority may remit or mitigate the penalty upon whatever terms the authority in its discretion deems proper. The authority may ascertain the facts regarding all such applications in such reasonable manner and under such rules as it may deem proper and shall remit or mitigate the penalty only upon a demonstration of extraordinary circumstances such as the presence of information or factors not considered in setting the original penalty.

(2) Any penalty imposed under this section may be appealed to the pollution control hearings board in accordance with this chapter if the appeal is filed with the hearings board and served on the department or authority 30 days after the date of receipt by the person penalized of the notice imposing the penalty or 30 days after the date of receipt of the notice of disposition by a local air authority of the application for relief from penalty.

(3) A penalty shall become due and payable on the later of:

(a) 30 days after receipt of the notice imposing the penalty;

(b) 30 days after receipt of the notice of disposition by a local air authority on application for relief from penalty, if such an application is made; or

(c) 30 days after receipt of the notice of decision of the hearings board if the penalty is appealed.

(4) If the amount of any penalty is not paid to the department within 30 days after it becomes due and payable, the attorney general, upon request of the department, shall bring an action in the name of the state of Washington in the superior court of Thurston county, or of any county in which the violator does business, to recover the penalty. If the amount of the penalty is not paid to the authority within 30 days after it becomes due and payable, the authority may bring an action to recover the penalty in the superior court of the county of the authority's main office or of any county in which the violator does business. In these actions, the procedures and rules of evidence shall be the same as in an ordinary civil action.

(5) All penalties recovered shall be paid into the state treasury and credited to the general fund except ~~((those penalties imposed pursuant to RCW 18.104.155, which shall be credited to the reclamation account as provided in RCW 18.104.155(7), RCW 70A.15.3160, the disposition of which shall be governed by that provision, RCW 70A.245.040 and 70A.245.050, which shall be credited to the recycling enhancement account created in RCW 70A.245.100, RCW 70A.300.090, 70A.555.110, and 70A.560.020, which shall be credited to the model toxics control operating account created in RCW 70A.305.180, RCW 70A.65.200, which shall be credited to the climate investment account created in RCW 70A.65.250, RCW 90.56.330, which shall be credited to the coastal protection fund created by RCW 90.48.390, and RCW 70A.355.070, which shall be credited to the underground storage tank account created by RCW 70A.355.090))~~ the following:

(a) Penalties imposed pursuant to RCW 18.104.155 must be credited to the reclamation account as provided in RCW 18.104.155(7);

(b) Penalties imposed pursuant to RCW 70A.15.3160 must be disposed of pursuant to RCW 70A.15.3160;

(c) Penalties imposed pursuant to RCW 70A.230.080, 70A.300.090, 70A.430.070, 70A.555.110, and 70A.560.020 must be credited to the model toxics control operating account created in RCW 70A.305.180;

(d) Penalties imposed pursuant to RCW 70A.245.040 and 70A.245.050 must be credited to the recycling enhancement account created in RCW 70A.245.100;

(e) Penalties imposed pursuant to RCW 70A.500.260 must be deposited into the electronic products recycling account created in RCW 70A.500.130;

(f) Penalties imposed pursuant to RCW 70A.65.200 must be credited to the climate investment account created in RCW 70A.65.250;

(g) Penalties imposed pursuant to RCW 90.56.330 must be credited to the coastal protection fund established in RCW 90.48.390; and

(h) Penalties imposed pursuant to RCW 70A.355.070 must be credited to the underground storage tank account created in RCW 70A.355.090.

**Sec. 7.** RCW 70A.230.080 and 2020 c 20 s 1245 are each amended to read as follows:

A violation of this chapter is punishable by a civil penalty not to exceed ~~((one thousand dollars))~~ \$1,000 for each violation in the case of a first violation. Repeat violators are liable for a civil penalty not to exceed ~~((five thousand dollars))~~ \$5,000 for each repeat violation. Penalties collected under this section must be deposited in the model toxics control operating account created in RCW 70A.305.180. The penalties provided in this section must be imposed pursuant to RCW 43.21B.300 and may be appealed to the pollution control hearings board.

**Sec. 8.** RCW 70A.300.120 and 2012 c 117 s 417 are each amended to read as follows:

(1) Whenever on the basis on any information the department determines that a person has violated or is about to violate any provision of this chapter, the department may issue an order requiring compliance either immediately or within a specified period of time. The order shall be delivered by registered mail or personally to the person against whom the order is directed.

(2) Any person who fails to take corrective action as specified in a compliance order shall be liable for a civil penalty of not more than ~~((ten thousand dollars))~~ \$10,000 for each day of continued noncompliance. In addition, the department may suspend or revoke any permits and/or certificates issued under the provisions of this chapter to a person who fails to comply with an order directed against him or her.

(3) Any order or penalty may be appealed pursuant to RCW ~~((43.21B.310))~~ 43.21B.300.

**Sec. 9.** RCW 70A.430.070 and 2020 c 20 s 1409 are each amended to read as follows:

(1) A manufacturer of products that are restricted under this chapter must notify persons that sell the manufacturer's products in this state about the provisions of this chapter no less than ~~((ninety))~~ 90 days prior to the effective date of the restrictions.

(2) A manufacturer that produces, sells, or distributes a product prohibited from manufacture, sale, or distribution in this state under this chapter must recall the product and reimburse the retailer or any other purchaser for the product.

(3) A manufacturer of products in violation of this chapter is subject to a civil penalty not to exceed ~~((five thousand dollars))~~ \$5,000 for each violation in the case of a first offense. Manufacturers who are repeat violators are subject to a civil penalty not to exceed ~~((ten thousand dollars))~~ \$10,000 for each repeat offense. Penalties collected under this section must be deposited in the model toxics control operating account created in RCW 70A.305.180. The penalties provided in this section must be imposed pursuant to RCW 43.21B.300 and may be appealed to the pollution control hearings board.

(4) Retailers who unknowingly sell products that are restricted from sale under

this chapter are not liable under this chapter.

(5) The sale or purchase of any previously owned products containing a chemical restricted under this chapter made in casual or isolated sales as defined in RCW 82.04.040, or by a nonprofit organization, is exempt from this chapter.

**Sec. 10.** RCW 86.16.081 and 1995 c 403 s 634 are each amended to read as follows:

(1) Except as provided in RCW 43.05.060 through 43.05.080 and 43.05.150, the attorney general or the attorney for the local government shall bring such injunctive, declaratory, or other actions as are necessary to ensure compliance with this chapter.

(2) Any person who fails to comply with this chapter shall also be subject to a civil penalty not to exceed ~~((one thousand dollars))~~ \$1,000 for each violation. Each violation or each day of noncompliance shall constitute a separate violation.

(3) The penalty provided for in this section ~~((shall))~~ must be imposed by a notice in writing ~~((, either by certified mail with return receipt requested or by personal service, to the person incurring the same from the department or local government, describing the violation with reasonable particularity and ordering))~~ and must be imposed consistent with the procedures of RCW 43.21B.300. The notice in writing must also order the act or acts constituting the violation or violations to cease and desist or, in appropriate cases, ~~((requiring))~~ must require necessary corrective action to be taken within a specific and reasonable time.

(4) Any penalty imposed pursuant to this section by the department shall be subject to review by the pollution control hearings board under chapter 43.21B RCW. Any penalty imposed pursuant to this section by local government shall be subject to review by the local government legislative authority. Any penalty jointly imposed by the department and local government shall be appealed to the pollution control hearings board under chapter 43.21B RCW.

**Sec. 11.** RCW 70A.500.260 and 2020 c 20 s 1259 are each amended to read as follows:

(1) No manufacturer may sell or offer for sale a covered electronic product in or into the state unless the manufacturer of the covered electronic product is participating in an approved plan. The department shall send a written warning to a manufacturer that does not have an approved plan or is not participating in an approved plan as required under RCW 70A.500.050. The written warning must inform the manufacturer that it must participate in an approved plan within ~~((thirty))~~ 30 days of the notice. Any violation after the initial written warning shall be assessed a penalty of up to ~~((ten thousand dollars))~~ \$10,000 for each violation.

(2) If the authority or any authorized party fails to implement their approved plan, the department must assess a penalty of up to ~~((five thousand dollars))~~ \$5,000 for the first violation along with notification that the authority or authorized party must

implement its plan within ~~((thirty))~~ 30 days of the violation. After ~~((thirty))~~ 30 days, the authority or any authorized party failing to implement their approved plan must be assessed a penalty of up to ~~((ten thousand dollars))~~ \$10,000 for the second and each subsequent violation.

(3) Any person that does not comply with manufacturer registration requirements under RCW 70A.500.040, education and outreach requirements under RCW 70A.500.120, reporting requirements under RCW 70A.500.140, labeling requirements under RCW 70A.500.160, retailer responsibility requirements under RCW 70A.500.170, collector or transporter registration requirements under RCW 70A.500.240, or requirements under RCW 70A.500.250, must first receive a written warning consistent with the procedures of RCW 43.21B.300, including a copy of the requirements under this chapter and ~~((thirty))~~ 30 days to correct the violation. After ~~((thirty))~~ 30 days, a person must be assessed a penalty of up to ~~((one thousand dollars))~~ \$1,000 for the first violation and up to ~~((two thousand dollars))~~ \$2,000 for the second and each subsequent violation. The penalties provided in this section must be imposed pursuant to RCW 43.21B.300 and may be appealed to the pollution control hearings board.

(4) All penalties levied under this section must be deposited into the electronic products recycling account created under RCW 70A.500.130.

(5) The department shall enforce this section.

**Sec. 12.** RCW 36.70C.040 and 1995 c 347 s 705 are each amended to read as follows:

(1) Proceedings for review under this chapter shall be commenced by filing a land use petition in superior court.

(2) A land use petition is barred, and the court may not grant review, unless the petition is timely filed with the court and timely served on the following persons who shall be parties to the review of the land use petition:

(a) The local jurisdiction, which for purposes of the petition shall be the jurisdiction's corporate entity and not an individual decision maker or department;

(b) Each of the following persons if the person is not the petitioner:

(i) Each person identified by name and address in the local jurisdiction's written decision as an applicant for the permit or approval at issue; and

(ii) Each person identified by name and address in the local jurisdiction's written decision as an owner of the property at issue;

(c) If no person is identified in a written decision as provided in (b) of this subsection, each person identified by name and address as a taxpayer for the property at issue in the records of the county assessor, based upon the description of the property in the application; and

(d) Each person named in the written decision who filed an appeal to a local jurisdiction quasi-judicial decision maker regarding the land use decision at issue, unless the person has abandoned the appeal

or the person's claims were dismissed before the quasi-judicial decision was rendered. Persons who later intervened or joined in the appeal are not required to be made parties under this subsection.

(3) The petition is timely if it is filed and served on all parties listed in subsection (2) of this section within ~~((twenty-one))~~ 21 days of the issuance of the land use decision.

(4) For the purposes of this section, the date on which a land use decision is issued is:

(a) Three days after a written decision is mailed by the local jurisdiction or, if not mailed, the date on which the local jurisdiction provides notice that a written decision is publicly available;

(b) If the land use decision is made by ordinance or resolution by a legislative body sitting in a quasi-judicial capacity, the date the body passes the ordinance or resolution; or

(c) If neither (a) nor (b) of this subsection applies, the date the decision is entered into the public record.

(5) Service on the local jurisdiction must be by delivery of a copy of the petition to the ~~((persons))~~ office of a person identified by or pursuant to RCW 4.28.080 to receive service of process, or as otherwise designated by the local jurisdiction. Service on the local jurisdiction is effective upon delivery. Service on other parties must be in accordance with the superior court civil rules or by first-class mail to:

(a) The address stated in the written decision of the local jurisdiction for each person made a party under subsection (2)(b) of this section;

(b) The address stated in the records of the county assessor for each person made a party under subsection (2)(c) of this section; and

(c) The address stated in the appeal to the quasi-judicial decision maker for each person made a party under subsection (2)(d) of this section.

(6) Service by mail is effective on the date of mailing and proof of service shall be by affidavit or declaration under penalty of perjury.

NEW SECTION. Sec. 13. Section 1 of this act expires July 1, 2026.

NEW SECTION. Sec. 14. Section 2 of this act takes effect July 1, 2026.

NEW SECTION. Sec. 15. RCW 70A.205.145 (Exemption from solid waste permit requirements—Waste-derived soil amendments—Application—Revocation of exemption—Appeal) and 2020 c 20 s 1175, 2016 c 119 s 7, & 1998 c 36 s 18 are each repealed."

On page 1, line 2 of the title, after "matters;" strike the remainder of the title and insert "amending RCW 34.05.518, 34.05.518, 90.58.180, 70A.230.080, 70A.300.120, 70A.430.070, 86.16.081, 70A.500.260, and 36.70C.040; reenacting and amending RCW 43.21B.110 and 43.21B.300; adding a new section to chapter 43.21B RCW;

repealing RCW 70A.205.145; providing an effective date; and providing an expiration date."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2039 and advanced the bill, as amended by the Senate, to final passage.

Representative Fitzgibbon spoke in favor of the passage of the bill.

Representative Dye spoke against the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2039, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2039, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 72; Nays, 24; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Cheney, Chopp, Corry, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Gohner, Goodman, Gregerson, Hackney, Harris, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Macri, Maycumber, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Chambers, Christian, Connors, Couture, Dent, Dye, Eslick, Graham, Griffey, Jacobsen, Klicker, Low, McClintock, Mosbrucker, Orcutt, Rude, Sandlin, Schmick, Schmidt, Volz, Walsh and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2039, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2045, with the following amendment(s): 2045-S AMS AWP S5117.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that fish barriers are a serious impediment to salmon and steelhead recovery. The legislature further finds that the state has limited financial resources to address its many challenges and that community members and businesses may want to offer their help in partnership with the state for the removal of fish barriers that are on

lands owned by state or local governments. The legislature also finds that it is desirable to coordinate any such private donations with existing fish barrier removal projects on lands owned by state or local governments.

Therefore, the legislature intends to facilitate the removal of fish barriers on lands owned by state or local governments by creating the adopt a fish passage program through which state or local governments may receive such donations and to acknowledge project donors through appropriate public signage.

NEW SECTION. **Sec. 2.** A new section is added to chapter 77.95 RCW to read as follows:

(1) The Washington state department of transportation and every county, city, and town may accept any money or property donated, devised, or bequeathed to it that is donated for the purpose of fish barrier removal. The Washington state department of transportation and local governments may determine the value of any property donated, devised, or bequeathed for the purpose of recognizing fish barrier removal donations in this section.

(2) Subject to subsection (3) of this section, and upon completion of the related project, the Washington state department of transportation, counties, cities, and towns receiving donations for removing a fish barrier must install a clearly marked sign that acknowledges the individual donors and that is consistent with the requirements of RCW 47.40.105.

(3) Signs installed under subsection (2) of this section must be of a uniform design approved by the recreation and conservation office and may only include the words "adopt-a-fish passage," the names of project donors, and the species of fish affected by the project. Signage is also subject to the following limitations:

(a) The donor's name may not be displayed more predominantly than the remainder of the sign message.

(b) Trademarks or business logos may be displayed.

(c) To the extent that the Washington state department of transportation and local governments determine that the number of donors for individual projects would interfere with the signage requirements of subsection (2) of this section or the requirements of RCW 47.40.105, the Washington state department of transportation and local governments may determine the number of donors listed on signs but must endeavor to recognize the donors that provide the largest donations.

(d) The Washington state department of transportation and local governments receiving private donations under this section must only install signage pursuant to this section for individual donations that are equal in value to at least \$10,000.

(e) Notwithstanding other provisions of this subsection, a donor is not eligible to have their name displayed on the sign if the applicant's name: (i) Endorses or opposes a particular candidate for public office; (ii) advocates a position on a specific political

issue, initiative, referendum, or piece of legislation; (iii) includes a reference to a political party; or (iv) includes a reference to anything that may be considered or construed to be obscene or offensive to the general public.

(4) To the extent feasible and with the goal of expediting fish barrier removals, the Washington state department of transportation, counties, cities, and towns receiving donations under this section must coordinate donations with any grant applications made for state grant funding for fish barrier removal pursuant to RCW 77.95.170. The recreation and conservation office must publish and maintain a list of fish barrier removal projects that are suited to receiving private donations pursuant to this section. Donations received under this section are eligible for use as match for other funding sources, including state and federal grants.

(5) Upon completion of a project funded with private donations pursuant to this section, the Washington state department of transportation or local government that owns the completed project must notify the recreation and conservation office. Upon receiving such a notification, the recreation and conservation office must gather information regarding the project sponsors, location, fish species affected, and the amounts of individual donations that supported the project. The recreation and conservation office must publish and maintain this information with the project list under subsection (4) of this section.

(6) For each individual donation equal to at least \$100,000 in value pursuant to this section, the recreation and conservation office must provide to the donor a recognition plaque that meets the following criteria: (a) The plaque must be signed by the governor; and (b) the plaque must include the name of the donor, the words "adopt-a-fish passage program," the location and name of the project funded, the amount and year of the donation, and the fish species affected.

**Sec. 3.** RCW 47.40.105 and 1990 c 258 s 3 are each amended to read as follows:

Local government legislative authorities may enact local "adopt-a-highway sign" and "adopt-a-fish passage" programs which are not inconsistent with state or federal law.

NEW SECTION. **Sec. 4.** A new section is added to chapter 47.40 RCW to read as follows:

The department may participate in an "adopt-a-fish passage" program under section 2 of this act."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "amending RCW 47.40.105; adding a new section to chapter 77.95 RCW; adding a new section to chapter 47.40 RCW; and creating a new section."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2045 and advanced the bill, as amended by the Senate, to final passage.

Representatives Waters and Chapman spoke in favor of the passage of the bill.

**FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2045, as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2045, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Ramos

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2045, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2056, with the following amendment(s): 2056-S AMS LAW S5316.1

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 2.04 RCW to read as follows:

(1) Bailiffs of the supreme court are authorized to conduct threat assessments on behalf of supreme court justices. The supreme court shall ensure that supreme court bailiffs are qualified by training and experience.

(2) Bailiffs of the supreme court are authorized to receive criminal history record information that includes nonconviction data for purposes exclusively related to the investigation of any person making a threat as defined in RCW 9A.04.110 against a supreme court justice. Dissemination or use of criminal history records or nonconviction data for purposes other than authorized in this section is prohibited.

(3) Founded threats investigated under this section must be referred to local law enforcement for further action. Local law enforcement is authorized to report the outcome and any anticipated action to bailiffs of the supreme court.

**Sec. 2.** RCW 10.97.050 and 2023 c 26 s 1 are each amended to read as follows:

(1) Conviction records may be disseminated without restriction.

(2) Any criminal history record information which pertains to an incident that occurred within the last twelve months for which a person is currently being processed by the criminal justice system, including the entire period of correctional supervision extending through final discharge from parole, when applicable, may be disseminated without restriction.

(3) Criminal history record information which includes nonconviction data may be disseminated by a criminal justice agency to another criminal justice agency for any purpose associated with the administration of criminal justice, or in connection with the employment of the subject of the record by a criminal justice or juvenile justice agency, except as provided under RCW 13.50.260. A criminal justice agency may respond to any inquiry from another criminal justice agency without any obligation to ascertain the purpose for which the information is to be used by the agency making the inquiry.

(4) Criminal history record information which includes nonconviction data may be disseminated by a criminal justice agency to implement a statute, ordinance, executive order, or a court rule, decision, or order which expressly refers to records of arrest, charges, or allegations of criminal conduct or other nonconviction data and authorizes or directs that it be available or accessible for a specific purpose.

(5) Criminal history record information which includes nonconviction data may be disseminated to individuals and agencies pursuant to a contract with a criminal justice agency to provide services related to the administration of criminal justice. Such contract must specifically authorize access to criminal history record information, but need not specifically state that access to nonconviction data is included. The agreement must limit the use of the criminal history record information to stated purposes and insure the confidentiality and security of the information consistent with state law and any applicable federal statutes and regulations.

(6) Criminal history record information which includes nonconviction data may be disseminated to individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency. Such agreement must authorize the access to nonconviction data, limit the use of that information which identifies specific individuals to research, evaluative, or statistical purposes, and contain provisions giving notice to the person or organization to which the records are disseminated that

the use of information obtained therefrom and further dissemination of such information are subject to the provisions of this chapter and applicable federal statutes and regulations, which shall be cited with express reference to the penalties provided for a violation thereof.

(7) Criminal history record information that includes nonconviction data may be disseminated to the state auditor solely for the express purpose of conducting a process compliance audit procedure and review of any deadly force investigation pursuant to RCW 43.101.460. Dissemination or use of nonconviction data for purposes other than authorized in this subsection is prohibited.

(8) Criminal history record information that includes nonconviction data may be disseminated to bailiffs of the supreme court solely for the express purpose of investigations under section 1 of this act. Dissemination or use of nonconviction data for purposes other than authorized in this subsection is prohibited.

(9) Every criminal justice agency that maintains and disseminates criminal history record information must maintain information pertaining to every dissemination of criminal history record information except a dissemination to the effect that the agency has no record concerning an individual. Information pertaining to disseminations shall include:

(a) An indication of to whom (agency or person) criminal history record information was disseminated;

(b) The date on which the information was disseminated;

(c) The individual to whom the information relates; and

(d) A brief description of the information disseminated.

The information pertaining to dissemination required to be maintained shall be retained for a period of not less than one year.

~~((9))~~ (10) In addition to the other provisions in this section allowing dissemination of criminal history record information, RCW 4.24.550 governs dissemination of information concerning offenders who commit sex offenses as defined by RCW 9.94A.030. Criminal justice agencies, their employees, and officials shall be immune from civil liability for dissemination on criminal history record information concerning sex offenders as provided in RCW 4.24.550."

On page 1, line 2 of the title, after "bailiffs;" strike the remainder of the title and insert "amending RCW 10.97.050; and adding a new section to chapter 2.04 RCW."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2056 and advanced the bill, as amended by the Senate, to final passage.

Representatives Goodman and Walsh spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2056, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2056, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2056, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 2071, with the following amendment(s): 2071-S2 AMS LGLT S5111.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 19.27 RCW to read as follows:

(1) The legislature finds that lowering the cost of middle and multiplex housing construction will increase the housing supply and help address the state's shortage of affordable housing. It further finds that home builders and residentially focused architects are more familiar with the provisions of the international residential code. Allowing middle and multiplex housing to be built according to the standards of the international residential code will result in housing being easier to build and more affordable without sacrificing quality and safety. Therefore, the legislature intends to simplify the production of middle and multiplex housing by allowing more types of housing to use provisions of the international residential code.

(2) The state building code council shall convene a technical advisory group for the purpose of recommending the additions or amendments to rules or codes that are necessary for the council to apply the Washington state residential code to multiplex housing. The technical advisory



group shall determine the most efficient mechanism to implement these changes in the Washington state residential code. These recommendations must include those code changes necessary to ensure public health and safety in multifamily housing under the international residential code and must consider the life safety systems and accessibility requirements for multiplex housing from the Washington state building code.

(3) The advisory group shall provide its recommendations to the council in time for the council to adopt or amend rules or codes as necessary for implementation in the 2024 international building code. The council shall take action to adopt additions and amendments to rules or codes as necessary to apply the international residential code to multiplex housing by November 1, 2026.

(4) For the purposes of this section, "multiplex housing" means a building with up to six dwelling units consolidated into a single structure with common walls and floors and a functional primary street entrance, or a building of up to three stories containing up to six dwelling units consolidated into a single structure.

NEW SECTION. **Sec. 2.** A new section is added to chapter 19.27 RCW to read as follows:

(1) The state building code council shall convene a technical advisory group for the purpose of recommending amendments to the international building code that would allow for a minimum dwelling unit size that is less than the requirements for an efficiency dwelling unit in the international building code. The technical advisory group shall consider aligning the state building code sections related to interior environment with the relevant sections of the national healthy housing standard published by the national center for healthy housing. When developing the recommendations, the technical advisory group must review the differences between the state building code and the national healthy housing standard and allow experts in public health and fire safety to comment during the process.

(2) The technical advisory group shall provide its recommendations to the council in time for the council to adopt or amend rules or codes as necessary for implementation in the 2024 international building code. The council shall take action to adopt additions and amendments to rules or codes as necessary by November 1, 2026.

NEW SECTION. **Sec. 3.** The office of regulatory innovation and assistance shall contract with a qualified external consultant or entity to develop a standard energy code plan set demonstrating a prescriptive compliance pathway that will meet or exceed all energy code regulations for residential housing in the state subject to the international residential code. The standard energy code plan set may be used, but is not required, by local governments and building industries. In developing the standard energy code plan set, the consultant shall, at a minimum, seek feedback from cities, counties, building

industries, and building officials. The standard energy code plan set must be completed by June 30, 2025."

On page 1, line 1 of the title, after "regulations;" strike the remainder of the title and insert "adding new sections to chapter 19.27 RCW; and creating a new section."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 2071 and advanced the bill, as amended by the Senate, to final passage.

Representative Duerr spoke in favor of the passage of the bill.

Representative Klicker spoke against the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2071, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2071, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 66; Nays, 30; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Connors, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hutchins, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Caldier, Chambers, Cheney, Christian, Corry, Couture, Dent, Dye, Goehner, Graham, Griffey, Harris, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Sandlin, Schmick, Steele, Stokesbary, Volz, Walsh and Waters

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2071, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2118, with the following amendment(s): 2118-S.E AMS MULL S5575.2

On page 5, beginning on line 1, after "of" strike "two years" and insert "90 days"

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2118 and advanced the bill, as amended by the Senate, to final passage.

Representative Walen spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

### MOTION

On motion of Representative Ramel, Representative Lekanoff was excused.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2118, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2118, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 56; Nays, 39; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Lekanoff

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2118, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2153, with the following amendment(s): 2153-S.E AMS TRAN S5484.1

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that rates of catalytic converter theft have rapidly increased statewide and nationwide, due in part to existing challenges with accurately identifying stolen catalytic converters and tracking them through the stream of commerce after they have been removed from their originating vehicles. The legislature also finds that recent evidence suggests most purchases of stolen catalytic converters are conducted by unlicensed, unregulated purchasers.

Therefore, the legislature intends to require all purchasers to be licensed and subject to regulation and inspection. To facilitate the ability to track catalytic converters, the legislature further intends to require permanent marking of catalytic converters for the purpose of identifying the originating vehicle. The legislature also intends to create a related structure for enforcing these provisions and imposing penalties commensurate with the enforcement and penalty structures found in comparable areas of law.

**NEW SECTION. Sec. 2.** A new section is added to chapter 19.290 RCW to read as follows:

Nothing in this chapter shall be construed to authorize licensed scrap metal businesses to purchase or sell junk vehicles or major component parts as defined in RCW 46.79.010.

**Sec. 3.** RCW 19.290.010 and 2023 c 125 s 2 are each amended to read as follows:

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

(1) "Commercial account" means a relationship between a scrap metal business and a commercial enterprise that is ongoing and properly documented under RCW 19.290.030.

(2) "Commercial enterprise" means a corporation, partnership, limited liability company, association, state agency, political subdivision of the state, public corporation, or any other legal or commercial entity.

(3) "Commercial metal property" means: Utility access covers; street light poles and fixtures; road and bridge guardrails; highway or street signs; water meter covers; traffic directional and control signs; traffic light signals; any metal property marked with the name of a commercial enterprise, including but not limited to a telephone, commercial mobile radio services, cable, electric, water, natural gas, or other utility, or railroad; unused or undamaged building construction materials consisting of copper pipe, tubing, or wiring, or aluminum wire, siding, downspouts, or gutters; aluminum or stainless steel fence panels made from one inch tubing, 42 inches high with four-inch gaps; aluminum decking, bleachers, or risers; historical markers; statue plaques; grave markers and funeral vases; components of electric vehicle supply equipment made available for commercial or public use; or agricultural irrigation wheels, sprinkler heads, and pipes.

(4) "Engage in business" means conducting more than 12 transactions in a 12-month period.

(5) "Nonferrous metal property" means metal property for which the value of the metal property is derived from the property's content of copper, brass, aluminum, bronze, lead, zinc, nickel, and their alloys. "Nonferrous metal property" does not include precious metals.

(6) "Person" means an individual, domestic or foreign corporation, limited

liability corporation, partnership, trust, unincorporated association, or other entity; an affiliate or associate of any such person; or any two or more persons acting as a partnership, syndicate, or other group for the purpose of acquiring, holding, or dispersing of securities of a domestic or foreign corporation.

(7) "Precious metals" means gold, silver, and platinum.

(8) (~~"Private metal property" means catalytic converters, either singly or in bundles, bales, or bulk, that have been removed from vehicles for sale as a specific commodity.~~)

(9)) "Record" means a paper, electronic, or other method of storing information.

((~~(10)~~)) (9) "Scrap metal business" means a scrap metal supplier, scrap metal recycler, and scrap metal processor.

((~~(11)~~)) (10) "Scrap metal processor" means a person with a current business license that conducts business from a permanent location, that is engaged in the business of purchasing or receiving (~~(private metal property,)~~) nonferrous metal property((~~(7)~~)) and commercial metal property for the purpose of altering the metal in preparation for its use as feedstock in the manufacture of new products, and that maintains a hydraulic bailer, shearing device, or shredding device for recycling.

((~~(12)~~)) (11) "Scrap metal recycler" means a person with a current business license that is engaged in the business of purchasing or receiving (~~(private metal property,)~~) nonferrous metal property((~~(7)~~)) and commercial metal property for the purpose of aggregation and sale to another scrap metal business and that maintains a fixed place of business within the state.

((~~(13)~~)) (12) "Scrap metal supplier" means a person with a current business license that is engaged in the business of purchasing or receiving (~~(private metal property or)~~) nonferrous metal property for the purpose of aggregation and sale to a scrap metal recycler or scrap metal processor and that does not maintain a fixed business location in the state.

((~~(14)~~)) (13) "Transaction" means a pledge, or the purchase of, or the trade of any item of (~~(private metal property or)~~) nonferrous metal property by a scrap metal business from a member of the general public. "Transaction" does not include donations or the purchase or receipt of (~~(private metal property or)~~) nonferrous metal property by a scrap metal business from a commercial enterprise, from another scrap metal business, or from a duly authorized employee or agent of the commercial enterprise or scrap metal business.

**Sec. 4.** RCW 19.290.020 and 2022 c 221 s 3 are each amended to read as follows:

(1) At the time of a transaction, every scrap metal business doing business in this state shall produce wherever that business is conducted an accurate and legible record of each transaction involving (~~(private metal property or)~~) nonferrous metal property. This record must be written in the English language, documented on a

standardized form or in electronic form, and contain the following information:

(a) The signature of the person with whom the transaction is made;

(b) The time, date, location, and value of the transaction;

(c) The name of the employee representing the scrap metal business in the transaction;

(d) The name, street address, and telephone number of the person with whom the transaction is made;

(e) The license plate number and state of issuance of the license plate on the motor vehicle used to deliver the (~~(private metal property or)~~) nonferrous metal property subject to the transaction;

(f) A description of the motor vehicle used to deliver the (~~(private metal property or)~~) nonferrous metal property subject to the transaction;

(g) The current driver's license number or other government-issued picture identification card number of the seller or a copy of the seller's government-issued picture identification card; and

(h) A description of the predominant types of (~~(private metal property or)~~) nonferrous metal property subject to the transaction, utilizing the institute of scrap recycling industries' generally accepted terminology, and including weight, quantity, or volume(~~(7 and~~

~~(i) For every transaction specifically involving a catalytic converter that has been removed from a vehicle, documentation indicating that the private metal property in the seller's possession is the result of the seller replacing private metal property from a vehicle registered in the seller's name).~~

(2) For every transaction that involves (~~(private metal property or)~~) nonferrous metal property, every scrap metal business doing business in the state shall require the person with whom a transaction is being made to sign a declaration. The declaration may be included as part of the transactional record required under subsection (1) of this section, or on a receipt for the transaction. The declaration must state substantially the following:

"I, the undersigned, affirm under penalty of law that the property that is subject to this transaction is not to the best of my knowledge stolen property."

The declaration must be signed and dated by the person with whom the transaction is being made. An employee of the scrap metal business must witness the signing and dating of the declaration and sign the declaration accordingly before any transaction may be consummated.

(3) The record and declaration required under this section must be open to the inspection of any commissioned law enforcement officer of the state or any of its political subdivisions at all times during the ordinary hours of business, or at reasonable times if ordinary hours of business are not kept, and must be maintained wherever that business is conducted for five years following the date of the transaction.

**Sec. 5.** RCW 19.290.030 and 2022 c 221 s 4 are each amended to read as follows:

(1) No scrap metal business may enter into a transaction to purchase or receive ~~((private metal property or))~~ nonferrous metal property from any person who cannot produce at least one piece of current government-issued picture identification, including a valid driver's license or identification card issued by any state.

(2) No scrap metal business may purchase or receive ~~((private metal property or))~~ commercial metal property unless the seller: (a) Has a commercial account with the scrap metal business; (b) can prove ownership of the property by producing written documentation that the seller is the owner of the property; or (c) can produce written documentation that the seller is an employee or agent authorized to sell the property on behalf of a commercial enterprise.

(3) No scrap metal business may enter into a transaction to purchase or receive metallic wire that was burned in whole or in part to remove insulation unless the seller can produce written proof to the scrap metal business that the wire was lawfully burned.

(4) (a) No transaction involving ~~((private metal property or))~~ nonferrous metal property may be made in cash or with any person who does not provide a street address and photographic identification and sign a declaration under the requirements of RCW 19.290.020 ~~((+ (d) and (g)))~~ except as described in (b) ~~((and (e)))~~ of this subsection. The person with whom the transaction is being made may only be paid by a nontransferable check, mailed by the scrap metal business to a street address provided under RCW 19.290.020, no earlier than three days after the transaction was made. A transaction occurs on the date provided in the record required under RCW 19.290.020.

(b) A scrap metal business that is in compliance with this chapter may pay up to a maximum of \$30 in cash, stored value device, or electronic funds transfer for nonferrous metal property. The balance of the value of the transaction may be made by nontransferable check, stored value device, or electronic funds transfer at the time the transaction is made if the scrap metal business digitally captures:

(i) A copy of one piece of current government-issued picture identification, including a current driver's license or identification card issued by any state; and

(ii) Either a picture or video of either the material subject to the transaction in the form received or the material subject to the transaction within the vehicle which the material was transported to the scrap metal business.

~~((c) Payment to individual sellers of private metal property as defined in this chapter may not be made at the time of the transaction and shall not be paid earlier than three business days after the transaction was made. Records of payment for private metal property as defined in this chapter must be kept in the same file or record as all records collected under this subsection and retained and be available for review for two years from the date of the transaction.))~~

(5) (a) A scrap metal business's usage of video surveillance shall be sufficient to comply with subsection (4)(b)(ii) of this section so long as the video captures the material subject to the transaction.

(b) A digital image or picture taken under this section must be available for two years from the date of transaction, while a video recording must be available for 30 days.

(6) No scrap metal business may purchase or receive beer kegs from anyone except a manufacturer of beer kegs or licensed brewery.

**Sec. 6.** RCW 19.290.040 and 2013 c 322 s 7 are each amended to read as follows:

(1) Every scrap metal business must create and maintain a permanent record with a commercial enterprise, including another scrap metal business, in order to establish a commercial account. That record, at a minimum, must include the following information:

(a) The full name of the commercial enterprise or commercial account;

(b) The business address and telephone number of the commercial enterprise or commercial account; and

(c) The full name of the person employed by the commercial enterprise who is authorized to deliver ~~((private metal property))~~ nonferrous metal property ~~((r))~~ and commercial metal property to the scrap metal business.

(2) The record maintained by a scrap metal business for a commercial account must document every purchase or receipt of ~~((private metal property))~~ nonferrous metal property ~~((r))~~ and commercial metal property from the commercial enterprise. The record must be maintained for three years following the date of the transfer or receipt. The documentation must include, at a minimum, the following information:

(a) The time, date, and value of the property being purchased or received;

(b) A description of the predominant types of property being purchased or received; and

(c) The signature of the person delivering the property to the scrap metal business.

**Sec. 7.** RCW 19.290.050 and 2013 c 322 s 8 are each amended to read as follows:

(1) ~~((Upon))~~ In addition to all other requirements of this chapter, upon request by any commissioned law enforcement officer of the state or any of its political subdivisions, every scrap metal business shall furnish a full, true, and correct transcript of the records from the purchase or receipt of ~~((private metal property))~~ nonferrous metal property ~~((r))~~ and commercial metal property involving only a specified individual, vehicle, or item of ~~((private metal property))~~ nonferrous metal property ~~((r))~~ or commercial metal property. This information may be transmitted within a specified time of not less than two business days to the applicable law enforcement agency electronically, by facsimile transmission, or by modem or similar device, or by delivery of computer disk subject to

the requirements of, and approval by, the chief of police or the county's chief law enforcement officer.

(2) Any records created or produced under this section are exempt from disclosure under chapter 42.56 RCW.

(3) If the scrap metal business has good cause to believe that any ~~((private metal property,))~~ nonferrous metal property ~~((~~τ~~))~~ or commercial metal property in ~~((his or her))~~ their possession has been previously lost or stolen, the scrap metal business shall promptly report that fact to the applicable commissioned law enforcement officer of the state, the chief of police, or the county's chief law enforcement officer, together with the name of the owner, if known, and the date when and the name of the person from whom it was received.

(4) Compliance with this section shall not give rise to or form the basis of private civil liability on the part of a scrap metal business or scrap metal recycler.

**Sec. 8.** RCW 19.290.060 and 2013 c 322 s 9 are each amended to read as follows:

(1) Following notification in writing from a commissioned law enforcement officer of the state or any of its political subdivisions that an item of ~~((private metal property,))~~ nonferrous metal property ~~((~~τ~~))~~ or commercial metal property has been reported as stolen, a scrap metal business shall hold that property intact and safe from alteration, damage, or commingling, and shall place an identifying tag or other suitable identification upon the property. The scrap metal business shall hold the property for a period of time as directed by the applicable law enforcement agency up to a maximum of ten business days.

(2) A commissioned law enforcement officer of the state or any of its political subdivisions shall not place on hold any item of ~~((private metal property,))~~ nonferrous metal property ~~((~~τ~~))~~ or commercial metal property unless that law enforcement agency reasonably suspects that the property is a lost or stolen item. Any hold that is placed on the property must be removed within ten business days after the property on hold is determined not to be stolen or lost and the property must be returned to the owner or released.

**Sec. 9.** RCW 19.290.080 and 2007 c 377 s 8 are each amended to read as follows:

(1) Each violation of the requirements of this chapter that are not subject to ~~((the))~~ criminal penalties ~~((under RCW 19.290.070))~~ shall be a civil penalty punishable ~~((~~τ~~ upon conviction,))~~ by a fine of not more than ~~((one thousand dollars))~~ \$1,000.

(2) Within two years ~~((of being convicted))~~ of a violation of any of the requirements of this chapter that ~~((are not subject to the criminal penalties under RCW 19.290.070))~~ results in a civil penalty under this section, each subsequent violation shall be punishable ~~((~~τ~~ upon conviction,))~~ by a fine of not more than ~~((two thousand dollars))~~ \$2,000.

**Sec. 10.** RCW 19.290.220 and 2013 c 322 s 25 are each amended to read as follows:

(1) Law enforcement agencies may register with the scrap theft alert system that is maintained and provided at no charge to users by the institute of scrap recycling industries, incorporated, or its successor organization, to receive alerts regarding thefts of ~~((private,))~~ nonferrous ~~((~~τ~~))~~ or commercial metal property in the relevant geographic area.

(2) Any business licensed under this chapter shall:

(a) Sign up with the scrap theft alert system that is maintained and provided at no charge to users by the institute of scrap recycling industries, incorporated, or its successor organization, to receive alerts regarding thefts of ~~((private,))~~ nonferrous ~~((~~τ~~))~~ or commercial metal property in the relevant geographic area;

(b) Download the scrap metal theft alerts generated by the scrap theft alert system on a daily basis;

(c) Use the alerts to identify potentially stolen commercial metal property ~~((~~τ~~))~~ and nonferrous metal property ~~((~~τ~~ and private metal property));~~ and

(d) Maintain for ~~((ninety))~~ 90 days copies of any theft alerts received and downloaded pursuant to this section.

**Sec. 11.** RCW 19.290.240 and 2013 c 322 s 28 are each amended to read as follows:

The provisions of this chapter shall be liberally construed to the end that traffic in stolen ~~((private))~~ commercial metal property ~~((~~τ~~))~~ and nonferrous metal property may be prevented, and irresponsible, unreliable, or dishonest persons may be prevented from engaging in the business of processing, recycling, or supplying scrap metal in this state and reliable persons may be encouraged to engage in businesses of processing, recycling, or supplying scrap metal in this state.

**NEW SECTION. Sec. 12.** A new section is added to chapter 46.70 RCW to read as follows:

(1) A vehicle dealer shall, prior to the sale and transfer of a vehicle, offer the purchaser the option to have the dealer clearly and permanently mark the last eight digits of the originating vehicle's vehicle identification number on the vehicle's catalytic converter unless such marking already exists on the catalytic converter, the catalytic converter is not in a location where it is clearly visible and readily accessible to mark without the need to remove parts from the vehicle, or the vehicle is sold at wholesale. A clear and permanent mark applied by permanent marker is sufficient. The vehicle dealer may add a fee to the sale price for the marking if separately delineated and clearly marked.

(2) If a consumer elects to have the vehicle dealer mark the vehicle's catalytic converter as provided in subsection (1) of this section, the vehicle dealer must provide the consumer a disclosure written in a typeface that is at least as large as the typeface used in the standard text of the

document that contains the disclosure and that is boldfaced, capitalized, underlined, or otherwise set out from the surrounding material so as to be conspicuous that (a) the purchaser is knowingly purchasing the vehicle without clearly and permanently marking the catalytic converter prior to the sale and transfer of the vehicle; and (b) the purchaser acknowledges and understands that catalytic converters must be marked as provided in section 23 of this act.

**Sec. 13.** RCW 46.79.010 and 2001 c 64 s 10 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter unless the context indicates otherwise.

(1) "Junk vehicle" means a motor vehicle certified under RCW 46.55.230 as meeting all the following requirements:

(a) Is three years old or older;

(b) Is extensively damaged, such damage including but not limited to any of the following: A broken window or windshield or missing wheels, tires, motor, or transmission;

(c) Is apparently inoperable;

(d) Is without a valid, current registration plate;

(e) Has a fair market value equal only to the value of the scrap in it.

(2) "Scrap processor" means a licensed establishment that maintains a hydraulic baler and shears, or a shredder for recycling salvage.

(3) "Demolish" means to destroy completely by use of a hydraulic baler and shears, or a shredder.

(4) "Hulk hauler" means any person who deals in vehicles for the sole purpose of transporting and/or selling them to a licensed vehicle wrecker or scrap processor in substantially the same form in which they are obtained. A hulk hauler may not sell secondhand motor vehicle parts to anyone other than a licensed vehicle wrecker or scrap processor, except for those parts specifically enumerated in RCW 46.79.020(2), as now or hereafter amended, which may be sold to a licensed vehicle wrecker or disposed of at a public facility for waste disposal.

(5) "Director" means the director of licensing.

(6) "Major component parts" include engines and short blocks, frames, transmissions or transfer cases, cabs, doors, front or rear differentials, front or rear clips, quarter panels or fenders, bumpers, truck beds or boxes, seats, ~~((and))~~ hoods, and catalytic converters.

**NEW SECTION. Sec. 14.** A new section is added to chapter 46.79 RCW to read as follows:

(1) No person may engage in the business of disassembling or de-canning a catalytic converter for removal or processing of the internal core to extract platinum, palladium, rhodium, or other metals, unless the person is a licensed scrap processor under this chapter.

(2) Any licensed scrap processor engaged in disassembling or de-canning catalytic converters as described in this section

shall maintain the records of every catalytic converter the scrap processor disassembles or de-cans in accordance with the recordkeeping requirements of this chapter and other provisions of the law.

(3) Any licensed scrap processor engaged in disassembling or de-canning catalytic converters as described in this section shall implement a 30-day waiting period between the purchase and disassembly or de-canning of a catalytic converter, unless the scrap processor is also the registered owner of the originating vehicle.

**NEW SECTION. Sec. 15.** A new section is added to chapter 46.79 RCW to read as follows:

(1) Payment to individual sellers of catalytic converters that have been removed from a vehicle may not be made at the time of the transaction and shall not be paid earlier than three business days after the transaction was made.

(2) No transaction involving catalytic converters that have been removed from a vehicle may be made in cash or with any person who does not provide a street address and photographic identification. The person with whom the transaction is being made may only be paid by a nontransferable check, mailed by the licensed scrap processor to the street address recorded according to this section, no earlier than three days after the transaction was made. A transaction occurs on the date provided in the record required under this section.

(3) A record of each purchase of catalytic converters that have been removed from a vehicle must be kept for three years following the date of the transaction and be open to inspection by any commissioned law enforcement officer of the state or any of its political subdivisions at all times during the ordinary hours of business, or at reasonable times if ordinary hours of business are not kept. The record shall include, at a minimum, the following elements:

(a) The time, date, location, and value of the transaction;

(b) The name of the employee representing the scrap processor in the transaction;

(c) The name, street address, and telephone number of the person with whom the transaction is made;

(d) The license plate number and state of issuance of the license plate on the motor vehicle used to deliver the catalytic converter or converters subject to the transaction;

(e) A description of the motor vehicle used to deliver the catalytic converter or converters subject to the transaction;

(f) A copy of the seller's current driver's license or other government-issued picture identification card;

(g) The vehicle identification number of the vehicle from which the catalytic converter was removed;

(h) A declaration signed by the seller that states substantially the following:

"I, the undersigned, affirm under penalty of law that the property that is subject to this transaction is not to the best of my knowledge stolen property and the

information provided by me is accurate."; and

(i) A photo of the catalytic converter that includes the vehicle identification number marking required under section 23 of this act.

(4) This section does not apply to the purchase of material from a licensed business that manufactures catalytic converters in the ordinary course of its legal business.

**NEW SECTION. Sec. 16.** A new section is added to chapter 46.79 RCW to read as follows:

The license fees required under RCW 46.79.040 and 46.79.050 for a scrap processor's license must also include a \$500 catalytic converter inspection fee, to be deposited in the state patrol highway account, in order to support the activities of the Washington state patrol under section 21 of this act.

**Sec. 17.** RCW 46.80.010 and 2010 c 161 s 1138 and 2010 c 8 s 9097 are each reenacted and amended to read as follows:

The definitions set forth in this section apply throughout this chapter.

(1) "Core" means a major component part received by a vehicle wrecker in exchange for a like part sold by the vehicle wrecker, is not resold as a major component part except for scrap metal value or for remanufacture, and the vehicle wrecker maintains records for three years from the date of acquisition to identify the name of the person from whom the core was received.

(2) "Established place of business" means a building or enclosure which the vehicle wrecker occupies either continuously or at regular periods and where his or her books and records are kept and business is transacted and which must conform with zoning regulations.

(3) "Interim owner" means the owner of a vehicle who has the original certificate of title for the vehicle, which certificate has been released by the person named on the certificate and assigned to the person offering to sell the vehicle to the wrecker.

(4) "Major component part" includes at least each of the following vehicle parts: (a) Engines and short blocks; (b) frame; (c) transmission and/or transfer case; (d) cab; (e) door; (f) front or rear differential; (g) front or rear clip; (h) quarter panel; (i) truck bed or box; (j) seat; (k) hood; (l) bumper; (m) fender; ~~((and))~~ (n) airbag; and (o) catalytic converter. The director may supplement this list by rule.

(5) "Vehicle wrecker" means every person, firm, partnership, association, or corporation engaged in the business of buying, selling, or dealing in vehicles of a type required to be registered under the laws of this state, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of a vehicle, or who buys or sells integral secondhand parts of component material thereof, in whole or in part, or who deals in secondhand vehicle parts.

(6) "Wrecked vehicle" means a vehicle which is disassembled or dismantled or a

vehicle which is acquired with the intent to dismantle or disassemble and never again to operate as a vehicle, or a vehicle which has sustained such damage that its cost to repair exceeds the fair market value of a like vehicle which has not sustained such damage, or a damaged vehicle whose salvage value plus cost to repair equals or exceeds its fair market value, if repaired, or a vehicle which has sustained such damage or deterioration that it may not lawfully operate upon the highways of this state for which the salvage value plus cost to repair exceeds its fair market value, if repaired; further, it is presumed that a vehicle is a wreck if it has sustained such damage or deterioration that it may not lawfully operate upon the highways of this state.

**Sec. 18.** RCW 46.80.080 and 2022 c 221 s 7 are each amended to read as follows:

(1) Every vehicle wrecker shall maintain books or files in which the wrecker shall keep a record and a description of:

(a) Every vehicle wrecked, dismantled, disassembled, or substantially altered by the wrecker; and

(b) Every major component part, including catalytic converters, acquired by the wrecker; together with a bill of sale signed by a seller whose identity has been verified and the name and address of the person, firm, or corporation from whom the wrecker purchased the vehicle or part. Major component parts other than cores shall be further identified by the vehicle identification number of the vehicle from which the part came.

(2) The record shall also contain the following data regarding the wrecked or acquired vehicle or vehicle that is the source of a major component part, including catalytic converters, other than a core:

(a) The certificate of title number (if previously titled in this or any other state);

(b) Name of state where last registered;

(c) Number of the last license number plate issued;

(d) Name of vehicle;

(e) Motor or identification number and serial number of the vehicle;

(f) Date purchased;

(g) Disposition of the motor and chassis;

(h) Yard number assigned by the licensee to the vehicle or major component part, which shall also appear on the identified vehicle or part; and

(i) Such other information as the department may require.

(3) The records shall also contain a bill of sale signed by the seller for other minor component parts, including catalytic converters, acquired by the licensee, identifying the seller by name, address, and date of sale.

(4) In addition to all other requirements of this chapter, the records of each transaction involving the purchase of catalytic converters that have been removed from a vehicle shall also include, at a minimum, the following elements:

(a) The time, date, location, and value of the transaction;

(b) The name of the employee representing the vehicle wrecker in the transaction;

(c) The name, street address, and telephone number of the person with whom the transaction is made;

(d) The license plate number and state of issuance of the license plate on the motor vehicle used to deliver the catalytic converter or converters subject to the transaction;

(e) A description of the motor vehicle used to deliver the catalytic converter or converters subject to the transaction;

(f) A copy of the seller's current driver's license or other government-issued picture identification card;

(g) The vehicle identification number of the vehicle from which the catalytic converter was removed;

(h) A declaration signed by the seller that states substantially the following:

"I, the undersigned, affirm under penalty of law that the property that is subject to this transaction is not to the best of my knowledge stolen property and the information provided by me is accurate."; and

(i) A photo of the catalytic converter that includes the vehicle identification number marking required under section 23 of this act.

(5) The records shall be maintained by the licensee at his or her established place of business for a period of three years from the date of acquisition.

~~((5))~~ (6) The record is subject to inspection at all times during regular business hours by members of the police department, sheriff's office, members of the Washington state patrol, or officers or employees of the department.

~~((6))~~ (7) A vehicle wrecker shall also maintain a similar record of all disabled vehicles that have been towed or transported to the vehicle wrecker's place of business or to other places designated by the owner of the vehicle or his or her representative. This record shall specify the name and description of the vehicle, name of owner, number of license plate, condition of the vehicle and place to which it was towed or transported.

~~((7))~~ (8) Failure to comply with this section is a gross misdemeanor.

**Sec. 19.** RCW 46.80.210 and 2022 c 221 s 6 are each amended to read as follows:

(1) Payment to individual sellers of ~~((private metal property as defined in RCW 19.290.010)) catalytic converters that have been removed from a vehicle~~ may not be made at the time of the transaction and shall not be paid earlier than three business days after the transaction was made.

(2) No transaction involving catalytic converters that have been removed from a vehicle may be made in cash or with any person who does not provide a street address and photographic identification. The person with whom the transaction is being made may only be paid by a nontransferable check, mailed by the licensed auto wrecker to a street address recorded according to RCW 46.80.080, no earlier than three days after the transaction was made. A transaction

occurs on the date provided in the record required under RCW 46.80.080.

(3) This section does not apply to the purchase of material from a licensed business that manufactures catalytic converters in the ordinary course of its legal business.

**NEW SECTION. Sec. 20.** A new section is added to chapter 46.80 RCW to read as follows:

The license fees required under RCW 46.80.040 and 46.80.050 must also include a \$500 catalytic converter inspection fee, to be deposited in the state patrol highway account, in order to support the activities of the Washington state patrol under section 21 of this act.

**NEW SECTION. Sec. 21.** A new section is added to chapter 43.43 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the Washington state patrol shall:

(1) Conduct periodic inspections at least once a year of all licensed purchasers of catalytic converters that have been removed from vehicles that are licensed under chapter 46.79 or 46.80 RCW;

(2) Develop a standardized inspection form and train local law enforcement agencies, civilian employees, and limited authority law enforcement personnel on inspection procedures of licensed purchasers;

(3) Specify which specific law enforcement agencies have a duty to inspect the different business types that are licensed to purchase catalytic converters; and

(4) Authorize inspections to be conducted by civilian employees or limited authority law enforcement agencies if necessary to increase the availability of potential inspectors, provided that the Washington state patrol shall retain oversight of such inspections.

**Sec. 22.** RCW 46.12.560 and 2011 c 114 s 7 are each amended to read as follows:

(1)(a) Before accepting an application for a certificate of title, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to provide a certificate of vehicle inspection completed by the Washington state patrol or other authorized inspector if the vehicle:

(i) Was declared a total loss or salvage vehicle under the laws of this state;

(ii) Has been rebuilt after the certificate of title was returned to the department under RCW 46.12.600 and the vehicle was not kept by the registered owner at the time of the vehicle's destruction or declaration as a total loss; or

(iii) Is presented with documents from another state showing that the vehicle was a total loss or salvage vehicle and has not been reissued a valid registration certificate from that state after the declaration of total loss or salvage.



(b) A vehicle presented for inspection must have all damaged major component parts replaced or repaired to meet all requirements in law and rule before the Washington state patrol will inspect the vehicle. The inspection must verify that the vehicle identification number is genuine and agrees with the number shown on the certificate of title and registration certificate.

(c) A Washington state patrol vehicle identification number specialist must ensure that all major component parts used for the reconstruction of a salvage or rebuilt vehicle were obtained legally, and must securely attach a marking at the driver's door latch pillar indicating the vehicle was previously destroyed or declared a total loss. It is a class C felony for a person to remove the marking indicating that the vehicle was previously destroyed or declared a total loss.

(2) A person presenting a vehicle for inspection under subsection (1) of this section must provide original invoices for new and used parts from:

(a) A vendor that is registered with the department of revenue or a comparable agency in the jurisdiction where the major component parts were purchased for the collection of retail sales or use taxes. The invoices must include:

- (i) The name and address of the business;
- (ii) A description of the part or parts sold;
- (iii) The date of sale; and
- (iv) The amount of sale to include all taxes paid unless exempted by the department of revenue or a comparable agency in the jurisdiction where the major component parts were purchased;

(b) A vehicle wrecker licensed under chapter 46.80 RCW or a comparable business in the jurisdiction outside Washington state where the major component part was purchased; and

(c) Private individuals. The private individual must have the certificate of title to the vehicle where the parts were taken from unless the parts were obtained from a parts car owned by a collector. Bills of sale for parts must be notarized and include:

- (i) The names and addresses of the sellers and purchasers;
- (ii) A description of the vehicle and the part or parts being sold, including the make, model, year, and identification or serial number;
- (iii) The date of sale; and
- (iv) The purchase price of the vehicle part or parts.

(3) A person presenting a vehicle for inspection under this section who is unable to provide an acceptable release of interest or proof of ownership for a vehicle or major component part as described in this section shall apply for an ownership in doubt application described in RCW 46.12.680.

(4)(a) Before accepting an application for a certificate of title, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to provide a certificate of vehicle inspection completed by the Washington state patrol or other authorized

inspector when the application is for a vehicle being titled for the first time as:

- (i) Assembled;
- (ii) Glider kit;
- (iii) Homemade;
- (iv) Kit vehicle;
- (v) Street rod vehicle;
- (vi) Custom vehicle; or
- (vii) Subject to ownership in doubt under RCW 46.12.680.

(b) The inspection must verify that the vehicle identification number is genuine and agrees with the number shown on the certificate of title and registration certificate.

(5)(a) Before accepting an application for a certificate of title, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to provide a certificate of vehicle inspection completed by the Washington state patrol when the application is for a vehicle with a vehicle identification number that has been:

- (i) Altered;
- (ii) Defaced;
- (iii) Obliterated;
- (iv) Omitted;
- (v) Removed; or
- (vi) Otherwise absent.

(b) The application must include payment of the fee required in RCW 46.17.135.

(c) The Washington state patrol shall assign a new vehicle identification number to the vehicle and place or stamp the new number in a conspicuous position on the vehicle.

(d) The department shall use the new vehicle identification number assigned by the Washington state patrol as the official vehicle identification number assigned to the vehicle.

(6) The department may adopt rules as necessary to implement this section.

(7) Nothing in this section creates a requirement for the Washington state patrol to inspect attached catalytic converters as major component parts.

**NEW SECTION. Sec. 23.** A new section is added to chapter 9A.82 RCW to read as follows:

(1) Any person who removes a catalytic converter from a vehicle for a purpose other than maintenance, repair, or demolition, or who knowingly possesses an unmarked detached catalytic converter, must permanently mark the detached catalytic converter with the last eight digits of the originating vehicle's vehicle identification number such that at least a portion of the marking is visible from any side. The marking must be completed in a reasonable time after removal, but no later than 24 hours after removal, and before off-site transport of the detached catalytic converter.

(2) Detached catalytic converters that are not marked as required by this section are subject to immediate seizure and forfeiture by law enforcement.

(3)(a) Except as provided in (b) of this subsection, it is a gross misdemeanor for any person to intentionally remove, alter or obliterate from a detached catalytic converter the last eight digits of the

originating vehicle identification number, as required by subsection (1) of this section.

(b) A person who intentionally removes, alters, or obliterates from a detached catalytic converter the last eight digits of the original vehicle identification number is guilty of a class C felony punishable according to chapter 9A.20 RCW if the person has previously been convicted under this subsection.

(4) It is a gross misdemeanor for any person who is not a scrap processor licensed under chapter 46.79 RCW or vehicle wrecker licensed under chapter 46.80 RCW to knowingly possess, sell, or offer for sale six or fewer detached catalytic converters that do not comply with the marking requirements under subsection (1) of this section.

(5) It is a class C felony for any person who is not a scrap processor licensed under chapter 46.79 RCW or vehicle wrecker licensed under chapter 46.80 RCW to knowingly possess, sell, or offer for sale seven or more detached catalytic converters that do not comply with the marking requirements under subsection (1) of this section.

(6) Where a case is legally sufficient to charge an alleged juvenile offender with a violation under this section, and that violation would be the alleged offender's first violation involving detached catalytic converters, the prosecutor is encouraged to divert the case pursuant to RCW 13.40.070.

(7) It is an affirmative defense to this section that the possessor removed the detached catalytic converter with the permission of the registered owner of the vehicle or vehicles.

**NEW SECTION. Sec. 24.** A new section is added to chapter 9A.82 RCW to read as follows:

(1) A person is guilty of trafficking in catalytic converters in the first degree if the person knowingly:

(a) Traffics seven or more catalytic converters that have been removed from a motor vehicle, without fulfilling the requirements under chapter 46.79 or 46.80 RCW for lawful transfer; or

(b) Purchases a catalytic converter that has been removed from a motor vehicle, without possessing a valid scrap processor license under chapter 46.79 RCW or vehicle wrecker license under chapter 46.80 RCW.

(2) Trafficking in catalytic converters in the first degree is a class C felony.

**NEW SECTION. Sec. 25.** A new section is added to chapter 9.94A RCW to read as follows:

The court shall make a finding of fact of the special allegation or, if a jury is had, the jury shall, if it finds the defendant guilty, also find a special verdict as to the special allegation, in a criminal case where:

(1) The defendant has been convicted of trafficking in catalytic converters in the first degree; and

(2) There has been a special allegation pleaded and proven beyond a reasonable doubt

that the defendant knowingly (a) trafficked seven or more catalytic converters that were removed from a motor vehicle without fulfilling the requirements under chapter 46.79 or 46.80 RCW for lawful transfer; or (b) purchased a catalytic converter that has been removed from a motor vehicle without possessing a valid scrap processor license under chapter 46.79 RCW or vehicle wrecker license under chapter 46.80 RCW, for the purpose of selling, transferring, or exchanging them online.

**NEW SECTION. Sec. 26.** A new section is added to chapter 9A.82 RCW to read as follows:

(1) A person is guilty of trafficking in catalytic converters in the second degree if the person knowingly traffics six or fewer catalytic converters that have been removed from a motor vehicle, without fulfilling the requirements under chapter 46.79 or 46.80 RCW for lawful transfer.

(2) Trafficking in catalytic converters in the second degree is a class C felony.

**Sec. 27.** RCW 9A.82.010 and 2013 c 302 s 10 are each amended to read as follows:

Unless the context requires the contrary, the definitions in this section apply throughout this chapter.

(1)(a) "Beneficial interest" means:

(i) The interest of a person as a beneficiary under a trust established under Title 11 RCW in which the trustee for the trust holds legal or record title to real property;

(ii) The interest of a person as a beneficiary under any other trust arrangement under which a trustee holds legal or record title to real property for the benefit of the beneficiary; or

(iii) The interest of a person under any other form of express fiduciary arrangement under which one person holds legal or record title to real property for the benefit of the other person.

(b) "Beneficial interest" does not include the interest of a stockholder in a corporation or the interest of a partner in a general partnership or limited partnership.

(c) A beneficial interest is considered to be located where the real property owned by the trustee is located.

(2) "Control" means the possession of a sufficient interest to permit substantial direction over the affairs of an enterprise.

(3) "Creditor" means a person making an extension of credit or a person claiming by, under, or through a person making an extension of credit.

(4) "Criminal profiteering" means any act, including any anticipatory or completed offense, committed for financial gain, that is chargeable or indictable under the laws of the state in which the act occurred and, if the act occurred in a state other than this state, would be chargeable or indictable under the laws of this state had the act occurred in this state and punishable as a felony and by imprisonment for more than one year, regardless of whether the act is charged or indicted, as any of the following:

(a) Murder, as defined in RCW 9A.32.030 and 9A.32.050;

(b) Robbery, as defined in RCW 9A.56.200 and 9A.56.210;

(c) Kidnapping, as defined in RCW 9A.40.020 and 9A.40.030;

(d) Forgery, as defined in RCW 9A.60.020 and 9A.60.030;

(e) Theft, as defined in RCW 9A.56.030, 9A.56.040, 9A.56.060, 9A.56.080, and 9A.56.083;

(f) Unlawful sale of subscription television services, as defined in RCW 9A.56.230;

(g) Theft of telecommunication services or unlawful manufacture of a telecommunication device, as defined in RCW 9A.56.262 and 9A.56.264;

(h) Child selling or child buying, as defined in RCW 9A.64.030;

(i) Bribery, as defined in RCW 9A.68.010, 9A.68.020, 9A.68.040, and 9A.68.050;

(j) Gambling, as defined in RCW 9.46.220 and 9.46.215 and 9.46.217;

(k) Extortion, as defined in RCW 9A.56.120 and 9A.56.130;

(l) Unlawful production of payment instruments, unlawful possession of payment instruments, unlawful possession of a personal identification device, unlawful possession of fictitious identification, or unlawful possession of instruments of financial fraud, as defined in RCW 9A.56.320;

(m) Extortionate extension of credit, as defined in RCW 9A.82.020;

(n) Advancing money for use in an extortionate extension of credit, as defined in RCW 9A.82.030;

(o) Collection of an extortionate extension of credit, as defined in RCW 9A.82.040;

(p) Collection of an unlawful debt, as defined in RCW 9A.82.045;

(q) Delivery or manufacture of controlled substances or possession with intent to deliver or manufacture controlled substances under chapter 69.50 RCW;

(r) Trafficking in stolen property, as defined in RCW 9A.82.050;

(s) Leading organized crime, as defined in RCW 9A.82.060;

(t) Money laundering, as defined in RCW 9A.83.020;

(u) Obstructing criminal investigations or prosecutions in violation of RCW 9A.72.090, 9A.72.100, 9A.72.110, 9A.72.120, 9A.72.130, 9A.76.070, or 9A.76.180;

(v) Fraud in the purchase or sale of securities, as defined in RCW 21.20.010;

(w) Promoting pornography, as defined in RCW 9.68.140;

(x) Sexual exploitation of children, as defined in RCW 9.68A.040, 9.68A.050, and 9.68A.060;

(y) Promoting prostitution, as defined in RCW 9A.88.070 and 9A.88.080;

(z) Arson, as defined in RCW 9A.48.020 and 9A.48.030;

(aa) Assault, as defined in RCW 9A.36.011 and 9A.36.021;

(bb) Assault of a child, as defined in RCW 9A.36.120 and 9A.36.130;

(cc) A pattern of equity skimming, as defined in RCW 61.34.020;

(dd) Commercial telephone solicitation in violation of RCW 19.158.040(1);

(ee) Trafficking in insurance claims, as defined in RCW 48.30A.015;

(ff) Unlawful practice of law, as defined in RCW 2.48.180;

(gg) Commercial bribery, as defined in RCW 9A.68.060;

(hh) Health care false claims, as defined in RCW 48.80.030;

(ii) Unlicensed practice of a profession or business, as defined in RCW 18.130.190(7);

(jj) Improperly obtaining financial information, as defined in RCW 9.35.010;

(kk) Identity theft, as defined in RCW 9.35.020;

(ll) Unlawful shipment of cigarettes in violation of RCW 70.155.105(6) (a) or (b);

(mm) Unlawful shipment of cigarettes in violation of RCW 82.24.110(2);

(nn) Unauthorized sale or procurement of telephone records in violation of RCW 9.26A.140;

(oo) Theft with the intent to resell, as defined in RCW 9A.56.340;

(pp) Organized retail theft, as defined in RCW 9A.56.350;

(qq) Mortgage fraud, as defined in RCW 19.144.080;

(rr) Commercial sexual abuse of a minor, as defined in RCW 9.68A.100;

(ss) Promoting commercial sexual abuse of a minor, as defined in RCW 9.68A.101; (~~or~~)

(tt) Trafficking, as defined in RCW 9A.40.100, promoting travel for commercial sexual abuse of a minor, as defined in RCW 9.68A.102, and permitting commercial sexual abuse of a minor, as defined in RCW 9.68A.103; or

(uu) Trafficking in catalytic converters, as defined in sections 24 and 26 of this act.

(5) "Dealer in property" means a person who buys and sells property as a business.

(6) "Debtor" means a person to whom an extension of credit is made or a person who guarantees the repayment of an extension of credit or in any manner undertakes to indemnify the creditor against loss resulting from the failure of a person to whom an extension is made to repay the same.

(7) "Documentary material" means any book, paper, document, writing, drawing, graph, chart, photograph, phonograph record, magnetic tape, computer printout, other data compilation from which information can be obtained or from which information can be translated into usable form, or other tangible item.

(8) "Enterprise" includes any individual, sole proprietorship, partnership, corporation, business trust, or other profit or nonprofit legal entity, and includes any union, association, or group of individuals associated in fact although not a legal entity, and both illicit and licit enterprises and governmental and nongovernmental entities.

(9) "Extortionate extension of credit" means an extension of credit with respect to which it is the understanding of the creditor and the debtor at the time the extension is made that delay in making repayment or failure to make repayment could result in the use of violence or other

criminal means to cause harm to the person, reputation, or property of any person.

(10) "Extortionate means" means the use, or an express or implicit threat of use, of violence or other criminal means to cause harm to the person, reputation, or property of any person.

(11) "Financial institution" means any bank, trust company, savings and loan association, savings bank, mutual savings bank, credit union, or loan company under the jurisdiction of the state or an agency of the United States.

(12) "Pattern of criminal profiteering activity" means engaging in at least three acts of criminal profiteering, one of which occurred after July 1, 1985, and the last of which occurred within five years, excluding any period of imprisonment, after the commission of the earliest act of criminal profiteering. In order to constitute a pattern, the three acts must have the same or similar intent, results, accomplices, principals, victims, or methods of commission, or be otherwise interrelated by distinguishing characteristics including a nexus to the same enterprise, and must not be isolated events. However, in any civil proceedings brought pursuant to RCW 9A.82.100 by any person other than the attorney general or county prosecuting attorney in which one or more acts of fraud in the purchase or sale of securities are asserted as acts of criminal profiteering activity, it is a condition to civil liability under RCW 9A.82.100 that the defendant has been convicted in a criminal proceeding of fraud in the purchase or sale of securities under RCW 21.20.400 or under the laws of another state or of the United States requiring the same elements of proof, but such conviction need not relate to any act or acts asserted as acts of criminal profiteering activity in such civil action under RCW 9A.82.100.

(13) "Real property" means any real property or interest in real property, including but not limited to a land sale contract, lease, or mortgage of real property.

(14) "Records" means any book, paper, writing, record, computer program, or other material.

(15) "Repayment of an extension of credit" means the repayment, satisfaction, or discharge in whole or in part of a debt or claim, acknowledged or disputed, valid or invalid, resulting from or in connection with that extension of credit.

(16) "Stolen property" means property that has been obtained by theft, robbery, or extortion.

(17) "To collect an extension of credit" means to induce in any way a person to make repayment thereof.

(18) "To extend credit" means to make or renew a loan or to enter into an agreement, tacit or express, whereby the repayment or satisfaction of a debt or claim, whether acknowledged or disputed, valid or invalid, and however arising, may or shall be deferred.

(19) "Traffic" means to sell, transfer, distribute, dispense, or otherwise dispose of stolen property to another person, or to buy, receive, possess, or obtain control of

stolen property, with intent to sell, transfer, distribute, dispense, or otherwise dispose of the property to another person.

(20) (a) "Trustee" means:

(i) A person acting as a trustee under a trust established under Title 11 RCW in which the trustee holds legal or record title to real property;

(ii) A person who holds legal or record title to real property in which another person has a beneficial interest; or

(iii) A successor trustee to a person who is a trustee under (a)(i) or (ii) of this subsection.

(b) "Trustee" does not mean a person appointed or acting as:

(i) A personal representative under Title 11 RCW;

(ii) A trustee of any testamentary trust;

(iii) A trustee of any indenture of trust under which a bond is issued; or

(iv) A trustee under a deed of trust.

(21) "Unlawful debt" means any money or other thing of value constituting principal or interest of a debt that is legally unenforceable in the state in full or in part because the debt was incurred or contracted:

(a) In violation of any one of the following:

(i) Chapter 67.16 RCW relating to horse racing;

(ii) Chapter 9.46 RCW relating to gambling;

(b) In a gambling activity in violation of federal law; or

(c) In connection with the business of lending money or a thing of value at a rate that is at least twice the permitted rate under the applicable state or federal law relating to usury.

**Sec. 28.** RCW 9.94A.533 and 2020 c 330 s 1 and 2020 c 141 s 1 are each reenacted and amended to read as follows:

(1) The provisions of this section apply to the standard sentence ranges determined by RCW 9.94A.510 or 9.94A.517.

(2) For persons convicted of the anticipatory offenses of criminal attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by seventy-five percent.

(3) The following additional times shall be added to the standard sentence range for felony crimes committed after July 23, 1995, if the offender or an accomplice was armed with a firearm as defined in RCW 9.41.010 and the offender is being sentenced for one of the crimes listed in this subsection as eligible for any firearm enhancements based on the classification of the completed felony crime. If the offender is being sentenced for more than one offense, the firearm enhancement or enhancements must be added to the total period of confinement for all offenses, regardless of which underlying offense is subject to a firearm enhancement. If the offender or an accomplice was armed with a firearm as defined in RCW 9.41.010 and the offender is being sentenced for an

anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection as eligible for any firearm enhancements, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(a) Five years for any felony defined under any law as a class A felony or with a statutory maximum sentence of at least twenty years, or both, and not covered under (f) of this subsection;

(b) Three years for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both, and not covered under (f) of this subsection;

(c) Eighteen months for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both, and not covered under (f) of this subsection;

(d) If the offender is being sentenced for any firearm enhancements under (a), (b), and/or (c) of this subsection and the offender has previously been sentenced for any deadly weapon enhancements after July 23, 1995, under (a), (b), and/or (c) of this subsection or subsection (4)(a), (b), and/or (c) of this section, or both, all firearm enhancements under this subsection shall be twice the amount of the enhancement listed;

(e) Notwithstanding any other provision of law, all firearm enhancements under this section are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(f) The firearm enhancements in this section shall apply to all felony crimes except the following: Possession of a machine gun or bump-fire stock, possessing a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, and use of a machine gun or bump-fire stock in a felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a firearm enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(4) The following additional times shall be added to the standard sentence range for felony crimes committed after July 23, 1995, if the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9.41.010 and the offender is being sentenced for one of the crimes listed

in this subsection as eligible for any deadly weapon enhancements based on the classification of the completed felony crime. If the offender is being sentenced for more than one offense, the deadly weapon enhancement or enhancements must be added to the total period of confinement for all offenses, regardless of which underlying offense is subject to a deadly weapon enhancement. If the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9.41.010 and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection as eligible for any deadly weapon enhancements, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(a) Two years for any felony defined under any law as a class A felony or with a statutory maximum sentence of at least twenty years, or both, and not covered under (f) of this subsection;

(b) One year for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both, and not covered under (f) of this subsection;

(c) Six months for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both, and not covered under (f) of this subsection;

(d) If the offender is being sentenced under (a), (b), and/or (c) of this subsection for any deadly weapon enhancements and the offender has previously been sentenced for any deadly weapon enhancements after July 23, 1995, under (a), (b), and/or (c) of this subsection or subsection (3)(a), (b), and/or (c) of this section, or both, all deadly weapon enhancements under this subsection shall be twice the amount of the enhancement listed;

(e) Notwithstanding any other provision of law, all deadly weapon enhancements under this section are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(f) The deadly weapon enhancements in this section shall apply to all felony crimes except the following: Possession of a machine gun or bump-fire stock, possessing a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, and use of a machine gun or bump-fire stock in a felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive

sentence unless the offender is a persistent offender. If the addition of a deadly weapon enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(5) The following additional times shall be added to the standard sentence range if the offender or an accomplice committed the offense while in a county jail or state correctional facility and the offender is being sentenced for one of the crimes listed in this subsection. If the offender or an accomplice committed one of the crimes listed in this subsection while in a county jail or state correctional facility, and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section:

(a) Eighteen months for offenses committed under RCW 69.50.401(2) (a) or (b) or 69.50.410;

(b) Fifteen months for offenses committed under RCW 69.50.401(2) (c), (d), or (e);

(c) Twelve months for offenses committed under RCW 69.50.4013.

For the purposes of this subsection, all of the real property of a state correctional facility or county jail shall be deemed to be part of that facility or county jail.

(6) An additional twenty-four months shall be added to the standard sentence range for any ranked offense involving a violation of chapter 69.50 RCW if the offense was also a violation of RCW 69.50.435 or 9.94A.827. All enhancements under this subsection shall run consecutively to all other sentencing provisions, for all offenses sentenced under this chapter.

(7) An additional two years shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502 for each prior offense as defined in RCW 46.61.5055.

Notwithstanding any other provision of law, all impaired driving enhancements under this subsection are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other impaired driving enhancements, for all offenses sentenced under this chapter.

An offender serving a sentence under this subsection may be granted an extraordinary medical placement when authorized under RCW 9.94A.728(1) (c).

(8) (a) The following additional times shall be added to the standard sentence range for felony crimes committed on or after July 1, 2006, if the offense was committed with sexual motivation, as that term is defined in RCW 9.94A.030. If the offender is being sentenced for more than one offense, the sexual motivation enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to a sexual motivation enhancement. If the offender committed the

offense with sexual motivation and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(i) Two years for any felony defined under the law as a class A felony or with a statutory maximum sentence of at least twenty years, or both;

(ii) Eighteen months for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both;

(iii) One year for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both;

(iv) If the offender is being sentenced for any sexual motivation enhancements under (a) (i), (ii), and/or (iii) of this subsection and the offender has previously been sentenced for any sexual motivation enhancements on or after July 1, 2006, under (a) (i), (ii), and/or (iii) of this subsection, all sexual motivation enhancements under this subsection shall be twice the amount of the enhancement listed;

(b) Notwithstanding any other provision of law, all sexual motivation enhancements under this subsection are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other sexual motivation enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1) (c); or

(ii) Released under the provisions of RCW 9.94A.730;

(c) The sexual motivation enhancements in this subsection apply to all felony crimes;

(d) If the standard sentence range under this subsection exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a sexual motivation enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced;

(e) The portion of the total confinement sentence which the offender must serve under this subsection shall be calculated before any earned early release time is credited to the offender;

(f) Nothing in this subsection prevents a sentencing court from imposing a sentence outside the standard sentence range pursuant to RCW 9.94A.535.

(9) An additional one-year enhancement shall be added to the standard sentence range for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089 committed on or after July 22, 2007, if the offender engaged, agreed, or offered to engage the

victim in the sexual conduct in return for a fee. If the offender is being sentenced for more than one offense, the one-year enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to the enhancement. If the offender is being sentenced for an anticipatory offense for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089, and the offender attempted, solicited another, or conspired to engage, agree, or offer to engage the victim in the sexual conduct in return for a fee, an additional one-year enhancement shall be added to the standard sentence range determined under subsection (2) of this section. For purposes of this subsection, "sexual conduct" means sexual intercourse or sexual contact, both as defined in chapter 9A.44 RCW.

(10)(a) For a person age eighteen or older convicted of any criminal street gang-related felony offense for which the person compensated, threatened, or solicited a minor in order to involve the minor in the commission of the felony offense, the standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by one hundred twenty-five percent. If the standard sentence range under this subsection exceeds the statutory maximum sentence for the offense, the statutory maximum sentence is the presumptive sentence unless the offender is a persistent offender.

(b) This subsection does not apply to any criminal street gang-related felony offense for which involving a minor in the commission of the felony offense is an element of the offense.

(c) The increased penalty specified in (a) of this subsection is unavailable in the event that the prosecution gives notice that it will seek an exceptional sentence based on an aggravating factor under RCW 9.94A.535.

(11) An additional twelve months and one day shall be added to the standard sentence range for a conviction of attempting to elude a police vehicle as defined by RCW 46.61.024, if the conviction included a finding by special allegation of endangering one or more persons under RCW 9.94A.834.

(12) An additional twelve months shall be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.831.

(13) An additional twelve months shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.520 or for vehicular assault committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.522, or for any felony driving under the influence (RCW 46.61.502(6)) or felony physical control under the influence (RCW 46.61.504(6)) for each child passenger under the age of sixteen who is an occupant in the defendant's vehicle. These enhancements shall be mandatory, shall be served in total confinement, and shall run consecutively to

all other sentencing provisions, including other minor child enhancements, for all offenses sentenced under this chapter. If the addition of a minor child enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions.

(14) An additional twelve months shall be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.832.

(15) An additional 12 months may, at the discretion of the court, be added to the standard sentence range for an offense that is also a violation of section 25 of this act.

(16) Regardless of any provisions in this section, if a person is being sentenced in adult court for a crime committed under age eighteen, the court has full discretion to depart from mandatory sentencing enhancements and to take the particular circumstances surrounding the defendant's youth into account.

**Sec. 29.** RCW 9.94A.515 and 2023 c 196 s 3 and 2023 c 7 s 3 are each reenacted and amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

XVI	Aggravated Murder 1 (RCW 10.95.020)
XV	Homicide by abuse (RCW 9A.32.055)
	Malicious explosion 1 (RCW 70.74.280(1))
	Murder 1 (RCW 9A.32.030)
XIV	Murder 2 (RCW 9A.32.050)
	Trafficking 1 (RCW 9A.40.100(1))
XII	Malicious explosion 2 (RCW 70.74.280(2))
I	Malicious placement of an explosive 1 (RCW 70.74.270(1))
XII	Assault 1 (RCW 9A.36.011)
	Assault of a Child 1 (RCW 9A.36.120)
	Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
	Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
	Rape 1 (RCW 9A.44.040)
	Rape of a Child 1 (RCW 9A.44.073)

	Trafficking	2	(RCW 9A.40.100(3))	Commercial Sexual Abuse of a Minor	(RCW 9.68A.100)
XI	Manslaughter	1	(RCW 9A.32.060)	Homicide by Watercraft, by the operation of any vessel in a reckless manner	(RCW 79A.60.050)
	Rape	2	(RCW 9A.44.050)		
	Rape of a Child	2	(RCW 9A.44.076)	Manslaughter	2 (RCW 9A.32.070)
	Vehicular Homicide, by being under the influence of intoxicating liquor or any drug		(RCW 46.61.520)	Promoting Prostitution	1 (RCW 9A.88.070)
	Vehicular Homicide, by the operation of any vehicle in a reckless manner		(RCW 46.61.520)	Theft of Ammonia	(RCW 69.55.010)
X	Child Molestation	1	(RCW 9A.44.083)	VII Air bag diagnostic systems (causing bodily injury or death)	(RCW 46.37.660(2)(b))
	Criminal Mistreatment	1	(RCW 9A.42.020)	Air bag replacement requirements (causing bodily injury or death)	(RCW 46.37.660(1)(b))
	Indecent Liberties (with forcible compulsion)		(RCW 9A.44.100(1)(a))	Burglary	1 (RCW 9A.52.020)
	Kidnapping	1	(RCW 9A.40.020)	Child Molestation	2 (RCW 9A.44.086)
	Leading Organized Crime		(RCW 9A.82.060(1)(a))	Civil Disorder Training	(RCW 9A.48.120)
	Malicious explosion	3	(RCW 70.74.280(3))	Custodial Sexual Misconduct	1 (RCW 9A.44.160)
	Sexually Violent Predator Escape		(RCW 9A.76.115)	Dealing in depictions of minor engaged in sexually explicit conduct	1 (RCW 9.68A.050(1))
IX	Abandonment of Dependent Person	1	(RCW 9A.42.060)	Drive-by Shooting	(RCW 9A.36.045)
	Assault of a Child	2	(RCW 9A.36.130)	False Reporting	1 (RCW 9A.84.040(2)(a))
	Explosive devices prohibited		(RCW 70.74.180)	Homicide by Watercraft, by disregard for the safety of others	(RCW 79A.60.050)
	Hit and Run—Death		(RCW 46.52.020(4)(a))	Indecent Liberties (without forcible compulsion)	(RCW 9A.44.100(1)(b) and (c))
	Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug		(RCW 79A.60.050)	Introducing Contraband	1 (RCW 9A.76.140)
	Inciting Criminal Profiteering		(RCW 9A.82.060(1)(b))	Malicious placement of an explosive	3 (RCW 70.74.270(3))
	Malicious placement of an explosive	2	(RCW 70.74.270(2))	Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death)	(RCW 46.37.650(1)(b))
	Robbery	1	(RCW 9A.56.200)	Negligently Causing Death By Use of a Signal Preemption Device	(RCW 46.37.675)
	Sexual Exploitation		(RCW 9.68A.040)		
VII	Arson	1	(RCW 9A.48.020)		
I					



- Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))
- Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
- Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
- Use of a Machine Gun or Bump-fire Stock in Commission of a Felony (RCW 9.41.225)
- Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
- VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
- Bribery (RCW 9A.68.010)
- Incest 1 (RCW 9A.64.020(1))
- Intimidating a Judge (RCW 9A.72.160)
- Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
- Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
- Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
- Rape of a Child 3 (RCW 9A.44.079)
- Theft of a Firearm (RCW 9A.56.300)
- Theft from a Vulnerable Adult 1 (RCW 9A.56.400(1))
- Unlawful Storage of Ammonia (RCW 69.55.020)
- V Abandonment of Dependent Person 2 (RCW 9A.42.070)
- Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
- Air bag diagnostic systems (RCW 46.37.660(2)(c))
- Air bag replacement requirements (RCW 46.37.660(1)(c))
- Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
- Child Molestation 3 (RCW 9A.44.089)
- Criminal Mistreatment 2 (RCW 9A.42.030)
- Custodial Sexual Misconduct 2 (RCW 9A.44.170)
- Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
- Domestic Violence Court Order Violation (RCW 7.105.450, 10.99.040, 10.99.050, 26.09.300, 26.26B.050, or 26.52.070)
- Extortion 1 (RCW 9A.56.120)
- Extortionate Extension of Credit (RCW 9A.82.020)
- Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
- Incest 2 (RCW 9A.64.020(2))
- Kidnapping 2 (RCW 9A.40.030)
- Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (RCW 46.37.650(1)(c))
- Perjury 1 (RCW 9A.72.020)
- Persistent prison misbehavior (RCW 9.94.070)
- Possession of a Stolen Firearm (RCW 9A.56.310)
- Rape 3 (RCW 9A.44.060)
- Rendering Criminal Assistance 1 (RCW 9A.76.070)
- Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(c))
- Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))
- Sexual Misconduct with a Minor 1 (RCW 9A.44.093)

	Sexually Violating Human Remains (RCW 9A.44.105)	Robbery 2 (RCW 9A.56.210)
	Stalking (RCW 9A.46.110)	Theft of Livestock 1 (RCW 9A.56.080)
	Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)	Threats to Bomb (RCW 9.61.160)
IV	Arson 2 (RCW 9A.48.030)	<u>Trafficking in Catalytic Converters 1 (section 24 of this act)</u>
	Assault 2 (RCW 9A.36.021)	Trafficking in Stolen Property 1 (RCW 9A.82.050)
	Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))	Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
	Assault 4 (third domestic violence offense) (RCW 9A.36.041(3))	Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
	Assault by Watercraft (RCW 79A.60.060)	Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
	Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)	Unlawful transaction of insurance business (RCW 48.15.023(3))
	Cheating 1 (RCW 9.46.1961)	Unlicensed practice as an insurance professional (RCW 48.17.063(2))
	Commercial Bribery (RCW 9A.68.060)	Use of Proceeds of Criminal Profiteering (RCW 9A.82.080(1) and (2))
	Counterfeiting (RCW 9.16.035(4))	Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))
	Driving While Under the Influence (RCW 46.61.502(6))	Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
	Endangerment with a Controlled Substance (RCW 9A.42.100)	Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
	Escape 1 (RCW 9A.76.110)	III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
	Hate Crime (RCW 9A.36.080)	Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
	Hit and Run—Injury (RCW 46.52.020(4)(b))	Assault of a Child 3 (RCW 9A.36.140)
	Hit and Run with Vessel—Injury Accident (RCW 79A.60.200(3))	
	Identity Theft 1 (RCW 9.35.020(2))	
	Indecent Exposure to Person Under Age 14 (subsequent sex offense) (RCW 9A.88.010)	
	Influencing Outcome of Sporting Event (RCW 9A.82.070)	
	Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))	
	Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))	
	Residential Burglary (RCW 9A.52.025)	

Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))	Tampering with a Witness (RCW 9A.72.120)
Burglary 2 (RCW 9A.52.030)	Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
Communication with a Minor for Immoral Purposes (RCW 9.68A.090)	Theft of Livestock 2 (RCW 9A.56.083)
Criminal Gang Intimidation (RCW 9A.46.120)	Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
Custodial Assault (RCW 9A.36.100)	<u>Trafficking in Catalytic Converters 2 (section 26 of this act)</u>
Cyber Harassment (RCW 9A.90.120(2)(b))	Trafficking in Stolen Property 2 (RCW 9A.82.055)
Escape 2 (RCW 9A.76.120)	Unlawful Hunting of Big Game 1 (RCW 77.15.410(3) (b))
Extortion 2 (RCW 9A.56.130)	Unlawful Imprisonment (RCW 9A.40.040)
False Reporting 2 (RCW 9A.84.040(2)(b))	Unlawful Misbranding of Fish or Shellfish 1 (RCW 77.140.060(3))
Harassment (RCW 9A.46.020)	Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
Hazing (RCW 28B.10.901(2) (b))	Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))
Intimidating a Public Servant (RCW 9A.76.180)	Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))
Introducing Contraband 2 (RCW 9A.76.150)	Unlawful Use of a Nondesigned Vessel (RCW 77.15.530(4))
Malicious Injury to Railroad Property (RCW 81.60.070)	Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)
Manufacture of Untraceable Firearm with Intent to Sell (RCW 9.41.190)	II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))
Manufacture or Assembly of an Undetectable Firearm or Untraceable Firearm (RCW 9.41.325)	Computer Trespass 1 (RCW 9A.90.040)
Mortgage Fraud (RCW 19.144.080)	Counterfeiting (RCW 9.16.035(3))
Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)	Electronic Data Service Interference (RCW 9A.90.060)
Organized Retail Theft 1 (RCW 9A.56.350(2))	Electronic Data Tampering 1 (RCW 9A.90.080)
Perjury 2 (RCW 9A.72.030)	Electronic Data Theft (RCW 9A.90.100)
Possession of Incendiary Device (RCW 9.40.120)	
Possession of Machine Gun, Bump-Fire Stock, Undetectable Firearm, or Short-Barreled Shotgun or Rifle (RCW 9.41.190)	
Promoting Prostitution 2 (RCW 9A.88.080)	
Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))	
Securities Act violation (RCW 21.20.400)	

Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))	Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))
Escape from Community Custody (RCW 72.09.310)	Unlawful Practice of Law (RCW 2.48.180)
Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)	Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))
Health Care False Claims (RCW 48.80.030)	Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))
Identity Theft 2 (RCW 9.35.020(3))	Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))
Improperly Obtaining Financial Information (RCW 9.35.010)	Voyeurism 1 (RCW 9A.44.115)
Malicious Mischief 1 (RCW 9A.48.070)	I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
Organized Retail Theft 2 (RCW 9A.56.350(3))	False Verification for Welfare (RCW 74.08.055)
Possession of Stolen Property 1 (RCW 9A.56.150)	Forgery (RCW 9A.60.020)
Possession of a Stolen Vehicle (RCW 9A.56.068)	Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)
<u>Possession, sale, or offering for sale of seven or more unmarked catalytic converters (section 23(5) of this act)</u>	Malicious Mischief 2 (RCW 9A.48.080)
Retail Theft with Special Circumstances 2 (RCW 9A.56.360(3))	Mineral Trespass (RCW 78.44.330)
Scrap Processing, Recycling, or Supplying Without a License (second or subsequent offense) (RCW 19.290.100)	Possession of Stolen Property 2 (RCW 9A.56.160)
Theft 1 (RCW 9A.56.030)	Reckless Burning 1 (RCW 9A.48.040)
Theft of a Motor Vehicle (RCW 9A.56.065)	Spotlighting Big Game 1 (RCW 77.15.450(3)(b))
Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at \$5,000 or more) (RCW 9A.56.096(5)(a))	Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))
Theft with the Intent to Resell 2 (RCW 9A.56.340(3))	Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)
Trafficking in Insurance Claims (RCW 48.30A.015)	Theft 2 (RCW 9A.56.040)
Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))	Theft from a Vulnerable Adult 2 (RCW 9A.56.400(2))
	Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at \$750 or more but less than \$5,000) (RCW 9A.56.096(5)(b))
	Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)

- Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630 (3) (b))
- Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
- Unlawful Possession of Fictitious Identification (RCW 9A.56.320)
- Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)
- Unlawful Possession of Payment Instruments (RCW 9A.56.320)
- Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)
- Unlawful Production of Payment Instruments (RCW 9A.56.320)
- Unlawful Releasing, Planting, Possessing, or Placing Deleterious Exotic Wildlife (RCW 77.15.250 (2) (b))
- Unlawful Trafficking in Food Stamps (RCW 9.91.142)
- Unlawful Use of Food Stamps (RCW 9.91.144)
- Unlawful Use of Net to Take Fish 1 (RCW 77.15.580 (3) (b))
- Vehicle Prowl 1 (RCW 9A.52.095)
- Violating Commercial Fishing Area or Time 1 (RCW 77.15.550 (3) (b))

**NEW SECTION. Sec. 30.** This act takes effect April 1, 2025."  
 On page 1, line 1 of the title, after "converters;" strike the remainder of the title and insert "amending RCW 19.290.010, 19.290.020, 19.290.030, 19.290.040, 19.290.050, 19.290.060, 19.290.080, 19.290.220, 19.290.240, 46.79.010, 46.80.080, 46.80.210, 46.12.560, and 9A.82.010; reenacting and amending RCW 46.80.010, 9.94A.533, and 9.94A.515; adding a new section to chapter 19.290 RCW; adding a new section to chapter 46.70 RCW; adding new sections to chapter 46.79 RCW; adding a new section to chapter 46.80 RCW; adding a new section to chapter 43.43 RCW; adding new sections to chapter 9A.82 RCW; adding a new section to chapter 9.94A RCW; creating a new section; prescribing penalties; and providing an effective date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2153 and advanced the bill, as amended by the Senate, to final passage.

Representatives Ryu and Robertson spoke in favor of the passage of the bill.

**FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2153, as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2153, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Lekanoff

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2153, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2195, with the following amendment(s): 2195-S AMS WM S5696.1

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 43.31.577 and 2023 c 474 s 8031 are each amended to read as follows:

(1) Activities eligible for funding through the early learning facilities grant and loan program for eligible organizations include:

(a) Facility predesign grants or loans (~~of no more than \$20,000~~) to allow eligible organizations to secure professional services or consult with organizations certified by the community development financial institutions fund to plan for and assess the feasibility of early learning facilities projects or receive other technical assistance to design and develop projects for construction funding;

(b) Grants or loans (~~of no more than \$200,000 for minor renovations or repairs of existing early learning facilities or~~) for

predevelopment activities to advance a proposal from planning to major construction or renovation;

(c) Grants or loans for renovations or repairs of existing early learning facilities;

(d) Major construction and renovation grants or loans and grants or loans for facility purchases (~~(of no more than \$1,000,000)~~) to create or expand early learning facilities (~~(, except that during the 2023-2025 fiscal biennium these grants or loans may not exceed \$2,500,000)~~); and

~~((d))~~ (e) Administration costs associated with conducting application processes, managing contracts, translation services, and providing technical assistance.

(2) For grants or loans awarded under subsection (1)(c) and (d) of this section, the department must prioritize applications for facilities that are ready for construction.

(3) Activities eligible for funding through the early learning facilities grant and loan program for school districts include major construction, purchase, and renovation grants or loans (~~(of no more than \$1,000,000)~~) to create or expand early learning facilities that received priority and ranking as described in RCW 43.31.581.

~~((3) Amounts in this section must be increased annually by the United States implicit price deflator for state and local government construction provided by the office of financial management.)~~

**NEW SECTION. Sec. 2.** A new section is added to chapter 43.31 RCW to read as follows:

For early learning facilities collocated with affordable or supportive housing developments, the department may remit state funding on a reimbursement basis for 90 percent of eligible project costs, regardless of the project's match amount, once the nonstate share of project costs have been either expended or firmly committed in an amount sufficient to complete the entire project or a distinct phase of the project that is useable to the public as an early learning facility. Eligible housing developments are projects that have received public funding and have secured enough funding to complete construction of the project that will result in a certificate of occupancy to open the affordable housing development, including the early learning facility.

**Sec. 3.** RCW 43.31.575 and 2021 c 130 s 2 are each amended to read as follows:

(1) Organizations eligible to receive funding from the early learning facilities grant and loan program include:

(a) Early childhood education and assistance program providers;

(b) Working connections child care providers who are eligible to receive state subsidies;

(c) Licensed early learning centers not currently participating in the early childhood education and assistance program, but intending to do so;

(d) Developers of housing and community facilities;

(e) Community and technical colleges;

(f) Educational service districts;

(g) Local governments;

(h) Federally recognized tribes in the state; and

(i) Religiously affiliated entities.

(2) To be eligible to receive funding from the early learning facilities grant and loan program for activities described in RCW 43.31.577 (1) (b), (c), and ~~((e))~~ (d) and (2), eligible organizations and school districts must:

(a) Commit to being an active participant in good standing with the early achievers program as defined by chapter 43.216 RCW; and

(b) Demonstrate that projects receiving construction, purchase, or renovation grants or loans must also:

(i) Demonstrate that the project site is under the applicant's control for a minimum of ten years, either through ownership or a long-term lease; and

(ii) Commit to using the facility funded by the grant or loan for the purposes of providing preschool or child care for a minimum of ten years.

(3) To be eligible to receive funding from the early learning facilities grant and loan program for activities described in RCW 43.31.577 (1) (b), (c), and ~~((e))~~ (d) and (2), religiously affiliated entities must use the facility to provide child care and education services consistent with subsection (4)(a) of this section.

(4)(a) Upon receiving a grant or loan, the recipient must continue to be an active participant and in good standing with the early achievers program.

(b) If the recipient does not meet the conditions specified in (a) of this subsection, the grants shall be repaid to the early learning facilities revolving account or the early learning facilities development account, as directed by the department. So long as an eligible organization continues to provide an early learning program in the facility, the facility is used as authorized, and the eligible organization continues to be an active participant and in good standing with the early achievers program, the grant repayment is waived.

(c) The department, in consultation with the department of children, youth, and families, ~~((must))~~ may adopt rules to implement this section.

**NEW SECTION. Sec. 4.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 5.** Section 1 of this act takes effect July 1, 2025."

On page 1, line 4 of the title, after "account;" strike the remainder of the title and insert "amending RCW 43.31.577 and 43.31.575; adding a new section to chapter 43.31 RCW; and providing an effective date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2195 and advanced the bill, as amended by the Senate, to final passage.

Representatives Callan and Abbarno spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2195, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2195, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Lekanoff

SUBSTITUTE HOUSE BILL NO. 2195, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed HOUSE BILL NO. 2213, with the following amendment(s): 2213 AMS PADD S5302.1

Beginning on page 1, line 10, strike all of section 1

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 5 of the title, after "29A.80.061;" strike "reenacting and amending RCW 10.95.030;"

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 2213 and advanced the bill, as amended by the Senate, to final passage.

Representatives Cheney and Goodman spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2213, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2213, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Lekanoff

HOUSE BILL NO. 2213, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2226, with the following amendment(s): 2226-S AMS ENGR S5079.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 50.75 RCW to read as follows:

(1) Whenever the department conducts a field check or field visit of an employer, the department must collect the following information:

(a) The number of H-2A workers the employer has at each work site; and

(b) The actual geographic location of where the H-2A workers are living during their employment with the employer.

(2) The department must compile the information and compare the number of workers sought by an employer on the employer's H-2A application with the number of H-2A workers actually working for the employer.

(3) The department must make the information available to the advisory committee appointed under RCW 50.75.040 on a quarterly basis.

NEW SECTION. **Sec. 2.** A new section is added to chapter 50.38 RCW to read as follows:

(1) The department must conduct, or cause to be conducted, a comprehensive annual wage survey of non-H-2A workers hand harvesting apples, cherries, pears, and blueberries.

(2) At a minimum, the surveys must:

(a) Gather information on wage rates received for harvesting activities;

(b) Include a question concerning whether the survey respondent made an unemployment insurance claim in the same period of time used to compile any list of unemployment claimants used as a basis for the phone survey described in this section;

(c) Gather information on the respondent's age, gender, and whether the respondent was born in the United States or the number of years the respondent has lived in the United States; and

(d) Gather information on whether the respondent earned the reported wages while working on a farm that employed H-2A workers to do the same kind of work.

(3) The survey must:

(a) Be designed to receive responses from a minimum of 2,800 workers;

(b) Include field surveys designed to receive responses from a minimum of:

(i) 1,200 apple harvesters;

(ii) 200 pear harvesters;

(iii) 200 blueberry harvesters; and

(iv) 350 cherry harvesters; and

(c) Use best practices for administering a field survey of unknown populations.

(4) The survey may use a phone survey to gather the additional responses.

(5) The department must provide \$25 incentive payments for survey respondents who are eligible to respond to the survey.

(6) The department must submit a report to the appropriate committees of the legislature annually by May 1st on surveys conducted under this section. The report must include:

(a) Information about the number of responses; and

(b) Individual responses, without names, including each respondent's answers to the inquiries described in subsection (2) of this section, except that unemployment claim data may be aggregated to the extent necessary to comply with federal law.

**NEW SECTION. Sec. 3.** If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state."

On page 1, line 2 of the title, after "harvesters;" strike the remainder of the title and insert "adding a new section to chapter 50.75 RCW; adding a new section to chapter 50.38 RCW; and creating a new section."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2226 and advanced the bill, as amended by the Senate, to final passage.

Representative Ortiz-Self spoke in favor of the passage of the bill.

Representative Ybarra spoke against the passage of the bill.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2226, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2226, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 56; Nays, 39; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Springer, Steele, Stokesbary, Volz, Walen, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Lekanoff

SUBSTITUTE HOUSE BILL NO. 2226, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2347, with the following amendment(s): 2347-S AMS HLTC S5248.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 70.128.280 and 2013 c 300 s 3 are each amended to read as follows:

(1) In order to enhance the selection of an appropriate adult family home, all adult family homes licensed under this chapter shall disclose the scope of, and charges for, the care, services, and activities provided by the home or customarily arranged for by the home. The disclosure must be provided to the home's residents and the residents' representatives, if any, prior to admission, and to interested prospective residents and their representatives upon request, using standardized disclosure forms developed by the department with



stakeholders' input. The home may also disclose supplemental information to prospective residents and other interested persons.

(2)(a) The disclosure forms that the department develops must be standardized, reasonable in length, and easy to read. The form setting forth the scope of an adult family home's care, services, and activities must be available from the adult family home through a link to the department's website developed pursuant to this section. This form must indicate, among other categories, the scope of personal care and medication service provided, the scope of skilled nursing services or nursing delegation provided or available, any specialty care designations held by the adult family home, the customary number of caregivers present during the day and whether the home has awake staff at night, any particular cultural or language access available, and clearly state whether the home admits medicaid clients or retains residents who later become eligible for medicaid. The adult family home shall provide or arrange for the care, services, and activities disclosed in its form.

(b) The department must also develop a second standardized disclosure form with stakeholders' input for use by adult family homes to set forth an adult family home's charges for its care, services, items, and activities, including the charges not covered by the home's daily or monthly rate, or by medicaid, medicare, or other programs. This form must be available from the home and disclosed to residents and their representatives, if any, prior to admission, and to interested prospective residents and their representatives upon request.

(3)(a) If the adult family home decreases the scope of care, services, or activities it provides, due to circumstances beyond the home's control, the home shall provide a minimum of thirty days' written notice to the residents, and the residents' representative if any, before the effective date of the decrease in the scope of care, services, or activities provided.

(b) If the adult family home voluntarily decreases the scope of care, services, or activities it provides, and any such decrease will result in the discharge of one or more residents, then ninety days' written notice must be provided prior to the effective date of the decrease. Notice must be given to the residents and the residents' representative, if any.

(c) If the adult family home increases the scope of care, services, or activities it provides, the home shall promptly provide written notice to the residents, and the residents' representative if any, and shall indicate the date on which the increase is effective.

(4) When the care needs of a resident exceed the disclosed scope of care or services that the adult family home provides, the home may exceed the care or services previously disclosed, provided that the additional care or services are permitted by the adult family home's license, and the home can safely and appropriately serve the resident with available staff or through the provision of

reasonable accommodations required by state or federal law. The provision of care or services to a resident that exceed those previously disclosed by the home does not mean that the home is capable of or required to provide the same care or services to other residents, unless required as a reasonable accommodation under state or federal law.

(5) An adult family home may deny admission to a prospective resident if the home determines that the needs of the prospective resident cannot be met, so long as the adult family home operates in compliance with state and federal law, including RCW 70.129.030(3) and the reasonable accommodation requirements of state and federal antidiscrimination laws.

(6) The department shall work with consumers, advocates, and other stakeholders to combine and improve existing web resources to create a more robust, comprehensive, and user-friendly website for family members, residents, and prospective residents of adult family homes in Washington. The department may contract with outside vendors and experts to assist in the development of the website. The website should be easy to navigate and have links to information important for residents, prospective residents, and their family members or representatives including, but not limited to: (a) Explanations of the types of licensed long-term care facilities, levels of care, and specialty designations; (b) lists of suggested questions when looking for a care facility; (c) warning signs of abuse, neglect, or financial exploitation; and (d) contact information for the department and the long-term care ((~~ombudsman~~ ~~[ombuds]~~) ombuds). In addition, the consumer oriented website should include a searchable list of all adult family homes in Washington, with links to (~~inspection and investigation reports and any enforcement actions by the department for the previous three years~~) the following documents and information for the previous three years: (i) Deficiency-free inspection letters; (ii) statements of deficiency related to inspection visits; (iii) statements of deficiency related to complaint investigations requiring an attestation of correction; (iv) notices of return to compliance related to (ii) and (iii) of this subsection; and (v) enforcement action notices issued by the department. If a violation or enforcement remedy is deleted, rescinded, or modified under RCW 70.128.167 or chapter 34.05 RCW, the department shall make the appropriate changes to the information on the website as soon as reasonably feasible, but no later than thirty days after the violation or enforcement remedy has been deleted, rescinded, or modified. To facilitate the comparison of adult family homes, the website should also include a link to each licensed adult family home's disclosure form required by subsection (2)(a) of this section. The department's website should also include periodically updated information about whether an adult family home has a current vacancy, if the home provides such information to the department, or may include links to other consumer-

oriented websites with the vacancy information."

On page 1, line 3 of the title, after "homes;" strike the remainder of the title and insert "and amending RCW 70.128.280."

and the same is herewith transmitted.

Sarah Bannister, Secretary

### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2347 and advanced the bill, as amended by the Senate, to final passage.

Representatives Reeves and Hutchins spoke in favor of the passage of the bill.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2347, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2347, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Gochner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Lekanoff

SUBSTITUTE HOUSE BILL NO. 2347, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2348, with the following amendment(s): 2348-S AMS ENGR S5457.E

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 36.62.010 and 1984 c 26 s 1 are each amended to read as follows:

The legislative authority of any county may establish, provide, and maintain hospitals for the care and treatment of the indigent, sick, injured, or infirm, and for this purpose the county legislative authority may:

(1) Purchase or lease real property or use lands already owned by the county;

(2) Erect all necessary buildings, make all necessary improvements and repairs and alter any existing building for the use of said hospitals;

(3) Use county moneys, levy taxes, and issue bonds as authorized by law, to raise a sufficient amount of money to ~~((cover))~~ pay, finance, or refinance the cost of procuring the site, constructing and operating hospitals, and for the maintenance and capital expenses thereof and all other necessary and proper expenses; and

(4) Accept and hold in trust for the county any grant of land, gift or bequest of money, or any donation for the benefit of the purposes of this chapter, and apply the same in accordance with the terms of the gift.

**Sec. 2.** RCW 36.62.090 and 1984 c 26 s 6 are each amended to read as follows:

(1) If the hospital is established, the county legislative authority, at the time of levying general taxes, may levy an additional regular property tax, not to exceed ~~((fifty))~~ 20 cents per thousand dollars of assessed value in any one year, for the operation, maintenance, and capital expenses of the hospital, and any outpatient clinics operated by the hospital, and for the payment of principal and interest on bonds issued for such purposes. The limitations in RCW 84.52.043 do not apply to the tax levy authorized in this section and the limitation in RCW 84.55.010 does not apply to the first year that the tax levy is imposed under this section.

(2) Only a county with a population exceeding 2,000,000 may impose the additional regular property tax authorized under this section.

**Sec. 3.** RCW 84.52.043 and 2023 c 28 s 5 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named are as follows:

(1) Levies of the senior taxing districts are as follows: (a) The levies by the state may not exceed the applicable aggregate rate limit specified in RCW 84.52.065 (2) or (4) adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county may not exceed \$1.80 per \$1,000 of assessed value; (c) the levy by any road district may not exceed \$2.25 per \$1,000 of assessed value; and (d) the levy by any city or town may not exceed \$3.375 per \$1,000 of assessed value. However, any county is hereby authorized to increase its levy from \$1.80 to a rate not to exceed \$2.475 per \$1,000 of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed \$4.05 per \$1,000 of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other

than the state, may not exceed \$5.90 per \$1,000 of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts and regional fire protection service authorities that are protected under RCW 84.52.125; (j) levies by counties for transit-related purposes under RCW 84.52.140; (k) the portion of the levy by flood control zone districts that are protected under RCW 84.52.816; (l) levies imposed by a regional transit authority under RCW 81.104.175; (m) levies imposed by any park and recreation district described under RCW 84.52.010(3)(a)(viii); ~~((and))~~ (n) the portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3); and (o) levies for county hospital purposes under RCW 36.62.090.

**Sec. 4.** RCW 84.52.043 and 2023 c 28 s 6 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named are as follows:

(1) Levies of the senior taxing districts are as follows: (a) The levies by the state may not exceed the applicable aggregate rate limit specified in RCW 84.52.065 (2) or (4) adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county may not exceed \$1.80 per \$1,000 of assessed value; (c) the levy by any road district may not exceed \$2.25 per \$1,000 of assessed value; and (d) the levy by any city or town may not exceed \$3.375 per \$1,000 of assessed value. However any county is hereby authorized to increase its levy from \$1.80 to a rate not to exceed \$2.475 per \$1,000 of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed \$4.05 per \$1,000 of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, may not exceed \$5.90 per

\$1,000 of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts and regional fire protection service authorities that are protected under RCW 84.52.125; (j) levies by counties for transit-related purposes under RCW 84.52.140; (k) the portion of the levy by flood control zone districts that are protected under RCW 84.52.816; (l) levies imposed by a regional transit authority under RCW 81.104.175; ~~((and))~~ (m) the portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3); and (n) levies for county hospital purposes under RCW 36.62.090.

**Sec. 5.** RCW 84.52.010 and 2023 c 28 s 3 are each amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county must be determined, calculated, and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:

(a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however, any state levy takes precedence over all other levies and

may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 36.69.145 by a park and recreation district described under (a) (viii) of this subsection (3), 84.34.230, 84.52.069, 84.52.105, 36.62.090, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and 84.52.140, the portion of the levy by a flood control zone district that was protected under RCW 84.52.816, and any portion of a levy resulting from the correction of a levy error under RCW 84.52.085(3), the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:

(i) The portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a flood control zone district that was protected under RCW 84.52.816 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district or regional fire protection service authority that is protected under RCW 84.52.125 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vii) If the combined rate of regular property tax levies that are subject to the

one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 36.69.145 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated. This subsection (3)(a)(viii) only applies to a park and recreation district located on an island and within a county with a population exceeding 2,000,000;

(ix) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, 36.62.090, and any portion of the levy imposed under RCW 84.52.069 that is in excess of 30 cents per \$1,000 of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and

(x) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the 30 cents per \$1,000 of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or eliminated.

(b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(i) First, the certified property tax levy authorized under RCW 84.52.821 must be reduced on a pro rata basis or eliminated;

(ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145 except a park and recreation district described under (a) (viii) of this subsection, 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or eliminated;

(iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts other than the portion of a levy protected under RCW 84.52.816 must be reduced on a pro rata basis or eliminated;

(iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library

districts, the first 50 cents per \$1,000 of assessed valuation levies for metropolitan park districts, and the first 50 cents per \$1,000 of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;

(v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the first 50 cents per \$1,000 of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;

(vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and

(vii) Seventh, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1) (a), library districts, metropolitan park districts created before January 1, 2002, under their first 50 cents per \$1,000 of assessed valuation levy, and public hospital districts under their first 50 cents per \$1,000 of assessed valuation levy, must be reduced on a pro rata basis or eliminated.

**Sec. 6.** RCW 84.52.010 and 2023 c 28 s 4 are each amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:

(a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as

a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, 36.62.090, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and 84.52.140, the portion of the levy by a flood control zone district that was protected under RCW 84.52.816, and the portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3), the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:

(i) The portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a flood control zone district that was protected under RCW 84.52.816 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district or regional fire protection service authority that is protected under RCW 84.52.125 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district that is protected

under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, 36.62.090, and any portion of the levy imposed under RCW 84.52.069 that is in excess of 30 cents per \$1,000 of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and

(ix) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the 30 cents per \$1,000 of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or eliminated.

(b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(i) First, the certified property tax levy authorized under RCW 84.52.821 must be reduced on a pro rata basis or eliminated;

(ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or eliminated;

(iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts other than the portion of a levy protected under RCW 84.52.816 must be reduced on a pro rata basis or eliminated;

(iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first 50 cents per \$1,000 of assessed valuation levies for metropolitan park districts, and the first 50 cents per \$1,000 of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;

(v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the first 50 cents per \$1,000 of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;

(vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW

52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and

(vii) Seventh, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1) (a), library districts, metropolitan park districts created before January 1, 2002, under their first 50 cents per \$1,000 of assessed valuation levy, and public hospital districts under their first 50 cents per \$1,000 of assessed valuation levy, must be reduced on a pro rata basis or eliminated.

NEW SECTION. **Sec. 7.** Sections 3 and 5 of this act expire January 1, 2027.

NEW SECTION. **Sec. 8.** Sections 4 and 6 of this act take effect January 1, 2027."

On page 1, line 1 of the title, after "funding;" strike the remainder of the title and insert "amending RCW 36.62.010, 36.62.090, 84.52.043, 84.52.043, 84.52.010, and 84.52.010; providing an effective date; and providing an expiration date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2348 and advanced the bill, as amended by the Senate, to final passage.

Representatives Street and Goehner spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2348, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2348, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 59; Nays, 36; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Hackney, Hutchins, Kloba, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Ryu, Sandlin, Santos, Senn, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Griffey, Harris, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Paul, Robertson, Rule, Schmick, Schmidt, Shavers, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Lekanoff

SUBSTITUTE HOUSE BILL NO. 2348, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 2348.  
Representative Graham, 6th District

### THIRD READING

### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2381, with the following amendment(s): 2381-S AMS EDU S5366.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.150.222 and 2019 c 274 s 1 are each amended to read as follows:

(1) In addition to waivers authorized under RCW 28A.300.750, the superintendent of public instruction, in accordance with the criteria in subsection (2) of this section and criteria adopted by the state board of education under subsection (3) of this section, may grant waivers of the requirement for a ~~((one hundred eighty-day))~~ 180-day school year under RCW 28A.150.220 to school districts that propose to operate one or more schools on a flexible calendar for purposes of economy and efficiency as provided in this section. The requirement under RCW 28A.150.220 that school districts offer minimum instructional hours may not be waived.

(2) A school district seeking a waiver under this section must submit an application to the superintendent of public instruction that includes:

(a) A proposed calendar for the school day and school year that demonstrates how the instructional hour requirement will be maintained;

(b) An explanation and estimate of the economies and efficiencies to be gained from compressing the instructional hours into fewer than ~~((one hundred eighty))~~ 180 days;

(c) An explanation of how monetary savings from the proposal will be redirected to support student learning;

(d) A summary of comments received at one or more public hearings on the proposal and how concerns will be addressed;

(e) An explanation of the impact on students who rely upon free and reduced-price school child nutrition services and the impact on the ability of the child nutrition program to operate an economically independent program;

(f) An explanation of the impact on employees in education support positions, including expected position and work hour reductions, reductions in force, and the loss of work benefits or eligibility for work benefits, and the ability to recruit and retain employees in education support positions;

(g) An explanation of the impact on students whose parents work during the missed school day; and

(h) Other information that the superintendent of public instruction may request to assure that the proposed flexible calendar will not adversely affect student learning.

(3) The state board of education shall adopt rules establishing the criteria to evaluate waiver requests under this section. A waiver may be effective for up to three years and may be renewed for subsequent periods of three or fewer years. After each school year in which a waiver has been granted under this section, the superintendent of public instruction must analyze empirical evidence to determine whether the reduction is affecting student learning. If the superintendent of public instruction determines that student learning is adversely affected, the school district must discontinue the flexible calendar as soon as possible but not later than the beginning of the next school year after the superintendent of public instruction's determination.

(4) The superintendent of public instruction may grant waivers authorized under this section to ~~((ten))~~ 30 or fewer school districts with student populations of less than ~~((five hundred))~~ 1,000 students. ~~((Of the ten waivers that may be granted, two must be reserved for districts with student populations of less than one hundred fifty students.))"~~

On page 1, line 2 of the title, after "waivers;" strike the remainder of the title and insert "and amending RCW 28A.150.222."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2381 and advanced the bill, as amended by the Senate, to final passage.

Representatives Rude and Santos spoke in favor of the passage of the bill.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2381, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2381, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu,

Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler and Lekanoff

SUBSTITUTE HOUSE BILL NO. 2381, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2482, with the following amendment(s): 2482-S.E AMS CLEV S5595.1

On page 2, line 32, after "~~(2024)~~" strike "2035" and insert "2034"

On page 6, line 37, after "(d)" strike "No application is necessary for the tax exemption." and insert "~~(No application is necessary for the tax exemption.)~~ Applications for the exemption under this section must be made at least 90 days before initiation of the construction of the significant semiconductor microchip manufacturing facility in a form and manner prescribed by the department."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2482 and advanced the bill, as amended by the Senate, to final passage.

Representatives Harris and Berg spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2482, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2482, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Pollet

Excused: Representatives Chandler and Lekanoff

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2482, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Substitute House Bill No. 2482.

Representative Pollet, 46th District

#### THIRD READING

#### MESSAGE FROM THE SENATE

Thursday, February 22, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331, with the following amendment(s): 2331-S.E AMS ENGR S5271.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.320 RCW to read as follows:

(1)(a) Except as provided otherwise by this section, a school district board of directors may not refuse to approve, or prohibit the use of, any textbook, instructional material, supplemental instructional material, or other curriculum for student instruction on the basis that it relates to or includes the study of the role and contributions of any individual or group who is part of a protected class as established in RCW 28A.642.010 and 28A.640.010.

(b) Subsection (1)(a) of this section does not apply if the content of the material relating to the role and contributions of an individual or group violates the provisions of chapter 28A.642 or 28A.640 RCW, including materials containing bias against any individual or group who is part of a protected class as established in RCW 28A.642.010 and 28A.640.010.

(2) Anyone alleging a violation of subsection (1) of this section may bring a complaint under the provisions of chapter 28A.642 or 28A.640 RCW. Any school district board of directors found to be in violation of subsection (1) of this section shall be considered to have violated chapter 28A.642 or 28A.640 RCW and is subject to the provisions of that chapter.

(3) For the purposes of this section, "supplemental instructional materials" has the same meaning as in section 2 of this act.

(4) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts.



NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320 RCW to read as follows:

(1) By the beginning of the 2025-26 school year, each school district board of directors shall adopt or revise as necessary policies and procedures governing requested reviews and removals of supplemental instructional materials. The policies and procedures must:

(a) Include a summary of, and citation to, the requirements governing supplemental instructional materials established in section 1 of this act;

(b) Require that requests for the review and potential removal of supplemental instructional materials be in writing from a parent and submitted to the applicable certificated teacher or teacher-librarian and school principal;

(c) Seek to resolve requests for reviews and potential removals of supplemental instructional materials at the school building level through, if requested by the parent, a meeting with the parent, the applicable certificated teacher or teacher-librarian, and school principal;

(d) Require, if a resolution cannot be agreed upon with the parent and the school principal, and following a review of the supplemental instructional materials by the principal, in consultation with a teacher-librarian of the school district if one is available, the principal to provide a written decision on whether to remove the materials within: (i) 30 days of the meeting with the parent; or (ii) 60 days of receiving the request under (b) of this subsection if the parent does not request to meet with school personnel as provided in (c) of this subsection; and

(e) Provide a process for appealing decisions of principals, either by the parent or the applicable certificated teacher or teacher-librarian, to the superintendent of the school district or a designee of the superintendent. Appeal requests must be made in writing and decisions by the superintendent or designee under this subsection are not subject to appeal. Final decisions at any point in the process made in accordance with this subsection (1) may not be reconsidered for a minimum of three years unless there is a substantive change of circumstances as determined by the superintendent.

(2) Decisions made in accordance with subsection (1)(d) and (e) of this section must be in conformity with section 1 of this act and may be limited in application to only the student or students of the parent who submitted the complaint.

(3) For the purposes of this section, the following definitions apply:

(a) "Parent" means a parent or legal guardian of a student who is enrolled in the school or school district;

(b) "Supplemental instructional materials" or "materials" means: (i) Materials in school libraries; and (ii) educational materials that are not expressly required by the school or school district and are instead selected at the discretion of a certificated teacher or teacher-librarian for materials in school libraries; and

(c) "Teacher-librarian" has the same meaning as in RCW 28A.320.240.

(4) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts.

**Sec. 3.** RCW 28A.320.230 and 1989 c 371 s 1 are each amended to read as follows:

(1) Every board of directors, unless otherwise specifically provided by law, shall:

~~((1))~~ (a) Prepare, negotiate, set forth in writing and adopt, policy relative to the selection or deletion of instructional materials. Such policy shall:

~~((a))~~ (i) State the school district's goals and principles relative to instructional materials;

~~((b))~~ (ii) Delegate responsibility for the preparation and recommendation of teachers' reading lists and specify the procedures to be followed in the selection of all instructional materials including text books;

~~((c))~~ (iii) Establish an instructional materials committee to be appointed, with the approval of the school board, by the school district's chief administrative officer. This committee shall consist of ~~((representative))~~: Representative members of the district's professional staff, including representation from the district's curriculum development committees ~~((and, in the case of districts which))~~; one or more parents of enrolled students, with the parent members equaling less than one-half of the total membership of the committee; and in the case of districts that operate elementary school(s) only, the educational service district superintendent, one of whose responsibilities shall be to assure the correlation of those elementary district adoptions with those of the high school district(s) which serve their children. ((The committee may include parents at the school board's discretion: PROVIDED, That parent members shall make up less than one-half of the total membership of)) School districts shall develop and implement comprehensive outreach programs to parents of enrolled students in the district for the purpose of recruiting a diverse pool of parent members for instructional materials committees that reflects the demographics and learning needs in the district to the greatest extent possible;

(iv) Instructional materials committees that are unable to recruit at least one parent of an enrolled student to serve on the committee must, while they are without a parent member, report quarterly to the school district board of directors and the public on their efforts to recruit one or more parents to serve on the committee;

~~((d))~~ (v) Provide for reasonable notice to parents of the opportunity to serve on the committee and for terms of office for members of the instructional materials committee;

~~((e))~~ (vi) Provide a system for receiving, considering and acting upon

written complaints regarding instructional materials used by the school district. The system required by this subsection (1)(a)(vi) must:

(A) Require that complaints be in writing from a parent or legal guardian of a student who is enrolled in the district and submitted to a principal from a school where the materials that are the subject of the complaint are used;

(B) Seek to resolve complaints through, if requested by the parent or guardian, a meeting with the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, and the principal to whom the complaint was submitted;

(C) Require, if a resolution cannot be agreed upon with the parent or guardian and the school principal, the instructional materials committee to provide a written decision on the matter within: (I) 60 days of a meeting held under (a)(vi)(B) of this subsection; or (II) 90 days after the complaint was received by the principal, whichever date is later. Decisions made in accordance with this subsection (1)(a)(vi) must be in conformity with section 1 of this act and may be limited in application to only the student or students of the parent or guardian who submitted the complaint; and

(D) Provide a process for appealing decisions of the instructional materials committee, by the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, or a principal from a school where the materials that are the subject of the complaint are used, to the superintendent of the school district or a designee of the superintendent. Appeal requests must be made in writing and decisions by the superintendent or designee under this subsection are not subject to appeal. Final decisions at any point in the process made in accordance with this subsection (1)(a)(vi) may not be reconsidered for a minimum of three years unless there is a substantive change of circumstances as determined by the superintendent; and

~~((f))~~(vii) Provide free text books, supplies and other instructional materials to be loaned to the pupils of the school, when, in its judgment, the best interests of the district will be subserved thereby and prescribe rules and regulations to preserve such books, supplies and other instructional materials from unnecessary damage; and

(b) Establish a depreciation scale for determining the value of texts which students wish to purchase.

(2) Recommendation of instructional materials shall be by the district's instructional materials committee in accordance with district policy. ~~(Approval)~~ Recommendations made in accordance with this section must include recommendations for culturally and experientially representative instructional materials including materials on the study of the role and contributions of individuals or groups that are part of a protected class under RCW 28A.642.010 and 28A.640.010, but approval or disapproval shall be by the local school district's board of directors.

(3) Districts may pay the necessary travel and subsistence expenses for expert counsel from outside the district. In addition, the committee's expenses incidental to visits to observe other districts' selection procedures may be reimbursed by the school district.

(4) Districts may, within limitations stated in board policy, use and experiment with instructional materials for a period of time before general adoption is formalized.

(5) Within the limitations of board policy, a school district's chief administrator may purchase instructional materials to meet deviant needs or rapidly changing circumstances.

~~((2) Establish a depreciation scale for determining the value of texts which students wish to purchase.)~~

**Sec. 4.** RCW 28A.150.230 and 2010 c 235 s 201 are each amended to read as follows:

(1) It is the intent and purpose of this section to guarantee that each common school district board of directors, whether or not acting through its respective administrative staff, be held accountable for the proper operation of their district to the local community and its electorate. In accordance with the provisions of ~~((Title 28A RCW))~~ this title, as now or hereafter amended, each common school district board of directors shall be vested with the final responsibility for the setting of policies ensuring quality in the content and extent of its educational program and that such program provide students with the opportunity to achieve those skills which are generally recognized as requisite to learning.

(2) In conformance with the provisions of ~~((Title 28A RCW))~~ this title, as now or hereafter amended, it shall be the responsibility of each common school district board of directors to adopt policies to:

(a) Establish performance criteria and an evaluation process for its superintendent, classified staff, certificated personnel, including administrative staff, and for all programs constituting a part of such district's curriculum. Each district shall report annually to the superintendent of public instruction the following for each employee group listed in this subsection (2) (a): (i) Evaluation criteria and rubrics; (ii) a description of each rating; and (iii) the number of staff in each rating;

(b) Determine the final assignment of staff, certificated or classified, according to board enumerated classroom and program needs and data, based upon a plan to ensure that the assignment policy: (i) Supports the learning needs of all the students in the district; and (ii) gives specific attention to high-need schools and classrooms;

(c) Provide information to the local community and its electorate describing the school district's policies concerning hiring, assigning, terminating, and evaluating staff, including the criteria for evaluating teachers and principals;

(d) Determine the amount of instructional hours necessary for any student to acquire a quality education in such district, in not

less than an amount otherwise required in RCW 28A.150.220, or rules of the state board of education;

(e) Determine the allocation of staff time, whether certificated or classified;

(f) Establish final curriculum standards consistent with law and rules of the superintendent of public instruction, relevant to the particular needs of district students or the unusual characteristics of the district, and ensuring a quality education for each student in the district; and

(g) Evaluate teaching materials, including text books, teaching aids, handouts, or other printed material, (~~in a public hearing~~) upon complaint by parents, guardians or custodians of students who consider dissemination of such material to students objectionable in accordance with section 2 of this act and RCW 28A.320.230.

**Sec. 5.** RCW 28A.642.020 and 2010 c 240 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall develop rules and guidelines to eliminate discrimination prohibited in RCW 28A.642.010 and section 1 of this act as it applies to public school employment, counseling and guidance services to students, recreational and athletic activities for students, access to course offerings, and in textbooks ~~(and)~~, instructional materials ~~((used by students))~~, and supplemental instructional materials, and student access to those materials.

(2) For the purposes of this section, "supplemental instructional materials" has the same meaning as in section 2 of this act.

**NEW SECTION. Sec. 6.** A new section is added to chapter 28A.640 RCW to read as follows:

In accordance with section 1 of this act, decisions by school district boards of directors, charter school boards under chapter 28A.710 RCW, and state-tribal education compact schools subject to chapter 28A.715 RCW that pertain to textbooks, instructional materials, supplemental instructional materials, and other curriculum for student instruction may be subject to the provisions of this chapter.

**NEW SECTION. Sec. 7.** A new section is added to chapter 28A.642 RCW to read as follows:

In accordance with section 1 of this act, decisions by school district boards of directors, charter school boards under chapter 28A.710 RCW, and state-tribal education compact schools subject to chapter 28A.715 RCW that pertain to textbooks, instructional materials, supplemental instructional materials, and other curriculum for student instruction may be subject to the provisions of this chapter."

On page 1, line 5 of the title, after "materials;" strike the remainder of the title and insert "amending RCW 28A.320.230, 28A.150.230, and 28A.642.020; adding new sections to chapter 28A.320 RCW; adding a

new section to chapter 28A.640 RCW; and adding a new section to chapter 28A.642 RCW."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

### MOTION

Representative Santos moved that the House concur with the Senate amendment(s) to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331.

Representative Santos spoke in favor of the motion.

Representatives Rude and Walsh spoke against the motion.

Division was demanded and the demand was sustained. The Speaker (Representative Bronoske presiding) divided the House. The result was 55 - YEAS; 39 - NAYS.

### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331 and advanced the bill, as amended by the Senate, to final passage.

Representative Stonier spoke in favor of the passage of the bill.

Representative Rude spoke against the passage of the bill.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2331, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2331, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 57; Nays, 38; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler and Lekanoff

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Monday, March 4, 2024

Mme. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 5950 and asks

the House for a Conference thereon. The President has appointed the following members as Conferees: Nguyen, Robinson, Wilson, L.

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House granted the Senate's request for a Conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 5950. The Speaker (Representative Bronoske presiding) appointed the following members as Conferees: Representatives Corry, Gregerson and Ormsby.

There being no objection, the House advanced to the eighth order of business.

**MOTION**

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6038  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6175

The Speaker assumed the chair.

**SIGNED BY THE SPEAKER**

The Speaker signed the following bills:

HOUSE BILL NO. 1054  
 SUBSTITUTE HOUSE BILL NO. 1105  
 HOUSE BILL NO. 1226  
 SUBSTITUTE HOUSE BILL NO. 1241  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1862  
 SUBSTITUTE HOUSE BILL NO. 1903  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1998  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2115  
 SUBSTITUTE HOUSE BILL NO. 2295  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2321  
 SUBSTITUTE HOUSE BILL NO. 2382

The Speaker called upon Representative Orwall to preside.

There being no objection, the House reverted to the third order of business.

**MESSAGE FROM THE SENATE**

Tuesday, March 5, 2024

Mme. Speaker:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5481  
 SUBSTITUTE SENATE BILL NO. 5588  
 SECOND SUBSTITUTE SENATE BILL NO. 5784  
 SUBSTITUTE SENATE BILL NO. 5798  
 SUBSTITUTE SENATE BILL NO. 5802  
 SUBSTITUTE SENATE BILL NO. 5931  
 SUBSTITUTE SENATE BILL NO. 5934  
 SUBSTITUTE SENATE BILL NO. 5972  
 SUBSTITUTE SENATE BILL NO. 6025  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6039  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6040  
 SUBSTITUTE SENATE BILL NO. 6047  
 SUBSTITUTE SENATE BILL NO. 6053

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6058

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Tuesday, March 5, 2024

Mme. Speaker:

The Senate has granted the request of the House for a Conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134. The President has appointed the following members as Conferees: King, Liias, Shewmake

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the sixth order of business.

**SECOND READING**

**ENGROSSED SUBSTITUTE SENATE BILL NO. 6038, by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Lovelett, Keiser, Kuderer, Liias, Nguyen, Nobles, Randall, Salomon, Valdez and Wellman)**

**Reducing the costs associated with providing child care.**

The bill was read the second time.

Representative Senn moved the adoption of amendment (1259):

On page 2, beginning on line 25, strike all of sections 3 and 4

Re-number the remaining section consecutively and correct any internal references accordingly.

On page 4, on line 18, after "Sec. 5." strike "Sections 1 and 2 of this act take" and insert "This act takes"

Correct the title.

Representative Senn spoke in favor of the adoption of the amendment.

Representative Couture spoke against the adoption of the amendment.

An electronic roll call was requested.

**ROLL CALL**

The Clerk called the roll on the adoption of amendment (1259) and the amendment was adopted by the following vote: Yeas, 54; Nays, 42; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins,

Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

Amendment (1259) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Senn and Couture spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6038, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6038, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Walsh

Excused: Representative Chandler

ENGROSSED SUBSTITUTE SENATE BILL NO. 6038, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6175, by Senate Committee on Ways & Means (originally sponsored by Trudeau, Billig, Frame, Kuderer, Mullet, Nguyen, Nobles, Randall, Saldaña, Valdez and Wilson, C.)**

**Providing a sales and use tax incentive for existing structures.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Housing was adopted. For Committee amendment, see Journal, Day 45, Wednesday, February 21, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Walen, Hutchins and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 6175, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6175, as amended by the House,

and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Chopp and Gregerson

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6175, as amended by the House, having received the necessary constitutional majority, was declared passed.

With the consent of the House, the bills previously acted upon were immediately transmitted to the Senate.

There being no objection, the House advanced to the seventh order of business.

### THIRD READING

#### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1185, with the following amendment(s): 1185-S2.E AMS HUNT S5658.2

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that in 2025 the state's stewardship program for the end-of-life management of mercury-containing lights is statutorily scheduled to undergo review and termination or possible extension under chapter 43.131 RCW, the sunset act. If the mercury-containing lights product stewardship program were allowed to sunset as scheduled, Washington residents would lose a consistent, convenient, and safe way to return unwanted mercury-containing lights, which will remain in use for years as existing inventory winds down, even as the lighting industry has moved away from most mercury-containing lights. Mercury-containing lights present such a significant health risk that other states have recently restricted their sale, which represents a solution to reduce the public health impacts of new lighting products, but does not address the end-of-life management issues associated with the existing light bulbs currently in use.

(2) The state's existing mercury-containing lights program, which was first enacted over a decade ago, contains policy provisions, including the establishment of a per-bulb fee attached to the sale of mercury-containing lights, that are now recognized as not representing the best

practices for the design of stewardship programs.

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

(a) Restrict the sale of most mercury-containing lights;

(b) Extend the implementation of the stewardship program for mercury-containing lights; and

(c) Modernize key elements of the state's mercury-containing lights stewardship program.

**Sec. 2.** RCW 70A.230.020 and 2003 c 260 s 3 are each amended to read as follows:

(1) Effective January 1, 2004, a manufacturer, wholesaler, or retailer may not knowingly sell at retail a fluorescent lamp if the fluorescent lamp contains mercury and was manufactured after November 30, 2003, unless the fluorescent lamp is labeled in accordance with the guidelines listed under subsection (2) of this section. Primary responsibility for affixing labels required under this section is on the manufacturer, and not on the wholesaler or retailer.

(2) Except as provided in subsection (3) of this section, a lamp is considered labeled pursuant to subsection (1) of this section if the lamp has all of the following:

(a) A label affixed to the lamp that displays the internationally recognized symbol for the element mercury; and

(b) A label on the lamp's packaging that:

(i) Clearly informs the purchaser that mercury is present in the item; (ii) explains that the fluorescent lamp should be disposed of according to applicable federal, state, and local laws; and (iii) provides a toll-free telephone number, and a uniform resource locator internet address to a website, that contains information on applicable disposal laws.

(3) The manufacturer of a mercury-added lamp is in compliance with the requirements of this section if the manufacturer is in compliance with the labeling requirements of another state.

(4) The provisions of this section do not apply to products containing mercury-added lamps.

(5) (a) Except as provided in (b) of this subsection, beginning January 1, 2029, a manufacturer, wholesaler, or retailer may not knowingly sell a compact fluorescent lamp or linear fluorescent lamp.

(b) In-state distributors, wholesalers, and retailers in possession of compact fluorescent lamps or linear fluorescent lamps on January 1, 2029, may exhaust their existing stock through sales to the public until July 1, 2029.

(6) The provisions of subsection (5) of this section do not apply to:

(a) A special purpose mercury-containing light;

(b) The products specified in RCW 70A.230.110; or

(c) The sale or purchase of compact fluorescent lamps or linear fluorescent lamps as a casual or isolated sale as defined in RCW 82.04.040.

(7) A violation of this section is punishable by a civil penalty not to exceed \$1,000 for each violation in the case of a first violation. Repeat violators are liable for a civil penalty not to exceed \$5,000 for each repeat violation. Penalties collected under this section must be deposited in the model toxics control operating account created in RCW 70A.305.180. Penalties imposed under this section are appealable to the pollution control hearings board established in chapter 43.21B RCW.

(8) The department may adopt rules to implement, administer, and enforce the requirements of this section.

(9) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Compact fluorescent lamp" means a compact low-pressure, mercury-containing, electric-discharge light source in which a fluorescent coating transforms some of the ultraviolet energy generated by the mercury discharge into visible light, and includes all of the following characteristics:

(i) One base (end cap) of any type including, but not limited to, screw, bayonet, two pins, and four pins;

(ii) Integrally ballasted or nonintegrally ballasted;

(iii) Light emission between a correlated color temperature of 1700K and 24000K and a Duv of +0.024 and -0.024 in the international commission on illumination (CIE) uniform color space (CAM02-UCS);

(iv) All tube diameters and all tube lengths;

(v) All lamp sizes and shapes for directional and nondirectional installations including, but not limited to, PL, spiral, twin tube, triple twin, 2D, U-bend, and circular.

(b) "Linear fluorescent lamp" means a low-pressure, mercury-containing, electric-discharge light source in which a fluorescent coating transforms some of the ultraviolet energy generated by the mercury discharge into visible light, and includes all of the following characteristics:

(i) Two bases (end caps) of any type including, but not limited to, single-pin, two-pin, and recessed double contact;

(ii) Light emission between a correlated color temperature of 1700K and 24000K and a Duv of +0.024 and -0.024 in the CIE CAM02-UCS;

(iii) All tube diameters including, but not limited to, T5, T8, T10, and T12;

(iv) All tube lengths from 0.5 to 8.0 feet, inclusive; and

(v) All lamp shapes including, but not limited to, linear, U-bend, and circular.

(c) "Special purpose mercury-containing light" includes any of the following lights that contain mercury:

(i) A lamp designed and marketed exclusively for image capture and projection, including photocopying, printing, either directly or in preprocessing, lithography, film and video projection, and holography; or

(ii) A lamp that has a high proportion of ultraviolet light emission and is one of the following:

(A) A lamp with high ultraviolet content that has ultraviolet power greater than two milliwatts per kilolumen (mW/klm);

(B) A lamp for germicidal use, such as the destruction of DNA, that emits a peak radiation of approximately 253.7 nanometers;

(C) A lamp designed and marketed exclusively for disinfection or fly trapping from which either the radiation power emitted between 250 and 315 nanometers represents at least five percent of, or the radiation power emitted between 315 and 400 nanometers represents at least 20 percent of, the total radiation power emitted between 250 and 800 nanometers;

(D) A lamp designed and marketed exclusively for the generation of ozone where the primary purpose is to emit radiation at approximately 185.1 nanometers;

(E) A lamp designed and marketed exclusively for coral zooxanthellae symbiosis from which the radiation power emitted between 400 and 480 nanometers represents at least 40 percent of the total radiation power emitted between 250 and 800 nanometers;

(F) Any lamp designed and marketed exclusively in a sunlamp product, defined as any electronic product designed to incorporate one or more ultraviolet lamps and intended for irradiation of any part of the living human body, by ultraviolet radiation;

(G) Any lamp designed and marketed exclusively for use in a sunlamp product, as defined in 21 C.F.R. Sec. 1040.20(b)(9), January 1, 2023;

(H) A lamp designed and marketed exclusively for use in medical or veterinary diagnosis or treatment, or in a medical device;

(I) A lamp designed and marketed exclusively for use in the manufacturing or quality control of pharmaceutical products;

(J) A lamp designed and marketed exclusively for spectroscopy and photometric applications, such as UV-visible spectroscopy, molecular spectroscopy, atomic absorption spectroscopy, nondispersive infrared (NDIR), Fourier transform infrared (FTIR), medical analysis, ellipsometry, layer thickness measurement, process monitoring, or environmental monitoring;

(K) A lamp used by academic and research institutions for conducting research projects and experiments; or

(L) A compact fluorescent lamp used to replace a lamp in a motor vehicle manufactured on or before January 1, 2020.

**Sec. 3.** RCW 70A.505.010 and 2010 c 130 s 1 are each amended to read as follows:

The legislature finds that:

(1) Mercury is an essential component of many energy efficient lights. Improper disposal methods will lead to mercury releases that threaten the environment and harm human health. Spent mercury lighting is a hard to collect waste product that is appropriate for product stewardship;

(2) Convenient and environmentally sound product stewardship programs for mercury-containing lights that include collecting, transporting, and recycling mercury-containing lights will help protect

Washington's environment and the health of state residents;

(3) (a) The purpose of this chapter ((130, Laws of 2010)) is to achieve a statewide goal of recycling all end-of-life mercury-containing lights ((by 2020)) through expanded public education, a uniform statewide requirement to recycle all mercury-containing lights, and the development of a comprehensive, safe, and convenient collection system that includes use of residential curbside collection programs, mail-back containers, increased support for household hazardous waste facilities, and a network of additional collection locations;

(b) The purpose of this act is to reduce exposure to mercury by prohibiting the sale of most mercury-containing lights beginning in 2029 and to provide continuing collection of mercury-containing lights that have already entered the marketplace;

(4) Product producers must play a significant role in financing no-cost collection and processing programs for mercury-containing lights; and

(5) Providers of premium collection services such as residential curbside and mail-back programs may charge a fee to cover the collection costs for these more convenient forms of collection.

**Sec. 4.** RCW 70A.505.020 and 2020 c 20 s 1414 are each amended to read as follows:

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

(1) "Brand" means a name, symbol, word, or mark that identifies a product, rather than its components, and attributes the product to the owner of the brand as the producer.

(2) "Collection" or "collect" means, except for persons involved in mail-back programs:

(a) The activity of accumulating any amount of mercury-containing lights at a location other than the location where the lights are used by covered entities, and includes curbside collection activities, household hazardous waste facilities, and other registered drop-off locations; and

(b) The activity of transporting mercury-containing lights in the state, where the transporter is not a generator of unwanted mercury-containing lights, to a location for purposes of accumulation.

(3) "Covered entities" means:

(a) A household generator or other person who purchases mercury-containing lights at retail and delivers no more than ~~((ten))~~ the following amounts of mercury-containing lights to registered collectors for a product stewardship program on any given day:

(i) An unlimited number of compact fluorescent lamps, as defined in RCW 70A.230.020, that are mercury-containing lights under this chapter and that feature a screw base;

(ii) 15 pin-based compact or linear fluorescent lamps, as defined in RCW 70A.230.020, that are mercury-containing lights under this chapter; and

(iii) Two high-intensity discharge lamps that are mercury-containing lights under this chapter; and

(b) A household generator or other person who purchases mercury-containing lights at retail and utilizes a registered residential curbside collection program or a mail-back program for collection of mercury-containing lights and discards no more than ~~((fifteen))~~ 15 mercury-containing lights into those programs on any given day.

(4) "Department" means the department of ecology.

(5) "Environmental handling charge" or "charge" means the charge approved by the department to be applied to each mercury-containing light to be sold at retail in or into Washington state until December 31, 2028. The environmental handling charge must cover ~~((all))~~ current administrative and operational costs associated with the product stewardship program, including the fee for the department's administration and enforcement.

(6) "Final disposition" means the point beyond which no further processing takes place and materials from mercury-containing lights have been transformed for direct use as a feedstock in producing new products, or disposed of or managed in permitted facilities.

(7) "Hazardous substances" or "hazardous materials" means those substances or materials identified by rules adopted under chapter 70A.300 RCW.

(8) "Mail-back program" means the use of a prepaid postage container, with mercury vapor barrier packaging that is used for the collection and recycling of mercury-containing lights from covered entities as part of a product stewardship program and is transported by the United States postal service or a common carrier.

(9) "Mercury-containing lights" means lamps, bulbs, tubes, or other devices that contain mercury and provide functional illumination in homes, businesses, and outdoor stationary fixtures.

(10) "Mercury vapor barrier packaging" means sealable containers that are specifically designed for the storage, handling, and transport of mercury-containing lights in order to prevent the escape of mercury into the environment by volatilization or any other means, and that meet the requirements for transporting by the United States postal service or a common carrier.

(11) "Orphan product" means a mercury-containing light that lacks a producer's brand, or for which the producer is no longer in business and has no successor in interest, or that bears a brand for which the department cannot identify an owner.

(12) "Person" means a sole proprietorship, partnership, corporation, nonprofit corporation or organization, limited liability company, firm, association, cooperative, or other legal entity located within or outside Washington state.

(13) "Processing" means recovering materials from unwanted products for use as feedstock in new products. ~~((Processing must occur at permitted facilities.))~~

(14) "Producer" means a person that:

(a) Has or had legal ownership of the brand, brand name, or cobrand of a mercury-containing light sold in or into Washington state, unless the brand owner is a retailer whose mercury-containing light was supplied by another producer participating in a stewardship program under this chapter;

(b) Imports or has imported mercury-containing lights branded by a producer that meets the requirements of (a) of this subsection and where that producer has no physical presence in the United States;

(c) If (a) and (b) of this subsection do not apply, makes or made a mercury-containing light that is sold or has been sold in or into Washington state; or

(d) (i) Sells or sold at wholesale or retail a mercury-containing light; (ii) does not have legal ownership of the brand; and (iii) elects to fulfill the responsibilities of the producer for that product.

(15) "Product stewardship" means a requirement for a producer of mercury-containing lights to manage and reduce adverse safety, health, and environmental impacts of the product throughout its life cycle, including financing and providing for the collection, transporting, reusing, recycling, processing, and final disposition of their products.

(16) "Product stewardship plan" or "plan" means a detailed plan describing the manner in which a product stewardship program will be implemented.

(17) "Product stewardship program" or "program" means the methods, systems, and services financed in the manner provided for under RCW 70A.505.050 and provided by producers or legacy producers of mercury-containing lights generated by covered entities that addresses product stewardship and includes arranging for the collection, transportation, recycling, processing, and final disposition of unwanted mercury-containing lights, including orphan products.

(18) "Recovery" means the collection and transportation of unwanted mercury-containing lights under this chapter.

(19) (a) "Recycling" means transforming or remanufacturing unwanted products into usable or marketable materials for use other than landfill disposal or incineration.

(b) "Recycling" does not include energy recovery or energy generation by means of combusting unwanted products with or without other waste.

(20) "Reporting period" means the period commencing January 1st and ending December 31st in the same calendar year.

(21) "Residuals" means nonrecyclable materials left over from processing an unwanted product.

(22) "Retailer" means a person who offers mercury-containing lights for sale at retail through any means including, but not limited to, remote offerings such as sales outlets, catalogs, or the internet, but does not include a sale that is a wholesale transaction with a distributor or a retailer.

(23) (a) "Reuse" means a change in ownership of a mercury-containing light or its components, parts, packaging, or shipping materials for use in the same manner and purpose for which it was



originally purchased, or for use again, as in shipping materials, by the generator of the shipping materials.

(b) "Reuse" does not include dismantling of products for the purpose of recycling.

(24) "Stakeholder" means a person who may have an interest in or be affected by a product stewardship program.

(25) "Stewardship organization" means an organization designated by a producer, legacy producer, or group of producers or legacy producers to act as an agent on behalf of each producer or legacy producer to operate a product stewardship program.

(26) "Unwanted product" means a mercury-containing light no longer wanted by its owner or that has been abandoned, discarded, or is intended to be discarded by its owner.

(27) "Legacy producer" means a producer that was required to participate in the product stewardship program established by this chapter at any point in time between January 1, 2015, and December 31, 2028.

(28) "Market share" means the percentage of mercury-containing lights that were products for which a producer had an obligation to participate in the program created in this chapter at any point in time between January 1, 2015, and December 31, 2028, by units sold during that period of time, as determined by the stewardship organization in RCW 70A.505.050.

**Sec. 5.** RCW 70A.505.030 and 2020 c 20 s 1415 are each amended to read as follows:

(1)(a) Every producer of mercury-containing lights sold, made available for sale, or distributed in or into Washington state for retail sale in Washington state, including legacy producers, must participate in a product stewardship program for those products, operated by a stewardship organization and financed in the manner provided by RCW 70A.505.050. Every such producer must inform the department of the producer's participation in a product stewardship program by including the producer's name in a plan submitted to the department by a stewardship organization as required by RCW 70A.505.040. Producers, including legacy producers, must satisfy these participation obligations individually or may do so jointly with other producers.

(b) Except as provided in (c) of this subsection, a stewardship organization implementing an approved program under this chapter must continue to implement an approved program until December 31, 2028, and may continue to do so in the form and manner described in the plan approved by the department as of January 1, 2024, until December 31, 2028. The provisions of this act apply to programs that a stewardship organization must implement beginning January 1, 2029, and to the rule adoption, fee payment to the department, plan submission, and plan approval processes that predate the implementation of the new program to begin January 1, 2029. Changes to the limits of mercury-containing lights accepted at collection sites must take effect January 1, 2025.

(c) A stewardship organization may only increase the amount of the environmental handling charge established under this

chapter from the amount that was approved by the department as of January 1, 2024, in a manner consistent with RCW 70A.505.050. Additional stewardship organization costs that are not adequately covered by the environmental handling charge and that derive from activities occurring between the effective date of this section and December 31, 2028, must be funded by participant members of the stewardship organization.

(2) ~~((A))~~ Until December 31, 2028, a stewardship organization operating a product stewardship program must pay ((all)) administrative and operational costs associated with its current program with revenues received from the environmental handling charge ((described in RCW 70A.505.050. The stewardship organization's administrative and operational costs are not required to include a collection location's cost of receiving, accumulating and storing, and packaging mercury-containing lights. However, a)) imposed under the plan approved by the department prior to the effective date of this section. For program administrative and operational costs related to the implementation of program requirements in calendar year 2029, a stewardship organization may plan to use reserve funds in the possession of the stewardship organization from the environmental handling charges assessed until December 31, 2028. For program administrative and operational costs related to the planning and implementation of the program requirements that must be implemented beginning in calendar year 2030, a stewardship organization operating a product stewardship program must pay all administrative and operational costs associated with its program with revenues received from participating legacy producers. A stewardship organization may offer incentives or payments to collectors. The stewardship organization's administrative and operational costs do not include the collection costs associated with curbside and mail-back collection programs. The stewardship organization must arrange for collection service at locations described in subsection (4) of this section, which may include household hazardous waste facilities, charities, retailers, government recycling sites, or other suitable private locations. No such entity is required to provide collection services at their location. For curbside and mail-back programs, a stewardship organization must pay the costs of transporting mercury-containing lights from accumulation points and for processing mercury-containing lights collected by curbside and mail-back programs. For collection locations, including household hazardous waste facilities, charities, retailers, government recycling sites, or other suitable private locations, a stewardship organization must pay the costs of packaging and shipping materials as required under RCW 70A.505.070 or must compensate collectors for the costs of those materials, and must pay the costs of transportation and processing of mercury-containing lights collected from the collection locations.

(3) Product stewardship programs shall collect unwanted mercury-containing lights

delivered from covered entities for recycling, processing, or final disposition, and ~~((not charge))~~ are prohibited from charging a fee when lights are sold, dropped off, or delivered into the program.

(4) (a) Product stewardship programs shall provide, at a minimum, no cost services in all cities in the state with populations greater than ~~((ten thousand))~~ 10,000 and all counties of the state on an ongoing, year-round basis.

(b) (i) The department may amend the convenience standards established in this section to relieve a stewardship organization of its obligation to operate a collection site or to provide a collection opportunity when it is demonstrated by the stewardship organization to:

(A) Result in the annual collection of fewer than 500 mercury-containing lights; and

(B) Not remove collection opportunities for people living in a rural county or an overburdened community.

(ii) For the purposes of this subsection (4) (b), "rural county" has the same meaning provided in RCW 82.14.370 and "overburdened community" has the same meaning provided in RCW 70A.02.010.

(5) Product stewardship programs shall promote the safe handling and recycling of mercury-containing lights to the public, including producing and offering point-of-sale educational materials to retailers of mercury-containing lights and point-of-return educational materials to collection locations.

(6) All product stewardship programs operated under approved plans must recover their fair share of unwanted ~~((covered products))~~ mercury-containing lights as determined by the department.

(7) The department or its designee may inspect, audit, or review audits of processing and disposal facilities used to fulfill the requirements of a product stewardship program.

(8) No product stewardship program required under this chapter may use federal or state prison labor for processing unwanted products.

(9) Product stewardship programs for mercury-containing lights must be fully implemented by January 1, 2015. Product stewardship programs for mercury-containing lights meeting the new requirements of this act must be fully implemented by January 1, 2029.

**Sec. 6.** RCW 70A.505.040 and 2020 c 20 s 1416 are each amended to read as follows:

(1) (a) On ~~((June))~~ January 1st of the year prior to implementation, each producer must ensure that a stewardship organization submits a proposed product stewardship plan on the producer's behalf to the department for approval. Plans approved by the department must be implemented by January 1st of the following calendar year.

(b) A stewardship organization that plans to implement a stewardship plan in calendar year 2029 must submit a new or updated plan by January 1, 2028. The new or updated plan under this subsection (1) (b) must address

the changes required of program operations by this act.

(2) The department shall establish rules for plan content. Plans must include but are not limited to:

(a) All necessary information to inform the department about the plan operator and participating producers or legacy producers and their brands;

(b) The management and organization of the product stewardship program that will oversee the collection, transportation, and processing services;

(c) The identity of collection, transportation, and processing service providers, including a description of the consideration given to existing residential curbside collection infrastructure and mail-back systems as an appropriate collection mechanism and a list of all current and proposed collection sites to be used by the program, including the latitude and longitude of each collection site;

(d) How the product stewardship program will seek to use businesses within the state, including transportation services, retailers, collection sites and services, existing curbside collection services, existing mail-back services, and processing facilities;

(e) A description of how the public will be informed about the product stewardship program, including how consumers will be provided with information describing collection opportunities for unwanted mercury-containing lights from covered entities and safe handling of mercury-containing lights, waste prevention, and recycling. ~~((The))~~ Until December 31, 2028, the description must also include information to make consumers aware that an environmental handling charge has been added to the purchase price of mercury-containing lights sold at retail to fund the mercury-containing light stewardship programs in the state. The environmental handling charge may not be described as a department recycling fee or charge at the point of retail sale. Beginning January 1, 2029, these efforts must include the development:

(i) And maintenance of a website;

(ii) And distribution of periodic press releases and articles;

(iii) And placement of public service announcements and graphic advertisements for use on social media or other relevant media platforms;

(iv) Of promotional materials about the program and the restriction on the disposal of mercury-containing lights in section 19 of this act to be used by retailers, government agencies, and nonprofit organizations;

(v) And distribution of the collection site safety training procedures procedural manual approved by the department to collection sites to help ensure proper management of unwanted mercury-containing lights at collection locations;

(vi) And implementation of outreach and educational resources targeted to overburdened communities and vulnerable populations identified by the department under chapter 70A.02 RCW that are conceptually, linguistically, and culturally accurate for the communities served and

reach the state's diverse ethnic populations, including through meaningful consultation with communities that bear disproportionately higher levels of adverse environmental and social justice impacts;

(vii) And distribution of consumer-focused educational promotional materials to each collection location used by the program and accessible by customers of retailers that sell mercury-containing lights;

(viii) And distribution of safety information related to light collection activities to the operator of each collection site; and

(ix) And implementation of a periodic survey of public awareness regarding the requirements of the program established under this chapter, carried out at least every five years and the results of which must be shared with the department;

(f) A description of the financing system required under RCW 70A.505.050;

(g) How mercury and other hazardous substances will be handled for collection through final disposition, including:

(i) Mercury spill and release response plans for use by collection locations that describes the materials, equipment, and procedures that will be used to respond to any mercury release from an unwanted mercury-containing light; and

(ii) Worker safety plans for use by collection locations that describes the handling of the unwanted mercury-containing lights at the collection location and measures that will be taken to protect worker health and safety;

(h) A public review and comment process; and

(i) Any other information deemed necessary by the department to ensure an effective mercury light product stewardship program that is in compliance with all applicable laws and rules.

(3) All plans submitted to the department must be made available for public review on the department's website ~~((and at the department's headquarters)).~~

(4) ~~((At least two years from the start of the product stewardship program and once every four))~~ No less often than three years from the dates specified in subsection (1) of this section and once every five years thereafter, each stewardship organization operating a product stewardship program must update its product stewardship plan and submit the updated plan to the department for review and approval according to rules adopted by the department.

(5) By June 1, 2016, and each June 1st thereafter, each stewardship organization must submit an annual report to the department describing the results of implementing the stewardship organization's plan for the prior calendar year, including an independent financial audit once every two years. The department may adopt rules for reporting requirements. Financial information included in the annual report must include but is not limited to:

(a) ~~((The))~~ For programs operating until December 31, 2028, the amount of the environmental handling charge assessed on mercury-containing lights and the revenue generated;

(b) Identification of confidential information pursuant to RCW 43.21A.160 submitted in the annual report; and

(c) The cost and revenue of the mercury-containing lights product stewardship program, including line item costs for:

(i) Program operations, including collection, transportation, and processing;

(ii) Communications, including media, printing and fulfillment, public relations, and other education and outreach projects;

(iii) Administration, including administrative personnel costs, travel, compliance and auditing, legal services, banking services, insurance, and other administrative services and supplies, and stewardship organization corporate expenses; and

(iv) Amount of unallocated reserve funds.

(6) Beginning in 2023 every stewardship organization must include in its annual report ~~((an analysis of the percent of total sales of lights sold at retail to covered entities in Washington that mercury-containing lights constitute, the estimated number of mercury-containing lights in use by covered entities in the state, and the projected number of unwanted mercury-containing lights to be recycled in future years))~~ a list of all collection sites, including address and latitude and longitude, anticipated to be used by the program in the upcoming year.

(7) As a component of all new or updated plans under this chapter submitted by a stewardship organization after January 1, 2025, the stewardship organization must submit:

(a) A contingency plan demonstrating how the activities in the plan will continue to be carried out by some other entity, such as an escrow company:

(i) Until such time as a new plan is submitted and approved by the department;

(ii) In the event that the stewardship organization has been notified by the department that they must transfer implementation responsibility for the program to a different stewardship organization;

(iii) In the event that the stewardship organization notifies the department that it will cease to implement an approved plan; or

(v) In any other event that the stewardship organization can no longer carry out plan implementation; and

(b) Performance goals that measure, on an annual basis, the achievements of the program. Performance goals must take into consideration technical feasibility and economic practicality in achieving continuous, meaningful progress in improving:

(i) The rate of mercury-containing light collection for recycling in Washington;

(ii) The level of convenience and access for all residents; and

(iii) Public awareness of the program.

(8) All plans and reports submitted to the department must be made available for public review, excluding sections determined to be confidential pursuant to RCW 43.21A.160, on the department's website ~~((and at the department's headquarters)).~~

**Sec. 7.** RCW 70A.505.050 and 2020 c 20 s 1417 are each amended to read as follows:

(1) Each stewardship organization must recommend to the department an environmental handling charge to be added to the price of each mercury-containing light sold in or into the state of Washington for sale at retail until December 31, 2028. The environmental handling charge must be designed to provide revenue necessary and sufficient to cover all administrative and operational costs associated with the stewardship program described in the department-approved product stewardship plan for that organization(~~(, including the department's annual fee required by subsection (5) of this section, and a prudent reserve))~~through calendar year 2029 of program expenses. The stewardship organization must consult with collectors, retailers, recyclers, and each of its participating producers in developing its recommended environmental handling charge. The environmental handling charge may, but is not required to, vary by the type of mercury-containing light. In developing its recommended environmental handling charge, the stewardship organization must take into consideration and report to the department:

(a) The anticipated number of mercury-containing lights that will be sold to covered entities in the state at retail during the relevant period;

(b) The number of unwanted mercury-containing lights delivered from covered entities expected to be recycled during the relevant period;

(c) The operational costs of the stewardship organization as described in RCW 70A.505.030(2);

(d) The administrative costs of the stewardship organization including the department's annual fee, described in subsection (5) of this section; and

(e) The cost of other stewardship program elements including public outreach.

(2) The department must review, adjust if necessary, and approve the stewardship organization's recommended environmental handling charge within ~~((sixty))~~ 60 days of submittal. In making its determination, the department shall review the product stewardship plan and may consult with the producers, the stewardship organization, retailers, collectors, recyclers, and other entities.

(3) No sooner than January 1, 2015, and through calendar year 2028 of program implementation:

(a) The mercury-containing light environmental handling charge must be added to the purchase price of all mercury-containing lights sold to Washington retailers for sale at retail, and each Washington retailer shall add the charge to the purchase price of all mercury-containing lights sold at retail in this state, and the producer shall remit the environmental handling charge to the stewardship organization in the manner provided for in the stewardship plan; or

(b) Each Washington retailer must add the mercury-containing light environmental handling charge to the purchase price of all mercury-containing lights sold at retail in this state, where the retailer, by voluntary

binding agreement with the producer, arranges to remit the environmental handling charge to the stewardship organization on behalf of the producer in the manner provided for in the stewardship plan. Producers may not require retailers to opt for this provision via contract, marketing practice, or any other means. The stewardship organization must allow retailers to retain a portion of the environmental handling charge as reimbursement for any costs associated with the collection and remittance of the charge.

(4) At any time, a stewardship organization may submit to the department a recommendation for an adjusted environmental handling charge for the department's review, adjustment, if necessary, and approval under subsection (2) of this section to ensure that there is sufficient revenue to fund the cost of the program, current deficits, or projected needed reserves for the next year. Until December 31, 2028, a stewardship organization may submit to the department a recommended adjustment to the environmental handling charge that is designed to provide revenue necessary and sufficient to cover all administrative and operational costs associated with the stewardship program described in the department-approved product stewardship plan for that organization. The stewardship organization may propose to use revenues from environmental handling charges to cover program expenses through calendar year 2029. The department must review the stewardship organization's recommended environmental handling charge and must adjust or approve the recommended charge within thirty days of submittal if the department determines that the charge is reasonably designed to meet the criteria described in subsection (1) of this section.

(5)(a) Beginning with calendar year 2029 of program implementation, each stewardship organization must develop and implement a system to collect charges from participating legacy producers to cover the costs of plan implementation based on the market share of participating producers using all reasonable means and based on the best available information. A stewardship organization must determine each producer's percentage of market share by:

(i) To the extent data necessary to make such a calculation are available, dividing each legacy producer's total units of mercury-containing lights for which the producer had an obligation under this chapter sold in Washington at any point in time between January 1, 2015, and December 31, 2028, by the sum total of all units of mercury-containing lights sold in or into Washington by all participating legacy producers at any point in time between January 1, 2015, and December 31, 2028; and

(ii) To the extent that data specified in (a)(i) of this subsection are not fully available, extrapolating a reasonable approximation of a manufacturer's market share similar to the calculation specified in (a)(i) of this section based on the data available to the stewardship organization.

(b) To determine the market share of legacy producers, a stewardship organization may:

(i) Require data from legacy producers. A stewardship organization may notify the department if a legacy producer has declined to respond within 90 days to a demand for data by a stewardship organization and the department may demand the information if it is determined to be necessary to calculate the market share of the legacy producer; and

(ii) Use any combination of the following types of data:

(A) Generally available market research data;

(B) Data historically provided by producers or retailers to a stewardship organization or the department under this chapter;

(C) Sales data supplied by producers; and

(D) Sales data provided by retailers.

(c) The amendments to the method of financing the program described in this act must be implemented by a stewardship organization by January 1, 2029.

(6) Beginning with calendar year 2029 of program implementation, each stewardship organization is responsible for all costs of participating mercury-containing light collection, transportation, processing, education, administration, agency reimbursement, recycling, and end-of-life management in accordance with environmentally sound management practices.

(7) Beginning March 1, 2015, ((and each year thereafter,)) until March 1, 2024, each stewardship organization shall pay to the department an annual fee equivalent to ((three thousand dollars)) \$3,000 for each participating producer to cover the department's administrative and enforcement costs. Beginning March 1, 2025, each stewardship organization shall pay to the department the annual fee to cover the department's administrative and enforcement costs. The department must apply any remaining annual payment funds from the current year to the annual payment for the coming fiscal year if the collected annual payment exceeds the department's costs for a given year and increase annual payments for the coming fiscal year to cover the department's fees if the collected annual payment was less than the department's costs for a given year. The amount paid under this section must be deposited into the mercury-containing light product stewardship programs account created in RCW 70A.505.120.

**Sec. 8.** RCW 70A.505.060 and 2010 c 130 s 6 are each amended to read as follows:

(1) All mercury-containing lights and materials recovered from mercury-containing lights collected in the state by product stewardship programs or other collection programs must be recycled and any process residuals must be managed in compliance with applicable laws.

(2) Mercury recovered from retorting and other hazardous materials must be recycled or placed in a properly permitted hazardous waste landfill, or placed in a properly permitted mercury repository.

**Sec. 9.** RCW 70A.505.070 and 2010 c 130 s 7 are each amended to read as follows:

(1) Except for persons involved in registered mail-back programs, a person who

collects unwanted mercury-containing lights in the state, receives funding through a product stewardship program for mercury-containing lights, and who is not a generator of unwanted mercury-containing lights must:

(a) Register with the department as a collector of unwanted mercury-containing lights. Until the department adopts rules for collectors, the collector must provide to the department the legal name of the person or entity owning and operating the collection location, the address and phone number of the collection location, and the name, address, and phone number of the individual responsible for operating the collection location and update any changes in this information within thirty days of the change;

(b) Maintain a spill and release response plan at the collection location that describes the materials, equipment, and procedures that will be used to respond to any mercury release from an unwanted mercury-containing light;

(c) Maintain a worker safety plan at the collection location that describes the handling of the unwanted mercury-containing lights at the collection location and measures that will be taken to protect worker health and safety; and

(d) Use packaging and shipping material that will minimize the release of mercury into the environment and minimize breakage and use mercury vapor barrier packaging if mercury-containing lights are transported by the United States postal service or a common carrier.

(2) A person who operates a curbside collection program or owns or operates a mail-back business participating in a product stewardship program for mercury-containing lights and uses the United States postal service or a common carrier for transport of mercury-containing lights must register with the department and use mercury vapor barrier packaging for curbside collection and mail-back containers.

**Sec. 10.** RCW 70A.505.100 and 2010 c 130 s 10 are each amended to read as follows:

(1) (a) The department ((shall send a written warning and a copy of this chapter and any rules adopted to implement this chapter to a producer who is not participating in a product stewardship program approved by the department and whose mercury-containing lights are being sold in or into the state.

(2) A producer not participating in a product stewardship program approved by the department whose mercury-containing lights continue to be sold in or into the state sixty days after receiving a written warning from the department shall be assessed a penalty of up to one thousand dollars for each violation. A violation is one day of sales.

(3) If any producer fails to implement its approved plan, the department shall assess a penalty of up to five thousand dollars for the first violation along with notification that the producer must implement its plan within thirty days of the

violation. After thirty days, any producer failing to implement their approved plan must be assessed a penalty of up to ten thousand dollars for the second and each subsequent violation. A subsequent violation occurs each thirty-day period that the producer fails to implement the approved plan.

(4) The department shall send a written warning to a producer that fails to submit a product stewardship plan, update or change the plan when required, or submit an annual report as required under this chapter. The written warning must include compliance requirements and notification that the requirements must be met within sixty days. If requirements are not met within sixty days, the producer will be assessed a ten thousand dollar penalty per day of noncompliance starting with the first day of notice of noncompliance.

(5) Penalties prescribed under this section must be reduced by fifty percent if the producer complies within thirty days of the second violation notice.

(6) A producer may appeal penalties prescribed under this section to the pollution control hearings board created under chapter 43.21B RCW) may administratively impose a civil penalty on a person who violates this chapter in an amount of up to \$1,000 per violation per day.

(b) The department may administratively impose a civil penalty of up to \$10,000 per violation per day on a person for repeated violations of this chapter or failure to comply with an order issued under (c) of this subsection.

(c) Whenever on the basis of any information the department determines that a person has violated or is in violation of this chapter, including the failure by a stewardship organization to achieve performance goals proposed in a plan or the failure by a legacy producer to respond to a requirement for information by a stewardship organization under RCW 70A.505.050, the department may issue an order requiring compliance. A person who fails to take corrective action as specified in a compliance order is liable for a civil penalty as provided in (b) of this subsection, without receiving a written warning prescribed in (e) of this subsection.

(d) A person who is issued an order or incurs a penalty under this section may appeal the order or penalty to the pollution control hearings board established by chapter 43.21B RCW.

(e) Prior to imposing penalties under this section, the department must provide a producer, legacy producer, retailer, or stewardship organization with a written warning for the first violation by the producer, legacy producer, retailer, or stewardship organization of the requirements of this chapter. The written warning must inform a producer, legacy producer, retailer, or stewardship organization that it must participate in an approved plan or otherwise come into compliance with the requirements of this chapter within 30 days of the notice. A producer, legacy producer, retailer, or stewardship organization that

violates a provision of this chapter after the initial written warning may be assessed a penalty as provided in this subsection.

(2)(a) Upon the department notifying a stewardship organization, producer, or legacy producer that it has not met a significant requirement of this chapter, the department may, in addition to assessing the penalties provided in this section, take any combination of the following actions:

(i) Issue corrective action orders to a producer or stewardship organization;

(ii) Issue orders to a stewardship organization to provide for the continued implementation of the program in the absence of an approved plan;

(iii) Revoke the stewardship organization's plan approval and require the stewardship organization to implement its contingency plan under RCW 70A.505.040;

(iv) Require a stewardship organization to revise or resubmit a plan within a specified time frame; or

(v) Require additional reporting related to compliance with the significant requirement of this chapter that was not met.

(b) Prior to taking the actions described in (a)(iii) of this subsection, the department must provide the stewardship organization, producer, or legacy producer an opportunity to respond to or rebut the written finding upon which the action is predicated.

**Sec. 11.** RCW 70A.505.110 and 2010 c 130 s 11 are each amended to read as follows:

(1) The department shall provide on its website a list of all producers participating in a product stewardship plan that the department has approved and a list of all producers the department has identified as noncompliant with this chapter and any rules adopted to implement this chapter.

(2) Product wholesalers, retailers, distributors, and electric utilities must check the department's website or producer-provided written verification to determine if producers of products they are selling in or into the state are in compliance with this chapter.

(3) No one may distribute or sell mercury-containing lights from producers, or any lights in or into the state from legacy producers, who are not participating in a product stewardship program or who are not in compliance with this chapter and rules adopted under this chapter.

(4)(a) The department shall serve, or send with delivery confirmation, a written warning explaining the violation to any person known to be distributing or selling mercury-containing lights from producers, or any lights in or into the state from legacy producers, who are not participating in a product stewardship program or who are not in compliance with this chapter and rules adopted under this chapter.

(b) The department must review new, updated, and revised plans submitted by stewardship organizations. The department must:

(i) Review new, updated, and revised stewardship organization plans within 120 days of receipt of a complete plan;

(ii) Make a determination as to whether or not to approve a plan, plan update, or plan revision and notify the stewardship organization of the:

(A) Determination of approval if a plan provides for a program that meets the requirements of this chapter; or

(B) Reasons for not approving a plan. The stewardship organization must submit a new or revised plan within 60 days after receipt of the letter of disapproval. In the event that a new or revised plan submitted by a stewardship organization does not sufficiently meet the requirements of this chapter, including any deficiencies identified in the initial letter of disapproval, the department may:

(I) Use the enforcement powers specified in this chapter; or

(II) Amend the contents of the insufficient new or revised plan in a manner that ensures that the plan meets the requirements of this chapter and the department may require the stewardship organization to implement the plan as amended by the department.

(c) The approval of a plan by the department does not relieve producers or legacy producers participating in the plan from responsibility for fulfilling the requirements of this chapter.

(5) ((Any person who continues to distribute or sell mercury-containing lights from a producer that is not participating in an approved product stewardship program sixty days after receiving a written warning from the department may be assessed a penalty two times the value of the products sold in violation of this chapter or five hundred dollars, whichever is greater. The penalty must be waived if the person verifies that the person has discontinued distribution or sales of mercury-containing lights within thirty days of the date the penalty is assessed. A retailer may appeal penalties to the pollution control hearings board.

(6)) The department shall adopt rules to implement this ((section))chapter.

((7)) (6) A sale or purchase of mercury-containing lights as a casual or isolated sale as defined in RCW 82.04.040 is not subject to the provisions of this section.

((8)) (7) A person primarily engaged in the business of reuse and resale of ((a)) used mercury-containing lights is not subject to the provisions of this section when selling used working mercury-containing lights, for use in the same manner and purpose for which ((it was))the lights were originally purchased.

((9) In-state distributors, wholesalers, and retailers in possession of mercury-containing lights on the date that restrictions on the sale of the product become effective may exhaust their existing stock through sales to the public.))

**Sec. 12.** RCW 70A.505.120 and 2017 c 254 s 3 are each amended to read as follows:

The mercury-containing light product stewardship programs account is created in

the custody of the state treasurer. All funds received from producers and stewardship organizations under this chapter and penalties collected under this chapter must be deposited in the account. Expenditures from the account may be used only for administering this chapter. ~~((The department may not retain fees in excess of the estimated amount necessary to cover the agency's administrative costs over the coming year related to the mercury light stewardship program under this chapter. Beginning with the state fiscal year 2018, by October 1st after the closing of each state fiscal year, the department shall refund any fees collected in excess of its estimated administrative costs to any approved stewardship organization under this chapter.))~~ Only the director of the department or the director's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

**Sec. 13.** RCW 70A.505.130 and 2010 c 130 s 14 are each amended to read as follows:

(1) The department may adopt rules necessary to implement, administer, and enforce this chapter.

(2) ~~((The department may adopt rules to establish performance standards for product stewardship programs and may establish administrative penalties for failure to meet the standards.~~

~~(3))~~ By ~~((December 31, 2010, and annually thereafter until December 31, 2014))~~ November 1, 2033, the department shall report to the appropriate committees of the legislature concerning the status of the product stewardship program and recommendations for changes to the provisions of this chapter.

~~((4) Beginning October 1, 2014, the))~~ (3) The department shall annually invite comments from local governments, communities, and ((citizens))residents to report their satisfaction with services provided by product stewardship programs created under this chapter. This information ((must))may be used by the department to determine if the plan operator is meeting convenience requirements and in reviewing proposed updates or changes to product stewardship plans.

~~((5) Beginning October 1, 2014, the department shall annually invite comments from retailers, consumer groups, electric utilities, the Northwest power and conservation council, and other interested parties regarding the impacts of the requirements of this chapter on the availability or purchase of energy efficient lighting within the state. If the department determines that evidence shows the requirements of this chapter have resulted in negative impacts on the availability or purchase of energy efficient lighting in the state, the department shall report this information by December 31st of each year to the appropriate committees of the legislature with recommendations for changes to the provisions of this chapter.~~

~~(6) Beginning October 1, 2014, the department shall annually invite comments from retailers, consumer groups, electric utilities, the Northwest power and conservation council, and other interested parties regarding the availability of energy efficient nonmercury lighting to replace mercury-containing lighting within the state. If the department determines that evidence shows that energy efficient nonmercury-containing lighting is available and achieves similar energy savings as mercury lighting at similar cost, the department shall report this information by December 31st of each year to the appropriate committees of the legislature with recommendations for legislative changes to reduce mercury use in lighting.~~

~~(7))~~ (4) Beginning October 1, 2014, the department shall annually estimate the overall statewide recycling rate for mercury-containing lights and calculate that portion of the recycling rate attributable to the product stewardship program. The department may require a stewardship organization to submit data as needed for the department to make the estimations required by this subsection.

~~((9))~~ (5) The department may require submission of independent performance evaluations and report evaluations documenting the effectiveness of mercury vapor barrier packaging in preventing the escape of mercury into the environment. The department may restrict the use of packaging for which adequate documentation has not been provided. Restricted packaging may not be used in any product stewardship program required under this chapter.

**Sec. 14.** RCW 70A.505.160 and 2014 c 119 s 6 are each amended to read as follows:

(1) It is the intent of the legislature that a producer, legacy producer, group of producers or legacy producers, or stewardship organization preparing, submitting, and implementing a mercury-containing light product stewardship program pursuant to this chapter, as well as participating entities in the distribution chain, including retailers and distributors, are granted immunity, individually and jointly, from federal and state antitrust liability that might otherwise apply to the activities reasonably necessary for implementation and compliance with this chapter. It is further the intent of the legislature that the activities of the producer, legacy producer, group of producers or legacy producers, stewardship organization, and entities in the distribution chain, including retailers and distributors, in implementing and complying with the provisions of this chapter may not be considered to be in restraint of trade, a conspiracy, or combination thereof, or any other unlawful activity in violation of any provisions of federal or state antitrust laws.

(2) The department shall actively supervise the conduct of the stewardship organization, the producers and legacy producers of mercury-containing lights, and entities in the distribution chain (~~is~~ determination and implementation of the

~~environmental handling charge authorized by))~~ under this chapter.

**Sec. 15.** RCW 82.04.660 and 2020 c 20 s 1469 are each amended to read as follows:

(1) An exemption from the taxes imposed in this chapter is provided for:

(a) Producers, with respect to environmental handling charges added to the purchase price of mercury-containing lights either by the producer or a retailer pursuant to an agreement with the producer;

(b) Retailers, with respect to environmental handling charges added to the purchase price of mercury-containing lights sold at retail, including the portion of environmental handling charges retained as reimbursement for any costs associated with the collection and remittance of the charges; and

(c) Stewardship organizations, with respect to environmental handling charges received from producers and retailers and to the receipts from charges to participating producers and legacy producers.

(2) This section is not subject to the requirements of RCW 82.32.805 and 82.32.808.

(3) For purposes of this section, the definitions in RCW 70A.505.020 apply.

**Sec. 16.** RCW 43.21B.110 and 2023 c 455 s 5, 2023 c 434 s 20, 2023 c 344 s 5, and 2023 c 135 s 6 are each reenacted and amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70A.15 RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70A.15.3160, 70A.300.090, 70A.20.050, 70A.230.020, 70A.505.100, 70A.530.040, 70A.350.070, 70A.515.060, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.245.130, 70A.245.140, 70A.65.200, 70A.455.090, 70A.550.030, 70A.555.110, 70A.560.020, 76.09.170, 77.55.440, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 43.27A.190, 70A.15.2520, 70A.15.3010, 70A.300.120, 70A.350.070, 70A.245.020, 70A.65.200, 70A.505.100, 70A.555.110, 70A.560.020, 86.16.020, 88.46.070, 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, or a decision to approve or deny an



application for a solid waste permit exemption under RCW 70A.205.260.

(d) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70A.205 RCW.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70A.226.090.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820, and decisions of the department regarding waste-derived soil amendments under RCW 70A.205.145.

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW, to issue a stop work order, to issue a notice to comply, to issue a civil penalty, or to issue a notice of intent to disapprove applications.

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(n) Decisions of the department of ecology that are appealable under RCW 70A.245.020 to set recycled minimum postconsumer content for covered products or to temporarily exclude types of covered products in plastic containers from minimum postconsumer recycled content requirements.

(o) Orders by the department of ecology under RCW 70A.455.080.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70A.15.3010, 70A.15.3070, 70A.15.3080, 70A.15.3090, 70A.15.3100, 70A.15.3110, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

**Sec. 17.** RCW 70A.230.080 and 2020 c 20 s 1245 are each amended to read as follows:

A violation of this chapter, other than a violation of RCW 70A.230.020, is punishable by a civil penalty not to exceed (~~one thousand dollars~~) \$1,000 for each violation in the case of a first violation. Repeat violators are liable for a civil penalty not to exceed (~~five thousand dollars~~) \$5,000 for each repeat violation. Penalties collected under this section must be deposited in the model toxics control operating account created in RCW 70A.305.180.

**NEW SECTION. Sec. 18.** A new section is added to chapter 70A.505 RCW to read as follows:

The requirements of this chapter cease to apply beginning the earlier of:

(1) January 1, 2035; or

(2) A date determined by the department, based on the diminishing number of mercury-containing lights collected by the program reaching a de minimis level where the continued expense and environmental cost of implementing the program would result in continued costs that outweigh the benefits of continuing the program, as calculated in a cost-benefit analysis consistent with the requirements of RCW 34.05.328. Unless the department and stewardship organization agree to a different cessation date prior to 2035 without carrying out a cost-benefit analysis, the department must conduct a cost-benefit analysis under this subsection to be completed during calendar year 2031.

**NEW SECTION. Sec. 19.** A new section is added to chapter 70A.230 RCW to read as follows:

(1) All persons, residents, government, commercial, industrial, and retail facilities and office buildings must recycle their end-of-life mercury-containing lights.

(2) No mercury-containing lights may knowingly be placed in waste containers for disposal at incinerators, waste to energy facilities, or landfills.

(3) No mercury-containing lights may knowingly be placed in a container for mixed recyclables unless there is a separate location or compartment for the mercury-containing lights that complies with local government collection standards or guidelines.

(4) No owner or operator of a solid waste facility may be found in violation of this section if the facility has posted in a conspicuous location a sign stating that mercury-containing lights must be recycled and are not accepted for disposal.

(5) No solid waste collector may be found in violation of this section for mercury-containing lights placed in a disposal

container by the generator of the mercury-containing light.

**NEW SECTION. Sec. 20.** (1) RCW 70A.505.090 (Producers must participate in an approved product stewardship program) and 2010 c 130 s 9, as now existing or hereafter amended, are each repealed, effective January 1, 2029.

(2) RCW 82.04.660 (Exemptions—Environmental handling charges—Mercury-containing lights) and 2020 c 20 s 1469 & 2015 c 185 s 2, as now existing or hereafter amended, are each repealed, effective January 1, 2035.

**NEW SECTION. Sec. 21.** The following acts or parts of acts are each repealed:

(1) RCW 43.131.421 (Mercury-containing lights product stewardship program—Termination) and 2021 c 65 s 47 & 2014 c 119 s 7;

(2) RCW 43.131.422 (Mercury-containing lights product stewardship program—Repeal) and 2021 c 65 s 48, 2017 c 254 s 4, & 2014 c 119 s 8; and

(3) RCW 70A.230.150 (Requirement to recycle end-of-life mercury-containing lights) and 2010 c 130 s 8.

**NEW SECTION. Sec. 22.** The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective January 1, 2035:

(1) RCW 70A.505.010 (Findings—Purpose) and 2010 c 130 s 1;

(2) RCW 70A.505.020 (Definitions) and 2020 c 20 s 1414;

(3) RCW 70A.505.030 (Product stewardship program) and 2020 c 20 s 1415, 2014 c 119 s 3, & 2010 c 130 s 3;

(4) RCW 70A.505.040 (Submission of proposed product stewardship plans—Department to establish rules—Public review—Plan update—Annual report) and 2020 c 20 s 1416, 2017 c 254 s 2, 2014 c 119 s 4, & 2010 c 130 s 4;

(5) RCW 70A.505.050 (Environmental handling charge—Annual fee) and 2020 c 20 s 1417, 2017 c 254 s 1, 2014 c 119 s 5, & 2010 c 130 s 5;

(6) RCW 70A.505.060 (Collection and management of mercury) and 2010 c 130 s 6;

(7) RCW 70A.505.070 (Collectors of unwanted mercury-containing lights—Duties) and 2010 c 130 s 7;

(8) RCW 70A.505.080 (Requirement to recycle end-of-life mercury-containing lights) and 2010 c 130 s 8;

(9) RCW 70A.505.090 (Producers must participate in an approved product stewardship program) and 2010 c 130 s 9;

(10) RCW 70A.505.100 (Written warning—Penalty—Appeal) and 2010 c 130 s 10;

(11) RCW 70A.505.110 (Department's website to list producers participating in product stewardship plan—Required participation in a product stewardship plan—Written warning—Penalty—Rules—Exemptions) and 2010 c 130 s 11;

(12) RCW 70A.505.120 (Product stewardship programs account—Refund of fees) and 2017 c 254 s 3 & 2010 c 130 s 13;

(13) RCW 70A.505.130 (Adoption of rules—Report to the legislature—Invitation to entities to comment on issues—Estimate of statewide recycling rate for mercury-containing lights—Mercury vapor barrier packaging) and 2010 c 130 s 14;

(14) RCW 70A.505.140 (Application of chapter to the Washington utilities and transportation commission) and 2010 c 130 s 15;

(15) RCW 70A.505.150 (Application of chapter to entities regulated under chapter 70A.300 RCW) and 2020 c 20 s 1418 & 2010 c 130 s 16;

(16) RCW 70A.505.160 (Immunity from antitrust liability) and 2014 c 119 s 6;

(17) RCW 70A.505.900 (Chapter liberally construed) and 2010 c 130 s 17; and

(18) RCW 70A.505.901 (Severability—2010 c 130) and 2010 c 130 s 21.

**NEW SECTION. Sec. 23.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 2 of the title, after "products;" strike the remainder of the title and insert "amending RCW 70A.230.020, 70A.505.010, 70A.505.020, 70A.505.030, 70A.505.040, 70A.505.050, 70A.505.060, 70A.505.070, 70A.505.100, 70A.505.110, 70A.505.120, 70A.505.130, 70A.505.160, 82.04.660, and 70A.230.080; reenacting and amending RCW 43.21B.110; adding a new section to chapter 70A.505 RCW; adding a new section to chapter 70A.230 RCW; repealing RCW 70A.505.090, 82.04.660, 43.131.421, 43.131.422, 70A.230.150, 70A.505.010, 70A.505.020, 70A.505.030, 70A.505.040, 70A.505.050, 70A.505.060, 70A.505.070, 70A.505.080, 70A.505.090, 70A.505.100, 70A.505.110, 70A.505.120, 70A.505.130, 70A.505.140, 70A.505.150, 70A.505.160, 70A.505.900, and 70A.505.901; prescribing penalties; and providing effective dates."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1185 and advanced the bill, as amended by the Senate, to final passage.

Representative Hackney spoke in favor of the passage of the bill.

Representative Dye spoke against the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1185, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1185, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 54; Nays, 42; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Bronoske, Calder, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1185, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282, with the following amendment(s): 1282-S.E2 AMS WM S5542.1

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds and declares that:

(1) Washington state, through its extensive purchasing power, can reduce embodied carbon in the built environment, improve human and environmental health, grow economic competitiveness, and promote high labor standards in manufacturing by incorporating climate and other types of pollution impacts and the quality of working conditions into the procurement process.

(2) Washington state is home to multiple world-class manufacturers that are investing heavily in reducing the carbon intensity of their products and that provide family-wage jobs that are the foundation for a fair and robust economy. Washington's procurement practices should encourage manufacturers and others to meet high environmental and labor standards and reduce their environmental footprint.

(3) The private sector is increasingly demanding low carbon building materials that support good jobs in manufacturing. This market demand has rapidly accelerated innovation and led to increased production of low carbon building materials. As one of the largest consumers of building materials, Washington state has an opportunity to leverage its purchasing power to do even more to send a clear signal to the market of the growing demand for low carbon building materials.

(4) With its low carbon electric grid and highly skilled workforce, Washington state is well-positioned to capture the growing

demand for low carbon building materials and create and sustain a new generation of good, high-wage clean manufacturing jobs.

(5) Washington has demonstrated a deep commitment to ensuring that the transition to a low carbon economy is fair and creates family-wage jobs. Both the clean energy transformation act and the climate commitment act tie public investments in infrastructure to reducing greenhouse gas emissions and to high road construction labor standards. Integrating manufacturing working conditions into the procurement process reaffirms and is consistent with the state's commitment to a fair transition.

(6) A robust state and domestic supply of low carbon materials is critical for building a fair economy and meeting the needs of the low carbon transition, including securing the clean energy supply chain.

(7) Environmental product declarations are the best available tool for reporting product-specific environmental impacts using a life-cycle assessment and informing the procurement of low carbon building materials. Environmental product declarations cannot be used to compare products across different product categories or different functional units.

(8) The buy clean and buy fair policies established in this act are critical to reduce embodied carbon in the built environment, a goal identified by the Washington state 2021 energy strategy to meet the state's greenhouse gas emission limits, governor Inslee's Executive Order 20-01 on state efficiency and environmental performance, and the Pacific coast collaborative's pathbreaking low carbon construction task force.

(9) Reducing embodied carbon in the built environment requires a holistic, comprehensive approach that includes designing buildings with a lower-embodied carbon footprint and making lower carbon products. Policies like the buy clean and buy fair policies established in this act are an important tool for increasing the manufacture of lower carbon products.

(10) The 2021-2023 biennium budgets made critical progress on the buy clean and buy fair policies in this act by funding the creation of a publicly accessible database to facilitate reporting and promote transparency on building materials purchased for state-funded infrastructure projects and two large buy clean and buy fair pilot projects. This ongoing work to create a database to facilitate reporting of environmental impacts and labor conditions from pilot projects has provided a strong foundation to inform future work on buy clean and buy fair policies.

(11) Providing financial assistance to small manufacturers to support the production of environmental product declarations will help small manufacturers offset costs they might incur when pursuing state contracting as a result of the requirements of this act.

**NEW SECTION. Sec. 2.** The definitions in this section apply throughout this

chapter unless the context clearly requires otherwise.

(1) "Actual production facilities" means the final manufacturing facility and the facilities at which production processes occur that contribute to 70 percent or more of the product's cradle-to-gate global warming potential, as reflected in the environmental product declaration.

(2) "Awarding authority" means:

(a) Institutions of higher education as defined in RCW 28B.92.030;

(b) The department of enterprise services, the department of natural resources, the state parks and recreation commission, the department of fish and wildlife, and the department of transportation; and

(c) Any other state government agency that receives funding from the omnibus capital appropriations act for a public works project contracted directly by the state agency.

(3) "Covered product" includes:

(a) Structural concrete products, including ready mix, shotcrete, precast, and concrete masonry units;

(b) Reinforcing steel products, specifically rebar and posttensioning tendons;

(c) Structural steel products, specifically hot rolled sections, hollow sections, metal deck, and plate; and

(d) (i) Engineered wood products, such as cross-laminated timber per ANSI form no. PRG 320, glulam beams, laminated veneer lumber, parallel strand lumber, dowel laminated timber, nail laminated timber, glulam laminated timber, prefabricated wood joists per ASTM D5055, wood structural panel per product standard 1 or product standard 2, solid sawn lumber per product standard 20, structural composite lumber per ASTM D5456, and structural sawn lumber.

(ii) For the purposes of this subsection

(3) (d):

(A) "ANSI" means the American national standards institute.

(B) "ASTM" means the American society for testing and materials.

(C) "Product standard" means a voluntary product standard published by the United States department of commerce national institute of standards and technology.

(4) "Covered project" means:

(a) A construction project larger than 50,000 gross square feet as defined in the Washington state building code, chapter 51-50 WAC; or

(b) A building renovation project where the cost is greater than 50 percent of the assessed value and the project is larger than 50,000 gross square feet of occupied or conditioned space as defined in the Washington state building code, chapter 51-50 WAC.

(5) "Department" means the department of commerce.

(6) "Employee" means any individual who is in an employment relationship with the organization.

(7) (a) "Environmental product declaration" means a type III environmental product declaration, as defined by the international organization for standardization standard 14025 or similarly

robust life-cycle assessment methods that have uniform standards in data collection consistent with the international organization for standardization standard 14025, industry acceptance, and integrity. When available, the environmental product declaration must be supply chain specific.

(b) For the purposes of this subsection, "supply chain specific" means an environmental product declaration that includes supply chain specific data for production processes that contribute 70 percent or more of a product's cradle-to-gate global warming potential, as defined in international organization for standardization standard 21930, and reports the overall percentage of supply chain specific data included.

(8) "Full time" means an employee in a position that:

(a) The employer intends to be filled for at least 52 consecutive weeks or 12 consecutive months, excluding any leaves of absence; and

(b) Requires the employee to work, excluding overtime hours, 35 hours per week for 52 consecutive weeks, 455 hours a quarter, or 1,820 hours during a period of 12 consecutive months.

(9) "Health product declaration" means a supply chain specific health product declaration, as defined by the health product declaration open standard maintained by the health product declaration collaborative, that has robust methods for product manufacturers and their ingredient suppliers to uniformly report and disclose information about product contents and associated health information.

(10) "Part time" means an employee in a position that:

(a) The employer intends to be filled for at least 52 consecutive weeks or 12 consecutive months, excluding any leaves of absence; and

(b) Working hours are less than those required for a full-time employee, as defined in this section.

(11) "Product and facility specific report" means an environmental product declaration whereby the environmental impacts can be attributed to a single manufacturer and a specific manufacturing or production facility.

(12) (a) "Scope 2 greenhouse gas emissions" are indirect greenhouse gas emissions associated with the purchase of electricity, steam, heat, or cooling.

(b) For purposes of this section, "greenhouse gas" has the same meaning as in RCW 70A.45.010.

(13) "Supplier code of conduct" means a policy created by a manufacturer that outlines steps taken to ensure that its suppliers adhere to ethical practices, such as compliance with child and forced labor laws, antidiscrimination practices, freedom of association, and safe workplace conditions.

(14) "Temporary" means an employee in a position that is intended to be filled for a period of less than 52 consecutive weeks or 12 consecutive months. Positions in seasonal employment are temporary positions.

(15) "Total case incident rate" means the number of work-related injuries per 100

full-time equivalent workers during a one-year period, as defined by the occupational safety and health administration. Total case incident rate is calculated by multiplying the number of occupational safety and health administration recordable injuries and illnesses by 200,000 and dividing by number of hours worked by all employees.

(16) "Working conditions" means the average number of employees by employment type: Full time, part time, and temporary.

**NEW SECTION. Sec. 3.** (1)(a) Beginning July 1, 2025, an awarding authority must require in all newly executed construction contracts that the selected firm for a construction contract for a covered project larger than 100,000 gross square feet submit the following data for each covered product used before substantial completion, including at a minimum:

- (i) Product quantity;
- (ii) A current environmental product declaration;
- (iii) Health product declaration, if any, completed for the product;
- (iv) Manufacturer name and location, including state or province and country;
- (v) Supplier code of conduct, if any; and
- (vi) Office of minority and women-owned business enterprises certification, if any.

(b) Beginning July 1, 2027, an awarding authority must require in all newly executed construction contracts that the selected firm for a construction contract for a covered project submit the data required by (a) of this subsection for each covered product used before substantial completion.

(c) The selected firm for a contract for a covered project shall provide the data required by this subsection for at least 90 percent of the cost of each of the covered products used in the project.

(2) The selected firm for a contract for a covered project is required to collect and submit from product suppliers the information required in subsection (1)(a) (ii) through (vi) of this section. The selected firm is not required to verify the information received from product suppliers.

(3)(a) Beginning July 1, 2025, an awarding authority must require in all newly executed construction contracts that the selected firm for a construction contract for a covered project larger than 100,000 gross square feet to ask their suppliers to report for each covered product used before substantial completion, including at a minimum:

(i) Names and locations, including state or province and country, of the actual production facilities; and

(ii) Working conditions at the actual production facilities for all employees, full-time employees, part-time employees, and temporary employees. In cases in which the supplier does not have this information, the selected firm for a contract for a covered project must ask suppliers to provide a report on steps taken to reasonably obtain the data and provide suppliers' self-reports to the awarding authority.

(b) Beginning July 1, 2027, an awarding authority must require in all newly executed

construction contracts that the successful bidder for a construction contract for a covered project to meet the requirements of (a) of this subsection for each covered product used before substantial completion.

(c) The selected firm is not required to verify the information reported by product suppliers pursuant to this subsection.

(d) The selected firm for a contract for a covered project shall meet the requirement in (a) of this subsection for at least 90 percent of the cost of each of the covered products used in the project.

(4) If a supply chain specific environmental product declaration is not available, a product and facility specific report may be submitted.

(5) This section does not apply to a covered product for a particular covered project if the awarding authority determines, upon written justification provided to the department, that the requirements in this section would cause a significant delay in completion, significant increase in overall project cost, or result in only one product supplier being able to provide the covered product.

(6) An awarding authority must include the information and reporting requirements in this section in a specification for bids for a covered project.

(7) Subject to funds appropriated for this specific purpose, the department may provide financial assistance to small businesses, as defined in RCW 19.85.020, to help offset the costs to the small business of producing an environmental product declaration required under this section. Such financial assistance supports the production of environmental product declarations and achievement of reductions of embodied carbon in the built environment while ensuring that small manufacturers are not put at a competitive disadvantage in state contracting as a result of the requirements of this chapter.

(8) Compliance with the requirements in this section may not be used as a basis for a waiver from apprenticeship utilization requirements in any other statute, rule, regulation, or law.

**NEW SECTION. Sec. 4.** By July 1, 2025, and to the extent practicable, specifications for a bid or proposal for a project contract by an awarding authority may only include performance-based specifications for concrete used as a structural material. Awarding authorities may continue to use prescriptive specifications on structural elements to support special designs and emerging technology implementation.

**NEW SECTION. Sec. 5.** (1) The department must continue to develop, maintain, and refine the publicly accessible database funded by the 2021-2023 omnibus operating appropriations act and created by the department in conjunction with the University of Washington college of built environments for selected firms for contracts for covered projects to submit the data required in section 3 of this act to the department and to promote transparency.

The department may consult with the University of Washington college of built environments.

(2) The database maintained pursuant to subsection (1) of this section must publish global warming potential as reported in the environmental product declarations.

(3) By July 1, 2025, the department must:

(a) Further elaborate covered product definitions using applicable material industry standards;

(b) Develop measurement and reporting standards to ensure that data is consistent and comparable, including standards for reporting product quantities;

(c) Create model language for specifications, bid documents, and contracts to support the implementation of section 3 of this act; and

(d) Produce an educational brief that:

(i) Provides an overview of embodied carbon;

(ii) Describes the appropriate use of environmental product declarations, including the necessary preconditions for environmental product declarations to be comparable;

(iii) Outlines reporting standards, including covered product definitions, standards for reporting product quantities, and working conditions;

(iv) Describes the data collection and reporting process for all information required in section 3 (1)(a) and (3)(a) of this act;

(v) Provides instructions for the use of the database; and

(vi) Lists applicable product category rules for covered products.

(4) The department may contract for the use of nationally or internationally recognized databases of environmental product declarations for purposes of implementing this section.

**NEW SECTION. Sec. 6.** (1) By December 1, 2024, the department must convene a technical work group that includes the following representatives:

(a) One industry professional in design, one industry professional in structural design, one industry professional in specification, and one industry professional in construction who are recommended by leading associations of Washington business;

(b) Two representatives each from Washington manufacturers of:

(i) Steel;

(ii) Wood; and

(iii) Concrete;

(c) A representative from the department of enterprise services;

(d) A representative from the department of transportation;

(e) A representative from the department of ecology;

(f) One representative each from three environmental groups that focus on embodied carbon and climate change;

(g) Three representatives from labor unions, including two from unions that represent manufacturing workers and one representative from the building and construction trades;

(h) A representative from the minority and women-owned business community;

(i) A representative from the University of Washington college of built environments; and

(j) Representatives of other agencies and independent experts as necessary to meet the objectives of the technical work group as described in this section.

(2) The department intends formation of subgroups with members who have subject matter expertise or industry experience to develop technical information, recommendations, and analysis specific to individual material types, and the feasibility of supply chain specific environmental product declarations. The recommendations must, where possible, align with state and national principles and laws for environmental product declaration development.

(3) The department may contract with the University of Washington college of built environments in convening the technical work group.

(4) The purpose of the technical work group is to identify opportunities for and barriers to growth of the use and production of low carbon materials, promote high labor standards in manufacturing, and preserve and expand low carbon materials manufacturing in Washington.

(5) By September 1, 2025, the technical work group must submit a report to the legislature and the governor that includes:

(a) A low carbon materials manufacturing plan that recommends policies to preserve and grow the in-state manufacturing of low carbon materials and accelerate industrial decarbonization. For this plan, the technical work group must:

(i) Examine barriers and opportunities to maintain and grow a robust in-state supply of low carbon building materials including, but not limited to, state and domestic supply of raw materials and other supply chain challenges, regulatory barriers, competitiveness of local and domestic manufacturers, cost, and data availability from local, state, national, and foreign product suppliers; and

(ii) Identify opportunities to encourage the continued conversion to lower carbon cements, including the use of performance-based specifications and allowing Type 1-L cement in specifications for public projects;

(b) Recommendations for consistent treatment in the reporting for covered projects; and

(c) Consideration of how additional information relevant to reducing embodied carbon through strategies including, but not limited to, product life-cycle assessments could be incorporated into future reporting.

(6)(a) By September 1, 2026, the technical work group must submit a report on policy recommendations, including any statutory changes needed, to the legislature and the governor. The report must consider policies to expand the use and production of low carbon materials, preserve and expand low carbon materials manufacturing in Washington, including opportunities to encourage continued conversion to lower

carbon blended cements in public projects, and support living wage manufacturing jobs.

(b) For this report, the technical work group must:

(i) Summarize data collected pursuant to section 3 of this act, the case study analysis funded by the 2021-2023 omnibus operating appropriations act, and the pilot projects funded by the 2021-2023 omnibus capital appropriations act. The summary must include product quantities, global warming potential, health product declarations, supplier codes of conduct, and any obstacles to the implementation of this chapter;

(ii) Evaluate options for collecting reported working condition information from product suppliers, including hourly wages, employee benefits, and total case incident rates, and for aligning these reporting requirements with existing reporting requirements for preferential tax rates, credits, exemptions, and deferrals;

(iii) Make recommendations for improving environmental production declaration data quality including, but not limited to, integrating reporting on variability in facility, product, and upstream data for key processes;

(iv) Make recommendations for consideration of scope 2 greenhouse gas emissions mitigation through green power purchases, such as energy attribute certificates and power purchase agreements;

(v) Make recommendations, if any, for changing or clarifying the definition of "actual production facilities" in section 2 of this act to better define and refine reporting and compliance obligations under chapter 39.--- RCW (the new chapter created in section 9 of this act);

(vi) Identify barriers and opportunities to the effective use of the database maintained under section 5 of this act and the data collected pursuant to this chapter;

(vii) Identify emerging and foreseeable trends in local, state, federal, and private policy on embodied carbon and the procurement and use of low carbon materials and opportunities to promote consistency across public and private embodied carbon and low carbon materials policies, rules, and regulations; and

(viii) Recommend approaches to designing lower embodied carbon state building projects.

(7)(a) The department may update reporting standards and requirements based on input from the technical work group.

(b) The department must provide updated guidance on reporting standards by January 1, 2027.

(8) This section expires January 1, 2028.

**Sec. 7.** RCW 43.88.0301 and 2021 c 54 s 4 are each amended to read as follows:

(1) The office of financial management must include in its capital budget instructions (~~(, beginning with its instructions for the 2003-05 capital budget,)~~) a request for "yes" or "no" answers for the following additional informational questions from capital budget applicants for all proposed major capital construction projects valued over (~~10~~

~~million dollars~~) \$10,000,000 and required to complete a predesign:

(a) For proposed capital projects identified in this subsection that are located in or serving city or county planning under RCW 36.70A.040:

(i) Whether the proposed capital project is identified in the host city or county comprehensive plan, including the capital facility plan, and implementing rules adopted under chapter 36.70A RCW;

(ii) Whether the proposed capital project is located within an adopted urban growth area:

(A) If at all located within an adopted urban growth area boundary, whether a project facilitates, accommodates, or attracts planned population and employment growth;

(B) If at all located outside an urban growth area boundary, whether the proposed capital project may create pressures for additional development;

(b) For proposed capital projects identified in this subsection that are requesting state funding:

(i) Whether there was regional coordination during project development;

(ii) Whether local and additional funds were leveraged;

(iii) Whether environmental outcomes and the reduction of adverse environmental impacts were examined.

(2) For projects subject to subsection (1) of this section, the office of financial management shall request the required information be provided during the predesign process of major capital construction projects to reduce long-term costs and increase process efficiency.

(3) The office of financial management, in fulfilling its duties under RCW 43.88.030(6) to create a capital budget document, must take into account information gathered under subsections (1) and (2) of this section in an effort to promote state capital facility expenditures that minimize unplanned or uncoordinated infrastructure and development costs, support economic and quality of life benefits for existing communities, and support local government planning efforts.

(4) The office of community development must provide staff support to the office of financial management and affected capital budget applicants to help collect data required by subsections (1) and (2) of this section.

(5) The office of financial management must include in its capital budget instructions, beginning with the instructions for the 2025-2027 biennium, information informing awarding authorities, as defined in section 2 of this act, of the requirements of chapter 39.--- RCW (the new chapter created in section 9 of this act), including the data and information requirements in section 3 of this act.

**NEW SECTION. Sec. 8.** This act may be known and cited as the buy clean and buy fair Washington act.

NEW SECTION. **Sec. 9.** Sections 2 through 6 of this act constitute a new chapter in Title 39 RCW.

NEW SECTION. **Sec. 10.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 2 of the title, after "material;" strike the remainder of the title and insert "amending RCW 43.88.0301; adding a new chapter to Title 39 RCW; creating new sections; and providing an expiration date."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282 and advanced the bill, as amended by the Senate, to final passage.

Representative Duerr spoke in favor of the passage of the bill.

Representative Abbarno spoke against the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Substitute House Bill No. 1282, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 1282, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 57; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanooff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1368, with the following amendment(s): 1368-S2.E AMS WM S5454.2

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that zero emission vehicle technology is crucial to protecting Washington's children from the health impacts of fossil fuel emissions and to limiting the long-term impacts of climate change on our planet. Spurred by a supportive regulatory environment, the state has made great advances in recent years that have improved the performance and reduced the costs of such vehicles. With the recent deployment of financial incentives for clean transportation technology under the federal bipartisan infrastructure law of 2021, the inflation reduction act of 2022, and state funding for early adopters of zero emission buses that began being made available in the 2023 enacted budgets, the costs and performance of zero emission vehicles, including zero emission school buses, are forecast to continue to improve in coming years. Zero emission school buses on the market today feature reduced fuel, operations, and maintenance costs compared to their fossil-fueled counterparts.

(2) Zero emission school buses and the related reduction of diesel exhaust will also have significant public health benefits for children, school staff, bus drivers, and communities, and decrease inequities. Residents in overburdened parts of Washington facing poor air quality are disproportionately communities of color, rural, and low-income and suffer from increased health risks, higher medical bills, are living sicker and dying younger, emphasizing the need for cleaner air and environmental justice.

(3) Further, the legislature finds that school districts need funding support to enable the transition to zero emission buses, including accurately reflecting the costs of zero emission buses in the state's reimbursement schedule for school buses. Zero emission buses are intended to include both battery electric technologies and hydrogen fuel cell technologies.

(4) Therefore, it is the intent of the legislature to help transition school districts, charter schools, and state-tribal education compact schools to using only zero emission school buses.

(5) During this transition, it is the intent of the legislature to prioritize grants to communities that are already bearing the most acute harms of air pollution, and to replace the oldest diesel vehicles that were manufactured under outdated and less protective federal emission standards. During the time leading up to an eventual phase out of fossil fuel powered school buses, electric utilities are encouraged to plan and take steps to ensure any service upgrades necessary to support the onboarding of zero emission fleets of school buses, including by making use of the grid modernization grant program



administered by the department of commerce. Schools and school districts receiving zero emission school buses funded through the program created in this act are encouraged to coordinate with electric utilities to utilize the vehicles to support electric system reliability and capacity through vehicle-to-grid integration when the buses are not in service.

**NEW SECTION. Sec. 2.** A new section is added to chapter 70A.15 RCW to read as follows:

(1) The department must administer the zero emission school bus grant program within the clean diesel grant program for buses, infrastructure, and related costs.

(2)(a) Appropriations to this grant program are provided solely for grants to transition from fossil-fuel school buses to zero emission vehicles. Eligible uses of grant funds include the planning and acquisition of zero emission school bus vehicles for student transportation, planning, design, and construction of associated fueling and charging infrastructure, including infrastructure to allow the use of zero emission buses in cold weather and other challenging operational conditions, the scrapping of old diesel school buses, and training drivers, mechanics, and facility operations personnel to operate and maintain the zero emission buses and infrastructure.

(b) Grant recipients may combine grant funds awarded under this section with any other source of funding in order to secure all funds needed to fully purchase each zero emission vehicle and any associated charging infrastructure.

(c) Grants issued under this section are in addition to payments made under the depreciation schedule adopted by the office of the superintendent of public instruction. Grants may only be issued until the school bus depreciation schedule established in RCW 28A.160.200 is adjusted to fund the cost of zero emission bus purchases at which time the department must transition the program established in this section to focus solely on electric vehicle charging infrastructure grants.

(3) When selecting grant recipients, the department must prioritize, in descending order of priority:

(a) School districts currently using school buses manufactured prior to 2007 and serving overburdened communities, including communities of color, rural, and low-income communities, highly impacted by air pollution identified by the department under RCW 70A.65.020(1);

(b) If funds remain after reviewing grant applications meeting the criteria of (a) of this subsection, school districts serving overburdened communities, including communities of color, rural, and low-income communities, highly impacted by air pollution identified by the department under RCW 70A.65.020(1);

(c) If funds remain after reviewing grant applications meeting the criteria of (a) and (b) of this subsection, the replacement of school buses manufactured prior to 2007; and

(d) If funds remain after reviewing grant applications meeting the criteria of (a), (b), or (c) of this subsection, to applicants that demonstrate an unsuccessful application to receive federal funding for zero emission school bus purposes prior to January 1, 2024.

(4) The department must distribute no less than 90 percent of the funds appropriated under this section to grant recipients. Amounts retained by the department may only be used as follows:

(a) Up to three and one-half percent of funds appropriated under this section for administering the grant program; and

(b) Up to six and one-half percent of funds appropriated under this section to provide technical assistance to grant applicants including, but not limited to, assistance in evaluating charging infrastructure and equipment and in coordinating with electric utility service adequacy.

(5) The department must provide notice of a grant award decision to the utility providing electrical service to the grant recipient.

(6) By June 1, 2025, the department in consultation with the superintendent of public instruction must submit a report to the governor and the relevant policy and fiscal committees of the legislature providing an update on the status of implementation of the grant program under this section and a summary of recommendations and implementation considerations for transitioning the zero emission school bus grant program to the competitive school bus vehicle depreciation schedule established in RCW 28A.160.200.

(7) For the purposes of this section, "zero emission vehicles" means a vehicle that produces zero exhaust emission of any air pollutant and any greenhouse gas other than water vapor.

**NEW SECTION. Sec. 3.** A new section is added to chapter 28A.160 RCW to read as follows:

(1) The office of the superintendent of public instruction, in consultation with the department of ecology, must develop preliminary guidance for school districts regarding the formula factors used to calculate the total cost of ownership for zero emission school buses and diesel school buses. After considering feedback to the preliminary guidance, the office of the superintendent of public instruction, in consultation with the department of ecology, must adopt rules to establish the formulas. Such formulas must, at a minimum, address the initial cost of the bus at the time of purchase, the cost of maintenance, the cost of fueling and charging, and the cost of replacing zero emission school bus batteries, if applicable.

(2)(a) Once the total cost of ownership of zero emission school buses is at or below the total cost of ownership of diesel school buses, as determined by the formulas in subsection (1) of this section, school districts may only receive reimbursement under RCW 28A.160.195 and 28A.160.200 for the purchase of zero emission school buses.

(b) The requirements of this subsection do not prohibit the use of externally vented fuel-operated passenger heaters from November 15th through March 15th annually until other viable alternatives become available.

(3)(a) The office of the superintendent of public instruction must make exceptions to the requirement under subsection (2) of this section in the following circumstances:

(i) The reimbursement is for a diesel school bus that was purchased prior to the total cost of ownership determination;

(ii) The school district has bus route mileage needs that cannot be met by the average daily mileage achieved under actual use conditions in Washington for zero emission school buses;

(iii) The school district has other unique needs that may not be met by the technological capabilities of zero emission school buses; or

(iv) The school district does not have, or have access to, the appropriate charging infrastructure to support the use of zero emission school buses. If a school district qualifies under this exception it must submit documentation indicating it has applied for grant funding to install charging infrastructure under available federal grant programs or the zero emission school bus grant program established under section 2 of this act, or documentation from a public utility district or utility company indicating the school district does not have enough electric capacity to support the appropriate charging infrastructure.

(b) Exceptions granted by the superintendent of public instruction under (a)(ii) through (iv) of this subsection may not exceed five years. A school district may apply to renew an exception if the need for such an exception still exists after the initial exception has expired.

(4) For the purposes of this section, "zero emission school bus" means a school bus that produces zero exhaust emission of any air pollutant and any greenhouse gas other than water vapor.

**Sec. 4.** RCW 28A.160.195 and 2005 c 492 s 1 are each amended to read as follows:

(1) The superintendent of public instruction, in consultation with the regional transportation coordinators of the educational service districts, shall establish a minimum number of school bus categories considering the capacity and type of vehicles required by school districts in Washington. The superintendent, in consultation with the regional transportation coordinators of the educational service districts, shall establish competitive specifications for each category of school bus. The categories shall be developed to produce minimum long-range operating costs, including costs of equipment and all costs in operating the vehicles. The competitive specifications shall meet federal motor vehicle safety standards, minimum state specifications as established by rule by the superintendent, and supported options as determined by the superintendent in consultation with the regional transportation coordinators of the

educational service districts. The superintendent may solicit and accept price quotes for a rear-engine category school bus that shall be reimbursed at the price of the corresponding front engine category.

(2) After establishing school bus categories and competitive specifications, the superintendent of public instruction shall solicit competitive price quotes for base buses from school bus dealers to be in effect for one year and shall establish a list of all accepted price quotes in each category obtained under this subsection. The superintendent shall also solicit price quotes for optional features and equipment.

(3)(a) The superintendent shall base the level of reimbursement to school districts and educational service districts for school buses on the lowest quote for the base bus in each category. School districts and educational service districts shall be reimbursed for buses purchased only through a lowest-price competitive bid process conducted under RCW 28A.335.190 or through the state bid process established by this section.

(b) Once the total cost of ownership of zero emission school buses is at or below the total cost of ownership of diesel school buses, as determined under the formulas adopted by rule pursuant to section 3 of this act, school districts may only receive reimbursement for the purchase of zero emission school buses, unless the district has been granted an exception under section 3(3) of this act. For the purposes of this subsection, "zero emission school bus" means a school bus that produces zero exhaust emission of any air pollutant and any greenhouse gas other than water vapor.

(4) Notwithstanding RCW 28A.335.190, school districts and educational service districts may purchase at the quoted price directly from any dealer who is on the list established under subsection (2) of this section. School districts and educational service districts may make their own selections for school buses, but shall be reimbursed at the rates determined under subsection (3) of this section and RCW 28A.160.200. District-selected options shall not be reimbursed by the state.

(5) This section does not prohibit school districts or educational service districts from conducting their own competitive bid process.

(6) The superintendent of public instruction may adopt rules under chapter 34.05 RCW to implement this section.

**Sec. 5.** RCW 28A.160.140 and 1990 c 33 s 140 are each amended to read as follows:

(1) As a condition of entering into a pupil transportation services contract with a private nongovernmental entity, each school district shall engage in an open competitive process at least once every five years. This requirement shall not be construed to prohibit a district from entering into a pupil transportation services contract of less than five years in duration with a district option to renew, extend, or terminate the contract, if the district engages in an open competitive process at least once every five years after

July 26, 1987. If a school district enters into a pupil transportation services contract with a private nongovernmental entity that uses zero emission school buses to transport students for the school district, the contract period may be up to seven years in duration.

(2) Once the total cost of ownership of zero emission school buses is at or below the total cost of ownership of diesel school buses, as determined under the formulas adopted by rule pursuant to section 3 of this act, a school district may only enter into, renew, or extend a pupil transportation services contract with a nongovernmental entity that uses zero emission school buses to transport students for the school district. The office of the superintendent of public instruction must provide an exception to this requirement, upon request from the school district, if the school district meets the criteria in section 3(3)(a) (ii) through (iv) of this act. The requirements of this subsection do not prohibit the use of externally vented fuel-operated passenger heaters from November 15th through March 15th annually until other viable alternatives become available.

(3) As used in this section:

~~((1))~~(a) "Open competitive process" means either one of the following, at the choice of the school district:

~~((a))~~(i) The solicitation of bids or quotations and the award of contracts under RCW 28A.335.190; or

~~((b))~~(ii) The competitive solicitation of proposals and their evaluation consistent with the process and criteria recommended or required, as the case may be, by the office of financial management for state agency acquisition of personal service contractors;

~~((2))~~(b) "Pupil transportation services contract" means a contract for the operation of privately owned or school district owned school buses, and the services of drivers or operators, management and supervisory personnel, and their support personnel such as secretaries, dispatchers, and mechanics, or any combination thereof, to provide students with transportation to and from school on a regular basis; ~~(and~~

~~(3))~~(c) "School bus" means a motor vehicle as defined in RCW 46.04.521 and under the rules of the superintendent of public instruction; and

(d) "Zero emission school bus" means a school bus that produces zero exhaust emission of any air pollutant and any greenhouse gas other than water vapor.

**NEW SECTION. Sec. 6.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) By November 15, 2024, the office of the superintendent of public instruction, in consultation with the department of ecology, must carry out a survey of school districts, charter schools, and state-tribal education compact schools focused on the uptake and total cost of ownership of zero emission school buses. The office of the superintendent of public instruction must submit a report to the legislature

summarizing their findings by December 1, 2024.

(2) The survey required under this section must collect information from each school district and school on:

(a) Current zero emission vehicle charging and refueling capacity and infrastructure;

(b) Whether, assuming the availability of grant funds and depreciation schedule payments to cover the full cost of a vehicle, including the total cost of ownership of the vehicle, the school district or school would anticipate applying for funds to support zero emission school bus or bus infrastructure purchases in the next two years, and in the next five years;

(c) For any schools or school districts still using a school bus after the end of its applicable depreciation schedule, whether the bus was manufactured prior to 2007, and an explanation of why the school or school district has continued to use the bus past the end of its depreciation schedule;

(d) Responses to preliminary guidance from the office of the superintendent of public instruction for calculating total cost of ownership and whether the school district or school utilizes the preliminary guidance or uses a different calculation methodology; and

(e) Any other survey information deemed helpful by the department of ecology or the office of the superintendent of public instruction to facilitating the transition to zero emission vehicles.

(3) For purposes of this section, "zero emission vehicle" has the same meaning as in section 2 of this act."

On page 1, line 2 of the title, after "buses;" strike the remainder of the title and insert "amending RCW 28A.160.195 and 28A.160.140; adding a new section to chapter 70A.15 RCW; adding a new section to chapter 28A.160 RCW; adding a new section to chapter 28A.300 RCW; and creating a new section."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1368 and advanced the bill, as amended by the Senate, to final passage.

Representative Senn spoke in favor of the passage of the bill.

Representative Dye spoke against the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1368, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1368, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 58; Nays, 38; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1368, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed HOUSE BILL NO. 1471, with the following amendment(s): 1471 AMS SGE S5300.1

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 39.26.010 and 2022 c 71 s 12 are each amended to read as follows:

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

(1) "Agency" means any state office or activity of the executive and judicial branches of state government, including state agencies, departments, offices, divisions, boards, commissions, institutions of higher education as defined in RCW 28B.10.016, and correctional and other types of institutions. "Agency" does not include a comprehensive cancer center participating in a collaborative arrangement as defined in RCW 28B.10.930 that is operated in conformance with RCW 28B.10.930.

(2) "Bid" means an offer, proposal, or quote for goods or services in response to a solicitation issued for such goods or services by the department or an agency of Washington state government.

(3) "Bidder" means an individual or entity who submits a bid, quotation, or proposal in response to a solicitation issued for such goods or services by the department or an agency of Washington state government.

(4) "Client services" means services provided directly to agency clients including, but not limited to, medical and dental services, employment and training programs, residential care, and subsidized housing.

(5) "Community rehabilitation program of the department of social and health services" means any entity that:

(a) Is registered as a nonprofit corporation with the secretary of state; and

(b) Is recognized by the department of social and health services, division of vocational rehabilitation as eligible to do

business as a community rehabilitation program.

(6) "Competitive solicitation" means a documented formal process providing an equal and open opportunity to bidders and culminating in a selection based on predetermined criteria.

(7) "Contractor" means an individual or entity awarded a contract with an agency to perform a service or provide goods.

(8) "Debar" means to prohibit a contractor, individual, or other entity from submitting a bid, having a bid considered, or entering into a state contract during a specified period of time as set forth in a debarment order.

(9) "Department" means the department of enterprise services.

(10) "Director" means the director of the department of enterprise services.

(11) "Estimated useful life" of an item means the estimated time from the date of acquisition to the date of replacement or disposal, determined in any reasonable manner.

(12) "Goods" means products, materials, supplies, or equipment provided by a contractor.

(13) "In-state business" means a business that has its principal office located in Washington.

(14) "Life-cycle cost" means the total cost of an item to the state over its estimated useful life, including costs of selection, acquisition, operation, maintenance, and where applicable, disposal, as far as these costs can reasonably be determined, minus the salvage value at the end of its estimated useful life.

(15) "Master contracts" means a contract for specific goods or services, or both, that is solicited and established by the department in accordance with procurement laws and rules on behalf of and for general use by agencies as specified by the department.

(16) "Microbusiness" means any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that: (a) Is owned and operated independently from all other businesses; and (b) has a gross revenue of less than ~~((one million dollars))~~ \$1,000,000 annually as reported on its federal tax return or on its return filed with the department of revenue.

(17) "Minibusiness" means any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that: (a) Is owned and operated independently from all other businesses; and (b) has a gross revenue of less than ~~((three million dollars))~~ \$3,000,000, but ~~((one million dollars))~~ \$1,000,000 or more annually as reported on its federal tax return or on its return filed with the department of revenue.

(18) "Polychlorinated biphenyls" means any polychlorinated biphenyl congeners and homologs.

(19) "Practical quantification limit" means the lowest concentration that can be reliably measured within specified limits of precision, accuracy, representativeness, completeness, and comparability during routine laboratory operating conditions.

(20) "Purchase" means the acquisition of goods or services, including the leasing or renting of goods.

(21) "Services" means labor, work, analysis, or similar activities provided by a contractor to accomplish a specific scope of work.

(22) "Small business" means an in-state business, including a sole proprietorship, corporation, partnership, or other legal entity, that:

(a) Certifies, under penalty of perjury, that it is owned and operated independently from all other businesses and has either:

(i) Fifty or fewer employees; or

(ii) A gross revenue of less than (~~seven million dollars~~) \$7,000,000 annually as reported on its federal income tax return or its return filed with the department of revenue over the previous three consecutive years; or

(b) Is certified with the office of women and minority business enterprises under chapter 39.19 RCW.

(23) "Sole source" means a contractor providing goods or services of such a unique nature or sole availability (~~at the location required~~) that the contractor is clearly and justifiably the only practicable source to provide the goods or services.

(24) "Washington grown" has the definition in RCW 15.64.060.

**Sec. 2.** RCW 39.26.070 and 2015 c 79 s 6 are each amended to read as follows:

A convenience contract is a contract for specific goods or services, or both, that is solicited and established in accordance with procurement laws and rules for use by (~~a specific agency or~~) a specified group of agencies (~~as needed from time to time~~). A convenience contract is not available for general use and (~~may only~~) must be (~~used as specified~~) approved by the department. Convenience contracts are not intended to replace or supersede master contracts as defined in this chapter.

**Sec. 3.** RCW 39.26.130 and 2012 c 224 s 15 are each amended to read as follows:

(1) An agency may make emergency purchases as defined in subsection (~~(3)~~) (4) of this section. When an emergency purchase is made, the agency head shall submit written notification of the purchase within (~~three~~) 10 business days of the purchase to the director. This notification must contain a description of the purchase, a description of the emergency and the circumstances leading up to the emergency, and an explanation of why the circumstances required an emergency purchase.

(2) Emergency contracts must be submitted to the department and made available for public inspection within (~~three working~~) 10 business days following the commencement of work or execution of the contract, whichever occurs first.

(3) The department may authorize exceptions to this section due to exigent circumstances.

(4) As used in this section, "emergency" means a set of unforeseen circumstances beyond the control of the agency that either:

(a) Present a real, immediate, and extreme threat to the proper performance of essential functions; or

(b) May reasonably be expected to result in material loss or damage to property, bodily injury, or loss of life, if immediate action is not taken.

**Sec. 4.** RCW 39.26.140 and 2012 c 224 s 16 are each amended to read as follows:

(1) Agencies must submit sole source contracts to the department and make the contracts available for public inspection not (~~less~~) fewer than (~~ten~~) 15 working days before the proposed starting date of the contract. Agencies must provide documented justification for sole source contracts to the department when the contract is submitted, and must include evidence that the agency posted the contract opportunity at a minimum on the state's enterprise vendor registration and bid notification system.

(2) The department must approve sole source contracts before any such contract becomes binding and before any services may be performed or goods provided under the contract. These requirements shall also apply to all sole source contracts except as otherwise exempted by the director.

(3) The director may provide an agency an exemption from the requirements of this section for a contract or contracts. Requests for exemptions must be submitted to the director in writing.

(4) Contracts awarded by institutions of higher education from nonstate funds are exempt from the requirements of this section.

**Sec. 5.** RCW 39.26.200 and 2020 c 269 s 3 are each amended to read as follows:

(1)(a) The director shall provide notice to the contractor of the director's intent to either fine or debar with the specific reason for either the fine or debarment. The department must establish the debarment and fining processes by rule.

(b) After reasonable notice to the contractor and reasonable opportunity for that contractor to be heard, the director has the authority to debar a contractor for cause from consideration for award of contracts. The debarment must be for a period of not more than three years.

(2) The director may either fine or debar a contractor based on a finding of one or more of the following causes:

(a) Conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract;

(b) Conviction or a final determination in a civil action under state or federal statutes of fraud, embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, violation of the federal false claims act, 31 U.S.C. Sec. 3729 et seq., or the state medicaid fraud false claims act, chapter 74.66 RCW, or any other offense indicating a lack of business integrity or business honesty that currently, seriously,

and directly affects responsibility as a state contractor;

(c) Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;

(d) Two or more violations within the previous five years of the national labor relations act as determined by the national labor relations board or court of competent jurisdiction;

(e) Violation of contract provisions, as set forth in this subsection, of a character that is regarded by the director to be so serious as to justify debarment action:

(i) Deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or

(ii) A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, however the failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor may not be considered to be a basis for debarment;

(f) Violation of ethical standards set forth in RCW 39.26.020;

(g) Any other cause the director determines to be so serious and compelling as to affect responsibility as a state contractor, including debarment by another governmental entity for any cause listed in regulations; and

(h) ~~((During the 2017-2019 fiscal biennium, the))~~The failure to comply with a provision in a state master contract or other agreement with a state agency that requires equality among its workers by ensuring similarly employed individuals are compensated as equals.

(3) The director must issue a written decision to debar. The decision must:

(a) State the reasons for the action taken; and

(b) Inform the debarred contractor of the contractor's rights to judicial or administrative review."

On page 1, line 3 of the title, after "contracts;" strike the remainder of the title and insert "and amending RCW 39.26.010, 39.26.070, 39.26.130, 39.26.140, and 39.26.200."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1471 and advanced the bill, as amended by the Senate, to final passage.

Representatives Stearns and Christian spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1471, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1471, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1471, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1551, with the following amendment(s): 1551-S2 AMS BOEH S5687.1

On page 2, line 4, after "manufacturer" strike "or wholesaler"

On page 2, line 8, after "retailer" insert "or wholesaler"

On page 2, line 12, after "Retailers" insert "or wholesalers"

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 1551 and advanced the bill, as amended by the Senate, to final passage.

Representatives Pollet and Dye spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1551, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1551, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low,

Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 1551, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed HOUSE BILL NO. 1635, with the following amendment(s): 1635 AMS ENGR S5290.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 43.101 RCW to read as follows:

By July 1, 2025, the commission shall develop model standards for the training and certification of canine teams to detect fentanyl. When developing the model standards, the commission shall consult with:

(1) Experts including public and private organizations that train canines to imprint on controlled substances;

(2) Law enforcement or correctional agencies that use canines to detect controlled substances;

(3) Experts on the training of canines for use by law enforcement; and

(4) Licensed medical professionals and veterinarians, to the extent reasonably available, with expertise in: (a) Developing and implementing protocols to minimize exposure of canines and their handlers to opioids and their derivatives, including fentanyl and its derivatives; (b) detecting clinical signs of such exposure; and (c) intervening with timely and appropriate medical and veterinary medical treatment in the field, during stabilization and transport, and in-hospital following exposure to opioids and their derivatives, including fentanyl and its derivatives.

**Sec. 2.** RCW 4.24.410 and 1993 c 180 s 1 are each amended to read as follows:

(1) As used in this section:

(a) "Police dog" means a dog used by a law enforcement agency specially trained for law enforcement work and under the control of a dog handler.

(b) "Accelerant detection dog" means a dog used exclusively for accelerant detection by the state fire marshal or a fire department and under the control of the state fire marshal or his or her designee or a fire department handler.

(c) "Dog handler" means a law enforcement officer who has successfully completed training as prescribed by the Washington state criminal justice training commission in police dog handling, or in the case of an

accelerant detection dog, the state fire marshal's designee or an employee of the fire department authorized by the fire chief to be the dog's handler.

(d) "Lawful application of a police dog" means employment or specific use of a police dog as allowed by law.

(2) Any dog handler who uses a police dog in the line of duty in good faith is immune from civil action for damages arising out of such use of the police dog or accelerant detection dog.

(3) A state or local government or law enforcement agency is not strictly liable for damages resulting from the lawful application of a police dog."

On page 1, line 2 of the title, after "dogs;" strike the remainder of the title and insert "amending RCW 4.24.410; and adding a new section to chapter 43.101 RCW."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1635 and advanced the bill, as amended by the Senate, to final passage.

Representatives Maycumber and Goodman spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1635, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1635, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1635, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652, with the following amendment(s): 1652-S.E AMS LAW S4192.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 26.23.035 and 2020 c 349 s 1 are each amended to read as follows:

(1) The department of social and health services shall adopt rules for the distribution of support money collected by the division of child support. These rules shall:

(a) Comply with Title IV-D of the federal social security act as amended by the personal responsibility and work opportunity reconciliation act of 1996 and the federal deficit reduction act of 2005;

(b) Direct the division of child support to distribute support money within eight days of receipt, unless one of the following circumstances, or similar circumstances specified in the rules, prevents prompt distribution:

(i) The location of the custodial parent is unknown;

(ii) The support debt is in litigation;

(iii) The division of child support cannot identify the responsible parent or the custodian;

(c) Provide for proportionate distribution of support payments if the responsible parent owes a support obligation or a support debt for two or more Title IV-D cases; and

(d) Authorize the distribution of support money, except money collected under 42 U.S.C. Sec. 664, to satisfy a support debt owed to the IV-D custodian before the debt owed to the state when the custodian stops receiving a public assistance grant.

(2) The division of child support may distribute support payments to the payee under the support order or to another person who has lawful physical custody of the child or custody with the payee's consent. The payee may file an application for an adjudicative proceeding to challenge distribution to such other person. Prior to distributing support payments to any person other than the payee, the registry shall:

(a) Obtain a written statement from the child's physical custodian, under penalty of perjury, that the custodian has lawful custody of the child or custody with the payee's consent;

(b) Mail to the responsible parent and to the payee at the payee's last known address a copy of the physical custodian's statement and a notice which states that support payments will be sent to the physical custodian; and

(c) File a copy of the notice with the clerk of the court that entered the original support order.

(3) If the Washington state support registry distributes a support payment to a person in error, the registry may obtain restitution by means of a set-off against future payments received on behalf of the person receiving the erroneous payment, or may act according to RCW 74.20A.270 as deemed appropriate. Any set-off against future support payments shall be limited to amounts collected on the support debt and ~~((ten))~~ 10 percent of amounts collected as current support.

(4) ~~((Effective February 1, 2021, consistent))~~ Consistent with 42 U.S.C. Sec.

657(a) as amended by section 7301(b)(7)(B) of the federal deficit reduction act of 2005, the department shall pass through ~~((child support that does not exceed fifty dollars per month collected on behalf of a family, or in the case of a family that includes two or more children an amount that is not more than one hundred dollars per month))~~ to a family all amounts collected as current child support each month on behalf of the family. The department has rule-making authority to implement this subsection.

NEW SECTION. **Sec. 2.** A new section is added to chapter 74.08A RCW to read as follows:

The department shall disregard and not count as income any amount of current child support passed through to applicants or recipients pursuant to RCW 26.23.035 in determining eligibility for and the amount of temporary assistance for needy families or WorkFirst.

NEW SECTION. **Sec. 3.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void.

NEW SECTION. **Sec. 4.** This act takes effect January 1, 2026."

On page 1, line 1 of the title, after "through;" strike the remainder of the title and insert "amending RCW 26.23.035; adding a new section to chapter 74.08A RCW; creating a new section; and providing an effective date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652 and advanced the bill, as amended by the Senate, to final passage.

Representatives Taylor and Walsh spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1652, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1652, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt,



Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Caldier, Chambers and Jacobsen

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1877, with the following amendment(s): 1877-S2 AMS WM S5464.2

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 71.05 RCW to read as follows:

(1) An attorney representing a tribe has the right to intervene at any point in any court proceeding under this chapter involving a member of the tribe.

(a) For purposes of this section, "right to intervene" means the right of a tribal attorney to:

(i) Attend court proceedings;

(ii) Speak in court;

(iii) Request copies of orders issued by the court and petitions filed;

(iv) Submit information to the court including, but not limited to, information about available tribal resources to coordinate services; and

(v) Petition the court under RCW 71.05.201.

(b) Information provided to the tribal attorney under this section is subject to any federal and state laws and regulations including the requirements in RCW 70.02.230 (2)(ee) and (3).

(2) Behavioral health service providers shall accept tribal court orders from tribes located within the state on the same basis as state court orders issued under this chapter.

(3) The administrative office of the courts, in consultation with the authority, shall develop and update court forms as needed in proceedings under this chapter for use by designated crisis responders and make them available by December 1, 2024. After January 1, 2025, superior courts must allow tribal designated crisis responders to use court forms developed by the administrative office of the courts.

NEW SECTION. **Sec. 2.** A new section is added to chapter 71.34 RCW to read as follows:

(1) An attorney representing a federally recognized Indian tribe has the right to

intervene at any point in any court proceeding under this chapter involving a member of the tribe.

(a) For purposes of this section, "right to intervene" means the right of a tribal attorney to:

(i) Attend court proceedings;

(ii) Speak in court;

(iii) Request copies of orders issued by the court and petitions filed;

(iv) Submit information to the court including, but not limited to, information about available tribal resources to coordinate services; and

(v) Petition the court under RCW 71.05.201.

(b) Information provided to the tribal attorney under this section is subject to any federal and state laws and regulations including the requirements in RCW 70.02.240.

(2) Behavioral health service providers shall accept tribal court orders from tribes located within the state on the same basis as state court orders issued under this chapter.

(3) The administrative office of the courts, in consultation with the authority, shall develop and update court forms as needed in proceedings under this chapter for use by designated crisis responders and make them available by December 1, 2024. After January 1, 2025, superior courts must allow tribal designated crisis responders to use court forms developed by the administrative office of the courts.

NEW SECTION. **Sec. 3.** A new section is added to chapter 71.05 RCW to read as follows:

Nothing in this chapter may be read as an assertion of state jurisdiction or regulatory authority over a tribe.

NEW SECTION. **Sec. 4.** A new section is added to chapter 71.34 RCW to read as follows:

Nothing in this chapter may be read as an assertion of state jurisdiction or regulatory authority over a tribe.

**Sec. 5.** RCW 71.05.020 and 2023 c 433 s 3 and 2023 c 425 s 20 are each reenacted and amended to read as follows:

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

(1) "23-hour crisis relief center" has the same meaning as under RCW 71.24.025;

(2) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(3) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(4) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(5) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program certified by the department as meeting standards adopted under chapter 71.24 RCW;

(6) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(7) "Authority" means the Washington state health care authority;

(8) "Behavioral health disorder" means either a mental disorder as defined in this section, a substance use disorder as defined in this section, or a co-occurring mental disorder and substance use disorder;

(9) "Behavioral health service provider" means a public or private agency that provides mental health, substance use disorder, or co-occurring disorder services to persons with behavioral health disorders as defined under this section and receives funding from public sources. This includes, but is not limited to: Hospitals licensed under chapter 70.41 RCW; evaluation and treatment facilities as defined in this section; community mental health service delivery systems or community behavioral health programs as defined in RCW 71.24.025; licensed or certified behavioral health agencies under RCW 71.24.037; an entity with a tribal attestation that it meets minimum standards or a licensed or certified behavioral health agency as defined in RCW 71.24.025; facilities conducting competency evaluations and restoration under chapter 10.77 RCW; approved substance use disorder treatment programs as defined in this section; secure withdrawal management and stabilization facilities as defined in this section; and correctional facilities operated by state ~~(and)~~ local, and tribal governments;

(10) "Co-occurring disorder specialist" means an individual possessing an enhancement granted by the department of health under chapter 18.205 RCW that certifies the individual to provide substance use disorder counseling subject to the practice limitations under RCW 18.205.105;

(11) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

(12) "Community behavioral health agency" has the same meaning as "licensed or certified behavioral health agency" defined in RCW 71.24.025;

(13) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(14) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed or certified by the department, such as an evaluation and treatment facility or a hospital, which has

been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization, or to determine the need for involuntary commitment of an individual;

(15) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(16) "Department" means the department of health;

(17) "Designated crisis responder" means a mental health professional appointed by the county, by an entity appointed by the county, or by the authority in consultation with a ~~((federally recognized Indian))~~ tribe or after meeting and conferring with an Indian health care provider, to perform the duties specified in this chapter;

(18) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(19) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary of the department of social and health services;

(20) "Developmental disability" means that condition defined in RCW 71A.10.020(6);

(21) "Director" means the director of the authority;

(22) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(23) "Drug addiction" means a disease, characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(24) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is licensed or certified as such by the department. The authority may certify single beds as temporary evaluation and treatment beds under RCW 71.05.745. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department of social and health services or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(25) "Gravely disabled" means a condition in which a person, as a result of a behavioral health disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(26) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(27) "Hearing" means any proceeding conducted in open court that conforms to the requirements of RCW 71.05.820;

(28) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a behavioral health facility, or in confinement as a result of a criminal conviction;

(29) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(30) "In need of assisted outpatient treatment" refers to a person who meets the criteria for assisted outpatient treatment established under RCW 71.05.148;

(31) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

(32) "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the

use of alcohol or other psychoactive chemicals;

(33) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(34) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public behavioral health service providers under RCW 71.05.130;

(35) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.05.585. This term includes: Treatment pursuant to a less restrictive alternative treatment order under RCW 71.05.240 or 71.05.320; treatment pursuant to a conditional release under RCW 71.05.340; and treatment pursuant to an assisted outpatient treatment order under RCW 71.05.148;

(36) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington;

(37) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(38) "Medical clearance" means a physician or other health care provider, including an Indian health care provider, has determined that a person is medically stable and ready for referral to the designated crisis responder or facility. For a person presenting in the community, no medical clearance is required prior to investigation by a designated crisis responder;

(39) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(40) "Mental health professional" means an individual practicing within the mental health professional's statutory scope of practice who is:

(a) A psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, as defined in this chapter and chapter 71.34 RCW;

(b) A mental health counselor, mental health counselor associate, marriage and family therapist, or marriage and family therapist associate, as defined in chapter 18.225 RCW; or

(c) A certified or licensed agency affiliated counselor, as defined in chapter 18.19 RCW;

(41) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(42) "Physician assistant" means a person licensed as a physician assistant under chapter 18.71A RCW;

(43) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with behavioral health disorders;

(44) "Professional person" means a mental health professional, substance use disorder professional, or designated crisis responder and shall also mean a physician, physician assistant, psychiatric advanced registered nurse practitioner, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(45) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(46) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(47) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(48) "Public agency" means any evaluation and treatment facility or institution, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with behavioral health disorders, if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments;

(49) "Release" means legal termination of the commitment under the provisions of this chapter;

(50) "Resource management services" has the meaning given in chapter 71.24 RCW;

(51) "Secretary" means the secretary of the department of health, or his or her designee;

(52) "Secure withdrawal management and stabilization facility" means a facility operated by either a public or private agency or by the program of an agency which provides care to voluntary individuals and

individuals involuntarily detained and committed under this chapter for whom there is a likelihood of serious harm or who are gravely disabled due to the presence of a substance use disorder. Secure withdrawal management and stabilization facilities must:

(a) Provide the following services:

(i) Assessment and treatment, provided by certified substance use disorder professionals or co-occurring disorder specialists;

(ii) Clinical stabilization services;

(iii) Acute or subacute detoxification services for intoxicated individuals; and

(iv) Discharge assistance provided by certified substance use disorder professionals or co-occurring disorder specialists, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Include security measures sufficient to protect the patients, staff, and community; and

(c) Be licensed or certified as such by the department of health;

(53) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(54) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances;

(55) "Substance use disorder professional" means a person certified as a substance use disorder professional by the department of health under chapter 18.205 RCW;

(56) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(57) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for behavioral health disorders, which are maintained by the department of social and health services, the department, the authority, behavioral health administrative services organizations and their staffs, managed care organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department of social and health services, the department, the authority, behavioral

health administrative services organizations, managed care organizations, or a treatment facility if the notes or records are not available to others;

(58) "Tribe" has the same meaning as in RCW 71.24.025;

(59) "Video," unless the context clearly indicates otherwise, means the delivery of behavioral health services through the use of interactive audio and video technology, permitting real-time communication between a person and a designated crisis responder, for the purpose of evaluation. "Video" does not include the use of audio-only telephone, facsimile, email, or store and forward technology. "Store and forward technology" means use of an asynchronous transmission of a person's medical information from a mental health service provider to the designated crisis responder which results in medical diagnosis, consultation, or treatment;

((+59)) (60) "Violent act" means behavior that resulted in homicide, attempted suicide, injury, or substantial loss or damage to property.

**Sec. 6.** RCW 71.05.020 and 2023 c 433 s 4 and 2023 c 425 s 21 are each reenacted and amended to read as follows:

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

(1) "23-hour crisis relief center" has the same meaning as under RCW 71.24.025;

(2) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(3) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(4) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(5) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program certified by the department as meeting standards adopted under chapter 71.24 RCW;

(6) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(7) "Authority" means the Washington state health care authority;

(8) "Behavioral health disorder" means either a mental disorder as defined in this section, a substance use disorder as defined in this section, or a co-occurring mental disorder and substance use disorder;

(9) "Behavioral health service provider" means a public or private agency that provides mental health, substance use

disorder, or co-occurring disorder services to persons with behavioral health disorders as defined under this section and receives funding from public sources. This includes, but is not limited to: Hospitals licensed under chapter 70.41 RCW; evaluation and treatment facilities as defined in this section; community mental health service delivery systems or community behavioral health programs as defined in RCW 71.24.025; licensed or certified behavioral health agencies under RCW 71.24.037; an entity with a tribal attestation that it meets minimum standards or a licensed or certified behavioral health agency as defined in RCW 71.24.025; facilities conducting competency evaluations and restoration under chapter 10.77 RCW; approved substance use disorder treatment programs as defined in this section; secure withdrawal management and stabilization facilities as defined in this section; and correctional facilities operated by state (~~and~~), local, and tribal governments;

(10) "Co-occurring disorder specialist" means an individual possessing an enhancement granted by the department of health under chapter 18.205 RCW that certifies the individual to provide substance use disorder counseling subject to the practice limitations under RCW 18.205.105;

(11) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

(12) "Community behavioral health agency" has the same meaning as "licensed or certified behavioral health agency" defined in RCW 71.24.025;

(13) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(14) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed or certified by the department, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization, or to determine the need for involuntary commitment of an individual;

(15) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(16) "Department" means the department of health;

(17) "Designated crisis responder" means a mental health professional appointed by the county, by an entity appointed by the county, or by the authority in consultation with a (~~federally recognized Indian~~) tribe or after meeting and conferring with an Indian health care provider, to perform the duties specified in this chapter;

(18) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(19) "Developmental disabilities professional" means a person who has

specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary of the department of social and health services;

(20) "Developmental disability" means that condition defined in RCW 71A.10.020(6);

(21) "Director" means the director of the authority;

(22) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(23) "Drug addiction" means a disease, characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(24) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is licensed or certified as such by the department. The authority may certify single beds as temporary evaluation and treatment beds under RCW 71.05.745. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department of social and health services or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(25) "Gravely disabled" means a condition in which a person, as a result of a behavioral health disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration from safe behavior evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(26) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(27) "Hearing" means any proceeding conducted in open court that conforms to the requirements of RCW 71.05.820;

(28) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a behavioral health facility, or in confinement as a result of a criminal conviction;

(29) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(30) "In need of assisted outpatient treatment" refers to a person who meets the criteria for assisted outpatient treatment established under RCW 71.05.148;

(31) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

(32) "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals;

(33) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(34) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public behavioral health service providers under RCW 71.05.130;

(35) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.05.585. This term includes: Treatment pursuant to a less restrictive alternative treatment order under RCW 71.05.240 or 71.05.320; treatment pursuant to a conditional release under RCW 71.05.340; and treatment pursuant to an assisted outpatient treatment order under RCW 71.05.148;

(36) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington;

(37) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused harm, substantial pain, or which places another person or persons in reasonable fear of harm to themselves or others; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(38) "Medical clearance" means a physician or other health care provider, including an Indian health care provider, has determined that a person is medically stable and ready for referral to the designated crisis responder or facility. For a person presenting in the community, no medical clearance is required prior to investigation by a designated crisis responder;

(39) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(40) "Mental health professional" means an individual practicing within the mental health professional's statutory scope of practice who is:

(a) A psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, as defined in this chapter and chapter 71.34 RCW;

(b) A mental health counselor, mental health counselor associate, marriage and family therapist, or marriage and family therapist associate, as defined in chapter 18.225 RCW; or

(c) A certified or licensed agency affiliated counselor, as defined in chapter 18.19 RCW;

(41) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(42) "Physician assistant" means a person licensed as a physician assistant under chapter 18.71A RCW;

(43) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with behavioral health disorders;

(44) "Professional person" means a mental health professional, substance use disorder professional, or designated crisis responder and shall also mean a physician, physician assistant, psychiatric advanced registered nurse practitioner, registered nurse, and

such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(45) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(46) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(47) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(48) "Public agency" means any evaluation and treatment facility or institution, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with behavioral health disorders, if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments;

(49) "Release" means legal termination of the commitment under the provisions of this chapter;

(50) "Resource management services" has the meaning given in chapter 71.24 RCW;

(51) "Secretary" means the secretary of the department of health, or his or her designee;

(52) "Secure withdrawal management and stabilization facility" means a facility operated by either a public or private agency or by the program of an agency which provides care to voluntary individuals and individuals involuntarily detained and committed under this chapter for whom there is a likelihood of serious harm or who are gravely disabled due to the presence of a substance use disorder. Secure withdrawal management and stabilization facilities must:

(a) Provide the following services:

(i) Assessment and treatment, provided by certified substance use disorder professionals or co-occurring disorder specialists;

(ii) Clinical stabilization services;

(iii) Acute or subacute detoxification services for intoxicated individuals; and

(iv) Discharge assistance provided by certified substance use disorder professionals or co-occurring disorder specialists, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Include security measures sufficient to protect the patients, staff, and community; and

(c) Be licensed or certified as such by the department of health;

(53) "Severe deterioration from safe behavior" means that a person will, if not treated, suffer or continue to suffer severe and abnormal mental, emotional, or physical distress, and this distress is associated with significant impairment of judgment, reason, or behavior;

(54) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(55) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances;

(56) "Substance use disorder professional" means a person certified as a substance use disorder professional by the department of health under chapter 18.205 RCW;

(57) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(58) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for behavioral health disorders, which are maintained by the department of social and health services, the department, the authority, behavioral health administrative services organizations and their staffs, managed care organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department of social and health services, the department, the authority, behavioral health administrative services organizations, managed care organizations, or a treatment facility if the notes or records are not available to others;

(59) "Tribe" has the same meaning as in RCW 71.24.025;

(60) "Video," unless the context clearly indicates otherwise, means the delivery of behavioral health services through the use of interactive audio and video technology, permitting real-time communication between a person and a designated crisis responder, for the purpose of evaluation. "Video" does not include the use of audio-only telephone, facsimile, email, or store and forward technology. "Store and forward technology" means use of an asynchronous transmission of a person's medical information from a mental health service provider to the designated crisis responder which results in medical diagnosis, consultation, or treatment;

~~((60))~~ (61) "Violent act" means behavior that resulted in homicide, attempted suicide, injury, or substantial loss or damage to property.

**Sec. 7.** RCW 71.34.020 and 2023 c 433 s 12 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a minor should be examined or treated as a patient in a hospital.

(2) "Adolescent" means a minor thirteen years of age or older.

(3) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(4) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to, atypical antipsychotic medications.

(5) "Approved substance use disorder treatment program" means a program for minors with substance use disorders provided by a treatment program licensed or certified by the department of health as meeting standards adopted under chapter 71.24 RCW.

(6) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a minor patient.

(7) "Authority" means the Washington state health care authority.

(8) "Behavioral health administrative services organization" has the same meaning as provided in RCW 71.24.025.

(9) "Behavioral health disorder" means either a mental disorder as defined in this section, a substance use disorder as defined in this section, or a co-occurring mental disorder and substance use disorder.

(10) "Child psychiatrist" means a person having a license as a physician and surgeon in this state, who has had graduate training in child psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and who is board eligible or board certified in child psychiatry.

(11) "Children's mental health specialist" means:

(a) A mental health professional who has completed a minimum of one hundred actual hours, not quarter or semester hours, of specialized training devoted to the study of child development and the treatment of children; and

(b) A mental health professional who has the equivalent of one year of full-time experience in the treatment of children under the supervision of a children's mental health specialist.



(12) "Commitment" means a determination by a judge or court commissioner, made after a commitment hearing, that the minor is in need of inpatient diagnosis, evaluation, or treatment or that the minor is in need of less restrictive alternative treatment.

(13) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms.

(14) "Co-occurring disorder specialist" means an individual possessing an enhancement granted by the department of health under chapter 18.205 RCW that certifies the individual to provide substance use disorder counseling subject to the practice limitations under RCW 18.205.105.

(15) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed or certified by the department of health under RCW 71.24.035, such as a residential treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization, or to determine the need for involuntary commitment of an individual.

(16) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment.

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

(18) "Designated crisis responder" has the same meaning as provided in RCW 71.05.020.

(19) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter.

(20) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary of the department.

(21) "Developmental disability" has the same meaning as defined in RCW 71A.10.020.

(22) "Director" means the director of the authority.

(23) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order.

(24) "Evaluation and treatment facility" means a public or private facility or unit that is licensed or certified by the department of health to provide emergency, inpatient, residential, or outpatient mental health evaluation and treatment services for minors. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility for minors. A facility which is part of or operated by the state or federal agency does not require licensure or

certification. No correctional institution or facility, juvenile court detention facility, or jail may be an evaluation and treatment facility within the meaning of this chapter.

(25) "Evaluation and treatment program" means the total system of services and facilities coordinated and approved by a county or combination of counties for the evaluation and treatment of minors under this chapter.

(26) "Gravely disabled minor" means a minor who, as a result of a behavioral health disorder, (a) is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety, or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety.

(27) "Habilitative services" means those services provided by program personnel to assist minors in acquiring and maintaining life skills and in raising their levels of physical, behavioral, social, and vocational functioning. Habilitative services include education, training for employment, and therapy.

(28) "Hearing" means any proceeding conducted in open court that conforms to the requirements of RCW 71.34.910.

(29) "History of one or more violent acts" refers to the period of time five years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility, a long-term substance use disorder treatment facility, or in confinement as a result of a criminal conviction.

(30) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which states:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences.

(31)(a) "Inpatient treatment" means twenty-four-hour-per-day mental health care provided within a general hospital, psychiatric hospital, residential treatment

facility licensed or certified by the department of health as an evaluation and treatment facility for minors, secure withdrawal management and stabilization facility for minors, or approved substance use disorder treatment program for minors.

(b) For purposes of family-initiated treatment under RCW 71.34.600 through 71.34.670, "inpatient treatment" has the meaning included in (a) of this subsection and any other residential treatment facility licensed under chapter 71.12 RCW.

(32) "Intoxicated minor" means a minor whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals.

(33) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter.

(34) "Kinship caregiver" has the same meaning as in RCW 74.13.031(~~(+19)(a)~~)(22)(a).

(35) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public behavioral health service providers under RCW 71.05.130.

(36) "Less restrictive alternative" or "less restrictive setting" means outpatient treatment provided to a minor as a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.34.755, including residential treatment.

(37) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

(38) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a minor upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a minor upon another individual, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a minor upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The minor has threatened the physical safety of another and has a history of one or more violent acts.

(39) "Managed care organization" has the same meaning as provided in RCW 71.24.025.

(40) "Medical clearance" means a physician or other health care provider, including an Indian health care provider, has determined that a person is medically stable and ready for referral to the designated crisis responder or facility. For a person presenting in the community, no medical clearance is required prior to investigation by a designated crisis responder.

(41) "Medical necessity" for inpatient care means a requested service which is reasonably calculated to: (a) Diagnose, correct, cure, or alleviate a mental disorder or substance use disorder; or (b) prevent the progression of a mental disorder

or substance use disorder that endangers life or causes suffering and pain, or results in illness or infirmity or threatens to cause or aggravate a disability, or causes physical deformity or malfunction, and there is no adequate less restrictive alternative available.

(42) "Mental disorder" means any organic, mental, or emotional impairment that has substantial adverse effects on an individual's cognitive or volitional functions. The presence of alcohol abuse, drug abuse, juvenile criminal history, antisocial behavior, or intellectual disabilities alone is insufficient to justify a finding of "mental disorder" within the meaning of this section.

(43) "Mental health professional" means a psychiatrist, psychiatric advanced registered nurse practitioner, physician assistant working with a supervising psychiatrist, psychologist, psychiatric nurse, social worker, and such other mental health professionals as defined by rules adopted by the secretary of the department of health under this chapter.

(44) "Minor" means any person under the age of eighteen years.

(45) "Outpatient treatment" means any of the nonresidential services mandated under chapter 71.24 RCW and provided by licensed or certified behavioral health agencies as identified by RCW 71.24.025.

(46)(a) "Parent" has the same meaning as defined in RCW 26.26A.010, including either parent if custody is shared under a joint custody agreement, or a person or agency judicially appointed as legal guardian or custodian of the child.

(b) For purposes of family-initiated treatment under RCW 71.34.600 through 71.34.670, "parent" also includes a person to whom a parent defined in (a) of this subsection has given a signed authorization to make health care decisions for the adolescent, a stepparent who is involved in caring for the adolescent, a kinship caregiver who is involved in caring for the adolescent, or another relative who is responsible for the health care of the adolescent, who may be required to provide a declaration under penalty of perjury stating that he or she is a relative responsible for the health care of the adolescent pursuant to chapter 5.50 RCW. If a dispute arises between individuals authorized to act as a parent for the purpose of RCW 71.34.600 through 71.34.670, the disagreement must be resolved according to the priority established under RCW 7.70.065(2)(a).

(47) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment.

(48) "Physician assistant" means a person licensed as a physician assistant under chapter 18.71A RCW.

(49) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, that constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use

disorder treatment program, that is conducted for, or includes a distinct unit, floor, or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders.

(50) "Professional person in charge" or "professional person" means a physician, other mental health professional, or other person empowered by an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program with authority to make admission and discharge decisions on behalf of that facility.

(51) "Psychiatric nurse" means a registered nurse who has experience in the direct treatment of persons who have a mental illness or who are emotionally disturbed, such experience gained under the supervision of a mental health professional.

(52) "Psychiatrist" means a person having a license as a physician in this state who has completed residency training in psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and is board eligible or board certified in psychiatry.

(53) "Psychologist" means a person licensed as a psychologist under chapter 18.83 RCW.

(54) "Public agency" means any evaluation and treatment facility or institution, or hospital, or approved substance use disorder treatment program that is conducted for, or includes a distinct unit, floor, or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments.

(55) "Release" means legal termination of the commitment under the provisions of this chapter.

(56) "Resource management services" has the meaning given in chapter 71.24 RCW.

(57) "Responsible other" means the minor, the minor's parent or estate, or any other person legally responsible for support of the minor.

(58) "Secretary" means the secretary of the department or secretary's designee.

(59) "Secure withdrawal management and stabilization facility" means a facility operated by either a public or private agency or by the program of an agency which provides care to voluntary individuals and individuals involuntarily detained and committed under this chapter for whom there is a likelihood of serious harm or who are gravely disabled due to the presence of a substance use disorder. Secure withdrawal management and stabilization facilities must:

(a) Provide the following services:

(i) Assessment and treatment, provided by certified substance use disorder professionals or co-occurring disorder specialists;

(ii) Clinical stabilization services;

(iii) Acute or subacute detoxification services for intoxicated individuals; and

(iv) Discharge assistance provided by certified substance use disorder professionals or co-occurring disorder specialists, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Include security measures sufficient to protect the patients, staff, and community; and

(c) Be licensed or certified as such by the department of health.

(60) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010.

(61) "Start of initial detention" means the time of arrival of the minor at the first evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program offering inpatient treatment if the minor is being involuntarily detained at the time. With regard to voluntary patients, "start of initial detention" means the time at which the minor gives notice of intent to leave under the provisions of this chapter.

(62) "Store and forward technology" means use of an asynchronous transmission of a person's medical information from a mental health service provider to the designated crisis responder which results in medical diagnosis, consultation, or treatment.

(63) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

(64) "Substance use disorder professional" means a person certified as a substance use disorder professional by the department of health under chapter 18.205 RCW.

(65) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties.

(66) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, the department of health, the authority, behavioral health organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, the department of health, the authority, behavioral health

organizations, or a treatment facility if the notes or records are not available to others.

(67) "Tribe" has the same meaning as in RCW 71.24.025.

(68) "Video" means the delivery of behavioral health services through the use of interactive audio and video technology, permitting real-time communication between a person and a designated crisis responder, for the purpose of evaluation. "Video" does not include the use of audio-only telephone, facsimile, email, or store and forward technology.

~~((69))~~ (69) "Violent act" means behavior that resulted in homicide, attempted suicide, injury, or substantial loss or damage to property.

**Sec. 8.** RCW 71.34.020 and 2023 c 433 s 13 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a minor should be examined or treated as a patient in a hospital.

(2) "Adolescent" means a minor thirteen years of age or older.

(3) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(4) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to, atypical antipsychotic medications.

(5) "Approved substance use disorder treatment program" means a program for minors with substance use disorders provided by a treatment program licensed or certified by the department of health as meeting standards adopted under chapter 71.24 RCW.

(6) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a minor patient.

(7) "Authority" means the Washington state health care authority.

(8) "Behavioral health administrative services organization" has the same meaning as provided in RCW 71.24.025.

(9) "Behavioral health disorder" means either a mental disorder as defined in this section, a substance use disorder as defined in this section, or a co-occurring mental disorder and substance use disorder.

(10) "Child psychiatrist" means a person having a license as a physician and surgeon in this state, who has had graduate training in child psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and who is board eligible or board certified in child psychiatry.

(11) "Children's mental health specialist" means:

(a) A mental health professional who has completed a minimum of one hundred actual hours, not quarter or semester hours, of specialized training devoted to the study of child development and the treatment of children; and

(b) A mental health professional who has the equivalent of one year of full-time experience in the treatment of children under the supervision of a children's mental health specialist.

(12) "Commitment" means a determination by a judge or court commissioner, made after a commitment hearing, that the minor is in need of inpatient diagnosis, evaluation, or treatment or that the minor is in need of less restrictive alternative treatment.

(13) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms.

(14) "Co-occurring disorder specialist" means an individual possessing an enhancement granted by the department of health under chapter 18.205 RCW that certifies the individual to provide substance use disorder counseling subject to the practice limitations under RCW 18.205.105.

(15) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed or certified by the department of health under RCW 71.24.035, such as a residential treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization, or to determine the need for involuntary commitment of an individual.

(16) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment.

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

(18) "Designated crisis responder" has the same meaning as provided in RCW 71.05.020.

(19) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter.

(20) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary of the department.

(21) "Developmental disability" has the same meaning as defined in RCW 71A.10.020.

(22) "Director" means the director of the authority.

(23) "Discharge" means the termination of hospital medical authority. The commitment

may remain in place, be terminated, or be amended by court order.

(24) "Evaluation and treatment facility" means a public or private facility or unit that is licensed or certified by the department of health to provide emergency, inpatient, residential, or outpatient mental health evaluation and treatment services for minors. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility for minors. A facility which is part of or operated by the state or federal agency does not require licensure or certification. No correctional institution or facility, juvenile court detention facility, or jail may be an evaluation and treatment facility within the meaning of this chapter.

(25) "Evaluation and treatment program" means the total system of services and facilities coordinated and approved by a county or combination of counties for the evaluation and treatment of minors under this chapter.

(26) "Gravely disabled minor" means a minor who, as a result of a behavioral health disorder, (a) is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety, or (b) manifests severe deterioration from safe behavior evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety.

(27) "Habilitative services" means those services provided by program personnel to assist minors in acquiring and maintaining life skills and in raising their levels of physical, behavioral, social, and vocational functioning. Habilitative services include education, training for employment, and therapy.

(28) "Hearing" means any proceeding conducted in open court that conforms to the requirements of RCW 71.34.910.

(29) "History of one or more violent acts" refers to the period of time five years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility, a long-term substance use disorder treatment facility, or in confinement as a result of a criminal conviction.

(30) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which states:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences.

(31)(a) "Inpatient treatment" means twenty-four-hour-per-day mental health care provided within a general hospital, psychiatric hospital, residential treatment facility licensed or certified by the department of health as an evaluation and treatment facility for minors, secure withdrawal management and stabilization facility for minors, or approved substance use disorder treatment program for minors.

(b) For purposes of family-initiated treatment under RCW 71.34.600 through 71.34.670, "inpatient treatment" has the meaning included in (a) of this subsection and any other residential treatment facility licensed under chapter 71.12 RCW.

(32) "Intoxicated minor" means a minor whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals.

(33) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter.

(34) "Kinship caregiver" has the same meaning as in RCW 74.13.031(~~(19)(a)~~) (22)(a).

(35) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public behavioral health service providers under RCW 71.05.130.

(36) "Less restrictive alternative" or "less restrictive setting" means outpatient treatment provided to a minor as a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.34.755, including residential treatment.

(37) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

(38) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a minor upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a minor upon another individual, as evidenced by behavior which has caused harm, substantial pain, or which places another person or persons in reasonable fear of harm to themselves or others; or (iii) physical harm will be inflicted by a minor upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The minor has threatened the physical safety of another and has a history of one or more violent acts.

(39) "Managed care organization" has the same meaning as provided in RCW 71.24.025.

(40) "Medical clearance" means a physician or other health care provider, including an Indian health care provider, has determined that a person is medically stable and ready for referral to the designated crisis responder or facility. For a person presenting in the community, no medical clearance is required prior to investigation by a designated crisis responder.

(41) "Medical necessity" for inpatient care means a requested service which is reasonably calculated to: (a) Diagnose, correct, cure, or alleviate a mental disorder or substance use disorder; or (b) prevent the progression of a mental disorder or substance use disorder that endangers life or causes suffering and pain, or results in illness or infirmity or threatens to cause or aggravate a disability, or causes physical deformity or malfunction, and there is no adequate less restrictive alternative available.

(42) "Mental disorder" means any organic, mental, or emotional impairment that has substantial adverse effects on an individual's cognitive or volitional functions. The presence of alcohol abuse, drug abuse, juvenile criminal history, antisocial behavior, or intellectual disabilities alone is insufficient to justify a finding of "mental disorder" within the meaning of this section.

(43) "Mental health professional" means a psychiatrist, psychiatric advanced registered nurse practitioner, physician assistant working with a supervising psychiatrist, psychologist, psychiatric nurse, social worker, and such other mental health professionals as defined by rules adopted by the secretary of the department of health under this chapter.

(44) "Minor" means any person under the age of eighteen years.

(45) "Outpatient treatment" means any of the nonresidential services mandated under chapter 71.24 RCW and provided by licensed or certified behavioral health agencies as identified by RCW 71.24.025.

(46) (a) "Parent" has the same meaning as defined in RCW 26.26A.010, including either parent if custody is shared under a joint custody agreement, or a person or agency judicially appointed as legal guardian or custodian of the child.

(b) For purposes of family-initiated treatment under RCW 71.34.600 through 71.34.670, "parent" also includes a person to whom a parent defined in (a) of this subsection has given a signed authorization to make health care decisions for the adolescent, a stepparent who is involved in caring for the adolescent, a kinship caregiver who is involved in caring for the adolescent, or another relative who is responsible for the health care of the adolescent, who may be required to provide a declaration under penalty of perjury stating that he or she is a relative responsible for the health care of the adolescent pursuant to chapter 5.50 RCW. If a dispute arises between individuals authorized to act as a parent for the purpose of RCW 71.34.600 through 71.34.670, the disagreement must be resolved according to the priority established under RCW 7.70.065(2) (a).

(47) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment.

(48) "Physician assistant" means a person licensed as a physician assistant under chapter 18.71A RCW.

(49) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, that constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program, that is conducted for, or includes a distinct unit, floor, or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders.

(50) "Professional person in charge" or "professional person" means a physician, other mental health professional, or other person empowered by an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program with authority to make admission and discharge decisions on behalf of that facility.

(51) "Psychiatric nurse" means a registered nurse who has experience in the direct treatment of persons who have a mental illness or who are emotionally disturbed, such experience gained under the supervision of a mental health professional.

(52) "Psychiatrist" means a person having a license as a physician in this state who has completed residency training in psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and is board eligible or board certified in psychiatry.

(53) "Psychologist" means a person licensed as a psychologist under chapter 18.83 RCW.

(54) "Public agency" means any evaluation and treatment facility or institution, or hospital, or approved substance use disorder treatment program that is conducted for, or includes a distinct unit, floor, or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments.

(55) "Release" means legal termination of the commitment under the provisions of this chapter.

(56) "Resource management services" has the meaning given in chapter 71.24 RCW.

(57) "Responsible other" means the minor, the minor's parent or estate, or any other person legally responsible for support of the minor.

(58) "Secretary" means the secretary of the department or secretary's designee.

(59) "Secure withdrawal management and stabilization facility" means a facility operated by either a public or private agency or by the program of an agency which provides care to voluntary individuals and

individuals involuntarily detained and committed under this chapter for whom there is a likelihood of serious harm or who are gravely disabled due to the presence of a substance use disorder. Secure withdrawal management and stabilization facilities must:

(a) Provide the following services:

(i) Assessment and treatment, provided by certified substance use disorder professionals or co-occurring disorder specialists;

(ii) Clinical stabilization services;

(iii) Acute or subacute detoxification services for intoxicated individuals; and

(iv) Discharge assistance provided by certified substance use disorder professionals or co-occurring disorder specialists, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Include security measures sufficient to protect the patients, staff, and community; and

(c) Be licensed or certified as such by the department of health.

(60) "Severe deterioration from safe behavior" means that a person will, if not treated, suffer or continue to suffer severe and abnormal mental, emotional, or physical distress, and this distress is associated with significant impairment of judgment, reason, or behavior.

(61) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010.

(62) "Start of initial detention" means the time of arrival of the minor at the first evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program offering inpatient treatment if the minor is being involuntarily detained at the time. With regard to voluntary patients, "start of initial detention" means the time at which the minor gives notice of intent to leave under the provisions of this chapter.

(63) "Store and forward technology" means use of an asynchronous transmission of a person's medical information from a mental health service provider to the designated crisis responder which results in medical diagnosis, consultation, or treatment.

(64) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

(65) "Substance use disorder professional" means a person certified as a substance use disorder professional by the department of health under chapter 18.205 RCW.

(66) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court

personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties.

(67) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, the department of health, the authority, behavioral health organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, the department of health, the authority, behavioral health organizations, or a treatment facility if the notes or records are not available to others.

(68) "Tribe" has the same meaning as in RCW 71.24.025.

(69) "Video" means the delivery of behavioral health services through the use of interactive audio and video technology, permitting real-time communication between a person and a designated crisis responder, for the purpose of evaluation. "Video" does not include the use of audio-only telephone, facsimile, email, or store and forward technology.

~~((69))~~ (70) "Violent act" means behavior that resulted in homicide, attempted suicide, injury, or substantial loss or damage to property.

**Sec. 9.** RCW 71.05.148 and 2022 c 210 s 3 are each amended to read as follows:

(1) A person is in need of assisted outpatient treatment if the court finds by clear, cogent, and convincing evidence pursuant to a petition filed under this section that:

(a) The person has a behavioral health disorder;

(b) Based on a clinical determination and in view of the person's treatment history and current behavior, at least one of the following is true:

(i) The person is unlikely to survive safely in the community without supervision and the person's condition is substantially deteriorating; or

(ii) The person is in need of assisted outpatient treatment in order to prevent a relapse or deterioration that would be likely to result in grave disability or a likelihood of serious harm to the person or to others;

(c) The person has a history of lack of compliance with treatment for his or her behavioral health disorder that has:

(i) At least twice within the 36 months prior to the filing of the petition been a significant factor in necessitating hospitalization of the person, or the person's receipt of services in a forensic or other mental health unit of a state or tribal correctional facility or local correctional facility, provided that the 36-

month period shall be extended by the length of any hospitalization or incarceration of the person that occurred within the 36-month period;

(ii) At least twice within the 36 months prior to the filing of the petition been a significant factor in necessitating emergency medical care or hospitalization for behavioral health-related medical conditions including overdose, infected abscesses, sepsis, endocarditis, or other maladies, or a significant factor in behavior which resulted in the person's incarceration in a state, tribal, or local correctional facility; or

(iii) Resulted in one or more violent acts, threats, or attempts to cause serious physical harm to the person or another within the 48 months prior to the filing of the petition, provided that the 48-month period shall be extended by the length of any hospitalization or incarceration of the person that occurred during the 48-month period;

(d) Participation in an assisted outpatient treatment program would be the least restrictive alternative necessary to ensure the person's recovery and stability; and

(e) The person will benefit from assisted outpatient treatment.

(2) The following individuals may directly file a petition for less restrictive alternative treatment on the basis that a person is in need of assisted outpatient treatment:

(a) The director of a hospital where the person is hospitalized or the director's designee;

(b) The director of a behavioral health service provider providing behavioral health care or residential services to the person or the director's designee;

(c) The person's treating mental health professional or substance use disorder professional or one who has evaluated the person;

(d) A designated crisis responder;

(e) A release planner from a corrections facility; or

(f) An emergency room physician.

(3) A court order for less restrictive alternative treatment on the basis that the person is in need of assisted outpatient treatment may be effective for up to 18 months. The petitioner must personally interview the person, unless the person refuses an interview, to determine whether the person will voluntarily receive appropriate treatment.

(4) The petitioner must allege specific facts based on personal observation, evaluation, or investigation, and must consider the reliability or credibility of any person providing information material to the petition.

(5) The petition must include:

(a) A statement of the circumstances under which the person's condition was made known and the basis for the opinion, from personal observation or investigation, that the person is in need of assisted outpatient treatment. The petitioner must state which specific facts come from personal observation and specify what other sources

of information the petitioner has relied upon to form this belief;

(b) A declaration from a physician, physician assistant, advanced registered nurse practitioner, or the person's treating mental health professional or substance use disorder professional, who has examined the person no more than 10 days prior to the submission of the petition and who is willing to testify in support of the petition, or who alternatively has made appropriate attempts to examine the person within the same period but has not been successful in obtaining the person's cooperation, and who is willing to testify to the reasons they believe that the person meets the criteria for assisted outpatient treatment. If the declaration is provided by the person's treating mental health professional or substance use disorder professional, it must be cosigned by a supervising physician, physician assistant, or advanced registered nurse practitioner who certifies that they have reviewed the declaration;

(c) The declarations of additional witnesses, if any, supporting the petition for assisted outpatient treatment;

(d) The name of an agency, provider, or facility that agrees to provide less restrictive alternative treatment if the petition is granted by the court; and

(e) If the person is detained in a state hospital, inpatient treatment facility, jail, or correctional facility at the time the petition is filed, the anticipated release date of the person and any other details needed to facilitate successful reentry and transition into the community.

(6)(a) Upon receipt of a petition meeting all requirements of this section, the court shall fix a date for a hearing:

(i) No sooner than three days or later than seven days after the date of service or as stipulated by the parties or, upon a showing of good cause, no later than 30 days after the date of service; or

(ii) If the respondent is hospitalized at the time of filing of the petition, before discharge of the respondent and in sufficient time to arrange for a continuous transition from inpatient treatment to assisted outpatient treatment.

(b) A copy of the petition and notice of hearing shall be served, in the same manner as a summons, on the petitioner, the respondent, the qualified professional whose affidavit accompanied the petition, a current provider, if any, and a surrogate decision maker or agent under chapter 71.32 RCW, if any.

(c) If the respondent has a surrogate decision maker or agent under chapter 71.32 RCW who wishes to provide testimony at the hearing, the court shall afford the surrogate decision maker or agent an opportunity to testify.

(d) The respondent shall be represented by counsel at all stages of the proceedings.

(e) If the respondent fails to appear at the hearing after notice, the court may conduct the hearing in the respondent's absence; provided that the respondent's counsel is present.

(f) If the respondent has refused to be examined by the qualified professional whose



affidavit accompanied the petition, the court may order a mental examination of the respondent. The examination of the respondent may be performed by the qualified professional whose affidavit accompanied the petition. If the examination is performed by another qualified professional, the examining qualified professional shall be authorized to consult with the qualified professional whose affidavit accompanied the petition.

(g) If the respondent has refused to be examined by a qualified professional and the court finds reasonable grounds to believe that the allegations of the petition are true, the court may issue a written order directing a peace officer who has completed crisis intervention training to detain and transport the respondent to a provider for examination by a qualified professional. A respondent detained pursuant to this subsection shall be detained no longer than necessary to complete the examination and in no event longer than 24 hours.

(7) If the petition involves a person whom the petitioner or behavioral health administrative services organization knows, or has reason to know, is an American Indian or Alaska Native who receives medical or behavioral health services from a tribe within this state, the petitioner or behavioral health administrative services organization shall notify the tribe and Indian health care provider. Notification shall be made in person or by telephonic or electronic communication to the tribal contact listed in the authority's tribal crisis coordination plan as soon as possible, but before the hearing and no later than 24 hours from the time the petition is served upon the person and the person's guardian. The notice to the tribe or Indian health care provider must include a copy of the petition, together with any orders issued by the court and a notice of the tribe's right to intervene. The court clerk shall provide copies of any court orders necessary for the petitioner or the behavioral health administrative services organization to provide notice to the tribe or Indian health care provider under this section.

(8) A petition for assisted outpatient treatment filed under this section shall be adjudicated under RCW 71.05.240.

(9) After January 1, 2023, a petition for assisted outpatient treatment must be filed on forms developed by the administrative office of the courts.

**Sec. 10.** RCW 71.34.815 and 2022 c 210 s 4 are each amended to read as follows:

(1) An adolescent is in need of assisted outpatient treatment if the court finds by clear, cogent, and convincing evidence in response to a petition filed under this section that:

(a) The adolescent has a behavioral health disorder;

(b) Based on a clinical determination and in view of the adolescent's treatment history and current behavior, at least one of the following is true:

(i) The adolescent is unlikely to survive safely in the community without supervision

and the adolescent's condition is substantially deteriorating; or

(ii) The adolescent is in need of assisted outpatient treatment in order to prevent a relapse or deterioration that would be likely to result in grave disability or a likelihood of serious harm to the adolescent or to others;

(c) The adolescent has a history of lack of compliance with treatment for his or her behavioral health disorder that has:

(i) At least twice within the 36 months prior to the filing of the petition been a significant factor in necessitating hospitalization of the adolescent, or the adolescent's receipt of services in a forensic or other mental health unit of a state ~~((correctional facility or))~~, local, or tribal correctional facility, provided that the 36-month period shall be extended by the length of any hospitalization or incarceration of the adolescent that occurred within the 36-month period;

(ii) At least twice within the 36 months prior to the filing of the petition been a significant factor in necessitating emergency medical care or hospitalization for behavioral health-related medical conditions including overdose, infected abscesses, sepsis, endocarditis, or other maladies, or a significant factor in behavior which resulted in the adolescent's incarceration in a state ~~((or))~~, local, or tribal correctional facility; or

(iii) Resulted in one or more violent acts, threats, or attempts to cause serious physical harm to the adolescent or another within the 48 months prior to the filing of the petition, provided that the 48-month period shall be extended by the length of any hospitalization or incarceration of the person that occurred during the 48-month period;

(d) Participation in an assisted outpatient treatment program would be the least restrictive alternative necessary to ensure the adolescent's recovery and stability; and

(e) The adolescent will benefit from assisted outpatient treatment.

(2) The following individuals may directly file a petition for less restrictive alternative treatment on the basis that an adolescent is in need of assisted outpatient treatment:

(a) The director of a hospital where the adolescent is hospitalized or the director's designee;

(b) The director of a behavioral health service provider providing behavioral health care or residential services to the adolescent or the director's designee;

(c) The adolescent's treating mental health professional or substance use disorder professional or one who has evaluated the person;

(d) A designated crisis responder;

(e) A release planner from a juvenile detention or rehabilitation facility; or

(f) An emergency room physician.

(3) A court order for less restrictive alternative treatment on the basis that the adolescent is in need of assisted outpatient treatment may be effective for up to 18 months. The petitioner must personally interview the adolescent, unless the

adolescent refuses an interview, to determine whether the adolescent will voluntarily receive appropriate treatment.

(4) The petitioner must allege specific facts based on personal observation, evaluation, or investigation, and must consider the reliability or credibility of any person providing information material to the petition.

(5) The petition must include:

(a) A statement of the circumstances under which the adolescent's condition was made known and the basis for the opinion, from personal observation or investigation, that the adolescent is in need of assisted outpatient treatment. The petitioner must state which specific facts come from personal observation and specify what other sources of information the petitioner has relied upon to form this belief;

(b) A declaration from a physician, physician assistant, or advanced registered nurse practitioner, or the adolescent's treating mental health professional or substance use disorder professional, who has examined the adolescent no more than 10 days prior to the submission of the petition and who is willing to testify in support of the petition, or who alternatively has made appropriate attempts to examine the adolescent within the same period but has not been successful in obtaining the adolescent's cooperation, and who is willing to testify to the reasons they believe that the adolescent meets the criteria for assisted outpatient treatment. If the declaration is provided by the adolescent's treating mental health professional or substance use disorder professional, it must be signed by a supervising physician, physician assistant, or advanced registered nurse practitioner who certifies that they have reviewed the declaration;

(c) The declarations of additional witnesses, if any, supporting the petition for assisted outpatient treatment;

(d) The name of an agency, provider, or facility that agrees to provide less restrictive alternative treatment if the petition is granted by the court; and

(e) If the adolescent is detained in a state hospital, inpatient treatment facility, or juvenile detention or rehabilitation facility at the time the petition is filed, the anticipated release date of the adolescent and any other details needed to facilitate successful reentry and transition into the community.

(6) (a) Upon receipt of a petition meeting all requirements of this section, the court shall fix a date for a hearing:

(i) No sooner than three days or later than seven days after the date of service or as stipulated by the parties or, upon a showing of good cause, no later than 30 days after the date of service; or

(ii) If the adolescent is hospitalized at the time of filing of the petition, before discharge of the adolescent and in sufficient time to arrange for a continuous transition from inpatient treatment to assisted outpatient treatment.

(b) A copy of the petition and notice of hearing shall be served, in the same manner as a summons, on the petitioner, the adolescent, the qualified professional whose

affidavit accompanied the petition, a current provider, if any, and a surrogate decision maker or agent under chapter 71.32 RCW, if any.

(c) If the adolescent has a surrogate decision maker or agent under chapter 71.32 RCW who wishes to provide testimony at the hearing, the court shall afford the surrogate decision maker or agent an opportunity to testify.

(d) The adolescent shall be represented by counsel at all stages of the proceedings.

(e) If the adolescent fails to appear at the hearing after notice, the court may conduct the hearing in the adolescent's absence; provided that the adolescent's counsel is present.

(f) If the adolescent has refused to be examined by the qualified professional whose affidavit accompanied the petition, the court may order a mental examination of the adolescent. The examination of the adolescent may be performed by the qualified professional whose affidavit accompanied the petition. If the examination is performed by another qualified professional, the examining qualified professional shall be authorized to consult with the qualified professional whose affidavit accompanied the petition.

(g) If the adolescent has refused to be examined by a qualified professional and the court finds reasonable grounds to believe that the allegations of the petition are true, the court may issue a written order directing a peace officer who has completed crisis intervention training to detain and transport the adolescent to a provider for examination by a qualified professional. An adolescent detained pursuant to this subsection shall be detained no longer than necessary to complete the examination and in no event longer than 24 hours. All papers in the court file must be provided to the adolescent's designated attorney.

(7) If the petition involves an adolescent whom the petitioner or behavioral health administrative services organization knows, or has reason to know, is an American Indian or Alaska Native who receives medical or behavioral health services from a tribe within this state, the petitioner or behavioral health administrative services organization shall notify the tribe and Indian health care provider. Notification shall be made in person or by telephonic or electronic communication to the tribal contact listed in the authority's tribal crisis coordination plan as soon as possible, but before the hearing and no later than 24 hours from the time the petition is served upon the person and the person's guardian. The notice to the tribe or Indian health care provider must include a copy of the petition, together with any orders issued by the court and a notice of the tribe's right to intervene. The court clerk shall provide copies of any court orders necessary for the petitioner or the behavioral health administrative services organization to provide notice to the tribe or Indian health care provider under this section.

(8) A petition for assisted outpatient treatment filed under this section shall be adjudicated under RCW 71.34.740.

(9) After January 1, 2023, a petition for assisted outpatient treatment must be filed on forms developed by the administrative office of the courts.

**Sec. 11.** RCW 71.05.150 and 2023 c 433 s 6 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as a result of a behavioral health disorder, presents a likelihood of serious harm or is gravely disabled, the designated crisis responder may, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of any person providing information to initiate detention, if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention under this section. Before filing the petition, the designated crisis responder must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility, crisis stabilization unit, 23-hour crisis relief center, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. As part of the assessment, the designated crisis responder must attempt to ascertain if the person has executed a mental health advance directive under chapter 71.32 RCW. The interview performed by the designated crisis responder may be conducted by video provided that a licensed health care professional or professional person who can adequately and accurately assist with obtaining any necessary information is present with the person at the time of the interview.

(2) (a) A superior court judge may issue a warrant to detain a person with a behavioral health disorder to a designated evaluation and treatment facility, a secure withdrawal management and stabilization facility, or an approved substance use disorder treatment program, for a period of not more than ~~((one hundred twenty))~~ 120 hours for evaluation and treatment upon request of a designated crisis responder, subject to (d) of this subsection, whenever it appears to the satisfaction of the judge that:

(i) There is probable cause to support the petition; and

(ii) The person has refused or failed to accept appropriate evaluation and treatment voluntarily.

(b) The petition for initial detention, signed under penalty of perjury, or sworn telephonic testimony may be considered by the court in determining whether there are sufficient grounds for issuing the order.

(c) The order shall designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.

(d) A court may not issue an order to detain a person to a secure withdrawal management and stabilization facility or approved substance use disorder treatment

program unless there is an available secure withdrawal management and stabilization facility or approved substance use disorder treatment program that has adequate space for the person.

(e) If the court does not issue an order to detain a person pursuant to this subsection (2), the court shall issue an order to dismiss the initial petition.

(3) The designated crisis responder shall then serve or cause to be served on such person and his or her guardian, if any, a copy of the order together with a notice of rights, and a petition for initial detention. After service on such person the designated crisis responder shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, and the designated attorney. The designated crisis responder shall notify the court and the prosecuting attorney that a probable cause hearing will be held within ~~((one hundred twenty))~~ 120 hours of the date and time of outpatient evaluation or admission to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. The person shall be permitted to be accompanied by one or more of his or her relatives, friends, an attorney, a personal physician, or other professional or religious advisor or traditional cultural healer to the place of evaluation. An attorney accompanying the person to the place of evaluation shall be permitted to be present during the admission evaluation. Any other individual accompanying the person may be present during the admission evaluation. The facility may exclude the individual if his or her presence would present a safety risk, delay the proceedings, or otherwise interfere with the evaluation.

(4) The designated crisis responder may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. At the time such person is taken into custody there shall commence to be served on such person, his or her guardian, and conservator, if any, a copy of the original order together with a notice of rights and a petition for initial detention.

(5) ~~((Tribal court orders for involuntary commitment shall be recognized and enforced in accordance with superior court civil rule 92.5.~~

~~(6))~~ In any investigation and evaluation of an individual under this section or RCW 71.05.153 in which the designated crisis responder knows, or has reason to know, that the individual is an American Indian or Alaska Native who receives medical or behavioral health services from a tribe within this state, the designated crisis responder shall notify the tribe and Indian health care provider ~~((regarding))~~ whether or not a petition for initial detention or involuntary outpatient treatment will be

~~filed (( Notification )) as soon as possible, but no later than three hours from the time the decision is made. If a petition for initial detention or involuntary outpatient treatment is filed, the designated crisis responder must provide the tribe and Indian health care provider with a copy of the petition, together with any orders issued by the court and a notice of the tribe's right to intervene as soon as possible, but before the hearing, and no later than 24 hours from the time the petition is served upon the person and the person's guardian. The court clerk shall provide copies of any court orders necessary for the designated crisis responder to provide notice to the tribe or Indian health care provider under this section. Notification under this section is subject to any federal and state laws and regulations including the requirements in RCW 70.02.230 (2)(ee) and (3) and shall be made in person or by telephonic or electronic communication to the tribal contact listed in the authority's tribal crisis coordination plan ((as soon as possible but no later than three hours subject to the requirements in RCW 70.02.230 (2)(ee) and (3)). A designated crisis responder may restrict the release of information as necessary to comply with 42 C.F.R. Part 2)).~~

**Sec. 12.** RCW 71.05.150 and 2023 c 433 s 7 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as a result of a behavioral health disorder, presents a likelihood of serious harm or is gravely disabled, the designated crisis responder may, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of any person providing information to initiate detention, if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention under this section. Before filing the petition, the designated crisis responder must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility, crisis stabilization unit, 23-hour crisis relief center, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. As part of the assessment, the designated crisis responder must attempt to ascertain if the person has executed a mental health advance directive under chapter 71.32 RCW. The interview performed by the designated crisis responder may be conducted by video provided that a licensed health care professional or professional person who can adequately and accurately assist with obtaining any necessary information is present with the person at the time of the interview.

(2)(a) A superior court judge may issue a warrant to detain a person with a behavioral health disorder to a designated evaluation and treatment facility, a secure withdrawal management and stabilization facility, or an

approved substance use disorder treatment program, for a period of not more than ~~((one hundred twenty))~~ 120 hours for evaluation and treatment upon request of a designated crisis responder whenever it appears to the satisfaction of the judge that:

(i) There is probable cause to support the petition; and

(ii) The person has refused or failed to accept appropriate evaluation and treatment voluntarily.

(b) The petition for initial detention, signed under penalty of perjury, or sworn telephonic testimony may be considered by the court in determining whether there are sufficient grounds for issuing the order.

(c) The order shall designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.

(d) If the court does not issue an order to detain a person pursuant to this subsection (2), the court shall issue an order to dismiss the initial petition.

(3) The designated crisis responder shall then serve or cause to be served on such person and his or her guardian, if any, a copy of the order together with a notice of rights, and a petition for initial detention. After service on such person the designated crisis responder shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, and the designated attorney. The designated crisis responder shall notify the court and the prosecuting attorney that a probable cause hearing will be held within ~~((one hundred twenty))~~ 120 hours of the date and time of outpatient evaluation or admission to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. The person shall be permitted to be accompanied by one or more of his or her relatives, friends, an attorney, a personal physician, or other professional or religious advisor or traditional cultural healer to the place of evaluation. An attorney accompanying the person to the place of evaluation shall be permitted to be present during the admission evaluation. Any other individual accompanying the person may be present during the admission evaluation. The facility may exclude the individual if his or her presence would present a safety risk, delay the proceedings, or otherwise interfere with the evaluation.

(4) The designated crisis responder may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. At the time such person is taken into custody there shall commence to be served on such person, his or her guardian, and conservator, if any, a copy of the

original order together with a notice of rights and a petition for initial detention.

~~(5) ((Tribal court orders for involuntary commitment shall be recognized and enforced in accordance with superior court civil rule 82.5-~~

~~(6)) In any investigation and evaluation of an individual under this section or RCW 71.05.153 in which the designated crisis responder knows, or has reason to know, that the individual is an American Indian or Alaska Native who receives medical or behavioral health services from a tribe within this state, the designated crisis responder shall notify the tribe and Indian health care provider ((regarding)) whether or not a petition for initial detention or involuntary outpatient treatment will be filed ((Notification)) as soon as possible, but no later than three hours from the time the decision is made. If a petition for initial detention or involuntary outpatient treatment is filed, the designated crisis responder must provide the tribe and Indian health care provider with a copy of the petition, together with any orders issued by the court and a notice of the tribe's right to intervene as soon as possible, but before the hearing, and no later than 24 hours from the time the petition is served upon the person and the person's guardian. The court clerk shall provide copies of any court orders necessary for the designated crisis responder to provide notice to the tribe or Indian health care provider under this section. Notification under this section is subject to any federal and state laws and regulations including the requirements in RCW 70.02.230 (2)(ee) and (3) and shall be made in person or by telephonic or electronic communication to the tribal contact listed in the authority's tribal crisis coordination plan ((as soon as possible but no later than three hours subject to the requirements in RCW 70.02.230 (2)(cc) and (3)). A designated crisis responder may restrict the release of information as necessary to comply with 42 C.F.R. Part 2)).~~

**Sec. 13.** RCW 71.34.710 and 2021 c 264 s 31 are each amended to read as follows:

(1)(a) When a designated crisis responder receives information that an adolescent as a result of a behavioral health disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the adolescent, or cause the adolescent to be taken, into custody and transported to an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program providing inpatient treatment.

A secure withdrawal management and stabilization facility or approved substance use disorder treatment program must be available and have adequate space for the adolescent.

(b) If a designated crisis responder decides not to detain an adolescent for evaluation and treatment under RCW 71.34.700(2), or ~~((forty-eight))~~ 48 hours have elapsed since a designated crisis responder received a request for investigation and the designated crisis responder has not taken action to have the adolescent detained, an immediate family member or guardian or conservator of the adolescent, or a ~~((federally recognized Indian))~~ tribe if the person is a member of such tribe, may petition the superior court for the adolescent's detention using the procedures under RCW 71.05.201 and 71.05.203; however, when the court enters an order of initial detention, except as otherwise expressly stated in this chapter, all procedures must be followed as if the order has been entered under (a) of this subsection.

(c) The interview performed by the designated crisis responder may be conducted by video provided that a licensed health care professional or professional person who can adequately and accurately assist with obtaining any necessary information is present with the person at the time of the interview.

(2)(a) Within ~~((twelve))~~ 12 hours of the adolescent's arrival at the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, the designated crisis responder shall serve or cause to be served on the adolescent a copy of the petition for initial detention, notice of initial detention, and statement of rights. The designated crisis responder shall file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service. The designated crisis responder shall commence service of the petition for initial detention and notice of the initial detention on the adolescent's parent and the adolescent's attorney as soon as possible following the initial detention.

(b) The facility or program may serve the adolescent, notify the adolescent's parents and the adolescent's attorney, and file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service when filing with the court at the request of the designated crisis responder.

(3)(a) At the time of initial detention, the designated crisis responder shall advise the adolescent both orally and in writing that if admitted to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program for inpatient treatment, a commitment hearing shall be held within ~~((one hundred twenty))~~ 120 hours of the adolescent's provisional acceptance to determine whether probable cause exists to commit the adolescent for further treatment.

(b) The adolescent shall be advised that he or she has a right to communicate

immediately with an attorney and that he or she has a right to have an attorney appointed to represent him or her before and at the hearing if the adolescent is indigent.

(4) Subject to subsection (5) of this section, whenever the designated crisis responder petitions for detention of an adolescent under this chapter, an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program providing ~~((one hundred twenty))~~ 120-hour evaluation and treatment must immediately accept on a provisional basis the petition and the person. Within ~~((twenty-four))~~ 24 hours of the adolescent's arrival, the facility must evaluate the adolescent's condition and either admit or release the adolescent in accordance with this chapter.

(5) A designated crisis responder may not petition for detention of an adolescent to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program unless there is a secure withdrawal management and stabilization facility or approved substance use disorder treatment program available and that has adequate space for the adolescent.

(6) If an adolescent is not approved for admission by the inpatient evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, the facility shall make such recommendations and referrals for further care and treatment of the adolescent as necessary.

(7) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section, based on the purpose of this chapter under RCW 71.34.010, except in the few cases where the facility staff or the designated crisis responder have totally disregarded the requirements of this section.

~~(8) ((Tribal court orders for involuntary commitment shall be recognized and enforced in accordance with superior court civil rule 82.5.~~

~~(9))~~ In any investigation and evaluation of ~~((a juvenile))~~ an adolescent under this section in which the designated crisis responder knows, or has reason to know, that the ~~((juvenile))~~ adolescent is an American Indian or Alaska Native who receives medical or behavioral health services from a tribe within this state, the designated crisis responder shall notify the tribe and the Indian health care provider ~~((regarding))~~ whether or not a petition for initial detention or involuntary outpatient treatment will be filed ~~((Notification))~~ as soon as possible, but no later than three hours from the time the decision is made. If a petition for initial detention or involuntary outpatient treatment is filed, the designated crisis responder must provide the tribe with a copy of the petition, together with any orders issued by the court and a notice of the tribe's right to intervene as soon as possible, but before the hearing, and no later than 24 hours from the time the petition is served upon the

person and the person's guardian. The court clerk shall provide copies of any court orders necessary for the designated crisis responder to provide notice to the tribe or Indian health care provider under this section. Notification under this section is subject to any federal and state laws and regulations including the requirements in RCW 70.02.240 and shall be made in person or by telephonic or electronic communication to the tribal contact listed in the authority's tribal crisis coordination plan ((as seen as possible but no later than three hours subject to the requirements in RCW 70.02.230 (2)(cc) and (3). A designated crisis responder may restrict the release of information as necessary to comply with 42 C.F.R. Part 2)).

**Sec. 14.** RCW 71.34.710 and 2021 c 264 s 32 are each amended to read as follows:

(1)(a) When a designated crisis responder receives information that an adolescent as a result of a behavioral health disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the adolescent, or cause the adolescent to be taken, into custody and transported to an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program providing inpatient treatment.

(b) If a designated crisis responder decides not to detain an adolescent for evaluation and treatment under RCW 71.34.700(2), or ~~((forty-eight))~~ 48 hours have elapsed since a designated crisis responder received a request for investigation and the designated crisis responder has not taken action to have the adolescent detained, an immediate family member or guardian or conservator of the adolescent, or a ~~((federally recognized Indian))~~ tribe if the person is a member of such tribe, may petition the superior court for the adolescent's detention using the procedures under RCW 71.05.201 and 71.05.203; however, when the court enters an order of initial detention, except as otherwise expressly stated in this chapter, all procedures must be followed as if the order has been entered under (a) of this subsection.

(c) The interview performed by the designated crisis responder may be conducted by video provided that a licensed health care professional or professional person who can adequately and accurately assist with obtaining any necessary information is present with the person at the time of the interview.

(2)(a) Within ~~((twelve))~~ 12 hours of the adolescent's arrival at the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, the designated crisis responder shall serve or cause to be served on the

adolescent a copy of the petition for initial detention, notice of initial detention, and statement of rights. The designated crisis responder shall file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service. The designated crisis responder shall commence service of the petition for initial detention and notice of the initial detention on the adolescent's parent and the adolescent's attorney as soon as possible following the initial detention.

(b) The facility or program may serve the adolescent, notify the adolescent's parents and the adolescent's attorney, and file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service when filing with the court at the request of the designated crisis responder.

(3)(a) At the time of initial detention, the designated crisis responder shall advise the adolescent both orally and in writing that if admitted to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program for inpatient treatment, a commitment hearing shall be held within ~~((one hundred twenty))~~ 120 hours of the adolescent's provisional acceptance to determine whether probable cause exists to commit the adolescent for further treatment.

(b) The adolescent shall be advised that he or she has a right to communicate immediately with an attorney and that he or she has a right to have an attorney appointed to represent him or her before and at the hearing if the adolescent is indigent.

(4) Whenever the designated crisis responder petitions for detention of an adolescent under this chapter, an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program providing ~~((one hundred twenty))~~ 120-hour evaluation and treatment must immediately accept on a provisional basis the petition and the person. Within ~~((twenty-four))~~ 24 hours of the adolescent's arrival, the facility must evaluate the adolescent's condition and either admit or release the adolescent in accordance with this chapter.

(5) If an adolescent is not approved for admission by the inpatient evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, the facility shall make such recommendations and referrals for further care and treatment of the adolescent as necessary.

(6) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section, based on the purpose of this chapter under RCW 71.34.010, except in the few cases where the facility staff or the designated crisis responder have totally

disregarded the requirements of this section.

~~(7) ((Tribal court orders for involuntary commitment shall be recognized and enforced in accordance with superior court civil rule 82.5.~~

~~(8))~~ In any investigation and evaluation of ~~((a juvenile))~~ an adolescent under this section in which the designated crisis responder knows, or has reason to know, that the ~~((juvenile))~~ adolescent is an American Indian or Alaska Native who receives medical or behavioral health services from a tribe within this state, the designated crisis responder shall notify the tribe and the Indian health care provider ~~((regarding))~~ whether or not a petition for initial detention or involuntary outpatient treatment will be filed ~~((Notification))~~ as soon as possible, but no later than three hours from the time the decision is made. If a petition for initial detention or involuntary outpatient treatment is filed, the designated crisis responder must provide the tribe with a copy of the petition, together with any orders issued by the court and a notice of the tribe's right to intervene as soon as possible, but before the hearing, and no later than 24 hours from the time the petition is served upon the person and the person's guardian. The court clerk shall provide copies of any court orders necessary for the designated crisis responder to provide notice to the tribe or Indian health care provider under this section. Notification under this section is subject to any federal and state laws and regulations including the requirements in RCW 70.02.240 and shall be made in person or by telephonic or electronic communication to the tribal contact listed in the authority's tribal crisis coordination plan ((as seen as possible but no later than three hours subject to the requirements in RCW 70.02.230 (2)(cc) and (3). A designated crisis responder may restrict the release of information as necessary to comply with 42 C.F.R. Part 2)).

**Sec. 15.** RCW 71.05.195 and 2020 c 302 s 23 are each amended to read as follows:

(1) A civil commitment may be initiated under the procedures described in RCW 71.05.150 or 71.05.153 for a person who has been found not guilty by reason of insanity in a state other than Washington or a tribe and who has fled from detention, commitment, or conditional release in that state or tribe, on the basis of a request by the state or tribe in which the person was found not guilty by reason of insanity for the person to be detained and transferred back to the custody or care of the requesting state or tribe. A finding of likelihood of serious harm or grave disability is not required for a commitment under this section. The detention may occur at either an evaluation and treatment facility or a state hospital. The petition for ~~((one hundred twenty))~~ 120-hour detention filed by the designated crisis responder must be accompanied by the following documents:

(a) A copy of an order for detention, commitment, or conditional release of the person in a state other than Washington or

tribe on the basis of a judgment of not guilty by reason of insanity;

(b) A warrant issued by a magistrate in the state or tribe in which the person was found not guilty by reason of insanity indicating that the person has fled from detention, commitment, or conditional release in that state or tribe and authorizing the detention of the person within the state or tribe in which the person was found not guilty by reason of insanity;

(c) A statement from the executive authority of the state or tribe in which the person was found not guilty by reason of insanity requesting that the person be returned to the requesting state or tribe and agreeing to facilitate the transfer of the person to the requesting state or tribe.

(2) The person shall be entitled to a probable cause hearing within the time limits applicable to other detentions under this chapter and shall be afforded the rights described in this chapter including the right to counsel. At the probable cause hearing, the court shall determine the identity of the person and whether the other requirements of this section are met. If the court so finds, the court may order continued detention in a treatment facility for up to ~~((thirty))~~ 30 days for the purpose of the transfer of the person to the custody or care of the requesting state or tribe. The court may order a less restrictive alternative to detention only under conditions which ensure the person's safe transfer to the custody or care of the requesting state or tribe within ~~((thirty))~~ 30 days without undue risk to the safety of the person or others.

(3) For the purposes of this section, "not guilty by reason of insanity" shall be construed to include any provision of law which is generally equivalent to a finding of criminal insanity within the state of Washington; and "state" shall be construed to mean any state, district, or territory of the United States.

**Sec. 16.** RCW 71.05.201 and 2022 c 210 s 8 are each amended to read as follows:

(1) If a designated crisis responder decides not to detain a person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or ~~((forty-eight))~~ 48 hours have elapsed since a designated crisis responder received a request for investigation and the designated crisis responder has not taken action to have the person detained, an immediate family member or guardian of the person, or a ~~((federally recognized Indian))~~ tribe if the person is a member of such a tribe, may petition the superior court for the person's initial detention.

(2) A petition under this section must be filed within ~~((ten))~~ 10 calendar days following the designated crisis responder investigation or the request for a designated crisis responder investigation. If more than ~~((ten))~~ 10 days have elapsed, the immediate family member, guardian, ~~((or))~~ conservator, or a tribe if the person is a member of such a tribe, may request a new designated crisis responder investigation.

(3) (a) The petition must be filed in the county in which the designated crisis responder investigation occurred or was requested to occur and must be submitted on forms developed by the administrative office of the courts for this purpose. The petition must be accompanied by a sworn declaration from the petitioner, and other witnesses if desired, describing why the person should be detained for evaluation and treatment. The description of why the person should be detained may contain, but is not limited to, the information identified in RCW 71.05.212.

(b) The petition must contain:

(i) A description of the relationship between the petitioner and the person; and

(ii) The date on which an investigation was requested from the designated crisis responder.

(4) The court shall, within one judicial day, review the petition to determine whether the petition raises sufficient evidence to support the allegation. If the court so finds, it shall provide a copy of the petition to the designated crisis responder agency with an order for the agency to provide the court, within one judicial day, with a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information material to the designated crisis responder's current decision.

(5) Following the filing of the petition and before the court reaches a decision, any person, including a mental health professional, may submit a sworn declaration to the court in support of or in opposition to initial detention.

(6) The court shall dismiss the petition at any time if it finds that a designated crisis responder has filed a petition for the person's initial detention under RCW 71.05.150 or 71.05.153 or that the person has voluntarily accepted appropriate treatment.

(7) The court must issue a final ruling on the petition within five judicial days after it is filed. After reviewing all of the information provided to the court, the court may enter an order for initial detention if the court finds that: (a) There is probable cause to support a petition for detention; and (b) the person has refused or failed to accept appropriate evaluation and treatment voluntarily. The court shall transmit its final decision to the petitioner.

(8) If the court enters an order for initial detention, it shall provide the order to the designated crisis responder agency and issue a warrant. The designated crisis responder agency serving the jurisdiction of the court must collaborate and coordinate with law enforcement, including tribal law enforcement, regarding apprehensions and detentions under this subsection, including sharing of information relating to risk and which would assist in locating the person. A person may not be detained to jail pursuant to a warrant issued under this subsection. An order for detention under this section should contain the advisement of rights which the person would receive if the person were detained by a designated crisis responder. An order for initial detention under this section expires



(~~one hundred eighty~~) 180 days from issuance.

(9) Except as otherwise expressly stated in this chapter, all procedures must be followed as if the order had been entered under RCW 71.05.150. RCW 71.05.160 does not apply if detention was initiated under the process set forth in this section.

(10) For purposes of this section, "immediate family member" means a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling.

**Sec. 17.** RCW 71.05.212 and 2022 c 210 s 9 are each amended to read as follows:

(1) Whenever a designated crisis responder or professional person is conducting an evaluation under this chapter, consideration shall include all reasonably available information from credible witnesses and records regarding:

(a) Prior recommendations for evaluation of the need for civil commitments when the recommendation is made pursuant to an evaluation conducted under chapter 10.77 RCW;

(b) Historical behavior, including history of one or more violent acts;

(c) Prior determinations of incompetency or insanity under chapter 10.77 RCW; and

(d) Prior commitments under this chapter.

(2) Credible witnesses may include family members, landlords, neighbors, or others with significant contact and history of involvement with the person. If the designated crisis responder relies upon information from a credible witness in reaching his or her decision to detain the individual, then he or she must provide contact information for any such witness to the prosecutor. The designated crisis responder or prosecutor shall provide notice of the date, time, and location of the probable cause hearing to such a witness.

(3) Symptoms and behavior of the respondent which standing alone would not justify civil commitment may support a finding of grave disability or likelihood of serious harm, or a finding that the person is in need of assisted outpatient treatment, when:

(a) Such symptoms or behavior are closely associated with symptoms or behavior which preceded and led to a past incident of involuntary hospitalization, severe deterioration, or one or more violent acts;

(b) These symptoms or behavior represent a marked and concerning change in the baseline behavior of the respondent; and

(c) Without treatment, the continued deterioration of the respondent is probable.

(4) When conducting an evaluation for offenders identified under RCW 72.09.370, the designated crisis responder or professional person shall consider an offender's history of judicially required or administratively ordered antipsychotic medication while in confinement.

(5) The authority, in consultation with tribes and in coordination with Indian health care providers and the American Indian health commission for Washington state, shall establish written guidelines by December 31, 2024, for conducting culturally

appropriate evaluations of American Indians or Alaska Natives.

**Sec. 18.** RCW 71.05.212 and 2022 c 210 s 10 are each amended to read as follows:

(1) Whenever a designated crisis responder or professional person is conducting an evaluation under this chapter, consideration shall include all reasonably available information from credible witnesses and records regarding:

(a) Prior recommendations for evaluation of the need for civil commitments when the recommendation is made pursuant to an evaluation conducted under chapter 10.77 RCW;

(b) Historical behavior, including history of one or more violent acts;

(c) Prior determinations of incompetency or insanity under chapter 10.77 RCW; and

(d) Prior commitments under this chapter.

(2) Credible witnesses may include family members, landlords, neighbors, or others with significant contact and history of involvement with the person. If the designated crisis responder relies upon information from a credible witness in reaching his or her decision to detain the individual, then he or she must provide contact information for any such witness to the prosecutor. The designated crisis responder or prosecutor shall provide notice of the date, time, and location of the probable cause hearing to such a witness.

(3) Symptoms and behavior of the respondent which standing alone would not justify civil commitment may support a finding of grave disability or likelihood of serious harm, or a finding that the person is in need of assisted outpatient treatment, when:

(a) Such symptoms or behavior are closely associated with symptoms or behavior which preceded and led to a past incident of involuntary hospitalization, severe deterioration from safe behavior, or one or more violent acts;

(b) These symptoms or behavior represent a marked and concerning change in the baseline behavior of the respondent; and

(c) Without treatment, the continued deterioration of the respondent is probable.

(4) When conducting an evaluation for offenders identified under RCW 72.09.370, the designated crisis responder or professional person shall consider an offender's history of judicially required or administratively ordered antipsychotic medication while in confinement.

(5) The authority, in consultation with tribes and in coordination with Indian health care providers and the American Indian health commission for Washington state, shall establish written guidelines by December 31, 2024, for conducting culturally appropriate evaluations of American Indians or Alaska Natives.

**Sec. 19.** RCW 71.05.214 and 2020 c 302 s 29 are each amended to read as follows:

The authority shall develop statewide protocols to be utilized by professional persons and designated crisis responders in administration of this chapter and chapters 10.77 and 71.34 RCW. The protocols shall be

updated at least every three years. The protocols shall provide uniform development and application of criteria in evaluation and commitment recommendations, of persons who have, or are alleged to have, behavioral health disorders and are subject to this chapter.

The initial protocols shall be developed not later than September 1, 1999. The authority shall develop and update the protocols in consultation with representatives of designated crisis responders, the department of social and health services, tribal government, local government, law enforcement, county and city prosecutors, public defenders, and groups concerned with behavioral health disorders. The protocols shall be submitted to the governor and legislature upon adoption by the authority.

**Sec. 20.** RCW 71.05.217 and 2020 c 302 s 32 are each amended to read as follows:

(1) Insofar as danger to the individual or others is not created, each person involuntarily detained, treated in a less restrictive alternative course of treatment, or committed for treatment and evaluation pursuant to this chapter shall have, in addition to other rights not specifically withheld by law, the following rights, a list of which shall be prominently posted in all facilities, institutions, and hospitals providing such services:

(a) To wear his or her own clothes and to keep and use his or her own personal possessions, except when deprivation of same is essential to protect the safety of the resident or other persons;

(b) To keep and be allowed to spend a reasonable sum of his or her own money for canteen expenses and small purchases;

(c) To have access to individual storage space for his or her private use;

(d) To have visitors at reasonable times;

(e) To have reasonable access to a telephone, both to make and receive confidential calls;

(f) To have ready access to letter writing materials, including stamps, and to send and receive uncensored correspondence through the mails;

(g) To have the right to individualized care and adequate treatment;

(h) To discuss treatment plans and decisions with professional persons;

(i) To not be denied access to treatment by spiritual means through prayer in accordance with the tenets and practices of a church or religious denomination in addition to the treatment otherwise proposed;

(j) Not to consent to the administration of antipsychotic medications beyond the hearing conducted pursuant to RCW 71.05.320(4) or the performance of electroconvulsant therapy or surgery, except emergency lifesaving surgery, unless ordered by a court of competent jurisdiction pursuant to the following standards and procedures:

(i) The administration of antipsychotic medication or electroconvulsant therapy shall not be ordered unless the petitioning party proves by clear, cogent, and

convincing evidence that there exists a compelling state interest that justifies overriding the patient's lack of consent to the administration of antipsychotic medications or electroconvulsant therapy, that the proposed treatment is necessary and effective, and that medically acceptable alternative forms of treatment are not available, have not been successful, or are not likely to be effective.

(ii) The court shall make specific findings of fact concerning: (A) The existence of one or more compelling state interests; (B) the necessity and effectiveness of the treatment; and (C) the person's desires regarding the proposed treatment. If the patient is unable to make a rational and informed decision about consenting to or refusing the proposed treatment, the court shall make a substituted judgment for the patient as if he or she were competent to make such a determination.

(iii) The person shall be present at any hearing on a request to administer antipsychotic medication or electroconvulsant therapy filed pursuant to this subsection. The person has the right: (A) To be represented by an attorney; (B) to present evidence; (C) to cross-examine witnesses; (D) to have the rules of evidence enforced; (E) to remain silent; (F) to view and copy all petitions and reports in the court file; and (G) to be given reasonable notice and an opportunity to prepare for the hearing. The court may appoint a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychologist within their scope of practice, physician assistant, or physician to examine and testify on behalf of such person. The court shall appoint a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychologist within their scope of practice, physician assistant, or physician designated by such person or the person's counsel to testify on behalf of the person in cases where an order for electroconvulsant therapy is sought.

(iv) An order for the administration of antipsychotic medications entered following a hearing conducted pursuant to this section shall be effective for the period of the current involuntary treatment order, and any interim period during which the person is awaiting trial or hearing on a new petition for involuntary treatment or involuntary medication.

(v) Any person detained pursuant to RCW 71.05.320(4), who subsequently refuses antipsychotic medication, shall be entitled to the procedures set forth in this subsection.

(vi) Antipsychotic medication may be administered to a nonconsenting person detained or committed pursuant to this chapter without a court order pursuant to RCW 71.05.215(2) or under the following circumstances:

(A) A person presents an imminent likelihood of serious harm;

(B) Medically acceptable alternatives to administration of antipsychotic medications

are not available, have not been successful, or are not likely to be effective; and

(C)(I) In the opinion of the physician, physician assistant, or psychiatric advanced registered nurse practitioner with responsibility for treatment of the person, or his or her designee, the person's condition constitutes an emergency requiring the treatment be instituted before a judicial hearing as authorized pursuant to this section can be held.

(II) If antipsychotic medications are administered over a person's lack of consent pursuant to this subsection, a petition for an order authorizing the administration of antipsychotic medications shall be filed on the next judicial day. The hearing shall be held within two judicial days. If deemed necessary by the physician, physician assistant, or psychiatric advanced registered nurse practitioner with responsibility for the treatment of the person, administration of antipsychotic medications may continue until the hearing is held;

(k) To dispose of property and sign contracts unless such person has been adjudicated an incompetent in a court proceeding directed to that particular issue;

(l) Not to have psychosurgery performed on him or her under any circumstances;

(m) To not be denied access to treatment by cultural or spiritual means through practices that are in accordance with a tribal or cultural tradition in addition to the treatment otherwise proposed.

(2) Every person involuntarily detained or committed under the provisions of this chapter is entitled to all the rights set forth in this chapter and retains all rights not denied him or her under this chapter except as limited by chapter 9.41 RCW.

(3) No person may be presumed incompetent as a consequence of receiving evaluation or treatment for a behavioral health disorder. Competency may not be determined or withdrawn except under the provisions of chapter 10.77 (~~(or 11.89)~~) RCW.

(4) Subject to RCW 71.05.745 and related regulations, persons receiving evaluation or treatment under this chapter must be given a reasonable choice of an available physician, physician assistant, psychiatric advanced registered nurse practitioner, or other professional person qualified to provide such services.

(5) Whenever any person is detained under this chapter, the person must be advised that unless the person is released or voluntarily admits himself or herself for treatment within (~~(one hundred twenty)~~) 120 hours of the initial detention, a judicial hearing must be held in a superior court within (~~(one hundred twenty)~~) 120 hours to determine whether there is probable cause to detain the person for up to an additional (~~(fourteen)~~) 14 days based on an allegation that because of a behavioral health disorder the person presents a likelihood of serious harm or is gravely disabled, and that at the probable cause hearing the person has the following rights:

(a) To communicate immediately with an attorney; to have an attorney appointed if the person is indigent; and to be told the

name and address of the attorney that has been designated;

(b) To remain silent, and to know that any statement the person makes may be used against him or her;

(c) To present evidence on the person's behalf;

(d) To cross-examine witnesses who testify against him or her;

(e) To be proceeded against by the rules of evidence;

(f) To have the court appoint a reasonably available independent professional person to examine the person and testify in the hearing, at public expense unless the person is able to bear the cost;

(g) To view and copy all petitions and reports in the court file; and

(h) To refuse psychiatric medications, including antipsychotic medication beginning (~~(twenty-four)~~) 24 hours prior to the probable cause hearing.

(6) The judicial hearing described in subsection (5) of this section must be held according to the provisions of subsection (5) of this section and rules promulgated by the supreme court.

(7)(a) Privileges between patients and physicians, physician assistants, psychologists, or psychiatric advanced registered nurse practitioners are deemed waived in proceedings under this chapter relating to the administration of antipsychotic medications. As to other proceedings under this chapter, the privileges are waived when a court of competent jurisdiction in its discretion determines that such waiver is necessary to protect either the detained person or the public.

(b) The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained person for purposes of a proceeding under this chapter. Upon motion by the detained person or on its own motion, the court shall examine a record or testimony sought by a petitioner to determine whether it is within the scope of the waiver.

(c) The record maker may not be required to testify in order to introduce medical or psychological records of the detained person so long as the requirements of RCW 5.45.020 are met except that portions of the record which contain opinions as to the detained person's mental state must be deleted from such records unless the person making such conclusions is available for cross-examination.

(8) Nothing contained in this chapter prohibits the patient from petitioning by writ of habeas corpus for release.

(9) Nothing in this section permits any person to knowingly violate a no-contact order or a condition of an active judgment and sentence or an active condition of supervision by the department of corrections.

(10) The rights set forth under this section apply equally to (~~(ninety-day)~~) 90-day or (~~(one hundred eighty-day)~~) 180-day hearings under RCW 71.05.310.

**Sec. 21.** RCW 71.05.435 and 2020 c 256 s 306 are each amended to read as follows:

(1) Whenever a person who is the subject of an involuntary commitment order under this chapter is discharged from an evaluation and treatment facility, state hospital, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program providing involuntary treatment services, the entity discharging the person shall provide notice of the person's discharge, subject to federal laws and regulations, to the designated crisis responder office responsible for the initial commitment, which may be a ((federally recognized Indian)) tribe or other Indian health care provider if the designated crisis responder is appointed by the authority, and the designated crisis responder office that serves the county in which the person is expected to reside or to the tribal contact listed in the authority's tribal crisis coordination plan if the entity discharging the person knows, or has reason to know, that the person is an American Indian or Alaska Native who receives medical or behavioral health services from a tribe within this state. The entity discharging the person must also provide these offices with a copy of any less restrictive order or conditional release order entered in conjunction with the discharge of the person, unless the entity discharging the person has entered into a memorandum of understanding obligating another entity to provide these documents.

(2) The notice and documents referred to in subsection (1) of this section shall be provided as soon as possible and no later than one business day following the discharge of the person. Notice is not required under this section if the discharge is for the purpose of transferring the person for continued detention and treatment under this chapter at another treatment facility.

(3) The authority shall maintain and make available an updated list of contact information for designated crisis responder offices around the state.

(4) A facility providing substance use disorder services must attempt to obtain a release of information before discharge to meet the notification requirements of subsection (1) of this section.

**Sec. 22.** RCW 71.05.458 and 2019 c 325 s 3010 are each amended to read as follows:

As soon as possible, but no later than ~~((twenty-four))~~<sup>24</sup> hours from receiving a referral from a law enforcement officer or law enforcement agency, including a tribal law enforcement officer or tribal law enforcement agency, excluding Saturdays, Sundays, and holidays, a mental health professional contacted by the designated crisis responder agency must attempt to contact the referred person to determine whether additional mental health intervention is necessary, including, if needed, an assessment by a designated crisis responder for initial detention under RCW 71.05.150 or 71.05.153. Documentation of the mental health professional's attempt to

contact and assess the person must be maintained by the designated crisis responder agency.

**Sec. 23.** RCW 71.05.590 and 2023 c 433 s 10 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release, or a designated crisis responder, may take action to enforce, modify, or revoke a less restrictive alternative treatment order or conditional release order. The agency, facility, or designated crisis responder must determine that:

(a) The person is failing to adhere to the terms and conditions of the order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel or advise the person as to their rights and responsibilities under the court order, and to offer incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) To request a court hearing for review and modification of the court order. The request must be directed to the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the entity requesting the hearing and issue an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d) To detain the person for up to 12 hours for evaluation at an agency, facility providing services under the court order, crisis stabilization unit, 23-hour crisis relief center, emergency department, evaluation and treatment facility, secure withdrawal management and stabilization facility with available space, or an approved substance use disorder treatment program with available space. The purpose of the evaluation is to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to

stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when, based on clinical judgment, temporary detention is appropriate. The agency, facility, or designated crisis responder may request assistance from a peace officer for the purposes of temporary detention under this subsection (2)(d). This subsection does not limit the ability or obligation of the agency, facility, or designated crisis responder to pursue revocation procedures under subsection (5) of this section in appropriate circumstances; and

(e) To initiate revocation procedures under subsection (5) of this section.

(3) A court may supervise a person on an order for less restrictive alternative treatment or a conditional release. While the person is under the order, the court may:

(a) Require appearance in court for periodic reviews; and

(b) Modify the order after considering input from the agency or facility designated to provide or facilitate services. The court may not remand the person into inpatient treatment except as provided under subsection (5) of this section, but may take actions under subsection (2)(a) through (d) of this section.

(4) The facility or agency designated to provide outpatient treatment shall notify the secretary of the department of social and health services or designated crisis responder when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(5)(a) A designated crisis responder or the secretary of the department of social and health services may, upon their own motion or upon request of the facility or agency designated to provide outpatient care, cause a person to be detained in an evaluation and treatment facility, available secure withdrawal management and stabilization facility with adequate space, or available approved substance use disorder treatment program with adequate space in or near the county in which he or she is receiving outpatient treatment for the purpose of a hearing for revocation of a less restrictive alternative treatment order or conditional release order under this chapter. The designated crisis responder or secretary of the department of social and health services shall file a petition for revocation within 24 hours and serve the person, their guardian, if any, and their attorney. A hearing for revocation of a less restrictive alternative treatment order or conditional release order may be scheduled without detention of the person.

(b) A person detained under this subsection (5) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the order for less restrictive alternative treatment or conditional release should be

revoked, modified, or retained. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated crisis responder or the secretary of the department of social and health services may withdraw its petition for revocation at any time before the court hearing.

(c) A person detained under this subsection (5) has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings is the county where the petition is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation is filed, within two judicial days of the person's detention.

(d) The issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether it is appropriate for the court to reinstate or modify the person's less restrictive alternative treatment order or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period must be for 14 days from the revocation hearing if the less restrictive alternative treatment order or conditional release order was based on a petition under RCW 71.05.148, 71.05.160, or 71.05.230. If the court orders detention for inpatient treatment and the less restrictive alternative treatment order or conditional release order was based on a petition under RCW 71.05.290 or 71.05.320, the number of days remaining on the order must be converted to days of inpatient treatment. A court may not detain a person for inpatient treatment to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program under this subsection unless there is a facility or program available with adequate space for the person.

(6) In determining whether or not to take action under this section the designated crisis responder, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

(7) Prior to taking any action to enforce, modify, or revoke a less restrictive alternative treatment order or conditional release order in which the agency, facility, or designated crisis responder knows, or has reason to know, that the individual is an American Indian or

Alaska Native who receives medical or behavioral health services from a tribe within this state, the agency, facility, or designated crisis responder shall notify the tribe and Indian health care provider regarding any action that will be taken under this section as soon as possible, but no later than three hours from the time the decision to take action is made. The agency, facility, or designated crisis responder must provide the tribe and Indian health care provider with a copy of the petition, together with any orders issued by the court and a notice of the tribe's right to intervene as soon as possible, but before any hearing under this section, and no later than 24 hours from the time the petition is served upon the person and the person's guardian. The court clerk shall provide copies of any court orders necessary for the agency, facility, or designated crisis responder to provide notice to the tribe or Indian health care provider under this section. Notification under this section is subject to any federal and state laws and regulations including the requirements in RCW 70.02.230 (2)(ee) and (3) and shall be made in person or by telephonic or electronic communication to the tribal contact listed in the authority's tribal crisis coordination plan.

**Sec. 24.** RCW 71.05.590 and 2023 c 433 s 11 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release, or a designated crisis responder, may take action to enforce, modify, or revoke a less restrictive alternative treatment order or conditional release order. The agency, facility, or designated crisis responder must determine that:

(a) The person is failing to adhere to the terms and conditions of the order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel or advise the person as to their rights and responsibilities under the court order, and to offer incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) To request a court hearing for review and modification of the court order. The request must be directed to the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the entity requesting the hearing and issue an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d) To detain the person for up to 12 hours for evaluation at an agency, facility providing services under the court order, crisis stabilization unit, 23-hour crisis relief center, emergency department, evaluation and treatment facility, secure withdrawal management and stabilization facility, or an approved substance use disorder treatment program. The purpose of the evaluation is to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when, based on clinical judgment, temporary detention is appropriate. The agency, facility, or designated crisis responder may request assistance from a peace officer for the purposes of temporary detention under this subsection (2)(d). This subsection does not limit the ability or obligation of the agency, facility, or designated crisis responder to pursue revocation procedures under subsection (5) of this section in appropriate circumstances; and

(e) To initiate revocation procedures under subsection (5) of this section.

(3) A court may supervise a person on an order for less restrictive alternative treatment or a conditional release. While the person is under the order, the court may:

(a) Require appearance in court for periodic reviews; and

(b) Modify the order after considering input from the agency or facility designated to provide or facilitate services. The court may not remand the person into inpatient treatment except as provided under subsection (5) of this section, but may take actions under subsection (2)(a) through (d) of this section.

(4) The facility or agency designated to provide outpatient treatment shall notify the secretary of the department of social and health services or designated crisis responder when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(5)(a) A designated crisis responder or the secretary of the department of social and health services may, upon their own

motion or upon request of the facility or agency designated to provide outpatient care, cause a person to be detained in an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program in or near the county in which he or she is receiving outpatient treatment for the purpose of a hearing for revocation of a less restrictive alternative treatment order or conditional release order under this chapter. The designated crisis responder or secretary of the department of social and health services shall file a petition for revocation within 24 hours and serve the person, their guardian, if any, and their attorney. A hearing for revocation of a less restrictive alternative treatment order or conditional release order may be scheduled without detention of the person.

(b) A person detained under this subsection (5) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the order for less restrictive alternative treatment or conditional release should be revoked, modified, or retained. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated crisis responder or the secretary of the department of social and health services may withdraw its petition for revocation at any time before the court hearing.

(c) A person detained under this subsection (5) has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings is the county where the petition is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation is filed, within two judicial days of the person's detention.

(d) The issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether it is appropriate for the court to reinstate or modify the person's less restrictive alternative treatment order or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period must be for 14 days from the revocation hearing if the less restrictive alternative treatment order or conditional release order was based on a petition under RCW 71.05.148, 71.05.160, or 71.05.230. If the court orders detention for inpatient treatment and the less restrictive alternative treatment order or conditional release order was based on a petition under

RCW 71.05.290 or 71.05.320, the number of days remaining on the order must be converted to days of inpatient treatment.

(6) In determining whether or not to take action under this section the designated crisis responder, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

(7) Prior to taking any action to enforce, modify, or revoke a less restrictive alternative treatment order or conditional release order in which the agency, facility, or designated crisis responder knows, or has reason to know, that the individual is an American Indian or Alaska Native who receives medical or behavioral health services from a tribe within this state, the agency, facility, or designated crisis responder shall notify the tribe and Indian health care provider regarding any action that will be taken under this section as soon as possible, but no later than three hours from the time the decision to take action is made. The agency, facility, or designated crisis responder must provide the tribe and Indian health care provider with a copy of the petition, together with any orders issued by the court and a notice of the tribe's right to intervene as soon as possible, but before any hearing under this section, and no later than 24 hours from the time the petition is served upon the person and the person's guardian. The court clerk shall provide copies of any court orders necessary for the agency, facility, or designated crisis responder to provide notice to the tribe or Indian health care provider under this section. Notification under this section is subject to any federal and state laws and regulations including the requirements in RCW 70.02.230 (2)(ee) and (3) and shall be made in person or by telephonic or electronic communication to the tribal contact listed in the authority's tribal crisis coordination plan.

**Sec. 25.** RCW 71.05.620 and 2023 c 298 s 1 are each amended to read as follows:

(1) The files and records of court proceedings under this chapter and chapter 71.34 RCW shall be closed but shall be accessible to:

- (a) The department;
- (b) The department of social and health services;
- (c) The authority;
- (d) The state hospitals as defined in RCW 72.23.010;
- (e) Any person who is the subject of a petition;
- (f) The attorney or guardian of the person;
- (g) Resource management services for that person;
- (h) Service providers authorized to receive such information by resource management services; ~~(and)~~

(i) The Washington state patrol firearms background division to conduct background checks for processing and purchasing

firearms, concealed pistol licenses, alien firearms licenses, firearm rights restoration petitions under chapter 9.41 RCW, and release of firearms from evidence, including appeals of denial;

(j) The prosecuting attorney of a county or tribe located in this state; and

(k) The tribe or Indian health care provider who has the right to intervene or receive notice and copies of any orders issued by a court in any court proceeding under this chapter and chapter 71.34 RCW.

(2) The authority shall adopt rules to implement this section.

**Sec. 26.** RCW 71.34.780 and 2020 c 302 s 97 are each amended to read as follows:

(1) If the professional person in charge of an outpatient treatment program, a designated crisis responder, or the director or secretary, as appropriate, determines that a minor is failing to adhere to the conditions of the court order for less restrictive alternative treatment or the conditions for the conditional release, or that substantial deterioration in the minor's functioning has occurred, the designated crisis responder, or the director or secretary, as appropriate, may order that the minor be taken into custody and transported to an inpatient evaluation and treatment facility, a secure withdrawal management and stabilization facility, or an approved substance use disorder treatment program. A secure withdrawal management and stabilization facility or approved substance use disorder treatment program that has adequate space for the minor must be available.

(2)(a) The designated crisis responder, director, or secretary, as appropriate, shall file the order of apprehension and detention and serve it upon the minor and notify the minor's parent and the minor's attorney, if any, of the detention within two days of return. At the time of service the minor shall be informed of the right to a hearing and to representation by an attorney. The designated crisis responder or the director or secretary, as appropriate, may modify or rescind the order of apprehension and detention at any time prior to the hearing.

(b) If the minor is involuntarily detained for revocation at an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program in a different county from where the minor was initially detained, the facility or program may file the order of apprehension, serve it on the minor and notify the minor's parents and the minor's attorney at the request of the designated crisis responder.

(3) A petition for revocation of less restrictive alternative treatment shall be filed by the designated crisis responder or the director, secretary, or facility, as appropriate, with the court in the county where the minor is detained. The court shall conduct the hearing in that county. A petition for revocation of conditional release must be filed in the county where the minor is detained. A petition shall

describe the behavior of the minor indicating violation of the conditions or deterioration of routine functioning and a dispositional recommendation. The hearing shall be held within seven days of the minor's return. The issues to be determined are whether the minor did or did not adhere to the conditions of the less restrictive alternative treatment or conditional release, or whether the minor's routine functioning has substantially deteriorated, and, if so, whether the conditions of less restrictive alternative treatment or conditional release should be modified or, subject to subsection (4) of this section, whether the minor should be returned to inpatient treatment. Pursuant to the determination of the court, the minor shall be returned to less restrictive alternative treatment or conditional release on the same or modified conditions or shall be returned to inpatient treatment. If the minor is returned to inpatient treatment, RCW 71.34.760 regarding the director's placement responsibility shall apply. The hearing may be waived by the minor and the minor returned to inpatient treatment or to less restrictive alternative treatment or conditional release on the same or modified conditions.

(4) A court may not order the return of a minor to inpatient treatment in a secure withdrawal management and stabilization facility or approved substance use disorder treatment program unless there is a secure withdrawal management and stabilization facility or approved substance use disorder treatment program available with adequate space for the minor.

(5) Prior to taking any action to enforce, modify, or revoke a less restrictive alternative treatment order or conditional release order in which the agency, facility, or designated crisis responder knows, or has reason to know, that the minor is an American Indian or Alaska Native who receives medical or behavioral health services from a tribe within this state, the agency, facility, or designated crisis responder shall notify the tribe and Indian health care provider regarding any action that will be taken under this section as soon as possible, but no later than three hours from the time the decision to take action is made. The agency, facility, or designated crisis responder must provide the tribe and Indian health care provider with a copy of the petition, together with any orders issued by the court and a notice of the tribe's right to intervene as soon as possible, but before any hearing under this section, and no later than 24 hours from the time the petition is served upon the person and the person's guardian. The court clerk shall provide copies of any court orders necessary for the agency, facility, or designated crisis responder to provide notice to the tribe or Indian health care provider under this section. Notification under this section is subject to any federal and state laws and regulations including the requirements in RCW 70.02.240 and shall be made in person or by telephonic or electronic communication to the tribal contact listed in the authority's tribal crisis coordination plan.



**Sec. 27.** RCW 71.34.780 and 2020 c 302 s 98 are each amended to read as follows:

(1) If the professional person in charge of an outpatient treatment program, a designated crisis responder, or the director or secretary, as appropriate, determines that a minor is failing to adhere to the conditions of the court order for less restrictive alternative treatment or the conditions for the conditional release, or that substantial deterioration in the minor's functioning has occurred, the designated crisis responder, or the director or secretary, as appropriate, may order that the minor be taken into custody and transported to an inpatient evaluation and treatment facility, a secure withdrawal management and stabilization facility, or an approved substance use disorder treatment program.

(2)(a) The designated crisis responder, director, or secretary, as appropriate, shall file the order of apprehension and detention and serve it upon the minor and notify the minor's parent and the minor's attorney, if any, of the detention within two days of return. At the time of service the minor shall be informed of the right to a hearing and to representation by an attorney. The designated crisis responder or the director or secretary, as appropriate, may modify or rescind the order of apprehension and detention at any time prior to the hearing.

(b) If the minor is involuntarily detained for revocation at an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program in a different county from where the minor was initially detained, the facility or program may file the order of apprehension, serve it on the minor and notify the minor's parents and the minor's attorney at the request of the designated crisis responder.

(3) A petition for revocation of less restrictive alternative treatment shall be filed by the designated crisis responder or the director, secretary, or facility, as appropriate, with the court in the county where the minor is detained. The court shall conduct the hearing in that county. A petition for revocation of conditional release must be filed in the county where the minor is detained. A petition shall describe the behavior of the minor indicating violation of the conditions or deterioration of routine functioning and a dispositional recommendation. The hearing shall be held within seven days of the minor's return. The issues to be determined are whether the minor did or did not adhere to the conditions of the less restrictive alternative treatment or conditional release, or whether the minor's routine functioning has substantially deteriorated, and, if so, whether the conditions of less restrictive alternative treatment or conditional release should be modified or whether the minor should be returned to inpatient treatment. Pursuant to the determination of the court, the minor shall be returned to less restrictive alternative treatment or conditional release on the same or modified conditions or shall be returned

to inpatient treatment. If the minor is returned to inpatient treatment, RCW 71.34.760 regarding the director's placement responsibility shall apply. The hearing may be waived by the minor and the minor returned to inpatient treatment or to less restrictive alternative treatment or conditional release on the same or modified conditions.

(4) Prior to taking any action to enforce, modify, or revoke a less restrictive alternative treatment order or conditional release order in which the agency, facility, or designated crisis responder knows, or has reason to know, that the minor is an American Indian or Alaska Native who receives medical or behavioral health services from a tribe within this state, the agency, facility, or designated crisis responder shall notify the tribe and Indian health care provider regarding any action that will be taken under this section as soon as possible, but no later than three hours from the time the decision to take action is made. The agency, facility, or designated crisis responder must provide the tribe and Indian health care provider with a copy of the petition, together with any orders issued by the court and a notice of the tribe's right to intervene as soon as possible, but before any hearing under this section, and no later than 24 hours from the time the petition is served upon the person and the person's guardian. The court clerk shall provide copies of any court orders necessary for the agency, facility, or designated crisis responder to provide notice to the tribe or Indian health care provider under this section. Notification under this section is subject to any federal and state laws and regulations including the requirements in RCW 70.02.240 and shall be made in person or by telephonic or electronic communication to the tribal contact listed in the authority's tribal crisis coordination plan.

**Sec. 28.** RCW 71.05.730 and 2019 c 325 s 3011 are each amended to read as follows:

(1) A county may apply to its behavioral health administrative services organization on a quarterly basis for reimbursement of its direct costs in providing judicial services for civil commitment cases under this chapter and chapter 71.34 RCW. A tribe may apply to the authority on a quarterly basis for reimbursement of its direct costs in providing judicial services for civil commitment cases under this chapter and chapter 71.34 RCW. The behavioral health administrative services organization shall in turn be entitled to reimbursement from the behavioral health administrative services organization that serves the county of residence of the individual who is the subject of the civil commitment case.

(2) Reimbursement for judicial services shall be provided per civil commitment case at a rate to be determined based on an independent assessment of the county's or tribe's actual direct costs. This assessment must be based on an average of the expenditures for judicial services within the county or tribe over the past three years. In the event that a baseline cannot

be established because there is no significant history of similar cases within the county or tribe, the reimbursement rate shall be equal to ~~((eighty))~~ 80 percent of the median reimbursement rate of counties or tribes, if applicable included in the independent assessment.

(3) For the purposes of this section:

(a) "Civil commitment case" includes all judicial hearings related to a single episode of hospitalization or less restrictive alternative treatment, except that the filing of a petition for a one hundred eighty-day commitment under this chapter or a petition for a successive ~~((one hundred eighty-day))~~ 180-day commitment under chapter 71.34 RCW shall be considered to be a new case regardless of whether there has been a break in detention. "Civil commitment case" does not include the filing of a petition for a ~~((one hundred eighty-day))~~ 180-day commitment under this chapter on behalf of a patient at a state psychiatric hospital.

(b) "Judicial services" means a county's or tribe's reasonable direct costs in providing prosecutor services, assigned counsel and defense services, court services, and court clerk services for civil commitment cases under this chapter and chapter 71.34 RCW.

(4) To the extent that resources have a shared purpose, the behavioral health administrative services organization may only reimburse counties to the extent such resources are necessary for and devoted to judicial services as described in this section. To the extent that resources have a shared purpose, the authority may only reimburse tribes to the extent the resources are necessary for and devoted to judicial services as described in this section.

(5) No filing fee may be charged or collected for any civil commitment case subject to reimbursement under this section.

**Sec. 29.** RCW 71.24.030 and 2019 c 325 s 1005 are each amended to read as follows:

The director is authorized to make grants and/or purchase services from counties, tribes, combinations of counties, or other entities, to establish and operate community behavioral health programs.

**Sec. 30.** RCW 71.24.045 and 2022 c 210 s 27 are each amended to read as follows:

(1) The behavioral health administrative services organization contracted with the authority pursuant to RCW 71.24.381 shall:

(a) Administer crisis services for the assigned regional service area. Such services must include:

(i) A behavioral health crisis hotline for its assigned regional service area;

(ii) Crisis response services ~~((twenty-four))~~ 24 hours a day, seven days a week, ~~((three hundred sixty-five))~~ 365 days a year;

(iii) Services related to involuntary commitments under chapters 71.05 and 71.34 RCW;

(iv) Tracking of less restrictive alternative orders issued within the region by superior courts, and providing notification to a managed care organization in the region when one of its enrollees

receives a less restrictive alternative order so that the managed care organization may ensure that the person is connected to services and that the requirements of RCW 71.05.585 are complied with. If the person receives a less restrictive alternative order and is returning to another region, the behavioral health administrative services organization shall notify the behavioral health administrative services organization in the home region of the less restrictive alternative order so that the home behavioral health administrative services organization may notify the person's managed care organization or provide services if the person is not enrolled in medicaid and does not have other insurance which can pay for those services;

(v) Additional noncrisis behavioral health services, within available resources, to individuals who meet certain criteria set by the authority in its contracts with the behavioral health administrative services organization. These services may include services provided through federal grant funds, provisos, and general fund state appropriations;

(vi) Care coordination, diversion services, and discharge planning for nonmedicaid individuals transitioning from state hospitals or inpatient settings to reduce rehospitalization and utilization of crisis services, as required by the authority in contract; and

(vii) Regional coordination, cross-system and cross-jurisdiction coordination with tribal governments, and capacity building efforts, such as supporting the behavioral health advisory board and efforts to support access to services or to improve the behavioral health system;

(b) Administer and provide for the availability of an adequate network of evaluation and treatment services to ensure access to treatment, investigation, transportation, court-related, and other services provided as required under chapter 71.05 RCW;

(c) Coordinate services for individuals under RCW 71.05.365;

(d) Administer and provide for the availability of resource management services, residential services, and community support services as required under its contract with the authority;

(e) Contract with a sufficient number, as determined by the authority, of licensed or certified providers for crisis services and other behavioral health services required by the authority;

(f) Maintain adequate reserves or secure a bond as required by its contract with the authority;

(g) Establish and maintain quality assurance processes;

(h) Meet established limitations on administrative costs for agencies that contract with the behavioral health administrative services organization; and

(i) Maintain patient tracking information as required by the authority.

(2) The behavioral health administrative services organization must collaborate with the authority and its contracted managed care organizations to develop and implement strategies to coordinate care with tribes

and community behavioral health providers for individuals with a history of frequent crisis system utilization.

(3) The behavioral health administrative services organization shall:

(a) Assure that the special needs of minorities, older adults, individuals with disabilities, children, and low-income persons are met;

(b) Collaborate with local and tribal government entities to ensure that policies do not result in an adverse shift of persons with mental illness into state ~~((and))~~, local, and tribal correctional facilities; and

(c) Work with the authority to expedite the enrollment or reenrollment of eligible persons leaving state or local correctional facilities and institutions for mental diseases.

(4) The behavioral health administrative services organization shall employ an assisted outpatient treatment program coordinator to oversee system coordination and legal compliance for assisted outpatient treatment under RCW 71.05.148 and 71.34.815.

(5) The behavioral health administrative services organization shall comply and ensure their contractors comply with the tribal crisis coordination plan agreed upon by the authority and tribes for coordination of crisis services, care coordination, and discharge and transition planning with tribes and Indian health care providers applicable to their regional service area.

**Sec. 31.** RCW 70.02.010 and 2020 c 302 s 112 and 2020 c 256 s 401 are each reenacted and amended to read as follows:

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

(1) "Admission" has the same meaning as in RCW 71.05.020.

(2) "Audit" means an assessment, evaluation, determination, or investigation of a health care provider by a person not employed by or affiliated with the provider to determine compliance with:

(a) Statutory, regulatory, fiscal, medical, or scientific standards;

(b) A private or public program of payments to a health care provider; or

(c) Requirements for licensing, accreditation, or certification.

(3) "Authority" means the Washington state health care authority.

(4) "Commitment" has the same meaning as in RCW 71.05.020.

(5) "Custody" has the same meaning as in RCW 71.05.020.

(6) "Deidentified" means health information that does not identify an individual and with respect to which there is no reasonable basis to believe that the information can be used to identify an individual.

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

(8) "Designated crisis responder" has the same meaning as in RCW 71.05.020 or 71.34.020, as applicable.

(9) "Detention" or "detain" has the same meaning as in RCW 71.05.020.

(10) "Directory information" means information disclosing the presence, and for the purpose of identification, the name, location within a health care facility, and the general health condition of a particular patient who is a patient in a health care facility or who is currently receiving emergency health care in a health care facility.

(11) "Discharge" has the same meaning as in RCW 71.05.020.

(12) "Evaluation and treatment facility" has the same meaning as in RCW 71.05.020 or 71.34.020, as applicable.

(13) "Federal, state, or local law enforcement authorities" means an officer of any agency or authority in the United States, a state, a tribe, a territory, or a political subdivision of a state, a tribe, or a territory who is empowered by law to:

(a) Investigate or conduct an official inquiry into a potential criminal violation of law; or (b) prosecute or otherwise conduct a criminal proceeding arising from an alleged violation of law.

(14) "General health condition" means the patient's health status described in terms of "critical," "poor," "fair," "good," "excellent," or terms denoting similar conditions.

(15) "Health care" means any care, service, or procedure provided by a health care provider:

(a) To diagnose, treat, or maintain a patient's physical or mental condition; or

(b) That affects the structure or any function of the human body.

(16) "Health care facility" means a hospital, clinic, nursing home, laboratory, office, or similar place where a health care provider provides health care to patients.

(17) "Health care information" means any information, whether oral or recorded in any form or medium, that identifies or can readily be associated with the identity of a patient and directly relates to the patient's health care, including a patient's deoxyribonucleic acid and identified sequence of chemical base pairs. The term includes any required accounting of disclosures of health care information.

(18) "Health care operations" means any of the following activities of a health care provider, health care facility, or third-party payor to the extent that the activities are related to functions that make an entity a health care provider, a health care facility, or a third-party payor:

(a) Conducting: Quality assessment and improvement activities, including outcomes evaluation and development of clinical guidelines, if the obtaining of generalizable knowledge is not the primary purpose of any studies resulting from such activities; population-based activities relating to improving health or reducing health care costs, protocol development, case management and care coordination, contacting of health care providers and patients with information about treatment alternatives; and related functions that do not include treatment;

(b) Reviewing the competence or qualifications of health care professionals, evaluating practitioner and provider

performance and third-party payor performance, conducting training programs in which students, trainees, or practitioners in areas of health care learn under supervision to practice or improve their skills as health care providers, training of nonhealth care professionals, accreditation, certification, licensing, or credentialing activities;

(c) Underwriting, premium rating, and other activities relating to the creation, renewal, or replacement of a contract of health insurance or health benefits, and ceding, securing, or placing a contract for reinsurance of risk relating to claims for health care, including stop-loss insurance and excess of loss insurance, if any applicable legal requirements are met;

(d) Conducting or arranging for medical review, legal services, and auditing functions, including fraud and abuse detection and compliance programs;

(e) Business planning and development, such as conducting cost-management and planning-related analyses related to managing and operating the health care facility or third-party payor, including formulary development and administration, development, or improvement of methods of payment or coverage policies; and

(f) Business management and general administrative activities of the health care facility, health care provider, or third-party payor including, but not limited to:

(i) Management activities relating to implementation of and compliance with the requirements of this chapter;

(ii) Customer service, including the provision of data analyses for policyholders, plan sponsors, or other customers, provided that health care information is not disclosed to such policyholder, plan sponsor, or customer;

(iii) Resolution of internal grievances;

(iv) The sale, transfer, merger, or consolidation of all or part of a health care provider, health care facility, or third-party payor with another health care provider, health care facility, or third-party payor or an entity that following such activity will become a health care provider, health care facility, or third-party payor, and due diligence related to such activity; and

(v) Consistent with applicable legal requirements, creating deidentified health care information or a limited data set for the benefit of the health care provider, health care facility, or third-party payor.

(19) "Health care provider" means a person who is licensed, certified, registered, or otherwise authorized by the law of this state to provide health care in the ordinary course of business or practice of a profession.

(20) "Human immunodeficiency virus" or "HIV" has the same meaning as in RCW 70.24.017.

(21) "Imminent" has the same meaning as in RCW 71.05.020.

(22) "Indian health care provider" has the same meaning as in RCW 43.71B.010(11).

(23) "Information and records related to mental health services" means a type of health care information that relates to all information and records compiled, obtained,

or maintained in the course of providing services by a mental health service agency or mental health professional to persons who are receiving or have received services for mental illness. The term includes mental health information contained in a medical bill, registration records, (~~as defined in RCW 70.97.010,~~) and all other records regarding the person maintained by the department, by the authority, by behavioral health administrative services organizations and their staff, managed care organizations contracted with the authority under chapter 74.09 RCW and their staff, and by treatment facilities. The term further includes documents of legal proceedings under chapter 71.05, 71.34, or 10.77 RCW, or somatic health care information. For health care information maintained by a hospital as defined in RCW 70.41.020 or a health care facility or health care provider that participates with a hospital in an organized health care arrangement defined under federal law, "information and records related to mental health services" is limited to information and records of services provided by a mental health professional or information and records of services created by a hospital-operated community behavioral health program as defined in RCW 71.24.025. The term does not include psychotherapy notes.

(24) "Information and records related to sexually transmitted diseases" means a type of health care information that relates to the identity of any person upon whom an HIV antibody test or other sexually transmitted infection test is performed, the results of such tests, and any information relating to diagnosis of or treatment for any confirmed sexually transmitted infections.

(25) "Institutional review board" means any board, committee, or other group formally designated by an institution, or authorized under federal or state law, to review, approve the initiation of, or conduct periodic review of research programs to assure the protection of the rights and welfare of human research subjects.

(26) "Legal counsel" has the same meaning as in RCW 71.05.020.

(27) "Local public health officer" has the same meaning as the term "local health officer" as defined in RCW 70.24.017.

(28) "Maintain," as related to health care information, means to hold, possess, preserve, retain, store, or control that information.

(29) "Managed care organization" has the same meaning as provided in RCW 71.24.025.

(30) "Mental health professional" means a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary of health under chapter 71.05 RCW, whether that person works in a private or public setting.

(31) "Mental health service agency" means a public or private agency that provides services to persons with mental disorders as defined under RCW 71.05.020 or 71.34.020 and receives funding from public sources. This includes evaluation and treatment facilities as defined in RCW 71.34.020, community

mental health service delivery systems, or community behavioral health programs, as defined in RCW 71.24.025, and facilities conducting competency evaluations and restoration under chapter 10.77 RCW.

(32) "Minor" has the same meaning as in RCW 71.34.020.

(33) "Parent" has the same meaning as in RCW 71.34.020.

(34) "Patient" means an individual who receives or has received health care. The term includes a deceased individual who has received health care.

(35) "Payment" means:

(a) The activities undertaken by:

(i) A third-party payor to obtain premiums or to determine or fulfill its responsibility for coverage and provision of benefits by the third-party payor; or

(ii) A health care provider, health care facility, or third-party payor, to obtain or provide reimbursement for the provision of health care; and

(b) The activities in (a) of this subsection that relate to the patient to whom health care is provided and that include, but are not limited to:

(i) Determinations of eligibility or coverage, including coordination of benefits or the determination of cost-sharing amounts, and adjudication or subrogation of health benefit claims;

(ii) Risk adjusting amounts due based on enrollee health status and demographic characteristics;

(iii) Billing, claims management, collection activities, obtaining payment under a contract for reinsurance, including stop-loss insurance and excess of loss insurance, and related health care data processing;

(iv) Review of health care services with respect to medical necessity, coverage under a health plan, appropriateness of care, or justification of charges;

(v) Utilization review activities, including precertification and concurrent and retrospective review of services; and

(vi) Disclosure to consumer reporting agencies of any of the following health care information relating to collection of premiums or reimbursement:

(A) Name and address;

(B) Date of birth;

(C) Social security number;

(D) Payment history;

(E) Account number; and

(F) Name and address of the health care provider, health care facility, and/or third-party payor.

(36) "Person" means an individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(37) "Professional person" has the same meaning as in RCW 71.05.020.

(38) "Psychiatric advanced registered nurse practitioner" has the same meaning as in RCW 71.05.020.

(39) "Psychotherapy notes" means notes recorded, in any medium, by a mental health professional documenting or analyzing the contents of conversations during a private

counseling session or group, joint, or family counseling session, and that are separated from the rest of the individual's medical record. The term excludes mediation prescription and monitoring, counseling session start and stop times, the modalities and frequencies of treatment furnished, results of clinical tests, and any summary of the following items: Diagnosis, functional status, the treatment plan, symptoms, prognosis, and progress to date.

(40) "Reasonable fee" means the charges for duplicating or searching the record, but shall not exceed (~~sixty-five~~) 65 cents per page for the first (~~thirty~~) 30 pages and (~~fifty~~) 50 cents per page for all other pages. In addition, a clerical fee for searching and handling may be charged not to exceed (~~fifteen dollars~~) \$15. These amounts shall be adjusted biennially in accordance with changes in the consumer price index, all consumers, for Seattle-Tacoma metropolitan statistical area as determined by the secretary of health. However, where editing of records by a health care provider is required by statute and is done by the provider personally, the fee may be the usual and customary charge for a basic office visit.

(41) "Release" has the same meaning as in RCW 71.05.020.

(42) "Resource management services" has the same meaning as in RCW 71.05.020.

(43) "Serious violent offense" has the same meaning as in RCW 9.94A.030.

(44) "Sexually transmitted infection" or "sexually transmitted disease" has the same meaning as "sexually transmitted disease" in RCW 70.24.017.

(45) "Test for a sexually transmitted disease" has the same meaning as in RCW 70.24.017.

(46) "Third-party payor" means an insurer regulated under Title 48 RCW authorized to transact business in this state or other jurisdiction, including a health care service contractor, and health maintenance organization; or an employee welfare benefit plan, excluding fitness or wellness plans; or a state or federal health benefit program.

(47) "Treatment" means the provision, coordination, or management of health care and related services by one or more health care providers or health care facilities, including the coordination or management of health care by a health care provider or health care facility with a third party; consultation between health care providers or health care facilities relating to a patient; or the referral of a patient for health care from one health care provider or health care facility to another.

(48) "Tribal public health authority" means a tribe that is responsible for public health matters as a part of its official mandate.

(49) "Tribal public health officer" means the individual appointed as the health officer for the tribe.

(50) "Tribe" has the same meaning as in RCW 71.24.025.

**Sec. 32.** RCW 70.02.230 and 2023 c 295 s 12 are each amended to read as follows:

(1) The fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services to either voluntary or involuntary recipients of services at public or private agencies may not be disclosed except as provided in this section, RCW 70.02.050, 71.05.445, 74.09.295, 70.02.210, 70.02.240, 70.02.250, 70.02.260, and 70.02.265, or pursuant to a valid authorization under RCW 70.02.030.

(2) Information and records related to mental health services, other than those obtained through treatment under chapter 71.34 RCW, may be disclosed:

(a) In communications between qualified professional persons to meet the requirements of chapter 71.05 RCW, including Indian health care providers, in the provision of services or appropriate referrals, or in the course of guardianship proceedings if provided to a professional person:

(i) Employed by the facility;

(ii) Who has medical responsibility for the patient's care;

(iii) Who is a designated crisis responder;

(iv) Who is providing services under chapter 71.24 RCW;

(v) Who is employed by a state or local correctional facility where the person is confined or supervised; or

(vi) Who is providing evaluation, treatment, or follow-up services under chapter 10.77 RCW;

(b) When the communications regard the special needs of a patient and the necessary circumstances giving rise to such needs and the disclosure is made by a facility providing services to the operator of a facility in which the patient resides or will reside;

(c) (i) When the person receiving services, or his or her guardian, designates persons to whom information or records may be released, or if the person is a minor, when his or her parents make such a designation;

(ii) A public or private agency shall release to a person's next of kin, attorney, personal representative, guardian, or conservator, if any:

(A) The information that the person is presently a patient in the facility or that the person is seriously physically ill;

(B) A statement evaluating the mental and physical condition of the patient, and a statement of the probable duration of the patient's confinement, if such information is requested by the next of kin, attorney, personal representative, guardian, or conservator; and

(iii) Other information requested by the next of kin or attorney as may be necessary to decide whether or not proceedings should be instituted to appoint a guardian or conservator;

(d) (i) To the courts, including tribal courts, as necessary to the administration of chapter 71.05 RCW, or equivalent proceedings in tribal courts, or to a court ordering an evaluation or treatment under chapter 10.77 RCW solely for the purpose of preventing the entry of any evaluation or

treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

(ii) To a court or its designee in which a motion under chapter 10.77 RCW has been made for involuntary medication of a defendant for the purpose of competency restoration.

(iii) Disclosure under this subsection is mandatory for the purpose of the federal health insurance portability and accountability act;

(e) (i) When a mental health professional or designated crisis responder is requested by a representative of a law enforcement or corrections agency, including a police officer, sheriff, community corrections officer, a municipal attorney, or prosecuting attorney to undertake an investigation or provide treatment under RCW 71.05.150, 10.31.110, or 71.05.153, the mental health professional or designated crisis responder shall, if requested to do so, advise the representative in writing of the results of the investigation including a statement of reasons for the decision to detain or release the person investigated. The written report must be submitted within ~~((seventy-two))~~ 72 hours of the completion of the investigation or the request from the law enforcement or corrections representative, whichever occurs later.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(f) To the attorney of the detained person;

(g) To the prosecuting attorney, including tribal prosecuting attorney, as necessary to carry out the responsibilities of the office under RCW 71.05.330(2), 71.05.340(1)(b), and 71.05.335. The prosecutor, including tribal prosecutor, must be provided access to records regarding the committed person's treatment and prognosis, medication, behavior problems, and other records relevant to the issue of whether treatment less restrictive than inpatient treatment is in the best interest of the committed person or others. Information must be disclosed only after giving notice to the committed person and the person's counsel;

(h) (i) To appropriate law enforcement agencies, including tribal law enforcement agencies, and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure must be made by the professional person in charge of the public or private agency or his or her designee and must include the dates of commitment, admission, discharge, or release, authorized or unauthorized absence from the agency's facility, and only any other information that is pertinent to the threat or harassment. The agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence. Nothing in this section shall be interpreted as a waiver of sovereign immunity by a tribe.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(i) (i) To appropriate corrections and law enforcement agencies, including tribal corrections and law enforcement agencies, all necessary and relevant information in the event of a crisis or emergent situation that poses a significant and imminent risk to the public. The mental health service agency or its employees are not civilly liable for the decision to disclose or not so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the health insurance portability and accountability act;

(j) To the persons designated in RCW 71.05.425 for the purposes described in those sections;

(k) By a care coordinator, including an Indian health care provider, under RCW 71.05.585 or 10.77.175 assigned to a person ordered to receive less restrictive alternative treatment for the purpose of sharing information to parties necessary for the implementation of proceedings under chapter 71.05 or 10.77 RCW;

(l) Upon the death of a person. The person's next of kin, personal representative, guardian, or conservator, if any, must be notified. Next of kin who are of legal age and competent must be notified under this section in the following order: Spouse, parents, children, brothers and sisters, and other relatives according to the degree of relation. Access to all records and information compiled, obtained, or maintained in the course of providing services to a deceased patient are governed by RCW 70.02.140;

(m) To mark headstones or otherwise memorialize patients interred at state hospital cemeteries. The department of social and health services shall make available the name, date of birth, and date of death of patients buried in state hospital cemeteries fifty years after the death of a patient;

(n) To law enforcement officers and to prosecuting attorneys as are necessary to enforce RCW 9.41.040(2)(a)(iii). The extent of information that may be released is limited as follows:

(i) Only the fact, place, and date of involuntary commitment, an official copy of any order or orders of commitment, and an official copy of any written or oral notice of ineligibility to possess a firearm that was provided to the person pursuant to RCW 9.41.047(1), must be disclosed upon request;

(ii) The law enforcement and prosecuting attorneys may only release the information obtained to the person's attorney as required by court rule and to a jury or judge, if a jury is waived, that presides over any trial at which the person is charged with violating RCW 9.41.040(2)(a)(iii);

(iii) Tribal law enforcement officers and tribal prosecuting attorneys who enforce tribal laws or tribal court orders similar to RCW 9.41.040(2)(a)(v) may also receive

confidential information in accordance with this subsection;

(iv) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(o) When a patient would otherwise be subject to the provisions of this section and disclosure is necessary for the protection of the patient or others due to his or her unauthorized disappearance from the facility, and his or her whereabouts is unknown, notice of the disappearance, along with relevant information, may be made to relatives, the department of corrections when the person is under the supervision of the department, and governmental law enforcement agencies designated by the physician or psychiatric advanced registered nurse practitioner in charge of the patient or the professional person in charge of the facility, or his or her professional designee;

(p) Pursuant to lawful order of a court, including a tribal court;

(q) To qualified staff members of the department, to the authority, to behavioral health administrative services organizations, to managed care organizations, to resource management services responsible for serving a patient, or to service providers designated by resource management services as necessary to determine the progress and adequacy of treatment and to determine whether the person should be transferred to a less restrictive or more appropriate treatment modality or facility;

(r) Within the mental health service agency or Indian health care provider facility where the patient is receiving treatment, confidential information may be disclosed to persons employed, serving in bona fide training programs, or participating in supervised volunteer programs, at the facility when it is necessary to perform their duties;

(s) Within the department and the authority as necessary to coordinate treatment for mental illness, developmental disabilities, or substance use disorder of persons who are under the supervision of the department;

(t) Between the department of social and health services, the department of children, youth, and families, and the health care authority as necessary to coordinate treatment for mental illness, developmental disabilities, or substance use disorder of persons who are under the supervision of the department of social and health services or the department of children, youth, and families;

(u) To a licensed physician or psychiatric advanced registered nurse practitioner who has determined that the life or health of the person is in danger and that treatment without the information and records related to mental health services could be injurious to the patient's health. Disclosure must be limited to the portions of the records necessary to meet the medical emergency;

(v) (i) Consistent with the requirements of the federal health insurance portability and accountability act, to:

(A) A health care provider, including an Indian health care provider, who is providing care to a patient, or to whom a patient has been referred for evaluation or treatment; or

(B) Any other person who is working in a care coordinator role for a health care facility, health care provider, or Indian health care provider, or is under an agreement pursuant to the federal health insurance portability and accountability act with a health care facility or a health care provider and requires the information and records to assure coordinated care and treatment of that patient.

(ii) A person authorized to use or disclose information and records related to mental health services under this subsection (2)(v) must take appropriate steps to protect the information and records relating to mental health services.

(iii) Psychotherapy notes may not be released without authorization of the patient who is the subject of the request for release of information;

(w) To administrative and office support staff designated to obtain medical records for those licensed professionals listed in (v) of this subsection;

(x) To a facility that is to receive a person who is involuntarily committed under chapter 71.05 RCW, or upon transfer of the person from one evaluation and treatment facility to another. The release of records under this subsection is limited to the information and records related to mental health services required by law, a record or summary of all somatic treatments, and a discharge summary. The discharge summary may include a statement of the patient's problem, the treatment goals, the type of treatment which has been provided, and recommendation for future treatment, but may not include the patient's complete treatment record;

(y) To the person's counsel or guardian ad litem, without modification, at any time in order to prepare for involuntary commitment or recommitment proceedings, reexaminations, appeals, or other actions relating to detention, admission, commitment, or patient's rights under chapter 71.05 RCW;

(z) To staff members of the protection and advocacy agency or to staff members of a private, nonprofit corporation for the purpose of protecting and advocating the rights of persons with mental disorders or developmental disabilities. Resource management services may limit the release of information to the name, birthdate, and county of residence of the patient, information regarding whether the patient was voluntarily admitted, or involuntarily committed, the date and place of admission, placement, or commitment, the name and address of a guardian of the patient, and the date and place of the guardian's appointment. Any staff member who wishes to obtain additional information must notify the patient's resource management services in writing of the request and of the resource management services' right to object. The staff member shall send the notice by mail to the guardian's address. If the guardian does not object in writing

within fifteen days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within fifteen days after the notice is mailed, the staff member may not obtain the additional information;

(aa) To all current treating providers, including Indian health care providers, of the patient with prescriptive authority who have written a prescription for the patient within the last twelve months. For purposes of coordinating health care, the department or the authority may release without written authorization of the patient, information acquired for billing and collection purposes as described in RCW 70.02.050(1)(d). The department, or the authority, if applicable, shall notify the patient that billing and collection information has been released to named providers, and provide the substance of the information released and the dates of such release. Neither the department nor the authority may release counseling, inpatient psychiatric hospitalization, or drug and alcohol treatment information without a signed written release from the client;

(bb)(i) To the secretary of social and health services and the director of the health care authority for either program evaluation or research, or both so long as the secretary or director, where applicable, adopts rules for the conduct of the evaluation or research, or both. Such rules must include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I, . . . . ., agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/ . . . . ."

(ii) Nothing in this chapter may be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance of confidentiality, set forth by the secretary, or director, where applicable;

(cc) To any person if the conditions in RCW 70.02.205 are met;

(dd) To the secretary of health for the purposes of the maternal mortality review panel established in RCW 70.54.450; or

(ee) To a tribe or Indian health care provider to carry out the requirements of RCW 71.05.150((+6))(5).

(3) Whenever federal law or federal regulations restrict the release of information contained in the information and records related to mental health services of any patient who receives treatment for a substance use disorder, the department or the authority may restrict the release of



the information as necessary to comply with federal law and regulations.

(4) Civil liability and immunity for the release of information about a particular person who is committed to the department of social and health services or the authority under RCW 71.05.280(3) and 71.05.320(4)(c) after dismissal of a sex offense as defined in RCW 9.94A.030, is governed by RCW 4.24.550.

(5) The fact of admission to a provider of mental health services, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to chapter 71.05 RCW are not admissible as evidence in any legal proceeding outside that chapter without the written authorization of the person who was the subject of the proceeding except as provided in RCW 70.02.260, in a subsequent criminal prosecution of a person committed pursuant to RCW 71.05.280(3) or 71.05.320(4)(c) on charges that were dismissed pursuant to chapter 10.77 RCW due to incompetency to stand trial, in a civil commitment proceeding pursuant to chapter 71.09 RCW, or, in the case of a minor, a guardianship or dependency proceeding. The records and files maintained in any court proceeding pursuant to chapter 71.05 RCW must be confidential and available subsequent to such proceedings ~~((only to the person who was the subject of the proceeding or his or her attorney))~~ in accordance with RCW 71.05.620. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

(6)(a) Except as provided in RCW 4.24.550, any person may bring an action against an individual who has willfully released confidential information or records concerning him or her in violation of the provisions of this section, for the greater of the following amounts:

(i) One thousand dollars; or

(ii) Three times the amount of actual damages sustained, if any.

(b) It is not a prerequisite to recovery under this subsection that the plaintiff suffered or was threatened with special, as contrasted with general, damages.

(c) Any person may bring an action to enjoin the release of confidential information or records concerning him or her or his or her ward, in violation of the provisions of this section, and may in the same action seek damages as provided in this subsection.

(d) The court may award to the plaintiff, should he or she prevail in any action authorized by this subsection, reasonable attorney fees in addition to those otherwise provided by law.

(e) If an action is brought under this subsection, no action may be brought under RCW 70.02.170.

**Sec. 33.** RCW 70.02.240 and 2023 c 295 s 13 are each amended to read as follows:

The fact of admission and all information and records related to mental health services obtained through inpatient or

outpatient treatment of a minor under chapter 71.34 RCW must be kept confidential, except as authorized by this section or under RCW 70.02.050, 70.02.210, 70.02.230, 70.02.250, 70.02.260, and 70.02.265. Confidential information under this section may be disclosed only:

(1) In communications between mental health professionals, including Indian health care providers, to meet the requirements of chapter 71.34 RCW, in the provision of services to the minor, or in making appropriate referrals;

(2) In the course of guardianship or dependency proceedings, including proceedings within tribal jurisdictions;

(3) To the minor, the minor's parent, including those acting as a parent as defined in RCW 71.34.020 for purposes of family-initiated treatment, and the minor's attorney, subject to RCW 13.50.100;

(4) To the courts, including tribal courts, as necessary to administer chapter 71.34 RCW or equivalent proceedings in tribal courts;

(5) By a care coordinator, including an Indian health care provider, under RCW 71.34.755 or 10.77.175 assigned to a person ordered to receive less restrictive alternative treatment for the purpose of sharing information to parties necessary for the implementation of proceedings under chapter 71.34 or 10.77 RCW;

(6) By a care coordinator, including an Indian health care provider, under RCW 71.34.755 assigned to a person ordered to receive less restrictive alternative treatment for the purpose of sharing information to parties necessary for the implementation of proceedings under chapter 71.34 RCW;

(7) To law enforcement officers, including tribal law enforcement officers, or public health officers, including tribal public health officers, as necessary to carry out the responsibilities of their office. However, only the fact and date of admission, and the date of discharge, the name and address of the treatment provider, if any, and the last known address must be disclosed upon request;

(8) To law enforcement officers, including tribal law enforcement officers, public health officers, including tribal public health officers, relatives, and other governmental law enforcement agencies, if a minor has escaped from custody, disappeared from an evaluation and treatment facility, violated conditions of a less restrictive treatment order, or failed to return from an authorized leave, and then only such information as may be necessary to provide for public safety or to assist in the apprehension of the minor. The officers are obligated to keep the information confidential in accordance with this chapter;

(9) To the secretary of social and health services and the director of the health care authority for assistance in data collection and program evaluation or research so long as the secretary or director, where applicable, adopts rules for the conduct of such evaluation and research. The rules must include, but need not be limited to, the requirement that all evaluators and

researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I, . . . . ., agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding minors who have received services in a manner such that the minor is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under state law.

/s/ . . . . .";

(10) To appropriate law enforcement agencies, including tribal law enforcement agencies, upon request, all necessary and relevant information in the event of a crisis or emergent situation that poses a significant and imminent risk to the public. The mental health service agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence;

(11) To appropriate law enforcement agencies, including tribal law enforcement agencies, and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure must be made by the professional person in charge of the public or private agency or his or her designee and must include the dates of admission, discharge, authorized or unauthorized absence from the agency's facility, and only any other information that is pertinent to the threat or harassment. The agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence. Nothing in this section shall be interpreted as a waiver of sovereign immunity by a tribe;

(12) To a minor's next of kin, attorney, guardian, or conservator, if any, the information that the minor is presently in the facility or that the minor is seriously physically ill and a statement evaluating the mental and physical condition of the minor as well as a statement of the probable duration of the minor's confinement;

(13) Upon the death of a minor, to the minor's next of kin;

(14) To a facility, including a tribal facility, in which the minor resides or will reside;

(15) To law enforcement officers and to prosecuting attorneys as are necessary to enforce RCW 9.41.040(2)(a)(iii). The extent of information that may be released is limited as follows:

(a) Only the fact, place, and date of involuntary commitment, an official copy of any order or orders of commitment, and an official copy of any written or oral notice of ineligibility to possess a firearm that

was provided to the person pursuant to RCW 9.41.047(1), must be disclosed upon request;

(b) The law enforcement and prosecuting attorneys may only release the information obtained to the person's attorney as required by court rule and to a jury or judge, if a jury is waived, that presides over any trial at which the person is charged with violating RCW 9.41.040(2)(a)(iii);

(c) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(d) Tribal law enforcement officers and tribal prosecuting attorneys who enforce tribal laws or tribal court orders similar to RCW 9.41.040(2)(a)(v) may also receive confidential information in accordance with this subsection;

(16) This section may not be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance of confidentiality, set forth by the director of the health care authority or the secretary of the department of social and health services, where applicable. The fact of admission and all information obtained pursuant to chapter 71.34 RCW are not admissible as evidence in any legal proceeding outside chapter 71.34 RCW, except guardianship or dependency, without the written consent of the minor or the minor's parent;

(17) For the purpose of a correctional facility participating in the postinstitutional medical assistance system supporting the expedited medical determinations and medical suspensions as provided in RCW 74.09.555 and 74.09.295;

(18) Pursuant to a lawful order of a court, including a tribal court.

**Sec. 34.** RCW 70.02.260 and 2018 c 201 s 8005 are each amended to read as follows:

(1)(a) A mental health service agency shall release to the persons authorized under subsection (2) of this section, upon request:

(i) The fact, place, and date of an involuntary commitment, the fact and date of discharge or release, and the last known address of a person who has been committed under chapter 71.05 RCW.

(ii) Information and records related to mental health services, in the format determined under subsection (9) of this section, concerning a person who:

(A) Is currently committed to the custody or supervision of the department of corrections or the indeterminate sentence review board under chapter 9.94A or 9.95 RCW;

(B) Has been convicted or found not guilty by reason of insanity of a serious violent offense; or

(C) Was charged with a serious violent offense and the charges were dismissed under RCW 10.77.086.

(b) Legal counsel may release such information to the persons authorized under subsection (2) of this section on behalf of the mental health service agency, so long as

nothing in this subsection requires the disclosure of attorney work product or attorney-client privileged information.

(2) The information subject to release under subsection (1) of this section must be released to law enforcement officers, personnel of a county ~~((or))~~, city, or tribal jail or tribal detention or holding facility, designated mental health professionals or designated crisis responders, as appropriate, public health officers, therapeutic court personnel as defined in RCW 71.05.020, or personnel of the department of corrections, including the indeterminate sentence review board and personnel assigned to perform board-related duties, when such information is requested during the course of business and for the purpose of carrying out the responsibilities of the requesting person's office. No mental health service agency or person employed by a mental health service agency, or its legal counsel, may be liable for information released to or used under the provisions of this section or rules adopted under this section except under RCW 71.05.680.

(3) A person who requests information under subsection (1)(a)(ii) of this section must comply with the following restrictions:

(a) Information must be requested only for the purposes permitted by this subsection and for the purpose of carrying out the responsibilities of the requesting person's office. Appropriate purposes for requesting information under this section include:

(i) Completing presentence investigations or risk assessment reports;

(ii) Assessing a person's risk to the community;

(iii) Assessing a person's risk of harm to self or others when confined in a city or county jail;

(iv) Planning for and provision of supervision of an offender, including decisions related to sanctions for violations of conditions of community supervision; and

(v) Responding to an offender's failure to report for department of corrections supervision;

(b) Information may not be requested under this section unless the requesting person has reasonable suspicion that the individual who is the subject of the information:

(i) Has engaged in activity indicating that a crime or a violation of community custody or parole has been committed or, based upon his or her current or recent past behavior, is likely to be committed in the near future; or

(ii) Is exhibiting signs of a deterioration in mental functioning which may make the individual appropriate for civil commitment under chapter 71.05 RCW; and

(c) Any information received under this section must be held confidential and subject to the limitations on disclosure outlined in this chapter, except:

(i) The information may be shared with other persons who have the right to request similar information under subsection (2) of this section, solely for the purpose of coordinating activities related to the

individual who is the subject of the information in a manner consistent with the official responsibilities of the persons involved;

(ii) The information may be shared with a prosecuting attorney acting in an advisory capacity for a person who receives information under this section. A prosecuting attorney under this subsection is subject to the same restrictions and confidentiality limitations as the person who requested the information; and

(iii) As provided in RCW 72.09.585.

(4) A request for information and records related to mental health services under this section does not require the consent of the subject of the records. The request must be provided in writing, except to the extent authorized in subsection (5) of this section. A written request may include requests made by email or facsimile so long as the requesting person is clearly identified. The request must specify the information being requested.

(5) In the event of an emergency situation that poses a significant risk to the public or the offender, a mental health service agency, or its legal counsel, shall release information related to mental health services delivered to the offender and, if known, information regarding where the offender is likely to be found to the department of corrections or law enforcement upon request. The initial request may be written or oral. All oral requests must be subsequently confirmed in writing. Information released in response to an oral request is limited to a statement as to whether the offender is or is not being treated by the mental health service agency and the address or information about the location or whereabouts of the offender.

(6) Disclosure under this section to state or local law enforcement authorities is mandatory for the purposes of the federal health insurance portability and accountability act.

(7) Whenever federal law or federal regulations restrict the release of information contained in the treatment records of any patient who receives treatment for alcoholism or drug dependency, the release of the information may be restricted as necessary to comply with federal law and regulations.

(8) This section does not modify the terms and conditions of disclosure of information related to sexually transmitted diseases under this chapter.

(9) In collaboration with interested organizations, the authority shall develop a standard form for requests for information related to mental health services made under this section and a standard format for information provided in response to the requests. Consistent with the goals of the health information privacy provisions of the federal health insurance portability and accountability act, in developing the standard form for responsive information, the authority shall design the form in such a way that the information disclosed is limited to the minimum necessary to serve the purpose for which the information is requested.

NEW SECTION. **Sec. 35.** Section 5 of this act expires when section 6 of this act takes effect.

NEW SECTION. **Sec. 36.** Section 6 of this act takes effect when section 4, chapter 433, Laws of 2023 takes effect.

NEW SECTION. **Sec. 37.** Section 7 of this act expires when section 8 of this act takes effect.

NEW SECTION. **Sec. 38.** Section 8 of this act takes effect when section 13, chapter 433, Laws of 2023 takes effect.

NEW SECTION. **Sec. 39.** Sections 11, 13, 23, and 26 of this act expire July 1, 2026.

NEW SECTION. **Sec. 40.** Sections 12, 14, 24, and 27 of this act take effect July 1, 2026.

NEW SECTION. **Sec. 41.** Section 17 of this act expires when section 18 of this act takes effect.

NEW SECTION. **Sec. 42.** Section 18 of this act takes effect when section 10, chapter 210, Laws of 2022 takes effect.

NEW SECTION. **Sec. 43.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 3 of the title, after "system;" strike the remainder of the title and insert "amending RCW 71.34.020, 71.34.020, 71.05.148, 71.34.815, 71.05.150, 71.05.150, 71.34.710, 71.34.710, 71.05.195, 71.05.201, 71.05.212, 71.05.212, 71.05.214, 71.05.217, 71.05.435, 71.05.458, 71.05.590, 71.05.590, 71.05.620, 71.34.780, 71.34.780, 71.05.730, 71.24.030, 71.24.045, 70.02.230, 70.02.240, and 70.02.260; reenacting and amending RCW 71.05.020, 71.05.020, and 70.02.010; adding new sections to chapter 71.05 RCW; adding new sections to chapter 71.34 RCW; creating a new section; providing an effective date; providing contingent effective dates; providing an expiration date; and providing contingent expiration dates."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 1877 and advanced the bill, as amended by the Senate, to final passage.

Representatives Lekanoff and Walsh spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1877, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1877, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 1877, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1924, with the following amendment(s): 1924-S AMS ENET S5160.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 43.21F RCW to read as follows:

(1) In addition to the principles guiding the development and implementation of the state energy strategy described in RCW 43.21F.088, the state must ensure that the pursuit of cleaner energy sources actively includes and supports innovative, emerging, and promising clean energy technologies, such as fusion energy.

(2) For the purposes of this section, "fusion energy" means energy production derived directly or indirectly from the merger of atomic nuclei.

(3) The legislature finds that fusion energy is a rapidly advancing clean energy technology and that Washington is poised to become a world leader in fusion energy development.

NEW SECTION. **Sec. 2.** The energy facility site evaluation council and the department of health shall establish a fusion energy work group of state agencies including, but not limited to, the department of commerce, the department of ecology, the office of the governor, and the military department to identify and evaluate new and existing permitting, siting, licensing, and registration pathways for producing fusion energy. The fusion energy

work group shall involve the regulated community throughout the process. The fusion energy work group shall provide an initial report to the governor and legislature by December 1, 2024.

**Sec. 3.** RCW 43.158.020 and 2023 c 230 s 202 are each amended to read as follows:

(1) The department of commerce shall develop an application for the designation of clean energy projects, including facilities that produce electricity with fusion energy, as clean energy projects of statewide significance.

(2) An application to the department of commerce by an applicant under this section must include:

(a) Information regarding the location of the project;

(b) Information sufficient to demonstrate that the project qualifies as a clean energy project;

(c) An explanation of how the project is expected to contribute to the state's achievement of the greenhouse gas emission limits in chapter 70A.45 RCW and is consistent with the state energy strategy adopted by the department of commerce, as well as any contribution that the project is expected to make to other state regulatory requirements for clean energy and greenhouse gas emissions, including the requirements of chapter 19.405, 70A.30, 70A.60, 70A.65, 70A.535, or 70A.540 RCW;

(d) An explanation of how the project is expected to contribute to the state's economic development goals, including information regarding the applicant's average employment in the state for the prior year, estimated new employment related to the project, estimated wages of employees related to the project, and estimated time schedules for completion and operation;

(e) A plan for engagement and information sharing with potentially affected federally recognized Indian tribes;

(f) A description of potential community benefits and impacts from the project, a plan for community engagement in the project development, and an explanation of how the applicant might use a community benefit agreement or other legal document that stipulates the benefits that the developer agrees to fund or furnish, in exchange for community support of a project; and

(g) Other information required by the department of commerce.

(3) For the purposes of this section, "fusion energy" has the same meaning as defined in section 1 of this act.

On page 1, line 2 of the title, after "policies;" strike the remainder of the title and insert "amending RCW 43.158.020; adding a new section to chapter 43.21F RCW; and creating a new section."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1924 and advanced the bill, as amended by the Senate, to final passage.

Representatives Shavers and Dye spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1924, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1924, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Pollet and Ramel

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1924, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed HOUSE BILL NO. 1943, with the following amendment(s): 1943 AMS RAND S5596.1

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 28B.103.010 and 2022 c 68 s 1 are each amended to read as follows:

~~((Unless the context clearly requires otherwise, the))~~ The definitions in this section apply throughout this ((section and RCW 28B.103.020 and 28B.103.030) chapter unless the context clearly requires otherwise.

(1) "Dependent" means a person enrolled as a dependent in the defense enrollment eligibility reporting system.

(2) "Eligible student" means a member of the Washington national guard ((who attends an institution of higher education that is located in this state and accredited by the Northwest Association of Schools and Colleges, or an institution that is located in this state that provides approved training under the Montgomery GI Bill, and who) or the spouse or dependent of, and designated by, a member who agrees to fulfill his or her service obligation and meets any additional selection criteria adopted by the office and all of the following participation requirements:

(a) ~~((Enrolled))~~ Is enrolled in courses or a program that lead to a postsecondary degree or certificate at an institution of higher education located in the state and accredited by the Northwest Association of Schools and Colleges, or an institution that is located in the state that provides approved training under the Montgomery GI Bill;

(b) Is an active drilling member, or the spouse or dependent of, and designated by, an active drilling member. The member must be in good standing in the Washington national guard as specified in rules adopted by the office for implementation of the ~~((Washington national guard postsecondary education))~~ grant;

(c) Has completed and submitted an application for student aid approved by the office; and

(d) Is a resident student as defined in RCW 28B.15.012 ~~((and~~

~~(e) Agrees to fulfill his or her service obligation)).~~

~~((2))~~ (3) "Forgiven" or "to forgive" or "forgiveness" means either to render service in the Washington national guard in lieu of monetary repayment, or to be relieved of the service obligation under rules adopted by the office.

~~((3))~~ (4) "Grant" means the Washington national guard postsecondary education grant as established in RCW 28B.103.020.

~~((4))~~ (5) "Maximum benefit" means the maximum grant a Washington national guard member and the guard member's spouse and dependents are eligible to receive.

(6) "Member" means a member of the Washington national guard who has received, or whose spouse or dependent has received, a grant under this chapter.

(7) "Office" means the office of student financial assistance created in RCW 28B.76.090.

~~((5))~~ (8) "Participant" means an eligible student who has received a ~~((Washington national guard postsecondary education))~~ grant under this chapter.

~~((6))~~ (9) "Service obligation" means ~~((serving))~~ an obligation by the member to serve in the Washington national guard for a time period of at least one year of service in the Washington national guard for each year the ~~((student))~~ participant receives a ~~((Washington national guard postsecondary education))~~ grant.

**Sec. 2.** RCW 28B.103.020 and 2022 c 68 s 2 are each amended to read as follows:

Subject to amounts appropriated for this specific purpose, the Washington national guard postsecondary education grant program is established. The program shall be administered by the office. In administering the program, the powers and duties of the office shall include, but need not be limited to:

(1) With the assistance of the Washington military department, the selection of eligible students to receive the ~~((Washington national guard postsecondary education))~~ grant as follows:

(a) An eligible student may receive a grant under this section to help pay for

postsecondary education program costs as approved by the office. Grants may not:

(i) Exceed the maximum Washington college grant as defined in RCW 28B.92.030, plus \$500 for books and supplies;

(ii) Exceed the ~~((student's))~~ participant's cost of attendance, when combined with all other public and private grants, scholarships, and waiver assistance the ~~((student))~~ participant receives; and

(iii) Result in reduction of a participant's federal or other state financial aid.

(b) The Washington military department shall ensure that data needed to identify eligible ~~((recipients))~~ students are promptly transmitted to the office.

(c) The annual amount of each ~~((Washington national guard postsecondary education))~~ grant may vary, but may not exceed the annual cost of undergraduate tuition fees and services and activities fees at the University of Washington, plus an allowance for books and supplies.

(d) ~~((Washington national guard postsecondary education grant eligibility))~~ The maximum benefit a single guard member, or a combination of the guard member and the guard member's designated spouse or dependents, may receive may not extend beyond ~~((five years or one hundred twenty-five percent of the published length of the program in which the student is enrolled))~~ six full-time years, or the credit or clock-hour equivalent;

(2) The award of grants funded by federal and state funds, private donations, or repayments from any participant who does not complete the participant's service obligation;

(3) The adoption of necessary rules and policies, including establishing a priority for eligible students attending an institution of higher education located in this state that is accredited by the Northwest Association of Schools and Colleges;

(4) The adoption of participant selection criteria. The criteria may include but need not be limited to requirements for: Satisfactory academic progress, enrollment in courses or programs that lead to a baccalaureate degree or an associate degree or a certificate, and satisfactory participation as a member of the Washington national guard;

(5) With the assistance of the Washington military department, the notification of ~~((participants))~~ members of their additional service obligation or required repayment of the ~~((Washington national guard postsecondary education))~~ grant; and

(6) The collection of repayments from ~~((participants))~~ members who do not meet the service obligations.

**Sec. 3.** RCW 28B.103.030 and 2020 c 297 s 3 are each amended to read as follows:

(1) ~~((Participants in the Washington national guard postsecondary education grant program))~~ Members incur an obligation to repay the grant, with interest, unless they serve in the Washington national guard for one year for each year they or their spouse

or dependent received the grant, under rules adopted by the office.

(2) The office shall adopt rules addressing the terms for repayment, including applicable interest rates, fees, ~~((and))~~ deferments, and appeals, by a ~~((participant))~~ member who does not render service as a member of the Washington national guard necessary to satisfy his or her service obligation.

(3) The office is responsible for collection of repayments made under this section. The office shall exercise due diligence in such collection, maintaining all necessary records to ensure that maximum repayments are made. Collection and servicing of repayments under this section shall be pursued using the full extent of law, including wage garnishment if necessary. The office is responsible to forgive all or parts of such repayments under the criteria established in this section, and shall maintain all necessary records of forgiven payments.

(4) Receipts from the payment of principal or interest paid by or on behalf of participants shall be deposited with the office and shall be used to cover the costs of administration of the grant, maintaining necessary records, and making collections under subsection (3) of this section. The office shall maintain accurate records of these costs, and all receipts beyond those necessary to pay such costs shall be used to make grant awards to eligible students.

**NEW SECTION. Sec. 4.** A new section is added to chapter 28B.103 RCW to read as follows:

A guard member and the guard member's designated spouse and dependents may simultaneously use the grant, subject to any rules adopted by the office, and the limitation on the maximum benefit."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "amending RCW 28B.103.010, 28B.103.020, and 28B.103.030; and adding a new section to chapter 28B.103 RCW."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1943 and advanced the bill, as amended by the Senate, to final passage.

Representatives Leavitt and Ybarra spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1943, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1943, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1943, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2000, with the following amendment(s): 2000-S2.E AMS STAN S5615.3

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 43.290 RCW to read as follows:

(1) The office of international relations and protocol shall develop a strategic international engagement plan to guide Washington's international economic development and engagement consistent with RCW 43.290.005. The plan must create a common framework for the state's engagement in international activities, to include: Trade missions, economic development, and interpersonal knowledge, educational, and cultural exchanges.

(2) The office may consult with entities relevant to Washington's international presence when developing the strategic plan, including: Associate development organizations, business and civic organizations, consular officials, executive and small cabinet agencies, institutions of higher education, immigration and labor organizations, public ports, state offices, state ethnic commissions, and private and nonprofit organizations.

(3) The office may utilize the resources of Results Washington for technical and operational assistance in developing the strategic plan.

(4) The office must complete an initial strategic plan by July 1, 2025. This strategic plan shall undergo periodic review to measure progress and outcomes at least every two and a half years thereafter, and it shall be fully updated at least every five years thereafter.

**Sec. 2.** RCW 43.290.005 and 1991 c 24 s 1 are each amended to read as follows:

The legislature finds that it is in the public interest to create an office of international relations and protocol in

order to: Make international relations and protocol ((a broad-based,)) focused((r)) and functional ((part of)) across state government; provide leadership in state government and assist the legislature and state elected officials on international issues affecting the state; establish coordinated methods for responding to foreign governments and institutions seeking cooperative activities with and within Washington; coordinate and improve communication and resource sharing among various state offices, agencies, and educational institutions with international programs; develop and promote state policies that increase international engagement and cross-cultural understanding among Washington state's citizens; expand Washington state's international cooperation role in such vital areas ((as the environment, education, science, culture, and sports)) of public policy as economic development, trade and industry, and tourism and sports, as well as education, culture, science, and resilience; ((establish coordinated methods for responding to the increasing number of inquiries by foreign governments and institutions seeking cooperative activities within Washington state; provide leadership in state government on international relations and assistance to the legislature and state elected officials on international issues affecting the state;)) and assist with multistate international efforts ((r and coordinate and improve communication and resource sharing among various state offices, agencies, and educational institutions with international programs)).

It is the purpose of this chapter to bring these functions together in a new office under the office of the governor in order to establish a visible, coordinated, and comprehensive approach to international relations and protocol.

**Sec. 3.** RCW 43.290.020 and 1991 c 24 s 4 are each amended to read as follows:

The office of international relations and protocol may:

(1) Create ((temporary)) advisory committees as necessary to ((deal with specific international issues)) execute its responsibilities. The duration and composition of such advisory committees may be determined by the office. Advisory committee representation may include statewide elected officials from the executive branch, or their designees, as well as representatives of the legislative branch and the judiciary. Representation may also include external organizations such as ((the Seattle consular corps,)) world affairs councils, public ports, world trade organizations, ((private nonprofit organizations dealing with international education or international environmental issues, organizations concerned with international understanding, businesses with experience in international relations, or other organizations deemed appropriate by the director)) associate development organizations, business and civic organizations, consular officials, executive and small cabinet agencies, institutions of

higher education, immigration and labor organizations, public ports, state offices, and private and nonprofit organizations. The governor, or the governor's designee, shall chair such advisory committees;

(2) In conjunction with the legislative committee on economic development and international relations, designate foreign jurisdictions, such as national governments, subnational governments, and international organizations, as jurisdictions of strategic importance to Washington;

(3) Establish procedures and requirements for operations and expenditures to support and enhance state government partnership and relationships with foreign jurisdictions, particularly those identified as of strategic importance. Such operations and expenditures are intended to strengthen state agency economic development and policy cooperation, enable the implementation of the strategic international engagement plan, as determined by the director, and provide resources for government-to-government engagement, as well as support of inbound and outbound delegations to and from Washington state;

(4) Accept or request grants or gifts from citizens and other private sources to be used to defray the costs of appropriate hosting of foreign dignitaries, including appropriate gift-giving and reciprocal gift-giving, or other activities of the office. The office shall open and maintain a bank account into which it shall deposit all money received under this subsection. Such money and the interest accruing thereon shall not constitute public funds, shall be kept segregated and apart from funds of the state, and shall not be subject to appropriation or allotment by the state or subject to chapter 43.88 RCW.

**Sec. 4.** RCW 43.330.065 and 2023 c 470 s 2081 are each amended to read as follows:

((The department of commerce, in consultation with the office of protocol, the office of the secretary of state, the department of agriculture, and the employment security department[,])) (1) The office of international relations and protocol and the legislative committee on economic development and international relations, in consultation with the department of commerce, the department of agriculture, the office of the secretary of state, and other state agencies and offices as appropriate, shall jointly identify up to ((fifteen countries)) 15 foreign jurisdictions that are of strategic importance to the development and diversification of Washington's international trade relations.

(2) When designating such jurisdictions of strategic importance, the office and committee shall consider factors including:

(a) Existing or potential partnerships in key industrial sectors;

(b) The presence of cultural and people-to-people ties;

(c) The state's economic development priorities and shared interests, consistent with the state strategic international engagement plan;



(d) The presence of international trade offices or other program-based engagement conducted by state agencies; and

(e) Historic or existing bilateral agreements established on a government-to-government basis.

(3) A foreign jurisdiction may not be designated as a jurisdiction of strategic importance under this section if it is currently subject to United States government sanctions for and has been identified by the United States department of state as being engaged in state-sponsored terrorism.

**NEW SECTION. Sec. 5.** A new section is added to chapter 43.290 RCW to read as follows:

The office of international relations and protocol shall:

(1) Advise and assist the governor, the legislature, and other independently elected officials on international developments that may affect the state;

(2) Establish and build government-to-government relationships between the state, foreign governments, and international organizations;

(3) Coordinate protocol for foreign dignitaries visiting the governor, the legislature, the judiciary, and other state agencies and offices, including the appropriate criteria and procedures for the signing of bilateral agreements by the governor on behalf of the state of Washington;

(4) Advise, coordinate, and support engagement between the state, foreign governments, and international partners;

(5) Establish, in coordination with the office of the premier of British Columbia, an intergovernmental exchange between the state and British Columbia, cochaired by the governor and the premier of British Columbia or their designees, concerning issues of mutual interests;

(6) Designate an international engagement advisory committee to leverage the expertise of the state's international engagement community;

(7) Assist institutions of higher education in implementing programs for international cooperation and student exchange; and

(8) Improve coordination between state government and the Washington tourism marketing authority.

**NEW SECTION. Sec. 6.** A new section is added to chapter 44.04 RCW to read as follows:

A Washington state-British Columbia interparliamentary exchange group is created. The purpose of the group is to facilitate legislator-to-legislator communication between the two governments, in coordination with the province of British Columbia. The state's representative for the group is the chair of the legislative committee on economic development and international relations.

**Sec. 7.** RCW 43.15.050 and 2003 c 265 s 1 are each amended to read as follows:

The legislative international trade account is created in the custody of the state treasurer. All moneys received by the president of the senate and the secretary of state from gifts, grants, and endowments for international trade hosting, international relations, and international missions activities must be deposited in the account. Only private, nonpublic gifts, grants, and endowments may be deposited in the account. A person, as defined in RCW 42.52.010, may not donate, gift, grant, or endow more than five thousand dollars per calendar year to the legislative international trade account. Expenditures from the account may be used only for the purposes of international trade hosting, international relations, and international trade mission activities, ~~((excluding travel and lodging,))~~ in which the president and members of the senate, members of the house of representatives, and the secretary of state participate in an official capacity. An appropriation is not required for expenditures. All requests by individual legislators for use of funds from this account must be first approved by the secretary of the senate for members of the senate or the chief clerk of the house of representatives for members of the house of representatives. All expenditures from the account shall be authorized by the final signed approval of ~~((the chief clerk of the house of representatives, the secretary of the senate, and))~~ the president of the senate.

**Sec. 8.** RCW 43.15.060 and 2020 c 114 s 20 are each amended to read as follows:

(1) Economic development and in particular international trade, tourism, and investment have become increasingly important to Washington, affecting the state's employment, revenues, and general economic well-being. Additionally, economic trends are rapidly changing and the international marketplace has become increasingly competitive as states and countries seek to improve and safeguard their own economic well-being. The purpose of the legislative committee on economic development and international relations is to provide responsive and consistent involvement by the legislature in economic development to maintain a healthy state economy and to provide employment opportunities to Washington residents.

(2) There is created a legislative committee on economic development and international relations which shall consist of ~~((six))~~ eight senators and ~~((six))~~ eight representatives from the legislature and the lieutenant governor who shall serve as chairperson. The senate members of the committee shall be appointed by the president of the senate and the house members of the committee shall be appointed by the speaker of the house. Not more than ~~((three))~~ four members from each house shall be from the same political party. Vacancies occurring shall be filled by the appointing authority.

**Sec. 9.** RCW 43.15.090 and 1985 c 467 s 23 are each amended to read as follows:

The legislative committee on economic development and international relations shall cooperate, act, and function with legislative committees, executive agencies, and with the councils or committees of other states and of provinces and territories of Canada similar to this committee, and with other interstate research organizations.

**NEW SECTION. Sec. 10.** RCW 43.330.065 is recodified as a section in chapter 43.290 RCW."

On page 1, line 2 of the title, after "leadership;" strike the remainder of the title and insert "amending RCW 43.290.005, 43.290.020, 43.330.065, 43.15.050, 43.15.060, and 43.15.090; adding new sections to chapter 43.290 RCW; adding a new section to chapter 44.04 RCW; and recodifying RCW 43.330.065."

and the same is herewith transmitted.

Sarah Bannister, Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2000 and advanced the bill, as amended by the Senate, to final passage.

Representatives Mena and Low spoke in favor of the passage of the bill.

**FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2000, as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2000, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 74; Nays, 22; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Hackney, Harris, Kloba, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Caldier, Chambers, Christian, Couture, Dent, Goehner, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Maycumber, Orcutt, Robertson, Rude, Sandlin, Schmidt, Steele, Stokesbary, Volz and Walsh

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2000, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2099, with the following amendment(s): 2099-S2.E AMS TRAN S5447.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 72.09.270 and 2021 c 200 s 3 are each amended to read as follows:

(1) The department of corrections shall develop an individual reentry plan as defined in RCW 72.09.015 for every incarcerated individual who is committed to the jurisdiction of the department except:

(a) Incarcerated individuals who are sentenced to life without the possibility of release or sentenced to death under chapter 10.95 RCW; and

(b) Incarcerated individuals who are subject to the provisions of 8 U.S.C. Sec. 1227.

(2) The individual reentry plan may be one document, or may be a series of individual plans that combine to meet the requirements of this section.

(3) In developing individual reentry plans, the department shall assess all incarcerated individuals using standardized and comprehensive tools to identify the criminogenic risks, programmatic needs, and educational and vocational skill levels for each incarcerated individual. The assessment tool should take into account demographic biases, such as culture, age, and gender, as well as the needs of the incarcerated individual, including any learning disabilities, substance abuse or mental health issues, and social or behavior challenges.

(4)(a) The initial assessment shall be conducted as early as sentencing, but, whenever possible, no later than forty-five days of being sentenced to the jurisdiction of the department of corrections.

(b) The incarcerated individual's individual reentry plan shall be developed as soon as possible after the initial assessment is conducted, but, whenever possible, no later than sixty days after completion of the assessment, and shall be periodically reviewed and updated as appropriate.

(5) The individual reentry plan shall, at a minimum, include:

(a) A plan to maintain contact with the incarcerated individual's children and family, if appropriate. The plan should determine whether parenting classes, or other services, are appropriate to facilitate successful reunification with the incarcerated individual's children and family;

(b) An individualized portfolio for each incarcerated individual that includes the incarcerated individual's education achievements, certifications, employment, work experience, skills, and any training received prior to and during incarceration; and

(c) A plan for the incarcerated individual during the period of incarceration through reentry into the community that addresses the needs of the incarcerated individual including education,

employment, substance abuse treatment, mental health treatment, family reunification, and other areas which are needed to facilitate a successful reintegration into the community.

(6)(a) Prior to discharge of any incarcerated individual, the department shall:

(i) Evaluate the incarcerated individual's needs and, to the extent possible, connect the incarcerated individual with existing services and resources that meet those needs; ~~((and))~~

(ii) Connect the incarcerated individual with a community justice center and/or community transition coordination network in the area in which the incarcerated individual will be residing once released from the correctional system if one exists; and

(iii) Ensure that every consenting incarcerated individual confined in a department of corrections facility for 60 days or longer possesses a valid identicard or driver's license, issued by the department of licensing under chapter 46.20 RCW, prior to the individual's release to the community. Issuance of the identicard or driver's license must not cause a delay in the incarcerated individual's release to the community or transfer to partial confinement. The department must:

(A) Pay any application fee required for obtaining the identicard;

(B) Provide a photo of the incarcerated individual for use on the identicard under RCW 46.20.035(1), which upon request of the individual must be a different photo than the individual's mug shot and not indicate that the individual was incarcerated at the time of the photo; and

(C) Obtain a signature from the individual that is acceptable to the department of licensing to use for an identicard or driver's license.

(b) If the department recommends partial confinement in an incarcerated individual's individual reentry plan, the department shall maximize the period of partial confinement for the incarcerated individual as allowed pursuant to RCW 9.94A.728 to facilitate the incarcerated individual's transition to the community.

(7) The department shall establish mechanisms for sharing information from individual reentry plans to those persons involved with the incarcerated individual's treatment, programming, and reentry, when deemed appropriate. When feasible, this information shall be shared electronically.

(8)(a) In determining the county of discharge for an incarcerated individual released to community custody, the department may approve a residence location that is not in the incarcerated individual's county of origin if the department determines that the residence location would be appropriate based on any court-ordered condition of the incarcerated individual's sentence, victim safety concerns, and factors that increase opportunities for successful reentry and long-term support including, but not limited to, location of family or other sponsoring persons or organizations that will support the incarcerated individual, ability to complete

an educational program that the incarcerated individual is enrolled in, availability of appropriate programming or treatment, and access to housing, employment, and prosocial influences on the person in the community.

(b) In implementing the provisions of this subsection, the department shall approve residence locations in a manner that will not cause any one county to be disproportionately impacted.

(c) If the incarcerated individual is not returned to his or her county of origin, the department shall provide the law and justice council of the county in which the incarcerated individual is placed with a written explanation.

(d)(i) For purposes of this section, except as provided in (d)(ii) of this subsection, the incarcerated individual's county of origin means the county of the incarcerated individual's residence at the time of the incarcerated individual's first felony conviction in Washington state.

(ii) If the incarcerated individual is a homeless person as defined in RCW 43.185C.010, or the incarcerated individual's residence is unknown, then the incarcerated individual's county of origin means the county of the incarcerated individual's first felony conviction in Washington state.

(9) Nothing in this section creates a vested right in programming, education, or other services.

NEW SECTION. Sec. 2. A new section is added to chapter 72.09 RCW to read as follows:

(1) The department must issue a department of corrections identification card to an incarcerated person in a correctional facility for identification and use while in that facility.

(2) The department must also issue a department of corrections identification card under this section to any individual in community custody upon the individual's request and may require the individual to report to the closest correctional facility to facilitate completion of the request.

Sec. 3. RCW 46.20.035 and 2008 c 267 s 8 are each amended to read as follows:

The department may not issue an identicard or a Washington state driver's license that is valid for identification purposes unless the applicant meets the identification requirements of subsection (1), (2), or (3) of this section.

(1) A driver's license or identicard applicant must provide the department with at least one of the following pieces of valid identifying documentation that contains the signature and a photograph of the applicant:

(a) A valid or recently expired driver's license or instruction permit that includes the date of birth of the applicant;

(b) A Washington state identicard or an identification card issued by another state;

(c) An identification card issued by the United States, a state, or an agency of either the United States or a state, of a kind commonly used to identify the members or employees of the government agency;

(d) A military identification card;

(e) A United States passport; ~~((e))~~

(f) ~~((An immigration and naturalization))~~ A citizenship and immigration services service form;

(g) An identification card issued by the department of corrections under section 2 of this act; or

(h) A patient identification verification document issued by a facility under section 7 of this act.

(2) An applicant who is a minor may establish identity by providing an affidavit of the applicant's parent or guardian. The parent or guardian must accompany the minor and display or provide:

(a) At least one piece of documentation in subsection (1) of this section establishing the identity of the parent or guardian; and

(b) Additional documentation establishing the relationship between the parent or guardian and the applicant.

(3) A person unable to provide identifying documentation as specified in subsection (1) or (2) of this section may request that the department review other available documentation in order to ascertain identity. The department may waive the requirement if it finds that other documentation clearly establishes the identity of the applicant. Notwithstanding the requirements in subsection (2) of this section, the department shall issue an identicard to an applicant for whom it receives documentation pursuant to RCW 74.13.283.

(4) An identicard or a driver's license that includes a photograph that has been renewed by mail or by electronic commerce is valid for identification purposes if the applicant met the identification requirements of subsection (1), (2), or (3) of this section at the time of previous issuance.

(5) The form of an applicant's name, as established under this section, is the person's name of record for the purposes of this chapter.

(6) If the applicant is unable to prove his or her identity under this section, the department shall plainly label the license "not valid for identification purposes."

**Sec. 4.** RCW 46.20.117 and 2021 c 158 s 5 are each amended to read as follows:

(1) **Issuance.** The department shall issue an identicard, containing a picture, if the applicant:

(a) Does not hold a valid Washington driver's license;

(b) Proves the applicant's identity as required by RCW 46.20.035; and

(c) Pays the required fee. Except as provided in subsection (7) of this section, the fee is seventy-two dollars, unless an applicant is:

(i) A recipient of continuing public assistance grants under Title 74 RCW, who is referred in writing by the secretary of social and health services or by the secretary of children, youth, and families;

(ii) Under the age of twenty-five and does not have a permanent residence address as determined by the department by rule; or

(iii) An individual who is scheduled to be released from an institution as defined in RCW 13.40.020, a community facility as defined in RCW 72.05.020, a correctional facility as defined in RCW 72.09.015, or other juvenile rehabilitation facility operated by the department of social and health services or the department of children, youth, and families; or an individual who has been released from such an institution or facility within thirty calendar days before the date of the application.

For those persons under (c)(i) through (iii) of this subsection, the fee must be the actual cost of production of the identicard.

(2)(a) **Design and term.** The identicard must:

(i) Be distinctly designed so that it will not be confused with the official driver's license; and

(ii) Except as provided in subsection (7) of this section, expire on the eighth anniversary of the applicant's birthdate after issuance.

(b) The identicard may include the person's status as a veteran, consistent with RCW 46.20.161(4).

(c) If applicable, the identicard may include a medical alert designation as provided in subsection (5) of this section.

(3) **Renewal.** An application for identicard renewal may be submitted by means of:

(a) Personal appearance before the department;

(b) Mail or electronic commerce, if permitted by rule of the department and if the applicant did not renew the identicard by mail or by electronic commerce when it last expired; or

(c) From January 1, 2022, to June 30, 2024, electronic commerce, if permitted by rule of the department.

An identicard may not be renewed by mail or by electronic commerce unless the renewal issued by the department includes a photograph of the identicard holder.

(4) **Cancellation.** The department may cancel an identicard if the holder of the identicard used the card or allowed others to use the card in violation of RCW 46.20.0921.

(5) Any person may apply to the department to obtain a medical alert designation, a developmental disability designation, or a deafness designation on an identicard issued under this chapter by providing:

(a) Self-attestation that the individual:

(i) Has a medical condition that could affect communication or account for a health emergency;

(ii) Is deaf or hard of hearing; or

(iii) Has a developmental disability as defined in RCW 71A.10.020;

(b) A statement from the person that they have voluntarily provided the self-attestation and other information verifying the condition; and

(c) For persons under eighteen years of age or who have a developmental disability, the signature of a parent or legal guardian.

(6) A self-attestation or data contained in a self-attestation provided under this section:

(a) Shall not be disclosed; and

(b) Is for the confidential use of the director, the chief of the Washington state patrol, and law enforcement and emergency medical service providers as designated by law.

(7) **Alternative issuance/renewal/extension.** The department may issue or renew an identicard for a period other than eight years, or may extend by mail or electronic commerce an identicard that has already been issued. The fee for an identicard issued or renewed for a period other than eight years, or that has been extended by mail or electronic commerce, is nine dollars for each year that the identicard is issued, renewed, or extended. The department must offer the option to issue or renew an identicard for six years in addition to the eight year issuance. The department may adopt any rules as are necessary to carry out this subsection.

(8) Identicard photos must be updated in the same manner as driver's license photos under RCW 46.20.120(5).

**Sec. 5.** RCW 46.20.286 and 2005 c 282 s 47 are each amended to read as follows:

(1) The department of licensing shall adopt procedures in cooperation with the administrative office of the courts and the department of corrections to implement RCW 46.20.285.

(2) The department of licensing shall ensure that the department of corrections has direct access to appropriate department of licensing systems in order that the department of corrections may assist incarcerated individuals with obtaining a driver's license under this chapter, prior to an individual's release from confinement.

**NEW SECTION. Sec. 6.** A new section is added to chapter 70.48 RCW to read as follows:

(1) By July 1, 2025, using previous experience working with Washington prisons and jails, the department of licensing, in consultation with the Washington association of sheriffs and police chiefs, shall develop a model policy, process, and appropriate forms and informational materials for the department of licensing and governing units responsible for a city, county, or multijurisdictional jail to assist individuals in custody of the jail with obtaining a state-issued identicard pursuant to RCW 46.20.117. The process must include facilitating communication between an individual in custody and the department of licensing.

(2) Nothing in this section limits or prohibits a city, county, or multijurisdictional jail from assisting an individual in custody with obtaining an original, renewal, or replacement identicard.

**NEW SECTION. Sec. 7.** A new section is added to chapter 72.23 RCW to read as follows:

(1) The following entities must each ensure that every consenting patient possesses a valid identicard, issued by the department of licensing under chapter 46.20 RCW, prior to the individual's release from care in the applicable facility:

(a) State hospitals licensed under chapter 72.23 RCW;

(b) The special commitment center and secure community transition facilities licensed under RCW 71.09.250 and 71.09.290; or

(c) Residential treatment facilities that provide mental health services operated by the department of social and health services.

(2) The facilities listed in subsection (1) of this section must:

(a) Pay any applicable application fee required for obtaining the identicard;

(b) Provide a photo of the patient for use on the identicard under RCW 46.20.035(1); and

(c) Obtain a signature or mark from the patient that is acceptable to the department of licensing to use for an identicard.

(3) Issuance of an identicard under this section must not cause a delay in the release of an individual.

(4) The facilities in subsection (1) of this section must each provide a patient identification verification document for any patient in the custody of the facility, which must include the individual's legal first and last name, facility medical identification number, photo, patient or authorized representative signature or mark, and signature of social work supervisor or manager.

**NEW SECTION. Sec. 8.** This act takes effect January 1, 2025.

**NEW SECTION. Sec. 9.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "care;" strike the remainder of the title and insert "amending RCW 72.09.270, 46.20.035, 46.20.117, and 46.20.286; adding a new section to chapter 72.09 RCW; adding a new section to chapter 70.48 RCW; adding a new section to chapter 72.23 RCW; creating a new section; and providing an effective date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2099 and advanced the bill, as amended by the Senate, to final passage.

Representatives Farivar and Cheney spoke in favor of the passage of the bill.

**FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2099, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2099, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 70; Nays, 26; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Corry, Cortes, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Harris, Hutchins, Jacobsen, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Christian, Connors, Couture, Dent, Goehner, Graham, Griffey, Klicker, Kretz, Low, Maycumber, McClintock, Orcutt, Robertson, Rude, Sandlin, Schmidt, Steele, Stokesbary, Volz, Walsh and Ybarra

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2099, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2131, with the following amendment(s): 2131-S.E AMS LOVE S5559.1

On page 11, beginning on line 10, after "interest." strike all material through "classes." on line 12

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2131 and advanced the bill, as amended by the Senate, to final passage.

Representatives Ramel and Dye spoke in favor of the passage of the bill.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2131, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2131, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier,

Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2131, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed HOUSE BILL NO. 2135, with the following amendment(s): 2135 AMS VALD S5272.1

On page 4, line 6, after "tribe" strike all material through "Washington" and insert "as defined in RCW 43.376.010"

On page 8, beginning on line 32, after "tribe" strike all material through "state" on line 33 and insert "as defined in RCW 43.376.010"

On page 9, beginning on line 19, after "tribes" strike all material through "state" on line 20 and insert "as defined in RCW 43.376.010"

and the same is herewith transmitted.

Sarah Bannister, Secretary

### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 2135 and advanced the bill, as amended by the Senate, to final passage.

Representatives Stearns and Volz spoke in favor of the passage of the bill.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2135, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2135, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule,

Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2135, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 2266, with the following amendment(s): 2266.E AMS KEIS S5538.1

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** In addition to the primary safety and health hazards faced by all construction workers, there are safety and health issues specific to construction workers who menstruate and/or express milk. As an ongoing effort to address labor shortages in the construction industry, as well as to continue recruiting and retaining underrepresented workers in the construction trades, the legislature intends to address some of the basic barriers faced by these construction workers.

**NEW SECTION. Sec. 2.** A new section is added to chapter 49.17 RCW to read as follows:

(1) The director shall adopt rules, pursuant to this section, to address safety and health issues specific to workers performing construction activities who menstruate or express milk, or both. The rules must be included in the rules governing construction safety standards and must be applicable only to employers in the construction industry.

(2) The rules adopted pursuant to this section must require employers in the construction industry to provide workers, performing construction activities and who menstruate, with:

(a) A minimum size bathroom, accessible on the worksite, that is equivalent to a standard sized portable chemical toilet, or access to a permanent structure with a bathroom. The bathroom must have an internal latch to be secured from inadvertent entry;

(b) Adequate time to accommodate for multiple layers of clothing while using the bathroom; and

(c) An adequate and convenient supply of menstrual hygiene products available at no cost to the workers. Menstrual hygiene products must either be located in all gender-neutral bathrooms and bathrooms designated for workers who menstruate, or provided in kits for each worker who needs such product.

(3) The rules adopted pursuant to this section must require employers in the construction industry to provide reasonable accommodations for workers performing construction activities to express milk. The

department must identify minimum reasonable accommodations that include alternatives for worksites of varying numbers of employees. Reasonable accommodations means providing:

(a) Flexible work scheduling, including scheduling breaks and permitting work patterns that provide time for the expression of milk;

(b) A location, other than a bathroom, that is convenient and sanitary for the worker to express milk. The location must be private and lockable, if possible, and free from intrusion;

(c) Convenient hygienic refrigeration on the worksite for the storage of milk; and

(d) A convenient water source for the worker to clean and wash hands and milk expression equipment. The water source must be in a private location near the location where milk is expressed.

(4) On multi-employer worksites, each employer is responsible for ensuring that facilities for their own workers are provided.

(5)(a) Until thirty days after the date the department's adopted rule is filed with the code reviser, or July 1, 2025, whichever date is later, the department may not impose any monetary penalties for violations of this section. This subsection does not prohibit the department from receiving complaints, conducting inspections, issuing citations with no assessed penalty, and fixing reasonable time for abatement of the violation.

(b) When the department's final rules under this section are published by the code reviser in the State Register, the department, in partnership with relevant labor organizations and the office of minority and women's business enterprises, shall conduct educational outreach to construction employers on the rights and responsibilities established in this section."

On page 1, line 2 of the title, after "milk;" strike the remainder of the title and insert "adding a new section to chapter 49.17 RCW; and creating a new section."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 2266 and advanced the bill, as amended by the Senate, to final passage.

Representative Stonier spoke in favor of the passage of the bill.

Representative Schmidt spoke against the passage of the bill.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2266, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2266, as amended by the Senate, and the bill

passed the House by the following vote: Yeas, 78; Nays, 18; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Christian, Corry, Couture, Dent, Dye, Eslick, Graham, Jacobsen, Klicker, McClintock, Mosbrucker, Orcutt, Robertson, Schmick, Schmidt, Stokesbary, Volz and Waters  
Excused: Representative Chandler

ENGROSSED HOUSE BILL NO. 2266, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2354, with the following amendment(s): 2354-S2.E AMS ENGR S5527.E

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 39.114.010 and 2023 c 354 s 1 are each amended to read as follows:

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

(1) "Assessed value of real property" means the valuation of taxable real property as placed on the last completed assessment roll prepared pursuant to Title 84 RCW.

(2) "Increment area" means the geographic area within which regular property tax revenues are to be apportioned to pay public improvement costs, as authorized under this chapter.

(3) "Increment value" means 100 percent of any increase in the true and fair value of real property in an increment area that is placed on the tax rolls after the increment area takes effect. The increment value shall not be less than zero.

(4) "Local government" means any city, town, county, port district, or any combination thereof.

(5) "Ordinance" means any appropriate method of taking legislative action by a local government, including a resolution adopted by a port district organized under Title 53 RCW.

(6) "Public improvement costs" means the costs of:

(a) Design, planning, acquisition, required permitting, required environmental studies and mitigation, seismic studies or surveys, archaeological studies or surveys, land surveying, site acquisition, including appurtenant rights and site preparation, construction, reconstruction, rehabilitation, improvement, expansion, and

installation of public improvements, and other directly related costs;

(b) Relocating, maintaining, and operating property pending construction of public improvements;

(c) Relocating utilities as a result of public improvements;

(d) Financing public improvements, including capitalized interest for up to six months following completion of construction, legal and other professional services, taxes, insurance, principal and interest costs on general indebtedness issued to finance public improvements, and any necessary debt service reserves;

(e) Expenses incurred in revaluing real property for the purpose of determining the tax allocation base value by a county assessor under chapter 84.41 RCW and expenses incurred by a county treasurer under chapter 84.56 RCW in apportioning the taxes and complying with this chapter and other applicable law. For purposes of this subsection (6)(e), "expenses incurred" means actual staff and software costs directly related to the implementation and ongoing administration of increment areas under this chapter; ~~(and)~~

(f) Administrative expenses and feasibility studies reasonably necessary and related to these costs, including related costs that may have been incurred before adoption of the ordinance authorizing the public improvements and the use of tax increment financing to fund the costs of the public improvements; and

(g) Funding for mitigation to impacted taxing districts as allowed in RCW 39.114.020.

(7) "Public improvements" means:

(a) Infrastructure improvements owned by a state or local government within or outside of and serving the increment area and real property owned or acquired by a local government within the increment area including:

(i) Street and road construction;

(ii) Water and sewer system construction, expansion, and improvements;

(iii) Sidewalks and other nonmotorized transportation improvements and streetlights;

(iv) Parking, terminal, and dock facilities;

(v) Park and ride facilities or other transit facilities;

(vi) Park and community facilities and recreational areas;

(vii) Stormwater and drainage management systems;

(viii) Electric, broadband, or rail service;

(ix) Mitigation of brownfields; or

(b) Expenditures for any of the following purposes:

(i) Purchasing, rehabilitating, retrofitting for energy efficiency, and constructing housing for the purpose of creating or preserving long-term affordable housing;

(ii) Purchasing, rehabilitating, retrofitting for energy efficiency, and constructing child care facilities serving children and youth that are low-income, homeless, or in foster care;



(iii) Providing maintenance and security for the public improvements;

(iv) Historic preservation activities authorized under RCW 35.21.395; or

(v) Relocation and construction of a government-owned facility, with written permission from the agency owning the facility and the office of financial management.

(8) "Real property" means:

(a) Real property as defined in RCW 84.04.090; and

(b) Privately owned or used improvements located on publicly owned land that are subject to property taxation or leasehold excise tax.

(9) "Regular property taxes" means regular property taxes as defined in RCW 84.04.140, except: (a) Regular property taxes levied by port districts or public utility districts to the extent necessary for the payments of principal and interest on general obligation debt; and (b) regular property taxes levied by the state for the support of the common schools under RCW 84.52.065. Regular property taxes do not include excess property tax levies that are exempt from the aggregate limits for junior and senior taxing districts as provided in RCW 84.52.043. "Regular property taxes" does not include excess property taxes levied by local school districts.

(10) "Tax allocation base value" means the assessed value of real property located within an increment area for taxes imposed in the year in which the increment area takes effect.

(11) "Tax allocation revenues" means those revenues derived from the imposition of regular property taxes on the increment value.

(12) "Taxing district" means a governmental entity that levies or has levied for it regular property taxes upon real property located within a proposed or approved increment area.

**Sec. 2.** RCW 39.114.020 and 2023 c 354 s 2 are each amended to read as follows:

(1) A local government may designate an increment area under this chapter and use the tax allocation revenues to pay public improvement costs, subject to the following conditions:

(a) The local government must adopt an ordinance designating an increment area within its boundaries and describing the public improvements proposed to be paid for, or financed with, tax allocation revenues;

(b) The local government may not designate increment area boundaries such that the entirety of its territory falls within an increment area;

(c) The increment area may not have an assessed valuation of more than \$200,000,000 or more than 20 percent of the sponsoring jurisdiction's total assessed valuation, whichever is less, when the ordinance is passed. If a sponsoring jurisdiction creates two increment areas, the total combined assessed valuation in both of the two increment areas may not equal more than \$200,000,000 or more than 20 percent of the sponsoring jurisdiction's total assessed valuation, whichever is less, when the

ordinances are passed creating the increment areas;

(d) A local government can create no more than two active increment areas at any given time and they may not physically overlap by including the same land in more than one increment area at any time;

(e) The ordinance must set a sunset date for the increment area, which may be no more than 25 years after the first year in which tax allocation revenues are collected from the increment area;

(f) The ordinance must identify the public improvements to be financed and indicate whether the local government intends to issue bonds or other obligations, payable in whole or in part, from tax allocation revenues to finance the public improvement costs, and must estimate the maximum amount of obligations contemplated;

(g) The ordinance must provide that the increment area takes effect on June 1st following the adoption of the ordinance in (a) of this subsection;

(h) The sponsoring jurisdiction may not add additional public improvements to the project after adoption of the ordinance creating the increment area or change the boundaries of the increment area. The sponsoring jurisdiction may expand, alter, or add to the original public improvements when doing so is necessary to assure the originally approved improvements can be constructed or operated;

(i) The ordinance must impose a deadline by which commencement of construction of the public improvements shall begin, which deadline must be at least five years into the future and for which extensions shall be made available for good cause; and

(j) The local government must make a finding that:

(i) The public improvements proposed to be paid or financed with tax allocation revenues are expected to encourage private development within the increment area and to increase the assessed value of real property within the increment area;

(ii) Private development that is anticipated to occur within the increment area as a result of the proposed public improvements will be permitted consistent with the permitting jurisdiction's applicable zoning and development standards;

(iii) The private development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future without the proposed public improvements; and

(iv) The increased assessed value within the increment area that could reasonably be expected to occur without the proposed public improvements would be less than the increase in the assessed value estimated to result from the proposed development with the proposed public improvements.

(2) In considering whether to designate an increment area, the legislative body of the local government must prepare a project analysis that shall include, but need not be limited to, the following:

(a) A statement of objectives of the local government for the designated increment area;

(b) A statement as to the property within the increment area, if any, that the local government may intend to acquire;

(c) The duration of the increment area;

(d) Identification of all parcels to be included in the area;

(e) A description of the expected private development within the increment area, including a comparison of scenarios with the proposed public improvements and without the proposed public improvements;

(f) A description of the public improvements, estimated public improvement costs, and the estimated amount of bonds or other obligations expected to be issued to finance the public improvement costs and repaid with tax allocation revenues;

(g) The assessed value of real property listed on the tax roll as certified by the county assessor under RCW 84.52.080 from within the increment area and an estimate of the increment value and tax allocation revenues expected to be generated;

(h) An estimate of the job creation reasonably expected to result from the public improvements and the private development expected to occur in the increment area; ~~(and)~~

(i) An assessment of any impacts ~~((and any necessary mitigation to address the impacts identified))~~ on the following:

(i) Affordable and low-income housing;

(ii) The local business community;

(iii) The local school districts; and

(iv) The local fire service, public hospital service, and emergency medical services; and

(j) The assessment of impacts under (i) of this subsection (2) must include any necessary mitigation to the local fire service, public hospital service, and emergency medical services; and

(k) An assessment of any impacts of any other junior taxing districts not referenced in (i) of this subsection (2).

(3) The local government may charge a private developer, who agrees to participate in creating the increment area, a fee sufficient to cover the cost of the project analysis and establishing the increment area, including staff time, professionals and consultants, and other administrative costs related to establishing the increment area.

(4) Nothing in this section prohibits a local government from entering into an agreement under chapter 39.34 RCW with another local government for the administration or other activities related to tax increment financing authorized under this section.

(5) (a) If the project analysis indicates that an increment area will impact at least 20 percent of the assessed value in a public hospital district, fire protection district, or regional fire protection service authority, or if the public hospital district's or the fire service agency's annual report, or other governing board-adopted capital facilities plan, demonstrates an increase in the level of service directly related to the increased development in the increment area, the local government must ~~((negotiate))~~ enter into negotiations for a mitigation plan with the impacted public hospital district, fire

protection district, or regional fire protection service authority to address level of service issues in the increment area.

(b) If the parties cannot agree pursuant to (a) of this subsection (5), the parties must proceed to arbitration to determine the appropriate mitigation plan. The board of arbitrators must consist of three persons: One appointed by the local government seeking to designate the increment area and one appointed by the junior taxing district, both of whom must be appointed within 60 days of the date when arbitration is requested, and a third arbitrator who must be appointed by agreement of the other two arbitrators within 90 days of the date when arbitration is requested. If the two are unable to agree on the appointment of the third arbitrator within this 90-day period, then the third arbitrator must be appointed by a judge in the superior court of the county within which the largest portion of the increment area is located. The determination by the board of arbitrators is binding on both the local government seeking to impose the increment area and the junior taxing district.

(6) The local government may reimburse the assessor and treasurer for their costs as provided in RCW 39.114.010 (6) (e).

(7) Prior to the adoption of an ordinance authorizing creation of an increment area, the local government must:

(a) Hold at least two public briefings for the community solely on the tax increment project that include the description of the increment area, the public improvements proposed to be financed with the tax allocation revenues, and a detailed estimate of tax revenues for the participating local governments and taxing districts, including the amounts allocated to the increment public improvements. The briefings must be announced at least two weeks prior to the date being held, including publishing in a legal newspaper of general circulation and posting information on the local government website and all local government social media sites, and must occur no earlier than 90 days after submitting the project analysis to the office of the treasurer and all local governments and taxing districts impacted by the increment area; ~~((and))~~

(b) Submit the project analysis to all local governments and taxing districts impacted by the increment area no less than 90 days prior to the adoption of the ordinance; and

(c) Submit the project analysis to the office of the treasurer for review and consider any comments that the treasurer may provide upon completion of their review of the project analysis as provided under this subsection. The treasurer must complete the review within 90 days of receipt of the project analysis and may consult with other agencies and outside experts as necessary. Upon completing their review, the treasurer must promptly provide to the local government any comments regarding suggested revisions or enhancements to the project analysis that the treasurer deems appropriate based on the requirements in subsection (2) of this section.

**Sec. 3.** RCW 39.114.040 and 2023 c 354 s 3 are each amended to read as follows:

The local government designating the increment area must:

(1) Provide written notice to the governing body of each taxing district within which the increment area is located a minimum of 90 days before submitting the project analysis to the office of the treasurer as required in RCW 39.114.020(7)(c).

(2) Publish notice in a legal newspaper of general circulation within the jurisdiction of the local government at least two weeks before the date on which the ordinance authorizing creation of an increment area is adopted that describes the public improvements, describes the boundaries of the increment area, and identifies the location and times where the ordinance and other public information concerning the public improvement may be inspected; and

~~((2))~~ (3) Deliver a certified copy of the adopted ordinance to the county treasurer, the county assessor, and the governing body of each taxing district within which the increment area is located at the respective addresses specified pursuant to RCW 42.56.040 within 10 days of the date on which the ordinance was adopted."

On page 1, line 5 of the title, after "paid;" strike the remainder of the title and insert "and amending RCW 39.114.010, 39.114.020, and 39.114.040."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2354 and advanced the bill, as amended by the Senate, to final passage.

Representatives Street and Orcutt spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2354, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2354, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street,

Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2354, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2396, with the following amendment(s): 2396-S AMS ROBI S5638.1

On page 2, beginning on line 28, after "the" strike all material through "and" on line 30 and insert "department of health, in consultation with"

On page 2, beginning on line 33, after "the" strike all material through "chiefs" on line 34 and insert "department of health"

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2396 and advanced the bill, as amended by the Senate, to final passage.

Representatives Mosbrucker and Riccelli spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2396, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2396, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2396, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed HOUSE BILL NO. 2416, with the following amendment(s): 2416 AMS HLTC S5285.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 18.79.030 and 2023 c 123 s 19 are each amended to read as follows:

(1) It is unlawful for a person to practice or to offer to practice as a registered nurse in this state unless that person has been licensed under this chapter or holds a valid multistate license under chapter 18.80 RCW. A person who holds a license to practice as a registered nurse in this state may use the titles "registered nurse" and "nurse" and the abbreviation "R.N." No other person may assume those titles or use the abbreviation or any other words, letters, signs, or figures to indicate that the person using them is a registered nurse.

(2) It is unlawful for a person to practice or to offer to practice as an advanced practice registered nurse (~~(practitioner)~~) or as a nurse practitioner in this state unless that person has been licensed under this chapter. A person who holds a license to practice as an advanced practice registered nurse (~~(practitioner)~~) in this state may use the titles "advanced practice registered nurse (~~(practitioner)~~)," "nurse practitioner," and "nurse" and the abbreviations "~~((A.R.N.P.))~~ A.P.R.N." and "N.P." No other person may assume those titles or use those abbreviations or any other words, letters, signs, or figures to indicate that the person using them is an advanced practice registered nurse (~~(practitioner)~~) or nurse practitioner.

(3) It is unlawful for a person to practice or to offer to practice as a licensed practical nurse in this state unless that person has been licensed under this chapter or holds a valid multistate license under chapter 18.80 RCW. A person who holds a license to practice as a licensed practical nurse in this state may use the titles "licensed practical nurse" and "nurse" and the abbreviation "L.P.N." No other person may assume those titles or use that abbreviation or any other words, letters, signs, or figures to indicate that the person using them is a licensed practical nurse.

(4) Nothing in this section shall prohibit a person listed as a Christian Science nurse in the Christian Science Journal published by the Christian Science Publishing Society, Boston, Massachusetts, from using the title "Christian Science nurse," so long as such person does not hold himself or herself out as a registered nurse, advanced practice registered nurse (~~(practitioner)~~), nurse practitioner, or licensed practical nurse, unless otherwise authorized by law to do so.

"**Sec. 2.** RCW 18.79.040 and 2020 c 80 s 15 are each amended to read as follows:

(1) "Registered nursing practice" means the performance of acts requiring

substantial specialized knowledge, judgment, and skill based on the principles of the biological, physiological, behavioral, and sociological sciences in either:

(a) The observation, assessment, diagnosis, care or counsel, and health teaching of individuals with illnesses, injuries, or disabilities, or in the maintenance of health or prevention of illness of others;

(b) The performance of such additional acts requiring education and training and that are recognized by the medical and nursing professions as proper and recognized by the ~~((commission))~~ board to be performed by registered nurses licensed under this chapter and that are authorized by the ~~((commission))~~ board through its rules;

(c) The administration, supervision, delegation, and evaluation of nursing practice. However, nothing in this subsection affects the authority of a hospital, hospital district, in-home service agency, community-based care setting, medical clinic, or office, concerning its administration and supervision;

(d) The teaching of nursing;

(e) The executing of medical regimen as prescribed by a licensed physician and surgeon, dentist, osteopathic physician and surgeon, podiatric physician and surgeon, physician assistant, or advanced practice registered nurse (~~(practitioner)~~), or as directed by a licensed midwife within his or her scope of practice.

(2) Nothing in this section prohibits a person from practicing a profession for which a license has been issued under the laws of this state or specifically authorized by any other law of the state of Washington.

(3) This section does not prohibit (a) the nursing care of the sick, without compensation, by an unlicensed person who does not hold himself or herself out to be a registered nurse, (b) the practice of licensed practical nursing by a licensed practical nurse, or (c) the practice of a nursing assistant, providing delegated nursing tasks under chapter 18.88A RCW.

"**Sec. 3.** RCW 18.79.050 and 2000 c 64 s 2 are each amended to read as follows:

"Advanced practice registered nursing (~~(practicee))~~" means the performance of the acts of a registered nurse and the performance of an expanded role in providing health care services as recognized by the medical and nursing professions, the scope of which is defined by rule by the ~~((commission))~~ board. Upon approval by the ~~((commission))~~ board, an advanced practice registered nurse (~~(practitioner)~~) may prescribe legend drugs and controlled substances contained in Schedule V of the Uniform Controlled Substances Act, chapter 69.50 RCW, and Schedules II through IV subject to RCW 18.79.240(1) (r) or (s).

Nothing in this section prohibits a person from practicing a profession for which a license has been issued under the laws of this state or specifically authorized by any other law of the state of Washington.

This section does not prohibit (1) the nursing care of the sick, without compensation, by an unlicensed person who does not hold himself or herself out to be an advanced practice registered nurse ((~~practitioner~~)), or (2) the practice of registered nursing by a licensed registered nurse or the practice of licensed practical nursing by a licensed practical nurse.

**Sec. 4.** RCW 18.79.060 and 2020 c 80 s 16 are each amended to read as follows:

"Licensed practical nursing practice" means the performance of services requiring the knowledge, skill, and judgment necessary for carrying out selected aspects of the designated nursing regimen under the direction and supervision of a licensed physician and surgeon, dentist, osteopathic physician and surgeon, physician assistant, podiatric physician and surgeon, advanced practice registered nurse ((~~practitioner~~)), registered nurse, or midwife.

Nothing in this section prohibits a person from practicing a profession for which a license has been issued under the laws of this state or specifically authorized by any other law of the state of Washington.

This section does not prohibit the nursing care of the sick, without compensation, by an unlicensed person who does not hold himself or herself out to be a licensed practical nurse.

**Sec. 5.** RCW 18.79.070 and 2022 c 240 s 32 are each amended to read as follows:

(1) The state ((~~nursing care quality assurance commission~~))board is established, consisting of fifteen members to be appointed by the governor to four-year terms. The governor shall consider nursing members who are recommended for appointment by the appropriate professional associations in the state. No person may serve as a member of the ((~~commission~~))board for more than two consecutive full terms.

(2) There must be seven registered nurse members, two advanced practice registered nurse ((~~practitioner~~)) members, three licensed practical nurse members, and three public members on the ((~~commission~~))board. Each member of the ((~~commission~~))board must be a resident of this state.

(3)(a) Registered nurse members of the ((~~commission~~))board must:

(i) Be licensed as registered nurses under this chapter; and

(ii) Have had at least three years' experience in the active practice of nursing and have been engaged in that practice within two years of appointment.

(b) In addition:

(i) At least one member must be on the faculty at a four-year university nursing program;

(ii) At least one member must be on the faculty at a two-year community college nursing program;

(iii) At least two members must be staff nurses providing direct patient care; and

(iv) At least one member must be a nurse manager or a nurse executive.

(4) Advanced practice registered nurse ((~~practitioner~~)) members of the ((~~commission~~))board must:

(a) Be licensed as advanced practice registered nurses ((~~practitioners~~)) under this chapter; and

(b) Have had at least three years' experience in the active practice of advanced practice registered nursing and have been engaged in that practice within two years of appointment.

(5) Licensed practical nurse members of the ((~~commission~~))board must:

(a) Be licensed as licensed practical nurses under this chapter; and

(b) Have had at least three years' actual experience as a licensed practical nurse and have been engaged in practice as a practical nurse within two years of appointment.

(6) Public members of the ((~~commission~~))board may not be a member of any other health care licensing board or commission, or have a fiduciary obligation to a facility rendering health services regulated by the ((~~commission~~))board, or have a material or financial interest in the rendering of health services regulated by the ((~~commission~~))board.

~~((In appointing the initial members of the commission, it is the intent of the legislature that, to the extent possible, the governor appoint the existing members of the board of nursing and the board of practical nursing repealed under chapter 9, Laws of 1994 sp. sess. The governor may appoint initial members of the commission to staggered terms of from one to four years. Thereafter, all members shall be appointed to full four-year terms.))~~ Members of the ((~~commission~~))board hold office until their successors are appointed.

When the secretary appoints pro tem members, reasonable efforts shall be made to ensure that at least one pro tem member is a registered nurse who is currently practicing and, in addition to meeting other minimum qualifications, has graduated from an associate or baccalaureate nursing program within three years of appointment.

**Sec. 6.** RCW 18.79.110 and 2023 c 126 s 8 are each amended to read as follows:

(1) The ((~~commission~~))board shall keep a record of all of its proceedings and make such reports to the governor as may be required. The ((~~commission~~))board shall define by rules what constitutes specialized and advanced levels of nursing practice as recognized by the medical and nursing profession. The ((~~commission~~))board may adopt rules or issue advisory opinions in response to questions put to it by professional health associations, nursing practitioners, and consumers in this state concerning the authority of various categories of nursing practitioners to perform particular acts.

(2) The ((~~commission~~))board shall approve curricula and shall establish criteria for minimum standards for schools preparing persons for licensing as registered nurses, advanced practice registered nurses ((~~practitioners~~)), and licensed practical nurses under this chapter. The ((~~commission~~))board shall approve such

schools of nursing as meet the requirements of this chapter and the ~~((commission))~~board, and the ~~((commission))~~board shall approve establishment of basic nursing education programs and shall establish criteria as to the need for and the size of a program and the type of program and the geographical location. The ~~((commission))~~board shall establish criteria for proof of reasonable currency of knowledge and skill as a basis for safe practice after three years' inactive or lapsed status. The ~~((commission))~~board shall establish criteria for licensing by endorsement. The ~~((commission))~~board shall determine examination requirements for applicants for licensing as registered nurses, advanced practice registered nurses~~((practitioner))~~, and licensed practical nurses under this chapter, and shall certify to the secretary for licensing duly qualified applicants. The ~~((commission))~~board shall adopt rules which allow for one hour of simulated learning to be counted as equivalent to two hours of clinical placement learning, with simulated learning accounting for up to a maximum of 50 percent of the required clinical hours.

(3) The ~~((commission))~~board shall adopt rules on continuing competency. The rules must include exemptions from the continuing competency requirements for registered nurses seeking advanced nursing degrees. Nothing in this subsection prohibits the ~~((commission))~~board from providing additional exemptions for any person credentialed under this chapter who is enrolled in an advanced education program.

(4) The ~~((commission))~~board shall adopt such rules under chapter 34.05 RCW as are necessary to fulfill the purposes of this chapter.

(5) The ~~((commission))~~board is the successor in interest of the board of nursing and the board of practical nursing. All contracts, undertakings, agreements, rules, regulations, decisions, orders, and policies of the former board of nursing or the board of practical nursing continue in full force and effect under the ~~((commission))~~board until the ~~((commission))~~board amends or rescinds those rules, regulations, decisions, orders, or policies.

(6) The members of the ~~((commission))~~board are immune from suit in an action, civil or criminal, based on its disciplinary proceedings or other official acts performed in good faith as members of the ~~((commission))~~board.

(7) Whenever the workload of the ~~((commission))~~board requires, the ~~((commission))~~board may request that the secretary appoint pro tempore members of the ~~((commission))~~board. When serving, pro tempore members of the ~~((commission))~~board have all of the powers, duties, and immunities, and are entitled to all of the emoluments, including travel expenses, of regularly appointed members of the ~~((commission))~~board.

**Sec. 7.** RCW 18.79.160 and 2004 c 262 s 6 are each amended to read as follows:

(1) An applicant for a license to practice as a registered nurse shall submit to the ~~((commission))~~board:

(a) An attested written application on a department form;

(b) An official transcript demonstrating graduation and successful completion of an approved program of nursing; and

(c) Any other official records specified by the ~~((commission))~~board.

(2) An applicant for a license to practice as an advanced practice registered nurse ~~((practitioner))~~ shall submit to the ~~((commission))~~board:

(a) An attested written application on a department form;

(b) An official transcript demonstrating graduation and successful completion of an advanced practice registered nurse ~~((practitioner))~~ program meeting criteria established by the ~~((commission))~~board; and

(c) Any other official records specified by the ~~((commission))~~board.

(3) An applicant for a license to practice as a licensed practical nurse shall submit to the ~~((commission))~~board:

(a) An attested written application on a department form;

(b) Written official evidence that the applicant is over the age of eighteen;

(c) An official transcript demonstrating graduation and successful completion of an approved practical nursing program, or its equivalent; and

(d) Any other official records specified by the ~~((commission))~~board.

(4) At the time of submission of the application, the applicant for a license to practice as a registered nurse, advanced practice registered nurse ~~((practitioner))~~, or licensed practical nurse must not be in violation of chapter 18.130 RCW or this chapter.

(5) The ~~((commission))~~board shall establish by rule the criteria for evaluating the education of all applicants.

**Sec. 8.** RCW 18.79.170 and 1994 sp.s. c 9 s 417 are each amended to read as follows:

An applicant for a license to practice as a registered nurse, advanced practice registered nurse ~~((practitioner))~~, or licensed practical nurse must pass an examination in subjects determined by the ~~((commission))~~board. The examination may be supplemented by an oral or practical examination. The ~~((commission))~~board shall establish by rule the requirements for applicants who have failed the examination to qualify for reexamination.

**Sec. 9.** RCW 18.79.180 and 1994 sp.s. c 9 s 418 are each amended to read as follows:

When authorized by the ~~((commission))~~board, the department shall issue an interim permit authorizing the applicant to practice registered nursing, advanced practice registered nursing, or licensed practical nursing, as appropriate, from the time of verification of the completion of the school or training program until notification of the results of the examination. Upon the applicant passing the examination, and if all other requirements established by the ~~((commission))~~board for

licensing are met, the department shall issue the applicant a license to practice registered nursing, advanced practice registered nursing, or licensed practical nursing, as appropriate. If the applicant fails the examination, the interim permit expires upon notification to the applicant, and is not renewable. The holder of an interim permit is subject to chapter 18.130 RCW.

**Sec. 10.** RCW 18.79.200 and 1996 c 191 s 62 are each amended to read as follows:

An applicant for a license to practice as a registered nurse, advanced practice registered nurse (~~(practitioner)~~), or licensed practical nurse shall comply with administrative procedures, administrative requirements, and fees as determined under RCW 43.70.250 and 43.70.280.

**Sec. 11.** RCW 18.79.230 and 1994 sp.s. c 9 s 423 are each amended to read as follows:

A person licensed under this chapter who desires to retire temporarily from registered nursing practice, advanced practice registered nursing (~~(practice)~~), or licensed practical nursing practice in this state shall send a written notice to the secretary.

Upon receipt of the notice the department shall place the name of the person on inactive status. While remaining on this status the person shall not practice in this state any form of nursing provided for in this chapter. When the person desires to resume practice, the person shall apply to the (~~(commission))~~board for renewal of the license and pay a renewal fee to the state treasurer. Persons on inactive status for three years or more must provide evidence of knowledge and skill of current practice as required by the (~~(commission))~~board or as provided in this chapter.

**Sec. 12.** RCW 18.79.240 and 2020 c 80 s 17 are each amended to read as follows:

(1) In the context of the definition of registered nursing practice and advanced practice registered nursing (~~(practice)~~), this chapter shall not be construed as:

(a) Prohibiting the incidental care of the sick by domestic servants or persons primarily employed as housekeepers, so long as they do not practice registered nursing within the meaning of this chapter;

(b) Preventing a person from the domestic administration of family remedies or the furnishing of nursing assistance in case of emergency;

(c) Prohibiting the practice of nursing by students enrolled in approved schools as may be incidental to their course of study or prohibiting the students from working as nursing technicians;

(d) Prohibiting auxiliary services provided by persons carrying out duties necessary for the support of nursing services, including those duties that involve minor nursing services for persons performed in hospitals, nursing homes, or elsewhere under the direction of licensed

physicians or the supervision of licensed registered nurses;

(e) Prohibiting the practice of nursing in this state by a legally qualified nurse of another state or territory whose engagement requires him or her to accompany and care for a patient temporarily residing in this state during the period of one such engagement, not to exceed six months in length, if the person does not represent or hold himself or herself out as a registered nurse licensed to practice in this state;

(f) Prohibiting nursing or care of the sick, with or without compensation, when done in connection with the practice of the religious tenets of a church by adherents of the church so long as they do not engage in the practice of nursing as defined in this chapter;

(g) Prohibiting the practice of a legally qualified nurse of another state who is employed by the United States government or a bureau, division, or agency thereof, while in the discharge of his or her official duties;

(h) Permitting the measurement of the powers or range of human vision, or the determination of the accommodation and refractive state of the human eye or the fitting or adaptation of lenses for the aid thereof;

(i) Permitting the prescribing or directing the use of, or using, an optical device in connection with ocular exercises, visual training, vision training, or orthoptics;

(j) Permitting the prescribing of contact lenses for, or the fitting and adaptation of contact lenses to, the human eye;

(k) Prohibiting the performance of routine visual screening;

(l) Permitting the practice of dentistry or dental hygiene as defined in chapters 18.32 and 18.29 RCW, respectively;

(m) Permitting the practice of chiropractic as defined in chapter 18.25 RCW including the adjustment or manipulation of the articulation of the spine;

(n) Permitting the practice of podiatric medicine and surgery as defined in chapter 18.22 RCW;

(o) Permitting the performance of major surgery, except such minor surgery as the (~~(commission))~~board may have specifically authorized by rule adopted in accordance with chapter 34.05 RCW;

(p) Permitting the prescribing of controlled substances as defined in Schedule I of the Uniform Controlled Substances Act, chapter 69.50 RCW;

(q) Prohibiting the determination and pronouncement of death;

(r) Prohibiting advanced practice registered nurses (~~(practitioners)~~), approved by the (~~(commission))~~board as certified registered nurse anesthetists from selecting, ordering, or administering controlled substances as defined in Schedules II through IV of the Uniform Controlled Substances Act, chapter 69.50 RCW, consistent with their (~~(commission))~~board-recognized scope of practice; subject to facility-specific protocols, and subject to a request for certified registered nurse anesthetist

anesthesia services issued by a physician licensed under chapter 18.71 RCW, an osteopathic physician and surgeon licensed under chapter 18.57 RCW, a dentist licensed under chapter 18.32 RCW, or a podiatric physician and surgeon licensed under chapter 18.22 RCW; the authority to select, order, or administer Schedule II through IV controlled substances being limited to those drugs that are to be directly administered to patients who require anesthesia for diagnostic, operative, obstetrical, or therapeutic procedures in a hospital, clinic, ambulatory surgical facility, or the office of a practitioner licensed under chapter 18.71, 18.22, 18.36, 18.36A, 18.57, or 18.32 RCW; "select" meaning the decision-making process of choosing a drug, dosage, route, and time of administration; and "order" meaning the process of directing licensed individuals pursuant to their statutory authority to directly administer a drug or to dispense, deliver, or distribute a drug for the purpose of direct administration to a patient, under instructions of the certified registered nurse anesthetist. "Protocol" means a statement regarding practice and documentation concerning such items as categories of patients, categories of medications, or categories of procedures rather than detailed case-specific formulas for the practice of nurse anesthesia;

(s) Prohibiting advanced practice registered nurses ~~((practitioners))~~ from ordering or prescribing controlled substances as defined in Schedules II through IV of the Uniform Controlled Substances Act, chapter 69.50 RCW, if and to the extent that doing so is permitted by their scope of practice;

(t) Prohibiting the practice of registered nursing or advanced practice registered nursing by a student enrolled in an approved school if:

(i) The student performs services without compensation or expectation of compensation as part of a volunteer activity;

(ii) The student is under the direct supervision of a registered nurse or advanced practice registered nurse ~~((practitioner))~~ licensed under this chapter, a pharmacist licensed under chapter 18.64 RCW, an osteopathic physician and surgeon licensed under chapter 18.57 RCW, or a physician licensed under chapter 18.71 RCW;

(iii) The services the student performs are within the scope of practice of: (A) The nursing profession for which the student is receiving training; and (B) the person supervising the student;

(iv) The school in which the student is enrolled verifies the student has demonstrated competency through his or her education and training to perform the services; and

(v) The student provides proof of current malpractice insurance to the volunteer activity organizer prior to performing any services.

(2) In the context of the definition of licensed practical nursing practice, this chapter shall not be construed as:

(a) Prohibiting the incidental care of the sick by domestic servants or persons

primarily employed as housekeepers, so long as they do not practice practical nursing within the meaning of this chapter;

(b) Preventing a person from the domestic administration of family remedies or the furnishing of nursing assistance in case of emergency;

(c) Prohibiting the practice of practical nursing by students enrolled in approved schools as may be incidental to their course of study or prohibiting the students from working as nursing assistants;

(d) Prohibiting auxiliary services provided by persons carrying out duties necessary for the support of nursing services, including those duties that involve minor nursing services for persons performed in hospitals, nursing homes, or elsewhere under the direction of licensed physicians or the supervision of licensed registered nurses;

(e) Prohibiting or preventing the practice of nursing in this state by a legally qualified nurse of another state or territory whose engagement requires him or her to accompany and care for a patient temporarily residing in this state during the period of one such engagement, not to exceed six months in length, if the person does not represent or hold himself or herself out as a licensed practical nurse licensed to practice in this state;

(f) Prohibiting nursing or care of the sick, with or without compensation, when done in connection with the practice of the religious tenets of a church by adherents of the church so long as they do not engage in licensed practical nurse practice as defined in this chapter;

(g) Prohibiting the practice of a legally qualified nurse of another state who is employed by the United States government or any bureau, division, or agency thereof, while in the discharge of his or her official duties.

**Sec. 13.** RCW 18.79.250 and 2000 c 64 s 4 are each amended to read as follows:

An advanced practice registered nurse ~~((practitioner))~~ under his or her license may perform for compensation nursing care, as that term is usually understood, of the ill, injured, or infirm, and in the course thereof, she or he may do the following things that shall not be done by a person not so licensed, except as provided in RCW 18.79.260 and 18.79.270:

(1) Perform specialized and advanced levels of nursing as recognized jointly by the medical and nursing professions, as defined by the ~~((commission))~~ board;

(2) Prescribe legend drugs and Schedule V controlled substances, as defined in the Uniform Controlled Substances Act, chapter 69.50 RCW, and Schedules II through IV subject to RCW 18.79.240(1) (r) or (s) within the scope of practice defined by the ~~((commission))~~ board;

(3) Perform all acts provided in RCW 18.79.260;

(4) Hold herself or himself out to the public or designate herself or himself as an advanced practice registered nurse ~~((practitioner))~~ or as a nurse practitioner.



**Sec. 14.** RCW 18.79.256 and 2015 c 104 s 1 are each amended to read as follows:

An advanced practice registered nurse (~~(practitioner)~~) may sign and attest to any certificates, cards, forms, or other required documentation that a physician may sign, so long as it is within the advanced practice registered nurse's (~~(practitioner's)~~) scope of practice.

**Sec. 15.** RCW 18.79.260 and 2022 c 14 s 2 are each amended to read as follows:

(1) A registered nurse under his or her license may perform for compensation nursing care, as that term is usually understood, to individuals with illnesses, injuries, or disabilities.

(2) A registered nurse may, at or under the general direction of a licensed physician and surgeon, dentist, osteopathic physician and surgeon, naturopathic physician, optometrist, podiatric physician and surgeon, physician assistant, advanced practice registered nurse (~~(practitioner)~~), or midwife acting within the scope of his or her license, administer medications, treatments, tests, and inoculations, whether or not the severing or penetrating of tissues is involved and whether or not a degree of independent judgment and skill is required. Such direction must be for acts which are within the scope of registered nursing practice.

(3) A registered nurse may delegate tasks of nursing care to other individuals where the registered nurse determines that it is in the best interest of the patient.

(a) The delegating nurse shall:

(i) Determine the competency of the individual to perform the tasks;

(ii) Evaluate the appropriateness of the delegation;

(iii) Supervise the actions of the person performing the delegated task; and

(iv) Delegate only those tasks that are within the registered nurse's scope of practice.

(b) A registered nurse, working for a home health or hospice agency regulated under chapter 70.127 RCW, may delegate the application, instillation, or insertion of medications to a registered or certified nursing assistant under a plan of care.

(c) Except as authorized in (b) or (e) of this subsection, a registered nurse may not delegate the administration of medications. Except as authorized in (e) or (f) of this subsection, a registered nurse may not delegate acts requiring substantial skill, and may not delegate piercing or severing of tissues. Acts that require nursing judgment shall not be delegated.

(d) No person may coerce a nurse into compromising patient safety by requiring the nurse to delegate if the nurse determines that it is inappropriate to do so. Nurses shall not be subject to any employer reprisal or disciplinary action by the (~~(nursing care quality assurance commission)~~)board for refusing to delegate tasks or refusing to provide the required training for delegation if the nurse determines delegation may compromise patient safety.

(e) For delegation in community-based care settings or in-home care settings, a registered nurse may delegate nursing care tasks only to registered or certified nursing assistants under chapter 18.88A RCW or home care aides certified under chapter 18.88B RCW. Simple care tasks such as blood pressure monitoring, personal care service, diabetic insulin device set up, verbal verification of insulin dosage for sight-impaired individuals, or other tasks as defined by the (~~(nursing care quality assurance commission)~~)board are exempted from this requirement.

(i) "Community-based care settings" includes: Community residential programs for people with developmental disabilities, certified by the department of social and health services under chapter 71A.12 RCW; adult family homes licensed under chapter 70.128 RCW; and assisted living facilities licensed under chapter 18.20 RCW. Community-based care settings do not include acute care or skilled nursing facilities.

(ii) "In-home care settings" include an individual's place of temporary or permanent residence, but does not include acute care or skilled nursing facilities, and does not include community-based care settings as defined in (e)(i) of this subsection.

(iii) Delegation of nursing care tasks in community-based care settings and in-home care settings is only allowed for individuals who have a stable and predictable condition. "Stable and predictable condition" means a situation in which the individual's clinical and behavioral status is known and does not require the frequent presence and evaluation of a registered nurse.

(iv) The determination of the appropriateness of delegation of a nursing task is at the discretion of the registered nurse. Other than delegation of the administration of insulin by injection for the purpose of caring for individuals with diabetes, the administration of medications by injection, sterile procedures, and central line maintenance may never be delegated.

(v) When delegating insulin injections under this section, the registered nurse delegator must instruct the individual regarding proper injection procedures and the use of insulin, demonstrate proper injection procedures, and must supervise and evaluate the individual performing the delegated task as required by the (~~(commission)~~)board by rule. If the registered nurse delegator determines that the individual is competent to perform the injection properly and safely, supervision and evaluation shall occur at an interval determined by the (~~(commission)~~)board by rule.

(vi)(A) The registered nurse shall verify that the nursing assistant or home care aide, as the case may be, has completed the required core nurse delegation training required in chapter 18.88A or 18.88B RCW prior to authorizing delegation.

(B) Before commencing any specific nursing tasks authorized to be delegated in this section, a home care aide must be certified pursuant to chapter 18.88B RCW and must comply with RCW 18.88B.070.

(vii) The nurse is accountable for his or her own individual actions in the delegation process. Nurses acting within the protocols of their delegation authority are immune from liability for any action performed in the course of their delegation duties.

(viii) Nursing task delegation protocols are not intended to regulate the settings in which delegation may occur, but are intended to ensure that nursing care services have a consistent standard of practice upon which the public and the profession may rely, and to safeguard the authority of the nurse to make independent professional decisions regarding the delegation of a task.

(f) The delegation of nursing care tasks only to registered or certified nursing assistants under chapter 18.88A RCW or to home care aides certified under chapter 18.88B RCW may include glucose monitoring and testing.

(g) The ~~((nursing care quality assurance commission))~~board may adopt rules to implement this section.

(4) Only a person licensed as a registered nurse may instruct nurses in technical subjects pertaining to nursing.

(5) Only a person licensed as a registered nurse may hold herself or himself out to the public or designate herself or himself as a registered nurse.

**Sec. 16.** RCW 18.79.270 and 2020 c 80 s 19 are each amended to read as follows:

A licensed practical nurse under his or her license may perform nursing care, as that term is usually understood, of the ill, injured, or infirm, and in the course thereof may, under the direction of a licensed physician and surgeon, osteopathic physician and surgeon, dentist, naturopathic physician, podiatric physician and surgeon, physician assistant, advanced practice registered nurse ~~((practitioner))~~, or midwife acting under the scope of his or her license, or at the direction and under the supervision of a registered nurse, administer drugs, medications, treatments, tests, injections, and inoculations, whether or not the piercing of tissues is involved and whether or not a degree of independent judgment and skill is required, when selected to do so by one of the licensed practitioners designated in this section, or by a registered nurse who need not be physically present; if the order given is reduced to writing within a reasonable time and made a part of the patient's record. Such direction must be for acts within the scope of licensed practical nurse practice.

**Sec. 17.** RCW 18.79.290 and 1994 sp.s. c 9 s 429 are each amended to read as follows:

(1) In accordance with rules adopted by the ~~((commission))~~board, public school districts and private schools that offer classes for any of grades kindergarten through twelve may provide for clean, intermittent bladder catheterization of students or assisted self-catheterization of students who are in the custody of the school district or private school at the time. After consultation with staff of the superintendent of public instruction, the

~~((commission))~~board shall adopt rules in accordance with chapter 34.05 RCW, that provide for the following and such other matters as the ~~((commission))~~board deems necessary to the proper implementation of this section:

(a) A requirement for a written, current, and unexpired request from a parent, legal guardian, or other person having legal control over the student that the school district or private school provide for the catheterization of the student;

(b) A requirement for a written, current, and unexpired request from a physician licensed under chapter 18.71 or 18.57 RCW, that catheterization of the student be provided for during the hours when school is in session or the hours when the student is under the supervision of school officials;

(c) A requirement for written, current, and unexpired instructions from an advanced practice registered nurse ~~((practitioner))~~ or a registered nurse licensed under this chapter regarding catheterization that include (i) a designation of the school district or private school employee or employees who may provide for the catheterization, and (ii) a description of the nature and extent of any required supervision; and

(d) The nature and extent of acceptable training that shall (i) be provided by a physician, advanced practice registered nurse ~~((practitioner))~~, or registered nurse licensed under chapter 18.71 or 18.57 RCW, or this chapter, and (ii) be required of school district or private school employees who provide for the catheterization of a student under this section, except that a licensed practical nurse licensed under this chapter is exempt from training.

(2) This section does not require school districts to provide intermittent bladder catheterization of students.

**Sec. 18.** RCW 18.79.400 and 2010 c 209 s 7 are each amended to read as follows:

(1) By June 30, 2011, the ~~((commission))~~board shall adopt new rules on chronic, noncancer pain management that contain the following elements:

(a) (i) Dosing criteria, including:

(A) A dosage amount that must not be exceeded unless an advanced practice registered nurse ~~((practitioner))~~ or certified registered nurse anesthetist first consults with a practitioner specializing in pain management; and

(B) Exigent or special circumstances under which the dosage amount may be exceeded without consultation with a practitioner specializing in pain management.

(ii) The rules regarding consultation with a practitioner specializing in pain management must, to the extent practicable, take into account:

(A) Circumstances under which repeated consultations would not be necessary or appropriate for a patient undergoing a stable, ongoing course of treatment for pain management;

(B) Minimum training and experience that is sufficient to exempt an advanced practice registered nurse ~~((practitioner))~~ or

certified registered nurse anesthetist from the specialty consultation requirement;

(C) Methods for enhancing the availability of consultations;

(D) Allowing the efficient use of resources; and

(E) Minimizing the burden on practitioners and patients;

(b) Guidance on when to seek specialty consultation and ways in which electronic specialty consultations may be sought;

(c) Guidance on tracking clinical progress by using assessment tools focusing on pain interference, physical function, and overall risk for poor outcome; and

(d) Guidance on tracking the use of opioids, particularly in the emergency department.

(2) The ~~((commission))~~board shall consult with the agency medical directors' group, the department of health, the University of Washington, and the largest professional associations for advanced practice registered nurses ~~((practitioners))~~ and certified registered nurse anesthetists in the state.

(3) The rules adopted under this section do not apply:

(a) To the provision of palliative, hospice, or other end-of-life care; or

(b) To the management of acute pain caused by an injury or a surgical procedure.

**Sec. 19.** RCW 18.79.800 and 2017 c 297 s 8 are each amended to read as follows:

(1) By January 1, 2019, the ~~((commission))~~board must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the ~~((commission))~~board must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional associations for advanced practice registered nurses ~~((practitioners))~~ and certified registered nurse anesthetists in the state.

**Sec. 20.** RCW 18.79.810 and 2019 c 314 s 10 are each amended to read as follows:

By January 1, 2020, the ~~((commission))~~board must adopt or amend its rules to require advanced practice registered nurses ~~((practitioners))~~ who prescribe opioids to inform patients of their right to refuse an opioid prescription or order for any reason. If a patient indicates a desire to not receive an opioid, the advanced practice registered nurse ~~((practitioner))~~ must document the patient's request and avoid prescribing or ordering opioids, unless the request is revoked by the patient.

**NEW SECTION. Sec. 21.** The office of the code reviser shall prepare bill language correcting references in the Revised Code of Washington from advanced practice registered nurse practitioner to advanced practice registered

nurse and include this bill language in its 2025 technical corrections bill by December 31, 2024.

**NEW SECTION. Sec. 22.** Except for section 21 of this act, this act takes effect June 30, 2027."

On page 1, line 2 of the title, after "nurses;" strike the remainder of the title and insert "amending RCW 18.79.030, 18.79.040, 18.79.050, 18.79.060, 18.79.070, 18.79.110, 18.79.160, 18.79.170, 18.79.180, 18.79.200, 18.79.230, 18.79.240, 18.79.250, 18.79.256, 18.79.260, 18.79.270, 18.79.290, 18.79.400, 18.79.800, and 18.79.810; and providing an effective date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 2416 and advanced the bill, as amended by the Senate, to final passage.

Representatives Graham and Riccelli spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2416, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2416, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatler, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 2416, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Monday, March 4, 2024

Mme. Speaker:

The Senate refuses to concur in the House amendment to SENATE BILL NO. 5180 and asks the House for a Conference thereon. The President has appointed the following members as Conferees: Hunt, Hawkins, Wellman

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House granted the Senate's request for a Conference on SENATE BILL NO. 5180. The Speaker (Representative Orwall presiding) appointed the following members as Conferees: Representatives Rude, Santos and Shavers.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

There being no objection, the House reverted to the third order of business.

**MESSAGE FROM THE SENATE**

Tuesday, March 5, 2024

Mme. Speaker:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

- SUBSTITUTE SENATE BILL NO. 6059
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6068
- SUBSTITUTE SENATE BILL NO. 6099
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6105
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6109
- SUBSTITUTE SENATE BILL NO. 6115
- ENGROSSED SENATE BILL NO. 6120
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6127
- SUBSTITUTE SENATE BILL NO. 6146
- ENGROSSED SENATE BILL NO. 6151
- SUBSTITUTE SENATE BILL NO. 6157
- SUBSTITUTE SENATE BILL NO. 6164
- SUBSTITUTE SENATE BILL NO. 6197
- SECOND SUBSTITUTE SENATE BILL NO. 6228
- SENATE BILL NO. 6238
- ENGROSSED SENATE BILL NO. 6246
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6251
- SUBSTITUTE SENATE BILL NO. 6301
- SENATE BILL NO. 6308
- SENATE CONCURRENT RESOLUTION NO. 8414

and the same are herewith transmitted.

Sarah Bannister, Secretary

**MESSAGE FROM THE SENATE**

Tuesday, March 5, 2024

Mme. Speaker:

The President has signed:

- SUBSTITUTE HOUSE BILL NO. 1818
- HOUSE BILL NO. 1867
- SUBSTITUTE HOUSE BILL NO. 1892
- SUBSTITUTE HOUSE BILL NO. 1919
- HOUSE BILL NO. 1927
- SECOND SUBSTITUTE HOUSE BILL NO. 1941
- SUBSTITUTE HOUSE BILL NO. 1942
- HOUSE BILL NO. 1958
- HOUSE BILL NO. 1963
- SUBSTITUTE HOUSE BILL NO. 1970
- SUBSTITUTE HOUSE BILL NO. 1979
- HOUSE BILL NO. 1982
- SUBSTITUTE HOUSE BILL NO. 2012
- SECOND SUBSTITUTE HOUSE BILL NO. 2014
- SUBSTITUTE HOUSE BILL NO. 2025

- SUBSTITUTE HOUSE BILL NO. 2097
- SUBSTITUTE HOUSE BILL NO. 2102
- SECOND SUBSTITUTE HOUSE BILL NO. 2112
- ENGROSSED HOUSE BILL NO. 2199
- HOUSE BILL NO. 2204
- HOUSE BILL NO. 2246
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2311
- HOUSE BILL NO. 2375
- HOUSE BILL NO. 2415

and the same are herewith transmitted.

Sarah Bannister, Secretary

**MESSAGE FROM THE SENATE**

Tuesday, March 5, 2024

Mme. Speaker:

The President has signed:

- SENATE INITIATIVE NO. 2081
- SENATE INITIATIVE NO. 2111
- SENATE INITIATIVE NO. 2113

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Tuesday, March 5, 2024

Mme. Speaker:

The President has signed:

- ENGROSSED SUBSTITUTE SENATE BILL NO. 5271
- SECOND SUBSTITUTE SENATE BILL NO. 5660
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5778
- SENATE BILL NO. 5799
- SENATE BILL NO. 5842
- SUBSTITUTE SENATE BILL NO. 5869
- SENATE BILL NO. 5897
- SUBSTITUTE SENATE BILL NO. 5920
- SUBSTITUTE SENATE BILL NO. 5936
- SUBSTITUTE SENATE BILL NO. 5940
- SENATE BILL NO. 6013
- SENATE BILL NO. 6084
- SENATE BILL NO. 6263
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6286
- SENATE JOINT MEMORIAL NO. 8008

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fifth order of business.

**REPORTS OF STANDING COMMITTEES**

March 5, 2024

ESB 6098

Prime Sponsor, Senator Robinson:  
Concerning accounts. Reported by  
Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 82.45.240 and 2023 c 337 s 9 are each amended to read as follows:

(1) The down payment assistance account is created in the custody of the state treasurer. Receipts from the real estate excise tax on sales of condominiums or townhouses to persons using a down payment assistance program offered by the Washington state housing finance commission must be deposited in the account, as provided in subsection (2) of this section. Expenditures from the account may be used only for payment toward a person's down payment assistance loan that was used to purchase a condominium or townhouse for which the tax was collected. Only the ~~((Washington state housing finance commission))~~ director of the department of commerce or the ~~((commission's))~~ director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2)(a) Beginning June 15, 2024, and each June 15th thereafter, the department must notify the economic and revenue forecast council of the total amount received under RCW 82.45.060 from sales of condominiums or townhouses to persons using a down payment assistance program offered by the Washington state housing finance commission during the prior calendar year.

(b) Beginning in fiscal year 2025, and each fiscal year thereafter, the legislature must appropriate from the general fund to this account the lesser of (i) the amount received under RCW 82.45.060 on sales of condominiums or townhouses to persons using a down payment assistance program offered by the Washington state housing finance commission during the prior calendar year, as determined under (a) of this subsection, or (ii) \$250,000 per fiscal year.

(c) On or before March 1, 2024, and each March 1st thereafter, the Washington state housing finance commission must provide the department with the following information for each sale of a condominium or townhouse to a person using a down payment assistance program offered by the Washington state housing finance commission that occurred during the prior calendar year:

(i) The real estate excise tax affidavit number associated with the sale;

(ii) The date of sale;

(iii) The parcel number of the property sold;

(iv) The street address of the property sold;

(v) The county in which the property sold is located;

(vi) The full legal name of the seller, or sellers, as shown on the real estate excise tax affidavit;

(vii) The full legal name of the buyer, or buyers, as shown on the real estate excise tax affidavit; and

(viii) Any additional information the department may require to verify the property sold is a condominium or townhouse sold to persons using a down payment assistance program offered by the Washington state housing finance commission.

(d) For the purposes of this subsection, "townhouse" means dwelling units constructed

in a row of two or more attached units where each dwelling unit shares at least one common wall with an adjacent unit and is accessed by a separate outdoor entrance.

(3) This section expires January 1, 2034.

**NEW SECTION. Sec. 2.** The following acts or parts of acts are each repealed:

(1) RCW 43.83.330 (State and local improvements revolving account—Definitions) and 2015 1st sp.s. c 4 s 34, 1991 sp.s. c 13 s 43, 1985 c 57 s 44, & 1972 ex.s. c 127 s 3;

(2) RCW 43.83.350 (State and local improvements revolving account, Waste Disposal Facilities, 1980—Definitions) and 2021 c 65 s 46, 2015 1st sp.s. c 4 s 40, 1991 sp.s. c 13 s 44, 1985 c 57 s 56, & 1980 c 159 s 3;

(3) RCW 27.34.410 (Heritage barn preservation fund) and 2015 c 225 s 24 & 2007 c 333 s 4;

(4) RCW 43.79.487 (Basic health plan stabilization account) and 2011 c 5 s 711;

(5) RCW 70A.305.140 (Brownfield redevelopment trust fund account—Created—Report to the office of financial management and the legislature—Rules) and 2020 c 20 s 1316, 2019 c 422 s 414, & 2013 2nd sp.s. c 1 s 3;

(6) RCW 43.79.530 (Dairy nutrient infrastructure account) and 2016 sp.s. c 35 s 6016;

(7) RCW 43.41.444 (Shared information technology system revolving account—Contracts for administration, development, maintenance, and operations of shared information technology systems—"Shared information technology system" defined) and 2015 3rd sp.s. c 1 s 504; and

(8) RCW 43.79.515 (State efficiency and restructuring account) and 2010 1st sp.s. c 37 s 946.

**Sec. 3.** RCW 27.34.400 and 2007 c 333 s 2 are each amended to read as follows:

(1) The Washington state heritage barn preservation program is created in the department.

(2) The director, in consultation with the heritage barn preservation advisory board, shall conduct a thematic study of Washington state's barns. The study shall include a determination of types, an assessment of the most unique and significant barns in the state, and a condition and needs assessment of historic barns in the state.

(3)(a) The department, in consultation with the heritage barn preservation advisory board, shall establish a heritage barn recognition program. To apply for recognition as a heritage barn, the barn owner shall supply to the department photos of the barn, photos of the farm and surrounding landscape, a brief history of the farm, and a construction date for the barn.

(b) Three times a year, the governor's advisory council on historic places shall review the list of barns submitted by the department for formal recognition as a heritage barn.

(4) Eligible applicants for heritage barn preservation ((fund))program awards include property owners, nonprofit organizations, and local governments.

(5) To apply for support from the heritage barn preservation ((fund))program, an applicant must submit an application to the department in a form prescribed by the department. Applicants must provide at least fifty percent of the cost of the project through in-kind labor, the applicant's own moneys, or other funding sources.

(6) The following types of projects are eligible for funding:

(a) Stabilization of endangered heritage barns and related agricultural buildings, including but not limited to repairs to foundations, sills, windows, walls, structural framework, and the repair and replacement of roofs; and

(b) Work that preserves the historic character, features, and materials of a historic barn.

(7) In making awards, the advisory board shall consider the following criteria:

(a) Relative historical and cultural significance of the barn;

(b) Urgency of the threat and need for repair;

(c) Extent to which the project preserves historic character and extends the useful life of the barn or associated agricultural building;

(d) Visibility of the barn from a state designated scenic byway or other publicly traveled way;

(e) Extent to which the project leverages other sources of financial assistance;

(f) Provision for long-term preservation;

(g) Readiness of the applicant to initiate and complete the project; and

(h) Extent to which the project contributes to the equitable geographic distribution of heritage barn preservation ((fund))program awards across the state.

(8) In awarding funds, special consideration shall be given to barns that are:

(a) Still in agricultural use;

(b) Listed on the national register of historic places; or

(c) Outstanding examples of their type or era.

(9) The conditions in this subsection must be met by recipients of funding in order to satisfy the public benefit requirements of the heritage barn preservation program.

(a) Recipients must execute a contract with the department before commencing work. The contract must include a historic preservation easement for between five to fifteen years depending on the amount of the award. The contract must specify public benefit and minimum maintenance requirements.

(b) Recipients must proactively maintain their historic barn for a minimum of ten years.

(c) Public access to the exterior of properties that are not visible from a public right-of-way must be provided under reasonable terms and circumstances, including the requirement that visits by nonprofit organizations or school groups must be offered at least one day per year.

(10) All work must comply with the United States secretary of the interior's standards for the rehabilitation of historic properties; however, exceptions may be made for the retention or installation of metal roofs on a case-by-case basis.

(11) The heritage barn preservation ((fund))program shall be acknowledged on any materials produced and in publicity for the project. A sign acknowledging the ((fund))program shall be posted at the worksite for the duration of the preservation agreement.

(12) Projects must be initiated within one year of funding approval and completed within two years, unless an extension is provided by the department in writing.

(13) If a recipient of a heritage barn preservation ((fund))program award, or subsequent owner of a property that was assisted by the ((fund))program, takes any action within ten years of the funding award with respect to the assisted property such as dismantlement, removal, or substantial alteration, which causes it to be no longer eligible for listing in the Washington heritage register, the ((fund))program shall be repaid in full within one year.

**NEW SECTION. Sec. 4.** A new section is added to chapter 41.05 RCW to read as follows:

The Fern Lodge maintenance account is created in the custody of the state treasurer. All receipts from the collection of rents for the Snohomish county long-term civil commitment facility known as Fern Lodge must be deposited into the account. Expenditures from the account may only be used for the ongoing maintenance and operational costs of Fern Lodge. Only the director or the director's designee may authorize expenses from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

**NEW SECTION. Sec. 5.** A new section is added to chapter 43.79 RCW to read as follows:

The inflation reduction elective pay account is created in the state treasury. All receipts from elective pay provided under P.L. 117-169 (inflation reduction act of 2022) must be deposited into the account. Moneys in the account may be spent only after appropriation.

**NEW SECTION. Sec. 6.** A new section is added to chapter 70A.535 RCW to read as follows:

The clean fuels credit account is created in the state treasury. All receipts from clean fuel credits generated under this chapter by state agency activities not funded through an appropriation in an omnibus transportation appropriations act must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for state agencies to complete investments to reduce state agency transportation-related emissions including,

but not limited to, electric vehicle infrastructure, electric vehicles, electric vessels, and electric boats.

**Sec. 7.** RCW 70A.535.160 and 2023 c 431 s 14 are each amended to read as follows:

The clean fuels transportation investment account is created in the state treasury. All receipts to the state from clean fuel credits generated under this chapter from transportation investments funded in an omnibus transportation appropriations act, including those listed under RCW 70A.535.050(3), must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may only be used for activities and projects that reduce greenhouse gas emissions and decarbonize the transportation sector.

**NEW SECTION. Sec. 8.** A new section is added to chapter 74.09 RCW to read as follows:

The family medicine workforce development account is created in the state treasury. All receipts from funding available for the family medicine residency network pursuant to RCW 74.60.090 and 70.112.060 and any other funds collected for the medicaid direct payment program established in chapter . . . , Laws of 2024 (the omnibus operating appropriations act) must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only to supplement primary care graduate medical education.

**NEW SECTION. Sec. 9.** A new section is added to chapter 43.79 RCW to read as follows:

(1) The legislature recognizes the honor of Seattle being chosen as a host city for the 2026 FIFA World Cup soccer competition. The matches will attract hundreds of thousands of fans to our region and bring unprecedented attention to Seattle and the state of Washington as a whole. In recognition of the economic benefit to the state, the legislature intends to provide assistance in making the capital improvements necessary to host this event.

(2) The stadium world cup capital account is created in the state treasury for the purpose of advancing moneys to the Washington state public stadium authority for capital improvements required to host the 2026 World Cup. Moneys in the account may be spent only after appropriation.

(3) The department of commerce must enter into a loan agreement with the Washington state public stadium authority to advance funds for capital improvements necessary to host the 2026 World Cup. The department must work with the state treasurer to record distributions from the stadium world cup capital account and calculate the repayment obligation for amounts expended. Loan terms shall include interest at a rate that is 0.5 percent higher than the interest rate that the account would have earned without the transfer, with funds to be repaid no later than September 30, 2026.

(4) It is the intent of the legislature that loan funds be repaid from admissions taxes collected from World Cup events hosted at the stadium and deposited into the stadium and exhibition center account created in RCW 43.99N.060. If not earlier paid, on September 30, 2026, the director of the office of financial management shall direct the state treasurer to transfer any amounts due from the stadium and exhibition center account to the general fund.

**Sec. 10.** RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, 2023 c 170 s 19, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statutory hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works

account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the Fern Lodge maintenance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the pollution liability insurance program trust account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

**Sec. 11.** RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college



savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statuary hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the Fern Lodge maintenance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account,

the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

**Sec. 12.** RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10, 2023 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3, 2023 c 73 s 10, and 2023 c 41 s 4 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall

occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the ambulance transport fund, (~~the brownfield redevelopment trust fund account,~~) the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the clean fuels credit account, the clean fuels transportation investment account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the opioid abatement settlement account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids

account, the family medicine workforce development account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the higher education retirement plan supplemental benefit fund, the Washington student loan account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the Interstate 5 bridge replacement project account, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the reserve officers' relief and pension principal fund, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the second injury fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state hazard mitigation revolving loan account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the

teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the JUDY transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

**Sec. 13.** RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10, 2023 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3, 2023 c 73 s 10, and 2023 c 41 s 4 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account,

which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, ~~((the brownfield redevelopment trust fund account,))~~ the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal, and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the clean fuels credit account, the clean fuels transportation investment account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county

criminal justice assistance account, the covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the opioid abatement settlement account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids account, the family medicine workforce development account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the higher education retirement plan supplemental benefit fund, the Washington student loan account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the Interstate 5 bridge replacement project account, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account,

the reserve officers' relief and pension principal fund, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the second injury fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state hazard mitigation revolving loan account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the JUDY transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not

statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

**NEW SECTION. Sec. 14.** The Washington sexual assault kit account was created in section 9, chapter 173, Laws of 2016, with an expiration date of June 30, 2022. Any residual balance of funds remaining in the Washington sexual assault kit account as of the date of the account's expiration must be transferred by the state treasurer to the fingerprint identification account no later than June 1, 2024.

**NEW SECTION. Sec. 15.** Any residual balance of funds remaining in any account abolished in this act on June 30, 2024, shall be transferred by the state treasurer to the state general fund.

**NEW SECTION. Sec. 16.** Except for sections 4 through 13 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect June 1, 2024.

**NEW SECTION. Sec. 17.** (1) Sections 4 through 10 and 12 of this act take effect July 1, 2024.

(2) Section 11 of this act takes effect July 1, 2030.

(3) Section 13 of this act takes effect July 1, 2028.

**NEW SECTION. Sec. 18.** (1) Section 10 of this act expires July 1, 2030.

(2) Section 12 of this act expires July 1, 2028."

Correct the title.

Signed by Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg; Callan; Chopp; Davis; Dye; Fitzgibbon; Harris; Lekano; Pollet; Riccelli; Rude; Ryu; Sandlin; Schmick; Senn; Simmons; Springer; Stonier and Tharinger.

March 5, 2024

SSB 6316

Prime Sponsor, Transportation: Concerning the state route number 520 corridor. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 47.01 RCW to read as follows:

(1)(a) The department may apply for deferral of state and local sales and use taxes on the site preparation for, the construction of, the acquisition of any related machinery and equipment that will become a part of, and the rental of equipment for use in, the state route number 520 corridor improvements - west end project.

(b) The application must be made to the department of revenue in a form and manner prescribed by the department of revenue. The application must contain information regarding estimated or actual costs, time schedules for completion and operation, and other information required by the department of revenue. The department of revenue shall approve the application within 60 days if it meets the requirements of this section.

(2) The department of revenue shall issue a sales and use tax deferral certificate for state and local sales and use taxes imposed or authorized under chapters 82.08, 82.12, and 82.14 RCW and RCW 81.104.170 on the project. No new deferral certificates may be issued once the project is operationally complete as described in subsection (3) of this section.

(3) If the department is granted a tax deferral under this section, the department must begin paying the deferred taxes in the 24th year after the date certified by the department of revenue as the date on which the project is operationally complete. The project, which completes corridor improvements between Interstate 5 and the west high rise, is operationally complete under this section when the department notifies the department of revenue in writing that all projects qualifying for a deferral under this section are operationally complete. The first payment is due on December 31st of the 24th calendar year after the certified date, with subsequent annual payments due on December 31st of the following nine years. Each payment shall equal 10 percent of the deferred tax.

(4) The department of revenue may authorize an accelerated repayment schedule upon request of the department granted a deferral under this section.

(5) Interest shall not be charged on any taxes deferred under this section for the period of deferral, although all other penalties and interest applicable to delinquent excise taxes may be assessed and imposed for delinquent payments under this section. The debt for deferred taxes is not extinguished by insolvency or other failure of any private entity granted a deferral under this section.

(6) Applications and any other information received by the department of revenue under this section are not confidential and are subject to disclosure. Chapter 82.32 RCW applies to the administration of this section.

**NEW SECTION. Sec. 2.** The provisions of RCW 82.32.805 and 82.32.808 do not apply to section 1 of this act.

NEW SECTION. **Sec. 3.** This act takes effect July 1, 2024."

Correct the title.

Signed by Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry; Bronoske; Chapman; Cortes; Dent; Doglio; Duerr; Entenman; Goehner; Griffey; Hackney; Klicker; Mena; Nance; Orcutt; Ramel; Ramos; Schmidt; Volz; Walsh and Wylie.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were placed on the second reading calendar.

There being no objection, the House advanced to the seventh order of business.

**THIRD READING**

**MESSAGE FROM THE SENATE**

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248, with the following amendment(s): 1248-S.E AMS EDU S5362.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature recognizes that school bus drivers play a crucial role in ensuring students' safe passage to and from school, preventing absences, and extending a positive school climate beyond the classroom. By delivering this essential service, school bus drivers provide a significant time and convenience benefit to thousands of Washington families, remove cars from the road, reduce overall emissions, and increase traffic safety. However, a recent national survey revealed that 94 percent of bus contractors experience driver shortages, with 21 percent reporting their shortages as severe. With this act, the state of Washington intends to encourage the retention of bus drivers who provide vital services to local communities.

**Sec. 2.** RCW 28A.160.140 and 1990 c 33 s 140 are each amended to read as follows:

(1) As a condition of entering into a pupil transportation services contract with a private nongovernmental entity, each school district shall engage in an open competitive process at least once every five years. This requirement shall not be construed to prohibit a district from entering into a pupil transportation services contract of less than five years in duration with a district option to renew, extend, or terminate the contract, if the district engages in an open competitive process at least once every five years after July 26, 1987.

(2)(a) A school district may only enter into, renew, or extend a pupil transportation services contract with a private nongovernmental entity if that

entity provides the following to, or on behalf of, its employees who choose to opt in for coverage:

(i) An employer health benefits contribution equal to the employer payment dollar amount in effect for the first year of the contract for health care benefit rates (cockle rates), published annually by the health care authority, for the school employees' benefits board program for school employees; and

(ii) An amount equivalent to the salaries of the employees of the private nongovernmental entity multiplied by the employer normal cost contribution rate determined under the entry age cost method for the school employees' retirement system, as published in the most recent actuarial valuation report from the office of the state actuary for the first year of the contract.

(b) All pupil transportation service contracts entered into or modified after the effective date of this section must include a detailed explanation of any contract cost increase by year, expenditure type, and amount, including any increases in cost that result from providing the benefits required under this section.

(c) For contracts entered into, renewed, or extended in the 2024 calendar year, the benefits required under this section must be provided to employees by the beginning of the 2025-26 school year.

(3) As used in this section:

~~((1))~~(a) "Employees" means in-state employees of the private nongovernmental entity working sufficient compensated hours performing services pursuant to the contract with the school district to meet the eligibility requirements for the school employees' benefits board program if the employees were directly employed by a school district;

(b) "Open competitive process" means either one of the following, at the choice of the school district:

~~((a))~~(i) The solicitation of bids or quotations and the award of contracts under RCW 28A.335.190; or

~~((b))~~(ii) The competitive solicitation of proposals and their evaluation consistent with the process and criteria recommended or required, as the case may be, by the office of financial management for state agency acquisition of personal service contractors;

~~((2))~~(c) "Pupil transportation services contract" means a contract for the operation of privately owned or school district owned school buses, and the services of drivers or operators, management and supervisory personnel, and their support personnel such as secretaries, dispatchers, and mechanics, or any combination thereof, to provide students with transportation to and from school on a regular basis; and

~~((3))~~(d) "School bus" means a motor vehicle as defined in RCW 46.04.521 and under the rules of the superintendent of public instruction.

NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.160 RCW to read as follows:

(1) A school district that experiences an increase in costs to a pupil transportation services contract as compared to prior year contract costs as a result of the provisions in RCW 28A.160.140 is eligible for supplemental transportation allocations as described in this section.

(2) Beginning September 1, 2024, school districts that provide pupil transportation through a contract with a nongovernmental entity under RCW 28A.160.140 must annually provide the office of the superintendent of public instruction with the following information:

(a) A breakdown of the total contract cost increase, including a detailed explanation of the increase by expenditure type demonstrating dollar equivalency as required in RCW 28A.160.140(2)(a)(i) and percentage equivalency as required in RCW 28A.160.140(2)(a)(ii), as defined by the office of the superintendent of public instruction, and amount;

(b) A breakdown of cost from the contractor that shows the cost to provide health care and pension benefits to employees prior to the effective date of this section and the cost to provide health care and pension benefits to employees after the implementation of benefits as described in RCW 28A.160.140;

(c) The amount of funding received through transportation allocations under RCW 28A.160.150 through 28A.160.192 prior to the implementation of school employee benefits under chapter 41.05 RCW and the amount of funding received through the same transportation allocations for the period immediately following the implementation of school employee benefits under chapter 41.05 RCW, to determine the amount of funding for health care that is already being included in allocations.

(3) The office of the superintendent of public instruction may suspend the reporting requirements under subsection (2) of this section on or after September 1, 2027, for districts that do not request supplemental transportation allocations under this section.

(4) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction must reimburse a school district for the increased cost that is directly attributable to increased benefits as required under this act, using the following formula: The total contract cost increase, less any amounts not attributable to benefits required under RCW 28A.160.140, less the amount the allocation was increased based on the actual cost increase through the transportation funding formula."

On page 1, line 1 of the title, after "transportation;" strike the remainder of the title and insert "amending RCW 28A.160.140; adding a new section to chapter 28A.160 RCW; and creating a new section."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248 and advanced the bill, as amended by the Senate, to final passage.

Representative Stonier spoke in favor of the passage of the bill.

Representative Rude spoke against the passage of the bill.

#### MOTIONS

On motion of Representative Griffey, Representative Wilcox was excused.

On motion of Representative Ramel, Representative Ramos was excused.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1248, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1248, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 57; Nays, 37; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters and Ybarra

Excused: Representatives Chandler, Ramos and Wilcox

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Tuesday, February 27, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1300, with the following amendment(s): 1300-S.E AMS ENGR S5295.E

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9A.36.031 and 2013 c 256 s 1 are each amended to read as follows:

(1) A person is guilty of assault in the third degree if he or she, under circumstances not amounting to assault in the first or second degree:

(a) With intent to prevent or resist the execution of any lawful process or mandate of any court officer or the lawful

apprehension or detention of himself, herself, or another person, assaults another; or

(b) Assaults a person employed as a transit operator or driver, the immediate supervisor of a transit operator or driver, a mechanic, or a security officer, by a public or private transit company or a contracted transit service provider, while that person is performing his or her official duties at the time of the assault; or

(c) Assaults a school bus driver, the immediate supervisor of a driver, a mechanic, or a security officer, employed by a school district transportation service or a private company under contract for transportation services with a school district, while the person is performing his or her official duties at the time of the assault; or

(d) With criminal negligence, causes bodily harm to another person by means of a weapon or other instrument or thing likely to produce bodily harm; or

(e) Assaults a firefighter or other employee of a fire department, county fire marshal's office, county fire prevention bureau, or fire protection district who was performing his or her official duties at the time of the assault; or

(f) With criminal negligence, causes bodily harm accompanied by substantial pain that extends for a period sufficient to cause considerable suffering; or

(g) Assaults a law enforcement officer or other employee of a law enforcement agency who was performing his or her official duties at the time of the assault; or

(h) Assaults a peace officer with a projectile stun gun; or

(i) Assaults a nurse, physician, or health care provider who was performing his or her nursing or health care duties at the time of the assault. For purposes of this subsection: "Nurse" means a person licensed under chapter 18.79 RCW; "physician" means a person licensed under chapter 18.57 or 18.71 RCW; and "health care provider" means a person certified under chapter 18.71 or 18.73 RCW who performs emergency medical services or a person regulated under Title 18 RCW and employed by, or contracting with, a hospital licensed under chapter 70.41 RCW; or

(j) Assaults a judicial officer, court-related employee, county clerk, or county clerk's employee, while that person is performing his or her official duties at the time of the assault or as a result of that person's employment within the judicial system. For purposes of this subsection, "court-related employee" includes bailiffs, court reporters, judicial assistants, court managers, court managers' employees, and any other employee, regardless of title, who is engaged in equivalent functions; or

(k) Assaults a person located in a courtroom, jury room, judge's chamber, or any waiting area or corridor immediately adjacent to a courtroom, jury room, or judge's chamber. This section shall apply only: (i) During the times when a courtroom, jury room, or judge's chamber is being used for judicial purposes during court proceedings; and (ii) if signage was posted

in compliance with RCW 2.28.200 at the time of the assault; or

(1) Is a licensed health care provider who implants or causes another to implant the provider's own gametes or reproductive material into a patient during an assisted reproduction procedure. For the purposes of this subsection, "gamete" means sperm, egg, or any part of a sperm or egg, and "reproductive material" means a human gamete or a human organism at any stage of development from fertilized ovum to embryo.

(2) Assault in the third degree is a class C felony.

**Sec. 2.** RCW 18.130.180 and 2023 c 192 s 2 and 2023 c 122 s 4 are each reenacted and amended to read as follows:

Except as provided in RCW 18.130.450, the following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder of the crime described in the indictment or information, and of the person's violation of the statute on which it is based. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(2) Misrepresentation or concealment of a material fact in obtaining a license or in reinstatement thereof;

(3) All advertising which is false, fraudulent, or misleading;

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

(5) Suspension, revocation, or restriction of the individual's license to practice any health care profession by competent authority in any state, federal, or foreign jurisdiction, a certified copy of the order, stipulation, or agreement being conclusive evidence of the revocation, suspension, or restriction;

(6) The possession, use, prescription for use, or distribution of controlled substances or legend drugs in any way other than for legitimate or therapeutic purposes, diversion of controlled substances or legend drugs, the violation of any drug law, or prescribing controlled substances for oneself;



(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

(8) Failure to cooperate with the disciplining authority by:

(a) Not furnishing any papers, documents, records, or other items;

(b) Not furnishing in writing a full and complete explanation covering the matter contained in the complaint filed with the disciplining authority;

(c) Not responding to subpoenas issued by the disciplining authority, whether or not the recipient of the subpoena is the accused in the proceeding; or

(d) Not providing reasonable and timely access for authorized representatives of the disciplining authority seeking to perform practice reviews at facilities utilized by the license holder;

(9) Failure to comply with an order issued by the disciplining authority or a stipulation for informal disposition entered into with the disciplining authority;

(10) Aiding or abetting an unlicensed person to practice when a license is required;

(11) Violations of rules established by any health agency;

(12) Practice beyond the scope of practice as defined by law or rule;

(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession;

(14) Failure to adequately supervise auxiliary staff to the extent that the consumer's health or safety is at risk;

(15) Engaging in a profession involving contact with the public while suffering from a contagious or infectious disease involving serious risk to public health;

(16) Promotion for personal gain of any unnecessary or inefficacious drug, device, treatment, procedure, or service;

(17) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(18) The offering, undertaking, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine, or the treating, operating, or prescribing for any health condition by a method, means, or procedure which the licensee refuses to divulge upon demand of the disciplining authority;

(19) The willful betrayal of a practitioner-patient privilege as recognized by law;

(20) Violation of chapter 19.68 RCW or a pattern of violations of RCW 41.05.700(8), 48.43.735(8), 48.49.020, 48.49.030, 71.24.335(8), or 74.09.325(8);

(21) Interference with an investigation or disciplinary proceeding by willful misrepresentation of facts before the disciplining authority or its authorized

representative, or by the use of threats or harassment against any patient or witness to prevent them from providing evidence in a disciplinary proceeding or any other legal action, or by the use of financial inducements to any patient or witness to prevent or attempt to prevent him or her from providing evidence in a disciplinary proceeding;

(22) Current misuse of:

(a) Alcohol;

(b) Controlled substances; or

(c) Legend drugs;

(23) Abuse of a client or patient or sexual contact with a client or patient;

(24) Acceptance of more than a nominal gratuity, hospitality, or subsidy offered by a representative or vendor of medical or health-related products or services intended for patients, in contemplation of a sale or for use in research publishable in professional journals, where a conflict of interest is presented, as defined by rules of the disciplining authority, in consultation with the department, based on recognized professional ethical standards;

(25) Violation of RCW 18.130.420;

(26) Performing conversion therapy on a patient under age eighteen;

(27) Violation of RCW 18.130.430;

(28) Violation of RCW 18.130.460; or

(29) Implanting the license holder's own gametes or reproductive material into a patient."

On page 1, line 1 of the title, after "reproduction;" strike the remainder of the title and insert "amending RCW 9A.36.031; reenacting and amending RCW 18.130.180; and prescribing penalties."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1300 and advanced the bill, as amended by the Senate, to final passage.

Representatives Orwall and Mosbrucker spoke in favor of the passage of the bill.

#### MOTION

On motion of Representative Griffey, Representative Maycumber was excused.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1300, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1300, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye,

Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goeher, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Maycumber, Ramos and Wilcox

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1300, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1870, with the following amendment(s): 1870-S AMS WM S5547.1

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that Washington ranks poorly among all states in the amount of federal grants received relative to income taxes collected from its residents.

The legislature also finds that many of Washington's communities, particularly in slow-growing rural areas, face an economic development "chicken and egg" dilemma in which they need to secure matching dollars in order to obtain federal economic development dollars that would increase the local tax base, local revenue, and local employment and incomes.

The legislature further finds that recent federal legislation provides funding for economic development clusters that Washington state has invested in as part of its economic development strategy, including broadband and clean energy, buildings, and transportation. The federal legislation includes the infrastructure investment and jobs act, P.L. 117-58, the creating helpful incentives to produce semiconductors and science act, P.L. 117-167, and the inflation reduction act, P.L. 117-169.

The legislature further finds that increasing the availability of federal grant dollars in local communities provides a benefit of a reasonably general character to a significant part of the public.

Therefore, the legislature intends to continue and expand its efforts to increase the capacity of the department of commerce to assist local communities in successfully applying for federal grant dollars including through providing local communities with state matching funds for securing federal grants.

**Sec. 2.** RCW 43.330.070 and 1993 c 280 s 10 are each amended to read as follows:

(1) The department shall work closely with local communities to increase their capacity to respond to economic, environmental, and social problems and

challenges. The department shall coordinate the delivery of development services and technical assistance to local communities or regional areas. It shall promote partnerships between the public and private sectors and between state and local officials to encourage appropriate economic growth and opportunity in communities throughout the state. The department shall promote appropriate local development by: Supporting the ability of communities to develop and implement strategic development plans; assisting businesses to start up, maintain, or expand their operations; encouraging public infrastructure investment and private and public capital investment in local communities; supporting efforts to manage growth and provide affordable housing and housing services; providing for the identification and preservation of the state's historical and cultural resources; and expanding employment opportunities.

(2) The department shall define a set of services including training and technical assistance that it will make available to local communities, community-based nonprofit organizations, regional areas, or businesses. The department shall simplify access to these programs by providing more centralized and user-friendly information and referral. The department shall coordinate community and economic development efforts to minimize program redundancy and maximize accessibility. The department shall develop a set of criteria for targeting services to local communities. To the extent funding is made available for this purpose, the department shall provide technical assistance or enter into contracts to provide technical assistance to assist local communities in developing competitive applications for federal funding.

(3) The department shall develop a coordinated and systematic approach to providing training to community-based nonprofit organizations, local communities, and businesses. The approach shall be designed to increase the economic and community development skills available in local communities by providing training and funding for training for local citizens, nonprofit organizations, and businesses. The department shall emphasize providing training in those communities most in need of state assistance.

**Sec. 3.** RCW 43.330.088 and 2023 c 311 s 2 are each amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, by July 1, 2024, the department shall establish a grant program to support associate development organizations in the recruiting, hiring, and retention of grant writers. The department must award grants on an annual basis and must prioritize grants for distressed areas as defined under RCW 43.168.020 and grants for applications for federal funds.

(2) Associate development organizations must apply for the grant program in a manner to be determined by the department.

(3) Associate development organizations that receive awards under this section must provide information on the use of the funds,

including a description of the associate development organization's recruiting and hiring efforts and, if applicable, the number and types of grants applied for by the grant writers funded by the state, in their annual reports to the department required under RCW 43.330.082.

(4) Beginning December 31, 2026, the department must include information on grant award funding and use in its reports to the legislature on associate development organizations contracts required under RCW 43.330.082.

(5) The department shall adopt rules to implement this section.

**Sec. 4.** RCW 43.330.260 and 2006 c 314 s 2 are each amended to read as follows:

(1) The department shall make available, within existing resources, an inventory of grant opportunities for state agencies, local governments, and other community organizations engaged in economic development activities.

(2) In developing the inventory of economic development grant opportunities, the department may:

(a) Regularly review the federal register for opportunities to apply for grants, research projects, and demonstration projects;

(b) Maintain an inventory of grant opportunities with private foundations and businesses; (~~and~~)

(c) Provide a resource guide for applicants for federal grants, including links to federal applications and relevant resources, and contact information for department assistance; and

(d) Consult with federal officials, including but not limited to those in the small business administration, the department of labor, the department of commerce, the department of agriculture, the department of ecology, as well as private foundations and businesses, on the prospects for obtaining federal and private funds for economic development purposes in Washington state.

(3) The department may also facilitate joint efforts between agencies and between local organizations and state agencies that will increase the likelihood of success in grant seeking and the attraction of major events.

**NEW SECTION. Sec. 5.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "funding;" strike the remainder of the title and insert "amending RCW 43.330.070, 43.330.088, and 43.330.260; and creating new sections."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1870 and advanced the bill, as amended by the Senate, to final passage.

Representatives Barnard and Ryu spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1870, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1870, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Maycumber, Ramos and Wilcox

SUBSTITUTE HOUSE BILL NO. 1870, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed HOUSE BILL NO. 2032, with the following amendment(s): 2032 AMS HUNT S5377.1

On page 3, line 38, after "that" strike "the sponsor's name and address, and" and insert "~~((the sponsor's name and address, and))~~"

On page 3, line 40, after "42.17A.350" strike "," and insert "((τ))"

On page 4, beginning on line 6, after "than" strike all material through "18 inches" on line 7 and insert "eight feet by four feet"

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 2032 and advanced the bill, as amended by the Senate, to final passage.

Representatives Cheney and Stearns spoke in favor of the passage of the bill.

**FINAL PASSAGE OF HOUSE BILL AS SENATE  
AMENDED**

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2032, as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2032, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; Nays, 4; Absent, 0; Excused, 4

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Caldier, Jacobsen and Walsh

Excused: Representatives Chandler, Maycumber, Ramos and Wilcox

HOUSE BILL NO. 2032, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

Wednesday, February 28, 2024

Mme. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 2124, with the following amendment(s): 2124-S2 AMS EDU S5369.1

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 43.216.136 and 2023 c 294 s 1 and 2023 c 222 s 3 are each reenacted and amended to read as follows:

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures established by the department and the standards established in this section intended to promote stability, quality, and continuity of early care and education programming.

(2) As recommended by P.L. 113-186, authorizations for the working connections child care subsidy are effective for 12 months beginning July 1, 2016.

(a) A household's 12-month authorization begins on the date that child care is expected to begin.

(b) If a newly eligible household does not begin care within 12 months of being

determined eligible by the department, the household must reapply in order to qualify for subsidy.

(3) (a) The department shall establish and implement policies in the working connections child care program to allow eligibility for families with children who:

(i) In the last six months have:

(A) Received child protective services as defined and used by chapters 26.44 and 74.13 RCW;

(B) Received child welfare services as defined and used by chapter 74.13 RCW;

(C) Received services through a family assessment response as defined and used by chapter 26.44 RCW; or

(D) A parent or guardian participating in a specialty court or therapeutic court or who is a listed victim in a case in a specialty court or therapeutic court;

(ii) Have been referred for child care as part of the family's case management as defined by RCW 74.13.020 or as part of the specialty court or therapeutic court's proceedings; and

(iii) Are residing with a biological parent or guardian.

(b) Families who are eligible for working connections child care pursuant to this subsection do not have to keep receiving services or keep participating in a specialty court or therapeutic court identified in this subsection to maintain 12-month authorization.

(4) (a) Beginning July 1, 2021, and subject to the availability of amounts appropriated for this specific purpose, the department may not require an applicant or consumer to meet work requirements as a condition of receiving working connections child care benefits when the applicant or consumer is in a state registered apprenticeship program or is a full-time student of a community, technical, or tribal college and is enrolled in:

(i) A vocational education program that leads to a degree or certificate in a specific occupation; or

(ii) An associate degree program.

(b) An applicant or consumer is a full-time student for the purposes of this subsection if the applicant or consumer meets the college's definition of a full-time student.

(c) Nothing in this subsection is intended to change how applicants or consumers are prioritized when applicants or consumers are placed on a waitlist for working connections child care benefits.

(d) Subject to the availability of amounts appropriated for this specific purpose, the department may extend the provisions of this subsection (4) to full-time students who are enrolled in a bachelor's degree program or applied baccalaureate degree program.

(5) The department may not consider the immigration status of an applicant or consumer's child when determining eligibility for working connections child care benefits.

(6) The department must consider an applicant or consumer's participation in the birth to three early childhood education and assistance program or the early head start program as an approved activity when

determining eligibility for working connections child care benefits.

(7)(a) An applicant or consumer is eligible to receive working connections child care benefits for the care of one or more eligible children for the first 12 months of the applicant's or consumer's enrollment in a state registered apprenticeship program under chapter 49.04 RCW when:

(i) The applicant or consumer's household annual income adjusted for family size does not exceed 75 percent of the state median income at the time of application, or, beginning July 1, 2027, does not exceed 85 percent of the state median income if funds are appropriated for the purpose of RCW 43.216.1368(4);

(ii) The child receiving care is: (A) Less than 13 years of age; or (B) less than 19 years of age and either has a verified special need according to department rule or is under court supervision; and

(iii) The household meets all other program eligibility requirements.

(b) The department must adopt a copayment model for benefits granted under this subsection, which must align with any copayment identified or adopted for households with the same income level under RCW 43.216.1368.

~~((7))~~(8)(a) The department must extend the homeless grace period, as adopted in department rule as of January 1, 2020, from a four-month grace period to a 12-month grace period.

(b) For the purposes of this section, "homeless" means being without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento homeless assistance act (42 U.S.C. Sec. 11434a) as it existed on January 1, 2020.

~~((9))~~(9) For purposes of this section, "authorization" means a transaction created by the department that allows a child care provider to claim payment for care. The department may adjust an authorization based on a household's eligibility status.

**Sec. 2.** RCW 43.216.1364 and 2023 c 222 s 2 are each amended to read as follows:

(1) Beginning October 1, 2023, a family is eligible for working connections child care when the household's annual income is at or below 85 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision;

(b) The applicant or consumer is employed ~~((in a licensed child care center or family home provider)),~~ as verified in the agency's electronic workforce registry, in a:

(i) Licensed or certified child care center or family home provider;

(ii) Early childhood education and assistance program or birth to three early childhood education and assistance program; or

(iii) Head start or early head start program or a successor federal program; and

(c) The household meets all other program eligibility requirements.

(2) The department must waive the copayment to the extent allowable under federal law; otherwise, a maximum of \$15 for any applicant or consumer that meets the requirements under this section.

**Sec. 3.** RCW 43.216.775 and 2021 c 199 s 106 are each amended to read as follows:

~~((Beginning July 1, 2023, and subject to the availability of amounts appropriated for this specific purpose, rates))~~(1) Rates paid under RCW ~~((43.216.579, 43.216.585,))~~ 43.216.592 ~~((, and 43.216.578))~~ must be adjusted every two years according to an inflationary increase. The inflationary increase must be calculated by applying the rate of the increase in the inflationary adjustment index to the rates established ~~((in RCW 43.216.579, 43.216.585,))~~ pursuant to RCW 43.216.592 ~~((, and 43.216.578. Any)).~~

(2) Subject to the availability of amounts appropriated for this specific purpose, rates paid under RCW 43.216.579, 43.216.585, and 43.216.578 must be adjusted every two years according to an inflationary increase. The inflationary increase must be calculated by applying the rate of the increase in the inflationary adjustment index to the rates established pursuant to RCW 43.216.579, 43.216.585, and 43.216.578.

(3) Inflationary increases under subsection (1) of this section and any funded inflationary increase under subsection (2) of this section must be included in the rate used to determine inflationary increases in subsequent years.

(4) For the purposes of this section, "inflationary adjustment index" means the implicit price deflator averaged for each fiscal year, using the official current base rate, compiled by the bureau of economic analysis, United States department of commerce.

**Sec. 4.** RCW 43.216.--- and 2024 c ... (HB 2111) s 4 are each amended to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, the department may not require an applicant or consumer to meet work requirements as a condition of receiving working connections child care benefits when the applicant or consumer is in a state registered apprenticeship program or is a full-time student of a community, technical, or tribal college and is enrolled in:

(i) A vocational education program that leads to a degree or certificate in a specific occupation; or

(ii) An associate degree program.

(b) An applicant or consumer is a full-time student for the purposes of this subsection if the applicant or consumer meets the college's definition of a full-time student.

~~((2))~~(c) Subject to the availability of amounts appropriated for this specific purpose, the department may extend the provisions of this subsection to full-time students who are enrolled in a bachelor's degree program or applied baccalaureate degree program.

(2) The department must consider an applicant or consumer's participation in the

birth to three early childhood education and assistance program or the early head start program as an approved activity when determining eligibility for working connections child care benefits.

**NEW SECTION. Sec. 5.** This act takes effect November 1, 2024.

**NEW SECTION. Sec. 6.** (1) Section 4 of this act is null and void if chapter . . . (House Bill No. 2111), Laws of 2024 is not enacted by November 1, 2024.

(2) Section 1 of this act is null and void if section 4 of this act takes effect.

**NEW SECTION. Sec. 7.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 43.216.1364, 43.216.775, and 43.216.---; reenacting and amending RCW 43.216.136; creating new sections; and providing an effective date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 2124 and advanced the bill, as amended by the Senate, to final passage.

Representatives Eslick and Senn spoke in favor of the passage of the bill.

**FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2124, as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2124, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; Nays, 7; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Hackney, Harris, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Caldier, Christian, Couture, Griffey, Hutchins, Jacobsen and Walsh

Excused: Representatives Chandler, Maycumber, Ramos and Wilcox

SECOND SUBSTITUTE HOUSE BILL NO. 2124, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2207, with the following amendment(s): 2207-S.E AMS WM S5562.1

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that, despite a modern waste disposal infrastructure, the occurrences of unlawful solid waste dumping are an increasing problem on open spaces such as privately and publicly owned forestlands. This irresponsible waste dumping, which often includes hazardous materials, asbestos, derelict boats, junk vehicles, appliances, furniture, and household garbage not only creates significant costs for the landowner, but also creates immediate, and sometimes lasting, environmental and habitat damage and degradation of recreational and aesthetic opportunities.

(2) The legislature further finds that the current enforcement system, which relies on the criminalization of illegal dumping, may not be the most effective, efficient, or just penalty system. Converting all but the most egregious illegal dumping from a criminal act to a civil infraction creates a system of deterrence and penalties that better reflects the magnitude of the act, avoids criminal records for individuals who may be unable to afford appropriate waste management options, and reduces the burden on local criminal justice systems and infrastructures.

**Sec. 2.** RCW 70A.200.060 and 2003 c 337 s 3 are each amended to read as follows:

(1) It is a violation of this section to ~~((abandon))~~:

~~((a))~~ (a) Abandon a junk vehicle upon any property ~~((.~~ In addition, no person shall throw)).

~~((b))~~ (b) Throw, drop, deposit, discard, or otherwise dispose of litter upon any public property in the state or upon private property in this state not owned by him or her or in the waters of this state whether from a vehicle or otherwise including but not limited to any public highway, public park, beach, campground, forestland, recreational area, trailer park, highway, road, street, or alley except:

~~((+a))~~ (i) When the property is designated by the state or its agencies or political subdivisions for the disposal of garbage and refuse, and the person is authorized to use such property for that purpose;

~~((+b))~~ (ii) Into a litter receptacle in a manner that will prevent litter from being carried away or deposited by the elements

upon any part of the private or public property or waters.

(2)(a) Except as provided in subsection ~~((4))~~(5) of this section, it is a class 3 civil infraction as provided in RCW 7.80.120 for a person to litter in an amount less than or equal to one cubic foot.

(b) It is a misdemeanor for a person to litter in an amount greater than one cubic foot but less than ~~(one cubic yard. The person shall also pay a litter cleanup restitution payment equal to twice the actual cost of cleanup, or fifty dollars per cubic foot of litter, whichever is greater. The court shall distribute one-half of the restitution payment to the landowner and one-half)~~10 cubic yards. A violation of this subsection may alternatively be punished with a notice of a natural resource infraction under chapter 7.84 RCW.

(c) It is a gross misdemeanor for a person to litter more than 10 cubic yards.

(d)(i) A person found liable or guilty under this section shall, in addition to the penalties provided for misdemeanors, gross misdemeanors, or for natural resource infractions as provided in RCW 7.84.100, also pay a litter clean-up restitution payment equal to four times the actual cost of cleanup for natural resource infractions and misdemeanors and two times the actual cost of cleanup for gross misdemeanors. The court shall distribute an amount of the litter clean-up restitution payment that equals the actual cost of cleanup to the landowner where the littering incident occurred and the remainder of the restitution payment to the law enforcement agency investigating the incident.

(ii) The court may, in addition to or in lieu of part or all of the cleanup restitution payment, order the person to pick up and remove litter from the property, with prior permission of the legal owner or, in the case of public property, of the agency managing the property.

(iii) The court may suspend or modify the litter cleanup restitution payment for a first-time offender under this section, if the person cleans up and properly disposes of the litter.

~~((c) It is a gross misdemeanor for a person to litter in an amount of one cubic yard or more. The person shall also pay a litter cleanup restitution payment equal to twice the actual cost of cleanup, or one hundred dollars per cubic foot of litter, whichever is greater. The court shall distribute one-half of the restitution payment to the landowner and one-half of the restitution payment to the law enforcement agency investigating the incident. The court may, in addition to or in lieu of part or all of the cleanup restitution payment, order the person to pick up and remove litter from the property, with prior permission of the legal owner or, in the case of public property, of the agency managing the property. The court may suspend or modify the litter cleanup restitution payment for a first-time offender under this section, if the person cleans up and properly disposes of the litter.~~

~~(d))~~(3) If a junk vehicle is abandoned in violation of this section, RCW 46.55.230 governs the vehicle's removal, disposal, and

sale, and the penalties that may be imposed against the person who abandoned the vehicle.

~~((3))~~(4) If the violation occurs in a state park, the court shall, in addition to any other penalties assessed, order the person to perform ~~((twenty-four))~~24 hours of community restitution in the state park where the violation occurred if the state park has stated an intent to participate as provided in RCW 79A.05.050.

~~((4))~~(5) It is a class 1 civil infraction as provided in RCW 7.80.120 for a person to discard, in violation of this section, potentially dangerous litter in any amount.

**Sec. 3.** RCW 7.84.100 and 2020 c 268 s 1 are each amended to read as follows:

(1) A person found to have committed an infraction shall be assessed a monetary penalty. No penalty may exceed ~~((five hundred dollars))~~\$500 for each offense unless specifically authorized by statute.

(2) The supreme court may prescribe by rule a schedule of monetary penalties for designated infractions. The legislature requests the supreme court to adjust this schedule every two years for inflation. ~~((The))~~Except as otherwise provided, the maximum penalty imposed by the schedule shall be ~~((five hundred dollars))~~\$500 per infraction and the minimum penalty imposed by the schedule shall be ~~((ten dollars))~~\$10 per infraction. This schedule may be periodically reviewed by the legislature and is subject to its revision.

(3) Penalties for violations of RCW 70A.200.060 that are natural resource infractions are as follows:

(a) Up to \$250 for a person found liable of littering between one cubic foot and one cubic yard of material;

(b) Up to \$750 for a person found liable of littering more than one cubic yard and less than seven cubic yards of material;

(c) Up to \$1,000 for a person found liable of littering between seven and 10 cubic yards of material.

(4) Whenever a monetary penalty is imposed by a court under this chapter, it is immediately payable. If the person is unable to pay at that time, the court may, in its discretion, grant an extension of the period in which the penalty may be paid.

~~((4))~~(5)(a) The county treasurer shall remit ~~((seventy-five))~~75 percent of the money received under RCW 79A.80.080(5) to the state treasurer.

(b) Money remitted under this subsection to the state treasurer must be deposited in the recreation access pass account established under RCW 79A.80.090. The balance of the noninterest money received by the county treasurer must be deposited in the county current expense fund.

**Sec. 4.** RCW 7.84.140 and 2011 c 320 s 13 are each amended to read as follows:

(1) The director chosen by the state parks and recreation commission, the commissioner of public lands, and the director of the department of fish and wildlife are each authorized to delegate and accept enforcement authority over natural

resource infractions to or from the other agencies through an agreement entered into under the interlocal cooperation act, chapter 39.34 RCW.

(2) Any person specified in RCW 70A.200.050 may initiate enforcement of RCW 70A.200.060 for those infractions that are natural resource infractions under this chapter, with or without an interlocal agreement under this section.

**Sec. 5.** RCW 7.84.020 and 2012 c 176 s 2 are each amended to read as follows:

The definition in this section applies throughout this chapter unless the context clearly requires otherwise.

"Infraction" means an offense which, by the terms of Title 76, 77, 79, or 79A RCW or RCW 7.84.030(2)(b) or 70A.200.060, and rules adopted under these titles and sections, is declared not to be a criminal offense or a civil infraction and is subject to the provisions of this chapter."

On page 1, line 2 of the title, after "dumping;" strike the remainder of the title and insert "amending RCW 70A.200.060, 7.84.100, 7.84.140, and 7.84.020; creating a new section; and prescribing penalties."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2207 and advanced the bill, as amended by the Senate, to final passage.

Representatives Mena and Orcutt spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2207, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2207, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Maycumber, Ramos and Wilcox

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2207, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2236, with the following amendment(s): 2236-S.E AMS EDU S5363.1

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature recognizes that career and technical education core plus programs have demonstrated innovation and success in providing meaningful benefits to students and employers through collaborative partnerships that serve as a model for work-integrated learning in Washington. For more than a decade, these programs, and the rigorous career and technical education curricula they incorporate, have prepared students for structured pathways to employment, and presented employers with an expanded pool of candidates with relevant skills and abilities.

(2) Career and technical education core plus programs have been established in three high-demand economic sectors that provide numerous livable wage employment opportunities: Aerospace and advanced manufacturing; construction; and maritime. These programs, which were originally based in manufacturing, but have evolved in response to ever-changing education and economic needs, have been strongly supported by leaders in vital Washington industries, have provided unprecedented education and work-integrated learning opportunities to students. The legislature finds that these successes should be expanded to include an allied health professions program, with a curriculum that is inherently different from that of previously established career and technical education core plus programs, and that related efforts should consider options for future programs that reflect student, teacher, community, and employer needs, including programs in the information technology and natural resources sectors.

(3) Regardless of the sector, continual collaboration between education and industry partners has guided the establishment and operation of career and technical education core plus programs. These joint efforts, and the corresponding financial support from the state and industry partners, have: Focused on developing age-appropriate and developmentally appropriate curricula that is technically focused and academically rigorous; featured employer-supported professional development for teachers; and featured employer-provided worksite-based learning experiences for students and teachers. These elements are instrumental to the success of ongoing programs and offer a strong framework for establishing programs in other industry sectors.



(4) The legislature, therefore, intends to initiate a process for: (a) Soliciting expert recommendations for a career and technical education core plus model framework that can guide: The establishment and operation of successful programs in other high-demand sectors with livable wages and entry-level employment opportunities; and the expansion of operational programs; and (b) establishing a career and technical education program for allied health professions that is responsive to the needs of students, teachers, employers, and communities.

NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.700 RCW to read as follows:

(1)(a) The office of the superintendent of public instruction, in collaboration with the state board for community and technical colleges, the department of health, the health workforce council convened by the workforce training and education coordinating board, a statewide organization representing career and technical education, representatives from the allied health industry, and representatives from labor organizations representing allied health professions, shall develop an allied health professions career and technical education program for providing instruction to students who are pursuing industry-recognized nondegree credentials that: (i) Lead to entry level positions in allied health professions; and (ii) lead or articulate to either related, recognized nondegree credentials or two or four-year degrees, or both. The program may include career and technical education courses offered prior to January 1, 2024, and courses developed or modified specifically for the program.

(b) Curriculum and other instructional materials for the program, that reflect consideration of the provisions in section 3(3)(c)(i) through (x) of this act, must be available for optional use in school districts and skill centers beginning in the 2027-28 school year.

(2) In meeting the requirements of this section, the office of the superintendent of public instruction shall:

(a) Consult with representatives from allied health profession employers and labor organizations representing allied health employees for the purpose of promoting industry sector partnerships, developing relationships with employers that are committed to hiring students who have completed the program, and soliciting recommendations for the establishment of the program on the following topics:

(i) Promotion of student input and awareness of the program, including its instructional offerings and potential work placement opportunities;

(ii) Curriculum;

(iii) Courses and course sequencing;

(iv) Development, maintenance, and expansion of industry, labor, and community partnerships;

(v) Program credentials;

(vi) Professional development for teachers; and

(vii) Other issues deemed necessary by the office of the superintendent of public instruction and the entities with which it must collaborate with as required in subsection (1)(a) of this section;

(b) Implement a process for soliciting comments about the program's establishment and operation from teachers and students, including students' parents or guardians; and

(c) Consider any preliminary or final recommendations of the statewide career and technical education task force established in section 3 of this act.

(3) Following the establishment of the program, the office of the superintendent of public instruction shall convene and collaborate with an advisory committee consisting of industry leadership from the allied health sector, representatives from a statewide entity representing businesses in the sector, and representatives from labor organizations representing employees in allied health professions for the purpose of:

(a) Informing the administration and continual improvement of the program;

(b) Reviewing data and outcomes;

(c) Recommending program improvements;

(d) Ensuring that the program reflects needed industry competencies; and

(e) Identifying appropriate program credentials.

(4) The office of the superintendent of public instruction may adopt and revise rules as necessary for the implementation of this section.

NEW SECTION. **Sec. 3.** (1) The statewide career and technical education task force is established in the office of the superintendent of public instruction. The members of the task force are as follows:

(a) The superintendent of public instruction or the superintendent's designee;

(b) Two representatives from a statewide organization representing career and technical education, at least one of whom must be a career and technical education core plus classroom instructor;

(c) A representative of career and technical education core plus aerospace and advanced manufacturing selected by an organization representing aerospace or advanced industrial manufacturers;

(d) A representative of career and technical education core plus construction selected by an organization representing general contractors;

(e) A representative of career and technical education core plus maritime selected by an organization representing maritime interests;

(f) A representative from the state board for community and technical colleges selected by the state board for community and technical colleges;

(g) A representative from a skill center as selected by the Washington state skill center association;

(h) A representative from the allied health industry; and

(i) A representative from the workforce training and education coordinating board selected by the workforce training and education coordinating board.

(2) The superintendent of public instruction or the superintendent's designee shall chair the task force, and staff support for the task force must be provided by the office of the superintendent of public instruction.

(3) The task force shall develop recommendations for:

(a) Expanding and strengthening the accessibility, stability, and uniformity of secondary work-integrated learning opportunities, including career and technical education, career connected learning, regional apprenticeship programs, career and technical education core plus programs, work-based learning, internships and externships, and other types of work-integrated learning. Recommendations required by this subsection (3)(a) should address governance, operations, and codification, and must be in the form of draft legislation. The legislature does not intend for recommendations required by this subsection (3)(a) to modify the operation of career and technical education core plus programs established prior to January 1, 2024;

(b) The successful administration and operation of career and technical education core plus programs through appropriate collaboration with industry sector leadership from program areas to inform the administration and continual improvement of the programs, review data outcomes, recommend program improvements, ensure that the programs reflect applicable industry competencies, and identify appropriate program credentials; and

(c) A career and technical education core plus model framework that can be used to guide the expansion, establishment, and operation of career and technical education core plus programs. In making recommendations in accordance with this subsection (3)(c), the task force must consider, at a minimum, the following:

(i) Curricula and instructional hours that lead or articulate to industry-recognized nondegree credentials;

(ii) Curricula provided without cost to educators;

(iii) Academic course equivalencies;

(iv) Courses and course sequencing;

(v) The development, maintenance, and expansion of industry, labor, and community partnerships;

(vi) Program credentials;

(vii) Training and professional development for educators and counselors;

(viii) Alignment with postsecondary education and training programs;

(ix) The promotion of student, family, and community awareness of career and technical education core plus programs, including instructional offerings and potential work placement opportunities; and

(x) The development and expansion of a cohort of employers willing to hire and place students that have successfully completed career and technical education core plus programs.

(4) The task force, in accordance with RCW 43.01.036, shall report its findings and recommendations to the governor, the appropriate fiscal and policy committees of the legislature, and the state board of education by November 15, 2025.

(5) This section expires June 30, 2026."

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "adding a new section to chapter 28A.700 RCW; creating new sections; and providing an expiration date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2236 and advanced the bill, as amended by the Senate, to final passage.

Representatives Shavers and Rude spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2236, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2236, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Maycumber, Ramos and Wilcox

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2236, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2247, with the following amendment(s): 2247-S2.E AMS HLTC S5107.1

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 18.19.020 and 2023 c 425 s 13 are each amended to read as follows:

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

(1) "Agency" means (a) an agency or facility operated, licensed, or certified by the state of Washington; (b) a federally recognized Indian tribe located within the state; ~~((or))~~ (c) a county; or (d) a federally qualified health center.

(2) "Agency affiliated counselor" means a person registered, certified, or licensed under this chapter who is employed by an agency or is a student intern, as defined by the department.

(3) "Certified adviser" means a person certified under this chapter who is engaged in private practice counseling to the extent authorized in RCW 18.19.200.

(4) "Certified agency affiliated counselor" means a person certified under this chapter who is engaging in counseling to the extent authorized in RCW 18.19.215.

(5) "Certified counselor" means a person certified under this chapter who is engaged in private practice counseling to the extent authorized in RCW 18.19.200.

(6) "Client" means an individual who receives or participates in counseling or group counseling.

(7) "Counseling" means employing any therapeutic techniques, including but not limited to social work, mental health counseling, marriage and family therapy, and hypnotherapy, for a fee that offer, assist or attempt to assist an individual or individuals in the amelioration or adjustment of mental, emotional, or behavioral problems, and includes therapeutic techniques to achieve sensitivity and awareness of self and others and the development of human potential. For the purposes of this chapter, nothing may be construed to imply that the practice of hypnotherapy is necessarily limited to counseling.

(8) "Counselor" means an individual, practitioner, therapist, or analyst who engages in the practice of counseling to the public for a fee, including for the purposes of this chapter, hypnotherapists.

(9) "Department" means the department of health.

(10) "Hypnotherapist" means a person registered under this chapter who is practicing hypnosis as a modality.

(11) "Licensed agency affiliated counselor" means a person licensed under this chapter who is engaged in counseling to the extent authorized in RCW 18.19.215.

(12) "Mental health professional" has the same definition as under RCW 71.05.020.

(13) "Private practice counseling" means the practice of counseling by a certified counselor or certified adviser as specified in RCW 18.19.200.

(14) "Psychotherapy" means the practice of counseling using diagnosis of mental disorders according to the fourth edition of the diagnostic and statistical manual of mental disorders, published in 1994, and the development of treatment plans for counseling based on diagnosis of mental disorders in accordance with established practice standards.

(15) "Registered agency affiliated counselor" means a person registered under this chapter who is engaged in counseling to the extent authorized in RCW 18.19.215. This includes juvenile probation counselors who are employees of the juvenile court under RCW 13.04.035 and 13.04.040 and juvenile court employees providing functional family therapy, aggression replacement training, or other evidence-based programs approved by the department of children, youth, and families. A student intern as defined by the department may be a registered agency affiliated counselor.

(16) "Secretary" means the secretary of the department or the secretary's designee.

**Sec. 2.** RCW 18.83.020 and 1986 c 27 s 1 are each amended to read as follows:

(1) To safeguard the people of the state of Washington from the dangers of unqualified and improper practice of psychology, it is unlawful for any person to whom this chapter applies to represent himself or herself to be a psychologist or a licensed psychological associate without first obtaining a license as provided in this chapter.

(2) A person represents himself or herself to be a psychologist or a licensed psychological associate when the person adopts or uses any title or any description of services which incorporates one or more of the following terms: "psychology," "psychological," "psychologist," or any term of like import.

(3) A licensed psychological associate shall provide each client or patient, during the first professional contact, with a disclosure form disclosing that the licensed psychological associate is an associate under the supervision of an approved supervisor.

**Sec. 3.** RCW 18.83.050 and 2004 c 262 s 8 are each amended to read as follows:

(1) The board shall adopt such rules as it deems necessary to carry out its functions.

(2) The board shall examine the qualifications of applicants for licensing under this chapter, to determine which applicants are eligible for licensing under this chapter and shall forward to the secretary the names of applicants so eligible.

(3) The board shall administer examinations to qualified applicants on at least an annual basis. The board shall determine the subject matter and scope of the examination, except as provided in RCW 18.83.170. The board may allow applicants to take the examination upon the granting of their doctoral degree before completion of their internship for supervised experience.

(4) The board shall keep a complete record of its own proceedings, of the questions given in examinations, of the names and qualifications of all applicants, and the names and addresses of all licensed psychologists and licensed psychological associates. The examination paper of such applicant shall be kept on file for a period of at least one year after examination.

(5) The board shall, by rule, adopt a code of ethics for psychologists and licensed psychological associates which is designed to protect the public interest.

(6) The board may require that persons licensed under this chapter as psychologists or licensed psychological associates obtain and maintain professional liability insurance in amounts determined by the board to be practicable and reasonably available.

**Sec. 4.** RCW 18.83.080 and 1996 c 191 s 66 are each amended to read as follows:

The board shall forward to the secretary the name of each applicant entitled to a license under this chapter. The secretary shall promptly issue to such applicant a license authorizing such applicant to use the title "psychologist" ~~(-)~~ or "licensed psychological associate." Each licensed psychologist or licensed psychological associate shall keep his or her license displayed in a conspicuous place in his or her principal place of business.

**Sec. 5.** RCW 18.83.105 and 1996 c 191 s 69 are each amended to read as follows:

~~(1) The board (may issue certificates of qualification with appropriate title to applicants who meet all the licensing requirements except the possession of the degree of Doctor of Philosophy or its equivalent in psychology from an accredited educational institution. These certificates of qualification certify that the holder has been examined by the board and is deemed competent to perform certain functions within the practice of psychology under the periodic direct supervision of a psychologist licensed by the board. Such functions will be specified on the certificate issued by the board. Such applicant shall comply with administrative procedures, administrative requirements, and fees determined under RCW 43.70.250 and 43.70.280. Upon petition by a holder the board of examiners may grant authority to function without immediate supervision.) shall issue a licensed psychological associate license to an applicant who:~~

~~(a) Is:~~

~~(i) Currently enrolled in a doctor of philosophy, doctor of psychology program, or its equivalent in psychology at an accredited educational institution; or~~

~~(ii) Participating in a postdoctoral residency, postdoctoral fellowship, or another supervised postdoctoral experience;~~

~~(b) Has been deemed competent by the director of clinical training or postdoctoral supervisor to practice psychology under the supervision of a licensed supervisor subject to rules adopted by the board; and~~

~~(c) Has complied with administrative procedures, administrative requirements, and fees determined under RCW 43.70.250 and 43.70.280.~~

~~(2)(a) A holder of a licensed psychological associate license may only practice under the supervision of a licensed supervisor pursuant to rules adopted by the board.~~

(b) An applicant for a licensed psychological associate license under this section may practice without a license under the direct supervision of a licensed supervisor for 120 days after the department receives the applicant's completed application or the applicant's license is issued or denied, whichever is sooner.

**Sec. 6.** RCW 18.83.110 and 2020 c 302 s 116 are each amended to read as follows:

Confidential communications between a client and a psychologist or licensed psychological associate shall be privileged against compulsory disclosure to the same extent and subject to the same conditions as confidential communications between attorney and client, but this exception is subject to the limitations under RCW 71.05.217 (6) and (7).

**Sec. 7.** RCW 18.83.115 and 1986 c 27 s 9 are each amended to read as follows:

(1) Psychologists and licensed psychological associates licensed under this chapter shall provide clients at the commencement of any program of treatment with accurate disclosure information concerning their practice, in accordance with guidelines developed by the board, which will inform clients of the purposes of and resources available under this chapter, including the right of clients to refuse treatment, the responsibility of clients for choosing the provider and treatment modality which best suits their needs, and the extent of confidentiality provided by this chapter. The disclosure information provided by the psychologist or licensed psychological associate, the receipt of which shall be acknowledged in writing by the psychologist or licensed psychological associate and client, shall include any relevant education and training, the therapeutic orientation of the practice, the proposed course of treatment where known, any financial requirements, and such other information as the board may require by rule.

(2) In inpatient settings, the health facility shall provide clients with the disclosure statement at the commencement of any program of treatment, and shall post the statement in a conspicuous location accessible to the client.

(3) The board shall provide for modification of the guidelines as appropriate in cases where the client has been referred by the court, a state agency, or other governmental body to a particular provider for specified evaluation or treatment.

**Sec. 8.** RCW 18.83.135 and 2000 c 93 s 7 are each amended to read as follows:

In addition to the authority prescribed under RCW 18.130.050, the board shall have the following authority:

(1) To maintain records of all activities, and to publish and distribute to all psychologists and licensed psychological associates at least once each year abstracts of significant activities of the board;

(2) To obtain the written consent of the complaining client or patient or their legal

representative, or of any person who may be affected by the complaint, in order to obtain information which otherwise might be confidential or privileged; and

(3) To apply the provisions of the uniform disciplinary act, chapter 18.130 RCW, to all persons licensed as psychologists or licensed psychological associates under this chapter.

**Sec. 9.** RCW 18.83.170 and 2023 c 425 s 1 are each amended to read as follows:

(1)(a) Upon compliance with administrative procedures, administrative requirements, and fees determined under RCW 43.70.250 and 43.70.280, the board may grant a license, without oral examination, to any applicant who has not previously failed an examination held by the board of psychology of the state of Washington and furnishes evidence satisfactory to the board that the applicant:

((+a)) (i) Holds a doctoral degree with primary emphasis on psychology from an accredited college or university; and

((+b)(+i)) (ii) (A) Is licensed or certified to practice psychology in another state or country in which the requirements for such licensing or certification are, in the judgment of the board, essentially equivalent to those required by this chapter and the rules and regulations of the board. Such individuals must have been licensed or certified in another state for a period of at least two years; or

((+i)) (B) Is a diplomate in good standing of the American Board of Examiners in Professional Psychology; or

((+iii)) (C) Is a member of a professional organization and holds a certificate deemed by the board to meet standards equivalent to this chapter.

(b) The board may adopt rules waiving any of the requirements of this subsection (1) for an applicant who has continuously held a license to practice psychology in good standing in another state, territory, or country for a period of time that, in the judgment of the board, renders the waived requirements duplicative or unnecessary.

(2) (a) (i) The department shall establish a reciprocity program for applicants for licensure as a psychologist in Washington.

(ii) The reciprocity program applies to applicants for a license as a psychologist who:

(A) Hold or have held within the past twelve months a credential in good standing from another state or territory of the United States which has a scope of practice that is substantially equivalent to or greater than the scope of practice for licensed psychologists as established under this chapter; and

(B) Have no disciplinary record or disqualifying criminal history.

(b) The department shall issue a probationary license to an applicant who meets the requirements of (a)(ii)(B) of this subsection. The department must determine what deficiencies, if any, exist between the education and experience requirements of the other state's credential and, after consideration of the experience and capabilities of the applicant, determine

whether it is appropriate to require the applicant to complete additional education or experience requirements to maintain the probationary license and, within a reasonable time period, transition to a full license. The department may place a reasonable time limit on a probationary license and may, if appropriate, require the applicant to pass a jurisprudential examination.

(c) The department must maintain and publish a list of credentials in other states and territories that the department has determined to have a scope of practice that is substantially equivalent to or greater than the scope of practice for licensed psychologists as established under this chapter. The department shall prioritize identifying and publishing the department's determination for the five states or territories that have historically had the most applicants for reciprocity under subsection (1) of this section with a scope of practice that is substantially equivalent to or greater than the scope of practice for licensed psychologists as established under this chapter.

**Sec. 10.** RCW 18.83.180 and 1987 c 150 s 55 are each amended to read as follows:

It shall be a gross misdemeanor and unlicensed practice for any person to:

(1) Use in connection with his or her name any designation tending to imply that he or she is a licensed psychologist or licensed psychological associate unless duly licensed under or specifically excluded from the provisions of this chapter;

(2) Practice as a licensed psychologist or licensed psychological associate during the time his or her license issued under the provisions of this chapter is suspended or revoked.

**Sec. 11.** RCW 18.83.190 and 1991 c 3 s 203 are each amended to read as follows:

If any person represents himself or herself to be a psychologist or licensed psychological associate, unless the person is exempt from the provisions of this chapter, without possessing a valid license, certificated qualification, or a temporary permit to do so, or if he or she violates any of the provisions of this chapter, any prosecuting attorney, the secretary, or any citizen of the same county may maintain an action in the name of the state to enjoin such person from representing himself or herself as a psychologist or licensed psychological associate. The injunction shall not relieve the person from criminal prosecution, but the remedy by injunction shall be in addition to the liability of such offender to criminal prosecution and to suspension or revocation of his or her license.

**Sec. 12.** RCW 18.83.210 and 1965 c 70 s 25 are each amended to read as follows:

Nothing in this chapter shall be construed as prohibiting any individual from offering counseling or guidance provided that such individuals do not hold themselves

forth as psychologists or licensed psychological associates.

**Sec. 13.** RCW 18.205.095 and 2021 c 165 s 1 and 2021 c 57 s 1 are each reenacted and amended to read as follows:

(1) The secretary shall issue a trainee certificate to any applicant who demonstrates to the satisfaction of the secretary that he or she is working toward the education and experience requirements in RCW 18.205.090.

(2) A trainee certified under this section shall submit to the secretary for approval a declaration, in accordance with rules adopted by the department, which shall be updated with the trainee's annual renewal, that he or she is actively pursuing the experience requirements under RCW 18.205.090 and is enrolled in:

(a) An approved education program; or

(b) An apprenticeship program reviewed by the substance use disorder certification advisory committee, approved by the secretary, and registered and approved under chapter 49.04 RCW.

(3) A trainee certified under this section may practice only under the supervision of a certified substance use disorder professional. The first 50 hours of any face-to-face client contact must be under direct observation. All remaining experience must be under supervision in accordance with rules adopted by the department.

(4) A certified substance use disorder professional trainee provides substance use disorder assessments, counseling, and case management ~~((with a state regulated agency))~~ and can provide clinical services to patients consistent with his or her education, training, and experience as approved by his or her supervisor.

(5) ~~((A trainee certification may only be renewed four times, unless the secretary finds that a waiver to allow additional renewals is justified due to barriers to testing or training resulting from a governor-declared emergency.))~~ A person whose trainee certification was not renewed due to the person exceeding the four-renewal limit in place prior to the effective date of this section shall be treated as if the person's certification expired. The secretary shall allow such a person to return the person's trainee certification to active status pursuant to standard rules and procedures in place for returning an expired credential to active status.

(6) Applicants are subject to denial of a certificate or issuance of a conditional certificate for the reasons set forth in chapter 18.130 RCW.

(7) A person certified under this chapter holding the title of chemical dependency professional trainee is considered to hold the title of substance use disorder professional trainee until such time as the person's present certification expires or is renewed.

**Sec. 14.** RCW 18.225.090 and 2023 c 425 s 3 and 2023 c 58 s 16 are each reenacted and amended to read as follows:

(1) The secretary shall issue a license to any applicant who demonstrates to the satisfaction of the secretary that the applicant meets the following education and experience requirements for the applicant's practice area.

(a) Licensed social work classifications:

(i) Licensed advanced social worker:

(A) Graduation from a master's social work educational program accredited by the council on social work education or a social work doctorate program at a university accredited by a recognized accrediting organization, and approved by the secretary based upon nationally recognized standards;

(B) Successful completion of an approved examination;

(C) Successful completion of a supervised experience requirement. The supervised experience requirement consists of a minimum of 3,200 hours with supervision by an approved supervisor who has been licensed for at least two years. Of those supervised hours:

(I) At least 90 hours must include direct supervision as specified in this subsection by a licensed independent clinical social worker, a licensed advanced social worker, or an equally qualified licensed mental health professional. Of those hours of directly supervised experience at least 40 hours must be in one-to-one supervision and 50 hours may be in one-to-one supervision or group supervision; and

(II) 800 hours must be in direct client contact; and

(D) Successful completion of continuing education requirements ~~((of 36 hours, with six))~~ established in rule by the secretary in consultation with the committee, including a minimum number of hours in professional ethics.

(ii) Licensed independent clinical social worker:

(A) Graduation from a master's level social work educational program accredited by the council on social work education or a social work doctorate program at a university accredited by a recognized accrediting organization, and approved by the secretary based upon nationally recognized standards;

(B) Successful completion of an approved examination;

(C) Successful completion of a supervised experience requirement. The supervised experience requirement consists of a minimum of 3,000 hours of experience, over a period of not less than two years, with supervision by an approved supervisor who has been licensed for at least two years and, as specified in this subsection, may be either a licensed independent clinical social worker who has had at least one year of experience in supervising the clinical social work of others or an equally qualified licensed mental health practitioner. Of those supervised hours:

(I) At least 1,000 hours must be direct client contact; and

(II) Hours of direct supervision must include:

(1) At least 100 hours by a licensed mental health practitioner;

(2) At least 70 hours of supervision with a licensed independent clinical social

worker meeting the qualifications under this subsection (1) (a) (ii) (C); the remaining hours may be supervised by an equally qualified licensed mental health practitioner; and

(3) At least 60 hours must be in one-to-one supervision and the remaining hours may be in one-to-one supervision or group supervision; and

(D) Successful completion of continuing education requirements ~~((of 36 hours, with six))~~ established in rule by the secretary in consultation with the committee, including a minimum number of hours in professional ethics.

(b) Licensed mental health counselor:

(i) (A) Graduation from a master's or doctoral level educational program in counseling that consists of at least 60 semester hours or 90 quarter hours, or includes at least 60 semester hours or 90 quarter hours of graduate coursework that includes the following topic areas:

(I) Mental health counseling orientation and ethical practice;

(II) Social and cultural diversity;

(III) Human growth and development;

(IV) Career development;

(V) Counseling and helping relationships;

(VI) Group counseling and group work;

(VII) Diagnosis and treatment;

(VIII) Assessment and testing; and

(IX) Research and program evaluation; or

(B) Graduation from a master's or doctoral level educational program in a related discipline from a college or university approved by the secretary based upon nationally recognized standards. An applicant who satisfies the educational requirements for licensure under this subsection (1) (b) (i) (B) is not qualified to exercise the privilege to practice under the counseling compact established in chapter 18.17 RCW unless the master's or doctoral level educational program in a related discipline consists of at least 60 semester hours or 90 quarter hours, or includes at least 60 semester hours or 90 quarter hours of graduate coursework that includes the topic areas specified in ~~((subsection (1)))~~ (b) (i) (A) (I) through (IX) of this ~~((section [(b) (i) (A) (I) through (IX) of this subsection]))~~ subsection;

(ii) Successful completion of an approved examination;

(iii) Successful completion of a supervised experience requirement. The experience requirement consists of a minimum of 36 months full-time counseling or 3,000 hours of postgraduate mental health counseling under the supervision of a qualified licensed mental health counselor or equally qualified licensed mental health practitioner, in an approved setting. The 3,000 hours of required experience includes a minimum of 100 hours spent in immediate supervision with the qualified licensed mental health counselor, and includes a minimum of 1,200 hours of direct counseling with individuals, couples, families, or groups; and

(iv) Successful completion of continuing education requirements ~~((of 36 hours, with six))~~ established in rule by the secretary in consultation with the committee, including a

minimum number of hours in professional ethics.

(c) Licensed marriage and family therapist:

(i) Graduation from a master's degree or doctoral degree educational program in marriage and family therapy or graduation from an educational program in an allied field equivalent to a master's degree or doctoral degree in marriage and family therapy approved by the secretary based upon nationally recognized standards;

(ii) Successful passage of an approved examination;

(iii) Successful completion of a supervised experience requirement. The experience requirement consists of a minimum of 3,000 hours of marriage and family therapy. Of the total supervision, 100 hours must be with a licensed marriage and family therapist with at least ~~((five))~~ two years' clinical experience; the other 100 hours may be with an equally qualified licensed mental health practitioner. Total experience requirements include:

(A) 1,000 hours of direct client contact; at least 500 hours must be gained in diagnosing and treating couples and families; plus

(B) At least 200 hours of qualified supervision with a supervisor. At least 100 of the 200 hours must be one-on-one supervision, and the remaining hours may be in one-on-one or group supervision.

Applicants who have completed a master's program accredited by the commission on accreditation for marriage and family therapy education of the American association for marriage and family therapy may be credited with 500 hours of direct client contact and 100 hours of formal meetings with an approved supervisor; and

(iv) Successful completion of continuing education requirements ~~((of 36 hours, with six))~~ established in rule by the secretary in consultation with the committee, including a minimum number of hours in professional ethics.

(2) The department shall establish by rule what constitutes adequate proof of meeting the criteria. Only rules in effect on the date of submission of a completed application of an associate for her or his license shall apply. If the rules change after a completed application is submitted but before a license is issued, the new rules shall not be reason to deny the application.

(3) In addition, applicants shall be subject to the grounds for denial of a license or issuance of a conditional license under chapter 18.130 RCW.

**Sec. 15.** RCW 18.225.145 and 2021 c 57 s 2 are each amended to read as follows:

(1) The secretary shall issue an associate license to any applicant who demonstrates to the satisfaction of the secretary that the applicant meets the following requirements for the applicant's practice area and submits a declaration that the applicant is working toward full licensure in that category:

(a) Licensed social worker associate—advanced or licensed social worker associate

—independent clinical: Graduation from a master's degree or doctoral degree educational program in social work accredited by the council on social work education and approved by the secretary based upon nationally recognized standards.

(b) Licensed mental health counselor associate: Graduation from a master's degree or doctoral degree educational program in mental health counseling or a related discipline from a college or university approved by the secretary based upon nationally recognized standards.

(c) Licensed marriage and family therapist associate: Graduation from a master's degree or doctoral degree educational program in marriage and family therapy or graduation from an educational program in an allied field equivalent to a master's degree or doctoral degree in marriage and family therapy approved by the secretary based upon nationally recognized standards.

(2) Associates may not provide independent social work, mental health counseling, or marriage and family therapy for a fee, monetary or otherwise. Associates must work under the supervision of an approved supervisor. Beginning October 1, 2025, an applicant for an associate license under this section may practice without a license under the direct supervision of an approved supervisor for 120 days after the department receives the applicant's completed application or the applicant's license is issued or denied, whichever is sooner.

(3) Associates shall provide each client or patient, during the first professional contact, with a disclosure form according to RCW 18.225.100, disclosing that he or she is an associate under the supervision of an approved supervisor.

(4) The department shall adopt by rule what constitutes adequate proof of compliance with the requirements of this section.

(5) Applicants are subject to the denial of a license or issuance of a conditional license for the reasons set forth in chapter 18.130 RCW.

(6) (a) ~~((Except as provided in (b) of this subsection, an))~~ An associate license may be renewed ((no more than six times, provided that)). Until October 1, 2025, the applicant for renewal ((has)) must have successfully completed eighteen hours of continuing education in the preceding year. After October 1, 2025, the applicant for renewal must have successfully completed, in the preceding year, continuing education requirements established in rule by the secretary in consultation with the committee. Beginning with the second renewal, ((at least six of)) the continuing education requirements established in rule by the secretary in consultation with the committee must require the applicant to complete a minimum number of continuing education hours in the preceding two years ((must be)) in professional ethics.

(b) ~~((If the secretary finds that a waiver to allow additional renewals is justified due to barriers to testing or training resulting from a governor-declared~~

~~emergency, additional renewals may be approved-))~~ A person whose associate license was not renewed due to the person exceeding the six-renewal limit in place prior to the effective date of this section shall be treated as if the person's license expired. The secretary shall allow such a person to return the person's associate license to active status pursuant to standard rules and procedures in place for returning an expired credential to active status.

**Sec. 16.** RCW 18.225.180 and 2023 c 425 s 7 are each amended to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, by October 1, 2023, the department shall develop a program to facilitate placement of associates with clinical supervision services. The program must include a database of license holders with the required qualifications who are willing to serve as approved supervisors and agencies or facilities that offer supervision services through their facilities to associates seeking to satisfy supervised experience requirements under RCW 18.225.090.

(b) The department shall adopt, by rule, minimum qualifications for supervisors or facilities to be included in the database and minimum standards for adequate supervision of associates. The department may not include in the database any person who, or facility that, does not meet the minimum qualifications. The department shall periodically audit the list to remove persons who, or facilities that, no longer meet the minimum qualifications or fail to meet the minimum standards.

(2) Subject to the availability of amounts appropriated for this specific purpose, the department shall establish a stipend program to ~~((defray the out-of-pocket expenses incurred by))~~ offset the costs incurred when providing supervision for associates completing supervised experience requirements under RCW 18.225.090.

(a) ~~((Out-of-pocket expenses eligible for defrayment under this section include costs incurred in order to obtain supervised experience, such as fees or charges imposed by the individual or entity providing supervision, and any other expenses deemed appropriate by the department.))~~ To be eligible for the stipend program under this subsection (2), a supervisor must:

(i) Meet all requirements of a qualified supervisor in this chapter and chapter 246-809 WAC; and

(ii) Be actively providing supervision to at least one associate completing supervised experience requirements under RCW 18.225.090.

(b) ~~((Associates))~~ Supervisors participating in the stipend program established in this section shall document their ~~((out-of-pocket))~~ incurred expenses attributable to each supervised associate and time spent supervising each associate under their supervision in a manner specified by the department.

(c) ~~((When adopting the stipend program, the department shall consider defraying out-~~



~~of pocket expenses associated with unpaid internships that are part of an applicant's educational program.)~~ (i) Supervisors receiving a stipend under this section are eligible for up to \$2,000 per year per associate if the supervisor maintains the supervisory relationship for the entire year and subject to the availability of funds. If the supervisor does not provide supervision for an entire year, the department shall prorate the stipend amount accordingly.

(ii) If a participating supervisor's documented expenses attributable to a supervised associate exceed the stipend the supervisor receives under (c)(i) of this subsection for supervising that associate, the participating supervisor may charge the associate a fee to recoup the excess expenses attributable to that associate. In no case may a fee charged to an individual associate under this subsection (2)(c)(ii) exceed \$1,600 per year. The supervisor shall report any fees charged to the associate to the department.

(d) The department shall establish the stipend program no later than July 1, ((2024))2025.

((e)) (3) The department may adopt any rules necessary to implement this section.

**Sec. 17.** RCW 71.05.020 and 2023 c 433 s 3 and 2023 c 425 s 20 are each reenacted and amended to read as follows:

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

(1) "23-hour crisis relief center" has the same meaning as under RCW 71.24.025;

(2) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(3) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(4) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(5) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program certified by the department as meeting standards adopted under chapter 71.24 RCW;

(6) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(7) "Authority" means the Washington state health care authority;

(8) "Behavioral health disorder" means either a mental disorder as defined in this section, a substance use disorder as defined

in this section, or a co-occurring mental disorder and substance use disorder;

(9) "Behavioral health service provider" means a public or private agency that provides mental health, substance use disorder, or co-occurring disorder services to persons with behavioral health disorders as defined under this section and receives funding from public sources. This includes, but is not limited to: Hospitals licensed under chapter 70.41 RCW; evaluation and treatment facilities as defined in this section; community mental health service delivery systems or community behavioral health programs as defined in RCW 71.24.025; licensed or certified behavioral health agencies under RCW 71.24.037; facilities conducting competency evaluations and restoration under chapter 10.77 RCW; approved substance use disorder treatment programs as defined in this section; secure withdrawal management and stabilization facilities as defined in this section; and correctional facilities operated by state and local governments;

(10) "Co-occurring disorder specialist" means an individual possessing an enhancement granted by the department of health under chapter 18.205 RCW that certifies the individual to provide substance use disorder counseling subject to the practice limitations under RCW 18.205.105;

(11) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

(12) "Community behavioral health agency" has the same meaning as "licensed or certified behavioral health agency" defined in RCW 71.24.025;

(13) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(14) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed or certified by the department, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization, or to determine the need for involuntary commitment of an individual;

(15) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(16) "Department" means the department of health;

(17) "Designated crisis responder" means a mental health professional appointed by the county, by an entity appointed by the county, or by the authority in consultation with a federally recognized Indian tribe or after meeting and conferring with an Indian health care provider, to perform the duties specified in this chapter;

(18) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(19) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary of the department of social and health services;

(20) "Developmental disability" means that condition defined in RCW 71A.10.020(6);

(21) "Director" means the director of the authority;

(22) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(23) "Drug addiction" means a disease, characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(24) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is licensed or certified as such by the department. The authority may certify single beds as temporary evaluation and treatment beds under RCW 71.05.745. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department of social and health services or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(25) "Gravely disabled" means a condition in which a person, as a result of a behavioral health disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(26) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(27) "Hearing" means any proceeding conducted in open court that conforms to the requirements of RCW 71.05.820;

(28) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a behavioral health facility, or in confinement as a result of a criminal conviction;

(29) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(30) "In need of assisted outpatient treatment" refers to a person who meets the criteria for assisted outpatient treatment established under RCW 71.05.148;

(31) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

(32) "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals;

(33) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(34) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public behavioral health service providers under RCW 71.05.130;

(35) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.05.585. This term includes: Treatment pursuant to a less restrictive alternative treatment order under RCW 71.05.240 or 71.05.320; treatment pursuant to a conditional release under RCW 71.05.340; and treatment pursuant to an assisted outpatient treatment order under RCW 71.05.148;

(36) "Licensed physician" means a person licensed to practice medicine or osteopathic

medicine and surgery in the state of Washington;

(37) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(38) "Medical clearance" means a physician or other health care provider has determined that a person is medically stable and ready for referral to the designated crisis responder;

(39) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(40) "Mental health professional" means an individual practicing within the mental health professional's statutory scope of practice who is:

(a) A psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, as defined in this chapter and chapter 71.34 RCW;

(b) A mental health counselor, mental health counselor associate, marriage and family therapist, or marriage and family therapist associate, as defined in chapter 18.225 RCW; ~~((e))~~

(c) A certified or licensed agency affiliated counselor, as defined in chapter 18.19 RCW; or

(d) A licensed psychological associate as described in chapter 18.83 RCW;

(41) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(42) "Physician assistant" means a person licensed as a physician assistant under chapter 18.71A RCW;

(43) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with behavioral health disorders;

(44) "Professional person" means a mental health professional, substance use disorder professional, or designated crisis responder and shall also mean a physician, physician assistant, psychiatric advanced registered nurse practitioner, registered nurse, and

such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(45) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(46) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(47) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(48) "Public agency" means any evaluation and treatment facility or institution, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with behavioral health disorders, if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments;

(49) "Release" means legal termination of the commitment under the provisions of this chapter;

(50) "Resource management services" has the meaning given in chapter 71.24 RCW;

(51) "Secretary" means the secretary of the department of health, or his or her designee;

(52) "Secure withdrawal management and stabilization facility" means a facility operated by either a public or private agency or by the program of an agency which provides care to voluntary individuals and individuals involuntarily detained and committed under this chapter for whom there is a likelihood of serious harm or who are gravely disabled due to the presence of a substance use disorder. Secure withdrawal management and stabilization facilities must:

(a) Provide the following services:

(i) Assessment and treatment, provided by certified substance use disorder professionals or co-occurring disorder specialists;

(ii) Clinical stabilization services;

(iii) Acute or subacute detoxification services for intoxicated individuals; and

(iv) Discharge assistance provided by certified substance use disorder professionals or co-occurring disorder specialists, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Include security measures sufficient to protect the patients, staff, and community; and

(c) Be licensed or certified as such by the department of health;

(53) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(54) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances;

(55) "Substance use disorder professional" means a person certified as a substance use disorder professional by the department of health under chapter 18.205 RCW;

(56) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(57) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for behavioral health disorders, which are maintained by the department of social and health services, the department, the authority, behavioral health administrative services organizations and their staffs, managed care organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department of social and health services, the department, the authority, behavioral health administrative services organizations, managed care organizations, or a treatment facility if the notes or records are not available to others;

(58) "Video," unless the context clearly indicates otherwise, means the delivery of behavioral health services through the use of interactive audio and video technology, permitting real-time communication between a person and a designated crisis responder, for the purpose of evaluation. "Video" does not include the use of audio-only telephone, facsimile, email, or store and forward technology. "Store and forward technology" means use of an asynchronous transmission of a person's medical information from a mental health service provider to the designated crisis responder which results in medical diagnosis, consultation, or treatment;

(59) "Violent act" means behavior that resulted in homicide, attempted suicide, injury, or substantial loss or damage to property.

**Sec. 18.** RCW 71.05.020 and 2023 c 433 s 4 and 2023 c 425 s 21 are each reenacted and amended to read as follows:

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

(1) "23-hour crisis relief center" has the same meaning as under RCW 71.24.025;

(2) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(3) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(4) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(5) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program certified by the department as meeting standards adopted under chapter 71.24 RCW;

(6) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(7) "Authority" means the Washington state health care authority;

(8) "Behavioral health disorder" means either a mental disorder as defined in this section, a substance use disorder as defined in this section, or a co-occurring mental disorder and substance use disorder;

(9) "Behavioral health service provider" means a public or private agency that provides mental health, substance use disorder, or co-occurring disorder services to persons with behavioral health disorders as defined under this section and receives funding from public sources. This includes, but is not limited to: Hospitals licensed under chapter 70.41 RCW; evaluation and treatment facilities as defined in this section; community mental health service delivery systems or community behavioral health programs as defined in RCW 71.24.025; licensed or certified behavioral health agencies under RCW 71.24.037; facilities conducting competency evaluations and restoration under chapter 10.77 RCW; approved substance use disorder treatment programs as defined in this section; secure withdrawal management and stabilization facilities as defined in this section; and correctional facilities operated by state and local governments;

(10) "Co-occurring disorder specialist" means an individual possessing an enhancement granted by the department of health under chapter 18.205 RCW that certifies the individual to provide substance use disorder counseling subject to the practice limitations under RCW 18.205.105;

(11) "Commitment" means the determination by a court that a person should be detained

for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

(12) "Community behavioral health agency" has the same meaning as "licensed or certified behavioral health agency" defined in RCW 71.24.025;

(13) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(14) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed or certified by the department, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization, or to determine the need for involuntary commitment of an individual;

(15) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(16) "Department" means the department of health;

(17) "Designated crisis responder" means a mental health professional appointed by the county, by an entity appointed by the county, or by the authority in consultation with a federally recognized Indian tribe or after meeting and conferring with an Indian health care provider, to perform the duties specified in this chapter;

(18) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(19) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary of the department of social and health services;

(20) "Developmental disability" means that condition defined in RCW 71A.10.020(6);

(21) "Director" means the director of the authority;

(22) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(23) "Drug addiction" means a disease, characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(24) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to

persons suffering from a mental disorder, and which is licensed or certified as such by the department. The authority may certify single beds as temporary evaluation and treatment beds under RCW 71.05.745. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department of social and health services or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(25) "Gravely disabled" means a condition in which a person, as a result of a behavioral health disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration from safe behavior evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(26) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(27) "Hearing" means any proceeding conducted in open court that conforms to the requirements of RCW 71.05.820;

(28) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a behavioral health facility, or in confinement as a result of a criminal conviction;

(29) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(30) "In need of assisted outpatient treatment" refers to a person who meets the criteria for assisted outpatient treatment established under RCW 71.05.148;

(31) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

(32) "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals;

(33) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(34) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public behavioral health service providers under RCW 71.05.130;

(35) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.05.585. This term includes: Treatment pursuant to a less restrictive alternative treatment order under RCW 71.05.240 or 71.05.320; treatment pursuant to a conditional release under RCW 71.05.340; and treatment pursuant to an assisted outpatient treatment order under RCW 71.05.148;

(36) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington;

(37) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused harm, substantial pain, or which places another person or persons in reasonable fear of harm to themselves or others; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(38) "Medical clearance" means a physician or other health care provider has determined that a person is medically stable and ready for referral to the designated crisis responder;

(39) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(40) "Mental health professional" means an individual practicing within the mental health professional's statutory scope of practice who is:

(a) A psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric

advanced registered nurse practitioner, psychiatric nurse, or social worker, as defined in this chapter and chapter 71.34 RCW;

(b) A mental health counselor, mental health counselor associate, marriage and family therapist, or marriage and family therapist associate, as defined in chapter 18.225 RCW; (~~or~~)

(c) A certified or licensed agency affiliated counselor, as defined in chapter 18.19 RCW; or

(d) A licensed psychological associate as described in chapter 18.83 RCW;

(41) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(42) "Physician assistant" means a person licensed as a physician assistant under chapter 18.71A RCW;

(43) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with behavioral health disorders;

(44) "Professional person" means a mental health professional, substance use disorder professional, or designated crisis responder and shall also mean a physician, physician assistant, psychiatric advanced registered nurse practitioner, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(45) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(46) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(47) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(48) "Public agency" means any evaluation and treatment facility or institution, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with behavioral health disorders, if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments;

(49) "Release" means legal termination of the commitment under the provisions of this chapter;

(50) "Resource management services" has the meaning given in chapter 71.24 RCW;

(51) "Secretary" means the secretary of the department of health, or his or her designee;

(52) "Secure withdrawal management and stabilization facility" means a facility operated by either a public or private agency or by the program of an agency which provides care to voluntary individuals and individuals involuntarily detained and committed under this chapter for whom there is a likelihood of serious harm or who are gravely disabled due to the presence of a substance use disorder. Secure withdrawal management and stabilization facilities must:

(a) Provide the following services:

(i) Assessment and treatment, provided by certified substance use disorder professionals or co-occurring disorder specialists;

(ii) Clinical stabilization services;

(iii) Acute or subacute detoxification services for intoxicated individuals; and

(iv) Discharge assistance provided by certified substance use disorder professionals or co-occurring disorder specialists, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Include security measures sufficient to protect the patients, staff, and community; and

(c) Be licensed or certified as such by the department of health;

(53) "Severe deterioration from safe behavior" means that a person will, if not treated, suffer or continue to suffer severe and abnormal mental, emotional, or physical distress, and this distress is associated with significant impairment of judgment, reason, or behavior;

(54) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(55) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances;

(56) "Substance use disorder professional" means a person certified as a substance use disorder professional by the department of health under chapter 18.205 RCW;

(57) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(58) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for behavioral health disorders, which are maintained by the department of social and health services, the department, the authority, behavioral health administrative services organizations and their staffs, managed care organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department of social and health services, the department, the authority, behavioral health administrative services organizations, managed care organizations, or a treatment facility if the notes or records are not available to others;

(59) "Video," unless the context clearly indicates otherwise, means the delivery of behavioral health services through the use of interactive audio and video technology, permitting real-time communication between a person and a designated crisis responder, for the purpose of evaluation. "Video" does not include the use of audio-only telephone, facsimile, email, or store and forward technology. "Store and forward technology" means use of an asynchronous transmission of a person's medical information from a mental health service provider to the designated crisis responder which results in medical diagnosis, consultation, or treatment;

(60) "Violent act" means behavior that resulted in homicide, attempted suicide, injury, or substantial loss or damage to property.

**NEW SECTION. Sec. 19.** The health care authority shall ensure that all services provided by associate licenses under chapters 18.225 and 18.83 RCW are included in the state medicaid program, including filing any necessary state plan amendments by January 1, 2025.

**NEW SECTION. Sec. 20.** The examining board of psychology may adopt any rules necessary to implement sections 2 through 12 of this act. The secretary of health may adopt any rules necessary to implement sections 1 and 13 through 16 of this act.

**NEW SECTION. Sec. 21.** (1) The secretary of health shall study and make recommendations on changing the disciplining authority for professions regulated under chapter 18.225 RCW from the secretary of health to separate boards or commissions for each profession.

(2) The secretary of health's findings and recommendations must, at a minimum, include the following:

(a) Whether the disciplining authority for each profession should be a board or a commission;

(b) The recommended membership of each board or commission, which must include:

(i) A majority of members who are members of the regulated professions; and

(ii) At least one public member;

(c) An estimate of the fiscal impact of changing the disciplining authority for the professions; and

(d) A transition plan for changing the disciplining authorities, including recommended statutory changes.

(3) When formulating the findings and recommendations, the secretary of health must consult with organizations representing the professions regulated under chapter 18.225 RCW.

(4) The secretary of health shall report the findings and recommendations to the appropriate committees of the legislature no later than July 1, 2025.

(5) This section expires August 1, 2025.

NEW SECTION. **Sec. 22.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void.

NEW SECTION. **Sec. 23.** (1) Section 1 of this act takes effect January 1, 2028.

(2) Sections 2 through 12, 14, and 16 of this act take effect October 1, 2025.

NEW SECTION. **Sec. 24.** Section 17 of this act expires when section 18 of this act takes effect.

NEW SECTION. **Sec. 25.** Section 18 of this act takes effect when the contingency in section 26, chapter 433, Laws of 2023 takes effect."

On page 1, line 2 of the title, after "shortages;" strike the remainder of the title and insert "amending RCW 18.19.020, 18.83.020, 18.83.050, 18.83.080, 18.83.105, 18.83.110, 18.83.115, 18.83.135, 18.83.170, 18.83.180, 18.83.190, 18.83.210, 18.225.145, and 18.225.180; reenacting and amending RCW 18.205.095, 18.225.090, 71.05.020, and 71.05.020; creating new sections; providing effective dates; providing a contingent effective date; providing an expiration date; and providing a contingent expiration date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2247 and advanced the bill, as amended by the Senate, to final passage.

Representatives Bateman and Hutchins spoke in favor of the passage of the bill.

**FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2247, as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2247, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatler, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Maycumber, Ramos and Wilcox

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2247, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2301, with the following amendment(s): 2301-S2.E AMS ENGR S5569.E

Strike everything after the enacting clause and insert the following:

**"PART 1 INTENT**

NEW SECTION. **Sec. 101.** INTENT. (1) The legislature finds:

(a) Washington is now experiencing the effects of a climate crisis: Hotter summers with record-breaking temperatures, devastating fires, drought conditions, and rising sea levels that erode our coastlines and are causing some communities to move upland;

(b) Methane is a potent greenhouse gas and landfills are documented by the United States environmental protection agency to be the 3rd largest human-made source, with food, yard waste, and other plant-based organic material degrading in landfills to methane;

(c) Food waste is a major issue in the United States and globally, that, according to the food and agriculture organization of the United Nations, unwanted and discarded food squanders resources, including water, land, energy, labor, and capital, estimated that one-third of the food produced in the world for human consumption, about 1,300,000,000 tons, is lost or wasted every year, and the food loss and waste in



industrialized countries equates to a value of approximately \$680,000,000,000;

(d) The Harvard University food law and policy clinic has estimated that 40 percent of the food supply in the United States is not eaten and that according to the United States environmental protection agency and the United States department of agriculture, food loss and waste is the single largest component of disposed municipal solid waste in the United States;

(e) In 2015, that the administrator of the United States environmental protection agency and the secretary of the United States department of agriculture announced a national goal of reducing food waste by 50 percent by the year 2030. In 2019, Washington established the same goal in RCW 70A.205.715;

(f) Compost and other products of organic material management facilities have beneficial applications and can improve soil health, water quality, and other environmental outcomes. However, in order for the products of organic material management facilities to lead to improved environmental outcomes and for the economics of the operations of these facilities to pencil out, it is important that inbound sources of organic material waste are free of plastic contamination, pesticides, and other materials that will reduce compost quality; and

(g) Farmers, processors, retailers, and food banks in Washington are leaders in addressing this issue, and in 2022, with the enactment of chapter 180, Laws of 2022 (Engrossed Second Substitute House Bill No. 1799), Washington took significant steps towards the improvement of organic material management systems.

(2) It is the legislature's intent to provide additional tools and financial resources to build on this progress in coming years by:

(a) Creating a variety of grant programs to support food waste reduction, food rescue, and other organic material management system improvements, including grants to support the implementation of new policy requirements related to organic material management;

(b) Amending solid waste management requirements in support of improved organic material management outcomes, including through the statewide standardization of colors and labels for organic, recycling, and garbage bins, and amending the organic material management service requirements in local jurisdictions and that apply to businesses;

(c) Making changes to product degradability labeling requirements; and

(d) Continuing to discuss how to maximize donations of food from generators of unwanted edible food.

(3) It is the legislature's intent for the following management option preferences to apply to the management of food under this act, including the provisions of law being amended by this act, in order of most preferred to least preferred:

(a) Prevents wasted food;

(b) Donates or upcycles food;

(c) Feeds animals or leaves food unharvested;

(d) Composts or anaerobically digests materials with beneficial use of the compost, digestate, or biosolids;

(e) Anaerobically digests materials with the disposal of digestate or biosolids, or applies material to the land; and

(f) Sends materials down the drain, to landfills, or incinerates material, with or without accompanying energy recovery.

**PART 2  
FUNDING FOR SUSTAINABLE FOOD MANAGEMENT  
PRIORITIES**

NEW SECTION. **Sec. 201.** A new section is added to chapter 70A.207 RCW to read as follows:

CENTER FOR SUSTAINABLE FOOD MANAGEMENT GRANTS. (1) The department, through the center, must develop and administer grant programs to support activities that reduce emissions from landfills and waste-to-energy facilities through the diversion of organic materials and food waste prevention, rescue, and recovery. The department must seek stakeholder input in the design, criteria, and logistics associated with each grant program. The department must allocate grant funding across the eligible categories specified in subsection (2) of this section in a manner consistent with legislative appropriations, and that achieves the following priorities:

(a) Maximizing greenhouse gas emission reductions;

(b) Eliminating barriers to the rescue and consumption of edible food that would otherwise be wasted;

(c) Developing stable funding programs for the department to administer and stable funding opportunities for potential fund recipients to be aware of; and

(d) Preferences the following management options, in order of most preferred to least preferred:

(i) Prevents wasted food;

(ii) Donates or upcycles food;

(iii) Feeds animals or leaves food unharvested;

(iv) Composts or anaerobically digests materials with beneficial use of the compost, digestate, or biosolids;

(v) Anaerobically digests materials with the disposal of digestate or biosolids, or applies material to the land;

(vi) Sends materials down the drain, to landfills, or incinerates material, with or without accompanying energy recovery.

(2) Subject to the availability of amounts appropriated for this specific purpose, grants under this section may be awarded to the following categories of activities:

(a) Projects to prevent the surplus of unsold, uneaten food from food businesses or to standardize and improve the operating procedures associated with food donations, including efforts to standardize collection bins, provide staff training for food donors or food rescue organizations, or make other changes to increase the efficiency or efficacy of food donation procedures. Local governments, federally recognized Indian tribes and federally recognized Indian tribal government entities, nonprofit

organizations, and generators of unwanted edible food are eligible applicants for grants under this subsection. Equipment and infrastructure purchases, training costs, costs associated with the development and deployment of operating protocols, and employee staff time reimbursement are eligible uses of grant funding under this subsection;

(b) (i) Projects to improve and reduce the transportation of donated foods and management of cold chains across the donated food supply chain, including through food rescue organizations. Local governments, federally recognized Indian tribes and federally recognized Indian tribal government entities, nonprofit organizations, transporters of unwanted edible food, and generators of unwanted edible food are eligible applicants for grants under this subsection. Eligible uses of grant funding under this subsection include the acquisition of vehicles, cold-storage equipment, real estate, and technology to support donated food storage and transportation system improvements.

(ii) Grants under this subsection (2) (b) may not be used for the purchase or lease of equipment that relies on a fuel source other than electricity or the purchase or lease of vehicles other than zero-emission vehicles;

(c) (i) Grant programs to support the establishment and expansion of wasted food reduction programs to benefit vulnerable communities. This grant program must be developed in consultation with the department of health and food policy stakeholders.

(ii) Nonprofit organizations, businesses, associations, federally recognized Indian tribes and federally recognized Indian tribal government entities, and local governments are eligible to receive grants under this subsection. Eligible uses of the funds may include community food hub development projects, cold food storage capacity, refrigerated transport capacity, convenings to inform innovation in wasted food reduction in retail and food service establishments, and pilot projects to reduce wasted food. No more than 20 percent of funds allocated under this subsection (2) (c) may be awarded to a single grant recipient; and

(d) Food waste tracking and analytics pilot project grants. Local governments, federally recognized Indian tribes and federally recognized Indian tribal government entities, nonprofit organizations, transporters of unwanted edible food, and generators of unwanted edible food are eligible applicants for grants under this subsection. Eligible uses of grant funding under this subsection include staff time and technology to improve food waste prevention or improve tracking of food donations through the food supply chain and to provide data useful to enabling more efficient and effective outcomes for the provision of food available for rescue.

(3) The department may establish additional eligibility criteria or application process requirements beyond those described in subsection (2) of this section for a category or categories of activity. The department may, as a condition

of the award of a grant under this section, require the reporting of information to the department regarding the outcomes of the funded activities.

(4) The department may award grants to eligible applicants meeting the minimum qualifying criteria on a competitive basis, or to applicants on a noncompetitive basis, or both. Within each category of activity described in subsection (2) of this section, the department must prioritize grant applications that benefit overburdened communities as defined in RCW 70A.02.010 as identified by the department in accordance with RCW 70A.02.050.

**NEW SECTION. Sec. 202.** A new section is added to chapter 70A.207 RCW to read as follows:

**SUSTAINABLE FOOD MANAGEMENT POLICY IMPLEMENTATION GRANTS.** (1) The department, through the center, must develop and administer grant programs to support the implementation of the requirements of this act and chapter 180, Laws of 2022, with priority given to grants that support the implementation of RCW 70A.205.540 and 70A.205.545. Eligible recipients of grants under this section may include businesses that are subject to organic material management requirements, local governments, federally recognized Indian tribes and federally recognized Indian tribal government entities, nonprofit organizations, or organic material management facilities. Eligible expenses by grant recipients include education, outreach, technical assistance, indoor and outdoor infrastructure, transportation and processing infrastructure, and enforcement costs.

(2) The department may not require, as a condition of financial assistance under this section, that matching funds be made available by a local government recipient. The department must provide assistance to each local government that demonstrates eligibility for grant assistance under this section.

**Sec. 203.** RCW 70A.207.020 and 2022 c 180 s 402 are each amended to read as follows:

**CENTER FOR SUSTAINABLE FOOD MANAGEMENT DUTIES.** (1) The Washington center for sustainable food management is established within the department (~~(, to begin operations by January 1, 2024)~~).

(2) The purpose of the center is to help coordinate statewide food waste reduction.

(3) The center may perform the following activities:

(a) Coordinate the implementation of the plan;

(b) Draft plan updates and measure progress towards actions, strategies, and the statewide goals established in RCW 70A.205.007 and 70A.205.715(1);

(c) Maintain a website with current food waste reduction information and guidance for food service establishments, consumers, food processors, hunger relief organizations, and other sources of food waste;

(d) Provide staff support to multistate food waste reduction initiatives in which the state is participating;

(e) Maintain the consistency of the plan and other food waste reduction activities with the work of the Washington state conservation commission's food policy forum;

(f) Facilitate and coordinate public-private and nonprofit partnerships focused on food waste reduction, including through voluntary working groups;

(g) Collaborate with federal, state, and local government partners on food waste reduction initiatives;

(h) Develop and maintain maps or lists of locations of the food systems of Washington that identify food flows, where waste occurs, and opportunities to prevent food waste;

(i) (i) Collect and maintain data on food waste and wasted food in a manner that is generally consistent with the methods of collecting and maintaining such data used by federal agencies or in other jurisdictions, or both, to the greatest extent practicable;

(ii) Develop measurement methodologies and tools to uniformly track food donation data, food waste prevention data, and associated climate impacts resultant from food waste reduction efforts;

(j) Research and develop emerging organic materials and food waste reduction markets;

(k) (i) Develop and maintain statewide food waste reduction and food waste contamination reduction campaigns, in consultation with other state agencies and other stakeholders, including the development of waste prevention and food waste recovery promotional materials for distribution. These promotional materials may include online information, newsletters, bulletins, or handouts that inform food service establishment operators about the protections from civil and criminal liability under federal law and under RCW 69.80.031 when donating food; and

(ii) Develop guidance to support the distribution of promotional materials, including distribution by:

(A) Local health officers, at no cost to regulated food service establishments, including as part of normal, routine inspections of food service establishments; and

(B) State agencies, including the department of health and the department of agriculture, in conjunction with their statutory roles and responsibilities in regulating, monitoring, and supporting safe food supply chains and systems;

(l) Distribute and monitor grants dedicated to food waste prevention, rescue, and recovery, which must include the programs described in sections 201 and 202 of this act; ((and))

(m) Provide staff support to the work group created in section 701 of this act; and

(n) Research and provide education, outreach, and technical assistance to local governments in support of the adoption of solid waste ordinances or policies that establish a financial disincentive for the generation of organic waste and for the ultimate disposal of organic materials in landfills.

(4) The department may enter into an interagency agreement with the department of health, the department of agriculture, or other state agencies as necessary to fulfill the responsibilities of the center.

(5) The department may adopt any rules necessary to implement this chapter including, but not limited to, measures for the center's performance.

NEW SECTION. Sec. 204. A new section is added to chapter 43.23 RCW to read as follows:

WASHINGTON COMMODITIES DONATION GRANT PROGRAM. (1) The department must implement the Washington commodities donation grant program established in this section. The purpose of the program is to procure Washington grown produce, grains, and protein otherwise at risk of ending up as food waste for distribution to hunger relief organizations for use in Washington state.

(2) The program established in this section must, to the extent practicable:

(a) Rely upon existing infrastructure and similar grant programs currently being implemented in Washington, in order to maximize the beneficial impacts of the program in the short-term, and to expeditiously enable the distribution of grants under this section;

(b) Be designed to achieve efficiencies of scale by the grant recipients carrying out food acquisitions and distributions and to target large volume food acquisition opportunities;

(c) Give priority to recipient organizations that have at least five years of experience coordinating the collection and transportation of donated agricultural products to food bank distributors, food bank distribution centers, or both, for redistribution to local hunger relief agencies; and

(d) Provide for equitable benefits experienced from the program by food producers of varying sizes and types, including minority and vulnerable farmers, including veterans, women, and federally recognized Indian tribes.

(3) The department must issue grants under this section to one or more nonprofit organizations to acquire food directly from food producers located in Washington. A recipient nonprofit organization may use funds under this section to compensate food producers donating commodities for pick and pack out costs incurred associated with the production of a food product, including costs of food product inputs and harvest, and for their marginal postharvest logistical and administrative costs that facilitate the acquisition and distribution of the food product by grant recipients.

(4) An organization that receives funds under this section must report the results of the project to the department in a manner prescribed by the department.

Sec. 205. RCW 70A.214.100 and 2008 c 178 s 1 are each amended to read as follows:

WASTE NOT WASHINGTON AWARDS. (1) The office of waste reduction shall develop, in consultation with the superintendent of public instruction, an awards program to

achieve waste reduction and recycling in public schools, and to encourage waste reduction and recycling in private schools, grades kindergarten through high school. The office shall develop guidelines for program development and implementation. Each public school shall, and each private school may, implement a waste reduction and recycling program conforming to guidelines developed by the office.

(2) For the purpose of granting awards, the office may group all participating schools into not more than three classes, based upon student population, distance to markets for recyclable materials, and other criteria, as deemed appropriate by the office. Except as otherwise provided, five or more awards may be granted to each of the three classes. Each award shall be no more than ~~((five thousand dollars))~~ \$5,000 until 2026, and no more than \$10,000 beginning January 1, 2026. Awards shall be granted each year to the schools that achieve the greatest levels of waste reduction and recycling. A single award of not less than ~~((five thousand dollars))~~ \$5,000 until 2026 or \$10,000 beginning in 2026 may be presented to the school having the best recycling program as measured by the total amount of materials recycled, including materials generated outside of the school. A single award of not less than ~~((five thousand dollars))~~ \$5,000 until 2026 or \$10,000 beginning in 2026 may be presented to the school having the best waste reduction program as determined by the office.

(3) The superintendent of public instruction shall distribute guidelines and other materials developed by the office to implement programs to reduce and recycle waste generated in administrative offices, classrooms, laboratories, cafeterias, and maintenance operations.

### PART 3 AMENDMENTS TO SOLID WASTE LAWS

**Sec. 301.** RCW 70A.205.540 and 2022 c 180 s 102 are each amended to read as follows:

MANDATED ORGANICS MANAGEMENT. (1) ~~((Beginning January 1, 2027, in))~~ Except as provided in subsection (3) of this section, in each jurisdiction that implements a local solid waste plan under RCW 70A.205.040:

(a) ~~((Source-separated))~~ Beginning April 1, 2027, source-separated organic solid waste collection services ~~((must))~~ are required to be provided ~~((at least every other week or at least 26 weeks annually))~~ year-round to:

(i) All single-family residents; and  
(ii) Nonresidential customers that generate more than .25 cubic yards per week of organic materials for management; ~~((and))~~

(b) (i) The department may, by waiver, reduce the collection frequency requirements in (a) of this subsection for the collection of dehydrated food waste or to address food waste managed through other circumstances or technologies that will reduce the volume or odor, or both, of collected food waste.

(ii) All organic solid waste collected from single-family residents and businesses

~~under ~~((a) of))~~ this subsection must be managed through organic materials management;~~

(c) Beginning April 1, 2030, the source-separated organic solid waste collection services specified in (a) of this subsection must be provided to customers on a nonelective basis, except that a jurisdiction may grant an exemption to a customer that certifies to the jurisdiction that the customer is managing organic material waste on-site or self-hauling its own organic material waste for organic materials management;

(d) Beginning April 1, 2030, each jurisdiction's source-separated organic solid waste collection service must include the acceptance of food waste year-round. The jurisdiction may choose to collect food waste source-separated from other organic materials or may collect food waste commingled with other organic materials; and

(e) Beginning April 1, 2030, all persons, when using curbside collection for disposal, may use only source-separated organic solid waste collection services to discard unwanted organic materials. By January 1, 2027, the department must develop guidance under which local jurisdictions may exempt persons from this requirement if organic materials will be managed through an alternative mechanism that provides equal or better environmental outcomes. Nothing in this section precludes the ability of a person to use on-site composting, the diversion of organic materials to animal feed, self-haul organic materials to a facility, or other means of beneficially managing unwanted organic materials. For the purposes of this subsection (1)(e), "person" or "persons" does not include multifamily residences.

(2) A jurisdiction may charge and collect fees or rates for the services provided under subsection (1) of this section, consistent with the jurisdiction's authority to impose fees and rates under chapters 35.21, 35A.21, 36.58, and 36.58A RCW.

(3) (a) Except as provided in ~~((d))~~ (e) of this subsection, the requirements of this section do not apply in a jurisdiction if the department determines that the following apply:

(i) The jurisdiction disposed of less than 5,000 tons of solid waste in the most recent year for which data is available; or

(ii) The jurisdiction has a total population of less than 25,000 people ~~((or~~

~~((iii) The jurisdiction has a total population between 25,000 and 50,000 people and curbside organic solid waste collection services are not offered in any area within the jurisdiction, as of July 1, 2022)).~~

(b) The requirements of this section do not apply:

(i) In census tracts that have a population density of less than 75 people per square mile that are serviced by the jurisdiction and located in unincorporated portions of a county, as determined by the department, in counties not planning under chapter 36.70A RCW; ~~((and))~~

(ii) In census tracts that have a population density of greater than 75 people per square mile, where the census tract includes jurisdictions that meet any of the

conditions in (a)(i) and (ii) of this subsection, that are serviced by the jurisdiction and located in unincorporated portions of a county, as determined by the department, in counties not planning under chapter 36.70A RCW;

(iii) Outside of urban growth areas designated pursuant to RCW 36.70A.110 in unincorporated portions of a county planning under chapter 36.70A RCW;

(iv) Inside of unincorporated urban growth areas for jurisdictions planning under chapter 36.70A RCW that meet any of the conditions in (a)(i) and (ii) of this subsection; and

(v) In unincorporated urban growth areas in counties with an unincorporated population of less than 25,000 people.

(c) ((In addition to the exemptions in (a) and (b))) A jurisdiction that collects organic materials, but that does not collect organic materials on a year-round basis as of January 1, 2024, is not required to provide year-round organic solid waste collection services if it provides those services at least 26 weeks annually.

(d) In addition to the exemptions in (a) through (c) of this subsection, the department may issue a renewable waiver to jurisdictions or portions of a jurisdiction under this subsection for up to five years, based on consideration of factors including the distance to organic materials management facilities, the sufficiency of the capacity to manage organic materials at facilities to which organic materials could feasibly and economically be delivered from the jurisdiction, and restrictions in the transport of organic materials under chapter 17.24 RCW. The department may adopt rules to specify the type of information that a waiver applicant must submit to the department and to specify the department's process for reviewing and approving waiver applications.

((+d)) (e) Beginning January 1, 2030, the department may adopt a rule to require that the provisions of this section apply in the jurisdictions identified in (b) ((and (e))) through (d) of this subsection, but only if the department determines that the goals established in RCW 70A.205.007(1) have not or will not be achieved.

(4) Any city that newly begins implementing an independent solid waste plan under RCW 70A.205.040 after July 1, 2022, must meet the requirements of subsection (1) of this section.

(5) Nothing in this section affects the authority or duties of the department of agriculture related to pest and noxious weed control and quarantine measures under chapter 17.24 RCW.

(6) No penalty may be assessed on an individual or resident for the improper disposal of organic materials under subsection (1) of this section in a noncommercial or residential setting.

(7) The department must adopt new rules or amend existing rules adopted under this chapter establishing permit requirements for organic materials management facilities requiring a solid waste handling permit addressing contamination associated with incoming food waste feedstocks and finished products, for environmental benefit.

**Sec. 302.** RCW 70A.205.545 and 2022 c 180 s 201 are each amended to read as follows:

**BUSINESS DIVERSION.** (1)(a) Beginning July 1, 2023, and each July 1st thereafter, the department must determine which counties and any cities preparing independent solid waste management plans:

(i) Provide for businesses to be serviced by providers that collect food waste and organic material waste for delivery to solid waste facilities that provide for the organic materials management of organic material waste and food waste; and

(ii) Are serviced by solid waste facilities that provide for the organic materials management of organic material waste and food waste and have year-round capacity to process and are willing to accept increased volumes of organic materials deliveries.

(b)(i) The department must determine and designate that the restrictions of this section apply to businesses in a jurisdiction unless the department determines that the businesses in some or all portions of the city or county have:

(A) No available businesses that collect and deliver organic materials to solid waste facilities that provide for the organic materials management of organic material waste and food waste; or

(B) No available capacity at the solid waste facilities to which businesses that collect and deliver organic materials could feasibly and economically deliver organic materials from the jurisdiction.

(ii)(A) In the event that a county or city provides a written ((notification)) request and supporting evidence to the department ((indicating)) determining that the criteria of (b)(i)(A) of this subsection are met, and the department confirms this determination, then the restrictions of this section apply only in those portions of the jurisdiction that have available service-providing businesses.

(B) In the event that a county or city provides a written ((notification)) request and supporting evidence to the department ((indicating)) determining that the criteria of (b)(i)(B) of this subsection are met, and the department confirms this determination, then the restrictions of this section do not apply to the jurisdiction.

(c) The department must make the result of the annual determinations required under this section available on its website.

(d) The requirements of this section may be enforced by jurisdictional health departments consistent with this chapter, except that:

(i) A jurisdictional health department may not charge a fee to permit holders to cover the costs of the jurisdictional health department's administration or enforcement of the requirements of this section; and

(ii) Prior to issuing a penalty under this section, a jurisdictional health department must provide at least two written notices of noncompliance with the requirements of this section to the owner or operator of a business subject to the requirements of this section.

(2)(a)(i) Beginning January 1, 2024, a business that generates at least eight cubic yards of organic material waste per week must arrange for organic materials management services specifically for organic material waste;

(ii) Beginning January 1, 2025, a business that generates at least four cubic yards of organic material waste per week must arrange for organic materials management services specifically for organic material waste; and

(iii) Beginning January 1, 2026, a business that generates at least ~~((four cubic yards of solid))~~ 96 gallons of organic material waste per week shall arrange for organic materials management services specifically for organic material waste, unless the department determines, by rule, that additional reductions in the landfilling of organic materials would be more appropriately and effectively achieved, at reasonable cost to regulated businesses, through the establishment of a different volumetric threshold of ~~((solid waste or))~~ organic waste material ((waste)) than the threshold of ~~((four cubic yards of solid))~~ 96 gallons of organic material waste per week.

(b) The following wastes do not count for purposes of determining waste volumes in (a) of this subsection:

(i) Wastes that are managed on-site by the generating business;

(ii) Wastes generated from the growth and harvest of food or fiber that are managed off-site by another business engaged in the growth and harvest of food or fiber;

(iii) Wastes that are managed by a business that enters into a voluntary agreement to sell or donate organic materials to another business for off-site use; ~~((and))~~

(iv) Wastes generated in exceptional volumes as a result of a natural disaster or other infrequent and unpreventable event; and

(v) Wastes generated as a result of a food safety event, such as a product recall, that is due to foreign material or adverse biological activity that requires landfill destruction rather than organic material management.

(3) A business may fulfill the requirements of this section by:

(a) Source separating organic material waste from other waste, subscribing to a service that includes organic material waste collection and organic materials management, and using such a service for organic material waste generated by the business;

(b) Managing its organic material waste on-site or self-hauling its own organic material waste for organic materials management;

(c) Qualifying for exclusion from the requirements of this section consistent with subsection (1)(b) of this section; or

(d) For a business engaged in the growth, harvest, or processing of food or fiber, entering into a voluntary agreement to sell or donate organic materials to another business for off-site use.

(4)(a) A business generating organic material waste shall arrange for any services required by this section in a manner that is consistent with state and

local laws and requirements applicable to the collection, handling, or recycling of solid and organic material waste.

(b) Nothing in this section requires a business to dispose of materials in a manner that conflicts with federal or state public health or safety requirements. Nothing in this section requires businesses to dispose of wastes generated in exceptional volumes as a result of a natural disaster or other infrequent and unpreventable event through the options established in subsection (3) of this section. Nothing in this section prohibits a business from disposing of nonfood organic materials that are not commingled with food waste by using the services of an organic materials management facility that does not accept food waste.

(5) When arranging for gardening or landscaping services, the contract or work agreement between a business subject to this section and a gardening or landscaping service must require that the organic material waste generated by those services be managed in compliance with this chapter.

(6)(a) This section does not limit the authority of a local governmental agency to adopt, implement, or enforce a local organic material waste recycling requirement, or a condition imposed upon a self-hauler, that is more stringent or comprehensive than the requirements of this chapter.

(b) This section does not modify, limit, or abrogate in any manner any of the following:

(i) A franchise granted or extended by a city, county, city and county, or other local governmental agency;

(ii) A contract, license, certificate, or permit to collect solid waste previously granted or extended by a city, county, city and county, or other local governmental agency;

(iii) The right of a business to sell or donate its organic materials; and

(iv) A certificate of convenience and necessity issued to a solid waste collection company under chapter 81.77 RCW.

(c) Nothing in this section modifies, limits, or abrogates the authority of a local jurisdiction with respect to land use, zoning, or facility siting decisions by or within that local jurisdiction.

(d) Nothing in this section changes or limits the authority of the Washington utilities and transportation commission to regulate collection of solid waste, including curbside collection of residential recyclable materials, nor does this section change or limit the authority of a city or town to provide the service itself or by contract under RCW 81.77.020.

(7) The definitions in this subsection apply throughout this section unless the context clearly indicates otherwise.

(a)(i) "Business" means a commercial or public entity including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for-profit or nonprofit entity.

(ii) "Business" does not include a multifamily residential entity.

(b) "Food waste" has the same meaning as defined in RCW 70A.205.715.

**PART 4  
STATUS ASSESSMENT OF PRODUCE STICKER  
TECHNOLOGIES**

**NEW SECTION. Sec. 401. STATUS ASSESSMENT OF PRODUCE STICKER TECHNOLOGIES.**

(1) The department of ecology, in consultation with the department of agriculture, must carry out a study and submit a brief summary report to the legislature by September 1, 2025, addressing the status of produce sticker technologies, including produce sticker options that do not contain plastic stickers or adhesives or that otherwise meet compostability standards.

(2) The study required under this section must, at minimum, compare and consider the following features of produce stickers and adhesives:

(a) Compostability, including toxic or hazardous substance content;

(b) Performance;

(c) Printability; and

(d) Cost.

(3) In carrying out the study, input and information must be solicited and evaluated from:

(a) Produce producers and packers;

(b) Sticker and adhesive producers;

(c) Other states, countries, or subnational jurisdictions that have adopted standards restricting plastic produce stickers; and

(d) Other technical experts.

**PART 5  
PRODUCT DEGRADABILITY RESTRICTIONS**

**Sec. 501.** RCW 70A.455.040 and 2022 c 180 s 803 are each amended to read as follows:

**FIBER-BASED SUBSTRATES.** (1) A product labeled as "compostable" that is sold, offered for sale, or distributed for use in Washington by a producer must meet at least one of the following equivalent standard specifications:

(a) ~~((Meet))~~ ASTM standard specification D6400;

(b) ~~((Meet))~~ ASTM standard specification D6868; ~~((ex))~~

(c) ASTM standard specification D8410;

(d) ISO standard specification 17088;

(e) EN standard specification 13432;

(f) A standard specification that is substantially similar to those provided in (a) through (e) of this subsection, as determined by the department; or

(g) Be comprised only of wood, which includes renewable wood, or a fiber-based substrate ~~((only))~~ that contains:

(i) Greater than 98 percent fiber by dry weight; and

(ii) No plastic, plastic polymer or wax additives, or plastic or wax coatings.

(2) A product described in subsection (1)

(a) ~~((ex (b)))~~ through (f) of this section must:

(a) Meet labeling requirements established under the United States federal trade commission's guides; and

(b) Feature labeling that:

(i) Meets industry standards for being distinguishable upon quick inspection in both public sorting areas and in processing facilities;

(ii) Uses a logo indicating the product has been certified by a recognized third-party independent verification body as meeting the ~~((ASTM))~~ applicable standard specification;

(iii) Displays the word "compostable," where possible, indicating the product has been tested by a recognized third-party independent body and meets the ~~((ASTM))~~ applicable standard specification; and

(iv) Uses green, beige, or brown labeling, color striping, or other green, beige, or brown symbols, colors, tinting, marks, or design patterns that help differentiate compostable items from noncompostable items.

**Sec. 502.** RCW 70A.455.070 and 2022 c 180 s 806 are each amended to read as follows:

**FILM TINTING.** (1) A producer of plastic film bags sold, offered for sale, or distributed for use in Washington that does not meet the applicable ASTM standard specifications provided in RCW 70A.455.050 is:

(a) Prohibited from using tinting, color schemes, labeling, or terms that are required of products that meet the applicable ASTM standard specifications under RCW 70A.455.050;

(b) Discouraged from using labeling, images, and terms that may reasonably be anticipated to confuse consumers into believing that noncompostable products are compostable; and

(c) Encouraged to use labeling, images, and terms to help consumers identify noncompostable bags as either: (i) Suitable for recycling; or (ii) necessary to dispose as waste.

(2) A producer of food service products, or plastic film products other than plastic film bags subject to subsection (1) of this section, sold, offered for sale, or distributed for use in Washington that does not meet the applicable ASTM standard specifications provided in RCW 70A.455.060 is:

(a) Prohibited from using labeling, or terms that are required of products that meet the applicable ASTM standard specifications under RCW 70A.455.060;

(b) Discouraged from using labeling, images, and terms that may reasonably be anticipated to confuse consumers into believing that noncompostable products are compostable; and

(c) Encouraged to use tinting, coloration, labeling, images, and terms to help consumers identify film products and food service packaging as either: (i) Suitable for recycling; or (ii) necessary to dispose as waste.

(3) For the purposes of this section only:

(a) "Tinting" means the addition of color to a film, usually by means of dye or stain, that filters light and makes the film appear a certain color; and

(b)(i) The prohibition in subsection (1)(a) of this section on "color schemes" on plastic film bags does not preclude the use of:

(A) Green, brown, or beige stripes that are smaller than .25 inch wide and used as visual aids; and

(B) Green, brown, or beige lettering or logos that are used solely for brand identity purposes.

(ii) The prohibition in subsection (1)(a) of this section on color schemes on plastic film bags does prohibit the use of botanical motifs, such as leaves or vines that are colored green, brown, or beige, or any combination of these colors or shapes.

**NEW SECTION. Sec. 503.** A new section is added to chapter 70A.455 RCW to read as follows:

**HOME COMPOSTABLE LABELING.** A producer may only label a product as being "home compostable" if:

(1) The product has been tested and meets ASTM standards D6400 or D6868 for industrial composting settings;

(2) A third-party certifier has verified that the product meets ASTM standards for industrial composting;

(3) The product is otherwise labeled in a manner consistent with the requirements of this chapter, including RCW 70A.455.030, 70A.455.040, or 70A.455.050, as appropriate;

(4) The product is not labeled "home compostable only" or in a manner that otherwise implies that the product is not capable of being composted in industrial compost settings; and

(5) The producer has valid and reproducible scientific evidence to support their claim that a product is home compostable, consistent with federal trade commission guidelines.

**Sec. 504.** RCW 70A.455.090 and 2022 c 180 s 808 are each amended to read as follows:

**CONCURRENT ENFORCEMENT OF DEGRADABILITY LABELING REQUIREMENTS BY CITIES AND COUNTIES.** (1)(a) The department and cities and counties have concurrent authority to enforce this chapter and to issue and collect civil penalties for a violation of this chapter, subject to the conditions in this section and RCW 70A.455.100. An enforcing government entity may impose a civil penalty in the amount of up to \$2,000 for the first violation of this chapter, up to \$5,000 for the second violation of this chapter, and up to \$10,000 for the third and any subsequent violation of this chapter. If a producer has paid a prior penalty for the same violation to a different government entity with enforcement authority under this subsection, the penalty imposed by a government entity is reduced by the amount of the payment.

(b) The enforcement of this chapter must be based primarily on complaints filed with the department and cities and counties. The department must establish a forum for the filing of complaints. Cities, counties, or any person may file complaints with the department using the forum, and cities and counties may review complaints filed with

the department via the forum. The forum established by the department may include a complaint form on the department's website, a telephone hotline, or a public outreach strategy relying upon electronic social media to receive complaints that allege violations. The department, in collaboration with the cities and counties, must provide education and outreach activities to inform retail establishments, consumers, and producers about the requirements of this chapter.

(c) A city or county that chooses to enforce the requirements of this chapter within their jurisdiction must notify the department with a letter of intent that includes:

(i) The start and any end date of the local jurisdiction's enforcement activities;

(ii) The geographic boundaries within which the enforcement activities are planned; and

(iii) Any technical assistance, education, or enforcement tools that the city or county would like to request from the department in support of local enforcement activities.

(2) Penalties issued by the department are appealable to the pollution control hearings board established in chapter 43.21B RCW.

(3) The remedies provided by this section are not exclusive and are in addition to the remedies that may be available pursuant to chapter 19.86 RCW or other consumer protection laws, if applicable.

(4) In addition to penalties recovered under this section, the enforcing city or county may recover reasonable enforcement costs and attorneys' fees from the liable producer.

## **PART 6 COMPOST PURCHASES**

**Sec. 601.** RCW 15.04.420 and 2022 c 180 s 502 are each amended to read as follows:

**COMPOST REIMBURSEMENT PROGRAM ELIGIBILITY AMENDMENT.** (1)(a) Subject to the availability of amounts appropriated for this specific purpose, the department must establish and implement a compost reimbursement program to reimburse farming operations in the state for purchasing and using compost products that were not generated by the farming operation, including transportation, spreading equipment, labor, fuel, and maintenance costs associated with spreading equipment. The grant reimbursements under the program begin July 1, 2023.

(b) For the purposes of this program, "farming operation" means: A commercial agricultural, silvicultural, or aquacultural facility or pursuit, including the care and production of livestock and livestock products, poultry and poultry products, apiary products, and plant and animal production for nonfood uses; the planting, cultivating, harvesting, and processing of crops; and the farming or ranching of any plant or animal species in a controlled salt, brackish, or freshwater environment.

(2) To be eligible to participate in the reimbursement program, a farming operation



must complete an eligibility review with the department prior to transporting or applying any compost products for which reimbursement is sought under this section. The purpose of the review is for the department to ensure that the proposed transport and application of compost products is consistent with the department's agricultural pest control rules established under chapter 17.24 RCW. A farming operation must also verify that it will allow soil sampling to be conducted by the department upon request before compost application and until at least 10 years after the last grant funding is used by the farming operation, as necessary to establish a baseline of soil quality and carbon storage and for subsequent department evaluations to assist the department's reporting requirements under subsection (8) of this section.

(3) The department must create a form for eligible farming operations to apply for cost reimbursement for costs from purchasing and using compost from facilities with solid waste handling permits or that are permit exempt, including transportation, equipment, spreading, and labor costs. Compost must meet the applicable requirements for compost established by the department of ecology under chapter 70A.205 RCW. The department must prioritize applicants who purchase and use compost containing food waste feedstocks, where it is practicable for the applicant to purchase and use compost containing food waste feedstocks. All applications for cost reimbursement must be submitted on the form along with invoices, receipts, or other documentation acceptable to the department of the costs of purchasing and using compost products for which the applicant is requesting reimbursement, as well as a brief description of what each purchased item will be used for. The department may request that an applicant provide information to verify the source, size, sale weight, or amount of compost products purchased and the cost of transportation, equipment, spreading, and labor. The applicant must also declare that it is not seeking reimbursement for purchase or labor costs for:

(a) Its own compost products; or

(b) Compost products that it has transferred, or intends to transfer, to another individual or entity, whether or not for compensation.

(4) A farming operation may submit only one application per fiscal year in which the program is in effect for purchases made and usage costs incurred during the fiscal year that begins on July 1st and ends on June 30th. Applications for reimbursement must be filed before the end of the fiscal year in which purchases were made and usage costs incurred.

(5) The department must distribute reimbursement funds, subject to the following limitations:

(a) A farming operation is not eligible to receive reimbursement if the farming operation's application was not found eligible for reimbursement by the department under subsection (2) of this section prior to the transport or use of compost;

(b) A farming operation is not eligible to receive reimbursement for more than 50

percent of the costs it incurs each fiscal year for the purchase and use of compost products, including transportation, equipment, spreading, and labor costs;

~~(c) ((A farming operation is not eligible to receive more than \$10,000 per fiscal year))~~ The department must attempt to achieve fair distribution of reimbursement funding across different farm size categories, based on acreage categories determined by the department, and which is not to exceed a maximum of \$20,000 per fiscal year for the largest farming operation category determined by the department;

(d) A farming operation is not eligible to receive reimbursement for its own compost products or compost products that it has transferred, or intends to transfer, to another individual or entity, whether or not for compensation; and

(e) A farming operation is not eligible to receive reimbursement for compost products that were not purchased from a facility with a solid waste handling permit or a permit-exempt facility.

(6) The applicant shall indemnify and hold harmless the state and its officers, agents, and employees from all claims arising out of or resulting from the compost products purchased that are subject to the compost reimbursement program under this section.

(7) There is established within the department a compost reimbursement program manager position. The compost reimbursement program manager must possess knowledge and expertise in the area of program management necessary to carry out the duties of the position, which are to:

(a) Facilitate the division and distribution of available costs for reimbursement; and

(b) Manage the day-to-day coordination of the compost reimbursement program.

(8) In compliance with RCW 43.01.036, the department must submit an annual report to the appropriate committees of the legislature by January 15th of each year of the program in which grants have been issued or completed. The report must include:

(a) The amount of compost for which reimbursement was sought under the program;

(b) The qualitative or quantitative effects of the program on soil quality and carbon storage; and

(c) A periodically updated evaluation of the benefits and costs to the state of expanding or furthering the strategies promoted in the program.

**Sec. 602.** RCW 43.19A.150 and 2022 c 180 s 701 are each amended to read as follows:

COMPOST PROCUREMENT REPORTING AMENDMENT.

(1) By January 1, 2023, the following cities or counties shall adopt a compost procurement ordinance to implement RCW 43.19A.120:

(a) Each city or county with a population greater than 25,000 residents as measured by the office of financial management using the most recent population data available; and

(b) Each city or county in which organic material collection services are provided under chapter 70A.205 RCW.

(2) A city or county that newly exceeds a population of 25,000 residents after January 1, 2023, as measured by the office of financial management, must adopt an ordinance under this subsection no later than 12 months after the office of financial management's determination that the local government's population has exceeded 25,000.

(3) In developing a compost procurement ordinance, each city and county shall plan for the use of compost in the following categories:

- (a) Landscaping projects;
- (b) Construction and postconstruction soil amendments;
- (c) Applications to prevent erosion, filter stormwater runoff, promote vegetation growth, or improve the stability and longevity of roadways; and
- (d) Low-impact development and green infrastructure to filter pollutants or keep water on-site, or both.

(4) Each city or county that adopts an ordinance under subsection (1) or (2) of this section must develop strategies to inform residents about the value of compost and how the jurisdiction uses compost in its operations in the jurisdiction's comprehensive solid waste management plan pursuant to RCW 70A.205.045.

(5) By ~~((December))~~ March 31, ~~((2024))~~ 2025, and each ~~((December))~~ March 31st ~~((of even-numbered years))~~ thereafter, each city or county that adopts an ordinance under subsection (1) or (2) of this section must submit a report covering the previous year's compost procurement activities to the department of ecology that contains the following information:

(a) The total tons of organic material diverted throughout the year and the facility or facilities used for processing;

(b) The volume and cost of compost purchased throughout the year; and

(c) The source or sources of the compost.

(6) Cities and counties that are required to adopt an ordinance under subsection (1) or (2) of this section shall give priority to purchasing compost products from companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs and meet quality standards comparable to standards adopted by the department of transportation or adopted by rule by the department of ecology.

(7) Cities and counties may enter into collective purchasing agreements if doing so is more cost-effective or efficient.

(8) Nothing in this section requires a compost processor to:

- (a) Enter into a purchasing agreement with a city or county;
- (b) Sell finished compost to meet this requirement; or
- (c) Accept or process food waste or compostable products.

## **PART 7 MISCELLANEOUS**

NEW SECTION. **Sec. 701.** WORK GROUP TO STUDY FOOD DONATION BY BUSINESSES. (1) The

department of ecology's center for sustainable food management created in chapter 70A.207 RCW must convene a work group to address mechanisms to improve the rescue of edible food waste from commercial generators, including food service, retail establishments, and processors that generate excess supply of edible food. The work group must consider:

(a) Logistics to phase in edible food donation programs, including incentives;

(b) The food recovery network systems necessary to support increased donation of edible food by commercial generators;

(c) Assess asset gaps and food infrastructure development needs. The work group must also facilitate the creation of networks and partnerships to address gaps and needs and develop innovative partnerships and models where appropriate; and

(d) Actions taken, costs, and lessons learned by other jurisdictions in the United States that have enacted policies focused on reducing edible commercially generated food waste and from voluntary pilot projects carried out by commercial generators of food waste.

(2) The department of ecology must submit a report to the legislature by September 1, 2025, containing the recommendations of the work group. The work group shall make recommendations using consensus-based decision making. All meetings of the work group must be carried out in a virtual-only format. The report must include recommendations where general stakeholder consensus has been achieved and note varied opinions where stakeholder consensus has not been achieved.

(3) The department of ecology must select at least one member to the work group from each of the following:

(a) Cities, including both small and large cities and cities located in urban and rural counties, which may be represented by an association that represents cities in Washington;

(b) Counties, including both small and large counties and urban and rural counties, which may be represented by an association that represents county solid waste managers in Washington;

(c) An environmental nonprofit organization that specializes in waste and recycling issues;

(d) A statewide organization representing hospitality businesses;

(e) A retail grocery association;

(f) The department of ecology;

(g) Two different nonprofit organizations that specialize in food recovery and hunger issues;

(h) Three different hunger relief organizations that represent diverse needs from throughout the state;

(i) The department of agriculture;

(j) The office of the superintendent of public instruction;

(k) The department of health;

(l) One large and one small food distribution company;

(m) An organization representing food processors;

(n) An organization representing food producers;

(o) A technology company currently focused on food rescue in Washington; and

(p) Two open seats for appointed members of the work group to nominate for department of ecology appointment if gaps in membership are identified.

NEW SECTION. **Sec. 702.** SEVERABILITY CLAUSE. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 703.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 3 of the title, after "systems;" strike the remainder of the title and insert "amending RCW 70A.207.020, 70A.214.100, 70A.205.540, 70A.205.545, 70A.455.040, 70A.455.070, 70A.455.090, 15.04.420, and 43.19A.150; adding new sections to chapter 70A.207 RCW; adding a new section to chapter 43.23 RCW; adding a new section to chapter 70A.455 RCW; and creating new sections."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2301 and advanced the bill, as amended by the Senate, to final passage.

Representative Doglio spoke in favor of the passage of the bill.

Representative Dye spoke against the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2301, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2301, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 57; Nays, 36; Absent, 0; Excused, 4

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters and Ybarra

Excused: Representatives Chandler, Maycumber, Ramos and Wilcox

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2301, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2384, with the following amendment(s): 2384-S.E AMS ENGR S5627.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 46.63 RCW to read as follows:

The definitions in this section apply throughout this section and sections 2 through 6 of this act unless the context clearly requires otherwise.

(1) "Automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system, a railroad grade crossing control system, or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the front or rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal or an activated railroad grade crossing control signal, or exceeds a speed limit as detected by a speed measuring device. "Automated traffic safety camera" also includes a device used to detect stopping at intersection or crosswalk violations; stopping when traffic obstructed violations; public transportation only lane violations; stopping or traveling in restricted lane violations; and public transportation bus stop zone violations detected by a public transportation vehicle-mounted system.

(2) "Hospital speed zone" means the marked area within hospital property and extending 300 feet from the border of the hospital property (a) consistent with hospital use; and (b) where signs are posted to indicate the location is within a hospital speed zone, where "hospital" has the same meaning as in RCW 70.41.020.

(3) "Public park speed zone" means the marked area within public park property and extending 300 feet from the border of the public park property (a) consistent with active park use; and (b) where signs are posted to indicate the location is within a public park speed zone.

(4) "Public transportation vehicle" means any motor vehicle, streetcar, train, trolley vehicle, ferry boat, or any other device, vessel, or vehicle that is owned or operated by a transit authority or an entity providing service on behalf of a transit authority that is used for the purpose of carrying passengers and that operates on established routes. "Transit authority" has

the same meaning as provided in RCW 9.91.025.

(5) "Roadway work zone" means an area of any city roadway, including state highways that are also classified as city streets under chapter 47.24 RCW, or county road as defined in RCW 46.04.150, with construction, maintenance, or utility work with a duration of 30 calendar days or more. A roadway work zone is identified by the placement of temporary traffic control devices that may include signs, channelizing devices, barriers, pavement markings, and/or work vehicles with warning lights. A roadway work zone extends from the first warning sign or high intensity rotating, flashing, oscillating, or strobe lights on a vehicle to the end road work sign or the last temporary traffic control device or vehicle.

(6) "School speed zone" has the same meaning as described in RCW 46.61.440 (1) and (2).

(7) "School walk zone" means a roadway identified under RCW 28A.160.160 or roadways within a one-mile radius of a school that students use to travel to school by foot, bicycle, or other means of active transportation.

NEW SECTION. **Sec. 2.** A new section is added to chapter 46.63 RCW to read as follows:

(1) Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

(2) Any city or county may authorize the use of automated traffic safety cameras and must adopt an ordinance authorizing such use through its local legislative authority.

(3) The local legislative authority must prepare an analysis of the locations within the jurisdiction where automated traffic safety cameras are proposed to be located before adding traffic safety cameras to a new location or relocating any existing camera to a new location within the jurisdiction. The analysis must include equity considerations including the impact of the camera placement on livability, accessibility, economics, education, and environmental health when identifying where to locate an automated traffic safety camera. The analysis must also show a demonstrated need for traffic cameras based on one or more of the following in the vicinity of the proposed camera location: Travel by vulnerable road users, evidence of vehicles speeding, rates of collision, reports showing near collisions, and anticipated or actual ineffectiveness or infeasibility of other mitigation measures.

(4) Automated traffic safety cameras may not be used on an on-ramp to a limited access facility as defined in RCW 47.52.010.

(5) A city may use automated traffic safety cameras to enforce traffic ordinances in this section on state highways that are also classified as city streets under chapter 47.24 RCW. A city government must notify the department of transportation when it installs an automated traffic safety

camera to enforce traffic ordinances as authorized in this subsection.

(6)(a) At a minimum, a local ordinance adopted pursuant to this section must contain the restrictions described in this section and provisions for public notice and signage. Cities and counties must also post such restrictions and other automated traffic safety camera policies on the city's or county's website. Cities and counties using automated traffic safety cameras before July 24, 2005, are subject to the restrictions described in this section, but are not required to adopt an authorizing ordinance.

(b)(i) Cities and counties using automated traffic safety cameras must post an annual report on the city's or county's website of the number of traffic crashes that occurred at each location where an automated traffic safety camera is located, as well as the number of notices of infraction issued for each camera. Beginning January 1, 2026, the annual report must include the percentage of revenues received from fines issued from automated traffic safety camera infractions that were used to pay for the costs of the automated traffic safety camera program and must describe the uses of revenues that exceeded the costs of operation and administration of the automated traffic safety camera program by the city or county.

(ii) The Washington traffic safety commission must provide an annual report to the transportation committees of the legislature, and post the report to its website for public access, beginning July 1, 2026, that includes aggregated information on the use of automated traffic safety cameras in the state that includes an assessment of the impact of their use, information required in city and county annual reports under (b)(i) of this subsection, and information on the number of automated traffic safety cameras in use by type and location, with an analysis of camera placement in the context of area demographics and household incomes. To the extent practicable, the commission must also provide in its annual report the number of traffic accidents, speeding violations, single vehicle accidents, pedestrian accidents, and driving under the influence violations that occurred at each location where an automated traffic safety camera is located in the five years before each camera's authorization and after each camera's authorization. Cities and counties using automated traffic safety cameras must provide the commission with the data it requests for the report required under this subsection in a form and manner specified by the commission.

(7) All locations where an automated traffic safety camera is used on roadways or intersections must be clearly marked by placing signs at least 30 days prior to activation of the camera in locations that clearly indicate to a driver either that: (a) The driver is within an area where automated traffic safety cameras are authorized; or (b) the driver is entering an area where violations are enforced by an automated traffic safety camera. The signs must be readily visible to a driver

approaching an automated traffic safety camera. Signs placed in automated traffic safety camera locations after June 7, 2012, must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW. All public transportation vehicles utilizing a vehicle-mounted system must post a sign on the rear of the vehicle indicating to drivers that the vehicle is equipped with an automated traffic safety camera to enforce bus stop zone violations.

(8) Automated traffic safety cameras may only record images of the vehicle and vehicle license plate and only while an infraction is occurring. The image must not reveal the face of the driver or of passengers in the vehicle. The primary purpose of camera placement is to record images of the vehicle and vehicle license plate when an infraction is occurring. Cities and counties must consider installing automated traffic safety cameras in a manner that minimizes the impact of camera flash on drivers.

(9) A notice of infraction must be mailed to the registered owner of the vehicle within 14 days of the violation, or to the renter of a vehicle within 14 days of establishing the renter's name and address under subsection (17) of this section. The notice of infraction must include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

(10) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(d) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (17) of this section. If appropriate under the circumstances, a renter identified under subsection (17)(a) of this section is responsible for an infraction.

(11) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images, or any other personally identifying data prepared under this section are for the exclusive use of authorized city or county employees, as specified in RCW 46.63.030(1)(d), in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image, or any other personally

identifying data may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section. Transit authorities must provide to the appropriate local jurisdiction that has authorized traffic safety camera use under section 6(2) of this act any images or evidence collected establishing that a violation of stopping, standing, or parking in a bus stop zone has occurred for infraction processing purposes consistent with this section.

(12) If a county or city has established an automated traffic safety camera program as authorized under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment. If the contract between the city or county and manufacturer or vendor of the equipment does not provide for performance or quality control measures regarding camera images, the city or county must perform a performance audit of the manufacturer or vendor of the equipment every three years to review and ensure that images produced from automated traffic safety cameras are sufficient for evidentiary purposes as described in subsection (9) of this section.

(13)(a) Except as provided in (d) of this subsection, a county or a city may only use revenue generated by an automated traffic safety camera program as authorized under this section for:

(i) Traffic safety activities related to construction and preservation projects and maintenance and operations purposes including, but not limited to, projects designed to implement the complete streets approach as defined in RCW 47.04.010, changes in physical infrastructure to reduce speeds through road design, and changes to improve safety for active transportation users, including improvements to access and safety for road users with mobility, sight, or other disabilities; and

(ii) The cost to administer, install, operate, and maintain the automated traffic safety cameras, including the cost of processing infractions.

(b) Except as provided in (d) of this subsection:

(i) The automated traffic safety camera program revenue used by a county or city with a population of 10,000 or more for purposes described in (a)(i) of this subsection must include the use of revenue in census tracts of the city or county that have household incomes in the lowest quartile determined by the most currently available census data and areas that experience rates of injury crashes that are above average for the city or county. Funding contributed from traffic safety program revenue must be, at a minimum, proportionate to the share of the population of the county or city who are residents of these low-income communities and communities experiencing high injury crash rates. This share must be directed to investments that provide direct and meaningful traffic safety benefits to these communities. Revenue used

to administer, install, operate, and maintain automated traffic safety cameras, including the cost of processing infractions, are excluded from determination of the proportionate share of revenues under this subsection (13)(b); and

(ii) The automated traffic safety camera program revenue used by a city or county with a population under 10,000 for traffic safety activities under (a)(i) of this subsection must be informed by the department of health's environmental health disparities map.

(c) Except as provided in (d) of this subsection, beginning four years after an automated traffic safety camera authorized under this section is initially placed and in use after the effective date of this section, 25 percent of the noninterest money received for infractions issued by such cameras in excess of the cost to administer, install, operate, and maintain the cameras, including the cost of processing infractions, must be deposited into the Cooper Jones active transportation safety account created in RCW 46.68.480.

(d)(i)(A) Jurisdictions with an automated traffic safety camera program in effect before January 1, 2024, may continue to allocate revenue generated from automated traffic safety cameras authorized under sections 3 and 5(2)(c) of this act as determined by the jurisdiction, as well as for the purposes established in (a) through (c) of this subsection, by:

(I) Up to a 10 percent increase in the number of traffic safety camera locations authorized to detect violations for automated traffic safety cameras authorized under section 3 of this act; and

(II) Up to a 10 percent increase in the number of traffic safety camera locations authorized to detect violations for automated traffic safety cameras authorized under section 5(2)(c) of this act.

(B)(I) Any automated traffic safety camera program in effect before January 1, 2024, with fewer than 10 traffic safety camera locations for automated traffic safety cameras authorized under section 3 of this act, which adds automated traffic safety cameras to one additional location for the use of cameras authorized under section 3 of this act, may continue to allocate revenue generated from automated traffic safety cameras authorized under section 3 of this act as determined by the jurisdiction, as well as for the purposes established in (a) through (c) of this subsection.

(II) Any automated traffic safety camera program in effect before January 1, 2024, with fewer than 10 traffic safety camera locations for automated traffic safety cameras authorized under section 5(2)(c) of this act as of January 1, 2024, which adds automated traffic safety cameras to one additional location for the use of cameras authorized under section 5(2)(c) of this act, may continue to allocate revenue generated from automated traffic safety cameras authorized under section 5(2)(c) of this act as determined by the jurisdiction, as well as for the purposes established in (a) through (c) of this subsection.

(C) For the purposes of this subsection (13)(d)(i), a location is:

(I) An intersection for automated traffic safety cameras authorized under section 3 of this act where cameras authorized under section 3 of this act are in use; and

(II) A school speed zone for automated traffic safety cameras authorized under section 5(2)(c) of this act where cameras authorized under section 5(2)(c) of this act are in use.

(ii) The revenue distribution requirements under (a) through (d)(i) of this subsection do not apply to automated traffic safety camera programs in effect before January 1, 2024, for which an ordinance in effect as of January 1, 2024, directs the manner in which revenue generated from automated traffic safety cameras authorized under section 3 or 5(2)(c) of this act must be used.

(14) A county or city may adopt the use of an online ability-to-pay calculator to process and grant requests for reduced fines or reduced civil penalties for automated traffic safety camera violations.

(15) Except as provided in this subsection, registered owners of vehicles who receive notices of infraction for automated traffic safety camera-enforced infractions and are recipients of public assistance under Title 74 RCW or participants in the Washington women, infants, and children program, and who request reduced penalties for infractions detected through the use of automated traffic safety camera violations, must be granted reduced penalty amounts of 50 percent of what would otherwise be assessed for a first automated traffic safety camera violation and for subsequent automated traffic safety camera violations issued within 21 days of issuance of the first automated traffic safety camera violation. Eligibility for medicaid under RCW 74.09.510 is not a qualifying criterion under this subsection. Registered owners of vehicles who receive notices of infraction must be provided with information on their eligibility and the opportunity to apply for a reduction in penalty amounts through the mail or internet.

(16) Infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras under this section must be processed in the same manner as parking infractions, including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(2). The amount of the fine issued for an infraction generated through the use of an automated traffic safety camera may not exceed \$145, as adjusted for inflation by the office of financial management every five years, beginning January 1, 2029, based upon changes in the consumer price index during that time period, but may be doubled for a school speed zone infraction generated through the use of an automated traffic safety camera.

(17) If the registered owner of the vehicle is a rental car business, the issuing agency must, before a notice of

infraction being issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 18 days of receiving the written notice, provide to the issuing agency by return mail:

(a) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

(b) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(c) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty. Timely mailing of this statement to the issuing agency relieves a rental car business of any liability under this chapter for the notice of infraction.

**NEW SECTION. Sec. 3.** A new section is added to chapter 46.63 RCW to read as follows:

(1) Automated traffic safety cameras may be used to detect stoplight violations, subject to section 2 of this act.

(2) Automated traffic safety cameras used to detect stoplight violations are restricted to intersections of two or more arterials with traffic control signals that have yellow change interval durations in accordance with RCW 47.36.022, which interval durations may not be reduced after placement of the camera.

**NEW SECTION. Sec. 4.** A new section is added to chapter 46.63 RCW to read as follows:

(1) Automated traffic safety cameras may be used to detect railroad grade crossing violations, subject to section 2 of this act.

(2) Automated traffic safety cameras at railroad grade crossings may be used only to detect instances when a vehicle fails to stop when facing an activated railroad grade crossing control signal.

**NEW SECTION. Sec. 5.** A new section is added to chapter 46.63 RCW to read as follows:

(1) Automated traffic safety cameras may be used to detect speed violations, subject to section 2 of this act.

(2) Automated traffic safety cameras may be used to detect speed violations within the following locations:

- (a) Hospital speed zones;
- (b) Public park speed zones;
- (c) School speed zones;
- (d) School walk zones;

(e) Roadway work zones, except that a notice of infraction may only be issued if an automated traffic safety camera captures a speed violation when workers are present; and

(f) State highways within city limits that are classified as city streets under chapter 47.24 RCW.

(3) In addition to the automated traffic safety cameras that may be authorized for specified zones or roads in subsection (2) of this section, the local legislative authority may authorize the use of one additional automated traffic safety camera per 10,000 population to detect speed violations in locations deemed by the local legislative authority to experience higher crash risks due to excessive vehicle speeds. For automated traffic safety cameras authorized to detect speed violations as part of a pilot program prior to the effective date of this section, the location must be deemed by a local legislative authority to have experienced higher crash risks due to excessive vehicle speeds prior to installation of the automated traffic safety camera.

(4) Notices of infraction for automated traffic safety camera-detected speed violations may not be issued to the registered vehicle owner of:

(a) A marked fire engine equipped with emergency lights and siren; or

(b) An ambulance licensed by the department of health and equipped with emergency lights and siren.

**NEW SECTION. Sec. 6.** A new section is added to chapter 46.63 RCW to read as follows:

(1)(a) Subject to section 2 of this act and as limited in this subsection, automated traffic safety cameras may be used in cities with populations of more than 500,000 residents to detect one or more of the following violations:

(i) Stopping when traffic obstructed violations;

(ii) Stopping at intersection or crosswalk violations;

(iii) Public transportation only lane violations; or

(iv) Stopping or traveling in restricted lane violations.

(b) Use of automated traffic safety cameras as authorized in this subsection (1) is restricted to the following locations only: Intersections as described in section 3(2) of this act; railroad grade crossings; school speed zones; school walk zones; public park speed zones; hospital speed zones; and midblock on arterials. The use of such automated traffic safety cameras is further limited to the following:

(i) The portion of state and local roadways in downtown areas of the city used for office and commercial activities, as well as retail shopping and support services, and that may include mixed residential uses;

(ii) The portion of state and local roadways in areas in the city within one-half mile north of the boundary of the area described in (b)(i) of this subsection;

(iii) Portions of roadway systems in the city that travel into and out of (b)(ii) of this subsection that are designated by the Washington state department of transportation as noninterstate freeways for up to four miles; and

(iv) Portions of roadway systems in the city connected to the portions of the noninterstate freeways identified in (b) (iii) of this subsection that are designated by the Washington state department of transportation as arterial roadways for up to one mile from the intersection of the arterial roadway and the noninterstate freeway.

(2) Subject to section 2 of this act, automated traffic safety cameras may also be used in cities with a bus rapid transit corridor or routes to detect public transportation only lane violations.

(3) Subject to section 2 of this act, automated traffic safety cameras that are part of a public transportation vehicle-mounted system may be used by a transit authority within a county with a population of more than 1,500,000 residents to detect stopping, standing, or parking in bus stop zone violations if authorized by the local legislative authority with jurisdiction over the transit authority.

(4) Subject to section 2 of this act, and in consultation with the department of transportation, automated traffic safety cameras may be used to detect ferry queue violations under RCW 46.61.735.

(5) A transit authority may not take disciplinary action regarding a warning or infraction issued pursuant to subsections (1) through (3) of this section against an employee who was operating a public transportation vehicle at the time the violation that was the basis of the warning or infraction was detected.

**Sec. 7.** RCW 46.16A.120 and 2012 c 83 s 5 are each amended to read as follows:

(1) Each court and government agency located in this state having jurisdiction over standing, stopping, and parking violations, the use of a photo toll system under RCW 46.63.160, the use of automated traffic safety cameras under (RCW 46.63.170) sections 2 through 6 of this act, and the use of automated school bus safety cameras under RCW 46.63.180 may forward to the department any outstanding:

(a) Standing, stopping, and parking violations;

(b) Civil penalties for toll nonpayment detected through the use of photo toll systems issued under RCW 46.63.160;

(c) Automated traffic safety camera infractions issued under RCW 46.63.030(1) (d); and

(d) Automated school bus safety camera infractions issued under RCW 46.63.030(1) (e).

(2) Violations, civil penalties, and infractions described in subsection (1) of this section must be reported to the department in the manner described in RCW 46.20.270(3).

(3) The department shall:

(a) Record the violations, civil penalties, and infractions on the matching vehicle records; and

(b) Send notice approximately ((one hundred twenty)) 120 days in advance of the current vehicle registration expiration date to the registered owner listing the dates and jurisdictions in which the violations,

civil penalties, and infractions occurred, the amounts of unpaid fines and penalties, and the surcharge to be collected. Only those violations, civil penalties, and infractions received by the department ((one hundred twenty)) 120 days or more before the current vehicle registration expiration date will be included in the notice. Violations, civil penalties, and infractions received by the department later than ((one hundred twenty)) 120 days before the current vehicle registration expiration date that are not satisfied will be delayed until the next vehicle registration expiration date.

(4) The department, county auditor or other agent, or subagent appointed by the director shall not renew a vehicle registration if there are any outstanding standing, stopping, and parking violations, and other civil penalties issued under RCW 46.63.160 for the vehicle unless:

(a) The outstanding standing, stopping, or parking violations and civil penalties were received by the department within ((one hundred twenty)) 120 days before the current vehicle registration expiration;

(b) There is a change in registered ownership; or

(c) The registered owner presents proof of payment of each violation, civil penalty, and infraction provided in this section and the registered owner pays the surcharge required under RCW 46.17.030.

(5) The department shall:

(a) Forward a change in registered ownership information to the court or government agency who reported the outstanding violations, civil penalties, or infractions; and

(b) Remove the outstanding violations, civil penalties, and infractions from the vehicle record.

**Sec. 8.** RCW 46.63.030 and 2023 c 17 s 1 are each amended to read as follows:

(1) A law enforcement officer has the authority to issue a notice of traffic infraction:

(a) When the infraction is committed in the officer's presence, except as provided in RCW 46.09.485;

(b) When the officer is acting upon the request of a law enforcement officer in whose presence the traffic infraction was committed;

(c) If an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction;

(d) When the infraction is detected through the use of an automated traffic safety camera under ((RCW 46.63.170)) sections 2 through 6 of this act. A trained and authorized civilian employee of a general authority Washington law enforcement agency, as defined in RCW 10.93.020, or an employee of a local public works or transportation department performing under the supervision of a qualified traffic engineer and as designated by a city or county, has the authority to review infractions detected through the use of an automated traffic safety camera under sections 2 through 6 of this act and to



issue notices of infraction consistent with section 2(9) of this act. These employees must be sufficiently trained and certified in reviewing infractions and issuing notices of infraction by qualified peace officers or by traffic engineers employed in the jurisdiction's public works or transportation department. Nothing in this subsection impairs decision and effects collective bargaining rights under chapter 41.56 RCW;

(e) When the infraction is detected through the use of an automated school bus safety camera under RCW 46.63.180. A trained and authorized civilian employee of a general authority Washington law enforcement agency, as defined in RCW 10.93.020, or an employee of a local public works or transportation department performing under the supervision of a qualified traffic engineer and as designated by a city or county, has the authority to review infractions detected through the use of an automated school bus safety camera under RCW 46.63.180 and to issue notices of infraction consistent with RCW 46.63.180(1)(b). These employees must be sufficiently trained and certified in reviewing infractions and issuing notices of infraction by qualified peace officers or by traffic engineers employed in the jurisdiction's public works or transportation department. Nothing in this subsection impairs decision and effects collective bargaining rights under chapter 41.56 RCW; or

(f) When the infraction is detected through the use of a speed safety camera system under RCW 46.63.200.

(2) A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.

(3) If any motor vehicle without a driver is found parked, standing, or stopped in violation of this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution, the officer finding the vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of traffic infraction.

(4) In the case of failure to redeem an abandoned vehicle under RCW 46.55.120, upon receiving a complaint by a registered tow truck operator that has incurred costs in removing, storing, and disposing of an abandoned vehicle, an officer of the law enforcement agency responsible for directing the removal of the vehicle shall send a notice of infraction by certified mail to the last known address of the person responsible under RCW 46.55.105. The notice must be entitled "Littering—Abandoned Vehicle" and give notice of the monetary penalty. The officer shall append to the notice of infraction, on a form prescribed by the department of licensing, a notice indicating the amount of costs incurred as a result of removing, storing, and disposing of the abandoned vehicle, less any amount realized at auction, and a statement that monetary penalties for the infraction will

not be considered as having been paid until the monetary penalty payable under this chapter has been paid and the court is satisfied that the person has made restitution in the amount of the deficiency remaining after disposal of the vehicle.

**Sec. 9.** RCW 46.63.180 and 2013 c 306 s 716 are each amended to read as follows:

(1) School districts may install and operate automated school bus safety cameras on school buses to be used for the detection of violations of RCW 46.61.370(1) if the use of the cameras is approved by a vote of the school district board of directors. School districts are not required to take school buses out of service if the buses are not equipped with automated school bus safety cameras or functional automated safety cameras. Further, school districts shall be held harmless from and not liable for any criminal or civil liability arising under the provisions of this section.

(a) Automated school bus safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle.

(b) A notice of infraction must be mailed to the registered owner of the vehicle within ~~((fourteen))~~ 14 days of the violation, or to the renter of a vehicle within ~~((fourteen))~~ 14 days of establishing the renter's name and address under subsection (2)(a)(i) of this section. The ~~((law enforcement officer issuing the))~~ notice of infraction ~~((shall))~~ must also include a certificate or facsimile of the notice, based upon inspection of photographs, microphotographs, or electronic images produced by an automated school bus safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated school bus safety camera may respond to the notice by mail.

(c) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(e) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (2) of this section. If appropriate under the circumstances, a renter identified under subsection (2)(a)(i) of this section is responsible for an infraction.

(d) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images prepared under this section are for the exclusive use of ~~((law enforcement))~~ authorized city or county employees, as specified in RCW 46.63.030(1)(e), in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending

action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.

(e) If a school district installs and operates an automated school bus safety camera under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment. Further, any repair, replacement, or administrative work costs related to installing or repairing automated school bus safety cameras must be solely paid for by the manufacturer or vendor of the cameras. Before entering into a contract with the manufacturer or vendor of the equipment used under this subsection (1)(e), the school district must follow the competitive bid process as outlined in RCW 28A.335.190(1).

(f) Any revenue collected from infractions detected through the use of automated school bus safety cameras, less the administration and operating costs of the cameras, must be remitted to school districts for school zone safety projects as determined by the school district using the automated school bus safety cameras. The administration and operating costs of the cameras includes infraction enforcement and processing costs that are incurred by local law enforcement or local courts. During the 2013-2015 fiscal biennium, the infraction revenue may also be used for school bus safety projects by those school districts eligible to apply for funding from the school zone safety account appropriation in section 201, chapter 306, Laws of 2013.

(2)(a) If the registered owner of the vehicle is a rental car business, the (~~law enforcement~~) issuing agency shall, before a notice of infraction is issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within (~~eighteen~~) 18 days of receiving the written notice, provide to the issuing agency by return mail:

(i) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred;

(ii) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection (2)(a)(ii) must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(iii) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.

(b) Timely mailing of a statement under this subsection to the issuing (~~law enforcement~~) agency relieves a rental car

business of any liability under this chapter for the notice of infraction.

(3) For purposes of this section, "automated school bus safety camera" means a device that is affixed to a school bus that is synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a vehicle at the time the vehicle is detected for an infraction identified in RCW 46.61.370(1).

**Sec. 10.** RCW 46.63.075 and 2023 c 17 s 2 are each amended to read as follows:

(1) In a traffic infraction case involving an infraction detected through the use of an automated traffic safety camera under (~~RCW 46.63.170~~) sections 2 through 6 of this act, detected through the use of a speed safety camera system under RCW 46.63.200, or detected through the use of an automated school bus safety camera under RCW 46.63.180, proof that the particular vehicle described in the notice of traffic infraction was in violation of any such provision of sections 2 through 6 of this act or RCW (~~46.63.170~~) 46.63.200(~~r~~) and 46.63.180, together with proof that the person named in the notice of traffic infraction was at the time of the violation the registered owner of the vehicle, constitutes in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred.

(2) This presumption may be overcome only if the registered owner states, under oath, in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner.

**Sec. 11.** RCW 46.68.480 and 2023 c 431 s 8 are each amended to read as follows:

The Cooper Jones active transportation safety account is created in the state treasury. All receipts from penalties collected under (~~RCW 46.63.170~~) section 2(13)(c) of this act and funds designated by the legislature shall be deposited into the account. Expenditures from the account may be used only to fund grant projects or programs for bicycle, pedestrian, and nonmotorist safety improvement administered by the Washington traffic safety commission. By December 1, 2024, and every two years thereafter, the commission shall report to the transportation committees of the legislature regarding the activities funded from the account. The account is subject to allotment procedures under chapter 43.88 RCW. Moneys in the account may be spent only after appropriation.

NEW SECTION. **Sec. 12.** RCW 46.63.170 (Automated traffic safety cameras— Definition) and 2022 c 182 s 424, 2022 c 182 s 423, 2020 c 224 s 1, 2015 3rd sp.s. c 44 s 406, 2015 1st sp.s. c 10 s 702, & 2013 c 306 s 711 are each repealed."

On page 1, line 1 of the title, after "cameras;" strike the remainder of the title

and insert "amending RCW 46.16A.120, 46.63.030, 46.63.180, 46.63.075, and 46.68.480; adding new sections to chapter 46.63 RCW; and repealing RCW 46.63.170."

and the same is herewith transmitted.

Sarah Bannister, Secretary

### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2384 and advanced the bill, as amended by the Senate, to final passage.

Representative Donaghy spoke in favor of the passage of the bill.

Representative Barkis spoke against the passage of the bill.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2384, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2384, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 55; Nays, 38; Absent, 0; Excused, 4

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Callan, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Goodman, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters and Ybarra

Excused: Representatives Chandler, Maycumber, Ramos and Wilcox

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2384, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2441, with the following amendment(s): 2441-S.E AMS WM S5572.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.10 RCW to read as follows:

(1) Subject to the amounts appropriated for this specific purpose, the student achievement council shall select a private,

not-for-profit four-year institution as defined in RCW 28B.07.020(4) with a main campus located in Yakima county and who serves rural or underserved communities to participate in a pilot program to offer college in the high school courses at no cost to the students enrolling in the courses.

(2) The student achievement council shall distribute funds to the pilot institution at a rate of \$300 per student, up to a maximum of \$6,000 per college in the high school course administered by the pilot institution.

(3) College in the high school courses shall not include content or instruction that would subject students to religious behavior or conduct by the pilot institution or its faculty.

(4)(a) The pilot institution shall provide the following information to the student achievement council by November 1, 2025, and annually thereafter:

(i) College in the high school courses offered, including:

(A) The name of each course;

(B) The number of courses offered;

(C) The specific locations where the courses are taught; and

(D) Student enrollment information disaggregated by school districts and high schools;

(ii) Data on college in the high school student demographics;

(iii) Awards of postsecondary credit at the pilot institution; and

(iv) The academic performance of students taking the offered college in the high school courses.

(b) The student achievement council shall compile the information provided in (a) of this subsection and provide a report to the legislature by December 1, 2025, and annually thereafter, in compliance with RCW 43.01.036.

(5) As used in this section:

(a) "Course" means a class taught under a contract between an institution and a single high school teacher on an articulated subject in which the student is eligible to receive college credit.

(b) "High school" means a public school, as defined in RCW 28A.150.010, that serves students in any of grades nine through 12.

(6) This section expires December 31, 2030.

NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.10 RCW to read as follows:

(1) In administering section 1 of this act, the student achievement council shall adopt rules which allow for each institution of higher education to annually sign an affidavit that the institution has adopted policies in compliance with this section. The affidavit must attest to the following nondiscrimination policies:

(a) The institution prohibits discrimination on the basis of race, creed, color, national origin, citizenship or immigration status, sex, veteran or military status, sexual orientation, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide

or service animal by a person with a disability;

(b) The institution operates its education program or activity in a manner free of discrimination. No student may be excluded from participation in an education program or activity, denied the benefits of an education program or activity, or subjected to discrimination on the basis of that student's age, sex, marital status, sexual orientation, race, creed, color, national origin, citizenship or immigration status, veteran or military status, or the presence of any sensory mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, unless based upon bona fide qualification of the education program; and

(c) The institution, acting in its capacity as an employer, does not:

(i) Refuse to hire, promote, or confer tenure to any person because of age, sex, marital status, sexual orientation, race, creed, color, national origin, citizenship or immigration status, veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, unless based upon bona fide occupational qualification. However, the prohibition against discrimination because of a disability in this subsection (1)(c)(i) does not apply if the particular disability prevents the proper performance of the particular work involved. This subsection may not be construed to require an employer to establish employment goals or quotas based on sexual orientation;

(ii) Discharge or bar any person from employment because of age, sex, marital status, sexual orientation, race, creed, color, national origin, citizenship or immigration status, veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability;

(iii) Discriminate against any person in compensation or in other terms or conditions of employment because of age, sex, marital status, sexual orientation, race, creed, color, national origin, citizenship or immigration status, veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability. However, this section does not prohibit an employer from segregating wash rooms or locker room facilities on the basis of sex, or basing other terms and conditions of employment on the sex of employees where the Washington state human rights commission, created under chapter 49.60 RCW, has by regulation or ruling in a particular instance found the employment practice to be appropriate for the practical realization of equality of opportunity between the sexes; or

(iv) Print or circulate, or cause to be printed or circulated, any statement, advertisement, or publication, or use any form of application for employment, or make any inquiry in connection with prospective employment, which expresses any limitation, specification, or discrimination as to age,

sex, marital status, sexual orientation, race, creed, color, national origin, citizenship or immigration status, veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability; or any intent to make any such limitation, specification, or discrimination, unless based upon a bona fide occupational qualification. However, nothing in this subsection prohibits advertising in a foreign language.

(2) Participation in theology academic programs and campus ministry departments, including the employment, promotion, or granting of tenure of faculty members for courses of study in theology, is exempt from the requirements under this section.

(3) Institutions of higher education that take no action regarding the signing of the affidavit are ineligible to participate in the pilot program in section 1 of this act."

On page 1, line 2 of the title, after "institutions;" strike the remainder of the title and insert "adding new sections to chapter 28B.10 RCW; and providing an expiration date."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2441 and advanced the bill, as amended by the Senate, to final passage.

Representatives Corry and Bergquist spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2441, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2441, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Maycumber, Ramos and Wilcox

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2441, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**\*\*FORMAT CHANGED TO ACCOMMODATE TEXT\*\***

**MESSAGE FROM THE SENATE**

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2494, with the following amendment(s): 2494-S.E AMS EDU S5365.1

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that schools are facing increased operating costs to serve students and staff. Some of these increases are beyond inflationary adjustments and reflect the evolving needs and requirements of schools. Therefore, the legislature intends to increase funding for materials, supplies, and operating costs in schools to address evolving operational needs.

**Sec. 2.** RCW 28A.150.260 and 2023 c 379 s 6 are each amended to read as follows:

The purpose of this section is to provide for the allocation of state funding that the legislature deems necessary to support school districts in offering the minimum instructional program of basic education under RCW 28A.150.220. The allocation shall be determined as follows:

(1) The governor shall and the superintendent of public instruction may recommend to the legislature a formula for the distribution of a basic education instructional allocation for each common school district.

(2) (a) The distribution formula under this section shall be for allocation purposes only. Except as may be required under subsections (4) (b) and (c), (5) (b), (8), and (9) of this section, chapter 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in this section requires school districts to use basic education instructional funds to implement a particular instructional approach or service. Nothing in this section requires school districts to maintain a particular classroom teacher-to-student ratio or other staff-to-student ratio or to use allocated funds to pay for particular types or classifications of staff. Nothing in this section entitles an individual teacher to a particular teacher planning period.

(b) To promote transparency in state funding allocations, the superintendent of public instruction must report state per-pupil allocations for each school district for the general apportionment, special education, learning assistance, transitional bilingual, highly capable, and career and technical education programs. The superintendent must report this information in a user-friendly format on the main page of the office's website. School districts must include a link to the superintendent's per-pupil allocations report on the main page of the school district's website. In addition, the budget documents published by the legislature for the enacted omnibus operating appropriations act must report statewide average per-pupil allocations for general apportionment and the categorical programs listed in this subsection.

(3) (a) To the extent the technical details of the formula have been adopted by the legislature and except when specifically provided as a school district allocation, the distribution formula for the basic education instructional allocation shall be based on minimum staffing and nonstaff costs the legislature deems necessary to support instruction and operations in prototypical schools serving high, middle, and elementary school students as provided in this section. The use of prototypical schools for the distribution formula does not constitute legislative intent that schools should be operated or structured in a similar fashion as the prototypes. Prototypical schools illustrate the level of resources needed to operate a school of a particular size with particular types and grade levels of students using commonly understood terms and inputs, such as class size, hours of instruction, and various categories of school staff. It is the intent that the funding allocations to school districts be adjusted from the school prototypes based on the actual number of annual average full-time equivalent students in each grade level at each school in the district and not based on the grade-level configuration of the school to the extent that data is available. The allocations shall be further adjusted from the school prototypes with minimum allocations for small schools and to reflect other factors identified in the omnibus appropriations act.

(b) For the purposes of this section, prototypical schools are defined as follows:

(i) A prototypical high school has 600 average annual full-time equivalent students in grades nine through 12;

(ii) A prototypical middle school has 432 average annual full-time equivalent students in grades seven and eight; and

(iii) A prototypical elementary school has 400 average annual full-time equivalent students in grades kindergarten through six.

(4) (a) (i) The minimum allocation for each level of prototypical school shall be based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours under RCW 28A.150.220 and provide at least one

teacher planning period per school day, and based on the following general education average class size of full-time equivalent students per teacher:

	General education average class size
Grades K-3. . . . .	17.00
Grade 4. . . . .	27.00
Grades 5-6. . . . .	27.00
Grades 7-8. . . . .	28.53
Grades 9-12. . . . .	28.74

(ii) The minimum class size allocation for each prototypical high school shall also provide for enhanced funding for class size reduction for two laboratory science classes within grades nine through 12 per full-time equivalent high school student multiplied by a laboratory science course factor of 0.0833, based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours in RCW 28A.150.220, and providing at least one teacher planning period per school day:

	Laboratory science average class size
Grades 9-12. . . . .	19.98

(b)(i) Beginning September 1, 2019, funding for average K-3 class sizes in this subsection (4) may be provided only to the extent of, and proportionate to, the school district's demonstrated actual class size in grades K-3, up to the funded class sizes.

(ii) The office of the superintendent of public instruction shall develop rules to implement this subsection (4)(b).

(c)(i) The minimum allocation for each prototypical middle and high school shall also provide for full-time equivalent classroom teachers based on the following number of full-time equivalent students per teacher in career and technical education:

	Career and technical education average class size
Approved career and technical education offered at the middle school and high school level. . . . .	23.00
Skill center programs meeting the standards established by the office of the superintendent of public instruction. . . . .	19.00

(ii) Funding allocated under this subsection (4)(c) is subject to RCW 28A.150.265.

(d) In addition, the omnibus appropriations act shall at a minimum specify:

(i) A high-poverty average class size in schools where more than 50 percent of the students are eligible for free and reduced-price meals; and

(ii) A specialty average class size for advanced placement and international baccalaureate courses.

(5)(a) The minimum allocation for each level of prototypical school shall include allocations for the following types of staff in addition to classroom teachers:

	Elementa ry School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators. . . . .	1.253	1.353	1.880
Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs. . . . .	0.663	0.519	0.523
Teaching assistance, including any aspect of educational instructional services provided by classified employees. . . . .	0.936	0.700	0.652
Office support and other noninstructional aides. . . . .	2.012	2.325	3.269
Custodians. . . . .	1.657	1.942	2.965
Nurses. . . . .	0.585	0.888	0.824
Social workers. . . . .	0.311	0.088	0.127
Psychologists. . . . .	0.104	0.024	0.049
Counselors. . . . .	0.993	1.716	3.039
Classified staff providing student and staff safety	0.079	0.092	0.141
Parent involvement coordinators. . . . .	0.0825	0.00	0.00

(b)(i) The superintendent may only allocate funding, up to the combined minimum allocations, for nurses, social workers, psychologists, counselors, classified staff

providing student and staff safety, and parent involvement coordinators under (a) of this subsection to the extent of and proportionate to a school district's demonstrated actual ratios of: Full-time equivalent physical, social, and emotional support staff to full-time equivalent students.

(ii) The superintendent must adopt rules to implement this subsection (5)(b) and the rules must require school districts to prioritize funding allocated as required by (b)(i) of this subsection for physical, social, and emotional support staff who hold a valid educational staff associate certificate appropriate for the staff's role.

(iii) For the purposes of this subsection (5)(b), "physical, social, and emotional support staff" include nurses, social workers, psychologists, counselors, classified staff providing student and staff safety, parent involvement coordinators, and other school district employees and contractors who provide physical, social, and emotional support to students as defined by the superintendent.

(6)(a) The minimum staffing allocation for each school district to provide district-wide support services shall be allocated per one thousand annual average full-time equivalent students in grades K-12 as follows:

	Staff per 1,000 K-12 students
Technology. . . . .	0.628
Facilities, maintenance, and grounds. . . . .	1.813
Warehouse, laborers, and mechanics. . . . .	0.332

(b) The minimum allocation of staff units for each school district to support certificated and classified staffing of central administration shall be 5.30 percent of the staff units generated under subsections (4)(a) and (5) of this section and (a) of this subsection.

(7) The distribution formula shall include staffing allocations to school districts for career and technical education and skill center administrative and other school-level certificated staff, as specified in the omnibus appropriations act.

(8)(a) Except as provided in (b) of this subsection, the minimum allocation for each school district shall include allocations per annual average full-time equivalent student for the following materials, supplies, and operating costs as provided in the ~~((2017-18))~~2023-24 school year, after which the allocations shall be adjusted annually for inflation as specified in the omnibus appropriations act:

	Per annual average full-time equivalent student in grades K-12
Technology. . . . .	<del>((130.76))</del> \$178.98
Utilities and insurance. . . . .	<del>((355.30))</del> \$430.26
Curriculum and textbooks. . . . .	<del>((140.39))</del> \$164.48
Other supplies . . . . .	<del>((278.05))</del> \$326.54
Library materials. . . . .	<del>((20.00))</del> \$22.65
Instructional professional development for certificated and classified staff. . . . .	<del>((21.71))</del> \$28.94
Facilities maintenance. . . . .	<del>((176.01))</del> \$206.22
Security and central office administration. . . . .	<del>((121.94))</del> \$146.37

(b) In addition to the amounts provided in (a) of this subsection, beginning in the ~~((2014-15))~~2023-24 school year, the omnibus appropriations act shall provide the following minimum allocation for each annual average full-time equivalent student in grades nine through 12 for the following materials, supplies, and operating costs, to be adjusted annually for inflation:

	Per annual average full-time equivalent student in grades 9-12
Technology. . . . .	<del>((36.35))</del> \$44.05
Curriculum and textbooks. . . . .	<del>((39.02))</del> \$48.06
Other supplies . . . . .	<del>((77.28))</del> \$94.07
Library materials. . . . .	<del>((5.56))</del> \$6.05
Instructional professional development for certificated and classified staff. . . . .	<del>((6.04))</del> \$8.01

(c) The increased allocation amount of \$21 per annual average full-time equivalent student for materials, supplies, and operating costs provided under (a) of this subsection is intended to address growing costs in the enumerated categories and may not be expended for any other purpose.

(9) In addition to the amounts provided in subsection (8) of this section and subject to RCW 28A.150.265, the omnibus appropriations act shall provide an amount based on full-time equivalent student enrollment in each of the following:

- (a) Exploratory career and technical education courses for students in grades seven through 12;
- (b) Preparatory career and technical education courses for students in grades nine through 12 offered in a high school; and
- (c) Preparatory career and technical education courses for students in grades 11 and 12 offered through a skill center.

(10) In addition to the allocations otherwise provided under this section, amounts shall be provided to support the following programs and services:

(a)(i) To provide supplemental instruction and services for students who are not meeting academic standards through the learning assistance program under RCW 28A.165.005 through 28A.165.065, allocations shall be based on the greater of either: The district percentage of students in kindergarten through grade 12 who were eligible for free or reduced-price meals for the school year immediately preceding the district's participation, in whole or part, in the United States department of agriculture's community eligibility provision, or the district percentage of students in grades K-12 who were eligible for free or reduced-price meals in the prior school year. The minimum allocation for the program shall, except as provided in (a)(iii) of this subsection, provide for each level of prototypical school resources to provide, on a statewide average, 2.3975 hours per week in extra instruction with a class size of 15 learning assistance program students per teacher.

(ii) In addition to funding allocated under (a)(i) of this subsection, to provide supplemental instruction and services for students who are not meeting academic standards in qualifying schools. A qualifying school, except as provided in (a)(iv) of this subsection, means a school in which the three-year rolling average of the prior year total annual average enrollment that qualifies for free or reduced-price meals equals or exceeds 50 percent or more of its total annual average enrollment. A school continues to meet the definition of a qualifying school if the school: Participates in the United States department of agriculture's community eligibility provision; and met the definition of a qualifying school in the year immediately preceding their participation. The minimum allocation for this additional high poverty-based allocation must provide for each level of prototypical school resources to provide, on a statewide average, 1.1 hours per week in extra instruction with a class size of 15 learning assistance program students per teacher, under RCW 28A.165.055, school districts must distribute the high poverty-based allocation to the schools that generated the funding allocation.

(iii) For the 2024-25 and 2025-26 school years, allocations under (a)(i) of this subsection for school districts providing meals at no charge to students under RCW 28A.235.135 that are not participating, in whole or in part, in the United States department of agriculture's community eligibility provision shall be based on the school district percentage of students in grades K-12 who were eligible for free or reduced-price meals in school years 2019-20 through 2022-23 or the prior school year, whichever is greatest.

(iv) For the 2024-25 and 2025-26 school years, a school providing meals at no charge to students under RCW 28A.235.135 that is not participating in the department of agriculture's community eligibility provision continues to meet the definition of a qualifying school under (a)(i) of this subsection if the school met the definition during one year of the 2019-20 through 2022-23 school years, or in the prior school year.

(b)(i) To provide supplemental instruction and services for students whose primary language is other than English, allocations shall be based on the head count number of students in each school who are eligible for and enrolled in the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080. The minimum allocation for each level of prototypical school shall provide resources to provide, on a statewide average, 4.7780 hours per week in extra instruction for students in grades kindergarten through six and 6.7780 hours per week in extra instruction for students in grades seven through 12, with 15 transitional bilingual instruction program students per teacher. Notwithstanding other provisions of this subsection (10), the actual per-student allocation may be scaled to provide a larger allocation for students needing more intensive intervention and a commensurate reduced allocation for students needing less intensive intervention, as detailed in the omnibus appropriations act.

(ii) To provide supplemental instruction and services for students who have exited the transitional bilingual program, allocations shall be based on the head count number of students in each school who have exited the transitional bilingual program within the previous two years based on their performance on the English proficiency assessment and are eligible for and enrolled in the transitional bilingual instruction program under RCW 28A.180.040(1)(g). The minimum allocation for each prototypical school shall provide resources to provide, on a statewide average, 3.0 hours per week in extra instruction with 15 exited students per teacher.

(c) To provide additional allocations to support programs for highly capable students under RCW 28A.185.010 through 28A.185.030, allocations shall be based on 5.0 percent of each school district's full-time equivalent basic education enrollment. The minimum allocation for the programs shall provide resources to provide, on a statewide average, 2.1590 hours per week in extra instruction with fifteen highly capable program students per teacher.

(11) The allocations under subsections (4)(a), (5), (6), and (8) of this section shall be enhanced as provided under RCW 28A.150.390 on an excess cost basis to provide supplemental instructional resources for students with disabilities.

(12)(a) For the purposes of allocations for prototypical high schools and middle schools under subsections (4) and (10) of this section that are based on the percent of students in the school who are eligible for free and reduced-price meals, the actual percent of such students in a school shall be adjusted by a factor identified in the omnibus appropriations act to reflect underreporting of free and reduced-price meal eligibility among middle and high school students.

(b) Allocations or enhancements provided under subsections (4), (7), and (9) of this section for exploratory and preparatory career and technical education courses shall be provided only for courses approved by the office of the superintendent of public instruction under chapter 28A.700 RCW.



(13)(a) This formula for distribution of basic education funds shall be reviewed biennially by the superintendent and governor. The recommended formula shall be subject to approval, amendment or rejection by the legislature.

(b) In the event the legislature rejects the distribution formula recommended by the governor, without adopting a new distribution formula, the distribution formula for the previous school year shall remain in effect.

(c) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the first school day of each month, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. The definition of full-time equivalent student shall be determined by rules of the superintendent of public instruction and shall be included as part of the superintendent's biennial budget request. The definition shall be based on the minimum instructional hour offerings required under RCW 28A.150.220. Any revision of the present definition shall not take effect until approved by the house ways and means committee and the senate ways and means committee.

(d) The office of financial management shall make a monthly review of the superintendent's reported full-time equivalent students in the common schools in conjunction with RCW 43.62.050.

**NEW SECTION. Sec. 3.** The state must provide the full school year amount for materials, supplies, and operating costs provided in this act for the 2023-24 school year. The first month's distribution of additional amounts provided under this act in the 2023-24 school year must be a proportion of the total annual additional amount provided in this act equal to the sum of the proportional shares under RCW 28A.510.250 from September 2023 to the first month's distribution.

This section expires September 1, 2024.

**NEW SECTION. Sec. 4.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 1 of the title, after "schools;" strike the remainder of the title and insert "amending RCW 28A.150.260; creating new sections; and providing an expiration date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2494 and advanced the bill, as amended by the Senate, to final passage.

Representatives Bergquist and Rude spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2494, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2494, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger,

Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Maycumber, Ramos and Wilcox

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2494, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2180, with the following amendment(s): 2180-S AMS ROBI S5639.1

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 28A.150.390 and 2023 c 417 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall submit to each regular session of the legislature during an odd-numbered year a programmed budget request for special education programs for students with disabilities. Funding for programs operated by local school districts shall be on an excess cost basis from appropriations provided by the legislature for special education programs for students with disabilities and shall take account of state funds accruing through RCW 28A.150.260 (4) (a), (5), (6), and (8) and 28A.150.415.

(2) The excess cost allocation to school districts shall be based on the following:

(a) A district's annual average head count enrollment of students ages three and four and those five year olds not yet enrolled in kindergarten who are eligible for and receiving special education, multiplied by the district's base allocation per full-time equivalent student, multiplied by 1.2;

(b)(i) Subject to the limitation in (b)(ii) of this subsection (2), a district's annual average enrollment of resident students who are eligible for and receiving special education, excluding students ages three and four and those five year olds not yet enrolled in kindergarten, multiplied by the district's base allocation per full-time equivalent student, multiplied by the special education cost multiplier rate of:

(A) Beginning in the 2020-21 school year, either:

(I) 1.0075 for students eligible for and receiving special education and reported to be in the general education setting for 80 percent or more of the school day; or

(II) 0.995 for students eligible for and receiving special education and reported to be in the general education setting for less than 80 percent of the school day;

(B) Beginning in the 2023-24 school year, either:

(I) 1.12 for students eligible for and receiving special education and reported to be in the general education setting for 80 percent or more of the school day; or

(II) 1.06 for students eligible for and receiving special education and reported to be in the general education setting for less than 80 percent of the school day.

(ii) If the enrollment percent exceeds ~~((15))16~~ percent, the excess cost allocation calculated under (b)(i) of this subsection must be adjusted by multiplying the allocation by ~~((15))16~~ percent divided by the enrollment percent.

(3) As used in this section:

(a) "Base allocation" means the total state allocation to all schools in the district generated by the distribution formula under RCW 28A.150.260 (4)(a), (5), (6), and (8) and the allocation under RCW 28A.150.415, to be divided by the district's full-time equivalent enrollment.

(b) "Basic education enrollment" means enrollment of resident students including nonresident students enrolled under RCW 28A.225.225 and students from nonhigh districts enrolled under RCW 28A.225.210 and excluding students residing in another district enrolled as part of an interdistrict cooperative program under RCW 28A.225.250.

(c) "Enrollment percent" means the district's resident annual average enrollment of students who are eligible for and receiving special education, excluding students ages three and four and those five year olds not yet enrolled in kindergarten and students enrolled in institutional education programs, as a percent of the district's annual average full-time equivalent basic education enrollment.

NEW SECTION. **Sec. 2.**

The state auditor, in consultation with the office of the superintendent of public instruction, shall conduct a review of the prevalence of disabilities and whether the provisions and funding for evaluating students and providing services reflects the prevalence of disabilities, including whether any populations are disparately underevaluated or underserved. The state auditor must report findings and recommendations to the governor and the committees of the legislature with jurisdiction over fiscal matters and special education by November 30, 2025.

This section expires March 30, 2026."

On page 1, line 2 of the title, after "cap;" strike the remainder of the title and insert "amending RCW 28A.150.390; creating a new section; and providing an expiration date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

**MOTION**

Representative Bergquist moved that the House concur with the Senate amendment(s) to SUBSTITUTE HOUSE BILL NO. 2180.

Representative Bergquist spoke in favor of the motion.

Representative Couture spoke against the motion.

An electronic roll call was requested.

**ROLL CALL**

The Clerk called the roll on the motion to concur with the Senate amendment(s) to Substitute House Bill No. 2180, and the motion passed the House by the following vote: Yeas, 52; Nays, 41; Absent, 0; Excused, 4

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Callan, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters and Ybarra

Excused: Representatives Chandler, Maycumber, Ramos and Wilcox

Representatives Callan and Couture spoke in favor of the passage of the bill.

**FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2180, as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2180, as amended by the Senate, and the bill

passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goechner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Maycumber, Ramos and Wilcox

SUBSTITUTE HOUSE BILL NO. 2180, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1510, with the following amendment(s): 1510-S.E AMS ENGR S5550.E

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 82.08 RCW to read as follows:

(1) Beginning July 1, 2025, 30 percent of the revenue of the state tax imposed pursuant to RCW 82.08.020(1) on each retail sale occurring at a qualified facility pursuant to this chapter must be deposited into the community preservation and development authority account under RCW 43.167.040. For fiscal year 2026, the maximum amount to be deposited to the account is \$3,000,000. For each fiscal year thereafter, the maximum amount to be deposited to the account must be adjusted based on the consumer price index that is published by November 15th of the previous year for the most recent 12-month period. The adjusted maximum amount must be rounded to the nearest \$1,000. The revenue shall be deposited equally between the operating subaccount and the capital subaccount.

(2)(a) By November 1st and by May 1st of each year, the department must calculate the amount of state sales and use tax collected as the result of retail sales at a qualified facility during the previous six months. The department must determine the appropriate amount to be deposited into the community preservation and development authority accounts based on the provisions of subsection (1) of this section.

(b) The department must notify the state treasurer of the amount of revenue required to be transferred to the community preservation and development authority account by December 1st and by June 1st each year. The treasurer must deposit those funds into the community preservation and

development authority account under RCW 43.167.040 by December 31st and June 30th each year.

(3) For purposes of this section, the following definitions apply.

(a) "Consumer price index" means, for any 12-month period, the average consumer price index for that 12-month period for the Seattle, Washington area for urban wage earners and clerical workers, all items, compiled by the bureau of labor statistics, United States department of labor.

(b) "Qualified facility" means a facility located in a county with a community preservation and development authority that: (i) Has a seating capacity of at least 68,000 fixed seats in an open-air stadium and has related event space of at least 300,000 square feet; or (ii) has a seating capacity of at least 47,000 seats for its main use and a retractable roof.

**NEW SECTION. Sec. 2.** A new section is added to chapter 82.12 RCW to read as follows:

The provisions of section 1 of this act apply throughout this chapter.

**NEW SECTION. Sec. 3.** A new section is added to chapter 43.167 RCW to read as follows:

(1) It is the legislature's specific public policy objective to provide funding pursuant to section 1 of this act to the community preservation and development authorities, as created in this chapter, to promote and enhance the health, safety, and economic well-being of communities adversely impacted by the construction of, or on-going operation of, multiple major public facilities, public works, and capital projects. It is the intent of the legislature for the joint legislative audit and review committee to conduct a review of the funding and provide its findings to the legislature by December 1, 2033.

(2) The legislature intends to extend the expiration date of this funding if the review finds that the community preservation and development authority:

(a) Increases the economic vitality of the area by providing assistance to struggling small businesses in the area and assisting in the repair of unreinforced masonry that allows businesses to remain in place, increases the safety of residents, and promotes the conversion of unused and underutilized properties to benefit the community;

(b) Enhances the livability of the community by assisting in addressing the litter and debris in streets and alleys and provide remediation to address the impacts of homelessness; and

(c) Addresses housing needs, including funding new low-income and workforce housing units, as well as funding locally based street outreach to support interventions for unhoused residents.

(3) In order to obtain the data necessary to perform the review in subsection (2) of this section, the joint legislative audit and review committee may refer to any data collected by the state.

NEW SECTION. **Sec. 4.** A new section is added to chapter 43.167 RCW to read as follows:

Any community preservation and development authority organized pursuant to this chapter must submit a biennial report to the appropriate committees of the legislature on their strategic plan, use of funding, and impacts on the community by November 1st of each odd-numbered year.

NEW SECTION. **Sec. 5.** This act expires January 1, 2036."

On page 1, line 3 of the title, after "43.167.060;" strike the remainder of the title and insert "adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding new sections to chapter 43.167 RCW; and providing an expiration date."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House refused to concur in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1510 and asked the Senate to recede therefrom.

**MESSAGE FROM THE SENATE**

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2147, with the following amendment(s): 2147-S AMS AWP S5060.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that Washington agriculture is complex and highly diverse, producing more than 300 agricultural commodities on over 35,900 farms. Agricultural production in Washington is highly valued, generating \$12,800,000,000 per year in production value, not including over \$17,000,000,000 in food and agricultural products that pass through Washington's ports annually.

(2) The legislature also finds that the Washington state department of agriculture's statutory duties include monitoring and responding to new, emerging, and transboundary plant and animal pests and diseases. Pest and disease challenges, to the state's food systems, public health, and the environment, have increased in frequency and severity due to changing climate patterns and global trade flows.

(3) In order to better protect Washington's food and agricultural economy, public health, and the environment, the legislature intends to provide more reliable and readily available funding to prevent, quickly detect, and rapidly respond to emerging threats from agricultural pests and diseases.

NEW SECTION. **Sec. 2.** (1) The agricultural pest and disease response account is created in the state treasury. All receipts from moneys received pursuant to section 3 of this act, moneys appropriated to the account by the legislature, or moneys directed to the account from any other lawful source, for the purpose of funding emerging agricultural pest and disease response activities, must be deposited into the account. Moneys in the account may be spent only after appropriation.

(2) Following a declaration of emergency under RCW 17.24.171 or issuance of a quarantine order under RCW 16.36.010 or 17.24.041, expenditures from the account may be used only for activities necessary to respond to emerging agricultural pest and disease threats in order to protect the food and agricultural economy of the state, the public health of the state, or the environment of the state including, but not limited to, actions authorized under this chapter and chapters 15.08, 16.36, 16.38, and 17.24 RCW.

(3) By October 1st following any fiscal year in which expenditures were made from the account, the department must provide the director of the office of financial management with a close-out cost summary of expenditures authorized for that fiscal year.

NEW SECTION. **Sec. 3.** Upon the issuance of a declaration of emergency under RCW 17.24.171 or a quarantine order under RCW 16.36.010 or 17.24.041, the state treasurer shall transfer from the general fund to the agricultural pest and disease response account created in section 2 of this act those amounts necessary to bring the balance of the agricultural pest and disease response account to \$2,000,000, based upon the determination of the transfer amount from the office of financial management. The office of financial management must determine the fund balance of the agricultural pest and disease response account as of the previous fiscal month before the issuance of a declaration of emergency or a quarantine order. The office of financial management must promptly notify the state treasurer and the department of the account balance and the necessary transfer amount once a determination is made. A transfer based on the determination by the office of financial management may be made only once every fiscal year.

**Sec. 4.** RCW 17.24.171 and 2003 c 314 s 6 are each amended to read as follows:

(1) If the director determines that there exists an imminent danger of an infestation of plant pests or plant diseases that seriously endangers the agricultural or horticultural industries of the state, or that seriously threatens life, health, economic well-being, or the environment, the director shall request the governor to order emergency measures to control the pests or plant diseases under RCW 43.06.010(13). The director's findings shall contain an

evaluation of the affect of the emergency measures on public health.

(2) If an emergency is declared pursuant to RCW 43.06.010(13), the director may appoint a committee to advise the governor through the director and to review emergency measures necessary under the authority of RCW 43.06.010(13) and this section and make subsequent recommendations to the governor. ~~((The committee shall include representatives of the agricultural industries, state and local government, public health interests, technical service providers, and environmental organizations.))~~ Invitations to participate on the committee must include representatives of the affected agricultural industries, state and local government, federally recognized tribes, public health interests, technical service providers, and environmental organizations.

(3) Upon the order of the governor of the use of emergency measures, the director is authorized to implement the emergency measures to prevent, control, or eradicate plant pests or plant diseases that are the subject of the emergency order. Such measures, after thorough evaluation of all other alternatives, may include the aerial application of pesticides.

(4) Upon the order of the governor of the use of emergency measures, the director is authorized to enter into agreements with individuals, companies, or agencies, to accomplish the prevention, control, or eradication of plant pests or plant diseases, notwithstanding the provisions of chapter 15.58 or 17.21 RCW, or any other statute.

(5) The director shall continually evaluate the emergency measures taken and report to the governor at intervals of not less than ~~((ten))~~ 60 days. The director shall immediately advise the governor if he or she finds that the emergency no longer exists or if certain emergency measures should be discontinued.

**NEW SECTION. Sec. 5.** Sections 2 and 3 of this act are each added to chapter 43.23 RCW."

On page 1, line 1 of the title, after "response;" strike the remainder of the title and insert "amending RCW 17.24.171; adding new sections to chapter 43.23 RCW; and creating a new section."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2147 and asked the Senate to recede therefrom.

#### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2357, with the following amendment(s): 2357-S AMS TRAN S5479.2

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that the Washington state patrol has made strides in its efforts to recruit new troopers and address the unprecedented levels of vacancies within its ranks. The legislature has supported those efforts by providing sign-on bonuses for cadets and lateral hires, retention bonuses for new troopers and lateral hires, and requiring parity of trooper salaries relative to other law enforcement agencies in the state of Washington. The legislature further finds that trooper and sergeant vacancies diminish the staff available to advance up through the ranks of commissioned staff to build the leadership team for the organization. The legislature further finds that increases in retirement-eligible staff, with 122 commissioned staff expected to have 25 years of service or more in 2024, means that more needs to be done in the near term to ensure the success of efforts to rebuild the commissioned ranks of the state patrol. Therefore, the legislature intends to strengthen the Washington state patrol's ability to retain senior, experienced commissioned staff with the establishment of a state patrol longevity bonus pilot program.

**NEW SECTION. Sec. 2.** A new section is added to chapter 43.43 RCW to read as follows:

(1)(a) The temporary state patrol longevity bonus pilot program is established.

(b) Except as provided in subsection (2) of this section, beginning July 1, 2024, until June 30, 2029, an eligible commissioned employee completing 26 or more years of service shall receive an annual state trooper longevity bonus of \$10,000 on the employee's anniversary date of state employment.

(c) For any longevity bonuses awarded between July 1, 2024, and June 30, 2025, as a condition of receiving the bonus, the employee must agree that the employee will stay employed in a commissioned position with the Washington state patrol in the succeeding 12-month period following receiving the bonus. If the employee fails to stay employed in a commissioned position with the Washington state patrol for the full 12-month period following receiving the bonus amount, the employee will be required to pay back the portion of the bonus at \$833 per month for each month the employee failed to stay employed. This amount must be deducted from the final paycheck of the employee including sick leave buyout, vacation leave buyout, and other separation compensation.

(2)(a) Thirty days following any fiscal quarter in which the Washington state patrol's average filled positions in field force trooper positions is equal to or exceeds the 683 total authorized field force trooper positions, the temporary state patrol longevity bonus pilot program must be

terminated and no further bonuses can be awarded.

(b) Beginning July 15, 2024, and every three months thereafter, the Washington state patrol must submit a report showing the average filled positions in field force trooper positions in comparison to the 683 total authorized field force trooper positions in the prior fiscal quarter. The quarterly reports detailed must be submitted to the office of financial management and the transportation committees of the legislature. The authorized field force trooper level as the basis for this comparison may be adjusted as specified in the omnibus transportation appropriations act.

(c) The determination to terminate the temporary state patrol longevity bonus pilot program must be made by the office of financial management based on the quarterly reports submitted pursuant to (b) of this subsection. Prior to a determination to terminate the temporary state patrol longevity bonus pilot program, the office of financial management must consult with the chairs and ranking members of the transportation committees of the legislature.

(3) This section does not interfere with, impede, or in any way diminish the right of the officers of the Washington state patrol to bargain collectively with the state through the exclusive bargaining representatives as provided for in RCW 41.56.473.

(4) The temporary state patrol longevity bonus pilot program created in this section is a time-limited incentive targeted at retaining senior personnel and is not intended to be included in salary or average final salary for calculation of pension benefits in this chapter.

(5) The benefits provided pursuant to this act are not provided to employees as a matter of contractual right. The legislature retains the right to alter or abolish these benefits at any time and at any time the conditions specified in subsection (2) of this section are met.

(6) For the purposes of this section, "eligible commissioned employee" means a Washington state patrol employee with 26 or more years of service in the Washington state patrol retirement system.

(7) This section expires June 30, 2029.

**Sec. 3.** RCW 43.43.120 and 2021 c 12 s 8 are each amended to read as follows:

As used in this section and RCW 43.43.130 through 43.43.320, unless a different meaning is plainly required by the context:

(1) "Actuarial equivalent" shall mean a benefit of equal value when computed upon the basis of such mortality table as may be adopted and such interest rate as may be determined by the director.

(2) "Annual increase" means as of July 1, 1999, (~~(seventy-seven)~~77 cents per month per year of service which amount shall be increased each subsequent July 1st by three percent, rounded to the nearest cent.

(3)(a) "Average final salary," for members commissioned prior to January 1, 2003, shall mean the average monthly salary

received by a member during the member's last two years of service or any consecutive two-year period of service, whichever is the greater, as an employee of the Washington state patrol; or if the member has less than two years of service, then the average monthly salary received by the member during the member's total years of service.

(b) "Average final salary," for members commissioned on or after January 1, 2003, shall mean the average monthly salary received by a member for the highest consecutive (~~(sixty)~~60 service credit months; or if the member has less than (~~(sixty)~~60 months of service, then the average monthly salary received by the member during the member's total months of service.

(c) In calculating average final salary under (a) or (b) of this subsection, the department of retirement systems shall include:

(i) Any compensation forgone by the member during the 2009-2011 fiscal biennium as a result of reduced work hours, mandatory or voluntary leave without pay, temporary reduction in pay implemented prior to December 11, 2010, or temporary layoffs if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the chief;

(ii) Any compensation forgone by a member during the 2011-2013 fiscal biennium as a result of reduced work hours, mandatory leave without pay, temporary layoffs, or reductions to current pay if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the chief. Reductions to current pay shall not include elimination of previously agreed upon future salary reductions; and

(iii) Any compensation forgone by a member during the 2019-2021 and 2021-2023 fiscal biennia as a result of reduced work hours, mandatory leave without pay, temporary layoffs, furloughs, reductions to current pay, or other similar measures resulting from the COVID-19 budgetary crisis, if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the chief. Reductions to current pay shall not include elimination of previously agreed upon future salary increases.

(4) "Beneficiary" means any person in receipt of retirement allowance or any other benefit allowed by this chapter.

(5)(a) "Cadet," for a person who became a member of the retirement system after June 12, 1980, is a person who has passed the Washington state patrol's entry-level oral, written, physical performance, and background examinations and is, thereby, appointed by the chief as a candidate to be a commissioned officer of the Washington state patrol.

(b) "Cadet," for a person who became a member of the retirement system before June 12, 1980, is a trooper cadet, patrol cadet, or employee of like classification, employed for the express purpose of receiving the on-the-job training required for attendance at the state patrol academy and for becoming a commissioned trooper. "Like classification" includes: Radio operators or dispatchers;

persons providing security for the governor or legislature; patrol officers; drivers' license examiners; weighmasters; vehicle safety inspectors; central wireless operators; and warehouse workers.

(6) "Contributions" means the deduction from the compensation of each member in accordance with the contribution rates established under chapter 41.45 RCW.

(7) "Current service" shall mean all service as a member rendered on or after August 1, 1947.

(8) "Department" means the department of retirement systems created in chapter 41.50 RCW.

(9) "Director" means the director of the department of retirement systems.

(10) "Domestic partners" means two adults who have registered as domestic partners under RCW 26.60.040.

(11) "Employee" means any commissioned employee of the Washington state patrol.

(12) "Insurance commissioner" means the insurance commissioner of the state of Washington.

(13) "Lieutenant governor" means the lieutenant governor of the state of Washington.

(14) "Member" means any person included in the membership of the retirement fund.

(15) "Plan 2" means the Washington state patrol retirement system plan 2, providing the benefits and funding provisions covering commissioned employees who first become members of the system on or after January 1, 2003.

(16) "Prior service" shall mean all services rendered by a member to the state of Washington, or any of its political subdivisions prior to August 1, 1947, unless such service has been credited in another public retirement or pension system operating in the state of Washington.

(17) "Regular interest" means interest compounded annually at such rates as may be determined by the director.

(18) "Retirement board" means the board provided for in this chapter.

(19) "Retirement fund" means the Washington state patrol retirement fund.

(20) "Retirement system" means the Washington state patrol retirement system.

(21) (a) "Salary," for members commissioned prior to July 1, 2001, shall exclude any overtime earnings related to RCW 47.46.040, or any voluntary overtime, earned on or after July 1, 2001, and prior to July 1, 2017. On or after July 1, 2017, salary shall exclude overtime earnings in excess of ~~((seventy))~~70 hours per year in total related to either RCW 47.46.040 or any voluntary overtime. On or after the effective date of this section, salary shall exclude earnings from the longevity bonus created in section 2 of this act.

(b) "Salary," for members commissioned from July 1, 2001, to December 31, 2002, shall exclude any overtime earnings related to RCW 47.46.040 or any voluntary overtime, earned prior to July 1, 2017, lump sum payments for deferred annual sick leave, or any form of severance pay. On or after July 1, 2017, salary shall exclude overtime earnings in excess of ~~((seventy))~~70 hours per year in total related to either RCW 47.46.040 or any voluntary overtime. On or

after the effective date of this section, salary shall exclude earnings from the longevity bonus created in section 2 of this act.

(c) "Salary," for members commissioned on or after January 1, 2003, shall exclude any overtime earnings related to RCW 47.46.040 or any voluntary overtime, earned prior to July 1, 2017, lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, holiday pay, or any form of severance pay. On or after July 1, 2017, salary shall exclude overtime earnings in excess of ~~((seventy))~~70 hours per year in total related to either RCW 47.46.040 or any voluntary overtime. On or after the effective date of this section, salary shall exclude earnings from the longevity bonus created in section 2 of this act.

(d) The addition of overtime earnings related to RCW 47.46.040 or any voluntary overtime earned on or after July 1, 2017, in chapter 181, Laws of 2017 is a benefit improvement that increases the member maximum contribution rate under RCW 41.45.0631(1) by 1.10 percent.

(22) (a) "Service" shall mean services rendered to the state of Washington or any political subdivisions thereof for which compensation has been paid. Full time employment for ~~((seventy))~~70 or more hours in any given calendar month shall constitute one month of service. An employee who is reinstated in accordance with RCW 43.43.110 shall suffer no loss of service for the period reinstated subject to the contribution requirements of this chapter. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for herein. Years of service shall be determined by dividing the total number of months of service by ~~((twelve))~~12. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefit.

(b) Reduction efforts such as furloughs, reduced work hours, mandatory leave without pay, temporary layoffs, or other similar situations as contemplated by subsection (3) (c) (iii) of this section do not result in a reduction in service credit that otherwise would have been earned for that month of work, and the member shall receive the full service credit for the hours that were scheduled to be worked before the reduction.

(23) "State actuary" or "actuary" means the person appointed pursuant to RCW 44.44.010(2).

(24) "State treasurer" means the treasurer of the state of Washington.

Unless the context expressly indicates otherwise, words importing the masculine gender shall be extended to include the feminine gender and words importing the feminine gender shall be extended to include the masculine gender.

**NEW SECTION. Sec. 4.** (1) By November 1, 2028, the joint legislative audit and review committee must conduct a performance review of the state patrol longevity bonus pilot program. The performance review must evaluate, at minimum:

(a) The program's impact on retention of senior commissioned staff of the state patrol;

(b) The change in vacancies in each of the commissioned staff categories over time;

(c) An evaluation of optimal commissioned staffing levels at the state patrol, including a comparison to other states' field force staffing levels;

(d) A description of other factors that may be impacting retention and vacancy rates; and

(e) Recommendations for addressing state patrol staffing levels, which must include whether to continue the state patrol longevity bonus program.

(2) This section expires June 30, 2029.

**NEW SECTION. Sec. 5.** Section 3 of this act expires June 30, 2029."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "establishment of a temporary state patrol longevity bonus; amending RCW 43.43.120; adding a new section to chapter 43.43 RCW; creating new sections; and providing expiration dates."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House refused to concur in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2357 and asked the Senate to recede therefrom.

**MESSAGE FROM THE SENATE**

Monday, March 4, 2024

Mme. Speaker:

The Senate refuses to concur in the House amendment(s) to ENGROSSED SUBSTITUTE SENATE BILL NO. 5690 and asks the House to recede therefrom.

and the same is herewith transmitted.

Sarah Bannister, Secretary

**HOUSE AMENDMENT TO SENATE BILL**

There being no objection, the House insisted on its position in its amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 5690 and asked the Senate to concur therein.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

**MESSAGE FROM THE SENATE**

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589, with the following amendment(s): 1589-S.E AMS NGUY S5695.2

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that the state's gas and electrical companies face transformational change brought on by new technology, emerging opportunities for customers, and state clean energy laws. Chapter 19.405 RCW, the Washington clean energy transformation act, and chapter 70A.65 RCW, the Washington climate commitment act, require these companies to find innovative and creative solutions to equitably serve their customers, provide clean energy, reduce emissions, and keep rates fair, just, reasonable, and sufficient.

(2) Gas companies that serve over 500,000 gas customers in Washington state, which are also electrical companies, or large combination utilities, play an important role in providing affordable and reliable heating and other energy services, and in leading the implementation of state climate policies. As the state transitions to cleaner sources of energy, large combination utilities are an important partner in helping their customers make smart energy choices, including actively supporting the replacement of fossil fuel-based space and water heating equipment and other fossil fuel-based equipment with high-efficiency nonemitting equipment. Programs to accelerate the adoption of efficient, nonemitting appliances have the potential to allow large combination utilities to optimize the use of energy infrastructure, improve the management of energy loads, better manage the integration of variable renewable energy resources, reduce greenhouse gas emissions from the buildings sector, mitigate the environmental impacts of utility operations and power purchases, and improve health outcomes for occupants. Legislative clarity is important for utilities to offer programs and services, including incentives, in the decarbonization of homes and buildings for their customers.

(3) In order to meet the statewide greenhouse gas limits in the energy sectors of the economy, more resources must be directed toward achieving decarbonization of residential and commercial heating loads and other loads that are served with fossil fuels, while continuing to protect all customers, but especially low-income customers, vulnerable populations, highly impacted communities, and overburdened communities. The legislature finds that regulatory innovation may be needed to remove barriers that large combination utilities may face to meet the state's public policy objectives and expectations. The enactment of chapter 188, Laws of 2021 (Engrossed Substitute Senate Bill No. 5295) began that regulatory transition from traditional cost-of-service regulation, with investor-owned gas and electrical companies using forward-looking multiyear rate plans and taking steps toward performance-based regulation. These steps are intended to provide certainty and stability to both customers and to investor-owned gas and electrical companies, aligning public policy objectives with investments, safety, and reliability.

(4) The legislature finds that as Washington transitions to 100 percent clean electricity and as the state implements the



Washington climate commitment act, switching from fossil fuel-based heating equipment and other fossil fuel-based appliances to high-efficiency nonemitting equipment will reduce climate impacts and fuel price risks for customers in the long term. This new paradigm requires a thoughtful transition to decarbonize the energy system to ensure that all customers benefit from the transition, that customers are protected, are not subject to sudden price shocks, and continue to receive needed energy services, with an equitable allocation of benefits and burdens. This transition will require careful and integrated planning by and between utilities, the commission, and customers, as well as new regulatory tools.

(5) It is the intent of the legislature to require large combination utilities to decarbonize their systems by: (a) Prioritizing efficient and cost-effective measures to transition customers off of the direct use of fossil fuels at the lowest reasonable cost to customers; (b) investing in the energy supply, storage, delivery, and demand-side resources that will be needed to serve any increase in electrical demand affordably and reliably; (c) maintaining safety and reliability as the gas system undergoes transformational changes; (d) integrating zero-carbon and carbon-neutral fuels to serve high heat and industrial loads where electrification may not be technically feasible; (e) managing peak demand of the electric system; and (f) ensuring an equitable distribution of benefits to, and reduction of burdens for, vulnerable populations, highly impacted communities, and overburdened communities that have historically been underserved by utility energy efficiency programs, and may be disproportionately impacted by rising fuel and equipment costs or experience high energy burden.

(6) It is the intent of the legislature to support this transition by adopting requirements for large combination utilities to conduct integrated system planning to develop specific actions supporting gas system decarbonization and electrification, and reduction in the gas rate base.

(7) It is the intent of the legislature to encourage a robust competitive wholesale market for generation, storage, and demand-side resources to serve the state's electrical companies, other electric utilities, and end-users that secure their own power supply.

**NEW SECTION. Sec. 2.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Carbon dioxide equivalent" has the same meaning as provided in RCW 70A.65.010.

(2) "Combined heat and power" has the same meaning as provided in RCW 19.280.020.

(3) "Commission" means the utilities and transportation commission.

(4) "Conservation and efficiency resources" means any reduction in electric or natural gas consumption that results from increases in the efficiency of energy use, production, transmission, transportation, or distribution.

(5) "Cost effective" means that a project or resource is, or is forecast to:

(a) Be reliable and available within the time it is needed; and

(b) Reduce greenhouse gas emissions and meet or reduce the energy demand or supply an equivalent level of energy service to the intended customers at an estimated long-term incremental system cost no greater than that of the least-cost similarly reliable and available alternative project or resource, or any combination thereof, including the cost of compliance with chapter 70A.65 RCW, based on the forward allowance ceiling price of allowances approved by the department of ecology under RCW 70A.65.160.

(6) "Costs of greenhouse gas emissions" means the costs of greenhouse gas emissions established in RCW 80.28.395 and 80.28.405.

(7) "Delivery system" includes any power line, pipe, equipment, apparatus, mechanism, machinery, instrument, or ancillary facility used by a large combination utility to deliver electricity or gas for ultimate consumption by a customer of the large combination utility.

(8) "Demand flexibility" means the capacity of demand-side loads to change their consumption patterns hourly or on another timescale.

(9) "Electrical company" has the same meaning as provided in RCW 80.04.010.

(10)(a) "Electrification" means the installation of energy efficient electric end-use equipment.

(b) Electrification programs may include weatherization and conservation and efficiency measures.

(11) "Electrification readiness" means upgrades or changes required before the installation of energy efficient electric end-use equipment to prevent heat loss from homes including, but not limited to: Structural repairs, such as roof repairs, preweatherization, weatherization, and electrical panel and wiring upgrades.

(12) "Emissions baseline" means the actual cumulative greenhouse gas emissions of a large combination utility, calculated pursuant to chapter 70A.65 RCW, for the five-year period beginning January 1, 2015, and ending December 31, 2019.

(13) "Emissions reduction period" means one of five periods of five calendar years each, with the five periods beginning on January 1st of calendar years 2030, 2035, 2040, 2045, and 2050, respectively.

(14) "Emissions reduction target" means a targeted reduction of projected cumulative greenhouse gas emissions of a large combination utility approved by the commission for an emissions reduction period that is at least as stringent as the limits established in RCW 70A.45.020.

(15) "Gas company" has the same meaning as provided in RCW 80.04.010.

(16) "Geographically targeted electrification" means the geographically targeted transition of a portion of gas customers of the large combination utility with an intent to electrify loads of such customers and, in conjunction, to reduce capital and operational costs of gas operations of the large combination utility serving such customers.

(17) "Greenhouse gas" has the same meaning as provided in RCW 70A.45.010.

(18) "Highly impacted community" has the same meaning as provided in RCW 19.405.020.

(19) "Integrated system plan" means a plan that the commission may approve, reject, or approve with conditions pursuant to section 3 of this act.

(20) "Large combination utility" means a public service company that is both an electrical company and a gas company that serves more than 800,000 retail electric customers and 500,000 retail gas customers in the state of Washington as of June 30, 2024.

(21) "Low-income" has the same meaning as provided in RCW 19.405.020.

(22) "Lowest reasonable cost" means the lowest cost mix of demand-side and supply side resources and decarbonization measures determined through a detailed and consistent analysis of a wide range of commercially available resources and measures. At a minimum, this analysis must consider long-term costs and benefits, market-volatility risks, resource uncertainties, resource dispatchability, resource effect on system operation, the risks imposed on the large combination utility and its ratepayers, public policies regarding resource preference adopted by Washington state or the federal government, the cost of risks associated with environmental effects including potential spills and emissions of carbon dioxide, and the need for security of supply.

(23) "Multiyear rate plan" means a multiyear rate plan of a large combination utility filed with the commission pursuant to RCW 80.28.425.

(24) "Natural gas" has the same meaning as provided in RCW 19.405.020.

(25) "Nonemitting electric generation" has the same meaning as provided in RCW 19.405.020.

(26) "Nonpipeline alternative" means activities or investments that delay, reduce, or avoid the need to build, upgrade, or repair gas plant, such as pipelines and service lines.

(27) "Overburdened community" has the same meaning as provided in RCW 70A.65.010.

(28) "Overgeneration event" has the same meaning as provided in RCW 19.280.020.

(29) "Renewable resource" has the same meaning as provided in RCW 19.405.020.

(30) "Supply side resource" means, as applicable: (a) Any resource that can provide capacity, electricity, or ancillary services to the large combination utility's electric delivery system; or (b) any resource that can provide conventional or nonconventional gas supplies to the large combination utility's gas delivery system.

(31) "System cost" means actual direct costs or an estimate of all direct costs of a project or resource over its effective life including, if applicable: The costs of transmission and distribution to the customers; waste disposal costs; permitting, siting, mitigation, and end-of-cycle decommissioning and remediation costs; fuel costs, including projected increases; resource integration and balancing costs; and such quantifiable environmental costs and benefits and other energy and nonenergy

benefits as are directly attributable to the project or resource, including flexibility, resilience, reliability, greenhouse gas emissions reductions, and air quality.

(32) "Vulnerable populations" has the same meaning as provided in RCW 19.405.020.

NEW SECTION.

**Sec. 3.**

(1) The legislature finds that large combination utilities are subject to a range of reporting and planning requirements as part of the clean energy transition. The legislature further finds that current natural gas integrated resource plans under development might not yield optimal results for timely and cost-effective decarbonization. To reduce regulatory barriers, achieve equitable and transparent outcomes, and integrate planning requirements, the commission may consolidate a large combination utility's planning requirements for both gas and electric operations, including consolidation into a single integrated system plan that is approved by the commission.

(2) (a) By July 1, 2025, the commission shall complete a rule-making proceeding to implement consolidated planning requirements for gas and electric services for large combination utilities that may include plans required under: (i) RCW 19.280.030; (ii) RCW 19.285.040; (iii) RCW 19.405.060; (iv) RCW 80.28.380; (v) RCW 80.28.365; (vi) RCW 80.28.425; and (vii) RCW 80.28.130. The commission may extend the rule-making proceeding for 90 days for good cause shown. The large combination utilities' filing deadline required in subsection (4) of this section will be extended commensurate to the rule-making extension period set by the commission. Subsequent planning requirements for future integrated system plans must be fulfilled on a timeline set by the commission. Large combination utilities that file integrated system plans are no longer required to file separate plans that are required in an integrated system plan. The statutorily required contents of any plan consolidated into an integrated system plan must be met by the integrated system plan.

(b) In its order adopting rules or issuing a policy statement approving the consolidation of planning requirements, the commission shall include a compliance checklist and any additional guidance that is necessary to assist the large combination utility in meeting the minimum requirements of all relevant statutes and rules.

(3) Upon request by a large combination utility, the commission may issue an order extending the filing and reporting requirements of a large combination utility under RCW 19.405.060 and 19.280.030, and requiring the large combination utility to file an integrated system plan pursuant to subsection (4) of this section if the commission finds that the large combination utility has made public a work plan that demonstrates reasonable progress toward meeting the standards under RCW 19.405.040(1) and 19.405.050(1) and achieving equity goals. The commission's approval of an extension of filing and reporting requirements does not relieve the large combination utility from the

obligation to demonstrate progress towards meeting the standards under RCW 19.405.040(1) and 19.405.050(1) and the interim targets approved in its most recent clean energy implementation plan. Commission approval of an extension under this section fulfills the large combination utilities statutory filing deadlines under RCW 19.405.060(1).

(4) By January 1, 2027, and on a timeline set by the commission thereafter, large combination utilities shall file an integrated system plan demonstrating how the large combination utilities' plans are consistent with the requirements of this chapter and any rules and guidance adopted by the commission, and which:

(a) Achieve the obligations of all plans consolidated into the integrated system plan;

(b) Provide a range of forecasts, for at least the next 20 years, of projected customer demand that takes into account econometric data and addresses changes in the number, type, and efficiency of customer usage;

(c) Include scenarios that achieve emissions reductions for both gas and electric operations equal to at least their proportional share of emissions reductions required under RCW 70A.45.020;

(d) Include scenarios with emissions reduction targets for both gas and electric operations for each emissions reduction period that account for the interactions between gas and electric systems;

(e) Achieve two percent of electric load annually with conservation and energy efficiency resources, unless the commission finds that a higher target is cost effective. However, the commission may accept a lower level of achievement if it determines that the requirement in this subsection (4)(e) is neither technically nor commercially feasible during the applicable emissions reduction period;

(f) Assess commercially available conservation and efficiency resources, including demand response and load management, to achieve the conservation and energy efficiency requirements in (e) of this subsection, and as informed by the assessment for conservation potential under RCW 19.285.040 for the planning horizon consistent with (b) of this subsection. Such an assessment may include, as appropriate, opportunities for development of combined heat and power as an energy and capacity resource, demand response and load management programs, and currently employed and new policies and programs needed to obtain the conservation and efficiency resources. The value of recoverable waste heat resulting from combined heat and power must be reflected in analyses of cost effectiveness under this subsection;

(g) Achieve annual demand response and demand flexibility equal to or greater than 10 percent of winter and summer peak electric demand, unless the commission finds that a higher target is cost effective. However, the commission may accept a lower level of achievement if it determines that the requirement in this subsection (4)(g) is neither technically nor commercially

feasible during the applicable emissions reduction period;

(h) Achieve all cost-effective electrification of end uses currently served by natural gas identified through an assessment of alternatives to known and planned gas infrastructure projects, including nonpipeline alternatives, rebates and incentives, and geographically targeted electrification;

(i) Include low-income electrification programs that must:

(i) Include rebates and incentives to low-income customers and customers experiencing high energy burden for the deployment of high-efficiency electric-only heat pumps in homes and buildings currently heating with wood, oil, propane, electric resistance, or gas;

(ii) Provide demonstrated material benefits to low-income participants including, but not limited to, decreased energy burden, the addition of air conditioning, and backup heat sources or energy storage systems, if necessary to protect health and safety in areas with frequent outages, or improved indoor air quality;

(iii) Enroll customers in energy assistance programs or provide bill assistance;

(iv) Provide dedicated funding for electrification readiness;

(v) Include low-income customer protections to mitigate energy burden, if electrification measures will increase a low-income participant's energy burden; and

(vi) Coordinate with community-based organizations in the gas or electrical company's service territory including, but not limited to, grantees of the department of commerce, community action agencies, and community-based nonprofit organizations, to remove barriers and effectively serve low-income customers;

(j) Accept as proof of eligibility for energy assistance enrollment in any means-tested public benefit, or low-income energy assistance program, for which eligibility does not exceed the low-income definition set by the commission pursuant to RCW 19.405.020;

(k) Assess the potential for geographically targeted electrification including, but not limited to, in overburdened communities, on gas plant that is fully depreciated or gas plant that is included in a proposal for geographically targeted electrification that requires accelerating depreciation pursuant to section 7(1) of this act for the gas plant subject to such electrification proposal;

(l) Assess commercially available supply side resources, including a comparison of the benefits and risks of purchasing electricity or gas or building new resources;

(m) Assess nonpipeline alternatives, including geographically targeted electrification and demand response, as an alternative to replacing aging gas infrastructure or expanded gas capacity. Assessments must involve, at a minimum:

(i) Identifying all known and planned gas infrastructure projects, including those without a fully defined scope or cost

estimate, for at least the 10 years following the filing;

(ii) Estimating programmatic expenses of maintaining that portion of the gas system for at least the 10 years following the filing; and

(iii) Ranking all gas pipeline segments for their suitability for nonpipeline alternatives;

(n) Assess distributed energy resources that meets the requirements of RCW 19.280.100;

(o) Provide an assessment and 20-year forecast of the availability of and requirements for regional supply side resource and delivery system capacity to provide and deliver electricity and gas to the large combination utility's customers and to meet, as applicable, the requirements of chapter 19.405 RCW and the state's greenhouse gas emissions reduction limits in RCW 70A.45.020. The delivery system assessment must identify the large combination utility's expected needs to acquire new long-term firm rights, develop new, or expand or upgrade existing, delivery system facilities consistent with the requirements of this section and reliability standards and take into account opportunities to make more effective use of existing delivery facility capacity through improved delivery system operating practices, conservation and efficiency resources, distributed energy resources, demand response, grid modernization, nonwires solutions, and other programs if applicable;

(p) Assess methods, commercially available technologies, or facilities for integrating renewable resources and nonemitting electric generation including, but not limited to, battery storage and pumped storage, and addressing overgeneration events, if applicable to the large combination utility's resource portfolio;

(q) Provide a comparative evaluation of supply side resources, delivery system resources, and conservation and efficiency resources using lowest reasonable cost as a criterion;

(r) Include a determination of resource adequacy metrics for the integrated system plan consistent with the forecasts;

(s) Forecast distributed energy resources that may be installed by the large combination utility's customers and an assessment of their effect on the large combination utility's load and operations;

(t) Identify an appropriate resource adequacy requirement and measurement metric consistent with prudent utility practice in implementing RCW 19.405.030 through 19.405.050;

(u) Integrate demand forecasts, resource evaluations, and resource adequacy requirements into a long-range assessment describing the mix of supply side resources and conservation and efficiency resources that will meet current and projected needs, including mitigating overgeneration events and implementing RCW 19.405.030 through 19.405.050, at the lowest reasonable cost and risk to the large combination utility and its customers, while maintaining and protecting the safety, reliable operation,

and balancing of the energy system of the large combination utility;

(v) Include an assessment, informed by the cumulative impact analysis conducted under RCW 19.405.140, of: Energy and nonenergy benefits and the avoidance and reductions of burdens to vulnerable populations and highly impacted communities; long-term and short-term public health and environmental benefits, costs, and risks; and energy security and risk;

(w) Include a 10-year clean energy action plan for implementing RCW 19.405.030 through 19.405.050 at the lowest reasonable cost, and at an acceptable resource adequacy standard;

(x) Include an analysis of how the integrated system plan accounts for:

(i) Model load forecast scenarios that consider the anticipated levels of zero emissions vehicle use in a large combination utility's service area, including anticipated levels of zero emissions vehicle use in the large combination utility's service area provided in RCW 47.01.520, if feasible;

(ii) Analysis, research, findings, recommendations, actions, and any other relevant information found in the electrification of transportation plans submitted under RCW 80.28.365; and

(iii) Assumed use case forecasts and the associated energy impacts, which may use the forecasts generated by the mapping and forecasting tool created in RCW 47.01.520;

(y) Establish that the large combination utility has:

(i) Consigned to auction for the benefit of ratepayers the minimum required number of allowances allocated to the large combination utility for the applicable compliance period pursuant to RCW 70A.65.130, consistent with the climate commitment act, chapter 70A.65 RCW, and rules adopted pursuant to the climate commitment act; and

(ii) Prioritized, to the maximum extent permissible under the climate commitment act, chapter 70A.65 RCW, revenues derived from the auction of allowances allocated to the utility for the applicable compliance period pursuant to RCW 70A.65.130, first to programs that eliminate the cost burden for low-income ratepayers, such as bill assistance, nonvolumetric credits on ratepayer utility bills, or electrification programs, and second to electrification programs benefiting residential and small commercial customers;

(z) Propose an action plan outlining the specific actions to be taken by the large combination utility in implementing the integrated system plan following submission; and

(aa) Report on the large combination utility's progress towards implementing the recommendations contained in its previously filed integrated system plan.

(5) In evaluating the lowest reasonable cost of decarbonization measures included in an integrated system plan, large combination utilities must apply a risk reduction premium that must account for the applicable allowance ceiling price approved by the department of ecology pursuant to the climate commitment act, chapter 70A.65 RCW.

For the purpose of this chapter, the risk reduction premium is necessary to ensure that a large combination utility is making appropriate long-term investments to mitigate against the allowance and fuel price risks to customers of the large combination utility.

(6) The clean energy action plan must:

(a) Identify and be informed by the large combination utility's 10-year cost-effective conservation potential assessment as determined under RCW 19.285.040, if applicable;

(b) Establish a resource adequacy requirement;

(c) Identify the potential cost-effective demand response and load management programs that may be acquired;

(d) Identify renewable resources, nonemitting electric generation, and distributed energy resources that may be acquired and evaluate how each identified resource may be expected to contribute to meeting the large combination utility's resource adequacy requirement;

(e) Identify any need to develop new, or expand or upgrade existing, bulk transmission and distribution facilities and document existing and planned efforts by the large combination utility to make more effective use of existing transmission capacity and secure additional transmission capacity consistent with the requirements of subsection (4)(o) of this section; and

(f) Identify the nature and possible extent to which the large combination utility may need to rely on alternative compliance options under RCW 19.405.040(1)(b), if appropriate.

(7) A large combination utility shall consider the social cost of greenhouse gas emissions, as determined by the commission pursuant to RCW 80.28.405, when developing integrated system plans and clean energy action plans. A large combination utility must incorporate the social cost of greenhouse gas emissions as a cost adder when:

(a) Evaluating and selecting conservation policies, programs, and targets;

(b) Developing integrated system plans and clean energy action plans; and

(c) Evaluating and selecting intermediate term and long-term resource options.

(8) Plans developed under this section must be updated on a regular basis, on intervals approved by the commission.

(9)(a) To maximize transparency, the commission may require a large combination utility to make the utility's data input files available in a native format. Each large combination utility shall publish its final plan either as part of an annual report or as a separate document available to the public. The report may be in an electronic form.

(b) Nothing in this subsection limits the protection of records containing commercial information under RCW 80.04.095.

(10) The commission shall establish by rule a cost test for emissions reduction measures achieved by large combination utilities to comply with state clean energy and climate policies. The cost test must be used by large combination utilities under this chapter for the purpose of determining

the lowest reasonable cost of decarbonization and electrification measures in integrated system plans, at the portfolio level, and for any other purpose determined by the commission by rule.

(11) The commission must approve, reject, or approve with conditions an integrated system plan within 12 months of the filing of such an integrated system plan. The commission may for good cause shown extend the time by 90 days for a decision on an integrated system plan filed on or before January 1, 2027, as such date is extended pursuant to subsection (2)(a) of this section.

(12) In determining whether to approve the integrated system plan, reject the integrated system plan, or approve the integrated system plan with conditions, the commission must evaluate whether the plan is in the public interest, and includes the following:

(a) The equitable distribution and prioritization of energy benefits and reduction of burdens to vulnerable populations, highly impacted communities, and overburdened communities;

(b) Long-term and short-term public health, economic, and environmental benefits and the reduction of costs and risks;

(c) Health and safety concerns;

(d) Economic development;

(e) Equity;

(f) Energy security and resiliency;

(g) Whether the integrated system plan:

(i) Would achieve a proportional share of reductions in greenhouse gas emissions for each emissions reduction period on the gas and electric systems;

(ii) Would achieve the energy efficiency and demand response targets in subsection (4)(e) and (g) of this section;

(iii) Would achieve cost-effective electrification of end uses as required by subsection (4)(h) of this section;

(iv) Results in a reasonable cost to customers, and projects the rate impacts of specific actions, programs, and investments on customers;

(v) Would maintain system reliability and reduces long-term costs and risks to customers;

(vi) Would lead to new construction career opportunities and prioritizes a transition of natural gas and electricity utility workers to perform work on construction and maintenance of new and existing renewable energy infrastructure; and

(vii) Describes specific actions that the large combination utility plans to take to achieve the requirements of the integrated system plan.

#### NEW SECTION.

**Sec. 4.** Large combination utilities shall work in good faith with other utilities, independent power producers, power marketers, end-use customers, and interested parties in the region to develop market structures and mechanisms that require the sale of wholesale electricity from generating resources in a manner that allows the greenhouse gas attributes of those resources

to be accounted for when they are sold into organized markets.

**NEW SECTION. Sec. 5.** (1) Concurrent with an application for an integrated system plan pursuant to section 3 of this act, a large combination utility may propose to construct a new renewable or nonemitting electric generation or transmission facility, make a significant investment in an existing renewable or nonemitting electric generation or transmission facility, purchase an existing renewable or nonemitting electric generation or transmission facility, or enter into a power purchase agreement for the purchase of renewable or nonemitting electric energy or capacity for a period of five years or longer. The large combination utility may submit an application to the commission seeking a certificate of necessity for that construction, investment, or purchase, including entering into a power purchase agreement, if that construction, investment, or purchase costs \$100,000,000 or more, requires the utility to begin incurring significant portions of those costs more than five years before the facility is estimated to be in service, and all or a portion of the costs would be allocable to retail customers in this state. A significant investment may include a group of investments undertaken jointly and located on the same site for a singular purpose, such as increasing the capacity of an existing renewable or nonemitting electric generation or transmission plant. Applications must be submitted in conjunction with a large combination utility's integrated system plan. However, a large combination utility may submit an application outside of the integrated system plan process for a time-sensitive project.

(2) A large combination utility submitting an application under this section may request one or more of the following:

(a) A certificate of necessity that the electric energy or capacity to be supplied or transmitted as a result of the proposed construction, investment, or purchase, including entering into a power purchase agreement, is needed;

(b) A certificate of necessity that the size, fuel type, and other design characteristics of the existing or proposed electric generation or transmission facility or the terms of the power purchase agreement represent the most appropriate and reasonable means of meeting that power need;

(c) A certificate of necessity that the estimated purchase or capital costs of and the financing plan for the existing or proposed electric generation or transmission facility including, but not limited to, the costs of siting and licensing a new facility and the estimated cost of power from the new or proposed electric generation facility, or the cost of transmission on the new or proposed electric transmission facility, are reasonable; or

(d) A request to: (i) Recognize, accrue, and defer the allowance for funds used during construction; and (ii) recover financing interest costs in base rates on construction work in progress for capital

improvements approved under this section prior to the assets being considered used and useful.

(3) The commission may approve, reject, or approve with conditions an application under this section if it is in the public interest, and the construction, investment, or purchase, including entering into a power purchase agreement, complies with the commission's administrative rules governing electric resource procurement.

(4) In a certificate of necessity under this section, the commission may specify the estimated costs included for the construction of or significant investment in the electric generation or transmission facility, the estimated price included for the purchase of the existing electric generation or transmission facility, or the estimated price included for the purchase of power pursuant to the terms of the power purchase agreement.

(5) The large combination utility shall file reports to the commission regarding the status of any project for which a certificate of necessity has been granted under this section, including an update concerning the cost and schedule of that project at intervals determined by the commission.

(6) If the commission denies any of the relief requested by a large combination utility, the large combination utility may withdraw its application or proceed with the proposed construction, purchase, investment, or power purchase agreement without a certificate and the assurance granted under this section under its ordinary course of business.

(7) If the assumptions underlying an approved certificate of necessity materially change, a large combination utility shall request, or the commission or potential intervenor on its own motion may initiate, a proceeding to review whether it is reasonable to complete an unfinished project for which a certificate of necessity has been granted. The commission shall list the assumptions underlying an approved certificate in the order approving the certificate. If the commission finds that the completion of the project is no longer reasonable, the commission may modify or cancel approval of the certificate of necessity. The commission may allow recovery of reasonable costs already incurred or committed to by contract. Once the commission finds that completion of the project is no longer reasonable, the commission may limit future cost recovery to those costs that could not be reasonably avoided. Nothing in this subsection may be construed as amending, modifying, or repealing any existing authority of the commission to ascertain and determine the fair value for rate-making purposes of the property of any large combination utility.

(8) A proposed or existing supplier of electric generation capacity that seeks to provide electric generation energy or capacity resources to the large combination utility may submit a written proposal directly to the commission as an alternative to the construction, investment, or purchase, including entering into a power purchase agreement, for which the

certificate of necessity is sought under this section. The entity submitting an alternative proposal under this subsection has standing to intervene and the commission may allow reasonable discovery in the contested case proceeding conducted under this subsection. In evaluating an alternative proposal, the commission may consider the cost of the alternative proposal and the submitting entity's qualifications, technical competence, capability, reliability, creditworthiness, and past performance. In reviewing an application, the commission may consider any alternative proposals submitted under this subsection. This subsection does not limit the ability of any other person to submit to the commission an alternative proposal to the construction, investment, or purchase, including entering into a power purchase agreement, for which a certificate of necessity is sought under this subsection and to petition for and be granted leave to intervene in the contested case proceeding conducted under this subsection under the rules of practice and procedure of the commission. This subsection does not authorize the commission to order or otherwise require a large combination utility to adopt any alternative proposal submitted under this subsection.

**NEW SECTION. Sec. 6.** (1) Large combination utilities must include the following in calculating the emissions baseline and projected cumulative emissions for an emissions reduction period, consistent with reporting of greenhouse gas emissions pursuant to the Washington clean air act, chapter 70A.15 RCW:

(a) Methane leaked from the transportation and delivery of gas from the gas distribution and service pipelines from the city gate to customer end use;

(b) Greenhouse gas emissions resulting from the combustion of gas by customers not otherwise subject to federal greenhouse gas emissions reporting and excluding all transport customers; and

(c) Emissions of methane resulting from leakage from delivery of gas to other gas companies.

(2) In calculating an emissions reduction target, a large combination utility must show its emissions baseline and projected cumulative greenhouse gas emissions for the applicable emissions reduction period separately and must show that the total emissions reductions are projected to make progress toward the achievement of the emissions reduction targets identified in the applicable integrated system plan. The final calculation must be presented on a carbon dioxide equivalent basis.

(3) All emissions are metric tons of carbon dioxide equivalent as reported to the federal environmental protection agency pursuant to 40 C.F.R. 98, either subpart W (methane) or subpart NN (carbon dioxide), or successor reporting requirements.

**NEW SECTION. Sec. 7.** (1) In any multiyear rate plan filed by a large combination utility pursuant to RCW 80.28.425 and in accordance with this

chapter, the large combination utility must include an updated depreciation study that reduces the gas rate base consistent with an approved integrated system plan, and the commission may adopt depreciation schedules that accelerate cost recovery and reduce the rate base for any gas plant. The commission shall approve a depreciation schedule that depreciates all gas plants in service as of July 1, 2024, by a date no later than January 1, 2050, in any multiyear rate plan, but the commission may adjust depreciation schedules for gas plants as necessary when considering future multiyear rate plans to address affordability provided all plants in service as of July 1, 2024, are fully depreciated by 2050.

(2) In any multiyear rate plan proposed by a large combination utility, the company may propose a merger of regulated gas and electric operations into a single rate base. The commission may approve the merger of electric and gas rate bases if the commission finds that the proposal will result in a net benefit to customers of the large combination utility and includes reasonable rate protections for low-income natural gas and electric customers.

(3) For a large combination utility that has merged gas and electricity rate bases, the large combination utility must monetize benefits received from any applicable federal and state tax and other incentives for the benefit of customers. These benefits must be separately accounted for and amortized on a schedule designed to mitigate the rate impacts to customers after the rate bases are combined. These credits may not be used for any other purpose, unless directed by the commission.

(4) For the first multiyear rate plan proposed by a large combination utility following commission approval or approval with conditions of the initial integrated system plan identified in section 3 of this act, the commission may for good cause shown extend the deadline for a decision set forth under RCW 80.04.130 by up to 60 days.

**NEW SECTION. Sec. 8.** (1) Beginning January 1, 2025, no large combination utility may offer any form of rebate, incentive, or other inducement to residential gas customers to purchase any natural gas appliance or equipment. Until January 1, 2031, rebates and incentives for commercial and industrial gas customers are not included in this requirement. Rebates and incentives for electric heat pumps that include natural gas backups may be offered until January 1, 2031.

(2) By November 1, 2025, a large combination utility must initiate and maintain an effort to educate its ratepayers about the benefits of electrification and the availability of rebates, incentives, or other inducements to purchase energy efficient electric appliances and equipment including, but not limited to, the maintenance of an educational website and the inclusion of educational materials in monthly billing statements.

(3) Beginning January 1, 2031, a large combination utility may not include electric

air source heat pumps with gas backups as part of its electrification programs.

**Sec. 9.** RCW 19.280.030 and 2023 c 229 s 2 are each amended to read as follows:

Each electric utility must develop a plan consistent with this section.

(1) Utilities with more than 25,000 customers that are not full requirements customers must develop or update an integrated resource plan by September 1, 2008. At a minimum, progress reports reflecting changing conditions and the progress of the integrated resource plan must be produced every two years thereafter. An updated integrated resource plan must be developed at least every four years subsequent to the 2008 integrated resource plan. The integrated resource plan, at a minimum, must include:

(a) A range of forecasts, for at least the next 10 years or longer, of projected customer demand which takes into account econometric data and customer usage;

(b) An assessment of commercially available conservation and efficiency resources, as informed, as applicable, by the assessment for conservation potential under RCW 19.285.040 for the planning horizon consistent with (a) of this subsection. Such assessment may include, as appropriate, opportunities for development of combined heat and power as an energy and capacity resource, demand response and load management programs, and currently employed and new policies and programs needed to obtain the conservation and efficiency resources;

(c) An assessment of commercially available, utility scale renewable and nonrenewable generating technologies including a comparison of the benefits and risks of purchasing power or building new resources;

(d) A comparative evaluation of renewable and nonrenewable generating resources, including transmission and distribution delivery costs, and conservation and efficiency resources using "lowest reasonable cost" as a criterion;

(e) An assessment of methods, commercially available technologies, or facilities for integrating renewable resources, including but not limited to battery storage and pumped storage, and addressing overgeneration events, if applicable to the utility's resource portfolio;

(f) An assessment and 20-year forecast of the availability of and requirements for regional generation and transmission capacity to provide and deliver electricity to the utility's customers and to meet the requirements of chapter 288, Laws of 2019 and the state's greenhouse gas emissions reduction limits in RCW 70A.45.020. The transmission assessment must identify the utility's expected needs to acquire new long-term firm rights, develop new, or expand or upgrade existing, bulk transmission facilities consistent with the requirements of this section and reliability standards;

(i) If an electric utility operates transmission assets rated at 115,000 volts

or greater, the transmission assessment must take into account opportunities to make more effective use of existing transmission capacity through improved transmission system operating practices, energy efficiency, demand response, grid modernization, nonwires solutions, and other programs if applicable;

(ii) An electric utility that relies entirely or primarily on a contract for transmission service to provide necessary transmission services may comply with the transmission requirements of this subsection by requesting that the counterparty to the transmission service contract include the provisions of chapter 288, Laws of 2019 and chapter 70A.45 RCW as public policy mandates in the transmission service provider's process for assessing transmission need, and planning and acquiring necessary transmission capacity;

(iii) An electric utility may comply with the requirements of this subsection (1)(f) by relying on and incorporating the results of a separate transmission assessment process, conducted individually or jointly with other utilities and transmission system users, if that assessment process meets the requirements of this subsection;

(g) A determination of resource adequacy metrics for the resource plan consistent with the forecasts;

(h) A forecast of distributed energy resources that may be installed by the utility's customers and an assessment of their effect on the utility's load and operations;

(i) An identification of an appropriate resource adequacy requirement and measurement metric consistent with prudent utility practice in implementing RCW 19.405.030 through 19.405.050;

(j) The integration of the demand forecasts, resource evaluations, and resource adequacy requirement into a long-range assessment describing the mix of supply side generating resources and conservation and efficiency resources that will meet current and projected needs, including mitigating overgeneration events and implementing RCW 19.405.030 through 19.405.050, at the lowest reasonable cost and risk to the utility and its customers, while maintaining and protecting the safety, reliable operation, and balancing of its electric system;

(k) An assessment, informed by the cumulative impact analysis conducted under RCW 19.405.140, of: Energy and nonenergy benefits and the avoidance and reductions of burdens to vulnerable populations and highly impacted communities; long-term and short-term public health and environmental benefits, costs, and risks; and energy security and risk;

(l) A 10-year clean energy action plan for implementing RCW 19.405.030 through 19.405.050 at the lowest reasonable cost, and at an acceptable resource adequacy standard, that identifies the specific actions to be taken by the utility consistent with the long-range integrated resource plan; and

(m) An analysis of how the plan accounts for:



(i) Modeled load forecast scenarios that consider the anticipated levels of zero emissions vehicle use in a utility's service area, including anticipated levels of zero emissions vehicle use in the utility's service area provided in RCW 47.01.520, if feasible;

(ii) Analysis, research, findings, recommendations, actions, and any other relevant information found in the electrification of transportation plans submitted under RCW 35.92.450, 54.16.430, and 80.28.365; and

(iii) Assumed use case forecasts and the associated energy impacts. Electric utilities may, but are not required to, use the forecasts generated by the mapping and forecasting tool created in RCW 47.01.520. This subsection (1)(m)(iii) applies only to plans due to be filed after September 1, 2023.

(2) The clean energy action plan must:

(a) Identify and be informed by the utility's 10-year cost-effective conservation potential assessment as determined under RCW 19.285.040, if applicable;

(b) Establish a resource adequacy requirement;

(c) Identify the potential cost-effective demand response and load management programs that may be acquired;

(d) Identify renewable resources, nonemitting electric generation, and distributed energy resources that may be acquired and evaluate how each identified resource may be expected to contribute to meeting the utility's resource adequacy requirement;

(e) Identify any need to develop new, or expand or upgrade existing, bulk transmission and distribution facilities and document existing and planned efforts by the utility to make more effective use of existing transmission capacity and secure additional transmission capacity consistent with the requirements of subsection (1)(f) of this section; and

(f) Identify the nature and possible extent to which the utility may need to rely on alternative compliance options under RCW 19.405.040(1)(b), if appropriate.

(3)(a) An electric or large combination utility shall consider the social cost of greenhouse gas emissions, as determined by the commission for investor-owned utilities pursuant to RCW 80.28.405 and the department for consumer-owned utilities, when developing integrated resource plans and clean energy action plans. An electric utility must incorporate the social cost of greenhouse gas emissions as a cost adder when:

(i) Evaluating and selecting conservation policies, programs, and targets;

(ii) Developing integrated resource plans and clean energy action plans; and

(iii) Evaluating and selecting intermediate term and long-term resource options.

(b) For the purposes of this subsection (3): (i) Gas consisting largely of methane and other hydrocarbons derived from the decomposition of organic material in landfills, wastewater treatment facilities, and anaerobic digesters must be considered a

nonemitting resource; and (ii) qualified biomass energy must be considered a nonemitting resource.

(4) To facilitate broad, equitable, and efficient implementation of chapter 288, Laws of 2019, a consumer-owned energy utility may enter into an agreement with a joint operating agency organized under chapter 43.52 RCW or other nonprofit organization to develop and implement a joint clean energy action plan in collaboration with other utilities.

(5) All other utilities may elect to develop a full integrated resource plan as set forth in subsection (1) of this section or, at a minimum, shall develop a resource plan that:

(a) Estimates loads for the next five and 10 years;

(b) Enumerates the resources that will be maintained and/or acquired to serve those loads;

(c) Explains why the resources in (b) of this subsection were chosen and, if the resources chosen are not: (i) Renewable resources; (ii) methods, commercially available technologies, or facilities for integrating renewable resources, including addressing any overgeneration event; or (iii) conservation and efficiency resources, why such a decision was made;

(d) By December 31, 2020, and in every resource plan thereafter, identifies how the utility plans over a 10-year period to implement RCW 19.405.040 and 19.405.050; and

(e) Accounts for:

(i) Modeled load forecast scenarios that consider the anticipated levels of zero emissions vehicle use in a utility's service area, including anticipated levels of zero emissions vehicle use in the utility's service area provided in RCW 47.01.520, if feasible;

(ii) Analysis, research, findings, recommendations, actions, and any other relevant information found in the electrification of transportation plans submitted under RCW 35.92.450, 54.16.430, and 80.28.365; and

(iii) Assumed use case forecasts and the associated energy impacts. Electric utilities may, but are not required to, use the forecasts generated by the mapping and forecasting tool created in RCW 47.01.520. This subsection (5)(e)(iii) applies only to plans due to be filed after September 1, 2023.

(6) Assessments for demand-side resources included in an integrated resource plan may include combined heat and power systems as one of the measures in a conservation supply curve. The value of recoverable waste heat resulting from combined heat and power must be reflected in analyses of cost-effectiveness under this subsection.

(7) An electric utility that is required to develop a resource plan under this section must complete its initial plan by September 1, 2008.

(8) Plans developed under this section must be updated on a regular basis, on intervals approved by the commission or the department, or at a minimum on intervals of two years.

(9)(a) Plans shall not be a basis to bring legal action against electric

utilities. However, nothing in this subsection (9)(a) may be construed as limiting the commission or any party from bringing any action pursuant to Title 80 RCW, this chapter, or chapter 19.405 RCW against any large combination utility related to an integrated system plan submitted pursuant to section 3 of this act.

(b) The commission may approve, reject, or approve with conditions, any integrated system plans submitted by a large combination utility as defined in section 2 of this act.

(10)(a) To maximize transparency, the commission, for investor-owned utilities, or the governing body, for consumer-owned utilities, may require an electric utility to make the utility's data input files available in a native format. Each electric utility shall publish its final plan either as part of an annual report or as a separate document available to the public. The report may be in an electronic form.

(b) Nothing in this subsection limits the protection of records containing commercial information under RCW 80.04.095.

(11) The commission may require a large combination utility as defined in section 2 of this act to incorporate the requirements of this section into an integrated system plan established under section 3 of this act.

**NEW SECTION. Sec. 10.** (1) When an integrated system plan of a large combination utility proposes geographically targeted electrification of all or a portion of a service area in which the large combination utility provides gas service to such a service area and one or more consumer-owned utilities provide electric service to such a service area, the integrated system plan of the large combination utility must include a process for outreach by the large combination utility to all consumer-owned utilities providing electric service to such a service area. As part of that outreach, the large combination utility shall provide gas delivery data of sufficient granularity for the consumer-owned electric company to assess the sufficiency of the capacity of the electric distribution system to accommodate the additional load from electrification at the circuit level. This data must be provided at least one plan cycle prior to electrification actions by the large combination utility to allow affected consumer-owned electric companies sufficient time to upgrade electrical distribution equipment and materials as needed to preserve system reliability.

(2) Consumer-owned utilities are encouraged to:

(a) Work with large combination utilities providing gas service within their service areas to identify opportunities for electrification and mitigating grid impacts by the large combination utility;

(b) Account for the costs of greenhouse gas emissions, set total energy savings and greenhouse gas emissions reduction goals, and develop and implement electrification programs in collaboration with large combination utilities providing gas service

in service areas of consumer-owned utilities; and

(c) Include an electrification plan or transportation electrification program as part of collaboration with large combination utilities.

(3) Nothing in this section may be construed as expanding or contracting the authority of any electric utility with regard to the designation of the boundaries of adjoining service areas that each electric utility must observe.

**NEW SECTION. Sec. 11.** (1) For any project in an integrated system plan of a large combination utility that is part of a competitive solicitation and with a cost of more than \$10,000,000, the large combination utility must certify to the commission that any work associated with such a project will be constructed by a prime contractor and its subcontractors in a way that includes community workforce agreements or project labor agreements and the payment of area standard prevailing wages and apprenticeship utilization requirements, provided the following apply:

(a) The project owner and the prime contractor and all of its subcontractors, regardless of tier, have the absolute right to select any qualified and responsible bidder for the award of contracts on a specified project without reference to the existence or nonexistence of any agreements between such a bidder and any party to such a project labor agreement, and only when such a bidder is willing, ready, and able to become a party to, signs a letter of assent, and complies with such an agreement or agreements, should it be designated the successful bidder; and

(b) It is understood that this is a self-contained, stand-alone agreement, and that by virtue of having become bound to such an agreement or agreements, neither the prime contractor nor the subcontractors are obligated to sign any other local, area, or national agreement.

(2) Nothing in this section supersedes RCW 19.28.091 or 19.28.261 or chapter 49.17 RCW, without regard to project cost.

**NEW SECTION. Sec. 12.** The commission may adopt rules to ensure the proper implementation and enforcement of this act.

**Sec. 13.** RCW 80.24.010 and 2022 c 159 s 1 are each amended to read as follows:

Every public service company subject to regulation by the commission shall, on or before the date specified by the commission for filing annual reports under RCW 80.04.080, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year or portion thereof and pay to the commission a fee equal to one-tenth of one percent of the first ~~((fifty thousand dollars))~~ \$50,000 of gross operating revenue, plus four-tenths of one percent of any gross operating revenue in excess of ~~((fifty thousand dollars))~~ \$50,000, except that a large combination utility as defined in section 2 of this act

shall pay a fee equal to 0.001 percent of the first \$50,000 of gross operating revenue, plus 0.005 percent of any gross operating revenue in excess of \$50,000: PROVIDED, That the commission may, by rule, set minimum fees that do not exceed the cost of collecting the fees. The commission may by rule waive any or all of the minimum fee established pursuant to this section.

The percentage rates of gross operating revenue to be paid in any year may be decreased by the commission for any class of companies subject to the payment of such fees, by general order entered before March 1st of such year, and for such purpose such companies shall be classified as follows:

Electrical, gas, water, telecommunications, and irrigation companies shall constitute class one. Every other company subject to regulation by the commission, for which regulatory fees are not otherwise fixed by law shall pay fees as herein provided and shall constitute additional classes according to kinds of businesses engaged in.

Any payment of the fee imposed by this section made after its due date shall include a late fee of two percent of the amount due. Delinquent fees shall accrue interest at the rate of one percent per month.

**Sec. 14.** RCW 19.405.060 and 2019 c 288 s 6 are each amended to read as follows:

(1)(a) By January 1, 2022, and every four years thereafter, each investor-owned utility must develop and submit to the commission:

(i) A four-year clean energy implementation plan for the standards established under RCW 19.405.040(1) and 19.405.050(1) that proposes specific targets for energy efficiency, demand response, and renewable energy; and

(ii) Proposed interim targets for meeting the standard under RCW 19.405.040(1) during the years prior to 2030 and between 2030 and 2045.

(b) An investor-owned utility's clean energy implementation plan must:

(i) Be informed by the investor-owned utility's clean energy action plan developed under RCW 19.280.030;

(ii) Be consistent with subsection (3) of this section; and

(iii) Identify specific actions to be taken by the investor-owned utility over the next four years, consistent with the utility's long-range integrated resource plan and resource adequacy requirements, that demonstrate progress toward meeting the standards under RCW 19.405.040(1) and 19.405.050(1) and the interim targets proposed under (a)(i) of this subsection. The specific actions identified must be informed by the investor-owned utility's historic performance under median water conditions and resource capability and by the investor-owned utility's participation in centralized markets. In identifying specific actions in its clean energy implementation plan, the investor-owned utility may also take into consideration any significant and unplanned loss or addition of load it experiences.

(c) The commission, after a hearing, must by order approve, reject, or approve with conditions an investor-owned utility's clean energy implementation plan and interim targets. The commission may, in its order, recommend or require more stringent targets than those proposed by the investor-owned utility. The commission may periodically adjust or expedite timelines if it can be demonstrated that the targets or timelines can be achieved in a manner consistent with the following:

(i) Maintaining and protecting the safety, reliable operation, and balancing of the electric system;

(ii) Planning to meet the standards at the lowest reasonable cost, considering risk;

(iii) Ensuring that all customers are benefiting from the transition to clean energy: Through the equitable distribution of energy and nonenergy benefits and the reduction of burdens to vulnerable populations and highly impacted communities; long-term and short-term public health and environmental benefits and reduction of costs and risks; and energy security and resiliency; and

(iv) Ensuring that no customer or class of customers is unreasonably harmed by any resulting increases in the cost of utility-supplied electricity as may be necessary to comply with the standards.

(2)(a) By January 1, 2022, and every four years thereafter, each consumer-owned utility must develop and submit to the department a four-year clean energy implementation plan for the standards established under RCW 19.405.040(1) and 19.405.050(1) that:

(i) Proposes interim targets for meeting the standard under RCW 19.405.040(1) during the years prior to 2030 and between 2030 and 2045, as well as specific targets for energy efficiency, demand response, and renewable energy;

(ii) Is informed by the consumer-owned utility's clean energy action plan developed under RCW 19.280.030(1) or other ten-year plan developed under RCW 19.280.030(5);

(iii) Is consistent with subsection (4) of this section; and

(iv) Identifies specific actions to be taken by the consumer-owned utility over the next four years, consistent with the utility's long-range resource plan and resource adequacy requirements, that demonstrate progress towards meeting the standards under RCW 19.405.040(1) and 19.405.050(1) and the interim targets proposed under (a)(i) of this subsection. The specific actions identified must be informed by the consumer-owned utility's historic performance under median water conditions and resource capability and by the consumer-owned utility's participation in centralized markets. In identifying specific actions in its clean energy implementation plan, the consumer-owned utility may also take into consideration any significant and unplanned loss or addition of load it experiences.

(b) The governing body of the consumer-owned utility must, after a public meeting, adopt the consumer-owned utility's clean energy implementation plan. The clean energy

implementation plan must be submitted to the department and made available to the public. The governing body may adopt more stringent targets than those proposed by the consumer-owned utility and periodically adjust or expedite timelines if it can be demonstrated that such targets or timelines can be achieved in a manner consistent with the following:

(i) Maintaining and protecting the safety, reliable operation, and balancing of the electric system;

(ii) Planning to meet the standards at the lowest reasonable cost, considering risk;

(iii) Ensuring that all customers are benefiting from the transition to clean energy: Through the equitable distribution of energy and nonenergy benefits and reduction of burdens to vulnerable populations and highly impacted communities; long-term and short-term public health and environmental benefits and reduction of costs and risks; and energy security and resiliency; and

(iv) Ensuring that no customer or class of customers is unreasonably harmed by any resulting increases in the cost of utility-supplied electricity as may be necessary to comply with the standards.

(3) (a) An investor-owned utility must be considered to be in compliance with the standards under RCW 19.405.040(1) and 19.405.050(1) if, over the four-year compliance period, the average annual incremental cost of meeting the standards or the interim targets established under subsection (1) of this section equals a two percent increase of the investor-owned utility's weather-adjusted sales revenue to customers for electric operations above the previous year, as reported by the investor-owned utility in its most recent commission basis report. All costs included in the determination of cost impact must be directly attributable to actions necessary to comply with the requirements of RCW 19.405.040 and 19.405.050.

(b) If an investor-owned utility relies on (a) of this subsection as a basis for compliance with the standard under RCW 19.405.040(1), then it must demonstrate that it has maximized investments in renewable resources and nonemitting electric generation prior to using alternative compliance options allowed under RCW 19.405.040(1) (b).

(4) (a) A consumer-owned utility must be considered to be in compliance with the standards under RCW 19.405.040(1) and 19.405.050(1) if, over the four-year compliance period, the average annual incremental cost of meeting the standards or the interim targets established under subsection (2) of this section meets or exceeds a two percent increase of the consumer-owned utility's retail revenue requirement above the previous year. All costs included in the determination of cost impact must be directly attributable to actions necessary to comply with the requirements of RCW 19.405.040 and 19.405.050.

(b) If a consumer-owned utility relies on (a) of this subsection as a basis for compliance with the standard under RCW

19.405.040(1), and it has not met eighty percent of its annual retail electric load using electricity from renewable resources and nonemitting electric generation, then it must demonstrate that it has maximized investments in renewable resources and nonemitting electric generation prior to using alternative compliance options allowed under RCW 19.405.040(1) (b).

(5) The commission, for investor-owned utilities, and the department, for consumer-owned utilities, must adopt rules establishing the methodology for calculating the incremental cost of compliance under this section, as compared to the cost of an alternative lowest reasonable cost portfolio of investments that are reasonably available.

(6) The commission may require a large combination utility as defined in section 2 of this act to incorporate the requirements of this section into an integrated system plan established under section 3 of this act.

**Sec. 15.** RCW 80.28.130 and 2011 c 214 s 22 are each amended to read as follows:

Whenever the commission finds, after hearing had upon its own motion or upon complaint, that repairs or improvements, to, or changes in, any gas plant, electrical plant, system of sewerage, or water system ought to be made, or that any additions or extensions should reasonably be made thereto, in order to promote the security or convenience of the public or employees, or in order to secure adequate service or facilities for manufacturing, distributing or supplying gas, electricity, wastewater company services, or water, the commission may enter an order directing that such reasonable repairs, improvements, changes, additions or extensions of such gas plant, electrical plant, system of sewerage, or water system be made. The commission may require a large combination utility as defined in section 2 of this act to incorporate any existing pipeline safety and replacement plans under this section into an integrated system plan established under section 3 of this act.

**Sec. 16.** RCW 80.28.365 and 2019 c 287 s 5 are each amended to read as follows:

(1) An electric utility regulated by the utilities and transportation commission under this chapter may submit to the commission an electrification of transportation plan that deploys electric vehicle supply equipment or provides other electric transportation programs, services, or incentives to support electrification of transportation. The plans should align to a period consistent with either the utility's planning horizon under its most recent integrated resource plan or the time frame of the actions contemplated in the plan, and may include:

(a) Any programs that the utility is proposing contemporaneously with the plan filing or anticipates later in the plan period;

(b) Anticipated benefits of transportation electrification, based on a

forecast of electric transportation in the utilities' service territory; and

(c) Anticipated costs of programs, subject to the restrictions in RCW 80.28.360.

(2) In reviewing an electrification of transportation plan under subsection (1) of this section, the commission may consider the following: (a) The applicability of multiple options for electrification of transportation across all customer classes; (b) the impact of electrification on the utility's load, and whether demand response or other load management opportunities, including direct load control and dynamic pricing, are operationally appropriate; (c) system reliability and distribution system efficiencies; (d) interoperability concerns, including the interoperability of hardware and software systems in electrification of transportation proposals; and (e) the benefits and costs of the planned actions.

(3) The commission must issue an acknowledgment of an electrification of transportation plan within six months of the submittal of the plan. The commission may establish by rule the requirements for preparation and submission of an electrification of transportation plan. An electric utility may submit a plan under this section before or during rule-making proceedings.

(4) The commission may require a large combination utility as defined in section 2 of this act to incorporate the requirements of this section into an integrated system plan established under section 3 of this act.

**Sec. 17.** RCW 80.28.380 and 2019 c 285 s 11 are each amended to read as follows:

(1) Each gas company must identify and acquire all conservation measures that are available and cost-effective. Each company must establish an acquisition target every two years and must demonstrate that the target will result in the acquisition of all resources identified as available and cost-effective. The cost-effectiveness analysis required by this section must include the costs of greenhouse gas emissions established in RCW 80.28.395. The targets must be based on a conservation potential assessment prepared by an independent third party and approved by the commission. Conservation targets must be approved by order by the commission. The initial conservation target must take effect by 2022.

(2) The commission may require a large combination utility as defined in section 2 of this act to incorporate the requirements of this section into an integrated system plan established under section 3 of this act.

**Sec. 18.** RCW 80.28.425 and 2021 c 188 s 2 are each amended to read as follows:

(1) Beginning January 1, 2022, every general rate case filing of a gas or electrical company must include a proposal for a multiyear rate plan as provided in this chapter. The commission may, by order after an adjudicative proceeding as provided by chapter 34.05 RCW, approve, approve with

conditions, or reject, a multiyear rate plan proposal made by a gas or electrical company or an alternative proposal made by one or more parties, or any combination thereof. The commission's consideration of a proposal for a multiyear rate plan is subject to the same standards applicable to other rate filings made under this title, including the public interest and fair, just, reasonable, and sufficient rates. In determining the public interest, the commission may consider such factors including, but not limited to, environmental health and greenhouse gas emissions reductions, health and safety concerns, economic development, and equity, to the extent such factors affect the rates, services, and practices of a gas or electrical company regulated by the commission.

(2) The commission may approve, disapprove, or approve with modifications any proposal to recover from ratepayers up to five percent of the total revenue requirement approved by the commission for each year of a multiyear rate plan for tariffs that reduce the energy burden of low-income residential customers including, but not limited to: (a) Bill assistance programs; or (b) one or more special rates. For any multiyear rate plan approved under this section resulting in a rate increase, the commission must approve an increase in the amount of low-income bill assistance to take effect in each year of the rate plan where there is a rate increase. At a minimum, the amount of such low-income assistance increase must be equal to double the percentage increase, if any, in the residential base rates approved for each year of the rate plan. The commission may approve a larger increase to low-income bill assistance based on an appropriate record.

(3)(a) If it approves a multiyear rate plan, the commission shall separately approve rates for each of the initial rate year, the second rate year and, if applicable, the third rate year, and the fourth rate year.

(b) The commission shall ascertain and determine the fair value for rate-making purposes of the property of any gas or electrical company that is or will be used and useful under RCW 80.04.250 for service in this state by or during each rate year of the multiyear rate plan. For the initial rate year, the commission shall, at a minimum, ascertain and determine the fair value for rate-making purposes of the property of any gas or electrical company that is used and useful for service in this state as of the rate effective date. The commission may order refunds to customers if property expected to be used and useful by the rate effective date when the commission approves a multiyear rate plan is in fact not used and useful by such a date.

(c) The commission shall ascertain and determine the revenues and operating expenses for rate-making purposes of any gas or electrical company for each rate year of the multiyear rate plan.

(d) In ascertaining and determining the fair value of property of a gas or electrical company pursuant to (b) of this subsection and projecting the revenues and operating expenses of a gas or electrical

company pursuant to (c) of this subsection, the commission may use any standard, formula, method, or theory of valuation reasonably calculated to arrive at fair, just, reasonable, and sufficient rates.

(e) If the commission approves a multiyear rate plan with a duration of three or four years, then the electrical company must update its power costs as of the rate effective date of the third rate year. The proceeding to update the electrical company's power costs is subject to the same standards that apply to other rate filings made under this title.

(4) Subject to subsection (5) of this section, the commission may by order establish terms, conditions, and procedures for a multiyear rate plan and ensure that rates remain fair, just, reasonable, and sufficient during the course of the plan.

(5) Notwithstanding subsection (4) of this section, a gas or electrical company is bound by the terms of the multiyear rate plan approved by the commission for each of the initial rate year and the second rate year. A gas or electrical company may file a new multiyear rate plan in accordance with this section for the third rate year and fourth rate year, if any, of a multiyear rate plan.

(6) If the annual commission basis report for a gas or electrical company demonstrates that the reported rate of return on rate base of the company for the 12-month period ending as of the end of the period for which the annual commission basis report is filed is more than .5 percent higher than the rate of return authorized by the commission in the multiyear rate plan for such a company, the company shall defer all revenues that are in excess of .5 percent higher than the rate of return authorized by the commission for refunds to customers or another determination by the commission in a subsequent adjudicative proceeding. If a multistate electrical company with fewer than 250,000 customers in Washington files a multiyear rate plan that provides for no increases in base rates in consecutive years beyond the initial rate year, the commission shall waive the requirements of this subsection provided that such a waiver results in just and reasonable rates.

(7) The commission must, in approving a multiyear rate plan, determine a set of performance measures that will be used to assess a gas or electrical company operating under a multiyear rate plan. These performance measures may be based on proposals made by the gas or electrical company in its initial application, by any other party to the proceeding in its response to the company's filing, or in the testimony and evidence admitted in the proceeding. In developing performance measures, incentives, and penalty mechanisms, the commission may consider factors including, but not limited to, lowest reasonable cost planning, affordability, increases in energy burden, cost of service, customer satisfaction and engagement, service reliability, clean energy or renewable procurement, conservation acquisition, demand side management expansion, rate stability, timely execution of competitive procurement

practices, attainment of state energy and emissions reduction policies, rapid integration of renewable energy resources, and fair compensation of utility employees.

(8) Nothing in this section precludes any gas or electrical company from making filings required or permitted by the commission.

(9) The commission shall align, to the extent practical, the timing of approval of a multiyear rate plan of an electrical company submitted pursuant to this section with the clean energy implementation plan of the electrical company filed pursuant to RCW 19.405.060.

(10) The provisions of this section may not be construed to limit the existing rate-making authority of the commission.

(11) The commission may require a large combination utility as defined in section 2 of this act to incorporate the requirements of this section into an integrated system plan established under section 3 of this act.

NEW SECTION. Sec. 19. This chapter may be known and cited as the Washington decarbonization act for large combination utilities.

NEW SECTION. Sec. 20. Sections 2 through 8, 10 through 12 and 19 of this act constitute a new chapter in Title 80 RCW.

NEW SECTION. Sec. 21. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 22. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "future;" strike the remainder of the title and insert "amending RCW 19.280.030, 80.24.010, 19.405.060, 80.28.130, 80.28.365, 80.28.380, and 80.28.425; adding a new chapter to Title 80 RCW; creating a new section; and declaring an emergency."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### MOTION

Representative Doglio moved that the House concur with the Senate amendment(s) to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589.

#### FIRST POINT OF ORDER

Representative Stokesbary stated the Senate striking amendment (880) to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589 violated House Rule 12(F).

#### SPEAKER'S RULING

“Engrossed Second Substitute House Bill No. 1589 is a comprehensive bill making extensive changes to current law. The bill aims to assist large combination utilities in transitioning away from the use of natural gas and provides regulatory flexibility to achieve this goal. In part, the bill prescribes a process for a state regulatory agency, the Utilities and Transportation Commission, to consolidate a large combination utility’s planning requirements for both gas and electric operations into a single integrated system plan, known as an ISP. The bill requires a large combination utility to file an ISP by a specified date, and to update such a plan on a regular basis. The ISP has certain specified requirements, and the Utilities and Transportation Commission is authorized to complete rulemaking to implement consolidated planning requirements.

RCW 19.285.040 directs qualifying utilities, including large combination utilities as defined in Engrossed Substitute House Bill 1589, to establish biennial conservation targets and requires a utility to meet those targets. Significantly, it does not require the filing of a plan with the Utilities and Transportation Commission. In fact, only WAC 480-109-120, an administrative rule, requires a utility to file a biennial conservation plan.

Section 3, Subsection (2)(a) of the Senate amendment requires a large combination utility to incorporate the conservation targets required by RCW 19.285.040. However, the substantive obligations to create the conservation targets outlined in RCW 19.285.040 remain unchanged.

Therefore, the Speaker finds that Engrossed Substitute House Bill 1589, as amended by the Senate, is so complete that one can determine the scope of rights and duties it affects or creates without referring to other statutes. The Speaker further finds that that no rights or duties under existing statutes would be rendered erroneous by Section 3, Subsection (2)(a) of the Senate amendment.

The point of order is not well taken.”

### SECOND POINT OF ORDER

Representative Stokesbary stated the Senate striking amendment (880) to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589 violated House Rule 12(F).

### SPEAKER’S RULING

“The Speaker will not repeat but acknowledges the brief description of the bill in the first point of order raised.

RCW 80.04.130 in relevant part specifies a process and criteria for the Utilities and Transportation Commission to evaluate a tariff change. The statute also authorizes the commission, if it so decides, to suspend the operation of rates for a period of up to ten months. The statute does not contemplate a time frame in which a decision must be made.

Section 7, Subsection (4) of the Senate amendment authorizes the Utilities and Transportation Commission to extend the deadline for a decision about whether to suspend the operation of rates when a large combination utility proposes its first multiyear rate plan.

Because RCW 80.04.130 does not specify a time frame in which a suspension decision must be made, the decision deadline extension referenced in Section 7, Subsection (4) of the Senate amendment does not impermissibly amend RCW 80.04.130.

Therefore, the Speaker finds that Engrossed Substitute House Bill 1589, as amended by the Senate, is so complete that one can determine the scope of rights and duties it affects or creates without referring to other statutes. The Speaker further finds that that no rights or duties under existing statutes would be rendered erroneous by Section 7, Subsection (4) of the Senate amendment.

The point of order is not well taken.”

### THIRD POINT OF ORDER

Representative Stokesbary requested a scope and object ruling on the Senate striking amendment (880) to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589.

### SPEAKER’S RULING

“The title of Engrossed Substitute House Bill 1589 is an act relating to supporting Washington’s clean energy economy and transitioning to a clean, affordable, and reliable energy future. The title of the bill is broad.

Once again, the Speaker will not repeat, but acknowledges the brief description of the bill in the first point of order raised.

Section 13 of the Senate amendment increases an existing regulatory fee collected by the Utilities and Transportation Commission. This fee is paid by regulated public service companies and helps fund the commission’s operations and regulatory activities. The modified fee will help offset the cost of the commission fulfilling its duties under Engrossed Second Substitute House Bill No. 1589.

The modified fee in Section 13 of the Senate amendment is rationally related to the original purpose of the bill—to assist large combination utilities in transitioning away from the use of natural gas. Furthermore, the fee is remitted to the same agency—the Utilities and Transportation Commission—tasked with administering the bill as it left the House and before the bill was amended by the Senate.

The Speaker therefore finds and rules that the Senate amendment is within the scope and object of the bill.

Finally, because the Senate amendment is within the scope and object of the bill, the Speaker necessarily concludes that bill shall not be referred to committee per House Rule 12(C).

The point of order is not well taken.”

### MOTION

Representative Stokesbary moved to appeal the decision of the Speaker in accordance with House Rule 24 and requested an oral roll call vote on the matter.

With the consent of the House, the motion to appeal the Speaker’s decision was withdrawn.

Representative Doglio spoke in favor of the motion to concur.

Representative Cheney spoke against the motion to concur.

An oral roll call was requested.

### ROLL CALL

The Clerk called the roll on the motion to concur with the Senate amendment(s) to Engrossed Substitute House Bill No. 1589, and the motion passed the House by the following vote: Yeas, 53; Nays, 42; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick,

Schmidt, Shavers, Springer, Steele, Stokesbary, Volz, Walen, Walsh, Waters and Ybarra

Excused: Representative Chandler and Wilcox

#### **SENATE AMENDMENT TO HOUSE BILL**

The House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589 and advanced the bill, as amended by the Senate, to final passage.

Representatives Doglio and Santos spoke in favor of the passage of the bill.

Representatives Dye, Jacobsen, Walsh, Abbarno, Maycumber and Stokesbary spoke against the passage of the bill.

#### **FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1589, as amended by the Senate.

An oral roll call was requested.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1589, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 50; Nays, 45; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Stearns, Stonier, Street, Taylor, Thai, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Morgan, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Springer, Steele, Stokesbary, Tharinger, Timmons, Volz, Walen, Walsh, Waters and Ybarra

Excused: Representatives Chandler and Wilcox

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 12:00 p.m., Wednesday, March 6, 2024, the 59th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk



## SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

## FIFTY NINTH DAY

House Chamber, Olympia, Wednesday, March 6, 2024

The House was called to order at 12:00 p.m. by the Speaker. The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Taylor Curzon and Gregory Waldref. The Speaker led the Chamber in the Pledge of Allegiance. The prayer was offered by Erin Jones, author, educator, TEDx and motivational speaker, and member of "The Gathering" Christian community.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4697**, by Representatives Jinkins, Stokesbary, Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, and Ybarra

WHEREAS, Isaac I. Stevens was the first governor of what was then the Washington Territory, and he designated Olympia as the capital in 1853 since he was already staying at the Courtyard by Marriott so it was pretty convenient and would be even more so once I-5 was built, and he was tired of traipsing around the state looking for capitals; and

WHEREAS, Olympia continued to serve as the capital after Washington became the 42nd and, if we're being honest, best state in our union in 1889; and

WHEREAS, The House of Representatives would meet to debate policy and pass laws, but everyone noticed that not a lot of work was really getting done out in the chamber, so they decided that what they needed was a room where that work could get done, and someone said, "Hey, we should just call it the Workroom," so that's what they did; and

WHEREAS, Many decades later, while all her schoolmates were dreaming of going to the moon or becoming president, a young Maureen Mueller, set her sights even higher, deciding that she would leave her native Orange County, California, and become the supervisor of that Workroom; and

WHEREAS, Everyone discouraged Maureen from her dream of being in that Workroom because everyone knew that the hours were crazy and the coffee was terrible, but Maureen knew that they could not see past the chaos of Session into the splendor of Interim; and

WHEREAS, After first working in software in San Francisco, she moved to Washington and came to work in the House, beginning first as session Committee Legislative Assistant for the Office of Program Research in December 1995 for the 1996 and 1997 sessions; after which OPR wisely hired her on a permanent basis in 1999; but even then she knew that was not her true calling and she could see firsthand that the Workroom was in need of some major, well, work; and

WHEREAS, In 2010, Maureen finally fulfilled her destiny of working in the Workroom as Workroom Coordinator, promoting to

Workroom Supervisor in 2016 and immediately setting to work sorting everything out and spending extra time on what are legally known as "the fiddly bits" of legislative paperwork that you probably never paid attention to but, oh boy, you'd sure notice in a hurry if she wasn't there making that stuff work out; and

WHEREAS, This is as good a time as any to remark that no one here really calls her Maureen because she is affectionately known as Moe, which is why you could be forgiven if you didn't know who Maureen is because you were thinking of a Moe who did all those crucial things for the House; and

WHEREAS, Not a lot is known about Maureen's home life, as no one even thought to check if she even ever leaves the Workroom until we started putting this resolution together, but in all seriousness, as well as devoting substantial time and energy to the House, she and her husband Warren raised two children, Malorie (Malley) and Aleksei (Alex); are loving grandparents to their grandson Robert (Bertie); and find time to restore historic homes and travel the world, including Thailand, Morocco, China, Egypt, Greece, Germany, Cambodia, and France. Further, she clearly never sleeps because she routinely prepares amazing cuisine and treats to sustain the Workroom and rostrum staff through 20-hour floor sessions; and

WHEREAS, Moe has bizarrely decided to leave her beloved Workroom and retire to another beloved place in France, which is probably a lot like the Workroom only with everything in French and less rainy; and

WHEREAS, Everyone should be very happy for Moe's retirement, and we would be, except there's still the matter of all those fiddly bits in the Workroom that she handles, and that stuff is still going to need to get done while she's off galivanting around in France;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives hereby direct the Chief Clerk to look into Moe's paperwork and take such steps as may be necessary or advisable to deny her retirement; and

BE IT FURTHER RESOLVED, That whatever must be done to prevail upon Moe to stay on in her Workroom for just a couple more decades be done, including maybe getting her some Yoplait or something so it feels a little like France in there; and

BE IT FURTHER RESOLVED, That if Moe cannot be made to stay on, then we reluctantly wish her the best and urge everyone to join with us to celebrate and honor the life, legacy, work, service, and general awesomeness of Maureen Mueller.

Representative Santos moved adoption of HOUSE RESOLUTION NO. 4697.

Representatives Santos and Maycumber spoke in favor of the adoption of the resolution.

## SPEAKER'S PRIVILEGE

The Speaker thanked Maureen Mueller for her contributions and years of service to the House.

HOUSE RESOLUTION NO. 4697 was adopted.

## RESOLUTION

**HOUSE RESOLUTION NO. 2024-4699**, by Representatives Jinkins, Stokesbary, Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris,

Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, and Ybarra

WHEREAS, Lisa Fenton was born in Portland, Oregon to Mike and Linda Higginbotham and grew up with brother Scott and sister Daina all over the county as her father was transferred to San Jose, California; Bellevue, Washington; Denver, Colorado; Olympia, Washington; and Burnsville, Minnesota; and

WHEREAS, Lisa eventually moved from Pullman back to Olympia, where she began her career with the legislature in October 1984; and

WHEREAS, Between 1984 and 1998 she worked in the Senate five years and then transferred to the House of Representatives, serving in the capacities of legislative assistant and senior legislative assistant, and in the chief clerk's office; and

WHEREAS, She took a two-year hiatus from the legislature between 1998 to 2000, to work as an account executive in a local advertising agency; and

WHEREAS, She returned to the House of Representatives in 2000, acting as a public information officer until 2007 and assuming the role of communications director for the house republican caucus between 2007 to 2012; and

WHEREAS, Between 2012 and 2024, she ably, loyally, and courageously served as chief of staff, AKA Right-Hand-Woman, to four sets of house republican leaders, earning their trust, respect, and admiration; and

WHEREAS, Said leaders describe her as "an absolute professional" who has "earned the respect of legislative members and staff across the capitol campus on both sides of the aisle and the Third House"; the "hardest working woman in Olympia, with the biggest heart"; "probably one of the best additions to the House of Representatives that I know of"; and a defender of the institution, which in the end promoted not only the interests of her members and staff, but also of the people of the state of Washington; and

WHEREAS, As chief of staff she promoted her values of fairness, inclusiveness, consideration, kindness, respect, and providing growth opportunities for all staff. She consistently promoted "teams" well before "Teams"; and

WHEREAS, We will miss her fun-loving sense of humor and the fact that you can get her to laugh so hard she cries, which lights the mood during a 20-hour floor session; and

WHEREAS, She balanced the substantial demands of her career at the legislature with her role as devoted wife and partner to Mike Fenton and dedicated mom to sons Ben and Sam, and stepdaughters Rachel and Palen; and

WHEREAS, The pull of being a grandma to her adorable grandson David is contributing to her decision to abandon us and focus on family; and

WHEREAS, We will be green with envy, but happy for her and Mike, when she sends us photos of them relaxing in Mexico, their home away from home, during the months of January through April; and

WHEREAS, We will miss her cheerful greeting, "Hello, sunshine," because she is *our* sunshine and please don't take our sunshine away; and

WHEREAS, We must get through the stages of grief and let her go, because she has given her heart and soul to serving the legislature, members, staff, and the people of the state of Washington, and she deserves a long, healthy, and happy retirement with Mike, their family, and their beloved dogs Winnie and Cubby;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington salute and celebrate Lisa Fenton for her dedicated service to the legislature and, indeed, to the people of the entire state of Washington.

Representative Wilcox moved adoption of HOUSE RESOLUTION NO. 4699.

Representative Wilcox spoke in favor of the adoption of the resolution.

### SPEAKER'S PRIVILEGE

The Speaker thanked Lisa Fenton for her contributions and years of service to the House.

HOUSE RESOLUTION NO. 4699 was adopted.

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4698**, by Representatives Jinkins, Stokesbary, Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, and Ybarra

WHEREAS, Everyone agrees that not much really happened in the 1960s, except for the very notable and wonderful birth of Patty Moore; and

WHEREAS, The 1970s were similarly uneventful and boring, except for Patty inventing disco and then founding Studio 54 so that there would be a place to play this amazing music and hang out with celebrities; and

WHEREAS, It may be the case that Patty did not really invent disco or found Studio 54, but no one really remembers the 70s clearly and that's a better story than her simply graduating from Olympia High School, which she did do and it's actually pretty noteworthy; and

WHEREAS, Patty had lived for many years in Olympia without really noticing the big domed building, but one day she saw it and decided to wander in and see what it was all about; and

WHEREAS, The big domed building turned out to be the Legislative Building, and Patty would go from hardly noticing it to hardly leaving it from about 1989 on, as she started working for the Secretary of State and then was a Legislative Assistant in the House of Representatives, but then she made the only misstep of her otherwise storied career, as she went to work for The Other Chamber for about a year before realizing that The Other Chamber would need a lot more work than even her considerable talents could bring to get it into shape, so she wisely left; and

WHEREAS, Patty finally fulfilled her destiny by coming to work in the Chief Clerk's Office in 1995, where she honorably served the House and several Chief Clerks, with everyone who visited the office understanding that they could either meet with the Chief Clerk if they wanted or just save all that trouble and simply ask Patty what was going on, because mostly no one but Patty really ever knew what was going on at any point in time; and

WHEREAS, She has ably managed the House Resolution process, coordinating the processing and adoption of hundreds of resolutions honoring all manner of people, groups, events, causes, and even foods; and

WHEREAS, Speaking of food, perhaps her one quirk is the fact that she would probably eat chips at any time of day or night for any meal; and

WHEREAS, Despite being the rock upon which the House was built, Patty did have a rich and rewarding life outside of the Legislature, raising a wonderful family and having two amazing grandchildren who are some of the best things to ever happen to her; and

WHEREAS, Patty is also an avid horsewoman, doting on her beloved horse, Vixen, who at the time of this Resolution is a stately and remarkable 30+ years old and still going strong; and

WHEREAS, Patty is seeking to retire so that she can spend even more time with Vixen and her amazing grandchildren and get to Cannon Beach as often as possible, and just generally do non-House related things for a change;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives hereby direct the Chief Clerk to lock his outer doors so that Patty cannot leave the office, because no one in the House can imagine what we'll do without her; and

BE IT FURTHER RESOLVED, That Patty will probably still get out of that locked office because she knows the building better than anyone, so perhaps it is better to just ask her if she'll stay longer, not more than two, maybe three more decades, tops; and

BE IT FURTHER RESOLVED, That if Patty cannot be made to stay on, then we reluctantly wish her the best and urge everyone to join with us to celebrate and honor the life, legacy, work, service, and general awesomeness of Patty Moore.

Representative Springer moved adoption of HOUSE RESOLUTION NO. 4698.

Representatives Springer and Kretz spoke in favor of the adoption of the resolution.

**SPEAKER'S PRIVILEGE**

The Speaker thanked Patty Moore for her contributions and years of service to the House.

HOUSE RESOLUTION NO. 4698 was adopted.

There being no objection, the House advanced to the sixth order of business.

**SECOND READING**

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5949, by Senate Committee on Ways & Means (originally sponsored by Mullet and Schoesler)**

**Concerning the capital budget.**

The bill was read the second time.

Representative Tharinger moved the adoption of the striking amendment (1261):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A supplemental capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2025, out of the several funds specified in this act.

**PART 1  
GENERAL GOVERNMENT**

**Sec. 1001.** 2023 c 474 s 6049 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**  
2022 Local & Community Projects (40000230)

The (~~reappropriation~~) appropriations in this section (~~is~~) are subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 7012 of this act, except that:

(a) \$2,000,000 of the reappropriation is for the Tiny House Villages (Seattle) project, and not the Tiny House Villages and Cottages (Seattle) project; and

(b) \$206,000 of the reappropriation is for the Renton Housing Repair Assistance Program (Renton) project, and not the 300 Rainier Ave Building (Renton) project.

(2) The department must reimburse the city of Chelan for its expenditures for the Chelan municipal airport extension project. The amount of the reimbursement to the city of Chelan under this section may not exceed the amount appropriated for the Chelan municipal airport extension project in section 1022, chapter 296, Laws of 2022.

(3) (~~It is the intent of the legislature to appropriate funding~~) \$1,000,000 of the appropriation in this section is for the remaining costs of the Chelan municipal airport extension project ((in fiscal year 2024)).

**Reappropriation:**

State Building Construction Account—  
State. . . . . \$117,688,000

**Appropriation:**

State Building Construction Account—  
State. . . . . \$1,000,000

Prior Biennia (Expenditures). \$51,879,000  
Future Biennia (Projected Costs). . . \$0  
TOTAL.....(~~\$169,567,000~~)  
\$170,567,000

**Sec. 1002.** 2023 c 474 s 1007 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**  
2023-25 Energy Retrofits and Solar Power for Public Buildings (40000283)

The appropriation in this section is subject to the following conditions and limitations:

(1) (~~(\$22,500,000)~~) \$14,500,000 of the appropriation in this section is provided solely for grants to local governments, public higher education institutions, school districts, tribal governments, and state agencies for improvements to facilities and related projects that result in energy and operational cost savings.

(a) At least 20 percent of each competitive grant round is designated for award to eligible projects in small cities or towns with a population of 5,000 or fewer residents.

(b) In each competitive round, a higher energy savings to investment ratio must result in a higher project ranking. Priority consideration must be given to applicants that have not received grant awards for this purpose in prior biennia.

(c) The department must determine a minimum match ratio to maximize the leverage of nonstate funds.

(2) \$22,500,000 of the appropriation in this section is provided solely for grants to be awarded in competitive rounds to local governments, public higher education institutions, school districts, tribal governments, and state agencies for projects that involve the purchase and installation

of solar energy systems, including solar modules and inverters, with a preference for products manufactured in Washington.

(a) At least 20 percent of each competitive grant round is designated for award to eligible projects in small cities or towns with a population of 5,000 or fewer residents.

(b) In each competitive round, a higher energy savings to investment ratio must result in a higher project ranking. Priority consideration must be given to applicants that have not received grant awards for this purpose in prior biennia.

(c) The department must determine a minimum match ratio to maximize the leverage of nonstate funds.

(3) \$5,000,000 of the appropriation in this section is provided solely for the energy efficiency and environmental performance improvements to minor works, stand-alone, and emergency projects at facilities owned by agencies that repair or replace existing building systems and reduce greenhouse gas emissions from state operations, including, but not limited to, HVAC, lighting, insulation, windows, and other mechanical systems. Eligibility for this funding is dependent on an analysis using the office of financial management's life-cycle cost tool that compares project design alternatives for initial and long-term cost-effectiveness. Assuming a reasonable return on investment, the department shall provide grants in the amount required to improve the project's energy efficiency compared to the original project request.

(4) \$4,000,000 of the appropriation in this section is provided solely for the Washington state association of counties to provide funding for energy audits on county-owned tier 1 and tier 2 covered buildings and collect and manage data on the costs for counties to comply with the requirements of RCW 19.27A.210 and 19.27A.250.

(a) The Washington state association of counties may award grants to counties with qualifying buildings to assess current energy performance and determine the approximate costs of facility and system upgrades to meet state energy performance standards in chapter 19.27A RCW.

(b) The Washington state association of counties shall submit to the appropriate committees of the legislature no later than December 31, 2025, a report detailing the current energy performance of each county-owned tier 1 and tier 2 building for which an energy audit was completed with the funding provided in this subsection (4), and an estimate of the costs for bringing each building into compliance with the state energy performance standards in chapter 19.27 RCW.

(c) Up to 12 percent of the amount of the grants awarded in (a) of this subsection may be retained by the Washington state association of counties for administrative costs.

(5) \$4,000,000 of the appropriation in this section is provided solely for the association of Washington cities to provide funding for energy audits on city-owned tier 1 and tier 2 covered buildings and collect and manage data on the costs for cities to

comply with the requirements of RCW 19.27A.210 and 19.27A.250.

(a) The association of Washington cities may award grants to cities with qualifying buildings to assess current energy performance and determine the approximate costs of facility and system upgrades to meet state energy performance standards in chapter 19.27A RCW.

(b) The association of Washington cities shall submit to the appropriate committees of the legislature no later than December 31, 2025, a report detailing the current energy performance of each city-owned tier 1 and tier 2 building for which an energy audit was completed with the funding provided in this subsection (5), and an estimate of the costs for bringing each building into compliance with the state energy performance standards in chapter 19.27 RCW.

(c) Up to 12 percent of the amount of the grants awarded in (a) of this subsection may be retained by the association of Washington cities for administrative costs.

(6) The department shall develop metrics that indicate the performance of energy efficiency efforts.

~~((45))~~ (7) If a grant is provided in subsection (1) or (3) of this section to purchase heating devices or systems, the agency must, whenever possible and most cost effective, select devices and systems that do not use fossil fuels.

~~((46))~~ (8) Grants provided in subsections (1) ~~((, (2), and))~~ through (3) of this section to state agencies are exempt from the match requirements in this section.

**Appropriation:**

Climate Commitment Account—State.	
\$50,000,000	
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs).	
\$200,000,000	
TOTAL.....	\$250,000,000

**Sec. 1003.** 2023 c 474 s 1011 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF COMMERCE**  
Pacific Tower Capital Improvements (40000287)

**Appropriation:**

State Building Construction Account—	
State. . . . .	<del>(\$6,464,000)</del>
	\$6,587,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs).	
\$6,061,000	
TOTAL.....	<del>(\$12,525,000)</del>
	\$12,648,000

**Sec. 1004.** 2023 c 474 s 1013 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF COMMERCE**  
2023-25 Broadband Infrastructure Federal Match Projects (40000290)

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$50,000,000 of the state building construction account—state appropriation in this section is provided solely as match for

federal authority allocated under this section and section 7017 of this act for the statewide broadband office to administer the broadband equity, access, and deployment state grants program in section 60102 of P.L. 117-58 (infrastructure investment and jobs act). Expenditure of the amount in this subsection is contingent on the receipt of this grant funding.

(b) To the extent permitted by federal law, the office shall provide state match only for projects where the lead applicant is a public or tribal government entity. The office must allocate state match funds in a manner that prioritizes projects based on affordability, fair labor practices, speed to deployment, open access, local and tribal coordination, and the provision of digital navigation services, as outlined in the scoring criteria contained in the plan submitted by the office to the national telecommunications and information administration.

(c) The legislature intends to provide sufficient funds to match federal funds available during the 2025-2027 fiscal biennium.

(2) In addition to scoring and weighting criteria established pursuant to the federal broadband equity, access, and deployment program, the state broadband office must establish additional secondary selection criteria, including, but not limited to, criteria that give weight to projects that:

(a) Provide open-access wholesale last-mile broadband service for the useful life of the subsidized networks on fair, equal, and neutral terms to all potential retail providers; and

(b) Demonstrate support from the local government or any tribal government with oversight over the location or locations to be served.

(3) The statewide broadband office must include, in the five-year action plan developed using initial planning funds from the broadband equity, access, and deployment program funded under P.L. 117-58 (infrastructure investment and jobs act):

(a) Consideration of broadband infrastructure projects that use wireless technology in order to expand access at the lowest cost to the most unserved or underserved residents; and

(b) Steps the office will take to promote: The use of existing infrastructure; dig-once policies; streamlined permitting processes; and cost-effective access to poles, conduits, easements, and rights-of-way. To the extent permitted under federal law, the office must consider creating a pool of grant funds dedicated to pole costs.

(4) \$300,000 of the general fund—federal appropriation provided in this section is for a staff position dedicated to advising the statewide broadband office on the availability and feasibility of deploying new and emerging technologies in broadband internet service.

**Appropriation:**

General Fund—Federal. . . ((\$150,000,000))  
\$245,560,000  
State Building Construction Account—  
State. . . . . \$50,000,000  
Subtotal Appropriation.....((\$200,000,000))

\$295,560,000  
Prior Biennia (Expenditures). . . . . \$0  
Future Biennia (Projected Costs).  
((\$150,000,000))  
\$1,132,194,000  
TOTAL.....((\$350,000,000))  
\$1,427,754,000

**Sec. 1005.** 2023 c 474 s 1016 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Capital Pre-Development Funding  
(40000293)

The appropriation in this section is subject to the following conditions and limitations: Of the amounts provided in this section, \$3,800,000 is provided solely for the LETI Incubator for Family Success project in Everett.

**Appropriation:**

State Taxable Building Construction Account—  
State. . . . . ((\$5,000,000))  
\$3,800,000  
Prior Biennia (Expenditures). . . . . \$0  
Future Biennia (Projected Costs).  
\$20,000,000  
TOTAL.....((\$25,000,000))  
\$23,800,000

**Sec. 1006.** 2023 c 474 s 1017 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2023-25 Clean Energy Fund Program  
(40000294)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$500,000 of the appropriation in this section is provided solely for the department to convene a work group to:

(i) Analyze the financial investments required for owners of tier 1 covered buildings to comply with the state energy performance standard under RCW 19.27A.210; and

(ii) Make recommendations to the legislature to assist building owners in attaining compliance, which must include, but are not limited to:

(A) Identifying energy efficiency investments or other strategies and related timelines for increasing energy efficiency in the buildings sector;

(B) Providing a cost-benefit analysis of options, including energy efficiency, to meet the goal of reducing greenhouse gas emissions from the buildings sector; and

(C) Recommendations to balance financial investments while maximizing clean energy benefits for the state, including statutory changes that may be necessary for this purpose.

(b) The work group membership convened under this section must include, but is not limited to: One representative of the office of the superintendent of public instruction; one representative of a K-12 maintenance and operation administrators association; one representative of each of the state's public four-year institutions of higher education; one representative of the state board for

community and technical colleges; one representative of the department of social and health services; one representative of the department of corrections; one representative of the department of enterprise services; one representative of a health care organization; one representative from a local government; one representative from an organization representing privately owned tier 1 covered buildings; one representative from a business specializing in performance contracting for energy services; one representative from a nonprofit specializing in clean energy; and two representatives of a national association for industrial and office parks.

(c) The department must submit to the appropriate committees of the legislature:

(i) Analysis of financial investments as required by this section by December 15, 2023; and

(ii) A final report with recommendations as required by this section by September 1, 2024.

(2) Except as provided in subsections (1) ~~((and)), (11), (13), and (14)~~ of this section, the appropriation in this section is provided solely for competitive grants to eligible entities for predevelopment, design, and construction of projects that provide a public benefit through research, development, demonstration, or deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state. Priority must be given to projects that benefit vulnerable populations and overburdened communities, including tribes.

(3) Entities eligible for grant funding under this section include local governments, federally recognized tribal governments and tribes' contracted service providers, public and private utilities that serve retail customers in the state, for-profit entities, research institutions, nonprofit organizations, and state agencies.

(4) To be eligible, a project must be consistent with the state energy strategy adopted under chapter 43.21F RCW and policies under chapter 19.405 RCW. To the extent practicable, the department must prioritize projects that build upon Washington's strengths in aerospace, maritime, information and communications technology, grid modernization, advanced materials, and decarbonizing the built environment.

(5) The department must invite stakeholders to participate in the design and implementation of grant programs funded under this section. The department must consider equity and environmental justice when developing the program structure and opportunities for applicant participation.

(6) When soliciting and evaluating proposals, awarding contracts, and monitoring projects under this section, the department must:

(a) Ensure that competitive processes, rather than sole source contracting processes, are used to select all projects, except as otherwise noted in this section;

(b) Ensure that a public benefit results from the use of public funds through due diligence and monitoring of contracted

projects, including ensuring compliance with all applicable laws related to the project selection process, project monitoring, and contracting; and

(c) Prioritize projects for funding that leverage the greatest amount of matching funds, such as local levy funding.

(7) (a) The department must require project applicants to:

(i) Disclose all sources of public funding invested in a project; and

(ii) Identify by name any former or current state of Washington employees employed by the applicant or its governing body in the 24 months preceding the application submittal. The identification must include the person's separation date and job title or position held. If the department determines that a conflict of interest or other violation of chapter 42.52 RCW exists, the application must be disqualified from further consideration.

(b) If, after a grant has been awarded, the department finds that a grantee has violated chapter 42.52 RCW, either in procuring or performing under the grant, the department in its sole discretion may terminate the grant funding by written notice. If the grant is terminated, the department must reserve its right to pursue all available remedies under law to address the violation.

(8) The department must specify the requirements in subsections (6) and (7) of this section in funding contracts entered into by the department under this section.

(9) \$10,000,000 of the appropriation in this section is provided solely for grants to tribes for clean energy development projects. Eligible uses of grant funding include planning, predesign, design, construction, project predevelopment, and deployment of clean energy projects that contribute to achieving the state's greenhouse gas emissions reduction goals and related policies. The department must collaborate with tribes in the design and development of this grant program.

~~(10) \$10,000,000 ((of the appropriation in this section is provided solely for state match for federal funding that aligns with subsection (2) of this section and accelerates meeting state clean energy and climate goals. Funding may be used to match federal grants to the state or nonstate entities for clean energy research, development, and demonstration projects.~~

~~(11) \$12,000,000))~~ of the appropriation in the section is provided solely for grants for strategic research, development, and demonstration of new and emerging clean energy generation and storage technologies and climate change mitigation technologies, including greenhouse gas removal. Grants awarded under this subsection must reduce reliance on fossil fuels, reduce risk of irregularities in power supply, offer opportunities for economic and job growth, and strengthen technology supply chains. Grant funds are intended to catalyze diverse new technologies that change production, use, storage, and transportation of energy. The department may provide funding to projects at various stages of readiness, including early-stage research, pilot and demonstration projects, and dual use

projects that produce clean energy and additional benefits.

(11) \$1,500,000 of the appropriation in this section is provided solely to support proof-of-concept development of biogenic carbon dioxide electrolysis, a chemical technology process that utilizes water, electricity, and biogenic CO2 as inputs and produces carbon monoxide as an output to be utilized for the production or manufacture of sustainable aviation fuel.

(12) \$20,000,000 of the appropriation in this section is provided solely for grants for electrical grid integration and innovation projects. To be eligible, a project must develop and demonstrate distributed energy resources, as defined in RCW 19.405.020, and nonwire alternatives that advance community resilience, support implementation of demand response and sustainable microgrids, improve integration of renewable energy and energy storage, and accelerate beneficial load integration and demand management for building electrification, equipment electrification, and electric vehicle charging.

(13) \$7,500,000 of the appropriation in this section is provided solely to support regional energy analytics capability at Pacific Northwest national laboratory.

(14) \$500,000 of the appropriation in this section is provided solely for the Nooksack Indian tribe to enter into an agreement with a third-party contractor to complete a prefeasibility study of geothermal power generation options in Whatcom county. Power generation options considered must include, at a minimum: Hydro-thermal, enhanced geothermal, and high enthalpy enhanced geothermal. The tribe must select the contractor in consultation with the public utility district No. 1. of Whatcom county. The tribe must submit the completed study to the department by June 15, 2025.

(15) The department must strive to allocate all of the amounts appropriated in subsections (9), (10), and (12) of this section within the 2023-2025 fiscal biennium in the manner prescribed in each subsection. However, no sooner than January 1, 2024, if upon review of applications the department determines there are not adequate suitable projects in a category, the department may reallocate funding among the purposes of subsections (9) ~~((through)), (10), and (12)~~ of this section. Beginning January 1, 2024, the department must provide quarterly notice of any funding reallocations to the appropriate fiscal committees of the legislature.

**Appropriation:**

Climate Commitment Account—State.	
<del>(( \$60,000,000 ))</del>	\$50,000,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs).	
<del>(( \$240,000,000 ))</del>	\$200,000,000
TOTAL.....	<del>(( \$300,000,000 ))</del>
	\$250,000,000

**Sec. 1007.** 2023 c 474 s 1020 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2023-25 Housing Trust Fund (40000295)

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(( \$163,663,000 ))~~ \$180,663,000 of the state taxable building construction account—state appropriation is provided solely for the new construction, acquisition, or rehabilitation of affordable housing projects that serve and benefit low-income and special needs populations including, but not limited to, people with chronic mental illness or behavioral health conditions, farmworkers, people who are homeless, and people in need of permanent supportive housing. The department shall strive to invest at least 20 percent of the appropriation provided under this subsection with by and for organizations, as defined by the office of equity.

(2) ~~(( \$25,000,000 ))~~ \$35,500,000 of the state taxable building construction account—state appropriation ~~((is))~~ and \$8,500,000 of the Washington housing trust fund account—state appropriation are provided solely for affordable housing projects that serve and benefit low-income people with developmental or intellectual disabilities. The department must use a separate application form and evaluation criteria for applications under this subsection. The department must coordinate with the department of social and health services regarding any needed supportive services and make efforts to enact the recommendations of the housing needs study for individuals with intellectual and developmental disabilities, as provided in section 1068(6), chapter 332, Laws of 2021.

(3) \$100,000,000 of the state taxable building construction account—state appropriation is provided solely for the apple health and homes rapid permanent supportive housing program created in chapter 216, Laws of 2022. Of the amounts provided in this subsection ~~((-))~~:

(a) \$5,000,000 is provided solely for the St. Agnes Haven project in Spokane; and

(b) \$7,000,000 is provided solely for the CoLead Northgate project in Seattle.

(4) ~~(( \$40,000,000 ))~~ \$60,000,000 of the state building construction account—state appropriation is provided solely for awards to organizations eligible under RCW 43.185A.040 for the development of homeownership projects affordable to first-time low-income households throughout the state. Projects serving homebuyers whose income is up to 80 percent of the area median income, adjusted for household size, for the county where the property is located are eligible to apply, except that projects located in rural areas of the state, as defined by the department, serving homebuyers whose income is up to 100 percent of the area median income, adjusted for household size, for the county where the property is located are eligible to apply. Eligible activities include, but are not limited to, down payment assistance, closing costs, acquisition, rehabilitation costs, and new construction. Eligible organizations may include those that plan to provide housing to socially disadvantaged

communities as defined in 13 C.F.R. Sec. 124.103. The department shall strive to invest at least 50 percent of these funds with by and for organizations, as defined by the office of equity, and make efforts to enact the recommendations of the homeownership disparities work group created in section 128(100), chapter 297, Laws of 2022. Of the amount provided in this subsection:

(a) \$1,500,000 is provided solely for the Boulevard Townhomes project; and

(b) \$248,000 is provided solely for the Crail Cottages project.

(5) \$25,000,000 of the state building construction account—state appropriation is provided solely for affordable housing preservation projects, which may include, but are not limited to:

(a) Projects preserving and extending the affordability commitment period for projects in the housing trust fund portfolio. The funds may be provided for major building improvements, preservation, and system replacements, necessary for the existing housing trust fund portfolio to maintain long-term viability. The department must require a capital needs assessment be provided prior to contract execution. Funds may not be used to add or expand the capacity of the property. When allocating funds, the department must prioritize buildings that are older than 15 years and that serve very low-income and extremely low-income populations.

(b) Projects preserving affordable multifamily housing at risk of losing its affordability due to expiration of use restrictions that otherwise require affordability including, but not limited to, United States department of agriculture funded multifamily housing. The department must prioritize projects that satisfy the goal of long-term preservation of Washington's affordable multifamily housing stock, particularly in rural areas of the state. Funds may be used for acquisition or for acquisition and rehabilitation of properties to preserve the affordable housing units beyond their existing use restrictions and keep them in Washington's housing portfolio for a minimum of 40 years. If a capital needs assessment is required, the department must work with the applicant to ensure that this does not create an unnecessary impediment to rapidly accessing these funds.

(c) The funding provided under this subsection (5) is not subject to the 90-day application periods in RCW 43.185.070 or 43.185A.050.

(d) The amount awarded under this subsection (5) may not be calculated in award limitations for other housing trust fund awards.

(6) (\$4,000,000) \$14,000,000 of the state taxable building construction account—state appropriation is provided solely for a grant to the northwest cooperative development center to provide subgrants for the acquisition and preservation of mobile or manufactured home communities. Funding provided under this subsection may be used to acquire mobile or manufactured home communities for the purpose of avoiding

household displacement due to sale or other transactions and ensuring preservation of housing affordability for low-income households for a minimum of 40 years.

(7) (\$2,000,000) \$7,000,000 of the state taxable building construction account—state appropriation is provided solely for capital improvements to mobile home or manufactured home communities and includes the following:

(a) \$5,500,000 is provided solely for a grant to the northwest cooperative development center to provide subgrants to organizations that are "mobile home park cooperatives" or "manufactured housing cooperatives" under RCW 59.20.030 for completing capital improvement processes. Subgrants provided under this subsection may be used solely for critical improvements, repairs, and infrastructure upgrades to promote the preservation of mobile or manufactured home communities as affordable housing. The grantee must award subgrants based on needs relating to health, safety, and cost; and

(b) \$1,500,000 is provided solely for the Alpine Ridge Utility Upgrades project.

(8) (\$40,337,000) \$71,876,000 of the state taxable building construction account—state appropriation is provided solely for the following list of projects:

African Diaspora Cultural Anchor Village (SeaTac) . . . . .	\$4,000,000
<u>Bringing It Home II 24-Hour Domestic Violence Shelter . . . . .</u>	<u>\$8,720,000</u>
<u>Broadway Senior Housing . . . . .</u>	<u>\$1,000,000</u>
<u>Casa MiA: Supporting Housing for Survivors . . . . .</u>	<u>\$1,030,000</u>
<u>Cedar House . . . . .</u>	<u>\$112,000</u>
<u>Generations Place Workforce Housing . . . . .</u>	<u>\$1,600,000</u>
Gravelly Lake Commons at LASA (Lakewood) . . . . .	\$500,000
<u>((Kenmore Supportive Housing (Kenmore) . . . . .</u>	<u>\$1,000,000)</u>
<u>Habitat for Humanity . . . . .</u>	<u>\$6,000,000</u>
<u>KCR Mills Crossing Affordable Housing . . . . .</u>	<u>\$2,000,000</u>
Leavenworth Affordable Workforce Rental Housing (Leavenworth) (( <del>\$1,000,000</del> ))	\$2,300,000
Lewis County Homeless Shelter (Chehalis) . . . . .	\$2,500,000
Lincoln District Family Housing (Tacoma) . . . . .	\$5,050,000
Mary's Place Shelter Replacement (Burien) . . . . .	\$6,000,000
<u>Mount Baker Housing Association Trenton Apartments . . . . .</u>	<u>\$500,000</u>
Mount Zion Housing (Seattle) . . . . .	\$1,000,000
Multicultural Village Design (Kent) . . . . .	\$550,000
New Hope Family Housing (Seattle)	\$325,000
Peninsula Community Health Housing (Bremerton) . . . . .	\$412,000
<u>Raymond Manor Low-Income Senior Housing . . . . .</u>	<u>\$1,500,000</u>
<u>Redmond Supportive Housing . . . . .</u>	<u>\$3,200,000</u>
<u>Saint Vincent de Paul . . . . .</u>	<u>\$1,000,000</u>
Shiloh Baptist Church New Life Housing (Tacoma) . . . . .	\$1,000,000
Skyway Affordable Housing (Skyway) . . . . .	\$3,000,000
<u>Sky Valley Youth Center . . . . .</u>	<u>\$1,153,000</u>
Tacoma/Pierce County Habitat Affordable Housing	



(Pierce County) . . . . . \$14,000,000  
 The House of Bethlehem . . . . . \$424,000  
 West Klickitat Assisted Living Facility.  
\$3,000,000

(9) \$20,000,000 of the state taxable building construction account—state appropriation in this section is provided solely for eligible organizations defined under RCW 43.185A.040 to acquire, renovate, and prepare real property for rapid conversion into enhanced emergency shelters, permanent supportive housing, transitional housing, permanent housing, youth housing, tiny homes, or shelter for extremely low-income people, as well as individuals, families, unaccompanied youth, and young people experiencing sheltered and unsheltered homelessness. Acquisitions completed with temporary financing are eligible for funding provided in this section. The department may only approve funding for projects that result in increased shelter or housing capacity.

(a) Acquisition of multifamily housing is a priority, and the department shall prioritize housing projects that rapidly move people experiencing unsheltered homelessness into housing, including, but not limited to, individuals living in unsanctioned encampments, the public rights-of-way, or other public spaces.

(b) Amounts provided in this section may not be used for operating or maintenance costs, supportive services, or debt service.

(c) Awards made to tiny homes under this subsection (9) may be made to noncode compliant structures and may be exempted from the 40-year affordability requirement under RCW 43.185A.060.

(10) \$5,000,000 of the state building construction account—state appropriation in this section is provided solely for affordable housing urgent repair grants to be provided on an ongoing basis. Funding is not subject to the 60-day notification requirement in RCW 43.185A.150. The funding may be provided to address nonrecurring repair projects including repair of units or buildings, abatement of potentially hazardous materials, and safety-related structural improvements of affordable housing. Each repair grant award may not exceed \$200,000 per award. However, the department may not limit the number of awards or amount received per organization.

(a) For purposes of this subsection (10), "affordable housing" means:

(i) Permanent supportive housing as defined in RCW 36.70A.030; and

(ii) Multifamily affordable housing projects in the housing trust fund portfolio.

(b) If the department receives application requests that exceed the appropriation level in this subsection (10), the department must prioritize projects under (a)(i) of this subsection.

(11) In evaluating projects in this section, the department must give preference for applications based on some or all of the criteria in RCW 43.185.070(5).

~~((10))~~ (12) The department shall strive to allocate at least 30 percent of the funds provided in this section to projects located

in rural areas of the state, as defined by the department.

~~((11))~~ (13) The department must strive to allocate all of the amounts appropriated in this section within the 2023-2025 fiscal biennium in the manner prescribed in each subsection. However, if upon review of applications the department determines there are not adequate suitable projects in a category, the department may allocate funds to other affordable housing projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

**Appropriation:**

State Building Construction Account—  
 State . . . . . ((~~\$65,000,000~~))  
\$90,000,000

State Taxable Building Construction  
 Account—  
 State . . . . . ((~~\$335,000,000~~))  
\$429,039,000

Washington Housing Trust Account—State.  
\$8,500,000

Subtotal Appropriation. . . . . ((~~\$400,000,000~~))  
\$527,539,000

Prior Biennia (Expenditures) . . . . . \$0  
 Future Biennia (Projected Costs).  
 ((~~\$1,600,000,000~~))

\$2,076,156,000

TOTAL. . . . . ((~~\$2,000,000,000~~))  
\$2,603,695,000

**Sec. 1008.** 2023 c 474 s 1022 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Transit Oriented Housing Development Partnership Match (40000298)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely as match to private investment for grants or loans to for-profit and nonprofit housing developers and public entities to carry out projects designed to increase the supply and affordability of transit-oriented housing development. ~~((Grants))~~ Awards from this appropriation may only be used for the construction of units affordable at 80 percent of area median income or lower, if a project includes a range of affordability levels. The department shall work with the department of transportation to develop and administer a competitive grant or loan program to assist in the financing of housing projects within rapid transit corridors. The department shall implement the program pursuant to the following eligibility criteria and definitions:

(1) Entities eligible to receive ~~((grant))~~ awards are state agencies, local governments, and nonprofit or for-profit housing developers. Eligible uses of ~~((grant))~~ awards include project capital costs and infrastructure costs and addressing gaps in project financing that would prevent ongoing or complete project construction.

(2) Eligible housing projects must meet the following requirements:

(a) Be within a rapid transit corridor. For purposes of this subsection (2), "rapid transit corridor" includes either one-half mile from light rail or commuter rail, or one-quarter mile from bus rapid transit or other high-capacity bus service area.

(b) Produce at least ~~((100))~~ 80 units of housing; and

(c) Include a covenant on the property requiring at least 10 percent of total housing units in the project remain affordable for households with incomes at or below 60 percent of area median income and at least 10 percent of total housing units in the project remain affordable for households with incomes at or below 80 percent of area median income for at least 99 years.

(3) The department must prioritize eligible projects by occupancy date, with a target occupancy date of December 31, 2025, or sooner.

(4) To source project requests, the department may first review the list of housing trust fund applications from the prior two years to determine if any projects not fully funded would meet the criteria listed in subsection (2) of this section and would be able to proceed to construction. If so, the department must conduct outreach to those project owners to discuss the ~~((grant))~~ program before soliciting new projects.

(5) The department must also consider the following criteria when prioritizing all projects:

(a) Are comprised of the largest number of affordable units;

(b) Have the largest total number of units affordable to households with incomes at or below 60 percent area median income;

(c) Include land acquired at a reduced price or without cost;

(d) Abide by any applicable antidisplacement measures;

(e) Include units with additional bedrooms or intended for occupancy by families with multiple dependents; or

(f) Have acquired all necessary permits.

(6) The department may adopt any necessary guidance or rules to implement the competitive grant or loan program under this section, including any additional project eligibility criteria and prioritization criteria.

(7) The department must report a program update and any projects awarded on their website by June 30, 2024. The report must include project award data at the time of award, such as, but not limited to, the awardee, total project cost, amount of the award, number of households being served by household income, project location, and any other relevant information.

(8) The department must strive to allocate the amounts appropriated in this section by September 30, 2024, in the manner prescribed in this section. However, if upon review of applications the department determines there are not adequate suitable projects to receive awards, the department may allocate state funding to other affordable housing projects serving other low-income and special needs populations.

(9) Of the amounts appropriated in this section, \$2,100,000 from the state taxable

building construction account—state appropriation and \$2,100,000 from the general fund—private/local appropriation are provided solely for the Redmond Supportive Housing project.

**Appropriation:**

General Fund—Private/Local.	\$25,000,000
State <u>Taxable</u> Building Construction Account—	
State . . . . .	\$25,000,000
<b>Subtotal Appropriation . . . . .</b>	<b>\$50,000,000</b>
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs).	\$200,000,000
<b>TOTAL . . . . .</b>	<b>\$250,000,000</b>

**Sec. 1009.** 2023 c 474 s 1023 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF COMMERCE**  
2023-25 Behavioral Health Community Capacity Grants (40000299)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department to issue grants to community hospitals or other community providers to expand and establish new capacity for behavioral health services in communities. The department must consult an advisory group consisting of representatives from the department of social and health services, the health care authority, one representative from a managed care organization, one representative from an accountable care organization, and one representative from the association of county human services. Amounts provided in this section may be used for construction and equipment costs associated with establishment or preservation of the facilities. The department may approve funding for the acquisition of a facility if the project will result in increased behavioral health capacity. Amounts provided in this section may not be used for operating costs associated with the treatment of patients using these services.

(2) In awarding funding for projects in subsection (5) of this section, the department must establish criteria for the issuance of the grants, which must include:

(a) Evidence that the application was developed in collaboration with one or more regional behavioral health entities that administer the purchasing of services;

(b) Evidence that the applicant has assessed and would meet gaps in geographical availability of behavioral health services in their region;

(c) Evidence that the applicant is able to meet applicable licensing and certification requirements in the facility that will be used to provide services;

(d) A commitment by applicants to serve persons who are publicly funded and persons detained for involuntary commitment under chapter 71.05 RCW;

(e) A commitment by the applicant to maintain and operate the beds or facility for a time period commensurate to the state investment, but for at least a 10-year period;

(f) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(g) A detailed estimate of the costs associated with opening the beds;

(h) A financial plan demonstrating the applicant's ability to maintain and operate the facility; and

(i) The applicant's commitment to work with local courts and prosecutors to ensure that prosecutors and courts in the area served by the hospital or facility will be available to conduct involuntary commitment hearings and proceedings under chapter 71.05 RCW.

(3) In awarding funding for projects in subsection (5) of this section, the department, in consultation with the advisory group established in subsection (1) of this section, must strive for geographic distribution and to allocate funding based on population and service needs of an area. The department must consider current services available, anticipated services available based on projects underway, and the service delivery needs of an area.

(4) The department must prioritize projects that increase capacity in unserved and underserved areas of the state.

(5) (a) (~~(\$29,443,000)~~) \$29,443,000 of the state building construction account—state appropriation in this section is provided solely for competitive community behavioral health grants to address regional needs. Applicants must provide confirmation that the health care authority, department of social and health services, or a managed care organization plans to contract with the facility sufficient to cover the facility's operating costs. The department must give priority to facilities that:

(i) Serve individuals on 90-day or 180-day civil commitments as an alternative to treatment in the state hospitals;

(ii) Serve individuals who will be transitioned from or diverted from the state hospitals;

(iii) Provide secure withdrawal management and stabilization treatment beds; or

(iv) Provide substance use disorder treatment.

(b) In awarding this funding to projects under (a)(i) of this subsection (5), the department must coordinate with the department of social and health services, the health care authority, and the department of health and must only select facilities that meet the following conditions:

(i) The funding must be used to increase capacity related to serving individuals who will be transitioned from or diverted from the state hospitals;

(ii) The facility is not subject to federal funding restrictions that apply to institutions of mental diseases;

(iii) The provider has submitted a proposal for operating the facility to the health care authority;

(iv) The provider has demonstrated to the department of health and the health care authority that it is able to meet the applicable licensing and certification

requirements for the facility that will be used to provide services; and

(v) The health care authority has confirmed that it intends to contract with the facility for operating costs within funds provided in the operating budget for these purposes.

(c) \$24,000,000 of the state building construction account—state appropriation in this section is provided solely for grants to intensive behavioral health treatment facilities for long-term placement of behavioral health patients with complex needs and that are not subject to federal funding restrictions that apply to institutions of mental diseases.

(d) \$18,000,000 of the state building construction account—state appropriation in this section is provided solely for grants to community providers to increase behavioral health services and capacity for children and minor youth including, but not limited to, services for youth crisis walk-in intervention, substance use disorder treatment, sexual assault and traumatic stress, anxiety, or depression, children with behavioral health and intellectual or developmental disability needs, and interventions for children exhibiting aggressive or depressive behaviors in facilities that are not subject to federal funding restrictions. Consideration must be given to programs that incorporate outreach and treatment for youth dealing with behavioral health or social isolation issues.

(e) \$4,250,000 of the state building construction account—state appropriation in this section is provided solely for grants to community providers to increase opioid treatment program services and access.

(6) The amounts provided in this subsection are subject to the criteria in subsection (1) of this section, except the projects are not required to establish new capacity:

(a) \$7,500,000 of the state building construction account—state appropriation in this section is provided solely for grants to community providers to prevent the closure of existing behavioral health facilities. For purposes of this subsection (6)(a), the department must implement necessary procedures to enable rapid commitment of funds on a first-come, first-served basis to qualifying project proposals that satisfy the goal of long-term preservation of behavioral health facilities.

(b) (~~(\$133,057,000)~~) \$181,476,000 of the state building construction account—state appropriation in this section is provided solely for the following list of projects:

Aristo Healthcare Services (Renton) . . .	
\$2,000,000	
Center for Alcohol & Drug Treatment New Facility (Wenatchee) . . . . .	\$19,600,000
<u>Chehalis Wellness Center Renovation . . .</u>	<u>\$3,000,000</u>
<u>Columbia River Mental Health Services Clinic . . . . .</u>	<u>\$600,000</u>
<u>Columbia Valley Center for Recovery . . .</u>	<u>\$6,500,000</u>

Colville Tribes Detox Facility Feasibility Study. . . . .	\$500,000
Compass Health Broadway Behavioral Health Services (Everett). . . . .	\$18,700,000
CRMHS Satellite Building Project (Vancouver). . . . .	\$2,500,000
Evergreen Treatment Services (Seattle).	\$6,000,000
Holman Recovery Center Freedom Bridge. . .	\$1,900,000
Ituha Stabilization Facility Bed Increase . . . . .	\$93,000
Jamestown S'Klallam Behavioral Health Center (Sequim). . (((\$13,000,000))	\$28,000,000
Kalispel Tribe Camas Health Inpatient Treatment Center. . . . .	\$5,000,000
Kitsap Mental Health Services Bremerton Campus Expansion. . . . .	\$773,000
((Lummi Nation Substance Abuse Treatment (Bellingham). . . . .	\$8,147,000))
Lynnwood Community Recovery Center (Lynnwood). . . . .	\$2,750,000
Muckleshoot We Care Daily. . . . .	\$3,500,000
Nisqually Tribe Healing Village (Olympia) . . . . .	\$12,000,000
Opioid Recovery and Care Access	\$3,500,000
Quinault Indian Nation Wellness Center Expansion. . . . .	\$7,800,000
Recovery Innovations Crisis Stabilization (Federal Way). . . . .	\$1,900,000
SeaMar Youth Crisis Center (Seattle). . .	\$480,000
Seven Nations Healing Lodge Youth Expansion. . . . .	\$2,000,000
SHC Medical Center - Astria/Toppenish Hospital (Toppenish). . . . .	\$2,500,000
SIHB Thunderbird Treatment Center (Vashon). . . . .	\$1,030,000
Skagit County Crisis Stabilization Center (((\$SCCSC) (Sedro-Woolley))). . . (((\$12,700,000))	\$12,950,000
Snoqualmie Tribe Behavioral Health. . . . .	\$100,000
Spokane Treatment and Recovery Service (Spokane). . . . .	\$4,000,000
Substance Use Disorder & Mental Health Inpatient Treatment (Yakima). . . . .	\$11,750,000
Suquamish On-Reservation Health Service Center. . . . .	\$4,500,000
((Three Rivers Behavioral Health Center (Kennewick). . . . .	\$5,000,000))
Triumph SUD & Mental Health Treatment. . .	\$2,500,000
Whatcom 23-Hour Crisis Relief Center (Bellingham) (((\$9,000,000))	\$11,350,000
Yakama Nation Detox Center. . . . .	\$900,000
Yakima Drop-in Center. . . . .	\$800,000

(c) \$11,607,000 of the state building construction account—state appropriation and \$1,250,000 of the capital community assistance account—state appropriation in this section are provided solely for design and construction of the Lummi Nation Substance Abuse Treatment project. The legislature intends to provide funds in the amount of \$23,357,000 over the course of the 2023-2025 and 2025-2027 fiscal biennia for the Lummi Nation Substance Abuse Treatment

project. Pursuant to RCW 43.88.130, the department may enter into a multibiennium contract with Lummi Nation for the design and construction of the project. Nothing in this section authorizes the department to make an expenditure without an appropriation.

(7) (a) \$10,002,000 of the state building construction account—state appropriation and \$4,998,000 of the capital community assistance account—state appropriation in this section are provided solely for the purchase of the former Daybreak Youth Services building located in Clark County, Washington. Title of the property must be held in the name of the state under the custody and control of the department of enterprise services.

(b) The department, with the assistance of the department of enterprise services, shall facilitate a lease agreement with Madrona Recovery Center, Inc. (Madrona) for a term of no less than 10 years, at a lease cost of \$1 per year. As a condition of the lease, the department shall obtain commitments and acknowledgments from Madrona as follows:

(i) The building will be operated for the purpose of providing substance use disorder treatment and other behavioral health treatment services to children and minor youth throughout the term of the lease;

(ii) Madrona is able to meet applicable licensing and certification requirements necessary to operate the facility;

(iii) Madrona commits to prioritizing services for persons who are publicly funded and are residents of the state of Washington;

(iv) Madrona has provided a detailed estimate of the costs associated with opening the beds at the facility;

(v) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project, with an anticipated opening date of the facility that is no more than 12 months from commencement of the lease; and

(vi) Madrona has submitted a financial plan demonstrating its ability to maintain and operate the facility, including confirmation that the health care authority, department of social and health services, or a managed care organization plans to contract with the facility sufficient to cover the facility's operating costs.

(c) \$1,000,000 of the state building construction account—state appropriation in this section is provided solely to Madrona for the purpose of tenant improvements necessary to operate the building for the purposes outlined in (b) of this subsection. The department must inform Madrona of its obligation to pay prevailing wage in completing tenant improvements financed by the state. Subsequent maintenance and repairs during the term of the lease are the responsibility of Madrona.

(d) \$200,000 of the state building construction account—state appropriation in this section is provided solely for the administrative costs associated with this project.

((7)) (8) The department shall notify all applicants that they may be required to

have a construction review performed by the department of health.

~~((9))~~ (9) To accommodate the emergent need for behavioral health services, the department and the department of health, in collaboration with the health care authority and the department of social and health services, must establish a concurrent and expedited process to assist grant applicants in meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, freestanding evaluation and treatment facilities, enhanced services facilities, triage facilities, crisis stabilization facilities, or secure detoxification/secure withdrawal management and stabilization facilities.

~~((9))~~ (10) The department must strive to allocate all of the amounts provided in this section in the manner prescribed in each subsection. However, if upon review of applications, the department determines, in consultation with the advisory group established in subsection (1) of this section, that there are not adequate suitable projects in a category, the department may allocate funding to other project categories listed in this section, prioritizing projects that support serving individuals who will be transitioned from or diverted from the state hospitals. Underserved areas of the state may also be considered.

~~((10))~~ (11) In contracts for grants authorized under this section, the department must include provisions that require that the grantee or successor hold the capital improvements for at least a 10-year period. The provisions must require the facility to be used for behavioral health services, but may allow the facility to change ownership or facility type during the commitment period. The department shall monitor the activities of recipients of grants under this program to determine compliance with the terms and conditions set forth in its contract.

~~((11))~~ (12) The department must provide a progress report to the appropriate committees of the legislature by September 1, 2024. The report must include:

(a) The total number of applications and amount of funding requested;

(b) A list and description of the projects approved for funding including state funding, total project cost, services anticipated to be provided, bed capacity, and anticipated completion date;

(c) A statewide map of new capacity since 2018, including projected bed capacity and opening dates;

(d) A status report of projects that received funding in prior funding rounds, including details about the project completion and the date the facility began providing services; and

(e) Recommendations for statutory language that would codify the grant program on an ongoing basis including:

(i) Evaluation and prioritization criteria;

(ii) Monitoring and compliance requirements;

(iii) Preconstruction and technical assistance services; and

(iv) Data needed to determine the service needs by area of the state.

~~((12))~~ (13) The department must coordinate with the health care authority to submit capital budget requests to fund behavioral health community capacity grants for the 2025-2027 biennial budget by the due date established by the office of financial management. Associated state budget operating costs must also be identified and requested.

**Appropriation:**

Capital Community Assistance Account—  
State . . . . . \$6,248,000

State Building Construction Account—  
State . . . . . ((~~\$211,000,000~~))  
\$287,478,000

Subtotal Appropriation . . . . . \$293,726,000

Prior Biennia (Expenditures) . . . . . \$0

Future Biennia (Projected Costs).  
((~~\$844,000,000~~))

\$1,174,904,000

TOTAL . . . . . ((~~\$1,055,000,000~~))

\$1,468,630,000

**Sec. 1010.** 2023 c 474 s 1024 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2023-25 Early Learning Facilities Fund Grant Program (40000300)

The appropriation in this section is subject to the following conditions and limitations:

(1) ((~~\$5,000,000~~)) \$7,350,000 of the Ruth Lecocq Kagi early learning facilities development account—state appropriation in this section is provided solely for minor renovation grants.

(2) ((~~\$42,050,000~~)) \$46,550,000 of the Ruth Lecocq Kagi early learning facilities development account—state appropriation in this section is provided solely for the early learning facility grant and loan program, subject to the provisions of RCW 43.31.573 through 43.31.583 and 43.84.092, to provide state assistance for designing, constructing, purchasing, expanding, or modernizing public or private early learning education facilities for eligible organizations. Up to four percent of the funding in this subsection may be used by the department of children, youth, and families to provide technical assistance to early learning providers interested in applying for the early learning facility grant or loan program.

(3) The department of children, youth, and families must develop methodology to identify, at the school district boundary level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district. This methodology must inform any early learning facilities needs assessment conducted by the department and the department of children, youth, and families. This methodology must be included as part of

the budget submittal documentation required by RCW 43.88.030.

(4) When prioritizing areas with the highest unmet need for early childhood education and assistance program slots, the committee of early learning experts convened by the department pursuant to RCW 43.31.581 must first consider those areas at risk of not meeting the entitlement specified in RCW 43.216.556.

(5) The department must track the number of slots being renovated separately from the number of slots being constructed and, within these categories, must track the number of slots separately by program for the working connections child care program and the early childhood education and assistance program.

(6) When prioritizing applications for projects pursuant to RCW 43.31.581, the department must award priority points to applications from a rural county or from extreme child care deserts as defined by the department of children, youth, and families.

(7) For early learning facilities collocated with affordable or supportive housing developments, the department may remit state funding on a reimbursement basis for 100 percent of eligible project costs, regardless of the project's match amount, once the nonstate share of project costs have been either expended or firmly committed in an amount sufficient to complete the entire project or a distinct phase of the project that is useable to the public as an early learning facility. These projects are not subject to section 8015 of this act or RCW 43.88.150.

(8) It is the intent of the legislature to reappropriate funding in the 2023-2025 omnibus capital appropriations act for early learning facilities appropriated in this section.

(9) ((\$17,600,000))\$37,438,000 of the Ruth Lecocq Kagi early learning facilities development account—state appropriation in this section is provided solely for the following list of early learning facility projects:

<u>Boys and Girls Club of Lewis County. . . .</u>	<u>\$1,950,000</u>
<u>Brightonview Childcare Expansion. . . . .</u>	<u>\$2,305,000</u>
Cora Whitley Family Center (Tacoma). . . . .	(\$2,500,000) \$3,015,000
Eastside Early Childhood Center (Bellevue). . . . .	\$1,100,000
<u>Lions Park Community Center. . . . .</u>	<u>\$2,550,000</u>
<u>Montesano Child Care. . . . .</u>	<u>\$515,000</u>
New Tomorrow's Hope Child Development Center (Everett). . . . .	\$1,000,000
<u>Northaven Green Space Restoration. . . . .</u>	<u>\$1,300,000</u>
Northgate Jose Marti Early Learning Center (Seattle). . . . .	(\$1,000,000) \$2,488,000
Rainier Valley Early Learning Center (Seattle). . . . .	\$6,000,000
<u>ReWA MLK Early Learning Center \$4,252,000</u>	
<u>Shore Metro Park District Child Care Expansion. . . . .</u>	<u>\$773,000</u>
Skyway Affordable Housing and Early Learning Center (Seattle). . . . .	\$3,000,000

<u>Step by Step's Early Learning Center. . . . .</u>	<u>\$515,000</u>
<u>Whatcom Meridian Early Learning \$3,000,000</u>	
YMCA Early Learning Center (Port Angeles) . . . . .	(\$2,000,000) \$2,500,000
Young Child & Family Center, North Thurston PS (Olympia). . . . .	\$1,000,000
<u>YWCA Walla Walla Childcare Center \$175,000</u>	
(10) \$350,000 of the Ruth Lecocq Kagi early learning facilities development account—state appropriation in this section is provided solely for the early learning facilities capital readiness pilot program. The department, in partnership with the department of children, youth, and families, shall administer the program as part of the early learning facilities program. The early learning facilities capital readiness pilot program must support no more than 10 licensed early learning providers that will serve children through working connections child care or through the early childhood education and assistance program to study the feasibility of expanding, remodeling, purchasing, or constructing early learning facilities and classrooms. Participants must receive small grants and project support to conduct capital feasibility studies that cover financing, architectural design, construction, business operations, and other relevant topics. Participants must also have access to professional consultation related to financing, architectural design, construction, and business operations.	
<b>Appropriation:</b>	
Ruth Lecocq Kagi Early Learning Facilities Development Account—State. . . . .	(\$65,000,000)
	<u>\$91,688,000</u>
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	(\$260,000,000)
	<u>\$366,752,000</u>
<b>TOTAL.....</b>	<b>(\$325,000,000)</b>
	<u>\$458,440,000</u>

**Sec. 1011.** 2023 c 474 s 1025 (unmodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF COMMERCE**  
2024 Local and Community Projects (40000301)

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the

sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards under chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only and may not be advanced under any circumstances.

(5) In contracts for grants authorized under this section, the department shall include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8) The state building construction account—state appropriation in this section is provided solely for the following list of projects:

57th Ave Sewer Project (University Place)	\$200,000
ACT Historic Landmark Roof Restoration (Seattle)	\$539,000
ADA For Northwest Center Janitorial (Spokane Valley)	\$20,000
Admiral Theatre Facility Improvements (Bremerton)	\$165,000
Affordable Housing Land Acquisition (Tacoma)	\$1,500,000
Afterschool Program Expansion (Walla Walla)	\$45,000
Agricultural Innovation Center (Pasco)	\$200,000
Airlift Northwest Hangar (East Wenatchee)	<del>(\$500,000)</del> \$1,700,000
Airway Heights Public Safety (Airway Heights)	\$1,340,000
Algona Wetland Preserve Interpretive Trail (Algona)	\$600,000
American Indian Community Center (Spokane)	\$1,000,000
American Legion Post 79 Roof Replacement (Snoqualmie)	\$49,000
Anderson Island Multipurpose Building (Anderson Island)	\$258,000

Angleside Reservoir Capacity Upgrades (Shelton)	\$1,850,000
Arlington Commercial Kitchen (Arlington)	\$581,000
ARTE NOIR Capital Construction Completion (Seattle)	\$381,000
Asbestos Abatement Old City Hall (Benton City)	\$309,000
Ashley House (Spokane)	\$515,000
Ashley House (Tacoma)	\$500,000
Asia Pacific Cultural Center (Tacoma)	\$2,000,000
ASUW Shell House (Seattle)	\$3,000,000
Athletic Field Lights For Ridgefield Outdoor (Ridgefield)	\$250,000
Auburn Avenue Theater Rebuild (Auburn)	\$1,545,000
Avista Stadium Improvements (Spokane Valley)	\$543,000
B5 Community Learning Center (Kennewick)	\$773,000
Ball Field at Historic Petes (Enumclaw)	\$439,000
Ballard Boys & Girls Clubs Flooring Replacement (Seattle)	\$49,000
Behavioral Health Wellbeing Clinic (Spokane)	\$1,571,000
Bonney Lake Senior Center Rehab Project (Bonney Lake)	\$650,000
Boys & Girls Club Parking Lot Renovation (Federal Way)	\$168,000
Boys & Girls Club Seismic Upgrade & Roof Replacement (Vancouver)	\$412,000
Brewster Boys and Girls Club Facility (Brewster)	\$300,000
Bridge Meadows Pre-Development (Tacoma)	\$515,000
Bringing It Home II 24-Hour Domestic Violence Shelter (Yakima)	\$125,000
Browse Infrastructure (Seattle)	\$144,000
Camp Thunderbird Wastewater Treatment Facility (Olympia)	\$618,000
Cannery Parking Lot & Sidewalk Rehab (Anacortes)	\$110,000
Capitol Land Trust Public Access Preconstruction (Olympia)	\$77,000
Cathlamet Waterfront Park (Cathlamet)	\$86,000
Cedarwood Community Recreation Ctr Redevelopment (Lake Stevens)	\$1,123,000
Celebration Park Synthetic Turf Upgrade (Federal Way)	\$822,000
Center Senior Living Housing Development (Grand Coulee)	\$361,000
Central Colville Apartments (Colville)	\$52,000
Central Whidbey Fire & Rescue Station 53 (Coupeville)	\$2,750,000
Centralia Quad Infield Turf Project (Centralia)	\$2,480,000
Chehalis River Raw Water (Chehalis)	\$250,000
Chelan Butte Acquisition Feasibility Study (Chelan)	\$125,000

Children's Therapy Center (University Place) . . . . . \$500,000  
 Chinese Reconciliation Project Design (Tacoma) . . . . . \$1,000,000  
 City Hall Structural Assessment (Toledo) . . . . . \$53,000  
 City of Longview Mint Valley Golf Course Irrigation Replacement (Longview) . . . . . \$2,000,000  
 City of Othello Lions Park (Othello) . . . . . \$600,000  
 City of Selah Wastewater Treatment Plant Improvements (Selah) . . . . . \$1,442,000  
 City of Sequim Park Acquisition (Sequim) . . . . . \$375,000  
 Clallam Joint Public Safety Facility (Port Angeles) . . . . . \$5,750,000  
 Cloney Inclusive Playground (Longview) . . . . . \$1,000,000  
 Colfax Community Center (Colfax) . . . . . \$72,000  
 Colfax Pool (Colfax) . . . . . \$1,030,000  
 Columbia Grove Community Playground (East Wenatchee) . . . . . \$72,000  
 Columbia Play Project Children's Museum (Vancouver) . . . . . \$515,000  
 Commercial Pumpouts to Save Puget Sound (Anacortes) . . . . . \$800,000  
 Communications Devices for Officials (Olympia) . . . . . \$15,000  
 Community Center at Lake Chelan (Chelan) . . . . . \$1,723,000  
 Community Center Roof Replacement (Aberdeen) . . . . . \$165,000  
 Community Homes Renovations 41st LD (Bellevue) . . . . . \$106,000  
 Community Homes Renovations 45th LD (Woodinville) . . . . . \$77,000  
 Community Homes Renovations 48th LD (Bellevue) . . . . . \$243,000  
 Community Homes Upgrades 1st LD (Bothell) . . . . . \$104,000  
 Conconully Service Complex/Fire Hall (Conconully) . . . . . \$2,050,000  
 Coupeville Food Bank & Workforce Housing Apartments (Coupeville) . . . . . \$230,000  
 Cross Kirkland Corridor 132nd Avenue NE Improvements (Kirkland) . . . . . \$515,000  
 Day Island Bridge Design Project (University Place) . . . . . \$200,000  
 Des Moines Marina Steps (Des Moines) . . . . . \$1,000,000  
 deWilde Rugby Fields (Ferndale) . . . . . \$150,000  
 Diking District 7 Fish Passage and Levee (Stanwood) . . . . . \$1,900,000  
 Dishman Hills Conservancy Education Ctr Site Planning (Spokane) . . . . . \$46,000  
 Double Culvert Replacement (Castle Rock) . . . . . \$2,000,000  
 Downtown Pasco North Plaza (Pasco) . . . . . \$155,000  
 Eagle Track Raceway Stadium Light Project (Republic) . . . . . \$117,000  
 East Hill North Community Park Phase 1 (Kent) . . . . . \$1,000,000  
 Eaton Urban Pathway Project (Battle Ground) . . . . . \$1,000,000  
 Ebey Waterfront Trail Phase 4 (Marysville) . . . . . \$1,030,000  
 Edmonds Boys & Girls Clubs Capital Project (Edmonds) . . . . . \$1,385,000  
 Edmonds Center for the Arts Design (Edmonds) . . . . . \$200,000

Ejidos Community Farm (Everson) . . . . . \$824,000  
 El Centro de la Raza Federal Way Campus (Federal Way) . . . . . \$1,545,000  
 Electron Way & Contra Costa Ave Intersection Improvment (Fircrest) . . . . . \$153,000  
 Ellensburg Rodeo Grandstands (Ellensburg) . . . . . \$1,030,000  
 Emergency Operation Generator (Coupeville) . . . . . \$386,000  
 Emergency Shelter Capital Improvements (Shelton) . . . . . \$103,000  
 Enumclaw Community Center (Enumclaw) . . . . . \$500,000  
 Evans Creek Relocation Project (Redmond) . . . . . \$1,030,000  
 EWAM Handicap Parking Improvement Project (Pomeroy) . . . . . \$98,000  
 Fair Building Improvements (Graham) . . . . . \$77,000  
 Fall City Business District Septic Project (Fall City) . . . . . \$1,550,000  
 Family Resource Center at Cedar Crossing (Seattle) . . . . . \$360,000  
 Felts Field Gateway Improvement (Spokane) . . . . . \$515,000  
 Ferndale Civic and Community Organization Campus (Ferndale) . . . . . \$3,050,000  
 Ferry County Fairgrounds (Republic) . . . . . \$50,000  
 Fife Aquatic & Community Center Improvements (Fife) . . . . . \$1,500,000  
 Fire Panel Replacement & Integration (Seattle) . . . . . \$294,000  
 FISH Food Bank Expansion (Ellensburg) . . . . . \$573,000  
 Foothills Trail Crossing at Main Street (Buckley) . . . . . \$128,000  
 Forest Park Pickleball Court Installation (Everett) . . . . . \$345,000  
 Free Clinic & Central Construction Project (Walla Walla) . . . . . \$515,000  
 Frontier Park Horse Cover (Graham) . . . . . \$1,388,000  
 Ft Steilacoom Park Nisqually Indian Tribe Improvements (Lakewood) . . . . . \$309,000  
 Gibson Hall Improvement Project (Issaquah) . . . . . \$206,000  
 Glen Tana (Spokane) . . . . . \$3,000,000  
 Golden Tiger Multi-Use Trail Phase 2 (Republic) . . . . . \$168,000  
 Goldendale Municipal Airport - Land Acquisition (Goldendale) . . . . . \$361,000  
 Greater Wenatchee Irrigation Dist Infrastructure (East Wenatchee) . . . . . \$2,000,000  
 Greenwood Early Learning Playground (Seattle) . . . . . \$69,000  
 Greg Cuoio Park Accessibility Improvements (Lacey) . . . . . \$515,000  
 Harbour Point Boulevard Pathway (Mukilteo) . . . . . \$258,000  
 Harlequin Theater Renovation (Olympia) . . . . . \$700,000  
 Heritage Center at Meeker Mansion (Puyallup) . . . . . \$496,000  
 Heritage Heights Remodel and Conversion to Medical Care (Chelan) . . . . . \$824,000  
 High Prairie Fire District 14 Emergency



Preparedness (Lyle) . . . . .	\$248,000	Latino Community Service Center (Lynnwood) . . . . .	\$515,000
Highland Park Improvement Club Rebuild (Seattle) . . . . .	\$500,000	Lester Creek Personnel to Water Intake (Pe Ell) . . . . .	\$640,000
Historic Lamar Cabin Preservation (Prescott) . . . . .	\$267,000	Lewis County Senior Centers (Chehalis) . . . . .	\$500,000
HUB Sports Fields (Liberty Lake) . . . . .	\$1,030,000	Lincoln County Fair and Livestock (Davenport) . . . . .	\$1,000,000
ICOM 911 Microwave Radio Broadband System (Oak Harbor) . . . . .	\$500,000	Local Grain Conveyance & Storage System (Tumwater) . . . . .	\$255,000
Indian American Community Services Community Center (Kent) . . . . .	\$794,000	Logistics Facility (Vancouver) . . . . .	\$874,000
Interurban Trail War Memorials (Pacific) . . . . .	\$400,000	Lynden Senior and Community Center (Lynden) . . . . .	\$309,000
Issaquah Senior Ctr Veterans Memorial Consolidated Prk (Issaquah) . . . . .	\$721,000	Lynnwood Neighborhood Center (Lynnwood) . . . . .	\$2,050,000
Japanese American Exclusion Memorial Vis Ctr (Bainbridge Island) . . . . .	\$350,000	Lyon Creek Culvert at SR 104 (Lake Forest Park) . . . . .	\$1,820,000
Jarstad Aquatic Center Assessment & Roof Repair (Bremerton) . . . . .	\$309,000	Madison Street School Sidewalk Project (South Bend) . . . . .	\$175,000
Jenkins Creek Recreation Trail (Covington) . . . . .	\$250,000	Manson Fire Station - Training Room and Living Quarters (Manson) . . . . .	\$206,000
Kalama Creek Hatchery Renovation (Olympia) . . . . .	\$3,350,000	Marine Spills Operations Base (Friday Harbor) . . . . .	\$210,000
KCFD #50 Generator (Baring) . . . . .	\$20,000	Marshall Park Inclusive Community Playground (Vancouver) . . . . .	\$685,000
Kelso School District-Construction & Renovation Projects (Kelso) . . . . .	\$165,000	Mason County Jail Expansion (Shelton) . . . . .	\$1,030,000
Kelso Train Station Roof Replacement (Kelso) . . . . .	\$575,000	Mason PUD 1 Vuecrest Water System Storage Project (Union) . . . . .	\$618,000
Kennewick Kiwanis Playground (Kennewick) . . . . .	\$258,000	Mason PUD Water Infrastructure (Matlock) . . . . .	\$1,000,000
King County Sheriff's Office Air Support Unit (Seattle) . . . . .	\$1,000,000	Masonic Building Roof Renovation (Centralia) . . . . .	\$170,000
King Street Station Creative Youth Empowerment Hub (Seattle) . . . . .	\$500,000	Mays Pond Playground (Bothell) . . . . .	\$650,000
Kirkland Boys & Girls Clubs Community Playfield (Kirkland) . . . . .	\$150,000	Medical Lake Storm Water Mitigation (Medical Lake) . . . . .	\$1,000,000
Kirkland Performance Center Safety Improvements (Kirkland) . . . . .	\$1,288,000	Medically-Tailored Meals & Groceries Expansion (Seattle) . . . . .	\$1,175,000
Kitsap Humane Society Veterinary Lifesaving Center (Silverdale) . . . . .	\$412,000	Memorial Stadium (Seattle) . . . . .	\$4,000,000
Klineline Bridge and ADA Improvements (Vancouver) . . . . .	\$1,365,000	Menastash Grange Revitalization and Expansion (Ellensburg) . . . . .	\$85,000
Kulshan View (Mount Vernon) . . . . .	\$309,000	Mental Health Quiet Room (Moses Lake) . . . . .	\$31,000
Lacamas Lake Water Improvements (Camas) . . . . .	\$515,000	Mill Creek City Hall North Renovation (Mill Creek) . . . . .	\$515,000
Lake Boren CrossTown Recreational Trail (Newcastle) . . . . .	\$824,000	Mill Creek Multiuse Recreational Property (Mill Creek) . . . . .	\$1,030,000
Lake Chelan Food Bank Building Remodel & Addition (Chelan) . . . . .	\$2,000,000	MLK Jr. Resource & Technology Center (Pasco) . . . . .	\$250,000
Lake Hills Clubhouse Renovation (Bellevue) . . . . .	\$583,000	MLK Jr.Park & Swimming Pool (Yakima) . . . . .	\$1,160,000
Lake Wilderness Arboretum Improvements (Maple Valley) . . . . .	\$450,000	Modernization of Pacific County Jail Facility (South Bend) . . . . .	\$464,000
Lakebay Marina (Lakebay) . . . . .	\$300,000	Monroe Therapeutic Facility (Monroe) . . . . .	\$1,100,000
Lambert House Flood Abatement & Foundation Replacement (Seattle) . . . . .	\$1,030,000	Montesano Economic Development (Montesano) . . . . .	\$700,000
Larson Playfield Irrigation Conversion (Moses Lake) . . . . .	\$258,000	Mt. Spokane Ski & Snowboard Park (Mead) . . . . .	\$100,000
Latah Water System Rehabilitation Project (Latah) . . . . .	\$180,000	Mukilteo First Responder Wellness Center (Mukilteo) . . . . .	\$258,000
		Muslim American Youth Foundation Center (Burien) . . . . .	\$500,000
		National Nordic Museum East Garden Capital Project (Seattle) . . . . .	\$258,000
		Nespelem Community Longhouse (Nespelem) . . . . .	\$1,850,000

New Beginnings Homes (Puyallup)	\$440,000	Woolley)	\$500,000
No. County Rec. Association Youth Sports (Castle Rock)	\$256,000	Puyallup Elks Roof Replacement (Puyallup)	\$370,000
Nooksack Community Housing (Deming)	\$470,000	Rainier Court Phase V (Seattle)	\$750,000
North Fork Skykomish River 911 Extension Project (Index)	\$420,000	Raze Development Capital Project (Spokane)	\$500,000
North Seattle Boys & Girls Clubs Flooring Replacement (Seattle)	\$134,000	Redondo Fishing Pier Replacement Phase 1 (Des Moines)	\$1,000,000
NW Stream Center Sustainable Infrastructure (Everett)	\$273,000	Refugee Welcoming & Healing Center (SeaTac)	\$515,000
Oak Harbor Boys & Girls Club Sports Court (Oak Harbor)	\$250,000	Regional Athletic Complex Transformer Upgrade (Olympia)	\$103,000
Oak Harbor Economic Development (Oak Harbor)	\$621,000	Regional Water & Sewer Upgrades (( <del>Rochester</del> ))	
ODT Land Purchase (Port Townsend)	\$750,000	Mason County	\$250,000
Old Fort Lake Subarea Remediation & Public Access Proj (DuPont)	\$215,000	Rejuvenation Community Day Center (Bremerton)	\$200,000
Othello's Regional Water Plan (Othello)	\$412,000	Remembrance Gallery (Puyallup)	\$257,000
Parkland School (Parkland)	\$500,000	Renovation and Addition to RP Theater Building (Richland)	\$350,000
Pasado's Safe Haven Water and Safety Upgrades (Monroe)	\$485,000	Renton Public Square (Renton)	\$1,485,000
Pasco Boulevard Soccer Field (Pasco)	\$750,000	Republic Community Library (Republic)	\$183,000
Pasco Clubhouse Safety Modernization (Pasco)	\$840,000	Reservoir Capacity & Seismic (Battle Ground)	\$1,288,000
Peninsula Medical Respite & Housing Center (Bremerton)	\$1,000,000	Ritzville Legion Hall Renovation (Ritzville)	\$165,000
Peninsula Senior Activity (Ocean Park)	\$272,000	Ritzville Rodeo Bleachers Replacement (Ritzville)	\$194,000
PenMet Parks Community Recreation Center (Gig Harbor)	\$1,030,000	Ritzville Theater (Ritzville)	\$75,000
Perfect Passage (Tonasket)	\$730,000	Rock Creek Horse Park (Ravensdale)	\$206,000
Pierce County Food Hub (Bonney Lake)	\$300,000	Roslyn Old City Hall Community Center (Roslyn)	\$77,000
Pike Place Market Elevator & Stair Replacement (Seattle)	\$515,000	Rotary Boys & Girls Clubs HVAC Replacement (Seattle)	\$309,000
Plaza Retreat Space (Vashon)	\$544,000	Rotary Morrow Community Park (Poulsbo)	\$100,000
Pond to Pines Infrastructure (Ellensburg)	\$518,000	Roy Water Preliminary Design (Roy)	\$250,000
Port Gamble Shoreline Restoration (Port Gamble)	\$2,400,000	Sail Sand Point (Seattle)	\$258,000
Port of Allyn Public Pier Replacement (Allyn)	\$515,000	Sam Chastain Trail (Renton)	\$500,000
Port of Anacortes T-Dock Reconfiguration (Anacortes)	\$1,000,000	School Based Health Care Facility (Tacoma)	\$515,000
Port of Mattawa Event Center Phase 3 Upgrade Project (Mattawa)	\$361,000	Scott Hill Park & Sports Complex of Woodland (Woodland)	\$350,000
Port of Skamania Cascades Business Park (North Bonneville)	\$1,000,000	Scriber Place Housing for Homeless Students (Lynnwood)	\$2,050,000
Port of Willapa Harbor (South Bend)	\$800,000	Search & Rescue Headquarters Feasibility Study (Snoqualmie)	\$103,000
Port Orchard Breakwater Replacement (Port Orchard)	\$1,000,000	Seattle Aquarium (Seattle)	\$3,000,000
Port Remediation (Olympia)	\$2,200,000	Seattle Public Library Holds Pick-Up Locker (Seattle)	\$93,000
Portland Avenue Park Sprayground (Tacoma)	\$500,000	Seattle Public Theater Accessibility Upgrades (Seattle)	\$77,000
Poulsbo Historical Society - Nilsen-Sonju House (Poulsbo)	\$300,000	Security & Access Improvements (Shelton)	\$250,000
Prosser City Entrance Sign (Prosser)	\$110,000	Sentinel Gap Community Park (Mattawa)	\$1,000,000
Public Works Facility & Vehicle Storage (Sedro)		Sewer Pump Station 12 & Force Main (Bellevue)	\$1,030,000
		Shelton Day Care & Building Project (Shelton)	\$215,000
		Short's Farm Purchase (Chimacum)	\$1,000,000
		Skagit PUD 10th District Waterlines (Skagit)	\$650,000

Skagit PUD 39th District Waterline Relocations (Mt. Vernon) . . . . . \$600,000  
 Skagit PUD Headquarters Public Meeting Room (Mt. Vernon) . . . . . \$206,000  
 Slavonian Hall (Tacoma) . . . . . \$472,000  
 Snohomish Boys & Girls Club Teen Center (Snohomish) . . . . . \$412,000  
 Snohomish Public Safety & City Services Campus (Snohomish) . . . . . \$700,000  
 Snoqualmie Indian Tribe Consultation (Snoqualmie) . . . . . \$150,000  
 Snoqualmie Valley Youth Center Barn with Storage (North Bend) . . . . . \$232,000  
 South Seattle Community Food Hub (Seattle) . . . . . \$499,000  
 South Thurston Fire & EMS New Fire Station (Tenino) . . . . . \$3,050,000  
 South UGA Water and Sewer Extensions (Kennewick) . . . . . \$1,122,000  
 South Whidbey Aquatic Wellness Center (Langley) . . . . . \$360,000  
 Southwest Boys & Girls Clubs Safety & Security Improve (Seattle) . . . . . \$3,000  
 SPARC Capital Campaign (Mount Vernon) . . \$750,000  
 Spokane Civic Theatre Facility (Spokane) . . . . . \$1,500,000  
 Spokane International Airport (Spokane) . \$1,000,000  
 Spokane Scale House Market (Spokane Valley) . . . . . \$750,000  
 Spring Box Replacement/Water (Concrete) . \$450,000  
 St. Mary Medical Center (Walla Walla) . . \$75,000  
 Stanwood Art Center Design (Stanwood) . . \$327,000  
 Stonerose Fossil Center (Republic) . . . \$721,000  
 Storm Upgrades Downtown Phase N2 (Puyallup) . . . . . \$696,000  
 Sue Bird and Lenny Wilkens Statues (Seattle) . . . . . \$412,000  
 Sultan Basin Park (Sultan) . . . . . \$500,000  
 Sumas Ave Water Pipe Replacement (Sumas) . . . . . \$150,000  
 SW WA Agricultural Business (Tenino) . . \$1,250,000  
 Swede Hall Renovation Project (Rochester) . . . . . \$198,000  
 Take-A-Break Park Playground (Maple Valley) . . . . . \$412,000  
 Tam O'Shanter Multi-Purpose Court Fencing and Lighting (Kelso) . . . . . \$46,000  
 Taproot Theatre Jewell Mainstage Renovation (Seattle) . . . . . \$515,000  
 Tasveer Art Center (Bellevue) . . . . . \$258,000  
 Tenino Stone Carvers Guild Workshop and Classroom (Tenino) . . . . . \$160,000  
 Terminal 4 Expansion & Redevelopment Project (Aberdeen) . . . . . \$3,500,000  
 Thun Field - Emergency Response and Meeting Space (Puyallup) . . . . . \$1,000,000  
 Town of Elmer City Fire Station Improvements

(Elmer City) . . . . . \$537,000  
 Town of Index Water Line Repair and Replacement (Index) . . . . . \$628,000  
 Township Hall North & West (Spokane) . . \$100,000  
 Tribal Cultural Center & Museum Restoration (Steilacoom) . . . . . \$200,000  
 Tugboat Parthia Pavilion Construction (Olympia) . . . . . \$148,000  
 Tukwila Community Center HVAC Replacement (Tukwila) . . . . . \$515,000  
 Tukwila Immigrant & Refugee Wadajir Land Acquisition (Tukwila) . . . . . \$2,250,000  
 Tulalip Creek Hatchery (Marysville) . . . \$1,000,000  
 United Way Elevator and Disability Access (Tacoma) . . . . . \$129,000  
 Van Zandt Community Hall Renovation (Deming) . . . . . \$502,000  
 Veterans Memorial Balfour Park (Spokane Valley) . . . . . \$207,000  
 VFW Post 2224 Critical Renovations (Puyallup) . . . . . \$206,000  
 Village Theatre's Francis J Gaudette HVAC Replacement (Issaquah) . . . . . \$489,000  
 Wallace Heights Septic Elimination Program (Vancouver) . . . . . \$500,000  
 Washougal Civic Campus Project (Washougal) . . . . . \$2,000,000  
 Washtucna Town Hall (Washtucna) . . . . \$20,000  
 Wastewater Lift Stations (Concrete) . . . \$450,000  
 Wastewater Treatment Facility & Loss Project (Carbonado) . . . . . \$500,000  
 Wastewater Treatment System Upgrades (Long Beach) . . . . . \$340,000  
 Waterfront Organic Soil Removal (Washougal) . . . . . \$2,000,000  
 Weld Seattle Reentry Resource Center (Seattle) . . . . . \$5,000,000  
 Wenatchee Valley Museum Expansion and Redesign (Wenatchee) . . . . . \$1,000,000  
 Wenatchee Valley YMCA (Wenatchee) . . . \$1,030,000  
 West Biddle Lake Dam Restoration (Vancouver) . . . . . \$412,000  
 Whatcom Ag Research Station (Lynden) . . \$764,000  
 What-Comm Dispatch Center (Bellingham) . \$1,000,000  
 White Bluffs Rail/Rail Replacement (Richland) . . . . . \$1,250,000  
 White Center Community Hub (Seattle) . . \$1,000,000  
 White Center Food Bank Renovation (Seattle) . . . . . \$275,000  
 Wilkeson Infrastructure (Wilkeson) . . . \$824,000  
 Windermere Park Playground (Longview) . . \$155,000  
 WRF Upgrades Solid Side (Yelm) . . . . \$442,000  
 Yakama Nation "Creator Law Sculpture" (Roslyn) . . . . . \$99,000  
 Yakima Co Fire Emergency Responder Radio System (Yakima) . . . . . \$139,000  
 Yakima County Fire District 12 Wildfire Response (Yakima) . . . . . \$38,000  
 Yakima County Meals on Wheels (Union Gap) . . . . . \$1,000,000

Yakima Trolley Museum (Yakima). . . \$25,000  
 Youth Assist Program Skills Training  
 Center  
 (Tacoma). . . . . \$500,000  
 Youth Emergency Shelter (Longview). . .  
 \$250,000  
 Zillah Park Renovation (Zillah). \$300,000  
 (9) The model toxics control capital  
 account—state appropriation in this section  
 is provided solely for the Port of Vancouver  
 Dock Demo and Removal of Creosote project in  
 Vancouver.

**Appropriation:**  
 Model Toxics Control Capital Account—  
 State. . . . . \$3,500,000  
 State Building Construction Account—  
 State. . . . . ((~~\$228,343,000~~))  
\$229,543,000  
 Subtotal Appropriation. . . . . ((~~\$231,843,000~~))  
\$233,043,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs).  
 ((~~\$912,000,000~~))  
\$916,800,000  
 TOTAL. . . . . ((~~\$1,143,843,000~~))  
\$1,149,843,000

**Sec. 1012.** 2023 c 474 s 1028  
 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF COMMERCE**  
 2023-25 Community Relief (40000556)

The appropriation in this section is  
 subject to the following conditions and  
 limitations: ((~~\$1,000,000~~)) \$200,000 of the  
 state taxable building construction account—  
 appropriation in this section is provided  
 solely for the department to contract with  
 the communities of concern commission for  
 development of a list of community-led  
 capital projects that serve underserved  
 communities. Eligible expenses include costs  
 incurred by the communities of concern  
 commission in conducting outreach,  
 developing an application process, providing  
 technical assistance, assisting project  
 proponents with project readiness, and  
 assisting the department with identifying  
 barriers faced in accessing capital grant  
 programs. The communities of concern  
 commission must provide a report to the  
 house capital budget committee and the  
 senate ways and means committee that  
 describes the transparency of their process  
 to develop the list and how the  
 ((~~\$1,000,000~~)) \$200,000 was spent by December  
 1, 2023. The department may submit a list of  
 identified projects prepared by the  
 communities of concern commission to the  
 governor and fiscal committees of the  
 legislature for consideration for funding in  
 the 2024 supplemental capital budget.

**Appropriation:**  
 State Taxable Building Construction  
 Account—  
 State. . . . . ((~~\$1,000,000~~))  
\$200,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs).  
 ((~~\$4,000,000~~))  
\$800,000  
 TOTAL. . . . . ((~~\$5,000,000~~))  
\$1,000,000

**Sec. 1013.** 2023 c 474 s 1032  
 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF COMMERCE**  
 2023-25 Defense Community Compatibility  
 Projects (40000572)

The appropriations in this section  
 ((is))are subject to the following  
 conditions and limitations: ((The))  
(1) \$33,950,000 of the state building  
construction account—state appropriation in  
 this section is provided solely for the  
 following list of projects:

City of Lakewood, McChord North Clear  
 Zone  
 (Lakewood). . . . . \$900,000  
 Compatible Lands Foundation, Fairchild  
 REPI  
 Easement Acquisition (Spokane). . . . .  
 \$2,500,000  
 Crescent Elementary (Oak Harbor). . . . .  
 \$13,600,000  
 ((Lakewood Water District, Water Well  
 (K-3, G-4)  
 (Lakewood). . . . . \$1,860,000))  
 Oak Harbor Early Learning Center (Oak  
 Harbor). . . . . \$13,900,000  
 Quincy Square Civic Improvements  
 (Bremerton). . . . . \$1,750,000  
 Whidbey Camano Land Trust, Keystone  
 Preserve  
 (Greenbank). . . . . \$1,300,000  
(2) \$3,720,000 of the model toxics  
control capital account—state appropriation  
in this section is provided solely for  
Lakewood Water District, Water Well (K-3,  
G-4) (Lakewood). . . . . \$3,720,000

**Appropriation:**  
Model Toxics Control Capital Account—  
State. . . . . \$3,720,000  
State Building Construction Account—  
State. . . . . ((~~\$35,810,000~~))  
\$33,950,000  
**Subtotal Appropriation. . . . . \$37,670,000**  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs).  
 ((~~\$48,800,000~~))  
\$56,240,000  
 TOTAL. . . . . ((~~\$84,610,000~~))  
\$93,910,000

**NEW SECTION. Sec. 1014.** A new section  
 is added to 2023 c 474 (uncodified) to read  
 as follows:

**FOR THE DEPARTMENT OF COMMERCE**  
 Crisis Stabilization Facility-Trueblood  
 Phase 3 (40000601)

**Appropriation:**  
 Capital Community Assistance Account—  
 State. . . . . \$5,000,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs).  
 \$5,000,000  
 TOTAL. . . . . \$10,000,000

**NEW SECTION. Sec. 1015.** A new section  
 is added to 2023 c 474 (uncodified) to read  
 as follows:

**FOR THE DEPARTMENT OF COMMERCE**  
 Communities of Concern (40000603)

The appropriation in this section is subject to the following conditions and limitations:

(1) The department shall not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards under chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only and may not be advanced under any circumstances.

(5) In contracts for grants authorized under this section, the department shall include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8) The appropriation in this section is provided solely for the following list of projects:

Addis Village. . . . .	\$795,000
FHPM Childcare Project. . . . .	\$200,000
FHPM Kitsap Way Village. . . . .	\$200,000
Monterey Lofts Renovation - Phase 2. . . . .	\$987,000
Nuwe Reis Village at Barker Creek. . . . .	\$2,953,000
Rainier Valley Homeownership Initiative. . . . .	\$500,000
Seattle Indian Services Commission. . . . .	\$300,000

Seattle Tibetan Community Center \$432,000

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$6,367,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$25,468,000
<b>TOTAL.....</b>	<b>\$31,835,000</b>

NEW SECTION. **Sec. 1016.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Green Jobs and Infrastructure Grants (40000604)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$21,450,000 of the appropriation in this section is provided solely for grants to projects that demonstrate high-wage, clean job creation in Washington, provide risk reduction for investments in public and private infrastructure in order to increase a community's capacity for clean manufacturing, or provide investments in workforce development to attract and train the workforce required to grow the clean energy economy.

(b) Grants must be provided to eligible entities to help mitigate and reverse the effects of climate change, help communities meet their energy and climate change regulatory requirements, bring increased federal and private investment to the state, help develop the advanced workforce of the future, and ensure Washington state maintains or grows its position as a world leader in developing the projects and processes that are used to fight climate change globally. Eligible activities under this section include, but are not limited to, planning predevelopment, design, engineering, and construction of clean technology projects.

(c) Entities eligible for grants under this section include, but are not limited to, local governments, federally recognized tribal governments and tribes' contracted service providers, public and private utilities, ports, associate development organizations, for-profit entities, academic and research institutions, nonprofit organizations, and state agencies.

(d) Projects eligible for funding must be physically located in Washington state. Eligible projects must be consistent with the state energy strategy adopted under chapter 43.21F RCW and clean energy policies under chapter 19.405 RCW. Projects must further the goals of the climate commitment act as described in RCW 70A.65.260(1)(j).

(e) The department must consider equity and environmental justice when developing the program structures and opportunities for applicant participation and must follow principles established in its community engagement plan adopted under RCW 70A.02.050.

(f) When soliciting and evaluating grant application proposals, awarding contracts, and monitoring projects under this section, the department must:

(i) Use competitive processes to select all projects, except as otherwise noted in this section. The department must design a competitive process to allow provision of grant award to projects in a timely manner and consistent with the project timeline. Applications must be accepted on a rolling basis, and final determination must be made by the department;

(ii) Ensure compliance with all applicable laws related to the project selection process, project monitoring, and contracting; and

(iii) Prioritize projects that leverage the greatest amount of matching funds, such as local levy funding or private investment in advanced manufacturing capability.

(g) Project applicants must disclose all sources of public funding invested in a project. Grant contracts must provide that if, after a grant has been awarded, the department finds that a grantee has violated chapter 42.52 RCW, either in procuring or performing under the grant, the department in its sole discretion may terminate the grant funding by written notice, and that, if the grant is terminated, the department will reserve its right to pursue all available remedies under law to address the violation.

(2) \$750,000 of the appropriation in this section is provided solely for the department to support access to and to flexibly administer the program. The department may use these funds to hire full-time equivalent positions within the department, as well as contract for additional capacity and subject matter expertise.

(3) \$150,000 of the appropriation in this section is provided solely for the Longview Industrial Symbiosis Park project.

(4) \$150,000 of the appropriation in this section is provided solely for the Pasco Agricultural Symbiosis Industrial Park project.

(5) \$2,500,000 of the appropriation in this section is provided solely for the Myno carbon removal facility.

(6)(a) Subsections (1) through (4) of this section take effect January 1, 2025.

(b) If the climate commitment account is repealed as of December 30, 2024, then subsections (1) through (4) of this section are null and void on December 31, 2024, and the amounts provided for in subsections (1) through (4) of this section shall lapse.

**Appropriation:**

Climate Commitment Account—State.	
\$25,000,000	
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs).	
\$100,000,000	
<b>TOTAL.....</b>	<b>\$125,000,000</b>

**NEW SECTION. Sec. 1017.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**  
Clean Energy Community Grants (40000606)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$42,388,000 of the appropriation in this section is provided solely for the department to administer noncompetitive grants to nonprofit organizations, local governments, federally recognized tribal governments and tribal entities, state agencies, housing authorities, ports, transit agencies, research organizations, and eligible third-party administrators for planning, design, and implementation of capital projects and clean energy technologies that reduce greenhouse gas emissions in vulnerable, overburdened, and tribal communities identified by the department. The department must prioritize grants providing meaningful benefit to vulnerable populations in overburdened communities as defined under RCW 70A.02.010.

(b) Eligible uses of grant funds include, but are not limited to, planning for sustainable communities and predesign work, energy efficiency improvements, renewable energy generation, increasing the supply of affordable, energy efficient housing, developing resilient and sustainable infrastructure systems, zero-emission, active mobility, and micromobility transportation infrastructure, education and engagement, and workforce development.

(2) \$7,612,000 of the appropriation in this section is provided solely for Lummi Indian business council clean energy projects.

(3) Up to three percent of the appropriation in this section is for the department to administer the grant program. Administration includes, but is not limited to, identifying eligible communities and third-party administrators, providing technical assistance, managing contracts, reporting, and providing planning and implementation assistance.

(4) For the purposes of this section, "eligible third-party administrators" means entities that have sufficient expertise and relationships within the identified community to help plan for, design, or implement capital projects that reduce greenhouse gases or develop clean energy resources for the community.

(5)(a) This section takes effect January 1, 2025.

(b) If the climate commitment account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

**Appropriation:**

Climate Commitment Account—State.	
\$50,000,000	
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs).	
\$200,000,000	
<b>TOTAL.....</b>	<b>\$250,000,000</b>

**NEW SECTION. Sec. 1018.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**  
2025 Local and Community Projects (40000614)

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards under chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only and may not be advanced under any circumstances.

(5) In contracts for grants authorized under this section, the department shall include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8) \$58,862,000 of the state building construction account—state appropriation in this section is provided solely for the following list of projects:

192nd & Hemlock Public Engagement and Design Program. . . . .	\$129,000
23rd & Cherry Fellowship Hall Renovation Pre-development. . . . .	\$110,000
Abu Bakr Youth Center Renovation	\$350,000
Adams County Evidence Processing & Public Safety Improvements. . . . .	\$1,000,000
African Business Innovation Center	\$25,000
Alatheia Capacity Building Capital Project. . . . .	\$150,000
Aquatic Center At Martin Luther King Jr. Park. . . . .	\$75,000

Auburn Downtown Plaza Design/Development . . . . .	\$258,000
Bainbridge Island Senior/Community Center . . . . .	\$100,000
Battle Ground Health Care Clinic	\$400,000
Battle Ground Senior Center. . .	\$309,000
Benaroya Hall Street Front Poster Boxes. \$200,000	
BIPOC Farm Fresh HUB. . . . .	\$103,000
Bremerton Mason County Sewer Expansion. \$3,000,000	
Buckley Foothills Trailhead Doc Tait Pavilion. . . . .	\$52,000
Buddhist Temple Arson Restoration	\$225,000
California Creek Estuary Park Expansion. \$185,000	
Chamber of Commerce Historical Archive. \$38,000	
Charter Park Master Plan Bathroom	\$52,000
Chelan County Hazard Mitigation.	\$98,000
Chimacum Grange Hall Roofing Replacement . . . . .	\$26,000
Chinese American Legacy Artwork Project. \$25,000	
City of Bonney Lake ADA Accessible Playground. . . . .	\$151,000
City of Lacey Regional Public Safety Training Center. . . . .	\$50,000
City of Mill Creek Veteran's Monument Expansion & Memorial. . . . .	\$258,000
City of Roy Water Infrastructure	\$300,000
City of Sequim Park Acquisition.	\$171,000
CLC Childcare Fire Alarm System.	\$77,000
Coastal CAP Fire Remodel. . . .	\$515,000
Columbia Basin Rodeo Association Bleachers. . . . .	\$258,000
Columbia Grange #87 Safety Improvements. \$25,000	
Commercial Platform Lift. . . . .	\$17,000
Connections Mental Health. . . .	\$44,000
Cougar Mountain Zoo Indoor Educational Exhibit Space. . . . .	\$206,000
Council for the Homeless Building Rehabilitation. . . . .	\$200,000
Coupeville Boy and Girls Club Pathway. . \$36,000	
Crescent Grange Hall Urgent Roof Repairs . . . . .	\$103,000
Crosby Community Center Restoration. . . \$412,000	
Davenport Senior Center Capital Improvement. . . . .	\$120,000
Des Moines Marina Electrification	\$100,000
District Distributed Antenna System Installation. . . . .	\$258,000
Douglas Building HVAC Replacement	\$110,000
Downtown Camas Lighting Transformation Project. . . . .	\$300,000
DV Shelter and Advocacy Center HVAC Upgrade. . . . .	\$100,000
Eatonville Community Track & Field Restrooms. . . . .	\$300,000
Edmonds BGC Capital Project. . .	\$300,000
Elevator Purchase and Installation. . . \$274,000	
Ellensburg Community Fieldhouse.	\$72,000
Emergency Communications Radio Microwave . . . . .	\$235,000
Engineering and Surveying of Essential Fire Recovery. . . . .	\$300,000
Eritrean Community Center Expansion. . . \$100,000	
Everest Park Facilities Update.	\$300,000
Everett Labor Temple Roof. . . .	\$500,000
FACYV and APIC Building. . . . .	\$103,000

FareStart Job Training & Social	North Mason Food Bank Relocation.	\$47,000
Enterprise Capital	Northside Flood Reduction and Open Spaces	\$223,000
Improvements. . . . .	NWYS PAD Shelter Whatcom County.	\$250,000
Fire Station 41 Headquarters. . .	Oak Harbor Recreation Center Feasibility	\$200,000
Fire Station Restoration. . . . .	Study. . . . .	\$200,000
Firefighting PPE Decontamination CO2	Ohop Grange Insulation & Electrical	\$36,000
Demonstration	Upgrades. . . . .	\$36,000
Project. . . . .	Olalla Recovery Centers Facility	\$250,000
Florence Robison North Park Equipment	Improvements. . . . .	\$206,000
Replacement. . . . .	Old Swim Hole Revitalization Project. .	\$206,000
Foss Waterway Seaport Esplanade Connector	Omak Arena LED Lighting Project. .	\$185,000
. . . . .	Open Doors for Multicultural Families. .	\$5,000,000
Gage Academy of Art South Lake Union	Operation GROW - A Regional Processing	\$42,000
Building. . . . .	Facility for WA. . . . .	\$42,000
Garfield Super Block. . . . .	Oroville Grange Drainage Remediation. .	\$62,000
GCA Dignity Completion. . . . .	Othello Water Supply. . . . .	\$400,000
Glenwood Little League Facility	Parkwood Community Club Repairs. .	\$232,000
Improvements. . . . .	PAWS Community Support Center. . .	\$250,000
Goldsbrough Switching Station. . .	Pea Patch Community Campus. . . .	\$360,000
Goodwill Land Acquisition for	People's Community Center. . . . .	\$400,000
Redevelopment. . . . .	Perry Tech for Clean Energy Jobs. . . .	\$5,000,000
Granger Community Electric Sign. .	Pierce Center for Arts & Technology. . .	\$129,000
Granite Falls Boys & Girls Club. .	Port of Benton Inland. . . . .	\$240,000
Green Waste Recycling at Point Roberts.	Port of Quincy Business & Event Center	\$309,000
\$94,000	Upgrade. . . . .	\$125,000
Idylwood Beach Park Accessibility	Preserve and Maintain RTOPT Theatre \$77,000	\$105,000
Improvements. . . . .	Prosser Clubhouse. . . . .	\$105,000
Inclusive Playground at Cirque Park. . .	Providence Academy Elevator &	\$103,000
\$258,000	Rehabilitation. . . . .	\$41,000
Institute for Black Justice. . . . .	Public Dock Emergency Repair. . . . .	\$250,000
Intergenerational Community and Expanded	Puget Sound Estuarium Property. . . .	\$250,000
Aquatic	Rainier Beach Family Empowerment Center.	\$100,000
Center. . . . .	Redmond Academy Renovations. . . . .	\$87,000
Japanese American Exclusion Visitor	Regional Sports Complex-Site Evaluation	and
Center - I. . . . .	Pre-Design. . . . .	\$300,000
Kalama Community Building Architectural	Rehab and Care Center Shower Renovation.	\$206,000
Survey. . . . .	Rejuvenation Community Day Center \$500,000	\$174,000
Kelso Rotary Park. . . . .	Renovations for Children's Developmental	Center. . . . .
KidsQuest Children's Museum Stories of	Republic Library and Community Center. .	\$315,000
Water. . . . .	Resurface and Revitalize Prescott Public	Pool. . . . .
Kirkland BGC Upgrades and Expansion. . .	Pool. . . . .	\$98,000
\$128,000	Riverwalk Sports and Entertainment	Facility. . . . .
KVH Surgical Services Clinic Remodel. . .	Facility. . . . .	\$309,000
\$100,000	Rose Valley Grange Capital Improvement.	\$40,000
La Center Wheel Club Community Center	Roza Drought Funding. . . . .	\$200,000
Remodel. . . . .	Ruston Community Center Repairs & ADA	Improvements. . . . .
Lake Sacajawea Irrigation Pump. . . . .	Improvements. . . . .	\$360,000
Lakebay Marina Renovation and Historic	School Playground Renovation. . . . .	\$258,000
Preservation. . . . .	Seattle Aquarium Ocean Pavilion. . . . .	\$400,000
Latah Valley Fire Station. . . . .	Seattle Black Panther Legacy Project. . .	\$200,000
Latah Water System Rehabilitation Project	Seattle Storm Center. . . . .	\$500,000
. . . . .	Sheffield Trail. . . . .	\$100,000
Lincoln Creek Grange #407. . . . .	Shelton Multi-Use Trail. . . . .	\$206,000
Little Saigon Landmark. . . . .	Skagit PUD Olsen Creek Waterline	Relocation. . . . .
Lopez Food Center. . . . .	Relocation. . . . .	\$300,000
Lynnwood Convention Center Expansion. . .	Skamania County Public Safety Radio	System. . . . .
\$400,000	System. . . . .	\$200,000
Main Street. . . . .	South Camano Grange #930. . . . .	\$132,000
\$42,000	South End Community Center. . . . .	\$200,000
Manson Grange Hall Improvement Project.	South King Cultural Public Market	\$77,000
\$193,000	South Seattle Community Food Hub	\$135,000
Maple Valley Permanent Message Boards. .		
\$200,000		
Mason PUD No. 1 Lilliwaup Corner Project		
. . . . .		
\$1,800,000		
Matlock Grange Safety & Structure		
Improvements. . . . .		
\$90,000		
Medical Equipment Bank - Building		
\$250,000		
Mt View Grange. . . . .		
\$100,000		
Municipal Services Campus Design &		
Infrastructure. . . . .		
\$103,000		
Murakami Building. . . . .		
\$100,000		
Nespelem Community Park. . . . .		
\$52,000		
New Facility for South Kitsap Helpline.		
\$250,000		
Next Chapter Maroon Village. . . . .		
\$315,000		
NEYFS Creativity Project. . . . .		
\$93,000		



South Yakima Avenue Senior Housing. . . . \$400,000  
 Southwest Washington Fair Equestrian Facility. . . . \$206,000  
 Spokane CD Gray and Oregon Road Forest Fire Recovery. . . . \$975,000  
 Spokane Scale House Market & Kitchen. . . \$300,000  
 Spokane Valley Cross Country Course. . . \$150,000  
 Stanwood Police Station. . . . \$100,000  
 Summit Park Sewer Upgrade Project \$103,000  
 Sunnyside Beach Park Beach Nourishment Project. . . . \$103,000  
 Sunnyside Safe Haven Baby Box. . . \$16,000  
 SVE Expansion Equipment & Furnishing. . \$108,000  
 SW Youth & Family Services HVAC Replacement. . . . \$165,000  
 Tekoa Parks and Recreation. . . \$200,000  
 Terrain Cultural Hub. . . . \$207,000  
 Town of Index Safety and ADA Access Improvements. . . . \$25,000  
 Transload Area Sewer. . . . \$515,000  
 Tristate Health Hospital. . . . \$1,000,000  
 Tukwila Health & Wellness Center. \$25,000  
 Tumwater Mazama Pocket Gopher Habitat Acquisition and Restoration. . . . \$2,000,000  
 Uplift Northwest's Beacon of Hope \$300,000  
 Vancouver Family Resource Center Expansion. . . . \$200,000  
 Vancouver Waterfront Gateway Event Plaza . . . . \$197,000  
 W. Valley Centennial Middle School Field Fences & Dugout. . . . \$32,000  
 WA Soldier's Home Cemetery Pavement & Parking Extension. . . . \$72,000  
 Wahkiakum PUD - Puget Island Water Source Project. . . . \$309,000  
 Waitsburg Childcare Center. . . \$100,000  
 Wallace Heights Septic Elimination. . . \$515,000  
 Washington Masonic Services Library & Museum Remodel. . . . \$47,000  
 Water Treatment Facility Project \$920,000  
 Water Valve-Pipeline, Intersection Replacement. . . . \$103,000  
 Water Way 18 Dock Replacement. . \$250,000  
 West Echo Lake Public Engagement and Design Program. . . . \$129,000  
 Western Ranchettes Water Distribution System. . . . \$150,000  
 Wilkeson Town Hall Renovation. . \$134,000  
 Yakima Trolley Car barn Fire Suppression System. . . . \$197,000  
 Yakima Valley Local Crime Lab Facility. \$200,000  
 Yelm Activated Alleyway. . . . \$46,000

(9) \$5,122,000 of the model toxics control stormwater account—state appropriation in this section is provided solely for the following list of projects:

Boat Haven Stormwater Improvement. . . . \$3,100,000  
 Silver Bay Logging Property Acquisition. \$1,250,000  
 City of Puyallup Stormwater. . . \$772,000

(10) \$4,641,000 of the model toxics control capital account—state appropriation in this section is provided solely for the following list of projects:

APCC Asbestos Abatement. . . . \$286,000  
 Spokane and Pend Oreille County Gray and Oregon Road Fire Cleanup. . . . \$3,500,000  
 PFAS Treatment at City of DuPont Water Wells. . . . \$855,000

(11) \$500,000 of the state building construction account—state appropriation and \$100,000 of the climate commitment account—state appropriation in this section is provided solely for the Langley Library Historic Preservation project.

(12) \$40,000 of the climate commitment account—state appropriation in this section is provided solely for the Temple Association Energy Efficiency Improvements project.

(13) In addition to the requirements in subsection (5) of this section, the contract for the Goodwill Land Acquisition for Redevelopment (Seattle) project must require that the redevelopment of the property into affordable housing under subsection (8) of this section be completed within 10 years of the contract execution.

**Appropriation:**

Model Toxics Control Capital Account—  
 State. . . . \$4,641,000  
 Model Toxics Control Stormwater Account—  
 State. . . . \$5,122,000  
 State Building Construction Account—  
 State. . . . \$59,362,000  
 Climate Commitment Account—State \$140,000  
**Subtotal Appropriation. . . . \$69,265,000**  
 Prior Biennia (Expenditures). . . . \$0  
 Future Biennia (Projected Costs).  
 \$237,448,000  
**TOTAL. . . . \$306,713,000**

**NEW SECTION. Sec. 1019.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2023-25 Community Solar Resilience Hubs (40000620)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for grants to increase solar deployment and installation of battery storage in community buildings to enhance grid resiliency and provide backup power for critical needs, such as plug load and refrigeration for medication, during outages, or to provide incentives to support electric utility demand response programs that include customer-sited solar and battery storage systems. Eligible uses of the amounts provided in this section include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities.

(2) The department may:

(a) Provide information to applicants about available clean energy tax credits and incentives, including elective pay, that may be applicable to the project for which state funding is being sought;

(b) Inquire, as part of the application, which tax credits and incentives the applicant plans to seek for the project;

(c) Prioritize projects seeking any applicable clean energy tax credits and incentives when developing and applying competitive criteria for selecting recipients under this section; and

(d) Consider the availability of any federal tax credits or other federal or nonfederal grants or incentives that the applicant may benefit from in review of the application.

(3) Funding awards made under this section may not exceed 100 percent of the cost of the project.

(4) For the purposes of this section "community buildings" means K-12 schools, community colleges, community centers, recreation centers, libraries, tribal buildings, state and local government buildings, and other publicly owned infrastructure.

(5) Up to three percent of the appropriation in this section is for the department to administer the grant program.

**Appropriation:**

Climate Commitment Account—State.	
\$38,000,000	
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs).	
\$152,000,000	
<b>TOTAL.....</b>	<b>\$190,000,000</b>

**NEW SECTION. Sec. 1020.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2023-25 Community Solar (40000621)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for a grant program to provide solar and battery storage community solar projects for organizations serving low-income communities. Eligible uses of the amounts provided in this section include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities.

(2) The department may:

(a) Provide information to applicants about available clean energy tax credits and incentives, including elective pay, that may be applicable to the project for which state funding is being sought;

(b) Inquire, as part of the application, which tax credits and incentives the applicant plans to seek for the project;

(c) Prioritize projects seeking any applicable clean energy tax credits and incentives when developing and applying competitive criteria for selecting recipients under this section; and

(d) Consider the availability of any federal tax credits or other federal or nonfederal grants or incentives that the applicant may benefit from in review of the application.

(3) Funding awards made under this section may not exceed 100 percent of the cost of the project.

(4) Priority must be given to projects sited on "preferred sites" such as rooftops, structures, existing impervious surfaces,

landfills, brownfields, previously developed sites, irrigation canals and ponds, storm water collection ponds, industrial areas, dual-use solar projects that ensure ongoing agricultural operations, and other sites that do not displace critical habitat or productive farmland.

(5) For the purposes of this section "low-income" has the same meaning as provided in RCW 19.405.020 and "community solar project" means a solar energy system that: Has a direct current nameplate capacity that is greater than 12 kilowatts but no greater than 1,000 kilowatts; and has, at minimum, either two subscribers or one low-income service provider subscriber.

(6) Up to three percent of the appropriation in this section is for the department to administer the grant program.

**Appropriation:**

Climate Commitment Account—State.	
\$6,000,000	
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs).	
\$24,000,000	
<b>TOTAL.....</b>	<b>\$30,000,000</b>

**NEW SECTION. Sec. 1021.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2023-25 Community EV Charging (40000622)

The appropriation in this section is subject to the following conditions and limitations:

(1) Except as provided in subsection (10) of this section, the appropriation in this section is provided solely for grants for the development of community electric vehicle charging infrastructure.

(2) Funding provided in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state.

(3) Projects that receive funding under this section must be implemented by, or include partners from, one or more of the following: Local governments, federally recognized tribal governments, or public and private electrical utilities that serve retail customers in the state.

(4) Grant funding must be used for level two or higher charging infrastructure and related costs including, but not limited to, construction and site improvements. Projects may include a robust public and private outreach plan that includes engaging with affected parties in conjunction with the new electric vehicle infrastructure.

(5) The department must prioritize funding for projects in the following order:

- (a) Multifamily housing;
- (b) Publicly available charging at any location;
- (c) Schools and school districts;
- (d) State and local government buildings and office buildings;
- (e) All other eligible projects.

(6) The department must coordinate with other electrification programs, including projects developed by the department of transportation, to determine the most effective distribution of the systems. The department must also collaborate with the interagency electric vehicle coordinating council established in RCW 43.392.030 to implement this section and must work to meet benchmarks established in chapter 182, Laws of 2022.

(7) The department may:

(a) Provide information to applicants about available clean energy tax credits and incentives, including elective pay, that may be applicable to the project for which state funding is being sought;

(b) Inquire, as part of the application, which tax credits and incentives the applicant plans to seek for the project;

(c) Prioritize projects seeking any applicable clean energy tax credits and incentives when developing and applying competitive criteria for selecting recipients under this section; and

(d) Consider the availability of any federal tax credits or other federal or nonfederal grants or incentives that the applicant may benefit from in review of the application.

(8) Funding awards made under this section may not exceed 100 percent of the cost of the project.

(9) Up to three percent of the appropriation in this section is for the department to administer the grant program.

(10) \$412,000 of the appropriation in this section is provided solely for the following list of projects:

Town of Steilacoom Electrical Charging Station Infrastructure. . . . .	\$103,000
EV Chargers Federal Way Community Center . . . . .	\$309,000

**Appropriation:**

Climate Commitment Account—State.	\$105,000,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs).	\$420,000,000
<b>TOTAL.....</b>	<b>\$525,000,000</b>

**NEW SECTION. Sec. 1022.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency Revolving Loan Fund Capitalization Program (40000629)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely as expenditure authority for grant funding received by the department for the energy efficiency revolving loan fund capitalization program in section 40502 of P.L. 117-58 (infrastructure investment and jobs act). The department's expenditures under this section may not exceed the actual amount of grant funding awarded.

**Appropriation:**

Energy Efficiency Revolving Loan Capitalization

Account—State. . . . .	\$1,869,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
<b>TOTAL.....</b>	<b>\$1,869,000</b>

**NEW SECTION. Sec. 1023.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2026 FIFA World Cup (40000650)

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) The state building construction account—state appropriation in this section is provided solely for the following list of projects for capital improvements required to host the 2026 World Cup in Seattle:

University of Washington Practice Field.	\$2,577,000
Seattle University Practice Field. . . . .	\$1,017,000
Washington State Public Stadium Authority . . . . .	\$6,406,000

(b) As a condition of receiving moneys, Seattle University must provide one-to-one matching funds for the improvement of the practice field and make the practice field available as needed for the 2026 World Cup.

(2) The stadium world cup capital account—state appropriation in this section is provided solely for the purpose of advancing funds, to the extent needed, to the Washington state public stadium authority for capital improvements required to host the 2026 FIFA World Cup. Loan and repayment terms must be in accordance with the provisions of section 9, chapter . . . (Engrossed Senate Bill No. 6098), Laws of 2024.

**Appropriation:**

State Building Construction Account—State. . . . .	\$10,000,000
Stadium World Cup Capital Account—State . . . . .	\$10,000,000
<b>Subtotal Appropriation.....</b>	<b>\$20,000,000</b>
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
<b>TOTAL.....</b>	<b>\$20,000,000</b>

**Sec. 1024.** 2023 c 474 s 1019 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2023-25 Youth Shelters and Housing (91001682)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the following list of projects:

Community Youth Services (Olympia). . . . .	\$200,000
Housing and Services for Youth Wellness (Seattle). . . . .	\$5,000,000
<u>New Horizons (King County). . . . .</u>	<u>\$75,000</u>
OlyCap Pfeiffer House (Port Townsend). . . . .	<del>(\$70,000)</del> <u>\$97,000</u>
ROOTS Young Adult Shelter Phase 2 Renovations (Seattle). . . . .	\$1,500,000

Safe Harbor Support Center (Kennewick).  
\$300,000  
Serenity House (Port Angeles). . . \$50,000  
Shelton Young Adult Transitional Housing  
(Shelton). . . . . \$1,200,000  
Skagit Valley Family YMCA (Mt. Vernon).  
\$2,200,000  
VOA Crosswalk 2.0 (Spokane). . . \$2,500,000  
YouthCare (Seattle). . . . . ~~(\$1,500,000)~~  
\$2,500,000

(2) The department may not expend funding for a project in this section unless and until the nonstate share of that project's costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) Prior to receiving funding, grant recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to grants for preconstruction activities or grants in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(4) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the department finds the grantee to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

**Appropriation:**

State Building Construction Account—  
State. . . . . ~~(\$14,520,000)~~  
\$15,622,000  
  
Prior Biennia (Expenditures). . . . . \$0  
Future Biennia (Projected Costs).  
~~(\$58,080,000)~~  
\$62,488,000  
TOTAL..... ~~(\$72,600,000)~~  
\$78,110,000

**Sec. 1025.** 2023 c 474 s 1035  
(uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF COMMERCE**  
Local Emission Reduction Projects  
(91002184)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for the following list of projects:

Algae Carbon Sequestration and  
Regenerative Soils. . . . . \$2,500,000  
C6 Forest to Farm Biochar Pilot Plant  
(Leavenworth). . . . . \$1,425,000  
College Place Fire Department Energy  
Efficiency. . . . . \$1,137,000  
Douglas PUD Storage & Fuel Cell \$1,348,000

Great Northern School District HVAC  
Installation (Spokane). . . \$1,613,000  
~~((Hydrogen Storage & Fuel Cell for Peak~~  
~~Shaving~~  
~~(Okanogan). . . . . \$1,648,000))~~  
HAPO Community Center. . . . . \$3,000,000  
Kenmore Public Works Geothermal System.  
\$464,000  
KVH Hydrogen Storage System. . . \$300,000  
Meydenbauer Center Energy Efficiency  
(Bellevue). . . . . \$6,000,000  
Outdoor Fields LED Retrofit and Solar  
Installation  
(Tukwila). . . . . \$500,000  
Nisqually Indian Tribe Microgrid System.  
\$8,600,000  
Process Water Reuse Facility (Pasco). . .  
\$5,050,000  
Small Faces Preschool HVAC Upgrades  
(Seattle). . . . . \$435,000  
Squaxin Island Tribe Blue Carbon  
Sequestration. . . . . \$3,050,000  
SW Youth & Family Services HVAC  
Replacement. . . . . \$273,000  
Tacoma Power Grid Upgrades & Feasibility  
Study. . . . . \$2,875,000  
Waterfront Low Carbon District Energy  
System  
(Bellingham). . . . . \$100,000

(2) The department may not expend funding for a project in this section unless and until the nonstate share of that project's costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) Prior to receiving funding, grant recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to grants for preconstruction activities or grants in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(4) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the department finds the grantee to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(5) (a) This section takes effect January 1, 2025.

(b) If the climate commitment account or the natural climate solutions account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

**Appropriation:**

Climate Commitment Account—State.  
~~(\$15,346,000)~~  
\$31,695,000  
Natural Climate Solutions Account—State  
. . . . . ~~(\$1,425,000)~~

	\$6,975,000
Subtotal Appropriation.....	(((\$16,771,000))
	<u>\$38,670,000</u>
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	(((\$0))
	<u>\$87,396,000</u>
TOTAL.....	(((\$16,771,000))
	<u>\$126,066,000</u>

**Sec. 1026.** 2023 c 474 s 1041 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Public Utilities Relocation (91002418)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the public works board to enter into a professional services contract for the purpose of estimating the cost to local governments and special purpose districts for relocating publicly owned utility infrastructure due to state-funded fish barrier removal projects associated with roads and highways. The public works board shall consult with the department of transportation, the Brian Abbott fish barrier removal board, the transportation improvement board, the county road administration board, the department of fish and wildlife, the interagency, multijurisdictional system improvement team established in RCW 43.155.150, the municipal research and services center, the department of commerce, and other agencies as necessary, to evaluate the financial impact to local governments and special purpose districts.

(2) The public works board shall report to the governor and the appropriate fiscal committees of the legislature by ~~((November))~~December 1, 2024, the results of the evaluation, including the estimated:

(a) Number of state and locally owned fish barriers remaining to be corrected;

(b) Number of fish barriers that may require relocation of publicly owned utilities; and

(c) Costs for relocation of publicly owned utilities due to removal of fish barriers along local or state roads and highways.

**Appropriation:**

Public Works Assistance Account—State.	
\$300,000	
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL.....	<u>\$300,000</u>

**NEW SECTION. Sec. 1027.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

HB 2131 - Thermal Energy Networks (91002447)

The appropriation in this section is subject to the following conditions and limitations:

(1) This section takes effect January 1, 2025.

(2) If the climate commitment account is repealed as of December 30, 2024, then this

section is null and void on December 31, 2024.

(3) If House Bill No. 2131 (thermal energy networks) is not enacted by June 30, 2024, this section is null and void.

**Appropriation:**

Climate Commitment Account—State.	
\$5,000,000	
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$20,000,000
TOTAL.....	<u>\$25,000,000</u>

**NEW SECTION. Sec. 1028.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Multifamily Bldg Efficiency Grants (91002449)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$53,970,000 of the climate commitment account—state appropriation in this section is provided solely for the department to issue grants or loans to affordable multifamily projects within the housing trust fund portfolio to decarbonize and transition off the direct use of fossil fuels.

(2) Awards may include, but are not limited to: Conducting benchmarking, technical assistance, energy management, operations and maintenance planning, deep retrofits, energy efficiency upgrades and greenhouse gas emission reductions, renewable energy generation, installation of high-efficiency electric appliances and equipment, including high-efficiency heat pumps, and other decarbonization investments.

(3) Individual awards may not exceed \$10,000,000. The department must award funding at a sufficient level to complete the financing package necessary for an applicant to accomplish the requested scope of work. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined in RCW 70A.02.010.

(4) \$1,030,000 of the appropriation in this section is provided solely for the Vancouver Housing Authority Energy Retrofit project.

(5) (a) This section takes effect January 1, 2025.

(b) If the climate commitment account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

**Appropriation:**

Climate Commitment Account—State.	
\$55,000,000	
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$220,000,000
TOTAL.....	<u>\$275,000,000</u>

**NEW SECTION. Sec. 1029.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Clean Building Performance Grants (91002451)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$25,000,000 of the appropriation in this section is provided solely for clean building performance grants for tier 1 covered buildings as defined in RCW 19.27A.200.

(2) \$15,427,000 of the appropriation in this section is provided solely for clean building performance grants for public buildings.

(3) \$3,050,000 of the appropriation in this section is provided solely for the Spokane public facilities district.

(4) \$773,000 of the appropriation in this section is provided solely for Spokane county energy efficiency upgrades.

(5) \$750,000 of the appropriation in this section is provided solely for Tacoma fleet maintenance building decarbonization.

(6) This section takes effect January 1, 2025.

(7) If the climate commitment account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

Appropriation:

Table with 2 columns: Description, Amount. Rows include Climate Commitment Account—State (\$45,000,000), Prior Biennia (Expenditures) (\$0), Future Biennia (Projected Costs) (\$180,000,000), and TOTAL (\$225,000,000).

NEW SECTION. Sec. 1030. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Harborview (91002471)

The appropriation in this section is subject to the following conditions and limitations:

The appropriation in this section is provided solely for a grant to King county for the implementation of projects listed in the 2020 Harborview bond initiative and variations thereof, including expansion of those projects. The appropriation provided must be used for predesign, siting, and design costs related to a new behavioral health services building, and predevelopment costs for a Pioneer Square behavioral health services clinic. The county must submit any predesign to the appropriate legislative committees by February 1, 2025.

Appropriation:

Table with 2 columns: Description, Amount. Rows include State Building Construction Account—State (\$5,000,000), Prior Biennia (Expenditures) (\$0), Future Biennia (Projected Costs) (\$0), and TOTAL (\$5,000,000).

NEW SECTION. Sec. 1031. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Climate Resilience & Environmental Equity Campus (91002476)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department's office of economic development to contract with an economic development corporation to analyze and provide recommendations related to the creation and implementation of a climate resilience and environmental equity campus to be located in southern King county. The department's analysis must include evaluation of multiple sites in southern King county for their suitability as a campus pursuant to this section.

(2) The analysis process created in subsection (1) of this section must include iterative consultation with the following stakeholders: (a) Potential industry partners in the fields of climate resilience and environmental equity; (b) the state board of community and technical colleges, including Highline community college; (c) the public four-year institutions of higher education; (d) private institutions of higher education; (e) entities with expertise in the provision of early learning, including outdoor early learning; (f) the office of the superintendent of public instruction; (g) the department of natural resources; (h) an environmental scientist with knowledge of climate resilience; (i) entities in the fields of environmental justice, environmental equity, and community and civic engagement; (j) the city of Auburn; (k) the city of Federal Way; (l) the greater Federal Way chamber of commerce; and (m) members of the house of representatives serving southern King county. The department must also request consultation and participation from local Indian tribes in this process.

(3) The recommendations provided pursuant to subsection (1) of this section must include identification of: (a) The educational and community engagement programming to be offered on the campus, including climate resilience and environmental equity programming; (b) potential industry partners for development of the campus; and (c) potential funding options to support the creation, maintenance, and operations of the campus, including state, federal, and private sources.

(4) The recommendations provided pursuant to subsection (1) of this section must be developed with the intent to create a campus that would: (a) Create workforce training opportunities for postsecondary students pursuing careers in climate-focused science, technology, engineering, and mathematics through on-site training and internships in science, technology, engineering, mathematics, social justice, community engagement, and civic skills; (b) develop and strengthen college and university-industry relationships through promotion of faculty collaboration with the climate science and environmental resilience industry; (c) encourage a full range of projects from small research projects to large scale, multipartner projects; (d) work with industry partners to effectively market career opportunities in climate-focused

science, technology, engineering, and mathematics in Washington state, diversify the workforce, and educate the public on the pathways to success in these career fields; (e) work with colleges, universities, and industry partners to develop an industry-recognized certificate to be offered to postsecondary students who complete training at the climate resilience and environmental equity campus; and (f) create educational opportunities for younger learners, including those enrolled in early learning and in kindergarten through the 12th grade, to engage with climate science and the natural world.

(5) The department must report its analysis and recommendations pursuant to this section to the governor and the legislature no later than December 31, 2024.

**Appropriation:**

State Taxable Building Construction Account—	
State . . . . .	\$250,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
<b>TOTAL</b> .....	<b>\$250,000</b>

NEW SECTION. **Sec. 1032.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

The Arc Legacy Center (91002637)

**Appropriation:**

State Building Construction Account—	
State . . . . .	\$1,000,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
<b>TOTAL</b> .....	<b>\$1,000,000</b>

NEW SECTION. **Sec. 1033.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Hard-to-Decarbonize Sector & Economic Development Grants (91002641)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$45,000,000 of the appropriation in this section is provided solely for the office of economic development and competitiveness to administer a grant program that advances the goals of improving the state's progress towards greenhouse gas emissions reduction goals, reducing emissions in hard-to-decarbonize sectors, and bringing private investment and federal funding to the state.

(b) The office must prioritize projects that leverage the greatest amount of matching funds, such as local levy funding, federal funding, or private investment.

(c) Entities eligible for grants under this section include, but are not limited to, local governments, federally recognized tribal governments and tribes' contracted service providers, public and private utilities, ports, associate development organizations, for-profit entities, academic and research institutions, nonprofit organizations, and state agencies.

(d) To the extent practicable, the office shall prioritize grants that provide benefit to vulnerable populations in overburdened communities, as defined in RCW 70A.65.010, with a goal of directing at least 20 percent of funds to this purpose.

(2) Up to five percent of the appropriation in this section is for the office to administer the grant program, including providing technical assistance.

(3) \$4,800,000 of the appropriation in this section is provided solely for the Kaiser Aluminum Boiler Replacement project, which replaces two existing 1943 vintage steam boilers with two new boilers. The Kaiser Aluminum Boiler Replacement project must provide a one-to-one match with state funds. It is the intent of the legislature that if this appropriation is not spent by June 30, 2027, the funding provided in this subsection will lapse and not be reappropriated.

**Appropriation:**

Climate Commitment Account—State.	
\$49,800,000	
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$199,200,000
<b>TOTAL</b> .....	<b>\$249,000,000</b>

**Sec. 1034.** 2023 c 474 s 6076 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Broadband Office (92000953)

The ((reappropriations)) appropriations in this section are subject to the following conditions and limitations: The ((reappropriations)) appropriations are subject to the provisions of section 7016 of this act, except that:

(a) The \$225,000 provided for the Point Roberts rural broadband project is appropriated from the state building construction account—state, and not the coronavirus capital projects account—federal; and

(b) The amounts appropriated from the coronavirus capital projects account—federal do not need to be obligated by December 31, 2024.

**Reappropriation:**

Coronavirus Capital Projects Account—	
Federal . . . . .	\$124,726,000
Coronavirus State Fiscal Recovery Fund—	
Federal . . . . .	\$150,522,000
State Building Construction Account—	
State . . . . .	\$26,878,000
<b>Subtotal Reappropriation</b> .....	<b>\$302,126,000</b>

**Appropriation:**

<u>State Building Construction Account—</u>	
State . . . . .	\$225,000
Prior Biennia (Expenditures) . . . . .	\$1,468,000
Future Biennia (Projected Costs) . . . . .	\$0
<b>TOTAL</b> .....	<b>(\$303,594,000)</b>
	\$303,819,000

**Sec. 1035.** 2023 c 474 s 1038 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Public Facility Improvement Fund (92001367)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$24,000,000 of the youth athletic facility account—state appropriation and \$1,162,000 of the state building construction account—state appropriation in this section ((is))are provided solely for the following list of projects:

Table listing projects and amounts: Bellingham: Joe Martin Stadium. \$700,000; City of Everett ((School District+ Everett Memorial)): New Stadium. \$7,400,000; Lower Columbia College: David Story Field. \$1,300,000; Lower Columbia College: Softball Facilities. \$700,000; Pasco: Gesa Stadium. \$3,000,000; Port Angeles: Civic Field. \$600,000; Ridgefield: Ridgefield Outdoor Recreational Complex. \$450,000; Spokane County: Avista Stadium \$5,800,000; Tacoma: Cheney Stadium. \$3,000,000; Walla Walla: Borleske Stadium. \$525,000; Wenatchee Valley College: Paul Thomas Sr. Field. \$700,000; Wenatchee Valley College: Softball Facilities. \$462,000; Yakima County: Yakima County Stadium. \$525,000

(2) The funding appropriated under this section must be combined with local funds.

(3) The department may not expend funding for a project in this section unless and until the nonstate share of that project's costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(4) Prior to receiving funding, grant recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to grants for preconstruction activities or grants in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the department finds the grantee to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) \$360,000 of the state building construction account—state appropriation in this section is provided solely for administrative costs.

Appropriation:

State Building Construction Account— State. ((\$360,000)) \$1,522,000

Youth Athletic Facility Account—State. \$24,000,000; Subtotal Appropriation. ((\$24,360,000)) \$25,522,000; Prior Biennia (Expenditures). \$0; Future Biennia (Projected Costs). \$0; TOTAL. ((\$24,360,000)) \$25,522,000

Sec. 1036. 2023 c 474 s 1026 (uncodified) is amended to read as follows: FOR THE DEPARTMENT OF COMMERCE

2023-25 Dental Capacity Grants (92001393)

The appropriation in this section is subject to the following conditions and limitations:

(1) Funding provided in this section must be used for the construction and equipment directly associated with dental facilities. The funding provided in this section is for projects that are maintained for at least a 10-year period and provide capacity to address unmet patient need and increase efficiency in dental access.

(2) The amount provided in this section is provided solely for the following list of projects:

Community Health Association of Spokane. \$80,000; Community Health Center of Snohomish County. \$300,000; CVCH East Wenatchee Dental Clinic (East Wenatchee). \$1,850,000; HealthPoint (Seattle). \$490,000; Lake Roosevelt Community Health Center (Inchelium). \$160,000; Lake Roosevelt Community Health Center (Keller). \$80,000; Moses Lake Community Health Center \$72,000; Neighborcare Health (Seattle). \$1,800,000; Peninsula Community Health Services (Bremerton). \$495,000; PNWU Dental School (Yakima). \$5,000,000; Sea Mar Community Health Center (Tacoma). \$3,500,000; Seattle Indian Health Board (Seattle). \$305,000; Yakima Dental Clinic. \$4,400,000; Yakima Valley Farm Workers Clinic (Kennewick). \$4,000,000

Appropriation:

State Building Construction Account— State. ((\$17,680,000)) \$22,532,000; Prior Biennia (Expenditures). \$0; Future Biennia (Projected Costs). ((\$70,720,000)) \$90,128,000; TOTAL. ((\$88,400,000)) \$112,660,000

NEW SECTION. Sec. 1037. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Energy Northwest (92001720)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$25,000,000 of the appropriation in this section is provided solely as



nonfederal support for energy northwest's participation in the United States department of energy's loan programs office part 2 application, including due diligence review and environmental impact review. The legislature intends to leverage federal funds whenever possible and is a committed partner with the United States department of energy in funding activities that increase carbon free clean energy.

(2) Consistent with the provisions of RCW 70A.65.305, the department must consult with any affected federally recognized tribe on the potential effect of this project on tribal resources. Consultation must be initiated before project funds are made available.

(3) This section takes effect January 1, 2025.

(4) If the climate commitment account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

**Appropriation:**

Climate Commitment Account—State.  
\$25,000,000

Prior Biennia (Expenditures) . . . . . \$0  
Future Biennia (Projected Costs) . . . . . \$0  
TOTAL..... \$25,000,000

NEW SECTION. **Sec. 1038.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Geothermal Energy Resources (92001925)

The appropriation in this section is subject to the following conditions and limitations:

(1) This section takes effect January 1, 2025.

(2) If the climate commitment account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

(3) If Senate Bill No. 6039 (geothermal energy resources) is not enacted by June 30, 2024, this section is null and void.

**Appropriation:**

Climate Commitment Account—State \$542,000

Prior Biennia (Expenditures) . . . . . \$0  
Future Biennia (Projected Costs) . . . . . \$0  
TOTAL..... \$542,000

**Sec. 1039.** 2023 c 474 s 1045 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Security & Safety Enhancements (40000226)

The appropriations in this section are subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 1110, chapter 332, Laws of 2021.

(2) The appropriation in this section is provided solely for the following list of projects:

Capitol Campus Access Controls - Exterior Doors . . . . . \$1,000,000  
Executive Residence Video Surveillance and Lighting

Improvements . . . . . \$540,000  
Wedge Barriers - Syd Snyder & Water Street . . . . . \$1,570,000  
Executive Residence - Fencing, Gates, Bollards . . . . . \$1,621,000

**Reappropriation:**

State Building Construction Account—  
State . . . . . \$5,135,000

**Appropriation:**

State Building Construction Account—  
State . . . . . ((~~\$3,110,000~~))  
\$4,731,000

Prior Biennia (Expenditures) . . . . . \$922,000  
Future Biennia (Projected Costs).  
\$11,682,000

TOTAL..... ((~~\$20,849,000~~))  
\$22,470,000

**Sec. 1040.** 2023 c 474 s 1046 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Facility Professional Services Staffing (40000244)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for architectural and engineering services to manage public works contracting for all state facilities pursuant to RCW 43.19.450.

(2) At the end of each biennium, the department must report to the office of financial management and the appropriate committees of the legislature on performance, including the following:

(a) The number of projects managed by each project manager by fiscal year;

(b) The number of project predesigns completed on time, reported by project and fiscal year;

(c) The number of project designs completed, reported by project and fiscal year;

(d) The number of project constructions completed on time, reported by project and fiscal year and in total;

(e) Projects that were not completed on schedule, how many days they were delayed, and the reasons for the delays;

(f) The number and cost of the change orders and the reason for each change order; and

(g) A list of the interagency agreements executed with state agencies during the 2023-2025 fiscal biennium to provide staff support to state agencies that is over and above the allocation provided in this section. The list must include the agency, the amount of dollars by fiscal year, and the rationale for the additional service.

**Appropriation:**

State Building Construction Account—  
State . . . . . ((~~\$23,951,000~~))  
\$26,251,000

Prior Biennia (Expenditures) . . . . . \$0  
Future Biennia (Projected Costs).  
((~~\$95,804,000~~))  
\$105,004,000

TOTAL..... ((~~\$119,755,000~~))  
\$131,255,000

Sec. 1041. 2023 c 474 s 1047 (uncodified) is amended to read as follows: FOR THE DEPARTMENT OF ENTERPRISE SERVICES Campus - Critical Fire System Upgrades (40000245)

(The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided to fund the first item on the department's prioritized list of critical fire system upgrades. The legislature intends to fund further priorities in the 2024 supplemental capital budget upon completion of the department's evaluation and final prioritization of fire system upgrades.)

Appropriation:

Table with 2 columns: Description and Amount. Rows include State Building Construction Account, Prior Biennia (Expenditures), Future Biennia (Projected Costs), and TOTAL.

Sec. 1042. 2023 c 474 s 1054 (uncodified) is amended to read as follows: FOR THE DEPARTMENT OF ENTERPRISE SERVICES Washington Building (40000331)

The appropriation(s) in this section ((are))is subject to the following conditions and limitations:

(1) ((\$2,200,000 of the state building construction account state appropriation is provided solely for replacement of the roof and for asbestos abatement.

(2) \$2,801,000 of the climate commitment account state appropriation is provided solely for replacement of the HVAC system.) \$150,000 of the appropriation in this section is provided solely for the development of a plan and necessary steps to vacate and dispose of the Washington building and property. No later than September 15, 2024, the department must submit to the governor and the capital committees of the legislature a timeline and proposed budget for each item below that includes:

(a) A plan to relocate the current tenants of the building on or near the capitol campus. In identifying space, the department must also look to space that may be currently leased but is being underutilized. The plan must include a statement of the revenue for each of the current tenants;

(b) Improvements and maintenance necessary for the comfort and safety of the current tenants until the building can be vacated;

(c) Preservation of the building pending disposal of either the building or property, or both; and

(d) Recommendations for the most efficient use of the building and property that minimizes the cost to the state.

(2) The department must work with legislative support services to identify

space that meets the long-term needs of the tenants.

Appropriation:

Table with 2 columns: Description and Amount. Rows include Climate Commitment Account, State Building Construction Account, Prior Biennia (Expenditures), Future Biennia (Projected Costs), and TOTAL.

Sec. 1043. 2023 c 474 s 1055 (uncodified) is amended to read as follows: FOR THE DEPARTMENT OF ENTERPRISE SERVICES Old Cap - Roof Replacement (40000338)

Appropriation:

Table with 2 columns: Description and Amount. Rows include State Building Construction Account, Thurston County Capital Facilities Account, Subtotal Appropriation, Prior Biennia (Expenditures), Future Biennia (Projected Costs), and TOTAL.

Sec. 1044. 2023 c 474 s 1061 (uncodified) is amended to read as follows: FOR THE DEPARTMENT OF ENTERPRISE SERVICES Legislative Campus Modernization (92000020)

The appropriations in this section are subject to the following conditions and limitations:

(1) The reappropriations are subject to the provisions of section 1059, chapter 296, Laws of 2022.

(2) The department must consult with the senate facilities and operations committee or its designees and the house of representatives' executive rules committee or its designees at least every other month.

(3) All appropriations must be coded and tracked as separate discrete subprojects in the agency financial reporting system.

(4) If the department receives information, after value engineering has been performed, that projected costs for any of the subprojects in subsections (5), (6), or (7) of this section will exceed the amount provided in the respective subsections, including projected costs in future biennia, the department must timely notify and provide that information in writing to the project executive team. Prior to proceeding with design or construction, the department must:

(a) Provide at least three options that do not include square footage reduction to reduce the subproject costs to stay within the amount provided for that subproject and the project schedule;

(b) Consult with the project executive team on the options offered, prior to proceeding with a reduced cost option; and

(c) Receive majority consensus from the project executive team to either adopt and

move forward with reduced cost options that bring the subproject costs within amounts appropriated or adopt a tentative modified budget for the subproject. If a tentative modified budget is adopted, the department must seek additional funding in the next agency budget submittal.

(5) ~~((20,751,000))~~ \$25,651,000 of the ~~((amount provided))~~ state building construction account—state appropriation in this section is provided solely for the Irv Newhouse building replacement design and construction subproject on opportunity site six west. The department must:

(a) Start Newhouse building construction by July 1, 2023;

(b) Complete Newhouse building construction by October 31, 2024; and

(c) Consult with the leadership of the senate, or their designees, at least every month, beginning July 1, 2023.

(6) ~~((87,000,000))~~ \$84,593,000 of the ~~((amount provided))~~ state building construction account—state appropriation in this section is provided solely for the rehabilitation, design, and construction of the Pritchard building and the renovation of the John L. O'Brien building subproject. The legislature intends to provide funding in the amount of ~~((136,504,000))~~ \$134,097,000 over the course of the 2023-2025 and the 2025-2027 fiscal biennia for design and construction of this project. Pursuant to RCW 43.88.130, the department may enter into a multibiennium contract for the construction of the subproject. Nothing in this section authorizes the agency to make an expenditure without an appropriation.

(7) ~~((4,865,000))~~ \$11,872,000 of the ~~((amount provided))~~ state building construction account—state appropriation and \$1,000,000 of the climate commitment act—state appropriation in this section is provided solely for the legislative campus modernization global subproject that includes, but is not limited to, the visitor lot (opportunity site six east), 15th avenue southwest, the John A. Cherberg parking lot on 15th avenue southwest, the John L. O'Brien parking lot on 15th avenue southwest, Columbia street site work, the legislative modular building, and Water street site work.

(8) \$1,000,000 of the model toxics control capital account—state appropriation in this section is provided solely for Newhouse parcel soil decontamination.

Reappropriation:

State Building Construction Account—  
State . . . . . \$72,346,000  
Thurston County Capital Facilities  
Account—State . . . . . \$2,665,000  
Subtotal Reappropriation . . . . . \$75,011,000

Appropriation:

Climate Commitment Account—State.  
\$1,000,000  
State Building Construction Account—  
State . . . . . ~~((112,616,000))~~  
\$122,116,000  
Model Toxics Control Capital Account—  
State . . . . . \$1,000,000  
Subtotal Appropriation . . . . . \$124,116,000  
Prior Biennia (Expenditures). \$14,925,000

Future Biennia (Projected Costs).  
\$49,504,000  
TOTAL . . . . . ~~((252,056,000))~~  
\$263,556,000

Sec. 1045. 2023 c 474 s 1062 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**  
Temple of Justice HVAC, Lighting & Water Systems (92000040)

The appropriations in this section are subject to the following conditions and limitations: Subject to available funding, up to \$1,000,000 of the appropriations in this section may be used for carpeting and painting within the Temple of Justice.

Reappropriation:

State Building Construction Account—  
State . . . . . ~~((25,410,000))~~  
\$23,610,000

Appropriation:

Capitol Building Construction Account—  
State . . . . . ~~((4,007,000))~~  
\$5,307,000  
Prior Biennia (Expenditures). \$4,590,000  
Future Biennia (Projected Costs). . . \$0  
TOTAL . . . . . ~~((34,007,000))~~  
\$33,507,000

NEW SECTION. Sec. 1046. A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**  
Cal Anderson Memorial (92000058)

Appropriation:

State Building Construction Account—  
State . . . . . \$75,000  
Prior Biennia (Expenditures). . . . . \$0  
Future Biennia (Projected Costs). . . \$0  
TOTAL . . . . . \$75,000

Sec. 1047. 2023 c 474 s 1065 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**  
Tri-Cities Readiness Center (30000808)

Reappropriation:

General Fund—Federal . . . . . \$1,421,000  
(Military Department Capital Account—  
State . . . . . \$204,000)  
State Building Construction Account—  
State . . . . . \$265,000  
Subtotal Reappropriation . . . . . ~~((1,890,000))~~  
\$1,686,000

Appropriation:

General Fund—Federal . . . . . \$2,000,000  
State Building Construction Account—  
State . . . . . \$944,000  
Subtotal Appropriation . . . . . \$2,944,000  
Prior Biennia (Expenditures). \$16,010,000  
Future Biennia (Projected Costs). . . \$0  
TOTAL . . . . . ~~((20,844,000))~~  
\$20,640,000

Sec. 1048. 2023 c 474 s 1070 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**  
Camp Murray Bldg 34 Renovation (40000192)

Appropriation:

General Fund—Federal. . . . .	(\$4,915,000)
	\$5,410,000
State Building Construction Account—	
State. . . . .	(\$3,425,000)
	\$4,589,000
Subtotal Appropriation. . . . .	(\$8,340,000)
	\$9,999,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	(\$8,340,000)
	\$9,999,000

NEW SECTION. **Sec. 1049.** 2023 c 474 s 1034 (uncodified) is repealed.

(End of part)

**PART 2  
HUMAN SERVICES**

NEW SECTION. **Sec. 2001.** A new section is added to 2023 c 474 (uncodified) to read as follows:  
**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Child Study & Treatment Center-Gymnasium: Floor Replacement (40000555)

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$1,925,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$1,925,000

NEW SECTION. **Sec. 2002.** A new section is added to 2023 c 474 (uncodified) to read as follows:  
**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Rainier School-Laundry: Commercial Washing Machines Replacement (40000971)

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$1,855,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$1,855,000

**Sec. 2003.** 2023 c 474 s 2026 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Western State Hospital-Water System: Assessment and Improvements (40001089)

The appropriation in this section is subject to the following conditions and limitations: As part of its assessment, the department must conduct a long-term cost-benefit analysis of transitioning the water system to the ((City of)) Lakewood Water District and any cost mitigation strategies available to the state.

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$2,490,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$2,490,000

NEW SECTION. **Sec. 2004.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Olympic Heritage Behavioral Health - Facility Modernization (40001145)

**Appropriation:**

Capital Community Assistance Account—	
State. . . . .	\$13,700,000
State Building Construction Account—	
State. . . . .	\$855,000
Subtotal Appropriation. . . . .	\$14,555,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$10,350,000
TOTAL. . . . .	\$24,905,000

NEW SECTION. **Sec. 2005.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Western State Hospital-East Campus: Well Replacement (40001149)

**Appropriation:**

Model Toxics Control Capital Account—	
State. . . . .	\$4,540,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$4,540,000

NEW SECTION. **Sec. 2006.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Olympic Heritage Behavioral Health - Facility Purchase (40001153)

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$30,000,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$30,000,000

**Sec. 2007.** 2023 c 474 s 6148 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Child Study & Treatment Center - Youth Housing (91000084)

**Reappropriation:**

State Building Construction Account—	
State. . . . .	\$350,000

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$5,061,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	((#0))
	\$31,849,000
TOTAL. . . . .	(\$350,000)
	\$37,260,000

**Sec. 2008.** 2023 c 474 s 2031 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Maple Lane - Rapid BH Bed Capacity (92000046)

TOTAL..... \$2,200,000

Reappropriation:

State Building Construction Account— State..... \$800,000

Appropriation:

State Building Construction Account— State..... \$21,070,000
Prior Biennia (Expenditures)..... \$0
Future Biennia (Projected Costs)..... \$20,200,000
TOTAL..... ((\$41,270,000)) \$42,070,000

Sec. 2009. 2023 c 474 s 2035 (uncodified) is amended to read as follows: FOR THE DEPARTMENT OF HEALTH

Drinking Water System Rehabilitations and Consolidations (40000065)

The appropriation in this section is subject to the following conditions and limitations: ((\$2,214,000)) \$2,536,000 of the state building construction account—state appropriation is provided solely for the department to facilitate a water supply agreement between the City of North Bend and the Sallal Water System. Of that amount, ((\$1,507,000)) \$1,829,000 must be distributed to the Sallal Water System and \$707,000 to the City of North Bend, conditional on a signed water supply agreement that ensures ((a minimum of)) up to 100 acre feet per year of ((permanent)) mitigation water supply ((for)) to the city for a minimum of 30 years.

Appropriation:

State Building Construction Account— State..... ((\$5,000,000)) \$5,322,000
Prior Biennia (Expenditures)..... \$0
Future Biennia (Projected Costs)..... \$12,000,000
TOTAL..... ((\$17,000,000)) \$17,322,000

NEW SECTION. Sec. 2010. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF HEALTH

Emergency Generator for Environmental Laboratory Wing (40000072)

Appropriation:

State Building Construction Account— State..... \$3,219,000
Prior Biennia (Expenditures)..... \$0
Future Biennia (Projected Costs)..... \$0
TOTAL..... \$3,219,000

NEW SECTION. Sec. 2011. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF HEALTH

Hannah Heights PFAS Contaminated Well and Water Supply (92000210)

Appropriation:

Model Toxics Control Capital Account— State..... \$2,200,000
Prior Biennia (Expenditures)..... \$0
Future Biennia (Projected Costs)..... \$0

Sec. 2012. 2023 c 474 s 2044 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

WSVC - Burial and Columbarium Expansion Grant (40000092)

Appropriation:

General Fund—Federal..... ((\$3,000,000)) \$4,868,000
State Building Construction Account— State..... ((\$300,000)) \$541,000
Subtotal Appropriation..... ((\$3,300,000)) \$5,409,000
Prior Biennia (Expenditures)..... \$0
Future Biennia (Projected Costs)..... \$0
TOTAL..... ((\$3,300,000)) \$5,409,000

Sec. 2013. 2023 c 474 s 2046 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

DVA ARPA Federal Funds & State Match (91000013)

The appropriations in this section are subject to the following conditions and limitations: The appropriations are subject to the provisions of section 7064 of this act, except that the department may apply for federal funding other than that under section 8004 of the American rescue plan act of 2021, P.L. 117.2, and minor works projects funded under this section need not meet the requirements of section 8004 of the American rescue plan act of 2021, P.L. 117.2.

Reappropriation:

General Fund—Federal..... ((\$24,495,000)) \$24,515,000
State Building Construction Account— State..... ((\$10,849,000)) \$10,882,000
Subtotal Reappropriation..... ((\$35,344,000)) \$35,397,000

Appropriation:

State Building Construction Account— State..... \$6,810,000
Prior Biennia (Expenditures)..... ((\$55,000)) \$2,000
Future Biennia (Projected Costs)..... \$0
TOTAL..... \$42,209,000

Sec. 2014. 2023 c 474 s 2049 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Echo Glen Secure Facility Improvements (40000546)

Appropriation:

State Building Construction Account— State..... ((\$8,050,000)) \$12,554,000
Prior Biennia (Expenditures)..... \$0
Future Biennia (Projected Costs)..... ((\$0)) \$800,000
TOTAL..... ((\$8,050,000)) \$13,354,000

NEW SECTION. **Sec. 2015.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

Green Hill School HVAC Upgrades (40000584)

**Appropriation:**

Climate Commitment Account—State.	
\$3,449,000	
State Building Construction Account—	
State. . . . .	\$1,997,000
Subtotal Appropriation. . . . .	\$5,446,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
\$11,000,000	
TOTAL. . . . .	\$16,446,000

NEW SECTION. **Sec. 2016.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

Echo Glen Academic School Walkway Roofing & Lighting (40000586)

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$500,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$500,000

NEW SECTION. **Sec. 2017.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

SW: Electric Car Chargers (40000178)

The appropriation in this section is subject to the following conditions and limitations:

(1) This section takes effect January 1, 2025.

(2) If the climate commitment account is repealed as of December 30, 2024, then this section is null and void and the amounts provided in this section shall lapse.

**Appropriation:**

Climate Commitment Account—State	\$600,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
\$9,660,000	
TOTAL. . . . .	\$10,260,000

NEW SECTION. **Sec. 2018.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

WCCW: MSC Living Unit Bathroom Renovations (40000263)

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$500,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
\$8,290,000	
TOTAL. . . . .	\$8,790,000

NEW SECTION. **Sec. 2019.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Westside Prison Housing Unit HVAC (40000516)

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$350,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$350,000

NEW SECTION. **Sec. 2020.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

SW: Security Electronics Renewal & Adaptation (40000523)

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$800,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$800,000

NEW SECTION. **Sec. 2021.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

SW: Fire Alarm Systems Stabilization Project (40000524)

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$750,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$750,000

NEW SECTION. **Sec. 2022.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

SW: Perimeter Fence Detection Stabilization Project (40000525)

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$750,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$750,000

NEW SECTION. **Sec. 2023.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

WSP: IMU South Fire Protection & Smoke Dampers (40000526)

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$4,622,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$4,622,000

NEW SECTION. **Sec. 2024.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

WCCW: Women's Elder Care Unit (40000527)

**Appropriation:**

State Building Construction Account—  
 State . . . . . \$250,000  
 Prior Biennia (Expenditures) . . . . . \$0  
 Future Biennia (Projected Costs) . . . . . \$0  
 TOTAL . . . . . \$250,000

NEW SECTION. **Sec. 2025.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

WCC: Medical Intake Modular Building (40000528)

**Appropriation:**

State Building Construction Account—  
 State . . . . . \$1,200,000  
 Prior Biennia (Expenditures) . . . . . \$0  
 Future Biennia (Projected Costs) . . . . . \$0  
 TOTAL . . . . . \$1,200,000

(End of part)

**PART 3**

**NATURAL RESOURCES**

**Sec. 3001.** 2023 c 474 s 3028 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

2023-25 Columbia River Water Supply Development Program (40000583)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$32,800,000 of the state building construction account—state appropriation in this section is provided solely for planning, designing, engineering, development, coordination, and construction of the Odessa groundwater replacement project, sufficient to irrigate the acres located within the Odessa Subarea Special Study and facilities modifications necessary to accommodate capacity demands resulting from the individual public delivery systems within the Odessa groundwater replacement program.

(a) To be eligible for a grant under this subsection (1), a project must have at least 30 percent of its design work completed by July 1, 2023.

(b) The east Columbia basin irrigation district may only be allowed to make any administrative charges sufficient to administer the state grants, not to exceed one percent of amounts provided to them within this appropriation, with the requirement to report administrative expenditures to the office of Columbia river annually.

(2) \$850,000 of the state building construction account—state appropriation in this section is provided solely for the department to enter into an agreement with the United States bureau of reclamation to reimburse the bureau for costs related to the design and review activities necessary to complete the transfer of the groundwater replacement delivery system title to the United States by the east Columbia basin

irrigation district and to secure project reserved power for public delivery systems.

(3) \$5,500,000 of the state building construction account—state appropriation in this section is provided solely for the Odessa - OGWRP EL 22.1 pipeline turnouts project.

**Appropriation:**

Columbia River Basin Water Supply Revenue Recovery Account—State . . . \$1,500,000  
 State Building Construction Account—  
 State . . . . . ((\$59,200,000))  
 \$64,700,000  
 Subtotal Appropriation . . . . . ((\$60,700,000))  
 \$66,200,000

Prior Biennia (Expenditures) . . . . . \$0  
 Future Biennia (Projected Costs) . . . . . \$242,800,000  
 TOTAL . . . . . ((\$303,500,000))  
 \$309,000,000

**Sec. 3002.** 2023 c 474 s 3032 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Landfill Methane Capture (40000611)

The appropriation in this section is subject to the following conditions and limitations:

((The)) (1) \$10,100,000 of the appropriation in this section is provided solely for the department to administer a grant program for landfills to comply with methane emission requirements established in chapter 70A.540 RCW.

(2) \$4,900,000 of the appropriation in this section is provided solely for the Cowlitz County PUD Landfill Methane Capture project.

**Appropriation:**

Climate Commitment Account—State.  
 \$15,000,000  
 Prior Biennia (Expenditures) . . . . . \$0  
 Future Biennia (Projected Costs) . . . . . \$60,000,000  
 TOTAL . . . . . \$75,000,000

NEW SECTION. **Sec. 3003.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Cleanup Settlement Account Projects (40000613)

**Appropriation:**

Cleanup Settlement Account—State.  
 \$2,200,000  
 Prior Biennia (Expenditures) . . . . . \$0  
 Future Biennia (Projected Costs) . . . . . \$0  
 TOTAL . . . . . \$2,200,000

NEW SECTION. **Sec. 3004.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Eastside Fire and Rescue Pilot PFAS Cleanup (40000618)

**Appropriation:**

Model Toxics Control Capital Account—  
 State . . . . . \$2,000,000  
 Prior Biennia (Expenditures) . . . . . \$0

Future Biennia (Projected Costs) . . . \$0 \$1,563,000
TOTAL..... \$2,000,000

NEW SECTION. Sec. 3005. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

City of Ruston Contamination Remediation (91000390)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department to provide grants to the city of Ruston for portions of environmental cleanup costs not fully reimbursed by the settlement agreement with the American smelting and refining company LLC (ASARCO) for the Tacoma smelter site for the following list of projects:

Rust Park Remediation Phase 1 Land Acquisition and Site Preparation. . . . \$705,000
Ruston Right-of-Way Contaminated Soil Testing. . . . \$175,000
Winnifred Street Contaminated Soil Hauling. . . . \$229,000

Appropriation:

Model Toxics Control Capital Account—
State. . . . \$1,109,000
Prior Biennia (Expenditures). . . . \$0
Future Biennia (Projected Costs). . . \$0
TOTAL..... \$1,109,000

Sec. 3006. 2023 c 474 s 3046 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Nisqually New Full Service Park (40000153)

Reappropriation:

State Building Construction Account—
State. . . . \$10,244,000

Appropriation:

State Building Construction Account—
State. . . . ((\$21,825,000))
\$25,327,000
Prior Biennia (Expenditures). \$4,739,000
Future Biennia (Projected Costs).
((\$15,099,000))
\$16,033,000
TOTAL..... ((\$51,907,000))
\$56,343,000

Sec. 3007. 2023 c 474 s 6352 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Flagler Historic Theater Restoration (40000188)

Reappropriation:

State Building Construction Account—
State. . . . \$67,000

Appropriation:

State Building Construction Account—
State. . . . \$1,367,000
Prior Biennia (Expenditures). . \$129,000
Future Biennia (Projected Costs). . . \$0
TOTAL..... ((\$196,000))

NEW SECTION. Sec. 3008. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Lake Sammamish Dock Design & Permitting (40000461)

Appropriation:

State Building Construction Account—
State. . . . \$250,000
Prior Biennia (Expenditures). . . . \$0
Future Biennia (Projected Costs).
\$4,500,000
TOTAL..... \$4,750,000

Sec. 3009. 2023 c 474 s 3051 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

2023-25 Capital Preservation Pool (91000443)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for minor works projects, as described in section 8017 of this act.

(2) The state parks and recreation commission may not use the appropriation in this section for planning, predesign, or design costs that will result in a request for construction funding in a subsequent biennium.

Appropriation:

State Building Construction Account—
State. . . . ((\$19,932,000))
\$20,382,000
Prior Biennia (Expenditures). . . . \$0
Future Biennia (Projected Costs).
((\$79,728,000))
\$81,528,000
TOTAL..... ((\$99,660,000))
\$101,910,000

NEW SECTION. Sec. 3010. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Palouse to Cascades Trail Noxious Weed Inventory (92001130)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the commission to conduct a noxious weeds inventory on the Palouse to Cascades trail in Grant, Adams, and Whitman counties. The commission shall identify and document the species and geographic extent of noxious weeds, as selected pursuant to RCW 17.10.080 and 17.10.090, in the sections on either side of the trail within 25 feet of the center line of the trail. The commission must conduct the inventory along the full extent of the trail in Adams, Grant, and Whitman counties and in coordination with the associated county or regional noxious weed control board. The inventory must occur



during the time of year when the noxious weeds are fully developed and can be readily identified. The commission shall submit a report to the capital committees of the legislature, including inventory results and treatment recommendations, no later than December 1, 2024.

Appropriation:

Model Toxics Control Operating Account—State. . . . . \$50,000
Prior Biennia (Expenditures). . . . . \$0
Future Biennia (Projected Costs). . . . . \$0
TOTAL..... \$50,000

Sec. 3011. 2023 c 474 s 3050 (uncodified) is amended to read as follows: FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Worden ((PDA—Geothermal Heating))Energy Efficiency Update (40000457)

Appropriation:

Climate Commitment Account—State. \$1,000,000
Prior Biennia (Expenditures). . . . . \$0
Future Biennia (Projected Costs). \$7,000,000
TOTAL..... \$8,000,000

Sec. 3012. 2023 c 474 s 3056 (uncodified) is amended to read as follows: FOR THE RECREATION AND CONSERVATION FUNDING BOARD

2023-25 Salmon Recovery Funding Board Grant Programs (40000054)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,400,000 of the state building construction account—state appropriation is provided solely to maintain the lead entity program as described in chapter 77.85 RCW.

(2) \$640,000 of the state building construction account—state appropriation is provided solely for regional fisheries enhancement groups created in RCW 77.95.060.

(3)(a) This section takes effect January 1, 2025.

(b) If the natural climate solutions account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

Appropriation:

General Fund—Federal. . . . . \$75,000,000
Natural Climate Solutions Account—State \$25,000,000
State Building Construction Account—State. . . . . \$20,000,000
Subtotal Appropriation..... ((\$95,000,000))
(\$120,000,000)
Prior Biennia (Expenditures). . . . . \$0
Future Biennia (Projected Costs). ((\$380,000,000))
TOTAL..... \$480,000,000
((\$475,000,000))
\$600,000,000

Sec. 3013. 2023 c 474 s 3062 (uncodified) is amended to read as follows: FOR THE RECREATION AND CONSERVATION FUNDING BOARD

2023-25 Community Forest Grant Program (40000060)

The appropriations in this section ((is))are subject to the following conditions and limitations:

(1) The state building construction account—state appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-5-2023, developed April 10, 2023.

(2) The natural climate solutions account —state appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-1-2024, developed February 1, 2024. Projects on LEAP capital document No. RCO-1-2024 funded under this subsection are not also eligible to receive funding as alternate projects on LEAP capital document No. RCO-5-2023.

(3)(a) This section takes effect January 1, 2025.

(b) If the natural climate solutions account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

Appropriation:

Natural Climate Solutions Account—State \$5,770,000
State Building Construction Account—State. . . . . \$7,807,000
Subtotal Appropriation. . . . . \$13,577,000
Prior Biennia (Expenditures). . . . . \$0
Future Biennia (Projected Costs). ((\$31,228,000))
TOTAL..... \$54,308,000
((\$39,035,000))
\$67,885,000

Sec. 3014. 2023 c 474 s 3065 (uncodified) is amended to read as follows: FOR THE RECREATION AND CONSERVATION FUNDING BOARD

2023-25 Washington Coastal Restoration and Resiliency Initiative (40000063)

The appropriations in this section ((is))are subject to the following conditions and limitations:

(1) Except as provided under subsection (2) of this section, the state building construction account—state appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-8-2023, developed April 10, 2023.

(2) The recreation and conservation funding board may retain a portion of the funds appropriated from the state building construction account—state in this section for the administration of the grants. The portion of the funding retained for administration may not exceed 4.12 percent of the appropriation.

(3)(a) Except as provided for under (b) of this subsection, the natural climate solutions account—state appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-2-2024, developed February 1, 2024. Projects on LEAP capital document No. RCO-2-2024 funded under

this subsection (3) are not also eligible to receive funding as alternate projects on LEAP capital document No. RCO-8-2023.

(b) The board may retain up to \$314,000 of the amounts appropriated in this subsection (3) for administration of the grants.

(4)(a) This section takes effect January 1, 2025.

(b) If the natural climate solutions account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

Appropriation:

Natural Climate Solutions Account—State	
\$7,928,000	
State Building Construction Account—	
State. . . . .	\$10,134,000
Subtotal Appropriation. . . . .	\$18,062,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs).	
(((\$40,536,000))	
	\$72,248,000
TOTAL.....	(((\$50,670,000))
	\$90,310,000

Sec. 3015. 2023 c 474 s 3066 (uncodified) is amended to read as follows: **FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

2023-25 Brian Abbott Fish Barrier Removal Board (40000064)

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((Except as provided under subsections (2) and (3) of this section, the))~~(a) \$21,092,000 of the natural climate solutions account—state appropriation and \$27,315,000 of the state building construction account—state appropriation((s)) in this section are provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-6-2023, developed April 10, 2023.

((+2))~~(b)~~ The recreation and conservation funding board may retain a portion of the funding appropriated in ~~((this section))~~(a) of this subsection for the administration of the grants. The portion of the funding retained for administration may not exceed \$1,356,000 from the state building construction account—state appropriation in this section.

((+3))~~(c)~~ The department of fish and wildlife may retain up to \$1,862,000 of the state building construction account—state appropriation in ~~((this section))~~(a) of this subsection for the Brian Abbott fish barrier removal board for technical assistance in developing projects for consideration.

(2)(a) \$22,198,000 of the natural climate solutions account—state appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-3-2024, developed February 1, 2024. Projects on LEAP capital document No. RCO-3-2024 funded under this subsection are not also eligible to receive funding as alternate projects on LEAP capital document No. RCO-6-2023.

~~(b) The recreation and conservation funding board may retain a portion of the funding appropriated in (a) of this subsection for the administration of the grants. The portion of the funding retained for administration may not exceed \$622,000 from the natural climate solutions account—state appropriation in this section.~~

~~(c) The department of fish and wildlife may retain up to \$854,000 of the natural climate solutions account—state appropriation in (a) of this subsection for the Brian Abbott fish barrier removal board for technical assistance in developing projects for consideration.~~

~~(3)(a) This section takes effect January 1, 2025.~~

~~(b) If the natural climate solutions account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.~~

Appropriation:

Natural Climate Solutions Account—State	
. . . . .	(((\$21,092,000))
	\$43,290,000
State Building Construction Account—	
State. . . . .	\$27,315,000
Subtotal Appropriation. . . . .	(((\$48,407,000))
	\$70,605,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs).	
(((\$193,628,000))	
	\$282,420,000
TOTAL.....	(((\$242,035,000))
	\$353,025,000

Sec. 3016. 2023 c 474 s 3064 (uncodified) is amended to read as follows: **FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

2023-25 Estuary and Salmon Restoration Program (40000062)

The appropriations in this section ~~((is))~~are subject to the following conditions and limitations:

(1) ~~((Except as provided under subsections (2) and (3) of this section, the))~~(a) The state building construction account—state appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-7-2023, developed April 10, 2023.

((+2))~~(b)~~ The recreation and conservation funding board may retain a portion of the funding appropriated in ~~((this section))~~(a) of this subsection for the administration of the grants. The portion of the funding retained for administration may not exceed \$545,000.

((+3))~~(c)~~ The department of fish and wildlife may retain a portion of the funding appropriated in ~~((this section))~~(a) of this subsection for costs related to technical assistance and program administration. The portion of the funding retained for costs related to technical assistance and program administration may not exceed \$545,000.

(2)(a) The natural climate solutions account—state appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-4-2024, developed

February 1, 2024. Projects on LEAP capital document No. RCO-4-2024 funded under this subsection are not also eligible to receive funding as alternate projects on LEAP capital document No. RCO-7-2023.

(b) The recreation and conservation funding board may retain up to \$423,000 of the funding appropriated in (a) of this subsection for the administration of the grants.

(c) The department of fish and wildlife may retain up to \$423,000 of the funding appropriated in (a) of this subsection for costs related to technical assistance and program administration.

(3)(a) This section takes effect January 1, 2025.

(b) If the natural climate solutions account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

Appropriation:

Natural Climate Solutions Account—State	
\$11,110,000	
State Building Construction Account—	
State. . . . .	\$14,309,000
Subtotal Appropriation. . . . .	\$25,419,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs).	
(((\$57,236,000))	
	\$101,676,000
TOTAL.....	(((\$71,545,000))
	\$127,095,000

Sec. 3017. 2023 c 474 s 3060 (uncodified) is amended to read as follows: FOR THE RECREATION AND CONSERVATION FUNDING BOARD

2023-25 Youth Athletics Facilities (40000058)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-3.1-2023, developed ((April 10)) February 1, ((2023))2024.

Appropriation:

Youth Athletic Facility Account—State.	
\$10,440,000	
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs).	
\$41,760,000	
TOTAL.....	\$52,200,000

Sec. 3018. 2023 c 474 s 3055 (uncodified) is amended to read as follows: FOR THE RECREATION AND CONSERVATION FUNDING BOARD

2023-25 Washington Wildlife Recreation Program (40000053)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-1.1-2023, developed ((April 10, 2023)) March 2, 2024.

Appropriation:

Farm and Forest Account—State	\$12,000,000
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Habitat Conservation Account—State.	
\$54,000,000	
Outdoor Recreation Account—State.	
\$54,000,000	
Subtotal Appropriation. . . . .	\$120,000,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs).	
\$480,000,000	
TOTAL.....	\$600,000,000

Sec. 3019. 2023 c 474 s 3080 (uncodified) is amended to read as follows: FOR THE STATE CONSERVATION COMMISSION 2023-25 Conservation Reserve Enhancement Program (CREP) (40000023)

The appropriations in this section are subject to the following conditions and limitations: The state conservation commission may expend the state building construction account—state appropriation and natural climate solutions account—state appropriation in this section as grants to private land owners who were enrolled in the conservation reserve enhancement program, and whose acreage meets state program goals of providing riparian habitat or hydrologically connected wetland enhancements in salmon-bearing streams as determined by the Washington state department of fish and wildlife, but are now disenrolled due to a contract termination by the United States department of agriculture (USDA) farm service agency, or who voluntary terminated their enrollment as a result of the USDA farm service agency audit.

Appropriation:

Natural Climate Solutions Account—State	
. . . . .	\$11,000,000
State Building Construction Account—	
State. . . . .	\$4,000,000
Subtotal Appropriation. . . . .	\$15,000,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs).	
\$60,000,000	
TOTAL.....	\$75,000,000

NEW SECTION. Sec. 3020. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE STATE CONSERVATION COMMISSION

Anaerobic Digester Development (91001830)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$22,000,000 of the appropriation in this section is provided solely for grants to dairy farm owners for cost share agreements regarding anaerobic digester development. Grants awarded for anaerobic digester development must have at least a 50 percent nonstate match and be awarded through a competitive process that considers:

(i) The amount of greenhouse gas reduction expected to be achieved by the proposal; and

(ii) The amount of untreated effluent expected to be reduced by the proposal.

(b) Recipients of grants under this section must provide a report to the commission within one year of receipt of the grant, detailing the success of the project

in meeting the stated criteria in the competitive process.

(2) \$2,900,000 of the appropriation in this section is provided solely for the commission to provide financial and technical assistance for project predevelopment.

Appropriation:

Climate Commitment Account—State. \$24,900,000
Prior Biennia (Expenditures). . . . . \$0
Future Biennia (Projected Costs). . . . . \$99,600,000
TOTAL..... \$124,500,000

NEW SECTION. Sec. 3021. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Ringold Hatchery Replace Ponds (40000101)

Appropriation:

General Fund—Federal. . . . . \$10,834,000
Prior Biennia (Expenditures). . . . . \$0
Future Biennia (Projected Costs). . . . . \$0
TOTAL..... \$10,834,000

Sec. 3022. 2023 c 474 s 3102 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Preservation 23-25 (40000164)

Appropriation:

State Building Construction Account—State. . . . . ((\$11,255,000)) \$11,530,000
Prior Biennia (Expenditures). . . . . \$0
Future Biennia (Projected Costs). . . . . ((\$45,020,000))
TOTAL..... (\$46,120,000) \$57,650,000

NEW SECTION. Sec. 3023. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Seki Boat Ramp Acquisition (40000255)

Appropriation:

State Building Construction Account—State. . . . . \$2,703,000
Prior Biennia (Expenditures). . . . . \$0
Future Biennia (Projected Costs). . . . . \$1,312,000
TOTAL..... \$4,015,000

NEW SECTION. Sec. 3024. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitchell Act BiOp Implementation (92001251)

Appropriation:

General Fund—Federal. . . . . \$536,000
Prior Biennia (Expenditures). . . . . \$0
Future Biennia (Projected Costs). . . . . \$0
TOTAL..... \$536,000

NEW SECTION. Sec. 3025. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Washougal Intake Replacement (92001252)

Appropriation:

General Fund—Federal. . . . . \$14,274,000
Prior Biennia (Expenditures). . . . . \$0
Future Biennia (Projected Costs). . . . . \$0
TOTAL..... \$14,274,000

Sec. 3026. 2023 c 474 s 3115 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

2023-25 State Trust Land Replacement (40000145)

Appropriation:

Community and Technical College Forest Reserve
Account—State. . . . . \$1,000,000
Natural Resources Real Property Replacement
Account—State. . . . . \$49,571,000
Resource Management Cost Account—State. ((\$30,000,000))
Subtotal Appropriation..... (\$80,571,000) \$55,571,000
Prior Biennia (Expenditures). . . . . \$0
Future Biennia (Projected Costs). . . . . ((\$322,284,000))
TOTAL..... \$202,284,000 (\$402,855,000) \$257,855,000

Sec. 3027. 2023 c 474 s 3120 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Revitalizing Trust Land Transfers (40000152)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$9,325,000 of the state building construction account—state appropriation and \$8,000,000 of the natural climate solutions account—state appropriation((s)) in this section are provided solely for projects approved by the legislature, as identified in LEAP capital document No. DNR-1-2023, developed April 10, 2023.

(2) \$10,804,000 of the natural climate solutions account—state appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. DNR-1-2024, developed March 2, 2024.

(3)(a) This section takes effect January 1, 2025.

(b) If the natural climate solutions account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

Appropriation:

Natural Climate Solutions Account—State . . . . . ((\$8,000,000)) \$18,804,000
State Building Construction Account—State. . . . . \$9,325,000
Subtotal Appropriation..... ((\$17,325,000))

	<u>\$28,129,000</u>
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	(\$69,300,000)
	<u>\$112,516,000</u>
TOTAL . . . . .	<u>(\$86,625,000)</u>
	<u>\$140,645,000</u>

**Sec. 3028.** 2023 c 474 s 3122 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF NATURAL RESOURCES**  
 2023-25 Minor Works Preservation (40000154)

**Appropriation:**

Model Toxics Control Capital Account—	
State . . . . .	\$824,000
State Building Construction Account—	
State . . . . .	((\$4,484,000))
	<u>\$5,219,000</u>
Subtotal Appropriation . . . . .	<u>(\$5,308,000)</u>
	<u>\$6,043,000</u>
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	(\$21,232,000)
	<u>\$24,828,000</u>
TOTAL . . . . .	<u>(\$26,540,000)</u>
	<u>\$30,871,000</u>

**NEW SECTION. Sec. 3029.** A new section is added to 2023 c 474 (uncodified) to read as follows:  
**FOR THE DEPARTMENT OF NATURAL RESOURCES**  
 Port Angeles Fire and Seasonal Employee Housing (40000409)

**Appropriation:**

State Building Construction Account—	
State . . . . .	\$488,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$3,332,000
TOTAL . . . . .	\$3,820,000

**NEW SECTION. Sec. 3030.** A new section is added to 2023 c 474 (uncodified) to read as follows:  
**FOR THE DEPARTMENT OF NATURAL RESOURCES**  
 Land Bank Spending Authority (40000410)

**Appropriation:**

Land Bank Account—State . . . . .	\$20,000,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$80,000,000
TOTAL . . . . .	\$100,000,000

**NEW SECTION. Sec. 3031.** A new section is added to 2023 c 474 (uncodified) to read as follows:  
**FOR THE DEPARTMENT OF NATURAL RESOURCES**  
 Drought Resilience Infrastructure Investments (40000411)

The appropriations in this section are subject to the following conditions and limitations:  
 (1) The appropriation in this section from the natural climate solutions account—state takes effect January 1, 2025.  
 (2) If the natural climate solutions account is repealed as of December 30, 2024, then the amount appropriated in this section

from the natural climate solutions account—state shall lapse on December 31, 2024.

**Appropriation:**

Natural Climate Solutions Account—State . . . . .	\$500,000
State Building Construction Account—	
State . . . . .	\$250,000
Subtotal Appropriation . . . . .	\$750,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$750,000

**NEW SECTION. Sec. 3032.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**  
 Recreational Target Shooting Pilot Sites (40000413)

**Appropriation:**

Firearms Range Account—State . . . . .	\$900,000
State Building Construction Account—	
State . . . . .	\$900,000
Subtotal Appropriation . . . . .	\$1,800,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$1,800,000

**NEW SECTION. Sec. 3033.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**  
 YMCA Camp Colman (40000424)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely to address erosion-related impacts to Camp Colman resulting from the removal of a tidal gate and restoration of fish passage at Whiteman Cove. The department shall contract with the YMCA of greater Seattle for (1) the design and construction of two cabins; and (2) design and construction of ADA-compliant trails, road improvements to allow for emergency service access, and an expanded septic system that serves the two cabins.

**Appropriation:**

State Building Construction Account—	
State . . . . .	\$3,670,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$3,670,000

**NEW SECTION. Sec. 3034.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**  
 Encumbered Lands - Acquisition (91000323)

The appropriation in this section is subject to the following conditions and limitations:  
 (1) Except as provided for under subsection (3) of this section, the appropriation in this section is provided solely for the department to acquire working forestlands in Wahkiakum county to be managed for increased carbon sequestration and carbon storage through sustainable timber harvests. Any land purchased must be managed under the department's habitat

conservation plan and policy for sustainable forests. Pursuant to subsection (2) of this section, it is the intent of the legislature that these lands serve as replacement land for structurally complex, carbon-dense forestlands designated for conservation and for existing encumbered state forestlands. Once purchased, the lands must be considered as part of the land bank created in RCW 79.19.020. The property must be purchased before the transfer of any existing trust land is fully executed.

(2) (a) If the department acquires land pursuant to subsection (1) of this section, it must use the lands acquired for the following purposes: (i) For the permanent conservation of structurally complex, carbon-dense forestland in the Capitol state forest in Thurston county, in the Green Mountain state forest in Kitsap county, in the Stillaguamish watershed in Snohomish county, or in the Elbe Hills State Forest in Pierce county; and (ii) as replacement state forestlands to replace existing encumbered state forestlands in Clallam, Pacific, Skamania, and Wahkiakum counties.

(b) If the department acquires land pursuant to subsection (1) of this section, it must allocate the value of any land acquired as follows: (i) Up to \$5,750,000 for the purposes specified in (a) (i) of this subsection (2); and (ii) up to \$8,750,000 for the purposes specified under (a) (ii) of this subsection (2).

(c) The department must designate any lands acquired related to (a) (ii) of this subsection (2) as state forest transfer lands.

(d) If the department acquires any replacement lands pursuant to this section, it must take the following actions: (i) Designate the lands acquired for management under the department's habitat conservation plan and policy for sustainable forests; (ii) ensure that any acquisition pursuant to this section complies with the allowable purposes of RCW 70A.65.270; and (iii) ensure that any replacement of structurally complex, carbon-dense forested trust land pursuant to (a) (i) of this subsection (2) be of equal value to the land conserved and that replacement land is purchased before the transfer is fully executed.

(e) Before conserving any forestland pursuant to (a) (i) of this subsection (2), the department must receive letters nominating specific parcels issued by the legislative authority of the county in which the forestland is located and the approval of the conservation parcel boundaries by the board of natural resources. In no instance may timber with a forest practice application approved prior to March 5, 2024, be considered for nomination. County parcel nomination and board approval pursuant to this process must be finalized prior to the transfer of the forestland pursuant to this section. Nothing in this subsection prohibits the conservation of up to 260 acres of structurally complex, carbon-dense forestland in Thurston county.

(f) In the 2023-2025 fiscal biennium, the department may designate the structurally complex, carbon-dense forested trust land identified in (a) (i) of this subsection (2) as a natural area preserve or a natural

resource conservation area notwithstanding the requirements of chapter 79.70 and 79.71 RCW.

(g) In the 2023-2025 fiscal biennium, the legislative authority of the county from which the real property was transferred pursuant to (a) (i) of this subsection (2) may not request that the department distribute a percentage of the proceeds associated with the valuable materials to the legislative authority of the county from which the real property was transferred.

(h) Before conserving any forestland pursuant to (a) (i) of this subsection (2), the legislative body of the county must request in writing to participate in a land pool in accordance with RCW 79.22.140.

(3) The department may use up to \$500,000 of the total appropriation in this section for its administrative costs pursuant to this section.

(4) This section takes effect January 1, 2025.

(5) If the natural climate solutions account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

**Appropriation:**

Natural Climate Solutions Account—State	\$15,000,000
· · · · ·	
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
<b>TOTAL</b> .....	<b>\$15,000,000</b>

NEW SECTION. **Sec. 3035.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Wildfire Reforestation (92000063)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$7,500,000 of the appropriation in this section is provided solely for postwildfire reforestation of the forestlands managed by the department of natural resources. The department must prioritize expenditures for the benefit of state trust lands.

(2) (a) \$2,500,000 of the appropriation in this section is provided solely for the department to administer grants for postwildfire reforestation on lands owned by tribes, nonprofit organizations, industrial and nonindustrial private forest landowners, local governments, and other state agencies. Lands owned by the federal government or lands managed by the department are not eligible for funds in this section.

(b) The department must establish criteria for the grant program funded in this section, allowing for land preparation, sourcing of seedlings, reforestation, and efforts to promote seedling survival.

(c) Criteria must include:

(i) A cost-share percentage for grant recipients of at least 50 percent of the grant award, including any in-kind contributions;

(ii) Minimum and maximum potential grant awards;

(iii) The prioritization of funds for direct reforestation efforts;

(iv) Ensuring that the applicant's projects are not required by law;

(v) Specific considerations for grant applicants proposing to include the reforestation of riparian buffers, potentially unstable slopes, or other areas where harvest is restricted due to state regulations that were affected by the underlying catastrophic event; and

(vi) Consideration of any relevant environmental justice assessments under RCW 70A.02.060.

**Appropriation:**

Natural Climate Solutions Account—State	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$40,000,000
<b>TOTAL</b>	<b>\$50,000,000</b>

**NEW SECTION. Sec. 3036.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Fallen Firefighter Memorial (SHB 2091) (91000328)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for preconstruction and administrative implementation pursuant to Substitute House Bill No. 2091.

(2) If Substitute House Bill No. 2091 (fallen firefighter memorial) is not enacted by June 30, 2024, the amount provided in this section shall lapse.

**Appropriation:**

State Building Construction Account—State	\$371,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$490,000
<b>TOTAL</b>	<b>\$861,000</b>

**NEW SECTION. Sec. 3037.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Quinault Legacy Forest Acquisition (92001586)

The appropriation in this section is subject to the following conditions and limitations:

(1) This section takes effect January 1, 2025.

(2) If the natural climate solutions account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

**Appropriation:**

Natural Climate Solutions Account—State	\$25,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$25,000,000</b>

**NEW SECTION. Sec. 3038.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

**Agricultural Carbon Storage and Sequestration (40000001)**

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for grants to improve carbon storage and sequestration on agricultural lands.

(2) Only agricultural producers with revenue that is less than \$3,500,000 annually that the department in its discretion considers small farms are eligible to receive grants. The department must prioritize funds for historically underserved producers including farmers and ranchers who are beginning, socially disadvantaged, veterans, and have limited resources.

(3) Eligible activities include:

(a) Agricultural management practices focused on soil health that will result in improved carbon outcomes, including carbon storage, sequestration, or reducing greenhouse gas emissions;

(b) Research that creates tools intended to support farms in reducing greenhouse gas emissions or improving carbon storage and sequestration; and

(c) Activities pursuant to (a) and (b) by applying live, native algae produced and delivered on farms.

(4)(a) This section takes effect January 1, 2025.

(b) If the natural climate solutions account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

**Appropriation:**

Natural Climate Solutions Account—State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
<b>TOTAL</b>	<b>\$25,000,000</b>

**NEW SECTION. Sec. 3039.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

State Lands Assessment (91000011)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$200,000 of the state taxable building construction account—state appropriation is provided solely for the department, in consultation with the department of natural resources, to perform an assessment of unused and underutilized state-owned, unimproved lands to determine the suitability of such lands for agricultural purposes, including grazing. For the purposes of this section, "underutilized state-owned lands" means lands that do not assist in meeting the goals of the state agency that owns or manages the land and that are already being considered for sale or surplus. "Underutilized state-owned lands" does not include state-owned lands held under lease, held in trust, or that are otherwise intended for specific purposes.

(2) \$100,000 of the climate commitment account—state appropriation is provided solely for the department to incorporate into the assessment an examination of the use of such lands for agrivoltaics. For the purposes of this section, "agrivoltaics" means the use of land that intentionally integrates agriculture and solar photovoltaic energy generation.

(3) The department must complete the assessment by June 1, 2025, and must submit it to the governor, the commissioner of public lands, the director of the Washington State University energy program, the director of the department of commerce, and the committees of the legislature with jurisdiction over agricultural matters.

(4)(a) Subsection (2) of this section takes effect January 1, 2025.

(b) If the climate commitment account is repealed as of December 30, 2024, then subsection (2) of this section is null and void on December 31, 2024, and the amount appropriated in this section from the climate commitment account—state shall lapse.

**Appropriation:**

Climate Commitment Account—State \$100,000	
State Taxable Building Construction Account—	
State . . . . .	\$200,000
Subtotal Appropriation . . . . .	\$300,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	\$0
TOTAL . . . . .	\$300,000

(End of part)

**PART 4  
TRANSPORTATION**  
Reserved.

**PART 5  
EDUCATION**

**Sec. 5001.** 2023 c 474 s 5001 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**  
West Sound Technical Skills Center Modernization (40000015)

The appropriations in this section are subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5003, chapter 269, Laws of 2022.

**Reappropriation:**

State Building Construction Account—	
State . . . . .	\$10,990,000

**Appropriation:**

School Construction and Skill Centers Building	
Account—State . . . . .	\$755,000
<del>((State Building Construction Account—</del>	
<del>State . . . . .</del>	<del>\$40,606,000))</del>
<u>Common School Construction Account—State</u>	<u>\$40,606,000</u>
Subtotal Appropriation . . . . .	\$41,361,000
Prior Biennia (Expenditures) . . . . .	\$410,000
Future Biennia (Projected Costs) . . . . .	\$44,343,000

TOTAL . . . . . \$97,104,000

**Sec. 5002.** 2023 c 474 s 5002 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**  
2023-25 School Construction Assistance Program (40000063)

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$412,044,000~~))~~ \$117,522,000 of the state building construction account—state appropriation ~~((and ~~\$171,097,000~~))~~, \$169,871,000 of the common school construction account—state appropriation, and \$1,500,000 of the common school construction account—federal appropriation in this section are provided solely for school construction assistance grants for qualifying public school construction projects.

(2) ~~((~~\$5,031,000~~))~~ \$4,757,000 of the common school construction account—state appropriation in this section is provided solely for study and survey grants and for completing inventory and building condition assessments for public school districts every six years, and for the acquisition of art pursuant to RCW 28A.335.210.

(3) The office of the superintendent of public instruction must consult with the department of enterprise services and the department of commerce to identify cost-effective steps for new buildings and building modernization projects to comply with the clean buildings act.

**Appropriation:**

Common School Construction Fund—State.	
<del>((<del>\$176,128,000</del>))</del>	
	\$174,628,000
<u>Common School Construction Fund—Federal</u>	
<u>\$1,500,000</u>	
State . . . . .	<del>((<del>\$412,044,000</del>))</del>
	\$117,522,000
Subtotal Appropriation . . . . .	<del>((<del>\$588,172,000</del>))</del>
	\$293,650,000
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs) . . . . .	<del>((<del>\$5,136,683,000</del>))</del>
	\$2,050,097,000
TOTAL . . . . .	<del>((<del>\$5,724,855,000</del>))</del>
	\$2,343,747,000

**Sec. 5003.** 2023 c 474 s 5003 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**  
2023-25 Small District & Tribal Compact Schools Modernization (40000065)

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$78,390,000~~))~~ \$191,646,000 of the common school construction account—state appropriation ~~((and ~~\$3,000,000~~ of the common school construction fund—federal appropriation))~~ in this section ~~((are))~~ is provided solely for modernization grants for small school districts authorized under RCW 28A.525.159. Of this amount, \$86,000,000 is provided solely for small district modernization grants, not to exceed



\$6,000,000 per grant, to school districts that were awarded a planning grant during the 2023-2025 fiscal biennium pursuant to LEAP capital document No. OSPI-1-2023, developed April 10, 2023. Small districts awarded a planning grant pursuant to this list that do not receive a modernization grant in the 2023-2025 fiscal biennium are eligible for the maximum state funding level of \$12,000,000 established under subsection (5)(a) of this section. The office of the superintendent of public instruction shall report the status and award amounts of all grants awarded pursuant to this section to the governor and appropriate fiscal committees of the legislature no later than October 15, 2024.

(2) ~~(((\$1,496,000))~~ \$2,307,000 of the common school construction account—state appropriation in this section is provided solely for planning grants for small school districts authorized under RCW 28A.525.159. Planning grants may not exceed \$50,000 per district. Planning grants may only be awarded to school districts with ~~((a))~~ estimated total project costs of \$6,000,000 or less or \$12,000,000 or less, as applicable under this section.

(3) \$12,145,000 of the state building construction account—state appropriation in this section is provided solely for planning grants and modernization grants to state-tribal compact schools. The superintendent of public instruction may prioritize planning grants for state-tribal compact schools with the most serious building deficiencies and the most limited financial capacity.

(4) ~~(((\$5,000,000))~~ \$6,800,000 of the climate commitment account—state appropriation in this section is provided solely for energy assessment grants for small school districts eligible under RCW 28A.525.159. Grant funding awarded may be used to perform facility energy assessments of instructional buildings.

(5)(a) The superintendent of public instruction shall submit a list of small school district modernization projects, as prioritized by the advisory committee under RCW 28A.525.159, to the legislature and the governor by ~~((September))~~ October 15, 2024. The list must include: ~~((a))~~ (i) A description of the project; ~~((b))~~ (ii) the proposed state funding level, not to exceed ~~(((\$6,000,000))~~ \$12,000,000 per project; ~~((c))~~ (iii) estimated total project costs; and ~~((d))~~ (iv) local funding resources.

(b) In addition to the standard list required in (a) of this subsection, the superintendent of public instruction shall also submit an alternative list with the agency's request for capital appropriations for the 2025-2027 fiscal biennium that includes small school districts with 3,000 students or less, with a state funding level not to exceed \$12,000,000 per project. This list must include the following information: (i) A description of the project; (ii) the proposed state funding level; (iii) estimated total project costs; and (iv) local funding resources.

(6) ~~((The))~~ (a) Subject to (b) of this subsection (6), the appropriations in this section may be awarded only to projects

approved by the legislature, as identified in LEAP capital document No. OSPI-1-2023, developed April 10, 2023, and in LEAP capital document No. OSPI-1-2024, developed March 2, 2024.

(b) To the extent that the amounts appropriated for small districts and state-tribal compact schools specified in the LEAP capital documents in (a) of this subsection exceed the actual costs of funding these projects, the department may reallocate excess funding to eligible projects pursuant to RCW 28A.525.159. However, the total funding appropriated to eligible small district projects must remain allocated to eligible small district projects, and the total funding appropriated to eligible state-tribal compact school projects must remain allocated to eligible state-tribal compact school projects.

(7)(a) Except as provided under (b) of this subsection, \$1,982,000 of the common school construction account—state appropriation in this section is provided solely for preconstruction grants and administrative implementation pursuant to Substitute House Bill No. 1044.

(b) If Substitute House Bill No. 1044 (capital assistance/schools) is not enacted by June 30, 2024, the amount provided in this subsection is instead provided solely for small district modernization grants, not to exceed \$6,000,000 per grant, to school districts that were awarded a planning grant during the 2023-2025 fiscal biennium pursuant to LEAP capital document No. OSPI-1-2023, developed April 10, 2023.

**Appropriation:**

Climate Commitment Account—State.	
<del>(((\$5,000,000))</del>	
	<u>\$6,800,000</u>
Common School Construction Account—State	
.....	<del>(((\$79,886,000))</del>
	<u>\$195,935,000</u>
<del>((Common School Construction Fund—</del>	
Federal.....	<del>\$3,000,000))</del>
State Building Construction Account—	
State.....	\$12,145,000
Subtotal Appropriation.....	<del>(((\$100,031,000))</del>
	<u>\$214,880,000</u>
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).	
<del>(((\$400,124,000))</del>	
	<u>\$2,727,220,000</u>
TOTAL.....	<del>(((\$500,155,000))</del>
	<u>\$2,942,100,000</u>

**Sec. 5004.** 2023 c 474 s 5005 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**  
 2023-25 School District Health and Safety (40000067)

The appropriation in this section is subject to the following conditions and limitations:

(1) ~~(((\$5,000,000))~~ \$11,000,000 of the appropriation in this section is provided solely for emergency repair grants to address unexpected and imminent health and safety hazards at K-12 public schools, including skill centers, that will impact the day-to-day operations of the school facility, and this is the maximum amount

that may be spent for this purpose. For emergency repair grants only, an emergency declaration must be signed by the school district board of directors and submitted to the superintendent of public instruction for consideration. The emergency declaration must include a description of the imminent health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of local funding to be applied to the project. Grants of emergency repair moneys must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable.

(2) (~~(\$11,600,000)~~) \$12,700,000 of the appropriation in this section is provided solely for urgent repair grants to address nonrecurring urgent small repair projects at K-12 public schools, excluding skill centers, that could impact the health and safety of students and staff if not completed, and this is the maximum amount that may be spent for this purpose. The office of the superintendent of public instruction, after consulting with maintenance and operations administrators of school districts, shall develop criteria and assurances for providing funding for specific projects through a competitive grant program. The criteria and assurances must include, but are not limited to, the following: (a) Limiting school districts to one grant, not to exceed \$500,000, per three-year period; (b) prioritizing applications based on limited school district financial resources for the project; and (c) requiring any district receiving funding provided in this section to demonstrate a consistent commitment to addressing school facility needs. The grant applications must include a comprehensive description of the health and safety issues to be addressed, a detailed description of the remedy, including a detailed cost estimate of the repair or replacement work to be performed, and identification of local funding, if any, which will be applied to the project. Grants may be used for, but are not limited to: Repair or replacement of failing building systems, abatement of potentially hazardous materials, and safety-related structural improvements.

(3) (~~(\$3,600,000)~~) \$4,600,000 of the appropriation in this section is provided solely for equal access grants for facility repairs and alterations at K-12 public schools, including skills centers, to improve compliance with the Americans with disabilities act and individuals with disabilities education act, and this is the maximum amount that may be spent for this purpose. The office of the superintendent of public instruction shall develop criteria and assurances for providing funding for specific projects through a competitive grant program. The criteria and assurances must include, but are not limited to, the following: (a) Limiting districts to one grant, not to exceed \$100,000, per three-year period; (b) prioritizing applications based on limited school district financial resources for the project; and (c) requiring

recipient districts to demonstrate a consistent commitment to addressing school facility needs. The grant applications must include a description of the Americans with disabilities act or individuals with disabilities education act compliance deficiency, a comprehensive description of the facility accessibility issues to be addressed, a detailed description of the remedy including a detailed cost estimate of the repair or replacement work to be performed, and identification of local funding, if any, which will be applied to the project. Priority for grant funding must be given to school districts that demonstrate a lack of capital resources to address the compliance deficiencies outlined in the grant application.

(4) The superintendent of public instruction must notify the office of financial management, the legislative evaluation and accountability program committee, the house capital budget committee, and the senate ways and means committee as projects described in subsection (1) of this section are approved for funding.

**Appropriation:**

<del>((State Building Construction Account—</del>	
State.....	\$20,200,000)
<u>Common School Construction Account—State</u>	
.....	<u>\$28,300,000</u>
Prior Biennia (Expenditures) . . . . .	\$0
Future Biennia (Projected Costs).	
( <del>(\$80,800,000)</del> )	
	<u>\$113,200,000</u>
<b>TOTAL.....</b>	<b>(<del>(\$101,000,000)</del>)</b>
	<u>\$141,500,000</u>

**Sec. 5005.** 2023 c 474 s 5006 (unmodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**  
2023-25 Healthy Kids-Healthy Schools (40000068)

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) (~~(\$10,000,000)~~) \$11,500,000 of the common school construction account—state appropriation in this section is provided solely for healthy kids and healthy schools grants for projects that are consistent with the healthiest next generation priorities.

(b) The appropriation in this subsection (1) is provided solely for grant funding to school districts for the purchase of equipment or to make repairs to existing equipment that is related to improving: (i) Children's physical health, and may include, but is not limited to, fitness playground equipment, covered play areas, and physical education equipment or related structures or renovation; and (ii) children's nutrition, and may include, but is not limited to, garden related structures and greenhouses to provide students access to fresh produce, and kitchen equipment or upgrades.

(c) The office of the superintendent of public instruction shall develop criteria for grant funding under this subsection (1) that include, but are not limited to, the following requirements: (i) Districts may apply for grants, but no single district may

receive more than \$200,000 of the appropriation for grants awarded under this section; (ii) any district receiving funding provided in this section must demonstrate a consistent commitment to addressing school facilities' needs; and (iii) applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program may be prioritized.

(2) \$1,500,000 of the state building construction account—state appropriation in this section is provided solely for grants to school districts, charter schools, and state-tribal education compact schools for the replacement of lead-contaminated pipes, drinking water fixtures, and the purchase of water filters, including the labor costs of remediation design, installation, and construction.

**Appropriation:**

Common School Construction Account—State	
.....	(( <del>\$10,000,000</del> ))
	<u>\$11,500,000</u>
State Building Construction Account—	
State.....	\$1,500,000
Subtotal Appropriation.....	(( <del>\$11,500,000</del> ))
	<u>\$13,000,000</u>
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).	
(( <del>\$46,000,000</del> ))	
	<u>\$52,000,000</u>
TOTAL.....	(( <del>\$57,500,000</del> ))
	<u>\$65,000,000</u>

**Sec. 5006.** 2023 c 474 s 5008 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**  
 2023-25 Skills Centers Minor Works  
 (40000070)

**Appropriation:**

<del>((State Building Construction Account—</del>	
<del>State.....</del>	<del>\$5,135,000</del> ))
Common School Construction Account—State	
.....	\$5,135,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).	
\$20,540,000	
TOTAL.....	\$25,675,000

**NEW SECTION. Sec. 5007.** A new section is added to 2023 c 474 (uncodified) to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**  
 School District Indoor Air Quality & Energy Efficiency (40000104)

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$3,750,000 of the common school construction account—state appropriation and \$7,500,000 of the climate commitment account—state appropriation in this section are provided solely for grants to school districts with enrollments exceeding 3,000 students for indoor air quality assessment grants.

(b) Grantees under this subsection may:  
 (i) Seek technical assistance from state funded entities, such as the office of the superintendent of public instruction, the

department of commerce, and the department of health; (ii) seek technical assistance from other entities, such as local health jurisdiction school safety programs and the smart buildings center's K-12 ventilation and indoor air quality resource team; and (iii) use funding awarded to seek guidance and technical assistance from commercial entities that have specialized knowledge of troubleshooting modern HVAC or smart building systems.

(c) Subject to subsection (3) of this section and if applications for assessment grants under this subsection exceed available funding, the office of the superintendent of public instruction must first prioritize grants for school districts: (i) Without existing heating, ventilation, and air-conditioning (HVAC) systems; (ii) that have documented proof of indoor air quality performance that does not meet current state energy code; (iii) with outdated or underperforming HVAC systems; and (iv) that have the most limited financial capacity. Assessments funded under this subsection (1)(c) must include professional cost estimates for mitigating the indoor air quality deficiencies identified. The office of the superintendent of public instruction must collect the cost estimate data from school districts receiving a grant under this subsection and report a summary of the collected cost data, as well as a list of specific capital projects for school districts developed from this data, to the appropriate fiscal committees of the legislature by January 6, 2025.

(2) (a) \$11,250,000 of the common school construction account—state appropriation and \$22,000,000 of the climate commitment account—state appropriation in this section are provided solely for grants to school districts with enrollments that are less than or equal to 3,000 students for assessment, installation, repair, or replacement of HVAC, air filtration enhancements, and general air quality improvements that improve student health and safety.

(b) Grantees under this subsection may:  
 (i) Seek technical assistance from state funded entities, such as the office of the superintendent of public instruction, the department of commerce, and the department of health; (ii) seek technical assistance from other entities, such as local health jurisdiction school safety programs and the smart buildings center's K-12 ventilation and indoor air quality resource team; and (iii) use funding awarded to seek guidance and technical assistance from commercial entities that have specialized knowledge of troubleshooting modern HVAC or smart building systems.

(c) Subject to subsection (3) of this section and if applications grants under this subsection exceed available funding, the office of the superintendent of public instruction must first prioritize grants for school districts: (i) Without existing HVAC systems; (ii) that have documented proof of indoor air quality performance that does not meet current state energy code; (iii) with outdated or underperforming HVAC systems;

and (iv) that have the most limited financial capacity.

(3) The office of the superintendent of public instruction must first allocate, to the maximum extent feasible, the funding appropriated under this section to grants prioritized under subsections (1) and (2) of this section. However, as necessary to award grants using the climate commitment account—state appropriation in this section, the superintendent of public instruction may also prioritize grants under this section that will improve compliance with the state's energy-related building standards in chapter 19.27A RCW by reducing energy use intensity.

(4) \$25,000 of the common school construction account—state appropriation in this section is provided for the office of the superintendent of public instruction to make modifications to its information and condition of schools system related to implementing this section.

(5) \$500,000 of the climate commitment account—state appropriation in this section is provided solely to schools in communities located near and under Seattle-Tacoma international airport flight paths for air filtration systems with HEPA filters that can remove ultrafine pollution particles from the air caused by aircraft traffic, as identified in the mobile observations of ultrafine particles study report published by the University of Washington.

(6)(a) The appropriation in this section from the climate commitment account—state takes effect January 1, 2025.

(b) If the climate commitment account is repealed as of December 30, 2024, the amounts appropriated in this section from the climate commitment account—state shall lapse on December 31, 2024.

**Appropriation:**

Climate Commitment Account—State.	
\$30,000,000	
Common School Construction Fund—State.	
\$15,025,000	
Subtotal Appropriation. ....	\$45,025,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs).	
\$180,000,000	
TOTAL.....	\$225,025,000

**NEW SECTION. Sec. 5008.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**  
Energy Assessment Grants to School Districts (91000509)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,900,000 of the climate commitment account—state appropriation in this section is provided solely for energy assessment grants to school districts for buildings that exceed 220,000 gross square feet pursuant to compliance with the state's energy-related building standards in chapter 19.27A RCW. Assessments funded under this subsection must include professional cost estimates for mitigating the energy use intensity deficiencies identified. The

office of the superintendent of public instruction must collect the cost estimate data from school districts receiving a grant under this subsection and report a summary of the collected cost data, as well as a list of specific capital projects for school districts developed from this data, to the appropriate fiscal committees of the legislature by January 6, 2025.

(2) \$50,000 of the common school construction account—state appropriation in this section is provided for the office of the superintendent of public instruction to make modifications to its information and condition of schools system related to implementing this section.

(3) If applications for energy assessment grants under this section exceed funds available, the office of the superintendent of public instruction must prioritize grants for school buildings that are likely to require the most substantial improvements related to compliance with chapter 19.27A RCW and for school districts that have the most limited financial capacity. The office of the superintendent of public instruction shall make such prioritizations using facilities data from the information and condition of schools database and through information provided by the school district at the time of application.

**Appropriation:**

Climate Commitment Account—State.	
\$4,900,000	
Common School Construction Account—State	
.....	\$50,000
Subtotal Appropriation. ....	\$4,950,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs).	
\$19,600,000	
TOTAL.....	\$24,550,000

**NEW SECTION. Sec. 5009.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**  
School-based Health and Behavioral Health Clinics (91000519)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following list of projects:

Bellingham Public Schools (Options High School). . . . .	\$300,000
CHC of Snohomish County (Cascade High School). . . . .	\$244,000
CHC of Snohomish County (Everett High School). . . . .	\$244,000
Country Doctor CHC (Meany Middle School) . . . . .	\$80,000
Country Doctor CHC (Nova High School). . . . .	\$80,000
HealthPoint (Evergreen High School). . . . .	\$490,000
HealthPoint (Tye High School). . . . .	\$490,000
Jefferson County Public Health (Blue Heron Middle School). . . . .	\$136,000

**Appropriation:**

State Building Construction Account—	
State. . . . .	\$2,064,000
Prior Biennia (Expenditures). . . . .	\$0

Future Biennia (Projected Costs) . . . \$0  
 TOTAL..... \$2,064,000

**NEW SECTION. Sec. 5010.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**  
 Career and Technical Education Projects  
 (91000534)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following list of projects:

Cascadia Tech: Natural Resource Outdoor Learning  
 Collaboration. . . . . \$1,154,000  
 Sequim School District CTE Center of Excellence  
 Phase 1. . . . . \$4,990,000  
 Tri-Tech Skills Center. . . . \$45,496,000  
 Whatcom County Skills Center  
 Preconstruction. . . . . \$2,100,000  
 Wenatchee Valley Technical Skills Center  
 . . . . . \$14,463,000

**Appropriation:**  
 Common School Construction Account—State  
 . . . . . \$68,203,000  
 Prior Biennia (Expenditures) . . . . \$0  
 Future Biennia (Projected Costs) . . . \$0  
 TOTAL..... \$68,203,000

**NEW SECTION. Sec. 5011.** A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**  
 School Construction Assistance Program  
 Revision (SCAPR) Planning (91000535)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the office of the superintendent of public instruction for the following purposes: (a) To develop a proposal to modify and improve efficiencies within, and access to, the school construction assistance program and to identify cost-saving measures for awarding state grants for the construction and modernization of common school facilities; (b) to contract with a consultant to develop the proposal pursuant to (a) of this subsection; and (c) to facilitate the stakeholder process in subsection (2) of this section.

(2) The proposal development process identified in subsection (1) of this section must include iterative consultation and meetings with the following entities: (a) School districts, including educational service districts, from all regions of the state and representing a variety of rural, urban, and suburban districts of various sizes; (b) the governor or the governor's designee; (c) the chairs and ranking members of the appropriate fiscal committees of the legislature or their designees; (d) the office of the superintendent of public instruction's technical advisory committee; (e) a statewide education employee organization; and (f) other stakeholders deemed appropriate by the stakeholder group

in this subsection. The office of the superintendent of public instruction must convene a meeting with the chairs and ranking members of the appropriate fiscal committees of the legislature or their designees to discuss a work plan, a draft request for proposals to hire a consultant pursuant to this section, a facilitation plan that may include professional facilitation, and a schedule pursuant to this subsection no later than June 15, 2024.

(3) The proposal developed under subsection (1) of this section must include options for how the state could create: (a) A process that recognizes the substantial variation between district sizes and financial capacities that categorizes reasonably comparable applicants into distinct school district groupings in order to foster a fair and equitable prioritization of projects; (b) a process for prioritizing requests for state funding for school construction that results in ranked project lists, using the groupings developed under (a) of this subsection for the governor and legislature's consideration during the biennial budget development process; (c) a formula or formulas for determining the state and school district shares of project cost, which may vary across the groupings established under (a) of this subsection; (d) policies regarding allowable space types and quantities to meet current and future instructional requirements and initiatives; (e) a recommendation regarding the appropriate entity, such as an advisory committee, to evaluate and prioritize project applications; (f) recommendations related to the development of prototypical school designs intended to enhance the student learning environment and the useful life of facilities, while also reducing design and construction costs; and (g) a phase in schedule for changes to the school construction funding formulas that honors planning and currently authorized bonds that were developed based on current program rules.

(4) The project prioritization process developed under subsection (3) of this section must include consideration of: (a) District incorporation of prototypical designs; (b) projected enrollment; (c) facility condition and age; (d) factors related to school district financial capacity, including property valuation, remaining debt capacity, and any special circumstances that may impact districts' ability to fund capital projects; (e) natural hazard conditions, including seismic and tsunami risk; and (f) any other factors deemed appropriate by the office of the superintendent of public instruction.

(5) The formula for determining the state and school district shares of project cost developed under subsection (3) of this section must include consideration of: (a) District incorporation of prototypical designs; (b) factors related to school district financial capacity, including remaining debt capacity, property tax rates, and median household income; (c) the market price of construction per square foot, with consideration of regional cost differences; and (d) any other factors deemed appropriate

by the office of the superintendent of public instruction.

(6) The office of the superintendent of public instruction must submit an interim progress report pursuant to this section to the governor and the appropriate fiscal committees of the legislature, no later than March 15, 2025. The office of the superintendent of public instruction must submit a final report containing the proposal developed pursuant to this section to the governor and the appropriate fiscal committees of the legislature, no later than September 30, 2025.

Appropriation:

Common School Construction Fund—State.
\$1,000,000
Prior Biennia (Expenditures) . . . . . \$0
Future Biennia (Projected Costs) . . . \$0
TOTAL..... \$1,000,000

Sec. 5012. 2023 c 474 s 5013 (uncodified) is amended to read as follows:
FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
2023-25 Distressed Schools (92000928)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following list of projects:

- Cascadia Technical Academy (Vancouver). \$250,000
Ingraham High School Construction Trades Skills Center (Seattle). . . . . \$527,000
Maritime 253: South Puget Sound Maritime Skills Center (Tacoma). . . . . \$8,000,000
Marysville School District. . . \$3,600,000
Quilcene Elementary HVAC. . . . \$175,000
Rainier Beach High School Campus Skills Center. . . . . \$9,915,000
Seattle Skills Center (Seattle) \$2,200,000
Stevenson-Carson High School (Stevenson) . . . . . \$750,000
Washington Middle School (Seattle) \$98,000
Wishram School District Portables \$975,000
Whittier Elementary School. . . \$5,625,000

Appropriation:

State Building Construction Account—
State. . . . . \$21,740,000
Common School Construction Account—State
. . . . . \$10,375,000
Subtotal Appropriation. . . . . \$32,115,000
Prior Biennia (Expenditures) . . . . . \$0
Future Biennia (Projected Costs).
((\$86,960,000))
TOTAL..... \$128,460,000
((\$108,700,000))
\$160,575,000

NEW SECTION. Sec. 5013. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
2024 School Construction Assistance Program Enhancement (92001066)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for increasing the construction cost allocation, which is

used to determine the maximum cost per square foot of construction that the state will recognize in the school construction assistance program, from \$271.61 per square foot to \$375.00 per square foot in fiscal year 2025. It is the intent of the legislature to increase the construction cost allocation by the same inflation rate used by the office of financial management's C-100 form in subsequent years. This inflation rate is the same rate used by all other state agencies for determining future costs.

Appropriation:

Common School Construction Fund—State.
\$24,216,000
State Building Construction Account—
State. . . . . \$55,000,000
Subtotal Appropriation. . . . . \$79,216,000
Prior Biennia (Expenditures) . . . . . \$0
Future Biennia (Projected Costs).
\$1,400,683,000
TOTAL..... \$1,479,899,000

Sec. 5014. 2023 c 474 s 5015 (uncodified) is amended to read as follows:
FOR THE STATE SCHOOL FOR THE BLIND
2023-25 Campus Preservation (Minor Works) (40000021)

Appropriation:

State Building Construction Account—
State. . . . . ((\$2,100,000))
\$2,600,000
Prior Biennia (Expenditures) . . . . . \$0
Future Biennia (Projected Costs).
((\$8,400,000))
TOTAL..... (\$10,500,000)
\$13,000,000

Sec. 5015. 2023 c 474 s 5031 (uncodified) is amended to read as follows:
FOR THE UNIVERSITY OF WASHINGTON

UW Seattle - Asset Preservation (Minor Works) 23-25 (40000103)

Appropriation:

University of Washington Building Account
—State. . . . . ((\$33,691,000))
\$37,396,000
Prior Biennia (Expenditures) . . . . . \$0
Future Biennia (Projected Costs).
((\$134,764,000))
TOTAL..... \$149,584,000
((\$168,455,000))
\$186,980,000

Sec. 5016. 2023 c 474 s 5032 (uncodified) is amended to read as follows:
FOR THE UNIVERSITY OF WASHINGTON

UW Bothell - Asset Preservation (Minor Works) 23-25 (40000129)

Appropriation:

University of Washington Building Account
—State. . . . . ((\$5,919,000))
\$3,895,000
Prior Biennia (Expenditures) . . . . . \$0
Future Biennia (Projected Costs).
((\$23,676,000))
TOTAL..... \$15,580,000
((\$29,595,000))

\$19,475,000

\$241,460,000

**Sec. 5017.** 2023 c 474 s 5033 (uncodified) is amended to read as follows:  
**FOR THE UNIVERSITY OF WASHINGTON**  
 UW Tacoma - Asset Preservation (Minor Works) 23-25 (40000131)

**Appropriation:**  
 University of Washington Building Account—State. . . . . (\$4,915,000)  
\$3,234,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs). . . . .  
 ((\$19,660,000))  
\$12,936,000  
**TOTAL**.....(\$24,575,000)  
\$16,170,000

**NEW SECTION. Sec. 5018.** A new section is added to 2023 c 474 (uncodified) to read as follows:  
**FOR THE UNIVERSITY OF WASHINGTON**  
 Chemical Sciences & Bagley Hall (40000146)

**Appropriation:**  
 State Building Construction Account—State. . . . . \$5,000,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs). . . . .  
 \$125,000,000  
**TOTAL**..... \$130,000,000

**NEW SECTION. Sec. 5019.** A new section is added to 2023 c 474 (uncodified) to read as follows:  
**FOR THE UNIVERSITY OF WASHINGTON**  
 Energy Renewal Program (40000147)

The appropriation in this section is subject to the following conditions and limitations:  
 (1) This section takes effect January 1, 2025.  
 (2) If the climate commitment account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

**Appropriation:**  
 Climate Commitment Account—State. \$38,900,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs). . . . . \$0  
**TOTAL**..... \$38,900,000

**Sec. 5020.** 2023 c 474 s 5038 (uncodified) is amended to read as follows:  
**FOR WASHINGTON STATE UNIVERSITY**  
 Minor Capital Preservation 2023-25 (MCR) (40000340)

**Appropriation:**  
 State Building Construction Account—State. . . . . \$1,000,000  
 Washington State University Building Account—State. . . . . \$40,000,000  
Subtotal Appropriation. . . . . \$41,000,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs). . . . .  
 \$200,460,000  
**TOTAL**.....(\$240,460,000)

**NEW SECTION. Sec. 5021.** A new section is added to 2023 c 474 (uncodified) to read as follows:  
**FOR WASHINGTON STATE UNIVERSITY**  
 Decarbonization Planning (91000043)

The appropriation in this section is subject to the following conditions and limitations:  
 (1) This section takes effect January 1, 2025.  
 (2) If the climate commitment account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

**Appropriation:**  
 Climate Commitment Account—State. \$3,000,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs). . . . . \$0  
**TOTAL**..... \$3,000,000

**NEW SECTION. Sec. 5022.** A new section is added to 2023 c 474 (uncodified) to read as follows:  
**FOR WASHINGTON STATE UNIVERSITY**  
 Knott Dairy Center Digester (92001132)

The appropriation in this section is subject to the following conditions and limitations:  
 (1) This section takes effect January 1, 2025.  
 (2) If the climate commitment account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

**Appropriation:**  
 Climate Commitment Account—State. \$10,000,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs). . . . . \$0  
**TOTAL**..... \$10,000,000

**NEW SECTION. Sec. 5023.** A new section is added to 2023 c 474 (uncodified) to read as follows:  
**FOR EASTERN WASHINGTON UNIVERSITY**  
 CBPS: Sports and Recreation Center Energy Improvements (40000112)

The appropriation in this section is subject to the following conditions and limitations:  
 (1) This section takes effect January 1, 2025.  
 (2) If the climate commitment account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

**Appropriation:**  
 Climate Commitment Account—State. \$9,998,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs). . . . . \$0  
**TOTAL**..... \$9,998,000

**Sec. 5024.** 2023 c 474 s 5056 (uncodified) is amended to read as follows:  
**FOR CENTRAL WASHINGTON UNIVERSITY**

Humanities & Social Science Complex  
(40000081)

The appropriation in this section is subject to the following conditions and limitations:

The legislature intends to provide funds in the amount of \$103,758,000 over the course of the 2023-2025 and 2025-2027 fiscal biennia for construction of the humanities and social science complex at Central Washington University. Pursuant to RCW 43.88.130, the university may enter into a multibiennium contract for the construction of the complex. Nothing in this section authorizes the university to make an expenditure without an appropriation.

**Reappropriation:**

State Building Construction Account—  
State . . . . . \$2,844,000

**Appropriation:**

Climate Commitment Account—State.  
\$7,000,000  
State Building Construction Account—  
State . . . . . \$85,600,000  
Subtotal Appropriation . . . . . \$92,600,000  
Prior Biennia (Expenditures). \$2,361,000  
Future Biennia (Projected Costs).  
\$11,158,000  
TOTAL . . . . . \$108,963,000

NEW SECTION. Sec. 5025. A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR CENTRAL WASHINGTON UNIVERSITY**

Secondary Geothermal Module (40000161)

The appropriation in this section is subject to the following conditions and limitations:

- (1) This section takes effect January 1, 2025.
- (2) If the climate commitment account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

**Appropriation:**

Climate Commitment Account—State.  
\$12,464,000  
Prior Biennia (Expenditures). . . . . \$0  
Future Biennia (Projected Costs).  
\$4,000,000  
TOTAL . . . . . \$16,464,000

NEW SECTION. Sec. 5026. A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR CENTRAL WASHINGTON UNIVERSITY**

Science Building Carbon Reduction  
(40000162)

The appropriation in this section is subject to the following conditions and limitations:

- (1) This section takes effect January 1, 2025.
- (2) If the climate commitment account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

**Appropriation:**

Climate Commitment Account—State.  
\$4,509,000

Prior Biennia (Expenditures). . . . . \$0  
Future Biennia (Projected Costs). . . . . \$0  
TOTAL . . . . . \$4,509,000

**Sec. 5027.** 2023 c 474 s 5072 (uncodified) is amended to read as follows:

**FOR WESTERN WASHINGTON UNIVERSITY**

Minor Works - Preservation 2023-25  
(40000006)

**Appropriation:**

Western Washington University Capital  
Projects  
Account—State. . . . . ((~~\$4,888,000~~))  
\$5,388,000  
Prior Biennia (Expenditures). . . . . \$0  
Future Biennia (Projected Costs).  
((~~\$19,552,000~~))  
TOTAL . . . . . \$21,552,000  
((~~\$24,440,000~~))  
\$26,940,000

NEW SECTION. Sec. 5028. A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE WASHINGTON STATE ARTS COMMISSION**

Preserving State-owned Public Art  
(30000004)

**Appropriation:**

State Building Construction Account—  
State . . . . . \$735,000  
Prior Biennia (Expenditures). . . . . \$0  
Future Biennia (Projected Costs).  
\$2,940,000  
TOTAL . . . . . \$3,675,000

NEW SECTION. Sec. 5029. A new section is added to 2023 c 474 (uncodified) to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Julia Butler Hansen Property Analysis  
(91000012)

The appropriation in this section is subject to the following conditions and limitations:

- (1) The appropriation in this section is provided solely for the Washington state historical society to evaluate the potential for the Julia Butler Hansen home in Cathlamet to be operated as a historic house museum as well as analysis regarding alternative potential uses that would be compatible with preservation of the historic home.
- (2) The analysis and evaluation process in subsection (1) of this section must consider how the property can be preserved in a manner that honors and maintains its historic character, artifacts, and personal history, while also providing a sustainable financial future for maintenance and management. The process must include appropriate outreach to the Julia Butler Hansen family, the city of Cathlamet, Wahkiakum county, and any other person or entity deemed appropriate by the Washington state historical society.
- (3) The Washington state historical society must report the findings of the analysis and evaluation process required under this section to the governor and the legislature no later than November 1, 2025.



Appropriation:

State Taxable Building Construction  
 Account—  
 State. . . . . \$30,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs). . . . . \$0  
 TOTAL..... \$30,000

**Sec. 5030.** 2023 c 474 s 6236  
 (uncodified) is amended to read as follows:  
**FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**  
 Garage & Emergency Exit Concrete  
 Remediation (40000053)

Reappropriation:

State Building Construction Account—  
 State. . . . . \$838,000

Appropriation:

State Building Construction Account—  
 State. . . . . \$1,477,000  
 Prior Biennia (Expenditures). . . . . \$63,000  
 Future Biennia (Projected Costs). . . . . \$0  
 TOTAL..... (\$901,000)  
\$2,378,000

**Sec. 5031.** 2023 c 474 s 5082  
 (uncodified) is amended to read as follows:  
**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**  
 Minor Works - Facility Repairs (23-25)  
 (40000595)

The appropriations in this section are subject to the following conditions and limitations: The minor works project list for this section may include multiple projects related to necessary emergency repairs at Bellingham technical college. The projects must each be for distinct purposes and shall not be considered phases of a larger project for purposes of section 8017, chapter 474, Laws of 2023.

Appropriation:

Community and Technical College Capital  
 Projects  
 Account—State. . . . . \$2,537,000  
 State Building Construction Account—  
 State. . . . . \$36,909,000  
 Subtotal Appropriation..... \$39,446,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs).  
 \$157,784,000  
 TOTAL..... \$197,230,000

**Sec. 5032.** 2023 c 474 s 5085  
 (uncodified) is amended to read as follows:  
**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**  
 Minor Works - Site Repairs (23-25)  
 (40000698)

The appropriations in this section are subject to the following conditions and limitations: The minor works project list for this section may include multiple projects related to necessary emergency repairs at Bellingham technical college. The projects must each be for distinct purposes and shall not be considered phases of a larger project for purposes of section 8017, chapter 474, Laws of 2023.

Appropriation:

Community and Technical College Capital  
 Projects  
 Account—State. . . . . \$1,000,000  
 State Building Construction Account—  
 State. . . . . \$5,171,000  
 Subtotal Appropriation..... \$6,171,000

Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs).  
 \$24,684,000  
 TOTAL..... \$30,855,000

**Sec. 5033.** 2023 c 474 s 5086  
 (uncodified) is amended to read as follows:  
**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Infrastructure Replacement  
 (23-25) (40000721)

The appropriations in this section are subject to the following conditions and limitations: The minor works project list for this section may include multiple projects related to necessary emergency repairs at Bellingham technical college. The projects must each be for distinct purposes and shall not be considered phases of a larger project for purposes of section 8017, chapter 474, Laws of 2023.

Appropriation:

Community and Technical College Capital  
 Projects  
 Account—State. . . . . \$3,000,000  
 State Building Construction Account—  
 State. . . . . \$37,300,000  
 Subtotal Appropriation..... \$40,300,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs).  
 \$161,200,000  
 TOTAL..... \$201,500,000

**Sec. 5034.** 2023 c 474 s 5087  
 (uncodified) is amended to read as follows:  
**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Program Improvements  
 (23-25) (40000754)

The appropriations in this section are subject to the following conditions and limitations: The minor works project list for this section may include multiple projects related to necessary emergency repairs at Bellingham technical college. The projects must each be for distinct purposes and shall not be considered phases of a larger project for purposes of section 8017, chapter 474, Laws of 2023.

Appropriation:

Community and Technical College Capital  
 Projects  
 Account—State. . . . . \$5,000,000  
 State Building Construction Account—  
 State. . . . . \$48,200,000  
 Subtotal Appropriation..... \$53,200,000  
 Prior Biennia (Expenditures). . . . . \$0  
 Future Biennia (Projected Costs).  
 \$212,800,000  
 TOTAL..... \$266,000,000

NEW SECTION. Sec. 5035. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

CBPS SBCTC Statewide: Utility Submeters for Clean Buildings Act (40000878)

Appropriation:

Table with 2 columns: Description and Amount. Includes Climate Commitment Account—State, Community and Technical College Capital Projects, and Prior/Future Biennia (Expenditures/Projected Costs).

NEW SECTION. Sec. 5036. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

CTC Energy Efficiency Program (40000880)

The appropriation in this section is subject to the following conditions and limitations:

- (1) This section takes effect January 1, 2025.
(2) If the climate commitment account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.

Appropriation:

Table with 2 columns: Description and Amount. Includes Climate Commitment Account—State, Prior/Future Biennia (Expenditures/Projected Costs), and TOTAL.

NEW SECTION. Sec. 5037. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bellingham Technical College: Campus Center Building (40000916)

Appropriation:

Table with 2 columns: Description and Amount. Includes Community and Technical College Capital Projects, State Building Construction Account—State, and Prior/Future Biennia (Expenditures/Projected Costs).

Sec. 5038. 2023 c 474 s 5089 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

HB 1390 - District Energy Systems (91000443)

Appropriation:

Table with 2 columns: Description and Amount. Includes Climate Commitment Account—State and TOTAL.

Table with 2 columns: Description and Amount. Includes Prior Biennia (Expenditures), Future Biennia (Projected Costs), and TOTAL.

(End of part)

PART 6 REAPPROPRIATIONS

Sec. 6001. 2023 c 474 s 6002 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE Community Economic Revitalization Board (30000097)

Reappropriation:

Table with 2 columns: Description and Amount. Includes Public ((Facility)) Facilities Construction and Loan Revolving Account—State.

Table with 2 columns: Description and Amount. Includes Prior Biennia (Expenditures) and Future Biennia (Projected Costs).

Sec. 6002. 2023 c 474 s 6029 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE Washington Broadband Program (40000117)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1012, chapter 356, Laws of 2020, except that all funds may be used as loans or grants to finance eligible broadband infrastructure projects.

Reappropriation:

Table with 2 columns: Description and Amount. Includes Statewide Broadband Account—State, Prior Biennia (Expenditures), Future Biennia (Projected Costs), and TOTAL.

Sec. 6003. 2023 c 474 s 6043 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE 2021-23 PWB Broadband Infrastructure (40000152)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1067, chapter 332, Laws of 2021, except that all funds may be used as loans or grants to finance eligible broadband infrastructure projects.

Reappropriation:

Table with 2 columns: Description and Amount. Includes Coronavirus Capital Projects Account—Federal, Statewide Broadband Account—State, and Subtotal Reappropriation.

Table with 2 columns: Description and Amount. Includes Prior Biennia (Expenditures), Future Biennia (Projected Costs), and TOTAL.

\$907,000

**Sec. 6004.** 2023 c 474 s 6047 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF COMMERCE**  
 2021-23 Rapid Capital Housing Acquisition (40000222)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7003 of this act, except that \$438,000 of the reappropriation is for the NWYS Young Adult Shelter Services (Mt. Vernon) project, and not the NWYS Young Adult Shelter Services (Bellingham) project.

**Reappropriation:**

Coronavirus State Fiscal Recovery Fund—  
 Federal. . . . . \$16,532,000  
 State Building Construction Account—  
 State. . . . . \$41,036,000  
 Subtotal Reappropriation. . . . . \$57,568,000  
 Prior Biennia (Expenditures). \$62,567,000  
 Future Biennia (Projected Costs). . . \$0  
 TOTAL. . . . . \$120,135,000

**Sec. 6005.** 2023 c 474 s 6051 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF COMMERCE**  
 2022 Rapid Capital Housing Acquisition (40000260)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1024, chapter 296, Laws of 2022.

**Reappropriation:**

Apple Health and Homes Account—State.  
 \$59,952,000  
 Capital Community Assistance Account—  
 State. . . . . \$175,558,000  
 Coronavirus State Fiscal Recovery Fund—  
 Federal. . . . . \$15,065,000  
 State Building Construction Account—  
 State. . . . . ((\$22,935,000))  
 \$19,035,000  
 Subtotal Reappropriation. . . . . ((\$273,510,000))  
 \$269,610,000  
 Prior Biennia (Expenditures). \$26,490,000  
 Future Biennia (Projected Costs). . . \$0  
 TOTAL. . . . . ((\$300,000,000))  
 \$296,100,000

**Sec. 6006.** 2023 c 474 s 6053 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF COMMERCE**  
 Ports Infrastructure (40000278)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1027, chapter 296, Laws of 2022, except that \$1,550,000 of the reappropriation is for the In-Water Asset Improvements (Port of Clarkston) project, and not the Dredge River Access (Port of Clarkston) project.

**Reappropriation:**

State Building Construction Account—  
 State. . . . . \$14,328,000  
 Prior Biennia (Expenditures). \$1,718,000  
 Future Biennia (Projected Costs). . . \$0

TOTAL. . . . . \$16,046,000

**Sec. 6007.** 2023 c 474 s 6066 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF COMMERCE**  
 Infrastructure Projects (91001687)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1033, chapter 296, Laws of 2022, except that:

- (1) \$618,000 of the reappropriation is for the Port of Mattawa Water Infrastructure (Mattawa) project, and not the Port of Mattawa Wastewater Infrastructure (Mattawa) project;
- (2) No funding may be directed to the Dryden Wastewater Improvement project;
- (3) No funding may be directed to the New Well for the Community of Peshastin project;
- (4) The Fall City Waste Management System total appropriation is adjusted from \$6,500,000 to \$7,536,000; and
- (5) \$1,030,000 of the coronavirus state fiscal recovery account—federal appropriation is provided solely for the Skamania PUD Water Tank Replacement project.

**Reappropriation:**

Capital Community Assistance Account—  
 State. . . . . \$25,714,000  
 Coronavirus State Fiscal Recovery Fund—  
 Federal. . . . . \$94,106,000  
 Public Works Assistance Account—State.  
 \$485,000  
 State Building Construction Account—  
 State. . . . . \$10,087,000  
 Subtotal Reappropriation. . . . . \$130,392,000  
 Prior Biennia (Expenditures). \$6,908,000  
 Future Biennia (Projected Costs). . . \$0  
 TOTAL. . . . . \$137,300,000

**Sec. 6008.** 2023 c 474 s 6055 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF COMMERCE**  
 2019 Local and Community Projects (91001157)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1017, chapter 356, Laws of 2020, except that \$200,000 of the reappropriation is for the Mercer Island Boys & Girls Club Play Structure (Mercer Island) project, and not the TXL Lake Hills Clubhouse Acquisition Boys & Girls Club (Bellevue) project.

**Reappropriation:**

State Building Construction Account—  
 State. . . . . \$4,781,000  
 Prior Biennia (Expenditures). \$35,749,000  
 Future Biennia (Projected Costs). . . \$0  
 TOTAL. . . . . \$40,530,000

**Sec. 6009.** 2023 c 474 s 6052 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF COMMERCE**  
 2023 Local and Community Projects (40000266)

The reappropriations in this section are subject to the following conditions and

limitations: The reappropriations are subject to the provisions of section 7007 of this act, except that:

(1) \$273,000 of the reappropriation is for the City of Arlington Jensen Park Improvements (Arlington) project, and not the Senior Resources Svc HUB Feasibility Study (Freeland) project; and

(2) No funding may be directed to the Allyn Community Center.

(3) \$1,200,000 of the appropriation is for the Camp Boucher Civil Air Patrol Building Refurbishment, and not the Civil Air Patrol Hanger (Ephrata) project.

**Reappropriation:**

Capital Community Assistance Account—	
State. . . . .	\$309,000
State Building Construction Account—	
State. . . . .	(\$48,301,000)
	\$48,001,000
Subtotal Reappropriation. . . . .	(\$48,610,000)
	\$48,310,000
Prior Biennia (Expenditures). . . . . \$5,017,000	
Future Biennia (Projected Costs). . . . . \$0	
TOTAL. . . . .	(\$53,627,000)
	\$53,327,000

**Sec. 6010.** 2023 c 474 s 6028 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2020 Local and Community Projects (40000116)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6007, chapter 332, Laws of 2021, except that ((funding)):

(1) Funding may not be directed to the Arivva Community Center;

(2) The Main Street Redevelopment Project appropriation level is reduced from \$985,000 to \$865,000;

(3) \$120,000 of the reappropriation is provided solely for the Steilacoom Cultural Center; and

(4) \$200,000 of the \$2,000,000 reappropriation for the Lake City Community Center Replacement (Seattle) project must be used to facilitate community engagement and a community needs assessment to inform design of the redevelopment of the Lake City Community Center.

**Reappropriation:**

State Building Construction Account—	
State. . . . .	\$50,532,000
Prior Biennia (Expenditures) \$115,775,000	
Future Biennia (Projected Costs). . . . . \$0	
TOTAL. . . . .	\$166,307,000

**Sec. 6011.** 2023 c 474 s 6031 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021 Local and Community Projects (40000130)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6008, chapter 332, Laws of 2021, except that \$275,000 of the reappropriation is for the Yakima County

Justice Center project, and not the Yakima County Care Campus project.

**Reappropriation:**

State Building Construction Account—	
State. . . . .	\$11,416,000
Prior Biennia (Expenditures). \$21,256,000	
Future Biennia (Projected Costs). . . . . \$0	
TOTAL. . . . .	\$32,672,000

**Sec. 6012.** 2023 c 474 s 6016 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Behavioral Health Community Capacity (40000018)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6004, chapter 413, Laws of 2019, except that \$416,000 of the appropriation has been moved to section 1009 of this act.

**Reappropriation:**

State Building Construction Account—	
State. . . . .	(\$19,163,000)
	\$18,747,000
Prior Biennia (Expenditures). \$63,936,000	
Future Biennia (Projected Costs). . . . . \$0	
TOTAL. . . . .	(\$83,099,000)
	\$82,683,000

**Sec. 6013.** 2023 c 474 s 6027 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2019-21 Behavioral Health Capacity Grants (40000114)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1010, chapter 356, Laws of 2020, except that \$1,960,000 of the appropriation for the Lummi Nation and \$1,960,000 of the funding for the Comprehensive Walla Walla project has been moved to section 1009 of this act.

**Reappropriation:**

State Building Construction Account—	
State. . . . .	(\$35,919,000)
	\$31,999,000
Prior Biennia (Expenditures). \$90,232,000	
Future Biennia (Projected Costs). . . . . \$0	
TOTAL. . . . .	(\$126,151,000)
	\$122,231,000

**Sec. 6014.** 2023 c 474 s 6045 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Behavioral Health Community Capacity Grants (40000219)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7010 of this act, except that:

(1) \$1,250,000 of the capital community assistance account—state appropriation for the Lummi Nation Healing Wellness Center has been moved to the Lummi Nation Substance Abuse Treatment project in section 1009 of this act; and

(2) The \$4,275,000 appropriation is for Skagit County Crisis Stabilization Center (Sedro-Wooley), and not the Evergreen Health Monroe (Monroe) project.

Reappropriation:

Capital Community Assistance Account—  
State . . . . . ((\$26,323,000))  
\$25,073,000

State Building Construction Account—  
State . . . . . \$89,011,000  
Subtotal Reappropriation. . . . . ((\$115,334,000))  
\$114,084,000

Prior Biennia (Expenditures). . . \$6,153,000  
Future Biennia (Projected Costs). . . \$0  
TOTAL. . . . . ((\$121,487,000))  
\$120,237,000

**Sec. 6015.** 2023 c 474 s 6061 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Substance Use Disorder Recovery Housing (91001675)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1031, chapter 296, Laws of 2022.

Reappropriation:

State Taxable Building Construction Account—  
State . . . . . ((\$48,000))  
\$150,000

Prior Biennia (Expenditures) ((\$102,000)) \$0  
Future Biennia (Projected Costs). . . \$0  
TOTAL. . . . . \$150,000

**Sec. 6016.** 2023 c 474 s 6068 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Food Banks (91001690)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1034, chapter 296, Laws of 2022, except that the \$1,030,000 appropriation is for the Chelan Douglas Food Distribution Center (Wenatchee), and not the Chelan Douglas Distribution Center (Malaga).

Reappropriation:

State Building Construction Account—  
State . . . . . \$6,900,000

Prior Biennia (Expenditures). . . \$5,686,000  
Future Biennia (Projected Costs). . . \$0  
TOTAL. . . . . \$12,586,000

**Sec. 6017.** 2023 c 474 s 6084 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2022 Crisis Stabilization Facilities (92001286)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1025, chapter 296, Laws of 2022.

Reappropriation:

Capital Community Assistance Account—  
State . . . . . ((\$71,995,000))  
\$48,297,000

Prior Biennia (Expenditures). . . \$5,000  
Future Biennia (Projected Costs). . . \$0  
TOTAL. . . . . ((\$72,000,000))  
\$48,302,000

**Sec. 6018.** 2023 c 474 s 6073 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Projects that Strengthen Communities & Quality of Life (92000230)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 6006, chapter 3, Laws of 2015 3rd sp. sess.

(2) The reappropriation for any project for which the department has not executed a contract by December 31, 2023, shall lapse. The department shall provide a list of lapsed projects to the legislative fiscal committees no later than January 15, 2024.

(3) Pursuant to subsection (2) of this section, funding for the Seabrook Trail project has lapsed.

Reappropriation:

State Building Construction Account—  
State . . . . . ((\$982,000))  
\$559,000

Prior Biennia (Expenditures). . . \$31,102,000  
Future Biennia (Projected Costs). . . \$0  
TOTAL. . . . . ((\$32,084,000))  
\$31,661,000

**Sec. 6019.** 2023 c 474 s 6097 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**

Thurston County Readiness Center (30000594)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1027, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

General Fund—Federal. . . . . \$3,301,000  
Military Department Capital Account—  
State . . . . . ((\$553,000))  
\$100,000

Subtotal Reappropriation. . . . . ((\$3,854,000))  
\$3,401,000

Prior Biennia (Expenditures). . . \$44,098,000  
Future Biennia (Projected Costs). . . \$0  
TOTAL. . . . . ((\$47,952,000))  
\$47,499,000

**Sec. 6020.** 2023 c 474 s 6104 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**

Camp Murray Bldg. 20 Roof Top Unit Upgrade (40000189)

Reappropriation:

State Building Construction Account—  
State . . . . . ((\$307,000))  
\$2,000

Prior Biennia (Expenditures). . . ((\$6,000))

\$8,000

Future Biennia (Projected Costs) . . . \$0

TOTAL..... (\$313,000)

\$10,000

**Sec. 6021.** 2023 c 474 s 6105 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Western State Hospital New Kitchen and Commissary Building (20081319)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2003, chapter 2, Laws of 2018.

**Reappropriation:**

State Building Construction Account—  
 State. . . . . (\$1,263,000)

\$477,000

Prior Biennia (Expenditures).  
 (\$28,927,000)

\$29,113,000

Future Biennia (Projected Costs) . . . \$0

TOTAL..... (\$30,190,000)

\$29,590,000

**Sec. 6022.** 2023 c 474 s 6135 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Transitional Care Center-Main Building: Patient Rooms Cooling (40000574)

**Reappropriation:**

Coronavirus State Fiscal Recovery Fund—  
 Federal. . . . . (\$2,315,000)

\$2,335,000

Prior Biennia (Expenditures). (\$20,000)

\$0

Future Biennia (Projected Costs) . . . \$0

TOTAL..... \$2,335,000

**Sec. 6023.** 2023 c 474 s 6164 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

WVH HVAC Retrofit (40000006)

**Reappropriation:**

State Building Construction Account—  
 State. . . . . (\$395,000)

\$424,000

Prior Biennia (Expenditures) (\$355,000)

\$326,000

Future Biennia (Projected Costs) . . . \$0

TOTAL..... \$750,000

**Sec. 6024.** 2023 c 474 s 6165 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

WSH - Life Safety Grant (40000013)

**Reappropriation:**

General Fund—Federal. . . . (\$315,000)

\$325,000

State Building Construction Account—  
 State. . . . . (\$164,000)

\$174,000

Subtotal Reappropriation..... (\$479,000)

\$499,000

Prior Biennia (Expenditures). (\$21,000)

\$1,000

Future Biennia (Projected Costs) . . . \$0

TOTAL..... \$500,000

**Sec. 6025.** 2023 c 474 s 6179 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**  
 WCC: Interim Mental Health Building (40000260)

**Reappropriation:**

Capital Community Assistance Account—  
 State. . . . . \$672,000

State Building Construction Account—  
 State. . . . . (\$1,237,000)

\$1,522,000

Subtotal Reappropriation..... (\$1,909,000)

\$2,194,000

Prior Biennia (Expenditures). (\$38,000)

\$53,000

Future Biennia (Projected Costs) . . . \$0

TOTAL..... (\$1,947,000)

\$2,247,000

**Sec. 6026.** 2023 c 474 s 6228 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**  
 Heritage Capital Grants Projects (30000297)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5054, chapter 2, Laws of 2018.

**Reappropriation:**

State Building Construction Account—  
 State. . . . . (\$1,003,000)

\$750,000

Prior Biennia (Expenditures). (\$7,376,000)

\$7,552,000

Future Biennia (Projected Costs) . . . \$0

TOTAL..... (\$8,379,000)

\$8,302,000

**Sec. 6027.** 2023 c 474 s 6328 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**  
 2021-23 Water Banking (91000373)

The reappropriations in this section are subject to the following conditions and limitations: ~~(The reappropriations are subject to the provisions of section 7052 of this act.)~~

(1)(a) The appropriations in this section are provided solely for the department to administer a pilot grant program for water banking strategies to meet local water needs.

(b) \$2,000,000 is provided solely for qualified applicants located within the Methow River Basin.

(2)(a) Grant awards may only be used for:  
(i) Development of water banks in rural counties as defined in RCW 82.14.370;

(ii) Acquisition of water rights appropriate for use in a water bank including all costs necessary to evaluate the water right for eligibility for its intended use; and

(iii) Activities necessary to facilitate the creation of a water bank.

(b) For applicants located outside of the Methow River Basin, grant awards may only be used for water banking strategies within the county of origin.

(3) Grant awards may not exceed \$4,000,000 per applicant.

(4) For the purposes of a grant pursuant to this section, a water bank must meet water needs, which include, but are not limited to, agricultural use and instream flow for fish and wildlife. The water bank must preserve water rights for use in the county of origin and for permanent instream flows for fish and wildlife through the primary and secondary reaches of the water right.

(5) To be eligible to receive a grant under this section, an applicant must:

(a) Be a public entity or a participant in a public-private partnership with a public entity;

(b) Exhibit sufficient expertise and capacity to develop and maintain a water bank consistent with the purposes of this appropriation;

(c) Secure a valid interest to purchase a water right;

(d) Show that the water rights appear to be adequate for the intended use; and

(e) Agree to have one-third of any water right purchased with the funds appropriated under this section to have its purpose of use changed permanently to instream flow benefiting fish and wildlife.

(6) In determining whether a grant request is eligible for funding under this section, the department may not disqualify proposals that purchase water rights from an existing water bank.

Reappropriation:

State Building Construction Account—	
State. . . . .	\$5,000,000
State Drought Preparedness Account—	
State. . . . .	\$9,000,000
Subtotal Reappropriation. . . . .	\$14,000,000
Prior Biennia (Expenditures). . . . .	\$0
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$14,000,000

**Sec. 6028.** 2023 c 474 s 6336 (uncodified) is amended to read as follows: **FOR THE POLLUTION LIABILITY INSURANCE PROGRAM**

2021-23 Underground Storage Tank Capital Financial Assistance Pgm (30000705)

Reappropriation:

Pollution Liability Insurance Agency	
Underground	
Storage Tank Revolving Account—State	
. . . . .	(\$11,733,000)
	\$10,000,000
Prior Biennia (Expenditures). . . . .	\$267,000
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	(\$12,000,000)
	\$10,267,000

**Sec. 6029.** 2023 c 474 s 6337 (uncodified) is amended to read as follows: **FOR THE POLLUTION LIABILITY INSURANCE PROGRAM**

2021-23 Heating Oil Capital Financing Assistance Program (30000706)

Reappropriation:

Pollution Liability Insurance Agency	
Underground	
Storage Tank Revolving Account—State	
. . . . .	(\$7,815,000)
	\$150,000
Prior Biennia (Expenditures). . . . .	\$185,000
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	(\$8,000,000)
	\$335,000

**Sec. 6030.** 2023 c 474 s 6366 (uncodified) is amended to read as follows: **FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Facilities Program (30000410)	
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3072, chapter 2, Laws of 2018.	
Reappropriation:	
Recreation Resources Account—State.	
(\$5,473,000)	
	\$3,323,000
Prior Biennia (Expenditures). . . . .	\$11,702,000
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	(\$17,175,000)
	\$15,025,000

**Sec. 6031.** 2023 c 474 s 6376 (uncodified) is amended to read as follows: **FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

2019-21 - Salmon Recovery Funding Board Programs (40000004)  
The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3201, chapter 413, Laws of 2019.

Reappropriation:	
General Fund—Federal. . . . .	\$17,126,000
State Building Construction Account—	
State. . . . .	(\$2,174,000)
	\$5,840,000
Subtotal Reappropriation. . . . .	(\$19,300,000)
	\$22,966,000
Prior Biennia (Expenditures). . . . .	
(\$55,700,000)	
	\$52,034,000
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$75,000,000

**Sec. 6032.** 2023 c 474 s 6392 (uncodified) is amended to read as follows: **FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

2021-23 - Boating Facilities Program (40000023)	
Reappropriation:	
Recreation Resources Account—State.	
(\$12,283,000)	
	\$12,950,000
Prior Biennia (Expenditures). . . . .	
(\$2,667,000)	
	\$2,000,000
Future Biennia (Projected Costs). . . . .	\$0
TOTAL. . . . .	\$14,950,000

Sec. 6033. 2023 c 474 s 6460 (uncodified) is amended to read as follows: FOR THE DEPARTMENT OF NATURAL RESOURCES Omak Consolidation, Expansion and Relocation (40000033)

(3) 2023 c 474 s 6489 (uncodified); and (4) 2023 c 474 s 6490 (uncodified).

(End of part)

Reappropriation:

State Building Construction Account— State. . . . . ((\$93,000)) \$5,000 Prior Biennia (Expenditures). ((\$15,000)) \$20,000 Future Biennia (Projected Costs). . . \$0 TOTAL..... ((\$108,000)) \$25,000

PART 7 RESERVED

PART 8 MISCELLANEOUS PROVISIONS

Sec. 6034. 2023 c 474 s 6528 (uncodified) is amended to read as follows: FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION Healthy Kids/Healthy Schools - T-12 Lighting (91000483)

Sec. 8001. 2023 c 474 s 8001 (uncodified) is amended to read as follows: RCW 43.88.031 requires the disclosure of the estimated debt service costs associated with new capital bond appropriations. The estimated debt service costs for the appropriations contained in this act are ((\$59,934,000))\$35,897,928 for the 2023-2025 biennium, ((\$371,683,000))\$342,236,404 for the 2025-2027 biennium, and ((\$519,454,000))\$491,366,915 for the 2027-2029 biennium.

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5009, chapter 296, Laws of 2022, except that during the 2023-2025 fiscal biennium, the office of the superintendent of public instruction may contract with an organization of educational facilities and maintenance professionals located in the state for the purpose of assisting school districts with identifying T-12 lighting fixtures and ballasts manufactured in or before 1979. The organization contracted pursuant to this section must provide information to school districts, as determined by the office of the superintendent of public instruction, regarding the availability of state grant funding and utility company rebate programs for the replacement of T-12 lighting with energy-efficient LED lighting. The contract awarded under this section may not exceed \$100,000.

NEW SECTION. Sec. 8002. (1) If the following accounts are repealed, agencies may not expend or obligate funds appropriated from the repealed account on or after the effective date of the repeal: (a) The climate commitment account; (b) the natural climate solutions account; and (c) the air quality and health disparities improvement account.

(2) If the following accounts are repealed, appropriations in chapter 474, Laws of 2023 (2023-2025 biennial capital budget) and this act that are appropriated from (a) the climate commitment account; (b) the natural climate solutions account; and (c) the air quality and health disparities improvement account shall be paid from the consolidated climate account, created in chapter . . . (Substitute House Bill No. 2104), Laws of 2024 (supplemental operating appropriations act), as if they were appropriated from the consolidated climate account beginning on the date of the repeal of the accounts unless specified otherwise.

Reappropriation:

State Building Construction Account— State. . . . . \$1,500,000 Prior Biennia (Expenditures). . . . . \$0 Future Biennia (Projected Costs). . . \$0 TOTAL..... \$1,500,000

Sec. 8003. 2023 c 474 s 8002 (uncodified) is amended to read as follows:

Sec. 6035. 2023 c 474 s 6496 (uncodified) is amended to read as follows: FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM Bates: Medical Mile Health Science Center (30000989)

ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS. (1) The following agencies may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to the extent provided

Reappropriation:

State Building Construction Account— State. . . . . ((\$7,000)) \$108,000 Prior Biennia (Expenditures). ((\$44,059,000)) \$43,958,000 Future Biennia (Projected Costs). . . \$0 TOTAL..... \$44,066,000

NEW SECTION. Sec. 6036. The following acts or parts of acts are each repealed: (1) 2023 c 474 s 6083 (uncodified); (2) 2023 c 474 s 6343 (uncodified);



in the agency's financing plan approved by the state finance committee.

(2) Those noninstructional facilities of higher education institutions authorized in this section to enter into financial contracts are not eligible for state funded maintenance and operations. Instructional space that is available for regularly scheduled classes for academic transfer, basic skills, and workforce training programs may be eligible for state funded maintenance and operations.

(3) Secretary of state: Enter into a financing contract for up to \$119,000,000 plus financing expenses, required reserves, and capitalized interest pursuant to chapter 39.94 RCW to construct a new library-archives building.

(4) Department of social and health services: Enter into a financing contract for up to \$175,888,000 plus costs and financing expenses, required reserves, and capitalized interest pursuant to chapter 39.94 RCW to construct a nursing facility on the Fircrest residential habilitation center campus. The department may contract to lease develop or lease purchase the facility. Before entering into a contract, the department must consult with the office of financial management and the office of the state treasurer. Should the department of social and health services choose to use a financing contract that does not provide for the issuance of certificates of participation, the financing contract shall be subject to approval by the state finance committee as required by RCW 39.94.010. In approving a financing contract not providing for the use of certificates of participation, the state finance committee should be reasonably certain that the contract is excluded from the computation of indebtedness, particularly that the contract is not backed by the full faith and credit of the state and the legislature is expressly not obligated to appropriate funds to make payments. For purposes of this subsection, "financing contract" includes but is not limited to a certificate of participation and tax exempt financing similar to that authorized in RCW 47.79.140.

(5) Western Washington University: Enter into a financing contract for up to \$4,900,000 plus costs and financing expenses, required reserves, and capitalized interest pursuant to chapter 39.94 RCW to construct an electrical engineering and computer science building.

(6) The state board for community and technical colleges: Enter into a financing contract for up to \$2,000,000 plus costs and financing expenses, required reserves, and capitalized interest pursuant to chapter 39.94 RCW to renovate building J at the Renton technical college.

(7) The Evergreen State College: Enter into a financing contract for up to \$4,400,000 plus costs and financing expenses, required reserves, and capitalized interest pursuant to chapter 39.94 RCW to reopen unused residence halls.

**Sec. 8004.** RCW 70A.65.305 and 2022 c 253 s 1 are each amended to read as follows:

(1) Agencies that allocate funding or administer grant programs appropriated from the climate investment account created in RCW 70A.65.250, the climate commitment account created in RCW 70A.65.260, and the natural climate solutions account created in RCW 70A.65.270 must offer early, meaningful, and individual consultation with any affected federally recognized tribe on all funding decisions and funding programs that may impact tribal resources, including tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which a tribe or tribes possess rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required by federal or state law, or by a federal or state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from a federally recognized tribe. The goal of the consultation process is to identify tribal resources or rights potentially affected by the funding decisions and funding programs, assess their effects, and seek ways to avoid, minimize, or mitigate any adverse effects on tribal resources or rights.

(2) At the earliest possible date prior to submittal of an application, applicants for funding from the accounts created in RCW 70A.65.250, 70A.65.260, and 70A.65.270 shall engage in a preapplication process with all affected federally recognized tribes within the project area. During the 2023-2025 fiscal biennium, salmon habitat and climate resilience projects funded from the natural climate solutions account created in RCW 70A.65.270 that went through the application and prioritization process before July 1, 2023, are exempt from the preapplication requirements under this subsection.

(a) The preapplication process must include the applicant notifying the department of archaeology and historic preservation, the department of fish and wildlife, and all affected federally recognized tribes within the project area. The notification must include geographical location, detailed scope of the proposed project, preliminary application details available to federal, state, or local governmental jurisdictions, and all publicly available materials, including public funding sources.

(b) The applicant must also offer to discuss the project with the department of archaeology and historic preservation, the department of fish and wildlife, and all affected federally recognized tribes within the project area. Discussions may include the project's impact to tribal resources, including tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which a tribe or tribes possess rights reserved or protected by federal treaty, statute, or executive order.

(c) All affected federally recognized tribes may submit to the appropriate agency

or agencies a summary of tribal issues, questions, concerns, or other statements regarding the project, which must become part of the official application file. The summary does not limit what issues affected federally recognized tribes may raise in the consultation process identified in subsections (1), (3) through (7), and (9) of this section.

(d) The notification and offer to initiate discussion must be documented with the application when it is filed, and a copy of the application must be delivered to the department of archaeology and historic preservation, the department of fish and wildlife, and to the affected federally recognized tribe or tribes. If the discussions pursuant to (b) of this subsection do not occur, the applicant must document the reason why the discussion or discussions did not occur.

(e) Nothing in this section may be interpreted to require the disclosure of information that is exempt from disclosure pursuant to RCW 42.56.300 or federal law, including section 304 of the national historic preservation act of 1966. Any information that is exempt from disclosure pursuant to RCW 42.56.300 or federal law, including section 304 of the national historic preservation act of 1966, shall not become part of the official application file.

(3) If any funding decision, program, project, or activity that may impact tribal resources, including tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which a tribe or tribes possess rights reserved by federal treaty, statute, or executive order is funded from the accounts created in RCW 70A.65.250, 70A.65.260, and 70A.65.270 without such a consultation with an affected federally recognized tribe, the affected federally recognized tribe may request that all further action on the decision, program, project, or activity cease until meaningful consultation is completed. Upon receipt of such a request by an agency or agencies with the authority to allocate funding or administer grant programs from the accounts listed in subsection (1) of this section in support of the proposed project, further action by the agency or agencies on any decision, program, project, or activity that would result in significant physical disturbance of the tribal resource or resources described in this subsection must cease until the consultation has been completed.

(4) Upon completion of agency and tribal consultation, an affected federally recognized tribe may request a formal review of the consultation by submitting a request to the governor's office of Indian affairs and notifying the appropriate agencies and the department of archaeology and historic preservation. The state agencies and tribe must meet to initiate discussion within no more than 20 days of the request. This consultation must be offered and conducted separately with each affected federally recognized tribe, unless the tribes agree to conduct a joint consultation with the state.

(5) After the state agencies and tribe or tribes have conducted a formal review under subsection (4) of this section, an affected federally recognized tribe or state agency may request that the governor and an elected tribal leader or leaders of a federally recognized tribal government meet to formally consider the recommendations from the parties. If requested, this meeting must occur within 30 days of the request, except that a federally recognized tribe may choose to opt out of the meeting. This timeline may be extended by mutual agreement between the governor and the tribal leaders.

(6) After the meeting identified in subsection (5) of this section has occurred, the governor or an elected tribal leader of a federally recognized tribe may call for the state and tribe or tribes to enter into formal mediation, except that a federally recognized tribe may choose to opt out of the mediation. If entered into, the mediation must be conducted as a government-to-government proceeding, with each sovereign government retaining their right to a final decision that meets their separate obligations and interests. Mediators must be jointly selected by the parties to the mediation. An agreement between the governor and a tribal leader or leaders resulting from the mediation is formally recognized and binding on the signatory parties. Absent an agreement, participation in mediation does not preclude any additional steps that any party can initiate, including legal review, to resolve a continuing disagreement.

(7) During the proceedings outlined in subsections (4) through (6) of this section, the agency or agencies with the authority to allocate funding or administer grant programs from the accounts listed in subsection (1) of this section in support of the proposed project may not approve or release funding, or make other formal decisions, including permitting, that advance the proposed project except where required by law.

(8) By June 30, 2023, the governor's office of Indian affairs, in coordination with the department of archaeology and historic preservation and federally recognized tribes, shall develop a state agency tribal consultation process, including best practices for early, meaningful, and effective consultation, early notification and engagement by applicants with federally recognized tribes as a part of the preapplication process in subsection (2) of this section, and protocols for communication and collaboration with federally recognized tribes. The consultation process developed under this section must be periodically reviewed and updated in coordination with federally recognized tribes. The governor's office of Indian affairs must provide training and other technical assistance to state agencies, as they implement the required consultation. Notwithstanding the governor's office of Indian affairs' ongoing work pursuant to this subsection, the provisions of subsections (1) through (7) and (9) of this section become effective as of June 9, 2022.

(9) The requirements of this section apply to local governments that receive funding from the accounts created in RCW 70A.65.250, 70A.65.260, and 70A.65.270, where that funding is disbursed to project and program applicants. Where requested, the governor's office of Indian affairs must provide training and other technical assistance to local government agencies as they implement the consultation requirements of this section.

(10) Any agency subject to or implementing this section may adopt rules in furtherance of its duties under this section.

(11) Subject to the availability of amounts appropriated for this specific purpose, the department must establish a tribal capacity grant program to provide funding to federally recognized tribes for the costs of implementing this section.

**Sec. 8005.** RCW 79.64.020 and 2014 c 32 s 3 are each amended to read as follows:

A resource management cost account in the state treasury is created to be used solely for the purpose of defraying the costs and expenses necessarily incurred by the department in managing and administering state lands((~~r~~))and aquatic lands((~~r~~)) and the making and administering of leases, sales, contracts, licenses, permits, easements, and rights-of-way as authorized under the provisions of this title. Appropriations from the resource management cost account to the department shall be expended for no other purposes. Funds in the resource management cost account may be appropriated or transferred by the legislature for the benefit of all of the trusts from which the funds were derived. During the 2013-2015 fiscal biennium, the legislature may transfer from the aquatics revenues in the resources management cost account to the marine resources stewardship trust account for the purposes of chapter 43.372 RCW. During the 2023-2025 fiscal biennium, the legislature may transfer no more than \$2,000,000 from the resource management cost account to the land bank account created in RCW 79.19.120.

**NEW SECTION. Sec. 8006.** On June 30, 2024, the state treasurer shall transfer \$2,000,000, or as much thereof as is necessary, from the resource management cost account created in RCW 79.64.020 to the land bank account created in RCW 79.19.120. Before June 30, 2024, the office of financial management, in consultation with the department of natural resources, shall provide the state treasurer with the amount necessary to transfer.

**Sec. 8007.** RCW 79A.25.210 and 2023 c 475 s 945 are each amended to read as follows:

The firearms range account is hereby created in the state general fund. Moneys in the account shall be subject to legislative appropriation and shall be used for purchase and development of land, construction or improvement of range facilities, including fixed structure construction or remodeling,

equipment purchase, safety or environmental improvements, noise abatement, and liability protection for public and nonprofit firearm range training and practice facilities.

Grant funds shall not be used for expendable shooting supplies, or normal operating expenses. In making grants, the board shall give priority to projects for noise abatement or safety improvement. Grant funds shall not supplant funds for other organization programs.

The funds will be available to nonprofit shooting organizations, school districts, and state, county, or local governments on a match basis. All entities receiving matching funds must be open on a regular basis and usable by law enforcement personnel or the general public who possess Washington concealed pistol licenses or Washington hunting licenses or who are enrolled in a firearm safety class.

Applicants for a grant from the firearms range account shall provide matching funds in either cash or in-kind contributions. The match must represent one dollar in value for each one dollar of the grant except that in the case of a grant for noise abatement or safety improvements the match must represent one dollar in value for each two dollars of the grant. In-kind contributions include but are not limited to labor, materials, and new property. Existing assets and existing development may not apply to the match.

Applicants other than school districts or local or state government must be registered as a nonprofit or not-for-profit organization with the Washington secretary of state. The organization's articles of incorporation must contain provisions for the organization's structure, officers, legal address, and registered agent.

Organizations requesting grants must provide the hours of range availability for public and law enforcement use. The fee structure will be submitted with the grant application.

Any nonprofit organization or agency accepting a grant under this program will be required to pay back the entire grant amount to the firearms range account if the use of the range facility is discontinued less than ten years after the grant is accepted.

Entities receiving grants must make the facilities for which grant funding is received open for hunter safety education classes and firearm safety classes on a regular basis for no fee.

Government units or school districts applying for grants must open their range facility on a regular basis for hunter safety education classes and firearm safety classes.

The board shall adopt rules to implement chapter 195, Laws of 1990, pursuant to chapter 34.05 RCW. During the 2017-2019 and 2019-2021 fiscal biennia, expenditures from the firearms range account may be used to implement chapter 74, Laws of 2017 (SHB 1100) (concealed pistol licenses) and chapter 282, Laws of 2017 (SB 5268) (concealed pistol license notices). During the 2021-2023 and 2023-2025 fiscal biennia, expenditures from the firearms range account may be used to implement chapter 74, Laws of 2017 (SHB 1100) (concealed pistol licenses).

During the 2023-2025 fiscal biennium, the legislature may also appropriate moneys in the firearms range account to the department of natural resources for recreational target shooting pilot sites as provided in section 3032 of this act.

During the 2023-2025 fiscal biennium, the application and matching funds requirements of this section do not apply to the recreational target shooting pilot sites in section 3032 of this act.

**NEW SECTION. Sec. 8008.** (1) (a) The director of the office of financial management, or the director's designee, shall collect a list of clean energy projects from state agencies that may qualify for elective payment under P.L. 117-169 (inflation reduction act of 2022), such as the purchase of electric vehicle fleets; alternative fuel vehicle refueling and charging; and renewable energy projects including wind, solar, geothermal, electrolytic hydrogen, and energy storage.

(b) For tax years 2023 and 2024, the director or director's designee shall work with agencies, including institutions of higher education, to complete all steps necessary to file an annual tax return with the United States internal revenue service on behalf of the state in order to claim elective payments available for state agency clean energy projects that have been placed into service.

(2) The office of financial management shall provide a report to the fiscal committees of the legislature by July 1, 2024, and June 30, 2025, that summarizes the state's tax return submitted that year, including the total dollar value of projects included in the tax return and the total dollar amount of direct pay tax credits sought. The report must also include an itemized list of the projects that displays the dollar amounts and types of tax credits sought.

(3) Funds received by the state pursuant to this section shall be deposited into the inflation reduction elective pay account created in chapter . . . (Engrossed Senate Bill No. 6098), Laws of 2024 (concerning accounts).

(4) It is the intent of the legislature that funds received under this section will be allocated to capital projects through omnibus capital appropriations acts.

**Sec. 8009.** RCW 70A.305.190 and 2022 c 102 s 2 are each amended to read as follows:

(1) The model toxics control capital account is hereby created in the state treasury.

(2) In addition to the funds deposited into the model toxics control capital account required under RCW 82.21.030, the following moneys must be deposited into the model toxics control capital account:

(a) The costs of remedial actions recovered under this chapter, except as provided under RCW 70A.305.170(7);

(b) Penalties collected or recovered under this chapter; and

(c) Any other money appropriated or transferred to the account by the legislature.

(3) Moneys in the model toxics control capital account must be used for the improvement, rehabilitation, remediation, and cleanup of toxic sites and other capital-related expenditures for programs and activities identified in subsection (4) of this section.

(4) Moneys in the model toxics control capital account may be used only for capital projects and activities that carry out the purposes of this chapter and for financial assistance to local governments or other persons to carry out those projects or activities, including but not limited to the following, generally in descending order of priority:

(a) Remedial actions, including the following generally in descending order of priority:

(i) Extended grant agreements entered into under subsection (5)(a) of this section;

(ii) Grants or loans to local governments for remedial actions, including planning for adaptive reuse of properties as provided for under subsection (5)(d) of this section. The department must prioritize funding of remedial actions at:

(A) Facilities on the department's hazardous sites list with a high hazard ranking for which there is an approved remedial action work plan or an equivalent document under federal cleanup law;

(B) Brownfield properties within a redevelopment opportunity zone if the local government is a prospective purchaser of the property and there is a department-approved remedial action work plan or equivalent document under the federal cleanup law;

(iii) Department-conducted remedial actions;

(iv) Grants to persons intending to remediate contaminated real property for development of affordable housing;

(v) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with clean-up standards under RCW 70A.305.030(2)(e) if:

(A) The amount and terms of the funding are established under a settlement agreement under RCW 70A.305.040(4); and

(B) The director has found that the funding will achieve both a substantially more expeditious or enhanced cleanup than would otherwise occur, and the prevention or mitigation of unfair economic hardship;

(vi) Public funding to assist prospective purchasers to pay for the costs of remedial action in compliance with clean-up standards under RCW 70A.305.030(2)(e) if:

(A) The facility is located within a redevelopment opportunity zone designated under RCW 70A.305.150;

(B) The amount and terms of the funding are established under a settlement agreement under RCW 70A.305.040(5); and

(C) The director has found the funding will achieve a substantially more expeditious or enhanced cleanup than would otherwise occur, provide a public benefit in addition to cleanup commensurate with the scope of the public funding; and meet any additional criteria established in rule by the department; and

(vii) To expedite multiparty clean-up efforts, purchase of remedial action cost-cap insurance;

(b) Grants, or loans, or contracts to local governments for solid waste plans and programs under chapters 70A.205, 70A.214, 70A.224, 70A.222, 70A.230, and 70A.300 RCW. Funds must be allocated consistent with priorities and matching requirements in the respective chapters;

(c) Toxic air pollutant reduction programs, including grants or loans to local governments for woodstoves and diesel;

(d) Grants, loans, or contracts to local governments for hazardous waste plans and programs under chapters 70A.405 and 70A.300 RCW, including chemical action plan implementation. Funds must be allocated consistent with priorities and matching requirements in the respective chapters; and

(e) Petroleum-based plastic or expanded polystyrene foam debris clean-up activities in fresh or marine waters.

(5) The department may establish and administer a program to provide grants and loans to local governments for remedial actions, including planning for adaptive reuse of contaminated properties. To expedite cleanups throughout the state, the department may use the following strategies when providing grants to local governments under this subsection:

(a) Enter into an extended grant agreement with a local government conducting remedial actions at a facility where those actions extend over multiple biennia and the total eligible cost of those actions exceeds \$20,000,000. The agreement is subject to the following limitations:

(i) The initial duration of such an agreement may not exceed 10 years. The department may extend the duration of such an agreement upon finding substantial progress has been made on remedial actions at the facility;

(ii) Extended grant agreements may not exceed 50 percent of the total eligible remedial action costs at the facility; and

(iii) The department may not allocate future funding to an extended grant agreement unless the local government has demonstrated to the department that funds awarded under the agreement during the previous biennium have been substantially expended or contracts have been entered into to substantially expend the funds;

(b) Enter into a grant agreement with a local government conducting a remedial action that provides for periodic reimbursement of remedial action costs as they are incurred as established in the agreement;

(c) Enter into a grant agreement with a local government prior to it acquiring a property or obtaining necessary access to conduct remedial actions, provided the agreement is conditioned upon the local government acquiring the property or obtaining the access in accordance with a schedule specified in the agreement;

(d) Provide integrated planning grants to local governments to fund studies necessary to facilitate remedial actions at brownfield properties and adaptive reuse of properties following remediation. Eligible activities include, but are not limited to:

Environmental site assessments; remedial investigations; health assessments; feasibility studies; site planning; community involvement; land use and regulatory analyses; building and infrastructure assessments; economic and fiscal analyses; and any environmental analyses under chapter 43.21C RCW;

(e) Provide grants to local governments for remedial actions related to area-wide groundwater contamination. To receive the funding, the local government does not need to be a potentially liable person or be required to seek reimbursement of grant funds from a potentially liable person;

(f) The director may alter grant matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:

(i) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;

(ii) Funding would create new substantial economic development, public recreational opportunities, or habitat restoration opportunities that would not otherwise occur; or

(iii) Funding would create an opportunity for acquisition and redevelopment of brownfield property under RCW 70A.305.040(5) that would not otherwise occur; and

(g) When pending grant applications under subsection (4)(d) and (e) of this section exceed the amount of funds available, designated redevelopment opportunity zones must receive priority for distribution of available funds.

(6) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in model toxics control capital account may be spent only after appropriation by statute.

(7) The legislature finds that, in 2023, wildfires in Spokane and Pend Oreille counties resulted in a loss of approximately 366 homes as well as secondary buildings. The burning of these structures has resulted in a large toxic debris field containing asbestos, heavy metals, plastics, and fuel which are at risk of leaching into the soil and groundwater. During the 2023-2025 fiscal biennium, moneys in the model toxics control capital account may be used for financial assistance to local governments for the testing of hazardous materials, removal of debris, and remediation of soil necessary to support the rebuilding of communities impacted by these wildfires.

**Sec. 8010.** RCW 43.19.125 and 2011 1st sp.s. c 43 s 204 are each amended to read as follows:

(1) The director of enterprise services shall have custody and control of the capitol buildings and grounds, supervise and direct proper care, heating, lighting and repairing thereof, and designate rooms in the capitol buildings to be occupied by various state officials.

~~(2) ((During the 2007-2009 biennium, responsibility for development of the "Wheeler block" on the capitol campus as authorized in section 6013, chapter 520, Laws of 2007 shall be transferred from the department of general administration to the~~

~~department of information services.)) During the 2023-2025 fiscal biennium, the director must give legislative members reasonable access to reserve and utilize the reception room in the state legislative building when not otherwise booked.~~

**Sec. 8011.** RCW 79.22.060 and 2023 c 383 s 6 are each amended to read as follows:

(1) With the approval of the board, the department may directly transfer or dispose of state forestlands without public auction, if the transfers are:

(a) In lieu of condemnation or to resolve trespass and property ownership disputes and the lands consist of 10 contiguous acres or less or have a value of \$25,000 or less; or

(b) To public agencies as defined in RCW 79.17.200.

(2) Real property to be transferred or disposed of under this section shall be transferred or disposed of only after appraisal and for at least fair market value, and only if the transaction is in the best interest of the state or affected trust. Valuable materials attached to lands to be transferred under subsection (1)(b) of this section must be appraised at the fair market value without consideration of management or regulatory encumbrances associated with wildlife species listed under the federal endangered species act, if any.

(3)(a) Except as provided in this subsection, the proceeds from real property transferred or disposed of under this section shall be deposited into the parkland trust revolving fund and be solely used to buy replacement forestland for the benefit of the county from which the property was transferred or disposed and pay for the department's administrative expenses to complete the transfer, including the cost of department staff time, appraisals, surveys, environmental reviews, and other similar costs of the transfer. The legislative authority of the county from which the real property was transferred or disposed under subsection (1)(b) of this section may request in writing that the department distribute a percentage of the proceeds associated with valuable materials. Upon such a request, and subject to prior approval by the board, the department shall distribute the requested percentage of proceeds associated with valuable materials as provided in RCW 79.64.110.

(b) The proceeds from real property transferred or disposed of under this section for the purpose of participating in the state forestland pool created under RCW 79.22.140 must be deposited into the parkland trust revolving fund and used to buy replacement forestland for the benefit of that county, as provided in RCW 79.64.110 and located within any county participating in the land pool or under a county agreement as provided in RCW 79.22.140.

(c) Except as otherwise provided in this subsection, in counties with a population of 25,000 or less, the portion of the proceeds associated with valuable materials on state forestland transferred under this section must be distributed as provided in RCW 79.64.110. If requested in writing by the

legislative authority of a county participating in the state forestland pool created under RCW 79.22.140, the portion of the proceeds associated with valuable materials on state forestland transferred under this section must be deposited in the parkland trust revolving fund and used to buy replacement forestland for the benefit of that county, as provided in RCW 79.64.110, and located within any county participating in the land pool or under a county agreement as provided in RCW 79.22.140.

(4) During the 2023-2025 fiscal biennium, the ability of a legislative authority of a county to request the distribution of proceeds from valuable materials under subsection (3)(a) of this section does not apply to structurally complex, carbon-dense forested trust land transferred under section 3034 of this act.

**Sec. 8012.** RCW 79.70.100 and 1998 c 50 s 2 are each amended to read as follows:

The department shall hold a public hearing in the county where the majority of the land in a proposed natural area preserve is located prior to establishing the boundary. During the 2023-2025 fiscal biennium, this section does not apply to section 3034 of this act.

**Sec. 8013.** RCW 79.71.060 and 1991 c 352 s 5 are each amended to read as follows:

The department shall hold a public hearing in the county where the majority of the land in the proposed natural resources conservation area is located prior to establishing the boundary. An area proposed for designation must contain resources consistent with characteristics identified in RCW 79.71.020. During the 2023-2025 fiscal biennium, this section does not apply to section 3034 of this act.

**Sec. 8014.** RCW 43.63A.750 and 2022 c 121 s 1 are each amended to read as follows:

(1) A competitive grant program to assist nonprofit organizations in acquiring, constructing, or rehabilitating performing arts, art museums, and cultural facilities is created.

(2)(a) The department shall submit a list of recommended performing arts, art museum projects, and cultural organization projects eligible for funding to the governor and the legislature in the department's biennial capital budget request beginning with the 2001-2003 biennium and thereafter. The list, in priority order, shall include a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project. The total amount of recommended state funding for projects on a biennial project list shall not exceed \$18,000,000.

(b) The department shall establish a competitive process to prioritize applications for state assistance as follows:

(i) The department shall conduct a statewide solicitation of project applications from nonprofit organizations, local governments, and other entities, as

determined by the department. For applications submitted during the 2023-2025 fiscal biennium, nonprofit organizations that are certified by the association of zoos and aquariums and that have long-term operating or management agreements are eligible to apply. The department shall evaluate and rank applications in consultation with a citizen advisory committee, including a representative from the state arts commission, using objective criteria. The evaluation and ranking process shall also consider local community support for projects and an examination of existing assets that applicants may apply to projects.

(ii) The department may establish the amount of state grant assistance for individual project applications but the amount shall not exceed thirty-three and one-third percent of the estimated total capital cost or actual cost of a project, whichever is less. The remaining portions of the project capital cost shall be a match from nonstate sources. The nonstate match may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions. The department is authorized to set matching requirements for individual projects. State assistance may be used to fund separate definable phases of a project if the project demonstrates adequate progress and has secured the necessary match funding.

(iii) The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects. In contracts for grants authorized under this section, the department shall include provisions requiring that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

NEW SECTION. **Sec. 8015.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 8016.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Tharinger and Abbarno spoke in favor of the adoption of the striking amendment.

The striking amendment (1261) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Tharinger, Callan and McClintock spoke in favor of the passage of the bill.

#### MOTION

On motion of Representative Griffey, Representative Chandler was excused.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5949, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5949, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE SENATE BILL NO. 5949, as amended by the House, having received the necessary constitutional majority, was declared passed.

With the consent of the House, ENGROSSED SUBSTITUTE SENATE BILL NO. 5949 was immediately transmitted to the Senate.

#### POINT OF PERSONAL PRIVILEGE

Representative Tharinger thanked the Capital Budget staff for all of their hard work and asked them to come onto the floor of the House so the Chamber could recognize them.

#### SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SUBSTITUTE HOUSE BILL NO. 1012  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1185  
 SECOND SUBSTITUTE HOUSE BILL NO. 1205  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277  
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1300  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1368  
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377  
 HOUSE BILL NO. 1471  
 SECOND SUBSTITUTE HOUSE BILL NO. 1551  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589  
 HOUSE BILL NO. 1635  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652  
 SUBSTITUTE HOUSE BILL NO. 1851  
 SUBSTITUTE HOUSE BILL NO. 1870  
 SECOND SUBSTITUTE HOUSE BILL NO. 1877  
 SUBSTITUTE HOUSE BILL NO. 1924

HOUSE BILL NO. 1943  
 SUBSTITUTE HOUSE BILL NO. 1945  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1956  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2000  
 SUBSTITUTE HOUSE BILL NO. 2007  
 SECOND SUBSTITUTE HOUSE BILL NO. 2022  
 HOUSE BILL NO. 2032  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2039  
 SUBSTITUTE HOUSE BILL NO. 2045  
 SUBSTITUTE HOUSE BILL NO. 2056  
 SECOND SUBSTITUTE HOUSE BILL NO. 2071  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2099  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2118  
 SECOND SUBSTITUTE HOUSE BILL NO. 2124  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2131  
 HOUSE BILL NO. 2135  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2153  
 SUBSTITUTE HOUSE BILL NO. 2180  
 SUBSTITUTE HOUSE BILL NO. 2195  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2207  
 HOUSE BILL NO. 2213  
 SUBSTITUTE HOUSE BILL NO. 2226  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2236  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2247  
 ENGROSSED HOUSE BILL NO. 2266  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2301  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331  
 SUBSTITUTE HOUSE BILL NO. 2347  
 SUBSTITUTE HOUSE BILL NO. 2348  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2354  
 SUBSTITUTE HOUSE BILL NO. 2381  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2384  
 SUBSTITUTE HOUSE BILL NO. 2396  
 HOUSE BILL NO. 2416  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2441  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2482  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2494  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5271  
 SECOND SUBSTITUTE SENATE BILL NO. 5660  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5778  
 SENATE BILL NO. 5799  
 SENATE BILL NO. 5842  
 SUBSTITUTE SENATE BILL NO. 5869  
 SENATE BILL NO. 5897  
 SUBSTITUTE SENATE BILL NO. 5920  
 SUBSTITUTE SENATE BILL NO. 5936  
 SUBSTITUTE SENATE BILL NO. 5940  
 SENATE BILL NO. 6013  
 SENATE BILL NO. 6084  
 SENATE BILL NO. 6263  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6286  
 SENATE JOINT MEMORIAL NO. 8008

There being no objection, the House advanced to the seventh order of business.

**THIRD READING**

**MESSAGE FROM THE SENATE**

Monday, March 4, 2024

Mme. Speaker:

The Senate refuses to concur in the House amendment(s) to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194 and asks the House to recede therefrom.

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194 was returned to second reading for the purpose of amendment.

**MOTION**

Representative Fitzgibbon moved the adoption of the striking amendment (1264):

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 44.90.020 and 2022 c 283 s 3 are each amended to read as follows:

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

(1) "Collective bargaining" means the performance of the mutual obligations of the employer and the exclusive bargaining representative to meet at reasonable times, except that neither party may be compelled to negotiate during a legislative session or on committee assembly days, to confer and negotiate in good faith, and to execute a written agreement with respect to the subjects of bargaining specified under RCW 44.90.090. The obligation to bargain does not compel either party to agree to a proposal or to make a concession unless otherwise provided in this chapter.

(2) "Commission" means the legislative commission created in section 17 of this act at the public employment relations commission, until the legislative commission expires on December 31, 2027. After December 31, 2027, "commission" means the public employment relations commission created under RCW 41.58.010(1).

~~((+2))~~(3) "Confidential employee" means an employee designated by the employer: (a) To assist in a confidential capacity, or serve as counsel to, persons who formulate, determine, and effectuate employer policies with regard to labor relations and personnel matters; or (b) who has authorized access to information that contributes to the development of, or relates to the effectuation or review of, the employer's collective bargaining policies, strategies, or process to the extent that such access creates a conflict of interest; or (c) who assists or aids an employee with managerial authority; or (d) who has separate and

The Speaker called upon Representative Bronoske to preside.

There being no objection, the House reverted to the fourth order of business.

**INTRODUCTION & FIRST READING**

HB 2503 by Representative Pollet

AN ACT Relating to improving the well-being of children in child care by enhancing transparency measures and modifying liability insurance requirements; amending RCW 43.216.325, 43.216.687, and 43.216.700; creating a new section; and providing an expiration date.

Referred to Committee on Human Services, Youth, & Early Learning.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.



distinct duties which include handling correspondence relating to labor negotiations and labor contract administration.

(4) "Director" means the director of the office of state legislative labor relations.

((+3-)) (5) (a) "Employee" means:

(i) Any regular partisan employee of the house of representatives or the senate who is covered by this chapter; and

(ii) Any regular employee who is staff of the:

(A) Office of legislative support services;

(B) Legislative service center;

(C) Office of the code reviser who, during any legislative session, does not work full time on drafting and finalizing legislative bills to be included in the Revised Code of Washington; and

(D) House of representatives and senate administrations.

(b) "Employee" also includes temporary staff hired to perform substantially similar work to that performed by employees included under (a) of this subsection.

(c) All other regular employees and temporary employees, including casual employees, interns, and pages, and employees in the office of program research and senate committee services work groups of the house of representatives and the senate are excluded from the definition of "employee" for the purposes of this chapter.

(6) "Employee organization" means any organization, union, or association in which employees participate and that exists for the purpose, in whole or in part, of collective bargaining with employers.

((+4-)) (7) "Employee with managerial authority" means any employee designated by the employer who, regardless of job title:

(a) Directs the staff who work for a legislative chamber, caucus, agency, or subdivision thereof; (b) has substantial responsibility in personnel administration, or the preparation and administration of the employer's budgets; and (c) exercises authority that is not merely routine or clerical in nature and requires the use of independent judgment.

(8) "Employer" means:

(a) The chief clerk of the house of representatives, or the chief clerk's designee, for employees of the house of representatives;

(b) The secretary of the senate, or the secretary's designee, for employees of the senate; and

(c) The chief clerk of the house of representatives and the secretary of the senate, acting jointly, or their designees, for the regular employees who are staff of the office of legislative support services, the legislative service center, and the office of the code reviser.

(9) "Exclusive bargaining representative" means any employee organization that has been certified under this chapter as the representative of the employees in an appropriate bargaining unit.

((+5-)) (10) "Labor dispute" means any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing,

or seeking to arrange terms or conditions of employment with respect to the subjects of bargaining provided in this chapter, regardless of whether the disputants stand in the proximate relation of employer and employee.

(11) "Legislative agencies" means the joint legislative audit and review committee, the statute law committee, the legislative ethics board, the legislative evaluation and accountability program committee, the office of the state actuary, the legislative service center, the office of legislative support services, the joint transportation committee, and the redistricting commission.

((+6-)) (12) "Office" means the office of state legislative labor relations.

(13) "Supervisor" means an employee designated by the employer to provide supervision to legislative employees as part of the employee's regular and usual job duties. Supervision includes directing employees, approving and denying leave, and participating in decisions to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, or to adjust employee grievances, when the exercise of the authority is not of a merely routine nature but requires the exercise of individual judgment, regardless of whether such duties are the employee's primary duties and regardless of whether the employee spends a preponderance of the employee's time exercising such duties. However, "supervisor" does not include a legislative assistant to a legislator of the senate or house of representatives.

NEW SECTION. Sec. 2. A new section is added to chapter 44.90 RCW to read as follows:

(1) This chapter does not apply to any legislative employee who has managerial authority, is a confidential employee, or who does not meet the definition of employee for the purpose of collective bargaining.

(2) This chapter also does not apply to:

(a) Elected or appointed members of the legislature;

(b) Any person appointed to office under statute, ordinance, or resolution for a specific term of office as a member of a multimember board, commission, or committee;

(c) The deputy secretary of the senate and the deputy chief clerk of the house of representatives;

(d) The senate human resources officer, the human resources director of the house of representatives, and the human resources officers or directors of the legislative support services, legislative service center, and office of the code reviser;

(e) The senate director of accounting and the director of accounting for the house of representatives, and the directors of accounting for the legislative support services, legislative service center, and office of the code reviser;

(f) Caucus chiefs of staff and caucus deputy chiefs of staff;

(g) The speaker's attorney, house counsel, and leadership counsel to the minority caucus of the house of representatives;

(h) The counsels for the senate that provide direct legal advice to the administration of the senate; and

(i) Any employee who provides direct administrative support to the office of the secretary of the senate or chief clerk of the house of representatives, or who conducts accounting, payroll, labor management, collective bargaining, or human resources activities.

**Sec. 3.** RCW 44.90.030 and 2022 c 283 s 2 are each amended to read as follows:

(1) The office of state legislative labor relations is created to assist the house of representatives, the senate, and legislative agencies in implementing and managing the process of collective bargaining for employees of the legislative branch of state government.

(2)(a) Subject to (b) of this subsection, the secretary of the senate and the chief clerk of the house of representatives shall employ a director of the office. The director serves at the pleasure of the secretary of the senate and the chief clerk of the house of representatives, who shall fix the director's salary.

(b) The secretary of the senate and the chief clerk of the house of representatives shall, before employing a director, consult with legislative employees, the senate facilities and operations committee, the house executive rules committee, and the human resources officers of the house of representatives, the senate, and legislative agencies.

(c) The director serves as the executive and administrative head of the office and may employ additional employees to assist in carrying out the duties of the office. The duties of the office include, but are not limited to, establishing bargaining teams and conducting negotiations on behalf of the employer.

~~((d) The director shall contract with an external consultant for the purposes of gathering input from legislative employees, taking into consideration RCW 42.52.020 and rules of the house of representatives and the senate. The gathering of input must be in the form of, at a minimum, surveys.~~

~~(3) The director, in consultation with the secretary of the senate, the chief clerk of the house of representatives, and the administrative heads of legislative agencies shall:~~

~~(a) Examine issues related to collective bargaining for employees of the house of representatives, the senate, and legislative agencies; and~~

~~(b) After consultation with the external consultant, develop best practices and options for the legislature to consider in implementing and administering collective bargaining for employees of the house of representatives, the senate, and legislative agencies.~~

~~(4)(a) By December 1, 2022, the director shall submit a preliminary report to the appropriate committees of the legislature that provides a progress report on the director's considerations.~~

~~(b) By October 1, 2023, the director shall submit a final report to the~~

~~appropriate committees of the legislature. At a minimum, the final report must address considerations on the following issues:~~

~~(i) Which employees of the house of representatives, the senate, and legislative agencies for whom collective bargaining may be appropriate;~~

~~(ii) Mandatory, permissive, and prohibited subjects of bargaining;~~

~~(iii) Who would negotiate on behalf of the house of representatives, the senate, and legislative agencies, and which entity or entities would be considered the employer for purposes of bargaining;~~

~~(iv) Definitions for relevant terms;~~

~~(v) Common public employee collective bargaining agreement frameworks related to grievance procedures and processes for disciplinary actions;~~

~~(vi) Procedures related to the commission certifying exclusive bargaining representatives, determining bargaining units, adjudicating unfair labor practices, determining representation questions, and coalition bargaining;~~

~~(vii) The efficiency and feasibility of coalition bargaining;~~

~~(viii) Procedures for approving negotiated collective bargaining agreements;~~

~~(ix) Procedures for submitting requests for funding to the appropriate legislative committees if appropriations are necessary to implement provisions of the collective bargaining agreements; and~~

~~(x) Approaches taken by other state legislatures that have authorized collective bargaining for legislative employees.~~

~~(5) The report must include a summary of any statutory changes needed to address the considerations listed in subsection (4) of this section related to the collective bargaining process for legislative employees.)~~

**NEW SECTION. Sec. 4.** A new section is added to chapter 44.90 RCW to read as follows:

(1) As provided by this chapter, the commission or the court shall determine all questions described by this chapter as under the commission's authority. However, such authority may not result in an order or rule that intrudes upon or interferes with the legislature's core function of efficient and effective law making or the essential operation of the legislature, including that an order or rule may not:

(a) Modify any matter relating to the qualifications and elections of members of the legislature, or the holding of office of members of the legislature;

(b) Modify any matter relating to the legislature or each house thereof choosing its officers, adopting rules for its proceedings, selecting committees necessary for the conduct of business, considering or enacting legislation, or otherwise exercising the legislative power of this state;

(c) Modify any matter relating to legislative calendars, schedules, and deadlines of the legislature;

(d) Modify laws, rules, policies, or procedures regarding ethics or conflicts of interest; or

(e) Require the legislature to reinstate an employee.

(2) No member of the legislature may be compelled by subpoena or other means to attend a proceeding related to matters covered by this chapter during a legislative session, committee assembly days, or for 15 days before commencement of each session.

**Sec. 5.** RCW 44.90.050 and 2022 c 283 s 5 are each amended to read as follows:

(1) Except as may be specifically limited by this chapter, legislative employees shall have the right to self-organization, to form, join, or assist employee organizations, and to bargain collectively through representatives of their own choosing for the purpose of collective bargaining free from interference, restraint, or coercion. Legislative employees shall also have the right to refrain from any or all such activities.

(2) Except as may be specifically limited by this chapter, the commission shall determine all questions pertaining to ascertaining exclusive bargaining representatives for legislative employees and collectively bargaining under this chapter. However, no employee organization shall be recognized or certified as the exclusive bargaining representative of a bargaining unit of employees of the legislative branch unless it receives the votes of a majority of employees in the petitioned for bargaining unit voting in a secret election (~~((by mail ballot))~~) administered by the commission. The commission's process must allow for an employee, group of employees, employee organizations, employer, or their agents to have the right to petition on any question concerning representation.

(3) ~~((The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.))~~ The commission must adopt rules that provide for at least the following:

(a) Secret balloting;

(b) Consulting with employee organizations;

(c) Access to lists of employees, job titles, work locations, and home mailing addresses;

(d) Absentee voting;

(e) Procedures for the greatest possible participation in voting;

(f) Campaigning on the employer's property during working hours; and

(g) Election observers.

(4) (a) If an employee organization has been certified as the exclusive bargaining representative of the employees of multiple bargaining units, the employee organization may act for and negotiate a master collective bargaining agreement that includes within the coverage of the agreement all covered employees in the bargaining units.

(b) If a master collective bargaining agreement is in effect for the newly certified exclusive bargaining representative, it applies to the bargaining unit for which the new certification has been issued. Nothing in this subsection (4) (b) requires the parties to engage in new negotiations during the term of that agreement.

(5) The certified exclusive bargaining representative is responsible for representing the interests of all the employees in the bargaining unit. This section may not be construed to limit an exclusive bargaining representative's right to exercise its discretion to refuse to process grievances of employees that are unmeritorious.

(6) No question concerning representation may be raised if:

(a) Fewer than 12 months have elapsed since the last certification or election; or

(b) A valid collective bargaining agreement exists covering the unit, except for that period of no more than 120 calendar days nor less than 90 calendar days before the expiration of the contract.

NEW SECTION. Sec. 6. A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission, after hearing upon reasonable notice to all interested parties, shall decide, in each application for certification as an exclusive bargaining representative, the unit appropriate for certification. In determining the new units or modifications of existing units, the commission must consider: The duties, skills, and working conditions of the employees; the history of collective bargaining; the extent of organization among the employees; the desires of the employees; and the avoidance of excessive fragmentation. However, a unit is not appropriate if it includes:

(a) Both supervisors and nonsupervisory employees. A unit that includes only supervisors may be considered appropriate if a majority of the supervisory employees indicates by vote that they desire to be included in such a unit;

(b) Both house of representatives and senate employees;

(c) Both partisan and nonpartisan employees;

(d) Employees of the majority party caucus and the minority party caucus, unless a majority of the employees of each caucus indicate by vote that they desire to be included together in the same unit; or

(e) Employees of the legislative service center, office of legislative support services, and the office of the code reviser, in any combination with each other or in any combination with employees of the house of representatives or employees of the senate.

(2) If a single employee organization is the exclusive bargaining representative for two or more units, upon petition by the employee organization, the units may be consolidated into a single larger unit if the commission considers the larger unit to be appropriate. If consolidation is

appropriate, the commission shall certify the employee organization as the exclusive bargaining representative of the new unit.

NEW SECTION. **Sec. 7.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The parties to a collective bargaining agreement must reduce the agreement to writing and both execute it.

(2) Except as provided in this chapter, a collective bargaining agreement must contain provisions that provide for a grievance procedure of all disputes arising over the interpretation or application of the collective bargaining agreement and that is valid and enforceable under its terms when entered into in accordance with this chapter.

(3) RCW 41.56.037 applies to this chapter.

(4) (a) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and an employee organization representing the same bargaining units, the effective date of the collective bargaining agreement may be the day after the termination of the previous collective bargaining agreement, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(b) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and the exclusive bargaining representative representing different bargaining units, the effective date of the collective bargaining agreement may be the day after the termination date of whichever previous collective bargaining agreement covering one or more of the units terminated first, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(5) The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.

**Sec. 8.** RCW 44.90.060 and 2022 c 283 s 6 are each amended to read as follows:

~~((During a legislative session or committee assembly days, nothing))~~ Nothing contained in this chapter permits or grants to any legislative employee the right to strike, participate in a work stoppage, or refuse to perform their official duties.

**Sec. 9.** RCW 44.90.070 and 2022 c 283 s 7 are each amended to read as follows:

(1) Collective bargaining negotiations under this chapter must commence no later than July 1st of each even-numbered year after a bargaining unit has been certified.

(2) The duration of any collective bargaining agreement shall not exceed one fiscal biennium.

(3) (a) The director must submit ratified collective bargaining agreements, with cost estimates, to the employer by October 1st before the legislative session at which the request for funds is to be considered. The transmission by the legislature to the governor under RCW 43.88.090 must include a request for funds necessary to implement the provisions of all collective bargaining agreements covering legislative employees.

(b) If the legislature or governor fails to provide the funds for a collective bargaining agreement for legislative employees, either party may reopen all or part of the agreement or the exclusive bargaining representative may seek to implement the procedures provided for in section 10 of this act.

(4) Negotiation for economic terms will be by a coalition of all exclusive bargaining representatives. Any such provisions agreed to by the employer and the coalition must be included in all collective bargaining agreements negotiated by the parties. The director and the exclusive bargaining representative or representatives are authorized to enter into supplemental bargaining of bargaining unit specific issues for inclusion in the collective bargaining agreement, subject to the parties' agreement regarding the issues and procedures for supplemental bargaining. This subsection does not prohibit cooperation and coordination of bargaining between two or more exclusive bargaining representatives.

(5) If a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties must immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

NEW SECTION. **Sec. 10.** A new section is added to chapter 44.90 RCW to read as follows:

(1) Should the parties fail to reach agreement in negotiating a collective bargaining agreement, either party may request of the commission the assistance of an impartial third party to mediate the negotiations. If a collective bargaining agreement previously negotiated under this chapter expires while negotiations are underway, the terms and conditions specified in the collective bargaining agreement remain in effect for a period not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(2) Nothing in this section may be construed to prohibit an employer and an exclusive bargaining representative from agreeing to substitute, at their own expense, their own procedure for resolving impasses in collective bargaining for that provided in this section or from agreeing to utilize for the purposes of this section any

other governmental or other agency or person in lieu of the commission.

(3) The commission shall bear costs for mediator services.

**Sec. 11.** RCW 44.90.080 and 2022 c 283 s 8 are each amended to read as follows:

(1) It is an unfair labor practice for an employer in the legislative branch of state government:

(a) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed by this chapter;

(b) To dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it: PROVIDED, That subject to rules adopted by the commission, an employer shall not be prohibited from permitting employees to confer with it or its representatives or agents during working hours without loss of time or pay;

(c) To encourage or discourage membership in any employee organization by discrimination in regard to hire, tenure of employment, or any term or condition of employment;

(d) To discharge or discriminate otherwise against an employee because that employee has filed charges or given testimony under this chapter;

(e) To refuse to bargain collectively with the exclusive bargaining representatives of its employees.

(2) Notwithstanding any other law, the expression of any views, arguments, or opinions, or the dissemination thereof in any form, by a member of the legislature related to this chapter or matters within the scope of representation, shall not constitute, or be evidence of, an unfair labor practice unless the employer has authorized the member to express that view, argument, or opinion on behalf of the employer or as an employer.

(3) It is an unfair labor practice for an employee organization:

(a) To restrain or coerce an employee in the exercise of the rights guaranteed by this chapter: PROVIDED, That this subsection shall not impair the right of an employee organization to prescribe its own rules with respect to the acquisition or retention of membership in the employee organization or to an employer in the selection of its representatives for the purpose of bargaining or the adjustment of grievances;

(b) To cause or attempt to cause an employer to discriminate against an employee in violation of subsection (1)(c) of this section;

(c) To discriminate against an employee because that employee has filed charges or given testimony under this chapter;

(d) To refuse to bargain collectively with an employer.

~~((3))~~(4) The expressing of any views, arguments, or opinion, or the dissemination thereof to the public, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under this chapter, if such expression contains no threat of reprisal or force or promise of benefit.

**NEW SECTION. Sec. 12.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission is empowered and directed to prevent any unfair labor practice and to issue appropriate remedial orders. However, a complaint may not be processed for any unfair labor practice occurring more than six months before the filing of the complaint with the commission or in Thurston county superior court. This power may not be affected or impaired by any means of adjustment, mediation, or conciliation in labor disputes that have been or may hereafter be established by law.

(2) Except as may be specifically limited by this chapter, if the commission or court determines that any person has engaged in or is engaging in an unfair labor practice, the commission or court shall issue and cause to be served upon the person an order requiring the person to cease and desist from such unfair labor practice, and to take such affirmative action as will effectuate the purposes and policy of this chapter, such as the payment of damages.

(3) The commission may petition the Thurston county superior court for the enforcement of its order and for appropriate temporary relief.

**Sec. 13.** RCW 44.90.090 and 2022 c 283 s 9 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, the matters subject to bargaining include wages, hours, terms and conditions of employment, and the negotiation of any question arising under a collective bargaining agreement.

(2) Employees hold their positions at the employer's pleasure. However, the discipline of employees is subject to any collective bargaining agreement entered into under this chapter.

(3) The employer shall not bargain over rights of management which, in addition to all powers, duties, and rights established by constitutional provision or statute, shall include, but not be limited to, the following:

(a) Any item listed in section 4(1) of this act;

(b) The functions and programs of the employer, the use of technology, and the structure of the organization, including the size and composition of standing committees;

~~((b))~~(c) The employer's budget and the size of the employer's workforce, including determining the financial basis for layoffs;

~~((e))~~(d) The right to direct and supervise employees;

~~((d))~~(e) The hours of work during legislative session ~~((and the cutoff calendar for a legislative session))~~ and committee assembly days, and the hours of work during the 60 calendar days before the first day of legislative session and during the 20 calendar days after the last day of legislative session. This subsection (3)(e) does not prohibit bargaining over hours of work during any other period and bargaining over compensation for hours of work in excess of a 40-hour workweek, except that bargaining over hours of work during periods not otherwise prohibited and compensation

for hours worked in excess of a 40-hour workweek may only occur for agreements that take effect after July 1, 2027; (~~and~~

(e)) (f) The cutoff calendar for a legislative session;

(g) Health care benefits and other employee insurance benefits. The amount paid by a legislative employee for health care premiums must be the same as that paid by a represented state employee covered by RCW 41.80.020(3);

(h) The right to take whatever actions are deemed necessary to carry out the mission of the legislature and its agencies during emergencies; and

(i) Retirement plans and retirement benefits.

~~((2+))~~ (4) Except for an applicable code of conduct policy adopted by a chamber of the legislature or a legislative agency, if a conflict exists between policies adopted by the legislature relating to wages, hours, and terms and conditions of employment and a provision of a collective bargaining agreement negotiated under this chapter, the collective bargaining agreement shall prevail. A provision of a collective bargaining agreement that conflicts with a statute or an applicable term of a code of conduct policy adopted by a chamber of the legislature or a legislative agency is invalid and unenforceable.

**NEW SECTION. Sec. 14.** A new section is added to chapter 44.90 RCW to read as follows:

(1) Upon authorization of an employee within the bargaining unit and after the certification or recognition of the bargaining unit's exclusive bargaining representative, the employer must deduct from the payments to the employee the monthly amount of dues as certified by the secretary of the exclusive bargaining representative and must transmit the same to the treasurer of the exclusive bargaining representative.

(2) (a) An employee's written, electronic, or recorded voice authorization to have the employer deduct membership dues from the employee's salary must be made by the employee to the exclusive bargaining representative. If the employer receives a request for authorization of deductions, the employer must, as soon as practicable, forward the request to the exclusive bargaining representative.

(b) Upon receiving notice of the employee's authorization, the employer must deduct from the employee's salary membership dues and remit the amounts to the exclusive bargaining representative.

(c) The employee's authorization remains in effect until expressly revoked by the employee in accordance with the terms and conditions of the authorization.

(d) An employee's request to revoke authorization for payroll deductions must be in writing and submitted by the employee to the exclusive bargaining representative in accordance with the terms and conditions of the authorization.

(e) After the employer receives confirmation from the exclusive bargaining representative that the employee has revoked

authorization for deductions, the employer must end the deduction no later than the second payroll after receipt of the confirmation.

(f) The employer must rely on information provided by the exclusive bargaining representative regarding the authorization and revocation of deductions.

**NEW SECTION. Sec. 15.** A new section is added to chapter 44.90 RCW to read as follows:

(1) If the parties to a collective bargaining agreement negotiated under this chapter agree to final and binding arbitration under grievance procedures allowed by section 7 of this act, the parties may agree on one or more permanent umpires to serve as arbitrator, or may agree on any impartial person to serve as arbitrator, or may agree to select arbitrators from any source available to them, including federal and private agencies, in addition to the staff and list of arbitrators maintained by the commission. If the parties cannot agree to the selection of an arbitrator, the commission must supply a list of names in accordance with the procedures established by the commission.

(2) The authority of an arbitrator shall be subject to the limits and restrictions specified under section 4 of this act.

(3) Except as limited by this chapter, an arbitrator may require any person to attend as a witness and to bring with them any book, record, document, or other evidence. The fees for such attendance must be paid by the party requesting issuance of the subpoena and must be the same as the fees of witnesses in the superior court. Arbitrators may administer oaths. Subpoenas must issue and be signed by the arbitrator and must be served in the same manner as subpoenas to testify before a court of record in this state. If any person so summoned to testify refuses or neglects to obey such subpoena, upon petition authorized by the arbitrator, the superior court may compel the attendance of the person before the arbitrator or punish the person for contempt in the same manner provided for the attendance of witnesses or the punishment of them in the courts of this state.

(4) Except as limited by this chapter, the arbitrator shall appoint a time and place for the hearing and notify the parties thereof, and may adjourn the hearing from time to time as may be necessary, and, on application of either party and for good cause, may postpone the hearing to a time not extending beyond the date fixed by the collective bargaining agreement for making the award. The arbitration award must be in writing and signed by the arbitrator. The arbitrator must, promptly upon its rendition, serve a true copy of the award on each of the parties or their attorneys of record.

(5) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to submit a grievance for arbitration, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of

Thurston county and the court shall have jurisdiction to issue an order compelling arbitration. Disputes concerning compliance with grievance procedures shall be reserved for determination by the arbitrator. Arbitration shall be ordered if the grievance states a claim that on its face is covered by the collective bargaining agreement. Doubts as to the coverage of the arbitration clause shall be resolved in favor of arbitration.

(6) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to comply with the award of an arbitrator determining a grievance arising under the collective bargaining agreement, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order enforcing the arbitration award.

**Sec. 16.** RCW 41.58.010 and 2012 c 117 s 89 are each amended to read as follows:

(1) There is hereby created the public employment relations commission (hereafter called the "commission") to administer the provisions of this chapter. ((The))Notwithstanding section 17 of this act, the commission shall consist of three members who shall be citizens appointed by the governor by and with the advice and consent of the senate. One of the original members shall be appointed for a term of three years, one for a term of four years, and one for a term of five years. Their successors shall be appointed for terms of five years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he or she succeeds. Commission members shall be eligible for reappointment. The governor shall designate one member to serve as chair of the commission. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Commission members shall not be eligible for state retirement under chapter 41.40 RCW by virtue of their service on the commission.

(2) In making citizen member appointments initially, and subsequently thereafter, the governor shall be cognizant of the desirability of appointing persons knowledgeable in the area of labor relations in the state.

(3) A vacancy in the commission shall not impair the right of the remaining members to exercise all of the powers of the commission, and two members of the commission shall, at all times, constitute a quorum of the commission.

(4) The commission shall at the close of each fiscal year make a report in writing to the legislature and to the governor stating the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the commission, and an account of all moneys it has disbursed.

**NEW SECTION. Sec. 17.** A new section is added to chapter 41.58 RCW to read as follows:

(1)(a) There is established a legislative commission (hereafter called "the legislative commission") exclusively for the purpose of certification of bargaining representatives, adjusting and settling complaints, grievances, and disputes arising out of employer-employee relations, and otherwise carrying out the duties required of the commission under chapter 44.90 RCW.

(b) The legislative commission shall consist of three members who shall be appointed as follows:

(i) One member shall be appointed by the speaker of the house of representatives;

(ii) One member shall be appointed by the president of the senate;

(iii) By mutual consent, the two appointed members shall appoint the third member who shall be the chair of the legislative commission.

(c) All appointments must be made by September 30, 2024. The members of the legislative commission, and any person appointed to fill a vacancy, are appointed for the entire term until the legislative commission expires under subsection (9) of this section.

(d) Until all the members of the legislative commission are appointed, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

(2) The commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation, and, if applicable, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the legislative commission.

(3) Unless specifically provided, the legislative commission shall not be considered part of the commission created under RCW 41.58.010(1). The powers and duties granted in this chapter to the commission created under RCW 41.58.010(1) do not apply to the legislative commission, unless specifically provided.

(4) A member of the legislative commission may be removed by the speaker of the house of representatives and the president of the senate acting jointly, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(5) In making their appointments, the speaker of the house of representatives and the president of the senate shall be cognizant of the desirability of appointing a person who is knowledgeable in the area of labor relations and of the legislature.

(6) Members of the legislative commission are not eligible for state retirement under chapter 41.40 RCW by virtue of the member's service as a commissioner.

(7) The compensation and travel reimbursement provision under RCW 41.58.015(1) shall apply to members of the legislative commission.

(8) The legislative commission shall at the close of each fiscal year make a report in writing to the legislature stating the cases it has heard and decisions it has rendered.

(9)(a) The legislative commission expires December 31, 2027.

(b) After December 31, 2027, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

**Sec. 18.** RCW 41.58.015 and 1984 c 287 s 71 are each amended to read as follows:

(1) Each member of the commission shall be compensated in accordance with RCW 43.03.250. Members of the commission shall also be reimbursed for travel expenses incurred in the discharge of their official duties on the same basis as is provided in RCW 43.03.050 and 43.03.060.

(2) The commission shall appoint an executive director whose annual salary shall be determined under the provisions of RCW 43.03.028. The executive director shall perform such duties and have such powers as the commission shall prescribe in order to implement and enforce the provisions of this chapter. In addition to the performance of administrative duties, the commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation of labor disputes, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement, and, in certain cases, fact-finding or arbitration of disputes concerning the terms of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the commission. The executive director, with such assistance as may be provided by the attorney general and such additional legal assistance consistent with chapter 43.10 RCW, shall have authority on behalf of the commission, when necessary to carry out or enforce any action or decision of the commission, to petition any court of competent jurisdiction for an order requiring compliance with the action or decision.

(3)(a) The commission shall employ such employees as it may from time to time find necessary for the proper performance of its duties, consistent with the provisions of this chapter.

(b) The employees of the commission shall also provide staff support to the legislative commission in carrying out the legislative commission's duties under chapter 44.90 RCW until the legislative commission expires on December 31, 2027, under section 17 of this act.

(4) The payment of all of the expenses of the commission, including travel expenses incurred by the members or employees of the commission under its orders, shall be subject to the provisions of RCW 43.03.050 and 43.03.060.

**NEW SECTION. Sec. 19.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The following activities conducted by or on behalf of legislative employees related to collective bargaining under this chapter are exempt from the restrictions contained in RCW 42.52.020 and 42.52.160:

(a) Using paid time and public resources by an employee to negotiate or administer a collective bargaining agreement under this chapter when the employee is assigned to negotiate or administer the collective bargaining agreement and the use of paid time and public resources does not include state purchased supplies or equipment, does not interfere with or distract from the conduct of state business, and is consistent with the employer's policy on the use of paid time;

(b) Lobbying conducted by an employee organization, lobbyist, association, or third party on behalf of legislative employees concerning legislation that directly impacts legislative workplace conditions;

(c) Communication with a prospective employee organization during nonwork hours and without the use of public resources; or

(d) Conducting the day-to-day work of organizing and representing legislative employees in the workplace while serving in a legislative employee organization leadership position.

(2)(a) Nothing in this section affects the application of the prohibition against the use of special privileges under RCW 42.52.070, confidentiality requirements under RCW 42.52.050, or other applicable provisions of chapter 42.52 RCW to legislative employees.

(b) Nothing in this section permits any direct lobbying by a legislative employee.

(3) As used in this section, "lobby" and "lobbyist" have the meanings provided in RCW 42.17A.005.

**Sec. 20.** RCW 42.52.020 and 1996 c 213 s 2 are each amended to read as follows:

(1) No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.

(2) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

**Sec. 21.** RCW 42.52.160 and 2023 c 91 s 3 are each amended to read as follows:

(1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

(2) This section does not prohibit the use of public resources to benefit others as part of a state officer's or state employee's official duties. It is not a violation of this section for a legislator or an appropriate legislative staff designee



to engage in activities listed under RCW 42.52.070(2) or 42.52.822.

(3) This section does not prohibit de minimis use of state facilities to provide employees with information about (a) medical, surgical, and hospital care; (b) life insurance or accident and health disability insurance; or (c) individual retirement accounts, by any person, firm, or corporation administering such program as part of authorized payroll deductions pursuant to RCW 41.04.020.

(4) The appropriate ethics boards may adopt rules providing exceptions to this section for occasional use of the state officer or state employee, of de minimis cost and value, if the activity does not result in interference with the proper performance of public duties.

(5) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

**NEW SECTION. Sec. 22.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect May 1, 2024."

Correct the title.

Representative Fitzgibbon moved the adoption of amendment (1266) to the striking amendment (1264):

On page 1, line 25 of the striking amendment, after "who" insert "as part of the employee's job duties"

On page 1, beginning on line 28 of the striking amendment, after "process" strike all material through "interest" on line 29

On page 1, beginning on line 30 of the striking amendment, after "authority" strike all material through "administration" on line 32

Representatives Fitzgibbon and Rude spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1266) to the striking amendment (1264) was adopted.

Representatives Fitzgibbon and Rude spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (1264), as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Fitzgibbon and Rude spoke in favor of the passage of the bill.

Representative Schmidt spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House, and the bill passed the House by the following vote: Yeas, 62; Nays, 34; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Goodman, Gregerson, Hackney, Harris, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Nance, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Donaghy, Dye, Eslick, Fosse, Goehner, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Maycumber, McClintock, Mosbrucker, Orcutt, Ormsby, Robertson, Schmick, Schmidt, Stokesbary, Volz, Walsh, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194, as amended by the House, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Tuesday, March 5, 2024

Mme. Speaker:

The Senate refuses to concur in the House amendment(s) to ENGROSSED SUBSTITUTE SENATE BILL NO. 6069 and asks the House to recede therefrom.

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE SENATE BILL NO. 6069 was returned to second reading for the purpose of amendment.

#### MOTION

Representative Santos moved the adoption of the striking amendment (1262):

Strike everything after the enacting clause and insert the following:

#### "PART I WASHINGTON SAVES

**NEW SECTION. Sec. 1. ESTABLISHMENT.**  
(1) Washington saves is established to serve as a vehicle through which covered employees may, on a voluntary basis, provide for additional retirement security through a state-facilitated retirement savings program in a convenient, cost-effective, and portable manner.

(2) Washington saves is intended as a public-private partnership that will encourage, not replace or compete with, employer-sponsored retirement plans.

(3) Washington saves must be designed in consultation with covered employers and covered employees to ensure that the businesses and workers intended to benefit from the program are provided ample opportunity to learn about and give input on the program design and timeline for

implementation before the program is made publicly available.

**NEW SECTION. Sec. 2. DEFINITIONS.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Administrative account" means the Washington saves administrative treasury trust account created in section 11 of this act.

(2) "Administrative agency" means the state agency or office that will provide administrative support to the governing board, beginning no later than July 1, 2027.

(3) "Complainant" means a covered employee, or that employee's designee who has written or legal authority to act on behalf of the employee, who files a complaint alleging an employer administrative violation of section 3 of this act who learned of the alleged violation by way of their employment with a covered employer.

(4) "Consumer price index" means the consumer price index for all urban consumers, all items, for the Seattle area as calculated by the United States bureau of labor statistics or its successor agency.

(5) "Covered employee" means an individual who is 18 years of age or older, who is employed by a covered employer.

(6) "Covered employer" means any employer that:

(a) Has been in business in this state for at least two years as of the immediately preceding calendar year;

(b) Maintains a physical presence;

(c) Does not offer a qualified retirement plan to their covered employees who have had continuous employment of one year or more; and

(d) Employs, and at any point during the immediately preceding calendar year employed, employees working a combined minimum of 10,400 hours.

(7) "Department" means the department of labor and industries.

(8) "Employer" means a person or entity engaged in a business, profession, trade, or other enterprise in the state, whether for profit or not for profit. "Employer" does not include federal or state entities, agencies, or instrumentalities, or any political subdivision thereof.

(9) "Employer administrative duties" include all requirements of covered employers under section 3 of this act that do not involve amounts due to the employee.

(10) "Employment" has the same meaning as in RCW 50.04.100.

(11) "Governing board" means the board created in section 4 of this act.

(12) "Individual account" means an IRA established by or for an individual participant and owned by the individual participant pursuant to this chapter.

(13) "Individual participant" means any individual who is contributing to, or has a balance credited in, an IRA through the program.

(14) "Internal revenue code" means the federal internal revenue code of 1986, as amended, or any successor law.

(15) "IRA" means a traditional or Roth individual retirement account or individual retirement annuity described in section 408(a), 408(b), or 408A of the internal revenue code.

(16) "Payroll deduction IRA agreement" means an arrangement by which a participating employer makes payroll deductions authorized by this chapter and remits amounts deducted as contributions to IRAs on behalf of individual participants.

(17) "Program" means the Washington saves program established under this chapter.

(18) "Qualified retirement plan" means a retirement plan in compliance with applicable federal law for employees including those described in section 401(a), 401(k), 403(a), 403(b), 408(k), or 408(p) of the internal revenue code. A qualified retirement plan may require continuous employment of up to one year to be eligible for employee participation.

(19) "Wages" means any commission, compensation, salary, or other remuneration, as defined by section 219(f)(1) of the internal revenue code, received by a covered employee from a covered employer.

**NEW SECTION. Sec. 3. GENERAL PROVISIONS.** (1) The program:

(a) Allows covered employees to contribute to an IRA through automatic payroll deductions or additional retirement savings vehicles;

(b) Requires covered employers to fulfill the requirements provided in subsection (3) of this section;

(c) Facilitates automatic enrollment for covered employees and allows for covered employees to opt out of the plan at any time;

(d) Has a default contribution rate, set by the governing board by rule. The default contribution rate may not be less than three percent or more than seven percent of wages; and

(e) Has a default escalation rate, set by the governing board by rule. The default escalation rate may not exceed one percent per year. The maximum contribution rate based on the default escalation rate may not exceed 10 percent of wages.

(2)(a) Covered employees, who do not opt out of the program, are automatically enrolled in the program at the default rate or at an amount expressly specified by the employee in connection with the payroll deduction IRA agreement. Individual participants may modify their contribution rates or amounts or terminate their participation in the program at any time, subject to procedure defined by rule by the governing board. All contribution amounts are subject to the dollar limits on contributions provided by federal law.

(b) Contributions must be invested in the default investment option unless the individual participant affirmatively elects to invest some or all balances in one or more approved investment options offered by the program. An individual participant must have the opportunity to change investments for either future contributions or existing balances, or both, subject to requirements defined by rule by the governing board.

(c) Individual accounts are portable. A former individual participant who is either unemployed, or is employed by a noncovered employer, must be permitted to contribute to their individual account.

(d) An individual participant's and former individual participant's ability to withdraw, roll over, or transfer account balances is subject to, and liable for, all fees, penalties, and taxes under applicable law.

(e) An individual participant's or former individual participant's ability to receive distributions of contributions and earnings is subject to applicable law.

(3) (a) Each covered employer must facilitate the opportunity for covered employees to participate in the program by fulfilling the following administrative duties, as defined by rule by the governing board:

(i) Register with the program and provide the program administrator relevant information about covered employees;

(ii) (A) Assist the program by offering all covered employees the choice to either participate by voluntarily contributing to an IRA or opt out; or

(B) Automatically enroll covered employees in a qualified retirement plan offered by a trade association or chamber of commerce and permit covered employees to opt out;

(iii) Timely remit participant contributions; and

(iv) Distribute program information and disclosures to covered employees, as provided in section 4(14) of this act.

(b) The employers' role in the program is solely ministerial. In accordance with federal law, employers are prohibited from contributing funds to the IRAs through the program.

(c) Employers are not fiduciaries with respect to, or are liable for, the program, related information, educational materials, or forms or disclosures approved by the governing board, or the selection or performance of vendors selected by the governing board. An employer is not responsible for or obligated to monitor a covered employee's or individual participant's decision to participate in or opt out of the program, for contribution decisions, investment decisions, or failure to comply with the statutory eligibility conditions or limits on IRA contributions. An employer does not guarantee any investment, rate of return, or interest on assets in any individual participant account or the administrative account or is liable for any market losses, failure to realize gains, or any other adverse consequences, including the loss of favorable tax treatment or public assistance benefits, incurred by any person as a result of participating in the program. Nothing in this section relieves an employer from liability for criminal, fraudulent, tortious, or otherwise actionable conduct including liability related to the failure to remit employee contributions.

(4) (a) The governing board must determine the type or types of IRA accounts available under the program.

(b) An individual participant's contributions and earnings may be combined for investment and custodial purposes only. Separate records and accounting are required for individual accounts. Reports on the status of individual accounts must be provided to each individual participant at least annually. Individual participants must have online access to their accounts.

(c) Any moneys placed in these accounts may not be counted as assets for the purposes of state or local means-tested program eligibility or levels of state means-tested program eligibility.

NEW SECTION. **Sec. 4.** GOVERNING BOARD —RESPONSIBILITIES. (1) The governing board shall design and administer the program for the exclusive benefit of individual participants and beneficiaries with the care and skill of a knowledgeable, prudent individual.

(2) The governing board is comprised of 15 members as follows:

(a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate;

(b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives;

(c) The state treasurer;

(d) The director of the department or the director's designee; and

(e) The following members representing the diversity and geography of the state, appointed by the governor:

(i) One member representing the securities industry;

(ii) One member representing the insurance industry;

(iii) One member who is a certified financial planner recommended by the national association of insurance and financial advisors of Washington;

(iv) One member representing the interests of small, independent businesses in Washington;

(v) One member representing the interests of minority-owned and women-owned businesses in Washington;

(vi) One member representing the Washington asset building coalition;

(vii) One member representing a retirement advocacy organization;

(viii) One member representing covered employees; and

(ix) One member representing covered employers.

(3) (a) The legislative member from the majority caucus of the house of representatives shall convene the initial meeting of the governing board. The governing board shall choose cochairs selected from the legislative membership for the design stage of the program until July 1, 2027. The governing board shall provide recommendations in the legislative report about who should be the chair of the governing board once the program is operational after July 1, 2027.

(b) After July 1, 2027, the legislative members of the governing board serve in an ex officio, advisory role to the governing board.

(4) Members who are appointed by the governor serve three-year terms and may be appointed for a second three-year term at the discretion of the governor. Members who are appointed by the governor may serve up to two terms over the course of their lifetime. The governor may stagger the terms of the appointed members.

(5) The governing board may appoint work groups to support the design and administration of the program. Work groups do not serve a voting function on the governing board and may include individuals who are not members of the governing board. Any work group established by the governing board is a class one group under RCW 43.03.220. Work group members receive compensation accordingly.

(6) Other state agencies must provide appropriate and reasonable assistance to the program as needed, including gathering data and information, in order for the governing board to carry out the purposes of this chapter. The governing board may reimburse the other state agencies from the administrative account for reasonable expenses incurred in providing appropriate and reasonable assistance.

(7)(a) The governing board must begin meeting in 2025.

(b) The governing board may conduct meetings remotely by teleconference or videoconference, including to obtain a quorum and to take votes on any measure.

(c) Each voting governing board member has one vote. The powers of the governing board must be exercised by a majority of all voting members present at the meeting of the governing board, whether in person or remotely. A quorum is required to convene a meeting of the governing board and to act on any measure before the governing board.

(8) The governing board shall establish, design, develop, implement, maintain, and oversee the program in accordance with this chapter and best practices for retirement saving vehicles.

(9) Staff support for the governing board shall be provided by:

(a) The department of financial institutions, until no later than June 30, 2027; and

(b) The administrative agency, beginning no later than July 1, 2027.

(10) The governing board shall conduct an outreach and education initiative regarding the design and implementation of the program. The governing board shall consult, educate, and receive feedback from covered employers and covered employees regarding the program design and implementation. The outreach and education initiative must ensure that diverse employer and employee communities are consulted, that interpreters are provided, and that written documents and materials are translated. In order to facilitate accessibility for diverse affected businesses and employees, the governing board shall work with the various state commissions to develop culturally and linguistically responsive outreach and education plans.

(11) Regarding investments, the governing board:

(a) Has the sole responsibility for contracting with outside firms to provide

investment management for the program funds and manage the performance of investment managers under those contracts;

(b) Must adopt an investment policy statement and ensure that the investment options offered, including default investment options, are consistent with the objectives of the program. The menu of investment options may encompass a range of risk and return opportunities and must take the following into account:

(i) The nature and objectives of the program;

(ii) The diverse needs of individual participants;

(iii) The desirability of limiting investment choices under the program to a reasonable number; and

(iv) The extensive investment choices available to participants outside of the program.

(12) Regarding the design of the program, the governing board must:

(a) Ensure the program is designed and operated in a manner that will not cause it to be subject to or preempted by the federal employment retirement income security act of 1974, as amended, and that any employer that is not a covered employer shall have no reporting or registration obligation or requirement to take any action under the program other than to claim an exemption from coverage by the program;

(b) Design and operate the program to:

(i) Minimize costs to individual participants, covered employers, and the state;

(ii) Minimize the risk that covered employees will exceed applicable annual contribution limits;

(iii) Facilitate and encourage employee participation in the program and participant saving;

(iv) Maximize simplicity, including ease of administration for covered employers and ease of use for individual participants;

(v) Provide a simple process for covered employees to opt out of the program at any time or modify their payroll deductions;

(vi) Maximize portability of individual accounts;

(vii) Maximize financial security in retirement; and

(viii) Maximize the availability of funds to individual participants with a goal of having funds available within three business days following the remittance of payroll deductions by covered employers, if feasible;

(c) Design the program to be compliant with all applicable requirements under the internal revenue code, including requirements for favorable tax treatment of IRAs, and any other applicable law or regulation;

(d) Consult with the department of financial institutions, the department, the office of minority and women's business enterprises, and the office of the secretary of state to create a strategy to educate and inform covered employers about employer administrative duties under this chapter, including the development of culturally relevant and responsive approaches centered in cultural humility with outreach to employers that are considered socially

vulnerable, historically marginalized, or face cultural or language barriers to participate in workplace retirement savings programs;

(e) Launch the program by July 1, 2027. The board may stagger implementation in stages after that date, which may include phasing in implementation based on the size of employers, or other factors.

(13) The governing board may adopt rules to govern the program, including to govern the following:

(a) Employee registration and enrollment process;

(b) Employee alternative election procedure including, but not limited to, the method in which a participating individual may opt out of participation at any time, change their contribution rate, opt out of auto-escalation, make nonpayroll contributions, and make withdrawals;

(c) Contribution limits, the initial automatic default contribution rate, and the automatic default escalation rate;

(d) Outreach, marketing, and educational initiatives or publication of online resources, encouragement of participation, retirement savings, and sound investment practices. Outreach, marketing, and educational initiatives must promote cultural humility and engage culturally relevant and responsive approaches while including special consideration for socially vulnerable communities historically, or are known to often be, excluded from, marginalized by, or face barriers to participation in workplace retirement savings programs; and

(e) A process in which individuals who are not covered employees may participate in the program, including unemployed individuals, self-employed individuals, and other independent contractors.

(14) The governing board shall develop:

(a) Information regarding the program;

(b) The following disclosures:

(i) A description of the benefits and risks associated with making contributions under the program;

(ii) Instructions about how to obtain additional information about the program;

(iii) A description of the tax consequences of an IRA, which may consist of or include the disclosure statement required to be distributed by the trustee under the internal revenue code and treasury regulations thereunder;

(iv) A statement that covered employees seeking financial advice should contact their own financial advisers, that covered employers are not in a position to provide financial advice, and that covered employers are not liable for decisions covered employees make under this chapter;

(v) A statement that the program is not an employer-sponsored retirement plan;

(vi) A statement that the covered employee's IRA established under the program is not guaranteed by the state;

(vii) A statement that the program is voluntary for covered employees, and a covered employee may opt out of the program at any time; and

(viii) A statement that neither a covered employer nor the state will monitor or has an obligation to monitor the covered

employee's eligibility under the internal revenue code to make contributions to an IRA or to monitor whether the covered employee's contributions to the IRA established for the covered employee exceed the maximum permissible IRA contribution; that it is the covered employee's responsibility to monitor such matters; and that the state, the program, and the covered employer have no liability with respect to any failure of the covered employee to be eligible to make IRA contributions or any contribution in excess of the maximum IRA contribution;

(c) Information, forms, and instructions to be furnished to covered employees, at such times as the governing board determines, that provide the covered employee with the procedures for:

(i) Making contributions to the covered employee's IRA established under the program, including a description of the automatic enrollment rate, the automatic escalation rate and frequency, the right to elect to make no contribution or to change the contribution rate under the program, and how to opt out of the program at any time;

(ii) Making an investment election with respect to the covered employee's IRA established under the program, including a description of the default investment fund; and

(iii) Making transfers, rollovers, withdrawals including instructions on how to access funds, and other distributions from the covered employee's IRA.

(15) The governing board must evaluate options to assist covered employees and employers to identify private sector providers of financial advice, to the extent feasible and unless prohibited by state or federal laws. The governing board must consider options including, but not limited to, a website established and maintained by the governing board.

(16) The governing board may create or enter into, on behalf of the program, a consortium, alliance, joint venture, partnership, compact, or contract with another state or states or their programs or boards.

(17) The governing board must collect administrative fees to defray the costs of administering the program. If the governing board creates or enters into a joint program agreement, as provided in subsection (16) of this section, the rate of the administrative fee for covered employees may not exceed the rate charged to covered employees of another state participating in the same program.

(18) The governing board, its members, and the administrative agency are not individually or collectively insurers of the funds or assets of the investment fund or individual accounts. Neither the governing board nor the administrative agency is liable for the action or inaction of the other.

(19) The governing board, its members, and the administrative agency are not individually or collectively liable to the state, to the fund, or to any other person as a result of their activities as members or staff, whether ministerial or discretionary, except for willful dishonesty or intentional violation of law. The governing board, its members, and the

administrative agency may purchase liability insurance.

(20) The governing board shall submit progress reports to the appropriate committees of the legislature, in accordance with RCW 43.01.036.

(a) The first preliminary report is due December 1, 2025, and must include feedback to the legislature on the proposed timeline set forth under this chapter and progress on outreach initiatives and program implementation.

(b) The final report on program design and implementation recommendations is due December 1, 2026, and must include the following:

(i) A comprehensive summary of outreach activities conducted by the governing board to receive feedback on design elements and implementation for the program, including:

(A) Types of outreach conducted;

(B) Specific calendar dates and time frames in which outreach occurred;

(C) Covered employers and covered employees who were contacted;

(D) Subject matters discussed regarding the program and proposed program structure;

(E) The types of retirement account programs covered employers and covered employees preferred;

(F) Explanations of concerns received during the outreach activities and how those concerns were addressed;

(ii) Recommendations on whether the legislature should make changes to the program's structure or whether any statutory changes need to occur; and

(iii) Recommendations regarding the governing board structure, including who should chair the governing board and what entity should serve as the administrative agency that provides staff support to the governing board once the program is established and operational. The governing board shall consider a potential new agency, an existing state agency, or the office of a stand-alone statewide elected official for the administrative agency.

(c) Annual reports including program updates and program information must begin December 1, 2028, and include information on:

(i) Participation;

(ii) Account performance;

(iii) Board decisions; and

(iv) Any recommendations to the legislature regarding the program.

(21) The governing board may consult with the state investment board and the department of financial institutions regarding program design and implementation.

(22) The governing board shall assure any administrative contract services for the program provide culturally responsive and relevant supports rooted in cultural humility while including special considerations for socially vulnerable communities historically, or are known to often be, excluded from, marginalized by, or face barriers to participation in workplace retirement savings programs.

**NEW SECTION. Sec. 5. INVESTMENT MANAGER—RESPONSIBILITIES.** (1) (a) After consultation with the governing board, the

investment manager may invest funds associated with the program. The investment manager, after consultation with the governing board regarding any recommendations, must provide a set of options for eligible individuals to choose from for self-directed investment. Any self-directed investment options must comply with the internal revenue code.

(b) All investment and operating costs of the investment manager associated with making self-directed investments must be paid by participants and recovered under procedures agreed to by the governing board and the investment manager. All other expenses caused by self-directed investments must be paid by the participant in accordance with the rules established by the governing board. With the exception of these expenses, all earnings from self-directed investments accrue to the individual accounts.

(2) The investment manager must invest and manage the assets entrusted to it:

(a) With reasonable care, skill, prudence, and diligence under circumstances then prevailing which a prudent person acting in a like capacity and familiar with such matters would use to conduct of an activity of like character and purpose; and

(b) In accordance with the investment policy established by the governing board.

(3) The authority to establish all policies relating to implementation, design, and management of the program resides with the governing board.

(4) The investment manager must routinely consult and communicate with the governing board on the investment policy, performance of the accounts, and related needs of the program.

**NEW SECTION. Sec. 6. LABOR AND INDUSTRIES—RESPONSIBILITIES.** (1) The

department has the following responsibilities related to covered employers, as provided in this chapter:

(a) Educate participating employers of their administrative duties under this chapter;

(b) In the case of noncompliance with employer administrative duties, investigate complaints, educate employers about how to come into compliance, and, in the case of willful violations, issue citations and collect penalties;

(c) In the case of impermissible withholding of amounts due to employees, investigate and enforce the complaint as an alleged violation of a wage payment requirement, as defined in RCW 49.48.082; and

(d) Facilitate a process in which employers may appeal complaints.

(2) Collections of unpaid citations assessing civil penalties by the department under this chapter must be made pursuant to RCW 49.48.086.

**NEW SECTION. Sec. 7. LABOR AND INDUSTRIES—COMPLIANCE WITH EMPLOYER ADMINISTRATIVE DUTIES.** (1) Covered employers

shall comply with employer administrative duties provided under this chapter.

(2) If a complainant files a complaint with the department alleging any administrative violation, the department shall investigate the complaint and:

(a) If the complaint is filed before January 1, 2030, offer technical assistance to the employer to bring them into compliance. Civil penalties may not be assessed before January 1, 2030;

(b) If the complaint is filed on or after January 1, 2030, educate the employer on how to come into compliance and, if necessary and as provided in this section, enforce penalties for willful violations.

(3) The department may not investigate any alleged violation of rights that occurred more than three years before the date that the complainant filed the complaint.

(4) (a) If the department finds an employer administrative violation, the department must first provide an educational letter outlining the violations and provide 90 days for the employer to remedy the violations. The employer may ask for an extension for good cause. The department may extend the period by providing written notice to the employee and the employer, specifying the duration of the extension. If the employer fails to remedy the violation within 90 days, the department may issue a citation and notice of assessment with a civil penalty.

(b) Except as provided otherwise in this chapter, the maximum penalty for a first-time willful violation is \$100 and \$250 for a second willful violation. For the purposes of this section, "willful" means a knowing and intentional action that is neither accidental nor the result of a bona fide dispute. For each subsequent willful violation, the employer is subject to a maximum penalty amount of \$500 for each violation.

(c) The department may not assess a civil penalty if the employer reasonably relied on: (i) A rule related to any of the requirements of this chapter; (ii) a written order, ruling, approval, opinion, advice, determination, or interpretation of the director of the department; or (iii) an interpretive or administrative policy issued by the department and filed pursuant to chapter 34.05 RCW. In accordance with the department's retention schedule obligations under chapter 40.14 RCW, the department shall maintain a complete and accurate record of all written orders, rulings, approvals, opinions, advice, determinations, and interpretations for purposes of determining whether an employer is immune from civil penalties under (b) of this subsection.

(5) The department may, at any time, waive or reduce a civil penalty assessed under this section if the director of the department determines that the employer has taken corrective action to resolve the violation.

(6) The department shall deposit all civil penalties paid under this section in the supplemental pension fund established under RCW 51.44.033.

**NEW SECTION. Sec. 8. LABOR AND**

**INDUSTRIES—ADMINISTRATIVE CITATION APPEALS.**

(1) A person, firm, or corporation aggrieved by a citation and notice of assessment by the department under this chapter may appeal the citation and notice of assessment to the director of the department by filing a notice of appeal with the director within 30 days of the department's issuance of the citation and notice of assessment. A citation and notice of assessment not appealed within 30 days is final and binding, and not subject to further appeal.

(2) A notice of appeal filed with the director of the department under this section must state the effectiveness of the citation and notice of assessment pending final review of the appeal by the director as provided for in chapter 34.05 RCW.

(3) Upon receipt of a notice of appeal, the director of the department must assign the hearing to an administrative law judge of the office of administrative hearings to conduct the hearing and issue an initial order. The hearing and review procedures must be conducted in accordance with chapter 34.05 RCW, and the standard of review by the administrative law judge of an appealed citation and notice of assessment must be de novo. Any party who seeks to challenge an initial order must file a petition for administrative review with the director within 30 days after service of the initial order. The director must conduct administrative review in accordance with chapter 34.05 RCW.

(4) The director of the department must issue all final orders after appeal of the initial order. The final order of the director is subject to judicial review in accordance with chapter 34.05 RCW.

(5) Orders that are not appealed within the time period specified in this section and chapter 34.05 RCW are final and binding, and not subject to further appeal.

(6) An employer who fails to allow adequate inspection of records in an investigation by the department under this section within a reasonable time period may not use such records in any appeal under this section to challenge the correctness of any determination by the department of the penalty assessed.

**NEW SECTION. Sec. 9. LABOR AND**

**INDUSTRIES—ENFORCEMENT OF AMOUNTS DUE.**

(1) Employers may not impermissibly withhold any amounts due to the employee related to the employer's obligations under section 3 of this act. If any employee files a complaint with the department alleging that the employer impermissibly withheld any amounts due to the employee related to the employer's obligations under section 3 of this act, the department shall investigate and otherwise enforce the complaint as an alleged violation of a wage payment requirement, as defined in RCW 49.48.082.

(2) During an investigation, if the department discovers information suggesting additional violations of impermissibly withheld amounts due to the employees related to the employer's obligations under section 3 of this act, the department may investigate and take appropriate enforcement

action without any additional complaint. The department may also initiate an investigation on behalf of one or more employees for any such violation when the director otherwise has reason to believe that a violation has occurred or will occur.

(3) The department may conduct a consolidated investigation for any alleged withheld amounts due to the employees related to the employer's obligations under section 3 of this act when there are common questions of law or fact involving the employees. If the department consolidates such matters into a single investigation, it shall provide notice to the employer.

(4) The department may, for the purposes of enforcing this section, issue subpoenas to compel the attendance of witnesses or parties and the production of documents, administer oaths and examine witnesses under oath, take depositions, and seek affidavits or other verifications. The department may require the employer perform a self-audit of any records. The results or conclusions of the self-audit must be provided to the department within a reasonable time. The department must specify the timelines in the self-audit request. The records examined by the employer in order to perform the self-audit must be made available to the department upon request.

(5) Any citation or determination of compliance issued under this section is subject to RCW 49.48.083, 49.48.084, 49.48.085, and 49.48.086.

**NEW SECTION. Sec. 10. PRIVATE AND CONFIDENTIAL INFORMATION.** (1) Any information or records concerning an individual or employer obtained by the administrative agency or the governing board to administer this chapter are private and confidential, except as otherwise provided in this section.

(a) If information provided to the administrative agency or the governing board by a governmental agency is held private and confidential by state or federal law, the administrative agency and the governing board may not release such information, unless otherwise provided in this section.

(b) Information provided to the administrative agency or the governing board by a governmental entity conditioned upon privacy and confidentiality under a provision of law is to be held private and confidential according to the agreement between the administrative agency or the governing board and the other governmental agency, unless otherwise provided in this title.

(2) Persons requesting disclosure of information held by the administrative agency or the governing board under this section must request such disclosure from the governmental agency that provided the information to the administrative agency or the governing board, rather than from the administrative agency or the governing board.

(3) If the governing board creates or enters into, on behalf of the program, a consortium, alliance, joint venture, partnership, compact, or contract with another state or states or their programs or

boards, the laws of the state that is most protective of individual and employer confidentiality governs.

(4) The governing board has the authority to adopt, amend, or rescind rules interpreting and implementing this chapter.

(5)(a) An individual must have access to all records and information concerning that individual held by the administrative agency or the governing board.

(b) An employer must have access to its own records relating to their compliance with the program and any audit conducted or penalty assessed under this chapter.

(c) The administrative agency or the governing board may disclose information and records deemed confidential under this chapter to a third party acting on behalf of an individual or employer that would otherwise be eligible to receive records under this section when the administrative agency or the governing board receives a signed release from the individual or employer. The release must include a statement:

(i) Specifically identifying the information that is to be disclosed;

(ii) The acknowledgment that state government files will be assessed to obtain that information;

(iii) The specific purpose for which the information is sought and a statement that information obtained under the release will only be used for that purpose; and

(iv) Indicating all parties who will receive the information disclosed.

(d) The administrative agency or the governing board may disclose information or records deemed private and confidential under this chapter to any private person or organization, including the trustee, and, by extension, the agents of any private person or organization, when the disclosure is necessary to permit private contracting parties to assist in the operation, management, and implementation of the program. The private person or organization may only use the information or records solely for the purpose for which the information was disclosed and are bound by the same rules of privacy and confidentiality as the administrative agency and the governing board.

(6)(a) A decision under this chapter by the administrative agency, the department, the governing board, or the appeals tribunal may not be deemed private and confidential under this section, unless the decision is based on information obtained in a closed hearing.

(b) Information or records deemed private and confidential under this section must be available to parties to judicial or formal administrative proceedings only upon a written finding by the presiding officer that the need for the information or records in the proceeding outweighs any reasons for the privacy and confidentiality of the information on record.

(7)(a) All private persons, governmental agencies, and organizations authorized to receive information from the administrative agency or the governing board under this chapter have an affirmative duty to prevent unauthorized disclosure of confidential information and are prohibited from



disclosing confidential information unless expressly permitted by this section.

(b) If misuse of an unauthorized disclosure of confidential records or information occurs, all parties who are aware of the violation must inform the administrative agency immediately and must take all reasonable available actions to rectify the disclosure to the administrative agency standards.

(c) The misuse or unauthorized release of records or information deemed private and confidential under this chapter by any private person, governmental agency, or organization will subject the person, governmental agency, or organization to a civil penalty of up to \$20,000 in the first year of the program. Beginning in December of the second year of the program and each December thereafter, the administrative agency must adjust the maximum civil penalty amount by multiplying the current maximum civil penalty by one plus the percentage by which the most current consumer price index available on December 1st of the current year exceeds the consumer price index for the prior 12-month period, and rounding the result to the nearest \$1,000. If an adjustment under this subsection (7)(c) would reduce the maximum civil penalty, the administrative agency must not adjust the maximum civil penalty for use in the following year. Other applicable sanctions under state and federal law also apply.

(d) Suit to enforce this section must be brought by the attorney general and the amount of any penalties collected must be paid into the administrative account created in section 11 of this act. The attorney general may recover reasonable attorneys' fees for any action brought to enforce this section.

(8) This section does not contain a rule of evidence.

**NEW SECTION. Sec. 11. WASHINGTON SAVES ADMINISTRATIVE TREASURY TRUST ACCOUNT.**

(1) The Washington saves administrative treasury trust account is created in the custody of the state treasurer.

(2) Expenditures from the account may be used only for the purposes of administrative and operating expenses of the program established under this chapter.

(3) Only the director of the administrative agency or the director's designee may authorize expenditures from the account. The account is exempt from appropriation and allotment provisions under chapter 43.88 RCW.

(4) The account may receive grants, gifts, or other moneys appropriated for administrative purposes from the state and the federal government.

(5) Any interest incurred by the account will be retained within the account.

**NEW SECTION. Sec. 12. INVESTMENT ACCOUNT.**

(1) The Washington saves investment account is established as a trust, with the governing board created under this chapter as its trustee.

(2)(a) Moneys in the account consist of moneys received from individual participants and participating employers pursuant to

automatic payroll deductions and contributions to savings made under this chapter. The governing board shall determine how the account operates, provided that the account is operated so that the individual accounts established under the program meet the requirements for IRAs under the internal revenue code.

(b) The assets of the account are not state money, common cash, or revenue to the state. Amounts in the account may not be commingled with state funds and the state has no claim to or against, or interest in, such funds.

(3) Disbursements from the account are exempt from appropriations and the allotment provisions of chapter 43.88 RCW. An appropriation is not required for expenditures.

(4) Only the governing board or the governing board's designee may authorize expenditures from the account.

**PART II  
RETIREMENT MARKETPLACE**

**NEW SECTION. Sec. 13.** RCW 43.330.730 (Finding—2015 c 296) is decodified.

**Sec. 14.** RCW 43.330.732 and 2015 c 296 s 2 are each amended to read as follows:

The definitions in this section apply throughout this subchapter unless the context clearly requires otherwise.

(1) "Approved plans" means retirement plans offered by private sector financial services firms that meet the requirements of this chapter to participate in the marketplace.

(2) "Balanced fund" means a mutual fund that has an investment mandate to balance its portfolio holdings. The fund generally includes a mix of stocks and bonds in varying proportions according to the fund's investment outlook.

(3) "Eligible employer" means a self-employed individual, sole proprietor, or an employer with ~~((fewer than))~~ at least one ~~((hundred))~~ qualified employee ~~((s))~~ at the time of enrollment.

(4) "Enrollee" means any employee who is voluntarily enrolled in an approved plan offered by an eligible employer through the Washington small business retirement marketplace.

~~(5) ("myRA" means the myRA retirement program administered by the United States department of the treasury that is available to all employers and employees with no fees or no minimum contribution requirements. A myRA is a Roth IRA option and investments in these accounts are backed by the United States department of the treasury.~~

~~((6))~~ "Participating employer" means any eligible employer with employees enrolled in an approved plan offered through the Washington small business retirement marketplace who chooses to participate in the marketplace and offers approved plans to employees for voluntary enrollment.

~~((7))~~ (6) "Private sector financial services firms" or "financial services firms" mean persons or entities licensed or holding a certificate of authority and in

good standing by either the department of financial institutions or the office of the insurance commissioner and meeting all federal laws and regulations to offer retirement plans.

~~((+8+))~~ (7) "Qualified employee" means those workers who are defined by the federal internal revenue service to be eligible to participate in a specific qualified plan.

~~((+9+))~~ (8) "Target date or other similar fund" means a hybrid mutual fund that automatically resets the asset mix of stocks, bonds, and cash equivalents in its portfolio according to a selected time frame that is appropriate for a particular investor. A target date is structured to address a projected retirement date.

~~((+10+))~~ (9) "Washington small business retirement marketplace" or "marketplace" means the retirement savings program created to connect eligible employers and their employees with approved plans to increase retirement savings.

**Sec. 15.** RCW 43.330.735 and 2017 c 69 s 1 are each amended to read as follows:

(1) The Washington small business retirement marketplace is created.

(2) Prior to connecting any eligible employer with an approved plan in the marketplace, the director shall design a plan for the operation of the marketplace.

(3) The director shall consult with the Washington state department of retirement systems, the Washington state investment board, and the department of financial institutions in designing and managing the marketplace.

(4) The director shall approve for participation in the marketplace all private sector financial services firms ~~((that meet the requirements of)), as defined in~~ RCW 43.330.732 ~~((+7+))~~.

(5) A range of investment options must be provided to meet the needs of investors with various levels of risk tolerance and various ages. The director must approve a diverse array of private retirement plan options that are available to employers on a voluntary basis, including but not limited to life insurance plans that are designed for retirement purposes, and plans for eligible employer participation such as ~~((+a+))~~ a SIMPLE IRA-type plan that provides for employer contributions to participating enrollee accounts ~~((+and (b) a payroll deduction individual retirement account type plan or workplace-based individual retirement accounts open to all workers in which the employer does not contribute to the employees' account))~~.

(6) (a) Prior to approving a plan to be offered on the marketplace, the department must receive verification from the department of financial institutions or the office of the insurance commissioner:

(i) That the private sector financial services firm offering the plan meets the ~~((requirements of))~~ definition in RCW 43.330.732 ~~((+7+))~~; and

(ii) That the plan meets the requirements of this section excluding subsection (9) of this section which is subject to federal laws and regulations.

(b) If the plan includes either life insurance or annuity products, or both, the office of the insurance commissioner may request that the department of financial institutions conduct the plan review as provided in (a)(ii) of this subsection prior to submitting its verification to the department.

(c) The director may remove approved plans that no longer meet the requirements of this chapter.

(7) The financial services firms participating in the marketplace must offer a minimum of two product options: (a) A target date or other similar fund, with asset allocations and maturities designed to coincide with the expected date of retirement and (b) a balanced fund. ~~((The marketplace must offer myRA.))~~

(8) In order for the marketplace to operate, there must be at least two approved plans on the marketplace; however, nothing in this subsection shall be construed to limit the number of private sector financial services firms with approved plans from participating in the marketplace.

(9) Approved plans must meet federal law or regulation for internal revenue service approved retirement plans.

(10) The approved plans must include the option for enrollees to roll pretax contributions into a different individual retirement account or another eligible retirement plan after ceasing participation in a plan approved by the Washington small business retirement marketplace.

(11) Financial services firms selected by the department to offer approved plans on the marketplace may not charge the participating employer an administrative fee and may not charge enrollees more than one hundred basis points in total annual fees and must provide information about their product's historical investment performance. Financial services firms may charge enrollees a de minimis fee for new and/or low balance accounts in amounts negotiated and agreed upon by the department and financial services firms. The director shall limit plans to those with total fees the director considers reasonable based on all the facts and circumstances.

(12) Participation in the Washington small business retirement marketplace is voluntary for both eligible employers and qualified employees.

(13) Enrollment in any approved plan offered in the marketplace is not an entitlement.

### **PART III WASHINGTON SAVES - ADMINISTRATIVE ACCOUNT - RETAIN OWN INTEREST**

**Sec. 16.** RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, 2023 c 170 s 19, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with

moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statuary hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law

enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the pollution liability insurance program trust account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

**Sec. 17.** RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statuary hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and

medical leave insurance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high

occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

#### **PART IV MISCELLANEOUS**

NEW SECTION. **Sec. 18.** Section 16 of this act expires July 1, 2030.

NEW SECTION. **Sec. 19.** (1) Section 16 of this act takes effect July 1, 2024.

(2) Section 17 of this act takes effect July 1, 2030.

NEW SECTION. **Sec. 20.** Sections 1 through 12 of this act constitute a new chapter in Title 19 RCW.

NEW SECTION. **Sec. 21.** If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is inoperative solely to the extent of the conflict, and the finding or determination does not affect the operation of the remainder of this act. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state."

Correct the title.

Representative Reeves moved the adoption of amendment (1263) to the striking amendment (1262):

On page 7, line 17 of the striking amendment, after "2027" insert ". The department of financial institutions may contract with a third-party entity to provide assistance or expertise during the program outreach and education, design, and implementation stage if approved by the governing board"

Representatives Reeves and Robertson spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1263) to the striking amendment (1262) was adopted.

Representatives Santos and Robertson spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (1262), as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Santos and Reeves spoke in favor of the passage of the bill.

Representatives Robertson and Christian spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6069, as amended by the House.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6069, as amended by the House, and the bill passed the House by the following vote: Yeas, 55; Nays, 41; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE SENATE BILL NO. 6069, as amended by the House, having received the necessary constitutional majority, was declared passed.

With the consent of the House, the bills previously acted upon were immediately transmitted to the Senate.

There being no objection, the House reverted to the third order of business.

#### **MESSAGE FROM THE SENATE**

Wednesday, March 6, 2024

Mme. Speaker:

The Senate has passed:

SECOND ENGROSSED HOUSE BILL NO. 1757

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### **MESSAGE FROM THE SENATE**

Wednesday, March 6, 2024

Mme. Speaker:

The Senate receded from its amendment(s) to SUBSTITUTE HOUSE BILL NO. 2147, and passed the bill without said amendments.

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Wednesday, March 6, 2024

Mme. Speaker:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

- ENGROSSED SUBSTITUTE SENATE BILL NO. 5949
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6038
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6175

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Wednesday, March 6, 2024

Mme. Speaker:

The President has signed:

- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5670
- SECOND SUBSTITUTE SENATE BILL NO. 5780
- SUBSTITUTE SENATE BILL NO. 5787
- SUBSTITUTE SENATE BILL NO. 5808
- SENATE BILL NO. 5836
- SENATE BILL NO. 5881
- SENATE BILL NO. 5952
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6068
- SENATE BILL NO. 6094
- SUBSTITUTE SENATE BILL NO. 6106
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6109
- SUBSTITUTE SENATE BILL NO. 6115
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6127
- SUBSTITUTE SENATE BILL NO. 6146
- ENGROSSED SENATE BILL NO. 6151
- SUBSTITUTE SENATE BILL NO. 6197
- SECOND SUBSTITUTE SENATE BILL NO. 6228
- SENATE BILL NO. 6238
- ENGROSSED SENATE BILL NO. 6246
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6251
- SENATE BILL NO. 6308

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Wednesday, March 6, 2024

Mme. Speaker:

The President has signed:

- HOUSE BILL NO. 1054
- SUBSTITUTE HOUSE BILL NO. 1105
- HOUSE BILL NO. 1226
- SUBSTITUTE HOUSE BILL NO. 1241
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1862
- SUBSTITUTE HOUSE BILL NO. 1903
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1998
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2115
- SUBSTITUTE HOUSE BILL NO. 2295
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2321
- SUBSTITUTE HOUSE BILL NO. 2382

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Wednesday, March 6, 2024

Mme. Speaker:

The President has signed:

- SUBSTITUTE SENATE BILL NO. 5857
- SECOND SUBSTITUTE SENATE BILL NO. 5882
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5890
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5891
- SENATE BILL NO. 5904
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5908
- SUBSTITUTE SENATE BILL NO. 5953
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5983
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5985
- SUBSTITUTE SENATE BILL NO. 5986
- SECOND SUBSTITUTE SENATE BILL NO. 6006
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6009
- SUBSTITUTE SENATE BILL NO. 6015

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Wednesday, March 6, 2024

Mme. Speaker:

The President has signed:

- SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5150
- SENATE BILL NO. 5184
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5213
- SUBSTITUTE SENATE BILL NO. 5376
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5424
- SECOND SUBSTITUTE SENATE BILL NO. 5444
- ENGROSSED SENATE BILL NO. 5462
- SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5580
- ENGROSSED SENATE BILL NO. 5592
- ENGROSSED SENATE BILL NO. 5632
- SUBSTITUTE SENATE BILL NO. 5649
- SUBSTITUTE SENATE BILL NO. 5774
- SUBSTITUTE SENATE BILL NO. 5785
- SENATE BILL NO. 5800
- SUBSTITUTE SENATE BILL NO. 5804
- ENGROSSED SENATE BILL NO. 5824
- SECOND SUBSTITUTE SENATE BILL NO. 5825
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5828
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5838

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the seventh order of business.

**THIRD READING****MESSAGE FROM THE SENATE**

Monday, March 4, 2024

Mme. Speaker:

The Senate has passed HOUSE BILL NO. 2454, with the following amendment(s): 2454 AMS FRAM S5701.1

On page 2, line 9, after "January 1," strike "2036" and insert "2028"

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 2454 and advanced the bill, as amended by the Senate, to final passage.

Representatives Ybarra and Berg spoke in favor of the passage of the bill.

**FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2454, as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2454, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Doglio, Pollet, Ramel and Ramos

Excused: Representative Chandler

HOUSE BILL NO. 2454, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO. 1239, with the following amendment(s): 1239-S4.E AMS EDU S5374.1

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 1.** A new section is added to chapter 43.06B RCW to read as follows:

(1) By July 1, 2025, and in compliance with this section, the office of the education ombuds shall create a simple and uniform access point for the receipt of complaints involving the elementary and secondary education system. The purpose of the access point is to provide a single point of entry for complaints to be reported and then referred to the most appropriate individual or entity for dispute resolution at the lowest level of intercession.

(2) Any individual who has firsthand knowledge of a violation of federal, state, or local laws, policies or procedures, or of improper or illegal actions related to elementary or secondary education and performed by an employee, contractor, student, parent or legal guardian of a student, or member of the public may submit a complaint to the office of the education ombuds.

(3)(a) The office shall delineate a complaint resolution and referral process for reports received through the access point. The process must:

(i) Require that the office of the education ombuds assign a unique identifier to a complaint upon receipt before referring the complaint to the appropriate individual or entity for dispute resolution at the lowest level of intercession;

(ii) Link to all existing relevant complaint and investigative processes, such as the special education community complaint process, the discrimination complaint process, the process for reporting complaints related to harassment, intimidation, and bullying, and the complaint and investigation provisions under RCW 28A.410.090 and 28A.410.095; and

(iii) Discourage frivolous complaints and complaints made in bad faith.

(b) The establishment of a process as required in this section does not confer additional authority to the office of the education ombuds to mitigate or oversee disputes.

(4) The office of the education ombuds, in collaboration with the office of the superintendent of public instruction, must develop protocols for the receipt, resolution, and referral of complaints and must design a communications plan to inform individuals who report complaints through the access point about the steps in the complaint resolution and referral process, including when to expect a response from the individual or entity charged with resolving the complaint.

(5) For the purposes of this section, "employee" or "contractor" means employees and contractors of the state educational agencies, educational service districts, public schools as defined in RCW 28A.150.010, the state school for the blind, and the center for deaf and hard of hearing youth.

**NEW SECTION. Sec. 2.** A new section is added to chapter 28A.300 RCW to read as follows:

The office of the superintendent of public instruction shall post on its website a prominent link to the complaint resolution and referral access point maintained by the office of the education ombuds, described in section 1 of this act.

**NEW SECTION. Sec. 3.** A new section is added to chapter 28A.310 RCW to read as follows:

Each educational service district shall post on its website a prominent link to the complaint resolution and referral access point maintained by the office of the education ombuds, described in section 1 of this act.

**Sec. 4.** RCW 28A.600.510 and 2023 c 242 s 6 are each amended to read as follows:

(1) Beginning August 1, 2023, public schools must:

(a) Provide students and their parents or guardians with a description of the services available through the office of the education ombuds and the contact information for the office of the education ombuds at the time of initial enrollment or admission; and

(b) Either: (i) Include on their website a description of the services available through the office of the education ombuds and a prominent link to the ((website of)) complaint resolution and referral access point maintained by the office of the education ombuds, described in section 1 of this act; or (ii) provide a description of the services available through the office of the education ombuds and the contact information for the office of the education ombuds in existing materials that are shared annually with families, students, and school employees, such as welcome packets, orientation guides, and newsletters. This requirement as it relates to students and families may be satisfied by using the model student handbook language in RCW 28A.300.286.

(2) Public schools are encouraged to comply with both subsection (1)(b)(i) and (ii) of this section.

(3) By July 1, 2022, the office of the education ombuds must develop a template of the information described in subsection (1) of this section. The template must be translated into Spanish and into other languages as resources allow. The template must be made available upon request and updated as needed.

(4) For the purposes of this section, "public schools" has the same meaning as in RCW 28A.150.010.

**NEW SECTION. Sec. 5.** (1) The legislature finds that a code of educator ethics is a statement of the values, ethical principles, and ethical standards to which every educator, regardless of role or rank, can aspire. As such, the legislature finds that a code of educator ethics can provide a common statewide framework for supporting Washington educators in the practice of their profession. The legislature does not intend a code of educator ethics to

substitute for or replace an enforceable code of educator conduct.

(2) By September 1, 2025, and in accordance with RCW 43.01.036, the Washington professional educator standards board and the paraeducator board shall jointly report to the appropriate committees of the legislature a summary of their activities under this section, any planned activities by either board related to adopting a code of educator ethics, and any recommendations for legislative action, if necessary, related to state adoption of a code of ethics.

(3) The report must advise the legislature on the following topics:

(a) How a code of educator ethics will support the development of an effective and comprehensive professional educator workforce;

(b) Whether a model code of educator ethics will be adopted or adapted for Washington state, or whether a code of educator ethics unique to Washington state will be developed; and

(c) Any challenges that are anticipated with state adoption of a code of educator ethics.

(4) In meeting the requirements of this section, the Washington professional educator standards board and the paraeducator board must:

(a) Engage with their stakeholders across the professional educator spectrum; and

(b) Review the model code of ethics for educators, second edition, developed by the national association of state directors of teacher education and certification.

(5) As used in this section, "educator" refers to certificated administrative staff, certificated instructional staff, and paraeducators.

(6) This section expires June 30, 2026.

**Sec. 6.** RCW 9A.16.100 and 1986 c 149 s 1 are each amended to read as follows:

(1) It is the policy of this state to protect children from assault and abuse and to encourage parents((~~teachers~~)) and their authorized agents to use methods of correction and restraint of children that are not dangerous to the children. However, the physical discipline of a child is not unlawful when it is reasonable and moderate and is inflicted by a parent((~~teacher~~)) or guardian for purposes of restraining or correcting the child. Any use of force on a child by any other person is unlawful unless it ((~~is~~))either: (a) Is reasonable and moderate and is authorized in advance by the child's parent or guardian for purposes of restraining or correcting the child; or (b) when occurring in an educational setting and involving an educator, actually or substantially complies with limitations on the use of student isolation and restraint under RCW 28A.600.485 including that it is used only when a student's behavior poses an imminent likelihood of serious harm.

(2) The following actions are presumed unreasonable when used to correct or restrain a child: ((~~1~~))(a) Throwing, kicking, burning, or cutting a child; ((~~2~~))(b) striking a child with a closed fist; ((~~3~~))(c) shaking a child under age



three; ~~((4))~~ (d) interfering with a child's breathing; ~~((5))~~ (e) threatening a child with a deadly weapon; or ~~((6))~~ (f) doing any other act that is likely to cause and which does cause bodily harm greater than transient pain or minor temporary marks. The age, size, and condition of the child and the location of the injury shall be considered when determining whether the bodily harm is reasonable or moderate. This list is illustrative of unreasonable actions and is not intended to be exclusive.

NEW SECTION. **Sec. 7.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 3 of the title, after "schools;" strike the remainder of the title and insert "amending RCW 28A.600.510 and 9A.16.100; adding a new section to chapter 43.06B RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.310 RCW; creating new sections; and providing an expiration date."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO. 1239 and advanced the bill, as amended by the Senate, to final passage.

Representatives Santos and Rude spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Fourth Substitute House Bill No. 1239, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Fourth Substitute House Bill No. 1239, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Orcutt and Walsh  
Excused: Representative Chandler

ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO. 1239, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1453, with the following amendment(s): 1453-S AMS ENGR S5517.E

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 69.50.535 and 2022 c 16 s 101 are each amended to read as follows:

(1)(a) There is levied and collected a cannabis excise tax equal to thirty-seven percent of the selling price on each retail sale in this state of cannabis concentrates, useable cannabis, and cannabis-infused products. This tax is separate and in addition to general state and local sales and use taxes that apply to retail sales of tangible personal property, and is not part of the total retail price to which general state and local sales and use taxes apply. The tax must be separately itemized from the state and local retail sales tax on the sales receipt provided to the buyer.

(b) The tax levied in this section must be reflected in the price list or quoted shelf price in the licensed cannabis retail store and in any advertising that includes prices for all useable cannabis, cannabis concentrates, or cannabis-infused products.

(2)(a) Until June 30, 2029, the tax levied by subsection (1) of this section does not apply to sales by a cannabis retailer with a medical cannabis endorsement to qualifying patients or designated providers who have been issued a recognition card, of cannabis concentrates, useable cannabis, or cannabis-infused products, identified by the department as a compliant cannabis product in chapter 246-70 WAC and tested to the standards in WAC 246-70-040.

(b) Each seller making exempt sales under this subsection (2) must maintain information establishing eligibility for the exemption in the form and manner required by the board.

(c) The board must provide a separate tax reporting line on the excise tax form for exemption amounts claimed under this subsection (2).

(3) All revenues collected from the cannabis excise tax imposed under this section must be deposited each day in the dedicated cannabis account.

~~((3))~~ (4) The tax imposed in this section must be paid by the buyer to the seller. Each seller must collect from the buyer the full amount of the tax payable on each taxable sale. The tax collected as required by this section is deemed to be held in trust by the seller until paid to the board. If any seller fails to collect the tax imposed in this section or, having collected the tax, fails to pay it as prescribed by the board, whether such failure is the result of the seller's own acts or the result of acts or conditions beyond the seller's control, the seller is, nevertheless, personally liable to the state for the amount of the tax.

~~((4))~~ (5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) ~~("Board" means the state liquor and cannabis board.~~

~~(b))~~ "Retail sale" has the same meaning as in RCW 82.08.010.

~~((e))~~ (b) "Selling price" has the same meaning as in RCW 82.08.010, except that when product is sold under circumstances where the total amount of consideration paid for the product is not indicative of its true value, "selling price" means the true value of the product sold.

~~((d))~~ (c) "Product" means cannabis, cannabis concentrates, useable cannabis, and cannabis-infused products.

~~((e))~~ (d) "True value" means market value based on sales at comparable locations in this state of the same or similar product of like quality and character sold under comparable conditions of sale to comparable purchasers. However, in the absence of such sales of the same or similar product, true value means the value of the product sold as determined by all of the seller's direct and indirect costs attributable to the product.

~~((5))~~ (6) (a) The board must regularly review the tax level established under this section and make recommendations, in consultation with the department of revenue, to the legislature as appropriate regarding adjustments that would further the goal of discouraging use while undercutting illegal market prices.

(b) The board must report, in compliance with RCW 43.01.036, to the appropriate committees of the legislature every two years. The report at a minimum must include the following:

(i) The specific recommendations required under (a) of this subsection;

(ii) A comparison of gross sales and tax collections prior to and after any cannabis tax change;

(iii) The increase or decrease in the volume of legal cannabis sold prior to and after any cannabis tax change;

(iv) Increases or decreases in the number of licensed cannabis producers, processors, and retailers;

(v) The number of illegal and noncompliant cannabis outlets the board requires to be closed;

(vi) Gross cannabis sales and tax collections in Oregon; and

(vii) The total amount of reported sales and use taxes exempted for qualifying patients. The department of revenue must provide the data of exempt amounts to the board.

(c) The board is not required to report to the legislature as required in (b) of this subsection after January 1, 2025.

~~((6))~~ (7) The legislature does not intend and does not authorize any person or entity to engage in activities or to conspire to engage in activities that would constitute per se violations of state and federal antitrust laws including, but not limited to, agreements among retailers as to the selling price of any goods sold.

NEW SECTION. **Sec. 2.** (1) This section is the tax preference performance statement for the tax preference contained in section 1, chapter . . . , Laws of 2024 (section 1 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or to be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to provide tax relief for certain businesses or individuals, as indicated in RCW 82.32.808(2)(e).

(3) It is the legislature's specific public policy objective to ensure medical cannabis products are accessible and affordable for qualifying patients and designated providers.

(4) The joint legislative audit and review committee must include in its review of this tax preference an evaluation of:

(a) Any change in the number of qualifying patients or designated providers;

(b) Any change in the amount, types, or sales of tax-exempt products, as identified in section 1 of this act; and

(c) Any other information the joint legislative audit and review committee deems necessary to evaluate the tax preference in section 1 of this act.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may access any data collected by the department of health or the liquor and cannabis board or any other data collected by the state.

(6) The joint legislative audit and review committee must submit a report of its findings to the legislature by December 1, 2028."

On page 1, line 2 of the title, after "patients;" strike the remainder of the title and insert "amending RCW 69.50.535; and creating a new section."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1453 and advanced the bill, as amended by the Senate, to final passage.

Representatives Wylie and Orcutt spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1453, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1453, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; Nays, 14; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers,

Chapman, Cheney, Connors, Corry, Cortes, Couture, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Barnard, Caldier, Chopp, Christian, Davis, Dent, Dye, Graham, Hutchins, Mosbrucker, Schmidt, Senn, Volz and Ybarra

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1453, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1493, with the following amendment(s): 1493-S.E AMS ENGR S5448.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 9.94A RCW to read as follows:

(1) An offender is eligible for the special drug offender sentencing alternative for driving under the influence if the offender:

(a) Does not have a prior conviction under RCW 46.61.520, 46.61.522, 46.61.502(6), or 46.61.504(6); and either

(b) Is convicted of felony driving while under the influence of intoxicating liquor, cannabis, or any drug under RCW 46.61.502(6) (a); or

(c) Is convicted of felony physical control of a vehicle while under the influence of intoxicating liquor or any drug under RCW 46.61.504(6) (a).

(2) A motion for a special drug offender sentencing alternative for driving under the influence may be made by the court, the offender, or the state if the midpoint of the standard sentence range is 26 months or less. If an offender has a higher midpoint, a motion for a special drug offender sentencing alternative for driving under the influence can only be made by joint agreement of the state and offender.

(3) If the sentencing court determines that the offender is eligible for an alternative sentence under this section and that the alternative sentence is appropriate, the court shall waive imposition of a sentence within the standard sentence range and:

(a) Impose a sentence equivalent to a prison-based alternative under RCW 9.94A.662, and subject to the same requirements and restrictions as are established in that section, if the low end of the standard sentence range is greater than 24 months; or

(b) Impose a sentence consisting of a residential treatment-based alternative consistent with this section if the low end of the standard sentence range is 24 months or less.

(4) (a) To assist the court in making its determination, the court may order the department to complete either a risk assessment report or a substance use disorder screening report as provided in RCW 9.94A.500, or both.

(b) If the court is considering imposing a sentence under the residential substance use disorder treatment-based alternative, the court may order an examination of the offender by the department. The examination shall, at a minimum, address the following issues:

(i) Whether the offender suffers from a substance use disorder;

(ii) Whether effective treatment for the offender's substance use disorder is available from a provider that has been licensed or certified by the department of health; and

(iii) Whether the offender and the community will benefit from the use of the alternative.

(5) An offender who is eligible for a residential treatment-based alternative under this section shall be sentenced as follows:

(a) If necessary, an indeterminate term of confinement of no more than 30 days in a facility operated, licensed, or utilized under contract, by the county in order to facilitate direct transfer to a residential substance use disorder treatment facility;

(b) Treatment in a residential substance use disorder treatment program licensed or certified by the department of health for a period set by the court up to six months with treatment completion and continued care delivered in accordance with rules established by the department of health. In establishing rules pursuant to this subsection, the department of health must consider criteria established by the American society of addiction medicine;

(c) Twenty-four months of partial confinement to consist of 12 months work release followed by 12 months of home detention with electronic monitoring; and

(d) Twelve months of community custody.

(6) (a) During any period of partial confinement or community custody, the court shall impose treatment and other conditions as provided in RCW 9.94A.703 or as the court considers appropriate.

(b) The department may impose conditions and sanctions as authorized in RCW 9.94A.704 and 9.94A.737.

(c) The department shall, within available resources, make substance use disorder assessment and treatment services available to the offender.

(d) An offender sentenced to community custody under subsection (3) (a) of this section as part of the prison-based alternative or under subsection (3) (b) of this section as part of the residential treatment-based alternative may be required to pay \$30 per month while on community custody to offset the cost of monitoring for alcohol or controlled substances.

(7)(a) If the court imposes a sentence under subsection (3)(b) of this section, the treatment provider must send the treatment plan to the court within 30 days of the offender's arrival to the residential substance use disorder treatment program.

(b) Upon receipt of the plan, the court shall schedule a progress hearing during the period of treatment and schedule a treatment termination hearing for three months before the expiration of the term of community custody.

(c) Before the progress hearing and treatment termination hearing, the treatment provider and the department shall submit written reports to the court and parties regarding the offender's compliance with treatment and monitoring requirements and recommendations regarding termination from treatment.

(8) At a progress hearing or treatment termination hearing, the court may:

(a) Authorize the department to terminate the offender's community custody status on the expiration date determined under subsection (7) of this section;

(b) Continue the hearing to a date before the expiration date of community custody, with or without modifying the conditions of partial confinement or community custody; or

(c) Impose a term of total confinement equal to one-half the midpoint of the standard sentence range, followed by a term of community custody under RCW 9.94A.701.

(9)(a) The court may bring any offender sentenced under subsection (3)(a) or (b) of this section back into court at any time on its own initiative to evaluate the offender's progress in treatment or to determine if any violations of the conditions of the sentence have occurred.

(b) If the offender is brought back to court, the court may modify the conditions of partial confinement or community custody or order the offender to serve a term of total confinement within the standard sentence range of the offender's current offense at any time during the period of partial confinement or community custody if the offender violates the conditions or requirements of the sentence or if the offender is failing to make satisfactory progress in treatment.

(c) An offender ordered to serve a term of total confinement under (b) of this subsection shall receive credit for any time previously served in total confinement or residential treatment under this section and shall receive 50 percent credit for any time previously served in partial confinement or community custody under this section.

(10) In serving a term of community custody imposed upon failure to complete, or administrative termination from, the special drug offender sentencing alternative program for driving under the influence under this section, the offender shall receive no credit for time served in community custody prior to termination of the offender's participation in the program.

(11) An offender sentenced under this section shall be subject to all rules relating to earned release time with respect to any period served in total or partial confinement.

(12) Costs of examinations and preparing the recommended service delivery plans under a special drug offender sentencing alternative for driving under the influence may be paid, at the option of the county, from funds provided to the county from the criminal justice treatment account under RCW 71.24.580.

**Sec. 2.** RCW 9.94A.030 and 2022 c 231 s 11 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the indeterminate sentence review board created under chapter 9.95 RCW.

(2) "Collect," or any derivative thereof, "collect and remit," or "collect and deliver," when used with reference to the department, means that the department, either directly or through a collection agreement authorized by RCW 9.94A.760, is responsible for monitoring and enforcing the offender's sentence with regard to the legal financial obligation, receiving payment thereof from the offender, and, consistent with current law, delivering daily the entire payment to the superior court clerk without depositing it in a departmental account.

(3) "Commission" means the sentencing guidelines commission.

(4) "Community corrections officer" means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(5) "Community custody" means that portion of an offender's sentence of confinement in lieu of earned release time or imposed as part of a sentence under this chapter and served in the community subject to controls placed on the offender's movement and activities by the department.

(6) "Community protection zone" means the area within 880 feet of the facilities and grounds of a public or private school.

(7) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender.

(8) "Confinement" means total or partial confinement.

(9) "Conviction" means an adjudication of guilt pursuant to Title 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and acceptance of a plea of guilty.

(10) "Crime-related prohibition" means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct. However, affirmative acts necessary to monitor compliance with the order of a court may be required by the department.

(11) "Criminal history" means the list of a defendant's prior convictions and juvenile adjudications, whether in this state, in federal court, or elsewhere, and any issued

certificates of restoration of opportunity pursuant to RCW 9.97.020.

(a) The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) A conviction may be removed from a defendant's criminal history only if it is vacated pursuant to RCW 9.96.060, 9.94A.640, 9.95.240, or a similar out-of-state statute, or if the conviction has been vacated pursuant to a governor's pardon. However, when a defendant is charged with a recidivist offense, "criminal history" includes a vacated prior conviction for the sole purpose of establishing that such vacated prior conviction constitutes an element of the present recidivist offense as provided in RCW 9.94A.640(4)(b) and 9.96.060(7)(c).

(c) The determination of a defendant's criminal history is distinct from the determination of an offender score. A prior conviction that was not included in an offender score calculated pursuant to a former version of the sentencing reform act remains part of the defendant's criminal history.

(12) "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage in or have engaged in a pattern of criminal street gang activity. This definition does not apply to employees engaged in concerted activities for their mutual aid and protection, or to the activities of labor and bona fide nonprofit organizations or their members or agents.

(13) "Criminal street gang associate or member" means any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.

(14) "Criminal street gang-related offense" means any felony or misdemeanor offense, whether in this state or elsewhere, that is committed for the benefit of, at the direction of, or in association with any criminal street gang, or is committed with the intent to promote, further, or assist in any criminal conduct by the gang, or is committed for one or more of the following reasons:

(a) To gain admission, prestige, or promotion within the gang;

(b) To increase or maintain the gang's size, membership, prestige, dominance, or control in any geographical area;

(c) To exact revenge or retribution for the gang or any member of the gang;

(d) To obstruct justice, or intimidate or eliminate any witness against the gang or any member of the gang;

(e) To directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage for the gang, its reputation, influence, or membership; or

(f) To provide the gang with any advantage in, or any control or dominance over any criminal market sector, including, but not limited to, manufacturing, delivering, or selling any controlled substance (chapter 69.50 RCW); arson (chapter 9A.48 RCW); trafficking in stolen property (chapter 9A.82 RCW); promoting prostitution (chapter 9A.88 RCW); human trafficking (RCW 9A.40.100); promoting commercial sexual abuse of a minor (RCW 9.68A.101); or promoting pornography (chapter 9.68 RCW).

(15) "Day fine" means a fine imposed by the sentencing court that equals the difference between the offender's net daily income and the reasonable obligations that the offender has for the support of the offender and any dependents.

(16) "Day reporting" means a program of enhanced supervision designed to monitor the offender's daily activities and compliance with sentence conditions, and in which the offender is required to report daily to a specific location designated by the department or the sentencing court.

(17) "Department" means the department of corrections.

(18) "Determinate sentence" means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community custody, the number of actual hours or days of community restitution work, or dollars or terms of a legal financial obligation. The fact that an offender through earned release can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(19) "Disposable earnings" means that part of the earnings of an offender remaining after the deduction from those earnings of any amount required by law to be withheld. For the purposes of this definition, "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonuses, or otherwise, and, notwithstanding any other provision of law making the payments exempt from garnishment, attachment, or other process to satisfy a court-ordered legal financial obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050, or Title 74 RCW.

(20)(a) "Domestic violence" has the same meaning as defined in RCW 10.99.020.

(b) "Domestic violence" also means: (i) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault, sexual assault, or stalking, as defined in RCW 9A.46.110, of one intimate partner by another intimate partner as defined in RCW 10.99.020; or (ii) physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault, sexual assault, or stalking, as defined in RCW 9A.46.110, of one family or household member by another family or household member as defined in RCW 10.99.020.

(21) "Drug offender sentencing alternative" is a sentencing option available to persons convicted of a felony offense who are eligible for the option under RCW 9.94A.660.

(22) "Drug offender sentencing alternative for driving under the influence" is a sentencing option available to persons convicted of felony driving while under the influence of intoxicating liquor or any drug under RCW 46.61.502(6), or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug under RCW 46.61.504(6) who are eligible under section 1 of this act.

(23) "Drug offense" means:

(a) Any felony violation of chapter 69.50 RCW except possession of a controlled substance (RCW 69.50.4013) or forged prescription for a controlled substance (RCW 69.50.403);

(b) Any offense defined as a felony under federal law that relates to the possession, manufacture, distribution, or transportation of a controlled substance; or

(c) Any out-of-state conviction for an offense that under the laws of this state would be a felony classified as a drug offense under (a) of this subsection.

~~((23))~~ (24) "Earned release" means earned release from confinement as provided in RCW 9.94A.728.

~~((24))~~ (25) "Electronic monitoring" means tracking the location of an individual through the use of technology that is capable of determining or identifying the monitored individual's presence or absence at a particular location including, but not limited to:

(a) Radio frequency signaling technology, which detects if the monitored individual is or is not at an approved location and notifies the monitoring agency of the time that the monitored individual either leaves the approved location or tampers with or removes the monitoring device; or

(b) Active or passive global positioning system technology, which detects the location of the monitored individual and notifies the monitoring agency of the monitored individual's location and which may also include electronic monitoring with victim notification technology that is capable of notifying a victim or protected party, either directly or through a monitoring agency, if the monitored individual enters within the restricted distance of a victim or protected party, or within the restricted distance of a designated location.

~~((25))~~ (26) "Escape" means:

(a) Sexually violent predator escape (RCW 9A.76.115), escape in the first degree (RCW 9A.76.110), escape in the second degree (RCW 9A.76.120), willful failure to return from furlough (RCW 72.66.060), willful failure to return from work release (RCW 72.65.070), or willful failure to be available for supervision by the department while in community custody (RCW 72.09.310); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as an escape under (a) of this subsection.

~~((26))~~ (27) "Felony traffic offense" means:

(a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW 46.61.522), eluding a police officer (RCW 46.61.024), felony hit-and-run injury-accident (RCW 46.52.020(4)), felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)), or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a felony traffic offense under (a) of this subsection.

~~((27))~~ (28) "Fine" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specific period of time.

~~((28))~~ (29) "First-time offender" means any person who has no prior convictions for a felony and is eligible for the first-time offender waiver under RCW 9.94A.650.

~~((29))~~ (30) "Home detention" is a subset of electronic monitoring and means a program of partial confinement available to offenders wherein the offender is confined in a private residence 24 hours a day, unless an absence from the residence is approved, authorized, or otherwise permitted in the order by the court or other supervising agency that ordered home detention, and the offender is subject to electronic monitoring.

~~((30))~~ (31) "Homelessness" or "homeless" means a condition where an individual lacks a fixed, regular, and adequate nighttime residence and who has a primary nighttime residence that is:

(a) A supervised, publicly or privately operated shelter designed to provide temporary living accommodations;

(b) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or

(c) A private residence where the individual stays as a transient invitee.

~~((31))~~ (32) "Legal financial obligation" means a sum of money that is ordered by a superior court of the state of Washington for legal financial obligations which may include restitution to the victim, statutorily imposed crime victims' compensation fees as assessed pursuant to RCW 7.68.035, court costs, county or interlocal drug funds, court-appointed attorneys' fees, and costs of defense, fines, and any other financial obligation that is assessed to the offender as a result of a felony conviction. Upon conviction for vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b), or vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a), legal financial obligations may also include payment to a public agency of the expense of an emergency response to the incident resulting in the conviction, subject to RCW 38.52.430.

~~((32))~~ (33) "Most serious offense" means any of the following felonies or a felony

attempt to commit any of the following felonies:

(a) Any felony defined under any law as a class A felony or criminal solicitation of or criminal conspiracy to commit a class A felony;

(b) Assault in the second degree;

(c) Assault of a child in the second degree;

(d) Child molestation in the second degree;

(e) Controlled substance homicide;

(f) Extortion in the first degree;

(g) Incest when committed against a child under age 14;

(h) Indecent liberties;

(i) Kidnapping in the second degree;

(j) Leading organized crime;

(k) Manslaughter in the first degree;

(l) Manslaughter in the second degree;

(m) Promoting prostitution in the first degree;

(n) Rape in the third degree;

(o) Sexual exploitation;

(p) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(q) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(r) Any other class B felony offense with a finding of sexual motivation;

(s) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(t) Any felony offense in effect at any time prior to December 2, 1993, that is comparable to a most serious offense under this subsection, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a most serious offense under this subsection;

(u)(i) A prior conviction for indecent liberties under RCW 9A.44.100(1) (a), (b), and (c), chapter 260, Laws of 1975 1st ex. sess. as it existed until July 1, 1979, RCW 9A.44.100(1) (a), (b), and (c) as it existed from July 1, 1979, until June 11, 1986, and RCW 9A.44.100(1) (a), (b), and (d) as it existed from June 11, 1986, until July 1, 1988;

(ii) A prior conviction for indecent liberties under RCW 9A.44.100(1)(c) as it existed from June 11, 1986, until July 1, 1988, if: (A) The crime was committed against a child under the age of 14; or (B) the relationship between the victim and perpetrator is included in the definition of indecent liberties under RCW 9A.44.100(1)(c) as it existed from July 1, 1988, through July 27, 1997, or RCW 9A.44.100(1) (d) or (e) as it existed from July 25, 1993, through July 27, 1997;

(v) Any out-of-state conviction for a felony offense with a finding of sexual motivation if the minimum sentence imposed was 10 years or more; provided that the out-of-state felony offense must be comparable to a felony offense under this title and Title 9A RCW and the out-of-state definition

of sexual motivation must be comparable to the definition of sexual motivation contained in this section.

~~((33))~~ (34) "Nonviolent offense" means an offense which is not a violent offense.

~~((34))~~ (35) "Offender" means a person who has committed a felony established by state law and is 18 years of age or older or is less than 18 years of age but whose case is under superior court jurisdiction under RCW 13.04.030 or has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. In addition, for the purpose of community custody requirements under this chapter, "offender" also means a misdemeanant or gross misdemeanant probationer ordered by a superior court to probation pursuant to RCW 9.92.060, 9.95.204, or 9.95.210 and supervised by the department pursuant to RCW 9.94A.501 and 9.94A.5011. Throughout this chapter, the terms "offender" and "defendant" are used interchangeably.

~~((35))~~ (36) "Partial confinement" means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, or, if home detention, electronic monitoring, or work crew has been ordered by the court or home detention has been ordered by the department as part of the parenting program or the graduated reentry program, in an approved residence, for a substantial portion of each day with the balance of the day spent in the community. Partial confinement includes work release, home detention, work crew, electronic monitoring, and a combination of work crew, electronic monitoring, and home detention.

~~((36))~~ (37) "Pattern of criminal street gang activity" means:

(a) The commission, attempt, conspiracy, or solicitation of, or any prior juvenile adjudication of or adult conviction of, two or more of the following criminal street gang-related offenses:

(i) Any "serious violent" felony offense as defined in this section, excluding Homicide by Abuse (RCW 9A.32.055) and Assault of a Child 1 (RCW 9A.36.120);

(ii) Any "violent" offense as defined by this section, excluding Assault of a Child 2 (RCW 9A.36.130);

(iii) Deliver or Possession with Intent to Deliver a Controlled Substance (chapter 69.50 RCW);

(iv) Any violation of the firearms and dangerous weapon act (chapter 9.41 RCW);

(v) Theft of a Firearm (RCW 9A.56.300);

(vi) Possession of a Stolen Firearm (RCW 9A.56.310);

(vii) Hate Crime (RCW 9A.36.080);

(viii) Harassment where a subsequent violation or deadly threat is made (RCW 9A.46.020(2)(b));

(ix) Criminal Gang Intimidation (RCW 9A.46.120);

(x) Any felony conviction by a person 18 years of age or older with a special finding of involving a juvenile in a felony offense under RCW 9.94A.833;

(xi) Residential Burglary (RCW 9A.52.025);

(xii) Burglary 2 (RCW 9A.52.030);

(xiii) Malicious Mischief 1 (RCW 9A.48.070);  
 (xiv) Malicious Mischief 2 (RCW 9A.48.080);  
 (xv) Theft of a Motor Vehicle (RCW 9A.56.065);  
 (xvi) Possession of a Stolen Motor Vehicle (RCW 9A.56.068);  
 (xvii) Taking a Motor Vehicle Without Permission 1 (RCW 9A.56.070);  
 (xviii) Taking a Motor Vehicle Without Permission 2 (RCW 9A.56.075);  
 (xix) Extortion 1 (RCW 9A.56.120);  
 (xx) Extortion 2 (RCW 9A.56.130);  
 (xxi) Intimidating a Witness (RCW 9A.72.110);  
 (xxii) Tampering with a Witness (RCW 9A.72.120);  
 (xxiii) Reckless Endangerment (RCW 9A.36.050);  
 (xxiv) Coercion (RCW 9A.36.070);  
 (xxv) Harassment (RCW 9A.46.020); or  
 (xxvi) Malicious Mischief 3 (RCW 9A.48.090);

(b) That at least one of the offenses listed in (a) of this subsection shall have occurred after July 1, 2008;

(c) That the most recent committed offense listed in (a) of this subsection occurred within three years of a prior offense listed in (a) of this subsection; and

(d) Of the offenses that were committed in (a) of this subsection, the offenses occurred on separate occasions or were committed by two or more persons.

~~((37))~~ (38) "Persistent offender" is an offender who:

(a)(i) Has been convicted in this state of any felony considered a most serious offense; and

(ii) Has, before the commission of the offense under (a) of this subsection, been convicted as an offender on at least two separate occasions, whether in this state or elsewhere, of felonies that under the laws of this state would be considered most serious offenses and would be included in the offender score under RCW 9.94A.525; provided that of the two or more previous convictions, at least one conviction must have occurred before the commission of any of the other most serious offenses for which the offender was previously convicted; or

(b)(i) Has been convicted of: (A) Rape in the first degree, rape of a child in the first degree, child molestation in the first degree, rape in the second degree, rape of a child in the second degree, or indecent liberties by forcible compulsion; (B) any of the following offenses with a finding of sexual motivation: Murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, assault of a child in the second degree, or burglary in the first degree; or (C) an attempt to commit any crime listed in this subsection ~~((37))~~ (38) (b)(i); and

(ii) Has, before the commission of the offense under (b)(i) of this subsection, been convicted as an offender on at least one occasion, whether in this state or

elsewhere, of an offense listed in (b)(i) of this subsection or any federal or out-of-state offense or offense under prior Washington law that is comparable to the offenses listed in (b)(i) of this subsection. A conviction for rape of a child in the first degree constitutes a conviction under (b)(i) of this subsection only when the offender was 16 years of age or older when the offender committed the offense. A conviction for rape of a child in the second degree constitutes a conviction under (b)(i) of this subsection only when the offender was 18 years of age or older when the offender committed the offense.

~~((38))~~ (39) "Predatory" means: (a) The perpetrator of the crime was a stranger to the victim, as defined in this section; (b) the perpetrator established or promoted a relationship with the victim prior to the offense and the victimization of the victim was a significant reason the perpetrator established or promoted the relationship; or (c) the perpetrator was: (i) A teacher, counselor, volunteer, or other person in authority in any public or private school and the victim was a student of the school under his or her authority or supervision. For purposes of this subsection, "school" does not include home-based instruction as defined in RCW 28A.225.010; (ii) a coach, trainer, volunteer, or other person in authority in any recreational activity and the victim was a participant in the activity under his or her authority or supervision; (iii) a pastor, elder, volunteer, or other person in authority in any church or religious organization, and the victim was a member or participant of the organization under his or her authority; or (iv) a teacher, counselor, volunteer, or other person in authority providing home-based instruction and the victim was a student receiving home-based instruction while under his or her authority or supervision. For purposes of this subsection: (A) "Home-based instruction" has the same meaning as defined in RCW 28A.225.010; and (B) "teacher, counselor, volunteer, or other person in authority" does not include the parent or legal guardian of the victim.

~~((39))~~ (40) "Private school" means a school regulated under chapter 28A.195 or 28A.205 RCW.

~~((40))~~ (41) "Public school" has the same meaning as in RCW 28A.150.010.

~~((41))~~ (42) "Recidivist offense" means a felony offense where a prior conviction of the same offense or other specified offense is an element of the crime including, but not limited to:

(a) Assault in the fourth degree where domestic violence is pleaded and proven, RCW 9A.36.041(3);

(b) Cyber harassment, RCW 9A.90.120(2)(b)(i);

(c) Harassment, RCW 9A.46.020(2)(b)(i);

(d) Indecent exposure, RCW 9A.88.010(2)(c);

(e) Stalking, RCW 9A.46.110(5)(b)(i) and (iii);

(f) Telephone harassment, RCW 9.61.230(2)(a); and

(g) Violation of a no-contact or protection order, RCW 7.105.450 or former RCW 26.50.110(5).



((42-)) (43) "Repetitive domestic violence offense" means any:

(a)(i) Domestic violence assault that is not a felony offense under RCW 9A.36.041;

(ii) Domestic violence violation of a no-contact order under chapter 10.99 RCW that is not a felony offense;

(iii) Domestic violence violation of a protection order under chapter 26.09, 26.26A, or 26.26B RCW or former chapter 26.50 RCW, or violation of a domestic violence protection order under chapter 7.105 RCW, that is not a felony offense;

(iv) Domestic violence harassment offense under RCW 9A.46.020 that is not a felony offense; or

(v) Domestic violence stalking offense under RCW 9A.46.110 that is not a felony offense; or

(b) Any federal, out-of-state, tribal court, military, county, or municipal conviction for an offense that under the laws of this state would be classified as a repetitive domestic violence offense under (a) of this subsection.

((43-)) (44) "Restitution" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specified period of time as payment of damages. The sum may include both public and private costs.

((44-)) (45) "Risk assessment" means the application of the risk instrument recommended to the department by the Washington state institute for public policy as having the highest degree of predictive accuracy for assessing an offender's risk of reoffense.

((45-)) (46) "Serious traffic offense" means:

(a)(i) Nonfelony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502) (~~(nonfelony)~~);

(ii) Nonfelony actual physical control while under the influence of intoxicating liquor or any drug (RCW 46.61.504) (~~reckless~~);

(iii) Reckless driving (RCW 46.61.500) (~~or hit-and-run~~);

(iv) Negligent driving if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522 while under the influence of intoxicating liquor or any drug (RCW 46.61.5249);

(v) Reckless endangerment if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522 while under the influence of intoxicating liquor or any drug (RCW 9A.36.050); or

(vi) Hit-and-run an attended vehicle (RCW 46.52.020(5)); or

(b) Any federal, out-of-state, county, or municipal conviction for an offense that under the laws of this state would be classified as a serious traffic offense under (a) of this subsection.

(c) This definition applies for the purpose of a personal driver's license only and does not apply to violations related to

a commercial motor vehicle under RCW 46.25.090.

((46-)) (47) "Serious violent offense" is a subcategory of violent offense and means:

(a)(i) Murder in the first degree;

(ii) Homicide by abuse;

(iii) Murder in the second degree;

(iv) Manslaughter in the first degree;

(v) Assault in the first degree;

(vi) Kidnapping in the first degree;

(vii) Rape in the first degree;

(viii) Assault of a child in the first degree; or

(ix) An attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense under (a) of this subsection.

((47-)) (48) "Sex offense" means:

(a)(i) A felony that is a violation of chapter 9A.44 RCW other than RCW 9A.44.132;

(ii) A violation of RCW 9A.64.020;

(iii) A felony that is a violation of chapter 9.68A RCW other than RCW 9.68A.080;

(iv) A felony that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit such crimes; or

(v) A felony violation of RCW 9A.44.132(1) (failure to register as a sex offender) if the person has been convicted of violating RCW 9A.44.132(1) (failure to register as a sex offender) or 9A.44.130 prior to June 10, 2010, on at least one prior occasion;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a sex offense in (a) of this subsection;

(c) A felony with a finding of sexual motivation under RCW 9.94A.835 or 13.40.135; or

(d) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a sex offense under (a) of this subsection.

((48-)) (49) "Sexual motivation" means that one of the purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification.

((49-)) (50) "Standard sentence range" means the sentencing court's discretionary range in imposing a nonappealable sentence.

((50-)) (51) "Statutory maximum sentence" means the maximum length of time for which an offender may be confined as punishment for a crime as prescribed in chapter 9A.20 RCW, RCW 9.92.010, the statute defining the crime, or other statute defining the maximum penalty for a crime.

((51-)) (52) "Stranger" means that the victim did not know the offender 24 hours before the offense.

((52-)) (53) "Total confinement" means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for 24 hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

((53-)) (54) "Transition training" means written and verbal instructions and assistance provided by the department to the

offender during the two weeks prior to the offender's successful completion of the work ethic camp program. The transition training shall include instructions in the offender's requirements and obligations during the offender's period of community custody.

~~((54))~~ (55) "Victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged.

~~((55))~~ (56) "Victim of domestic violence" means an intimate partner or household member who has been subjected to the infliction of physical harm or sexual and psychological abuse by an intimate partner or household member as part of a pattern of assaultive, coercive, and controlling behaviors directed at achieving compliance from or control over that intimate partner or household member. Domestic violence includes, but is not limited to, the offenses listed in RCW 10.99.020 and 26.50.010 committed by an intimate partner or household member against a victim who is an intimate partner or household member.

~~((56))~~ (57) "Victim of sex trafficking, prostitution, or commercial sexual abuse of a minor" means a person who has been forced or coerced to perform a commercial sex act including, but not limited to, being a victim of offenses defined in RCW 9A.40.100, 9A.88.070, 9.68A.101, and the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq.; or a person who was induced to perform a commercial sex act when they were less than 18 years of age including but not limited to the offenses defined in chapter 9.68A RCW.

~~((57))~~ (58) "Victim of sexual assault" means any person who is a victim of a sexual assault offense, nonconsensual sexual conduct, or nonconsensual sexual penetration and as a result suffers physical, emotional, financial, or psychological impacts. Sexual assault offenses include, but are not limited to, the offenses defined in chapter 9A.44 RCW.

~~((58))~~ (59) "Violent offense" means:

(a) Any of the following felonies:

(i) Any felony defined under any law as a class A felony or an attempt to commit a class A felony;

(ii) Criminal solicitation of or criminal conspiracy to commit a class A felony;

(iii) Manslaughter in the first degree;

(iv) Manslaughter in the second degree;

(v) Indecent liberties if committed by forcible compulsion;

(vi) Kidnapping in the second degree;

(vii) Arson in the second degree;

(viii) Assault in the second degree;

(ix) Assault of a child in the second degree;

(x) Extortion in the first degree;

(xi) Robbery in the second degree;

(xii) Drive-by shooting;

(xiii) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner; and

(xiv) Vehicular homicide, when proximately caused by the driving of any

vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under (a) or (b) of this subsection.

~~((59))~~ (60) "Work crew" means a program of partial confinement consisting of civic improvement tasks for the benefit of the community that complies with RCW 9.94A.725.

~~((60))~~ (61) "Work ethic camp" means an alternative incarceration program as provided in RCW 9.94A.690 designed to reduce recidivism and lower the cost of corrections by requiring offenders to complete a comprehensive array of real-world job and vocational experiences, character-building work ethics training, life management skills development, substance abuse rehabilitation, counseling, literacy training, and basic adult education.

~~((61))~~ (62) "Work release" means a program of partial confinement available to offenders who are employed or engaged as a student in a regular course of study at school.

**Sec. 3.** RCW 9.94A.190 and 2018 c 166 s 5 are each amended to read as follows:

(1) A sentence that includes a term or terms of confinement totaling more than one year shall be served in a facility or institution operated, or utilized under contract, by the state, or in home detention pursuant to RCW 9.94A.6551 or the graduated reentry program under RCW 9.94A.733. Except as provided in subsection (3) or (5) of this section, a sentence of not more than one year of confinement shall be served in a facility operated, licensed, or utilized under contract, by the county, or if home detention or work crew has been ordered by the court, in the residence of either the offender or a member of the offender's immediate family.

(2) If a county uses a state partial confinement facility for the partial confinement of a person sentenced to confinement for not more than one year, the county shall reimburse the state for the use of the facility as provided in this subsection. The office of financial management shall set the rate of reimbursement based upon the average per diem cost per offender in the facility. The office of financial management shall determine to what extent, if any, reimbursement shall be reduced or eliminated because of funds provided by the legislature to the department for the purpose of covering the cost of county use of state partial confinement facilities. The office of financial management shall reestablish reimbursement rates each even-numbered year.

(3) A person who is sentenced for a felony to a term of not more than one year,

and who is committed or returned to incarceration in a state facility on another felony conviction, either under the indeterminate sentencing laws, chapter 9.95 RCW, or under this chapter shall serve all terms of confinement, including a sentence of not more than one year, in a facility or institution operated, or utilized under contract, by the state, consistent with the provisions of RCW 9.94A.589.

(4) Notwithstanding any other provision of this section, a sentence imposed pursuant to RCW 9.94A.660 or section 1 of this act which has a standard sentence range of over one year, regardless of length, shall be served in a facility or institution operated, or utilized under contract, by the state.

(5) Sentences imposed pursuant to RCW 9.94A.507 shall be served in a facility or institution operated, or utilized under contract, by the state.

**Sec. 4.** RCW 9.94A.501 and 2021 c 242 s 2 are each amended to read as follows:

(1) The department shall supervise the following offenders who are sentenced to probation in superior court, pursuant to RCW 9.92.060, 9.95.204, or 9.95.210:

(a) Offenders convicted of:

(i) Sexual misconduct with a minor second degree;

(ii) Custodial sexual misconduct second degree;

(iii) Communication with a minor for immoral purposes; and

(iv) Violation of RCW 9A.44.132(2) (failure to register); and

(b) Offenders who have:

(i) A current conviction for a repetitive domestic violence offense where domestic violence has been pleaded and proven after August 1, 2011; and

(ii) A prior conviction for a repetitive domestic violence offense or domestic violence felony offense where domestic violence has been pleaded and proven after August 1, 2011.

(2) Misdemeanor and gross misdemeanor offenders supervised by the department pursuant to this section shall be placed on community custody.

(3) The department shall supervise every felony offender sentenced to community custody pursuant to RCW 9.94A.701 or 9.94A.702 whose risk assessment classifies the offender as one who is at a high risk to reoffend.

(4) Notwithstanding any other provision of this section, the department shall supervise an offender sentenced to community custody regardless of risk classification if the offender:

(a) Has a current conviction for a sex offense or a serious violent offense and was sentenced to a term of community custody pursuant to RCW 9.94A.701, 9.94A.702, or 9.94A.507;

(b) Has been identified by the department as a dangerous mentally ill offender pursuant to RCW 72.09.370;

(c) Has an indeterminate sentence and is subject to parole pursuant to RCW 9.95.017;

(d) Has a current conviction for violating RCW 9A.44.132(1) (failure to

register) and was sentenced to a term of community custody pursuant to RCW 9.94A.701;

(e)(i) Has a current conviction for a domestic violence felony offense where domestic violence has been pleaded and proven after August 1, 2011, and a prior conviction for a repetitive domestic violence offense or domestic violence felony offense where domestic violence was pleaded and proven after August 1, 2011. This subsection (4)(e)(i) applies only to offenses committed prior to July 24, 2015;

(ii) Has a current conviction for a domestic violence felony offense where domestic violence was pleaded and proven. The state and its officers, agents, and employees shall not be held criminally or civilly liable for its supervision of an offender under this subsection (4)(e)(ii) unless the state and its officers, agents, and employees acted with gross negligence;

(f) Was sentenced under RCW 9.94A.650, 9.94A.655, 9.94A.660, 9.94A.670, 9.94A.711, ~~((or))~~ 9.94A.695, or section 1 of this act;

(g) Is subject to supervision pursuant to RCW 9.94A.745; or

(h) Was convicted and sentenced under RCW 46.61.520 (vehicular homicide), RCW 46.61.522 (vehicular assault), RCW 46.61.502(6) (felony DUI), or RCW 46.61.504(6) (felony physical control).

(5) The department shall supervise any offender who is released by the indeterminate sentence review board and who was sentenced to community custody or subject to community custody under the terms of release.

(6) The department is not authorized to, and may not, supervise any offender sentenced to a term of community custody or any probationer unless the offender or probationer is one for whom supervision is required under this section or RCW 9.94A.5011.

(7) The department shall conduct a risk assessment for every felony offender sentenced to a term of community custody who may be subject to supervision under this section or RCW 9.94A.5011.

(8) The period of time the department is authorized to supervise an offender under this section may not exceed the duration of community custody specified under RCW 9.94B.050, 9.94A.701 (1) through (9), or 9.94A.702, except in cases where the court has imposed an exceptional term of community custody under RCW 9.94A.535.

(9) The period of time the department is authorized to supervise an offender under this section may be reduced by the earned award of supervision compliance credit pursuant to RCW 9.94A.717.

**Sec. 5.** RCW 9.94A.505 and 2022 c 260 s 23 are each amended to read as follows:

(1) When a person is convicted of a felony, the court shall impose punishment as provided in this chapter.

(2)(a) The court shall impose a sentence as provided in the following sections and as applicable in the case:

(i) Unless another term of confinement applies, a sentence within the standard sentence range established in RCW 9.94A.510 or 9.94A.517;

(ii) RCW 9.94A.701 and 9.94A.702, relating to community custody;

(iii) RCW 9.94A.570, relating to persistent offenders;

(iv) RCW 9.94A.540, relating to mandatory minimum terms;

(v) RCW 9.94A.650, relating to the first-time offender waiver;

(vi) RCW 9.94A.660, relating to the drug offender sentencing alternative;

(vii) Section 1 of this act, relating to the drug offender sentencing alternative for driving under the influence;

(viii) RCW 9.94A.670, relating to the special sex offender sentencing alternative;

~~((viii))~~ (ix) RCW 9.94A.655, relating to the parenting sentencing alternative;

~~((ix))~~ (x) RCW 9.94A.695, relating to the mental health sentencing alternative;

~~((x))~~ (xi) RCW 9.94A.507, relating to certain sex offenses;

~~((xi))~~ (xii) RCW 9.94A.535, relating to exceptional sentences;

~~((xii))~~ (xiii) RCW 9.94A.589, relating to consecutive and concurrent sentences;

~~((xiii))~~ (xiv) RCW 9.94A.603, relating to felony driving while under the influence of intoxicating liquor or any drug and felony physical control of a vehicle while under the influence of intoxicating liquor or any drug;

~~((xiv))~~ (xv) RCW 9.94A.711, relating to the theft or taking of a motor vehicle.

(b) If a standard sentence range has not been established for the offender's crime, the court shall impose a determinate sentence which may include not more than one year of confinement; community restitution work; a term of community custody under RCW 9.94A.702 not to exceed one year; and/or other legal financial obligations. The court may impose a sentence which provides more than one year of confinement and a community custody term under RCW 9.94A.701 if the court finds reasons justifying an exceptional sentence as provided in RCW 9.94A.535.

(3) If the court imposes a sentence requiring confinement of 30 days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than 30 days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

(4) If a sentence imposed includes payment of a legal financial obligation, it shall be imposed as provided in RCW 9.94A.750, 9.94A.753, and 9.94A.760.

(5) Except as provided under RCW 9.94A.750(4) and 9.94A.753(4), a court may not impose a sentence providing for a term of confinement or community custody that exceeds the statutory maximum for the crime as provided in chapter 9A.20 RCW.

(6) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(7) The sentencing court shall not give the offender credit for any time the offender was required to comply with an electronic monitoring program prior to

sentencing if the offender was convicted of one of the following offenses:

- (a) A violent offense;
- (b) Any sex offense;
- (c) Any drug offense;
- (d) Reckless burning in the first or second degree as defined in RCW 9A.48.040 or 9A.48.050;
- (e) Assault in the third degree as defined in RCW 9A.36.031;
- (f) Assault of a child in the third degree;
- (g) Unlawful imprisonment as defined in RCW 9A.40.040; or
- (h) Harassment as defined in RCW 9A.46.020.

(8) The court shall order restitution as provided in RCW 9.94A.750 and 9.94A.753.

(9) As a part of any sentence, the court may impose and enforce crime-related prohibitions and affirmative conditions as provided in this chapter. "Crime-related prohibitions" may include a prohibition on the use or possession of alcohol or controlled substances if the court finds that any chemical dependency or substance abuse contributed to the offense.

(10) In any sentence of partial confinement, the court may require the offender to serve the partial confinement in work release, in a program of home detention, on work crew, or in a combined program of work crew and home detention.

**Sec. 6.** RCW 9.94A.525 and 2023 c 415 s 2 are each amended to read as follows:

The offender score is measured on the horizontal axis of the sentencing grid. The offender score rules are as follows:

The offender score is the sum of points accrued under this section rounded down to the nearest whole number.

(1)(a) A prior conviction is a conviction which exists before the date of sentencing for the offense for which the offender score is being computed. Convictions entered or sentenced on the same date as the conviction for which the offender score is being computed shall be deemed "other current offenses" within the meaning of RCW 9.94A.589.

(b) For the purposes of this section, adjudications of guilt pursuant to Title 13 RCW which are not murder in the first or second degree or class A felony sex offenses may not be included in the offender score.

(2)(a) Class A and sex prior felony convictions shall always be included in the offender score.

(b) Class B prior felony convictions other than sex offenses shall not be included in the offender score, if since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender had spent ~~((ten))~~ 10 consecutive years in the community without committing any crime that subsequently results in a conviction.

(c) Except as provided in (e) of this subsection, class C prior felony convictions other than sex offenses shall not be included in the offender score if, since the last date of release from confinement (including full-time residential treatment)

pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender had spent five consecutive years in the community without committing any crime that subsequently results in a conviction.

(d) Except as provided in (e) of this subsection, serious traffic convictions shall not be included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a conviction, if any, or entry of judgment and sentence, the offender spent five years in the community without committing any crime that subsequently results in a conviction.

(e) If the present conviction is felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)) or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)), all predicate crimes for the offense as defined by RCW 46.61.5055(14) shall be included in the offender score, and prior convictions for felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)) or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)) shall always be included in the offender score. All other convictions of the defendant shall be scored according to this section.

(f) Prior convictions for a repetitive domestic violence offense, as defined in RCW 9.94A.030, shall not be included in the offender score if, since the last date of release from confinement or entry of judgment and sentence, the offender had spent ~~(ten)~~ 10 consecutive years in the community without committing any crime that subsequently results in a conviction.

(g) This subsection applies to both prior adult convictions and prior juvenile adjudications.

(3) Out-of-state convictions for offenses shall be classified according to the comparable offense definitions and sentences provided by Washington law. Federal convictions for offenses shall be classified according to the comparable offense definitions and sentences provided by Washington law. Neither out-of-state or federal convictions which would have been presumptively adjudicated in juvenile court under Washington law may be included in the offender score unless they are comparable to murder in the first or second degree or a class A felony sex offense. If there is no clearly comparable offense under Washington law or the offense is one that is usually considered subject to exclusive federal jurisdiction, the offense shall be scored as a class C felony equivalent if it was a felony under the relevant federal statute.

(4) Score prior convictions for felony anticipatory offenses (attempts, criminal solicitations, and criminal conspiracies) the same as if they were convictions for completed offenses.

(5)(a) In the case of multiple prior convictions, for the purpose of computing the offender score, count all convictions separately, except:

(i) Prior offenses which were found, under RCW 9.94A.589(1)(a), to encompass the

same criminal conduct, shall be counted as one offense, the offense that yields the highest offender score. The current sentencing court shall determine with respect to other prior adult offenses for which sentences were served concurrently or prior juvenile offenses for which sentences were served consecutively, whether those offenses shall be counted as one offense or as separate offenses using the "same criminal conduct" analysis found in RCW 9.94A.589(1)(a), and if the court finds that they shall be counted as one offense, then the offense that yields the highest offender score shall be used. The current sentencing court may presume that such other prior offenses were not the same criminal conduct from sentences imposed on separate dates, or in separate counties or jurisdictions, or in separate complaints, indictments, or informations;

(ii) In the case of multiple prior convictions for offenses committed before July 1, 1986, for the purpose of computing the offender score, count all convictions or adjudications served concurrently as one offense. Use the conviction for the offense that yields the highest offender score.

(b) As used in this subsection (5), "served concurrently" means that: (i) The latter sentence was imposed with specific reference to the former; (ii) the concurrent relationship of the sentences was judicially imposed; and (iii) the concurrent timing of the sentences was not the result of a probation or parole revocation on the former offense.

(6) If the present conviction is one of the anticipatory offenses of criminal attempt, solicitation, or conspiracy, count each prior conviction as if the present conviction were for a completed offense. When these convictions are used as criminal history, score them the same as a completed crime.

(7) If the present conviction is for a nonviolent offense and not covered by subsection (11), (12), or (13) of this section, count one point for each adult prior felony conviction and one point for each juvenile prior violent felony conviction which is scorable under subsection (1)(b) of this section.

(8) If the present conviction is for a violent offense and not covered in subsection (9), (10), (11), (12), or (13) of this section, count two points for each prior adult violent felony conviction and juvenile violent felony conviction which is scorable under subsection (1)(b) of this section, and one point for each prior adult nonviolent felony conviction.

(9) If the present conviction is for a serious violent offense, count three points for prior adult convictions and juvenile convictions which are scorable under subsection (1)(b) of this section for crimes in this category, two points for each prior adult and scorable juvenile violent conviction (not already counted), and one point for each prior adult nonviolent felony conviction.

(10) If the present conviction is for Burglary 1, count prior convictions as in subsection (8) of this section; however

count two points for each prior Burglary 2 or residential burglary conviction.

(11) If the present conviction is for a felony traffic offense count two points for each prior conviction for Vehicular Homicide or Vehicular Assault; for each felony offense count one point for each adult prior conviction and 1/2 point for each juvenile prior conviction which is scorable under subsection (1)(b) of this section; for each serious traffic offense, other than those used for an enhancement pursuant to RCW 46.61.520(2), count one point for each adult prior conviction and 1/2 point for each juvenile prior conviction which is scorable under subsection (1)(b) of this section; count one point for each adult prior conviction for operation of a vessel while under the influence of intoxicating liquor or any drug; count one point for a deferred prosecution granted under chapter 10.05 RCW for a second or subsequent violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance.

(12) If the present conviction is for homicide by watercraft or assault by watercraft count two points for each adult prior conviction for homicide by watercraft or assault by watercraft; for each felony offense count one point for each adult prior conviction and 1/2 point for each juvenile prior conviction which would be scorable under subsection (1)(b) of this section; count one point for each adult prior conviction for driving under the influence of intoxicating liquor or any drug, actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, or operation of a vessel while under the influence of intoxicating liquor or any drug.

(13) If the present conviction is for manufacture of methamphetamine count three points for each adult prior manufacture of methamphetamine conviction. If the present conviction is for a drug offense and the offender has a criminal history that includes a sex offense or serious violent offense, count three points for each adult prior felony drug offense conviction. All other felonies are scored as in subsection (8) of this section if the current drug offense is violent, or as in subsection (7) of this section if the current drug offense is nonviolent.

(14) If the present conviction is for Escape from Community Custody, RCW 72.09.310, count only adult prior escape convictions in the offender score. Count prior escape convictions as one point.

(15) If the present conviction is for Escape 1, RCW 9A.76.110, or Escape 2, RCW 9A.76.120, count adult prior convictions as one point and juvenile prior convictions which are scorable under subsection (1)(b) of this section as 1/2 point.

(16) If the present conviction is for Burglary 2 or residential burglary, count priors as in subsection (7) of this section; however, count two points for each prior Burglary 1 conviction, and two points for each prior Burglary 2 or residential burglary conviction.

(17) If the present conviction is for a sex offense, count priors as in subsections (7) through (11) and (13) through (16) of

this section; however, count three points for each adult prior sex offense conviction and juvenile prior class A felony sex offense adjudication.

(18) If the present conviction is for failure to register as a sex offender under RCW 9A.44.130 or 9A.44.132, count priors as in subsections (7) through (11) and (13) through (16) of this section; however, count three points for each adult prior sex offense conviction and juvenile prior sex offense conviction which is scorable under subsection (1)(b) of this section, excluding adult prior convictions for failure to register as a sex offender under RCW 9A.44.130 or 9A.44.132, which shall count as one point.

(19) If the present conviction is for an offense committed while the offender was under community custody, add one point. For purposes of this subsection, community custody includes community placement or postrelease supervision, as defined in chapter 9.94B RCW.

(20) If the present conviction is for Theft of a Motor Vehicle, Possession of a Stolen Vehicle, Taking a Motor Vehicle Without Permission 1, or Taking a Motor Vehicle Without Permission 2, count priors as in subsections (7) through (18) of this section; however count one point for prior convictions of Vehicle Prowling 2, and three points for each adult prior Theft 1 (of a motor vehicle), Theft 2 (of a motor vehicle), Possession of Stolen Property 1 (of a motor vehicle), Possession of Stolen Property 2 (of a motor vehicle), Theft of a Motor Vehicle, Possession of a Stolen Vehicle, Taking a Motor Vehicle Without Permission 1, or Taking a Motor Vehicle Without Permission 2 conviction.

(21) If the present conviction is for a felony domestic violence offense where domestic violence as defined in RCW 9.94A.030 was pleaded and proven, count priors as in subsections (7) through (20) of this section; however, count points as follows:

(a) Count two points for each adult prior conviction where domestic violence as defined in RCW 9.94A.030 was pleaded and proven after August 1, 2011, for any of the following offenses: A felony violation of a no-contact or protection order (RCW 7.105.450 or former RCW 26.50.110), felony Harassment (RCW 9A.46.020(2)(b)), felony Stalking (RCW 9A.46.110(5)(b)), Burglary 1 (RCW 9A.52.020), Kidnapping 1 (RCW 9A.40.020), Kidnapping 2 (RCW 9A.40.030), Unlawful imprisonment (RCW 9A.40.040), Robbery 1 (RCW 9A.56.200), Robbery 2 (RCW 9A.56.210), Assault 1 (RCW 9A.36.011), Assault 2 (RCW 9A.36.021), Assault 3 (RCW 9A.36.031), Arson 1 (RCW 9A.48.020), or Arson 2 (RCW 9A.48.030);

(b) Count two points for each adult prior conviction where domestic violence as defined in RCW 9.94A.030 was pleaded and proven after July 23, 2017, for any of the following offenses: Assault of a child in the first degree, RCW 9A.36.120; Assault of a child in the second degree, RCW 9A.36.130; Assault of a child in the third degree, RCW 9A.36.140; Criminal Mistreatment in the first degree, RCW 9A.42.020; or Criminal

Mistreatment in the second degree, RCW 9A.42.030; and

(c) Count one point for each adult prior conviction for a repetitive domestic violence offense as defined in RCW 9.94A.030, where domestic violence as defined in RCW 9.94A.030, was pleaded and proven after August 1, 2011.

(22) The fact that a prior conviction was not included in an offender's offender score or criminal history at a previous sentencing shall have no bearing on whether it is included in the criminal history or offender score for the current offense. Prior convictions that were not counted in the offender score or included in criminal history under repealed or previous versions of the sentencing reform act shall be included in criminal history and shall count in the offender score if the current version of the sentencing reform act requires including or counting those convictions. Prior convictions that were not included in criminal history or in the offender score shall be included upon any resentencing to ensure imposition of an accurate sentence.

**Sec. 7.** RCW 9.94A.633 and 2021 c 242 s 4 are each amended to read as follows:

(1)(a) An offender who violates any condition or requirement of a sentence may be sanctioned by the court with up to ~~((sixty))~~ 60 days' confinement for each violation or by the department with up to ~~((thirty))~~ 30 days' confinement as provided in RCW 9.94A.737.

(b) In lieu of confinement, an offender may be sanctioned with work release, home detention with electronic monitoring, work crew, community restitution, inpatient treatment, daily reporting, curfew, educational or counseling sessions, supervision enhanced through electronic monitoring, or any other community-based sanctions.

(2) If an offender was under community custody pursuant to one of the following statutes, the offender may be sanctioned as follows:

(a) If the offender was transferred to community custody in lieu of earned early release in accordance with RCW 9.94A.728, the offender may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.

(b) If the offender was sentenced under the drug offender sentencing alternative set out in RCW 9.94A.660, the offender may be sanctioned in accordance with that section.

(c) If the offender was sentenced under the drug offender sentencing alternative for driving under the influence set out in section 1 of this act, the offender may be sanctioned in accordance with that section.

(d) If the offender was sentenced under the parenting sentencing alternative set out in RCW 9.94A.655, the offender may be sanctioned in accordance with that section.

~~((+d))~~ (e) If the offender was sentenced under the special sex offender sentencing alternative set out in RCW 9.94A.670, the suspended sentence may be revoked and the

offender committed to serve the original sentence of confinement.

~~((+e))~~ (f) If the offender was sentenced under the mental health sentencing alternative set out in RCW 9.94A.695, the offender may be sanctioned in accordance with that section.

~~((+f))~~ (g) If the offender was sentenced to a work ethic camp pursuant to RCW 9.94A.690, the offender may be reclassified to serve the unexpired term of his or her sentence in total confinement.

~~((+g))~~ (h) If a sex offender was sentenced pursuant to RCW 9.94A.507, the offender may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.

(3) If a probationer is being supervised by the department pursuant to RCW 9.92.060, 9.95.204, or 9.95.210, the probationer may be sanctioned pursuant to subsection (1) of this section. The department shall have authority to issue a warrant for the arrest of an offender who violates a condition of community custody, as provided in RCW 9.94A.716. Any sanctions shall be imposed by the department pursuant to RCW 9.94A.737. Nothing in this subsection is intended to limit the power of the sentencing court to respond to a probationer's violation of conditions.

(4) The parole or probation of an offender who is charged with a new felony offense may be suspended and the offender placed in total confinement pending disposition of the new criminal charges if:

(a) The offender is on parole pursuant to RCW 9.95.110(1); or

(b) The offender is being supervised pursuant to RCW 9.94A.745 and is on parole or probation pursuant to the laws of another state.

**Sec. 8.** RCW 9.94A.6332 and 2021 c 242 s 5 are each amended to read as follows:

The procedure for imposing sanctions for violations of sentence conditions or requirements is as follows:

(1) If the offender was sentenced under the drug offender sentencing alternative, any sanctions shall be imposed by the department or the court pursuant to RCW 9.94A.660.

(2) If the offender was sentenced under the drug offender sentencing alternative for driving under the influence, any sanctions shall be imposed by the department or the court pursuant to section 1 of this act.

(3) If the offender was sentenced under the special sex offender sentencing alternative, any sanctions shall be imposed by the department or the court pursuant to RCW 9.94A.670.

~~((+3))~~ (4) If the offender was sentenced under the parenting sentencing alternative, any sanctions shall be imposed by the department or by the court pursuant to RCW 9.94A.655.

~~((+4))~~ (5) If the offender was sentenced under the mental health sentencing alternative, any sanctions shall be imposed

by the department or the court pursuant to RCW 9.94A.695.

~~((5))~~ (6) If a sex offender was sentenced pursuant to RCW 9.94A.507, any sanctions shall be imposed by the board pursuant to RCW 9.95.435.

~~((6))~~ (7) If the offender was released pursuant to RCW 9.94A.730, any sanctions shall be imposed by the board pursuant to RCW 9.95.435.

~~((7))~~ (8) If the offender was sentenced pursuant to RCW 10.95.030 ~~((3))~~ (2) or 10.95.035, any sanctions shall be imposed by the board pursuant to RCW 9.95.435.

~~((9))~~ (9) In any other case, if the offender is being supervised by the department, any sanctions shall be imposed by the department pursuant to RCW 9.94A.737. If a probationer is being supervised by the department pursuant to RCW 9.92.060, 9.95.204, or 9.95.210, upon receipt of a violation hearing report from the department, the court retains any authority that those statutes provide to respond to a probationer's violation of conditions.

~~((9))~~ (10) If the offender is not being supervised by the department, any sanctions shall be imposed by the court pursuant to RCW 9.94A.6333.

**Sec. 9.** RCW 9.94A.660 and 2021 c 215 s 102 are each amended to read as follows:

(1) An offender is eligible for the special drug offender sentencing alternative if:

(a) The offender is convicted of a felony that is not a violent offense and the violation does not involve a sentence enhancement under RCW 9.94A.533 (3) or (4);

(b) The offender is convicted of a felony that is not a felony driving while under the influence of intoxicating liquor or any drug under RCW 46.61.502(6) or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug under RCW 46.61.504(6);

(c) The offender has no current or prior convictions for a sex offense for which the offender is currently or may be required to register pursuant to RCW 9A.44.130;

(d) The offender has no prior convictions in this state, and no prior convictions for an equivalent out-of-state or federal offense, for the following offenses during the following time frames:

(i) Robbery in the second degree that did not involve the use of a firearm and was not reduced from robbery in the first degree within seven years before conviction of the current offense; or

(ii) Any other violent offense within ~~((ten))~~ 10 years before conviction of the current offense;

(e) For a violation of the uniform controlled substances act under chapter 69.50 RCW or a criminal solicitation to commit such a violation under chapter 9A.28 RCW, the offense involved only a small quantity of the particular controlled substance as determined by the judge upon consideration of such factors as the weight, purity, packaging, sale price, and street value of the controlled substance;

(f) The offender has not been found by the United States attorney general to be

subject to a deportation detainer or order and does not become subject to a deportation order during the period of the sentence; and

(g) The offender has not received a drug offender sentencing alternative under this section, or a drug offender sentencing alternative for driving under the influence under section 1 of this act, more than once in the prior ~~((ten))~~ 10 years before the current offense.

(2) A motion for a special drug offender sentencing alternative may be made by the court, the offender, or the state.

(3) If the sentencing court determines that the offender is eligible for an alternative sentence under this section and that the alternative sentence is appropriate, the court shall waive imposition of a sentence within the standard sentence range and impose a sentence consisting of either a prison-based alternative under RCW 9.94A.662 or a residential substance use disorder treatment-based alternative under RCW 9.94A.664. The residential substance use disorder treatment-based alternative is only available if the midpoint of the standard sentence range is ~~((twenty-six))~~ 26 months or less.

(4) (a) To assist the court in making its determination, the court may order the department to complete either or both a risk assessment report and a substance use disorder screening report as provided in RCW 9.94A.500.

(b) To assist the court in making its determination in domestic violence cases, the court shall order the department to complete a presentence investigation and a chemical dependency screening report as provided in RCW 9.94A.500, unless otherwise specifically waived by the court.

(5) If the court is considering imposing a sentence under the residential substance use disorder treatment-based alternative, the court may order an examination of the offender by the department. The examination must be performed by an agency licensed or certified by the department of health to provide substance use disorder services. The examination shall, at a minimum, address the following issues:

(a) Whether the offender suffers from a substance use disorder;

(b) ~~((Whether the substance use disorder is such that there is a probability that criminal behavior will occur in the future;~~

~~((e)))~~ Whether effective treatment for the offender's substance use disorder is available from a provider that has been licensed or certified by the department of health, and where applicable, whether effective domestic violence perpetrator treatment is available from a state-certified domestic violence treatment provider pursuant to RCW 43.20A.735; and

~~((d))~~ (c) Whether the offender and the community will benefit from the use of the alternative.

(6) When a court imposes a sentence of community custody under this section:

(a) The court may impose conditions as provided in RCW 9.94A.703 and may impose other affirmative conditions as the court considers appropriate. In addition, an offender may be required to pay ~~((thirty~~



~~dollars~~) \$30 per month while on community custody to offset the cost of monitoring for alcohol or controlled substances, or in cases of domestic violence for monitoring with global positioning system technology for compliance with a no-contact order.

(b) The department may impose conditions and sanctions as authorized in RCW 9.94A.704 and 9.94A.737.

(7)(a) The court may bring any offender sentenced under this section back into court at any time on its own initiative to evaluate the offender's progress in treatment or to determine if any violations of the conditions of the sentence have occurred.

(b) If the offender is brought back to court, the court may modify the conditions of the community custody or impose sanctions under (c) of this subsection.

(c) The court may order the offender to serve a term of total confinement within the standard sentence range of the offender's current offense at any time during the period of community custody if the offender violates the conditions or requirements of the sentence or if the offender is failing to make satisfactory progress in treatment.

(d) An offender ordered to serve a term of total confinement under (c) of this subsection shall receive credit for time previously served in total or partial confinement and inpatient treatment under this section, and shall receive ~~((fifty))~~ 50 percent credit for time previously served in community custody under this section.

(8) In serving a term of community custody imposed upon failure to complete, or administrative termination from, the special drug offender sentencing alternative program, the offender shall receive no credit for time served in community custody prior to termination of the offender's participation in the program.

(9) An offender sentenced under this section shall be subject to all rules relating to earned release time with respect to any period served in total confinement.

(10) The Washington state institute for public policy shall submit a report to the governor and the appropriate committees of the legislature by November 1, 2022, analyzing the effectiveness of the drug offender sentencing alternative in reducing recidivism among various offender populations. An additional report is due November 1, 2028, and every five years thereafter. The Washington state institute for public policy may coordinate with the department and the caseload forecast council in tracking data and preparing the report.

**Sec. 10.** RCW 9.94A.701 and 2021 c 242 s 6 are each amended to read as follows:

(1) If an offender is sentenced to the custody of the department for one of the following crimes, the court shall, in addition to the other terms of the sentence, sentence the offender to community custody for three years:

(a) A sex offense not sentenced under RCW 9.94A.507; or

(b) A serious violent offense.

(2) A court shall, in addition to the other terms of the sentence, sentence an

offender to community custody for ~~((eighteen))~~ 18 months when the court sentences the person to the custody of the department for a violent offense that is not considered a serious violent offense.

(3) A court shall, in addition to the other terms of the sentence, sentence an offender to community custody for one year when the court sentences the person to the custody of the department for:

(a) Any crime against persons under RCW 9.94A.411(2);

(b) An offense involving the unlawful possession of a firearm under RCW 9.41.040, where the offender is a criminal street gang member or associate;

(c) A felony offense under chapter 69.50 or 69.52 RCW, committed on or after July 1, 2000; or

(d) A felony violation of RCW 9A.44.132(1) (failure to register) that is the offender's first violation for a felony failure to register.

(4) If an offender is sentenced under the drug offender sentencing alternative, the court shall impose community custody as provided in:

(a) RCW 9.94A.660 and 9.94A.662 for a prison-based drug offender sentencing alternative;

(b) RCW 9.94A.660 and 9.94A.664 for a residential-based drug offender sentencing alternative;

(c) RCW 9.94A.662 and section 1(6) of this act for a prison-based drug offender sentencing alternative for driving under the influence; and

(d) Section 1 (5) and (6) of this act for a residential-based drug offender sentencing alternative for driving under the influence.

(5) If an offender is sentenced under the special sex offender sentencing alternative, the court shall impose community custody as provided in RCW 9.94A.670.

(6) If an offender is sentenced to a work ethic camp, the court shall impose community custody as provided in RCW 9.94A.690.

(7) If an offender is sentenced under the parenting sentencing alternative, the court shall impose a term of community custody as provided in RCW 9.94A.655.

(8) If the offender is sentenced under the mental health sentencing alternative, the court shall impose a term of community custody as provided in RCW 9.94A.695.

(9) If a sex offender is sentenced as a nonpersistent offender pursuant to RCW 9.94A.507, the court shall impose community custody as provided in that section.

(10) The term of community custody specified by this section shall be reduced by the court whenever an offender's standard sentence range term of confinement in combination with the term of community custody exceeds the statutory maximum for the crime as provided in RCW 9A.20.021.

**Sec. 11.** RCW 10.05.010 and 2019 c 263 s 701 are each amended to read as follows:

(1) In a court of limited jurisdiction a person charged with a misdemeanor or gross misdemeanor may petition the court to be considered for a deferred prosecution ~~((program))~~. The petition shall be filed with the court at least seven days before

the date set for trial but, upon a written motion and affidavit establishing good cause for the delay and failure to comply with this section, the court may waive this requirement subject to the defendant's reimbursement to the court of the witness fees and expenses due for subpoenaed witnesses who have appeared on the date set for trial. A person charged with a misdemeanor or gross misdemeanor shall not be eligible for a deferred prosecution unless the court makes specific findings pursuant to RCW 10.05.020.

(2) ~~A person charged with a ((traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW, or a misdemeanor or gross misdemeanor domestic violence offense,)) violation of RCW 46.61.502 or 46.61.504 shall not be eligible for a deferred prosecution ((program)) unless the court makes specific findings pursuant to RCW 10.05.020. A person ((may not participate in a deferred prosecution program for a traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW if he or she has participated in a deferred prosecution program for a prior traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW, and a person may not participate in a deferred prosecution program for a misdemeanor or gross misdemeanor domestic violence offense if he or she has participated in a deferred prosecution program for a prior domestic violence offense)) who petitions the court for the deferred prosecution and participates in the deferred prosecution under this chapter for his or her first violation of RCW 46.61.502 or 46.61.504 is eligible to petition the court for a second deferred prosecution for the person's next violation of RCW 46.61.502 or 46.61.504 when the person has no other prior convictions defined as a "prior offense" under RCW 46.61.5055. The person's first deferred prosecution shall not be considered a prior offense for the purpose of granting a second deferred prosecution. Separate offenses committed more than seven days apart may not be consolidated in a single program.~~

(3) A person charged with a misdemeanor or a gross misdemeanor under chapter 9A.42 RCW shall not be eligible for a deferred prosecution ((program)) unless the court makes specific findings pursuant to RCW 10.05.020. Such person shall not be eligible for a deferred prosecution ((program)) more than once.

(4) A person is not eligible for a deferred prosecution ((program)) if the misdemeanor or gross misdemeanor domestic violence offense was originally charged as a felony offense in superior court.

(5) A person may petition a court for a second deferred prosecution while still under the jurisdiction of a court for the person's first deferred prosecution; however, the first deferred prosecution shall be revoked prior to the entry of the second deferred prosecution.

(6) A person may not be on two deferred prosecutions at the same time unless separate offenses are committed within seven days of each other and the person petitions to consolidate each offense into a single deferred prosecution.

(7) A person charged with a misdemeanor or gross misdemeanor for a violation of RCW 46.61.502 or 46.61.504 who does not participate in a deferred prosecution for his or her first violation of RCW 46.61.502 or 46.61.504 remains eligible to petition the court for a deferred prosecution pursuant to the terms of this section and specific findings made under RCW 10.05.020. Such person shall not be eligible for a deferred prosecution more than once.

**Sec. 12.** RCW 10.05.015 and 2019 c 263 s 702 are each amended to read as follows:

At the time of arraignment a person charged with a violation of RCW 46.61.502 or 46.61.504 or a misdemeanor or gross misdemeanor domestic violence offense may be given a statement by the court that explains the availability, operation, and effects of the deferred prosecution ((program)).

**Sec. 13.** RCW 10.05.020 and 2021 c 215 s 115 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the petitioner shall allege under oath in the petition that the wrongful conduct charged is the result of or caused by substance use disorders or mental ((problems)) health disorders or domestic violence behavior problems for which the person is in need of treatment and unless treated the probability of future recurrence is great, along with a statement that the person agrees to pay the cost of a diagnosis and treatment of the alleged problem or problems if financially able to do so. The petition shall also contain a case history and written assessment prepared by an approved ((substance use disorder treatment program)) behavioral health agency, approved for mental health services or substance use disorder services, as designated in chapter 71.24 RCW ((if the petition alleges a substance use disorder, by an approved mental health center if the petition alleges a mental problem,)) or by a state-certified domestic violence treatment provider pursuant to RCW 43.20A.735 ((if the petition alleges a domestic violence behavior problem)).

(2) In the case of a petitioner charged with a misdemeanor or gross misdemeanor under chapter 9A.42 RCW, the petitioner shall allege under oath in the petition that the petitioner is the natural or adoptive parent of the alleged victim; that the wrongful conduct charged is the result of parenting problems for which the petitioner is in need of services; that the petitioner is in need of child welfare services under chapter 74.13 RCW to improve his or her parenting skills in order to better provide his or her child or children with the basic necessities of life; that the petitioner wants to correct his or her conduct to reduce the likelihood of harm to his or her minor children; that in the absence of child welfare services the petitioner may be unable to reduce the likelihood of harm to his or her minor children; and that the petitioner has cooperated with the department of ((social and health services)) children, youth, and families to develop a plan to receive appropriate child

welfare services; along with a statement that the person agrees to pay the cost of the services if he or she is financially able to do so. The petition shall also contain a case history and a written service plan from the department of ~~((social and health services))~~ children, youth, and families.

(3) Before entry of an order deferring prosecution, a petitioner shall be advised of his or her rights as an accused and execute, as a condition of receiving treatment, a statement that contains: (a) An acknowledgment of his or her rights; (b) an acknowledgment and waiver of the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in his or her defense, and the right to a jury trial; (c) a stipulation to the admissibility and sufficiency of the facts contained in the written police report; and (d) an acknowledgment that the statement will be entered and used to support a finding of guilty if the court finds cause to revoke the order granting deferred prosecution. The petitioner shall also be advised that he or she may, if he or she proceeds to trial and is found guilty, be allowed to seek suspension of some or all of the fines and incarceration that may be ordered upon the condition that he or she seek treatment and, further, that he or she may seek treatment from public and private agencies at any time without regard to whether or not he or she is found guilty of the offense charged. He or she shall also be advised that the court will not accept a petition for deferred prosecution from a person who: (i) Sincerely believes that he or she is innocent of the charges; (ii) sincerely believes that he or she does not, in fact, suffer from ~~((alcoholism, drug addiction, mental problems))~~ a substance use disorder, a mental health disorder, or domestic violence behavior problems; or (iii) in the case of a petitioner charged under chapter 9A.42 RCW, sincerely believes that he or she does not need child welfare services.

(4) Before entering an order deferring prosecution, the court shall make specific findings that: (a) The petitioner has stipulated to the admissibility and sufficiency of the facts as contained in the written police report; (b) the petitioner has acknowledged the admissibility of the stipulated facts in any criminal hearing on the underlying offense or offenses held subsequent to revocation of the order granting deferred prosecution; (c) the petitioner has acknowledged and waived the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in his or her defense, and the right to a jury trial; and (d) the petitioner's statements were made knowingly and voluntarily. Such findings shall be included in the order granting deferred prosecution.

**Sec. 14.** RCW 10.05.030 and 2023 c 102 s 17 are each amended to read as follows:

The arraigning judge upon consideration of the petition may continue the arraignment

and refer such person for a diagnostic investigation and evaluation to:

(1) ~~((An approved substance use disorder treatment program))~~ A state-approved behavioral health agency, approved for substance use disorder services, as designated in chapter 71.24 RCW if the petition alleges a substance use disorder;

(2) ~~((An approved mental health center))~~ A state-approved behavioral health agency, approved for mental health services, as designated in chapter 71.24 RCW, if the petition alleges a mental ~~((problem))~~ health disorder;

(3) The department of ~~((social and health services))~~ children, youth, and families if the petition is brought under RCW 10.05.020(2); or

(4) An approved state-certified domestic violence treatment provider pursuant to RCW 43.20A.735 if the petition alleges a domestic violence behavior problem.

**Sec. 15.** RCW 10.05.040 and 2018 c 201 s 9005 are each amended to read as follows:

The program to which such person is referred, or the department of ~~((social and health services))~~ children, youth, and families if the petition is brought under RCW 10.05.020(2), shall conduct an investigation and examination to determine:

(1) Whether the person suffers from the problem described;

(2) Whether the problem is such that if not treated, or if no child welfare services are provided, there is a probability that similar misconduct will occur in the future;

(3) Whether extensive and long term treatment is required;

(4) Whether effective treatment or child welfare services for the person's problem are available; and

(5) Whether the person is ~~((amenable))~~: (a) Amenable to treatment as demonstrated by (i) completion of residential treatment; (ii) completion of a minimum of 18 hours of intensive outpatient treatment, for substance use disorder petitions; (iii) completion of a minimum of six mental health sessions, for mental health disorder petitions; or (iv) completion of a minimum of six domestic violence treatment sessions for domestic violence petitions; or (b) willing to cooperate with child welfare services. The requirement for completing a minimum number of sessions may be waived if the court finds good cause.

**Sec. 16.** RCW 10.05.050 and 2018 c 201 s 9006 are each amended to read as follows:

(1) The program, or the department of ~~((social and health services))~~ children, youth, and families if the petition is brought under RCW 10.05.020(2), shall make a written report to the court stating its findings and recommendations after the examination required by RCW 10.05.040. If its findings and recommendations support treatment or the implementation of a child welfare service plan, it shall also recommend a treatment or service plan setting out:

- (a) The type;
- (b) Nature;
- (c) Length;

(d) A treatment or service time schedule; and

(e) Approximate cost of the treatment or child welfare services.

(2) In the case of a child welfare service plan, the plan shall be designed in a manner so that a parent who successfully completes the plan will not be likely to withhold the basic necessities of life from his or her child.

(3) The report with the treatment or service plan shall be filed with the court and a copy given to the petitioner and petitioner's counsel. A copy of the treatment or service plan shall be given to the prosecutor by petitioner's counsel at the request of the prosecutor. The evaluation facility, or the department of ~~((social and health services))~~ children, youth, and families if the petition is brought under RCW 10.05.020(2), making the written report shall append to the report a commitment by the treatment program or the department of ~~((social and health services))~~ children, youth, and families that it will provide the treatment or child welfare services in accordance with this chapter. The facility or the service provider shall agree to provide the court with a statement ~~((every three months for the first year and every six months for the second year))~~ monthly regarding (a) the petitioner's cooperation with the treatment or child welfare service plan proposed and (b) the petitioner's progress or failure in treatment or child welfare services. These statements shall be made as a declaration by the person who is personally responsible for providing the treatment or services.

**Sec. 17.** RCW 10.05.060 and 2009 c 135 s 1 are each amended to read as follows:

If the report recommends treatment, the court shall examine the treatment plan. If it approves the plan and the petitioner agrees to comply with its terms and conditions and agrees to pay the cost thereof, if able to do so, or arrange for the treatment, an entry shall be made upon the person's court docket showing that the person has been accepted for deferred prosecution. A copy of the treatment plan shall be filed with the court. If the charge be one that an abstract of the docket showing the charge, the date of the violation for which the charge was made, and the date of petitioner's acceptance is required to be sent to the department of licensing, an abstract shall be sent, and the department of licensing shall make an entry of the charge and of the petitioner's acceptance for deferred prosecution on the department's driving record of the petitioner. The entry is not a conviction for purposes of Title 46 RCW. Upon receipt of the abstract of the docket, the department shall issue notice that 45 days after receipt, the petitioner must apply for a probationary license in accordance with RCW 46.20.355, and the petitioner's driver's license shall be on probationary status for five years from the date of the violation that gave rise to the charge. The department shall maintain the record ((for ten years from date of entry of the order granting

~~deferred prosecution))~~ consistent with the requirements of RCW 46.01.260.

**Sec. 18.** RCW 10.05.090 and 2010 c 269 s 10 are each amended to read as follows:

If a petitioner, who has been accepted for a deferred prosecution, fails or neglects to carry out and fulfill any term or condition of the petitioner's treatment plan or any term or condition imposed in connection with the installation of an interlock or other device under RCW 46.20.720, the facility, center, institution, or agency administering the treatment or the entity administering the use of the device, shall immediately report such breach to the court, the prosecutor, and the petitioner or petitioner's attorney of record, together with its recommendation. The court upon receiving such a report shall hold a hearing to determine whether the petitioner should be removed from the deferred prosecution ~~((program))~~. At the hearing, evidence shall be taken of the petitioner's alleged failure to comply with the treatment plan or device installation and the petitioner shall have the right to present evidence on his or her own behalf. The court shall either order that the petitioner continue on the treatment plan or be removed from deferred prosecution. If removed from deferred prosecution, the court shall enter judgment pursuant to RCW 10.05.020 and, if the charge for which the deferred prosecution was granted was a misdemeanor or gross misdemeanor under Title 46 RCW, shall notify the department of licensing of the removal and entry of judgment.

**Sec. 19.** RCW 10.05.100 and 1998 c 208 s 2 are each amended to read as follows:

If a petitioner is subsequently convicted of a similar offense that was committed while the petitioner was in a deferred prosecution ~~((program))~~, upon notice the court shall remove the petitioner's docket from the deferred prosecution file and the court shall enter judgment pursuant to RCW 10.05.020.

**Sec. 20.** RCW 10.05.120 and 2019 c 263 s 705 are each amended to read as follows:

(1) Three years after receiving proof of successful completion of the ~~((two-year))~~ approved treatment ~~((program))~~ plan, and following proof to the court that the petitioner has complied with the conditions imposed by the court following successful completion of the ~~((two-year))~~ approved treatment ~~((program))~~ plan, but not before five years following entry of the order of deferred prosecution pursuant to a petition brought under RCW 10.05.020(1), the court shall dismiss the charges pending against the petitioner.

(2) When a deferred prosecution is ordered pursuant to a petition brought under RCW 10.05.020(2) and the court has received proof that the petitioner has successfully completed the child welfare service plan, or the plan has been terminated because the alleged victim has reached his or her majority and there are no other minor

children in the home, the court shall dismiss the charges pending against the petitioner: PROVIDED, That in any case where the petitioner's parental rights have been terminated with regard to the alleged victim due to abuse or neglect that occurred during the pendency of the deferred prosecution, the termination shall be per se evidence that the petitioner did not successfully complete the child welfare service plan.

~~((3) When a deferred prosecution is ordered for a petition brought under RCW 10.05.020(1) involving a domestic violence behavior problem and the court has received proof that the petitioner has successfully completed the domestic violence treatment plan, the court shall dismiss the charges pending against the petitioner.))~~

**Sec. 21.** RCW 10.05.140 and 2019 c 263 s 706 are each amended to read as follows:

(1) As a condition of granting a deferred prosecution petition for a violation of RCW 46.61.502 or 46.61.504, the court shall order that the petitioner shall not operate a motor vehicle upon the public highways without a valid operator's license and proof of liability insurance. The amount of liability insurance shall be established by the court at not less than that established by RCW 46.29.490. As a condition of granting a deferred prosecution petition on any ~~((alcohol dependency))~~ substance use disorder-based case, the court shall also order the installation of an ignition interlock under RCW 46.20.720. The required periods of use of the interlock shall be not less than the periods provided for in RCW 46.20.720. As a condition of granting a deferred prosecution petition, the court may order the petitioner to make restitution and to pay costs as defined in RCW 10.01.160. To help ensure continued sobriety and reduce the likelihood of reoffense, the court may order reasonable conditions during the period of the deferred prosecution including, but not limited to, attendance at self-help recovery support groups for ~~((alcoholism or drugs))~~ substance use disorder, complete abstinence from alcohol and all nonprescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law-abiding behavior. The court may terminate the deferred prosecution ~~((program))~~ upon violation of the deferred prosecution order.

(2) As a condition of granting a deferred prosecution petition for a case involving a domestic violence behavior problem:

(a) The court shall order the petitioner not to possess firearms and order the petitioner to surrender firearms under RCW 9.41.800; and

(b) The court may order the petitioner to make restitution and to pay costs as defined in RCW 10.01.160. In addition, to help ensure continued sobriety and reduce the likelihood of reoffense in co-occurring domestic violence and substance ~~((abuse))~~ use disorder or mental health disorder cases, the court may order reasonable conditions during the period of the deferred prosecution including, but not limited to, attendance at self-help recovery support groups for ~~((alcoholism or drugs))~~ substance

use disorder, complete abstinence from alcohol and all nonprescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law-abiding behavior. The court may terminate the deferred prosecution ~~((program))~~ upon violation of the deferred prosecution order.

**Sec. 22.** RCW 10.05.150 and 2016 sp.s. c 29 s 527 are each amended to read as follows:

(1) A deferred prosecution ~~((program))~~ for ~~((alcoholism))~~ either substance use disorder or mental health co-occurring disorder shall be for a two-year period and shall include, but not be limited to, the following requirements:

~~((1))~~ (a) Total abstinence from alcohol and all other nonprescribed mind-altering drugs;

~~((2))~~ Participation in an intensive inpatient or intensive outpatient program in a state-approved substance use disorder treatment program;

(3) Participation in a minimum of two meetings per week of an alcoholism self-help recovery support group, as determined by the assessing agency, for the duration of the treatment program;

(4) Participation in an alcoholism self-help recovery support group, as determined by the assessing agency, from the date of court approval of the plan to entry into intensive treatment;

(5) Not less than weekly approved outpatient counseling, group or individual, for a minimum of six months following the intensive phase of treatment;

(6) Not less than monthly outpatient contact, group or individual, for the remainder of the two-year deferred prosecution period;

(7) The decision to include the use of prescribed drugs, including disulfiram, as a condition of treatment shall be reserved to the treating facility and the petitioner's physician;

~~((8))~~ (b) All treatment within the purview of this section shall occur within or be approved by a state-approved ~~((substance use disorder treatment program))~~ behavioral health agency as described in chapter ~~((70.96A))~~ 71.24 RCW;

~~((9))~~ (c) Signature of the petitioner agreeing to the terms and conditions of the treatment program;

(d) Periodic, random urinalysis or breath analysis;

(e) If the petitioner fails to remain abstinent, a full substance use disorder reassessment and recommended treatment;

(f) No less than weekly approved outpatient counseling, whether group or individual, for a minimum of six months following the intensive phase of treatment;

(g) No less than monthly outpatient contact, whether group or individual, for the remainder of the two-year deferred prosecution period; and

(h) The decision to include the use of prescribed drugs, including disulfiram, as a condition of treatment shall be reserved to the treating facility and the petitioner's physician.

(2) A deferred prosecution for substance use disorder shall include the following requirements:

(a) Completion of an intensive outpatient treatment program or residential inpatient treatment program, depending on the severity of the diagnosis; and

(b) Participation in a minimum of two meetings per week of a substance use disorder self-help recovery support group, as determined by the assessing agency, for the duration of the treatment program.

(3) A deferred prosecution for mental health co-occurring disorder shall include the following requirements:

(a) Completion of the requirements described in subsection (2) of this section, or completion of an outpatient program as determined by the petitioner's diagnostic evaluation; and

(b) Completion of individual or group mental health services.

**Sec. 23.** RCW 10.05.155 and 2019 c 263 s 708 are each amended to read as follows:

A deferred prosecution (~~(program)~~) for domestic violence behavior, or domestic violence co-occurring with substance abuse or mental health, must include, but is not limited to, the following requirements:

(1) Completion of a risk assessment;

(2) Participation in the level of treatment recommended by the program as outlined in the current treatment plan;

(3) Compliance with the contract for treatment;

(4) Participation in any ancillary or co-occurring treatments that are determined to be necessary for the successful completion of the domestic violence intervention treatment including, but not limited to, mental health or substance use treatment;

(5) Domestic violence intervention treatment within the purview of this section to be completed with a state-certified domestic violence intervention treatment program;

(6) Signature of the petitioner agreeing to the terms and conditions of the treatment program;

(7) Proof of compliance with any active order to surrender weapons issued in this program or related civil protection orders or no-contact orders.

**NEW SECTION. Sec. 24.** A new section is added to chapter 10.05 RCW to read as follows:

A deferred prosecution for mental health disorder where the wrongful conduct did not involve, and was not caused by, alcohol, drugs, or a substance use disorder, shall include treatment recommended by a state-approved mental health provider.

**Sec. 25.** RCW 10.05.170 and 1991 c 247 s 2 are each amended to read as follows:

As a condition of granting deferred prosecution, the court may order supervision of the petitioner during the period of deferral and may levy a monthly assessment upon the petitioner as provided in RCW 10.64.120. In a jurisdiction with a probation department, the court may appoint

the probation department to supervise the petitioner. In a jurisdiction without a probation department, the court may appoint an appropriate person or agency to supervise the petitioner. A supervisor appointed under this section shall be required to do at least the following:

(1) If the charge for which deferral is granted relates to operation of a motor vehicle, at least once every ~~((six))~~ three months request ~~((from the department of licensing))~~ an abstract of the petitioner's driving record; ~~((and))~~

(2) At least once every month make contact with the petitioner ~~((or with any agency to which the petitioner has been directed for treatment as a part of the deferral))~~ until treatment is completed;

(3) Review the petitioner's criminal history at a minimum of every 90 days until the end of the deferral period; and

(4) Report known violations of supervision or law and noncompliance with conditions of the deferred prosecution to the court within five business days or as soon as practicable.

**Sec. 26.** RCW 46.20.355 and 2020 c 330 s 8 are each amended to read as follows:

(1) Upon receipt of an abstract indicating a deferred prosecution has been granted under RCW 10.05.060, or upon receipt of a notice of conviction of RCW 46.61.502 or 46.61.504, the department of licensing shall issue notice that 45 days after receipt, the person must apply for a probationary license, and order the person to surrender any nonprobationary Washington state driver's license that may be in his or her possession. ((The department shall revoke the license, permit, or privilege to drive of any person who fails to surrender it as required by this section for one year, unless the license has been previously surrendered to the department, a law enforcement officer, or a court, or the person has completed an affidavit of lost, stolen, destroyed, or previously surrendered license, such revocation to take effect thirty days after notice is given of the requirement for license surrender.))

(2) The department shall place a person's driving privilege in probationary status as required by RCW 10.05.060 or 46.61.5055 for a period of five years from the date the probationary status is required to go into effect.

(3) Following receipt of an abstract indicating a deferred prosecution has been granted under RCW 10.05.060, or upon reinstatement or reissuance of a driver's license suspended or revoked as the result of a conviction of RCW 46.61.502 or 46.61.504, the department shall require the person to obtain a probationary license in order to operate a motor vehicle in the state of Washington, except as otherwise exempt under RCW 46.20.025. The department shall not issue the probationary license unless the person is otherwise qualified for licensing, and the person must renew the probationary license on the same cycle as the person's regular license would have been renewed until the expiration of the five-

year probationary status period imposed under subsection (2) of this section.

(4) If a person is eligible for full credit under RCW 46.61.5055(9)(b)(ii) and, by the date specified in the notice issued under RCW 46.20.245, has completed the requirements under RCW 46.20.311 and paid the fee under subsection (5) of this section, the department shall issue a probationary license on the date specified in the notice with no further action required of the person.

(5) For each original issue or renewal of a probationary license under this section, the department shall charge a fee of ~~((fifty dollars))~~ \$50 in addition to any other licensing fees required. Except for when renewing a probationary license, the department shall waive the requirement to obtain an additional probationary license and the ~~((fifty dollar))~~ \$50 fee if the person has a probationary license in his or her possession at the time a new probationary license is required.

(6) A probationary license shall enable the department and law enforcement personnel to determine that the person is on probationary status. The fact that a person's driving privilege is in probationary status or that the person has been issued a probationary license shall not be a part of the person's record that is available to insurance companies.

**Sec. 27.** RCW 46.20.385 and 2020 c 330 s 9 are each amended to read as follows:

(1)(a) Any person licensed under this chapter or who has a valid driver's license from another state, who is convicted of: (i) A violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance, or (ii) a violation of RCW 46.61.520(1)(a) or an equivalent local or out-of-state statute or ordinance, or (iii) a conviction for a violation of RCW 46.61.520(1)(b) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520(1)(a), or (iv) RCW 46.61.522(1)(b) or an equivalent local or out-of-state statute or ordinance, or (v) RCW 46.61.522(1)(a) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522(1)(b) committed while under the influence of intoxicating liquor or any drug, or (vi) who has had or will have his or her license suspended, revoked, or denied under RCW 46.20.3101, or has had his or her license suspended, revoked, or denied under RCW 46.61.5055(11)(c)(i), or who is otherwise permitted under subsection (8) of this section, may submit to the department an application for an ignition interlock driver's license. The department, upon receipt of the prescribed fee and upon determining that the petitioner is eligible to receive the license, may issue an ignition interlock driver's license.

(b) A person may apply for an ignition interlock driver's license anytime, including immediately after receiving the notices under RCW 46.20.308 or after his or her license is suspended, revoked, or denied.

(c) An applicant under this subsection shall provide proof to the satisfaction of the department that a functioning ignition interlock device has been installed on all vehicles operated by the person.

(i) The department shall require the person to maintain the device on all vehicles operated by the person and shall restrict the person to operating only vehicles equipped with the device, for the remainder of the period of suspension, revocation, or denial, unless otherwise permitted under RCW 46.20.720(6).

(ii) Subject to any periodic renewal requirements established by the department under this section and subject to any applicable compliance requirements under this chapter or other law, an ignition interlock driver's license granted upon a suspension or revocation under RCW 46.61.5055 or 46.20.3101 extends through the remaining portion of any concurrent or consecutive suspension or revocation that may be imposed as the result of administrative action and criminal conviction arising out of the same incident.

(2) An applicant for an ignition interlock driver's license who qualifies under subsection (1) of this section is eligible to receive a license only if the applicant files satisfactory proof of financial responsibility under chapter 46.29 RCW.

(3) Upon receipt of evidence that a holder of an ignition interlock driver's license granted under this subsection no longer has a functioning ignition interlock device installed on all vehicles operated by the driver, the director shall give written notice by first-class mail to the driver that the ignition interlock driver's license shall be canceled. If at any time before the cancellation goes into effect the driver submits evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver, the cancellation shall be stayed. If the cancellation becomes effective, the driver may obtain, at no additional charge, a new ignition interlock driver's license upon submittal of evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver.

(4) A person aggrieved by the decision of the department on the application for an ignition interlock driver's license may request a hearing as provided by rule of the department.

(5) The director shall cancel an ignition interlock driver's license after receiving notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, no longer meets the eligibility requirements, or has been convicted of or found to have committed a separate offense or any other act or omission that under this chapter would warrant suspension or revocation of a regular driver's license. The department must give notice of the cancellation as provided under RCW 46.20.245. A person whose ignition interlock driver's license has been canceled under this section may reapply for a new ignition interlock driver's license if he or she is otherwise qualified under this

section and pays the fee required under RCW 46.20.380.

(6)(a) Unless costs are waived by the ignition interlock company or the person is indigent under RCW 10.101.010, the applicant shall pay the cost of installing, removing, and leasing the ignition interlock device and shall pay an additional fee of twenty-one dollars per month. Payments shall be made directly to the ignition interlock company. The company shall remit the additional fee to the department, except that the company may retain ~~((twenty-five))~~ 25 cents per month of the additional fee to cover the expenses associated with administering the fee.

(b) The department shall deposit the proceeds of the twenty-one dollar fee into the ignition interlock device revolving account. Expenditures from the account may be used only to administer and operate the ignition interlock device revolving account program. The department shall adopt rules to provide monetary assistance according to greatest need and when funds are available.

(7) The department shall adopt rules to implement ignition interlock licensing. The department shall consult with the administrative office of the courts, the state patrol, the Washington association of sheriffs and police chiefs, ignition interlock companies, and any other organization or entity the department deems appropriate.

(8)(a) Any person licensed under this chapter who is convicted of a violation of RCW 46.61.500 when the charge was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, may submit to the department an application for an ignition interlock driver's license under this section.

(b) A person who does not have any driver's license under this chapter, but who would otherwise be eligible under this section to apply for an ignition interlock license, may submit to the department an application for an ignition interlock license. The department may require the person to take any driver's licensing examination under this chapter and may require the person to also apply and qualify for a temporary restricted driver's license under RCW 46.20.391.

**Sec. 28.** RCW 46.20.720 and 2020 c 330 s 10 are each amended to read as follows:

(1) **Ignition interlock restriction.** The department shall require that a person may drive only a motor vehicle equipped with a functioning ignition interlock device:

(a) **Pretrial release.** Upon receipt of notice from a court that an ignition interlock device restriction has been imposed under RCW 10.21.055;

(b) **Ignition interlock driver's license.** As required for issuance of an ignition interlock driver's license under RCW 46.20.385;

(c) **Deferred prosecution.** Upon receipt of notice from a court that the person is participating in a deferred prosecution program under RCW 10.05.020 for a violation of:

(i) RCW 46.61.502 or 46.61.504 or an equivalent local ordinance; or

(ii) RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person would be required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person in the event of a conviction;

(d) **Post conviction.** After any applicable period of mandatory suspension, revocation, or denial of driving privileges, or upon fulfillment of day-for-day credit under RCW 46.61.5055(9)(b)(ii) for a suspension, revocation, or denial of driving privileges:

(i) Due to a conviction of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance; or

(ii) Due to a conviction of a violation of RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person is required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person; or

(e) **Court order.** Upon receipt of an order by a court having jurisdiction that a person charged or convicted of any offense involving the use, consumption, or possession of alcohol while operating a motor vehicle may drive only a motor vehicle equipped with a functioning ignition interlock. The court shall establish a specific alcohol set point at which the ignition interlock will prevent the vehicle from being started. The court shall also establish the period of time for which ignition interlock use will be required.

(2) **Alcohol set point.** Unless otherwise specified by the court for a restriction imposed under subsection (1)(e) of this section, the ignition interlock device shall have an alcohol set point that prevents the motor vehicle from being started when the breath sample provided has an alcohol concentration of 0.020 or more.

(3) **Duration of restriction.** A restriction imposed under:

(a) Subsection (1)(a) of this section shall remain in effect until:

(i) The court has authorized the removal of the device under RCW 10.21.055; or

(ii) The department has imposed a restriction under subsection (1)(b), (c), or (d) of this section arising out of the same incident.

(b) Subsection (1)(b) of this section remains in effect during the validity of any ignition interlock driver's license that has been issued to the person.

(c) Subsection (1)(c)(i) or (d)(i) of this section shall be for no less than:

(i) For a person who has not previously been restricted under this subsection, a period of one year;

(ii) For a person who has previously been restricted under (c)(i) of this subsection, a period of five years;

(iii) For a person who has previously been restricted under (c)(ii) of this subsection, a period of ~~((ten))~~ 10 years.

The restriction of a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and who committed the offense while one or



more passengers under the age of ~~((sixteen))~~16 were in the vehicle shall be extended for an additional period as required by RCW 46.61.5055(6) (a).

For purposes of determining a period of restriction for a person restricted pursuant to a conviction under (d) of this subsection, a restriction based on a deferred prosecution under subsection (1)(c) of this section arising out of the same incident is not considered a prior restriction for purposes of this subsection.

(d) Subsection (1)(c)(ii) or (d)(ii) of this section shall be for a period of no less than six months.

(e) The period of restriction under (c) or (d) of this subsection shall be extended by ~~((one hundred eighty))~~180 days whenever the department receives notice that the restricted person has been convicted under RCW 46.20.740 or 46.20.750. If the period of restriction under (c) or (d) of this subsection has been fulfilled and cannot be extended, the department must add a new ~~((one hundred eighty day))~~180-day restriction that is imposed from the date of conviction and is subject to the requirements for removal under subsection (4) of this section.

(f) Subsection (1)(e) of this section shall remain in effect for the period of time specified by the court.

(g) The period of restriction under (c) and (d) of this subsection based on incidents occurring on or after June 9, 2016, must be tolled for any period in which the person does not have an ignition interlock device installed on a vehicle owned or operated by the person unless the person receives a determination from the department that the person is unable to operate an ignition interlock device due to a physical disability. For all drivers restricted under this section with incidents and restriction start dates prior to June 9, 2016, a driver may apply to waive the restriction by applying for a determination from the department that the person is unable to operate an ignition interlock device due to a physical disability. The department's determination that a person is unable to operate an ignition interlock device must be reasonable and be based upon good and substantial evidence. This determination is subject to review by a court of competent jurisdiction. The department may charge a person seeking a medical exemption under this subsection a reasonable fee for the assessment.

(4) **Requirements for removal.** A restriction imposed under subsection (1)(c) or (d) of this section shall remain in effect until the department receives a declaration from the person's ignition interlock device vendor, in a form provided or approved by the department, certifying the following:

(a) That there have been none of the following incidents in the ~~((one hundred eighty))~~180 consecutive days prior to the date of release:

(i) Any attempt to start the vehicle with a breath alcohol concentration of 0.04 or more unless a subsequent test performed within ~~((ten))~~10 minutes registers a breath alcohol concentration lower than 0.04 and

the digital image confirms the same person provided both samples;

(ii) Failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test;

(iii) Failure to pass any random retest with a breath alcohol concentration of lower than 0.020 unless a subsequent test performed within ~~((ten))~~10 minutes registers a breath alcohol concentration lower than 0.020, and the digital image confirms the same person provided both samples;

(iv) Failure of the person to appear at the ignition interlock device vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device; or

(v) Removal of the ignition interlock device by a person other than an ignition interlock technician certified by the Washington state patrol; and

(b) That the ignition interlock device was inspected at the conclusion of the ~~((one hundred eighty day))~~180-day period by an ignition interlock technician certified by the Washington state patrol and no evidence was found that the device was tampered with in the manner described in RCW 46.20.750.

(5) **Day-for-day credit.** (a) The time period during which a person has an ignition interlock device installed in order to meet the requirements of subsection (1)(b) of this section shall apply on a day-for-day basis toward satisfying the period of time the ignition interlock device restriction is imposed under subsection (1)(c) or (d) of this section arising out of the same incident.

(b) The department must also give the person a day-for-day credit for any time period, beginning from the date of the incident, during which the person kept an ignition interlock device installed on all vehicles the person operates, other than those subject to the employer exemption under subsection (6) of this section.

(c) If the day-for-day credit granted under this subsection equals or exceeds the period of time the ignition interlock device restriction is imposed under subsection (1)(c) or (d) of this section arising out of the same incident, and the person has already met the requirements for removal of the device under subsection (4) of this section, the department may waive the requirement that a device be installed or that the person again meet the requirements for removal.

(6) **Employer exemption.** (a) Except as provided in (b) of this subsection, the installation of an ignition interlock device is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or maintenance is the temporary responsibility of the employer, and driven at the direction of a person's employer as a requirement of employment during working hours. The person must provide the department with a declaration pursuant to chapter 5.50 RCW from his or her employer stating that the person's employment requires the person to operate a vehicle owned by the employer or other persons during working hours. When the

department receives a declaration under this subsection, it shall attach or imprint a notation on the person's driving record stating that the employer exemption applies.

(b) The employer exemption does not apply when the employer's vehicle is assigned exclusively to the restricted driver and used solely for commuting to and from employment.

(c) The employer exemption does not apply to a person who is self-employed unless the person's vehicle is used exclusively for the person's employment.

(7) **Ignition interlock device revolving account.** In addition to any other costs associated with the use of an ignition interlock device imposed on the person restricted under this section, the person shall pay an additional fee of ~~((twenty-one dollars))~~ \$21 per month. Payments must be made directly to the ignition interlock company. The company shall remit the additional fee to the department to be deposited into the ignition interlock device revolving account, except that the company may retain ~~((twenty-five))~~ 25 cents per month of the additional fee to cover the expenses associated with administering the fee. The department may waive the monthly fee if the person is indigent under RCW 10.101.010.

(8) **Foreign jurisdiction.** For a person restricted under this section who is residing outside of the state of Washington, the department may accept verification of installation of an ignition interlock device by an ignition interlock company authorized to do business in the jurisdiction in which the person resides, provided the device meets any applicable requirements of that jurisdiction. The department may waive one or more requirements for removal under subsection (4) of this section if compliance with the requirement or requirements would be impractical in the case of a person residing in another jurisdiction, provided the person is in compliance with any equivalent requirement of that jurisdiction. The department may waive the monthly fee required by subsection (7) of this section if collection of the fee would be impractical in the case of a person residing in another jurisdiction.

**Sec. 29.** RCW 46.20.740 and 2020 c 330 s 11 are each amended to read as follows:

(1) The department shall attach or imprint a notation on the driving record of any person restricted under RCW 46.20.720, 46.61.5055, or 10.05.140 stating that the person may operate only a motor vehicle equipped with a functioning ignition interlock device. The department shall determine the person's eligibility for licensing based upon written verification by a company doing business in the state that it has installed the required device on a vehicle owned or operated by the person seeking reinstatement. If, based upon notification from the interlock provider or otherwise, the department determines that an ignition interlock required under this section is no longer installed or functioning as required, the department shall suspend the person's license or privilege to drive. Whenever the license or

driving privilege of any person is suspended or revoked as a result of noncompliance with an ignition interlock requirement, the suspension shall remain in effect until the person provides notice issued by a company doing business in the state that a vehicle owned or operated by the person is equipped with a functioning ignition interlock device.

(2) It is a gross misdemeanor for a person with such a notation on his or her driving record to operate a motor vehicle that is not so equipped, unless the notation resulted from a restriction imposed as a condition of release and the restriction has been released by the court prior to driving. Any time a person is convicted under this section, the court shall immediately notify the department for purposes of RCW 46.20.720(3)(e). It is an affirmative defense, which the defendant must prove by a preponderance of the evidence, that the employer exemption in RCW 46.20.720(6) applies. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(3) Any sentence imposed for a violation of subsection (2) of this section shall be served consecutively with any sentence imposed under RCW 46.20.750, 46.61.502, 46.61.504, or 46.61.5055.

**Sec. 30.** RCW 46.61.502 and 2022 c 16 s 40 are each amended to read as follows:

(1) A person is guilty of driving while under the influence of intoxicating liquor, cannabis, or any drug if the person drives a vehicle within this state:

(a) And the person has, within two hours after driving, an alcohol concentration of 0.08 or higher as shown by analysis of the person's breath or blood made under RCW 46.61.506; or

(b) The person has, within two hours after driving, a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW 46.61.506; or

(c) While the person is under the influence of or affected by intoxicating liquor, cannabis, or any drug; or

(d) While the person is under the combined influence of or affected by intoxicating liquor, cannabis, and any drug.

(2) The fact that a person charged with a violation of this section is or has been entitled to use a drug under the laws of this state shall not constitute a defense against a charge of violating this section.

(3)(a) It is an affirmative defense to a violation of subsection (1)(a) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of alcohol after the time of driving and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be 0.08 or more within two hours after driving. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial

hearing in the case of the defendant's intent to assert the affirmative defense.

(b) It is an affirmative defense to a violation of subsection (1)(b) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of cannabis after the time of driving and before the administration of an analysis of the person's blood to cause the defendant's THC concentration to be 5.00 or more within two hours after driving. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(4)(a) Analyses of blood or breath samples obtained more than two hours after the alleged driving may be used as evidence that within two hours of the alleged driving, a person had an alcohol concentration of 0.08 or more in violation of subsection (1)(a) of this section, and in any case in which the analysis shows an alcohol concentration above 0.00 may be used as evidence that a person was under the influence of or affected by intoxicating liquor or any drug in violation of subsection (1)(c) or (d) of this section.

(b) Analyses of blood samples obtained more than two hours after the alleged driving may be used as evidence that within two hours of the alleged driving, a person had a THC concentration of 5.00 or more in violation of subsection (1)(b) of this section, and in any case in which the analysis shows a THC concentration above 0.00 may be used as evidence that a person was under the influence of or affected by cannabis in violation of subsection (1)(c) or (d) of this section.

(5) Except as provided in subsection (6) of this section, a violation of this section is a gross misdemeanor.

(6) It is a class B felony punishable under chapter 9.94A RCW, or chapter 13.40 RCW if the person is a juvenile, if:

(a) The person has three or more prior offenses within ~~((ten))~~ 15 years as defined in RCW 46.61.5055; or

(b) The person has ever previously been convicted of:

(i) Vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a);

(ii) Vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b);

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of this subsection (6) or RCW 46.61.504(6).

**Sec. 31.** RCW 46.61.5055 and 2020 c 330 s 15 are each amended to read as follows:

(1) **No prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has no prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person

whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((twenty-four))~~ 24 consecutive hours nor more than ~~((three hundred sixty-four))~~ 364 days. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(a)(i), the court, in its discretion, may order not less than ~~((fifteen))~~ 15 days of electronic home monitoring or a ~~((ninety-day))~~ 90-day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device or other separate alcohol monitoring device to include an alcohol detection breathalyzer, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((three hundred fifty dollars))~~ \$350 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((Three hundred fifty dollars))~~ \$350 of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((forty-eight))~~ 48 consecutive hours nor more than ~~((three hundred sixty-four))~~ 364 days. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(b)(i), the court, in its discretion, may order not less than ~~((thirty))~~ 30 days of electronic home monitoring or a ~~((one hundred twenty-day))~~ 120-day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program testing as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device to include an alcohol detection breathalyzer or other separate alcohol monitoring device, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((five hundred dollars))~~ \$500 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((Five hundred dollars))~~ \$500 of the fine may not be suspended unless the court finds the offender to be indigent.

(2) **One prior offense in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a

violation of RCW 46.61.502 or 46.61.504 and who has one prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((thirty))30~~ days nor more than ~~((three hundred sixty-four))364~~ days and ~~((sixty))60~~ days of electronic home monitoring. Thirty days of imprisonment and ~~((sixty))60~~ days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory term of imprisonment and electronic home monitoring under this subsection (2)(a)(i), the court may order a minimum of either ~~((one hundred eighty))180~~ days of electronic home monitoring or a ~~((one hundred twenty-day))120-day~~ period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((five hundred dollars))\$500~~ nor more than ~~((five thousand dollars))\$5,000~~. ~~((Five hundred dollars))\$500~~ of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((forty-five))45~~ days nor more than ~~((three hundred sixty-four))364~~ days and ~~((ninety))90~~ days of electronic home monitoring. Forty-five days of imprisonment and ~~((ninety))90~~ days of electronic home monitoring may not be suspended or converted

unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of imprisonment and electronic home monitoring under this subsection (2)(b)(i), the court may order a minimum of either six months of electronic home monitoring or a ~~((one hundred twenty-day))120-day~~ period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((seven hundred fifty dollars))\$750~~ nor more than ~~((five thousand dollars))\$5,000~~. ~~((Seven hundred fifty dollars))\$750~~ of the fine may not be suspended unless the court finds the offender to be indigent.

(3) **Two prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has two prior offenses within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((ninety))90~~ days nor more than ~~((three hundred sixty-four))364~~ days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and ~~((one hundred twenty))120~~ days of electronic home monitoring. Ninety days of imprisonment and ~~((one hundred twenty))120~~ days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-

being, in lieu of the mandatory minimum term of ~~((ninety))90~~ days of imprisonment and ~~((one hundred twenty))120~~ days of electronic home monitoring, the court may order ~~((three hundred sixty))360~~ days of electronic home monitoring or a ~~((three hundred sixty-day))360-day~~ period of 24/7 sobriety monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((one thousand dollars))\$1,000~~ nor more than ~~((five thousand dollars))\$5,000~~. ~~((One thousand dollars))\$1,000~~ of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((one hundred twenty))120~~ days nor more than ~~((three hundred sixty-four))364~~ days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and ~~((one hundred fifty))150~~ days of electronic home monitoring. One hundred twenty days of imprisonment and ~~((one hundred fifty))150~~ days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of ~~((one hundred twenty))120~~ days of imprisonment and ~~((one hundred fifty))150~~ days of electronic home monitoring, the court may order ~~((three hundred sixty))360~~ days of electronic home monitoring or a ~~((three hundred sixty-day))360-day~~ period of 24/7 sobriety monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The offender shall pay for the cost of the electronic monitoring. The court shall order

an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((one thousand five hundred dollars))\$1,500~~ nor more than ~~((five thousand dollars))\$5,000~~. ~~((One thousand five hundred))\$1,500~~ dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(4) **Three or more prior offenses in ~~((ten))15~~ years.** A person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished under chapter 9.94A RCW if:

(a) The person has three or more prior offenses within ~~((ten))15~~ years; or

(b) The person has ever previously been convicted of:

(i) A violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ii) A violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of RCW 46.61.502(6) or 46.61.504(6).

(5) **Monitoring.** (a) **Ignition interlock device.** The court shall require any person convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to comply with the rules and requirements of the department regarding the installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person.

(b) **Monitoring devices.** If the court orders that a person refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring through an alcohol detection breathalyzer device, transdermal sensor device, or other technology designed to detect alcohol in a person's system. The person shall pay for the cost of the monitoring, unless the court specifies that the cost of monitoring will be paid with funds that are available from an alternative source identified by the court. The county or municipality where the penalty is being imposed shall determine the cost.

(c) **24/7 sobriety program monitoring.** In any county or city where a 24/7 sobriety program is available and verified by the Washington association of sheriffs and police chiefs, the court shall:

(i) Order the person to install and use a functioning ignition interlock or other device in lieu of such period of 24/7 sobriety program monitoring;

(ii) Order the person to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section; or

(iii) Order the person to install and use a functioning ignition interlock or other device in addition to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section.

(6) **Penalty for having a minor passenger in vehicle.** If a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 committed the offense while one or more passengers under the age of ~~((sixteen))~~16 were in the vehicle, the court shall:

(a) Order the use of an ignition interlock or other device for an additional ~~((twelve))~~12 months for each passenger under the age of ~~((sixteen))~~16 when the person is subject to the penalties under subsection (1)(a), (2)(a), or (3)(a) of this section; and order the use of an ignition interlock device for an additional ~~((eighteen))~~18 months for each passenger under the age of ~~((sixteen))~~16 when the person is subject to the penalties under subsection (1)(b), (2)(b), (3)(b), or (4) of this section;

(b) In any case in which the person has no prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ~~((twenty-four))~~24 hours of imprisonment to be served consecutively for each passenger under the age of ~~((sixteen))~~16, and a fine of not less than ~~((one thousand dollars))~~\$1,000 and not more than ~~((five thousand dollars))~~\$5,000 for each passenger under the age of ~~((sixteen))~~16. ~~((One thousand dollars))~~\$1,000 of the fine for each passenger under the age of ~~((sixteen))~~16 may not be suspended unless the court finds the offender to be indigent;

(c) In any case in which the person has one prior offense within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional five days of imprisonment to be served consecutively for each passenger under the age of ~~((sixteen))~~16, and a fine of not less than ~~((two thousand dollars))~~\$2,000 and not more than ~~((five thousand dollars))~~\$5,000 for each passenger under the age of ~~((sixteen))~~16. One thousand dollars of the fine for each passenger under the age of ~~((sixteen))~~16 may not be suspended unless the court finds the offender to be indigent;

(d) In any case in which the person has two prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ten days of imprisonment to be served consecutively for each passenger under the age of ~~((sixteen))~~16, and a fine of not less than ~~((three thousand dollars))~~\$3,000 and not more than ~~((ten thousand dollars))~~\$10,000 for each passenger under the age of ~~((sixteen))~~16. ~~((One thousand dollars))~~\$1,000 of the fine for each passenger under the age of ~~((sixteen))~~16 may not be suspended unless the court finds the offender to be indigent.

(7) **Other items courts must consider while setting penalties.** In exercising its discretion in setting penalties within the limits allowed by this section, the court shall particularly consider the following:

(a) Whether the person's driving at the time of the offense was responsible for injury or damage to another or another's property;

(b) Whether at the time of the offense the person was driving or in physical control of a vehicle with one or more passengers;

(c) Whether the driver was driving in the opposite direction of the normal flow of traffic on a multiple lane highway, as defined by RCW 46.04.350, with a posted speed limit of ~~((forty-five))~~45 miles per hour or greater; and

(d) Whether a child passenger under the age of ~~((sixteen))~~16 was an occupant in the driver's vehicle.

(8) **Treatment and information school.** An offender punishable under this section is subject to the substance use disorder assessment and treatment provisions of RCW 46.61.5056.

(9) **Driver's license privileges of the defendant.** (a) The license, permit, or nonresident privilege of a person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs must:

(i) **Penalty for alcohol concentration less than 0.15.** If the person's alcohol concentration was less than 0.15, or if for reasons other than the person's refusal to take a test offered under RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(A) Where there has been no prior offense within seven years, be suspended or denied by the department for ~~((ninety))~~90 days or until the person is evaluated by a substance use disorder agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a ~~((ninety-day))~~90-day period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for fewer than two days;

(B) Where there has been one prior offense within seven years, be revoked or denied by the department for two years or until the person is evaluated by a substance use disorder agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a six-month period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for less than one year; or

(C) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for three years;

(ii) **Penalty for alcohol concentration at least 0.15.** If the person's alcohol concentration was at least 0.15:

(A) Where there has been no prior offense within seven years, be revoked or denied by the department for one year or until the person is evaluated by a substance use disorder agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a one hundred twenty day period of 24/7 sobriety program monitoring. In no circumstances shall the license revocation be for fewer than four days;

(B) Where there has been one prior offense within seven years, be revoked or denied by the department for ~~((nine hundred))~~900 days; or

(C) Where there have been two or more prior offenses within seven years, be

revoked or denied by the department for four years; or

(iii) **Penalty for refusing to take test.** If by reason of the person's refusal to take a test offered under RCW 46.20.308, there is no test result indicating the person's alcohol concentration:

(A) Where there have been no prior offenses within seven years, be revoked or denied by the department for two years;

(B) Where there has been one prior offense within seven years, be revoked or denied by the department for three years; or

(C) Where there have been two or more previous offenses within seven years, be revoked or denied by the department for four years.

(b)(i) The department shall grant credit on a day-for-day basis for a suspension, revocation, or denial imposed under this subsection (9) for any portion of a suspension, revocation, or denial already served under RCW 46.20.3101 arising out of the same incident.

(ii) If a person has already served a suspension, revocation, or denial under RCW 46.20.3101 for a period equal to or greater than the period imposed under this subsection (9), the department shall provide notice of full credit, shall provide for no further suspension or revocation under this subsection provided the person has completed the requirements under RCW 46.20.311 and paid the probationary license fee under RCW 46.20.355 by the date specified in the notice under RCW 46.20.245, and shall impose no additional reissue fees for this credit.

(c) Upon receipt of a notice from the court under RCW 36.28A.390 that a participant has been removed from a 24/7 sobriety program, the department must resume any suspension, revocation, or denial that had been terminated early under this subsection due to participation in the program, granting credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under RCW 46.20.3101 or this section arising out of the same incident.

(d) Upon its own motion or upon motion by a person, a court may find, on the record, that notice to the department under RCW 46.20.270 has been delayed for three years or more as a result of a clerical or court error. If so, the court may order that the person's license, permit, or nonresident privilege shall not be revoked, suspended, or denied for that offense. The court shall send notice of the finding and order to the department and to the person. Upon receipt of the notice from the court, the department shall not revoke, suspend, or deny the license, permit, or nonresident privilege of the person for that offense.

(e) For purposes of this subsection (9), the department shall refer to the driver's record maintained under RCW 46.52.120 when determining the existence of prior offenses.

(10) **Probation of driving privilege.** After expiration of any period of suspension, revocation, or denial of the offender's license, permit, or privilege to drive required by this section, the department shall place the offender's driving privilege in probationary status pursuant to RCW 46.20.355.

(11) **Conditions of probation.** (a) In addition to any nonsuspendable and nondeferrable jail sentence required by this section, whenever the court imposes up to ~~((three hundred sixty-four))~~ 364 days in jail, the court shall also suspend but shall not defer a period of confinement for a period not exceeding five years. The court shall impose conditions of probation that include: (i) Not driving a motor vehicle within this state without a valid license to drive; (ii) not driving a motor vehicle within this state without proof of liability insurance or other financial responsibility for the future pursuant to RCW 46.30.020; (iii) not driving or being in physical control of a motor vehicle within this state while having an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving; (iv) not refusing to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drug; and (v) not driving a motor vehicle in this state without a functioning ignition interlock device as required by the department under RCW 46.20.720. The court may impose conditions of probation that include nonrepetition, installation of an ignition interlock device on the probationer's motor vehicle, substance use disorder treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of probation during the suspension period.

(b) For each violation of mandatory conditions of probation under (a)(i), (ii), (iii), (iv), or (v) of this subsection, the court shall order the convicted person to be confined for ~~((thirty))~~ 30 days, which shall not be suspended or deferred.

(c) ~~((For))~~ (i) Except as provided in (c)(ii) of this subsection, for each incident involving a violation of a mandatory condition of probation imposed under this subsection, the license, permit, or privilege to drive of the person shall be suspended by the court for ~~((thirty))~~ 30 days or, if such license, permit, or privilege to drive already is suspended, revoked, or denied at the time the finding of probation violation is made, the suspension, revocation, or denial then in effect shall be extended by ~~((thirty))~~ 30 days. The court shall notify the department of any suspension, revocation, or denial or any extension of a suspension, revocation, or denial imposed under this subsection. The person may apply for an ignition interlock driver's license under RCW 46.20.385 during the suspension period.

(ii) For each incident involving a violation of RCW 46.20.342(1)(c), the court has discretion not to impose a suspension when the person provides the court with proof that the violation has been cured within 30 days. The court is not required to notify the department of the violation unless it is not cured within 30 days.

(12) **Waiver of electronic home monitoring.** A court may waive the electronic home monitoring requirements of this chapter when:

(a) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system. However, if a court determines that an alcohol monitoring device utilizing wireless reporting technology is reasonably available, the court may require the person to obtain such a device during the period of required electronic home monitoring;

(b) The offender does not reside in the state of Washington; or

(c) The court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. The alternative sentence may include, but is not limited to, use of an ignition interlock device, the 24/7 sobriety program monitoring, additional jail time, work crew, or work camp.

Whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed (~~three hundred sixty-four~~)364 days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the combination does not exceed (~~three hundred sixty-four~~)364 days.

(13) **Extraordinary medical placement.** An offender serving a sentence under this section, whether or not a mandatory minimum term has expired, may be granted an extraordinary medical placement by the jail administrator subject to the standards and limitations set forth in RCW 9.94A.728(1) (c).

(14) **Definitions.** For purposes of this section and RCW 46.61.502 and 46.61.504:

(a) A "prior offense" means any of the following:

(i) A conviction for a violation of RCW 46.61.502 or an equivalent local ordinance;

(ii) A conviction for a violation of RCW 46.61.504 or an equivalent local ordinance;

(iii) A conviction for a violation of RCW 46.25.110 or an equivalent local ordinance;

(iv) A conviction for a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(v) A conviction for a violation of RCW 79A.60.040(1) or an equivalent local ordinance committed in a reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(vi) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed while under the influence of intoxicating liquor or any drug;

(vii) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed in a careless or reckless manner if the conviction is the result of a charge

that was originally filed as a violation of RCW 47.68.220 or an equivalent local ordinance while under the influence of intoxicating liquor or any drug;

(viii) A conviction for a violation of RCW 46.09.470(2) or an equivalent local ordinance;

(ix) A conviction for a violation of RCW 46.10.490(2) or an equivalent local ordinance;

(x) A conviction for a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.520 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(xi) A conviction for a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.522 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(xii) A conviction for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050 or an equivalent local ordinance, if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xiii) An out-of-state conviction for a violation that would have been a violation of (a)(i), (ii), (x), (xi), or (xii) of this subsection if committed in this state;

(xiv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance;

(xv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.5249, or an equivalent local ordinance, if the charge under which the deferred prosecution was granted was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xvi) A deferred prosecution granted in another state for a violation of driving or having physical control of a vehicle while under the influence of intoxicating liquor or any drug if the out-of-state deferred prosecution is equivalent to the deferred prosecution under chapter 10.05 RCW, including a requirement that the defendant participate in a chemical dependency treatment program; or

(xvii) A deferred sentence imposed in a prosecution for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050, or an equivalent local ordinance, if the charge under which the deferred sentence was imposed was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or a violation of RCW 46.61.520 or 46.61.522;



If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in this subsection (14)(a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing;

(b) "Treatment" means substance use disorder treatment licensed or certified by the department of health;

(c) "Within seven years" means that the arrest for a prior offense occurred within seven years before or after the arrest for the current offense; and

(d) "Within ~~((ten))~~ 15 years" means that the arrest for a prior offense occurred within ~~((ten))~~ 15 years before or after the arrest for the current offense.

(15) All fines imposed by this section apply to adult offenders only.

**Sec. 32.** RCW 46.61.504 and 2022 c 16 s 42 are each amended to read as follows:

(1) A person is guilty of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug if the person has actual physical control of a vehicle within this state:

(a) And the person has, within two hours after being in actual physical control of the vehicle, an alcohol concentration of 0.08 or higher as shown by analysis of the person's breath or blood made under RCW 46.61.506; or

(b) The person has, within two hours after being in actual physical control of a vehicle, a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW 46.61.506; or

(c) While the person is under the influence of or affected by intoxicating liquor or any drug; or

(d) While the person is under the combined influence of or affected by intoxicating liquor and any drug.

(2) The fact that a person charged with a violation of this section is or has been entitled to use a drug under the laws of this state does not constitute a defense against any charge of violating this section. No person may be convicted under this section and it is an affirmative defense to any action pursuant to RCW 46.20.308 to suspend, revoke, or deny the privilege to drive if, prior to being pursued by a law enforcement officer, the person has moved the vehicle safely off the roadway.

(3)(a) It is an affirmative defense to a violation of subsection (1)(a) of this section which the defendant must prove by a preponderance of the evidence that the defendant consumed a sufficient quantity of alcohol after the time of being in actual physical control of the vehicle and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be 0.08 or more within two hours after being in such control. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of

the defendant's intent to assert the affirmative defense.

(b) It is an affirmative defense to a violation of subsection (1)(b) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of cannabis after the time of being in actual physical control of the vehicle and before the administration of an analysis of the person's blood to cause the defendant's THC concentration to be 5.00 or more within two hours after being in control of the vehicle. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(4)(a) Analyses of blood or breath samples obtained more than two hours after the alleged being in actual physical control of a vehicle may be used as evidence that within two hours of the alleged being in such control, a person had an alcohol concentration of 0.08 or more in violation of subsection (1)(a) of this section, and in any case in which the analysis shows an alcohol concentration above 0.00 may be used as evidence that a person was under the influence of or affected by intoxicating liquor or any drug in violation of subsection (1)(c) or (d) of this section.

(b) Analyses of blood samples obtained more than two hours after the alleged being in actual physical control of a vehicle may be used as evidence that within two hours of the alleged being in control of the vehicle, a person had a THC concentration of 5.00 or more in violation of subsection (1)(b) of this section, and in any case in which the analysis shows a THC concentration above 0.00 may be used as evidence that a person was under the influence of or affected by cannabis in violation of subsection (1)(c) or (d) of this section.

(5) Except as provided in subsection (6) of this section, a violation of this section is a gross misdemeanor.

(6) It is a class C felony punishable under chapter 9.94A RCW, or chapter 13.40 RCW if the person is a juvenile, if:

(a) The person has three or more prior offenses within ~~((ten))~~ 15 years as defined in RCW 46.61.5055; or

(b) The person has ever previously been convicted of:

(i) Vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a);

(ii) Vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b);

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of this subsection (6) or RCW 46.61.502(6).

**NEW SECTION. Sec. 33.** A new section is added to chapter 46.61 RCW to read as follows:

(1) Any law enforcement agency utilizing oral fluid roadside information as part of the enforcement of driving under the influence laws must ensure the following:

(a) The oral fluid test instrument or instruments to be used are valid and reliable;

(b) Any peace officer who may administer an oral fluid test is properly trained in the administration of the test;

(c) Prior to administering the test, the administering peace officer advises the subject of the following information:

(i) The test is voluntary, and does not constitute compliance with the implied consent requirement of RCW 46.20.308;

(ii) Test results may not be used against the person in a court of law; and

(iii) Submission to the test is not an alternative to any evidentiary breath or blood test; and

(d) The law enforcement agency establishes policies to protect personally identifying information from unnecessary and improper dissemination including, but not limited to:

(i) Destruction of biological samples from oral fluid tests as soon as practicable after collection of test results; and

(ii) Prohibitions against entering DNA samples or results from such tests into any database.

(2) Any law enforcement agency administering an oral fluid roadside test as authorized in this section or section 1 of this act is strictly liable for (a) any failure to destroy biological samples from such tests within 24 hours or (b) unlawful entry of DNA samples or results from such tests into any database.

NEW SECTION. **Sec. 34.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 35.** This act takes effect January 1, 2026."

On page 1, line 1 of the title, after "driving;" strike the remainder of the title and insert "amending RCW 9.94A.030, 9.94A.190, 9.94A.501, 9.94A.505, 9.94A.525, 9.94A.633, 9.94A.6332, 9.94A.660, 9.94A.701, 10.05.010, 10.05.015, 10.05.020, 10.05.030, 10.05.040, 10.05.050, 10.05.060, 10.05.090, 10.05.100, 10.05.120, 10.05.140, 10.05.150, 10.05.155, 10.05.170, 46.20.355, 46.20.385, 46.20.720, 46.20.740, 46.61.502, 46.61.5055, and 46.61.504; adding a new section to chapter 9.94A RCW; adding a new section to chapter 10.05 RCW; adding a new section to chapter 46.61 RCW; providing an effective date; and prescribing penalties."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1493 and advanced the bill, as amended by the Senate, to final passage.

Representatives Goodman and Mosbrucker spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1493, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1493, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 69; Nays, 27; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Griffey, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Mosbrucker, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Eslick, Goehner, Graham, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Orcutt, Robertson, Rude, Sandlin, Steele, Volz, Walsh, Waters and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1493, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1899, with the following amendment(s): 1899-S2.E AMS WM S5568.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** In recent years, devastating wildfires have destroyed homes, businesses, and infrastructure. These wildfires have become more frequent and more destructive due to the effects of climate change. Since the original construction of many of the lost structures, technological advances have made possible more energy efficient buildings, greater use of electric vehicles, and more opportunities to utilize solar energy. The insurance coverage for the destroyed structures, however, may not cover reconstruction utilizing new methods and technologies. As a result, many buildings may be rebuilt in less efficient ways that require greater use of greenhouse gases. These greenhouse gases, in turn, will exacerbate the threat of wildfires.

It is the intent of the legislature to assist in disrupting this cycle. By making disaster relief payments available to local governments, businesses, and individuals to repair or replace damaged or destroyed buildings in more energy efficient and environmentally friendly ways, the legislature will encourage a more sustainable use of resources and increased

climate resilience with resulting environmental benefits for all of the people of the state. It is the intent of the legislature that the assistance provided in this act be considered disaster relief payments by the internal revenue service.

NEW SECTION. **Sec. 2.** A new section is added to chapter 43.31 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department of commerce shall establish and administer a disaster relief payment program to provide assistance to qualifying property owners and local governments that had buildings destroyed or damaged in a wildfire occurring between August 1 and October 1, 2023. The department shall develop a system for the submission and evaluation of disaster relief payment applications in consultation with the emergency management division of the state military department and tribal and local government emergency management authorities. The system developed by the department must ensure that the disaster relief payments are only used for the purposes specified in this section.

(2) Disaster relief payments may only be awarded to property owners who had buildings damaged or destroyed during a wildfire and that meet the following criteria:

(a) The area in which the building was damaged or destroyed was under a state of emergency declared by the governor or a local government due to wildfires occurring in a county located to the east of the crest of the Cascade mountains with a population of at least 500,000;

(b) The building that was damaged or destroyed was a residential home, including manufactured homes, a multifamily building, a commercial building, or a public building;

(c) The same type of building as was damaged or destroyed in the wildfire is being constructed or repaired; and

(d) The new or repaired building will comply with all current state building and state energy code requirements in effect at the time of the permit application for the construction or repair.

(3) Disaster relief payments awarded under this section may only be used for the purpose of meeting increased energy efficiency standards, providing or increasing electric vehicle charging capacity, and the installation and use of solar panels on a building that did not, prior to being damaged or destroyed, utilize solar panels.

(4) The department shall develop criteria for awarding disaster relief payments under this section that is consistent with RCW 38.52.030(9) and, as appropriate, with other disaster response and recovery programs. When awarding disaster relief payments, the department must prioritize any building that is owned or rented by a low-income to moderate-income household. Thereafter, the department must award disaster relief payments based upon the amount of energy efficiency, electric vehicle charging capacity, or solar panels installation that will occur, with disaster relief payments

going first to those buildings which will yield the greatest environmental benefits.

(5) For the purposes of this section:

(a) "Increased energy efficiency standards" means energy code standards under chapter 19.27A RCW that have increased between the time the building was originally constructed and the time that it is to be repaired or rebuilt.

(b) "Local government" means a city, town, county, or special purpose district.

(c) "Low-income or moderate-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below 120 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

(d) "Public building" means a building or building wholly owned and used by a local government.

NEW SECTION. **Sec. 3.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

NEW SECTION. **Sec. 4.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "wildfires;" strike the remainder of the title and insert "adding a new section to chapter 43.31 RCW; creating new sections; and declaring an emergency."

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1899 and advanced the bill, as amended by the Senate, to final passage.

Representatives Volz and Duerr spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1899, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1899, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Gohner,

Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker  
Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1899, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

Friday, March 1, 2024

Mme. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2424, with the following amendment(s): 2424-S AMS AWP S5129.3

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that the Washington state department of fish and wildlife has entered into cooperative agreements with various tribal governments in the state, including the confederated tribes of the Colville reservation, to work on a government-to-government basis to collaboratively manage the state's fish and wildlife. The legislature further finds that the cooperative agreement between the confederated tribes of the Colville reservation and the Washington state department of fish and wildlife, as ratified by the fish and wildlife commission representing the state in the government-to-government cooperative process, addresses cooperative wildlife management on a portion of land ceded to the United States by the Colville tribes, often referred to as "the north half." The cooperative agreement recognizes that resource protection, tribal rights, and recreational opportunities of the general public are maximized through cooperative management of wildlife and habitats on the north half. The cooperative agreement provides that the department and the tribe will work together to protect, preserve, and enhance wildlife populations on the reservation and the north half through: Joint and cooperative surveying of wildlife populations, sharing population and harvest statistics, and development of a joint wildlife habitat protection and enhancement strategy. The agreement further provides that the department and tribe will work together to develop protocols and provide solutions for managing dangerous wildlife and/or wildlife depredation and will work cooperatively to reduce violations of state and tribal fish and game laws including procedures for joint patrols and investigations. The legislature finds that the department of fish and wildlife has broad authority under the cooperative agreement to work cooperatively with the Colville tribes. The cooperative agreement established the policy committee, which is

composed of representatives of the tribe and the department, to facilitate cooperative action and resolve disputes that may arise under the agreement. The agreement stipulates that the policy committee review the agreement annually and recommend modifications as to which the parties may mutually agree pursuant to approval by the confederated tribes and ratification by the commission in the government-to-government process.

(2) It is the intent of the legislature to affirm the goals and provisions established in the 1998 cooperative agreement between the department and the confederated tribes of the Colville Indian Reservation, and to direct the department to review and recommend modifications as necessary to the policies and practices implemented under the cooperative agreement, including management of the gray wolf in the "north half."

NEW SECTION. **Sec. 2.** (1) The department shall, upon approval of a plan of engagement by the commission that includes elements in subsection (2) of this section to be considered in the engagement, engage on a government-to-government basis with the confederated tribes of the Colville reservation for the purpose of identifying potential updates to management practices under, and recommended modifications to the 1998 cooperative fish and wildlife management agreement.

(2) The department must submit the agreed upon recommendations for updates or modifications to the agreement to the commission for their approval that identifies:

(a) Recommended updates or modifications to existing management strategies;

(b) Recommended updates or modifications to the "Wildlife Protection and Preservation" section of the cooperative agreement;

(c) Challenges to implementing the "Problem Wildlife" section of the cooperative agreement and recommended protocols to provide solutions for landowners with problems involving either dangerous wildlife or wildlife depredation, or both; and

(d) Recommendations for management of gray wolf and other species listed under the state endangered species act since adoption of the 1998 agreement as practiced by the tribe and the department.

(3) Subsequent to approval by the confederated tribes of the Colville and ratification by the commission, the department must report to the legislature, in accordance with RCW 43.01.036, on updates to or modifications to the 1998 cooperative fish and wildlife management agreement.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Commission" means the Washington state fish and wildlife commission.

(b) "Department" means the Washington state department of fish and wildlife.

(c) "The north half" means the portion of land that was originally part of the

Colville Indian reservation that the tribes ceded to the federal government in 1892."

On page 1, line 3 of the title, after "resources;" strike the remainder of the title and insert "and creating new sections."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2424 and advanced the bill, as amended by the Senate, to final passage.

Representatives Kretz and Chapman spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2424, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2424, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 3; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Berry, Farivar and Reed  
Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2424, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Monday, March 4, 2024

Mme. Speaker:

The Senate refuses to concur in the House amendment(s) to ENGROSSED SUBSTITUTE SENATE BILL NO. 5796 and asks the House to recede therefrom.

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 5796.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Peterson spoke in favor of the passage of the bill.

Representative Connors spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5796.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5796, and the bill passed the House by the following vote: Yeas, 61; Nays, 35; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE SENATE BILL NO. 5796, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Tuesday, March 5, 2024

Mme. Speaker:

The Senate refuses to concur in the House amendment(s) to ENGROSSED SENATE BILL NO. 6087 and asks the House to recede therefrom.

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment to ENGROSSED SENATE BILL NO. 6087.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon and Volz spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6087.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6087, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goechner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SENATE BILL NO. 6087, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Monday, March 4, 2024

Mme. Speaker:

The Senate refuses to concur in the House amendment(s) to SENATE BILL NO. 5811 and asks the House to recede therefrom.

and the same is herewith transmitted.

Sarah Bannister, Secretary

There being no objection, the rules were suspended, and SENATE BILL NO. 5811 was returned to second reading for the purpose of amendment.

#### MOTION

Representative Riccelli moved the adoption of the striking amendment (1265):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 18.88B.041 and 2023 c 424 s 7 are each amended to read as follows:

(1) The following long-term care workers are not required to become a certified home care aide pursuant to this chapter:

(a) (i) (A) Registered nurses, licensed practical nurses, certified nursing assistants or persons who are in an approved training program for certified nursing assistants under chapter 18.88A RCW, medicare-certified home health aides, or other persons who hold a similar health credential, as determined by the secretary, or persons with special education training and an endorsement granted by the superintendent of public instruction, as described in RCW 28A.300.010, if the secretary determines that the circumstances do not require certification.

(B) A person who was initially hired as a long-term care worker prior to January 7, 2012, and who completes all of the training requirements in effect as of the date the person was hired.

(ii) Individuals exempted by (a) (i) of this subsection may obtain certification as a home care aide without fulfilling the training requirements in RCW 74.39A.074(1) (d)(ii) but must successfully complete a certification examination pursuant to RCW 18.88B.031.

(b) All long-term care workers employed by community residential service businesses.

(c) (i) An individual provider caring only for the individual provider's (~~biological, step, or adoptive~~) child or parent, including when related by marriage or domestic partnership; and

(ii) An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership.

(d) A person working as an individual provider who provides (~~twenty~~) 20 hours or less of nonrespite care for one person in any calendar month.

(e) A person working as an individual provider who only provides respite services and works less than (~~three hundred~~) 300 hours in any calendar year.

(f) A long-term care worker providing approved services only for a spouse or registered domestic partner, pursuant to the long-term services and supports trust program established in chapter 50B.04 RCW.

(g) A long-term care worker providing approved services only for a spouse or registered domestic partner and funded through the United States department of veterans affairs home and community-based programs.

(2) A long-term care worker exempted by this section from the training requirements contained in RCW 74.39A.074 may not be prohibited from enrolling in training pursuant to that section.

(3) The department shall adopt rules to implement this section.

**Sec. 2.** RCW 74.39A.076 and 2023 c 424 s 8 are each amended to read as follows:

(1) Beginning January 7, 2012, except for long-term care workers exempt from certification under RCW 18.88B.041(1) (a):

(a) A (~~biological, step, or adoptive~~) parent who is the individual provider only for the person's developmentally disabled (~~son or daughter~~) child, including when related by marriage or domestic partnership, must receive (~~twelve~~) 12 hours of training relevant to the needs of individuals with developmental disabilities within the first (~~one hundred twenty~~) 120 days after becoming an individual provider.

(b) A spouse or registered domestic partner who is a long-term care worker only for a spouse or domestic partner, pursuant to the long-term services and supports trust program established in chapter 50B.04 RCW, must receive (~~fifteen~~) 15 hours of basic training, and at least six hours of additional focused training based on the care-receiving spouse's or partner's needs, within the first (~~one hundred twenty~~) 120 days after becoming a long-term care worker.

(c) A person working as an individual provider who (i) provides respite care services only for individuals with developmental disabilities receiving services under Title 71A RCW or only for individuals who receive services under this chapter, and (ii) works (~~three hundred~~) 300 hours or less in any calendar year, must complete (~~fourteen~~) 14 hours of training within the first (~~one hundred twenty~~) 120

days after becoming an individual provider. Five of the (~~fourteen~~)14 hours must be completed before becoming eligible to provide care, including two hours of orientation training regarding the caregiving role and terms of employment and three hours of safety training. The training partnership identified in RCW 74.39A.360 must offer at least (~~twelve~~)12 of the (~~fourteen~~)14 hours online, and five of those online hours must be individually selected from elective courses.

(d) Individual providers identified in (d)(i) or (ii) of this subsection must complete (~~thirty-five~~)35 hours of training within the first (~~one hundred twenty~~)120 days after becoming an individual provider. Five of the (~~thirty-five~~)35 hours must be completed before becoming eligible to provide care. Two of these five hours shall be devoted to an orientation training regarding an individual provider's role as caregiver and the applicable terms of employment, and three hours shall be devoted to safety training, including basic safety precautions, emergency procedures, and infection control. Individual providers subject to this requirement include:

(i) (A) (~~Am~~)Unless covered by (a) of this subsection, an individual provider caring only for the individual provider's (biological, step, or adoptive) child or parent (unless covered by (a) of this subsection), including when related by marriage or domestic partnership; (and)

(B) An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership;

(ii) A person working as an individual provider who provides (~~twenty~~)20 hours or less of care for one person in any calendar month; and

(iii) A long-term care worker providing approved services only for a spouse or registered domestic partner and funded through the United States department of veterans affairs home and community-based programs.

(2) In computing the time periods in this section, the first day is the date of hire.

(3) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

(4) If a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete training as required by this section, the department may adopt rules to allow long-term care workers additional time to complete the training requirements.

(a) Rules adopted under this subsection (4) are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that all long-term care workers who were unable to complete the training required in subsection (1) of this section have had adequate access to complete

the required training, whichever is later. Once the department determines a rule adopted under this subsection (4) is no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of training compliance with subsection (1) of this section and provide the legislature with a report.

(5) The department shall adopt rules to implement this section.

**Sec. 3.** RCW 74.39A.341 and 2023 c 424 s 6 are each amended to read as follows:

(1) All long-term care workers shall complete (~~twelve~~)12 hours of continuing education training in advanced training topics each year. This requirement applies beginning July 1, 2012.

(2) Completion of continuing education as required in this section is a prerequisite to maintaining home care aide certification under chapter 18.88B RCW.

(3) Unless voluntarily certified as a home care aide under chapter 18.88B RCW, subsection (1) of this section does not apply to:

(a) An individual provider caring only for his or her biological, step, or adoptive child;

(b) An individual provider caring only for the individual provider's parent, sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership;

(c) Registered nurses and licensed practical nurses licensed under chapter 18.79 RCW;

(d) Before January 1, 2016, a long-term care worker employed by a community residential service business;

(e) A person working as an individual provider who provides (~~twenty~~)20 hours or less of care for one person in any calendar month;

(f) A person working as an individual provider who only provides respite services and works less than (~~three hundred~~)300 hours in any calendar year; or

(g) A person whose certificate has been expired for less than five years who seeks to restore the certificate to active status. The person does not need to complete continuing education requirements in order for their certificate to be restored to active status. Subsection (1) of this section applies to persons once the certificate has been restored to active status, beginning on the date the certificate is restored to active status.

(4) Individual providers covered under subsection (3) of this section may voluntarily take continuing education. The consumer directed employer must pay individual providers covered in subsection (3) of this section for any continuing education that they may take, up to 12 hours of continuing education annually.

(5) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this

section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

~~((5))~~ (6) Individual providers under RCW 74.39A.270 shall be compensated for training time required by this section.

~~((6))~~ (7) If a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete training as required by this section, the department may adopt rules to allow long-term care workers additional time to complete the training requirements.

(a) Rules adopted under this subsection ~~((6))~~ are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that all long-term care workers who were unable to complete the training required in this section have had adequate access to complete the required training, whichever is later. Once the department determines a rule adopted under this subsection ~~((6))~~ is no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of training compliance with subsection (1) of this section and provide the legislature with a report.

~~((7))~~ (8) The department of health shall adopt rules to implement subsection (1) of this section.

~~((8))~~ (9) The department shall adopt rules to implement subsection (2) of this section.

**Sec. 4.** RCW 74.39A.341 and 2023 c 424 s 6 are each amended to read as follows:

(1) All long-term care workers shall complete ~~((twelve))~~ 12 hours of continuing education training in advanced training topics each year. This requirement applies beginning July 1, 2012.

(2) Completion of continuing education as required in this section is a prerequisite to maintaining home care aide certification under chapter 18.88B RCW.

(3) Unless voluntarily certified as a home care aide under chapter 18.88B RCW, subsection (1) of this section does not apply to:

(a) An individual provider caring only for his or her biological, step, or adoptive child;

~~((b))~~ ~~((An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership;~~

~~((c))~~ Registered nurses and licensed practical nurses licensed under chapter 18.79 RCW;

~~((d))~~ (c) Before January 1, 2016, a long-term care worker employed by a community residential service business;

~~((e))~~ (d) A person working as an individual provider who provides

~~((twenty))~~ 20 hours or less of care for one person in any calendar month;

~~((f))~~ (e) A person working as an individual provider who only provides respite services and works less than ~~((three hundred))~~ 300 hours in any calendar year; or

~~((g))~~ (f) A person whose certificate has been expired for less than five years who seeks to restore the certificate to active status. The person does not need to complete continuing education requirements in order for their certificate to be restored to active status. Subsection (1) of this section applies to persons once the certificate has been restored to active status, beginning on the date the certificate is restored to active status.

(4) Individual providers covered under subsection (3) of this section may voluntarily take continuing education. The consumer directed employer must pay individual providers covered in subsection (3) of this section for any continuing education that they may take, up to 12 hours of continuing education annually.

(5) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

~~((5))~~ (6) Individual providers under RCW 74.39A.270 shall be compensated for training time required by this section.

~~((6))~~ (7) If a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete training as required by this section, the department may adopt rules to allow long-term care workers additional time to complete the training requirements.

(a) Rules adopted under this subsection ~~((6))~~ are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that all long-term care workers who were unable to complete the training required in this section have had adequate access to complete the required training, whichever is later. Once the department determines a rule adopted under this subsection ~~((6))~~ is no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of training compliance with subsection (1) of this section and provide the legislature with a report.

~~((7))~~ (8) The department of health shall adopt rules to implement subsection (1) of this section.

~~((8))~~ (9) The department shall adopt rules to implement subsection (2) of this section.

NEW SECTION. **Sec. 5.** A new section is added to chapter 74.39A RCW to read as follows:



(1) The department shall convene a work group to review existing available continuing education courses offered to long-term care workers under RCW 74.39A.341 and provide input and recommendations for the inclusion of topics relevant to individual providers caring for a family member to be incorporated into the development of new continuing education courses. The work group must consist of stakeholders with an interest in the continuing education training requirements for individual providers, including individual providers who are caregivers to a family member with an intellectual or developmental disability, individual providers who are adult children who are caregivers to a parent, the contracted training entity providing continuing education to long-term care workers, and consumers receiving care from an individual provider who is a family member.

(2) The department shall convene the work group by July 1, 2024, and the work group shall provide recommendations for the development of new courses to the secretary and the contracted training entity by March 1, 2025. By July 1, 2025, the contracted training entity shall submit a continuing education training course development plan that includes a specific timeline for the incorporation of topics identified in subsection (1) of this section to the secretary and the relevant committees of the legislature. Beginning September 1, 2025, the contracted training entity shall prioritize the development of courses that address the topics identified in subsection (1) of this section and the continuing education course development plan when it conducts its next scheduled continuing education course update and development for long-term care workers. The contracted training entity shall continue the development of new courses that address the recommended topics identified in subsection (1) of this section and the continuing education course development plan in its regular continuing education course development.

NEW SECTION. **Sec. 6.** Section 3 of this act takes effect January 1, 2025.

NEW SECTION. **Sec. 7.** Section 3 of this act expires January 1, 2027.

NEW SECTION. **Sec. 8.** Section 4 of this act takes effect January 1, 2027."

Correct the title.

Representatives Riccelli and Schmick spoke in favor of the adoption of the striking amendment.

The striking amendment (1265) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Alvarado and Riccelli spoke in favor of the passage of the bill.

Representatives Schmick and Corry spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5811, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5811, as amended by the House, and the bill passed the House by the following vote: Yeas, 58; Nays, 38; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

SENATE BILL NO. 5811, as amended by the House, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

Tuesday, March 5, 2024

Mme. Speaker:

The Senate refuses to concur in the House amendment(s) to ENGROSSED SENATE BILL NO. 5906 and asks the House to recede therefrom.

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the rules were suspended, and ENGROSSED SENATE BILL NO. 5906 was returned to second reading for the purpose of amendment.

#### MOTION

Representative Macri moved the adoption of the striking amendment (1267):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 43.70 RCW to read as follows:

(1) The department shall develop, implement, and maintain a statewide drug overdose prevention and awareness campaign to address the drug overdose epidemic.

(2)(a) The campaign must educate the public about the dangers of methamphetamines and opioids, including fentanyl, and the harms caused by drug use. The campaign must include outreach to both youth and adults aimed at preventing substance use and overdose deaths.

(b) The department, in consultation with the health care authority, may also include messaging focused on substance use disorder and overdose death prevention, resources for addiction treatment and services, and information on immunity for people who seek medical assistance in a drug overdose situation pursuant to RCW 69.50.315.

(3) The 2024 and 2025 campaigns must focus on increasing the awareness of the dangers of fentanyl and other synthetic opioids, including the high possibility that other drugs are contaminated with synthetic opioids and that even trace amounts of synthetic opioids can be lethal.

(4) Beginning June 30, 2025, and each year thereafter, the department must submit a report to the appropriate committees of the legislature on the content and distribution of the statewide drug overdose prevention and awareness campaign. The report must include a summary of the messages distributed during the campaign, the mediums through which the campaign was operated, and data on how many individuals received information through the campaign. The department must identify measurable benchmarks to determine the effectiveness of the campaign and recommend whether the campaign should continue and if any changes should be made to the campaign. The report must be submitted in compliance with RCW 43.01.036.

NEW SECTION. **Sec. 2.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representative Macri spoke in favor of the adoption of the striking amendment.

Representative Corry spoke against the adoption of the striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Bronoske presiding) divided the House. The result was 56 - YEAS; 38 - NAYS.

The striking amendment (1267) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Leavitt and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5906, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5906, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors,

Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SENATE BILL NO. 5906, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

#### SECOND READING

**ENGROSSED SENATE BILL NO. 6098, by Senators Robinson and Nguyen**

**Concerning accounts.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was adopted. For Committee amendment, see Journal, Day 58, Tuesday, March 5, 2024.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Macri and Corry spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6098, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6098, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SENATE BILL NO. 6098, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6316, by Senate Committee on Transportation (originally sponsored by Pedersen and King)**

**Concerning the state route number 520 corridor.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Transportation was before the House for purpose of amendment. For Committee amendment, see Journal, Day 58, Tuesday, March 5, 2024.

### MOTION

Representative Fey moved the adoption of amendment (1260) to the committee striking amendment:

On page 2, line 18 of the striking amendment, after "act" strike "takes effect July 1, 2024" and insert "is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately"

Representatives Fey and Barkis spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1260) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Fey and Barkis spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6316, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6316, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SUBSTITUTE SENATE BILL NO. 6316, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4700**, by Representatives Jinkins, Stokesbary, Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy,

Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, and Ybarra

WHEREAS, Joel Andrew Kretz was born in Seattle to Marjory and Vincent Kretz; and

WHEREAS, He grew up in Mercer Island and graduated from Mercer Island High School; and

WHEREAS, Kretz worked closely with his father at Timber Traders and Preston Mill Company in the timber business; and

WHEREAS, He started a logging company, Kretz Logging; and

WHEREAS, Kretz has a son, Jed (Chandra), and two grandchildren – Waylon and Josette; and

WHEREAS, He is lucky to be married to Lucka from Bohemia; and

WHEREAS, Kretz is the owner of Promised Land Ranch in Wauconda, where he raises horses, cattle, and timber; and

WHEREAS, He has welcomed all who were interested in gaining a real country perspective the opportunity to visit his beautiful home – provided they could find his four-mile driveway with no cell service or GPS system and traverse its multiple gates; and

WHEREAS, Kretz was first elected to the Washington State House of Representatives in 2004 to represent the 7th Legislative District; and

WHEREAS, He was elected House Republican Deputy Leader in late 2008 – a position he held until he stepped down in April 2023 (15 years!); and

WHEREAS, Kretz has advocated for private property rights, small businesses, solutions to address predator problems in Northeast Washington, fire-resilient forests, and wildfire prevention and response; and

WHEREAS, He has fought tirelessly for his constituents – the ranchers, farmers, and families of the great frontier; and

WHEREAS, Kretz has worked closely with Colville Tribal Leaders, such as Mel Tonasket, on their shared commitments to the lands, waters, and resources of the region; and

WHEREAS, He will always be remembered for his love of the land, his fierce loyalty to his friends, and his mustache; and

WHEREAS, Kretz is known for his passion for the rural lifestyle, the rural economy, and the rural code of "make sure you're not all hat and no cattle"; and

WHEREAS, He will always be Olympia's favorite cowboy from Wauconda and his life a country song. And as we all know, a cowboy never says goodbye – it's not in his nature; and

WHEREAS, Kretz has always had an open-door policy, often hosting both Republicans and Democrats at the same time in his Western-themed office to share thoughts and ideas. All who entered his office were greeted with a "come on in" and treated as a close friend; and

WHEREAS, As he concludes his time in the Washington State House of Representatives, we share our heartfelt thanks and appreciation for his public service and friendship;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize Representative Joel Kretz's record of public service to this institution, his constituents, and the people of Washington state.

Representative Wilcox moved adoption of HOUSE RESOLUTION NO. 4700.

Representatives Wilcox, Springer, Maycumber, Reeves, Dent, Chapman and Orcutt spoke in favor of the adoption of the resolution.

### SPEAKER'S PRIVILEGE

The Speaker recognized Representative Kretz's contributions and years of service to his legislative district and the House.

HOUSE RESOLUTION NO. 4700 was adopted.

There being no objection, the House adjourned until 10:30 a.m., Thursday, March 7, 2024, the 60th Day of the 2024 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

## SIXTIETH DAY

House Chamber, Olympia, Thursday, March 7, 2024

The House was called to order at 10:30 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Leah Noble and Eesha Sreejth. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Corey Passons, Community for Interfaith Celebration, Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker assumed the chair.

**SPEAKER'S PRIVILEGE**

The Speaker welcomed the newest member of the House Lillian Hale to the body and asked the Chamber to recognize her.

**POINT OF PERSONAL PRIVILEGE**

Representative Walsh welcomed the newest member, and his seatmate in the 19th legislative district, Representative Lillian Hale to the body of the House.

**RESOLUTION**

**HOUSE RESOLUTION NO. 2024-4701**, by Representatives Jinkins, Stokesbary, Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wylie, and Ybarra

WHEREAS, James Truman (JT) Wilcox III was born in Tacoma and raised on his family's farm in rural Pierce County; and

WHEREAS, He grew up around hard-working people, family members, and many others who cared for animals, tilled the soil, and raised families; and

WHEREAS, Wilcox learned from his father, Jim Wilcox, and Billy Frank Jr., that their values were intertwined in the health of the Nisqually River, the richness of the soil, the abundance of the salmon, and the interconnection of protecting a culture that ran through the bloodlines of First Washingtonians and those who call this great state home today; and

WHEREAS, He graduated from Yelm High School; and

WHEREAS, Wilcox graduated from Washington State University, where he earned a bachelor's degree in history; and

WHEREAS, He is married to Kathy and they have three children - James (Azra), Donnie (Aileen), and Katie (Zane) - and a granddaughter, Emma; and

WHEREAS, Wilcox was employed for 23 years at his fifth-generation family business, Wilcox Farms, in farming, food processing, and finance; and

WHEREAS, He is a dairy farmer at heart; and

WHEREAS, Wilcox has been active in his community, including the Yelm Methodist Church, Roy Volunteer Fire Department, Pacific Education Institute, Yelm Lions Club, Graham Business Association, and the Nisqually River Basin Land Trust; and

WHEREAS, He was elected to the Washington state House of Representatives in 2010 to represent the 2nd Legislative District; and

WHEREAS, Wilcox was elected House Republican Leader in March 2018, a position he held until he stepped back in April 2023; and

WHEREAS, He has fought for responsible state budgets, accountable state government, salmon restoration, and the sustainable development of natural resources for the use of the people of Washington state; and

WHEREAS, Wilcox has advocated for the people, employers, projects, and communities of the 2nd Legislative District; and

WHEREAS, He has a tremendous record of integrity, honesty, and a sense of fairness in his commitment to the public interest—and the ability to work across the aisle on common policy agendas; and

WHEREAS, Wilcox always tried to do the right thing as Leader and prioritized his caucus, even when it was the hardest thing to do and came with a high personal cost; and

WHEREAS, He shared with many colleagues the importance of friendship—pulling up a chair for simple conversations that brought so many values together; and

WHEREAS, As Wilcox concludes his tenure in the Washington state House of Representatives, we extend our sincere appreciation for his dedicated service and steadfast commitment to his legislative responsibilities—his contributions have been invaluable, and his presence will be missed in the Washington state legislature;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize Wilcox's record of public service, both in and out of this chamber, on behalf of his district, his colleagues, and the people of the state of Washington.

Representative Barkis moved adoption of HOUSE RESOLUTION NO. 4701.

Representatives Barkis, Lekanoff, Orcutt, Reeves, Stokesbary, Chapman and Kretz spoke in favor of the adoption of the resolution.

**SPEAKER'S PRIVILEGE**

The Speaker recognized Representative Wilcox's contributions and years of service to his legislative district and the House.

HOUSE RESOLUTION NO. 4701 was adopted.

The Speaker called upon Representative Orwall to preside.

There being no objection, the House advanced to the fourth order of business.

**INTRODUCTION & FIRST READING**

HB 2504 by Representative Goodman

AN ACT Relating to sentencing of felony offenses; amending RCW 9.94A.518, 9.94A.525, 9.94A.537, 9.94A.585, 9.94A.030, 9.68A.040, 46.61.504, 69.55.010, 18.64.046, 9.94A.470, 9.94A.475, 9.94A.505, 9.94A.510, 9.94A.517,

9.94A.530, 9.94A.660, 9.94A.729, 9.94A.833, and 10.01.210; reenacting and amending RCW 9.94A.533 and 9.94A.515; adding new sections to chapter 9.94A RCW; creating a new section; repealing RCW 9.94A.506; providing an effective date; and providing an expiration date.

Referred to Committee on Community Safety, Justice, & Reentry.

HCR 4409 by Representatives Fitzgibbon and Steele

Returning bills to their house of origin.

There being no objection, the bill and resolution listed on the day's under the fourth order of business were referred to the committees so designated, with the exception of HOUSE CONCURRENT RESOLUTION NO. 4409, which was read the first time, and under suspension of the rules, was placed on the third reading calendar.

There being no objection, the House advanced to the seventh order of business.

**\*\*FORMAT CHANGED TO ACCOMMODATE TEXT\*\***

### THIRD READING

#### CONFERENCE COMMITTEE REPORT

March 6th, 2024

Engrossed Substitute Senate Bill 5950

Includes "New Item": YES

Madame Speaker:

We of your Conference Committee, to whom was referred ESSB 5950, making 2023-2025 fiscal biennium supplemental operating appropriations, have had the same under consideration and we recommend that:

All previous amendments not be adopted and that the attached striking amendment H-3501.2 be adopted

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** 2023 c 475 s 1 (uncodified) is amended to read as follows:

(1) A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified in parts I through IX of this act, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for salaries, wages, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 2023, and ending June 30, 2025, except as otherwise provided, out of the several funds of the state hereinafter named.

(2) Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(a) "ARPA" means the American rescue plan act of 2021, P.L. 117-2.

(b) "CRRSA" means the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(c) "CRRSA/ESSER" means the elementary and secondary school emergency relief fund, as modified by the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(d) "Fiscal year 2024" or "FY 2024" means the fiscal year ending June 30, 2024.

(e) "Fiscal year 2025" or "FY 2025" means the fiscal year ending June 30, 2025.

(f) "FTE" means full time equivalent.

(g) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(h) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose which is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(i) "The office of the chief information officer" or "consolidated technology services" means Washington technology solutions, if Substitute House Bill No. 1947 (technology governance) is enacted.

(3) Whenever the terms in subsection (2)(a) through (c) of this section are used in the context of a general fund—federal appropriation, the term is used to attribute the funding to that federal act.

**NEW SECTION. Sec. 2.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, agencies may not obligate or expend funds from: (a) The climate investment account; (b) the climate commitment account; (c) the natural climate solutions account; and (d) the air quality and health disparities improvement account.

(2) If Initiative Measure No. 2117 is approved in the 2024 general election, except where otherwise specifically provided in this act, appropriations in chapter 474, Laws of 2023 (2023-2025 biennial capital budget), Senate Bill No. 5949 (the 2024 supplemental capital

budget), chapter 475, Laws of 2023 (2023-2025 operating budget), and Senate Bill No. 5950 (the 2024 supplemental operating budget), which are appropriated from the: (a) Climate investment account; (b) climate commitment account; (c) natural climate solutions account; and (d) air quality and health disparities improvement account, shall be paid from the consolidated climate account created in section 907 of this act as if they were appropriated from the consolidated climate account, beginning on the effective date of Initiative Measure No. 2117.

(3) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

**PART I  
GENERAL GOVERNMENT**

**Sec. 101.** 2023 c 475 s 101 (uncodified) is amended to read as follows:

**FOR THE HOUSE OF REPRESENTATIVES**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$59,938,000)) \$60,051,000)
General Fund—State Appropriation (FY 2025) . . . . .	(((\$62,150,000)) \$62,841,000)
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$122,088,000)) \$122,892,000)</b>

**Sec. 102.** 2023 c 475 s 102 (uncodified) is amended to read as follows:

**FOR THE SENATE**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$44,398,000)) \$44,379,000)
General Fund—State Appropriation (FY 2025) . . . . .	(((\$47,773,000)) \$48,193,000)
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$92,171,000)) \$92,572,000)</b>

The appropriations in this section are subject to the following conditions and limitations: \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of membership dues to the council of state governments, the national conference of state legislatures, the pacific northwest economic region, the pacific fisheries legislative task force, and the western legislative forestry task force.

**Sec. 103.** 2023 c 475 s 103 (uncodified) is amended to read as follows:

**FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

Performance Audits of Government Account—State Appropriation . . . . .	(((\$14,936,000)) \$15,427,000)
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$14,936,000)) \$15,427,000)</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Notwithstanding the provisions of this section, the joint legislative audit and review committee may adjust the due dates for projects included on the committee's 2023-2025 work plan as necessary to efficiently manage workload.

(2) \$250,000 of the performance audits of government account—state appropriation is for tax preference review costs from legislation enacted in the 2023 session.

(3) \$1,503,000 of the performance audits of government account—state appropriation is for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$626,000 of the performance audits of government account—state appropriation is for the audit required in Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) Within the amount appropriated in this section, the joint legislative audit and review committee shall conduct a review of the state's recreational boating programs. The committee shall complete the review by December 1, 2024. This review shall include examination of the following:

(a) Revenue sources for state recreational boating programs;

(b) Expenditures for state boating programs;

(c) Methods of administrating state recreational boating programs, including the roles of both state and local government entities; and

(d) Approaches other states have taken to funding and administering their recreational boating programs.

(6) \$2,000 of the performance audits of government account—state appropriation is for implementation of Engrossed Substitute House Bill No. 2131 (thermal energy networks). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(7) \$47,000 of the performance audits of government account—state appropriation is for tax preference review costs from legislation enacted in the 2024 session.

(8) (a) \$400,000 of the performance audits of government account—state appropriation is for the joint legislative audit and review committee to:

(i) Review the department of children, youth, and families—juvenile rehabilitation program's existing processes and staffing methodology used for determining adequate staffing ratios to meet the confinement and rehabilitative needs of the juveniles and ensure public safety;

(ii) Review procedures and protocols for professional development, hiring and recruitment, and training for staff serving youth in juvenile rehabilitation institutions, with a focus on how staff are trained to implement rehabilitative practices;

(iii) Review youth access to programming, treatment, and services including, but not limited to, educational programming, treatment and services for youth experiencing substance use disorder, behavioral health treatment, available reentry services such as housing, job training, and other supports, access to technology services, family and community connections, and other programming and services offered by the department to provide youth with rehabilitation and restorative interventions;

(iv) Review existing security and safety measures, including the use of disciplinary procedures for total isolation and room confinement, adopted by the department and their effectiveness in meeting the unique needs of the juvenile population in the custody of the department;

(v) Review how often and how many youth face new juvenile or adult criminal offense charges, convictions, or both while residing at juvenile rehabilitation institutions and potential future consequences that may occur as a result such as sentence extension, likelihood of recidivism, health impacts, and effects regarding criminal records;

(vi) Assess gender equity regarding education, employment, and career options for female youth;

(vii) Review how staffing impacts youth-on-youth conflict and safety;

(viii) Review best practices from other states regarding security and safety measures, programming opportunities, reentry supports, staff training and professional development, and staffing ratios, and identify options that may be feasible to adopt in Washington state to increase public safety and the security, programming options, treatment services, and rehabilitation mission of the department's juvenile rehabilitation institutions;

(ix) Review the department's existing processes for responding to critical incidents, including communication and cooperation with local law enforcement, and identify areas for improvement; and

(x) Review the impacts of changes in average daily population, longer lengths of stay, longer sentences, increases in maximum age of release, increases in more serious offense types and adult sentences, and related effects of chapter 322, Laws of 2019.

(b) The joint legislative audit and review committee shall report its findings and recommendations to the governor and the appropriate committees of the legislature by June 30, 2026. The report shall include recommendations on supporting the juvenile rehabilitation program's efforts to gradually move young people from carceral settings to least restrictive environments to improve positive reentry outcomes.

**Sec. 104.** 2023 c 475 s 104 (uncodified) is amended to read as follows:

**FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

Performance Audits of Government Account—State

Appropriation. . . . .	(( <del>\$5,326,000</del> ))
	\$5,340,000
TOTAL APPROPRIATION.....	(( <del>\$5,326,000</del> ))
	\$5,340,000

**Sec. 105.** 2023 c 475 s 105 (uncodified) is amended to read as follows:

**FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$21,727,000</del> ))
	\$21,469,000
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$19,625,000</del> ))
	\$20,862,000
TOTAL APPROPRIATION.....	(( <del>\$41,352,000</del> ))
	\$42,331,000

The appropriations in this section are subject to the following conditions and limitations: Within the amounts provided in this section, the joint legislative systems committee shall provide information technology support, including but not limited to internet service, for the district offices of members of the house of representatives and the senate.

**Sec. 106.** 2023 c 475 s 106 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF STATE LEGISLATIVE LABOR RELATIONS**

General Fund—State Appropriation (FY 2024). . . . .	\$961,000
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$964,000</del> ))
	\$965,000
TOTAL APPROPRIATION.....	(( <del>\$1,925,000</del> ))
	\$1,926,000



**Sec. 107.** 2023 c 475 s 107 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE STATE ACTUARY**

General Fund—State Appropriation (FY 2024)	\$409,000
General Fund—State Appropriation (FY 2025)	\$423,000
State Health Care Authority Administrative Account— State Appropriation	\$291,000
Department of Retirement Systems Expense Account— State Appropriation	(\$7,102,000)
	<u>\$7,127,000</u>
School Employees' Insurance Administrative Account— State Appropriation	\$258,000
<b>TOTAL APPROPRIATION</b>	<b>(\$8,483,000)</b>
	<u>\$8,508,000</u>

**Sec. 108.** 2023 c 475 s 108 (uncodified) is amended to read as follows:

**FOR THE STATUTE LAW COMMITTEE**

General Fund—State Appropriation (FY 2024)	(\$6,201,000)
	<u>\$6,193,000</u>
General Fund—State Appropriation (FY 2025)	(\$6,808,000)
	<u>\$6,863,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(\$13,009,000)</b>
	<u>\$13,056,000</u>

**Sec. 109.** 2023 c 475 s 109 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES**

General Fund—State Appropriation (FY 2024)	(\$5,852,000)
	<u>\$5,887,000</u>
General Fund—State Appropriation (FY 2025)	(\$6,465,000)
	<u>\$6,702,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(\$12,317,000)</b>
	<u>\$12,589,000</u>

**Sec. 110.** 2023 c 475 s 111 (uncodified) is amended to read as follows:

**FOR THE SUPREME COURT**

General Fund—State Appropriation (FY 2024)	(\$14,883,000)
	<u>\$14,870,000</u>
General Fund—State Appropriation (FY 2025)	(\$15,196,000)
	<u>\$16,386,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(\$30,079,000)</b>
	<u>\$31,256,000</u>

**Sec. 111.** 2023 c 475 s 112 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON JUDICIAL CONDUCT**

General Fund—State Appropriation (FY 2024)	(\$2,225,000)
	<u>\$2,222,000</u>
General Fund—State Appropriation (FY 2025)	(\$2,206,000)
	<u>\$2,221,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(\$4,431,000)</b>
	<u>\$4,443,000</u>

**Sec. 112.** 2023 c 475 s 113 (uncodified) is amended to read as follows:

**FOR THE COURT OF APPEALS**

General Fund—State Appropriation (FY 2024)	(\$25,901,000)
	<u>\$28,173,000</u>
General Fund—State Appropriation (FY 2025)	(\$26,491,000)
	<u>\$27,771,000</u>
<b>TOTAL APPROPRIATION</b>	<b>(\$52,392,000)</b>
	<u>\$55,944,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$764,000 of the general fund—state appropriation for fiscal year 2024 and \$764,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

**Sec. 113.** 2023 c 475 s 114 (uncodified) is amended to read as follows:

**FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund—State Appropriation (FY 2024)	(\$123,740,000)
	<u>\$125,457,000</u>
General Fund—State Appropriation (FY 2025)	(\$118,331,000)
	<u>\$125,109,000</u>

General Fund—Federal Appropriation. . . . .	\$2,209,000
General Fund—Private/Local Appropriation. . . . .	\$681,000
Judicial Stabilization Trust Account—State Appropriation. . . . .	(( <u>\$112,345,000</u> ))
	<u>\$122,817,000</u>
Judicial Information Systems Account—State Appropriation. . . . .	\$79,530,000
Opioid Abatement Settlement Account—State Appropriation. . . . .	\$479,000
<b>TOTAL APPROPRIATION.....</b>	<b>((<u>\$436,836,000</u>))</b>
	<u>\$456,282,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The distributions made under this section and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(2) (a) \$7,000,000 of the general fund—state appropriation for fiscal year 2024 and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to county juvenile court administrators for the costs associated with processing and case management of truancy, children in need of services, and at-risk youth referrals. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula must neither reward counties with higher than average per-petition/referral processing costs nor shall it penalize counties with lower than average per-petition/referral processing costs.

(b) Each fiscal year during the 2023-2025 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than 60 days after a fiscal year ends. These reports are informational in nature and are not for the purpose of distributing funds.

(3) \$1,094,000 of the general fund—state appropriation for fiscal year 2024 and \$1,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide fiscal impact on Thurston county courts. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(4) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the ~~((general fund state appropriation for fiscal year 2025))~~ judicial stabilization trust account—state appropriation are provided solely for distribution to local courts for costs associated with the court-appointed attorney and visitor requirements set forth in the uniform guardianship act, chapter 11.130 RCW. If the amount provided in this subsection is insufficient to fully fund the local court costs, distributions must be reduced on a proportional basis to ensure that expenditures remain within the available funds provided in this subsection. No later than December 31, 2023, the administrative office of the courts will provide a report on distributions to local courts including, but not limited to, the amount provided to each court, the number of guardianship cases funded at each court, costs segregated by attorney appointments and court visitor appointments, the amount of any pro rata reductions, and a recommendation on how to forecast distributions for potential future funding by the legislature.

(5) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to use as matching funds to distribute to small municipal and county courts, located in a rural county as defined in RCW 43.160.020, for the purpose of increasing security for court facilities. Grants must be used solely for security equipment and services for municipal, district, and superior courts and may not be used for staffing or administrative costs.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the administrative office of the courts to provide grants to superior courts for the purpose of creating or expanding sanitary lactation spaces or pods that provide privacy for courthouse visitors needing to breastfeed or express breast milk.

(7) (a) \$250,000 of the general fund—state appropriation for fiscal year 2024 ((is)) and \$1,100,000 of the judicial stabilization trust account—state appropriation are provided solely for the administrative office of the courts to contract with an equity and justice nonprofit organization to expand the capacity of the existing equity dashboard program. The contract must review and organize newly available criminal case data with the goal of consolidating and collecting adult felony case data to determine disparities in the legal justice system. The equity dashboard program must be expanded to include adult felony case data that is consolidated, interactable, transparent, and accessible to the public.

(b) Of the amounts provided in this subsection for fiscal year 2025, the \$1,000,000 in funding shall be split evenly between two equity and justice nonprofit organizations for the purpose of continuing the work of the existing public equity data dashboard on the collection of sentencing data and expanding their work to partner with a nonprofit organization that advocates for equity in technology and education to provide the public with data on social

determinants that impact education outcomes. The organization that promotes equity in education must be a coalition that advocates for an educational system that promotes racial equity and focuses on ensuring that the race of a child and the child's address are not the predicated factors in defining their success.

(8) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1766 (protection orders/hope cards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(9) \$1,090,000 of the general fund—state appropriation for fiscal year 2024 and \$1,090,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to address data quality issues across Washington state court management systems.

(10) \$51,428,000 of the judicial stabilization trust account—state appropriation is provided solely to establish a direct refund process to individuals to refund legal financial obligations, collection costs, and document-verified costs paid to third parties previously paid by defendants whose convictions have been vacated by court order due to the *State v. Blake* ruling. Superior court clerks, district court administrators, and municipal court administrators must certify and send to the office the amount of any refund ordered by the court. The court order must either contain the amount of the refund or provide language for the clerk or court administrator to certify to the office the amount to be refunded to the individual.

(11) ~~\$1,627,000 of the general fund—state appropriation for fiscal year 2024 ((~~is~~)) and \$1,812,000 of the general fund—state appropriation for fiscal year 2025 are~~ provided solely for activities of the office relating to the resentencing or vacating convictions of individuals and refund of legal financial obligations and costs associated with the *State v. Blake* ruling. In addition to contracting with cities and counties for the disbursement of funds appropriated for resentencing costs, the office must:

(a) Collaborate with superior court clerks, district court administrators, and municipal court administrators to prepare comprehensive reports, based on available court records, of all cause numbers impacted by *State v. Blake* going back to 1971. Such reports must include the refund amount related to each cause number;

(b) In collaboration with the office of public defense and the office of civil legal aid, establish a process that can be used by individuals seeking a refund, provide individuals information regarding the application process necessary to claim a refund, and issue payments from the refund bureau to individuals certified in subsection (10) of this section; and

(c) Collaborate with counties and municipalities to adopt standard coding for application to *State v. Blake* convictions and to develop a standardized practice regarding vacated convictions.

(12) \$38,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with costs of complying with the *State v. Blake* decision that arise from the county's role in operating the state's criminal justice system, including resentencing, vacating prior convictions for simple drug possession, and certifying refunds of legal financial obligations and collections costs. The office shall contract with counties for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a county. A county may designate the office to use available funding to administer a vacate process, or a portion of the vacate process, on behalf of the county. The office must collaborate with counties to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(13) \$11,500,000 of the judicial stabilization trust account—state appropriation is provided solely to assist cities with costs of complying with the *State v. Blake* decision that arise from the city's role in operating the city's criminal justice system, including vacating prior convictions for simple drug possession, to include cannabis and possession of paraphernalia, and certifying refunds of legal financial obligations and collections costs. The office shall contract with cities for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a city. A city may designate the office to use available funding to administer a vacate process, or a portion of the vacate process, on behalf of the city. The office must collaborate with cities to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(14) \$439,000 of the general fund—state appropriation for fiscal year 2024 and \$304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(15) ~~(\$1,560,000))~~ \$40,000 of the general fund—state appropriation for fiscal year 2024 ~~((~~is~~))~~, \$1,520,000 of the general fund—state appropriation for fiscal year 2025, and \$169,000 of the judicial stabilization trust account—state appropriation are provided solely for the office to administer a jury pay pilot program in Pierce county. Funding must be used to increase jury pay up to ~~((~~\$50~~))~~ \$100 for each day served in Pierce county superior court. The funds provided in this subsection must supplement, and not supplant, existing local funding for juror pay. The office must compare juror demographics after the pay increase as compared to data collected from the 2022 jury demographic survey to measure the impact increasing juror pay has on jury diversity and juror response rates.

(16) \$1,800,000 of the judicial stabilization trust account—state appropriation is provided solely for distribution to counties to help cover the cost of electronic monitoring with victim notification technology when an individual seeking a protection order requests

electronic monitoring with victim notification technology from the court and the respondent is unable to pay. Of the amount provided in this subsection, up to five percent of the funding each fiscal year may be used by the office for education and outreach to the courts regarding this technology.

(17) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1102 (judge pro tempore compensation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(18) \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute House Bill No. 1562 (violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) \$109,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed House Bill No. 1324 (prior juvenile offenses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20) \$659,000 of the general fund—state appropriation for fiscal year 2024 and \$639,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development and expansion of online and on-demand eLearning courses offered through the WACOURTS education portal for judicial officers, administrators, clerks, assistants, and other staff employed in state and local courts.

(21) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to fund public guardianship services provided by the office of public guardianship.

(22) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to develop a sequential intercept model pilot program. The intercept model pilot program must include the establishment of a coordinated care and services network in courts of limited jurisdiction located in two counties, one county east of the crest of the Cascade mountains and one county west of the crest of the Cascade mountains.

(a) In developing the pilot program, the administrative office of the courts must consult local government, the district and municipal court judges' association, the health care authority, the department of social and health services, the department of health, law enforcement agencies, and other impacted stakeholders as identified by the administrative office of the courts.

(ii) The pilot project shall include any sequential intercept mapping that is necessary to determine the availability of willing stakeholders and to determine gaps in services and programs in the geographic area served by the proposed coordinated care and services network.

(iii) The pilot project may include the use of a common source of peer support services as the means to link affected persons to the coordinated care and services network from the various intercepts in the sequential intercept model.

(iv) No court may be required by the administrative office of the courts to participate in the pilot program.

(v) For the purposes of this pilot project, "stakeholder" may include any public or private entity or individual that provides services, funds, or goods related to housing, shelter, education, employment, substance use disorder treatment or other behavioral health treatment, medical treatment, dental treatment, peer support, self-help, crisis care, income assistance, nutritional assistance, clothing, assistance with public benefits, or financial management and other life skills education.

(vi) The pilot project ends June 1, 2025. The administrative office of the courts shall submit a report to the legislature detailing the work of the pilot program project, which must include recommendations, if any, for continuation, modification, or expansion of the pilot program to other regions of the state, no later than June 30, 2025.

(23) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Washington state center for court research of the administrative office of the courts to conduct a study of legal financial obligations (LFO) charged by superior courts, juvenile courts, and courts of limited jurisdiction, including the reviews required in Engrossed Substitute House Bill No. 1169 (legal financial obligations). The administrative office of the courts must submit a report of the findings to the appropriate committees of the legislature by November 30, 2023. At a minimum, the study must include statewide and county-level data that shows, during the previous five state fiscal years that data is available:

(a) The total number of juvenile and criminal cases handled by court, the number of cases where legal financial obligations were imposed pursuant to chapter 13.40 RCW, the percentage of cases where legal financial obligations were not imposed, and the total amount of legal financial obligations that were collected;

(b) The total amount assessed to, collected from, and waived for all individuals, in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court, for each of the last five years data is available;

(c) The average amount assessed, collected, and waived per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court for each of the last five years data is available;

(d) The average amount collected per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, race, gender, LFO type, and charging court, for each of the last five years data is available;

(e) The estimated annual collection rate for restitution and nonrestitution LFOs for the last five years data is available;

(f) An estimate of the proportion of restitution assessed, disaggregated by victim type including natural persons, businesses, state agencies, and insurance companies, for each of the last five years data is available;

(g) The percentage, number of cases, and total amount of legal financial obligations that are uncollectible pursuant to RCW 13.40.190 or 13.40.192, or other statutory authority for the expiration of legal financial obligation debt including debt assessed in criminal cases; and

(h) The total amount of outstanding debt owed in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, race, gender, legal financial obligation type, charging court, and date of assessment.

(24) \$653,000 of the general fund—state appropriation for fiscal year 2024 and \$264,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(25) Funding in this section is sufficient to reimburse courts participating in the interpreter program for up to 100 percent of interpreter costs in fiscal years 2024 and 2025.

(26) \$60,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the administrative office of the courts to compile and submit a report to the fiscal and appropriate committees of the legislature by December 1, 2024. The report must include:

(a) A summary of the count of individuals whose juvenile points were used in calculating their current offender score in total, and by county, as identified by the department of corrections in section 223(2)(v) of this act;

(b) The estimated cost per county on how much resentencing for the individuals identified by the department of corrections in section 223(2)(v) of this act, would cost the county;

(c) Each county's assumptions for the cost per individual case, how long each case is estimated to take, and how many cases the county assumes they can complete by fiscal year given staffing levels in fiscal years 2025 through 2027.

(27) (a) \$165,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state center for court research of the administrative office of the courts to continue the study on legal financial obligations (LFO) charged by superior courts and courts of limited jurisdiction. The administrative office of the courts must submit a preliminary report to the appropriate committees of the legislature by November 30, 2024, and a final report by June 30, 2025. At a minimum, the report must include statewide data that shows, disaggregated by court type, LFO type, charge type, court user demographics, and community characteristics, during the previous five state fiscal years that data is available:

(i) The total number of juvenile and criminal cases handled by court, the number of cases where legal financial obligations were imposed pursuant to chapter 13.40 RCW, the percentage of cases where LFOs were imposed, and the total amount of LFOs that were collected;

(ii) The total amount assessed to, collected from, and waived for all individuals, in fees, court costs, fines, and restitution disaggregated by the defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court;

(iii) An estimate of the proportion of restitution owed in all cases, disaggregated by victim type including natural persons, businesses, state agencies, and insurance companies; and

(iv) A description of community level impact of LFO imposition measured as a ratio of aggregate debt to household income.

(b) Superior courts and courts of limited jurisdiction that do not enter their LFO data into a statewide data management system must provide their LFO data to the administrative office of the courts at dates to be set by the office to be included in the statewide report.

(c) Within the amounts provided in this subsection, the administrative office of the courts shall form a stakeholder group to review the report and make recommendations for data development and reporting topics.

(28) \$218,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5836 (Clark county superior court). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(29) \$850,000 of the judicial stabilization trust account—state appropriation is provided solely for additional education and training for judicial officers and staff, and partial reimbursement for pro tempore coverage for judicial officers' education attendance. Of the amount provided in this subsection, \$350,000 shall be solely used for the training and education activities of the courts of limited jurisdiction and \$500,000 shall be solely used for the training and education activities for superior courts.

(30) \$8,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Substitute House Bill No. 1241 (harassment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(31) \$70,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed House Bill No. 1964 (prorate & fuel tax collect). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(32) \$218,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of House Bill No. 1992 (superior court/Whatcom). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(33) \$560,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2384 (traffic safety cameras). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(34) \$2,094,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5825 (guardianship). During the fiscal biennium, in conformity with RCW 2.72.030, the administrative office of the courts shall collect uniform and consistent data on decision making assistance to include, but not limited to: The number of requests for decision making assistance received from hospitals, the number of guardianships and less restrictive alternatives to guardianships provided, the support and housing provided, and any other data related to case monitoring and management. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(35) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5828 (water rights commissioners). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(36) \$51,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5974 (unenforceable LFOs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(37) \$248,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6068 (dependency outcome reporting). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(38) \$479,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 114.** 2023 c 475 s 115 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF PUBLIC DEFENSE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$66,616,000</del> ))
	\$66,902,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$70,129,000</del> ))
	\$70,781,000
General Fund—Federal Appropriation. . . . .	\$385,000
Judicial Stabilization Trust Account—State Appropriation. . . . .	(( <del>\$9,894,000</del> ))
	\$16,218,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$147,024,000</del>))</b>
	<b>\$154,286,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of improving the quality of trial court public defense services as authorized by chapter 10.101 RCW. The office of public defense must allocate these amounts so that \$450,000 per fiscal year is distributed to counties, and \$450,000 per fiscal year is distributed to cities, for grants under chapter 10.101 RCW.

(2) ((~~\$6,000,000~~)) \$8,863,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with public defense services related to vacating the convictions of defendants and/or resentencing for defendants whose convictions or sentences are affected by the *State v. Blake* decision. Of the amount provided in this subsection:

(a) ((~~\$900,000~~)) \$1,863,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to provide statewide attorney training, technical assistance, data analysis and reporting, and quality oversight, to administer financial assistance for public defense costs related to *State v. Blake* impacts, and to maintain a triage team to provide statewide support to the management and flow of hearings for individuals impacted by the *State v. Blake* decision.

(b) ((~~\$5,100,000~~)) \$7,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties in providing counsel for defendants seeking to vacate a conviction and/or be resentenced under *State v. Blake*. Assistance shall be allocated to all counties based upon a formula established by the office of public defense. Counties may receive assistance by: (i) Applying for grant funding; and/or (ii) designating the office of public defense to contract directly with counsel.

(3) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to provide pre-filing legal representation to pregnant parents and parents of newborns at risk of removal by the department of children, youth, and families.

(4) \$623,000 of the general fund—state appropriation for fiscal year 2024 and \$1,165,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$6,863,000 of the general fund—state appropriation for fiscal year 2024 and \$6,602,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5415 (public defense/insanity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$1,434,000 of the general fund—state appropriation for fiscal year 2024 and \$1,434,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the parents for parents program.

(7) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to establish and operate a telephone consultation line to provide contracted legal counsel for parents, guardians, or legal custodians when the department of children, youth, and families proposes a voluntary placement agreement when there is no pending dependency proceeding under chapter 13.34 RCW pursuant to RCW 13.34.090(4).

(8) \$442,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to administer a public defense recruitment program to recruit and retain a sufficient pool of qualified attorneys and other public defense professionals. The recruitment program shall engage with students and faculty at colleges and law schools on topics relating to public defense and other public law practices; provide technical assistance and training to county and city public defense coordinators on recruitment strategies including establishment of law clerk programs; and administer a public defense internship program.

(9) \$10,000 of the general fund—state appropriation for fiscal year 2024 and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to address emergency safety assistance and other urgent needs for clients served by the parents representation program. Temporary, limited assistance may be made available for short-term housing, utilities, transportation, food assistance, and other urgent needs that, if unaddressed, could adversely impact case outcomes and impede successful family reunification. The office of public defense shall establish eligibility criteria and an expedited process for reviewing financial assistance requests submitted by parents representation program contractors.

(10)(a) \$400,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to establish and administer a pilot program that provides indigent parents in dependency and termination cases with voluntary access to a social service worker contracted by the office of public defense beginning at a shelter care hearing as described in chapter 13.34 RCW. The social service worker required under this section should: (i) Provide parent support; (ii) advocate for the parent; and (iii) participate in community child welfare improvement and court improvement meetings.

(b) The pilot program described in this section must be provided in at least two counties.

(c) By June 30, 2025, and in compliance with RCW 43.01.036, the office of public defense shall submit a report to the legislature and the governor that describes the pilot program required under this section including:

- (i) The number of families served by the program;
- (ii) Outcome information for the families served by the program; and
- (iii) Recommendations regarding maintaining or expanding the program.

(11) \$1,108,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$611,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5780 (public defense & prosecution). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 115.** 2023 c 475 s 116 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF CIVIL LEGAL AID**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$53,283,000</del> ))
	\$54,376,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$59,838,000</del> ))
	\$62,001,000
((General Fund—Federal Appropriation . . . . .	\$1,468,000))
Judicial Stabilization Trust Account—State	
Appropriation . . . . .	(( <del>\$3,851,000</del> ))
	\$6,698,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$118,440,000</del>))</b>

\$123,075,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,917,000 of the general fund—state appropriation for fiscal year 2024 and \$7,711,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for children and youth in dependency cases under RCW 13.34.212(3) in accordance with revised practice, caseload, and training standards adopted by the supreme court commission on children in foster care and includes a vendor rate increase for contracted attorneys. By October 1, 2023, the office must develop a revised implementation schedule based on a caseload assumption of adding no more than 1,250 new dependency cases to the program each fiscal year for consideration by the governor and the legislature.

(2) \$2,408,000 of the general fund—state appropriation for fiscal year 2024 and \$2,579,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of civil legal information, advice, and representation for tenants at risk of eviction but not yet eligible for appointed counsel services under RCW 59.18.640.

(3) ~~(\$15,425,000)~~ \$16,542,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$16,030,000)~~ \$17,965,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for tenants in unlawful detainer cases established in RCW 59.18.640 and includes a vendor rate increase for contracted attorneys. The office of civil legal aid shall assign priority to providing legal representation to indigent tenants in those counties in which the most evictions occur and to indigent tenants who are disproportionately at risk of eviction, as provided in RCW 59.18.640.

(4) ~~(\$2,387,000)~~ \$5,234,000 of the judicial stabilization trust account—state appropriation is provided solely to continue legal information, advice, assistance, and representation for individuals eligible for civil relief under the supreme court's ruling in *State v. Blake*.

(5) An amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2024 and an amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2025 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are 60 years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(6) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the office of civil legal aid to establish a legal advice phone line to provide guidance and legal advice for kinship caregivers. The phone line must be staffed by two FTE contracted attorneys that have experience with kinship care, guardianship statutes, the child welfare system, and issues relating to legal custody.

(7) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to expand civil legal aid services for survivors of domestic violence, including legal services for protection order proceedings, family law cases, immigration assistance, and other civil legal issues arising from or related to the domestic violence they experienced.

(8) \$1,009,000 of the general fund—state appropriation for fiscal year 2024 and \$1,022,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to continue the statewide reentry legal aid project as established in section 115(12), chapter 357, Laws of 2020.

(9) \$156,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 116.** 2023 c 475 s 117 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE GOVERNOR**

General Fund—State Appropriation (FY 2024) . . . . .	(( <u>\$24,543,000</u> ))
	<u>\$24,808,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$24,253,000</u> ))
	<u>\$30,250,000</u>
Economic Development Strategic Reserve Account—State Appropriation . . . . .	(( <u>\$2,282,000</u> ))
	<u>\$10,850,000</u>
GOV Central Service Account—State Appropriation . . . . .	(( <u>\$18,967,000</u> ))
	<u>\$19,538,000</u>
Performance Audits of Government Account—State Appropriation . . . . .	(( <u>\$720,000</u> ))
	<u>\$827,000</u>
<u>Workforce Education Investment Account—State Appropriation . . . . .</u>	<u>\$100,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<u>\$70,765,000</u>))</b>
	<b><u>\$86,373,000</u></b>



The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,146,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,146,000)~~ \$1,841,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the education ombuds.

(2) ~~(\$18,667,000)~~ \$19,238,000 of the GOV central service account—state appropriation is provided solely for the office of equity. Within the amounts provided in this subsection, \$571,000 of the GOV central service account—state appropriation is provided solely for the office of equity for additional staffing resources to provide effective communication and meaningful access to state information and services.

(3) \$100,000 of the workforce education investment account—state appropriation is provided solely to the office of the governor to implement career connected learning.

(4) (a) ~~(\$480,000)~~ \$554,000 of the general fund—state appropriation for fiscal year 2024 ~~(is)~~ and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the governor to invite federally recognized tribes, local governments, agricultural producers, commercial and recreational fisher organizations, business organizations, salmon recovery organizations, forestry and agricultural organizations, and environmental organizations to participate in a process facilitated by an independent entity to develop recommendations on proposed changes in policy and spending priorities to improve riparian habitat to ensure salmon and steelhead recovery.

~~((a))~~ (i) The independent entity must develop recommendations on furthering riparian funding and policy, including but not limited to, strategies that can attract private investment in improving riparian habitat, and developing a regulatory or compensation strategy if voluntary programs do not achieve concrete targets.

~~((b))~~ (ii) Preliminary recommendations shall be submitted to the legislature and governor by May 1, 2024, with a final report by June 30, 2024.

(b) The amounts provided in fiscal year 2025 are provided solely for the task force to develop proposals to implement the recommendations submitted in (a) of this subsection. The independent entity must convene a group of interested members of the legislature to provide the task force with background information regarding the recommendations submitted to the legislature, and to support the development of the implementation proposals. A report outlining the implementation proposals is due to the governor and the appropriate committees of the legislature by November 15, 2024.

(c) The office of the governor may contract for an independent facilitator. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

~~((4))~~ (5) \$3,020,000 of the general fund—state appropriation for fiscal year 2024 and \$2,980,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((if the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Within the amounts provided in this subsection:

(a) \$2,359,000 of the general fund—state appropriation for fiscal year 2024 and \$2,359,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for flexible funding to support children in crisis. Uses of the flexible funding include, but are not limited to:

(i) Residential, housing, or wraparound supports that facilitate the safe discharge of children in crisis from hospitals;

(ii) Support for families and caregivers to mitigate the risk of a child going into or returning to a state of crisis;

(iii) Respite and relief services for families and caregivers that would assist in the safe discharge of a child in crisis from a hospital, or prevent or mitigate a child's future hospitalization due to crisis; or

(iv) Any support or service that would expedite a safe discharge of a child in crisis from an acute care hospital or that would prevent or mitigate a child's future hospitalization due to crisis.

(b) Flexible funding expenditures may not be used for administrative expenses.

(c) The care coordinator created in Second Substitute House Bill No. 1580 (children in crisis) must approve any expenditures of flexible funding.

~~((5))~~ (6) \$300,000 of the GOV central service account—state appropriation is provided solely for the office of equity to conduct community engagement and develop an equity toolkit. Within the amounts provided in this subsection:

(a) The office of equity must consult with state boards and commissions that support the participation of people from underrepresented populations in policy-making processes, and may consult with other relevant state agencies, departments, and offices, to identify:

(i) Barriers to access and meaningful participation in stakeholder engagement by people from underrepresented populations who have lived experience;

(ii) Tools to support access and meaningful participation in stakeholder engagement;

(iii) Modifications to stakeholder engagement processes that promote an increase in access and opportunities for participation by people from underrepresented populations who have lived experience in policy-making processes. Any modifications identified may not restrict or otherwise prevent compliance with requirements under federal statute or regulations; and

(iv) Changes to law or agency rules that will promote increased access and participation in the policy-making process.

(b) The office of equity must submit a report, in compliance with RCW 43.01.036, to the appropriate committees of the legislature that details its findings under (a) of this subsection by July 1, 2024.

(c) By November 30, 2024, the office of equity must develop a toolkit on best practices for supporting meaningful engagement of underrepresented individuals with lived experience participating on statutory entities. The toolkit must be transmitted to all state agencies, including the office of the governor, members of the legislature, the secretary of the senate, and the chief clerk of the house of representatives. The toolkit must include:

(i) Best practices for identifying and recruiting underrepresented individuals with lived experience;

(ii) Best practices for appropriately and meaningfully engaging individuals from underrepresented populations with lived experience. Recommendations of these best practices may include suggestions from engagement conducted under (a) of this subsection;

(iii) Information on how to plan the work of a statutory entity using the principles of universal design, which may include suggestions from community engagement conducted under (a) of this subsection;

(iv) Best practices for onboarding all statutory entity members including how to support underrepresented individuals with lived experience in accessing compensation in accordance with chapter 43.03 RCW; and

(v) A list of state entities that appointing authorities may consult with when considering appointments to statutory entities for the purpose of increasing meaningful participation by people from underrepresented populations who have lived experience.

(d) For purposes of this subsection:

(i) "Lived experience" has the same meaning as provided in RCW 43.03.220.

(ii) "Statutory entity" means a multimember task force, work group, or advisory committee, that is temporary, established by legislation adopted after January 1, 2025, established for the specific purpose of examining a particular policy or issue which directly and tangibly affects one or more underrepresented populations, and is required to report to the legislature on the policy or issues it is tasked with examining. "Statutory entity" does not include legislative select committees or other statutorily created legislative entities composed of only legislative members.

(iii) "Underrepresented population" means a population group that is more likely to be at higher risk for disenfranchisement due to adverse socioeconomic factors such as unemployment, high housing and transportation costs relative to income, effects of environmental harms, limited access to nutritious food and adequate health care, linguistic isolation, and any other factors that may be barriers for participating in policy-making processes.

~~((6))~~ (7) Within the amounts appropriated in this section, the Washington state office of equity must cofacilitate the Washington digital equity forum with the statewide broadband office.

~~((7))~~ (8) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the corrections ombuds to prepare a report on incarcerated persons who have been in solitary confinement or any other form of restrictive housing more than 120 days in total during their period of incarceration or have been in solitary confinement or any other form of restrictive housing more than 45 consecutive days in the prior fiscal year. The report must:

(i) Include the basis on which each person was placed in restrictive housing;

(ii) Define the types of restrictive housing used by the department of corrections including, but not limited to, solitary confinement, administrative segregation, disciplinary segregation, protective custody, and maximum custody;

(iii) Identify the specific type of restrictive housing each incarcerated person was placed in and the reason for such placement;

(iv) Provide information regarding each incarcerated person's underlying offenses;

(v) Identify any sanctions imposed during the incarceration of each person;

(vi) State the amount of time each person has remaining in total confinement;

(vii) Document any attempted suicides by each individual in restrictive housing over the past 10 years and the reason, if known;

(viii) Describe the programming offered to and accepted by each incarcerated person during the person's period of restrictive confinement; and

(ix) Identify any short-term policies identified, implemented, or improved by the department for the restrictive housing population including, but not limited to, lighting, ventilation, and access to personal property, communication, and visitation.

(b) The department shall provide a report to the governor and appropriate committees of the legislature by June 30, 2024.

(9) Within existing resources, the governor's office of results Washington must conduct a review of the provisions in state law relating to statewide performance management in RCW 43.88.090 and 43.17.380 through 43.17.390 and other statutes as applicable. The office must produce a report to the governor and appropriate committees of the legislature by October 31, 2024, including recommendations for legislative actions to provide meaningful performance information and oversight for decision makers in the governor's office and other agencies responsible for enterprise-wide initiatives. Results Washington should consult with the office of financial management and other agencies as applicable to ensure that recommendations minimize duplication of effort and support their statutory oversight roles.

(10) \$559,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Fourth Substitute House Bill No. 1239 (educator ethics

& complaints). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2000 (international leadership). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$225,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2071 (residential housing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$618,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2084 (construction training/DOC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 117.** 2023 c 475 s 118 (uncodified) is amended to read as follows:

**FOR THE LIEUTENANT GOVERNOR**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$1,619,000</del> ))
	<u>\$1,616,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$1,640,000</del> ))
	<u>\$1,658,000</u>
General Fund—Private/Local Appropriation . . . . .	\$90,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$3,349,000</del>))</b>
	<b><u>\$3,364,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the legislative committee on economic development and international relations to conduct an analysis of the statewide economic impact of the military and defense sector. The analysis shall be completed and submitted to the governor and appropriate committees of the legislature by September 1, 2024.

**Sec. 118.** 2023 c 475 s 119 (uncodified) is amended to read as follows:

**FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$6,105,000</del> ))
	<u>\$6,108,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$5,913,000</del> ))
	<u>\$6,186,000</u>
Public Disclosure Transparency Account—State Appropriation . . . . .	(( <del>\$2,271,000</del> ))
	<u>\$2,300,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$14,289,000</del>))</b>
	<b><u>\$14,594,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) No moneys may be expended from the appropriations in this section to establish an electronic directory, archive, or other compilation of political advertising unless explicitly authorized by the legislature.

(2) ~~((~~\$2,171,000~~))~~ \$2,170,000 of the public disclosure transparency account—state appropriation is provided solely for the public disclosure commission for the purpose of improving the ability of the public to access information about political campaigns, lobbying, and elected officials, and facilitating accurate and timely reporting by the regulated community. The commission must report to the office of financial management and fiscal committees of the legislature by October 31st of each year detailing information on the public disclosure transparency account. The report shall include, but is not limited to:

(a) An investment plan of how funds would be used to improve the ability of the public to access information about political campaigns, lobbying, and elected officials, and facilitate accurate and timely reporting by the regulated community;

(b) A list of active projects as of July 1st of the fiscal year. This must include a breakdown of expenditures by project and expense type for all current and ongoing projects;

(c) A list of projects that are planned in the current and following fiscal year and projects the commission would recommend for future funding. The commission must identify priorities, and develop accountability measures to ensure the projects meet intended purposes; and

(d) Any other metric or measure the commission deems appropriate to track the outcome of the use of the funds.

(3) \$100,000 of the public disclosure transparency account—state appropriation is provided solely for implementation of Second Engrossed Substitute Senate Bill No. 5284 (campaign finance disclosure). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 119.** 2023 c 475 s 120 (uncodified) is amended to read as follows:

**FOR THE SECRETARY OF STATE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$40,397,000</del> ))
	<u>\$56,190,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$48,378,000</del> ))
	<u>\$62,517,000</u>
General Fund—Federal Appropriation . . . . .	\$8,606,000
Public Records Efficiency, Preservation, and Access Account—State Appropriation . . . . .	(( <del>\$11,621,000</del> ))
	<u>\$11,702,000</u>
Charitable Organization Education Account—State Appropriation . . . . .	(( <del>\$1,161,000</del> ))
	<u>\$1,233,000</u>
Washington State Library Operations Account—State Appropriation . . . . .	(( <del>\$14,652,000</del> ))
	<u>\$14,765,000</u>
Local Government Archives Account—State Appropriation . . . . .	(( <del>\$11,997,000</del> ))
	<u>\$12,089,000</u>
Election Account—Federal Appropriation . . . . .	\$4,487,000
Personnel Service Account—State Appropriation . . . . .	\$2,262,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$143,561,000</del>))</b>
	<b><u>\$173,851,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$2,498,000~~)) \$16,998,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$12,196,000~~)) \$21,450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to reimburse counties for the state's share of primary and general election costs, the state's share of presidential primary costs, and the costs of conducting mandatory recounts on state measures. Funds may also be used by the secretary of state for costs associated with the printing and distribution of the presidential primary voters pamphlet. Counties shall be reimbursed only for those costs that the secretary of state validates as eligible for reimbursement.

(2) (a) \$4,052,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$4,052,000~~)) \$6,052,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events statewide. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for humanities Washington speaker's bureau community conversations.

(5) \$114,000 of the general fund—state appropriation for fiscal year 2024 and \$114,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for election reconciliation reporting. Funding provides for one staff to compile county reconciliation reports, analyze the data, and to complete an annual statewide election reconciliation report for every state primary and general election. The report must be submitted annually on July 31, to legislative policy and fiscal committees. The annual report must include statewide analysis and by county analysis on the reasons for ballot rejection and an analysis of the ways ballots are received, counted, rejected and cure data that can be used by policymakers to better understand election administration.

(6) \$896,000 of the general fund—state appropriation for fiscal year 2024 and \$870,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to the maintenance and operations of the voter registration and election management

system. These staff will manage database upgrades, database maintenance, system training and support to counties, and triage and customer service to system users.

(7) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

(a) Funding the security operations center, including identified needs for expanded operations, systems, technology tools, training resources;

(b) Additional staff dedicated to the cyber and physical security of election operations at the office and county election offices;

(c) Expanding security assessments, threat monitoring, enhanced security training; and

(d) Providing grants to county partners to address identified threats and expand existing grants and contracts with other public and private organizations such as the Washington military department, national guard, private companies providing cyber security, and county election offices.

(8) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5112 (voter registration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5182 (candidate filing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5208 (online voter registration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$616,000 of the personnel service account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5015 (productivity board). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(13) ~~(\$350,000)~~ \$400,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$350,000)~~ \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with humanities Washington to expand the prime time family reading program.

(14) The office of the secretary of state must conduct a feasibility study of replacing the combined fund drive donor management system. The office must report its findings and a plan for replacement to the appropriate committees of the legislature by December 31, 2023.

(15) ~~(\$200,000)~~ \$850,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal services costs for *Vet Voice Foundation et al. v. Hobbs*.

(16) \$3,724,000 of the general fund—state appropriation for fiscal year 2024 and \$2,674,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to design and implement strategies and products to counter false narratives surrounding election security and integrity, including community engagement with underserved populations such as young voters, voters with disabilities, tribal communities, and non-English-speaking voters. Of the amounts provided in this subsection, \$500,000 per fiscal year are provided solely for grants to county auditors for the same purposes.

(17) The office of the secretary of state must work with the office of the chief information officer to evaluate the office of the secretary of state's information technology infrastructure and applications to determine the appropriate candidates for the location of data and the systems that could be exempt from consolidated technology services oversight. The office shall report its findings to the appropriate committees of the legislature by December 31, 2023.

(18) \$83,000 of the general fund—state appropriation for fiscal year 2024 and \$67,000 of the general fund—state appropriation for fiscal year 2025 are provided solely the office of the secretary of state to assist businesses and nonprofits providing therapeutic rehabilitation within Washington state's juvenile secure residential facilities. It is well established that providing outreach and therapeutic education among incarcerated youth remains critical to successful community reentry. The amounts provided under this subsection are subject to the following conditions and limitations: To be eligible for a grant under this subsection, a business must (a) apply for or have applied for the grant; (b) be registered as a Washington state business or non-profit; (c) reported annual gross receipts are no more than \$1,000,000 in the most recent calendar year; (d) must have ability to conduct in-person business operations at one of Washington's juvenile correctional facilities; (e) of the total grant amount awarded, no more than 10 percent may be awarded for travel expenses; (f) agree to operate in-person, in accordance with the requirements of applicable federal, state, and local directives and guidance; and (g) at least one principal of entity must demonstrate the following educational credential, minimum masters degree in related field, and professional experience of conducting therapeutic gaming. The office of the secretary of state may use up to 10 percent of the amount provided in this subsection for administrative costs.

(19) \$730,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

office's migration of its applications and systems to Azure cloud environments, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(20) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with the University of Washington Evans school of public policy and governance to complete a study based on the preliminary report and research design submitted to the office on June 30, 2022. The preliminary report analyzed the 2022 state auditor's performance audit titled "evaluating Washington's ballot rejection rates." The study must be reported to the governor and the appropriate committees of the legislature by November 1, 2023.

(21) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to continue developing a statewide digital assessment tool and protocol for the tool's usage. The office must use the tool and protocol it developed to reach additional underserved audiences and make improvements to the tool and protocol. The office must develop and publish recommendations to improve implementation of the tool by June 30, 2025.

(22) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish a Washington state library branch at Green Hill school.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with the University of Washington Evans school of public policy and governance to examine processes for providing voting registration, voting materials, and voting assistance for people held in Washington jails.

(a) The study must:

(i) Identify challenges and obstacles to voting in Washington jails;

(ii) Examine how election offices and jails can ensure that voter registration, materials, and assistance are provided to registered voters and eligible citizens who are in jail prior to each election;

(iii) Develop recommendations for facilitating voter registration for eligible citizens and voting for registered voters in Washington jails; and

(iv) Develop recommendations for identifying individuals who are registered to vote upon jail admission and for providing voter assistance upon release from jail.

(b) The study is due to the office, the governor, and the appropriate committees of the legislature by December 1, 2024.

(24) \$148,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of House Bill No. 1962 (voter address changes). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$137,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for costs associated with verifying signatures on initiatives to the legislature.

(26) \$81,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5843 (election security breaches). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(27) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5890 (ballot rejections). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(28) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 120.** 2023 c 475 s 121 (uncodified) is amended to read as follows:

**FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(\$801,000)
	\$802,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$797,000)
	\$987,000
Climate Commitment Account—State Appropriation . . . . .	\$658,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$2,256,000)</b>
	<b>\$2,447,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

(2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to engage a contractor to:

(i) Conduct a detailed analysis of the opportunity gap for native American students;

(ii) Analyze the progress in developing effective government-to-government relations and identification and adoption of curriculum regarding tribal history, culture, and government as provided under RCW 28A.345.070;

(iii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and

(iv) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(3) (a) \$404,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). Within amounts provided in this subsection, the governor's office of Indian affairs, in consultation with the department of ecology, the department of commerce, and the department of archaeology and historic preservation, must coordinate government-to-government engagement with federally recognized Indian tribes who have treaty rights in Washington. Topics of engagement may include:

(i) Implementation of environmental and energy laws, policy regulations, programs, and finances;

(ii) The climate commitment act, chapter 316, Laws of 2021;

(iii) Engrossed Second Substitute House Bill No. 1216 (clean energy siting); and

(iv) Other related policy.

(b) Funding provided within this subsection may support:

(i) Participation on the interagency clean energy siting coordinating council;

(ii) Creation and maintenance of a list of contacts of federally recognized tribes, and tribal preferences regarding outreach about clean energy siting and permitting; and

(iii) Development and delivery of training to clean energy project developers on consultation and engagement processes for federally recognized Indian tribes.

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 121.** 2023 c 475 s 122 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$913,000 ))
	<u>\$943,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( \$897,000 ))
	<u>\$920,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$1,810,000 ))</b>
	<b><u>\$1,863,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

(i) Conduct a detailed analysis of the opportunity gap for Asian American students;

(ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and

(iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

(i) Conduct a detailed analysis of the opportunity gap for Native Hawaiian and Pacific Islander students;

(ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and

(iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

**Sec. 122.** 2023 c 475 s 123 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER**

State Treasurer's Service Account—State Appropriation . . . . .	(( \$23,658,000 ))
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	<u>\$24,541,000</u>
TOTAL APPROPRIATION.....	<u>(\$23,658,000)</u>
	<u>\$24,541,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$500,000 of the state treasurer's service account—state appropriation is provided solely for the review of local government tax increment financing proposals as provided in RCW 39.114.020.~~

~~(2)) \$500,000 of the state treasurer's service account—state appropriation is provided solely for the office to study existing and proposed laws in other jurisdictions that limit consideration of material factors in public financing and investments. The study must consider any investment risk and economic risk to Washington associated with identified laws. Authorized uses of the amount provided in this subsection include, but are not limited to, staffing, consulting fees, travel expenditures, or other goods and services. The office must submit the study to the appropriate committees of the legislature by December 1, 2024.~~

~~((+3)) (2) Pursuant to RCW 82.08.225, the legislature authorizes the state treasurer to deposit up to \$3,000,000 of taxes collected pursuant to RCW 82.08.020(1) into the statewide tourism marketing account created in RCW 43.384.040 for the 2023-2025 fiscal biennium.~~

~~(3) \$280,000 of the state treasurer's service account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6069 (retirement savings). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

**Sec. 123.** 2023 c 475 s 124 (uncodified) is amended to read as follows:

**FOR THE STATE AUDITOR**

General Fund—State Appropriation (FY 2024) . . . . .	\$1,072,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$1,080,000))
	<u>\$1,579,000</u>
Auditing Services Revolving Account—State Appropriation. . . . .	(((\$18,519,000))
	<u>\$18,614,000</u>
Performance Audits of Government Account—State Appropriation. . . . .	(((\$1,871,000))
	<u>\$2,684,000</u>
TOTAL APPROPRIATION.....	(((\$22,542,000))
	<u>\$23,949,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,585,000 of the performance audit of government account—state appropriation is provided solely for staff and related costs to verify the accuracy of reported school district data submitted for state funding purposes; conduct school district program audits of state-funded public school programs; establish the specific amount of state funding adjustments whenever audit exceptions occur and the amount is not firmly established in the course of regular public school audits; and to assist the state special education safety net committee when requested.

~~(2) (Within existing resources of the performance audits of government account, the state auditor's office shall conduct a performance audit or accountability audit of Washington charter public schools to satisfy the requirement to contract for an independent performance audit pursuant to RCW 28A.710.030(2).~~

~~(3)) \$825,000 of the auditing services revolving account—state appropriation is provided solely for accountability and risk based audits.~~

~~((+4)) (3) \$1,030,000 of the general fund—state appropriation for fiscal year 2024 and \$1,030,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for law enforcement audits pursuant to RCW 43.101.460 and 43.101.465.~~

~~(4) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the state auditor's office to conduct a performance audit of the Washington state housing finance commission's oversight of housing developers that offer a rent-to-own option for projects funded by the commission. The audit must review how rent-to-own policies have affected affordable housing and home ownership options for eligible tenants; make recommendations for the commission to improve outcomes for rent-to-own tenants; and evaluate whether the commission has followed applicable state and federal laws related to financing and overseeing housing developers that offer rent-to-own options for tenants.~~

~~(5) \$800,000 of the performance audits of government account—state appropriation is for implementation of Substitute House Bill No. 2180 (special education cap). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

**Sec. 124.** 2023 c 475 s 125 (uncodified) is amended to read as follows:

**FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$299,000))
	<u>\$305,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(((\$295,000))
	<u>\$331,000</u>



TOTAL APPROPRIATION..... ((~~\$594,000~~))  
\$636,000

**Sec. 125.** 2023 c 475 s 126 (uncodified) is amended to read as follows:

**FOR THE ATTORNEY GENERAL**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$39,778,000</del> ))
	<u>\$48,659,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$36,313,000</del> ))
	<u>\$42,377,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$23,595,000</del> ))
	<u>\$25,263,000</u>
Public Service Revolving Account—State Appropriation. . . . .	(( <del>\$4,717,000</del> ))
	<u>\$4,742,000</u>
New Motor Vehicle Arbitration Account—State Appropriation. . . . .	(( <del>\$1,889,000</del> ))
	<u>\$1,897,000</u>
Medicaid Fraud Penalty Account—State Appropriation. . . . .	\$6,584,000
Child Rescue Fund—State Appropriation. . . . .	(( <del>\$80,000</del> ))
	<u>\$200,000</u>
Legal Services Revolving Account—State Appropriation. . . . .	(( <del>\$401,733,000</del> ))
	<u>\$409,394,000</u>
Local Government Archives Account—State Appropriation. . . . .	(( <del>\$1,117,000</del> ))
	<u>\$1,123,000</u>
Tobacco Prevention and Control Account—State Appropriation. . . . .	(( <del>\$274,000</del> ))
	<u>\$276,000</u>
TOTAL APPROPRIATION.....	(( <del>\$516,080,000</del> ))
	<u>\$540,515,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The attorney general shall report each fiscal year on actual legal services expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year. As part of its by agency report to the legislative fiscal committees and the office of financial management, the office of the attorney general shall include information detailing the agency's expenditures for its agency-wide overhead and a breakdown by division of division administration expenses.

(2) Prior to entering into any negotiated settlement of a claim against the state that exceeds five million dollars, the attorney general shall notify the director of the office of financial management and the chairs and ranking members of the senate committee on ways and means and the house of representatives committee on appropriations.

(3) The attorney general shall annually report to the fiscal committees of the legislature all new cy pres awards and settlements and all new accounts, disclosing their intended uses, balances, the nature of the claim or account, proposals, and intended timeframes for the expenditure of each amount. The report shall be distributed electronically and posted on the attorney general's web site. The report shall not be printed on paper or distributed physically.

(4) ((~~\$1,217,000~~))\$1,806,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$1,217,000~~))\$1,981,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for multi-year arbitrations of the state's diligent enforcement of its obligations to receive amounts withheld from tobacco master settlement agreement payments.

(5) \$6,189,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 326, Laws of 2021 (law enforcement data).

(6) ((~~\$1,958,000~~))\$1,458,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$958,000~~))\$1,458,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a program for receiving and responding to tips from the public regarding risks or potential risks to the safety or well-being of youth, called the YES tip line program. Risks to safety or well-being may include, but are not limited to, harm or threats of harm to self or others, sexual abuse, assault, rape, bullying or cyberbullying, substance use, and criminal acts. Any person contacting the YES tip line, whether for themselves or for another person, must receive timely assistance and not be turned away. The program must operate within the guidelines of this subsection.

(a) During the development and implementation of the YES tip line program the attorney general shall convene an advisory committee consisting of representatives from the Washington state patrol, the department of health, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the Washington association of educational service districts, and other participants the attorney general appoints.

(b) The attorney general shall develop and implement policies and processes for:

- (i) Assessing tips based on the level of severity, urgency, and assistance needed using best triage practices including the YES tip line;
  - (ii) Risk assessment for referral of persons contacting the YES tip line to service providers;
  - (iii) Threat assessment that identifies circumstances requiring the YES tip line to alert law enforcement, mental health services, or other first responders immediately when immediate emergency response to a tip is warranted;
  - (iv) Referral and follow-up on tips to schools or postsecondary institution teams, local crisis services, law enforcement, and other entities;
  - (v) YES tip line information data retention and reporting requirements;
  - (vi) Ensuring the confidentiality of persons submitting a tip and to allow for disclosure when necessary to respond to a specific emergency threat to life; and
  - (vii) Systematic review, analysis, and reporting by the YES tip line program of YES tip line data including, but not limited to, reporting program utilization and evaluating whether the YES tip line is being implemented equitably across the state.
- (c) The YES tip line shall be operated by a vendor selected by the attorney general through a competitive contracting process. The attorney general shall ensure that the YES tip line program vendor and its personnel are properly trained and resourced. The contract must require the vendor to be bound by confidentiality policies developed by the office. The contract must also provide that the state of Washington owns the data and information produced from the YES tip line and that vendor must comply with the state's data retention, use, and security requirements.
- (d) The YES tip line program must develop and maintain a reference and best practices tool kit for law enforcement and mental health officials that identifies statewide and community mental health resources, services, and contacts, and provides best practices and strategies for investigators to use in investigating cases and assisting youths and their parents and guardians.
- (e) The YES tip line program must promote and market the program and YES tip line to youth, families, community members, schools, and others statewide to build awareness of the program's resources and the YES tip line. Youth perspectives must be included and consulted in tip line development and implementation including creating marketing campaigns and materials required for the YES tip line program. The insights of youth representing marginalized and minority communities must be prioritized for their invaluable insight. Youths are eligible for stipends and reasonable allowances for reimbursement, lodging, and travel expenses as provided in RCW 43.03.220.
- (7) \$561,000 of the general fund—state appropriation for fiscal year 2024 and \$508,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the attorney general to support the Washington state missing and murdered indigenous women and people task force in section 912 of this act.
- (8) \$9,188,000 of the legal services revolving fund—state appropriation is provided solely for additional legal services to address additional legal services necessary for dependency actions where the state and federal Indian child welfare act apply. The office must report to the fiscal committees of the legislature within 90 days of the close of the fiscal year the following information for new cases initiated in the previous fiscal year to measure quantity and use of this funding:
- (a) The number and proportion of cases where the state and federal Indian child welfare act (ICWA) applies as compared to non-ICWA new cases;
  - (b) The amount of time spent advising on, preparing for court, and litigating issues and elements related to ICWA's requirements as compared to the amount of time advising on, preparing for court, and litigating issues and elements that are not related to ICWA's requirements;
  - (c) The length of state and federal Indian child welfare act cases as compared to non-ICWA cases measured by time or number of court hearings; and
  - (d) Any other information or metric the office determines is appropriate to measure the quantity and use of the funding in this subsection.
- (9)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a truth and reconciliation tribal advisory committee to conduct research and outreach to understand the operations and impact of Indian boarding schools in Washington run by public and faith-based institutions, and to develop recommendations for the state to acknowledge and address the historical and intergenerational harms caused by Indian boarding schools and other cultural and linguistic termination practices.
- (b) The advisory committee shall consist of five members nominated by the attorney general. The committee members must be citizens from federally recognized tribes in diverse geographic areas across the state that possess personal, policy, or specific expertise with Indian boarding school history and policies, or who have expertise in truth and healing endeavors that are traditionally and culturally appropriate.
- (c) The advisory committee must hold its first meeting by September 30, 2023, and shall meet at least quarterly. The advisory committee may conduct meetings in person or virtually and must accept written testimony. The advisory committee may, when feasible, invite and consult with any entity, agency, or individual deemed necessary to further its work, or with experts or professionals involved, having expertise, or having lived experience regarding Indian boarding schools or tribal engagement.
- (d) The office and the advisory committee must conduct at least six listening sessions in collaboration with tribes and Native-led organizations. The listening sessions must be held

with consideration of the cultural, emotional, spiritual, and psychological well-being of survivors, family members, and community members. In planning and facilitating the listening sessions, the office must seek to avoid imposing undue burdens on survivors, family members, or community members.

(e) The office of the attorney general must administer and provide staff support for the advisory committee.

(f) By June 30, 2025, the office must submit a final report to the appropriate committees of the legislature that includes, but is not limited to:

(i) A summary of activities undertaken by the advisory committee;

(ii) Findings regarding the extent and types of support provided by the state to Indian boarding schools;

(iii) Findings regarding current state policies and practices that originate from Indian boarding schools or other assimilationist policies and practices and that cause disproportionate harm to American Indian and Alaska Native people and communities; and

(iv) Recommendations regarding how the state can address the harm done by Indian boarding schools and other cultural and linguistic termination practices through a truth and reconciliation model, including but not limited to:

(A) Resources and assistance that the state may provide to aid in the healing of trauma caused by Indian boarding school policies; and

(B) Actions to correct current state policies and practices with origins in assimilationist policies or that cause disproportionate harm to Native people and communities.

(10) \$1,381,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal services and other costs related to voter rights and redistricting commission litigation.

(11) \$566,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation challenging chapter 104, Laws of 2022 (ESSB 5078).

(12) \$749,000 of the general fund—state appropriation for fiscal year 2024 and \$689,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to the defense of the state and its agencies in a federal environmental cleanup action involving the Quendall terminals superfund site.

(13) \$731,000 of the general fund—state appropriation for fiscal year 2024 and \$1,462,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the prosecution of sexually violent predator cases pursuant to chapter 71.09 RCW.

(14) \$699,000 of the general fund—state appropriation for fiscal year 2024 and \$699,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the criminal litigation unit to address increased wrongfully convicted person claims under chapter 4.100 RCW and increased workload and complexity of cases referred to the unit.

(15) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$1,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to create a centralized statewide organized retail crime task force to coordinate, investigate, and prosecute multijurisdictional retail crime.

(16) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5078 (firearms industry duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(17) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the attorney general to update the introduction to Washington water law legal primer. The updated primer must cover subjects including, but not limited to, municipal water law, the trusts water rights program, instream flows, and significant appellate water law cases that have been decided since the previous introduction to Washington water law was prepared in 2000. The office must complete the updated primer by June 30, 2025.

(18) \$39,000 of the general fund—state appropriation for fiscal year 2024, \$39,000 of the general fund—state appropriation for fiscal year 2025, and \$30,000 of the legal services revolving fund—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) \$2,071,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$204,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) \$2,316,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$138,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for staff support to the joint legislative task force on jail standards authorized by RCW 70.48.801. The task force shall report finding and recommendations to the governor and the appropriate committees of the legislature no later than December 1, 2023.

(23) \$463,000 of the general fund—state appropriation for fiscal year 2024, \$454,000 of the general fund—state appropriation for fiscal year 2025, \$398,000 of the general fund—federal appropriation, \$91,000 of the public service revolving account—state appropriation, \$133,000 of the medicaid fraud penalty account—state appropriation, and \$6,740,000 of the legal services revolving fund—state appropriation are provided solely for implementation of the legal matter management system and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(24) \$50,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$138,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1469 (health care services/access). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$153,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1512 (missing persons). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(28) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,005,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1177 (indigenous women). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$26,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1470 (private detention facilities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$75,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$106,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) \$338,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) (a) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the attorney general, in collaboration with the office of the insurance commissioner, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state including, but not limited to, the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.

(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The attorney general and office of the insurance commissioner shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

(34) \$9,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor compensation). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(35) \$526,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(36) \$801,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to create a permanent sexual assault kit initiative program.

(37)(a) \$247,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the attorney general, jointly with the department of health, to form a task force to provide recommendations to establish a comprehensive public health and community-based framework to combat extremism and mass violence.

(b) The office of the attorney general must, in consultation with the department of health, appoint a minimum of 10 members to the task force representing different stakeholder groups including, but not limited to:

(i) Community organizations working to address the impacts of or to assist those who are affected by extremism and mass violence;

(ii) Law enforcement organizations that gather data about or work to combat extremism and mass violence; and

(iii) Public health and nonprofit organizations that work to address the impacts of extremism and mass violence.

(c) The office of the attorney general and the department of health may each have no more than one voting member on the task force.

(d) The office of the attorney general must provide staff support for the task force.

(e) Any reimbursement for nonlegislative members of the task force is subject to chapter 43.03 RCW.

(f) The first meeting of the task force must be held by December 31, 2024. The task force must submit a preliminary report to the governor and the appropriate committees of the legislature by June 1, 2025, and a final report by December 1, 2026. The final report must include legislative and policy recommendations for establishing the comprehensive framework. It is the intent of the legislature to provide funding for the task force to complete the final report in the 2025-2027 fiscal biennium.

(g) No aspect of this subsection should be construed as a directive to alter any aspect of criminal law, create new criminal penalties, or increase criminal law enforcement.

(38) \$61,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1905 (equal pay/protected classes). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(39) \$30,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 2061 (health employees/overtime). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(40) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1618 (childhood sexual abuse/SOL). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(41) \$73,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(42) \$1,100,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1205 (service by pub./dependency). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(43) \$106,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 2301 (waste material management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(44) \$33,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 2467 (LTSS portability). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(45) \$216,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for personnel and associated costs to implement and maintain functional operations such as support, records management and disclosure, victim liaisons, and information technology for the clemency and pardons board.

(46) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office, in collaboration with the Washington association of sheriffs and police chiefs, to support the Washington state indigenous demographic data collection work group of the Washington state missing and murdered indigenous women and people task force established in section 912, chapter 475, Laws of 2023.

(47) \$743,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5427 (hate crimes & bias incidents). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(48) \$131,000 of the general fund—state appropriation for fiscal year 2024 and \$528,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5838 (AI task force). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(49) \$45,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to support the underground economy task force created in section 906 of this act.

(50) \$3,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5271 (DOH/facilities enforcement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(51) \$30,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5793 (paid sick leave). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(52) \$40,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 126.** 2023 c 475 s 127 (uncodified) is amended to read as follows:

**FOR THE CASELOAD FORECAST COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	((\$2,378,000))
	\$2,379,000
General Fund—State Appropriation (FY 2025) . . . . .	((\$2,378,000))
	\$2,476,000
Workforce Education Investment Account—State	
Appropriation . . . . .	\$356,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(\$5,112,000))</b>
	<b>\$5,211,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$356,000 of the workforce education investment account—state appropriation is provided solely to forecast the caseload for the Washington college grant program.

(2) Within existing resources, and beginning with the November 2021 forecast, the caseload forecast council shall produce an unofficial forecast of the long-term caseload for juvenile rehabilitation as a courtesy.

(3) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1218 (caseload forecast/tax credit). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(4) Within the amounts appropriated in this section, the council must forecast the number of people eligible for the apple health expansion for Washington residents with incomes at or below 138 percent of the federal poverty level, regardless of immigration status, beginning in July 2024.

**Sec. 127.** 2023 c 475 s 129 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—COMMUNITY SERVICES AND HOUSING**

General Fund—State Appropriation (FY 2024) . . . . .	((\$334,486,000))
	\$409,465,000
General Fund—State Appropriation (FY 2025) . . . . .	((\$391,233,000))
	\$492,261,000
General Fund—Federal Appropriation . . . . .	\$281,789,000
General Fund—Private/Local Appropriation . . . . .	\$5,252,000
Affordable Housing for All Account—State	
Appropriation . . . . .	\$109,227,000
Apple Health and Homes Account—State Appropriation . . . . .	\$28,452,000
Climate Commitment Account—State Appropriation . . . . .	\$35,000,000
Community Reinvestment Account—State Appropriation . . . . .	\$200,000,000
Community and Economic Development Fee Account—State	

Appropriation. . . . .	\$3,159,000
<del>((Coronavirus State Fiscal Recovery Fund—</del>	
<del>Federal Appropriation. . . . .</del>	<del>\$77,878,000))</del>
Covenant Homeownership Account—State Appropriation. . . . .	\$150,000,000
Financial Fraud and Identity Theft Crimes	
Investigation and Prosecution Account—State	
Appropriation. . . . .	\$2,631,000
Home Security Fund Account—State Appropriation. . . . .	\$290,410,000
Lead Paint Account—State Appropriation. . . . .	\$233,000
Prostitution Prevention and Intervention Account—	
State Appropriation. . . . .	\$26,000
Washington Housing Trust Account—State Appropriation. . . . .	\$9,863,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b><del>(\$1,919,639,000)</del></b>
	<b><u>\$2,017,768,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,500,000 of the general fund—state appropriation for fiscal year 2024 and \$10,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to resolution Washington to build statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the retired senior volunteer program.

(3) Within existing resources, the department shall provide administrative and other indirect support to the developmental disabilities council.

(4) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington new Americans program. The department may require a cash match or in-kind contributions to be eligible for state funding.

(5) \$768,000 of the general fund—state appropriation for fiscal year 2024 and \$797,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a private, nonprofit organization to provide developmental disability ombuds services.

(6) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, \$1,000,000 of the home security fund—state appropriation, \$2,000,000 of the Washington housing trust account—state appropriation, and \$1,000,000 of the affordable housing for all account—state appropriation are provided solely for the department of commerce for services to homeless families and youth through the Washington youth and families fund.

(7) \$1,000,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000,000 of the home security fund—state appropriation are provided solely for the administration of the grant program required in chapter 43.185C RCW, linking homeless students and their families with stable housing.

~~(8) ((a) \$1,980,000 of the general fund—state appropriation for fiscal year 2024 and \$1,980,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community beds for individuals with a history of mental illness. Currently, there is little to no housing specific to populations with these co-occurring disorders; therefore, the department must consider how best to develop new bed capacity in combination with individualized support services, such as intensive case management and care coordination, clinical supervision, mental health, substance abuse treatment, and vocational and employment services. Case-management and care coordination services must be provided. Increased case-managed housing will help to reduce the use of jails and emergency services and will help to reduce admissions to the state psychiatric hospitals. The department must coordinate with the health care authority and the department of social and health services in establishing conditions for the awarding of these funds. The department must contract with local entities to provide a mix of (i) shared permanent supportive housing; (ii) independent permanent supportive housing; and (iii) low and no barrier housing beds for people with a criminal history, substance abuse disorder, and/or mental illness.~~

~~(b) Priority for permanent supportive housing must be given to individuals on the discharge list at the state psychiatric hospitals or in community psychiatric inpatient beds whose conditions present significant barriers to timely discharge-)) \$11,844,000 of the general fund—state appropriation for fiscal year 2024 and \$11,844,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing assistance, including long-term rental subsidies, permanent supportive housing, and low and no barrier housing beds, for unsheltered individuals. Priority must be given to individuals with a mental health disorder, substance use disorder, or other complex conditions; individuals with a criminal history; and individuals transitioning from behavioral health treatment facilities or local jails.~~

(9) \$557,000 of the general fund—state appropriation for fiscal year 2024 and \$557,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to design and administer the achieving a better life experience program.

(10) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with organizations and attorneys to provide either legal representation or referral services for legal representation, or both, to indigent persons who are in need of legal services for matters related to their immigration status. Persons eligible for assistance under any contract entered into pursuant to this subsection must be determined to be indigent under standards developed under chapter 10.101 RCW.

(11) (a) \$12,500,000 of the general fund—state appropriation for fiscal year 2024, \$12,500,000 of the general fund—state appropriation for fiscal year 2025, and \$37,000,000 of the affordable housing for all account—state appropriation are provided solely for grants to support the building operation, maintenance, and service costs of permanent supportive housing projects or units within housing projects that have or will receive funding from the housing trust fund—state account or other public capital funding that:

(i) Is dedicated as permanent supportive housing units;

(ii) Is occupied by low-income households with incomes at or below 30 percent of the area median income; and

(iii) Requires a supplement to rent income to cover ongoing property operating, maintenance, and service expenses.

(b) Permanent supportive housing projects receiving federal operating subsidies that do not fully cover the operation, maintenance, and service costs of the projects are eligible to receive grants as described in this subsection.

(c) The department may use a reasonable amount of funding provided in this subsection to administer the grants.

(d) Within amounts provided in this subsection, the department must provide staff support for the permanent supportive housing operations, maintenance, and services forecast. The department must develop a model to estimate demand for operating, maintenance, and services costs for permanent supportive housing units that qualify for grant funding under (a) of this subsection. The model shall incorporate factors including the number of qualifying units currently in operation; the number of new qualifying units assumed to come online since the previous forecast and the timing of when those units will become operational; the impacts of enacted or proposed investments in the capital budget on the number of new potentially qualifying units; the number of units supported through a grant awarded under (a) of this subsection; the historical actuals for per unit average grant awards under (a) of this subsection; reported data from housing providers on actual costs for operations, maintenance, and services; and other factors identified as appropriate for estimating the demand for maintenance, operations, and services for qualifying permanent supportive housing units. The forecast methodology, updates, and methodology changes must be conducted in coordination with staff from the department, the office of financial management, and the appropriate fiscal committees of the state legislature. The forecast must be updated each February and November during the fiscal biennium and the department must submit a report to the legislature summarizing the updated forecast based on actual awards made under (a) of this subsection and the completed construction of new qualifying units.

(12) \$7,000,000 of the home security fund—state appropriation is provided solely for the office of homeless youth prevention and protection programs to:

(a) Expand outreach, services, and housing for homeless youth and young adults including but not limited to secure crisis residential centers, crisis residential centers, and HOPE beds, so that resources are equitably distributed across the state;

(b) Contract with other public agency partners to test innovative program models that prevent youth from exiting public systems into homelessness; and

(c) Support the development of an integrated services model, increase performance outcomes, and enable providers to have the necessary skills and expertise to effectively operate youth programs.

(13) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to build infrastructure and services to support a continuum of interventions, including but not limited to prevention, crisis response, and long-term housing, to reduce youth homelessness in communities identified as part of the anchor community initiative.

(14) \$2,125,000 of the general fund—state appropriation for fiscal year 2024 and \$2,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to contract with one or more nonprofit organizations to provide youth services and young adult housing on a multi-acre youth campus located in the city of Tacoma. Youth services include, but are not limited to, HOPE beds and crisis residential centers to provide temporary shelter and permanency planning for youth under the age of 18. Young adult housing includes, but is not limited to, rental assistance and case management for young adults ages 18 to 24. The department shall submit an annual report to the legislature on the use of the funds. The report is due annually on June 30th. The report shall include but is not limited to:

(a) A breakdown of expenditures by program and expense type, including the cost per bed;

(b) The number of youth and young adults helped by each program;

(c) The number of youth and young adults on the waiting list for programs, if any; and

(d) Any other metric or measure the department deems appropriate to evaluate the effectiveness of the use of the funds.

(15) \$65,310,000 of the general fund—state appropriation for fiscal year 2024 and \$65,310,000 of the general fund—state appropriation for fiscal year 2025 are provided solely



for the essential needs and housing support program and related services. The department may use a portion of the funds provided in this subsection to continue the pilot program established in section 127(106) of chapter 357, Laws of 2020 (addressing the immediate housing needs of low or extremely low-income elderly or disabled adults in certain counties who receive social security disability or retirement income). The department must ensure the timely redistribution of the funding provided in this subsection among entities or counties to reflect actual caseload changes as required under RCW 43.185C.220(5)(c).

(16) ~~(((\$198,000 of the general fund state appropriation for fiscal year 2024 and \$198,000 of the general fund state appropriation for fiscal year 2025 are provided solely to retain a behavioral health facilities siting administrator within the department to coordinate development of effective behavioral health housing options and provide technical assistance in siting of behavioral health treatment facilities statewide to aide in the governor's plan to discharge individuals from the state psychiatric hospitals into community settings. This position must work closely with the local government legislative authorities, planning departments, behavioral health providers, health care authority, department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity building efforts. This position must work to integrate building behavioral health treatment and infrastructure capacity in addition to ongoing supportive housing benefits-))~~ \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to King county for costs to provide transitional and long-term housing supports for unsheltered, recently-arrived individuals and families.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an entity located in the Beacon hill/Chinatown international district area of Seattle to provide low income housing, low income housing support services, or both. To the extent practicable, the chosen location must be colocated with other programs supporting the needs of children, the elderly, or persons with disabilities.

(18) \$4,740,000 of the general fund—state appropriation for fiscal year 2024, \$4,740,000 of the general fund—state appropriation for fiscal year 2025, and \$4,500,000 of the home security fund—state appropriation are provided solely for the consolidated homeless grant program.

(a) Of the amounts provided in this subsection, \$4,500,000 of the home security fund—state appropriation is provided solely for permanent supportive housing targeted at those families who are chronically homeless and where at least one member of the family has a disability. The department will also connect these families to medicaid supportive services.

(b) Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for diversion services for those families and individuals who are at substantial risk of losing stable housing or who have recently become homeless and are determined to have a high probability of returning to stable housing.

(c) Of the amounts provided in this subsection, \$3,240,000 of the general fund—state appropriation for fiscal year 2024 and \$3,240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for up to nine months of rental assistance for individuals enrolled in the foundational community supports initiative who are transitioning off of benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The health care authority, department of social and health services, and department of commerce shall collaborate on this effort.

(19) ~~(((\$958,000))~~ \$1,258,000 of the general fund—state appropriation for fiscal year 2024 and \$1,332,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operations of the long-term care ombudsman program.

(20) \$1,007,000 of the general fund—state appropriation for fiscal year 2024 and \$1,007,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer a transitional housing program for nondependent homeless youth.

(21) \$80,000 of the general fund—state appropriation for fiscal year 2024 and \$80,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish an identification assistance and support program to assist homeless persons in collecting documentation and procuring an identicard issued by the department of licensing. This program may be operated through a contract for services. The program shall operate in one county west of the crest of the Cascade mountain range with a population of 1,000,000 or more and one county east of the crest of the Cascade mountain range with a population of 500,000 or more.

(22)(a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to administer flexible funding to support the anchor community initiative and anchor communities through the homeless prevention and diversion fund and serve eligible youth and young adults. The flexible funding administered under this subsection may be used for the immediate needs of eligible youth or young adults. An eligible youth or young adult may receive support under this subsection more than once.

(b) Flexible funding provided under this subsection may be used for purposes including but not limited to:

(i) Car repair or other transportation assistance;

(ii) Rental application fees, a security deposit, or short-term rental assistance;

(iii) Offsetting costs for first and last month's rent and security deposits;  
 (iv) Transportation costs to go to work;  
 (v) Assistance in obtaining photo identification or birth certificates; and  
 (vi) Other uses that will support the eligible youth or young adult's housing stability, education, or employment, or meet immediate basic needs.

(c) The flexible funding provided under this subsection may be provided to:

(i) Eligible youth and young adults. For the purposes of this subsection, an eligible youth or young adult is a person under age 25 who is experiencing or at risk of experiencing homelessness, including but not limited to those who are unsheltered, doubled up or in unsafe living situations, exiting inpatient programs, or in school;

(ii) Community-based providers assisting eligible youth or young adults in attaining safe and stable housing; and

(iii) Individuals or entities, including landlords, providing safe housing or other support designed to lead to housing for eligible youth or young adults.

(23) ~~(\$607,000)~~ \$3,607,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$607,000)~~ \$3,607,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to assist homeowners at risk of foreclosure pursuant to chapter 61.24 RCW. Funding provided in this section may be used for activities to prevent mortgage or tax lien foreclosure, housing counselors, a foreclosure prevention hotline, legal services for low-income individuals, mediation, and other activities that promote homeownership. The department may contract with other foreclosure fairness program state partners to carry out this work.

(24) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a nonprofit entity located in Seattle that focuses on poverty reduction and racial equity to convene and staff a poverty reduction workgroup steering committee comprised of individuals that have lived experience with poverty. Funding provided in this section may be used to reimburse steering committee members for travel, child care, and other costs associated with participation in the steering committee.

(25) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for capacity-building grants through the Latino community fund for emergency response services, educational programs, and human services support for children and families in rural and underserved communities.

(26) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to administer a competitive grant process to award funding to licensed youth shelters, HOPE centers, and crisis residential centers to provide behavioral health support services for youth in crisis, and to increase funding for current grantees.

(27) ~~(\$9,864,000 of the general fund—state appropriation for fiscal year 2024 and \$9,864,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for long-term rental subsidies for individuals with mental health or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served.)~~ \$2,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the city of Tukwila for costs incurred related to unsheltered, recently-arrived individuals and families. Of the amount provided in this subsection, \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for transitional and long-term housing supports, on the condition that the city of Tukwila contract with the office of refugee and immigrant assistance for the use of a location for providing tiered support services for unsheltered, recently-arrived individuals and families. The office may subcontract to provide the support services.

(28) \$9,575,000 of the general fund—state appropriation for fiscal year 2024 and \$9,575,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the Washington state office of firearm safety and violence prevention, including the creation of a state and federal grant funding plan to direct resources to cities that are most impacted by community violence. Of the amounts provided in this subsection:

(a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based violence prevention and intervention services to individuals identified through the King county shots fired social network analysis. The department must complete an evaluation of the program and provide a report to the governor and the appropriate legislative committees by June 30, 2023.

(b) \$5,318,000 of the general fund—state appropriation for fiscal year 2024 and \$5,318,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support existing programs and capacity building for new programs providing evidence-based violence prevention and intervention services to youth who are at high risk to perpetrate or be victims of firearm violence and who reside in areas with high rates of firearm violence as provided in RCW 43.330A.050.

(i) Priority shall be given to programs that partner with the University of Washington, school of medicine, department of psychiatry and behavioral sciences for training and support to deliver culturally relevant family integrated transition services through use of credible messenger advocates.

(ii) The office may enter into agreement with the University of Washington or another independent entity with expertise in evaluating community-based grant-funded programs to evaluate the grant program's effectiveness.

(iii) The office shall enter into agreement to provide funding to the University of Washington, school of medicine, department of psychiatry and behavioral sciences to directly deliver trainings and support to programs providing culturally relevant family integrated transition services through use of credible messenger and to train a third-party organization to similarly support those programs.

(iv) Of the amounts provided under (b) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a certified credible messenger program that does work in at least three regions of Washington state to train and certify credible messengers to implement a culturally responsive, evidence-based credible messenger violence prevention and intervention services program.

(c) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to further support firearm violence prevention and intervention programs and initiatives consistent with the duties of the office as set forth in RCW 43.330A.020.

(d) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to support safe storage programs and suicide prevention outreach and education efforts across the state.

(29) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to diaper banks for the purchase of diapers, wipes, and other essential baby products, for distribution to families in need. The department must give priority to providers serving or located in marginalized, low-income communities or communities of color; and providers that help support racial equity.

(30) \$4,500,000 of the general fund—state appropriation for fiscal year 2024 and \$4,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to counties to stabilize newly arriving refugees, including those from the 2021 Afghanistan conflict and the 2022 Ukraine-Russia conflict.

(31) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit resource center in King county that provides sexual assault advocacy services, therapy services, and prevention and outreach to begin a three-year, multigrade sexual violence prevention program in the Renton school district.

(32) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to colead a prevention work group with the department of children, youth, and families. The work group must focus on preventing youth and young adult homelessness and other related negative outcomes. The work group shall consist of members representing the department of social and health services, the employment security department, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the interagency work group on homelessness, community-based organizations, and young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement.

(a) The work group shall help guide implementation of:

(i) The state's strategic plan on prevention of youth homelessness;

(ii) Chapter 157, Laws of 2018 (SSB 6560);

(iii) Chapter 312, Laws of 2019 (E2SSB 5290);

(iv) Efforts to reform family reconciliation services; and

(v) Other state initiatives addressing the prevention of youth homelessness.

(b) The office of homeless youth prevention and protection programs must use the amounts provided in this subsection to contract with a community-based organization to support the involvement with the work group of young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement. The community-based organization must serve and be substantially governed by marginalized populations. The amounts provided in this subsection must supplement private funding to support the work group.

(33) \$22,802,000 of the general fund—state appropriation for fiscal year 2024 and \$22,803,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase existing grantee contracts providing rental or housing subsidy and services for eligible tenants in housing and homeless programs. The department must distribute funding in a manner that will prioritize maintaining current levels of homeless subsidies and services and stabilizing the homeless service provider workforce.

(34)(a) \$35,000,000 of the climate commitment account—state appropriation is provided solely for the department to administer grant funding through the existing network of federal low-income home energy assistance program grantees to provide low-income households with energy utility bill assistance.

(b) To qualify for assistance, a household must be below 80 percent of the area median income and living in a community that experiences high environmental health disparities.

(c) Under the grant program, each household accessing energy bill assistance must be offered an energy assessment that includes determining the household's need for clean cooling and heating system upgrades that improve safety and efficiency while meeting Washington's climate goals. If beneficial, households may be offered grant funding to cover the replacement of inefficient, outdated, or unsafe home heating and cooling systems with more energy efficient electric heating and cooling technologies, such as heat pumps.

(d) Of the amounts provided in this subsection, no more than 60 percent of the funding may be utilized by the department to target services to multifamily residential buildings across the state that experience high energy use, where a majority of the residents within the building are below 80 percent of the area median income and the community experiences high environmental health disparities.

(e) In serving low-income households who rent or lease a residence, the department must establish processes to ensure that the rent for the residence is not increased and the tenant is not evicted as a result of receiving assistance under the grant program.

(f) The department must incorporate data collected while implementing this program into future energy assistance reports as required under RCW 19.405.120. The department may publish information on its website on the number of furnace or heating and cooling system replacements, including replacements within multifamily housing units.

(g) The department may utilize a portion of the funding provided within this subsection to create an electronic application system.

(35) \$55,500,000 of the general fund—state appropriation for fiscal year 2024 and \$55,500,000 of the general fund—state appropriation for fiscal year 2025 ((and \$55,500,000 of the coronavirus state fiscal recovery account—federal appropriation)) are provided solely for the department to continue grant funding for emergency housing and shelter capacity and associated supports such as street outreach, diversion services, short-term rental assistance, hotel and motel vouchers, housing search and placement, and housing stability case management. Entities eligible for grant funding include local governments and nonprofit entities. The department may use existing programs, such as the consolidated homelessness grant program, to award funding under this subsection. Grants provided under this subsection must be used to maintain or increase current emergency housing capacity, funded by the shelter program grant and other programs, as practicable due to increased costs of goods, services, and wages. Emergency housing includes transitional housing, congregate or noncongregate shelter, sanctioned encampments, or short-term hotel or motel stays. Of the amount provided in this subsection for fiscal year 2025, \$1,500,000 must be granted to a housing readiness program serving individuals experiencing homelessness in the city of Longview. Funding may be used to operate severe weather shelters, housing navigation, case management, laundry and hygiene facilities, connection to other social services, and other programs serving unhoused individuals in Cowlitz county.

(36) (a) \$75,050,000 of the general fund—state appropriation for fiscal year 2024 and \$75,050,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to transition persons residing in encampments to safer housing opportunities, with an emphasis on ensuring individuals living unsheltered reach permanent housing solutions. Eligible grant recipients include local governments and nonprofit organizations operating to provide housing or services. The department may provide funding to state agencies to ensure individuals accessing housing services are also able to access other wrap-around services that enable them to obtain housing such as food, personal identification, and other related services. Local government and nonprofit grant recipients may use grant funding to provide outreach, housing, case management, transportation, site monitoring, and other services needed to assist individuals residing in encampments and on public rights-of-way with moving into housing.

(b) Of the amounts provided in this subsection:

(i) No less than \$120,000,000 must be used for housing services for persons residing on state-owned rights-of-way; and

(ii) All remaining funds may be used for housing services for persons residing in encampments, including encampments located on public lands, as defined in RCW 79.02.010, or state parks and parkways.

(c) Grant criteria must include, but are not limited to:

(i) Whether a site where the grantee will conduct outreach and engagement has been identified as a location where individuals residing in encampments or on the public right-of-way are in specific circumstances or physical locations that expose them to especially or imminently unsafe conditions;

(ii) A commitment to resolve encampments through extensive outreach followed by matching individuals with temporary lodging or permanent housing that is reasonably likely to fit with their actual needs and situation, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability;

(iii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement within six months except under unusual circumstances;

(iv) Local government readiness and capacity to enter into and fulfill the grant requirements as applicable; and

(v) Other criteria as identified by the department.

(d) When awarding grants under (a) of this subsection, the department must prioritize applicants that focus on ensuring an expeditious path to sustainable permanent housing solutions, and that demonstrate an understanding of working with individuals to identify their optimal housing type and level of ongoing services through the effective use of outreach, engagement, and temporary lodging and permanent housing placement.

(e) Grant recipients under (a) of this subsection must enter into a memorandum of understanding with the department, and other state agencies if applicable, as a condition of receiving funds. Memoranda of understanding must specify the responsibilities of the grant recipients and the state agencies, consistent with the requirements of (c) of this subsection, and must include specific measurable outcomes for each entity signing the memorandum. The department must publish all signed memoranda on the department's website and must publish updates on outcomes for each memorandum at least every 90 days, while taking steps to protect the privacy of individuals served by the program. At a minimum, outcomes must include:

(i) The number of people actually living in any encampment identified for intervention by the department or grantees;

(ii) The demographics of those living in any encampment identified for intervention by the department or grantees;

(iii) The duration of engagement with individuals living within encampments;

(iv) The types of housing options that were offered;

(v) The number of individuals who accepted offered housing;

(vi) Any reasons given for why individuals declined offered housing;

(vii) The types of assistance provided to move individuals into offered housing;

(viii) Any services and benefits in which an individual was successfully enrolled; and

(ix) The housing outcomes of individuals who were placed into housing six months and one year after placement.

(f) Grant recipients under (a) of this subsection may not transition individuals from encampments or close encampments unless they have provided extensive outreach and offered each individual temporary lodging or permanent housing that matches the actual situation and needs of each person, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability. Grant recipients who initially match an individual to temporary lodging must make efforts to transition the person to a permanent housing placement within six months except under unusual circumstances. The department must establish criteria regarding the safety, accessibility, and habitability of housing options to be offered by grant recipients to ensure that such options are private, sanitary, healthy, and dignified, and that grant recipients provide options that are well-matched to an individual's assessed needs.

(g) Funding granted to eligible recipients under (a) of this subsection may not be used to supplant or replace existing funding provided for housing or homeless services.

(37) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase funding for the community services block grant program. Distribution of these funds to community action agencies shall prioritize racial equity and undoing inequity from historic underinvestment in Black, indigenous, and people of color, and rural communities.

(38) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization to identify opportunities for cities in Whatcom county to improve access to affordable housing through conducting market research, engaging stakeholders, and developing tools and implementation strategies for cities that will increase access to affordable housing. The grant recipient must be a nonprofit organization based in Bellingham that promotes affordable housing solutions and with a mission to create thriving communities.

(39) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization located in the city of Redmond that serves Latino low-income, immigrant, and Spanish-speaking communities in King and Snohomish counties through arts and culture events and community services. The grant funding may be used to expand existing programs including, but not limited to, support for small businesses, rent assistance, vaccination and COVID-19 outreach, programs aimed at increasing postsecondary enrollments in college and trade schools, and other community services and programs.

(40) ~~(\$4,000,000)~~ \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,000,000)~~ \$6,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to community-based organizations that serve historically disadvantaged populations to conduct outreach and to assist community members in applying for state and federal assistance programs including, but not limited to, those administered by the department of social and health services, department of commerce, and department of children, youth, and families.

(41) ~~(\$150,000)~~ \$110,000 of the general fund—state appropriation for fiscal year 2024 ~~(+)~~ and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization located in the city of Issaquah to provide cultural programs and navigational supports for individuals and families who may face language or other cultural barriers when engaging with schools, public safety, health and human services, and local government agencies.

(42) \$200,000,000 of the community reinvestment account—state appropriation is provided solely for the department to distribute grants for economic development, civil and criminal legal assistance, community-based violence intervention and prevention services, and reentry services programs. Grants must be distributed in accordance with the recommendations of the community reinvestment plan developed pursuant to section 128(134), chapter 297, Laws of 2022 (ESSB 5693).

(43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000,000 of the covenant homeownership account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1474 (covenant homeownership prg.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional staffing for the developmental disabilities council.

(45) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Spokane to provide transitional housing, educational programs, and other resources for refugee and immigrant families.

(46) \$1,169,000 of the general fund—state appropriation for fiscal year 2024 and \$1,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(47) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a dispute resolution center located in Snohomish county to provide mediation and resolution services for landlords and tenants, with the goal of avoiding evictions.

(48) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for grants to nonprofit organizations to operate hunger relief response programs serving individuals living in permanent supportive housing. Of the amounts provided in this subsection:

(a) \$275,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in King county.

(b) \$225,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in Spokane county.

(49) \$180,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization operating a teen center in the city of Issaquah to provide case management and counseling services for youth ages 12 to 19.

(50)(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit community-based organization for the coordination of a gang violence prevention consortium with entities including community-based organizations, law enforcement, and members of the faith community, and to continue and expand after-school activities and social services for students and young adults in the Yakima valley. Social services may include, but are not limited to, employment, mental health, counseling, tutoring, and mentoring services. The grant recipient must be a community-based organization located in Granger operating a Spanish language public radio station and with the mission of addressing the social, educational, and health needs of economically disadvantaged Spanish-speaking residents of central and eastern Washington.

(b) By June 30, 2025, the department must provide a report to the appropriate committees of the legislature. The report must include: (i) A description of the gang violence prevention programs conducted by the consortium and how they were implemented; and (ii) The number of individuals who participated in or received services through the programs conducted by the consortium, including any relevant demographic data for those individuals.

(51) \$400,000 of the general fund—state appropriation for fiscal year ~~((2024))2025~~ is provided solely for the department to contract with a nonprofit organization to develop an affordable housing predevelopment plan. The affordable housing predevelopment plan must assess the feasibility of using surplus public land located at or near north Seattle Community College and Highline Community College for the development of affordable colocated housing that could serve low and moderate-income state workers. The contract recipient must be an organization that provides consultation services on affordable housing development. In creating the predevelopment plan, the contract recipient must solicit input from interested parties including, but not limited to, low-income and affordable housing experts, policy staff in the office of the governor, state public employee unions, and legislators. The contract recipient may also use funds provided under this subsection for affordable housing predevelopment work at North Seattle Community College or Highline Community College.

(52) \$781,000 of the general fund—state appropriation for fiscal year 2024 and \$781,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1406 (youth seeking housing assist). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(53)(a) \$1,750,000 of the general fund—state appropriation for fiscal year 2024 and \$1,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of firearm safety and violence prevention to continue a healthy youth and violence prevention initiative demonstration program serving south King county, with the goal

of preventing violence, decreasing involvement with the juvenile justice system, and encouraging health and wellbeing for youth and young adults ages 12 to 24. As part of the demonstration program, the office must provide grant funding to and partner with a community-based organization to serve as a regional coordinator to:

(i) Connect youth and young adults ages 12 to 24 who are most vulnerable to violence with programs that provide services including, but not limited to, street outreach, youth employment and preapprenticeship programs, case management, behavioral health services, and other services as appropriate; and

(ii) Assist local governments, service providers, and nonprofit organizations in accessing and leveraging federal, state, and local funding for violence prevention and related services.

(b) The grant recipient under (a) of this subsection must be a nonprofit health system currently administering a violence prevention initiative in King and Pierce counties. The grant recipient may subgrant or subcontract funds to programs providing services as described in (a) (i) of this subsection.

(54) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit sexual assault resource center located in Renton. Grant funding may be used for information technology improvements focused on client data management that will improve client access to health services, cybersecurity, and data privacy.

(55) (a) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of existing contracts with a nonprofit organization to increase housing supply and equitable housing outcomes by advancing affordable housing developments, including supportive housing, transitional housing, shelter, or housing funded through the apple health and homes program, that are colocated with community services such as education centers, health clinics, nonprofit organizations, social services, or community spaces or facilities, available to residents or the public, on underutilized or tax-exempt land.

(b) The contract recipient must use the funding provided under this subsection to:

(i) Implement strategies to accelerate development of affordable housing with space for education centers, health clinics, nonprofit organizations, social services, or community space or facilities, available to residents or the public, on underutilized or tax-exempt land;

(ii) Analyze the suitability of properties and sites for affordable housing as described under (b) (i) of this subsection, including existing buildings for supportive housing, through completing due diligence, conceptual design, and financial analysis activities, and applying and implementing an equity lens in site selection, program planning, development, and operations;

(iii) Work with elected officials, local governments, educational institutions, public agencies, local housing and community development partners, early learning partners, health care providers, and nonprofit service organizations to:

(A) Identify and catalyze surplus, underutilized, or tax-exempt properties for the development of affordable housing;

(B) Provide catalytic funding and technical assistance to advance the development of affordable housing, including by identifying funding sources to support the needs of specific projects; and

(C) Identify impediments to the development of affordable housing and develop recommendations and strategies to address those impediments, reduce costs, advance community vision and equitable outcomes, and accelerate predevelopment and development times associated with affordable housing;

(iv) Organize community partners and build capacity to develop affordable housing sites;

(v) Facilitate collaboration and codevelopment between affordable housing and education centers, health clinics, nonprofit organizations, social services, or community spaces and facilities available to residents or the public;

(vi) Provide technical assistance and predevelopment services to support future development of sites; and

(vii) Catalyze the redevelopment of at least 20 sites to create approximately 2,000 affordable homes.

(c) Funding may also be used to:

(i) Partner with state, regional, and local public entities, nonprofit housing developers, and service providers to develop a broad range of housing types for supportive housing for populations authorized to receive the housing benefit under the apple health and homes act;

(ii) Provide technical assistance on the constructive alignment of state or local capital funds and other services for the construction, acquisition, refurbishment, redevelopment, master leasing of properties for noncongregate housing, or conversion of units from nonresidential to residential, of dwelling units for supportive housing funded through the apple health and homes program;

(iii) Advise on local community engagement, especially with populations with lived experience of homelessness and housing insecurity, for supportive housing funded through the apple health and homes program;

(iv) Subcontract for specialized predevelopment services, as needed, and subgrant to reimburse for supportive housing funded through the apple health and homes program; and

(v) Hire staff necessary to implement activities under (b) and (c) of this subsection.

(56) (a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for the department to continue a lifeline support system pilot project to assist individuals who have experienced or are at risk of entering into public systems of care. Public systems of care include office of homeless youth prevention and protection shelter and housing programs, the juvenile justice system, dependency under chapter 13.34 RCW, and inpatient behavioral health treatment.

(b) (i) The lifeline must function as a no-wrong-door access point for support and connections to services for qualifying individuals who require assistance to overcome a life challenge that could escalate into a crisis, or who are in need of general mentorship and counsel. The lifeline support system must facilitate and promote partnerships across state agencies, federally recognized tribes, counties, and community-based providers to coordinate trauma-informed and culturally responsive services for youth and young adults and their supports. The department is authorized to implement lifeline services through contracts with community partners and nonprofit organizations.

(ii) From amounts provided in this subsection, the department must allocate funding to establish a lifeline fund program. The department may use moneys allocated for the fund program to assist community partners and nonprofit organizations to implement lifeline services when those providers cannot identify an existing resource to resolve a recipient's need. The department must establish an application process and criteria for the fund program.

(c) By June 30, 2025, the department shall report to the legislature regarding the success and shortcomings of the lifeline support system, request-for-service outcomes, and the demographics of beneficiaries.

(57) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization to provide legal aid in subjects including, but not limited to, criminal law and civil rights cases for underserved populations focusing on Black gender-diverse communities. The grant recipient must be a nonprofit organization with offices in Seattle and Tacoma and with a mission to provide intersectional legal and social services for Black intersex and gender-diverse communities in Washington.

(58) ~~(\$213,000)~~ \$773,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$213,000)~~ \$773,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization within the city of Tacoma that provides social services and educational programming to assist Latino and indigenous communities in honoring heritage and culture through the arts, and in overcoming barriers to social, political, economic, and cultural community development. Of the amounts provided in this subsection:

(a) \$175,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$175,000)~~ \$535,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for education and training programming in community health organizing, "promotora" health education, grassroots organizing, leadership development, college preparedness and financial aid outreach, small business technical support and education, and civic engagement focused on Latino and indigenous community members; and

(b) \$38,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$38,000)~~ \$238,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for ~~(advocacy, translation services, emergency housing, and other services for victims of crime and domestic violence)~~ family support services for bilingual, bicultural clients.

(59) \$500,000 of the general fund—state appropriation for fiscal year 2024 ~~(is)~~ and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to nonprofit organizations including, but not limited to, religious nonprofits, "by and for" organizations, or cultural community centers, to fund the physical security or repair of such institutions. Grant recipients must (have reasons to believe they have been subject to security threats and must demonstrate a need for enhanced security. Grant funding must be used and limited to the purchase of security hardware and equipment to enhance the security of the buildings and grounds of such organizations) substantiate that their site or sites have been subject to or at risk of physical attacks, threats, vandalism, or damages based on their mission, ideology, or beliefs and demonstrate a need for investments in physical security enhancements, construction or renovation, target hardening, preparedness planning, training, or exercises.

(60) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grant funding to a nonprofit organization to provide supports, including behavioral health resources, housing services, and parenting education, to parents with substance use disorder. The grant recipient must be a nonprofit organization located in the south Puget Sound region that provides a parent child assistance program and focuses on building parenting skills and confidence to ensure children have safe and healthy childhoods.

(61) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs to develop and operate community-based residential housing and services for youth wellness spanning a range of needs and circumstances at the Pacific hospital preservation and development authority quarters, buildings three through 10 in Seattle. The amounts provided in this subsection may be used for planning, lease payments, and other related expenses for the development and operation of comprehensive residential programs providing housing, on-site social services, and community-based resources for youth identified by the department of commerce, the department of children, youth, and families, or the health care authority. The funding may also be used for the preparation and issuance of a request for qualifications for



a site operator, or lease management and related administrative functions. The department is authorized to enter into a lease, with an option to enter into multiyear extensions, for the Pacific hospital preservation and development authority quarters, buildings three through 10.

(62) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in the city of Seattle that works to improve the quality of life for low-income families and members of the refugee and immigrant community, with a focus on the Somali and Oromos community. The grant funding may be used to expand current programs including, but not limited to, case management and referral services for immigrants and refugees, youth programs, and services for seniors.

(63) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization headquartered in Mount Vernon for costs to operate and provide homeless services at a low-barrier emergency temporary homeless center located in Burlington.

(64) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Seattle that provides legal assistance and representation to survivors of sexual and gender-based violence to expand their current services including, but not limited to, legal assistance and representation; technical assistance for advocates, providers, and attorneys; community education and trainings; and other legal support services. In providing services, the grant recipient must protect the privacy, safety, and civil rights of survivors and utilize trauma-informed practices and equity principles.

(65) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization serving King and Snohomish counties for a program conducted in partnership with King county, which serves individuals who are involved in the criminal justice system and who have experienced domestic, sexual, or gender-based violence. The grant recipient may use the funding for costs including, but not limited to, legal advocacy, outreach, connecting clients to housing and other resources, data analytics, and staffing.

(66) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of crime victims advocacy to contract for a study of the impacts of the commercial sex industry on Black and African American communities in Washington, with a focus on Black and African American persons who identify as female. The office must contract with an organization that has expertise on the topic of the commercial sex industry and Black communities in Washington. The study must include a review of the impacts of the commercial sex industry on Black and African American residents of Washington, and culturally informed and survivor-informed policy recommendations for reducing sex trafficking and sexual exploitation of Black and African American Washingtonians. The department must submit a report of the study findings to the appropriate committees of the legislature by September 1, 2024.

(67) \$20,656,000 of the general fund—state appropriation for fiscal year 2024 and \$20,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to crime victims service providers to ensure continuity of services impacted by reductions in federal victims of crime act funding and to help address increased demand for services attributable to the COVID-19 pandemic. The department must distribute the funding in a manner that is consistent with the office of crime victims advocacy's state plan. Of the amounts provided in this subsection:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs operated by and for historically marginalized populations to support "by and for" culturally specific services for victims of domestic violence, sexual assault, and other crimes in historically marginalized populations. Marginalized populations can include, but are not limited to, organizations or groups composed along racial, ethnic, religious, sexual orientation, and gender lines.

(b) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs developed to support the enhancement and development of additional services for tribal members, including programs to address needs of crime victims, including strategies which integrate services or multiple crime types.

(68) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Seattle for start-up costs for the Seattle social housing developer and to meet the requirements of the city of Seattle initiative 135, which concerns developing and maintaining affordable social housing in Seattle. The funding provided under this subsection may only be used for costs associated with creating social housing developments, operating costs associated with maintaining social housing developments, and administrative costs of operating social housing.

(69) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to contract with a nonprofit to provide wraparound services for homeless families with children, including prevention, shelter, and stabilization services. The nonprofit must be located in Pierce county and be an affiliate of a national organization dedicated to

preventing and ending family homelessness by providing prevention, shelter, and stabilization services.

(70) Within existing resources, the department must submit an interim and a final report to the appropriate committees of the legislature on efforts taken by the department to stabilize rents for tenants of affordable housing units financed through the housing assistance program created under RCW ~~((43.185.015))~~ 43.185A.020 including, but not limited to, efforts to limit or mitigate the impacts of rent increases for tenants of qualifying units. The department must submit the interim report by December 1, 2023, and the final report by December 1, 2024.

(71) Before awarding or entering into grants or contracts for the 2023-2025 fiscal biennium for homeless housing and service programs that are funded from the home security fund account or the affordable housing for all account, the department must first consult with local governments and eligible grantees to ensure that funding from these accounts is used to maintain the quantity and types of homeless housing and services funded in local communities as of February 28, 2023. The department may take into consideration local document recording fee balances and individual county fluctuations in recording fee collections when allocating state funds. The department must redeploy funds to other nonprofit and county grantees if originally granted amounts are not expended or committed within a reasonable timeline. The department may then provide funding to eligible entities to undertake the activities described in RCW ~~((36.22.176(1)(e)(i)))~~ 36.22.250(4)(b), such as funding for project-based vouchers and other assistance necessary to support permanent supportive housing as defined in RCW 36.70A.030 or as administered by the office of apple health and homes created in RCW 43.330.181.

(72) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to an Everett-based affiliate of a national nonprofit human services organization to stabilize newly arriving refugees from the 2021 Afghanistan conflict and the 2022 Ukraine conflict.

(73) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit organization to expand private capacity to provide legal services for indigent foreign nationals in contested domestic relations and family law cases. The contract recipient must be a nonprofit organization headquartered in the city of Seattle that provides training to attorneys and judges on international family law issues and provides direct representation to qualified indigent clients. Amounts provided in this subsection may not be expended for direct private legal representation of clients in domestic relations and family law cases.

(74) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a youth development organization providing civic engagement and education through a youth and government program. The grant is provided solely for support of the organization's mock trial and youth legislature programs.

(75) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$229,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5198 (mobile home community sales). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$1,694,000 of the general fund—state appropriation for fiscal year 2024 and \$1,694,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5561 (law enforcement community grants). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(77) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5599 (protected health care/youth). The entirety of this amount is provided for the office of homeless youth for prevention and protection programs to provide supportive care grants to organizations to address the needs of youth seeking protected health care services. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(78) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Monroe to continue existing pilot projects that enable the city to dispatch human services and social services staff in conjunction with law enforcement staff to support unsheltered residents and residents in crisis.

(79) ~~(((\$2,850,000))~~ \$2,574,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$2,850,000))~~ \$3,126,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5114 (sex trafficking). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((81))~~ (80) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Bellevue for one-time expenses required for the operation of an expanded community service center to help low-income individuals and immigrant and refugee community members. The center will join with community partners to provide utility rate and rent relief; health care access; energy assistance; food access; medical, legal and financial

services; housing; childcare resources; employment assistance; and resources for starting a business.

~~((82))~~ (81) \$215,000 of the general fund—state appropriation for fiscal year 2024 and \$345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce a report to the legislature detailing the scope of work, cost estimates, and implementation timeline to create or procure an online registry of rental units in Washington state subject to state information system planning and oversight requirements. The online rental unit registry must have the capacity to collect and report out timely information on each rental unit in the state. Information to collect includes, but is not limited to, the rental unit's physical address, identity of the property owner, monthly rent charged, and vacancy status. The scope of work must assume integration with existing rental registries operated by local governments. Cost and timeline estimates must provide two alternatives with one assuming statewide implementation and the other assuming implementation in the six largest counties of the state. The department shall consult with landlord representatives, tenant representatives, local governments operating existing rental registries, and other interested stakeholders as part of the process of developing the scope of work and timeline for the online rental unit registry. The department must submit the report to the legislature by December 1, 2024.

~~((83))~~ (82) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a Seattle based nonprofit to create a temporary space to allow youth and low-income populations to participate in ice rink related events during the 2024 national hockey league winter classic.

~~((84))~~ (83) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in Kitsap county that partners with the Bremerton and central Kitsap school districts, first responders, and other organizations to expand implementation of the handle with care program.

~~((85))~~ (84) \$371,000 of the general fund—state appropriation for fiscal year 2024 and \$371,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Pacific county to operate or participate in a drug task force to enhance coordination and intelligence while facilitating multijurisdictional criminal investigations.

~~((86))~~ (85) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to statewide and community asset building coalitions across Washington to support capacity in organizations that coordinate financial health services and outreach efforts around poverty reduction resources such as the earned income tax credit and the working families tax credit.

~~((87) \$400,000)~~ (86) \$200,000 of the general fund—state appropriation for fiscal year 2024 ~~((87))~~ and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community based organization in Whatcom county to expand services to unhoused and low-income residents of Ferndale and north Whatcom county and to provide a safe parking program.

~~((88))~~ (87) \$155,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training, to develop and implement a program aimed at reducing workplace sexual harassment in the agricultural sector. Funding will be used to continue peer-to-peer trainings for farmworkers in Yakima county and expand services into Grant and Benton counties. Funding may also be used to support an established network of farmworker peer trainers whose primary purpose is to prevent workplace sexual harassment and assault through leadership and education. The organization is expected to share best practices from their peer-to-peer model at a statewide conference.

~~((89))~~ (88) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle-based nonprofit that provides holistic services to help refugee and immigrant women. Funds must be used to expand an existing program that increases equity in ice skating and hockey by providing skate lessons to preschoolers from diverse and low-income families.

~~((90))~~ (89) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~((90))~~ \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to strengthen family resource center services and increase capacity statewide. Grant funding may be used: For an organization to provide new services in order to meet the statutory requirements of a family resource center, as defined in RCW 43.216.010; to increase capacity or enhance service provision at current family resource centers, including but not limited to direct staffing and administrative costs; and to conduct data collection, evaluation, and quality improvement activities. The department may award an amount from \$30,000 up to \$200,000 per grant recipient.

(b) Eligible applicants for a grant under (a) of this subsection include current family resource centers, as defined in RCW 43.330.010, or organizations in the process of becoming qualified as family resource centers. Applicants must affirm their ability and willingness to serve all families requesting services in order to receive a grant. Applicants must currently be or agree to become a member of a statewide family resource center network during the grant award period in order to receive a grant. Applicants must provide proof of certification in

the standards of quality for family strengthening and support developed by the national family support network for one member of the applicant's organizational leadership in order to receive a grant.

(c) In distributing grant funding, the department must, to the extent it is practicable, award 75 percent of funding to organizations located west of the crest of the Cascade mountains, and 25 percent of funding to organizations located east of the crest of the Cascade mountains.

(d) By July 1, 2025, grant recipients must submit a report to the department on the use of grant funding, including, but not limited to, progress in attaining status as a family resource center, if applicable; the number and type of services offered to families; demographic and income data for families served; and family post-service outcomes. By September 1, 2025, the department must submit a report to the Legislature on topics including, but not limited to, the grant application process; needs identified by family resource centers; and use of funds by grant recipients.

(e) Of the amounts provided in (a) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to the statewide nonprofit organization that serves as the registered Washington state network member of the national family support network. The grant recipient may use the grant funding for costs including, but not limited to, outreach and engagement, data and evaluation, and providing training and development opportunities in support of family resource centers statewide.

~~((+91))~~ (90) \$9,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$9,000,000)~~ \$34,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants to local governments for maintaining programs and investments which are primarily funded through the document recording fee ~~((s))~~ collected pursuant to RCW ~~((36.22.178, 36.22.179, and 36.22.1791))~~ 36.22.250. In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties.

~~((+93))~~ (91) (a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a law enforcement technology grant program for the purpose of providing law enforcement with modern vehicle pursuit management technology including, but not limited to, global positioning system tracking equipment, automated license plate reading technology, aircraft, and nonarmed and nonarmored drone technology.

(b) Grants must be awarded to local law enforcement agencies based on locally developed proposals. The department shall establish policies for applications under this subsection in addition to criteria for evaluating and selecting grant recipients. A proposal must include a request for specific technology and a specific plan for the implementation, use, and effectiveness reporting of that technology.

(c) Before grants are awarded, each local law enforcement agency seeking to acquire vehicle pursuit technology must:

(i) Establish data-sharing and management policies including policies related to sharing data between law enforcement agencies and other third parties; and

(ii) Establish policies ensuring all personnel who operate the vehicle pursuit technology, or access the vehicle pursuit technology data, are trained to use that technology and are able to comply with the data-sharing and management policies prior to the operational use of the vehicle pursuit technology.

(92) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the distribution of grants to cities, counties, or nonprofit organizations to support individuals in need of emergency housing assistance. Emergency housing assistance may include, but is not limited to, short-term rental assistance, moving costs, other one-time costs associated with identifying and obtaining housing, or temporary shelter in the event of a crisis or when people have been displaced. Funding provided under this subsection must be prioritized for entities that can demonstrate that the population served includes families with children, pregnant individuals, or other medically vulnerable individuals. The department may only distribute funding under this subsection upon coordination with the office of the governor.

(93) (a) \$2,700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to continue to provide grant funding to local multijurisdictional task forces that previously received funding through the federal Edward Byrne memorial justice assistance grant program. Grants provided under this section must be used consistent with the requirements of Edward Byrne memorial justice assistance grants and with national best practices for law enforcement.

(b) Of the amounts provided in this subsection, \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department, with the office of the governor, to coordinate three roundtables to review policies, regulations, and fiscal investments regarding multijurisdictional drug task forces in Washington state. The roundtables must include representatives from state, tribal, and local governments, and invite representatives from the federal government. By June 30, 2025, the department must submit a summary report of the roundtable's findings to the appropriate committees of the legislature.

(94) \$475,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization located in King county that develops training and support for low-income individuals, with a focus on women and people of color, to move into the construction industry for living wage jobs. The grant funding must be used to

support a preapprenticeship program that, through the construction of units, integrates housing and workforce development in service of the following goals:

(a) Creating a blueprint to integrating workforce development and housing for local jurisdictions;

(b) Providing construction training to underserved populations;

(c) Creating a pathway for trainees to enter construction careers; and

(d) Addressing the effects of sexism and racism in housing, education, training, employment, and career development.

(95) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to assist local law enforcement agencies throughout the state in establishing community-supported programs for officers to provide short-term assistance such as food, clothing, fuel, and other means of support during interactions with community members in need. The grant recipient must be a nonprofit organization headquartered in Puyallup with experience in assisting local law enforcement agencies in administering such programs. Local law enforcement agencies that establish community-supported programs under this subsection may also pursue private funding to support the provision of assistance.

(96) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to nonprofit organizations to provide homeownership assistance to homeowners and first-time homebuyers from communities served by those organizations. Homeownership assistance activities may include, but are not limited to, housing counseling for current homeowners; housing counseling for first-time homebuyers; financial literacy education for homeowners and homebuyers; and outreach. Of the amounts provided in this subsection:

(a) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are for a grant to a nonprofit community land trust headquartered in the city of Seattle with a mission to acquire, develop, and steward land in the greater Seattle area to empower and preserve the Black diaspora community; and

(b) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are for a grant to a nonprofit community-based organization based in the city of Seattle with a mission to provide resources, education, and advocacy to help Black homeowners achieve and sustain homeownership.

(97) \$240,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide holistic reentry support to persons formerly incarcerated in prisons in Washington state. The grant recipient must be a nonprofit organization based in King county that promotes healing, relationships, and humanity by providing services including community-based reintegration support, gun violence intervention processes, and healing work through antioppression and culturally-responsive compassionate communication workshops, and which uses the evidence-based credible messengers model.

(98) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide essential social services for low-income families and individuals. The grant recipient must be a nonprofit community action agency based in the city of Seattle that provides safety-net services for low-income families and individuals and that has a history of serving the African American community in the Central District.

(99) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to contract with a social purpose corporation that operates a cultural community center located in the city of Tumwater to provide a trauma-informed cultural and job training program for people of color and those facing barriers to employment.

(100) \$395,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide a grant to the Yakima valley local crime lab for analysis and data collection on firearm crimes, support for investigations for deaths related to fentanyl, and to support the rapid DNA work group.

(101) \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with the housing finance commission for activities related to the implementation of the covenant homeownership program created in chapter 43.181 RCW. Of the amounts provided in this subsection:

(a) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to contract through a request for proposals process with nonprofit community organizations, public housing agencies, or public development authorities across the state who are focused on increasing homeownership or are serving communities eligible for assistance through the covenant homeownership program to:

(i) Provide the full spectrum of housing counseling services, including prepurchase counseling, assistance in the home buying process, and support to maintain homeownership and prevent foreclosure, including community outreach efforts; and

(ii) Provide technical assistance to "by and for" homeownership developers in areas such as site identification and predevelopment activities in order to increase the quantity of starter homes for first-time homebuyers who are eligible for assistance through the covenant homeownership program.

(b) (i) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to draft a plan with specific strategies to:

(A) Reduce the cost of starter homes for first-time homebuyers and lessen other costs associated with purchasing a home;

(B) Acquire publicly owned and other sites that can be dedicated to homeownership;

(C) Identify other ways to further enable first-time homebuyers to afford their home purchase; and

(D) Encourage a variety of design and development options for starter homes.

(ii) The commission must submit the plan developed under (b)(i) of this subsection to the governor and the appropriate committees of the legislature by January 15, 2025.

(102) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to complete the acquisition of property for a community center to provide services to residents in south King county. The grant recipient must be a community action agency headquartered in the city of Seattle with an office in the city of Federal Way, and that is grounded in the Latino community of Washington state.

(103) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to administer housing assistance for persons who are fleeing or who have recently fled intimate partner violence. The department must allocate funding through contracts with service providers that have current contracts with the office of crime victims advocacy to provide services for survivors of intimate partner or domestic violence. A provider must use at least 80 percent of contracted funds for rental payments to landlords and the remainder for other program operation costs. Priority for assistance must be provided to survivors who face the greatest risk of serious violence and have the least access to housing resources.

(104) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization that operates a community resource center in the city of Ferndale to maintain and expand services for families and individuals, including but not limited to providing one-on-one navigation services to access housing and other assistance; providing clothing, food, and other forms of immediate assistance; and conducting direct outreach to unhoused individuals and families.

(105) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to conduct planning and site development activities for building affordable housing in the city of Roslyn. The grant recipient must be a nonprofit organization with offices in Seattle and Roslyn and with a mission to innovate and scale land-based solutions to address the climate crisis and support equitable, green, and prosperous communities.

(106) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide culturally competent legal services, training, outreach, and education to immigrant workers regarding a federal deferred action program for workers who are victims or witnesses of violations of labor rights during labor disputes. The grant recipient must be a nonprofit organization that operates a free civil legal aid clinic in partnership with Seattle University and the University of Washington that educates, advises, and represents workers in employment law cases.

(107) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with two nongovernmental organizations to host a Washington state developmental disabilities intersectional summit in October 2024. The purpose of the summit is to analyze systemic barriers impacting the lives of BIPOC individuals with intellectual and developmental disabilities and their families, and to identify solutions for addressing those barriers. The contract recipients must be nongovernmental organizations that are BIPOC-led and that have demonstrated skills and experience working for and with people with developmental disabilities and their families.

(108) \$787,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the statewide reentry council to implement a pilot project to operate a trauma-informed, peer-based, human dignity model reentry program at the Lynnwood municipal jail. The reentry program must provide peer-led intensive case management services for participants that are both prerelease and postrelease.

(109) \$34,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to local governments for homeless housing programs and services, including but not limited to emergency housing and shelter, temporary housing, and permanent supportive housing programs. Of the amounts provided in this subsection:

(a) \$12,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to King county to maintain shelter, emergency housing, and permanent supportive housing programs.

(b) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the city of Tacoma to prevent the closure of temporary and emergency shelter beds.

(c) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the city of Spokane to provide temporary emergency shelter for homeless individuals and for costs associated with transitioning individuals from their current shelter location to smaller shelters and inclement weather centers.

(d) \$15,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to local jurisdictions who are not eligible for funding under (a), (b), or (c) of this subsection. Grant funds must be prioritized for maintaining existing levels of service and preventing the closure of existing beds or programs.

(110) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to expand support services and mentorship programs serving at-risk youth, with a focus on BIPOC and transgender youth, in Kitsap county. The grant recipient must be a nonprofit organization based in Kitsap county that

provides advocacy and other support services for at-risk youth and their families, with a focus on BIPOC and LGBTQ youth.

(111) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to support the development of and outreach for community-led mental health support groups and classes serving individuals and families throughout Washington state, with special focus on Latino communities, rural areas, and tribes. The grant recipient must be a nonprofit organization that serves as the Washington state office of a national grassroots mental health organization dedicated to building better lives for individuals affected by mental health conditions.

(112) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide support to self-advocates, caregivers, and others in attending a summit addressing the topic of federal and state funding for programs that benefit people with developmental disabilities in 2025. The grant recipient must be a nonprofit organization that advocates for and beside children and adults with intellectual and developmental disabilities and their families that is headquartered in the city of Olympia.

(113) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a nonprofit organization to maintain and increase access to technical assistance, advice, fundraising services, and foundational support such as human resources, information technology, and financial services for community-based nonprofit organizations in Washington. The contract recipient must be a nonprofit organization headquartered in the city of Seattle that provides management and technology consulting; training; and free advisory services for nonprofit and community-based organizations.

(114) \$230,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to expand an existing gang prevention program that provides mentoring, education, and drug awareness services for elevated-risk youth in middle and elementary schools in Yakima county, with the goals of reducing youth gang involvement, increasing school enrollment and reducing truancy, and reducing the accessibility and usage of drugs by elevated-risk youth. The grant recipient must be a nonprofit organization based in Yakima that provides outreach, education, and prevention services to improve community safety in the Yakima valley, including a drug-free coalition and a youth mentoring program.

(115) \$120,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to two nonprofit entities to establish 4-H curriculum-based initiatives for students and foster educational opportunities tied to the land grant university knowledge base. One grant recipient must be a nonprofit entity operating multiple locations in Skagit county and have at least 25 years of experience serving youth in the region, and one grant recipient must be a nonprofit entity operating multiple locations in Snohomish county with at least 75 years of experience serving youth in the region.

(116) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to expand their mentoring, job training, and internship programs for at-risk youth. The grant recipient must be a nonprofit organization who serves at-risk youth in the Snoqualmie and Issaquah valleys through mentoring, job skill development, and teen internship programs in coordination with local school districts.

(117) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the Vancouver housing authority for the operational and services costs of a licensed residential care facility located in Vancouver that provides housing and other services for low-income, disabled, and homeless and formerly homeless individuals.

(118) \$198,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization for activities to develop affordable housing units and permanent supportive housing units for individuals with intellectual and developmental disabilities in rural Snohomish and Skagit counties. The grant recipient must be a nonprofit organization headquartered in Arlington that offers client housing, residential supported living services, employment services, job readiness and life skills training, and arts and music enrichment programs to individuals with intellectual and developmental disabilities.

(119) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to Whatcom county to increase the number of families served through a family motel shelter program.

(120) \$81,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2329 (insurance market/housing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(121) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide technical assistance and direct resident support to residents of manufactured and mobile home communities immediately following a notice of sale issued pursuant to RCW 59.20.300. The grant recipient must be a nonprofit organization headquartered in the city of Olympia that assists new and existing cooperative businesses, with emphasis on resident owned communities, home care agencies, and converting existing businesses into worker-owned or community-owned cooperatives.

(122) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct a comprehensive study to identify and analyze funding structures to preserve manufactured and mobile home communities as nonprofit or cooperatively-run affordable housing projects. In conducting the study, the department must consult with financial experts, conduct field interviews, and identify existing and

innovative funding options to support the creation of resident-owned communities. The department must submit a report summarizing the study's findings to the governor and the legislature by June 30, 2025.

(123) \$54,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6175 (existing structures/tax). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(124) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a contract with a statewide organization with a mission of developing new and innovative ways to combat organized retail crime to implement a pilot program to respond to organized retail crime, with a focus on diversion-oriented programs.

(b) The contract recipient must establish three pilot program sites. The contract recipient must make a reasonable effort to establish at least one site east of the Cascade mountains. No single pilot site may use more than \$300,000 of the funding provided under this subsection.

(c) The contract recipient must use the funds to coordinate community efforts to enhance responses to organized retail crime within each pilot site area. Coordination must include the following entities: Cities, counties, or affiliated associations with programs focused on diversion and restitution; local retail stores; law enforcement agencies; local prosecutors and public defense; and therapeutic courts. Funding may also be used for planning and other activities to achieve a targeted response to reported retail crimes from diversion programs or law enforcement agencies.

(d) The contract recipient must provide a report to the department by June 15, 2025, on the number of responses to retail crime and the number of diversions initiated for each pilot site, data regarding the role of local prosecutors at each site, and opportunities and challenges in retail crime response and diversion identified by pilot participants. The department must submit the report to the appropriate committees of the legislature by June 30, 2025.

(125) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to continue sexual assault prevention education programming to K-12 schools in Tacoma and expand services to the Franklin Pierce school district. The grant recipient must be a state-accredited community sexual assault program serving Pierce county that provides professional training, prevention education, intervention, and advocacy programs for victims of sexual assault, sexual abuse, and sex trafficking.

(126) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide community-based healing-centered arts engagement programming for populations including, but not limited to, survivors of gender-based violence and individuals working to reintegrate after incarceration. The grant recipient must be a nonprofit organization based in the city of Seattle with experience in providing arts engagement programming, including serving veteran and Latino cohorts.

(127) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit based in King county that exclusively serves foreign-trained physicians to help foreign-trained physicians prepare to work in a United States clinical setting and obtain a medical doctor: clinical experience license in Washington state. The nonprofit may use the amount provided in this subsection to:

(a) Provide stipends of up to \$2,000 per foreign-trained physician to:

(i) Take medical exams or English as a second language classes;

(ii) Obtain a professional resume review or interview skill development; or

(iii) Defray any other expenses that may limit their ability to become hire-ready physicians; and

(b) Operate an educational outreach program to help medical providers and institutions understand the medical doctor: clinical experience program including eligibility, licensure laws, and details of working with foreign-trained physicians in their facilities.

(128) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit in east King county, recognized as a by and for organization, to advance affordable housing. The grant recipient must be an organization that partners in equitable, affordable housing development. The grant recipient must use the funding as follows:

(a) To educate residents on the benefits of affordable housing in east King county;

(b) To facilitate partnerships to enable equitable transit-oriented development across the east King county region that builds housing at scale;

(c) For a project that will produce up to 33 affordable housing units on the Eastside; and

(d) To identify strategies for land acquisition and assembly around high-capacity transit stations that will result in a mix of housing.

(129) \$625,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Snohomish county human services to provide technical assistance and contract with a nonprofit to support youth, parents, and families with school-based collaboration, and social activities for youth.

(130) \$477,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Kitsap county to provide 70 continuous-stay, low-barrier/harm reduction model shelter beds.

(131) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract



with a nonprofit in Seattle to develop a list of BIPOC families, with an emphasis on African American households, that want to live in Seattle for the purpose of assisting those families with finding and keeping housing in Seattle.

(132) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$420,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle-based community center that assists eastern European refugees and immigrants to provide short term housing assistance, immigration services, and support to individuals in Washington who fled the Ukraine-Russia conflict.

(133) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a Bellingham-based nonprofit serving youth and young adults experiencing homelessness and housing insecurity to increase capacity and the ability for staff to support clients in attending appointments, providing navigating services, and assessing resources throughout Whatcom county.

(134) \$45,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Seattle-based nonprofit that teaches math using hands-on learning experiences and collaborates with community partners to create equity-based, culturally relevant math education opportunities.

(135) \$317,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to three resource centers that are expecting a reduction in funding from the office of crime victims advocacy. Funding is intended to cover any deficit these organizations experience to continue service levels to sexual assault survivors. Of this amount:

(a) \$200,000 is for a nonprofit sexual assault resource center in King county;

(b) \$77,000 is for a Richland-based accredited community sexual assault program; and

(c) \$40,000 is for a nonprofit organization that provides crime victim support in multiple locations across the region, including in Spokane and Vancouver.

(136) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to expand theater arts education programming and for activities to support equitable access to the arts for students. The grant recipient must be a nonprofit organization located in the city of Federal Way that operates a semiprofessional theater and provides theater arts education programming.

(137) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of crime victims advocacy for activities to address domestic violence. Of the amounts provided in this subsection:

(a) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to convene a work group to create a roadmap that provides a detailed pathway describing the steps necessary for insurance billing for domestic violence intervention treatment in Washington state.

(i) In developing the roadmap, the work group must:

(A) Determine if a medicaid state plan amendment or 1115 waiver would be necessary to allow medicaid billing for domestic violence intervention treatment;

(B) Determine if existing billing codes would work for medicaid and commercial insurance, or if new billing codes would be necessary;

(C) Identify any healthcare certification or credentials needed for providers to be able to bill insurance for domestic violence intervention treatment;

(D) Identify the educational pathways that exist to become a domestic violence intervention treatment provider; and

(E) Identify any statutory changes or funding necessary to implement the roadmap.

(ii) The work group members must include representatives of:

(A) Organizations that provide domestic violence intervention treatment;

(B) Individual clinicians that provide domestic violence intervention treatment;

(C) Social workers;

(D) Licensed marriage and family therapists;

(E) Domestic violence survivors;

(F) The domestic violence treatment program administered by the department of social and health services;

(G) Staff from the department of health with expertise in licensing and credentialing of health professionals;

(H) Staff from the health care authority who work on insurance billing for medicaid, the public employees benefits board, and the school employees benefits board;

(I) The office of the insurance commissioner;

(J) Medicaid managed care organizations; and

(K) Commercial insurance carriers.

(iii) The office of crime victims advocacy must provide staff support for the work group.

(iv) The work group must submit a preliminary report including the roadmap to the appropriate committees of the legislature by December 31, 2024.

(b) \$1,300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with a research university to conduct a randomized control trial comparing the strength at home program to standard domestic violence intervention treatment methods used in Washington state. The research university must have completed a randomized control trial of domestic violence intervention treatment at joint base Lewis-McChord. The target population of the randomized control trial must be individuals in Washington state who have been referred to domestic violence intervention treatment via the criminal or civil legal systems. The research university must also conduct a demonstration

project using the internal family systems modality as a domestic violence intervention treatment.

(138) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of homeless youth prevention and protection programs to provide grants to nonprofit organizations implementing place-based health zone models to provide and strengthen youth development services and mental and behavioral health supports for youth and their families for clearly demarcated geographical health zones. The services and supports may range from primary prevention to crisis services. Grant funding may support health zone activities and evaluation activities. The office must distribute four grants, as follows:

(a) Two grants to nonprofits with established place-based health zone models, for costs to provide services and conduct evaluation activities; and

(b) Two grants to nonprofits who are currently developing and implementing place-based health zone models, for costs to establish and provide services and conduct evaluation activities.

(139) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to assist fathers transitioning from incarceration to community and family reunification. The grant recipient must have experience contracting with the department of corrections to support incarcerated individual betterment projects and contracting with the department of social and health services to provide access and visitation services.

(140) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to evaluate alternative methods for calculating average median household income. The department must include in its evaluation the feasibility of using median household income data by state legislative district as published by the United States census bureau. The department must submit a report of recommendations to the appropriate committees of the legislature by June 30, 2025.

**Sec. 128.** 2023 c 475 s 130 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—LOCAL GOVERNMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$50,775,000))
	\$48,331,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$46,258,000))
	\$60,537,000
General Fund—Federal Appropriation. . . . .	(( \$39,374,000))
	\$44,574,000
General Fund—Private/Local Appropriation. . . . .	\$1,050,000
Climate Commitment Account—State Appropriation. . . . .	(( \$43,353,000))
	\$53,353,000
Community Preservation and Development Authority	
Account—State Appropriation. . . . .	\$4,750,000
Growth Management Planning and Environmental Review	
Fund—State Appropriation. . . . .	\$5,681,000
Liquor Excise Tax Account—State Appropriation. . . . .	\$986,000
Liquor Revolving Account—State Appropriation. . . . .	\$6,827,000
<u>Model Toxics Control Operating Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$1,000,000</u>
Model Toxics Control Stormwater Account—State	
Appropriation. . . . .	\$100,000
Natural Climate Solutions Account—State	
Appropriation. . . . .	\$2,747,000
Public Facilities Construction Loan Revolving	
Account—State Appropriation. . . . .	\$1,026,000
Public Works Assistance Account—State Appropriation. . . . .	\$7,267,000
<b>TOTAL APPROPRIATION.....</b>	<b>(( \$210,194,000))</b>
	<b>\$238,229,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall administer its growth management act technical assistance and pass-through grants so that smaller cities and counties receive proportionately more assistance than larger cities or counties.

(2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as pass-through funding to Walla Walla Community College for its water and environmental center.

(3) \$6,827,000 of the liquor revolving account—state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(4) The department must develop a model ordinance for cities and counties to utilize for siting community based behavioral health facilities.

(5) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce the biennial report identifying a list of projects to address incompatible developments near military installations as provided in RCW 43.330.520.

(6) \$100,000 of the model toxics control stormwater account—state appropriation is provided solely for planning work related to stormwater runoff at the aurora bridge and I-5

ship canal bridge. Planning work may include, but is not limited to, coordination with project partners, community engagement, conducting engineering studies, and staff support.

(7) \$2,000,000 of the community preservation and development authority account—state(=operating) appropriation is provided solely for ((the operations of)) the Pioneer Square-International district community preservation and development authority established in RCW 43.167.060 to carry out the duties and responsibilities set forth in RCW 43.167.030.

(8) \$1,160,000 of the general fund—state appropriation for fiscal year 2024 and \$1,159,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide broadband office established in RCW 43.330.532.

(9) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants for updating and implementing comprehensive plans and development regulations in order to implement the requirements of the growth management act.

(a) In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties. Grants will be used primarily to fund the review and update requirements for counties and cities required by RCW 36.70A.130. Funding provided on this formula basis shall cover additional county and city costs, if applicable, to implement chapter 254, Laws of 2021 (Engrossed Second Substitute House Bill No. 1220) and to implement Second Substitute Senate Bill No. 5412 (land use permitting/local).

(b) Within the amounts not utilized under (a) of this subsection, the department shall establish a competitive grant program to implement requirements of the growth management act.

(c) Up to \$500,000 per biennium may be allocated toward growth management policy research and development or to assess the ongoing effectiveness of existing growth management policy.

(d) The department must develop a process for consulting with local governments, affected stakeholders, and the appropriate committees of the legislature to establish emphasis areas for competitive grant distribution and for research priorities.

(10) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the municipal research and services center, in coordination with the Washington procurement technical assistance center, to provide training and technical assistance to local governments and contractors on public works contracting. Training topics may include utilization of supplemental bidding criteria, utilization of alternate public works, contracting, cost estimating, obtaining performance and payment bonds, and increasing participation of women-owned and minority-owned businesses.

(11) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants and provide technical assistance to cities or counties for actions relating to adopting ordinances that plan for and accommodate housing. Of this amount:

(a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to cities and counties. Grants may be used for the following activities:

(i) Analyzing comprehensive plan policies and development regulations to determine the extent of amendments required to meet the goal of authorizing middle housing types on at least 30 percent of lots currently zoned as single family residential within the city, or for counties inside the unincorporated urban growth area. For the purposes of this subsection, "middle housing types" means buildings that are compatible in scale, form, and character with single family houses, and contain two or more attached, stacked, or clustered homes. This includes duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, courtyard apartments, and cottage housing;

(ii) Planning work to facilitate transit-oriented development, including costs associated with the preparation of state environmental policy act environmental impact statements, planned action ordinances, and subarea plans, costs associated with the use of other tools under the state environmental policy act, and the costs of local code adoption and implementation of such efforts; and

(iii) Planning for and accommodating housing that is affordable for individuals and families earning less than 50 percent of the area median income, including:

(A) Land use and regulatory solutions to address homelessness and low-income housing; and

(B) Bridging homeless service planning with land use planning.

(b) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an affordable housing auditing program to monitor ongoing affordability of income-restricted units constructed with affordable housing incentives, including the multifamily tax exemption.

(12) Within the amounts provided in this section, the department must publish on its website housing data needed to complete housing needs assessments required by RCW 36.70A.070(2)(a). The data shall include:

(a) Housing profiles for each county and city in the state, including cost burden, vacancy, and income;

(b) Data to assess racially disparate impacts, exclusion, and displacement; and

(c) A dashboard to display data in an easily accessible format.

(13) \$1,330,000 of the general fund—state appropriation for fiscal year 2024 and \$995,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for

implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(14) ~~\$15,000,000~~ of the general fund—state appropriation for fiscal year 2024 and (~~(\$15,000,000)~~) \$20,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to entities that provide digital navigator services, devices, and subscriptions. These services must include, but are not limited to, one-on-one assistance for people with limited access to services, including individuals seeking work, students seeking digital technical support, families supporting students, English language learners, medicaid clients, people experiencing poverty, and seniors. Of the amounts provided from the general fund—state appropriation for fiscal year 2025, at least \$3,000,000 must be provided to tribes.

(15) \$2,750,000 of the community preservation and development authority account—state appropriation is provided solely for ((the operations of)) the Central district community preservation and development authority established in RCW 43.167.070 to carry out the duties and responsibilities set forth in RCW 43.167.030.

(16) (~~(\$375,000)~~) \$187,000 of the general fund—state appropriation for fiscal year 2024 (~~(is)~~) and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Battle Ground to contract for a study to explore feasible options to redesign their downtown corridor to emphasize pedestrian accessibility, improve safety, and highlight community amenities.

(17) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Cheney fire department for the purchase of a new type 6 fire truck to replace one destroyed in a mutual aid fire.

(18) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to Ferry/Okanogan fire protection district number 14 for the purchase of a new ambulance and related costs for response to 911 calls, including those from local residents, recreators, and hunters.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the Pierce county public transportation benefit area corporation (Pierce transit) to administer a public transit and behavioral health coresponder pilot program in partnership with a Pierce county behavioral health professional agency.

(20) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the transportation demand management program at the canyon park subarea in the city of Bothell.

(21) (~~(\$40,953,000)~~) (a) \$50,953,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(b) Of the amount provided in (a) of this subsection, \$10,000,000 of the climate commitment account—state appropriation is provided solely for programs, services, or capital facilities included in greenhouse gas emissions reduction subelements required by chapter 228, Laws of 2023 (E2SHB 1181). The department shall provide funding to jurisdictions for programs, services, or capital facilities included in approved subelements that the department concludes will reduce greenhouse gas emissions or per capita vehicle miles traveled until funds in this subsection are expended. The department shall prioritize funding for programs, services, or capital facilities that result in cobenefits or address disproportionately impacted communities. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection (b).

(22) \$490,000 of the public works assistance account—state appropriation is provided solely for the public works board to develop a data dashboard to map investments made by the public works board, the department of commerce, the department of health, the department of ecology, the department of transportation, the transportation improvement board, and by board partners to the system improvement team created in RCW 43.155.150.

(23) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$423,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct a study on the feasibility of implementing a Washington state zoning atlas project that will provide a publicly available mapping tool illustrating key features of zoning codes across jurisdictions.

(24) \$733,000 of the general fund—state appropriation for fiscal year 2024 and \$734,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(25) \$37,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(26) \$134,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the city of Tacoma for the operating costs of the hilltop community hub. The hilltop community fund shall support a distribution center to provide housing goods.

(27) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to

the city of Ferndale for the purpose of implementing and improving a wayfinding system throughout the greater Ferndale market area.

(28) ~~(((\$3,464,000))\$464,000 of the general fund—state appropriation for fiscal year 2024 ((is)and \$3,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5290 (local permit review). Of the amount provided in this subsection, at least \$3,000,000 is provided solely for grants to local governments. ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(29) \$2,400,000 of the climate commitment account—state appropriation is provided solely for the Port Gamble S'Klallam Tribe for phase 3 of the Port Gamble shoreline restoration project.

(30) \$1,000,000 of the model toxics control account—state appropriation is provided solely for grants to address emergency drinking water problems in overburdened communities. The department may utilize existing programs to distribute the funding provided under this section, including the emergency rapid response program.

(31) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$198,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to retain a behavioral health facilities siting administrator within the department to coordinate development of effective behavioral health housing options and provide technical assistance in siting of behavioral health treatment facilities statewide to aide in the governor's plan to discharge individuals from the state psychiatric hospitals into community settings. This position must work closely with local government legislative authorities, planning departments, behavioral health providers, the health care authority, the department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity-building efforts. This position must work to integrate building behavioral health treatment and infrastructure capacity in addition to ongoing supportive housing benefits.

(32) \$225,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the Chelan-Douglas regional port authority to fund public engagement efforts in Chelan and Douglas counties related to a future regional sports complex. Engagement efforts may include print and electronically mailed materials, media advertisements, social media, and other forms of communications related to study information, including but not limited to:

- (a) Consultants' analyses;
- (b) Steering committee recommendations;
- (c) Design and location options;
- (d) Artistic renderings;
- (e) Economic impacts;
- (f) Capital and operational costs;
- (g) Financing options; and
- (h) Other information.

(33) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a consultant to study incorporating the unincorporated communities of Dash Point and Browns Point into a single city. The study must include, but not be limited to, the impact of incorporation on the local tax base, crime, homelessness, infrastructure, public services, and behavioral health services, in the listed communities. The department must submit the results of the study to the office of financial management and the appropriate committees of the legislature by June 1, 2025.

(34) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to convene a task force to make recommendations on integrating water, sewer, school, and port districts into the growth management act planning process. The task force shall build upon the findings, concepts, and recommendations in recent reports, including the "collaborative roadmap phase III" report prepared for the department in 2023 and the "roadmap to Washington's future" issued by the William D. Ruckelshaus center in 2019. The task force must involve diverse perspectives including but not limited to representatives of state agencies, cities, counties, special districts, tribal governments, builders, and planning and environmental organizations that have experience with local or special purpose district planning processes. The department must provide a preliminary report on the task force's activities and progress by June 30, 2025. It is the intent of the legislature to continue funding the study in the 2025-2027 fiscal biennium, with a final report with recommendations due December 1, 2025.

(35) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Whatcom county to study the potential of creating an interjurisdictional coordinating body focused on improving the housing market for tenants, landlords, and those interested in becoming landlords. The study should examine the potential for an office of healthy housing to:

- (a) Have a sustainable funding model and assist landlords and tenants in understanding leases and procedures;
- (b) Increase housing supply by providing resources to small landlords; and
- (c) Work with major local employers and local higher education institutions to ensure a thriving local housing market.

(36) \$600,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide technical assistance to local governments in planning for and siting supportive housing and emergency housing facilities; and provide dispute resolution services to help resolve disputes between local governments and service providers

attempting to site supportive housing and emergency housing facilities. The department shall submit a report, pursuant to RCW 43.01.036, to the appropriate committees of the legislature by March 1, 2025, on which local governments received funding and resolution status for disputes resolved.

(37) \$213,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute House Bill No. 2321 (middle housing requirements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(38) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit, professional association of state, county, city, and town officials engaged in development, enforcement, and administration of building construction codes and ordinances to collaborate with the Washington state board for community and technical colleges to design and implement training programs to accelerate the hiring of city and county permit technicians.

(39) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Elma to place automatic external defibrillators in city vehicles and public spaces in city buildings.

(40) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Okanogan county sheriff's office for the Okanogan county public safety radio network improvement project.

(41) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$46,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5834 (urban growth areas). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(42) \$57,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6015 (residential parking). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(43) \$67,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5955 (large port districts). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 129.** 2023 c 475 s 131 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—OFFICE OF ECONOMIC DEVELOPMENT**

General Fund—State Appropriation (FY 2024)	(( <del>\$25,089,000</del> ))
	<u>\$25,389,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$24,967,000</del> ))
	<u>\$34,502,000</u>
General Fund—Federal Appropriation	\$108,069,000
General Fund—Private/Local Appropriation	\$1,230,000
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$3,446,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	(( <del>\$3,587,000</del> ))
	<u>\$3,591,000</u>
Andy Hill Cancer Research Endowment Fund Match Transfer Account—State Appropriation	(( <del>\$20,684,000</del> ))
	<u>\$31,684,000</u>
Climate Commitment Account—State Appropriation	(( <del>\$352,000</del> ))
	<u>\$4,477,000</u>
Community and Economic Development Fee Account—State Appropriation	\$765,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation	(( <del>\$22,400,000</del> ))
	<u>\$23,400,000</u>
Economic Development Strategic Reserve Account—State Appropriation	\$2,786,000
Statewide Tourism Marketing Account—State Appropriation	\$9,000,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$222,375,000</del>))</b>
	<b><u>\$248,339,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,304,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$4,304,000~~))\$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for associate development organizations. During the 2023-2025 fiscal biennium, the department shall consider an associate development organization's total resources when making contracting and fund allocation decisions, in addition to the schedule provided in RCW 43.330.086. The department must distribute the funding as follows:

(a) For associate development organizations serving urban counties, which are counties other than rural counties as defined in RCW 82.14.370, a locally matched allocation of up to \$1.00 per capita, totaling no more than \$300,000 per organization; and

- (b) For associate development organizations in rural counties, as defined in RCW 82.14.370, a \$1.00 per capita allocation with a base allocation of \$75,000.
- (2) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the northwest agriculture business center.
- (3) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the regulatory roadmap program for the construction industry and to identify and coordinate with businesses in key industry sectors to develop additional regulatory roadmap tools.
- (4) \$1,070,000 of the general fund—state appropriation for fiscal year 2024 and \$1,070,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small business export assistance program. The department must ensure that at least one employee is located outside the city of Seattle for purposes of assisting rural businesses with export strategies.
- (5) \$60,000 of the general fund—state appropriation for fiscal year 2024 and \$60,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to submit the necessary Washington state membership dues for the Pacific Northwest economic region.
- (6) \$1,808,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,808,000)~~ \$2,438,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to identify and invest in strategic growth areas, support key sectors, and align existing economic development programs and priorities. The department must consider Washington's position as the most trade-dependent state when identifying priority investments. The department must engage states and provinces in the northwest as well as associate development organizations, small business development centers, chambers of commerce, ports, and other partners to leverage the funds provided. Sector leads established by the department must include the industries of: (a) Aerospace; (b) clean technology and renewable and nonrenewable energy; (c) wood products and other natural resource industries; (d) information and communication technology; (e) life sciences and global health; (f) maritime; (g) military and defense; and (h) creative industries. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with partner organizations and or other agencies to serve in the role of sector lead.
- (7) ~~(\$20,684,000)~~ \$31,684,000 of the Andy Hill cancer research endowment fund match transfer account—state appropriation is provided solely for the Andy Hill cancer research endowment program. Amounts provided in this subsection may be used for grants and administration costs.
- (8) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish representation in key international markets that will provide the greatest opportunities for increased trade and investment for small businesses in the state of Washington. Prior to entering into any contract for representation, the department must consult with associate development organizations and other organizations and associations that represent small business, rural industries, and disadvantaged business enterprises.
- (9) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to assist people with limited incomes in urban areas of the state start and sustain small businesses. The grant recipient must be a nonprofit organization involving a network of microenterprise organizations and professionals to support micro entrepreneurship and access to economic development resources.
- (10) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization whose sole purpose is to provide grants, capacity building, and technical assistance support to a network of microenterprise development organizations. The microenterprise development organizations will support rural and urban Black, indigenous and people of color owned businesses, veteran owned businesses, and limited resourced and other hard to serve businesses with five or fewer employees throughout the state with business training, technical assistance, and microloans.
- (11) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a business center that provides confidential, no-cost, one-on-one, client-centered assistance to small businesses to expand outreach in underserved communities, especially Black, indigenous, and people of color-owned businesses, providing targeted assistance where needed. Funding may also be used to collaborate the department, the Washington economic development association, and others to develop a more effective and efficient service delivery system for Washington's women and minority-owned small businesses.
- (12) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to strengthen capacity of the keep Washington working act work group established in RCW 43.330.510.
- (13) \$7,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to continue to administer the small business innovation and competitiveness fund program created in section 128(167), chapter 297, Laws of 2022 (ESSB 5693). The department may prioritize projects that received conditional awards in the

2021-2023 fiscal biennium but were not funded due to the project's inability to be substantially completed by June 30, 2023.

(14) \$2,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to administer grants to businesses and nonprofits in the arts, heritage, and science sectors, including those that operate live entertainment venues, to provide bridge funding for continued recovery from the COVID-19 pandemic and related economic impacts. The department must develop criteria for successful grant applications in coordination with the Washington state arts commission.

(15) \$352,000 of the climate commitment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(16) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an associate development organization located in Thurston county to provide a training curriculum to assist small businesses in scaling up to reach their next tier of operations. The contract recipient may use the funding for costs including, but not limited to, curriculum materials, trainers, and follow up coaching and mentorship in multiple languages.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract for technical assistance programs focused on assisting small minority, women, and veteran-owned businesses in south King and Pierce counties. The contract recipient must be a nonprofit organization located in Tukwila that provides educational and business assistance for underserved and minority groups, with a focus on the African American community. The department must provide a preliminary report on program outcomes by June 30, 2024, and a final report by June 30, 2025, to the relevant committees of the legislature. The preliminary and final reports must include outcome data including, but not limited to, the number of events or workshops provided, the number of businesses served, and ownership and other demographics of businesses served.

(18) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with a nonprofit organization to conduct workforce and economic development activities serving the south Puget Sound region. The contract recipient must be a nongovernmental nonprofit organization located in Federal Way that has been in operation for at least 10 years and whose mission is to develop resources to enhance the economy of the south sound region by facilitating innovation, job creation, and the growth and development of businesses.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide grant funding to a nonprofit biotech incubator and science research center located in the city of Tacoma. The grant funding is to provide support for programs aimed at increasing workforce readiness and entrepreneurship in the life sciences, with a focus on promoting access to science, technology, engineering, and math careers for individuals from underserved communities.

(20) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to associate development organizations pursuant to Substitute House Bill No. 1783 (grant writers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(21) \$9,000,000 of the statewide tourism marketing account—state appropriation is provided solely for the statewide tourism marketing program and operation of the statewide tourism marketing authority pursuant to chapter 43.384 RCW.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to renew licenses for cloud-based business engagement tools for state agencies and local workforce and economic development boards, and to procure additional licenses for state agency procurement professionals, to assist in complying with the department of enterprise services supplier diversity policy effective April 1, 2023.

(23) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for activities related to securing federal funding from programs created by or funded through federal legislation including, but not limited to, the inflation reduction act, P.L. 117-169; the chips and science act, P.L. 117-167; and the infrastructure investment and jobs act, P.L. 117-58. Funding provided under this subsection may be used to support regional and locally led initiatives seeking federal funding, to provide technical support for application development and grant writing, to conduct economic analysis of various sectors, and other activities the department deems necessary for the state and partners with the state to compete for federal funds.

(24) \$877,000 of the general fund—state appropriation for fiscal year 2024 and \$878,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5096 (employee ownership). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$409,000 of the general fund—state appropriation for fiscal year 2024 and \$411,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for



implementation of Second Substitute Senate Bill No. 5269 (manufacturing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to support activities related to cooperation with governmental and public agencies of the Republic of Finland, the Kingdom of Sweden, and the Kingdom of Norway. Eligible activities include, but are not limited to, cooperation in clean energy, clean technology, clean transportation, telecommunications, agriculture and wood science technology, general economic development, and other areas of mutual interest with Nordic nations and institutions.

(27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Bellingham based nonprofit that assists entrepreneurs to create, build, and grow businesses in northwest Washington to help establish a network of innovation centers for entrepreneurs and innovative small businesses between Seattle and the Canadian border.

(28) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop strategies for cooperation with governmental agencies of Vietnam, including higher education institutions, and organizations around the following:

(i) Trade and investment, including, but not limited to, the agriculture, information technology, food processing, manufacturing, and textile industries;

(ii) Combating climate change, including, but not limited to, cooperation on clean energy, clean transportation, and climate-smart agriculture; and

(iii) Academic and cultural exchange.

(b) By June 30, 2024, the department must provide a report on the use of funds in this subsection, any key metrics and deliverables, and any recommendations for further opportunities for collaboration.

(29) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide an economic development grant to a nongovernmental organization established in Federal Way, in operation for at least 30 years, whose primary focus is the economic development of the greater Federal Way region, in order to provide assessment for the development of innovation campuses in identified economic corridors.

(30) \$200,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a grant to a Tacoma based automotive museum as businesses assistance to address COVID-19 pandemic impacts to revenues from decreased attendance and loss of other revenue generating opportunities.

(31) \$250,000 of the climate commitment account—state appropriation is provided solely for a study or studies to assess strategies necessary for the state of Washington to engage in the offshore wind supply chain. The study may address public infrastructure needed for manufacturing, assembly, and transport of supply chain components, and an assessment of workforce needs and community benefits. The department must submit a preliminary report summarizing the status of the study or studies to the governor and the appropriate committees of the legislature by June 30, 2025, and a final report summarizing the findings of the study or studies by November 30, 2025. It is the intent of the legislature to provide funding to complete the final report in the 2025-2027 fiscal biennium. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(32) \$2,110,000 of the climate commitment account—state appropriation is provided solely to expand the industrial symbiosis program. At least 20 percent of the amount provided in this section must be prioritized to benefit individuals in overburdened communities. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(33) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization for a small business incubator program focused on the arts and culture sectors that provides technical assistance and business training to creative entrepreneurs, with a focus on BIPOC-owned and women-owned businesses. The grant recipient must be a nonprofit arts organization based in the city of Tacoma that hosts live performances and provides youth and adult arts education programming.

(34) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to administer a workforce development program serving youth and young adults from underserved communities to learn technical, creative, and business skills related to concert and event promotion. The grant recipient must be a nonprofit organization headquartered in the city of Seattle that provides youth arts and education programming and produces a music festival based in Seattle that takes place over Labor Day weekend.

(35) \$375,000 of the climate commitment account—state appropriation is provided solely for the department to contract with a nonregulatory coalition to identify economic, community, and workforce development opportunities resulting from Washington state's participation in the offshore wind supply chain through conducting convenings, workshops, and studies as appropriate. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(36) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide a workforce development and small business training program serving primarily low-income Latinx immigrant families in south King county. The grant recipient must be a nonprofit organization based in the city of Seattle that advances the power and well-being of Latino immigrants through employment, education, and community organizing.

(37) \$390,000 of the climate commitment account—state appropriation is provided solely for the department to establish a circular economy market development program. At least 20 percent of the amount provided in this subsection must be prioritized to benefit individuals in overburdened communities. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(38) \$1,000,000 of the climate commitment account—state appropriation is provided solely for the innovation cluster accelerator program. Funding provided in this subsection may only be used to develop and maintain clusters that aim to reduce and mitigate impacts from greenhouse gases in overburdened communities, deploy renewable energy resources, increase energy efficiency or reduction, or other permissible uses pursuant to RCW 70A.65.260. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(39) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to an associate development organization to provide technical assistance, workforce development training, and business innovation training to small businesses in Benton and Franklin counties, with a focus on businesses in BIPOC communities. Technical assistance may also include financial literacy, grant writing, and federal grant assistance for tribes and overburdened communities. The grant recipient must be an associate development organization comprised of a coalition of more than 25 but less than 100 small businesses, nonprofit, and business leaders located in Benton and Franklin counties, and must be a recognized "by and for" organization serving the BIPOC community.

(40)(a) \$275,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to convene an electrical transmission workforce needs work group and study. The work group must provide advice, develop strategies, and make recommendations to the legislature, state and local agencies, and utilities on efforts to support the needs of Washington's electrical transmission industry workforce. The work group must consist of eight members:

(i) One representative each from a labor organization located in Tacoma, Clark county, and Spokane county that represents line workers;

(ii) One representative from a statewide labor organization with at least 250,000 affiliated members that represents line workers and workers from outside the electrical transmission and construction industry; and

(iii) Two representatives from two different investor-owned utilities and two representatives from two different consumer-owned utilities each.

(b)(i) The department must conduct a study of the employment and workforce education needs of the electrical transmission industry of the state. The work group must assist the department in developing the scope of the study; review the preliminary and final reports of the study; and, if appropriate, recommend any legislative changes needed to address issues raised as a result of the study. The study must focus on the following job classifications in the electrical transmission industry: Line workers, line clearance tree trimmers, and substation technicians. The department may contract with a third party to complete the study.

(ii) By December 1, 2024, the department must submit a preliminary report of the study to the appropriate committees of the legislature, including the methodology that will be used to conduct the study and any demographic data or other information gathered regarding the electrical transmission industry workforce in preparation for the study.

(iii) By November 1, 2025, the department must submit a final report of the study to the appropriate committees of the legislature. It is the intent of the legislature to provide funding to complete the final report in the 2025-2027 fiscal biennium.

(iv) The final report must at a minimum include:

(A) Estimates of electrical transmission industry jobs needed to expand electrical transmission capacity to meet the state's clean energy and climate goals, inclusive of the workforce needed to maintain existing infrastructure. These estimates should cover, at a minimum, the time periods required for the planning, including the construction, reconstruction, or enlargement, of new or existing electrical transmission facilities under RCW 19.28.010, 80.50.060, and 80.50.045, and the state environmental policy act;

(B) The number of apprenticeships in the job classifications listed in (b)(i) of this subsection;

(C) An inventory of existing apprentice programs and anticipated need for expansion of existing apprenticeships or supplemental training programs to meet current and future workforce needs;

(D) Demographic data of the workforce, including age, gender, race, ethnicity, and, where possible, other categories of identity;

(E) Identification of gaps and barriers to a full electrical transmission workforce pool, including, but not limited to, the loss of workers to retirement in the next five, 10, and 15 years, and other current and anticipated retention issues;

(F) A comparison of wages between different jurisdictions in Washington state, and between Washington and other neighboring states, including any incentives offered by other states;

(G) Data on the number of workers in the job classifications identified in (b) (i) of this subsection who completed training in Washington and left to work in a different state;

(H) Data on the number of out-of-state workers who enter Washington to meet workforce needs on large scale electrical transmission projects in Washington;

(I) Key challenges that could emerge in the foreseeable future based on factors such as growth in demand for electricity and changes in energy production and availability; and

(J) Recommendations for the training, recruitment, and retention of the current and anticipated electrical transmission workforce that supplement, enhance, or exceed current training requirements. This must include identification of barriers to entrance into the electrical transmission workforce, and recommendations to attract and retain a more diverse workforce, such as members of federally recognized Indian tribes and individuals from overburdened communities as defined in RCW 70A.02.010.

(41) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1870 (local comm. federal funding). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(42) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the innovation cluster accelerator program to support an industry-led fusion energy cluster. By June 30, 2025, the fusion energy cluster must submit a report to the appropriate committees of the legislature that includes recommendations for promoting the development of fusion energy and the manufacturing and assembling of component parts for fusion energy in Washington state. The report must:

(a) Include an evaluation of the applicability of new and existing clean energy incentives for manufacturing, facility construction, and the purchase of materials and equipment; and

(b) Identify opportunities for state funding, including matching federal grants.

(43) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract for technical assistance services for small businesses owned or operated by members of historically disadvantaged populations located in western Washington. The contract recipient must be a business in the arts, entertainment, and media services sector based in the city of Federal Way and with experience working with BIPOC communities. Technical assistance includes but is not limited to services such as: Business and intellectual property development; franchise development and expansion; digital and social media marketing and brand development; community outreach; opportunities to meet potential strategic partners or corporate sponsors; executive workshops; networking events; small business coaching; and start-up assistance.

(44) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization for a program to assist low-income individuals from Washington state in entering the maritime industry as mariners, including training, credentialing, and wrap-around services. The grant recipient must be a nonprofit organization located in the city of Seattle that serves as a workforce development intermediary creating equitable workforce systems and developing impactful partnerships to address structural racism. The nonprofit organization must consult with two unions based in the city of Seattle who represent mariners on the West coast in developing the program.

(45) \$1,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to administer a business assistance program to provide grants to statewide or local destination marketing organizations in Washington state for activities to promote tourism to Washington in advance of the 2026 FIFA World Cup. The department must enter into contracts with grant recipients by December 31, 2024. To qualify for a grant under this subsection, a destination marketing organization must have been negatively impacted by the COVID-19 public health emergency and:

(a) Have revenues at the time of applying for the grant that are less than their revenues in calendar year 2019;

(b) Have used reserve operating funds after March 3, 2021, to make up for revenue shortfalls; or

(c) Have demonstrated needs for funding to support programs designed to increase tourism to Washington state from across the country and the world in advance of the 2026 FIFA World Cup.

(46) \$184,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nongovernmental organization whose primary focus is community and economic development in downtown Renton to provide holistic navigation and education services.

(47) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state manufacturing council to convene a subgroup of at least two of its members, with at least four members representing advanced manufacturing who have expertise in diversity, equity and inclusion. Annually, the work group must provide recommendations to the manufacturing council to vastly improve the representation of black, indigenous, and people of color, as well as women, in manufacturing ownership and within the workforce across all levels of manufacturing.

(48) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state public stadium authority to modernize interior stadium infrastructure. Funding is provided to improve operational infrastructure such that stadium can accommodate and attract mega events benefiting the state. Improvements will include, but

are not limited to, installing new seating, improving ADA access, upgrading hospitality features, and making security enhancements.

(49)(a) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide grants to eligible sports commissions to support activities promoting sports tourism, sporting events, and tournaments, and fostering economic and community development.

(b) An "eligible sports commission" under this subsection means an entity whose primary purpose is to promote tourism through hosting sporting events in Washington state. Entities may be independent nonprofit organizations or a division of a regional or national convention or visitors bureau.

(c) The department must develop application criteria and eligible uses of funds for the grant program.

(d) In determining the distribution of grant awards under this subsection, the department may allocate funds in proportion to the population of the county or counties in which the eligible sports commission conducts its activities.

(e) The department must develop reporting requirements for grant recipients, including but not limited to how grant funds are used. All grant recipients must report back to the department by June 30, 2025.

(50) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the city of Seattle to lease space for nonprofit and academic institutions to incubate technology business startups, especially those focusing on artificial intelligence and develop and teach curricula to skill up workers to use artificial intelligence as a business resource.

Sec. 130. 2023 c 475 s 132 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—ENERGY AND INNOVATION**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$140,959,000)) \$8,641,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$141,187,000)) \$12,287,000
General Fund—Federal Appropriation. . . . .	(((\$39,461,000)) \$325,724,000
General Fund—Private/Local Appropriation. . . . .	\$34,000
Building Code Council Account—State Appropriation. . . . .	\$13,000
Climate Commitment Account—State Appropriation. . . . .	(((\$52,611,000)) \$230,557,000
Community and Economic Development Fee Account—State Appropriation. . . . .	\$160,000
Electric Vehicle Incentive Account—State Appropriation. . . . .	\$50,000,000
Low-Income Weatherization and Structural Rehabilitation Assistance Account—State Appropriation. . . . .	\$1,399,000
Natural Climate Solutions Account—State Appropriation. . . . .	(((\$167,000)) \$1,167,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$425,991,000)) \$629,982,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is authorized to require an applicant to pay an application fee to cover the cost of reviewing the project and preparing an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets.

(2)(a) \$50,000,000 of the electric vehicle incentive account—state appropriation is provided solely for the department to implement programs and incentives that promote the purchase of or conversion to alternative fuel vehicles. The department must work with the interagency electric vehicle coordinating council to develop and implement alternative fuel vehicle programs and incentives.

(b) In developing and implementing programs and incentives under this subsection, the department must prioritize programs and incentives that:

(i) Will serve individuals living in an overburdened community, as defined in RCW 70A.02.010;

(ii) Will serve individuals who are in greatest need of this assistance in order to reduce the carbon emissions and other environmental impacts of their current mode of transportation in the overburdened community in which they live; and

(iii) Will serve low-income communities, communities with the greatest health disparities, and communities of color that are most likely to receive the greatest health benefits from the programs through a reduction in greenhouse gas emissions and other pollutants that will result in improved groundwater and stormwater quality, improved air quality, and reductions in noise pollution.

(3) (~~(\$69,000,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of community electric vehicle charging infrastructure.~~

(a) Funding provided in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state.

(b) Projects that receive funding under this section must be implemented by, or include partners from, one or more of the following: Local governments, federally recognized tribal governments, or public and private electrical utilities that serve retail customers in the state.

(c) Grant funding must be used for level 2 or higher charging infrastructure and related costs including but not limited to construction and site improvements. Projects may include a robust public and private outreach plan that includes engaging with affected parties in conjunction with the new electric vehicle infrastructure.

(d) The department must prioritize funding for projects in the following order:

- (i) Multifamily housing;
- (ii) Publicly available charging at any location;
- (iii) Schools and school districts;
- (iv) State and local government buildings and office buildings;
- (v) All other eligible projects.

(e) The department must coordinate with other electrification programs, including projects developed by the department of transportation, to determine the most effective distribution of the systems. The department must also collaborate with the interagency electric vehicle coordinating council established in RCW 43.392.030 to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022.

(4) ~~\$37,000,000 of the general fund—state appropriation for fiscal year 2024 and \$37,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to increase solar deployment and installation of battery storage in community buildings to enhance grid resiliency and provide backup power for critical needs, such as plug load and refrigeration for medication, during outages or to provide incentives to support electric utility demand response programs that include customer-sited solar and battery storage systems. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities. For the purposes of this subsection "community buildings" means K-12 schools, community colleges, community centers, recreation centers, libraries, tribal buildings, state and local government buildings, and other publicly owned infrastructure.~~

(5) ~~\$19,500,000 of the general fund—state appropriation for fiscal year 2024 and \$19,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant program to provide solar and battery storage community solar projects for public assistance organizations serving low-income communities. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities.~~

(a) Grants are not to exceed 100 percent of the cost of the project, taking into account any federal tax credits or other federal or nonfederal grants or incentives that the project is benefiting from.

(b) Priority must be given to projects sited on "preferred sites" such as rooftops, structures, existing impervious surfaces, landfills, brownfields, previously developed sites, irrigation canals and ponds, storm water collection ponds, industrial areas, dual-use solar projects that ensure ongoing agricultural operations, and other sites that do not displace critical habitat or productive farmland.

(c) For the purposes of this subsection "low-income" has the same meaning as provided in RCW 19.405.020 and "community solar project" means a solar energy system that: Has a direct current nameplate capacity that is greater than 12 kilowatts but no greater than 1,000 kilowatts; and has, at minimum, either two subscribers or one low-income service provider subscriber.

(6) ~~(\$8,500,000)~~ \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$8,500,000)~~) \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to build a mapping and forecasting tool that provides locations and information on charging and refueling infrastructure as required in chapter 300, Laws of 2021 (zero emissions transp.). The department shall collaborate with the interagency electric vehicle coordinating council established in chapter 182, Laws of 2022 (transportation resources) when developing the tool and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

(~~(+7)~~) (4) \$10,000,000 of the climate commitment account—state appropriation is provided solely for grants to support port districts, counties, cities, towns, special purpose districts, any other municipal corporations or quasi-municipal corporations, and tribes to support siting and permitting of clean energy projects in the state. Eligible uses of grant funding provided in this section include supporting predevelopment work for sites intended for clean energy projects, land use studies, conducting or engaging in planning efforts such as planned actions and programmatic environmental impact statements, and staff to improve permit timeliness and certainty.

(~~(+8)~~) (5) (a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more of the western national laboratories, or a

similar independent research organization, in consultation with state and federal energy agencies, stakeholders, and relevant utilities, to conduct an analysis for new electricity generation, transmission, ancillary services, efficiency and storage sufficient to offset those presently provided by the lower Snake river dams. The analysis should include a list of requirements for a replacement portfolio that diversifies and improves the resilience and maintains the reliability and adequacy of the electric power system, is consistent with the state's statutory and regulatory requirements for clean electricity generation, and is supplementary to the resources that will be required to replace fossil fuels in the electrical generation, transportation, industry, and buildings sectors. The department and its contractor's assessment will include quantitative analysis based on available data as well as qualitative input gathered from tribal and other governments, the Northwest power and conservation council, relevant utilities, and other key stakeholders. The analysis must include the following:

(i) Expected trends for demand, and distinct scenarios that examine potential outcomes for electricity demand, generation, and storage technologies development, land use and land use constraints, and cost through 2050, as well as the most recent analysis of future resource adequacy and reliability;

(ii) A resource portfolio approach in which a combination of commercially available generating resources, energy efficiency, conservation, and demand response programs, transmission resources, and other programs and resources that would be necessary prerequisites to replace the power and grid reliability services otherwise provided by the lower Snake river dams and the time frame needed to put those resources into operation;

(iii) Identification of generation and transmission siting options consistent with the overall replacement resource portfolio, in coordination with other state processes and requirements supporting the planning of clean energy and transmission siting;

(iv) An evaluation of alternatives for the development, ownership and operation of the replacement resource portfolio;

(v) Examination of possible impacts and opportunities that might result from the renewal of the Columbia river treaty, revisions of the Bonneville power administration preference contracts, implementation of the western resource adequacy program (WRAP), and other changes in operation and governance of the regional electric power system, consistent with statutory and regulatory requirements of the clean energy transformation act;

(vi) Identification of revenue and payment structures sufficient to maintain reliable and affordable electricity supplies for ratepayers, with emphasis on overburdened communities;

(vii) Development of distinct scenarios that examine different potential cost and timeline potentials for development and implementation of identified generation and transmission needs and options including planning, permitting, design, and construction, including relevant federal authorities, consistent with the statutory and regulatory requirements of the clean energy transformation act;

(viii) Quantification of impacts to greenhouse gas emissions including life-cycle emissions analysis associated with implementation of identified generation and transmission needs and options including (A) planning, permitting, design, and construction, and, if relevant, emissions associated with the acquisition of non-Washington state domestic or foreign sources of electricity, and (B) any additional operations of existing fossil-fueled generating resources;

(ix) An inventory of electricity demand by state-owned or operated facilities and information needed to complete a request for proposals (RFP) to satisfy this demand through new nonhydro renewable energy generation and/or conservation.

(b) The department shall, to the extent determined practicable, consider related analyses undertaken by the federal government as part of the Columbia river system operation stay of litigation agreed to in *National Wildlife Federation et al. v. National Marine Fisheries Service et al.* in October 2021.

(c) The department shall provide a status update to the energy and environment committees of the legislature and governor's office by December 31, 2024.

~~((9))~~ (6) \$10,664,000 of the climate commitment account—state appropriation is provided solely for the department to administer a pilot program to provide grants and technical assistance to support planning, predevelopment, and installation of commercial, dual-use solar power demonstration projects. Eligible grant recipients may include, but are not limited to, nonprofit organizations, public entities, and federally recognized tribes.

~~((10))~~ (7) \$20,592,000 of the climate commitment account—state appropriation is provided solely for the department to administer a grant program to assist owners of public buildings in covering the costs of conducting an investment grade energy audit for those buildings. Public buildings include those owned by state and local governments, tribes, and school districts.

~~((11))~~ (8) (a) \$300,000 of the climate commitment account—state appropriation is provided solely for the department to develop recommendations on a design for a statewide energy assistance program to address the energy burden and provide access to energy assistance for low-income households. The department may contract with a third-party entity to complete the work required in this subsection.

(b) The recommendations must include considerations for data collection on the energy burden and assistance need of households, universal intake coordination and data sharing across statewide programs serving low-income households, program eligibility, enrollment, multilingual services, outreach and community engagement, program administration, funding, and reporting.

(c) By January 1, 2024, the department must submit a report with the recommendations to the appropriate committees of the legislature.

~~((12))~~ (9) \$250,000 of the climate commitment account—state appropriation is provided solely for a grant to a nonprofit for a smart buildings education program to educate building owners and operators about smart building practices and technologies, including the development of onsite and digital trainings that detail how to operate residential and commercial facilities in an energy efficient manner. The grant recipient must be located in a city with a population of more than 700,000 and must serve anyone within Washington with an interest in better understanding energy efficiency in commercial and institutional buildings.

~~((13))~~ (10) \$111,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((14))~~ (11) \$3,152,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((15))~~ (12) \$167,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((16))~~ (13) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to convene stakeholders and plan for a statewide energy rebate navigator aimed at assisting residential and small commercial buildings, with priority for buildings owned or occupied by low-income, Black, indigenous, and people of color and converting overburdened communities to clean energy. Of this amount:

(a) \$50,000 of the climate commitment account—state appropriation is for the department to convene a summit of stakeholders around building energy topics related to the development of a statewide energy rebate navigator, including initial and ongoing guidance regarding program design and implementation. The summit should develop recommendations for the program to improve and grow, addressing gaps in program design and implementation, outreach into overburdened communities, HEAL Act compliance, workforce development issues, and contractor needs.

(b) \$200,000 of the climate commitment account—state appropriation is for statewide rebate navigator evaluation and project planning, which shall include:

(i) Evaluation of how technical assistance can focus on serving Black, indigenous, and people of color, and low-income communities;

(ii) Research of existing data and software solutions the state can leverage to provide a one-stop-shop for energy improvements;

(iii) Evaluation of program delivery models to optimize energy service delivery, including realizing economies of scale and reaching high rates of penetration in overburdened communities, indigenous communities, and communities of color;

(iv) Evaluation and cultivation of potential program implementers who are qualified to deliver navigator program services, including community energy efficiency program grantees; and

(v) Evaluation and cultivation of qualified potential energy services providers, including providers owned by Black, indigenous, and people of color, utility trade ally programs, and weatherization plus health weatherization agencies.

~~((17))~~ (14) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((18))~~ (15) \$93,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((19))~~ (16) (a) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a third-party entity to conduct a study that analyzes how the economic impact of oil refining in Washington state is likely to impact Washington's refineries, refinery workers, and refinery communities. By December 31, 2024, the report must be distributed to the energy and environment committees of the state legislature.

(b) The study required in (a) of this subsection must include:

(i) An overview of Washington's five oil refineries including: Location, age, workforce demographics, direct and indirect jobs connected with the industry, health and environmental impacts, local tax revenues paid by refineries, and primary and secondary products and markets;

(ii) A summary of projected scenarios for Washington refineries' primary markets, taking into account realistic, real world outcomes, given existing mandated decarbonization targets, feedstock availability, and statutes that impact Washington refinery products;

(iii) A summary of anticipated short-term, medium-term, and long-term economic viability of the five Washington oil refineries based on refinery product demand forecasts as outlined in (b)(ii) of this subsection;

(iv) A forecast of direct and indirect effects of the projected petroleum decline, including indirect employment impacts, the geography of those impacts, and impacts to local jurisdictions, utilities, ports, and special purpose districts from reduction in tax revenues, and impacts to local nonprofits and community programs from the refining industry;

(v) An assessment of potential future uses of refinery sites that include energy industrial, nonenergy industrial, heavy manufacturing, and industrial symbiosis, including an assessment of previously closed refinery sites throughout the United States and current use of those sites. Each potential future use shall be assessed and include data regarding: Greenhouse gas emissions, local pollution and environmental health, direct and indirect employment benefits, estimated tax impacts, potential costs to Washington residents, and feasibility based on relevant market trends; and an assessment of previously closed refinery sites throughout the United States and current use of those sites;

(vi) The competitive position of Washington refineries to produce alternative fuels consistent with Washington's emissions reductions defined in RCW 70A.45.020, the anticipated regional, national, and global demand for these fuels between 2023 and 2050; and the likely employment, tax, environmental, cultural, and treaty impacts of refinery conversion to these alternative fuels;

(vii) An identification of refinery workers' skillsets, potential alternative sectors and industries of employment, an assessment and comparison of total compensation and benefit packages including retirement and health care programs of current and alternative jobs, impacts to apprenticeship utilization, and the current and expected availability of those jobs in Pierce, Skagit, and Whatcom counties;

(viii) A land and water remediation analysis; including cost estimates, current terrestrial and aquatic pollution mapping, an overview of existing policies and regulations that determine accountability for cleanup and identifies gaps that may leave local and state taxpayers financially liable, and an assessment of the workforce and skills required for potential cleanup;

(ix) A summary of existing petroleum refining capacity and trends in Washington, the United States, and internationally; and

(x) An assessment of decline or loss of tax revenues supporting state environmental programs including the model toxics control act, the pollution liability insurance agency, and other programs, as well as the decline or loss of transportation gas tax revenues.

(c) The department may require data and analysis from refinery owners and operators to inform the study. Pursuant to RCW 42.56.270, data shared or obtained in the course of this study is not subject to public disclosure. Where unavailable, the department and entity commissioned to complete the study shall rely on the best available public data.

(d) The study must include a robust public engagement process including local and state elected officials, labor groups, fence line communities, port districts, economic development associations, and environmental organizations in Skagit, Whatcom, and Pierce counties, and the five Washington refineries.

(e) The department must offer early, meaningful, and individual consultation with any affected Indian tribe for the purpose of understanding potential impacts to tribal rights and resources including cultural resources, archaeological sites, sacred sites, fisheries, and human health.

~~((21)) (17) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((22)) (18) \$1,000,000 of the climate commitment account—state appropriation is provided solely for a grant to the Yakama Nation for an advanced rail energy storage project.~~

(19) \$800,000 of the climate commitment account—state appropriation is provided solely to contract with a nonprofit entity to serve as a Washington state green bank. The purpose of the funds is to leverage federal funds available for green bank development to support development of sustainable and clean energy financing solutions within Washington. If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(20) \$2,500,000 of the climate commitment account—state appropriation is provided solely for the department to build an internet web portal for grant seekers and to establish a marketing and outreach campaign that makes information about funding opportunities widely available. Of the amount provided in this subsection:

(a) \$1,000,000 of the climate commitment account—state appropriation is provided solely for the department to build an internet web portal that provides a centralized location for grant seekers to find all state and federal grant and incentive opportunities in the energy, climate, and clean technology sectors. The portal shall include, but is not limited to, an interactive internet website that is launched to include, at a minimum, information identifying every grant administered by the state and incentive opportunities that will provide clean energy and climate assistance. The department, in consultation with the governor's office, shall ensure that the internet website is accessible and provides helpful information to a diverse set of potential applicants including, but not limited to, nonprofit and community-based organizations, and other entities that are working to support and benefit tribes, rural communities, and vulnerable and overburdened communities. Funds provided in



this subsection (a) may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection (a) is null and void upon the effective date of the measure.

(b) \$1,500,000 of the climate commitment account—state appropriation is provided solely for the department to establish a marketing and outreach campaign that makes information about funding opportunities widely available and easy to understand, encouraging more people and organizations to participate. The department shall work with consultants and third-party administrators to identify a range of groups including tribes, vulnerable and overburdened communities, rural communities, local governments, businesses of all sizes, households, nonprofits, educational institutions, and the clean energy developers and clean tech manufacturers that would benefit from state and federal funding available for clean energy projects. The campaign shall include a comprehensive marketing and outreach strategy, using various ways to communicate, ensuring all materials are clear, simple, and available in multiple languages, and employing best practices for communicating with diverse and underserved communities. The department, along with selected partners and third-party administrators, shall work with organizations directly serving these communities to extend the reach of these communications, with a goal of directing at least 40 percent of the marketing and outreach funds expended to benefit vulnerable populations in overburdened communities. If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection (b).

(21)(a) \$5,000,000 of the climate commitment account—state appropriation is provided solely for the department to administer a program to assist community-based organizations, local governments, ports, tribes, and other entities to access federal tax incentives and grants. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit organizations, and for-profit businesses. The department shall prioritize assistance that benefits vulnerable populations in overburdened communities, with a goal of directing at least 25 percent of funds to this purpose.

(b) Within the amounts provided in (a) of this subsection, the department must contract with a nonprofit organization to provide the following services:

(i) Development of tax guidance resources for clean energy tax credits, including core legal documents to be used broadly across stakeholders;

(ii) Providing tailored marketing materials for these resources targeting underserved entities; and

(iii) Providing funds to subcontract with clean energy tax attorneys to pilot office hours style support available to eligible entities across the state.

(c) If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(22)(a) \$2,500,000 of the climate commitment account—state appropriation is provided solely for the department to support a tribal clean energy innovation and training center in partnership and colocated at Northwest Indian College. The center aims to support tribal energy goals and pursue clean energy deployment opportunities that enhance tribal energy sovereignty and well-being among tribes.

(b) Activities of the center include, but are not limited to: (i) Developing technical training offerings that could build the tribal workforce pipeline, especially in emerging technologies like geothermal heat pumps and hydrogen technologies, and provide economic development opportunities and resources to the region; (ii) researching and demonstrating the feasibility of innovative clean energy technologies that also nourish and protect the environment; and (iii) creating a model for tribal clean energy centers that can be adopted by other tribal colleges in the region to establish clean energy deployment and land use best practices built on tribal knowledge.

(c) If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(23) \$4,500,000 of the climate commitment account—state appropriation is provided solely for the department to administer a grant program to assist community-based organizations, local governments, ports, tribes, and other entities to author federal grant applications and to provide support for federal grant reporting for entities that receive federal grants. The department will determine a process for prioritizing applicants, including first time or underserved applicants, tribes, and rural areas of the state. The state may also partner with third-party administrators and regional and local partners, such as associate development organizations and other local nonprofits to ensure equitable access to resources. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit organizations, and for-profit businesses. The department shall prioritize grants that provide benefit to vulnerable populations in overburdened communities, with a goal of directing at least 60 percent of funds to this purpose. If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(24) \$539,000 of the climate commitment account—state appropriation is provided solely for the department to develop plans to test hydrogen combustion and resulting nitrogen oxides (NOx) emissions, technical assistance for strategic end uses of hydrogen, a feasibility

assessment regarding underground storage of hydrogen in Washington, and an environmental justice toolkit for hydrogen projects. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(25) \$1,112,000 of the climate commitment account—state appropriation is provided solely for implementation of Second Engrossed Substitute House Bill No. 1282 (buy clean and buy fair), including to develop and maintain a publicly accessible database for covered projects to submit environmental and working conditions data, to convene a technical work group, and to develop legislative reports. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(26) \$3,500,000 of the climate commitment account—state appropriation is provided solely for the department to provide and facilitate access to energy assistance programs, including incentives, energy audits, and rebate programs to retrofit homes and small businesses. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(27) \$750,000 of the climate commitment account—state appropriation is provided solely for the department to provide technical assistance and education materials to help counties establish effective commercial property assessed clean energy and resiliency (C-PACER) programs. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(28) \$3,000,000 of the climate commitment account—state appropriation is provided solely for the department to establish a Washington clean energy ambassadors program. This program will offer education, planning, technical assistance, and community engagement across the state. Ambassadors will link local entities with resources and best practices to enable clean energy access for all communities and promote a just transition to a net-zero economy. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure. This program must:

(a) Identify a pilot cohort of intermediary organizations;

(b) Recruit and train clean energy ambassadors;

(c) Host community energy and resilience educational events and workshops; and

(d) Provide technical assistance to help governments, community-based organizations, businesses, and communities obtain clean energy resources.

(29) \$150,000,000 of the climate commitment account—state appropriation is provided solely for the department to provide clean energy for Washington families grants for public and private electric utilities to provide bill credits for low-income and moderate-income residential electricity customers to help with the clean energy transition in the amount of \$200 per household, by September 15, 2024. Low and moderate-income is defined as less than 150 percent of area median income. Utilities must prioritize customers in vulnerable populations in overburdened communities as defined under RCW 70A.02.010, such as those that have participated in the low-income home energy assistance program, utility payment plans, or ratepayer-funded assistance programs. Utilities must first prioritize bill credits for customers at or below 80 percent area median income and if funds remain, may expand bill credits for customers up to 150 percent of area median income. Utilities may qualify customers through self-attestation. Utilities may, but are not required to, work with community action agencies to administer these funds. Each utility shall disburse funds directly to customer accounts and adhere to program communications guidelines provided by the department. Utilities may use up to five percent of their grant funds for administrative costs associated with the disbursement of funds provided in this subsection. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(30) \$350,000 of the climate commitment account—state appropriation is provided solely for the authority to contract with Tacoma power, to conduct a feasibility study, including scoping project costs, on pumped storage at Tacoma power's Mossyrock dam. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(31) \$1,000,000 of the natural climate solutions account—state appropriation is provided solely for the department to provide grants to the following public utility districts for the costs of relocating utilities necessitated by fish barrier removal projects: Clallam, Grays Harbor, Jefferson, Kittitas, Mason public utility district no. 1, Mason public utility district no. 2, Skagit, and Thurston. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(32) (a) \$600,000 of the climate commitment account—state appropriation is provided solely for the department to administer a grant program for cities and counties to establish

permitting processes that rely on the online automated permit processing software developed by the national renewable energy laboratory and that applies to any combination of the following permitting: Solar, energy storage, electric vehicle charging infrastructure, or other similar clean energy applications included within the suite of capabilities of the online automated permit processing software. To be eligible for grant funding under this subsection, a city or county is only required to submit a notice of their intent to participate in the program.

(b) The department must award grants of no less than \$20,000 to each city or county that provides notice by December 1, 2024.

(c) In the event that more than a total of 30 cities and counties notify the department of their intent to participate in the program, the department must prioritize jurisdictions based on:

(i) The timeline on which the jurisdiction is willing to commit to transitioning to the online automated permit processing software; and

(ii) The total number of covered permits expected to be issued by the jurisdiction, based on recent historical permit data submitted to the department by the city or county.

(d) In the event that fewer than 30 cities and counties notify the department of their intent to participate in the program, the department may allocate a greater amount of financial assistance than a standard minimum grant of \$20,000 to jurisdictions that expect to experience comparatively high costs to transition to the online automated permit processing software.

(e) The department may use up to five percent of the amount provided in this subsection for administrative costs.

(f) Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(33) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit social service organization located in King county's Rainier Valley neighborhood with an innovative learning center. Funding must be used to support an electrification preapprenticeship program for formerly incarcerated individuals and community members who are low income or homeless that offers hands-on technical training targeting clean energy methods that will align the participant's qualifications with solar technician apprenticeships and employment opportunities.

(34) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to contract with a nonprofit entity that represents the maritime industry to develop and publish a strategic framework regarding the production, supply, and use of sustainable maritime fuels and deployment of low and zero-emissions vessel technologies in Washington. Funding under this subsection may be used for activities including, but not limited to, convening stakeholders and building organizational capacity. Stakeholder engagement pursuant to this subsection shall include, at a minimum, engagement with federal and state agencies, ports, industry, labor, research institutions, nongovernmental organizations, and relevant federally recognized tribes. The department shall submit a copy of the strategic framework and findings to the legislature and the governor by June 30, 2025. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(35) \$182,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for wildfire recovery costs from the Gray wildfire that impacted the city of Medical Lake. Recovery costs include procurement of water for firefighting, restoration of water and sewer infrastructure, replacement of water meters, emergency sewer capping, and various other costs associated with wildfire recovery.

(36) \$500,000 of the climate commitment account—state appropriation is provided solely for the department to provide a grant to the Muckleshoot Indian tribe for high-speed charging stations for electric vehicles on highway 164 near Dogwood street. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(37) \$150,000 of the climate commitment account—state appropriation is provided solely for a grant to the smart building center education program to develop a qualified energy manager training program. The program must be available on demand and at no cost to the owners and operators of all tier 2 buildings to assist in complying with Washington's clean buildings performance standards. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(38) \$150,000 of the climate commitment account—state appropriation is provided solely for a grant to conduct up to three feasibility studies that will investigate the expansion of sewer heat recovery programs and pilots, within Washington state, to support decarbonization of the built environment. The feasibility studies will explore and review sewer heat recovery systems' potential benefits, implementation strategies, and necessary considerations to maximize decarbonization. The sites will be selected from the following: Decarbonization of a university campus district steam system, a rural community with agricultural and/or industrial focus, a tribal development, and/or another appropriate site. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(39) (a) \$500,000 of the climate commitment account—state appropriation is provided solely for a grant to establish the Washington just and rapid transition climate tech program. The grant will provide funding for the recruitment, development, business training, and support of underserved climate technology innovators, entrepreneurs, and organizations developing or deploying solutions in the areas of renewable energy, energy efficiency, sustainable transportation, and other technology solving for the environmental challenges facing overburdened communities in Washington.

(b) Activities may include supporting entrepreneurs in preparing for private investment; technical assistance for entrepreneurs receiving state directed federal equity and debt capital; assistance accessing or leveraging the use of federal funding; business coaching and mentoring; and connections to technical and business resources.

(c) The grant recipient must be a nonprofit organization that has been awarded, from the state of Washington, federal state small business credit initiative funds for investment in Washington climate tech entrepreneurs, and must also have experience managing investment funding and providing entrepreneurial support programs and federal funding assistance to early-stage climate start-ups and businesses based in Washington. The grant recipient should have experience providing services to individuals and companies led by individuals from underrepresented groups, including BIPOC, women, and individuals residing in rural communities and have working partnerships with state research universities, climate tech industry associations, and community-based organizations serving underserved communities.

(d) If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(40) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide a grant for a study on how other states regulate and permit agritourism and bring the advocates of interested groups together to resolve outstanding issues about permitting in agricultural areas, the sale of beer, wine, and cider, and the use of agricultural buildings for agritourism purposes. A report of the findings and recommendations must be submitted to the legislature in accordance with RCW 43.01.036 by June 30, 2025.

(41) \$750,000 of the climate commitment account—state appropriation is provided solely for a grant to the city of Ellensburg for decarbonization planning and implementation. The funding must be used by the city for staff or contractors to develop and implement strategies to comply with the requirements of climate commitment act and decarbonize their natural gas utility. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(42) \$199,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(43) \$272,000 of the climate commitment account—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute House Bill No. 2131 (thermal energy networks). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(44) \$1,850,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1899 (wildfire reconstruction). Of the amount provided in this subsection, \$1,700,000 is provided solely for grants. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(45) (a) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with the Washington state academy of sciences to conduct a study to determine the value of distributed solar and storage in Washington state, including any factors the academy finds relevant, in order to create recommendations and options for a methodology or methodologies that utility regulators and governing bodies may use after the statutory four percent net metering threshold is met. In the course of their research and analysis, the academy shall engage relevant stakeholders focused on the value of distributed energy resources in Washington state, including solar, storage, vehicle to grid, and other resources. This shall include, but is not limited to, representatives from consumer-owned utilities, municipal-owned utilities, investor-owned utilities, utility regulators, the rooftop solar and storage industry, as well as advocacy organizations involved with consumer advocacy, environmental justice, clean energy, climate change, labor unions, and federally recognized Indian tribes.

(b) The Washington state academy of sciences shall submit an interim report to the department and the utilities and transportation commission by June 30, 2025. This interim report must include a plan and cost estimates for further work in the 2025-2027 fiscal biennium to develop policy recommendations and submit a final report to the department and the utilities and transportation commission.

(46) \$24,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute House Bill No. 1924 (fusion technology policies). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds

provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

**Sec. 131.** 2023 c 475 s 133 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2024)	(((\$26,300,000)) \$24,818,000)
General Fund—State Appropriation (FY 2025)	(((\$18,107,000)) \$22,062,000)
General Fund—Federal Appropriation	(((\$7,822,000)) \$8,035,000)
General Fund—Private/Local Appropriation	(((\$2,055,000)) \$2,129,000)
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$5,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	\$7,000
Affordable Housing for All Account—State Appropriation	(((\$184,000)) \$192,000)
Building Code Council Account—State Appropriation	\$4,000
Climate Commitment Account—State Appropriation	\$253,000
Community and Economic Development Fee Account—State Appropriation	(((\$241,000)) \$257,000)
<u>Coronavirus State Fiscal Recovery Fund—Federal Appropriation</u>	<u>\$1,050,000</u>
Economic Development Strategic Reserve Account—State Appropriation	\$47,000
Energy Efficiency Account—State Appropriation	(((\$20,000)) \$19,000)
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation	\$47,000
Growth Management Planning and Environmental Review Fund—State Appropriation	(((\$147,000)) \$146,000)
Home Security Fund Account—State Appropriation	(((\$1,401,000)) \$1,449,000)
Lead Paint Account—State Appropriation	(((\$29,000)) \$31,000)
Liquor Excise Tax Account—State Appropriation	(((\$398,000)) \$397,000)
Liquor Revolving Account—State Appropriation	(((\$17,000)) \$18,000)
Low-Income Weatherization and Structural Rehabilitation Assistance Account—State Appropriation	(((\$10,000)) \$13,000)
Public Facilities Construction Loan Revolving Account—State Appropriation	(((\$320,000)) \$330,000)
Public Works Assistance Account—State Appropriation	(((\$2,005,000)) \$2,044,000)
Washington Housing Trust Account—State Appropriation	(((\$1,141,000)) \$1,198,000)
<b>TOTAL APPROPRIATION</b>	<b>(((\$60,307,000)) \$64,551,000)</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants and associated technical assistance and administrative costs to foster collaborative partnerships that expand child care capacity in communities. Eligible applicants include nonprofit organizations, school districts, educational service districts, and local governments. These funds may be expended only after the approval of the director of the department of commerce and must be used to support planning and activities that help communities address the shortage of child care, prioritizing partnerships serving in whole or in part areas identified as child care access deserts. The department must submit a report to the legislature on the use of funds by June 30, 2025. The report shall include, but is not limited to:

(a) The number and location of organizations, school districts, educational service districts, and local governments receiving grants;

(b) The number of grants issued and their size; and

(c) Any information from grantee organizations on outcomes.

(2) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Vancouver that is the lead organization in a collaborative partnership to expand child care capacity in southwest Washington, for activities that will increase access to affordable, high-quality child care and help meet community needs.

(3) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the work group created in section 916 of this act to examine fire service delivery.

(4)(a) \$30,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to produce a study of the retirement preparedness of Washington residents and the feasibility of establishing a portable individual retirement account savings program with automatic enrollment (auto-IRA) for private sector workers who do not have workplace retirement benefits. To conduct the study, the department shall enter into an agreement with a nonprofit, nonpartisan think tank and research center based in Washington, D.C. that is unaffiliated with any institution of higher education and with a mission to generate a foundation of facts that enriches the public dialog and supports sound decision making. This research center will be responsible for the production of the study to the department. The center shall not be reimbursed for costs nor shall it receive or retain any of the funds. With the advice and consent of the department, the center may select a research institution, entity, or individual located in Washington state with expertise and proficiency in demographic analysis, retirement systems, or retirement planning to collaborate with on this study. The appropriation may be used by the department to enter into a contract with this partner entity for the partner entity's contributions to the study. Any funds not provided to the partner entity or otherwise unused shall be returned.

(b) The study must analyze current state and federal programs and recent state and federal statutory and rule changes that encourage citizens to save for retirement by participating in retirement savings plans, including plans pursuant to sections 401(k), 403(b), 408, 408(a), 408(k), 408(p), and 457(b) of the internal revenue code. The scope of the analysis must include:

(i) An examination of potential retirement savings options for self-employed individuals, part-time employees, and full-time employees whose employers do not offer a retirement savings plan;

(ii) Estimates of the impact on the state budget from shortfalls in retirement savings or income, including on public budgets from taxpayer-financed elderly assistance programs and a loss of economic activity by seniors;

(iii) The level of interest by private sector Washington employers in participating in an auto-IRA program;

(iv) A determination of how prepared financial institutions will be to offer these plans in compliance with federal requirements on all new retirement plans going into effect in 2025;

(v) Findings that clarify the gaps in retirement savings services currently offered by financial institutions;

(vi) An examination of the impact of retirement savings on income and wealth inequality;

(vii) An estimate of the costs to start up an auto-IRA program, an estimate of the time for the program to reach self-sufficiency, and potential funding options;

(viii) The experience of other states that have implemented or are implementing a similar auto-IRA program for employers and employees, as well as program impacts on the market for retirement plan products and services;

(ix) An evaluation of the feasibility and benefits of interstate partnerships and cooperative agreements with similar auto-IRA programs established in other jurisdictions, including contracting with another state to use that state's auto-IRA program, partnering with one or more states to create a joint auto-IRA program, or forming a consortium with one or more other states in which certain aspects of each state's auto-IRA program are combined for administrative convenience and efficiency;

(x) An assessment of potential changes in enrollment in a joint auto-IRA program if potential participants are concurrently enrolled in the federal "saver's credit" program;

(xi) An assessment of how a range of individuals or communities view wealth, as well as ways to accumulate assets;

(xii) The appropriate state agency and potential structure for implementing an auto-IRA program; and

(xiii) Recommendations for statutory changes or appropriations for establishing an auto-IRA program.

(c) By December 15, 2023, the department must submit a report to the appropriate committees of the legislature in compliance with RCW 43.01.036 on the study findings.

(5) \$750,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a nonprofit, tax-exempt charitable organization comprised of a coalition of over 90 nonprofit and business leaders located in King county working to include black, indigenous, and people of color in the region's COVID-19 pandemic recovery.

(6) \$253,000 of the climate commitment account—state appropriation is provided solely for the department to incorporate equity and environmental justice into agency grant programs

with the goal of reducing programmatic barriers to vulnerable populations in overburdened communities in accessing department funds. The department shall prioritize grant programs receiving funds from the accounts established under RCW 70A.65.240, 70A.65.250, 70A.65.260, 70A.65.270, and 70A.65.280. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(7) \$325,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract for and implement a pilot program for onsite or near-site child care facilities to serve children of construction workers. The pilot program must be administered as a competitive grant program and include at least one pilot site near a long-term construction project, onsite at construction companies, or onsite at places of apprenticeship training or worker dispatch. Eligible grant applicants for the program may include nonprofit organizations or employers in partnership with nonprofit organizations. To qualify for a grant, the applicant must be in partnership with one organization representing child care labor, and one organization representing construction labor or a registered apprenticeship program. Preference will be given to proposals that demonstrate commitment to providing nonstandard hours of care. Of the amounts provided in this subsection:

(a) \$300,000 of the general fund—state appropriation for fiscal year 2025 is for grants for the creation and implementation of the pilot site or sites. Grant funding may be used to acquire, renovate, or construct a child care facility, as well as for administrative start-up costs, licensing costs, reporting to the department, and creating a sustainability plan.

(b) (i) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a nonprofit organization to provide technical assistance to grant awardees and for status reports to the department. The nonprofit organization must be headquartered in Tukwila and provide grassroots professional development opportunities to early care and education professionals throughout Washington state.

(ii) The department must submit a report on the results of the pilot program to the legislature and the office of the governor by June 30, 2025.

(8) (a) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to examine allowable expenses and the contracting process of human service provider contracts that have been directly contracted by the department or have been contracted by an entity that received funding by these departments for human services. The department may contract with an external consultant to consult a work group and evaluate the following issues:

(i) Assess if existing contracting structures for human service providers that utilize state funding are adequate for sustaining the human services sector;

(ii) Assess alternative contracting structures for human service providers that may exist within the United States;

(iii) Assess the viability of a lowest responsible bidder contracting structure for state human service providers contracts;

(iv) Facilitate discussion amongst interested parties; and

(v) Develop recommendations for necessary changes in state RCW or agency rule.

(b) The department or consultant must engage with and seek recommendations from a work group representing diverse organizations from around the state and whose membership may include:

(i) Human service provider organizations;

(ii) State government agencies that manage human service contracts;

(iii) The office of equity; and

(iv) Local governments.

(d) The department must submit a final report to the governor and appropriate committees of the legislature by June 30, 2025. The final report must include:

(i) An evaluation of existing contracting structures for human service provider contracts that utilize state funding are creating hardship for human service providers; and

(ii) Recommendations for necessary changes in the Revised Code of Washington or agency rule to address structural hardships in human services contracting.

**Sec. 132.** 2023 c 475 s 134 (uncodified) is amended to read as follows:

**FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$973,000 ))
	\$1,154,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$1,040,000 ))
	\$1,034,000
Lottery Administrative Account—State Appropriation . . . . .	\$50,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$2,063,000 ))</b>
	<b>\$2,238,000</b>

**Sec. 133.** 2023 c 475 s 135 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$19,943,000 ))
	\$20,390,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$21,286,000 ))
	\$24,967,000
General Fund—Federal Appropriation . . . . .	(( \$38,384,000 ))
	\$38,434,000

General Fund—Private/Local Appropriation. . . . .	(\$1,499,000))
	<u>\$3,943,000</u>
Climate Investment Account—State Appropriation. . . . .	(\$909,000))
	<u>\$811,000</u>
Climate Commitment Account—State Appropriation. . . . .	(\$4,485,000))
	<u>\$5,985,000</u>
Coronavirus State Fiscal Recovery Fund—Federal Appropriation. . . . .	\$656,000
<del>((Economic Development Strategic Reserve Account—State Appropriation. . . . .</del>	<del>\$68,000))</del>
Personnel Service Account—State Appropriation. . . . .	(\$26,815,000))
	<u>\$27,396,000</u>
Higher Education Personnel Services Account—State Appropriation. . . . .	\$1,497,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation. . . . .	\$300,000
Statewide Information Technology System Development Revolving Account—State Appropriation. . . . .	(\$105,745,000))
	<u>\$200,458,000</u>
Office of Financial Management Central Service Account—State Appropriation. . . . .	(\$30,929,000))
	<u>\$33,189,000</u>
<del>((Performance Audits of Government Account— State Appropriation. . . . .</del>	<del>\$108,000</del>
<del>Workforce Education Investment Account—State Appropriation. . . . .</del>	<del>\$100,000))</del>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(\$252,724,000))</b>
	<u><b>\$358,026,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) The student achievement council and all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW shall ensure that data needed to analyze and evaluate the effectiveness of state financial aid programs are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

- (i) The number of Washington college grant and college bound recipients;
- (ii) Persistence and completion rates of Washington college grant recipients and college bound recipients, disaggregated by institution of higher education;
- (iii) Washington college grant recipients grade point averages; and
- (iv) Washington college grant and college bound scholarship program costs.

(b) The student achievement council shall submit student unit record data for state financial aid program applicants and recipients to the education data center.

(2) ~~(\$100,000 of the workforce education investment account state appropriation is provided solely to the office of financial management to implement career connected learning.~~

~~(3)) (a) (\$105,607,000))~~ \$200,312,000 of the information technology system development revolving account—state appropriation is provided solely for the one Washington enterprise resource planning statewide program phase 1A (agency financial reporting system replacement) and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(b) Of the amount provided in this subsection:

(i) ~~(\$41,000,000))~~ \$64,780,000 of the information technology system development revolving account—state appropriation is provided solely for a technology pool ~~((in fiscal year 2024))~~ to pay for phase 1A (agency financial reporting system replacement—core financials) state agency costs due to legacy system remediation work associated with impacted financial systems and interfaces. The office of financial management must manage the pool, authorize funds, track costs by agency by fiscal month, and report after each fiscal month close on the agency spending to the consolidated technology services agency so that the spending is included in the statewide dashboard actual spending;

(ii) \$5,650,000 of the information technology system development revolving account—state appropriation is provided solely for organizational change management;

(iii) ~~(\$690,000))~~ \$1,380,000 of the information technology system development revolving account—state appropriation is provided solely for an interagency agreement ~~((in fiscal year 2024))~~ with consolidated technology services for one dedicated information technology consultant and two dedicated system architect staff to be contracted from the office of the chief information officer. These staff will work with state agencies to ensure preparation and timely decommission of information technology systems that will no longer be necessary post implementation of phase 1A (agency financial reporting system replacement—core financials); and

(iv) \$1,854,000 of the information technology system development revolving account—state appropriation is provided solely for dedicated back office administrative support in fiscal year 2024. This includes resources for human resource staff, contract staff, information technology staff, and fiscal staff.



(c) The one Washington team must include at least the chair and ranking member of the technology committees and fiscal committees of the senate and house of representatives in system demonstrations of at least these key deliverables:

- (i) Demonstration of integration build, which must be completed by July 31, 2023; and
- (ii) Demonstration of workday tenant, which must be completed by November 30, 2023.

(d) The one Washington solution and team must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of two-week sprints.

(e) The one Washington solution must be capable of being continually updated, as necessary.

(f) Beginning July 1, 2023, the office of financial management shall provide written quarterly reports, within 30 calendar days of the end of each fiscal quarter, to legislative fiscal committees and the legislative evaluation and accountability program committee to include how funding was spent compared to the budget spending plan for the prior quarter by fiscal month and what the ensuing quarter budget will be by fiscal month. All reporting must be separated by phase of one Washington subprojects. The written report must also include:

(i) A list of quantifiable deliverables accomplished and amount spent associated with each deliverable, by fiscal month;

(ii) A report on the contract full-time equivalent charged compared to the budget spending plan by month for each contracted vendor, to include interagency agreements with other state agencies, and what the ensuing contract equivalent budget spending plan assumes by fiscal month;

(iii) A report identifying each state agency that applied for and received technology pool resources, the staffing equivalent used, and the cost by fiscal month by agency compared to the budget spending plan by fiscal month;

(iv) A report on budget spending plan by fiscal month by phase compared to actual spending by fiscal month, and the projected spending plan by fiscal month for the ensuing quarter; and

(v) A report on current financial office performance metrics that at least 10 state agencies use, to include the monthly performance data, that began July 1, 2021.

(g) Prior to the expenditure of the amounts provided in this subsection, the director of the office of financial management must review and approve the spending in writing.

(h) The legislature intends to provide additional funding for fiscal year 2025 costs for phase 1A (agency financial reporting system replacement) to be completed, which is scheduled to be done by June 30, 2025.

~~((4))~~ (3) \$250,000 of the office of financial management central services account—state appropriation is provided solely for a dedicated information technology budget staff for the work associated with statewide information technology projects that at least are subject to the conditions, limitations, and review requirements of section 701 of this act and are under the oversight of the office of the chief information officer. The staff will be responsible for providing a monthly financial report after each fiscal month close to fiscal staff of the senate ways and means and house appropriations committees to reflect at least:

(a) Fund balance of the information technology pool account after each fiscal month close;

(b) Amount by information technology project, differentiated if in the technology pool or the agency budget, of what funding has been approved to date and for the last fiscal month;

(c) Amount by agency of what funding has been approved to date and for the last fiscal month;

(d) Total amount approved to date, differentiated if in the technology pool or the agency budget, and for the last fiscal month;

(e) A projection for the information technology pool account by fiscal month through the 2023-2025 fiscal biennium close, and a calculation spent to date as a percentage of the total appropriation;

(f) A projection of each information technology project spending compared to budget spending plan by fiscal month through the 2023-2025 fiscal biennium, and a calculation of amount spent to date as a percentage of total project cost; and

(g) A list of agencies and projects that have not yet applied for nor been approved for funding by the office of financial management.

~~((5))~~ (4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 245, Laws of 2022 (state boards, etc./stipends).

~~((6) \$137,000)~~ (5) \$39,000 of the climate investment account—state appropriation is provided solely for the office of financial management to complete an analysis of laws regulating greenhouse gas emissions as required by RCW 70A.65.200(10).

~~((7))~~ (6) \$3,060,000 of the general fund—federal appropriation and \$4,485,000 of the climate commitment account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ A minimum of 60 percent of climate service corps positions created pursuant to the bill shall be provided to members of vulnerable populations in overburdened communities as defined in RCW 70A.65.010, the climate commitment act.

~~((8))~~ (7) \$366,000 of the office of financial management central services account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5512 (higher ed. financial reports). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~(9)~~ (8) Within existing resources, the labor relations section shall produce a report annually on workforce data and trends for the previous fiscal year. At a minimum, the report must include a workforce profile; information on employee compensation, including salaries and cost of overtime; and information on retention, including average length of service and workforce turnover.

~~((10))~~ (9) \$298,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of financial management to convene a task force created in section 913 of this act to identify, plan, and make recommendations on the conversion of the Naselle youth camp property and facilities to an alternate use. Staff support for the task force must be provided by the office of financial management.

~~((11))~~ (10) Within existing resources, the office of financial management shall convene a work group with the goal to improve the state salary survey and provide employees with a voice in the process. The work group shall consist of five employees from the office of financial management, five representatives from employee labor organizations to act as a coalition on behalf of all labor organizations representing state employees, and one chairperson appointed by the director of the office of financial management, to share information and identify concerns with the state salary survey and benchmark job descriptions. By December 31, 2023, the work group shall provide a report of identified concerns to the fiscal and state government committees of the legislature and the director of the office of financial management.

~~((12))~~ (11) (a) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$615,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to establish a difficult to discharge task force to oversee a pilot program and make recommendations about how to address challenges faced with discharging patients from acute care settings and postacute care capacity by July 1, 2023.

(b) The task force shall consist of six members, one from each of the following:

- (i) The governor's office;
- (ii) The health care authority;
- (iii) The department of social and health services;
- (iv) The Washington state hospital association;
- (v) Harborview medical center; and
- (vi) Postacute care provider organizations.

(c) In consultation with stakeholder groups, the governor's office will identify task force members.

(d) The task force shall provide recommendations to the governor and appropriate committees of the legislature on topics including, but not limited to:

(i) Pilot program implementation and evaluation, and recommendations for statewide implementation;

- (ii) Available funding mechanisms;
- (iii) Postacute care and administrative day rates;
- (iv) Managed care contracting; and
- (v) Legal, regulatory, and administrative barriers to discharge.

(e) The task force shall consult with stakeholders with relevant expertise to inform recommendations, including the health care authority, the department of social and health services, hospitals, postacute care providers, and medicaid managed care organizations.

(f) The task force may assemble ad hoc subgroups of stakeholders as necessary to complete its work.

(g) The task force and its operations, including any associated ad hoc subgroups, shall be organized and facilitated by the University of Washington through October 31, 2023. Beginning November 1, 2023, the office shall identify a contractor to undertake the following responsibilities, with oversight from the task force:

- (i) Organization and facilitation of the task force, including any associated subgroups;
- (ii) Management of task force process to ensure deliverables, including report writing;
- (iii) Oversight of the launch of a ~~((five-site))~~ two-year pilot project based on a model created by Harborview medical center by November 1, 2023; and
- (iv) Coordination of pilot implementation, associated reports, and deliverables.

(h) The task force shall provide recommendations to the governor and appropriate committees of the legislature outlining its initial recommendations by November 1, 2023. A report outlining interim recommendations and findings shall be provided by July 1, 2024, and a final report shall be provided by July 1, 2025.

~~((13))~~ (12) \$277,000 of the office of financial management central services account—state appropriation is provided solely for implementation of House Bill No. 1679 (student homelessness group). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~((14))~~ (13) \$772,000 of the climate investment account—state appropriation is provided solely for the office to develop a data portal and other materials and strategies to improve public and community understanding of expenditures, funding opportunities, and grants, from climate commitment act accounts. The development of the data portal must be coordinated with the department of ecology and the expenditure tracking process described in section 302(13) of this act. "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, the air quality and health disparities improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

~~((15))~~ (14) (a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a joint legislative and executive committee on behavioral health, with members as provided in this subsection:

(i) The president of the senate shall appoint three legislative members, including a chair of a senate committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(ii) The speaker of the house of representatives shall appoint three legislative members, including a chair of a house committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(iii) The governor or his or her designee;

(iv) The secretary of the department of social and health services or his or her designee;

(v) The director of the health care authority or his or her designee;

(vi) The insurance commissioner or his or her designee;

(vii) The secretary of the department of health or his or her designee; and

(viii) The secretary of the department of children, youth, and families or his or her designee;

(ix) Other agency directors or designees as necessary; ~~((and))~~

(x) Two individuals representing the interests of individuals living with behavioral health conditions; and

(xi) The chief executive officer of a Washington nonprofit corporation wholly controlled by the tribes and urban Indian organizations in the state, or the commission delegate if applicable, or his or her designee.

(b) (i) The committee must convene by September 1, 2023, and shall meet at least quarterly. The committee member described in (a) (xi) of this subsection must be appointed or selected no later than June 1, 2024. Cochairs shall be one legislative member selected by members of the committee at the first meeting and the representative of the governor's office. All meetings are open to the public.

(ii) The office of financial management shall contract or hire dedicated staff to facilitate and provide staff support to the nonlegislative members and for facilitation and project management support of the committee. Senate committee services and the house of representatives office of program research shall provide staff support to the legislative members of the committee. The contractor shall support the work of all members of the committee, legislative and nonlegislative.

(iii) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate.

(c) The purpose of the committee is to identify key strategic actions to improve access to behavioral health services, by conducting at least, but not limited to, the following tasks:

(i) Establishing a profile of Washington's current population and its behavioral health needs and a projection of population growth and anticipated need through 2028;

(ii) Establishing an inventory of existing and anticipated behavioral health services and supports for adults, children, and youth, including health care providers and facilities;

(iii) Assessing the areas of the current system where additional support is needed for Washington's current population;

(iv) Establishing an anticipated inventory of future services and supports that will be required to meet the behavioral health needs of the population in 2028 and beyond with a specific emphasis on prevention, early intervention, and home or community-based capacity designed to reduce reliance on emergency, criminal legal, crisis, and involuntary services;

(v) Reviewing the integrated care initiative on access to timely and appropriate behavioral health services for individuals with acute behavioral health needs; and

(vi) (A) Developing a strategy of actions that the state may take to prepare for the future demographic trends in the population and building the necessary capacity to meet these demands, including but not limited to:

(I) Exploring the role that education, housing and homelessness response systems, the criminal legal system, primary health care, and insurance systems have in the identification and treatment of behavioral health issues;

(II) Evaluating behavioral health workforce demand and workforce education, training, and continuing education requirements; and

(III) Statutory and regulatory changes to promote the most efficient use of resources, such as simplifying administrative procedures, facilitating access to services and supports systems, and improving transitions between care settings.

(B) Strategies must:

(I) Be based on explicit and measurable actions;

(II) Identify what must be done, by whom, and by when to assure implementation;

(III) Estimate a cost to the party responsible for implementation;

(IV) Recommend specific fiscal strategies that rely predominately on state and federal funding;

(V) Include recommendations for needed and appropriate additional caseload forecasting for state-funded behavioral health services; and

(VI) Incorporate and reconcile, where necessary, recommendations from past and current behavioral health work groups created by the legislature and network adequacy standards established by the health care authority.

(d) The committee shall incorporate input from the office of the insurance commissioner, the caseload forecast council, the health care authority, and other appropriate entities with specialized knowledge of the needs and growth trends of the population and people with behavioral health issues. In the conduct of its business, the committee shall have access, upon request, to health-related data available to state agencies by statute, as allowed by state and federal law. All requested data or other relevant information maintained by an agency shall be provided in a timely manner.

(e) The committee shall submit a sustainable five-year plan to substantially improve access to behavioral health for all Washington residents to the governor, the office of financial management, and the legislature by June 1, 2025.

~~((+16))~~ (15) The office of financial management must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((+17))~~ (16) \$300,000 of the statewide 988 behavioral health crisis response and suicide prevention line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(17) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the purchase and distribution of accessible technology and devices to support the employment and reasonable accommodation for state employees with disabilities. The office may use funds to purchase accessible technology and devices or the office may provide funds to agencies that employ persons with a disability to purchase accessibility devices such as screen readers, large button/print equipment, magnifiers, accessibility software, and other equipment.

(18) (a) \$274,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to conduct an analysis of health care services for pregnancy-related health care, including preconception, prenatal, labor and delivery, and postpartum care. With regard to these types of services, the analysis shall include, but not be limited to:

(i) Access to services and disparities in access;

(ii) Cost;

(iii) Location and type of provider; and

(iv) Demographics of patients and providers.

(b) The office of financial management shall submit a report to the governor and the appropriate committees of the legislature by June 30, 2025. The report shall include the analysis in (a) of this subsection and must identify and represent the following information in both table and geographical map view:

(i) Community and hospital birth centers by name, city, and county;

(ii) Annual births by geographical location to include community and hospital birth center, if known;

(iii) Greatest gaps in service using data in this subsection.

(c) The report required in (b) of this subsection must also include any recommendations for how to fill the gaps in service identified in the data and any recommendations for future analysis.

(19) \$298,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to convene a task force created in section 905 of this act to identify, plan, and make recommendations on the future use of the Larch corrections center property and facilities to an alternate use. Staff support for the task force must be provided by the office of financial management.

(20) (a) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a third party to complete market research on incarcerated individual communication rates in the United States. The market research must include:

(i) Detail by state on the amount each state pays to the vendor contracted to provide communication service rates and rate structures for incarcerated individuals at discrete points of time to include, at least, January 1, 2024, January 1, 2020, and January 1, 2015 for, at least but not limited to:

(A) Voice communication;

(B) Video communication;

(C) Email communication; and

(D) Text messaging communication;

(ii) The amount families paid in total for a state's contracted telecom vendor each state fiscal year for at least fiscal years 2018, 2019, 2020, 2021, 2022, and 2023;

(iii) Comparative market research analysis on rate structures over time, how those rates compare to the telecommunication fees over the same time, and how the market is anticipated to change by calendar year from calendar year 2024 through calendar year 2030;

(iv) Analysis on how many states provide at least voice communication services or any other communication services free of charge to the person initiating and the person receiving the communication and what calendar date that began; and

(v) Comparative analysis of any impacted rate structures, and at least those in (a)(i) of this subsection, before communication services are made free of charge to the person initiating and the person receiving the communication compared to the new negotiated rate

structures, and at least those in (a)(i) of this subsection, after communication services are made free of charge to the person initiating and the person receiving the communication.

(b) The report must be submitted to the governor and the appropriate policy and fiscal committees of the legislature by December 31, 2024.

(21) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to evaluate the timeline and effectiveness of services supporting agency requests to downsize, acquire, expand, or relocate state facilities. The office, in collaboration with the department of enterprise services, will contract with an independent entity for the analysis and mapping of service delivery workflow and timeline, with the goal of identifying gaps and opportunities to improve efficiency by June 30, 2025. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW. The report must be submitted to the governor and the appropriate policy and fiscal committees of the legislature by June 30, 2025.

(22) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to conduct a study related to the hiring and retention of county-level elections staff, including staff members of a county auditor's office.

(a) The study must include analysis of:

(i) The potential effects of the following on the hiring and retention of county-level elections staff:

(A) Implementing ranked-choice voting;

(B) Shifting local government elections to even-numbered years; and

(C) Negative interactions with voters and other members of the public, such as experiencing harassment and abuse or receiving threats;

(ii) The demographic information of county-level elections staff;

(iii) Job market conditions in Washington for elections staff recruitment and retention; and

(iv) Elections staffing models in other states, including in states that use ranked-choice voting and states where at least one election has shifted from an odd-numbered year to an even-numbered year.

(b) The study must also include recommendations for recruiting, hiring, and retaining county-level elections staff in Washington.

(c) A final report must be submitted to the governor and the appropriate policy and fiscal committees of the legislature by December 31, 2024.

(23)(a) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$210,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office, in coordination with the department of revenue, to conduct a study of costs to the state, whether actual spending or foregone revenue collections, related to nonprofit health care providers, facilities, and insurers.

(b) The study shall quantify the value of state and federal tax preferences, tax-preferred capital financing such as financing available through the Washington health care facilities authority, and other public reimbursement streams available to nonprofit health care providers, facilities, and insurers outside of payment for health care claims.

(c) The office must submit a report to the governor and the relevant policy and fiscal committees of the legislature by October 1, 2024.

(24)(a) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of financial management to conduct a study of the future long-term uses of the Olympic heritage behavioral health campus. The study must assess the options for maximizing the facility's ability to receive federal matching funds for services provided while contributing to the health of the entire state behavioral health system based on community needs. The study must examine Washington behavioral health system trends, including demand and capacity for voluntary and involuntary behavioral health in-patient treatment, forecasted bed need and current and planned statewide capacity for civil and forensic state hospital populations, short-term civil commitment capacity trends, and trends in prosecutorial forensic referrals. The study must also consider area provider admittance and refusal rates. The study must include:

(i) An analysis on the types of services which could be provided at the property, including but not limited to:

(A) Voluntary behavioral health treatment services, including diversion, prediversion, and specialty services for people with co-occurring conditions including substance use disorders, intellectual or developmental disabilities, traumatic brain disorders, or dementia;

(B) Services for patients that are deemed not guilty by reason of insanity;

(C) Integrated service approaches that address medical, housing, vocational, and other needs of behaviorally disabled individuals with criminal legal involvement or likelihood of criminal legal involvement;

(D) Long-term involuntary treatment services for specialized populations such as those with developmental disabilities or dementia;

(E) Short-term involuntary treatment services;

(F) Long-term involuntary treatment services for civil conversion patients;

(G) Out-patient intensive behavioral health treatment including partial hospitalization and intensive outpatient care;

(H) Crisis response services; and

(I) Other services that will increase the state's ability to comply with requirements for providing timely admission of competency restoration patients into treatment beds;

(ii) Review of potential for additional capacity or services on the entirety of the property, including any capital improvements needed to expand services under the options described in (a)(i) of this subsection;

(iii) Identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments;

(iv) Estimated costs, required staffing and workforce availability for each of the recommended types of services if available; and

(v) Consideration of options for providers that can provide the different services recommended at the facility and an analysis on the cost differential and potential federal reimbursement for the different providers. The office of financial management may consider a variety of provider types or partners, including, but not limited to:

(A) Tribal or local governments;

(B) Acute care hospitals already providing similar care;

(C) Providers contracted by the health care authority; and

(D) State-operated options.

(b) The office of financial management shall consult with the University of Washington school of medicine, the health care authority, and the department of social and health services in developing and conducting the study.

(c) The office of financial management shall submit a report with its findings and recommendations to the governor and the appropriate policy and fiscal committees of the legislature by June 30, 2025.

(d) The office of financial management may contract with one or more third parties and consult with other state entities to conduct the study. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(25)(a) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with a consultant to collect, review, and analyze data related to vehicular pursuits and to compile a report. The report must include recommendations to the legislature on what data should be collected by law enforcement agencies throughout the state so that the legislature and other policymakers have consistent and uniform information necessary to evaluate policies on vehicular pursuits. The contractor must gather input from individuals and families with lived experience interacting with law enforcement, including Black, indigenous, and communities of color, and incorporate this information into the report and recommendations. The report must:

(i) Review available data on vehicular pursuits from those agencies accredited by the Washington association of sheriffs and police chiefs, and review a stratified sample of nonaccredited agencies for as many years as their data have been collected, including:

(A) The date, time, location, maximum speed, and duration of the incident;

(B) The reason for initiating a pursuit;

(C) Whether the pursuing officer sought authorization for the pursuit, or only gave notice of the pursuit, and whether authorization for the pursuit was granted;

(D) Whether a supervisor denied authorization for the pursuit and the reason for the denial;

(E) The number of vehicles and officers involved in the pursuit;

(F) The number of law enforcement agencies involved in the pursuit;

(G) Whether pursuit intervention techniques were employed, and if so, which ones;

(H) Whether the pursuit was terminated at any point, and if so, the reason for termination;

(I) The officer's perception of the age, gender, race, ethnicity, or applicable tribal affiliation of the driver and any passengers of the motor vehicle being pursued;

(J) Whether the pursuit resulted in no action, termination, apprehension, warning, citation, arrest and grounds for the arrest, or other action;

(K) Whether the pursuit resulted in any property damage, injury, or death, and to whom and what, including law enforcement, drivers, passengers, and bystanders;

(L) Copies of reports, annual or other frequencies, used for internal review of pursuit statistics; and

(M) Whether the law enforcement agency has a record-keeping system for pursuits, and if so, what that system is, how long it has been in place, and whether the system and the data collected has changed over time;

(ii) Provide recommendations on what data elements law enforcement agencies should collect, in relation to the list identified in (a)(i) of this subsection, and provide rationale for the recommendations;

(iii) Develop a protocol for data collection by law enforcement agencies and provide a statement regarding the use of such data and the purpose for its collection and analysis;

(iv) Make the data readily available to the public using standard open data protocols;

(v) Recommend an entity to collect and manage this data on a statewide basis;

(vi) Review existing statewide police data reporting systems, including:

(A) The national incident based reporting system program, which is for the federal uniform crime reporting program;

(B) The Washington technology solutions police traffic collision reporting system, which is used for both state systems and the federal fatality analysis reporting system; and

(C) The statewide use of force data program established in RCW 10.118.030;

(vii) Assess the benefits and drawbacks of each of the existing systems in (a)(vi) of this subsection as a possible platform for collecting, reporting, and hosting pursuit open

source downloadable data from agencies, and recommend whether any of these, or another system, would be most appropriate; and

(viii) Recommend any changes in state law to accomplish and facilitate the collection and analysis of the data, including whether to align or integrate the data collection with the use of force data under chapter 10.118 RCW.

(b) The report and recommendations are due to the governor and the appropriate committees of the legislature by June 30, 2025.

(26) \$500,000 of the general fund—state appropriation for fiscal year 2025 and \$1,500,000 of the climate commitment account—state appropriation are provided solely for the office to build a grant writing, tracking, and management database for state acquisition of federal funds, and to support development of state strategies for successfully bringing specific types of federal funding to Washington. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes of this subsection.

(27) (a) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to provide recommendations on the method and format for studying a transition to a department of housing. In developing the recommendations, previous efforts to establish new entities or programs should be considered, such as the office of equity task force, the social equity in cannabis task force, the blue ribbon commission on delivery of services to children and families, and methods used by other jurisdictions.

(b) The recommendations must include:

(i) Which entity should lead the study, such as an agency, a contractor, or a task force;

(ii) Which entities should consult and collaborate on the study, such as legislators, agencies, nonprofit organizations, businesses, and local jurisdictions;

(iii) Which programs across state agencies should be considered by the study for possible incorporation into a department of housing;

(iv) What housing types and financing structures should be identified and considered by the study;

(v) What gaps and barriers to establishing a department of housing should be identified and considered by the study; and

(vi) An estimate of the costs and possible timeline for the recommended method and format of the study.

(c) The recommendations are due to the governor and the appropriate policy and fiscal committees of the legislature by December 1, 2024.

**Sec. 134.** 2023 c 475 s 136 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

Administrative Hearings Revolving Account—State

Appropriation. . . . .	(((\$72,194,000))
	<u>\$76,474,000</u>

Administrative Hearings Revolving Account—Local

Appropriation. . . . .	\$12,000
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TOTAL APPROPRIATION.....	(((\$72,206,000))
	<u>\$76,486,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$597,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(2) \$80,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5225 (working conn. child care). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(3) \$34,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(4) \$61,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(5) \$2,487,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(6) \$16,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 2061 (health employees/overtime). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 135.** 2023 c 475 s 137 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE LOTTERY**

Lottery Administrative Account—State Appropriation. . . . .	(( <del>\$32,896,000</del> ))
	<u>\$32,948,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$32,896,000</del>))</b>
	<b><u>\$32,948,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1) No portion of this appropriation may be used for acquisition of gaming system capabilities that violate state law.

(2) Pursuant to RCW 67.70.040, the commission shall take such action necessary to reduce retail commissions to an average of 5.1 percent of sales.

**Sec. 136.** 2023 c 475 s 138 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON HISPANIC AFFAIRS**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$1,494,000</del> ))
	<u>\$1,493,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$1,347,000</del> ))
	<u>\$1,389,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$2,841,000</del>))</b>
	<b><u>\$2,882,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Hispanic and Latinx students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to gang youth intervention specialists for a pilot program within high schools in Washington. Grants may be provided without using a competitive selection process.

**Sec. 137.** 2023 c 475 s 139 (uncodified) is amended to read as follows:

**FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS**

General Fund—State Appropriation (FY 2024). . . . .	\$660,000
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$662,000</del> ))
	<u>\$679,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,322,000</del>))</b>
	<b><u>\$1,339,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for African American and Black students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators, as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

**Sec. 138.** 2023 c 475 s 140 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS**

General Fund—State Appropriation (FY 2024). . . . .	\$387,000
Department of Retirement Systems Expense Account—	
State Appropriation. . . . .	(( <del>\$115,088,000</del> ))
	<u>\$117,209,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$115,475,000</del>))</b>
	<b><u>\$117,596,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:



(1) \$34,491,000 of the department of retirement systems expense account—state appropriation is provided solely for pension system modernization, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$143,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1007 (military service credits). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$1,172,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5538 (postretirement nursing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$1,058,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1056 (postretirement employment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$199,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1055 (public safety telecommunications). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$536,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1481 (tribal peace officers/LEOFF). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(7) \$116,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(8) \$265,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6197 (LEOFF plan 2 provisions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(9) \$36,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 2014 (definition of a veteran). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(10) \$99,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5424 (flexible work/peace officers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 139.** 2023 c 475 s 141 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF REVENUE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$427,926,000</del> ))
	\$358,141,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$436,344,000</del> ))
	\$398,865,000
Climate Commitment Account—State Appropriation . . . . .	\$895,000
Timber Tax Distribution Account—State Appropriation . . . . .	(( <del>\$8,095,000</del> ))
	\$8,136,000
Business License Account—State Appropriation . . . . .	(( <del>\$19,774,000</del> ))
	\$19,886,000
Waste Reduction, Recycling, and Litter Control Account—State Appropriation . . . . .	\$183,000
Model Toxics Control Operating Account—State Appropriation . . . . .	\$127,000
Financial Services Regulation Account—State Appropriation . . . . .	\$5,000,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$898,344,000</del>))</b>
	<b>\$791,233,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,669,000 of the general fund—state appropriation for fiscal year 2024 and \$1,661,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 196, Laws of 2021 (capital gains tax).

(2) ~~((~~\$251,639,000~~))~~ \$181,639,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$263,768,000~~))~~ \$221,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 195, Laws of 2021 (working families tax exempt). Of the total amounts provided in this subsection:

(a) \$16,639,000 of the general fund—state appropriation for fiscal year 2024 and \$15,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administration of the working families tax exemption program; and

(b) ~~((~~\$235,000,000~~))~~ \$165,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$248,000,000~~))~~ \$206,000,000 of the general fund—state appropriation for fiscal

year 2025 are provided solely for remittances under the working families tax exemption program.

(3) \$2,408,000 of the general fund—state appropriation for fiscal year 2024, \$780,000 of the general fund—state appropriation for fiscal year 2025, and \$895,000 of the climate commitment account—state appropriation are provided solely for the department to implement 2023 revenue legislation.

(4) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop an implementation plan for an online searchable database of all taxes and tax rates in the state for each taxing district. A report summarizing options, estimated costs, and timelines to implement each option must be submitted to the appropriate committees of the legislature by June 30, 2024. The implementation plan must include an array of options, including low cost options that may change the scope of the database. However, each low cost option must still provide ease of public access to state and local tax information that is currently difficult for the public to collect and efficiently navigate.

(5) \$19,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of House Bill No. 1303 (property tax administration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$3,639,000 of the general fund—state appropriation for fiscal year 2024 and \$3,582,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1477 (working families' tax credit). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(7) \$48,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(8) \$31,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5565 (tax and revenue laws). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) (a) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to research and analyze wealth taxes imposed in other countries and wealth tax legislation recently proposed by other states and the United States. At a minimum, the department must examine how existing and proposed wealth taxes are structured, compliance and administrative challenges of wealth taxes, best practices in the design and administration of wealth taxes, and potential data sources to aid the department in estimating the revenue impacts of future wealth tax proposals for this state or assisting the department in the administration of a wealth tax. As part of its examination and analysis, the department must seek to consult with relevant subject matter experts from within and outside of the United States.

(b) The department may contract with one or more institutions of higher education as defined in RCW 28B.10.016 for assistance in carrying out its obligations under this subsection.

(c) The department must submit a status report to the appropriate fiscal committees of the legislature by January 1, 2024, and a final report to the appropriate fiscal committees of the legislature by November 1, 2024. The final report must include the department's findings.

(10) \$42,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to study how to collect race and ethnicity information from organizations or entities that receive tax preferences, as defined in RCW 43.136.021.

(a) The department may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(b) The department must submit a report to appropriate committees of the legislature by June 30, 2025. The report must include cost and timeline estimates for collecting the race and ethnicity information. The department must consult with the office of equity to ensure that data collection is consistent with other efforts. The report must also include, but is not limited to, the following information:

(i) The cost and time required for the department to revise current reporting requirements to include race and ethnicity data;

(ii) The cost and time required for the department to incorporate the collection of race and ethnicity data into future reporting;

(iii) The cost and time required for the department to incorporate the collection of race and ethnicity data into its existing information technology systems;

(iv) Recommendations on any exclusions from the requirement to report race and ethnicity data; and

(v) Any statutory changes necessary to collect race and ethnicity data.

(12) \$181,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support the underground economy task force created in section 906 of this act.

(13) \$274,000 of the general fund—state appropriation for fiscal year 2024 and \$217,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement 2024 revenue legislation.

(14) \$4,000 of the business license account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5897 (business license services). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15) (a) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct a study and provide a report to the legislature on royalty receipts apportionment for local business taxes throughout the state. The study must:

(i) Examine how gross income derived as royalties from the granting of intangible rights in RCW 35.102.130 could be apportioned uniformly by local jurisdictions. The department must consider apportionment options described in RCW 82.04.462(3)(b) (i) through (vii) as well as other options; and

(ii) Identify issues surrounding the definition of "customer" as applied to royalties and payments made or received for the use of the taxpayer's intangible property in RCW 35.102.130, and how it could be brought into conformity with the definition in RCW 82.04.462(3)(b) (viii) and applied uniformly throughout the state.

(b) The study must document and evaluate the approaches to apportionment of royalties that have been adopted in other states and examine the administrative feasibility of applying interstate apportionment methodologies to local business taxes. The department must submit a report on the study and any findings and recommendations to the governor and the appropriate policy and fiscal committees of the legislature by December 31, 2024.

(16) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct outreach activities for the working families' tax credit established in RCW 82.08.0206, including but not limited to grants for community-based organizations to conduct outreach activities, marketing activities, and establishing a mobile unit.

**Sec. 140.** 2023 c 475 s 142 (uncodified) is amended to read as follows:

**FOR THE BOARD OF TAX APPEALS**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$2,810,000 ))
	\$2,809,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$2,808,000 ))
	\$2,908,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$5,618,000 ))</b>
	<b>\$5,717,000</b>

**Sec. 141.** 2023 c 475 s 143 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

General Fund—State Appropriation (FY 2024) . . . . .	\$3,837,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$3,799,000 ))
	\$6,382,000
Minority and Women's Business Enterprises Account—	
State Appropriation . . . . .	(( \$6,062,000 ))
	\$6,113,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$13,698,000 ))</b>
	<b>\$16,332,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of minority and women's business enterprises shall consult with the Washington state office of equity on the Washington state toolkit for equity in public spending.

(2) \$540,000 of the general fund—state appropriation for fiscal year 2024 and \$529,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$151,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a policy analyst position.

(4) \$941,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to expand its outreach and communications department.

**Sec. 142.** 2023 c 475 s 144 (uncodified) is amended to read as follows:

**FOR THE INSURANCE COMMISSIONER**

General Fund—Federal Appropriation . . . . .	\$4,723,000
Insurance Commissioner's Regulatory Account—State	
Appropriation . . . . .	(( \$79,157,000 ))
	\$82,830,000
Insurance Commissioner's Fraud Account—State	
Appropriation . . . . .	(( \$4,269,000 ))
	\$4,284,000

TOTAL APPROPRIATION.....((~~\$88,149,000~~))  
\$91,837,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5242 (abortion cost sharing). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(2) \$63,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of House Bill No. 1120 (annuity transactions). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(3) \$72,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5036 (audio-only telemedicine). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(4) \$55,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5300 (behavioral health continuity). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(5) \$19,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(6) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5396 (breast exam cost sharing). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(7) \$260,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 87, Laws of 2023 (SSB 5338).

(8) \$1,206,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5066 (health care benefit managers). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(9) \$9,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 16, Laws of 2023 (SSB 5729).

(10) \$272,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5581 (maternal support services). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(11) \$237,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 42, Laws of 2023 (SB 5319).

(12) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5720 (risk mitigation). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(13)(a) (~~(\$500,000)~~)\$700,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner, in collaboration with the office of the attorney general, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state, including but not limited to the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.

(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The office of the insurance commissioner and office of the attorney general shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

(14) \$190,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 27, Laws of 2023 (SHB 1266).

(15) \$66,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1222 (hearing instruments coverage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(16) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 21, Laws of 2023 (HB 1061).

(17) \$14,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute House Bill No. 1060 (mutual insurer reorg.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$132,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) (a) ~~(\$250,000)~~ \$50,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for an analysis of how health plans define, cover, and reimburse for maternity care services, including prenatal, delivery, and postpartum care. The commissioner shall:

(i) Obtain necessary information regarding health plans offered by carriers with more than one percent accident and health market share based upon the commissioner's most recent annual market information report and health plans offered to public employees under chapter 41.05 RCW to evaluate:

(A) How health plan benefit designs define maternity care services;

(B) Whether and to what extent maternity care services are subject to deductibles and other cost-sharing requirements;

(C) Which maternity care services are considered preventive services under section 2713 of the federal public health service act and are therefore exempt from cost sharing;

(D) The five most used maternity care reimbursement methodologies used by each carrier; and

(E) With respect to reimbursement methodologies that bundle payment for maternity care services, which specific services are included in the bundled payment;

(ii) Estimate the total and per member per month impact on health plan rates of eliminating cost sharing for maternity care services in full, or for prenatal care only, for the following markets:

(A) Individual health plans other than Cascade select plans;

(B) Cascade select health plans;

(C) Small group health plans;

(D) Large group health plans;

(E) Health plans offered to public employees under chapter 41.05 RCW; and

(F) All health plans in the aggregate; and

(iii) Submit a report on the findings and cost estimate to the appropriate committees of the legislature by July 1, 2024.

(b) The commissioner may contract for all or a portion of the analysis required in this subsection.

(20) \$86,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5821 (audio-only telemedicine). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$549,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(22) \$228,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5936 (palliative care work group). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(23) \$195,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(24) \$175,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5213 (health care benefit managers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$12,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6127 (HIV prophylaxis). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(26) \$578,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner to continue its work on behavioral health parity compliance, enforcement, and provider network oversight. The commissioner may use internal staff and contracted experts to oversee provider directories and evaluate consumer access to services for mental health and substance use disorders in state-regulated individual, small group, and large group health plans.

(27) (a) \$250,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner, in consultation with the department of social and health services and the health care authority, to submit to the relevant policy and fiscal committees of the legislature by June 30, 2025, a feasibility analysis of expanding or modifying the program described in section 204(48) of this act to include additional groups of essential workers whose employers receive significant public funding to provide direct services to vulnerable populations, including but not limited to behavioral health services, housing and homelessness services, and child care workers. The evaluation must consider:

(i) Current sources, benefits, and costs of health care coverage for these essential workers including but not limited to employer-sponsored coverage, medicaid, and individual health plans purchased through the health benefit exchange;

(ii) Policy options to increase health care benefit funding to employers of these essential workers, including maximizing nongeneral fund state sources while ensuring costs are not shifted to employees;

(iii) The appropriate structure and oversight of the newly established health benefits fund, including the use of fully insured health coverage, a self-funded multiemployer welfare arrangement, the health benefit exchange, or another entity to offer health benefits comparable to the platinum metal level under the affordable care act, and meet defined plan design, consumer protection, and solvency requirements.

(b) The commissioner must consult with interested organizations and may establish subgroups to conduct this work based on distinct industries of different essential workers.

(c) The commissioner may contract with third parties and consult with other state entities to conduct all or any portion of the study, including actuarial analysis.

(28) (a) \$400,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner to convene and chair an adult family home liability insurance work group. The work group shall consist of members with a representative from, but not limited to:

(i) The office of the attorney general;

(ii) The office of the governor;

(iii) The adult family home industry;

(iv) The Washington state long-term care ombudsman;

(v) The department of social and health services' aging and long-term support administration's residential care services;

(v) The department of social and health services' aging and long-term support administration's home and community services;

(vi) The department of social and health service's aging and long-term support administration's developmental disability administration;

(vii) Insurance producers;

(viii) Insurance underwriters;

(ix) The Washington surplus line association;

(x) Risk retention groups; and

(xi) Other state agency representatives or stakeholder group representatives, as deemed necessary.

(b) The work group shall:

(i) Review the availability and cost of liability insurance for adult family homes;

(ii) Identify obstacles to adult family homes access to liability insurance including underwriting restrictions, market conditions, as well as legal and regulatory requirements;

(iii) Evaluate the financial risk to adult family homes, their residents, the state medicaid program, and others that exist as a result of the increased cost of insurance, or in the event adult family homes are uninsured due to a lack of access to coverage; and

(iv) Make policy recommendations to improve access to liability insurance coverage for adult family homes.

(c) The work group must submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 31, 2024, and a final report by June 30, 2025, with review findings, recommendations, and data on claims experience, costing, and policy or budget underwriting restrictions related to liability policies covering adult family homes.

(d) The commissioner shall collect the information required from entities transacting insurance with adult family home providers. Any identified authorized insurers, unauthorized insurers, and risk retention groups are required to provide the requested information to the commissioner.

(e) The commissioner may contract with a vendor to conduct an actuarial analysis if necessary to facilitate the development of recommendations concerning liability insurance in adult family homes.

(29) (a) \$350,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner to study approaches to increasing the availability of

health care malpractice liability coverage or other liability protection options for community-based health care providers delivering transition of care services to incarcerated individuals. The commissioner must provide an initial report to the office of financial management and appropriate committees of the legislature by December 31, 2024. The study must include:

(i) A review of the state's commitments to facilitating safe transitions of care for incarcerated individuals through medicaid coverage of health services under the 2023 medicaid transformation waiver;

(ii) An analysis of the barriers to accessing liability coverage for community-based health care providers on the private market;

(iii) An actuarial analysis of the potential risk to be incurred by providing health care malpractice liability coverage for transition of care services to individuals who are incarcerated and near release; and

(iv) Policy options and recommendations, if any, for consideration by the legislature regarding provision of or increasing the availability of health care malpractice liability coverage or other liability protection options for community-based health care providers delivering these services.

(b) In conducting this study, the commissioner shall convene interested organizations including but not limited to representatives of:

(i) The office of the attorney general;

(ii) The health care authority;

(iii) The department of corrections;

(iv) The department of enterprise services' office of risk management;

(v) The Washington association of sheriffs and police chiefs;

(vi) Local governments;

(vii) Medical malpractice liability underwriters; and

(viii) Community-based health care providers, including but not limited to representatives of federally qualified health centers and providers of health care services in incarceration settings.

(c) The commissioner may contract for actuarial or other analysis if necessary to facilitate development of the study or policy options.

(30) \$315,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute House Bill No. 2329 (insurance market/housing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(31) \$49,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1957 (preventive service coverage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(32) \$84,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5798 (insurance notices). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 143. 2023 c 475 s 145 (uncodified) is amended to read as follows:

FOR THE STATE INVESTMENT BOARD

State Investment Board Expense Account—State

Appropriation. . . . . ((\$83,426,000))

\$83,613,000

TOTAL APPROPRIATION. . . . . ((\$83,426,000))

\$83,613,000

The appropriation in this section is subject to the following conditions and limitations: \$41,000 of the state investment board expense account—state appropriation is provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

Sec. 144. 2023 c 475 s 146 (uncodified) is amended to read as follows:

FOR THE LIQUOR AND CANNABIS BOARD

General Fund—State Appropriation (FY 2024). . . . . ((\$2,383,000))

\$2,501,000

General Fund—State Appropriation (FY 2025). . . . . ((\$850,000))

\$1,545,000

General Fund—Federal Appropriation. . . . . \$3,187,000

General Fund—Private/Local Appropriation. . . . . \$75,000

Dedicated Cannabis Account—State Appropriation

(FY 2024). . . . . \$13,481,000

Dedicated Cannabis Account—State Appropriation

(FY 2025). . . . . ((\$14,041,000))

\$14,055,000

Liquor Revolving Account—State Appropriation. . . . . ((\$124,765,000))

\$126,281,000

TOTAL APPROPRIATION. . . . . ((\$158,782,000))

\$161,125,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The liquor and cannabis board may require electronic payment of the cannabis excise tax levied by RCW 69.50.535. The liquor and cannabis board may allow a waiver to the electronic payment requirement for good cause as provided by rule.

(2) Of the liquor revolving account—state appropriation, \$35,278,000 is provided solely for the modernization of regulatory systems and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$1,526,000 of the liquor revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin).

(5) \$250,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$159,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC).

(6) ~~(((\$1,527,000))~~\$1,622,000 of the general fund—state appropriation for fiscal year 2024, ~~\$357,000 of the general fund—state appropriation for fiscal year 2025,~~ \$2,255,000 of the dedicated cannabis account—state appropriation for fiscal year 2024, and \$1,463,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity).

(7) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the liquor and cannabis board to conduct an agency analysis of commercial tobacco and vaping enforcement actions from fiscal year 2018 through fiscal year 2022 involving youth under the age of 18. This analysis shall be submitted to the appropriate committees of the legislature by December 1, 2023, and must include:

- (a) The total number of such interactions by fiscal year;
- (b) Information on the nature of those interactions;
- (c) How many interactions convert to administrative violation notices (AVNs);
- (d) How many of those interactions and AVNs convert to retailer education and violations;

and  
(e) Descriptions of training for liquor and cannabis board officers, and the number of officers trained on interacting with youth, particularly LGBTQ youth and youth of color.

(8) \$4,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5365 (vapor and tobacco/minors). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$225,000 of the liquor revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1731 (short-term rentals/liquor). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$99,000 of the liquor revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$245,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5376 (cannabis waste). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$63,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2320 (high THC cannabis products). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$136,000 of the liquor revolving account—state appropriation is provided solely for implementation of House Bill No. 2204 (emergency liquor permits). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1453 (medical cannabis/tax). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(15) \$75,000 of the liquor revolving account—state appropriation is provided solely for reviewing all the Washington Administrative Code provisions promulgated by the board for potentially discriminatory language or interpretation that may highlight personal bias. The board must issue a report to the legislature on its findings by September 30, 2024.

**Sec. 145.** 2023 c 475 s 147 (uncodified) is amended to read as follows:

**FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	\$1,201,000
General Fund—State Appropriation (FY 2025) . . . . .	<del>(((\$1,201,000))</del>
	<u>\$1,276,000</u>
Public Service Revolving Account—State Appropriation . . . . .	<del>(((\$65,664,000))</del>
	<u>\$66,445,000</u>



Public Service Revolving Account—Federal Appropriation. . . . .	\$100,000
Pipeline Safety Account—State Appropriation. . . . .	<del>(\$3,769,000)</del>
	\$3,789,000
Pipeline Safety Account—Federal Appropriation. . . . .	\$3,404,000
<b>TOTAL APPROPRIATION.....</b>	<b><del>(\$75,339,000)</del></b>
	<b>\$76,215,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to \$800,000 of the public service revolving account—state appropriation in this section is for the utilities and transportation commission to supplement funds committed by a telecommunications company to expand rural broadband service on behalf of an eligible governmental entity. The amount in this subsection represents payments collected by the utilities and transportation commission pursuant to the Qwest performance assurance plan.

(2) \$43,000 of the public service revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$100,000 of the public service revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$67,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$57,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(7) \$497,000 of the public service revolving account—state appropriation is provided solely for staff to advance the state's objectives for better transmission planning, organized electric power markets or similar regional power coordination, and expanded regional and interregional transmission capacity.

(8) (a) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to report to the legislature with information and recommendations for updating the statutes pertaining to the universal communications services program as described in chapter 80.36 RCW. The report must include:

(i) How the program has been utilized and audited since fiscal year 2022;

(ii) The most efficient and cost-effective technologies available to meet the state's broadband goals in rural areas;

(iii) The ways in which this program can work with the Washington state broadband office to ensure that appropriations for this program are additive and not duplicative to the office's broadband goals and how new technologies would help meet those goals;

(iv) The ways in which these dollars have been used to leverage federal funding;

(v) A list of other sources of state and federal funding that are available to maintain and repair existing broadband infrastructure;

(vi) How changes to the federal universal services fund could impact the provision of telecommunications services in Washington state; and

(vii) Any additional relevant information regarding the benefits of continuing this program that would be helpful for future appropriation decisions.

(b) The report is due to the appropriate committees of the legislature in accordance with RCW 43.01.036 by December 1, 2024.

(9) \$62,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2131 (thermal energy networks). If the bill is not enacted by June 30, 2024, the amount in this subsection shall lapse.

**Sec. 146.** 2023 c 475 s 148 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**

General Fund—State Appropriation (FY 2024). . . . .	<del>(\$16,490,000)</del>
	\$16,720,000
General Fund—State Appropriation (FY 2025). . . . .	<del>(\$16,446,000)</del>
	\$19,489,000
General Fund—Federal Appropriation. . . . .	<del>(\$146,122,000)</del>
	\$146,290,000
911 Account—State Appropriation. . . . .	\$54,306,000
Disaster Response Account—State Appropriation. . . . .	<del>(\$59,466,000)</del>
	\$62,179,000
Disaster Response Account—Federal Appropriation. . . . .	<del>(\$1,184,618,000)</del>

	<u>\$1,905,453,000</u>
Military Department Rent and Lease Account—State	
Appropriation. . . . .	\$1,009,000
Military Department Active State Service Account—	
State Appropriation. . . . .	\$400,000
Natural Climate Solutions Account—State	
Appropriation. . . . .	\$113,000
Oil Spill Prevention Account—State Appropriation. . . . .	\$1,040,000
Worker and Community Right to Know Fund—State	
Appropriation. . . . .	(( <del>\$2,042,000</del> ))
	<u>\$2,041,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$1,482,052,000</del>))</b>
	<u><b>\$2,209,040,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees by February 1st and October 31st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2023-2025 fiscal biennium based on current revenue and expenditure patterns.

(2) \$40,000,000 of the general fund—federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) \$11,000,000 of the 911 account—state appropriation is provided solely for financial assistance to counties.

(4) \$784,000 of the disaster response account—state appropriation is provided solely for fire suppression training, equipment, and supporting costs to national guard soldiers and airmen.

~~(5) ((\$386,000 of the military department rental and lease account—state appropriation is provided solely for maintenance staff.~~

~~(6))~~ (6) \$876,000 of the disaster response account—state appropriation is provided solely for a dedicated access and functional needs program manager, access and functional need services, and a dedicated tribal liaison to assist with disaster preparedness and response.

~~((7))~~ (6) \$136,000 of the general fund—state appropriation for fiscal year 2024 and \$132,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(8))~~ (7) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to Whatcom county for disaster relief and recovery activities in response to the November 2021 flooding and mudslides presidentially-declared disaster.

~~((9))~~ (8) \$625,000 of the general fund—state appropriation for fiscal year 2024 and \$625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1728 (statewide resiliency program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(10))~~ (9) \$113,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(11))~~ (10) (a) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to administer grants to local governments and federally recognized tribes for costs to respond to community needs during periods of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke.

(b) To qualify for a grant under (a) of this subsection, a local government or federally recognized tribe must:

(i) Be located in a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, as determined by the department;

(ii) Have demonstrated a lack of local resources to address community needs; and

(iii) Have incurred eligible costs as described in (c) of this subsection for the benefit of vulnerable populations.

(c) Costs eligible for reimbursement under (a) of this subsection include:

(i) Establishing and operating warming and cooling centers, including rental of equipment, purchase of supplies and water, staffing, and other associated costs;

(ii) Transporting individuals and their pets to warming and cooling centers;

(iii) Purchasing fans or other supplies needed for cooling of congregate living settings;

(iv) Providing emergency temporary housing such as rental of a hotel or convention center;

(v) Retrofitting or establishing facilities within warming and cooling centers that are pet friendly in order to permit individuals to evacuate with their pets; and

(vi) Other activities necessary for life safety during a period of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke, as determined by the department.

~~((12))~~ (11) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(12) \$23,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5803 (national guard recruitment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2020 (public infra. assistance prg.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1012 (extreme weather events). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15)(a) \$361,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct a study regarding statewide building code and construction standards pertaining to earthquake and tsunami resilience as well as recommendations for functional recovery of buildings and critical infrastructure directly following an earthquake. In conducting the study, the department must request input from the state building code council and representatives of appropriate public and private sector entities. The department may contract for all or a portion of the study. The study must, at a minimum, include an assessment of:

(i) Functional recovery building code standards that are being developed at the federal level, have been proposed or adopted in other countries, states, or local jurisdictions with a high risk of earthquakes, or are developed by public or private organizations with expertise in earthquake performance standards and safety;

(ii) The levels of functional recovery supported by current state and local building and construction codes;

(iii) The objectives, feasibility, necessary measures, and estimated costs of adopting and implementing statewide functional recovery building code standards, and how this assessment is impacted by whether the standards:

(A) Are mandatory or voluntary;

(B) Apply to only certain types of structures and infrastructure or prioritize certain types of structures and infrastructure;

(C) Apply to existing structures and infrastructure in addition to new construction;

(D) Are intended to apply to only specific seismic hazard levels; or

(E) Include nonstructural components as well as structural systems;

(iv) How statewide standards for functional recovery would fit into an all hazards approach for state emergency response and recovery;

(v) Funding opportunities that provide for the coordination of state and federal funds for the purposes of improving the state's preparedness for functional recovery following a significant earthquake or tsunami; and

(vi) Equity considerations for the development of statewide building code standards for functional recovery.

(b) The department must submit a preliminary report with interim findings to the appropriate committees of the legislature by June 1, 2025. The department must submit a final report summarizing the study's findings and including policy recommendations relating to statewide building code standards for functional recovery to the appropriate committees of the legislature by May 1, 2026. It is the intent of the legislature to provide funding to complete the final report in the 2025-2027 fiscal biennium.

**Sec. 147.** 2023 c 475 s 149 (uncodified) is amended to read as follows:

**FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$2,594,000</del> ))
	\$2,592,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$2,625,000</del> ))
	\$2,796,000
Personnel Service Account—State Appropriation. . . . .	(( <del>\$4,825,000</del> ))
	\$4,850,000
Higher Education Personnel Services Account—State Appropriation. . . . .	(( <del>\$1,629,000</del> ))
	\$1,632,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$11,673,000</del>))</b>
	<b>\$11,870,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$98,000 of the higher education personnel services account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(2) \$140,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6194 (legislative

employee bargaining). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 148.** 2023 c 475 s 150 (uncodified) is amended to read as follows:  
**FOR THE BOARD OF ACCOUNTANCY**

Certified Public Accountants' Account—State	
Appropriation. . . . .	(( <del>\$4,770,000</del> ))
	\$5,188,000
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$4,770,000</del>))</b>
	<b>\$5,188,000</b>

**Sec. 149.** 2023 c 475 s 151 (uncodified) is amended to read as follows:  
**FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**

Volunteer Firefighters' and Reserve Officers'	
Administrative Account—State Appropriation. . . . .	(( <del>\$3,533,000</del> ))
	\$3,679,000
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$3,533,000</del>))</b>
	<b>\$3,679,000</b>

The appropriation in this section is subject to the following conditions and limitations:  
((~~\$1,128,000~~))(1) \$2,403,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for a benefits management system, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$91,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for contracting for small agency budget and accounting services with the department of enterprise services.

(3) \$50,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for the board to conduct a study on the extension of duty-related occupational disease presumptions to participants in the volunteer firefighters' relief and pension system. The study must examine the presumptions in RCW 51.32.185, and report to the fiscal committees of the legislature by June 30, 2025, on the prevalence of these conditions among volunteer firefighters, and the fiscal impact of extending additional relief and pension benefits to participants.

**Sec. 150.** 2023 c 475 s 152 (uncodified) is amended to read as follows:  
**FOR THE FORENSIC INVESTIGATION COUNCIL**

Death Investigations Account—State Appropriation. . . . .	(( <del>\$822,000</del> ))
	\$821,000
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$822,000</del>))</b>
	<b>\$821,000</b>

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$250,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(b) Of the amount provided in this subsection, \$30,000 of the death investigations account—state appropriation is provided solely for the Adams county crime lab to investigate a double homicide that occurred in fiscal year 2021.

(2) \$210,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

(3) Within the amount appropriated in this section, the forensic investigation council may enter into an interagency agreement with the department of enterprise services for the department to provide services related to public records requests, to include responding to, or assisting the council in responding to, public disclosure requests received by the council.

**Sec. 151.** 2023 c 475 s 153 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$14,819,000</del> ))
	\$15,236,000
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$13,426,000</del> ))
	\$14,748,000
General Fund—Private/Local Appropriation. . . . .	\$102,000
Building Code Council Account—State Appropriation. . . . .	(( <del>\$2,583,000</del> ))
	\$2,585,000
<u>Climate Commitment Account—State Appropriation.</u> . . . . .	<u>\$750,000</u>
Electric Vehicle Incentive Account—State	
Appropriation. . . . .	\$1,722,000
Natural Climate Solutions Account—State	
Appropriation. . . . .	\$7,000,000

TOTAL APPROPRIATION.....((~~\$39,652,000~~))  
\$42,143,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$6,970,000~~))\$7,017,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$6,894,000~~))\$7,039,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of facilities and services charges to include campus rent, parking, security, contracts, public and historic facilities, financial cost recovery, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, legislative support services, and joint legislative systems committee. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall maintain an interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to have all of the same rights of occupancy and space use on the capitol campus as historically established.

(2) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have approval from the director of the department of enterprise services. Agencies that are exempted from the requirement are the Washington state patrol, Washington state department of transportation, and the department of natural resources.

(3) From the fee charged to master contract vendors, the department shall transfer to the office of minority and women's business enterprises in equal monthly installments \$1,500,000 in fiscal year 2024 and \$1,300,000 in fiscal year 2025.

(4) Within existing resources, the department, in collaboration with consolidated technology services, must provide a report to the governor and fiscal committees of the legislative by October 31 of each calendar year that reflects information technology contract information based on a contract snapshot from June 30 of that same calendar year, and must also include any contract that was active since July 1 of the previous calendar year. The department will coordinate to receive contract information for all contracts to include those where the department has delegated authority so that the report includes statewide contract information. The report must contain a list of all information technology contracts to include the agency name, contract number, vendor name, contract term start and end dates, contract dollar amount in total, and contract dollar amounts by state fiscal year. The report must also include, by contract, the contract spending projections by state fiscal year for each ensuing state fiscal year through the contract term, and note the type of service delivered. The list of contracts must be provided electronically in Excel and be sortable by all field requirements. The report must also include trend analytics on information technology contracts, and recommendations for reducing costs where possible.

(5) \$654,000 of the general fund—state appropriation for fiscal year 2024 and \$654,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the state efficiency and environmental performance program, to implement the zero emission vehicle strategy.

(6) \$2,671,000 of the general fund—state appropriation for fiscal year 2024 and \$2,671,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installation. The electric vehicle charging equipment must allow for the collection of usage data and must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities, and at least where zero emission fleet vehicles are or are scheduled to be purchased. The department must report when and where the equipment was installed, usage data at each charging station, and the state agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30. The department shall collaborate with the interagency electric vehicle coordinating council to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5491 (residential building exits). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

~~(9))~~ (8) \$950,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for security enhancements to the governor's office lobby space and for security enhancement design for the remaining lobby and public spaces in the legislative building on the capitol campus. Enhancement designs must be provided to the senate committee on state government and elections and the house of representatives committee on state government and tribal relations no later than ((~~December 31, 2023~~))June 30, 2024.

((~~+10~~)) (9) \$162,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to waive rent fees and charges through June 30, 2025, for vendors who are blind business enterprise program licensees by the department of services for the blind and who lease space and operate food service businesses, inclusive of delis, cafeterias, and espresso stands, in state government buildings.

((~~+11~~)) (10) \$7,000,000 of the natural climate solutions account—state appropriation is provided solely to advance the preferred alternative of the final environmental impact

statement for the capitol lake-Deschutes estuary long-term management project completed in October 2022. At a minimum, the department shall:

(a) Make tangible progress toward the next phase of design and permitting;

(b) Advance the memorandum of understanding for governance and funding of a restored estuary to an interlocal agreement that will govern long-term management of the restored estuary; and

(c) Initiate grant funding applications for design and permitting.

~~((12))~~ (11) \$400,000 of the state building code council account—state appropriation is provided solely for additional staffing to support the state building code council's work regarding the Washington state energy code.

~~((13))~~ (12) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$500,000 of the climate commitment account—state appropriation for fiscal year 2025 is provided solely for legal services and fees incurred by the state building code council. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(14) Sufficient funding is provided in this section to provide civic education tours for students, including but not limited to students from school districts receiving a grant under section 510(14) of this act.

(15) (a) \$250,000 of the climate commitment account—state appropriation is provided solely for the state building code council to conduct a study that includes:

(i) A review of the language addressing embodied carbon used in the building codes of other jurisdictions, including but not limited to the California Green Building Standards Code and the Vancouver Building By-law; and

(ii) The development of recommendations for language addressing embodied carbon for potential adoption by the council.

(b) The study must consider subject areas including, but not limited to, the applicability to buildings greater than 50,000 square feet; multiple compliance pathways phased in over time; including whole building life cycle assessments; reuse of existing buildings; and compliance with material carbon caps.

(c) In conducting the study, the council must provide opportunities for comment from design, construction, and building industry stakeholders.

(d) The council must submit a report of the study findings to the appropriate committees of the legislature by December 1, 2024.

(e) If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(16) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$136,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 2071 (residential housing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 152.** 2023 c 475 s 154 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$4,043,000</del> ))
	<u>\$4,048,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$4,010,000</del> ))
	<u>\$4,527,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$2,899,000</del> ))
	<u>\$3,249,000</u>
General Fund—Private/Local Appropriation . . . . .	\$14,000
Climate Commitment Account—State Appropriation . . . . .	\$977,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$11,943,000</del>))</b>
	<b><u>\$12,815,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

~~(1) ((\$103,000 of the general fund—state appropriation for fiscal year 2024 and \$103,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for archaeological determinations and excavations of inadvertently discovered skeletal human remains, and removal and reinterment of such remains when necessary.~~

~~(2))~~ (2)) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington main street program.

~~((3))~~ (2) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the black historic sites survey project.

~~((4))~~ (3) \$477,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(5))~~(4) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(5) \$31,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(6) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of archaeology and historic preservation to partner with a nonprofit organization specializing in Washington state history to produce a publicly available resource for Washington state's forest history.

**Sec. 153.** 2023 c 475 s 155 (uncodified) is amended to read as follows:

**FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$21,697,000</del> ))
	\$7,623,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$1,700,000</del> ))
	\$30,310,000
<u>General Fund—Federal Appropriation . . . . .</u>	<u>\$134,292,000</u>
Consolidated Technology Services Revolving Account—	
State Appropriation . . . . .	(( <del>\$124,249,000</del> ))
	\$136,308,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$147,646,000</del>))</b>
	<b>\$308,533,000</b>

The appropriations in this section are subject to the following conditions and limitations:

~~(1) ((~~\$14,752,000~~ of the consolidated technology services revolving account state appropriation is provided solely for the office of the chief information officer. Of this amount:~~

~~(a))~~ \$2,000,000 of the consolidated technology services revolving account—state appropriation is provided solely for experienced information technology project managers to provide critical support to agency IT projects that are under oversight from the office of the chief information officer. The staff or vendors will:

~~((i))~~ (a) Provide master level project management guidance to agency IT stakeholders;

~~((ii))~~ (b) Consider statewide best practices from the public and private sectors, independent review and analysis, vendor management, budget and timing quality assurance and other support of current or past IT projects in at least Washington state and share these with agency IT stakeholders and legislative fiscal staff at least twice annually and post these to the statewide IT dashboard; and

~~((iii))~~ (c) Provide independent recommendations to legislative fiscal committees by December of each calendar year on oversight of IT projects to include opportunities for accountability and performance metrics.

~~((b) \$2,960,000 of the consolidated technology services revolving account state appropriation is provided solely for the office of privacy and data protection.~~

~~(e))~~ (2) \$2,226,000 of the consolidated technology services revolving account—state appropriation is provided solely for the enterprise data management pilot project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((2) \$16,890,000))~~ (3) \$16,939,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of cyber security.

~~((3))~~ (4) \$2,737,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.

(5) The consolidated technology services agency shall work with customer agencies using the Washington state electronic records vault (WASERV) to identify opportunities to:

(a) Reduce storage volumes and costs associated with vault records stored beyond the agencies' record retention schedules; and

(b) Assess a customized service charge as defined in chapter 304, Laws of 2017 for costs of using WASERV to prepare data compilations in response to public records requests.

~~((4))~~ (6) (a) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures must include the following:

(i) The agency's priority ranking of each information technology request;

(ii) The estimated cost by fiscal year and by fund for the current biennium;

(iii) The estimated cost by fiscal year and by fund for the ensuing biennium;

(iv) The estimated total cost for the current and ensuing biennium;

(v) The total cost by fiscal year, by fund, and in total, of the information technology project since it began;

(vi) The estimated cost by fiscal year and by fund over all biennia through implementation and close out and into maintenance and operations;

(vii) The estimated cost by fiscal year and by fund for service level agreements once the project is implemented;

(viii) The estimated cost by fiscal year and by fund for agency staffing for maintenance and operations once the project is implemented; and

(ix) The expected fiscal year when the agency expects to complete the request.

(b) The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.

~~((5))~~ (7) The consolidated technology services agency must not increase fees charged for existing services without prior approval by the office of financial management. The agency may develop fees to recover the actual cost of new infrastructure to support increased use of cloud technologies.

~~((6))~~ (8) Within existing resources, the agency must provide oversight of state procurement and contracting for information technology goods and services by the department of enterprise services.

~~((7))~~ (9) Within existing resources, the agency must host, administer, and support the state employee directory in an online format to provide public employee contact information.

~~((8))~~ (10) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((9) \$4,508,000)~~ (11) \$7,088,000 of the consolidated technology services revolving account—state appropriation is provided solely for the creation and ongoing delivery of information technology services tailored to the needs of small agencies. The scope of services must include, at a minimum, full-service desktop support, service assistance, security, and consultation.

~~((10) \$75,935,000)~~ (12) \$82,811,000 of the consolidated technology services revolving account—state appropriation is provided solely for the procurement and distribution of Microsoft 365 licenses which must include advanced security features and cloud-based private branch exchange capabilities for state agencies. The office must report annually to fiscal committees of the legislature each December 31, on the count and type of licenses distributed by consolidated technology services to each state agency. The report must also separately report on the count and type of Microsoft 365 licenses that state agencies have in addition to those that are distributed by consolidated technology services so that the total count, type of license, and cost is known for statewide Microsoft 365 licenses.

~~((11))~~ (13) The office of the chief information officer shall maintain an information technology project dashboard that, at minimum, provides updated information each fiscal month on the projects subject to section 701 of this act.

(a) The statewide information technology dashboard must include, at a minimum, the:

(i) Start date of the project;

(ii) End date of the project, when the project will close out and implementation will commence;

(iii) Term of the project in state fiscal years across all biennia to reflect the start of the project through the end of the project;

(iv) Total project cost from start date through the end date of the project in total dollars, and a subtotal of near general fund outlook;

(v) Near general fund outlook budget and actual spending in total dollars and by fiscal month for central service agencies that bill out project costs;

(vi) Start date of maintenance and operations;

(vii) Estimated annual state fiscal year cost of maintenance and operations after implementation and close out;

(viii) Actual spending by state fiscal year and in total for state fiscal years that have closed;

(ix) Date a feasibility study was completed or note if none has been completed to date;

(x) Monthly project status assessments on scope, schedule, budget, and overall by the:

(A) Office of the chief information officer;

(B) Quality assurance vendor, if applicable; and

(C) Agency project team;

(xi) Monthly quality assurance reports, if applicable;

(xii) Monthly office of the chief information officer status reports on budget, scope, schedule, and overall project status; and

(xiii) Historical project budget and expenditures through fiscal year 2023.

(b) The statewide dashboard must retain a roll up of the entire project cost, including all subprojects, that can display subproject detail. This includes coalition projects that are active. For projects that include multiple agencies or subprojects and roll up, the dashboard must display:

(i) A separate technology budget and investment plan for each impacted agency; and

(ii) A statewide project technology budget roll up that includes each affected agency at the subproject level.



(c) The office of the chief information officer may recommend additional elements to include but must have agreement with legislative fiscal committees and the office of financial management prior to including additional elements.

(d) The agency must ensure timely posting of project data on the statewide information technology dashboard for at least each project funded in the budget and those projects subject to the conditions of section 701 of this act to include, at a minimum, posting on the dashboard:

(i) The budget funded level by project for each project under oversight within 30 calendar days of the budget being signed into law;

(ii) The project historical expenditures through completed fiscal years by December 31; and

(iii) Whether each project has completed a feasibility study.

(e) The office of the chief information officer must post to the statewide dashboard a list of funding received by fiscal year by enacted session law, and how much was received citing chapter law as a list of funding provided by fiscal year.

~~((12))~~ (14) Within existing resources, consolidated technology services must collaborate with the department of enterprise services on the annual contract report that provides information technology contract information. Consolidated technology services will:

(a) Provide data to the department of enterprise services annually by September 1 of each year; and

(b) Provide analysis on contract information for all agencies comparing spending across state fiscal years by, at least, the contract spending towers.

~~((13))~~ (15) \$8,666,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of the enterprise cloud computing program as outlined in the December 2020 Washington state cloud readiness report. Funding provided includes, but is not limited to, cloud service broker resources, cloud center of excellence, cloud management tools, a network assessment, cybersecurity governance, and a cloud security roadmap.

~~((14))~~ (16) \$3,498,000 of the consolidated technology services revolving account—state appropriation is provided solely for the implementation of the recommendations of the cloud transition task force report to include:

(a) A cloud readiness program to help agencies plan and prepare for transitioning to cloud computing;

(b) A cloud retraining program to provide a coordinated approach to skills development and retraining; and

(c) Staffing to define career pathways and core competencies for the state's information technology workforce.

~~((15) \$20,000,000)~~ (17) \$5,926,000 of the general fund—state appropriation for fiscal year 2024 ((is)), \$27,110,000 of the general fund—state appropriation for fiscal year 2025, and \$134,292,000 of the general fund—federal appropriation are provided solely for statewide electronic health records projects, which must comply with the approved statewide electronic health records plan. The purpose of the plan is to implement a common technology solution to leverage shared business processes and data across the state in support of client services.

(a) The statewide electronic health records plan must include, but is not limited to, the following elements:

(i) A proposed governance model for the electronic health records solution;

(ii) An implementation plan for the technology solution from kickoff through five years maintenance and operations post implementation;

(iii) A technology budget to include estimated budget and resources needed to implement the electronic health records solution by agency and across the state, including fund sources and all technology budget element requirements as outlined in section 701(4) of this act;

(iv) A licensing plan in consultation with the department of enterprise services that seeks to utilize the state data center;

(v) A procurement approach, in consultation with the department of enterprise services;

(vi) A system that must be capable of being continually updated, as necessary;

(vii) A system that will use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of every two-week sprint;

(viii) A system that will deploy usable functionality into production for users within 180 days from the date there is an executed procurement contract after a competitive request for proposal is closed;

(ix) A system that uses quantifiable deliverables that must include live, accessible demonstrations of software in development to program staff and end users at each sprint or at least monthly;

(x) A requirement that the agency implementing its electronic health record solution must invite the office and the agency comptrollers or their designee to sprint reviews;

(xi) A requirement that there is an annual independent audit of the system to evaluate compliance of the software solution vendor's performance standards and contractual requirements and technical code quality, and that it meets user needs;

(xii) A recommended program structure for implementing a statewide electronic health records solution;

(xiii) A list of individual state agency projects that will need to implement a statewide electronic health records solution and the readiness of each agency to successfully implement;

(xiv) The process for agencies to request funding from the consolidated technology services for their electronic health records projects. The submitted application must:

(A) Include at least a technology budget in compliance with the requirements of section 701(4) of this act that each agency budget office will assist with; and

(B) Be posted to the statewide information technology dashboard and meet all dashboard posting requirements as outlined in ~~((section 155(11) of this act))~~ section 153(13) of this act; and

(xv) The approval criteria for agencies to receive funds for their electronic health records project. The approval may not be given without an approved current technology budget, and the office must notify the fiscal committees of the legislature. The office may not approve funding for the project any earlier than 10 business days from the date of notification to the fiscal committees of the legislature.

(b) The plan described in (a) of this subsection:

(i) Must be submitted to the office of financial management, the chair and ranking member of the senate environment, energy, and information technology policy committee, the chairs and ranking members of the fiscal committees of the legislature, and the technology services board by July 1, 2023; and

(ii) Must be approved by the office of financial management and the technology services board established in RCW 43.105.285.

(c) ~~((~~\$20,000,000~~))~~ \$5,926,000 of the general fund—state appropriation for fiscal year 2024 ~~((~~is~~))~~, \$27,110,000 of the general fund—state appropriation for fiscal year 2025, and \$134,292,000 of the general fund—federal appropriation are provided solely for state agency electronic health record projects at the department of corrections, the department of social and health services, and the health care authority in accordance with the approved statewide electronic health record plan requirements in (a) of this subsection. For the amount provided in this subsection ~~((~~15~~))~~ (17):

(i) Funding may not be released until the office of financial management and the technology services board have approved the statewide electronic health record plan.

(ii) As required in section 701(2) of this act, consolidated technology services may not approve funding for the project any earlier than 10 business days from the date of notification to the fiscal committees of the legislature.

~~((iii))~~ Funding may not cover any costs incurred by the state agencies for services or project costs prior to the date of statewide electronic health record plan approval.

~~((iii))~~ (iv) State agencies must submit their proposed electronic health records project and technology budget to the office of the chief information officer for approval. The submitted application must:

(A) Include at least a technology budget in compliance with the requirements of section 701(4) of this act that each agency budget office will assist with; and

(B) Be posted to the statewide information technology dashboard and meet all dashboard posting requirements as outlined in section 153(13) of this act.

~~((iv))~~ (v) When a funding request is approved, consolidated technology services will transfer the funds to the agency to execute their electronic health records project.

(vi) The office must enter into an interagency agreement with the health care authority who is, and will be, the reporting entity to the federal government on the application for and use of the federal funding.

(vii) Consolidated technology services must include this enterprise electronic health records program on the statewide information technology program dashboard and must ensure that the program detail will roll up the below required subprojects:

(A) Enterprise foundational electronic health records system;

(B) Department of corrections electronic health records;

(C) Department of social and health services electronic health records; and

(D) Health care authority electronic health records.

~~((16))~~ (18) \$134,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((17))~~ (19) The office of the chief information officer must collaborate with the office of the secretary of state in the evaluation of the office of the secretary of state's information technology infrastructure and applications in determining the appropriate candidates for the location of data and the systems that could be exempt from consolidated technology services oversight.

~~((18))~~ (20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,500,000~~))~~ \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for innovative technology solutions and modernization of legacy systems within state government. This funding is to be used for projects at other state agencies to improve the health of the state's overall information technology portfolio. Submitted projects are subject to review and approval by the technology services board as established in RCW 43.105.285. The agency must report to the office of financial management and the fiscal committees of the legislature within 90 days of the close of fiscal year 2024 with the following information to measure the quantity of projects considered for this purpose and use of this funding:

(a) The agency name, project name, estimated time duration, estimated cost, and technology service board recommendation result of each project submitted for funding;

(b) The actual length of time and cost of the projects approved by the technology services board, from start to completion; and

(c) Any other information or metric the agency determines is appropriate to measure the quantity and use of the funding in this subsection.

(21) In collaboration with the department of health and the health care authority, consolidated technology services must actively consult and provide oversight over:

(a) The department of health 988 technology platform that must provide interoperable capabilities between the 988 call center platform and the health care authority's 988-related system;

(b) The health care authority 988 technology platform that must provide interoperable capabilities between the 988-related system and the department of health's 988 call center platform; and

(c) How the platforms in (a) and (b) of this subsection will meet statutory requirements for technology platform functionality and implementation dates as established in Senate Bill No. 6308 (988 system timeline) and must report on the progress of both platforms' budget, scope, and schedule at a technology services board meeting by December 31, 2024.

**Sec. 154.** 2023 c 475 s 156 (uncodified) is amended to read as follows:

**FOR THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

Professional Engineers' Account—State Appropriation. . . . .	(((\$4,622,000))
	<u>\$4,684,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$4,622,000))</b>
	<b><u>\$4,684,000</u></b>

**NEW SECTION. Sec. 155.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS**

Financial Services Regulation Nonappropriated

Fund—State Appropriation. . . . .	\$728,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$728,000</b>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$300,000 of the financial services regulation nonappropriated fund—state appropriation is provided solely for the department to study nontraditional financial services such as home equity sharing agreements, and their effect on communities of color, seniors, and other vulnerable populations.

(2) \$428,000 of the financial services regulation nonappropriated fund—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6025 (predatory loans). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 156.** 2023 c 475 s 157 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE LEADERSHIP BOARD**

Washington State Leadership Board Account—State

Appropriation. . . . .	(((\$1,691,000))
	<u>\$1,857,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$1,691,000))</b>
	<b><u>\$1,857,000</u></b>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$374,000 of the Washington state leadership board account—state appropriation is provided solely for implementation of chapter 96, Laws of 2022 (WA state leadership board).

(2) \$1,200,000 of the Washington state leadership board account—state appropriation is provided solely for implementing programming in RCW 43.388.010, and specifically the Washington world fellows program, sports mentoring program/boundless Washington, compassion scholars, and the Washington state leadership awards.

(End of part)

**PART II  
HUMAN SERVICES**

**Sec. 201.** 2023 c 475 s 201 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not

require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The department shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for public assistance benefits.

(7) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, support the adoption of a cohesive technology and data architecture, and maximize federal financial participation. The work of the coalition is subject to the conditions, limitations, and review provided in section 701 of this act.

(8)(a) The appropriations to the department of social and health services in this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs and subprograms after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the long-term care, developmental disabilities, and public assistance programs, the department may transfer state appropriations that are provided solely for a specified purpose. The department may not transfer funds, and the director of the office of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(9) The department may not transfer appropriations for the developmental disabilities program to any other program of the department of social and health services, or between subprograms of the developmental disabilities program itself.

**Sec. 202.** 2023 c 475 s 202 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(\$610,452,000))
	\$808,569,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$679,312,000))
	\$781,930,000
General Fund—Federal Appropriation. . . . .	(\$148,488,000))
	\$168,601,000
General Fund—Private/Local Appropriation. . . . .	(\$10,732,000))
	\$6,500,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$1,448,984,000))</b>
	<b>\$1,765,600,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The state psychiatric hospitals and residential treatment facilities may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(2) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection are for the salaries, benefits, supplies, and equipment for the city of Lakewood to produce incident and police response reports, investigate potential criminal conduct, assist with charging consultations, liaison between staff and prosecutors, provide staff training on criminal justice procedures, assist with parking enforcement, and attend meetings with hospital staff.

(3) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(4) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community services officer for policing efforts at eastern state hospital. The department must collect data from the city of Medical Lake on the use of the funds and the number of calls responded to by the community policing program and submit a report with this information to the office of financial management and the appropriate fiscal committees of the legislature each December of the fiscal biennium.

(5) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Medical Lake for police services provided by the city at eastern state hospital and adjacent areas.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the health care authority, to develop and implement a predictive modeling tool which identifies clients who are at high risk of future involvement with the criminal justice system and for developing a model to estimate demand for civil and forensic state hospital bed needs pursuant to the following requirements.

(a) By the first day of each December during the fiscal biennium, the department, in coordination with the health care authority, must submit a report to the office of financial management and the appropriate committees of the legislature that summarizes how the predictive modeling tool has been implemented and includes the following: (i) The number of individuals identified by the tool as having a high risk of future criminal justice involvement; (ii) the method and frequency for which the department is providing lists of high-risk clients to contracted managed care organizations and behavioral health administrative services organizations; (iii) a summary of how the managed care organizations and behavioral health administrative services organizations are utilizing the data to improve the coordination of care for the identified individuals; and (iv) a summary of the administrative data to identify whether implementation of the tool is resulting in increased access and service levels and lower recidivism rates for high-risk clients at the state and regional level.

(b) The department must provide staff support for the forensic and long-term civil commitment bed forecast which must be conducted under the direction of the office of financial management. The forecast methodology, updates, and methodology changes must be conducted in coordination with staff from the department, the health care authority, the office of financial management, and the appropriate fiscal committees of the state legislature. The model shall incorporate factors for capacity in state hospitals as well as contracted facilities, which provide similar levels of care, referral patterns, wait lists, lengths of stay, and other factors identified as appropriate for estimating the number of

beds needed to meet the demand for civil and forensic state hospital services. Factors should include identification of need for the services and analysis of the effect of community investments in behavioral health services and other types of beds that may reduce the need for long-term civil commitment needs. The forecast must be updated each February, June, and November during the fiscal biennium and the department must submit a report to the legislature and the appropriate committees of the legislature summarizing the updated forecast based on the caseload forecast council's schedule for entitlement program forecasts.

(7) \$9,119,000 of the general fund—state appropriation for fiscal year 2024 and \$9,145,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The department, in collaboration with the health care authority and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, forensic navigators, crisis diversion and supports, education and training, and workforce development.

(8) \$7,147,000 of the general fund—state appropriation for fiscal year 2024 and \$7,147,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain implementation of efforts to improve the timeliness of competency evaluation services for individuals who are in local jails pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services). This funding must be used solely to maintain increases in the number of competency evaluators that began in fiscal year 2016 pursuant to the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP.

(9) \$71,690,000 of the general fund—state appropriation for fiscal year 2024 and \$77,825,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services) and the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. These amounts must be used to maintain increases that were implemented between fiscal year 2016 and fiscal year 2021, and further increase the number of forensic beds at western state hospital during the 2023-2025 fiscal biennium. Pursuant to chapter 7, Laws of 2015 1st sp. sess. (timeliness of competency treatment and evaluation services), the department may contract some of these amounts for services at alternative locations if the secretary determines that there is a need.

(10) (~~(\$84,483,000)~~) \$84,565,000 of the general fund—state appropriation for fiscal year 2024, \$77,343,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$1,042,000)~~) \$960,000 of the general fund—federal appropriation are provided solely for the department to continue to implement an acuity based staffing tool at western state hospital and eastern state hospital in collaboration with the hospital staffing committees. The staffing tool must be used to identify, on a daily basis, the clinical acuity on each patient ward and determine the minimum level of direct care staff by profession to be deployed to meet the needs of the patients on each ward. The department must evaluate interrater reliability of the tool within each hospital and between the two hospitals. The department must also continue to update, in collaboration with the office of financial management's labor relations office, the staffing committees, and state labor unions, an overall state hospital staffing plan that looks at all positions and functions of the facilities.

(a) Within the amounts provided in this section, the department must establish, monitor, track, and report monthly staffing and expenditures at the state hospitals, including overtime and use of locums, to the functional categories identified in the recommended staffing plan. The allotments and tracking of staffing and expenditures must include all areas of the state hospitals, must be done at the ward level, and must include contracted facilities providing forensic restoration services as well as the office of forensic mental health services.

(b) By December 1, 2023, and December 1, 2024, the department must submit reports to the office of financial management and the appropriate committees of the legislature that provide a comparison of monthly spending, staffing levels, overtime, and use of locums for the prior year compared to allotments and to the recommended state hospital staffing model. The format for these reports must be developed in consultation with staff from the office of financial management and the appropriate committees of the legislature. The reports must include a summary of the results of the evaluation of the interrater reliability in use of the staffing acuity tool and an update from the hospital staffing committees.

(c) Monthly staffing levels and related expenditures at the state hospitals must not exceed official allotments without prior written approval from the director of the office of financial management. In the event the director of the office of financial management approves an increase in monthly staffing levels and expenditures beyond what is budgeted, notice must be provided to the appropriate committees of the legislature within 30 days of such approval. The notice must identify the reason for the authorization to exceed budgeted staffing levels and the time frame for the authorization. Extensions of authorizations under this subsection must also be submitted to the director of the office of financial management for written approval in advance of the expiration of an authorization. The office of financial management must notify the appropriate committees of the legislature of any

extensions of authorizations granted under this subsection within 30 days of granting such authorizations and identify the reason and time frame for the extension.

(11) (~~(\$4,994,000)~~)\$5,083,000 of the general fund—state appropriation for fiscal year 2024, \$7,535,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$672,000)~~)\$583,000 of the general fund—federal appropriation are provided solely for the department to establish a violence reduction team at western state hospital to improve patient and staff safety at eastern and western state hospitals. A report must be submitted by December 1, 2023, and December 1, 2024, which includes a description of the violence reduction or safety strategy, a profile of the types of patients being served, the staffing model being used, and outcomes associated with each strategy. The outcomes section should include tracking data on facility-wide metrics related to patient and staff safety as well as individual outcomes related to the patients served.

(12) \$2,593,000 of the general fund—state appropriation for fiscal year 2024 and \$2,593,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase services to patients found not guilty by reason of insanity under the *Ross v. Lashway* settlement agreement.

(13) Within the amounts provided in this subsection, the department must develop and submit an annual state hospital performance report for eastern and western state hospitals. Each measure included in the performance report must include baseline performance data, agency performance targets, and performance for the most recent fiscal year. The performance report must include a one page dashboard as well as charts for each fiscal year and quality of care measure broken out by hospital and including but not limited to: (a) Monthly FTE expenditures compared to allotments; (b) monthly dollar expenditures compared to allotments; (c) monthly FTE expenditures per thousand patient bed days; (d) monthly dollar expenditures per thousand patient bed days; (e) percentage of FTE expenditures for overtime; (f) average length of stay by category of patient; (g) average monthly civil wait list; (h) average monthly forensic wait list; (i) rate of staff assaults per thousand patient bed days; (j) rate of patient assaults per thousand patient bed days; (k) average number of days to release after a patient has been determined to be clinically ready for discharge; and (l) average monthly vacancy rates for key clinical positions. The department must submit the state hospital performance report to the office of financial management and the appropriate committees of the legislature by the first day of each December of the biennium.

(14) \$546,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for design and planning activities for the new forensic hospital being constructed on the grounds of western state hospital.

(15) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain an on-site safety compliance officer, stationed at western state hospital, to provide oversight and accountability of the hospital's response to safety concerns regarding the hospital's work environment.

(16) \$10,364,000 of the general fund state—appropriation for fiscal year 2024 are provided solely for the department to provide behavioral health and stabilization services at the King county south correctional entity to class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(17) \$2,619,000 of the general fund—state appropriation for fiscal year 2024 and \$5,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to hire additional forensic evaluators to provide in-jail competency evaluations and community-based evaluations.

(18) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to track compliance with the requirements of RCW 71.05.365 for transition of state hospital patients into community settings within 14 days of the determination that they no longer require active psychiatric treatment at an inpatient level of care. The department must use these amounts to track the following elements related to this requirement: (a) The date on which an individual is determined to no longer require active psychiatric treatment at an inpatient level of care; (b) the date on which the behavioral health entities and other organizations responsible for resource management services for the person is notified of this determination; and (c) the date on which either the individual is transitioned to the community or has been reevaluated and determined to again require active psychiatric treatment at an inpatient level of care. The department must provide this information in regular intervals to behavioral health entities and other organizations responsible for resource management services. The department must summarize the information and provide a report to the office of financial management and the appropriate committees of the legislature on progress toward meeting the 14 day standard by December 1, 2023, and December 1, 2024.

(19) (~~(\$10,547,000)~~)\$2,190,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$37,480,000)~~)\$28,742,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the 48 bed Clark county facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The department must use this facility to provide treatment services for individuals who have been committed to a state hospital pursuant to the dismissal of criminal charges and civil evaluation ordered under RCW 10.77.086 or 10.77.088. In considering placements at the facility, the department

must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The department must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and December 1, 2024, providing a status update on progress toward opening the new facility.

(20) \$8,048,000 of the general fund—state appropriation for fiscal year 2024 and \$7,677,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to reopen and operate a 30 bed ward for civil patients at western state hospital. The department must prioritize placements on this ward for individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, in order to maximize forensic bed capacity for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(21) (~~(\$13,324,000)~~) \$14,466,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$44,813,000)~~) \$51,582,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the maple lane campus (~~(. Of the amounts provided in this subsection:)~~) as described in (a) and (b) of this subsection.

(a) (~~(\$4,764,000 of the general fund state appropriation for fiscal year 2024 and \$5,239,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the)~~) The department (~~(to)~~) shall operate the Oak, Columbia, and Cascade cottages to provide:

(i) Treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088;

(ii) Treatment services to individuals acquitted of a crime by reason of insanity and subsequently ordered to receive treatment services under RCW 10.77.120; and

(iii) Through fiscal year 2024, competency restoration services at the Cascade cottage to individuals under RCW 10.77.086 or 10.77.088.

(b) (~~(\$8,560,000 of the general fund state appropriation for fiscal year 2024 and \$39,574,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the)~~) The department (~~(to)~~) shall open and operate the Baker and Chelan cottages to provide treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(c) In considering placements at the maple lane campus, the department must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(22) \$1,412,000 of the general fund—state appropriation for fiscal year 2024 and \$1,412,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for relocation, storage, and other costs associated with building demolition on the western state hospital campus.

(23) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for western state hospital's vocational rehabilitation program and eastern state hospital's work readiness program to pay patients working in the programs an hourly wage that is equivalent to the state's minimum hourly wage under RCW 49.46.020.

(24) \$4,054,000 of the general fund—state appropriation for fiscal year 2024 and \$5,236,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(25) (~~(\$2,233,000)~~) \$2,283,000 of the general fund—state appropriation for fiscal year 2024, \$4,118,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$297,000)~~) \$247,000 of the general fund—federal appropriation are provided solely for the department to address delays in patient discharge as provided in this subsection.

(a) The department shall hire staff dedicated to discharge reviews, including psychologists to complete reviews and staff for additional discharge review work, including, but not limited to, scheduling, planning, and providing transportation; and establish and implement a sex offense and problematic behavior program as part of the sex offense review and referral team program.

(b) Of the amounts provided in this subsection, \$504,000 per year shall be used for bed fees for patients who are not guilty by reason of insanity.

(c) The department shall track data as it relates to this subsection and, where available, compare it to historical data. The department will provide a report to the appropriate fiscal and policy committees of the legislature. A preliminary report is due by December 1, 2023, and the final report is due by September 15, 2024, and at a minimum must include the:

(i) Volume of patients discharged;

(ii) Volume of patients in a sex offense or problematic behavior program;



- (iii) Number of beds held for not guilty by reason of insanity patients;
- (iv) Average and median duration to complete discharges;
- (v) Staffing as it relates to this subsection; and
- (vi) Average discharge evaluation caseload.

~~((27))~~ (26) (a) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to pursue immediate strategies to maximize existing forensic bed capacity for individuals in jails awaiting admission to the state hospitals that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The immediate strategies must include, but are not limited to:

(i) Additional approaches to resolving barriers to discharge for civil patients, including:

(A) In coordination with the behavioral health teaching facility at the University of Washington, identification of civil patients in the state hospitals that could receive appropriate treatment at the facility and work to resolve any barriers in such placement;

(B) Identification of civil patients in the state hospitals that could receive appropriate treatment at an enhanced services facility or any other community facility and work to resolve any barriers in such placement; and

(C) Coordination with the aging and long-term care administration and the office of public guardianship on the provision of qualified guardians for civil patients in need of guardianship that are otherwise eligible for discharge; and

(ii) Additional approaches to resolving any barriers to maximizing the use of existing civil wards at eastern state hospital for individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(b) By December 1, 2023, the department must submit a preliminary report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) The department's plan for utilizing the funds provided in this subsection and estimated outcomes.

(c) By September 1, 2024, the department must submit a final report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) Detailed reporting on how the funds provided in this subsection were used and the associated outcomes.

~~((28) \$53,000)~~ (27) \$76,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and ~~((94,000))~~ \$71,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(29))~~ (28) Within the amounts provided in this section, the department is provided funding to operate civil long-term inpatient beds at the state hospitals as follows:

(a) Funding is sufficient for the department to operate 192 civil beds at eastern state hospital in both fiscal year 2024 and fiscal year 2025.

(b) Funding is sufficient for the department to operate 287 civil beds at western state hospital in both fiscal year 2024 and fiscal year 2025.

(c) The department shall fully operate funded civil capacity at eastern state hospital, including reopening and operating civil beds that are not needed for eastern Washington residents to provide services for western Washington residents.

(d) The department shall coordinate with the health care authority toward increasing community capacity for long-term inpatient services required under section 215(50) of this act.

(29)(a) \$60,426,000 of the general fund—state appropriation for fiscal year 2024 and \$74,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate 72 beds in three wards in the Olympic heritage behavioral health facility.

(b) The department may not use the remaining 40 beds at the facility for any purpose and must permit the contractor selected by the health care authority to utilize the beds pursuant to and upon completion of the contracted process outlined in section 215 of this act.

(30) \$100,318,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to pay the court order filed July 7, 2023, issued in the case of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP, which requires the department to "pay all fines held in abeyance from September 2022 through May 2023, which totals \$100,318,000.00."

(31) \$6,900,000 of the general fund—state appropriation for fiscal year 2024 and \$13,610,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional 30 beds at western state hospital.

(32) \$3,228,000 of the general fund—state appropriation for fiscal year 2024 and \$6,088,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional eight beds at eastern state hospital.

(33) \$700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5690 (conditional release transition teams). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(34) \$1,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSEERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 203.** 2023 c 475 s 203 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM**

(1) COMMUNITY SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(\$1,129,397,000)
	\$1,130,054,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$1,184,492,000)
	\$1,210,591,000
General Fund—Federal Appropriation . . . . .	(\$2,409,328,000)
	\$2,436,767,000
General Fund—Private/Local Appropriation . . . . .	\$4,058,000
Developmental Disabilities Community Services	
Account—State Appropriation . . . . .	\$32,120,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(\$4,759,395,000)</b>
	<b>\$4,813,590,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments may not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 must be charged when adult family home providers file a change of ownership application.

(ii) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.

(iii) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.

(c) \$32,240,000 of the general fund—state appropriation for fiscal year 2024, \$52,060,000 of the general fund—state appropriation for fiscal year 2025, and \$108,994,000 of the general fund—federal appropriation are provided solely for the rate increase for the new consumer-directed employer contracted individual providers as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(d) \$5,095,000 of the general fund—state appropriation for fiscal year 2024, \$7,299,000 of the general fund—state appropriation for fiscal year 2025, and \$16,042,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(e) \$1,099,000 of the general fund—state appropriation for fiscal year 2024, \$2,171,000 of the general fund—state appropriation for fiscal year 2025, and \$5,515,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(f) \$328,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$998,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.

(g) \$9,371,000 of the general fund—state appropriation for fiscal year 2024, \$10,798,000 of the general fund—state appropriation for fiscal year 2025, and \$25,267,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(h) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full

payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(i) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(j) Sufficient appropriations are provided to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(i) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, and assisted living facility beds.

(ii) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (j) (i) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(iii) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (j) (i) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(iv) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(k) Sufficient appropriations are provided for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(l) \$476,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(m) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(n) \$2,648,000 of the general fund—state appropriation for fiscal year 2024, \$2,631,000 of the general fund—state appropriation for fiscal year 2025, and \$2,293,000 of the general fund—federal appropriation are provided solely for enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to partner with the state in the development of an individualized service plan that allows the child to remain in his or her home. The department must provide the legislature with a respite utilization report in January of each year that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(o) \$2,173,000 of the general fund—state appropriation for fiscal year 2024 and \$2,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for 13 community respite beds across the state for adults. These services are intended to provide families and caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The department must provide the legislature with a respite utilization report by January of each year that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(p) \$144,000 of the general fund—state appropriation for fiscal year 2025 and \$181,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v Office of Financial Management*, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the amounts provided in this subsection shall lapse.

(q) ~~(\$375,000)~~ \$351,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$905,000)~~ \$570,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$905,000)~~ \$1,158,000 of the general fund—federal appropriation are provided solely for rate adjustments for assisted living providers. Of the amounts provided in this subsection:

(i) \$351,000 of the general fund—state appropriation for fiscal year 2024, \$428,000 of the general fund—state appropriation for fiscal year 2025, and \$970,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023; and to 82 percent of the labor component and 68 percent of the operations component, effective July 1, 2024.

(ii) \$142,000 of the general fund—state appropriation for fiscal year 2025 and \$188,000 of the general fund—federal appropriation are provided solely for a one-time bridge rate for assisted living facilities, enhanced adult residential centers, and adult residential centers, with high medicaid occupancy. The bridge rate does not replace or substitute the capital add-on rate found in RCW 74.39A.320 and the same methodology from RCW 74.39A.320 shall be used to determine each facility's medicaid occupancy percentage for the purposes of this one-time bridge rate add-on. Facilities with a medicaid occupancy level of 75 percent or more shall receive a \$20.99 add-on per resident day effective July 1, 2024.

(r) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(s) The appropriations in this section include sufficient funding to provide access to the individual and family services waiver and the basic plus waiver to those individuals on the service request list as forecasted by the caseload forecast council. For subsequent policy level budgets, the department shall submit a request for funding associated with individuals requesting to receive the individual and family services waiver and the basic plus waiver in accordance with the courtesy forecasts provided by the caseload forecast council.

(t) \$1,729,000 of the general fund—state appropriation for fiscal year 2024, \$2,669,000 of the general fund—state appropriation for fiscal year 2025, and \$4,206,000 of the general fund—federal appropriation are provided solely to operate intensive habilitation services and enhanced out-of-home services facilities.

(u) \$1,363,000 of the general fund—state appropriation for fiscal year 2024, \$1,363,000 of the general fund—state appropriation for fiscal year 2025, and \$2,092,000 of the general fund—federal appropriation are provided solely for additional staff to reduce the timeline for completion of financial eligibility determinations. No later than December 31, 2024, the department of social and health services shall submit a final report to the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes, including, but not limited to, a description of how the timeline for completion of these determinations has changed.

(v) \$485,000 of the general fund—state appropriation for fiscal year 2024 and \$484,000 of the general fund—federal appropriation are provided solely for a feasibility study of the developmental disabilities assessment tool and is subject to the conditions, limitations, and review requirements of section 701 of this act. The resulting study must determine whether the assessment and its technology can be improved to meet regulatory obligations, be quicker and person-centered, reduce manual notations, and maintain viability across age groups and settings.

(w) \$1,223,000 of the general fund—state appropriation for fiscal year 2024, \$2,763,000 of the general fund—state appropriation for fiscal year 2025, and \$3,248,000 of the general fund—federal appropriation are provided solely for supported employment and community inclusion services for those individuals with intellectual or developmental disabilities who are transitioning from high school in the 2023-2025 fiscal biennium and are anticipated to utilize these services.

(x) \$11,074,000 of the general fund—state appropriation for fiscal year 2024, \$13,222,000 of the general fund—state appropriation for fiscal year 2025, and \$19,206,000 of the general fund—federal appropriation are provided solely to increase rates paid to supported employment and community inclusion providers. Within amounts appropriated in this section and no later than October 1, 2024, the department shall submit to the governor and the appropriate committees of the legislature:

(i) A forecast of the caseload of individuals anticipated to utilize supported employment and community inclusion services in order to inform operating budget development for the 2025-2027 fiscal biennium. This forecast shall include data that begins with fiscal year 2018 and that delineates the community inclusion caseload from the supported employment caseload and incorporates actual entries and exits; and

(ii) An analysis of the county supported employment and community inclusion programs in fiscal years 2018 through 2024 that includes:

(A) Data that illustrates, by county and fiscal year, the number of clients served and the number of available providers;

(B) Identification of the counties that have an insufficient number of providers with the identification occurring by zip code to the maximum extent possible;

(C) Identification of any additional barriers that prevent achieving the anticipated level of service delivery anticipated with chapter 142, Laws of 2022; and

(D) Recommendations for resolving the issues noted in (ii)(B) and (C) of this subsection

(x).  
(y) (i) \$79,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, and \$121,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential

supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(ii) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(A) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required within each behavior support specialty setting and the necessary qualifications of these staff;

(B) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

(C) A plan for implementing the enhanced behavior support specialty contracts that includes:

(I) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(II) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(D) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(I) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(II) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(III) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(z) \$2,494,000 of the general fund—state appropriation for fiscal year 2024 and \$3,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 33 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(aa) \$2,605,000 of the general fund—state appropriation for fiscal year 2024, \$2,402,000 of the general fund—state appropriation for fiscal year 2025, and \$3,840,000 of the general fund—federal appropriation are provided solely to establish transition coordination teams to coordinate transitions of care for clients who move from one care setting to another. The department of social and health services shall submit annual reports no later than December 1, 2023, and December 1, 2024, to the appropriate committees of the legislature that detail how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served, the settings in which clients received care, and the progress made toward increasing stability of client placements;

(ii) A comparison of these outcomes against the outcomes achieved in prior fiscal years;

(iii) A description of lessons learned since the transition coordination teams were first implemented, including an identification of what processes were improved to reduce the timelines for completion; and

(iv) Recommendations for changes necessary to the transition coordination teams to improve increasing stability of client placements.

(bb) \$1,448,000 of the general fund—state appropriation for fiscal year 2024, \$1,807,000 of the general fund—state appropriation for fiscal year 2025, and \$3,626,000 of the general fund—federal appropriation are provided solely to pilot a specialty rate for adult family homes to serve up to 100 individuals with intellectual or developmental disabilities who also have co-occurring health or behavioral health diagnoses. No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served and the setting from which each client entered the adult family home receiving this specialty rate;

(ii) A comparison of the rate of admissions to the adult family homes receiving this specialty rate against the rate of admissions to other state-operated settings including, but

not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(iii) A comparison of the length of stay in the setting from which the client entered the adult family home receiving this specialty rate against the average length of stay in settings prior to entering other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(cc) \$2,856,000 of the general fund—state appropriation for fiscal year 2024, \$3,104,000 of the general fund—state appropriation for fiscal year 2025, and \$5,948,000 of the general fund—federal appropriation are provided solely to pilot a program that provides a specialty rate for community residential providers who receive additional training to support individuals with complex physical and behavioral health needs.

(i) Of the amounts provided in this subsection, \$2,453,000 of the general fund—state appropriation for fiscal year 2024, \$2,705,000 of the general fund—state appropriation for fiscal year 2025, and \$5,259,000 of the general fund—federal appropriation are provided solely for the specialty rate for community residential providers to serve up to 30 individuals.

(ii) Of the amounts provided in this subsection, \$403,000 of the general fund—state appropriation for fiscal year 2024, \$399,000 of the general fund—state appropriation for fiscal year 2025, and \$689,000 of the general fund—federal appropriation are provided solely for the department to hire staff to support this specialty program, including expanding existing training programs available for community residential providers and to support providers in locating affordable housing.

(iii) No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(A) A detailed reporting of the number of clients served and the setting from which each client entered the community residential setting receiving this specialty rate;

(B) A comparison of the rate of admissions to the community residential setting receiving this specialty rate against the rate of admissions to other community residential settings not receiving this specialty rate as well as against the rate of admissions to other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(C) A comparison of the length of stay in the setting from which the client entered the community residential setting receiving this specialty rate against the average length of stay in settings prior to entering other community residential settings not receiving this specialty rate as well as prior to entering other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(dd) (i) \$104,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with the Ruckleshaus center for a progress report on the recommendations in the December 2019 report, "Rethinking Intellectual and Developmental Disability Policy to Empower Clients, Develop Providers and Improve Services."

(ii) By February 29, 2024, a final report shall be submitted to the governor and the appropriate committees of the legislature that includes:

(A) Detailed information about the successes and barriers related to meeting the recommendations in the December 2019 report;

(B) Identification of other potential issues or options for meeting the recommendations in the December 2019 report, including but not limited to, an exploration of the enhanced behavioral support homes concept;

(C) A review of other state's approaches and innovations regarding any of the recommendations in the December 2019 report;

(D) Identification of any emergent issues; and

(E) Identification or recommendation for the organization of focus groups of state agencies and respective stakeholders.

(iii) In compiling the final report, members of the previous workgroup, as well as other interested parties, should be consulted for their feedback and to identify areas where there is potential for agreement to move forward and to make process recommendations if applicable.

(ee) \$127,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely for adult day respite. Of the amounts appropriated in this subsection:

(i) \$27,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely to increase adult day respite rates from \$3.40 to \$5.45 per 15-minute unit to expand and ensure the sustainability of respite services for clients with intellectual or developmental disabilities and their family caregivers.

(ii) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to hire a project position to conduct a study and submit a report by December 1, 2023 to the governor and the appropriate committees of the legislature that examines the feasibility and operational resources needed to add adult day services to a state plan 1915(i) option or to the existing basic plus and core 1915(c) waivers.

(ff) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$4,284,000 of the general fund—state appropriation for fiscal year 2025, and \$4,178,000 of the general fund—federal appropriation are provided solely for the department to add 10 adult stabilization beds by June 2025, increase rates for existing adult stabilization beds by 23 percent, and expand mobile crisis diversion services to cover all three regions of the state.

(gg)(i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to study opportunities to enhance data collection on clients in family units with at least one parent having a developmental or intellectual disability. The study must identify:

(A) Opportunities to improve the existing assessment form and information technology systems by adding questions about clients' children, such as their ages, the number of children, and the K-12 enrollment status of each child;

(B) Ways to strengthen data sharing agreements with other departments, including the department of children, youth, and families, and local school districts;

(C) Strategies for surveying clients to collect information on their parenting and living arrangements, including support from other family members;

(D) Methods for analyzing new and existing data to determine and identify the total number of children with parents that have a developmental or intellectual disability, their needs, and access to specialized services;

(E) An inventory of existing support programs designed for families with a parent having a developmental or intellectual disability and their children, including educational support, financial assistance, and access to specialized services.

(ii) The department shall report its findings to the governor and appropriate committees of the legislature by June 30, 2024.

(hh) \$81,000 of the general fund—state appropriation for fiscal year 2024, \$219,000 of the general fund—state appropriation for fiscal year 2025, and \$371,000 of the general fund—federal appropriation are provided solely to implement House Bill No. 1407 (dev. disability/eligibility). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ii) \$62,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$116,000 of the general fund—federal appropriation are provided solely to implement Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(jj) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely for the department to conduct a study to explore opportunities to restructure services offered under the medicaid waivers for individuals with developmental disabilities served by the department. The plan should propose strategies to enhance service accessibility across the state and align services with the needs of clients, taking into account current and future demand. It must incorporate valuable input from knowledgeable stakeholders and a national organization experienced in home and community-based waivers in other states. This plan must be submitted to the governor and relevant legislative committees by December 1, 2024.

(kk) ~~(\$5,431,000)~~ \$5,431,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$11,084,000)~~ \$16,626,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$16,737,000)~~ \$22,279,000 of the general fund—federal appropriation are provided solely to increase rates by 2.5 percent, effective January 1, 2024, and an additional 2.5 percent, effective January 1, 2025, for community residential service providers offering supported living, group home, group training home, licensed staff residential services, community protection, and children's out-of-home services to individuals with developmental disabilities.

(ll) \$456,000 of the general fund—state appropriation for fiscal year 2024, \$898,000 of the general fund—state appropriation for fiscal year 2025, and \$416,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(mm) \$446,000 of the general fund—state appropriation for fiscal year 2024, \$5,274,000 of the general fund—state appropriation for fiscal year 2025, and \$2,089,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(nn)(a) \$2,214,000 of the general fund—state appropriation for fiscal year 2024, \$10,104,000 of the general fund—state appropriation for fiscal year 2025, and \$2,934,000 of the general fund—federal appropriation are provided solely for the department to operate a staff-secure, voluntary, and transitional treatment facility specializing in services for adolescents over the age of 13 who have complex developmental, intellectual disabilities, or autism spectrum disorder and may also have a mental health or substance use diagnosis. These individuals require intensive behavioral supports and may also be in need of behavioral health services. Services must be provided at a leased property in Lake Burien, serve no more than 12 youth at one time, and be implemented in a way that prioritizes transition to less restrictive community-based settings. The department shall collaborate with the department of children, youth, and families to identify youth for placement in this setting and regarding

appropriate discharge options with a focus on less restrictive community-based settings. Youth shall enter the facility only by their own consent or the consent of their guardian.

(b) The department and health care authority shall collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments. This collaborative effort aims not only to enhance the funding available for the operation of the facility but also to maintain adherence to its fundamental objective of offering voluntary, transitional services. These services are designed to facilitate the transition of youth to community-based settings that are less restrictive, aligning with the facility's commitment to supporting youth with complex needs in a manner that encourages their movement toward independence.

(c) By November 1, 2024, the department shall report to the governor and appropriate committees of the legislature on the program's design, results of preliminary implementation, financing opportunities, and recommendations. By June 30, 2025, the department shall report to the governor and appropriate committees of the legislature its initial findings, demographics on children served, and recommendations for program design and expansion.

(oo) \$175,000 of the general fund—state appropriation for fiscal year 2025 and \$175,000 of the general fund—federal appropriation are provided solely for guardianship fee parity for individuals moving from residential habilitation centers to community supported living programs. This funding aims to maintain equal guardianship fees compared to those moving to adult family homes.

(pp) \$108,000 of the general fund—state appropriation for fiscal year 2025 and \$92,000 of the general fund—federal appropriation are provided solely to convene a work group to study day habilitation services, ensuring that work group includes individuals with lived experience. The work group must submit a final report to the governor and appropriate committees of the legislature by October 1, 2024, detailing recommendations for the establishment of community-contracted day habilitation services statewide and their inclusion in the medicaid state plan.

(qq) \$1,260,000 of the general fund—state appropriation for fiscal year 2025 and \$970,000 of the general fund—federal appropriation are provided solely for hiring additional staff to reduce the current caseload ratio, targeting a move from one case manager per 75 clients to one case manager per 66 clients by June 2027.

(rr)(i) \$361,000 of the general fund—state appropriation for fiscal year 2025 and \$387,000 of the general fund—federal appropriation are provided for rates paid, effective January 1, 2025, to independent contractor nurses and agency-employed nurses providing private duty nursing, skilled nursing, and private duty nursing in adult family homes.

(ii) The department must adopt a payment model that incorporates the following adjustments for independent contractor nurses:

(A) Private duty nursing services shall be \$56.58 per hour by a registered nurse and \$46.49 per hour by a licensed practical nurse.

(B) Skilled nursing services shall be \$62.93 per day by a registered nurse.

(iii) The department must adopt a payment model that incorporates the following adjustments for agency-employed nurses:

(A) Private duty nursing services shall be \$67.89 per hour by a registered nurse and \$55.79 per hour by a licensed practical nurse.

(B) Skilled nursing services shall be \$75.52 per day by a registered nurse.

(iv) Private duty nursing services in an adult family home shall be \$898.95 per day.

(ss) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to establish respite care beds for individuals with intellectual and developmental disabilities in the Tri-Cities.

(2) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$138,560,000</del> ))
	\$138,715,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$140,682,000</del> ))
	\$141,014,000
General Fund—Federal Appropriation. . . . .	(( <del>\$254,857,000</del> ))
	\$255,118,000
General Fund—Private/Local Appropriation. . . . .	\$19,488,000
TOTAL APPROPRIATION.....	(( <del>\$553,587,000</del> ))
	\$554,335,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments may not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$495,000 of the general fund—state appropriation for fiscal year 2024 and \$495,000 of the general fund—state appropriation for fiscal year 2025 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) The residential habilitation centers may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.



(d) \$61,000 of the general fund—state appropriation for fiscal year 2024, \$61,000 of the general fund—state appropriation for fiscal year 2025, and \$117,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(e) \$73,000 of the general fund—state appropriation for fiscal year 2025 and \$73,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(3) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$4,103,000</del> ))
	\$3,582,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$4,179,000</del> ))
	\$3,660,000
General Fund—Federal Appropriation . . . . .	(( <del>\$4,951,000</del> ))
	\$4,249,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$13,233,000</del>))</b>
	<b>\$11,491,000</b>

(4) SPECIAL PROJECTS

General Fund—State Appropriation (FY 2024) . . . . .	\$66,000
General Fund—State Appropriation (FY 2025) . . . . .	\$66,000
General Fund—Federal Appropriation . . . . .	\$1,094,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$1,226,000</b>

**Sec. 204.** 2023 c 475 s 204 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—AGING AND ADULT SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$2,202,547,000</del> ))
	\$2,168,094,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$2,385,171,000</del> ))
	\$2,415,596,000
General Fund—Federal Appropriation . . . . .	(( <del>\$5,611,805,000</del> ))
	\$5,672,133,000
General Fund—Private/Local Appropriation . . . . .	\$53,719,000
Traumatic Brain Injury Account—State Appropriation . . . . .	(( <del>\$5,586,000</del> ))
	\$4,486,000
Skilled Nursing Facility Safety Net Trust Account— State Appropriation . . . . .	\$133,360,000
Long-Term Services and Supports Trust Account—State Appropriation . . . . .	(( <del>\$44,301,000</del> ))
	\$53,701,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$10,436,489,000</del>))</b>
	<b>\$10,501,089,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate may not exceed \$341.41 for fiscal year 2024 and may not exceed \$364.67 for fiscal year 2025. The weighted average nursing facility payment rates in this subsection (1)(a) include the following:

(i) \$17,361,000 of the general fund—state appropriation for fiscal year 2024, \$17,361,000 of the general fund—state appropriation for fiscal year 2025, and \$34,722,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021–2023 fiscal biennium to address low-wage equity for low-wage direct care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be equal to the wage payment received on June 30, 2023.

(ii) \$2,227,000 of the general fund—state appropriation for fiscal year 2024, \$2,227,000 of the general fund—state appropriation for fiscal year 2025, and \$4,456,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021–2023 fiscal biennium to address low-wage equity for low-wage indirect care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be equal to the wage payment received on June 30, 2023.

(b) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(2) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing

fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(b) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.

(c) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.

(3) The department is authorized to place long-term care clients residing in nursing homes and paid for with state-only funds into less restrictive community care settings while continuing to meet the client's care needs.

(4) \$69,777,000 of the general fund—state appropriation for fiscal year 2024, \$113,969,000 of the general fund—state appropriation for fiscal year 2025, and \$237,558,000 of the general fund—federal appropriation are provided solely for the rate increase for the new consumer-directed employer contracted individual providers as set by the consumer-directed rate setting board in accordance with RCW 74.39A.530.

(5) \$19,044,000 of the general fund—state appropriation for fiscal year 2024, \$30,439,000 of the general fund—state appropriation for fiscal year 2025, and \$63,986,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(6) \$2,385,000 of the general fund—state appropriation for fiscal year 2024, \$4,892,000 of the general fund—state appropriation for fiscal year 2025, and \$12,502,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(7) \$2,547,000 of the general fund—state appropriation for fiscal year 2024, \$3,447,000 of the general fund—state appropriation for fiscal year 2025, and \$7,762,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.

(8) \$425,000 of the general fund—state appropriation for fiscal year 2025 and \$542,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v Office of Financial Management*, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the amounts provided in this subsection shall lapse.

(9) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(10) In accordance with RCW 18.390.030, the biennial registration fee for continuing care retirement communities shall be \$900 for each facility.

(11) Within amounts appropriated in this subsection, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues.

(a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members, and four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee;

(v) A member from disability rights Washington and a member from the office of long-term care ombuds;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) Other agency directors or designees as necessary.

(b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington and to serve people with disabilities, including state budget and policy options, and may conduct, but are not limited to, the following tasks:

(i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(ii) Identify strategies and policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;

(iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(iv) Identify ways to promote advance planning and advance care directives and implementation strategies for the Bree collaborative palliative care and related guidelines;

(v) Identify ways to meet the needs of the aging demographic impacted by reduced federal support;

(vi) Identify ways to protect the rights of vulnerable adults through assisted decision-making and guardianship and other relevant vulnerable adult protections;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation.

(c) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(d) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures and meetings are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Meetings of the task force must be scheduled and conducted in accordance with the rules of both the senate and the house of representatives. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(12) Appropriations in this section are sufficient to fund discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(13) Appropriations in this section are sufficient to fund financial service specialists stationed at the state psychiatric hospitals. Financial service specialists will help to transition clients ready for hospital discharge into alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state hospitals.

(14) The department shall continue to administer tailored support for older adults and medicaid alternative care as described in initiative 2 of the 1115 demonstration waiver. This initiative will be funded by the health care authority through the medicaid quality improvement program. The secretary in collaboration with the director of the health care authority shall report to the office of financial management all expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested. The department shall not increase general fund—state expenditures on this initiative.

(15) \$61,209,000 of the general fund—state appropriation for fiscal year 2024, \$70,352,000 of the general fund—state appropriation for fiscal year 2025, and \$161,960,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(16) \$1,761,000 of the general fund—state appropriation for fiscal year 2024, \$1,761,000 of the general fund—state appropriation for fiscal year 2025, and \$4,162,000 of the general fund—federal appropriation are provided solely for case managers at the area agencies on aging to coordinate care for medicaid clients with mental illness who are living in their own homes. Work shall be accomplished within existing standards for case management and no requirements will be added or modified unless by mutual agreement between the department of social and health services and area agencies on aging.

(17) Appropriations provided in this section are sufficient for the department to contract with an organization to provide educational materials, legal services, and attorney training to support persons with dementia. The funding provided in this subsection must be used for:

(a) An advance care and legal planning toolkit for persons and families living with dementia, designed and made available online and in print. The toolkit should include educational topics including, but not limited to:

(i) The importance of early advance care, legal, and financial planning;

(ii) The purpose and application of various advance care, legal, and financial documents;

(iii) Dementia and capacity;

(iv) Long-term care financing considerations;

(v) Elder and vulnerable adult abuse and exploitation;

(vi) Checklists such as "legal tips for caregivers," "meeting with an attorney," and "life and death planning;"

(vii) Standardized forms such as general durable power of attorney forms and advance health care directives; and

(viii) A selected list of additional resources.

(b) Webinars about the dementia legal and advance care planning toolkit and related issues and topics with subject area experts. The subject area expert presenters must provide their services in-kind, on a volunteer basis.

(c) Continuing legal education programs for attorneys to advise and assist persons with dementia. The continuing education programs must be offered at no cost to attorneys who make a commitment to participate in the pro bono program.

(d) Administrative support costs to develop intake forms and protocols, perform client intake, match participating attorneys with eligible clients statewide, maintain records and data, and produce reports as needed.

(18) Appropriations provided in this section are sufficient to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(a) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, assisted living facility beds, adult residential care beds, and specialized dementia beds.

(b) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (a) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(c) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (a) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(d) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(19) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(20) \$5,094,000 of the general fund—state appropriation for fiscal year 2024 and \$5,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(21)(a) \$63,938,000 of the general fund—state appropriation for fiscal year 2024, \$40,714,000 of the general fund—state appropriation for fiscal year 2025, and \$110,640,000 of the general fund—federal appropriation are provided solely for rate adjustments for skilled nursing facilities.

(b) Of the amounts provided in (a) of this subsection, \$7,700,000 of the general fund—state appropriation for fiscal year 2025 and \$7,700,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5802 (nursing rate calculation). If the bill is not enacted by June 30, 2024, the amounts provided in (b) of this subsection shall lapse.

(22) \$32,470,000 of the general fund—state appropriation for fiscal year 2024, ~~((34,090,000))~~ \$44,250,000 of the general fund—state appropriation for fiscal year 2025, and ~~((72,783,000))~~ \$84,550,000 of the general fund—federal appropriation are provided solely for rate adjustments for assisted living providers. Of the amounts provided in this subsection:

(a) \$23,751,000 of the general fund—state appropriation for fiscal year 2024, ~~((25,487,000))~~ \$29,399,000 of the general fund—state appropriation for fiscal year 2025, and ~~((54,687,000))~~ \$59,215,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023; and to 82 percent of the labor component and 68 percent of the operations component, effective July 1, 2024. The department of social and health services shall report, by December 1st of each year, on medicaid resident utilization of and access to assisted living facilities.

(b) \$5,505,000 of the general fund—state appropriation for fiscal year 2024, ~~((5,389,000))~~ \$6,671,000 of the general fund—state appropriation for fiscal year 2025, and ~~((11,588,000))~~ \$13,051,000 of the general fund—federal appropriation are provided solely for a specialty dementia care rate add-on for all assisted living facilities of \$43.48 per patient per day in fiscal year 2024 and \$50.00 per patient per day in fiscal year 2025.

(c) \$2,573,000 of the general fund—state appropriation for fiscal year 2024, ~~((2,573,000))~~ \$7,539,000 of the general fund—state appropriation for fiscal year 2025, and ~~((5,146,000))~~ \$10,922,000 of the general fund—federal appropriation are provided solely for a one-time bridge rate for assisted living facilities, enhanced adult residential centers, and adult residential centers, with high medicaid occupancy. The bridge rate does not replace or substitute the capital add-on rate found in RCW 74.39A.320 and the same methodology from RCW 74.39A.320 shall be used to determine each facility's medicaid occupancy percentage for the purposes of this one-time bridge rate add-on. Facilities with a medicaid occupancy level of 90 percent or more shall receive a \$20.99 add-on per resident day effective July 1, 2023, and facilities with a medicaid occupancy level of 75 percent or more shall receive a \$20.99 add-on per resident day effective July 1, 2024.

(d) \$641,000 of the general fund—state appropriation for fiscal year 2024, \$641,000 of the general fund—state appropriation for fiscal year 2025, and \$1,362,000 of the general fund—federal appropriation are provided solely to increase the rate add-on for expanded community services by 5 percent.

(23) Within available funds, the aging and long term support administration must maintain a unit within adult protective services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

(24) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(25) \$1,858,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation of the volunteer services program. Funding must be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(26) \$479,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$479,000)~~ \$989,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the kinship navigator program in the Colville Indian reservation, Yakama Nation, and other tribal areas.

(27) The traumatic brain injury council shall collaborate with other state agencies in their efforts to address traumatic brain injuries to ensure that efforts are complimentary and continue to support the state's broader efforts to address this issue.

(28) \$1,297,000 of the general fund—state appropriation for fiscal year 2024 and \$1,297,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based dementia education and support activities in three areas of the state, including dementia resource catalyst staff and direct services for people with dementia and their caregivers.

(29) \$5,410,000 of the general fund—state appropriation for fiscal year 2024, \$9,277,000 of the general fund—state appropriation for fiscal year 2025, and \$14,909,000 of the general fund—federal appropriation are provided solely for the operating costs associated with the phase-in of enhanced services facilities and specialized dementia care beds that were established with behavioral health community capacity grants.

(30) (a) \$71,000 of the general fund—state appropriation for fiscal year 2024, \$68,000 of the general fund—state appropriation for fiscal year 2025, and \$141,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(b) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(i) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required within each behavior support specialty setting and the necessary qualifications of these staff;

(ii) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

(iii) A plan for implementing the enhanced behavior support specialty contracts that includes:

(A) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(B) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(iv) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(A) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(B) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(C) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(31) (~~(\$2,874,000)~~) \$2,551,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$2,211,000)~~) \$3,134,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the general fund—federal appropriation are provided solely for the kinship care support program. Of the amounts provided in this subsection:

(a) (~~(\$667,000)~~) \$1,344,000 of the general fund—state appropriation for fiscal year 2024 and \$1,944,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the kinship care support program.

(b) \$344,000 of the general fund—state appropriation for fiscal year 2024 (~~(is)~~) and \$323,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the kinship navigator case management pilot program.

(~~(b) \$900,000~~) (c) \$863,000 of the general fund—state appropriation for fiscal year 2024 (~~and \$900,000~~), \$867,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the general fund—federal appropriation are provided solely (~~to increase the rates paid to~~) for kinship navigators (and to), including an increase in the number of kinship navigators so that each area agency on aging has one kinship navigator and King county has two kinship navigators.

(32) \$2,574,000 of the general fund—state appropriation for fiscal year 2024 and \$2,567,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 40 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(33) \$691,000 of the general fund—state appropriation for fiscal year 2024, \$658,000 of the general fund—state appropriation for fiscal year 2025, and \$1,347,000 of the general fund—federal appropriation are provided solely for the department to provide staff support to the difficult to discharge task force described in (~~(section 135(12) of this act)~~) section 133(11) of this act, including any associated ad hoc subgroups, and to develop home and community services assessment timeliness requirements for pilot participants in cooperation with the health care authority as described in (~~(section 211(65) of this act)~~) section 211(64) of this act.

(34) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a study of functional assessments conducted by the department prior to acute care hospital discharge and placement in a post-acute facility. No later than June 30, 2025, a report must be submitted to the governor and the appropriate committees of the legislature that evaluates:

(a) The timeliness of the completion of these assessments;

(b) How requiring these assessments impacts:

(i) The length of a patient's hospital stay;

(ii) The patient's medical, emotional, and mental well-being;

(iii) The hospital staff who care for these patients; and

(iv) Access to inpatient and emergency beds for other patients;

(c) Best practices from other states for placing hospitalized patients in post-acute care settings in a timely and effective manner that includes:

(i) Identification of the states that require these assessments prior to post-acute placement; and

(ii) An analysis of a patient's hospital length of stay and a patient's medical, emotional, and mental well-being in states that require these assessments compared to the states that do not; and

(d) The potential benefits of, and barriers to, outsourcing some or all of the functional assessment process to hospitals. Barriers evaluated must include department policies regarding staff workloads, outsourcing work, and computer system access.

(35) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely to employ and train staff for outreach efforts aimed at connecting adult family home owners and their employees with health care coverage through the adult family home training network as outlined in RCW 70.128.305. These outreach activities must consist of:

(a) Informing adult family home owners and their employees about various health insurance options;

(b) Creating and distributing culturally and linguistically relevant materials to assist these individuals in accessing affordable or free health insurance plans;

(c) Offering continuous technical support to adult family home owners and their employees regarding health insurance options and the application process; and

(d) Providing technical assistance as a certified assister for the health benefit exchange, enabling adult family home owners and their employees to comprehend, compare, apply for, and enroll in health insurance via Washington healthplanfinder. Participation in the certified assister program is dependent on meeting contractual, security, and other program requirements set by the health benefit exchange.

(36) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the office of the insurance commissioner and the office of the attorney general, to create a regulatory oversight plan for continuing care

retirement communities, focusing primarily on establishing and implementing resident consumer protections, as recommended in the 2022 report of the office of the insurance commissioner. As part of the process, the agencies must engage with relevant stakeholder groups for consultation. The final plan must be submitted to the health care committees of the legislature by December 1, 2024.

(37) ~~(((\$16,952,000))~~\$11,509,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$23,761,000))~~\$15,363,000 of the general fund—state appropriation for fiscal year 2025, and ~~(((\$41,407,000))~~\$27,344,000 of the general fund—federal appropriation are provided solely for nursing home services and emergent building costs at the transitional care center of Seattle. No later than December 1, 2024, the department must submit to the appropriate fiscal committees of the legislature a report that includes, but is not limited to:

(a) An itemization of the costs associated with providing direct care services to residents and managing and caring for the facility; and

(b) An examination of the impacts of this facility on clients and providers of the long-term care and medical care sectors of the state that includes, but is not limited to:

(i) An analysis of areas that have realized cost containment or savings as a result of this facility;

(ii) A comparison of individuals transitioned from hospitals to this facility compared to other skilled nursing facilities over the same period of time; and

(iii) Impacts of this facility on lengths of stay in acute care hospitals, other skilled nursing facility, and transitions to home and community-based settings.

(38) \$911,000 of the general fund—state appropriation for fiscal year 2024, \$935,000 of the general fund—state appropriation for fiscal year 2025, and \$365,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(39) \$562,000 of the general fund—state appropriation for fiscal year 2024, \$673,000 of the general fund—state appropriation for fiscal year 2025, and \$1,244,000 of the general fund—federal appropriation are provided solely to increase rates for long-term care case management services offered by area agencies on aging. The department must include this adjustment in the monthly per client rates paid to these agencies for case management services in the governor's projected maintenance level budget process, in accordance with RCW 43.88.030.

(40) \$500,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$500,000))~~\$1,000,000 of the general fund—state appropriation for fiscal year 2025, and ~~(((\$1,000,000))~~\$1,500,000 of the general fund—federal appropriation are provided solely to contract with an organization to design and deliver culturally and linguistically competent training programs for home care workers, including individual providers. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2025 and \$500,000 of the general fund—federal appropriation are provided solely to develop and implement training programs on emergency preparedness related to climate-related events.

(41) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$400,000 of the general fund—federal appropriation are provided solely for a pilot project focused on providing translation services for interpreting mandatory training courses offered through the adult family home training network. The department of social and health services must collaborate with the adult family home council and the adult family home training network to assess the pilot project's outcomes. The department of social and health services shall submit a comprehensive report detailing the results to the governor and the appropriate committees of the legislature no later than September 30, 2025.

(42) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the current pilot projects to provide personal care services to homeless seniors and people with disabilities from the time the person presents at a shelter to the time they become eligible for medicaid.

(43) \$75,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$147,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$125,000 of the general fund—state appropriation for fiscal year 2024, \$125,000 of the general fund—state appropriation for fiscal year 2025, and \$250,000 of the general fund—federal appropriation are provided solely for the department, in collaboration with the consumer directed employer and home care agencies, to establish guidelines, collect and analyze data, and research the reasons and timing behind home care workers leaving the workforce.

(45) \$703,000 of the general fund—state appropriation for fiscal year 2024, \$3,297,000 of the general fund—state appropriation for fiscal year 2025, and \$2,735,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(46)(a) \$4,792,000 of the general fund—state appropriation for fiscal year 2024, \$4,894,000 of the general fund—state appropriation for fiscal year 2025, and \$9,881,000 of

the general fund—federal appropriation are provided solely to support providers that are ready to accept patients who are in acute care beds and no longer require inpatient care, but are unable to be transitioned to appropriate postacute care settings. These patients are generally referred to as difficult to discharge hospital patients because of their behaviors.

(i) The department shall broaden the current discharge and referral case management practices for difficult to discharge hospital patients waiting in acute care hospitals to include referrals to all long-term care behavioral health settings, including enhanced services facilities, enhanced adult residential care, and enhanced adult residential care with community stability supports contracts or community behavioral health support services, including supportive supervision and oversight and skills development and restoration. These home and community-based providers are contracted to provide various levels of personal care, nursing, and behavior supports for difficult to discharge hospital patients with significant behavior support needs.

(ii) Patients ready to discharge from acute care hospitals with diagnosed behaviors or behavior history, and a likelihood of unsuccessful placement in other licensed long-term care facilities, a history of rejected applications for admissions, or a history of unsuccessful placements shall be fully eligible for referral to available beds in enhanced services facilities or enhanced adult residential care with contracts that adequately meet the patient's long-term care needs.

(iii) Previous or current detainment under the involuntary treatment act shall not be a requirement for individuals in acute care hospitals to be eligible for these specialized settings. The department shall develop a standard process for acute care hospitals to refer patients to the department for placement in enhanced services facilities and enhanced adult residential care with contracts to provide behavior support.

(b) The department must adopt a payment model that incorporates the following adjustments:

(i) The enhanced behavior services plus and enhanced behavior services respite rates for skilled nursing facilities shall be converted to \$175 per patient per day add-on in addition to daily base rates to recognize additional staffing and care needs for patients with behaviors.

(ii) Enhanced behavior services plus with specialized services rates for skilled nursing facilities shall be converted to \$235 per patient per day add-on on top of daily base rates.

(iii) The ventilator rate add-on for all skilled nursing facilities shall be \$192 per patient per day.

(iv) The tracheotomy rate add-on for all skilled nursing facilities shall be \$123 per patient per day.

(c) Of the amounts provided in (a) of this subsection, \$3,838,000 of the general fund—state appropriation for fiscal year 2024, \$3,917,000 of the general fund—state appropriation for fiscal year 2025, and \$7,911,000 of the general fund—federal appropriation are provided solely for an increase in the daily rate for enhanced services facilities to \$596.10 per patient per day.

(47) \$926,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the deaf and hard of hearing within the department to establish a work group to address the statewide shortage of qualified and certified American sign language interpreters and protactile interpreters. The work group shall focus on developing training and certification standards, developing strategies for increasing interpreter numbers across all communities, for enhancing professional development, and for creating pathways to allow interpreters to be financially supported to work statewide. The work group shall primarily be comprised of individuals who identify as deaf, deafblind, and hard of hearing who use American sign language or protactile, with priority for members from historically marginalized communities. The work group shall provide a final report, including recommendations and a plan for implementation, to the governor and appropriate committees of the legislature by June 30, 2025.

(48) \$830,000 of the general fund—state appropriation for fiscal year 2025 and \$80,000 of the general fund—federal appropriation are provided solely for the department, in collaboration with the office of the insurance commissioner and the health care authority, to develop a plan for a phase-in of an essential worker health benefits program.

(a) By December 15, 2024, the department must submit to the appropriate policy and fiscal committees of the legislature an implementation plan to provide nursing home workers with high quality, affordable health coverage through participating nursing home employers beginning January 1, 2026. The implementation plan should address:

(i) The likelihood that the state can obtain approval of supplemental medicaid payments for the program;

(ii) As assessment of current employee health benefit spending by nursing homes participating in the medicaid program, including current health benefit plan eligibility, plan design, employee cost-sharing, and employer premium contributions;

(iii) A mechanism to ensure that nursing home employers participating in the program maintain spending on health benefits such that medicaid payments supplement and do not supplant their health benefit spending;

(iv) The appropriate structure and oversight of the newly established health benefits fund, including the use of an established Taft-Hartley fund, fully insured health coverage, or a self-funded multiemployer welfare arrangement that offers health benefits comparable to the platinum metal level under the affordable care act, including any statutory or regulatory changes necessary to ensure that the plan meets defined plan design, consumer protection, and solvency requirements.



(b) In preparing the implementation plan, the department, commissioner, and authority must review the design and impacts of the essential worker health care trust in Oregon and other similar publicly supported programs from other jurisdictions.

(c) The department must consult with interested organizations in development of the implementation plan.

(d) The department may contract with third parties and consult with other state entities to conduct all or any portion of the study, including actuarial analysis.

(e) A minimum of \$750,000 of the amounts provided in this subsection (48) must be contracted with an entity that is managed through a labor-management partnership. This entity must already be providing health care benefits to no fewer than 20,000 long-term care workers in the state of Washington and should have at least five years of experience in administering health care benefits to this workforce. Their joint efforts will focus on examining the health care needs specific to the nursing home workforce in the state, formulating a benefit plan that effectively addresses these needs, determining the financial requirement to offer such benefits, developing informational materials on health benefits tailored for nursing home workers, and establishing procedures and systems necessary for enrolling employees in the plan, subject to legislative appropriation for implementation.

(49) \$25,990,000 of the long-term services and supports trust account—state appropriation is provided solely for the information technology project for the long-term services and supports trust program, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(50) \$12,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the area agencies on aging to maintain senior nutrition services. This includes, but is not limited to, meals at sites, through pantries, and home-delivery.

(51) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington traumatic brain injury strategic partnership advisory council to support at least one in-person support group in each region of the state served by an accountable community of health as defined in RCW 82.04.43395. The council shall provide recommendations to the department on the criteria to be used in selecting the programs to receive funding. The criteria must reflect the diversity of individuals with traumatic brain injuries, including the range of cognitive and financial barriers that individuals with traumatic brain injuries may experience when accessing web-based services. Preference must be given to programs that facilitate support groups led by individuals with direct lived experience with traumatic brain injuries or individuals certified as brain injury specialists. Each program that receives funding under this section must ensure that the in-person or virtual support groups meet at least quarterly and are free of charge. The department must approve at least one facilitation training curriculum specific to brain injury to be used by the programs that receive funding under this section.

(52) \$440,000 of the general fund—state appropriation for fiscal year 2025 and \$560,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1942 (long-term care providers). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(53) \$843,000 of the long-term services and supports trust account—state appropriation is provided solely for the department to create a secure online portal to allow program participants to view a summary statement of their benefits.

(54) \$641,000 of the general fund—state appropriation for fiscal year 2025 and \$641,000 of the general fund—federal appropriation are provided solely for a 20 percent increase in the rates for adult day care and adult day health.

(55)(a) \$408,000 of the general fund—state appropriation for fiscal year 2025 and \$438,000 of the general fund—federal appropriation are provided for rates paid, effective January 1, 2025, to independent contractor nurses and agency-employed nurses providing private duty nursing, skilled nursing, and private duty nursing in adult family homes.

(b) The department must adopt a payment model that incorporates the following adjustments for independent contractor nurses:

(i) Private duty nursing services shall be \$56.58 per hour by a registered nurse and \$46.49 per hour by a licensed practical nurse.

(ii) Skilled nursing services shall be \$62.93 per day by a registered nurse.

(c) The department must adopt a payment model that incorporates the following adjustments for agency-employed nurses:

(i) Private duty nursing services shall be \$67.89 per hour by a registered nurse and \$55.79 per hour by a licensed practical nurse.

(ii) Skilled nursing services shall be \$75.52 per day by a registered nurse.

(d) Private duty nursing services in an adult family home shall be \$898.95 per day.

(56) \$38,000 of the general fund—state appropriation for fiscal year 2025 and \$39,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1941 (health home serv./children). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(57)(a) Within amounts appropriated in this section, the department shall convene a work group comprised of representatives from the department of social and health services, the department of commerce, the health care authority, and organizations representing relevant assisted living and housing providers utilizing department of housing and urban development housing choice vouchers in assisted living facilities to examine how assisted living facilities can use these vouchers for medicaid residents in a manner that aligns with federal requirements and does not negatively impact receipt of federal medicaid funding.

(b) The work group shall submit a preliminary report by December 1, 2024, to the governor and the appropriate committees of the legislature that includes any findings and policy recommendations for how to use housing and urban development project-based rental vouchers for medicaid residents living in licensed assisted living facilities. The work group findings must identify any barriers within the state and federal systems that would prevent the use of housing and urban development project-based rental vouchers for medicaid residents, including, but not limited to, licensing requirements and duplication of services.

(c) It is the intent of the legislature that this work group will continue its work through September 30, 2025, in order to facilitate completion of a final report to the governor and the appropriate committees of the legislature at that time.

**Sec. 205.** 2023 c 475 s 205 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ECONOMIC SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$606,767,000</del> ))
	<u>\$679,581,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$604,555,000</del> ))
	<u>\$771,647,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$1,648,987,000</del> ))
	<u>\$1,694,306,000</u>
General Fund—Private/Local Appropriation . . . . .	\$5,274,000
Domestic Violence Prevention Account—State Appropriation . . . . .	\$2,404,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$2,867,987,000</del>))</b>
	<b><u>\$3,153,212,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) ((~~\$169,050,000~~))\$177,407,000 of the general fund—state appropriation for fiscal year 2024, ((~~\$164,246,000~~))\$199,303,000 of the general fund—state appropriation for fiscal year 2025, and ((~~\$853,777,000~~))\$853,786,000 of the general fund—federal appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting a structure change.

(b) ((~~\$450,773,000~~))\$482,615,000 of the amounts in (a) of this subsection is for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance. Of the amounts provided in this subsection (1) (b):

(i) \$17,315,000 of the general fund—federal appropriation is provided solely to increase the temporary assistance for needy families and state family assistance cash grants by \$100 per month for households with a child under the age of three, effective November 1, 2023. The funding is intended to assist families with the cost of diapers as described in chapter 100, Laws of 2022.

(ii) \$3,060,000 of the general fund—state appropriation for fiscal year 2024, \$4,665,000 of the general fund—state appropriation for fiscal year 2025, and \$19,000,000 of the general fund—federal appropriation are provided solely for the department to increase temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$296,000 of the general fund—state appropriation for fiscal year 2024, \$5,293,000 of the general fund—state appropriation for fiscal year 2025, and \$1,089,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(iv) \$632,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the replacement of skimmed or cloned cash benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the temporary assistance for needy families and the state family assistance program. The replacement of stolen benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection (1) (b) (iv) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(v) \$656,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2007 (cash assistance time limits). If this bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(c) (~~(\$167,710,000)~~)\$167,762,000 of the amounts in (a) of this subsection is for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. Within amounts provided in this subsection (1)(c), the department shall implement the working family support program.

(i) \$2,474,000 of the amounts provided in this subsection (1)(c) is for enhanced transportation assistance. The department must prioritize the use of these funds for the recipients most in need of financial assistance to facilitate their return to work. The department must not utilize these funds to supplant repayment arrangements that are currently in place to facilitate the reinstatement of drivers' licenses.

(ii) \$482,000 of the general fund—state appropriation for fiscal year 2024 and \$1,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$185,000 of the general fund—state appropriation for fiscal year 2024 and \$1,820,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(iv) \$52,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2007 (cash assistance time limits). If this bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(d) Of the amounts in (a) of this subsection, \$353,402,000 of the general fund—federal appropriation is for the working connections child care program under RCW 43.216.020 within the department of children, youth, and families. The department is the lead agency for and recipient of the federal temporary assistance for needy families grant. A portion of this grant must be used to fund child care subsidies expenditures at the department of children, youth, and families.

(i) The department of social and health services shall work in collaboration with the department of children, youth, and families to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families.

(ii) Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(e) Of the amounts in (a) of this subsection, \$68,496,000 of the general fund—federal appropriation is for child welfare services within the department of children, youth, and families.

(f) Of the amounts in (a) of this subsection, (~~(\$146,692,000)~~)\$158,221,000 is for WorkFirst administration and overhead. Of the amounts provided in this subsection (1)(f):

(i) \$147,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(ii) \$204,000 of the general fund—state appropriation for fiscal year 2024, \$179,000 of the general fund—state appropriation for fiscal year 2025, and \$575,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(iii) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to process skimmed or cloned cash benefits for impacted recipients of the temporary assistance for needy families or state family assistance programs. Any unspent funds in this subsection (1)(f)(iii) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(iv) \$352,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2007 (cash assistance time limits). If this bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(v) \$407,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute House Bill No. 1652 (child support pass through). If this bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(g)(i) The department shall submit quarterly expenditure reports to the governor, the fiscal committees of the legislature, and the legislative WorkFirst poverty reduction oversight task force under RCW 74.08A.341. In addition to these requirements, the department must detail any fund transfers across budget units identified in (a) through (e) of this subsection. The department shall not initiate any services that require expenditure of state general fund moneys that are not consistent with policies established by the legislature.

(ii) The department may transfer up to 10 percent of funding between budget units identified in (b) through (f) of this subsection. The department shall provide notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst poverty reduction oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(h) On January 2nd and July 1st of each year, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst poverty reduction oversight task force. The report must detail the following information for temporary assistance for needy families:

(i) An overview of federal rules related to maintenance of effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;

(ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;

(iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;

(iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;

(v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort;

(vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation targets, and future reportable federal participation rate requirements; and

(vii) Proposed and enacted federal law changes affecting maintenance of effort or the participation rate, what impact these changes have on Washington's temporary assistance for needy families program, and the department's plan to comply with these changes.

(i) In the 2023-2025 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (a) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(2) \$3,545,000 of the general fund—state appropriation for fiscal year 2024 and \$3,545,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On January 1, 2024, and January 1, 2025, the department must report to the governor and the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be 100 percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(8) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,500,000)~~ \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational support of the Washington information network 211 organization.

(9) \$377,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consolidated emergency assistance program.

(10) \$560,000 of the general fund—state appropriation for fiscal year 2024 and \$560,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state-funded employment and training program for recipients of the state's food assistance program.

(11) ~~(\$5,244,000)~~ \$4,999,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$3,805,000)~~ \$6,843,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$21,115,000)~~ \$27,765,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project to create a comprehensive application and benefit status tracker for multiple programs, an application and enrollment portal for multiple programs, and to establish a foundational platform. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(12) ~~(\$3,307,000)~~ \$1,993,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$257,000)~~ \$1,230,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$8,318,000)~~ \$7,576,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project for the discovery, innovation, and customer experience phase. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(13) ~~(\$1,067,000)~~ \$2,267,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$1,067,000)~~ \$2,638,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$4,981,000)~~ \$11,481,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project office.

(14) \$189,000 of the general fund—state appropriation for fiscal year 2024 and \$953,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of the ongoing additional requirements program, effective April 1, 2024. Of the amount provided in this subsection, the maximum amount that may be expended on new items added to the ongoing additional requirements program is \$53,000 in fiscal year 2024 and \$710,000 in fiscal year 2025.

(15)(a) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors and a study to assess needs and develop recommendations for ongoing supports for this population.

(b) Of the amounts provided in (a) of this subsection, \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors in order to address financial hardship and support household well-being. Stabilization funds can be used to support the sponsorship household with costs of housing, childcare, transportation, internet and data services, household goods, and other unmet needs. The funds may be provided on behalf of an unaccompanied child when the following eligibility criteria are met:

(i) The unaccompanied child is between the ages of 0-17, has been placed in Washington under the care of a nonparental sponsor following release from the United States office of refugee resettlement custody, and has not been reunified with a parent; and

(ii) The sponsorship household demonstrates financial need and has an income below 250 percent of the federal poverty level. A sponsorship household receiving stabilization funds on behalf of a child who turns 18 may continue to receive funds for an additional 60 days after the child reaches 18 years of age.

(c) The department may work with community-based organizations to administer sponsorship stabilization supports. Up to 10 percent of the amounts provided in (b) of this subsection may be used by the community-based organizations to cover administrative expenses associated with the distribution of these supports.

(d) Of the amounts provided in (a) of this subsection, \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to cover the administrative resources necessary for the department to administer the sponsorship stabilization program and to convene a work group with the department of children, youth, and families, department of commerce's office of homeless youth prevention and programs, stakeholders, and community-based organization who have pertinent information regarding sponsorship households. The work group shall identify and analyze the resource and service needs for unaccompanied children and their sponsors, including the types and levels of financial supports and related services that will promote stability of sponsorship placements for this population.

(i) The department must produce a report that includes an overview of the number of impacted children and sponsors, existing services and supports that are available, any gaps in services, and potential changes to federal programs and policies that could impact unaccompanied children. The report shall include recommendations for how state agencies and community organizations can partner with the federal government to support sponsorship households, proposed services and supports that the state could provide to promote the ongoing stability of sponsorship households, and a recommended service delivery model.

(ii) The department shall submit the report required by (d)(i) of this subsection (15) to the governor and appropriate legislative committees no later than June 30, 2025.

(16) \$111,000 of the general fund—state appropriation for fiscal year 2024, \$1,016,000 of the general fund—state appropriation for fiscal year 2025, and \$21,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs) for the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance programs. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(17) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with an organization located in Seattle with expertise in culturally and linguistically appropriate communications and outreach to conduct an outreach, education, and media campaign related to communities significantly impacted by or at risk for benefits trafficking, skimming, or other fraudulent activities, with particular focus on immigrant, refugee, migrant, and senior populations. This campaign must provide community-focused, culturally and linguistically appropriate education and assistance targeted to meet the needs of each community and related to safeguarding public assistance benefits provided through an electronic benefit card and how to avoid the trafficking or skimming of benefits. To the extent practical, the department must make available information and data to refine this campaign for those communities most impacted to ensure inclusion of any relevant groups not already identified in this provision. The contracted organization, in collaboration with the department, must focus its outreach in highly impacted geographic areas including, but not limited to, Burien, Federal Way, Kent, Lynnwood, White Center, West Seattle, Seattle's International District, Chinatown, and the Central District, Yakima and other identified locations.

(18) ~~(\$10,131,000)~~ \$10,416,000 of the general fund—state appropriation for fiscal year 2024, \$6,734,000 of the general fund—federal appropriation, and \$2,404,000 of the domestic violence prevention account—state appropriation are provided solely for domestic violence victim services. Of the amounts provided in this subsection~~((7))~~:

(a) \$750,000 of the general fund—state appropriation for fiscal year 2024 must be distributed to domestic violence services providers proportionately, based upon bed capacity; and

(b) \$285,000 of the general fund—state appropriation for fiscal year 2025 must be distributed to domestic violence emergency shelters that are experiencing a reduction in compensation/FTE enhancements funding from the department of social and health services, and funding must be used to continue current service levels to survivors of domestic violence. Funding in this subsection (b) must be allocated as follows:

(i) \$70,000 is for a department-contracted shelter providing services in Thurston county;

(ii) \$50,000 is for a department-contracted shelter providing services in Spokane county;

(iii) \$45,000 is for a department-contracted shelter providing services in Lewis county;

(iv) \$40,000 is for a department-contracted shelter providing services in eastern Clallam county;

(v) \$30,000 is for a department-contracted shelter providing services in northern Yakima county;

(vi) \$25,000 is for a department-contracted shelter providing services in Mason county; and

(vii) \$25,000 is for a department-contracted shelter providing services in Cowlitz county.

(19) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to meet the terms of its settlement agreement with the United States department of agriculture (USDA).

(a) Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to repay USDA as part of the settlement agreement.

(b) Of the amounts provided in this subsection, \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to fund employment and training program services and activities ((for))targeted to able-bodied adults without dependents receiving food benefits from the USDA supplemental nutrition assistance program, but open to all basic food employment and training participants including participants who are not able-bodied adults without dependents.

(20) \$3,844,000 of the general fund—state appropriation for fiscal year 2024, \$7,921,000 of the general fund—state appropriation for fiscal year 2025, and \$1,374,000 of the general fund—federal appropriation are provided solely for the department to increase the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance grants by eight percent, effective January 1, 2024.

(21) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization in Pierce county to continue the operation of the guaranteed basic income program in Tacoma.

(22) \$58,000 of the general fund—state appropriation for fiscal year 2024 and \$59,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Substitute Senate Bill No. 5398 (domestic violence funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(23) \$113,000 of the general fund—state appropriation for fiscal year 2024, \$1,487,000 of the general fund—state appropriation for fiscal year 2025, and \$1,599,000 of the general fund—federal appropriation are provided solely to fully integrate the asset verification system into the automated client eligibility system (ACES).

(24) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$34,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the changes made to the state supplemental payment program in chapter 201, Laws of 2023.

(25) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the staffing necessary to process medical assistance cases resulting from the July 1, 2024, implementation for the apple health expansion program.

(26) \$1,393,000 of the general fund—state appropriation for fiscal year 2024, \$5,888,000 of the general fund—state appropriation for fiscal year 2025, and \$6,995,000 of the general fund—federal appropriation are provided solely for the transition of the automated client eligibility system (ACES) mainframe hardware operations to cloud technologies, using an enterprise contracted service through the consolidated technology services agency. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(27) \$5,024,000 of the general fund—state appropriation for fiscal year 2024, \$7,206,000 of the general fund—state appropriation for fiscal year 2025, and \$12,230,000 of the general fund—federal appropriation are provided solely for the implementation of the summer electronic benefit transfer program for the summer break months following the 2023–2024 and 2024–2025 school years. The program implementation must align with the federal summer electronic benefit program requirements defined in the consolidated appropriations act, 2023 (136 Stat. 4459). The department may use a third-party entity to administer the program.

(28) \$10,904,000 of the general fund—state appropriation for fiscal year 2024, \$464,000 of the general fund—state appropriation for fiscal year 2025, and \$10,921,000 of the general fund—federal appropriation are provided solely to cover the increased costs of the maintenance and operations of the automated client eligibility system (ACES), including but not limited to a one-time vendor transition.

(29) \$251,000 of the general fund—state appropriation for fiscal year 2025 and \$21,000 of the general fund—federal appropriation are provided solely to process and replace skimmed or cloned cash and food benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the pregnant women assistance, refugee cash assistance, aged, blind, or disabled assistance, and state food assistance program. The replacement of stolen cash and food benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(30)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the office of refugee and immigrant assistance to expand support services for individuals newly arriving to the United States and Washington who do not qualify for federal refugee resettlement program services. Support services include, but are not limited to, housing assistance, food, transportation, childhood education services, education and employment supports, connection to legal services, and social services navigation.

(b) Of the amounts in (a) of this subsection, \$250,000 for fiscal year 2024 and \$750,000 for fiscal year 2025 are provided solely for school districts who have seen a significant increase in McKinney-Vento students seeking asylum with the opportunity to receive grants that provide students in their district with additional education opportunities and family supports.

(c) Of the amounts in (a) of this subsection, \$700,000 for fiscal year 2025 is provided solely for members of the Sub-Saharan African community.

(d) Of the amounts in (a) of this subsection, \$810,000 for fiscal year 2025 is provided solely for staffing at the office of refugee and immigrant assistance to cover the administrative expenses of implementing this subsection.

(31)(a) \$593,000 of the general fund—state appropriation for fiscal year 2024, \$1,406,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely to implement changes made through the fiscal responsibility act of 2023 (137 Stat. 10) for the supplemental nutrition assistance program's work requirements for able-bodied adults without dependents, and the corresponding impacts to the state food assistance program.

(b) Of the amounts in (a) of this subsection, \$104,000 of the general fund—state appropriation for fiscal year 2024, \$115,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely for administrative and information technology expenses.

(32)(a) \$236,000 of the general fund—state appropriation for fiscal year 2024, \$3,367,000 of the general fund—state appropriation for fiscal year 2025, and \$1,329,000 of the general fund—federal appropriation are provided solely for the department to hire additional public benefit specialists to help reduce the call center and lobby wait times within the community services division.

(b) \$1,878,000 of the general fund—state appropriation for fiscal year 2024, \$3,660,000 of the general fund—state appropriation for fiscal year 2025, and \$3,541,000 of the general

fund—federal appropriation are provided solely for technology enhancements and project governance necessary to create efficiencies that will reduce call center and lobby wait times for customers of the community services division. Enhancements include, but are not limited to, chatbots, robotic process automation, interactive voice response, and document upload. The amounts provided in this subsection (32)(b) are subject to the conditions, limitations, and review requirements of section 701 of this act.

(c) By June 30, 2025, the department must submit a report to the governor and the legislature that shows the prior fiscal year's call and lobby wait times by month and queue, number of customer contacts by month and queue, processing times for the various queues for the three most recent fiscal years along with an explanation for any changes to the most recent year's processing times, number of filled public benefit specialists 3 positions and vacancies by month, wait time impacts associated with the individual technology solution enhancements, any telephonic savings experienced due to fewer customers waiting on hold, and recommendations to continue reducing customer wait times.

**Sec. 206.** 2023 c 475 s 206 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$26,670,000</del> ))
	<u>\$26,677,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$26,962,000</del> ))
	<u>\$26,976,000</u>
General Fund—Federal Appropriation. . . . .	\$110,047,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$163,679,000</del>))</b>
	<b><u>\$163,700,000</u></b>

**Sec. 207.** 2023 c 475 s 207 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SPECIAL COMMITMENT PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$82,011,000</del> ))
	<u>\$81,273,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$81,976,000</del> ))
	<u>\$80,519,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$163,987,000</del>))</b>
	<b><u>\$161,792,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

~~((4))~~ (2) (a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to:

(i) Explore regulatory framework options for conditional release less restrictive alternative placements and make recommendations for a possible future framework. This exploration shall include collaboration with the department of corrections regarding their community custody programs;

(ii) Review and refine agency policies regarding communication and engagement with impacted local governments related to less restrictive alternatives, including exploring options for public facing communications on current county fair share status and any projected future need;

(iii) Identify opportunities for greater collaboration and possible fiscal support for local government entities regarding placements of conditional release less restrictive alternatives; and

(iv) Provide recommendations to improve cost-effectiveness of all less restrictive alternative placements.

(b) The department shall submit a report to the governor and appropriate fiscal and policy committees of the legislature by December 1, 2023, with a summary of the results and provide any additional recommendations to the legislature that the department identifies. The report shall also include a summary of costs to the department for contracted and uncontracted less restrictive alternatives.

~~((5))~~ (3) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to conduct an assessment of wireless internet implementation needs and options, and must include an assessment of satellite and fiber options. The department shall provide a report that includes the assessment and estimated implementation time frame and costs to the appropriate committees of the legislature by December 15, 2023.

(4) \$189,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to establish one position for a special commitment center communications manager to support information sharing to the public related to conditional release for less restrictive alternative placements.

(5) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 208.** 2023 c 475 s 208 (uncodified) is amended to read as follows:



**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$49,968,000 ))
	\$50,946,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$50,544,000 ))
	\$62,924,000
General Fund—Federal Appropriation . . . . .	(( \$57,444,000 ))
	\$62,593,000
<u>Climate Commitment Account—State Appropriation . . . . .</u>	<u>\$2,000,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(( \$157,956,000 ))</b>
	<b>\$178,463,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:

- The number of people in Washington who are eligible for the program;
- The number of people in Washington who participated in the program;
- The average annual participation rate in the program;
- Participation rates by geographic distribution; and
- The annual federal funding of the program in Washington.

(2) \$5,000 of the general fund—state appropriation for fiscal year 2024, \$22,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium as provided in section 907 of this act.

(3) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the joint legislative and executive committee on behavioral health established in (~~section 135 of this act~~) section 133 of this act.

(4) \$115,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$64,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(5) \$100,000 of the general fund—state appropriation for fiscal year 2024, \$96,000 of the general fund—state appropriation for fiscal year 2025, and \$149,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5497 (medicaid expenditures). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(6) \$231,000 of the general fund—state appropriation for fiscal year 2024 and \$65,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5304 (language access/testing). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(7)(a) \$4,876,000 of the general fund—state appropriation for fiscal year 2025 and \$2,961,000 of the general fund—federal appropriation are provided solely for the system for integrated leave, attendance, and scheduling (SILAS) project and is subject to the conditions, limitations, and review requirements of section 701 of this act. Funding is provided solely for continued project expansion at the:

- Yakima Valley school;
- Maple Lane campus;
- Brockmann campus;
- Rainier school; and
- Fircrest school.

(b) By July 1, 2024, the department must submit a report to the appropriate committees of the legislature to include, at least, the implementation schedule and budget plans by facility deployment for each of the facilities listed in (a) of this subsection.

(c) By June 30, 2025, the department must submit a report to the appropriate committees of the legislature to include, but not be limited to, how funding was spent compared to the spending plan and the actual roll out by facility compared to the implementation schedule for each facility that the SILAS solution was planned and/or implemented at in the prior 12 calendar months.

(8) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the research and data analysis division of the department to analyze historical trends of admissions for felony civil conversion cases based on behavioral health administrative service organization regions. The research and data analysis division must create a report that provides information on the monthly averages for admission by region and any information about trends or cycles, and shall make a recommendation about how best to predict and model future admissions for this population by region. The report must be submitted to the governor, office of financial management, and appropriate committees of the legislature no later than November 1, 2024.

(9) \$2,000,000 of the climate commitment account—state appropriation is provided solely for the department to pilot a statewide network of community assemblies fully centered on overburdened communities as defined in RCW 70A.02.010. The department must select topics for community assemblies that fall within its authority or must consult and coordinate with the agency who has authority on the proposed topic before selection. These assemblies will elevate community expertise and solutions to budget and policy makers on sustainable investments to create a more climate resilient Washington. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(10) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the research and data analysis division of the department to conduct a study of the costs to expand apple health categorically needy coverage for SSI-related individuals who meet the criteria in WAC 182-512-0050. The study shall provide the cost of expanding medicaid services to individuals at the following percentages of the federal poverty level: 75 percent, 80 percent, 85 percent, 90 percent, 95 percent, and 100 percent. The study should also provide the cost of eliminating the state asset limits at each of these income increments. The study must be submitted to the appropriate committees of the legislature by December 1, 2024.

(11) (a) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to complete a gap analysis of the existing housing and health care system and provide a report to the legislature detailing its findings. This report shall include, but not be limited to, a review of existing models related to individuals experiencing:

(i) Housing instability who have significant medical and/or behavioral health needs, including the inability to stay in or return to their current housing;

(ii) Homelessness and/or a significant history of being unhoused, including permanent supportive housing residents; and

(iii) Significant health-related social needs that are not severe enough to qualify for placement in existing facilities, but are too significant to be met in a shelter or permanent supportive housing.

(b) The gap analysis shall also include a review of:

(i) Hospitals with patients that have resolved the acute hospital-level needs of the patient, but cannot discharge patients to the community because there is no appropriate lower level of care available; and

(ii) Permanent supportive housing and shelter providers with residents whose medical needs exceed the location's ability to provide care.

(c) The department shall provide recommendations to fill the gaps identified in (a) and (b) of this subsection, which may include creation of complex care locations and enhanced behavioral health supports until an individual qualifies for either a higher or lower level of care.

(d) This report must be submitted to the appropriate committees of the legislature by December 1, 2024.

**Sec. 209.** 2023 c 475 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PAYMENTS TO OTHER AGENCIES PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$63,781,000 ))
	\$66,435,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$60,934,000 ))
	\$85,489,000
General Fund—Federal Appropriation . . . . .	(( \$60,794,000 ))
	\$62,969,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$185,509,000 ))</b>
	<b>\$214,893,000</b>

The appropriations in this section are subject to the following conditions and limitations: Within the amounts appropriated in this section, the department must extend master property insurance to all buildings owned by the department valued over \$250,000 and to all locations leased by the department with contents valued over \$250,000.

**Sec. 210.** 2023 c 475 s 210 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY**

(1) (a) During the 2023-2025 fiscal biennium, the health care authority shall provide support and data as required by the office of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority.

(b) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

(2) The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal

moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) (a) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(b) The health care authority must submit a report on November 1, 2023, and annually thereafter, to the fiscal committees of the legislature. The report must include, at a minimum:

(i) A list of active coalition projects as of July 1st of the fiscal year. This must include all current and ongoing coalition projects, which coalition agencies are involved in these projects, and the funding being expended on each project, including in-kind funding. For each project, the report must include which federal requirements each coalition project is working to satisfy, and when each project is anticipated to satisfy those requirements; and

(ii) A list of coalition projects that are planned in the current and following fiscal year. This must include which coalition agencies are involved in these projects, including the anticipated in-kind funding by agency, and if a budget request will be submitted for funding. This must reflect all funding required by fiscal year and by fund source and include the budget outlook period.

(4) The appropriations to the health care authority in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the authority may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management. To the extent that appropriations in this section are insufficient to fund actual expenditures in excess of caseload forecast and utilization assumptions, the authority may transfer general fund—state appropriations for fiscal year 2024 that are provided solely for a specified purpose. The authority may not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification must include a narrative explanation and justification of changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications and transfers.

**Sec. 211.** 2023 c 475 s 211 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—MEDICAL ASSISTANCE**

General Fund—State Appropriation (FY 2024)	(\$2,682,912,000))
	\$2,853,617,000
General Fund—State Appropriation (FY 2025)	(\$2,672,393,000))
	\$2,976,729,000
General Fund—Federal Appropriation	(\$15,431,138,000))
	\$16,820,407,000
General Fund—Private/Local Appropriation	(\$1,074,465,000))
	\$1,252,273,000
Dedicated Cannabis Account—State Appropriation (FY 2024)	((25,544,000))
	\$24,105,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	((28,936,000))
	\$23,212,000
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation	\$15,086,000
Family Medicine Workforce Development Account—State Appropriation	\$7,000,000

Hospital Safety Net Assessment Account—State	
Appropriation. . . . .	(( <del>\$1,524,493,000</del> ))
	<u>\$1,517,493,000</u>
<u>Long-Term Services and Supports Trust Account—State</u>	
Appropriation. . . . .	\$314,000
Medical Aid Account—State Appropriation. . . . .	\$540,000
Statewide 988 Behavioral Health Crisis Response Line	
Account—State Appropriation. . . . .	(( <del>\$21,606,000</del> ))
	<u>\$11,624,000</u>
Telebehavioral Health Access Account—State	
Appropriation. . . . .	(( <del>\$8,394,000</del> ))
	<u>\$8,318,000</u>
Ambulance Transport Fund—State Appropriation. . . . .	(( <del>\$13,872,000</del> ))
	<u>\$14,316,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$23,499,379,000</del>))</b>
	<b><u>\$25,525,034,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The authority shall submit an application to the centers for medicare and medicaid services to renew the 1115 demonstration waiver for an additional five years as described in subsections (2), (3), and (4) of this section. The authority may not accept or expend any federal funds received under an 1115 demonstration waiver except as described in this section unless the legislature has appropriated the federal funding. To ensure compliance with legislative requirements and terms and conditions of the waiver, the authority shall implement the renewal of the 1115 demonstration waiver and reporting requirements with oversight from the office of financial management. The legislature finds that appropriate management of the renewal of the 1115 demonstration waiver as set forth in subsections (2), (3), and (4) of this section requires sound, consistent, timely, and transparent oversight and analytic review in addition to lack of redundancy with other established measures. The patient must be considered first and foremost in the implementation and execution of the demonstration waiver. To accomplish these goals, the authority shall develop consistent performance measures that focus on population health and health outcomes. The authority shall limit the number of projects that accountable communities of health may participate in under initiative 1 to a maximum of six and shall seek to develop common performance measures when possible. The joint select committee on health care oversight will evaluate the measures chosen: (a) For effectiveness and appropriateness; and (b) to provide patients and health care providers with significant input into the implementation of the demonstration waiver to promote improved population health and patient health outcomes. In cooperation with the department of social and health services, the authority shall consult with and provide notification of work on applications for federal waivers, including details on waiver duration, financial implications, and potential future impacts on the state budget to the joint select committee on health care oversight prior to submitting these waivers for federal approval. Prior to final approval or acceptance of funds by the authority, the authority shall submit the special terms and conditions as submitted to the centers for medicare and medicaid services and the anticipated budget for the duration of the renewed waiver to the governor, the joint select committee on health care, and the fiscal committees of the legislature. By federal standard any programs created or funded by this waiver do not create an entitlement. The demonstration period for the waiver as described in subsections (2), (3), and (4) of this section begins July 1, 2023.

(2) (a) ((~~\$150,219,000~~)) \$342,398,000 of the general fund—federal appropriation and ((~~\$150,219,000~~)) \$213,592,000 of the general fund—local appropriation are provided solely for accountable communities of health described in initiative 1 of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. In renewing this initiative, the authority shall consider local input regarding community needs and shall limit total local projects to no more than six. To provide transparency to the appropriate fiscal committees of the legislature, the authority shall provide fiscal staff of the legislature query ability into any database of the fiscal intermediary that authority staff would be authorized to access. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) ((~~\$438,515,000~~)) \$467,787,000 of the general fund—federal appropriation and ((~~\$179,111,000~~)) \$191,068,000 of the general fund—private/local appropriation are provided solely for the medicaid quality improvement program and this is the maximum amount that may be expended for this purpose. Medicaid quality improvement program payments do not count against the 1115 demonstration waiver spending limits and are excluded from the waiver's budget neutrality calculation. The authority may provide medicaid quality improvement program payments to apple health managed care organizations and their partnering providers as they meet designated milestones. Partnering providers and apple health managed care organizations must work together to achieve medicaid quality improvement program goals according to the performance period timelines and reporting deadlines as set forth by the authority. The authority may only use the medicaid quality improvement program to support initiatives 1, 2,

and 3 as described in the 1115 demonstration waiver and may not pursue its use for other purposes. Any programs created or funded by the medicaid quality improvement program do not constitute an entitlement for clients or providers. The authority shall not supplement the amounts provided in this subsection with any general fund—state, general fund—federal, or general fund—local moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight not less than quarterly on financial and health outcomes. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) In collaboration with the accountable communities of health, the authority will submit a report to the governor and the joint select committee on health care oversight describing how each of the accountable community of health's work aligns with the community needs assessment no later than December 1, 2023.

(d) Performance measures and payments for accountable communities of health shall reflect accountability measures that demonstrate progress toward transparent, measurable, and meaningful goals that have an impact on improved population health and improved health outcomes, including a path to financial sustainability. While these goals may have variation to account for unique community demographics, measures should be standardized when possible.

(3) ~~(((\$115,713,000))~~\$87,665,000 of the general fund—federal appropriation and ~~(((\$115,725,000))~~\$87,666,000 of the general fund—local appropriation are provided solely for long-term support services as described in initiative 2 of the 1115 demonstration waiver as well as administrative expenses for initiative 3 and this is the maximum amount that may be expended for this purpose. The authority shall contract with and provide funding to the department of social and health services to administer initiative 2. The director in cooperation with the secretary of the department of social and health services shall report to the office of financial management all of the expenditures of this section and shall provide such fiscal data in the time, manner, and form requested. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section.

(4) (a) ~~(((\$54,912,000))~~\$46,450,000 of the general fund—federal appropriation and ~~(((\$30,162,000))~~\$21,432,000 of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its third-party administrator. The authority and the department, in consultation with the medical assistance expenditure forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) ~~((The authority and the department shall seek))~~\$28,156,000 of the general fund—federal appropriation and \$22,067,000 of the general fund—local appropriation are provided solely for additional ~~((flexibilities for))~~ housing supports ~~((through the centers for medicare and medicaid services and shall coordinate with the office of financial management and the department of commerce to ensure that services are not duplicated))~~ described in the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) The director shall report to the joint select committee on health care oversight no less than quarterly on utilization and caseload statistics for both supportive housing and employment services and its progress toward increasing uptake and availability for these services.

(5) \$1,432,000 of the general fund—state appropriation for fiscal year 2024 and \$3,008,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported employment services and \$1,478,000 of the general fund—state appropriation for fiscal year 2024 and \$3,162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported housing services, similar to the services described in initiatives 3a and 3b of the 1115 demonstration waiver to individuals who are ineligible for medicaid. Under these initiatives, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its third-party administrator. Before authorizing services,

eligibility for initiative 3a or 3b of the 1115 demonstration waiver must first be determined.

(6) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

(7) The legislature finds that medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(8) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

(9) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

(10) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

(11) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

(12) (~~(\$4,176,000)~~) \$4,261,000 of the general fund—state appropriation for fiscal year 2024, \$4,261,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$8,607,000)~~) \$8,522,000 of the general fund—federal appropriation are provided solely for low-income disproportionate share hospital payments.

(13) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

(14) \$7,000,000 of the general fund—federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

(15) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2023-2025 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2023, and by November 1, 2024, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2024 and fiscal year 2025, hospitals in the program shall be paid and shall retain 100 percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and 100 percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. For the purpose of determining the amount of any state grant under this subsection, payments will include the federal portion of medicaid program supplemental payments received by the hospitals. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2023-2025 biennial operating appropriations act and in effect on July 1, 2015, (b) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each

hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2019-2021 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within 11 months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. (~~(\$237,000 of the general fund state appropriation for fiscal year 2024 and \$218,000 of the general fund state appropriation for fiscal year 2025 are provided solely for state grants for the participating hospitals.)~~)

(16) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide ongoing support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

(17) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

(18) The authority shall submit reports to the governor and the legislature by September 15, 2023, and no later than September 15, 2024, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

(19) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

(20) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

(21) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(22) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$90,000 of the general fund—state appropriation for fiscal year 2025, and \$180,000 of the general fund—federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

(24) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(25) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

(26) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

(27) The authority shall use revenue appropriated from the dedicated cannabis account for contracts with community health centers under RCW 69.50.540 in lieu of general fund—state payments to community health centers for services provided to medical assistance clients, and it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(28) Beginning no later than July 1, 2018, for any service eligible under the medicaid state plan for encounter payments, managed care organizations at the request of a rural

health clinic shall pay the full published encounter rate directly to the clinic. At no time will a managed care organization be at risk for or have any right to the supplemental portion of the claim. Payments will be reconciled on at least an annual basis between the managed care organization and the authority, with final review and approval by the authority.

(29) Sufficient amounts are appropriated in this section for the authority to provide a medicaid equivalent adult dental benefit to clients enrolled in the medical care service program.

(30) During the 2023-2025 fiscal biennium, sufficient amounts are provided in this section for the authority to provide services identical to those services covered by the Washington state family planning waiver program as of August 2018 to individuals who:

(a) Are 19 years of age;

(b) Are at or below 260 percent of the federal poverty level as established in WAC 182-505-0100;

(c) Are not covered by other public or private insurance; and

(d) Need family planning services and are not currently covered by or eligible for another medical assistance program for family planning.

~~((32))~~ (31) (a) The authority shall ensure that appropriate resources are dedicated to implementing the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report. Additionally, the authority shall:

(i) Work to ensure the efficient operations of the managed care plans, including but not limited to, a deconflicting process for audits with and among the managed care plans and the medicaid fraud division at the attorney general's office, to ensure the authority staff perform central audits of cases that appear across multiple managed care plans, versus the audits performed by the individual managed care plans or the fraud division;

(ii) Remain accountable for operating in an effective and efficient manner, including performing program integrity activities that ensure high value in the medical assistance program in general and in medicaid managed care specifically;

(iii) Work with its contracted actuary and the medical assistance expenditure forecast work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting; and

(iv) Work with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024, \$50,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the general fund—federal appropriation are provided solely for the authority to consider, as part of its program integrity activities, whether it is providing economical, efficient, and quality prescription drug services through its administrative services model and the quantifiable cost and benefit of this service delivery method. The authority must establish an annual reporting requirement for all covered entities participating in the 340B drug pricing program that receive medicaid funds under this section; and the authority shall provide at an aggregate level, broken down by covered entities defined by 42 U.S.C. §256b(a)(4)(A)-(O), the following minimum information to the governor and fiscal committees of the legislature no later than October 15, 2023:

(i) The cost and benefits of providing these prescription drug benefits through a carved-out fee-for-service benefit, both total cost and net of rebates;

(ii) The cost and benefits of providing these prescription drug benefits through a carved-in managed care benefit, both total cost and net of rebates;

(iii) The cost and benefits of providing these prescription drug benefits through the administrative services model, both total and net of rebates;

(iv) The community benefit attributable to 340B providers as a result of the administrative services or carved-in model as compared to each other and as compared to the carved-out model; and

(v) The federal financial participation provided to the state under each of these models.

(c) The authority shall submit a report to the governor and appropriate committees of the legislature by October 1, 2023, that includes, but is not limited to:

(i) Specific, quantified actions that have been taken, to date, related to the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report;

(ii) Specific, quantified information regarding the work done with its contracted actuary and the medical assistance expenditure forecast expenditure work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting;

(iii) Specific, quantified information regarding the work done with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner;

(iv) Accounting by fiscal year, medicaid eligibility group, and service beginning with state fiscal year 2020 to include all program integrity recoveries attributable to the authority, including how these recoveries are categorized, to which year they are reported, how these recoveries are applied against legislative savings requirements, and what recoveries are attributable to the office of the attorney general's medicaid fraud control



division and how these recoveries are considered when reporting program integrity activity and determining managed care rates; and

(v) Information detailing when the agency acquired a new fraud and abuse detection system and to what extent this system is being utilized.

~~((33))~~ (32) (a) The authority shall not enter into any future value-based arrangements with federally qualified health centers or rural health clinics prior to receiving approval from the office of financial management and the appropriate committees of the legislature.

(b) The authority shall not modify the reconciliation process with federally qualified health centers or rural health clinics without notification to and the opportunity to comment from the office of financial management.

(c) The authority shall require all managed care organizations to provide information to the authority to account for all payments to rural health clinics and federally qualified health centers to include how payments are made, including any additional payments and whether there is a sub-capitation arrangement or value-based purchasing arrangement.

(d) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall reconcile on an annual basis with rural health clinics and federally qualified health centers.

(e) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall properly accrue for any anticipated reconciliations with rural health clinics and federally qualified health centers during the fiscal year close process following generally accepted accounting practices.

~~((34))~~ (33) Within the amounts appropriated in this section, the authority is to include allergen control bed and pillow covers as part of the durable medical equipment benefit for children with an asthma diagnosis enrolled in medical assistance programs.

~~((35) Within the amounts appropriated in this section, the authority shall reimburse for maternity services provided by doulas.~~

~~(36))~~ (34) \$23,000 of the general fund—state appropriation for fiscal year 2024, \$324,000 of the general fund—state appropriation for fiscal year 2025, and \$469,000 of the general fund—federal appropriation are provided solely for the reimbursement of services provided by doulas for apple health clients consistent with utilization and uptake assumptions anticipated by the authority in its report to the legislature on December 1, 2020. The centers for medicare and medicaid services must approve a state plan amendment to reimburse for doula services prior to the implementation of this policy.

(35) Sufficient funds are provided in this section for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

~~((37))~~ (36) Sufficient funds are provided to continue reimbursing dental health aid therapists for services performed in tribal facilities for medicaid clients. The authority must leverage any federal funding that may become available as a result of appeal decisions from the centers for medicare and medicaid services or the United States court of appeals for the ninth circuit.

~~((38))~~ (37) Within the amounts appropriated in this section, the authority shall implement the requirements of RCW 74.09.830 (postpartum health care) and the American rescue plan act of 2021, P.L. 117-2, in extending health care coverage during the postpartum period. The authority shall make every effort to expedite and complete eligibility determinations for individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act to ensure the state is receiving maximum federal match. This includes, but is not limited to, working with managed care organizations to provide continuous outreach in various modalities until the individual's eligibility determination is completed. Beginning June 1, 2022, the authority must submit quarterly reports to the caseload forecast work group on the number of individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act but are waiting for the authority to complete eligibility determination, the number of individuals who were likely eligible but are now receiving health care coverage with the maximum federal match under Title XIX or Title XXI of the federal social security act, and outreach activities including the work with managed care organizations.

~~((39))~~ (38) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the perinatal support warm line to provide peer support, resources, and referrals to new and expectant parents and people in the emotional transition to parenthood experiencing, or at risk of, postpartum depression or other mental health issues.

~~((40))~~ (39) Sufficient funding is provided to remove the asset test from the medicare savings program review process.

~~((41))~~ (40) Sufficient funding is provided to eliminate the mid-certification review process for the aged, blind, or disabled and housing and essential needs referral programs.

~~((42))~~ (41) \$403,000 of the general fund—state appropriation for fiscal year 2025 and \$1,185,000 of the general fund—federal appropriation are provided solely for an adult acupuncture benefit beginning January 1, 2025.

~~((43))~~ (42) \$581,000 of the general fund—state appropriation for fiscal year 2025 and \$1,706,000 of the general fund—federal appropriation are provided solely for an adult chiropractic benefit beginning January 1, 2025.

~~((44))~~ (43) (a) \$4,109,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,055,000)~~ \$4,204,000 of the general fund—state appropriation for fiscal year 2025, and \$1,214,000 of the general fund—federal appropriation are provided solely for the

authority to ~~((establish a two-year))~~ continue the grant program for reimbursement for services to patients up to age 18 provided by community health workers in primary care clinics whose patients are significantly comprised of pediatric patients enrolled in medical assistance under chapter 74.09 RCW ~~((beginning January 1, 2023))~~ until June 30, 2025. Community health workers may receive merit increases within this funding. Community health workers funded under this subsection may provide outreach, informal counseling, and social supports for health-related social needs. ~~((The authority shall seek a state plan amendment or federal demonstration waiver should they determine these services are eligible for federal matching funds.))~~ Within the amounts provided in this subsection, the authority will provide ~~((an initial report to the governor and appropriate committees of the legislature by January 1, 2024, and))~~ a final report by ~~((January 1, 2025))~~ June 30, 2025. The report shall include, but not be limited to ~~((, the))~~ :

(i) The quantitative impacts of the grant program((, how));

(ii) How many community health workers are participating in the grant program((, how));

(iii) How many clinics these community health workers represent((, how));

(iv) How many clients are being served((, and evaluation));

(v) Evaluation of any measurable health outcomes identified in the planning period prior to January 2023; and

(vi) The number of children who received community health worker services between June 1, 2023, and June 30, 2024. For the children who received community health worker services within this period, the authority must compare the following data to children of the same ages and languages receiving coverage through apple health: Well-child visits; mental health services when a need is identified; and emergency department utilization.

~~((In collaboration with key stakeholders including pediatric primary care clinics and medicaid managed care organizations, the authority shall explore longer term, sustainable reimbursement options for the integration of community health workers in primary care to address the health-related social needs of families, including approaches to incorporate federal funding.))~~ To the extent that funds are appropriated, the authority must establish a community health worker benefit under the medical assistance program, as codified at Title XIX of the federal social security act, the state children's health insurance program, as codified at Title XXI of the federal social security act, and any other federal funding sources that are now available or may become available, pursuant to approval from the center for medicare and medicaid services.

~~((45))~~ (44) \$1,635,000 of the general fund—state appropriation for fiscal year 2024, \$1,024,000 of the general fund—state appropriation for fiscal year 2025, and \$1,765,000 of the general fund—federal appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, for state programs within the health and human services coalition to uniformly identify clients across multiple service delivery systems. The coalition will clearly identify all state programs impacted by and all fund sources used in development and implementation of this project. This subsection is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((46))~~ (45) (a) Sufficient amounts are appropriated in this section for the authority to provide coverage for all federal food and drug administration-approved HIV antiviral drugs without prior authorization. This coverage must be provided to apple health clients enrolled in both fee-for-service and managed care programs.

(b) Beginning July 1, 2023, upon initiation or renewal of a contract with the authority to administer a medicaid managed care plan, a managed care health care system shall provide coverage without prior authorization for all federal food and drug administration-approved HIV antiviral drugs.

(c) By December 1, 2023, and December 1, 2024, the authority must submit to the fiscal committees of the legislature the projected and actual expenditures and percentage of medicaid clients who switch to a new drug class without prior authorization as described in (a) and (b) of this subsection.

~~((47))~~ (46) The authority shall consider evidence-based recommendations from the Oregon health evidence review commission when making coverage decisions for the treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome.

~~((48))~~ (47) \$2,120,000 of the general fund—state appropriation for fiscal year 2024, \$2,120,000 of the general fund—state appropriation for fiscal year 2025, and \$9,012,000 of the general fund—federal appropriation are provided solely to increase advanced life support code A0426 by 64 percent, basic life support base rates for nonemergency ambulance transports code A0428 by 80 percent, and mileage for both nonemergency and emergency ambulance transportation code A0425 by 35 percent, beginning July 1, 2023.

~~((49))~~ (48) \$2,047,000 of the general fund—state appropriation for fiscal year 2024, \$3,390,000 of the general fund—state appropriation for fiscal year 2025, and \$5,135,000 of the general fund—federal appropriation are provided solely to increase reimbursement rates by 20 percent for applied behavior analysis codes 0362T and 0373T for individuals with complex behavioral health care needs; and by 15 percent for all other applied behavior analysis codes with the exception of Q3014, beginning January 1, 2024.

~~((50))~~ (49) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$1,992,000 of the general fund—federal appropriation are provided solely for modular replacement costs of the ProviderOne pharmacy point of sale system and are subject to the conditions, limitations, and review provided in section 701 of this act.

~~((51))~~ (50) \$709,000 of the general fund—state appropriation for fiscal year 2024, \$1,410,000 of the general fund—state appropriation for fiscal year 2025, and \$4,075,000 of

the general fund—federal appropriation are provided solely to maintain and increase access for behavioral health services through increased provider rates. The rate increases are effective January 1, 2024, and must be applied to the following codes for children and adults enrolled in the medicaid program: 90785, 90791, 90832, 90833, 90834, 90836, 90837, 90838, 90845, 90846, 90847, 90849, 90853, 96156, 96158, 96159, 96164, 96165, 96167, 96168, 96170, 96171, H0004, H0023, H0036, and H2015. The authority may use a substitute code in the event that any of the codes identified in this subsection are discontinued and replaced with an updated code covering the same service. Within the amounts provided in this subsection the authority must:

(a) Implement this rate increase in accordance with the process established in RCW 71.24.885 (medicaid rate increases);

(b) Raise the state fee-for-service rates for these codes by up to 7 percent, except that the state medicaid rate may not exceed the published medicare rate or an equivalent relative value unit rate if a published medicare rate is not available;

(c) Require in contracts with managed care organizations that, beginning January 2024, managed care organizations pay no lower than the fee-for-service rate for these codes, and adjust managed care capitation rates accordingly; and

(d) Not duplicate rate increases provided in subsection ~~((52))~~ (51) of this section.

~~((52))~~ (51) \$1,055,000 of the general fund—state appropriation for fiscal year 2025 and \$2,046,000 of the general fund—federal appropriation are provided solely to maintain and increase access for primary care services for medicaid-enrolled patients through increased provider rates beginning January 1, 2025. Within the amounts provided in this subsection the authority must:

(a) Increase the medical assistance rates for adult primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(b) Increase the medical assistance rates for pediatric primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(c) Increase the medical assistance rates for pediatric critical care, neonatal critical care, and neonatal intensive care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(d) Apply reimbursement rates required under this subsection to payment codes in a manner consistent with the temporary increase in medicaid reimbursement rates under federal rules and guidance in effect on January 1, 2014, implementing the patient protection and affordable care act, except that the authority may not require provider attestations;

(e) Pursue state plan amendments to require medicaid managed care organizations to increase rates under this subsection through adoption of a uniform percentage increase for network providers pursuant to 42 C.F.R. Sec. 438.6(c)(1)(iii)(B), as existing on January 1, 2023; and

(f) Not duplicate rate increases provided in subsection ~~((51))~~ (50) of this section.

~~((53))~~ (52) The authority shall seek a waiver from the federal department of health and human services necessary to implement the requirements of RCW 74.09.670 (medical assistance benefits—incarcerated or committed persons—suspension). Additionally, the authority shall ~~((explore expanding))~~ implement its waiver application for prerelease services ~~((from 30))~~ up to 90 days; and provide the governor and fiscal committees of the legislature estimates of costs for implementation or maintenance of effort requirements of this expansion prior to entering into agreement with the centers for medicare and medicaid services.

(a) \$124,000 of the general fund—state appropriation for fiscal year 2025, \$60,925,000 of the general fund—federal appropriation, and \$60,785,000 of the general fund—private/local appropriation are provided solely for prerelease services including, but not limited to, case management, clinical consultations, medication assisted therapy, community health worker services, 30-day supply of medications, durable medical equipment, medications, laboratory services, and radiology services.

(b) The authority shall coordinate with the department of corrections for prison reentry implementation pursuant to the waiver terms. The authority will coordinate with tribes, other state agencies, and jail administrations as necessary to achieve the terms of the 1115 medicaid transformation waiver. The authority shall use its statutory reentry advisory work group and subgroups as necessary to coordinate with partners to achieve these goals.

~~((54))~~ (53) Within the amounts appropriated in this section the authority in collaboration with UW Medicine shall explore funding options for clinical training programs including, but not limited to, family medical practice, psychiatric residencies, advanced registered nurse practitioners, and other primary care providers. Options should include, but not be limited to, shifting direct medicaid graduate medical education payments or indirect medicaid graduate medical education payments, or both, from rates to a standalone program. The authority in collaboration with UW Medicine shall submit a report outlining its findings to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023.

~~((55))~~ (54) \$143,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(56))~~ (55) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5532 (small rural hospital payment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(57))~~ (56) \$56,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$166,000 of the general fund—federal appropriation are provided solely for the authority to increase pediatric palliative care rates to the equivalent medicare rates paid for hospice care in effect October 1, 2022, beginning January 1, 2024.

~~((58))~~ (57) \$598,000 of the general fund—state appropriation for fiscal year 2024 and \$591,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for work required of the authority as specified in RCW 41.05.840 (universal health care commission). Of the amounts provided in this subsection:

(i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are for staff dedicated to contract procurement, meeting coordination, legislative reporting, federal application requirements, and administrative support;

(ii) \$132,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are for additional staff dedicated to the work of the finance technical advisory committee; and

(iii) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are for consultant services, dedicated actuarial support, and economic modeling.

~~((59))~~ (58) \$2,395,000 of the general fund—state appropriation for fiscal year 2024, \$2,395,000 of the general fund—state appropriation for fiscal year 2025, and \$10,178,000 of the general fund—federal appropriation are provided solely to increase air ambulance—fixed wing code A0430 by 189 percent, air ambulance—rotary wing code A0431 by 265 percent, fixed wing air mileage code A0435 by 57 percent, and rotary wing air mileage code A0436 by 68 percent, beginning July 1, 2023.

~~((60))~~ (59) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$218,000 of the general fund—federal appropriation are provided solely for the authority to increase the allowable number of periodontal treatments to up to four per 12 month period for apple health eligible adults, ages 21 and over, with a current diagnosis of diabetes, beginning January 1, 2024.

~~((61))~~ (60) (a) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$3,960,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one-time bridge grants to hospitals or birth centers in financial distress or at risk of limiting access to labor and delivery services due to a low-volume of deliveries at the hospital.

(b) To qualify for these grants, a hospital or birth center must:

(i) Be located in Washington and not be part of a system of three or more hospitals;

(ii) Serve individuals enrolled in state and federal medical assistance programs;

(iii) Continue to maintain a medicaid population at similar utilization levels as ~~((in calendar year 2022))~~ the most current complete calendar year data;

(iv) Be necessary for an adequate provider network for the medicaid program;

(v) Demonstrate a plan for long-term financial sustainability; and

(vi) Meet one of the following criteria:

(A) Lack adequate cash-on-hand to remain financially solvent;

(B) Have experienced financial losses during ~~((hospital fiscal year 2022; or))~~ the most current complete calendar year data;

(C) Be at risk of bankruptcy;

(D) Be at risk of closing labor and delivery services; or

(E) Be at risk of limiting access to labor and delivery services due to a low-volume of deliveries at the hospital as defined in (f) (i) and (ii) of this subsection.

(c) Of the amounts ~~((appropriated))~~ provided in this subsection for fiscal year 2024, \$4,000,000 must be distributed to a hospital that meets the qualifications in subsection (b) and is located on tribal land.

(d) Of the amounts provided in this subsection for fiscal year 2025, \$1,360,000 must be distributed to a hospital that:

(i) Is certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2014;

(ii) Had fewer than 150 acute care licensed beds in fiscal year 2011;

(iii) Has a level III adult trauma service designation from the department of health as of January 1, 2014; and

(iv) Is owned and operated by the state or a political subdivision.

(e) Of the amounts provided in this subsection for fiscal year 2025, \$1,000,000 must be distributed to birth centers that meet the qualification in (b) (vi) (D) of this subsection. Facilities receiving funding under this subsection (e) shall provide the authority with a documented plan for how the funds will be invested in labor and delivery services and an accounting at the end of the fiscal year for how the funds were expended.

(f) Of the amounts provided in this subsection for fiscal year 2025, \$1,600,000 must be distributed in grant amounts not to exceed \$200,000 per hospital to a hospital that:

(i) Has had fewer than 200 births funded by medicaid in the hospital's labor and delivery unit in the previous calendar year according to health care authority records; and

(ii) Is located in a municipality with a population of less than 50,000.

~~((62))~~ (61) (a) Sufficient funds are provided in this section for an outpatient directed payment program.

(b) The authority shall:

(i) Maintain the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to expand the medicaid outpatient directed payment program for hospital outpatient services provided to medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;

(iii) Direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and

(iv) Increase medicaid payments for hospital outpatient services provided by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.

(c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.

(d) Participating hospitals shall retain the full amount of payments provided under this program.

~~((63))~~ (62) (a) No more than \$200,661,000 of the general fund—federal appropriation and no more than \$91,430,000 of the general fund—local appropriation may be expended for an inpatient directed payment program.

(b) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid inpatient directed payment program for hospital inpatient services provided to medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;

(iii) Upon approval, direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and

(iv) Increase medicaid payments for hospital inpatient services provided by UW Medicine and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.

(c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.

(d) Participating hospitals shall retain the full amount of payments provided under this program.

(e) Participating hospitals will provide the local funds to fund the required nonfederal contribution.

(f) This program shall be effective as soon as administratively possible.

~~((64))~~ (63) Within the amounts appropriated in this section, the authority shall maintain and increase access for family planning services for patients seeking services through department of health sexual and reproductive health program family planning providers based on the rates in effect as of July 1, 2022.

~~((65))~~ (64) (a) ~~((9,563,000))~~ \$5,063,000 of the general fund—state appropriation for fiscal year 2024, ~~((12,727,000))~~ \$17,227,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to implement a ~~((five-site))~~ pilot program for difficult to discharge individuals as described in ~~((section 135(12) of this act))~~ section 133(11) of this act.

(b) The authority shall work in collaboration with the contractor and task force identified in ~~((section 135(12) of this act))~~ section 133(11) of this act to carry out the goals and objectives of the pilot program, including but not limited to:

(i) Providing enhanced care management and wraparound services that shall be provided by or delegated by managed care pilot participants, based on services currently provided by the Harborview medical center program;

(ii) Providing incentive payments to participating post acute care providers;

(iii) Developing home and community services assessment timeliness requirements for pilot participants in cooperation with the department of social and health services; and

(iv) Providing reimbursement for administrative support through Harborview medical center for the duration of the pilot project, including training and education to support pilot participants.

(c) Of the amounts provided in this subsection, \$44,000 of the general fund—state appropriation for fiscal year 2024, \$42,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to provide staff support to the difficult to discharge task force described in ~~((section 135(12) of this act))~~ section 133(11) of this act, including any associated ad hoc subgroups.

~~((66))~~ (65) (a) Within the amounts appropriated in this section the authority, in consultation with the health and human services enterprise coalition, community-based organizations, health plans, accountable communities of health, and safety net providers,

shall determine the cost and implementation impacts of a statewide community information exchange (CIE). A CIE platform must serve as a tool for addressing the social determinants of health, defined as nonclinical community and social factors such as housing, food security, transportation, financial strain, and interpersonal safety, that affect health, functioning, and quality-of-life outcomes.

(b) Prior to issuing a request for proposals or beginning this project, the authority must work with stakeholders in (a) of this subsection to determine which platforms already exist within the Washington public and private health care system to determine interoperability needs and fiscal impacts to both the state and impacted providers and organizations that will be using a single statewide community information exchange platform.

(c) The authority shall provide the office of financial management and fiscal committees of the legislature a proposal to leverage medicaid enterprise financing or other federal funds prior to beginning this project and shall not expend funds under a 1115 waiver or any other waiver without legislative authorization.

(d) ~~((This subsection))~~ \$4,817,000 of the general fund—federal appropriation and \$4,817,000 of the general fund—private/local appropriation are provided solely for the authority to implement the community information exchange program. The technology solution chosen by the health care authority should be capable of interoperating with other state funded systems in Washington and should be able to electronically refer individuals to services using a closed-loop referral process. Funding for the community information exchange program is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((67))~~ (66) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$252,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to data review, analysis, and management, and policy analysis in support of the health care cost transparency board as described in chapter 70.390 RCW.

~~((68))~~ (67) \$76,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, \$152,000 of the general fund—federal appropriation, and \$606,000 of the telebehavioral health access account—state appropriation are provided solely for additional staff support for the mental health referral service for children and teens.

~~((69))~~ (68) \$1,608,000 of the general fund—state appropriation for fiscal year 2024, \$2,015,000 of the general fund—state appropriation for fiscal year 2025, and \$3,681,000 of the general fund—federal appropriation are provided solely for a rate increase for the health homes program for fee-for-service enrollees, beginning July 1, 2023.

~~((70))~~ (69) \$295,000 of the general fund—state appropriation for fiscal year 2024, \$307,000 of the general fund—state appropriation for fiscal year 2025, and \$123,000 of the general fund—federal appropriation are provided solely for the first approach skills training program through the partnership access line.

~~((71))~~ (70) (a) ~~((358,000))~~ \$362,000 of the general fund—state appropriation for fiscal year 2024, ~~((358,000))~~ \$482,000 of the general fund—state appropriation for fiscal year 2025, and ~~((568,000))~~ \$895,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization) and the center for medicare and medicaid services' interoperability and prior authorization final rule (CMS-0057-F). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) The authority, in collaboration with managed care organizations, must provide a report to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023, outlining any challenges experienced by carriers in hiring sufficient numbers and types of staff to comply with the prior authorization response times required by Engrossed Second Substitute House Bill No. 1357 (prior authorization).

~~((72))~~ (71) \$9,369,000 of the general fund—state appropriation for fiscal year 2025 and \$22,611,000 of the general fund—federal appropriation are provided solely for an increase in medicaid reimbursement rates for professional services, beginning July 1, 2024, as follows:

(a) Service categories including diagnostics, intense outpatient, opioid treatment programs, emergency room, inpatient and outpatient surgery, inpatient visits, low-level behavioral health, office administered drugs, and other physician services are increased up to 50 percent of medicare rates.

(b) Service categories including office and home visits and consults are increased up to 65 percent of medicare rates.

(c) Service categories including maternity services are increased up to 100 percent of medicare rates.

~~((73))~~ \$21,606,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$2,946,000 of the general fund—federal appropriation are provided solely for the 988 technology platform implementation project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act and any requirements as established in Engrossed Second Substitute House Bill No. 1134 (988 system).

~~((74))~~ (72) \$11,624,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$1,151,000 of the general fund—federal appropriation are provided solely for the 988 technology platform implementation project as described in RCW 71.24.890 (5) and (6). These amounts are subject to the conditions, limitations, and review requirements provided in section 701 of this act and any requirements as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system). The authority must actively collaborate with consolidated technology services and the department

of health so that the statewide 988 technology solutions will be coordinated and interoperable.

~~((73))~~ (73) \$969,000 of the general fund—state appropriation for fiscal year 2024, \$1,938,000 of the general fund—state appropriation for fiscal year 2025, and \$3,024,000 of the general fund—federal appropriation are provided solely for the authority, beginning January 1, 2024, to increase the children's dental rate for procedure code D1120 by at least 40 percent above the medical assistance fee-for-service rate in effect on January 1, 2023.

~~((75))~~ (74) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the nonprofit foundation managing the Washington patient safety coalition to support the communication and resolution programs certification program to improve outcomes for patients by providing in-depth feedback to health care organizations.

~~((76))~~ (75) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a public-private partnership with a state-based oral health foundation to connect medicaid patients to dental services and reduce barriers to accessing care. The authority shall submit a progress report to the appropriate committees of the legislature by June 30, 2024.

~~((77))~~ (76) \$103,000 of the general fund—state appropriation for fiscal year 2024, \$205,000 of the general fund—state appropriation for fiscal year 2025, and \$442,000 of the general fund—federal appropriation are provided solely to increase birth center facility fee reimbursement to \$2,500 and home birth kit reimbursement to \$500 for providers approved by the authority within the planned home births and births in birth centers program.

~~((78))~~ (77) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$45,000 of the general fund—state appropriation for fiscal year 2025, and \$133,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1435 (home care safety net assess.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((79))~~ (78) \$194,000 of the general fund—state appropriation for fiscal year 2024, \$1,724,000 of the general fund—state appropriation for fiscal year 2025 and \$1,918,000 of the general fund—federal appropriation are provided solely for the authority in coordination with the department of social and health services to develop and implement a Katie Beckett 1115 demonstration waiver. The authority shall limit enrollment to 1,000 clients during the waiver period. Based upon the experience developed during the waiver period, the authority shall make recommendations to the legislature for a future tax equity and fiscal responsibility act state plan option.

~~((80))~~ (79) \$1,089,000 of the general fund—state appropriation for fiscal year 2024, \$2,231,000 of the general fund—state appropriation for fiscal year 2025, and \$2,657,000 of the general fund—federal appropriation are provided solely for kidney dialysis services for medicaid-enrolled patients through increased reimbursement rates beginning January 1, 2024. Within the amounts provided in this subsection, the authority must increase the medical assistance rates for revenue code 0821 billed with procedure code 90999 and revenue codes 0831, 0841, and 0851, when reimbursed on a fee-for-service basis or through managed care plans, by at least 30 percent above the fee-for-service composite rates in effect on January 1, 2023.

~~((81))~~ (80) \$1,360,000 of the general fund—state appropriation for fiscal year 2024 and \$3,252,000 of the general fund—federal appropriation are provided solely to increase the rates paid to rural hospitals that meet the criteria in (a) through (d) of this subsection. Payments for state and federal medical assistance programs for services provided by such a hospital, regardless of the beneficiary's managed care enrollment status, must be increased to 150 percent of the hospital's fee-for-service rates. The authority must discontinue this rate increase after June 30, 2024, and return to the payment levels and methodology for these hospitals that were in place as of January 1, 2018. Hospitals participating in the certified public expenditures program may not receive increased reimbursement for inpatient services. Hospitals qualifying for this rate increase must:

(a) Be certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2014;

(b) Have had less than 150 acute care licensed beds in fiscal year 2011;

(c) Have a level III adult trauma service designation from the department of health as of January 1, 2014; and

(d) Be owned and operated by the state or a political subdivision.

~~((82))~~ (81) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with a medicaid managed care organization for continuous coverage beginning January 1, 2024, for individuals under age 26 that were enrolled in the unaccompanied refugee minor program as authorized by the office of refugee and immigrant assistance. There are no residency, social security number, or citizenship requirements to receive the continuous coverage as described in this subsection.

~~((83))~~ (82) (a) ~~(((\$45,696,000))~~ \$221,000 of the general fund—state appropriation for fiscal year 2024 and \$71,037,000 of the general fund—state appropriation for fiscal year 2025 ~~((is))~~ are provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

(i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit exchange;

(ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and

(iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amounts provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

(i) Actual and forecasted expenditures;

(ii) Actual and forecasted data from the caseload forecast council; and

(iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount allowable for the purposes of this program.

~~((84))~~ (83) (a) \$604,000 of the general fund—state appropriation for fiscal year 2024, \$2,528,000 of the general fund—state appropriation for fiscal year 2025, and \$3,132,000 of the general fund—federal appropriation are provided solely for the authority to increase the eligibility threshold for the qualified medicare beneficiary program to up to 110 percent of the federal poverty level.

(b) The authority shall seek to maximize the availability of the qualified individual program through the centers for medicare and medicaid services.

(c) The authority may adopt any rules necessary to administer this subsection. Nothing in this subsection limits the authority's existing rule-making authority related to medicare savings programs.

~~((85))~~ (84) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$766,000 of the general fund—state appropriation for fiscal year 2025, and \$2,093,000 of the general fund—federal appropriation are provided solely for the costs of, and pursuant to the conditions prescribed for, implementing the rate increase directed in section 215(44) for children for whom base funding for community behavioral health services is provided within this section.

(85) (a) \$1,301,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the health care cost transparency board and the implementation of Second Engrossed Substitute House Bill No. 1508 (health care cost board).

(b) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the health care cost transparency board, in conjunction with the health care authority, to study:

(i) Regulatory approaches to encouraging compliance with the health care cost growth benchmark established under chapter 70.390 RCW; and

(ii) Best practices from other states regarding the infrastructure of state health care cost growth programs, including the scope, financing, staffing, and agency structure of such programs.

(c) The board may conduct all or part of the study through the authority, by contract with a private entity, or by arrangement with another state agency conducting related work.

(d) The study, as well as any recommendations for changes to the health care cost transparency board arising from the study, must be submitted by the board as part of the annual report required under RCW 70.390.070, no later than December 1, 2024.

(86) The authority must enter into an interagency agreement with consolidated technology services for the federal funding authority for the electronic health records statewide solution given the authority is the single state agency responsible for reporting to the federal government on the application for and use of the federal funding.

(87) Within the amounts appropriated in this section, the authority shall make administrative and system changes in anticipation of receiving federal authority to provide continuous eligibility for children ages zero to six covered through the apple health children's health insurance program. The centers for medicare and medicaid services must approve the section 1115 medicaid waiver prior to the implementation of this policy.

(88) (a) No more than \$42,809,000 of the general fund—federal appropriation and no more than \$13,314,000 of the general fund—local appropriation may be expended for a medicaid managed care multidisciplinary graduate medical education direct payment program.

(b) Participating hospitals are:

(i) University of Washington medical center, a state-owned and operated teaching hospital; and

(ii) Harborview medical center, a state-operated teaching hospital.

(c) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid managed care direct payment program for hospital multidisciplinary graduate medical education program for state-owned and state-operated teaching hospitals;



- (iii) Reimburse participating hospitals for the medicaid managed care program's share of the unfunded costs incurred in providing graduate medical education training; and
- (iv) Make payments directly to participating hospitals.
- (d) Participating hospitals shall continue to be paid for inpatient and outpatient services provided to fee-for-service clients according to fee-for-service policies and rates, including payments under the certified public expenditure program.
- (e) Payments shall be additional and separate from any graduate medical education funding included in managed care capitation payments.
- (f) The authority shall calculate the medicaid managed care graduate medical education direct payments using cost and utilization data from the participating hospital's most recently filed medicare cost report to identify the participating hospital's total graduate medical education cost.
- (g) Total allowable graduate medical education costs shall be calculated using medicare methodologies and must:
- (i) Exclude medicare full-time equivalent and per resident amount limits;
- (ii) Include indirect medical education costs related to both outpatient and inpatient services; and
- (iii) Include other reimbursable training costs incurred by participating hospitals.
- (h) The authority shall:
- (i) Use ProviderOne as the primary source for fee-for-service and managed care claims and encounter data;
- (ii) Calculate the medicaid managed care program's share of the total allowable graduate medical education cost as the participating hospital's total allowable graduate medical education cost, as derived from the medicare cost report, times the total managed care charges divided by total medicaid fee-for-service charges plus managed care charges, as derived from ProviderOne data;
- (iii) Reduce the medicaid managed care graduate medical education direct payments by the fee-for-service equivalent graduate medical education payment included in managed care organization payments by applying the fee-for-service APR-DRG and EAPG conversion factors and rate adjustments applicable to the same year as the medicare cost report used to calculate allowable graduate medical education costs; and
- (iv) Calculate the medicaid managed care graduate medical education direct payments as graduate medical education allowable cost less fee-for-service equivalent graduate medical education payment for managed care services.
- (i) Medicaid managed care graduate medical education direct payments must be calculated prior to the beginning of the payment year.
- (j) Medicaid managed care graduate medical education direct payments must be made quarterly.
- (k) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals up to an amount not to exceed \$150,000 per year.
- (l) Participating hospitals shall retain the full amount of payments provided under this program.
- (m) Payments received by hospitals and nonhospital participants in this program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.
- (n) Participating hospitals shall provide the local funds to fund the required nonfederal contribution through intergovernmental transfer.
- (o) The authority shall amend its current interagency agreement for funding and administration of similar programs to include the medicaid managed care graduate medical education direct payment program.
- (p) This program shall be effective as soon as administratively possible.
- (89) (a) \$69,957,000 of the general fund—state appropriation for fiscal year 2024, \$111,234,000 of the general fund—state appropriation for fiscal year 2025, and \$290,634,000 of the general fund—federal appropriation are provided solely for apple health managed care medical assistance. The authority must not change its risk sharing requirements without first providing notice to the governor and fiscal committees of the legislature detailing anticipated and potential fiscal impacts, unless required by the centers for medicare and medicaid services.
- (b) The authority must conduct annual retrospective rate acuity analyses to ensure that managed care rates have been set using practicable acuity assumptions. Adjustments must be made as appropriate.
- (c) For managed care plan year 2024 only, the authority must conduct a midyear acuity review to ensure that managed care rates for plan year 2024 were set using appropriate acuity assumptions and make any adjustments as appropriate reflective of the unique challenges of eligibility redeterminations and posteligibility review after the end of the public health emergency.
- (d) The authority must provide information about any potential changes to rates or acuity assumptions to the medicaid expenditure forecast work group at the same time or before providing this information to managed care organizations.
- (e) The authority may update managed care contracts as practicable.
- (f) The authority must review national best practices for risk sharing to determine if its contracting methods should be updated. If the authority, in consultation with its contracted actuary, determines it is appropriate to update any risk sharing agreements with managed care organizations, it must share its findings with the governor and fiscal

committees of the legislature detailing anticipated and potential fiscal impacts prior to implementing these changes.

(90)(a) \$100,000 of the general fund—state appropriation for fiscal year 2025 and \$100,000 of the general fund—federal appropriation are provided solely for the authority to contract with an external organization for participatory and equity-focused engagement with doulas and doula partners across the state of Washington. This organization must work in collaboration with community partners who advance equitable access to improve perinatal outcomes and care through holistic services for multiracial communities.

(b) The external organization will be responsible for:

(i) Creating a design and implementation plan for a statewide doula hub and referral system; and

(ii) Drafting a report, in partnership with the authority, summarizing the design and implementation plan, outlining ongoing funding required to support the doula workforce and clients accessing doula services through apple health, and providing any recommendations for both the doula hub and referral system.

(c) The report will include, but not be limited to, prioritized recommendations on how to:

(i) Provide statewide professional and workforce development support for birth doulas;

(ii) Increase statewide access to doula services for apple health birthing people;

(iii) Assist doulas with department of health credentialing requirements;

(iv) Assist doulas with the medicaid provider enrollment process, including, but not limited to, support with:

(A) Provider enrollment with the authority;

(B) Contracting with medicaid managed care organizations;

(C) Provider billing and claims submission processes;

(D) Provider payment requirements; and

(E) Eligibility support within ProviderOne; and

(v) Establish communications with birthing people, families, birth workers, and healthcare providers who are seeking to connect with state-certified and medicaid-enrolled birth doulas through a statewide directory or referral system.

(d) The report required in (c) of this subsection is due to the governor and appropriate committees of the legislature no later than June 30, 2025.

(91) \$2,548,000 of the general fund—state appropriation for fiscal year 2025 and \$2,964,000 of the general fund—federal appropriation are provided solely for implementation of Second Engrossed Second Substitute Senate Bill No. 5580 (maternal health outcomes). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(92)(a) \$7,000,000 of the family medicine workforce development account—state appropriation and \$12,834,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the family medicine residency network and UW medicine, to establish a medicaid direct payment program to supplement family medicine provider graduate medical education funding in Washington state.

(b) The medicaid family medicine graduate medical education direct payment program shall:

(i) Support graduate medical education training;

(ii) Improve access to quality healthcare services;

(iii) Improve the state's ability to ensure that medicaid graduate medical education funding supports the state's workforce development goals; and

(iv) Focus on improving underserved populations' and regions' access to health care.

(c) The medicaid family medicine graduate medical education direct payment program participants shall include teaching sites that pay resident full-time equivalent costs that are eligible for federal financial participation.

(d) The authority must seek any necessary state plan amendments or waivers from the centers for medicare and medicaid services that are necessary to implement this program and receive federal financial participation at the earliest possible date, but no later than January 1, 2025.

(e) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the medicaid family medicine graduate medical education direct payment program up to an amount not to exceed \$100,000 per year.

(f) The family medicine family education advisory board created in RCW 70.112.080 will have administrative oversight, including the amount and methodologies used to distribute funds deposited within the family medicine workforce development account, subject to the conditions described in this subsection (92).

(g) Of the amounts provided in this section, \$150,000 of the family medicine workforce development account—state appropriation is provided for consultant assistance, including program design and a payment model to estimate the effect of family medicine family education advisory board allocation decisions on all family medicine residency network participants.

(h) Annual allocations from the family medicine workforce development account—state appropriation will be determined by the family medicine family education advisory board.

(i) Participants in the medicaid family medicine graduate medical education direct payment program shall retain the full amount of payments provided under this program.

(j) Payments received by participants in the medicaid family medicine graduate medical education direct payment program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.

(93)(a) \$481,000 of the general fund—state appropriation for fiscal year 2025 and \$489,000 of the general fund—federal appropriation are provided solely for the authority to

conduct internal assessment of indirect costs and staff attrition trends to inform administrative needs. The assessment shall include, but not be limited to:

(i) Reconciliation of full time equivalent positions as provided by the legislature for fiscal year 2024, agency financial reporting system allotments, and vacancies as of June 30, 2024;

(ii) A comparison of current needs in relation to current vacancies;

(iii) An analysis of costs and benefits of reallocating positions, as appropriate, to meet immediate staffing needs, especially if positions have remained historically, or long-term vacant; and

(iv) A detailed description of assumptions related to indirect costs used in budget requests to the office of financial management.

(b) The authority shall report its findings to the governor and fiscal committees of the legislature no later than December 31, 2024.

(94) (a) \$1,615,000 of the general fund—state appropriation for fiscal year 2025 and \$3,911,000 of the general fund—federal appropriation are provided solely for the authority to increase inpatient per diem rates for inpatient prospective payment system hospitals providing services under the substance using pregnant people program beginning July 1, 2024. Hospitals participating in the certified public expenditures program or the sole community hospital program may not receive increased reimbursement under this subsection.

(b) Within the amounts appropriated in this section, the authority will review the rates for the substance using pregnant person program to determine if rebasing is appropriate and what rates would be required to sustain the program at current utilization levels.

(c) If the authority determines that rates require rebasing for this program, the authority will submit a request to the legislature through its normal budget process.

(95) \$314,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Substitute House Bill No. 2467 (LTSS trust access). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(96) The authority and department of social and health services must collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments for the treatment facility described in section 203(1)(nn) of this act.

(97) \$2,854,000 of the general fund—state appropriation for fiscal year 2025 and \$4,208,000 of the general fund—federal appropriation are provided solely for the authority to increase the nonemergency medical transportation broker administrative rate to ensure access to health care services for medicaid patients.

(98) (a) \$266,000 of the general fund—state appropriation for fiscal year 2025 and \$348,000 of the general fund—federal appropriation are provided solely for rate increases, effective January 1, 2025, for private duty nursing, home health, and the medically intensive children's group home program services.

(b) The authority must adopt a payment model that incorporates the following adjustments:

(i) A 7.5 percent rate increase for home health and the medically intensive children's group home program services; and

(ii) Private duty nursing services shall be \$67.89 per hour by a registered nurse and \$55.70 per hour by a licensed practical nurse.

(99) \$50,000 of the general fund—state appropriation for fiscal year 2025 and \$450,000 of the general fund—federal appropriation are provided solely for the authority to contract for the development of an application programming interface or software to streamline eligibility and provider payments for the foundational community supports program. In developing the software design, the authority must consult with current and prospective foundational community supports providers. A report on the status of implementation and an end-user satisfaction survey shall be submitted to the office of financial management and appropriate committees of the legislature by December 1, 2024.

(100) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Bree collaborative to support collaborative learning and targeted technical assistance for quality improvement initiatives.

(101) \$500,000 of the general fund—state appropriation for fiscal year 2025 and \$500,000 of the general fund—federal appropriation are provided solely for the authority to contract with access to baby and child dentistry local programs for the purpose of maintaining and expanding capacity for local program coordinators.

(102) \$91,000 of the general fund—state appropriation for fiscal year 2025 and \$91,000 of the general fund—federal appropriation are provided solely to increase funding for the existing contract with the University of Washington to support primary care providers that are designated as an autism spectrum disorder (ASD) center of excellence.

(103) \$1,750,000 of the general fund—state appropriation for fiscal year 2025 and \$3,250,000 of the general fund—federal appropriation are provided solely for the authority to:

(a) Increase screening reimbursement rates for primary care providers, beginning January 1, 2025, for postnatal, child, and adolescent mental health screenings sufficient to provide follow up and coordination in primary care settings for children aged 0-21 years and their families, per the American academy of pediatrics' bright futures guidelines; and

(b) To implement a funding mechanism using code G0136 for a social determinants of health risk assessment benefit for children and their families.

(104) \$23,000 of the general fund—state appropriation for fiscal year 2025 and \$20,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 2041 (physician assistant practice). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(105) \$181,000 of the general fund—state appropriation for fiscal year 2025 and \$162,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1941 (health home serv./children). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 212.** 2023 c 475 s 212 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—PUBLIC EMPLOYEES' BENEFITS BOARD AND EMPLOYEE BENEFITS PROGRAM**

State Health Care Authority Administrative Account—

State Appropriation. . . . .	((\$44,102,000))
	\$44,982,000
TOTAL APPROPRIATION.....	((\$44,102,000))
	\$44,982,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Any savings from reduced claims costs must be reserved for funding employee benefits during future fiscal biennia and may not be used for administrative expenses. The health care authority shall deposit any moneys received on behalf of the uniform medical plan resulting from rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys received as a result of prior uniform medical plan claims payments, in the public employees' and retirees' insurance account to be used for insurance benefits.

(2) Any changes to benefits must be approved by the public employees' benefits board. The board shall not make any changes to benefits without considering a comprehensive analysis of the cost of those changes, and shall not increase benefits unless offsetting cost reductions from other benefit revisions are sufficient to fund the changes. The board shall not make any change in retiree eligibility criteria that reestablishes eligibility for enrollment in retiree benefits.

(3) Except as may be provided in a health care bargaining agreement pursuant to RCW 41.80.020, to provide benefits within the level of funding provided in part IX of this bill, the public employees' benefits board shall require: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or make other changes to benefits consistent with RCW 41.05.065.

(4) The board shall collect a surcharge payment of not less than \$25 dollars per month from members who use tobacco products, and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(5) \$78,000 of the health care authority administrative account—state appropriation is provided solely for administrative costs associated with extending retiree coverage under Substitute House Bill No. 1804 (PEBB/subdivision retirees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$500,000 of the state health care authority administrative account—state appropriation is provided solely for consultation with retirees, including conducting listening sessions and facilitating public forums to gather feedback about retiree needs. By December 1, 2023, the authority must report to the legislature with its findings, including an analysis of government self-insured plans with benefits that are equal to or richer, and with more affordable premiums, than uniform medical plan classic medicare. The legislature intends that the results of stakeholder engagements will be used to inform future health care plan selections.

(7) During the 2023-2025 fiscal biennium, the health care authority, in consultation with the office of financial management, shall review consolidating the administrative sections of the operating budget for the public employees' and school employees' benefits boards. Any change in budget structure must not result in changes to board or benefit policies. A budget structure change developed under this subsection may be included in the 2024 supplemental or the 2025-2027 biennial governor's budget submittal without being subject to the legislative evaluation and accountability program committee approval under RCW 43.88.030(7).

(8)(a) \$100,000 of the health care authority administrative account—state appropriation is provided solely for a study on consolidating the public employees' benefits board (PEBB) and school employees' benefits board (SEBB) programs. By December 1, 2024, the authority must report to the legislature the necessary statutory and program changes required to achieve consolidation of:

(i) The public employees' benefits board and school employees' benefits board into a single governing board;

(ii) The current risks pools described in RCW 41.05.022 (2) and (3);

(iii) The existing eligibility provisions of the PEBB and SEBB programs; and

(iv) Benefit offerings into more aligned plans.

(b) In considering statutory and program changes, the authority must consider:

(i) Ways to engage with impacted participants to understand their priorities related to consolidation;

- (ii) Options that maintain benefit eligibility for current participants;
- (iii) Options for ensuring equity among participants in a consolidated program; and
- (iv) Data and findings from previous reports related to consolidating PEBB and SEBB plans.

(9) By December 1, 2024, the authority shall submit a report to the legislature describing options, and a recommendation, for possible future coverage in the uniform medical plan for food and drug administration approved glucagon-like peptide 1 agonists for the treatment of obesity and weight loss.

**Sec. 213.** 2023 c 475 s 213 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—SCHOOL EMPLOYEES' BENEFITS BOARD**

School Employees' Insurance Administrative Account—

State Appropriation. . . . .	(( <del>\$33,743,000</del> ))
	<u>\$33,739,000</u>
TOTAL APPROPRIATION.....	(( <del>\$33,743,000</del> ))
	<u>\$33,739,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$324,000 of the school employees' insurance administrative account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5275 (SEBB benefit access). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(2) By December 1, 2024, the authority shall submit a report to the legislature describing options, and a recommendation, for possible future coverage in the uniform medical plan for food and drug administration approved glucagon-like peptide 1 agonists for the treatment of obesity and weight loss.

**Sec. 214.** 2023 c 475 s 214 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—HEALTH BENEFIT EXCHANGE**

General Fund—State Appropriation (FY 2024). . . . .	(( <del>\$8,242,000</del> ))
	<u>\$9,671,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(( <del>\$6,472,000</del> ))
	<u>\$7,156,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$61,983,000</del> ))
	<u>\$67,396,000</u>
Education Legacy Trust Account—State Appropriation. . . . .	\$350,000
Health Benefit Exchange Account—State Appropriation. . . . .	(( <del>\$76,214,000</del> ))
	<u>\$83,528,000</u>
State Health Care Affordability Account—State Appropriation. . . . .	(( <del>\$110,000,000</del> ))
	<u>\$125,000,000</u>
TOTAL APPROPRIATION.....	(( <del>\$263,261,000</del> ))
	<u>\$293,101,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(2) (a) By July 15th, October 15th, and January 15th of each year, the authority shall make a payment of ((one-half))30 percent of the general fund—state appropriation, ((one-half))30 percent of the health benefit exchange account—state appropriation, and ((one-half))30 percent of the health care affordability account—state appropriation to the exchange. By April 15th of each year, the authority shall make a payment of 10 percent of the general fund—state appropriation, 10 percent of the health benefit exchange account—state appropriation, and 10 percent of the health care affordability account—state appropriation to the exchange.

(b) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier assessments to ensure expenditures do not exceed actual revenues.

(c) Payments made from general fund—state appropriation and health benefit exchange account—state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(3) \$1,939,000 of the health benefit exchange account—state appropriation and \$6,189,000 of the general fund—federal appropriation are provided solely for the modernizing healthplanfinder project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act.

(4) ((~~\$100,000,000~~))\$115,000,000 of the state health care affordability account—state appropriation is provided solely for the exchange to administer a premium assistance program,

beginning for plan year 2023, as established in RCW 43.71.110. An individual is eligible for the premium assistance provided if the individual: (i) Has income up to 250 percent of the federal poverty level; and (ii) meets other eligibility criteria as established in RCW 43.71.110(4)(a).

(b) \$260,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a study, in consultation with the health care authority and office of the insurance commissioner, of how the exchange's current section 1332 waiver could be amended to generate federal pass-through funding to support the affordability programs established in RCW 43.71.110. The actuarial study must focus on methods that could be most readily leveraged in Washington, considering those being used in other public option programs. Study findings must be reported to the appropriate committees of the legislature by December 1, 2023.

(5) \$10,000,000 of the state health care affordability account—state appropriation is provided solely to provide premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in subsection (4)(a) of this section, and is contingent upon continued approval of the applicable waiver described in RCW 43.71.120.

(6) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$865,000 of the general fund—federal appropriation, and \$123,000 of the health benefit exchange account—state appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, in Healthplanfinder to support the health and human services coalition in uniformly identifying clients across multiple state service delivery systems. These amounts are subject to the conditions, limitations, and review requirements of section 701 of this act.

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the exchange, in collaboration with the department of social and health services and the home training network as described in RCW 70.128.305, to provide educational resources and trainings to help connect owners and employees of adult family homes to health care coverage.

(8) \$299,000 of the general fund—state appropriation for fiscal year 2024, \$299,000 of the general fund—state appropriation for fiscal year 2025, and \$202,000 of the general fund—federal appropriation are provided solely for pass-through funding in the annual amount of \$100,000 for each lead navigator organization in the four regions with the highest concentration of citizens of the compact of free association (COFA) to:

(a) Support a staff position within the COFA community to provide enrollment assistance to the COFA community beyond the scope of the current COFA program; and

(b) Support COFA community-led outreach and enrollment activities.

(9)(a) \$300,000 of the health benefit exchange account—state appropriation is provided solely for staff and consultants to complete a study of options and recommendations for the state to ensure continuous health care coverage through qualified health plans for medicaid beneficiaries losing medicaid coverage through Washington Healthplanfinder. In coordination with the health care authority and department of social and health services, the study must include, but not be limited to:

(i) An analysis of transitional solutions used in other states to continue coverage for individuals losing medicaid eligibility;

(ii) In coordination with the department of social and health services' research and data analysis division, an analysis of monthly enrollment rates for persons who are determined no longer eligible for medicaid, including demographic and employment information, and those who enroll in qualified health plans, including demographic and employment information; and

(iii) A feasibility analysis of auto-enrolling clients that lose medicaid eligibility and are eligible for a no-premium qualified health plan through Washington Healthplanfinder.

(b) The study must be submitted to the office of financial management and appropriate committees of the legislature by December 31, 2024.

**Sec. 215.** 2023 c 475 s 215 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—COMMUNITY BEHAVIORAL HEALTH PROGRAM**

General Fund—State Appropriation (FY 2024)	(\$1,015,063,000)
	\$1,025,616,000
General Fund—State Appropriation (FY 2025)	(\$1,097,193,000)
	\$1,226,089,000
General Fund—Federal Appropriation	(\$2,853,321,000)
	\$3,078,664,000
General Fund—Private/Local Appropriation	(\$38,826,000)
	\$38,904,000
Criminal Justice Treatment Account—State Appropriation	\$22,001,000
Problem Gambling Account—State Appropriation	(\$2,243,000)
	\$3,738,000
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$28,498,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	\$28,501,000
Opioid Abatement Settlement Account—State Appropriation	(\$54,415,000)

\$78,744,000

Statewide 988 Behavioral Health Crisis Response Line	
Account—State Appropriation. . . . .	(( <del>\$33,135,000</del> ))
	<u>\$33,499,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$5,173,196,000</del>))</b>
	<u><b>\$5,564,254,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) For the purposes of this section, "behavioral health entities" means managed care organizations and behavioral health administrative services organizations that reimburse providers for behavioral health services.

(2) Within the amounts appropriated in this section, funding is provided for implementation of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. In addition to amounts provided solely for implementation of the settlement agreement, class members must have access to supports and services funded throughout this section for which they meet eligibility and medical necessity requirements. The authority must include language in contracts that requires regional behavioral health entities to develop and implement plans for improving access to timely and appropriate treatment for individuals with behavioral health needs and current or prior criminal justice involvement who are eligible for services under these contracts.

(3) (a) (~~(\$44,320,000)~~) \$43,429,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$49,525,000)~~) \$48,634,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$17,368,000)~~) \$15,538,000 of the general fund—federal appropriation are provided solely to continue the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority, in collaboration with the department of social and health services and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, crisis diversion and supports, education and training, and workforce development. Within these amounts, sufficient funding is provided to implement Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(b) Of the amounts provided in this subsection, \$5,108,000 of the general fund—state appropriation for fiscal year 2024 and \$6,341,000 of the general fund—state appropriation for fiscal year 2025 are provided for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). Of these amounts, \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase compensation for staff in outpatient competency restoration programs pursuant to Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(c) By December 1, 2024, the authority must provide notification to the office of financial management and the appropriate committees of the legislature of the estimated opening date and operating costs for the Trueblood phase three crisis stabilization center.

(4) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 (~~(\$8,000,000)~~) and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue diversion grant programs funded through contempt fines pursuant to *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority must consult with the plaintiffs and court monitor to determine, within the amounts provided, which of the programs will continue to receive funding through this appropriation. The programs shall use this funding to provide assessments, mental health treatment, substance use disorder treatment, case management, employment, and other social services. By December 1, 2023, the authority, in consultation with the plaintiffs and the court monitor, must submit a report to the office of financial management and the appropriate fiscal committees of the legislature which includes: Identification of the programs that receive funding through this subsection; a narrative description of each program model; the number of individuals being served by each program on a monthly basis; metrics or outcomes reported as part of the contracts; and recommendations related to further support of these programs in the 2023-2025 fiscal biennium.

(5) \$12,359,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$12,359,000)~~) \$24,187,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$23,444,000)~~) \$28,598,000 of the general fund—federal appropriation are provided solely for the authority and behavioral health entities to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to behavioral health entities with PACT teams, the authority shall consider the differences between behavioral health entities in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The authority may allow behavioral health entities which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under subsection (7) of this section. The authority and behavioral health entities shall maintain

consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section. Of the amounts provided in this subsection:

(a) \$4,628,000 of the general fund—state appropriation for fiscal year 2025 and \$920,000 of the general fund—federal appropriation are provided solely for two new programs for assertive community treatment teams.

(b) \$6,032,000 of the general fund—state appropriation for fiscal year 2025 and \$2,907,000 of the general fund—federal appropriation are provided solely for current assertive community treatment teams contingent upon a plan submitted to and approved by the authority to increase and maintain average monthly caseloads to no less than 80 percent of the maximum capacity for full and half teams as established in the WA-PACT program standards.

(c) \$669,000 of the general fund—state appropriation for fiscal year 2025 and \$994,000 of the general fund—federal appropriation are provided solely for a rate increase for existing programs for assertive community treatment teams. The rate increase must be implemented to provide the same percentage increase to all providers and the authority must employ mechanisms such as directed payment or other options allowable under federal medicaid law to assure funding provided through managed care organizations must be used to increase rates for their contracted assertive community treatment team providers.

(d) \$399,000 of the general fund—state appropriation for fiscal year 2025 and \$333,000 of the general fund—federal appropriation are provided solely for administrative costs related to assertive community treatment teams including contracted training, technical assistance, and assessment services.

(e) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract for an assessment on the access of young adults to assertive community treatment team services. The study must include identification of: (i) The number and percentage of young adults receiving services through assertive community treatment teams; (ii) barriers and strategies for increasing access to assertive community treatment team services for young adults; and (iii) identification of evidence-based alternative models for providing high intensity wraparound services that may be more appropriate for some young adult populations. The authority must submit a report to the office of financial management and the appropriate committees of the legislature summarizing the findings and recommendations of the study by December 1, 2024.

(6) ((\$3,520,000))\$1,668,000 of the general fund—state appropriation for fiscal year 2025 and \$3,280,000 of the general fund—federal appropriation ((is))are provided solely for the authority to maintain a pilot project to incorporate peer bridging staff into behavioral health regional teams that provide transitional services to individuals returning to their communities.

(7) \$144,519,000 of the general fund—state appropriation for fiscal year 2024 and ((\$163,088,000))\$139,238,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of behavioral health entity spending must be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts must be distributed to behavioral health entities as follows:

(a) \$108,803,000 of the general fund—state appropriation for fiscal year 2024 and \$124,713,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations for behavioral health treatment services not covered under the medicaid program. Within these amounts, behavioral health administrative service organizations must provide a 15 percent rate increase to providers receiving state funds for nonmedicaid services under this section effective January 1, 2024.

(b) \$35,716,000 of the general fund—state appropriation for fiscal year 2024 and ((\$38,375,000))\$14,525,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with medicaid managed care organizations for wraparound services to medicaid enrolled individuals that are not covered under the medicaid program. Within the amounts provided in this subsection:

(i) Medicaid managed care organizations must provide a 15 percent rate increase to providers receiving state funding for nonmedicaid services under this section effective January 1, 2024.

(ii) ((The authority shall assure that managed care organizations reimburse the department of social and health services, aging and long-term support administration for the general fund—state cost of exceptional behavioral health personal care services for medicaid enrolled individuals who require these because of a psychiatric disability. Funding for the federal share of these services is separately appropriated to the department of social and health services.

((iii)) Pursuant to RCW 41.56.029, during fiscal year 2024, the authority may work with the office of financial management to negotiate a tiered rate structure for behavioral health personal care services for adult family home providers serving medicaid enrollees. An agreement reached with the adult family home council must be submitted to the director of financial management by October 1, 2023, and certified as financially feasible in order to be considered for funding during the 2024 legislative session. Upon completion of bargaining, the authority shall coordinate with the department of social and health services to develop and submit to the centers for medicare and medicaid services an application to provide a 1915(i) state plan home and community-based services benefit. The application shall be developed to allow for the delivery of wraparound supportive behavioral health services for



individuals with mental illnesses who also have a personal care need. The 1915(i) state plan shall be developed to standardize coverage and administration, improve the current benefit design, and clarify roles in administration of the behavioral health personal care services benefit.

(8) The authority is authorized to continue to contract directly, rather than through contracts with behavioral health entities for children's long-term inpatient facility services.

(9) \$1,204,000 of the general fund—state appropriation for fiscal year 2024 and \$1,204,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(10) Behavioral health entities may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, behavioral health entities may use a portion of the state funds allocated in accordance with subsection (7) of this section to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

(11) \$2,291,000 of the general fund—state appropriation for fiscal year 2024 and \$2,291,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The authority must collect information from the behavioral health entities on their plan for using these funds, the numbers of individuals served, and the types of services provided.

(12) Within the amounts appropriated in this section, funding is provided for the authority to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

(13)(a) The authority must establish minimum and maximum funding levels for all reserves allowed under behavioral health administrative service organization contracts and include contract language that clearly states the requirements and limitations. The reserve levels must be informed by the types of risk carried by behavioral health administrative service organizations for mandatory services and also consider reasonable levels of operating reserves. The authority must monitor and ensure that behavioral health administrative service organization reserves do not exceed maximum levels. The authority must monitor revenue and expenditure reports and must require a behavioral health administrative service organization to submit a corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The authority must review and approve such plans and monitor to ensure compliance. If the authority determines that a behavioral health administrative service organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the authority must reduce payments to the entity in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the authority determines that the entity has come into substantial compliance with an approved excess reserve corrective action plan. The authority must submit to the office of financial management and the appropriate committees of the legislature, each December of the biennium, the minimum and maximum reserve levels established in contract for each of the behavioral health administrative service organizations for the prior fiscal year and the actual reserve levels reported at the end of the fiscal year.

(b) In contracts effective during fiscal year 2025, the authority must allow the north sound behavioral health administrative services organization to pilot reserve funding flexibility by allowing the north sound behavioral health administrative services organization to utilize, for other purposes, 30 percent of funding received prior to that contract period currently in reserves and that was received pursuant to a specific legislative proviso. Funding repurposed under this subsection must be used to support the duties of the administrative services organization under RCW 71.24.045 through programs serving individuals with severe and persistent behavioral health conditions and behavioral health services that promote stability and recovery within their regional service area. Expenditures pursuant to this pilot program may include, but are not limited to, crisis wraparound services, jail transition and diversion services, court costs, and coresponder programs. The authority, in partnership with the north sound behavioral health administrative services organization, must provide a report to the appropriate committees of the legislature by December 31, 2024, describing the impacts of this pilot program to the regional crisis continuum of care. The report must also include information on which specific legislative provisos north sound behavioral health administrative services organization repurposed funding from under this subsection and for what purpose those funds were used.

(14) During the 2023-2025 fiscal biennium, any amounts provided in this section that are used for case management services for pregnant and parenting women must be contracted directly between the authority and pregnant and parenting women case management providers.

(15) \$3,500,000 of the general fund—federal appropriation is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

(16) Within the amounts appropriated in this section, the authority may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, postpartum, and parenting women. For all contractors: (a) Service and other outcome data must be provided to the authority by request; and (b) indirect charges for administering the program must not exceed 10 percent of the total contract amount.

(17) Within the amounts provided in this section, behavioral health entities must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision. Contracts with behavioral health entities must require that behavioral health entities include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the authority must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served. The authority must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

(18) The criminal justice treatment account—state appropriation is provided solely for treatment and treatment support services for offenders with a substance use disorder pursuant to RCW 71.24.580. The authority must offer counties the option to administer their share of the distributions provided for under RCW 71.24.580(5)(a). If a county is not interested in administering the funds, the authority shall contract with behavioral health entities to administer these funds consistent with the plans approved by local panels pursuant to RCW 71.24.580(5)(b). Funding from the criminal justice treatment account may be used to provide treatment and support services through the conclusion of an individual's treatment plan to individuals participating in a drug court program as of February 24, 2021, if that individual wishes to continue treatment following dismissal of charges they were facing under RCW 69.50.4013(1). Such participation is voluntary and contingent upon substantial compliance with drug court program requirements. The authority must provide a report to the office of financial management and the appropriate committees of the legislature that identifies the distribution of criminal justice treatment account funds by September 30, 2023.

(19)(a) ~~\$11,426,000~~ of the general fund—state appropriation for fiscal year 2024, ~~((~~\$15,501,000~~))~~ \$15,651,000 of the general fund—state appropriation for fiscal year 2025, and \$21,554,000 of the general fund—federal appropriation are provided solely for crisis triage facilities, crisis relief centers, or crisis stabilization units. Services in these facilities may include crisis stabilization and intervention, individual counseling, peer support, medication management, education, and referral assistance. The authority shall monitor each center's effectiveness at lowering the rate of state psychiatric hospital admissions.

(b) Within these amounts, the health care authority shall convene representatives from medicaid managed care organizations, behavioral health administrative organizations, private insurance carriers, self-insured organizations, crisis providers, and the office of the insurance commissioner to assess gaps in the current funding model for crisis and co-response services and recommend options for addressing these gaps including, but not limited to, an alternative funding model for crisis and co-response services. The assessment must consider available data to determine to what extent the costs of crisis and co-response services for clients of private insurance carriers, medicaid managed care organizations, and individuals enrolled in medicaid fee-for-service are being subsidized through state funded behavioral health administrative services organization contracts. The analysis shall examine crisis and co-response services provided by mobile crisis teams and co-response teams as well as facility-based services such as crisis triage and crisis stabilization units. In the development of an alternative funding model, the authority and office of the insurance commissioner must explore mechanisms that: (i) Determine the annual cost of operating crisis and co-response services and collect a proportional share of the program cost from each health insurance carrier; ~~(and)~~ (ii) differentiate between crisis and co-response services eligible for medicaid funding from other nonmedicaid eligible activities; and (iii) simplify administrative complexity of billing for service providers such as the use of a third party administrator. The authority must submit a preliminary report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and a final report by December 1, 2024. Up to \$300,000 of the general fund—state appropriation for fiscal year 2024, and ~~((~~\$300,000~~))~~ \$450,000 of the general fund—state appropriation for fiscal year 2025 may be used for the assessment and reporting activities required under this subsection.

(c) Sufficient funding is provided in this subsection to implement Second Substitute Senate Bill No. 5120 (crisis relief centers).

(20) \$9,795,000 of the general fund—state appropriation for fiscal year 2024, \$10,015,000 of the general fund—state appropriation for fiscal year 2025, and \$15,025,000 of the general fund—federal appropriation are provided solely for the operation of secure withdrawal management and stabilization facilities. The authority may not use any of these amounts for services in facilities that are subject to federal funding restrictions that apply to institutions for mental diseases, unless they have received a waiver that allows for full federal participation in these facilities. Within these amounts, funding is provided to increase the fee for service rate for these facilities up to \$650 per day. The authority must

require in contracts with behavioral health entities that they pay no lower than the fee for service rate. The authority must coordinate with regional behavioral health entities to identify and implement purchasing strategies or regulatory changes that increase access to services for individuals with complex behavioral health needs at secure withdrawal management and stabilization facilities.

(21) \$1,401,000 of the general fund—state appropriation for fiscal year 2024, \$1,401,000 of the general fund—state appropriation for fiscal year 2025, and \$3,210,000 of the general fund—federal appropriation are provided solely for the implementation of intensive behavioral health treatment facilities within the community behavioral health service system pursuant to chapter 324, Laws of 2019 (2SHB 1394).

(22) (a) \$12,878,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$12,878,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for:

(i) A memorandum of understanding with the department of children, youth, and families to provide substance abuse treatment programs;

(ii) A contract with the Washington state institute for public policy to conduct a cost-benefit evaluation of the implementations of chapter 3, Laws of 2013 (Initiative Measure No. 502);

(iii) Designing and administering the Washington state healthy youth survey and the Washington state young adult behavioral health survey;

(iv) Maintaining increased services to pregnant and parenting women provided through the parent child assistance program;

(v) ~~((Grants to the office of the superintendent of public instruction for life skills training to children and youth;~~

~~(vi))~~ Maintaining increased prevention and treatment service provided by tribes and federally recognized American Indian organization to children and youth;

~~((vii))~~ (vi) Maintaining increased residential treatment services for children and youth;

~~((viii))~~ (vii) Training and technical assistance for the implementation of evidence-based, research based, and promising programs which prevent or reduce substance use disorder;

~~((ix))~~ (viii) Expenditures into the home visiting services account; and

~~((x))~~ (ix) Grants to community-based programs that provide prevention services or activities to youth.

(b) The authority must allocate the amounts provided in (a) of this subsection amongst the specific activities proportionate to the fiscal year 2021 allocation.

(23) (a) \$1,125,000 of the general fund—state appropriation for fiscal year 2024 and \$1,125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Spokane behavioral health entities to implement services to reduce utilization and the census at eastern state hospital. Such services must include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the 16-bed evaluation and treatment facility.

(b) At least annually, the Spokane county behavioral health entities shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

(24) \$1,850,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$13,312,000 of the general fund—federal appropriation are provided solely for substance use disorder peer support services included in behavioral health capitation rates in accordance with section 213(5) (ss), chapter 299, Laws of 2018. The authority shall require managed care organizations to provide access to peer support services for individuals with substance use disorders transitioning from emergency departments, inpatient facilities, or receiving treatment as part of hub and spoke networks.

(25) \$1,423,000 of the general fund—state appropriation for fiscal year 2024, \$1,423,000 of the general fund—state appropriation for fiscal year 2025, and \$5,908,000 of the general fund—federal appropriation are provided solely for the authority to continue to implement discharge wraparound services for individuals with complex behavioral health conditions transitioning or being diverted from admission to psychiatric inpatient programs. The authority must coordinate with the department of social and health services in establishing the standards for these programs.

(26) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely for the authority to maintain a memorandum of understanding with the criminal justice training commission to provide funding for community grants pursuant to RCW 36.28A.450.

(27) \$350,000 of the general fund—federal appropriation and \$300,000 of the opioid abatement settlement account—state appropriation are provided solely to contract with a nationally recognized recovery residence organization and to provide technical assistance to

operators of recovery residences seeking certification in accordance with chapter 264, Laws of 2019 (2SHB 1528).

(28) \$3,396,000 of the general fund—state appropriation for fiscal year 2024, \$3,396,000 of the general fund—state appropriation for fiscal year 2025, and \$16,200,000 of the general fund—federal appropriation are provided solely for support of and to continue to increase clubhouse programs across the state. The authority shall work with the centers for medicare and medicaid services to review opportunities to include clubhouse services as an optional "in lieu of" service in managed care organization contracts in order to maximize federal participation.

(29) \$708,000 of the general fund—state appropriation for fiscal year 2024, \$708,000 of the general fund—state appropriation for fiscal year 2025, and \$1,598,000 of the general fund—federal appropriation are provided solely for implementing mental health peer respite centers and a pilot project to implement a mental health drop-in center in accordance with chapter 324, Laws of 2019 (2SHB 1394).

(30) \$800,000 of the general fund—state appropriation for fiscal year 2024, \$800,000 of the general fund—state appropriation for fiscal year 2025, and \$1,452,000 of the general fund—federal appropriation are provided solely for the authority to implement strategies related to suicide prevention and treatment.

(31) \$446,000 of the general fund—state appropriation for fiscal year 2024, \$446,000 of the general fund—state appropriation for fiscal year 2025, and \$178,000 of the general fund—federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the authority to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The authority must collect information from the institute on the use of these funds and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

(32) As an element of contractual network adequacy requirements and reporting, the authority shall direct managed care organizations to make all reasonable efforts to develop or maintain contracts with provider networks that leverage local, federal, or philanthropic funding to enhance effectiveness of medicaid-funded integrated care services. These networks must promote medicaid clients' access to a system of services that addresses additional social support services and social determinants of health as defined in RCW 43.20.025 in a manner that is integrated with the delivery of behavioral health and medical treatment services.

(33) \$9,000,000 of the criminal justice treatment account—state appropriation is provided solely for the authority to maintain funding for new therapeutic courts created or expanded during fiscal year 2021, or to maintain the fiscal year 2021 expansion of services being provided to an already existing therapeutic court that engages in evidence-based practices, to include medication assisted treatment in jail settings pursuant to RCW 71.24.580. Funding provided under this subsection shall not supplant existing funds utilized for this purpose.

(34) In establishing, re-basing, enhancing, or otherwise updating medicaid rates for behavioral health services, the authority and contracted actuaries shall use a transparent process that provides an opportunity for medicaid managed care organizations, behavioral health administrative service organizations, and behavioral health provider agencies, and their representatives, to review and provide data and feedback on proposed rate changes within their region or regions of service operation. The authority and contracted actuaries shall transparently incorporate the information gained from this process and make adjustments allowable under federal law when appropriate.

(35) The authority shall seek input from representatives of the managed care organizations (MCOs), licensed community behavioral health agencies, and behavioral health administrative service organizations to develop specific metrics related to behavioral health outcomes under integrated managed care. These metrics must include, but are not limited to: (a) Revenues and expenditures for community behavioral health programs, including medicaid and nonmedicaid funding; (b) access to services, service denials, and utilization by state plan modality; (c) claims denials and record of timely payment to providers; (d) client demographics; and (e) social and recovery measures and managed care organization performance measures. The authority must work with managed care organizations and behavioral health administrative service organizations to integrate these metrics into an annual reporting structure designed to evaluate the performance of the behavioral health system in the state over time. The authority must submit a report to the office of financial management and the appropriate committees of the legislature, before December 30th of each year during the fiscal biennium, that details the implemented metrics and relevant performance outcomes for the prior calendar year.

(36) \$4,061,000 of the general fund—state appropriation for fiscal year 2024, \$3,773,000 of the general fund—state appropriation for fiscal year 2025, and \$6,419,000 of the general fund—federal appropriation are provided solely for the authority to maintain pilot programs for intensive outpatient services and partial hospitalization services for certain children and adolescents and, pursuant to chapter 94, Laws of 2022 (2SSB 5736), add coverage for these services into the state medicaid program beginning January 1, 2024.

(a) The authority must establish minimum standards, eligibility criteria, authorization and utilization review processes, and payment methodologies for the programs in contract.

(b) Eligibility for the pilot sites is limited pursuant to the following:

(i) Children and adolescents discharged from an inpatient hospital treatment program who require the level of services offered by the pilot programs in lieu of continued inpatient treatment;

(ii) Children and adolescents who require the level of services offered by the pilot programs in order to avoid inpatient hospitalization; and

(iii) Services may not be offered if there are less costly alternative community-based services that can effectively meet the needs of an individual referred to the program.

(c) Eligibility for services through the state medicaid program shall be consistent with criteria approved by the centers for medicare and medicaid services pursuant to implementation of chapter 94, Laws of 2022 (2SSB 5736).

(d) The authority must collect data on the program sites and work with the actuaries responsible for establishing managed care rates for medicaid enrollees to develop and submit an annual report to the office of financial management and the appropriate committees of the legislature each December of the fiscal biennium that includes the following information:

(i) A narrative description of the services provided at each program site and identification of any specific gaps the sites were able to fill in the current continuum of care;

(ii) Clinical outcomes and estimated reductions in psychiatric inpatient costs associated with each of the program sites;

(iii) Recommendations for whether the pilot models should be expanded statewide, whether modifications should be made to the models to better address gaps in the continuum identified through the pilot sites, whether the models could be expanded to community behavioral health providers, and whether statewide implementation should be achieved through a state plan amendment or some other mechanism for leveraging federal medicaid match;

(iv) Actuarial projections on the statewide need for services related to the pilot sites and estimated costs of adding each of the services to the medicaid behavioral health benefit for children and adolescents and adults; and

(v) Annual costs and any quantifiable cost offsets associated with the program sites.

(37) \$25,587,000 of the general fund—federal appropriation (ARPA) and \$9,828,000 of the general fund—federal appropriation are provided solely to promote the recovery of individuals with substance use disorders through expansion of substance use disorder services. The authority shall implement this funding to promote integrated, whole-person care to individuals with opioid use disorders, stimulant use disorders, and other substance use disorders. The authority shall use this funding to support evidence-based and promising practices as follows:

(a) \$8,500,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with substance use disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,500,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, mobile opioid use disorder treatment programs, law enforcement assisted diversion programs, contingency management interventions, modified assertive community treatment, trauma informed care, crisis respite, and for reimbursement of one-time start-up operating costs for opening new beds in withdrawal management treatment programs.

(b) \$2,015,000 of the amounts provided in this subsection is provided solely for outreach programs that link individuals with substance use disorders to treatment options to include medication for opioid use disorder. The authority must contract for these services with programs that use interdisciplinary teams, which include peer specialists, to engage and facilitate linkage to treatment for individuals in community settings such as homeless encampments, shelters, emergency rooms, harm reduction programs, churches, community service offices, food banks, libraries, legal offices, and other settings where individuals with substance use disorders may be engaged. The services must be coordinated with emergency housing assistance and other services administered by the authority to promote access to a full continuum of treatment and recovery support options.

(c) \$7,500,000 of the amounts provided in this subsection is provided solely for substance use disorder recovery support services not covered by the medicaid program including, but not limited to, emergency housing, recovery housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(d) \$3,550,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with substance use disorders. This funding may be used for grants to urban Indian organizations, tribal opioid prevention media campaigns, and support for government to government communication, planning, and implementation of opioid use disorder related projects.

(e) \$5,000,000 of the amounts provided in this subsection is provided solely for the authority, in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs, and for law enforcement and emergency responders.

(f) \$7,100,000 of the amounts provided in this subsection is provided solely for community services grants that support the implementation and evaluation of substance use disorder prevention services.

(g) Up to \$1,750,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

(38) \$3,109,000 of the general fund—state appropriation for fiscal year 2024 and \$3,109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for short-term rental subsidies for individuals with mental health or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served. Each December of the fiscal biennium, the authority must submit a report identifying the expenditures and number of individuals receiving short-term rental supports through the agency budget during the prior fiscal year broken out by region, treatment need, and the demographics of those served, including but not limited to age, country of origin within racial/ethnic categories, gender, and immigration status.

(39) \$25,332,000 of the general fund—federal appropriation (ARPA) is provided solely to promote the recovery of individuals with mental health disorders through expansion of mental health services. The authority shall implement this funding to promote integrated, whole-person care through evidence based and promising practices as follows:

(a) \$8,153,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with mental health disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,000,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, law enforcement assisted diversion programs, modified assertive community treatment, and trauma informed care.

(b) \$8,200,000 of the amounts provided in this subsection is provided solely for mental health recovery support services not covered by the medicaid program including, but not limited to, supportive housing, emergency housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(c) \$2,553,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with mental health disorders.

(d) \$1,300,000 of the amounts provided in this subsection is provided solely to enhance crisis services and may be used for crisis respite care.

(e) \$2,600,000 of the amounts provided in this subsection is provided solely for the expansion of first episode psychosis programs.

(f) Up to \$1,279,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

(40) The authority must pursue opportunities for shifting state costs to the state's unused allocation of federal institutions for mental disease disproportionate share hospital funding.

(41) \$500,000 of the general fund—federal appropriation is provided solely to establish an emotional support network program for individuals employed as peer specialists. The authority must contract for these services which shall include, but not be limited to, facilitating support groups for peer specialists, support for the recovery journeys of the peer specialists themselves, and targeted support for the secondary trauma inherent in peer work.

(42) \$1,500,000 of the general fund—federal appropriation is provided solely for the authority to contract on a one-time basis with the University of Washington behavioral health institute to continue and enhance its efforts related to training and workforce development. This funding may be used for the following activities:

(a) Making substance use disorder training content accessible to all community behavioral health providers;

(b) Refining and implementing a substance use disorder provider needs assessment to advance best practice implementation for treatment in inpatient and outpatient settings;

(c) Disseminating innovative best practices through training and technical assistance;

(d) Developing and launching a telebehavioral health training series, providing webinars and packaging the training content so that it is accessible to all community behavioral health providers;

(e) Planning for advanced telebehavioral health training and support to providers;

(f) Convening a race, equity, and social justice in behavioral health conference annually;

(g) Developing training and technical assistance opportunities for an annual series that translates lessons learned in behavioral health equity into actionable and sustainable change at the provider, organizational, and system levels;

(h) Developing recommendations for reducing health disparities and training the workforce in culturally and linguistically relevant practices to achieve improved outcomes;

(i) Increasing the number of community substance use providers that are trained in best practice assessment and treatment models;

(j) Convening a telebehavioral health summit of leading experts regarding long-term provider telebehavioral health training and workforce needs;

(k) Creating a behavioral health workforce strategy plan that identifies gaps that are not being addressed and suggests system improvements to address those gaps;

(l) Working with community partners and key stakeholders to identify best practice strategies to evaluate and measure equity and health disparities within the behavioral health system and make recommendations regarding potential metrics to help advance system change; and

(m) Developing metrics and evaluating telebehavioral health training needs and the impact of telebehavioral health training on provider knowledge and treatment protocols.

(43) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the King county behavioral health administrative services organization to maintain children's crisis outreach response system services that were previously funded through the department of children, youth, and families. The authority, in consultation with the behavioral health administrative services organization, medicaid managed care organizations, and the actuaries responsible for developing medicaid managed care rates, must work to maximize federal funding provided for the children's crisis outreach response system program.

(44) \$31,891,000 of the general fund—state appropriation for fiscal year 2024, \$63,395,000 of the general fund—state appropriation for fiscal year 2025, and \$172,425,000 of the general fund—federal appropriation are provided solely to implement a 15 percent increase to medicaid reimbursement for community behavioral health providers contracted through managed care organizations to be effective January 1, 2024. The authority must employ mechanisms such as directed payment or other options allowable under federal medicaid law to assure the funding is used by the managed care organizations for a 15 percent provider rate increase as intended and verify this pursuant to the process established in chapter 285, Laws of 2020 (EHB 2584). The rate increase shall be implemented to all behavioral health nonhospital inpatient, residential, and outpatient providers contracted through the medicaid managed care organizations. Psychiatric hospitals and other providers receiving rate increases under other subsections of this section must be excluded from the rate increase directed in this subsection.

(45) \$532,000 of the general fund—state appropriation for fiscal year 2024, \$2,935,000 of the general fund—state appropriation for fiscal year 2025, and \$3,467,000 of the general fund—federal appropriation are provided solely to increase the number of beds and rates for community children's long-term inpatient program providers. The number of beds is increased on a phased in basis to 72 beds by the end of fiscal year 2024. The bed day rates are increased from \$1,030 per day to \$1,121 per day effective July 1, 2023.

(46) \$505,000 of the general fund—state appropriation for fiscal year 2024, \$1,011,000 of the general fund—state appropriation for fiscal year 2025, and \$1,095,000 of the general fund—federal appropriation are provided solely to increase rates for parent child assistance program providers by 15 percent effective January 1, 2024.

(47) \$300,000 of the general fund—federal appropriation is provided solely for training of behavioral health consumer advocates. The authority must enter into a memorandum of understanding with the department of commerce to provide support for training of behavioral health consumer advocates pursuant to chapter 202, Laws of 2021 (E2SHB 1086).

(48) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with a statewide mental health nonprofit organization that provides free community and school-based mental health education and support programs for consumers and families. The contractor must use this funding to provide access to programs tailored to peers living with mental illness as well as family members of people with mental illness and the community at large. Services provided by the contracted program shall include education, support, and assistance to reduce isolation and help consumers and families understand the services available in their communities.

(49) ~~(\$15,474,000)~~ \$17,125,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$14,312,000)~~ \$14,562,000 of the general fund—federal appropriation are provided solely for maintaining the expansion of local behavioral health mobile crisis response team capacity and ensuring each region has at least one adult and one children and youth mobile crisis team that is able to respond to calls coming into the 988 crisis hotline.

(a) In prioritizing this funding, the health care authority shall assure that there are a minimum of six new children and youth mobile crisis teams in comparison to the number of teams at the end of fiscal year 2021 and that there is one children and youth mobile crisis team in each region.

(b) In implementing funding for adult and youth mobile crisis response teams, the authority must establish standards in contracts with managed care organizations and behavioral health administrative services organizations for the services provided by these teams.

(c) Of these amounts, \$3,000,000 of the general fund—state appropriation for fiscal year 2024, \$3,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,024,000 of the general fund—federal appropriation are provided solely to maintain increased capacity for mobile crisis services in King county that was funded in fiscal year 2023. These amounts must supplement and not supplant funding to the county previously allocated by the authority under this subsection.

(d) Of the amounts provided in this subsection, \$1,651,000 of the general fund—state appropriation for fiscal year 2025 and \$250,000 of the general fund—federal appropriation

are provided solely for adding or increasing stabilization services provided through existing children and youth mobile crisis teams.

(50) ~~(((\$57,580,000))~~\$45,094,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$61,807,000))~~\$71,107,000 of the general fund—state appropriation for fiscal year 2025, and ~~(((\$109,146,000))~~\$69,409,000 of the general fund—federal appropriation are provided solely for the authority to contract with community hospitals or freestanding evaluation and treatment centers to provide long-term inpatient care beds as defined in RCW 71.24.025. Within these amounts, the authority must meet the requirements for reimbursing counties for the judicial services for patients being served in these settings in accordance with RCW 71.05.730. The authority must coordinate with the department of social and health services in developing the contract requirements, selecting contractors, and establishing processes for identifying patients that will be admitted to these facilities. Of the amounts in this subsection, sufficient amounts are provided in fiscal year 2024 and fiscal year 2025 for the authority to reimburse community hospitals and nonhospital residential treatment centers serving clients in long-term inpatient care beds as defined in RCW 71.24.025 as follows:

(a) For a hospital licensed under chapter 70.41 RCW that requires a hospital specific medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients because the hospital has completed a medicare cost report, the authority shall analyze the most recent medicare cost report of the hospital after a minimum of 200 medicaid inpatient psychiatric days. The authority shall establish the inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at 100 percent of the allowable cost of care, based on the most recent medicare cost report of the hospital.

(b) For a hospital licensed under chapter 70.41 RCW that has not completed a medicare cost report with more than 200 medicaid inpatient psychiatric days, the authority shall establish the medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at the higher of the hospital's current medicaid inpatient psychiatric rate; or the annually updated statewide average of the medicaid inpatient psychiatric per diem payment rate of all acute care hospitals licensed under chapter 70.41 RCW providing long-term civil commitment services.

(c) For a hospital licensed under chapter 71.12 RCW and currently providing long-term civil commitment services, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at \$940 for fiscal year 2024 and \$1,250 for fiscal year 2025 plus adjustments that may be needed to capture costs associated with long-term psychiatric patients that are not allowable on the medicare cost report or reimbursed separately. The hospital may provide the authority with supplemental data to be considered and used to make appropriate adjustments to the medicaid inpatient psychiatric per diem payment rate of the hospital. Adjustment of costs may include:

(i) Costs associated with professional services and fees not accounted for in the hospital's medicare cost report or reimbursed separately;

(ii) Costs associated with the hospital providing the long-term psychiatric patient access to involuntary treatment court services that are not reimbursed separately; and

(iii) Other costs associated with caring for long-term psychiatric patients that are not reimbursed separately.

(d) For a hospital licensed under chapter 71.12 RCW that requires an initial medicaid inpatient psychiatric per diem payment rate for long-term civil commitment services because it has not yet completed a medicare cost report, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at the higher of:

(i) The hospital's current medicaid inpatient psychiatric rate; or

(ii) The annually updated statewide average of the medicaid long-term inpatient psychiatric per diem payment rate of all freestanding psychiatric hospitals licensed under chapter 71.12 RCW providing long-term civil commitment services.

(e) For nonhospital residential treatment centers certified to provide long-term inpatient care beds as defined in RCW 71.24.025, the authority shall establish the medicaid psychiatric per diem payment rate at the fiscal year 2023 level for fiscal year 2024 and \$1,250 per bed for fiscal year 2025.

(f) Beginning in fiscal year 2024, the authority shall pay a rate enhancement for patients committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The enhancement shall be available to all hospital and nonhospital facilities providing services under this subsection except those whose rates are set at 100 percent of their most recent medicare cost report. The rate enhancement shall not exceed the tiered rate enhancements established under the 1915(i) state plan.

(g) Beginning in fiscal year 2025, the authority may pay a rate enhancement of \$500 per day for individuals with complex medical needs, challenging behaviors often diagnosed with co-occurring intellectual or developmental disability, traumatic brain injury, dementia, or significant medical issues requiring personal care. The rate enhancement shall be available to providers contracting directly with the authority.

(h) Provider payments for vacant bed days shall not exceed six percent of their annual contracted bed days.

~~((h))~~ (i) The authority, in coordination with the department of social and health services, the office of the governor, the office of financial management, and representatives from medicaid managed care organizations, behavioral health administrative service organizations, and community providers, must update its plan to continue the expansion of civil community long-term inpatient capacity. The plan shall identify gaps and barriers in the current array of community long-term inpatient beds in serving higher need individuals including those committed to a state hospital pursuant to the dismissal of criminal charges



and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The plan shall identify strategies to overcome these barriers including, but not limited to, potential rate enhancements for high needs clients. The authority must submit its updated implementation plan to the office of financial management and the appropriate fiscal committees of the legislature by December 1, 2023, and submit a status update on the implementation plan by October 15, 2024.

(51) (a) (~~(\$150,000)~~) \$200,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$150,000)~~) \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a one-time grant to Island county to maintain support for a pilot program to improve behavioral health outcomes for young people in rural communities. In administering the pilot program, Island county shall coordinate with school districts, community groups, and health care providers to increase access to behavioral health programs for children and youth aged birth to 24 years of age. The grant funds shall be used to coordinate and expand behavioral health services. The grant funding must not be used to supplant funding from existing programs. No more than 10 percent of the funds may be used for administrative costs incurred by Island county in administering the program. Services that may be provided with the grant funding include, but are not limited to:

(i) Support for children and youth with significant behavioral health needs to address learning loss caused by COVID-19 and remote learning;

(ii) School based behavioral health education, assessment, and brief treatment;

(iii) Screening and referral of children and youth to long-term treatment services;

(iv) Behavioral health supports provided by community agencies serving youth year-round;

(v) Expansion of mental health first aid, a program designed to prepare adults who regularly interact with youth for how to help people in both crisis and noncrisis mental health situations;

(vi) Peer support services; and

(vii) Compensation for the incurred costs of clinical supervisors and internships.

(b) The authority, in coordination with Island county, must submit to the office of financial management and the appropriate committees of the legislature, a report summarizing how the funding was used and providing the number of children and youth served by the pilot during fiscal year 2024 by December 1, 2024.

(52) (~~(\$265,000)~~) \$315,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$281,000)~~) \$494,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$546,000)~~) \$809,000 of the general fund—federal appropriation are provided solely for the authority to ((provide))contract with the University of Washington's project extension for community health outcomes (ECHO) and the systemic, therapeutic, assessment, resources, and treatment (START) programs for specialized training and consultation for physicians and professionals to support ((ehildren)):

(a) Children with developmental disabilities and behavioral health needs;

(b) Applied behavior analysis provider training, education, and consultation; and

(c) The screening and diagnosis of autism spectrum disorder.

(53) (~~(\$2,184,000)~~) \$2,262,000 of the general fund—federal appropriation and (~~(\$2,184,000)~~) \$2,262,000 of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Within these amounts, funding is provided for the authority to support community discharge efforts for patients at the state hospitals. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its providers or third party administrator. The department and the authority in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not increase general fund—state expenditures above appropriated levels for this specific purpose. The secretary in collaboration with the director of the authority shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal committees of the legislature the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(54) \$130,000 of the general fund—federal appropriation is provided solely for the authority to participate in efforts to ensure behavioral health agencies are compensated for their role as teaching clinics for students seeking professional education in behavioral health disciplines and for new graduates working toward licensure.

(55) \$250,000 of the general fund—state appropriation for fiscal year 2024, \$934,000 of the general fund—state appropriation for fiscal year 2025, and \$1,447,000 of the general fund—federal appropriation are provided solely for increasing case management services to pregnant and parenting women provided through the parent child assistance program and for increasing the number of residential treatment beds available for pregnant and parenting women.

(56) Within the amounts provided in this section, sufficient funding is provided for the authority to maintain and increase the capabilities of a tool to track medication assisted treatment provider capacity.

(57) \$2,000,000 of the general fund—federal appropriation is provided solely for grants to law enforcement and other first responders to include a mental health professional on the team of personnel responding to emergencies.

(58) (~~(\$1,653,000)~~)\$855,000 of the general fund—state appropriation for fiscal year 2025 and (~~(\$2,024,000)~~)\$1,149,000 of the general fund—federal appropriation are provided solely for the authority to contract for long-term involuntary treatment services in a 16-bed residential treatment facility being developed by the Tulalip tribe in Stanwood.

(59) \$956,000 of the general fund—state appropriation for fiscal year 2024 and \$956,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for wraparound with intensive services for youth ineligible for medicaid as outlined in the settlement agreement under *AGC v. Washington State Health Care Authority*, Thurston county superior court no. 21-2-00479-34.

(60) (~~(\$18,188,000)~~)\$14,637,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$18,188,000)~~)\$14,637,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for claims for services rendered to medicaid eligible clients admitted to institutions of mental disease that were determined to be unallowable for federal reimbursement due to medicaid's institutions for mental disease exclusion rules.

(61) \$6,010,000 of the general fund—state appropriation for fiscal year 2024, \$6,010,000 of the general fund—state appropriation for fiscal year 2025, and \$1,980,000 of the general fund—federal appropriation are provided solely for the authority, in coordination with the department of health, to deploy an opioid awareness campaign and to contract with syringe service programs and other service settings assisting people with substance use disorders to: Prevent and respond to overdoses; provide other harm reduction services and supplies, including but not limited to distributing naloxone; fentanyl testing and other drug testing supplies; and for expanding contingency management services. The authority is encouraged to use these funds to leverage federal funding for this purpose to expand buying power when possible. The authority should prioritize funds for naloxone in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to deploy an opioid awareness campaign targeted at youth to increase the awareness of the dangers of fentanyl.

(62) \$4,763,000 of the general fund—state appropriation for fiscal year 2024, \$4,763,000 of the general fund—state appropriation for fiscal year 2025, and \$25,754,000 of the general fund—federal appropriation are provided solely to maintain a rate increase authorized for opioid treatment providers on January 1, 2023.

(63) \$2,387,000 of the general fund—state appropriation for fiscal year 2024 and \$2,387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support individuals enrolled in the foundational community supports initiative who are transitioning from benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The authority, department of social and health services, and department of commerce shall collaborate on this effort.

(64) \$2,249,000 of the general fund—state appropriation for fiscal year 2024 and \$2,249,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with programs to provide medical respite care for individuals with behavioral health needs. The programs must serve individuals with complex medical issues, who may also have significant behavioral health needs (~~and medical issues~~) who do not require hospitalization but are unable to provide adequate self-care for their medical conditions. The programs must prioritize services to individuals with complex medical and behavioral health issues who are homeless or who were recently discharged from a hospital setting. The services must meet quality standards and best practices developed by the national health care for the homeless council and may include, but are not limited to, medical oversight and health education; care transitions; and discharge planning to and from primary care, inpatient hospital, emergency rooms, and supportive housing. In selecting the contractors, the authority must prioritize projects that demonstrate the active involvement of an established medical provider that is able to leverage federal medicaid funding in the provision of these services. The authority must work with the medicaid managed care organizations to encourage their participation and assist the plans and the contractor in identifying mechanisms for appropriate use of medicaid reimbursement in this setting.

(65) \$988,000 of the general fund—state appropriation for fiscal year 2024, \$988,000 of the general fund—state appropriation for fiscal year 2025, and \$618,000 of the general fund—federal appropriation are provided solely for the authority to contract for three regional behavioral health mobile crisis response teams focused on supported housing to prevent individuals with behavioral health conditions at high risk of losing housing from becoming homeless, identify and prioritize serving the most vulnerable people experiencing homelessness, and increase alternative housing options to include short-term alternatives which may temporarily deescalate situations where there is high risk of a household from becoming homeless.

(66) \$5,623,000 of the general fund—state appropriation for fiscal year 2024, \$5,623,000 of the general fund—state appropriation for fiscal year 2025, and \$3,748,000 of the general fund—federal appropriation are provided solely to maintain and expand access to no barrier, and low-barrier programs using a housing first model designed to assist and stabilize housing supports for adults with behavioral health conditions. Housing supports and services shall be

made available with no requirement for treatment for their behavioral health condition and must be individualized to the needs of the individual. The authority and department of commerce shall collaborate on this effort and must submit a status report to the office of financial management and the appropriate committees of the legislature by December 31, 2023.

(67) \$675,000 of the general fund—state appropriation for fiscal year 2024 and \$675,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rental voucher and bridge program and to implement strategies to reduce instances where an individual leaves a state operated behavioral or private behavioral health facility directly into homelessness. The authority must prioritize this funding for individuals being discharged from state operated behavioral health facilities.

(68) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$361,000 of the general fund—state appropriation for fiscal year 2025, and \$482,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the department of social and health services research and data analysis division, to implement community behavioral health service data into the existing executive management information system. Of these amounts, \$288,000 of the general fund—state appropriation for fiscal year 2024, \$288,000 of the general fund—state appropriation for fiscal year 2025, and \$384,000 of the general fund—federal appropriation are provided solely for the authority to reimburse the research and data analysis division for staff costs associated with this project. The data elements shall be incorporated into the monthly executive management information system reports on a phased-in basis, allowing for elements which are readily available to be incorporated in the initial phase, and elements which require further definition and data collection changes to be incorporated in a later phase. The authority must collaborate with the research and data analysis division to ensure data elements are clearly defined and must include requirements in medicaid managed care organization and behavioral health administrative services organization contracts to provide the data in a consistent and timely manner for inclusion into the system. The community behavioral health executive management system information data elements must include, but are not limited to: Psychiatric inpatient bed days; evaluation and treatment center bed days; long-term involuntary community psychiatric inpatient bed days; children's long-term inpatient bed days; substance use disorder inpatient, residential, withdrawal evaluation and management, and secure withdrawal evaluation and management bed days; crisis triage and stabilization services bed days; mental health residential bed days; mental health and substance use disorder outpatient treatment services; opioid substitution and medication assisted treatment services; program of assertive treatment team services; wraparound with intensive services; mobile outreach crisis services; recovery navigator team services; foundational community supports housing and employment services; projects for assistance in transition from homelessness services; housing and recovery through peer services; other housing services administered by the authority; mental health and substance use disorder peer services; designated crisis responder investigations and outcomes; involuntary commitment hearings and outcomes; pregnant and parenting women case management services; and single bed certifications and no available bed reports. Wherever possible and practical, the data must include historical monthly counts and shall be broken out to distinguish services to medicaid and nonmedicaid individuals and children and adults. The authority and the research and data analysis division must consult with the office of financial management and staff from the fiscal committees of the legislature on the development and implementation of the community behavioral health data elements.

(69) \$2,587,000 of the general fund—state appropriation for fiscal year 2024 and \$2,587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to support efforts by counties and cities to implement local response teams. Of these amounts:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to provide a grant to the association of Washington cities to assist cities with the costs of implementing alternative response teams. This funding must be used to reimburse cities for documented costs associated with creating co-responder teams within different alternative diversion models including law enforcement assisted diversion programs, community assistance referral and education programs, and as part of mobile crisis teams. Cities are encouraged to partner with each other to create a regional response model. In awarding these funds, the association must prioritize applicants with demonstrated capacity for facility-based crisis triage and stabilization services. The association and authority must collect and report information regarding the number of facility-based crisis stabilization and triage beds available in the locations receiving funding through this subsection and submit a report to the office of financial management and the appropriate committees of the legislature with this information by December 1, 2023.

(b) \$587,000 of the general fund—state appropriation for fiscal year 2024 and \$587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Whatcom county alternative response team.

(70) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the University of Washington addictions, drug, and alcohol institute. This funding must be used for advanced, evidence-based training for law enforcement to improve interactions with individuals who use drugs. The training must be developed so it can be adapted and used statewide to decrease stigmatizing beliefs among law

enforcement through positive contact with people who use drugs and improve officer well-being and effectiveness by providing skills and techniques to address the drug overdose epidemic. The institute must develop and refine this training, leveraging prior work, and in partnership with a steering committee that includes people with lived or living experience of substance use disorder and criminal legal involvement, researchers, clinicians, law enforcement officers, and others. The training must complement, but not duplicate, existing curricula already provided by the criminal justice training commission. The institute must pilot the advanced training in a subset of regional law enforcement agencies and evaluate its acceptability and feasibility through participant interviews and pretraining and posttraining ratings of stigmatizing beliefs. The institute must incorporate feedback from the pilot training sessions into a final training program that it must make available to law enforcement agencies across the state.

(71) ~~(((\$1,000,000))\$400,000 of the general fund—state appropriation for fiscal year 2024 ((is))and \$600,000 of the general fund—state appropriation for fiscal year 2025 are~~ provided solely for the authority to continue development and implementation of the certified community behavioral health clinic model for comprehensive behavioral health services. Funding must be used to secure actuarial expertise, conduct research into national data and other state models, including obtaining resources and expertise from the national council for mental well-being certified community behavioral health clinic success center; and engage stakeholders, including representatives of licensed community behavioral health agencies and medicaid managed care organizations, in the process. The authority must provide a report to the office of financial management and the appropriate committees of the legislature with findings, recommendations, and cost estimates by December 31, 2024. The study must build on the preliminary report submitted to the legislature in December 2022 and include:

(a) Overviews of options and considerations for implementing the certified community behavioral health clinic model within Washington state, including participation as a certified community behavioral health clinic demonstration state or for independent statewide implementation;

(b) An analysis of the impact of expanding the certified community behavioral health clinic model on the state's behavioral health systems;

(c) Relevant federal regulations and options to implement the certified community behavioral health clinic model under those regulations;

(d) Options for implementing a prospective payment system methodology;

(e) An analysis of the benefits and potential challenges for integrating the certified community behavioral health clinic reimbursement model within an integrated care environment;

(f) Actuarial analysis on the costs for implementing the certified community behavioral health clinic model, including opportunities for leveraging federal funding; and

(g) Recommendations to the legislature on a pathway for statewide implementation including a plan for implementation no later than fiscal year 2027 that must include the following:

(i) Implementation of the certified community behavioral health clinic model with clinics that adhere to the program standards under the federal substance abuse and mental health services administration demonstration program established under section 223 of the federal protecting access to medicare act of 2014 (42 U.S.C. Sec. 1396a note), as amended by the bipartisan safer communities act (P.L. 117-159);

(ii) Incorporation in the planned funding model of at least one of the prospective payment system methodologies approved by the centers for medicare and medicaid services;

(iii) The plan may allow for the certified community behavioral health clinic funding model to be implemented either by applying for and joining the federal demonstration program referenced in (g)(i) of this subsection, applying to the centers for medicare and medicaid services for a medicaid state plan waiver or amendment, or both;

(iv) Continued consultation with the national council for mental wellbeing's certified community behavioral health clinic success center for technical assistance and meaningful opportunities for community behavioral health agencies to participate and offer feedback throughout the implementation process; and

(v) Inclusion of services to children, youth, and families through the certified community behavioral health clinic funding model through providers that serve individuals of all ages as well as specialty providers that serve children, youth, and families.

(72) \$1,135,000 of the general fund—state appropriation for fiscal year 2025 and \$568,000 of the general fund—federal appropriation are provided solely to develop and operate a 16-bed substance use disorder inpatient facility in Grays Harbor county that specializes in treating pregnant and parenting women using a family preservation model. The authority must contract for these services through behavioral health entities in a manner that allows leveraging of federal medicaid funds to pay for a portion of the costs. The authority must consult with the department of children, youth, and families in the implementation of this funding. The facility must allow families to reside together while a parent is receiving treatment. Of these amounts, \$568,000 may be used for documented startup costs including the recruitment, hiring, and training of staff. If the authority is able to identify a provider that can begin developing these services before July 2024, it must notify the office of financial management and the appropriate committees of the legislature and submit a request for funding in the fiscal year 2024 supplemental operating budget.

(73) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided on a one-time basis solely for the authority to continue a grant to the city of Snoqualmie to pilot behavioral health emergency response and coordination services through a regional behavioral health coordinator. The regional behavioral health coordinator shall be a licensed

mental health or substance use disorder professional who works directly with and accompanies law enforcement officers and fire and rescue first responders to help respond to crises involving persons with behavioral health needs. The coordinator shall plan, implement, and coordinate services related to crisis response and social service needs with the city of Snoqualmie, the city of North Bend, the Snoqualmie police and fire departments, and the eastside fire and rescue agency serving North Bend, and local community services, school districts, hospitals, and crisis response systems provided by King county for the region. The coordinator shall support the social services needs identified through police and fire response in the lower Snoqualmie valley and serve as a liaison between law enforcement, first responders, and persons accessing or requesting emergency services with social service needs. The authority shall collect information on the pilot project and, in coordination with the city of Snoqualmie, must submit a report to the office of financial management and the appropriate committees of the legislature by December 31, 2023, summarizing the services provided through the grant funds and identifying recommendations on how to implement effective, integrated, coordinated behavioral health emergency response and community care services. The authority must also provide the report to the criminal justice training commission, the Washington association of sheriffs and police chiefs, and the Washington fire commissioners association.

(74) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract for services with a statewide recovery community organization. The authority must award this funding to an organization that: (a) Has experience building the capacity of the recovery community to advance substance use recovery and mental health wellness by catalyzing public understanding and shaping public policy; (b) is led and governed by representatives of local communities of recovery; (c) centers the voices of people with lived experience who are touched by addiction and mental health challenges, and harnesses the power of story to drive change in the mental health and addiction treatment systems; and (d) provides free community education, skills trainings, events, and a conference in order to increase the understanding of issues around behavioral health and recovery. Services provided by the contracted program must include education, support, and assistance to increase connection of the recovery community, recovery capital, and knowledge about recovery and mental health resources. In conducting this work, the contractor must engage diverse individuals in recovery, impacted families, and providers from all regions of the state and leverage the assistance of affiliated groups and organizations. The organization must also prioritize diversity, equity, and justice in their work to eradicate health disparities of marginalized communities.

(75) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue and expand a contract with a Seattle based nonprofit organization with experience matching voluntary specialty care providers with patients in need of care to provide pro bono counseling and behavioral health services to uninsured and underinsured individuals with incomes below 300 percent of the federal poverty level. The authority may require the contractor to seek, document, and report to the authority on efforts to leverage local, federal, or philanthropic funding to provide sustained operational support for the program.

(76) (~~(\$2,437,000)~~) \$3,437,000 of the general fund—state appropriation for fiscal year 2024, \$4,772,000 of the general fund—state appropriation for fiscal year 2025, and \$1,705,000 of the general fund—federal appropriation are provided solely for the authority to contract for youth inpatient navigator services in seven regions of the state. The services must be provided through clinical response teams that receive referrals for children and youth inpatient services and manage a process to coordinate placements and alternative community treatment plans. Of these amounts for each fiscal year, \$445,000 of the general fund—state appropriation and \$79,000 of the general fund—federal appropriation are provided solely to contract for services through an existing program located in Pierce county.

(77) \$7,601,000 of the general fund—state appropriation for fiscal year 2024, \$7,601,000 of the general fund—state appropriation for fiscal year 2025, and \$2,820,000 of the general fund—federal appropriation are provided solely for assisted outpatient treatment and other costs associated with implementation of chapter 210, Laws of 2022 (SHB 1773). Of the amount provided in this subsection, \$1,000 is for implementation of Engrossed Senate Bill No. 5130 (assisted outpatient treatment).

(78) (~~(\$1,878,000)~~) \$1,664,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$429,000)~~) \$2,883,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to support the children and youth behavioral health work group to consider and develop longer term strategies and recommendations regarding the delivery of behavioral health services for children, transitioning youth, and their caregivers pursuant to chapter 76, Laws of 2022 (2SHB 1890).

(79) Sufficient funding is provided for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

(80) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contingency management resources in accordance with chapter 311, Laws of 2021 (ESB 5476).

(81) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a contract for services funded in section 215(127), chapter 297, Laws of 2022 (ESSB 5693) to provide information and support related to safe housing and support services for youth exiting inpatient mental health and/or substance use disorder facilities to stakeholders, inpatient treatment facilities, young people, and other community providers that serve unaccompanied youth and young adults.

(82) (~~(\$2,336,000)~~) \$2,616,000 of the general fund—state appropriation for fiscal year 2024, (~~(2,336,000)~~) \$3,322,000 of the general fund—state appropriation for fiscal year 2025, (~~and \$3,036,000~~) \$2,145,000 of the general fund—federal appropriation, and \$2,624,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to contract with opioid treatment providers to operate mobile methadone units to address treatment gaps statewide. Within the amounts provided, the authority must provide service support subsidies to all mobile methadone units including those that began operations prior to fiscal year 2024. The authority must work with the actuaries responsible for setting medicaid managed care rates to explore options for creating a specific rate for mobile medication units that reflects the unique costs of these programs. The authority must provide a report to the office of financial management and the appropriate committees of the legislature which summarizes the analysis and identifies the options and related costs by December 1, 2024.

(83) \$216,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$1,454,000 of the general fund—federal appropriation are provided solely for the authority to increase fee for service rates for mental health and substance use disorder treatment by 22 percent. This rate increase shall be effective January 1, 2024. This rate increase does not apply to per diem costs for long-term civil commitment inpatient services or for services for which rate increases were provided under other subsections of this section. Services affected by the psychiatric rebase in subsection (84) of this section are excluded from this rate increase. The authority must include the proportional costs of increasing fee-for-service rates for mental health and substance use disorder treatment paid on behalf of tribal members not electing enrollment in managed care plans in any agency request decision package it submits during the fiscal biennium for increasing provider rates in the managed care behavioral health program.

(84) Sufficient amounts are provided in this section for the authority to rebase community hospital psychiatric inpatient rates effective January 1, 2024. Rebasing adjustments shall be based on adjusted calendar year 2020 medicare cost reports.

(85) (a) (~~(\$3,805,000)~~) \$5,778,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

(i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit exchange;

(ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and

(iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amount provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

(i) Actual and forecasted expenditures;

(ii) Actual and forecasted data from the caseload forecast council; and

(iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount that may be expended for the purposes of this program.

(86) (a) \$2,317,000 of the general fund—state appropriation for fiscal year 2024 and \$4,433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to three behavioral health administrative services organizations to transition persons who are either being diverted from criminal prosecution to behavioral health treatment services or are in need of housing upon discharge from crisis stabilization services. The authority must provide an opportunity for all of the behavioral health administrative service organizations to submit plans for consideration.

(b) Grant criteria must include, but are not limited to:

(i) A commitment to matching individuals with temporary lodging or permanent housing, including supportive housing services and supports, that is reasonably likely to fit their actual needs and situation, is noncongregate whenever possible, and takes into consideration

individuals' immediate and long-term needs and abilities to achieve and maintain housing stability; and

(ii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement, including appropriate supportive housing supports and services, within six months except under unusual circumstances.

(c) When awarding grants, the authority must prioritize applicants that:

(i) Provide matching resources;

(ii) Focus on ensuring an expeditious path to sustainable permanent housing solutions; and

(iii) Demonstrate an understanding of working with individuals who experience homelessness or have interactions with the criminal legal system to understand their optimal housing type and level of ongoing services.

(87) (a) \$2,266,000 of the general fund—state appropriation for fiscal year 2024, \$14,151,000 of the general fund—state appropriation for fiscal year 2025, and \$19,269,000 of the general fund—federal appropriation are provided solely for services to medicaid and state funded clients in behavioral health residential treatment facilities that are scheduled to open during the 2023-2025 fiscal biennium.

(b) Within the amounts provided in this subsection, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to reimburse the department of social and health services for staffing costs related to tracking behavioral health community capacity through the community behavioral health executive management information system and providing annual reports on the implementation of new behavioral health community capacity.

(c) The department of commerce, the department of health, and the authority must cooperate with the department of social and health services in collecting and providing the data necessary to incorporate tracking of behavioral health beds into the behavioral health executive management information system and to prepare the required reports. The agencies must work to ensure they are using consistent definitions in classifying behavioral health bed types for the purpose of reporting capacity and utilization.

(d) The authority and the department of social and health services must begin tracking behavioral health bed utilization for medicaid and state funded clients by type of bed in the executive management information system by October 1, 2023. The department of commerce shall identify to the department of social and health services all providers that have received funding through their capital grant program since the 2013-2015 fiscal biennium. The department of social and health services must incorporate tracking of services by provider including an element to identify providers that have received funding through the capital budget so that reports can be provided related to the average daily client counts for medicaid and state funded clients being served by provider and by facility type.

(e) By November 1, 2023, the department of social and health services, in coordination with the department of commerce, the department of health, and the authority, must submit an annual report to the office of financial management and the appropriate committees of the legislature. The first annual report must provide information on the facilities that received funding through the department of commerce's behavioral health community capacity grant funding since the 2013-2015 fiscal biennium and the utilization across all behavioral health facilities for medicaid and state funded clients. The report must provide the following information for each facility that has received funding through the capital budget: (i) The amount received by the state and the total project cost; (ii) the facility address; (iii) the number of new beds or additional bed capacity by the service type being provided; and (iv) the utilization of the additional beds by medicaid or state funded clients by service type.

(f) By November 1, 2024, the department of social and health services must submit the second annual report to the office of financial management and the appropriate committees of the legislature. The second annual report must update the bed capacity and utilization information required in the first report and compare that capacity to demand by service type by geographical region of the state.

(88) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the efforts of the joint legislative and executive committee on behavioral health established in section 135 of this act.

(89) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely to support the provision of behavioral health co-responder services on nonlaw enforcement emergency medical response teams.

(90) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the King county behavioral health administrative services organization to expand medication for opioid use disorder treatment services in King county.

(91) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the authority to contract on a one-time basis with the behavioral health administrative services organization serving Kitsap county for crisis triage services in the county that are not being reimbursed through the medicaid program.

(92) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the behavioral health administrative

services organization serving Snohomish county for start-up costs in a new 32-bed community recovery center in Lynnwood that will provide crisis services to medicaid and other low income residents.

~~((93))~~ ~~(\$3,142,000 of the general fund state appropriation for fiscal year 2024, \$3,869,000 of the general fund state appropriation for fiscal year 2025, and \$10,574,000 of the general fund federal appropriation are provided solely to reimburse the department of social and health services for the costs of medicaid services at a 16-bed residential treatment facility serving long-term involuntary inpatient patients. The authority and the department of social and health services must utilize case rate and cost based reimbursement models to maximize federal matching funds at the facility. Up to \$200,000 of the general fund state appropriation for fiscal year 2024 may be used to facilitate these efforts.~~

~~((94))~~ \$313,000 of the general fund—federal appropriation is provided solely to support a media campaign for Native Americans related to the prevention of substance abuse and suicide.

~~((95))~~ (94) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with up to two behavioral health agencies that are interested in offering or expanding wraparound with intensive services for children and youth. The funds may be used to support costs associated with recruitment, training, technical assistance, or other appropriate costs required to develop the capacity to offer these specialized services.

~~((96))~~ (95) \$22,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$22,000,000)~~ \$24,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations to implement the statewide recovery navigator program established in chapter 311, Laws of 2021 (ESB 5476) and for related technical assistance to support this implementation. This includes funding for recovery navigator teams to provide community-based outreach and case management services based on the law enforcement assisted diversion model and for technical assistance support from the law enforcement assisted diversion national support bureau. The authority and technical assistance contractor must encourage recovery navigator programs to provide educational information and outreach regarding recovery navigator program services to local retailers that have high levels of retail theft. Of the amounts provided in this subsection ~~((7))~~:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 must be allocated to maintain recovery navigator services in King, Pierce, and Snohomish counties. These amounts must be in addition to the proportion of the allocation of the remaining funds in this subsection the regional behavioral health administrative services organizations serving those counties were allocated pursuant to section 22(1), chapter 311, Laws of 2021.

(b) \$2,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for expanding recovery navigator program services in regions where fiscal year 2025 projected expenditures will exceed revenues provided under this subsection. In allocating these amounts, the authority must prioritize regions where the combined fiscal year 2025 recovery navigator program allocations and recovery navigator program reserve balances are inadequate to cover estimated fiscal year 2025 expenditures.

~~((97))~~ (96) \$3,114,000 of the general fund—state appropriation for fiscal year 2024, \$3,114,000 of the general fund—state appropriation for fiscal year 2025, and \$5,402,000 of the general fund—federal appropriation are provided solely for the authority to implement clubhouse services in every region of the state.

~~((98))~~ (97) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 and \$7,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to implement homeless outreach stabilization teams pursuant to chapter 311, Laws of 2021 (ESB 5476).

~~((99))~~ (98) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$2,500,000 of the general fund—state appropriation for fiscal year 2025, \$81,000 of the general fund—federal appropriation, and ~~(\$5,000,000)~~ \$12,280,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to expand efforts to provide opioid use disorder and alcohol use disorder medication in city, county, regional, and tribal jails.

~~((100))~~ (99) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for behavioral health administrative service organizations to develop regional recovery navigator program plans pursuant to chapter 311, Laws of 2021 (ESB 5476), and to establish positions focusing on regional planning to improve access to and quality of regional behavioral health services with a focus on integrated care.

~~((101))~~ (100) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with an organization with expertise in supporting efforts to increase access to and improve quality in recovery housing and recovery residences. This funding shall be used to increase recovery housing availability through partnership with private landlords, increase accreditation of recovery residences statewide, operate a grievance process for resolving challenges with recovery residences, and conduct a recovery capital outcomes assessment for individuals living in recovery residences.

~~((102))~~ (101) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$4,000,000 of the



opioid abatement settlement account—state appropriation are provided solely for the authority to provide short-term housing vouchers for individuals with substance use disorders.

~~((103))~~ (102) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to convene and provide staff and contracted services support to the recovery oversight committee established in chapter 311, Laws of 2021 (ESB 5476).

~~((104))~~ (103) \$2,565,000 of the general fund—state appropriation for fiscal year 2024 and \$2,565,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to develop and implement the recovery services plan and to carry out other requirements of chapter 311, Laws of 2021 (ESB 5476). Within these amounts, funding is provided for the authority to:

(a) Establish an occupational nurse consultant position within the authority to provide contract oversight, accountability, and performance improvement activities, and to ensure medicaid managed care organization plan compliance with provisions in law and contract related to care transitions work with local jails; and

(b) Establish a position within the authority to create and oversee a program to initiate and support emergency department programs for inducing medications for patients with opioid use disorder paired with a referral to community-based outreach and case management programs.

~~((105) \$400,000 of the general fund federal appropriation)~~ (104) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely ~~((to support the development and implementation of the parent portal directed in chapter 134, Laws of 2022 (SHB 1800))~~ for the authority to continue work with the convener of the Washington state children's behavioral health statewide family network to develop a parent online platform, known as BH360, to continue work on ecosystem mapping, technical development of the portal platform, and to engage families with lived experience on strategic development of the platform.

~~((106) \$23,763,000)~~ (105) \$23,148,000 of the general fund—federal appropriation is provided solely for the authority to contract with the University of Washington behavioral health teaching facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The authority must coordinate with the department of social and health services and the University of Washington to evaluate and determine criteria for the current population of state hospital patients, committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, who can be effectively treated at the University of Washington behavioral health teaching facility. The authority, in coordination with the department of social and health services and the University of Washington, must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, summarizing the numbers and types of patients that are committed to the state hospitals pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, the numbers and types that would be appropriate to be served at the University of Washington behavioral health teaching facility, and the criteria that was used to make the determination.

~~((107))~~ (106) \$444,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$716,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1515 (behavioral health contracts). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((108))~~ (107) (a) \$320,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$796,000))~~ \$1,796,000 of the general fund—state appropriation for fiscal year 2025, and \$1,196,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1168 (prenatal substance exposure). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) Of the amounts provided in (a) of this subsection, \$500,000 of the general fund—federal appropriation is provided solely for the authority to contract with a statewide nonprofit entity with expertise in fetal alcohol spectrum disorders and experience in supporting parents and caregivers to offer free support groups for individuals living with fetal alcohol spectrum disorders and their parents and caregivers.

~~((109))~~ (108) \$91,000 of the general fund—state appropriation for fiscal year 2024, \$91,000 of the general fund—state appropriation for fiscal year 2025, and \$126,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((111))~~ (109) \$5,474,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$210,000 of the general fund—federal appropriation are provided solely for the authority to implement Engrossed Second Substitute House Bill No. 1134 (988 system).

(a) Within these amounts, \$4,000,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the authority to provide grants to new or existing mobile rapid response teams and to community-based crisis teams to support efforts for meeting the standards and criteria for receiving an endorsement pursuant to provisions of the bill. In awarding grants under this subsection, the authority must prioritize funding for proposals that demonstrate experience and strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

(b) Within the remaining amounts, sufficient funding is provided for the authority to conduct the actuarial analysis and development of options for payment mechanisms for rate enhancements as directed in section ~~((8 of Engrossed Second Substitute House Bill No. 1134 (988 system))~~ 9, chapter 454, Laws of 2023 and to implement other activities required by the bill.

~~((c) If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((112))~~ (110) \$26,854,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$17,636,000 of the general fund—federal appropriation are provided solely for the authority to expand and enhance regional crisis services. These amounts must be used to expand services provided by mobile crisis teams and community-based crisis teams either endorsed or seeking endorsement pursuant to standards adopted by the authority. Beginning in fiscal year 2025, the legislature intends to direct amounts within this subsection to be used for performance payments to mobile rapid response teams and community-based crisis teams that receive endorsements pursuant to Engrossed Second Substitute House Bill No. 1134 (988 system).

~~((113))~~ (111) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to increase resources for behavioral health administrative service organizations and managed care organizations for the increased costs of room and board for behavioral health inpatient and residential services provided in nonhospital facilities.

~~((114) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000)~~ (112) \$6,000,000 of the general fund—state appropriation for fiscal year 2025 ~~((are))~~ is provided solely for ~~((a contract with a))~~ youth behavioral ~~((inpatient and outpatient program with facilities))~~ health services in Clark and Spokane counties ~~((that serve over 65 percent medicaid eligible clients for co-occurring substance use and mental health disorders and sexual exploitation behavioral health treatment))~~ as follows:

(a) \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a contract with a youth behavioral inpatient and outpatient program which has taken ownership of and submitted a plan to the authority to reopen a facility in Clark county previously closed due to state licensing issues with the former owner. The facility must serve over 60 percent medicaid eligible clients for co-occurring substance use and mental health disorders and sexual exploitation behavioral health treatment. This funding is provided on a one-time basis and must be used ~~((for))~~ consistent with the approved plan and contract for reopening costs, treatment, and services.

(b) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract for behavioral health stabilization and support services for homeless youth in Spokane. The selected contractor must currently provide permanent supportive housing and services in Spokane and operate a low barrier homeless shelter for youth under the age of 18 and young adults aged 18 to 24.

~~((115) \$18,168,000)~~ (113) \$18,868,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to address and remediate the opioid epidemic. Of these amounts:

(a) \$2,500,000 is provided solely for the authority to provide or contract for opioid prevention, outreach, treatment, or recovery support services that are not reimbursable under the state medicaid plan.

(b) \$500,000 is provided solely for Spanish language opioid prevention services.

(c) \$2,000,000 is provided solely to maintain prevention services that address underage drinking, cannabis and tobacco prevention, and opioid, prescription, and other drug misuse among individuals between the ages of 12 and 25.

(d) \$1,830,000 is provided solely for programs to prevent inappropriate opioid prescribing.

(e) \$538,000 is provided solely for technical support to improve access to medications for opioid use disorder in jails.

(f) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority, in coordination with the department of health, to develop and implement a health promotion and education campaign, with a focus on synthetic drug supplies, including fentanyl, and accurate harm reduction messaging for communities, law enforcement, emergency responders, and others.

(g) \$3,500,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide support funds to new and established clubhouses throughout the state.

(h) \$6,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide grants for the operational costs of new staffed recovery residences which serve individuals with substance use disorders who require more support than a level 1 recovery residence.

(i) Of the amounts provided in this subsection, the authority may use up to 10 percent for staffing and administrative expenses.

(j) In contracting for programs and services under this subsection, the authority must consider data and implement strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

~~((116))~~ (114) \$5,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to maintain funding for ongoing grants to law enforcement assisted diversion programs outside of King county under RCW 71.24.590.

~~((117))~~ (115) \$5,500,000 of the opioid abatement settlement account—state appropriation is provided on a one-time basis solely for the authority to implement a pilot program to reimburse a licensed pediatric transitional care facility in Spokane county to provide neonatal abstinence syndrome services to infants who have prenatal substance exposure. The pilot program must study and evaluate the efficacy, outcomes, and impact of providing these services to avoid more costly medical interventions. Within these amounts, \$190,000 is provided solely for the authority to contract with Washington State University to conduct research analyzing the prevalence of neonatal abstinence syndrome and infant and maternal health outcomes associated with neonatal transitional nurseries in Washington. The university must submit a report articulating findings to the appropriate committees of the legislature by December 1, 2024. The report must identify to what extent the federal medicaid program allows for reimbursement of these services and identify the barriers in leveraging federal medicaid funding for these services in Washington's state medicaid plan.

~~((118))~~ (116) \$15,447,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to pass through to tribes and urban Indian health programs for opioid and overdose response activities. The funding must be used for prevention, outreach, treatment, recovery support services, and other strategies to address and mitigate the effects of the misuse and abuse of opioid related products. The authority must provide the tribes and urban Indian health programs the latitude to use the funding as they see fit to benefit their communities, provided the activities are allowable under the terms of the opioid settlement agreements.

~~((119))~~ (117) \$66,000 of the general fund—state appropriation for fiscal year 2024, \$502,000 of the general fund—state appropriation for fiscal year 2025, and \$171,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((120))~~ (118) \$190,000 of the general fund—state appropriation for fiscal year 2024, \$354,000 of the general fund—state appropriation for fiscal year 2025, and \$1,106,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5228 (behavioral health OT). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((121))~~ (119) \$3,605,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$1,539,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((122))~~ (120) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Arlington in partnership with the north county regional fire authority for a mobile integrated health pilot project. The project shall provide mobile integrated health services for residents who cannot navigate resources through typical methods through brief therapeutic intervention, biopsychosocial assessment and referral, and community care coordination.

~~((123))~~ (121) \$1,000 of the general fund—state appropriation for fiscal year 2024 is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

~~((124))~~ (122) \$300,000 of the opioid abatement settlement account—state appropriation is provided for support of a statewide safe supply work group. The purpose of the work group is to evaluate potential models for safe supply services and make recommendations on inclusion of a safe supply framework in the Washington state substance use recovery services plan to provide a regulated, tested supply of controlled substances to individuals at risk of drug overdose. The work group membership shall be reflective of the community of individuals living with substance use disorder, including persons who are black, indigenous, and persons of color, persons with co-occurring substance use disorders and mental health conditions, as well as persons who represent the unique needs of rural communities.

(a) The work group membership shall consist of, but is not limited to, members appointed by the governor representing the following:

- (i) At least one adult in recovery from substance use disorder;
- (ii) At least one youth in recovery from substance use disorder;
- (iii) One expert from the addictions, drug, and alcohol institute at the University of Washington;
- (iv) One outreach services provider;
- (v) One substance use disorder treatment provider;
- (vi) One peer recovery services provider;
- (vii) One recovery housing provider;
- (viii) One expert in serving persons with co-occurring substance use disorders and mental health conditions;
- (ix) One expert in antiracism and equity in health care delivery systems;
- (x) One employee who provides substance use disorder treatment or services as a member of a labor union representing workers in the behavioral health field;
- (xi) One representative of the association of Washington healthcare plans;
- (xii) One representative of sheriffs and police chiefs;
- (xiii) One representative of a federally recognized tribe; and
- (xiv) One representative of local government.

(b) The work group's evaluation shall include, but is not limited to, the following:

(i) Examining the concept of "safe supply," defined as a legal and regulated supply of mind or body altering substances that traditionally only have been accessible through illicit markets;

(ii) Examining whether there is evidence that a proposed "safe supply" would have an impact on fatal or nonfatal overdose, drug diversion, or associated health and community impacts;

(iii) Examining whether there is evidence that a proposed "safe supply" would be accompanied by increased risks to individuals, the community, or other entities or jurisdictions;

(iv) Examining historical evidence regarding the overprescribing of opioids; and

(v) Examining whether there is evidence that a proposed "safe supply" would be accompanied by any other benefits or consequences.

(c) Staffing for the work group shall be provided by the authority.

(d) The work group shall provide a preliminary report and recommendations to the governor and the appropriate committees of the legislature by December 1, 2023, and shall provide a final report by December 1, 2024.

(123) \$1,450,000 of the general fund—state appropriation for fiscal year 2025 and \$26,000 of the general fund—federal appropriation are provided solely for implementing a postinpatient housing program designed for young adults in accordance with the provisions of Second Substitute House Bill No. 1929 (postinpatient housing). Contracts with postinpatient housing providers are exempt from the competitive procurement requirements in chapter 39.26 RCW.

(124) Within existing resources, the authority shall collaborate with the department of social and health services to develop a new program for individuals admitted to a state hospital for purposes of civil commitment under RCW 10.77.086. The program must prioritize the use of assisted outpatient treatment resources for eligible individuals and draw upon existing programs, including the program of assertive community treatment and the governor's opportunity for supportive housing program to provide wraparound services for individuals who may be ready to quickly return to the community following an admission.

(125) \$1,675,000 of the opioid abatement settlement account—state appropriation and \$175,000 of the general fund—federal appropriation are provided solely for the authority to contract for the support of an opioid recovery and care access center in Seattle. The contractor must be an established Seattle based behavioral health provider that has developed a partnership for the project and has leveraged additional operations and research funding from other sources. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(126) \$3,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to increase access to long-acting injectable buprenorphine products.

(a) The authority must use these funds to:

(i) On a one-time basis, provide long-acting injectable buprenorphine products to small providers that are not financially affiliated with a hospital; and

(ii) Cover the cost and administration of the drug for uninsured individuals that do not qualify for other state or federal health insurance programs.

(b) The authority shall study alternative models that will ease access to long-acting injectable buprenorphine products and report recommendations to the office of financial management and the appropriate committees of the legislature by October 15, 2024.

(127) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided on a one-time basis solely for the authority to enhance clinical best practices in addiction medicine across the medical field in Washington state. The authority must contract these amounts with a Washington state chapter of a national organization that provides a physician-led professional community for those who prevent, treat, and promote remission and recovery from the disease of addiction and whose comprehensive set of guidelines for determining placement, continued stay, and transfer or discharge of enrollees with substance use disorders and co-occurring disorders have been incorporated into medicaid managed care contracts. Priority for the activities established must be given to prescribers from a variety of settings including emergency rooms, primary care, and community behavioral health settings. The activities may include other licensed professionals as resources allow. At a minimum, the following activities must be supported: (a) An addiction medicine summit; (b) intermittent lunch and learn webinars that are partially presentation based and partially discussion based; and (c) establishment and operation of a mechanism for case consultation. Whenever feasible and appropriate, the activities should incorporate content specific to managing chronic pain patients.

(128) \$561,000 of the general fund—state appropriation for fiscal year 2025 and \$184,000 of the general fund—federal appropriation are provided solely for the authority to contract for a pilot program offering digital behavioral health services to school-aged youth. The authority must issue a request for interest or a request for proposals and evaluate all qualified responses before selecting a contractor. The authority must track data related to use and outcomes of the pilot project and submit a report to the office of financial management and the appropriate committees of the legislature that includes a summary of the services provided, outcomes, and recommendations related to continuation or expansion of the pilot program. The data elements and outcomes that must be tracked and reported include, but are not limited to:

(a) The number of youth provided access to the digital service through the pilot program;

(b) The number of pilot participants using the digital service;

(c) The total and average number of hours pilot participants used the digital service;

(d) Regional and demographic data on those provided access to and those using the pilot program services;

(e) The number of participants and hours of direct counseling services provided through the pilot program;

(f) The number of participant referrals to crisis services occurring through the pilot program; and

(g) User satisfaction with the pilot program services.

(129) \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for bridge funding grants to community behavioral health agencies participating in federal certified community behavioral health clinic expansion grant programs to sustain their continued level of operations following expiration of federal grant funding during the planning process for adoption of the certified community behavioral health clinic model statewide.

(130) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$3,502,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract for community behavioral health services to be provided at the Olympic heritage behavioral health facility pursuant to the following requirements:

(a) The authority must conduct a survey of provider interest to determine service options for operating up to 40 beds at the Olympic heritage behavioral health facility, with a target opening date of April 1, 2025.

(b) The primary focus must be addressing the needs of adults with a history or likelihood of criminal legal involvement to reduce the number of people with behavioral health or other diagnoses accessing treatment through the criminal legal system.

(c) The survey must seek information from providers, including tribal governments, interested in offering one or more, but not limited to, the following types of services:

(i) Short-term or step down residential behavioral health care, particularly for individuals who may have received treatment or services through crisis stabilization or a 23-hour crisis facility;

(ii) Residential, transitional, or supportive services that would divert individuals from the criminal legal system or emergency departments;

(iii) Substance use or co-occurring treatment, including inpatient or outpatient programming as well as programs designed for the treatment of opioid use disorder; and

(iv) Supportive and residential services for individuals in outpatient competency restoration, subject to assisted outpatient treatment orders, or released on personal recognizance while awaiting competency services.

(d) The authority must provide a summary of the survey results to the office of financial management and the appropriate committees of the legislature.

(e) Based upon a review of the survey results and in consultation with the department of social and health services, the authority must develop and submit a recommendation for approval to the office of financial management for issuing a request for proposals for specific beds to be contracted at the Olympic heritage behavioral health facility.

(f) No later than August 1, 2024, and pursuant to approval from the office of financial management, the authority must release a request for proposals for contracted services at the Olympic heritage behavioral health facility that requires applicants to provide the following information:

(i) A timeline and cost proposal for the operations of selected services;

(ii) An explanation of how the proposal would reduce the number of individuals with behavioral health needs entering the criminal legal system; and

(iii) Additional information as identified by the authority including relevant information identified in the survey of interest.

(g) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to implement the survey under (a) of this subsection and the request for proposals under (f) of this subsection.

(131) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to provide a one-time grant to the city of Maple Valley to support a project for a community resource coordinator position for the city of Maple Valley, Tahoma school district, and the greater Maple Valley area. This amount must be used to develop programs, projects, and training that specifically address behavioral health awareness and education and facilitate access to school-based and community behavioral health resources.

(132) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for establishing grants to crisis services providers to establish and expand 23-hour crisis relief center capacity in accordance with the provisions of section 33, chapter 1, Laws of 2023 sp. sess. (2E2SSB 5536).

(133) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a one-time grant to a nonprofit organization to provide services to medicaid clients and uninsured clients in a crisis stabilization and secure withdrawal management center located in Island county.

(134) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to develop and issue a request for information to identify digital technologies that can be used for supporting youth and young adult behavioral health prevention, intervention, treatment, and recovery support services. In developing the request for information, the authority must convene a panel of experts in adolescent and young adult behavioral health prevention and treatment, suicide prevention and treatment, and digital

behavioral health technologies. The panel must be used to evaluate responses to the request for information and make recommendations for technologies to pursue in future agency budget requests. The authority must submit a report to the children and youth behavioral health work group established pursuant to RCW 74.09.4951, the office of financial management, and the appropriate committees of the legislature, by June 30, 2025, identifying the technologies being recommended for implementation and the associated costs for piloting and/or statewide implementation.

(135) \$3,000,000 of the opioid abatement settlement account—state appropriation is provided solely for establishing three additional health engagement hub pilot program sites in accordance with the provisions of chapter 1, Laws of 2023 sp. sess. (2E2SSB 5536). Prior to initiating another request for interest process, the authority must consider acceptable proposed projects from the request for interest survey initiated by the authority and the department of health in October 2023. In selecting proposals, the authority should consider geographic distribution across the state, and prioritize proposals that demonstrate an ability to serve communities disproportionately impacted by overdose, health issues, and other harms related to drugs, including African American/Alaska Native communities, Black/African American communities, Latino/Hispanic communities, Asian American and Native Hawaiian/Pacific Islander communities, people experiencing homelessness, and communities impacted by the criminal-legal system. When determining the contracts for direct services, priority may be given to BIPOC-led organizations, including Tribes.

(136) \$1,500,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to establish high-intensity community-based teams serving people with opioid use disorder. The funding must be used to significantly increase administration of long-acting injectable buprenorphine to people at highest risk for overdose. The authority must prioritize funding to augment existing field-based teams funded with federal state opioid response grants, such as opioid treatment network, low-barrier buprenorphine, or street medicine teams to enhance low-barrier services in areas with high rates of overdose. Funding must be used to engage people with opioid use disorder in nontraditional settings such as supportive housing, shelters, and encampments to provide low-barrier, immediate, and continual care for people with opioid use disorders to initiate and maintain buprenorphine, with preferential focus on long-acting injectable buprenorphine. The authority must submit a report to the office of financial management and the appropriate committees of the legislature summarizing the implementation of this funding and identifying barriers which impact treatment access for people at high risk for overdose including, but not limited to: (a) State and federal regulations; (b) managed care provider network adequacy; (c) contracting practices between managed care organizations and behavioral health providers, including delegation arrangements with provider networks; (d) reimbursement models and rate adequacy; (e) training and technical assistance needs; and (f) other factors identified by the authority. The report must include recommendations for reducing barriers to medication for opioid use disorder, including long-acting injectable buprenorphine.

(137) \$328,000 of the general fund—state appropriation for fiscal year 2025 and \$328,000 of the general fund—federal appropriation are provided solely for the authority to contract with the University of Washington addictions, drug, and alcohol institute for implementing Second Substitute House Bill No. 2320 (high THC cannabis products). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(138) \$893,000 of the general fund—state appropriation for fiscal year 2025 and \$722,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1877 (behavioral health/tribes). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(139) \$900,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to reimburse King county for the cost of conducting 180-day commitment hearings at state operated facilities operating within King county.

(140) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract with an entity that operates as a recovery resource center in north Kitsap county. This funding is provided on a one-time basis and must be used by the contracting entity to expand service hours, provide recovery café services, and promote peer support and vocational, educational, and drug and alcohol-free social opportunities for the local recovery community.

(141) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle based opioid use disorder treatment provider in Seattle that experienced a severe flooding event in a clinic in January 2024. This funding is provided on a one-time basis and must be used to allow the clinic to continue to provide services by providing support for the increased per client costs resulting from temporarily delivering services to a smaller volume of clients while services are being re-established at the clinic and by supporting efforts to provide transitional services for clients in other settings while the facility is being restored.

(142) \$900,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to purchase dispensing machines for distribution of naloxone, fentanyl test strips, and other public health supplies. In selecting a contractor for these machines, the authority must not provide any preference for machines that have the capacity to provide telehealth services.

(143) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to implement a rapid methadone induction pilot program. The pilot program must provide rapid methadone induction services to clients in hospitals

electing to provide these services on an inpatient basis. Of these amounts, \$250,000 is provided solely for the authority to contract for technical assistance to the hospitals participating in the pilot. The authority must contract the amounts provided for technical assistance to a Washington state chapter of a national organization that provides a physician-led professional community for those who prevent, treat, and promote remission and recovery from the disease of addiction and whose comprehensive set of guidelines for determining placement, continued stay, and transfer or discharge of enrollees with substance use disorders and co-occurring disorders have been incorporated into Washington state medicaid managed care contracts. The authority must develop procedures for incorporating this service through the apple health program including development of an amendment to the state medicaid plan or waiver if required. The authority must submit a preliminary report to the office of financial management and the appropriate committees of the legislature by June 30, 2025, which provides the status of the pilot project, identifies the mechanism that will be required to implement these services statewide through the apple health program, and provides estimates regarding the cost to implement the program statewide.

(144) \$3,700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract for five street medicine teams that rapidly assess and address the acute and chronic physical and behavioral health needs of homeless people. The teams must offer integrated, team-based medical, mental health, substance use, and infectious disease treatment and prevention, and navigation and case management services. One of the teams must provide services to people in Seattle and one of the teams must provide services to people in Spokane. The authority must submit a report to the office of financial management and the appropriate committees of the legislature on the implementation of this program with recommendations for maximizing leveraging of federal medicaid match and further expansion of the street medicine model by June 30, 2025. Of the amounts provided in this subsection:

- (a) \$1,000,000 is provided solely for a grant to King county;
- (b) \$1,000,000 is provided solely for a grant to the city of Spokane;
- (c) \$1,000,000 is provided solely for a grant to the city of Tacoma;
- (d) \$500,000 is provided solely for a grant to the city of Everett; and
- (e) \$200,000 is provided solely for a grant to Kitsap county.

(145)(a) \$480,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a Washington state tribal opioid and fentanyl response task force with members as provided in this subsection:

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate;

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives;

(iii) Each federally recognized Indian tribe in Washington state may appoint one member through tribal resolution;

(iv) The attorney general shall appoint one representative from the office of the attorney general;

(v) The superintendent of public instruction shall appoint one representative from the office of the superintendent of public instruction; and

(vi) The governor shall appoint the following members:

(A) A member of the Seattle Indian health board;

(B) A member of the NATIVE project;

(C) One member of the executive leadership team from each of the following state agencies: The health care authority; the department of children, youth, and families; the department of commerce; the department of corrections; the department of health; the department of social and health services; the governor's office of Indian affairs; and the Washington state patrol;

(D) Two indigenous members that have lived experience related to opioids or fentanyl; and

(E) Two representatives of local governments.

(b) Where feasible, the task force may invite and consult with representatives of:

(i) The federal bureau of investigation;

(ii) The offices of the United States attorneys;

(iii) Federally recognized tribes in a state adjacent to Washington state;

(iv) Tribal organizations with specific expertise including but not limited to tribal sovereignty, jurisdiction, cultural practices, and data; and

(v) Any experts or professionals having expertise in the topics of prevention, treatment, harm reduction, and recovery support related to opioids or fentanyl in federal, tribal, and/or state jurisdiction.

(c)(i) The legislative members must convene the initial meeting of the task force no later than August 1, 2024. Thereafter, the task force shall meet at least quarterly.

(ii) The task force must be cochaired by one legislative member and four tribal leader members selected by members of the task force at the first meeting.

(iii) The task force shall convene one summit in fiscal year 2025 with the state agencies identified in (a)(vi) of this subsection, federally recognized Indian tribes in Washington state, federally recognized tribes located in a state adjacent to Washington state, urban Indian organizations, and tribal organizations.

(d)(i) Of the amounts provided in this subsection, \$295,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract with the American Indian health commission, as defined in RCW 43.71B.010, to provide support for the Washington state tribal opioid and fentanyl response task force, committees, and work groups

and to organize the annual summit, and oversee the development of the task force reports. The American Indian health commission may, when deemed necessary by the task force, retain consultants to provide data analysis, research, recommendations, and other services to the task force for the purposes provided in (e) of this subsection. The amounts within this subsection (d)(i) shall be used for the costs of meetings, the annual summit, American Indian health commission staff support, consultants as deemed necessary, and for stipends pursuant to (d)(v) of this subsection.

(ii) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract with tribes and urban Indian health organizations to provide stipends for participation and attendance at task force and committee meetings.

(iii) Of the amounts provided in this subsection, \$85,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to support the Washington state tribal opioid and fentanyl response task force.

(iv) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Except as provided under (d)(v) of this subsection, any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(v) Subject to the provisions of RCW 43.03.220, eligible task force members may be provided a stipend in an amount not to exceed \$200 and other expenses for each day during which the member attends an official meeting of the task force.

(e)(i) The task force shall review the laws and policies relating to opioid and fentanyl use, illicit sale of opioids and fentanyl, jurisdictional authority, tribal exclusionary authority, and any related impacts affecting American Indian and Alaska Native people. The task force shall develop recommendations including legislative and executive policy changes and budget initiatives for the purpose of addressing priority areas identified at the first annual Washington state tribal opioid and fentanyl summit in May of 2023 in the overarching topic areas of justice; prevention, treatment, and recovery; housing and homelessness; and community and family as well as additional topic areas included in subsequent summits.

(ii) The task force may create subgroups and work with existing state or tribal work groups to develop recommendations to the task force on each of the topics listed in (e)(i) of this subsection.

(iii) The task force, with the assistance of the American Indian health commission and the authority, must submit a status report including any initial findings, recommendations, and progress updates to the governor and the appropriate committees of the legislature by June 30, 2025. The report shall include but is not limited to recommendations related to proposed new statutes or amendment of current statutes, proposed executive branch action items or regulatory changes, and proposed funding and budget requests. To the extent possible, the report may include fiscal analysis related to the cost of implementing specific recommendations.

(146)(a) \$250,000 of the general fund—state appropriation for fiscal year 2025 and \$250,000 of the general fund—federal appropriation are provided solely for the authority to continue work on the behavioral health comparison rate project, including:

(i) Developing phase 3 comparison rates for all major medicaid managed care behavioral health services not addressed in phase 1 or phase 2 of the behavioral health comparison rates project or through other work streams; and

(ii) Preparing to implement a minimum fee schedule for behavioral health services, including developing solutions to resolve any current data and systems limitations.

(b) By December 31, 2024, the authority must provide a preliminary report to the office of financial management and appropriate committees of the legislature that:

(i) Estimates the cost and other impacts to fee for service and managed care programs of establishing a minimum fee schedule effective January 1, 2026, based on the comparison rates developed as part of phase 1 and phase 2 of the behavioral health comparison rates project;

(ii) Identifies any data or other limitations that need to be resolved, and plans for addressing those limitations including funding needs if any, to implement the minimum fee schedule by January 1, 2026;

(iii) Provides additional analysis of variation between the comparison rates and current payment levels at a service and regional level;

(iv) Describes how the authority plans to propose to the legislature implementation of the phase 1 and phase 2 minimum fee schedule by January 1, 2026, to better match medicaid payments to the cost of care; and

(v) Outlines options to periodically update the behavioral health fee schedules.

(c) By October 1, 2025, the authority must provide a final report to the office of financial management and appropriate committees of the legislature that:

(i) Summarizes the new comparison rates developed as part of phase 3;

(ii) Updates comparison rates developed in phase 1 and phase 2 for new salary and wage information based on most current bureau of labor statistics data;

(iii) Estimates the cost and other impacts to fee for service and managed care of incorporating additional behavioral health services developed as part of phase 3 of the behavioral health comparison rates project into a minimum fee schedule effective January 1, 2027;

(iv) Identifies planned actions and funding needs if any to resolve any remaining limitations to implement the phase 3 minimum fee schedule by January 1, 2027;



(v) Provides additional analysis of variation between the comparison rates developed as part of phase 3 and current payment levels at a service and regional level; and

(vi) Describes how the authority plans to propose to the legislature implementation of the phase 3 minimum fee schedule by January 1, 2027, to better match medicaid payments to the cost of care.

(d) It is the intent of the legislature to continue funding the study in the 2025-2027 fiscal biennium, with a final report due by October 1, 2025.

(147) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to provide support to behavioral health agencies interested in establishing occupational therapy services for behavioral health clients. This funding must be used for establishing and integrating occupational therapy into behavioral health agency programs and operations. Funding may be used for occupational therapist and occupational therapy assistant services, recruitment, training, technical assistance, fieldwork opportunities, and for other approved activities targeted to increase access to occupational therapy services within behavioral health agency settings. The authority must submit a preliminary report to the legislature on the number of patients receiving occupational therapy through this initiative, the programs in which services were provided, and the number and type of fieldwork students trained in each participating behavioral health agency program by June 30, 2025.

(148)(a) \$39,101,000 of the general fund—state appropriation for fiscal year 2025 and \$33,435,000 of the general fund—federal appropriation are provided solely for the authority to implement supportive supervision and oversight services pursuant to a 1915(i) state plan amendment that is assumed to be effective on July 1, 2024. This reflects a change in purchasing structure and a transition of clients from behavioral health personal care services to the new services established under the 1915(i) state plan amendment. For medicaid clients enrolled in managed care, the authority must contract for these services through managed care organizations utilizing an actuarially sound rate structure as established by the authority and approved by the centers for medicare and medicaid services. The authority may not implement a skills development and restoration benefit until funding is provided for that specific purpose.

(b) Of the amounts provided in this subsection, \$24,661,000 of the general fund—state appropriation for fiscal year 2025 and \$26,931,000 of the general fund—federal appropriation are for implementing supportive supervision and oversight services in adult family home settings in accordance with and contingent upon execution of the collective bargaining agreement negotiated between the state and the adult family homes and referenced in part IX of this act.

(c) Of the amounts provided in this subsection, \$5,611,000 of the general fund—state appropriation for fiscal year 2025 and \$6,128,000 of the general fund—federal appropriation are for implementing supportive supervision and oversight services in assisted living settings.

(d) Of the amounts provided in this subsection, \$8,453,000 is for managed care organizations to provide reimbursement for the state share of exceptional behavioral health personal care services for individuals who have not transitioned into the new 1915(i) state plan services.

(e) Of the amounts provided in this subsection, \$376,000 of the general fund—state appropriation for fiscal year 2024 and \$376,000 of the general fund—federal appropriation is for administrative costs associated with implementation of the new 1915(i) state plan.

(f) In the event that either the 1915(i) state plan amendment is not approved by the center for medicaid and medicare services or the collective bargaining agreement negotiated between the state and the adult family homes as referenced in part IX of this act is not executed in fiscal year 2025, then from the amounts provided in (a) of this subsection, up to \$23,850,000 of the general fund—state appropriation for fiscal year 2025 may be used for the authority to continue the reimbursement structure for behavioral health personal care services in place during fiscal year 2024.

(g) Within the amounts provided in this subsection, the authority must assure that managed care organizations reimburse the department of social and health services aging and long term support administration for the general fund—state cost of exceptional behavioral health personal care services for medicaid enrolled individuals who require these services because of a psychiatric disability.

(149) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract with a nonprofit organization to provide education on innovative care for individuals with mental illnesses. The contracting organization must:

(a) Have experience holding mental health focused summits that bring together provider, advocacy communities, and other stakeholders; and in distributing mental health first aid manuals and online resources for mental health curricula;

(b) Have a mission to (i) create an environment through education to eliminate stigma around mental illness; (ii) help to boost effectiveness of current treatment pathways through proactive care coordination and management; (iii) aid efforts in psychiatric research and innovations; and (iv) identify and elevate systems of excellence; and

(c) Use this funding to support initiatives related to the distribution of mental health curricula and training manuals, and innovation in the identification and treatment of individuals with mental illnesses.

(150) \$282,000 of the general fund—state appropriation for fiscal year 2025 and \$253,000 of the general fund—federal appropriation are provided solely for implementation of

Engrossed Second Substitute Senate Bill No. 6251 (behavioral crisis coord.). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(151) \$611,000 of the general fund—state appropriation for fiscal year 2025 and \$462,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(152) \$248,000 of the general fund—state appropriation for fiscal year 2025 and \$213,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5660 (mental health adv directives). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(153) \$330,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5588 (mental health sentencing alt). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(154) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase existing contracts for current community prevention and wellness initiative programs across the state.

(155) \$750,000 of the opioid abatement settlement account—state appropriation is provided solely for additional outreach workers to support the expansion of oxford houses.

(156) \$500,000 of the opioid abatement settlement account—state appropriation and \$250,000 of the general fund—federal appropriation are provided solely for support of a tribal fentanyl summit in fiscal years 2024 and 2025.

(157) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to tribes to implement the Icelandic model of prevention in their communities.

(158) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for a tribal opioid prevention campaign to inform and educate tribal communities about opioid misuse prevention, overdose response, and treatment.

**Sec. 216.** 2023 c 475 s 216 (uncodified) is amended to read as follows:

**FOR THE HUMAN RIGHTS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$4,799,000</del> ))
	<u>\$4,948,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$4,720,000</del> ))
	<u>\$5,321,000</u>
General Fund—Federal Appropriation. . . . .	\$2,975,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$12,494,000</del>))</b>
	<b><u>\$13,244,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$448,000 of the general fund—state appropriation for fiscal year 2024 and \$420,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for investigative staff to address the commission's caseload backlog.

(2) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5186 (contracting/discrimination). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

**Sec. 217.** 2023 c 475 s 217 (uncodified) is amended to read as follows:

**FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

Worker and Community Right to Know Fund—State Appropriation. . . . .	\$10,000
Accident Account—State Appropriation. . . . .	(( <del>\$27,516,000</del> ))
	<u>\$27,641,000</u>
Medical Aid Account—State Appropriation. . . . .	(( <del>\$27,510,000</del> ))
	<u>\$27,635,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$55,036,000</del>))</b>
	<b><u>\$55,286,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$650,000 of the accident account—state appropriation and \$650,000 of the medical aid account—state appropriation are provided solely for the board of appeals information system modernization project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$47,000 of the accident account—state appropriation and \$47,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(3) \$22,000 of the accident account—state appropriation and \$21,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

**Sec. 218.** 2023 c 475 s 218 (uncodified) is amended to read as follows:

**FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$53,805,000</del> ))
	<u>\$55,098,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$50,466,000</del> ))
	<u>\$66,092,000</u>
General Fund—Private/Local Appropriation . . . . .	(( <del>\$11,970,000</del> ))
	<u>\$8,328,000</u>
Death Investigations Account—State Appropriation . . . . .	\$1,708,000
Municipal Criminal Justice Assistance Account—State Appropriation . . . . .	\$460,000
Washington Auto Theft Prevention Authority Account— State Appropriation . . . . .	(( <del>\$7,167,000</del> ))
	<u>\$10,467,000</u>
Washington Internet Crimes Against Children Account— State Appropriation . . . . .	\$2,270,000
24/7 Sobriety Account—State Appropriation . . . . .	\$20,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$127,866,000</del>))</b>
	<b><u>\$144,443,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130.

(2) Funding in this section is sufficient for 75 percent of the costs of providing 23 statewide basic law enforcement trainings in each fiscal year 2024 and fiscal year 2025. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. At least three classes must be held in Spokane each year.

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(4) \$2,270,000 of the Washington internet crimes against children account—state appropriation is provided solely for the implementation of chapter 84, Laws of 2015.

(5) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the mental health field response team program administered by the Washington association of sheriffs and police chiefs. The association must distribute \$7,000,000 in grants to the phase one and phase two regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court—Western District, Cause No. 14-cv-01178-MJP. The association must submit an annual report to the Governor and appropriate committees of the legislature by September 1st of each year of the biennium. The report shall include best practice recommendations on law enforcement and behavioral health field response and include outcome measures on all grants awarded.

(6) \$899,000 of the general fund—state appropriation for fiscal year 2024 and \$899,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for crisis intervention training for the phase one regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court—Western District, Cause No. 14-cv-01178-MJP.

(7) \$1,598,000 of the death investigations account—state appropriation is provided solely for the commission to provide 240 hours of medicolegal forensic investigation training to coroners and medical examiners to meet the recommendations of the national commission on forensic science for certification and accreditation.

(8) \$346,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of chapter 321, Laws of 2021 (officer duty to intervene).

(9) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional grants to local jurisdictions to investigate instances where a purchase or transfer of a firearm was attempted by an individual who is prohibited from owning or possessing a firearm.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide grant funding to local law enforcement agencies to support law enforcement wellness programs. Of the amount provided in this subsection:

(a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to provide grants to local law enforcement and corrections agencies for the purpose of establishing officer wellness programs. Grants provided under this subsection may be used for, but not limited to building resilience, injury prevention, peer support programs, physical fitness, proper nutrition, stress management, suicide prevention, and physical or behavioral health services. The commission must consult with a representative

from the Washington association of sheriffs and police chiefs and a representative of the Washington state fraternal order of police and the Washington council of police and sheriffs in the development of the grant program.

(b) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington association of sheriffs and police chiefs to establish and coordinate an online or mobile-based application for any Washington law enforcement officer; 911 operator or dispatcher; and any other current or retired employee of a Washington law enforcement agency, and their families, to anonymously access on-demand wellness techniques, suicide prevention, resilience, physical fitness, nutrition, and other behavioral health and wellness supports.

(11) \$290,000 of the general fund—state appropriation for fiscal year 2024 and \$290,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for academy training for limited authority Washington peace officers employed by the Washington state gambling commission, Washington state liquor and cannabis board, Washington state parks and recreation commission, department of natural resources, and the office of the insurance commissioner.

(a) Up to 30 officers must be admitted to attend the basic law enforcement academy and up to 30 officers must be admitted to attend basic law enforcement equivalency academy.

(b) Allocation of the training slots amongst the agencies must be based on the earliest application date to the commission. Training does not need to commence within six months of employment.

(c) The state agencies must reimburse the commission for the actual cost of training.

(12) (~~(\$6,687,000)~~) \$6,987,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$4,668,000)~~) \$4,968,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish and provide basic law enforcement academy classes at three new regional training academies, one in Pasco, one in (~~Skagit~~) Snohomish county, and one in Clark county. Funding in this subsection is sufficient for 75 percent of the costs of providing six classes per year beginning in fiscal year 2024. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. The six classes per year are in addition to the classes in subsection (2) of this section.

(13) (~~(\$150,000)~~) \$120,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~) and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to develop plans for increasing training capacity. The planning process should include engagement with limited law enforcement agencies, tribal law enforcement representatives, and local law enforcement agencies and representatives. The criminal justice training commission will provide recommendations to the governor and the appropriate committees of the legislature in a preliminary report due November 15, 2023, and in a final report due September 30, 2024. The reports should include the following:

(a) Identifying the demand for additional basic law enforcement academy courses to support law enforcement agencies and develop a proposal to meet any identified training needs, including basic law enforcement academy and advanced training needs;

(b) A plan for how to provide basic law enforcement academy training to limited law enforcement officers and tribal law enforcement officers, including providing additional capacity for training classes. The plan should also consider alternatives for distribution of the costs of the training course; and

(c) A plan for providing at least two basic law enforcement training academy classes per year to candidates who are not yet employed with a law enforcement agency. The plan should, at a minimum, include the following:

(i) A recruitment strategy that emphasizes recruitment of diverse candidates from different geographic areas of the state; diverse race, ethnicity, gender, and sexual orientation; and candidates with diverse backgrounds and experiences including nontraditional educational programs or work experience;

(ii) Pathways from training to employment with a law enforcement agency; and

(iii) Plans to address capacity for and delivery of training.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide accreditation incentive awards.

(a) The commission may provide an accreditation incentive award totaling up to \$50,000 to each law enforcement agency that receives an accreditation during the fiscal biennium from a national or state accrediting entity recognized by the commission. The commission must divide award amounts provided pursuant to this section equally among qualifying law enforcement agencies. A law enforcement agency may not receive more than one accreditation incentive award per fiscal biennium. Funds received by a law enforcement agency pursuant to this subsection must be made available to the law enforcement agency to which they are awarded and may not supplant or replace existing funding received by the law enforcement agency.

(b) The commission must submit a report to the legislature by June 30th of each fiscal year during the biennium that lists each law enforcement agency that received an accreditation incentive award during the fiscal year.

(15) \$1,085,000 of the general fund—state appropriation for fiscal year 2024 and \$1,040,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for implementation of Second Substitute House Bill No. 1028 (crime victims & witnesses). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(16) \$236,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1132 (limited authority officers). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(17) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for body camera grant funding to local law enforcement agencies.

(a) The Washington association of sheriffs and police chiefs shall develop and implement a body-worn camera grant program. The purpose of the program is to assist law enforcement agencies to establish and expand body-worn camera programs.

(b) Law enforcement agencies may use the grants for: (i) The initial purchase, maintenance, and replacement of body-worn cameras; (ii) ongoing costs related to the maintenance and storage of data recorded by body worn cameras; (iii) costs associated with public records requests for body worn-camera footage; and (iv) hiring of personnel necessary to operate a body-worn camera program.

(c) The Washington association of sheriffs and police chiefs shall develop and implement a grant application process and review applications from agencies based on locally developed proposals to establish or expand body-worn camera programs.

(d) Law enforcement agencies that are awarded grants must:

(i) Comply with the provisions of chapter 10.109 RCW;

(ii) Demonstrate the ability to redact body-worn camera footage consistent with RCW 42.56.240 and other applicable provisions;

(iii) Provide training to officers who will wear body-worn cameras and other personnel associated with implementation of the body-worn camera program; and

(iv) Agree to comply with any data collection and reporting requirements that are established by the Washington association of sheriffs and police chiefs.

(e) The Washington association of sheriffs and police chiefs must submit an annual report regarding the grant program to the governor and appropriate committees of the legislature by December 1st of each year the program is funded. The report must be submitted in compliance with RCW 43.01.036.

(18) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(19) \$280,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for confidential secretary staff for the training bureau director and the accountability bureau director.

(20) \$694,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5780 (public defense & prosecution) to contract out trial skills training for practitioners who are new to prosecution and to administer a law student rural prosecution program. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to provide training to the Okanogan county sheriff's office. The commission must coordinate with the sheriff's office to provide the training on a date or dates least likely to interrupt the operations of the sheriff's office and the training must take place virtually or at a suitable agreed upon location. The training must, at a minimum, include best practices for victim centered, trauma-informed policing practices, trauma-informed investigation and interviewing skills, understanding the lethality potentials of stalking, best practices in serving and enforcing protection orders, investigation of potential violations of protection orders, and assistance to and services for victims and children. The commission is encouraged to utilize existing relevant training materials assembled pursuant to RCW 10.99.033, RCW 43.101.276, and other evidence-based resources as deemed appropriate by the commission. The commission may not insinuate or otherwise communicate that the training is mandatory for any employee of the sheriff's office, but the commission must keep a detailed attendance and participation record for each employee of the sheriff's office who attends. The amounts provided in this subsection, not required for use by the commission to conduct the training listed above, must be made available to reimburse the sheriff's office for any reasonable and necessary overtime costs associated with participating in the training.

(22) \$2,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to support the law enforcement assisted diversion program for drug possession and public use in Seattle. These funds must supplement, not supplant, current levels of local funding in the city of Seattle budget.

(23) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of House Bill No. 1635 (police dogs/liability) for the commission to develop model standards for the training and certification of canine teams to detect fentanyl. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(24) \$1,384,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2311 (first responder

wellness) for the commission to convene a task force on first responder wellness and to contract with various entities to develop trainings. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$484,000 of the general fund—state appropriation for fiscal year 2024, \$3,187,000 of the general fund—state appropriation for fiscal year 2025, and \$1,169,000 of the general fund—private/local appropriation are provided solely for the commission to conduct additional corrections officer academy classes. These classes may be conducted at the corrections officer academy in Burien or at a regional corrections officer academy established by the commission.

(26) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to complete a study on establishing a regional basic law enforcement academy or a regional corrections officer academy, or both, on the Kitsap peninsula. At a minimum, the study must estimate the costs and identify a possible timeline for establishing one or both academies. A report providing recommendations is due to the governor and the appropriate policy and fiscal committees of the legislature by June 30, 2025.

Sec. 219. 2023 c 475 s 219 (uncodified) is amended to read as follows:

FOR THE OFFICE OF INDEPENDENT INVESTIGATIONS

General Fund—State Appropriation (FY 2024)	.. . . .	(((\$17,037,000))
		\$17,014,000
General Fund—State Appropriation (FY 2025)	.. . . .	(((\$17,211,000))
		\$20,196,000
TOTAL APPROPRIATION	.....	(((\$34,248,000))
		\$37,210,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$9,383,000 of the general fund—state appropriation for fiscal year 2024 and \$9,383,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dedicated staffing at regional offices to include at least regional investigator supervisors, investigators, forensic investigators, family liaisons, and evidence technicians.

(2) \$1,124,000 of the general fund—state appropriation for fiscal year 2024 and \$1,124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with the Washington state patrol for laboratory-based testing and processing of crime scene evidence collected during investigations.

(3) \$251,000 of the general fund—state appropriation for fiscal year 2024 and \$251,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted specialized training for investigators relating to death investigations in cases involving deadly force.

(4) \$2,257,000 of the general fund—state appropriation for fiscal year 2024 and \$2,057,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for training development, additional staff training costs, crime lab processing, and contract services to include polygraphs, background checks, personnel evaluations, contracted security, and software licensing.

(5) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to pay for one-time tenant improvements necessary for a central evidence storage facility and regional offices.

Sec. 220. 2023 c 475 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund—State Appropriation (FY 2024)	.. . . .	(((\$15,789,000))
		\$17,526,000
General Fund—State Appropriation (FY 2025)	.. . . .	(((\$19,773,000))
		\$25,305,000
General Fund—Federal Appropriation	.. . . .	(((\$11,470,000))
		\$11,521,000
Asbestos Account—State Appropriation	.. . . .	(((\$629,000))
		\$628,000
Electrical License Account—State Appropriation	.. . . .	(((\$71,526,000))
		\$74,072,000
Farm Labor Contractor Account—State Appropriation	.. . . .	\$28,000
Opioid Abatement Settlement Account—State Appropriation	.. . . .	\$250,000
Worker and Community Right to Know Fund—State Appropriation	.. . . .	\$1,138,000
Construction Registration Inspection Account—State Appropriation	.. . . .	(((\$30,754,000))
		\$31,418,000
Public Works Administration Account—State Appropriation	.. . . .	(((\$18,304,000))
		\$18,011,000

Manufactured Home Installation Training Account—	
State Appropriation. . . . .	(((\$455,000)) \$454,000)
Accident Account—State Appropriation. . . . .	(((\$427,767,000)) \$437,590,000)
Accident Account—Federal Appropriation. . . . .	(((\$15,823,000)) \$19,953,000)
Medical Aid Account—State Appropriation. . . . .	(((\$414,710,000)) \$421,049,000)
Medical Aid Account—Federal Appropriation. . . . .	(((\$3,571,000)) \$3,920,000)
Plumbing Certificate Account—State Appropriation. . . . .	(((\$3,624,000)) \$3,649,000)
Pressure Systems Safety Account—State Appropriation. . . . .	(((\$5,065,000)) \$5,116,000)
Workforce Education Investment Account—State	
Appropriation. . . . .	(((\$14,200,000)) \$20,500,000)
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$1,054,876,000)) \$1,092,128,000)</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (((\$4,714,000))\$6,756,000 of the accident account—state appropriation and (((\$4,711,000))\$6,753,000 of the medical aid account—state appropriation are provided solely for the labor and industries workers' compensation information system replacement project and is subject to the conditions, limitations, and review provided in section 701 of this act. The department must:

(a) Submit quarterly data within 30 calendar days of the end of each quarter, effective July 1, 2023, on:

(i) The quantifiable deliverables accomplished and the amount spent by each deliverable in each of the following subprojects:

- (A) Business readiness;
- (B) Change readiness;
- (C) Commercial off the shelf procurement;
- (D) Customer access;
- (E) Program foundations;
- (F) Independent assessment; and
- (G) In total by fiscal year;

(ii) All of the quantifiable deliverables accomplished by subprojects identified in (a) (i) (A) through (F) of this subsection and in total and the associated expenditures by each deliverable by fiscal month;

(iii) The contract full time equivalent charged by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, compared to the budget spending plan by month for each contracted vendor and what the ensuing contract equivalent budget spending plan by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, assumes by fiscal month;

(iv) The performance metrics by subprojects identified in (a) (i) (A) through (F) of this subsection, and in total, that are currently used, including monthly performance data; and

(v) The risks identified independently by at least the quality assurance vendor and the office of the chief information officer, and how the project:

- (A) Has mitigated each risk; and
- (B) Is working to mitigate each risk, and when it will be mitigated;

(b) Submit the report in (a) of this subsection to fiscal and policy committees of the legislature; and

(c) Receive an additional gated project sign off by the office of financial management, effective September 1, 2023. Prior to spending any project funding in this subsection each quarter, there is an additional gate of approval required for this project. The director of financial management must agree that the project shows accountability, effective and appropriate use of the funding, and that risks are being mitigated to the spending and sign off on the spending for the ensuing quarter.

(2) \$250,000 of the medical aid account—state appropriation and \$250,000 of the accident account—state appropriation are provided solely for the department of labor and industries safety and health assessment and research for prevention program to conduct research to address the high injury rates of the janitorial workforce. The research must quantify the physical demands of common janitorial work tasks and assess the safety and health needs of janitorial workers. The research must also identify potential risk factors associated with increased risk of injury in the janitorial workforce and measure workload based on the strain janitorial work tasks place on janitors' bodies. The department must conduct interviews with janitors and their employers to collect information on risk factors, identify the tools, technologies, and methodologies used to complete work, and understand the safety culture and climate of the industry. The department must produce annual progress reports through the year 2025 or until the tools are fully developed and deployed. The annual progress report must be submitted to the governor and legislature by December 1st of each year such report is due.

(3) \$258,000 of the accident account—state appropriation and \$258,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries safety and health assessment research for prevention program to conduct research to prevent the types of work-related injuries that require immediate hospitalization. The department will develop and maintain a tracking system to identify and respond to all immediate in-patient hospitalizations and will examine incidents in defined high-priority areas, as determined from historical data and public priorities. The research must identify and characterize hazardous situations and contributing factors using epidemiological, safety-engineering, and human factors/ergonomics methods. The research must also identify common factors in certain types of workplace injuries that lead to hospitalization. The department must submit a report to the governor and appropriate legislative committees by August 30, 2023, and annually thereafter, summarizing work-related immediate hospitalizations and prevention opportunities, actions that employers and workers can take to make workplaces safer, and ways to avoid severe injuries.

(4) (a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in aerospace and aerospace related supply chain industries by: Expanding the number of registered apprenticeships, preapprenticeships, and aerospace-related programs; and providing support for registered apprenticeships or programs in aerospace and aerospace-related supply chain industries.

(b) Grants awarded under this section may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training space and lab locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations;

(iii) Curriculum development and instructor training for industry experts;

(iv) Tuition assistance for degrees in engineering and high-demand degrees that support the aerospace industry; and

(v) Funding to increase capacity and availability of child care options for shift work schedules.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit, nongovernmental, or institution of higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, aerospace-related degree programs, or incumbent worker training to prepare workers for the aerospace and aerospace-related supply chain industries.

(d) The department may use up to 5 percent of these funds for administration of these grants.

(5) \$3,774,000 of the accident account—state appropriation and \$890,000 of the medical aid account—state appropriation are provided solely for the creation of an agriculture compliance unit within the division of occupational safety and health. The compliance unit will perform compliance inspections and provide bilingual outreach to agricultural workers and employers.

(6) \$1,642,000 of the medical aid account—state appropriation is provided solely to cover the overhead rent costs to increase the number of labor and industry vocational specialists embedded in WorkSource offices and to implement a comprehensive quality-assurance team to ensure the continuous improvement of vocational services for injured workers through the workers' compensation program.

(7) \$1,798,000 of the public works administration account—state appropriation is provided solely to maintain expanded capacity to investigate and enforce prevailing-wage complaints.

(8) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the crime victims' compensation program to pay for medical exams for suspected victims of domestic violence. Neither the hospital, medical facility, nor victim is to pay for the cost of the medical exam. This funding must not supplant existing funding for sexual assault medical exams. If the cost of medical exams exceeds the funding provided in this subsection, the program shall not reduce the reimbursement rates for medical providers seeking reimbursement for other claimants, and instead the program shall return to paying for domestic violence medical exams after insurance.

(9) ~~(\$1,065,000)~~ (a) \$1,209,000 of the construction registration inspection account—state appropriation, ~~(\$57,000)~~ \$66,000 of the accident account—state appropriation, and ~~(\$12,000)~~ \$14,000 of the medical aid account—state appropriation are provided solely for the conveyance management system replacement project and are subject to the conditions, limitations, and review provided in section 701 of this act.

(b) \$270,000 of the construction registration inspection account—state appropriation, \$17,000 of the accident account—state appropriation, and \$3,000 of the medical aid account—state appropriation are provided solely for the maintenance and operations of the conveyance management system replacement project.

(10) \$250,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to analyze patients who are maintained on chronic opioids. The department must submit an annual report of its findings to the governor and the appropriate committees of the legislature no later than October 1st of each year of the fiscal biennium. The report shall include analysis of patient data, describing the characteristics of patients who are maintained on chronic opioids and their clinical needs, and a preliminary evaluation of potential interventions to improve care and reduce harms in this population.



(11) \$1,363,000 of the medical aid account—state appropriation is provided solely to improve access to medical and vocational providers of the workers' compensation program by expanding the use of navigators to recruit and assist providers in underserved communities and by ensuring access to high quality and reliable interpreter services.

(12) \$3,000,000 of the workforce education investment account—state appropriation, \$1,870,000 of the accident account—state appropriation, and \$330,000 of the medical aid account—state appropriation are provided solely for the department, in coordination with the Washington state apprenticeship council, to administer grants to continue the growth of behavioral health apprenticeship programs. Grants may be awarded for provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. Grant awardees must use a minimum of one-half of amounts provided to compensate behavioral health providers for employer implementation costs including mentor wage differentials, related instruction wages, and administrative costs. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(13) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the department, in coordination with the Washington state apprenticeship training council, to administer grants to address the behavioral health workforce shortage through behavioral health preapprenticeship and behavioral health entry level training, including nursing assistant certified programs. Grants may cover program costs including, but not limited to, provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(14)(a) \$300,000 of the workforce education investment account—state appropriation is provided solely for certified construction trade preapprenticeship programs that use a nationally approved multicraft curriculum and emphasize construction math, tool use, job safety, equipment, life skills, and financial literacy. The preapprenticeship programs should focus on disadvantaged, nontraditional, and underrepresented populations, and on populations reentering the community from incarceration and homelessness. Funding provided in this subsection may be used to:

(i) Provide incentives for participation in preapprenticeship programs, such as covering program costs, providing stipends to preapprentices, or covering the costs of construction tools; or

(ii) Address barriers for participation in preapprenticeship programs, such as covering costs of child care or transportation, or facilitating interviews for apprenticeship programs.

(b) The department may use up to five percent of the amount provided in (a) of this subsection for administration of these grants.

(15)(a) \$400,000 of the workforce education investment account—state appropriation is provided solely for grants to nonprofit organizations to:

(i) Expand meatcutter registered apprenticeship and preapprenticeship programs to new locations; or

(ii) Develop a new fishmonger registered apprenticeship program.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training space and lab locations to support the expansion and establishment of apprenticeship and preapprenticeship training in new locations;

(iii) Curriculum development, including the creation of elearning content, and instructor training for apprenticeship and preapprenticeship instructors;

(iv) Tuition assistance for apprentices in registered apprenticeship programs accredited by a community or technical college;

(v) Stipends for preapprentices; and

(vi) Apprenticeship and preapprenticeship coordination and administration services.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit organization that administers or directly provides apprenticeship and preapprenticeship training opportunities, overseen by a committee with at least one labor union and one employer representative or with an active program with participation of both labor union and employer partners, for retail meatcutters and/or fishmongers.

(d) The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(16) (~~(\$6,000,000)~~) \$12,000,000 of the workforce education investment account—state appropriation is provided solely for the department to distribute funding to multiemployer nonprofit programs providing apprenticeship education and job training for general journey level (01) electricians to increase funding for related supplemental instruction costs. Funding shall be allocated to programs by formula based on delivered related supplemental instruction hours for active apprentices under chapter 49.04 RCW and operating in compliance for administrative procedures. If a program is partnered with a Washington community or technical college to deliver the related supplemental instruction, the program may apply for

up to a 25 percent increase in allocated funding based on the level of contracted support provided by the college. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(17) ~~((\$1,249,000))~~ \$873,000 of the accident account—state appropriation and ~~((\$507,000))~~ \$883,000 of the medical aid account—state appropriation are provided solely for the creation of the center for work equity research. The center will study and systematically address employer and employment factors that place historically marginalized workers at increased risk for work-related injuries and illnesses and social and economic hardship.

(18) \$2,908,000 of the public works administration account—state appropriation is provided solely for system improvements to the prevailing wage program information technology system. This project is subject to the conditions, limitations, and review provided in section 701 of this act.

(19) \$205,000 of the general fund—state appropriation for fiscal year 2024 and \$205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue conducting a four-year retention study of state registered apprentices as provided in chapter 156, Laws of 2022 (apprenticeship programs). The study shall include the collection of data from all apprentices three months into their apprenticeship to understand challenges and barriers they face towards program participation. The aggregate data by trade must be displayed on a publicly available dashboard. Study data must be provided with apprenticeship coordinators to implement an early response to connect apprentices with needed supports. The department shall submit an annual report to the governor and appropriate legislative committees on June 30, 2024 and June 30, 2025.

(20) \$3,500,000 of the workforce education investment account—state appropriation is provided solely to administer a grant program intended to provide wraparound support services to mitigate barriers to beginning or participating in apprenticeship programs as described in chapter 156, Laws of 2022. Up to five percent of the total funding provided in this subsection may be used to cover administrative expenses.

(21) ~~((\$1,963,000))~~ \$1,798,000 of the accident account—state appropriation and ~~((\$797,000))~~ \$960,000 of the medical aid account—state appropriation are provided solely to expand access to worker rights and safety information for workers with limited English proficiency (LEP) through outreach and translation of safety-related information, training, and other materials. \$1,000,000 of the amount provided in this subsection is provided solely for grants to community-based organizations to provide workplace rights and safety outreach to underserved workers.

(22) \$857,000 of the accident account—state appropriation and \$855,000 of the medical aid account—state appropriation are provided solely for enhancements to the workers' compensation training modules to include strategies on reducing long-term disability among claimants.

(23) \$6,702,000 from the electrical license account—state appropriation is provided solely for an additional wage increase for all positions within the electrical construction inspector, electrical construction inspector lead, electrical inspection field supervisor/technical specialist, and electrical plans examiner job class series consistent with the July 1, 2023, range differentials, subject to an agreement between the state and the exclusive collective bargaining representative of the electrical construction inspectors.

(24) \$165,000 of the general fund—state appropriation for fiscal year 2024 and \$165,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training to continue implementation of a program aimed at reducing workplace sexual harassment in the agricultural sector. The department may use up to five percent of the amount provided in this subsection for administration of this grant. The organization receiving the grant must:

(a) Continue peer-to-peer trainings for farmworkers in Yakima county and expand to provide peer-to-peer trainings for farmworkers in Grant and Benton counties;

(b) Support an established network of peer trainings as farmworker leaders, whose primary purpose is to prevent workplace sexual harassment and assault through leadership, education, and other tools; and

(c) Share best practices from the peer-to-peer model at a statewide conference for farmworkers, industry representatives, and advocates.

(25) \$250,000 of the accident account—state appropriation and \$278,000 of the medical aid account—state appropriation is provided solely for implementation of House Bill No. 1197 (workers' comp. providers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) ~~((\$1,645,000))~~ \$1,088,000 of the public works administration account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1050 (apprenticeship utilization). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(27) ~~((\$365,000))~~ \$318,000 of the accident account—state appropriation and ~~((\$64,000))~~ \$56,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1217 (wage complaints). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(28) \$105,000 of the accident account—state appropriation and \$19,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1323 (fire-resistant materials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$239,000 of the accident account—state appropriation and \$239,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$256,000 of the construction registration inspection account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1534 (construction consumers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$1,311,000 of the accident account—state appropriation and \$243,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(32) \$431,000 of the accident account—state appropriation and \$76,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) \$560,000 of the public works administration account—state appropriation is provided solely to update computer applications for implementation of Senate Bill No. 5088 (contractor registration). This project is subject to the conditions, limitations, and review provided in section 701 of this act. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(34) \$84,000 of the accident account—state appropriation and \$84,000 of the medical aid account—state appropriation are provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(35) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5070 (nonfatal strangulation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(36) \$216,000 of the accident account—state appropriation and \$37,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5156 (farm internship program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(37) \$1,470,000 of the accident account—state appropriation and \$260,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5217 (musculoskeletal injuries/L&I). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(38) \$354,000 of the public works administration account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(39) \$234,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(40) \$230,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5111 (sick leave/construction). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(41) \$4,663,000 of the accident account—state appropriation and \$884,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(42) ~~(\$333,000)~~ \$367,000 of the accident account—state appropriation and ~~(\$333,000)~~ \$369,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(43) \$1,906,000 of the electrical license account—state appropriation is provided solely for electrical inspector staffing to expand capacity to conduct electrical inspections, effective July 1, 2024.

(44) \$200,000 of the accident account—state appropriation and \$200,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries to contract with a third-party vendor to produce a study that assesses post-traumatic stress disorder related workers' compensation policies and claims in Washington and other states. The intent of the study is to inform the department on policy and best practices that improve worker outcomes for law enforcement officers, firefighters, and nurses. The department shall submit a report describing the outcomes, best practices, and recommendations to the governor and appropriate legislative committees by June 30, 2025.

(45) \$240,000 of the workforce education investment account—state appropriation is provided solely for a grant to a statewide-serving nonprofit organization providing support services to apprentices and preapprentices for the provision of new work boots and other resources to state recognized apprenticeship preparation participants in correctional

facilities and as they transition from incarceration to state registered apprenticeship programs. The work boots and other resources must be within allowable guidelines for incarcerated and community supervised individuals. The department may use up to five percent of the amount provided in this subsection for administration of this grant.

(46) \$300,000 of the surgical smoke evacuation nonappropriated account—state appropriation is provided solely to implement the reimbursement requirements established in chapter 129, Laws of 2022.

(47) \$60,000 of the workforce education investment account—state appropriation is provided solely for costs for instructors for the preapprenticeship construction programs pursuant to subsection (14) of this section.

(48) \$175,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with the municipal research and services center to conduct a public works study. The study shall evaluate the application of public works requirements, including prevailing wage and apprentice utilization, on publicly funded construction, including those supported in part or in whole with state funds, the granting or loaning of public dollars, and tax deferrals or reimbursements. The department may use up to five percent of these funds for administration. A report to the relevant committees of the legislature shall be submitted by June 30, 2025.

(49) \$100,000 of the medical aid account—state appropriation and \$100,000 of the accident account—state appropriation are provided solely for the staffing of a resolution process for complaints regarding light duty work under Title 51 RCW. The department shall submit a report to the appropriate committees of the legislature by June 30, 2025, on outcomes related to this funding and data regarding light duty resolution processes provided in this subsection.

(50) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to survey registered apprenticeship programs and assimilate data that documents the fee structure and contractual elements of partnerships between the various registered apprenticeship programs and community and technical college system. This information will be used to inform a report and recommendations to the legislature on registered apprenticeship funding and how this funding is directed to community and technical colleges. The department shall submit a report to the legislature summarizing the survey findings by November 15, 2024.

(51) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of labor and industries to convene and to staff the underground economy task force created in section 906 of this act.

(52) \$479,000 of the accident account—state appropriation and \$102,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5793 (paid sick leave). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(53) \$8,000 of the plumbing certificate account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5997 (plumbing hours reporting). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(54) \$477,000 of the accident account—state appropriation and \$84,000 of the medical account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(55) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$139,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 6069 (retirement savings). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(56) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$471,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5937 (crime victims/witnesses). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(57) \$50,000 from the electrical license account—state appropriation is provided solely for the department to work with the association of Washington cities and associated stakeholders having an interest in the installation and maintenance of electric security alarm systems to identify appropriate pathways to streamline the permitting process and any other recommendations in order to facilitate the installation of these systems in this state. The department shall submit a report to the appropriate committees of the legislature with its findings and recommendations, in accordance with RCW 43.01.036, by December 15, 2024.

(58) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for increasing access to manufacturing apprenticeships.

(59) \$665,000 of the accident account—state appropriation and \$118,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1905 (equal pay/protected classes). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(60) \$202,000 of the accident account—state appropriation and \$202,000 of the medical aid account—state appropriation are provided solely for implementation of House Bill No. 1927 (temporary total disability). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(61) \$1,933,000 of the accident account—state appropriation and \$294,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute

House Bill No. 2022 (construction crane safety). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(62) \$219,000 of the accident account—state appropriation and \$38,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 2061 (health employees/overtime). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(63) \$226,000 of the accident account—state appropriation and \$76,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 2097 (worker wage recovery). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(64) \$226,000 of the public works administration account—state appropriation is provided solely for implementation of Substitute House Bill No. 2136 (prevailing wage sanctions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 221.** 2023 c 475 s 221 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

(1) The appropriations in this section are subject to the following conditions and limitations:

(a) The department of veterans affairs shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys that are unrelated to the coronavirus response and not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys that are unrelated to the coronavirus response, those moneys must be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(b) Each year, there is fluctuation in the revenue collected to support the operation of the state veteran homes. When the department has foreknowledge that revenue will decrease, such as from a loss of census or from the elimination of a program, the legislature expects the department to make reasonable efforts to reduce expenditures in a commensurate manner and to demonstrate that it has made such efforts. In response to any request by the department for general fund—state appropriation to backfill a loss of revenue, the legislature shall consider the department's efforts in reducing its expenditures in light of known or anticipated decreases to revenues.

(2) HEADQUARTERS

General Fund—State Appropriation (FY 2024) . . . . .	(((\$4,932,000))
	\$5,029,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$4,978,000))
	\$5,324,000
Charitable, Educational, Penal, and Reformatory	
Institutions Account—State Appropriation . . . . .	\$10,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$9,920,000))</b>
	<b>\$10,363,000</b>

(3) FIELD SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(((\$10,998,000))
	\$11,113,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$10,860,000))
	\$12,007,000
General Fund—Federal Appropriation . . . . .	(((\$10,323,000))
	\$10,328,000
General Fund—Private/Local Appropriation . . . . .	(((\$6,538,000))
	\$6,542,000
Veteran Estate Management Account—Private/Local	
Appropriation . . . . .	(((\$717,000))
	\$718,000
<b>TOTAL APPROPRIATION</b> .....	<b>(((\$39,436,000))</b>
	<b>\$40,708,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5358 (veterans' services). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Of the amounts provided in this subsection:

(i) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one

veterans service officer each in Island county, Walla Walla county, Clallam county, and Stevens county.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with an organization located in Thurston county that has experience in the delivery of no-cost equine therapy for military veterans and active members of the military.

(c) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(d) \$566,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2014 (definition of veteran). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(4) STATE VETERANS HOMES PROGRAM

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$25,818,000</del> ))
	\$26,775,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$20,386,000</del> ))
	\$19,507,000
General Fund—Federal Appropriation. . . . .	(( <del>\$127,227,000</del> ))
	\$136,196,000
General Fund—Private/Local Appropriation. . . . .	(( <del>\$17,330,000</del> ))
	\$11,982,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$190,761,000</del>))</b>
	<b>\$194,460,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) If the department receives additional unanticipated federal resources that are unrelated to the coronavirus response at any point during the remainder of the 2023-2025 fiscal biennium, an equal amount of general fund—state must be placed in unallotted status so as not to exceed the total appropriation level specified in this subsection. The department may submit as part of the policy level budget submittal documentation required by RCW 43.88.030 a request to maintain the general fund—state resources that were unallotted as required by this subsection.

(b) Appropriations have been adjusted in this section to reflect anticipated changes in state, federal, and local resources as a result of census changes. The department shall incorporate these adjustments in the governor's projected maintenance level budget required in RCW 43.88.030.

(5) CEMETERY SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	\$167,000
General Fund—State Appropriation (FY 2025) . . . . .	\$169,000
General Fund—Federal Appropriation. . . . .	\$1,055,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$1,391,000</b>

**Sec. 222.** 2023 c 475 s 222 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$168,127,000</del> ))
	\$190,116,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$148,005,000</del> ))
	\$184,729,000
General Fund—Federal Appropriation. . . . .	(( <del>\$589,208,000</del> ))
	\$589,612,000
General Fund—Private/Local Appropriation. . . . .	(( <del>\$174,244,000</del> ))
	\$189,255,000
Dedicated Cannabis Account—State Appropriation (FY 2024) . . . . .	\$11,863,000
Dedicated Cannabis Account—State Appropriation (FY 2025) . . . . .	(( <del>\$12,356,000</del> ))
	\$12,368,000
Climate Commitment Account—State Appropriation. . . . .	(( <del>\$89,552,000</del> ))
	\$91,000,000
Climate Investment Account—State Appropriation. . . . .	\$902,000
Foundational Public Health Services Account—State Appropriation. . . . .	\$23,066,000
Hospital Data Collection Account—State Appropriation. . . . .	\$592,000
Health Professions Account—State Appropriation. . . . .	(( <del>\$192,069,000</del> ))
	\$197,115,000
Aquatic Lands Enhancement Account—State Appropriation. . . . .	\$642,000
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation. . . . .	\$10,175,000

Medicaid Fraud Penalty Account—State Appropriation. . . . .	\$3,027,000
Natural Climate Solutions Account—State Appropriation. . . . .	\$72,000
<del>((Public Health Supplemental Account—State Appropriation. . . . .</del>	<del>\$293,000))</del>
Safe Drinking Water Account—State Appropriation. . . . .	<del>((8,946,000))</del> <u>\$8,964,000</u>
Drinking Water Assistance Account—Federal Appropriation. . . . .	<del>((25,867,000))</del> <u>\$25,901,000</u>
Waterworks Operator Certification Account—State Appropriation. . . . .	\$2,089,000
Drinking Water Assistance Administrative Account— State Appropriation. . . . .	<del>((2,480,000))</del> <u>\$2,479,000</u>
Site Closure Account—State Appropriation. . . . .	\$197,000
Biotoxin Account—State Appropriation. . . . .	<del>((1,773,000))</del> <u>\$1,772,000</u>
Model Toxics Control Operating Account—State Appropriation. . . . .	<del>((8,953,000))</del> <u>\$10,382,000</u>
Medical Test Site Licensure Account—State Appropriation. . . . .	<del>((5,239,000))</del> <u>\$5,238,000</u>
Secure Drug Take-Back Program Account—State Appropriation. . . . .	\$1,474,000
Youth Tobacco and Vapor Products Prevention Account— State Appropriation. . . . .	<del>((3,273,000))</del> <u>\$3,272,000</u>
Public Health Supplemental Account—Private/Local Appropriation. . . . .	<del>((3,824,000))</del> <u>\$4,117,000</u>
Accident Account—State Appropriation. . . . .	<del>((388,000))</del> <u>\$387,000</u>
Medical Aid Account—State Appropriation. . . . .	\$58,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation. . . . .	<del>((42,865,000))</del> <u>\$55,066,000</u>
Coronavirus State Fiscal Recovery Fund—Federal Appropriation. . . . .	<del>((27,022,000))</del> <u>\$3,222,000</u>
Opioid Abatement Settlement Account—State Appropriation. . . . .	<del>((7,400,000))</del> <u>\$19,785,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<del><b>((1,566,041,000))</b></del> <b><u>\$1,648,937,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) During the 2023-2025 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to \$25 annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(3) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt license and certification fees in fiscal years 2024 and 2025 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the

reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(4) Within the amounts appropriated in this section, and in accordance with RCW 70.41.100, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 70.41.080.

(5) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt fees for the review and approval of mental health and substance use disorder treatment programs in fiscal years 2024 and 2025 as necessary to support the costs of the regulatory program. The department's fee schedule must have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(6) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(7) Within the amounts appropriated in this section, and in accordance with RCW 43.70.110 and 71.12.470, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 71.12.485.

(8) \$492,000 of the general fund—state appropriation for fiscal year 2024 and \$492,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with local health jurisdictions to establish and maintain comprehensive group B programs to ensure safe drinking water. These funds shall be used for implementation costs, including continued development and adoption of rules, policies, and procedures; technical assistance; and training.

(9) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community outreach to prepare culturally and linguistically appropriate hepatitis B information in a digital format to be distributed to ethnic and cultural leaders and organizations to share with foreign-born and limited or non-English speaking community networks.

(10) Within amounts appropriated in this section, the Washington ((nursing commission))board of nursing must hire sufficient staff to process applications for nursing licenses so that the time required for processing does not exceed seven days.

(11) \$725,000 of the general fund—state appropriation for fiscal year 2024 and (((\$725,000))\$1,225,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington poison center. This funding is provided in addition to funding pursuant to RCW 69.50.540.

(12) \$622,000 of the general fund—state appropriation for fiscal year 2024, \$622,000 of the general fund—state appropriation for fiscal year 2025, and \$3,000,000 of the medicaid fraud penalty account—state appropriation are provided solely for the ongoing operations and maintenance of the prescription monitoring program maintained by the department.

(13) \$2,265,000 of the general fund—state appropriation for fiscal year 2024 and \$2,265,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

(a) Staffing by the department, the department of veterans affairs, and the department of corrections to expand statewide suicide prevention efforts, which efforts include suicide prevention efforts for military service members and veterans and incarcerated persons;

(b) A suicide prevention public awareness campaign to provide education regarding the signs of suicide, interventions, and resources for support;

(c) Staffing for call centers to support the increased volume of calls to suicide hotlines;

(d) Training for first responders to identify and respond to individuals experiencing suicidal ideation;

(e) Support for tribal suicide prevention efforts;

(f) Strengthening behavioral health and suicide prevention efforts in the agricultural sector;

(g) Support for the three priority areas of the governor's challenge regarding identifying suicide risk among service members and their families, increasing the awareness of resources available to service members and their families, and lethal means safety planning;



(h) Training for community health workers to include culturally informed training for suicide prevention;

(i) Coordination with the office of the superintendent of public instruction; and

(j) Support for the suicide prevention initiative housed in the University of Washington.

(14) \$4,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,500,000)~~ \$4,600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the fruit and vegetable incentives program. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are for the fruit and vegetable prescription program, which provides food as medicine to individuals experiencing food insecurity or are at high risk of developing a chronic health condition.

(15) \$627,000 of the general fund—state appropriation for fiscal year 2024 and \$627,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the recommendations from the community health workers task force to provide statewide leadership, training, and integration of community health workers with insurers, health care providers, and public health systems.

(16) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington (~~nursing commission~~) board of nursing to manage a grant process to incentivize nurses to supervise nursing students in health care settings. The goal of the grant program is to create more clinical placements for nursing students to complete required clinical hours to earn their nursing degree and related licensure.

(17) \$1,490,000 of the health professional services account—state appropriation is provided solely for the Washington (~~nursing commission~~) board of nursing to continue to implement virtual nursing assistant training and testing modalities, create an apprenticeship pathway into nursing for nursing assistants, implement rule changes to support a career path for nursing assistants, and collaborate with the workforce training and educational coordinating board on a pilot project to transform the culture and practice in long term care settings. The goal of these activities is to expand the nursing workforce for long term care settings.

(18) \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to test for lead in child care facilities to prevent child lead exposure and to research, identify, and connect facilities to financial resources available for remediation costs.

(19) \$814,000 of the general fund—state appropriation for fiscal year 2024 and \$814,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to support school-based health centers and behavioral health services.

(20) \$1,300,000 of the general fund—state appropriation for fiscal year 2024 and \$1,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate and lead a multi-agency approach to youth suicide prevention and intervention.

(21) (a) \$486,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the community health worker platform and continued implementation of the community health worker trainings in the pediatric setting for children with behavioral health needs.

(b) Of the amounts provided in this subsection for fiscal year 2024, \$250,000 is provided solely for a grant to a pediatric organization to convene a learning collaborative to support community health workers to ensure their success while on the job with their multidisciplinary clinic teams and for the development of this new integrated health care worker field.

(22) \$1,390,000 of the general fund—state appropriation for fiscal year 2024 and \$1,378,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the child profile health promotion notification system.

(23) (~~\$5,000,000~~) (a) \$10,250,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone to first responders and agency staff in organizations such as syringe service programs, house providers, and street outreach programs.

(b) Of the amounts provided in this subsection, \$1,250,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to purchase a dedicated supply of naloxone for first responders across the state.

(24) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to remediate the impacts of the opioid epidemic. This funding must be used consistent with conditions of the opioid settlement agreements that direct how funds deposited into the opioid abatement settlement account created in Engrossed Substitute Senate Bill No. 5293 must be used.

(25) \$400,000 of the opioid abatement settlement account—state appropriation is provided solely for the completion of work identified in the state opioid response plan related to maternal and infant health.

(26) (a) \$10,000,000 of the climate commitment account—state appropriation is provided solely to support and administer a workplace health and safety program for workers who are affected by climate impacts, including but not limited to, extreme heat and cold, wildfire smoke, drought, and flooding. This program will focus on workplace health and safety for farmworkers, construction workers, and other workers who face the most risk from climate-related impacts. This amount shall be limited to supporting vulnerable populations in overburdened communities under the climate commitment act as defined in RCW 70A.65.010. Funding shall be provided for:

(i) Pass through grants to community-based organizations, tribal governments, and tribal organizations to support workplace health and safety for workers who are burdened by the intersection of their work and climate impacts; and

(ii) Procurement and distribution of equipment and resources for workers who are burdened by the intersection of their work and climate impacts directly by the department of health, or through pass-through grants to community-based organizations, tribal governments, and tribal organizations. Equipment and resources may include but are not limited to: Personal protective equipment, other protective or safety clothing for cold and heat, air purifiers for the workplace or worker housing, protection from ticks and mosquitoes, and heating and cooling devices.

(b) The department of health, in consultation with the environmental justice council, community groups, and the department of labor and industries, shall evaluate mechanisms to provide workers with financial assistance to cover lost wages or other financial hardships caused by extreme weather events and climate threats.

(c) No more than five percent of this funding may be used to administer this grant program.

(27) (~~(\$5,996,000)~~) \$7,174,000 of the climate commitment account—state appropriation is provided solely for the department to implement the healthy environment for all act under chapter 70A.02 RCW, including additional staff and support for the environmental justice council and implementation of a community engagement plan. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes of this subsection.

(28) (a) \$26,355,000 of the climate commitment account—state appropriation is provided solely for the department to administer capacity grants to tribes and tribal organizations and to overburdened communities and vulnerable populations to provide guidance and input:

(i) To agencies and to the environmental justice council on implementation of the healthy environment for all act; and

(ii) To the department on updates to the environmental health disparities map.

(b) At least 50 percent of the total amount distributed for capacity grants in this subsection must be reserved for grants to tribes and tribal organizations.

(c) Funding provided in this subsection may be used for tribes and tribal organizations to hire staff or to contract with consultants to engage in updating the environmental health disparities map or on implementing the healthy environment for all act.

(d) The department may use a reasonable amount of funding provided in this subsection to administer the grants.

(29) \$17,752,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to sustain information technology infrastructure, tools, and solutions developed to respond to the COVID-19 pandemic. The department shall submit a plan to the office of financial management by September 15, 2023, that identifies a new funding strategy to maintain these information technology investments within the department's existing state, local, and federal funding. Of this amount, a sufficient amount is appropriated for the department to create an implementation plan for real-time bed capacity and tracking for hospitals and skilled nursing facilities, excluding behavioral health hospitals and facilities. The department will provide the implementation plan and estimated cost for an information technology system and implementation costs to the office of financial management by September 15, 2023, for the bed capacity and tracking tool.

(30) (~~(\$20,000,000)~~) \$18,700,000 of the general fund—state appropriation for fiscal year 2024 and \$1,300,000 of the coronavirus state fiscal recovery fund—federal appropriation (~~(is)~~) are provided solely to support COVID-19 public health and response activities. The department must continue to distribute COVID-19 testing supplies to agricultural workers and tribal governments. The department must submit a spending plan to the office of financial management for approval. These funds may only be allocated and expended after approval of the spending plan.

(31) \$7,657,000 of the general fund—state appropriation for fiscal year 2024 and \$7,853,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs and grants to maintain access to abortion care. Of the amounts provided in this subsection:

(a) \$2,939,000 of the general fund—state appropriation for fiscal year 2024 and \$2,939,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care;

(b) \$368,000 of the general fund—state appropriation for fiscal year 2024 and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for outreach, patient navigation, staffing at the department, and training;

(c) \$4,100,000 of the general fund—state appropriation for fiscal year 2024 and \$4,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care who participate in the department's sexual and

reproductive health program for workforce retention and recruitment initiatives to ensure continuity of services; and

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care that participate in the department's sexual and reproductive health program for security investments.

(32) \$285,000 of the general fund—state appropriation for fiscal year 2024, \$295,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—private/local appropriation are provided solely for the behavioral health agency program for licensure and regulatory activities.

(33) \$104,000 of the general fund—state appropriation for fiscal year 2024, \$104,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the health professions account—state appropriation are provided solely for the department to conduct credentialing and inspections under chapter 324, Laws of 2019 (behavioral health facilities).

(34) ~~(\$3,298,000)~~ \$1,398,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$1,900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the breast, cervical and colon screening program, comprehensive cancer community partnerships, and Washington state cancer registry.

(35) \$85,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for continued implementation of chapter 58, Laws of 2022 (cardiac & stroke response).

(36) \$671,000 of the general fund—state appropriation for fiscal year 2024 and \$329,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the care-a-van mobile health program.

(37) \$702,000 of the climate investment account—state appropriation is provided solely for implementation of chapter 316, Laws of 2021 (climate commitment act).

(38) \$200,000 of the climate investment account—state appropriation is provided solely for the environmental justice council to coordinate with the department of ecology on a process to track state agency expenditures from climate commitment act accounts, as described in section 302(13) of this act. Funding is for the following as they relate to development of the department of ecology process:

(a) Public engagement with tribes and vulnerable populations within the boundaries of overburdened communities; and

(b) Cost recovery or stipends for participants in the public process to reduce barriers to participation, as described in RCW 43.03.220.

(39) \$31,000 of the general fund—state appropriation for fiscal year 2024 and \$31,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 204, Laws of 2022 (truck drivers/restrooms).

(40) \$808,000 of the drinking water assistance administrative account—state appropriation is provided solely for the water system consolidation grant program.

(41) \$1,044,000 of the safe drinking water account—state appropriation is provided solely for the drinking water technical services program.

(42) \$288,000 of the secure drug take-back program account—state appropriation is provided solely for implementation of chapter 155, Laws of 2021 (drug take-back programs).

(43) \$7,146,000 of the drinking water assistance account—federal appropriation is provided solely for the office of drinking water to provide technical assistance, direct engineering support, and construction management to small water systems.

(44) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$607,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the early hearing detection, diagnosis, and intervention program.

(45) \$954,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(46) ~~(\$12,466,000)~~ \$12,509,000 of the health professions account—state appropriation ~~((is))~~ and \$13,187,000 of the general fund—private/local appropriation are provided solely for the regulation of health professions.

(47) \$599,000 of the health professions account—state appropriation is provided solely for ongoing maintenance of the HEALWA web portal to provide access to health information for health care providers.

(48) \$1,359,000 of the general fund—state appropriation for fiscal year 2024, \$680,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—private/local appropriation are provided solely for the department to perform investigations to address the backlog of hospital complaints.

(49) \$12,000 of the health professions account—state appropriation is provided solely for implementation of chapter 204, Laws of 2021 (international medical grads).

(50) \$634,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to onboard systems to, and maintain, the master person index as part of the health and human services coalition master person index initiative, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(51) \$2,062,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete upgrades to the medical cannabis authorization database to

improve reporting functions and accessibility, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(52) \$1,865,000 of the medical test site licensure account—state appropriation is provided solely for the medical test site regulatory program for inspections and other regulatory activities.

(53) \$2,276,000 of the health professions account—state appropriation is provided solely for the (~~(nursing care quality assurance commission)~~) Washington board of nursing for nursing licensure and other regulatory activities.

(54) \$813,000 of the general fund—state appropriation for fiscal year 2024 and \$811,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to assist with access to safe drinking water for homes and businesses with individual wells or small water systems that are contaminated.

(55) \$146,000 of the model toxics control operating account—state appropriation is provided solely for implementation of chapter 264, Laws of 2022 (chemicals/consumer products).

(56) \$1,150,000 of the general fund—state appropriation for fiscal year 2024 and \$1,150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand the birth equity project with the goal of reducing prenatal and perinatal health disparities.

(57) \$1,738,000 of the general fund—private/local appropriation is provided solely for implementation of chapter 115, Laws of 2020 (psychiatric patient safety).

(58) \$23,066,000 of the foundational public health services account—state appropriation is provided solely for the department to maintain the RAINIER (reporting array for incident, noninfectious and infectious event response) suite, RHINO (rapid health information network) program, WAIIS (Washington immunization information system) system, and data exchange services.

(59) \$5,100,000 of the general fund—state appropriation for fiscal year 2024, \$7,355,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$7,022,000)~~) \$1,922,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely for operation of the statewide medical logistics center. Within these amounts, the department must coordinate with the department of social and health services to develop processes that will minimize the disposal and destruction of personal protective equipment and for interagency distribution of personal protective equipment.

(60) \$315,000 of the general fund—state appropriation for fiscal year 2024 and \$315,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the universal development screening system.

(61) \$2,000,000 of the health professions account—state appropriation and \$293,000 of the public health supplemental account—state appropriation are provided solely for the Washington medical commission for regulatory activities, administration, and addressing equity issues in processes and policies.

(62) (~~(\$200,000)~~) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the Washington medical coordination center, to create an implementation plan for real-time bed capacity and tracking for hospitals. The department must provide the implementation plan and estimated costs for the bed capacity and tracing tool to the office of the governor and the office of financial management by ((September 15, 2023)) September 1, 2024.

(63) \$48,000 of the model toxics control operating account—state appropriation is provided solely for the Puget Sound clean air agency to coordinate meetings with local health jurisdictions in King, Pierce, Snohomish, and Kitsap counties to better understand air quality issues, align messaging, and facilitate delivery of ready-to-go air quality and health interventions. The amount provided in this subsection may be used for agency staff time, meetings and events, outreach materials, and tangible air quality and health interventions.

(64) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than \$525 annually for new or renewed licenses for the midwifery program.

(65) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of radiation protection to conduct a review of the state's readiness for licensing fusion energy projects. The legislature intends for Washington to support the deployment of fusion energy projects and larger research facilities by taking a leading role in the licensing of future fusion power plants. The department, in consultation with relevant state-level regulatory agencies, must review and provide recommendations and costs estimates for the necessary staffing and technical resources to fulfill the state's registration, inspection, and licensure obligations. The department must report its findings and any recommendations to the governor and appropriate legislative committees by December 1, 2023.

(66) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for blood supply relief. The department must distribute this amount equally between the four largest nonprofit blood donation organizations operating in the state. The amounts distributed may be used only for activities to rebuild the state's blood supply, including increased staffing support for donation centers and mobile blood drives.

(67) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,500,000)~~) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are

provided solely for tobacco, vapor product, and nicotine control, cessation, treatment, and prevention, and other substance use prevention and education, with an emphasis on community-based strategies. These strategies must include programs that consider the disparate impacts of nicotine addiction on specific populations, including youth and racial or other disparities.

(68) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for an existing program that works with community members and partners to bridge health equity gaps to establish a pilot health care program in Pierce county to serve the unique needs of the African American community, including addressing diabetes, high blood pressure, low birth weight, and health care for preventable medical, dental, and behavioral health diagnoses.

(69) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Island county to contract for a study of cost-effective waste treatment solutions, as an alternative to septic and sewer, for unincorporated parts of Island county. The study must:

(a) Identify any regulatory barriers to the use of alternative technology-based solutions;

(b) Include an opportunity for review and consultation by the department; and

(c) Include any recommendations from the department in the final report.

(70) \$2,656,000 of the general fund—private/local appropriation is provided solely for the department to provide cystic fibrosis DNA testing and to engage with a courier service to transport specimens to the public health laboratory.

(71) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely in support of the department's activities pursuant to chapter 226, Laws of 2016 (commonly known as the caregiver advise, record, enable act). This funding must be used to:

(a) Create a communication campaign to notify hospitals across the state of available resources to support family caregivers;

(b) Curate or create a set of online training videos on common caregiving tasks including, but not limited to, medication management, injections, nebulizers, wound care, and transfers; and

(c) Provide information to patients and family caregivers upon admission.

(72) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1275 (athletic trainers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(73) \$126,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1001 (audiology & speech compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(74) \$9,157,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(75) \$1,016,000 of the general fund—state appropriation for fiscal year 2024, \$453,000 of the general fund—state appropriation for fiscal year 2025, \$30,000 of the general fund—private/local appropriation, and \$676,000 of the health professions account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$72,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(77) \$418,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(78) \$46,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1466 (dental auxiliaries). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(79) \$12,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1287 (dental hygienists). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(80) \$136,000 of the general fund—state appropriation for fiscal year 2025 and \$193,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1678 (dental therapists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(81) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1576 (dentist compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(82) \$4,000 of the general fund—state appropriation for fiscal year 2025 and \$700,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1503 (health care licenses/info.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(83) \$29,000 of the general fund—state appropriation for fiscal year 2024 and \$124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1255 (health care prof. SUD prg.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(84) \$48,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1694 (home care workforce shortage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(85) \$282,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1039 (intramuscular needling). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(86) \$1,892,000 of the general fund—state appropriation for fiscal year 2024 and \$2,895,000 of the general fund—private/local appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(87) \$407,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(88) \$65,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1073 (medical assistants). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(89) \$447,000 of the general fund—state appropriation for fiscal year 2024 and \$448,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(90) \$195,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor comp). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(91) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(92) ~~(((\$400,000))\$165,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(((\$165,000))\$400,000~~ of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1457 (motor carriers/restrooms). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(93) \$126,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$102,000))~~ \$202,000 of the general fund—state appropriation for fiscal year 2025, and \$81,000 of the health professions account—state appropriation are provided solely for implementation of Substitute House Bill No. 1247 (music therapists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(94) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1271 (organ transport vehicles). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(95) ~~(((\$862,000))\$627,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(((\$526,000))\$761,000~~ of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1470 (private detention facilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(96) \$97,000 of the general fund—state appropriation for fiscal year 2024 and \$27,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1230 (school websites/drug info.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(97) \$77,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(98) \$2,773,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$2,773,000))\$3,273,000~~ of the general fund—state appropriation for fiscal year 2025 are provided solely for grant funding and administrative costs for the school-based health center program established in chapter 68, Laws of 2021 (school-based health centers).

(99) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based nonprofit organization located in the Yakima Valley to continue a Spanish-language public radio media campaign aimed at providing education on the COVID-19 pandemic through an outreach program. The goal of the radio media campaign is to reach residents considered "essential workers," including but not limited to farmworkers, and provide information on health and safety guidelines, promote vaccination

events, and increase vaccine confidence. The nonprofit organization must coordinate with medical professionals and other stakeholders on the content of the radio media campaign. The department, in coordination with the nonprofit, must provide a preliminary report to the legislature no later than December 31, 2024. A final report to the legislature must be submitted no later than June 30, 2025. Both reports must include: (a) A description of the outreach program and its implementation; (b) the number of individuals reached through the outreach program; and (c) any relevant demographic data regarding those individuals.

(100) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an equity consultant to evaluate the effect of changes made by, and vulnerabilities in, Engrossed Substitute Senate Bill No. 5179 (death with dignity act). The consultant shall partner with interested parties, vulnerable populations, and communities of color to solicit feedback on barriers to accessing the provisions of the act, any unintended consequences, and any challenges and vulnerabilities in the provision of services under the act, recommendations on ways to improve data collection, and recommendations on additional measures to be reported to the department. The department must report the findings and recommendations to the legislature by June 30, 2025.

(101) \$350,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a rural nursing workforce initiative to create a hub for students to remain in rural environments while working toward nursing credentials, including for program personnel, support, and a rural nursing needs assessment. Funding is provided to develop a program based on the rural nursing needs assessment.

(102)(a) \$1,393,000 of the climate commitment account—state appropriation is provided solely for grants to King county to address the disproportionate rates of asthma among children who reside within 10 miles of the Seattle-Tacoma international airport.

(b) Of the amount provided in this subsection, \$971,000 is provided to increase access to community health worker asthma interventions.

(c) Of the amount provided in this subsection, \$412,000 is for an independent investigation of the added benefit of indoor air quality interventions, including high efficiency particulate air filters, on disparities in indoor air pollution.

(d) Of the amount provided in this subsection, \$10,000 is for a regional data analysis and surveillance of asthma diagnoses and hospitalizations in King county.

(e) The county may contract with the University of Washington for the work described in (c) and (d) of this subsection.

(103) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the collaboration between the local public health jurisdiction, related accountable communities of health, and health care providers to reduce potentially preventable hospitalizations in Pierce county. This collaboration will build from the first three years of the project, planning to align care coordination efforts across health care systems and support the related accountable communities of health initiatives, including innovative, collaborative models of care. Strategies to reduce costly hospitalizations include the following: (a) Working with partners to prevent chronic disease; (b) improving heart failure rates; (c) incorporating community health workers as part of the health care team and improving care coordination; (d) supporting the COVID-19 response with improved access to immunizations; and (e) the use of community health workers to provide necessary resources to prevent hospitalization of people who are in isolation and quarantine. By December 15, 2024, the members of the collaboration shall report to the legislature regarding the effectiveness of each of the strategies identified in this subsection. In addition, the report shall describe the most significant challenges and make further recommendations for reducing costly hospitalizations.

(104) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based organization to host a deliberative democratic processes workshop for the HEAL act interagency work group established under RCW 70A.02.110, then develop, in consultation with environmental justice council or its staff, best practices for how agencies can incorporate deliberative democratic processes into community engagement practices.

(105) \$1,305,000 of the climate commitment account—state appropriation is provided solely for the climate health adaptation initiative.

(106) \$65,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5179 (death with dignity act). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(107) \$604,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(108) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5389 (optometry). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(109) \$1,205,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(110) \$30,000 of the general fund state appropriation for fiscal year 2024, \$25,000 of the general fund state appropriation for fiscal year 2025, and \$52,000 of the health professions account state appropriation are provided solely for implementation of Substitute Senate Bill No. 5547 (nursing pool transparency). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(111) \$32,000 of the general fund private/local appropriation is provided solely for implementation of Substitute Senate Bill No. 5569 (kidney disease centers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(112) \$446,000 of the general fund state appropriation for fiscal year 2024 and \$441,000 of the general fund state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5453 (female genital mutilation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(113) \$466,000 of the general fund state appropriation for fiscal year 2024 and \$487,000 of the general fund state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5278 (home care aide certification). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(114) \$131,000 of the general fund state appropriation for fiscal year 2024 and \$91,000 of the general fund state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5523 (forensic pathologist). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(115) \$36,000 of the general fund private/local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(116) \$339,000 of the general fund state appropriation for fiscal year 2024 and \$485,000 of the general fund state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(117) \$198,000 of the general fund private/local appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5120 (crisis relief centers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(118) \$125,000 of the general fund state appropriation for fiscal year 2024, \$207,000 of the general fund state appropriation for fiscal year 2025, and \$133,000 of the health professions account state appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(119) \$150,000 of the general fund state appropriation for fiscal year 2024 and \$150,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the department of health to provide grants to federally qualified health centers (FQHCs) for the purchase of long-acting reversible contraceptives (LARCs). For LARCs purchased with the funding provided in this subsection, FQHCs shall provide patients with LARCs the same day they are seeking that family planning option.

(a) The department shall develop criteria for how the grant dollars will be distributed, including that FQHCs are required to participate in contraceptive training related to patient-centered care, shared decision making, and reproductive bias and coercion.

(b) The department shall survey the FQHCs participating in the grant program regarding the use of LARCs by their patients, as compared to the two years prior to participation in the grant program, and report the results of the survey to the appropriate committees of the legislature by December 1, 2025.

(120) \$63,000 of the general fund state appropriation for fiscal year 2024 is provided solely for the department to utilize materials from the "count the kicks" program in designing, preparing, and making available online written materials to inform health care providers and staff of evidence-based research and practices that reduce the incident of stillbirth, by December 31, 2023.

(121) \$351,000 of the general fund state appropriation for fiscal year 2024 and \$624,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the Snohomish county health department to convene a leadership planning group that will:

(a) Conduct a landscape analysis of current sexually transmitted infection, postexposure prophylaxis, preexposure prophylaxis, and hepatitis B virus services and identify treatment improvements for HIV preexposure prophylaxis;

(b) Establish sexually transmitted infection clinical services at the Snohomish county health department and identify opportunities to expand sexual health services provided outside of clinical settings;

(c) Conduct research on opportunities to expand jail-based sexual health services;

(d) Establish an epidemiology and technical team;

(e) Expand field-based treatment for syphilis; and

(f) Establish an in-house comprehensive, culturally responsive sexual health clinic at the Snohomish county health department.

(122) \$49,000 of the general fund state appropriation for fiscal year 2024 and \$53,000 of the general fund state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If~~



~~the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(123) \$5,496,000 of the climate commitment account—state appropriation is provided solely for the department to provide grants to school districts making updates to existing heating, venting, and air conditioning systems using small district modernization grants.

(124) \$38,600,000 of the climate commitment account—state appropriation is provided solely for the department to develop a grant program to fund projects that benefit overburdened communities as defined in RCW 70A.02.010(11). Of the amount provided in this subsection:

(a) \$6,000,000 of the climate commitment account—state appropriation is provided solely ~~((for fiscal year 2024))~~ for the department and the environmental justice council created in RCW 70A.02.110 to engage in a participatory budgeting process with at least five geographically diverse overburdened communities, as identified by the department, to develop a process to select and fund projects that mitigate the disproportional impacts of climate change on overburdened communities. The process must allow for full community engagement and develop criteria for eligible entities and projects and establish priorities to achieve the greatest gain for decarbonization and resiliency. A report of the outcomes of the participatory budgeting process detailing its recommendations for funding as well as future improvements to the participatory budgeting process must be provided to the appropriate committees of the legislature by December 31, 2023.

(b) \$32,600,000 of the climate commitment account—state appropriation is provided solely ~~((for fiscal year 2025))~~ for the department to provide grants that benefit overburdened communities. The department must submit to the governor and the legislature a ranked list of projects consistent with the recommendations developed in (a) of this subsection. The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.

(125) \$5,430,000 of the general fund—state appropriation for fiscal year 2024 and \$5,326,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain the current level of credentialing staff until the completion of the study on fees by Results WA.

(126) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the central nursing resource center established in RCW 18.79.202 to facilitate communication between nursing education programs and health care facilities that offer clinical placements for the purpose of increasing clinical education and practice experiences for nursing students. The department shall contract with the central nursing resource center to:

(a) Gather data to assess current clinical placement practices, opportunities, and needs;

(b) Identify all approved nursing education programs and health care facilities that offer clinical placement opportunities in the state;

(c) Convene and facilitate quarterly stakeholder meetings between representatives from approved nursing education programs and health care facilities that offer clinical placement opportunities, and other relevant stakeholders, in order to:

(i) Connect representatives by region;

(ii) Facilitate discussions between representatives, by region, to determine:

(A) Clinical placement barriers;

(B) The number and types of clinical placement opportunities needed; and

(C) The number and types of clinical placement opportunities available; and

(iii) Develop strategies to resolve clinical placement barriers;

(d) Provide a digital message board and communication platform representatives can use to maintain ongoing communication and clinical placement needs and opportunities;

(e) Identify other policy options and recommendations to help increase the number of clinical placement opportunities, if possible; and

(f) Submit a report of findings, progress, and recommendations to the governor and appropriate committees of the legislature by December 1, 2025.

(127) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of health to contract with an organization located in Thurston county that dedicates itself to the promotion of education, holistic health, and trauma healing in the African American community to provide behavioral health education, mental wellness training, evidence based health programs, events, and conferences to individuals, youth/adults, parents/parent partners, and families, that have suffered from generational and systemic racism. In conducting this work, the organization will engage diverse individuals in racial healing and reparative justice in the field of mental wellness. The organization will also prioritize mental health equity and reparative justice in their work to eradicate health disparities that African American communities have faced due to generational racism.

(128) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(129) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for three full-time emergency medical technicians and other resources necessary for the Franklin county public health district to provide health services as part of medical transport operations services, including services to the Coyote Ridge corrections center.

(130) \$9,982,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the 988 technology platform implementation project as described in RCW 71.24.890(5)(a). This amount is subject to the conditions, limitations, and review requirements provided in section 701 of this act and any requirements as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system). The department must actively collaborate with consolidated technology services and the health care authority so that the statewide 988 technology solutions will be coordinated and interoperable.

(131) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as pass-through funding to an organization that specializes in culturally relevant sports programs for indigenous children and adolescents, with the goal of keeping at-risk youth out of the juvenile justice system.

(132)(a) \$450,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with an independent third-party consultant to review the department's commercial shellfish regulatory program, including licensing, testing, and certification practices and requirements. The consultant must assess how the department sets commercial shellfish fees under RCW 43.70.250.

(i) The consultant must seek input from the department, the commercial shellfish industry, and tribes and must consider:

(A) Data sources and methods used by the department in setting or proposing increases to commercial shellfish fees;

(B) All costs associated with administering the department's regulatory authority over the testing of shellfish, the certification of operations and the issuance of licenses, and issuing export certificates for the commercial shellfish industry;

(C) Activities conducted by the department related to regulating the shellfish industry's regulatory activities that should be exempt from inclusion in the fee; and

(D) Relevant fees, methods, and considerations from other states that regulate the commercial shellfish industry under the Model Ordinance of the Interstate Shellfish Sanitation Conference for comparable services the department is providing the shellfish industry.

(ii) The consultant must also evaluate the viability of the industry to support full cost recovery as required under RCW 43.70.250 and recommend strategies to address any shortfalls. The consultant shall submit a report to the governor and legislature by June 30, 2025.

(b) Using the amounts provided in this subsection, the department shall also contract with a LEAN management consultant to review the shellfish licensing and certification program to identify program improvements and consider methods to offer data transparency to the industry and measures to potentially reduce program administration costs. The LEAN assessment must be completed and provided to the department by June 30, 2025.

(c) The department shall not increase commercial shellfish fees under RCW 43.70.250 during fiscal year 2025.

(133)(a) \$15,953,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to maintain public health information technology infrastructure in a cloud-based environment.

(b) The department shall develop an initial plan to identify efficiencies in the cloud-based environment and submit it to the office of financial management and the office of the chief information officer by October 1, 2024. The plan should include, at a minimum, strategies to identify efficiencies within the cloud-based environment; new funding strategies for cloud technology for the 2025-2027 fiscal biennium budget; an update on the department's cloud road map that identifies key systems that will be modernized, consolidated, and migrated or implemented in the cloud; an overview of existing public health technology data systems in the cloud and data systems that are scheduled to transition to the cloud with an estimated implementation schedule, including a summary of data retention policies; and strategies to minimize cost increases where possible through efficient implementation strategies.

(134) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely to implement actions provided in the nitrate water hazard mitigation plan to support safe drinking water in the lower Yakima valley. Implementation of this plan includes, but is not limited to, education and outreach, well testing, and provision of alternate water supplies. The department may contract with local governments, local health jurisdictions, and nonprofit organizations to administer the plan.

(135) \$120,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute House Bill No. 1924 (fusion technology policies). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(136) \$154,000 of the general fund—state appropriation for fiscal year 2025 and \$150,000 of the climate commitment account—state appropriation are provided solely to support health equity zones, as defined in RCW 43.70.595, in identification and implementation of targeted interventions to have a significant impact on health outcomes and health disparities. Use of the climate commitment account—state appropriation must be for permitted uses defined in RCW 70A.65.260. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes of this subsection.

(137) \$135,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to support the community hospital utilization and financial data reporting program. The department shall provide sufficient staff resources to ensure data quality, accurate reporting, timely collection of data elements, and analysis of community hospital utilization and financial data. This amount must supplement and not supplant existing funding provided for this program.

(138) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct an analysis of the certificate of need program established under chapter 70.38 RCW and report its findings and recommendations for statutory updates to the governor and appropriate legislative committees by June 30, 2025. The department must, at a minimum, consider other state approaches to certificate of need, impacts on access to care, cost control of health services, and equity, and approaches to identifying health care service needs at the statewide and community levels.

(139) \$40,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to promote evidence-based breastfeeding guidelines for individuals with a substance use disorder or who receive medication-assisted treatment for a substance use disorder, and to adapt the guidelines for tribal communities.

(140) \$700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely as pass-through funding to a nonprofit organization located in the city of Seattle that specializes in resources and support for those impacted by cancer, including support groups, camps for kids impacted by cancer, and risk reduction education for teens.

(141) \$196,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for community compensation stipends for low-income individuals who participate in priority engagements across the department.

(142)(a) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide grants to support community-based health assessments for overburdened or highly impacted communities, and to develop a process for a grant program for federally recognized tribes.

(b) Of the amount provided in (a) of this subsection for fiscal year 2025:

(i) \$200,000 is provided solely for the department to leverage its existing health equity zone initiative to provide grants to overburdened or highly impacted communities to conduct community-based health assessments; and

(ii) \$100,000 is provided solely for the department to develop a process, in consultation with tribal governments, for a grant program for federally recognized tribes to conduct community-based health assessments.

(143) \$3,172,000 of the health professions account—state appropriation is provided solely for implementing improvements to licensure processes. Improvements may include, but are not limited to, updating internal policies and procedures, creating web-based tutorials for applicants, updating existing web content for applicants, and researching the feasibility of live chat technology for applicants.

(144) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to pass-through to a nonprofit Washington-based organization with expertise in end-of-life care and in chapter 70.245 RCW (death with dignity act), to provide training, outreach, and education to medical professionals, hospice teams, and other Washingtonians, to support the provision of care under chapter 70.245 RCW.

(145) \$168,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to coordinate work related to dementia, including but not limited to:

(a) Coordinating dementia-related activities with the department of social and health services, the health care authority, and other state agencies as needed;

(b) Implementing recommendations from the dementia action collaborative in the updated state Alzheimer's plan within the department; and

(c) Other dementia-related activities as determined by the secretary.

(146) \$400,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to provide increased support for emergency medical services and fire departments in their opioid overdose prevention efforts, including naloxone leave-behind programs, overdose response communications, and staffing costs for community-based paramedics serving as navigators for education, resource, and follow-up supports.

(147) \$56,000 of the general fund—state appropriation for fiscal year 2024 and \$1,107,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional staffing and contracted services for the health disparities council.

(148) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a community organization located in King county that specializes in building a health care workforce equipped to meet the needs of Black, people of color, indigenous, LGBTQIA+ and other marginalized communities and addressing identified gaps through recruitment and training initiatives and research. This funding will support the development and execution of recruitment strategies, human resources systems, and administrative systems that address health care workforce gaps of primary care and mental health providers.

(149) \$83,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the development of an in-home services road map to help individuals assess their in-home services needs and locate providers to serve those needs in their communities. The department must work in consultation with appropriate stakeholders, including but not limited

to the department of social and health services. The department must complete the document and make hard copies available for distribution no later than June 30, 2025.

(150)(a) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to collaborate with the department of commerce to assess the need for and feasibility of a statewide low-income assistance program for water utility customers. The study must include, but is not limited to:

(i) A summary of existing local, state, and federal low-income assistance;

(ii) A review of low-income populations' water utility service cost burden; and

(iii) Recommendations for the design of a statewide drinking water and wastewater utility assistance program, which must include:

(A) Ongoing data collection on water-related assistance need of households;

(B) Intake coordination and data sharing across statewide programs serving low-income households;

(C) Program eligibility;

(D) Multilingual services;

(E) Outreach and community engagement;

(F) Program administration;

(G) Funding; and

(H) Reporting.

(b) Before commencing the study, the department of health and the department of commerce must convene a stakeholder group to advise the agencies throughout the study. The stakeholder group must include representatives from the governor's office, low-income advocates, wastewater system operators, drinking water system operators, and other interested parties.

(c) By June 30, 2025, the department must submit the study to the appropriate committees of the legislature.

(151) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to administer grants to local health jurisdictions for opioid and fentanyl awareness, prevention, and education campaigns.

(152)(a) \$750,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to contract with the Tacoma-Pierce county health department to develop a comprehensive model toolkit that includes prevention, education, awareness, and policy strategies to address local opioid and fentanyl crisis response needs.

(b) The elements of the toolkit must:

(i) Be based upon evidence-based research;

(ii) Include community or participatory approaches and policy, systems, and environment strategies; and

(iii) Be in alignment with the state opioid response plan.

(153) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to support local health jurisdictions, community-based organizations, and tribes in opioid-related harm reduction, care linkage, and prevention work.

(154)(a) \$745,000 of the opioid abatement settlement account—state appropriation is provided solely for the purchase of naloxone and fentanyl test strips, for distribution to high schools and public institutions of higher education.

(b) Of the amount provided in this subsection, \$345,000 of the opioid abatement settlement account—state appropriation is provided solely for the department for the purchase and distribution of naloxone administered by nasal inhalation for barrier-free and cost-free distribution to high school students. The department shall utilize and expand, as necessary, its existing bulk purchasing and distribution arrangements with educational service districts, which shall distribute further to high schools.

(i) The department shall enter into agreements with educational service districts and school districts to prioritize distribution to high school juniors and seniors.

(ii) The naloxone must be made available to students via health offices or vending or other machines, to promote confidence that a student may bring naloxone home, to provide anonymity for access, and to prevent any tracking of which students obtain naloxone.

(iii) Information on how naloxone is administered and how to recognize an opioid overdose must be made available to all students.

(iv) The department may prioritize distribution to districts and schools with a higher prevalence of opioid use and overdoses, based on data, including the healthy youth survey.

(c) Of the amount provided in this subsection, \$400,000 of the opioid abatement settlement account—state appropriation is provided solely for the department for the purchase of naloxone administered by nasal inhalation and fentanyl test strips for barrier-free and cost-free distribution to students at public institutions of higher education, with the goal of distributing naloxone kits to five percent of enrolled students.

(155) \$133,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to maintain a supply of naloxone in public libraries for emergency response. This funding may be used:

(a) To supply naloxone directly to libraries; or

(b) As pass-through grants to libraries, for:

(i) The development of partnerships with local public health agencies or other governmental entities;

(ii) Purchases, delivery, and replacements of naloxone supply;

(iii) Training employees; or

(iv) Other activities and items that would ensure the availability of naloxone in the library.

(156) \$154,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for staffing to support a new office of tribal policy at the department.

(157) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department for enhanced opioid and fentanyl data dashboards and data systems, to provide a centralized place for local data gathering efforts to be collected, analyzed, and used in larger collaborative efforts. The data dashboards and systems must support use by state, local, public, and private partners in making strategic decisions on program implementation, emergency response, and regional coordination. Examples of data that may be better collected and used include public naloxone access, naloxone use data, mapping for overdoses, and related public health trends. The data dashboards and systems may include a data collection, evaluation, and usage plan for the state opioid and overdose response plan.

(158) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to stabilize and expand community-based harm reduction programs that provide evidence-based interventions, care navigation, and services, such as prevention of bloodborne infections, increasing naloxone access, and connecting people to resources and services.

(159)(a) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to review and update the rules for school environmental health and safety. The state board of health and the department shall conduct the review in collaboration with a multi-disciplinary technical advisory committee. The proposed new rules shall establish the minimum statewide health and safety standards for schools. The state board of health shall consider the size of school districts, regional cost differences, the age of the schools, the feasibility of implementing the proposed rules by section or subject area, and any other variables that may affect the implementation of the rules. In developing proposed rules, the state board of health shall:

(i) Convene and consult with an advisory committee consisting of, at minimum, representatives from:

(A) The office of the superintendent of public instruction;

(B) Small and large school districts;

(C) The Washington association of school administrators;

(D) The Washington state school directors' association;

(E) The Washington association of maintenance and operations administrators; and

(F) The Washington association of school business officials;

(ii) After the development of the draft rules, the state board of health shall meet at least one time with the advisory committee and provide the opportunity for the advisory committee to comment on the draft rules;

(iii) Collaborate with the office of the superintendent of public instruction and develop a fiscal analysis regarding proposed rules that considers the size of school districts, regional cost differences, the age of the schools, range of costs for implementing the proposed rules by section or subject area, and any other variables that may affect costs as identified by the advisory committee; and

(iv) Assist the department in completing environmental justice assessments on any proposed rules.

(b) The office of the superintendent of public instruction, the department, the state board of health, the advisory committee, and local health jurisdictions shall work collaboratively to develop and provide a report to the office of the governor and appropriate committees of the legislature by June 30, 2025, detailing prioritized sections or subject areas of the proposed rules that will provide the greatest health and safety benefits for students, the order in which they should be implemented, and any additional recommendations for implementation.

(160) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department as pass-through funding for an organization in Pierce county with expertise in dispute resolution to convene a work group on oral health equity. The work group:

(a) Must include representatives from community-based organizations, dental providers, medical providers, federally qualified health centers, tribal dental clinics, oral health foundations, and public health and water systems;

(b) Shall review the findings from the department's oral health equity assessment, identify the communities in Washington experiencing the greatest oral health disparities, identify communities that should be prioritized for outreach and community water fluoridation efforts, and develop recommendations for how to partner with communities to address oral health disparities and provide education about community water fluoridation and other oral health measures;

(c) May convene its meetings virtually or by telephone; and

(d) Shall report its findings and recommendations to the legislature by June 30, 2025.

(161) \$426,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for two new area health education centers to recruit, train, and retain health care professionals in rural and underserved areas.

(162) \$428,000 of the model toxics control operating account—state appropriation is provided solely for continued implementation of chapter 156, Laws of 2021 (ESHB 1184) (risk-based water standards), to create standards for developers seeking to reuse wastewater in buildings.

(163) \$29,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 2416 (ARNP legal title). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(164) \$719,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to establish a statewide registry that stores and digitally reproduces portable orders for life sustaining treatment (POLST) forms. In establishing the registry, to the extent practicable, the department shall leverage and build upon any previous work at the department to establish a similar registry.

(165) \$194,000 of the general fund—state appropriation for fiscal year 2025 and \$94,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 2247 (behavioral health providers). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(166) \$49,000 of the health professions account—state appropriation is provided solely for implementation of Senate Bill No. 5184 (anesthesiologist assistants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(167) \$134,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5853 (behav crisis services/minors). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(168) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2320 (high THC cannabis products). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(169) \$161,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute House Bill No. 2295 (hospital at-home service). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(170) \$53,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2075 (Indian health care providers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(171) \$114,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5829 (congenital cytomegalovirus). The amount provided is for the department to develop, translate, and distribute educational materials regarding congenital cytomegalovirus. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(172) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 2355 (MRI technologists). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(173) \$5,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1917 (physician assistant compact). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(174) \$68,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2041 (physician assistant practice). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(175) \$22,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1972 (physician health prg. fees). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(176) \$29,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute Senate Bill No. 5920 (psychiatric/cert. of need). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(177) \$100,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Substitute House Bill No. 2396 (synthetic opioids). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(178) \$59,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5271 (DOH facilities/enforcement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(179) \$2,219,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6251 (behavioral crisis coord.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(180) \$162,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6286 (nurse anesthetist workforce). The amount provided is for the department to provide grants to certified registered nurse anesthetists that precept nurse anesthesia residents. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(181) \$49,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(182) \$175,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(183) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5983 (syphilis treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(184) \$2,623,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5906 (drug overdose prevention) or Engrossed Second Substitute House Bill No. 1956 (substance use prevention ed). The amount provided is for implementation of a drug overdose prevention campaign for youth and adults. If neither bill is enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(185) \$384,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). Of the amount provided in this subsection, \$359,000 of the opioid abatement settlement account—state appropriation is for two full-time equivalent staff to provide health education to the Latinx community. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(186) \$972,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5937 (crime victims/witnesses). The amount provided is for creation of the statewide forensic nurse coordination program. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(187) \$10,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6127 (HIV prophylaxis). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(188) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5940 (medical assistant-EMT cert.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(189) \$215,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6234 (newborn screening for BCKDK). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 223.** 2023 c 475 s 223 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF CORRECTIONS**

The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multiorganization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, after approval by the director of financial management and unless specifically prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 between programs. The department may not transfer funds, and the director of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any deviations from appropriation levels. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

<b>(1) ADMINISTRATION AND SUPPORT SERVICES</b>	
General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$96,389,000</del> ))
	\$100,954,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$95,589,000</del> ))
	\$101,900,000
General Fund—Federal Appropriation . . . . .	\$400,000
General Fund—Private/Local Appropriation . . . . .	\$168,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$192,378,000</del>))</b>
	<b>\$203,422,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) ~~((~~\$819,000~~))~~ \$1,959,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$58,000~~))~~ \$169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition,

the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(b) \$445,000 of the general fund—state appropriation for fiscal year 2024 and \$452,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(c) \$932,000 of the general fund—state appropriation for fiscal year 2024 and \$434,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training statewide program administration team.

(d) ~~(\$2,056,000)~~ \$2,297,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services and staffing to support the iCOACH supervision model. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, health care discharge teams, and community partnership programs.

(e) \$127,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(f) \$127,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(g) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5891 (school bus trespass). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(h) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5917 (bias-motivated defacement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(i) \$15,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(j) \$23,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2084 (construction training/DOC) for data collection and tracking of employment outcomes. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(k) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of corrections to:

(i) Provide a study on health care benchmarks. The department must study and provide a review of its health care delivery system for incarcerated individuals. The study must include a review of how long it takes for health care staff to see a patient once a request has been made by that incarcerated individual, determine if patients are restricted from seeing a health care staff person due to health care staffing shortages, and provide a detailed health care staffing model that will ensure that incarcerated patients are seen by a physician or appropriate health care staff within 48 hours or less from the time the individual submits a request to see a health care staff person. Preliminary findings shall be submitted to the appropriate policy and fiscal committees of the legislature and governor by November 15, 2024, with a final report from the study due by June 30, 2025; and

(ii) (A) Provide a report on solitary confinement/restrictive housing. The department must provide a review of its restrictive housing (solitary confinement) units. The report must include the number of hours each incarcerated person is held in administrative segregation or an intensive management unit at the Washington corrections center, the Washington state penitentiary, the Washington corrections center for women, the Monroe correctional complex, the Stafford Creek corrections center, the Airway Heights corrections center, the Coyote Ridge corrections center, and the Clallam Bay corrections center. The department must document the following items:

(I) For each incarcerated individual held in a solitary confinement/restrictive housing unit, document the daily number of hours the person is held in their cell; and

(II) For each incarcerated individual held in a solitary confinement/restrictive housing unit, document the daily number of hours or amount of time that the person is outside of their cell. Documentation of time spent outside of the cell must include the reason, at least when they are out of cell for purposes of recreation, treatment, counseling, or a medical appointment. If the person is moved out of their cell for programming, the type of programming must be specified.

(B) A preliminary report must be submitted to the appropriate policy and fiscal committees of the legislature and governor by November 15, 2024, with a final report due by June 30, 2025. The report must also include:

(I) The staffing by prison needed to ensure each person receives a minimum of one hour of indoor or outside yard recreation or dayroom recreation per day beginning on June 30, 2025;



(II) The funding needed for construction to begin no later than June 30, 2025, with a one-year completion date for additional indoor recreational yard areas, outdoor recreational yard areas, dayroom areas, and programming space as needed at each facility that has an intensive management unit;

(III) Excluding out of cell time in a dayroom or indoor or outside recreational yard area, the funding and staff needed by facility to ensure each and every incarcerated individual daily receives a minimum of two hours out of their cell for classroom or programming beginning on June 30, 2025;

(IV) A comprehensive list of intensive management unit construction/physical plant capacity by prison and average daily population in these units by fiscal year for 2019, 2020, 2021, 2022, and 2023 and an estimate for 2024, delineated by type of bed to include, but not be limited to: Administrative segregation, restrictive maximum custody housing, transfer housing, and progression housing; and

(V) Visuals of each prison intensive management units to include, but not limited to, a typical cell, dayroom, indoor yard, outdoor yard when one is exclusive to the intensive management unit, and programming space if it is exclusive to the intensive management unit.

(1)(i) \$126,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a dedicated staff position to prepare, compile, and post updates on staffing within both the correctional operations and health care programs each calendar month on the department of corrections' external website. This must include all facility budgeted full-time equivalency by classification and whether the position is filled or vacant. The information that is posted on the department's website shall be prepared and posted electronically monthly in Excel and must provide, by job class and by program and by facility:

(A) The total number of funded positions on the last day of the month;

(B) The total number of filled positions on the last day of the month;

(C) The total number vacant positions on the last day of the month;

(D) The number of new employees hired or promoted into that job class during the month;

(E) The number of employees leaving that job class during the month; and

(F) For employees departing during that month, how many:

(I) Transferred or were promoted to another job class within the department of corrections;

(II) How many retired; and

(III) How many employees left their employment within the department for other reasons.

(ii) If the department submits a budget request for the subsequent fiscal year for additional funding, positions, or overtime costs for the department's correctional operations program or health care services program for the subsequent fiscal year, the department must justify in writing the reason why additional funding and positions are needed when vacant positions and unspent funding exists within the department's respective programs.

**(2) CORRECTIONAL OPERATIONS**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$729,679,000))
	\$481,053,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$738,933,000))
	\$766,351,000
General Fund—Federal Appropriation . . . . .	\$4,326,000
General Fund—Private/Local Appropriation . . . . .	\$334,000
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
<u>Appropriation . . . . .</u>	<u>\$262,300,000</u>
<u>Opioid Abatement Settlement Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$217,000</u>
Washington Auto Theft Prevention Authority Account—	
State Appropriation . . . . .	\$4,837,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>(((\$1,478,109,000))</b>
	<b>\$1,519,418,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department may contract for local jail beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The department shall not pay a rate greater than \$85 per day per offender excluding the costs of department of corrections provided services, including evidence-based substance abuse programming, dedicated department of corrections classification staff on-site for individualized case management, transportation of offenders to and from department of corrections facilities, and gender responsive training for jail staff. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as close medium or lower security offenders. Programming provided for offenders held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meets standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at a jail

facility, the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(b) ~~\$671,000 of the general fund—state appropriation for fiscal year 2024 ((and \$671,000 of the general fund—state appropriation for fiscal year 2025 are))~~ is provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester.

(c) ~~(((\$1,713,000))~~ \$4,270,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$146,000))~~ \$422,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(d) Within the appropriated amounts in this subsection, the department of corrections must provide a minimum of one dedicated prison rape elimination act compliance specialist at each institution.

(e) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuing two contracted parent navigator positions. One parent navigator must be located at the Washington correction center for women and one parent navigator position must be located at the Airway Heights corrections center or another state correctional facility that houses incarcerated male individuals and is selected by the department of corrections as a more suitable fit for a parent navigator. The parent navigators must have lived experience in navigating the child welfare system. The parent navigators must provide guidance and support to incarcerated individuals towards family reunification including, but not limited to, how to access services, navigating the court system, assisting with guardianship arrangements, and facilitating visitation with their children. The goal of the parent navigator program is to assist incarcerated parents involved in dependency or child welfare cases to maintain connections with their children and to assist these individuals in successfully transitioning and reuniting with their families upon release from incarceration. As part of the parent navigation program, the department of corrections must also review and provide a report to the legislature on the effectiveness of the program that includes the number of incarcerated individuals that received assistance from the parent navigators and the type of assistance the incarcerated individuals received, and that ~~((tracked))~~ tracks the outcome of the parenting navigator program. A final report must be submitted to the legislature by September 1, 2024. Of the amounts provided in this subsection, \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department's review and report on the effectiveness of the parent navigator program.

(f) ~~(\$4,009,000)~~ \$5,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(g) \$579,000 of the general fund—state appropriation for fiscal year 2024 and \$2,058,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

(h) \$1,294,000 of the general fund—state appropriation for fiscal year 2024 and \$1,294,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services and staffing to support the iCOACH supervision model. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, health care discharge teams, and community partnership programs.

(i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5131 (commissary funds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(j) \$1,839,000 of the general fund—state appropriation for fiscal year 2024 and \$1,839,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5134 (reentry services & supports) to increase gate money from \$40 to \$300 at release. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(k) \$2,871,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(l) \$586,000 of the general fund—state appropriation for fiscal year 2024 and \$576,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a planning and development manager and an executive secretary in the women's prison division.

(m) \$1,817,000 of the general fund—state appropriation for fiscal year 2024 and \$3,627,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in *Disability Rights Washington v. Washington Department of Corrections*, United States district court for the western district of Washington.

(n) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$3,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.

(o) \$2,039,000 of the general fund—state appropriation for fiscal year 2024 and \$1,423,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain the facility, property, and assets at the Larch corrections center in Yacolt.

(p) \$6,050,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for operational costs incurred by the department in closing the Larch corrections center in Yacolt.

(q) \$1,684,000 of the general fund—state appropriation for fiscal year 2024 and \$5,051,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to reopen and operate living unit G at the Washington state penitentiary in Walla Walla.

(r) \$1,377,000 of the general fund—state appropriation for fiscal year 2024 and \$3,304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to reopen and operate living units G and H at the Clallam Bay corrections center in Clallam Bay.

(s) \$1,209,000 of the general fund—state appropriation for fiscal year 2024 and \$2,074,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to reopen and operate living unit F at the coyote ridge corrections center in Connell.

(t) \$858,000 of the general fund—state appropriation for fiscal year 2024 and \$192,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a mobile dental unit vehicle and staffing that will provide dental services to each of the stand-alone minimum camps for the department.

(u) \$1,839,000 of the general fund—state appropriation for fiscal year 2024 and \$1,839,000 of the general fund—state appropriation for fiscal year 2025 are provided for direct variable costs for incarcerated individuals.

(v) \$60,000 of the general fund—state appropriation for fiscal year 2024 and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete a comprehensive review of all sentences (appendix b-criminal history) of all inmates in confinement as of April 1, 2024, and must identify each inmate whose juvenile points were used in calculating their current offender score. From this list, the department must:

(i) Delineate the individualized data by county and, by September 1, 2024, the department must send the list of each inmate whose juvenile points were used in calculating their current offender score to each of the impacted counties where the individual was sentenced;

(ii) Work collaboratively with the administrative office of the courts and the impacted counties to share information on any counting rules or assumptions the department used in identifying the lists by county; and

(iii) Send a copy of each county list in (v)(i) and (ii) of this subsection to the administrative office of the courts by September 1, 2024.

(w) \$2,871,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(x) \$117,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2099 (state custody/ID cards) for identification cards. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(y) \$155,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2048 (domestic violence/sentencing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(3) COMMUNITY SUPERVISION

General Fund—State Appropriation (FY 2024) . . . . .	(((\$242,761,000))
	\$252,551,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$252,147,000))
	\$259,315,000
General Fund—Federal Appropriation . . . . .	\$4,142,000
General Fund—Private/Local Appropriation . . . . .	\$10,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$499,050,000))</b>
	<b>\$516,018,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall contract with local and tribal governments for jail capacity to house offenders who violate the terms of their community supervision. A contract rate increase may not exceed five percent each year. The department may negotiate to include medical care of offenders in the contract rate if medical payments conform to the department's offender health plan and pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff. If medical care of offender is included in the contract rate, the contract rate may exceed five percent to include the cost of that service. Beginning July 1, 2024, the department shall pay the bed rate for the day of release.

(b) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

(c) ~~(((\$1,233,000))~~\$2,880,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$88,000))~~\$253,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(d) \$110,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the amend collaboration and training program.

(e) \$1,409,000 of the general fund—state appropriation for fiscal year 2024 and \$1,386,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Bellingham reentry center as a state-run facility.

(f) ~~(((\$1,320,000))~~\$615,000 of the general fund—state appropriation for fiscal year 2024 and \$1,320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Helen B. Ratcliff reentry center as a state-run facility.

(g) \$18,813,000 of the general fund—state appropriation for fiscal year 2024 and \$19,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services and staffing to support the iCOACH supervision model. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, health care discharge teams, and community partnership programs.

(h) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a jail medical bed rate adjustment.

(i) \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants) for data tracking, documentation, and reporting on outcomes of warrants and detainers. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(j) \$270,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to contract with a third-party expert to examine jail rates needed by local governments to recover the cost of housing individuals under the jurisdiction of the Washington state department of corrections who have violated the conditions of their court community supervision order. The analysis must examine the availability of specialized jail beds for medical and behavioral health care that include services such as acute mental health care, detoxification, medications for opioid use disorder, and other substance use disorder treatment. The study must also include an analysis of costs to expand access to specialized jail beds statewide while maximizing medicaid coverage under Washington's section 1115 medicaid transformation waiver. The analysis must include a recommended methodology, to include detailed fiscal backup materials in Excel, to update daily jail bed rates going forward. A report is due to the governor and appropriate policy and fiscal committees of the legislature by October 1, 2024.

(4) CORRECTIONAL INDUSTRIES

General Fund—State Appropriation (FY 2024) . . . . .	(((\$12,638,000))
	\$9,348,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$12,836,000))
	\$9,100,000
General Fund—Federal Appropriation . . . . .	\$600,000
General Fund—Private/Local Appropriation . . . . .	\$2,634,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$25,474,000))</b>

\$21,682,000

(The appropriations in this subsection are subject to the following conditions and limitations: \$3,500,000 of the general fund state appropriation for fiscal year 2024 and \$3,500,000 of the general fund state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.)

(5) INTERAGENCY PAYMENTS

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$68,680,000</del> ))
		\$67,877,000
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$64,929,000</del> ))
		\$79,185,000

Opioid Abatement Settlement Account—State

Appropriation	.. . . .	\$25,000
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$133,609,000</del>))</b>
		<b>\$147,087,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

~~((b))~~ (a) \$19,000 of the general fund—state appropriation for fiscal year 2024 and \$19,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((e))~~ (b) \$36,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(c) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(d) \$36,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(6) OFFENDER CHANGE

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$83,659,000</del> ))
		\$85,926,000
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$84,659,000</del> ))
		\$90,206,000
General Fund—Federal Appropriation	.. . . .	\$1,436,000
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$169,754,000</del>))</b>
		<b>\$177,568,000</b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall use funds appropriated in this subsection (6) for programming for incarcerated individuals. The department shall develop and implement a written comprehensive plan for programming for incarcerated individuals that prioritizes programs which follow the risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(b) The department of corrections shall collaborate with the state health care authority to explore ways to utilize federal medicaid funds as a match to fund residential substance use disorder treatment-based alternative beds under RCW 9.94A.664 under the drug offender sentencing alternative program and residential substance use disorder treatment beds that serve individuals on community custody.

(c) Within existing resources, the department of corrections may provide reentry support items such as disposable cell phones, prepaid phone cards, hygiene kits, housing vouchers, and release medications associated with individuals resentenced or ordered released from confinement as a result of policies or court decisions including, but not limited to, the State v. Blake decision.

~~((f))~~ (d) \$11,454,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$11,454,000~~))~~ \$11,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded reentry investments to include, but not be limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, health care discharge teams, and community partnership programs.

~~((f))~~ (e) \$1,177,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment) for dedicated staffing for substance use disorder assessments and for coordinated treatment care in the community at release. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((g))~~ (f) \$150,000 of the general fund—state appropriation for fiscal year 2024 ~~((and \$150,000 of the general fund state appropriation for fiscal year 2025 are))~~ is provided

solely for a grant to a nonprofit organization to assist fathers transitioning from incarceration to community and family reunification. The grant recipient must have experience contracting with the department of corrections to support incarcerated individual betterment projects and contracting with the department of social and health services to provide access and visitation services.

~~((h))~~ (g) \$424,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(h) \$424,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(i) \$122,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for work on reentry 2030, continued cross agency reentry collaboration, and work on the state's medicaid 1115 transformation waiver impacts to the department. By October 1, 2024, the department must report to fiscal committees of the legislature:

(i) The total spend in fiscal years 2022 and 2023 for authorized prerelease services under the medicaid 1115 transformation waiver, including but not limited to medications, laboratory services, and radiology; and

(ii) How much of each qualifying service listed in (i)(i) of this subsection would be required for reinvestment and how much would be allowable to offset existing expenditures based on federal medicaid rules for state fiscal years 2022 and 2023 if the waiver had been in place during those fiscal years.

(j) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of corrections to contract with the T.E.A.C.H. (taking education and creating history) program to provide liberatory education, foster positive self-reflection, and offer educational courses that encourage critical thinking, self-awareness, and personal growth to incarcerated individuals in correctional facilities.

(k) \$152,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2099 (state custody/ID cards). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(l) \$134,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2084 (construction training/DOC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(7) HEALTH CARE SERVICES

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$241,145,000</del> ))
	<u>\$251,239,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$245,589,000</del> ))
	<u>\$262,391,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$3,084,000</del> ))
	<u>\$6,720,000</u>
General Fund—Private/Local Appropriation. . . . .	\$2,000
Opioid Abatement Settlement Account—State Appropriation. . . . .	<u>\$4,458,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$489,818,000</del>))</b>
	<b><u>\$524,810,000</u></b>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state prison medical facilities may use funds appropriated in this subsection to purchase goods, supplies, and services through hospital or other group purchasing organizations when it is cost effective to do so.

~~((e))~~ (b) \$842,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,192,000~~))~~ \$2,256,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

~~((d))~~ (c) \$73,000 of the general fund—state appropriation for fiscal year 2024 and \$387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

~~((e))~~ (d) \$1,236,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,236,000~~))~~ \$3,089,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services and staffing to support the iCOACH supervision model. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, enhanced health care discharge planning, case management, health care discharge teams, and evaluation of physical health and behavioral health.

~~((f))~~ (e) \$13,605,000 of the general fund—state appropriation for fiscal year 2024 and \$13,605,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for medical staffing in prisons for patient centered care and behavioral health care. Funding must be used to increase access to care, addiction care, and expanded screening of

individuals in prison facilities to include chronic illnesses, infectious disease, diabetes, heart disease, serious mental health, and behavioral health services.

~~((g))~~ (f) \$1,612,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

~~((h))~~ (g) \$1,115,000 of the general fund—state appropriation for fiscal year 2024 and \$1,115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an electronic health records system solution and is subject to the conditions, limitations, and review requirements of section 701 of this act and must be in compliance with the statewide electronic health records plan that must be approved by the office of financial management and the technology services board.

~~((i))~~ (h) \$405,000 of the general fund—state appropriation for fiscal year 2024 and \$399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5768 (DOC/abortion medications). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(i) \$627,000 of the general fund—state appropriation for fiscal year 2024 and \$1,715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in Disability Rights Washington v. Washington Department of Corrections, United States district court for the western district of Washington.

(j) To promote the safety, health, and well-being of health care workers and to support patient quality of care, the department will continue to engage in reasonable efforts to reduce the use of overtime for licensed practical nurses, registered nurses, and certified nursing assistants.

(k) \$4,458,000 of the opioid abatement settlement account—state appropriation is provided solely for opioid treatment. Out of the amount provided in this subsection (k):

(i) \$2,700,000 of the opioid abatement settlement account—state appropriation is provided solely for approved long-term injectable medication for the treatment of opioid use disorder of incarcerated individuals; and

(ii) Funding is provided to ensure each and every single individual transferring into the department of corrections' custody on full confinement is provided medications for opioid use disorder if they were on medications for opioid use disorder in jail or out of custody prior to their transfer to the department of corrections.

(l) \$1,612,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(m) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$354,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for medical staff for the department to reopen and operate living unit G at the Washington state penitentiary in Walla Walla.

(n) \$68,000 of the general fund—state appropriation for fiscal year 2024 and \$164,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for medical staff for the department to reopen and operate living units G and H at the Clallam Bay corrections center in Clallam Bay.

(o) \$207,000 of the general fund—state appropriation for fiscal year 2024 and \$354,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for medical staff for the department to reopen and operate living unit F at the coyote ridge corrections center in Connell.

(p) \$312,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for medical staffing of the mobile dental clinic that will provide dental services to each of the stand-alone minimum camps for the department.

**Sec. 224.** 2023 c 475 s 224 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$7,061,000)) \$7,065,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$7,387,000)) \$9,370,000
General Fund—Federal Appropriation. . . . .	(((\$25,672,000)) \$32,824,000
General Fund—Private/Local Appropriation. . . . .	(((\$61,000)) \$67,000
<b>TOTAL APPROPRIATION.....</b>	<b>(((\$40,181,000)) \$49,326,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$201,000 of the general fund—state appropriation for fiscal year 2024 and \$201,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of statewide services for blind or low vision youth under the age of 14.

(2) \$184,000 of the general fund—state appropriation for fiscal year 2024 and \$367,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the independent living program.

(3) \$1,820,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the renovation of the food service café located in the natural resources building.

**Sec. 225.** 2023 c 475 s 225 (uncodified) is amended to read as follows:

**FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$33,506,000</del> ))
	<u>\$29,354,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$23,898,000</del> ))
	<u>\$28,800,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$216,616,000</del> ))
	<u>\$177,579,000</u>
General Fund—Private/Local Appropriation . . . . .	(( <del>\$38,458,000</del> ))
	<u>\$38,529,000</u>
Climate Commitment Account—State Appropriation . . . . .	\$404,000
Unemployment Compensation Administration Account—	
Federal Appropriation . . . . .	(( <del>\$270,724,000</del> ))
	<u>\$309,454,000</u>
Administrative Contingency Account—State	
Appropriation . . . . .	(( <del>\$28,741,000</del> ))
	<u>\$42,652,000</u>
Employment Service Administrative Account—State	
Appropriation . . . . .	(( <del>\$85,070,000</del> ))
	<u>\$97,414,000</u>
Family and Medical Leave Insurance Account—State	
Appropriation . . . . .	(( <del>\$158,644,000</del> ))
	<u>\$160,205,000</u>
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$14,556,000</del> ))
	<u>\$15,557,000</u>
Long-Term Services and Supports Trust Account—State	
Appropriation . . . . .	(( <del>\$40,960,000</del> ))
	<u>\$45,441,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$911,577,000</del>))</b>
	<b><u>\$945,389,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is directed to maximize the use of federal funds. The department must update its budget annually to align expenditures with anticipated changes in projected revenues.

(2) \$15,399,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of the long-term services and support trust program information technology project and is subject to the conditions, limitations, and review provided in section 701 of this act.

(3) Within existing resources, the department must reassess its ongoing staffing and funding needs for the paid family medical leave program and submit documentation of the updated need to the governor and appropriate committees of the legislature by September 1, 2023, and annually thereafter.

(4) Within existing resources, the department shall coordinate outreach and education to paid family and medical leave benefit recipients with a statewide family resource, referral, and linkage system that connects families with children prenatal through age five and residing in Washington state to appropriate services and community resources. This coordination shall include but is not limited to placing information about the statewide family resource, referral, and linkage system on the paid family and medical leave program web site and in printed materials, and conducting joint events.

(5) Within existing resources, the department shall report the following to the legislature and the governor by October 15, 2023, and each year thereafter:

(a) An inventory of the department's programs, services, and activities, identifying federal, state, and other funding sources for each;

(b) Federal grants received by the department, segregated by line of business or activity, for the most recent five fiscal years, and the applicable rules;

(c) State funding available to the department, segregated by line of business or activity, for the most recent five fiscal years;

(d) A history of staffing levels by line of business or activity, identifying sources of state or federal funding, for the most recent five fiscal years;

(e) A projected spending plan for the employment services administrative account and the administrative contingency account. The spending plan must include forecasted revenues and estimated expenditures under various economic scenarios.

(6) ((~~\$14,510,000~~)) (a) \$15,510,000 of the workforce education investment account—state appropriation is provided solely for career connected learning grants as provided in RCW



28C.30.050, including sector intermediary grants and administrative expenses associated with grant administration.

(b) Within the amount provided in (a) of this subsection:

(i) Up to \$921,000 of the workforce education investment account—state appropriation may be used for the department to contract with the student achievement council to lead the career connected learning cross-agency work group and provide staffing support as required in RCW 28C.30.040.

(ii) Up to \$2,192,000 of the workforce education investment account—state appropriation may be used for technical assistance and implementation support grants associated with the career connected learning grant program as provided in RCW 28C.30.050.

(7) \$2,000,000 of the unemployment compensation administration account—federal appropriation is provided solely for the department to continue implementing the federal United States department of labor equity grant. This grant includes improving the translation of notices sent to claimants as part of their unemployment insurance claims into any of the 10 languages most frequently spoken in the state and other language, demographic, and geographic equity initiatives approved by the grantor. The department must also ensure that letters, alerts, and notices produced manually or by the department's unemployment insurance technology system are written in plainly understood language and evaluated for ease of claimant comprehension before they are approved for use.

(8) \$3,136,000 of the unemployment compensation administration account—federal appropriation is provided solely for a continuous improvement team to make customer, employer, and equity enhancements to the unemployment insurance program. If the department does not receive adequate funding from the United States department of labor to cover these costs, the department may use funding made available to the state through section 903 (d), (f), and (g) of the social security act (Reed act) in an amount not to exceed the amount provided in this subsection.

(9) \$404,000 of the climate commitment account—state appropriation is provided solely for participation on the clean energy technology work force advisory committee and collaboration on the associated report established in Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(11) ~~((a) \$9,323,000))~~ \$18,948,000 of the employment service administrative account—state appropriation is provided solely for the replacement of the WorkSource integrated technology platform. The replacement system must support the workforce administration statewide to ensure adoption of the United States department of labor's integrated service delivery model and program performance requirements for the state's workforce innovation and opportunity act and other federal grants. This subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((b) \$2,290,000 of the employment services administrative account—state appropriation is provided solely for the maintenance and operation of the WorkSource integrated technology platform.))~~

(12) \$6,208,000 of the general fund—state appropriation for fiscal year 2024 and \$6,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the economic security for all program. The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the legislature on December 1 and June 1 of each year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(13) (a) \$5,292,000 of the employment service administrative account—state appropriation is provided to expand the economic security for all program to residents of Washington state that are over 200 percent of the federal poverty level but who demonstrate financial need for support services or assistance with training costs to either maintain or secure employment. ~~((Supports to each participant must not exceed \$5,000 per year.))~~ Unspent funds from this subsection may be used for economic security for all participants who are under 200 percent of the federal poverty level as defined in subsection (12) of this section.

(b) The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the legislature on December 1 and June 1 of each year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(c) Of the amounts in (a) of this subsection, the department may use \$146,000 each year to cover program administrative expenses.

(14) \$1,655,000 of the administrative contingency account—state appropriation is provided to increase the department's information security team to proactively address critical security vulnerabilities, audit findings, and process gaps.

(15) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two project managers to assist with the coordination of state audits.

(16) \$1,448,000 of the general fund—state appropriation for fiscal year 2024 and \$1,448,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for business navigators at the local workforce development boards to increase employer engagement in an effort to support industry recovery and growth. Of the amounts in this subsection, the department may use \$148,000 per year to cover associated administrative expenses.

(17) \$11,895,000 of the general fund—federal appropriation is provided solely for the implementation of the quality jobs, equity strategy, and training (QUEST) grant to enhance the workforce system's ongoing efforts to support employment equity and employment recovery from the COVID-19 pandemic. The funds are for partnership development, community outreach, business engagement, and comprehensive career and training services.

(18) \$3,264,000 of the employment services administration account—state appropriation is provided solely for the continuation of the office of agricultural and seasonal workforce services.

(19) \$3,539,000 of the long-term services and supports trust account—state appropriation is provided solely for the programs in the department's leave and care division to increase outreach to underserved communities, perform program evaluation and data management, perform necessary fiscal functions, and make customer experience enhancements.

~~((21))~~ (20) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time employee to provide casework on behalf of constituents who contact their legislators to escalate unresolved claims.

~~((22))~~ (21) (a) \$250,000 of the family and medical leave insurance account—state appropriation is provided solely for the department to contract with the University of Washington Evans school of public policy and governance to conduct a study on the impacts of the state family and medical leave program's job protection standards on equitable utilization of paid leave benefits under the program.

(b) The study shall consider the following:

(i) The rates at which paid leave benefits under chapter 50A.15 RCW are used by persons who qualify for job protection under RCW 50A.35.010 or the federal family and medical leave act;

(ii) Worker perspectives on the effects of job protection under RCW 50A.35.010 and the federal family and medical leave act on the use of paid leave benefits under chapter 50A.15 RCW; and

(iii) Employment outcomes and other impacts for persons using paid leave benefits under chapter 50A.15 RCW.

(c) (i) In conducting the study, the university must collect original data directly from workers about paid leave and job protection, including demographic information such as race, gender, income, geography, primary language, and industry or job sector.

(ii) In developing the study, the university must consult with the advisory committee under RCW 50A.05.030, including three briefings: An overview on the initial research design with an opportunity to provide feedback; a midpoint update; and final results. The university must consult with the committee regarding appropriate methods for collecting and assessing relevant data in order to protect the reliability of the study.

(d) A preliminary report, including the initial research design and available preliminary results must be submitted by December 1, 2023, and a final report by December 1, 2024, to the governor and the appropriate policy and fiscal committees of the legislature, in accordance with RCW 43.01.036.

~~((23))~~ (22) \$4,433,000 of the family and medical leave insurance account—state appropriation and \$351,000 of the unemployment compensation administration account—federal appropriation are provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((24))~~ (23) \$50,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute House Bill No. 1458 (apprenticeship programs/UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((25))~~ (24) (a) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~ \$11,227,000 of the general fund—state appropriation for fiscal year 2025, \$9,963,000 of the administrative contingency account—state appropriation, and \$4,271,000 of the employment service administrative account—state appropriation are provided solely to address a projected shortfall of federal revenue that supports the administration of the unemployment insurance program.

(b) The department must submit an initial report no later than November 1, 2023, and a subsequent report no later than November 1, 2024, to the governor and the appropriate committees of the legislature outlining how the funding in (a) of this subsection is being utilized and recommendations for long-term solutions to address future decreases in federal funding.

~~((26) \$11,976,000))~~ (25) \$7,644,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$4,332,000 of the general fund—state appropriation for fiscal year 2025

are provided solely for the department to create a dedicated team of staff to process the unemployment insurance overpayment caseload backlog.

~~((27)) (26)~~ \$3,389,000 of the general fund—state appropriation for fiscal year 2024 and \$4,540,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the stipend for Washington service corps members to \$26,758 per year and for one staff member to assist with program outreach. The stipend increase is for members that enter into a service year with income below 200 percent of the federal poverty level.

~~((28)) (27)~~ \$794,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute Senate Bill No. 5176 (employee-owned coop UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(29)) (28)~~ \$30,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5286 (paid leave premiums). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(30)) (29)~~ \$2,896,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5586 (paid leave data). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(31)) (30)~~ \$35,000 of the employment service administrative account—state appropriation is provided solely for the department to provide research and consultation on the feasibility of replicating the unemployment insurance program for and expanding other social net programs to individuals regardless of their citizenship status.

~~((32)) (31)~~ \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to design a form for employer use to voluntarily report no show, no call interview data. This data shall be used to inform potential trend analysis or policy development for job search compliance.

(32) \$961,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of House Bill No. 1975 (unemployment overpayments). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(33) \$5,655,000 of the family and medical leave insurance account—state appropriation is provided solely to increase staffing for the paid family and medical leave program to process claims and respond to customer inquiries in a timely manner.

(34) \$7,305,000 of the family and medical leave insurance account—state appropriation is provided solely for information technology staffing to complete system enhancements for any remaining statutorily required components of the paid family and medical leave program, including, but not limited to, the establishment and collection of overpayments, crossmatching eligibility with other programs, and elective coverage for tribes.

(35) \$483,000 of the long-term services and supports trust account—state appropriation is provided solely for the department to process nonimmigrant work visa holder exemption requests for the long-term services and supports program.

(36) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide grants to community-based organizations to become transportation network company navigators. The navigators will assist transportation network company drivers in accessing the pilot program established in chapter 451, Laws of 2023 (TNC insurance programs) by providing outreach, language assistance, cultural competency services, education, and other supports.

(37) \$100,000 of the unemployment compensation administration account—federal appropriation is provided solely for the department to develop and deploy training to assist apprentices and apprentice advocate groups in filing claims and navigating the unemployment insurance system.

(38) \$409,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute House Bill No. 2102 (PFML benefits/health info.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(39) \$495,000 of the employment service administrative account—state appropriation is provided solely for implementation of Substitute House Bill No. 2226 (H-2A worker program data). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(40) \$51,000 of the employment service administrative account—state appropriation is provided solely to support the underground economy task force created in section 906 of this act.

(41) \$3,863,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Substitute House Bill No. 2467 (LTSS trust access). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(42) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for North Central education service district 171 to expand industry and education partnerships in order to support emerging workforce needs through career awareness, exploration, and preparation activities for youth in Grant county.

(43) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to report how it will collect employee race and ethnicity

information from employers that participate in the unemployment insurance program and employees who participate in the paid family medical leave program.

(a) The department may contract to complete the report.

(b) The department must submit a report to the legislature by June 30, 2025. The report must include accurate cost and time estimates needed to collect the race and ethnicity information from employers and employees. The department must consult with the office of equity to ensure that data collections is consistent with other efforts. The report must also include, but is not limited to, the following information:

(i) The cost and time required for the department to revise current reporting requirements to include race and ethnicity data;

(ii) The cost and time required for the department to incorporate the collection of race and ethnicity data into future reporting;

(iii) The cost and time required for the department to incorporate the collection of race and ethnicity data into its existing information technology systems;

(iv) Recommendations on any exclusions from the requirement to report race and ethnicity data; and

(v) Any statutory changes required to collect race and ethnicity data.

(44)(a) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to convene a wage replacement program for undocumented workers work group. The work group shall convene by June 1, 2024, and must include:

(i) Three members representing immigrants' interests;

(ii) Two members representing workers' interests in unemployment, each of whom must be appointed from a list of names submitted by a recognized statewide organization of employees;

(iii) Two members representing employers' interests in unemployment, each of whom must be appointed from a list of names submitted by a recognized statewide organization of employers;

(iv) Three ex officio members, representing the state commission on African American affairs, the state commission on Hispanic affairs, and the state commission on Asian Pacific American affairs; and

(v) One ex officio member, representing the department and who will serve as the chair.

(b) The work group shall:

(i) Identify dedicated streams of revenue within the current unemployment insurance taxation model to fully fund an equitable wage replacement program for undocumented workers;

(ii) Review funding mechanisms from other states administering similar programs;

(iii) Identify funding mechanisms that do not duplicate employer contributions paid into the unemployment trust fund on behalf of undocumented workers nor increase social taxes paid for employers;

(iv) Explore the impact of identified funding mechanisms on solvency of the unemployment trust fund; and

(v) Provide a calculation of the amount of benefits that would be annually provided to undocumented workers through this program.

(c) By November 15, 2024, the department shall submit a report to the governor and related legislative committees that includes the information included in (b) of this subsection and a recommended plan of how to fully fund the program.

**Sec. 226.** 2023 c 475 s 226 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—GENERAL**

(1)(a) The appropriations to the department of children, youth, and families in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of children, youth, and families shall initially be allotted as required by this act. The department shall seek approval from the office of financial management prior to transferring moneys between sections of this act except as expressly provided in this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the foster care, adoption support, child protective services, working connections child care, and juvenile rehabilitation programs, the department may transfer appropriations that are provided solely for a specified purpose.

(2) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in

a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation.

(3) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department are subject to technical oversight by the office of the chief information officer.

**Sec. 227.** 2023 c 475 s 227 (uncodified) is amended to read as follows:

<b>FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—CHILDREN AND FAMILIES SERVICES PROGRAM</b>	
General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$488,869,000</del> ))
	<u>\$488,871,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$500,457,000</del> ))
	<u>\$527,084,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$503,359,000</del> ))
	<u>\$518,649,000</u>
General Fund—Private/Local Appropriation . . . . .	\$2,824,000
Opioid Abatement Settlement Account—State Appropriation . . . . .	(( <del>\$2,304,000</del> ))
	<u>\$6,807,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$1,497,813,000</del>))</b>
	<b><u>\$1,544,235,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$748,000 of the general fund—state appropriation for fiscal year 2024 and \$748,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to 13 children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(2) \$453,000 of the general fund—state appropriation for fiscal year 2024 and \$453,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs of hub home foster and kinship families that provide a foster care delivery model that includes a hub home. Use of the hub home model is intended to support foster parent retention, provide support to biological families, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(3) \$579,000 of the general fund—state appropriation for fiscal year 2024, \$579,000 of the general fund—state appropriation for fiscal year 2025, and \$110,000 of the general fund—federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(4) \$1,620,000 of the general fund—state appropriation for fiscal year 2024 and \$1,620,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services provided through children's advocacy centers.

(5) In fiscal year 2024 and in fiscal year 2025, the department shall provide a tracking report for social service specialists and corresponding social services support staff to the office of financial management, and the appropriate policy and fiscal committees of the legislature. The report shall detail continued implementation of the targeted 1:18 caseload ratio standard for child and family welfare services caseload-carrying staff and targeted 1:8 caseload ratio standard for child protection services caseload-carrying staff. To the extent to which the information is available, the report shall include the following information identified separately for social service specialists doing case management work, supervisory work, and administrative support staff, and identified separately by job duty or program, including but not limited to intake, child protective services investigations, child protective services family assessment response, and child and family welfare services:

(a) Total full-time equivalent employee authority, allotments and expenditures by region, office, classification, and band, and job duty or program;

(b) Vacancy rates by region, office, and classification and band; and

(c) Average length of employment with the department, and when applicable, the date of exit for staff exiting employment with the department by region, office, classification and band, and job duty or program.

(6) \$94,000 of the general fund—state appropriation for fiscal year 2024 and \$94,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(7) (a) \$999,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, \$656,000 of the general fund—private/local appropriation, and \$252,000 of the general fund—federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education

systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, regions where backlogs of youth that have formerly requested educational outreach services exist, or youth with high educational needs. The department is encouraged to use private matching funds to maintain educational advocacy services.

(b) The department shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(8) For purposes of meeting the state's maintenance of effort for the state supplemental payment program, the department of children, youth, and families shall track and report to the department of social and health services the monthly state supplemental payment amounts attributable to foster care children who meet eligibility requirements specified in the state supplemental payment state plan. Such expenditures must equal at least \$3,100,000 annually and may not be claimed toward any other federal maintenance of effort requirement. Annual state supplemental payment expenditure targets must continue to be established by the department of social and health services. Attributable amounts must be communicated by the department of children, youth, and families to the department of social and health services on a monthly basis.

(9) \$197,000 of the general fund—state appropriation for fiscal year 2024 and \$197,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct biennial inspections and certifications of facilities, both overnight and day shelters, that serve those who are under 18 years old and are homeless.

(10) (a) ~~(\$6,195,000)~~ \$8,981,000 of the general fund—state appropriation for fiscal year 2024, and \$1,188,000 of the general fund—federal appropriation are provided solely for the department to operate emergent placement and enhanced emergent placement contracts.

(b) The department shall not include the costs to operate emergent placement contracts in the calculations for family foster home maintenance payments and shall submit as part of the budget submittal documentation required by RCW 43.88.030 any costs associated with increases in the number of emergent placement contract beds after the effective date of this section that cannot be sustained within existing appropriations.

(11) Beginning January 1, 2024, and continuing through the 2023-2025 fiscal biennium, the department must provide semiannual reports to the governor and appropriate legislative committees that includes the number of in-state behavioral rehabilitation services providers and licensed beds, the number of out-of-state behavioral rehabilitation services placements, and a comparison of these numbers to the same metrics expressed as an average over the prior six months. The report shall identify separately beds with the enhanced behavioral rehabilitation services rate. Effective January 1, 2024, and to the extent the information is available, the report shall include the same information for emergency placement services beds and enhanced emergency placement services beds.

(12) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing the supportive visitation model that utilizes trained visit navigators to provide a structured and positive visitation experience for children and their parents.

(13) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for enhanced adoption placement services for legally free children in state custody, through a partnership with a national nonprofit organization with private matching funds. These funds must supplement, but not supplant, the work of the department to secure permanent adoptive homes for children with high needs.

(14) The department of children, youth, and families shall make foster care maintenance payments to programs where children are placed with a parent in a residential program for substance abuse treatment. These maintenance payments are considered foster care maintenance payments for purposes of forecasting and budgeting at maintenance level as required by RCW 43.88.058.

(15) \$511,000 of the general fund—state appropriation for fiscal year 2024, \$511,000 of the general fund—state appropriation for fiscal year 2025, and \$306,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219) (youth counsel/dependency).

(16) If the department receives an allocation of federal funding through an unanticipated receipt, the department shall not expend more than what was approved or for another purpose than what was approved by the governor through the unanticipated receipt process pursuant to RCW 43.79.280.

(17) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more nonprofit, nongovernmental organizations to purchase and deliver concrete goods to low-income families.

(18) \$2,400,000 of the general fund—state appropriation for fiscal year 2024 and \$2,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(19) The department will only refer child welfare cases to the department of social and health services division of child support enforcement when the court has found a child to have been abandoned by their parent or guardian as defined in RCW 13.34.030.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of SafeCare, an evidence-based parenting program, for families in Grays Harbor county.

(21) ~~(\$7,685,000)~~ \$7,685,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$8,354,000)~~ \$11,329,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$2,682,000)~~ \$3,326,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$276,000 of the general fund—state appropriation for fiscal year 2024, \$264,000 of the general fund—state appropriation for fiscal year 2025, and \$104,000 of the general fund—federal appropriation are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance, reporting on progress, and resolving disputes that may arise.

(b) \$2,022,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$2,432,000)~~ \$2,682,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the general fund—federal appropriation are provided solely for the statewide hub home model. The department shall develop and adapt the existing hub home model to serve youth as described in the settlement agreement.

(c) \$452,000 of the general fund—state appropriation for fiscal year 2024, \$864,000 of the general fund—state appropriation for fiscal year 2025, and \$334,000 of the general fund—federal appropriation are provided solely for the department to establish a negotiated rule-making method to align and update foster care and group care licensing standards.

(d) \$2,195,000 of the general fund—state appropriation for fiscal year 2024, \$2,110,000 of the general fund—state appropriation for fiscal year 2025, and \$238,000 of the general fund—federal appropriation are provided solely for revised referral and transition procedures for youth entering foster care.

(e) \$1,868,000 of the general fund—state appropriation for fiscal year 2024, \$1,852,000 of the general fund—state appropriation for fiscal year 2025, and \$1,543,000 of the general fund—federal appropriation are provided solely for the department to develop and implement a professional therapeutic foster care contract and licensing category. Therapeutic foster care professionals are not required to have another source of income and must receive specialized training and support.

(f) \$872,000 of the general fund—state appropriation for fiscal year 2024, \$832,000 of the general fund—state appropriation for fiscal year 2025, and \$421,000 of the general fund—federal appropriation are provided solely to update assessment and placement procedures prior to placing a youth in a qualified residential treatment program, as well as updating the assessment schedule to every 90 days.

(g) \$2,725,000 of the general fund—state appropriation for fiscal year 2025 and \$644,000 of the general fund—federal appropriation are provided solely for family team decision making and shared planning meetings as informed by attachment a-stakeholder facilitator and process description.

(h) The department shall implement all provisions of the settlement agreement, including those described in (a) through (f) of this subsection; revisions to shared planning meeting and family team decision-making policies and practices; and any and all additional settlement agreement requirements and timelines established.

(22) ~~(\$8,919,000)~~ \$7,379,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$19,521,000)~~ \$26,325,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$6,595,000)~~ \$7,195,000 of the general fund—federal appropriation are provided solely for implementation of a seven-level foster care support system. Of the amounts provided in this subsection:

(a) \$5,527,000 of the general fund—state appropriation for fiscal year 2024, \$11,054,000 of the general fund—state appropriation for fiscal year 2025, and \$5,284,000 of the general fund—federal appropriation are provided solely to expand foster care maintenance payments from a four-level to a seven-level support system, beginning January 1, 2024.

(b) ~~(\$2,572,000)~~ \$1,032,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$7,717,000)~~ \$14,521,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$1,173,000)~~ \$1,773,000 of the general fund—federal appropriation are provided solely for expanded caregiver support services. Services include, but are not limited to, placement, case aide, and after-hours support, as well as training, coaching, child care, and respite coordination.

(c) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project management to oversee the shift in systems and practices.

(d) \$247,000 of the general fund—state appropriation for fiscal year 2024, \$184,000 of the general fund—state appropriation for fiscal year 2025, and \$138,000 of the general fund

—federal appropriation are provided solely for a contract with the department of social and health services research and data analysis division to track program outcomes through monitoring and analytics.

(23) \$732,000 of the general fund—state appropriation for fiscal year 2024, \$732,000 of the general fund—state appropriation for fiscal year 2025, and \$362,000 of the general fund—federal appropriation are provided solely to increase staff to support statewide implementation of the kinship caregiver engagement unit.

(24) ~~(\$7,332,000)~~ \$2,113,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$7,332,000)~~ \$4,119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to issue foster care maintenance payments for up to 90 days to those kinship caregivers who obtain an initial license.

(25) \$6,696,000 of the general fund—state appropriation for fiscal year 2024, \$6,696,000 of the general fund—state appropriation for fiscal year 2025, and \$2,940,000 of the general fund—federal appropriation are provided solely for contracted visitation services for children in temporary out-of-home care. Funding is provided to reimburse providers for certain uncompensated services, which may include work associated with missed or canceled visits.

(26) \$4,104,000 of the general fund—state appropriation for fiscal year 2024 and \$5,589,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand combined in-home services to serve more families. By December 1, 2023, and annually thereafter, the department shall provide a report to the legislature detailing combined in-home services expenditures and utilization, including the number of families served and a listing of services received by those families.

(27) \$892,000 of the general fund—state appropriation for fiscal year 2024, \$892,000 of the general fund—state appropriation for fiscal year 2025, and \$796,000 of the general fund—federal appropriation are provided solely for increased licensing staff. Licensing staff are increased in anticipation that more kinship placements will become licensed due to recent legislation and court decisions, including *In re Dependency of K.W.* and chapter 211, Laws of 2021 (E2SHB 1227) (child abuse or neglect).

(28) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$2,014,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5124 (nonrelative kin placement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$338,000 of the general fund—state appropriation for fiscal year 2024, \$317,000 of the general fund—state appropriation for fiscal year 2025, and \$54,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$851,000 of the general fund—state appropriation for fiscal year 2024, \$2,412,000 of the general fund—state appropriation for fiscal year 2025, and \$108,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(31) \$2,304,000 of the opioid abatement settlement account—state appropriation is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

(32) \$375,000 of the general fund—state appropriation for fiscal year 2024, \$375,000 of the general fund—state appropriation for fiscal year 2025, and \$112,000 of the general fund—federal appropriation are provided solely for the department to develop, implement, and expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation services for children in temporary out-of-home care and their parents and siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature regarding these strategies by September 1, 2023. The report shall include the number and percentage of parents requiring supervised visitation and the number and percentage of parents with unsupervised visitation, prior to reunification.

(33) \$499,000 of the general fund—state appropriation for fiscal year 2024, \$499,000 of the general fund—state appropriation for fiscal year 2025, and \$310,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1204 (family connections program), which will support the family connections program in areas of the state in which the program is already established. To operate the program, the department must contract with a community-based organization that has experience working with the foster care population and administering the family connections program. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(34) \$2,020,000 of the general fund—state appropriation for fiscal year 2024, \$1,894,000 of the general fund—state appropriation for fiscal year 2025, and \$1,247,000 of the general fund—federal appropriation are provided solely to increase the basic foster care maintenance rate for all age groups and the supervised independent living subsidy for youth in extended foster care each by \$50 per youth per month effective July 1, 2023.

(35) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the



department to contract with a Bellevue-based nonprofit organization to support the continuation of its home visiting services for children ages three through five years old who are in the child welfare system. The nonprofit organization must provide educational and therapeutic services for children with developmental delays, disabilities, and behavioral needs.

~~(36)~~ \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a Washington state mentoring organization to provide oversight and training for a pilot program that mentors foster youth. The goal of the program is to improve outcomes for youth in foster care by surrounding them with ongoing support from a caring adult mentor. Under the program, mentors provide a positive role model and develop a trusted relationship that helps the young person build self-confidence, explore career opportunities, access their own resourcefulness, and work to realize their fullest potential. The organization shall serve as the program administrator to provide grants to nonprofit organizations based in Washington state that meet department approved criteria specific to mentoring foster youth. Eligible grantees must have programs that currently provide mentoring services within the state and can provide mentors who provide one-to-one services to foster youth, or a maximum ratio of one mentor to three youth.

~~((36))~~ ~~(37)~~ \$1,100,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization in Spokane that has experience administering a family-centered drug treatment and housing program for families experiencing substance use disorder. The amount provided in this subsection is intended to support the existing program while the department works to develop a sustainable model of the program and expand to new regions of the state.

~~((37))~~ ~~(38)~~ \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to lead the development of a sustainable operating funding model for programs using the rising strong model that provides comprehensive, family-centered drug treatment and housing services to keep families together while receiving treatment and support. The department shall work in coordination with the health care authority, the department of commerce, other local agencies, and stakeholders on development of the model. The department shall submit the sustainable operating model to the appropriate committees of the legislature by July 1, 2024.

~~((38))~~ ~~(39)~~ \$107,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$50,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(39))~~ ~~(40)~~ \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$269,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the new foster home incentive payment for child-placing agencies to \$1,000 for each new foster home certified for licensure, effective July 1, 2023.

~~(41)~~ \$1,484,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to fund a memorandum of understanding to be negotiated between the Washington federation of state employees and the department of children, youth, and families, which provides for group A assignment pay for reference 77B for SSS2s in-training on a one-time basis beginning July 1, 2024.

~~(42)~~ (a) \$3,153,000 of the opioid abatement settlement account—state appropriation and \$337,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

~~(b)~~ Of the amounts provided in (a) of this subsection:

~~(i)~~ \$1,515,000 of the opioid abatement settlement account—state appropriation is provided solely for a pilot program to include third-party safety plan participants and public health nurses in child protective services safety planning.

~~(ii)~~ \$574,000 of the opioid abatement settlement account—state appropriation and \$301,000 of the general fund—federal appropriation are provided solely for at least one legal liaison position in each region to work with both the department and the office of the attorney general for the purpose of assisting with the preparation of child abuse and neglect court cases.

~~(iii)~~ \$972,000 of the opioid abatement settlement account—state appropriation is provided solely for two pilot programs to implement an evidence-based, comprehensive, intensive, in-home parenting services support model to serve children and families from birth to age 18 who are involved in the child welfare, children's mental health, or juvenile justice systems.

~~(43)~~ \$1,350,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to establish a pilot for public health nurses, including contracts for up to eight public health nurses distributed by case count across the regions to support caseworkers in engaging and communicating with families about the risks of fentanyl and child health and safety practices.

~~(44)~~ The department shall collaborate with the department of social and health services to identify, place, and assist in the voluntary transition of adolescents aged 13 and older who have complex developmental, intellectual disabilities, or autism spectrum disorder, alongside potential mental health or substance use diagnoses, into a leased facility for specialized residential treatment at Lake Burien operated by the department of social and

health. The partnership is dedicated to transitioning individuals to community-based settings in a seamless and voluntary manner that emphasizes care in less restrictive community-based environments.

(45) \$694,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract for two receiving centers as established in RCW 7.68.380, that serve youth who are, or are at risk of being, commercially or sexually exploited. One receiving center shall be located on the west side of the state, and one receiving center shall be located on the east side of the state.

(46) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support families attending the annual caregivers conference in 2024. The conference must provide an opportunity for kinship families, foster parents, prelicensed foster parents, and adoptive families to gather for education, support, and family building experiences.

(47) \$18,000 of the general fund—state appropriation for fiscal year 2024, \$86,000 of the general fund—state appropriation for fiscal year 2025, and \$64,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1970 (DCYF-caregiver communication). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(48) \$60,000 of the general fund—state appropriation for fiscal year 2025 and \$14,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1205 (publication of notice). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(49) \$1,750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the rates paid to family preservation services providers, effective July 1, 2024.

(50) \$900,000 of the general fund—state appropriation for fiscal year 2025 and \$231,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5908 (extended foster care). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(51) \$333,000 of the general fund—state appropriation for fiscal year 2025 and \$76,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 6006 (victims of human trafficking). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 228. 2023 c 475 s 228 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—JUVENILE REHABILITATION PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$140,231,000</del> ))
	\$152,459,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$143,975,000</del> ))
	\$154,077,000
General Fund—Federal Appropriation . . . . .	\$694,000
General Fund—Private/Local Appropriation . . . . .	\$205,000
Washington Auto Theft Prevention Authority— State Appropriation . . . . .	\$196,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$285,301,000</del>))</b>
	<b>\$307,631,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,841,000 of the general fund—state appropriation for fiscal year 2024 and \$2,841,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts for effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development, not just reducing recidivism. Additional funding for this purpose is provided through an interagency agreement with the health care authority. County juvenile courts shall apply to the department of children, youth, and families for funding for program-specific participation and the department shall provide grants to the courts consistent with the participant treatment costs identified by the institute. The block grant oversight committee, in consultation with the Washington state institute for public policy, shall identify effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development to receive funding.

(2) \$1,537,000 of the general fund—state appropriation for fiscal year 2024 and \$1,537,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expansion of the juvenile justice treatments and therapies in department of children, youth, and families programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The department may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(3) (a) ((~~\$6,198,000~~))\$6,698,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$6,198,000~~))\$6,698,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement evidence- and research-based programs through community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants. In addition to funding provided in this subsection, funding to

implement alcohol and substance abuse treatment programs for locally committed offenders is provided through an interagency agreement with the health care authority.

(b) The department of children, youth, and families shall administer a block grant to county juvenile courts for the purpose of serving youth as defined in RCW 13.40.510(4)(a) in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service funds, community juvenile accountability act grants, chemical dependency/mental health disposition alternative, and suspended disposition alternative. The department of children, youth, and families shall follow the following formula and must prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for the assessment of low, moderate, and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency and mental health disposition alternative; and (vi) two percent for the suspended dispositional alternatives. Funding for the special sex offender disposition alternative shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the department of children, youth, and families and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(c) The department of children, youth, and families and the juvenile courts shall establish a block grant funding oversight committee with equal representation from the department of children, youth, and families and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be co-chaired by the department of children, youth, and families and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. The committee may make changes to the formula categories in (b) of this subsection if it determines the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost/benefit savings to the state, including long-term cost/benefit savings. The committee must also consider these outcomes in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(d) The juvenile courts and administrative office of the courts must collect and distribute information and provide access to the data systems to the department of children, youth, and families and the Washington state institute for public policy related to program and outcome data. The department of children, youth, and families and the juvenile courts must work collaboratively to develop program outcomes that reinforce the greatest cost/benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(4) \$645,000 of the general fund—state appropriation for fiscal year 2024 and \$645,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

(5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant program focused on criminal street gang prevention and intervention. The department of children, youth, and families may award grants under this subsection. The department of children, youth, and families shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity receiving funds must report to the department of children, youth, and families on the number and types of youth served, the services provided, and the impact of those services on the youth and the community.

(6) The juvenile rehabilitation institutions may use funding appropriated in this subsection to purchase goods, supplies, and services through hospital group purchasing organizations when it is cost-effective to do so.

(7) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts to establish alternative detention facilities similar to the proctor house model in Jefferson county, Washington, that will provide less restrictive confinement alternatives to youth in their local communities. County juvenile courts shall apply to the department of children, youth, and families for funding and each entity receiving funds must report to the department on the number and types of youth serviced, the services provided, and the impact of those services on the youth and the community.

(8) \$432,000 of the general fund—state appropriation for fiscal year 2024 and \$432,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide housing services to clients releasing from incarceration into the community.

(9) (a) \$878,000 of the general fund—state appropriation for fiscal year 2024 and \$879,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 206, Laws of 2021 (concerning juvenile rehabilitation community transition services).

(b) Of the amounts provided in (a) of this subsection, \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing vouchers.

(10) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 265, Laws of 2021 (supporting successful reentry).

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a credible messenger mentorship organization located in Kitsap county to provide peer counseling, peer support services, and mentorship for at-risk youth and families.

(12) \$1,791,000 of the general fund—state appropriation for fiscal year 2024 and \$1,754,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the facility, property, and assets at the facility formerly known as the Naselle youth camp in Naselle. The department of children, youth, and families must enter into an interagency agreement with the department of social and health services for the management and warm closure maintenance of the Naselle youth camp facility and grounds during the 2023-2025 fiscal biennium.

(13) (a) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1394 (sexual offenses by youth). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(b) The department of children, youth, and families—juvenile rehabilitation shall develop and implement a grant program that allows defense attorneys and counties to apply for funding for sex offender evaluation and treatment programs. The department shall provide funding to counties for: (a) Process mapping, site assessment, and training for additional sex offender treatment modalities such as multisystemic therapy-problem sexual behavior or problematic sexual behavior-cognitive behavioral therapy; and (b) for any evaluation and preadjudication treatment costs which are not covered by the court.

(14) \$2,436,000 of the general fund—state appropriation for fiscal year 2024 and \$2,206,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a dedicated institutional educational oversight and accountability team and 12 staff to provide a transition team at both green hill and echo glen that will serve as an education engagement team at the facility and will also coordinate and engage with community enrichment programs and community organizations to afford more successful transitions.

(15) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted services for housing for youth exiting juvenile rehabilitation facilities.

(16) (~~(\$3,306,000)~~) \$2,958,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$8,732,000)~~) \$11,436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for caseload costs and staffing. Of the amount provided in this subsection: (~~(\$1,752,000)~~) \$690,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,428,000)~~) \$2,055,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing necessary to operate the baker cottage north living unit at green hill school that is anticipated to be operational by (~~February~~) May 1, 2024.

(17) \$967,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to purchase body scanners, one for Echo Glen children's center, and two for Green Hill school, to comply with chapter 246-230 WAC (security screening systems).

(18) \$7,774,000 of the general fund—state appropriation for fiscal year 2024 and \$10,160,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for enhanced security services at the Echo Glen children's center.

(19) \$68,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6006 (victims of human trafficking). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(20) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a nonprofit entity doing statewide gender-responsive, race equity training and girls' advocacy programming in the juvenile rehabilitation system. The entity must provide:

(a) Girl-centered, antibias training for adults working with girls;

(b) Youth stipends for girls involved in advocacy programming; and

(c) Program facilitation for girls in the continuum of the juvenile rehabilitation system.

**Sec. 229.** 2023 c 475 s 229 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—EARLY LEARNING PROGRAM**

General Fund—State Appropriation (FY 2024) . . . . . (~~(\$576,454,000)~~)

\$586,784,000

General Fund—State Appropriation (FY 2025) . . . . . (~~(\$699,147,000)~~)

	\$756,322,000
General Fund—Federal Appropriation. . . . .	(((\$525,447,000))
	\$660,817,000
General Fund—Private/Local Appropriation. . . . .	\$104,000
Education Legacy Trust Account—State Appropriation. . . . .	(((\$385,965,000))
	\$385,401,000
Home Visiting Services Account—State Appropriation. . . . .	(((\$35,809,000))
	\$35,794,000
Home Visiting Services Account—Federal Appropriation. . . . .	(((\$36,417,000))
	\$37,256,000
<u>Opioid Abatement Settlement Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$3,179,000</u>
Washington Opportunity Pathways Account—State	
Appropriation. . . . .	\$80,000,000
Workforce Education Investment Account—State	
Appropriation. . . . .	\$22,764,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(((\$2,362,107,000))</b>
	<b>\$2,568,421,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (a) (((\$123,623,000))\$132,698,000 of the general fund—state appropriation for fiscal year 2024, (((\$148,314,000))\$156,585,000 of the general fund—state appropriation for fiscal year 2025, \$91,810,000 of the education legacy trust account—state appropriation, and \$80,000,000 of the opportunity pathways account—state appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 16,778 slots in fiscal year 2024 and 17,278 slots in fiscal year 2025. Of the total slots in each fiscal year, 100 slots must be reserved for foster children to receive school-year-round enrollment.

(b) Of the amounts provided in (a) of this subsection:

(i) \$23,647,000 of the general fund—state appropriation for fiscal year 2024 and \$26,412,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a slot rate increase of 18 percent for full day slots, a 9 percent increase for extended day slots, and a 7 percent increase for part day slots, beginning July 1, 2023.

(ii) \$8,271,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a rate increase of 5 percent for full day slots and 9 percent for extended day slots, beginning July 1, 2024.

(iii) \$9,862,000 of the general fund—state appropriation for fiscal year 2024 and \$9,862,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to convert 1,000 part day slots to full day slots, and to increase full day slots by 500, beginning in fiscal year 2024.

((iii)) (iv) \$9,862,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to convert 1,000 part day slots to full day slots((7)) and to increase full day slots by 500, beginning in fiscal year 2025.

(c) Of the amounts provided in (a) of this subsection, \$2,509,000 of the general fund—state appropriation for fiscal year 2024 and \$3,278,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for the early childhood education and assistance program.

(d) The department of children, youth, and families must develop a methodology to identify, at the school district level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district and the corresponding facility needs required to meet the entitlement in accordance with RCW 43.216.556. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(2) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies.

(3) The department of children, youth, and families shall work in collaboration with the department of social and health services to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families. Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy

families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(4) (a) (~~(\$144,632,000)~~) \$145,852,000 of the general fund—state appropriation for fiscal year 2024, \$208,181,000 of the general fund—state appropriation for fiscal year 2025, \$56,400,000 of the general fund—federal appropriation, and (~~(\$51,500,000)~~) \$99,100,000 of the general fund—federal appropriation (ARPA) are provided solely for enhancements to the working connections child care program.

(b) Of the amounts provided in (a) of this subsection:

(i) \$47,637,000 of the general fund—state appropriation for fiscal year 2024, \$87,556,000 of the general fund—state appropriation for fiscal year 2025, \$36,249,000 of the general fund—federal appropriation, and \$33,085,000 of the general fund—federal appropriation (ARPA) are provided solely to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey for child care centers.

(ii) (~~(\$96,995,000)~~) \$98,215,000 of the general fund—state appropriation for fiscal year 2024, \$120,625,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided solely to implement the 2023-2025 collective bargaining agreement covering family child care providers as provided in section 907 of this act. Of the amounts provided in this subsection:

(A) \$8,263,000 of the general fund—state appropriation for fiscal year 2024 and \$9,793,000 of the general fund—state appropriation for fiscal year 2025 are for an 85 cent per hour per child rate increase for family, friends, and neighbor providers (FFNs) beginning July 1, 2023, and a 15 cent per hour per child rate increase beginning July 1, 2024.

(B) \$26,515,000 of the general fund—state appropriation for fiscal year 2024, \$48,615,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey.

(C) \$370,000 of the general fund—state appropriation for fiscal year 2024 and \$370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to pay the background check application and fingerprint processing fees.

(D) (~~(\$61,847,000)~~) \$63,067,000 of the general fund—state appropriation for fiscal year 2024 and \$61,847,000 of the general fund—state appropriation for fiscal year 2025 are for a cost of care rate enhancement.

(c) Funding in this subsection must be expended with internal controls that provide child-level detail for all transactions, beginning July 1, 2024.

(d) On July 1, 2023, and July 1, 2024, the department, in collaboration with the department of social and health services, must report to the governor and the appropriate fiscal and policy committees of the legislature on the status of overpayments in the working connections child care program. The report must include the following information for the previous fiscal year:

(i) A summary of the number of overpayments that occurred;

(ii) The reason for each overpayment;

(iii) The total cost of overpayments;

(iv) A comparison to overpayments that occurred in the past two preceding fiscal years; and

(v) Any planned modifications to internal processes that will take place in the coming fiscal year to further reduce the occurrence of overpayments.

(e) Within available amounts, the department in consultation with the office of financial management shall report enrollments and active caseload for the working connections child care program to the governor and the legislative fiscal committees and the legislative-executive WorkFirst poverty reduction oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(5) \$2,362,000 of the general fund—state appropriation for fiscal year 2024 (~~and~~), \$2,362,000 of the general fund—state appropriation for fiscal year 2025, and \$772,000 of the general fund—federal appropriation are provided solely to increase the nonstandard hours bonus to:

(a) \$135 per child per month, beginning July 1, 2023; and

(b) \$150 per child per month, beginning July 1, 2024.

(6) \$22,764,000 of the workforce education investment account—state appropriation is provided solely for the working connections child care program under RCW 43.216.135.

(7) \$353,402,000 of the general fund—federal appropriation is reimbursed by the department of social and health services to the department of children, youth, and families for qualifying expenditures of the working connections child care program under RCW 43.216.135.

(8) \$1,560,000 of the general fund—state appropriation for fiscal year 2024, \$1,560,000 of the general fund—state appropriation for fiscal year 2025, and \$6,701,000 of the general fund—federal appropriation are provided solely for the seasonal child care program.

(9) \$871,000 of the general fund—state appropriation for fiscal year 2024 and \$871,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of children, youth, and families to contract with a countywide nonprofit

organization with early childhood expertise in Pierce county for a project to prevent child abuse and neglect using nationally recognized models.

(a) The nonprofit organization must continue to implement a countywide resource and referral linkage system for families of children who are prenatal through age five.

(b) The nonprofit organization must offer a voluntary brief newborn home visiting program. The program must meet the diverse needs of Pierce county residents and, therefore, it must be flexible, culturally appropriate, and culturally responsive. The department, in collaboration with the nonprofit organization, must examine the feasibility of leveraging federal and other fund sources, including federal Title IV-E and medicaid funds, for home visiting provided through the pilot. The department must report its findings to the governor and appropriate legislative committees by September 1, 2023.

(10) \$3,577,000 of the general fund—state appropriation for fiscal year 2024, \$3,587,000 of the general fund—state appropriation for fiscal year 2025, and \$9,588,000 of the education legacy trust account—state appropriation are provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. The department shall pursue opportunities to leverage other funding to continue and expand ECLIPSE services. Priority for services shall be given to children referred from the department.

(11) The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In a bi-annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements.

(12) \$1,728,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(13) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(14) \$4,000,000 of the education legacy trust account—state appropriation is provided solely for early intervention assessment and services.

(15) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(16) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued implementation of chapter 202, Laws of 2017 (children's mental health).

(17) Within existing resources, the department shall continue implementation of chapter 409, Laws of 2019 (early learning access).

(18) \$515,000 of the general fund—state appropriation for fiscal year 2024 and \$515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a statewide family resource and referral linkage system, with coordinated access point of resource navigators who will connect families with children prenatal through age five with services, programs, and community resources through a facilitated referral and linkage process.

(19)(a) \$114,000 of the general fund—state appropriation for fiscal year 2024, \$173,000 of the general fund—state appropriation for fiscal year 2025, \$6,000 of the general fund—federal appropriation, and \$31,000 of the general fund—federal appropriation (ARPA) are provided solely for the department to complete its pilot project to determine the feasibility of a child care license category for multi-site programs operating under one owner or one entity and to complete one year of transition activities. The department shall adopt rules to implement the pilot project and may waive or adapt licensing requirements when necessary to allow for the operation of a new license category. Pilot participants must include, at least:

- (i) One governmental agency;
- (ii) One nonprofit organization; and
- (iii) One for-profit private business.

(b) New or existing license child care providers may participate in the pilot. When selecting and approving pilot project locations, the department shall aim to select a mix of rural, urban, and suburban locations. By July 1, 2024, the department shall submit to the governor and relevant committees of the legislature a plan for permanent implementation of this license category, including any necessary changes to law.

(20) \$3,020,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for the home visiting program. Of the amounts in this subsection:

(a) \$2,020,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for a funding increase, including to increase funding for contracts to support wage and cost increases and create more equity in contracting among the home visiting workforce.

(b) \$1,000,000 of the home visiting account—state appropriation is provided solely for the expansion of visiting services.

(21) Within the amounts provided in this section, funding is provided for the department to make permanent the two language access coordinators with specialties in Spanish and Somali as funded in chapter 334, Laws of 2021.

(22)(a) The department must provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license-exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(b) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(c) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(d) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data every March for the previous school year.

(e) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(23) \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue implementation of an infant and early childhood mental health consultation initiative to support tribal child care and early learning programs. Funding may be used to provide culturally congruent infant and early childhood mental health supports for tribal child care, the tribal early childhood education and assistance program, and tribal head start providers. The department must consult with federally recognized tribes which may include round tables through the Indian policy early learning committee.

(24) \$860,000 of the general fund—state appropriation for fiscal year 2024 and \$860,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued expansion and support of family, friend, or neighbor caregivers with a focus on the provision of play and learn groups. The amounts provided in this subsection may be used for the department to:

(a) Fund consistent staffing across the state's six geographic regions to support the needs of family, friend, or neighbor caregivers;

(b) Contract with a statewide child care resource and referral program to sustain and expand the number of facilitated play groups to meet the needs of communities statewide;

(c) Support existing infrastructure for organizations that have developed the three existing play and learn program models so they have capacity to provide training, technical assistance, evaluation, data collection, and other support needed for implementation; and

(d) Provide direct implementation support to community-based organizations that offer play and learn groups.

(25) (~~(\$3,750,000)~~) \$2,750,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$3,750,000)~~) \$4,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for tribal early learning grants to be distributed to providers with tribal children enrolled in early childhood education and assistance program, early ECEAP, childcare, head start, early head start and home visiting programs. Grants will be administered by the department of children, youth and families office of tribal relations and may be awarded for purposes including but not limited to culturally appropriate mental health supports for addressing historical trauma, incorporating indigenous foods, culturally-responsive books and materials, staff professional development, curriculum adaptations and supplements, tribal language education, elders and storytelling in classrooms, traditional music and arts instruction, and transportation to facilitate tribal child participation in early childhood education. Of the amounts in this subsection, the department may use \$143,000 in fiscal year 2024 and up to \$136,000 in fiscal year 2025 to cover associated administrative expenses.

(26) \$7,698,000 of the general fund—state appropriation for fiscal year 2024 and \$7,698,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for child care providers.

(27) \$2,624,000 of the general fund—state appropriation for fiscal year 2024 and \$2,624,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for equity grants established under chapter 199, Laws of 2021 (E2SSB 5237).

(28) \$2,354,000 of the general fund—state appropriation for fiscal year 2024 and \$2,431,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the birth-to-three early childhood education and assistance program. Funding is sufficient for a 20 percent rate increase beginning July 1, 2023, and a 1.8 percent rate increase beginning July 1, 2024.

(29) \$3,352,000 of the general fund—state appropriation for fiscal year 2024 and \$9,916,000 of the general fund—state appropriation for fiscal year 2025 are provided solely



to implement Second Substitute Senate Bill No. 5225 (working conn. child care). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(30) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to help close the gap in childcare access in the King county region by providing pandemic recovery support funding to the Launch learning organization.

(31) (~~(\$533,000)~~) \$169,000 of the general fund—state appropriation for fiscal year 2024 (~~(is)~~) and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to submit an implementation plan to expand access to Washington's mixed delivery child care system. The plan must assume that any financial contribution by families is capped at no more than seven percent of household income and that the child care workforce are provided living wages and benefits. The plan must be submitted to the appropriate committees of the legislature by June 30, 2025, and should:

(a) Follow the intent of chapter 199, Laws of 2021;

(b) Be aligned with the cost of quality care rate model;

(c) Include timelines, costs, and statutory changes necessary for timely and effective implementation; and

(d) Be developed through partnership with the statewide child care resource and referral organization and the largest union representing child care providers, with consultation from families.

(32) \$250,000 of the general fund—state appropriation for fiscal year 2024 (~~(and)~~), \$250,000 of the general fund—state appropriation for fiscal year 2025, and \$1,750,000 of the general fund—federal appropriation are provided solely for infant and early childhood mental health consultation. Of the amounts provided in this subsection, \$150,000 of the general fund—federal appropriation is for infant and early childhood mental health consultation services to support rural schools and child care programs in rural communities.

(33) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with Washington communities for children to maintain a community-based early childhood network.

(34) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a Washington state based nonprofit digital child care marketing and matching service to deliver child care marketing and matching services in order to increase the number of licensed providers offering nonstandard hours care and to provide effective outreach to workforces in order to help them find and match with available nonstandard hours care providers.

(35) \$250,000 of the general fund—state appropriation for fiscal year 2024 (~~(and)~~), \$250,000 of the general fund—state appropriation for fiscal year 2025, and \$2,500,000 of the general fund—federal appropriation are provided solely for the department to contract with an organization that provides relationship-based professional development support to family, friend, and neighbor, child care center, and licensed family care providers to work with child care workers to establish and support new affordable, high quality child care and early learning programs. To be eligible to receive funding, the organization must:

(a) Provide professional development services for child care providers and early childhood educators, including training and mentorship programs;

(b) Provide mentorship and other services to assist with child care provider and facility licensing;

(c) Administer or host a system of shared services and consulting related to operating a child care business; and

(d) Administer a state sponsored substitute pool child care provider program.

(36) \$830,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(37) \$972,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1525 (apprenticeships/child care). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(38) \$2,438,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide a one-time rate enhancement in fiscal year 2024 for early support for infants and toddlers program providers.

(39) \$4,291,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1916 (infants and toddlers program). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(40) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$1,000,000)~~) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the imagination library.

(41) \$5,561,000 of the general fund—federal appropriation is provided solely for the department to increase the infant rate enhancement to \$300 per month, beginning July 1, 2024.

(42) \$1,313,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 420, Laws of 2023 (transition to kindergarten program).

(43) \$650,000 of the general fund—federal appropriation is provided solely for the department to contract with a nonprofit organization that implements an inclusion mentorship program for child care and early learning providers. The mentorship program shall provide early learning providers with the necessary skills and knowledge to effectively care for and educate children with disabilities, developmental delays, or challenging behaviors.

(44) (a) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the Snohomish county early learning coalition to develop a leadership team to identify and report on ways to strengthen the early learning community in Snohomish county. The leadership team may include, but is not limited to, members from the following groups:

- (i) Business communities and industry representatives;
- (ii) Child care directors and owners;
- (iii) School district superintendents;
- (iv) The children's commission;
- (v) Early learning nonprofit executive directors;
- (vi) Tribes located in Snohomish county;
- (vii) Councilmembers from cities located in Snohomish county;
- (viii) Law enforcement;
- (ix) The communities of color coalition; and
- (x) Immigrant communities.

(b) The early learning coalition must submit an initial report to the governor and the appropriate committees of the legislature by June 30, 2025. The report must identify the following information:

- (i) Highest priority early learning needs and common challenges in the Snohomish county early learning sector;
- (ii) Best strategies to address the identified challenges;
- (iii) A list of potential partners to help implement the strategies identified in the report;
- (iv) A funding plan to implement the strategies; and
- (v) The goal of any strategies implemented.

(45) (a) \$3,179,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(b) Of the amounts provided in (a) of this subsection:

(i) \$1,600,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of section 202 of Engrossed Second Substitute Senate Bill No. 6109 (children and families) for the department to enter into targeted contracts with existing home visiting programs established by RCW 43.216.130 in locales with the historically highest rates of child welfare screened-in intake to serve families.

(ii) \$1,579,000 of the opioid abatement settlement account—state appropriation is provided solely to establish a pilot program for contracted child care slots for infants in child protective services, which may be used as part of a safety plan.

(46) (a) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a nonprofit organization located in Spokane for a pilot program to increase the child care workforce and child care capacity in the greater Spokane area. At a minimum, the pilot program must create a cohort of at least 10 child care facilities that will engage in culture index and blueprint assessments in order to increase the child care workforce.

(b) In administering the pilot program, the nonprofit organization must:

- (i) Conduct coordinated outreach efforts to establish capacity and utilization benchmarks for current licensed day care facilities;
- (ii) Create a recruitment and branding strategy to increase the child care workforce; and
- (iii) Establish data points for training, recruiting, and retaining child care employees.

(c) The organization must submit a report on the results of the pilot program, including any outcomes affecting the child care workforce and capacity, to the governor and the appropriate committees of the legislature by June 30, 2025.

(47) \$1,246,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2124 (child care prog. eligibility). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 230.** 2023 c 475 s 230 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2024)	(\$269,989,000)
	\$371,994,000
General Fund—State Appropriation (FY 2025)	(\$267,333,000)
	\$293,151,000
General Fund—Federal Appropriation	(\$154,741,000)
	\$171,942,000
General Fund—Private/Local Appropriation	(\$2,133,000)
	\$2,131,000
Education Legacy Trust Account—State Appropriation	(\$180,000)

	<u>\$744,000</u>
Home Visiting Services Account—State Appropriation. . . . .	\$482,000
Home Visiting Services Account—Federal Appropriation. . . . .	\$380,000
<b>TOTAL APPROPRIATION.....</b>	<b><u>(\$695,238,000)</u></b>
	<b><u>\$840,824,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Washington state mentoring organization to continue its public-private partnerships providing technical assistance and training to mentoring programs that serve at-risk youth.

(2) \$2,000 of the general fund—state appropriation for fiscal year 2024, \$6,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(3) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time employee to coordinate policies and programs to support pregnant and parenting individuals receiving chemical dependency or substance use disorder treatment.

(4) ~~(\$2,719,000)~~ \$3,525,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$2,632,000)~~ \$3,597,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$174,000)~~ \$181,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$2,406,000 of the general fund—state appropriation for fiscal year 2024, \$2,382,000 of the general fund—state appropriation for fiscal year 2025, and \$174,000 of the general fund—federal appropriation are provided solely for supported housing programs for hard-to-place foster youth age 16 and above. The department shall provide housing and case management supports that ensure youth placement stability, promote mental health and well-being, and prepare youth for independent living.

(b) \$313,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance, reporting on progress, and resolving disputes that may arise.

(c) \$806,000 of the general fund—state appropriation for fiscal year 2024, \$965,000 of the general fund—state appropriation for fiscal year 2025, and \$7,000 of the general fund—federal appropriation are provided solely for plaintiff legal fees and fiduciary support to support rate modeling and payments for the emerging adult housing program, professional therapeutic foster parents, referrals and transitions, and hub homes.

(5) \$704,000 of the general fund—state appropriation for fiscal year 2024, \$1,022,000 of the general fund—state appropriation for fiscal year 2025, and \$222,000 of the general fund—federal appropriation are provided solely for the department to implement a language access plan, which will include but is not limited to:

(a) Translation of department materials;

(b) Hiring staff to form a centralized language access team to provide language access supports and coordination across all department divisions;

(c) Outreach to community organizations serving multilingual children and families regarding department programs;

(d) Webinars and other technical assistance provided in multiple languages for department programs;

(e) Training for department staff on language access resources; and

(f) Other means of increasing language access and equity for providers and caregivers in health and safety, licensing and regulations, and public funding opportunities for programs offered by the department.

(6) \$1,885,000 of the general fund—state appropriation for fiscal year 2024 and \$1,885,000 of the general fund—federal appropriation are provided solely for a feasibility study to develop an implementation plan and determine costs for a new child welfare information system.

(7) \$2,149,000 of the general fund—state appropriation for fiscal year 2024, \$7,851,000 of the general fund—state appropriation for fiscal year 2025, and \$10,000,000 of the general fund—federal appropriation are provided solely for a comprehensive child welfare information system. The funding in this section is sufficient to complete procurement and the initial

stages of implementation and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(8) \$1,187,000 of the general fund—state appropriation for fiscal year 2024 and \$1,187,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing support services for youth exiting foster care and juvenile rehabilitation.

~~((9))~~ (9) \$19,000 of the general fund—state appropriation for fiscal year 2024, \$19,000 of the general fund—state appropriation for fiscal year 2025, and \$6,000 of the general fund—federal appropriation are provided solely for indirect costs associated with the implementation of a seven-level foster care support system.

~~((10))~~ (10) \$1,494,000 of the general fund—federal appropriation is provided solely for continued implementation of the family first prevention services act requirements, including technology enhancements to support the automated assessments, data quality, and reporting requirements. Funding provided in this subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((11))~~ (11) \$717,000 of the general fund—state appropriation for fiscal year 2024, \$717,000 of the general fund—state appropriation for fiscal year 2025, and \$324,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219).

~~((12))~~ (12) \$1,248,000 of the general fund—state appropriation for fiscal year 2024 and \$1,248,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the emergency adolescent housing pilot program. The housing pilot will serve hard-to-place foster youth who are at least 16 years old with housing and intensive case management.

~~((13))~~ (13) \$319,000 of the general fund—state appropriation for fiscal year 2024, \$319,000 of the general fund—state appropriation for fiscal year 2025, and \$170,000 of the general fund—federal appropriation are provided solely to continue implementation of chapter 137, Laws of 2022 (2SHB 1905).

~~((14))~~ (14) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue implementation of chapter 39, Laws of 2022 (SHB 2068).

~~((15))~~ (15) \$23,000 of the general fund—state appropriation for fiscal year 2024, \$31,000 of the general fund—state appropriation for fiscal year 2025, and \$7,000 of the general fund—federal appropriation are provided solely to implement Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((16))~~ (16) \$1,571,000 of the general fund—state appropriation for fiscal year 2024 and \$1,571,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Senate Bill No. 5316 (DCYF background check fees). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((17))~~ (17) \$53,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and \$16,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((18))~~ (18) \$43,000 of the general fund—state appropriation for fiscal year 2024, \$78,000 of the general fund—state appropriation for fiscal year 2025, and \$18,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5124 (nonrelative kin placement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((19))~~ (19) \$2,627,000 of the general fund—state appropriation for fiscal year 2024 and \$2,628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5256 (child welfare housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((20))~~ (20) \$33,000 of the general fund—state appropriation for fiscal year 2024, \$58,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((21))~~ (21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership council for juvenile justice to consider and provide recommendations regarding juvenile justice policy projects and for one additional staff for ongoing policy and program analysis. The partnership council is authorized to consult with experts to study and gather research on best practices regarding juvenile justice, and to consult with relevant stakeholders regarding its potential recommendations. Relevant stakeholders may include but are not limited to the superior court judges association; Washington association of juvenile court administrators; Washington association of county clerks; the association of Washington counties; community-based organizations with expertise in legal financial obligation reform, community compensation funds, supporting victims and survivors of crime, or supporting youth who have been convicted or adjudicated of criminal offenses; law enforcement, prosecutors; public defenders; incarcerated and formerly incarcerated youth and young adults; the administrative office of the courts; the crime victims compensation program; and the office of crime victims advocacy.

(a) The council shall:

(i) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations for establishing a state-funded community compensation program to address out of pocket expenses for those who have been harmed by juvenile criminal offenses. Recommendations shall consider restorative principles and best practices and shall be developed in consultation with those who have been adjudicated and charged restitution and those who have been owed restitution. The council shall provide recommendations for program implementation including, but not limited to, structure and placement within state government; scope and scale of funding including eligibility criteria; retroactivity; documentation requirements; and coordination with the existing crime victims compensation fund. The council shall provide estimates of startup costs and ongoing operational costs, including administration and direct compensation to victims.

(ii) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations regarding retention, dissemination, confidentiality, sealing, consequences, and general treatment of juvenile court records. In making recommendations, the council shall take into consideration developments in brain science regarding decision-making amongst youth; the impact the juvenile court records can have on future individual well-being; principles of racial equity; and impacts that the recommendations could have on recidivism.

(iii) By June 30, 2025, report to the governor and appropriate committees of the legislature recommendations regarding implementation of juvenile court jurisdiction expansion to encompass persons 18, 19, and 20 years old. Recommendations shall include an implementation plan for the expansion, including necessary funding, essential personnel and programmatic resources, measures necessary to avoid a negative impact on the state's child protection response, and specific milestones related to operations and policy. The implementation plan shall also include a timeline for structural and systemic changes within the juvenile justice system for the juvenile rehabilitation division; the department of children, youth, and families; the department of corrections; and the juvenile court pursuant to chapter 13.04 RCW. The implementation plan shall also include an operations and business plan that defines benchmarks including possible changes to resource allocations; a review of the estimated costs avoided by local and state governments with the reduction of recidivism and an analysis of cost savings reinvestment options; and estimated new costs incurred to provide juvenile justice services to persons 18, 19, and 20 years old.

~~((21))~~ (22) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a statewide nonprofit with demonstrated capability of partnering with agencies and community organizations to develop public-facing regionalized data dashboards and reports to measure change in equitable early learning access as a result of programs and grants administered by the department. The nonprofit must provide the data in a consumer-friendly format and include updates on program supply and demand for subsidized child care and preschool programs. The data must be disaggregated by program and facility type, geography, family demographics, copayments, and outcomes of grants and rate enhancements disaggregated by staff role, program and facility type, and geography.

~~((22))~~ (23) \$1,206,000 of the general fund—state appropriation for fiscal year 2024, \$1,554,000 of the general fund—state appropriation for fiscal year 2025, and \$1,416,000 of the general fund—private/local appropriation are provided solely for the department to contract with one or more community organizations with expertise in the LifeSet case management model to serve youth and adults currently being served in or exiting the foster care, juvenile justice, and mental health systems to successfully transition to adulthood.

~~((23))~~ (24) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase rates for independent living service providers.

~~((24))~~ (25) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

~~((25))~~ (26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an entity for three separate studies. The department must submit the studies to the governor and the legislature by June 30, 2025. The studies must analyze:

(a) The feasibility of implementing a universal child allowance, universal child care, and universal baby boxes;

(b) The feasibility of a social wealth fund for Washington state; and

(c) The current cash and cash-equivalent benefits currently available for Washington state residents who are nonworkers.

~~((26))~~ (27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an all-male, African American organization to mentor youth ages 12 through 19 in south King county.

~~((27))~~ (28) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$37,000 of the general fund—state appropriation for fiscal year 2025, and \$74,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(28)) (29) \$18,000 of the general fund—state appropriation for fiscal year 2024, \$18,000 of the general fund—state appropriation for fiscal year 2025, and \$8,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). (If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(29)) (30) (a) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$41,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to report on a plan to discontinue the practice of using any benefits, payments, funds, or accrual paid to or on behalf of a child or youth to reimburse itself for cost of care by the earliest date feasible. The report must include an implementation plan to conserve funds for the future needs of the child in a manner in which the funds will not count against eligibility for federal or state means tested programs. The report must include a strategy for developing the financial literacy and capability of youth and young adults exiting foster care and juvenile rehabilitation. The department will develop the report in consultation with stakeholders, including but not limited to:~~

- ~~(i) Individuals with disabilities and organizations representing the interests of or serving individuals with disabilities;~~
  - ~~(ii) Youth in foster care and juvenile rehabilitation and their parents;~~
  - ~~(iii) The social security administration; and~~
  - ~~(iv) Other relevant state agencies.~~
- ~~(b) The department must provide periodic status updates and must submit the final report no later than October 1, 2024. The department must convene the first meeting of the work group no later than September 1, 2023.~~

~~(31) \$938,000 of the general fund—state appropriation for fiscal year 2024, \$961,000 of the general fund—state appropriation for fiscal year 2025, and \$172,000 of the general fund—federal appropriation are provided solely for:~~

~~(a) Compliance with the settlement agreement reached in *Ta'afulisia et al. v. Washington State Department of Children, Youth, and Families, et al.*, Thurston county superior court, cause no. 22-2-02974-34. The department must implement the provisions of the settlement agreement, which includes providing hearings to incarcerated youth under age 25 serving their sentence at a department of children, youth, and families facility prior to transfer to an adult corrections facility operated by the department of corrections; and~~

~~(b) Providing hearings for youth under age 25 transferred from a department of children, youth, and families community partial confinement facility to a department of children, youth, and families total confinement facility.~~

~~(32) \$94,615,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal costs that exceed the amount covered by the self-insurance liability account as follows:~~

- ~~(a) \$91,250,000 for the costs associated with a jury verdict resulting from *Cox et al. v. State of Washington et al.*, Pierce county superior court, cause no. 12-2-11389-6; and~~
- ~~(b) \$3,365,000 for the costs associated with a settlement agreement reached in *Aroni et al., v. State of Washington*, King county superior court, cause no. 21-2-16587-3.~~

~~(33) \$11,000 of the general fund—state appropriation for fiscal year 2024, \$651,000 of the general fund—state appropriation for fiscal year 2025, and \$662,000 of the general fund—federal appropriation are provided solely for a feasibility study for the social service payment system replacement project.~~

~~(34) \$946,000 of the general fund—state appropriation for fiscal year 2025 and \$154,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1205 (service by pub./dependency). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.~~

~~(35) \$3,000 of the general fund—state appropriation for fiscal year 2024, \$22,000 of the general fund—state appropriation for fiscal year 2025, and \$4,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1970 (DCYF-caregiver communication). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.~~

~~(36) \$954,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to transact with the necessary level of detail regarding working connections child care program payments to address the repeated findings made by the state auditor's office related to the child care and development fund and temporary assistance for needy families federal grants.~~

~~(37) \$254,000 of the general fund—federal appropriation is provided solely for implementation of Substitute Senate Bill No. 5774 (fingerprint backgr. checks). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(End of part)

**PART III  
NATURAL RESOURCES**

**Sec. 301.** 2023 c 475 s 301 (uncodified) is amended to read as follows:

**FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	((\$1,728,000))
	<u>\$1,727,000</u>

General Fund—State Appropriation (FY 2025) . . . . .	(\$1,273,000))
	<u>\$1,294,000</u>
General Fund—Federal Appropriation. . . . .	\$32,000
General Fund—Private/Local Appropriation. . . . .	(\$2,574,000))
	<u>\$2,594,000</u>
Climate Commitment Account—State Appropriation. . . . .	\$138,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$5,745,000))</b>
	<u><b>\$5,785,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a land use planner to provide land use planning services dedicated to Klickitat county. Because the activities of the land use planner are solely for the benefit of Washington state, Oregon is not required to provide matching funds for this activity.

(2) \$553,000 of the general fund—state appropriation for fiscal year 2024, \$352,000 of the general fund—state appropriation for fiscal year 2025, and \$905,000 of the general fund—private/local appropriation are provided solely for the access database replacement project. The commission must consult with the office of the chief information officer regarding the access database replacement project.

(3) \$138,000 of the climate commitment account—state appropriation is provided solely for staff to lead implementation of the agency's climate change action plan and to support implementation of the vital sign indicators monitoring program.

(4) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 302.** 2023 c 475 s 302 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

General Fund—State Appropriation (FY 2024) . . . . .	(\$39,381,000))
	<u>\$39,429,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(\$37,256,000))
	<u>\$39,352,000</u>
General Fund—Federal Appropriation. . . . .	(\$108,485,000))
	<u>\$145,441,000</u>
General Fund—Private/Local Appropriation. . . . .	\$29,544,000
Climate Commitment Account—State Appropriation. . . . .	(\$14,792,000))
	<u>\$25,152,000</u>
Emergency Drought Response Account—State Appropriation. . . . .	\$6,000,000
Natural Climate Solutions Account—State Appropriation. . . . .	(\$12,795,000))
	<u>\$16,408,000</u>
Reclamation Account—State Appropriation. . . . .	(\$4,753,000))
	<u>\$4,785,000</u>
Flood Control Assistance Account—State Appropriation. . . . .	(\$5,041,000))
	<u>\$5,252,000</u>
Aquatic Lands Enhancement Account—State Appropriation. . . . .	\$150,000
Refrigerant Emission Management Account—State Appropriation. . . . .	(\$2,795,000))
	<u>\$3,121,000</u>
State Emergency Water Projects Revolving Account— State Appropriation. . . . .	\$40,000
Waste Reduction, Recycling, and Litter Control Account—State Appropriation. . . . .	(\$33,866,000))
	<u>\$33,999,000</u>
State Drought Preparedness Account—State Appropriation. . . . .	(\$2,204,000))
	<u>\$2,219,000</u>
State and Local Improvements Revolving Account—Water Supply Facilities—State Appropriation. . . . .	\$186,000
Water Rights Tracking System Account—State Appropriation. . . . .	\$48,000
Site Closure Account—State Appropriation. . . . .	\$582,000
Wood Stove Education and Enforcement Account—State Appropriation. . . . .	\$605,000
Worker and Community Right to Know Fund—State Appropriation. . . . .	(\$2,212,000))
	<u>\$2,222,000</u>
Water Rights Processing Account—State Appropriation. . . . .	\$39,000
Water Quality Permit Account—State Appropriation. . . . .	(\$65,774,000))

	<u>\$67,216,000</u>
Underground Storage Tank Account—State Appropriation. . . . .	(( <u>\$4,987,000</u> ))
	<u>\$5,032,000</u>
Biosolids Permit Account—State Appropriation. . . . .	(( <u>\$3,054,000</u> ))
	<u>\$3,068,000</u>
Hazardous Waste Assistance Account—State Appropriation. . . . .	(( <u>\$9,393,000</u> ))
	<u>\$9,476,000</u>
Radioactive Mixed Waste Account—State Appropriation. . . . .	(( <u>\$23,955,000</u> ))
	<u>\$24,455,000</u>
Air Pollution Control Account—State Appropriation. . . . .	(( <u>\$4,706,000</u> ))
	<u>\$4,926,000</u>
Oil Spill Prevention Account—State Appropriation. . . . .	(( <u>\$8,485,000</u> ))
	<u>\$9,132,000</u>
Air Operating Permit Account—State Appropriation. . . . .	(( <u>\$5,510,000</u> ))
	<u>\$5,593,000</u>
Wastewater Treatment Plant Operator Certification Account—State Appropriation. . . . .	(( <u>\$801,000</u> ))
	<u>\$804,000</u>
Oil Spill Response Account—State Appropriation. . . . .	<u>\$7,076,000</u>
Model Toxics Control Operating Account—State Appropriation. . . . .	(( <u>\$342,888,000</u> ))
	<u>\$350,774,000</u>
Model Toxics Control Operating Account—Local Appropriation. . . . .	(( <u>\$499,000</u> ))
	<u>\$1,000,000</u>
Model Toxics Control Stormwater Account—State Appropriation. . . . .	(( <u>\$16,991,000</u> ))
	<u>\$16,992,000</u>
Voluntary Cleanup Account—State Appropriation. . . . .	<u>\$344,000</u>
Paint Product Stewardship Account—State Appropriation. . . . .	<u>\$151,000</u>
Water Pollution Control Revolving Administration Account—State Appropriation. . . . .	(( <u>\$8,506,000</u> ))
	<u>\$8,641,000</u>
Clean Fuels Program Account—State Appropriation. . . . .	(( <u>\$4,801,000</u> ))
	<u>\$5,003,000</u>
Climate Investment Account—State Appropriation. . . . .	(( <u>\$50,290,000</u> ))
	<u>\$60,877,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<u>\$858,985,000</u>))</b>
	<b><u>\$935,134,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to grant to the northwest straits commission to provide funding, technical assistance, and/or coordination support equally to the seven Puget Sound marine resources committees.

(2) \$170,000 of the oil spill prevention account—state appropriation is provided solely for a contract with the University of Washington's sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.

(3) \$102,000 of the general fund—state appropriation for fiscal year 2024 and \$102,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Executive Order No. 12-07, Washington's response to ocean acidification.

(4) \$24,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to local governments for the purpose of supporting local solid waste and financial assistance programs.

(5) \$150,000 of the aquatic lands enhancement account—state appropriation is provided solely for implementation of the state marine management plan and ongoing costs of the Washington coastal marine advisory council to serve as a forum and provide recommendations on coastal management issues.

(6) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to convene a stakeholder group, including representatives from overburdened communities, to assist with developing a water quality implementation plan for polychlorinated biphenyls and to address other emerging contaminants in the Spokane river. The department must also consult with the Spokane tribe of Indians and other interested tribes when developing and implementing actions to address water quality in the Spokane river.

(7) \$4,002,000 of the natural climate solutions account—state appropriation is provided solely to address flood prevention in the Nooksack basin and Sumas prairie. Of this amount:

(a) \$2,000,000 is provided solely to expand and sustain Whatcom county's floodplain integrated planning (FLIP) team planning process, including supporting communication,



community participation, coordination, technical studies and analysis, and development of local solutions.

(b) \$900,000 is provided solely for the department to support transboundary coordination, including facilitation and technical support to develop and evaluate alternatives for managing transboundary flooding in Whatcom county and British Columbia.

(c) \$1,102,000 is provided solely to support dedicated local and department capacity for floodplain planning and technical support. Of the amount in this subsection (c), \$738,000 is solely for a grant to Whatcom county. The remaining amount is for the department to provide ongoing staff technical assistance and support to flood prevention efforts in this area.

(8) (~~(\$16,472,000)~~) \$21,504,000 of the climate investment account—state appropriation is provided solely for capacity grants to federally recognized tribes for: (a) Consultation on spending decisions on grants in accordance with RCW 70A.65.305; ~~((and))~~ (b) consultation on clean energy siting projects; (c) activities supporting climate resilience and adaptation; (d) developing tribal clean energy projects; (e) applying for state or federal grant funding; and (f) other related work. In order to meet the requirements of RCW 70A.65.230(1)(b), tribal applicants are encouraged to include a tribal resolution supporting their request with their grant application. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, \$5,032,000 of the funds from this subsection shall lapse.

(9) \$1,363,000 of the general fund—state appropriation for fiscal year 2024 and \$1,375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in water resource inventory area 1 (Nooksack).

(10) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$963,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in lake Roosevelt and its immediate tributaries.

(11) \$2,479,000 of the climate investment account—state appropriation is provided solely for addressing air quality in overburdened communities highly impacted by air pollution under RCW 70A.65.020.

(12) \$177,000 of the general fund—state appropriation for fiscal year 2024 and \$177,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to validate a proposed standardized channel migration zone mapping methodology, develop a statewide channel migration zone mapping implementation plan, and provide technical assistance to local and tribal governments looking to use the new standard.

(13) (a) \$640,000 of the climate investment account—state appropriation is provided solely for the department, in consultation with the office of financial management and the environmental justice council, to develop and implement a process to track, summarize, and report on state agency expenditures from climate commitment act accounts that provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities as described in RCW 70A.65.030 and 70A.65.230, and expenditures that are formally supported by a resolution of an Indian tribe as described in RCW 70A.65.230. The department must incorporate the process under this subsection into existing efforts to track climate commitment act expenditures under RCW 70A.65.300. The department must incorporate the Washington state proequity antiracism (PEAR) plan and playbook and executive order 22-04 into the work of this subsection as appropriate.

(b) The information that agencies provide to the department, and that the department tracks and reports on under this subsection, must include, at a minimum:

(i) The amount of each expenditure that provides direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities;

(ii) An explanation of how the expenditure provides such benefits;

(iii) The methods by which overburdened communities and vulnerable populations were identified by the agency and an explanation of the outcomes of those identification processes, including the geographic location impacted by the expenditure where relevant, and the geographic boundaries of overburdened communities identified by the agency;

(iv) The amount of each expenditure used for programs, activities, or projects formally supported by a resolution of an Indian tribe; and

(v) For expenditures that do not meet, or it is unclear whether they meet, (b)(i) or (iv) of this subsection, an explanation of why.

(c) The department, in consultation with the environmental justice council and the office of financial management, and in coordination with reporting under RCW 70A.65.300, must report to the appropriate committees of the legislature by September 30, 2024, on the following:

(i) A summary of the information provided by agencies through the process in this subsection; and

(ii) Any recommendations for improvements to the process under this subsection or potential amendments to RCW 70A.65.030, 70A.65.230, or 70A.02.080, or other statutes relevant to this subsection. In making recommendations, the department must consider any statutory changes necessary to ensure consistent tracking of the uses of climate commitment account funds, including standardization or coordination of the process for identifying the overburdened communities used for purposes of tracking expenditures and the methods for determining whether an expenditure contributes a direct and meaningful benefit to a vulnerable population or overburdened community.

(d) "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account

created in RCW 70A.65.250, the air quality and health disparities improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

(14) \$238,000 of the model toxics control operating account—state appropriation is provided solely for technical assistance and compliance assurance associated with the ban of certain hydrofluorocarbon-related products.

(15) \$2,500,000 of the model toxics control operating account—state appropriation is provided solely for the department to conduct a statewide compost emissions study, which will provide essential data needed to improve the quality of air permitting decisions, improve compost facility operations, and support state goals to reduce organic waste in landfills reducing climate change impacts.

(16) \$2,256,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide technical assistance to landowners and local governments to promote voluntary compliance, implement best management practices, and support implementation of water quality clean-up plans in shellfish growing areas, agricultural areas, forestlands, and other types of land uses, including technical assistance focused on protection and restoration of critical riparian management areas important for salmon recovery.

(17) \$2,702,000 of the model toxics control operating account—state appropriation is provided solely for the department to develop a 6PPD action plan and complete a safer alternatives assessment of the 6PPD compound used in tires, including obtaining any data necessary to complete the alternatives assessment. The action plan should identify, characterize, and evaluate uses and releases of 6PPD and related chemicals, and recommend actions to protect human health and the environment. The department shall provide a progress report on the action plan and alternatives assessment to the governor's office, the office of financial management, and the appropriate committees of the legislature by December 31, 2024. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(18) \$5,195,000 of the model toxics control operating account—state appropriation is provided solely to establish a program to monitor 6PPD compounds in water and sediment, identify effective best management practices to treat 6PPD in stormwater runoff, produce guidance on how and when to use best management practices for toxicity reduction to protect salmon and other aquatic life, and incorporate the guidance into stormwater management manuals. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(19) \$2,296,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Senate Bill No. 5104 (marine shoreline habitat). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20) (a) \$500,000 of the model toxics control operating account—state appropriation is provided solely for the department to carry out the following activities to inform the development of legislative proposals to increase recycling, reuse, and source reduction rates, which must include consideration of how to design and implement a producer responsibility model for consumer packaging, including paper, plastic, metal, and glass, and paper products:

(i) Conduct a recycling, reuse, and source reduction targets study; and

(ii) Carry out a community input process on the state's recycling system.

(b) The department must contract with an impartial third-party consultant with relevant technical expertise and capabilities in facilitation and gathering public input, including from overburdened communities, to carry out the activities specified in (a) of this subsection. In order to ensure that the state is receiving a variety of expert perspectives on the topic of packaging management, the contractor should include in their team individuals and/or subcontractors with a wide range of expertise and experience. The third party consultant must submit a report to the appropriate committees of the house of representatives and the senate by December 1, 2023.

(c) The recycling, reuse, and source reduction targets study must:

(i) Document recycling rates, reuse rates, and the reduction of single-use plastics for consumer packaging and paper products that have been adopted in other jurisdictions, measure methods used, and the basis or justification for recommended target rates selected;

(ii) Recommend highest achievable performance rates, including an overall recycling rate, a separate specific minimum reuse rate, a recycling rate for each material category, and a source reduction rate to be achieved solely by eliminating plastic components, that could be achieved under up to four different scenarios, including a producer responsibility program and other policies; and

(iii) Make recommendations that consider the commercial viability and technological feasibility of achieving rates based on current rates achieved in the state, rates achieved based on real world performance data, and other data, with performance rates designed to be achieved statewide by 2032.

(d) For purposes of this subsection, "eliminate" or "elimination," with respect to source reduction, means the removal of a plastic component from a covered material without replacing that component with a nonplastic component.

(e) The community input process on the state's recycling system must include:

(i) In-person and virtual workshops and community meetings held at locations in urban and rural areas and in ways that are accessible to stakeholders across the state, including overburdened communities;

(ii) Public opinion surveys that are representative of Washington residents across the state, including overburdened communities and urban and rural areas; and

(iii) A focus on eliciting an improved understanding of public values and opinions related to the state's recycling system, the current public experience with respect to the state's recycling systems, and ways the public believes that their recycling experience and system outcomes could be improved.

(21)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to conduct an analysis of water use for irrigation under the potential scenario of lower Snake river dam removal. Analysis must include continued water use during drawdown and thereafter from the river postremoval. The analysis must include the following:

(i) A plan identifying potential mitigation needs and interim approaches for delivery of water for irrigation pursuant to existing water rights for those using pumps, wells, or both, from Ice Harbor reservoir during a possible transition from the current reservoir-based irrigation to irrigation from the river;

(ii) Identification of cost-effective options for continued irrigation at current amounts and with existing water rights from the lower Snake river at the area of the current Ice Harbor pool; and

(iii) Cost estimates for any necessary irrigation system upgrades required to continue irrigation from the lower Snake river.

(b) The department may, as necessary and appropriate, consult for this analysis with irrigators and tribal governments.

(c) The department shall provide a status update to the environment and energy committees of the legislature and the office of the governor by December 31, 2024.

(22) \$3,914,000 of the natural climate solutions account—state appropriation is provided solely for activities related to coastal hazards, including expanding the coastal monitoring and analysis program, establishing a coastal hazard organizational resilience team, and establishing a coastal hazards grant program to help local communities design projects and apply for funding opportunities. At least 25 percent of the funding in this subsection must be used for the benefit of tribes.

(23) \$340,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1033 (compostable product usage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(24) \$1,124,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$139,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$6,000,000 of the emergency drought response account—state appropriation and \$2,000,000 of the state drought preparedness account—state appropriation are provided solely for implementation of Substitute House Bill No. 1138 (drought preparedness). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$1,123,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$43,000 of the underground storage tank account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(29) \$1,174,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$13,248,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$140,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) Expenditures on upgrading or developing the turboplan system, Washington fuel reporting system, and EAGL system are subject to the conditions, limitations, and review requirements of section 701 of this act.

(33) \$1,263,000 of the clean fuels program account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(34) \$370,000 of the climate commitment account—state appropriation is provided solely as a grant to the Puget Sound clean air agency to identify emission reduction projects and to help community-based organizations, local governments, and ports in overburdened communities author grant applications and provide support for grant reporting for entities that receive grants. The department must prioritize projects located in overburdened communities so that those communities can reap the public health benefits from the climate commitment act, inflation reduction act, and other new funding opportunities.

(35) \$1,220,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5144 (batteries/environment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(36) ~~(\$22,000)~~ \$77,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Senate Bill No. 5369 (polychlorinated biphenyls). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(37) \$330,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide a grant to Clark county for the purpose of developing and implementing a lake management plan to restore and maintain the health of Vancouver lake, a category 5 303(d) status impaired body of water. The department must work with the county to include involvement by property owners around the lake and within the watersheds that drain to the lake, the department of natural resources, other state agencies and local governments with proprietary or regulatory jurisdiction, tribes, and nonprofit organizations advocating for the health of the lake. The plan should incorporate work already completed by the county and other entities involved in development of the lake management strategy.

(38) \$276,000 of the model toxics control operating account—state appropriation is provided solely for a grant to San Juan county for the enhancement of ongoing oil spill response preparedness staff hiring, spill response equipment acquisition, and spill response training and operational expenses.

(39) \$1,460,000 of the natural climate solutions account—state appropriation is provided solely for the department to provide grants to the following organizations in the amounts specified for the purpose of coordinating, monitoring, restoring, and conducting research for Puget Sound kelp conservation and recovery:

- (a) \$300,000 to the Squaxin Island Tribe;
- (b) \$200,000 to the Samish Indian Nation;
- (c) \$144,000 to the Lower Elwha Klallam Tribe;
- (d) \$200,000 to the Northwest straits commission;
- (e) \$366,000 to the Puget Sound restoration fund to subcontract with sound data systems and Vashon nature center; and
- (f) \$250,000 to the reef check foundation.

(40) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department's engagement with the federal government, Indian tribes, water users, and local governments on a process that could result in a federal Indian water rights settlement through the Nooksack adjudication. The department shall produce a monthly report during the claims filing period to monitor the progress of claims filed by water users. The department shall provide a report to the appropriate standing committees of the legislature regarding the status of the adjudication and any potential settlement structure by June 30, 2024, and by June 30, 2025.

(41) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county to provide technical assistance that must be made available to all water users in WRIA 1 in filing adjudication claims under RCW 90.03.140. This assistance must be administered by Whatcom county and no portion of this funding may be used to contest the claims of any other claimant in the adjudication.

(42) ~~(\$350,000)~~ \$330,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$350,000)~~ \$370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county acting as fiscal agent for the WRIA 1 watershed management board, in support of collaborative water supply planning in WRIA 1. Funding may be used to collect or analyze technical information, to develop and assess the feasibility of water supply solutions in WRIA 1, and for facilitation and mediation among parties including, but not limited to, the department, Whatcom county, the public utility district, the city of Bellingham, Lummi Nation, and the Nooksack Tribe. Specific funding allocations, including purpose and amount, will be determined by the WRIA 1 watershed management board. Funding under this subsection will be available only after the filing of the Nooksack adjudication, and no funding provided for the Nooksack adjudication will be used to support the activities funded by this subsection. It is anticipated that these activities will run in parallel with the Nooksack adjudication.

(43) \$200,000 of the model toxics control operating account—state appropriation is provided solely for the department to contract with a consultant to develop a report that conducts a full emissions life cycle assessment for solid waste processed at the Spokane Waste to Energy Facility (WTEF) compared to solid waste processed at three other landfills within the region that waste may be sent to if the WTEF were to cease operations. The report must be submitted to the appropriate committees of the legislature by December 31, 2023.

(44) \$1,416,000 of the climate investment account—state appropriation is provided solely for additional staff and resources to implement the climate commitment act. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(45) \$896,000 of the model toxics control operating account—state appropriation is provided solely for Washington conservation corps (WCC) cost-share requirements for qualifying organizations, as identified through a competitive application process that prioritizes communities that have not previously received WCC support, are in areas with a high cumulative impact on the department of health's environmental health disparities map, are identified by the office of financial management as distressed, and/or have a high percentile of people of color or low-income.

(46) \$3,307,000 of the natural climate solutions account—state appropriation is provided solely to update surface water maps across the state, develop geospatial integration tools, and support the use, accuracy, and adoption of the state's hydrography dataset. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(47) \$410,000 of the model toxics control operating account—state appropriation is provided solely to implement the recommendations from the agency's June 2023 report on Puget Sound nutrient credit trading, including conducting a market feasibility analysis and developing a stakeholder outreach plan, a tribal engagement plan, and trading resource materials.

(48) \$338,000 of the climate commitment account—state appropriation is provided solely for the department to increase planning, engagement, and evaluation tools for effective ocean management and offshore wind energy development. The department must engage with tribes in carrying out this subsection. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(49) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to meet the increased demand for administrative orders authorized under chapter 90.48 RCW (the water pollution control act) for projects impacting state waters.

(50) Upon request, the department must provide technical assistance to representatives of emissions-intensive trade-exposed industries, as defined in RCW 70A.65.110, on the replacement of existing industrial facilities with facilities under the same North American industry classification system code with lower greenhouse gas emissions. The department must provide such assistance until November 1, 2024.

(51) (a) \$300,000 of the climate commitment account—state appropriation is provided solely for the department, in consultation with the department of commerce, to contract with a third-party entity to conduct a study of the extent to which carbon dioxide removal is needed to meet Washington's emissions reduction targets defined in RCW 70A.45.020. The study must include recommendations on policies to grow Washington's carbon dioxide removal capacity, including compliance market development and government procurement policies. The department must provide an interim progress report to the appropriate committees of the legislature by November 30, 2024. The department must provide a final report by June 30, 2025, that includes:

(i) A summary of feedback from relevant stakeholders;

(ii) An analysis of economic and climate opportunities for Washington;

(iii) Ways in which carbon dioxide removal might integrate with existing compliance programs;

(iv) Strategies to support industry sectors in integrating carbon dioxide removal and maximizing federal funding;

(v) Recommendations for monitoring, reporting, and verification standards to ensure carbon dioxide removal technologies may be compared; and

(vi) Consideration of carbon dioxide removal accounting mechanisms that account for varying durability of different approaches.

(b) If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(52) \$375,000 of the model toxics control operating account—state appropriation is provided solely to:

(a) Identify additional priority consumer products containing PFAS for potential regulatory action; and

(b) Issue orders to manufacturers under RCW 70A.350.040 and 70A.350.030 to obtain ingredient information, including for chemical ingredients used to replace priority chemicals.

(53) \$200,000 of the flood control assistance account—state appropriation is provided solely for a grant to the Spirit Lake-Toutle/Cowlitz river collaborative for flood risk reduction, ecosystem recovery, scientific research, and other activities related to sediment management and flooding in the Spirit Lake-Toutle/Cowlitz river system.

(54) \$501,000 of the model toxics control operating account—private/local appropriation is provided solely for cleanup costs at the Stillwater holdings Chevron site in Walla Walla.

(55) \$300,000 of the model toxics control operating account—state appropriation is provided solely for an analysis of the contribution of waste tires, as defined in RCW

70A.205.440, to 6PPD-q pollution. The department may contract with a third party for the study. A final study report is due to the appropriate committees of the legislature by June 30, 2025, in accordance with RCW 43.01.036. The study must include:

(a) A review of the disposal, repurposing, reuse, recycling, handling, and management of waste tires in the state;

(b) A review of the markets for waste tires, including state policies and programs that impact these markets;

(c) A description of the sectoral and geographic origins and destinations of waste tires; and

(d) Alternatives to using tire derived rubber in waste tire markets.

(56) (a) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a statewide association of local public health officials to conduct an analysis of:

(i) Current wastewater treatment capacity to treat and dispose of septage in Washington; and

(ii) Future wastewater treatment infrastructure needs to accommodate development growth using on-site septage systems.

(b) The department must report to the appropriate committees of the legislature by June 30, 2025, with the results of the analysis.

(57) (a) \$206,000 of the natural climate solutions account—state appropriation is provided solely to initiate the development of a statewide web map tool to integrate the department's water resources management databases. Data elements to integrate include water rights records and geospatial information, mitigation and water banks, and metering data. The web map must provide the public with an interactive online mapping system focused on water resource data that enables users to access, visualize, and use improved water data.

(b) The department must consult with local and tribal governments to identify the most useful data elements and analytics to incorporate into an enhanced water resource management tool and must use this information to prioritize future tool enhancements.

(c) The department must provide a status update on the data integration project to the appropriate committees of the legislature and to the office of financial management by June 30, 2025, including work completed to date, recommendations for priority tool enhancements to support decision-making, planned work for fiscal year 2026, and future budget needs required to complete the development of an enhanced water resource management tool and maintain it on an ongoing basis.

(d) Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(58) \$145,000 of the air pollution control account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6121 (ag. and forestry biomass). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(59) \$1,787,000 of the climate investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(60) \$1,645,000 of the climate commitment account—state appropriation is provided solely for implementation of food waste management grant programs as provided in Engrossed Second Substitute House Bill No. 2301 (waste material management). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(61) \$1,335,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 2301 (waste material management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(62) \$44,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute House Bill No. 1924 (fusion technology policies). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(63) \$2,000,000 of the climate investment account—state appropriation is provided solely to communicate with the public in multiple languages on the use and benefits of climate commitment act funding, as well as the ways in which communities can access climate commitment act grant funding. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(64) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to develop a groundwater modeling guidance publication.

(a) The publication must provide consistency in the department's evaluation of groundwater models submitted for water right permitting actions and ensure continued transparency to water right applicants in the department's permitting processes. The core

purpose of the publication is to establish best practices for groundwater modeling. The publication will:

- (i) Define criteria for evaluating model suitability for proposed projects;
- (ii) Identify the department's approach to evaluating model error and uncertainty;
- (iii) Identify circumstances where model outputs are insufficient for permit decision making; and
- (iv) Address the appropriateness of refining a regional groundwater model in water right permitting decisions.

(b) The department must convene a technical advisory committee of licensed hydrogeologists, including hydrogeologists employed or designated by tribes, or professional engineers with experience in groundwater modeling to review the workplan and provide comments on the guidance. The publication must be peer reviewed by the United States geological survey or other state or national hydrogeologic professional organization.

(c) The department must invite any federally recognized Indian tribes that may be potentially affected by the publication to participate in the technical advisory committee and engage in consultation with any federally recognized Indian tribe as requested.

(d) The department must provide an update to the appropriate committees of the legislature and to the office of financial management by June 30, 2025. The department must indicate the estimated time to complete the publication, including draft guidance, recommended further research, and key implementation steps in the update.

(65) \$650,000 of the climate commitment account—state appropriation is provided solely for a feasibility and engineering study for the city of Spokane's waste to energy plant carbon emissions reductions project. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(66) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of the Spanaway lake cyanobacteria plan and the aquatic plant management plan, including testing, sample collection, and monitoring for tracking water quality and determining treatment options.

(67) \$6,000,000 of the climate commitment account—state appropriation is provided solely for the department, in collaboration with the University of Washington department of environmental and occupational health sciences, to provide air quality mitigation equipment to residential, recreational, or educational facilities in south King county that will measurably improve air quality including, but not limited to, the provision of high particulate air purifiers designed to mitigate or eliminate ultrafine particles or other aviation-related air pollution. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(68) \$37,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5649 (floodproofing improvements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(69) \$76,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5812 (electric vehicle fires). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(70) \$44,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6061 (housing development/SEPA). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(71) \$1,070,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

**Sec. 303.** 2023 c 475 s 303 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM**

General Fund—Federal Appropriation. . . . .	(( \$868,000 ))
	<u>\$1,237,000</u>
Pollution Liability Insurance Agency Underground	
Storage Tank Revolving Account—State	
Appropriation. . . . .	\$957,000
Pollution Liability Insurance Program Trust Account—	
State Appropriation. . . . .	(( \$10,190,000 ))
	<u>\$10,235,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(( \$12,015,000 ))</b>
	<u>\$12,429,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$8,340,000 of the pollution liability insurance program trust account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

Sec. 304. 2023 c 475 s 304 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <u>\$39,617,000</u> ))
	<u>\$41,197,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <u>\$39,564,000</u> ))
	<u>\$45,091,000</u>
General Fund—Federal Appropriation . . . . .	\$7,231,000
Climate Commitment Account—State Appropriation . . . . .	(( <u>\$1,083,000</u> ))
	<u>\$2,883,000</u>
Natural Climate Solutions Account—State Appropriation . . . . .	(( <u>\$350,000</u> ))
	<u>\$650,000</u>
Winter Recreation Program Account—State Appropriation . . . . .	\$4,928,000
ORV and Nonhighway Vehicle Account—State Appropriation . . . . .	\$396,000
Snowmobile Account—State Appropriation . . . . .	\$5,715,000
Aquatic Lands Enhancement Account—State Appropriation . . . . .	\$367,000
Parks Renewal and Stewardship Account—State Appropriation . . . . .	(( <u>\$148,388,000</u> ))
	<u>\$153,073,000</u>
Parks Renewal and Stewardship Account—Private/Local Appropriation . . . . .	(( <u>\$420,000</u> ))
	<u>\$720,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	(( <u>\$248,059,000</u> ))
	<u>\$262,251,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000 of the general fund—state appropriation for fiscal year 2024, \$5,000 of the general fund—state appropriation for fiscal year 2025, and \$142,000 of the parks renewal and stewardship account—state appropriation are provided solely for operating budget impacts from capital budget projects completed in the 2021-2023 fiscal biennium.

(2) \$127,000 of the general fund—state appropriation for fiscal year 2024, \$128,000 of the general fund—state appropriation for fiscal year 2025, and \$750,000 of the parks renewal and stewardship account—state appropriation are provided solely to monitor known cultural resource sites, perform needed evaluations for historic properties, manage historic preservation capital projects, and support native American grave protection and repatriation act compliance.

(3) \$299,000 of the general fund—state appropriation for fiscal year 2024, \$299,000 of the general fund—state appropriation for fiscal year 2025, and \$1,797,000 of the parks renewal and stewardship account—state appropriation are provided solely for additional staff and technical support for scoping and scheduling to proactively address tribal and community concerns and increase the quality of capital project requests.

(4) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to complete a park master plan and an environmental impact statement for Miller peninsula park.

(5) \$3,750,000 of the general fund—state appropriation for fiscal year 2024 and \$3,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the maintenance of state parks, including maintaining grounds and facilities, trails, restrooms, water access areas, and similar activities.

(6) \$1,083,000 of the climate commitment account—state appropriation and \$350,000 of the natural climate solutions account—state appropriation are provided solely to identify and reduce the state park system's carbon emissions and assess areas of vulnerability for climate change.

(7) \$336,000 of the general fund—state appropriation for fiscal year 2024 and \$336,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to create a statewide data management system with the department of natural resources and the department of fish and wildlife to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(8) \$129,000 of the general fund—state appropriation for fiscal year 2024 and \$129,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(9) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(10)(a) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a statewide trail maintenance and hiking nonprofit organization to provide the emerging leaders program: expanding equity in the outdoors. The goal of the program is expanding both the number and diversity of trained, qualified individuals available for employment in the outdoor recreation and natural resource management sectors.



(b) The program must demonstrate a commitment to diversity, equity, and inclusion by providing a safe and supportive environment for individuals of diverse backgrounds, including those who have been historically underrepresented in the outdoor recreation and natural resource sectors, such as indigenous people and people of color.

(c) The program must provide both technical outdoor skills training and professional development opportunities that include, but are not limited to, outdoor leadership, representation in the outdoors, and team building.

(11) \$21,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$450,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grounds and facilities maintenance costs at the Fort Worden state park campus. The state parks and recreation commission shall work with the Fort Worden lifelong learning center public development authority to develop a report that reviews the historic public development authority financial records, identifies a cost-recovery model to pay for campus maintenance, and proposes any changes to the current lease structure necessary to maintain the public development authority. The commission must submit the report to the office of financial management and the fiscal committees of the legislature no later than June 1, 2024.

(13) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a park and recreation district in Blaine to provide youth day camp mental health counselor services.

(14) \$1,800,000 of the climate commitment account—state appropriation and \$300,000 of the natural climate solutions account—state appropriation are provided solely to purchase electric lawn mowers, conduct energy use metering and audits in historic buildings, and analyze coastal erosion and flooding risks. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

**Sec. 305.** 2023 c 475 s 305 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$10,190,000</del> ))
	<u>\$10,572,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,501,000</del> ))
	<u>\$7,370,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$6,196,000</del> ))
	<u>\$6,197,000</u>
General Fund—Private/Local Appropriation . . . . .	\$24,000
Aquatic Lands Enhancement Account—State Appropriation . . . . .	(( <del>\$464,000</del> ))
	<u>\$463,000</u>
Climate Investment Account—State Appropriation . . . . .	\$200,000
Firearms Range Account—State Appropriation . . . . .	\$37,000
Natural Climate Solutions Account—State Appropriation . . . . .	\$398,000
Recreation Resources Account—State Appropriation . . . . .	(( <del>\$5,040,000</del> ))
	<u>\$5,124,000</u>
NOVA Program Account—State Appropriation . . . . .	\$1,564,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$30,614,000</del>))</b>
	<b><u>\$31,949,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$37,000 of the firearms range account—state appropriation is provided solely to the recreation and conservation funding board for administration of the firearms range grant program as described in RCW 79A.25.210.

(2) ~~((~~\$5,040,000~~))~~\$5,124,000 of the recreation resources account—state appropriation is provided solely to the recreation and conservation funding board for administrative and coordinating costs of the recreation and conservation office and the board as described in RCW 79A.25.080(1).

(3) \$1,564,000 of the NOVA program account—state appropriation is provided solely to the recreation and conservation funding board for administration of the nonhighway and off-road vehicle activities program as described in chapter 46.09 RCW.

(4) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the governor's salmon recovery office to implement the governor's salmon recovery strategy update by convening the natural resources subcabinet on a regular basis and developing biennial statewide work priorities with a recommended budget for salmon recovery pursuant to RCW 77.85.030(4)(e) that align with tribal priorities and regional salmon recovery plans. The office shall submit the biennial implementation plan to the governor's office and the office of financial management no later than October 31, 2024.

(5) \$1,714,000 of the general fund—state appropriation for fiscal year 2024 and \$1,714,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational and administrative support of lead entities and salmon recovery regions.

(6) \$200,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.

(7) \$1,464,000 of the general fund—federal appropriation and \$50,000 of the aquatic lands enhancement account—state appropriation are provided solely to support removal efforts for flowering rush in the Columbia river basin and Whatcom county.

(8) \$398,000 of the natural climate solutions account—state appropriation is provided solely to establish a riparian coordinator position within the governor's salmon recovery office to work with state agencies to improve project coordination, develop common metrics across programs, and consolidate data platforms.

(9) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$100,000)~~ \$298,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization with a mission for salmon and steelhead restoration to install near-term solutions to prevent steelhead mortality at the Hood canal bridge.

(10) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the connections and snow to sea programs, which provide youth outdoor learning experiences in the Blaine, Mount Baker, and Nooksack Valley school districts.

(12) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to local parks to address any maintenance backlog of existing facilities, trails, and capital improvements. The funds should be dispersed on a needs-based set of criteria and on a one-time basis. Grants are limited to \$100,000 per organization. Allowable uses of grant funding include, but are not limited to, maintenance, repair, or replacement of trails, restroom facilities, picnic sites, playgrounds, signage, and kiosks, as well as necessary Americans with disabilities act upgrades delayed due to the pandemic. Local parks agencies may partner with nonprofit organizations in deploying this maintenance and Americans with disabilities act funding.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for updating the economic analysis of outdoor recreation in Washington state and adding an analysis of the impacts of the outdoor recreation economy in underserved communities.

(14) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to match federal funds to identify the offsets to the loss of recreation opportunities associated with the potential draw down of reservoirs on the lower Snake river.

(15) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for motorized and nonmotorized boater education and outreach on Lake Union, with a specific goal of preventing boat and airplane conflicts on the lake during peak recreation season, given the provisions of the United States coast guard navigation rules that seaplanes must in general keep well clear of other vessels. The office may grant funding to local or federal government agencies or nonprofit organizations. The office must publish a publicly available summary report by June 30, 2025, on funding recipients, uses of the funding, and the successes and failures of programs funded. Funding provided in this subsection may not be used to preclude or restrict public use of Lake Union, including recreational, commercial, or tribal use of waters of the state.

**Sec. 306.** 2023 c 475 s 306 (uncodified) is amended to read as follows:

**FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE**

General Fund—State Appropriation (FY 2024) . . . . .	( <del>(\$3,484,000)</del> )
	<u>\$3,483,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	( <del>(\$3,792,000)</del> )
	<u>\$4,308,000</u>
Climate Investment Account—State Appropriation . . . . .	\$898,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b><u>(\$8,174,000)</u></b>
	<b><u>\$8,689,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$164,000 of the general fund—state appropriation for fiscal year 2024, \$379,000 of the general fund—state appropriation for fiscal year 2025, and \$898,000 of the climate investment account—state appropriation are provided solely for the agency to hire staff to respond to increased caseloads, including appeals as a result of the climate commitment act, chapter 316, Laws of 2021.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse-))

(3) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

**Sec. 307.** 2023 c 475 s 307 (uncodified) is amended to read as follows:

**FOR THE CONSERVATION COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$16,461,000</del> ))
	<u>\$16,459,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$16,453,000</del> ))
	<u>\$20,692,000</u>
General Fund—Federal Appropriation . . . . .	\$2,482,000
Climate Commitment Account—State Appropriation . . . . .	(( <del>\$30,200,000</del> ))
	<u>\$5,300,000</u>
Climate Investment Account—State Appropriation . . . . .	\$250,000
Natural Climate Solutions Account—State	
Appropriation . . . . .	\$20,023,000
Public Works Assistance Account—State Appropriation . . . . .	\$10,332,000
Model Toxics Control Operating Account—State	
Appropriation . . . . .	\$1,110,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$97,311,000</del>))</b>
	<b><u>\$76,648,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$250,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.

(2) ~~(\$500,000)~~ \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase technical assistance and operational capacity of conservation districts.

(3) \$3,000,000 of the natural climate solutions account—state appropriation is provided solely to support the outreach, identification, and implementation of salmon riparian habitat restoration projects.

(4) \$5,000,000 of the natural climate solutions account—state appropriation is provided solely to the commission to work with conservation districts to address unhealthy forests and build greater community resiliency to wildfire.

(5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to connect scientists, practitioners, and researchers and coordinate efforts to monitor and quantify benefits of best management practices on agricultural lands, and better understand values and motivations of landowners to implement voluntary incentive programs.

(6) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the continued development of the disaster assistance program established in RCW 89.08.645, to provide short-term financial support for farmers and ranchers during disasters. Funding must be prioritized for farmers and ranchers who are the most economically vulnerable.

(7) \$1,420,000 of the public works assistance account—state appropriation is provided solely to support monitoring and reporting efforts necessary to evaluate the implementation and effectiveness of voluntary stewardship program work plans.

(8) \$8,533,000 of the public works assistance account—state appropriation is provided solely for implementation of the voluntary stewardship program. This amount may not be used to fund agency indirect and administrative expenses.

(9) ~~(\$30,000,000)~~ \$5,100,000 of the climate commitment account—state appropriation is provided solely for grants through the sustainable farms and fields program for organic agricultural waste and greenhouse gas emissions reduction through climate-smart livestock management. Of the amounts provided in this subsection:

(a) ~~((i) The commission may grant up to \$22,000,000 toward cost share agreements for anaerobic digester development to dairy farm owners. Grants awarded for anaerobic digester development must have at least a 50 percent nonstate match and be awarded through a competitive process that considers:~~

- ~~(A) The amount of greenhouse gas reduction that will be achieved by the proposal; and~~
- ~~(B) The amount of untreated effluent that will be decreased.~~

~~(ii) Recipients of grants under (a)(i) of this subsection must provide a report to the commission within one year of receipt of the grant, detailing the success of the project in meeting the stated criteria for the competitive process.~~

~~(b))~~ The commission may grant up to ~~(\$6,000,000)~~ \$3,000,000 for technical and financial assistance to increase implementation of climate-smart livestock management, alternative manure management, and other best management practices to reduce greenhouse gas emissions and increase carbon sequestration.

~~((e))~~ (b) The commission may grant up to \$2,000,000 for research on, or demonstration of, projects with greenhouse gas reduction benefits.

~~((d))~~ (c) When funding for specific technologies, including anaerobic digesters, the commission must enter into appropriate agreements to support the state's interest in advancing innovation solution to decarbonize while ensuring compliance with Article VIII, section 5 and Article XII, section 9 of the state Constitution.

~~((e))~~ (d) The commission must submit a report summarizing the grants awarded and the likely annual greenhouse gas emission reductions achieved as a result to the appropriate committees of the legislature by December 1, 2024.

(10) \$23,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$379,000 of the public works assistance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5353 (voluntary stewardship program). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the King county conservation district to reduce the impacts of artificial lighting on or near the water on the behavior of salmon and other aquatic life in Lake Sammamish and Lake Washington. The grant funding may be used for:

(a) Research, including quantifying light intensities and conducting field studies of fish behavior;

(b) Community education, engagement, and technical assistance; and

(c) Development of model lighting ordinances.

(14) \$2,000,000 of the natural climate solutions account—state appropriation is provided solely to develop and implement an educational communication plan to the general public and landowners in urban, suburban, rural, agricultural, and forested areas regarding the importance of riparian buffers and the actions they can take to protect and enhance these critical areas.

(15) \$200,000 of the climate commitment account—state appropriation is provided solely for the commission to conduct an evaluation of the current contribution that organic and climate smart agriculture makes toward Washington's climate response goals, what potential there is for increasing this contribution, and how additional investments will help realize this potential, while supporting resiliency. The commission must include the departments of agriculture and ecology and other relevant state agencies, Washington state university, conservation districts, tribal governments, nongovernmental organizations, and other relevant stakeholders who will participate in the evaluation. The commission must submit a report of its findings and recommendation to the appropriate committees of the legislature by May 1, ~~((2024))~~ 2025.

(16) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the commission to provide grants to local government and private landowners for fire wise projects to reduce forest fuel loading in areas deemed a high hazard for potential wildfire.

(17) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for staffing to support administrative operations of the commission. The commission will adopt an administrative rate policy for funding indirect support costs for future programmatic operating budget requests.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for post wildfire recovery actions in central Klickitat conservation district and eastern Klickitat conservation district to provide technical assistance and conduct fire recovery activities such as seeding, weed control, dozer line repair, forest health, and shrub steppe restoration, on areas that are necessary for public resource protection.

**Sec. 308.** 2023 c 475 s 308 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

General Fund—State Appropriation (FY 2024) . . . . .	(\$159,066,000)
	\$162,299,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$163,912,000)
	\$183,753,000
General Fund—Federal Appropriation. . . . .	(\$144,941,000)
	\$160,011,000
General Fund—Private/Local Appropriation. . . . .	(\$69,907,000)
	\$70,020,000
Climate Commitment Account—State Appropriation. . . . .	\$3,398,000
Natural Climate Solutions Account—State Appropriation. . . . .	(\$3,748,000)
	\$5,748,000
ORV and Nonhighway Vehicle Account—State Appropriation. . . . .	\$696,000

Aquatic Lands Enhancement Account—State	
Appropriation. . . . .	(((\$14,104,000))
	<u>\$14,124,000</u>
Recreational Fisheries Enhancement Account—State	
Appropriation. . . . .	(((\$3,721,000))
	<u>\$3,756,000</u>
Salmon Recovery Account—State Appropriation. . . . .	\$3,000,000
Warm Water Game Fish Account—State Appropriation. . . . .	\$3,088,000
Eastern Washington Pheasant Enhancement Account—	
State Appropriation. . . . .	(((\$673,000))
	<u>\$675,000</u>
Limited Fish and Wildlife Account—State	
Appropriation. . . . .	(((\$36,826,000))
	<u>\$36,947,000</u>
Special Wildlife Account—State Appropriation. . . . .	(((\$2,924,000))
	<u>\$2,925,000</u>
Special Wildlife Account—Federal Appropriation. . . . .	\$531,000
Special Wildlife Account—Private/Local Appropriation. . . . .	(((\$3,819,000))
	<u>\$3,842,000</u>
Wildlife Rehabilitation Account—State Appropriation. . . . .	\$661,000
Ballast Water and Biofouling Management Account—	
State Appropriation. . . . .	\$10,000
Regional Fisheries Enhancement Salmonid Recovery	
Account—Federal Appropriation. . . . .	\$5,001,000
Oil Spill Prevention Account—State Appropriation. . . . .	\$1,284,000
Aquatic Invasive Species Management Account—State	
Appropriation. . . . .	(((\$1,154,000))
	<u>\$1,157,000</u>
Model Toxics Control Operating Account—State	
Appropriation. . . . .	\$7,724,000
Fish, Wildlife, and Conservation Account—State	
Appropriation. . . . .	(((\$83,640,000))
	<u>\$83,975,000</u>
Forest Resiliency Account—State Appropriation. . . . .	\$4,000,000
Oyster Reserve Land Account—State Appropriation. . . . .	\$524,000
TOTAL APPROPRIATION.....	(((\$718,352,000))
	<u>\$759,149,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,777,000 of the general fund—state appropriation for fiscal year 2024 and \$1,777,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to the northwest Indian fisheries commission for hatchery operations that are prioritized to increase prey abundance for southern resident orcas, including \$200,000 per fiscal year for tagging and marking costs, and the remainder to grant to tribes in the following amounts per fiscal year: \$150,000 for the Quinault Indian Nation, \$199,000 for the Tulalip Tribes, \$268,000 for the Quileute Tribe, \$186,000 for the Puyallup Tribe, \$122,000 for the Port Gamble S'Klallam Tribe, \$25,000 for the Muckleshoot Indian Tribe, \$207,000 for the Squaxin Island Tribe, \$142,000 for the Skokomish Indian Tribe, and \$278,000 for the Lummi Nation.

(2) \$330,000 of the general fund—state appropriation for fiscal year 2024 and \$330,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide to the Yakama Nation for hatchery operations that are prioritized to increase prey abundance for southern resident orcas.

(3) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to public utility districts for additional hatchery production that is prioritized to increase prey abundance for southern resident orcas.

(4) (((\$467,000))\$217,000 of the general fund—state appropriation for fiscal year 2024 and \$467,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to pay for emergency fire suppression costs. These amounts may not be used to fund agency indirect and administrative expenses.

(5) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the United States army corps of engineers.

(6) (a) \$6,082,000 of the general fund—state appropriation for fiscal year 2024 and \$6,082,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement eradication and control measures on European green crabs through coordination and grants with partner organizations. The department must provide quarterly progress reports on the success and challenges of the measures to the appropriate committees of the legislature.

(b) The department must develop a comprehensive long-term plan for Washington's response to European green crab. The plan must identify where permanent trapping efforts should occur,

where efficiencies over current operations may be achieved, which agencies, tribes, or organizations require ongoing funding to support the state's eradication and control measures, and the potential for federal funding for control efforts, and include a recommended funding level to implement the plan in the 2025-2027 fiscal biennium. The plan shall be submitted to the governor and legislature by October 1, 2024.

(7) \$403,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop conflict mitigation strategies for wolf recovery and staff resources in northeast Washington for response to wolf-livestock conflicts. The department shall not hire contract range riders in northeast Washington unless there is a gap in coverage from entities funded through the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020. No contract riders shall be deployed in areas already sufficiently covered by other riders. The department must focus on facilitating coordination with other entities providing conflict deterrence, including range riding, and technical assistance to livestock producers in order to minimize wolf-livestock issues in the Kettle Range and other areas of northeast Washington with existing or emerging chronic conflict. The department is discouraged from the use of firearms from helicopters for removing wolves.

(8) \$852,000 of the general fund—state appropriation for fiscal year 2024 and \$852,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide additional capacity to the attorney general's office to prosecute environmental crimes. The department must provide an annual report by December 1st of each year, to the appropriate committees of the legislature, on the progress made in prosecuting environmental crimes.

(9) \$753,000 of the general fund—state appropriation for fiscal year 2024 and \$753,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded management of pinniped populations on the lower Columbia river and its tributaries with the goal of increasing chinook salmon abundance and prey availability for southern resident orcas.

(10) \$470,000 of the general fund—state appropriation for fiscal year 2024 and \$470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand efforts to survey the diets of seals and sea lions in the Salish sea and identify nonlethal management actions to deter them from preying on salmon and steelhead.

(11) \$518,000 of the general fund—state appropriation for fiscal year 2024 and \$519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to provide policy and scientific support to the department of ecology regarding surface and groundwater management issues as part of implementing chapter 90.94 RCW streamflow restoration.

(12) \$4,096,000 of the model toxics control operating account—state appropriation is provided solely to analyze salmon contaminants of emerging concern (CEC), including substances such as 6PPD-quinone and polychlorinated biphenyls (PCB) in already collected tissue samples. This research will accelerate recovery and protection by identifying the location and sources of CEC exposure.

(13) \$130,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an external facilitator to seek solutions through a collaborative process using the department's wolf advisory group.

(14) \$194,000 of the general fund—state appropriation for fiscal year 2024 and \$194,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to update and maintain rule making related to chapter 77.57 RCW, fishways, flow, and screening.

(15) \$822,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational steelhead spawning and harvest in freshwater streams and rivers in Puget Sound.

(16) \$2,714,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for additional law enforcement officers for marine and freshwater fisheries compliance and a patrol vessel dedicated to coastal operations.

(17) \$509,000 of the general fund—state appropriation for fiscal year 2024 and \$305,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational shellfish harvests, monitor intertidal and crustacean fisheries, address emerging environmental issues, maintain a new data management infrastructure, and develop a disease and pest management program to protect shellfish fisheries in the Puget Sound.

(18) \$360,000 of the general fund—state appropriation for fiscal year 2024 and \$224,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete and maintain a statewide prioritization of fish passage barriers in collaboration with regional salmon recovery organizations.

(19) \$997,000 of the general fund—state appropriation for fiscal year 2024 and \$997,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the assessment of riparian ecosystems. The assessment must include identifying common statewide definitions of terms for riparian usage, recommendations to improve data sharing, and identifying any gaps in vegetated cover relative to a science-based standard for a fully functioning riparian ecosystem and comparing the status and gaps to water temperature impairments, known fish passage barriers, and status of salmonid stocks.

(20) (~~(\$900,000)~~)\$419,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Lummi Nation to make infrastructure updates at the Skookum hatchery.

(21) \$285,000 of the general fund—state appropriation for fiscal year 2024 and \$285,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to manage electronic tracked crab fishery gear to avoid whale entanglements during their migration as the agency develops a conservation plan to submit for an endangered species act incidental take permit.

(22) \$480,000 of the general fund—state appropriation for fiscal year 2024 and \$435,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to equip officers with body worn cameras to advance public safety.

(23) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$163,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(24) \$3,000,000 of the salmon recovery account—state appropriation is provided solely for pass-through to tribes of the upper Columbia river to support reintroduction of Chinook salmon above Grand Coulee and Chief Joseph dams.

(25) \$741,000 of the general fund—state appropriation for fiscal year 2024 and \$741,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation and maintenance capacity and technical assistance for state fish passage facilities.

(26) \$948,000 of the general fund—state appropriation for fiscal year 2024 and \$948,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue operations of the Toutle and Skamania hatcheries.

(27) \$283,000 of the general fund—state appropriation for fiscal year 2024 and \$283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to create a statewide data management system with the department of natural resources and the state parks and recreation commission to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(28) \$385,000 of the general fund—state appropriation for fiscal year 2024 and \$385,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase wildlife conflict specialists to address crop damage, dangerous wildlife interactions, and conflict preventative education and outreach.

(29) \$430,000 of the general fund—state appropriation for fiscal year 2024, \$430,000 of the general fund—state appropriation for fiscal year 2025, and \$3,564,000 of the natural climate solutions account—state appropriation are provided solely to increase capacity in three aspects of the department's mission most vulnerable to climate change including species recovery planning, providing technical assistance, permitting, and planning support, and managing agency lands and infrastructure.

(30) \$1,752,000 of the climate commitment account—state appropriation is provided solely for the first phase of the department's sustainability plan, including advancing energy efficiency and renewable energy projects, creating a commute trip reduction program, and supporting foundational research and capacity-building.

(31) \$4,000,000 of the forest resiliency account—state appropriation ((~~is~~)) and \$2,000,000 of the natural climate solutions account—state appropriation are provided solely to reduce severe wildfire risk and increase forest resiliency through fuels reduction, thinning, fuel break creation, and prescribed burning on agency lands. The amounts provided in this subsection may not be used to fund agency indirect and administrative expenses. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(32) (a) (~~(\$8,000,000))~~ \$7,905,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$15,000,000))~~ \$15,095,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the protection, recovery, and restoration of biodiversity, the recovery of threatened and endangered species, and a review of the department of fish and wildlife. Examples include habitat protection and restoration, technical assistance for growth management act planning, fish passage improvements, conservation education, scientific research for species and ecosystem protection, and similar activities. Funding in this subsection may include pass-throughs to public, nonprofit, academic, or tribal entities for the purposes of this subsection.

(b) Of the amounts provided in this subsection, (~~(\$300,000))~~ \$205,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~) and \$95,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Ruckelshaus center for a review of the department of fish and wildlife, as referenced in (a) of this subsection. The review must focus on the department's efforts to fulfill its obligations as the trustee of state fish and wildlife on behalf of all current and future Washingtonians, to meet the mixed goals of the mandate set forth in RCW 77.04.012, and to respond to the equity principles articulated in RCW 43.06D.020. The review must explore the following areas and recommend changes as appropriate:

(i) The department's ability to meet threats created by climate change and biodiversity loss;

(ii) An alignment of mandate with the department's responsibility as a public trustee;

(iii) The department's governance structure;

(iv) The department's funding model; and  
 (v) Accountability and transparency in department decision making at both the commission and management levels.

(c) Within this scope, the Ruckelshaus center must also examine the following areas and provide recommendations as appropriate:

(i) Fish and wildlife commission structure, composition, duties, and compensation;

(ii) Influence on the department by special interest groups;

(iii) The process by which the department uses science and social values in its decision making;

(iv) Outreach and involvement of Washington citizens who have historically been excluded from fish and wildlife decisions, including nonconsumptive users and marginalized communities;

(v) The department's adherence to state laws, including the state environmental policy act and the public records act; and

(vi) Any other related issues that arise during the review.

(d) Based on the results of the review, the Ruckelshaus center must provide options for making changes to the department's mandate and governance structure as deemed necessary to improve the department's ability to function as a trustee for state fish and wildlife.

(e) The Ruckelshaus center must submit a report to the appropriate committees of the legislature by ~~((June 30, 2024))~~ December 1, 2024.

(33) ~~((~~\$125,000~~))~~ \$101,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$24,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit organization that operates a zoological garden in King county and that has developed an educators' toolkit for nature play programming for youth in communities historically excluded from nature experiences to provide inclusive nature-based programming statewide to children from racially, ethnically, and culturally diverse backgrounds.

(34) \$310,000 of the general fund—state appropriation for fiscal year 2024 and \$160,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to perform the following tasks related to net ecological gain:

(a) Of the amount provided in this subsection, \$160,000 in fiscal year 2024 and \$160,000 in fiscal year 2025 are provided solely for the department to facilitate a work group focused on developing a net ecological gain implementation framework.

(i) Participation in the work group is as follows:

(A) The work group must include representatives from the department, the department of commerce, the department of ecology, and the department of transportation; and

(B) The work group may include representatives from, and consultation with, as appropriate, other state agencies, federally recognized Indian tribes, local governments, and other relevant stakeholders.

(ii) The work group is responsible for accomplishing the following tasks:

(A) Define net ecological gain criteria;

(B) Create monitoring and assessment criteria related to net ecological gain;

(C) Develop an assessment model to evaluate and quantify contributions to overall net ecological gain;

(D) Consider the geographic scale at which net ecological gain criteria may be effectively applied;

(E) Provide budget and policy recommendations for net ecological gain to the legislature and to the office of financial management;

(F) Identify existing state-administered or state-funded programs and projects that:

(I) Already contribute to net ecological gain;

(II) Can or should give funding priority to funding applicants that commit to incorporating net ecological gain principles; and

(III) Programs and projects that can or should have a net ecological gain requirement in the future; and

(G) Generate interim recommendations for a project to serve as a net ecological gain proof of concept within a county that chooses to adopt a net ecological gain standard.

(iii) The department may contract with an independent entity to facilitate the work group, including the tasks identified in (b) of this subsection.

(iv) The work group must submit an interim and final report of its work, including any budget and policy recommendations, to the office of financial management and the appropriate committees of the legislature no later than June 30, 2024, and June 30, 2025.

(b) Of the amount provided in this subsection, \$150,000 in fiscal year 2024 is provided solely for the department to contract with an independent entity to perform the following tasks:

(i) Review existing grant programs; and

(ii) Make recommendations on the potential addition of net ecological gain into grant prioritization criteria.

(35) (a) ~~((~~\$400,000~~))~~ \$700,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$300,000~~))~~ \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to initiate a demonstration project to contribute to rebuilding of salmon runs in the Lake Washington basin through suppression of predatory fish species. The project shall include:

(i) Removal of nonnative species and northern pike minnow using trap, nets, or other means;



(ii) Assessment of the benefits of reduced predator abundance on juvenile salmon survival; and

(iii) Assessment of the recreational fishing rules that were implemented in 2020 in the Lake Washington basin.

(b) An interim report on the demonstration project must be provided to the appropriate committees of the legislature by December 1, 2024.

~~((37))~~ (36) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((38))~~ (37) \$184,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((39))~~ (38) \$1,026,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((40))~~ (39) \$620,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((41))~~ (40) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((42))~~ (41) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to enter into individual damage prevention contract agreements for the use of hiring range riders for proactive wolf-livestock conflict deterrence outside of the service area of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020.

~~((43))~~ (42) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a conflict resolution process mediated by the federal mediation and conciliation service. This funding must be used by the department to facilitate meetings between Skagit tribes, drainage and irrigation districts, and state and federal resource agencies and support the technical work necessary to resolve conflict. Invited parties must include the national marine fisheries service, Washington state department of agriculture, Washington state department of fish and wildlife, Swinomish Indian tribal community, Upper Skagit Indian Tribe, Sauk-Suiattle Indian Tribe, and Skagit drainage and irrigation districts consortium LLC. A report documenting meeting notes, points of resolution, and recommendations must be provided to the legislature no later than June 30, 2025.

~~((44))~~ (43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to evaluate the abundance and distribution of white and green sturgeon on the Washington coast and Puget Sound tributaries and to evaluate genetic relatedness with Columbia and Fraser river sturgeon populations. The funding is also provided to increase monitoring of the abundance and distribution of eulachon to use the information as a baseline for sturgeon and eulachon management plans.

~~((45))~~ (44) \$235,000 of the general fund—state appropriation for fiscal year 2024 and \$409,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the department of fish and wildlife to proactively survey for wildlife disease risks and provide action plans and management for healthy wildlife in Washington.

~~((46))~~ (45) \$325,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with a nonprofit organization that operates a zoological garden in King county for the purpose of an outreach campaign on pollinator health issues. The pollinator outreach campaign is intended to further the mission of the department's pollinator conservation efforts and the department of agriculture's pollinator health task force goals.

~~((47))~~ (46) Within amounts provided in this section, but not to exceed \$20,000, the department must prioritize derelict and abandoned crab pot removal in north Hood Canal.

~~((48))~~ (47) \$1,175,000 of the general fund—state appropriation for fiscal year 2024 and \$1,175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to restore shrubsteppe habitat and associated wildlife on public lands as well as private lands by landowners who are willing to participate. The restoration effort must be coordinated with other natural resource agencies and interested stakeholders.

~~((49))~~ (48) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((50))~~ (49) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase the work of regional fisheries enhancement groups.

~~((51))~~ (50) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to commercial fishers to modify fishing gear in order to facilitate participation in the emerging commercial fishery in the lower Columbia river, and to fund staffing and supplies needed to monitor the emerging commercial fishery on the lower Columbia river. The purpose of the grants to modify fishing gear is to support the state's efforts to develop fishing tools that allow for increased harvest of hatchery fish while minimizing impacts to salmonid species listed as threatened or endangered under the federal endangered species act. The department must provide a report of goods and services purchased with grant funds to the appropriate committees of the legislature by June 30, 2025.

(51) \$1,657,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for habitat recovery and restoration work on agency owned and managed lands damaged from wildfires.

(52) \$443,000 of the general fund—state appropriation for fiscal year 2024, \$6,313,000 of the general fund—state appropriation for fiscal year 2025, \$86,000 of the limited fish and wildlife account—state appropriation, and \$196,000 of the fish, wildlife, and conservation account—state appropriation are provided solely for additional safety capacity in each region, development of a technology solution for training requirements, increased support to remote employees, and a third-party review of the agency safety program.

(53) \$403,000 of the general fund—state appropriation for fiscal year 2025 and \$42,000 of the general fund—private/local appropriation are provided solely for two new positions to support statewide fish health through veterinary services and maintenance support for the fish marking trailer fleet.

(54) \$224,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to conduct up to four community bear hazard assessments in communities with historical high levels of human-bear conflict. The department must submit a report to the appropriate committees of the legislature with initial funding recommendations to prioritize and implement the bear hazard assessments by December 31, 2024.

(55) \$1,810,000 of the general fund—state appropriation for fiscal year 2025 and \$1,810,000 of the general fund—federal appropriation are provided solely for monitoring and response efforts for invasive quagga mussels, which were discovered on the Snake river in Idaho in July 2023. Possible activities include coordination with tribal, federal, regional, state, and local entities, watercraft inspections and decontamination, equipment and training, monitoring of potential residential and commercial pathways, and public outreach. Matching federal funds are anticipated from a United States army corps of engineers invasive mussel cost-share program.

(56) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to an organization based in Friday harbor that is focused on orcas and proposes to fill knowledge gaps through conservation research, arm policymakers with the latest available science, and engage the public with accessible information to:

(a) Use scent detection dogs to noninvasively collect fecal material to monitor and track the health of southern resident killer whales, including reproductive health, nutrition, and impacts from pollutants; and

(b) Coordinate with the department on relevant research, as appropriate.

(57) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for elk management in the Skagit valley in cooperation with affected tribes and landowners. Authorized expenditures include, but are not limited to, mitigation of the impacts of elk on agricultural crop production through elk fencing and related equipment, replacement seed and fertilizer to offset losses caused by elk, and elk deterrent equipment.

(58) \$222,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2293 (avian predation/salmon). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(59) \$801,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to rebuild an Autofish marking system.

(60) \$184,000 of the general fund—state appropriation for fiscal year 2024 and \$650,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5784 (deer & elk crop damage). Of the amounts provided in this subsection, \$50,000 in fiscal year 2025 is provided for a grant to the Yakama nation for participation in an elk collaring pilot project. If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 309.** 2023 c 475 s 309 (uncodified) is amended to read as follows:

**FOR THE PUGET SOUND PARTNERSHIP**

General Fund—State Appropriation (FY 2024)	(( \$9,218,000 ))
	\$9,217,000
General Fund—State Appropriation (FY 2025)	(( \$9,213,000 ))
	\$9,288,000
General Fund—Federal Appropriation	(( \$32,036,000 ))
	\$32,043,000
Aquatic Lands Enhancement Account—State	

Appropriation. . . . .	(\$1,503,000))
	<u>\$1,504,000</u>
Model Toxics Control Operating Account—State	
Appropriation. . . . .	(\$1,350,000))
	<u>\$1,351,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>(\$53,320,000))</b>
	<b><u>\$53,403,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) By October 15, 2024, the Puget Sound partnership shall provide the governor and appropriate legislative fiscal committees a single, prioritized list of state agency 2025-2027 capital and operating budget requests related to Puget Sound recovery and restoration.

(2) \$14,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership to implement shipping noise reduction initiatives and monitoring programs in the Puget Sound, in coordination with Canadian and United States authorities. The partnership must contract with Washington maritime blue in order to establish and administer the quiet sound program to better understand and reduce the cumulative effects of acoustic and physical disturbance from large commercial vessels on southern resident orcas throughout their range in Washington state. Washington maritime blue will support a quiet sound leadership committee and work groups that include relevant federal and state agencies, ports, industry, research institutions, and nongovernmental organizations and consult early and often with relevant federally recognized tribes.

**Sec. 310.** 2023 c 475 s 310 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund—State Appropriation (FY 2024). . . . .	(\$152,490,000))
	<u>\$180,560,000</u>
General Fund—State Appropriation (FY 2025). . . . .	(\$154,017,000))
	<u>\$159,163,000</u>
General Fund—Federal Appropriation. . . . .	(\$49,985,000))
	<u>\$98,151,000</u>
General Fund—Private/Local Appropriation. . . . .	(\$3,500,000))
	<u>\$6,054,000</u>
Access Road Revolving Nonappropriated Account—State	
Appropriation. . . . .	\$108,000
Climate Commitment Account—State Appropriation. . . . .	(\$11,820,000))
	<u>\$12,682,000</u>
<u>Derelict Structure Removal Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$325,000</u>
<del>((Contract Harvesting Revolving</del>	
<del>Nonappropriated Account—State</del>	
<del>Appropriation. . . . .</del>	<del>\$78,000))</del>
Forest Development Account—State Appropriation. . . . .	(\$58,594,000))
	<u>\$58,600,000</u>
Forest Fire Protection Assessment Nonappropriated	
Account—State Appropriation. . . . .	\$88,000
Forest Health Revolving Nonappropriated Account—	
State Appropriation. . . . .	\$106,000
Natural Climate Solutions Account—State	
Appropriation. . . . .	(\$29,571,000))
	<u>\$40,164,000</u>
Natural Resources Federal Lands Revolving	
Nonappropriated Account—State Appropriation. . . . .	\$6,000
ORV and Nonhighway Vehicle Account—State	
Appropriation. . . . .	(\$7,928,000))
	<u>\$7,995,000</u>
State Forest Nursery Revolving Nonappropriated	
Account—State Appropriation. . . . .	\$34,000
Surveys and Maps Account—State Appropriation. . . . .	(\$2,376,000))
	<u>\$2,381,000</u>
Aquatic Lands Enhancement Account—State	
Appropriation. . . . .	(\$20,003,000))
	<u>\$21,933,000</u>
Resource Management Cost Account—State Appropriation. . . . .	(\$121,583,000))
	<u>\$123,297,000</u>
Surface Mining Reclamation Account—State	
Appropriation. . . . .	(\$4,628,000))

	<u>\$4,717,000</u>
Disaster Response Account—State Appropriation. . . . .	(( <del>\$23,594,000</del> ))
	<u>\$23,642,000</u>
Forest and Fish Support Account—State Appropriation. . . . .	(( <del>\$12,667,000</del> ))
	<u>\$12,687,000</u>
Aquatic Land Dredged Material Disposal Site Account— State Appropriation. . . . .	\$405,000
Natural Resources Conservation Areas Stewardship Account—State Appropriation. . . . .	(( <del>\$211,000</del> ))
	<u>\$212,000</u>
Forest Practices Application Account—State Appropriation. . . . .	(( <del>\$2,181,000</del> ))
	<u>\$2,189,000</u>
Air Pollution Control Account—State Appropriation. . . . .	(( <del>\$920,000</del> ))
	<u>\$922,000</u>
Model Toxics Control Operating Account—State Appropriation. . . . .	(( <del>\$2,000,000</del> ))
	<u>\$2,774,000</u>
Wildfire Response, Forest Restoration, and Community Resilience Account—State Appropriation. . . . .	(( <del>\$118,115,000</del> ))
	<u>\$120,277,000</u>
Derelict Vessel Removal Account—State Appropriation. . . . .	(( <del>\$10,643,000</del> ))
	<u>\$10,649,000</u>
Community Forest Trust Account—State Appropriation. . . . .	\$52,000
Agricultural College Trust Management Account—State Appropriation. . . . .	(( <del>\$4,414,000</del> ))
	<u>\$4,432,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$792,117,000</del>))</b>
	<b><u>\$894,605,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,857,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to carry out the forest practices adaptive management program pursuant to RCW 76.09.370 and the May 24, 2012, settlement agreement entered into by the department and the department of ecology. Scientific research must be carried out according to the master project schedule and work plan of cooperative monitoring, evaluation, and research priorities adopted by the forest practices board.

(2) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small forest landowner office, in order to restore staffing capacity reduced during the great recession and to support small forest landowners, including assistance related to forest and fish act regulations.

(3) \$1,583,000 of the general fund—state appropriation for fiscal year 2024 and \$1,515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(4) ~~((~~\$60,883,000~~))~~ \$88,617,000 of the general fund—state appropriation for fiscal year 2024, \$60,883,000 of the general fund—state appropriation for fiscal year 2025, and \$16,050,000 of the disaster response account—state appropriation are provided solely for emergency response, including fire suppression. The department shall provide a monthly report to the office of financial management and the appropriate fiscal and policy committees of the legislature with an update of fire suppression costs incurred and the number and type of wildfires suppressed.

(5) \$5,647,000 of the general fund—state appropriation for fiscal year 2024, \$8,470,000 of the general fund—state appropriation for fiscal year 2025, and \$330,000 of the disaster response account—state appropriation are provided solely for indirect and administrative expenses related to fire suppression.

(6) \$5,500,000 of the forest and fish support account—state appropriation is provided solely for outcome-based performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. Of the amount provided in this subsection, \$500,000 is contingent upon receipts under RCW 82.04.261 exceeding \$8,000,000 per biennium. If receipts under RCW 82.04.261 are more than \$8,000,000 but less than \$8,500,000 for the biennium, an amount equivalent to the difference between actual receipts and \$8,500,000 shall lapse.

(7) Consistent with the recommendations of the *Wildfire Suppression Funding and Costs (18-02)* report of the joint legislative audit and review committee, the department shall submit a report to the governor and legislature by December 1, 2023, and December 1, 2024, describing the previous fire season. At a minimum, the report shall provide information for each wildfire in the state, including its location, impact by type of land ownership, the

extent it involved timber or range lands, cause, size, costs, and cost-share with federal agencies and nonstate partners. The report must also be posted on the agency's website.

(8) \$4,206,000 of the aquatic land enhancement account—state appropriation is provided solely for the removal of creosote pilings and debris from the marine environment and to continue monitoring zooplankton and eelgrass beds on state-owned aquatic lands managed by the department. Actions will address recommendations to recover the southern resident orca population and to monitor ocean acidification as well as help implement the Puget Sound action agenda.

(9) \$279,000 of the general fund—state appropriation for fiscal year 2024 and \$286,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation to the trust beneficiaries and department for lost revenue from leases to amateur radio operators who use space on the department managed radio towers for their equipment. The department is authorized to lease sites at the rate of up to \$100 per year, per site, per lessee. The legislature makes this appropriation to fulfill the remaining costs of the leases at market rate per RCW 79.13.510.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,500,000)~~) \$3,280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to collect and refresh statewide lidar data.

(11) \$1,200,000 of the resource management cost account—state appropriation is provided solely for the agency to pursue opportunities to provide workforce housing on state trust lands.

(12)(a) \$1,500,000 of the natural climate solutions account—state appropriation is provided solely for the department, in close collaboration with the department of ecology, to convene a group composed of a balanced representation of experts and stakeholders to conduct a state ecosystem services inventory and develop a state lands ecosystem services asset plan. The plan must outline how state lands under the department's jurisdiction can be monetized, including ecosystem services credits, and utilized to reduce the overall greenhouse emissions, or increase greenhouse gas sequestration and storage, in the state, including both public and private emissions.

(b) In developing the plan, the department must:

(i) Conduct a resource and asset inventory to identify all state-owned or controlled lands under its jurisdiction that could be eligible or utilized in ecosystem services credits, including carbon offset markets;

(ii) Explore opportunities for the department to utilize its inventoried proprietary assets in offering ecosystem services credits, including carbon offset credits, both under the regulatory offset programs, such as the one established under RCW 70A.65.170, and existing or future voluntary, private ecosystem service markets, including carbon offset programs;

(iii) Develop a marginal cost abatement model to inform highest and best use of state assets in ecosystem services markets, including carbon markets;

(iv) Conduct a needs assessment in relation to marketing state-owned carbon assets on state lands under the department's jurisdiction to third party developers, including a proposed implementation plan and recommendations for plan execution;

(v) Identify any known or suspected policy or regulatory limitations to the formation and full execution of the ecosystem services inventory and asset plan identified above;

(vi) Create an implementation plan for a virtual dashboard where public and private sector participants in regulatory or voluntary carbon markets can locate the inventory created under this subsection, understand the marginal cost abatement model, and locate any requests for proposals from state asset-involved carbon projects on lands under the department's jurisdiction; and

(vii) Make recommendations for the creation of an ecosystems services equity and innovation account that includes:

(A) New modes of ecosystem services; and

(B) Identification of new or different beneficiaries of carbon investments that increase the participation of historically marginalized groups in ecosystem service opportunities.

(c) The department must report its progress and findings under this subsection to the legislature no later than December 31, 2024.

(13) \$3,166,000 of the natural climate solutions account—state appropriation is provided solely for silvicultural treatments on forested trust lands in western Washington to support maintenance of healthy, resilient forests as a critical component of climate adaptation and mitigation efforts.

(14) \$2,185,000 of the general fund—state appropriation for fiscal year 2024 and \$1,705,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased law enforcement capacity on agency managed lands, to develop a statewide recreation plan, and to jointly create a statewide data management system with the Washington department of fish and wildlife and the state parks and recreation commission to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(15) \$2,066,000 of the natural climate solutions account—state appropriation is provided solely for the agency to develop a comprehensive strategy to tackle barriers to reforestation, including through expanding seed collection, increasing the capacity of the state's public nursery, and addressing workforce needs.

(16) \$2,864,000 of the natural climate solutions account—state appropriation is provided solely for the agency to implement aspects of their watershed resilience action plan for the

Snohomish watershed, including activities to support kelp and eelgrass stewardship, a large woody debris program, aquatic restoration grants, and culvert removal.

(17) \$5,991,000 of the natural climate solutions account—state appropriation is provided solely for investment in urban forestry to support reduction of negative environmental conditions such as heat, flooding, and pollution and helping communities become greener, cleaner, healthier, and more resilient.

(18) \$7,791,000 of the climate commitment account—state appropriation is provided solely for the agency to analyze current infrastructure and build a plan for the department to achieve its greenhouse gas emission reduction targets.

(19) \$2,365,000 of the climate commitment account—state appropriation is provided solely for the department to make investments in education and training to bolster a statewide natural resources workforce to support the health and resilience of Washington's forests. Of this amount, \$800,000 is provided solely to provide wildland fire management training to tribal communities and members.

(20) \$3,356,000 of the natural climate solutions account—state appropriation is provided solely to increase the agency's capacity to provide active management of department of natural resources natural areas.

(21) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 (~~and~~) \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,817,000 of the aquatic lands enhancement account—state appropriation are provided solely for full-time and seasonal crews from the Washington conservation corps and other corps programs to conduct work benefiting the management of state managed lands, including aquatic reserves management, natural areas restoration and conservation, trail work, and forest resiliency activities as well as other recreation and habitat projects with agency partners.

(22) (a) \$475,000 of the general fund—state appropriation for fiscal year 2024, \$253,000 of the general fund—state appropriation for fiscal year 2025, and \$62,000 of the model toxics control operating account—state appropriation are provided solely for a geoduck task force. Of the amounts provided in this subsection, \$411,000 of the general fund—state appropriation for fiscal year 2024 and \$208,000 of the general fund—state appropriation for fiscal year 2025 are for the department's costs for the task force, and the remaining amounts are for the department to provide to the department of ecology, the department of fish and wildlife, and the Puget Sound partnership for their projected costs for the task force.

(b) The task force must investigate opportunities to reduce negative impacts to tribal treaty and state geoduck harvest and promote long-term opportunities to expand or sustain geoduck harvest. The task force must provide a report to the commissioner of public lands and the legislature, in compliance with RCW 43.01.036, by December 1, 2024, that includes analysis and recommendations related to the following elements:

(i) The feasibility of intervention to enhance the wildstock of geoduck, including reseeded projects;

(ii) Factors that are preventing areas from being classified for commercial harvest of wildstock geoduck or factors that are leading to existing wildstock geoduck commercial tract classification downgrade, and recommendations to sustainably and cost-effectively increase the number and area of harvestable tracts, including:

(A) Consideration of opportunities and recommendations presented in previous studies and reports;

(B) An inventory of wastewater treatment plant and surface water runoff point sources impacting state and tribal geoduck harvesting opportunities within the classified commercial shellfish growing areas in Puget Sound;

(C) A ranking of outfalls and point sources identified in (b)(ii)(B) of this subsection prioritized for future correction to mitigate downgraded classification of areas with commercial geoduck harvest opportunity;

(D) An inventory of wildstock geoduck tracts that are most impacted by poor water quality or other factors impacting classification;

(E) Consideration of the role of sediment load and urban runoff, and pathways to mitigate these impacts; and

(F) Recommendations for future actions to improve the harvest quantity of wildstock geoduck and to prioritize areas that can attain improved classification most readily, while considering the influence of outfalls ranked pursuant to (b)(ii)(C) of this subsection.

(c) The commissioner of public lands must invite the following representatives to participate in the task force:

(i) A representative of the department of natural resources, who shall serve as the chair of the task force;

(ii) Representatives of tribes with treaty or reserved rights to geoduck harvest in Washington state;

(iii) A representative of the department of ecology;

(iv) A representative of the department of health;

(v) A representative of the department of fish and wildlife;

(vi) A representative of the Puget Sound partnership; and

(vii) A representative of the academic community.

(d) The commissioner of public lands must appoint each representative. The commissioner may invite and appoint other individuals to the task force, not to exceed the number of seats of tribal entities.

(e) Members of the task force may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

(23) \$636,000 of the general fund—state appropriation for fiscal year 2024 and \$353,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(24) \$65,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$350,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$250,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(27) \$164,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$591,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5433 (derelict aquatic structures). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$431,000 of the general fund—state appropriation for fiscal year 2024 and \$331,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1498 (aviation assurance funding). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) ~~(\$2,500,000)~~ \$2,822,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,500,000)~~ \$2,822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Of the amounts provided in this subsection, \$322,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to operate the post-fire debris flow program.

(31) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(32) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely for tire removal projects in Puget Sound, with specific priority to remove tire reefs.

(33) \$321,000 of the general fund—state appropriation for fiscal year 2024 and \$427,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5390 (forestlands/safeharbor). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(34) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to advance research and cooperation with governmental agencies of Finland and Finnish organizations to implement sustainable forestry practices. The department must report to the appropriate committees of the legislature by June 30, 2024, on the use of the funds and the research conducted and cooperation accomplished, and make recommendations for further opportunities for collaboration.

(35) \$278,000 of the natural climate solutions account—state appropriation is provided solely for the department to perform coordination and monitoring related to Puget Sound kelp conservation and recovery.

(36) \$312,000 of the general fund—state appropriation for fiscal year 2024 and \$313,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with the Olympic natural resources center to study emerging ecosystem threats such as Swiss needlecast disease, fully implement the T3 watershed experiments on state trust lands, continue field trials for long-term ecosystem productivity, and engage stakeholders through learning-based collaboration. The department may expend up to \$30,000 in one fiscal year to conduct Swiss needlecast surveys.

(37) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the work specified in section 3291, chapter 413, Laws of 2019 to assess public school seismic safety for school buildings not yet assessed, focused on highest risk areas of the state as a priority.

~~((39))~~ (38) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the department to prepare commercial thinning timber sales for the purposes of restoring spotted owl and riparian habitat as specified in the 1997 state lands habitat conservation plan, facilitating access to more timber volume than is possible under normal operating funding and increasing carbon sequestration. Thinning operations in

designated spotted owl management areas must be conducted in stands that do not yet meet spotted owl habitat conditions. Thinning in riparian areas must comply with department procedures for restoring riparian habitat under the 1997 state lands habitat conservation plan.

~~((40))~~ (39) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((41))~~ (40) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement a pilot project to evaluate the costs and benefits of marketing and selling specialty forest products including cedar salvage, alder, and other hardwood products. The pilot project must include: Identifying suitable areas for hardwood or cedar sales within the administrative areas of the Olympic and Pacific Cascade regions, preparing and conducting sales, and evaluating the costs and benefits from conducting the sales.

(a) The pilot project must include an evaluation that:

(i) Determines if revenues from the sales are sufficient to cover the costs of preparing and conducting the sales;

(ii) Identifies and evaluates factors impacting the sales, including regulatory constraints, staffing levels, or other limitations;

(iii) Compares the specialty sales to other timber sales that combine the sale of cedar and hardwoods with other species;

(iv) Evaluates the bidder pool for the pilot sales and other factors that impact the costs and revenues received from the sales; and

(v) Evaluates the current and future prices and market trends for cedar salvage and hardwood species.

(b) The department must work with affected stakeholders and report to the appropriate committees of the legislature with the results of the pilot project and make recommendations for any changes to statute by June 30, 2025.

(41) \$857,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to implement eradication and control measures on European green crabs on state-owned aquatic lands and adjacent lands as appropriate. The department must report to and coordinate with the department of fish and wildlife to support the department of fish and wildlife's quarterly progress reports to the legislature.

(42) \$847,000 of the general fund—state appropriation for fiscal year 2025 and \$473,000 of the model toxics control operating account—state appropriation are provided solely for the department to develop an authorized target shooting range as an alternative to dispersed shooting, lead a stakeholder-driven process to identify potential additional locations for target shooting ranges, and address lead pollution in known dispersed shooting sites.

(43) \$524,000 of the resource management cost account—state appropriation is provided solely for the agency to supplement the cost of the contract with the department of fish and wildlife for biological geoduck survey work. Within existing appropriations, the department must develop a proposal with the department of fish and wildlife for the equitable and sustainable ongoing funding of this work.

(44) \$593,000 of the natural climate solutions account—state appropriation is provided solely for the department to conduct remote sensing, stressor studies, and imagery and survey work of kelp forests and eelgrass meadows pursuant to RCW 79.135.440 and manage the native kelp forest and eelgrass meadow health and conservation plan. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(45) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for forest treatments in areas where they have the greatest potential to prevent wildfires and protect air quality. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(46) \$83,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5667 (forestry riparian easements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$862,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(48) \$307,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 6120 (wildland urban interface). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(49) \$300,000 of the model toxics control operating account—state appropriation is provided solely for a grant for the removal of tires containing 6PPD from docks serving



floatplanes in salmon-bearing waterways. Funds may be used to reduce the cost of conversion to alternative products that are free of 6PPD.

**Sec. 311.** 2023 c 475 s 311 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$52,938,000</del> ))
	\$60,747,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$69,710,000</del> ))
	\$79,848,000
General Fund—Federal Appropriation . . . . .	(( <del>\$38,414,000</del> ))
	\$48,282,000
General Fund—Private/Local Appropriation . . . . .	\$193,000
<u>Agricultural Pest and Disease Response Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$1,000,000</u>
Aquatic Lands Enhancement Account—State	
Appropriation . . . . .	(( <del>\$2,839,000</del> ))
	\$2,863,000
Climate Commitment Account—State Appropriation . . . . .	(( <del>\$3,819,000</del> ))
	\$7,376,000
Natural Climate Solutions Account—State	
Appropriation . . . . .	\$261,000
Water Quality Permit Account—State Appropriation . . . . .	\$73,000
Model Toxics Control Operating Account—State	
Appropriation . . . . .	(( <del>\$13,589,000</del> ))
	\$13,822,000
Northeast Washington Wolf-Livestock Management	
Nonappropriated Account—State Appropriation . . . . .	\$1,600,000
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation . . . . .	\$36,875,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$220,311,000</del>))</b>
	<b>\$252,940,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$18,000,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the we feed Washington program, a state alternative to the United States department of agriculture farmers to families food box program, and provide resources for hunger relief organizations.

(2) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for local food system infrastructure and market access grants.

(3) ((~~\$3,655,000~~))\$4,992,000 of the general fund—state appropriation for fiscal year 2024 and \$3,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a *Popillia japonica* monitoring and eradication program in central Washington.

(4) ((~~\$15,000,000~~))\$5,000,000 of the general fund—state appropriation for fiscal year 2024, \$20,000,000 of the general fund—state appropriation for fiscal year 2025, and \$15,000,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely for implementing the emergency food assistance program as defined in RCW 43.23.290.

(5) \$246,000 of the general fund—state appropriation for fiscal year 2024, \$246,000 of the general fund—state appropriation for fiscal year 2025, and \$1,550,000 of the general fund—federal appropriation are provided solely for implementing a *Vespa mandarinia* eradication program.

(6) \$1,600,000 of the northeast Washington wolf-livestock management nonappropriated account—state appropriation is provided solely for the department to conduct the following:

(a) Offer grants for the northeast Washington wolf-livestock management program as provided in RCW 16.76.020, in the amount of \$1,400,000 for the biennium.

(i) Funds from the grant program must be used only for the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a high probability of producing effective results. Grant proposals will be assessed partially on this intent. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other grantees of the program and other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape. Additionally, range riders must document their activities with GPS track logs and provide written description of their efforts to the department of fish and wildlife on a monthly basis. The department shall incorporate the requirements of this subsection into contract language with the grantees.

(ii) In order to provide continuity of services to meet the long-term intent of the program, no less than \$1,100,000 of the funding allocated in this subsection (a) shall be awarded to entities who have proven ability to meet program intent as described in (a) (i) of

this subsection and who have been awarded funds through this grant program or pass-through funds from the northeast Washington wolf-livestock management nonappropriated account in the past. The remaining \$300,000 may be awarded to new applicants whose applications meet program intent and all of other requirements of the program. If no applications from new entities are deemed qualified, the unused funds shall be awarded in equal amounts to successful grantees. The department retains the final decision making authority over disbursement of funds. Annual reports from grantees will be assessed for how well grant objectives were met and used to decide whether future grant funds will be awarded to past grantees.

(b) Within the amounts provided in this subsection, the department must provide \$100,000 each fiscal year to the sheriffs offices of Ferry and Stevens counties for providing a local wildlife specialist to aid the department of fish and wildlife in the management of wolves in northeast Washington.

(7) \$1,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for grants and technical assistance to producers and processors for meat and poultry processing.

(8) \$842,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 135, Laws of 2022, which requires the department to establish cannabis testing lab quality standards by rule.

(9) \$3,038,000 of the climate commitment account—state appropriation is provided solely to implement organic materials legislation passed in the 2022 legislative session.

(10) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with Washington State University's IMPACT Center to conduct an analysis of the threats, barriers, and challenges facing the state's agricultural producers.

(11) \$581,000 of the climate commitment account—state appropriation is provided solely to implement a science-based, voluntary software program called saving tomorrow's agricultural resources (STAR) which provide producers tools to track soil health improvements and the ability to generate market-based incentives.

(12) \$1,492,000 of the model toxics control operating account—state appropriation is provided solely to increase capacity and support work to reduce nitrate pollution in groundwater from irrigated agriculture in the lower Yakima valley.

(13) ~~(\$88,000)~~ \$502,000 of the general fund—state appropriation for fiscal year 2024, \$88,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$702,000)~~ \$1,053,000 of the general fund—federal appropriation are provided solely to match federal funding for eradication treatments and follow-up monitoring of invasive moths.

(14) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the early detection program for the spotted lanternfly and the associated invasive *Ailanthus altissima*, known colloquially as tree-of-heaven, survey and control programs.

(15) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement changes that advance equity for underrepresented farmers and ranchers in the department's programs and services. In carrying out this duty, the department may focus on implementation of:

(a) Proequity and inclusion strategies within the activities and services of the regional markets program;

(b) Recommendations from the department's 2022 report to the legislature on equity for underrepresented farmers and ranchers; and

(c) Community-generated suggestions resulting from stakeholder engagement activities. In carrying out this duty, the department may engage with underrepresented farmers and ranchers to advise and provide guidance as the department works to implement changes to improve equity and inclusion in the department's services and programs, and where possible in the agricultural industry more broadly.

(16) \$261,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(17) \$200,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$116,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1500 (cottage food sales cap). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a community-based organization in Whatcom county for the food and farm finder program, which connects local food producers with retail and wholesale consumers throughout the state.

(21) \$10,600,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for local food system infrastructure and market access grants, the emergency food assistance program, and a state farmers to families food box program. The total expenditures from the coronavirus state fiscal recovery fund—federal for these purposes in fiscal year 2023 and fiscal year 2024 may not exceed the total amounts provided in section 311(1), (3), and (7), chapter 334, Laws of 2021, from the coronavirus state fiscal recovery fund—federal for these purposes.

(22) \$47,000 of the general fund—state appropriation for fiscal year 2024 and \$47,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a food bank in Pierce county for the continued provision of food bank services to low-income individuals, including costs related to the potential relocation of the food bank.

(24) \$128,000 of the general fund—state appropriation for fiscal year 2024 and \$127,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Tri-Cities food bank for operations including food storage.

(25) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue a shellfish coordinator position.

(26) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compliance-based laboratory analysis of pesticides in cannabis.

(27) \$220,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to partner with the department of commerce to conduct a study to better understand the opportunities and challenges of using hemp as a building material.

(28) \$112,000 of the general fund—state appropriation for fiscal year 2024 and \$683,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to partner with organizations to promote diversity and develop agricultural leadership and educational opportunities.

(29) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to facilitate a work group and prepare a comprehensive report with recommendations regarding the establishment of a grant program to support farmers in the purchase of green fertilizer produced within the state of Washington.

(a) The work group convened by the department shall include representatives from the department of ecology, the department of commerce, Washington state agricultural organizations, manufacturers of green fertilizer products, and other relevant stakeholders as determined by the department.

(b) The work group shall review, analyze, and propose the structure of a grant program designed to encourage farmers to purchase green fertilizer produced within the state of Washington. The review shall include considerations of:

(i) The environmental benefits of green fertilizer;

(ii) Economic impacts on farmers;

(iii) The development and capacity of local green fertilizer manufacturers; and

(iv) Ensuring equitable access to the grant program among different agricultural sectors.

(c) The department shall submit a comprehensive report of its findings and recommendations to the governor and appropriate committees of the legislature no later than November 1, 2024, including a detailed plan for the administration of the proposed grant program and a recommended funding level. The report shall include legislative and regulatory changes, if necessary, to establish and manage the program effectively.

(d) If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(30) \$131,000 of the climate commitment account—state appropriation is provided solely for a climate lead position. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(31) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided to the department to complete an assessment of current animal welfare issues, such as animal abandonment, rescue organization operations, and veterinary services shortages and costs. The assessment may include an estimated fiscal investment and recommendations needed to improve the animal health and welfare system in Washington. The department must report on the assessment to the appropriate committees of the legislature by June 30, 2025.

(32) (a) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a review of the department of health's commercial shellfish industry regulatory fees, including licensing, testing, and certification. In conducting this review, the department must seek input from the department of health, representatives of the commercial shellfish industry, and tribes. The study must include:

(i) Data sources and methods used by the department of health in setting or proposing fee increases for the commercial shellfish industry;

(ii) Costs associated with exercising the department of health's regulatory authority over the commercial shellfish industry;

(iii) Fees charged for comparable services in other states that regulate the commercial shellfish industry under the Model Ordinance of the Interstate Shellfish Sanitation Conference;

(iv) Regulatory fees paid by other agricultural industries in Washington, where relevant;

(v) The public benefits of the department of health's regulation of the commercial shellfish industry; and

(vi) Program efficiencies that could be achieved to reduce fees to the shellfish industry imposed by the department of health.

(b) The department must report to the appropriate committees of the legislature by June 30, 2025, with recommendations on shellfish fee amounts imposed by the department of health and any process improvements related to those fees.

(33) \$3,176,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 2301 (waste material management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(34) \$1,000,000 of the agricultural pest and disease response account—state appropriation is provided solely for implementation of Substitute House Bill No. 2147 (agriculture pests & diseases). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(35) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to convene and staff a work group to provide recommendations on mental health and suicide prevention for agricultural producers, farm workers, and their families, including whether an agricultural mental health hotline should be established. The work group must be cochaired by one member from the department and one other member selected from the work group. The department must provide a draft report to the appropriate committees of the legislature summarizing the work group's recommendations by December 31, 2024, and a final report by June 30, 2025. The work group must include:

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

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

(c) One mental health care provider from an agricultural area in western Washington, appointed by the department;

(d) One mental health care provider from a rural area in eastern Washington, appointed by the department;

(e) Two members from an agricultural organization, appointed by the department; and

(f) Two members from the department, appointed by the department.

(36) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Washington based nonprofit organization that supports farmworkers to help develop and share farmworker ideas to improve production in ways that are meaningful to both workers and growers. These funds must be used to conduct outreach to farmworkers, provide support, and facilitate access to educational materials, tools, and technology to further the engagement and collaboration of both farmworkers and their employers.

(37) \$315,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5972 (neonicotinoid pesticides). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(38) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to farmers to help offset the costs of gaining organic certification and the associated inspection fees.

(39) (a) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to administer a grant program to farmers to promote hiring local workers, providing locally grown food, reducing transportation pollution, and strengthening food sovereignty and climate and disaster resiliency.

(b) To qualify for the grant program, the farm must grow handpicked specialty crop vegetables that are provided to local markets or schools, hire only domestic agricultural workers, and be owned and operated by a state resident.

(c) Under the grant program, each farm submitting proof of eligibility for the grant program to the department may be offered grant funding in an amount up to the equivalent of four weeks of their paid overtime hours during peak harvest for their specialty crop vegetable, up to \$20,000.

(40) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for research, including, but not limited to, ongoing research and trial research; larger scale treatment trials; and permit development, including required monitoring and review, to assist with development of an integrated pest management plan to find a suitable replacement for imidacloprid to address burrowing shrimp in Willapa bay and Grays Harbor and facilitate continued shellfish cultivation on tidelands. In selecting research recipients for this purpose, the department must incorporate the advice of the Willapa-Grays Harbor working group formed on October 15, 2019. Up to eight percent of the amount provided in this subsection may be used by the department to reimburse any participating group or individual for their expenses associated with meeting participation, preparation, or travel, in accordance with chapter 43.03 RCW.

**Sec. 312.** 2023 c 475 s 312 (uncodified) is amended to read as follows:

**FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$924,000)) \$1,109,000)
General Fund—State Appropriation (FY 2025) . . . . .	(((\$919,000)) \$1,524,000)
Climate Commitment Account—State Appropriation . . . . .	(((\$7,369,000)) \$7,437,000)
Energy Facility Site Evaluation Council Account— Private/Local Appropriation . . . . .	(((\$26,896,000)) \$26,897,000)
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$36,108,000)) \$36,967,000)</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,352,000 of the climate commitment account—state appropriation is provided solely to support agency operations and to hire additional environmental siting and compliance positions needed to support an anticipated workload increase from new clean energy projects.

(2) \$757,000 of the climate commitment account—state appropriation is provided solely for ((grants to tribes to review green energy project applications))preapplication development and clean energy manufacturing review, reimbursement to tribes for costs associated with clean energy project application reviews, and contracted services for green hydrogen and clean energy manufacturing programs.

(3) \$358,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(4) The council must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(5) \$3,902,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(6) \$68,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute House Bill No. 1924 (fusion technology policies). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(End of part)

**PART IV  
TRANSPORTATION**

**Sec. 401.** 2023 c 475 s 401 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$4,041,000)) \$4,042,000)
General Fund—State Appropriation (FY 2025) . . . . .	(((\$3,640,000)) \$3,670,000)
Architects' License Account—State Appropriation . . . . .	(((\$1,759,000)) \$1,825,000)
Climate Investment Account—State Appropriation . . . . .	\$30,000,000
Real Estate Commission Account—State Appropriation . . . . .	(((\$15,753,000)) \$15,771,000)
Uniform Commercial Code Account—State Appropriation . . . . .	(((\$3,481,000)) \$3,534,000)
Real Estate Education Program Account—State Appropriation . . . . .	(((\$316,000)) \$308,000)
Real Estate Appraiser Commission Account—State Appropriation . . . . .	(((\$2,067,000)) \$2,398,000)
Business and Professions Account—State Appropriation . . . . .	(((\$30,924,000)) \$31,377,000)
Real Estate Research Account—State Appropriation . . . . .	\$461,000
Firearms Range Account—State Appropriation . . . . .	\$74,000
Funeral and Cemetery Account—State Appropriation . . . . .	(((\$118,000)) \$125,000)
Landscape Architects' License Account—State Appropriation . . . . .	(((\$86,000))

\$95,000

Appraisal Management Company Account—State	
Appropriation. . . . .	(((\$250,000))
	<u>\$258,000</u>
Concealed Pistol License Renewal Notification	
Account—State Appropriation. . . . .	\$142,000
Geologists' Account—State Appropriation. . . . .	(((\$48,000))
	<u>\$55,000</u>
Derelict Vessel Removal Account—State Appropriation. . . . .	\$37,000
TOTAL APPROPRIATION.....	<u>(((\$63,197,000))</u>
	<u>\$94,172,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$142,000 of the concealed pistol license renewal notification account—state appropriation and \$74,000 of the firearms range account—state appropriation are provided solely to implement chapter 74, Laws of 2017 (concealed pistol license).

(2) \$6,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$8,000 of the architects' license account—state appropriation, \$74,000 of the real estate commission account—state appropriation, \$14,000 of the uniform commercial code account—state appropriation, \$10,000 of the real estate appraiser commission account—state appropriation, and \$139,000 of the business and professions account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$7,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$5,000 of the architects' license account—state appropriation, \$43,000 of the real estate commission account—state appropriation, \$8,000 of the uniform commercial code account—state appropriation, \$8,000 of the real estate ~~((education program))~~ appraiser commission account—state appropriation, \$166,000 of the business and professions account—state appropriation, \$9,000 of the funeral and cemetery account—state appropriation, \$3,000 of the landscape architects' license account—state appropriation, \$2,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) \$20,000 of the business and professions account—state appropriation is provided solely for implementation of House Bill No. 1017 (cosmetologists, licenses, etc.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$320,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1143 (firearms purchase and transfer). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$5,000 of the architects' license account—state appropriation, \$31,000 of the real estate commission account—state appropriation, \$5,000 of the real estate appraiser commission account—state appropriation, \$64,000 of the business and professions account—state appropriation, \$5,000 of the funeral and cemetery account—state appropriation, \$5,000 of the landscape architects' license account—state appropriation, \$5,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of House Bill No. 1301 (license review and requirements). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(7) \$25,000 of the real estate ~~((appraiser))~~ commission account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5191 (real estate agency). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(8) \$19,000 of the funeral and cemetery account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5261 (cemetery authority deadlines). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$308,000 of the real estate appraiser commission account—state appropriation is provided solely for implementation of Engrossed House Bill No. 1797 (real estate appraisers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) (a) \$30,000,000 of the climate investment account—state appropriation is provided solely for payments to support farm fuel users and transporters who have purchased fuel for agricultural purposes that is exempt from the requirements of the climate commitment act, as described in RCW 70A.65.080(7)(e). The payment structure outlined in (b) of this subsection is intended to:

- (i) Benefit farming and transportation operations, prioritizing noncorporate farms;
- (ii) Enable ease of use and accessibility for recipients; and
- (iii) Promote speed and efficiency in administering the payments.

(b) The department must use a tiered system of payments based on the annual number of gallons of agricultural fuel consumed, as determined by the farm fuel user or transporter in a signed attestation. The department shall use the following payment tiers:

- (i) \$600 to recipients with annual agricultural fuel use of less than 1,000 gallons;
- (ii) \$2,300 to recipients with annual agricultural fuel use greater than or equal to 1,000 gallons and less than 4,000 gallons; and
- (iii) \$3,400 to recipients with annual agricultural fuel use greater than or equal to 4,000 gallons and less than 10,000 gallons; and
- (iv) \$4,500 to recipients with annual agricultural fuel use greater than or equal to 10,000 gallons.

(c) Recipients of payments under this subsection may submit receipts and other documentation as part of their attestation showing that they were overcharged for fuel costs due to the impact of chapter 70A.65 RCW.

(d) The department may use no more than five percent of the amounts appropriated for this specific purpose on administration. The department must begin providing payments by September 1, 2024. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(11) \$55,000 of the business and professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1889 (professionals/immigration). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$45,000 of the architects' license account—state appropriation is provided solely for implementation of Substitute House Bill No. 1880 (architecture licensing exams). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 402.** 2023 c 475 s 402 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$77,651,000</del> ))
	\$77,176,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$78,281,000</del> ))
	\$85,297,000
General Fund—Federal Appropriation . . . . .	\$16,972,000
General Fund—Private/Local Appropriation . . . . .	\$3,091,000
Death Investigations Account—State Appropriation . . . . .	(( <del>\$9,145,000</del> ))
	\$9,593,000
County Criminal Justice Assistance Account—State Appropriation . . . . .	\$4,893,000
Municipal Criminal Justice Assistance Account—State Appropriation . . . . .	\$1,800,000
Fire Service Trust Account—State Appropriation . . . . .	\$131,000
Vehicle License Fraud Account—State Appropriation . . . . .	\$119,000
Disaster Response Account—State Appropriation . . . . .	(( <del>\$8,000,000</del> ))
	\$23,500,000
Fire Service Training Account—State Appropriation . . . . .	(( <del>\$13,456,000</del> ))
	\$13,457,000
Model Toxics Control Operating Account—State Appropriation . . . . .	\$596,000
Fingerprint Identification Account—State Appropriation . . . . .	\$15,200,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$229,335,000</del>))</b>
	<b>\$251,825,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((~~\$8,000,000~~))~~ \$23,500,000 of the disaster response account—state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(2) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$146,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation adjustments for commissioned staff as provided for in the omnibus transportation appropriations act.

(3) \$20,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1179 (nonconviction data/auditor). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$26,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor

compensation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$500,000 of the disaster response account—state appropriation, is provided solely to continue a pilot project for the early deployment or prepositioning of Washington state fire service resources in advance of an expected mobilization event. Any authorization for the deployment of resources under this section must be authorized in accordance with section 6 of the Washington state fire services resource mobilization plan.

(7) \$320,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$1,133,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$1,000,000 of the fire service training account—state appropriation is provided solely for the firefighter apprenticeship training program.

(10) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Washington state missing and murdered indigenous women and people task force in section 912 of this act.

(11) In fiscal year 2025, the Washington state patrol may initiate procurement of a Pilatus PC-12 aircraft and a forward-looking infrared camera. It is the intent of the legislature to provide an appropriation for the purchase of the aircraft in future fiscal biennia.

(12) \$18,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2357 (state patrol longevity bonus). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13)(a) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for financial assistance to local jurisdictions to conduct DNA testing for unidentified remains, and for those remains that failed to yield a CODIS match, for forensic genetic genealogy DNA testing to be conducted. Local jurisdictions may contract for these services. The purpose of this funding is to provide sufficient funding to eliminate the backlog of unidentified remains awaiting testing. This funding is intended to supplement DNA testing and investigative genealogy available through the national missing and unidentified persons system or the Washington state patrol crime lab to provide timely identification of remains and entry into CODIS, and should be prioritized for cases not meeting eligibility requirements for the national missing and unidentified persons system or cases already tested for DNA analysis that failed to yield a CODIS match.

(b) For purposes of this subsection, "forensic genetic genealogy DNA testing" means any technology performed in a forensic laboratory capable of producing a forensic genealogy profile with a minimum of 100,000 genetic markers and compatible with multiple genealogical databases consented for law enforcement use and includes associated genealogical research.

(c) Records from the DNA testing or forensic genetic genealogy DNA testing, including DNA profiles and markers, of unidentified remains funded under this subsection are sensitive and shall be treated as confidential to the fullest extent allowed under the law.

(14) Any funds provided to the missing and exploited children task force shall ensure operations are adherent to federally established internet crimes against children standards.

(15) Within existing resources, the Washington state patrol may provide security and protection to the secretary of state and to his or her family during a presidential election campaign and through two weeks following inauguration.

(16) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5299 (law enf. officer protection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(17) \$89,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5812 (electric vehicle fires). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(End of part)

**PART V  
EDUCATION**

**Sec. 501.** 2023 c 475 s 501 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$46,191,000</del> ))
	\$46,161,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$45,208,000</del> ))
	\$61,189,000
General Fund—Federal Appropriation . . . . .	(( <del>\$108,354,000</del> ))



	<u>\$148,570,000</u>
General Fund—Private/Local Appropriation. . . . .	\$8,079,000
Dedicated Cannabis Account—State Appropriation (FY 2024). . . . .	\$593,000
Dedicated Cannabis Account—State Appropriation (FY 2025). . . . .	\$618,000
Washington Opportunity Pathways Account—State Appropriation. . . . .	(( <del>\$8,429,000</del> ))
	<u>\$8,639,000</u>
Performance Audits of Government Account—State Appropriation. . . . .	\$213,000
Workforce Education Investment Account—State Appropriation. . . . .	(( <del>\$9,479,000</del> ))
	<u>\$12,979,000</u>
Elementary and Secondary School Emergency Relief III Account—Federal Appropriation. . . . .	\$3,524,000
<b>TOTAL APPROPRIATION.</b> .....	<b>((<del>\$230,688,000</del>))</b>
	<b><u>\$290,565,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) BASE OPERATIONS AND EXPENSES OF THE OFFICE

(a) ((~~\$21,778,000~~))\$22,323,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$21,778,000~~))\$22,814,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(ii) By October 31st of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in section 501, chapter 415, Laws of 2019 and sections 515 and 522, chapter 334, Laws of 2021. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status of proviso implementation, number of beneficiaries by year, list of beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(iii) Districts shall annually report to the office of the superintendent of public instruction on: (A) The annual number of graduating high school seniors within the district earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (B) the number of high school students earning competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

(iv) The office of the superintendent of public instruction shall perform ongoing program reviews of alternative learning experience programs, dropout reengagement programs, and other high risk programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(v) The superintendent of public instruction shall integrate climate change content into the Washington state learning standards across subject areas and grade levels. The office shall develop materials and resources that accompany the updated learning standards that encourage school districts to develop interdisciplinary units focused on climate change that include authentic learning experiences, that integrate a range of perspectives, and that are action oriented.

(vi) Funding provided in this subsection (1)(a) is sufficient for maintenance of the apportionment system, including technical staff and the data governance working group.

(vii) Of the amounts provided in this subsection (1)(a), \$465,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for office of the attorney general legal services related to special education related litigation.

(b) \$494,000 of the general fund—state appropriation for fiscal year 2024 and \$494,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(c) \$61,000 of the general fund—state appropriation for fiscal year 2024 and \$61,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(d) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(e) \$285,000 of the Washington opportunity pathways account—state appropriation is provided solely for activities related to public schools other than common schools authorized under chapter 28A.710 RCW.

(f) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(g) ~~(\$1,060,000)~~ \$880,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,060,000)~~ \$1,240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of native education to increase services to tribes, including but not limited to, providing assistance to tribes and school districts to implement Since Time Immemorial, applying to become tribal compact schools, convening the Washington state native American education advisory committee, and extending professional learning opportunities to provide instruction in tribal history, culture, and government. The professional development must be done in collaboration with school district administrators and school directors. Funding in this subsection is sufficient for the office, the Washington state school directors' association government-to-government task force, and the association of educational service districts to collaborate with the tribal leaders congress on education to develop a tribal consultation training and schedule. Of the amounts provided in this subsection: ~~(\$525,000)~~ \$345,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$525,000)~~ \$705,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of native education to convene a work group to develop the supports necessary to serve American Indian and Alaska Native students identified as needing additional literacy supports. The work group must include representation from Washington's federally recognized tribes and federally recognized tribes with reserved treaty rights in Washington. The work group must conduct tribal consultations, develop best practices, engage in professional learning, and develop curricula and resources that may be provided to school districts and state-tribal education compact schools to serve American Indian and Alaska Native students with appropriate, culturally affirming literacy supports.

(h) \$481,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(i) Districts shall report to the office the results of each collective bargaining agreement for certificated staff within their district using a uniform template as required by the superintendent, within thirty days of finalizing contracts. The data must include but is not limited to: Minimum and maximum base salaries, supplemental salary information, and average percent increase for all certificated instructional staff. Within existing resources by December 1st of each year, the office shall produce a report for the legislative evaluation and accountability program committee summarizing the district level collective bargaining agreement data.

(j) \$3,524,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for administrative costs related to the management of federal funds provided for COVID-19 response and other emergency needs.

(k) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the superintendent of public instruction to plan for the development and implementation of a common substitute teacher application platform.

(l) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to hire a mental health instruction implementation coordinator to facilitate the addition of mental health education curriculum in schools, including but not limited to the following activities:

(i) Working with the educational service districts to build awareness of learning benefits and resource availability;

(ii) Providing training and support to school staff in the implementation of mental health education and integration into existing health curriculum;

(iii) Facilitating office website updates to reflect available mental health instruction resources and supporting data; and

(iv) Facilitating the addition of mental health literacy components to state learning standards and updating social emotional learning standards to reflect differentiation between the two programs and the grade-appropriate nature of each program.

(m) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to hire staff to support school districts applying for grants funded by the state of Washington and grants from other public or private sources for which the school district may be eligible. The office must prioritize supporting school districts with smaller student enrollments, tax bases, and operating budgets, and other factors that may preclude or otherwise limit the ability of a school district to apply for grants for which it may be eligible.

(2) DATA SYSTEMS

(a) \$1,802,000 of the general fund—state appropriation for fiscal year 2024 and \$1,802,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a comprehensive data system to include financial, student, and educator

data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(b) \$281,000 of the general fund—state appropriation for fiscal year 2024 and \$281,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(c) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent of public instruction to develop and implement a statewide accountability system to address absenteeism and to improve student graduation rates. The system must use data to engage schools and districts in identifying successful strategies and systems that are based on federal and state accountability measures. Funding may also support the effort to provide assistance about successful strategies and systems to districts and schools that are underperforming in the targeted student subgroups.

(d) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to conduct a feasibility study for an online, statewide individualized education program system. A contract with a third party may be used to conduct all or any portion of the study. The results of the feasibility study must be reported to the appropriate fiscal and education committees of the legislature by June 30, 2025.

(3) WORK GROUPS

(a) \$68,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(b) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to meet statutory obligations related to the provision of medically and scientifically accurate, age-appropriate, and inclusive sexual health education as authorized by chapter 206, Laws of 1988 (AIDS omnibus act) and chapter 265, Laws of 2007 (healthy youth act).

(c) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$118,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 75, Laws of 2018 (dyslexia).

(d) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 386, Laws of 2019 (social emotional learning).

(e) \$107,000 of the general fund—state appropriation for fiscal year 2024 and \$107,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to support the children and youth behavioral health work group created in chapter 130, Laws of 2020 (child. mental health wk. grp).

(4) STATEWIDE PROGRAMS

(a) \$2,590,000 of the general fund—state appropriation for fiscal year 2024 and \$2,590,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support statewide administration and district implementation of the inventory under RCW 28A.655.080.

(b) \$703,000 of the general fund—state appropriation for fiscal year 2024 and \$703,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 72, Laws of 2016 (educational opportunity gap).

(c) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to schools identified for comprehensive or targeted support and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(d) \$457,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 102, Laws of 2014 (biliteracy seal). Of the amounts provided in this subsection:

(i) \$197,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to develop and establish criteria for school districts to award the seal of biliteracy to graduating high school students.

(ii) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to provide students with access to methods for students to demonstrate proficiency in less commonly taught or assessed languages.

(e)(i) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school bullying and harassment prevention activities.

(ii) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 240, Laws of 2016 (school safety).

(iii) \$570,000 of the general fund—state appropriation for fiscal year 2024 and \$570,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide support and coordination for the regional network of behavioral health, school safety, and threat assessment established in chapter 333, Laws of 2019 (school safety and well-being).

(iv) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the school safety center within the office of the superintendent of public instruction.

(A) Within the amounts provided in this subsection (4)(e)(iv), \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a school safety program to provide school safety training for all school administrators and school safety personnel. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety.

(B) Within the amounts provided in this subsection (4)(e)(iv), \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administration of the school safety center. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, review and approve manuals and curricula used for school safety models and training, and maintain a school safety information web site.

(f) (i) \$162,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for youth suicide prevention activities.

(ii) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 64, Laws of 2018 (sexual abuse of students).

(g) (i) ~~\$280,000~~ \$530,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$280,000)~~ \$530,000 of the general fund—state appropriation for fiscal year 2025, \$593,000 of the dedicated cannabis account—state appropriation for fiscal year 2024, and \$618,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for dropout prevention, intervention, and reengagement programs (~~(, including the jobs for America's graduates (JAG) program)~~), dropout prevention programs that provide student mentoring, and the building bridges statewide program. (~~(Students in the foster care system or who are homeless shall be given priority by districts offering the jobs for America's graduates program.)~~) The office of the superintendent of public instruction shall convene staff representatives from high schools to meet and share best practices for dropout prevention. Of these amounts, the entire dedicated cannabis account—state appropriation is provided solely for the building bridges statewide program and for grants to districts for life skills training for children and youth in K-12.

(ii) \$293,000 of the general fund—state appropriation for fiscal year 2024 and \$293,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs in support of high-quality high school and beyond plans consistent with RCW 28A.230.090.

(iii) \$178,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 291, Laws of 2017 (truancy reduction efforts).

(h) Sufficient amounts are appropriated in this section for the office of the superintendent of public instruction to create a process and provide assistance to school districts in planning for future implementation of the summer knowledge improvement program grants.

(i) \$358,000 of the general fund—state appropriation for fiscal year 2024 and \$358,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 221, Laws of 2019 (CTE course equivalencies).

(j) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 252, Laws of 2019 (high school graduation reqs.).

(k) \$60,000 of the general fund—state appropriation for fiscal year 2024, \$60,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—federal appropriation are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply). Of the amounts provided in this subsection, \$680,000 of the general fund—federal appropriation is provided solely for title II SEA state-level activities to implement section 103, chapter 295, Laws of 2019 relating to the regional recruiters program.

(l) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison at the office of the superintendent of public instruction to facilitate access to and support enrollment in career connected learning opportunities for tribal students, including

career awareness and exploration, career preparation, and career launch programs, as defined in RCW 28C.30.020, so that tribal students may receive high school or college credit to the maximum extent possible.

(m) \$57,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 288, Laws of 2020 (school meals at no cost).

(n) \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$142,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 353, Laws of 2020 (innovative learning pilot).

(o) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide coordination towards multicultural, culturally responsive, and anti-racist education to support academically, socially, and culturally literate learners. The office must engage community members and key interested parties to:

(i) Develop a clear definition and framework for African American studies to guide instruction in grades seven through twelve;

(ii) Develop a plan for aligning African American studies across all content areas; and

(iii) Identify professional development opportunities for educators and administrators to build capacity in creating high-quality learning environments centered in belonging and racial equity, anti-racist approaches, and asset-based methodologies that pull from all students' cultural funds of knowledge.

(p) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 38, Laws of 2021 (K-12 safety & security serv.).

(q) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 111, Laws of 2021 (learning assistance program).

(r) \$1,152,000 of the general fund—state appropriation for fiscal year 2024 and \$1,157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 164, Laws of 2021 (institutional ed./release).

(s) \$553,000 of the general fund—state appropriation for fiscal year 2024 and \$553,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to develop and implement a mathematics pathways pilot to modernize algebra II. The office should use research and engage stakeholders to develop a revised and expanded course.

(t) \$3,348,000 of the general fund—state appropriation for fiscal year 2024 and \$3,348,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 107, Laws of 2022 (language access in schools).

(u) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to establish a media literacy and digital citizenship ambassador program to promote the integration of media literacy and digital citizenship instruction.

(v) \$294,000 of the general fund—state appropriation for fiscal year 2024 and \$294,000 of the general fund—state appropriation for fiscal year 2025 provided solely for implementation of chapter 9, Laws of 2022 (school consultation/tribes).

(w) (i) \$8,144,000 of the Washington state opportunity pathways account—state appropriation is provided solely for support to small school districts and public schools receiving allocations under chapters 28A.710 and 28A.715 RCW in the 2022-23 school year that have less than 800 enrolled students, are located in urban or suburban areas, and budgeted for less than \$20,000 per pupil in general fund expenditures in the 2022-23 school year. For eligible school districts and schools, the superintendent of public instruction must allocate an amount equal to the lesser of amount 1 or amount 2, as provided in (w) (i) ((and—(ii))) (A) and (B) of this subsection, multiplied by the school district or school's budgeted enrollment in the 2022-23 school year.

((+)) (A) Amount 1 is \$1,550.

((+)) (B) Amount 2 is \$20,000 minus the school district or school's budgeted general fund expenditures per pupil in the 2022-23 school year.

(ii) \$210,000 of the Washington state opportunity pathways account—state appropriation is provided solely for support to public schools receiving allocations under chapter 28A.715 RCW in the 2023-24 school year that have less than 800 enrolled students, are located in urban or suburban areas, and expended less than \$20,000 per pupil in general fund expenditures in the 2022-23 school year. For eligible schools, the superintendent of public instruction must allocate an amount equal to the lesser of amount 1 or amount 2, as provided in (w) (ii) (A) and (B) of this subsection, multiplied by the school's actual enrollment in the 2022-23 school year.

(A) Amount 1 is \$1,550.

(B) Amount 2 is \$20,000 minus the school's general fund expenditures per pupil in the 2022-23 school year.

(x) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5072 (highly capable students). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(y) \$72,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$96,000))~~ \$4,663,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5243 (high school and beyond plan). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(z) \$17,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5257 (elementary school recess). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(aa) \$169,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$76,000))~~ \$487,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5315 (special education/nonpublic). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(bb) \$39,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5403 (school depreciation subfunds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(cc) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5593 (student data transfer). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(dd) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5617 (career and technical education courses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ee) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a community-based youth development nonprofit organization for a pilot program to provide behavioral health support for youth and trauma-informed, culturally responsive staff training.

(ff) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to consult with one or two public high schools that offer established courses in the early childhood development and services career pathway and develop model materials that may be employed by other school districts with an interest in establishing or expanding similar instructional offerings to students. The model materials must be developed by January 1, 2024.

(gg) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of a deliberative democratic climate change education program in public high schools based on the Washington student climate assembly pilot program. The office must use the funding to develop and promote a full curriculum for student climate assemblies that can be replicated in public high schools across the state and to fund a part-time statewide coordinator position to oversee program outreach and implementation. By January 1, 2025, the office must collect and evaluate feedback from teachers, students, local government employees, and elected officials participating in the pilot program and report to the legislature on options to improve, expand, and extend the program.

(hh) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental agency to coordinate and serve as a fiscal agent and to cover direct costs of the project education impact workgroup to achieve educational parity for students experiencing foster care and/or homelessness, consistent with chapter 233, Laws of 2020. The office must contract with a nongovernmental agency with experience coordinating administrative and fiscal support for project education impact.

(ii) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract for a feasibility study for the creation of a maritime academy on the Olympic peninsula. The study must include the scope, location, design, and budget for the construction of the maritime academy. The study must include plans to address systems, policies, and practices that address disparities of historically marginalized communities in the maritime industry. A preliminary report is due to the legislature by December 1, 2023, with the final feasibility study due to the legislature by June 3, 2024. Funding provided in this subsection may be matched by a nonprofit organization that provides high school students with accredited career and technical postsecondary education for maritime vessel operations and maritime curriculum to high schools in Jefferson, Clallam, Kitsap, King, Mason, Pierce, Island, and Snohomish counties.

(jj) \$74,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1701 (institutional ed. programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(kk) \$141,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1308 (graduation pathway options). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ll) \$73,000 of the general fund—state appropriation for fiscal year 2024 and \$72,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1346 (purple star award). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(mm) (i) ~~(((\$2,500,000))\$1,900,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(((\$2,500,000))\$8,100,000~~ of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to provide statewide professional development and technical assistance to school districts and to provide a limited number of grants for demonstration projects. The demonstration projects must build school-level and district-level systems that eliminate student isolation, track and reduce restraint use, and build schoolwide systems to support students in distress and prevent crisis escalation cycles that may result in restraint or isolation. The schoolwide systems must include trauma-informed positive behavior and intervention supports, de-escalation, and problem-solving skills. Of the amounts provided in this subsection:

(A) ~~(((\$1,000,000))\$400,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(((\$1,000,000))\$1,600,000~~ of the general fund—state appropriation for fiscal year 2025 are for grants for ~~((10))~~ district demonstration sites;

(B) \$1,334,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$1,334,000))\$6,334,000~~ of the general fund—state appropriation for fiscal year 2025 are for professional development and training, including professional development in inclusionary practices for classroom teachers. Funding must be prioritized to public schools with the highest percentage of students with individualized education programs aged three through 21 who spend the least amount of time in general education classrooms; and

(C) \$166,000 of the general fund—state appropriation for fiscal year 2024 and \$166,000 of the general fund—state appropriation for fiscal year 2025 are for staff and administration support for the demonstration sites and the professional development and training.

(ii) The office must create a technical assistance manual to support the elimination of isolation and reduction of restraint and room clears based on the results of the demonstration projects, and must provide ~~((a))an initial~~ report to the educational opportunity gap oversight and accountability committee and the education committees of the legislature by September ((1))30, 2024, and a final report by June 30, 2025. The reports must include:

(A) A status update on demonstration projects that occurred during the 2023-24 school year, the technical assistance manual, and professional development offered statewide;

(B) Key implementation challenges and findings; and

(C) Recommendations for statewide policy changes or funding, including information on the amount of professional development needed across the state.

(iii) In developing the manual, the office must consult with, at minimum:

(A) Representatives from state associations representing both certificated and classified staff;

(B) An association representing principals;

(C) An association representing school administrators;

(D) The Washington state school directors' association;

(E) An association representing parents;

(F) An individual with lived experience of restraint and isolation; and

(G) A representative of the protection and advocacy agency of Washington.

(iv) The office must prioritize the provision of professional development and selection of the demonstration sites to local education agencies, educational programs, and staff who provide educational services to students in prekindergarten through grade five and who have high incidents of isolation, restraint, or injury related to use of restraint or isolation. Grant recipients must commit to isolation phaseout and must report on restraint reduction and progress to the office by June 30, 2025.

(nn) \$430,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5462 (inclusive learning standards). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(oo) \$28,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5647 (school safety/temp employees). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(pp) \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Engrossed Substitute House Bill No. 1377 (continuing education/K-12). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(qq) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6053 (education data sharing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(rr) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to create and distribute age appropriate promotional and educational materials to school districts for Americans of Chinese descent history month.

(ss) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to examine how free and reduced-price school meal data is used as a funding driver for programs such as the learning assistance program and provide recommendations for an alternative metric or metrics to the

legislature by January 1, 2025. The office may collaborate with other state agencies that maintain income and poverty data to develop alternative metrics, including but not limited to the department of social and health services, the student achievement council, and the health care authority. In creating recommendations, the office shall work with educational stakeholders including organizations representing of principals, school board directors, certificated teachers, and classified staff. The office may contract with a third party to conduct all or any portion of the work.

(tt) \$183,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to collaborate with the department of agriculture and the department of labor and industries on a study that, at a minimum, examines factors that impact children of seasonal farmworkers in comparison to migrant students in the following areas: School and program access, school readiness, attendance, grade promotion and retention, performance on state assessments, academic growth, graduation rates, discipline rates, and teacher qualifications and years of experience. The study must also investigate student access to postsecondary education and career opportunities in formerly rural or agricultural communities.

(uu) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to develop guidance and provide technical assistance to school districts on the implementation of Initiative Measure No. 2081. To ensure that public schools and school districts are in compliance with state and federal laws related to student privacy, antidiscrimination, and harassment, intimidation and bullying, the office shall provide technical assistance and monitor local school district implementation, as needed. By July 1, 2024, the office shall develop a tool and identify a process for community members to send and for the office to receive and track questions and concerns related to implementation. The process must be publicly available on the agency website. The office shall submit monthly reports to the legislature which include a status update on implementation including challenges, frequently asked questions, and a summary of technical assistance.

(vv) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to conduct a one-time compliance review of every school district in Washington state between July 2024 and July 2025 related to compliance with state nondiscrimination laws, chapters 28A.640 and 28A.642 RCW, and federal nondiscrimination laws. The office shall utilize the compliance monitoring process that has been established in chapter 392-190 WAC and may utilize the regional educational service districts to assist in the reviews as appropriate under RCW 28A.310.010(2). Reviews may be conducted as desk reviews with selected on-site reviews where the office deems additional follow-up may be necessary to the desk review. The office shall provide a report to the legislature by December 1, 2025, summarizing the results of these compliance reviews and shall include a summary of types of noncompliance found, any corrective actions taken by the office or the school district, and school district responses to issues of noncompliance that were found during the compliance review process.

(ww) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Third Substitute House Bill No. 1228 (dual & tribal language edu.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(xx) \$21,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Fourth Substitute House Bill No. 1239 (educator ethics & complaints). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(yy) \$334,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1956 (substance use prevention ed.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(5) CAREER CONNECTED LEARNING

(a) \$919,000 of the workforce education investment account—state appropriation is provided solely for expanding career connected learning as provided in RCW 28C.30.020.

(b) \$960,000 of the workforce education investment account—state appropriation is provided solely for increasing the funding per full-time equivalent for career launch programs as described in RCW 28A.700.130. In the 2023-2025 fiscal biennium, for career launch enrollment exceeding the funding provided in this subsection, funding is provided in section 504 of this act.

(c) \$3,600,000 of the workforce education investment account—state appropriation is provided solely for the office of the superintendent of public instruction to administer grants to skill centers for nursing programs to purchase or upgrade simulation laboratory equipment.

(d) \$4,000,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ Of the amount provided in this subsection, \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the Marysville school district to collaborate with Arlington school district, Everett Community College, other local school districts, local labor unions, local Washington state apprenticeship and training council registered apprenticeship programs, and local industry groups to continue the regional apprenticeship pathways program.



(e) \$3,000,000 of the workforce education investment account—state appropriation is provided solely for the office to contract with a community-based organization to prepare students to enroll in and enter college through one-on-one advising, workshops and help sessions, guest speakers and panel presentations, community building activities, campus visits, workplace field trips, and college/career resources and to fund the oversight of the grantee or grantees.

(f) \$500,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2236 (tech. ed. core plus programs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 502.** 2023 c 475 s 502 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD OF EDUCATION**

General Fund—State Appropriation (FY 2024) . . . . .	\$2,155,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$6,695,000</del> ))
	<u>\$6,840,000</u>
Elementary and Secondary School Emergency Relief III	
Account—Federal Appropriation . . . . .	\$1,779,000
Washington Opportunity Pathways Account—State	
Appropriation . . . . .	(( <del>\$353,000</del> ))
	<u>\$352,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$10,982,000</del>))</b>
	<b><u>\$11,126,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$1,852,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,864,000~~))~~ \$1,954,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the state board of education.

(2) \$1,779,000 of the elementary and secondary school emergency relief III account—federal appropriation, \$280,000 of the general fund—state appropriation for fiscal year 2024, and \$4,808,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the state board of education for implementation of mastery-based learning in school district demonstration sites. The state board of education shall require grant recipients to report on impacts and participate in a collaborative to share best practices. The funds must be used for grants to school districts, charter schools, or state tribal education compact schools established under chapter 28A.715 RCW; professional development of educators; development of a resource suite for school districts statewide; evaluation of the demonstration project; implementation and policy support provided by the state board of education and other partners; and a report outlining findings and recommendations to the governor and education committees of the legislature by December 31, 2025. Grants for mastery-based learning may be made in partnership with private matching funds.

(3) \$23,000 of the general fund—state appropriation for fiscal year 2024 and \$23,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the state board of education to be a member in the education commission of the states.

(4) \$55,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1915 (financial education). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 503.** 2023 c 475 s 503 (uncodified) is amended to read as follows:

**FOR THE PROFESSIONAL EDUCATOR STANDARDS BOARD**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$22,535,000</del> ))
	<u>\$17,246,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$21,417,000</del> ))
	<u>\$22,279,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$43,952,000</del>))</b>
	<b><u>\$39,525,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$1,930,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,945,000~~))~~ \$2,036,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the Washington professional educator standards board including implementation of chapter 172, Laws of 2017 (educator prep. data/PESB).

(2) (a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to improve preservice teacher training and funding of alternate routes to certification programs administered by the professional educator standards board.

(b) Within the amounts provided in this subsection (2), up to \$500,000 of the general fund—state appropriation for fiscal year 2024 and up to \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs.

(3) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,001,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the recruiting Washington teachers program with priority given to programs that support bilingual teachers, teachers from populations that are underrepresented, and English language learners. Of the amounts provided in this subsection (3), \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and expansion of the bilingual educator initiative pilot project established under RCW 28A.180.120.

(4) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply).

(5) ~~(\$17,535,000)~~ \$12,335,000 of the general fund—state appropriation for fiscal year 2024 and \$17,535,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 237, Laws of 2017 (paraeducators). Of the amounts provided in this subsection: ~~(\$16,873,000)~~ \$11,550,000 of the general fund—state appropriation for fiscal year 2024 and \$16,873,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to districts to provide two days of training per school year in the paraeducator certificate program to all paraeducators. Funds in this subsection are provided solely for reimbursement to school districts that provide paraeducators with two days of training in the paraeducator certificate program in each of the 2022-23 and 2023-24 school years. Funding provided in this subsection is sufficient for new paraeducators to receive four days of training in the paraeducator certificate program during their first year. School districts receiving grants under this subsection must prioritize funding toward compensation for paraeducators who complete the required hours of instruction per school year.

(6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$28,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the board to review national certification opportunities for educational staff associates through the relevant national associations for their profession and through the national board for professional teaching standards. The board must compare the standards and processes for achieving these certifications, including an analysis of how educational staff associate positions' national certification aligns with school roles and the professional expertise of school-based education staff associates. The board must submit the comparison report to the education committees of the legislature by October 1, 2024.

(7) \$147,000 of the general fund—state appropriation for fiscal year 2024 and \$158,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) ~~(\$71,000)~~ \$35,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$71,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the professional educator standards board and the paraeducator board to collaborate with the office of the superintendent of public instruction to ~~((report on a plan to))~~ align bilingual education and English language learner endorsement standards and to determine language assessment requirements for multilingual teachers and paraeducators as required in Third Substitute House Bill No. 1228 (dual & tribal language edu.). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse. ((The report is due to the legislature by September 1, 2023.))

(9) ~~(\$1,012,000)~~ \$877,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the professional educator standards board, in coordination with the office of the superintendent of public instruction, to develop a teacher residency program through Western Washington University focused on special education instruction beginning in the 2024-25 school year.

(10) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$155,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the professional educator standards board to convene two separate groups to review implementation of new and existing standards in teacher preparation programs and to perform preparation program gap analyses.

(a) By October 1, 2024, the board shall convene a group of educators, including principals and teachers, to identify what preparation programs must be providing candidates to prepare them for the modern classroom.

(i) Prior to the convening of the group, the board, in collaboration with the office of the superintendent of public instruction and the state board of education, shall develop a list of major changes to the educational system in statute and rule during the last 10 years that might require pedagogical changes in preparation programs. The group of educators shall review the list in order to identify what programs must be providing candidates.

(ii) The group of educators must include a wide variety of representatives from different subject matter areas including, but not limited to, any shortage areas, different grade levels, rural and urban school districts, large and small school districts, schools participating in the mastery-based learning collaborative, schools implementing inclusionary practices to support students with disabilities, and educators of color.

(iii) By June 1, 2025, the board shall compile a summary of the findings from the group of educators. Members of the legislature may review this summary upon request.

(b) By December 1, 2024, the board shall develop a process to facilitate an ongoing and collaborative process to help educator preparation programs in Washington state respond to the continuously changing needs of the modern classroom; provide a feedback loop between school staff and programs; and promote continuity, consistency, and coherence across the educator preparation system regarding implementing new and existing standards. This process must at a minimum meet the following requirements:

(i) Convening of a group representing the educator preparation programs to review the list developed in (a)(i) of this subsection and, when completed, the summary compiled under (a)(iii) of this subsection;

(ii) Requiring each preparation program to perform a gap analysis of their programs. The board shall determine the components of this gap analysis;

(iii) Submission of a plan of improvement and action plan, as needed, to address the areas identified in the gap analysis;

(iv) A plan for compliance monitoring including recommendations related to potential consequences for programs not making sufficient progress; and

(v) A timeline that requires educator preparation programs to complete the process at least once every three years and aligns the process with other review processes.

(c) In creating the process, the board shall begin with a process for teacher preparation programs offered at institutions of higher education and develop a phase-in plan for how to eventually include alternative route teacher certification programs and principal preparation programs.

(11) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Engrossed Substitute House Bill No. 1377 (continuing education/ K-12).

(12) \$23,000 of the general fund—state appropriation for fiscal year 2024 and \$23,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Fourth Substitute House Bill No. 1239 (educator ethics & complaints). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 504.** 2023 c 475 s 504 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT**

General Fund—State Appropriation (FY 2024) . . . . .	(\$9,765,637,000)
	\$9,784,078,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$10,027,638,000)
	\$9,813,885,000
Education Legacy Trust Account—State Appropriation . . . . .	(\$1,538,730,000)
	\$1,773,730,000
<b>TOTAL APPROPRIATION</b> .....	<b>(\$21,332,005,000)</b>
	<b>\$21,371,693,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2023-24 and 2024-25 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary allocations in sections 504 and 505 of this act, excluding (c) of this subsection.

(c) From July 1, 2023, to August 31, 2023, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 504 and 505, chapter 297, Laws of 2022, as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(e)(i) Funding provided in part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210.

(g) For the 2023-24 and 2024-25 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2023-24 and 2024-25 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school, including those at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

General education class size:

Grade	RCW 28A.150.260	2023-24 School Year	2024-25 School Year
Grade K		17.00	17.00
Grade 1		17.00	17.00
Grade 2		17.00	17.00
Grade 3		17.00	17.00
Grade 4		27.00	27.00
Grades 5-6		27.00	27.00
Grades 7-8		28.53	28.53
Grades 9-12		28.74	28.74

The superintendent shall base allocations for: Laboratory science average class size as provided in RCW 28A.150.260; career and technical education (CTE) class size of 23.0; and skill center program class size of 19. Certificated instructional staff units provided for skills centers that exceed the minimum requirements of RCW 28A.150.260 achieve class size reductions under RCW 28A.400.007 and are part of the state's program of basic education.

(ii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iii) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260, as amended by chapter 109, Laws of 2022, and is considered certificated instructional staff.

(ii) For qualifying high-poverty schools in the 2023-24 school year, at which more than 50 percent of the students were eligible for free and reduced-price meals in the prior school year, in addition to the allocation under (d)(i) of this subsection, the superintendent shall allocate additional funding for guidance counselors for each level of prototypical school as follows:

	Elementary	Middle	High
Guidance counselors	0.166	0.166	0.157

(iii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

	2023-24 School Year	2024-25 School Year
Career and Technical Education	3.65	3.91
Skill Center	3.98	4.25

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2023-24 and 2024-25 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistant principals, and other certificated building level administrators:

Prototypical School Building:

Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors:

Career and Technical Education students. . . . .	1.025
Skill Center students. . . . .	1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2023-24 and 2024-25 school years are determined using the formula-generated staff units provided in RCW 28A.150.260 and pursuant to this subsection, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2023-24 and 2024-25 school years for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b) and the increased allocations provided pursuant to subsections (2) and (4) of this section, by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.48 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by ~~((12.30))~~12.25 percent in the 2023-24 school year and ~~((12.46))~~12.42 percent in the 2024-25 school year for career and technical education students, and ~~((17.62))~~17.58 percent in the 2023-24 school year and ~~((17.79))~~17.75 percent in the 2024-25 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 17.97 percent in the 2023-24 school year and ~~((17.97))~~18.15 percent in the 2024-25 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 22.06 percent in the 2023-24 school year and ~~((21.56))~~21.66 percent in the 2024-25 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the rates specified in section 506 of this act, based on the number of benefit units determined as follows: Except for nonrepresented employees of educational service districts, the number of calculated benefit units determined below. Calculated benefit units are staff units multiplied by the benefit allocation factors established in the collective bargaining agreement referenced in section 909 of this act. These factors are intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent employees may be calculated on the basis of 630 hours of work per year, with no individual employee counted as more than one full-time equivalent. The number of benefit units is determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section multiplied by 1.02; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.43.

## (8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

## MSOC RATES/STUDENT FTE

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$178.98	<del>((182.72))</del> <u>\$182.37</u>
Utilities and Insurance	<del>((416.26))</del> <u>\$430.26</u>	<del>((425.01))</del> <u>\$438.43</u>
Curriculum and Textbooks	\$164.48	<del>((167.94))</del> <u>\$167.61</u>
Other Supplies	\$326.54	<del>((333.40))</del> <u>\$332.74</u>
Library Materials	\$22.65	<del>((23.13))</del> <u>\$23.09</u>
Instructional Professional Development for Certificated and Classified Staff	<del>((25.44))</del> <u>\$28.94</u>	<del>((25.97))</del> <u>\$29.50</u>
Facilities Maintenance	\$206.22	<del>((210.55))</del> <u>\$210.13</u>
Security and Central Office	<del>((142.87))</del> <u>\$146.37</u>	<del>((145.87))</del> <u>\$149.15</u>
TOTAL MSOC/STUDENT FTE	<del>((1,483.44))</del> <u>\$1,504.44</u>	<del>((1,514.59))</del> <u>\$1,533.02</u>

(ii) For the 2023-24 school year and 2024-25 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (a)(ii)(A) of this subsection (8) exceeds (a)(ii)(B) of this subsection (8), any proposed use of this difference and how this use will improve student achievement.

~~((iii) Within the amount provided in (a)(i) of this subsection (8), allocations for MSOC technology in excess of RCW 28A.150.260 are not part of the state's basic education.)~~

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and ~~((1,760.84))~~ \$1,757.39 for the 2024-25 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and ~~((1,760.84))~~ \$1,757.39 for the 2024-25 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocations provided in (a) through (c) of this subsection at the following rate:

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$44.04	<del>((44.97))</del> <u>\$44.88</u>
Curriculum and Textbooks	\$48.06	<del>((49.06))</del> <u>\$48.97</u>
Other Supplies	\$94.07	<del>((96.04))</del> <u>\$95.86</u>
Library Materials	\$6.05	<del>((6.18))</del> <u>\$6.16</u>

Instructional Professional Development for	\$8.01	(( <del>\$8.18</del> ))
Certified and Classified Staff		<u>\$8.16</u>
TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT	\$200.23	(( <del>\$204.43</del> ))
FTE		<u>\$204.03</u>

## (9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2023-24 and 2024-25 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

## (10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2023, to August 31, 2023, are adjusted to reflect provisions of chapter 297, Laws of 2022, as amended (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

## (11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through 28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.

## (12) ALL DAY KINDERGARTEN PROGRAMS

\$670,803,000 of the general fund—state appropriation for fiscal year 2024 and \$869,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to fund all day kindergarten programs in all schools in the 2023-24 school year and 2024-25 school year, pursuant to RCW 28A.150.220 and 28A.150.315. Beginning in the 2023-24 school year, funding for students admitted early to kindergarten under exceptions to the uniform entry qualifications under RCW 28A.225.160 must be limited to children deemed to be likely to be "successful in kindergarten."

## (13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (13) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2024 and 2025 as follows:

(a) \$650,000 of the general fund—state appropriation for fiscal year 2024 and \$650,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(c) \$375,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to subsidize the cost of health care-based industry recognized credentials required for employment for students enrolled in health care courses in skill centers and comprehensive high school programs.

(16) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(17) Funding in this section is sufficient to fund a maximum of 1.2 FTE enrollment for career launch students pursuant to RCW 28A.700.130. Expenditures for this purpose must come first from the appropriations provided in section 501(5) of this act; funding for career launch enrollment exceeding those appropriations is provided in this section. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by January 1, 2024. The report must include the total FTE enrollment for career launch students, the FTE enrollment for career launch students that exceeded the appropriations provided in section 501(5) of this act, and the amount expended from this section for those students.

(18)(a) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.4 FTE including school district and institution of higher education enrollment consistent with the running start course requirements provided in chapter 202, Laws of 2015 (dual credit education opportunities). In calculating the combined 1.4 FTE, the office of the superintendent of public instruction:

(i) Must adopt rules to fund the participating student's enrollment in running start courses provided by the institution of higher education during the summer academic term; and



(ii) May average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and the institution of higher education.

(iii) In consultation with the state board for community and technical colleges, the participating institutions of higher education, the student achievement council, and the education data center, must annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(b) \$1,000 of the general fund—state appropriation for fiscal year 2024 is provided for implementation of Second Substitute House Bill No. 1316 (dual credit program access).

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (13) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (13) of this section shall be reduced in increments of twenty percent per year.

(20)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed the lesser of five percent or the cap established in federal law of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

(21) Funding in this section is sufficient to provide full general apportionment payments to school districts eligible for federal forest revenues as provided in RCW 28A.520.020. For the 2023-2025 biennium, general apportionment payments are not reduced for school districts receiving federal forest revenues.

(22) \$15,898,000 of the general fund—state appropriation for fiscal year 2024 and \$20,781,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 2494 (school operating costs). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(23) \$25,165,000 of the general fund—state appropriation for fiscal year 2024 and \$32,355,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

**Sec. 505.** 2023 c 475 s 505 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION**

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.260, and under section 504 of this act: For the 2023-24 school year and the 2024-25 school year salary allocations for certificated instructional staff, certificated administrative staff, and classified staff units are determined for each school district by multiplying the statewide minimum salary allocation for each staff type by the school district's regionalization factor shown in LEAP Document 3.

Statewide Minimum Salary Allocation

Staff Type	2023-24 School Year	2024-25 School Year
Certificated Instructional	\$75,419	<del>(( \$78,360 ))</del> <u>\$78,209</u>
Certificated Administrative	\$111,950	<del>(( \$116,316 ))</del> <u>\$116,092</u>
Classified	\$54,103	<del>(( \$56,213 ))</del> <u>\$56,105</u>

(2) For the purposes of this section, "LEAP Document 3" means the school district regionalization factors for certificated instructional, certificated administrative, and

classified staff, as developed by the legislative evaluation and accountability program committee on (~~April 20, 2023, at 6:09~~) March 3, 2024, at 11:16 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 17.33 percent for school year 2023-24 and (~~(17.33)~~) 17.51 percent for school year 2024-25 for certificated instructional and certificated administrative staff and 18.56 percent for school year 2023-24 and (~~(18.06)~~) 18.16 percent for the 2024-25 school year for classified staff.

(4) The salary allocations established in this section are for allocation purposes only except as provided in this subsection, and do not entitle an individual staff position to a particular paid salary except as provided in RCW 28A.400.200, as amended by chapter 13, Laws of 2017 3rd sp. sess. (fully funding the program of basic education).

**Sec. 506.** 2023 c 475 s 506 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$391,668,000</del> ))
	<u>\$391,520,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$871,433,000</del> ))
	<u>\$888,496,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,263,101,000</del>))</b>
	<b><u>\$1,280,016,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The salary increases provided in this section are 3.7 percent for the 2023-24 school year, and (~~(3.9)~~) 3.7 percent for the 2024-25 school year, the annual inflationary adjustments pursuant to RCW 28A.400.205.

(2)(a) In addition to salary allocations, the appropriations in this section include funding for professional learning as defined in RCW 28A.415.430, 28A.415.432, and 28A.415.434. Funding for this purpose is calculated as the equivalent of three days of salary and benefits for each of the funded full-time equivalent certificated instructional staff units. Nothing in this section entitles an individual certificated instructional staff to any particular number of professional learning days.

(b) Of the funding provided for professional learning in this section, the equivalent of one day of salary and benefits for each of the funded full-time equivalent certificated instructional staff units in the 2023-24 school year must be used to train school district staff on cultural competency, diversity, equity, or inclusion, as required in chapter 197, Laws of 2021.

(3)(a) The appropriations in this section include associated incremental fringe benefit allocations at 17.33 percent for the 2023-24 school year and (~~(17.33)~~) 17.51 percent for the 2024-25 school year for certificated instructional and certificated administrative staff and 18.56 percent for the 2023-24 school year and (~~(18.06)~~) 18.16 percent for the 2024-25 school year for classified staff.

(b) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocations and methodology in sections 504 and 505 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 504 and 505 of this act. Changes for pupil transportation are determined by the superintendent of public instruction pursuant to RCW 28A.160.192, and impact compensation factors in sections 504, 505, and 506 of this act.

(c) The appropriations in this section include no salary adjustments for substitute teachers.

(4) The appropriations in this section are sufficient to fund the collective bargaining agreement referenced in part 9 of this act and reflect the incremental change in cost of allocating rates as follows: For the 2023-24 school year, \$1,100 per month and for the 2024-25 school year, (~~(\$1,157)~~) \$1,178 per month.

(5) The rates specified in this section are subject to revision each year by the legislature.

(6) \$46,426,000 of the general fund—state appropriation for fiscal year 2024 and \$211,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 50, Laws of 2023.

(7) \$5,155,000 of the general fund—state appropriation for fiscal year 2024 and \$12,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(8) \$1,286,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2180 (special education cap). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(9) \$1,264,000 of the general fund—state appropriation for fiscal year 2024 and \$2,949,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(10) \$670,000 of the general fund—state appropriation for fiscal year 2024 and \$1,556,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

**Sec. 507.** 2023 c 475 s 507 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$763,749,000</del> ))
	\$803,792,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$762,332,000</del> ))
	\$810,077,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,526,081,000</del>))</b>
	<b>\$1,613,869,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 507, chapter 297, Laws of 2022, as amended.

(3) Within amounts appropriated in this section, up to \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and up to \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are for a transportation alternate funding grant program based on the alternate funding process established in RCW 28A.160.191. The superintendent of public instruction must include a review of school district efficiency rating, key performance indicators and local school district characteristics such as unique geographic constraints in the grant award process.

(4) A maximum of \$939,000 of the general fund—state appropriation for fiscal year 2024 and a maximum of \$939,000 of the general fund—state appropriation for fiscal year 2025 may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(5) Subject to available funds under this section, school districts may provide student transportation for summer skills center programs.

(6) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(7) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(8) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

(9)(a) \$13,000,000 of the general fund—state appropriation for fiscal year 2024 and \$13,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to provide transportation safety net funding to school districts with a convincingly demonstrated need for additional transportation funding for special passengers. Transportation safety net awards shall only be provided when a school district's allowable transportation expenditures attributable to serving special passengers exceeds the amount allocated under subsection (2)(a) of this section and any excess transportation costs reimbursed by federal, state, tribal, or local child welfare agencies. A transportation safety net award may not exceed a school district's excess expenditures directly attributable to serving special passengers in the pupil transportation program.

(b) To be eligible for additional transportation safety net award funding, the school district must report, in accordance with statewide accounting guidance, the amount of the excess costs and the specific activities or services provided to special passengers that created the excess costs. The office of the superintendent of public instruction must request from school districts an application for transportation safety net funding. The office must submit to the office of financial management, and to the education and fiscal committees of the legislature, the total demonstrated need and awards by school district.

(c) Transportation safety net awards allocated under this subsection are not part of the state's program of basic education.

(10) \$425,000 of the of the general fund—state appropriation for fiscal year 2025 is provided solely for supplemental transportation allocations for pupil transportation services contractor benefits as described in Engrossed Substitute House Bill No. 1248 (pupil

transportation). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) ~~\$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Engrossed Substitute Senate Bill No. 6031 (student transportation allocation). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(12) ~~\$32,177,000 of the general fund—state appropriation for fiscal year 2024 and \$41,519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.~~

**Sec. 508.** 2023 c 475 s 508 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SCHOOL FOOD SERVICES**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$33,334,000</del> ))
	<u>\$55,834,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$79,857,000</del> ))
	<u>\$102,357,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$573,104,000</del> ))
	<u>\$925,799,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$686,295,000</del>))</b>
	<b><u>\$1,083,990,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$11,548,000 of the general fund—state appropriation for fiscal year 2024 and \$11,548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(a) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades pre-kindergarten through twelfth grades who are eligible for reduced-price lunch as required in chapter 74, Laws of 2021 (reduced-price lunch copays);

(b) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(c) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced-price lunch, pursuant to chapter 287, Laws of 2005; and

(d) Assistance to school districts in initiating and expanding school breakfast programs.

(2) The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in subsection (1)(a) through (c) of this section.

(3) The superintendent of public instruction shall provide the department of health with the following data, where available, for all nutrition assistance programs that are funded by the United States department of agriculture and administered by the office of the superintendent of public instruction. The superintendent must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(4) (a) ((~~\$21,167,000~~)) \$44,167,000 of the general fund—state appropriation for fiscal year 2024, ((~~\$52,167,000~~)) \$74,667,000 of the general fund—state appropriation for fiscal year 2025, and \$28,500,000 of the general fund—federal appropriation (CRRSA) are provided solely for reimbursements to school districts for schools and groups of schools required to participate in the federal community eligibility program under section 1, chapter 7, Laws of 2022 (schools/comm. eligibility) for meals not reimbursed at the federal free meal rate.

(b) \$119,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 271, Laws of 2018 (school meal payment) to increase the number of schools participating in the federal community eligibility program and to support breakfast after the bell programs authorized by the legislature that have adopted the community eligibility provision, and for staff at the office of the superintendent of public instruction to implement section 1, chapter 7, Laws of 2022 (schools/comm. eligibility).

(5) ((~~\$7,426,000~~)) \$6,000,000 of the general fund—federal appropriation (CRRSA/GEER) and \$16,023,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1238 (free school meals). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

**Sec. 509.** 2023 c 475 s 509 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$1,719,541,000</del> ))
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	<u>\$1,811,444,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$1,789,729,000</del> ))
	<u>\$1,925,849,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$529,429,000</del> ))
	<u>\$664,372,000</u>
Education Legacy Trust Account—State Appropriation . . . . .	\$54,694,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$4,093,393,000</del>))</b>
	<b><u>\$4,456,359,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 504 and 506 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2)(a) The superintendent of public instruction shall ensure that:

(i) Special education students are basic education students first;

(ii) As a class, special education students are entitled to the full basic education allocation; and

(iii) Special education students are basic education students for the entire school day.

(b)(i) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006, except as provided in (b)(ii) of this subsection.

(ii) The superintendent of public instruction shall implement any changes to excess cost accounting methods required under Engrossed Substitute House Bill No. 1436 (special education funding).

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390, except that the calculation of the base allocation also includes allocations provided under section 504 (2) and (4) of this act and RCW 28A.150.415, which enhancement is within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school district programs for special education students as provided in section 509, chapter 297, Laws of 2022, as amended.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund—state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 15 percent in the 2023-24 school year, and the lesser of the district's actual enrollment percent or 16 percent in the 2024-25 school year.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) ((~~\$106,931,000~~))\$151,047,000 of the general fund—state appropriation for fiscal year 2024, ((~~\$112,431,000~~))\$151,047,000 of the general fund—state appropriation for fiscal year 2025, and \$29,574,000 of the general fund—federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2023-24 and 2024-25 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (education).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility

for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$1,250,000 may be expended from the general fund—state appropriations to fund teachers and aides at Seattle children's hospital. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$87,000 of the general fund—state appropriation for fiscal year 2024, \$87,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

(12) (a) \$13,538,000 of the general fund—federal appropriation (ARPA) is provided solely for allocations from federal funding as authorized in section 2014, the American rescue plan act of 2021, P.L. 117-2.

(b) \$1,777,000 of the general fund—federal appropriation (ARPA) is provided solely for providing preschool services to qualifying special education students under section 619 of the federal individuals with disabilities education act, pursuant to section 2002, the American rescue plan act of 2021, P.L. 117-2.

(13) \$153,091,000 of the general fund—state appropriation for fiscal year 2024 and \$199,246,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(14) \$18,235,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the special education enrollment funding cap as required in Substitute House Bill No. 2180 (special education cap). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15) \$2,877,000 of the general fund—state appropriation for fiscal year 2024 and \$3,818,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 2494 (School operating costs). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(16) (a) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for compilation of reporting as required under this subsection. By November 1, 2024, each district shall report to the superintendent on the district's utilization of funds provided by the legislature under chapter 475, Laws of 2023 and this act, including under subsections (13) and (14) of this section. The report shall include the following:

(i) To what extent the district has increased special services, programs, and supports to students with disabilities for the 2023-24 and 2024-25 school years;

(ii) How the district has modified staffing ratios during the 2023-24 and 2024-25 school years in special programs to provide more intensive staff support to students enrolled in special education programs;

(iii) How the district has used the resources provided under chapter 475, Laws of 2023 and this act to increase employee compensation for both certificated and classified staff during the 2023-24 and 2024-25 school years to improve staff retention and recruitment of new staff;

(iv) To what extent the district has increased staff development programs and curriculum that is both timely and relevant to the needs of students with disabilities during the 2023-24 and 2024-25 school years; and

(v) To what extent the district has used the resources provided under chapter 475, Laws of 2023 and this act to purchase staff safety equipment during the 2023-24 and 2024-25 school years in order to reduce work-related injuries.

(b) The office shall compile the reports provided under (a) of this subsection and provide a report to the relevant committees of the legislature by December 1, 2024, summarizing statewide trends and providing each district's individual responses.

(17) \$4,199,000 of the general fund—state appropriation for fiscal year 2024 and \$5,479,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(18) \$581,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5852 (special education safety net). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 510.** 2023 c 475 s 510 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund—State Appropriation (FY 2024) . . . . . ((\$40,799,000))

\$41,625,000

General Fund—State Appropriation (FY 2025) . . . . . ((\$35,780,000))

\$39,138,000

Workforce Education Investment Account—State	
Appropriation . . . . .	\$2,700,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b><u>(\$79,279,000)</u></b>
	<b><u>\$83,463,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) Funding in this section is provided for regional professional development related to English language arts curriculum and instructional strategies aligned with common core state standards. Each educational service district shall use this funding solely for salary and benefits for certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(4) Funding in this section is provided for regional technical support for the K-20 telecommunications network to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(5) Funding in this section is provided for a corps of nurses located at the educational service districts, to be dispatched in coordination with the office of the superintendent of public instruction, to provide direct care to students, health education, and training for school staff. In fiscal years 2024 and 2025, allocations for the corps of nurses is sufficient to provide one day per week of nursing services for all second-class school districts.

(6) Funding in this section is provided for staff and support at the nine educational service districts to provide a network of support for school districts to develop and implement comprehensive suicide prevention and behavioral health supports for students.

(7) Funding in this section is provided for staff and support at the nine educational service districts to provide assistance to school districts with comprehensive safe schools planning, conducting needs assessments, school safety and security trainings, coordinating appropriate crisis and emergency response and recovery, and developing threat assessment and crisis intervention teams. In fiscal years 2024 and 2025, allocations for staff and support for regional safety centers are increased to 3 full-time equivalent certificated instructional staff for each regional safety center.

(8) Funding in this section is provided for regional English language arts coordinators to provide professional development of teachers and principals around the new early screening for dyslexia requirements.

(9) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

(10) \$2,169,000 of the general fund—state appropriation for fiscal year 2024 and \$2,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each educational service district to provide technology consultation, procurement, and training required under chapter 301, Laws of 2021 (schools/computers & devices).

(11) (~~(\$1,009,000)~~) \$1,834,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$1,009,000)~~) \$1,930,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 87, Laws of 2022 (ed. service district funding).

(12) \$2,700,000 of the workforce education investment account—state appropriation is provided solely for the cost of employing one full-time equivalent employee at each of the nine education service districts to support the expansion of career connected learning.

(13) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts to provide students attending school in rural areas with access to a mental health professional using telemedicine. Funding must be prioritized to districts where mental health services are inadequate or nonexistent due to geographic constraints. Funding may be used for schools or school districts for technology upgrades to provide secure access for students, for contracted services, or to pay applicable copays or fees for telemedicine visits if not covered by a student's public or private insurance.

(14) \$325,000 of the general fund—state appropriation for fiscal year 2024 and \$325,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound educational service district 121 to administer a Washington state capitol civic

engagement grant program for the Auburn, Federal Way, Highline, Kent, Renton, and Tukwila public school districts. Grant recipients must use the grant awards to transport one grade of either fourth or fifth grade students to the Washington state capitol campus for a day of civic engagement, which may include a capitol tour, mock legislative committee hearings, presentations on the legislative process, meet and greets with legislative members, and other related activities. If funding remains after all eligible school districts have received grant awards, the remaining funding may be used to support the program for high school students within the eligible school districts. Of the amounts provided in this subsection, \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000 of the general fund—state appropriation for fiscal year 2025 are provided for the Puget Sound educational service district to administer the grant program.

(15) ~~\$5,000,000 of the general fund—state appropriation for fiscal year 2024~~ and ~~\$1,200,000 of the general fund—state appropriation for fiscal year 2025~~ are provided solely to continue behavioral health regional services grants to support school districts with the least access to behavioral health services. The office of the superintendent of public instruction shall conduct an evaluation of the investments in behavioral health supports and by December 31, 2024, report to the office of financial management and the fiscal committees of the legislature, the number of students served by specific behavioral health supports, how the students were selected for specific behavioral health supports, and how the students may have received behavioral health supports, and make recommendations for improving behavioral health supports for students.

(16) \$2,800,000 of the general fund—state appropriation for fiscal year 2024 and \$2,800,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the educational service districts to expand and maintain student behavioral health and mental health services.

(17) \$643,000 of the general fund—state appropriation for fiscal year 2024 and \$643,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts 121 and 101 to coordinate with local mental health agencies and local school districts to arrange for in-school placements of social worker associates licensed under RCW 18.225.145 and masters in social work candidates enrolled in an accredited university program who commit to working as school social workers, and to coordinate clinical supervision for approved supervisors that meet the requirements as defined in rule by the department of health to provide the necessary supervision to the social worker associates and masters in social work candidates.

(18) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to work with educational service districts, the health care authority, and the department of health to review and update materials for information sessions provided to students designed to prevent the use of opioids, including fentanyl, specifically outlining the risks of death related to uneven dosages and pills that look like prescription drugs. If Second Substitute House Bill No. 1956 (relating to fentanyl and other substance use prevention education) is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(19) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for educational service district 112 to offer a teacher residency program during the 2024-25 school year.

(20) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for educational service district 112 to support a therapeutic educational program for students in Clark, Cowlitz, and Skamania counties.

(21) \$180,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Puget Sound educational service district 121 to contract with a Washington-based Muslim and Arab community organization serving communities throughout the state, with experience in building educational campaigns and supporting Muslim and Arab students in our state and that has been incorporated in Washington for over 10 years, in partnership with an expert curriculum and professional development nonprofit organization with at least 10 years of experience, to support Washington teachers in implementing and incorporating lessons on Islamophobia in accordance with RCW 28A.150.210. If a Washington-based organization cannot be found, the office may seek proposals from organizations incorporated outside of Washington. Of the amounts provided in this subsection, \$5,000 of the general fund—state appropriation for fiscal year 2025 is provided for the Puget Sound educational service district to administer the contract.

**Sec. 511.** 2023 c 475 s 511 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE**

General Fund—State Appropriation (FY 2024)	(( <del>\$215,327,000</del> ))
	\$213,689,000
General Fund—State Appropriation (FY 2025)	(( <del>\$211,159,000</del> ))
	\$211,467,000
TOTAL APPROPRIATION	(( <del>\$426,486,000</del> ))
	<u>\$425,156,000</u>

**Sec. 512.** 2023 c 475 s 512 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS**

General Fund—State Appropriation (FY 2024)	(( <del>\$14,899,000</del> ))
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	<u>\$16,148,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$14,635,000</del> ))
	<u>\$16,754,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$29,534,000</del>))</b>
	<u>\$32,902,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund—state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution's annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$701,000 of the general fund—state appropriation for fiscal year 2024 and \$701,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Within the amounts provided in this section, funding is provided to increase the capacity of institutional education programs to differentiate instruction to meet students' unique educational needs, including students with individualized educational plans. Those needs may include but are not limited to one-on-one instruction, enhanced access to counseling for social emotional needs of the student, and services to identify the proper level of instruction at the time of student entry into the facility. Allocations of amounts for this purpose in a school year must be based on 45 percent of full-time enrollment in institutional education receiving a differentiated instruction amount per pupil equal to the total statewide allocation generated by the distribution formula under RCW 28A.150.260 (4) (a), (5), (6), and (8) and the allocation under RCW 28A.150.415, per the statewide full-time equivalent enrollment in common schools.

(7) \$200,000 of the general fund—state appropriation in fiscal year 2024 and \$200,000 of the general fund—state appropriation in fiscal year 2025 are provided solely to support two student records coordinators to manage the transmission of academic records for each of the long-term juvenile institutions. One coordinator is provided for each of the following: The Issaquah school district for the Echo Glen children's center and for the Chehalis school district for Green Hill academic school.

(8) Ten percent of the funds allocated for the institution may be carried over from one year to the next.

(9) \$588,000 of the general fund—state appropriation for fiscal year 2024 and \$897,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one educational advocate to each institution with enrollments above 40 full-time equivalent students in addition to any educational advocates supported by federal funding. Educational advocates will provide the following supports to students enrolled in or just released from institutional education programs:

(a) Advocacy for institutional education students to eliminate barriers to educational access and success;

(b) Consultation with juvenile rehabilitation staff to develop educational plans for and with participating youth;

(c) Monitoring educational progress of participating students;

(d) Providing participating students with school and local resources that may assist in educational access and success upon release from institutional education facilities; and

(e) Coaching students and caregivers to advocate for educational needs to be addressed at the school district upon return to the community.

(10) Within the amounts provided in this section, funding is provided to increase materials, supplies, and operating costs by \$85 per pupil for technology supports for institutional education programs. This funding is in addition to general education materials, supplies, and operating costs provided to institutional education programs, which exclude formula costs supported by the institutional facilities.

(11) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support instruction in cohorts of students grouped by similar age and academic levels.

(12) \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for

implementation of Engrossed Substitute House Bill No. 2494 (school operating costs). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(13) \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$9,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 513. 2023 c 475 s 513 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

General Fund—State Appropriation (FY 2024)	(( <del>\$33,233,000</del> ))
	<u>\$33,171,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$32,990,000</del> ))
	<u>\$32,995,000</u>
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$66,223,000</del>))</b>
	<b><u>\$66,166,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c) except that allocations must be based on 5.0 percent of each school district's full-time equivalent enrollment. In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the compensation rates as provided in sections 505 and 506 of this act.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 513, chapter 297, Laws of 2022, as amended.

Sec. 514. 2023 c 475 s 514 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR MISCELLANEOUS—EVERY STUDENT SUCCEEDS ACT**

General Fund—Federal Appropriation	(( <del>\$9,802,000</del> ))
	<u>\$11,416,000</u>
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$9,802,000</del>))</b>
	<b><u>\$11,416,000</u></b>

Sec. 515. 2023 c 475 s 515 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—EDUCATION REFORM PROGRAMS**

General Fund—State Appropriation (FY 2024)	(( <del>\$139,296,000</del> ))
	<u>\$132,050,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$141,513,000</del> ))
	<u>\$146,775,000</u>
General Fund—Federal Appropriation	(( <del>\$95,825,000</del> ))
	<u>\$97,174,000</u>
General Fund—Private/Local Appropriation	\$1,450,000
Education Legacy Trust Account—State Appropriation	\$1,664,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$379,748,000</del>))</b>
	<b><u>\$379,113,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ACCOUNTABILITY

(a) \$26,975,000 of the general fund—state appropriation for fiscal year 2024, \$26,975,000 of the general fund—state appropriation for fiscal year 2025, \$1,350,000 of the education legacy trust account—state appropriation, and \$15,868,000 of the general fund—federal appropriation are provided solely for development and implementation of the Washington state assessment system.

(b) \$14,352,000 of the general fund—state appropriation for fiscal year 2024 and \$14,352,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 159, Laws of 2013 (K-12 education - failing schools).

(2) EDUCATOR CONTINUUM

(a) ((~~\$75,317,000~~))\$68,070,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$77,424,000~~))\$77,623,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(i) For national board certified teachers, a bonus of \$6,206 per teacher in the 2023-24 school year and a bonus of ((~~\$6,336~~))\$6,324 per teacher in the 2024-25 school year;

(ii) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, (B) middle schools where at

least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(iii) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(iv) During the 2023-24 and 2024-25 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary allocation and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after fully exhausting all years of candidacy as set by the national board for professional teaching standards are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(b) \$3,418,000 of the general fund—state appropriation for fiscal year 2024 and \$3,418,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(c) \$477,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$477,000)~~ \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(d) \$810,000 of the general fund—state appropriation for fiscal year 2024 and \$810,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(e) \$11,500,000 of the general fund—state appropriation for fiscal year 2024 and \$11,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a beginning educator support program (BEST). The program shall prioritize first year educators in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning educator aligned with professional certification; release time for mentors and new educators to work together; and educator observation time with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support first year educators in the mentoring program.

(f) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of training for teachers, principals, and principal evaluators in the performance-based teacher principal evaluation program.

(g) \$3,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with an approved educator preparation program run by a statewide labor organization representing educators to fund cohorts of teacher residents. This program shall choose its candidates from among the paraeducators working in those districts. Through completing this program, participants shall attain a teaching certification with an endorsement in special education.

(h) \$621,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with a statewide labor association that represents educators to provide a suite of supports and professional development opportunities for 15,000 emergency substitute teachers.

(i) \$720,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to conduct a feasibility

study on the costs and timeline for developing a database and tool to identify real-time and future educator workforce shortages.

**Sec. 516.** 2023 c 475 s 516 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS**

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$236,993,000</del> ))
		<u>\$249,957,000</u>
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$236,173,000</del> ))
		<u>\$260,599,000</u>
General Fund—Federal Appropriation	.. . . .	(( <del>\$107,124,000</del> ))
		<u>\$137,117,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$580,290,000</del>))</b>
		<b><u>\$647,673,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10) (b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through six and 6.7780 hours per week per transitional bilingual program student in grades seven through twelve in school years 2023-24 and 2024-25; (ii) additional instruction of 3.0000 hours per week in school years 2023-24 and 2024-25 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the compensation rates as provided in sections 505 and 506 of this act. Pursuant to RCW 28A.180.040(1)(g), the instructional hours specified in (a)(ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 516, chapter 297, Laws of 2022, as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: ((1.75))1.64 percent for school year 2023-24 and ((1.74))1.57 percent for school year 2024-25.

(4) The general fund—federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund—state appropriation for fiscal year 2024 and \$35,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to track current and former transitional bilingual program students.

(6) \$1,461,000 of the general fund—state appropriation in fiscal year 2024 and \$1,916,000 of the general fund—state appropriation in fiscal year 2025 are provided solely for the central provision of assessments as provided in RCW 28A.180.090, and is in addition to the withholding amounts specified in subsection (3) of this section.

**Sec. 517.** 2023 c 475 s 517 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE LEARNING ASSISTANCE PROGRAM**

General Fund—State Appropriation (FY 2024)	.. . . .	(( <del>\$467,338,000</del> ))
		<u>\$484,953,000</u>
General Fund—State Appropriation (FY 2025)	.. . . .	(( <del>\$466,985,000</del> ))
		<u>\$491,565,000</u>
General Fund—Federal Appropriation	.. . . .	(( <del>\$533,487,000</del> ))
		<u>\$636,543,000</u>
<b>TOTAL APPROPRIATION</b>	.....	<b>((<del>\$1,467,810,000</del>))</b>
		<b><u>\$1,613,061,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a). In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2023-24 and 2024-25 school years; (B) additional instruction of 1.1 hours per week per funded learning assistance program student for the

2023-24 and 2024-25 school years in qualifying high-poverty school building; (C) fifteen learning assistance program students per teacher; (D) 36 instructional weeks per year; (E) 900 instructional hours per teacher; and (F) the compensation rates as provided in sections 505 and 506 of this act.

(ii) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 517, chapter 297, Laws of 2022, as amended.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the school year period defined under RCW 28A.150.260(10)(a). A school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund—federal appropriation in this section is provided for Title I Part A allocations of the every student succeeds act of 2016.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) Within existing resources, during the 2023-24 and 2024-25 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

**Sec. 518.** 2023 c 475 s 518 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—PER PUPIL ALLOCATIONS**

Statewide Average Allocations Per Annual Average Full-Time Equivalent Student		
Basic Education Program	2023-24 School Year	2024-25 School Year
General Apportionment	<del>(( \$10,329 ))</del> <u>\$10,354</u>	<del>(( \$10,814 ))</del> <u>\$10,859</u>
Pupil Transportation	<del>(( \$725 ))</del> <u>\$783</u>	<del>(( \$745 ))</del> <u>\$803</u>
Special Education Programs	<del>(( \$11,960 ))</del> <u>\$12,272</u>	<del>(( \$12,495 ))</del> <u>\$12,762</u>
Institutional Education Programs	<del>(( \$26,938 ))</del> <u>\$25,795</u>	<del>(( \$27,909 ))</del> <u>\$27,327</u>
Programs for Highly Capable Students	<del>(( \$648 ))</del> <u>\$647</u>	<del>(( \$674 ))</del> <u>\$675</u>
Transitional Bilingual Programs	<del>(( \$1,555 ))</del> <u>\$1,571</u>	<del>(( \$1,591 ))</del> <u>\$1,622</u>
Learning Assistance Program	<del>(( \$1,008 ))</del> <u>\$1,009</u>	<del>(( \$1,049 ))</del> <u>\$1,052</u>

**Sec. 519.** 2023 c 475 s 519 (uncodified) is amended to read as follows:  
**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocation purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) When adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, except as provided in ~~((subsection))~~ subsections (6) and (7) of this section.

(4) Appropriations in sections 504 and 506 of this act for insurance benefits under chapter 41.05 RCW are provided solely for the superintendent to allocate to districts for

employee health benefits as provided in section 909 of this act. The superintendent may not allocate, and districts may not expend, these amounts for any other purpose beyond those authorized in section 909 of this act.

(5) As required by RCW 28A.710.110, the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

(6) By January 15, 2024, the office of the superintendent of public instruction must identify funding in this Part V from the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f), the American rescue plan act of 2021, P.L. 11 117-2 and general fund—federal appropriation (CRRSA/GEER) that are provided solely for the purposes defined in sections 507, 522, and 523 of this act and are at risk of being unobligated or unspent by federal deadlines, as of January 15, 2024. Funding identified at risk under this subsection must be reported to the fiscal committees of the legislature and expended as allocations to school districts in the same proportion as received under part A of title I of the elementary and secondary education act of 1965 in the most recent fiscal year.

(7) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, 2024, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year 2024 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment; employee compensation adjustments; pupil transportation; special education programs; institutional education programs; transitional bilingual programs; highly capable programs; and learning assistance programs.

(8) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

**Sec. 520.** 2023 c 475 s 520 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR CHARTER SCHOOLS**

Washington Opportunity Pathways Account—State

Appropriation. . . . . ((\$184,721,000))

\$178,654,000

TOTAL APPROPRIATION..... ((\$184,721,000))

\$178,654,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW. Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond the amounts provided under chapter 28A.710 RCW.

(2) \$3,293,000 of the opportunity pathways account—state appropriation is provided solely for implementation of chapter 50, Laws of 2023 (K-12 inflationary increases).

(3) \$1,421,000 of the opportunity pathways account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(4) \$224,000 of the opportunity pathways account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2494 (school operating costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(5) \$111,000 of the opportunity pathways account—state appropriation is provided solely for implementation of Substitute House Bill No. 2180 (special education cap). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(6) \$7,815,000 of the opportunity pathways account—state appropriation is provided solely for payment for enrichment to charter schools.

(7) \$355,000 of the opportunity pathways account—state appropriation is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 521.** 2023 c 475 s 521 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION**

Washington Opportunity Pathways Account—State

Appropriation. . . . . ((\$23,000))

\$640,000

Charter Schools Oversight Account—State

Appropriation. . . . . \$4,572,000

TOTAL APPROPRIATION..... ((\$4,595,000))

\$5,212,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire Washington opportunity pathways account—state appropriation in this section is provided to the superintendent of public instruction solely for the operations of the Washington state charter school commission under chapter 28A.710 RCW.

(2) \$28,000 of the charter schools oversight account—state appropriation is provided solely to the Washington state charter school commission to enable each charter school to participate in the governance training required under chapter 197, Laws of 2021 (schools/ equity training).

(3) \$238,000 of the charter schools oversight account—state appropriation is provided solely for office of the attorney general legal services related to litigation challenging the commission's authority to oversee and regulate charter schools.

**Sec. 522.** 2023 c 475 s 522 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GRANTS AND PASS THROUGH FUNDING**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$85,370,000</del> ))
	\$85,525,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$81,400,000</del> ))
	\$91,474,000
General Fund—Federal Appropriation . . . . .	(( <del>\$111,255,000</del> ))
	\$113,347,000
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
<u>Appropriation . . . . .</u>	<u>\$1,354,000</u>
Elementary and Secondary School Emergency Relief III	
Account—Federal Appropriation . . . . .	\$897,895,000
<u>Opioid Abatement Settlement Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$900,000</u>
<u>Workforce Education Investment Account—State</u>	
<u>Appropriation . . . . .</u>	<u>\$400,000</u>
<b>TOTAL APPROPRIATION . . . . .</b>	<b>((<del>\$1,175,920,000</del>))</b>
	<b>\$1,190,895,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$132,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for global compensation changes.

(2) GRADUATION SUCCESS AND PREPARATION FOR POSTSECONDARY PATHWAYS

(a) \$4,894,000 of the general fund—state appropriation for fiscal year 2024 and \$4,894,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer programs and grants which increase equitable access to dual credit programs, including subsidizing or eliminating student costs for dual credit courses or exams. By November 2024, the office shall submit a report to relevant committees of the legislature describing options for entering into statewide agreements with dual credit exam companies that will reduce the overall costs for all students and eliminate costs for students who are low income.

(b) \$3,152,000 of the general fund—state appropriation for fiscal year 2024 and \$3,152,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008, including parts of programs receiving grants that serve students in grades four through six. If equally matched by private donations, \$1,475,000 of the 2024 appropriation and \$1,475,000 of the 2025 appropriation shall be used to support FIRST robotics programs in grades four through twelve. Of the amounts provided in this subsection (2)(b), \$800,000 of the fiscal year 2024 appropriation and \$800,000 of the fiscal year 2025 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(c) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2024, a high school must have offered a foundational project lead the way course during the 2022-23 school year. The 2024 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2023-24 school year. To be eligible for funding in 2025, a high school must have offered a foundational project lead the way course during the 2023-24 school year. The 2025 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2024-25 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(e) \$2,527,000 of the general fund—state appropriation for fiscal year 2024 and \$2,527,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for annual startup, expansion, or maintenance of core plus programs in maritime, construction, and aerospace and advanced manufacturing programs. To be eligible for funding to start up, maintain, or expand programs under (e)(i) through (iii) of this subsection (2), the skills center, high school, or middle school must be selected through a grant process administered by the office of the superintendent of public instruction in consultation with the advisory committee established in (e)(vi) of this subsection (2). The office and the education research and data center shall report annually student participation and long-term outcome data. Within the amounts provided in this subsection (2)(e):

(i) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in aerospace and advanced manufacturing programs.

(ii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in construction programs.

(iii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in maritime programs.

(iv) For (e)(i) through (iii) of this subsection (2), when the grant demand does not align with the specified allocation, the superintendent may allocate funding toward sector areas that meet criteria based on agreement from industry sector representatives.

(v) \$527,000 of the general fund—state appropriation for fiscal year 2024 and \$527,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer, evaluate, and promote programs under (e)(i) through (iii) of this subsection (2) based on industry sector recommendations, including contracts with sector-specific entities to expand sector-specific employer engagement programs, increase work placement opportunities, validate credentials necessary for direct employment, and provide professional development to support schools, teachers, and students. Professional development must include pedagogy-based learning to increase English language arts, mathematics, and science outcomes through core plus programming.

(vi) The office shall collaborate with industry sector leadership from the core plus program areas and a representative from a statewide business and manufacturing association to inform the administration and continual improvement of core plus programs, review data and outcomes, recommend program improvements, ensure core plus programs reflect current industry competencies, and identify appropriate program credentials.

(f) \$4,940,000 of the general fund—state appropriation for fiscal year 2024 and \$4,940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(g) \$1,454,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(h) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an education and workforce pathway pilot program at the northwest career and technical academy. The pilot program will oversee a pathway including high schools, skills centers, community and technical colleges, and employers that results in students earning a high school diploma and an associate in technical arts degree, while maintaining summer employment.

(i) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to distribute after-exit running start grants ~~((to school))~~ for:

(i) School districts that identify running start students that have exceeded maximum enrollment under running start formulas ((and high));

(ii) High school graduates who have 15 or fewer college credits to earn before meeting associate degree requirements for instruction not funded under section 504(18) of this act. High school graduates who meet these requirements are eligible to receive funds from these grants for fees to the community and technical college to earn up to 15 college credits during the summer academic term following their high school graduation; and

(iii) School districts to apply an enhanced factor of 130 percent to the running start rate under RCW 28A.600.310 for students included in July and August enrollment counts in school year 2023-24. Of the amounts provided in this subsection, \$347,000 of the general fund—state appropriation for fiscal year 2025 is provided for the office to enhance the running



start rate as described in this subsection (2)(i)(iii). The office must apply the enhanced summer running start rate in this subsection for students eligible to take summer running start courses under this subsection and under section 504(18) of this act, and grant school districts seven percent thereof to offset program related costs.

(j) \$2,094,000 of the general fund—state appropriation for fiscal year 2024 and \$2,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the competitive grant program created in Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(k) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the West Sound STEM Network to increase STEM activities for students in school and after school and to develop industry education pathways in high demand sectors.

(l) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with a nongovernmental entity for a controls programmer apprenticeship program.

(m) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a skill center located in Vancouver, Washington to support the center's criminal justice and fire science programs.

(n) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to conduct summer open doors pilots with up to 12 dropout reengagement programs to support summer programming. To select pilot participants, the office must prioritize schools and programs that work with postresident youth as defined in RCW 28A.190.005. Amounts provided in this subsection must be used to support programming during the summer months and are in addition to funding generated by enrollment under state funding formulas.

(o) \$400,000 of the workforce education investment account—state appropriation is provided solely for the Federal Way school district to contract with an organization to offer state-recognized apprenticeship preparation program opportunities for all high school students in south King county in the summer. The organization must have prior experience working with school districts and must provide quality training, employment navigation, and supportive services that lead to family wage careers. The program must support at least two cohorts of students each summer, and the organization must provide stipends to students participating in state-recognized apprenticeship preparation programs during the summer months.

(p) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for grants to school districts to install at least one automatic external defibrillator. The office shall establish a grant program to assist school districts to offset the costs of purchasing an automatic external defibrillator (AED) or to maintain or replace an AED.

(q) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office for a grant to Evergreen high school in White Center to support the associated student body at the high school.

(r) \$425,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for a grant to an established network for a pilot project to provide opportunities for youth to see themselves in high demand science, technology, engineering, and math in the northwest and southeast regions.

(s) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for grants to school districts to develop and implement capacity building supports for community-based youth development. School districts receiving grants under this subsection will offer programs that serve youth between the ages of 11 and 19.

(t) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to school districts for ninth grade success. Within the amounts in this subsection, funding is provided for the office to contract with an evaluator to conduct a yearly evaluation of the program's success.

(u) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for a grant to the Seattle public school district to conduct an analysis of why families have left the district and how they may be attracted back. The Seattle public school district shall provide a report to the office of financial management and the fiscal committees of the legislature by June 30, 2025, that addresses the reasons for families leaving the district and specific steps necessary for them to return to the district.

(v) \$1,400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to small districts to enable access to skills centers and technical education. For purposes of this subsection (2)(v), "small district" means a district having an enrollment of fewer than 2,750 students.

(3) CURRICULUM DEVELOPMENT, DISSEMINATION, AND SUPPORTS

(a) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project citizen and we the people: The citizen and the constitution programs sponsored by the national conference of state legislatures and the center for civic education to promote

participation in government by middle and high school students. Of the amounts provided, \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for awarding a travel grant to the winner of the we the people: The citizen and the constitution state competition.

(b) \$373,000 of the general fund—state appropriation for fiscal year 2024 and \$373,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 127, Laws of 2018 (civics education). Of the amounts provided in this subsection (3)(b), \$10,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grant programs to school districts to help cover travel costs associated with civics education competitions.

(c) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional development for districts implementing the new frameworks.

(d) Within the amounts appropriated in this section the office of the superintendent of public instruction shall ensure career and technical education courses are aligned with high-demand, high-wage jobs. The superintendent shall verify that the current list of career and technical education courses meets the criteria established in RCW 28A.700.020(2). The superintendent shall remove from the list any career and technical education course that no longer meets such criteria.

(e) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide grants to school districts and educational service districts for science teacher training in the next generation science standards including training in the climate science standards. At a minimum, school districts shall ensure that teachers in one grade level in each elementary, middle, and high school participate in this science training. Of the amount appropriated \$1,000,000 is provided solely for community-based nonprofits including tribal education organizations to partner with public schools for next generation science standards.

(f) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Kip Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities, including instructional material purchases, teacher and principal professional development, and school and community engagement events. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(h) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(i) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction must use the computer science learning standards adopted pursuant to chapter 3, Laws of 2015 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. The office of the superintendent of public instruction may award up to \$500,000 each year, without a matching requirement, to districts with greater than fifty percent of students eligible for free and reduced-price meals. All other awards must be equally matched by private sources for the program, including gifts, grants, or endowments.

(j) \$750,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$750,000)~~ \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a qualified 501(c)(3) nonprofit community-based organization physically located in Washington state that has at least 18 years of experience collaborating with the office and school districts statewide to integrate the state learning standards in English language arts, mathematics, and science with FieldSTEM outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and

agricultural sectors. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(k) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(i) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(ii) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(l) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities.

(m) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the centrum program at Fort Worden state park.

(n) \$20,000,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer an outdoor learning grant program to develop and support outdoor educational experiences for students in Washington public schools. A portion of the amount provided must be used to provide outdoor educational opportunities for people with disabilities. The office may consult with the Washington recreation and conservation office on outdoor learning program grants. Of the amounts provided in this subsection (3)(n):

(i) \$195,000 of the general fund—state appropriation for fiscal year 2024 and \$195,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to implement chapter 112, Laws of 2022 (outdoor learning grant prg.).

(ii) \$3,903,000 of the general fund—state appropriation for fiscal year 2024 and \$3,903,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the outdoor learning grant program, which consists of two types of grants:

(A) Allocation-based grants for school districts to develop or support outdoor educational experiences; and

(B) Competitive grants for outdoor education providers that are designed to support existing capacity and to increase future capacity for outdoor learning experiences.

(iii) \$15,902,000 of the general fund—state appropriation for fiscal year 2024 and \$15,902,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the outdoor education experiences program. The office must prioritize providing the program to fifth and sixth grade students in high poverty schools, expanding to other fifth and sixth grade students subject to available funds.

(o) \$3,205,000 of the general fund—state appropriation for fiscal year 2024 and \$3,205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 238, Laws of 2022 (student financial literacy) which provides grants to school districts for integrating financial literacy education into professional development for certificated staff.

(p)(i) \$1,425,000 of the general fund—state appropriation for fiscal year 2024 and \$4,725,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dual language grants to grow capacity for high quality dual language learning. Grant funding may be used for new and existing dual language programs, heritage language programs for immigrant and refugee students, and indigenous language programs for native students. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for tribal language grants.

(ii) Each grant recipient must convene an advisory board to guide the development and continuous improvement of its dual language program, including but not limited to: Determining which schools and languages will be prioritized; conducting outreach to the community; and addressing enrollment considerations and the hiring of staff. At least half the members of the board must be parents of English learner students or current or former English learner students. The other members of the board must represent teachers, students, school leaders, governing board members, youth, and community-based organizations that support English learners.

(q) ~~\$3,000,000 of the general fund—state appropriation for fiscal year 2024 ((is))and \$3,004,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a statewide information technology academy program. This public-private partnership will provide educational software, as well as information technology certification and software training opportunities for students and staff in public schools ((for the 2023-24 school year only. The office must evaluate other options that may be available in the state for a future public-private partnership to deliver similar services to students and staff of public schools at no cost to the state)).~~

(r) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental entity whose goals are to reduce disparities in student performance and improve algebraic achievement to create a statewide interactive math tutoring tool for middle and high school students that is accessible on a 24 hour basis to students, teachers, and parents across the state. The nongovernmental entity must have previously contracted with five other states and have demonstrated experience creating statewide interactive math tools with proven outcomes in math proficiency.

(s) \$2,036,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a gravitational wave observatory located in southeastern Washington that is supported through the national science foundation to purchase hands-on, interactive exhibits to expand the number of developmentally appropriate learning activities available for K-12 students attending the observatory.

(t) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the math improvement pilot program. Of the amounts provided in this subsection:

(i) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Spokane school district.

(ii) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Chehalis school district.

(u) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer grants to school districts for a plant-based school meals pilot program. Grants may be used for food supplies, delivery costs, equipment purchases, education, and other expenditures to increase access to plant-based school meals. Grant awards to school districts may not exceed \$10,000 per district and may only be distributed to school districts that have not received funding for the pilot program previously.

(v) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization that works with educators to secure salmon eggs, offer learning opportunities as the fry develop, and assist when students release their fry into local creeks and lakes. Funding may only be used for new programs located in elementary schools that are eligible for high-poverty allocations from the learning assistance program. Of the amounts provided in this subsection, the office may use no more than \$35,000 each fiscal year for office administration costs related to the contract.

(w) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for transitional support grants to school districts to support schools that incur costs transitioning from Native American school mascots, logos, or team names under chapter 301, Laws of 2021. In awarding grants under this subsection, the office must prioritize maximizing the number of schools that receive grant awards and address the most immediate school needs in order to comply with chapter 301, Laws of 2021, and must prioritize applications that are narrowly tailored to address specific compliance issues. School districts receiving funding to comply with the requirements of chapter 301, Laws of 2021 must use the methods that are the least costly and that leave intact existing facilities, including interiors and flooring, to the greatest extent possible. Grants awarded under this section may not be used for general maintenance or improvements of school facilities.

(x) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with a nonprofit organization to print civics education books and physical teachers' guides in Spanish for elementary students and teachers.

(y) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with a nonprofit organization to continue sexual assault prevention education programming to K-12 schools in Tacoma and expand services to the Franklin-Pierce school district. The contractor must be a state-accredited community sexual assault program serving Pierce county that provides professional training, prevention education, intervention, and advocacy programs for victims of sexual assault, sexual abuse, and sex trafficking.

(z) (i) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with a nonprofit organization to administer a pilot program to develop and implement a water safety curriculum in public schools. The pilot program will support the provision of water safety curriculum at 50 public schools during the 2024-25 school year, with a priority on schools with a high percentage of underserved students. In developing the water safety curriculum, the nonprofit organization must:

(A) Procure a landscape analysis of water safety education in Washington state;

(B) Determine where water safety education exists presently;

(C) Assess the level of drowning prevention awareness in each school district; and

(D) Hire an educator to lead the curriculum development process and recruit teachers to participate in the pilot program.

(ii) The organization must submit a report on the results of the pilot program to the governor and the appropriate committees of the legislature by June 30, 2025. The report must include:

(A) A summary of the data collected during the curriculum development;

(B) The curriculum piloted at the school districts;

(C) The efficacy of the curriculum, based on surveys and feedback collected from the pilot program classes and teachers;

(D) Teacher, district, and community member interest in the pilot program;

(E) Results and outcomes from the pilot program, including the number of students and schools served; and

(F) Recommendations for expanding the pilot program.

(iii) The nonprofit organization must be a 501(c)(3) organization located in Seattle that is dedicated to saving lives through water safety education, legislation, and increasing equitable access to swimming lessons and tools.

(aa) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with a statewide nonprofit organization representing school principals to expand a student program that since 1956 has offered leadership education for all ages with proven programs, custom curriculum, and experiential opportunities that promote school-wide social and emotional growth.

(bb) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to administer grants to support the incorporation of tribal curriculum into social studies curricula. The tribal curriculum must include materials about the history, culture, and government of the nearest federally recognized Indian tribe or tribes, including federally recognized Indian tribes whose traditional lands and territories included parts of Washington, but that now reside in Oregon, Idaho, and British Columbia, for the purpose of giving students the opportunity to learn about the unique heritage and experience of their closest federally recognized tribal neighbors. Grant funding may be used for costs associated with curriculum design and implementation and costs related to collaboration with federally recognized Indian tribes, including reimbursements to tribes for collaboration-related costs. Of the amounts provided in this subsection:

(i) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to school districts; and

(ii) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to federally recognized Indian tribes, including federally recognized Indian tribes whose traditional lands and territories included parts of Washington, but that now reside in Oregon, Idaho, and British Columbia.

(4) ELIMINATING INEQUITABLE STUDENT OUTCOMES

(a) \$5,895,000 of the general fund—state appropriation for fiscal year 2024, \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation, and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to chapter 71, Laws of 2016 (foster youth edu. outcomes). The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(i) Of the amount provided in this subsection (4)(a), \$446,000 of the general fund—state appropriation for fiscal year 2024 and \$446,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(ii) Of the amount provided in this subsection (4)(a), \$1,015,000 of the general fund—state appropriation for fiscal year 2024 and \$1,015,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2015-2017 omnibus appropriations act, section 501(43)(b), chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(iii) Of the amounts provided in this subsection (4)(a), \$684,000 of the general fund—state appropriation for fiscal year 2024 and \$684,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in the 2017-2019 omnibus appropriations act, chapter 1, Laws of 2017, 3rd sp. sess., as amended.

(iv) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in this act.

(v) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintaining and implementing the data sharing agreement between the office, the department of children, youth, and families, and the contractors to support targeted service delivery, program evaluation, and statewide education outcomes measurement for students served under this section.

(vi) Of the amounts provided in this subsection (4)(a), \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation and \$1,105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of individualized education services such as monitoring and supporting completion of educational milestones, remediation needs, and special education needs of middle school students who are dependent pursuant to chapter 13.34 RCW.

(b) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 157, Laws of 2016 (homeless students).

(c) \$36,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 212, Laws of 2014 (homeless student educational outcomes).

(d) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracts with Washington state based nonprofit organizations that provide a career-integrated one-to-one mentoring program for disadvantaged students facing academic and personal challenges with the goal of keeping them on track for graduation and post-high school success. An applicant requesting funding under this subsection must successfully demonstrate to the office that it currently provides a career-integrated one-to-one volunteer mentoring program and has been mentoring school youth for at least 20 years in the state prior to application.

(e) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization to create an after-school and summer learning program in the city of Federal Way. The program shall provide comprehensive, culturally competent academic support and cultural enrichment for primarily latinx, spanish-speaking, low-income sixth, seventh, and eighth grade students. The department must contract with an organization with over forty years of experience that serves the latino community in Seattle and King county and has previously established an after-school and summer learning program.

(f) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to create and administer a grant program for districts to reduce associated student body fees or participation fees for students who are eligible to participate in the federal free and reduced-price meals program. The office must distribute grants for the 2023-24 school year to school districts by August 10, 2023, and grants for the 2024-25 school year by August 1, 2024.

(i) Grant awards must be prioritized in the following order:

(A) High schools implementing the United States department of agriculture community eligibility provision;

(B) High schools with the highest percentage of students in grades nine through twelve eligible to participate in the federal free and reduced-price meals program; and

(C) High schools located in school districts enrolling 5,000 or fewer students.

(ii) High schools that do not comply with the data collection and reporting requirements in RCW 28A.320.540 are not eligible for grant funding.

(iii) The office of the superintendent of public instruction shall award grants that are the lesser of the cost of the high school's associated student body card multiplied by the number of students eligible for the free or reduced-price meals program that purchased a student body card in either 2022-23 or 2023-24 school year, whichever is higher, or \$10,000.

(iv) The office may award additional funding if:

(A) The appropriations provided are greater than the total amount of funding requested at the end of the application cycle; and

(B) The applicant shows a demonstrated need for additional support.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a Washington-based nonprofit organization to promote equitable access in science, technology, engineering, and math education for historically underserved students and communities. The nonprofit shall provide a system of science educational programming specifically for migrant and bilingual students, including teacher professional development, culturally responsive classroom resources that are aligned with Washington state science and environmental and sustainability learning standards, and implementation support. At least 50 percent of the funding provided in this subsection must serve schools and school districts in eastern Washington. The nonprofit organization must have experience developing and implementing science and environmental science programming and resources for migrant and bilingual students.

(h) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization serving opportunity youth in Pierce, King and Snohomish counties. The organization must assist traditionally underrepresented students on nontraditional educational pathways by providing mentorship and technical assistance in navigating higher education and financial aid. The office may require the recipient of these funds to report the impacts of the efforts in alignment with the measures of the Washington school improvement framework.

(i) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school districts to support youth who are truant under chapter 28A.225 RCW or at risk of becoming truant, and for costs associated with filing or serving petitions under RCW 28A.225.030.

(j) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts and educational service districts operating institutional education programs for youth in state long-term juvenile institutions to provide access to computer science elective courses created in chapter 234, Laws of 2022 (computer science instruction).

(k) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts, charter schools, and state-tribal education compact schools to establish K-12 intensive tutoring programs. Grants shall be used to recruit, train, and hire tutors to provide one-on-one tutoring services to K-12 students experiencing learning loss as a result of the COVID-19 pandemic. The tutors must receive training in proven tutoring models to ensure their effectiveness in addressing learning loss.

(l) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 180, Laws of 2017 (Washington Aim program).

(m) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the pacific science center to increase hands-on learning opportunities for Title I K-5 students statewide by increasing access to science on wheels and virtual field trips.

(n)(i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer a peer support competitive grant program in Washington public schools. The office must award grants to eligible school districts starting in the 2023-24 school year. Programs should be designed to be primarily youth-led and aim to increase youth school engagement and support personal/cultural identities, and reduce risks associated with depression, school violence, and bullying. Successful grantees may consult with Washington teen link and the natural helper program in the development of the grant criteria, and the development of training material support. Program components should include:

- (A) Identification of trusted peers and staff who other students confide in;
- (B) Development or adaption of training materials;
- (C) Intensive training for peer and staff supporters;
- (D) Avenues to advertise peer support communication strategies; and
- (E) Participant and program evaluations.

(ii) School districts may also use funds to develop a sister school rapid trauma response strategy. Under this component, successful applicants reach out to other schools also receiving a peer support grant to develop a trauma response plan that quickly organizes students and staff to contact peers within those schools during times of school trauma and offer support.

(iii) The office shall evaluate the program to share best practices and for consideration by other school districts.

(o) \$175,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$175,000)~~ \$525,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization to develop and provide a Latino youth-on-youth gang violence prevention program for students and to offer a parent coaching program. The program must target Latino students ages 11 through 17 who are either involved in or at risk of becoming involved in a gang or in gang activities, and parents of the students. ~~((Eligible youth must be enrolled in either the Moses Lake or Federal Way school districts.))~~ The nonprofit organization must have at least 15 years of experience serving Latino communities and promoting advocacy and must provide social kindergarten through 12th grade social emotional learning, mental health wraparound services, and parent engagement programs in Washington. Of the amounts provided in this subsection, \$350,000 of the general fund—state appropriation for fiscal year 2025 is for the nonprofit organization to offer a parent coaching program that provides educational and communication tools for parents with children involved in youth violence.

(p) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer the technology grant program established under chapter 301, Laws of 2021.

(q) \$625,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization located in SeaTac, Washington to provide wraparound social services and expand and maintain existing education and family engagement programs that serve students and their families in the Federal Way and Highline public school districts. The work of the organization must focus on housing and social services, education, and economic development for African immigrant and refugee communities.

(r) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization located in Everett, Washington to provide arts and culture programs to 500 low-income children and youth from diverse racial and ethnic backgrounds to close the education achievement gap in Snohomish county by improving student and youth confidence and improving mental health outcomes.

(s) \$360,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Shelton School District to contract with an organization that provides a free early childhood music education to teach music literacy and key skills to prepare children for success in school. The organization must provide Spanish, Mam, and Q'anjob'al versions of the early learning music education program during the 2023-24 school year.

(t) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with an organization that provides bags of food for students in Thurston county schools who are

impacted by food insecurity and do not have adequate access to food in the evenings, on weekends, during holiday breaks, and during the summer months. The organization must be an all-volunteer, donation-funded program that was created in 2006.

(u) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Nooksack tribe to fund behavioral health specialists to work with tribal and nontribal children in the Mount Baker school district.

(v)(i) \$900,000 of the opioid abatement settlement account—state appropriation is provided solely for the office of the superintendent of public instruction to administer a pilot program for volunteering state-tribal education compact schools and before and after school programs offered by tribes to adopt opioid and fentanyl abuse prevention materials and resources during the 2024-25 school year. Of the amounts provided in this subsection, \$900,000 of the opioid abatement settlement account—state appropriation is provided solely for the volunteering state-tribal education compact schools to implement the pilot program.

(ii) By August 1, 2024, the office must:

(A) Consult with parties of interest and expertise to develop, review, and select opioid and fentanyl abuse prevention materials and resources to be used in the pilot program during the 2024-25 school year. The materials and resources must include culturally appropriate application across the pilot program; and

(B) Submit a plan to the appropriate committees of the legislature detailing the implementation of the opioid and fentanyl abuse prevention materials and resources in the volunteering state-tribal education compact schools during the 2024-25 school year.

(iii) By June 30, 2025, the office must submit a final report to the appropriate committees of the legislature that includes:

(A) The initial results, experiences, or both, in the volunteering state-tribal education compact schools; and

(B) Recommendations and considerations for employing the materials and resources, with or without changes to improve their effectiveness or implementation, statewide.

(iv) The office may contract for necessary services to meet the requirements of this subsection.

(5) EDUCATOR GROWTH AND DEVELOPMENT

(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonviolence and ethical leadership training and professional development program provided by the institute for community leadership.

(b) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with the association of Washington school principals to provide support, mentoring, mediation, and professional learning services to school principals and assistant principals in the greater Seattle area.

(c) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization that supports Washington teachers in implementing lessons on the Holocaust for the expansion of comprehensive Holocaust and genocide education.

(6) FEDERAL GRANTS FOR COVID-19 RECOVERY

(a) \$7,791,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely to administer a grant program for community-based organizations to collaborate with school districts to support learning recovery and acceleration.

(b) \$102,002,000 of the general fund—federal appropriation (CRRSA/ESSER) from funds attributable to subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M is provided solely for subgrants to local education agencies. Total subgrants awarded under this subsection (6)(b), section 1517(47)(b) of this act, and section 12, chapter 3, Laws of 2021 may not exceed the federal amounts provided under subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(c) \$9,253,000 of the general fund—federal appropriation (CRRSA/GEER) is provided solely to provide emergency assistance to nonpublic schools, as authorized in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M. Total funds provided under this subsection (6)(c), section 1517(47)(c)(i) of this act, and section 13, chapter 3, Laws of 2021 may not exceed the federal amounts provided in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(d) \$671,375,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(2) the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies. Total subgrants awarded under this subsection (6)(d) and section 1517(47)(d) of this act may not exceed the federal amounts provided under subsection 2001(e)(2), the American rescue plan act of 2021, P.L. 117-2.

(e) \$123,373,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies to address learning loss. Total subgrants awarded under this



subsection (6)(e) and section 1517(47)(e) of this act may not exceed the federal amounts provided under subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2, and may not exceed the funding authorized in section 1517(47)(e) of this act.

(f) \$10,335,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(3), the American rescue plan act of 2021, P.L. 117-2 is provided solely to support evidence-based comprehensive afterschool programs. Total funds provided under this subsection (6)(f) and section 1517(47)(g) of this act may not exceed the funding authorized in section 1517(47)(g) of this act.

(g) \$6,184,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to districts to expand the number of dual language classrooms in early grades and professional development to accelerate literacy gains in early grades, especially for English learners. Total funds provided under this subsection (6)(g) and section 1517(47)(h) of this act may not exceed the funding authorized in section 1517(47)(h) of this act.

(h)(i) \$8,428,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the purposes of identifying children and youth experiencing homelessness and providing children and youth experiencing homelessness with:

(A) Wrap-around services due to the challenges of the COVID-19 public health emergency; and

(B) Assistance needed to enable children and youth experiencing homelessness to attend school and participate fully in school activities.

(ii) Total funds provided under this subsection (6)(h) and section 1517(47)(n) of this act may not exceed the federal amounts provided in subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2.

(i) \$65,610,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for the office of the superintendent of public instruction to administer grants for the purposes of learning recovery and acceleration. Allowable uses of the funds are limited to:

(i) One-time contracts for classified, certificated, or administrative staff who will provide tiered academic and social-emotional supports to students most impacted by the disruption of in-person learning, including locating and reengaging students who have disengaged from school, one-on-one and small-group instruction, and other intensive learning supports;

(ii) Professional learning for educators focused on learning recovery and acceleration, including assessing student learning and social-emotional needs, transitioning to standards-based curricula and grading, adopting competency or mastery-based options specifically for credit retrieval purposes, and family and student engagement strategies;

(iii) Procuring assessment or data systems that provide actionable just-in-time data regarding student progress throughout the school year; and

(iv) Direct supports to students to improve school engagement and accelerate learning.

(j) \$995,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the office of the superintendent of public instruction to contract with the Washington school principals' education foundation to support pandemic related learning loss through outdoor learning and overnight camp experiences.

(k) \$173,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(2), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to entities or organizations to provide outdoor education summer enrichment programs to youth. Recipients must prioritize activities or programs that:

(i) Promote students connecting socially with their classmates;

(ii) Encourage students to engage in physical activity; and

(iii) Support families who have struggled with child care needs.

(l) \$143,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants for supplies, equipment, staffing, and services to increase access to summer meals and safe school meals in the 2023-24 school year and summer prior to the start of the school year.

(m) \$2,383,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2, is provided solely for grants to school districts to expand career and technical education graduation pathway options, including career-connected learning opportunities. Total funds provided under this subsection (6)(m) and section 1517(47)(i) of this act for the same purpose may not exceed the funding authorized in section 1517(47)(i) of this act.

(n) \$1,354,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for reimbursements to eligible nonpublic schools that requested but were not reimbursed for emergency assistance to nonpublic schools, under section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

Sec. 523. 2023 c 475 s 523 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITION TO KINDERGARTEN PROGRAMS**

General Fund—State Appropriation (FY 2024)	(( <del>\$5,172,000</del> ))
	\$6,870,000
General Fund—State Appropriation (FY 2025)	(( <del>\$67,008,000</del> ))
	\$69,959,000
General Fund—Federal Appropriation	\$41,848,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$114,028,000</del>))</b>
	<b>\$118,677,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$5,172,000)~~ \$6,870,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$67,008,000)~~ \$69,959,000 of the general fund—state appropriation for fiscal year 2025, and \$41,848,000 of the general fund—federal appropriation (CRRSA/GEER) are for implementation of Second Substitute House Bill No. 1550 (transition to kindergarten). If the bill is not enacted by June 30, 2023, the office of the superintendent of public instruction must distribute the amounts appropriated in this section for enrollment funding for transitional kindergarten programs to participating school districts, charter schools authorized pursuant to RCW 28A.710.080(2), and state-tribal education compact schools during the 2023-24 and 2024-25 school years. Enrollment funding for transitional kindergarten is not part of the state's statutory program of basic education.

(2) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff and administrative costs necessary to provide interdepartmental coordination and engagement with stakeholders with respect to the program authorized in chapter 420, Laws of 2023 (transition to kindergarten).

(End of part)

**PART VI  
HIGHER EDUCATION**

Sec. 601. 2023 c 475 s 605 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

General Fund—State Appropriation (FY 2024)	(( <del>\$918,693,000</del> ))
	\$920,130,000
General Fund—State Appropriation (FY 2025)	(( <del>\$984,293,000</del> ))
	\$988,064,000
<u>Climate Commitment Account—State Appropriation</u>	<u>\$475,000</u>
Community/Technical College Capital Projects Account—State Appropriation	\$21,368,000
Education Legacy Trust Account—State Appropriation	(( <del>\$164,067,000</del> ))
	\$164,063,000
<u>Invest in Washington Account—State Appropriation</u>	<u>\$92,000</u>
Workforce Education Investment Account—State Appropriation	(( <del>\$300,417,000</del> ))
	\$304,251,000
<b>TOTAL APPROPRIATION</b>	<b>((<del>\$2,388,838,000</del>))</b>
	<b>\$2,398,443,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$33,261,000 of the general fund—state appropriation for fiscal year 2024 and \$33,261,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2024 and at least 7,170 full-time equivalent students in fiscal year 2025.

(2) \$5,000,000 of the general fund—state appropriation for fiscal year 2024, \$5,000,000 of the general fund—state appropriation for fiscal year 2025, and \$5,450,000 of the education legacy trust account—state appropriation are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature under RCW 43.01.036 regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$425,000 of the general fund—state appropriation for fiscal year 2024 and \$425,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Seattle Central College's expansion of allied health programs.

(4) \$5,250,000 of the general fund—state appropriation for fiscal year 2024 and \$5,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the student achievement initiative.

(5) \$1,610,000 of the general fund—state appropriation for fiscal year 2024, \$1,610,000 of the general fund—state appropriation for fiscal year 2025, and \$904,000 of the workforce education investment account—state appropriation are provided solely for the mathematics, engineering, and science achievement program.

(6) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace training and research center.

(7) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(8) (~~(\$23,748,000)~~) \$24,001,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$24,270,000)~~) \$24,601,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(9) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(10) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

(11) \$157,000 of the general fund—state appropriation for fiscal year 2024 and \$157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Wenatchee Valley college wildfire prevention program.

(12) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound welcome back center at Highline College to create a grant program for internationally trained individuals seeking employment in the behavioral health field in Washington state.

(13) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased enrollments in the integrated basic education and skills training program. Funding will support approximately 120 additional full-time equivalent enrollments annually.

(14) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity center for employment and education at North Seattle College.

(15) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Highline College to implement the Federal Way higher education initiative in partnership with the city of Federal Way and the University of Washington Tacoma campus.

(16) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Peninsula College to maintain the annual cohorts of the specified programs as follows:

(a) Medical assisting, 40 students;

(b) Nursing assistant, 60 students; and

(c) Registered nursing, 32 students.

(17) \$338,000 of the general fund—state appropriation for fiscal year 2024 and \$338,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state labor education and research center at South Seattle College.

(18) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace and advanced manufacturing center of excellence hosted by Everett Community College to develop a semiconductor and electronics manufacturing branch in Vancouver.

(19)(a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The state board for community and technical colleges must provide resources for up to two community or technical colleges, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The state board, in collaboration with the student achievement council and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health insurance coverage; and to provide recommendations on how to improve student access to health coverage based on data gathered from the pilot program.

(20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024, \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$75,847,000 of the workforce education investment account—state appropriation are provided solely for statewide implementation of guided pathways at each of the state's community and technical colleges or similar programs designed to improve student success, including, but not limited to, academic program redesign, student advising, and other student supports.

(21) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for college operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(22) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(23) \$40,800,000 of the workforce education investment account—state appropriation is provided solely to continue to fund nurse educator salaries.

(24) \$40,000,000 of the workforce education investment account—state appropriation is provided to continue to fund high-demand program faculty salaries, including but not limited to nurse educators, other health-related professions, information technology, computer science, and trades.

(25) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to maintain high-demand and career launch enrollments, as provided under RCW 28C.30.020. Within the amounts provided in this subsection (25):

(a) \$6,000,000 of the amounts in this subsection (25) are provided to maintain and grow career launch enrollments, as provided under RCW 28C.30.020. Up to three percent of this amount may be used for administration, technical assistance, and support for career launch programs within the community and technical colleges.

(b) \$2,000,000 of the amounts in this subsection (25) are provided to maintain enrollments in high demand programs. These programs include, but are not limited to, allied health, computer and information science, manufacturing, and other fields identified by the state board for community and technical colleges.

(c) The state board for community and technical colleges may transfer amounts between (a) and (b) of this subsection if either program does not have sufficient demand to spend the allocated funding. Any transfer must be approved by the state board for community and technical colleges and the office of financial management.

(26) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for the emergency assistance grant program in RCW 28B.50.295.

(27) \$1,119,000 of the general fund—state appropriation for fiscal year 2024, \$1,119,000 of the general fund—state appropriation for fiscal year 2025, and \$4,221,000 of the workforce education investment account—state appropriation are provided solely for implementation of diversity, equity, inclusion, and antiracism provisions in chapter 28B.10 RCW.

(28) \$20,473,000 of the workforce education investment account—state appropriation is provided solely for implementation of equity and access provisions in chapter 28B.50 RCW.

(29)(a) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in trucking and trucking-related supply chain industries and the school bus driving industry by expanding the number of registered apprenticeships, preapprenticeships, and trucking related training programs; and providing support for registered apprenticeships or programs in trucking and trucking-related supply chain industries and the school bus driving industry.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training spaces and locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations to include foster care and homeless transition populations and previously incarcerated persons;

(iii) Faculty curriculum development and instructor training for driving, repair, and service of technological advancements facing the industries;

(iv) Tuition assistance for commercial vehicle driver and related supply chain industry training, fees associated with driver testing, and other reasonable and necessary student support services, including child care costs; and

(v) Fees and other reasonable costs associated with commercial truck driving examiner training and certification.

(c) An entity is eligible to receive a grant if it is a nonprofit, nongovernmental, or institution of primary or higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, commercial vehicle driver training and testing, or vocational training related to mechanical and support functions that support the trucking industry or the school bus driving industry; or incumbent worker training to prepare workers for the trucking and trucking-related supply chain industries or the school bus driving industry. Preference will be given to entities in compliance with government approved or accredited programs. Reporting requirements, as determined by the board, shall be required.

(d) The board may use up to five percent of funds for administration of grants.

(30) \$3,200,000 of the workforce education investment account—state appropriation is provided solely for costs associated with grants awarded in fiscal year 2023 for nursing programs to purchase or upgrade simulation laboratory equipment.

(31) (a) \$9,336,000 of the workforce education investment account—state appropriation is provided solely to expand cybersecurity academic enrollments by 500 FTE students.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in (~~section 612(10) of this act~~) section 608(10) of this act to submit a progress report on the new or expanded cybersecurity academic programs, including the number of students enrolled.

(32) \$410,000 of the workforce education investment account—state appropriation is provided solely to establish a center for excellence in cybersecurity.

(33) \$2,068,000 of the general fund—state appropriation for fiscal year 2024 and \$2,068,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation by employees within the community and technical college system challenging the denial of retirement and sick leave benefits. The cases include *Wolf v. State and SBCTC*, *Rush v. State and SBCTC* (retirement), and *Rush v. State and SBCTC* (sick leave).

(34) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity grant program to provide health care workforce grants for students.

(35) \$2,720,000 of the general fund—state appropriation for fiscal year 2024 and \$2,720,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each community and technical college to contract with a community-based organization to assist with financial aid access and support in communities.

(36) (~~(\$6,456,000)~~) \$7,456,000 of the workforce education investment account—state appropriation is provided solely for the expansion of existing programming to accommodate refugees and immigrants who have arrived in Washington state on or after July 1, 2021, (~~and are eligible for federal refugee resettlement services,~~) including those from Afghanistan and Ukraine.

(37) (a) \$2,160,000 of the general fund—state appropriation for fiscal year 2024, \$2,160,000 of the general fund—state appropriation for fiscal year 2025, and \$3,600,000 of the workforce education investment account—state appropriation are provided solely for nursing education, to increase the number of nursing slots by at least 400 new slots in the 2023-2025 fiscal biennium.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in (~~section 612(10) of this act~~) section 608(10) of this act to submit a progress report on the new or expanded nursing academic programs, including the number of students enrolled per program.

(38) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Bellingham Technical College maritime apprenticeship program.

(39) \$2,100,000 of the workforce education investment account—state appropriation is provided solely for the Skagit Valley College dental therapy education program.

(40) \$855,000 of the workforce education investment account—state appropriation is provided solely for the Seattle Central College for partnership with the Seattle maritime academy. Seattle Central College must enter into a memorandum of agreement with Washington state ferries. Funding may not be expended until Seattle Central College certifies to the office of financial management that a memorandum of agreement with Washington state ferries has been executed. The memorandum of agreement must address:

(A) The shared use of training and other facilities and implementation of joint training opportunities where practicable;

(B) Development of a joint recruitment plan aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(C) Development of a training program and recruitment plan and a five-year operational plan.

(ii) The joint training program and recruitment plan and the five-year operational plan must be submitted to the appropriate policy and fiscal committees of the legislature by December 1, 2023.

(41) \$200,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to work with

interested parties, such as local law enforcement agencies, the department of corrections, representatives of county or city jail facilities, the Washington state patrol, Washington community and technical colleges, and other organizations and entities as appropriate to assess the recruitment and retention challenges for their agencies and develop recommendations to meet the workforce needs. These recommendations should focus on education and training programs that meet the needs of law enforcement and corrections agencies and must include an outreach strategy designed to inform and attract students in non-traditional program pathways. The assessment and recommendations shall be provided in a report to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by October 1, 2024.

(42) \$12,000,000 of the workforce education investment account—state appropriation is provided solely to support the continued diversity, equity, and inclusion efforts of institutions.

(43) \$331,000 of the general fund—state appropriation for fiscal year 2024, \$331,000 of the general fund—state appropriation for fiscal year 2025, and \$1,360,000 of the workforce education investment account—state appropriation are provided solely for implementation of state registered apprenticeship provisions in chapter 28B.124 RCW.

(44) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Everett Community College parent leadership training institute to recruit and train new course instructors to build additional capacity.

(45) \$19,850,000 of the general fund—state appropriation for fiscal year 2024 and \$35,024,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(46) \$243,000 of the general fund—state appropriation for fiscal year 2024, \$180,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$400,000)~~ \$500,000 of the workforce education investment account—state appropriation are provided solely for Renton Technical College. Of the amounts provided in this subsection:

(a) ~~(\$400,000)~~ \$500,000 of the workforce education investment account—state appropriation is for the college to award full tuition and fees to students who attend the college and graduated high school in the school district where the main campus is located. Eligible students must complete a free application for federal student aid or the Washington application for state financial aid. A report on the number of students utilizing the funding must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by January 15, 2024.

(b) \$243,000 of the general fund—state appropriation for fiscal year 2024 and \$180,000 of the general fund—state appropriation for fiscal year 2025 are for continuing outreach and participation in running start and adult education programs, including the program described in (a) of this subsection.

(47) (a) \$700,000 of the workforce education investment account—state appropriation is provided solely for the state board to administer a pilot program to increase career and technical education dual credit participation and credential attainment in professional technical programs. The state board, in collaboration with the office of the superintendent of public instruction, must select up to three community and technical colleges to participate in the pilot program during the 2023-24 and 2024-25 academic years. The three colleges must be located within the same educational service district and one must be located in a county with a population between 115,000 and 150,000. Colleges and school districts participating in the career and technical education dual credit grant program may utilize funding to cover the following expenses:

(i) Subsidized out-of-pocket costs to students and families for supplies, textbooks, materials, and credit transcription fees;

(ii) Outreach to prospective students and students who have completed career and technical education dual credit courses and are eligible to receive postsecondary credit to encourage participation and credit transcription;

(iii) Costs associated with staff or teacher time dedicated to curriculum alignment or the development of articulation agreements; and

(iv) Equipment and supplies for career and technical education dual credit courses required to meet postsecondary learning objectives.

(b) By December 10, 2024, the state board, in collaboration with the office of the superintendent of public instruction, must issue a preliminary report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, with findings and recommendations regarding the pilot program that may be scaled statewide. The final report is due by December 10, 2025. The state board must establish a stakeholder committee that is representative of students, faculty, staff, and agency representatives to inform this work. The report must include recommendations on the following topics:

(i) Course articulation and development of model articulation agreements;

(ii) Data collection and reporting;

(iii) Credit transcription and transfer;

(iv) Student advising and career guidance supports;

(v) Alignment of career and technical education dual credit programs with credential pathways and in-demand career fields;

(vi) Funding for industry-recognized credentials;

(vii) Identification of priority courses and programs; and

(viii) Evaluation of the statewide enrollment and data system, and recommendations for improvements to or replacement of the system to reflect articulation agreement data, student

data, and transcription information to support data validity, credit portability, and program improvement.

(48) \$500,000 of the workforce education investment account—state appropriation is provided solely for Olympic College to partner with regional high schools for college ~~((in))~~ at the high school courses on-site at one or more regional high schools.

(49) \$1,262,000 of the workforce education investment account—state appropriation is provided solely for the centers of excellence.

(50) ~~(((\$5,236,000))~~ \$5,789,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(51) \$3,718,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(52) ~~(((\$7,470,000))~~ \$5,429,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(53) \$882,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(54) Within the amounts appropriated in this section, the state board for community and technical colleges shall develop a plan that includes the cost to provide compensation to part-time and adjunct faculty that equals or exceeds 85 percent of the compensation provided to comparably qualified full-time and tenured faculty by the 2026-27 academic year. The plan must be submitted to the governor and the higher education committees of the legislature, in accordance with RCW 43.01.036, by July 1, 2024.

(55) \$598,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for moving costs.

(56) \$475,000 of the climate commitment account—state appropriation is provided solely for the continuation of curriculum development and program redesign to integrate climate justice and solutions-focused assignments and professional technical green workforce modules into community college curriculum across the state. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(57) \$801,000 of the workforce education investment account—state appropriation is provided solely for community college staff to recruit, advise, and support early achievers scholars completing their early childhood qualifications. The state board shall prioritize colleges with longer wait lists for early achievers scholars. The state board for community and technical colleges shall collaborate with the department of children, youth, and families to submit a report, pursuant to RCW 43.01.036, by September 30, 2024, to the governor and appropriate committees of the legislature on early achievers grant participation data, including data on enrollment and waitlists for the grant program.

(58) \$85,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Edmonds College to provide support to students who are military veterans, focusing on counseling services, financial assistance and reentry services.

(59) \$204,000 of the workforce education investment account—state appropriation is provided solely for Olympic College to hire program directors for new health care pathways.

(60) \$275,000 of the workforce education investment account—state appropriation is provided solely for a study of low-income student housing opportunities on community and technical college campuses to help address the housing shortage. The study shall include an analysis of the rental housing market serving each college campus; each college's need for low-income student housing; the estimated capital and ongoing costs to operate and maintain low-income student housing; and the impact on the local market rental housing supply should new low-income housing be constructed on a community or technical college campus for students. The study shall be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(61) \$200,000 of the workforce education investment account—state appropriation is provided solely for increasing access and capacity to manufacturing apprenticeship related supplemental instruction.

(62) \$150,000 of the workforce education investment account—state appropriation is provided solely for expansion of the imaging science program at Tacoma Community College.

(63) \$1,140,000 of the workforce education investment account—state appropriation is provided solely for the increase in bachelor of science computer science programs.

(64) \$257,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the creation of a hospitality center of excellence hosted at Columbia basin college.

(65) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to the state board for community and technical colleges to collaborate with a nonprofit, professional association of state, county, city, and town officials engaged in development, enforcement, and administration of building construction codes and ordinances to

design and implement training programs to accelerate the hiring of city and county permit technicians.

(66) \$425,000 of the workforce education investment account—state appropriation is provided solely to expand the student aid outreach and completion initiative pilot program in RCW 28B.50.940 to participating community and technical colleges located within capital region educational service district 113.

(67) \$1,053,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

(68) \$12,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 6296 (retail industry work group). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(69) \$412,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(70) \$11,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Second Substitute House Bill No. 2084 (construction training/DOC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(71) \$819,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 602.** 2023 c 475 s 606 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$521,181,000))
	\$523,357,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$453,529,000))
	\$541,066,000
Aquatic Lands Enhancement Account—State	
Appropriation . . . . .	\$1,646,000
Climate Commitment Account—State Appropriation . . . . .	(((\$3,150,000))
	\$3,413,000
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation . . . . .	\$20,000,000
Model Toxics Control Operating Account—State	
Appropriation . . . . .	\$500,000
Natural Climate Solutions Account—State	
Appropriation . . . . .	(((\$837,000))
	\$836,000
<u>Opioid Abatement Settlement Account—State</u>	
Appropriation . . . . .	\$250,000
Statewide 988 Behavioral Health Crisis Response Line	
Account—State Appropriation . . . . .	\$280,000
University of Washington Building Account—State	
Appropriation . . . . .	\$1,546,000
Education Legacy Trust Account—State Appropriation . . . . .	\$39,643,000
Economic Development Strategic Reserve Account—State	
Appropriation . . . . .	\$3,127,000
Biotoxin Account—State Appropriation . . . . .	\$632,000
Dedicated Cannabis Account—State Appropriation	
(FY 2024) . . . . .	\$351,000
Dedicated Cannabis Account—State Appropriation	
(FY 2025) . . . . .	(((\$365,000))
	\$366,000
Accident Account—State Appropriation . . . . .	(((\$8,586,000))
	\$8,585,000
Medical Aid Account—State Appropriation . . . . .	(((\$8,025,000))
	\$8,024,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(((\$89,216,000))
	\$91,196,000
Geoduck Aquaculture Research Account—State	
Appropriation . . . . .	\$414,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$1,152,528,000))</b>
	<b>\$1,245,232,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(((\$49,289,000))~~ \$49,816,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$50,374,000))~~ \$51,061,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.



(2) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the workforce education investment account—state appropriation are provided solely for (~~labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges~~) one head archivist for the labor archives of Washington and reserved solely for labor archives activities, staffing, supplies, and equipment. The head will determine budget priorities and oversee expenditures on the budget. Budget funds will be reserved solely for the labor archives and shall not be used to supplant or supplement other activities of the University of Washington libraries unrelated to the collections and activities of the labor archives. The university and the head shall work in collaboration with the friends of the labor archives community advisory board.

(3) \$10,000,000 of the education legacy trust account—state appropriation is provided solely for the family medicine residency network at the university to maintain and expand the number of residency slots available in Washington.

(4) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(5) \$14,000,000 of the education legacy trust account—state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(6) \$3,062,000 of the economic development strategic reserve account—state appropriation is provided solely to support the joint center for aerospace innovation technology.

(7) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(8) \$7,345,000 of the general fund—state appropriation for fiscal year 2024 and \$7,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued operations and expansion of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(9) \$2,625,000 of the general fund—state appropriation for fiscal year 2024 and \$2,625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the institute for stem cell and regenerative medicine. Funds appropriated in this subsection must be dedicated to research utilizing pluripotent stem cells and related research methods.

(10) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to the University of Washington to support youth and young adults experiencing homelessness in the university district of Seattle. Funding is provided for the university to work with community service providers and university colleges and departments to plan for and implement a comprehensive one-stop center with navigation services for homeless youth; the university may contract with the department of commerce to expand services that serve homeless youth in the university district.

(11) \$1,200,000 of the general fund—state appropriation for fiscal year 2024, \$1,200,000 of the general fund—state appropriation for fiscal year 2025, and \$1,200,000 of the workforce education investment account—state appropriation are provided solely for the adult psychiatry residency program at the University of Washington to offer additional residency positions that are approved by the accreditation council for graduate medical education.

(12) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the University of Washington's psychiatry integrated care training program.

(13) \$427,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$426,000 of the workforce education investment account—state appropriation are provided solely for child and adolescent psychiatry residency positions that are approved by the accreditation council for graduate medical education, as provided in RCW 28B.20.445.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the University of Washington School of Dentistry to support its role as a major oral health provider to individuals covered by medicaid and the uninsured.

(15) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the pre-law pipeline and social justice program at the University of Washington-Tacoma.

(16) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's neurology department to create a telemedicine program to disseminate dementia care best practices to primary care practitioners using the project ECHO model. The program shall provide a virtual connection for providers and content experts and include didactics, case conferences, and an emphasis on practice transformation and systems-level issues that affect care delivery. The initial users of this program shall include referral sources in health care systems and clinics, such as the university's neighborhood clinics and Virginia

Mason Memorial in Yakima with a goal of adding 15 to 20 providers from smaller clinics and practices per year.

(17) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$350,000 of the workforce education investment account—state appropriation are provided solely for the university's center for international trade in forest products.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$500,000 of the workforce education investment account—state appropriation are provided solely for the Latino center for health.

(19) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a firearm policy research program. The program will:

- (a) Support investigations of firearm death and injury risk factors;
- (b) Evaluate the effectiveness of state firearm laws and policies;
- (c) Assess the consequences of firearm violence; and
- (d) Develop strategies to reduce the toll of firearm violence to citizens of the state.

(20) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the climate impacts group in the college of the environment.

(21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the college of education to collaborate with teacher preparation programs and the office of the superintendent of public instruction to develop open access climate science educational curriculum for use in teacher preparation programs.

(22) \$300,000 of the general fund—state appropriation for fiscal year 2024, \$300,000 of the general fund—state appropriation for fiscal year 2025, and \$300,000 of the workforce education investment account—state appropriation are provided solely for the Harry Bridges center for labor studies. The center shall work in collaboration with the state board for community and technical colleges.

(23) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(24) \$8,000,000 of the workforce education investment account—state appropriation is provided solely to maintain degree production in the college of engineering at the Seattle campus.

(25) (a) \$2,724,000 of the workforce education investment account—state appropriation is provided solely to maintain the Washington state academic redshirt program on the Seattle campus and establish a program on the Bothell campus.

(b) The university must provide a report on the redshirt program at the Seattle and Bothell campuses, including, but not limited to, the following:

- (i) The number of students who have enrolled in the program and the number of students by cohort;
- (ii) The number of students who have completed the program and the number of students by cohort;
- (iii) The placements of students by academic major;
- (iv) The number of students placed in first-choice majors;
- (v) The number of underrepresented minority students in the program;
- (vi) The number of first-generation college students in the program;
- (vii) The number of Washington college grant eligible or Pell grant eligible students in the program;
- (viii) The number of Washington state opportunity scholarship recipients in the program;
- (ix) The number of students who completed the program and graduated with a science, technology, engineering, or math related degree and the number of graduates by cohort; and
- (x) Other program outcomes.

(c) A preliminary report is due to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2023, and a final report is due December 1, 2024.

(26) \$2,700,000 of the workforce education investment account—state appropriation is provided solely to maintain degree capacity and undergraduate enrollments in engineering, mathematics, and science programs to support the biomedical innovation partnership zone at the Bothell campus.

(27) \$3,268,000 of the workforce education investment account—state appropriation is provided solely to maintain bachelor of science programs in mechanical and civil engineering to support increased student and local employer demand for graduates in these fields at the Tacoma campus.

(28) \$150,000 of the general fund—state appropriation for fiscal year 2024, \$150,000 of the general fund—state appropriation for fiscal year 2025, and \$700,000 of the workforce education investment account—state appropriation are provided solely for Washington mathematics, engineering, science achievement programs to provide enrichment opportunities in mathematics, engineering, science, and technology to students who are traditionally underrepresented in these programs. Of the amounts provided in this subsection, \$500,000 of the workforce education investment account—state appropriation is for Washington State University to plan and implement expansion of MESA activities at the Everett campus to

facilitate increased attendance and degree completion by students who are underrepresented in science, technology, engineering, and mathematics degrees.

(29) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community care coordinator for transitional-age youth for the doorway project in partnership with the Seattle campus.

(30) \$14,000,000 of the workforce education investment account—state appropriation is provided solely for the expansion of the Paul G. Allen school of computer science and engineering in order to award an additional 200 degrees per year focusing on traditionally underrepresented students. A report on the program graduation rates, waitlist for entry into the program, time to degree completion, and degrees awarded must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2024, and June 30, 2025.

(31) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand a series of online courses related to behavioral health and student well-being that are currently offered at the Bothell campus for school district staff. The standards for the courses must be consistent with knowledge, skill, and performance standards related to mental health and well-being of public school students. The online courses must provide:

(a) Foundational knowledge in behavioral health, mental health, and mental illness;

(b) Information on how to assess, intervene upon, and refer behavioral health and intersection of behavioral health and substance use issues; and

(c) Approaches to promote health and positively influence student health behaviors.

(32) To ensure transparency and accountability, in the 2023-2025 fiscal biennium the University of Washington shall comply with any and all financial and accountability audits by the Washington state auditor including any and all audits of university services offered to the general public, including those offered through any public-private partnership, business venture, affiliation, or joint venture with a public or private entity, except the government of the United States. The university shall comply with all state auditor requests for the university's financial and business information including the university's governance and financial participation in these public-private partnerships, business ventures, affiliations, or joint ventures with a public or private entity. In any instance in which the university declines to produce the information to the state auditor, the university will provide the state auditor a brief summary of the documents withheld and a citation of the legal or contractual provision that prevents disclosure. The summaries must be compiled into a report by the state auditor and provided on a quarterly basis to the legislature.

(33) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Burke museum of natural history and culture to make education programs offered by the museum accessible to more students across Washington, especially students in underserved schools and locations. The funding shall be used for:

(a) Increasing the number of students who participate in Burke education programs at reduced or no cost, including virtual programs;

(b) Providing bus reimbursement for students visiting the museum on field trips and to support travel to bring museum programs across the state;

(c) Staff who will form partnerships with school districts to serve statewide communities more efficiently and equitably, including through the Burkemobile program; and

(d) Support of tribal consultation work, including expanding Native programming, and digitization of Native collections.

(34) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$410,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's center for human rights. The appropriation must be used to supplement, not supplant, other funding sources for the center for human rights.

(35) \$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the establishment and operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.

(36) \$64,000 of the general fund—state appropriation for fiscal year 2024 and \$64,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(37) \$443,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$443,000)~~ \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation of the center for environmental forensic science.

(38) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the community-engagement test to facilitate clean energy transitions by partnering with communities, utilities, and project developers.

(39) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational expenditures related to the battery fabrication testbed.

(40) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for pharmacy behavioral health. The University of Washington school of pharmacy/medicine pharmacy services will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.

(41) \$1,242,000 of the general fund—state appropriation for fiscal year 2024, \$1,242,000 of the general fund—state appropriation for fiscal year 2025, and \$742,000 of the workforce education investment account—state appropriation are provided solely for an increase in the number of nursing slots and graduates in the already established accelerated bachelor of science in nursing program. Of the amounts provided in this subsection, \$273,000 of the general fund—state appropriation for fiscal year 2024 and \$273,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Tacoma school of nursing and healthcare leadership.

(42) \$100,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$100,000)~~\$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the memory and brain wellness center to support the statewide expansion of the dementia friends program.

(43) \$77,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$77,000)~~\$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain a data repository to assist the state and all political subdivisions with evaluating whether and to what extent existing laws and practices with respect to voting and elections are consistent with public policy, implementing best practices in voting and elections, and to investigate potential infringements upon the right to vote.

(a) The operation of the database shall be the responsibility of the director of the database, who shall be employed by the University of Washington with training and experience in demography, statistical analysis, and electoral systems. The director shall appoint necessary staff to implement and maintain the database.

(b) The database shall maintain in electronic format at least the following data and records, where available, for at least the previous 12-year period:

(i) Estimates of the total population, voting age population, and citizen voting age population by race, ethnicity, and language-minority groups, broken down to the election district and precinct level on a year-by-year basis for every political subdivision in the state, based on data from the United States census bureau, American community survey, or data of comparable quality collected by a public office;

(ii) Election results at the precinct level for every statewide election and every election in every political subdivision;

(iii) Regularly updated voter registration lists, voter history files, voting center locations, ballot drop box locations, and student engagement hub locations for every election in every political subdivision;

(iv) Contemporaneous maps, descriptions of boundaries, and shapefiles for election districts and precincts;

(v) The following records for every election in every political subdivision:

(A) Records of all voters issued a ballot and all voters who returned a ballot; and

(B) Records of all ballots with missing and mismatched signatures, including the date on which the voter was contacted or the notice was mailed, as well as the date on which the voter submitted updated information;

(vi) Apportionment plans for every election in every political subdivision; and

(vii) Any other data that the director deems advisable.

(c) Upon the certification of election results and the completion of the voter history file after each general election, the secretary of state shall transmit copies of the following to the director of the database:

(i) Election results at the precinct level, including information about rejected and cured ballots;

(ii) Voter history files;

(iii) Shapefiles for election districts; and

(iv) Lists of voting centers, ballot drop boxes, and student engagement hubs.

(d) The director and staff shall update election data in the database as soon as it is available from the office of the secretary of state, following certification of each election as required by RCW 29A.60.190 or 29A.60.250.

(e) Except for any data, information, or estimates that identify individual voters, the data, information, and estimates maintained by the database shall be posted online and made available to the public at no cost.

(f) The database shall prepare any estimates made pursuant to this section by applying scientifically rigorous and validated methodologies.

(g) On or before January 1, 2025, the database shall publish on its website and transmit to the state for dissemination to county auditors and the secretary of state a list of political subdivisions required, pursuant to section 203 of the federal voting rights act, 52 U.S.C. Sec. 10503, to provide assistance to members of language-minority groups and each language in which those political subdivisions are required to provide assistance. Each county auditor shall transmit the list described in this subsection to all political subdivisions within their jurisdiction.

(h) The database will complete regular analysis of ballot rejections and cures, identifying population subgroups with higher than average ballot rejection rates. An annual report of ballot rejections will be posted online and made available to the public at no

cost. Database staff may work with the secretary of state and county auditors to examine new practices and solutions for reducing ballot rejections and increasing ballot cure rates.

(i) Staff at the database may provide nonpartisan technical assistance to political subdivisions, scholars, and the general public seeking to use the resources of the database.

(44) \$122,000 of the general fund—state appropriation for fiscal year 2024 and \$122,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sexual assault nurse examiner training.

(45) (~~(\$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.)~~) \$2,505,000 of the workforce education investment account—state appropriation is provided solely for the expansion of the University of Washington school of dentistry regional initiatives in dental education (RIDE) program.

(46) Within existing resources, the institution must resume a mentoring, organization, and social support for autism inclusion on campus program. The program must focus on academic coaching, peer-mentoring, support for social interactions, and career preparation.

(47) \$6,532,000 of the general fund—state appropriation for fiscal year 2024 and \$11,108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(48) \$712,000 of the general fund—state appropriation for fiscal year 2024 and \$4,183,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the behavioral health teaching faculty physician and facility support.

(49) \$1,869,000 of the general fund—state appropriation for fiscal year 2024 and \$3,738,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operations and maintenance support of the behavioral health teaching faculty.

(50) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the center for indigenous health to increase the number of American Indian and Alaska Native physicians practicing in the state of Washington.

(51) \$484,000 of the workforce education investment account—state appropriation is provided solely to the university for Friday harbor labs in the amount of \$125,000 each fiscal year and the school of aquatic and fishery sciences in the amount of \$117,000 each fiscal year to perform coordinating, monitoring, and research related to Puget Sound kelp conservation and recovery.

(52) \$200,000 of the workforce education investment account—state appropriation is provided solely to develop a framework for research to help determine inequities in poverty, access to service, language, barriers, and access to justice for individuals of Middle Eastern descent.

(53) \$3,000,000 of the climate commitment account—state appropriation is provided solely for the development of an energy transformation strategy to modernize the energy infrastructure and better align the institution's sustainability values at the Seattle campus.

(54) \$2,854,000 of the workforce education investment account—state appropriation is provided solely for increasing enrollments in computing and engineering programs at the Tacoma campus.

(55) (a) \$800,000 of the workforce education investment account—state appropriation is provided solely for the colab for community and behavioral health policy to collaborate with ~~((the Latino center for health and))~~ allies in healthier systems for health and abundance in youth to pilot test a culturally responsive training curricula for an expanded children's mental health workforce in community behavioral health sites. Community and lived experience stakeholders, representing communities of color, must make up over half of the project team. The pilot implementation shall include expansion of:

(i) The clinical training of both a lived experience workforce and licensed workforce to provide culturally responsive and evidence-informed mental health services focused on families, children, and youth;

(ii) An implementation plan that allows for local flexibility and local community input; and

(iii) An evaluation plan that will yield information about the potential success in implementation statewide and the improved experiences of those seeking mental health services.

(b) The project team must report its findings and recommendations to the appropriate committees of the legislature in compliance with RCW 43.01.036 by June 30, 2025.

(56) \$520,000 of the natural climate solutions account—state appropriation is provided solely for the biological response to ocean acidification to advance high-priority biological experiments to better understand the relationship between marine organisms and ocean acidification.

(57) \$300,000 of the natural climate solutions account—state appropriation is provided solely for monitoring assistance at the Washington ocean acidification center.

(58) \$104,000 of the general fund—state appropriation for fiscal year 2024 and \$104,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued implementation of chapter 191, Laws of 2022 (veterans & military suicide).

(59) \$426,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/review).

(60) \$205,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to organize and facilitate the difficult to discharge task force described in ~~((section 135(12) of this act))~~ section 133(11) of this act and its operations, including any associated ad hoc subgroups through October 31, 2023.

(61) \$500,000 of the workforce education investment account—state appropriation is provided solely for the addictions, drug and alcohol institute to continue cannabis and public health impact research. Funding may be used to develop resources regarding the connection between first episode psychosis and cannabis use.

(62) \$2,224,000 of the workforce education investment account—state appropriation is provided solely for program support and student scholarships for the expansion of the master of arts in applied child and adolescent psychology program. Of the amounts provided in this subsection:

(a) \$1,116,000 of the workforce education investment account—state appropriation is provided solely for program support at the Seattle site.

(b) \$1,108,000 of the workforce education investment account—state appropriation is provided solely for student scholarships at the Seattle site.

(63) \$800,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a program to support pathways from prison to the university's Tacoma campus. The university shall collaborate with formerly incarcerated women, Tacoma Community College, the freedom education project Puget Sound, the women's village, the state board for community and technical colleges, and the department of corrections, in development and implementation of the pathways program.

(64) ~~((250,000))~~ \$580,000 of the workforce education investment account—state appropriation is provided solely for the ~~((startup program))~~ Allen school scholars program.

(65) \$1,397,000 of the workforce education investment account—state appropriation is provided solely for increased student support services at the Tacoma campus.

(66) \$158,000 of the general fund—state appropriation for fiscal year 2024, \$158,000 of the general fund—state appropriation for fiscal year 2025, and \$798,000 of the workforce education investment account—state appropriation are provided solely for continued implementation of diversity, equity, inclusion, and antiracism professional development for faculty and staff, student training, and campus climate assessments in chapter 28B.10 RCW.

(67) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year ~~((2024))~~ 2025 are provided solely for the college of education to partner with the Chehalis and Spokane school districts to continue the math improvement pilot program.

(68) \$300,000 of the workforce education investment account—state appropriation is provided solely for support and promotion of a long-term care nursing residency program and externship.

(69) \$400,000 of the workforce education investment account—state appropriation is provided solely for nanocellulose based research to produce a replacement for cellophane and clear plastic products with one made with plant materials that is biodegradable.

(70) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of a pilot plant to produce nanocellulose based materials for evaluation by potential users, such as packaging manufacturers and companies that produce polylactic acid composites.

(71) \$1,238,000 of the workforce education investment account—state appropriation is provided solely to establish washpop, a statewide integrated data repository for population and policy research on topics, including criminal justice and safety, economic prosperity and equity, and health and social well-being.

(72) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuation of the collaborative for the advancement of telemedicine, hosted by the institution's telehealth services.

(73) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the center for health workforce studies to continue a program to track dental workforce trends, needs, and enhancements to better serve the increasing population and demand for access to adequate oral health care. The center shall continue the program in consultation with dental stakeholders including, but not limited to, provider associations and oral health philanthropic leaders. The workforce reporting program is to be considered a public-private partnership. The institutions may accept matching funds from interested stakeholders to help facilitate and administer the workforce reporting program. Information generated by the dental workforce reporting program shall be made available on the center's website in a deidentified, aggregate format.

(74) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(75) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(76) ~~((\$440,000))~~\$513,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(77) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$669,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(78) \$150,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(79) \$208,000 of the statewide 988 behavioral health crisis response account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(80) ~~((\$3,288,000))~~\$2,053,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(81) \$157,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(82) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for support of staff, training, and other costs necessary to facilitate the opening of the behavioral health teaching facility.

(83) \$450,000 of the workforce education investment account—state appropriation is provided solely to continue financial student assistance in public service oriented graduate and professional degree programs, referred to as "fee-based" programs, whose tuition for public service degrees is over \$18,000 per year. Programs shall create mechanisms to prioritize assistance to traditionally underrepresented students, specifically those who have expressed a commitment to service in the physician assistant, community oriented public health, or social work programs. The institution may offer financial assistance for students that volunteer or work with public health agencies, including as contact tracers.

(84) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a pilot program for short-term stabilization and transition support for individuals incompetent to stand trial due to intellectual or developmental disability as provided in Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(85) \$1,464,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(86) ~~((\$2,000,000))~~\$400,000 of the general fund—state appropriation for fiscal year 2025 and \$500,000 of the workforce education investment account—state appropriation ~~((is))~~are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(87) ~~\$80,000,000~~ of the general fund—state appropriation for fiscal year 2024, ~~\$60,000,000~~ of the general fund—state appropriation for fiscal year 2025, and \$20,000,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely to support the operations and teaching mission of the University of Washington medical center and harborview medical center.

(88) \$239,000 of the workforce education investment account—state appropriation is provided solely for implementation of chapter 232, Laws of 2023 (Engrossed Substitute Senate Bill No. 5447) (alternative jet fuel).

(89) \$263,000 of the climate commitment account—state appropriation is provided solely for two grant writers to support the ongoing need for tribal and overburdened communities to access state and federal funding opportunities that advance environmental justice through the thriving communities technical assistance program. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(90) \$20,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support behavioral health care and training at the University of Washington medical center. A report detailing how these funds and any federal funds are expended for the medical center shall be submitted to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(91) \$300,000 of the workforce education investment account—state appropriation is provided solely for an entrepreneur in residence pilot program for graduate and postgraduate international students.

(92) \$180,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for soccer field renovation and associated lighting upgrades at the institution.

(93) \$250,000 of the workforce education investment account—state appropriation is provided solely for the Barnard center for infant and early childhood mental health, within the University of Washington, to identify existing infant and early childhood mental health workforce initiatives and activities. In consultation with the health care authority, the center must identify and provide stakeholder connections, including health tribes, to assist with workforce strategic planning. A report of findings and recommendations for expansion, diversification, training, and retention within the infant early childhood mental health workforce must be submitted to the appropriate committees of the legislature and to the children and youth behavioral health work group as established in RCW 74.09.4951, pursuant to RCW 43.01.036 by June 30, 2025.

(94) \$500,000 of the model toxics control operating account—state appropriation is provided solely for the school of public health to study and develop mobile screening methods to screen consumer products for fluorine, an indicator of per- and polyfluoralkyl chemicals. The developed method shall be compared to established approaches to measure fluorine and per- and polyfluoralkyl chemicals. A report on development of a functional screening method and recommendations to limit harmful exposures must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(95) \$250,000 of the workforce education investment account—state appropriation is provided solely for the center for social sector analytics and technology to provide a report on conditional scholarships for students who commit to working in the public behavioral health system. The institution must submit a preliminary report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025. The preliminary report must include overall effectiveness of the conditional grant programs, how to improve clinical training, how to support underserved communities, and the progress in diversifying the public behavioral workforce.

(96)(a) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the school mental health assessment research and training (SMART) center to research and report on collection and use of data, including universal screening and other social-emotional, behavioral, and mental health (SEBMH) data, in public schools within the multitiered system of supports and integrated student supports frameworks.

(b) The SMART center must submit a preliminary report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2024. At a minimum, the preliminary report must:

(i) Analyze alignment of current Washington statute and guidance with national best practices on universal SEBMH screening;

(ii) Identify facilitators and barriers to selection and effective use of research-based, culturally relevant universal SEBMH screening tools in Washington schools;

(iii) Analyze schools' current application of existing Washington statute relevant to SEBMH screening requirements;

(iv) Recommend statutory changes to increase systematic SEBMH screening of students in schools; and

(v) Include an implementation plan for demonstration sites to determine the feasibility, acceptability, and effectiveness of a best practices guide or resource on universal student SEBMH screening.

(c) The SMART center must submit a final report to the relevant policy and fiscal committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025. In addition to information from the preliminary report, the final report must include a guide or other resource for implementing best practices for screening of student SEBMH in schools, including the following best practices:

(i) Training and professional development;

(ii) Engaging with families, students, and other partners;

(iii) Informing tier 1 universal strategies and practices;

(iv) Assuring adequate availability of services;

(v) Complying with privacy and confidentiality laws;

(vi) Assuring cultural responsiveness in SEBMH screening practices; and

(vii) Partnering with community-based organizations.

(97) \$140,000 of the workforce education investment account—state appropriation is provided solely for the junior summer institute program to pilot a regional focused expansion that provides a pathway for historically underrepresented students into public policy and public service.

(98) \$174,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for genome sequencing and other research to improve control and eradication of the European green crab.

(99) \$615,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for legal services related to the behavioral health teaching facility.

(100) \$412,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to develop and implement the Washington reproductive access alliance. The alliance shall provide a service coordination website and phone line, administrative support and coordination of the alliance, patient care coordination, and social support for patient travel.

(101) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the University of Washington to establish a pilot program to support activities related to cooperation with academic institutions and governmental and public agencies of the Republic of Finland, the Kingdom of Sweden, and the Kingdom of Norway. Eligible activities



include, but are not limited to, cooperation in clean energy, clean technology, clean transportation, telecommunications, agriculture and wood science technology, general economic development, and other areas of mutual interest with Nordic nations and institutions.

(102) \$630,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

(103) \$250,000 of the opioid abatement settlement account—state appropriation is provided solely for the University of Washington center for novel therapeutics in addiction psychiatry for an initial study of ibogaine assisted therapy.

(104) \$535,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for coresponse curriculum development and certification and credential opportunities.

(105) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Evans school of public policy and governance to study ranked choice voting and provide guidance for implementation by local jurisdictions. The report must recommend steps necessary to implement ranked choice voting elections consistently and effectively, including suggested education materials and election administrator training necessary to aid in the implementation. Collaboration must include, but is not limited to the ranked choice voting resource center, state director of elections, association of county auditors, VoteWA steering committee, and community based organizations that serve underrepresented communities related to voter outreach and education. A report on research and recommendations must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 1, 2025.

(106) \$232,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(107) \$214,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(108) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5890 (ballot rejection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(109) \$267,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(110) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6286 (nurse anesthetist workforce). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 603.** 2023 c 475 s 607 (uncodified) is amended to read as follows:

**FOR WASHINGTON STATE UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(((\$277,544,000))
	\$282,829,000
General Fund—State Appropriation (FY 2025) . . . . .	(((\$286,975,000))
	\$293,782,000
Climate Commitment Account—State Appropriation . . . . .	\$8,321,000
Washington State University Building Account—State	
Appropriation . . . . .	\$792,000
Education Legacy Trust Account—State Appropriation . . . . .	\$33,995,000
Model Toxics Control Operating Account—State	
Appropriation . . . . .	\$2,771,000
Dedicated Cannabis Account—State Appropriation	
(FY 2024) . . . . .	\$189,000
Dedicated Cannabis Account—State Appropriation	
(FY 2025) . . . . .	\$197,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(((\$48,117,000))
	\$49,032,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(((\$658,901,000))</b>
	<b>\$671,908,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rural economic development and outreach coordinator.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many

students are enrolled in computer science and engineering programs above the prior academic year.

(3) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state match requirements related to the federal aviation administration grant.

(4) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

(5) \$7,000,000 of the general fund—state appropriation for fiscal year 2024, \$7,000,000 of the general fund—state appropriation for fiscal year 2025, and \$22,800,000 of the workforce education investment account—state appropriation are provided solely for the continued development and operations of a medical school program in Spokane.

(6) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a honey bee biology research position.

(7) (~~(\$35,037,000)~~)\$35,411,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$35,808,000)~~)\$36,296,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(8) \$580,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of an organic agriculture systems degree program located at the university center in Everett.

(9) \$630,000 of the general fund—state appropriation for fiscal year 2024 and \$630,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of an electrical engineering program located in Bremerton. At full implementation, the university is expected to increase degree production by 25 new bachelor's degrees per year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(10) \$1,370,000 of the general fund—state appropriation for fiscal year 2024 and \$1,370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of software engineering and data analytic programs at the university center in Everett. At full implementation, the university is expected to enroll 50 students per academic year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(11) General fund—state appropriations in this section are reduced to reflect a reduction in state-supported tuition waivers for graduate students. When reducing tuition waivers, the university will not change its practices and procedures for providing eligible veterans with tuition waivers.

(12) \$1,154,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 82.16.120 and 82.16.165 (renewable energy, tax incentives).

(13) \$376,000 of the general fund—state appropriation for fiscal year 2024 and \$376,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 28B.30.357 (children's mental health).

(14) \$585,000 of the general fund—state appropriation for fiscal year 2024 and \$585,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 77.12.272 (elk hoof disease).

(15) \$2,076,000 of the model toxics control operating account—state appropriation is provided solely for the university's soil health initiative and its network of long-term agroecological research and extension (LTARE) sites. The network must include a Mount Vernon REC site.

(16) \$42,000 of the general fund—state appropriation for fiscal year 2024 and \$42,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(17) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$33,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for compensation funding for Western Washington University employees that work on the Washington State University Everett campus.

(18) \$327,000 of the general fund—state appropriation for fiscal year 2024 and \$327,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for pharmacy behavioral health. Washington State University college of pharmacy and pharmaceutical sciences will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.

(19) \$1,921,000 of the general fund—state appropriation for fiscal year 2024 and \$3,526,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(20) \$608,000 of the general fund—state appropriation for fiscal year 2024 and \$608,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state academy of sciences to provide support for core operations and to accomplish its mission of providing science in the service of Washington, pursuant to its memorandum of understanding with the university.

(21) \$188,000 of the general fund—state appropriation for fiscal year 2024 and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for stormwater research to study the long-term efficacy of green stormwater infrastructure that incorporates compost to remove pollutants.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the joint center for deployment and research in earth abundant materials.

(23) \$4,112,000 of the workforce education investment account—state appropriation is provided solely to establish a bachelor's degree in cybersecurity operations.

(24) \$568,000 of the general fund—state appropriation for fiscal year 2024 and \$568,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 212, Laws of 2022 (community solar projects).

(25) \$7,721,000 of the climate commitment account—state appropriation is provided solely for the creation of the institute for northwest energy futures.

(26) \$3,910,000 of the workforce education investment account—state appropriation is provided solely for increasing nursing salaries at the institution.

(27) \$476,000 of the workforce education investment account—state appropriation is provided solely for nursing program equipment.

(28) \$2,521,000 of the workforce education investment account—state appropriation is provided solely for the establishment of a bachelor of science in public health degree at the Pullman, Spokane, and Vancouver campuses.

(29) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increasing the base funding for the William D. Ruckleshaus Center.

(30) ~~(\$200,000)~~ \$50,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Washington State University extension service to hire a qualified contractor to assess program performance of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020 and recipients of pass-through grants from the northeast Washington wolf-livestock management nonappropriated account. The program must be assessed for the period of 2021-2023 as to whether grant recipients met the intent of the appropriation.

(a) For recipients of grant funds from the program authorized in RCW 16.76.020, performance must be evaluated on the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a good probability of producing effective results. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape.

(b) For recipient of the pass-through funds from the northeast Washington wolf-livestock management nonappropriated account, performance must be based on the intent of conducting proactive deterrence activities with the goal to reduce the likelihood of cattle being injured or killed by wolves.

(c) The contractor must have at least five years of experience in the combination of field work as a range rider and running range riding programs in areas with wolf-livestock conflict in the western United States. In conducting the assessment, the contractor may access written range rider logs and georeferenced data produced by the grant recipients, in addition to reading annual reports of the recipients and interviewing relevant participants. The contractor may also provide general recommendations for improvement of programs intended to provide effective wolf-livestock deterrence, taking into account the terrain and other challenges faced in northeast Washington. The contractor must complete their assessment for Washington State University extension service to be delivered to the legislature, pursuant to RCW 43.01.036, by ~~((June 30, 2024))~~ December 1, 2024.

(31) \$500,000 of the workforce education investment account—state appropriation is provided solely for the energy program for residential energy code education and support, including training, hotline support to the building industry, and information material and web resources.

(32) \$695,000 of the model toxics control operating account—state appropriation is provided solely for turf grass resilience research in high traffic areas.

(33) ~~((a))~~ \$95,000 of the general fund—state appropriation for fiscal year ((2025 is)) 2024 and \$215,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the William D. Ruckleshaus center to ((conduct a jail modernization task force convening assessment and design a facilitated collaborative process and work plan for)) support the jail modernization task force created in section 915 ((of this act)), chapter 475, Laws of 2023.

(a) Of the amounts provided in this subsection, \$95,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the center to conduct a jail modernization task force convening assessment and design a facilitated collaborative process and work plan for the jail modernization task force created in section 915, chapter 475, Laws of 2023.

(b) Of the amounts provided in this subsection, \$215,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the center to provide staff

support, facilitation, and development of the task force's initial report of findings and recommendations described in section 915, chapter 475, Laws of 2023.

(c) The convening assessment shall include, but not be limited to:

(i) Gathering and reviewing additional background information relevant to the project;

(ii) Meeting and consulting with the Washington state association of counties to gather background on issues, confirm the list of members to interview, and provide updates throughout the duration of the work; and meeting and consulting with the Washington state institute for public policy to coordinate, inform, and share information and findings gathered; and

(iii) Setting up individual conversations with task force members, and others as needed, to assess their goals, expectations, interests, and desired outcomes for the task force. The purpose of these conversations will also be to gather insights and perspectives from members about, but not limited to, the following:

(A) What key components and issues should be included in a statewide jail modernization plan, what existing facilities are in need of upgrades or remodel, and any need for building new facilities;

(B) Identifying any additional key stakeholders;

(C) Employee retention issues and potential solutions;

(D) The impact of overtime, jail atmosphere, emergency response time, inexperienced corrections officers, and how to overcome these challenges;

(E) The type of and design of facilities needed to house those with behavioral health needs and associated costs of these facilities;

(F) Available diversion programs and their costs;

(G) Types of existing behavioral health facilities for those involved in the criminal justice system, the costs of building and running these facilities, how these facilities vary by location, the viability of offering facilities in every county, and potential system improvements to the types of services and supports offered and delivered to those with behavioral health needs;

(H) The types of services and supports provided to those exiting the jail system; and

(I) Reforms necessary to create and enhance a seamless transition back to the community following jail confinement.

~~((b))~~ (d) Center staff will provide a convening assessment report that will include the overall process design and work plan for the task force by June 30, ~~((2025))~~ 2024.

(34) \$1,596,000 of the workforce education investment account—state appropriation is provided solely for the creation of a bachelor's and master's degree in social work at the Tri-Cities campus.

(35) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(36) ~~(((\$372,000))~~ \$434,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(37) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(38) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting), for a least-conflict pumped storage siting project. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(39) \$125,000 of the workforce education investment account—state appropriation is provided solely for implementation of Senate Bill No. 5287 (wind turbine blades). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(40) (a) ~~(((\$1,200,000))~~ \$1,700,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a Native American scholarship program during the 2023-2025 biennium. Of the amounts in this subsection, no more than \$100,000 of the workforce education investment account—state appropriation for fiscal year 2024 and \$100,000 of the workforce education investment account—state appropriation for fiscal year 2025 may be spent on administration; development of the program; support services for students; outreach regarding the program; and technical support for application.

(b) "Eligible student" means a member of a federally recognized Indian tribe located within Washington who files a free application for federal student aid (FAFSA) and enrolls in an undergraduate degree program. Eligible students need to maintain satisfactory academic progress during the 2023-2025 biennium to remain eligible for the scholarship. The institution shall determine award priorities based on tribal consultation. Awards must be distributed to students no later than May of each fiscal year.

(c) The institution must submit a report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025. The report must include: The number of eligible students; the number of students who receive a scholarship; how recipients were determined; and how many members of federally recognized Indian tribes in Washington received scholarships versus members of federally recognized Indian tribes from other states.

(41) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If~~

~~the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(42) \$2,425,000 of the workforce education investment account—state appropriation is provided solely for the development and operations of a journalism fellowship program focused on civic affairs.

(43) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$4,271,000 of the general fund—state appropriation for fiscal year 2024 and \$2,573,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the institution to purchase the obligated amount of carbon allowances.

(45) \$190,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for continued funding of the statewide broadband coordinator within the Washington State University extension program. This funding will support the salary and benefits of this position.

(46) \$353,000 of the workforce education investment account—state appropriation is provided solely for the complex social interactions lab.

(47) \$298,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the William D. Ruckelshaus center, working in collaboration with the departments of health and ecology, to evaluate and recommend actions to increase the effectiveness of the state's municipal water conservation statute at RCW 70A.125.170 and regulation at chapter 246-290 WAC. The center may contract with consultants or organizations with expertise on municipal water conservation programs. Recommendations may be informed by best practices in other states and include: Statutory or regulatory changes to increase program effectiveness, modifying regulatory oversight including whether the responsibility for parts or all of the program should be moved from the department of health to the department of ecology, improving coordination between the departments, identifying sufficient funding to effectively implement the program, including creation of a grant or loan program to assist municipal water systems in program implementation, or other ideas on municipal water use conservation and efficiency strategies.

(a) The center shall invite participation from federally recognized Indian tribes, municipal water systems and organizations, and relevant stakeholders in this evaluation.

(b) The center shall submit a report to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025, on work conducted within this subsection and must include:

(i) Recommendation for a long-term strategy for program implementation; and

(ii) Estimated costs of ongoing expenses for program implementation, including any costs associated with changes in regulatory oversight of program elements or implementation.

(48)(a) \$135,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a study to investigate housing market conditions in tourism-dependent municipalities. The study must:

(i) Examine state and local government policies nationwide that address and support affordable and workforce housing projects and programs in tourism-dependent communities;

(ii) Examine how the increase in area median incomes correlates with the rise in housing costs statewide and whether the allocation of state housing program funds has been equitable and proportional throughout all regions in the state, placing specific emphasis on understanding the disparity between urban and rural counties;

(iii) Examine state policies and regulations that have influenced the cost of housing with a specific emphasis on rural counties;

(iv) Identify various strategies deployed to enhance the flexibility of local government revenue; and

(v) Identify outcomes of strategies deployed to enhance revenue streams to support workforce housing initiatives.

(b) The study must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 31, 2024.

(49) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one-time compensation support.

(50) \$232,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 604.** 2023 c 475 s 608 (uncodified) is amended to read as follows:

**FOR EASTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(\$65,367,000))
	\$65,664,000
General Fund—State Appropriation (FY 2025) . . . . .	(\$67,576,000))
	\$68,260,000
Education Legacy Trust Account—State Appropriation . . . . .	\$16,838,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(\$24,730,000))
	\$24,909,000

TOTAL APPROPRIATION..... (~~(\$174,511,000)~~)  
\$175,671,000

The appropriations in this section are subject to the following conditions and limitations:

(1) At least \$350,000 of the general fund—state appropriation for fiscal year 2024 and at least \$350,000 of the general fund—state appropriation for fiscal year 2025 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) (~~(\$12,586,000)~~)\$12,720,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$12,862,000)~~)\$13,038,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(5) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(6) \$2,274,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(7) \$2,636,000 of the workforce education investment account—state appropriation is provided solely to maintain a computer engineering degree program in the college of science, technology, engineering, and math.

(8) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(9) \$300,000 of the workforce education investment account—state appropriation is provided solely to establish a center for inclusive excellence for faculty and staff.

(10) \$536,000 of the workforce education investment account—state appropriation is provided solely for a professional masters of science cyber operations degree option.

(11) \$2,144,000 of the workforce education investment account—state appropriation is provided solely for the operation of a bachelor of science in cybersecurity degree option through the computer science program.

(12) \$2,108,000 of the workforce education investment account—state appropriation is provided solely for the operation of a coordinated care network that will help to maximize the collaboration of various student support services to create wraparound care for students to address obstacles to degree completion. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(13) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(14) \$4,598,000 of the workforce education investment account—state appropriation is provided solely to expand faculty and staff to create a cohort of 80 students in the bachelor of nursing program.

(15) \$476,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/review).

(16) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a summer bridge program.

(17) (~~(\$500,000)~~)\$1,020,000 of the workforce education investment account—state appropriation is provided solely for the establishment and operating support of a university mathematics, engineering, and science achievement program.

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(19) (~~(\$118,000)~~)\$138,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). (~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~)

(20) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). (~~(\$~~

~~the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(21) ~~((~~\$5,000,000~~))~~ \$3,977,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$127,000 of the workforce education investment account—state appropriation is provided solely to develop the postbaccalaureate dental therapy certificate in the college of health science and public health.

(24) \$144,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for emergency response and resources for critical incidents.

(25) \$535,000 of the workforce education investment account—state appropriation is provided solely to support college in high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

(26) \$95,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 605.** 2023 c 475 s 609 (uncodified) is amended to read as follows:

**FOR CENTRAL WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$68,760,000</del> ))
	<u>\$68,904,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$71,733,000</del> ))
	<u>\$72,120,000</u>
Central Washington University Capital Projects	
Account—State Appropriation . . . . .	\$76,000
Education Legacy Trust Account—State Appropriation . . . . .	\$19,076,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$16,537,000</del> ))
	<u>\$15,814,000</u>
<b>TOTAL APPROPRIATION</b> . . . . .	<del>((<del>\$176,182,000</del>))</del>
	<u>\$175,990,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) ~~((~~\$14,186,000~~))~~ \$14,337,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$14,498,000~~))~~ \$14,696,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(5) \$2,236,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(6) \$1,050,000 of the workforce education investment account—state appropriation is provided solely to increase the number of certified K-12 teachers.

(7) \$736,000 of the workforce education investment account—state appropriation is provided solely to maintain mental health counseling positions.

(8) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two counselor positions to increase access to mental health counseling for traditionally underrepresented students.

(9) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health outreach and service coordination position who has knowledge of issues relevant to veterans.

(10) \$240,000 of the workforce education investment account—state appropriation is provided solely for expanding cybersecurity capacity by adding additional faculty resources in the department of computer science.

(11) \$586,000 of the workforce education investment account—state appropriation is provided solely for a peer mentoring program. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(12) \$286,000 of the workforce education investment account—state appropriation is provided solely for the operation of an extended orientation program to help promote retention of underserved students. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(13) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the cost of the criminal justice training center's use of office and classroom space at the Lynnwood campus.

(14) \$592,000 of the general fund—state appropriation for fiscal year 2024 and \$1,091,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(15) \$1,406,000 of the workforce education investment account—state appropriation is provided solely for student success. Students will receive discipline specific tutoring programs, peer assisted learning sessions, and academic success coaching.

(16) \$967,000 of the workforce education investment account—state appropriation is provided solely for grow your own teacher residency programs in high need areas of elementary, bilingual, special education, and English language learners.

(17) \$844,000 of the workforce education investment account—state appropriation is provided solely for dual language expansion programs in Yakima and Des Moines.

(18) ~~(\$126,000)~~ \$147,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) \$25,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$57,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) ~~(\$8,060,000)~~ \$5,709,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$398,000 of the workforce education investment account—state appropriation is provided solely for student basic needs. This funding will support two financial aid coaching specialists, support a coordinator for the food pantry, support a director and advocate to assist students who have experienced sexual violence, and help with prevention initiatives.

(24) \$1,209,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

(25) Appropriations in this section are sufficient to implement the collective bargaining agreement between Central Washington University and the campus police officers and sergeants negotiated under chapter 41.80 RCW and as set forth in part IX of this act.

(26) \$22,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 606.** 2023 c 475 s 610 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$39,088,000</del> ))
	\$38,770,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$38,499,000</del> ))
	\$39,723,000
The Evergreen State College Capital Projects	
Account—State Appropriation . . . . .	\$80,000
Education Legacy Trust Account—State Appropriation . . . . .	\$5,450,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$5,554,000</del> ))
	\$5,795,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>((<del>\$88,671,000</del>))</b>
	<b>\$89,818,000</b>

The appropriations in this section are subject to the following conditions and limitations:



(1) (~~(\$4,315,000)~~)\$4,361,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$4,410,000)~~)\$4,470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(3) Within amounts appropriated in this section, the college is encouraged to increase the number of tenure-track positions created and hired.

(4) (~~(\$4,063,000)~~)\$3,715,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,732,000)~~)\$3,640,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state institute for public policy to initiate, sponsor, conduct, and publish research that is directly useful to policymakers and manage reviews and evaluations of technical and scientific topics as they relate to major long-term issues facing the state. Within the amounts provided in this subsection (4):

(a) \$1,665,000 of the amounts in fiscal year 2024 and \$1,685,000 of the amounts in fiscal year 2025 are provided for administration and core operations.

(b) (~~(\$1,229,000)~~)\$1,069,000 of the amounts in fiscal year 2024 and (~~(\$529,000)~~)\$709,000 of the amounts in fiscal year 2025 are provided solely for ongoing and continuing studies on the Washington state institute for public policy's work plan.

(c) (~~(\$202,000)~~)\$142,000 of the amounts in fiscal year 2024 and (~~(\$80,000)~~)\$140,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to update its adult corrections inventory of evidence-based, research-based, and promising programs and expand the inventory to include new programs that were not included in the last published Washington state institute for public policy inventory in 2018. This update must focus on programs for incarcerated individuals in prison facilities to include family and relationships programs, learning and working programs, and therapeutic and support programs. The institute should prioritize the addition of programs currently offered by the Washington state department of corrections. Of this amount:

(i) No later than (~~(December 31, 2023)~~)June 30, 2024, the institute shall publish a preliminary report identifying the list of programs currently offered in Washington state department of corrections prison facilities and the list of new programs to be analyzed for inclusion on the updated adult corrections inventory. The preliminary report must include an indication of whether the Washington state department of corrections programs have ever been evaluated for their effect on recidivism; and

(ii) No later than December 31, 2024, the institute shall publish a final report with the updated adult corrections inventory classifying programs as evidence-based, research-based, or promising programs. The report shall include a list of programs currently offered in Washington state department of corrections prison facilities and a determination of their likely effectiveness in reducing recidivism based on the results of the adult corrections inventory.

(d)(i) \$154,000 of the amount for fiscal year (~~(2024)~~)2025 is provided solely for the institute to examine the costs associated with conservation district elections under current law, and the projected costs and benefits for shifting conservation district election to be held on general election ballots under Title 29A RCW. The examination must include, to the extent that the data allows:

(A) An analysis of the amount of money that each conservation district spends on holding elections for supervisors under current law, and a description of the funding sources that each conservation district utilizes to fund its elections;

(B) Information about voter turnout in each conservation district supervisor election in at least the past six years and up to the past 20 years, if the conservation district has such data, as well as a calculation of the total cost per ballot cast that each conservation district spent in those elections;

(C) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if the district were to hold its supervisor elections on general election ballots under the processes and procedures in Title 29A RCW, including:

(I) Switching all supervisor positions to elected positions; and

(II) Changing term lengths to four years, with terms staggered such that elections are held every two years, to align with the elections for other local government officials;

(D) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if, in addition to the changes described in (d)(i)(C) of this subsection, the conservation districts were divided into zones such that each zone is represented by a single supervisor, rather than electing each supervisor at-large throughout the district; and

(E) An overall description of potential nonmonetary costs and benefits associated with switching conservation district supervisor elections to the general election ballots under Title 29A RCW and incorporating the changes described in (d)(i)(C) and (D) of this subsection.

(ii) A preliminary report which contains any available information to date must be completed by December 1, (~~(2023)~~)2024. A final report must be completed by June 30, (~~(2024)~~)2025, and submitted in accordance with RCW 43.01.036 to the standing committees of the house of representatives and the senate with jurisdiction over elections and conservation district issues.

(e) \$100,000 of the amounts for fiscal year 2024 and \$100,000 of the amounts for fiscal year 2025 are provided solely for the institute to conduct a review of all assessments and charges imposed on individuals incarcerated in department of corrections facilities and their family members and its effect on the financial status of incarcerated individuals. The review must include, at a minimum:

(i) An evaluation of all costs incurred by incarcerated individuals for items that include but are not limited to:

- (A) Food;
- (B) Commissary items;
- (C) Personal hygiene items;
- (D) Electronic devices and services, tablets, digital stamps, and downloadable media and services such as music, movies, and other programs;
- (E) Stationary, mail, and postage;
- (F) Communication devices such as telephones, local and nonlocal telephone services, and video chat services;
- (G) Clothing and shoes;
- (H) Copayments for medical, dental, and optometry visits, care, and medication;
- (I) Eyeglasses;
- (J) Gym, television services, and any other recreational activities;
- (K) Educational and vocational classes, programming, and related materials; and
- (L) Any and all items and services charged to incarcerated persons under RCW 72.09.450 and 72.09.470 including, but not limited to, a complete list of any other item that an individual was or could have been charged for while incarcerated;

(ii) A complete itemized list of: (A) All items in (e)(i) of this subsection; (B) the cost of each item and service purchased by the department or negotiated with a vendor in (e)(i) of this subsection; (C) the resale or purchased price charged to incarcerated individuals and their family members for the same items in (e)(i) of this subsection; (D) the revenue or profit retained or reinvested by the department for each individual item in (e)(i) of this subsection; (E) the cost of items and services listed in (e)(i) of this subsection compared to comparable items and services that are not provided through correctional industries; and (F) an assessment of the prices charged for the items and services listed in (e)(i) of this subsection as compared to comparable items and services provided by other companies and vendors that do not service prisons;

(iii) A complete list of all items including, but not limited to, clothing and personal hygiene items, that are distributed monthly free of charge: (A) To all incarcerated individuals irrespective of their financial status; and (B) solely to indigent inmates as defined in RCW 72.09.015 provided the individual remains in indigent status during his or her period of incarceration;

(iv) The average annual debt incurred by an individual while incarcerated. This includes debt solely recorded and posted by the department for debt incurred between the individual's first day of confinement within the department of corrections through the individual's day of release from incarceration from prison;

(v) The average debt owed by incarcerated individuals to the department for items and services under (e)(i) of this subsection upon release from confinement;

(vi) The average amount paid by incarcerated individuals to the department for items and services under (e)(i) of this subsection during their period of confinement;

(vii) A list of the: (A) Required deductions from wages and gratuities earned pursuant to RCW 72.09.100 through 72.09.111; (B) required deductions from the funds received, by the department on behalf of an incarcerated person from outside sources, in addition to an incarcerated individual's wages or gratuities pursuant to RCW 72.09.480; and (C) wages and gratuities earned by an incarcerated individual and any funds received, by the department on behalf of an incarcerated person, from outside sources for specific items listed in (e)(i) of this subsection that are exempt from statutory deductions;

(viii) The average amount of funds remaining in an incarcerated individual's savings account at the time of his or her release from confinement; and

(ix) A review and evaluation of the fines, fees, and commission generated from any of the items and services listed in (e)(i) of this subsection that are used in the department's budget.

The institute must provide a final report to the governor and the appropriate committees of the legislature by June 30, 2025.

(f) (i) (~~(\$50,000)~~) \$76,000 of the amount for fiscal year 2024 (~~(is)~~) and \$128,000 of the amount for fiscal year 2025 are provided solely for the institute to study the contracting practices for goods and services, and manufactured products, made or offered by correctional industries to state agencies and various political subdivisions within the state. A cost benefit analysis must be included in the report which must:

(A) Determine the costs of all contracts utilizing the labor of incarcerated individuals providing services or the manufacture of goods for state entities and other political subdivisions;

(B) Compare the cost savings to the state of Washington that is projected when those goods and services are procured from or produced by corrections industries and not private businesses engaged in a competitive bidding process with the state and its various political subdivisions;

(C) Provide a detailed break out of total number of labor positions that are offered to incarcerated individuals, ranked from least skilled to most skilled and the rate per hour of the gratuities the individuals are given monthly for this labor, including the amount if the gratuity given to incarcerated individuals was the federal or state mandated minimum wage;

(D) Provide a detailed listing of all commissary items purchased by and offered for sale to individuals incarcerated within the facilities operated by the department of corrections. This listing of individual items must also include the wholesale price from outside vendors that correction industries pays for each line item offered to incarcerated individuals, and the price charged to the incarcerated individual for those items; and

(E) Provide a comprehensive list of all positions offered by corrections industries that provide substantive training and labor ready skills for individuals to assume positions in the workforce outside of incarceration; and to the extent the data allows, provide the number of individuals who have positions upon release that were obtained with skills obtained through work at correctional industries.

(ii) The institute must submit a report to the appropriate committees of the legislature by June 30, 2025, in compliance with RCW 43.01.036.

(g)(i) \$260,000 of the amounts in fiscal year 2024 and \$98,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to conduct a study of the Washington jail system and county juvenile justice facilities.

(ii) The institute's report shall include, to the extent possible, consideration of the following:

(A) A longitudinal study of how the county jail and county juvenile detention populations have changed over the last 12 years including, but not limited to, an analysis of demographics, physical and behavioral health issues, number of inmates, and types of convictions;

(B) An analysis of county jail and county juvenile detention facility survey data provided by the Washington state association of counties as described in (g)(v) of this subsection; and

(C) Examination of the availability of criminal justice training commission classes for corrections officers.

(iii) The health care authority, department of social and health services, administrative office of the courts, criminal justice training commission, state auditor's office, office of financial management, and Washington state patrol must provide the institute with access to data or other resources if necessary to complete this work.

(iv) The institute shall submit the report to the appropriate committees of the legislature and the governor by December 1, 2024.

(v) As part of the study, the institute shall contract with the Washington state association of counties to conduct a survey of jail and juvenile detention facilities in Washington state. The survey shall include, but not be limited to, the following:

(A) Age of the facilities;

(B) Age of systems within the facilities;

(C) Cost of remodeling facilities;

(D) Cost of building new facilities;

(E) General maintenance costs of the facilities;

(F) Operational costs of the facilities;

(G) Workforce, to include, but not be limited to, employee vacancies as a percentage of total employees;

(H) Services, supports, and programming, to include, but not be limited to:

(I) Costs of housing those with behavioral health needs;

(II) Number of individuals with behavioral health needs;

(III) Cost of competency restoration;

(IV) Physical health services and related costs;

(V) Number of individuals booked and housed on behalf of state agencies;

(VI) Percent of individuals waiting for a state hospital;

(VII) Available nonincarcerative alternatives and diversion programs; and

(VIII) Available release and reentry services;

(I) Funding sources, to include, but not be limited to:

(I) County tax structure and revenue raising ability; and

(II) Jail and juvenile detention facility funding sources.

(vi) The Washington state association of counties shall consult with the Washington state institute for public policy during the design and distribution of the survey. Responses to the survey shall be compiled and provided to the Washington state institute for public policy by December 31, 2023.

(h)(i) \$240,000 of the amounts in fiscal year 2024 and \$240,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy, in consultation with the Washington traumatic brain injury strategic partnership advisory council, to study the potential need for developing specialized long-term services and supports for adults with traumatic brain injuries.

(ii) At a minimum, the study must include an examination of:

(A) The demographics of adults with traumatic brain injuries in the state who are anticipated to be in need of long-term services and supports, including an examination of those who are likely to be eligible for medicaid long-term services and supports;

(B) The industry standards of providing long-term care services and supports to individuals with traumatic brain injuries; and

(C) The methods other states are utilizing to provide long-term services and supports to individuals with traumatic brain injuries, including identifying the rates paid for these services and a description of any specialized facilities established to deliver these services.

(iii) A report of the findings of this study and any recommendations for increasing access to appropriate long-term services and supports for individuals with traumatic brain injuries shall be submitted to the governor and the appropriate committees of the legislature no later than June 30, 2025.

(i) \$163,000 of the amounts in fiscal year 2024 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(j) \$222,000 of the amounts in fiscal year 2025 are provided solely for implementation of chapter 29, Laws of 2022 (2SHB 1818) (reentry and rehabilitation).

(k) \$107,000 of the amounts in fiscal year 2025 is provided solely for the Washington state institute for public policy to examine programs in peer states related to breast cancer education and prevention prior to diagnosis and support and resources after diagnosis for native communities. The study must focus on programs that are operated by either the state, tribes solely, or tribes in coordination with the state. To identify peer states, the institute may consider factors such as the population of American Indians and Alaska natives, number of federally recognized tribes, and whether the state has expanded medicaid. The report shall include for each peer state the existence of any programs that meet the criteria described in this section, and summarize any research findings on these programs, if available. The institute must submit a report to the appropriate committees of the legislature by June 30, 2025, in compliance with RCW 43.01.036.

(l) \$57,000 of the amounts in fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(m) Notwithstanding other provisions in this subsection, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute's 2023-25 work plan as necessary to efficiently manage workload.

(5) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional faculty to support Native American and indigenous programs.

(6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the native pathways program for an assistant director.

(7) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison position.

(8) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(9) \$137,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student mental health and wellness. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(10) \$196,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for additional laboratory, art, and media lab sections.

(11) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop and expand current corrections education programs offered in department of corrections facilities. The college shall appoint a project implementation team, collaborate with stakeholders to plan student success programs and curriculum which lead to transferable credit, associate and bachelor's degrees, and other workforce credentials, and train faculty and staff on working with incarcerated populations.

(12) \$2,636,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(13) \$670,000 of the workforce education investment account—state appropriation is provided solely to maintain enrollment capacity in psychology programs.

(14) \$600,000 of the workforce education investment account—state appropriation is provided solely to increase student success by maintaining support for a student precollege immersion program and the Evergreen first-year experience.

(15) \$988,000 of the workforce education investment account—state appropriation is provided solely for student enrollment and retention support. Funding is provided for hiring a student advisor and underserved student specialist to provide student support and administrative support for the native pathways program.

(16) \$554,000 of the workforce education investment account—state appropriation is provided solely for the expansion of corrections education offerings to currently incarcerated students and the expansion of reentry services.

(17) ~~(\$106,000)~~ \$124,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) \$6,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$97,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$223,000 of the workforce education investment account—state appropriation is provided solely for the Shelton promise pilot program.

(22) \$42,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 607.** 2023 c 475 s 611 (uncodified) is amended to read as follows:

**FOR WESTERN WASHINGTON UNIVERSITY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$98,802,000</del> ))
	<u>\$99,066,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$103,707,000</del> ))
	<u>\$104,923,000</u>
Western Washington University Capital Projects	
Account—State Appropriation . . . . .	\$1,424,000
Education Legacy Trust Account—State Appropriation . . . . .	\$13,831,000
Workforce Education Investment Account—State	
Appropriation . . . . .	(( <del>\$21,399,000</del> ))
	<u>\$22,264,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$239,163,000</del>))</b>
	<b><u>\$241,508,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) ~~((~~\$19,580,000~~))~~\$19,789,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$20,010,000~~))~~\$20,283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation and implementation of an early childhood education degree program at the western on the peninsulas campus. The university must collaborate with Olympic college. At full implementation, the university is expected to grant approximately 75 bachelor's degrees in early childhood education per year at the western on the peninsulas campus.

(5) \$1,306,000 of the general fund—state appropriation for fiscal year 2024 and \$1,306,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to develop a new program in marine, coastal, and watershed sciences.

(6) \$886,000 of the general fund—state appropriation for fiscal year 2024 and \$886,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to reduce tuition rates for four-year degree programs offered in partnership with Olympic college—Bremerton, Olympic college—Poulsbo, and Peninsula college—Port Angeles that are currently above state-funded resident undergraduate tuition rates.

(7) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to recruit and retain high quality and diverse graduate students.

(8) \$548,000 of the general fund—state appropriation for fiscal year 2024 and \$548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for critical support services to ensure traditionally underrepresented students receive the same opportunities for academic success as their peers.

(9) \$48,000 of the general fund—state appropriation for fiscal year 2024 and \$48,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and

training specifically related to working with active members of the military or military veterans.

(10) \$530,000 of the general fund—state appropriation for fiscal year 2024 and \$530,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation of two bilingual educator programs in the south King county region, including a bilingual elementary education degree program and a secondary education degree program. At full implementation, each cohort shall support up to 25 students per year.

(11) \$361,000 of the general fund—state appropriation for fiscal year 2024 and \$361,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a master of science program in nursing.

(12) \$433,000 of the general fund—state appropriation for fiscal year 2024 and \$433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the registered nurse to bachelors in nursing program.

(13) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(14) \$2,256,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(15) \$3,426,000 of the workforce education investment account—state appropriation is provided solely to maintain access to science, technology, engineering, and mathematics degrees.

(16) \$908,000 of the workforce education investment account—state appropriation is provided solely to establish an academic curriculum in ethnic studies.

(17) \$400,000 of the workforce education investment account—state appropriation is provided solely for upgrading cyber range equipment and software.

(18) \$2,520,000 of the workforce education investment account—state appropriation is provided solely for student support services that include resources for outreach and financial aid support, retention initiatives including targeted support for underserved student populations, mental health support, and initiatives aimed at addressing learning disruption due to the global pandemic. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for student support services.

(19) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(20) \$500,000 of the workforce education investment account—state appropriation is provided solely for the student civic leaders initiative.

(21) \$1,610,000 of the general fund—state appropriation for fiscal year 2024 and \$2,875,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(22) \$3,186,000 of the workforce education investment account—state appropriation is provided solely for the western on the peninsulas expansion. This includes new two plus two degrees programs such as industrial engineering, data science, and sociology.

(23) \$1,577,000 of the workforce education investment account—state appropriation is provided solely for expanded remedial math and additional English 101 courses, as well first year seminars, and disability accommodation counselors. Of the amounts provided in this subsection for first year seminars, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided for the university to develop a student orientation program for students receiving the Washington college grant, focusing on first-generation and traditionally underrepresented students. The program may include evidence-based student success metrics, peer support, and mentorship following orientation. The program proposal must be submitted to the legislature by December 1, 2023 for implementation in the 2024-2025 academic year.

(24) \$100,000 of the workforce education investment account—state appropriation is provided solely for mental health first aid training for faculty.

(25) \$150,000 of the workforce education investment account—state appropriation is provided solely for the small business development center to increase technical assistance to black, indigenous, and other people of color small business owners in Whatcom county.

(26) \$694,000 of the workforce education investment account—state appropriation is provided to establish a master of social work program at western on the peninsulas.

(27) \$2,478,000 of the workforce education investment account—state appropriation is provided solely for expansion of bilingual educators education.

(28) \$1,000,000 of the workforce education investment account—state appropriation is provided for additional student support and outreach at western on the peninsulas.

(29) \$580,000 of the workforce education investment account—state appropriation is provided solely to convert the human services program at western on the peninsulas from self-sustaining to state-supported to reduce tuition rates for students in the program.

(30) ~~(\$118,000)~~ \$138,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$23,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and

witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33) \$1,306,000 of the workforce education investment account—state appropriation is provided solely to establish and administer a teacher residency program focused on special education instruction beginning in the 2024-25 school year. Amounts provided in this subsection are sufficient to support one cohort of 17 residents per school year, and must be prioritized to communities that are anticipated to be most positively impacted by teacher residents who fill teacher vacancies upon completing the teacher residency program and who remain in the communities in which they are mentored. The teacher residency program must meet the following requirements:

(a) Residents receive compensation equivalent to first year paraeducators, as defined in RCW 28A.413.010;

(b) Each resident is assigned a preservice mentor;

(c) Preservice mentors receive a stipend of \$2,500 per year;

(d) Residents receive at least 900 hours of preservice clinical practice over the course of the school year;

(e) At least half of the residency hours specified in (d) of this subsection are in a coteaching setting with the resident's preservice mentor and the other half of the residency hours are in a coteaching setting with another teacher;

(f) Residents may not be assigned the lead or primary responsibility for student learning;

(g) Coursework taught during the residency is codesigned by the teacher preparation program and the school district, state-tribal education compact school, or consortium, tightly integrated with residents' preservice clinical practice, and focused on developing culturally responsive teachers; and

(h) The program must prepare residents to meet or exceed the knowledge, skills, performance, and competency standards described in RCW 28A.410.270(1).

~~(34) \$445,000 of the workforce education investment account—state appropriation is provided solely to continue the expansion of the undergraduate electrical and computer engineering program.~~

~~(35) \$400,000 of the workforce education investment account—state appropriation is provided solely for academic access and outreach.~~

~~(36) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the university to contract with a nonprofit organization in Kitsap county that provides cyber security curriculum to postsecondary institutions for cyber security education in partnership with the Washington state cyber range in Poulsbo.~~

~~(37) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the university to contract with a nonprofit organization in Whatcom county that provides economic and financial education to conduct foundational research on the efficacy of financial education course formats.~~

~~(38) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the institute for the study of the Holocaust, genocide, and crimes against humanity to collaborate with the office of the superintendent of public instruction on curriculum development and teacher training.~~

~~(39) \$122,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

**Sec. 608.** 2023 c 475 s 612 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—POLICY COORDINATION AND ADMINISTRATION**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$9,850,000 ))
	\$9,891,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$9,416,000 ))
	\$10,294,000
General Fund—Federal Appropriation . . . . .	(( \$20,996,000 ))
	\$20,998,000
Washington Student Loan Account—State Appropriation . . . . .	(( \$90,000,000 ))
	\$80,000,000
Workforce Education Investment Account—State Appropriation . . . . .	(( \$16,311,000 ))
	\$16,561,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b>(( \$146,573,000 ))</b>
	<b>\$137,744,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$126,000 of the general fund—state appropriation for fiscal year 2024 and \$126,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consumer protection unit.

(2) The student achievement council must ensure that all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW provide the data needed to analyze and evaluate the effectiveness of state financial aid programs. This data must be promptly transmitted to the education data center so that it is available and easily accessible.

(3) Community-based organizations that receive state funding under subsection (11) of this section and (~~section 605(35) of this act~~) section 601(35) of this act are not eligible for Washington career and college pathways innovation challenge program grant funding for the same purpose.

(4) \$575,000 of the general fund—state appropriation for fiscal year 2024 and \$575,000 of the general fund—state appropriation for fiscal year 2025 are provided to increase the number of high school seniors and college bound scholars that complete the free application for federal student aid and the Washington application for state financial aid through digital engagement tools, expanded training, and increased events for high school students.

(5) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative support services to carry out duties and responsibilities necessary for recipients of the Washington college grant who are enrolled in a state registered apprenticeship program.

(6) (a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The student achievement council, in cooperation with the council of presidents, must provide resources for up to two four-year colleges or universities, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college and university staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The council, in collaboration with the council of presidents and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health insurance coverage; and to provide recommendations on how to improve student and staff access to health coverage based on data gathered from the pilot program.

(7) \$1,208,000 of the general fund—state appropriation for fiscal year 2024 and \$1,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington award for vocational excellence. Of the amount provided in this subsection, \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 may be used for administration and that is the maximum amount that may be expended for this purpose.

(8) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the career launch grant pool for the public four-year institutions.

(9) \$179,000 of the general fund—state appropriation for fiscal year 2024 and \$179,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the complete Washington program.

(10) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the council to submit a progress report on the new or expanded cybersecurity and nursing academic programs that receive funding in (~~sections 605 through 611 of this act~~) sections 601 through 607 of this act, including the number of students enrolled. The council must coordinate with the institutions of higher education and the state board for community and technical colleges as provided in (~~sections 603(3), 605(31), and 605(37) of this act~~) section 603(3), chapter 475, Laws of 2023 and section 601 (31) and (37) of this act. The progress report must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2024.

(11) \$5,778,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to contract with a statewide nonprofit organization located in King county to expand college services to support underserved students and improve college retention and completion rates.

(12) \$46,000 of the general fund—state appropriation for fiscal year 2024 and \$46,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the state of Washington's annual dues to the education commission of the state.

(13) \$150,000 of the workforce education investment account—state appropriation is provided solely for an implementation review of the passport to careers program. The review must include short and long-term recommendations to improve the reach and effectiveness of the passport program. The review must include consultation with organizations serving foster



youth, the state board of community and technical colleges, public four-year institutions, and other organizations involved in the passport to college and passport to apprenticeship programs. Amounts provided in this subsection may be used to provide stipends for youth participating in the review who are receiving funds from passport programs or are eligible to receive funds from passport programs. The review must be submitted to the appropriate committees of the legislature by June 30, 2024.

(14) \$1,485,000 of the workforce education investment account—state appropriation and ~~(\$90,000,000)~~ \$80,000,000 of the Washington student loan account—state appropriation are provided solely for implementation of Engrossed House Bill No. 1823 (WA student loan program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(15) \$16,000,000 of the general fund—federal appropriation is provided solely for the good jobs challenge grant expenditure authority.

(16) \$200,000 of the general fund—state appropriation for fiscal year 2024 ((is))and \$230,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contraception vending machines for students and staff stocked with emergency contraceptive medication and other forms of contraception, including condoms, and naloxone opioid overdose reversal medication administered by nasal inhalation and fentanyl test strips at discreet and geographically accessible locations, such as gender-neutral restrooms and student union buildings, and locations that are accessible on weekends and after 5:00 p.m. The council must distribute \$10,000 to each public four-year institution and community and technical college who apply on a first-come, first-served basis in fiscal year 2024 and prioritize new applications in fiscal year 2025. An additional \$10,000 may be provided to institutions with more than 20,000 full-time equivalent students. The institutions who receive funding shall enter into agreements with the department of health to receive naloxone and fentanyl test strips to stock the vending machines and provide cost-free access to naloxone and fentanyl test strips to students. A report on which institutions received funding shall be submitted to the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(17) \$1,150,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for the council to provide grants to law schools in the state who offer a law clinic focusing on crime victim support.

(19)(a) \$100,000 of the workforce education investment account—state appropriation is provided solely to contract with a nonprofit organization located in Tacoma that focuses on coordinated systems of support for postsecondary success to conduct a comprehensive study on the feasibility and potential impacts on postsecondary enrollment of a policy of universal free application for federal financial aid (FAFSA) completion. For purposes of this subsection, universal FAFSA completion means making completion of the financial aid form a requirement for high school graduation and requiring schools to support students through the process. The study will include, but is not limited to, the following:

(i) A landscape scan of existing state and local level universal FAFSA completion policies, both in Washington and nationally;

(ii) Input from key stakeholder groups, including students, parents, state agency staff, K-12 district staff and leadership, and student serving organizations; and

(iii) Recommendations for possible policy change at the state level.

(b) A report of findings and recommendations must be submitted to the appropriate committees of the legislature pursuant to RCW 43.01.036 by November 30, 2023.

(20) \$648,000 of the workforce education investment account—state appropriation is provided solely for distribution to four-year institutions of higher education participating in the students experiencing homelessness program without reduction by the Washington student achievement council, pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) \$46,000 of the workforce education investment account—state appropriation is provided solely for the administration of the students experiencing homelessness program pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$400,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5687 (wrestling grant program). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(23) \$356,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to staff the workforce education investment accountability and oversight board as provided in Engrossed Senate Bill No. 5534 (workforce investment board). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(24) \$191,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to hire a full-time equivalent position to help with increased contracting demand.

(25) \$250,000 of the workforce education investment account—state appropriation is provided solely for a study on establishment and implementation of a scholarship fund as

described in RCW 28B.95.040. The study shall include strategy options for disbursement, summary of how tuition units would be allocated for scholarships, and coordination with existing college savings plans. The office shall seek written advice from the internal revenue service on the impact of the provisions in Substitute House Bill No. 2309 on the status of Washington's qualified tuition plan under 529 of the internal revenue code, including potential scalability of the program and its impact on any determination. The report shall include recommendations for implementing the scholarship and be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(26) \$330,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 609.** 2023 c 475 s 613 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—OFFICE OF STUDENT FINANCIAL ASSISTANCE**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$302,029,000</del> ))
	<u>\$302,031,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$301,772,000</del> ))
	<u>\$301,988,000</u>
General Fund—Federal Appropriation. . . . .	(( <del>\$12,250,000</del> ))
	<u>\$12,264,000</u>
General Fund—Private/Local Appropriation. . . . .	\$300,000
Education Legacy Trust Account—State Appropriation. . . . .	\$85,488,000
Washington Opportunity Pathways Account—State Appropriation. . . . .	(( <del>\$78,914,000</del> ))
	<u>\$76,603,000</u>
Aerospace Training Student Loan Account—State Appropriation. . . . .	\$220,000
Workforce Education Investment Account—State Appropriation. . . . .	(( <del>\$226,415,000</del> ))
	<u>\$323,533,000</u>
Health Professionals Loan Repayment and Scholarship Program Account—State Appropriation. . . . .	\$11,720,000
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$1,019,108,000</del>))</b>
	<b><u>\$1,114,147,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,834,000 of the general fund—state appropriation for fiscal year 2024 and \$7,835,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student financial aid payments under the state work study program, including up to four percent administrative allowance for the state work study program.

(2) \$276,416,000 of the general fund—state appropriation for fiscal year 2024, \$276,416,000 of the general fund—state appropriation for fiscal year 2025, ~~((~~\$169,036,000~~))~~ \$258,584,000 of the workforce education investment account—state appropriation, \$69,639,000 of the education legacy trust fund—state appropriation, and \$67,654,000 of the Washington opportunity pathways account—state appropriation are provided solely for the Washington college grant program as provided in RCW 28B.92.200.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2023-2025 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) \$1,165,000 of the general fund—state appropriation for fiscal year 2024, \$1,165,000 of the general fund—state appropriation for fiscal year 2025, \$15,849,000 of the education legacy trust account—state appropriation, and ~~((~~\$11,260,000~~))~~ \$8,949,000 of the Washington opportunity pathways account—state appropriation are provided solely for the college bound scholarship program and may support scholarships for summer session. The office of student financial assistance and the institutions of higher education shall not consider awards made by the opportunity scholarship program to be state-funded for the purpose of determining the value of an award amount under RCW 28B.118.010.

(5) \$6,999,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~, \$6,999,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the workforce education investment account—state appropriation are provided solely for the passport to college program. The maximum scholarship award is up to \$5,000. The council shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2024 and 2025 for this purpose.

(6) \$55,254,000 of the workforce education investment account—state appropriation is provided solely for an annual bridge grant of \$500 to eligible students. A student is eligible for a grant if the student receives a maximum college grant award and does not receive the college bound scholarship program under chapter 28B.118 RCW. Bridge grant funding

provides supplementary financial support to low-income students to cover higher education expenses.

(7) \$500,000 of the workforce education investment account—state appropriation is provided solely for the behavioral health apprenticeship stipend pilot program, with stipends of \$3,000 available to students. The pilot program is intended to provide a stipend to assist students in high-demand programs for costs associated with completing a program, including child care, housing, transportation, and food.

(8) ~~(\$1,000,000)~~ \$1,425,000 of the workforce education investment account—state appropriation is provided solely for the national guard grant program. Of the amount provided in this subsection, \$425,000 of the workforce education investment account—state appropriation for fiscal year 2025 is provided solely to increase national guard grant award amounts.

(9) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for educator conditional scholarship and loan repayment programs established in chapter 28B.102 RCW. Dual language educators must receive priority.

(10) \$10,000,000 of the health professionals loan repayment and scholarship program account—state appropriation is provided solely to increase loans within the Washington health corps.

(11) \$1,156,000 of the workforce education investment account—state appropriation is provided solely for implementation of House Bill No. 1232 (college bound scholarship). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$239,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to remove barriers to accessing state financial aid by informing people of their income-eligibility for the Washington college grant via the supplemental nutrition assistance program as provided in Second Substitute House Bill No. 2214 (college grant/public assist). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$500,000 of the workforce education investment account—state appropriation is provided solely for the Washington award for vocational excellence. This funding will support increasing the scholarship award for students.

(14) \$400,000 of the workforce education investment account—state appropriation is provided solely for a financial aid texting program.

(15) \$500,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a mentoring scholarship. An eligible student means a student who participated in a mentoring program as a 12th grade student in Spokane, Garfield, or Columbia counties; filed a free application for federal student aid (FAFSA) or Washington application for state financial aid; and has family income up to 150 percent of the state median family income. An eligible student may receive a maximum award of \$5,000. The award may only be used at institutions of higher education in Spokane, Garfield, Whitman, or Columbia counties. An award that includes state funds must be matched on an equal dollar basis with private funds. A state match for private contributions made in fiscal year 2025 may not exceed \$500,000.

(16) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2025 (state work-study program). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(17) \$150,000 of the workforce education investment account—state appropriation is provided solely for implementation of House Bill No. 1946 (behav. health scholarship). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(18) \$100,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2441 (college in the HS fees). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(19) \$1,200,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2019 (Native American apprentices). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(20) \$1,500,000 of the workforce education investment account—state appropriation is provided solely for implementation of Senate Bill No. 5904 (financial aid terms). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**Sec. 610.** 2023 c 475 s 614 (uncodified) is amended to read as follows:

**FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$4,845,000</del> ))
	<u>\$4,898,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$4,311,000</del> ))
	<u>\$4,879,000</u>
General Fund—Federal Appropriation . . . . .	(( <del>\$55,868,000</del> ))
	<u>\$56,030,000</u>
General Fund—Private/Local Appropriation . . . . .	\$212,000
Climate Commitment Account—State Appropriation . . . . .	\$904,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation . . . . .	\$250,000

Workforce Education Investment Account—State

Appropriation. . . . .	(( <del>\$2,350,000</del> ))
	<u>\$3,425,000</u>
<b>TOTAL APPROPRIATION.....</b>	<b>((<del>\$68,740,000</del>))</b>
	<b><u>\$70,598,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the health workforce council of the state workforce training and education coordinating board. In partnership with the office of the governor, the health workforce council shall continue to assess workforce shortages across behavioral health disciplines and incorporate the recommended action plan completed in 2020.

(2) \$250,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for an accredited osteopathic medical school to purchase necessary equipment to support the education and training of community-focused occupational therapists.

(3) \$564,000 of the general fund—state appropriation for fiscal year 2024 and \$573,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to conduct health workforce surveys, in collaboration with the nursing care quality assurance commission, to collect and analyze data on the long-term care workforce, and to manage a stakeholder process to address retention and career pathways in long-term care facilities.

(4) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for apprenticeship grants, in collaboration with the nursing care quality assurance commission and the department of labor and industries, to address the long-term care workforce.

(5) \$109,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative expenditures for the Washington award for vocational excellence.

(6) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the workforce board to award grants for the purposes of providing apprenticeship, industry certifications and wraparound student supports to workers pursuing job advancement and enhancement through college readiness, apprenticeship, degree, certification, or professional development opportunities in the health care field. Grant recipients must be labor-management partnerships established under section 302 of the labor-management relations act, 29 U.S.C. Sec. 186 that demonstrate adequate funding match and competency in the provision of student supports, or employers who can demonstrate service serving greater than 50 percent medicaid populations who can demonstrate that they will use the grant to join or establish a labor-management partnership dedicated to the purposes of this section. Preference must be given to applications that demonstrate an ability to support students from racially diverse backgrounds, and that are focused on in-demand fields with career ladders to living wage jobs. Grant recipients must use the funds to provide services including, but not limited to, development and implementation of apprenticeship and industry certifications, benefits administration, tuition assistance, counseling and navigation, tutoring and test preparation, instructor/mentor training, materials and technology for students, childcare, and travel costs.

(7) \$92,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time information technology position to collaborate with other state workforce agencies to establish and support a governance structure that provides strategic direction on cross-organizational information technology projects. The board must submit a report to the governor's office and the appropriate committees of the legislature, pursuant to RCW 43.01.036, with a progress update and recommendations on a coalition model that will result in better service coordination and public stewardship that enables the efficient delivery of workforce development services by September 1, 2023, and September 1, 2024.

(8) The workforce board must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(9) \$84,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$904,000 of the climate commitment account—state appropriation is provided solely for the implementation of Second Substitute House Bill No. 1176 (climate-ready communities), which creates a clean energy technology workforce advisory committee. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ The agency must conduct a study in fiscal year 2024 of the feasibility of a transition to retirement program to ensure income and medical and retirement benefits are not interrupted for workers close to retirement that face job loss or transition because of clean energy technology sector changes.

(11) \$256,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$1,075,000 of the workforce education investment account—state appropriation is provided solely for digital equity. Of the amount provided in this subsection:

(a) \$150,000 of the workforce education investment account—state appropriation is provided solely for administration and oversight of digital equity workforce coordination and expansion.

(b) \$150,000 of the workforce education investment account—state appropriation is provided solely for development of an interactive portal for job seekers, workers, and students, focused on information technology and information technology adjacent careers.

(c) \$350,000 of the workforce education investment account—state appropriation is provided solely for reentry services for individuals within the prison system who are within three to five months of release for direct entry into a program or employment.

(d) \$425,000 of the workforce education investment account—state appropriation is provided solely for the board to contract with Washington State University to provide preliminary work to inform the design and development of a Washington digital literacy credential program. The institution shall research the landscape of digital literacy programs from providers across the state; create a comprehensive database of available programs; research and identify gaps in the needed skills training currently available; research and identify potential subject matter experts; and identify digital badging opportunities in accordance with state guidelines and needs. A report shall be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 1, 2025.

(13) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a new application portal for the Washington award for vocational excellence scholarship program.

**Sec. 611.** 2023 c 475 s 615 (uncodified) is amended to read as follows:

**FOR THE STATE SCHOOL FOR THE BLIND**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$11,090,000 ))
	\$11,072,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$11,186,000 ))
	\$11,356,000
General Fund—Private/Local Appropriation . . . . .	\$34,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$22,310,000 ))</b>
	<b>\$22,462,000</b>

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades six through twelve for full-time instructional services at the Vancouver campus or online with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

**Sec. 612.** 2023 c 475 s 616 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON CENTER FOR DEAF AND HARD OF HEARING YOUTH**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$17,953,000 ))
	\$18,505,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$17,997,000 ))
	\$18,774,000
General Fund—Private/Local Appropriation . . . . .	(( \$3,050,000 ))
	\$4,052,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$39,000,000 ))</b>
	<b>\$41,331,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Funding provided in this section is sufficient for the center to offer students ages three through 21 enrolled at the center the opportunity to participate in a minimum of 1,080 hours of instruction and the opportunity to earn 24 high school credits.

(2) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a mentoring program for persons employed as educational interpreters in public schools.

(3) \$240,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for additional student-based safety training as well as diversity, equity, and inclusion training for staff.

**Sec. 613.** 2023 c 475 s 617 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund—State Appropriation (FY 2024) . . . . .	(( \$6,615,000 ))
	\$6,329,000
General Fund—State Appropriation (FY 2025) . . . . .	(( \$6,795,000 ))
	\$7,595,000
General Fund—Federal Appropriation . . . . .	(( \$2,230,000 ))
	\$2,830,000
General Fund—Private/Local Appropriation . . . . .	\$184,000
<b>TOTAL APPROPRIATION</b> .....	<b>(( \$15,824,000 ))</b>
	<b>\$16,938,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$79,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creative districts program.

(2) \$868,000 of the general fund—state appropriation for fiscal year 2024 and \$867,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a tribal cultural affairs program. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support tribal cultural, arts, and creative programs.

(3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to hire a temporary collections technician to maintain and repair public art in the state art collection.

(4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to implement a pilot program for in-person and online arts programming, targeting adults and families impacted by housing instability, mental health challenges, and trauma.

(5) ~~(((\$489,000))\$199,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(((\$654,000))\$944,000~~ of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for an outdoor public art project in downtown Everett on the façade of the Schack art center. The project shall feature stainless steel images of Sasquatch and Pacific Northwest elements, honoring the rich cultural heritage of the region and the narrative history of the Coast Salish Tribes.

**Sec. 614.** 2023 c 475 s 618 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$5,327,000</del> ))
	<u>\$5,424,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$5,467,000</del> ))
	<u>\$6,715,000</u>
Local Museum Account—Washington State Historical Society—Private/Local Appropriation . . . . .	\$70,000
<b>TOTAL APPROPRIATION</b> . . . . .	<b><u>((<del>\$10,864,000</del>))</u></b>
	<b><u>\$12,209,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of supporting the Washington museums connect initiative, creating an inventory of rural, volunteer, and multidiscipline museums and place-based heritage groups to connect at-risk museums to a statewide funding and operational network. The department shall contract with an organization that works with and connects museums in Washington state.

(a) The contracted organization must:

(i) Submit to the department a report regarding funding needs for the museums and place-based heritage groups identified in the statewide inventory created in the first phase of the initiative;

(ii) Submit to the department a strategic plan assessing opportunities for the entities identified in the statewide inventory to access local, state, and national funding; and

(iii) Distribute to the entities identified in the inventory information regarding opportunities to apply for local, state, and national funding for the duration of the contract.

(b) The report and the strategic plan are due by June 30, 2025.

(2) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$88,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an assistant curator at the Washington state history museum.

(3) \$4,000 of the general fund—state appropriation for fiscal year 2024, \$4,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the local museum account—Washington state historical society—private/local appropriation are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) \$99,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$242,000))~~ \$428,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state historical society to partner with statewide organizations specializing in the preservation of Washington state aviation history to organize a

centennial celebration of the first round-the-world flight that captures the narratives and contributions of Washingtonians to the history of aviation.

(5) \$320,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state historical society to partner with a statewide organization specializing in the preservation of Washington state Jewish history to transform and expand the collection of oral histories from Jewish Washingtonians in order to build awareness and to provide education.

**Sec. 615.** 2023 c 475 s 619 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund—State Appropriation (FY 2024) . . . . .	(( <del>\$4,429,000</del> ))
	<u>\$4,794,000</u>
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$4,452,000</del> ))
	<u>\$4,712,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$8,881,000</del>))</b>
	<b><u>\$9,506,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$103,000 of the general fund—state appropriation for fiscal year 2024 and \$103,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a director of support services.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an information technology staff to replace the society's contracted information technology support.

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for acquisition, transportation, archiving, and storage of the following two collections:

- (a) A collection of artworks created by Harold Balazs;
- (b) A collection of Southern Plateau tribal beadwork and culturally historic photographs.

(End of part)

**PART VII  
SPECIAL APPROPRIATIONS**

**Sec. 701.** 2023 c 475 s 701 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—INFORMATION TECHNOLOGY INVESTMENT POOL**

General Fund—State Appropriation (FY 2024) . . . . .	\$26,470,000
General Fund—State Appropriation (FY 2025) . . . . .	(( <del>\$9,022,000</del> ))
	<u>\$12,356,000</u>
Other Appropriated Funds . . . . .	(( <del>\$6,559,000</del> ))
	<u>\$18,198,000</u>
<b>TOTAL APPROPRIATION</b> .....	<b>((<del>\$42,051,000</del>))</b>
	<b><u>\$57,024,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for expenditure into the information technology investment revolving account created in RCW 43.41.433. Amounts in the account are provided solely for the information technology projects shown in LEAP omnibus documents IT-2023, dated April 22, 2023, and IT-2024, dated March 4, 2024, which ~~((is))~~ are hereby incorporated by reference. To facilitate the transfer of moneys from other funds and accounts that are associated with projects contained in LEAP omnibus documents IT-2023, dated April 22, 2023, and IT-2024, dated March 4, 2024, the state treasurer is directed to transfer moneys from other funds and accounts to the information technology investment revolving account in accordance with schedules provided by the office of financial management. Restricted federal funds may be transferred only to the extent permitted by law, and will otherwise remain outside the information technology investment account. The projects affected remain subject to the other provisions of this section.

(2) Agencies must apply to the office of the chief information officer for certification and release of funding for each gate of the project. When the office of the chief information officer certifies the key deliverables of the gate have been met, a current technology budget is approved; and if applicable to the stage or gate of the project, that the project is putting functioning software into production that addresses user needs, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality that the office of the chief information officer will post to their website by July 1, 2023, it must notify the office of financial management and the fiscal committees of the legislature. The office of financial management may not approve funding for the certified project gate any earlier than ten business days from the date of notification to the fiscal committees of the legislature.

(3) (a) Allocations and allotments of information technology investment revolving account must be made for discrete stages of projects as determined by the technology budget approved by the office of the chief information officer and the office of financial management.

(b) Fifteen percent of total funding allocated by the office of financial management, or another amount as defined jointly by the office of financial management and the office of the chief information officer, will be retained in the account, but remain allocated to that project. The retained funding will be released to the agency only after successful completion of that stage of the project and only after the office of the chief information officer certifies the stage as required in subsection (2) of this section. For the one Washington project, the amount retained is increased to at least twenty percent of total funding allocated for any stage of that project. If there is no significant risk to the project, the holdback does not apply to the final gate during a biennial close.

(4) (a) Each project must have a technology budget. The technology budget must have the detail by fiscal month for the 2023-2025 fiscal biennium. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out, as well as at least five years of maintenance and operations costs.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit an updated technology budget, if changes occurred, to include detailed financial information to the office of financial management and the office of the chief information officer. The technology budget must describe the total cost of the project, as well as maintenance and operations costs, to include and identify at least:

(i) Fund sources:

(A) If the project is funded from the information technology revolving account, the technology budget must include a worksheet that provides the fund sources that were transferred into the account by fiscal year;

(B) If the project is by a central service agency, and funds are driven out by the central service model, the technology budget must provide a statewide impact by agency by fund as a worksheet in the technology budget file;

(ii) Full time equivalent staffing level to include job classification assumptions. This is to assure that the project has adequate state staffing and agency support to ensure success, ensure user acceptance, and adequately test the functionality being delivered in each sprint before it is accepted by the agency's contracting officer or their representative. Key project functions that are deemed "critical" must be retained by state personnel and not outsourced, to ensure that knowledge is retained within state government and that the state can self-sufficiently support the system and make improvements without long-term dependence on a vendor;

(iii) Discrete financial budget codes to include at least the appropriation index and program index;

(iv) Object and subobject codes of expenditures;

(v) Anticipated deliverables to include software demonstration dates;

(vi) Historical budget and expenditure detail by fiscal year; and

(vii) Maintenance and operations costs by fiscal year for at least five years as a separate worksheet.

(c) If a project technology budget changes and a revised technology budget is completed, a comparison of the revised technology budget to the last approved technology budget must be posted to the dashboard, to include a narrative rationale on what changed, why, and how that impacts the project in scope, budget, and schedule.

(5) (a) Each project must have a project charter. The charter must include:

(i) An organizational chart of the project management team that identifies team members and their roles and responsibilities, and shows that the project is adequately staffed by state personnel in key functions to ensure success;

(ii) The office of the chief information officer staff assigned to the project;

(iii) A project roadmap that includes the problems the team is solving and the sequence in which the team intends to take on those problems, updated periodically to reflect what has been learned;

(iv) Metrics to support the project strategy and vision, to determine that the project is incrementally meeting user needs;

(v) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project at each agency affected by the project;

(vi) Performance measures used to determine that the project is on time, within budget, and meeting expectations for quality of work product;

(vii) Ongoing maintenance and operations cost of the project post implementation and close out delineated by agency staffing, contracted staffing, and service level agreements; and

(viii) Financial budget coding to include at least discrete financial coding for the project.

(b) If required by the office of the chief information officer, a project may also need to have an investment plan. The office of the chief information officer must:

(i) Base the requirement of an agency needing to have an investment plan on the complexity and risk of the project;

(ii) Establish requirements by project risk level in statewide technology policy, and publish the requirements by September 30, 2023; and



(iii) In collaboration with the department of enterprise services, define the circumstances under which the vendor will be terminated or replaced and establish the process by which the agency will transition to a new vendor with a minimal reduction in project productivity.

(6)(a) Projects with estimated costs greater than \$100,000,000 from initiation to completion and implementation may be divided into discrete subprojects as determined by the office of the chief information officer, except for the one Washington project which must be divided into the following discrete subprojects: Core financials, expanding financials and procurement, budget, and human resources. Each subproject must have a technology budget as provided in this section.

(b) If the project affects more than one agency:

(i) A separate technology budget and investment plan must be prepared by each agency; and

(ii) There must be a budget roll up that includes each affected agency at the subproject level.

(7) The office of the chief information officer shall maintain a statewide information technology project dashboard that provides updated information each fiscal month on projects subject to this section. The statewide dashboard must meet the requirements in section 155 of this act.

(8) For any project that exceeds \$2,000,000 in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:

(a) Independent quality assurance services for the project must report independently to the office of the chief information officer;

(b) The office of the chief information officer, based on project risk assessments, may require additional quality assurance services and independent verification and validation services;

(c) The office of the chief information officer must review, and, if necessary, revise the proposed project to ensure it is flexible and adaptable to advances in technology;

(d) The technology budget must specifically identify the uses of any financing proceeds. No more than thirty percent of the financing proceeds may be used for payroll-related costs for state employees assigned to project management, installation, testing, or training;

(e) The agency must consult with the office of the state treasurer during the competitive procurement process to evaluate early in the process whether products and services to be solicited and the responsive bids from a solicitation may be financed;

(f) The agency must consult with the contracting division of the department of enterprise services for a review of all contracts and agreements related to the project's information technology procurements;

(g) The agency and project must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of every two-week sprint, except for:

(i) Hardware or infrastructure projects; and

(ii) Projects that have implemented all phases and are now in maintenance and operations;

(h) The project solution must be capable of being continually updated, as necessary; and

(i) The agency and project must deploy usable functionality into production for users within 180 days from the date of an executed procurement contract in response to a competitive request for proposal.

(9) The office of the chief information officer must evaluate the project at each stage and certify whether the project is putting functioning software into production that addresses user needs, is projected to be completed within budget, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality, and whether the project is planned, managed, and meeting deliverable targets as defined in the project's approved technology budget and investment plan.

(10) The office of the chief information officer may suspend or terminate a project at any time if it determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall unallot any unused funding and shall not make any expenditure for the project without the approval of the office of financial management. The office of the chief information officer must report on December 1 each calendar year any suspension or termination of a project in the previous 12-month period to the legislative fiscal committees.

(11) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section, including projects that are not separately identified within an agency budget. The office of the chief information officer must report on December 1 each calendar year any additional projects to be subjected to this section that were identified in the previous 12-month period to the legislative fiscal committees.

(12) Any cost to administer or implement this section for projects listed in subsection (1) of this section, must be paid from the information technology investment revolving account. For any other information technology project made subject to the conditions, limitations, and review of this section, the cost to implement this section must be paid from the funds for that project.

(13) The following information technology projects are subject to the conditions, limitations, and review of this section:

(a) The state network firewall replacement of the consolidated technology services agency;

(b) The resident portal of the consolidated technology services agency; and

(c) The resident identity and access management modernization project of the consolidated technology services agency.

Sec. 702. 2023 c 475 s 702 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT**

General Fund—State Appropriation (FY 2024)	(\$1,419,445,000))
	<u>\$1,401,902,000</u>
General Fund—State Appropriation (FY 2025)	(\$1,549,610,000))
	<u>\$1,471,521,000</u>
State Building Construction Account—State Appropriation	(( \$14,092,000))
	<u>\$20,863,000</u>
<u>Columbia River Basin Water Supply Development</u>	
Account—State Appropriation	\$3,000
<u>Watershed Restoration and Enhancement Bond Account—</u>	
State Appropriation	(( \$204,000))
	<u>\$64,000</u>
State Taxable Building Construction Account—State Appropriation	\$876,000
<u>Debt-Limit Reimbursable Bond Retirement Account—</u>	
State Appropriation	\$119,000
<b>TOTAL APPROPRIATION</b>	<b>(( \$2,984,346,000))</b>
	<b><u>\$2,895,348,000</u></b>

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

Sec. 703. 2023 c 475 s 703 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE**

Nondebt-Limit Reimbursable Bond Retirement Account—State Appropriation	(( \$51,730,000))
	<u>\$51,761,000</u>
<u>School Construction and Skill Centers Building</u>	
Account—State Appropriation	\$4,000
<b>TOTAL APPROPRIATION</b>	<b>(( \$51,730,000))</b>
	<b><u>\$51,765,000</u></b>

The appropriation in this section is subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt limit general fund bond retirement account.

Sec. 704. 2023 c 475 s 704 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES**

General Fund—State Appropriation (FY 2024)	\$1,400,000
General Fund—State Appropriation (FY 2025)	\$1,400,000
State Building Construction Account—State Appropriation	(( \$2,821,000))
	<u>\$3,921,000</u>
Watershed Restoration and Enhancement Bond Account—State Appropriation	(( \$44,000))
	<u>\$24,000</u>
State Taxable Building Construction Account—State Appropriation	\$176,000
<u>Columbia River Basin Water Supply Development</u>	
Account—State Appropriation	\$1,000
<u>School Construction and Skill Centers Building</u>	
Account—State Appropriation	\$1,000
<b>TOTAL APPROPRIATION</b>	<b>(( \$5,841,000))</b>
	<b><u>\$6,923,000</u></b>

Sec. 705. 2023 c 475 s 705 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—GOVERNOR'S EMERGENCY FUNDING**

General Fund—State Appropriation (FY 2024)	(( \$3,500,000))
	<u>\$5,000,000</u>
General Fund—State Appropriation (FY 2025)	\$3,500,000
<b>TOTAL APPROPRIATION</b>	<b>(( \$7,000,000))</b>
	<b><u>\$8,500,000</u></b>



Adams Clerk	County	\$2,103	( ( <del>\$1,714</del> ) ) <u>\$3,109</u>
Asotin Clerk	County	\$2,935	( ( <del>\$2,392</del> ) ) <u>\$4,339</u>
Benton Clerk	County	\$18,231	( ( <del>\$14,858</del> ) ) <u>\$26,953</u>
Chelan Clerk	County	\$7,399	( ( <del>\$6,030</del> ) ) <u>\$10,939</u>
Clallam Clerk	County	\$5,832	( ( <del>\$4,753</del> ) ) <u>\$8,622</u>
Clark Clerk	County	\$32,635	( ( <del>\$26,597</del> ) ) <u>\$48,249</u>
Columbia Clerk	County	\$384	( ( <del>\$313</del> ) ) <u>\$568</u>
Cowlitz Clerk	County	\$16,923	( ( <del>\$13,792</del> ) ) <u>\$25,020</u>
Douglas Clerk	County	\$3,032	( ( <del>\$2,471</del> ) ) <u>\$4,483</u>
Ferry Clerk	County	\$422	( ( <del>\$344</del> ) ) <u>\$624</u>
Franklin Clerk	County	\$5,486	( ( <del>\$4,471</del> ) ) <u>\$8,111</u>
Garfield Clerk	County	\$243	( ( <del>\$198</del> ) ) <u>\$359</u>
Grant Clerk	County	\$10,107	( ( <del>\$8,237</del> ) ) <u>\$14,942</u>
Grays County Clerk	Harbor	\$8,659	( ( <del>\$7,057</del> ) ) <u>\$12,802</u>
Island Clerk	County	\$3,059	( ( <del>\$2,493</del> ) ) <u>\$4,523</u>
Jefferson County Clerk		\$1,859	( ( <del>\$1,515</del> ) ) <u>\$2,748</u>
King Court Clerk	County	\$119,290	( ( <del>\$97,266</del> ) ) <u>\$176,446</u>
Kitsap Clerk	County	\$22,242	( ( <del>\$18,127</del> ) ) <u>\$32,883</u>
Kittitas Clerk	County	\$3,551	( ( <del>\$2,894</del> ) ) <u>\$5,250</u>
Klickitat County Clerk		\$2,151	( ( <del>\$1,753</del> ) ) <u>\$3,180</u>
Lewis Clerk	County	\$10,340	( ( <del>\$8,427</del> ) ) <u>\$15,287</u>

JOURNAL OF THE HOUSE

Lincoln County Clerk	\$724	( <del>(\$590)</del> ) <u>\$1,070</u>
Mason County Clerk	\$5,146	( <del>(\$4,194)</del> ) <u>\$7,608</u>
Okanogan County Clerk	\$3,978	( <del>(\$3,242)</del> ) <u>\$5,881</u>
Pacific County Clerk	\$2,411	( <del>(\$1,965)</del> ) <u>\$3,565</u>
Pend Oreille County Clerk	\$611	( <del>(\$498)</del> ) <u>\$903</u>
Pierce County Clerk	\$77,102	( <del>(\$62,837)</del> ) <u>\$113,990</u>
San Juan County Clerk	\$605	( <del>(\$493)</del> ) <u>\$894</u>
Skagit County Clerk	\$11,059	( <del>(\$9,013)</del> ) <u>\$16,350</u>
Skamania County Clerk	\$1,151	( <del>(\$938)</del> ) <u>\$1,702</u>
Snohomish County Clerk	\$38,143	( <del>(\$31,086)</del> ) <u>\$56,392</u>
Spokane County Clerk	\$44,825	( <del>(\$36,578)</del> ) <u>\$66,355</u>
Stevens County Clerk	\$2,984	( <del>(\$2,432)</del> ) <u>\$4,412</u>
Thurston County Clerk	\$22,204	( <del>(\$18,096)</del> ) <u>\$32,827</u>
Wahkiakum County Clerk	\$400	( <del>(\$326)</del> ) <u>\$591</u>
Walla Walla County Clerk	\$4,935	( <del>(\$4,022)</del> ) <u>\$7,296</u>
Whatcom County Clerk	\$20,728	( <del>(\$16,893)</del> ) <u>\$30,645</u>
Whitman County Clerk	\$2,048	( <del>(\$1,669)</del> ) <u>\$3,028</u>
Yakima County Clerk	\$25,063	( <del>(\$20,426)</del> ) <u>\$37,054</u>
TOTAL APPROPRIATIONS	\$541,000	( <del>(\$441,000)</del> ) <u>\$800,000</u>

Sec. 709. 2023 c 475 s 715 (uncodified) is amended to read as follows:

<b>FOR THE OFFICE OF FINANCIAL MANAGEMENT—ANDY HILL CANCER RESEARCH ENDOWMENT FUND MATCH TRANSFER ACCOUNT</b>		
General Fund—State Appropriation (FY 2024)		\$684,000
General Fund—State Appropriation (FY 2025)		\$2,486,000
TOTAL APPROPRIATION		<del>(\$684,000)</del> <u>\$3,170,000</u>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Andy Hill cancer research endowment fund match transfer account per RCW 43.348.080 to fund the Andy Hill cancer research endowment program. Matching funds using the amounts appropriated in this section may not be used to fund new grants that exceed two years in duration.

Sec. 710. 2023 c 475 s 726 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—LANDLORD MITIGATION PROGRAM ACCOUNT

General Fund—State Appropriation (FY 2024)	\$8,000,000
General Fund—State Appropriation (FY 2025)	<u>\$3,750,000</u>
TOTAL APPROPRIATION	(( <del>\$8,000,000</del> )) <u>\$11,750,000</u>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the landlord mitigation program account created in RCW 43.31.615.

Sec. 711. 2023 c 475 s 727 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS

(1) The appropriations in this section are subject to the following conditions and limitations: The appropriations for the law enforcement officers' and firefighters' retirement system shall be made on a monthly basis consistent with chapter 41.45 RCW, and the appropriations for the judges and judicial retirement systems shall be made on a quarterly basis consistent with chapters 2.10 and 2.12 RCW.

(2) There is appropriated for state contributions to the law enforcement officers' and firefighters' retirement system:

General Fund—State Appropriation (FY 2024)	(( <del>\$88,700,000</del> )) <u>\$94,400,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$92,600,000</del> )) <u>\$98,600,000</u>
TOTAL APPROPRIATION	(( <del>\$181,300,000</del> )) <u>\$193,000,000</u>

(3) There is appropriated for contributions to the judicial retirement system:

General Fund—State Appropriation (FY 2024)	\$6,300,000
General Fund—State Appropriation (FY 2025)	<u>\$6,000,000</u>
TOTAL APPROPRIATION	<u>\$12,300,000</u>

(4) There is appropriated for contributions to the judges' retirement system:

General Fund—State Appropriation (FY 2024)	\$300,000
General Fund—State Appropriation (FY 2025)	<u>\$300,000</u>
TOTAL APPROPRIATION	<u>\$600,000</u>

Sec. 712. 2023 c 475 s 734 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—RURAL JOBS PROGRAM MATCH TRANSFER ACCOUNT

Workforce Education Investment Account—State Appropriation	(( <del>\$400,000</del> )) <u>\$404,000</u>
TOTAL APPROPRIATION	(( <del>\$400,000</del> )) <u>\$404,000</u>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the rural jobs program match transfer account created in RCW 28B.145.120.

Sec. 713. 2023 c 475 s 735 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—OPPORTUNITY SCHOLARSHIP MATCH TRANSFER ACCOUNT

Workforce Education Investment Account—State Appropriation	(( <del>\$11,600,000</del> )) <u>\$14,856,000</u>
TOTAL APPROPRIATION	(( <del>\$11,600,000</del> )) <u>\$14,856,000</u>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the opportunity scholarship match transfer account created in RCW 28B.145.050.

Sec. 714. 2023 c 475 s 740 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LEADERSHIP BOARD ACCOUNT

General Fund—State Appropriation (FY 2024)	(( <del>\$843,000</del> )) <u>\$887,000</u>
General Fund—State Appropriation (FY 2025)	(( <del>\$848,000</del> )) <u>\$971,000</u>

TOTAL APPROPRIATION.....((~~\$1,691,000~~))  
\$1,858,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the Washington state leadership board account created in RCW 43.388.020.

**Sec. 715.** 2023 c 475 s 747 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CRIME VICTIM AND WITNESS ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2024) . . . . . ((~~\$2,000,000~~))  
\$4,000,000  
 General Fund—State Appropriation (FY 2025) . . . . . ((~~\$2,000,000~~))  
\$4,000,000  
 TOTAL APPROPRIATION.....((~~\$4,000,000~~))  
\$8,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the state crime victim and witness assistance account created in Engrossed Substitute House Bill No. 1169 (legal financial obligations). ((If the bill is not enacted by June 30, 2023, the amounts appropriated in this section shall lapse.))

**Sec. 716.** 2023 c 475 s 745 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON HORSE RACING COMMISSION OPERATING ACCOUNT**

Coronavirus State Fiscal Recovery Fund—Federal  
 Appropriation. . . . . \$1,150,000  
General Fund—State Appropriation (FY 2025) . . . . . \$1,350,000  
 TOTAL APPROPRIATION.....((~~\$1,150,000~~))  
\$2,500,000

The appropriations in this section are subject to the following conditions and limitations: The ((~~appropriation is~~)appropriations are) provided solely for expenditure into the Washington horse racing commission operating account created in RCW 67.16.280.

NEW SECTION. **Sec. 717.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CORONAVIRUS STATE FISCAL RECOVERY**

Coronavirus State Fiscal Recovery Fund—Federal  
 Appropriation. . . . . \$250,000,000  
 TOTAL APPROPRIATION..... \$250,000,000

The appropriation in this section is subject to the following conditions and limitations: The entire coronavirus state fiscal recovery fund—federal appropriation is provided solely to the office of financial management for allocation to state agencies for costs eligible to be paid from the coronavirus state fiscal recovery fund and where funding is provided elsewhere in this act or the capital omnibus appropriations act for those costs using a funding source other than the coronavirus state fiscal recovery fund. For any agency receiving an allocation under this section, the office must place an equal amount of the agency's state or other source appropriation authority in unallotted reserve status, and those amounts may not be expended. In determining the use of amounts appropriated in this section, the office of financial management shall prioritize the preservation of state general fund moneys. The office must report on the use of the amounts appropriated in this section to the fiscal committees of the legislature when all coronavirus state fiscal recovery fund moneys are expended or June 30, 2025, whichever is earlier.

NEW SECTION. **Sec. 718.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SKELETAL HUMAN REMAINS ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2025) . . . . . \$500,000  
 TOTAL APPROPRIATION..... \$500,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the skeletal human remains assistance account created in RCW 43.334.077.

NEW SECTION. **Sec. 719.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—SURGICAL SMOKE EVACUATION ACCOUNT**

General Fund—State Appropriation (FY 2025) . . . . . \$300,000  
 TOTAL APPROPRIATION..... \$300,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the surgical smoke evacuation account created in RCW 49.17.505.

NEW SECTION. **Sec. 720.** A new section is added to 2023 c 475 (uncodified) to read as follows:

<b>FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LIBRARY OPERATIONS ACCOUNT</b>	
General Fund—State Appropriation (FY 2025) . . . . .	\$2,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$2,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Washington state library operations account created in RCW 43.07.129.

NEW SECTION. **Sec. 721.** A new section is added to 2023 c 475 (uncodified) to read as follows:

<b>FOR THE OFFICE OF FINANCIAL MANAGEMENT—QUENDALL TERMINALS SUPERFUND SITE ON LAKE WASHINGTON</b>	
Model Toxics Control Operating Account—State Appropriation. . . . .	\$8,500,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$8,500,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is for the remedial design for the Quendall terminals superfund site on Lake Washington. Expenditure of the appropriation is conditioned on reaching agreement with the environmental protection agency that offsets any money spent from this appropriation against any future state liability, and memorializing the agreement in an agreed order, settlement agreement, or other similar document.

NEW SECTION. **Sec. 722.** A new section is added to 2023 c 475 (uncodified) to read as follows:

<b>FOR THE OFFICE OF FINANCIAL MANAGEMENT—DOWN PAYMENT ASSISTANCE ACCOUNT</b>	
General Fund—State Appropriation (FY 2025) . . . . .	\$250,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$250,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the down payment assistance account created in RCW 82.45.240.

NEW SECTION. **Sec. 723.** A new section is added to 2023 c 475 (uncodified) to read as follows:

<b>FOR THE OFFICE OF FINANCIAL MANAGEMENT—LEGISLATIVE ORAL HISTORY ACCOUNT</b>	
General Fund—State Appropriation (FY 2025) . . . . .	\$50,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$50,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the legislative oral history account created in RCW 44.04.345.

NEW SECTION. **Sec. 724.** A new section is added to 2023 c 475 (uncodified) to read as follows:

<b>FOR THE OFFICE OF FINANCIAL MANAGEMENT—PORT DISTRICT EQUITY FUND</b>	
General Fund—State Appropriation (FY 2025) . . . . .	\$1,000,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$1,000,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the port district equity fund created in Engrossed Second Substitute Senate Bill No. 5955 (large port districts). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. **Sec. 725.** A new section is added to 2023 c 475 (uncodified) to read as follows:

<b>FOR THE OFFICE OF FINANCIAL MANAGEMENT—HEALTH PROFESSIONS ACCOUNT</b>	
Opioid Abatement Settlement Account—State Appropriation. . . . .	\$743,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$743,000</b>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the health professions account created in RCW 43.70.320 to implement Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amounts appropriated in this section shall lapse.

NEW SECTION. **Sec. 726.** A new section is added to 2023 c 475 (uncodified) to read as follows:

<b>FOR THE OFFICE OF FINANCIAL MANAGEMENT—BUSINESS ENTERPRISES REVOLVING ACCOUNT</b>	
General Fund—State Appropriation (FY 2024) . . . . .	\$83,000
General Fund—State Appropriation (FY 2025) . . . . .	\$85,000
<b>TOTAL APPROPRIATION</b> .....	<b>\$168,000</b>



The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the business enterprises revolving account created in RCW 74.18.230. Funds in this section are provided solely for rent fees and charges for blind business enterprise program licensees at state off-campus facilities.

NEW SECTION. **Sec. 727.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—AGRICULTURAL PEST AND DISEASE RESPONSE ACCOUNT**  
General Fund—State Appropriation (FY 2025) . . . . . \$1,000,000  
TOTAL APPROPRIATION..... \$1,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the agricultural pest and disease response account created in Substitute House Bill No. 2147 (agriculture pests & diseases). If the bill is not enacted by June 30, 2024, the amounts appropriated in this section shall lapse.

NEW SECTION. **Sec. 728.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CLIMATE INVESTMENT ACCOUNT**  
(1) If Initiative Measure No. 2117 is approved in the 2024 general election, on the effective date of Initiative Measure No. 2117 and prior to the repeal of the climate investment account by Initiative Measure No. 2117, \$800,000,000 is appropriated from the climate investment account for deposit into the consolidated climate account created in section 907 of this act. If the balance of the climate investment account on the effective date of Initiative Measure No. 2117 is less than \$800,000,000, then the amount appropriated is the balance of the climate investment account on the effective date of the initiative.  
(2) (a) This section takes effect on the effective date of Initiative Measure No. 2117 if the initiative is approved in the 2024 general election.  
(b) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

NEW SECTION. **Sec. 729.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—CLIMATE COMMITMENT ACCOUNT**  
(1) If Initiative Measure No. 2117 is approved in the 2024 general election, on the effective date of Initiative Measure No. 2117 and prior to the repeal of the climate commitment account by Initiative Measure No. 2117, \$1,600,000,000 is appropriated from the climate commitment account for deposit into the consolidated climate account created in section 907 of this act. If the balance of the climate commitment account on the effective date of Initiative Measure No. 2117 is less than \$1,600,000,000, then the amount appropriated is the balance of the climate commitment account on the effective date of the initiative.  
(2) (a) This section takes effect on the effective date of Initiative Measure No. 2117 if the initiative is approved in the 2024 general election.  
(b) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

NEW SECTION. **Sec. 730.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—NATURAL CLIMATE SOLUTIONS ACCOUNT**  
(1) If Initiative Measure No. 2117 is approved in the 2024 general election, on the effective date of Initiative Measure No. 2117 and prior to the repeal of the natural climate solutions account by Initiative Measure No. 2117, \$600,000,000 is appropriated from the natural climate solutions account for deposit into the consolidated climate account created in section 907 of this act. If the balance of the natural climate solutions account on the effective date of Initiative Measure No. 2117 is less than \$600,000,000, then the amount appropriated is the balance of the natural climate solutions account on the effective date of the initiative.  
(2) (a) This section takes effect on the effective date of Initiative Measure No. 2117 if the initiative is approved in the 2024 general election.  
(b) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

NEW SECTION. **Sec. 731.** A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—AIR QUALITY AND HEALTH DISPARITIES IMPROVEMENT ACCOUNT**  
(1) If Initiative Measure No. 2117 is approved in the 2024 general election, on the effective date of Initiative Measure No. 2117 and prior to the repeal of the air quality and health disparities improvement account by Initiative Measure No. 2117, \$25,000,000 is appropriated from the air quality and health disparities improvement account for deposit into the consolidated climate account created in section 907 of this act. If the balance of the

air quality and health disparities improvement account on the effective date of Initiative Measure No. 2117 is less than \$25,000,000, then the amount appropriated is the balance of the air quality and health disparities improvement account on the effective date of the initiative.

(2) (a) This section takes effect on the effective date of Initiative Measure No. 2117 if the initiative is approved in the 2024 general election.

(b) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

(End of part)

**PART VIII  
OTHER TRANSFERS AND APPROPRIATIONS**

**Sec. 801.** 2023 c 475 s 801 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

General Fund Appropriation for fire insurance premium distributions. . . . .	(( \$13,766,000 ))
	<u>\$14,606,000</u>
General Fund Appropriation for prosecuting attorney distributions. . . . .	(( \$8,284,000 ))
	<u>\$8,690,000</u>
General Fund Appropriation for boating safety and education distributions. . . . .	\$4,272,000
General Fund Appropriation for public utility district excise tax distributions. . . . .	(( \$71,825,000 ))
	<u>\$71,424,000</u>
Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies. . . . .	(( \$4,947,000 ))
	<u>\$6,000,000</u>
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distributions. . . . .	\$140,000
Timber Tax Distribution Account Appropriation for distribution to "timber" counties. . . . .	(( \$82,143,000 ))
	<u>\$92,948,000</u>
County Criminal Justice Assistance Appropriation. . . . .	(( \$129,509,000 ))
	<u>\$129,925,000</u>
Municipal Criminal Justice Assistance Appropriation. . . . .	(( \$51,247,000 ))
	<u>\$51,744,000</u>
City-County Assistance Appropriation. . . . .	(( \$45,960,000 ))
	<u>\$34,604,000</u>
Liquor Excise Tax Account Appropriation for liquor excise tax distribution. . . . .	\$89,385,000
Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation. . . . .	\$9,587,000
Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians. . . . .	(( \$6,893,000 ))
	<u>\$6,919,000</u>
Liquor Revolving Account Appropriation for liquor profits distribution. . . . .	\$98,876,000
General Fund Appropriation for other tax distributions. . . . .	\$104,000
Dedicated Cannabis Account Appropriation for Cannabis Excise Tax distributions pursuant to Engrossed Second Substitute Senate Bill No. 5796 (cannabis revenue). <u>This includes an increase of \$1,178,000 which is an adjustment for distributions made in fiscal year 2022.</u> . . . . .	(( \$50,472,000 ))
	<u>\$47,216,000</u>
General Fund Appropriation for Habitat Conservation Program distributions. . . . .	\$5,754,000
General Fund Appropriation for payment in lieu of taxes to counties under Department of Fish and Wildlife Program. . . . .	\$4,496,000
Puget Sound Taxpayer Accountability Account Appropriation for distribution to counties in amounts not to exceed actual deposits into the account and attributable to those counties' share pursuant to RCW 43.79.520. . . . .	(( \$27,990,000 ))
	<u>\$28,630,000</u>
Manufacturing and Warehousing Job Centers Account Appropriation for distribution to local taxing	

jurisdictions to mitigate the unintended revenue redistributions effect of sourcing law changes pursuant to chapter 83, Laws of 2021 (warehousing & manufacturing jobs) . . . . . \$7,780,000

State Crime Victim and Witness Assistance Account Appropriation for distribution to counties. (~~Engrossed Substitute House Bill No. 1169 is not enacted by June 30, 2023, this amount shall lapse.~~) . . . . . ((~~\$4,000,000~~))  
\$8,000,000

**TOTAL APPROPRIATION.** . . . . . ((~~\$717,430,000~~))  
\$721,100,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

**Sec. 802.** 2023 c 475 s 802 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Impaired Driving Safety Appropriation. . . . . ((~~\$2,065,000~~))  
\$1,615,000

**TOTAL APPROPRIATION.** . . . . . ((~~\$2,065,000~~))  
\$1,615,000

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

**Sec. 803.** 2023 c 475 s 803 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

Impaired Driving Safety Appropriation. . . . . ((~~\$1,377,000~~))  
\$1,077,000

**TOTAL APPROPRIATION.** . . . . . ((~~\$1,377,000~~))  
\$1,077,000

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium to all cities ratably based on population as last determined by the office of financial management. The distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

**Sec. 804.** 2023 c 475 s 805 (uncodified) is amended to read as follows:  
**FOR THE STATE TREASURER—TRANSFERS**

Dedicated Cannabis Account: For transfer to the basic health plan trust account, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, ((~~\$269,000,000~~)) \$250,000,000 and this amount for fiscal year 2025, ((~~\$278,000,000~~)) \$250,000,000. . . . . ((~~\$547,000,000~~))  
\$500,000,000

Dedicated Cannabis Account: For transfer to the state general fund, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, ((~~\$162,000,000~~)) \$155,000,000 and this amount for fiscal year 2025, ((~~\$172,000,000~~)) \$155,000,000. . . . . ((~~\$334,000,000~~))  
\$310,000,000

Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed

the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2024. . . . .	\$92,000,000
Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2025. . . . .	\$92,000,000
<del>((Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the tobacco arbitration payment to the tobacco settlement account, for fiscal year 2024. . . . .</del>	<del>\$24,500,000))</del>
State Treasurer's Service Account: For transfer to the state general fund, \$15,000,000 for fiscal year 2024 and \$15,000,000 for fiscal year 2025. It is the intent of the legislature to continue this policy in the subsequent fiscal biennium.. . . .	\$30,000,000
General Fund: For transfer to the fair fund under RCW 15.76.115, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025. . . . .	\$7,000,000
Financial Services Regulation Account: For transfer to the state general fund, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025. It is the intent of the legislature to continue this policy in the subsequent fiscal biennium.. . . .	\$7,000,000
General Fund: For transfer to the wildfire response, forest restoration, and community resilience account, solely for the implementation of chapter 298, Laws of 2021 (2SHB 1168) (long-term forest health), <del>(\$44,903,000)</del> <u>\$52,224,000</u> for fiscal year 2024 and <del>(\$44,903,000)</del> <u>\$56,725,000</u> for fiscal year 2025. . . . .	<del>(\$89,806,000))</del> <u>\$108,949,000</u>
Washington Rescue Plan Transition Account: For transfer to the state general fund, \$1,302,000,000 for fiscal year 2024 <u>and \$798,000,000 for fiscal year 2025.</u> . . . . .	<del>(\$1,302,000,000))</del> <u>\$2,100,000,000</u>
Business License Account: For transfer to the state general fund, \$7,200,000 for fiscal year 2025. . . . .	\$7,200,000
General Fund: For transfer to the manufacturing and warehousing job centers account pursuant to RCW 82.14.545 for distribution in section 801 of this act, \$4,320,000 for fiscal year 2024 and \$3,460,000 for fiscal year 2025. . . . .	\$7,780,000
Long-Term Services and Supports Trust Account: For transfer to the state general fund as full repayment of the long-term services program start-up costs and interest, <u>in an amount not to exceed the actual amount of the total remaining principal and interest of the loan,</u> for fiscal year 2024. . . . .	<del>(\$64,281,000))</del> <u>\$66,000,000</u>
General Fund: For transfer to the forest resiliency account trust fund, \$4,000,000 for fiscal year 2024. . . . .	\$4,000,000
Water Pollution Control Revolving Administration Account: For transfer to the water pollution control revolving account, \$6,000,000 for fiscal year 2024. . . . .	\$6,000,000
General Fund: For transfer to the salmon recovery account, \$3,000,000 for fiscal year 2024. . . . .	\$3,000,000
Washington Student Loan Account: For transfer to the state general fund, \$40,000,000 for fiscal year 2024 <u>and \$10,000,000 for fiscal year 2025.</u> . . . . .	<del>(\$40,000,000))</del> <u>\$50,000,000</u>
Model Toxics Control Operating Account: For transfer to the state general fund, \$50,000,000 for fiscal year 2025. . . . .	\$50,000,000
General Fund: For transfer to the home security fund, \$44,500,000 for fiscal year 2024 and \$4,500,000 for fiscal year 2025. . . . .	\$49,000,000
General Fund: For transfer to the state drought	

preparedness account, \$2,000,000 for fiscal year 2024. . . . .	\$2,000,000
<u>General Fund: For transfer to the disaster response account, \$12,500,000 for fiscal year 2024 and \$10,000,000 for fiscal year 2025. . . . .</u>	<u>\$22,500,000</u>
From auction proceeds received under RCW 70A.65.100(7) (b): For transfer to the air quality and health disparities improvement account, \$2,500,000 for fiscal year 2024. . . . .	\$2,500,000
From auction proceeds received under RCW 70A.65.100(7) (c): For transfer to the air quality and health disparities improvement account, \$2,500,000 for fiscal year 2025. . . . .	\$2,500,000
Climate Investment Account: For transfer to the carbon emissions reduction account, \$200,000,000 for fiscal year 2025 <u>no later than October 15, 2024</u> . . . . .	\$200,000,000
Climate Investment Account: For transfer to the climate commitment account, <del>(\$100,000,000)</del> <u>\$170,000,000</u> for fiscal year 2025. . . . .	<del>(\$100,000,000)</del> \$170,000,000
Climate Investment Account: For transfer to the natural climate solutions account, \$70,000,000 for fiscal year 2025. . . . .	\$70,000,000
<u>Climate Investment Account: For transfer to the carbon emissions reduction account, \$324,000,000 on or after January 1, 2025. . . . .</u>	<u>\$324,000,000</u>
<u>General Fund: For transfer to the death investigations account, \$3,000,000 for fiscal year 2024. . . . .</u>	<u>\$3,000,000</u>
<u>General Fund: For transfer to the local government archives account, \$1,900,000 for fiscal year 2025. . . . .</u>	<u>\$1,900,000</u>
<u>Joint Legislative Systems Committee Subaccount of the Savings Incentive Account: For transfer to the general fund, \$819,000 for fiscal year 2024. . . . .</u>	<u>\$819,000</u>
<u>General Fund: For transfer to the motor vehicle account—state, \$14,000,000 for fiscal year 2024. . . . .</u>	<u>\$14,000,000</u>
<u>General Fund: For transfer to the stadium world cup capital account, \$10,000,000 for fiscal year 2024. . . . .</u>	<u>\$10,000,000</u>

(End of part)

**PART IX  
MISCELLANEOUS**

NEW SECTION. Sec. 901. A new section is added to 2023 c 475 (uncodified) to read as follows:

**COLLECTIVE BARGAINING AGREEMENTS**

(1) In accordance with chapters 41.80 and 41.56 RCW, agreements have been reached between the governor and organizations representing state employee bargaining units and nonstate employee bargaining units for the 2025 fiscal year presented to the legislature during the 2024 legislative session. Funding is not provided for compensation and fringe benefit provisions not presented to the legislature by the end of the 2024 legislative session. Funding is approved for agreements and awards with the following organizations:

- (a) Fish and wildlife officers guild;
- (b) Teamsters local 760, department of fish and wildlife sergeants; and
- (c) Adult family home council, adult family home providers.

(2) In accordance with chapters 41.80 RCW, an agreement has been reached between Central Washington University, an institution of higher education, and an employee organization representing state employee bargaining units for fiscal year 2025 and funding is provided in Part VI of this act for the agreement with the following organization: Central Washington University agreement with the campus police officers & sergeants.

(3) Expenditures for agreements in subsections (1) and (2) of this section may also be funded from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

**Sec. 902.** 2023 c 475 s 908 (uncodified) is amended to read as follows:  
**COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE COALITION—INSURANCE BENEFITS**

(1) (a) An agreement was reached for the 2023-2025 biennium between the governor and the health care coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies, including institutions of higher education, are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement.

(b) Appropriations for state agencies in this act are sufficient for represented employees outside the coalition and for nonrepresented state employee health benefits.

(2) The appropriations for state agencies in this act are subject to the following conditions and limitations:

(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$1,145 per eligible employee for fiscal year 2024. For fiscal year 2025, the monthly employer funding rate shall not exceed ~~((~~\$1,194~~))~~ \$1,170 per eligible employee. These rates are sufficient to separate vision benefits out of medical plans into stand-alone vision insurance and increase the hardware benefit to \$200 every two years, beginning January 1, 2025, and sufficient to cover in the uniform medical plan, effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month. The rates are sufficient to cover a diabetes management program and apply the cost-share provisions outlined in chapter 366, Laws of 2023 (breast examinations—health plan cost sharing) in the uniform medical plan, effective January 1, 2025. The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(b) The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(c) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2024 and 2025, the subsidy shall be up to \$183 per month. Funds from reserves accumulated for future adverse claims experience, from past favorable claims experience, or otherwise, may not be used to increase this retiree subsidy beyond what is authorized in this subsection.

(d) School districts and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(i) For each full-time employee, \$68.41 per month beginning September 1, 2023, and ~~((~~\$78.58~~))~~ \$80.32 beginning September 1, 2024;

(ii) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$68.41 each month beginning September 1, 2023, and ~~((~~\$78.58~~))~~ \$80.32 beginning September 1, 2024, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection do not apply to employees of a school district or educational service district who purchase insurance benefits through contracts with the health care authority.

(e) The board has the authority to forgo the federal retiree drug subsidy collected under RCW 41.05.068 for uniform medical plan classic medicare, only to leverage additional federal subsidies via adoption of a medicare part D employer group waiver plan to help reduce premiums for medicare retirees enrolled in uniform medical plan classic medicare.

**Sec. 903.** 2023 c 475 s 909 (uncodified) is amended to read as follows:

**COMPENSATION—SCHOOL EMPLOYEES—INSURANCE BENEFITS**

An agreement was reached for the 2023-2025 biennium between the governor and the school employee coalition under the provisions of chapters 41.56 and 41.59 RCW. Appropriations in this act for allocations to school districts are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, school employees' benefits board administration, retiree remittance, and the uniform medical plan, shall not exceed the rates identified in section 506(4) of this act.

(a) These rates are sufficient to cover, effective January 1, 2024:

(i) The following in the uniform medical plan:

(A) Offering a diabetes management program; and

(B) Effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month; and

(ii) The following in the uniform dental plan:

(A) Increasing the temporomandibular joint benefit to \$1,000 annually and \$5,000 per lifetime;

(B) Eliminating the deductible for children up to age 15;

(C) Covering composite fillings on posterior teeth; and

(D) Increasing plan coverage of crowns to 70 percent.

(b) These rates include funding to cover, effective January 1, 2025, ~~((increasing))~~:

(i) Increasing the stand-alone vision insurance ~~hardware~~ benefit to \$200 every 2 years;  
and

(ii) Applying the cost share provisions outlined in chapter 366, Laws of 2023 (Substitute Senate Bill No. 5396) in the uniform medical plan.

(c) The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(2) Rates established in subsection (1) of this section are sufficient to reduce member costs as provided in article 1.3 of the school employees health care funding agreement.

(3) Except as provided by the parties' health care agreement, in order to achieve the level of funding provided for health benefits, the school employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.740. The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(4) The health care authority shall deposit any moneys received on behalf of the school employees' medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the school employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

(5) When bargaining for funding for school employees health benefits for subsequent fiscal biennia, any proposal agreed upon must assume the imposition of a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

**Sec. 904.** 2023 c 475 s 911 (uncodified) is amended to read as follows:

**COMPENSATION—PENSION CONTRIBUTIONS**

The appropriations in this act for school districts and state agencies, including institutions of higher education, are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board, and as adjusted under Engrossed Substitute Senate Bill No. 5294 (plan 1 UAAL rates).

(2) An increase of 0.12 percent is funded for state employer contributions to the public employees' retirement system, the public safety employees' retirement systems, and the school employees' retirement system, and an increase of 0.23 percent for employer contributions to the teachers' retirement system is funded for the provisions of Senate Bill No. 5350 (providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for school districts and state agencies, including institutions of higher education, shall be held in unallotted status.

(3) An increase of 0.13 percent is funded for state employer contributions to the Washington state patrol retirement system and an increase of 0.01 percent is funded for state contributions to the law enforcement officers' and firefighters' retirement system plan 2 for the provisions of Substitute House Bill No. 1007 (military service credit). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(4) An increase of 0.01 percent for school district and state employer contributions is funded for the teachers' retirement system for the provisions of Substitute House Bill No. 1056 (postretirement employment). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(5) An increase of 0.13 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of chapter 199, Laws of 2023 (public safety telecommunications).

(6) An increase of 0.04 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(7) An increase of 0.08 percent is funded for state employer contributions to the public employees' retirement system, the public safety employees' retirement systems, and the school

employees' retirement system, and an increase of 0.16 percent for employer contributions to the teachers' retirement system is funded for the provisions of Substitute House Bill No. 1985 (PERS/TRS 1 benefit increase). If the bill is not enacted by June 30, 2024, this subsection is null and void and appropriations for school districts and state agencies, including institutions of higher education, shall be held in unallotted status.

**NEW SECTION. Sec. 905.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The office of financial management must convene a task force to identify, plan, and make recommendations on the conversion of the Larch corrections center property and facilities to an alternate use.

(2) The task force must include the state senator and a state representative whose district represents the Yacolt community.

(3) The task force must include representatives from the following entities and organizations:

(a) The Clark county commissioners;

(b) The tribe located nearest to the facility;

(c) The Clark county sheriff's office;

(d) A citizen residing near the Larch corrections center, chosen by the Clark county commissioners;

(e) The department of corrections;

(f) The department of ecology;

(g) The department of natural resources;

(h) The department of social and health services;

(i) The department of enterprise services; and

(j) The office of financial management.

(4) The task force must meet at least every other month, and the first meeting must be held by July 31, 2024.

(5) The task force shall report its findings and a prioritized list of recommendations to the governor and the fiscal committees of the legislature by June 30, 2025.

(6) Task force members that are not elected officials or a representative of a governmental entity may be reimbursed for travel expenses in accordance with chapter 43.03 RCW.

**NEW SECTION. Sec. 906.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The task force on the underground economy in the Washington state construction industry is established.

(2) For purposes of this section, "underground economy" means contracting and construction activities in which payroll is unreported or underreported with consequent nonpayment of payroll taxes to federal and state agencies including nonpayment of workers' compensation and unemployment compensation taxes.

(3) The task force shall study the nature and scope of the underground economy and recommend what policy changes, if any, are needed to address the underground economy, including whether greater cohesion and transparency among state agencies is needed. To assist the task force in achieving this goal, the department of labor and industries may contract with the institute for public policy, or, if the institute is unavailable, another entity with expertise capable of providing such assistance.

(4)(a) The task force shall consist of the following members:

(i) A member from each of the two largest caucuses of the senate appointed by the president of the senate;

(ii) A member from each of the two largest caucuses of the house of representatives appointed by the speaker of the house of representatives;

(iii) Four members representing the construction business, selected from nominations submitted by statewide construction business organizations and appointed jointly by the president of the senate and the speaker of the house of representatives;

(iv) Four members representing construction workers, selected from nominations submitted by statewide labor organizations and appointed jointly by the president of the senate and the speaker of the house of representatives; and

(v) One representative from the office of the attorney general.

(b) In addition, the employment security department, the department of labor and industries, and the department of revenue shall cooperate with the task force and shall each maintain a liaison representative, who will be a nonvoting member of the task force. The departments shall cooperate with the task force and the institute for public policy, or other entity as appropriate, and shall provide information and data as the task force or the institute, or other entity as appropriate, may reasonably request.

(c) The task force will choose the chair or cochairs of the task force from among its membership at the initial meeting. The department of labor and industries is responsible for scheduling the initial meeting of the task force.

(5)(a) Legislative members of the task force shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.



(b) The expenses of the task force will be paid by the department of labor and industries. Task force expenditures are subject to approval by the department of labor and industries.

(6) The task force shall report its findings and recommendations to the legislature by June 30, 2025.

**NEW SECTION. Sec. 907.** A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The consolidated climate account is created in the custody of the state treasurer. The account is subject to allotment procedures under chapter 43.88 RCW. Except as provided in subsection (2) of this section, the account is subject to appropriation. Expenditures from the account may be used only for purposes allowed in the following accounts as they exist on December 1, 2024: (a) The climate investment account; (b) the climate commitment account; (c) the natural climate solutions account; and (d) the air quality and health disparities improvement account.

(2) If Initiative Measure No. 2117 is approved in the 2024 general election, unless otherwise specified, appropriations in chapter 474, Laws of 2023 (2023-2025 biennial capital budget), the 2024 supplemental capital budget (SB 5949), chapter 475, Laws of 2023 (2023-2025 biennial operating budget), and the 2024 supplemental operating budget (SB 5950), which are appropriated from the: (a) Climate investment account; (b) climate commitment account; (c) natural climate solutions account; and (d) air quality and health disparities improvement account, shall be paid from the consolidated climate account as if they were appropriated from that account beginning on the effective date of Initiative Measure No. 2117.

(3) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

**Sec. 908.** RCW 43.101.200 and 2023 c 475 s 931 and 2023 c 168 s 2 are each reenacted and amended to read as follows:

(1) Except as provided in subsection (2) of this section, all law enforcement personnel, except volunteers, and reserve officers whether paid or unpaid, initially employed on or after January 1, 1978, shall engage in basic law enforcement training which complies with standards adopted by the commission pursuant to RCW 43.101.080. For personnel initially employed before January 1, 1990, such training shall be successfully completed during the first fifteen months of employment of such personnel unless otherwise extended or waived by the commission and shall be requisite to the continuation of such employment. Personnel initially employed on or after January 1, 1990, shall commence basic training during the first six months of employment unless the basic training requirement is otherwise waived or extended by the commission. Successful completion of basic training is requisite to the continuation of employment of such personnel initially employed on or after January 1, 1990.

(2) (a) All law enforcement personnel who are limited authority Washington peace officers and whose employment commences on or after July 1, 2023, shall commence basic training during the first 12 months of employment unless the basic training requirement is otherwise waived or extended by the commission. Successful completion of basic training is requisite to the continuation of employment of such personnel initially employed on or after July 1, 2023.

(b) (i) The commission shall review the training files of all law enforcement personnel who are limited authority Washington peace officers, whose employment commenced prior to July 1, 2023, and who have not successfully completed training that complies with standards adopted by the commission, to determine what, if any, supplemental training is required to appropriately carry out the officers' duties and responsibilities.

(ii) Nothing in this section may be interpreted to require law enforcement personnel who are limited authority Washington peace officers, whose employment commenced prior to July 1, 2023, to complete the basic law enforcement training academy as a condition of continuing employment as a limited authority Washington peace officer.

(iii) Law enforcement personnel who are limited authority Washington peace officers are not required to complete the basic law enforcement academy or an equivalent basic academy upon transferring to a general authority Washington law enforcement agency or limited authority Washington law enforcement agency, as defined in RCW 10.93.020, if they have:

(A) Been employed as a special agent with the Washington state gambling commission, been a natural resource investigator with the department of natural resources, been a liquor enforcement officer with the liquor and cannabis board, been an investigator with the office of the insurance commissioner, or been a park ranger with the Washington state parks and recreation commission, before or after July 1, 2023; and

(B) Received a certificate of successful completion from the basic law enforcement academy or the basic law enforcement equivalency academy and thereafter engaged in regular and commissioned law enforcement employment with an agency listed in (b) (iii) (A) of this subsection without a break or interruption in excess of 24 months; and

(C) Remained current with the in-service training requirements as adopted by the commission by rule.

(3) Except as provided in RCW 43.101.170, the commission shall provide the aforementioned training and shall have the sole authority to do so. The commission shall provide necessary facilities, supplies, materials, and the board and room of noncommuting attendees for seven days per week, except during the 2017-2019, 2019-2021, and 2021-2023(~~(, and 2023-2025)~~) fiscal biennia, and during fiscal year 2024, when the employing, county, city, or state law enforcement agency shall reimburse the commission for twenty-five percent of the cost of training its personnel. Additionally, to the extent funds are provided for this purpose, the

commission shall reimburse to participating law enforcement agencies with ten or less full-time commissioned patrol officers the cost of temporary replacement of each officer who is enrolled in basic law enforcement training: PROVIDED, That such reimbursement shall include only the actual cost of temporary replacement not to exceed the total amount of salary and benefits received by the replaced officer during his or her training period:

PROVIDED FURTHER, That limited authority Washington law enforcement agencies as defined in RCW 10.93.020 shall reimburse the commission for the full cost of training their personnel.

**Sec. 909.** RCW 43.101.220 and 2021 c 334 s 978 are each amended to read as follows:

(1) The corrections personnel of the state and all counties and municipal corporations initially employed on or after January 1, 1982, shall engage in basic corrections training which complies with standards adopted by the commission. The standards adopted must provide for basic corrections training of at least ten weeks in length for any corrections officers subject to the certification requirement under RCW (~~(43.101.096)~~)43.101.095 who are hired on or after July 1, 2021, or on an earlier date set by the commission. The training shall be successfully completed during the first six months of employment of the personnel, unless otherwise extended or waived by the commission, and shall be requisite to the continuation of employment.

(2) The commission shall provide the training required in this section, together with facilities, supplies, materials, and the room and board for noncommuting attendees, except during the (~~(2017-2019, 2019-2021, and)~~) 2021-2023 fiscal (~~(biennia)~~)biennium, and during fiscal year 2025, when the employing county, municipal corporation, or state agency shall reimburse the commission for twenty-five percent of the cost of training its personnel.

(3)(a) Subsections (1) and (2) of this section do not apply to the Washington state department of corrections prisons division. The Washington state department of corrections is responsible for identifying training standards, designing curricula and programs, and providing the training for those corrections personnel employed by it. In doing so, the secretary of the department of corrections shall consult with staff development experts and correctional professionals both inside and outside of the agency, to include soliciting input from labor organizations.

(b) The commission and the department of corrections share the responsibility of developing and defining training standards and providing training for community corrections officers employed within the community corrections division of the department of corrections.

**Sec. 910.** RCW 43.101.230 and 2023 c 72 s 1 are each amended to read as follows:

Tribal police officers and employees who are engaged in law enforcement activities and who do not qualify as "criminal justice personnel" or "law enforcement personnel" under RCW 43.101.010 shall be provided training under this chapter if: (1) The tribe is recognized by the federal government, and (2) except during fiscal year 2025, tribal agencies with tribal officer certification agreements with the commission under RCW 43.101.157 shall reimburse the commission for 25 percent of the cost of training its personnel. Tribes without current written tribal officer certification agreements with the commission shall pay to the commission the full cost of providing such training. The commission shall place all money received under this section into the criminal justice training account.

**Sec. 911.** RCW 70A.65.250 and 2023 c 475 s 938 and 2023 c 435 s 12 are each reenacted and amended to read as follows:

(1)(a) The climate investment account is created in the state treasury. Except as otherwise provided in chapter 316, Laws of 2021, all receipts from the auction of allowances authorized in this chapter must be deposited into the account. Moneys in the account may be spent only after appropriation.

(b) Projects or activities funded from the account must meet high labor standards, including family sustaining wages, providing benefits including health care and employer-contributed retirement plans, career development opportunities, and maximize access to economic benefits from such projects for local workers and diverse businesses. Each contracting entity's proposal must be reviewed for equity and opportunity improvement efforts, including: (i) Employer paid sick leave programs; (ii) pay practices in relation to living wage indicators such as the federal poverty level; (iii) efforts to evaluate pay equity based on gender identity, race, and other protected status under Washington law; (iv) facilitating career development opportunities, such as apprenticeship programs, internships, job-shadowing, and on-the-job training; and (v) employment assistance and employment barriers for justice affected individuals.

(2) Moneys in the account may be used only for projects and programs that achieve the purposes of the greenhouse gas emissions cap and invest program established under this chapter and for tribal capacity grants under RCW 70A.65.305. During the 2023-2025 fiscal biennium, moneys in the account may also be used for tribal capacity grant activities supporting climate resilience and adaptation, developing tribal clean energy projects, applying for state or federal grant funding, and other related work; and for providing payments to agricultural fuel purchasers. Moneys in the account as described in this subsection must first be appropriated for the administration of the requirements of this chapter, in an amount not to exceed five percent of the total receipt of funds from allowance auction proceeds under this chapter. Beginning July 1, 2023, and annually thereafter, the

state treasurer shall distribute funds in the account that exceed the amounts appropriated for the purposes of this subsection (2) as follows:

(a) Seventy-five percent of the moneys to the climate commitment account created in RCW 70A.65.260; and

(b) Twenty-five percent of the moneys to the natural climate solutions account created in RCW 70A.65.270.

(3) The allocations specified in subsection (2)(a) and (b) of this section must be reviewed by the legislature on a biennial basis based on the changing needs of the state in meeting its clean economy and greenhouse gas reduction goals in a timely, economically advantageous, and equitable manner.

(4) During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the climate investment account to the carbon emissions reduction account, the climate commitment account, and the natural climate solutions account.

**Sec. 912.** RCW 70A.65.300 and 2021 c 316 s 46 are each amended to read as follows:

(1) The department shall prepare, post on the department website, and submit to the appropriate committees of the legislature an annual report that identifies all distributions of moneys from the accounts created in RCW 70A.65.240 through 70A.65.280.

(2) The report must identify, at a minimum, the recipient of the funding, the amount of the funding, the purpose of the funding, the actual end result or use of the funding, whether the project that received the funding produced any verifiable reduction in greenhouse gas emissions or other long-term impact to emissions, and if so, the quantity of reduced greenhouse gas emissions, the cost per carbon dioxide equivalent metric ton of reduced greenhouse gas emissions, and a comparison to other greenhouse gas emissions reduction projects in order to facilitate the development of cost-benefit ratios for greenhouse gas emissions reduction projects.

(3) The department shall require by rule that recipients of funds from the accounts created in RCW 70A.65.240 through 70A.65.280 report to the department, in a form and manner prescribed by the department, the information required for the department to carry out the department's duties established in this section.

(4) The department shall update its website with the information described in subsection (2) of this section as appropriate but no less frequently than once per calendar year.

(5) The department shall submit its report to the appropriate committees of the legislature with the information described in subsection (2) of this section no later than September 30 of each year. For fiscal year 2025, the report must be submitted no later than November 30, 2024.

**NEW SECTION. Sec. 913.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 914.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

(End of part)

On page 1, line 1 of the title, after "matters;" strike the remainder of the title and insert "amending RCW 43.101.220, 43.101.230, and 70A.65.300; reenacting and amending RCW 43.101.200 and 70A.65.250; amending 2023 c 475 ss 1, 101, 102, 103, 104, 105, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 401, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 701, 702, 703, 704, 705, 717, 710, 715, 726, 727, 734, 735, 740, 747, 745, 801, 802, 803, 805, 908, 909, and 911 (uncodified); adding new sections to 2023 c 475 (uncodified); making appropriations; and declaring an emergency."

and that the bill do pass as recommended by the Conference Committee:

Senators Nguyen, Robinson  
Representatives Gregerson, Ormsby

There being no objection, the House adopted the conference committee report on ENGROSSED SUBSTITUTE SENATE BILL NO. 5950 and advanced the bill as recommended by the conference committee to final passage.

**FINAL PASSAGE OF SENATE BILL AS  
RECOMMENDED BY CONFERENCE COMMITTEE**

Representative Ormsby spoke in favor of the passage of the bill.

Representative Corry spoke against the passage of the bill.

#### **MOTION**

On motion of Representative Griffey, Representative Chandler was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5950, as recommended by conference committee.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5950, as recommended by the conference committee, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Hale, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SUBSTITUTE SENATE BILL NO. 5950, as recommended by the conference committee, having received the necessary constitutional majority, was declared passed.

With the consent of the House, ENGROSSED SUBSTITUTE SENATE BILL NO. 5950 was immediately transmitted to the Senate.

**POINT OF PERSONAL PRIVILEGE**

Representative Ormsby thanked his colleagues on the Appropriations Committee, the caucus staff, Office of Program Research staff and all staff who assist in developing the Operating Budget.

**THIRD READING****MESSAGE FROM THE SENATE**

Wednesday, March 6, 2024

Mme. Speaker:

The Senate receded from its amendment(s) to SUBSTITUTE HOUSE BILL NO. 2357, and under suspension of the rules returned SUBSTITUTE HOUSE BILL NO. 2357 to second reading for purpose of amendment(s). The Senate further adopted amendment 2357-S AMS LIIA S5705.1 and passed the measure as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that the Washington state patrol has made strides in its efforts to recruit new troopers and address the unprecedented levels of vacancies within its ranks. The legislature has supported those efforts by providing sign-on bonuses for cadets and lateral hires, retention bonuses for new troopers and lateral hires, and requiring parity of trooper salaries relative to other law enforcement agencies in the state of Washington. The legislature further finds that trooper and sergeant vacancies diminish the staff available to advance up through the ranks of commissioned staff to build the leadership team for the organization. The legislature further finds that increases in retirement-eligible staff, with 122

commissioned staff expected to have 25 years of service or more in 2024, means that more needs to be done in the near term to ensure the success of efforts to rebuild the commissioned ranks of the state patrol. Therefore, the legislature intends to strengthen the Washington state patrol's ability to retain senior, experienced commissioned staff with the establishment of a state patrol longevity bonus pilot program.

**NEW SECTION. Sec. 2.** A new section is added to chapter 43.43 RCW to read as follows:

(1) Beginning July 1, 2024, an eligible commissioned employee completing 26 or more years of service shall qualify for an annual state trooper longevity bonus of \$15,000 on the employee's anniversary date of state employment, which shall be paid in four equal quarterly payments.

(2) The establishment of the state trooper longevity bonus is subject to a change to the applicable collective bargaining agreements negotiated with the exclusive bargaining representatives.

(3) This section does not interfere with, impede, or in any way diminish the right of the officers of the Washington state patrol to bargain collectively with the state through the exclusive bargaining representatives as provided for in RCW 41.56.473.

(4) The state patrol longevity bonus created in this section is a time-limited incentive targeted at retaining senior personnel and is not intended to be included in salary or average final salary for calculation of pension benefits in this chapter.

(5) The benefits provided pursuant to this act are not provided to employees as a matter of contractual right. The legislature retains the right to alter or abolish these benefits at any time.

(6) Beginning July 15, 2024, and every three months thereafter, the Washington state patrol must submit a report showing the average filled positions in field force trooper positions in comparison to the 683 total authorized field force trooper positions in the prior fiscal quarter. The quarterly reports detailed must be submitted to the office of financial management and the transportation committees of the legislature. The authorized field force trooper level as the basis for this comparison may be adjusted as specified in the omnibus transportation appropriations act.

(7) For the purposes of this section, "eligible commissioned employee" means a Washington state patrol employee with 26 or more years of service in the Washington state patrol retirement system.

(8) This section expires June 30, 2029.

**Sec. 3.** RCW 43.43.120 and 2021 c 12 s 8 are each amended to read as follows:

As used in this section and RCW 43.43.130 through 43.43.320, unless a different meaning is plainly required by the context:

(1) "Actuarial equivalent" shall mean a benefit of equal value when computed upon

the basis of such mortality table as may be adopted and such interest rate as may be determined by the director.

(2) "Annual increase" means as of July 1, 1999, ~~((seventy-seven))~~77 cents per month per year of service which amount shall be increased each subsequent July 1st by three percent, rounded to the nearest cent.

(3)(a) "Average final salary," for members commissioned prior to January 1, 2003, shall mean the average monthly salary received by a member during the member's last two years of service or any consecutive two-year period of service, whichever is the greater, as an employee of the Washington state patrol; or if the member has less than two years of service, then the average monthly salary received by the member during the member's total years of service.

(b) "Average final salary," for members commissioned on or after January 1, 2003, shall mean the average monthly salary received by a member for the highest consecutive ~~((sixty))~~60 service credit months; or if the member has less than ~~((sixty))~~60 months of service, then the average monthly salary received by the member during the member's total months of service.

(c) In calculating average final salary under (a) or (b) of this subsection, the department of retirement systems shall include:

(i) Any compensation forgone by the member during the 2009-2011 fiscal biennium as a result of reduced work hours, mandatory or voluntary leave without pay, temporary reduction in pay implemented prior to December 11, 2010, or temporary layoffs if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the chief;

(ii) Any compensation forgone by a member during the 2011-2013 fiscal biennium as a result of reduced work hours, mandatory leave without pay, temporary layoffs, or reductions to current pay if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the chief. Reductions to current pay shall not include elimination of previously agreed upon future salary reductions; and

(iii) Any compensation forgone by a member during the 2019-2021 and 2021-2023 fiscal biennia as a result of reduced work hours, mandatory leave without pay, temporary layoffs, furloughs, reductions to current pay, or other similar measures resulting from the COVID-19 budgetary crisis, if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the chief. Reductions to current pay shall not include elimination of previously agreed upon future salary increases.

(4) "Beneficiary" means any person in receipt of retirement allowance or any other benefit allowed by this chapter.

(5)(a) "Cadet," for a person who became a member of the retirement system after June 12, 1980, is a person who has passed the Washington state patrol's entry-level oral, written, physical performance, and background examinations and is, thereby, appointed by the chief as a candidate to be

a commissioned officer of the Washington state patrol.

(b) "Cadet," for a person who became a member of the retirement system before June 12, 1980, is a trooper cadet, patrol cadet, or employee of like classification, employed for the express purpose of receiving the on-the-job training required for attendance at the state patrol academy and for becoming a commissioned trooper. "Like classification" includes: Radio operators or dispatchers; persons providing security for the governor or legislature; patrol officers; drivers' license examiners; weighmasters; vehicle safety inspectors; central wireless operators; and warehouse workers.

(6) "Contributions" means the deduction from the compensation of each member in accordance with the contribution rates established under chapter 41.45 RCW.

(7) "Current service" shall mean all service as a member rendered on or after August 1, 1947.

(8) "Department" means the department of retirement systems created in chapter 41.50 RCW.

(9) "Director" means the director of the department of retirement systems.

(10) "Domestic partners" means two adults who have registered as domestic partners under RCW 26.60.040.

(11) "Employee" means any commissioned employee of the Washington state patrol.

(12) "Insurance commissioner" means the insurance commissioner of the state of Washington.

(13) "Lieutenant governor" means the lieutenant governor of the state of Washington.

(14) "Member" means any person included in the membership of the retirement fund.

(15) "Plan 2" means the Washington state patrol retirement system plan 2, providing the benefits and funding provisions covering commissioned employees who first become members of the system on or after January 1, 2003.

(16) "Prior service" shall mean all services rendered by a member to the state of Washington, or any of its political subdivisions prior to August 1, 1947, unless such service has been credited in another public retirement or pension system operating in the state of Washington.

(17) "Regular interest" means interest compounded annually at such rates as may be determined by the director.

(18) "Retirement board" means the board provided for in this chapter.

(19) "Retirement fund" means the Washington state patrol retirement fund.

(20) "Retirement system" means the Washington state patrol retirement system.

(21)(a) "Salary," for members commissioned prior to July 1, 2001, shall exclude any overtime earnings related to RCW 47.46.040, or any voluntary overtime, earned on or after July 1, 2001, and prior to July 1, 2017. On or after July 1, 2017, salary shall exclude overtime earnings in excess of ~~((seventy))~~70 hours per year in total related to either RCW 47.46.040 or any voluntary overtime. On or after the effective date of this section, salary shall exclude earnings from the longevity bonus created in section 2 of this act.

(b) "Salary," for members commissioned from July 1, 2001, to December 31, 2002, shall exclude any overtime earnings related to RCW 47.46.040 or any voluntary overtime, earned prior to July 1, 2017, lump sum payments for deferred annual sick leave, or any form of severance pay. On or after July 1, 2017, salary shall exclude overtime earnings in excess of ~~((seventy))~~ 70 hours per year in total related to either RCW 47.46.040 or any voluntary overtime. On or after the effective date of this section, salary shall exclude earnings from the longevity bonus created in section 2 of this act.

(c) "Salary," for members commissioned on or after January 1, 2003, shall exclude any overtime earnings related to RCW 47.46.040 or any voluntary overtime, earned prior to July 1, 2017, lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, holiday pay, or any form of severance pay. On or after July 1, 2017, salary shall exclude overtime earnings in excess of ~~((seventy))~~ 70 hours per year in total related to either RCW 47.46.040 or any voluntary overtime. On or after the effective date of this section, salary shall exclude earnings from the longevity bonus created in section 2 of this act.

(d) The addition of overtime earnings related to RCW 47.46.040 or any voluntary overtime earned on or after July 1, 2017, in chapter 181, Laws of 2017 is a benefit improvement that increases the member maximum contribution rate under RCW 41.45.0631(1) by 1.10 percent.

(22)(a) "Service" shall mean services rendered to the state of Washington or any political subdivisions thereof for which compensation has been paid. Full time employment for ~~((seventy))~~ 70 or more hours in any given calendar month shall constitute one month of service. An employee who is reinstated in accordance with RCW 43.43.110 shall suffer no loss of service for the period reinstated subject to the contribution requirements of this chapter. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for herein. Years of service shall be determined by dividing the total number of months of service by ~~((twelve))~~ 12. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefit.

(b) Reduction efforts such as furloughs, reduced work hours, mandatory leave without pay, temporary layoffs, or other similar situations as contemplated by subsection (3)(c)(iii) of this section do not result in a reduction in service credit that otherwise would have been earned for that month of work, and the member shall receive the full service credit for the hours that were scheduled to be worked before the reduction.

(23) "State actuary" or "actuary" means the person appointed pursuant to RCW 44.44.010(2).

(24) "State treasurer" means the treasurer of the state of Washington.

Unless the context expressly indicates otherwise, words importing the masculine gender shall be extended to include the

feminine gender and words importing the feminine gender shall be extended to include the masculine gender.

NEW SECTION. Sec. 4. (1) By November 1, 2028, the joint legislative audit and review committee must conduct a performance review of the state patrol longevity bonus pilot program. The performance review must evaluate, at minimum:

(a) The program's impact on retention of senior commissioned staff of the state patrol;

(b) The change in vacancies in each of the commissioned staff categories over time;

(c) An evaluation of optimal commissioned staffing levels at the state patrol, including a comparison to other states' field force staffing levels;

(d) A description of other factors that may be impacting retention and vacancy rates; and

(e) Recommendations for addressing state patrol staffing levels, which must include whether to continue the state patrol longevity bonus program.

(2) This section expires June 30, 2029.

NEW SECTION. Sec. 5. Section 3 of this act expires June 30, 2029."

On page 1, line 2 of the title, after "bonus;" strike the remainder of the title and insert "amending RCW 43.43.120; adding a new section to chapter 43.43 RCW; creating new sections; and providing expiration dates."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2357 and advanced the bill, as amended by the Senate, to final passage.

Representatives Fey and Barkis spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2357, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2357, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hale, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street,

Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters,  
Wilcox, Wylie, Ybarra and Mme. Speaker  
Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2357, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**MESSAGE FROM THE SENATE**

Thursday, February 29, 2024

Mme. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 2320, with the following amendment(s): 2320-S2 AMS ENGR S5137.E

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that there is a growing body of research evidencing that consuming cannabis with high concentrations of THC may be harmful to some people, including younger persons and persons who have or are at risk for developing certain mental health conditions or psychotic disorders. Products like THC-infused vape oils, shatter, and dabs can contain close to 100 percent THC, and may carry risks not commonly associated with consumption of useable cannabis flower or other cannabis products with relatively lower THC concentrations. In the interest of public health, the legislature intends to review studies and consider increasing the minimum legal age of sale of high THC cannabis products to age 25, and the legislature intends to require caution notices, developed by the department of health, to be posted at the point of sale in cannabis retail outlets to raise awareness about possible health impacts and risks associated with high THC cannabis. The legislature further intends to implement and study health interventions, gather data, and ensure that new research, data, and information concerning the impacts of high THC cannabis continues to be incorporated into state policy.

**NEW SECTION. Sec. 2.** The legislature intends to provide the department of health with recurring funding available each fiscal year, beginning in fiscal year 2025, to allow the department of health to issue requests for proposals and contract for targeted public health messages and social marketing campaigns directed toward individuals most likely to suffer negative impacts of high THC products including persons under 25 years of age and persons living with mental health challenges. Messages and media campaigns funded must include information about risks, comparative dosing of cannabis products, and resources for persons seeking support for quitting or decreasing their intake of tetrahydrocannabinol. The content of public health messages and social marketing campaigns must be developed in partnership with persons targeted by the messages and campaigns and in consultation with

professionals proficient in public health communication and in cannabis research.

**NEW SECTION. Sec. 3.** By July 1, 2025, the department of health must develop an optional training that cannabis retail staff may complete to better understand the health and safety impacts of high THC cannabis products. In developing the optional training, the department of health must consult with cannabis retail staff, cannabis consumers, persons who have been harmed by high THC products, health care providers, prevention professionals, researchers with relevant expertise, behavioral health providers, and representatives of licensed cannabis businesses.

**Sec. 4.** RCW 69.50.357 and 2022 c 16 s 71 are each amended to read as follows:

(1)(a) Retail outlets may not sell products or services other than cannabis concentrates, useable cannabis, cannabis-infused products, or paraphernalia intended for the storage or use of cannabis concentrates, useable cannabis, or cannabis-infused products.

(b)(i) Retail outlets may receive lockable boxes, intended for the secure storage of cannabis products and paraphernalia, and related literature as a donation from another person or entity, that is not a cannabis producer, processor, or retailer, for donation to their customers.

(ii) Retail outlets may donate the lockable boxes and provide the related literature to any person eligible to purchase cannabis products under subsection (2) of this section. Retail outlets may not use the donation of lockable boxes or literature as an incentive or as a condition of a recipient's purchase of a cannabis product or paraphernalia.

(iii) Retail outlets may also purchase and sell lockable boxes, provided that the sales price is not less than the cost of acquisition.

(2) Licensed cannabis retailers may not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-one years of age with a recognition card may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of eighteen with a recognition card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement, but may not purchase products for their personal medical use.

(3)(a) Licensed cannabis retailers must ensure that all employees are trained on the rules adopted to implement this chapter, identification of persons under the age of twenty-one, and other requirements adopted by the board to ensure that persons under the age of twenty-one are not permitted to enter or remain on the premises of a retail outlet.

(b) Licensed cannabis retailers with a medical cannabis endorsement must ensure

that all employees are trained on the subjects required by (a) of this subsection as well as identification of authorizations and recognition cards. Employees must also be trained to permit qualifying patients who hold recognition cards and are between the ages of eighteen and twenty-one to enter the premises and purchase cannabis for their personal medical use and to permit qualifying patients who are under the age of eighteen with a recognition card to enter the premises if accompanied by their designated providers.

(4) Except for the purposes of disposal as authorized by the board, no licensed cannabis retailer or employee of a retail outlet may open or consume, or allow to be opened or consumed, any cannabis concentrates, useable cannabis, or cannabis-infused product on the outlet premises.

(5)(a) By December 31, 2024, licensed cannabis retailers shall post a conspicuous notice at the point of sale in retail outlets with information about: (i) The potential health risks and adverse health impacts that may be associated with the consumption of high THC cannabis; (ii) the potentially much higher risks that may be present for younger persons under age 25 as well as for persons who have or are at risk for developing certain mental health conditions or psychotic disorders; and (iii) where to find help in case of negative effects and resources for quitting or reducing cannabis consumption. The notice must be the same or substantially the same as the notice developed by the department of health under this subsection (5).

(b) The department of health shall develop the notice required under this section and make it available to licensed cannabis retailers. The notice must, at a minimum, identify the information specified in (a)(i) through (iii) of this subsection, and may include additional information.

(6) The board must fine a licensee one thousand dollars for each violation of any subsection of this section. Fines collected under this section must be deposited into the dedicated cannabis account created under RCW 69.50.530.

**NEW SECTION. Sec. 5.** A new section is added to chapter 28B.20 RCW to read as follows:

(1) Subject to amounts appropriated for this specific purpose, the University of Washington addictions, drug, and alcohol institute must develop, implement, test, and evaluate guidance and health interventions for health care providers and patients at risk for developing serious complications due to cannabis consumption who are seeking care in emergency departments, primary care settings, behavioral health settings, other health care facilities, and for use by state poison control and recovery hotlines to promote cannabis use reduction and cessation for the following populations:

(a) Youth and adults at high risk of adverse mental health impacts from use of high THC cannabis;

(b) Youth and adults who have experienced a cannabis-induced first episode psychosis

but do not have a diagnosis of a psychotic disorder; and

(c) Youth and adults who have a diagnosed psychotic disorder and use cannabis.

(2) The University of Washington addictions, drug, and alcohol institute must submit a preliminary report to the appropriate committees of the legislature summarizing the progress toward developing and testing health interventions and recruiting patients and health care facilities to participate by December 1, 2025. The institute must provide a progress report on initial outcomes of the health interventions for participating patients and health care facilities by July 1, 2027. The institute must submit a final report to the appropriate committees of the legislature summarizing the results of the interventions and any recommendations for implementation of health interventions by December 1, 2028.

(3) The work by the University of Washington addictions, drug, and alcohol institute must include, in the scope of work, data gathering on adverse health impacts occurring in Washington associated with consumption of high THC cannabis, and data gathered must be included in the reports submitted to the legislature under this section.

(4) This section expires December 31, 2028.

**NEW SECTION. Sec. 6.** (1) Beginning December 1, 2024, the liquor and cannabis board must collect data on the following information on cannabis products sold within Washington state:

(a) The amount of products being sold in the following categories: Usable cannabis, cannabis concentrates, and cannabis-infused products;

(b) The average THC concentration in usable cannabis and cannabis concentrates, and the average milligrams of THC per unit in cannabis-infused products; and

(c) The range of THC concentration in usable cannabis and cannabis concentrates.

(2) By November 14, 2025, the liquor and cannabis board must submit a report to the relevant committees of the legislature on the information collected under subsection (1) of this section.

(3) For the purposes of this section, "product" has the meaning provided in RCW 69.50.535.

(4) This section expires December 31, 2026.

**NEW SECTION. Sec. 7.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 4 of the title, after "psychosis;" strike the remainder of the title and insert "amending RCW 69.50.357; adding a new section to chapter 28B.20 RCW; creating new sections; and providing expiration dates."

and the same is herewith transmitted.

Sarah Bannister, Secretary



**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House refused to concur in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 2320 and asked the Senate to recede therefrom.

**MESSAGE FROM THE SENATE**

Monday, March 4, 2024

Mme. Speaker:

The Senate refuses to concur in the House amendment(s) to ENGROSSED SENATE BILL NO. 5790 and asks the House to recede therefrom.

and the same is herewith transmitted.

Sarah Bannister, Secretary

**HOUSE AMENDMENT TO SENATE BILL**

There being no objection, the House insisted on its position in its amendment to ENGROSSED SENATE BILL NO. 5790 and asked the Senate to concur therein.

**MESSAGE FROM THE SENATE**

Tuesday, March 5, 2024

Mme. Speaker:

The Senate insists on its position on SUBSTITUTE HOUSE BILL NO. 1915 and asks the House to concur.

and the same is herewith transmitted.

Sarah Bannister, Secretary

**SENATE AMENDMENT TO HOUSE BILL**

The House adheres to its position on SUBSTITUTE HOUSE BILL NO. 1915 and asks the Senate to recede from its position.

**CONFERENCE COMMITTEE REPORT**

March 6th, 2024

Senate Bill 5180

Includes "New Item": YES

Madame Speaker:

We of your Conference Committee, to whom was referred SB 5180, adopting the interstate teacher mobility compact, have had the same under consideration and we recommend that:

All previous amendments not be adopted and that the attached striking amendment H-3510.1 be adopted

Strike everything after the enacting clause and insert the following:

**"ARTICLE I  
PURPOSE**

NEW SECTION. **Sec. 1.** The purpose of this compact is to facilitate the mobility of teachers across the member states, with the goal of supporting teachers through a new pathway to licensure. Through this compact, the member states seek to establish a collective regulatory framework that

expedites and enhances the ability of teachers to move across state lines. This compact is intended to achieve the following objectives and should be interpreted accordingly. The member states hereby ratify the same intentions by subscribing hereto:

(1) Create a streamlined pathway to licensure mobility for teachers;

(2) Support the relocation of eligible military spouses;

(3) Facilitate and enhance the exchange of licensure, investigative, and disciplinary information between the member states;

(4) Enhance the power of state and district level education officials to hire qualified, competent teachers by removing barriers to the employment of out-of-state teachers;

(5) Support the retention of teachers in the profession by removing barriers to relicensure in a new state; and

(6) Maintain state sovereignty in the regulation of the teaching profession.

**ARTICLE II  
DEFINITIONS**

NEW SECTION. **Sec. 2.** As used in this compact, and except as otherwise provided, the following definitions shall govern the terms herein:

(1) "Active military member" means any person with full-time duty status in the armed forces of the United States, including members of the national guard and reserve.

(2) "Adverse action" means any limitation or restriction imposed by a member state's licensing authority, such as revocation, suspension, reprimand, probation, or limitation on the licensee's ability to work as a teacher.

(3) "Bylaws" means those bylaws established by the commission.

(4) "Career and technical education license" means a current, valid authorization issued by a member state's licensing authority allowing an individual to serve as a teacher in prekindergarten through grade 12 public educational settings in a specific career and technical education area.

(5) "Charter member states" means a member state that has enacted legislation to adopt this compact where such legislation predates the initial meeting of the commission after the effective date of the compact.

(6) "Commission" means the interstate administrative body which membership consists of delegates of all states that have enacted this compact, and which is known as the interstate teacher mobility compact commission.

(7) "Commissioner" means the delegate of a member state.

(8) "Eligible license" means a license to engage in the teaching profession which requires at least a bachelor's degree and the completion of a state approved program for teacher licensure.

(9) "Eligible military spouse" means the spouse of any individual in full-time duty status in the active armed forces of the United States, including members of the

national guard and reserve on active duty moving as a result of a military mission or military career progression requirements or are on their terminal move as a result of separation or retirement (to include surviving spouses of deceased military members).

(10) "Executive committee" means a group of commissioners elected or appointed to act on behalf of, and within the powers granted to them by, the commission as provided for herein.

(11) "Licensing authority" means an official, agency, board, or other entity of a state that is responsible for the licensing and regulation of teachers authorized to teach in prekindergarten through grade 12 public educational settings.

(12) "Member state" means any state that has adopted this compact, including all agencies and officials of such a state.

(13) "Receiving state" means any state where a teacher has applied for licensure under this compact.

(14) "Rule" means any regulation promulgated by the commission under this compact, which shall have the force of law in each member state.

(15) "State" means a state, territory, or possession of the United States, and the District of Columbia.

(16) "State practice laws" means a member state's laws, rules, and regulations that govern the teaching profession, define the scope of such profession, and create the methods and grounds for imposing discipline.

(17) "State specific requirements" means a requirement for licensure covered in coursework or examination that includes content of unique interest to the state.

(18) "Teacher" means an individual who currently holds an authorization from a member state that forms the basis for employment in the prekindergarten through grade 12 public schools of the state to provide instruction in a specific subject area, grade level, or student population.

(19) "Unencumbered license" means a current, valid authorization issued by a member state's licensing authority allowing an individual to serve as a teacher in prekindergarten through grade 12 public educational settings. An unencumbered license is not a restricted, probationary, provisional, substitute, or temporary credential.

### **ARTICLE III LICENSURE UNDER THE COMPACT**

NEW SECTION. **Sec. 3.** (1) Licensure under this compact pertains only to the initial grant of a license by the receiving state. Nothing herein applies to any subsequent or ongoing compliance requirements that a receiving state might require for teachers.

(2) Each member state shall, in accordance with the rules of the commission, define, compile, and update as necessary, a list of eligible licenses and career and technical education licenses that the member state is willing to consider for equivalency under this compact and provide the list to

the commission. The list shall include those licenses that a receiving state is willing to grant to teachers from other member states, pending a determination of equivalency by the receiving state's licensing authority.

(3) Upon the receipt of an application for licensure by a teacher holding an unencumbered eligible license, the receiving state shall determine which of the receiving state's eligible licenses the teacher is qualified to hold and shall grant such a license or licenses to the applicant. Such a determination shall be made in the sole discretion of the receiving state's licensing authority and may include a determination that the applicant is not eligible for any of the receiving state's eligible licenses. For all teachers who hold an unencumbered license, the receiving state shall grant one or more unencumbered license(s) that, in the receiving state's sole discretion, are equivalent to the license(s) held by the teacher in any other member state.

(4) For active military members and eligible military spouses who hold a license that is not unencumbered, the receiving state shall grant an equivalent license or licenses that, in the receiving state's sole discretion, is equivalent to the license or licenses held by the teacher in any other member state, except where the receiving state does not have an equivalent license.

(5) For a teacher holding an unencumbered career and technical education license, the receiving state shall grant an unencumbered license equivalent to the career and technical education license held by the applying teacher and issued by another member state, as determined by the receiving state in its sole discretion, except where a career and technical education teacher does not hold a bachelor's degree and the receiving state requires a bachelor's degree for licenses to teach career and technical education. A receiving state may require career and technical education teachers to meet state industry recognized requirements, if required by law in the receiving state.

### **ARTICLE IV LICENSURE NOT UNDER THE COMPACT**

NEW SECTION. **Sec. 4.** (1) Except as provided in section 3 of this act, nothing in this compact shall be construed to limit or inhibit the power of a member state to regulate licensure or endorsements overseen by the member state's licensing authority.

(2) When a teacher is required to renew a license received pursuant to this compact, the state granting such a license may require the teacher to complete state specific requirements as a condition of licensure renewal or advancement in that state.

(3) For the purposes of determining compensation, a receiving state may require additional information from teachers receiving a license under the provisions of this compact.

(4) Nothing in this compact shall be construed to limit the power of a member state to control and maintain ownership of

its information pertaining to teachers, or limit the application of a member state's laws or regulations governing the ownership, use, or dissemination of information pertaining to teachers.

(5) Nothing in this compact shall be construed to invalidate or alter any existing agreement or other cooperative arrangement which a member state may already be a party to, or limit the ability of a member state to participate in any future agreement or other cooperative arrangement to:

(a) Award teaching licenses or other benefits based on additional professional credentials including, but not limited to, national board certification;

(b) Participate in the exchange of names of teachers whose license has been subject to an adverse action by a member state; or

(c) Participate in any agreement or cooperative arrangement with a nonmember state.

**ARTICLE V  
TEACHER QUALIFICATIONS AND REQUIREMENTS FOR  
LICENSURE  
UNDER THE COMPACT**

NEW SECTION. **Sec. 5.** (1) Except as provided for active military members or eligible military spouses in section 3(4) of this act, a teacher may only be eligible to receive a license under this compact where that teacher holds an unencumbered license in a member state.

(2) A teacher eligible to receive a license under this compact shall, unless otherwise provided for herein:

(a) Upon their application to receive a license under this compact, undergo a criminal background check in the receiving state in accordance with the laws and regulations of the receiving state;

(b) Comply with any applicable conditions of employment in the receiving state; and

(c) Provide the receiving state with information in addition to the information required for licensure for the purposes of determining compensation, if applicable.

**ARTICLE VI  
DISCIPLINE/ADVERSE ACTIONS**

NEW SECTION. **Sec. 6.** (1) Nothing in this compact shall be deemed or construed to limit the authority of a member state to investigate or impose disciplinary measures on teachers according to the state practice laws thereof.

(2) Member states shall be authorized to receive, and shall provide, files and information regarding the investigation and discipline, if any, of teachers in other member states upon request. Any member state receiving such information or files shall protect and maintain the security and confidentiality thereof, in at least the same manner that it maintains its own investigatory or disciplinary files and information. Prior to disclosing any disciplinary or investigatory information received from another member state, the disclosing state shall communicate its

intention and purpose for such disclosure to the member state which originally provided that information.

**ARTICLE VII  
ESTABLISHMENT OF THE INTERSTATE TEACHER  
MOBILITY  
COMPACT COMMISSION**

NEW SECTION. **Sec. 7.** (1) The interstate compact member states hereby create and establish a joint public agency known as the interstate teacher mobility compact commission:

(a) The commission is a joint interstate governmental agency comprised of states that have enacted the interstate teacher mobility compact.

(b) Nothing in this interstate compact shall be construed to be a waiver of sovereign immunity.

(2) Membership, voting, and meetings.

(a) Each member state shall have and be limited to one delegate to the commission, who shall be given the title of commissioner.

(b) The commissioner shall be the primary administrative officer of the state licensing authority or their designee.

(c) Any commissioner may be removed or suspended from office as provided by the law of the state from which the commissioner is appointed.

(d) The member state shall fill any vacancy occurring in the commission within 90 days.

(e) Each commissioner shall be entitled to one vote about the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission. A commissioner shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for commissioners' participation in meetings by telephone or other means of communication.

(f) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(g) The commission shall establish by rule a term of office for commissioners.

(3) The commission shall have the following powers and duties:

(a) Establish a code of ethics for the commission;

(b) Establish the fiscal year of the commission;

(c) Establish bylaws for the commission;

(d) Maintain its financial records in accordance with the bylaws of the commission;

(e) Meet and take such actions as are consistent with the provisions of this interstate compact, the bylaws, and rules of the commission;

(f) Promulgate uniform rules to implement and administer this interstate compact. The rules shall have the force and effect of law and shall be binding in all member states. In the event the commission exercises its rule-making authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted hereunder, then such an action by the commission shall

be invalid and have no force and effect of law;

(g) Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any member state licensing authority to sue or be sued under applicable law shall not be affected;

(h) Purchase and maintain insurance and bonds;

(i) Borrow, accept, or contract for services of personnel including, but not limited to, employees of a member state, or an associated nongovernmental organization that is open to membership by all states;

(j) Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(k) Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve, or use, any property, real, personal, or mixed, provided that at all times the commission shall avoid any appearance of impropriety;

(l) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

(m) Establish a budget and make expenditures;

(n) Borrow money;

(o) Appoint committees, including standing committees composed of members and such other interested persons as may be designated in this interstate compact, rules, or bylaws;

(p) Provide and receive information from, and cooperate with, law enforcement agencies;

(q) Establish and elect an executive committee;

(r) Establish and develop a charter for an executive information governance committee to advise on facilitating exchange of information, use of information, data privacy, and technical support needs, and provide reports as needed;

(s) Perform such other functions as may be necessary or appropriate to achieve the purposes of this interstate compact consistent with the state regulation of teacher licensure; and

(t) Determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in the compact.

(4) The executive committee of the interstate teacher mobility compact commission.

(a) The executive committee shall have the power to act on behalf of the commission according to the terms of this interstate compact.

(b) The executive committee shall be composed of eight voting members: The commission chair, vice chair, and treasurer; and five members who are elected by the commission from the current membership:

(i) Four voting members representing geographic regions in accordance with commission rules; and

(ii) One at large voting member in accordance with commission rules.

(c) The commission may add or remove members of the executive committee as provided in commission rules.

(d) The executive committee shall meet at least once annually.

(e) The executive committee shall have the following duties and responsibilities:

(i) Recommend to the entire commission changes to the rules or bylaws, changes to the compact legislation, fees paid by interstate compact member states such as annual dues, and any compact fee charged by the member states on behalf of the commission;

(ii) Ensure commission administration services are appropriately provided, contractual or otherwise;

(iii) Prepare and recommend the budget;

(iv) Maintain financial records on behalf of the commission;

(v) Monitor compliance of member states and provide reports to the commission; and

(vi) Perform other duties as provided in rules or bylaws.

(f) Meetings of the commission.

(i) All meetings shall be open to the public, and public notice of meetings shall be given in accordance with commission bylaws.

(ii) The commission or the executive committee or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive committee or other committees of the commission must discuss:

(A) Noncompliance of a member state with its obligations under the compact;

(B) The employment, compensation, discipline, or other matters, practices, or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;

(C) Current, threatened, or reasonably anticipated litigation;

(D) Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

(E) Accusing any person of a crime or formally censuring any person;

(F) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(G) Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(H) Disclosure of investigative records compiled for law enforcement purposes;

(I) Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact;

(J) Matters specifically exempted from disclosure by federal or member state statutes; and

(K) Other matters as set forth by commission bylaws and rules.

(iii) If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may

be closed and shall reference each relevant exempting provision.

(iv) The commission shall keep minutes of commission meetings and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

(g) Financing of the commission.

(i) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(ii) The commission may accept all appropriate donations and grants of money, equipment, supplies, materials, and services, and receive, utilize, and dispose of the same, provided that at all times the commission shall avoid any appearance of impropriety or conflict of interest.

(iii) The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission, in accordance with the commission rules.

(iv) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(v) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to accounting procedures established under commission bylaws. All receipts and disbursements of funds of the commission shall be reviewed annually in accordance with commission bylaws, and a report of the review shall be included in and become part of the annual report of the commission.

(h) Qualified immunity, defense, and indemnification.

(i) The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided, that nothing in this subsection (4)(h)(i) shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

(ii) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that

occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided, that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

(iii) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

#### **ARTICLE VIII RULE-MAKING**

##### NEW SECTION.

##### **Sec. 8.**

(1) The commission shall exercise its rule-making powers pursuant to the criteria set forth in this interstate compact and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(2) The commission shall promulgate reasonable rules to achieve the intent and purpose of this interstate compact. In the event the commission exercises its rule-making authority in a manner that is beyond purpose and intent of this interstate compact, or the powers granted hereunder, then such an action by the commission shall be invalid and have no force and effect of law in the member states.

(3) If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

(4) Rules or amendments to the rules shall be adopted or ratified at a regular or special meeting of the commission in accordance with commission rules and bylaws.

(5) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule with 48 hours' notice, with opportunity to comment, provided that the usual rule-making procedures shall be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

(a) Meet an imminent threat to public health, safety, or welfare;

(b) Prevent a loss of commission or member state funds;

(c) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule of the commission; or

(d) Protect public health and safety.

**ARTICLE IX  
FACILITATING INFORMATION EXCHANGE**

NEW SECTION. **Sec. 9.** (1) The commission shall provide for facilitating the exchange of information to administer and implement the provisions of this compact in accordance with the rules of the commission, consistent with generally accepted data protection principles.

(2) Nothing in this compact shall be deemed or construed to alter, limit, or inhibit the power of a member state to control and maintain ownership of its licensee information or alter, limit, or inhibit the laws or regulations governing licensee information in the member state.

**ARTICLE X  
OVERSIGHT, DISPUTE RESOLUTION, AND  
ENFORCEMENT**

NEW SECTION. **Sec. 10.** (1) Oversight.

(a) The executive and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact shall have standing as statutory law.

(b) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct, or any such similar matter.

(c) All courts and all administrative agencies shall take judicial notice of the compact, the rules of the commission, and any information provided to a member state pursuant thereto in any judicial or quasi-judicial proceeding in a member state pertaining to the subject matter of this compact, or which may affect the powers, responsibilities, or actions of the commission.

(d) The commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the compact and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the commission service of process shall render a judgment or order void as to the commission, this compact, or promulgated rules.

(2) Default, technical assistance, and termination. If the commission determines that a member state has defaulted in the

performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(a) Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default or any other action to be taken by the commission; and

(b) Provide remedial training and specific technical assistance regarding the default.

(3) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the commissioners of the member states, and all rights, privileges, and benefits conferred on that state by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(4) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, the state licensing authority, and each of the member states.

(5) A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(6) The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(7) The defaulting state may appeal the action of the commission by petitioning the United States district court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.

(8) Dispute resolution.

(a) Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

(b) The commission shall promulgate a rule providing for both binding and nonbinding alternative dispute resolution for disputes as appropriate.

(9) Enforcement.

(a) The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

(b) By majority vote, the commission may initiate legal action in the United States district court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial

enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

**ARTICLE XI  
EFFECTUATION, WITHDRAWAL, AND AMENDMENT**

NEW SECTION. **Sec. 11.** (1) The compact shall come into effect on the date on which the compact statute is enacted into law in the 10th member state.

(a) On or after the effective date of the compact, the commission shall convene and review the enactment of each of the charter member states to determine if the statute enacted by each such charter member state is materially different from the model compact statute.

(b) A charter member state whose enactment is found to be materially different from the model compact statute shall be entitled to the default process set forth in section 10 of this act.

(c) Member states enacting the compact subsequent to the charter member states shall be subject to the process set forth in section 7(3)(t) of this act to determine if their enactments are materially different from the model compact statute and whether they qualify for participation in the compact.

(2) If any member state is later found to be in default, or is terminated or withdraws from the compact, the commission shall remain in existence and the compact shall remain in effect even if the number of member states should be less than 10.

(3) Any state that joins the compact after the commission's initial adoption of the rules and bylaws shall be subject to the rules and bylaws as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state, as the rules and bylaws may be amended as provided in this compact.

(4) Any member state may withdraw from this compact by enacting a statute repealing the same.

(a) A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

(b) Withdrawal shall not affect the continuing requirement of the withdrawing state's licensing authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

(5) This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

**ARTICLE XII  
CONSTRUCTION AND SEVERABILITY**

NEW SECTION. **Sec. 12.** This compact shall be liberally construed to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the Constitution of any member state or a state seeking membership in the compact, or of the United States or the applicability thereof to any other government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the Constitution of any member state, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

**ARTICLE XIII  
CONSISTENT EFFECT AND CONFLICT WITH OTHER  
STATE LAWS**

NEW SECTION. **Sec. 13.** (1) Nothing herein shall prevent or inhibit the enforcement of any other law of a member state that is not inconsistent with the compact.

(2) Any laws, statutes, regulations, or other legal requirements in a member state in conflict with the compact are superseded to the extent of the conflict.

(3) All permissible agreements between the commission and the member states are binding in accordance with their terms.

**Sec. 14.** RCW 28A.405.220 and 2016 c 85 s 2 are each amended to read as follows:

(1) Notwithstanding the provisions of RCW 28A.405.210, every person employed by a school district in a teaching or other nonsupervisory certificated position shall be subject to nonrenewal of employment contract as provided in this section during the first three years of employment by such district, unless: (a) The employee has previously completed at least two years of certificated employment in another school district in the state of Washington, in which case the employee shall be subject to nonrenewal of employment contract pursuant to this section during the first year of employment with the new district; or (b) the employee has received an evaluation rating below level 2 on the four-level rating system established under RCW 28A.405.100 during the third year of employment, in which case the employee shall remain subject to the nonrenewal of the employment contract until the employee receives a level 2 rating; or (c) the school district superintendent may make a determination to remove an employee from provisional status if the employee has received one of the top two evaluation ratings during the second year of employment by the district. Employees as defined in this section shall hereinafter be referred to as "provisional employees."

(2) The superintendent of the school district may not renew the employment

contract of a provisional employee licensed under the interstate teacher mobility compact in chapter 28A.--- RCW (the new chapter created in section 15 of this act) for a third year if the provisional employee has not yet completed both the issues of abuse course described in RCW 28A.410.035 and the equity-based school practices requirements under RCW 28A.410.277.

(3) In the event the superintendent of the school district determines that the employment contract of any provisional employee should not be renewed by the district for the next ensuing term such provisional employee shall be notified thereof in writing on or before May 15th preceding the commencement of such school term, or if the omnibus appropriations act has not passed the legislature by the end of the regular legislative session for that year, then notification shall be no later than June 15th, which notification shall state the reason or reasons for such determination. Such notice shall be served upon the provisional employee personally, or by certified or registered mail, or by leaving a copy of the notice at the place of his or her usual abode with some person of suitable age and discretion then resident therein. The determination of the superintendent shall be subject to the evaluation requirements of RCW 28A.405.100.

~~((3))~~ (4) Every such provisional employee so notified, at his or her request made in writing and filed with the superintendent of the district within ten days after receiving such notice, shall be given the opportunity to meet informally with the superintendent for the purpose of requesting the superintendent to reconsider his or her decision. Such meeting shall be held no later than ten days following the receipt of such request, and the provisional employee shall be given written notice of the date, time and place of meeting at least three days prior thereto. At such meeting the provisional employee shall be given the opportunity to refute any facts upon which the superintendent's determination was based and to make any argument in support of his or her request for reconsideration.

~~((4))~~ (5) Within ten days following the meeting with the provisional employee, the superintendent shall either reinstate the provisional employee or shall submit to the school district board of directors for consideration at its next regular meeting a written report recommending that the employment contract of the provisional employee be nonrenewed and stating the reason or reasons therefor. A copy of such report shall be delivered to the provisional employee at least three days prior to the scheduled meeting of the board of directors. In taking action upon the recommendation of the superintendent, the board of directors shall consider any written communication which the provisional employee may file with the secretary of the board at any time prior to that meeting.

~~((5))~~ (6) The board of directors shall notify the provisional employee in writing of its final decision within ten days following the meeting at which the superintendent's recommendation was considered. The decision of the board of

directors to nonrenew the contract of a provisional employee shall be final and not subject to appeal.

~~((6))~~ (7) This section applies to any person employed by a school district in a teaching or other nonsupervisory certificated position after June 25, 1976. This section provides the exclusive means for nonrenewing the employment contract of a provisional employee and no other provision of law shall be applicable thereto, including, without limitation, RCW 28A.405.210 and chapter 28A.645 RCW.

NEW SECTION. **Sec. 15.** Sections 1 through 13 of this act constitute a new chapter in Title 28A RCW."

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "the licensure and employment of out-of-state teachers; amending RCW 28A.405.220; and adding a new chapter to Title 28A RCW."

and that the bill do pass as recommended by the Conference Committee:

Senators Hunt, Wellman  
Representatives Rude, Santos, Shavers

There being no objection, the House adopted the conference committee report on SENATE BILL NO. 5180 and advanced the bill as recommended by the conference committee to final passage.

#### **FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE**

Representatives Santos and Rude spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5180, as recommended by conference committee.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5180, as recommended by the conference committee, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Gochner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Hale  
Excused: Representative Chandler

SENATE BILL NO. 5180, as recommended by the conference committee, having received the necessary constitutional majority, was declared passed.

With the consent of the House, the bills previously acted upon were immediately transmitted to the Senate.

The Speaker assumed the chair.



**SIGNED BY THE SPEAKER**

The Speaker signed the following bills:

ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO. 1239  
 SUBSTITUTE HOUSE BILL NO. 1453  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1493  
 SECOND ENGROSSED HOUSE BILL NO. 1757  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1899  
 SUBSTITUTE HOUSE BILL NO. 2147  
 SUBSTITUTE HOUSE BILL NO. 2357  
 SUBSTITUTE HOUSE BILL NO. 2424  
 HOUSE BILL NO. 2454  
 SECOND ENGROSSED SUBSTITUTE SENATE BILL NO.  
 5150  
 SENATE BILL NO. 5184  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 5213  
 SUBSTITUTE SENATE BILL NO. 5376  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5424  
 SECOND SUBSTITUTE SENATE BILL NO. 5444  
 ENGROSSED SENATE BILL NO. 5462  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5481  
 SECOND ENGROSSED SECOND SUBSTITUTE SENATE  
 BILL NO. 5580  
 SUBSTITUTE SENATE BILL NO. 5588  
 ENGROSSED SENATE BILL NO. 5592  
 ENGROSSED SENATE BILL NO. 5632  
 SUBSTITUTE SENATE BILL NO. 5649  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 5670  
 SUBSTITUTE SENATE BILL NO. 5774  
 SECOND SUBSTITUTE SENATE BILL NO. 5780  
 SECOND SUBSTITUTE SENATE BILL NO. 5784  
 SUBSTITUTE SENATE BILL NO. 5785  
 SUBSTITUTE SENATE BILL NO. 5787  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5796  
 SUBSTITUTE SENATE BILL NO. 5798  
 SENATE BILL NO. 5800  
 SUBSTITUTE SENATE BILL NO. 5802  
 SUBSTITUTE SENATE BILL NO. 5804  
 SUBSTITUTE SENATE BILL NO. 5808  
 ENGROSSED SENATE BILL NO. 5824  
 SECOND SUBSTITUTE SENATE BILL NO. 5825  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5828  
 SENATE BILL NO. 5836  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 5838  
 SUBSTITUTE SENATE BILL NO. 5857  
 SENATE BILL NO. 5881  
 SECOND SUBSTITUTE SENATE BILL NO. 5882  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5890  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5891  
 SENATE BILL NO. 5904  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 5908  
 SUBSTITUTE SENATE BILL NO. 5931  
 SUBSTITUTE SENATE BILL NO. 5934  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5949  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5950  
 SENATE BILL NO. 5952  
 SUBSTITUTE SENATE BILL NO. 5953  
 SUBSTITUTE SENATE BILL NO. 5972  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5983  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5985  
 SUBSTITUTE SENATE BILL NO. 5986  
 SECOND SUBSTITUTE SENATE BILL NO. 6006  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6009  
 SUBSTITUTE SENATE BILL NO. 6015  
 SUBSTITUTE SENATE BILL NO. 6025  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6038  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6039  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6040  
 SUBSTITUTE SENATE BILL NO. 6047  
 SUBSTITUTE SENATE BILL NO. 6053

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 6058  
 SUBSTITUTE SENATE BILL NO. 6059  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 6068  
 ENGROSSED SENATE BILL NO. 6087  
 SENATE BILL NO. 6094  
 SUBSTITUTE SENATE BILL NO. 6099  
 SUBSTITUTE SENATE BILL NO. 6100  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6105  
 SUBSTITUTE SENATE BILL NO. 6106  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 6109  
 SUBSTITUTE SENATE BILL NO. 6115  
 ENGROSSED SENATE BILL NO. 6120  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6127  
 SUBSTITUTE SENATE BILL NO. 6146  
 ENGROSSED SENATE BILL NO. 6151  
 SUBSTITUTE SENATE BILL NO. 6157  
 SUBSTITUTE SENATE BILL NO. 6164  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 6175  
 SUBSTITUTE SENATE BILL NO. 6197  
 SECOND SUBSTITUTE SENATE BILL NO. 6228  
 SENATE BILL NO. 6238  
 ENGROSSED SENATE BILL NO. 6246  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 6251  
 SUBSTITUTE SENATE BILL NO. 6301  
 SENATE BILL NO. 6308  
 SENATE CONCURRENT RESOLUTION NO. 8414

The Speaker called upon Representative Orwall to preside.

**POINT OF PERSONAL PRIVILEGE**

Representative Mena and Representative Eslick thanked the cafeteria staff for all of their hard work, long hours, and great food throughout the 2024 legislative session.

There being no objection, the House reverted to the third order of business.

**MESSAGE FROM THE SENATE**

Thursday, March 7, 2024

Mme. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 5950, and has passed the bill as recommended by the Conference Committee.

and the same is herewith transmitted.

Sarah Bannister, Secretary

**MESSAGE FROM THE SENATE**

Thursday, March 7, 2024

Mme. Speaker:

The Senate has adopted the report of the Conference Committee on SENATE BILL NO. 5180, and has passed the bill as recommended by the Conference Committee.

and the same is herewith transmitted.

Sarah Bannister, Secretary

**MESSAGE FROM THE SENATE**

Thursday, March 7, 2024

Mme. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134, and has passed the bill as recommended by the Conference Committee.

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Thursday, March 7, 2024

Mme. Speaker:

The President has signed:

- SUBSTITUTE HOUSE BILL NO. 1012
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1185
- SECOND SUBSTITUTE HOUSE BILL NO. 1205
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277
- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1300
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1368
- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377
- HOUSE BILL NO. 1471
- SECOND SUBSTITUTE HOUSE BILL NO. 1551
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589
- HOUSE BILL NO. 1635
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652
- SUBSTITUTE HOUSE BILL NO. 1851
- SUBSTITUTE HOUSE BILL NO. 1870
- SECOND SUBSTITUTE HOUSE BILL NO. 1877
- SUBSTITUTE HOUSE BILL NO. 1924
- HOUSE BILL NO. 1943
- SUBSTITUTE HOUSE BILL NO. 2226
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2247
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2301
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2354
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2384
- HOUSE BILL NO. 2416
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2482

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Thursday, March 7, 2024

Mme. Speaker:

The President has signed:

- SUBSTITUTE HOUSE BILL NO. 1945
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1956
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2000
- SUBSTITUTE HOUSE BILL NO. 2007
- SECOND SUBSTITUTE HOUSE BILL NO. 2022
- HOUSE BILL NO. 2032
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2039
- SUBSTITUTE HOUSE BILL NO. 2045
- SUBSTITUTE HOUSE BILL NO. 2056
- SECOND SUBSTITUTE HOUSE BILL NO. 2071
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2099
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2118
- SECOND SUBSTITUTE HOUSE BILL NO. 2124
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2131
- HOUSE BILL NO. 2135
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2153
- SUBSTITUTE HOUSE BILL NO. 2180
- SUBSTITUTE HOUSE BILL NO. 2195

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2207
- HOUSE BILL NO. 2213
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2236
- ENGROSSED HOUSE BILL NO. 2266
- SUBSTITUTE HOUSE BILL NO. 2347
- SUBSTITUTE HOUSE BILL NO. 2348
- SUBSTITUTE HOUSE BILL NO. 2381
- SUBSTITUTE HOUSE BILL NO. 2396
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2441
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2494

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Thursday, March 7, 2024

Mme. Speaker:

The President has signed:

- ENGROSSED SUBSTITUTE SENATE BILL NO. 5481
- SUBSTITUTE SENATE BILL NO. 5588
- SECOND SUBSTITUTE SENATE BILL NO. 5784
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5796
- SUBSTITUTE SENATE BILL NO. 5798
- SUBSTITUTE SENATE BILL NO. 5802
- SUBSTITUTE SENATE BILL NO. 5931
- SUBSTITUTE SENATE BILL NO. 5934
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5949
- SUBSTITUTE SENATE BILL NO. 5972
- SUBSTITUTE SENATE BILL NO. 6025
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6038
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6039
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6040
- SUBSTITUTE SENATE BILL NO. 6047
- SUBSTITUTE SENATE BILL NO. 6053
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6058
- SUBSTITUTE SENATE BILL NO. 6059
- ENGROSSED SENATE BILL NO. 6087
- SUBSTITUTE SENATE BILL NO. 6099
- SUBSTITUTE SENATE BILL NO. 6100
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6105
- ENGROSSED SENATE BILL NO. 6120
- SUBSTITUTE SENATE BILL NO. 6157
- SUBSTITUTE SENATE BILL NO. 6164
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6175
- SUBSTITUTE SENATE BILL NO. 6301
- SENATE CONCURRENT RESOLUTION NO. 8414

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Thursday, March 7, 2024

Mme. Speaker:

The President has signed:

- ENGROSSED SUBSTITUTE SENATE BILL NO. 5950

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the seventh order of business.

**THIRD READING**

CONFERENCE COMMITTEE REPORT

March 6th, 2024

Engrossed Substitute House Bill 2134

Includes "New Item": YES

Madame Speaker:

We of your Conference Committee, to whom was referred ESHB 2134, making supplemental transportation appropriations for the 2023-2025 fiscal biennium, have had the same under consideration and we recommend that:

All previous amendments not be adopted and that the attached striking amendment S-5707.1 be adopted

Strike everything after the enacting clause and insert the following:

"2023-2025 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 101. 2023 c 472 s 101 (unmodified) is amended to read as follows: FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION Motor Vehicle Account—State Appropriation. ((\$588,000)) \$587,000

Sec. 102. 2023 c 472 s 105 (unmodified) is amended to read as follows: FOR THE DEPARTMENT OF AGRICULTURE Motor Vehicle Account—State Appropriation. ((\$1,462,000)) \$1,473,000

Sec. 103. 2023 c 472 s 108 (unmodified) is amended to read as follows: FOR THE DEPARTMENT OF COMMERCE Carbon Emissions Reduction Account—State Appropriation. . . . . \$5,000,000 Electric Vehicle Account—State Appropriation . . . . . \$220,000 TOTAL APPROPRIATION. . . . . \$5,220,000

The ((appropriation)) appropriations in this section ((is))are subject to the following conditions and limitations:

(1) \$220,000 of the electric vehicle account—state appropriation is provided solely to the department to commission an independent study, based on the findings of the transportation electrification strategy authorized under RCW 43.392.040, of costs of installation, maintenance, and operation of electrical distribution infrastructure on the utility's side of the meter to commercial customers installing electric vehicle supply equipment. The department shall gather data from at least five electric utilities serving retail customers in the state for purposes of completing the study. The department shall submit a report of study findings and an explanation of how those findings will support implementation of the transportation electrification strategy authorized under RCW 43.392.040 to

the governor and appropriate legislative committees by November 1, 2024.

(2) Beginning January 1, 2025, \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for a tribal electric boat grant program. Federally recognized tribes, tribal enterprises, and tribal members are eligible to apply for grant funds for the purchase of or conversion to electric motors and engines for fishing vessels.

Sec. 104. 2023 c 472 s 109 (unmodified) is amended to read as follows: FOR THE BOARD OF PILOTAGE COMMISSIONERS Pilotage Account—State Appropriation. ((\$3,574,000)) \$3,366,000 Multimodal Transportation Account—State Appropriation. . . . . \$211,000 TOTAL APPROPRIATION. . . . . \$3,577,000

The ((appropriation)) appropriations in this section ((is))are subject to the following conditions and limitations:

(1) The board of pilotage commissioners shall file the annual report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) by September 1, 2023, and annually thereafter. The report must include the continuation of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

(2) ((\$232,000)) \$21,000 of the pilotage account—state appropriation ((is))and \$211,000 of the multimodal transportation account—state appropriation are for a temporary environmental planner position to support rule making to fulfill the requirements of chapter 289, Laws of 2019.

Sec. 105. 2023 c 472 s 111 (unmodified) is amended to read as follows: FOR THE UNIVERSITY OF WASHINGTON Motor Vehicle Account—State Appropriation. \$1,000,000 Multimodal Transportation Account—State Appropriation. . . . . \$5,000,000 TOTAL APPROPRIATION. . . . . \$6,000,000

The ((appropriation)) appropriations in this section ((is))are subject to the following conditions and limitations:

(1) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the University of Washington's sidewalk inventory and accessibility mapping project to develop a public dataset under an open license and develop the tools needed to publish that data according to an open data specification. The project must include, but is not limited to, utilization of existing data sources, imagery, detailed surveys, and manually collected, detailed data for city streets, county rural and urban local access roads and collectors/arterials, state roads of all types, and roads owned by other entities. The project may draw on partially developed sidewalk data for all state

facilities. To the extent practicable, the final product must be suitable for use by the department of transportation, local and regional agencies, tribal governments, and the general public. For the 2023-2025 fiscal biennium, the project will produce a base active transportation data layer for all counties, with priority given to counties with high proportions of overburdened communities. A project status report is due to the transportation committees of the legislature on December 1st of each year until the work is completed. The legislature intends that in the 2025-2027 fiscal biennium, \$5,000,000 of multimodal transportation account funds be provided to complete a second phase of work on the active transportation data.

(2)(a) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the Washington state transportation center to fund:

(i) Intern programs with the department of transportation;

(ii) A road scholars short-term training program; and

(iii) Professional master's degree fellowships between the department of transportation and the University of Washington within a program in civil and environmental engineering.

(b) Of the amounts provided in this subsection, \$81,000 is provided solely for the center to consult with the board of registration for professional engineers and land surveyors to conduct a statewide survey and analysis assessing workforce shortages of civil engineers, civil engineering technicians, land surveyors, land surveyor technicians, and related disciplines. The center shall create a recommended action plan, with input from the legislative transportation committees, to address engineering workforce shortages and to meet the increased demand for services. The analysis and recommended action plan must include, for civil engineers, civil engineering technicians, land surveyors, land surveyor technicians, and related disciplines, at a minimum:

(i) Opportunities to create diverse and equitable engineering workforce;

(ii) Workforce data and gaps;

(iii) Current education pathways and licensure processes;

(iv) Current programs focused on workforce development and position skill-up opportunities;

(v) Strategies to retain workforce within the state;

(vi) Outreach opportunities and interinstitutional partnerships with middle schools, high schools, postsecondary institutions, and postgraduate programs; and

(vii) Recommendations for additional scholarships, internship and apprenticeship opportunities, undergraduate and graduate fellowship opportunities, and industry partnership opportunities.

(c) The center shall provide a preliminary plan with proposed actions, budgets, and outcomes to the transportation committees of the legislature by November 2024. The center shall provide a final action plan report with relevant

recommendations to the transportation committees of the legislature by December 31, 2024.

**Sec. 106.** 2023 c 472 s 114 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Carbon Emissions Reduction Account—State  
Appropriation. . . . . ((\$6,000,000))  
\$18,000,000

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$6,000,000 of the carbon emissions reduction account—state appropriation ((is)), and beginning January 1, 2025, \$12,000,000 of the carbon emissions reduction account—state appropriation, are provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installations. The electric vehicle charging equipment ((must allow for the collection of usage data and)) must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities and where zero emission fleet vehicles are located or are scheduled to be purchased.

((+2))(b) The department must report when and where the equipment was installed((, usage data at each charging station,)) and the state agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30, 2025, with an interim report due January 2, 2024. The department shall collaborate with the interagency electric vehicle coordinating council to implement this section and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

((+3))(2) In carrying out this section, the department shall cooperate and provide assistance, as requested, in the joint transportation committee's development of program delivery evaluation tools and methodologies provided under section 204 ((of this act)), chapter 472, Laws of 2023 for programs that receive funding from the carbon emissions reduction account.

((+4))(3) The department, with the assistance of designated staff in the Washington state department of transportation, must register for the clean fuels credit program and start tracking revenue generation pursuant to chapter 70A.535 RCW for investments funded in an omnibus transportation appropriations act.

(4) The department must provide a report to the transportation committees of the legislature that estimates current biennial and future carbon reduction impacts resulting from zero-emission electric vehicles and supply equipment infrastructure funded in this section by June 30, 2025.

NEW SECTION. Sec. 107. A new section is added to 2023 c 472 (uncodified) to read as follows:

**FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

Ignition Interlock Device Revolving Account—State  
Appropriation. . . . . \$400,000

The appropriation in this section is subject to the following conditions and limitations: \$400,000 of the ignition interlock device revolving account—state appropriation is provided solely for an evaluation of compliance and results associated with the state's ignition interlock device requirements. The evaluation must include, but is not limited to, the following: (1) An assessment of the compliance rates for individuals with a legal requirement to have an ignition interlock device installed on their vehicle; (2) a review of impediments or barriers to individual compliance with ignition interlock device installation and use requirements; (3) an examination of state and local agency performance in monitoring and enforcing ignition interlock device requirements; and (4) prioritized recommendations of potential procedural, policy, or statutory changes, including additional fiscal resources to state or local agencies, which will improve ignition interlock device compliance rates. The office of financial management shall place the amount provided in this section in unallotted status until the joint legislative and audit review committee indicates that the evaluation can be completed within its workplan for the 2023-2025 fiscal biennium. If the evaluation cannot be initiated in the 2023-2025 fiscal biennium, the joint legislative and audit review committee must prioritize the evaluation of compliance and results associated with the state's ignition interlock device requirements in its workplan for the 2025-2027 fiscal biennium. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature before making a decision to allot these funds.

NEW SECTION. **Sec. 108.** A new section is added to 2023 c 472 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Model Toxics Control Capital Account—State  
Appropriation. . . . . \$15,715,000  
Carbon Emissions Reduction Account—State  
Appropriation. . . . . \$4,000,000  
**TOTAL APPROPRIATION..... \$19,715,000**

The appropriations in this section are subject to the following conditions and limitations:

(1) \$15,715,000 of the model toxics control capital account—state appropriation, and beginning January 1, 2025, \$4,000,000 of the carbon emissions reduction account—state appropriation, are provided solely for the department to provide grants to transition from diesel school buses and other student transport vehicles to zero emission vehicles and for the necessary fueling infrastructure needed for zero emission student transportation. The department must

prioritize school districts serving tribes and vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Up to five percent of the appropriation in this section may be used for technical assistance and grant administration.

(2) In carrying out this section, the department shall cooperate and provide assistance, as requested, in the joint transportation committee's development of program delivery evaluation tools and methodologies provided under section 204, chapter 472, Laws of 2023 for programs that receive funding from the carbon emissions reduction account.

NEW SECTION. **Sec. 109.** A new section is added to 2023 c 472 (uncodified) to read as follows:

**FOR WESTERN WASHINGTON UNIVERSITY**

Multimodal Transportation Account—State  
Appropriation. . . . . \$140,000

The appropriation in this section is subject to the following conditions and limitations: \$140,000 of the multimodal transportation account—state appropriation is provided solely for the Western Washington University center for economic and business research to conduct an economic study focused on multiple economic activities surrounding the Washington state ferry system. The study must examine the impacts on a statewide and systemwide basis, on all 10 routes of service provided by the Washington state ferries. Specifically, the study must analyze the direct economic impacts of Washington state ferry system spending, along with peer-reviewed, estimated ranges of indirect impacts on economic activities supported by the ferry fleets' movement of passengers and freight as it relates to tourism, labor, and commerce. The study must also include a review of key factors that impact the overall economy of both ferry-served communities and the state economy, which may include impacts on housing, health care costs and access, emergency response, climate resilience, and small business. The university must submit a report summarizing the study to the office of the governor and the transportation committees of the legislature by December 31, 2024.

NEW SECTION. **Sec. 110.** A new section is added to 2023 c 472 (uncodified) to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

Aeronautics Account—State Appropriation.  
\$188,000

The appropriation in this section is subject to the following conditions and limitations: \$188,000 of the aeronautics account—state appropriation is provided solely for the Washington state institute for public policy to:

(1) Conduct an independent assessment of the passenger and air cargo forecasts cited in the Puget Sound regional council regional aviation baseline study, including an evaluation of the underlying data, assumptions, methodologies, and calculation

of the level of uncertainty around the forecast;

(2) Conduct a comprehensive literature review to identify effective national and international strategies to reduce demand for air travel, including diverting such demand to other modes and whether such diversion avoids net environmental impacts to overburdened communities and vulnerable populations;

(3) Conduct a review of existing operational and technological enhancements to address environmental impacts from commercial aviation activities, including, but not limited to, climate friendly routing of aircraft, innovations intended to address the climate change effects of noncarbon dioxide emissions from aviation activities, simulation models applied to congested airports, and online tools to track, analyze, and improve carbon footprints related to aviation activities. The review should identify the feasibility of enhancements to be deployed in the state of Washington; and

(4) Provide a report to the office of the governor and the transportation committees of the legislature by December 31, 2025.

**Sec. 111.** 2023 c 472 s 110 (unmodified) is amended to read as follows:

**FOR THE OFFICE OF THE GOVERNOR**  
State Patrol Highway Account—State Appropriation. . . . . \$750,000

The appropriation in this section is subject to the following conditions and limitations: \$750,000 of the state patrol highway account—state appropriation is provided solely to the state office of equity to contract with an independent consultant to conduct the studies, evaluations, and reporting functions required in RCW 43.06D.060(2), and for the office to conduct the work specified in RCW 43.06D.060 (1) and (3).

(End of part)

**TRANSPORTATION AGENCIES—OPERATING**

**Sec. 201.** 2023 c 472 s 201 (unmodified) is amended to read as follows:

**FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**  
Highway Safety Account—State Appropriation. ((~~\$5,252,000~~))

\$7,842,000  
Highway Safety Account—Federal Appropriation . . . . . ((~~\$27,735,000~~))  
\$35,745,000

Highway Safety Account—Private/Local Appropriation. . . . . \$60,000  
Cooper Jones Active Transportation Safety Account—  
State Appropriation. . . . . ((~~\$636,000~~))  
\$836,000

School Zone Safety Account—State Appropriation. . . . . \$850,000

**TOTAL APPROPRIATION..... ((~~\$34,533,000~~))**  
**\$45,333,000**

The appropriations in this section are subject to the following conditions and limitations:

(1) Within existing resources, the commission must examine national safety reports and recommendations on alcohol and drug impaired driving and report to the transportation committees of the legislature, by December 15, 2023, any recommendations for legislative or policy changes to improve traffic safety in Washington state.

(2)(a) \$235,500 of the Cooper Jones active transportation safety account—state appropriation is provided solely for the commission to conduct research pertaining to the issue of street lighting and safety, including a public input component and learning from counties, cities, the state, and other impacted entities. Research may include the following:

(i) Interviewing additional local and regional roads departments, water-sewer districts, and other utility services to gather a holistic data set or further input on which authority assumes primary responsibility for street illumination in various underserved areas throughout the state;

(ii) Systematically soliciting information from communities with poor street illumination and lighting to gather input as to whether this is an issue the community would like to see improved;

(iii) Conferring with regional and state-level police, fire, and emergency medical services to assess and document potential delays in emergency response times due to poor street illumination;

(iv) Further assessing the impact of using LED lights in roadway and pedestrian scale lighting in reducing carbon emissions and light pollution throughout the United States; and

(v) Subject to more in-depth findings, convening a meeting with appropriate state, regional, and local stakeholders and community partners.

(b) The commission must report research results and provide any recommendations for legislative or policy action to the transportation committees of the legislature by January 1, 2025.

(3) Within existing resources, the commission, through the Cooper Jones active transportation safety council, must prioritize the review of pedestrian, bicyclist, or nonmotorist fatality and serious injury review when the victim is a member of a federally recognized tribe. Consistent with RCW 43.59.156(5), the commission may recommend any policy or legislative changes to improve traffic safety for tribes through such review.

(4) Within existing resources, the commission must review and report to the transportation committees of the legislature, by December 15, 2023, on strategies and technologies used in other states to prevent and respond to wrong-way driving crashes.

(5)(a) The Washington traffic safety commission shall coordinate with each city that implements a pilot program as authorized in RCW 46.63.170(6) to provide the transportation committees of the legislature with the following information by June 30, 2025:

~~((a))~~(i) The number of warnings and infractions issued to first-time violators under the pilot program;

~~((b))~~(ii) The number of warnings and infractions issued to the registered owners of vehicles that are not registered with an address located in the city conducting the pilot program; and

~~((e))~~(iii) The frequency with which warnings and infractions are issued on weekdays versus weekend days.

(b) If chapter . . . (Engrossed Substitute House Bill No. 2384), Laws of 2024 is enacted by June 30, 2024, the requirement in this subsection lapses.

(6) \$50,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(7) The Washington traffic safety commission may oversee a pilot program in up to three cities implementing the use of automated vehicle noise enforcement cameras in zones that have been designated by ordinance as "Stay Out of Areas of Racing."

(a) Any programs authorized by the commission must be authorized by December 31, 2024.

(b) If a city has established an authorized automated vehicle noise enforcement camera pilot program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based upon the value of the equipment and services provided or rendered in support of the system.

(c) Any city administering a pilot program overseen by the traffic safety commission shall use the following guidelines to administer the program:

(i) Automated vehicle noise enforcement camera may record photographs or audio of the vehicle and vehicle license plate only while a violation is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(ii) The law enforcement agency of the city or county government shall install two signs facing opposite directions within 200 feet, or otherwise consistent with the uniform manual on traffic control devices, where the automated vehicle noise enforcement camera is used that state "Street Racing Noise Pilot Program in Progress";

(iii) Cities testing the use of automated vehicle noise enforcement cameras must post information on the city website and notify local media outlets indicating the zones in which the automated vehicle noise enforcement cameras will be used;

(iv) A city may only issue a warning notice with no penalty for a violation detected by automated vehicle noise enforcement cameras in a Stay Out of Areas of Racing zone. Warning notices must be mailed to the registered owner of a vehicle within 14 days of the detected violation;

(v) A violation detected through the use of automated vehicle noise enforcement cameras is not part of the registered

owner's driving record under RCW 46.52.101 and 46.52.120;

(vi) Notwithstanding any other provision of law, all photographs, videos, microphotographs, audio recordings, or electronic images prepared under this subsection (7) are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding. No photograph, microphotograph, audio recording, or electronic image may be used for any purpose other than the issuance of warnings for violations under this section or retained longer than necessary to issue a warning notice as required under this subsection (7); and

(vii) By June 30, 2025, the participating cities shall provide a report to the commission and appropriate committees of the legislature regarding the use, public acceptance, outcomes, warnings issued, data retention and use, and other relevant issues regarding automated vehicle noise enforcement cameras demonstrated by the pilot projects.

(8) \$200,000 of the Cooper Jones active transportation safety account—state appropriation is provided solely for the commission, in consultation with the Cooper Jones active transportation safety council, to research and develop a pilot program for the use of light meters by law enforcement to measure lighting levels at locations where a serious injury or fatality involving a vehicle has occurred. However, the funds must be held in unallotted status until the commission submits a spending plan for the pilot program to the transportation committees of the legislature and the office of the governor.

(9) \$300,000 of the highway safety account—state appropriation is provided solely for the commission to purchase telematics data from a qualified vendor that provides anonymized information on vehicle speeds and driver behaviors, such as hard braking, on a statewide basis and in selected geographical areas based upon demographic characteristics and crash history. The commission must provide an annual report summarizing findings from the telematics data to the transportation committees of the legislature beginning by June 30, 2025, and until June 30, 2027.

(10) \$750,000 of the highway safety account—state appropriation is provided solely for a pilot program for dedicated probation or compliance officers at the local level to improve compliance with ignition interlock device installation requirements associated with impaired driving offenses. The commission must select locations based on an assessment of ignition interlock device compliance rates, and the willingness and ability to have staff dedicated to this activity. By June 30, 2025, the commission must provide to the transportation committees of the legislature a status report on the specific locations selected and any outcome information.

(11) \$1,000,000 of the highway safety account—state appropriation is provided solely to implement a multifaceted approach

to supplement existing funding targeted at impaired driving and other enforcement. The areas of emphasis expected to be funded include additional high visibility enforcement and indigenous knowledge-informed tribal traffic safety support. Funding is also provided for the commission to administer and provide oversight of these activities. The commission must provide a preliminary report to the transportation committees of the legislature on these funded activities and any outcome information by December 1, 2025, with a final report due by December 1, 2026.

Sec. 202. 2023 c 472 s 202 (uncodified) is amended to read as follows:
FOR THE COUNTY ROAD ADMINISTRATION BOARD
Rural Arterial Trust Account—State Appropriation. . . . . ((\$2,405,000))
\$1,615,000
Motor Vehicle Account—State Appropriation. ((\$3,005,000))
\$3,524,000
County Arterial Preservation Account—State Appropriation. . . . . ((\$1,808,000))
\$1,839,000
TOTAL APPROPRIATION.....((\$7,218,000))
\$6,978,000

The appropriations in this section are subject to the following conditions and limitations: Within appropriated funds, the county road administration board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

Sec. 203. 2023 c 472 s 203 (uncodified) is amended to read as follows:
FOR THE TRANSPORTATION IMPROVEMENT BOARD
Transportation Improvement Account—State Appropriation. . . . . ((\$4,798,000))
\$4,820,000

The appropriation in this section is subject to the following conditions and limitations: Within appropriated funds, the transportation improvement board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

Sec. 204. 2023 c 472 s 204 (uncodified) is amended to read as follows:
FOR THE JOINT TRANSPORTATION COMMITTEE
Carbon Emissions Reduction Account—State Appropriation. . . . . ((\$3,000,000))
\$3,477,000
Multimodal Transportation Account—State Appropriation. . . . . ((\$125,000))
\$552,000

Motor Vehicle Account—State Appropriation. ((\$4,270,000))
\$5,100,000
Puget Sound Ferry Operations Account—State Appropriation. . . . . \$100,000
TOTAL APPROPRIATION.....((\$7,395,000))
\$9,229,000

The appropriations in this section are subject to the following conditions and limitations:

- (1)(a) \$300,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to convene a study of a statewide retail delivery fee on orders of taxable retail items delivered by motor vehicles within the state. The study must:
(i) Determine the annual revenue generation potential of a range of fee amounts;
(ii) Examine options for revenue distributions to state and local governments based upon total deliveries, lane miles, or other factors;
(iii) Estimate total implementation costs, including start-up and ongoing administrative costs; and
(iv) Evaluate the potential impacts to consumers, including consideration of low-income households and vulnerable populations and potential impacts to businesses.
(b) The study should document and evaluate similar programs adopted in other states. The joint transportation committee must submit a report on the study to the transportation committees of the legislature by June 30, 2024.

(2)(a) \$400,000 of the motor vehicle account—state appropriation is for the joint transportation committee, in collaboration with the department of transportation, to convene a work group to study and recommend a new statutory framework for the department's public-private partnership program. The committee may contract with a third-party consultant for work group support and drafting the new statutory framework.

- (b)(i) The work group must consist of, but is not limited to, the following members:
(A) The secretary of transportation or their designee;
(B) Joint transportation committee executive committee members or their designees;
(C) The state treasurer or the state treasurer's designee;
(D) A representative of a national nonprofit organization specializing in public-private partnership program development;
(E) A representative of the construction trades; and
(F) A representative from an organization representing general contractors.

(ii) The work group must also consult with the Washington state transportation commission and the department of commerce.

(c)(i) The work group must review the 2012 joint transportation committee's "Evaluation of Public-Private Partnerships" study, consisting of an evaluation of the



recommendations for replacing chapter 47.29 RCW and development of a process for implementing public-private partnerships that serve the defined public interest, including, but not limited to:

(A) Protecting the state's ability to retain public ownership of assets constructed or managed under a public-private partnership contract;

(B) Allowing for the most transparency during the negotiation of terms of a public-private partnership agreement; and

(C) Addressing the state's ability to oversee the private entity's management of the asset.

(ii)(A) The work group must identify any barriers to the implementation of funding models that best protect the public interest, including statutory and constitutional barriers.

(B) The work group may also evaluate public-private partnership opportunities for required fish passage and culvert work on state highways, for the construction of, replacement of, or commercial retail options within Washington state ferries' terminals, and for other projects as determined by the work group.

(iii) The work group must update the 2012 recommendations and devise an implementation plan for the state.

(d) The work group must submit a preliminary report, including any recommendations or draft legislation, to the office of the governor and the transportation committees of the legislature by December 15, 2023. The work group must submit a final report with draft legislation to the office of the governor and the transportation committees of the legislature by July 1, 2024.

~~((4))~~ (3) \$300,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to contract with the municipal research and services center to convene a department of transportation-local government partnership work group to create a procedure in which the department of transportation can partner with a local jurisdiction to perform preservation and maintenance and construct projects on state highways.

(a) The work group must consist of, but is not limited to, the following members:

(i) One representative from a city with a population of more than 5,000 and fewer than 50,000;

(ii) One representative from a city with a population of more than 50,000;

(iii) One representative from a county with a population of more than 100,000 and fewer than 400,000;

(iv) One representative from a county with a population of more than 400,000;

(v) At least one representative of a public port;

(vi) A representative from the county road administration board;

(vii) A representative of the transportation improvement board;

(viii) At least one representative from the department of transportation's local programs division;

(ix) At least two representatives from the department of transportation with expertise in procurement and legal services; and

(x) At least one member from the house of representatives transportation committee and at least one member from the senate transportation committee.

(b) Of the members described in (a) of this subsection, at least one of the city representatives and one of the county representatives must have public works contracting experience, and at least one of the city representatives and one of the county representatives must have public works project management experience.

(c) The work group must make recommendations of how the department of transportation could better work in partnership with local jurisdictions to ensure that roadway construction projects can be performed when funds are made available in the omnibus transportation appropriations act even if the department of transportation does not have the capacity to be the project manager on a project and a local jurisdiction is ready, willing, and able to implement the project within the time frames envisioned in the omnibus transportation appropriations act. In developing its recommendations, the work group must consider, at a minimum:

(i) Differing roadway and construction standards between state and local agencies;

(ii) Revenue, reimbursement, and financial agreements between state and local agencies;

(iii) Differing procurement processes between state and local agencies;

(iv) Liability; and

(v) Other issues as determined by the work group.

(d) The work group must submit a preliminary report, including any recommendations, to the office of the governor and the transportation committees of the legislature by December 15, 2023. The work group must submit a final report to the office of the governor and the transportation committees of the legislature by July 1, 2024.

~~((5))~~ (4) (a) \$2,000,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee:

(i) The design of an infrastructure and incentive strategy to drive the purchase and use of zero emission medium and heavy duty vehicles, as well as cargo handling and off-road equipment, in the state including, but not limited to, programs for tractor trucks, box trucks, drayage trucks, refuse trucks, step and panel vans, heavy and medium-duty buses, school buses, on and off-road terminal tractors, transport refrigeration units, forklifts, container handling equipment, airport cargo loaders, and railcar movers; and

(ii) A review of the passenger vehicle tax incentive in current law and evaluation of its utility, to include possible modification of the criteria for eligibility

and tax incentive amount maximums, as applicable.

(b) Design development must include recommendations for encouraging vehicle conversions for smaller commercial vehicle fleets and owner-operators of commercial vehicles, as well as tools for facilitating carbon emission reductions to benefit vulnerable populations and overburdened communities. Infrastructure and incentive programs recommended may include, but are not limited to, grant, rebate, tax incentive, and financing assistance programs.

(c) Consultation with legislative members identified by the chair and ranking members of the transportation committees of the legislature throughout design of the infrastructure and incentive strategy is required. A report is due to the transportation committees of the legislature by January 2, 2024.

~~((+6))~~ (5) \$125,000 of the motor vehicle account—state appropriation and \$125,000 of the multimodal transportation account—state appropriation are for the joint transportation committee to evaluate potential options and make recommendations for a statewide household travel survey and additional analytical capacity regarding transportation research.

(a) The recommendation on the statewide household travel survey must be based on how well a statewide survey investment would: Address policy questions related to household travel; address gaps between separate regional and local transportation models; and create a dataset to allow both for analysis and response to policymakers' questions relating to household travel and for transportation modeling and development. In evaluating potential survey options, the committee shall consider opportunities for the state to partner and expand on developed established household travel surveys, including surveys conducted at both the Puget Sound regional council and the federal highway administration. In its recommendation, the committee shall outline the process required for a statewide survey, including the costs and timing of each option.

(b) The committee shall recommend an agency or agencies to perform ongoing analysis of a statewide household travel survey and other transportation research. The committee shall consider the ability of an agency or agencies to meet shorter timeline policy needs, as well as longer timeline research projects. The recommendation must include the timing and costs associated with the development of such analytical capacity.

~~((+7))~~ (6) \$1,000,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee the development of tools and methodologies to assist in program delivery evaluation for programs that receive appropriations from the carbon emissions reduction account. Program delivery evaluation must include carbon emissions reduction estimates by program and by unit of time, program cost per unit of emission reduction, quantified

benefits to vulnerable populations and overburdened communities by program cost, any additional appropriate qualitative and quantitative metrics, and actionable recommendations for improvements in program delivery. A report is due to the transportation committees of the legislature by October 1, 2024.

~~((+8))~~ (7) \$500,000 of the motor vehicle account—state appropriation is for the joint transportation committee to engage an independent review team to work in coordination with the Washington state department of transportation's analysis, funded in section 217(~~((+11)) of this act~~) (10), chapter 472, Laws of 2023, of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail.

(a) The department shall include the independent review team in all phases of the analysis to enable the team to develop an independent assessment of the analysis, assumptions, stakeholder engagement, and cost and impact estimates. Summary findings from the independent assessment must be provided to the department, the governor's office, and the transportation committees of the legislature on a quarterly basis, with ~~((a final))~~ an end of biennium report due to the governor and the transportation committees of the legislature by June 30, 2025.

(b) The independent review team must conduct an independent stakeholder engagement effort. The river transportation work group must be formed to provide data and guidance to the independent review team for the independent stakeholder engagement effort. The river transportation work group must be made up of stakeholders, including farming and agricultural production, ~~((federally recognized tribes and))~~ fishing industry, tug and barge operators, shippers and receivers, public ports, railroad operators, cruise lines, the federal highway administration, and the army corps of engineers. Consultations with federally recognized tribes must also occur in coordination with the Washington state department of transportation.

(c) The independent review team shall make regular presentations to the joint transportation committee and, by request, to the transportation committees of the legislature.

~~((+9))~~ (8) The joint transportation committee shall also convene a work group that includes, but is not limited to, the executive committee of the joint transportation committee, the office of financial management, the Washington state department of transportation, and the Washington state treasurer's office to develop recommendations, by October 15, 2023, to meet the challenge of identifying an achievable delivery schedule for completing transportation projects across the state.

(9) (a) \$450,000 of the motor vehicle account—state appropriation is for the joint transportation committee to conduct a study and make recommendations on alternative

project delivery methods that may be used by the Washington state department of transportation in public works contracting. The study must review use of design-build, design-bid-build, progressive design build, general contractor/construction manager, public-private partnerships, and other contracting methods, and how choice of project delivery method impacts cost, contract competition, and project delivery schedule.

(b) The study must also evaluate other innovative project delivery practices utilized around the country and Washington state-specific possibilities such as: (i) Increased use of the advanced environmental mitigation revolving account and advance right-of-way revolving fund as cost containment strategies; and (ii) benefits and costs associated with the bundling of bridge, culvert, or other groups of projects into single procurement packages.

(c) The study must specifically examine contracting methods, alternative bundling concepts, and other options to manage costs as the Washington state department of transportation continues to make progress on meeting the requirements of the federal U.S. v. Washington court injunction.

(d) The study must include recommendations on any changes to current practices and statutory requirements.

(e) In developing project delivery method recommendations, the joint transportation committee must engage with industry stakeholders including, but not limited to, engineering, contracting, environmental, and women and minority-owned business communities.

(f) A preliminary report is due to the office of the governor and the transportation committees of the legislature by December 15, 2024. A final report is due to the office of the governor and the transportation committees of the legislature by June 30, 2025.

(10) (a) \$375,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract with the municipal research and services center to convene a project delivery streamlining work group to review streamlining options and recommend practices that support expedited project delivery.

(b) The work group must consist of, but is not limited to, the following members:

(i) One representative from a city with a population of more than 5,000 and fewer than 50,000;

(ii) One representative from a city with a population of more than 50,000;

(iii) One representative from a county with a population of more than 100,000 and fewer than 400,000;

(iv) One representative from a county with a population of more than 400,000;

(v) At least one representative of a transit agency serving a rural county;

(vi) At least one representative of a transit agency serving an urban county;

(vii) At least one representative of a regional transit authority;

(viii) At least one representative of a public port;

(ix) A representative from the county road administration board;

(x) A representative of the transportation improvement board;

(xi) A representative of the freight mobility strategic investment board;

(xii) At least one representative from the department of transportation's local programs division with experience in federal funding oversight; and

(xiii) At least two representatives from the department of transportation with expertise in procurement and the multiagency permit program.

(c) Of the members described in (b) of this subsection, at least one of the city representatives and one of the county representatives must have public works contracting experience, and at least one of the city representatives and one of the county representatives must have public works project management experience.

(d) The work group must review options for project streamlining to expedite project delivery that include, but are not limited to: Preapplication communication; partnership agreements; contracting processes; fund sources; mitigation; land use; rights-of-way; permitting; and shared technology; and must identify opportunities for pilot projects to test some of these recommendations.

(e) The work group must submit a preliminary report to the office of the governor and the transportation committees of the legislature by December 15, 2024. The work group must submit a final report to the office of the governor and the transportation committees of the legislature by June 30, 2025.

(11) \$100,000 of the Puget Sound ferry operations account—state appropriation is for the joint transportation committee to convene a work group in advance of the 75th anniversary of the Washington state ferries on June 1, 2026, to review Washington state ferry funding requirements and options to increase dedicated funding sources for the ferry system. The executive committee of the joint transportation committee may appoint relevant stakeholders as part of the work group. A preliminary report must be submitted to the governor and transportation committees of the legislature by December 15, 2024, and the legislature intends that a final report will be submitted to the governor and transportation committees of the legislature by June 1, 2026.

(12) Beginning January 1, 2025, \$477,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to conduct a study of the impacts of implementing California's emissions standards for ocean-going vessels at berth in Titles 13 and 17 of the California Code of Regulations in Washington. The study must include estimates of greenhouse gas emissions reductions, criteria air pollutant reductions, potential labor impacts, potential impacts on shipping costs and port competitiveness, and shore power infrastructure needs and costs. The joint transportation committee must, at a minimum, coordinate with the department of ecology, department of transportation,

representatives from Washington ports, shippers, utilities, and the trucking industry, impacted labor unions, and environmental organizations. The joint transportation committee must report to the transportation committees of the legislature by June 30, 2025.

(13) (a) \$250,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to contract with a national expert on developing inclusive, mixed-income, mixed-use transit-oriented housing to complete a review of transit-oriented development conditions in cities in King, Pierce, Spokane, Clark, and Snohomish counties that (i) have populations of more than 12,500; and (ii) have at least one major transit stop, as defined in RCW 36.70A.030. The contracted party must have demonstrated expertise in understanding the impact of housing development on racially diverse communities, as well as expertise in, and existing peer-reviewed research on, developing housing near transit that is inclusive of low-income, workforce, and market rate housing.

(b) The review must look at any comprehensive plans, housing-focused local tax and fee programs, and development regulations required to be adopted on or before December 31, 2024. The review must include examples of local and national best practices for developing affordable housing and workforce housing near transit, and allow for comparison on a city-by-city basis. The review must also include a report with recommendations for state-level policy to expand housing and mixed-use transit-oriented development in Washington state, in a manner that minimizes displacement of existing communities and ensures housing near transit remains affordable to low-income Washingtonians. The contracted party shall provide its review to the appropriate committees of the legislature by June 30, 2025.

(1) \$125,000 of the multimodal transportation account—state appropriation and \$125,000 of the motor vehicle account—state appropriation are provided solely for the commission to update the statewide transportation plan required under RCW 47.01.071(4). The update process must be informed by guidance from a steering committee comprised of the commission, the joint transportation committee's executive committee, the governor's office, the secretary of the department of transportation, and representatives of metropolitan and regional transportation planning organizations. As part of the update process, the commission shall undertake specific actions in the following order:

(a) Conduct stakeholder outreach, gathering input, and framing the outreach around the current plan's policy construct and high level priorities, the 2022 transportation revenue package, and recently enacted significant policy legislation;

(b) Report outreach findings and results to the joint transportation committee for review and input;

(c) Restructure the plan to (i) primarily focus on high level policy priorities within the six transportation policy goals under RCW 47.04.280 and (ii) align policies, strategies, and objectives with the interests of stakeholders and legislators;

(d) Gather further input from stakeholders and the joint transportation committee on the restructured plan's format and content; and

(e) Finalize the updated plan, based upon input from stakeholders and the joint transportation committee.

(2) The legislature finds that the current balance of and projected revenues into the Alaskan Way viaduct replacement project account are sufficient to meet financial obligations during fiscal years 2024 and 2025.

(3) Within the parameters established under RCW 47.56.880, the commission shall review toll revenue performance on the Interstate 405 and state route number 167 corridor and adjust Interstate 405 tolls as appropriate to increase toll revenue to provide sufficient funds for payments of future debt pursuant to RCW 47.10.896 and to support improvements to the corridor. The commission shall consider adjusting maximum toll rates, minimum toll rates, and time-of-day rates, and restricting direct access ramps to transit and HOV vehicles only, or any combination thereof, in setting tolls to increase toll revenue. The commission is encouraged to make any adjustments to toll rates in coordination with the planned expansion of express toll lanes between the cities of Renton and Bellevue.

(4) \$500,000 of the motor vehicle account—state appropriation is provided solely for the commission to conduct a route jurisdiction study aimed at assessing the current state highway inventory and local roadway designations to determine if changes are needed in jurisdictional assignment between the state, county, and city road systems. The study must also review current criteria used to define the state highway

**Sec. 205.** 2023 c 472 s 205 (uncodified) is amended to read as follows:  
**FOR THE TRANSPORTATION COMMISSION**

Motor Vehicle Account—State Appropriation.	
(( \$3,029,000 ))	
	\$3,289,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation.	
\$150,000	
Multimodal Transportation Account—State Appropriation. . . . .	\$200,000
State Route Number 520 Corridor Account—State Appropriation. . . . .	\$288,000
Tacoma Narrows Toll Bridge Account—State Appropriation. . . . .	\$179,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation. . . . .	\$167,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b><del>(\$4,013,000)</del></b>
	<b>\$4,273,000</b>

The appropriations in this section are subject to the following conditions and limitations:

system to determine if such criteria continue to be applicable. The commission shall submit a report of study findings and recommendations to the transportation committees of the legislature by July 1, 2025.

(5) The commission may coordinate with the department of transportation to jointly seek federal funds available through the federal strategic innovations in revenue collection grant program, applying toll credits for meeting match requirements. The commission must provide draft applications for federal grant opportunities to the chairs and ranking members of the transportation committees of the legislature for review and comment prior to submission.

(6) The transportation commission shall conduct an assessment aimed at identifying approaches to streamlining the current rule-making process for setting toll rates and policies for eligible toll facilities, while maintaining public access and providing opportunities to provide input on proposals. The intent of the assessment is to identify rule-making approaches that support the state's ability to set toll rates and policies in a timely and efficient manner, so that the state can meet anticipated funding obligations. This assessment should include a review of rate-setting processes used by toll authorities in other states. The transportation commission shall provide recommendations to the transportation committees of the legislature by July 31, 2024.

(7) The commission shall provide regular updates on the status of ongoing coordination with the state of Oregon on any bistate agreements regarding the mutual or joint setting, adjustment, and review of toll rates and exemptions. Prior to finalizing any such agreement, the commission shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the commission shall advise on the status of any bistate agreements to the joint transportation committee beginning in September 2023 and quarterly thereafter until any agreements are finalized.

(8) \$200,000 of the motor vehicle account—state appropriation is provided solely for the commission to carry out a study assessing approaches to increasing safety and compliance of high occupancy vehicle lanes, express toll lanes, tolled facilities, and construction zones, facilitated by advanced technologies.

(a) The approaches assessed must, at a minimum, focus on advanced roadside technologies that: Are able to operate independently without connection to the department of transportation's existing communication systems and utilities; have a limited physical footprint that does not use over-roadway infrastructure; and have a 95 percent or greater license plate reading accuracy.

(b) The study must review current laws, including assessing underlying policies related to prohibitions on program cost coverage coming from infraction or other revenues generated by advanced technology systems, and identify provisions needed to

enable a future technology-based safety and compliance program.

(c) The commission shall submit an interim report to the transportation committees of the legislature by January 10, 2024, that, at a minimum, provides an initial assessment of the viability of deploying a system into operation. A final report of findings and recommendations must be submitted to the transportation committees of the legislature by June 30, 2024.

(9) \$75,000 of the multimodal transportation account—state appropriation is provided solely for the commission to carry out an initial assessment and scoping effort to determine the feasibility of creating a future west coast transportation network plan. This plan would serve to proactively identify and coordinate improvements and investments across the west coast states to freight rail, passenger rail, highways, and air transportation. The intent for the plan is to leverage and align west coast efforts to reduce our collective carbon footprint, improve freight and passenger mobility, and strengthen west coast resiliency. This effort must be carried out in partnership with the Oregon and California transportation commissions and the state department of transportations from each state, and must consider, but not be limited to:

(a) Current state activities, investments, and plans that support the establishment of clean transportation in the air, on the highways, and on rail lines moving freight and passengers;

(b) Currently identified resiliency risks along the west coast and existing strategic plans and investments that could inform a future west coast unified plan; and

(c) Incorporation of work from the statewide transportation policy plan.

(10) \$250,000 of the motor vehicle account—state appropriation is provided solely for the commission to carry out engagement with Washington stakeholders on the results of the recently completed Forward Drive research program to inform next steps on road usage charging. The commission must submit a report of findings and recommendations to the transportation committees of the legislature by December 1, 2024.

**Sec. 206.** 2023 c 472 s 206 (uncodified) is amended to read as follows:

**FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Multimodal Transportation Account—State	
Appropriation. . . . .	\$400,000
Freight Mobility Investment Account—State	
Appropriation. . . . .	(\$1,591,000)
	<u>\$1,595,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(\$1,991,000)</b>
	<u>\$1,995,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Within appropriated funds, the freight mobility strategic investment board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and

procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

(2) The board shall on an annual basis provide a status update on project delivery, including information on project timeline, cost, and budgeted cash flow over time to the office of financial management and the transportation committees of the legislature on the delivery of the freight mobility strategic investment projects on LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS, as developed on ((April 21, 2023))March 6, 2024.

(3) \$731,000 of the freight mobility investment account—state appropriation is provided solely for the implementation of chapter 167, Laws of 2023 (freight mobility priorities). If chapter 167, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(4) \$400,000 of the multimodal transportation account—state appropriation is provided solely for the board, in consultation with the department of transportation, to develop an implementation plan for specific truck parking solutions. It is the intent of the legislature for the board to identify specific sites to increase truck parking capacity in the near term, as well as to recommend other steps that can be taken in the 2024 and 2025 legislative sessions to increase truck parking capacity. The board must provide a status report that includes funding recommendations for the 2024 legislative session to the transportation committees of the legislature by December 1, 2023, and a final report that includes detailed findings on additional specific sites and specific actions recommended to expand truck parking capacity in the near term to the transportation committees of the legislature by December 1, 2024.

Sec. 207. 2023 c 472 s 207 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**  
Alaskan Way Viaduct Replacement Project Account—  
State Appropriation. . . . . \$43,000  
State Patrol Highway Account—State Appropriation. . . . . ((~~\$610,711,000~~))  
\$629,476,000  
State Patrol Highway Account—Federal Appropriation. . . . . ((~~\$20,340,000~~))  
\$19,360,000  
State Patrol Highway Account—Private/Local Appropriation. . . . . \$4,594,000  
Highway Safety Account—State Appropriation. ((~~\$1,447,000~~))  
\$1,736,000  
Ignition Interlock Device Revolving Account—State Appropriation. . . . . ((~~\$1,959,000~~))  
\$2,208,000  
Multimodal Transportation Account—State Appropriation. . . . . \$316,000

State Route Number 520 Corridor Account—State  
Appropriation. . . . . \$89,000  
Tacoma Narrows Toll Bridge Account—State Appropriation. . . . . \$275,000  
I-405 and SR 167 Express Toll Lanes Account—State  
Appropriation. . . . . \$2,895,000  
TOTAL APPROPRIATION. . . . . ((~~\$642,669,000~~))  
\$660,992,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2023, and semiannually thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since July 1, 2023, to the director of the office of financial management and the transportation committees of the legislature. At the end of the fiscal quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since July 1, 2023, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406 ((~~of this act~~)), chapter 472, Laws of 2023.

(2) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(3)(a) By December 1st of each year during the 2023-2025 fiscal biennium, the Washington state patrol must report to the transportation committees of the legislature on the status of recruitment and retention activities as follows:

- (i) A summary of recruitment and retention strategies;
- (ii) The number of transportation funded staff vacancies by major category;
- (iii) The number of applicants for each of the positions by these categories;
- (iv) The composition of workforce;
- (v) Other relevant outcome measures with comparative information with recent comparable months in prior years; and
- (vi) Activities related to the implementation of the agency's workforce diversity plan, including short-term and long-term, specific comprehensive outreach,

and recruitment strategies to increase populations underrepresented within both commissioned and noncommissioned employee groups.

(b) During the 2023-2025 fiscal biennium, the office of financial management, with assistance of the Washington state patrol, must conduct two surveys regarding the competitiveness with law enforcement agencies within the boundaries of the state of Washington pursuant to RCW 43.43.380, with the first survey being informational regarding the change since the last survey was conducted and the second survey used as part of the collective bargaining process. Prior to the 2024 legislative session, the office of financial management, with assistance of the Washington state patrol, must also provide comparison information regarding recruitment bonus amounts currently being offered by local law enforcement agencies in the state.

(4)(a) \$6,575,000 of the state patrol highway account—state appropriation is provided solely for the land mobile radio system replacement, upgrade, and other related activities.

(b) Beginning January 1, 2024, the Washington state patrol must report semiannually to the office of the chief information officer on the progress related to the projects and activities associated with the land mobile radio system, including the governance structure, outcomes achieved in the prior six-month time period, and how the activities are being managed holistically as recommended by the office of the chief information officer. At the time of submittal to the office of the chief information officer, the report must be transmitted to the office of financial management and the transportation committees of the legislature.

((+6)) (5) \$2,688,000 of the state patrol highway account—state appropriation is provided solely for enhancing the state patrol's diversity, equity, and inclusion program, a community engagement program to improve relationships with historically underrepresented communities and to recruit and retain a diverse workforce, and contracting with an external psychologist to perform exams. The state patrol will work with the governor's office of equity and meet all reporting requirements and responsibilities pursuant to RCW 43.06D.060. Funds provided for the community engagement program must ensure engagement with communities throughout the state.

((+7)) (6)(a) \$10,000 of the state patrol highway account—state appropriation is provided solely for the Washington state patrol to administer a pilot program that implements a yellow alert system notifying the public when a hit-and-run accident resulting in a fatality or substantial bodily harm has occurred and been reported to the state patrol or other local law enforcement entity. The Washington state patrol must post on traffic message boards or share on public communication systems any identifying information acquired including, but not limited to, a complete or partial license plate number or a description of the

vehicle. Each alert must be posted or shared as such for at least 24 hours.

(b) The Washington state patrol must report the following to the transportation committees of the legislature annually until June 30, 2025:

- (i) The number of yellow alerts received;
- (ii) The number of arrests made from accidents reported on the yellow alert system;
- (iii) The number of hit-and-run accidents resulting in a fatality or substantial bodily harm statewide;
- (iv) The number of arrests made from accidents described under (b)(iii) of this subsection; and
- (v) The number of hit-and-run accidents reported statewide.

(c) The Washington state patrol must also report on the efficacy of the program and recommend in its final report if the pilot program should continue or be enacted on a permanent basis and implemented statewide, based on the results of the report.

((+8)) (7)(a) ((\$2,608,000)) \$2,243,000 of the state patrol highway account—state appropriation is provided solely for administrative costs, advertising, outreach, and bonus payments associated with developing and implementing a state trooper expedited recruitment incentive program for the purpose of recruiting and filling vacant trooper positions in the 2023-2025 fiscal biennium. The legislature is committed to continuing the state trooper expedited recruitment incentive program until the vacancy levels are significantly reduced from current levels. The recruitment, advertising, and outreach associated with this program must continue efforts to create a more diverse workforce and must also provide an accelerated pathway for joining the state patrol for high quality individuals who have previously been employed as a general authority peace officer.

(b) The state trooper expedited recruitment incentive program established by the Washington state patrol must include:

(i) Thorough hiring procedures to ensure that only the highest quality candidates are selected as cadets and as lateral hires, including extensive review of past law enforcement employment history through extensive reference checks, Brady list identification, and any other issues that may impact the performance, credibility, and integrity of the individual.

(ii) An accelerated training program for lateral hires from other agencies that recognizes the knowledge and experience of candidates previously employed in law enforcement; and

(iii) A sign-on bonus for each trooper hired through the expedited recruitment incentive program as follows:

(A) \$5,000 for each cadet after completion of the Washington state patrol academy;

(B) \$5,000 for each successful graduating cadet after completion of a one-year probation period;

(C) \$8,000 for each lateral hire after completion of the accelerated training program for lateral hires;

(D) \$6,000 for each lateral hire after completion of a one-year probation period; and

(E) \$6,000 for each lateral hire after completion of two years of service.

(c) The expenditure on the state trooper expedited recruitment incentive program is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Expenditures and eligibility for the state trooper expedited recruitment incentive program established in this section are subject to the availability of amounts appropriated for this specific purpose.

(d) For the purposes of this subsection:

(i) "Cadet" means a person employed for the express purpose of receiving the on-the-job training required for attendance at the Washington state patrol academy and for becoming a commissioned trooper.

(ii) "Lateral hire" means an eligible employee previously employed as a general authority peace officer.

~~((9))~~ (8) \$3,896,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras). If chapter 17, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((10))~~ (9) \$500,000 of the state patrol highway account—state appropriation is provided solely for bonuses and other recruitment and retention-related compensation adjustments for communication officers and other noncommissioned staff of the Washington state patrol who are covered by a collective bargaining agreement. Funding in this subsection must first be used for targeted adjustments for communication officers. Remaining amounts may be used for compensation adjustments for other noncommissioned staff. Funding provided in this subsection is contingent upon the governor or the governor's designee reaching an appropriate memorandum of understanding with the exclusive bargaining representative. Agreements reached for compensation adjustments under this section may not exceed the amounts provided. If any agreement or combination of agreements exceed the amount provided in this subsection, all the agreements are subject to the requirements of RCW 41.80.010(3).

~~((11) \$4,732,000)~~ (10) \$3,226,000 of the state patrol highway account—state appropriation is provided solely for two accelerated training programs for lateral hires. It is the intent of the legislature that the second accelerated training program for lateral hires offered in fiscal year 2025 achieves at least 40 qualified graduates based on the Washington state patrol aggressively recruiting, advertising bonus policies, and taking other steps to achieve this outcome.

~~((12))~~ (11) \$98,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 26, Laws of 2023 (nonconviction data). If chapter 26, Laws of 2023 is not

enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((13))~~ (12) \$76,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((14))~~ (13) \$107,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 462, Laws of 2023 (domestic violence). If chapter 462, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((15))~~ (14) By December 1, 2024, the Washington state patrol must provide a report to the governor and appropriate committees of the legislature on the status of *McClain v. Washington State Patrol* and an update on legal expenses associated with the case.

~~((16))~~ (15) \$32,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 283, Laws of 2023 (illegal racing). If chapter 283, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(16) \$5,905,000 of the state patrol highway account—state appropriation is provided solely for a third arming and third trooper basic training class. The cadet class is expected to graduate in June 2025.

(17) \$2,381,000 of the state patrol highway account—state appropriation is provided solely for the Washington state patrol to implement the provisions of the settlement agreement under *Washington State Patrol Troopers Association v. Washington State Patrol, Public Employment Relations Commission Case No. 134557-U-21*.

(18) \$2,307,000 of the state patrol highway account—state appropriation is provided solely for the migration of the agency's active directory into the state enterprise active directory.

(19) \$250,000 of the state patrol highway account—state appropriation is provided solely to expand the activities of the license investigation unit to King county on a pilot basis beyond the unit's current activities in southwestern Washington. By February 15, 2025, the Washington state patrol must provide a status report on the pilot implementation.

(20) \$2,222,000 of the state patrol highway account—state appropriation is provided solely for the first planned replacement of an aging Cessna aircraft and \$100,000 of the state patrol highway account—state appropriation is provided solely for the downpayment and related costs of the second planned replacement of another aging Cessna aircraft. It is the intent of the legislature to fund the second planned Cessna replacement without financing the acquisition as soon as the aircraft can be received in the 2025-2027 fiscal biennium, and therefore, the Washington state patrol may take the necessary steps to ensure delivery of the aircraft as soon as possible in the 2025-2027 fiscal biennium.



(21) \$300,000 of the state patrol highway account—state appropriation is provided solely for individual gun safes for troopers and other staff to allow the safe storage of firearms used in the performance of their duties.

(22) \$35,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 6146), Laws of 2024 (tribal warrants). If chapter . . . (Substitute Senate Bill No. 6146), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(23) \$250,000 of the ignition interlock device revolving account—state appropriation is provided solely to improve compliance with ignition interlock device requirements associated with impaired driving offenses. By June 30, 2025, the Washington state patrol must provide a report detailing the staff hired, the activities undertaken, and outcome information associated with improving ignition interlock device compliance rates.

(24) \$691,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 2357), Laws of 2024 (state patrol longevity bonus). If chapter . . . (Substitute House Bill No. 2357), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(25) \$46,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2153), Laws of 2024 (catalytic converters). If chapter . . . (Engrossed Substitute House Bill No. 2153), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

Sec. 208. 2023 c 472 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING
Driver Licensing Technology Support Account—State
Appropriation. . . . . \$1,743,000
Marine Fuel Tax Refund Account—State
Appropriation. . . . . \$34,000
Motorcycle Safety Education Account—State
Appropriation. . . . . ((\$5,299,000))
\$5,319,000
Limited Fish and Wildlife Account—State
Appropriation. . . . . ((\$765,000))
\$768,000
Highway Safety Account—State Appropriation.
((\$277,256,000))
\$283,109,000
Highway Safety Account—Federal Appropriation
. . . . . \$2,371,000
Motor Vehicle Account—State Appropriation.
((\$98,824,000))
\$101,823,000
Motor Vehicle Account—Private/Local
Appropriation. . . . . \$1,336,000
Ignition Interlock Device Revolving Account—
State
Appropriation. . . . . ((\$6,401,000))
\$6,415,000
Department of Licensing Services Account—
State

Appropriation. . . . . ((\$8,972,000))
\$9,150,000
License Plate Technology Account—State
Appropriation. . . . . ((\$4,204,000))
\$4,398,000
Abandoned Recreational Vehicle Account—State
Appropriation. . . . . \$3,091,000
Limousine Carriers Account—State
Appropriation. . . . . \$126,000
Electric Vehicle Account—State Appropriation
. . . . . \$443,000
DOL Technology Improvement & Data Management
Account—State Appropriation ((\$944,000))
\$943,000
Agency Financial Transaction Account—State
Appropriation. . . . . \$16,998,000
Move Ahead WA Flexible Account—State
Appropriation. . . . . \$2,096,000
TOTAL APPROPRIATION. . . . . ((\$430,903,000))
\$440,163,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,100,000 of the highway safety account—state appropriation and \$1,100,000 of the move ahead WA flexible account—state appropriation are provided solely for the department to provide an interagency transfer to the department of children, youth, and families for the purpose of providing driver's license support. In addition to support services required under RCW 74.13.338(2), support services may include reimbursement of:

(a) The cost for a youth in foster care of any eligible age to complete a driver training education course, as outlined in chapter 46.82 or 28A.220 RCW;

(b) The costs incurred by foster youth in foster care for a motor vehicle insurance policy;

(c) The costs of roadside assistance, motor vehicle insurance deductibles, motor vehicle registration fees, towing services, car maintenance, comprehensive car insurance, and gas cards; and

(d) Any other costs related to obtaining a driver's license and driving legally and safely.

(2) \$150,000 of the highway safety account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing a mobile application for driver licensing. The department must submit a report of the study findings and any recommendations to the governor and the transportation committees of the legislature by December 1, 2024. The study must:

(a) Review the adoption actions in other states, including successes and lessons learned;

(b) Examine existing technical infrastructure and potential changes needed to maximize interoperability, utility, and privacy protection;

(c) Identify the technical investments and other costs associated with issuing digital drivers' licenses through a mobile application;

(d) Identify how the technology may impact and can be used by external stakeholders, such as law enforcement;

(e) Recommend any process changes required to implement the program successfully and ensure customer satisfaction; and

(f) Recommend any statutory changes required to allow for the usage of digital drivers' licenses, including recognition of interstate travelers.

(3)(a) \$350,000 of the highway safety account—state appropriation is provided solely for the department, in consultation with the Washington traffic safety commission, the department of health, the elder law section of the Washington state bar association, organizations representing older drivers, and driver rehabilitation specialists, to develop a comprehensive plan aimed at improving older driver safety. The department must submit a report on the comprehensive plan to the governor and the transportation committees of the legislature by December 1, 2024. The plan must include, but is not limited to:

(i) A comprehensive review of department policies surrounding older drivers and medically at-risk drivers, including:

(A) The medical assessment review process; and

(B) The counter assessment process in licensing service offices;

(ii) A feasibility analysis of the department establishing a medical advisory board to advise on general policy for at-risk drivers, driving privileges for individual medically at-risk drivers, and an appeals process for drivers whose privileges are revoked or restricted due to medical conditions;

(iii) A recommended assessment tool to determine a driver's potential risk to themselves or others when operating a motor vehicle so the department may make informed decisions on appropriate courses of action within the older driver program; and

(iv) Detailed information on how each component of the plan improves the safety associated with older drivers, while preserving the maximum level of older driver independence and privacy;

(b) The department may also use funds provided in this subsection to implement improvements to older driver traffic safety within existing authority.

(4) \$5,499,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade and improve its prorate and fuel tax system, and is subject to the conditions, limitations, and review requirements of section 701 (~~of this act~~), chapter 472, Laws of 2023. In each phase of the project, the department must ensure and document the increase in business capabilities and customer service outcomes, the improvements in fuel tax collection related information designed to resolve historical discrepancies in reporting information, and how the implementation plan mitigates risks associated with the proposed timeline and results in the sustainability of systems and platforms for the future. Before initiating the implementation phase of the project, the department must report to the office of the chief information officer on how the project

meets its FAST act modernization roadmap, and vendor management and resource plans.

(5) \$16,000 of the motorcycle safety education account—state appropriation, \$2,000 of the limited fish and wildlife account—state appropriation, \$947,000 of the highway safety account—state appropriation, \$308,000 of the motor vehicle account—state appropriation, \$14,000 of the ignition interlock device revolving account—state appropriation, and \$14,000 of the department of licensing services account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements in section 701 (~~of this act~~), chapter 472, Laws of 2023.

(6) The department shall report on a quarterly basis on licensing service office operations, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued and renewed, and the number of primary drivers' licenses and identicards issued and renewed. By November 1, 2024, the department must prepare a report with recommendations on the future of licensing service office operations based on the recent implementation of efficiency measures designed to reduce the time for licensing transactions and wait times, and the implementation of statutory and policy changes made during the pandemic.

(7) For the 2023-2025 fiscal biennium, the department shall charge \$1,336,000 for the administration and collection of a motor vehicle excise tax on behalf of a regional transit authority, as authorized under RCW 82.44.135. The amount in this subsection must be deducted before distributing any revenues to a regional transit authority.

(8) \$742,000 of the motor vehicle account—state appropriation is provided solely for the increased costs associated with improvements desired to resolve delays in the production of license plates, including converting all subagents to the standard ordering process as recommended in the December 2022 plate inventory report, and to provide updated annual reports detailing changes in license plate production, inventory, and other practices taken to guard against plate production delays. The reports must be submitted to the governor and the transportation committees of the legislature by December 1, 2023, and December 1, 2024.

(9) \$243,000 of the highway safety account—state appropriation is provided solely for the department to continue to provide written materials on, place signage in licensing service offices regarding, and include into new driver training curricula, the requirements of RCW 46.61.212, the slow down and move over law.

~~((411))~~ (10) \$3,082,000 of the abandoned recreational vehicle disposal account—state appropriation is provided solely for providing reimbursements in accordance with

the department's abandoned recreational vehicle disposal reimbursement program. It is the intent of the legislature that the department prioritize this funding for allowable and approved reimbursements and not to build a reserve of funds within the account. During the 2023-2025 fiscal biennium, the department must report any amounts recovered to the office of financial management and appropriate committees of the legislature on a quarterly basis.

~~((12))~~ (11) \$1,077,000 of the highway safety account—state appropriation is provided solely for implementation of chapter 35, Laws of 2023 (CDL drug and alcohol clearinghouse) ~~((or chapter . . . (House Bill No. 1448), Laws of 2023 (CDL drug and alcohol clearinghouse))~~). ~~If ((neither)) chapter 35, Laws of 2023 ((or chapter . . . (House Bill No. 1448), Laws of 2023 are))~~ is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((13))~~ (12) \$116,000 of the highway safety account—state appropriation is provided solely for implementation of ~~((chapter . . . (Senate Bill No. 5251), Laws of 2023 (streamlining CDL issuance) or))~~ chapter 57, Laws of 2023 (streamlining CDL issuance). ~~If ((neither chapter . . . (Senate Bill No. 5251), Laws of 2023 or))~~ chapter 57, Laws of 2023 ~~((are))~~ is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((14))~~ (13) \$845,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 445, Laws of 2023 (improving young driver safety). If chapter 445, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((15))~~ (14) \$180,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 440, Laws of 2023 (open motor vehicle safety recalls). If chapter 440, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((16))~~ (15) \$497,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 466, Laws of 2023 (updating processes related to voter registration). If chapter 466, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((20))~~ (16) \$29,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 118, Laws of 2023 (driver's abstract changes). If chapter 118, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((21))~~ (17) \$47,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 453, Laws of 2023 (competency evaluations). If chapter 453, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((22))~~ (18) \$23,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 283, Laws of 2023 (illegal racing).

If chapter 283, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((23))~~ (19) \$155,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 316, Laws of 2023 (jury diversity). If chapter 316, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((24))~~ (20) (a) \$36,000 of the motor vehicle account—state appropriation is provided solely for the issuance of nonemergency medical transportation vehicle decals to implement the high occupancy vehicle lane access pilot program established in section 217(2) ~~((of this act))~~, chapter 472, Laws of 2023. A for hire nonemergency medical transportation vehicle is a vehicle that is a "for hire vehicle" under RCW 46.04.190 that provides nonemergency medical transportation, including for life-sustaining transportation purposes, to meet the medical transportation needs of individuals traveling to medical practices and clinics, cancer centers, dialysis facilities, hospitals, and other care providers.

(b) As part of this pilot program, the owner of a for hire nonemergency medical transportation vehicle may apply to the department, county auditor or other agent, or subagent appointed by the director, for a high occupancy vehicle exempt decal for a for hire nonemergency medical transportation vehicle. The high occupancy vehicle exempt decal allows the for hire nonemergency medical transportation vehicle to use a high occupancy vehicle lane as specified in RCW 46.61.165 and 47.52.025 during the 2023-2025 fiscal biennium.

(c) For the exemption in this subsection to apply to a for hire nonemergency medical transportation vehicle, the decal:

(i) Must be displayed on the vehicle so that it is clearly visible from outside the vehicle;

(ii) Must identify that the vehicle is exempt from the high occupancy vehicle requirements; and

(iii) Must be visible from the rear of the vehicle.

(d) The owner of a for hire nonemergency medical transportation vehicle or the owner's representative must apply for a high occupancy vehicle exempt decal on a form provided or approved by the department. The application must include:

(i) The name and address of the person who is the owner of the vehicle;

(ii) A full description of the vehicle, including its make, model, year, and the vehicle identification number;

(iii) The purpose for which the vehicle is principally used;

(iv) An attestation signed by the vehicle's owner or the owner's representative that the vehicle's owner has a minimum of one contract or service agreement to provide for hire transportation services for medical purposes with one or more of the following entities: A health insurance company; a hospital, clinic, dialysis center, or other medical institution; a day care center, retirement

home, or group home; a federal, state, or local agency or jurisdiction; or a broker who negotiates these services on behalf of one or more of these entities; and

(v) Other information as required by the department upon application.

(e) The department, county auditor or other agent, or subagent appointed by the director shall collect the fee required under (f) of this subsection when issuing or renewing a high occupancy vehicle exempt decal.

(f) The department, county auditor or other agent, or subagent must collect a \$5 fee when issuing or renewing a decal under this subsection, in addition to any other fees and taxes required by law.

(g) A high occupancy vehicle exempt decal expires June 30, 2025, and must be marked to indicate its expiration date. The decal may be renewed if the pilot program is continued past the date of a decal's expiration. The status as an exempt vehicle continues until the high occupancy vehicle exempt decal is suspended or revoked for misuse, the vehicle is no longer used as a for hire nonemergency medical transportation vehicle, or the pilot program established in section 217(2) (~~of this act~~), chapter 472, Laws of 2023 is terminated.

(h) The department may adopt rules to implement this subsection.

~~((25))~~ (21) (a) \$265,000 of the highway safety account—state appropriation is provided solely for the department to provide an interagency transfer to the Washington center for deaf and hard of hearing youth, in consultation with the department and the office of the superintendent of public instruction, to fund the cost of interpreters for driver training education for deaf and hard of hearing youth to enable them to access driver training education at the same cost as their peers, and to pilot a sustainable driver training education program to determine how best to meet the driver training education needs of deaf and hard of hearing youth in the state in the future. The pilot must include:

(i) Determination of an appropriate number of instructors and an appropriate method of certification for instructors who are fluent in American Sign Language (ASL);

(ii) Determination of how best to provide driver training education statewide to deaf and hard of hearing novice drivers;

(iii) Development of a program to offer the required curriculum under RCW 28A.220.035 to deaf and hard of hearing novice drivers; and

(iv) Capped course instruction costs for deaf and hard of hearing students at the average rate of their hearing peers.

(b) The department shall submit a report to the transportation committees of the legislature developed by the Washington center for deaf and hard of hearing youth by March 1, 2024, that provides recommendations for a permanent program to make driver education equitably accessible for deaf and hard of hearing students.

~~((26))~~ (22) \$350,000 of the highway safety account—state appropriation is provided solely for the department to

improve the process for commercial driver's license (CDL) holders to submit medical certification documents and update self-certification status to the department. The department shall:

(a) Update license express to improve the process and make it more user friendly;

(b) Add options for the driver to renew or replace the driver's CDL credentials as part of the medical or self-certification process;

(c) Add a customer verification step confirming the requested changes and clearly stating how this change will impact the driver's CDL; and

(d) Add improved messaging throughout the process.

In addition, the department shall make available on the driving record abstract a complete medical certificate downgrade history, and provide a one-time mailing to all current CDL holders explaining the process to update their medical certificate documents and self-certification.

~~((27))~~ (23) \$1,962,000 of the highway safety account—state appropriation is provided solely for the establishment of a pilot mobile licensing unit to provide licensing and identocard services. By December 1, 2024, the department must submit a report to the governor and the transportation committees of the legislature detailing the locations served, the number and type of documents issued, and other outcome measures associated with the mobile licensing unit. The report must include consideration of the facility needs of licensing service offices in the context of flexible mobile licensing services.

~~((28) \$2,000,000)~~ (24) \$2,750,000 of the highway safety account—state appropriation is provided solely for organizations providing driver's license assistance and support services. Of this amount:

(a) \$2,000,000 of the highway safety account—state appropriation is provided solely for driver's license assistance and support services in King county with an existing provider that is already providing these services to low-income immigrant and refugee women; and

(b) \$750,000 of the highway safety account—state appropriation is provided solely for additional contracts in fiscal year 2025 with organizations providing driver's license assistance and other related support services in other parts of the state.

(c) By December 1st of each year, the department must submit information on the contracted ~~((provider))~~ providers, including: The annual budget of the contracted ~~((provider))~~ providers in the preceding year; information regarding private and other governmental support for the activities of the ~~((provider))~~ providers; and a description of the number of people served, services delivered, and outcome measures. In developing its 2025-2027 biennial budget submittal, the department, after consulting with the existing organization in King county and organizations receiving funds with the fiscal year 2025 expansion, must develop a statewide delivery plan that maximizes the number of people served,

promotes efficiency in service delivery, and recognizes different models based on needs in particular areas of the state.

((30)) (25) \$8,000 of the motorcycle safety education account—state appropriation is provided solely for the implementation of chapter 137, Laws of 2023 (motorcycle safety board). If chapter 137, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

((32)) (26) \$29,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 431, Laws of 2023 (transportation resources). If chapter 431, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

((34)) (27) \$282,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(28) \$4,464,000 of the highway safety account—state appropriation is provided solely for costs associated with relocating licensing service offices during the 2023-2025 fiscal biennium. This includes \$2,790,000 provided for relocations in the 2023-2025 omnibus transportation appropriations act. By June 30th of each year, the department must submit a status report on licensing service offices planned for relocation during the 2023-2025 fiscal biennium.

(29) \$1,395,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Engrossed House Bill No. 1964), Laws of 2024 (enhancing prorate and fuel tax collections). If chapter . . . (Engrossed House Bill No. 1964), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(30) \$100,000 of the highway safety account—state appropriation is provided solely for implementation of chapter . . . (Senate Bill No. 5800), Laws of 2024 (improving access to department of licensing issued documents). If chapter . . . (Senate Bill No. 5800), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(31) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing a process for the electronic submittal of title and registration documents for motor vehicles, within the current vehicle licensing model. The department must submit a report of the study findings and any recommendations to the governor and the transportation committees of the legislature by September 1, 2025. The study must: (a) Review the current processes in Washington and other states, including how such processes addressed fraud prevention and document security; (b) examine existing technical infrastructure and potential changes needed to allow for completion and submittal of lien and titling documents by financial institutions and vehicle dealers to subagents, county auditors, and the

department of licensing, while maximizing interoperability, utility, data security, and customer privacy; (c) identify the technical investments and other costs associated with the submission of electronic documents by financial institutions and vehicle dealers to subagents, county auditors, and the department of licensing; (d) recommend any statutory changes required to allow for the submission of electronic documentation to subagents, county auditors, and the department of licensing; and (e) examine the impact of these technology changes on external stakeholders including, but not limited to, subagents, county auditors, financial institutions, vehicle dealers, and insurance companies.

(32) \$6,000 of the motorcycle safety education account—state appropriation, \$1,000 of the limited fish and wildlife account—state appropriation, \$406,000 of the highway safety account—state appropriation, \$137,000 of the motor vehicle account—state appropriation, \$5,000 of the ignition interlock device revolving account—state appropriation, and \$6,000 of the department of licensing services account—state appropriation are provided solely for the department of licensing for additional finance and budget staff. By December 1, 2024, the department shall submit a report to the governor and appropriate committees of the legislature on the specific steps the department has taken to address the findings of the State Auditor's Office FY2022 Accountability Audit Report No. 1032793.

(33) \$225,000 of the highway safety account—state appropriation is provided solely for the department, for incorporation into its comprehensive implementation plan required under chapter 445, Laws of 2023 (improving young driver safety), to expand driver training education requirements for driver's license purposes to persons age 18 through 24 to include: (a) An assessment of opportunities to close availability and accessibility gaps in rural and underserved areas, as specified in section 612 of this act; and (b) an analysis of the potential inclusion of a mandatory driver's education refresher course requirement consisting of in-person or virtual classroom-based instruction on risk management and hazard protections one year after licensure, as specified in section 612 of this act.

(34) \$38,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 6115), Laws of 2024 (speed safety cameras). If chapter . . . (Substitute Senate Bill No. 6115), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(35) \$34,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Second Substitute House Bill No. 2014), Laws of 2024 (definition of veteran). If chapter . . . (Second Substitute House Bill No. 2014), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(36) \$159,000 of the highway safety account—state appropriation is provided solely for the implementation of

chapter . . . (Engrossed Substitute House Bill No. 1493), Laws of 2024 (impaired driving). If chapter . . . (Engrossed Substitute House Bill No. 1493), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(37) \$300,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Second Substitute House Bill No. 2099), Laws of 2024 (state custody/ID cards). If chapter . . . (Engrossed Second Substitute House Bill No. 2099), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(38) \$50,000 of the motor vehicle account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing and administering a per mile fee program. The study must identify the staffing and resources needed to implement and administer the program, including possible technical investments, leveraging existing technology platforms. A preliminary report of the study findings relating to internal costs to administer the program is due to the governor and transportation committees of the legislature by December 31, 2024. The legislature intends to require a final report that includes potential third-party costs and options to the governor and the transportation committees of the legislature by December 31, 2025.

(39) \$2,100,000 of the highway safety account—state appropriation is provided solely for the department to increase public awareness of REAL ID. Of the amounts appropriated in this subsection, \$1,000,000 is for the department to directly contract with a communications group with experience spreading awareness about REAL ID to community-based organizations and ethnic media outlets.

Sec. 209. 2023 c 472 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B**

State Route Number 520 Corridor Account—	
State	
Appropriation. . . . .	(( <del>\$58,854,000</del> ))
	\$67,199,000
State Route Number 520 Civil Penalties	
Account—State	
Appropriation. . . . .	\$4,178,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation. . . . .	(( <del>\$30,729,000</del> ))
	\$34,398,000
Alaskan Way Viaduct Replacement Project	
Account—	
State Appropriation. . . . .	(( <del>\$20,701,000</del> ))
	\$22,541,000
Interstate 405 and State Route Number 167	
Express	
Toll Lanes Account—State Appropriation.	
(( <del>\$23,756,000</del> ))	
	\$25,523,000
TOTAL APPROPRIATION. . . . .	(( <del>\$138,218,000</del> ))
	\$153,839,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and ((~~\$12,484,000~~))\$12,820,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) As long as the facility is tolled, the department must provide annual reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips; and

(b) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(3) ((~~\$314,000~~))\$535,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, ((~~\$734,000~~))\$1,245,000 of the state route number 520 corridor account—state appropriation, ((~~\$315,000~~))\$535,000 of the Tacoma Narrows toll bridge account—state appropriation, and ((~~\$413,000~~))\$702,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the reappropriation of unspent funds on the new tolling back office system from the 2021-2023 fiscal biennium.

(4) The department shall make detailed annual reports to the transportation committees of the legislature and the public on the department's website in a manner consistent with past practices as specified in section 209(5), chapter 186, Laws of 2022.

(5) As part of the department's 2025-2027 biennial budget request, the department shall update the cost allocation recommendations that assign appropriate costs to each of the toll funds for services provided by relevant Washington state department of transportation programs, the Washington state patrol, and the transportation commission. The recommendations shall be based on updated

traffic and toll transaction patterns and other relevant factors.

(6) Up to ~~(((\$16,460,000))~~\$16,648,000 of the amounts provided for operations and maintenance expenses on the state route number 520 facility from the state route number 520 corridor account during the 2023-2025 fiscal biennium in this act are derived from the receipt of federal American rescue plan act of 2021 funds and not toll revenues.

(7) \$500,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to begin a traffic and revenue study of tolling on the state route number 520 corridor. The department, in consultation with the transportation commission, shall initiate planning work regarding updated tolling on the state route number 520 corridor.

(8) \$19,248,000 of the state route number 520 corridor account—state appropriation is provided solely for the costs of insurance for the state route number 520 floating bridge.

(9) \$75,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to (a) conduct an actuarial analysis of the short and long-term costs and benefits, including risk mitigation of self-insurance as compared to the commercial insurance option for the state route number 520 floating bridge, as allowed under the terms of the state route number 520 master bond resolution, and (b) develop a plan to implement a self-insurance program for the state route number 520 floating bridge. By December 15, 2024, the department shall report to the governor and the transportation committees of the legislature on the results of the actuarial analysis and the self-insurance program. It is the intent of the legislature to implement a self-insurance program for the state route number 520 floating bridge by July 1, 2025.

**Sec. 210.** 2023 c 472 s 210 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION— INFORMATION TECHNOLOGY—PROGRAM C**

Transportation Partnership Account—State	
Appropriation. . . . .	\$1,494,000
Motor Vehicle Account—State Appropriation.	
<del>(((\$122,240,000))</del>	
	<u>\$122,732,000</u>
Puget Sound Ferry Operations Account—State	
Appropriation. . . . .	\$307,000
Multimodal Transportation Account—State	
Appropriation. . . . .	<del>(((\$2,986,000))</del>
	<u>\$2,988,000</u>
Transportation 2003 Account (Nickel Account)	
—State	
Appropriation. . . . .	\$1,488,000
<b>TOTAL APPROPRIATION. . . . .</b>	<del><b>(((\$128,515,000))</b></del>
	<u><b>\$129,009,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

~~((+1))~~ \$2,006,000 of the motor vehicle account—state appropriation is provided solely for hardware cost increases. Before any hardware replacement, the department, in

consultation with WaTech, must further review leasing options.

~~((+2) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.)~~

**Sec. 211.** 2023 c 472 s 211 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION— FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

Motor Vehicle Account—State Appropriation.	
<del>(((\$39,987,000))</del>	
	<u>\$40,362,000</u>
Move Ahead WA Account—State Appropriation.	
\$2,532,000	
State Route Number 520 Corridor Account—	
State	
Appropriation. . . . .	\$34,000
<b>TOTAL APPROPRIATION. . . . .</b>	<del><b>(((\$42,553,000))</b></del>
	<u><b>\$42,928,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

~~((+2)(a)(i))~~ (1) \$500,000 of the move ahead WA account—state appropriation is provided solely for the department to conduct a detailed space study and develop an implementation plan that builds off the findings and recommendations of the department's "Telework Impact Study" completed in September 2022. Such efforts must also incorporate office space use reduction requirements for the department in this act as well as current and planned telework levels. The detailed space study and development of the implementation plan must be conducted in consultation with the office of financial management and the department of enterprise services, and must focus on office and administrative space efficiency, providing specific recommendations, cost estimates, and cost savings. While focused on office and administrative space, the department is encouraged to review other types of facilities where efficiencies can be achieved. The final study report must include:

~~((+A))~~ (a) The development of low, medium, and high scenarios based on reducing space use, with the high space reduction scenario being based on a minimum of a 30 percent reduction by 2030;

~~((+B))~~ (b) Detailed information on any increased capital and other implementation costs under each scenario;

~~((+C))~~ (c) Detailed information on reduced costs, such as leases, facility maintenance, and utilities, under each scenario;

~~((+D))~~ (d) An analysis of opportunities to collocate with other state, local, and other public agencies to reduce costs and improve cost-efficiency while meeting utilization standards; and

~~((+E))~~ (e) An assessment of the commercial value and return to the state transportation funds associated with the

sale of the property from consolidation and other space efficiency measures.

((+ii)) (2) (a) The department must submit the implementation plan and final report from the detailed space study to the office of financial management and the transportation committees of the legislature by October 1, 2024.

(b) ((+i)) Conducting the detailed space study under ((+a)) subsection (1) of this ((subsection)) section must not prevent or delay the department from meeting other space use and related requirements, or where warranted by current information or opportunities.

((+ii)) (c) In addition to the reporting requirement under ((+a)) subsection (1) of this ((subsection)) section, the department must provide information to the office of financial management in its comparative analysis of office space, leases, and relocation costs required by the omnibus operating appropriations act.

**Sec. 212.** 2023 c 472 s 212 (unmodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—PROGRAM E**  
 Motor Vehicle Account—State Appropriation. \$700,000  
 Move Ahead WA Account—State Appropriation. \$20,000,000  
 Multimodal Transportation Account—State Appropriation. . . . . \$433,000  
**TOTAL APPROPRIATION. . . . . (((\$20,433,000)) \$21,133,000**

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire move ahead WA account—state appropriation is provided solely for the department's costs related to replacing obsolete transportation equipment and replacing fuel sites. Beginning December 1, 2024, and annually thereafter, the department must provide a report to the office of financial management and the transportation committees of the legislature detailing the current progress on replacing obsolete equipment, progress towards reaching a level purchasing state, and the status of a fuel site replacement prioritization plan. The report must also include:

(a) A list of department owned and managed fuel sites prioritized by urgency of replacement;

(b) A discussion of department practices that would create a sustained revenue source for capital repair and replacement of fuel sites; and

(c) A discussion of to what extent the fuel site infrastructure can support zero emissions vehicles.

(2) (a) \$100,000 of the multimodal transportation account—state appropriation is provided solely for the department to administer a pilot program to install and test intelligent speed monitoring technology in a portion of the department's fleet of vehicles while using global positioning system technology and other mapping tools to monitor vehicle location and corresponding speed limits on traveled roadways.

(b) The pilot program must begin by January 1, 2024, for a 12-month period. By June 30, 2025, the department must report to the transportation committees of the legislature the results of the pilot program and provide any legislative or policy recommendations.

**Sec. 213.** 2023 c 472 s 213 (unmodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**  
 Aeronautics Account—State Appropriation. (((\$13,979,000)) \$17,448,000  
 Aeronautics Account—Federal Appropriation. (((\$3,650,000)) \$5,579,000  
 Aeronautics Account—Private/Local Appropriation. . . . . \$60,000  
**TOTAL APPROPRIATION. . . . . (((\$17,689,000)) \$23,087,000**

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,000,000 of the aeronautics account—state appropriation is provided solely for the move ahead WA aviation grants. The department shall prioritize projects eligible for federal funding.

(2) \$1,476,000 of the aeronautics account—state appropriation is provided solely for sustainable aviation grants recommended by the department under the sustainable aviation grants program. The department shall submit a report to the transportation committees of the legislature by October 1, 2024, identifying a selection of sustainable aviation projects for funding by the legislature. In considering projects to recommend to fund, the department shall only consider projects that advance the state of sustainable aviation technology and lead to future innovation. Innovative sustainable aviation projects may include, but are not limited to, pilot projects demonstrating the use of:

- (a) Mobile battery charging technology;
- (b) Hydrogen electrolyzers and storage;
- (c) Electric ground equipment; and
- (d) Hanger charging technology.

(3) \$300,000 of the aeronautics account—state appropriation is provided solely for the department to develop a statewide advanced air mobility aircraft plan to develop and integrate advanced air mobility aircraft into current modal systems. The department shall submit a report by June 1, 2025, to the office of financial management and the transportation committees of the legislature including, but not limited to:

(a) Near, medium, and long-term recommendations for land use planning for advanced and urban air mobility vertiports and vertistops;

(b) An inventory of infrastructure needs to support a statewide vertiport network and a recommended program to deploy funds to local governments to share costs;

(c) Proposed state governance structures and regulatory mechanisms to adequately complement federal aviation administration oversight;



(d) Recommended policies to foster vertiport and vertistop infrastructure development that ensure open public access, efficiency in land use siting, and equitable distribution across the state; and

(e) In consultation with local jurisdictions, planning organizations, and other modal managers, recommendations on advanced air mobility aircraft integration into statewide transportation plans.

(4) \$1,931,000 of the aeronautics account—state appropriation is provided solely for the implementation of chapter 463, Laws of 2023 (commercial aviation services). ~~((If chapter 463, Laws of 2023 is not enacted by June 30, 2023, the amount in this subsection lapses.))~~ Funding is provided for the activities of the work group and for support of the work group by the department. The activities of the work group include the issuance of the initial progress report, required in section 4, chapter 463, Laws of 2023, which requires the listing of areas that will not have further review as the areas are in conflict with the operations of a military installation. The report must also identify unsuitable geographies due to either environmental impacts or impacts to overburdened communities. Additionally, within the funding provided, the work group must:

(a) Work to understand what studies currently exist on state transportation needs and capacities and identify any gaps of information; and

(b) Conduct meaningful community engagement with overburdened and vulnerable populations with a focus on the environmental justice impact of aviation on communities.

(5) \$300,000 of the aeronautics account—state appropriation is provided solely for the Port of Bremerton to conduct a study on the feasibility of offering commercial service at the Port of Bremerton airport. Pursuant to RCW 47.68.090(2)(c), the department may not require a match for this project.

(6) \$2,575,000 of the aeronautics account—state appropriation is provided solely for the Pullman-Moscow regional airport. Pursuant to RCW 47.68.090(2)(c), the department may not require a match for this project.

Sec. 214. 2023 c 472 s 214 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H**  
Motor Vehicle Account—State Appropriation.  
(((\$64,470,000))

	<u>\$65,161,000</u>
Motor Vehicle Account—Federal Appropriation	\$500,000
Multimodal Transportation Account—State Appropriation	(((\$851,000))
	<u>\$1,351,000</u>
Move Ahead WA Flexible Account—State Appropriation	\$572,000
<b>TOTAL APPROPRIATION</b>	<b>((((\$66,393,000)))</b>
	<u>\$67,584,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) During the 2023-2025 fiscal biennium, if the department takes possession of the property situated in the city of Edmonds for which a purchase agreement was executed between Unocal and the department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department confirms that the property is still no longer needed for transportation purposes, the department shall provide the city of Edmonds with the first right of purchase at fair market value in accordance with RCW 47.12.063(3) for the city's intended use of the property to rehabilitate near-shore habitat for salmon and related species.

(2) \$469,000 of the motor vehicle account—state appropriation is reappropriated and provided solely for the implementation of chapter 217, Laws of 2021 (noxious weeds).

(3) The department shall determine the fair market value of the northern parcel of site 14 on the Puget Sound Gateway Program SR 509 Completion Project Surplus Property list, located immediately south of S. 216th Street and adjacent to the Barnes Creek Nature Trail in Des Moines, to be submitted to the transportation committees of the legislature by December 15, 2023, for an evaluation of possible next steps for use of the property that is in the public interest.

(4) ~~((The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.~~

~~(5))~~ (a) \$572,000 of the move ahead WA flexible account—state appropriation is provided solely to track and maximize clean fuels credits and revenue generated by state agencies pursuant to chapter 70A.535 RCW.

(b) The LEAP Transportation Document ~~((2023-2) 2024-2 ALL PROJECTS as developed ((April 21, 2023)) March 6, 2024, anticipates fulfillment of the requirements under chapter 70A.535 RCW of generating credits and revenue for transportation investments funded in an omnibus transportation appropriations act, including the move ahead WA transportation package. The omnibus transportation appropriations act anticipates credits for ferry electrification for new hybrid electric vessels, active transportation, transit programs and projects, alternative fuel infrastructure, connecting communities, and multimodal investments.~~

(c) Pursuant to the reporting requirements of RCW 70A.535.050(5), the department must present a detailed projection of the credit revenues generated and achieved directly as a result of the funding and activities in this subsection.

~~((+6))~~ (5) \$93,000 of the multimodal transportation account—state appropriation is provided solely for the implementation of chapter 169, Laws of 2023 (climate resilience strategy). ~~((If chapter 169, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.))~~

(6) (a) \$1,600,000 of the motor vehicle account—state appropriation is provided solely for real estate services activities.

The legislature finds that the following sections of public roadway owned by the department are no longer necessary for the state highway system:

(i) That segment of 267th Street NW located south of state route number 532 and west of Interstate 5 in the vicinity of the intersection of state route number 532 and 19th Avenue NW, serving parcel numbers: 32042600202300, 32042600102200, 32042600100600, 32042600100700, 32042600100400, 32042600100800, 32042600102700, 32042600101000, and 32042600102300;

(ii) That segment of Tester Road located adjacent to the south side of state route number 522;

(iii) That segment of Bostian Road including as it turns and becomes 224th Street SE located on the south side of state route number 522 in the vicinity of 87th Ave SE; and

(iv) That segment of W. Bostian Road located on the north side of state route number 522.

(b) Therefore, pursuant to RCW 36.75.090, the department shall certify that these roadways are no longer needed by the state and convey the roadways to the county for continued use as public highways for motor vehicle use. Additionally, in consideration of the value of maintenance services provided by the county on the roadway comprising 267th Street NW during the time of department ownership, the department shall grant temporary access permits, for those properties abutting the conveyed segment of 267th Street NW, to use 19th Avenue NW for access to state route number 532, upon the payment of \$5,000 for each new parcel taking access from 19th Ave to state route number 532 and a traffic impact analysis showing no significant safety impacts to state route number 532. The temporary access permits may be terminated when the conveyed segment of 267th Street NW is extended out to intersect with Sunday Lake Road, or when an alternate access route is established connecting to Sunday Lake Road.

(7)(a) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the department to explore alternative uses of the state's highway rights-of-way to address pressing public needs relating to climate change, equitable communications, renewable energy generation, electrical transmission and distribution projects, broadband projects, vegetation management, inductive charging in travel lanes, alternative fueling facilities, and other appropriate uses. In exploring alternative uses of the state's highway rights-of-way, the department shall:

(i) Review the utility accommodation policy and make recommendations to update the policy to include clean energy and connectivity projects under 23 C.F.R. Part 645. At a minimum, the recommendations for updated clean energy and connectivity projects must include renewable energy and electrical transmission and distribution;

(ii) Review and update the department's integrated roadside vegetation management plans to maximize carbon sequestration and

develop habitat and forage for native pollinators, Monarch butterflies, and honeybees through plantings of native noninvasive flowering plants and grasses on the state highways rights-of-way and at safety rest areas;

(iii) Assess the state highways rights-of-way land areas most suitable for solar development by considering slope, elevation, vegetative cover, and solar radiation; and

(iv) Identify existing highway rights-of-way suitable as designated energy corridors for electric transmission and distribution and other energy infrastructure.

(b) In carrying out the requirements in (a) of this subsection, the department may consult with an organization that uses an advanced rights-of-way solar mapping tool that uses ArcGIS Pro software for faster and more precise analysis of rights-of-way solar using the state's full spatial rights-of-way data sets.

(c) The department must report its findings, recommendations, and status of its updates to the transportation committees of the legislature by January 15, 2025.

(8) To assist the department as it continues to make progress on meeting the requirements of the federal U.S. v. Washington court injunction and to address estimated programmatic cost increases, within the funding provided in this section, the department shall analyze contracting methods, alternative bundling concepts, and other options to manage costs. The department shall provide a report outlining recommendations to the governor and transportation committees of the legislature by December 15, 2024.

**Sec. 215.** 2023 c 472 s 215 (unmodified) is amended to read as follows: **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

Motor Vehicle Account—State Appropriation.	(\$694,000)	\$703,000
Electric Vehicle Account—State Appropriation		\$4,746,000
Multimodal Transportation Account—State Appropriation		\$4,400,000
Multimodal Transportation Account—Federal Appropriation		\$25,000,000
Carbon Emissions Reduction Account—State Appropriation	(\$164,600,000)	\$195,025,000
<b>TOTAL APPROPRIATION</b>	<b>(\$199,440,000)</b>	<b>\$229,874,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,746,000 of the electric vehicle account—state appropriation ~~((and))~~, \$30,000,000 of the carbon emissions reduction ~~((emissions))~~ account—state appropriation, and beginning January 1, 2025, \$15,000,000 of the carbon emissions reduction account—state appropriation are provided solely for the clean alternative fuel vehicle charging and refueling infrastructure program in chapter 287, Laws of 2019 (advancing green transportation adoption).

(2) \$1,000,000 of the electric vehicle account—state appropriation and \$500,000 of the multimodal transportation account—state appropriation are provided solely for a colocated DC fast charging and hydrogen fueling station near the Wenatchee or East Wenatchee area near a state route or near or on a publicly owned facility to service passenger, light-duty and heavy-duty vehicles. The hydrogen fueling station must include a DC fast charging station colocated at the hydrogen fueling station site. Funds may be used for one or more fuel cell electric vehicles that would utilize the fueling stations. The department must contract with a public utility district that produces hydrogen in the area to own and/or manage and provide technical assistance for the design, planning, permitting, construction, maintenance and operation of the hydrogen fueling station. The department and public utility district are encouraged to collaborate with and seek contributions from additional public and private partners for the fueling station.

~~((5))~~ (3) The public-private partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

~~((6))~~ (4) \$1,200,000 of the multimodal transportation account—state appropriation ~~(and)~~ \$2,000,000 of the carbon emissions reduction ((emissions)) account—state appropriation, and beginning January 1, 2025, \$3,400,000 of the carbon emissions reduction account—state appropriation, are provided solely for the pilot program established under chapter 287, Laws of 2019 (advancing green transportation adoption) to provide clean alternative fuel vehicle use opportunities to underserved communities and low to moderate income members of the workforce not readily served by transit or located in transportation corridors with emissions that exceed federal or state emissions standards. Consistent with the geographical diversity element described in RCW 47.04.355(4), the legislature strongly encourages the department to consider implementing the pilot in both urban and rural communities if possible, to obtain valuable information on the needs of underserved communities located in different geographical locations in Washington.

~~((7))~~ (5) \$120,000,000 of the carbon emissions reduction account—state appropriation ~~((is))~~, and beginning January 1, 2025, \$10,000,000 of the carbon emissions reduction account—state appropriation, are provided solely for implementation of zero-emission ~~((commercial vehicle))~~ medium and heavy-duty vehicle and equipment infrastructure and incentive programs and for the replacement of school buses powered by fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure.

(a) Of this amount, \$20,000,000 is for the department to administer an early action grant program to provide expedited funding ~~((to zero-emission commercial vehicle infrastructure demonstration projects))~~ for the replacement of school buses powered by

fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure. The department must contract with ~~((a third-party administrator))~~ the department of ecology to implement the early action grant program.

(b) ~~((The office of financial management shall place the remaining \$100,000,000 in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle infrastructure and incentive strategy required under section 204 of this act. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.))~~ (i) The remaining \$110,000,000, inclusive of costs for program administration and staffing, is for a point-of-sale voucher incentive program to encourage the faster adoption of zero-emission medium and heavy-duty vehicles to further state climate goals under RCW 70A.45.020 and state equity goals under chapter 70A.02 RCW. The voucher incentive program must be administered by a third-party administrator that has experience administering voucher incentive programs, with oversight conducted by the department.

(ii) The voucher program is required to be designed based on the recommendations of the Joint Transportation Committee report *Washington State Infrastructure and Incentive Program Design for MHD ZEVs*, and to include:

(A) Simplified zero-emission vehicle eligibility requirements;

(B) Vehicle and infrastructure incentives aligned with programs in other jurisdictions, where appropriate, to streamline user planning;

(C) Financial enhancements for select populations based on equity considerations, including for vehicles in disadvantaged communities and vehicles to be purchased by small, minority-owned businesses, with consideration for support of the secondary vehicle market;

(D) A centralized user and manufacturer portal for information, application, and assistance;

(E) A fleet assistance and qualification program to assist in zero-emission vehicle and infrastructure planning, to be administered by the Washington State University extension energy program in coordination with the department and the voucher program's third-party administrator; and

(F) A voucher preapproval process to evaluate participant eligibility, readiness for fleet deployment, and infrastructure preparedness.

(iii) The following battery electric and hydrogen fuel cell electric vehicle categories and associated charging, as well as refueling infrastructure for these categories, are eligible for the voucher program, subject to additional qualification criteria to be determined by the department and the voucher program third-party administrator:

(A) On-road vehicles from class 2b, heavy work pickups and vans, through class 8, heavy tractor-trailer units and refuse trucks; and

(B) Cargo handling and off-road equipment.

(iv) School buses and transit vehicles eligible for state grant programs for the purchase of zero-emission vehicles are not eligible for vouchers under this program, but are eligible for fleet assistance provided in association with the voucher program, which must include assistance in determining state and federal grant eligibility for these vehicles.

(v) The voucher amounts selected by the department and voucher program third-party administrator must further the policy goals of the program cited in (b)(i) of this subsection by offsetting investments required for medium and heavy-duty vehicle and equipment owners to transition to zero-emission vehicles and equipment. The department and voucher program third-party administrator must condition vehicle and infrastructure voucher funding to ensure these program policy goals are furthered through the voucher funding provided.

(vi) Consistent with voucher program design, the department is required to distribute funds to the voucher program third-party administrator sufficiently in advance of final requirements for voucher distribution being met to facilitate the voucher's timely distribution by the third-party administrator to sellers of zero-emission vehicles and infrastructure.

~~((8) \$3,000,000 of the carbon emissions reduction account state appropriation is provided solely for hydrogen refueling infrastructure investments. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle infrastructure and incentive strategy required under section 204 of this act. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.~~

~~(9)) (6) \$2,100,000 of the carbon emissions reduction account—state appropriation is provided solely to fund electric vehicle charging infrastructure for the electric charging megasite project at Mount Vernon library commons.~~

~~((10) \$2,500,000 of the carbon emissions reduction account—state appropriation is provided solely for zero-emission cargo handling equipment incentives. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle and cargo handling and off-road equipment infrastructure and incentive strategy required under section 204 of this act. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the~~

~~legislature prior to making a decision to allot these funds.~~

~~(11) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for clean off-road equipment incentives. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle and cargo handling and off-road equipment infrastructure and incentive strategy required under section 204 of this act. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.~~

~~(12)) (7) \$2,500,000 of the multimodal transportation account—state appropriation is provided solely for the department to coordinate with cities, counties, ports, and private entities to develop actionable recommendations for state assistance in the development of specific candidate truck parking sites to be developed with amenities, identified by location. The department shall identify private land parcels for potential development of sites, which may include, but should not be limited to, a feasibility analysis of sites adjacent to Interstate 90 near North Bend for a 400 to 600 space truck parking site. The public benefit of each potential truck parking site must be included in this assessment. The department shall consider opportunities for the state to provide assistance in the development of truck parking sites, including possible opportunities to provide assistance in land acquisition and evaluating land use requirements. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.~~

~~(8) Beginning January 1, 2025, \$1,000,000 of the carbon emissions reduction account—state appropriation is provided solely for grants, and to serve as a state match for secured federal funds, to finance hydrogen refueling infrastructure for medium and heavy-duty vehicles with a focus on locations in disadvantaged and overburdened communities, where possible. The department, in consultation with the interagency electric vehicle coordinating council, should pursue any federal funding available through the charging and fueling infrastructure discretionary grant program and any other sources under the federal infrastructure investment and jobs act (P.L. 29 117-58).~~

~~(9) Beginning January 1, 2025, \$800,000 of the carbon emissions reduction account—state appropriation is provided solely for the cities of Bellevue and Redmond to each purchase an electric fire engine.~~

~~(10) Beginning January 1, 2025, \$1,725,000 of the carbon emissions reduction account—state appropriation is provided solely for a Tacoma Public Utilities medium-duty zero-emission utility service vehicle~~

pilot project that includes charging infrastructure and mobile battery units.

**Sec. 216.** 2023 c 472 s 216 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

Motor Vehicle Account—State Appropriation. ((535,033,000))	<u>\$545,500,000</u>
Motor Vehicle Account—Federal Appropriation .....	\$7,000,000
Move Ahead WA Account—State Appropriation. \$50,000,000	
<u>RV Account—State Appropriation. . .</u>	<u>\$1,100,000</u>
State Route Number 520 Corridor Account— State Appropriation. . . . .	((4,838,000)) <u>\$4,841,000</u>
Tacoma Narrows Toll Bridge Account—State Appropriation. . . . .	\$1,585,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation. . . . .	\$8,752,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation. \$2,624,000	
<b>TOTAL APPROPRIATION. ....</b>	<b>((609,832,000))</b> <b><u>\$621,402,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for snow and ice removal. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(2)(a) \$115,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to enter into a dispute resolution process with local jurisdictions to produce interagency agreements to address the ongoing facility and landscape maintenance of the three state route number 520 eastside lids and surrounding areas at the Evergreen Point Road, 84th Avenue NE, and 92nd Avenue NE.

(b) The agreements pursuant to (a) of this subsection must be executed by June 30, 2024.

~~(3) ((The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.~~

~~(4))~~ (a) ~~((7,000,000))~~ \$9,000,000 of the motor vehicle account—state appropriation is provided solely for the department to address the risks to safety and public health associated with homeless encampments on department owned rights-of-way. The department must coordinate and work with local government officials and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to

help prevent future encampments from forming on highway rights-of-way and may reimburse the organizations doing this outreach assistance who transition people into treatment or housing or for debris clean up on highway rights-of-way. A minimum of \$2,000,000 of this appropriation must be used to deliver more frequent removal of litter on the highway rights-of-way that is generated by unsheltered people and may be used to hire crews specializing in collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public and department employees. The department may use these funds to either reimburse local law enforcement costs or the Washington state patrol if they are providing enhanced safety to department staff during debris cleanup or during efforts to prevent future encampments from forming on highway rights-of-way.

(b) Beginning November 1, 2023, and semiannually thereafter, the Washington state patrol and the department of transportation must jointly submit a report to the governor and the transportation committees of the legislature on the status of these efforts, including:

(i) A summary of the activities related to addressing encampments, including information on arrangements with local governments or other entities related to these activities;

(ii) A description of the planned activities in the ensuing two quarters to further address the emergency hazards and risks along state highway rights-of-way; and

(iii) Recommendations for executive branch or legislative action to achieve the desired outcome of reduced emergency hazards and risks along state highway rights-of-way.

~~((5))~~ (4) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Spokane, to be administered in conjunction with subsection ~~((4))~~ (3) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$555,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Spokane shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

~~((6))~~ (5) \$1,025,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019, to be administered in conjunction with subsection ~~((4))~~ (3) of this section. The department must maintain a crew dedicated solely to collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or

people encamped upon department-owned rights-of-way. The department may request assistance from the Washington state patrol as necessary in order for both agencies to provide enhanced safety-related activities regarding the emergency hazards along state highway rights-of-way in the Seattle area.

((7)) (6) \$1,015,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Tacoma, to be administered in conjunction with subsection ((4)) (3) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$570,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Tacoma shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

((8)) (7) \$1,500,000 of the motor vehicle account—state appropriation is provided solely for the department to contract with the city of Fife to address the risks to safety and public health associated with homeless encampments on department-owned rights-of-way along the SR 167/SR 509 Puget Sound Gateway project corridor in and adjacent to the city limits pursuant to section 216(10), chapter 186, Laws of 2022. However, the amount provided in this subsection must be placed in unallotted status and may not be spent prior to November 1, 2023. If, after November 1, 2023, the department, in consultation with the office of financial management, determines that the department fully spent the \$2,000,000 appropriated in section 216(10), chapter 186, Laws of 2022, within the 2021-2023 fiscal biennium for this purpose, the amount provided in this subsection must remain in unallotted status and unspent. If the department did not fully spend the \$2,000,000 within the 2021-2023 fiscal biennium, the department may only spend from the appropriation in this subsection an amount not in excess of the amount unspent from the \$2,000,000 within the 2021-2023 fiscal biennium, with any remaining amount to remain in unallotted status and unspent. In no event may the department spend more than \$2,000,000 within the 2021-2023 and 2023-2025 fiscal biennia for this purpose.

(8) To the greatest extent practicable, the department shall schedule mowing along state highways to occur after litter pickup has been performed in the area to be mowed. This subsection is not intended to prevent mowing or other similar maintenance activities from being undertaken in the event litter pickup has not been performed.

Sec. 217. 2023 c 472 s 217 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF TRANSPORTATION—  
TRANSPORTATION OPERATIONS—PROGRAM Q—  
OPERATING**  
Highway Safety Fund—State Appropriation.  
((\$3,529,000))  
\$5,529,000

Motor Vehicle Account—State Appropriation.	
((85,466,000))	
	\$88,566,000
Motor Vehicle Account—Federal Appropriation	
.....	\$2,050,000
Motor Vehicle Account—Private/Local	
Appropriation.....	\$294,000
Move Ahead WA Account—State Appropriation.	
\$3,090,000	
Multimodal Transportation Account—State	
Appropriation.....	\$5,000,000
State Route Number 520 Corridor Account—	
State	
Appropriation.....	\$247,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.....	\$44,000
Alaskan Way Viaduct Replacement Project	
Account—	
State Appropriation.....	\$1,122,000
Interstate 405 and State Route Number 167	
Express	
Toll Lanes Account—State Appropriation.	
\$37,000	
<b>TOTAL APPROPRIATION.....</b>	<b>(\$100,879,000)</b>
	<b>\$105,979,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2)(a) During the 2023-2025 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(b) The department shall expand the high occupancy vehicle lane access pilot program

to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) The department shall expand the high occupancy vehicle lane access pilot program to for hire nonemergency medical transportation vehicles, when in use for medical purposes, as described in section 208(~~((24) of this act))~~(20), chapter 472, Laws of 2023. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, nonemergency medical transportation vehicles that meet the requirements identified in section 208(~~((24) of this act))~~(20), chapter 472, Laws of 2023 must be authorized to use the reserved portion of the highway.

(d) Nothing in this subsection is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for express toll lanes.

(3) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least \$100,000 in credit card and other financial transaction costs related to the collection of fees imposed under RCW 46.17.400, 46.44.090, and 46.44.0941 for driver and vehicle fee transactions beginning January 1, 2023. The department may recover transaction fees incurred through credit card transactions.

(4) The department shall promote safety messages encouraging drivers to slow down and move over and pay attention when emergency lights are flashing on the side of the road and other suitable safety messages on electronic message boards the department operates across the state. The messages must be promoted through June 30, 2025. The department may coordinate such messaging with any statewide public awareness campaigns being developed by the department of licensing or the Washington state traffic safety commission, or both.

(5) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to address emergent issues related to safety for pedestrians and bicyclists. Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium.

~~((7))~~(6) \$3,529,000 of the highway safety account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras). ~~((If chapter 17, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.~~

~~((8))~~(7) \$1,279,000 of the move ahead WA account—state appropriation is provided solely for maintenance and operations of the virtual coordination center. The department is encouraged to apply for federal grant funds for the virtual coordination center and may use state funds as a match. By December 1, 2023, the department shall report to the transportation committees of the legislature: (a) Recommendations to expand the center's operations, including specific additional jurisdictions and corridors across the state; and (b) amounts received and dates of receipt of any new cash and in-kind matches from virtual coordination center partners including, but not limited to, the city of Seattle, King county, other state and local jurisdictions, and private sector partners.

~~((9))~~(8) \$100,000 of the motor vehicle account—state appropriation is provided solely for the department to prepare and submit a report to the transportation committees of the legislature by December 1, 2024, with a prioritized list of recommendations for improving safety and mobility on Interstate 90 between North Bend and Cle Elum during winter weather events, including estimated costs. The recommendations must include, but are not limited to, options to improve compliance with traction tire and chain requirements and reduce snow-related closures.

~~((11))~~(9)(a) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for the department, in coordination with the independent review team of the joint transportation committee, to conduct an analysis of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail. The study should generate volume estimates and evaluate scenarios for changes in infrastructure and operations that would be necessary to address those additional volumes. The assessment must include quantitative analysis based on available data in terms of both financial and carbon emission costs; and qualitative input gathered from tribal governments, local governments, freight interests, and other key stakeholders, including impacts on disadvantaged/underserved communities. The analysis must include a robust public engagement process to solicit feedback from interested stakeholders including but not limited to: Residents and officials in affected cities and counties; stakeholders involved in railroad, agriculture, fishing, trucking, shipping and other related industries; appropriate Native American tribes; representatives of advocacy and community organizations; and transportation, public works, and economic development organizations in the affected areas, federal highway administration and army corps of engineers. The analysis must be informed by the work of the joint transportation committee's independent review team, and must include the following:

(i) Existing volumes and traffic patterns;

(ii) Potential changes in volumes and traffic patterns immediately following the loss of freight movement by barge and over the following 20 years, including the carbon emissions impact of this mode shift;

(iii) Identification of whether regional geography, land availability, and state and federal regulatory processes would allow for rail and road expansions and increased capacity;

(iv) Identification of potential infrastructure and operational improvements to existing highways, other roads, and rail, including additional access to facilities, needed to accommodate the higher freight volumes and impacts and potential opportunities to mitigate impacts on shipping rates;

(v) Identification of rail line development options, including impacts and potential opportunities to mitigate impacts on grain storage and handling facilities at regional unit train yards and port export facilities;

(vi) An assessment of costs associated with mitigating potential slope failure and stabilization necessitated by the drawdown of the river. An assessment of impacts and potential opportunities to mitigate impacts on adjacent roads, bridges, railroads, and utility corridors shall be included;

(vii) Both financial and carbon cost estimates for development and implementation of identified needs and options, including planning, design, and construction;

(viii) Analysis of the impacts and potential opportunities to mitigate impacts of these infrastructure changes on environmental justice and disadvantaged/underserved communities during construction, as well as from future operations;

(ix) Analysis of safety impacts and potential opportunities to mitigate impacts for a shift from barge transportation to rail or truck, including increases in rural community traffic and consistency with the Washington State Strategic Highway Safety Plan: Target Zero;

(x) Impacts and potential opportunities to mitigate impacts on highly affected commodities, including agriculture, petroleum, project cargo, and wind energy components;

(xi) Analysis of the impacts and potential opportunities to mitigate impacts that reduced competition resulting from removing barging of agricultural products on the Snake river would have on Washington's agricultural industry along with impacts modal shifts would have on the entire supply chain, including export facilities and ports on the Lower Columbia River; and

(xii) Determination of the feasibility that additional east-west freight rail capacity can be achieved, particularly through Columbia River Gorge, and the alternative routes that exist in the event that adding more infrastructure on these routes is not feasible.

(b) The department shall provide status updates on a quarterly basis in coordination with the joint transportation committee. The legislature intends to require a final report to the governor and the transportation committees of the legislature by December 31, 2026.

(10) \$2,000,000 of the highway safety account—state appropriation is provided solely for the department, in consultation with the Washington traffic safety commission, to evaluate and identify geographical locations in both urban and rural highway settings to install and implement wrong-way driving prevention strategies. Such prevention strategies may include improved signage and pavement markings as recommended by the traffic safety commission's report on wrong-way driving, "Strategies and Technologies to Prevent and Respond to Wrong-Way Driving Crashes." The department must report to the legislature any crash data or wrong-way violations that occur at the selected locations by June 30, 2025.

(11) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the department to develop an automated highway speed safety camera pilot program to test two to three automated traffic safety cameras on state highways. The goals of the automated highway speed safety camera pilot program are to test speed camera technology, determine the impact on speeding behavior in areas of testing, and compile public response to the use of traffic safety cameras on highways.

(a) The department must work with the Washington state patrol and the traffic safety commission to develop the pilot program to include, but not be limited to, the following program elements:

(i) Selection of technology;  
(ii) Placement of cameras in high speed, collision, or fatality locations;  
(iii) Establishment of public notification and warning signs prior to entering into an area with a speed safety camera;

(iv) Outreach and public engagement about the program and site selection process; and

(v) Development and implementation of a process to collect and report relevant pilot program data, including rates of speed prior to, during, and after the use of pilot program cameras, and public response to pilot program cameras.

(b) Automated traffic safety cameras may only take pictures of the vehicle and the vehicle license plates.

(c) Ticketing of violators using vehicle speed information captured by automated traffic safety cameras authorized under the pilot program is prohibited during the pilot program.

(d) As part of the pilot program, the department may inform registered vehicle owners of a vehicle's rate of speed exceeding the posted speed limit and the amount of the fine the law would have allowed to be imposed by providing notification by mail.

(e) The department is required to provide a program progress report to the governor and transportation committees of the legislature by September 30, 2024, to include a summary of public input on the use of safety cameras, including objections, evaluation of technologies used, and changes in speeding behavior.

(f) Photographs, microphotographs, electronic images, and other personally



identifying data captured and collected for the purposes of the pilot program are for the exclusive use of the Washington state patrol and department of transportation in carrying out the pilot program, are not open to the public, and may not be used in court in a pending action or proceeding.

(12) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Substitute House Bill No. 1989), Laws of 2024 (graffiti abatement and reduction pilot). If chapter . . . (Substitute House Bill No. 1989), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

**Sec. 218.** 2023 c 472 s 218 (unmodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
TRANSPORTATION MANAGEMENT AND SUPPORT—  
PROGRAM S**

Motor Vehicle Account—State Appropriation.	
(( <del>\$62,639,000</del> ))	
	\$63,497,000
Motor Vehicle Account—Federal Appropriation	
. . . . .	\$780,000
Motor Vehicle Account—Private/Local	
Appropriation. . . . .	\$500,000
Move Ahead WA Flexible Account—State	
Appropriation. . . . .	\$5,400,000
Puget Sound Ferry Operations Account—State	
Appropriation. . . . .	(( <del>\$510,000</del> ))
	\$509,000
Multimodal Transportation Account—State	
Appropriation. . . . .	(( <del>\$22,323,000</del> ))
	\$22,723,000
State Route Number 520 Corridor Account—	
State	
Appropriation. . . . .	\$220,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation. . . . .	\$136,000
Alaskan Way Viaduct Replacement Project	
Account—	
State Appropriation. . . . .	\$127,000
Interstate 405 and State Route Number 167	
Express	
Toll Lanes Account—State Appropriation.	
\$114,000	
<b>TOTAL APPROPRIATION. . . . .</b>	<b>((<del>\$92,749,000</del>))</b>
	<b>\$94,006,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$2,000,000 of the motor vehicle account—state appropriation and \$5,400,000 of the move ahead WA flexible account—state appropriation are provided solely for efforts to increase diversity in the transportation construction workforce through:

(i) The preapprenticeship support services (PASS) and career opportunity maritime preapprenticeship support services (COMPASS) programs, which aim to increase diversity in the highway construction and maritime workforces and prepare individuals interested in entering the highway construction and maritime workforces. In addition to the services allowed under RCW 47.01.435, the PASS and COMPASS programs may provide housing assistance for youth aging out of the foster care and juvenile

rehabilitation systems to support their participation in a transportation-related preapprenticeship program and support services to obtain necessary maritime documents and coast guard certification; and

(ii) Assisting minority and women-owned businesses to perform work in the highway construction industry.

(b) The department shall report annually to the transportation committees of the legislature on efforts to increase diversity in the transportation construction workforce.

(2) \$1,512,000 of the motor vehicle account—state appropriation and \$488,000 of the Puget Sound ferry operations account—state appropriation are provided solely for the department to develop, track, and monitor the progress of community workforce agreements, and to assist with the development and implementation of internal diversity, equity, and inclusion efforts and serve as subject matter experts on federal and state civil rights provisions. The department shall engage with relevant stakeholders, and provide a progress report on the implementation of efforts under this subsection to the transportation committees of the legislature and the governor by December 1, 2024.

(3) For Washington state department of transportation small works roster projects under RCW 39.04.155, the department may only allow firms certified as small business enterprises, under 49 C.F.R. 26.39, to bid on the contract, unless the department determines there would be insufficient bidders for a particular project. The department shall report on the effectiveness of this policy to the transportation committees of the legislature by December 1, 2024.

(4) \$21,195,000 of the motor vehicle account—state appropriation and \$21,194,000 of the multimodal transportation account—state appropriation are provided solely for the department to upgrade the transportation reporting and accounting information system to the current cloud version of the software, and is subject to the conditions, limitations, and review requirements of section 701 ((~~ef this act~~)), chapter 472, Laws of 2023.

~~((+6))~~ (5) \$56,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 230, Laws of 2023 (clean energy siting). ((~~If chapter 230, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.~~))

**Sec. 219.** 2023 c 472 s 219 (unmodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
TRANSPORTATION PLANNING, DATA, AND RESEARCH—  
PROGRAM T**

Carbon Emissions Reduction Account—State	
Appropriation. . . . .	(( <del>\$3,000,000</del> ))
	\$4,000,000
Motor Vehicle Account—State Appropriation.	
(( <del>\$32,089,000</del> ))	
	\$32,044,000
Motor Vehicle Account—Federal Appropriation	
. . . . .	(( <del>\$31,412,000</del> ))

	<u>\$31,527,000</u>
Motor Vehicle Account—Private/Local Appropriation. . . . .	\$400,000
Move Ahead WA Flexible Account—State Appropriation. . . . .	\$11,922,000
Multimodal Transportation Account—State Appropriation. . . . .	( <del>(\$2,414,000)</del> )
	<u>\$2,714,000</u>
Multimodal Transportation Account—Federal Appropriation. . . . .	\$2,809,000
Multimodal Transportation Account—Private/ Local Appropriation. . . . .	\$100,000
<b>TOTAL APPROPRIATION.....</b>	<b>(<del>(\$84,146,000)</del>)</b>
	<u><b>\$85,516,000</b></u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$750,000 of the multimodal transportation account—state appropriation is provided solely for the department to partner with the department of commerce and regional transportation planning organizations in implementing vehicle miles traveled targets and supporting actions. As part of target setting, important factors that must be considered include land use patterns, safety, and vulnerable populations. The department shall provide an interim report by June 30, 2024, and a final report by June 30, 2025.

~~((3))~~ (2) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to continue implementation of a performance-based project evaluation model. The department must issue a report by September 1, 2024.

~~((4))~~ (3) (a) \$180,000 of the multimodal transportation account—state appropriation is provided solely for Thurston regional planning council (TRPC) to conduct a study examining options for multimodal high capacity transportation (HCT) to serve travelers on the Interstate 5 corridor between central Thurston county (Olympia area) and Pierce county.

(b) The study will include an assessment of travelsheds and ridership potential and identify and provide an evaluation of options to enhance connectivity and accessibility for the greater south Puget Sound region with an emphasis on linking to planned or existing commuter or regional light rail. The study must account for previous and ongoing efforts by transit agencies and the department. The study will emphasize collaboration with a diverse community of interests, including but not limited to transit, business, public agencies, tribes, and providers and users of transportation who because of age, income, or ability may face barriers and challenges.

(c) The study is due to the governor and transportation committees of the legislature by September 1, 2024.

~~((5) — \$400,000)~~ (4) \$700,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle's office of planning and community development to support an equitable development initiative to reconnect the South Park neighborhood, currently divided by state route number 99.

(a) The support work must include:

(i) A public engagement and visioning process led by a neighborhood-based, community organization; and

(ii) A feasibility study of decommissioning state route number 99 in the South Park neighborhood to include, but not be limited to, traffic studies, environmental impact analysis, and development of alternatives, including the transfer of the land to a neighborhood-led community land trust.

(b) The support work must be conducted in coordination and partnership with neighborhood residents, neighborhood industrial and commercial representatives, the state department of transportation, and other entities and neighborhoods potentially impacted by changes to the operation of state route number 99.

(c) The city must provide a report on the plan that includes recommendations to the Seattle city council, state department of transportation, and the transportation committees of the legislature by ~~(December 1, 2024)~~ June 30, 2025.

~~((6))~~ (5) \$2,557,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade the department's linear referencing system (LRS) and highway performance monitoring system (HPMS), and is subject to the conditions, limitations, and review requirements in section 701 ~~(of this act)~~, chapter 472, Laws of 2023.

~~((7))~~ (6) \$306,000 of the multimodal transportation account—state appropriation is provided solely for the department to appoint or designate a liaison to serve as a point of contact and resource for the department, local governments, and project proponents regarding land use decisions and processing development permit applications. The liaison must, as a priority, facilitate and expedite any department decisions required for project approval.

~~((8) — \$627,000)~~ (7) \$742,000 of the motor vehicle account—federal appropriation is provided solely for remaining work on the "Forward Drive" road usage charge research project overseen by the transportation commission using the remaining amounts of the federal grant award. The remaining work of this project includes:

(a) Analysis of road usage charge simulation and participant surveys;

(b) Follow up on road usage charge experiences related to payment installments, mileage exemptions, and vehicle-based mileage reporting;

(c) Completion of technology research; and

(d) Development of the final "Forward Drive" research program report.

~~((9))~~ (8) (a) \$11,922,000 of the move ahead WA flexible account—~~(federal)~~ state appropriation is provided solely for an Interstate 5 planning and environmental linkage study and a statewide Interstate 5 master plan, building upon existing work under way in the corridor. It is the intent of the legislature to provide a total of \$40,000,000 for this work by 2029.

(b) The work under (a) of this subsection must include, but is not limited to, the following:

(i) Seismic resiliency planning to refine the level of effort and develop informed cost estimates for the seismic vulnerability analysis;

(ii) HOV lane system-wide performance planning and initial steps to launch a pilot project that progresses innovative and emerging technologies;

(iii) Interstate 5 corridor planning work, including development of a framework, coordination of corridor needs, development of core evaluation criteria and a prioritization process, and identification of early action priority projects that address safety or resiliency, or both, along the corridor; and

(iv) A report to the transportation committees of the legislature by December 1, 2024, with recommendations for future phases and a detailed funding request for work planned through 2029.

(c) Of the amounts provided in this subsection, \$300,000 is provided solely for the department to conduct a Seattle Interstate 5 ramp reconfiguration study. The study must be conducted in coordination and partnership with the city of Seattle's department of transportation, informed by the input of Interstate 5 lid stakeholders, and coordinated with work under (a) and (b) of this subsection. The department must provide a study report, including recommendations, to the city of Seattle's department of transportation and the transportation committees of the legislature by December 1, 2024. The study must include an analysis of:

(i) Options and opportunities to reconfigure, relocate, or remove Interstate 5 ramps within and between Chinatown-International District and the University District for the purpose of improving through-traffic operations, enhancing multimodal transportation safety, and enabling more efficient air rights development;

(ii) Potential mitigation needs and cost estimates of ramp changes and demolitions;

(iii) Benefits of ramp changes and demolitions to pedestrian and bicycle travel, transit operations, and future lid design;

(iv) Ramps for the mainline, collector-distributor lanes and express lanes including, at a minimum, ramps connecting to and from James Street, Cherry Street, 6th Avenue, Madison Street, Seneca Street, Spring Street, University Street, Union Street, Olive Way, Yale Avenue, NE 45th Street, and NE 50th Street;

(v) Removal of the existing ramps at Seneca Street, Spring Street, and University Street; and

(vi) Removal and consolidation options of the existing NE 45th Street and NE 50th Street ramps.

(d) The department shall work with the emergency management division of the military department to identify strategic transportation corridors, opportunities to improve resilience and reinforce the corridors against natural disasters, and opportunities to secure federal funding for investments in the resilience of the transportation network. The department shall provide a report to the transportation

committees of the legislature by December 1, 2023, on:

(i) Strategic transportation corridors and opportunities to improve their resilience;

(ii) Federal funding opportunities the state should pursue; and

(iii) Recommendations for actions to maximize federal funding for the state of Washington.

~~((10))~~ (9) The department shall continue to coordinate planning work focused on the transportation system in western Washington across modes with the goal of maximizing system performance toward the policy goals in RCW 47.04.280 in the most cost-effective manner. This coordination must include, but is not limited to: The Interstate 5 highway corridor, existing rail infrastructure and future high-speed rail alignment, and commercial aviation capacity. The department must report to the joint transportation committee through existing reporting mechanisms on the status of these planning efforts including, but not limited to, a long-term strategy for addressing resilience of the transportation system in western Washington through consideration of changing demand, modal integration, and preservation needs. The coordinated work must include an analysis of different alternatives to promote system resilience, including performance and cost of each scenario.

~~((13))~~ (10) \$3,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department, in coordination with the department's HEAL act team and environmental services office, to develop and implement a community outreach, education, and technical assistance program for overburdened communities and their community partners in order to develop community-centered carbon reduction strategies to make meaningful impacts in a community, and to provide assistance in gaining access to available funding to implement these strategies, where applicable. The department may provide appropriate compensation to members of overburdened communities who provide solicited community participation and input needed by the department to implement and administer the program established in this subsection. By June 1, 2024, and by June 1, 2025, the department must submit a report to the transportation committees of the legislature and to the governor that provides an update on the department's community outreach, education, and technical assistance program development and implementation efforts.

(11) \$200,000 of the motor vehicle account—state appropriation is provided solely for planning and intersection improvements along state route number 904 and improvements to the local network that would feed intersections with state route number 904. This work must include, but is not limited to, the Medical Lake/Four Lakes Road/West 3rd Ave intersection and feeding local network. The department must collaborate with Spokane county and the city of Cheney on this work and other improvement ideas along the corridor.

(12) Beginning January 1, 2025, \$1,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to contract with a world cup organizing committee based in Seattle to undertake low carbon transportation planning efforts that will help prepare for the increase in visitors due to the 2026 FIFA world cup soccer matches in Seattle and other venues in the state. The planning, to be developed in coordination with the department and local mobility agencies, must identify critical infrastructure and operational improvements that will support active transportation and reliability of transit, making it easier for the public to choose options other than single-occupancy vehicles. A progress report including best practices for future events must be delivered to the department, office of the governor, and transportation committees of the legislature by June 30, 2025.

**Sec. 220.** 2023 c 472 s 220 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—PROGRAM U**

Aeronautics Account—State Appropriation.	\$1,000
Transportation Partnership Account—State Appropriation. . . . .	(((\$29,000)) \$56,000
Motor Vehicle Account—State Appropriation. (((\$105,197,000))	
	\$112,419,000
Puget Sound Ferry Operations Account—State Appropriation. . . . .	\$244,000
State Route Number 520 Corridor Account—State Appropriation. . . . .	\$69,000
Connecting Washington Account—State Appropriation. . . . .	(((\$233,000)) \$452,000
Multimodal Transportation Account—State Appropriation. . . . .	(((\$5,585,000)) \$6,335,000
Tacoma Narrows Toll Bridge Account—State Appropriation. . . . .	\$43,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation. . . . .	\$38,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation. (((\$40,000))	
	\$43,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(((\$111,479,000)) \$119,700,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Consistent with existing protocol and practices, for any negotiated settlement of a claim against the state for the department that exceeds \$5,000,000, the department, in conjunction with the attorney general and the department of enterprise services, shall notify the director of the office of financial management and the transportation committees of the legislature.

(2) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department

of enterprise services, shall provide a report with judgments and settlements dealing with the Washington state ferry system to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; (c) defense costs associated with those claims and settlements; and (d) information on the impacts of moving legal costs associated with the Washington state ferry system into the statewide self-insurance pool.

(3) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.

(4) When the department identifies significant legal issues that have potential transportation budget implications, the department must initiate a briefing for appropriate legislative members or staff through the office of the attorney general and its legislative briefing protocol.

**Sec. 221.** 2023 c 472 s 221 (uncodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V**

Carbon Emissions Reduction Account—State Appropriation. . . . .	(((\$500,000)) \$30,400,000
Climate Transit Programs Account—State Appropriation. . . . .	(((\$406,287,000)) \$410,645,000
State Vehicle Parking Account—State Appropriation. . . . .	\$784,000
Regional Mobility Grant Program Account—State Appropriation. . . . .	(((\$115,060,000)) \$120,177,000
Rural Mobility Grant Program Account—State Appropriation. . . . .	(((\$32,774,000)) \$33,077,000
Multimodal Transportation Account—State Appropriation. . . . .	(((\$118,255,000)) \$126,238,000
Multimodal Transportation Account—Federal Appropriation. . . . .	\$4,374,000
Multimodal Transportation Account—Private/Local Appropriation. . . . .	\$100,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(((\$678,134,000)) \$725,795,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) (((\$64,354,000))\$64,906,000 of the multimodal transportation account—state appropriation and (((\$78,100,000))\$78,325,000 of the climate transit programs account—state appropriation are provided solely for a grant program for special needs

transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$14,420,000 of the multimodal transportation account—state appropriation and \$17,963,000 of the climate transit programs account—state appropriation are provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$48,278,000 of the multimodal transportation account—state appropriation and \$60,137,000 of the climate transit programs account—state appropriation are provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2021 as reported in the "2021 Summary of Public Transportation" published by the department of transportation. No transit agency may receive more than 30 percent of these distributions. Fuel type may not be a factor in the grant selection process.

(c) ~~(\$1,656,000)~~ \$2,208,000 of the multimodal transportation account—state appropriation ~~(is) and \$225,000 of the climate transit programs account—state appropriation~~ are provided solely for the reappropriation of amounts provided for this purpose in the 2021-2023 fiscal biennium.

(2) ~~(\$32,774,000)~~ \$33,077,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel type may not be a factor in the grant selection process.

(3) ~~(\$11,382,000)~~ \$11,598,000 of the multimodal transportation account—state appropriation is provided solely for a public transit rideshare grant program for: (a) Public transit agencies to add or replace rideshare vehicles; and (b) incentives and outreach to increase rideshare use. The grant program for public transit agencies may cover capital costs only, and costs for operating vanpools at public transit agencies are not eligible for funding under this grant program. Awards from the grant program must not be used to supplant transit funds currently funding ride share programs, or to hire additional employees. Fuel type may not be a factor in the grant selection process. Of the amounts provided in this subsection, ~~(\$1,092,000)~~ \$1,308,000 is for the reappropriation of amounts provided for this purpose in the 2021-2023 fiscal biennium.

(4) ~~(\$37,382,000)~~ \$48,597,000 of the regional mobility grant program account—state appropriation is reappropriated and

provided solely for the regional mobility grant projects identified in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024, Program - Public Transportation Program (V).

(5) (a) ~~(\$77,679,000)~~ \$71,581,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2023, and December 15, 2024, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than 25 percent of the amount appropriated in this subsection unless all other funding is awarded. Additionally, when allocating funding for the 2023-2025 fiscal biennium, no more than 30 percent of the total grant program may directly benefit or support one grantee unless all other funding is awarded. Fuel type may not be a factor in the grant selection process.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2023-2025 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(c) \$1,500,000 of the amount appropriated in this subsection is provided solely for a contingency fund to assist current regional mobility grantees with cost escalations and overages. The department shall create a system for grantees to request funds, and

set a cap of contingency funds per grantee to ensure an equitable distribution among requesters.

(d) During the 2023-2025 fiscal biennium, the department shall consider applications submitted by regional transportation planning organizations and metropolitan planning organizations for the regional mobility grant program funding in the 2025-2027 fiscal biennium.

(6) \$6,195,000 of the multimodal transportation account—state appropriation, \$3,300,000 of the climate transit programs account—state appropriation, and \$784,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Fuel type may not be a factor in the grant selection process. Of this amount, \$495,000 of the multimodal transportation account—state appropriation is reappropriated and provided solely for continuation of previously approved projects under the first mile/last mile connections grant program.

(7) ~~(\$11,914,000)~~ \$16,319,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document ~~((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))~~ March 6, 2024. It is the intent of the legislature that entities identified to receive funding in the LEAP transportation document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP transportation document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(8) The department shall not require more than a 10 percent match from nonprofit transportation providers for state grants.

(9) \$12,000,000 of the multimodal transportation account—state appropriation and \$39,400,000 of the climate transit programs account—state appropriation are provided solely for the green transportation capital projects identified in LEAP Transportation Document ~~((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))~~ March 6, 2024, Program - Public Transportation Program (V). Of the amount of climate transit program account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(10) ~~(\$4,407,000)~~ \$5,950,000 of the multimodal transportation account—state appropriation ~~((is))~~ and \$1,249,000 of the climate transit programs account—state appropriation are reappropriated and provided solely for the green transportation capital grant projects identified in LEAP Transportation Document ~~((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))~~ March 6, 2024, Program - Public Transportation Program (V).

(11) ~~(\$10,000,000)~~ Beginning January 1, 2025, \$7,442,000 of the carbon emissions reduction account—state appropriation is provided solely for additional green

transportation capital projects identified in LEAP Transportation Document 2024-2 ALL PROJECTS as developed March 6, 2024. Of the amounts provided in this subsection, \$1,000,000 is for the Jefferson Transit - Electric Bus Replacement project (GT23250A), \$1,023,000 is for the Pacific Transit - Electrification of the Paratransit Fleet project (GT23250C), \$3,795,000 is for the C-TRAN - Hydrogen Fueling Station Infrastructure project (GT23250D), and \$1,623,000 is for the Island Transit - Fleet Expansion project (GT23250E).

(12) \$10,267,000 of the climate transit programs account—state appropriation is provided solely for tribal transit grants. Up to one percent of the amount provided in this subsection may be used for program administration and staffing.

(a) The department must establish a tribal transit competitive grant program ~~((to be administered as part of the department's consolidated grant program)).~~ Grants to federally recognized tribes may be for any transit purpose, including planning, operating costs, maintenance, and capital costs. The department shall report to the transportation committees of the legislature and the office of financial management with a list of projects recommended for funding by September 1, ~~((2023))~~ 2024, along with recommendations on how to remove barriers for tribes to access grant funds, including removal of grant match requirements, and recommendations for how the department can provide technical assistance.

(b) Within the amount provided in this subsection, ~~(\$5,038,000)~~ \$10,167,000 is provided solely for move ahead Washington tribal transit grant projects as listed in LEAP Transportation Document ~~((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))~~ March 6, 2024. Of this amount, \$529,000 is for the Sauk-Suiattle Commuter project (L1000318).

~~(\$188,900,000)~~ (13) \$188,930,000 of the climate transit programs account—state appropriation is provided solely for transit support grants for public transit agencies that have adopted a zero-fare policy for youth 18 years of age and under by October 1, 2022. The department must confirm zero-fare policies are in effect at transit agencies to be eligible for biennial distributions.

~~((13))~~ (14) \$38,000,000 of the climate transit programs account—state appropriation is provided solely for the bus and bus facility grant program for replacement, rehabilitation, and purchase of transit rolling stock, or construction, modification, or rehabilitation of transit facilities.

(15) Beginning January 1, 2025, \$7,758,000 of the carbon emissions reduction account—state appropriation is provided solely for additional bus and bus facility projects. Of the amounts provided in this subsection, \$1,467,000 is for Kitsap Transit for inductive charging units for transit centers, \$1,891,000 is for Twin Transit for zero-emission vehicle acquisition, \$4,400,000 is for C-TRAN for highway 99 BRT hydrogen fuel cell buses.

~~((14))~~ (16) \$2,000,000 of the climate transit programs account—state appropriation is provided solely for newly selected transit coordination grants. The department shall prioritize grant proposals that promote the formation of joint partnerships between transit agencies or merge service delivery across entities.

~~((15))~~ (17) \$46,587,000 of the climate transit programs account—state appropriation is provided solely for move ahead Washington transit projects as listed in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024, Move Ahead WA - Transit Projects.

(a) For projects funded as part of this subsection, if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used within the 2023-2025 fiscal biennium to advance one or more of the projects listed, prioritizing projects first by tier then by project readiness.

(b) In instances when projects listed in the LEAP transportation document referenced in this subsection (15) are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations on certain funds provided. In the event that the listed project has been completed, the local jurisdictions may, rather than submitting an alternative project, be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(c) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

~~((16) — \$580,000)~~ (18) \$702,000 of the multimodal transportation account—state appropriation is provided solely for the department to provide a statewide vanpool benefit for all state employees. For department employees working in remote job sites, such as mountain passes, the department must ensure employees are able to access job sites via a subsidized vanpool or provide a modal alternative for the "last mile" to ensure employees can access the job site without additional charge.

~~((17))~~ (19) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to update the 2019 feasibility study to add a fifth travel Washington intercity bus line in the Yakima Valley. The department must provide a summary report of the updated feasibility and cost estimates to the transportation committees of the legislature by December 1, 2024.

~~((19))~~ (20) \$555,000 of the multimodal transportation account—state appropriation and \$500,000 of the carbon emissions reduction account—state appropriation are provided solely for an interagency transfer to the Washington State University extension energy program to administer a technical assistance and education program for public agencies on the use of alternative fuel vehicles. The Washington State University extension energy program shall prepare a report regarding the utilization of the program and submit this report to the transportation committees of the legislature by November 15, 2023.

~~((20))~~ (21) (a) ~~((400,000))~~ \$500,000 of the multimodal transportation account—state appropriation is provided solely for King county metro to develop a pilot program to place teams, including human services personnel, along routes that are enduring significant public safety issues and various disruptive behavior in south King county. The team would be available to deescalate disruptions, provide immediate access to transit resources, and refer customers to community resources to break cycles of inappropriate behavior. The teams must consist of individuals trained in deescalation and outreach. Team functions and duties should be cocreated with community stakeholders.

(b) King county metro must provide a report to the transportation committees of the legislature by June 30, 2024, regarding the effectiveness of the program, any suggestions for improving its efficacy, and any modifications that might be necessary for other transit providers to institute similar programs.

(c) King county metro must provide at least a 50 percent match to develop the pilot program funded under this subsection.

~~((21))~~ (22) \$500,000 of the multimodal transportation account—state appropriation is provided solely for planning to move Grays Harbor transit operation and administration facilities from the current location.

(23) As part of the department's 2025-2027 biennial budget request, the department must submit budget materials for the public transportation division separated into operating and capital budgeted programs.

(24) Beginning January 1, 2025, \$2,000,000 of the carbon emissions reduction account—state appropriation is provided solely for new transit coordination grants, prioritizing projects that coordinate transit service to and from Washington state ferry terminals. Program eligibility must be expanded to include proposals from transit agencies in counties with populations fewer than 700,000 that coordinate service to and from Washington state ferry terminals.

(25) Beginning January 1, 2025, \$900,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to implement certain recommendations from the 2023 frequent transit service study. The department shall define levels and types of demand-response service and measure access to these services within Washington for the purpose of gaining

a fuller picture of transit access. The department must collect ongoing transportation data and develop systems to allow for analysis of disparities in access to existing fixed route transit. The data collection should prioritize collecting information on accessibility and inclusion of people with disabilities, vulnerable populations in overburdened communities, and other underserved communities. The department shall submit a report on data collection efforts to the transportation committees of the legislature and the office of financial management by June 30, 2025.

(26) Beginning January 1, 2025, \$11,800,000 of the carbon emissions reduction account—state appropriation is provided solely for the following projects identified in LEAP Transportation Document 2024-2 ALL PROJECTS as developed March 6, 2024:

(a) Base Refurbish & Expansion for Growth/Columbia County Public Transportation (L4000182);

(b) Kitsap Transit: Design & Shore Power (G2000115);

(c) Pierce Transit - Meridian (L2021197); and

(d) King County Metro South Annex Base - Electrification Elements (L4000174).

(27) \$100,000 of the multimodal transportation account—state appropriation is provided solely for King county metro to implement a pilot program to provide funds to nonprofit organizations to offer rideshare vouchers to persons who are low-income and people with disabilities who rely on paratransit to get to and from work or medical appointments. King county metro must work with a group who provides dialysis services in King county and with a group who provides employment services and supports to adults with disabilities in the four most populous counties in Washington. The department must submit a report to the office of financial management and the transportation committees of the legislature by June 1, 2025. The report must incorporate feedback from participants to the extent possible and evaluate the effectiveness of the program as an alternative to current public transportation programs.

**Sec. 222.** 2023 c 472 s 222 (unmodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF TRANSPORTATION—MARINE —PROGRAM X**

Puget Sound Ferry Operations Account—State	
Appropriation. . . . .	(\$575,986,000)
	\$571,594,000
Puget Sound Ferry Operations Account—Federal	
Appropriation. . . . .	(\$163,791,000)
	\$198,650,000
Puget Sound Ferry Operations Account—	
Private/Local	
Appropriation. . . . .	\$121,000
<b>TOTAL APPROPRIATION.....</b>	<b>(\$739,898,000)</b>
	<b>\$770,365,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The

Washington state ferries shall include a greater level of detail in its 2023-2025 supplemental and 2025-2027 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs. The data in the tables in the report must be supplied in a digital file format.

(2) (~~(\$90,014,000)~~)\$97,060,000 of the Puget Sound ferry operations account—federal appropriation and (~~(\$50,067,000)~~)\$51,450,000 of the Puget Sound ferry operations account—state appropriation are provided solely for auto ferry vessel operating fuel in the 2023-2025 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703 (~~(of this act)~~), chapter 472, Laws of 2023. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall review future use of alternative fuels and dual fuel configurations, including hydrogen.

(3) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(4) The department must work to increase its outreach and recruitment of populations underrepresented in maritime careers and continue working to expand apprenticeship and internship programs, with an emphasis on programs that are shown to improve recruitment for positions with the state ferry system.

(5) \$175,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to continue a study of passenger demographics. The study may be included as part of a larger origin and destination study. The department shall report study results to the transportation committees of the legislature by December 1, 2023. Following completion of the study, the department must compare study results to the composition of groups outlined in RCW 47.60.310, both by overall representation of ferry riders and by route. A summary is due to the office of the governor and transportation committees of the legislature by December 1, 2024.

(6) The department shall continue to oversee a consultant study to identify and recommend cost-effective strategies to maximize walk-on passenger ridership of the Anacortes - San Juan ferry routes. The study is due to the transportation committees of the legislature by December 1, 2023. By December 1, 2024, any feasible near to medium term solutions identified from the study must be reported to the office of the governor and transportation committees of the legislature and include cost estimates for implementation.

(7) (~~(\$11,842,000)~~)\$16,973,000 of the Puget Sound ferry operations account—state



appropriation is provided solely for Washington state ferries to:

(a) Provide scholarships, coursework fees, and stipends for candidates to become licensed deck officers (mates);

(b) Improve the process for unlicensed candidates who have achieved able-bodied sailor (AB) status to earn their mate's license;

(c) Annually hire, orient, train, and develop entry level engine room staff at the wiper classification with the intention of successfully promoting to oiler classification;

(d) Create an operations project management office; ~~((and))~~

(e) Increase human resources capacity to expand recruitment efforts including to communities currently underrepresented within the Washington state ferries, and add a workforce ombuds; and

(f) Hire additional dispatch staff.

(8) \$169,000 of the Puget Sound ferry operations account—state appropriation is provided solely for hiring an additional service planner.

(9)(a) During negotiations of the 2025-2027 collective bargaining agreements, the department must conduct a review and analysis of the collective bargaining agreements governing state ferry employees, to identify provisions that create barriers for, or contribute to creating a disparate impact on, newly hired ferry employees, including those who are women, people of color, veterans, and other employees belonging to communities that have historically been underrepresented in the workforce. The review and analysis must incorporate, to the extent practicable, the findings and recommendations from the December 2022 joint transportation committee study on Washington state ferries' workforce, and must also include, but not be limited to, provisions regarding seniority, work assignments, and work shifts. The review and analysis must also include consultation with the governor's office of labor relations, the governor's office of equity, and the attorney general's office.

(b) For future negotiations or modifications of the collective bargaining agreements, it is the intent of the legislature that the collective bargaining representatives for the state and ferry employee organizations may consider the findings of the review and analysis required in (a) of this subsection and negotiate in a manner to remove identified barriers and address identified impacts so as not to perpetuate negative impacts.

~~((9) \$1,500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the restoration of service to Sidney, British Columbia. Funds must be held in unallotted status pending completion of the assessment referenced in subsection (12) of this section.))~~

(10) \$1,504,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the implementation of chapter 188, Laws of 2023 (state ferry workforce development issues). If chapter 188, Laws of 2023 is not enacted by June 30,

2023, the amount provided in this subsection lapses.

(11) ~~(((\$1,000,000))~~\$5,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for support of the Kitsap transit passenger ferry to supplement service on the Seattle-Bremerton route.

(12) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely to assess temporary service restoration options for the Sidney, British Columbia route until Washington state ferries can resume its service. Washington state ferries must provide service options and recommendations to the office of financial management and the transportation committees of the legislature by December 15, 2023.

(13) ~~(((\$2,100,000))~~\$2,549,000 of the Puget Sound ferry operations account—state appropriation is provided solely for security services at Colman Dock.

(14) ~~(((\$9,000,000))~~\$13,856,000 of the Puget Sound ferry operations account—state appropriation is provided solely for overtime and familiarization expenses incurred by engine, deck, and terminal staff. The department must provide updated staffing cost estimates for fiscal years 2024 and 2025 with its annual budget submittal and updated estimates by January 1, 2024.

(15) \$1,064,000 of the Puget Sound ferry operations account—state appropriation is provided solely for traffic control at ferry terminals at Seattle, Fauntleroy, Kingston, Edmonds, Mukilteo, and Bainbridge Island, during peak ferry travel times, with a particular focus on Sundays and holiday weekends.

(16) \$93,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the Washington state ferries to secure housing for workforce training sessions and to pay in advance for the costs of transportation worker identification credentials, merchant mariner credentials, and medical examinations for incoming ferry system employees and trainees.

(17) \$10,417,000 of the Puget Sound ferry operations account—state appropriation is provided solely for vessel maintenance initiatives to:

(a) Add a second shift at the Eagle Harbor maintenance facility;

(b) Establish maintenance management project controls to maximize vessel maintenance work at the Eagle Harbor facility;

(c) Expand the existing Washington state ferries Eagle Harbor apprenticeship program from two to eight apprentices; and

(d) Maintain assets in a state of good repair by investing in enterprise asset management operating capacity.

(18)(a) \$855,000 of the Puget Sound ferry operations account—state appropriation is provided solely for Washington state ferries to provide to Seattle Central Community College for a pilot with the Seattle Maritime Academy for the 2023-2025 fiscal biennium. Funding may not be expended until Washington state ferries certifies to the

office of financial management that a memorandum of agreement with Seattle Central Community College has been executed, and the office of financial management determines that funds provided in this subsection are utilized for programs that are a benefit to the Washington state ferries or the prospective workforce pipeline of the Washington state ferries. The memorandum of agreement with Seattle Central Community College must address:

(i) Prioritized use of training and other facilities and implementation of joint training opportunities for Washington state ferries' employees and trainees;

(ii) Development of a joint recruitment plan with Seattle Central Community College aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, including maritime skills center students, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(iii) Consultation between the parties on the development of the training program, recruitment plan and operational plan, with an emphasis on increasing enrollment of women and people of color.

(b) The joint training and recruitment plan must be submitted to the appropriate policy and fiscal committees of the legislature by December 1, 2023. The Washington state ferries must submit findings of program effectiveness and recommendations for continuation of the pilot, to the appropriate committees of the legislature by December 1, 2024.

(19) \$420,000 of the Puget Sound ferry operations account—state appropriation is provided solely for a contract with an organization with experience evaluating and developing recommendations for the Washington state ferries' workforce to provide expertise on short-term strategies including, but not limited to, addressing recruitment, retention, diversity, training needs, leadership development, and succession planning. The consultant shall provide additional assistance as deemed necessary by the Washington state ferries to implement recommendations from the joint transportation committee 2022 workforce study. Periodic updates must be given to the joint transportation committee and the governor.

(20) By December 31st of each year, as part of the annual ferries division performance report, the department must report on the status of efforts to increase the staff available for maintaining the customary level of ferry service, including staff for deck, engine, and terminals. The report must include data for a 12-month period up to the most recent data available, by staff group, showing the number of employees at the beginning of the 12-month period, the number of new employees hired, the number of employees separating from service, and the number of employees at the end of the 12-month period. The department report on additional performance measures must include:

(a) Numbers of trip cancellations due to crew availability or vessel mechanical issues; ~~((and))~~

(b) Current level of service compared to the full-service schedules in effect in 2019; and

(c) Retention rates of employees who have completed on the job workforce development programs and overall employee retention rates.

(21) \$10,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to increase deck and engine positions across the system, prioritizing positions that will mitigate crew related cancellations and reduce overtime expenditures. The department must include an update on the number of positions hired by job class as part of the annual performance report. The legislature intends to provide \$16,000,000 on an ongoing basis to support additional crew efforts.

(22) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to evaluate options for the state to return to providing state passenger-only ferry service to support existing ferry service routes.

(a) The study must focus on the routes recommended for further study by the 2020 study of passenger-only ferry service by the Puget Sound regional council as well as San Juan county interisland passenger-only ferry service. The department must contract with a third-party entity with experience in passenger-only ferry service.

(b) The evaluation must study options for the state to return to providing state passenger-only ferry service to support existing ferry service routes. The study must include estimated ridership, operating costs including labor, vessel procurement options with prioritization given to clean fueled ferries such as electric ferries, funding options including state subsidies of passenger-only ferry districts, and schedule and timing to implement passenger-only ferry options in evaluated routes.

(c) A progress report is due to the governor and transportation committees of the legislature by October 30, 2024. A final report is due to the governor and transportation committees of the legislature by June 1, 2025.

(23) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to reimburse walk-on customers for emergency expenses incurred as a result of a cancellation of the last sailing of the day. In consideration for receiving the reimbursement, an applicant must sign a release of claims drafted by the department. The department shall create a process for reimbursement and set a per diem limit for reimbursement per individual.

(24) \$3,170,000 of the Puget Sound ferry operations account—state appropriation is provided solely for temporary expanded weekday midday King county water taxi service support to and from Vashon Island.

**Sec. 223.** 2023 c 472 s 223 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—  
PROGRAM Y—OPERATING**

Carbon Emissions Reduction Account—State  
Appropriation. . . . . \$2,250,000  
Multimodal Transportation Account—State  
Appropriation. . . . . ((~~\$90,565,000~~))  
\$83,043,000  
Multimodal Transportation Account—Federal  
Appropriation. . . . . \$1,335,000  
Multimodal Transportation Account—Private/  
Local  
Appropriation. . . . . \$46,000  
TOTAL APPROPRIATION..... ((~~\$92,861,000~~))  
\$86,674,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall continue to pursue restoring Amtrak Cascades service to pre-COVID service levels, and to the service levels committed to through the department's obligation of funding from the federal American recovery and reinvestment act. A status report must be provided to the transportation committees of the legislature and the office of financial management by September 1, 2023.

(2)(a) \$2,250,000 of the multimodal transportation account—state appropriation is provided solely for the continued coordination, engagement, and planning for a new ultra high-speed ground transportation corridor with participation from Washington state, Oregon state, and British Columbia, and is a reappropriation of funds appropriated in the 2021-2023 fiscal biennium. For purposes of this subsection, "ultra high-speed" means a maximum testing speed of at least 250 miles per hour. These efforts are to support and advance activities and must abide by the memorandum of understanding signed by the governors of Washington and Oregon states, and the premier of the province of British Columbia in November 2021. The department shall establish a policy committee with participation from Washington state, Oregon state, and British Columbia, including representation from the two largest caucuses of each chamber of the Washington state legislature, and coordinate the activities of the policy committee to include:

(i) Developing an organizational framework that facilitates input in decision-making from all parties;

(ii) Developing a public engagement approach with a focus on equity, inclusion, and meaningful engagement with communities, businesses, federal, state, provincial, and local governments including indigenous communities;

(iii) Developing and leading a collaborative approach to prepare and apply for potential future federal, state, and provincial funding opportunities, including development of strategies for incorporating private sector participation and private sector contributions to funding, including through the possible use of public-private partnerships;

(iv) Beginning work on scenario analysis addressing advanced transportation technologies, land use and growth

assumptions, and an agreed to and defined corridor vision statement; and

(v) Developing a recommendation on the structure and membership of a formal coordinating entity that will be responsible for advancing the project through the project initiation stage to project development and recommended next steps for establishment of the coordinating entity. Project development processes must include consideration of negative and positive impacts on communities of color, low-income households, indigenous peoples, and other disadvantaged communities.

(b) By June 30, 2024, the department shall provide to the governor and the transportation committees of the legislature a high-level status update that includes, but is not limited to, the status of the items included in (a)(i) through (v) of this subsection.

(c) By June 30, 2025, the department shall provide to the governor and the transportation committees of the legislature a report detailing the work conducted by the policy committee and recommendations for establishing a coordinating entity. The report must also include an assessment of current activities and results relating to stakeholder engagement, planning, and any federal funding application. As applicable, the assessment should also be sent to the executive and legislative branches of government in Oregon state and appropriate government bodies in the province of British Columbia.

~~((4) \$1,800,000 of the multimodal transportation account state appropriation is provided solely for the department to pursue federal grant opportunities to develop and implement a technology-based truck parking availability system along the Interstate 5 Corridor in partnership with Oregon state and California state to maximize utilization of existing truck parking capacity and deliver real-time parking availability information to truck drivers. The department may use a portion of the appropriation in this subsection for grant proposal development and as state match funding for technology-based truck parking availability system federal grant applications. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.~~

~~(5) \$5,950,000 of the multimodal transportation account state appropriation is provided solely for implementation of truck parking improvements recommended by the freight mobility strategic investment board in consultation with the department under section 206(4) of this act. The office of financial management must place this amount in unallotted status.))~~

(3) Consistent with the ongoing planning and service improvement for the intercity passenger rail program, \$335,000 of the multimodal transportation account—federal appropriation is provided solely for the Cascades service development plan, to be used to analyze current and future market conditions and to develop a structured

assessment of service options and goals based on anticipated demand and the results of the state and federally required 2019 state rail plan, including identifying implementation alternatives to meet the future service goals for the Amtrak Cascades route. The work must be consistent with federal railroad administration guidance and direction on developing service development plans, and must be completed by June 30, 2024.

(4) The department shall continue to provide high quality intercity passenger rail service, align planning efforts for continued growth and on-time performance improvements consistent with federally recognized corridor development programs, and implement improvements consistent with planning efforts through leveraging federal funding opportunities. New passenger rail equipment is essential to service enhancements. The department shall make every effort to coordinate with service partners to prepare for the arrival of new trainsets and implementation of service enhancements. A status report must be provided to the transportation committees of the legislature and the office of financial management by December 1, 2024.

(5) \$500,000 of the multimodal transportation account—federal appropriation is provided solely for the Cascades corridor planning as part of the corridor identification and development program, in coordination with the Oregon state department of transportation. The department must continue to pursue funding opportunities for the Cascades corridor though the corridor identification and development program and the federal-state partnership programs at the federal rail administration. The department must notify the office of the governor and the transportation committees of the legislature of funding opportunities from the programs and any corresponding state match needs.

(6) \$50,000 of the multimodal transportation account—state appropriation is provided solely for the department to coordinate with partners on Amtrak long distance rail service.

**Sec. 224.** 2023 c 472 s 224 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING**

<u>Carbon Emissions Reduction Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$275,000</u>
<u>Motor Vehicle Account—State Appropriation.</u>	
<u>(((\$13,569,000))</u>	<u>\$14,282,000</u>
<u>Motor Vehicle Account—Federal Appropriation</u>	
<u>. . . . .</u>	<u>\$2,567,000</u>
<u>Multistate Roadway Safety Account—State</u>	
<u>Appropriation. . . . .</u>	<u>\$1,230,000</u>
<u>Multimodal Transportation Account—State</u>	
<u>Appropriation. . . . .</u>	<u>(((\$1,450,000))</u>
	<u>\$2,000,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b><u>(((\$18,816,000))</u></b>
	<b><u>\$20,354,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$500,000 of the motor vehicle account—state appropriation is provided solely for development, administration, program management, and evaluation of the federal fund exchange pilot program.

(2) \$1,063,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to:

(a) Contract with the department of fish and wildlife to identify, inventory, and prioritize county-owned fish passage barriers;

(b) Continue streamlining and updating the county road administration board's data dashboard, to provide a more detailed, more transparent, and user-friendly platform for data management, reporting, and research by the public and other interested parties;

(c) Commission a study to develop guidance for county public works departments conducting environmental justice assessments in their communities and recommend best practices for community engagement plans to address environmental health disparities for identified overburdened communities;

(d) Contract for a study to identify best practices within public works for the recruitment and retention of employees, including: Recommendations for improving outreach and recruitment to underrepresented populations, methods to partner with local community colleges and universities, methods to expand apprenticeship and internship programs, strategies to increase training and development opportunities, and recommendations for career advancement programs and better work-life balance outcomes;

(e) Update the 2020 county transportation revenue study; and

(f) By December 15, 2024, report to the office of financial management and the appropriate committees of the legislature the deliverables from and the amounts expended on the purposes enumerated in this subsection.

~~((+5))~~ (4) (a) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to develop the preliminary phase of an action plan for the establishment of cycle highways in locations that connect population centers and support mode shift.

(b) The action plan may complement and incorporate existing resources, including the state trails database maintained by the recreation and conservation office, local and regional plans, and the state active transportation plan.

(c) The action plan may also include, but is not limited to:

(i) Recommended design; geometric and operational criteria and typologies appropriate to urban, suburban, and rural settings; settings that include shared use; and incremental approaches to achieve desired facility types;

(ii) A model or methodology to project potential demand and carrying capacity based on facility quality, level of traffic

stress, location, directness, land use, and other key attributes;

(iii) Examination of the feasibility of developing high-capacity infrastructure for bicycle and micromobility device use within a variety of contexts and recommendations for pilot projects;

(iv) Identification of key gaps in regional networks, including planned and aspirational routes and locations within three miles of high-capacity transit or existing shared-use paths and trails suitable for transportation;

(v) Identification of legal, regulatory, financial, collaboration, and practical barriers to development and community acceptance and support of such facilities; and

(vi) Recommended strategies to consider and address issues to avoid unintended consequences such as displacement, and to ensure equity in long-term development of such facilities.

(d) The department must provide a report with its initial findings, and recommendations for next steps, to the transportation committees of the legislature by June 30, 2025.

~~((6))~~ ~~(\$140,000 of the motor vehicle account—state appropriation is provided solely for the Pierce county ferry to eliminate fares for passengers 18 years of age and younger.~~

~~(7))~~ (5) \$750,000 of the multimodal transportation account—state appropriation is provided solely for a grant program to support local initiatives that expand or establish civilian intervention programs for nonmoving violations, focusing on nonpunitive interventions such as helmet voucher programs, fee offset programs, fix-it tickets, and repair vouchers that provide solutions for vehicle equipment failures for low-income road users.

(a) Grants must be awarded to local jurisdictions based on locally developed proposals to establish or expand existing programs, including programs with community led organizations. Eligible jurisdictions under the grant program include cities, counties, tribal government entities, tribal organizations, law enforcement agencies, or nonprofit organizations.

(b) The department shall report on its website by December 1st of each year on the recipients, locations, and types of projects funded under this subsection.

~~((8))~~ (6) \$146,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 428, Laws of 2023 (Wahkiakum ferry). If chapter 428, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(7) (a) \$50,000 of the multimodal transportation account—state appropriation is provided solely for the department to examine the feasibility of creating a new budget program for the active transportation division, including, but not limited to, examining:

(i) Estimated cost, new staffing needs, and time frame to establish the program;

(ii) A proposed budget structure, and whether both operating and capital components should be established; and

(iii) Identification of staff, capital projects, and other resources that would need to be transferred from other existing programs.

(b) By December 1, 2024, the department shall report examination findings and recommendations to the office of financial management and the transportation committees of the legislature.

(8) \$275,000 of the carbon emissions reduction account—state appropriation is provided solely to support Pierce, Skagit, Whatcom, and Wahkiakum county ferries with youth zero-fare policies.

(9) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle department of transportation to create a digital conflict area awareness management program to provide machine-readable information for transportation operators, such as autonomous vehicle fleet operators, to be aware of conflict areas, such as emergency response zones, work zones, schools, pick up and drop off locations, and other areas where vulnerable road users may be present.

(a) Program work must include:

(i) The city of Seattle engaging with first responders and transportation management officials and other relevant stakeholders, to determine program implementation needs and processes; and

(ii) A feasibility study of implementing the program's mobility and curb data specifications to include, but not be limited to, necessary partners, data platforms, ability to integrate real-time 911 dispatch, emergency vehicles, work zones, and other areas to reduce conflicts for transportation operators of autonomous vehicle fleets on public roads and in the right-of-way.

(b) Program work must also be conducted in coordination and partnership with city of Seattle departments, the nonprofit steward of the program's mobility and curb data specifications, the Washington state department of transportation, and other entities potentially impacted by the implementation of the program.

(c) As feasible, the city of Seattle shall prepare an implementation pilot of the program to make a standardized data feed available publicly for transportation operator use.

(d) The city of Seattle must provide a report on any findings and recommendations of the program and any implementation needs and process mapping for use by other jurisdictions to the Washington state department of transportation and the transportation committees of the legislature by June 30, 2025.

(10) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to fund one full-time equivalent liaison position within the local program multiagency permit program. Within the amounts provided in this subsection, the department shall work to enhance its multiagency permit program

capabilities, with an emphasis on multiagency agreements that streamline, prioritize, and expedite project-level and programmatic permits and approvals. The department shall review current multiagency permit program practices and provide a report with recommendations on the enhancement of the program to the transportation committees of the legislature by December 1, 2024.

(End of part)

**TRANSPORTATION AGENCIES—CAPITAL**

**Sec. 301.** 2023 c 472 s 301 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account—State Appropriation. . . . . (~~(\$7,700,000)~~) \$7,888,000

The appropriation in this section is subject to the following conditions and limitations:

(1) (~~(\$7,700,000)~~)\$7,888,000 of the state patrol highway account—state appropriation is provided solely for the following projects:

- (a) \$250,000 is for emergency repairs;
- (b) \$2,000,000 is for roof replacements;
- (c) \$350,000 is for fuel tank decommissioning;
- (d) \$500,000 is for generator and electrical replacement;
- (e) \$500,000 is for the exterior envelope of the Yakima office;
- (f) \$2,000,000 is for energy efficiency projects;
- (g) \$1,000,000 is for pavement surface improvements;
- (h) \$300,000 is for fire alarm panel replacement;
- (i) \$188,000 is for repairs at the Bellevue district office;
- (j) \$200,000 is for an academy master plan. As part of the academy master plan, the Washington state patrol must review and provide an analysis on the potential to colocate some training programs with other state agencies, including the department of corrections, the department fish and wildlife, the liquor and cannabis board, and the criminal justice training commission. The Washington state patrol must consult with the other state agencies to determine where cost efficiencies and mutually beneficial shared arrangements for training delivery could occur. The funding for this academy master plan is not a commitment to fund any components related to the expansion of the academy in the future;

~~((+j))~~(k) \$500,000 reappropriation is for the Tacoma district office generator replacement project; and  
~~((+k))~~(l) \$100,000 reappropriation is for the energy improvement project at the SeaTac northbound facility.

(2) The Washington state patrol may transfer funds between projects specified in subsection (1) of this section to address cash flow requirements.

(3) If a project specified in subsection (1) of this section is completed for less than the amount provided, the remainder may

be transferred to another project specified in subsection (1) of this section not to exceed the total appropriation provided in subsection (1) of this section after notifying the office of financial management and the transportation committees of the legislature 20 days before any transfer.

(4) By December 1, 2023, the Washington state patrol shall provide a report to the transportation committees of the legislature detailing utility incentives that will reduce the cost of heating, ventilating, and air conditioning systems funded in this section.

(5) By December 1, 2023, the Washington state patrol shall provide its capital improvement and preservation plan for agency facilities to the appropriate committees of the legislature.

**Sec. 302.** 2023 c 472 s 302 (uncodified) is amended to read as follows:

**FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Move Ahead WA Account—State Appropriation. \$9,333,000  
 Rural Arterial Trust Account—State Appropriation. . . . . (~~(\$58,000,000)~~) \$62,487,000  
 Motor Vehicle Account—State Appropriation. \$2,456,000  
 County Arterial Preservation Account—State Appropriation. . . . . \$35,500,000  
**TOTAL APPROPRIATION. . . . . (~~(\$105,289,000)~~) \$109,776,000**

**Sec. 303.** 2023 c 472 s 304 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

Connecting Washington Account—State Appropriation. . . . . \$3,000  
 Motor Vehicle Account—State Appropriation. (~~(\$29,173,000)~~) \$29,810,000  
 Move Ahead WA Account—State Appropriation. \$12,011,000  
 Multimodal Transportation Account—State Appropriation. . . . . \$1,200,000  
**TOTAL APPROPRIATION. . . . . (~~(\$42,384,000)~~) \$43,024,000**

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,025,000 of the motor vehicle account—state appropriation is provided solely for payments of a financing contract issued pursuant to chapter 39.94 RCW for the department facility located at 15700 Dayton Ave N in Shoreline. All payments from the department of ecology pursuant to the agreement with the department to pay a share of the financing contract for this facility must be deposited into the motor vehicle account.

(2) (a) \$10,011,000 of the move ahead WA account—state appropriation is provided solely for the department to improve its ability to keep facility assets in a state of good repair. In using the funds appropriated in this subsection, the department, with periodic reporting to the joint transportation committee, must develop

and implement a prioritization of facility capital preservation needs and repair projects. The legislature intends these to be reasonable, forward-thinking investments that consider potential future space efficiency measures and consolidations, including those assessed as having high commercial value and potential returns to state transportation funds associated with the sale of the property. Prioritization must be based on, but not limited to, the following criteria: (i) Employee safety and facility security; (ii) state and federal regulatory and statutory requirements and compliance issues, including clean buildings requirements; (iii) quality of work issues; (iv) facility condition assessment evaluations and scoring; (v) asset preservation; and (vi) amount of operational support provided by the facility to the achievement of the department's performance measures and outcomes, including facility utilization based on field operations work supported at the location. "Field operations" include maintenance, transportation operations, materials testing, and construction.

(b) By October 15, 2024, covering the first 15 months of the 2023-2025 fiscal biennium, the department must provide a report based on the prioritization of facility preservation needs and repair projects developed pursuant to (a) of this subsection to the office of financial management and the transportation committees of the legislature. The report must include: (i) A by facility ranking based on the criteria implemented; (ii) detailed information on the actions taken in the previous period to address the identified issues and deficiencies; and (iii) the plan, by facility, to address issues and deficiencies for the remainder of the 2023-2025 fiscal biennium and the 2025-2027 fiscal biennium.

(c) The by facility ranking developed under (b) of this subsection must be the basis of an agency budget submittal for the 2025-2027 fiscal biennium.

(3) (a) \$1,200,000 of the multimodal transportation account—state appropriation is provided solely for the department to evaluate safety rest areas along Interstate 5 and Interstate 90 for potential truck parking expansion opportunities. The department shall also evaluate commercial vehicle inspection locations, in coordination with the Washington state patrol, for potential truck parking expansion opportunities.

(b) These evaluations must include assessments of opportunities to provide additional truck parking through rest stop and inspection location reconfiguration, expansion, and conversion, as well as evaluation of potential improvements to restroom facilities at weigh stations with truck parking. The department shall consider opportunities to expand rest stop footprints onto additional department-owned property, as well as opportunities to acquire property for rest stop expansion. Opportunities to convert a rest stop to a commercial vehicle-only rest stop must be considered if property is available to develop a new

light-duty vehicle rest stop within a reasonable distance. The department shall include an evaluation of a potential truck parking site at John Hill Rest Area along the Interstate 90 corridor identified in the joint transportation committee's "Truck Parking Action Plan." Evaluations must include cost estimates for reconfiguration, expansion, and conversion, as well as other recommendations for the development of these sites.

(c) The department should consult with the federal highway administration, the Washington state patrol, the Washington trucking association, the freight mobility strategic investment board, and local communities.

(d) The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.

(4) \$15,457,000 of the motor vehicle account—state appropriation is provided solely for making improvements to the department facility located at 11018 NE 51st Cir in Vancouver to meet the Washington state clean buildings performance standard.

(5) (a) \$4,100,000 of the move ahead WA account—state appropriation is provided solely for preliminary engineering and design associated with the demolition and replacement of the department's vehicle repair and parts building at 6431 Corson Avenue South in Seattle. The department must include any requested construction costs of the facility as a separate project as part of its agency budget submittal for the 2025-2027 fiscal biennium utilizing form C-100 for capital projects. The design information must also include detailed information on square footage, components of the facility, and cost comparisons with similar maintenance facilities.

(b) By September 1, 2024, the office of financial management, in consultation with the department, must develop criteria for preservation and improvement minor works lists for the department's facilities program. The criteria must incorporate, adjusted where appropriate, provisions already in use in the omnibus capital budget act for minor works, including: (i) The dollar limitation for each project to be included in the list; (ii) the types of projects appropriate to be included in the list; (iii) the project length limitation appropriate to be included in the list; and (iv) a recommended initial allotment, revision request approval, and revision notification process associated with the list. The criteria must be the basis of the preservation and improvement minor works list included in the agency budget submittal beginning with the 2025-2027 fiscal biennium.

(c) By September 1, 2024, the office of financial management, in consultation with the department, must also develop criteria for providing building related capital requests in a comparable format, adjusted where appropriate, to provisions already in use in the omnibus capital appropriations act for building projects, including the

C-100 capital request form and other detail requirements for omnibus capital appropriations act building submissions.

**Sec. 304.** 2023 c 472 s 305 (unmodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**

Alaskan Way Viaduct Replacement Project Account—	
State Appropriation. . . . .	\$23,794,000
Climate Active Transportation Account—State Appropriation. . . . .	\$2,000,000
Move Ahead WA Account—Private/Local Appropriation. . . . .	\$137,500,000
<u>State Route Number 520 Civil Penalties Account—State</u>	
Appropriation. . . . .	\$10,000,000
Transportation 2003 Account (Nickel Account)—State	
Appropriation. . . . .	<del>(\$317,000)</del> \$634,000
Transportation Partnership Account—State	
Appropriation. . . . .	<del>(\$32,643,000)</del> \$46,899,000
Motor Vehicle Account—State Appropriation. ( <del>\$80,524,000</del> )	
	\$100,366,000
Motor Vehicle Account—Federal Appropriation . . . . .	<del>(\$445,933,000)</del> \$480,282,000
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation. . . . .	<del>(\$300,000,000)</del> \$337,144,000
Motor Vehicle Account—Private/Local	
Appropriation. . . . .	<del>(\$52,530,000)</del> \$74,115,000
Connecting Washington Account—State	
Appropriation. . . . .	<del>(\$2,143,116,000)</del> \$1,960,374,000
Special Category C Account—State	
Appropriation. . . . .	<del>(\$133,749,000)</del> \$143,917,000
Multimodal Transportation Account—State	
Appropriation. . . . .	<del>(\$5,915,000)</del> \$14,311,000
<u>Multimodal Transportation Account—Federal</u>	
Appropriation. . . . .	\$12,287,000
State Route Number 520 Corridor Account—State	
Appropriation. . . . .	<del>(\$400,000)</del> \$500,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation. ( <del>\$304,480,000</del> )	
	\$319,464,000
Move Ahead WA Account—State Appropriation. ( <del>\$590,313,000</del> )	
	\$737,961,000
Move Ahead WA Account—Federal Appropriation . . . . .	<del>(\$340,300,000)</del> \$373,155,000
<u>JUDY Transportation Future Funding Program Account—State</u>	
Appropriation. . . . .	\$52,000,000
<u>Model Toxics Control Stormwater Account—State</u>	
	\$15,000,000
TOTAL APPROPRIATION. . . . .	<del>(\$4,593,514,000)</del> \$4,841,703,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2023-1))2024-1 as developed ((April 21, 2023))March 6, 2024, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 ((of this act)), chapter 472, Laws of 2023.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))March 6, 2024, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The connecting Washington account—state appropriation includes up to (((\$1,737,009,000))\$1,332,926,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account—state appropriation includes up to (((\$118,773,000))\$111,106,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

(6) The transportation partnership account—state appropriation includes up to (((\$32,643,000))\$46,899,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.



(7) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an ~~((allotment))~~ appropriation modification, reductions in the amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this fiscal biennium;

(b) ~~((Allotment))~~ Appropriation modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2023-2025 fiscal biennium in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024;

(c) ~~((Allotment))~~ Appropriation modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Connecting Washington account—state, and move ahead WA account—state; and

(d) The office of financial management must provide notice of ~~((allotment))~~ appropriation modifications authorized under this subsection within 10 working days to the transportation committees of the legislature. By December 1, 2023, and December 1, 2024, the department must submit a report to the transportation committees of the legislature regarding the actions taken to date under this subsection.

(8) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's annual budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(9) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70A.205.700, the legislature reaffirms its determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

(10) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of

their lease terms and consolidate the Lacey project engineering office and the Tumwater project engineering office into the department's Olympic regional headquarters.

(11) The legislature intends that any savings realized on the following projects will not be attributable to the application of practical design, retired risk, or unused contingency funding for the purposes of RCW 47.01.480:

(a) I-5/Marvin Road/SR 510 Interchange (L1100110); and

(b) I-82/EB WB On and Off Ramps (L2000123).

(12) (a) ~~((\$300,000,000))~~ \$337,114,000 of the coronavirus state fiscal recovery fund—federal appropriation, ~~((\$312,653,000))~~ \$110,439,000 of the motor vehicle account—federal appropriation, ~~((\$427,459,000))~~ \$576,827,000 of the move ahead WA account—state appropriation, and ~~((\$1,293,000))~~ \$8,329,000 of the motor vehicle account—state appropriation are provided solely for the Fish Passage Barrier Removal project (0BI4001) with the intent of fully complying with the federal *U.S. v. Washington* court injunction by 2030.

(b) The fish passage barrier removal program, in consultation with the office of innovative partnerships, shall explore opportunities to employ innovative delivery methods to ensure compliance with the court injunction including, but not limited to, public-private partnerships and batched contracts. It is the intent of the legislature that appropriations for this purpose may be used to jointly leverage state and local funds for match requirements in applying for competitive federal aid grants provided in the infrastructure investment and jobs act for removals of fish passage barriers under the national culvert removal, replacement, and restoration program. State funds used for the purpose described in this subsection must not compromise full compliance with the court injunction by 2030.

(c) The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach by replacing both state and local culverts guided by the principle of providing the greatest fish habitat gain at the earliest time. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of other barriers, project readiness, culvert conditions, other transportation projects in the area, and transportation impacts. The department and Brian Abbott fish barrier removal board must provide updates on the implementation of the statewide culvert remediation plan to the legislature by November 1, 2023, and June 1, 2024.

(d) The department must keep track of, for each barrier removed: (i) The location; (ii) the amount of fish habitat gain; and (iii) the amount spent to comply with the injunction.

(e) During the 2023-2025 fiscal biennium, the department shall provide reports of the

amounts of federal funding received for this project to the governor and transportation committees of the legislature by November 1, 2023, and semiannually thereafter.

(13) (a) (~~(\$6,000,000 of the move ahead WA account—state appropriation)~~) \$15,000,000 of the model toxics control stormwater account—state appropriation is provided solely for the Stormwater Retrofits and Improvements project (L4000040). It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide \$500,000,000 for this program.

(b) (~~(The appropriation in this subsection)~~) Of the amounts provided in this subsection, \$6,000,000 is provided solely for the Urban Stormwater Partnership - I-5 Ship-Canal Bridge Pilot (Seattle) project.

(c) The funding provided for stormwater retrofits and improvements must enhance stormwater runoff treatment from existing roads and infrastructure with an emphasis on green infrastructure retrofits. Projects must be prioritized based on benefits to salmon recovery and ecosystem health, reducing toxic pollution, addressing health disparities, and cost-effectiveness. The department of transportation must submit progress reports on its efforts to reduce the toxicity of stormwater runoff from existing infrastructure, recommendations for addressing barriers to innovative solutions, and anticipated demand for funding each fiscal biennium.

(14) (a) (~~(\$35,465,000)~~) \$25,067,000 of the connecting Washington account—state appropriation is provided solely for the SR 3 Freight Corridor (T30400R) project. The legislature intends to provide a total of \$78,910,000 for this project, including an increase of \$12,000,000 in future biennia to safeguard against inflation and supply/labor interruptions and ensure that:

(i) The northern terminus remains at Lake Flora Road and the southern terminus at the intersection of SR 3/SR 302; and

(ii) Multimodal safety improvements at the southern terminus remain in the project to provide connections to North Mason school district and provide safe routes to schools( ~~and~~

~~(iii) Intersections on the freight corridor are constructed at Romance Hill and Log Yard road).~~

(b) With respect to right-of-way acquisition and the construction of the SR 3 Freight Corridor project (T30400R), tribal consultation with the Suquamish tribe shall begin at the earliest stage of planning, including without limitation on all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02

related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe shall continue throughout the duration of any funding or program decisions and proposed project approval.

(15) \$6,000,000 of the move ahead WA account—state appropriation and \$10,000,000 of the move ahead WA account—federal appropriation are provided solely for the SR 3/Gorst Area - Widening project (L4000017). Tribal consultation with the Suquamish tribe must begin at the earliest stage of planning, including, without limitation, all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe must continue throughout the duration of any funding program and proposed project approval.

(16) (a) (~~(\$84,500,000)~~) \$94,500,000 of the move ahead WA account—federal appropriation, \$137,500,000 of the move ahead WA account—private/local appropriation, and (~~(\$53,000,000)~~) \$43,000,000 of the move ahead WA account—state appropriation are provided solely for the I-5 Columbia river bridge project (L4000054). The legislature finds that the replacement of the I-5 Columbia river bridge is a project of national significance and is critical for the movement of freight. One span is now 105 years old, at risk for collapse in the event of a major earthquake, and no longer satisfies the needs of commerce and travel. Replacing the aging interstate bridge with a modern, seismically resilient, multimodal structure that provides improved mobility for people, goods, and services is a high priority. Therefore, the legislature intends to support the replacement of the I-5 Columbia river bridge with an investment of \$1,000,000,000 over the 16-year move ahead WA investment program.

(b) The legislature recognizes the importance of the I-5/Mill Plain Boulevard project (L2000099) and intends to provide funding for reconstruction of the existing interchange in coordination with construction of the Interstate 5 bridge over the Columbia river.

(c) The department shall provide regular updates on the status of ongoing coordination with the state of Oregon on any bistate agreements regarding sharing of

revenues, use of revenues, and fiscal responsibilities of each state. Prior to finalizing any such agreement, the department shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the department shall advise on the status of any bistate agreements to the joint transportation committee beginning in September 2023 and quarterly thereafter until any agreements are finalized.

(17) The legislature recognizes the importance of the US-12/Walla Walla Corridor Improvements project (T20900R) and intends to advance funding to provide matching funds if competitive federal funding is awarded for the final remaining four-lane section between Wallula and Nine Mile Hill. The department, in consultation with local governments in the vicinity, must pursue any federal funding available.

(18) \$2,642,000 of the move ahead WA account—state appropriation is provided solely for the US 101/Simdars Bypass project (L4000013).

(19) ~~(\$570,842,000)~~ \$338,512,000 of the connecting Washington account—state appropriation, ~~(\$155,000)~~ \$3,109,000 of the multimodal transportation account—state appropriation, ~~(\$26,537,000)~~ \$27,201,000 of the motor vehicle account—private/local appropriation, ~~(\$200,800,000)~~ \$178,543,000 of the move ahead WA account—federal appropriation, ~~(\$68,191,000)~~ \$36,370,000 of the move ahead WA account—state appropriation, and ~~(\$6,980,000)~~ \$211,131,000 of the motor vehicle account—federal appropriation are provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

(a) Any savings on the project must stay on the Puget Sound Gateway corridor until the project is complete.

(b) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall continue to collaborate with the affected stakeholders as it implements the corridor construction and implementation plan for state route number 167 and state route number 509. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(c) The entire multimodal transportation account—state appropriation in this subsection is for:

(i) The design phase of the Puyallup to Tacoma multiuse trail along the state route number 167 right-of-way acquired for the project to connect a network of new and existing trails from Mount Rainier to Point Defiance Park; and

(ii) Segment 2 of the state route number 167 completion project shared-use path to provide connections to the interchange of state route number 167 at 54th to the intersection of state route number 509 and Taylor Way in Tacoma.

(20) \$2,213,000 of the motor vehicle account—state appropriation and \$14,012,000 of the connecting Washington account—state appropriation are provided solely for the SR 224/Red Mountain Vicinity Improvement project (L1000291). The department shall provide funding to the city of West Richland to complete the project within the project scope identified by the legislature and within the total amount provided by the legislature. The department shall not amend the project's scope of work to add pavement preservation on state route number 224 from the West Richland city limits to Antinori Road.

~~((a) \$394,963,000)~~ (21) \$409,667,000 of the connecting Washington account—state appropriation, ~~(\$400,000)~~ \$500,000 of the state route number 520 corridor account—state appropriation, \$10,000,000 of the state route number 520 civil penalties account—state appropriation, \$52,000,000 of the JUDY transportation future funding program account—state appropriation, and ~~(\$4,496,000)~~ \$5,592,000 of the motor vehicle account—private/local appropriation are provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R) and are subject to the following conditions and limitations:

(a) The department shall immediately proceed with awarding the bid for the Portage Bay Bridge and Roanoke Lid project to the team that submitted the proposal with the apparent best value in September 2023. Consistent with negotiated timelines, the legislature expects the award to be made by March 15, 2024, and assumes that the department shall expedite executing the contract with the awarded team. Once the contract is executed for this project, the department shall seek consequential cost reduction opportunities through value engineering and prioritizing functionality and usability of the Portage Bay Bridge and Roanoke Lid. The department shall report on the status of the project and cost reduction efforts to the transportation committees of the legislature by December 15, 2024.

(b) Upon completion of the Montlake Phase of the West End project (~~(current anticipated contract completion of 2023)~~), the department shall sell or transfer that portion of the property not (~~used~~) necessary for (~~permanent~~) transportation (~~improvements~~) purposes, and shall initiate a process to convey (~~that~~) or transfer such portion of the surplus property to a subsequent owner.

(c) Of the amounts provided in this subsection, (~~(\$400,000)~~ \$500,000 of the state route number 520 corridor account—state appropriation is provided solely for noise mitigation activities. It is the intent of the legislature to provide an additional \$600,000 for noise mitigation activities.

(d) Pursuant to chapter . . . (Substitute Senate Bill No. 6316), Laws of 2024, the department shall apply for a sales tax deferral for construction work on the SR 520 Seattle Corridor Improvements - West End project (M00400R).

~~((21))~~ (22) \$450,000 of the motor vehicle account—state appropriation is

provided solely for the SR 900 Safety Improvements project (L2021118). The department must: (a) Work in collaboration with King county and the Skyway coalition to align community assets, transportation infrastructure needs, and initial design for safety improvements along state route number 900; and (b) work with the Skyway coalition to lead community planning engagement and active transportation activities.

~~((22) \$25,000,000))~~ (23) \$7,500,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state, and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. ~~((22,500,000))~~ \$7,125,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

~~((23) \$5,000,000))~~ (24) \$9,593,000 of the motor vehicle account—state appropriation, ~~((5,000,000))~~ \$552,000 of the connecting Washington account—state appropriation, and ~~((5,000,000))~~ \$209,000 of the move ahead WA account—state appropriation are provided solely for the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) project (NPARADI), specifically for design of, preliminary engineering, and right-of-way acquisition for the interchange and widening as a single project. The department must consider reserving portions of state route number 522, including designated lanes or ramps, for the exclusive or preferential use of public transportation vehicles, privately owned buses, motorcycles, private motor vehicles carrying not less than a specified number of passengers, or private transportation provider vehicles pursuant to RCW 47.52.025.

(25) Prior to initiating new advertisements or requests for

qualifications for the following projects: SR 9/Marsh Road to 2nd Street Vicinity (N00900R), SR 526 Corridor Improvements (N52600R), US 395 North Spokane Corridor (M00800R), and SR 18 - Widening - Issaquah/Hobart Rd to Raging River - Phase 1 (L1000199), the capital projects advisory review board shall review the planned procurement methods for these projects. The board shall provide recommendations on procurement methods to the office of financial management, the department, and the transportation committees of the legislature for project L1000199 by July 1, 2024, and projects N52600R, N00900R, and M00800R by December 1, 2024. After the board provides recommendations, the department may initiate new advertisements and requests for qualifications, incorporating the recommendations as appropriate.

The department shall structure the advertisements, requests for qualifications, and requests for proposals, for projects referenced in this subsection, in a manner that provides a high degree of certainty that bids come in as expected according to engineer estimates made through the cost estimate valuation process. The department may request bid offers with alternatives for components of a larger project so that the department may present to the legislature modified options for projects to minimize project delays and stay within appropriated funding resources. If alternatives provided are at or below the engineer estimates, the department may proceed with the project award.

If bid proposals exceed engineer estimates by more than five percent or \$10,000,000, the department shall report this information to the transportation committees of the legislature within two weeks of receiving the bid proposals, and pause award and contract execution.

(26) \$750,000 of the motor vehicle account—state appropriation is provided solely for the Grady Way Overpass at Rainier Avenue South I-405 BRT Access study (L1000333).

(27) \$1,804,000 of the connecting Washington account—state appropriation is provided solely for the SR 164 East Auburn Access project (L1000120). The department must work with the Muckleshoot tribe to deliver the project.

(28) \$250,000 of the motor vehicle account—state appropriation is provided solely for preliminary engineering of the SR 14/Camas Slough Bridge project (L1000352). Funds may be used for predesign environmental assessment work, community engagement, design, and project cost estimation.

(29) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for matching funds for the department to apply to the federal highway administration's wildlife crossings pilot program, in the 2024 grant application cycle, for wildlife crossing underpasses on U.S. 97 between Tonasket and Riverside.

(30) \$1,800,000 of the multimodal transportation account—state appropriation and \$12,287,000 of the multimodal transportation account—federal appropriation

are provided solely for the department to develop and implement a technology-based truck parking availability system along the Interstate 5 corridor in partnership with Oregon state and California state to maximize utilization of existing truck parking capacity and deliver real-time parking availability information to truck drivers (L1000375). The department may use a portion of the appropriation in this subsection for grant proposal development and as state match funding for technology-based truck parking availability system federal grant applications. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and provide a final report to the transportation committees of the legislature by December 1, 2024.

(31) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the design on the I-5 Fort Lewis weigh station and SR 906 Phase 3 truck parking improvements (L1000377).

(32) The legislature intends to provide \$4,950,000 in the 2025-2027 fiscal biennium for additional truck parking improvements (L1000376). As part of the department's 2025-2027 budget submittal, the department and the freight mobility strategic investment board, after consulting with appropriate entities, must provide a list of specific truck parking solutions within the amounts provided in this subsection (32). The list may also include additional funding recommendations beyond this amount for more immediate expansion of truck parking capacity, as well as for long-term expansion of truck parking capacity.

Sec. 305. 2023 c 472 s 306 (unmodified) is amended to read as follows:

<b>FOR THE DEPARTMENT OF TRANSPORTATION— PRESERVATION—PROGRAM P</b>	
Move Ahead WA Account—State Appropriation. (((\$13,291,000))	<u>\$105,219,000</u>
Recreational Vehicle Account—State Appropriation. . . . .	(((\$793,000)) <u>\$769,000</u>
Transportation 2003 Account (Nickel Account) —State Appropriation. . . . .	(((\$48,759,000)) <u>\$70,411,000</u>
Motor Vehicle Account—State Appropriation. (((\$135,073,000))	<u>\$154,960,000</u>
Motor Vehicle Account—Federal Appropriation . . . . .	(((\$534,350,000)) <u>\$560,102,000</u>
Motor Vehicle Account—Private/Local Appropriation. . . . .	(((\$12,000,000)) <u>\$17,010,000</u>
Connecting Washington Account—State Appropriation. . . . .	(((\$37,078,000)) <u>\$48,726,000</u>
State Route Number 520 Corridor Account— State Appropriation. . . . .	(((\$5,481,000)) <u>\$7,434,000</u>
Tacoma Narrows Toll Bridge Account—State Appropriation. . . . .	(((\$10,892,000)) <u>\$12,202,000</u>

Alaskan Way Viaduct Replacement Project Account— State Appropriation. . . . .	(((\$12,000)) <u>\$1,662,000</u>
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation. (((\$27,026,000))	<u>\$15,183,000</u>
Transportation Partnership Account—State Appropriation. . . . .	(((\$10,000,000)) <u>\$12,036,000</u>
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(((\$834,755,000)) <u>\$1,005,714,000</u></b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2023-1))2024-1 as developed ((April 21, 2023))March 6, 2024, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 ((of this act)), chapter 472, Laws of 2023.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))March 6, 2024, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The transportation partnership account—state appropriation includes up to

~~(\$10,000,000)~~ \$3,280,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(5) \$22,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund (L2000290). The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted.

(6) Within the connecting Washington account—state appropriation, the department may transfer funds from Highway System Preservation (L1100071) to other preservation projects listed in the LEAP transportation document identified in subsection (1) of this section, if it is determined necessary for completion of these high priority preservation projects. The department's next budget submittal after using this subsection must appropriately reflect the transfer.

(7) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of their lease terms and consolidate the Lacey project engineering office and the Tumwater project engineering office into the department's Olympic regional headquarters.

(8) The appropriations in this section include funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(9) ~~(\$25,000,000)~~ \$7,500,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. ~~(\$22,500,000)~~ \$7,125,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered

surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

(10) \$21,000 of motor vehicle account—state appropriation is provided solely for the implementation of chapter 54, Laws of 2023 (bridge jumping signs) (G2000114). ~~(If chapter 54, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.)~~

(11) \$4,319,000 of the move ahead Washington account—state appropriation is provided solely for SR 525 Bridge Replacement - Mukilteo (L2021084). Of the amounts in this subsection, \$155,000 must be transferred to the city of Mukilteo for purposes of community planning and business engagement.

**Sec. 306.** 2023 c 472 s 307 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION OPERATIONS—PROGRAM Q—CAPITAL Motor Vehicle Account—State Appropriation.**  
~~(\$9,738,000)~~

\$10,606,000  
Motor Vehicle Account—Federal Appropriation  
..... ~~(\$5,100,000)~~  
\$12,226,000

Motor Vehicle Account—Private/Local  
Appropriation. . . . . \$500,000  
Move Ahead WA Account—State Appropriation.  
\$611,000

TOTAL APPROPRIATION..... ~~(\$15,338,000)~~  
\$23,943,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$4,918,000)~~ \$5,547,000 of the motor vehicle account—state appropriation ~~(is)~~ \$8,830,000 of the motor vehicle account—federal appropriation, and \$500,000 of the motor vehicle account—private/local appropriation are provided solely for Programmatic Investment for Traffic Operations Capital projects (000005Q). By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all traffic operations capital project investments completed in the prior fiscal biennium.

(2) \$3,080,000 of the motor vehicle account—state appropriation is provided solely to construct pedestrian signals at nine locations on state route number 7 from 124th Street South to 189th Street South (0000YYY).

(3) \$1,463,000 of the motor vehicle account—state appropriation is provided solely for the replacement of 22 existing traffic cameras and installation of 10 new traffic cameras, including five pole

installation sites, on the Interstate 90 corridor between mileposts 34 and 82 (L2021144). The department shall consult with news media organizations to explore options to allow such organizations access to traffic camera feeds.

**Sec. 307.** 2023 c 472 s 308 (unmodified) is amended to read as follows:  
**FOR THE DEPARTMENT OF TRANSPORTATION— WASHINGTON STATE FERRIES CONSTRUCTION— PROGRAM W**

Carbon Emissions Reduction Account—State	
Appropriation. . . . .	(((\$74,027,000))
	\$116,021,000
Move Ahead WA Account—State Appropriation.	
(((\$17,114,000))	
	\$49,828,000
Puget Sound Capital Construction Account—	
State	
Appropriation. . . . .	(((\$341,969,000))
	\$388,304,000
Puget Sound Capital Construction Account—	
Federal	
Appropriation. . . . .	(((\$33,698,000))
	\$87,047,000
Puget Sound Capital Construction Account—	
Private/Local Appropriation (((\$1,081,000))	
	\$2,150,000
<u>Transportation 2003 Account (Nickel Account)</u>	
<u>—State</u>	
Appropriation. . . . .	\$472,000
Transportation Partnership Account—State	
Appropriation. . . . .	(((\$7,442,000))
	\$9,705,000
Connecting Washington Account—State	
Appropriation. . . . .	(((\$10,809,000))
	\$21,883,000
Capital Vessel Replacement Account—State	
Appropriation. . . . .	(((\$46,818,000))
	\$21,688,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(((\$532,958,000))</b>
	<b>\$697,098,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April—21, 2023))March 6, 2024, Program - Washington State Ferries Capital Program (W).

(2) (((\$5,000,000))\$24,260,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(3) (((\$46,818,000))\$21,688,000 of the capital vessel replacement account—state appropriation is provided solely for the acquisition of a 144-car hybrid-electric vessel (L2000329). The amounts provided in this subsection are contingent upon the enactment of chapter 429, Laws of 2023.

(4) ((The legislature intends that funding will be provided in the 2025-2027 fiscal biennium))Beginning January 1, 2025, \$11,554,000 of the carbon emissions reduction account—state appropriation is provided solely for construction of the

first hybrid electric Olympic class vessel (L2000329).

(5) \$1,500,000 of the Puget Sound capital construction account—state appropriation is provided solely for the Future Hybrid Electric Ferry Class Pre-Design study (L2021131) to advance procurement of a new class of vessel that will account for changes in technology, staffing, and system needs. The department shall initiate a vessel predesign to replace the aging Issaquah class ferries with a new automobile hybrid electric ferry intended to operate on the Vashon Southworth-Fauntleroy route. The ((legislature intends that part of the)) predesign study must include a review of the benefits and costs of constructing all future new vessels based on the same design. The review may also compare and contrast the benefits and costs of ((a 144-vehicle capacity vessel with a 124-vehicle capacity vessel))utilizing the existing hybrid electric Olympic class vessel design.

((+5))((6) \$8,032,000 of the Puget Sound capital construction account—state appropriation is provided solely for modernization of the ticketing and reservation system (990052C). Of this amount, \$3,032,000 must be held in unallotted status until Washington state ferries has consulted with the office of the chief information officer on the project scope and integration capabilities of the reservation system with existing Good to Go! and ORCA next generation products, and reported results to the office of financial management and the transportation committees of the legislature.

((+6))((7) \$125,000 of the Puget Sound capital construction account—state appropriation and \$125,000 of the Puget sound capital construction account—federal appropriation are provided solely for development of a terminal wait times information system (998609A). Washington state ferries must consult with the office of the chief information officer on a technology solution for automated vehicle detection, and report the project scope, along with office of the chief information officer recommendations, to the office of financial management and the transportation committees of the legislature by December 1, 2024.

((+7))((8) The transportation partnership account—state appropriation includes up to \$7,195,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

((+8))((9) For the purposes of ferry and terminal electrification, the department must apply to the department of ecology for additional competitive grant funds available from Volkswagen settlement funds, and report on the status of the grant application by December 1, 2023.

((+9))((10) For the 2023-2025 fiscal biennium, the marine division shall provide to the office of financial management and the transportation committees of the legislature a report for ferry capital projects in a manner consistent with past practices as specified in section 308, chapter 186, Laws of 2022.

((11) Beginning January 1, 2025, \$6,175,000 of the carbon emissions reduction

~~account—state appropriation is provided solely for construction of hybrid electric vessels (L2021073).~~

~~(12) Beginning January 1, 2025, \$24,265,000 of the carbon emissions reduction account—state appropriation is provided solely for terminal electrification (L1000341).~~

**Sec. 308.** 2023 c 472 s 309 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**

Carbon Emissions Reduction Account—State	
Appropriation. . . . .	<del>(((\$104,300,000))</del>
	\$114,800,000
Essential Rail Assistance Account—State	
Appropriation. . . . .	<del>(((\$676,000))</del>
	\$1,412,000
Motor Vehicle Account—State Appropriation.	
	\$697,000
Move Ahead WA Account—State Appropriation.	
	\$1,500,000
Move Ahead WA Flexible Account—State	
Appropriation. . . . .	<del>(((\$35,000,000))</del>
	\$33,500,000
Multimodal Transportation Account—Private/ Local	
Appropriation. . . . .	\$12,000
Transportation Infrastructure Account—State	
Appropriation. . . . .	<del>(((\$10,369,000))</del>
	\$16,621,000
Multimodal Transportation Account—State	
Appropriation. . . . .	<del>(((\$63,334,000))</del>
	\$101,403,000
Multimodal Transportation Account—Federal	
Appropriation. . . . .	<del>(((\$18,882,000))</del>
	\$25,903,000
<b>TOTAL APPROPRIATION. . . . .</b>	<del><b>(((\$232,561,000))</b></del>
	<b>\$295,848,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~(April 21, 2023))~~ March 6, 2024, Program - Rail Program (Y).

(2) (a) ~~(((\$2,030,000))~~ \$2,680,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than 15 years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(b) ~~(((\$7,970,000 of the transportation infrastructure account—state appropriation is provided solely for new FRIB program loans recommended by the department for 2024 supplemental transportation appropriations. The department shall submit a prioritized list for any loans recommended to the office~~

~~of financial management and the transportation committees of the legislature by November 15, 2023.~~

~~(e))~~ The department may change the terms of existing loans in the essential rail assistance account for repayment of loans, including the repayment schedule and rate of interest, for a period of up to 15 years for any recipient with a total loan value in the program of over 10 percent as of June 30, 2023.

(3) ~~\$5,000,000 of the transportation infrastructure account—state appropriation is provided solely for a low-interest loan for the Port of Longview Rail Corridor Expansion project (L1000347) to accommodate current and future port cargo-handling needs. The low-interest loan must comply with the requirements of RCW 47.76.460(2).~~

~~(4) (((\$7,566,836))~~ \$7,567,000 of the multimodal transportation account—state appropriation is provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

~~((4))~~ (5) \$369,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely for final reimbursement to Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects.

~~((4))~~ (6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2024, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

~~((4))~~ (7) \$25,000,000 of the carbon emissions reduction account—state appropriation is provided solely for state match contributions to support the department's application for federal grant opportunities for a new ultra high-speed ground transportation corridor. These funds are to remain in unallotted status and are available only upon award of federal funds. The department must provide periodic grant application updates to the transportation committees of the legislature, as well as anticipated state match estimates for successful grants.

~~((4))~~ (8) \$33,500,000 of the move ahead WA flexible account—state appropriation is provided solely for rehabilitation of the Palouse River and Coulee City Railroad (L4000079). Up to \$433,000 of the amount in this subsection may be used for management and oversight of operation and maintenance activities.

~~((4))~~ (9) \$19,990,000 of the multimodal transportation account—federal appropriation is provided solely for the rehabilitation of the Salmon Bay drawbridge



(752010A) to ensure the efficient movement of freight and passenger trains.

~~((9))~~(10) \$6,300,000 of the carbon emissions reduction account—state appropriation is provided solely to fund a zero emission drayage truck demonstration project (L1000324) at Northwest Seaport Alliance facilities.

~~((10))~~(11) \$14,000,000 of the carbon emissions reduction account—state appropriation ~~((is))~~, and beginning January 1, 2025, \$14,000,000 of the carbon emissions reduction account—state appropriation, are provided solely to fund a zero emission shore power infrastructure demonstration project at Northwest Seaport Alliance facilities (L1000325). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

~~((11))~~(12) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely to fund the replacement of two Tacoma rail diesel-electric switcher locomotives with zero emission battery-electric switcher locomotives and to install on-site charging equipment at a Tacoma rail facility (L1000327). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

~~((12))~~(13) \$150,000 of the multimodal transportation account—state appropriation is provided solely for the application of durable markings along state route number 906 to create up to 20 parking spaces for larger vehicles, including trucks (L1000336).

~~((13))~~(14) \$26,500,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification competitive grants (L2021182). ~~((To be eligible to receive state funds under this section, a))~~All public ports are eligible to receive funds under this subsection. A port seeking to use funds under this subsection to install shore power must ((first)) adopt a policy that requires vessels that dock at the port facility to use shore power if such vessel is capable of using such power and when such power is available at the port facility.

~~((14))~~(15) \$2,000,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification at the port of Bremerton (L1000337), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

~~((15))~~(16) \$500,000 of the carbon emissions reduction account—state appropriation ~~((is))~~, and beginning January 1, 2025, \$1,500,000 of the carbon emissions reduction account—state appropriation, are provided solely for port electrification at the port of Anacortes (L1000338), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

(17) \$2,000,000 of the transportation infrastructure account—state appropriation

is provided solely for the Port of Quincy Rail Infrastructure Expansion project (L1000348), an expansion of rail infrastructure within the Port of Quincy's current rail terminal and to nearby industrial zoned properties in the port district.

((18)) Beginning January 1, 2025, \$20,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the Puyallup Tribe Port Electrification project (L1000346).

Sec. 309. 2023 c 472 s 310 (unmodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

Carbon Emissions Reduction Account—State	
Appropriation. . . . .	(((\$21,000,000))
	\$53,944,000
Climate Active Transportation Account—State	
Appropriation. . . . .	(((\$157,463,000))
	\$169,442,000
Freight Mobility Investment Account—State	
Appropriation. . . . .	(((\$21,098,000))
	\$21,847,000
Freight Mobility Multimodal Account—State	
Appropriation. . . . .	(((\$22,728,000))
	\$27,216,000
Highway Infrastructure Account—State	
Appropriation. . . . .	(((\$793,000))
	\$1,060,000
Highway Infrastructure Account—Federal	
Appropriation	
. . . . .	(((\$1,600,000))
	\$1,500,000
Move Ahead WA Account—State Appropriation.	
(((\$106,707,000))	
	\$117,033,000
<del>((Move Ahead WA Account—Federal</del>	
<del>Appropriation. . . . .</del>	<del>(\$10,000,000))</del>
Move Ahead WA Flexible Account—State	
Appropriation. . . . .	(((\$29,000,000))
	\$34,500,000
<del>((Transportation Partnership Account—State</del>	
<del>Appropriation. . . . .</del>	<del>(\$500,000))</del>
Motor Vehicle Account—State Appropriation.	
(((\$36,785,000))	
	\$31,785,000
Motor Vehicle Account—Federal Appropriation	
. . . . .	(((\$103,553,000))
	\$129,698,000
<u>Motor Vehicle Account—Private/Local</u>	
<u>Appropriation. . . . .</u>	<u>\$35,000,000</u>
Connecting Washington Account—State	
Appropriation. . . . .	(((\$99,032,000))
	\$117,410,000
Multimodal Transportation Account—State	
Appropriation. . . . .	(((\$73,818,000))
	\$142,372,000
<b>TOTAL APPROPRIATION. . . . .</b>	<b>(((\$684,077,000))</b>
	<b>\$882,807,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ~~((2023-2))~~2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~March 6, 2024, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) (~~(\$34,673,000)~~) \$47,707,000 of the multimodal transportation account—state appropriation and (~~(\$37,563,000)~~) \$43,058,000 of the climate active transportation account—state appropriation are provided solely for pedestrian and bicycle safety program projects (L2000188 and L1000335). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(b) (~~(\$19,137,000)~~) \$31,553,000 of the motor vehicle account—federal appropriation, (~~(\$38,915,000)~~) \$45,399,000 of the climate active transportation account—state appropriation, and (~~(\$12,844,000)~~) \$21,157,000 of the multimodal transportation account—state appropriation are provided solely for safe routes to school projects (L2000189 and L1000334). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(c) For future rounds of grant selection, the department must reevaluate the criteria to increase geographic diversity of jurisdictions consistent with the requirements of the healthy environment for all (HEAL) act.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2023, and December 1, 2024, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program and the Sandy Williams connecting communities grant program.

(4) (~~(\$6,875,000)~~) \$12,792,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) (~~(\$36,640,000)~~) \$46,580,000 of the motor vehicle account—federal appropriation is provided solely for acceleration of local preservation projects that ensure the reliable movement of freight on the national highway freight system (G2000100). The department will select projects as part of its update of the state freight plan, in consultation with the freight mobility strategic investment board and other stakeholders.

(6) (~~(\$23,750,000)~~) \$7,125,000 of the motor vehicle account—state appropriation is provided solely for a federal fund exchange pilot program. The pilot program will allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The entirety of the appropriation in this subsection must be held in unallotted status until: Surface transportation block grant population funding has been offered to the state, the department determines that a federalized project or projects funded in

section 305 or 306 (~~(of this act)~~), chapter 472, Laws of 2023 is eligible to spend the surface transportation block grant population funding, and state funds appropriated in section 305 or 306, chapter 472, Laws of 2023 for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding have been placed in unallotted status. A report on the effectiveness of the exchange program, the total estimated cost of program administration, and recommendations for continuing the pilot program is due to the governor and transportation committees of the legislature by December 1, 2024. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

(7) (~~(\$128,400,000)~~) \$136,893,000 of the move ahead WA account—state appropriation and (~~(\$19,500,000)~~) \$25,000,000 of the move ahead WA flexible account—state appropriation are provided solely for new move ahead WA road and highway projects listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023)) March 6, 2024, Program - Local Programs Program (Z).

(a) For projects funded in this subsection, the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used in the 2023-2025 fiscal biennium to advance one or more of the projects listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023)) March 6, 2024, Program - Local Programs Program (Z), prioritizing projects first by project readiness.

(i) In instances when projects listed in the LEAP transportation documents referenced in (a) of this subsection are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations of certain funds provided. In the event that the listed project has been completed the local jurisdictions may, rather than submitting an alternative project, instead be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(ii) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(b) Of the amounts provided in this subsection, (~~(\$21,000,000)~~) \$25,493,000 of

the move ahead WA account—state appropriation is provided solely for three roundabouts to be constructed on state route number 507 in partnership with local authorities. The roundabout at Vail is with Thurston county, the roundabout at Bald Hills is with the city of Yelm, and the roundabout at state route number 702 is with Pierce county. The department is to work cooperatively with each local jurisdiction to construct these facilities within department rights-of-way. The department must provide all project predesign and design information developed to date to the local jurisdictions and have a project implementation agreement in place with each local jurisdiction within 180 calendar days of the effective date of this act. The implementation agreement may provide full control for the local authority to construct the project. Once the roundabouts are completed, the operations and maintenance of the roundabouts are the responsibility of the department. Of the amounts provided in this subsection, \$7,000,000 is for the roundabout at Vail road and state route number 507.

(c) \$15,000,000 of the move ahead Washington account—state appropriation is provided solely for the Columbia River Bridge Replacement/Hood River to White Salmon project (L4000046). The office of financial management shall place the amounts in this subsection in unallotted status. As funds are appropriated by the Oregon legislature, the office of financial management may release amounts provided in this subsection to match Oregon appropriations.

(8) \$39,185,000 of the climate active transportation account—state appropriation, \$11,600,000 of the multimodal transportation account—state appropriation, and \$3,000,000 of the move ahead WA flexible account—state appropriation are provided solely for move ahead WA pedestrian and bike projects listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))March 6, 2024, Program - Local Programs Program (Z). For projects funded in this subsection, if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used in the 2023-2025 fiscal biennium to advance one or more of the projects listed in LEAP Transportation Document ((2023-2))2024-2 ALL PROJECTS as developed ((April 21, 2023))March 6, 2024, Program - Local Programs Program (Z), prioritizing projects first by tier then by project readiness.

(a) In instances when projects listed in the LEAP transportation document referenced in this subsection (8) of this section are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations of certain funds provided. In the event that the listed project has been completed the local jurisdictions may, rather than submitting an alternative

project, instead be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(b) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(9) \$16,800,000 of the climate active transportation account—state appropriation is provided solely for the statewide school-based bicycle education grant program (L1000309). The department may partner with a statewide nonprofit to deliver programs.

(10) \$25,000,000 of the climate active transportation account—state appropriation is provided solely for the Sandy Williams connecting communities pilot program (L1000308) to deliver projects to reconnect communities that have been bifurcated by state highways. Priority must be given to historically marginalized or overburdened communities. The department may consult with the Cooper Jones active transportation safety council to identify geographic locations where there are high incidences of serious injuries and fatalities of active transportation users among vulnerable populations.

(11) \$14,000,000 of the carbon emissions reduction account—state appropriation ((is)), and beginning January 1, 2025, \$10,000,000 of the carbon emissions reduction account—state appropriation, are provided solely for the Guemes Ferry Boat Replacement project (L4000124).

(12) \$6,500,000 of the move ahead WA flexible account—state appropriation is provided solely for development of an applied sustainable aviation evaluation center (L2021135). Snohomish county, in partnership with Washington State University, shall plan and establish facilities to evaluate, qualify or certify, and research technologies that can minimize the impact of aviation on human health and the environment. Funds may be used for, but are not limited to, planning, construction, and land acquisition for sustainable aviation fuel (SAF) qualification testing (ASTM D4054), research on the impact of SAF on the environment and human health, and SAF storage for the purpose of advancing sustainable aviation. At a minimum, three sustainable aviation platforms must be considered:

(a) Sustainable aviation fuel (SAF);  
 (b) Hydrogen; and  
 (c) Battery electric energy storage mechanisms.

(13) The legislature intends to fund the Ballard and Magnolia Bridge project (L4000123) ((and the Aurora Avenue North Safety Improvements project (L4000154))), as described in section 911(18) and (19) ((of this act)), chapter 472, Laws of 2023.

(14) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the Seattle office of

planning and community development to update and add to the 2020 I-5 Lid Feasibility Study with additional test cases with ramp changes and removals in downtown Seattle and alternative assumptions with regards to parking, expansion of Freeway Park, affordable housing, and commercial real estate (L2021140). The Seattle office of planning and community development shall conduct ongoing community engagement with underrepresented constituencies to support the technical work of this study and raise public awareness of opportunities of I-5 lids. Focus should be given to low-income households living and working in the I-5 lid study areas in central Seattle.

(15) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to award grants to local jurisdictions to implement network-wide traffic conflict screening programs using video analytics in controlled intersections with a disproportionate number of traffic violations and injuries to active transportation users (L2021149). Grants must be awarded proportionally across the state and include controlled intersections in both urban and rural environments and along state highways and county roads. Grant recipients must report back to the department all traffic violation and active transportation facility data acquired during the grant period and provide the department with appropriate next steps for the state and the local jurisdiction to improve traffic safety for active transportation users in such intersections. The department must report such findings and recommendations to the transportation committees of the legislature by December 1, 2024.

(16) (a) (i) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish a program for providing rebates to qualifying persons who purchase e-bikes and qualifying equipment and services from a qualifying retailer. Of this amount, \$3,000,000 is for rebate amounts as described under (a) (iii) (A) of this subsection, and \$2,000,000 is for rebate amounts as described under (a) (iii) (B) of this subsection.

(ii) To qualify for and use the rebate under this subsection, a person must be a resident of Washington state and purchase an e-bike and qualifying equipment and services, if any, from a qualifying retailer in this state. Qualifying equipment and services must be purchased as part of the same transaction as the e-bike.

(iii) (A) For persons who are at least 16 years of age and reside in households with incomes at or below 80 percent of the county area median income, the amount of the rebate is up to \$1,200 on the sale of an e-bike and any qualifying equipment and services.

(B) For all other persons who are at least 16 years of age, the amount of the rebate is up to \$300 on the sale of an e-bike and any qualifying equipment and services.

(C) No more than one rebate may be awarded per household.

(iv) (A) The department must establish application procedures for e-bike retailers to participate in the rebate program, and application and award procedures for applicants to participate in the program. If an applicant qualifies for a rebate amount and there is sufficient funds to award the applicant with the appropriate rebate amount, the department must provide the qualifying individual the rebate amount in a format that can be redeemed at the time of purchase at a qualifying retailer.

(B) An applicant must provide contact information, including a physical address, email address, and phone number, and demographic information, including the applicant's age, gender, race, and ethnicity, to the department on a form provided by the department at the time of applying for the rebate. The department may share or provide access to such information with the University of Washington to provide the University of Washington an opportunity to ask program applicants and recipients to fill out a survey collecting information only to the extent to inform its report described under (d) of this subsection.

(v) A qualifying retailer must register with the department before participating in the rebate program. A qualifying retailer must:

(A) Verify the identity of the qualifying individual at the time of purchase; and

(B) Calculate and apply the rebate at the time of purchase.

(vi) The department must reimburse a qualifying retailer that accepts a rebate from a qualifying individual no later than 30 days after the rebate is redeemed.

(vii) For purposes of this subsection (16) (a):

(A) "E-bike" means an electric assisted bicycle as defined in RCW 46.04.169, but does not include mountain bikes.

(B) "Qualifying equipment and services" means a bicycle helmet, safety vest, bicycle light, or bicycle lock, and any maintenance or other services agreed upon by the qualifying retailer and qualifying individual at the time of purchase.

(C) "Qualifying retailer" means a retail business establishment with one or more physical retail locations in this state that provides on-site e-bike sales, service, and repair and has registered with the department to participate in the rebate program established under this subsection.

(b) For fiscal year 2025, \$2,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish an e-bike lending library and ownership grant program. The department may accept grant applications from other state entities, local governments, and tribes that administer or plan to administer an e-bike lending library or ownership program for their employees for commute trip reduction purposes. The department may also accept grant applications from nonprofit organizations or tribal governments that serve persons who are low-income or reside in overburdened communities and that administer or plan to administer an e-bike lending library or ownership program for qualifying persons.

Grant recipients must report program information and participation data to the University of Washington to inform its report described under (d) of this subsection.

(c) It is the intent of the legislature that funding provided in (a) and (b) of this subsection continue to be appropriated in the 2025-2027 and 2027-2029 fiscal biennia.

(d) Of the amounts provided in this subsection (16), \$90,000 is for the department to contract with the University of Washington's sustainable transportation lab to publish a general policy brief that provides innovative e-bike rebate and lending library or ownership grant program models and recommendations, a report on survey results based on data and demographic information collected under the e-bike rebate program established in (a) of this subsection, and a report on program information and data collected under the e-bike lending library and ownership grant program established in (b) of this subsection. An initial brief and report must be submitted to the transportation committees of the legislature by July 1, 2024, with the final policy brief and report due to the transportation committees of the legislature by July 1, 2025.

(e) The department may not collect more than five percent of appropriated amounts to administer the programs under (a) and (b) of this subsection.

(17) (~~(\$21,098,000)~~) \$21,847,000 of the freight mobility investment account—state appropriation and (~~(\$22,728,000)~~) \$27,216,000 of the freight mobility multimodal account—state appropriation are provided solely for freight mobility strategic investment board projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(18) \$4,150,000 of the motor vehicle account—state appropriation is provided solely for matching funds for federal funds to reconstruct Grant county and Adams county bridges as part of the Odessa groundwater replacement program (L1000322).

(19) \$9,240,000 of the connecting Washington account—state appropriation is provided solely for the Aberdeen US 12 Highway-Rail Separation project (L1000331).

(20) (~~(\$750,000 of the motor vehicle account—state appropriation is provided solely for the Grady Way overpass at Rainier Avenue South I-405 BRT Access study (L1000333).~~

(21)) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an (~~allotment~~) appropriation modification, reductions in the amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific

purpose are not expected to be used for that purpose in this fiscal biennium;

(b) (~~allotment~~) appropriation modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2023-2025 fiscal biennium in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) March 6, 2024;

(c) (~~allotment~~) appropriation modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Connecting Washington account—state, and move ahead WA account—state; and

(d) The office of financial management must provide notice of (~~allotment~~) appropriation modifications authorized under this subsection within 10 working days to the transportation committees of the legislature. By December 1, 2023, and December 1, 2024, the department must submit a report to the transportation committees of the legislature regarding the actions taken to date under this subsection.

(21) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to assist local jurisdictions in addressing emergent issues related to safety for pedestrians and bicyclists (LXXXPBF). Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium. Reporting may be done in conjunction with the transportation operations division.

(22) Beginning January 1, 2025, \$22,944,000 of the carbon emissions reduction account—state appropriation is provided solely for the following projects identified in LEAP Transportation Document 2024-2 ALL PROJECTS as developed March 6, 2024:

(a) North Aurora Safety Improvements (L4000154);

(b) North Broadway Pedestrian Bridge (L2021082);

(c) State Route 547 Pedestrian and Bicycle Safety Trail (Kendall Trail) (L4000144);

(d) 72nd Ave & Washington Ave Active Transportation Components (L2021194);

(e) Bluff Trail Hood River to White Salmon (L2021199);

(f) Columbia Heights Safety Improvements (L2021195);

(g) La Center Pac. Hwy Shared Use Path (L2021196);

(h) SR 240/Aaron Dr Complete Streets Improvements (L2021193);

(i) View Ridge Safe Routes to Schools (L1000342);

(j) 84th Ave NE Pedestrian and Bicycle Project (L1000366);

(k) Communities for a Health Bay electric boat (L1000368);

(l) SR 303 Warren Ave Bridge Pedestrian Improvements (L2000339); and

(m) SR 520 & 148th NE Bicycle/Pedestrian Crossing (L2021047).

(End of part)

TRANSFERS AND DISTRIBUTIONS

Sec. 401. 2023 c 472 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—State Appropriation. . . . . ((\$1,101,000)) \$221,000
Connecting Washington Account—State Appropriation. . . . . ((\$11,951,000)) \$4,531,000
Special Category C Account—State Appropriation. . . . . ((\$922,000)) \$444,000
Highway Bond Retirement Account—State Appropriation. . . . . ((\$1,470,291,000)) \$1,475,218,000
Ferry Bond Retirement Account—State Appropriation. . . . . \$4,616,000
Transportation Improvement Board Bond Retirement Account—State Appropriation. ((\$10,895,000)) \$10,305,000
Nondebt-Limit Reimbursable Bond Retirement Account—State Appropriation. . . . . ((\$28,606,000)) \$28,262,000
Toll Facility Bond Retirement Account—State Appropriation. . . . . \$76,372,000
TOTAL APPROPRIATION... ((\$1,604,754,000)) \$1,599,969,000

Sec. 402. 2023 c 472 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account—State Appropriation. . . . . ((\$220,000)) \$46,000
((Transportation Improvement Account—State Appropriation. . . . . \$20,000))
Connecting Washington Account—State Appropriation. . . . . ((\$2,391,000)) \$1,017,000
Special Category C Account—State Appropriation. . . . . ((\$183,000)) \$95,000
TOTAL APPROPRIATION..... ((\$2,814,000)) \$1,158,000

Sec. 403. 2023 c 472 s 403 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax statutory distributions to cities and counties. . . . . ((\$465,354,000)) \$461,954,000

Multimodal Transportation Account—State Appropriation: For distribution to cities and counties. . . . . \$26,786,000
Motor Vehicle Account—State Appropriation: For distribution to cities and counties. \$23,438,000
TOTAL APPROPRIATION.... ((\$515,578,000)) \$512,178,000

Sec. 404. 2023 c 472 s 404 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS
Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and statutory transfers. . . . . ((\$1,969,182,000)) \$1,955,782,000

Sec. 405. 2023 c 472 s 405 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—TRANSFERS
Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and transfers. ((\$246,480,000)) \$253,180,000

Sec. 406. 2023 c 472 s 406 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS
(1) ((a) Pilotage Account—State Appropriation: For transfer to the Multimodal Transportation Account—State. . . . . \$200,000
(b) The amount transferred in this subsection represents partial repayment of prior biennium transfers to cover self-insurance liability premiums.
(2)) Transportation Partnership Account—State Appropriation: For transfer to the Motor Vehicle Account—State. . . . . \$175,000,000
((3)) (2) Connecting Washington Account—State Appropriation: For transfer to the Move Ahead WA Account—State. . . . . \$200,000,000
((4)) (3) Electric Vehicle Account—State appropriation: For transfer to the Move Ahead WA Flexible Account—State. . . . . \$29,200,000
((5)) (4) Electric Vehicle Account—State Appropriation: For transfer to the Multimodal Transportation Account—State ((\$23,330,000)) \$32,730,000
((6)) (5) Washington State Aviation Account—State Appropriation: For transfer to the Aeronautics Account—State. . . . . \$150,000
((7)) (6) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Climate Active Transportation Account—State. . \$178,885,000

~~((8))~~ (7) Carbon Emissions Reduction Account—State  
 Appropriation: For transfer to the Climate Transit Programs Account—State. . . . \$408,000,000  
~~((9))~~ (8) Carbon Emissions Reduction Account—State  
 Appropriation: For transfer to the Puget Sound Ferry Operations Account—State. . . . \$4,200,000  
~~((10))~~ (9) Move Ahead WA Flexible Account—State  
 Appropriation: For transfer to the Move Ahead WA Account—State. . . . \$100,000,000  
~~((11))~~ (10) Alaskan Way Viaduct Replacement Project Account—State Appropriation: For transfer to the Motor Vehicle Account—State. . . \$25,000,000  
~~((12))~~ (11) Highway Safety Account—State  
 Appropriation: For transfer to the State Patrol Highway Account—State. . . . ~~(\$77,000,000)~~ \$84,000,000  
~~((13))~~ (12) (a) Transportation Partnership Account—State Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account—State. . \$6,611,000  
 (b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the impact of toll increases. An equivalent reimbursing transfer is to occur after the debt service and deferred sales tax on the Tacoma Narrows bridge construction costs are fully repaid in accordance with chapter 195, Laws of 2018.  
~~((14))~~ (13) Motor Vehicle Account—State Appropriation: For transfer to the State Patrol Highway Account—State. . . . \$1,500,000  
~~((15))~~ (14) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State. . . . \$4,844,000  
~~((16))~~ (15) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State. . . . \$8,511,000  
~~((17))~~ (16) Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State. . . . \$4,844,000  
~~((18))~~ (17) Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State. . . . \$9,688,000  
~~((19))~~ (18) (a) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the Motor Vehicle Account—State. . . . \$1,000,000  
 (b) The transfer in this subsection is to repay moneys loaned to the state route number 520 civil penalties account in the 2019-2021 fiscal biennium.  
~~((20))~~ (19) State Route Number 520 Civil Penalties

Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State. . . . \$560,000  
~~((21))~~ (20) (a) Capital Vessel Replacement Account—State Appropriation: For transfer to the Connecting Washington Account—State. . . . \$29,000,000  
 (b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the use of bonding in the connecting Washington account.  
~~((22))~~ (21) Multimodal Transportation Account—State Appropriation: For transfer to the Complete Streets Grant Program Account—State. . . \$14,670,000  
~~((23))~~ (22) Multimodal Transportation Account—State Appropriation: For transfer to the Highway Safety Account—State. . . . \$3,000,000  
~~((24))~~ (23) Multimodal Transportation Account—State Appropriation: For transfer to the Motor Vehicle Account—State. . . . \$15,000,000  
~~((25))~~ (24) Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State. . . . \$8,511,000  
~~((26))~~ (25) Multimodal Transportation Account—State Appropriation: For transfer to the Move Ahead WA Flexible Account—State. . . . \$11,790,000  
~~((27))~~ (26) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State. . . \$175,000,000  
~~((28))~~ (27) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State. . . . ~~(\$38,500,000)~~ \$90,500,000  
~~((29))~~ (28) Multimodal Transportation Account—State Appropriation: For transfer to the Regional Mobility Grant Program Account—State. . . \$27,679,000  
~~((30))~~ (29) Multimodal Transportation Account—State Appropriation: For transfer to the Rural Mobility Grant Program Account—State. . . \$12,223,000  
~~((31))~~ (30) Multimodal Transportation Account—State Appropriation: For transfer to the State Patrol Highway Account—State. . . . \$59,000,000  
~~((32))~~ (31) (a) Alaskan Way Viaduct Replacement Project Account—State Appropriation: For transfer to the Transportation Partnership Account—State . . . . \$47,899,000  
 (b) \$22,899,000 of the amount transferred in this subsection represents repayment of

debt service incurred for the construction of the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

~~((33))~~ (32) Tacoma Narrows Toll Bridge Account—State  
Appropriation: For transfer to the Motor Vehicle

Account—State. . . . . \$543,000  
~~((34))~~ (33) (a) General Fund Account—State

Appropriation: For transfer to the State Patrol Highway  
Account—State. . . . . \$625,000

(b) The state treasurer shall transfer the funds only after receiving notification from the Washington state patrol under section 207 (~~of this act~~), chapter 472, Laws of 2023.

~~((35))~~ (34) Puget Sound Ferry Operations Account—State  
Appropriation: For transfer to the Puget Sound Capital

Construction Account—State. . . \$121,828,000  
~~((36))~~ (35) Move Ahead WA Account—State

Appropriation: For transfer to the Puget Sound Ferry  
Operations Account—State. . . . \$120,000,000

(36) Advance Right-Of-Way Revolving Fund—State  
Appropriation: For transfer to the JUDY Transportation

Future Funding Program Account—State. . . . \$40,000,000

(37) Transportation Infrastructure Account—State  
Appropriation: For transfer to the Essential Rail

Assistance Account—State. . . . . \$1,000,000  
(38) Regional Mobility Grant Program Account—State

Appropriation: For transfer to the Multimodal Transportation Account—State. . . . \$6,098,000

(39) Move Ahead WA Account—State Appropriation: For transfer to the Motor Vehicle Account—State. . . . . \$50,000,000

**Sec. 407.** 2023 c 472 s 407 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

Toll Facility Bond Retirement Account—Federal  
Appropriation. . . . . (~~(\$194,241,000)~~)  
\$192,490,000

Toll Facility Bond Retirement Account—State  
Appropriation. . . . . (~~(\$25,372,000)~~)  
\$26,562,000

TOTAL APPROPRIATION. . . . . (~~(\$219,613,000)~~)  
\$219,052,000

The appropriations in this section are subject to the following conditions and limitations: \$35,250,000 of the toll facility bond retirement account—federal appropriation may be used to prepay certain outstanding bonds if sufficient debt service savings can be obtained.

(End of part)

**IMPLEMENTING PROVISIONS**

**Sec. 501.** 2023 c 472 s 601 (uncodified) is amended to read as follows:  
**MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN SESSION**

(1) The 2005 transportation partnership projects or improvements (~~and~~), 2015 connecting Washington projects or improvements, and move ahead WA projects or improvements are listed in the LEAP Transportation Document (~~(2023-1)~~) 2024-1 as developed (~~(April 21, 2023)~~) March 6, 2024, which consists of a list of specific projects by fund source and amount over multiple biennia. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a 16-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account (~~and~~), connecting Washington account, and move ahead WA account projects on the LEAP transportation document referenced in this subsection. For the 2023-2025 project appropriations, unless otherwise provided in this act, the director of the office of financial management may provide written authorization for a transfer of appropriation authority between projects funded with transportation partnership account appropriations (~~of~~), connecting Washington account appropriations, or move ahead WA account appropriations to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

(a) Transfers may only be made within each specific fund source referenced on the respective project list;

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(c) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;

(d) Transfers may not occur for projects not identified on the applicable project list;

(e) Transfers to a project may not occur if that project is a programmatic funding item described in broad general terms on the applicable project list without referencing a specific state route number;

(f) Transfers may not be made while the legislature is in session;

(g) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;

(h) (~~Except for transfers made under (l) of this subsection, transfers may only be made in fiscal year 2024;~~)

~~(i)~~ The total amount of transfers under this section may not exceed \$50,000,000;

~~((j))~~ (i) Except as otherwise provided in ~~((k))~~ (k) of this subsection, transfers made to a single project may not cumulatively total more than \$20,000,000 per fiscal biennium;



~~((\*)~~) (j) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature; and

~~((1))~~ (k) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection ~~((1))~~ (1) ~~(k)~~, provided that the transfer amount to a single project does not exceed \$250,000 or 10 percent of the total project per fiscal biennium, whichever is less. These transfers must be reported quarterly to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers under this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the chairs and ranking members of the transportation committees of the legislature.

(4) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner and address any concerns raised by the chairs and ranking members of the transportation committees.

(5) No fewer than 10 days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the department of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

**Sec. 502.** 2023 c 472 s 606 (uncodified) is amended to read as follows:  
**TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING**

By November 15th of each year, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024, in a manner consistent with past practices as specified in section 602, chapter 186, Laws of 2022.

**Sec. 503.** 2023 c 472 s 609 (uncodified) is amended to read as follows:

**LOCAL PARTNER COOPERATIVE AGREEMENTS**

(1) If a transportation project, where the Washington state department of transportation is the lead and the project is scheduled to be delivered or completed in the 2023-2025 fiscal biennium as shown on the LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024, is in jeopardy of being delayed because the department is unable to deliver or complete the project within the 2023-2025 fiscal biennium and other local jurisdictions are able to deliver or complete the work, the department must coordinate with the appropriate local jurisdictions to determine if a potential local partner is ready, willing, and able to execute delivery and completion of the project within the 2023-2025 fiscal biennium.

(2) The department must compile a list of projects under this section, including the timing under which the local partner agency can deliver or complete the projects within the 2023-2025 and 2025-2027 fiscal biennia. The department must submit the compiled list of projects to the governor and the transportation committees of the legislature by November 1, 2023.

(End of part)

**MISCELLANEOUS 2023-2025 FISCAL BIENNIUM**

**Sec. 601.** RCW 14.40.020 and 2023 c 463 s 4 are each amended to read as follows:

The state commercial aviation work group shall submit a progress report to the governor and the transportation committees of the legislature by ~~((July))~~ December 1, 2024, and annually every July 1st thereafter. The first report of the work group shall include a list of areas that will not have further review as the areas are in conflict with the operations of a military installation.

**Sec. 602.** RCW 46.18.060 and 2017 3rd sp.s. c 25 s 40 are each amended to read as follows:

(1) The department must review and either approve or reject special license plate applications submitted by sponsoring organizations. Between the effective date of this section and until June 30, 2025, the department may not approve special license plate applications.

(2) Duties of the department include, but are not limited to, the following:

(a) Review and approve the annual financial reports submitted by sponsoring organizations with active special license plate series and present those annual financial reports to the joint transportation committee;

(b) Report annually to the joint transportation committee on the special license plate applications that were considered by the department;

(c) Issue approval and rejection notification letters to sponsoring organizations, the executive committee of

the joint transportation committee, and the legislative sponsors identified in each application. The letters must be issued within seven days of making a determination on the status of an application; and

(d) Review annually the number of plates sold for each special license plate series created after January 1, 2003. The department may submit a recommendation to discontinue a special plate series to the executive committee of the joint transportation committee.

**Sec. 603.** RCW 46.68.300 and 2023 c 472 s 708 and 2023 c 167 s 8 are each reenacted and amended to read as follows:

The freight mobility investment account is hereby created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for freight mobility projects that have been ~~((approved))~~ recommended by the freight mobility strategic investment board in RCW 47.06A.020 and may include any principal and interest on bonds authorized for the projects or improvements. During the ~~((2019-2021 and))~~ 2021-2023 and 2023-2025 fiscal biennia, the expenditures from the account may also be used for the administrative expenses of the freight mobility strategic investment board.

**Sec. 604.** RCW 46.68.320 and 2010 c 247 s 702 are each amended to read as follows:

(1) The regional mobility grant program account is hereby created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.030.

(2) Beginning with September 2007, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the regional mobility grant program account ~~((five million dollars))~~ \$5,000,000.

(3) Beginning with September 2015, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the regional mobility grant program account ~~((six million two hundred fifty thousand dollars))~~ \$6,250,000.

(4) During the ~~((2009-2011))~~ 2023-2025 fiscal biennium, the legislature may ~~((transfer from the regional mobility grant program account to the multimodal transportation account such amounts as reflect the excess fund balance of the regional mobility grant program account))~~ direct the state treasurer to make transfers of moneys from the regional mobility grant program account to the multimodal transportation account.

**Sec. 605.** RCW 46.68.510 and 2022 c 182 s 401 are each amended to read as follows:

The move ahead WA account is created in the motor vehicle fund. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or

improvements identified as move ahead WA projects or improvements in an omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements. During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys from the move ahead WA account to the motor vehicle fund.

**Sec. 606.** RCW 47.12.244 and 2013 c 306 s 714 are each amended to read as follows:

There is created the "advance right-of-way revolving fund" in the custody of the treasurer, into which the department is authorized to deposit directly and expend without appropriation:

(1) An initial deposit of ~~((ten million dollars))~~ \$10,000,000 from the motor vehicle fund included in the department of transportation's 1991-93 budget;

(2) All moneys received by the department as rental income from real properties that are not subject to federal aid reimbursement, except moneys received from rental of capital facilities properties as defined in chapter 47.13 RCW; and

(3) Any federal moneys available for acquisition of right-of-way for future construction under the provisions of section 108 of Title 23, United States Code.

During the ~~((2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the advance right-of-way revolving fund to the motor vehicle account [fund] amounts as reflect the excess fund balance of the advance right-of-way revolving fund))~~ 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys from the advance right-of-way revolving fund to the JUDY transportation future funding program account.

**Sec. 607.** RCW 47.68.090 and 2017 c 48 s 2 are each amended to read as follows:

(1) The department of transportation may make available its engineering and other technical services, with or without charge, to any municipality or person desiring them in connection with the planning, acquisition, construction, improvement, maintenance, or operation of airports or air navigation facilities.

(2)(a) The department may render financial assistance by grant or loan, or both, to the following entities out of appropriations made by the legislature for the following purposes:

(i) Any municipality or municipalities acting jointly in the planning, acquisition, construction, improvement, maintenance, or operation of an airport owned or controlled, or to be owned or controlled by such municipality or municipalities;

(ii) Any Indian tribe recognized as such by the federal government or such tribes acting jointly in the planning, acquisition, construction, improvement, maintenance, or operation of an airport, owned or controlled, or to be owned or controlled by such tribe or tribes, and to be held available for the general use of the public; or

(iii) Any person or persons acting jointly in the planning, acquisition, construction, improvement, maintenance, or operation of an airport, owned or controlled, or to be owned or controlled by such person or persons, and to be held available for the general use of the public.

(b) Such financial assistance may be furnished in connection with federal or other financial aid for the same purposes: PROVIDED, That no grant or loan, or both, shall be in excess of ~~((seven hundred fifty thousand dollars))~~ \$750,000 for any one project: PROVIDED FURTHER, That no grant or loan, or both, shall be granted unless the municipality or municipalities acting jointly, the tribe or tribes acting jointly, or the person or persons acting jointly shall from their own funds match any funds made available by the department upon such ratio as the department may prescribe.

(c) The requirements of (b) of this subsection do not apply for projects when directed to do so by the legislature during the 2023-2025 fiscal biennium in an omnibus transportation appropriations act.

(d) The department must establish, by rule, criteria for administering financial assistance to any entity.

(3) The department is authorized to act as agent of any municipality or municipalities acting jointly, any tribe or tribes acting jointly, or any person or persons acting jointly upon the request of such municipality or municipalities, tribe or tribes, or person or persons in accepting, receiving, receipting for, and disbursing federal moneys, and other moneys public or private, made available to finance, in whole or in part, the planning, acquisition, construction, improvement, maintenance, or operation of an airport or air navigation facility; and if requested by such municipality or municipalities, tribe or tribes, or person or persons, may act as its or their agent in contracting for and supervising such planning, acquisition, construction, improvement, maintenance, or operation; and all municipalities, tribes, and persons are authorized to designate the department as their agent for the foregoing purposes. The department, as principal on behalf of the state, and any municipality on its own behalf, may enter into any contracts, with each other or with the United States or with any person, which may be required in connection with a grant or loan of federal moneys for airport or air navigation facility purposes. All federal moneys accepted under this section shall be accepted and transferred or expended by the department upon such terms and conditions as are prescribed by the United States. All moneys received by the department pursuant to this section shall be deposited in the state treasury, and, unless otherwise prescribed by the authority from which such moneys were received, shall be kept in separate funds designated according to the purposes for which the moneys were made available, and held by the state in trust for such purposes. All such moneys are hereby appropriated for the purposes for which the same were made available, to be disbursed or expended in accordance with the terms and conditions upon which they were

made available: PROVIDED, That any landing fee or charge imposed by any Indian tribe or tribes for the privilege of use of an airport facility planned, acquired, constructed, improved, maintained, or operated with financial assistance from the department pursuant to this section must apply equally to tribal and nontribal members: PROVIDED FURTHER, That in the event any municipality or municipalities, Indian tribe or tribes, or person or persons, or any distributor of aircraft fuel as defined by RCW 82.42.010 which operates in any airport facility which has received financial assistance pursuant to this section, fails to collect the aircraft fuel excise tax as specified in chapter 82.42 RCW, all funds or value of technical assistance given or paid to such municipality or municipalities, Indian tribe or tribes, or person or persons under the provisions of this section shall revert to the department, and shall be due and payable to the department immediately.

**Sec. 608.** RCW 82.70.020 and 2015 3rd sp.s. c 44 s 413 are each amended to read as follows:

(1) Employers in this state who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to their own or other employees for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before January 1, ~~((2024))~~ 2025, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of employees for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed ~~((sixty dollars))~~ \$60 per employee per fiscal year.

(2) Property managers who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to persons employed at a worksite in this state managed by the property manager for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before January 1, 2024, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of these persons for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed ~~((sixty dollars))~~ \$60 per person per fiscal year.

(3) The credit under this section is equal to the amount paid to or on behalf of each employee multiplied by ~~((fifty))~~ 50 percent, but may not exceed ~~((sixty dollars))~~ \$60 per employee per fiscal year. No refunds may be granted for credits under this section.

(4) A person may not receive credit under this section for amounts paid to or on behalf of the same employee under both chapters 82.04 and 82.16 RCW.

(5) A person may not take a credit under this section for amounts claimed for credit by other persons.

**Sec. 609.** RCW 82.70.040 and 2022 c 182 s 311 are each amended to read as follows:

(1)(a) The department must keep a running total of all credits allowed under RCW 82.70.020 during each fiscal year. The department may not allow any credits that would cause the total amount allowed to exceed \$2,750,000 in any fiscal year.

(b) If the total amount of credit applied for by all applicants in any year exceeds the limit in this subsection, the department must ratably reduce the amount of credit allowed for all applicants so that the limit in this subsection is not exceeded. If a credit is reduced under this subsection, the amount of the reduction may not be carried forward and claimed in subsequent fiscal years.

(2)(a) Tax credits under RCW 82.70.020 may not be claimed in excess of the amount of tax otherwise due under chapter 82.04 or 82.16 RCW.

(b) Through June 30, 2005, a person with taxes equal to or in excess of the credit under RCW 82.70.020, and therefore not subject to the limitation in (a) of this subsection, may elect to defer tax credits for a period of not more than three years after the year in which the credits accrue. For credits approved by the department through June 30, 2015, the approved credit may be carried forward and used for tax reporting periods through December 31, 2016. Credits approved after June 30, 2015, must be used for tax reporting periods within the calendar year for which they are approved by the department and may not be carried forward to subsequent tax reporting periods. Credits carried forward as authorized by this subsection are subject to the limitation in subsection (1)(a) of this section for the fiscal year for which the credits were originally approved.

(3) No person may be approved for tax credits under RCW 82.70.020 in excess of \$100,000 in any fiscal year. This limitation does not apply to credits carried forward from prior years under subsection (2)(b) of this section.

(4) No person may claim tax credits after June 30, ~~((2024))~~ 2025.

**Sec. 610.** RCW 82.70.900 and 2023 c 374 s 18 are each amended to read as follows:

This chapter expires July 1, ~~((2024))~~ 2025.

**Sec. 611.** 2022 c 182 s 503 (uncodified) is amended to read as follows:  
~~((Sections 311 and))~~ Section 403 of this act ~~((expire))~~ expires July 1, 2024.

**Sec. 612.** 2023 c 445 s 1 (uncodified) is amended to read as follows:

The department of licensing shall develop a comprehensive implementation plan for the expansion of the current driver training education requirement to obtain a driver's license to persons between the ages of 18 and 24. The target date for implementation of the new driver training education expansion is July 1, 2026. The driver training education expansion plan must be provided to the transportation committees of

the legislature by ~~((October))~~ December 1, 2024, and must include, but need not be limited to, the following:

(1)(a) Consideration of courses that could satisfy the new driver training education requirement, including a condensed course option and a self-paced, online course option, with attention to the educational value, monetary and time costs required, and possible accessibility constraints for each course option considered; and

(b) Within the work specified in (a) of this subsection, an analysis of a mandatory driver's education refresher course requirement consisting of in-person or virtual classroom-based instruction on risk management and hazard protections one year after licensure, including the course appropriateness for intermediate license holders;

(2) An assessment of public and private resources necessary to support the new driver training education requirement to ensure sufficient course availability and accessibility, including opportunities for the department of licensing to provide driver training education directly or to facilitate partnerships with schools, community organizations, or driver training providers, to close availability and accessibility gaps in rural and underserved areas. The assessment must include, but need not be limited to, an inventory of the current number, and an estimate of the increased number required to meet the anticipated need, of the following:

(a) Licensed driver training schools and traffic safety education programs in the state, by geographical region;

(b) Licensed driver training school and traffic safety education instructors;

(c) Licensed driver trainer instructors; and

(d) Driver training education course spaces available per year, by course option and for both classroom and behind-the-wheel instruction;

(3) In consultation with the office of equity, evaluation of access to driver training education courses and consideration of opportunities to improve access to driver training education for young drivers. The assessment must address, but should not be limited to, potential obstacles for young drivers for whom the cost of driver training education may pose a hardship, obstacles related to accessibility for young drivers who reside in rural areas, and obstacles for young drivers whose primary language is not English. The assessment must also include strategies that can be used to mitigate these potential obstacles, including possible exceptions to, or substitutions for, a driver training education requirement in cases where access-related obstacles cannot be overcome, such as when a behind-the-wheel driver training program may not be available within a reasonable distance of a person's residence;

(4) A plan for broad and accessible public outreach and education to communicate to Washington state residents new driver training education requirements, including a plan for the development of tools to assist residents in accessing driver training

education courses that meet the new requirements;

(5) Collaboration with educational service districts to determine the extent to which educational service districts can facilitate the coordination between school districts or secondary schools of a school district and driver training schools to increase access to driver training education courses by students who reside within the boundaries of an applicable school district;

(6) An examination of opportunities to address the financial need of persons for whom the cost of driver training education courses licensed by the department of licensing may pose a hardship, through a voucher or other financial assistance program. The examination must include quantified estimates of the extent to which the cost of driver training education could pose a significant obstacle, as well as possible approaches to help reduce or eliminate this obstacle;

(7) An examination, in consultation with the office of the superintendent of public instruction, of opportunities to address the financial need of students for whom the cost of driver training education offered as part of a traffic safety education program may pose a hardship, through a grant or other financial assistance program. The examination must include quantified estimates of the extent to which the cost of driver training education could pose a significant obstacle, as well as possible approaches to help reduce or eliminate this obstacle; and

(8) An assessment of approaches used by other states that require driver training by persons age 18 and older, including examination of how this has impacted traffic safety in the state and the extent to which the requirement may have decreased access to driver's licenses, including through examination of the rate of driver's license holders by age and other demographic characteristics compared to that of neighboring, or otherwise similarly situated, states.

**Sec. 613.** 2023 c 472 s 701 (uncodified) is amended to read as follows:

**INFORMATION TECHNOLOGY OVERSIGHT**

The following transportation projects are subject to the conditions, limitations, and review provided in section 701(2) through (12), chapter 475, Laws of 2023 (omnibus operating appropriations act):

~~((2))~~ (1) For the department of licensing: Website accessibility and usability, and to upgrade and improve prorate and fuel tax system; and

~~((3))~~ (2) For the department of transportation: Linear referencing system (LRS) and highway performance monitoring system (HPMS) replacement, and transportation reporting and accounting information system (TRAINS) upgrade and PROPEL - WSDOT support of one Washington (~~and capital systems replacement~~).

NEW SECTION. **Sec. 614.** A new section is added to 2023 c 472 (uncodified) to read as follows:

(1) The transportation carbon emissions reduction account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account are intended to effect reductions in transportation sector carbon emissions through a variety of carbon reducing investments. Such investments may include, but are not limited to: Transportation alternatives to single occupancy passenger vehicles; reductions in single occupancy passenger vehicle miles traveled; reductions in per mile emissions in vehicles, including through the funding of alternative fuel infrastructure and incentive programs; and emission reduction programs for freight transportation, including motor vehicles and rail, as well as for ferries and other maritime and port activities. Expenditures from the account may be made only for transportation carbon emission reducing purposes and may not be made for highway purposes authorized under the 18th Amendment of the Washington state Constitution, other than as specified in this section, and must be made in accordance with subsection (2) of this section. It is the legislature's intent that expenditures from the account used to reduce carbon emissions be made with the goal of achieving equity for communities that historically have been omitted or adversely impacted by past transportation policies and practices.

(2) Appropriations in an omnibus transportation appropriations act from the transportation carbon emissions reduction account must be made exclusively to fund the following activities:

- (a) Active transportation;
- (b) Transit programs and projects;
- (c) Alternative fuel and electrification;
- (d) Ferries; and
- (e) Rail.

(3) Unless otherwise specified in this act, appropriations in chapter 472, Laws of 2023 (2023-2025 biennial transportation appropriations act), and chapter . . . , Laws of 2024 (this act), which are appropriated from the carbon emissions reduction account in amounts provided beginning before January 1, 2025, shall be paid from the transportation carbon emissions reduction account as if they were appropriated from that account, beginning on the effective date of Initiative Measure No. 2117.

(4) Any residual balance of funds remaining in the carbon emissions reduction account on or after the effective date of Initiative Measure No. 2117 must be transferred by the state treasurer to the transportation carbon emissions reduction account.

(5) Any amounts provided from the carbon emissions reduction account in chapter . . . , Laws of 2024 (this act) and which are specified to begin January 1, 2025, must lapse.

(6) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section has no force and effect.

(7) This section expires July 1, 2025.

NEW SECTION. **Sec. 615.** (1) This section is the tax preference performance statement for section 608, chapter . . . ,

Laws of 2024 (section 608 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for the preferential tax treatment.

(2) The tax preference performance statement in section 413, chapter 44, Laws of 2015 3rd sp. sess. applies to the expansion of the tax preference in section 608 of this act.

**NEW SECTION. Sec. 616.** A new section is added to 2023 c 472 (uncodified) to read as follows:

Appropriations in this act from the natural climate solutions account, carbon emissions reduction account, climate transit programs account, and climate active transportation account are subject to the requirements of RCW 70A.65.030.

(End of part)

#### MISCELLANEOUS

**NEW SECTION. Sec. 701.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 702.** Except for section 602 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

**NEW SECTION. Sec. 703.** Section 602 of this act takes effect only if chapter . . . (Substitute House Bill No. 2489), Laws of 2024 (new special license plates) is enacted by June 30, 2024."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "amending RCW 14.40.020, 46.18.060, 46.68.320, 46.68.510, 47.12.244, 47.68.090, 82.70.020, 82.70.040, and 82.70.900; amending 2023 c 472 ss 101, 105, 108, 109, 111, 114, 110, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 301, 302, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 601, 606, 609, and 701 (uncodified); amending 2022 c 182 s 503 (uncodified); amending 2023 c 445 s 1 (uncodified); reenacting and amending RCW 46.68.300; adding new sections to 2023 c 472 (uncodified); creating a new section; making appropriations and authorizing expenditures for capital improvements; providing a contingent effective date; providing expiration dates; and declaring an emergency."

and that the bill do pass as recommended by the Conference Committee:

Senators King, Lias, Shewmake  
Representatives Barkis, Fey, Paul

There being no objection, the House adopted the conference committee report on ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134 and advanced the bill as recommended by the conference committee to final passage.

#### FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

Representatives Fey and Barkis spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2134, as recommended by conference committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2134, as recommended by the conference committee, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hale, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134, as recommended by the conference committee, having received the necessary constitutional majority, was declared passed.

#### POINT OF PERSONAL PRIVILEGE

Representative Fey thanked his colleagues on the Transportation Committee, the caucus staff, Office of Program Research staff and all staff who assist in developing the Transportation Budget.

The Speaker assumed the chair.

#### THIRD READING

#### MESSAGE FROM THE SENATE

Thursday, March 7, 2024

Mme. Speaker:

The Senate refuses to concur in the House amendment(s) to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194 and asks the House to recede therefrom.

and the same is herewith transmitted.

Sarah Bannister, Secretary

#### HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194.

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194 was returned to second reading for the purpose of amendment.

### MOTION

Representative Fitzgibbon moved the adoption of the striking amendment (1268):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 44.90.020 and 2022 c 283 s 3 are each amended to read as follows:

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

(1) "Collective bargaining" means the performance of the mutual obligations of the employer and the exclusive bargaining representative to meet at reasonable times, except that neither party may be compelled to negotiate during a legislative session or on committee assembly days, to confer and negotiate in good faith, and to execute a written agreement with respect to the subjects of bargaining specified under RCW 44.90.090. The obligation to bargain does not compel either party to agree to a proposal or to make a concession unless otherwise provided in this chapter.

(2) "Commission" means the legislative commission created in section 17 of this act at the public employment relations commission, until the legislative commission expires on December 31, 2027. After December 31, 2027, "commission" means the public employment relations commission created under RCW 41.58.010(1).

~~((2-))~~(3) "Confidential employee" means an employee designated by the employer: (a) To assist in a confidential capacity, or serve as counsel to, persons who formulate, determine, and effectuate employer policies with regard to labor relations and personnel matters; or (b) who as part of the employee's job duties has authorized access to information that contributes to the development of, or relates to the effectuation or review of, the employer's collective bargaining policies, strategies, or process; or (c) who assists or aids an employee with managerial authority.

(4) "Director" means the director of the office of state legislative labor relations.

~~((3-))~~(5) (a) "Employee" means:

(i) Any regular partisan employee of the house of representatives or the senate who is covered by this chapter; and

(ii) Any regular employee who is staff of the:

(A) Office of legislative support services;

(B) Legislative service center;

(C) Office of the code reviser who, during any legislative session, does not work full time on drafting and finalizing legislative bills to be included in the Revised Code of Washington; and

(D) House of representatives and senate administrations.

(b) "Employee" also includes temporary staff hired to perform substantially similar

work to that performed by employees included under (a) of this subsection.

(c) All other regular employees and temporary employees, including casual employees, interns, and pages, and employees in the office of program research and senate committee services work groups of the house of representatives and the senate are excluded from the definition of "employee" for the purposes of this chapter.

(6) "Employee organization" means any organization, union, or association in which employees participate and that exists for the purpose, in whole or in part, of collective bargaining with employers.

~~((4-))~~(7) "Employee with managerial authority" means any employee designated by the employer who, regardless of job title: (a) Directs the staff who work for a legislative chamber, caucus, agency, or subdivision thereof; (b) has substantial responsibility in personnel administration, or the preparation and administration of the employer's budgets; and (c) exercises authority that is not merely routine or clerical in nature and requires the use of independent judgment.

(8) "Employer" means:

(a) The chief clerk of the house of representatives, or the chief clerk's designee, for employees of the house of representatives;

(b) The secretary of the senate, or the secretary's designee, for employees of the senate; and

(c) The chief clerk of the house of representatives and the secretary of the senate, acting jointly, or their designees, for the regular employees who are staff of the office of legislative support services, the legislative service center, and the office of the code reviser.

(9) "Exclusive bargaining representative" means any employee organization that has been certified under this chapter as the representative of the employees in an appropriate bargaining unit.

~~((5-))~~(10) "Labor dispute" means any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment with respect to the subjects of bargaining provided in this chapter, regardless of whether the disputants stand in the proximate relation of employer and employee.

(11) "Legislative agencies" means the joint legislative audit and review committee, the statute law committee, the legislative ethics board, the legislative evaluation and accountability program committee, the office of the state actuary, the legislative service center, the office of legislative support services, the joint transportation committee, and the redistricting commission.

~~((6-))~~(12) "Office" means the office of state legislative labor relations.

(13) "Supervisor" means an employee designated by the employer to provide supervision to legislative employees as part of the employee's regular and usual job duties. Supervision includes directing employees, approving and denying leave, and

participating in decisions to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, or to adjust employee grievances, when the exercise of the authority is not of a merely routine nature but requires the exercise of individual judgment, regardless of whether such duties are the employee's primary duties and regardless of whether the employee spends a preponderance of the employee's time exercising such duties. However, "supervisor" does not include a legislative assistant to a legislator of the senate or house of representatives.

**NEW SECTION. Sec. 2.** A new section is added to chapter 44.90 RCW to read as follows:

(1) This chapter does not apply to any legislative employee who has managerial authority, is a confidential employee, or who does not meet the definition of employee for the purpose of collective bargaining.

(2) This chapter also does not apply to:

(a) Elected or appointed members of the legislature;

(b) Any person appointed to office under statute, ordinance, or resolution for a specific term of office as a member of a multimember board, commission, or committee;

(c) The deputy secretary of the senate and the deputy chief clerk of the house of representatives;

(d) The senate human resources officer, the human resources director of the house of representatives, and the human resources officers or directors of the legislative support services, legislative service center, and office of the code reviser;

(e) The senate director of accounting and the director of accounting for the house of representatives, and the directors of accounting for the legislative support services, legislative service center, and office of the code reviser;

(f) Caucus chiefs of staff and caucus deputy chiefs of staff;

(g) The speaker's attorney, house counsel, and leadership counsel to the minority caucus of the house of representatives;

(h) The counsels for the senate that provide direct legal advice to the administration of the senate; and

(i) Any employee who provides direct administrative support to the office of the secretary of the senate or chief clerk of the house of representatives, or who conducts accounting, payroll, labor management, collective bargaining, or human resources activities.

**Sec. 3.** RCW 44.90.030 and 2022 c 283 s 2 are each amended to read as follows:

(1) The office of state legislative labor relations is created to assist the house of representatives, the senate, and legislative agencies in implementing and managing the process of collective bargaining for employees of the legislative branch of state government.

(2)(a) Subject to (b) of this subsection, the secretary of the senate and the chief clerk of the house of representatives shall employ a director of the office. The

director serves at the pleasure of the secretary of the senate and the chief clerk of the house of representatives, who shall fix the director's salary.

(b) The secretary of the senate and the chief clerk of the house of representatives shall, before employing a director, consult with legislative employees, the senate facilities and operations committee, the house executive rules committee, and the human resources officers of the house of representatives, the senate, and legislative agencies.

(c) The director serves as the executive and administrative head of the office and may employ additional employees to assist in carrying out the duties of the office. The duties of the office include, but are not limited to, establishing bargaining teams and conducting negotiations on behalf of the employer.

~~((d) The director shall contract with an external consultant for the purposes of gathering input from legislative employees, taking into consideration RCW 42.52.020 and rules of the house of representatives and the senate. The gathering of input must be in the form of, at a minimum, surveys.~~

~~(3) The director, in consultation with the secretary of the senate, the chief clerk of the house of representatives, and the administrative heads of legislative agencies shall:~~

~~(a) Examine issues related to collective bargaining for employees of the house of representatives, the senate, and legislative agencies; and~~

~~(b) After consultation with the external consultant, develop best practices and options for the legislature to consider in implementing and administering collective bargaining for employees of the house of representatives, the senate, and legislative agencies.~~

~~(4)(a) By December 1, 2022, the director shall submit a preliminary report to the appropriate committees of the legislature that provides a progress report on the director's considerations.~~

~~(b) By October 1, 2023, the director shall submit a final report to the appropriate committees of the legislature. At a minimum, the final report must address considerations on the following issues:~~

~~(i) Which employees of the house of representatives, the senate, and legislative agencies for whom collective bargaining may be appropriate;~~

~~(ii) Mandatory, permissive, and prohibited subjects of bargaining;~~

~~(iii) Who would negotiate on behalf of the house of representatives, the senate, and legislative agencies, and which entity or entities would be considered the employer for purposes of bargaining;~~

~~(iv) Definitions for relevant terms;~~

~~(v) Common public employee collective bargaining agreement frameworks related to grievance procedures and processes for disciplinary actions;~~

~~(vi) Procedures related to the commission certifying exclusive bargaining representatives, determining bargaining units, adjudicating unfair labor practices, determining representation questions, and coalition bargaining;~~



~~(vii) The efficiency and feasibility of coalition bargaining;~~

~~(viii) Procedures for approving negotiated collective bargaining agreements;~~

~~(ix) Procedures for submitting requests for funding to the appropriate legislative committees if appropriations are necessary to implement provisions of the collective bargaining agreements; and~~

~~(x) Approaches taken by other state legislatures that have authorized collective bargaining for legislative employees.~~

~~(5) The report must include a summary of any statutory changes needed to address the considerations listed in subsection (4) of this section related to the collective bargaining process for legislative employees.)~~

**NEW SECTION. Sec. 4.** A new section is added to chapter 44.90 RCW to read as follows:

(1) As provided by this chapter, the commission or the court shall determine all questions described by this chapter as under the commission's authority. However, such authority may not result in an order or rule that intrudes upon or interferes with the legislature's core function of efficient and effective law making or the essential operation of the legislature, including that an order or rule may not:

(a) Modify any matter relating to the qualifications and elections of members of the legislature, or the holding of office of members of the legislature;

(b) Modify any matter relating to the legislature or each house thereof choosing its officers, adopting rules for its proceedings, selecting committees necessary for the conduct of business, considering or enacting legislation, or otherwise exercising the legislative power of this state;

(c) Modify any matter relating to legislative calendars, schedules, and deadlines of the legislature; or

(d) Modify laws, rules, policies, or procedures regarding ethics or conflicts of interest.

(2) No member of the legislature may be compelled by subpoena or other means to attend a proceeding related to matters covered by this chapter during a legislative session, committee assembly days, or for 15 days before commencement of each session.

**Sec. 5.** RCW 44.90.050 and 2022 c 283 s 5 are each amended to read as follows:

(1) Except as may be specifically limited by this chapter, legislative employees shall have the right to self-organization, to form, join, or assist employee organizations, and to bargain collectively through representatives of their own choosing for the purpose of collective bargaining free from interference, restraint, or coercion. Legislative employees shall also have the right to refrain from any or all such activities.

(2) Except as may be specifically limited by this chapter, the commission shall determine all questions pertaining to ascertaining exclusive bargaining representatives for legislative employees

and collectively bargaining under this chapter. However, no employee organization shall be recognized or certified as the exclusive bargaining representative of a bargaining unit of employees of the legislative branch unless it receives the votes of a majority of employees in the petitioned for bargaining unit voting in a secret election ((by mail ballot)) administered by the commission. The commission's process must allow for an employee, group of employees, employee organizations, employer, or their agents to have the right to petition on any question concerning representation.

(3) ~~((The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.))~~ The commission must adopt rules that provide for at least the following:

(a) Secret balloting;

(b) Consulting with employee organizations;

(c) Access to lists of employees, job titles, work locations, and home mailing addresses;

(d) Absentee voting;

(e) Procedures for the greatest possible participation in voting;

(f) Campaigning on the employer's property during working hours; and

(g) Election observers.

(4)(a) If an employee organization has been certified as the exclusive bargaining representative of the employees of multiple bargaining units, the employee organization may act for and negotiate a master collective bargaining agreement that includes within the coverage of the agreement all covered employees in the bargaining units.

(b) If a master collective bargaining agreement is in effect for the newly certified exclusive bargaining representative, it applies to the bargaining unit for which the new certification has been issued. Nothing in this subsection (4)(b) requires the parties to engage in new negotiations during the term of that agreement.

(5) The certified exclusive bargaining representative is responsible for representing the interests of all the employees in the bargaining unit. This section may not be construed to limit an exclusive bargaining representative's right to exercise its discretion to refuse to process grievances of employees that are unmeritorious.

(6) No question concerning representation may be raised if:

(a) Fewer than 12 months have elapsed since the last certification or election; or

(b) A valid collective bargaining agreement exists covering the unit, except for that period of no more than 120 calendar days nor less than 90 calendar days before the expiration of the contract.

**NEW SECTION. Sec. 6.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission, after hearing upon reasonable notice to all interested parties, shall decide, in each application for certification as an exclusive bargaining representative, the unit appropriate for certification. In determining the new units or modifications of existing units, the commission must consider: The duties, skills, and working conditions of the employees; the history of collective bargaining; the extent of organization among the employees; the desires of the employees; and the avoidance of excessive fragmentation. However, a unit is not appropriate if it includes:

(a) Both supervisors and nonsupervisory employees. A unit that includes only supervisors may be considered appropriate if a majority of the supervisory employees indicates by vote that they desire to be included in such a unit;

(b) Both house of representatives and senate employees;

(c) Both partisan and nonpartisan employees;

(d) Employees of the majority party caucus and the minority party caucus, unless a majority of the employees of each caucus indicate by vote that they desire to be included together in the same unit; or

(e) Employees of the legislative service center, office of legislative support services, and the office of the code reviser, in any combination with each other or in any combination with employees of the house of representatives or employees of the senate.

(2) If a single employee organization is the exclusive bargaining representative for two or more units, upon petition by the employee organization, the units may be consolidated into a single larger unit if the commission considers the larger unit to be appropriate. If consolidation is appropriate, the commission shall certify the employee organization as the exclusive bargaining representative of the new unit.

**NEW SECTION. Sec. 7.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The parties to a collective bargaining agreement must reduce the agreement to writing and both execute it.

(2) Except as provided in this chapter, a collective bargaining agreement must contain provisions that provide for a grievance procedure of all disputes arising over the interpretation or application of the collective bargaining agreement and that is valid and enforceable under its terms when entered into in accordance with this chapter.

(3) RCW 41.56.037 applies to this chapter.

(4)(a) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and an employee organization representing the same

bargaining units, the effective date of the collective bargaining agreement may be the day after the termination of the previous collective bargaining agreement, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(b) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and the exclusive bargaining representative representing different bargaining units, the effective date of the collective bargaining agreement may be the day after the termination date of whichever previous collective bargaining agreement covering one or more of the units terminated first, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(5) The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.

**Sec. 8.** RCW 44.90.060 and 2022 c 283 s 6 are each amended to read as follows:

~~((During a legislative session or committee assembly days, nothing))~~ Nothing contained in this chapter permits or grants to any legislative employee the right to strike, participate in a work stoppage, or refuse to perform their official duties.

**Sec. 9.** RCW 44.90.070 and 2022 c 283 s 7 are each amended to read as follows:

(1) Collective bargaining negotiations under this chapter must commence no later than July 1st of each even-numbered year after a bargaining unit has been certified.

(2) The duration of any collective bargaining agreement shall not exceed one fiscal biennium.

(3)(a) The director must submit ratified collective bargaining agreements, with cost estimates, to the employer by October 1st before the legislative session at which the request for funds is to be considered. The transmission by the legislature to the governor under RCW 43.88.090 must include a request for funds necessary to implement the provisions of all collective bargaining agreements covering legislative employees.

(b) If the legislature or governor fails to provide the funds for a collective bargaining agreement for legislative employees, either party may reopen all or part of the agreement or the exclusive bargaining representative may seek to implement the procedures provided for in section 10 of this act.

(4) Negotiation for economic terms will be by a coalition of all exclusive bargaining representatives. Any such provisions agreed to by the employer and the

coalition must be included in all collective bargaining agreements negotiated by the parties. The director and the exclusive bargaining representative or representatives are authorized to enter into supplemental bargaining of bargaining unit specific issues for inclusion in the collective bargaining agreement, subject to the parties' agreement regarding the issues and procedures for supplemental bargaining. This subsection does not prohibit cooperation and coordination of bargaining between two or more exclusive bargaining representatives.

(5) If a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties must immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

**NEW SECTION. Sec. 10.** A new section is added to chapter 44.90 RCW to read as follows:

(1) Should the parties fail to reach agreement in negotiating a collective bargaining agreement, either party may request of the commission the assistance of an impartial third party to mediate the negotiations. If a collective bargaining agreement previously negotiated under this chapter expires while negotiations are underway, the terms and conditions specified in the collective bargaining agreement remain in effect for a period not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(2) Nothing in this section may be construed to prohibit an employer and an exclusive bargaining representative from agreeing to substitute, at their own expense, their own procedure for resolving impasses in collective bargaining for that provided in this section or from agreeing to utilize for the purposes of this section any other governmental or other agency or person in lieu of the commission.

(3) The commission shall bear costs for mediator services.

**Sec. 11.** RCW 44.90.080 and 2022 c 283 s 8 are each amended to read as follows:

(1) It is an unfair labor practice for an employer in the legislative branch of state government:

(a) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed by this chapter;

(b) To dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it: PROVIDED, That subject to rules adopted by the commission, an employer shall not be prohibited from permitting employees to confer with it or its representatives or agents during working hours without loss of time or pay;

(c) To encourage or discourage membership in any employee organization by discrimination in regard to hire, tenure of employment, or any term or condition of employment;

(d) To discharge or discriminate otherwise against an employee because that

employee has filed charges or given testimony under this chapter;

(e) To refuse to bargain collectively with the exclusive bargaining representatives of its employees.

(2) Notwithstanding any other law, the expression of any views, arguments, or opinions, or the dissemination thereof in any form, by a member of the legislature related to this chapter or matters within the scope of representation, shall not constitute, or be evidence of, an unfair labor practice unless the employer has authorized the member to express that view, argument, or opinion on behalf of the employer or as an employer.

(3) It is an unfair labor practice for an employee organization:

(a) To restrain or coerce an employee in the exercise of the rights guaranteed by this chapter: PROVIDED, That this subsection shall not impair the right of an employee organization to prescribe its own rules with respect to the acquisition or retention of membership in the employee organization or to an employer in the selection of its representatives for the purpose of bargaining or the adjustment of grievances;

(b) To cause or attempt to cause an employer to discriminate against an employee in violation of subsection (1)(c) of this section;

(c) To discriminate against an employee because that employee has filed charges or given testimony under this chapter;

(d) To refuse to bargain collectively with an employer.

~~((3))~~ (4) The expressing of any views, arguments, or opinion, or the dissemination thereof to the public, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under this chapter, if such expression contains no threat of reprisal or force or promise of benefit.

**NEW SECTION. Sec. 12.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission is empowered and directed to prevent any unfair labor practice and to issue appropriate remedial orders. However, a complaint may not be processed for any unfair labor practice occurring more than six months before the filing of the complaint with the commission or in Thurston county superior court. This power may not be affected or impaired by any means of adjustment, mediation, or conciliation in labor disputes that have been or may hereafter be established by law.

(2) Except as may be specifically limited by this chapter, if the commission or court determines that any person has engaged in or is engaging in an unfair labor practice, the commission or court shall issue and cause to be served upon the person an order requiring the person to cease and desist from such unfair labor practice, and to take such affirmative action as will effectuate the purposes and policy of this chapter, such as the payment of damages.

(3) The commission may petition the Thurston county superior court for the

enforcement of its order and for appropriate temporary relief.

**Sec. 13.** RCW 44.90.090 and 2022 c 283 s 9 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, the matters subject to bargaining include wages, hours, terms and conditions of employment, and the negotiation of any question arising under a collective bargaining agreement.

(2) The employer shall not bargain over rights of management which, in addition to all powers, duties, and rights established by constitutional provision or statute, shall include, but not be limited to, the following:

(a) Any item listed in section 4(1) of this act;

(b) The functions and programs of the employer, the use of technology, and the structure of the organization, including the size and composition of standing committees;

~~((b))~~(c) The employer's budget and the size of the employer's workforce, including determining the financial basis for layoffs;

~~((e))~~(d) The right to direct and supervise employees;

~~((d))~~(e) The hours of work during legislative session ((and the cutoff calendar for a legislative session)) and committee assembly days, and the hours of work during the 60 calendar days before the first day of legislative session and during the 20 calendar days after the last day of legislative session. This subsection (2)(e) does not prohibit bargaining over hours of work during any other period and bargaining over compensation for hours of work in excess of a 40-hour workweek, except that bargaining over hours of work during periods not otherwise prohibited and compensation for hours worked in excess of a 40-hour workweek may only occur for agreements that take effect after July 1, 2027; ((and

~~(e))~~(f) The cutoff calendar for a legislative session;

(g) The employer's authority to: (i) Lay off employees when there has been a change to the number of members in, or the makeup of, a caucus due to an election or appointment that necessitates a change in the number of staff; (ii) lay off an employee following an election, appointment, or resignation of a legislator; and (iii) terminate an employee for engaging in partisan activities that are incompatible with the employee's job duties or position;

(h) Health care benefits and other employee insurance benefits. The amount paid by a legislative employee for health care premiums must be the same as that paid by a represented state employee covered by RCW 41.80.020(3);

(i) The right to take whatever actions are deemed necessary to carry out the mission of the legislature and its agencies during emergencies; and

(j) Retirement plans and retirement benefits.

~~((2))~~(3) Except for an applicable code of conduct policy adopted by a chamber of the legislature or a legislative agency, if a conflict exists between policies adopted by the legislature relating to wages, hours,

and terms and conditions of employment and a provision of a collective bargaining agreement negotiated under this chapter, the collective bargaining agreement shall prevail. A provision of a collective bargaining agreement that conflicts with a statute or an applicable term of a code of conduct policy adopted by a chamber of the legislature or a legislative agency is invalid and unenforceable.

NEW SECTION. **Sec. 14.** A new section is added to chapter 44.90 RCW to read as follows:

(1) Upon authorization of an employee within the bargaining unit and after the certification or recognition of the bargaining unit's exclusive bargaining representative, the employer must deduct from the payments to the employee the monthly amount of dues as certified by the secretary of the exclusive bargaining representative and must transmit the same to the treasurer of the exclusive bargaining representative.

(2)(a) An employee's written, electronic, or recorded voice authorization to have the employer deduct membership dues from the employee's salary must be made by the employee to the exclusive bargaining representative. If the employer receives a request for authorization of deductions, the employer must, as soon as practicable, forward the request to the exclusive bargaining representative.

(b) Upon receiving notice of the employee's authorization, the employer must deduct from the employee's salary membership dues and remit the amounts to the exclusive bargaining representative.

(c) The employee's authorization remains in effect until expressly revoked by the employee in accordance with the terms and conditions of the authorization.

(d) An employee's request to revoke authorization for payroll deductions must be in writing and submitted by the employee to the exclusive bargaining representative in accordance with the terms and conditions of the authorization.

(e) After the employer receives confirmation from the exclusive bargaining representative that the employee has revoked authorization for deductions, the employer must end the deduction no later than the second payroll after receipt of the confirmation.

(f) The employer must rely on information provided by the exclusive bargaining representative regarding the authorization and revocation of deductions.

NEW SECTION. **Sec. 15.** A new section is added to chapter 44.90 RCW to read as follows:

(1) If the parties to a collective bargaining agreement negotiated under this chapter agree to final and binding arbitration under grievance procedures allowed by section 7 of this act, the parties may agree on one or more permanent umpires to serve as arbitrator, or may agree on any impartial person to serve as arbitrator, or may agree to select arbitrators from any source available to

them, including federal and private agencies, in addition to the staff and list of arbitrators maintained by the commission. If the parties cannot agree to the selection of an arbitrator, the commission must supply a list of names in accordance with the procedures established by the commission.

(2) The authority of an arbitrator shall be subject to the limits and restrictions specified under section 4 of this act.

(3) Except as limited by this chapter, an arbitrator may require any person to attend as a witness and to bring with them any book, record, document, or other evidence. The fees for such attendance must be paid by the party requesting issuance of the subpoena and must be the same as the fees of witnesses in the superior court. Arbitrators may administer oaths. Subpoenas must issue and be signed by the arbitrator and must be served in the same manner as subpoenas to testify before a court of record in this state. If any person so summoned to testify refuses or neglects to obey such subpoena, upon petition authorized by the arbitrator, the superior court may compel the attendance of the person before the arbitrator or punish the person for contempt in the same manner provided for the attendance of witnesses or the punishment of them in the courts of this state.

(4) Except as limited by this chapter, the arbitrator shall appoint a time and place for the hearing and notify the parties thereof, and may adjourn the hearing from time to time as may be necessary, and, on application of either party and for good cause, may postpone the hearing to a time not extending beyond the date fixed by the collective bargaining agreement for making the award. The arbitration award must be in writing and signed by the arbitrator. The arbitrator must, promptly upon its rendition, serve a true copy of the award on each of the parties or their attorneys of record.

(5) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to submit a grievance for arbitration, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order compelling arbitration. Disputes concerning compliance with grievance procedures shall be reserved for determination by the arbitrator. Arbitration shall be ordered if the grievance states a claim that on its face is covered by the collective bargaining agreement. Doubts as to the coverage of the arbitration clause shall be resolved in favor of arbitration.

(6) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to comply with the award of an arbitrator determining a grievance arising under the collective bargaining agreement, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order enforcing the arbitration award.

**Sec. 16.** RCW 41.58.010 and 2012 c 117 s 89 are each amended to read as follows:

(1) There is hereby created the public employment relations commission (hereafter called the "commission") to administer the provisions of this chapter. ~~((The))~~ Notwithstanding section 17 of this act, the commission shall consist of three members who shall be citizens appointed by the governor by and with the advice and consent of the senate. One of the original members shall be appointed for a term of three years, one for a term of four years, and one for a term of five years. Their successors shall be appointed for terms of five years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he or she succeeds. Commission members shall be eligible for reappointment. The governor shall designate one member to serve as chair of the commission. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Commission members shall not be eligible for state retirement under chapter 41.40 RCW by virtue of their service on the commission.

(2) In making citizen member appointments initially, and subsequently thereafter, the governor shall be cognizant of the desirability of appointing persons knowledgeable in the area of labor relations in the state.

(3) A vacancy in the commission shall not impair the right of the remaining members to exercise all of the powers of the commission, and two members of the commission shall, at all times, constitute a quorum of the commission.

(4) The commission shall at the close of each fiscal year make a report in writing to the legislature and to the governor stating the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the commission, and an account of all moneys it has disbursed.

NEW SECTION. **Sec. 17.** A new section is added to chapter 41.58 RCW to read as follows:

(1)(a) There is established a legislative commission (hereafter called "the legislative commission") exclusively for the purpose of certification of bargaining representatives, adjusting and settling complaints, grievances, and disputes arising out of employer-employee relations, and otherwise carrying out the duties required of the commission under chapter 44.90 RCW.

(b) The legislative commission shall consist of three members who shall be appointed as follows:

(i) One member shall be appointed by the speaker of the house of representatives;

(ii) One member shall be appointed by the president of the senate;

(iii) By mutual consent, the two appointed members shall appoint the third member who shall be the chair of the legislative commission.

(c) All appointments must be made by September 30, 2024. The members of the

legislative commission, and any person appointed to fill a vacancy, are appointed for the entire term until the legislative commission expires under subsection (9) of this section.

(d) Until all the members of the legislative commission are appointed, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

(2) The commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation, and, if applicable, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the legislative commission.

(3) Unless specifically provided, the legislative commission shall not be considered part of the commission created under RCW 41.58.010(1). The powers and duties granted in this chapter to the commission created under RCW 41.58.010(1) do not apply to the legislative commission, unless specifically provided.

(4) A member of the legislative commission may be removed by the speaker of the house of representatives and the president of the senate acting jointly, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(5) In making their appointments, the speaker of the house of representatives and the president of the senate shall be cognizant of the desirability of appointing a person who is knowledgeable in the area of labor relations and of the legislature.

(6) Members of the legislative commission are not eligible for state retirement under chapter 41.40 RCW by virtue of the member's service as a commissioner.

(7) The compensation and travel reimbursement provision under RCW 41.58.015(1) shall apply to members of the legislative commission.

(8) The legislative commission shall at the close of each fiscal year make a report in writing to the legislature stating the cases it has heard and decisions it has rendered.

(9)(a) The legislative commission expires December 31, 2027.

(b) After December 31, 2027, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

**Sec. 18.** RCW 41.58.015 and 1984 c 287 s 71 are each amended to read as follows:

(1) Each member of the commission shall be compensated in accordance with RCW 43.03.250. Members of the commission shall also be reimbursed for travel expenses incurred in the discharge of their official duties on the same basis as is provided in RCW 43.03.050 and 43.03.060.

(2) The commission shall appoint an executive director whose annual salary shall

be determined under the provisions of RCW 43.03.028. The executive director shall perform such duties and have such powers as the commission shall prescribe in order to implement and enforce the provisions of this chapter. In addition to the performance of administrative duties, the commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation of labor disputes, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement, and, in certain cases, fact-finding or arbitration of disputes concerning the terms of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the commission. The executive director, with such assistance as may be provided by the attorney general and such additional legal assistance consistent with chapter 43.10 RCW, shall have authority on behalf of the commission, when necessary to carry out or enforce any action or decision of the commission, to petition any court of competent jurisdiction for an order requiring compliance with the action or decision.

(3)(a) The commission shall employ such employees as it may from time to time find necessary for the proper performance of its duties, consistent with the provisions of this chapter.

(b) The employees of the commission shall also provide staff support to the legislative commission in carrying out the legislative commission's duties under chapter 44.90 RCW until the legislative commission expires on December 31, 2027, under section 17 of this act.

(4) The payment of all of the expenses of the commission, including travel expenses incurred by the members or employees of the commission under its orders, shall be subject to the provisions of RCW 43.03.050 and 43.03.060.

**NEW SECTION. Sec. 19.** A new section is added to chapter 44.90 RCW to read as follows:

(1) The following activities conducted by or on behalf of legislative employees related to collective bargaining under this chapter are exempt from the restrictions contained in RCW 42.52.020 and 42.52.160:

(a) Using paid time and public resources by an employee to negotiate or administer a collective bargaining agreement under this chapter when the employee is assigned to negotiate or administer the collective bargaining agreement and the use of paid time and public resources does not include state purchased supplies or equipment, does not interfere with or distract from the conduct of state business, and is consistent with the employer's policy on the use of paid time;

(b) Lobbying conducted by an employee organization, lobbyist, association, or third party on behalf of legislative employees concerning legislation that directly impacts legislative workplace conditions;

(c) Communication with a prospective employee organization during nonwork hours and without the use of public resources; or

(d) Conducting the day-to-day work of organizing and representing legislative employees in the workplace while serving in a legislative employee organization leadership position.

(2)(a) Nothing in this section affects the application of the prohibition against the use of special privileges under RCW 42.52.070, confidentiality requirements under RCW 42.52.050, or other applicable provisions of chapter 42.52 RCW to legislative employees.

(b) Nothing in this section permits any direct lobbying by a legislative employee.

(3) As used in this section, "lobby" and "lobbyist" have the meanings provided in RCW 42.17A.005.

**Sec. 20.** RCW 42.52.020 and 1996 c 213 s 2 are each amended to read as follows:

(1) No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.

(2) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

**Sec. 21.** RCW 42.52.160 and 2023 c 91 s 3 are each amended to read as follows:

(1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

(2) This section does not prohibit the use of public resources to benefit others as part of a state officer's or state employee's official duties. It is not a violation of this section for a legislator or an appropriate legislative staff designee to engage in activities listed under RCW 42.52.070(2) or 42.52.822.

(3) This section does not prohibit de minimis use of state facilities to provide employees with information about (a) medical, surgical, and hospital care; (b) life insurance or accident and health disability insurance; or (c) individual retirement accounts, by any person, firm, or corporation administering such program as part of authorized payroll deductions pursuant to RCW 41.04.020.

(4) The appropriate ethics boards may adopt rules providing exceptions to this section for occasional use of the state officer or state employee, of de minimis cost and value, if the activity does not result in interference with the proper performance of public duties.

(5) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

NEW SECTION. **Sec. 22.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect May 1, 2024."

Correct the title.

Representative Fitzgibbon spoke in favor of the adoption of the striking amendment.

Representative Rude spoke against the adoption of the striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 57 - YEAS; 39 - NAYS.

The striking amendment (1268) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Fitzgibbon spoke in favor of the passage of the bill.

Representative Rude spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Hale, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194, as amended by the House, having received the necessary constitutional majority, was declared passed.

With the consent of the House, ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194 was immediately transmitted to the Senate.

#### THIRD READING

#### MESSAGE FROM THE SENATE

Thursday, March 7, 2024

Mme. Speaker:

The Senate receded from its amendment(s) to SECOND SUBSTITUTE HOUSE BILL NO. 2320, and under suspension of the rules returned SECOND SUBSTITUTE HOUSE BILL NO.

2320 to second reading for purpose of amendment(s). The Senate further adopted amendment 2320-S2 AMS KEIS S5709.1 and passed the measure as amended.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that there is a growing body of research evidencing that consuming cannabis with high concentrations of THC may be harmful to some people, including younger persons and persons who have or are at risk for developing certain mental health conditions or psychotic disorders. Products like THC-infused vape oils, shatter, and dabs can contain close to 100 percent THC, and may carry risks not commonly associated with consumption of useable cannabis flower or other cannabis products with relatively lower THC concentrations. In the interest of public health, the legislature intends to review studies and consider increasing the minimum legal age of sale of high THC cannabis products to age 25, and the legislature intends to require caution notices, developed by the department of health, to be posted at the point of sale in cannabis retail outlets to raise awareness about possible health impacts and risks associated with high THC cannabis. The legislature further intends to implement and study health interventions, gather data, and ensure that new research, data, and information concerning the impacts of high THC cannabis continues to be incorporated into state policy.

**NEW SECTION. Sec. 2.** The legislature intends to provide the department of health with recurring funding available each fiscal year, beginning in fiscal year 2025, to allow the department of health to issue requests for proposals and contract for targeted public health messages and social marketing campaigns directed toward individuals most likely to suffer negative impacts of high THC products including persons under 25 years of age and persons living with mental health challenges. Messages and media campaigns funded must include information about risks, comparative dosing of cannabis products, and resources for persons seeking support for quitting or decreasing their intake of tetrahydrocannabinol. The content of public health messages and social marketing campaigns must be developed in partnership with persons targeted by the messages and campaigns and in consultation with professionals proficient in public health communication and in cannabis research.

**NEW SECTION. Sec. 3.** By July 1, 2025, the department of health must develop an optional training that cannabis retail staff may complete to better understand the health and safety impacts of high THC cannabis products. In developing the optional training, the department of health must consult with cannabis retail staff, cannabis consumers, persons who have been harmed by high THC products, health care providers, prevention professionals, researchers with

relevant expertise, behavioral health providers, and representatives of licensed cannabis businesses.

**Sec. 4.** RCW 69.50.357 and 2022 c 16 s 71 are each amended to read as follows:

(1)(a) Retail outlets may not sell products or services other than cannabis concentrates, useable cannabis, cannabis-infused products, or paraphernalia intended for the storage or use of cannabis concentrates, useable cannabis, or cannabis-infused products.

(b)(i) Retail outlets may receive lockable boxes, intended for the secure storage of cannabis products and paraphernalia, and related literature as a donation from another person or entity, that is not a cannabis producer, processor, or retailer, for donation to their customers.

(ii) Retail outlets may donate the lockable boxes and provide the related literature to any person eligible to purchase cannabis products under subsection (2) of this section. Retail outlets may not use the donation of lockable boxes or literature as an incentive or as a condition of a recipient's purchase of a cannabis product or paraphernalia.

(iii) Retail outlets may also purchase and sell lockable boxes, provided that the sales price is not less than the cost of acquisition.

(2) Licensed cannabis retailers may not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-one years of age with a recognition card may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of eighteen with a recognition card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement, but may not purchase products for their personal medical use.

(3)(a) Licensed cannabis retailers must ensure that all employees are trained on the rules adopted to implement this chapter, identification of persons under the age of twenty-one, and other requirements adopted by the board to ensure that persons under the age of twenty-one are not permitted to enter or remain on the premises of a retail outlet.

(b) Licensed cannabis retailers with a medical cannabis endorsement must ensure that all employees are trained on the subjects required by (a) of this subsection as well as identification of authorizations and recognition cards. Employees must also be trained to permit qualifying patients who hold recognition cards and are between the ages of eighteen and twenty-one to enter the premises and purchase cannabis for their personal medical use and to permit qualifying patients who are under the age of eighteen with a recognition card to enter the premises if accompanied by their designated providers.



(4) Except for the purposes of disposal as authorized by the board, no licensed cannabis retailer or employee of a retail outlet may open or consume, or allow to be opened or consumed, any cannabis concentrates, useable cannabis, or cannabis-infused product on the outlet premises.

(5)(a) By December 31, 2024, licensed cannabis retailers shall post a conspicuous notice at the point of sale in retail outlets with information about: (i) The potential health risks and adverse health impacts that may be associated with the consumption of high THC cannabis; (ii) the potentially much higher risks that may be present for younger persons under age 25 as well as for persons who have or are at risk for developing certain mental health conditions or psychotic disorders; and (iii) where to find help in case of negative effects and resources for quitting or reducing cannabis consumption. The notice must be the same or substantially the same as the notice developed by the department of health under this subsection (5).

(b) The department of health shall develop the notice required under this section and make it available to licensed cannabis retailers. The notice must, at a minimum, identify the information specified in (a)(i) through (iii) of this subsection, and may include additional information.

(6) The board must fine a licensee one thousand dollars for each violation of any subsection of this section. Fines collected under this section must be deposited into the dedicated cannabis account created under RCW 69.50.530.

**NEW SECTION. Sec. 5.** A new section is added to chapter 71.24 RCW to read as follows:

(1) Subject to amounts appropriated for this specific purpose, the health care authority must issue a request for proposal and contract with an entity to develop, implement, test, and evaluate guidance and health interventions for health care providers and patients at risk for developing serious complications due to cannabis consumption who are seeking care in emergency departments, primary care settings, behavioral health settings, other health care facilities, and for use by state poison control and recovery hotlines to promote cannabis use reduction and cessation for the following populations:

(a) Youth and adults at high risk of adverse mental health impacts from use of high THC cannabis;

(b) Youth and adults who have experienced a cannabis-induced first episode psychosis but do not have a diagnosis of a psychotic disorder; and

(c) Youth and adults who have a diagnosed psychotic disorder and use cannabis.

(2) The health care authority must submit a preliminary report to the appropriate committees of the legislature summarizing the progress toward developing and testing health interventions and recruiting patients and health care facilities to participate by December 1, 2025. The health care authority must provide a progress report on initial outcomes of the health interventions for

participating patients and health care facilities by July 1, 2027. The health care authority must submit a final report to the appropriate committees of the legislature summarizing the results of the interventions and any recommendations for implementation of health interventions by December 1, 2028.

(3) A contract entered under the authorization in this section must include, in the scope of work, data gathering on adverse health impacts occurring in Washington associated with consumption of high THC cannabis, and data gathered must be included in the reports submitted to the legislature under this section.

(4) This section expires December 31, 2028.

**NEW SECTION. Sec. 6.** (1) Beginning December 1, 2024, the liquor and cannabis board must collect data on the following information on cannabis products sold within Washington state:

(a) The amount of products being sold in the following categories: Usable cannabis, cannabis concentrates, and cannabis-infused products;

(b) The average THC concentration in usable cannabis and cannabis concentrates, and the average milligrams of THC per unit in cannabis-infused products; and

(c) The range of THC concentration in usable cannabis and cannabis concentrates.

(2) By November 14, 2025, the liquor and cannabis board must submit a report to the relevant committees of the legislature on the information collected under subsection (1) of this section.

(3) For the purposes of this section, "product" has the meaning provided in RCW 69.50.535.

(4) This section expires December 31, 2026.

**NEW SECTION. Sec. 7.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 4 of the title, after "psychosis;" strike the remainder of the title and insert "amending RCW 69.50.357; adding a new section to chapter 71.24 RCW; creating new sections; and providing expiration dates."

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 2320 and advanced the bill, as amended by the Senate, to final passage.

Representatives Wylie, Chambers and Davis spoke in favor of the passage of the bill.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 2320, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2320, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Couture, Hale and Walsh  
Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2320, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### SIGNED BY THE SPEAKER

The Speaker signed the following bill:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134

The Speaker called upon Representative Orwall to preside.

There being no objection, the House reverted to the third order of business.

### MESSAGE FROM THE SENATE

Thursday, March 7, 2024

Mme. Speaker:

The President has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

### MESSAGE FROM THE SENATE

Thursday, March 7, 2024

Mme. Speaker:

The President has signed:

ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO. 1239  
SUBSTITUTE HOUSE BILL NO. 1453  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1493  
SECOND ENGROSSED HOUSE BILL NO. 1757  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1899  
SUBSTITUTE HOUSE BILL NO. 2147  
SUBSTITUTE HOUSE BILL NO. 2357  
SUBSTITUTE HOUSE BILL NO. 2424  
HOUSE BILL NO. 2454

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

### MESSAGE FROM THE SENATE

Thursday, March 7, 2024

Mme. Speaker:

The Senate concurred in the House amendment(s) to the following bill and passed the bill as amended by the House: ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

### RESOLUTION

**HOUSE RESOLUTION NO. 2024-4696**, by Representatives Fitzgibbon and Steele

WHEREAS, It is necessary to provide for the continuation of the work of the House of Representatives after its adjournment and during the interim periods between legislative sessions;

NOW, THEREFORE, BE IT RESOLVED, That the Executive Rules Committee may assign subject matters, bills, memorials, and resolutions to authorized committees of the House of Representatives for study during the interim, and the Speaker of the House of Representatives may create special and select committees as may be necessary to carry out the functions, including interim studies, of the House of Representatives in an orderly manner and shall appoint members to such committees with the approval of the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That, during the interim, the schedules, agendas, locations, and formats for all meetings of any legislative task force or committee shall be approved by the Executive Rules Committee, and those task forces or committees may conduct work sessions and public hearings without a quorum being present; and

BE IT FURTHER RESOLVED, That, during the interim, when participating remotely in any committee meeting, members shall be considered present for purposes of a quorum and voting; and

BE IT FURTHER RESOLVED, That, during the interim, authorized committees have the power of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with chapter 44.16 RCW if and when specifically authorized by the Executive Rules Committee for specific purposes and specific subjects; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall complete the work of the 2024 Regular Session of the Sixty-Eighth Legislature during interim periods, and all details that arise therefrom, including the editing, indexing, and publishing of the journal of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives may approve vouchers of the members of the House of Representatives, covering expenses incurred during the interim for official business of the Legislature in accordance with policies set by the Executive Rules Committee, at the per diem rate provided by law and established by the Executive Rules Committee, for each day or major portion of a day, plus mileage at the rate provided by law and established by the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall, during the interim, and as authorized by the Speaker of the House of Representatives, retain or hire any necessary employees and order necessary supplies, equipment, and printing to enable the House of Representatives to carry out its work promptly and efficiently, and accept committee reports, committee bills, prefiled bills, memorials, and resolutions as directed by the Rules of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall have authority to execute personal

services contracts relating to workplace investigations, and notify the Executive Rules Committee of any other types of personal services contracts that necessitate the expenditure of House of Representatives appropriations; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall execute the necessary vouchers upon which warrants are drawn for all legislative expenses and expenditures of the House of Representatives; and

BE IT FURTHER RESOLVED, That members and employees of the Legislature be reimbursed for expenses incurred in attending authorized conferences and meetings at the rate provided by law and established by the Executive Rules Committee, plus mileage to and from the conferences and meetings at the rate provided by law and established by the Executive Rules Committee, which reimbursement shall be paid on vouchers from any appropriation made to the House of Representatives for legislative expenses; and

BE IT FURTHER RESOLVED, That, during the interim, the use of the House of Representatives Chamber, any of its committee rooms, or any of the furniture or furnishings in them is permitted upon such terms and conditions as the Chief Clerk of the House of Representatives shall deem appropriate; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives may express the sympathy of the House of Representatives by sending flowers and correspondence when the necessity arises; and

BE IT FURTHER RESOLVED, That this Resolution applies throughout the interim between sessions of the Sixty-Eighth Legislature, as well as any committee assembly.

Representative Fitzgibbon moved adoption of HOUSE RESOLUTION NO. 4696.

Representatives Fitzgibbon and Steele spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4696 was adopted.

There being no objection, the House advanced to the seventh order of business.

### THIRD READING

**HOUSE CONCURRENT RESOLUTION NO. 4409, by Representatives Fitzgibbon and Steele**

**Returning bills to their house of origin.**

The concurrent resolution was read the third time.

Representative Fitzgibbon moved adoption of HOUSE CONCURRENT RESOLUTION NO. 4409.

Representative Fitzgibbon spoke in favor of the adoption of the concurrent resolution.

HOUSE CONCURRENT RESOLUTION NO. 4409 was adopted.

With the consent of the House, HOUSE CONCURRENT RESOLUTION NO. 4409 was immediately transmitted to the Senate.

The Speaker assumed the chair.

### SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SECOND SUBSTITUTE HOUSE BILL NO. 2320  
HOUSE CONCURRENT RESOLUTION NO. 4409

The Speaker called upon Representative Orwall to preside.

There being no objection, the House reverted to the third order of business.

### MESSAGE FROM THE SENATE

Thursday, March 7, 2024

Mme. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4409

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

### MESSAGE FROM THE SENATE

Thursday, March 7, 2024

Mme. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8417

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

### MESSAGE FROM THE SENATE

Thursday, March 7, 2024

Mme. Speaker:

The President has signed:

SENATE BILL NO. 5180  
ENGROSSED SENATE BILL NO. 5790  
SENATE BILL NO. 5811  
ENGROSSED SENATE BILL NO. 5906  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6069  
ENGROSSED SENATE BILL NO. 6098  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194  
SUBSTITUTE SENATE BILL NO. 6316

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

### FIRST SUPPLEMENTAL INTRODUCTION & FIRST READING

HCR 4410 by Representatives Fitzgibbon and Steele

Adjourning SINE DIE.

SCR 8417 by Senators Pedersen and Short

Adjourning SINE DIE.

There being no objection, the resolutions listed on the day's supplemental introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of SENATE CONCURRENT RESOLUTION NO. 8417, which was read the first time, and under suspension of the rules, was placed on the third reading calendar.

There being no objection, the House advanced to the seventh order of business.

**THIRD READING**

**SENATE CONCURRENT RESOLUTION NO. 8417, by Senators Pedersen and Short**

**Adjourning SINE DIE.**

The concurrent resolution was read the third time.

Representative Fitzgibbon spoke in favor of the adoption of the concurrent resolution.

There being no objection, SENATE CONCURRENT RESOLUTION NO. 8417 was adopted.

With the consent of the House, SENATE CONCURRENT RESOLUTION NO. 8417 was immediately transmitted to the Senate.

The Speaker assumed the chair.

**SIGNED BY THE SPEAKER**

The Speaker signed the following bills:

- SENATE BILL NO. 5180
- ENGROSSED SENATE BILL NO. 5790
- SENATE BILL NO. 5811
- ENGROSSED SENATE BILL NO. 5906
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6069
- ENGROSSED SENATE BILL NO. 6098
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194
- SUBSTITUTE SENATE BILL NO. 6316
- SENATE CONCURRENT RESOLUTION NO. 8417

The Speaker called upon Representative Orwall to preside.

There being no objection, the House reverted to the third order of business.

**MESSAGE FROM THE SENATE**

Thursday, March 7, 2024

Mme. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 2320

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Thursday, March 7, 2024

Mme. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 8417

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Thursday, March 7, 2024

Mme. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4409

and the same is herewith transmitted.

Colleen Pehar, Deputy Secretary

**MESSAGE FROM THE SENATE**

Thursday, March 7, 2024

Mme. Speaker:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4409, the following House Bills were returned to the House of Representatives:

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1037
- HOUSE BILL NO. 1052
- SUBSTITUTE HOUSE BILL NO. 1104
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1113
- SUBSTITUTE HOUSE BILL NO. 1121
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1245
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1304
- HOUSE BILL NO. 1330
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1332
- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1362
- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1371
- SECOND SUBSTITUTE HOUSE BILL NO. 1391
- ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1433
- ENGROSSED HOUSE BILL NO. 1468
- ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO. 1479
- HOUSE BILL NO. 1507
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1510
- THIRD SUBSTITUTE HOUSE BILL NO. 1579
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1637
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1692
- ENGROSSED HOUSE BILL NO. 1714
- SUBSTITUTE HOUSE BILL NO. 1717
- SUBSTITUTE HOUSE BILL NO. 1768
- SUBSTITUTE HOUSE BILL NO. 1800
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1893
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1906
- SUBSTITUTE HOUSE BILL NO. 1909
- HOUSE BILL NO. 1913
- SUBSTITUTE HOUSE BILL NO. 1915
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1932
- HOUSE BILL NO. 1949
- HOUSE BILL NO. 1967
- HOUSE BILL NO. 1986
- SUBSTITUTE HOUSE BILL NO. 1997
- SECOND SUBSTITUTE HOUSE BILL NO. 2001
- SUBSTITUTE HOUSE BILL NO. 2009
- HOUSE BILL NO. 2023
- HOUSE BILL NO. 2031
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2037
- HOUSE BILL NO. 2059
- HOUSE BILL NO. 2062
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2065
- SUBSTITUTE HOUSE BILL NO. 2069
- HOUSE BILL NO. 2074
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2079
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114
- HOUSE BILL NO. 2120
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2128
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2160
- ENGROSSED HOUSE BILL NO. 2164
- SECOND SUBSTITUTE HOUSE BILL NO. 2166
- SUBSTITUTE HOUSE BILL NO. 2182
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2191
- HOUSE BILL NO. 2210
- SUBSTITUTE HOUSE BILL NO. 2224

SECOND SUBSTITUTE HOUSE BILL NO. 2239  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2245  
SUBSTITUTE HOUSE BILL NO. 2252  
SUBSTITUTE HOUSE BILL NO. 2254  
ENGROSSED HOUSE BILL NO. 2255  
HOUSE BILL NO. 2257  
SECOND SUBSTITUTE HOUSE BILL NO. 2270  
SUBSTITUTE HOUSE BILL NO. 2271  
SUBSTITUTE HOUSE BILL NO. 2283  
SUBSTITUTE HOUSE BILL NO. 2287  
HOUSE BILL NO. 2302  
HOUSE BILL NO. 2316  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2330  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2356  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2361  
HOUSE BILL NO. 2371  
ENGROSSED HOUSE BILL NO. 2372  
SUBSTITUTE HOUSE BILL NO. 2389  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2401  
SUBSTITUTE HOUSE BILL NO. 2408  
SUBSTITUTE HOUSE BILL NO. 2411  
HOUSE BILL NO. 2440  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2474  
SUBSTITUTE HOUSE BILL NO. 2489

and the same are herewith transmitted.

Sarah Bannister, Secretary

With the consent of the House, the reading of the Journal of the 60th Day of the 2024 Regular Session of the 68th Legislature was dispensed with and ordered to stand approved.

On motion of Representative Fitzgibbon, the 2024 Regular Session of the 68th Legislature was adjourned SINE DIE.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

1010-S2	Other Action .....	62, 480	1153	Second Reading .....	207
1012-S	Third Reading Final Passage .....	31		Third Reading Final Passage .....	207
	Final Passage .....	2928		Other Action .....	169
	Other Action .....	31		Messages .....	2739, 2806
	Messages .....	2927, 3699		Speaker Signed .....	2759
	Speaker Signed .....	3248	1160-S	Other Action .....	30
1025-S2	Other Action .....	30	1167-S2	Other Action .....	30
1026-S	Other Action .....	30	1182-S	Other Action .....	30
1037-S	Third Reading Final Passage .....	104	1185	Committee Report .....	126
	Other Action .....	62		Second Reading .....	315
	Messages .....	3781		Other Action .....	169
1044-S	Third Reading Final Passage .....	103	1185-S	Other Action .....	30
	Other Action .....	62	1185-S2	Second Reading .....	315
1052	Third Reading Final Passage .....	355		Amendment Offered .....	315
	Other Action .....	281		Third Reading Final Passage .....	316
	Messages .....	3781		Final Passage .....	3011
1054	Third Reading Final Passage .....	82		Messages .....	2998, 3699
	Final Passage .....	2839		Speaker Signed .....	3248
	Other Action .....	62	1189-S2	Other Action .....	30
	Messages .....	2839, 3271	1205-S2	Third Reading Final Passage .....	356
	Speaker Signed .....	2997		Final Passage .....	2929
1062	Committee Report .....	108, 180		Other Action .....	281
1078	Committee Report .....	177		Messages .....	2929, 3699
1097	Second Reading .....	106		Speaker Signed .....	3248
	Other Action .....	89	1226	Second Reading .....	93
1097-S	Second Reading .....	106		Amendment Offered .....	93
	Amendment Offered .....	106		Third Reading Final Passage .....	93
	Third Reading Final Passage .....	107		Final Passage .....	2841
	Messages .....	2806, 2923		Other Action .....	62
	Speaker Signed .....	2810		Messages .....	2840, 3271
1098-S	Other Action .....	31		Speaker Signed .....	2997
1104-S	Third Reading Final Passage .....	356	1228	Committee Report .....	126, 180
	Other Action .....	281		Second Reading .....	324
	Messages .....	3781		Other Action .....	31, 257
1105-S	Third Reading Final Passage .....	45	1228-S3	Second Reading .....	324
	Final Passage .....	2840		Third Reading Final Passage .....	324
	Other Action .....	37		Messages .....	2759, 2837
	Messages .....	2840, 3271		Speaker Signed .....	2777
	Speaker Signed .....	2997	1239	Committee Report .....	155, 180
1108-S	Other Action .....	30		Second Reading .....	359
1113-S	Amendment Offered .....	45		Other Action .....	280
	Third Reading Final Passage .....	44, 45	1239-S2	Other Action .....	30
	Other Action .....	37	1239-S4	Second Reading .....	359
	Messages .....	3781		Amendment Offered .....	359
1121-S	Third Reading Final Passage .....	66		Third Reading Final Passage .....	359
	Other Action .....	62		Final Passage .....	3274
	Messages .....	3781		Messages .....	3272, 3779
1133-S	Other Action .....	30		Speaker Signed .....	3698
1146	Third Reading Final Passage .....	49	1241-S	Third Reading Final Passage .....	50
	Other Action .....	37		Final Passage .....	2843
	Messages .....	2770, 2837		Other Action .....	37
	Speaker Signed .....	2777		Messages .....	2841, 3271
1150	Other Action .....	30		Speaker Signed .....	2997
1151-S2	Other Action .....	62, 480	1245-S	Third Reading Final Passage .....	31, 32
				Other Action .....	31
				Messages .....	3781
			1248	Second Reading .....	245
			1248-S		

Second Reading.....	246	1338-S2	Other Action.....	31
Amendment Offered.....	246, 247	1351-S	Other Action.....	31
Third Reading Final Passage.....	248	1362-S	Amendment Offered.....	131
Final Passage.....	3104		Third Reading Final Passage.....	131, 149
Messages.....	3103, 3699		Other Action.....	37
Speaker Signed.....	3248		Messages.....	3781
1249		1364	Other Action.....	31
Committee Report.....	69	1365	Committee Report.....	126, 174
Second Reading.....	319		Other Action.....	480
Other Action.....	31	1365-S	Other Action.....	30
1249-S		1368	Committee Report.....	157
Second Reading.....	319		Second Reading.....	295
Third Reading Final Passage.....	319	1368-S2	Second Reading.....	295
Messages.....	897, 2759		Amendment Offered.....	295, 298
Speaker Signed.....	2554		Third Reading Final Passage.....	299
1252			Final Passage.....	3020
Other Action.....	30		Messages.....	3017, 3699
1268-S			Speaker Signed.....	3248
Other Action.....	257, 480	1371-S	Amendment Offered.....	250, 256
1269			Third Reading Final Passage.....	250, 256
Other Action.....	30		Other Action.....	30, 62
1272			Messages.....	3781
Second Reading.....	95	1377-S	Amendment Offered.....	201, 202
1272-S2			Third Reading Final Passage.....	201, 202
Second Reading.....	95		Final Passage.....	2936
Amendment Offered.....	95		Other Action.....	37
Third Reading Final Passage.....	100		Messages.....	2935, 3699
Final Passage.....	2933		Speaker Signed.....	3248
Other Action.....	62	1381-S	Other Action.....	30
Messages.....	2930, 3699	1387-S	Other Action.....	30
Speaker Signed.....	3248	1391-S2	Third Reading Final Passage.....	240
1277-S			Messages.....	3781
Third Reading Final Passage.....	45, 46	1392-S2	Other Action.....	30
Final Passage.....	2934	1396	Committee Report.....	126
Other Action.....	37	1401	Other Action.....	30
Messages.....	2933, 3699	1405-S2	Other Action.....	31
Speaker Signed.....	3248	1422	Other Action.....	30
1282-S		1427-S	Other Action.....	30
Amendment Offered.....	398, 403	1433-S2	Committee Report.....	84
Third Reading Final Passage.....	398, 403		Second Reading.....	270
Final Passage.....	3017		Other Action.....	30, 169
Other Action.....	322	1433-S3	Second Reading.....	270
Messages.....	3012, 3699		Amendment Offered.....	270
Speaker Signed.....	3248		Third Reading Final Passage.....	270
1299			Messages.....	3781
Committee Report.....	69	1439	Committee Report.....	84
1299-S			Other Action.....	356, 480
Other Action.....	31	1439-S	Other Action.....	31
1300		1445	Other Action.....	89, 480
Second Reading.....	265	1450	Committee Report.....	155
1300-S			Other Action.....	70
Second Reading.....	265			
Amendment Offered.....	265			
Third Reading Final Passage.....	267			
Final Passage.....	3106			
Messages.....	3104, 3699			
Speaker Signed.....	3248			
1304				
Second Reading.....	384			
Other Action.....	322			
1304-S				
Second Reading.....	384			
Amendment Offered.....	384			
Third Reading Final Passage.....	386			
Messages.....	3781			
1330				
Third Reading Final Passage.....	67			
Other Action.....	62			
Messages.....	3781			
1332-S2				
Amendment Offered.....	150			
Third Reading Final Passage.....	149, 151			
Other Action.....	37			
Messages.....	3781			
1338				
Committee Report.....	113			

1453	Second Reading.....305	Other Action.....170
	Other Action.....257	Messages.....2759, 2837
1453-S	Second Reading.....305	Speaker Signed.....2777
	Third Reading Final Passage.....305	1547-S
	Final Passage.....3275	Other Action.....30
	Messages.....3274, 3779	1551
	Speaker Signed.....3698	Committee Report.....181
1455	Third Reading Final Passage.....31	Second Reading.....404
	Other Action.....31	Other Action.....322
	Messages.....899, 2759	1551-S2
	Speaker Signed.....2554	Second Reading.....404
1468	Second Reading.....428	Third Reading Final Passage.....404
	Amendment Offered.....428	Final Passage.....3023
	Third Reading Final Passage.....430	Messages.....3023, 3699
	Other Action.....62	Speaker Signed.....3248
	Messages.....3781	1555-S
1471	Third Reading Final Passage.....44	Other Action.....30
	Final Passage.....3023	1565-S2
	Other Action.....37	Committee Report.....127
	Messages.....3021, 3699	Other Action.....30, 322, 480
	Speaker Signed.....3248	1566
1479-S2	Committee Report.....157, 181	Other Action.....31
	Second Reading.....413	1574
	Other Action.....30, 281	Committee Report.....155
1479-S4	Second Reading.....413	1579-S2
	Amendment Offered.....413	Committee Report.....109
	Third Reading Final Passage.....425	Second Reading.....195
	Messages.....3781	Other Action.....30, 169
1488	Other Action.....31	1579-S3
1489	Other Action.....31	Second Reading.....195
1493-S	Amendment Offered.....272	Third Reading Final Passage.....195
	Third Reading Final Passage.....272, 273	Messages.....3781
	Final Passage.....3307	1584-S
	Messages.....3276, 3779	Other Action.....30
	Speaker Signed.....3698	1588-S
1506-S	Other Action.....30	Other Action.....30
1507	Third Reading Final Passage.....273	1589-S
	Other Action.....62	Third Reading Final Passage.....81
	Messages.....3781	Final Passage.....3177
1508-S	Amendment Offered.....198	Other Action.....47, 3176, 3177
	Third Reading Final Passage.....198, 201	Messages.....3161, 3699
	Other Action.....62	Speaker Signed.....3248
	Messages.....2759, 2837	1596-S
	Speaker Signed.....2777	Other Action.....30
1510	Second Reading.....215	1608
	Other Action.....89	Committee Report.....78
1510-S	Second Reading.....215	Second Reading.....105
	Amendment Offered.....215	Other Action.....89
	Third Reading Final Passage.....216	1608-S
	Other Action.....3157	Second Reading.....105
	Messages.....3156, 3781	Amendment Offered.....105
1518	Other Action.....31	Third Reading Final Passage.....105
1530	Third Reading Final Passage.....102, 103	Messages.....2770, 2837
	Other Action.....62	Speaker Signed.....2777
	Messages.....897, 2759	1618-S2
	Speaker Signed.....2554	Amendment Offered.....103
1541-S2	Amendment Offered.....196	Third Reading Final Passage.....103, 104
	Third Reading Final Passage.....196, 197	Other Action.....62
		Messages.....2806, 2923
		Speaker Signed.....2810
		1635
		Second Reading.....131
		Third Reading Final Passage.....131
		Final Passage.....3024
		Other Action.....62
		Messages.....3024, 3699
		Speaker Signed.....3248
		1637
		Second Reading.....94
		1637-S
		Second Reading.....94
		Amendment Offered.....94
		Third Reading Final Passage.....95
		Other Action.....62
		Messages.....3781
		1647



1648	Other Action .....	31	Second Reading .....	202
	Committee Report .....	124, 181	Other Action .....	170
1648-S2	Other Action .....	30	1800-S	Second Reading .....
1650	Committee Report .....	84		Third Reading Final Passage .....
	Other Action .....	31		Messages.....
1652-S	Third Reading Final Passage .....	45	1818	Second Reading .....
	Final Passage .....	3025		1818-S
	Other Action .....	37		Second Reading .....
	Messages.....	3024, 3699		Third Reading Final Passage .....
	Speaker Signed .....	3248		Other Action .....
1655	Committee Report .....	157		Messages.....
1660	Other Action .....	31		Speaker Signed .....
1685	Committee Report .....	92	1829-S	Other Action .....
1685-S	Other Action .....	31		1833-S
1692	Committee Report.....	115		Other Action .....
	Second Reading .....	234		1835
	Other Action .....	169		Committee Report.....
1692-S	Other Action .....	31		Second Reading .....
1692-S2	Second Reading .....	234		Other Action .....
	Amendment Offered.....	234		1835-S
	Third Reading Final Passage .....	238		Second Reading .....
	Messages.....	3781		Amendment Offered.....
1705-S	Other Action .....	37, 480		Third Reading Final Passage .....
1714	Third Reading Final Passage .....	197		Messages.....
	Other Action .....	170		Speaker Signed .....
	Messages.....	3781		1851-S
1717-S	Third Reading Final Passage .....	49		Third Reading Final Passage .....
	Other Action .....	37		Final Passage .....
	Messages.....	3781		Other Action .....
1726	Second Reading .....	66		Messages.....
	Third Reading Final Passage .....	66		Speaker Signed .....
	Other Action .....	62		1862
	Messages.....	2742, 2806		Introduction & 1st Reading .....
	Speaker Signed .....	2759		Committee Report .....
1752	Committee Report .....	127		Second Reading .....
	Second Reading .....	223		Other Action .....
	Third Reading Final Passage .....	223		Messages.....
	Other Action .....	170		Speaker Signed .....
	Messages.....	2759, 2837		1862-S
	Speaker Signed .....	2777		Second Reading .....
1757	Amendment Offered.....	50		Amendment Offered.....
	Third Reading Final Passage .....	50		Third Reading Final Passage .....
	Other Action .....	37		Messages.....
	Messages.....	3270, 3779		Speaker Signed .....
	Speaker Signed .....	3698		1863
1761	Other Action .....	322, 480		Introduction & 1st Reading .....
1768-S	Third Reading Final Passage .....	440		1864
	Other Action .....	356		Introduction & 1st Reading .....
	Messages.....	3781		1865
1776-S	Other Action .....	30		Introduction & 1st Reading .....
1789-S	Other Action .....	30		1866
1798	Committee Report .....	78, 181		Introduction & 1st Reading .....
1800	Committee Report .....	155		1867
				Introduction & 1st Reading .....
				Committee Report .....
				Second Reading .....
				Third Reading Final Passage .....
				Other Action .....
				Messages.....
				Speaker Signed .....
				1868
				Introduction & 1st Reading .....
				1869
				Introduction & 1st Reading .....
				Committee Report .....
				1870
				Introduction & 1st Reading .....
				Committee Report .....
				Second Reading .....
				Other Action .....
				1870-S
				Second Reading .....
				Third Reading Final Passage .....
				Final Passage .....
				Messages.....

1871	Speaker Signed .....	3248	1890	Speaker Signed .....	2759
1872	Introduction & 1st Reading .....	5		Introduction & 1st Reading .....	6
	Introduction & 1st Reading .....	5		Committee Report .....	85
	Other Action .....	30		Second Reading .....	203
1873	Introduction & 1st Reading .....	5		Third Reading Final Passage .....	203
1874	Introduction & 1st Reading .....	5		Other Action .....	170
1875	Introduction & 1st Reading .....	5		Messages.....	2719, 2806
1876	Introduction & 1st Reading .....	5	1891	Speaker Signed .....	2739
	Introduction & 1st Reading .....	5		Introduction & 1st Reading .....	7
	Committee Report.....	113	1892	Introduction & 1st Reading .....	7
	Second Reading.....	328		Committee Report .....	74, 174
	Third Reading Final Passage.....	328		Second Reading .....	231
	Other Action .....	281	1892-S	Second Reading .....	231
	Messages.....	2739, 2806		Third Reading Final Passage.....	231
	Speaker Signed .....	2759		Messages.....	2837, 3093
1877	Introduction & 1st Reading .....	5	1893	Speaker Signed .....	2855
	Committee Report .....	152, 181		Introduction & 1st Reading .....	7
	Second Reading.....	304		Committee Report .....	124, 177
	Other Action .....	256		Second Reading .....	387
1877-S2	Second Reading .....	304		Other Action .....	257
	Third Reading Final Passage.....	304	1893-S	Second Reading .....	387
	Final Passage .....	3069		Amendment Offered.....	387-389
	Messages.....	3026, 3699		Third Reading Final Passage.....	389
	Speaker Signed .....	3248		Messages.....	3781
1878	Introduction & 1st Reading .....	6	1894	Introduction & 1st Reading .....	7
1879	Introduction & 1st Reading .....	6		Committee Report .....	79
	Committee Report .....	73		Other Action .....	322, 480
	Second Reading .....	316	1895	Introduction & 1st Reading .....	7
	Third Reading Final Passage.....	316		Committee Report .....	85
	Messages.....	2719, 2806		Second Reading .....	119
	Speaker Signed .....	2739		Third Reading Final Passage.....	120
1880	Introduction & 1st Reading .....	6		Other Action .....	89
	Committee Report .....	58		Messages.....	461, 481
	Second Reading.....	130		Speaker Signed .....	460
	Other Action .....	89	1896	Introduction & 1st Reading .....	7
1880-S	Second Reading .....	130		Committee Report .....	109
	Third Reading Final Passage.....	130		Other Action .....	30
	Messages.....	2742, 2806	1897	Introduction & 1st Reading .....	7
	Speaker Signed .....	2759	1898	Introduction & 1st Reading .....	7
1881	Introduction & 1st Reading .....	6		Introduction & 1st Reading .....	7
1882	Introduction & 1st Reading .....	6		Committee Report .....	60
	Introduction & 1st Reading .....	6		Second Reading .....	105
1883	Introduction & 1st Reading .....	6		Third Reading Final Passage.....	105
1884	Introduction & 1st Reading .....	6		Other Action .....	89
	Introduction & 1st Reading .....	6		Messages.....	2719, 2806
1885	Introduction & 1st Reading .....	6		Speaker Signed .....	2739
1886	Introduction & 1st Reading .....	6	1899	Introduction & 1st Reading .....	7
	Introduction & 1st Reading .....	6		Committee Report .....	124, 182
	Committee Report .....	79		Second Reading .....	430
1887	Introduction & 1st Reading .....	6		Other Action .....	322
1888	Introduction & 1st Reading .....	6	1899-S2	Second Reading .....	431
1889	Introduction & 1st Reading .....	6		Amendment Offered.....	431
	Introduction & 1st Reading .....	6		Third Reading Final Passage.....	432
	Committee Report.....	116		Final Passage .....	3308
	Second Reading.....	261		Messages.....	3307, 3779
	Other Action .....	169		Speaker Signed .....	3698
1889-S	Second Reading .....	261	1900	Introduction & 1st Reading .....	7
	Third Reading Final Passage.....	261	1901	Introduction & 1st Reading .....	7
	Messages.....	2739, 2806		Committee Report .....	60
				Second Reading .....	305
				Third Reading Final Passage.....	305
				Other Action .....	256

	Messages.....	2742, 2837		Committee Report .....	79
	Speaker Signed .....	2777	1915	Introduction & 1st Reading .....	8
1902	Introduction & 1st Reading .....	7		Committee Report.....	114
1903	Introduction & 1st Reading .....	8		Second Reading .....	240
	Committee Report .....	85		Other Action .....	166
	Second Reading.....	299	1915-S	Second Reading .....	241
	Other Action .....	170		Third Reading Final Passage .....	241
1903-S	Second Reading .....	299		Other Action .....	2856, 2921, 2922, 3690
	Amendment Offered .....	299, 302		Messages.....	2855, 2921, 3690, 3781
	Third Reading Final Passage .....	303	1916	Introduction & 1st Reading .....	9
	Final Passage .....	2844		Committee Report .....	64, 178
	Messages.....	2843, 3271		Second Reading .....	325
	Speaker Signed .....	2997		Other Action .....	30, 257
1904	Introduction & 1st Reading .....	8	1916-S	Second Reading .....	325
1905	Introduction & 1st Reading .....	8		Third Reading Final Passage .....	325
	Committee Report .....	85, 174		Messages.....	2770, 2837
	Second Reading .....	233		Speaker Signed .....	2777
1905-S	Second Reading .....	234	1917	Introduction & 1st Reading .....	9
	Amendment Offered .....	234		Committee Report .....	61
	Third Reading Final Passage .....	234		Second Reading .....	122
	Messages.....	2739, 2837		Third Reading Final Passage .....	123
	Speaker Signed .....	2777		Other Action .....	89
1906	Introduction & 1st Reading .....	8		Messages.....	2759, 2837
	Committee Report .....	79		Speaker Signed .....	2777
	Second Reading.....	427	1918	Introduction & 1st Reading .....	9
	Other Action .....	322	1919	Introduction & 1st Reading .....	9
1906-S	Second Reading .....	427		Committee Report .....	109
	Amendment Offered .....	427		Second Reading .....	428
	Third Reading Final Passage .....	427		Other Action .....	322
	Messages.....	3781	1919-S	Second Reading .....	428
1907	Introduction & 1st Reading .....	8		Third Reading Final Passage .....	428
1908	Introduction & 1st Reading .....	8		Messages.....	2837, 3093
1909	Introduction & 1st Reading .....	8		Speaker Signed .....	2855
	Committee Report.....	114	1920	Introduction & 1st Reading .....	9
	Second Reading.....	195		Committee Report .....	61
	Other Action .....	170		Second Reading .....	123
1909-S	Second Reading .....	195		Third Reading Final Passage .....	123
	Third Reading Final Passage .....	195		Other Action .....	89
	Messages.....	3781		Messages.....	898, 2759
1910	Introduction & 1st Reading .....	8		Speaker Signed .....	2554
	Committee Report .....	85	1921	Introduction & 1st Reading .....	9
1911	Introduction & 1st Reading .....	8	1922	Introduction & 1st Reading .....	9
	Committee Report .....	85		Committee Report .....	152
	Second Reading.....	204	1923	Introduction & 1st Reading .....	9
	Other Action .....	170	1924	Introduction & 1st Reading .....	9
1911-S	Second Reading .....	204		Committee Report .....	74
	Third Reading Final Passage .....	204		Second Reading .....	203
	Messages.....	2806, 2923		Other Action .....	170
	Speaker Signed .....	2810	1924-S	Second Reading .....	203
1912	Introduction & 1st Reading .....	8		Third Reading Final Passage .....	203
	Committee Report .....	79		Final Passage .....	3070
1913	Introduction & 1st Reading .....	8		Messages.....	3069, 3699
	Committee Report .....	85		Speaker Signed .....	3248
	Second Reading.....	893	1925	Introduction & 1st Reading .....	9
	Third Reading Final Passage .....	893		Committee Report .....	69
	Other Action .....	891	1926	Introduction & 1st Reading .....	9
	Messages.....	3781		Committee Report .....	79
1914	Introduction & 1st Reading .....	8		Other Action .....	89, 480
	Introduction & 1st Reading .....	8	1927	Introduction & 1st Reading .....	9

Committee Report .....	85	Second Reading .....	336
Second Reading .....	194	Other Action .....	281
Third Reading Final Passage .....	194	1942-S	
Other Action .....	170	Second Reading .....	336
Messages.....	2837, 3093	Third Reading Final Passage .....	336
Speaker Signed .....	2855	Messages.....	2837, 3093
1928		Speaker Signed .....	2855
Introduction & 1st Reading .....	9	1943	
Committee Report .....	92	Introduction & 1st Reading .....	11
1929		Committee Report .....	61, 175
Introduction & 1st Reading .....	9	Second Reading .....	269
Committee Report.....	114, 182	Third Reading Final Passage .....	269
Second Reading .....	309	Final Passage .....	3072
Other Action .....	257	Messages.....	3070, 3699
1929-S2		Speaker Signed .....	3249
Second Reading.....	309	1944	
Third Reading Final Passage .....	309	Introduction & 1st Reading .....	11
Messages.....	2770, 2837	1945	
Speaker Signed .....	2777	Introduction & 1st Reading .....	11
1930		Committee Report.....	116, 182
Introduction & 1st Reading .....	10	Second Reading .....	271
1931		Other Action .....	257
Introduction & 1st Reading .....	10	1945-S	
1932		Second Reading .....	271
Introduction & 1st Reading .....	10	Third Reading Final Passage .....	271
Committee Report .....	61	Final Passage .....	2943
Second Reading .....	223	Messages.....	2939, 3699
Other Action .....	89	Speaker Signed .....	3249
1932-S		1946	
Second Reading.....	223	Introduction & 1st Reading .....	11
Amendment Offered.....	224, 228-230	Committee Report .....	65, 175
Third Reading Final Passage .....	230	Second Reading .....	245
Messages.....	3781	Third Reading Final Passage .....	245
1933		Messages.....	2806, 2923
Introduction & 1st Reading .....	10	Speaker Signed .....	2810
1934		1947	
Introduction & 1st Reading .....	10	Introduction & 1st Reading .....	11
Committee Report .....	157, 182	Committee Report .....	79, 174
Other Action .....	322, 480	Second Reading .....	232
1935		1947-S	
Introduction & 1st Reading .....	10	Second Reading .....	232
Committee Report .....	127, 182	Third Reading Final Passage .....	233
Other Action .....	322, 480	Messages.....	2719, 2806
1936		Speaker Signed .....	2739
Introduction & 1st Reading .....	10	1948	
Committee Report .....	168	Introduction & 1st Reading .....	11
1937		Committee Report .....	74
Introduction & 1st Reading .....	10	Second Reading .....	232
1938		Third Reading Final Passage .....	232
Introduction & 1st Reading .....	10	Other Action .....	170
1939		Messages.....	2719, 2806
Introduction & 1st Reading .....	10	Speaker Signed .....	2739
Committee Report .....	61	1949	
Second Reading .....	122	Introduction & 1st Reading .....	11
Other Action .....	89	Committee Report .....	86
1939-S		Second Reading .....	214
Second Reading.....	122	Third Reading Final Passage .....	214
Third Reading Final Passage .....	122	Other Action .....	170
Messages.....	2759, 2837	Messages.....	3781
Speaker Signed .....	2777	1950	
1940		Introduction & 1st Reading .....	11
Introduction & 1st Reading .....	10	Committee Report .....	65
Committee Report .....	109	Second Reading .....	106
1941		Third Reading Final Passage .....	106
Introduction & 1st Reading .....	10	Other Action .....	89
Committee Report .....	157, 182	Messages.....	461, 481
Second Reading .....	354	Speaker Signed .....	460
Other Action .....	281	1951	
1941-S2		Introduction & 1st Reading .....	11
Second Reading.....	354	Other Action .....	30
Third Reading Final Passage .....	355	1952	
Messages.....	2837, 3093	Introduction & 1st Reading .....	11
Speaker Signed .....	2855	Committee Report .....	74, 178
1942		Other Action .....	257, 480
Introduction & 1st Reading .....	10	1953	
Committee Report .....	85, 178	Introduction & 1st Reading .....	11

1954	Committee Report .....	169	Messages.....	2837, 3093
	Introduction & 1st Reading .....	11	Speaker Signed.....	2855
	Committee Report .....	79	1964	Introduction & 1st Reading .....
	Second Reading .....	104		Committee Report .....
	Third Reading Final Passage .....	105		Second Reading .....
	Other Action .....	89		Amendment Offered.....
	Messages.....	898, 2759		Third Reading Final Passage.....
	Speaker Signed .....	2554		Other Action .....
1955	Introduction & 1st Reading .....	12		Messages.....
	Committee Report .....	86		Speaker Signed .....
	Second Reading .....	121	1965	Introduction & 1st Reading .....
	Third Reading Final Passage .....	122		1966
	Other Action .....	89		Introduction & 1st Reading .....
	Messages.....	2742, 2806		1967
	Speaker Signed .....	2759		Introduction & 1st Reading .....
1956	Introduction & 1st Reading .....	12		Committee Report .....
	Committee Report.....	114, 182		Second Reading .....
	Second Reading .....	281		Third Reading Final Passage.....
	Other Action .....	256		Messages.....
1956-S2	Second Reading .....	281	1968	Introduction & 1st Reading .....
	Amendment Offered.....	281		1969
	Third Reading Final Passage .....	281		Introduction & 1st Reading .....
	Final Passage .....	2945		Committee Report .....
	Messages.....	2943, 3699		Other Action .....
	Speaker Signed .....	3249	1970	Introduction & 1st Reading .....
1957	Introduction & 1st Reading .....	12		Committee Report.....
	Committee Report .....	61		Second Reading .....
	Second Reading .....	244		Other Action .....
1957-S	Second Reading .....	244	1970-S	Second Reading .....
	Amendment Offered.....	244		Third Reading Final Passage .....
	Third Reading Final Passage .....	245		Messages.....
	Final Passage .....	2845		Speaker Signed .....
	Messages.....	2844, 3271	1971	Introduction & 1st Reading .....
	Speaker Signed .....	2997		Committee Report .....
1958	Introduction & 1st Reading .....	12	1972	Introduction & 1st Reading .....
	Committee Report .....	86		Committee Report .....
	Second Reading .....	213		Second Reading .....
	Amendment Offered.....	213		Third Reading Final Passage .....
	Third Reading Final Passage .....	213		Other Action .....
	Other Action .....	170		Messages.....
	Messages.....	2837, 3093		Speaker Signed .....
	Speaker Signed .....	2855	1973	Introduction & 1st Reading .....
1959	Introduction & 1st Reading .....	12		1974
	Committee Report .....	125		Introduction & 1st Reading .....
1960	Introduction & 1st Reading .....	12		Committee Report .....
	Committee Report .....	183		Second Reading .....
1961	Introduction & 1st Reading .....	12		Other Action .....
	Committee Report .....	80	1974-S	Second Reading .....
	Second Reading .....	122		Third Reading Final Passage .....
	Third Reading Final Passage .....	122		Messages.....
	Other Action .....	89		Speaker Signed .....
	Messages.....	2759, 2837	1975	Introduction & 1st Reading .....
	Speaker Signed .....	2777		Committee Report .....
1962	Introduction & 1st Reading .....	12		Second Reading .....
	Committee Report .....	61		Third Reading Final Passage .....
	Second Reading .....	267		Messages.....
	Third Reading Final Passage .....	268		Speaker Signed .....
	Other Action .....	170	1976	Introduction & 1st Reading .....
	Messages.....	2742, 2806		Committee Report .....
	Speaker Signed .....	2759		Second Reading .....
1963	Introduction & 1st Reading .....	12		Third Reading Final Passage .....
	Committee Report .....	86		Other Action .....
	Second Reading .....	243		Messages.....
	Third Reading Final Passage .....	244	1977	Speaker Signed .....

1978	Introduction & 1st Reading .....	13	Messages.....	2759, 2837
	Speaker Signed .....		Speaker Signed .....	2777
	Introduction & 1st Reading .....	13	1990	Introduction & 1st Reading .....
	Committee Report .....	70		Committee Report .....
	Second Reading .....	207		1991
	Third Reading Final Passage .....	207		Introduction & 1st Reading .....
	Other Action .....	170		Committee Report .....
	Messages.....	2719, 2806		Other Action .....
	Speaker Signed .....	2739		1992
1979	Introduction & 1st Reading .....	13		Introduction & 1st Reading .....
	Committee Report .....	109		Committee Report .....
	Second Reading .....	205		Second Reading .....
	Other Action .....	170		Third Reading Final Passage .....
1979-S				Other Action .....
	Second Reading .....	205		Messages.....
	Third Reading Final Passage .....	205		Speaker Signed .....
	Messages.....	2837, 3093	1993	Introduction & 1st Reading .....
	Speaker Signed .....	2855		1994
1980	Introduction & 1st Reading .....	13		Introduction & 1st Reading .....
	Other Action .....	30		Committee Report .....
1981	Introduction & 1st Reading .....	13		Other Action .....
1982	Introduction & 1st Reading .....	13	1995	Introduction & 1st Reading .....
	Committee Report .....	70, 175		1996
	Second Reading .....	239		Introduction & 1st Reading .....
	Third Reading Final Passage .....	239		Committee Report .....
	Messages.....	2837, 3093		Second Reading .....
	Speaker Signed .....	2855		Other Action .....
1983	Introduction & 1st Reading .....	13	1996-S	Second Reading .....
	Committee Report.....	114		Third Reading Final Passage .....
	Second Reading .....	243		Messages.....
	Third Reading Final Passage .....	243		Speaker Signed .....
	Messages.....	2759, 2837	1997	Introduction & 1st Reading .....
	Speaker Signed .....	2777		Committee Report .....
1984	Introduction & 1st Reading .....	13		Second Reading .....
1985	Introduction & 1st Reading .....	14		Other Action .....
	Committee Report.....	116	1997-S	Second Reading .....
	Second Reading .....	205		Third Reading Final Passage .....
	Other Action .....	170		Messages.....
1985-S	Second Reading .....	205	1998	Introduction & 1st Reading .....
	Amendment Offered .....	205, 206		Committee Report .....
	Third Reading Final Passage .....	206		Second Reading .....
	Messages.....	2759, 2837		Other Action .....
	Speaker Signed .....	2777	1998-S	Second Reading .....
1986	Introduction & 1st Reading .....	14		Amendment Offered.....
	Committee Report .....	109		Third Reading Final Passage .....
	Second Reading .....	207		Final Passage .....
	Third Reading Final Passage .....	208		Messages.....
	Other Action .....	170		Speaker Signed .....
	Messages.....	3781	1999	Introduction & 1st Reading .....
1987	Introduction & 1st Reading .....	14		Committee Report .....
	Committee Report .....	86, 178		Second Reading .....
	Second Reading .....	328	1999-S	Second Reading .....
	Third Reading Final Passage .....	328		Third Reading Final Passage .....
	Other Action .....	257		Messages.....
	Messages.....	2719, 2806		Speaker Signed .....
	Speaker Signed .....	2739	2000	Introduction & 1st Reading .....
1988	Introduction & 1st Reading .....	14		Committee Report .....
1989	Introduction & 1st Reading .....	14		Second Reading .....
	Committee Report .....	183	2000-S2	Second Reading .....
	Second Reading .....	316		Amendment Offered.....
	Other Action .....	257		Third Reading Final Passage .....
1989-S	Second Reading .....	316		Final Passage .....
	Third Reading Final Passage .....	316		Messages.....
				Speaker Signed .....

2001	Introduction & 1st Reading .....	15	Introduction & 1st Reading .....	16
	Committee Report .....	127, 183	Committee Report .....	92, 184
	Second Reading .....	394	Second Reading .....	319
	Other Action .....	281	Other Action .....	257
2001-S2	Second Reading .....	395	2014-S2	Second Reading .....
	Third Reading Final Passage .....	395		319
	Messages .....	3781		Third Reading Final Passage .....
2002	Introduction & 1st Reading .....	15		320
2003	Introduction & 1st Reading .....	15	2015	Messages .....
	Committee Report .....	127		2837, 3093
	Second Reading .....	336		Speaker Signed .....
	Other Action .....	281		2855
2003-S	Second Reading .....	336	2015-S	Introduction & 1st Reading .....
	Amendment Offered .....	336		16
	Third Reading Final Passage .....	337		Committee Report .....
	Messages .....	2770, 2837		62
	Speaker Signed .....	2777		Second Reading .....
2004	Introduction & 1st Reading .....	15		121
	Committee Report .....	65		Third Reading Final Passage .....
	Second Reading .....	215		121
	Third Reading Final Passage .....	215		Messages .....
	Other Action .....	89		2719, 2806
	Messages .....	2806, 2923		Speaker Signed .....
	Speaker Signed .....	2810		2739
2005	Introduction & 1st Reading .....	15	2016	Introduction & 1st Reading .....
2006	Introduction & 1st Reading .....	15		16
	Committee Report .....	65, 127	2017	Introduction & 1st Reading .....
	Other Action .....	170, 480		16
2007	Introduction & 1st Reading .....	15	2018	Introduction & 1st Reading .....
	Committee Report .....	92, 184		16
	Second Reading .....	409		Committee Report .....
	Other Action .....	322		158
2007-S	Second Reading .....	409	2019	Introduction & 1st Reading .....
	Third Reading Final Passage .....	409		16
	Final Passage .....	2946		Committee Report .....
	Messages .....	2945, 3699		87, 184
	Speaker Signed .....	3249		Second Reading .....
2008	Introduction & 1st Reading .....	15		279
	Committee Report .....	61		Other Action .....
2009	Introduction & 1st Reading .....	15		256
	Committee Report .....	87, 184	2019-S	Second Reading .....
	Second Reading .....	407		279
	Other Action .....	322		Amendment Offered .....
2009-S	Second Reading .....	407		279
	Third Reading Final Passage .....	408		Third Reading Final Passage .....
	Messages .....	3781		279
2010	Introduction & 1st Reading .....	15		Messages .....
2011	Introduction & 1st Reading .....	15		2759, 2837
2012	Introduction & 1st Reading .....	15		Speaker Signed .....
	Committee Report .....	102		2777
	Second Reading .....	329	2020	Introduction & 1st Reading .....
	Other Action .....	281		16
2012-S	Second Reading .....	329		Committee Report .....
	Third Reading Final Passage .....	329		74, 178
	Messages .....	2837, 3093		Second Reading .....
	Speaker Signed .....	2855		304
2013	Introduction & 1st Reading .....	16		Other Action .....
2014				257
			2020-S	Second Reading .....
				304
				Third Reading Final Passage .....
				304
				Messages .....
				2770, 2837
				Speaker Signed .....
				2777
			2021	Introduction & 1st Reading .....
				16
				Committee Report .....
				87
				Second Reading .....
				273
			2021-S	Second Reading .....
				274
				Amendment Offered .....
				274
				Third Reading Final Passage .....
				274
				Other Action .....
				274
				Messages .....
				2806, 2923
				Speaker Signed .....
				2810
			2022	Introduction & 1st Reading .....
				16
				Committee Report .....
				87, 175
				Second Reading .....
				261
			2022-S2	Second Reading .....
				261
				Amendment Offered .....
				261
				Third Reading Final Passage .....
				261
				Final Passage .....
				2951
				Messages .....
				2946, 3699
				Speaker Signed .....
				3249
			2023	Introduction & 1st Reading .....
				16
				Committee Report .....
				80, 184
				Second Reading .....
				426
				Third Reading Final Passage .....
				426
				Other Action .....
				356
				Messages .....
				3781

2024	Introduction & 1st Reading .....	16	Final Passage .....	2958	
			Messages.....	2951, 3699	
2025	Introduction & 1st Reading .....	16	Speaker Signed .....	3249	
	Committee Report .....	87, 184			
	Second Reading .....	305			
	Other Action .....	257			
2025-S	Second Reading .....	305			
	Third Reading Final Passage .....	305			
	Messages.....	2837, 3093			
	Speaker Signed .....	2855			
2026	Introduction & 1st Reading .....	17			
	Committee Report .....	102			
2027	Introduction & 1st Reading .....	17			
2028	Introduction & 1st Reading .....	17			
	Committee Report .....	158			
2029	Introduction & 1st Reading .....	17			
2030	Introduction & 1st Reading .....	17			
2031	Introduction & 1st Reading .....	17			
	Committee Report .....	87			
	Second Reading .....	243			
	Third Reading Final Passage .....	243			
	Messages.....	3781			
2032	Introduction & 1st Reading .....	17			
	Committee Report .....	58			
	Second Reading .....	106			
	Third Reading Final Passage .....	106			
	Final Passage .....	3108			
	Other Action .....	89			
	Messages.....	3108, 3699			
	Speaker Signed .....	3249			
2033	Introduction & 1st Reading .....	17			
2034	Introduction & 1st Reading .....	17			
	Committee Report .....	62			
	Second Reading .....	269			
	Third Reading Final Passage .....	269			
	Messages.....	2742, 2806			
	Speaker Signed .....	2759			
2035	Introduction & 1st Reading .....	17			
2036	Introduction & 1st Reading .....	17			
	Committee Report .....	109			
2037	Introduction & 1st Reading .....	17			
	Committee Report .....	128			
	Second Reading .....	306			
	Other Action .....	170			
2037-S	Second Reading .....	306, 308			
	Amendment Offered .....	306, 308, 309			
	Third Reading Final Passage .....	309			
	Other Action .....	308			
	Messages.....	3781			
2038	Introduction & 1st Reading .....	17			
	Committee Report .....	155			
2039	Introduction & 1st Reading .....	18			
	Committee Report.....	110			
	Second Reading .....	329			
	Other Action .....	281			
2039-S	Second Reading .....	329			
	Amendment Offered.....	329			
	Third Reading Final Passage .....	336			
			2040	Introduction & 1st Reading .....	18
			2041	Introduction & 1st Reading .....	18
				Committee Report .....	87
				Second Reading .....	273
			2041-S	Amendment Offered.....	273
				Third Reading Final Passage .....	273
				Messages.....	2739, 2806
				Speaker Signed .....	2759
			2042	Introduction & 1st Reading .....	18
			2043	Introduction & 1st Reading .....	18
				Committee Report .....	74
			2044	Introduction & 1st Reading .....	18
				Committee Report .....	102
				Second Reading .....	361
				Amendment Offered.....	361
				Third Reading Final Passage .....	362
				Other Action .....	257
				Messages.....	2806, 2923
				Speaker Signed .....	2810
			2045	Introduction & 1st Reading .....	18
				Committee Report.....	110
				Second Reading .....	217
				Other Action .....	170
			2045-S	Second Reading .....	217
				Third Reading Final Passage .....	217
				Final Passage .....	2960
				Messages.....	2958, 3699
				Speaker Signed .....	3249
			2046	Introduction & 1st Reading .....	18
			2047	Introduction & 1st Reading .....	18
			2048	Introduction & 1st Reading .....	18
				Committee Report .....	87
				Second Reading .....	203
				Other Action .....	152, 170
			2048-S	Second Reading .....	203
				Third Reading Final Passage .....	203
				Messages.....	2739, 2837
				Speaker Signed .....	2777
			2049	Introduction & 1st Reading .....	18
				Committee Report .....	88, 178
				Other Action .....	281, 480
			2050	Introduction & 1st Reading .....	18
			2051	Introduction & 1st Reading .....	18
			2052	Introduction & 1st Reading .....	19
				Committee Report .....	158
			2053	Introduction & 1st Reading .....	19
			2054	Introduction & 1st Reading .....	19
			2055	Introduction & 1st Reading .....	19
				Committee Report .....	152
			2056	Introduction & 1st Reading .....	19
				Committee Report .....	65
				Second Reading .....	249
			2056-S		



	Second Reading .....	249		Final Passage .....	2962
	Third Reading Final Passage .....	249		Messages.....	2961, 3699
	Final Passage .....	2961		Speaker Signed .....	3249
	Messages.....	2960, 3699	2072		
	Speaker Signed .....	3249		Introduction & 1st Reading .....	20
2057	Introduction & 1st Reading .....	19		Committee Report .....	88
				Second Reading .....	220
2058	Introduction & 1st Reading .....	19	2072-S		
	Committee Report .....	80		Second Reading .....	220
				Third Reading Final Passage .....	221
2059	Introduction & 1st Reading .....	19		Messages.....	2806, 2923
	Committee Report.....	110		Speaker Signed .....	2810
	Second Reading .....	213	2073		
	Third Reading Final Passage .....	213		Introduction & 1st Reading .....	20
	Other Action .....	170		Committee Report.....	110, 185
	Messages.....	3781		Other Action .....	322, 480
2060	Introduction & 1st Reading .....	19	2074		
				Introduction & 1st Reading .....	20
2061	Introduction & 1st Reading .....	19		Committee Report .....	128
	Committee Report .....	152		Second Reading .....	212
	Second Reading .....	239		Third Reading Final Passage .....	212
2061-S	Second Reading .....	239		Other Action .....	170
	Third Reading Final Passage .....	239		Messages.....	3781
	Messages.....	2739, 2837	2075		
	Speaker Signed .....	2777		Introduction & 1st Reading .....	20
2062	Introduction & 1st Reading .....	19		Committee Report .....	88
	Committee Report.....	116		Second Reading .....	222
	Second Reading .....	204	2075-S		
	Third Reading Final Passage .....	204		Second Reading .....	222
	Other Action .....	30, 170		Third Reading Final Passage .....	222
	Messages.....	3781		Messages.....	2742, 2806
2063	Introduction & 1st Reading .....	19		Speaker Signed .....	2759
			2076		
2064	Introduction & 1st Reading .....	19		Introduction & 1st Reading .....	20
				Committee Report .....	152, 185
2065	Introduction & 1st Reading .....	19		Other Action .....	356, 480
	Committee Report .....	158, 184	2077		
	Second Reading .....	368		Introduction & 1st Reading .....	20
	Amendment Offered .....	368		Other Action .....	47
	Other Action .....	256	2078		
2065-S	Third Reading Final Passage .....	369		Introduction & 1st Reading .....	20
2065-S2	Second Reading .....	368	2079	Introduction & 1st Reading .....	20
	Messages.....	3781		Committee Report .....	156
2066	Introduction & 1st Reading .....	20		Second Reading .....	407
				Amendment Offered.....	407
2067	Introduction & 1st Reading .....	20		Third Reading Final Passage .....	407
				Messages.....	3781
2068	Introduction & 1st Reading .....	20	2080		
				Introduction & 1st Reading .....	20
2069	Introduction & 1st Reading .....	20			
	Committee Report .....	155	2081	Introduction & 1st Reading .....	21
	Second Reading .....	348		Committee Report .....	158
	Other Action .....	257		Messages.....	2838, 3093
2069-S	Second Reading .....	348	2082		
	Third Reading Final Passage .....	349		Introduction & 1st Reading .....	21
	Messages.....	3781		Committee Report.....	110
2070	Introduction & 1st Reading .....	20	2083		
	Committee Report .....	128		Introduction & 1st Reading .....	21
2071	Introduction & 1st Reading .....	20	2084		
	Committee Report .....	88, 185		Introduction & 1st Reading .....	21
	Second Reading .....	329		Committee Report .....	128, 185
	Other Action .....	281		Second Reading .....	360
2071-S2	Second Reading .....	329		Other Action .....	281
	Third Reading Final Passage .....	329	2084-S2		
				Second Reading .....	360
				Third Reading Final Passage .....	360
				Messages.....	2806, 2923
				Speaker Signed .....	2810
			2085		
				Introduction & 1st Reading .....	21
			2086		
				Introduction & 1st Reading .....	21
				Committee Report .....	88

Second Reading.....	212	Committee Report.....	114
Other Action.....	170	Second Reading.....	233
2086-S		2102-S	
Second Reading.....	212	Second Reading.....	233
Third Reading Final Passage.....	212	Third Reading Final Passage.....	233
Messages.....	2719, 2806	Messages.....	2837, 3093
Speaker Signed.....	2739	Speaker Signed.....	2855
2087		2103	
Introduction & 1st Reading.....	21	Introduction & 1st Reading.....	22
2088		2104	
Introduction & 1st Reading.....	21	Introduction & 1st Reading.....	22
Committee Report.....	116	Committee Report.....	899
Second Reading.....	248	2105	
Amendment Offered.....	248	Introduction & 1st Reading.....	22
Third Reading Final Passage.....	248	2106	
Other Action.....	170	Introduction & 1st Reading.....	23
Messages.....	2719, 2806	2107	
Speaker Signed.....	2739	Introduction & 1st Reading.....	23
2089		2108	
Introduction & 1st Reading.....	21	Introduction & 1st Reading.....	23
Committee Report.....	2560	2109	
2090		Introduction & 1st Reading.....	23
Introduction & 1st Reading.....	21	Committee Report.....	114, 185
Committee Report.....	88	2110	
2091		Introduction & 1st Reading.....	23
Introduction & 1st Reading.....	21	Committee Report.....	114
Committee Report.....	152, 175	Second Reading.....	221
Second Reading.....	249	Third Reading Final Passage.....	221
2091-S		Messages.....	2770, 2837
Second Reading.....	249	Speaker Signed.....	2777
Third Reading Final Passage.....	249	2111	
Messages.....	2770, 2837	Introduction & 1st Reading.....	23
Speaker Signed.....	2777	Committee Report.....	65
2092		Second Reading.....	121
Introduction & 1st Reading.....	21	Third Reading Final Passage.....	121
2093		Other Action.....	89
Introduction & 1st Reading.....	21	Messages.....	897, 2759, 2838, 3093
2094		Speaker Signed.....	2554
Introduction & 1st Reading.....	22	2112	
2095		Introduction & 1st Reading.....	23
Introduction & 1st Reading.....	22	Committee Report.....	110, 176
2096		Second Reading.....	239
Introduction & 1st Reading.....	22	2112-S2	
2097		Second Reading.....	239
Introduction & 1st Reading.....	22	Third Reading Final Passage.....	240
Committee Report.....	110	Messages.....	2837, 3093
Second Reading.....	215	Speaker Signed.....	2855
Other Action.....	170	2113	
2097-S		Introduction & 1st Reading.....	23
Second Reading.....	215	Committee Report.....	110, 185
Third Reading Final Passage.....	215	Messages.....	2838, 3093
Messages.....	2837, 3093	2114	
Speaker Signed.....	2855	Introduction & 1st Reading.....	23
2098		Committee Report.....	74, 177
Introduction & 1st Reading.....	22	Second Reading.....	432
Committee Report.....	80	2114-S	
Other Action.....	356, 480	Second Reading.....	432
2099		Amendment Offered.....	432, 433
Introduction & 1st Reading.....	22	Third Reading Final Passage.....	433
Committee Report.....	88, 175	Messages.....	3781
Second Reading.....	277	2115	
2099-S2		Introduction & 1st Reading.....	23
Second Reading.....	277	Committee Report.....	80
Amendment Offered.....	277, 279	Second Reading.....	268
Third Reading Final Passage.....	279	2115-S	
Final Passage.....	3078	Second Reading.....	268
Messages.....	3075, 3699	Amendment Offered.....	268
Speaker Signed.....	3249	Third Reading Final Passage.....	268
2100		Final Passage.....	2846
Introduction & 1st Reading.....	22	Messages.....	2846, 3271
Committee Report.....	125	Speaker Signed.....	2997
2101		2116	
Introduction & 1st Reading.....	22	Introduction & 1st Reading.....	23
Committee Report.....	65	2117	
2102		Introduction & 1st Reading.....	23
Introduction & 1st Reading.....	22	Committee Report.....	158

Other Action .....	281, 480	2131-S	Second Reading .....	262
2118 Introduction & 1st Reading .....	24		Amendment Offered .....	262
Committee Report .....	93		Third Reading Final Passage .....	262
Second Reading .....	337		Final Passage .....	3079
2118-S Second Reading .....	337		Messages .....	3079, 3699
Amendment Offered .....	337, 340	2132	Speaker Signed .....	3249
Third Reading Final Passage .....	341		2132 Introduction & 1st Reading .....	24
Final Passage .....	2963	2133	2133 Introduction & 1st Reading .....	25
Messages .....	2962, 3699		2134 Introduction & 1st Reading .....	25
Speaker Signed .....	3249		2134 Introduction & 1st Reading .....	25
2119 Introduction & 1st Reading .....	24		Committee Report .....	899
2120 Introduction & 1st Reading .....	24		Second Reading .....	903
Committee Report .....	128		Other Action .....	903
Second Reading .....	216	2134-S	Committee Report Conference .....	3700
Third Reading Final Passage .....	217		Second Reading .....	903
Other Action .....	170		Amendment Offered .....	903
Messages .....	3781		Third Reading Final Passage .....	903
2121 Introduction & 1st Reading .....	24		Final Passage .....	3767
2122 Introduction & 1st Reading .....	24		Other Action .....	2921
Committee Report .....	111		Messages .....	2856, 2997, 3699, 3779
Other Action .....	355, 480	2135	Speaker Signed .....	3779
2123 Introduction & 1st Reading .....	24		2135 Introduction & 1st Reading .....	25
2124 Introduction & 1st Reading .....	24		Committee Report .....	75
Committee Report .....	65, 186		Second Reading .....	221
Second Reading .....	411		Third Reading Final Passage .....	221
Other Action .....	322		Final Passage .....	3079
2124-S2 Second Reading .....	411		Messages .....	3079, 3699
Third Reading Final Passage .....	411		Speaker Signed .....	3249
Final Passage .....	3111	2136	2136 Introduction & 1st Reading .....	25
Messages .....	3109, 3699		Committee Report .....	125
Speaker Signed .....	3249		Second Reading .....	294
2125 Introduction & 1st Reading .....	24		Other Action .....	256
Committee Report .....	80	2136-S	Second Reading .....	294
2126 Introduction & 1st Reading .....	24		Third Reading Final Passage .....	294
Committee Report .....	80		Messages .....	898, 2759
Other Action .....	89, 480	2137	Speaker Signed .....	2554
2127 Introduction & 1st Reading .....	24		2137 Introduction & 1st Reading .....	25
Committee Report .....	111		Committee Report .....	88
Second Reading .....	195		Second Reading .....	243
Other Action .....	170		Third Reading Final Passage .....	243
2127-S Second Reading .....	195		Messages .....	2739, 2837
Third Reading Final Passage .....	196		Speaker Signed .....	2777
Messages .....	2770, 2837	2138	2138 Introduction & 1st Reading .....	25
Speaker Signed .....	2777		Committee Report .....	116
2128 Introduction & 1st Reading .....	24	2139	2139 Introduction & 1st Reading .....	25
Committee Report .....	158, 186		2140 Introduction & 1st Reading .....	25
Second Reading .....	359	2141	2141 Introduction & 1st Reading .....	25
Other Action .....	281		Committee Report .....	75
2128-S2 Second Reading .....	359	2142	2142 Introduction & 1st Reading .....	25
Amendment Offered .....	359		2143 Introduction & 1st Reading .....	25
Third Reading Final Passage .....	359	2144	2144 Introduction & 1st Reading .....	25
Messages .....	3781		Committee Report .....	80, 179
2129 Introduction & 1st Reading .....	24	2145	2145 Introduction & 1st Reading .....	25
2130 Introduction & 1st Reading .....	24		2146 Introduction & 1st Reading .....	26
Committee Report .....	128	2147	2147 Introduction & 1st Reading .....	26
2131 Introduction & 1st Reading .....	24		Committee Report .....	81, 186
Committee Report .....	111, 176		Second Reading .....	386
Second Reading .....	262		Other Action .....	322

2147-S	Second Reading.....386	2163	Introduction & 1st Reading.....27
	Amendment Offered.....386		Committee Report.....111
	Third Reading Final Passage.....387	2164	Introduction & 1st Reading.....27
	Other Action.....3158		Committee Report.....89
	Messages.....3157, 3270, 3779		Second Reading.....241
	Speaker Signed.....3698		Amendment Offered.....241
2148	Introduction & 1st Reading.....26		Third Reading Final Passage.....241
	Other Action.....30		Other Action.....170
2149	Introduction & 1st Reading.....26		Messages.....3781
2150	Introduction & 1st Reading.....26	2165	Introduction & 1st Reading.....27
2151	Introduction & 1st Reading.....26		Committee Report.....153
	Committee Report.....102, 186		Second Reading.....204
	Second Reading.....363		Other Action.....170
	Other Action.....281	2165-S	Second Reading.....204
2151-S2	Second Reading.....363		Third Reading Final Passage.....204
	Third Reading Final Passage.....363		Messages.....2719, 2806
	Messages.....2742, 2806		Speaker Signed.....2739
	Speaker Signed.....2759	2166	Introduction & 1st Reading.....27
2152	Introduction & 1st Reading.....26		Committee Report.....117, 186
	Committee Report.....117		Second Reading.....349
2153	Introduction & 1st Reading.....26		Other Action.....281
	Committee Report.....159, 186	2166-S2	Second Reading.....349
	Second Reading.....404		Third Reading Final Passage.....349
	Other Action.....322		Messages.....3781
2153-S	Second Reading.....404	2167	Introduction & 1st Reading.....27
	Amendment Offered.....404	2168	Introduction & 1st Reading.....27
	Third Reading Final Passage.....406	2169	Introduction & 1st Reading.....27
	Final Passage.....2982		Committee Report.....128
	Messages.....2963, 3699	2170	Introduction & 1st Reading.....27
	Speaker Signed.....3249		Committee Report.....117
2154	Introduction & 1st Reading.....26	2171	Introduction & 1st Reading.....27
2155	Introduction & 1st Reading.....26		Committee Report.....75
	Committee Report.....81	2172	Introduction & 1st Reading.....27
2156	Introduction & 1st Reading.....26		Committee Report.....81
	Committee Report.....93	2173	Introduction & 1st Reading.....27
	Second Reading.....245		Committee Report.....159
	Other Action.....170, 215		Other Action.....322, 480
2156-S	Second Reading.....245	2174	Introduction & 1st Reading.....28
	Amendment Offered.....245	2175	Introduction & 1st Reading.....28
	Third Reading Final Passage.....245	2176	Introduction & 1st Reading.....28
	Messages.....2719, 2806	2177	Introduction & 1st Reading.....28
	Speaker Signed.....2739	2178	Introduction & 1st Reading.....28
2157	Introduction & 1st Reading.....26		Introduction & 1st Reading.....28
	Committee Report.....81	2179	Introduction & 1st Reading.....28
2158	Introduction & 1st Reading.....26	2180	Introduction & 1st Reading.....28
2159	Introduction & 1st Reading.....26		Committee Report.....156
2160	Introduction & 1st Reading.....27		Second Reading.....395
	Committee Report.....65, 179		Other Action.....281
	Second Reading.....408	2180-S	Second Reading.....395
	Other Action.....281		Amendment Offered.....395
2160-S2	Second Reading.....408		Third Reading Final Passage.....396
	Amendment Offered.....408, 409		Messages.....3154, 3699
	Third Reading Final Passage.....409		Speaker Signed.....3249
	Messages.....3781	2181	Introduction & 1st Reading.....28
2161	Introduction & 1st Reading.....27		
2162	Introduction & 1st Reading.....27		

2182	Introduction & 1st Reading .....	28	Committee Report.....	114, 187
	Committee Report .....	153	Other Action .....	256, 480
	Second Reading.....	206	2202	Introduction & 1st Reading .....
	Other Action .....	170	2203	Introduction & 1st Reading .....
2182-S	Second Reading .....	206	2204	Introduction & 1st Reading .....
	Third Reading Final Passage.....	207		Committee Report .....
	Messages.....	3781		Introduction & 1st Reading .....
2183	Introduction & 1st Reading .....	28		Committee Report.....
2184	Introduction & 1st Reading .....	28		Second Reading .....
	Committee Report .....	89		Third Reading Final Passage.....
2185	Introduction & 1st Reading .....	28		Other Action .....
	Committee Report.....	117		Messages.....
2186	Introduction & 1st Reading .....	28		Speaker Signed .....
2187	Introduction & 1st Reading .....	28	2205	Introduction & 1st Reading .....
2188	Introduction & 1st Reading .....	28	2206	Introduction & 1st Reading .....
2189	Introduction & 1st Reading .....	28	2207	Introduction & 1st Reading .....
2190	Introduction & 1st Reading .....	29		Introduction & 1st Reading .....
2191	Introduction & 1st Reading .....	29		Committee Report .....
	Committee Report.....	117		Second Reading .....
	Second Reading .....	232		Third Reading Final Passage.....
	Other Action .....	47		Final Passage .....
2191-S	Second Reading .....	232		Messages.....
	Amendment Offered.....	232		Speaker Signed .....
	Third Reading Final Passage.....	232	2208	Introduction & 1st Reading .....
	Messages.....	3781		Other Action .....
2192	Introduction & 1st Reading .....	29	2209	Introduction & 1st Reading .....
2193	Introduction & 1st Reading .....	29		Committee Report .....
2194	Introduction & 1st Reading .....	29		Second Reading .....
	Committee Report .....	128		Third Reading Final Passage.....
2195	Introduction & 1st Reading .....	33		Other Action .....
	Committee Report .....	176		Messages.....
	Second Reading.....	397		Speaker Signed .....
	Other Action .....	322	2210	Introduction & 1st Reading .....
2195-S	Second Reading .....	397		Committee Report .....
	Third Reading Final Passage.....	397		Second Reading .....
	Final Passage .....	2984		Third Reading Final Passage.....
	Messages.....	2982, 3699		Other Action .....
	Speaker Signed .....	3249		Messages.....
2196	Introduction & 1st Reading .....	33		Speaker Signed .....
2197	Introduction & 1st Reading .....	33	2211	Introduction & 1st Reading .....
	Committee Report .....	156, 186	2212	Introduction & 1st Reading .....
	Other Action .....	356, 480	2213	Introduction & 1st Reading .....
2198	Introduction & 1st Reading .....	33		Introduction & 1st Reading .....
2199	Introduction & 1st Reading .....	33		Committee Report .....
	Committee Report .....	129		Second Reading .....
	Second Reading .....	262		Third Reading Final Passage.....
	Amendment Offered.....	262		Final Passage .....
	Third Reading Final Passage.....	263		Other Action .....
	Other Action .....	170		Messages.....
	Messages.....	2837, 3093		Speaker Signed .....
	Speaker Signed .....	2855	2214	Introduction & 1st Reading .....
2200	Introduction & 1st Reading .....	33		Committee Report.....
2201	Introduction & 1st Reading .....	33		Second Reading .....
				Third Reading Final Passage.....
				Other Action .....
				Messages.....
				Speaker Signed .....
				2214-S2
				Second Reading .....
				Third Reading Final Passage.....
				Messages.....
				Speaker Signed .....
				2215
				Introduction & 1st Reading .....
				2216
				Introduction & 1st Reading .....

Committee Report .....	156	2235	Introduction & 1st Reading .....	36
Second Reading .....	238	2236	Introduction & 1st Reading .....	36
Other Action .....	170		Committee Report.....	115, 179
2216-S			Second Reading .....	393
Second Reading .....	238		Other Action .....	281
Third Reading Final Passage .....	239	2236-S	Second Reading .....	394
Messages.....	2742, 2806		Amendment Offered.....	394
Speaker Signed .....	2759		Third Reading Final Passage .....	394
2217			Final Passage .....	3115
Introduction & 1st Reading .....	34		Messages.....	3113, 3699
Committee Report .....	159		Speaker Signed .....	3249
Second Reading .....	303	2236-S2	Second Reading .....	393
Other Action .....	169, 256		Amendment Offered .....	393
2217-S		2237	Introduction & 1st Reading .....	36
Second Reading .....	303		Committee Report .....	125
Third Reading Final Passage .....	303		Other Action .....	480
Messages.....	2759, 2837	2238	Introduction & 1st Reading .....	36
Speaker Signed .....	2777	2239	Introduction & 1st Reading .....	36
2218			Committee Report .....	129, 187
Introduction & 1st Reading .....	35		Second Reading .....	324
2219			Other Action .....	257
Introduction & 1st Reading .....	35	2239-S2	Second Reading .....	324
2220			Third Reading Final Passage .....	325
Introduction & 1st Reading .....	35		Messages.....	3782
2221		2240	Introduction & 1st Reading .....	36
Introduction & 1st Reading .....	35	2241	Introduction & 1st Reading .....	36
Committee Report.....	117	2242	Introduction & 1st Reading .....	36
2222			Committee Report.....	117
Introduction & 1st Reading .....	35	2243	Introduction & 1st Reading .....	36
2223			Committee Report .....	159
Introduction & 1st Reading .....	35	2244	Introduction & 1st Reading .....	36
2224			Other Action .....	37
Introduction & 1st Reading .....	35	2245	Introduction & 1st Reading .....	36
Committee Report .....	156		Committee Report.....	115, 188
Second Reading .....	222		Second Reading .....	353
2224-S			Other Action .....	281
Second Reading .....	223	2245-S2	Second Reading .....	353
Third Reading Final Passage .....	223		Amendment Offered.....	353
Messages.....	3781		Third Reading Final Passage .....	354
2225			Messages.....	3782
Introduction & 1st Reading .....	35	2246	Introduction & 1st Reading .....	36
2226			Committee Report .....	153, 188
Introduction & 1st Reading .....	35		Second Reading .....	336
Committee Report .....	125		Third Reading Final Passage .....	336
Second Reading .....	212		Other Action .....	281
Other Action .....	170		Messages.....	2837, 3093
2226-S			Speaker Signed .....	2855
Second Reading .....	212	2247	Introduction & 1st Reading .....	36
Third Reading Final Passage .....	212		Committee Report .....	159, 188
Final Passage .....	2985		Second Reading .....	326
Messages.....	2984, 3699		Other Action .....	256
Speaker Signed .....	3249	2247-S2	Second Reading .....	326
2227			Amendment Offered.....	326
Introduction & 1st Reading .....	35		Third Reading Final Passage .....	327
2228			Final Passage .....	3129
Introduction & 1st Reading .....	35		Messages.....	3115, 3699
2229			Speaker Signed .....	3249
Introduction & 1st Reading .....	35	2248		
2230				
Introduction & 1st Reading .....	35			
Committee Report .....	153, 187			
Second Reading .....	398			
Other Action .....	322			
2230-S				
Second Reading .....	398			
Third Reading Final Passage .....	398			
Messages.....	2806, 2923			
Speaker Signed .....	2810			
2231				
Introduction & 1st Reading .....	35			
2232				
Introduction & 1st Reading .....	35			
2233				
Introduction & 1st Reading .....	36			
2234				
Introduction & 1st Reading .....	36			

	Introduction & 1st Reading .....	37	2265	Introduction & 1st Reading .....	42
	Committee Report.....	118		Committee Report .....	160
2249	Introduction & 1st Reading .....	37	2266	Introduction & 1st Reading .....	42
2250	Introduction & 1st Reading .....	37		Committee Report .....	153
	Committee Report .....	159		Second Reading .....	275
2251	Introduction & 1st Reading .....	37		Amendment Offered.....	275, 276
2252	Introduction & 1st Reading .....	37		Third Reading Final Passage .....	276
	Committee Report .....	125		Final Passage .....	3080
	Second Reading .....	272		Other Action .....	170
2252-S	Second Reading .....	272	2267	Messages.....	3080, 3699
	Third Reading Final Passage .....	272		Speaker Signed .....	3249
	Messages.....	3782	2268	Introduction & 1st Reading .....	42
2253	Introduction & 1st Reading .....	37		Committee Report.....	115
2254	Introduction & 1st Reading .....	37	2269	Introduction & 1st Reading .....	42
	Committee Report.....	118		Introduction & 1st Reading .....	42
	Second Reading .....	363	2270	Introduction & 1st Reading .....	42
	Other Action .....	281		Committee Report .....	160, 188
2254-S	Second Reading .....	363		Second Reading .....	277
	Third Reading Final Passage .....	363		Other Action .....	257
	Messages.....	3782	2270-S2	Second Reading .....	277
2255	Introduction & 1st Reading .....	41		Third Reading Final Passage .....	277
	Committee Report.....	111		Messages.....	3782
	Second Reading .....	280	2271	Introduction & 1st Reading .....	42
	Amendment Offered.....	280		Committee Report .....	160, 188
	Third Reading Final Passage .....	280		Second Reading .....	354
	Other Action .....	257		Other Action .....	281
	Messages.....	3782	2271-S	Second Reading .....	354
2256	Introduction & 1st Reading .....	41		Third Reading Final Passage .....	354
	Committee Report .....	93		Messages.....	3782
	Second Reading .....	362	2272	Introduction & 1st Reading .....	42
	Other Action .....	281	2273	Introduction & 1st Reading .....	42
2256-S	Second Reading .....	362		Committee Report .....	89, 188
	Amendment Offered.....	362		Other Action .....	356, 480
	Third Reading Final Passage .....	363	2274	Introduction & 1st Reading .....	42
	Messages.....	2719, 2806		Committee Report .....	160
	Speaker Signed .....	2739	2275	Introduction & 1st Reading .....	42
2257	Introduction & 1st Reading .....	41		Committee Report .....	129
	Committee Report.....	115, 188	2276	Introduction & 1st Reading .....	43
	Second Reading .....	396		Committee Report .....	2560
	Third Reading Final Passage .....	397	2277	Introduction & 1st Reading .....	43
	Other Action .....	322	2278	Introduction & 1st Reading .....	43
	Messages.....	3782		Committee Report .....	43
2258	Introduction & 1st Reading .....	41	2279	Introduction & 1st Reading .....	43
	Committee Report.....	118		Introduction & 1st Reading .....	43
	Other Action .....	170, 480	2280	Introduction & 1st Reading .....	43
2259	Introduction & 1st Reading .....	41	2281	Introduction & 1st Reading .....	43
2260	Introduction & 1st Reading .....	41		Introduction & 1st Reading .....	43
	Committee Report.....	111	2282	Introduction & 1st Reading .....	43
	Second Reading .....	205	2283	Introduction & 1st Reading .....	43
	Third Reading Final Passage .....	205		Committee Report .....	160
	Other Action .....	170		Second Reading .....	276
	Messages.....	2770, 2837	2283-S	Second Reading .....	276
	Speaker Signed .....	2777		Third Reading Final Passage .....	277
2261	Introduction & 1st Reading .....	41		Messages.....	3782
2262	Introduction & 1st Reading .....	41	2284	Introduction & 1st Reading .....	43
2263	Introduction & 1st Reading .....	41			
2264	Introduction & 1st Reading .....	42			
	Introduction & 1st Reading .....	42			

2285	Introduction & 1st Reading .....	43	2302	Introduction & 1st Reading .....	47
2286	Introduction & 1st Reading .....	43		Committee Report .....	129
	Committee Report .....	160		Second Reading .....	242
2287	Introduction & 1st Reading .....	43		Third Reading Final Passage .....	242
	Committee Report .....	153		Messages.....	3782
	Second Reading .....	262	2303	Introduction & 1st Reading .....	47
	Other Action .....	44		Committee Report .....	154
2287-S	Second Reading .....	262		Second Reading .....	425
	Third Reading Final Passage .....	262		Other Action .....	322
	Messages.....	3782	2303-S	Second Reading .....	425
2288	Introduction & 1st Reading .....	44		Amendment Offered.....	425, 426
2289	Introduction & 1st Reading .....	44		Third Reading Final Passage .....	426
2290	Introduction & 1st Reading .....	44		Messages.....	2759, 2837
2291	Introduction & 1st Reading .....	44		Speaker Signed .....	2777
2292	Introduction & 1st Reading .....	44	2304	Introduction & 1st Reading .....	48
2293	Introduction & 1st Reading .....	44	2305	Introduction & 1st Reading .....	48
	Committee Report .....	153	2306	Introduction & 1st Reading .....	48
	Second Reading .....	360		Committee Report .....	179
	Other Action .....	281		Second Reading .....	441
2293-S	Second Reading .....	360		Other Action .....	356
	Third Reading Final Passage .....	360	2306-S	Second Reading .....	441
	Messages.....	899, 2759		Amendment Offered.....	441
	Speaker Signed .....	2554		Third Reading Final Passage .....	441
2294	Introduction & 1st Reading .....	44		Messages.....	2806, 2923
2295	Introduction & 1st Reading .....	47		Speaker Signed .....	2810
	Committee Report .....	160	2307	Introduction & 1st Reading .....	48
	Second Reading .....	367	2308	Introduction & 1st Reading .....	48
	Other Action .....	322		Committee Report .....	129, 179
2295-S	Second Reading .....	368	2309	Introduction & 1st Reading .....	48
	Third Reading Final Passage .....	368		Committee Report .....	160
	Final Passage .....	2851	2310	Introduction & 1st Reading .....	48
	Messages.....	2846, 3271	2311	Introduction & 1st Reading .....	48
	Speaker Signed .....	2997		Committee Report .....	129, 189
2296	Introduction & 1st Reading .....	47		Second Reading .....	310
	Committee Report.....	118		Other Action .....	257
	Second Reading .....	398	2311-S2	Second Reading .....	310
2296-S	Second Reading .....	398		Amendment Offered.....	310
	Third Reading Final Passage .....	398		Third Reading Final Passage .....	314
	Messages.....	898, 2759		Messages.....	2837, 3093
	Speaker Signed .....	2554		Speaker Signed .....	2855
2297	Introduction & 1st Reading .....	47	2312	Introduction & 1st Reading .....	48
2298	Introduction & 1st Reading .....	47	2313	Introduction & 1st Reading .....	48
2299	Introduction & 1st Reading .....	47		Committee Report .....	154, 189
2300	Introduction & 1st Reading .....	47		Other Action .....	356, 480
2301	Introduction & 1st Reading .....	47	2314	Introduction & 1st Reading .....	48
	Committee Report .....	156, 189	2315	Introduction & 1st Reading .....	48
	Second Reading .....	369	2316	Introduction & 1st Reading .....	48
	Other Action .....	322		Committee Report .....	169
2301-S2	Second Reading .....	369		Second Reading .....	271
	Amendment Offered.....	369, 381, 383		Third Reading Final Passage .....	272
	Third Reading Final Passage .....	384		Messages.....	3782
	Final Passage .....	3140	2317	Introduction & 1st Reading .....	48
	Messages.....	3129, 3699	2318	Introduction & 1st Reading .....	49
	Speaker Signed .....	3249		Committee Report .....	129
				Second Reading .....	248
				Third Reading Final Passage .....	248



	Messages.....2770, 2837	2332	Introduction & 1st Reading .....	52
	Speaker Signed.....2777			
2319	Introduction & 1st Reading .....	2333	Introduction & 1st Reading .....	52
	Committee Report .....		Committee Report .....	130
2320	Introduction & 1st Reading .....	2334	Introduction & 1st Reading .....	52
	Committee Report .....			
	Second Reading .....	2335	Introduction & 1st Reading .....	52
	Other Action .....		Committee Report .....	156
2320-S2	Second Reading.....271		Second Reading .....	214
	Third Reading Final Passage.....271		Other Action .....	170
	Final Passage.....3778	2335-S	Second Reading.....214	
	Other Action.....3690		Third Reading Final Passage.....214	
	Messages.....3688, 3776, 3781		Messages.....2770, 2837	
	Speaker Signed.....3780		Speaker Signed.....2777	
2321	Introduction & 1st Reading .....	2336	Introduction & 1st Reading .....	52
	Committee Report.....111		Committee Report.....112	
	Second Reading.....241	2337	Introduction & 1st Reading .....	52
2321-S	Second Reading.....241	2338	Introduction & 1st Reading .....	52
	Amendment Offered.....241			
	Third Reading Final Passage.....242	2339	Introduction & 1st Reading .....	52
	Final Passage.....2852		Committee Report.....118	
	Messages.....2852, 3271	2340	Introduction & 1st Reading .....	52
	Speaker Signed.....2997			
2322	Introduction & 1st Reading .....	2341	Introduction & 1st Reading .....	52
	Committee Report .....			
2323	Introduction & 1st Reading .....	2342	Introduction & 1st Reading .....	53
	Committee Report .....			
2324	Introduction & 1st Reading .....	2343	Introduction & 1st Reading .....	53
2325	Introduction & 1st Reading .....	2344	Introduction & 1st Reading .....	53
	Committee Report .....		Committee Report.....118	
			Other Action .....	356, 480
2326	Introduction & 1st Reading .....	2345	Introduction & 1st Reading .....	53
2327	Introduction & 1st Reading .....	2346	Introduction & 1st Reading .....	53
			Committee Report.....115	
2328	Introduction & 1st Reading .....		Other Action .....	480
		2347	Introduction & 1st Reading .....	53
2329	Introduction & 1st Reading .....		Committee Report .....	161
	Committee Report .....		Second Reading .....	244
	Second Reading.....161, 190		Third Reading Final Passage.....244	
	Other Action.....410		Final Passage.....2987	
2329-S	Other Action.....356		Messages.....2985, 3699	
	Second Reading.....410		Speaker Signed.....3249	
	Third Reading Final Passage.....410	2348	Introduction & 1st Reading .....	53
	Messages.....2739, 2806		Committee Report.....118, 179	
	Speaker Signed.....2759		Second Reading .....	294
2330	Introduction & 1st Reading .....		Other Action .....	256
	Committee Report .....	2348-S	Second Reading.....294	
	Second Reading.....327		Third Reading Final Passage.....294	
	Other Action.....281		Final Passage.....2991	
2330-S	Second Reading.....327		Messages.....2987, 3699	
	Amendment Offered.....327		Speaker Signed.....3249	
	Third Reading Final Passage.....328	2349	Introduction & 1st Reading .....	53
	Messages.....3782			
2331	Introduction & 1st Reading .....	2350	Introduction & 1st Reading .....	53
	Committee Report .....			
	Second Reading.....316	2351	Introduction & 1st Reading .....	53
2331-S	Second Reading.....316			
	Amendment Offered.....316-318	2352	Introduction & 1st Reading .....	53
	Third Reading Final Passage.....319			
	Final Passage.....2996	2353	Introduction & 1st Reading .....	53
	Messages.....2993, 3699			
	Speaker Signed.....3249			

2354	Introduction & 1st Reading .....	53	Committee Report .....	161, 179
	Committee Report .....	161, 179	Second Reading .....	363
	Second Reading .....	363	Other Action .....	281
	Other Action .....	281		
2354-S2	Second Reading .....	364		
	Amendment Offered .....	364		
	Third Reading Final Passage .....	367		
	Final Passage .....	3084		
	Messages.....	3081, 3699		
	Speaker Signed .....	3249		
2355	Introduction & 1st Reading .....	53		
	Committee Report.....	118		
	Second Reading.....	304		
	Other Action .....	257		
2355-S	Second Reading .....	304		
	Third Reading Final Passage .....	304		
	Messages.....	2742, 2806		
	Speaker Signed .....	2759		
2356	Introduction & 1st Reading .....	55		
	Committee Report .....	169		
	Second Reading .....	233		
2356-S	Second Reading .....	233		
	Amendment Offered .....	233		
	Third Reading Final Passage .....	233		
	Messages.....	3782		
2357	Introduction & 1st Reading .....	55		
	Committee Report .....	190		
	Second Reading .....	327		
	Other Action .....	256		
2357-S	Second Reading .....	327		
	Third Reading Final Passage .....	327		
	Final Passage .....	3687		
	Other Action .....	3161		
	Messages.....	3158, 3685, 3779		
	Speaker Signed .....	3698		
2358	Introduction & 1st Reading .....	56		
2359	Introduction & 1st Reading .....	56		
2360	Introduction & 1st Reading .....	56		
	Committee Report.....	118		
2361	Introduction & 1st Reading .....	56		
	Committee Report .....	161		
	Second Reading.....	263		
2361-S	Second Reading .....	263		
	Amendment Offered .....	263, 264		
	Third Reading Final Passage .....	264		
	Messages.....	3782		
2362	Introduction & 1st Reading .....	56		
	Committee Report .....	154		
2363	Introduction & 1st Reading .....	56		
	Committee Report .....	154		
2364	Introduction & 1st Reading .....	56		
2365	Introduction & 1st Reading .....	56		
	Committee Report .....	162		
2366	Introduction & 1st Reading .....	56		
2367	Introduction & 1st Reading .....	56		
2368	Introduction & 1st Reading .....	56		
	Committee Report .....	162		
	Second Reading .....	410		
	Other Action .....	322		
2368-S	Second Reading .....	410		
	Third Reading Final Passage .....	410		
	Messages.....	2742, 2806		
	Speaker Signed .....	2759		
2369	Introduction & 1st Reading .....	56		
2370	Introduction & 1st Reading .....	56		
2371	Introduction & 1st Reading .....	56		
	Committee Report .....	154		
	Second Reading .....	214		
	Third Reading Final Passage .....	214		
	Other Action .....	170		
	Messages.....	3782		
2372	Introduction & 1st Reading .....	57		
	Committee Report .....	176		
	Second Reading .....	242		
	Amendment Offered.....	242		
	Third Reading Final Passage .....	242		
	Messages.....	3782		
2373	Introduction & 1st Reading .....	57		
	Committee Report .....	190		
2374	Introduction & 1st Reading .....	57		
2375	Introduction & 1st Reading .....	57		
	Committee Report .....	169		
	Second Reading .....	410		
	Third Reading Final Passage .....	410		
	Other Action .....	322		
	Messages.....	2837, 3093		
	Speaker Signed .....	2855		
2376	Introduction & 1st Reading .....	57		
2377	Introduction & 1st Reading .....	57		
2378	Introduction & 1st Reading .....	57		
2380	Introduction & 1st Reading .....	59		
2381	Introduction & 1st Reading .....	59		
	Committee Report .....	156		
	Second Reading.....	221		
2381-S	Second Reading .....	221		
	Third Reading Final Passage .....	222		
	Final Passage .....	2992		
	Messages.....	2992, 3699		
	Speaker Signed .....	3249		
2382	Introduction & 1st Reading .....	59		
	Committee Report .....	154		
	Second Reading .....	411		
	Other Action .....	355		
2382-S	Second Reading .....	411		
	Third Reading Final Passage .....	412		
	Final Passage .....	2853		
	Messages.....	2852, 3271		
	Speaker Signed .....	2997		
2383	Introduction & 1st Reading .....	59		
	Committee Report.....	119, 190		
2384	Introduction & 1st Reading .....	59		
	Committee Report .....	190		
	Second Reading .....	341		
	Other Action .....	257		

2384-S	Second Reading.....341	2403	Introduction & 1st Reading.....60
	Amendment Offered.....341, 347, 348	2404	Introduction & 1st Reading.....63
	Third Reading Final Passage.....348	2405	Introduction & 1st Reading.....63
	Final Passage.....3148	2406	Introduction & 1st Reading.....63
	Messages.....3140, 3699	2407	Introduction & 1st Reading.....63
	Speaker Signed.....3249	2408	Introduction & 1st Reading.....63
2385	Introduction & 1st Reading.....59		Committee Report.....162
	Committee Report.....174		Other Action.....480
	Other Action.....480	2408	Introduction & 1st Reading.....64
2386	Introduction & 1st Reading.....59		Committee Report.....119, 191
	Committee Report.....180		Second Reading.....360
2387	Introduction & 1st Reading.....59		Other Action.....281
2388	Introduction & 1st Reading.....59	2408-S	Second Reading.....360
2389	Introduction & 1st Reading.....59		Third Reading Final Passage.....360
	Committee Report.....154		Messages.....3782
	Second Reading.....413	2409	Introduction & 1st Reading.....64
	Other Action.....322		Committee Report.....162
2389-S	Second Reading.....413	2410	Introduction & 1st Reading.....64
	Third Reading Final Passage.....413	2411	Introduction & 1st Reading.....64
	Messages.....3782		Committee Report.....176
2390	Introduction & 1st Reading.....59		Second Reading.....406
	Committee Report.....154		Other Action.....322
2391	Introduction & 1st Reading.....59	2411-S	Second Reading.....406
	Committee Report.....119		Third Reading Final Passage.....406
	Other Action.....480		Messages.....3782
2392	Introduction & 1st Reading.....59	2412	Introduction & 1st Reading.....64
	Committee Report.....155	2413	Introduction & 1st Reading.....64
	Other Action.....322, 480	2414	Introduction & 1st Reading.....64
2393	Introduction & 1st Reading.....60	2415	Introduction & 1st Reading.....68
2394	Introduction & 1st Reading.....60		Committee Report.....162
2395	Introduction & 1st Reading.....60		Second Reading.....223
2396	Introduction & 1st Reading.....60		Third Reading Final Passage.....223
	Committee Report.....162		Messages.....2837, 3093
	Second Reading.....249		Speaker Signed.....2855
2396-S	Second Reading.....249	2416	Introduction & 1st Reading.....68
	Third Reading Final Passage.....249		Committee Report.....119
	Final Passage.....3084		Second Reading.....328
	Messages.....3084, 3699		Third Reading Final Passage.....328
	Speaker Signed.....3249		Final Passage.....3092
2397	Introduction & 1st Reading.....60		Other Action.....257
2398	Introduction & 1st Reading.....60		Messages.....3085, 3699
	Committee Report.....162		Speaker Signed.....3249
2399	Introduction & 1st Reading.....60	2417	Introduction & 1st Reading.....68
2400	Introduction & 1st Reading.....60	2418	Introduction & 1st Reading.....68
	Committee Report.....119	2419	Introduction & 1st Reading.....68
2401	Introduction & 1st Reading.....60	2420	Introduction & 1st Reading.....68
	Committee Report.....130, 190	2421	Introduction & 1st Reading.....68
	Second Reading.....282	2422	Introduction & 1st Reading.....68
	Other Action.....257	2423	Introduction & 1st Reading.....68
2401-S2	Second Reading.....282	2424	Introduction & 1st Reading.....68
	Amendment Offered.....282		Committee Report.....162
	Third Reading Final Passage.....294		Second Reading.....386
	Messages.....3782		Other Action.....257
2402	Introduction & 1st Reading.....60		

2424-S	Second Reading.....386	2444	Introduction & 1st Reading.....76
	Third Reading Final Passage.....386	2445	Introduction & 1st Reading.....76
	Final Passage.....3310		Committee Report.....119
	Messages.....3309, 3779		Other Action.....322, 480
	Speaker Signed.....3698	2446	Introduction & 1st Reading.....76
2425	Introduction & 1st Reading.....68		Committee Report.....177
2426	Introduction & 1st Reading.....68	2447	Introduction & 1st Reading.....76
2427	Introduction & 1st Reading.....69		Committee Report.....163, 191
2428	Introduction & 1st Reading.....69	2448	Introduction & 1st Reading.....76
	Committee Report.....162	2449	Introduction & 1st Reading.....76
	Second Reading.....222		Other Action.....78
2428-S	Second Reading.....222	2450	Introduction & 1st Reading.....76
	Third Reading Final Passage.....222	2451	Introduction & 1st Reading.....77
	Messages.....2770, 2837	2452	Introduction & 1st Reading.....77
	Speaker Signed.....2777		Committee Report.....163
2429	Introduction & 1st Reading.....69	2453	Introduction & 1st Reading.....83
2430	Introduction & 1st Reading.....69	2454	Introduction & 1st Reading.....83
	Committee Report.....163		Committee Report.....177
	Other Action.....322, 480		Second Reading.....441
2431	Introduction & 1st Reading.....69		Third Reading Final Passage.....441
2432	Introduction & 1st Reading.....73		Final Passage.....3272
2433	Introduction & 1st Reading.....73		Other Action.....281
	Committee Report.....163		Messages.....3272, 3779
	Second Reading.....280		Speaker Signed.....3698
	Third Reading Final Passage.....280	2455	Introduction & 1st Reading.....83
	Other Action.....257		Committee Report.....163
	Messages.....2739, 2806		Other Action.....322, 480
	Speaker Signed.....2759	2456	Introduction & 1st Reading.....83
2434	Introduction & 1st Reading.....73		Committee Report.....169
2435	Introduction & 1st Reading.....73	2457	Introduction & 1st Reading.....83
2436	Introduction & 1st Reading.....73	2458	Introduction & 1st Reading.....83
2437	Introduction & 1st Reading.....73		Committee Report.....191
	Committee Report.....163		Other Action.....281, 480
2438	Introduction & 1st Reading.....73	2459	Introduction & 1st Reading.....83
2439	Introduction & 1st Reading.....73		Committee Report.....115
2440	Introduction & 1st Reading.....73	2460	Introduction & 1st Reading.....83
	Committee Report.....177	2461	Introduction & 1st Reading.....83
	Second Reading.....397	2462	Introduction & 1st Reading.....83
	Amendment Offered.....397	2463	Introduction & 1st Reading.....83
	Third Reading Final Passage.....397		Committee Report.....157
	Other Action.....322	2464	Introduction & 1st Reading.....83
	Messages.....3782		Committee Report.....155
2441	Introduction & 1st Reading.....76	2465	Introduction & 1st Reading.....84
	Committee Report.....191		Committee Report.....163
	Second Reading.....367	2466	Introduction & 1st Reading.....84
	Other Action.....281	2467	Introduction & 1st Reading.....84
2441-S	Second Reading.....367		Committee Report.....157
	Amendment Offered.....367		Second Reading.....354
	Third Reading Final Passage.....367		Other Action.....281
	Final Passage.....3149	2467-S	Second Reading.....354
	Messages.....3148, 3699		Third Reading Final Passage.....354
	Speaker Signed.....3249		
2442	Introduction & 1st Reading.....76		
2443	Introduction & 1st Reading.....76		

	Messages.....2759, 2837		Second Reading.....2767
	Speaker Signed.....2777		Third Reading Final Passage.....2767
2468	Introduction & 1st Reading.....84		Other Action.....2767
2469	Introduction & 1st Reading.....84	2490	Messages.....3782
2470	Introduction & 1st Reading.....84		Introduction & 1st Reading.....126
2471	Introduction & 1st Reading.....84	2491	Committee Report.....180
2472	Introduction & 1st Reading.....84		Introduction & 1st Reading.....166
	Introduction & 1st Reading.....91	2492	Committee Report.....192
	Other Action.....92		Introduction & 1st Reading.....166
2473	Introduction & 1st Reading.....91	2493	Introduction & 1st Reading.....167
2474	Introduction & 1st Reading.....91	2494	Introduction & 1st Reading.....171
	Committee Report.....163, 191		Committee Report.....192
	Second Reading.....356		Second Reading.....412
	Other Action.....322		Other Action.....281
2474-S	Second Reading.....356	2494-S	Second Reading.....412
	Amendment Offered.....356, 358		Amendment Offered.....412
	Third Reading Final Passage.....358		Third Reading Final Passage.....412
	Messages.....3782		Final Passage.....3154
2475	Introduction & 1st Reading.....101		Messages.....3150, 3699
2476	Introduction & 1st Reading.....101	2495	Speaker Signed.....3249
2477	Introduction & 1st Reading.....101		Introduction & 1st Reading.....209
2478	Introduction & 1st Reading.....101	2496	Introduction & 1st Reading.....218
2479	Introduction & 1st Reading.....101	2497	Introduction & 1st Reading.....320
2480	Introduction & 1st Reading.....101	2498	Introduction & 1st Reading.....323
2481	Introduction & 1st Reading.....101	2499	Introduction & 1st Reading.....323
	Introduction & 1st Reading.....101	2500	Introduction & 1st Reading.....2927
	Committee Report.....180	2501	Introduction & 1st Reading.....2927
	Second Reading.....426	2502	Introduction & 1st Reading.....2927
	Third Reading Final Passage.....427	2503	Introduction & 1st Reading.....3249
	Other Action.....322	2504	Introduction & 1st Reading.....3318
	Messages.....2759, 2837	4003	Introduction & 1st Reading.....44
	Speaker Signed.....2777	4004	Introduction & 1st Reading.....44
2482	Introduction & 1st Reading.....108	4005	Introduction & 1st Reading.....57
	Committee Report.....180		Committee Report.....119
	Second Reading.....325	4006	Introduction & 1st Reading.....73
	Other Action.....257		Committee Report.....174
2482-S	Second Reading.....325	4208	Introduction & 1st Reading.....29
	Amendment Offered.....325	4209	Introduction & 1st Reading.....69
	Third Reading Final Passage.....326	4210	Introduction & 1st Reading.....77
	Final Passage.....2993	4211	Introduction & 1st Reading.....77
	Messages.....2993, 3699	4212	Introduction & 1st Reading.....92
	Speaker Signed.....3249	4405	Introduction & 1st Reading.....29
2483	Introduction & 1st Reading.....108		Committee Report.....62, 176
2484	Introduction & 1st Reading.....108	4406	Introduction & 1st Reading.....29
2485	Introduction & 1st Reading.....113		Second Reading.....29
	Committee Report.....191		Adopted.....29
2486	Introduction & 1st Reading.....113		Other Action.....29
2487	Introduction & 1st Reading.....124		Messages.....33, 41
2488	Introduction & 1st Reading.....126		Speaker Signed.....37
2489	Introduction & 1st Reading.....126		
	Committee Report.....191		
	Second Reading.....2767		
	Other Action.....2738		
2489-S			

4407	Introduced.....		446
	Adopted.....		446
	Introduction & 1st Reading.....	29	
	Second Reading.....	29	4672
	Adopted.....	30	
	Other Action.....	29	
	Messages.....	33, 41	4673
	Speaker Signed.....	37	
4408	Introduced.....		444
	Adopted.....		444
	Introduction & 1st Reading.....	29	4674
4409	Introduced.....		460
	Adopted.....		460
	Introduction & 1st Reading.....	3319	
	Adopted.....	3780	4675
	Third Reading Final Passage.....	3780	
	Other Action.....	3319, 3780	
	Messages.....	3780, 3781	4676
	Speaker Signed.....	3780	
4410	Introduced.....		461
	Adopted.....		461
	Introduction & 1st Reading.....	3780	4677
4652	Introduced.....		896
	Adopted.....		896
	Introduced.....	29	
	Adopted.....	29	4678
4653	Introduced.....		2556
	Adopted.....		2556
	Introduced.....	55	
	Adopted.....	55	4679
4654	Introduced.....		896
	Adopted.....		896
	Introduced.....	124	
	Adopted.....	124	4680
4655	Introduced.....		896
	Adopted.....		896
	Introduced.....	71	
	Adopted.....	71	4681
4656	Introduced.....		896
	Adopted.....		897
	Introduced.....	165	
	Adopted.....	165	4682
4657	Introduced.....		897
	Adopted.....		897
	Introduced.....	71	
	Adopted.....	71	4683
4658	Introduced.....		2556
	Adopted.....		2556
	Introduced.....	71	
	Adopted.....	72	4684
4659	Introduced.....		2556
	Adopted.....		2557
	Introduced.....	72	
	Adopted.....	72	4685
4660	Introduced.....		2557
	Adopted.....		2557
	Introduced.....	171	
	Adopted.....	171	4686
4661	Introduced.....		2557
	Adopted.....		2557
	Introduced.....	90	
	Adopted.....	90	4687
4662	Introduced.....		2557
	Adopted.....		2557
	Introduced.....	167	
	Adopted.....	167	4688
4663	Introduced.....		2557
	Adopted.....		2558
	Introduced.....	165	
	Adopted.....	165	4689
4664	Introduced.....		2558
	Adopted.....		2558
	Introduced.....	165	
	Adopted.....	166	4690
4665	Introduced.....		2558
	Adopted.....		2558
	Introduced.....	166	
	Adopted.....	166	4691
4666	Introduced.....		2558
	Adopted.....		2559
	Introduced.....	443	
	Adopted.....	443	4692
4667	Introduced.....		2559
	Adopted.....		2559
	Introduced.....	442	
	Adopted.....	442	4693
4668	Introduced.....		2559
	Adopted.....		2559
	Introduced.....	434	
	Adopted.....	434	4694
4669	Introduced.....		2559
	Adopted.....		2560
	Introduced.....	443	
	Adopted.....	443	4695
4670	Introduced.....		2560
	Adopted.....		2560
	Introduced.....	443	
	Adopted.....	444	4696
4671	Introduced.....		3779

Adopted .....	3780	Messages.....	167, 3093
4697 Introduced.....	3178	Speaker Signed.....	3249
Adopted .....	3178	5284-S	
4698 Introduced.....	3179	Introduction & 1st Reading .....	434
Adopted .....	3180	Committee Report .....	618
4699 Introduced.....	3178	Other Action .....	2758
Adopted .....	3179	Messages.....	355
4700 Introduced.....	3316	5291-S	
Adopted .....	3317	Introduction & 1st Reading .....	218
4701 Introduced.....	3318	Committee Report .....	575
Adopted .....	3318	Messages.....	209
5010-S		5299-S	
Introduction & 1st Reading .....	171	Introduction & 1st Reading .....	77
Messages.....	167	Committee Report .....	618
5032		Messages.....	73
Introduction & 1st Reading .....	171	5306-S	
5056-S		Introduction & 1st Reading .....	320
Introduction & 1st Reading .....	77	Committee Report .....	619
Messages.....	73	Second Reading .....	2755
5150-S		Third Reading Final Passage.....	2755
Introduction & 1st Reading .....	77	Other Action .....	2738
Committee Report .....	461, 2570	Messages.....	230, 2838
Second Reading.....	2795	Speaker Signed .....	2855
Third Reading Final Passage.....	2796	5334-S	
Other Action .....	2776	Introduction & 1st Reading .....	172
Messages.....	73, 2923, 3271	Committee Report .....	619, 2562
Speaker Signed .....	3698	Messages.....	167
5160		5340	
Introduction & 1st Reading .....	391	Introduction & 1st Reading .....	258
Messages.....	323	Messages.....	231
5180		5344	
Introduction & 1st Reading .....	171	Introduction & 1st Reading .....	444
Committee Report .....	591	Committee Report .....	621
Committee Report Conference.....	3690	Messages.....	437
Second Reading.....	2795	5363	
Amendment Offered.....	2795	Introduction & 1st Reading .....	218
Third Reading Final Passage.....	2795	Committee Report .....	621
Final Passage .....	3697	Messages.....	209
Other Action .....	192, 2737, 3093	5368-S	
Messages.....	3092, 3698, 3780	Introduction & 1st Reading .....	172
Speaker Signed .....	3781	5376-S	
5184		Introduction & 1st Reading .....	77
Introduction & 1st Reading .....	258	Committee Report .....	578, 2580
Committee Report .....	597	Second Reading.....	2772
Second Reading.....	2768	Third Reading Final Passage.....	2772
Amendment Offered.....	2768	Other Action .....	2758
Third Reading Final Passage.....	2768	Messages.....	73, 2923, 3271
Other Action .....	2554	Speaker Signed .....	3698
Messages.....	231, 2923, 3271	5419	
Speaker Signed .....	3698	Introduction & 1st Reading .....	193
5213-S2		Committee Report .....	621
Introduction & 1st Reading .....	434	Second Reading.....	2814
Committee Report .....	601, 2570	Third Reading Final Passage.....	2815
Second Reading.....	2783	Other Action .....	2554
Amendment Offered.....	2783	Messages.....	171, 2923
Third Reading Final Passage.....	2783	Speaker Signed .....	2855
Other Action .....	2758	5424-S	
Messages.....	355, 2923, 3271	Introduction & 1st Reading .....	77
Speaker Signed .....	3698	Committee Report .....	481, 2580
5241		Second Reading.....	2740
Introduction & 1st Reading .....	323	Third Reading Final Passage.....	2740
Committee Report .....	608, 2570	Other Action .....	2737
Second Reading.....	2835	Messages.....	73, 2923, 3271
Other Action .....	2737, 2835	Speaker Signed .....	3698
Messages.....	269	5427-S	
5271-S		Introduction & 1st Reading .....	258
Introduction & 1st Reading .....	172	Committee Report .....	621, 2580
Committee Report .....	575, 2579	Second Reading.....	2746
Second Reading.....	2774	Third Reading Final Passage.....	2746
Third Reading Final Passage.....	2774	Other Action .....	2737
Other Action .....	2758	Messages.....	231, 2838
		Speaker Signed .....	2855
		5444-S2	
		Introduction & 1st Reading .....	391
		Committee Report .....	621
		Second Reading.....	2733

	Amendment Offered.....	2733		Introduction & 1st Reading.....	437
	Third Reading Final Passage.....	2733		Messages.....	432
	Other Action.....	2554	5629	Introduction & 1st Reading.....	437
	Messages.....	323, 2923, 3271		Messages.....	432
5462	Speaker Signed.....	3698	5631	Introduction & 1st Reading.....	77
	Introduction & 1st Reading.....	77		Committee Report.....	445
	Committee Report.....	622, 2580		Other Action.....	2738
	Second Reading.....	2778		Messages.....	73
	Amendment Offered.....	2779-2782	5632	Introduction & 1st Reading.....	193
	Third Reading Final Passage.....	2782		Committee Report.....	886
	Other Action.....	2737		Second Reading.....	2756
	Messages.....	73, 2923, 3271		Third Reading Final Passage.....	2756
	Speaker Signed.....	3698		Other Action.....	459, 2737
5481-S	Introduction & 1st Reading.....	172		Messages.....	171, 2924, 3271
	Committee Report.....	624		Speaker Signed.....	3698
	Second Reading.....	2807	5635-S2	Introduction & 1st Reading.....	218
	Third Reading Final Passage.....	2807		Committee Report.....	492, 2588
	Other Action.....	2776		Messages.....	209
	Messages.....	167, 2997, 3699	5640-S	Introduction & 1st Reading.....	77
	Speaker Signed.....	3698		Messages.....	73
5508	Introduction & 1st Reading.....	172	5647	Introduction & 1st Reading.....	167
	Committee Report.....	449		Committee Report.....	493
	Second Reading.....	895		Second Reading.....	2724
	Third Reading Final Passage.....	895		Third Reading Final Passage.....	2725
	Other Action.....	891		Other Action.....	2554
	Messages.....	167, 2759		Messages.....	166, 167, 2770
	Speaker Signed.....	2759		Speaker Signed.....	2777
5546-S	Introduction & 1st Reading.....	437	5648-S	Introduction & 1st Reading.....	78
	Messages.....	432		Messages.....	73
5580-S2	Introduction & 1st Reading.....	77	5649-S	Introduction & 1st Reading.....	258
	Committee Report.....	627, 2584		Committee Report.....	579
	Second Reading.....	2757		Second Reading.....	2728
	Amendment Offered.....	2758		Third Reading Final Passage.....	2728
	Third Reading Final Passage.....	2758		Other Action.....	2554
	Other Action.....	2738		Messages.....	231, 2924, 3271
	Messages.....	73, 2924, 3271		Speaker Signed.....	3698
	Speaker Signed.....	3698	5652-S	Introduction & 1st Reading.....	437
5588-S	Introduction & 1st Reading.....	172		Committee Report.....	2588
	Committee Report.....	628, 2585		Second Reading.....	2807
	Second Reading.....	2818		Third Reading Final Passage.....	2807
	Amendment Offered.....	2818		Other Action.....	2776
	Third Reading Final Passage.....	2818		Messages.....	432, 2923
	Other Action.....	2810		Speaker Signed.....	2855
	Messages.....	167, 2997, 3699	5657-S	Introduction & 1st Reading.....	437
	Speaker Signed.....	3698		Messages.....	432
5589-S	Introduction & 1st Reading.....	77	5660-S2	Introduction & 1st Reading.....	320
	Committee Report.....	630		Committee Report.....	634, 2588
	Second Reading.....	2744		Second Reading.....	2772
	Third Reading Final Passage.....	2744		Third Reading Final Passage.....	2772
	Other Action.....	2737		Other Action.....	355, 2758
	Messages.....	73, 2838		Messages.....	258, 3093
	Speaker Signed.....	2855		Speaker Signed.....	3249
5590	Introduction & 1st Reading.....	218	5667-S	Introduction & 1st Reading.....	434
	Committee Report.....	899		Committee Report.....	634, 2588
	Messages.....	209		Second Reading.....	2835
5591-S2	Introduction & 1st Reading.....	434		Third Reading Final Passage.....	2835
	Committee Report.....	630		Other Action.....	2738
	Messages.....	355		Messages.....	326, 2923
5592	Introduction & 1st Reading.....	218		Speaker Signed.....	2855
	Committee Report.....	633	5670-S2	Introduction & 1st Reading.....	193
	Second Reading.....	2774		Committee Report.....	493
	Third Reading Final Passage.....	2775		Second Reading.....	2783
	Other Action.....	2758		Third Reading Final Passage.....	2783
	Messages.....	196, 209, 2924, 3271			
	Speaker Signed.....	3698			
5595					



	Other Action .....	2554	Committee Report .....	640
	Messages.....	171, 3271	Second Reading .....	2810
	Speaker Signed .....	3698	Third Reading Final Passage .....	2811
5690-S	Introduction & 1st Reading .....	172	Other Action .....	2554
	Committee Report .....	462	Messages.....	167, 2923
	Second Reading .....	2726	Speaker Signed .....	2855
	Amendment Offered .....	2726, 2727	5789	Introduction & 1st Reading .....
	Third Reading Final Passage .....	2727		Messages.....
	Other Action .....	174, 891, 2730, 3161	5790	Introduction & 1st Reading .....
	Messages.....	167, 3161		Messages.....
5709-S	Introduction & 1st Reading .....	218		Introduction & 1st Reading .....
	Committee Report .....	634		Committee Report .....
	Messages.....	196, 209		Second Reading .....
5722-S	Introduction & 1st Reading .....	391		Amendment Offered.....
	Messages.....	323		Third Reading Final Passage .....
5774-S	Introduction & 1st Reading .....	320		Other Action .....
	Committee Report .....	634, 2591		Messages.....
	Second Reading .....	2744		Speaker Signed .....
	Third Reading Final Passage .....	2745	5792	Introduction & 1st Reading .....
	Other Action .....	2738		Committee Report .....
	Messages.....	258, 2924, 3271		Second Reading .....
	Speaker Signed .....	3698		Third Reading Final Passage .....
5778-S	Introduction & 1st Reading .....	258		Other Action .....
	Committee Report .....	580		Messages.....
	Second Reading .....	2761		Speaker Signed .....
	Third Reading Final Passage .....	2761	5793-S	Introduction & 1st Reading .....
	Other Action .....	2758		Committee Report .....
	Messages.....	231, 3093		Second Reading .....
	Speaker Signed .....	3249		Third Reading Final Passage .....
5780-S2	Introduction & 1st Reading .....	323		Other Action .....
	Committee Report .....	637, 2592		Messages.....
	Second Reading .....	2797		Speaker Signed .....
	Third Reading Final Passage .....	2798	5794-S	Introduction & 1st Reading .....
	Other Action .....	2758		Messages.....
	Messages.....	269, 3271	5796-S	Introduction & 1st Reading .....
	Speaker Signed .....	3698		Committee Report .....
5784-S2	Introduction & 1st Reading .....	320		Second Reading .....
	Committee Report .....	637, 2592		Amendment Offered.....
	Second Reading .....	2817		Third Reading Final Passage .....
	Third Reading Final Passage .....	2817		Other Action .....
	Other Action .....	2776		Messages.....
	Messages.....	258, 2997, 3699		Speaker Signed .....
	Speaker Signed .....	3698	5798-S	Introduction & 1st Reading .....
5785-S	Introduction & 1st Reading .....	168		Committee Report .....
	Committee Report .....	639		Second Reading .....
	Second Reading .....	2727		Third Reading Final Passage .....
	Third Reading Final Passage .....	2727		Other Action .....
	Other Action .....	2554		Messages.....
	Messages.....	166, 167, 2924, 3271		Speaker Signed .....
	Speaker Signed .....	3698	5799	Introduction & 1st Reading .....
5786-S	Introduction & 1st Reading .....	218		Committee Report .....
	Committee Report .....	639		Second Reading .....
	Second Reading .....	2731		Third Reading Final Passage .....
	Third Reading Final Passage .....	2731		Other Action .....
	Other Action .....	2554		Messages.....
	Messages.....	209, 2837		Speaker Signed .....
	Speaker Signed .....	2855	5800	Introduction & 1st Reading .....
5787-S	Introduction & 1st Reading .....	172		Committee Report .....
	Committee Report .....	639		Second Reading .....
	Second Reading .....	2783		Third Reading Final Passage .....
	Third Reading Final Passage .....	2783		Other Action .....
	Other Action .....	2554		Messages.....
	Messages.....	167, 3271		Speaker Signed .....
	Speaker Signed .....	3698	5801-S	Introduction & 1st Reading .....
5788-S	Introduction & 1st Reading .....	172		Committee Report .....
				Second Reading .....
				Third Reading Final Passage .....
				Other Action .....

	Messages.....166, 167, 2838	Other Action.....2776
	Speaker Signed.....2855	Messages.....323, 2923
5802-S	Introduction & 1st Reading.....320	Speaker Signed.....2855
	Committee Report.....2592	5818
	Second Reading.....2809	Introduction & 1st Reading.....320
	Third Reading Final Passage.....2809	Messages.....230
	Other Action.....2776	5821
	Messages.....258, 2997, 3699	Introduction & 1st Reading.....218
	Speaker Signed.....3698	Committee Report.....644
5803-S	Introduction & 1st Reading.....434	Second Reading.....2742
	Committee Report.....641, 2596	Amendment Offered.....2742, 2743
	Second Reading.....2740	Third Reading Final Passage.....2743
	Third Reading Final Passage.....2740	Other Action.....2554
	Other Action.....2738	Messages.....209, 2838
	Messages.....355, 2838	Speaker Signed.....2855
	Speaker Signed.....2855	5824
5804-S	Introduction & 1st Reading.....172	Introduction & 1st Reading.....173
	Committee Report.....570	Committee Report.....644
	Second Reading.....2729	Second Reading.....2744
	Third Reading Final Passage.....2729	Amendment Offered.....2744
	Other Action.....2554	Third Reading Final Passage.....2744
	Messages.....2924, 3271	Other Action.....2554
	Speaker Signed.....3698	Messages.....167, 2924, 3271
5805	Introduction & 1st Reading.....172	Speaker Signed.....3698
	Committee Report.....572	5825-S2
	Second Reading.....2731	Introduction & 1st Reading.....259
	Third Reading Final Passage.....2731	Committee Report.....644, 2599
	Other Action.....192, 2554, 2734	Second Reading.....2770
	Messages.....2837	Third Reading Final Passage.....2770
	Speaker Signed.....2855	Other Action.....2738
5806-S	Introduction & 1st Reading.....193	Messages.....231, 2924, 3271
	Committee Report.....449	Speaker Signed.....3698
	Second Reading.....2745	5828-S
	Third Reading Final Passage.....2745	Introduction & 1st Reading.....437
	Other Action.....2738	Committee Report.....661
	Messages.....171, 2838	Second Reading.....2719
	Speaker Signed.....2855	Amendment Offered.....2719
5808-S	Introduction & 1st Reading.....168	Third Reading Final Passage.....2719
	Committee Report.....467	Other Action.....2554
	Second Reading.....2797	Messages.....432, 2924, 3271
	Third Reading Final Passage.....2797	Speaker Signed.....3698
	Other Action.....2758	5829-S
	Messages.....166, 167, 3271	Introduction & 1st Reading.....437
	Speaker Signed.....3698	Committee Report.....661
5811	Introduction & 1st Reading.....258	Second Reading.....2745
	Committee Report.....641, 2597	Third Reading Final Passage.....2745
	Second Reading.....2755	Other Action.....2738
	Amendment Offered.....2755, 3311	Messages.....411, 2838
	Third Reading Final Passage.....2755, 3314	Speaker Signed.....2855
	Other Action.....2738	5834-S
	Messages.....231, 3311, 3780	Introduction & 1st Reading.....219
	Speaker Signed.....3781	Committee Report.....661
5812-S	Introduction & 1st Reading.....218	Second Reading.....2719
	Committee Report.....902	Third Reading Final Passage.....2719
	Second Reading.....2817	Other Action.....2554
	Third Reading Final Passage.....2818	Messages.....209, 2770
	Other Action.....2776	Speaker Signed.....2777
	Messages.....196, 209, 2923	5835-S
	Speaker Signed.....2855	Introduction & 1st Reading.....173
5815-S	Introduction & 1st Reading.....172	Committee Report.....661
	Committee Report.....467	Other Action.....2554
	Messages.....167	Messages.....167
5816	Introduction & 1st Reading.....391	5836
	Committee Report.....644	Introduction & 1st Reading.....437
	Second Reading.....2819	Committee Report.....661, 2599
	Third Reading Final Passage.....2820	Second Reading.....2770
		Third Reading Final Passage.....2770
		Other Action.....2758
		Messages.....411, 3271
		Speaker Signed.....3698
		5837
		Introduction & 1st Reading.....435
		Committee Report.....661, 2599
		Messages.....326
		5838-S2
		Introduction & 1st Reading.....320

Committee Report .....	661, 2600	5869-S	Introduction & 1st Reading .....	392
Second Reading .....	2777		Committee Report .....	737
Third Reading Final Passage .....	2777		Second Reading .....	2767
Other Action .....	2758		Third Reading Final Passage .....	2767
Messages.....	258, 2924, 3271		Other Action .....	2738
Speaker Signed .....	3698		Messages.....	323, 3093
5840-S			Speaker Signed .....	3249
Introduction & 1st Reading .....	193	5873-S	Introduction & 1st Reading .....	435
Committee Report .....	580		Messages.....	355
Second Reading .....	2729	5880-S	Introduction & 1st Reading .....	173
Third Reading Final Passage .....	2729		5881	
Other Action .....	2554		Introduction & 1st Reading .....	259
Messages.....	171, 2770		Committee Report .....	2562
Speaker Signed .....	2777		Second Reading .....	2774
5841-S			Third Reading Final Passage .....	2774
Introduction & 1st Reading .....	173		Other Action .....	2758
5842			Messages.....	231, 3271
Introduction & 1st Reading .....	168		Speaker Signed .....	3698
Committee Report .....	449	5882-S2	Introduction & 1st Reading .....	320
Second Reading .....	2772		Committee Report .....	2603
Third Reading Final Passage .....	2773		Second Reading .....	2796
Other Action .....	2758		Amendment Offered.....	2796
Messages.....	166, 167, 3093		Third Reading Final Passage .....	2797
Speaker Signed .....	3249		Other Action .....	2758
5843			Messages.....	230, 2923, 3271
Introduction & 1st Reading .....	194		Speaker Signed .....	3698
Committee Report .....	664	5883	Introduction & 1st Reading .....	168
Second Reading .....	2725		Committee Report .....	574
Amendment Offered.....	2725, 2726		Second Reading .....	2723
Third Reading Final Passage .....	2726		Third Reading Final Passage .....	2723
Other Action .....	2554		Other Action .....	2554
Messages.....	171, 2770		Messages.....	166, 167, 2770
Speaker Signed .....	2777		Speaker Signed .....	2777
5849-S2		5884	Introduction & 1st Reading .....	173
Introduction & 1st Reading .....	324		Committee Report .....	445
Committee Report .....	664		Second Reading .....	2732
Messages.....	269		Amendment Offered.....	2732
5850-S			Third Reading Final Passage .....	2733
Introduction & 1st Reading .....	444		Other Action .....	891
Committee Report .....	666		Messages.....	2837
Messages.....	437		Speaker Signed .....	2855
5852		5885	Introduction & 1st Reading .....	320
Introduction & 1st Reading .....	320		Committee Report .....	449
Committee Report .....	669, 2602		Second Reading .....	892
Second Reading .....	2809		Third Reading Final Passage .....	892
Third Reading Final Passage .....	2809		Other Action .....	891
Other Action .....	2776		Messages.....	230, 2759
Messages.....	230, 2923		Speaker Signed .....	2759
Speaker Signed .....	2855	5886	Introduction & 1st Reading .....	173
5853-S2			Committee Report .....	467
Introduction & 1st Reading .....	391		Second Reading .....	894
Committee Report .....	669, 2603		Third Reading Final Passage .....	894
Second Reading .....	2740		Other Action .....	891
Third Reading Final Passage .....	2740		Messages.....	2759
Other Action .....	2738		Speaker Signed .....	2759
Messages.....	323, 2838			
Speaker Signed .....	2855			
5856		5887	Introduction & 1st Reading .....	173
Introduction & 1st Reading .....	168		5889	
Committee Report .....	669		Introduction & 1st Reading .....	435
Other Action .....	2776		Messages.....	355
Messages.....	166, 167			
5857-S		5890-S	Introduction & 1st Reading .....	173
Introduction & 1st Reading .....	391		Committee Report .....	450
Committee Report .....	673		Second Reading .....	894
Second Reading .....	2722		Third Reading Final Passage .....	894
Third Reading Final Passage .....	2722		Other Action .....	891
Other Action .....	2554		Messages.....	167, 2923, 3271
Messages.....	323, 2923, 3271		Speaker Signed .....	3698
Speaker Signed .....	3698			
5860				
Introduction & 1st Reading .....	392			
Messages.....	323			
5862				
Introduction & 1st Reading .....	259			
Messages.....	231			

5891-S	Introduction & 1st Reading .....	392	Introduction & 1st Reading .....	194
	Committee Report .....	737	Committee Report .....	574
	Second Reading .....	2736	Second Reading .....	2815
	Third Reading Final Passage .....	2736	Third Reading Final Passage .....	2815
	Other Action .....	2554	Other Action .....	2776
	Messages.....	323, 2923, 3271	Messages.....	171, 2923
	Speaker Signed .....	3698	Speaker Signed .....	2855
5893-S2	Introduction & 1st Reading .....	437	5920-S	Introduction & 1st Reading .....
	Committee Report .....	738		Committee Report .....
	Second Reading .....	2721		Second Reading .....
	Third Reading Final Passage .....	2721		Third Reading Final Passage .....
	Other Action .....	2554		Other Action .....
	Messages.....	432, 2770		Messages.....
	Speaker Signed .....	2777		Speaker Signed .....
5897	Introduction & 1st Reading .....	321	5921	Introduction & 1st Reading .....
	Committee Report .....	2560		Messages.....
	Second Reading .....	2767	5925-S	Introduction & 1st Reading .....
	Third Reading Final Passage .....	2767		Committee Report .....
	Other Action .....	2758		Second Reading .....
	Messages.....	230, 3093		Third Reading Final Passage .....
	Speaker Signed .....	3249		Other Action .....
5902-S	Introduction & 1st Reading .....	438		Messages.....
	Messages.....	411		Speaker Signed .....
5903	Introduction & 1st Reading .....	438	5931-S	Introduction & 1st Reading .....
	Messages.....	432		Committee Report .....
5904	Introduction & 1st Reading .....	392		Second Reading .....
	Committee Report .....	580, 2608		Amendment Offered.....
	Second Reading .....	2760		Third Reading Final Passage .....
	Amendment Offered.....	2760		Other Action .....
	Third Reading Final Passage .....	2760		Messages.....
	Other Action .....	2738		Speaker Signed .....
	Messages.....	323, 2923, 3271	5934-S	Introduction & 1st Reading .....
	Speaker Signed .....	3698		Committee Report .....
5906	Introduction & 1st Reading .....	444		Second Reading .....
	Committee Report .....	2612		Third Reading Final Passage .....
	Second Reading .....	2834		Other Action .....
	Amendment Offered.....	3314		Messages.....
	Third Reading Final Passage .....	2835, 3315		Speaker Signed .....
	Other Action .....	2776	5935-S	Introduction & 1st Reading .....
	Messages.....	437, 3314, 3780		Committee Report .....
	Speaker Signed .....	3781		Second Reading .....
5908-S2	Introduction & 1st Reading .....	321		Third Reading Final Passage .....
	Committee Report .....	738, 2613		Other Action .....
	Second Reading .....	2745		Messages.....
	Third Reading Final Passage .....	2745		Speaker Signed .....
	Other Action .....	2738	5936-S	Introduction & 1st Reading .....
	Messages.....	258, 2923, 3271		Committee Report .....
	Speaker Signed .....	3698		Second Reading .....
5913	Introduction & 1st Reading .....	168		Third Reading Final Passage .....
	Committee Report .....	746		Other Action .....
	Second Reading .....	2731		Messages.....
	Third Reading Final Passage .....	2732		Speaker Signed .....
	Other Action .....	2554	5937-S2	Introduction & 1st Reading .....
	Messages.....	166, 167, 2837		Committee Report .....
	Speaker Signed .....	2855		Second Reading .....
5915	Introduction & 1st Reading .....	438		Third Reading Final Passage .....
	Messages.....	432		Other Action .....
5917-S	Introduction & 1st Reading .....	194		Messages.....
	Committee Report .....	746		Speaker Signed .....
	Second Reading .....	2735	5938	Introduction & 1st Reading .....
	Third Reading Final Passage .....	2735		Committee Report .....
	Other Action .....	2554		Second Reading .....
	Messages.....	171, 2837		Third Reading Final Passage .....
	Speaker Signed .....	2855		Other Action .....
5919-S				Messages.....
				Speaker Signed .....

Introduction & 1st Reading .....	259	Second Reading .....	2728
Committee Report .....	456, 2613	Third Reading Final Passage .....	2728
Second Reading .....	2769	Other Action .....	2554
Third Reading Final Passage .....	2769	Messages .....	258, 2770
Other Action .....	2758	Speaker Signed .....	2777
Messages .....	231, 3093	5974-S	
Speaker Signed .....	3249	Introduction & 1st Reading .....	168
5943-S2		Committee Report .....	457
Introduction & 1st Reading .....	392	Second Reading .....	894
Messages .....	323	Third Reading Final Passage .....	895
5949-S		Other Action .....	891
Introduction & 1st Reading .....	898	Messages .....	166, 167, 2760
Second Reading .....	3180	Speaker Signed .....	2759
Amendment Offered .....	3180	5979	
Third Reading Final Passage .....	3248	Introduction & 1st Reading .....	219
Other Action .....	898, 3248	Committee Report .....	891
Messages .....	898, 3271, 3699	Second Reading .....	2717
Speaker Signed .....	3698	Third Reading Final Passage .....	2717
5950-S		Other Action .....	2554
Introduction & 1st Reading .....	899	Messages .....	196, 209, 2770
Committee Report Conference .....	3319	Speaker Signed .....	2777
Second Reading .....	904	5980-S	
Amendment Offered .....	904, 1252-1255, 1581, 1905, 2229, 2553	Introduction & 1st Reading .....	438
Third Reading Final Passage .....	2554	Committee Report .....	891
Final Passage .....	3684	Second Reading .....	2724
Other Action .....	2997, 3685	Third Reading Final Passage .....	2724
Messages .....	899, 2996, 3698, 3699	Other Action .....	2554
Speaker Signed .....	3698	Messages .....	432, 2770
5952		Speaker Signed .....	2777
Introduction & 1st Reading .....	392	5982	
Committee Report .....	887	Introduction & 1st Reading .....	173
Second Reading .....	2815	Committee Report .....	457
Third Reading Final Passage .....	2815	Second Reading .....	892
Other Action .....	2776	Third Reading Final Passage .....	892
Messages .....	323, 3271	Other Action .....	891
Speaker Signed .....	3698	Messages .....	2760
5953-S		Speaker Signed .....	2759
Introduction & 1st Reading .....	321	5983-S	
Committee Report .....	887, 2613	Introduction & 1st Reading .....	219
Second Reading .....	2775	Committee Report .....	749
Third Reading Final Passage .....	2775	Second Reading .....	2729
Other Action .....	2738	Third Reading Final Passage .....	2729
Messages .....	258, 2923, 3271	Other Action .....	2554
Speaker Signed .....	3698	Messages .....	209, 2923, 3271
5955-S2		Speaker Signed .....	3698
Introduction & 1st Reading .....	444	5985-S	
Committee Report .....	748, 2562	Introduction & 1st Reading .....	173
Second Reading .....	2814	Committee Report .....	752
Third Reading Final Passage .....	2814	Second Reading .....	2718
Other Action .....	2776	Third Reading Final Passage .....	2718
Messages .....	437, 2923	Other Action .....	2554
Speaker Signed .....	2855	Messages .....	2923, 3271
5968-S		Speaker Signed .....	3698
Introduction & 1st Reading .....	324	5986-S	
Messages .....	269	Introduction & 1st Reading .....	321
5970		Committee Report .....	761, 2614
Introduction & 1st Reading .....	219	Second Reading .....	2739
Committee Report .....	467	Third Reading Final Passage .....	2739
Second Reading .....	892	Other Action .....	2738
Third Reading Final Passage .....	893	Messages .....	230, 2923, 3271
Other Action .....	891	Speaker Signed .....	3698
Messages .....	196, 209, 2760	5995-S	
Speaker Signed .....	2759	Introduction & 1st Reading .....	194
5972-S		Messages .....	171
Introduction & 1st Reading .....	438	5997	
Committee Report .....	748, 2614	Introduction & 1st Reading .....	392
Second Reading .....	2806	Committee Report .....	574
Amendment Offered .....	2806	Second Reading .....	2723
Third Reading Final Passage .....	2807	Third Reading Final Passage .....	2723
Other Action .....	2776	Other Action .....	2554
Messages .....	411, 2997, 3699	Messages .....	323, 2770
Speaker Signed .....	3698	Speaker Signed .....	2777
5973-S		5998-S	
Introduction & 1st Reading .....	321	Introduction & 1st Reading .....	168
Committee Report .....	574	Committee Report .....	769
		Second Reading .....	2735

	Amendment Offered.....	2736		Other Action.....	2554
	Third Reading Final Passage.....	2736		Messages.....	231, 2837
	Other Action.....	2554		Speaker Signed.....	2855
	Messages.....	166, 167, 2837	6028		
	Speaker Signed.....	2855		Introduction & 1st Reading.....	219
6006-S2	Introduction & 1st Reading.....	259		Messages.....	196, 209
	Committee Report.....	770, 2614	6030		
	Second Reading.....	2771		Introduction & 1st Reading.....	438
	Amendment Offered.....	2771, 2798		Committee Report.....	2560
	Third Reading Final Passage.....	2771, 2798, 2804		Other Action.....	440, 2758
	Other Action.....	2758, 2771, 2798		Messages.....	432
	Messages.....	231, 2923, 3271	6031-S		
	Speaker Signed.....	3698		Introduction & 1st Reading.....	438
6007-S	Introduction & 1st Reading.....	259		Committee Report.....	2614
	Committee Report.....	467		Second Reading.....	2819
	Second Reading.....	893		Third Reading Final Passage.....	2819
	Third Reading Final Passage.....	894		Other Action.....	459, 2776
	Other Action.....	891		Messages.....	404
	Messages.....	231, 2760	6036-S		
	Speaker Signed.....	2759		Introduction & 1st Reading.....	324
6009-S	Introduction & 1st Reading.....	219		Messages.....	269
	Committee Report.....	801	6038-S		
	Second Reading.....	2741		Introduction & 1st Reading.....	392
	Amendment Offered.....	2741, 2742		Committee Report.....	802, 2562
	Third Reading Final Passage.....	2742		Second Reading.....	2997
	Other Action.....	2554		Amendment Offered.....	2997
	Messages.....	209, 2923, 3271		Third Reading Final Passage.....	2998
	Speaker Signed.....	3698		Other Action.....	2997
6010-S	Introduction & 1st Reading.....	438		Messages.....	323, 3271, 3699
	Messages.....	432		Speaker Signed.....	3698
6013	Introduction & 1st Reading.....	438	6039-S		
	Committee Report.....	2560		Introduction & 1st Reading.....	435
	Second Reading.....	2778		Committee Report.....	802, 2562
	Third Reading Final Passage.....	2778		Second Reading.....	2769
	Other Action.....	2758		Amendment Offered.....	2769
	Messages.....	411, 3093		Third Reading Final Passage.....	2769
	Speaker Signed.....	3249		Other Action.....	2758
6015-S	Introduction & 1st Reading.....	219		Messages.....	326, 2997, 3699
	Committee Report.....	801		Speaker Signed.....	3698
	Second Reading.....	2773	6040-S		
	Amendment Offered.....	2773		Introduction & 1st Reading.....	438
	Third Reading Final Passage.....	2774		Committee Report.....	2562
	Other Action.....	2758		Second Reading.....	2808
	Messages.....	209, 2923, 3271		Third Reading Final Passage.....	2808
	Speaker Signed.....	3698		Other Action.....	2776
6017	Introduction & 1st Reading.....	219		Messages.....	432, 2997, 3699
	Committee Report.....	902		Speaker Signed.....	3698
	Second Reading.....	2728	6047-S		
	Third Reading Final Passage.....	2728		Introduction & 1st Reading.....	219
	Other Action.....	2554		Committee Report.....	457
	Messages.....	209, 2770		Second Reading.....	2757
	Speaker Signed.....	2777		Third Reading Final Passage.....	2757
6020-S	Introduction & 1st Reading.....	321		Other Action.....	891
	Messages.....	230		Messages.....	209, 2997, 3699
6025-S	Introduction & 1st Reading.....	219		Speaker Signed.....	3698
	Committee Report.....	457, 2614	6053-S		
	Second Reading.....	2760		Introduction & 1st Reading.....	173
	Amendment Offered.....	2760		Committee Report.....	467
	Third Reading Final Passage.....	2760		Second Reading.....	2775
	Other Action.....	2738		Third Reading Final Passage.....	2776
	Messages.....	209, 2997, 3699		Other Action.....	2554
	Speaker Signed.....	3698		Messages.....	2997, 3699
6027	Introduction & 1st Reading.....	259		Speaker Signed.....	3698
	Committee Report.....	801	6056-S		
	Second Reading.....	2727		Introduction & 1st Reading.....	259
	Third Reading Final Passage.....	2728		Messages.....	231
			6058-S2		
				Introduction & 1st Reading.....	438
				Committee Report.....	804, 2615
				Second Reading.....	2761
				Amendment Offered.....	2762-2766
				Third Reading Final Passage.....	2766
				Other Action.....	2758
				Messages.....	404, 2997, 3699
				Speaker Signed.....	3698
			6059-S		

	Introduction & 1st Reading .....	259		Third Reading Final Passage .....	2722
	Committee Report .....	822, 2633		Other Action .....	2554
	Second Reading .....	2777		Messages .....	171, 2837
	Third Reading Final Passage .....	2777		Speaker Signed .....	2855
	Other Action .....	2758	6089	Introduction & 1st Reading .....	219
	Messages .....	231, 3093, 3699		Committee Report .....	891
	Speaker Signed .....	3698		Second Reading .....	2816
6060-S	Introduction & 1st Reading .....	219		Third Reading Final Passage .....	2817
	Committee Report .....	469		Other Action .....	2554
	Second Reading .....	2718		Messages .....	209, 2923
	Third Reading Final Passage .....	2718		Speaker Signed .....	2855
	Other Action .....	891	6092-S2	Introduction & 1st Reading .....	444
	Messages .....	196, 209, 2770		Committee Report .....	841, 2647
	Speaker Signed .....	2777		Other Action .....	2776
6061-S	Introduction & 1st Reading .....	259	6094	Messages .....	437
	Committee Report .....	828		Introduction & 1st Reading .....	220
	Messages .....	231		Committee Report .....	2563
6068-S2	Introduction & 1st Reading .....	438		Second Reading .....	2817
	Committee Report .....	830, 2634		Third Reading Final Passage .....	2817
	Second Reading .....	2808		Other Action .....	2776
	Third Reading Final Passage .....	2808		Messages .....	196, 209, 3271
	Other Action .....	2776	6095	Speaker Signed .....	3698
	Messages .....	432, 3093, 3271		Introduction & 1st Reading .....	392
	Speaker Signed .....	3698		Committee Report .....	841
6069-S	Introduction & 1st Reading .....	439		Second Reading .....	2718
	Committee Report .....	830, 2634		Third Reading Final Passage .....	2718
	Second Reading .....	2821		Other Action .....	2554
	Amendment Offered .....	2821, 2832, 2833, 3258, 3270		Messages .....	323, 2770
	Third Reading Final Passage .....	2834, 3270	6098	Speaker Signed .....	2777
	Other Action .....	2776, 2835		Introduction & 1st Reading .....	392
	Messages .....	404, 3258, 3780		Committee Report .....	3093
	Speaker Signed .....	3781		Second Reading .....	3315
6072	Introduction & 1st Reading .....	439		Third Reading Final Passage .....	3315
	Committee Report .....	841, 2646		Other Action .....	3103
	Messages .....	404		Messages .....	323, 3780
6079	Introduction & 1st Reading .....	219	6099-S	Speaker Signed .....	3781
	Committee Report .....	841		Introduction & 1st Reading .....	435
	Second Reading .....	2746		Committee Report .....	2647
	Third Reading Final Passage .....	2747		Second Reading .....	2815
	Other Action .....	2738		Third Reading Final Passage .....	2815
	Messages .....	196, 209, 2838		Other Action .....	2776
	Speaker Signed .....	2855		Messages .....	355, 3093, 3699
6080	Introduction & 1st Reading .....	321	6100-S	Speaker Signed .....	3698
	Committee Report .....	2560		Introduction & 1st Reading .....	259
	Second Reading .....	2820		Committee Report .....	2651
	Third Reading Final Passage .....	2820		Second Reading .....	2838
	Other Action .....	2776		Third Reading Final Passage .....	2839
	Messages .....	230, 2923		Other Action .....	2758
	Speaker Signed .....	2855		Messages .....	231, 3699
6084	Introduction & 1st Reading .....	219	6101-S	Speaker Signed .....	3698
	Committee Report .....	903		Introduction & 1st Reading .....	259
	Second Reading .....	2797		Messages .....	231
	Third Reading Final Passage .....	2797	6105-S	Introduction & 1st Reading .....	260
	Other Action .....	2738		Committee Report .....	841
	Messages .....	209, 3093		Second Reading .....	2737
	Speaker Signed .....	3249		Amendment Offered .....	2737
6087	Introduction & 1st Reading .....	444		Third Reading Final Passage .....	2737
	Committee Report .....	2646		Other Action .....	2554
	Second Reading .....	2812		Messages .....	231, 3093, 3699
	Third Reading Final Passage .....	2812, 3310	6106-S	Speaker Signed .....	3698
	Other Action .....	2776, 3310		Introduction & 1st Reading .....	435
	Messages .....	437, 3310, 3699		Committee Report .....	2651
	Speaker Signed .....	3698		Second Reading .....	2784
6088	Introduction & 1st Reading .....	194		Third Reading Final Passage .....	2784
	Committee Report .....	891		Other Action .....	2776
	Second Reading .....	2722		Messages .....	355, 3271

6108-S	Speaker Signed .....	3698	6146-S	Introduction & 1st Reading .....	435
	Introduction & 1st Reading .....	321		Committee Report .....	854
	Committee Report .....	891		Second Reading .....	2756
	Second Reading .....	2736		Amendment Offered .....	2756
	Third Reading Final Passage .....	2736		Third Reading Final Passage .....	2757
	Other Action .....	2554		Other Action .....	2554
	Messages.....	258, 2837		Messages.....	355, 3093, 3271
	Speaker Signed .....	2855		Speaker Signed .....	3698
6109-S2	Introduction & 1st Reading .....	392	6148	Introduction & 1st Reading .....	321
	Committee Report .....	469, 2651		Messages.....	230
	Second Reading .....	2748	6150-S	Introduction & 1st Reading .....	220
	Amendment Offered .....	2748, 2754		Messages.....	209
	Third Reading Final Passage .....	2754	6151	Introduction & 1st Reading .....	260
	Other Action .....	2738		Committee Report .....	857
	Messages.....	323, 3093, 3271		Second Reading .....	2732
	Speaker Signed .....	3698		Third Reading Final Passage .....	2732
6110-S	Introduction & 1st Reading .....	439		Other Action .....	2554
	Committee Report .....	844		Messages.....	231, 3093, 3271
	Other Action .....	2554		Speaker Signed .....	3698
	Messages.....	404	6154-S	Introduction & 1st Reading .....	439
6115-S	Introduction & 1st Reading .....	435		Messages.....	432
	Committee Report .....	2663	6157-S	Introduction & 1st Reading .....	260
	Second Reading .....	2813		Committee Report .....	858
	Amendment Offered .....	2813		Second Reading .....	2730
	Third Reading Final Passage .....	2813		Amendment Offered .....	2730
	Other Action .....	2776		Third Reading Final Passage .....	2731
	Messages.....	355, 3093, 3271		Other Action .....	2554
	Speaker Signed .....	3698		Messages.....	231, 3093, 3699
6120	Introduction & 1st Reading .....	260		Speaker Signed .....	3698
	Committee Report .....	846, 2668	6162-S	Introduction & 1st Reading .....	439
	Second Reading .....	2776		Messages.....	411
	Third Reading Final Passage .....	2776	6163-S	Introduction & 1st Reading .....	435
	Other Action .....	281, 2758		Committee Report .....	858
	Messages.....	231, 3093, 3699		Messages.....	326
	Speaker Signed .....	3698	6164-S	Introduction & 1st Reading .....	220
6121-S	Introduction & 1st Reading .....	439		Committee Report .....	580
	Committee Report .....	848, 2668		Second Reading .....	2761
	Second Reading .....	2816		Third Reading Final Passage .....	2761
	Third Reading Final Passage .....	2816		Other Action .....	2738
	Other Action .....	2776		Messages.....	209, 3093, 3699
	Messages.....	411, 2923		Speaker Signed .....	3698
	Speaker Signed .....	2855	6166	Introduction & 1st Reading .....	220
6125-S	Introduction & 1st Reading .....	439		Committee Report .....	859
	Committee Report .....	848, 2668		Other Action .....	2554
	Second Reading .....	2809		Messages.....	196, 209
	Third Reading Final Passage .....	2810	6167	Introduction & 1st Reading .....	444
	Other Action .....	2776		Messages.....	437
	Messages.....	411, 2923	6173	Introduction & 1st Reading .....	393
	Speaker Signed .....	2855		Committee Report .....	859, 2563
6127-S	Introduction & 1st Reading .....	260		Second Reading .....	2808
	Committee Report .....	849		Third Reading Final Passage .....	2808
	Second Reading .....	2720		Other Action .....	2776
	Third Reading Final Passage .....	2720		Messages.....	323, 2923
	Other Action .....	2554		Speaker Signed .....	2855
	Messages.....	231, 3093, 3271	6175-S2	Introduction & 1st Reading .....	393
	Speaker Signed .....	3698		Committee Report .....	860, 2563
6133	Introduction & 1st Reading .....	220		Second Reading .....	2998
	Committee Report .....	850		Third Reading Final Passage .....	2998
	Messages.....	209		Other Action .....	2997
6140-S	Introduction & 1st Reading .....	260		Messages.....	323, 3271, 3699
	Committee Report .....	854		Speaker Signed .....	3698
	Second Reading .....	2734	6178	Introduction & 1st Reading .....	220
	Third Reading Final Passage .....	2734			
	Other Action .....	2554			
	Messages.....	231, 2837			
	Speaker Signed .....	2855			



Committee Report .....	865	Other Action .....	2554
Second Reading .....	2722	Messages.....	209, 2838
Third Reading Final Passage .....	2722	Speaker Signed .....	2855
Other Action .....	2554	6228-S2	
Messages.....	196, 209, 2837	Introduction & 1st Reading .....	324
Speaker Signed .....	2855	Committee Report .....	865, 2689
6179-S		Second Reading .....	2794
Introduction & 1st Reading .....	435	Amendment Offered.....	2794
Messages.....	355	Third Reading Final Passage .....	2794
6181		Other Action .....	2776
Introduction & 1st Reading .....	220	Messages.....	269, 3093, 3271
Messages.....	209	Speaker Signed .....	3698
6186-S		6229	
Introduction & 1st Reading .....	220	Introduction & 1st Reading .....	439
Committee Report .....	865	Committee Report .....	2564
Second Reading .....	2724	Second Reading .....	2746
Third Reading Final Passage .....	2724	Third Reading Final Passage .....	2746
Other Action .....	256, 2554	Other Action .....	2738
Messages.....	196, 209, 2838	Messages.....	432, 2838
Speaker Signed .....	2855	Speaker Signed .....	2855
6187-S2		6234	
Introduction & 1st Reading .....	439	Introduction & 1st Reading .....	260
Committee Report .....	865	Committee Report .....	876
Messages.....	404	Second Reading .....	2717
6192-S		Third Reading Final Passage .....	2717
Introduction & 1st Reading .....	435	Other Action .....	2554
Committee Report .....	2563	Messages.....	231, 2770
Second Reading .....	2757	Speaker Signed .....	2777
Third Reading Final Passage .....	2757	6238	
Other Action .....	2738	Introduction & 1st Reading .....	435
Messages.....	355, 2838	Committee Report .....	2561
Speaker Signed .....	2855	Second Reading .....	2793
6194-S2		Third Reading Final Passage .....	2793
Introduction & 1st Reading .....	393	Other Action .....	2758
Committee Report .....	582, 2668	Messages.....	355, 3093, 3271
Second Reading .....	2784	Speaker Signed .....	3698
Amendment Offered.....	2784, 3249, 3258, 3768	6242	
Third Reading Final Passage .....	2793, 3258, 3776	Introduction & 1st Reading .....	439
Other Action .....	2758, 3767, 3776	Other Action .....	440
Messages.....	323, 3249, 3767, 3779, 3780	Messages.....	432
Speaker Signed .....	3781	6246	
6197-S		Introduction & 1st Reading .....	260
Introduction & 1st Reading .....	321	Committee Report .....	876
Committee Report .....	2677	Second Reading .....	2720
Second Reading .....	2813	Third Reading Final Passage .....	2720
Third Reading Final Passage .....	2813	Other Action .....	2554
Other Action .....	2776	Messages.....	231, 3093, 3271
Messages.....	230, 3093, 3271	Speaker Signed .....	3698
Speaker Signed .....	3698	6247	
6198-S		Introduction & 1st Reading .....	439
Introduction & 1st Reading .....	439	Committee Report .....	2699
Messages.....	432	Messages.....	432
6202		6251-S2	
Introduction & 1st Reading .....	260	Introduction & 1st Reading .....	393
Messages.....	231	Committee Report .....	885, 2699
6215		Second Reading .....	2809
Introduction & 1st Reading .....	439	Third Reading Final Passage .....	2809
Committee Report .....	2561	Other Action .....	2776
Second Reading .....	2820	Messages.....	323, 3093, 3271
Third Reading Final Passage .....	2820	Speaker Signed .....	3698
Other Action .....	2776	6256-S	
Messages.....	432, 2923	Introduction & 1st Reading .....	260
Speaker Signed .....	2855	Messages.....	231
6222		6263	
Introduction & 1st Reading .....	439	Introduction & 1st Reading .....	435
Committee Report .....	865	Committee Report .....	2708
Second Reading .....	2721	Second Reading .....	2775
Third Reading Final Passage .....	2721	Third Reading Final Passage .....	2775
Other Action .....	2554	Other Action .....	2758, 2778
Messages.....	411, 2838	Messages.....	355, 3093
Speaker Signed .....	2855	Speaker Signed .....	3249
6227-S		6264-S	
Introduction & 1st Reading .....	220	Introduction & 1st Reading .....	321
Committee Report .....	574	Messages.....	258
Second Reading .....	2725	6269-S	
Third Reading Final Passage .....	2725	Introduction & 1st Reading .....	436

	Committee Report .....	885		Second Reading .....	3315
	Second Reading .....	2723		Amendment Offered .....	3316
	Third Reading Final Passage .....	2723		Third Reading Final Passage .....	3316
	Other Action .....	2554		Other Action .....	3103
	Messages.....	326, 2838		Messages.....	2742, 3780
	Speaker Signed .....	2855		Speaker Signed .....	3781
6271	Introduction & 1st Reading .....	194	8005	Introduction & 1st Reading .....	220
	Committee Report .....	574		Committee Report .....	885
	Messages.....	171		Second Reading .....	2813
6277-S	Introduction & 1st Reading .....	393		Third Reading Final Passage .....	2813
	Committee Report .....	2709		Other Action .....	2776
	Messages.....	323		Messages.....	209, 2923
6278-S	Introduction & 1st Reading .....	220	8006	Speaker Signed .....	2855
	Messages.....	209		Introduction & 1st Reading .....	78
6283	Introduction & 1st Reading .....	321		Committee Report .....	458
	Committee Report .....	2716		Other Action .....	2554
	Second Reading .....	2747		Messages.....	73
	Third Reading Final Passage .....	2747	8007	Introduction & 1st Reading .....	173
	Other Action .....	2738		Committee Report .....	574
	Messages.....	230, 2838		Second Reading .....	2814
	Speaker Signed .....	2855		Third Reading Final Passage .....	2814
6286-S	Introduction & 1st Reading .....	260		Other Action .....	2776
	Committee Report .....	885, 2716		Messages.....	2923
	Second Reading .....	2768	8008	Speaker Signed .....	2855
	Third Reading Final Passage .....	2768		Introduction & 1st Reading .....	173
	Other Action .....	2758		Committee Report .....	903
	Messages.....	231, 3093		Second Reading .....	2795
	Speaker Signed .....	3249		Third Reading Final Passage .....	2795
6291-S	Introduction & 1st Reading .....	260		Other Action .....	2758
	Committee Report .....	574		Messages.....	3093
	Second Reading .....	2810	8009-S	Speaker Signed .....	3249
	Third Reading Final Passage .....	2810		Introduction & 1st Reading .....	220
	Other Action .....	2554		Committee Report .....	2561
	Messages.....	231, 2923		Second Reading .....	2747
	Speaker Signed .....	2855		Amendment Offered .....	2747
6296	Introduction & 1st Reading .....	440		Third Reading Final Passage .....	2747
	Committee Report .....	891		Other Action .....	2738
	Second Reading .....	2720		Messages.....	209, 2838
	Third Reading Final Passage .....	2720	8411	Speaker Signed .....	2855
	Other Action .....	2554		Introduction & 1st Reading .....	30
	Messages.....	432, 2838		Second Reading .....	30
	Speaker Signed .....	2855		Adopted .....	30
6298	Introduction & 1st Reading .....	260		Other Action .....	30
	Messages.....	231	8414	Messages.....	30, 41
6301-S	Introduction & 1st Reading .....	321		Introduction & 1st Reading .....	168
	Committee Report .....	574		Committee Report .....	886
	Second Reading .....	2816		Second Reading .....	2721
	Amendment Offered .....	2816		Third Reading Final Passage .....	2721
	Third Reading Final Passage .....	2816		Other Action .....	2554
	Other Action .....	2554		Messages.....	166, 167, 3093, 3699
	Messages.....	230, 3093, 3699	8417	Speaker Signed .....	3698
	Speaker Signed .....	3698		Introduction & 1st Reading .....	3780
6302-S	Introduction & 1st Reading .....	440		Third Reading Final Passage .....	3781
	Messages.....	432		Other Action .....	3780, 3781
6308	Introduction & 1st Reading .....	321		Messages.....	3780, 3781
	Committee Report .....	2564		Speaker Signed .....	3781
	Second Reading .....	2771	HI 2081	Introduction & 1st Reading .....	76
	Amendment Offered .....	2771		Committee Report .....	2838
	Third Reading Final Passage .....	2772		Third Reading Final Passage .....	2854
	Other Action .....	2758		Other Action .....	78, 2838
	Messages.....	230, 3093, 3271	HI 2109	Messages.....	72
	Speaker Signed .....	3698		Introduction & 1st Reading .....	91
6316-S	Introduction & 1st Reading .....	2760		Other Action .....	92
	Committee Report .....	3102	HI 2111	Messages.....	90
				Introduction & 1st Reading .....	101

Committee Report .....	2838
Third Reading Final Passage .....	2854, 2855
Other Action .....	101, 2838
Messages.....	91
HI 2113	
Introduction & 1st Reading .....	55
Committee Report .....	2838
Third Reading Final Passage .....	2854
Other Action .....	57, 2838
Messages.....	51
HI 2117	
Introduction & 1st Reading .....	63
Other Action .....	64
Messages.....	63
HI 2124	
Introduction & 1st Reading .....	113
Other Action .....	113
Messages.....	108
HOUSE OF REPRESENTATIVES (Representative Bronoske presiding)	
Statement for the Journal Representative Doglio.....	2854
Statement for the Journal Representative Graham 269, 2992	
Statement for the Journal Representative Harris .....	2774
Statement for the Journal Representative Mena .....	2756
Statement for the Journal Representative Mosbrucker .....	2772, 2796
Statement for the Journal Representative Pollet.....	2993
Point of Personal Privilege Representative Santos.....	2717
HOUSE OF REPRESENTATIVES (Representative Bronoske presiding) Point of Order	
Representative Stonier Other Action.....	57
HOUSE OF REPRESENTATIVES (Representative Bronoske presiding) Speaker's Ruling	
Other Action .....	57
HOUSE OF REPRESENTATIVES (Representative Orwall presiding)	
Statement for the Journal Representative Barkis.....	2744
Statement for the Journal Representative Chambers.....	895
Statement for the Journal Representative Graham 355, 2744	
Statement for the Journal Representative Jacobsen.....	895
Statement for the Journal Representative Mosbrucker....	295
Statement for the Journal Representative Pollet.....	893
Point of Personal Privilege Representative Eslick .....	3698
Point of Personal Privilege Representative Fey .....	3767
Point of Personal Privilege Representative Mena .....	3698
Point of Personal Privilege Representative Ormsby .....	3685
HOUSE OF REPRESENTATIVES (Representative Orwall presiding) Point of Order	
Representative Stokesbary Order #880 .....	3176
Representative Stokesbary Order Amd #880 .....	3175, 3176
Representative Stonier Scope Amd #1011 .....	383
HOUSE OF REPRESENTATIVES (Representative Orwall presiding) Speaker's Ruling	
Order Amd #880 .....	3175, 3176
Scope Amd #1011 .....	383
HOUSE OF REPRESENTATIVES (Speaker Jinkins presiding)	
Statement for the Journal Representative Mosbrucker....	276
Point of Personal Privilege Representative Simmons .....	121
Point of Personal Privilege Representative Stokesbary.....	3
Point of Personal Privilege Representative Tharinger....	3248
Point of Personal Privilege Representative Walsh .....	3318
HOUSE OF REPRESENTATIVES Speaker Jinkins presiding)	
Committee Appointments.....	32
SPEAKER OF THE HOUSE (Representative Bronoske presiding)	
Speaker's Privilege .....	209, 446, 2717, 2739, 2923
SPEAKER OF THE HOUSE (Representative Orwall presiding)	
Speaker's Privilege .....	63, 90, 126, 220, 282, 2837
SPEAKER OF THE HOUSE (Speaker Jinkins presiding)	
Opening Remarks .....	1
Speaker's Privilege .....	55, 433, 442, 903, 3178–3180, 3317, 3318

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## Sixty Eighth Legislature 2024 Regular Session

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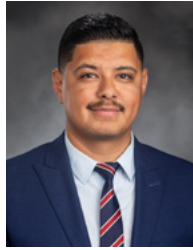


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Capital Budget; Health Care & Wellness; Regulated Substances & Gaming; Rules

**Legislative Assistant:** Mary Soderlind



## DAVE PAUL (D) DISTRICT 10

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**Transportation, Vice Chair;** Innovation, Community & Economic Development, & Veterans; Postsecondary Education & Workforce

**Legislative Assistant:** Rachel Campbell



## STROM PETERSON (D) DISTRICT 21

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**Housing, Chair;** Capital Budget; Civil Rights & Judiciary

**Legislative Assistant:** Nick Spurlock



## GERRY POLLET (D) DISTRICT 46

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Appropriations; Education; Postsecondary Education & Workforce; Rules

**Legislative Assistant:** Emily Grupp



## ALEX RAMEL (D) DISTRICT 40

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Environment & Energy; Finance; Rules; Transportation

**Legislative Assistant:** Amanda Hubik



## BILL RAMOS (D) DISTRICT 5

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**State Government & Tribal Relations, Chair;** Community Safety, Justice, & Reentry; Transportation

**Legislative Assistant:** Hunter Cooper

# 2024 WASHINGTON STATE HOUSE OF REPRESENTATIVES



## JULIA REED (D) DISTRICT 36

JLOB 326 | (360) 786-7814 | [Julia.Reed@leg.wa.gov](mailto:Julia.Reed@leg.wa.gov)

**Postsecondary Education & Workforce, Vice Chair;** Capital Budget; Housing

**Legislative Assistant:** Julia Lain



## KRISTINE REEVES (D) DISTRICT 30

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**Agriculture & Natural Resources, Vice Chair; Consumer Protection & Business, Vice Chair;** Regulated Substances & Gaming

**Legislative Assistant:** Thalia Corona



## MARCUS RICCELLI (D) DISTRICT 3

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**Health Care & Wellness, Chair;** Appropriations; Local Government

**Legislative Assistant:**



## ERIC ROBERTSON (R) DISTRICT 31

JLOB 465 | (360) 786-7866 | [Eric.Robertson@leg.wa.gov](mailto:Eric.Robertson@leg.wa.gov)

Consumer Protection & Business; Regulated Substances & Gaming; Transportation

**Legislative Assistant:** Andy Aboen



## SKYLER RUDE (R) DISTRICT 16

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Education; Appropriations; Labor & Workplace Standards

**Legislative Assistant:** Tammi Petty



## ALICIA RULE (D) DISTRICT 42

JLOB 334 | (360) 786-7980 | [Alicia.Rule@leg.wa.gov](mailto:Alicia.Rule@leg.wa.gov)

**Human Services, Youth, & Early Learning, Vice Chair; Innovation, Community & Economic Development, & Veterans, Vice Chair;** Capital Budget

**Legislative Assistant:** Britt Youngblood



# 2024 WASHINGTON STATE HOUSE OF REPRESENTATIVES



## CINDY RYU (D) DISTRICT 32

JLOB 303 | (360) 786-7880 | [Cindy.Ryu@leg.wa.gov](mailto:Cindy.Ryu@leg.wa.gov)

**Innovation, Community & Economic Development, & Veterans, Chair;** Appropriations;  
Consumer Protection & Business

**Legislative Assistant:** Shoubee Liaw



## BRYAN SANDLIN (R) DISTRICT 15

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Appropriations; Capital Budget; Consumer Protection & Business; Environment & Energy

**Legislative Assistant:** Sandy Ruff



## SHARON TOMIKO SANTOS (D) DISTRICT 37

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**Education, Chair;** Consumer Protection & Business; Finance

**Legislative Assistant:** Mary Ann Lara



## JOE SCHMICK (R) DISTRICT 9

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Health Care & Wellness; Agriculture & Natural Resources; Appropriations

**Legislative Assistant:** Trixie Harmon



## SUZANNE SCHMIDT (R) DISTRICT 4

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Labor & Workplace Standards; Postsecondary Education & Workforce; Rules; Transportation

**Legislative Assistant:** Andy Aboen



## TANA SENN (D) DISTRICT 41

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**Human Services, Youth, & Early Learning, Chair;** Appropriations; Innovation, Community &  
Economic Development, & Veterans

**Legislative Assistant:** Madyson Frank

# 2024 WASHINGTON STATE HOUSE OF REPRESENTATIVES



## CLYDE SHAVERS (D) DISTRICT 10

JLOB 311 | (360) 786-7884 | [Clyde.Shavers@leg.wa.gov](mailto:Clyde.Shavers@leg.wa.gov)

**Education, Vice Chair;** Capital Budget; Innovation, Community & Economic Development, & Veterans

**Legislative Assistant:** Logan Duling



## TARRA SIMMONS (D) DISTRICT 23

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**Community Safety, Justice, & Reentry, Vice Chair;** Appropriations; Health Care & Wellness; Rules

**Legislative Assistant:** Zach Ellis



## VANDANA SLATTER (D) DISTRICT 48

JLOB 308 | (360) 786-7936 | [Vandana.Slatter@leg.wa.gov](mailto:Vandana.Slatter@leg.wa.gov)

**Postsecondary Education & Workforce, Chair;** Appropriations; Environment & Energy

**Legislative Assistant:** Bariah Rice



## LARRY SPRINGER (D) DISTRICT 45

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Agriculture & Natural Resources; Appropriations; Finance; Rules

**Legislative Assistant:** Emily Wills



## CHRIS STEARNS (D) DISTRICT 47

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**Regulated Substances & Gaming, Vice Chair; State Government & Tribal Relations, Vice Chair;** Capital Budget

**Legislative Assistant:** Darci Suttle



## MIKE STEELE (R) DISTRICT 12

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Capital Budget; Education; Rules

**Legislative Assistant:** Brenda Glenn

# 2024 WASHINGTON STATE HOUSE OF REPRESENTATIVES



## DREW STOKESBARY (R) DISTRICT 31

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Appropriations; Rules

**Legislative Assistant:** Gina Palermo



## MONICA JURADO STONIER (D) DISTRICT 49

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Appropriations; Education; Health Care & Wellness; Rules

**Legislative Assistant:** Megan Filippello



## CHIPALO STREET (D) DISTRICT 37

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**Finance, Vice Chair;** Environment & Energy; Innovation, Community & Economic Development, & Veterans

**Legislative Assistant:** Travis Jones



## JAMILA TAYLOR (D) DISTRICT 30

JLOB 418 | (360) 786-7898 | [Jamila.Taylor@leg.wa.gov](mailto:Jamila.Taylor@leg.wa.gov)

**Civil Rights & Judiciary, Chair;** Housing; Human Services, Youth, & Early Learning

**Legislative Assistant:** Preeya Williams



## MY-LINH THAI (D) DISTRICT 41

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Civil Rights & Judiciary; Finance; Health Care & Wellness

**Legislative Assistant:** Kelly Nguyen



## STEVE THARINGER (D) DISTRICT 24

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**Capital Budget, Chair;** Appropriations; Health Care & Wellness

**Legislative Assistant:** Dawn Thomas

# 2024 WASHINGTON STATE HOUSE OF REPRESENTATIVES



## JOE TIMMONS (D) DISTRICT 42

JLOB 419 | (360) 786-7854 | [Joe.Timmons@leg.wa.gov](mailto:Joe.Timmons@leg.wa.gov)

**Transportation, Vice Chair;** Education; Postsecondary Education & Workforce

**Legislative Assistant:** Helen Dahl



## MIKE VOLZ (R) DISTRICT 6

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Innovation, Community & Economic Development, & Veterans; Consumer Protection & Business; Transportation

**Legislative Assistant:** Phillip Janzen



## AMY WALEN (D) DISTRICT 48

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**Consumer Protection & Business, Chair;** Civil Rights & Judiciary; Finance

**Legislative Assistant:** Phoebe Greening



## JIM WALSH (R) DISTRICT 19

JLOB 428 | (360) 786-7806 | [Jim.Walsh@leg.wa.gov](mailto:Jim.Walsh@leg.wa.gov)

Civil Rights & Judiciary; Human Services, Youth, & Early Learning; Rules; Transportation

**Legislative Assistant:** Karen Larsen



## KEVIN WATERS (R) DISTRICT 17

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Postsecondary Education & Workforce; Capital Budget; Innovation, Community & Economic Development, & Veterans; Regulated Substances & Gaming

**Legislative Assistant:** Wanda Scharfe



## J.T. WILCOX (R) DISTRICT 2

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Appropriations; Finance; Innovation, Community & Economic Development, & Veterans

**Legislative Assistant:** Nora Halbert

# 2024 WASHINGTON STATE HOUSE OF REPRESENTATIVES



**SHARON WYLIE (D) DISTRICT 49**

JLOB 414 | (360) 786-7924 | [Sharon.Wylie@leg.wa.gov](mailto:Sharon.Wylie@leg.wa.gov)

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**Regulated Substances & Gaming, Co-Chair;** Finance; Transportation

**Legislative Assistant:** Megan Walsh



**ALEX YBARRA (R) DISTRICT 13**

JLOB 470 | (360) 786-7808 | [Alex.Ybarra@leg.wa.gov](mailto:Alex.Ybarra@leg.wa.gov)

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Postsecondary Education & Workforce; Environment & Energy; Labor & Workplace Standards

**Legislative Assistant:** Marge Plumage

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
EHB 1964	C 1 L 24	Enhancing prorate and fuel tax collections by improving taxpayer compliance, providing additional enforcement mechanisms, and protecting confidential taxpayer information.	7/1/2024	
HB 1950	C 2 L 24	Concerning the public service loan forgiveness program.	6/6/2024	
HB 1895	C 3 L 24	Modifying the working families' tax credit by clarifying the refundable nature of the credit, the application requirements, and the eligibility verification process.	6/6/2024	
HI 2081	C 4 L 24	Concerning parental rights relating to their children's public school education.	6/6/2024	
SI 2081	C 4 L 24	Concerning parental rights relating to their children's public school education.	6/6/2024	
HI 2111	C 5 L 24	Concerning taxes on personal income.	6/6/2024	
SI 2111	C 5 L 24	Concerning taxes on personal income.	6/6/2024	
HI 2113	C 6 L 24	Concerning vehicular pursuits by peace officers.	6/6/2024	
SI 2113	C 6 L 24	Concerning vehicular pursuits by peace officers.	6/6/2024	
SHB 2136	C 7 L 24	Concerning prevailing wage sanctions, penalties, and debarment.	1/1/2026	
HB 1975	C 8 L 24	Relieving individuals from paying interest on certain unemployment insurance overpayment assessments.	6/6/2024	
SHB 1249	C 9 L 24	Regarding limits on the sale and possession of retail cannabis products.	6/6/2024	
HB 1455	C 10 L 24	Eliminating child marriage.	6/6/2024	
HB 1530	C 11 L 24	Expanding eligibility for employment of certain law enforcement and prosecutor office positions.	6/6/2024	
HB 1890	C 12 L 24	Concerning housing authorities.	6/6/2024	
HB 1920	C 13 L 24	Modifying the public accountancy act.	6/6/2024	
HB 1954	C 14 L 24	Harmonizing language relating to reproductive health care services and gender-affirming treatment.	6/6/2024	
HB 1972	C 15 L 24	Increasing the licensure fees that support the Washington physicians health program.	6/6/2024*	
HB 1978	C 16 L 24	Adding special purpose and junior taxing districts to the intrastate mutual aid system.	6/6/2024	
SHB 2296	C 17 L 24	Extending the comprehensive plan revision schedule for select local governments.	6/6/2024	
SHB 2165	C 18 L 24	Concerning the authority of the department of natural resources to determine recreational use fees for activities on agency-managed public lands.	6/6/2024	
SB 5508	C 19 L 24	Promoting local agriculture through greenhouses.	6/6/2024	
ESSB 5589	C 20 L 24	Concerning probate.	8/1/2024	
SB 5647	C 21 L 24	Providing temporary employees necessary information about school safety policies and procedures.	6/6/2024	
SSB 5786	C 22 L 24	Making updates to the Washington business corporation act.	6/6/2024	
ESSB 5801	C 23 L 24	Concerning special deposits.	7/1/2024	

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SSB 5803	C 24 L 24	Concerning the recruitment and retention of Washington national guard members.	6/6/2024	
SB 5805	C 25 L 24	Developing a schedule for court appointment of attorneys for children and youth in dependency and termination proceedings.	6/6/2024	
SSB 5834	C 26 L 24	Concerning urban growth areas.	6/6/2024	
SSB 5840	C 27 L 24	Concerning leases.	6/6/2024	
SB 5843	C 28 L 24	Concerning security breaches of election systems and election-related systems.	6/6/2024	
SB 5883	C 29 L 24	Concerning the burden of proof for special education due process hearings.	6/6/2024	
SB 5885	C 30 L 24	Concerning procedures for certificates of annexation submitted to the office of financial management.	6/6/2024	
SB 5886	C 31 L 24	Adding purposes for the use of existing firefighter safety funding.	6/6/2024	
2SSB 5893	C 32 L 24	Providing gate money to incarcerated individuals at the department of corrections.	6/6/2024	
SB 5913	C 33 L 24	Concerning communication between employees of state institutions of higher education and student athletes regarding name, image, and likeness use.	6/6/2024	
SSB 5917	C 34 L 24	Concerning criminal penalties for bias-motivated defacement of private or public property.	6/6/2024	
SSB 5925	C 35 L 24	Concerning fire protection district commissioner per diem compensation.	6/6/2024	
SSB 5935	C 36 L 24	Concerning noncompetition covenants.	6/6/2024	
SB 5970	C 37 L 24	Modifying local board of health county commissioner	6/6/2024	
ESSB 5974	C 38 L 24	Concerning the disposition of unenforceable legal financial obligations other than restitution imposed by a court or an agent of the court against a juvenile prior to July 1, 2023.	6/6/2024	
SB 5979	C 39 L 24	Concerning accrued leave for construction workers.	3/13/2024	
SSB 5980	C 40 L 24	Concerning the timeline for issuing a citation for a violation of the Washington industrial safety and health act.	6/6/2024	
SB 5982	C 41 L 24	Updating the definition of "vaccine" in RCW 70.290.010 to include all federal food and drug administration-approved immunizations recommended by the centers for disease control and prevention.	3/13/2024	
SB 6027	C 42 L 24	Concerning the insurance holding company act.	6/6/2024	
ESB 6296	C 43 L 24	Establishing a retail industry work group.	6/6/2024	
HB 1146	C 44 L 24	Notifying high school students and their families about available dual credit programs and any available financial assistance.	6/6/2024	
HB 1153	C 45 L 24	Prohibiting octopus farming.	6/6/2024	
HB 1726	C 46 L 24	Concerning the director of fire protection's administration and reimbursement of fire service-related training programs.	6/6/2024	
ESHB 1835	C 47 L 24	Defining frontier counties.	6/6/2024	

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
HB 1876	C 48 L 24	Concerning confidential fisheries information collected by other states and maintaining that confidentiality under the public records act.	6/6/2024*	
SHB 1880	C 49 L 24	Concerning architecture licensing examinations.	7/1/2024	
SHB 1889	C 50 L 24	Allowing persons to receive professional licenses and certifications regardless of immigration or citizenship status.	7/1/2024	
HB 1898	C 51 L 24	Concerning unemployment insurance benefit charging.	6/6/2024	
HB 1901	C 52 L 24	Removing the sunset on changes to the unemployment insurance voluntary contribution program.	6/6/2024	
HB 1917	C 53 L 24	Adopting the physician assistant compact.	6/6/2024	
SHB 1947	C 54 L 24	Concerning the governance of technology services in state government, including eliminating the office of the chief information officer and renaming the consolidated technology services agency.	6/6/2024	
HB 1961	C 55 L 24	Concerning animal cruelty in the first degree.	6/6/2024	
HB 1962	C 56 L 24	Improving voter registration list accuracy by improving voter address change processes for county election offices and voters.	6/1/2025	
SHB 1974	C 57 L 24	Disposing of human remains.	6/6/2024	
HB 1987	C 58 L 24	Concerning the use of moneys from the rural public facilities sales and use tax for affordable workforce housing infrastructure and facilities.	6/6/2024	
ESHB 2003	C 59 L 24	Concerning an exemption to the leasehold excise tax for leases on public lands.	6/6/2024	
SHB 2020	C 60 L 24	Creating a state administered public infrastructure assistance program within the emergency management division.	6/6/2024	
HB 2034	C 61 L 24	Requiring counties and cities to provide the administrative office of the courts with notice of court reorganizations.	6/6/2024	
ESHB 2041	C 62 L 24	Concerning physician assistant collaborative practice.	1/1/2025***	
SHB 2048	C 63 L 24	Concerning supervision of domestic violence in criminal sentencing.	6/6/2024	
SHB 2086	C 64 L 24	Updating processes of the office of independent investigations by changing authority to obtain and share investigative information and aligning with current operations and practices.	6/6/2024	
SHB 2091	C 65 L 24	Establishing a fallen firefighter memorial.	6/6/2024	
HB 2110	C 66 L 24	Reorganizing statutory requirements governing high school graduation.	6/6/2024	
HB 2111	C 67 L 24	Clarifying requirements for subsidized child care.	6/6/2024	
HB 2137	C 68 L 24	Concerning technical changes to allowable exemptions for tourism promotion area assessments.	6/6/2024	
2SHB 2151	C 69 L 24	Reassigning the accreditation of private cannabis testing laboratories from the department of ecology to the department of agriculture.	3/13/2024*	



## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SHB 2216	C 70 L 24	Reducing barriers to state employment by eliminating two-year and four-year degree requirements that are unnecessary.	6/6/2024	
HB 2260	C 71 L 24	Establishing civil penalties for the unlawful sale or supply of alcohol to minors.	6/6/2024	
SHB 2293	C 72 L 24	Studying the effects of avian predation of salmon.	6/6/2024	
HB 2318	C 73 L 24	Concerning state route number 501.	6/6/2024	
SHB 2329	C 74 L 24	Conducting a study of the insurance market for housing providers receiving housing trust fund resources.	6/6/2024	
HB 2433	C 75 L 24	Concerning administration of the southwest Washington fair by the Lewis county board of county commissioners.	6/6/2024	
HB 2209	C 76 L 24	Celebrating lunar new year.	6/6/2024	
HB 1226	C 77 L 24	Providing for recreational licensing of smelt, crawfish, and carp.	6/6/2024	
E2SHB 1272	C 78 L 24	Concerning publishing, formatting, and distribution of the state and local voters' pamphlets.	1/1/2025	
SHB 1453	C 79 L 24	Providing a tax exemption for medical cannabis patients.	6/6/2024	
2ESHB 1508	C 80 L 24	Improving consumer affordability through the health care cost transparency board.	6/6/2024	
ESHB 1608	C 81 L 24	Expanding access to anaphylaxis medications in schools.	6/6/2024	
HB 1867	C 82 L 24	Eliminating the estate tax filing requirement for certain estates involving a qualifying familial residence.	6/6/2024	
HB 1955	C 83 L 24	Repealing the greenhouse gas content disclosure provision.	6/6/2024	
HB 1963	C 84 L 24	Prohibiting license plate covers.	6/6/2024	
HB 1976	C 85 L 24	Changing the incentive structure for tier 1 and tier 2 buildings.	6/6/2024	
HB 1982	C 86 L 24	Concerning the authority of the community economic revitalization board with respect to loans and grants to political subdivisions and federally recognized Indian tribes for broadband.	6/6/2024	
SHB 1996	C 87 L 24	Establishing the Washington recreational vehicle manufacturer and dealer law.	6/6/2024	
SHB 1999	C 88 L 24	Concerning fabricated intimate or sexually explicit images and depictions.	6/6/2024	
HB 2004	C 89 L 24	Providing early registration at institutions of higher education for military students.	6/6/2024	
SHB 2127	C 90 L 24	Concerning workers' compensation incentives to return to work.	1/1/2025	
HB 2204	C 91 L 24	Creating a special liquor permit.	6/6/2024	
SHB 2230	C 92 L 24	Promoting economic inclusion by creating the economic security for all grant program.	6/6/2024	
ESHB 2306	C 93 L 24	Allowing main street programs to use remaining main street tax credits after a certain date.	6/6/2024	
SHB 2355	C 94 L 24	Establishing a primary certification process for magnetic resonance imaging technologists.	6/6/2024	
SHB 2428	C 95 L 24	Allowing cities to voluntarily share certain sales and use tax revenue.	6/6/2024	
SSB 5829	C 96 L 24	Screening newborn infants for congenital cytomegalovirus.	6/6/2024	

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
ESB 5997	C 97 L 24	Making technical corrections to plumbing supervision and trainee hours reporting.	6/6/2024	
SSB 6060	C 98 L 24	Concerning the acceptance of electronic signatures by the public employment relations commission for new organizing petitions.	6/6/2024	
SB 6079	C 99 L 24	Making juvenile detention records available to managed health care systems.	6/6/2024	
ESB 6095	C 100 L 24	Establishing clear authority for the secretary of health to issue standing orders.	6/6/2024	
SSB 6108	C 101 L 24	Addressing retainage on private construction projects.	6/6/2024	
SB 6178	C 102 L 24	Aligning the legend drug act to reflect the prescriptive authority for licensed midwives.	6/6/2024	
SB 6222	C 103 L 24	Concerning the number of district court judges.	6/6/2024	
SB 6229	C 104 L 24	Modifying match requirements for the green transportation capital grant program.	6/6/2024	
SB 6234	C 105 L 24	Screening newborn infants for branched-chain ketoacid dehydrogenase kinase deficiency.	6/6/2024	
SB 6283	C 106 L 24	Eliminating the expiration date for the Sandy Williams connecting communities program.	6/6/2024	
ESHB 1097	C 107 L 24	Concerning the sale of cosmetics tested on animals.	1/1/2025	
HB 1752	C 108 L 24	Modifying the application of the annual consumptive quantity calculation to change applications related to certain water rights held by the United States bureau of reclamation.	6/6/2024	
SHB 1818	C 109 L 24	Concerning the exclusion of compensating tax when land is sold to a governmental entity intending to manage the land similarly to designated forestland or timberland.	6/6/2024	
SHB 1919	C 110 L 24	Modifying the process by which a private moorage facility may sell an abandoned vessel for failure to pay moorage fees.	6/6/2024	
SHB 1989	C 111 L 24	Concerning a graffiti abatement and reduction pilot program.	6/6/2024	
HB 1992	C 112 L 24	Adding an additional superior court judge in Whatcom county.	6/6/2024	
SHB 2012	C 113 L 24	Concerning eligibility for a property tax exemption for nonprofits providing affordable rental housing built with city and county funds.	6/6/2024	
HB 2044	C 114 L 24	Standardizing limitations on voter-approved property tax levies.	6/6/2024	
EHB 2199	C 115 L 24	Creating business and occupation and public utility tax exemptions for certain amounts received as the result of receipt, generation, purchase, sale, transfer, or retirement of allowances, offset credits, or price ceiling units under the climate commitment act.	4/1/2024	
2SHB 2214	C 116 L 24	Permitting beneficiaries of public assistance programs to automatically qualify as income-eligible for the purpose of receiving the Washington college grant.	6/6/2024	
SHB 2217	C 117 L 24	Concerning authority over individuals found guilty of or accused of criminal offenses that occurred when the individual was under age 18.	6/6/2024	

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
ESHB 2303	C 118 L 24	Modifying conditions of community custody.	3/15/2024	
HB 2375	C 119 L 24	Including an accessory dwelling unit under property that qualifies for the senior citizens property tax exemption.	6/6/2024	
SHB 2467	C 120 L 24	Increasing access to the long-term services and supports trust.	7/1/2025	
ESSB 5271	C 121 L 24	Protecting patients in facilities regulated by the department of health by establishing uniform enforcement tools.	6/6/2024	
SB 5792	C 122 L 24	Concerning the definition of multiunit residential buildings.	6/6/2024	
SSB 5806	C 123 L 24	Concerning the confidentiality of insurance company data.	6/6/2024	
SSB 5808	C 124 L 24	Granting interest arbitration to certain public safety telecommunicators.	6/6/2024	
SB 5836	C 125 L 24	Adding an additional superior court judge in Clark county.	6/6/2024	
SB 5842	C 126 L 24	Restricting the use of social security numbers by insurance companies for the purpose of determining child support debt.	6/6/2024	
SB 5852	C 127 L 24	Concerning special education safety net awards.	6/6/2024	
ESSB 5973	C 128 L 24	Concerning heat pumps in common interest communities.	6/6/2024	
ESSB 6007	C 129 L 24	Concerning employment standards for grocery workers.	6/6/2024	
SB 6080	C 130 L 24	Simplifying the funding provisions of the statewide tourism marketing account.	7/1/2025	
SB 6084	C 131 L 24	Providing collector vehicles the ability to tow trailers.	6/6/2024	
SB 6088	C 132 L 24	Concerning minor league baseball players subject to the terms of a collective bargaining agreement regarding employment status.	6/6/2024	
ESB 6120	C 133 L 24	Concerning the Wildland Urban Interface Code.	3/15/2024	
SSB 6125	C 134 L 24	Preserving records and artifacts regarding the historical treatment of people with intellectual and developmental disabilities in Washington state.	6/6/2024	
SSB 6140	C 135 L 24	Concerning limited areas of more intensive rural development.	6/6/2024	
SB 6173	C 136 L 24	Encouraging investments in affordable homeownership unit development.	6/6/2024	
SSB 6227	C 137 L 24	Allowing entry of a civil protection order to protect victims when a person is found not guilty by reason of insanity.	6/6/2024	
SSB 6269	C 138 L 24	Establishing an alternative voter verification options pilot project.	6/6/2024	
HB 1054	C 139 L 24	Addressing the authority of owners' associations in common interest communities to regulate or limit occupancy by unrelated persons.	6/6/2024	
HB 1471	C 140 L 24	Modifying state procurement procedures for competitive, sole source, convenience, and emergency goods and services contracts.	6/6/2024	
ESHB 1862	C 141 L 24	Providing tax exemptions for the assistance of disabled veterans and members of the armed forces of the United States of America.	10/1/2024	
SHB 1892	C 142 L 24	Concerning the workforce housing accelerator program.	6/6/2024	
E2SHB 1899	C 143 L 24	Facilitating reconstruction of communities damaged or destroyed by wildfires.	3/18/2024	

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
HB 1927	C 144 L 24	Reducing the number of days that a worker's temporary total disability must continue to receive industrial insurance compensation for the day of an injury and the three-day period following the injury.	6/6/2024*	
SHB 1970	C 145 L 24	Improving communication between the department of children, youth, and families and caregivers.	6/6/2024	
2SHB 2014	C 146 L 24	Concerning the definition of veteran and restoring honor to veterans.	6/6/2024*	
SHB 2015	C 147 L 24	Concerning incentivizing adult family homes to increase bed capacity to seven or eight beds.	6/6/2024	PV
HB 2032	C 148 L 24	Reducing the size of yard signs that are exempt from certain political advertising disclosure requirements.	6/6/2024	
SHB 2097	C 149 L 24	Assisting workers in recovering wages owed.	6/6/2024	
SHB 2102	C 150 L 24	Establishing requirements for the disclosure of health care information for qualifying persons to receive paid family and medical leave benefits.	6/6/2024	
HB 2246	C 151 L 24	Concerning vacation leave accrual for state employees.	6/6/2024	
ESHB 2321	C 152 L 24	Modifying middle housing requirements and the definitions of transit stop.	6/6/2024	
SHB 2368	C 153 L 24	Assisting refugees and immigrants.	6/6/2024	
HB 2415	C 154 L 24	Expanding economic assistance for individuals who are eligible for temporary assistance for needy families.	1/1/2025	
2ESSB 5150	C 155 L 24	Concerning the beef commission's levied assessment. (REVISED FOR ENGROSSED: Concerning the beef commission.)	6/6/2024	
SB 5419	C 156 L 24	Removing a Washington state institute of public policy outcome evaluation requirement.	6/6/2024	
ESB 5462	C 157 L 24	Promoting inclusive learning standards and instructional materials in public schools.	6/6/2024	
SSB 5667	C 158 L 24	Concerning eligibility, enrollment, and compensation of small forestland owners volunteering for participation in the forestry riparian easement program.	6/6/2024	
E2SSB 5670	C 159 L 24	Permitting 10th grade students to participate in running start in online settings. (REVISED FOR ENGROSSED: Providing summer running start for rising juniors.)	6/6/2024	
SSB 5785	C 160 L 24	Concerning department of fish and wildlife authority with regard to certain nonprofit and volunteer organizations.	6/6/2024	
ESSB 5788	C 161 L 24	Concerning service animal training.	6/6/2024	
SB 5800	C 162 L 24	Improving access to department of licensing issued documents by clarifying the application requirements for a minor, modifying the requirements for at-cost identicards, and studying the feasibility of reduced-fee identicards.	1/1/2025*	
E2SSB 5838	C 163 L 24	Establishing an artificial intelligence task force.	3/18/2024	
SSB 5857	C 164 L 24	Reorganizing statutes on campaign disclosure and contribution.	1/1/2026	

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SSB 5920	C 165 L 24	Lifting certificate of need requirements for psychiatric hospitals and beds.	6/6/2024	
SSB 5936	C 166 L 24	Convening a palliative care benefit work group.	6/6/2024	
SB 5952	C 167 L 24	Aligning deputy inspector credentials with national standards.	6/6/2024	
ESB 6098	C 168 L 24	Concerning accounts.	6/1/2024*	
SB 6263	C 169 L 24	Concerning death benefits provided by the 1955 act for firefighters' relief and pensions.	6/6/2024	
ESSB 6291	C 170 L 24	Streamlining the state building code council operating procedures by establishing criteria for statewide amendments to the state building code.	6/6/2024	
SHB 1105	C 171 L 24	Requiring public agencies to provide notice for public comment that includes the last date by which such public comment must be submitted.	6/6/2024	
SHB 1012	C 172 L 24	Addressing the response to extreme weather events.	6/6/2024	
ESHB 1277	C 173 L 24	Improving the consistency and quality of the implementation of the fundamental course of study for paraeducators.	6/6/2024	
ESHB 1652	C 174 L 24	Concerning child support pass through.	1/1/2026	
2SHB 1929	C 175 L 24	Supporting young adults following inpatient behavioral health treatment.	6/6/2024	
SHB 1939	C 176 L 24	Adopting the social work licensure compact.	6/6/2024	
2SHB 1941	C 177 L 24	Providing for health home services for medicaid-eligible children with medically complex conditions.	6/6/2024	
HB 1943	C 178 L 24	Modifying the Washington national guard postsecondary education grant program.	6/6/2024	
HB 1983	C 179 L 24	Concerning the criminal justice treatment account.	6/6/2024	
ESHB 1998	C 180 L 24	Concerning co-living housing.	6/6/2024	
SHB 2007	C 181 L 24	Expanding time limit exemptions applicable to cash assistance programs.	7/1/2024	
SHB 2025	C 182 L 24	Modifying placement and salary matching requirements for the state work-study program.	6/6/2024	
2SHB 2071	C 183 L 24	Concerning residential housing regulations.	6/6/2024	
SHB 2382	C 184 L 24	Concerning death benefits applicable to drivers of transportation network companies.	6/6/2024	
HB 2481	C 185 L 24	Waiving health benefit premiums in the public employees' benefits board.	6/6/2024	
ESB 5592	C 186 L 24	Requiring semiautomatic external defibrillator at fitness centers.	6/6/2024	
SSB 5649	C 187 L 24	Concerning floodproofing improvements to residential structures undertaken in accordance with the Chehalis basin strategy. (REVISED FOR PASSED LEGISLATURE: Concerning improvements to residential structures to reduce the risk of flood damage.)	6/6/2024	
SSB 5787	C 188 L 24	Enacting the uniform electronic estate planning documents act.	6/6/2024	
SSB 5812	C 189 L 24	Concerning the response to electric vehicle fires.	6/6/2024	
SSB 5869	C 190 L 24	Concerning rural fire district stations.	6/6/2024	

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
2SSB 5882	C 191 L 24	Increasing prototypical school staffing to better meet student needs.	6/6/2024	
E2SSB 5908	C 192 L 24	Providing extended foster care services to youth ages 18 to 21.	6/6/2024	
SB 5938	C 193 L 24	Modifying the community parenting alternative for eligible participants in the residential parenting program at the department of corrections.	6/6/2024	
E2SSB 5955	C 194 L 24	Mitigating harm and improving equity in large port districts.	6/6/2024	
ESSB 6038	C 195 L 24	Reducing the costs associated with providing child care.	10/1/2024	
ESB 6089	C 196 L 24	Eliminating certain minimum requirement equivalencies for electrical inspectors.	6/6/2024	
SB 6094	C 197 L 24	Aligning statutory language concerning the retired state employee and retired or disabled school employee health insurance subsidy with the historical interpretation and implementation of the relevant subsidy language in the operating budget.	6/6/2024	
SSB 6100	C 198 L 24	Making expenditures from the budget stabilization account for declared catastrophic events.	3/19/2024	
SSB 6192	C 199 L 24	Addressing additional work and change orders on public and private construction projects.	6/6/2024	
HB 1879	C 200 L 24	Naming the curriculum used to inform students about tribal history, culture, and government after John McCoy (luliláš).	6/6/2024	
E2SHB 1956	C 201 L 24	Addressing fentanyl and other substance use prevention	3/19/2024	
3SHB 1228	C 202 L 24	Building a multilingual, multiliterate Washington through dual and tribal language education.	6/6/2024	
ESHB 2019	C 203 L 24	Establishing a Native American apprentice assistance program.	6/6/2024	
SHB 2075	C 204 L 24	Concerning licensing of Indian health care providers as establishments.	6/6/2024	
HB 2135	C 205 L 24	Including federally recognized tribes as part of the Washington emergency management division emergency worker program.	6/6/2024	
SHB 2335	C 206 L 24	Concerning state-tribal education compacts.	6/6/2024	
SSB 6146	C 207 L 24	Concerning tribal warrants.	7/1/2025*	
SSB 6186	C 208 L 24	Concerning disclosure of certain recipient information to the Washington state patrol.	6/6/2024	
2SHB 1877	C 209 L 24	Improving the Washington state behavioral health system for better coordination and recognition with the Indian behavioral health system.	6/6/2024***	
SSB 6099	C 210 L 24	Creating the tribal opioid prevention and treatment account.	7/1/2024*	
2SHB 2112	C 211 L 24	Concerning opioid and fentanyl prevention education and awareness at institutions of higher education.	6/6/2024	
ESSB 5481	C 212 L 24	Concerning the uniform law commission's uniform telehealth act.	6/6/2024	
2E2SSB 5580	C 213 L 24	Improving maternal health outcomes.	6/6/2024	
SSB 5804	C 214 L 24	Concerning opioid overdose reversal medication in public schools.	6/6/2024	

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SB 5821	C 215 L 24	Establishing a uniform standard for creating an established relationship for the purposes of coverage of audio-only telemedicine services.	6/6/2024	
ESB 5906	C 216 L 24	Implementing a statewide drug overdose prevention and education campaign.	6/6/2024	
SSB 5940	C 217 L 24	Creating a medical assistant-EMT certification.	6/6/2024	
SSB 5986	C 218 L 24	Protecting consumers from out-of-network health care services charges.	6/6/2024	
E4SHB 1239	C 219 L 24	Establishing a simple and uniform system for complaints related to, and instituting a code of educator ethics for, conduct within or involving public elementary and secondary schools.	6/6/2024	
ESHB 1300	C 220 L 24	Concerning fraud in assisted reproduction.	6/6/2024	
2ESHB 1377	C 221 L 24	Posting of approved courses and providers of continuing	6/6/2024	
2EHB 1757	C 222 L 24	Providing a sales and use tax remittance to qualified farmers.	7/1/2024	
SHB 1870	C 223 L 24	Promoting economic development by increasing opportunities for local communities to secure federal funding.	6/6/2024	
SHB 1942	C 224 L 24	Clarifying employment standards for long-term care individual providers.	6/6/2024	
SHB 1945	C 225 L 24	Streamlining and enhancing program access for persons eligible for food assistance.	6/6/2024*	
SHB 1979	C 226 L 24	Reducing the cost of inhalers and epinephrine autoinjectors.	6/6/2024	
SHB 2045	C 227 L 24	Creating an adopt a fish barrier program.	6/6/2024	
SHB 2147	C 228 L 24	Concerning agriculture pest and disease response.	6/6/2024	
SHB 2180	C 229 L 24	Increasing the special education enrollment funding cap.	6/6/2024	
SHB 2195	C 230 L 24	Strengthening the early learning facilities grant and loan program by revising criteria and providing resources to the Ruth LeCocq Kagi early learning facilities development account.	6/6/2024*	
ESHB 2207	C 231 L 24	Providing tools designed to reduce the impacts of unlawful solid waste dumping.	6/6/2024	
HB 2213	C 232 L 24	Concerning defects and omissions in the laws that have been identified by the justices of the supreme court or judges of the superior courts pursuant to Article IV, section 25 of the state Constitution.	6/6/2024	
SHB 2226	C 233 L 24	Concerning collecting data on the H-2A worker program and from certain hand harvesters.	6/6/2024	
ESHB 2236	C 234 L 24	Expanding and strengthening career and technical education core plus programs.	6/6/2024	
SHB 2347	C 235 L 24	Concerning adult family home information.	6/6/2024	
E2SHB 2354	C 236 L 24	Creating an option for impacted taxing districts to provide a portion of their new revenue to support any tax increment area proposed within their jurisdiction and clarifying that a tax increment area must be dissolved when all bond obligations are paid.	6/6/2024	

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SHB 2357	C 237 L 24	Establishing a state patrol longevity bonus.	6/6/2024	
SHB 2381	C 238 L 24	Increasing eligibility for economy and efficiency flexible school calendar waivers.	6/6/2024	
HB 2416	C 239 L 24	Changing the legal title for advanced practice nurses.	6/30/2027*	
ESHB 2441	C 240 L 24	Establishing a pilot program eliminating college in the high school fees for private not-for-profit four-year institutions.	6/6/2024	
HB 2454	C 241 L 24	Extending an existing hazardous substance tax exemption for certain agricultural crop protection products that are temporarily warehoused but not otherwise used, manufactured, packaged, or sold in the state of Washington.	6/6/2024	
E2SSB 5213	C 242 L 24	Concerning pharmacy benefit managers. (REVISED FOR ENGROSSED: Concerning health care benefit managers.)	6/6/2024*	
SSB 5376	C 243 L 24	Allowing the sale of cannabis waste.	6/6/2024	
SSB 5798	C 244 L 24	Extending certain insurance notice requirements.	7/1/2025	
SB 5799	C 245 L 24	Concerning the sale of halal foods.	6/6/2024	
SSB 5802	C 246 L 24	Providing flexibility in calculation of nursing rates.	6/6/2024	
SB 5881	C 247 L 24	Concerning membership in the public employees' retirement system for certain part-time bus drivers employed full-time by the federal government.	6/6/2024	
ESSB 5983	C 248 L 24	Implementing recommendations from the 2022 sexually transmitted infection and hepatitis B virus legislative advisory group for the treatment of syphilis.	3/25/2024	
SSB 6025	C 249 L 24	Protecting consumers from predatory loans.	6/6/2024	
ESSB 6105	C 250 L 24	Creating safer working conditions in adult entertainment establishments.	6/6/2024*	
ESSB 6127	C 251 L 24	Increasing access to human immunodeficiency virus postexposure prophylaxis drugs or therapies.	1/1/2025	
SB 6215	C 252 L 24	Improving tax and revenue laws.	6/6/2024	
E2SHB 1618	C 253 L 24	Concerning the statute of limitations for childhood sexual abuse.	6/6/2024	
HB 1958	C 254 L 24	Concerning nonconsensual removal of or tampering with a sexually protective device.	7/1/2024	
SHB 1985	C 255 L 24	Providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1.	6/6/2024	
SHB 2072	C 256 L 24	Concerning penalties relating to antitrust actions.	6/6/2024	
ESHB 2115	C 257 L 24	Concerning prescription labels for medications used for abortion.	6/6/2024	
EHB 2266	C 258 L 24	Concerning sanitary conditions for construction workers who menstruate or express milk.	6/6/2024	
SHB 2295	C 259 L 24	Concerning hospital at-home services.	6/6/2024	PV
SHB 2424	C 260 L 24	Updating cooperative agreements between the state and federally recognized tribes for the successful collaborative management of Washington's wildlife resources.	6/6/2024	
ESHB 2482	C 261 L 24	Reinstating semiconductor tax incentives.	3/26/2024**	



## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
ESHB 2494	C 262 L 24	Increasing state funding for operating costs in schools.	6/6/2024	
ESB 5632	C 263 L 24	Protecting the health care of workers participating in a labor dispute.	6/6/2024	
2SSB 5784	C 264 L 24	Concerning deer and elk damage to commercial crops.	6/6/2024	PV
ESB 5816	C 265 L 24	Concerning alcohol server permits.	6/6/2024	
ESB 5824	C 266 L 24	Concerning the dissolution of libraries and library districts.	6/6/2024	
2SSB 5825	C 267 L 24	Concerning guardianship and conservatorship.	6/6/2024	
ESSB 5828	C 268 L 24	Concerning water rights adjudication commissioners and referees.	6/6/2024	
ESSB 5890	C 269 L 24	Reducing ballot rejection rates through updates to ballot curing, canvassing, reporting, and outreach processes.	6/6/2024*	
SB 5897	C 270 L 24	Modifying provisions of the business licensing service program.	6/6/2024	
SSB 5919	C 271 L 24	Concerning the sale of biogenic carbon dioxide and other coproducts of biogas processing.	6/6/2024	
SSB 5953	C 272 L 24	Concerning financial aid grants for incarcerated students.	6/6/2024	
SB 6013	C 273 L 24	Expanding the homeownership development property tax exemption to include real property sold to low-income households for building residences using mutual self-help housing construction.	6/6/2024	
SSB 6015	C 274 L 24	Concerning residential parking configurations.	6/6/2024	
SB 6017	C 275 L 24	Expanding the use of the border area fuel tax.	6/6/2024	
ESSB 6040	C 276 L 24	Concerning prompt payment in public works.	3/26/2024	
SSB 6047	C 277 L 24	Concerning executive sessions under the open public meetings act in order to comply with the climate commitment act.	6/6/2024	
HB 1948	C 278 L 24	Ensuring that methods for calculating the electric load of utilities under the energy independence act do not have the effect of discouraging voluntary investments in renewable power.	6/6/2024	
ESB 6087	C 279 L 24	Concerning the fire service training account.	6/6/2024	
SSB 6121	C 280 L 24	Concerning agricultural and forestry biomass.	6/6/2024	
SSB 6316	C 281 L 24	Concerning the state route number 520 corridor.	3/26/2024	
2SHB 2124	C 282 L 24	Supporting and expanding access to child care and early learning programs.	11/1/2024	
2E2SHB 1541	C 283 L 24	Establishing the nothing about us without us act.	6/6/2024*	
SHB 1916	C 284 L 24	Concerning funding for the early support for infants and toddlers program.	6/6/2024	
2SSB 5444	C 285 L 24	Restricting the possession of weapons, excluding carrying a pistol by a person licensed to carry a concealed pistol, on the premises of libraries, zoos, aquariums, and transit facilities.	6/6/2024	
SHB 1903	C 286 L 24	Reporting lost or stolen firearms.	6/6/2024	
ESHB 2021	C 287 L 24	Concerning the disposition of privately owned firearms in the custody of state or local government entities or law enforcement agencies.	6/6/2024	

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
ESHB 2118	C 288 L 24	Protecting the public from gun violence by establishing additional requirements for the business operations of licensed firearms dealers.	7/1/2025	
ESSB 5985	C 289 L 24	Concerning firearms background check program.	3/26/2024	
ESB 6246	C 290 L 24	Concerning transmission of information relating to firearm prohibitions for persons committed for mental health treatment.	6/6/2024	
ESSB 6009	C 291 L 24	Prohibiting the use of hog-tying.	6/6/2024	
SHB 1241	C 292 L 24	Addressing harassment.	3/26/2024	
2SSB 5780	C 293 L 24	Encouraging participation in public defense and prosecution professions.	6/6/2024	
SHB 1911	C 294 L 24	Concerning activities in which the office of public defense may engage without violating the prohibition on providing direct representation of clients.	6/6/2024	
E2SHB 2311	C 295 L 24	Supporting first responder wellness and peer support.	6/6/2024*	
SSB 5998	C 296 L 24	Timing of eligibility for vacation of nonfelony convictions.	6/6/2024	
E2SSB 5937	C 297 L 24	Supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses.	7/1/2024	
2SSB 6006	C 298 L 24	Supporting victims of human trafficking and sexual abuse.	7/1/2025	
SSB 5427	C 299 L 24	Supporting people who have been targeted or affected by hate crimes and bias incidents by establishing a reporting hotline and tracking hate crimes and bias incidents.	1/1/2025	
SSB 5774	C 300 L 24	Increasing the capacity to conduct timely fingerprint-based background checks for prospective child care employees and other programs.	3/26/2024	
ESHB 2153	C 301 L 24	Deterring the theft of catalytic converters.	4/1/2025	
ESSB 5891	C 302 L 24	Designating trespassing on a school bus as a felony offense. (REVISED FOR ENGROSSED: Protecting the safety and security of students and maintaining order within school buses by designating trespassing on a school bus as a criminal offense.)	6/6/2024	
SHB 2056	C 303 L 24	Concerning information sharing and limited investigative authority of supreme court bailiffs.	6/6/2024	
SSB 6197	C 304 L 24	Concerning the law enforcement officers' and firefighters' retirement system plan 2.	6/6/2024*	
HB 1635	C 305 L 24	Limiting liability arising from the use of trained police dogs.	6/6/2024	
ESHB 1493	C 306 L 24	Concerning impaired driving.	1/1/2026	
ESHB 2384	C 307 L 24	Concerning automated traffic safety cameras.	6/6/2024	
SSB 6115	C 308 L 24	Concerning speed safety camera systems.	6/6/2024	
SHB 2396	C 309 L 24	Concerning fentanyl and other synthetic opioids.	6/6/2024	
ESHB 2134	C 310 L 24	Making supplemental transportation appropriations for the 2023-2025 fiscal biennium.	3/28/2024	PV
2SHB 2022	C 311 L 24	Concerning construction crane safety.	1/1/2025	
2SHB 1205	C 312 L 24	Responsibility for providing service by publication of a summons or notice in dependency and termination of parental rights cases.	1/31/2026	

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
ESHB 1248	C 313 L 24	Concerning pupil transportation.	6/6/2024	
ESHB 1957	C 314 L 24	Preserving coverage of preventive services without cost sharing.	6/6/2024	
E2SHB 2099	C 315 L 24	Concerning state identification cards for persons in state custody or care.	1/1/2025	
ESHB 2331	C 316 L 24	Modifying requirements for public school instructional and supplemental instructional materials.	6/6/2024	
SB 5180	C 317 L 24	Adopting the interstate teacher mobility compact. (REVISED FOR PASSED LEGISLATURE: Concerning the licensure and employment of out-of-state teachers.)	6/6/2024	
SSB 5306	C 318 L 24	Authorizing the department of fish and wildlife to establish disease interdiction and control check stations.	6/6/2024	
ESSB 5424	C 319 L 24	Concerning flexible work for general and limited authority Washington peace officers.	6/6/2024*	
SSB 5652	C 320 L 24	Providing compensation for tow truck operators for keeping the public roadways clear.	6/6/2024	
ESSB 5796	C 321 L 24	Concerning common interest communities.	6/6/2024*	
SB 5811	C 322 L 24	Expanding the definition of family member for individual	6/6/2024*	
SB 5904	C 323 L 24	Extending the terms of eligibility for financial aid programs.	6/6/2024	
SSB 6053	C 324 L 24	Improving equitable access to postsecondary education.	6/6/2024	
SSB 6059	C 325 L 24	Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit.	6/6/2024	
E2SSB 6068	C 326 L 24	Reporting on dependency outcomes.	6/6/2024	
ESSB 6069	C 327 L 24	Improving retirement security for Washingtonians by establishing Washington saves, an automatic enrollment individual retirement savings account program, and updating the Washington retirement marketplace statute. (REVISED FOR ENGROSSED: Improving private Washington workforce retirement security standards by establishing Washington saves, an automatic enrollment individual retirement savings account program, and updating the Washington retirement marketplace statute.)	6/6/2024*	
E2SSB 6109	C 328 L 24	Supporting children and families.	6/6/2024	
ESB 6151	C 329 L 24	Concerning the provision of an ultrasound.	6/6/2024	
SSB 6157	C 330 L 24	Reforming civil service to permit deferred action for childhood arrivals recipients to apply for civil service and incorporate civil service advantage for bilingual and multilingual applicants, applicants with higher education, and applicants with prior work experience in social services.	6/6/2024	
SSB 6164	C 331 L 24	Concerning county emergency management plans.	6/6/2024	
E2SSB 6175	C 332 L 24	Providing a sales and use tax incentive for existing structures. (REVISED FOR ENGROSSED: Concerning housing affordability tax incentives for existing structures.)	6/6/2024	
E2SSB 6194	C 333 L 24	Concerning state legislative employee collective bargaining.	5/1/2024	

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

### 2024 REGULAR SESSION

\*\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SB 6238	C 334 L 24	Updating thresholds for the property tax exemption for widows and widowers of honorably discharged veterans.	6/6/2024	
SSB 6301	C 335 L 24	Concerning basic law enforcement academy.	6/6/2024	
E2SHB 2000	C 336 L 24	Renewing Washington's international leadership.	6/6/2024	PV
SSB 5934	C 337 L 24	Concerning pollinator habitat.	6/6/2024	
SSB 5972	C 338 L 24	Concerning the use of neonicotinoid pesticides.	6/6/2024	
E2SHB 1185	C 339 L 24	Reducing environmental impacts associated with lighting products.	6/6/2024	
2SHB 1551	C 340 L 24	Reducing lead in cookware.	6/6/2024	
E2SHB 2301	C 341 L 24	Improving the outcomes associated with waste material management systems, including products affecting organic material management systems.	6/6/2024	
SB 5884	C 342 L 24	Concerning court-ordered restitution in environmental criminal cases.	6/6/2024	
SSB 5931	C 343 L 24	Addressing 6PPD in motorized vehicle tires through safer products for Washington.	6/6/2024	
2ESHB 1282	C 344 L 24	Requiring environmental and labor reporting for public building construction and renovation material.	6/6/2024	
E2SHB 1368	C 345 L 24	Requiring and funding the purchase of zero emission school buses.	6/6/2024	
SHB 1924	C 346 L 24	Promoting the integration of fusion technology within state clean energy policies.	6/6/2024	
ESHB 2039	C 347 L 24	Modifying the appeals process for environmental and land use matters.	6/6/2024*	
ESHB 2131	C 348 L 24	Promoting the establishment of thermal energy networks.	6/6/2024	
SHB 2156	C 349 L 24	Providing solar consumer protections.	6/6/2024	
ESSB 6039	C 350 L 24	Promoting the development of geothermal energy resources.	6/6/2024	
ESHB 1589	C 351 L 24	Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future.	3/28/2024	
E2SSB 6058	C 352 L 24	Facilitating linkage of Washington's carbon market with the California-Quebec carbon market.	Contingent**	
SHB 1905	C 353 L 24	Including protected classes in the Washington equal pay and opportunities act.	7/1/2025	
SHB 2061	C 354 L 24	Defining an employee of a health care facility for purposes of mandatory overtime provisions.	1/1/2025	
2SHB 2084	C 355 L 24	Establishing an oversight committee to improve construction-related training and pathways to state registered apprenticeships in state correctional facilities.	6/6/2024	
ESSB 5793	C 356 L 24	Concerning paid sick leave.	1/1/2025	
ESSB 5778	C 357 L 24	Protecting the rights of workers to refrain from attending meetings or listening to their employer's speech on political or religious matters.	6/6/2024	
SHB 1851	C 358 L 24	Implementing the first approach skills training program.	6/6/2024	

## BILLS, MEMORIALS AND RESOLUTIONS PASSED

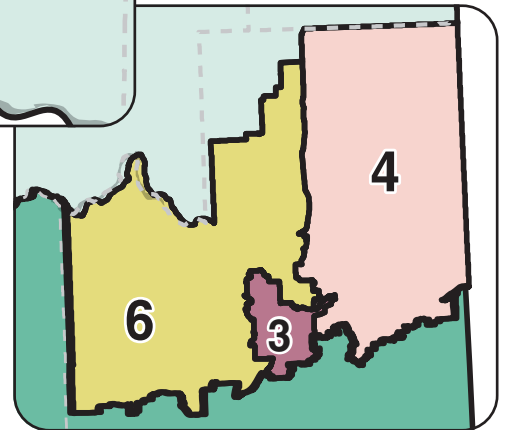
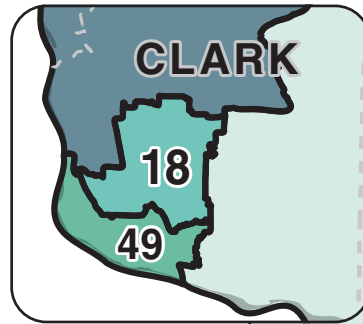
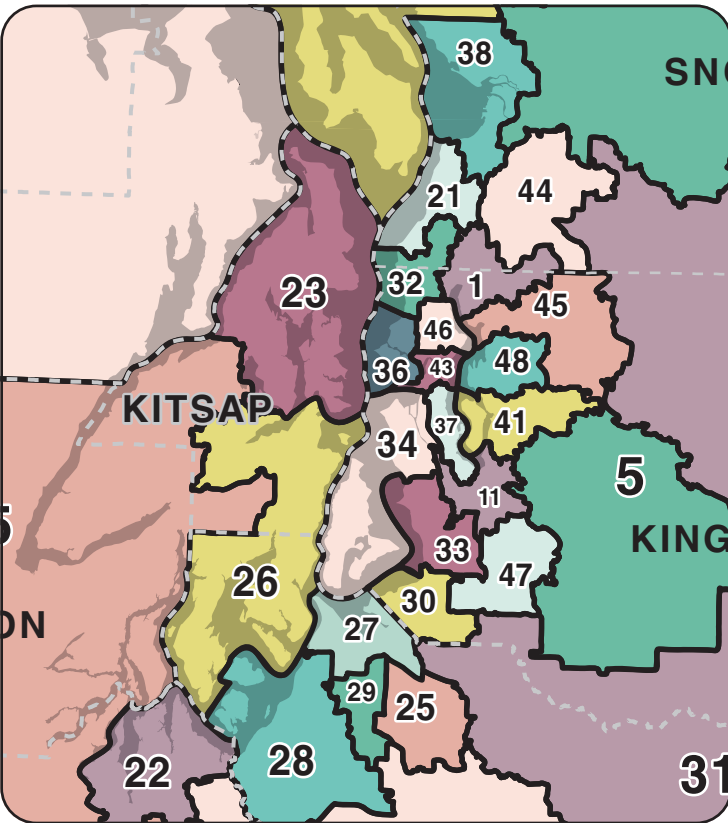
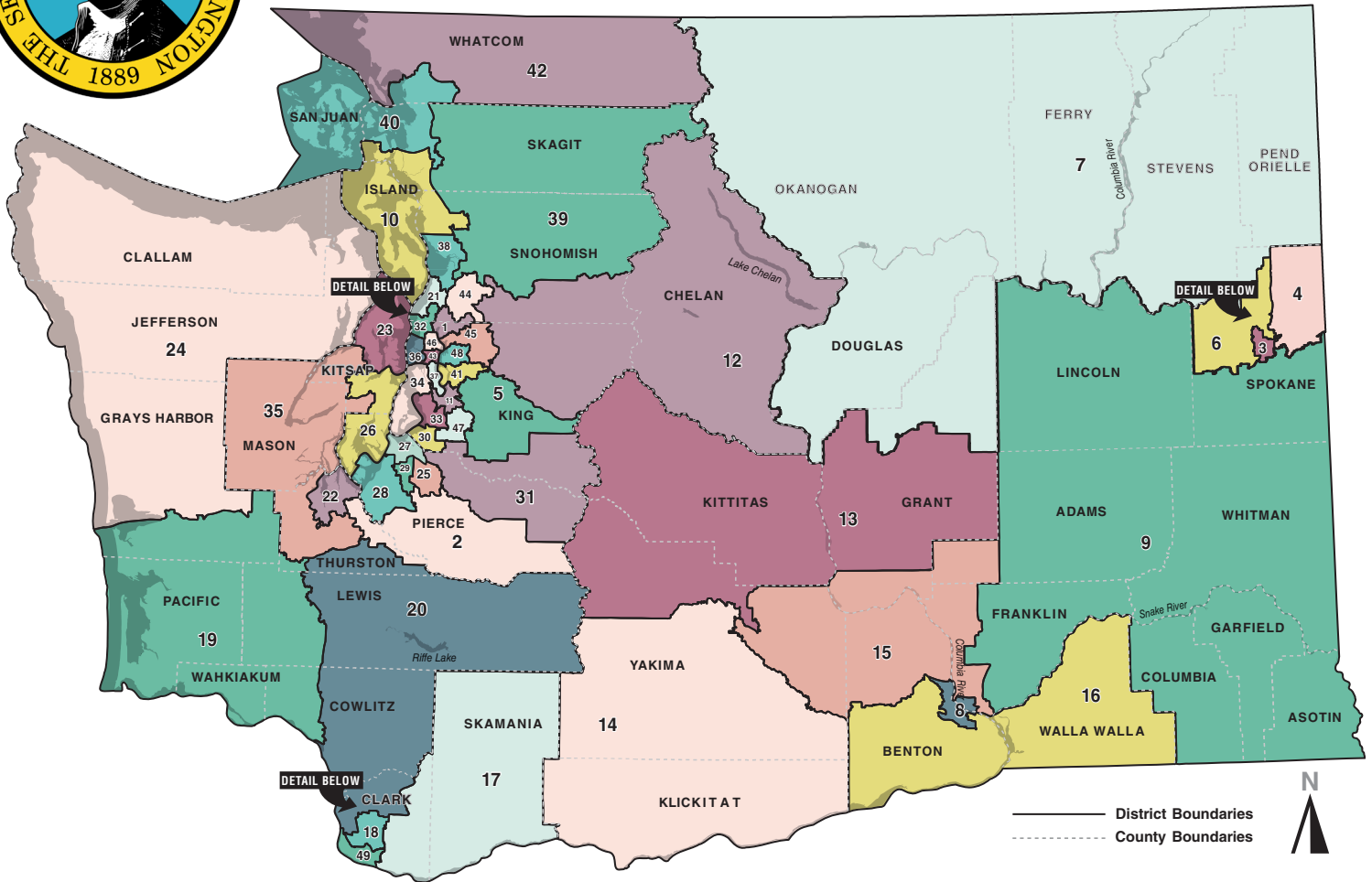
### 2024 REGULAR SESSION

\*With exception; \*\*Contingent; \*\*\*With Exception and Contingent

BILL	CHAPTER	DESCRIPTION	EFFECTIVE DATE	NOTE
SSB 6106	C 359 L 24	Including in the public safety employees' retirement system specified workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings.	6/1/2025	
2SHB 2320	C 360 L 24	Concerning high THC cannabis products.	6/6/2024	
SHB 2348	C 361 L 24	Concerning county hospital funding.	6/6/2024*	
SB 5184	C 362 L 24	Concerning licensure of anesthesiologist assistants.	6/6/2024	
ESSB 6286	C 363 L 24	Addressing the anesthesia workforce shortage by reducing barriers and expanding educational opportunities to increase the supply of certified registered nurse anesthetists in Washington.	6/6/2024	
SB 6308	C 364 L 24	Extending timelines for implementation of the 988 system.	6/6/2024	
ESB 5790	C 365 L 24	Concerning bleeding control equipment in schools. (REVISED FOR ENGROSSED: Concerning medical equipment in schools. )	6/6/2024	
2SSB 6228	C 366 L 24	Concerning treatment of substance use disorders.	6/6/2024	
E2SSB 5853	C 367 L 24	Extending the crisis relief center model to provide behavioral health crisis services for minors.	6/6/2024**	
E2SSB 6251	C 368 L 24	Coordinating regional behavioral crisis response services.	6/6/2024	
HB 1946	C 369 L 24	Creating the Washington health corps behavioral health scholarship program.	6/6/2024	
EHB 2088	C 370 L 24	Extending liability protections for responders dispatched from mobile rapid response crisis teams and community-based crisis teams.	6/6/2024	
E2SHB 2247	C 371 L 24	Addressing behavioral health provider shortages.	10/1/2025***	
ESHB 2256	C 372 L 24	Addressing the children and youth behavioral health work group.	6/6/2024	
SSB 5588	C 373 L 24	Concerning the mental health sentencing alternative.	6/6/2024	
2SSB 5660	C 374 L 24	Establishing a mental health advance directive effective implementation work group.	6/6/2024	
ESSB 5949	C 375 L 24	Concerning the capital budget.	3/29/2024*	
ESSB 5950	C 376 L 24	Making 2023-2025 fiscal biennium supplemental operating appropriations.	3/29/2024	PV



# 2024 STATEWIDE LEGISLATIVE DISTRICT MAP WITH LEGISLATIVE MEMBERS



If you are a person with a disability and need a special accommodation, please contact the House at (360) 786-7271, or the Senate at (360) 786-7189. TTY 1-800-833-6388. For further legislative information, call the Legislative Hotline at 1-800-562-6000, or check the internet at [www.leg.wa.gov](http://www.leg.wa.gov).

<b>1</b>	Sen. Derek Stanford, D Rep. Davina Duerr, D Rep. Shelley Kloba, D
<b>2</b>	Sen. Jim McCune, R Rep. Andrew Barkis, R Rep. J.T. Wilcox, R
<b>3</b>	Sen. Andy Billig, D Rep. Timm Ormsby, D Rep. Marcus Riccelli, D
<b>4</b>	Sen. Mike Padden, R Rep. Leonard Christian, R Rep. Suzanne Schmidt, R
<b>5</b>	Sen. Mark Mullet, D Rep. Lisa Callan, D Rep. Bill Ramos, D
<b>6</b>	Sen. Jeff Holy, R Rep. Jenny Graham, R Rep. Mike Volz, R
<b>7</b>	Sen. Shelly Short, R Rep. Joel Kretz, R Rep. Jacquelin Maycumber, R
<b>8</b>	Sen. Matt Boehnke, R Rep. Stephanie Barnard, R Rep. April Connors, R
<b>9</b>	Sen. Mark Schoesler, R Rep. Mary Dye, R Rep. Joe Schmick, R
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<b>19</b>	Sen. Jeff Wilson, R Rep. Joel McEntire, R Rep. Jim Walsh, R
<b>20</b>	Sen. John E. Braun, R Rep. Peter Abbarno, R Rep. Ed Orcutt, R
<b>21</b>	Sen. Marko Liias, D Rep. Lillian Ortiz-Self, D Rep. Strom Peterson, D
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<b>23</b>	Sen. Drew Hansen, D Rep. Greg Nance, D Rep. Tarra Simmons, D
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<b>27</b>	Sen. Yasmin Trudeau, D Rep. Jake Fey, D Rep. Laurie Jenkins, D
<b>28</b>	Sen. T'wina Nobles, D Rep. Dan Bronoske, D Rep. Mari Leavitt, D
<b>29</b>	Sen. Steve Conway, D Rep. Sharlett Mena, D Rep. Melanie Morgan, D
<b>30</b>	Sen. Claire Wilson, D Rep. Kristine Reeves, D Rep. Jamila Taylor, D
<b>31</b>	Sen. Phil Fortunato, R Rep. Eric Robertson, R Rep. Drew Stokesbary, R
<b>32</b>	Sen. Jesse Salomon, D Rep. Lauren Davis, D Rep. Cindy Ryu, D
<b>33</b>	Sen. Karen Keiser, D Rep. Mia Gregerson, D Rep. Tina Orwall, D

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<b>35</b>	Sen. Drew MacEwen, R Rep. Travis Couture, R Rep. Dan Griffey, R
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<b>37</b>	Sen. Rebecca Saldaña, D Rep. Chipalo Street, D Rep. Sharon Tomiko Santos, D
<b>38</b>	Sen. June Robinson, D Rep. Julio Cortes, D Rep. Mary Fosse, D
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<b>41</b>	Sen. Lisa Wellman, D Rep. Tana Senn, D Rep. My-Linh Thai, D
<b>42</b>	Sen. Sharon Shewmake, D Rep. Alicia Rule, D Rep. Joe Timmons, D
<b>43</b>	Sen. Jamie Pedersen, D Rep. Frank Chopp, D Rep. Nicole Macri, D
<b>44</b>	Sen. John Lovick, D Rep. April Berg, D Rep. Brandy Donaghy, D
<b>45</b>	Sen. Manka Dhingra, D Rep. Roger Goodman, D Rep. Larry Springer, D
<b>46</b>	Sen. Javier Valdez, D Rep. Darya Farivar, D Rep. Gerry Pollet, D
<b>47</b>	Sen. Claudia Kauffman, D Rep. Debra Entenman, D Rep. Chris Stearns, D
<b>48</b>	Sen. Patty Kuderer, D Rep. Vandana Slatter, D Rep. Amy Walen, D
<b>49</b>	Sen. Annette Cleveland, D Rep. Monica Jurado Stonier, D Rep. Sharon Wylie, D



STATE OF WASHINGTON  
— OFFICE OF GOVERNOR JAY INSLEE —

March 19, 2024

To the Honorable Speaker and Members,  
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 3, Substitute House Bill No. 2015 entitled:

"AN ACT Relating to incentivizing adult family homes to increase bed capacity to seven or eight beds."

The language of this bill is permissive and does not require DSHS to undertake the inspections as described. Therefore, there is not the necessary justification for the emergency clause. The substance of the bill remains in place.

For these reasons I have vetoed Section 3 of Substitute House Bill No. 2015.

With the exception of Section 3, Substitute House Bill No. 2015 is approved.

Respectfully submitted,

Jay Inslee  
Governor





STATE OF WASHINGTON  
— OFFICE OF GOVERNOR JAY INSLEE —

March 26, 2024

To the Honorable Speaker and Members,  
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 6, Substitute House Bill No. 2295 entitled:

"AN ACT Relating to establishing a regulatory structure for licensed acute care hospitals to provide hospital at-home services."

This bill authorizes hospital at-home programs, which were temporarily authorized during the COVID-19 public health emergency. The Department of Health is required to adopt rules to add hospital at-home services to the services that a licensed acute care hospital may provide. However, there is no emergent need for the bill to become effective immediately, and therefore the emergency clause in Section 6 of this bill is unnecessary.

For these reasons I have vetoed Section 6 of Substitute House Bill No. 2295.

With the exception of Section 6, Substitute House Bill No. 2295 is approved.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jay Inslee".

Jay Inslee  
Governor



STATE OF WASHINGTON  
— OFFICE OF GOVERNOR JAY INSLEE —

March 29, 2024

To the Honorable Speaker and Members,  
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 2, Engrossed Second Substitute House Bill No. 2000 entitled:

"AN ACT Relating to renewing Washington's international leadership."

I am vetoing Section 2 of the bill, the intent section, because it deletes language necessary for the effective implementation of the statutory responsibilities of the Office of International Relations and Protocol in both the body of the bill and existing statute. These responsibilities include serving as the state's official liaison and protocol office with foreign governments, and also advising, coordinating, and assisting the Legislature and independently elected officials on international relations and protocol matters.

For these reasons I have vetoed Section 2 of Engrossed Second Substitute House Bill No. 2000.

With the exception of Section 2, Engrossed Second Substitute House Bill No. 2000 is approved.

Respectfully submitted,

Jay Inslee  
Governor



STATE OF WASHINGTON  
— OFFICE OF GOVERNOR JAY INSLEE —

March 29, 2024

To the Honorable Speaker and Members,  
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 214(6), 602 and 703, Engrossed Substitute House Bill No. 2134 entitled:

"AN ACT Relating to transportation funding and appropriations."

**Section 214(6), pages 59-60, Washington State Department of Transportation,  
Temporary Access Permits**

This section directs the Department of Transportation to certify that certain segments of roadway are no longer needed for the state highway system and to convey those segments to the county. The section further requires the Department of Transportation to grant temporary access permits for properties abutting one of the segments to be conveyed, that may be terminated only if additional connections are made in the future. The granting of temporary access rights to the state highway would improperly delegate to the county and the parcel owners the important responsibility of ensuring the safety and operation of a state limited access facility, contrary to the Department's existing statutory authority under Chapter 47.52 RCW. This raises significant safety concerns of increasing access to SR 532 at this location. For these reasons, I have vetoed Section 214(6). However, I am directing the Department to determine, consistent with its existing statutory authority, whether any of the segments of roadway listed in the proviso are no longer needed for highway purposes, and if so, whether they may be appropriately conveyed to the county.

**Section 602, page 161, Department of Licensing, Special License Plate Moratorium**

Section 602 is effective contingent upon the passage of Substitute House Bill 2489, which did not pass the Legislature. Because the bill did not pass, I have vetoed Section 602.

**Section 703, page 173, Department of Licensing, Special License Plate Moratorium**

Section 703 provides that Section 602 is effective contingent upon the passage of Substitute House Bill 2489, which did not pass the Legislature. Because I have vetoed section 602, Section 703 is not necessary. For this reason, I have vetoed Section 703.

For these reasons I have vetoed Sections 214(6), 602 and 703 of Engrossed Substitute House Bill No. 2134.

ESHB 2134  
March 29, 2024  
Page 2

With the exception of Sections 214(6), 602 and 703, Engrossed Substitute House Bill No. 2134 is approved.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jay Inslee", is written in a cursive style.

Jay Inslee  
Governor

**ABORTION (See also CONTRACEPTION)**

Corrections, department of, establishing program to distribute abortion medication: HB 1854, **\*SB 5768, CH 195 (2023)**

Employers, allowing recovery of damages for judgments involving permitted services: HB 1286

Financial responsibility/funds expenditure, when minor is under age 17, prohibiting without parent/guardian consent: HB 1788

Health carriers, cost sharing prohibition: HB 1115, **\*SB 5242, CH 194 (2023)**

Information, health care entity limiting of provider's provision of, prohibition: HB 1035

Medication, labeling requirement exceptions: HB 2115

Minors, exempting persons sheltering minors from reporting requirements in cases of protected services: **\*ESSB 5599, CH 408 (2023)**

Reproductive freedom, right to choose to have abortion or use contraception, constitutional amendment to set forth: HJR 4201

Reproductive health care services, access to, civil and criminal procedural protections: HB 1469

Reproductive health care services, lawful participation by health professionals in, harmonizing statutory language relating to: **\*HB 1954, CH 14 (2024)**

Reproductive health care services, shield law, claim for interference with protected health care services lawful in WA: HB 1469

Reproductive health care, access to, in relation to health care entity material change transactions: HB 1263, ESB 5241

**ACCOUNTANTS AND ACCOUNTING**

Board of accountancy, provisions concerning, modifying: **\*HB 1920, CH 13 (2024)**, SB 5887

Certified public accountants and firms, modifying public accountancy act requirements for: **\*HB 1920, CH 13 (2024)**, SB 5887

**ADMINISTRATIVE OFFICE OF THE COURTS (See also COURTS)**

Child support worksheets and instructions, office to revise, when: HB 2254

Dependency, measures of relational permanency and child well-being, office to identify and report on: HB 2383, **\*E2SSB 6068, CH 326 (2024)**

Family and juvenile court improvement grant program, training for family and juvenile court professionals in connection with, modifications: HB 2447

Gambling treatment diversion court pilot program, office to conduct: HB 2055

Hope card program, for issuance of cards by superior and district courts for protection order recipients, office to develop: HB 1766

Interpreters, for courts, for persons with limited English proficiency, credentialing program for, office to establish: HB 2006

Interpreters, for courts, for persons with limited English proficiency, modifying requirements and procedures, office role: HB 2006

Jurors, juror demographics reporting requirement: HB 1598, **\*2SSB 5128, CH 316 (2023)**

Legal financial obligations, eliminating debts created by certain unenforceable judgements against juveniles: HB 2251, **\*ESSB 5974, CH 38 (2024)**

Municipal courts, requiring notice to office for operation and termination: **\*HB 2034, CH 61 (2024)**

Open adoption agreements, requiring stakeholder engagement to discuss related issues: HB 1591

Opioids, high potency synthetic, requiring training on child safety: **\*E2SSB 6109, CH 328 (2024)**

State v. Blake, persons with qualifying conviction or nonconviction, legal financial obligations refund bureau, office to create: HB 1492

State v. Blake, persons with qualifying conviction/nonconviction, vacation and legal financial obligations refund, office role: HB 1492

Violence, domestic or other family member or intimate partner, protection order cases, office role: HB 1715

Wire tap authorization reporting to office, repealing: **\*HB 1023, CH 129 (2023)**

Work group, establishing to make recommendations for child care assistance program for jurors: HB 1598, **\*2SSB 5128, CH 316 (2023)**

**ADMINISTRATIVE PROCEDURE (See also EMERGENCY, STATE OF; GOVERNOR; LEGISLATURE)**

Environmental boards, final decisions in adjudicative proceedings, appealing directly to court of appeals, modifying procedures: HB 2039

Rule making, summary by agency of all proposed, emergency, and permanent rules for past 12 months, requiring: SSB 5835

**ADVERTISING (See also ELECTIONS; PUBLIC DISCLOSURE COMMISSION)**

Cannabis products, with greater than 35 percent tetrahydrocannabinol, prohibiting in advertising or marketing material: HB 1641

Grass roots lobbying campaigns, to influence legislation, expanding requirements: \***HB 1317, CH 413 (2023)**

Liquor licensees and permit holders allowed to conduct tastings or provide free or complimentary liquor, authorizing advertising by: HB 2163

Political, removal of signs that are not lawfully placed, clarifying by defining "lawfully placed": HB 2371

Political, yard signs, reducing size that qualifies for sponsor disclosure exemption: \***HB 2032, CH 148 (2024)**

Synthetic media, new chapter regulating: HB 1442, \***ESSB 5152, CH 360 (2023)**

**AERONAUTICS (See also FUELS)**

Aerial imagery program, Washington state, establishing: HB 1990

Aeronautics and aviation community, contributions to Washington state by, recognizing and honoring: \***HR 4687 (2024)**

Aeronautics and military community, contributions to Washington State by, recognizing and honoring: \***HR 4646 (2023)**

Aircraft fuel, strengthening fuel taxation enforcement: \***EHB 1964, CH 1 (2024)**

Aircraft fuel, unleaded, tax exemptions for: HB 2393

Airports, administering grant program to assist qualifying port districts with noise mitigation expenses: \***E2SSB 5955, CH 194 (2024)**

Airports, dedicating some property tax revenue to noise and air pollution mitigation: HB 2103

Airports, international, county-owned eligible maintenance repair operators in certain counties, sales tax exemptions, when: HB 1318

Airports, lead exposure associated with operating practices of, best management practices for reducing: HB 1554

Airports, municipal airport commission membership requirements: \***HB 1243, CH 247 (2023)**

Airports, municipalities vesting authority for expansion, development, etc. in a municipal airport commission: \***HB 1243, CH 247 (2023)**

Airports, new construction at public use airports, sales/use tax exemptions for labor/services/materials/equipment: HB 1331

Airports, private operator-held leasehold interests on new leases, exemption for: HB 1331

Alternative jet fuels work group, convening: HB 1505, \***ESSB 5447, CH 232 (2023)**

Alternative jet fuels, expanding tax preference to include businesses in distressed areas of the state: HB 2410

Aviation and aerospace advisory committee, appointing and maintaining for advisory role: HB 1040, HB 1531

Aviation gasoline used at airports, leaded, mitigating exposure impacts and transitioning to unleaded gasoline: HB 1554

First around the world flight, centennial of, role of Friends of Magnuson Park in recognizing and honoring aeronautics and aviation community in connection with: \***HR 4687 (2024)**

First round-the-world flight, centennial anniversary of, role of Friends of Magnuson Park in celebrating, recognizing: \***HR 4646 (2023)**

State commercial aviation coordinating work group, creating and funding: HB 1791

Wildfires, aerial firefighting and wildfire suppressions concerns, permit for utility-scale wind energy facilities authority to address: HB 2117

Wildland fires, aviation assurance funding program, administering of, and creating office and convening board for: HB 1498

Wind energy alternative energy resource facilities, requiring aircraft detection lighting systems: HB 1173

**AFRICAN AMERICANS**

African American studies, for students in grades 7 through 12, work group to identify curricula, methods, and materials, convening: HB 2282

Black Americans, recognizing the legacy and contributions of, and celebrating Black history month: \***HR 4619 (2023), \*HR 4667 (2024)**

King, Dr. Martin Luther, Jr., honoring: \***HR 4603 (2023), \*HR 4653 (2024)**

Russell, Bill, former NBA basketball player and coach, honoring life and accomplishments of: \***HR 4621 (2023)**

**AGRICULTURE (See also AGRICULTURE, DEPARTMENT; FARMS AND FARMING; FIRE PROTECTION; PEST CONTROL AND PESTICIDES)**

Agricultural pest and disease response account, creating for responding to emerging threats: HB 2147, SSB 6036

Apple industry, apple blossom festival, honoring 2023 apple blossom festival royal court: **\*HR 4630 (2023)**

Beef commission, authorizing funding purposes: **\*2ESSB 5150, CH 155 (2024)**

Beef commission, increasing levied assessment and requiring geographical diversity for meetings: **\*2ESSB 5150, CH 155 (2024)**

Daffodils, recognizing the daffodil festival, its organizers, and its royal court: **\*HR 4620 (2023), \*HR 4662 (2024)**

Fairs, southwest Washington fair, administration by Lewis county board of county commissioners, to encompass fair and county purposes: **\*HB 2433, CH 75 (2024)**

Field checks, requiring collection of H-2A worker data by ESD: HB 2226

Fruit industry, apple blossom festival, honoring 2023 apple blossom festival royal court: **\*HR 4630 (2023)**

Insecticides, restricting use of neonicotinoids: **\*SSB 5972, CH 338 (2024)**

Lands, agricultural and erodible with conservation plan, siting of utility-scale solar canopy facility on, maintaining plan compliance through life of facility: HB 2499

Lands, agricultural, critical areas used for agriculture, voluntary stewardship program, updating allowed participation date: HB 1421, **\*SSB 5353, CH 187 (2023)**

Lands, agricultural, prohibiting foreign ownership, leasing, holding of any interest, or being beneficiary of certain trusts, when: HB 1412

Lands, unused and underutilized state-owned, assessing to determine suitability for agriculture: HB 2336

Local food and agricultural products, voluntary location-based program to brand and promote, advisory committee for: HB 1603

Location-based promotion program for state products: **\*ESB 5341, CH 276 (2023)**

Organic and regenerative agriculture task force, creating: HB 2461, SSB 6278

Overtime, exempting agricultural workers for up to 50 hours for 12 weeks a year: HB 1523

Sulfuryl fluoride, used as a fumigant pesticide, studying emissions of and identifying availability and feasibility of safer alternatives: HB 2073

Urban agricultural opportunities and barriers, studying: **\*HB 1552, CH 178 (2023)**

Water pollution, person engaged in agricultural activities violating certain requirements involving, notification of by registered mail and report from: HB 2288

#### **AGRICULTURE, DEPARTMENT (See also AGRICULTURE; FARMS AND FARMING; PEST CONTROL AND PESTICIDES)**

Cannabis commission, Washington state, establishing with new chapter: HB 1581

Cannabis commission, Washington state, establishing with new chapter by referendum of producers: 2ESSB 5546

Cannabis, private cannabis testing laboratories, accreditation of, reassigning to department: HB 2151

Cannabis/cannabis products, regulation and licensing of production, processing, and testing of, transferring from liquor and cannabis board to department: HB 2334

Compost reimbursement program, for farming operations purchasing and using compost products, modifying eligibility provisions: HB 2301

Cottage food operations, maximum sales limit for permit, department role: HB 1500

Food assistance program, appropriation for grants to hunger relief organizations, department role: HB 1784

Food assistance programs, funding provided to food banks by department via, using for essential nonfood items: HB 1499

Food items for human consumption, date labeling of, standardizing, role of department: HB 2301

Fur farm transition grant program, establishing: HB 1034

Livestock identification program, requiring advisory committee review of fees: **\*SSB 5439, CH 46 (2023)**

Local food and agricultural products, voluntary location-based program for, advisory committee for, establishing, department role: HB 1603

Location-based promotion program for state products, creating advisory committee for recommendations and authorizing implementation: **\*ESB 5341, CH 276 (2023)**

Motor fuel, sticker on pumps showing rate of each fuel tax for each type of fuel, department to produce: HB 2050

Organic and regenerative agriculture task force, creating: HB 2461, SSB 6278

Pesticide advisory board, establishing to advise department: HB 1019

State-owned lands, unused and underutilized, performing assessment to determine suitability for agriculture, department role: HB 2336

#### **AIR POLLUTION CONTROL AUTHORITIES**

Aviation gasoline, leaded, prohibitions and violations enforcement role of activated authorities: HB 1554

**ALCOHOLIC BEVERAGES (See also BUSINESSES; CRIMES; DRIVERS AND DRIVERS' LICENSES; FOOD AND FOOD PRODUCTS; SUBSTANCE USE DISORDER; TAXES - SALES; TRAFFIC OFFENSES)**

- Advertising, by liquor licensees and permit holders allowed to conduct tastings or provide free or complimentary liquor, authorizing: HB 2163
- Alcohol server permits, clarifying permit revocation: **\*ESB 5816, CH 265 (2024)**
- Biometric age verification, permitting for purpose of procuring liquor: ESSB 6179
- Cannabis/tetrahydrocannabinol, consumable products containing beer/wine/spirits/other liquor in combination with, prohibiting: **\*HB 1772, CH 217 (2023)**
- Drug and alcohol clearinghouse, query of, for commercial vehicle driver licensing or learner permitting purposes: HB 1448, **\*SB 5041, CH 35 (2023)**
- Licensees, domestic brewery/microbrewery/domestic winery, endorsement for off-site and pop-up retail sales/service/consumption of beer or wine, creating: HB 2363
- Licensees, alcohol delivery license to deliver spirits, beer, and wine: HB 1375
- Licensees, beer and/or wine specialty shop, endorsement to sell certain amounts of beer or wine for on-premises consumption: HB 1803
- Licensees, establishment private club license, creating: HB 2060
- Licensees, special occasion for not-for-profit society or organization, enhanced special occasion license, creating: HB 1765
- Licensees, theater license to sell spirits, beer, and wine for on-premises consumption, removing seats per screen limit: HB 2043
- Licensees, various, alcohol delivery endorsement for, creating: HB 1375, **\*SSB 5448, CH 279 (2023)**
- Liquor licensed establishments, clothing/attire and conduct/acts at, requiring updating/replacing of WAC rules for consistency with legal standard for indecent exposure: HB 2495
- Liquor licenses, requiring timely application approval: SSB 5291
- Liquor, tracking policies/funding/program and health outcomes related to sales/consumption/use of: HB 2182
- Low-proof beverages, altering taxation to per-gallon: HB 1344
- Permits, alcohol server permit/class 12 permit, for employees conducting deliveries for a delivery license holder: HB 1375, **\*SSB 5448, CH 279 (2023)**
- Permits, annual special permit allowing complimentary bottle of wine for short-term rental lodging guests: HB 1731
- Permits, annual special permit designated as establishment private club permit, creating: HB 2369
- Permits, emergency, for manufacturer with inaccessible premises for liquor sale/service/consumption on another licensee's premises, creating: **\*HB 2204, CH 91 (2024)**
- Production facilities of licensees, allowing employees and some interns 18 to 21 years of age to work in: HB 1299
- Ready-to-serve alcoholic beverages, defining: HB 2493
- Ready-to-serve alcoholic beverages, extending retail sales taxes on spirits to certain sales of: HB 2493
- Selling, giving, or supplying liquor to person under 21 years from a business and by an employee, optional civil penalties: **\*HB 2260, CH 71 (2024)**
- Spirits, purchased by veterans' service organization as fund-raising prize for event, sales tax exemption for: HB 1672
- Spirits, retail sale in original package, mini-bottles exclusion from sales tax, removing expiration date: HB 1375
- Spirits, retail sales taxes on, extending to certain sales of ready-to-serve alcoholic beverages and to such sales by certain distributor licensees: HB 2493
- Takeout sales, meal accompaniment and delivery requirements: **\*SSB 5448, CH 279 (2023)**
- Wine retailer shipper's permit, creating: HB 1016
- Wineries, tax exemption for first 20,000 gallons sold: HB 1182

**ANDY HILL CANCER RESEARCH ENDOWMENT (CARE) FUND**

- Grants for research, criteria for evaluating requests for, adding participation of underrepresented communities to: HB 1745

**ANIMALS (See also LIVESTOCK; WILDLIFE)**

- Abuse, civil forfeiture in cases of abuse or neglect: HB 1234
- Adoption, exempting fess from B&O taxes for nonprofit organizations: HB 1653
- Cruelty free cosmetics act, prohibiting sale of cosmetics tested using animals: HB 1097
- Cruelty, animal cruelty in first degree, seriousness level table listing of, revising: **\*HB 1961, CH 55 (2024)**
- Dog guides, persons with disabilities using, discrimination against, civil actions alleging: HB 1760



Dogs and cats, kennels for, requiring that kennel operator has fire alarm system or fire sprinkler system in every building of: HB 2403

Dogs and cats, prohibiting and voiding consumer leases, retail installment transactions, and loans for purchase: HB 1424

Dogs and cats, prohibiting pet store sales and regulating pet store showcasing of adoptable dogs or cats: HB 1424

Dogs, certain breeds of, residential insurance policy denial or discontinuation by insurer due to, prohibiting, when: HB 1634

Dogs, increasing accessibility of courthouse facility dogs for witness use: HB 1077

Exotic or wild animals, prohibiting display for entertainment via wild or exotic animal protection act: HB 1157

Kennels for dogs and cats, fire safety requirements for kennel operators: HB 2403

Northern spotted owl, authorizing voluntary programmatic safe harbor agreements for private landowners: **\*SB 5390, CH 119 (2023)**

Pet insurance, new chapter: HB 1208, **\*SB 5319, CH 42 (2023)**

Police dogs, canine teams, training and certification to detect fentanyl, model standards for: **\*HB 1635, CH 305 (2024)**

Pollinators, encouraging habitats through project and building permit process: **\*SSB 5934, CH 337 (2024)**

Service animals, persons with disabilities using, discrimination against, civil actions alleging: HB 1760

Service animals, public accommodation and accessibility for dogs and miniature horses: **\*ESSB 5788, CH 161 (2024)**

Wildlife habitat connectivity action plan, implementing: HB 2456

Wildlife habitat connectivity alliance, establishing for safe passage of wildlife and motorists: HB 2456

#### **APPLIANCES**

Fluorinated refrigerant gases, precharged appliances containing, refrigerant stewardship organizations for producers of: HB 2401

#### **APPRENTICES AND APPRENTICESHIP PROGRAMS**

Approval process for new programs, removing competitor objections outside public comment from: HB 1773

Credentials, educational and professional, Washington credential registry, creation of: HB 2155

Farmworkers education and assistance program for displaced workers, creating: HB 2487

Farmworkers seeking education to career program, developing: HB 2487

Incarcerated individuals, construction training including apprenticeship preparation programs and pathways to apprenticeship programs: HB 2084

Journey level electrical apprenticeship programs, availability and accessibility of, studying: HB 1393

Native American apprentice assistance program, establishing: HB 2019

New programs applying for state approval, procedures for competitor objection to, standards and process for reviewing and ruling: HB 2087

Postsecondary credentials, credential transparency work group, creating: HB 1821

Programs, financial aid, Native American scholarship program, establishing: HB 1399

Regional apprenticeship pilot program, establishing: HB 1013

Running start for the trades grant program, establishing to offer preapprenticeship opportunities for students: HB 1944

Running start, summer running start for the trades grant program, establishing to offer apprenticeship preparation program opportunities for students: HB 2123

Unemployment compensation, apprenticeship program participant barriers when seeking benefits, work group on, convening: HB 1458

Unemployment compensation, one week waiting period for benefits, waiving for apprenticeship program participants, when: HB 1458

Utilization of apprentices, for public works municipality, DOT, school district, and 4-year college contracts: HB 1050

Working connections child care, expanding eligibility for persons enrolled in apprenticeship programs: HB 1525

#### **APPRENTICESHIP AND TRAINING COUNCIL, WASHINGTON STATE**

New apprenticeship programs applying for state approval, procedures for competitor objection to, council role: HB 2087

#### **ARCHAEOLOGY AND HISTORIC PRESERVATION, DEPARTMENT (See also HISTORICAL SOCIETIES)**

Main street programs or trust fund, contributions to, B&O and public utility tax credits for, use of remaining credits by programs: HB 2306

Main street programs, allowing use of remaining statewide main street program contribution tax credits by, when: HB 2306

**ART AND ARTWORKS**

Billy Frank Jr., statue of, duplicate cast to be created and installed at legislative building: HB 1639  
 Eastern Washington, memorial commemorating geological and cultural diversity of, requirements for a: HB 1700  
 Kimura, Fumiko, sumi artist, Puget Sound sumi artists association founding member, honoring: **\*HR 4622 (2023)**

**ARTIFICIAL INTELLIGENCE (AI) (See also ATTORNEY GENERAL; COMPUTERS; MANUFACTURING AND TECHNOLOGY)**

Automated decision tools, developer and deployer impact statements and developer policy for, requirements: HB 1951  
 Automated decision tools, resulting in algorithmic discrimination, prohibiting use by a deployer: HB 1951  
 Blueprint for an AI Bill of Rights, affirming Washington's commitment to: HJM 4005  
 Task force concerning standards for use and regulation of generative AI systems, establishing: HB 1934, **\*E2SSB 5838, CH 163 (2024)**

**ARTS COMMISSION**

Billy Frank Jr. national statutory hall selection committee, commission role: HB 1639

**ASIAN PACIFIC AMERICAN AFFAIRS, STATE COMMISSION**

Chinese American month, designating January as: HB 1759  
 Contributions of the commission, recognizing and celebrating during its 50th anniversary: **\*HR 4694 (2024)**  
 Lunar New Year, recognizing second or third new moon following winter solstice as, programming and resources for celebrating, commission to create: **\*HB 2209, CH 76 (2024)**

**ASIAN PACIFIC AMERICANS**

Asian, Native Hawaiian, and Pacific Islander communities in Washington, recognizing and celebrating contributions of state commission on Asian Pacific American affairs to: **\*HR 4694 (2024)**  
 Chinese American month, designating January as: HB 1759  
 Filipino Americans, historical/cultural contributions of, K-12 public school instruction about, materials/resources for: HB 1749  
 Filipino Hall of the Yakima Valley, designation on national register of historic places, recognizing and celebrating: **\*HR 4676 (2024)**  
 Japanese American veterans, incarcerated, and civil rights activists, recognizing and remembering: **\*HR 4615 (2023), \*HR 4672 (2024)**  
 Kimura, Fumiko, sumi artist, Puget Sound sumi artists association, honoring: **\*HR 4622 (2023)**  
 Lunar New Year and Asian American Native Hawaiian Pacific Islander community in Washington, acknowledging: **\*HR 4660 (2024)**  
 Lunar New Year, recognizing second or third new moon following winter solstice as: **\*HB 2209, CH 76 (2024)**

**ATTORNEY GENERAL (See also CONSUMER PROTECTION)**

Artificial intelligence, authorizing task force subcommittees: **\*E2SSB 5838, CH 163 (2024)**  
 Artificial intelligence, automated decision tools, requirements and algorithmic discrimination prohibition, AG enforcement role: HB 1951  
 Artificial intelligence, use and regulation of generative AI systems, task force concerning standards for, AG to administer: HB 1934, **\*E2SSB 5838, CH 163 (2024)**  
 Child abuse and neglect, legal liaison positions in DCYF to work with DCYF and AG's office to assist preparation of court cases, establishing: HB 2447  
 Cold case unit, creating for investigation of missing and murdered indigenous women and people: HB 1177  
 Commercially sexually exploited children statewide coordinating committee, AG to convene: HB 2076  
 Domestic violence extremism commission, establishing, AG role: HB 1333  
 Firearm industry responsibility and gun violence victims' access to justice act, AG role: HB 1130, **\*SSB 5078, CH 163 (2023)**  
 Graffiti abatement and reduction program, creation of, AG enforcement role: HB 1989  
 Hate crime advisory working group, decodifying section due to expiration: **\*HB 1066, CH 470 (2023) PV**  
 Hate crime and bias incident compensation program, creating: HB 1410  
 Hate crime and bias incident hotline, establishing with advisory committee: **\*SSB 5427, CH 299 (2024)**  
 Health care market participants, material change transactions involving, AG oversight role: HB 1263, ESB 5241  
 Health care market participants, material change transactions involving, contracting for health equity assessment: ESB 5241

Health care market participants, material change transactions involving, two studies of impact of, AG role: HB 1263, ESB 5241

Independent prosecutions unit, establishing in AG's office for alleged criminal offenses by police using deadly force: HB 1579

Landlords engaging in prohibited residential rent practices, AG investigation and enforcement authority: HB 1388

Landlords, online landlord resource center for, model lease provisions regarding rent and fee increases on, AG role: HB 2114

Law enforcement or local corrections agencies, AG investigation of violations of state constitution or state law by: HB 1445

Missing and murdered indigenous women and people resource, creating: 2SSB 5477

Missing and murdered indigenous women and people task force, Washington state, establishing: 2SSB 5477

Missing persons toolkit, for locating and recovering missing indigenous women and persons, AG role: **\*HB 1512, CH 212 (2023)**

Sexual assault forensic examination best practices advisory group, establishing: HB 1028

Washington state attorney general humane detention account, creating: HB 1470

Washington state children exposed to violence task force, establishing, AG role: HB 1439

#### **ATTORNEYS (See also ATTORNEY GENERAL; GUARDIANSHIP; PUBLIC DEFENSE, OFFICE)**

Criminal defense training academy program, expanding capacity and emphasizing rural and underserved areas: **\*2SSB 5780, CH 293 (2024)**

Hyslop, William D. "Bill", attorney and two-time U. S. attorney for E. Washington, recognizing and honoring the life and work of: **\*HR 4638 (2023)**

Indigent defense, local government and law enforcement costs for, state indigent defense and law enforcement assistance account, creating: HB 2202

Juvenile suspects, statements and physical evidence admissibility, requirements for suspect's attorney: HB 1607

Prosecuting attorneys, adult-victim sexual assault cases training for: HB 1028

Prosecuting attorneys, authority in actions based on special purpose district governing body member official misconduct: HB 1538

Prosecuting attorneys, deputy, extending eligibility for deputies to all U.S. citizens or lawful permanent residents: **\*HB 1530, CH 11 (2024)**

#### **AUDITOR, STATE**

Cap and invest program for greenhouse gas emissions, requiring performance audit: HB 1659

Children, youth, and families, department of, auditor to conduct evaluation of DCYF's child welfare functions: HB 1754

Criminal records, receiving nonconvention data for process compliance audit and deadly force review: **\*HB 1179, CH 26 (2023)**

Investment board's proxy voting guidelines on climate risks, auditor to conduct comprehensive evaluation of: HB 2405

Rural counties, rural public facilities sales and use tax, providing revenue, project, and expenditure information on auditor website: HB 1267

Trafficking crimes, fees assessed in connection with, use by superior courts/counties/cities/towns, auditing: HB 2076

#### **AUDITORS AND AUDITING (See also ELECTIONS)**

County auditors and auditor's designees, challenges to a voter's right to vote, auditor/designee role and duties: ESB 5856

County auditors, document-recording assessment for covenant homeownership program, collecting: HB 1474

County auditors, document-recording surcharge, for local homeless housing and assistance, revising: HB 1367

County auditors, providing election materials language assistance for single language minority group in a county, when: HB 1861

County auditors, use of postal service endorsements allowing forwarding of election ballots, prohibiting: HB 1816

County auditors, voter address change processes role of, modifying: **\*HB 1962, CH 56 (2024)**

Konopaski, Keenan, retired legislative auditor, joint legislative audit and review committee, honoring: **\*HR 4608 (2023)**

#### **BACKGROUND CHECKS (See also FIREARMS)**

Fingerprinting, maintaining capacity in certain DCYF offices: **\*SSB 5774, CH 300 (2024)**

Firearms, removing persons with expired suspensions from national instant check system: **\*ESSB 5985, CH 289 (2024)**

Health care workers, increasing professions requiring background checks: HB 1292, **\*SB 5252, CH 223 (2023)**

Long-term care workers, limiting sharing of federal background check information: HB 1292, **\*SB 5252, CH 223 (2023)**

Volunteers, schools and school districts, criminal records checks: HB 1354

**BAIL AND BAIL BONDS (See also CRIMINAL PROCEDURE)**

Bail bond agents and recovery agents, licensure of, eligibility regardless of immigration or citizenship status: HB 1889

**BLIND (See also ANIMALS; DISABILITIES, PERSONS WITH; DISCRIMINATION)**

Aged, blind, or disabled assistance program, concurrent receipt of supplemental security income not a debt: HB 1260

Aged, blind, or disabled, assistance program, modifying eligibility provisions: HB 1260

Disabilities, persons with, civil actions alleging discrimination against, modifying requirements, when: HB 1760

Service animals and dog guides, persons with disabilities using, discrimination against, civil actions alleging: HB 1760

Special education, improving access to and provision of services: HB 1305

Students who are blind or have low vision, public school consultation with state school for the blind: HB 1305

**BLIND, STATE SCHOOL FOR THE (See also BLIND; DISABILITIES, PERSONS WITH; DISCRIMINATION)**

Certificated teachers, increasing compensation for, basis for: HB 1825

Students who are blind or have low vision, public school consultation with state school: HB 1305

**BOATS AND BOATING**

Derelict vessels, appeals, substitution of administrative law judge for pollution control hearings board member: HB 1081, \***SB 5192, CH 39 (2023)**

Derelict vessels, public entity notice of intent to obtain custody and related hearing request contesting entity custody, modifying: HB 1753

Derelict vessels, terrestrial derelict vessel removal pilot project, operating: HB 2207

Liability, clarifying for hydroelectric facilities: \***SSB 5145, CH 183 (2023)**

Paddle tours, business license requirement: HB 1145, \***ESSB 5371, CH 452 (2023) PV**

Private moorage facilities, excess income from abandoned vessel sale, unclaimed property act cross-reference updates: \***HB 1742, CH 258 (2023)**

Private moorage facilities, selling abandoned vessel for failure to pay fees, modifying process for: HB 1919

Safety, encouraging water safety and rescue and drowning prevention, and recognizing May 15 as water safety day: \***HB 1750, CH 181 (2023)**

Safety, requiring paddle education card via boating education courses to operate human-powered vessels: HB 1781

Southern resident orcas, increasing required boating distance: HB 1145, \***ESSB 5371, CH 452 (2023) PV**

Southern resident orcas, recreational boating near, convening diverse work group for outreach and education strategies for: \***ESSB 5371, CH 452 (2023) PV**

Vessels, nonresident, length limit for permit eligibility, increasing: HB 1906

**BONDS (See also TRANSPORTATION)**

Department of transportation, authorizing bond issuance for public-private partnerships: SSB 6277

General obligation, authorizing 2021-2023 and 2023-2025 omnibus capital and operating appropriations: HB 1148

General obligation, authorizing bonds for Washington housing crisis response act purposes: HB 1149

General obligation, bond authorization for new forensic hospital at western state hospital: HB 1148

Housing crisis response act, Washington, authorizing general obligation bonds for: HB 1149

Regional centers, bonds issued by public facilities districts for, extending district sales/use taxing authority time limit for retiring: HB 2432

School construction assistance program, adjusting calculation for taxation: SB 5789

School district bonds and payment levies, at least 55% of voters to authorize: HB 1843, HJR 4207

School district bonds and payment levies, simple majority to authorize: HB 1353, HJR 4203

Unissued bonds, for Chehalis river basin flood hazard mitigation, expiration date: HB 1148

Unissued bonds, for school construction assistance grant program, expiration date: HB 1148

Unissued bonds, for school skill center facilities, expiration date: HB 1148

**BOUNDARIES (See also REDISTRICTING COMMISSION; SUBDIVISIONS)**

Review boards, filing notice of intention with, effective filing date of: HB 2344

**BRIDGES (See also RIVERS AND STREAMS; ROADS AND HIGHWAYS)**

Columbia River, Interstate 5 bridge replacement project, designating as eligible toll facility: HB 1852, \***SB 5765, CH 377 (2023)**

Interstate 5 Columbia river bridges, prohibiting tolls on existing bridges but allowing on replacement project bridges after their completion: HB 2268

Jumping into cold waterways, signs re: cold-water shock hazards, role of state and local agencies: **\*HB 1004, CH 54 (2023)**

**BUDGETS (See also ECONOMIC AND REVENUE FORECAST COUNCIL)**

Bond authorization, 2021-2023 and 2023-2025 omnibus capital and operating appropriations: HB 1148  
 Capital, 2023-2025 and supplemental 2021-2023: HB 1147, **\*ESSB 5200, CH 474 (2023) PV**  
 Capital, capital budget matching grants program for higher education institutions, administering: HB 1256  
 Capital, supplemental, 2023-2025: HB 2089, **\*ESSB 5949, CH 375 (2024)**  
 Food assistance, basic food, appropriations to support people most impacted by the loss of: HB 1784  
 Operating, 2023-2025: HB 1140  
 Operating, 2023-2025 and second supplemental 2021-2023: **\*ESSB 5187, CH 475 (2023) PV**  
 Operating, second supplemental 2021-2023: HB 1141  
 Operating, supplemental, 2023-2025: HB 2104, **\*ESSB 5950, CH 376 (2024) PV**  
 Transportation budget, dedicating state sales and use taxes on motor vehicles to: HB 1472  
 Transportation, 2023-2025: HB 1125  
 Transportation, revenue forecast for, transferring to economic and revenue forecast council: HB 1838  
 Transportation, supplemental 2021-2023: HB 1126  
 Transportation, supplemental, 2023-2025: HB 2134  
 Voter's pamphlet, state, to include information about budgets, budget bills, budgeted funds, and expenditures: HB 1158  
 Website presentation by LEAP and OFM, to include information about budgets, budget bills, budgeted funds, and expenditures: **\*ESSB 5082, CH 109 (2023)**

**BUILDING CODE COUNCIL (See also BUILDING CODES AND PERMITS; HOUSING AND HOMES)**

Baby diaper changing stations in public restrooms, when required under building code adopted by council, requirements: HB 2052  
 Codes, proposed changes, amendment petitions and adoption, and review of updated versions, requirements: HB 1404  
 Codes, requiring three-year cycle for substantive changes following model codes: HB 2465, **\*ESSB 6291, CH 170 (2024)**  
 Ethics and rules of procedure, training for members, employees, and technical advisory groups on: HB 1404  
 International wildland urban interface code, manufactured housing units exemption from, until adoption of exemption by council rule making: HB 2452  
 Membership, modifying requirements and processes: HB 2465, **\*ESSB 6291, CH 170 (2024)**  
 Minimum dwelling unit size, amending international building code to reduce, technical advisory group for: HB 2071  
 Multifamily residential structures, convening technical advisory group to consider single exit stairways: **\*SSB 5491, CH 372 (2023)**  
 Multiplex housing, exempting from international building code and applying international residential code, technical advisory group for: HB 2071  
 Multiunit residential buildings, building and energy code provisions and building designs/styles for, council role: HB 1298  
 Operations, procedures, membership, director, and statutory authority of council, modifications: HB 1404  
 Petitions for statewide amendments, authorizing appointment of technical advisory groups to review: HB 2465, **\*ESSB 6291, CH 170 (2024)**  
 Residential treatment facilities, requiring adoption of R-4 classification of 2021 international building code: HB 1409  
 Senior independent living facilities, technical advisory group concerning, council to convene: HB 2275  
 Temporary emergency shelters, requiring adoption of standards: **\*SB 5553, CH 47 (2023)**  
 Work group, convening for rule/code adoption to apply IRC to and provide IBC exemption for multiplex housing: HB 1167

**BUILDING CODES AND PERMITS (See also BUILDING CODE COUNCIL; BUILDINGS, COMMERCIAL; BUILDINGS, STATE; CLIMATE; ENVIRONMENT; GROWTH MANAGEMENT; HOUSING AND HOMES; LAND USE PLANNING AND DEVELOPMENT; REAL ESTATE AND REAL PROPERTY)**

Baby diaper changing stations in public restrooms, when required under adopted international building code, requirements: HB 2052  
 Code officials, permit technicians, inspectors, et al., expedited licensing of private vocational schools offering training for: HB 1539  
 Codes, proposed changes, amendment petitions and adoption, and review of updated versions, requirements: HB 1404

Covered buildings, tiers 1 and 2, state energy performance standard for, incentive payments for upgrades, increasing, when: **\*HB 1976, CH 85 (2024)**

Drinking fountains, requiring accompanying bottle filling stations: HB 1085

Energy code, for nonresidential buildings, rules adoption procedures and requirements, modifying: HB 1404

Fences, battery-charged fences that interface with an alarm system, various provisions: HB 1304

Functional recovery of buildings and critical infrastructure right after an earthquake and earthquake and tsunami resilience, studying: HB 2273

Greenhouses, redefining to increase food production for personal use: **\*SB 5508, CH 19 (2024)**

International building code, amendments and additions to, various: HB 2071

International residential code, applying to multiplex housing, technical advisory group for: HB 2071

International wildland urban interface code, manufactured housing units exemption from, until adoption of exemption by rule making: HB 2452

Kit homes, exempting from regulation: ESSB 5657

Minimum dwelling unit size, amending international building code to reduce, technical advisory group for: HB 2071

Multifamily residential buildings, allowing local governments to adjust codes for recycling purposes: HB 2301

Multiplex housing, exempting from international building code and applying international residential code, technical advisory group for: HB 2071

Pollinators, encouraging habitats through project and building permit process: **\*SSB 5934, CH 337 (2024)**

Recycling purposes, allowing local governments to adjust codes affecting multifamily residential buildings for: HB 2301

Residential housing, new construction meeting passive house requirements, modifications: HB 2071

Residential housing, retrofits of existing buildings to be used for, modifying requirements: HB 2071

Residential, middle housing, prohibiting development standards more restrictive than for detached single-family residences: HB 1167

Senior independent living facilities, technical advisory group concerning, convening: HB 2275

Three year cycle, requiring for all substantive changes: HB 2465

Three year cycle, requiring for all substantive changes with certain exceptions: **\*ESSB 6291, CH 170 (2024)**

Wildfires, rebuilding property damaged by, state building code and energy code compliance flexibility and options for: HB 1899

**BUILDINGS, COMMERCIAL (See also BUILDINGS, STATE)**

Fences, battery-charged fences that interface with an alarm system, various provisions: HB 1304

Statewide building energy upgrade navigator program for emissions reduction and energy services, establishing: HB 1391

**BUILDINGS, STATE (See also BUILDINGS, COMMERCIAL; CAPITOL CAMPUS, STATE)**

State campus district energy systems, owners of, decarbonization plan development by: HB 1390

State energy performance standard for covered commercial buildings, state campus district energy system owners under: HB 1390

**BUSINESS ORGANIZATIONS (See also COOPERATIVE ASSOCIATIONS; CORPORATIONS)**

Acquisitions, new chapter authorizing, including share exchange: **\*SSB 5786, CH 22 (2024)**

Limited liability companies, campaign contributions, prohibiting contributions unless not formed solely to make: HB 1426, ESSB 5207

Limited liability companies, foreign-influenced, political expenditures or contributions by, prohibiting: HB 1885

Mergers, new chapter authorizing, including share exchange: **\*SSB 5786, CH 22 (2024)**

Vaccination or postinfection recovery documentation, prohibiting business entity from requiring for services etc.: HB 1827

**BUSINESSES (See also ACCOUNTANTS AND ACCOUNTING; AERONAUTICS; AGRICULTURE; ALCOHOLIC BEVERAGES; BOATS AND BOATING; BUSINESS ORGANIZATIONS; CANNABIS; CONSUMER PROTECTION; CONTRACTORS; CORPORATIONS; CREDIT AND DEBIT CARDS; CREDIT HISTORY AND CREDIT REPORTING; CURRENCY; DISCRIMINATION; EMPLOYMENT AND EMPLOYEES; ENVIRONMENTAL HEALTH AND SAFETY; FARMS AND FARMING; FINANCIAL INSTITUTIONS; FIREARMS; FOOD AND FOOD PRODUCTS; HEALTH CARE FACILITIES; INSURANCE; LABOR; LODGING; MANUFACTURING AND TECHNOLOGY; METALS; MINORITIES; MOTOR VEHICLES; OIL AND GAS; PERFORMING ARTS AND PERFORMANCE FACILITIES; PHARMACIES AND PHARMACISTS; PROFESSIONS; REAL ESTATE AND REAL PROPERTY; SALES; SOLID WASTE; TAX PREFERENCES -**

\* - Passed Legislation

**EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - BUSINESS AND OCCUPATION; TAXES - SALES; TAXES - USE; TELECOMMUNICATIONS; TOBACCO AND TOBACCO PRODUCTS; TOURISM; TOWING AND TOW TRUCKS; UNEMPLOYMENT COMPENSATION; UTILITIES; VAPOR PRODUCTS; WAGES AND SALARIES; WORKER TRAINING AND WORKFORCE NEEDS; WORKERS' COMPENSATION)**

- Adult entertainment establishments and entertainers, workplace safety and operational standards for, modifying: HB 2036
- Adult entertainment establishments, employee training, security staffing, leasing fees, panic buttons/blocklists, and local enforcement: HB 2036
- Adult entertainment, additional requirements for security and safety training and education of employees: **\*ESSB 6105, CH 250 (2024)**
- Adult entertainment, fee restrictions and prohibiting minors: **\*ESSB 6105, CH 250 (2024)**
- Adult entertainment, prohibiting certain restrictions in certain cities and counties: **\*ESSB 6105, CH 250 (2024)**
- Adult entertainment, repeal of WAC 314-11-050, conduct are prohibited on a premises with liquor license: **\*ESSB 6105, CH 250 (2024)**
- Adult entertainment, requirements for allegations regarding customers: **\*ESSB 6105, CH 250 (2024)**
- Adult entertainment, restricting certain behavior toward employees: ESSB 5614
- Alcohol server permits, clarifying permit revocation: **\*ESB 5816, CH 265 (2024)**
- Antitrust penalties improvement act, providing stronger penalties for antitrust violations: HB 2072
- Business licensing service program, adjusting fees: HB 1894, **\*SB 5897, CH 270 (2024)**
- Business professions, eligibility for credentialing regardless of immigration or citizenship status: HB 1889
- Cafés, neighborhood cafés in residential zones, requiring that cities and towns allow: HB 2252
- Child care providers, B&O tax exemption: **\*ESSB 6038, CH 195 (2024)**
- Climbing facilities, operator licensure and operator and participant requirements and liability: HB 2265
- Collection agencies, certain fee and debt collection practices, modifying: HB 1666
- Collection agencies, outstanding public debts owed to government entities and courts, provisions concerning: HB 1666
- Commercial solicitation, prohibiting via robocalling or automatic dialing and to persons on do not call registry: HB 1051
- Construction, requiring accommodation for workers who menstruate or express milk: **\*EHB 2266, CH 258 (2024)**
- Construction, requiring training and certification for applicators of fire-resistant materials, and related provisions: HB 1323
- Contracts, for office equipment leasing or business services, automatic renewal provisions in, seller requirements: HB 1441
- Cosmetics, permanent cosmetics shops, registration and regulation of: HB 2109
- Cottage food operations, maximum sales limit for permit, increasing: HB 1500
- Credit card payments, transaction processing fee for, authority of certain businesses to charge, requirements: HB 1666, HB 1727
- Credit services organizations, performing credit repair services, modifying regulation of: HB 1311
- Data brokers, registration and regulation of: HB 1799, HB 2277
- Data privacy, restricting consumer health data collection and sharing, requiring disclosures, and prohibiting sale: HB 1155
- Discrimination, prohibiting pricing difference on basis of gender: HB 1152, SSB 5171
- Employee ownership, Washington employee ownership program, commission, and revolving loan program account, creating: HB 1743
- Essential rural retail services, allowing size exemptions for designated limited areas far from growth areas: **\*SSB 6140, CH 135 (2024)**
- Establishments, liquor licensed, clothing/attire and conduct/acts at, requiring updating/replacing of WAC rules for consistency with legal standard for indecent exposure: HB 2495
- Establishments, premises of various, private clubs in restricted areas of, establishment private club liquor license for: HB 2060
- Establishments, premises of various, private clubs in restricted areas of, establishment private club permit for: HB 2369
- Fashion industry, impacts of, environmental due diligence and performance targets for fashion retail sellers and manufacturers: HB 2068
- Fitness centers, requiring semiautomatic external defibrillators on premises and instruction for personnel: HB 1968, **\*ESB 5592, CH 186 (2024)**

Food services/retail establishments/processors, convening work group to study food donation by businesses to improve rescue of edible food waste from commercial generators: HB 2301

Foreign export markets, diversifying to avoid particular-market dependence, assistance for businesses in: HB 1778

Gift certificates and cards, presumed abandoned, updating cross-references to unclaimed property act: **\*HB 1742, CH 258 (2023)**

Gift certificates and cards, retailer acts and practices involving, improving consumer protections with prohibitions and requirements: HB 2094

Gift certificates, abandoned, allowing collection of balances by consumers with exception for small businesses: HB 2095

Grocery, protection of eligible employees during 180-day transition employment period after change in control: **\*ESSB 6007, CH 129 (2024)**

Health care, controlling costs via restrictions on market power: HB 2066

Hospitality industry, restaurants etc., persons 18 years or older with duties not related to alcohol, conditions for employing: **\*HB 1730, CH 158 (2023) PV**

Hospitality industry, restaurants, retail sales tax deposits in statewide tourism marketing account, raising collections limit: HB 1258

Hotels, stay-to-play specific-lodging requirement for extracurricular tournament or event participation by nonlocal teams and individuals, prohibiting: HB 1860

International services, B&O tax credit for, adding expiration date: HB 1913

Kennels for dogs and cats, fire safety requirements for kennel operators: HB 2403

Kitchens, microenterprise home operations, regulation of, and permits and pilot program for: HB 1706

Licenses, business license delinquency fee, adding additional cause for canceling: **\*HB 1742, CH 258 (2023)**

Licenses, only one handling fee and waiver of delinquency fee for late renewal application when business unable to operate, when: HB 2430

Lodging, short-term rentals, annual permit allowing complimentary pre-rolled useable cannabis product for rental guests: HB 1822

Lodging, short-term rentals, annual special liquor permit allowing complimentary bottle of wine for rental guests: HB 1731

Lodging, stay-to-play specific-lodging requirement for extracurricular tournament or event participation by nonlocal teams and individuals, prohibiting: HB 1860

Money transmitters, licensure of, eligibility regardless of immigration or citizenship status: HB 1889

Money transmitters, small, serving diverse communities, impact of de-risking on, requesting federal action to reduce: **\*ESJM 8005 (2024)**

Online marketplaces, high-volume third-party sellers on platform, requirements: HB 1065

Paddle tours, business license requirement: HB 1145, **\*ESSB 5371, CH 452 (2023) PV**

Pawnbrokers, modifications to interest and fee rates, payments, and sale of pledged property: HB 1910

Personal information, captured, processing by business entities, individual's rights and opt-in consent for: HB 1616

Personal information, captured, processing by business entities, people's privacy act concerning: HB 1616

Personal information, collected from consumers at point of sale, prohibiting selling or sharing without consumer's permission: HB 2149

Pet stores, prohibiting dog and cat sales by, and regulating pet store showcasing of adoptable dogs or cats: HB 1424

Producers, requiring appliance stewardship plan for sale of covered appliances: HB 1164

Restaurants, persons 18 years old or older performing services not related to alcohol, conditions for employment: **\*HB 1730, CH 158 (2023) PV**

Restaurants, retail sales tax deposits in statewide tourism marketing account, raising collections limit: HB 1258

Retailers, requiring producer compliance with appliance stewardship: HB 1164

Small businesses, federal grants and loans for economic development funding, efforts to obtain, assistance for: HB 1767

Small, exclave community small business relief program, developing and implementing: HB 1806

Small, women, minority-owned, or disadvantaged, reviewing payment promptness: **\*ESSB 6040, CH 276 (2024)**

Storage, self-service storage facilities, not to be used for residential purposes and not subject to residential landlord-tenant act: HB 2139

Storage, self-service storage facilities, personal property lien for unpaid rent, unclaimed property act cross-reference updates: **\*HB 1742, CH 258 (2023)**

Taiwanese companies, investment in Washington state's workforce by, valuing: **\*HR 4665 (2024)**

Ticket sellers and resellers, licensing and regulation: HB 1648



Tree line-clearance trimming businesses, defibrillator accessible availability for employees of: **\*HB 1542, CH 253 (2023)**  
 Vaccination or postinfection recovery documentation, prohibiting business entity from requiring for services etc.: HB 1827  
 Veteran-owned businesses, certifying, expanding definition of "veteran" for purposes of: HB 2014  
 Veterans and spouses of veterans and military members, tax credits for hiring: HB 1005  
 Veterans, professional and business licenses, expanding definition of "veteran" for purposes of: HB 2014  
 Warehouse distribution centers, employees subject to quotas, rights/health/safety of, and employer requirements: HB 1762  
 Warehouses, commercial truck parking and parking facilities, including truck and driver accommodations, facilitating: HB 1787

## CANNABIS

Advertisements and marketing material, for products with greater than 35 percent tetrahydrocannabinol, prohibiting: HB 1641  
 Agreements, interstate cannabis agreements for cross-jurisdictional purposes, authority for: **\*SB 5069, CH 264 (2023)**  
 Alcoholic beverages, consumable products containing cannabis or tetrahydrocannabinol in combination with, prohibiting: **\*HB 1772, CH 217 (2023)**  
 Businesses, interstate cannabis agreements for cross-jurisdictional purposes, authority for: **\*SB 5069, CH 264 (2023)**  
 Cannabis central reporting system, auditing data to locate inversion of products from or diversion of products to unauthorized persons: EHB 2255  
 Cannabis commission, Washington state, establishing with new chapter: HB 1581  
 Cannabis commission, Washington state, establishing with new chapter by referendum of producers: 2ESSB 5546  
 Cannabis, medical use, various provisions: **\*HB 1563, CH 254 (2023)**, HB 1641, HB 1642  
 Cannabis, tracking policies/funding/program and health outcomes related to sales/consumption/use of: HB 2182  
 Employees, lawfully consuming cannabis away from work, prohibiting employer discrimination in hiring against: **\*ESSB 5123, CH 359 (2023)**  
 Hemp consumables, distinguishing from cannabis: HB 1612, **\*E2SSB 5367, CH 365 (2023)**  
 High THC products, restricting retail sales: HB 2320  
 Home cultivation, production and possession of 16 or more cannabis plants by one person, class C felony: HB 2194  
 Home cultivation, production and possession of more than 6 but fewer than 16 cannabis plants by one person, class 1 civil infraction: HB 2194  
 Home cultivation, production and possession of no more than 15 plants on premises of a single housing unit: HB 2194  
 Home cultivation, production and possession of no more than 6 plants by one person on premises of housing unit, legalizing: HB 2194  
 Interstate agreements, authority for governor to enter: HB 1159  
 Labeling, requiring inclusion of amount of synthetic CBD in product: HB 1612, **\*E2SSB 5367, CH 365 (2023)**  
 Licensed cannabis retailer, terms of payment for cannabis processors: HB 1083  
 Licenses, regulating qualifications, suspension, and reissuance: HB 1341  
 Marijuana possession, vacation of qualifying convictions and legal financial obligations refunds under State v. Blake: HB 1492  
 Marijuana, references in RCW to, replacing with cannabis: **\*HB 1066, CH 470 (2023) PV**  
 Medical cannabis, sales by certain retailers to certain patients or providers, cannabis excise tax exemption for: HB 1453  
 Permits, short-term rentals, annual permit allowing complimentary pre-rolled useable cannabis product for rental guests: HB 1822  
 Possession, knowing possession of cannabis, misdemeanor: HB 1613  
 Possession, knowing possession of cannabis, misdemeanor, encouragement for diversion for: **\*2E2SSB 5536, CH 1 (2023)**  
 Possession, knowing possession of cannabis, reintroducing E2SSB 5536 for consideration during 2023 first special session: **\*SCR 8409 (2023)**  
 Possession, knowingly possessing when under 21, prohibiting: HB 1415  
 Possession, person under 18 in vehicle with driver under 21 possessing cannabis, officer notification of parent of: HB 1802  
 Producers and processors, authorizing sale of non-hazardous cannabis waste to unlicensed persons: **\*SSB 5376, CH 243 (2024)**

Products, cannabis-infused products in liquid form, retail sale and retail outlet and individual possession amount limits: HB 1249, ESB 5340

Products, high-potency concentrates, provisions: HB 1641, HB 1642

Products, with greater than 35 percent tetrahydrocannabinol, label requirements and sales restrictions, when: HB 1641

Products, with greater than 35 percent tetrahydrocannabinol, point-of-sale information about potential harms of consuming: HB 1641

Products, with greater than 35 percent tetrahydrocannabinol, retail sales prohibition and medical cannabis exception: HB 1642

Regulation and licensing of production, processing, and testing of cannabis and cannabis products, transferring to department of agriculture: HB 2334

Regulation of cannabis, limiting to state of Washington except for county/city/town retail facility prohibitions, when: HB 1650

Retail outlets, requiring reporting of robberies and determination of special allegations: SB 6133

Retail sales facilities, prohibiting siting of, restricting county/city/town authority for, and requiring voter approval: HB 1650

Retailers, signage restrictions: ESB 5363

Social equity program, modifying license, applicant, licensee, and social equity plan provisions: HB 1790, **\*E2SSB 5080, CH 220 (2023)**

Taxes, cannabis excise tax revenues, creating professional health care services rate enhancement account for certain deposits of: HB 2449

Taxes, scaling by THC content: HB 1595, HB 1641

Testing, private cannabis testing laboratories, accreditation by department of ecology, reassigning to department of agriculture: HB 2151

THC concentration, requiring collection of data and plan for revenue-neutral excise on: SB 6271

Unlawful possession of controlled substance, excluding housing unit occupant possession of plants from, when: HB 1614

Violations, seizure and forfeiture of real property due to, cannabis exclusions from, when: HB 1614

#### **CAPITOL CAMPUS, STATE**

Billy Frank Jr., statue of, duplicate cast to be created and installed at legislative building: HB 1639

Eastern Washington, memorial commemorating geological and cultural diversity of, requirements for a: HB 1700

Fallen firefighter memorial, establishing: HB 2091

Irving R. Newhouse building, naming new office building replacing: HCR 4405

Natural resources building, renaming as Jennifer Belcher building: HCR 4402

State capitol committee, campus memorial commemorating eastern Washington, committee or subcommittee role: HB 1700

Washington state law enforcement memorial names committee, establishing to select names of fallen officers to appear on memorial: HB 2442

#### **CASELOAD FORECAST COUNCIL**

Developmental disabilities, forecasting number of waiver services-eligible individuals who have also received certain child welfare services: HB 1188

Washington 13 free guarantee, establishment of, council to forecast anticipated caseload: HB 2309

Washington future fund program, appropriations from, role of council: HB 1094

Washington promise program, establishing, council to forecast number of eligible students expected to attend a community or technical college: HB 2374

Working families' tax credit, including in caseload forecast: **\*HB 1218, CH 244 (2023)**

#### **CHARTER SCHOOLS (See also SCHOOLS AND SCHOOL DISTRICTS)**

Authorizers of schools, role of and requirements for, modifying: HB 1744

Boards of schools, members and administrative staff annual training: HB 1744

Buses, transitioning to zero emissions, purchase and use requirements and grant program: HB 1368

Commission, clarifying mission and establishing state board of education oversight: HB 1744

Duties, specifying in relation to special education, noncertificated instructional staff, and accountability measures: HB 1744

Employees, public school staff, comparative labor market analysis of salaries and other compensation for, conducting: HB 2148

Funding, equal access to state grants and enrichment grants: HB 1418, HB 1897

Funding, through grants, public and private grants application assistance for districts, grant program to provide, establishing: HB 2448

High school graduation ceremonies and events, wearing item or object of cultural significance on gown, districts to permit: HB 2267

Phones, student mobile device use during instructional hours, strategies for restricting: HB 2018

Special education, overidentifying students as eligible and overproviding services beyond IEPs, monitoring/corrective actions: HB 1923

### **CHECK CASHERS AND SELLERS**

Small loans, payday lending, limiting annual percentage rate and defining and further modifying small loans: HB 1918, HB 2083

### **CHIEF INFORMATION OFFICER, OFFICE OF THE STATE**

Enterprise technology standards, for malware and ransomware protection, and prevention education, office role: HB 1464

Privacy and data protection, office of, captured personal information security standards, developing, office role: HB 1616

Privacy and data protection, office of, eliminating certain reporting requirement: HB 1362

Ransomware education and outreach program, for public agencies, office to establish: HB 1464

Ransomware protection act, WA state, ransomware/malicious cyber activities protections, office role: HB 1464

Security subcommittee, creating as subcommittee of technology services board: **\*SSB 5518, CH 124 (2023)**

### **CHILD CARE**

Assistance, employer providing to employees, credit against B&O tax for: HB 1716

Background checks, maintaining fingerprinting capacity in certain DCYF offices: **\*SSB 5774, CH 300 (2024)**

Centers, child care centers in smaller counties, county licensing and regulation of, when: HB 2179

Centers, maximum group size and center staff-to-children ratio, for preschoolers and for school-age children: HB 1537

Child care centers, authorizing to locate near elementary schools: HB 2468

Child care grant program for retaining and expanding child care in child care deserts, modifying: HB 2243

Child care worker pilot program, for students, establishing: HB 1451

Child protective services, certain infants impacted by high potency synthetic opioids, pilot program for child care slots for: HB 2447

Children or wards of employees, requiring that employers receiving B&O tax preferences provide child care for: HB 2322

Children's social equity land trust, creating to provide revenue stream for child care deserts and programs: HB 2243

Day care centers or outdoor nature-based child care or family day care providers, action against license of, DCYF to notify parents and guardians of: HB 2503

Day care centers or outdoor nature-based child care or family day care providers, posting insurance coverage, early achievers rating, and licensing/inspection information: HB 2503

Early achievers program, changing participation from mandatory to voluntary: HB 1697

Homeless encampments, requiring county and city prohibition on public property within 500 feet of child care centers: HB 1373

Instructional handbook for child care providers, creating: HB 2046

Licensing fees for child care licensees, eliminating: HB 2101

Owners or employees, pilot program for loans to certain workers/occupations for home down payment/closing costs: HB 1633

Providers, B&O tax exemption: **\*ESSB 6038, CH 195 (2024)**

Providers, family home child care, for no more than 3 children, excluding from licensure and regulation: HB 2264

Providers, family home providers in smaller counties, county licensing and regulation of, when: HB 2179

Providers, instructional handbook for all, DCYF to create and provide incentive for reading: HB 1739

Providers, licensure of, work equivalency option as alternative to licensing rules for certification or community-based trainings, when: HB 2300

Rural counties that are child care deserts, annual list of and requirements for providers in: HB 2046

Subsidized child care, clarifying eligibility: **\*HB 2111, CH 67 (2024)**

Substitute pool for child care and early learning providers, expanding and providing career coaching: HB 1451  
 Weapons, spring blade knives at child care centers, prohibitions: HB 2366, SB 5860  
 Workers, grant program for working with child care workers to establish new child care and early learning programs: HB 1451  
 Working connections child care, eligibility for, participation in certain early learning programs as approved activity for: HB 2124  
 Working connections child care, eligibility when receiving or eligible for basic food or state food assistance: HB 1945  
 Working connections child care, expanding eligibility for persons enrolled in apprenticeship programs: HB 1525  
 Working connections child care, income calculation for, excluding child support, social security, and SSI payments from: HB 1511  
 Working connections program, access for certain families, child care employees, college students, and others: **\*2SSB 5225, CH 222 (2023)**

**CHILDREN (See also CHILD CARE; CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT; CORRECTIONAL FACILITIES AND JAILS; COURTS; DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH; DOMESTIC RELATIONS; FOSTER CARE; GENDER IDENTITY; GUARDIANSHIP; JUVENILES AND JUVENILE COURT; PUBLIC ASSISTANCE; SCHOOLS AND SCHOOL DISTRICTS; SEX OFFENSES AND OFFENDERS; SUPERINTENDENT OF PUBLIC INSTRUCTION, OFFICE (OSPI))**

Abuse and neglect, investigating allegations of, certification of risk assessment process and pilot study of risks, strengths, and needs assessment tool for: HB 2259  
 Abuse and neglect, investigating allegations of, fentanyl-specific risk assessment tool for, developing: HB 2233  
 Abuse and neglect, investigating allegations of, use of high potency synthetic opioid testing strips when: HB 2447  
 Abuse and neglect, investigating allegations of, using and studying risks, strengths, and needs assessment tool for: HB 2224  
 Abuse and neglect, investigation of allegations or provision of family assessment response, home visiting programs in connection with: HB 2479  
 Abuse and neglect, legal liaison positions to work with DCYF and AG's office to assist preparation of court cases, establishing: HB 2447  
 Abuse or neglect, modifying to include trafficking victims: **\*2SSB 6006, CH 298 (2024)**  
 Abuse or neglect, illegal controlled substance use by parent while caring for child, grounds for removal of child to prevent imminent harm: HB 2233  
 Abuse or neglect, reporting by clergy, requirements: HB 1036, HB 1098, SB 5280  
 Abuse, allegations in overall context of dissolution proceedings, court requirements and prohibitions: HB 2010  
 Abuse, children exposed to violence, aiding with children's advocacy centers, pilot program, and task force: HB 1439  
 Abuse, physical/sexual/emotional, in context of dissolution proceedings and parenting plans, residential time limitations to protect child from: HB 2237  
 Behavioral health, 23-hour crisis relief centers to include separate treatment areas for minor and adults: **\*E2SSB 5853, CH 367 (2024)**  
 Behavioral health, children and youth behavioral health work group, modifying goals, membership, duties, and strategic plan provisions: HB 2256  
 Behavioral health, crisis response services for minors, extending 23-hour crisis relief center model to include: **\*E2SSB 5853, CH 367 (2024)**  
 Birth-to-3 with disabilities, early intervention services via early support for infants and toddlers program, calculating funding for: HB 1676, HB 1916  
 Child care centers, barring common interest communities from restricting care centers: **\*HB 1199, CH 203 (2023)**  
 Child marriage, prohibiting marriage before age 18: **\*HB 1455, CH 10 (2024)**  
 Child protective services, certain infants impacted by high potency synthetic opioids, pilot program for child care slots for: HB 2447  
 Child protective services, families receiving, home visiting programs for: HB 2259, HB 2447, HB 2479  
 Child protective services, safety planning by, including third-party safety plan participants and public health nurses in, pilot program for: HB 2447  
 Child protective services, workers not required to go alone to private location when risk of violence, requirements: HB 1673  
 Child welfare cases, indigent parents involved in, access to social service worker for, pilot program: HB 1873  
 Child welfare services, caregivers for, automated notification system for communicating with: HB 1430

Child welfare services, caregivers for, automated notification system for communicating with, DCYF reporting concerning: HB 1970

Child welfare services, caregivers for, caregiver communication specialist position within DCYF, establishing: HB 1430, HB 1970

Child welfare services, DCYF's child welfare functions, state auditor to conduct evaluation of: HB 1754

Child welfare services, families receiving, home visiting programs for: HB 2259, HB 2447, HB 2479

Child welfare services, investigations, including certain voluntary placement agreement cases, public defense counsel for parents: HB 1295

Child welfare services, opportunity for dependent youth to open private self-controlled account with financial institution, developing program for: HB 2342

Child welfare services, workers not required to go alone to private location when risk of violence, requirements: HB 1673

Children's day, celebrating: **\*HR 4616 (2023)**

Children's legal representation program, extending deadline: **\*SB 5805, CH 25 (2024)**

Commercial sexual exploitation, requiring screening via validated assessment tool: **\*2SSB 6006, CH 298 (2024)**

Complex medical needs, health homes enrollment for medicaid-eligible children with medically complex conditions, process for allowing: HB 1941

Complex medical needs, parents of children under 18 with, paying parents to provide care, DSHS to study feasibility of: HB 1694

Crimes, altering age thresholds for justice system: HB 1440

Dependent child, modifying to include trafficking victims: **\*2SSB 6006, CH 298 (2024)**

Dependent children, measures of relational permanency and child well-being, identifying and reporting: HB 2383, **\*E2SSB 6068, CH 326 (2024)**

Dependent youth, opportunity to open private self-controlled account with financial institution, developing program for: HB 2342

Diapers, baby diaper changing stations in public restrooms, requiring, when: HB 2052

Dyslexia, elementary school students with, educator training program, dyslexia handbook, principles of structured literacy, and student supports: HB 2284

Employment, convening work group to assess employment and training restrictions for certain minors: HB 2406

Endangerment with a controlled substance, adding all schedule I, II, III, or IV substances to crime of: HB 2367

Endangerment with a controlled substance, adding fentanyl and synthetic opioids to crime of: HB 2222, ESSB 5010

Girl Scouts, recognizing: **\*HR 4683 (2024)**

Insulin for individuals under the age of 21 bulk purchasing and distribution program, establishing: HB 1725

Judgments, interest accrual when plaintiff was a minor: HB 1649

LGBTQ+ youth, the Oasis Youth Center for, celebrating the work of: **\*HR 4680 (2024)**

Local health departments, authorizing request, retention, and sharing of data for child fatality reviews: ESSB 6110

Malnutrition, child malnutrition field guide for DCYF staff, production and availability of, requirements: **\*EHB 1274, CH 70 (2023)**

Military children, interstate compact on educational opportunity for, correcting certain cross-references in: **\*HB 1066, CH 470 (2023) PV**

Minors, 16 or 17 years old, working same number and frequency of hours as during school vacations/holidays, when: HB 2035

Minors, contracting for residential dwelling unit and utility services when at least 16 years old, allowing, when: HB 2016

Minors, sexual exploitation of a minor, reclassifying as class A felony: HB 2504

Newborns, 31 days or younger, safe transfer under safe haven law via "newborn safety devices" or "baby boxes": HB 1888

Newborns, evaluating addition of branched-chain ketoacid dehydrogenase kinase deficiency to screening: **\*SB 6234, CH 105 (2024)**

Newborns, screening tests for congenital cytomegalovirus: HB 2067

Opioids, considering high-potency synthetic opioids risk in child removal cases: **\*E2SSB 6109, CH 328 (2024)**

Parental rights, requiring various notifications by schools and parental access to records and educational materials: HI 2081

Parents' bill of rights, in connection with child's public school education, establishing: HI 2081

Prenatal substance exposure, availability of services: HB 1168

Prenatal substance exposure, expanding availability of services for children and youth with: HB 2447

Resource and assessment centers, expanding provision of care by, including up to age 17 and for up to 14 days: HB 1685, ESB 5691

Schools, redacting personal information for public inspection: **\*SSB 5127, CH 182 (2023)**

Sexual abuse of a child, allegations in overall context of dissolution proceedings, court requirements and prohibitions: HB 2010

Sexual exploitation of a minor, reclassifying as class A felony: HB 2504

Shelter, exempting persons sheltering minors from reporting requirements in cases of protected services: **\*ESSB 5599, CH 408 (2023)**

Unborn child/minor child/natural person, excluding human embryo or fertilized egg from definition when outside the uterus: HB 2500

Uniform child abduction prevention act, enacting new chapter: HB 1121

Upbringing, education, health care, and mental health of minor child, fundamental rights of a parent to direct: HB 1601

Violence, children exposed to, aiding via children's advocacy centers, pilot project, and task force: HB 1439

Violence, children exposed to, peer review of child forensic interviews, with children's advocacy centers hosting: HB 1439

Violence, domestic or other family member or intimate partner violence, keeping children safe from: HB 2010

Vlogs, for-profit, of family or individual vlogger, minor children featured on, setting aside earnings on video content for: HB 1627

Youth development programs grant program, including expanded learning opportunities, developing and implementing: HB 1386

Youth shelters, allowing stay of up to 90 days in certain circumstances: HB 1406

**CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT (See also CHILD CARE; DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH; DISABILITIES, PERSONS WITH; DOMESTIC RELATIONS; JUVENILES AND JUVENILE COURT)**

Adult protective services, inclusion of employees as mandated reporters: HB 1528, **\*SB 5370, CH 44 (2023)**

Background checks, certain fees paid by department for foster care and child care applicants: **\*SB 5316, CH 437 (2023)**

Background checks, maintaining fingerprinting capacity in early learning and child welfare offices: **\*SSB 5774, CH 300 (2024)**

Birth to three early childhood education and assistance program, eligibility when receiving or eligible for food assistance: HB 1945

Birth to three early childhood education and assistance program, income calculation for, excluding certain payments from: HB 1511

Birth to three early childhood education and assistance program, participation in as approved activity for eligibility for WCCC: HB 2124

Casework supervision, extending for child of parent with substance use disorder when court orders child returned home: HB 1891

Casework supervision, extending for children returned from foster care: HB 1397

Caseworkers and employees/staff, opioid overdose reversal medication for use by and providing training for: **\*E2SSB 5536, CH 1 (2023)**

Child abuse and neglect cases, establishing regional legal liaisons to work with office of the attorney general: **\*E2SSB 6109, CH 328 (2024)**

Child abuse and neglect, investigating allegations of, certification of risk assessment process and DCYF pilot study of risks, strengths, and needs assessment tool for: HB 2259

Child abuse and neglect, investigating allegations of, DCYF to use and study risks, strengths, and needs assessment tool for: HB 2224

Child abuse and neglect, investigating allegations of, fentanyl-specific risk assessment tool for, DCYF to develop: HB 2233

Child abuse and neglect, investigating allegations of, use of high potency synthetic opioid testing strips when: HB 2447

Child abuse and neglect, investigation of allegations or provision of family assessment response, home visiting programs in connection with: HB 2479

Child abuse and neglect, legal liaison positions in DCYF to work with DCYF and AG's office to assist preparation of court cases, establishing: HB 2447

Child abuse or neglect, investigation of referrals of alleged incidents at residential private schools and facilities, DYCF role: **\*ESSB 5515, CH 441 (2023)**

Child care licensees, licensing fees for, prohibiting DCYF from charging: HB 2101

- Child care providers, family home child care, for no more than 3 children, excluding from licensure and regulation: HB 2264
- Child care providers, instructional handbook for all, DCYF to create and provide incentive for reading: HB 1739
- Child care providers, licensure of, work equivalency option as alternative to licensing rules for certification or community-based trainings, when: HB 2300
- Child care, child care centers and family home providers in smaller counties, county licensing and regulation of, DCYF role: HB 2179
- Child care, grant program for retaining and expanding in child care deserts, modifying: HB 2243
- Child malnutrition field guide, DCYF to produce and make available to DCYF staff, requirements: **\*EHB 1274, CH 70 (2023)**
- Child protective services, certain infants impacted by high potency synthetic opioids, pilot program for child care slots for, DCYF role: HB 2447
- Child protective services, establishing pilot program for contracted child care slots in certain locales: **\*E2SSB 6109, CH 328 (2024)**
- Child protective services, families receiving, home visiting programs for: HB 2259, HB 2447, HB 2479
- Child protective services, safety planning by, including third-party safety plan participants and public health nurses in, DCYF to establish pilot program for: HB 2447
- Child protective services, workers not required to go alone to private location when risk of violence, requirements: HB 1673
- Child support, minimizing DCS use of social security numbers: **\*SB 5842, CH 126 (2024)**
- Child welfare functions of DCYF, state auditor to conduct evaluation of: HB 1754
- Child welfare housing assistance program, making permanent and adding counties: HB 1186, **\*SSB 5256, CH 321 (2023)**
- Child welfare services, caregivers for, automated notification system for communicating with, DCYF reporting concerning: HB 1430, HB 1970
- Child welfare services, caregivers for, caregiver communication specialist position within DCYF, establishing: HB 1430, HB 1970
- Child welfare services, families receiving, home visiting programs for: HB 2259, HB 2447, HB 2479
- Child welfare services, investigations, including certain voluntary placement agreement cases, public defense counsel for parents: HB 1295
- Child welfare services, opportunity for dependent youth to open private self-controlled account with financial institution, DCYF to develop program for: HB 2342
- Child welfare services, workers not required to go alone to private location when risk of violence, requirements: HB 1673
- Child welfare workers, assaulting worker as assault in 3rd degree and class C felony: HB 1875
- Child welfare workers, de-escalation training as part of minimum training standards for: HB 1673, HB 1875, HB 2407
- Child welfare workers, going to private location when risk of violence, second trained individual requirement: HB 1673, HB 1875, HB 2407
- Child welfare, establishing pilot program to expand participation in child protective services safety planning: **\*E2SSB 6109, CH 328 (2024)**
- Children and youth multisystem care coordinator, appointment by governor: HB 1580
- Children exposed to violence or trauma, connecting with needed services, pilot project for, DCYF to establish: HB 1439
- Children's social equity land trust, creating to provide revenue stream for child care deserts and programs, DCYF role: HB 2243
- Children, allowing to remain up to 90 days in youth shelter in certain circumstances: HB 1406
- Commercially sexually exploited children, receiving center programs for, DCYF role: HB 1028
- Cost of care work group, creating to study other states' handling of benefits for people in care: HB 1405
- Day care centers or outdoor nature-based child care or family day care providers, action against license of, DCYF to notify parents and guardians of: HB 2503
- Day care centers or outdoor nature-based child care or family day care providers, posting insurance coverage, early achievers rating, and licensing/inspection information: HB 2503
- Early achievers program, changing participation from mandatory to voluntary: HB 1697
- Early childhood education and assistance program, income calculation for, excluding child support, social security, or SSI: HB 1511

Early childhood education and assistance program, participation in as approved activity for eligibility for WCCC: HB 2124

Early intervention services, birth-to-3 with disabilities, via early support for infants and toddlers program, calculating funding for: HB 1676, HB 1916

Early learning and before-and-after school care programs, school district-owned and operated, including in construction funding formulas: HB 2092

Early learning and child care providers, grant program for working with child care workers to establish new programs: HB 1451

Early learning and child care providers, substitute pool for, expanding and providing career coaching, DCYF role: HB 1451

Early learning facilities colocated with affordable or supportive housing developments, reimbursement for 90% of eligible costs, when: HB 2195

Early learning facilities grant and loan program, increasing funding, revising eligibility criteria, and removing grant/loan monetary limits: HB 2195

Early learning, licensed indoor early learning program space, minimum square footage per child: HB 1537

Endangerment with a controlled substance, adding fentanyl and synthetic opioids to crime of, DCYF to be exempt from criminal liability: HB 2222, ESSB 5010

Family connections program, implementing: HB 1204

Family reconciliation services, authorizing for families or youth if youth away from home without permission: HB 1406

Family reconciliation services, data reporting requirement, repealing: HB 1362

Foster care, allowing child-specific licenses for families of Indian children: **\*SB 5683, CH 127 (2023)**

Foster care, families with a child who is a candidate for, home visiting programs for: HB 2259, HB 2479

Foster care, opportunity for dependent youth to open private self-controlled account with financial institution, DCYF to develop program for: HB 2342

Head start and early head start programs, participation in as approved activity for eligibility for WCCC: HB 2124

Home visiting programs, requiring targeted contracts with existing programs in certain locales: **\*E2SSB 6109, CH 328 (2024)**

Home visiting programs, targeted, requirements/referral procedures/training for providers of: HB 2479

Justice-involved students in institutional education, delivery/oversight of basic education services to, OSPI to assume: HB 1701

Juvenile justice system, emphasizing community service and prohibiting juvenile legal financial obligations: HB 1432

Juvenile justice, for various offenses committed when under age 18, placement in DCYF facility, age limits for: HB 2217

Juvenile rehabilitation, community transition services program, modifying exclusion from eligibility for: HB 1382

Juvenile sex offenders, evaluation and treatment programs funding for defense attorneys/counties, developing grant program for: HB 1394

Kindergarten, transition to kindergarten program, establishing and administering, DCYF role: HB 1550

Middle and high school-aged youth caring for younger relatives, model program manual for program to assist, DCYF role: HB 1451

Opioids, requiring availability of synthetic opioid testing strips: **\*E2SSB 6109, CH 328 (2024)**

Oversight board for DCYF, authority over, transferring from governor's office to legislature and modifying board provisions: HB 2185

Oversight board, adding subject matter expert on education for youth who are institutionalized or dependent: HB 1590

Oversight board, convening subcommittee to hear from persons with experience of foster care: HB 1590

Oversight board, convening subcommittee to hear from persons with experience of the juvenile justice system: HB 1590

Oversight board, membership of, revisions: HB 1590

Parent, requiring demonstration of sobriety for return of children: HB 1397

Parenting services support model, funding pilot programs to implement: **\*E2SSB 6109, CH 328 (2024)**

Persons in care of the department, barring diversion of benefits to reimburse cost of care: HB 1405

Prenatal substance exposure, contracting with providers to offer services: HB 1168

Providers of child care in rural counties that are child care deserts, requirements for providers and for DCYF: HB 2046

Providers of child care, instructional handbook for, DCYF to contract with nonprofit entity to create: HB 2046

Raise the age juvenile justice task force, establishing: HB 1440

Rapid care team, implementation by children and youth multisystem care coordinator for children in crisis: HB 1580

Residential private schools, licensing of living accommodations provided by, DCYF role: **\*ESSB 5515, CH 441 (2023)**

Sexual assault, authorizing filing protection orders on behalf of minors: **\*2SSB 6006, CH 298 (2024)**



Subsidized child care, clarifying eligibility: **\*HB 2111, CH 67 (2024)**

Working connections child care, creating new subchapter "subsidized child care": **\*HB 2111, CH 67 (2024)**

Working connections child care, eligibility for, participation in certain early learning programs as approved activity for:  
HB 2124

Working connections child care, expanding eligibility for persons enrolled in apprenticeship programs: HB 1525

Working connections child care, income calculation for, excluding child support, social security, and SSI payments from:  
HB 1511

### **CIRCUSES AND CARNIVALS**

Wild or exotic animals, prohibiting display for entertainment via wild or exotic animal protection act: HB 1157

### **CITIES AND TOWNS (See also BOUNDARIES; BRIDGES; BUILDING CODES AND PERMITS; COMMERCE, DEPARTMENT; COUNTIES; COURTS; ENERGY; FIRE PROTECTION; GROWTH MANAGEMENT; HEALTH CARE AUTHORITY; HOMELESS PERSONS; HOUSING AND HOMES; LANDLORD AND TENANT; LAW ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL; LOCAL GOVERNMENT; LOW-INCOME PERSONS; MENTAL HEALTH; PUBLIC DEFENSE, OFFICE; PUBLIC FACILITIES DISTRICTS; SCHOOLS AND SCHOOL DISTRICTS; SHORELINES AND SHORELINE MANAGEMENT; SOLID WASTE; SUBSTANCE USE DISORDER; TAXES - SALES; TAXES - USE; UTILITIES)**

Aberdeen, Jamie MacKinnon Walsh, former school board member, honoring and remembering: **\*HR 4602 (2023)**

Agriculture, urban agricultural opportunities and barriers, studying: **\*HB 1552, CH 178 (2023)**

Airports, municipal airport commission membership requirements: **\*HB 1243, CH 247 (2023)**

Annexation of unincorporated areas by cities, interlocal agreements between city and county, when: HB 1425

Battleground, Hezekiah Hewes, gold and bronze medalist at 2022 Special Olympics spring games, congratulating: **\*HR 4631 (2023)**

Cafés, neighborhood cafés in residential zones, requiring that cities and towns allow: HB 2252

Cathlamet, Julia Butler Hansen state park heritage center, creating and managing: HB 2310

Community reconciliation account, renaming community reinvestment account as, and using for reconciliation purposes:  
HB 1737

County planning, allowing small cities and towns to opt out of full review under certain circumstances: **\*SB 5457, CH 280 (2023)**

Critical areas, allowing small cities to adopt county growth management regulations: **\*SSB 5374, CH 225 (2023)**

Elections, allowing general elections to be held in even-numbered years: HB 1882

Elections, allowing or requiring general elections to be held in even-numbered years, when: HB 1932

Electrical inspectors, requiring cities that issue their own permits to identify alternative pathways to qualification: **\*ESB 6089, CH 196 (2024)**

Encampments, cities to prohibit camping on public property within 500 feet of schools, parks, courthouses, and child care centers: HB 1373

Forest practices, allowing regulation of all within corporate limits: HB 1689

Harrah, Barbara Harrer, retired mayor, recognizing and honoring after 46 years as mayor: **\*HR 4673 (2024)**

Heat island effects, urban, awards to recognize permittees addressing in various areas: HB 1381

Heat island effects, urban, impact on salmon, using NPDES stormwater permit framework to reduce: HB 1381

Housing authorities, permitting joint authorities without requiring county authorization: **\*HB 1890, CH 12 (2024)**

Housing benefit districts, new chapter establishing: HB 1111

Incorporation as city or town, minimum population for, removing higher minimum for certain situation: HB 1620

Local infrastructure project areas, requiring interlocal agreements: HB 1585

Municipal officers, raising beneficial interest limit for contracts: HB 1577

Peace officers, pool of candidates for hiring by city law enforcement agencies, program to recruit/certify, establishing:  
HB 1387

Pollinators, encouraging habitats through project and building permit process: **\*SSB 5934, CH 337 (2024)**

Property, state agency vacant, within qualifying city, agency to lease to city during emergency related to homelessness, requirements: HB 2172

Public works procurement, costs/craft or trade involvement/prudent utility management/lowest responsible bidder provisions: HB 1621

Pullman, Glenn Johnson, retired mayor, honoring and congratulating: **\*HR 4658 (2024)**

Reconciliation act, renaming account as community reconciliation account and using for community support: HB 1737

Sales and use tax revenue, general purpose, agreements between cities and towns to share, authorizing: HB 2428

Seattle, Magnuson park on Sand Point, celebrating, and recognizing and honoring the Friends of Magnuson Park: **\*HR 4646 (2023)**

Seattle, Magnuson park on Sand Point, recognizing and honoring the Friends of Magnuson Park in connection with the aeronautics and aviation community's contributions: **\*HR 4687 (2024)**

Shelton, Burton Stoltz, thanking and honoring for his life of dedication and service: **\*HR 4639 (2023)**

Street projects, paid for by property owners, period for reimbursement of owner by other benefitting owners, increasing, and allowing extensions: HB 2343

Tacoma, the Oasis Youth Center for LGBTQ+ youth in, celebrating the work of: **\*HR 4680 (2024)**

Taxes, sales and use, allowing to impose for cultural access program funding if county does not: **\*HB 1575, CH 179 (2023)**

Tenino, designating Tenino sandstone as official state rock: HB 1977

Urban forestry, requiring regulations to be satisfied by use of tree banks: HB 1078

Wapato, the Filipino Hall of the Yakima Valley, designation on national register of historic places, recognizing and celebrating: **\*HR 4676 (2024)**

Water and sewer facilities, allowing expansion beyond city limits and urban growth areas: HB 1403

Water and sewer facilities, extensions paid for by property owners, period for reimbursing owner when others connect, increasing, and allowing extensions: HB 2343

Wenatchee, apple blossom festival, honoring 2023 apple blossom festival royal court: **\*HR 4630 (2023)**

#### **CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS**

Fish and wildlife commission, annual salary for members, citizens' commission to establish: HB 1699

#### **CIVIL ACTIONS AND PROCEDURE (See also ABORTION; CRIMINAL PROCEDURE; MARRIAGE AND MARRIED PERSONS; REAL ESTATE AND REAL PROPERTY)**

Childhood sexual abuse, removing time limit for commencing an action based on: HB 1618

Discrimination, against persons with disabilities, actions alleging, modifying requirements, when: HB 1760

Doxing, harmful unauthorized disclosure of personal identifying information, grounds for civil action: HB 1335

Elected or appointed officials, state governmental, violations of state constitution or state law by, private right of action for harm from: HB 1844

Family law disputes, new domestic relations chapter governing arbitration: HB 1088

Female genital mutilation, creating civil cause of action for victims: **\*SSB 5453, CH 122 (2023)**

Intimate images, disclosing fabricated intimate images, providing depicted person with cause of action due to: HB 1999

Judgments, allowing employer to recover damages for permitted reproductive health care services: HB 1286

Juvenile records, improper dissemination cause for legal action by subject: HB 1769

Labor practices, prohibited, civil action option for persons aggrieved by violations of RCW 49.44: SSB 5110

Land, liability of person in possession for injuries to recreational users of, immunity for road maintenance and timber harvesting conditions, when: HB 2480

Lawsuits, remittances resulting from, appearance of elected official's name on, prohibiting: HB 2183

Liquor, selling, giving, or supplying to person under 21 years from a business and by an employee, optional civil penalties: **\*HB 2260, CH 71 (2024)**

Moral nuisances, repealing statues: HB 1090, **\*SSB 5087, CH 102 (2023)**

Name changes, modifying action reasons, locations, petitions, sealing of file, and fees: **\*SSB 5028, CH 34 (2023)**

Peace officer, unlawful conduct by, injury in person or property due to, cause of action: HB 1025

Process service, updating requirements: SSB 6154

Product liability claims, electronic commerce platform liability to consumer under statutes: HB 1606

Property line disputes, divesting owner via adverse possession claim prohibited if properly recorded instrument establishes ownership/boundary: HB 2140

Property, forfeiture of seized, procedures and reporting: HB 1385

Public nuisance, firearm industry member creating or maintaining, prohibition: **\*SSB 5078, CH 163 (2023)**

Public nuisance, firearm industry member creating or maintaining, prohibition and victim right of action: HB 1130

Reproductive health care services, access to, civil and criminal procedural protections: HB 1469

Reproductive health care services, shield law, claim for interference with protected health care services lawful in WA: HB 1469

Sexually protective devices, nonconsensual removal of or tampering with, as civil cause of action for damages: **\*HB 1958, CH 254 (2024)**

Tortious conduct, of individual/entity/public agency, prejudgment interest accrual: HB 1649

Tortious conduct, prejudgment interest accrual when plaintiff was a minor: HB 1649  
 Uniform civil remedies for unauthorized disclosure of intimate images act, new chapter: HB 1165

### **CIVIL LEGAL AID, OFFICE**

Children's legal representation program, extending deadline: **\*SB 5805, CH 25 (2024)**  
 Indigent petitioner/respondent attorneys in proceeding to preclude establishment of parentage due to sexual assault allegation: HB 1808

### **CLEMENCY AND PARDONS BOARD**

Conditional commutations of sentences, board recommendations and process for petitioning board for: HB 1189, HB 2478  
 Extraordinary release of incarcerated offender, granting by governor, removing board role: HB 1640  
 Membership, expansion and diversity requirements: HB 1189, HB 2478  
 Standards and procedures, various: HB 1189, HB 2478

### **CLIMATE (See also BUILDING CODES AND PERMITS; ENERGY; ENVIRONMENT; ENVIRONMENTAL HEALTH AND SAFETY; FUELS; INVESTMENT BOARD, STATE; UTILITIES)**

Carbon offset projects, authorizing contracting by DNR for: HB 1789  
 Carbon reduction, grid reliability innovation for decarbonization program, creating: HB 1908  
 Carbon tax credit trading, prohibiting state agencies from implementing any type of, and repealing climate commitment act: HI 2117  
 Carbon, embodied, in built environment, reducing via build clean act: HB 1342  
 Carbon, embodied, in built environment, reducing via buy clean and buy fair Washington act: HB 1282  
 Carbon, state campus district energy system owner decarbonization plans, requirements for: HB 1390  
 Climate change and resiliency, improvement via growth management plan elements and subelements: HB 1181  
 Climate change-related risks, impact on state investment board's operations, and environmental sustainability of board's decision-making process: HB 2405  
 Climate commitment act, allowing public utilities to abide by confidentiality requirement for auctions: HB 2173, **\*SSB 6047, CH 277 (2024)**  
 Climate commitment act, amounts from receipt/generation/purchase/sale/transfer/retirement of allowances/offset credits/price ceiling units under, B&O and public utility tax exemptions: **\*EHB 2199, CH 115 (2024)**  
 Climate commitment act, carbon offset credits under, assessment of state-owned assets in natural and built environments with potential to generate: HB 2333  
 Climate commitment act, establishing carbon auction rebate (CAR) program to mitigate financial impacts on vehicle owners: HB 2040  
 Climate commitment act, general market participants in cap and invest program, acquisition and sale of compliance instruments by, evaluating impact: HB 2249  
 Climate commitment act, implementing emissions exemptions: HB 1887  
 Climate commitment act, municipal gas utilities under, annual decline in allowances at no cost and increase in allowances to be auctioned: HB 2376  
 Climate commitment act, nonutility-owned electric generating facilities to be eligible for cost-mitigating allowance allocation: HB 1965  
 Climate commitment act, purchases of exempt fuel to which surcharge was applied, remittance of surcharge value: HB 1780  
 Climate commitment act, repealing, and prohibiting state agencies from implementing any type of carbon tax credit trading: HI 2117  
 Climate resilience and environmental equity campus, establishing for workforce training and internships for certain postsecondary students: HB 2298  
 Climate resilience element, inclusion in group A public water systems plans: SSB 5094  
 Climate risks, state investment board's proxy voting guidelines on, comprehensive evaluation of: HB 2405  
 Covered emissions, exempting from evaluation for permit denial or mitigation requirements: HB 1224  
 Ferries, funding transition to hybrid ferries with climate commitment act revenues: HB 1904  
 Fossil fuel nonproliferation treaty, urging U.S. government to join the global community in developing: HJM 4003  
 Green industry, repealing certain RCW sections: HB 1176  
 Green transportation capital grant program, increasing department discretion for matching funds: **\*SB 6229, CH 104 (2024)**

Greenhouse gas content calculation, under clean energy transformation act, repealing: **\*HB 1955, CH 83 (2024)**  
 Greenhouse gas emissions, fluorinated refrigerant gases, including hydrofluorocarbons, refrigerant stewardship organizations for: HB 2401  
 Greenhouse gas emissions, sulfuryl fluoride and certain gases used for anesthetic purposes, studying, reporting on, and regulating: HB 2073  
 Greenhouse gas emissions, synchronizing rules to facilitate links to other carbon markets: HB 2201, **\*E2SSB 6058, CH 352 (2024)**  
 Integrated climate resilience strategy, updating: HB 1170  
 Schools, public school facilities, indoor temperature standards for, advisory committee for developing recommendations for, appointing: HB 2198  
 State emission limits, denying any additional agency authority and barring certain use in decision making: HB 1223  
 Vehicle emissions, repealing adoption of California standards: HB 1183  
 Washington climate corps network, creating: HB 1176

#### **COLLECTIVE BARGAINING (See also LABOR; WAGES AND SALARIES)**

Cabin crews, exempting from certain labor regulations if covered by collective bargaining agreement: SB 5725  
 Ferries, Washington state, captains of, including in the combined masters, mates, and pilots collective bargaining unit, when: HB 2496  
 Legislative employees, collective bargaining activities by or on behalf of, ethics exemption for: HB 2484  
 Legislative employees, defining "employee" and "employer" for bargaining purposes and specifying rules and arbitration processes: HB 2325, **\*E2SSB 6194, CH 333 (2024)**  
 Public employees, accepting electronic signatures on petitions: **\*SSB 6060, CH 98 (2024)**  
 Public employees, requiring provision of employee information to exclusive bargaining representatives: HB 1200  
 Public safety telecommunicators, as uniformed personnel for collective bargaining including interest arbitration: **\*SSB 5808, CH 124 (2024)**  
 Public school employees, interest arbitration as exclusive means of settling labor disputes for: HB 1429  
 Regional universities and TESC, employees enrolled in an academic program, collective bargaining for: HB 1291, **\*SSB 5238, CH 115 (2023)**  
 Schools of medicine, higher education, fellow physicians and residents, collective bargaining by, process for: HB 1307  
 U. of Washington, school of medicine, fellow physicians and residents, collective bargaining by, process for: HB 1307  
 Unemployment compensation, removing disqualification for certain lockout workers: HB 1893  
 Washington management service, granting right to collectively bargain: HB 1122  
 Washington state ferries, employees, salary survey by classification for use in collective bargaining and arbitration: HB 1842

#### **COLLEGES AND UNIVERSITIES (See also PUBLIC WORKS)**

Athletic activities, officials/judges/referees/volunteers at, interference with by force or violence, class C felony: HB 2078  
 Athletic activities, officials/judges/referees/volunteers at, intimidation of by threat of force or violence, class C felony: HB 2078  
 Athletics, intercollegiate, agent/marketing/financial advising services, certifying an individual or entity to provide to athletes: HB 2352  
 Athletics, intercollegiate, college athlete protection act: HB 2352  
 Athletics, intercollegiate, institutions to establish degree completion fund for its college athletes who receive athletic grants: HB 2352  
 Athletics, intercollegiate, rights of college athletes, including distribution of notice of rights to all athletes: HB 2352  
 Athletics, intercollegiate, Washington college athlete protection program, establishing: HB 2352  
 Benefits navigator grant program, requiring creation of: HB 1559  
 Central Washington U., certain employees enrolled in an academic program, collective bargaining for: HB 1291, **\*SSB 5238, CH 115 (2023)**  
 College bound scholarship program, enhancing and adding reporting requirements: **\*HB 1232, CH 174 (2023)**  
 College in the high school program, pilot program for private not-for-profit institutions serving rural/underserved areas to offer courses at no cost: HB 2441  
 College in the high school program, provisions: HB 1003, HB 1316, HB 2441, **\*2SSB 5048, CH 314 (2023)**  
 Construction and other projects, public works apprenticeship utilization, modifying requirements: HB 1050  
 Construction, building materials contracting, higher education institutions as awarding authorities under buy clean and buy fair Washington act: HB 1282

- Construction, major projects, capital budget matching grants program: HB 1256
- Construction, raising dollar thresholds for building, renovation, and etc. projects to require public bidding: **\*SB 5385, CH 97 (2023)**
- Contraception, over-the-counter emergency medication and other forms, in vending machines on campuses, requirements: HB 1837
- Credentials, educational and professional, Washington credential registry, creation of: HB 2155
- Credentials, postsecondary, credential transparency work group, creating: HB 1821
- Data sharing, requiring agreements with OSPI for transfer of high school student information: **\*2SSB 5593, CH 406 (2023)**
- Degree-granting postsecondary institutions, consumer protections for students: EHB 2164
- Degrees, 4-year, state employment positions that unnecessarily require, eliminating: HB 2216
- Degrees, applied doctorate degrees, revising authority of regional universities to offer: **\*HB 1030, CH 130 (2023)**
- Dental schools or residency programs, accredited, postdoctoral residents/students entering, limited license, when: HB 1327, **\*SB 5113, CH 89 (2023)**
- Dental schools, accredited, in-state license for out-of-state dentist when new faculty member at: HB 1327, **\*SB 5113, CH 89 (2023)**
- Drugs, fentanyl and other opioids, naloxone and fentanyl strips to be available for students on campus: HB 2112
- Drugs, fentanyl and other opioids, providing prevention education and awareness information to all students: HB 2112
- Drugs, naloxone, strips availability on campus and administration education and training for residence hall staff: HB 2112
- Eastern Washington U., certain employees enrolled in an academic program, collective bargaining for: HB 1291, **\*SSB 5238, CH 115 (2023)**
- Education data center, increasing list of required data for reporting: **\*ESSB 5512, CH 98 (2023)**
- Employees, enrolled in an academic program at regional universities and TESC, collective bargaining for: HB 1291, **\*SSB 5238, CH 115 (2023)**
- Employees, of WWU/CWU/EWU/TESC, collective bargaining, provision of employee information to exclusive bargaining representatives: HB 1200
- Employment, applicants for, requiring signing of statement about sexual misconduct-related situations at association events: HB 1522
- Evergreen State College, The, certain employees enrolled in an academic program, collective bargaining for: HB 1291, **\*SSB 5238, CH 115 (2023)**
- Evergreen State College, The, collective bargaining, provision of employee information to exclusive bargaining representatives: HB 1200
- Farmworkers education and assistance program for displaced workers, creating: HB 2487
- Farmworkers seeking education to career program, developing: HB 2487
- Financial aid, behavioral health loan repayment program, modifying to include scholarships: **\*HB 1946, CH 369 (2024)**
- Financial aid, expanding the eligibility timeframe for various scholarship programs: **\*SB 5904, CH 323 (2024)**
- Financial aid, Native American scholarship program, establishing: HB 1399
- Financial aid, opportunity scholarship program, provisions: HB 1289
- Financial aid, state work-study program, placements and salary matching for, modifying: HB 2025
- Financial aid, student loan payment assistance provided to certain employees by employer receiving a tax preference, requiring, when: HB 2261
- Financial aid, student loans, federal public service loan forgiveness program for, certifying employees' employment for, modifications: **\*HB 1950, CH 2 (2024)**
- Financial aid, various programs providing, reserving certain funds for agricultural employees and farm labor contractors: HB 2487
- Financial aid, WA health corps conditional scholarships, including penalty interest rate, supports, and exceptions: **\*HB 1763, CH 159 (2023)**
- Financial aid, Washington college grants, eligibility of public assistance recipients, expanding to include certain food assistance programs: HB 2214
- Financial aid, Washington national guard postsecondary education grant program, eligibility for spouses and dependents: **\*HB 1943, CH 178 (2024)**
- Financial aid, Washington student loan program, revising provisions: **\*EHB 1823, CH 389 (2023)**
- Hazing, gross misdemeanor or class C felony, when: **\*HB 1002, CH 196 (2023)**
- High school students, dual credit or concurrent enrollment programs or courses, various changes: HB 1316

High school students, dual credit programs, various changes: HB 1003  
 High school students, Washington guaranteed admissions program, modifying, and providing student notifications: HB 2077  
 Incarcerated individuals, postsecondary education programs, financial aid for, modifying provisions concerning: HB 1931, HB 2171  
 Incarcerated individuals, postsecondary education programs, participation goals and individual and program priorities: HB 1338  
 License plates, special, United States Naval Academy, creating: HB 1858  
 Meal plans or food vouchers, free or low-cost for low-income students, creating pilot program: HB 1559  
 Minors, 16 or 17 years of age enrolled in bona fide college program, working hours allowed during school year: HB 2035  
 Postsecondary basic needs work group, convening: HB 1559  
 Private 4-year institutions, not-for-profit, serving rural or underserved areas, college in the high school courses at no cost, pilot program for: HB 2441  
 Public baccalaureate institutions, increasing tenure track faculty: HB 1142  
 Regional universities, collective bargaining, provision of employee information to exclusive bargaining representatives: HB 1200  
 Registration, early course registration for veterans, national guard members, active duty military members, and their spouses/partners/dependents: **\*HB 2004, CH 89 (2024)**  
 Running start program, financial assistance and eligibility provisions: HB 1316  
 Running start program, financial assistance and summer school program: HB 1003  
 Schools of medicine, higher education, fellow physicians and residents, collective bargaining by, process for: HB 1307  
 Sexual assault and harassment and gender-based violence, student health and safety committees concerning, larger institutions to establish: HB 2242  
 Sexual assault and harassment and gender-based violence, survivors of, confidential advocates for: HB 2242  
 Sexual assault and harassment and gender-based violence, survivors of, rights of and certain protections, resources, and accommodations for: HB 2242  
 Sexual assault and harassment and gender-based violence, Title IX process requirements and required informational education: HB 2242  
 Sexual misconduct, at scholarly or professional association events, job applicants to sign statement concerning: HB 1522  
 Staff, interference with by force or violence at institutions or their athletic activities, class C felony: HB 2078  
 Staff, intimidation of by threat of force or violence at institutions or their athletic activities, class C felony: HB 2078  
 Student athletes, use of public resources to benefit students in matters involving name and likeness: **\*SB 5913, CH 33 (2024)**  
 Student basic needs task force, requiring establishment by each institution: HB 1559  
 Students experiencing homelessness and foster youth program, replacing pilot program with: HB 1693, **\*ESSB 5702, CH 339 (2023)**  
 Students, nonresident, combination fishing or any hunting license for, issuing at nondisabled resident cost: SB 5862  
 Transfer students from community or technical college who received wraparound services, student success and advising for: HB 2374  
 Tuition operating fees, maximum increase for resident undergraduates, calculation duties and deadline: **\*SB 5079, CH 9 (2023)**  
 U of Washington, crisis training and secondary trauma program to support training for crisis responders, establishing: HB 1134  
 U. of Washington telehealth services, convening collaborative for the advancement of telehealth: **\*ESSB 5481, CH 212 (2024)**  
 U. of Washington, addictions, drug, and alcohol institute, creating patient shared decision-making tool for medication options for alcohol use disorder treatment: HB 2319  
 U. of Washington, addictions, drug, and alcohol institute, developing guidance for risk from cannabis consumption: HB 2320  
 U. of Washington, biennial symposium on nations exporting crude oil to Washington, convening: HB 2143  
 U. of Washington, Burke museum, 125th anniversary of, celebrating: **\*HR 4666 (2024)**  
 U. of Washington, calculating emissions of ultrafine and fine particulate matter and sulfur oxides near international airport: **\*ESSB 5447, CH 232 (2023)**

- U. of Washington, center for health workforce studies, studying workforce shortages in anesthesia care: **\*ESSB 6286, CH 363 (2024)**
- U. of Washington, climate impacts group, role assessing climate change: HB 1170
- U. of Washington, collaborative for the advancement of telemedicine, promotion of genetic counseling: HB 1079
- U. of Washington, college of built environments, buy clean and buy fair Washington act role of: HB 1282
- U. of Washington, drug/medical device clinical trials, increasing participant diversity when receiving NIH funding for: HB 1745
- U. of Washington, Evans school of public policy and governance, paid family and medical leave study: HB 1502
- U. of Washington, Olympic natural resources center, harmful algal bloom program required reporting, eliminating: HB 1362
- U. of Washington, psilocybin therapy services pilot program, establishing: **\*SSSB 5263, CH 364 (2023) PV**
- U. of Washington, psychiatry and behavioral sciences, first approach skills training program role of, adding: HB 1851
- U. of Washington, psychiatry/behavioral health, behavioral health support specialists certification rules development role of: HB 1348, **\*SSB 5189, CH 270 (2023)**
- U. of Washington, school of medicine, fellow physicians and residents, collective bargaining by, process for: HB 1307
- U. of Washington, school of oceanography, cumulative effects of offshore wind development on oceanographic processes, studying: HB 2341
- U. of Washington, school of social work, co-response education training academy pilot program, establishing: HB 2245
- U. of Washington, school of social work, co-response professional activities and assessments role of: HB 2245
- U. of Washington, school of social work, higher education crisis training certificate for degree candidates wanting to become crisis responders: HB 2245
- U. of Washington, school of social work, statewide internal peer support pilot program for co-response professionals: HB 2245
- U. of Washington, WA national primate research center, nonhuman primates information disclosure and public records and meetings requirements: HB 2304
- U. of Washington, Washington election database director to be employed by: SB 5837
- UW institute on human development disability, collaborating on preservation of Lakeland village artifacts: **\*SSB 6125, CH 134 (2024)**
- UW, addictions, drug, and alcohol institute, requiring creation of decision-making tool for discussing treatment: **\*SSSB 6228, CH 366 (2024)**
- Vaccination or postinfection recovery documentation, prohibiting institutions from requiring for attendance etc.: HB 1827
- Vaccination, requirement for online-only students, prohibiting: HB 1545
- Washington college grant program, extending eligibility: HB 1156, SB 5711
- Washington State U., child and family research unit at, 2015 report on supporting student success, updating: HB 1411
- Washington State U., child and family research unit at, education staff cross-sector trainings, report analyzing: HB 1411
- Washington State U., drug/medical device clinical trials, increasing participant diversity when receiving NIH funding for: HB 1745
- Washington State U., energy program, future of net metering in WA state, convening work group on: HB 1427
- Washington State U., energy program, ratepayer cost shifts due to retail rate net metering, studying: HB 1427
- Washington State U., energy program, suitability for renewable energy production of unused/underutilized state lands not suitable for agriculture: HB 2336
- Washington State U., Glenn Johnson, WSU professor emeritus and sporting events public address announcer, honoring and congratulating: **\*HR 4658 (2024)**
- Washington State U., global campus, creating Washington digital literacy credential program for achieving the workplace digital literacy credential: HB 2360
- Western Washington U., center for economic and business research to conduct economic impact study of reduced ferry service: HB 2492
- Western Washington U., certain employees enrolled in an academic program, collective bargaining for: HB 1291, **\*SSB 5238, CH 115 (2023)**
- WSU extension energy program, requiring study of feasibility of recycling wind turbine blades: **\*SB 5287, CH 324 (2023)**
- WSU Tri-Cities, administering joint CREW and SPARC centers: HB 1194
- WSU, calculating emissions of ultrafine and fine particulate matter and sulfur oxides near international airport: **\*ESSB 5447, CH 232 (2023)**

WSU, requiring office of clean technology to convene alternative jet fuels work group: HB 1505, **\*ESSB 5447, CH 232 (2023)**

WSU, requiring WSU energy program to conduct least-conflict pumped storage siting process: HB 1216

**COMMERCE, DEPARTMENT (See also GROWTH MANAGEMENT; GUBERNATORIAL APPOINTMENTS; HOMELESS PERSONS; HOUSING AND HOMES; MILITARY; PROFESSIONS)**

Affordable housing program, "first-time home buyer" for purposes of, expanding definition: HB 1366

Affordable housing, GMA housing element requirements compliance, review and final decision, process for, DOC role: HB 2113

Affordable housing, middle housing unit density increases, authorization by cities of, DOC technical assistance: HB 1110

Affordable housing, multifamily property tax exemption to include conversion of existing multifamily units, DOC role: HB 1350

Affordable housing, requiring reporting on funded projects: HB 1709, **\*ESSB 5301, CH 275 (2023)**

Associate development organizations, establishing competitive grant program: HB 1717

Aviation and aerospace advisory committee, DOC to appoint and maintain to advise director and DOT secretary: HB 1040, HB 1531

Building materials, publicly accessible database for submission of data by selected firms for covered projects contracts, DOC to continue developing and maintaining of: HB 1282

Businesses, requiring information from departments of revenue, L&I, employment security, and licensing: HB 1398

Buy clean and buy fair work group, convening: HB 1282

Clean energy fund program, creating to fund clean energy projects, DOC role: HB 2388

Clean energy projects of statewide significance, designation of, and coordinated permitting process, DOC role: HB 1216

Covenant homeownership program, establishing of, DOC role: HB 1474

Covenant homeownership program, establishing oversight committee for, DOC role: HB 1474

Crime victims advocacy, office of, creating domestic violence emergency housing voucher program: HB 2457

Crime victims advocacy, office of, providing funding for providers of services for sex trafficking victims: HB 1089, **\*SSB 5114, CH 268 (2023)**

Crime victims advocacy, office of, role in creation of office of the crime victims ombuds: HB 1845

Crime victims advocacy, office of, suspected victims of human trafficking, health care providers to report, office role: HB 1937

Crime victims ombuds, office of the, creating, DOC role: HB 1845

Defense community compatibility account, altering grant rules and including federally recognized tribes: **\*SB 5324, CH 438 (2023)**

Department of community, trade, and economic development, replacing in RCW with department of commerce: **\*HB 1066, CH 470 (2023) PV**

Development of renewable energy for Washington revolving loan program and account, establishing/creating, DOC role: HB 2417

Digital equity among underserved communities and populations, amending broadband and related provisions concerning: HB 2313

Digital equity opportunity program, modifying provisions of: HB 2313

Digital equity planning grant program, modifying provisions of: HB 2313

Down payment assistance account, modifying authorization: HB 2200, **\*ESB 6098, CH 168 (2024)**

Early learning facilities colocated with affordable or supportive housing developments, reimbursement for 90% of eligible costs, DOC role: HB 2195

Economic development funding, efforts to obtain federal grants and loans for, assisting local governments/tribes/small businesses: HB 1767

Economic development, requiring collection of business data from certain agencies: HB 1912

Electrical transmission industry in Washington, employment and workforce education needs of, DOC to study: HB 2082

Electrical transmission industry work group, DOC to convene: HB 2082

Electricity projects, generation or storage, grid reliability innovation for decarbonization program, DOC to administer: HB 1908

Emergency housing, establishing grant program to provide for persons at risk from domestic violence: HB 2457

Employee ownership program, Washington, with commission and revolving loan program account, creating, DOC role: HB 1743

Energy resilience and emergency management office, electric utility wildfire mitigation plans role of: HB 1032



Energy-related activities, all-hazard contingency plan contents, to include human/natural/cybersecurity hazards, DOC role: HB 1480

Enhanced behavior support homes, requiring establishment of standards for licensure or certification: HB 1654

Exclave community small business relief program, DOC to develop and implement: HB 1806

Federal economic development funding, assistance for local communities applying for, DOC role: HB 1870

Federal economic development funding, for clean energy/transportation/buildings and broadband, DOC reporting role: HB 1767

Felony offenses sentencing, developing community-based intermediate sanctions sentencing alternative option, DOC role: HB 2504

Fire protection services capital projects grant program for rural counties, establishing: HB 1014

Foreign export markets, diversifying to avoid particular-market dependence, assistance for businesses in, DOC role: HB 1778

Frontier county, defining for certain economic development and excise taxation purposes, DOC role: HB 1835

Geothermal resources, competitive geothermal exploration cost-share grant program, establishing, DOC role: HB 2129, **\*ESSB 6039, CH 350 (2024)**

Grant writers, grant program for recruitment, hiring, and retention by associate development organizations, establishing, DOC role: HB 1783

Grants, authorizing to facilitate transit-oriented development: HB 2160

Growth management, requiring dissemination of best practices for equitable and inclusive public participation: HB 1723

Higher education institutions, capital budget matching grants program for, DOC administration of: HB 1256

Home energy assessors, licensing and regulation of, DOC role: HB 1433

Home energy performance, asset-based home energy score adoption for evaluating, DOC role: HB 1433

Homeless encampments, encampment cleanup grant program, creating, DOC role: HB 1373

Homeless encampments, online data dashboard with performance metrics regarding sites, DOC role: HB 1373

Homeless housing and assistance grant programs, accountability requirements for grantees/subgrantees, DOC role: HB 1872

Homelessness, students experiencing, grant program for identification of and support for, DOC role: **\*HB 1622, CH 386 (2023)**

Homelessness, students experiencing, grant program to link families with housing, DOC role: **\*HB 1622, CH 386 (2023)**

Homes for heroes act, pilot program for loans to certain workers/professions for down payment and closing costs, DOC role: HB 1633

Housing capacity and greenhouse gas emissions, county and city guidelines to use under GMA, DOC role: HB 1181

Housing gap voucher program, creating for certain households: HB 2453

Housing gap voucher program, implementing by public housing authorities for low-income, seniors, marginalized: HB 1817

Housing permit applications, provision of trained staff to local governments: **\*2SSB 5290, CH 338 (2023)**

Housing, preapproved middle housing plans, grant program for financial assistance to counties/cities for adoption of: HB 1167

Housing, specifying uses for funds from document recording fees: **\*SSB 5386, CH 277 (2023)**

Housing, transitional/permanent supportive/indoor emergency, permit application for, city to submit ordinance or regulations addressing certain issues to DOC: HB 2474

Impact fees, requiring annual report: HB 2451

Indigent defense, costs for, creating state indigent defense and law enforcement assistance account for assistance with, DOC funds distribution role: HB 2202

Industrial policy advisor, appointing to monitor federal funding and opportunities for manufacturing: **\*2SSB 5269, CH 322 (2023) PV**

Industrial strategy, requiring commissioning of independent assessment: **\*2SSB 5269, CH 322 (2023) PV**

Interagency clean energy siting coordinating council, establishing, DOC role: HB 1216

Joint utilities and transportation commission meeting, requirement to address power inadequacy risk: HB 1117

Landlords, online landlord resource center for, to distribute information about resources and programs, DOC to create: HB 2114

Local communities applying for federal funding, moving assets towards community health program for, DOC to establish: HB 1870

Local infrastructure project areas, requiring interlocal agreements for sponsoring cities: HB 1585

Local project review, city and county annual reports explaining delays in project permit application processing: HB 1449  
 Local project review, creating consolidated permit grant program and work group to improve permit process: HB 1296, **\*2SSB 5290, CH 338 (2023)**  
 Local project review, providing technical assistance and guidance: HB 1519  
 Local project review, requiring procedural and timeline changes for applications: HB 1519  
 Low-income home rehabilitation grant program, creating: HB 1250  
 Low-income home rehabilitation revolving loan program, termination of: HB 1250  
 Manufactured/mobile home communities, purchase or lease of, DOC to maintain registry of eligible organizations: HB 1129, **\*E2SSB 5198, CH 40 (2023)**  
 Manufactured/mobile home rental assistance program, creating to assist low-income tenants, DOC role: HB 1810  
 Noise mitigation, administering grant program to assist qualifying port districts with expenses: **\*E2SSB 5955, CH 194 (2024)**  
 Personal information, captured, processing by business entities, individual's opt-in consent for, DOC to study: HB 1616  
 Pollution, noise and air, grant program to assist port districts with mitigation: HB 2103  
 Regional economic development vision and action plan, for each region of state, development of, DOC role: HB 1623  
 Rent for residential tenants, maximum annual increase percentages for, DOC to calculate: HB 1388  
 Rent relief incentive program for landlords, creating as a grant program, DOC role: HB 2033  
 Reporting by department, eliminating, replacing, or repealing various requirements for: HB 1362  
 Retirement preparedness of residents and feasibility of establishing state-sponsored private retirement savings program, studying: HB 1632  
 Salmon recovery projects and programs, environmental restoration accelerator for, DOC to establish: HB 2193  
 Senior independent living facilities, office of senior housing concerning, studying possibility of creating, DOC role: HB 2275  
 Sex trafficking, statewide coordinating committee on, decodifying section due to expiration: **\*HB 1066, CH 470 (2023) PV**  
 Sexual assault, regional multidisciplinary community response teams, grant program to support, DOC to establish: HB 1028  
 Shelters, indoor emergency, permit application for, city to submit ordinance or regulations addressing certain issues to DOC: HB 2474  
 State energy performance standard for covered commercial buildings, state campus district energy system owners under: HB 1390  
 State energy performance standard for tiers 1 and 2 covered buildings, incentive payments for upgrades, increasing, when: **\*HB 1976, CH 85 (2024)**  
 State energy strategy, including consideration of nuclear power/advanced nuclear reactor technology: HB 1584  
 Statewide building energy upgrade navigator program, convening technical advisory group to provide guidance to: HB 1391  
 Statewide building energy upgrade navigator program, establishing and overseeing, DOC role: HB 1391  
 Statewide office of renewable fuels, establishing: HB 1505, **\*ESSB 5447, CH 232 (2023)**  
 Substance use disorder treatment programs, in underserved/rural areas, construction costs for, grant program, DOC role: **\*2E2SSB 5536, CH 1 (2023)**  
 Substance use disorder, parents with, grant program for providing supports to reduce child welfare placements due to, DOC to establish: HB 2447  
 Thermal energy networks, nonemitting thermal energy network pilot project program, establishment and grant awards, DOC role: HB 2131  
 Tires, rolling resistance of replacement tires for passenger cars and light duty trucks, strategies and requirements for reducing, DOC role: HB 2262  
 Washington employee ownership program, establishing: **\*SSB 5096, CH 392 (2023)**  
 Workforce housing accelerator revolving loan fund program, creating: HB 1149, HB 1892  
 World cup, requiring loan agreement with Washington state public stadium authority for funding improvements: **\*ESB 6098, CH 168 (2024)**  
 Youth development programs grant program, including expanded learning opportunities, DOC to develop and implement: HB 1386

**COMMERCIAL VESSELS AND SHIPPING (See also FERRIES)**

Domestic maritime industry in Washington state, recognizing and supporting its ability to serve Washingtonians in the event of a natural disaster: **\*HR 4677 (2024)**

\* - Passed Legislation

Harbor maintenance tax, federal, applying country-of-origin rules and requesting certain appropriations, allocations, and reports: **\*SSJM 8009 (2024)**

Nautical Northwest special license plates, creating: HB 1364

Ports, qualified cargo and passenger ports, authority to coordinate actions with other qualified ports: **\*HB 1257, CH 347 (2023)**

### COMMUNITY AND TECHNICAL COLLEGES

Athletic activities, officials/judges/referees/volunteers at, interference with by force or violence, class C felony: HB 2078

Athletic activities, officials/judges/referees/volunteers at, intimidation of by threat of force or violence, class C felony: HB 2078

Benefits navigator grant program, requiring creation of: HB 1559

Climate resilience and environmental equity campus, establishing for workforce training and internships for certain postsecondary students, Highline CC role: HB 2298

College in the high school program, provisions: HB 1003, HB 1316, **\*2SSB 5048, CH 314 (2023)**

Construction, building materials contracting, higher education institutions as awarding authorities under buy clean and buy fair Washington act: HB 1282

Construction, major projects, capital budget matching grants program: HB 1256

Contraception, over-the-counter emergency medication and other forms, in vending machines on campuses, requirements: HB 1837

Credentials, educational and professional, Washington credential registry, creation of: HB 2155

Credentials, postsecondary, credential transparency work group, creating: HB 1821

Degree-granting postsecondary institutions, consumer protections for students: EHB 2164

Degrees, 2-year, state employment positions that unnecessarily require, eliminating: HB 2216

Drugs, fentanyl and other opioids, naloxone and fentanyl strips to be available for students on campus: HB 2112

Drugs, fentanyl and other opioids, providing prevention education and awareness information to all students: HB 2112

Drugs, naloxone, strips availability on campus and administration education and training for residence hall staff: HB 2112

Edmonds Community College, as possible first site for initiation of reintegration support for incarcerated veterans pilot project: HB 2203

Edmonds Community College, to be first site for initiation of reintegration support for incarcerated veterans pilot project: HB 2057

Employees, academic, collective bargaining, provision of employee information to exclusive bargaining representatives: HB 1200

Employment, applicants for, requiring signing of statement about sexual misconduct-related situations at association events: HB 1522

Faculty, part-time, working half-time for benefits eligibility purposes, including part-time noninstructional workload in calculation of: HB 2125

Farmworkers education and assistance program for displaced workers, creating: HB 2487

Farmworkers seeking education to career program, developing: HB 2487

Financial aid, Native American scholarship program, establishing: HB 1399

Financial aid, opportunity scholarship program, provisions: HB 1289

Financial aid, state work-study program, placements and salary matching for, modifying: HB 2025

Financial aid, student loan payment assistance provided to certain employees by employer receiving a tax preference, requiring, when: HB 2261

Financial aid, student loans, federal public service loan forgiveness program for, certifying employees' employment for, modifications: **\*HB 1950, CH 2 (2024)**

Financial aid, various programs providing, reserving certain funds for agricultural employees and farm labor contractors: HB 2487

Financial aid, Washington college grants, eligibility of public assistance recipients, expanding to include certain food assistance programs: HB 2214

Financial aid, Washington national guard postsecondary education grant program, eligibility for spouses and dependents: **\*HB 1943, CH 178 (2024)**

Financial aid, Washington student loan program, revising provisions: **\*EHB 1823, CH 389 (2023)**

Hazing, gross misdemeanor or class C felony, when: **\*HB 1002, CH 196 (2023)**

High school students, dual credit or concurrent enrollment programs or courses, various changes: HB 1316

High school students, dual credit programs, various changes: HB 1003

Home care aid to licensed practical nurse apprenticeship pathway pilot program, creating and guaranteeing admission: **\*E2SSB 5582, CH 126 (2023)**

Incarcerated individuals, postsecondary education programs, financial aid for, modifying provisions concerning: HB 1931, HB 2171

Incarcerated individuals, postsecondary education programs, participation goals and individual and program priorities: HB 1338

Meal plans or food vouchers, free or low-cost for low-income students, creating pilot program: HB 1559

Minors, 16 or 17 years of age enrolled in bona fide college program, working hours allowed during school year: HB 2035

Nursing, bachelor of science degrees in nursing, authorizing certain community or technical colleges to offer: HB 1733

Nursing, requiring online curriculum and pathway for licensed practical nursing credential: **\*E2SSB 5582, CH 126 (2023)**

Postsecondary basic needs work group, convening: HB 1559

Registration, early course registration for veterans, national guard members, active duty military members, and their spouses/partners/dependents: **\*HB 2004, CH 89 (2024)**

Running start program, financial assistance and eligibility provisions: HB 1316

Running start program, financial assistance and summer school program: HB 1003

Seattle Central Community College, maritime training academy at, state ferries training needs role of: HB 1831

Sexual assault and harassment and gender-based violence, student health and safety committees concerning, larger institutions to establish: HB 2242

Sexual assault and harassment and gender-based violence, survivors of, confidential advocates for: HB 2242

Sexual assault and harassment and gender-based violence, survivors of, rights of and certain protections, resources, and accommodations for: HB 2242

Sexual assault and harassment and gender-based violence, Title IX process requirements and required informational education: HB 2242

Sexual misconduct, at scholarly or professional association events, job applicants to sign statement concerning: HB 1522

Staff, interference with by force or violence at institutions or their athletic activities, class C felony: HB 2078

Staff, intimidation of by threat of force or violence at institutions or their athletic activities, class C felony: HB 2078

Student basic needs task force, requiring establishment by each institution: HB 1559

Students experiencing homelessness and foster youth program, replacing pilot program with: HB 1693, **\*ESSB 5702, CH 339 (2023)**

Students, nonresident, combination fishing or any hunting license for, issuing at nondisabled resident cost: SB 5862

Tuition operating fees, maximum increase for resident undergraduates, calculation duties and deadline: **\*SB 5079, CH 9 (2023)**

Vaccination or postinfection recovery documentation, prohibiting institutions from requiring for attendance etc.: HB 1827

Vaccination, requirement for online-only students, prohibiting: HB 1545

Washington 13 free guarantee, establishing to provide up to 45 credits of tuition free community or technical college: HB 2309

Washington promise program, establishing: HB 2374

#### **COMMUNITY AND TECHNICAL COLLEGES, STATE BOARD FOR (See also COMMUNITY AND TECHNICAL COLLEGES)**

Benefits navigator grant program, requiring creation: HB 1559

Credentials, educational and professional, Washington credential registry, creation of: HB 2155

Digital equity program, review of as part of JLARC study: HB 2327

Meal plans or food vouchers, free or low-cost for low-income students, creating pilot program: HB 1559

Nursing, appropriating \$100,000 to develop plan to train more nurses: **\*E2SSB 5582, CH 126 (2023)**

Nursing, bachelor of science degree in nursing, authorizing certain community or technical colleges to offer, board role: HB 1733

Postsecondary basic needs work group, convening: HB 1559

Retail workforce, establishing work group to identify issues with retail sector employment and credentials: **\*ESB 6296, CH 43 (2024)**

Washington 13 free guarantee, sustainability of, state board and SAC to study: HB 2309

Washington promise program, establishing, board role: HB 2374

**COMMUNITY ECONOMIC REVITALIZATION BOARD**

Broadband, open-access networks, rural grant and loan program for local governments and tribes for developing, board role: **\*HB 1982, CH 86 (2024)**

Site readiness and predevelopment work, board grants to aid public facility improvements to enable development: HB 1231, **\*SSB 5229, CH 93 (2023)**

**COMPUTERS (See also BUSINESSES; CURRENCY; ELECTIONS; IDENTIFICATION; INSURANCE COMMISSIONER; SALES; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)**

Advance equity in information technology careers mentorship program, establishing: HB 2360

Artificial intelligence, automated decision tools, developer/deployer requirements and algorithmic discrimination prohibition: HB 1951

Artificial intelligence, Blueprint for an AI Bill of Rights, affirming Washington's commitment to: HJM 4005

Artificial intelligence, use and regulation of generative AI systems, task force concerning standards for, establishing: HB 1934, **\*E2SSB 5838, CH 163 (2024)**

Ballots, statewide online ballot portal, establishing for electronic access and online ballot submission: HB 1475

Broadband communications providers, sales and use tax exemption for sales of network machinery and equipment to: HB 1848

Broadband, governor's statewide broadband office, duties of, various: HB 1746, HB 2313

Broadband, open-access broadband networks, rural grant and loan program for local governments and tribes for developing: **\*HB 1982, CH 86 (2024)**

Broadband, statewide broadband map, developing and maintaining, and repealing existing broadband mapping/account provisions: HB 1746

Computer science, showing competency in high school learning standards, as high school graduation requirement: E2SSB 5849

Cyber activities, malicious, state agency protections against, Washington state ransomware protection act: HB 1464

Cybersecurity hazards, modifying energy-related all-hazard contingency plan contents to include: HB 1480

Cyberstalking, repealing crime of, and transferring certain electronic device provisions to crime of stalking: **\*HB 1696, CH 461 (2023)**

Data privacy day, commemorating: **\*HR 4607 (2023)**

Data, brokered personal data, data brokers registration and regulation: HB 1799, HB 2277

Data, state agency use of immutable data protection and reliable disaster recovery, ransomware protection act: HB 1464

Digital automated services, exempting financial institutions from sales and use taxes if for business purposes: HB 1557

Digital electronic equipment, repairing of, manufacturer and repair provider requirements, fair repair act concerning: HB 1392

Digital electronic products, repairing of, manufacturer and repair provider requirements, right to repair act concerning: HB 1933

Digital empowerment and workforce inclusion act, Washington, establishing to support historically marginalized people and communities: HB 2360

Digital equity account, state, radio communications/local exchange/interconnected voice over internet protocol services companies to request donations for: HB 2327

Digital equity among underserved communities and populations, amending broadband provisions concerning: HB 2313

Digital equity forum, modifying provisions of: HB 2313

Digital equity opportunity program, modifying provisions of: HB 2313

Digital equity planning grant program, modifying provisions of: HB 2313

Digital equity programs, increasing tax revenues and donations to provide funding for, and studying effectiveness of new funds: HB 2327

Digital literacy credential program, Washington, for achieving the workplace digital literacy credential, creating: HB 2360

Electronic commerce platforms, liability to consumer under product liability claims statutes: HB 1606

Internet access, smart wireless devices with, tax on retail sales of, levying: HB 1793

Internet, disclosing fabricated intimate images, establishing crime of: HB 1999

Internet, online marketplaces, high-volume third-party sellers on platform, requirements: HB 1065

Internet, social media account of sex offense victim, inadmissibility as evidence of victim credibility or consent, exception: ESSB 5576

Internet, ticket sellers and resellers, licensing and regulation of, and technology requirements: HB 1648

Internet, TikTok social networking service, prohibiting operation or availability for downloading within territorial jurisdiction of Washington: HB 2435

Internet, viewing fabricated depictions of a minor engaged in sexually explicit conduct, establishing crime of: HB 1999

Internet/telecommunications infrastructure, tribe and business entity deploying in coastal county, sales/use tax exemption: HB 1711

Intimate images, disclosing fabricated intimate images, establishing crime of: HB 1999

Personal information, captured biometric, people's privacy act provisions concerning: HB 1616

Personal information, captured, processing by business entities, individual's rights and opt-in consent for: HB 1616

Personal information, captured, processing by business entities, people's privacy act concerning: HB 1616

Ransomware education and outreach program, for public agencies, establishing: HB 1464

Ransomware protection act, WA state, state agency malware and ransomware protection, backup, and recovery standards: HB 1464

Research and development equipment, sales/use tax paid on, exemption in form of a remittance, authorizing: HB 1794

Research and development expenditures, credit against B&O tax on, authorizing: HB 1794

Schools, graduation requirements, computer science competency in high school learning standards, requiring: E2SSB 5849

Schools, technology grant program, modifying provisions of: HB 2313

Security, requiring electronic network monitoring and breach reporting for election systems: **\*SB 5843, CH 28 (2024)**

Semiconductor materials manufacturing, B&O/sales/use/property tax preferences for, extending two and reinstating six preferences and adding contingency and requirements: HB 2482

Sexually explicit conduct of minors, fabricated depictions of, establishing multiple crimes involving: HB 1999

Technology access devices for job seekers fund, creating: HB 2360

Vlogs, for-profit, of family or individual vlogger, minor children featured on, setting aside earnings on video content for: HB 1627

Washington digital empowerment and workforce inclusion act, establishing to support historically marginalized people and communities: HB 2360

Wireless devices, smart, new tax on retail sales of, levying: HB 2327

Wireless devices, smart, tax on retail sales of, levying: HB 1793

Written digital content, publishing, B&O tax deduction for, when: HB 1206

Written digital content, publishing, B&O tax exemption for, when: **\*E2SSB 5199, CH 286 (2023)**

### CONCURRENT RESOLUTIONS

Bills, Second Substitute Senate Bill No. 5536, reintroducing for consideration during 2023 first special session: **\*SCR 8409 (2023)**

Civic health, joint select committee on, creating: **\*SCR 8414 (2024)**

Irving R. Newhouse building, naming new office building replacing: HCR 4405

Jennifer Belcher building, renaming natural resources building as: HCR 4402

Legislature, 2023 first special session, adjourning SINE DIE: **\*SCR 8410 (2023)**

Legislature, 2023 first special session, reintroducing Second Substitute Senate Bill No. 5536 for consideration during: **\*SCR 8409 (2023)**

Legislature, 2023 regular session, adjourning SINE DIE: **\*SCR 8406 (2023)**

Legislature, 2023 regular session, returning bills, memorials, and resolutions to house of origin: **\*HCR 4403 (2023)**

Legislature, 2024 regular session, adjourning SINE DIE: HCR 4410, **\*SCR 8417 (2024)**

Legislature, 2024 regular session, reintroduction of bills, memorials, and resolutions: HCR 4408, **\*SCR 8411 (2024)**

Legislature, 2024 regular session, returning bills, memorials, and resolutions to house of origin: **\*HCR 4409 (2024)**

Legislature, cutoff dates for bills, memorials, and joint resolutions: **\*HCR 4407 (2024), \*SCR 8401 (2023)**

Legislature, joint rules, 2023-2024, adopting: **\*HCR 4401 (2023)**

Legislature, joint rules, 2023-2024, amending conference committee in-person and remote meetings provisions: **\*SCR 8407 (2023)**

Legislature, joint session, for address of H.E. Sauli Niinistö, president of the Republic of Finland: **\*SCR 8404 (2023)**

Legislature, joint session, honoring deceased former members of legislature: **\*SCR 8403 (2023)**

Legislature, joint session, state of the judiciary message: **\*SCR 8400 (2023)**

Legislature, joint session, state of the state address: **\*HCR 4400 (2023), \*HCR 4406 (2024)**

Session, first special 2023, adjourning SINE DIE: **\*SCR 8410 (2023)**

Session, first special 2023, reintroducing Second Substitute Senate Bill No. 5536 for consideration during: **\*SCR 8409 (2023)**

Session, regular 2023, adjourning SINE DIE: HCR 4404

**CONSERVATION (See also CLIMATE; CONSERVATION COMMISSION; ENERGY; ENVIRONMENT; SOLID WASTE; WATER)**

Districts, elections for, requiring examination of costs: HB 1567

Schools, Washington state green schools program, establishing to expand resource conservation programs: HB 1935

Schools, Washington state green schools program, new grant program in connection with establishing of: HB 1935

Soil health of highly erodible land with conservation plan, siting of utility-scale solar canopy facility on, maintaining plan compliance: HB 2499

**CONSERVATION COMMISSION (See also CONSERVATION)**

Farmers, commission grant recipients or conservation program participants, B&O tax credit for certain expenditures: HB 1936

Membership, requiring one governor's appointee to be a tribal member: SB 5921

Riparian grant program, establishing to aid salmon recovery: HB 1215, HB 1720

State-owned lands, unused and underutilized, performing assessment to determine suitability for agriculture, commission role: HB 2336

Sustainable farms and fields grant program, creating: HB 1574

Sustainable farms and fields program, creating climate-smart grant funding requirements: HB 1574

Urban agricultural opportunities and barriers, commission to study: **\*HB 1552, CH 178 (2023)**

Voluntary stewardship program for agricultural lands, removing or updating certain dates: HB 1421

**CONSOLIDATED TECHNOLOGY SERVICES AGENCY**

Jurors receiving summons electronically, opting-in for email sharing with agency to enable: HB 1598, **\*SSB 5128, CH 316 (2023)**

Technology services board, duties under WA state ransomware protection act: HB 1464

Washington state aerial imagery program, agency to establish: HB 1990

Washington technology solutions, renaming agency as, and revising its role and eliminating the office of the chief information officer: HB 1947

**CONSTITUTION, STATE (See also CONSTITUTION, U.S.; JOINT RESOLUTIONS)**

Article IX, section 1, requesting publication without "Preamble" caption because not in original source: **\*HB 2213, CH 232 (2024)**

Elected or appointed officials, state governmental, violations of state constitution or state law by, private right of action for harm from: HB 1844

Gendered terms, amending state constitution to remove and replace: HJR 4208

Law enforcement or local corrections agencies, investigation of violations of state constitution or state law by: HB 1445

**CONSTITUTION, U.S. (See also CONSTITUTION, STATE)**

Tahoma High School, We the People program students as "Warriors of the Constitution", honoring: **\*HR 4636 (2023), \*HR 4668 (2024)**

U.S. government and congress, limits on, amendment convention: HJM 4002

**CONSUMER PROTECTION (See also CREDIT HISTORY AND CREDIT REPORTING; INSURANCE; MOTOR VEHICLES)**

Antitrust penalties improvement act, providing stronger penalties for antitrust violations: HB 2072

Bankruptcy, personal property exemptions from execution et al., increasing value limits for, when: HB 1400, **\*ESSB 5173, CH 393 (2023)**

Commercial solicitation, prohibiting via robocalling or automatic dialing and to persons on do not call registry: HB 1051

Contractors, safeguards for consumers engaging, work group on, repealing provisions: HB 1534

Cosmetic products, tested using animals, sale of, prohibiting via cruelty free cosmetics act: HB 1097

Debt, personal property exemptions from execution/attachment/garnishment, various modifications of: HB 1400, **\*ESSB 5173, CH 393 (2023)**

Degree-granting postsecondary institutions, consumer protections for students: EHB 2164

Digital electronic equipment, repairing of, manufacturer and repair provider requirements, fair repair act concerning: HB 1392

Digital electronic products, repairing of, manufacturer and repair provider requirements, right to repair act concerning: HB 1933

Discrimination, pricing difference for goods on basis of gender, prohibiting: HB 1152, SSB 5171

Dogs and cats, prohibiting pet store sales and regulating pet store showcasing of adoptable dogs or cats: HB 1424

Electronic commerce platforms, liability to consumer under product liability claims statutes: HB 1606

Gift certificates and cards, retailer acts and practices involving, improving consumer protections with prohibitions and requirements: HB 2094

Government agency communications, constituting trade and commerce for purposes of: HB 1610

Health entities, hospitals/hospital systems and provider organizations, material change transactions involving: HB 1263, ESB 5241

Health entities, impact of mergers, acquisitions, and contracting affiliations between, studying: HB 1263, ESB 5241

Landlords, limiting increases of rent and fees combined by and requiring certain notices from, as protections for tenants: HB 2114

Landlords, violations of residential landlord-tenant act or manufactured/mobile home landlord-tenant act by, tenant protections enforcement: HB 2161

Loans, predatory consumer loans in form of money or credit, predatory loan prevention act, establishing: HB 1874, **\*SSB 6025, CH 249 (2024)**

Medical debt, judgments arising from, prohibiting garnishment of earnings for: HB 2119

Online marketplaces, high-volume third-party sellers on platform, requirements: HB 1065

Payday lending, small loans, limiting annual percentage rate and defining and further modifying: HB 1918, HB 2083

Personal data, brokered, registration and regulation of data brokers: HB 1799, HB 2277

Personal data, data privacy day, commemorating: **\*HR 4607 (2023)**

Personal information and data, TikTok's stealing of, protecting users by prohibiting TikTok from operating in Washington: HB 2435

Personal information, captured biometric, people's privacy act provisions concerning: HB 1616

Personal information, captured, processing by business entities, individual's rights and opt-in consent for: HB 1616

Personal information, captured, processing by business entities, people's privacy act concerning: HB 1616

Personal information, collected from consumers at point of sale, prohibiting selling or sharing without consumer's permission: HB 2149

Public nuisance, firearm industry member creating or maintaining, prohibition: **\*SSB 5078, CH 163 (2023)**

Public nuisance, firearm industry member creating or maintaining, prohibition and victim right of action: HB 1130

Real estate, solicited, transactions in which potential buyer actively solicits purchase, consumer protections for solicited owners: HB 2274

Residential landlord predatory rent practices, certain violations as unfair under consumer protection act: HB 1388

Sexual assault kits, over-the-counter, defining and prohibiting sale or providing of: **\*HB 1564, CH 296 (2023)**

Solar energy systems, persons selling or installing for cost in excess of 1,000 dollars, license and installation contract requirements for: HB 2156

Solar energy systems, work in excess of 1,000 dollars, license and installation contract requirements for: SSB 6256

Ticket sales warrant integrity, fairness, and transparency for consumer protection act, or TSWIFT consumer protection act: HB 1648

TikTok social networking service, protecting users by prohibiting operation or availability for downloading within territorial jurisdiction of Washington: HB 2435

Tournaments and events, extracurricular, stay-to-play specific-lodging requirement for nonlocal teams and individuals, prohibiting: HB 1860

Unclaimed property, prohibiting excessive fees for locating property held by counties: SSB 6162

#### **CONTRACEPTION (See also ABORTION)**

Reproductive freedom, right to choose to have abortion or use contraception: HJR 4201

Reproductive health care services, access to, civil and criminal procedural protections: HB 1469

Reproductive health care services, exempting persons sheltering minors from reporting requirements for protected services: **\*ESSB 5599, CH 408 (2023)**

Reproductive health care services, lawful participation by health professionals in, harmonizing statutory language relating to: **\*HB 1954, CH 14 (2024)**

Reproductive health care services, shield law, claim for interference with protected health care services lawful in WA: HB 1469

Reproductive health care, access to, in relation to health care entity material change transactions: HB 1263, ESB 5241



Sexually protective devices, nonconsensual removal of or tampering with, as civil cause of action for damages: **\*HB 1958, CH 254 (2024)**

Sterilization for contraceptive purposes, access under protecting reproductive autonomy act: HB 2502

Vending machines, over-the-counter emergency medication and other forms, in vending machines on college campuses: HB 1837

**CONTRACTORS (See also ELECTRICIANS AND ELECTRICAL INSTALLATIONS; HOUSING AND HOMES; PROFESSIONS; PUBLIC WORKS; REAL ESTATE AND REAL PROPERTY)**

Building materials, environmental product declarations and labor reporting requirements for: HB 1282

Building materials, life-cycle assessments, environmental product declarations, and embodied carbon intensity: HB 1342

Building materials, publicly accessible database for submission of data by selected firms for covered projects contracts, continuing developing and maintaining of: HB 1282

Certification, allowing for certified sprinkler trainees to work under supervision: **\*2SSB 5425, CH 329 (2023)**

Change orders, requiring and requesting for additional work: **\*SSB 6192, CH 199 (2024)**

Construction, defect claims/assessment reports/professionals, and relevance to condominium units: HB 1298

Construction, defect claims/professionals/written reports and responses, and relevance to condominium units: **\*E2SSB 5258, CH 337 (2023)**

Construction, homeowner recovery program and account, creating: HB 1534

Construction, including suppliers in retainage rules: **\*SSB 6108, CH 101 (2024)**

Construction, registration applicant surety bond amounts and working while not registered monetary penalties, raising: HB 1534

Construction, requiring accommodation for workers who menstruate or express milk: **\*EHB 2266, CH 258 (2024)**

Construction, requiring payment for accrued and unused paid sick leave: **\*SB 5979, CH 39 (2024)**

Construction, successor to entity with unsatisfied judgment or owing penalties/fees, denying registration application of: HB 1534

Construction, training programs for incarcerated individuals, with focus on apprenticeship preparation programs: HB 2084

Consumers, safeguards for engaging contractors, work group on, repealing provisions: HB 1534

Electrical, license requirement as responsibility criterion for public works contract bidding: HB 1309, **\*SB 5088, CH 88 (2023)**

Elevator, license requirement as responsibility criterion for public works contract bidding: HB 1309, **\*SB 5088, CH 88 (2023)**

Energy equipment and services, municipality/state agency/school district performance-based contracting for, options: **\*HB 1777, CH 309 (2023)**

Fire protection, prohibiting fee raises until 2028 and increasing infraction penalties: **\*2SSB 5425, CH 329 (2023)**

Fire-resistant materials, requiring training and certification for applicators, and related provisions: HB 1323

Plumbing, license requirement as responsibility criterion for public works contract bidding: HB 1309, **\*SB 5088, CH 88 (2023)**

Procurement, modifying sole source, convenience, and emergency contracts and repealing sections: **\*HB 1471, CH 140 (2024)**

Public works contracts, nondiscrimination clause and additional requirements: **\*ESSB 5186, CH 468 (2023)**

Qualified energy contractors, qualification process under statewide building energy upgrade navigator program: HB 1391

Retained percentage, authorizing for nonpublic works projects and allowing retainage bonds: HB 1524

Retained percentage, authorizing for private construction projects and allowing retainage bonds: **\*ESSB 5528, CH 373 (2023)**

Small, women, minority-owned, or disadvantaged businesses, reviewing payment promptness: **\*ESSB 6040, CH 276 (2024)**

Solar energy systems contractors, provisions: HB 1427, HB 2156, SSB 6256

Tower cranes, prime contractor permit requirements: HB 2022

Wages, requiring wage adjustment per prevailing wage rate: ESSB 5726

Women, minority, small, and veteran-owned businesses, requiring consideration for public works: HB 1306, **\*2SSB 5268, CH 395 (2023)**

Workers covered under NAICS code 23, employer payment of unused paid sick leave, when: **\*ESSB 5111, CH 267 (2023)**

**COOPERATIVE ASSOCIATIONS (See also UTILITIES)**

Employee-owned cooperatives, officers of, unemployment insurance benefits for, modifying provisions: \***SSB 5176, CH 92 (2023)**

**CORPORATIONS (See also BUSINESS ORGANIZATIONS; COOPERATIVE ASSOCIATIONS)**

Acquisitions, new chapter authorizing, including share exchange: \***SSB 5786, CH 22 (2024)**

Business, plan of merger or share exchange, provisions: \***SB 5004, CH 432 (2023)**

Business, shares, issuance as stock split or share dividend: \***SB 5004, CH 432 (2023)**

Foreign export markets, diversifying to avoid particular-market dependence, assistance for businesses in: HB 1778

Foreign-influenced for-profit corporations, political expenditures or contributions by, prohibiting: HB 1885

Mergers, new chapter authorizing, including share exchange: \***SSB 5786, CH 22 (2024)**

Nonprofit, associate development organizations, grant program for recruitment, hiring, and retention of grant writers by: HB 1783

Nonprofit, search and rescue organizations, defining: HB 2257

Nonprofit-owned property, using for adult family homes for persons with developmental disabilities, property tax exemption: \***HB 1265, CH 69 (2023)**

Professional service corporations, formation by occupational and physical therapists: \***HB 1082, CH 60 (2023)**

Public corporations, sale of qualified space in development qualifying for property tax exemption to, real estate sales excise tax exemption for, when: HB 2276

Resident nonprofit cooperatives, as eligible organizations for manufactured/mobile home community purchase or lease: HB 1129, \***E2SSB 5198, CH 40 (2023)**

**CORRECTIONAL FACILITIES AND JAILS (See also CORRECTIONS, DEPARTMENT; CRIMES; CRIMINAL OFFENDERS; CRIMINAL PROCEDURE; INDETERMINATE SENTENCE REVIEW BOARD; LAW ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL; SENTENCES AND SENTENCING)**

Biological samples, from confined persons for DNA analysis, requiring prior to release, when: ESSB 5576

Correctional industries advisory committee, members from businesses employing persons formerly incarcerated: HB 1338

Corrections center, state, wild horse training, holding, and farrier program at a, feasibility study and plan: HB 2210

Corrections officers, home purchase by, pilot program for loans to certain workers/occupations for certain costs: HB 1633

Cost of incarceration, requirement that incarcerated person pay, eliminating: HB 1024

Council of health care coordination for justice-involved youth and adults, creating to improve communication: HB 2314

Coyote Ridge corrections center, wild horse training, holding, and farrier program at, feasibility study and plan: HB 1543

Extraordinary release of incarcerated offender, granting by governor, removing clemency and pardons board role: HB 1640

Gender, prohibiting housing of inmates with those of different biological sex in cases of certain sex offenders: HB 1233

Incarcerated individuals, accrual of earned release time up to 33.33 percent of total sentence, with certain exceptions: HB 1798

Incarcerated individuals, construction-related training programs with focus on apprenticeship preparation programs: HB 2084

Incarcerated individuals, cost of certain privileges, requiring individual to contribute to, when: \***HB 1345, CH 177 (2023)**

Incarcerated individuals, department of corrections identification card for, and for individuals in community custody: HB 2099

Incarcerated individuals, earned release date, recalculating for any offender confined in a facility, requirements: HB 1798

Incarcerated individuals, ensuring each has a valid identicard or driver's license before release from total confinement: HB 2099

Incarcerated individuals, extraordinary medical placement for, waiving electronic monitoring in certain cases: \***SSB 5101, CH 358 (2023)**

Incarcerated individuals, postsecondary education programs, financial aid for, modifying provisions concerning: HB 1931, HB 2171

Incarcerated individuals, wages/funds of, maximum allowable deductions from, modifying: HB 1024

Incarcerated persons, funding of certain educational programs: \***SSB 5953, CH 272 (2024)**

Incarcerated veterans, reintegration support for incarcerated veterans pilot project, initiating to aid transition to civilian life: HB 2057, HB 2203

Jail oversight board, creating for transparency and independent oversight: HB 2473

Jails, county or multijurisdictional, individuals in custody of, support for obtaining a state-issued identicaid: HB 2099

Jails, providing information about substance use disorder treatment for fentanyl/synthetic opioids addiction to persons released from: HB 2396

Justice-involved students in institutional education, delivery/oversight of basic education services to, OSPI to assume: HB 1701

Local corrections agencies, investigations of violations of state constitution or state law by and actions against: HB 1445

Money, prohibiting commissary funds received from outside sources being used for other purposes: **\*SB 5131, CH 111 (2023)**

Postsecondary education programs, financial aid for, modifying provisions concerning: HB 1931, HB 2171

Postsecondary education programs, participation goals and individual and program priorities: HB 1338

Private detention facilities, contracts with state or local agencies, requirements and confinement standards: HB 1470

Private detention facilities, oversight by certain state agencies, requirements for and rule making by: HB 1470

Private detention facilities, various records of, public inspection and copying exemption for: HB 1470

Records, making records of juveniles in detention available to managed care and behavioral health organizations: **\*SB 6079, CH 99 (2024)**

Reentry, increasing supports and services: **\*2SSB 5134, CH 467 (2023) PV**

Reproductive health, establishing department of corrections program to distribute abortion medication: HB 1854, **\*SB 5768, CH 195 (2023)**

Residential parenting program, allowing up to 18 months served in partial confinement: **\*SB 5938, CH 193 (2024)**

Solitary confinement, adoption restrictions and limitations: HB 1087

State facilities, offender transferred or conditionally released to supervision or partial confinement, providing with money, clothing, and transportation: HB 1995, **\*2SSB 5893, CH 32 (2024)**

Voting, creating jail voting plans: HB 1174

WA state penitentiary east complex, improving communication and reducing recidivism at, pilot project for, establishing: HB 2169

Wild horse training, holding, and farrier program at state corrections center, feasibility study and plan: HB 1543, HB 2210

Work ethic camp program for offenders, repealing: HB 1024

Work programs, labor and income of incarcerated persons, real labor real wages act concerning: HB 1024

**CORRECTIONS, DEPARTMENT (See also CORRECTIONAL FACILITIES AND JAILS; CRIMINAL OFFENDERS; LAW ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL; SENTENCES AND SENTENCING; SEX OFFENSES AND OFFENDERS)**

Body scanner pilot program, making permanent: 2SSB 6187

Communication, improving at WA state penitentiary east complex while reducing recidivism, pilot project for, DOC to establish: HB 2169

Community custody, conditions of, modifying based on offender's crime of conviction, risk of reoffense, and risk to community safety, DOC role: HB 2303

Conditional commutations of sentences, DOC authority to supervise persons granted: HB 1189, HB 2478

Correctional industries advisory committee, members from businesses employing persons formerly incarcerated: HB 1338

Corrections center, state, wild horse training, holding, and farrier program at a, feasibility study and plan, DOC role: HB 2210

Coyote Ridge corrections center, wild horse training, holding, and farrier program at, feasibility study of, DOC role: HB 1543

Earned release date, DOC to recalculate for any offender confined in a facility, requirements: HB 1798

Graduated reentry program, requiring public data reporting: **\*2SSB 5502, CH 405 (2023)**

Graduated reentry program, requiring substance use disorder assessment before transferring: **\*2SSB 5502, CH 405 (2023)**

Incarcerated individuals, department of corrections identification card for, and for individuals in community custody: HB 2099

Incarcerated individuals, ensuring each has a valid identicaid or driver's license before release from total confinement, DOC duties: HB 2099

Incarcerated individuals, extraordinary medical placement for, waiving electronic monitoring, DOC role: **\*SSB 5101, CH 358 (2023)**

Incarcerated individuals, postsecondary education programs, participation goals and individual and program priorities: HB 1338

Incarcerated persons, department funding of certain educational programs: **\*SSB 5953, CH 272 (2024)**

Incarcerated persons, real labor real wages act role of DOC: HB 1024

Notification of victim, when offender released, escapes, etc., public records exemption for certain DOC records: **\*SSB 5081, CH 391 (2023)**

Offender management network information system, replacing: SSB 5025

Offenders, comprehensive electronic health records system, implementing: SSB 5025

Offenders, convicted, Sex offenders, convicted, community custody discharges: HB 2178

Ombuds, office of corrections ombuds, ombuds advisory board to the, governor to convene: HB 2287

Ombuds, office of corrections ombuds, oversight committee for access to construction-related training in facilities, convening: HB 2084

Pharmacy, practice of, authorizing department to engage in for abortion medication: HB 1854, **\*SB 5768, CH 195 (2023)**

Reentry and targeted community workforce development program, establishing, DOC role: HB 2360

Reproductive health, establishing program to distribute abortion medication: HB 1854, **\*SB 5768, CH 195 (2023)**

Sentencing calculation module, requiring replacement before other modules of offender management network: SSB 5025

Sexually violent predators, conditional release to a less restrictive alternative, supervision compliance credit ineligibility: HB 1926

Solitary confinement restriction act, adopting: HB 1087

Telecommunications services and electronic media in correctional facilities, DOC reporting requirement, eliminating: HB 1362

Wild horse training, holding, and farrier program at state corrections center, feasibility study and plan, DOC role: HB 1543, HB 2210

Work ethic camp program for offenders, repealing: HB 1024

**COUNSELORS AND COUNSELING (See also HEALTH CARE PROFESSIONS AND PROVIDERS; MENTAL HEALTH; VICTIMS OF CRIMES)**

Agency affiliated counselors, affiliations to include federally qualified health centers: HB 2247

Behavioral health loan repayment and scholarship program, changing name of behavioral health loan repayment program to: **\*HB 1946, CH 369 (2024)**

Behavioral health loan repayment program, including penalty interest rate, supports, and service member exception: **\*HB 1763, CH 159 (2023)**

Behavioral health workforce, various strategies for increasing: HB 1724

Crisis co-response/co-responders, workforce development via training academy, certificates, programs, and activities: HB 2245

First responder peer support counselors, developing training programs and peer support network and establishing grant program: HB 2311

Marriage and family therapist associates, as health plan and medicaid providers, when: HB 2247

Marriage and family therapist associates, clinical supervision services for, modifying stipend program for offsetting costs: HB 2247

Marriage and family therapist associates, practice before licensure, continuing education modification, and renewals beyond 6-renewal limit: HB 2247

Marriage and family therapists, licensed, modifying continuing education requirements: HB 2247

Marriage and family therapists, licensed, modifying supervised experience requirement: HB 1724

Marriage and family therapists, licensed, probationary license, removing practice restriction for licensees: HB 1724

Marriage and family therapy associates, program to facilitate placement with clinical supervision services, developing: HB 1724

Mental health counselor associates, as health plan and medicaid providers, when: HB 2247

Mental health counselor associates, clinical supervision services for, modifying stipend program for offsetting costs: HB 2247

Mental health counselor associates, practice before licensure, continuing education modification, and renewals beyond 6-renewal limit: HB 2247

Mental health counselor associates, program to facilitate placement with clinical supervision services, developing: HB 1724

Mental health counselor compact, adoption of: HB 1069

\* - Passed Legislation

Mental health counselors, licensed, modifying continuing education requirements: HB 2247  
 Mental health counselors, licensed, modifying supervised experience requirement: HB 1724  
 Mental health counselors, licensed, probationary license, removing practice restriction for licensees: HB 1724  
 Services, immediate family members of homicide victims, additional counseling for: HB 1501  
 Sex offender treatment providers and affiliate providers, certified, expanding definitions to include certain mental health associates: HB 1394  
 Social worker associates, as health plan and medicaid providers, when: HB 2247  
 Social worker associates, clinical supervision services for, modifying stipend program for offsetting costs: HB 2247  
 Social worker associates, practice before licensure, continuing education modification, and renewals beyond 6-renewal limit: HB 2247  
 Social worker associates, program to facilitate placement with clinical supervision services, developing: HB 1724  
 Social workers, home purchase by, pilot program for loans to certain workers/occupations for certain costs: HB 1633  
 Social workers, independent clinical and advanced, licensed, modifying continuing education requirements: HB 2247  
 Social workers, independent clinical and advanced, licensed, modifying education and supervised experience requirements: HB 1724  
 Social workers, independent clinical and advanced, licensing standards: HB 1021  
 Social workers, independent clinical and advanced, probationary license, removing practice restriction for licensees: HB 1724  
 Social workers, social work licensure compact for, adopting: HB 1939  
 Telehealth, inclusion in mental health counselor compact: HB 1069

**COUNTIES (See also AERONAUTICS; AUDITORS AND AUDITING; BRIDGES; BUILDING CODES AND PERMITS; CITIES AND TOWNS; COURTS; DEATH; ELECTIONS; ENERGY; FIRE PROTECTION; GROWTH MANAGEMENT; HEALTH CARE AUTHORITY; HEALTH CARE FACILITIES; HOMELESS PERSONS; HOUSING AND HOMES; LANDLORD AND TENANT; LAW ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL; LOCAL GOVERNMENT; LOW-INCOME PERSONS; MENTAL HEALTH; PUBLIC DEFENSE, OFFICE; PUBLIC FACILITIES DISTRICTS; SHORELINES AND SHORELINE MANAGEMENT; SOLID WASTE; SUBSTANCE USE DISORDER; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - PROPERTY; TAXES - SALES; TAXES - USE; UTILITIES)**

911, regional 911 emergency communications system, county-operated, telephone access line tax revenue transfers to municipal 911 system by, when: HB 2258  
 Annexation of unincorporated areas by cities, interlocal agreements between city and county, when: HB 1425  
 Auditor's office, designating jail voting coordinator and creating jail voting plan: HB 1174  
 Auditor, adding surcharge per instrument for certain documents recorded and repealing sections: **\*SSB 5386, CH 277 (2023)**  
 Auditors, developing community outreach plan for voter education about signature verification: **\*ESSB 5890, CH 269 (2024)**  
 Board of health, local, relaxing requirement that board members must be county commissioners: HB 2090, **\*SB 5970, CH 37 (2024)**  
 Clark, sheriff's office, deputy Rocky Futrell, 2023 Clark county sheriff's office deputy of the year, recognizing and commending: **\*HR 4675 (2024)**  
 Clark, superior court judges in, adding additional judge: **\*SB 5836, CH 125 (2024)**  
 Clark-Cowlitz fire rescue, division chief Michael Jackson, 2022 state fire marshal of the year, honoring: **\*HR 4609 (2023)**  
 Commissioner districts, boundaries adoption after expanding to 5 commissioners, timeline: **\*HB 1049, CH 237 (2023)**, SSB 5106  
 Commissioners and councilmembers, modifying salary commission membership and petition rules: **\*SSB 5627, CH 49 (2023)**  
 Commissioners, boards of, holding county coordination meetings of qualifying local providers of homeless housing and services, requirements: HB 2229  
 Community reconciliation account, renaming community reinvestment account as, and using for reconciliation purposes: HB 1737  
 County auditors, authorizing application to participate in alternative verification options pilot project: **\*SSB 6269, CH 138 (2024)**  
 County investment pools, authorized tribal official authority to invest tribal funds with county treasurer: HB 1352

Cowlitz, sheriff's deputy Justin DeRosier, naming of I-5 section as Cowlitz County Deputy Sheriff Justin DeRosier memorial highway, requesting: HJM 4001

Disasters or emergencies, statewide recovery framework and long-term community recovery assistance program, establishing: HB 1952

Distressed coastal county, tribe/business entity deploying internet/telecommunications infrastructure in, sales/use tax exemption: HB 1711

District courts, allowing county legislative authorities to increase number of judges: **\*SB 6222, CH 103 (2024)**

Encampments, counties to prohibit camping on public property within 500 feet of schools, parks, courthouses, and child care centers: HB 1373

Ferries, county ferry maintenance, indefinite-quantity contracts for, authorizing use and providing requirements: HB 2391

Frontier county, defining for certain economic development and excise taxation purposes: HB 1835

Human remains, authorizing counties to dispose of, and shortening required period of lawful possession for: HB 1974

Indigent persons, county resident who dies in adjacent county outside WA, disposition of remains of: **\*HB 1100, CH 62 (2023)**

Island counties, community councils for unincorporated areas, repealing chapter: HB 1090, **\*SSB 5087, CH 102 (2023)**

Legislative authorities, authority in actions based on special purpose district governing body member official misconduct: HB 1538

Lewis, board of county commissioners, administration of southwest Washington fair by, to encompass fair and county purposes: **\*HB 2433, CH 75 (2024)**

Local homeless housing plans, providing use of retained audit fees: **\*SSB 5386, CH 277 (2023)**

Mason, sheriff's office, former sheriff Casey Salisbury, recognizing: **\*HR 4612 (2023)**

Meetings of legislative authorities at alternate locations, frequency: **\*HB 1645, CH 84 (2023)**, SB 5067

Peace officers, pool of candidates for hiring by county law enforcement agencies, program to recruit/certify, establishing: HB 1387

Pierce, daffodil festival, its organizers, and its royal court, recognizing: **\*HR 4620 (2023)**, **\*HR 4662 (2024)**

Public infrastructure damage caused by disaster, emergency assistance to county governments that experience, creating: HB 2020

Reconciliation act, renaming account as community reconciliation account and using for community support: HB 1737

Rural, counties that are child care deserts, annual list of and requirements for providers in: HB 2046

Rural, counties unable to designate a residential targeted area, multiple-unit dwellings with multifamily units, 12- and 20-year property tax exemptions: HB 2422

Rural, environmental justice council membership, at least one-half to be rural county residents: HB 1664

Rural, expanding criminal defense training academy program: **\*2SSB 5780, CH 293 (2024)**

Rural, fire protection services capital projects grant program for rural counties, establishing: HB 1014

Rural, rural public facilities sales and use tax moneys, using for affordable workforce housing infrastructure and facilities: **\*HB 1987, CH 58 (2024)**

Rural, rural public facilities sales and use tax, providing revenue, project, and expenditure information on auditor website: HB 1267

Sales and use tax, authorizing for criminal justice purposes: HB 2211

Snohomish, district court judges in, adding additional judge: **\*SB 5003, CH 5 (2023)**

Stadiums, impact fee assessment on price of admission, community preservation and development authority use: HB 1510

Stadiums, local sales/use tax at taxable events inside certain facilities, community preservation and development authority imposition of: HB 1847

Stormwater control facilities, eligibility of diking or drainage district to receive rates and charges assessed: HB 1705

Stormwater control facilities, requiring notification of interaction with diking or drainage district: HB 1705

Street projects, paid for by property owners, period for reimbursement of owner by other benefitting owners, increasing, and allowing extensions: HB 2343

Taxation, eliminating population threshold for accessory dwelling unit exemption: SB 6030

Treasurers, warrants, repealing certain sections concerning warrant interest and warrant calls: **\*HB 1419, CH 75 (2023)**

Treasurers, warrants, when cleared or redeemed or not redeemed due to insufficient funds: **\*HB 1419, CH 75 (2023)**

Urban growth areas, allowing revision to accommodate patterns of development: **\*SSB 5834, CH 26 (2024)**

Wahkiakum county ferry, DOT monthly payments to county for deficit, increasing amounts: **\*EHB 1782, CH 428 (2023)**

Wahkiakum, Julia Butler Hansen state park heritage center conservation site, establishing and operating: HB 2310  
 Whatcom, superior court judges in, adding additional judge: \***HB 1992, CH 112 (2024)**  
 Whitman, Terry Cochran, wrestling official and active member of the community, honoring and congratulating: \***HR 4669 (2024)**  
 Wolves, gray, managing as protected or endangered in counties meeting criteria and developing management plan: HB 1698  
 Yakima, Barbara Harrer, retired mayor of Harrah and longest serving mayor in Yakima county, recognizing and honoring: \***HR 4673 (2024)**

**COURTS (See also BAIL AND BAIL BONDS; CIVIL ACTIONS AND PROCEDURE; CRIMINAL OFFENDERS; CRIMINAL PROCEDURE; GUARDIANSHIP; JUDGES; JUVENILES AND JUVENILE COURT; PUBLIC DEFENSE, OFFICE; VICTIMS OF CRIMES)**

Appeals, court of, divisions and panels of, certain chief judge and chief justice authority concerning, removing: \***SB 5155, CH 184 (2023)**  
 Appeals, court of, final decisions of environmental boards in adjudicative proceedings, appealing directly to: HB 2039  
 Behavioral health, requiring consultation of databases before making certain determinations: HB 2469  
 Competency, providing procedure for doubts of, including evaluation and restoration: \***E2SSB 5440, CH 453 (2023)**  
 Courthouse facility dogs, increasing accessibility for witness use: HB 1077  
 Crime victim penalty assessment, eliminating: HB 1169  
 Criminal insanity and competency to stand trial, updating terminology relating to the ability or inability to proceed to trial: HB 2152  
 Dependency cases, altering responsibility for public notice: HB 1205  
 Dependency cases, modifying certain evidence and testimony rules for minors: \***2SSB 6006, CH 298 (2024)**  
 District courts, allowing county legislative authorities to increase number of judges: \***SB 6222, CH 103 (2024)**  
 District courts, hope card issuance to protection order recipients by, developing hope card program for: HB 1766  
 District courts, Snohomish county, adding additional judge: \***SB 5003, CH 5 (2023)**  
 DNA database fee, eliminating: HB 1169  
 Drug courts, criminal justice treatment account funds use for SUD treatment within or after program, modifying: \***HB 1983, CH 179 (2024)**  
 Family and juvenile court improvement grant program, training for family and juvenile court professionals in connection with, modifications: HB 2447  
 Family courts, judges/commissioners/guardians ad litem/investigators, training and education program completion by, when: HB 2010  
 Firearms, restoration of right to possess in competency cases: \***ESB 6246, CH 290 (2024)**  
 Gambling courts, gambling treatment diversion court pilot program, conducting: HB 2055  
 Homeless encampments, requiring county and city prohibition on public property within 500 feet of courthouses: HB 1373  
 Interpreters, for deaf/deaf and blind/hard of hearing persons, shortage of American and protactile sign language interpreters, work group on, establishing: HB 2221  
 Interpreters, for persons with limited English proficiency, language access plans for providing services, revising requirements: HB 2006  
 Interpreters, for persons with limited English proficiency, modifying court and interpreter requirements and procedures: HB 2006  
 Judiciary, state of the, joint legislative session for message: \***SCR 8400 (2023)**  
 Juror service, wages paid to employees during, B&O and public utility tax credits for employers: HB 1883  
 Jurors, altering compensation: HB 1598  
 Jurors, opt-in for electronically receiving jury summons via email sharing with consolidated technology services agency: HB 1598, \***2SSB 5128, CH 316 (2023)**  
 Jury service, persons 80 or older requesting to be excused from, attestation form requirement for: \***HB 1312, CH 205 (2023)**  
 Less restrictive alternative treatment, altering standards: ESB 5130  
 Litigation, authorizing the retention of any connected overpayment less than 10 dollars: \***SB 5392, CH 278 (2023)**  
 Mental health sentencing alternative, permitting court to waive compliance and treatment report requirements: \***SSB 5588, CH 373 (2024)**  
 Municipal, requiring notice to administrative office of the courts for operation and termination: \***HB 2034, CH 61 (2024)**

Opioids, requiring training to include risks of high-potency synthetic opioids: **\*E2SSB 6109, CH 328 (2024)**  
 RCW, repealing and amending defects and omissions identified by courts: HB 1090, **\*SSB 5087, CH 102 (2023)**  
 Remittances resulting from lawsuits, appearance of elected official's name on, prohibiting: HB 2183  
 Specialty courts, parent or guardian participants in, increasing access to working connections child care program: **\*2SSB 5225, CH 222 (2023)**  
 State v. Blake, comprehensive statutory changes in response to: **\*2E2SSB 5536, CH 1 (2023)**  
 State v. Blake, persons with qualifying conviction or nonconviction to be eligible for legal financial obligations refund: HB 1492  
 State v. Blake, persons with qualifying conviction to be eligible for vacation of conviction and resentencing: HB 1492  
 Superior courts, authorizing appointment of water commissioners and referees: HB 1993, **\*ESSB 5828, CH 268 (2024)**  
 Superior courts, Clark county, adding additional judge: **\*SB 5836, CH 125 (2024)**  
 Superior courts, hope card issuance to protection order recipients by, developing hope card program for: HB 1766  
 Superior courts, retaining original jurisdiction over various proceedings in basic juvenile court act: **\*HB 2213, CH 232 (2024)**  
 Superior courts, siting of sexual violent predator secure community transition facility, role of court: HB 1751  
 Superior courts, Whatcom county, adding additional judge: **\*HB 1992, CH 112 (2024)**  
 Supreme court, bailiffs of, authority to conduct threat assessment investigations of persons threatening a justice: HB 2056  
 Termination of parental rights cases, altering responsibility for public notice: HB 1205  
 Terminology relating to the ability to stand trial, updating: HB 2152  
 Therapeutic courts, local sales and use tax revenues for programs for, providing state matching funds for: HB 2472  
 Therapeutic courts, parent or guardian participants in, increasing access to working connections child care program: **\*2SSB 5225, CH 222 (2023)**  
 Uniform child abduction prevention act, enacting new chapter: HB 1121  
 Venue, clarifying legislative intent for recovery of county taxes: HB 1572  
 Victims and survivors, ensuring access and permitting remote attendance: **\*E2SSB 5937, CH 297 (2024)**

#### **COVID-19 AND CORONAVIRUS**

Hospital at home services, authorizing continuation: HB 2295, ESSB 6101  
 Learning recovery grant program, establishing to provide funding for postpandemic learning recovery programs: HB 2404  
 Occupational diseases, to include COVID-19 and similar diseases for workers' compensation purposes: HB 1785  
 Vaccination or immunization, state executive branch agency requiring that new or prospective employees have, prohibition: HB 1801  
 Vaccination, public employees separated due to mandate, hiring preference and retirement system service credit: HB 1814  
 Vaccination, state ferry employees being hired or rehired, prohibiting vaccination proof requirement for: HB 1871

#### **CREDIT AND DEBIT CARDS**

Credit card payments, transaction processing fee for, authority of certain businesses to charge, requirements: HB 1666, HB 1727  
 Payment card processing companies, creating tax deduction and rate changes: HB 1815

#### **CRIMES (See also CANNABIS; CHILDREN; CIVIL ACTIONS AND PROCEDURE; COMPUTERS; DRUGS; FIREARMS; SENTENCES AND SENTENCING; SEX OFFENSES AND OFFENDERS; TELECOMMUNICATIONS; VICTIMS OF CRIMES)**

Abandoned property, charging excessive fees for locating as misdemeanor: SSB 6162  
 Adult entertainment, excluding from certain crimes: ESSB 5614  
 Aggravated first degree murder, allowing downward departure for mitigating factors for ages 18-20: HB 1396  
 Aggravated first degree murder, offender sentenced to term of life without possibility of parole for offense when age 18-20, resentencing of: HB 1396  
 Ammonia, theft of, reclassifying as class B felony: HB 2504  
 Animal abuse, civil forfeiture in cases of abuse or neglect: HB 1234  
 Animal cruelty, 1st degree, seriousness level table listing of, revising: **\*HB 1961, CH 55 (2024)**  
 Assault, 2nd degree, by strangulation or suffocation, victim consent to being strangled or suffocated not a defense to: HB 2395



- Assault, 3rd degree, assaulting a child welfare worker, class C felony: HB 1875
- Assault, 3rd degree, assaulting an amateur sports official: HB 1096
- Assault, 3rd degree, implanting own gametes or reproductive material into patient without consent as: HB 1300
- Assault, targeting off-duty law enforcement personnel in certain situations as 3rd degree assault: ESSB 5299
- Attempting to elude police vehicle, conditions requiring electronic monitoring: HB 2390
- Attempting to elude police vehicle, when vehicle used, impoundment, forfeiture, and taking possession: HB 2390
- Auto theft, Washington auto theft prevention authority account, limiting use for confinement matters and costs to local level: HB 1682
- Auto theft, Washington auto theft prevention authority and account, modifying provisions: HB 1669
- Branding, creating as class B felony: HB 1150
- Capital punishment, repealing and amending language: HB 1090, **\*SSB 5087, CH 102 (2023)**
- Catalytic converters, knowingly possessing, selling, or offering for sale without proper marking by person removing it from vehicle as gross misdemeanor or class C felony, when: HB 2153
- Catalytic converters, scrap metal business purchase offenses, certain involving certain numbers or marks on, class C felony, when: HB 1840
- Catalytic converters, scrap metal business purchase offenses, knowing property is stolen, gross misdemeanor: HB 1840
- Catalytic converters, theft in 2nd degree of private metal property, special allegation and special verdict, when: HB 1840
- Catalytic converters, trafficking in, creating first degree as class B felony and second degree as class C felony: HB 2153
- Child abuse and neglect, investigating allegations of, certification of risk assessment process and pilot study of risks, strengths, and needs assessment tool for: HB 2259
- Child abuse and neglect, investigating allegations of, fentanyl-specific risk assessment tool for, developing: HB 2233
- Child abuse and neglect, investigating allegations of, use of high potency synthetic opioid testing strips when: HB 2447
- Child abuse and neglect, investigating allegations of, using and studying risks, strengths, and needs assessment tool for: HB 2224
- Child abuse and neglect, legal liaison positions to work with DCYF and AG's office to assist preparation of court cases, establishing: HB 2447
- Child abuse or neglect, illegal controlled substance use by parent while caring for child, grounds for removal of child to prevent imminent harm: HB 2233
- Child abuse or neglect, reporting by clergy, requirements: HB 1036, HB 1098, SB 5280
- Child abuse, physical/sexual/emotional, in context of dissolution proceedings and parenting plans, residential time limitations to protect child from: HB 2237
- Children, altering age thresholds for justice system: HB 1440
- College athletic activities, officials/judges/referees/volunteers at, interference with by force or violence, class C felony: HB 2078
- College athletic activities, officials/judges/referees/volunteers at, intimidation of by threat of force or violence, class C felony: HB 2078
- College staff, interference with by force or violence at institutions or their athletic activities, class C felony: HB 2078
- College staff, intimidation of by threat of force or violence at institutions or their athletic activities, class C felony: HB 2078
- Controlled substances, knowingly possessing or knowingly using in public place, as gross misdemeanor with encouragement for diversion: **\*2E2SSB 5536, CH 1 (2023)**
- Controlled substances, knowingly possessing, as gross misdemeanor: HB 1613
- Controlled substances, knowingly possessing, gross misdemeanor: HB 1415
- Controlled substances, knowingly possessing, reintroducing E2SSB 5536 for consideration during 2023 first special session: **\*SCR 8409 (2023)**
- Controlled substances, knowingly possessing, requiring notice service for warrant issuance: HB 1613
- Controlled substances, prohibiting tableting and encapsulating machines for use in violation of law: **\*EHB 1209, CH 66 (2023)**
- Controlled substances, unlawful possession, excluding housing unit occupant possession of cannabis plants from, when: HB 1614
- Cosmetics, performance of practice of permanent or enhanced permanent cosmetics on any minor under 18, misdemeanor: HB 2109
- Counterfeit substances, knowingly possessing or knowingly using in public place, as gross misdemeanor with encouragement for diversion: **\*2E2SSB 5536, CH 1 (2023)**
- Counterfeit substances, knowingly possessing, as gross misdemeanor: HB 1613

Counterfeit substances, knowingly possessing, reintroducing E2SSB 5536 for consideration during 2023 first special session: **\*SCR 8409 (2023)**

Counterfeit substances, knowingly possessing, requiring notice service for warrant issuance: HB 1613

Crime victims advocacy, office of, requiring funding: E2SSB 5635

Driving under the influence, provisions: HB 1104, HB 1385, HB 1493, HB 1562, HB 2196, HB 2227, ESB 5032

Driving under the influence, various offenses, restitution for death or disability of parent of minor child: SSB 5841

Drug offenses, endangerment with a controlled substance, adding all schedule I, II, III, or IV substances to crime of: HB 2367

Drug offenses, endangerment with a controlled substance, adding fentanyl and synthetic opioids to crime of: HB 2222, ESSB 5010

Drug offenses, knowing delivery or distribution of fentanyl/precursor chemicals/counterfeit substances with bodily harm/impairment/death as major violation (VUCSA): HB 2477

Drug offenses, knowingly or intentionally smoking fentanyl or methamphetamine in a public space near another person: HB 2002

Drug offenses, knowingly possessing or knowingly using in public place, indigent adults facing charges, public defense services for: **\*E2SSB 5536, CH 1 (2023)**

Drug offenses, knowingly possessing, reintroducing E2SSB 5536 for consideration during 2023 first special session: **\*SCR 8409 (2023)**

Drug offenses, qualifying controlled substance/legend drug/counterfeit substance convictions, vacation of/resentencing for, when: HB 1492

Drug offenses, qualifying convictions or nonconvictions affected by State v. Blake, vacation/legal financial obligations refund: HB 1492

Drug offenses, qualifying drug paraphernalia possession convictions, vacation of, when: HB 1492

Drug offenses, State v. Blake, comprehensive statutory changes in response to: **\*E2SSB 5536, CH 1 (2023)**

Drug offenses, unlawful manufacture, delivery, or possession with intent to manufacture or deliver various controlled substances, as "violent offenses": HB 2220

Drugs, paraphernalia prohibitions, controlled substance fentanyl testing equipment exemption: ESB 5022

Drugs, paraphernalia prohibitions, controlled substance testing equipment exemption: HB 1006

Elections, expanding election-related crimes: **\*SB 5843, CH 28 (2024)**

Environmental, authorizing courts to order restitution for harm to resources or environment: **\*SB 5884, CH 342 (2024)**

Erotic material, violations/criminal penalties/wholesaler civil liability, repealing three sections concerning: **\*HB 2213, CH 232 (2024)**

Felony offenses sentencing, community-based intermediate sanctions sentencing alternative option providing certain services and programs, developing: HB 2504

Felony offenses sentencing, new sentencing grid, aggravated departure caps, and various changes to offense classifications and seriousness levels: HB 2504

Female genital mutilation, as gross misdemeanor prosecutable until later of age 28 or ten years: **\*SSB 5453, CH 122 (2023)**

Firearms used in commission of a crime, establishing firearm bounty program to aid recovery of: HB 2332

Firearms, requiring report of theft within 24 hours of discovery: HB 1903

Fur farms, prohibition, misdemeanor: HB 1034

Gangs, criminal street gang tagging and graffiti, community or clean-up restitution for: HB 1800

Government agency communications, considering as advertising for false advertising purposes: HB 1610

Harassment, expanding to include election officials: HB 1139

Harassment, redefining and treating election officials the same criminal justice participants: HB 1241

Hate crime advisory working group, decodifying section due to expiration: **\*HB 1066, CH 470 (2023) PV**

Hate crimes, defining as crimes against persons: **\*ESB 5623, CH 52 (2023)**

Hate crimes, establishing hotline for hate crimes and bias incidents and requiring referral: HB 1410, **\*SSB 5427, CH 299 (2024)**

Hate crimes, revising language: **\*SSB 5917, CH 34 (2024)**

Hazing, postsecondary educational institutions, gross misdemeanor or class C felony, when: **\*HB 1002, CH 196 (2023)**

Highways, crime of obstructing highways in disregard for public safety, establishing as class C felony: HB 2358

Highways, crime of obstructing highways, establishing as gross misdemeanor or class C felony: HB 2358

Hit and run resulting in death, persons convicted of, excluding from first-time offender waiver: HB 1967

Homicide, immediate family members of victims of, additional counseling services for: HB 1501

Human remains disposition, misdemeanor, exemption for family burial grounds: HB 1037

Human trafficking, sexual and labor, law enforcement officer interception/recording/disclosure of oral communications concerning: HB 1602

Human trafficking, sexual and labor, trafficking in first and second degrees, modifying provisions: HB 2076

Knives, spring blade, at child care centers, schools, and certain other places, prohibiting: HB 2366, SB 5860

Knives, spring blade, legalizing manufacture, sale, and possession: HB 2366, SB 5860

Legend drugs, knowingly possessing or knowingly using in public place, misdemeanor, encouragement for diversion: **\*2E2SSB 5536, CH 1 (2023)**

Legend drugs, knowingly possessing, misdemeanor: HB 1613

Legend drugs, knowingly possessing, reintroducing E2SSB 5536 for consideration during 2023 first special session: **\*SCR 8409 (2023)**

Legend drugs, knowingly possessing, requiring notice service for warrant issuance: HB 1613

Limitations, removing for prosecution of certain instances of rape: **\*E2SSB 5937, CH 297 (2024)**

Limitations, removing for prosecution of trafficking and commercial sexual abuse: **\*2SSB 6006, CH 298 (2024)**

Liquor, selling, giving, or supplying to person under 21 years from a business and by an employee, optional civil penalties: **\*HB 2260, CH 71 (2024)**

Malicious mischief, 3rd degree, community or clean-up restitution for: HB 1800

Metal property, scrap metal business purchase offenses, certain involving certain numbers or marks on, class C felony, when: HB 1840

Metal property, scrap metal business purchase offenses, knowing property is stolen, gross misdemeanor: HB 1840

Metal property, theft in 2nd degree of private metal property, special allegation and special verdict, when: HB 1840

Military service, falsely claiming or misrepresenting, by state elected official or candidate for state elected office, misdemeanor: HB 1671

Misdemeanors and gross misdemeanors, dismissal of charge following completion of court-ordered conditions, authorizing: HB 1994

Missing and murdered indigenous women and people, creating cold case unit: HB 1177

Murder, 1st or 2nd degree, committed at age 14 or 15, commitment of offender to DCYF facility up to 23rd birthday: HB 2217

Negligent driving with a vulnerable user victim, differentiating 1st and 2nd degree offenses: **\*HB 1112, CH 471 (2023)**

Physical control of vehicle under the influence, provisions: HB 1104, HB 1385, HB 1493, HB 1562, HB 2196, HB 2227, HB 2504, ESB 5032

Police vehicle, attempting to elude, when driver may be committing vehicle theft, class C felony at seriousness level III: HB 1691

Property, crimes against, habitual property offender special allegation and enhancements: SSB 5056

Public transit, unlawful transit conduct, adding state ferry facilities to locations where a person can be guilty of: HB 2431

Racing, prohibiting and subjecting vehicles to impounding or forfeiture: HB 1631, **\*SB 5606, CH 283 (2023)**

Rape, expanding definitions and prosecution: **\*E2SSB 5937, CH 297 (2024)**

Robbery, cannabis retail outlets, requiring reporting of crimes and determination of special allegations: SB 6133

Robbery, second degree, when committed with threat of immediate force, violence, or bodily injury, as most serious offense: HB 1805

Robbery, second degree, when exceptional sentence to avoid persistent offender sentence, resentencing hearing: HB 1108

School athletic activities, officials and volunteers at, interference with by force or violence, class C felony: HB 2079

School athletic activities, officials and volunteers at, intimidation of by threat of force or violence, class C felony: HB 2079

School staff, interference with by force or violence at schools or their athletic activities, class C felony: HB 2079

School staff, intimidation of by threat of force or violence at schools or their athletic activities, class C felony: HB 2079

Sporting events, manipulation of as class C felony: HB 1630

Stalking, honoring victims and recognizing the plight of those affected and victimized by the crime of: **\*HR 4659 (2024)**

Subversive activities, repealing chapter: HB 1090, **\*SSB 5087, CH 102 (2023)**

Survivors of crimes, honoring, and recognizing their plight: **\*HR 4626 (2023)**

Theft, definition of, to include concealing another's property to deprive them of its use or benefit: HB 1456

Theft, in 2nd degree, stealing of private metal property, special allegation and special verdict, when: HB 1840

Theft, organized retail theft in 2nd degree, with multiple accomplices participating in: SB 5160

Tower cranes, improper or unsupervised operation as misdemeanor: HB 2022

Trafficking, human, sexual and labor, law enforcement officer interception/recording/disclosure of oral communications concerning: HB 1602

Trafficking, redefining: **\*2SSB 6006, CH 298 (2024)**

Trafficking, sexual and labor, health care providers and hospitals to report suspected victims of: HB 1937

Trafficking, sexual and labor, trafficking in first and second degrees, modifying provisions: HB 2076

Transit, unlawful transit conduct, adding state ferry facilities to locations where a person can be guilty of: HB 2431

Trespass, school bus trespass as class C felony: HB 2133

Trespass, school bus trespass as gross misdemeanor: **\*ESSB 5891, CH 302 (2024)**

Vehicular homicide, victim with minor child or children, offender to pay child maintenance as restitution: HB 1668

Victims and survivors of crimes, honoring, and recognizing their plight: **\*HR 4626 (2023)**

Violent offenses, unlawful manufacture, delivery, or possession with intent to manufacture or deliver various controlled substances as: HB 2220

#### **CRIMINAL JUSTICE TRAINING COMMISSION**

Basic law enforcement academy program, providing in eastern Washington, pilot project for: HB 1461

Canine teams, model standards for training and certification of teams to detect fentanyl, CJTC to develop: **\*HB 1635, CH 305 (2024)**

First responder peer support counselors, developing training programs and peer support network and establishing grant program, CJTC role: HB 2311

First responders, task force on first responder wellness in Washington state, CJTC to convene: HB 2311

Law enforcement academy, allowing the acceptance of donations or bequests for: HB 2475, **\*SSB 6301, CH 335 (2024)**

Law enforcement agencies, one-time new-hire/retention/body camera programs funding awards, CJTC role: HB 1380

Law enforcement professionals development outreach, retention, and support programs, CJTC role: HB 1380

Law student rural public prosecution program, creating: **\*2SSB 5780, CH 293 (2024)**

Limited authority Washington peace officers, training and certification standards: HB 1132

Peace officers, general authority, when CJTC-certified and employed full-time by tribe, LEOFF plan 2 membership: **\*HB 1481, CH 77 (2023)**

Peace officers, pool of candidates for hiring by local law enforcement agencies, program to recruit/certify, establishing: HB 1387

Prosecuting attorneys, providing trial skills training: **\*2SSB 5780, CH 293 (2024)**

Sexual assault cases, statewide resource prosecutor grant program for, CJTC to establish: HB 1028

Sexual assault/gender-based violence with adult victims, training for officers, investigators, and prosecutors on: HB 1028

Training, for tribal officers/employees, provided by CJTC, limiting certain reimbursement of CJTC for 25% of costs to 2024 fiscal year, when: HB 2420

Training, modifying reimbursement by employing agency: SB 6242

Training, provision of facilities/supplies/materials/board and room by CJTC, extending period of exception when agencies will reimburse CJTC: HB 2420

Tribal officer certification, role of written agreements with tribal agencies: **\*HB 1290, CH 72 (2023)**

Tribal peace officers, general authority, when CJTC-certified and employed full-time by tribe, LEOFF plan 2 membership: **\*HB 1481, CH 77 (2023)**

Vehicular pursuit technology grant program, implementing: HB 1586

Vehicular pursuits, convening work group for policy recommendations: HB 1586

#### **CRIMINAL OFFENDERS (See also BAIL AND BAIL BONDS; CORRECTIONAL FACILITIES AND JAILS; CORRECTIONS, DEPARTMENT; COURTS; CRIMES; CRIMINAL PROCEDURE; DRUGS; EMPLOYMENT AND EMPLOYEES; INDETERMINATE SENTENCE REVIEW BOARD; JUVENILES AND JUVENILE COURT; PUBLIC DEFENSE, OFFICE; RECORDS; SENTENCES AND SENTENCING; SEX OFFENDER POLICY BOARD; SEX OFFENSES AND OFFENDERS; TRAFFIC OFFENSES; VICTIMS OF CRIMES)**

Body worn cameras, provision of recordings: HB 1080

Community custody, conditions of, modifying based on offender's crime of conviction, risk of reoffense, and risk to community safety: HB 2303

Community custody, supervision compliance credit ineligibility for sexually violent predators released to less restrictive alternative: HB 1926

Conditional commutations of sentences, supervision of persons granted: HB 1189, HB 2478

Conditional releases, modifying partial conditional releases, less restrictive alternatives, and role of transition teams: ESSB 5690

Confinement or supervision for a felony, offenders under, providing judicial discretion to modify sentence in interests of justice: HB 2001

Criminal insanity and competency to stand trial, updating terminology relating to the ability or inability to proceed to trial: HB 2152

Criminal justice system, exiting, evergreen basic income pilot program, establishing: HB 1045

Dashboard camera recordings, provisions concerning: HB 2438

Deferred prosecution, of DUI or physical control of vehicle under influence, when SUD/mental health disorder, provisions: HB 1104, HB 1493

Drug offenses, encouraging diversion to assessment and treatment services: **\*2E2SSB 5536, CH 1 (2023)**

Drug offenses, knowingly possessing or knowingly using in public place, indigent adults facing charges, public defense services for: **\*2E2SSB 5536, CH 1 (2023)**

Drug offenses, knowingly possessing, reintroducing E2SSB 5536 for consideration during 2023 first special session: **\*SCR 8409 (2023)**

Drug offenses, pretrial diversion to recovery navigator, arrest and jail alternative, or law enforcement assisted diversion programs: **\*2E2SSB 5536, CH 1 (2023)**

Early release, eligibility prohibited for violent crimes with firearm enhancements: HB 1161

Early release, petitioning after reaching age 24 when crime committed before age 18: HB 1383

Early release, rental vouchers for offender petitioning successfully after reaching age 24 for: HB 1383

Earned release date, recalculating for any offender confined in a facility, requirements: HB 1798

Earned release time, accrual by any offender confined in a facility, with certain exceptions: HB 1798

Exceptional sentences, to avoid persistent offender sentence when robbery in second degree, resentencing hearing: HB 1108

Extraordinary medical placement, expanding eligibility criteria and modifying electronic monitoring requirements: HB 1189, HB 2478

Extraordinary medical placement, waiving electronic monitoring in certain cases: **\*SSB 5101, CH 358 (2023)**

Extraordinary release of incarcerated offender, granting by governor, removing clemency and pardons board role: HB 1640

First-time offender waiver, excluding persons convicted of hit and run resulting in death from: HB 1967

Graduated reentry program, requiring substance use disorder assessment before transferring: **\*2SSB 5502, CH 405 (2023)**

Health records system, comprehensive electronic, implementing: SSB 5025

Incarcerated individuals, construction-related training programs with focus on apprenticeship preparation programs: HB 2084

Incarcerated individuals, department of corrections identification card for, and for individuals in community custody: HB 2099

Incarcerated individuals, ensuring each has a valid identicard or driver's license before release from total confinement: HB 2099

Incarcerated individuals, postsecondary education programs, financial aid for, modifying provisions concerning: HB 1931, HB 2171

Incarcerated individuals, postsecondary education programs, participation goals and individual and program priorities: HB 1338

Incarcerated individuals, with offender score increased by juvenile adjudications no longer scorable, recalculating score: HB 2065

Incarceration, increasing reentry supports and services upon release: **\*2SSB 5134, CH 467 (2023) PV**

Indigent defendants, facing charges of drug possession or use in public place, public defense services for: **\*2E2SSB 5536, CH 1 (2023)**

Indigent defendants, local public defense costs for, creating state indigent defense and law enforcement assistance account to assist with: HB 2202

Indigent offenders, convicted, office of public defense to provide counsel for: **\*2SSB 5046, CH 261 (2023)**

Insanity, acquittal by reason of, allowing no-contact orders to protect victims: **\*SSB 6227, CH 137 (2024)**

Insanity, acquittal by reason of, treatment for developmental disabilities: **\*SSB 6227, CH 137 (2024)**

Jails, county or multijurisdictional, individuals in custody of, support for obtaining a state-issued identicard: HB 2099

Legal financial obligations, cost of incarceration payment requirement, eliminating: HB 1024

Legal financial obligations, crime victim penalty assessment, eliminating: HB 1169

Legal financial obligations, DNA database fee, eliminating: HB 1169

Legal financial obligations, for qualifying convictions or nonconvictions affected by State v. Blake, refund of: HB 1492  
 Licensing/certification/state recognition, allowing applicant with criminal record to have informal meeting with licensing authority: HB 2225  
 Licensing/certification/state recognition, disqualifying applicant based on criminal record, prohibiting in certain cases: HB 2225  
 Life without possibility of parole, for offense committed when 16 to 24 years of age, resentencing and release: HB 1325  
 Long sentences, for offenses committed before age of 25, release from confinement, when: HB 1325  
 Murder, 1st or 2nd degree, committed at age 14 or 15, commitment of offender to DCYF facility up to 23rd birthday: HB 2217  
 Offender management network information system, replacing: SSB 5025  
 Offender release/escape/etc., public records disclosure exemption for certain victim notification records: **\*SSB 5081, CH 391 (2023)**  
 Pardons, clemency, and commutations, governor's power/authority to grant, removing certain limits to: HB 1640  
 Persistent offenders, confined for long sentences for offenses committed before age of 25, release, when: HB 1325  
 Persistent offenders, when conviction for offense committed when under age 18 was a basis, excluding and resentencing: HB 2154  
 Pretrial diversion program, requiring court to inform defendant and defendant's counsel concerning: **\*2E2SSB 5536, CH 1 (2023)**  
 Reentry and targeted community workforce development program, establishing, DOC role: HB 2360  
 Residential parenting program, allowing incarcerated persons up to 18 months served in partial confinement: **\*SB 5938, CH 193 (2024)**  
 Restraints, prohibiting hog-tying: HB 2414, **\*ESSB 6009, CH 291 (2024)**  
 Substance use disorder treatment, criminal justice treatment account funds use within or after drug court program for, modifying: **\*HB 1983, CH 179 (2024)**  
 Substance use disorder, requiring vacation of certain convictions upon completing treatment: **\*2E2SSB 5536, CH 1 (2023)**  
 Trafficking crimes, fees assessed in connection with, use by superior courts/counties/cities/towns, auditing: HB 2076  
 Transferred or conditionally released to supervision or partial confinement, providing with gate money, clothing, and transportation: HB 1995, **\*2SSB 5893, CH 32 (2024)**  
 Vacation of misdemeanor convictions, modifying eligibility timeframe and including satisfaction of financial obligations: **\*SSB 5998, CH 296 (2024)**  
 Veterans, reintegration support for incarcerated veterans pilot project, initiating to aid transition to civilian life: HB 2057, HB 2203  
 Voting rights, revoking only when offender convicted of a state crime punishable by death: HB 2030

**CRIMINAL PROCEDURE (See also BAIL AND BAIL BONDS; CIVIL ACTIONS AND PROCEDURE; COURTS; CRIMES; CRIMINAL OFFENDERS; DRUGS; JUVENILES AND JUVENILE COURT; LAW ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL; SENTENCES AND SENTENCING; VICTIMS OF CRIMES)**

Body worn cameras, provision of recordings: HB 1080  
 Civil forfeiture, seizing of animal in cases of abuse or neglect: HB 1234  
 Crime victim penalty assessment, eliminating: HB 1169  
 Criminal history records, permitting sharing of nonconviction data with state auditor for audit and review: **\*HB 1179, CH 26 (2023)**  
 Criminal insanity and competency to stand trial, updating terminology relating to the ability or inability to proceed to trial: HB 2152  
 Dashboard camera recordings, provisions concerning: HB 2438  
 Deferred prosecution, of DUI or physical control of vehicle under influence, when SUD/mental health disorder, provisions: HB 1104, HB 1493  
 DNA database fee, eliminating: HB 1169  
 Evidence, sealing certain exhibits after close of sexual assault trials: **\*E2SSB 5937, CH 297 (2024)**  
 Hate crimes, establishing hotline for hate crimes and bias incidents and requiring referral: HB 1410, **\*SSB 5427, CH 299 (2024)**  
 Incompetent to stand trial, certain DSHS competency restoration employees serving those who are, PSERS membership for, when: HB 1949  
 Incompetent to stand trial, certain DSHS employees serving those who are, PSERS membership for, when: **\*SSB 6106, CH 359 (2024)**

Indians, extradition from or to tribal jurisdiction, authority and requirements: HB 1555  
 Interrogations, in custody, use of deception by officers, inadmissibility of statement due to: HB 1062  
 Legal financial obligations, cost of incarceration payment requirement, eliminating: HB 1024  
 Legal financial obligations, crime victim penalty assessment, eliminating: HB 1169  
 Legal financial obligations, DNA database fee, eliminating: HB 1169  
 Legal financial obligations, for qualifying convictions or nonconvictions affected by State v. Blake, refund of: HB 1492  
 Misdemeanors and gross misdemeanors, dismissal of charge following completion of court-ordered conditions, authorizing: HB 1994  
 Property, forfeiture of seized, procedures and reporting: HB 1385  
 Reproductive health care services, access to, criminal and civil procedural protections: HB 1469  
 Reproductive health care services, shield law, claim for interference with protected health care services lawful in WA: HB 1469  
 Sexual assault, requiring biological samples (DNA) from confined persons prior to their release: ESSB 5576  
 Tear gas, use by peace officers, replacing "county legislative authority" with "county sheriff" in "highest elected official" definition: **\*HB 2213, CH 232 (2024)**  
 Terminology relating to the ability to stand trial, updating: HB 2152  
 Vehicular pursuits by law enforcement, convening work group on, and implementing vehicular pursuit technology grant program: HB 1586  
 Vehicular pursuits by peace officers, reasonable suspicion standard and other requirements for: HB 1053  
 Vehicular pursuits by peace officers, reasonable suspicion standard and safety requirement for: HI 2113  
 Vehicular pursuits by peace officers, reasonable suspicion standard and safety requirements for: HB 1363, **\*ESB 5352, CH 235 (2023)**  
 Warrants, specifying procedures for warrants of certified and non-certified tribes: HB 2305, **\*SSB 6146, CH 207 (2024)**  
 Wire taps, authorization reporting to administrative office of the courts, repealing: **\*HB 1023, CH 129 (2023)**

#### **CURRENCY**

Controllable electronic records, adding new article to uniform commercial code addressing: **\*SSB 5077, CH 266 (2023)**  
 Currency exchange license, eligibility for licensure regardless of immigration or citizenship status: HB 1889  
 Money laundering, proceeds seizure and forfeiture: HB 1385  
 Money transmitters, licensure of, eligibility regardless of immigration or citizenship status: HB 1889  
 Money transmitters, small, serving diverse communities, impact of de-risking on, requesting federal action to reduce: **\*ESJM 8005 (2024)**

#### **DEAF (See also DEAF AND HARD OF HEARING YOUTH, WASHINGTON CENTER FOR; DISABILITIES, PERSONS WITH; DISCRIMINATION)**

Deaf and hard of hearing, office of the, work group to find solutions to shortage of American and protactile sign language interpreters, establishing: HB 2221  
 Disabilities, persons with, civil actions alleging discrimination against, modifying requirements, when: HB 1760  
 Service animals and dog guides, persons with disabilities using, discrimination against, civil actions alleging: HB 1760  
 Special education, improving access to and provision of services: HB 1305  
 Students who are deaf or hard of hearing, public school consultation with WA center for deaf and hard of hearing youth: HB 1305

#### **DEAF AND HARD OF HEARING YOUTH, WASHINGTON CENTER FOR (See also DEAF; DISABILITIES, PERSONS WITH; DISCRIMINATION; GUBERNATORIAL APPOINTMENTS)**

Certificated teachers, increasing compensation for, basis for: HB 1825  
 Child abuse or neglect, investigation of referrals of alleged incidents at center: **\*ESSB 5515, CH 441 (2023)**  
 Students who are deaf or hard of hearing, public school consultation with center: HB 1305

#### **DEATH (See also CONCURRENT RESOLUTIONS; HOUSE RESOLUTIONS; HUMAN REMAINS; LEGISLATURE; SENATE RESOLUTIONS)**

County coroner and medical examiner personnel, posttraumatic stress disorder affecting, occupational disease presumption for: HB 2031  
 County coroners and medical examiners, small county offices of, reducing training requirements and costs: HB 2132  
 Death with dignity act, access to provisions in relation to health care entity material change transactions: HB 1263, ESB 5241  
 Death with dignity act, modifying provisions: HB 1035

Death with dignity act, modifying to expand access to provisions of: HB 1281, **\*ESSB 5179, CH 38 (2023)**  
 Hospice care, in connection with death with dignity act provisions: HB 1281, **\*ESSB 5179, CH 38 (2023)**

**DENTISTS AND DENTISTRY**

Anesthetic gases used in medical/dental/veterinary settings, guidance document for reducing greenhouse gas emissions from certain, developing and publishing: HB 2073  
 Anesthetic gases with high global warming potential, studying to reduce emissions of: HB 2073  
 Dental assistants, preventive, licensing of and scope of services to be provided by: HB 2176  
 Dental auxiliaries, expanded function, renewal requirements for credential, adoption of: HB 2176  
 Dental only insurance coverage, offered by certain health carriers, denturist dental care coverage addition: HB 1683  
 Dental quality assurance commission, expanded function dental auxiliaries, renewal requirements for, DQAC rule making for: HB 2176  
 Dental quality assurance commission, membership, adding two licensed dental therapists: HB 1678  
 Dental quality assurance commission, preventive dental assistants, licensing of and renewal requirements for: HB 2176  
 Dental quality assurance commission, process for patient consent to dental records release to dental ID system, DQAC role: HB 2009  
 Dental records, patient consent for release to dental ID system if they become subject of missing person investigation: HB 2009  
 Dental therapists, licensing to practice in federally qualified health centers and regulating: HB 1678  
 Dentist health program, implemented via contract with WA physicians health program, increasing license surcharge fees: **\*HB 1972, CH 15 (2024)**  
 Dentists, out-of-state, in-state license when new faculty member at any accredited WA dental school: HB 1327, **\*SB 5113, CH 89 (2023)**  
 Denturists, certain health carrier dental coverage to permit provision of dental services or care by: HB 1683  
 Hygienists, issuance of restorative, local anesthesia, and nitrous sedation expanded function endorsements: HB 1466  
 Hygienists, procedures within general scope of licensee functions and expanded function endorsements: HB 1466  
 Hygienists, replacing initial limited license with temporary license, when: HB 1466  
 Initial limited license without examination, for applicant in active practice in another state or Canadian province, removing provision: **\*HB 1287, CH 71 (2023)**  
 Postdoctoral residents/students, entering accredited WA dental school or residency program, limited license, when: HB 1327, **\*SB 5113, CH 89 (2023)**  
 Preventive dental assistants, licensing of and scope of services to be provided by: HB 2176  
 Preventive dental assistants, renewal requirements for credential, adoption of: HB 2176

**DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH (See also COURTS; DISABILITIES, PERSONS WITH; DISCRIMINATION; HEALTH CARE AUTHORITY; PUBLIC ASSISTANCE; SCHOOLS AND SCHOOL DISTRICTS)**

Adult family homes, for persons with development/intellectual disabilities, property tax exemption, when: **\*HB 1265, CH 69 (2023)**  
 Applied behavior analysis, health insurance coverage for, requiring: HB 1776  
 Autism, applied behavior analysis, health insurance coverage for, requiring: HB 1776  
 Caregivers, parental caregivers for minor children with developmental disabilities, authorizing medicaid payment for: HB 2184  
 Children's intensive behavior support services, for eligible individuals who have received certain child welfare services, provisions: HB 1188  
 Civil actions due to discrimination, requirements, modifying, when: HB 1760  
 Community first choice, amendments to allow payment for parental caregivers of minor children with developmental disabilities: HB 2184  
 Day habilitation services, establishing after federal approval as a waiver service: HB 2080  
 Early intervention services, birth-to-3 with disabilities, via early support for infants and toddlers program, calculating funding for: HB 1676, HB 1916  
 Education ombuds, office of, special education ombuds for each educational service district region, delegating/certifying: E2SSB 5311  
 Education ombuds, office of, special education ombuds for each educational service district region, removing provision of: HB 1914

\* - Passed Legislation



Education ombuds, office of, special education services available through and contact information for, providing to parents: HB 1914

Education, individuals with disabilities education act, requesting that congress fully fund 40 percent of the costs of: **\*SJM 8007 (2024)**

Enhanced behavior support homes program, establishing: HB 1654

Funding, persons with developmental disabilities or mental health services property tax levy: HB 1022

Funding, persons with developmental disabilities or mental health services property tax levy by counties, deducting from state levy: HB 1703

Hewes, Hezekiah, gold and bronze medalist at 2022 Special Olympics spring games, congratulating: **\*HR 4631 (2023)**

Home and community-based services waivers, enrolling eligible clients in unused slots and expanding waiver service provider capacity: HB 2279

Home and community-based services waivers, payment for parental caregivers of minor children with developmental disabilities: HB 2184

Housing for persons with developmental disabilities, developmental disabilities trust account for, creating: HB 1628

Medicaid waiver services, forecasting and budgeting as maintenance level costs: HB 1188

Medicaid waiver services, forecasting number of eligible individuals who have also received certain child welfare services: HB 1188

Medicaid waiver services, to be provided to eligible individuals who have received certain child welfare services: HB 1188

Residential habilitation centers, Fircrest School, leasing property for up to 99 years when for certain purposes: HB 1506

Special education, extending to the end of the school year in which the student turns 22: HB 2130

Special education, full funding of: HB 1436

Special education, funded enrollment limit, adjustments to: HB 1923

Special education, funding districts for, identification of eligible students and district spending plans, monitoring, and reviewing: HB 2174

Special education, funding, enrollment limit for, removing: HB 2175

Special education, general apportionment funding, development of allocation and cost accounting methodology: E2SSB 5311

Special education, improving access to and provision of services: HB 1305

Special education, increasing excess cost multiplier, removing enrollment funding cap, and providing additional funding: HB 1436

Special education, individualized education programs, development of: HB 1305

Special education, overidentifying students as eligible and overproviding services beyond IEPs, monitoring/corrective actions: HB 1923

Special education, raising enrollment funding cap: HB 2180

Special education, raising excess cost funding multipliers for pre-K and K-12 students and enrollment funding cap: HB 1211, E2SSB 5311

Special education, raising excess cost funding multipliers for pre-K and K-12 students and removing enrollment funding cap: HB 1436

Special education, safety net awards, determining eligibility and amounts and conducting application process survey: HB 1973, **\*SB 5852, CH 127 (2024)**

Special education, safety net awards, modifying process for determining eligibility for high-need student: E2SSB 5311

Special education, state safety net oversight committee, consideration of costs differences due to service delivery choice: E2SSB 5311

Special education, student services and public education, reports for parents and due process hearings concerning: HB 1914

Special education, students with IEP or section 504 plan, restraint and isolation of: HB 1479

Special education, students with IEPs, individual transportation of: HB 1248

Special education, students with IEPs, transportation of special passengers who are: E2SSB 5174

Special education, various services for students to be contracted for by educational service districts: HB 1914

Special Olympics spring games, Hezekiah Hewes, gold and bronze medalist, congratulating: **\*HR 4631 (2023)**

Washingtonians with developmental disabilities, supporting: **\*HR 4632 (2023)**

## DINOSAURS

Suciasaurus rex, designating as official state dinosaur: **\*HB 1020, CH 330 (2023)**

**DISABILITIES, PERSONS WITH (See also ANIMALS; BLIND; DEAF; DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH; DISCRIMINATION; HEALTH CARE AUTHORITY; RETIREMENT AND PENSIONS; SCHOOLS AND SCHOOL DISTRICTS; WORKERS' COMPENSATION)**

- Aged, blind, or disabled assistance program, concurrent receipt of supplemental security income not a debt: HB 1260
- Aged, blind, or disabled, assistance program, modifying eligibility provisions: HB 1260
- Discrimination, against persons with disabilities, civil actions alleging, modifying requirements, when: HB 1760
- Dog guides and service animals, persons with disabilities using, discrimination against, civil actions alleging: HB 1760
- Dyslexia, elementary school students with, educator training program, dyslexia handbook, principles of structured literacy, and student supports: HB 2284
- Early intervention services, birth-to-3 with disabilities, via early support for infants and toddlers program, calculating funding for: HB 1676, HB 1916
- Education ombuds, office of, special education ombuds for each educational service district region, delegating/certifying: E2SSB 5311
- Education ombuds, office of, special education ombuds for each educational service district region, removing provision of: HB 1914
- Education ombuds, office of, special education services available through and contact information for, providing to parents: HB 1914
- Education, individuals with disabilities education act, requesting that congress fully fund 40 percent of the costs of: **\*SJM 8007 (2024)**
- Essential needs and housing support program, vocational rehabilitation services for persons receiving benefits: HB 1260
- Evergreen basic income pilot program, establishing: HB 1045
- Insanity, acquittal by reason of, treatment for developmental disabilities: **\*SSB 6227, CH 137 (2024)**
- Lakeland Village, preservation of artifacts and documents: **\*SSB 6125, CH 134 (2024)**
- Low-income home rehabilitation grant program, creating with persons with disabilities as a priority: HB 1250
- Medicare, savings programs, offering certain programs to medicaid clients entitled to medicare part A, when: HB 1313
- Property tax exemption for service-connected disabled veterans and senior citizens process and improvement work group, convening: HB 1560
- Property tax exemption program, accessory dwelling unit as residence that qualifies for: **\*HB 2375, CH 119 (2024)**
- Property tax exemption program, combined disposable income, adding income from renting living space in principal residence to: HB 2026
- Property tax exemption program, maintaining eligibility despite COLA to social security, SSI, or pension benefits: HB 1482
- Property tax exemption program, updating and adjusting combined disposable income thresholds for: HB 1355, HB 1560
- Respite care, providing as part of aggregate services under DSHS waivers: HB 2365
- Sensory/mental/physical disabilities, discrimination due to, civil actions alleging, modifying requirements, when: HB 1760
- Service animals and dog guides, persons with disabilities using, discrimination against, civil actions alleging: HB 1760
- Service animals, public accommodation and accessibility for dogs and miniature horses: **\*ESSB 5788, CH 161 (2024)**
- Special education, burden of proof in due process hearings: HB 2121, **\*SB 5883, CH 29 (2024)**
- Special education, extending to the end of the school year in which the student turns 22: HB 2130
- Special education, full funding of: HB 1436
- Special education, funded enrollment limit, adjustments to: HB 1923
- Special education, funding districts for, identification of eligible students and district spending plans, monitoring, and reviewing: HB 2174
- Special education, funding, enrollment limit for, removing: HB 2175
- Special education, general apportionment funding, development of allocation and cost accounting methodology: E2SSB 5311
- Special education, improving access to and provision of services: HB 1305
- Special education, increasing excess cost multiplier, removing enrollment funding cap, and providing additional funding: HB 1436
- Special education, individualized education programs, development of: HB 1305
- Special education, overidentifying students as eligible and overproviding services beyond IEPs, monitoring/corrective actions: HB 1923
- Special education, raising enrollment funding cap: HB 2180

Special education, raising excess cost funding multipliers for pre-K and K-12 students and enrollment funding cap: HB 1211, E2SSB 5311

Special education, raising excess cost funding multipliers for pre-K and K-12 students and removing enrollment funding cap: HB 1436

Special education, safety net awards, determining eligibility and amounts and conducting application process survey: HB 1973, **\*SB 5852, CH 127 (2024)**

Special education, safety net awards, modifying process for determining eligibility for high-need student: E2SSB 5311

Special education, state safety net oversight committee, consideration of costs differences due to service delivery choice: E2SSB 5311

Special education, student services and public education, reports for parents and due process hearings concerning: HB 1914

Special education, students with IEP or section 504 plan, restraint and isolation of: HB 1479

Special education, students with IEPs, individual transportation of: HB 1248

Special education, students with IEPs, transportation of special passengers who are: E2SSB 5174

Special education, various services for students to be contracted for by educational service districts: HB 1914

State employees or elected or appointed officials with disabilities, state transportation from jobsite to home, when: HB 1463

Students first education savings account program, establishing for home-based instruction or private schooling: HB 1615

Veterans and military members, tax exemptions for adaptive recreational and rehabilitation facilities for: HB 1862

Vocational rehabilitation services, when receiving benefits under certain cash assistance programs: HB 1260

#### **DISCRIMINATION (See also EMPLOYMENT AND EMPLOYEES; LABOR)**

Artificial intelligence, automated decision tools, algorithmic discrimination resulting from, prohibiting: HB 1951

Artificial intelligence, Blueprint for an AI Bill of Rights, affirming Washington's commitment to: HJM 4005

Bias incidents, establishing hotline for hate crimes and bias incidents and requiring referral: HB 1410, **\*SSB 5427, CH 299 (2024)**

Cannabis, employees lawfully consuming away from work, prohibiting employer discrimination in hiring against: **\*ESSB 5123, CH 359 (2023)**

Covenants, restrictive, redacting void covenants from recorded property documents, clarifying process for: HB 2240

Disabilities, persons with, civil actions alleging discrimination against, modifying requirements, when: HB 1760

Executive order 9066, eighty-first anniversary, acknowledging: **\*HR 4615 (2023)**

Executive order 9066, eighty-second anniversary, acknowledging: **\*HR 4672 (2024)**

Ferries, Washington state, requiring formal strategy to implement diversity, equity, and inclusion directives: **\*SB 5550, CH 188 (2023)**

Ferries, Washington state, requiring formal strategy to implement workforce diversity, equity, and inclusion: HB 1831, HB 1841

Gender, pricing difference for goods based on, prohibiting: HB 1152, SSB 5171

Gender-based violence, authorizing county sales and use tax to address: HB 2470

Historically underrepresented communities, representation on issues-based statutory entities via persons with direct lived experience: HB 1541

Holocaust and genocide education, including crimes against humanity, school instruction and stand-alone elective focusing on: HB 2037

Holocaust Center for Humanity, chief executive officer Dee Simon, honoring and recognizing: **\*HR 4655 (2024)**

Holocaust remembrance day, recognizing: **\*HR 4642 (2023)**

International genocide prevention and awareness month, designating April as: HB 2037

Japanese American veterans, incarcerated, and civil rights activists, recognizing and remembering: **\*HR 4615 (2023), \*HR 4672 (2024)**

Nothing about us without us act, access and representation in policy-making processes for underrepresented populations: HB 1541

Protected classes, defining and including in Washington equal pay and opportunities act provisions: HB 1905

Public works contractors with state, discrimination prohibitions and nondiscrimination contract clauses: **\*ESSB 5186, CH 468 (2023)**

Schools, compliance with nondiscrimination requirements, primary contact person for, designation by each district: HB 1207

Schools, discrimination and sexual harassment in, policies and complaint procedures using model student handbook language, posting: HB 1207

Service animals and dog guides, persons with disabilities using, discrimination against, civil actions alleging: HB 1760  
 Service animals, public accommodation and accessibility for dogs and miniature horses: **\*ESSB 5788, CH 161 (2024)**  
 Vaccination or immunity status, preventing discrimination based on, medical freedom act for: HB 1827

**DOMESTIC RELATIONS (See also CHILD CARE; COURTS; DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH; GUARDIANSHIP; HOUSING AND HOMES; JUVENILES AND JUVENILE COURT; LONG-TERM CARE; LOW-INCOME PERSONS; MARRIAGE AND MARRIED PERSONS; MENTAL HEALTH; REAL ESTATE AND REAL PROPERTY; SCHOOLS AND SCHOOL DISTRICTS; SEXUAL ORIENTATION; SUBSTANCE USE DISORDER; WOMEN)**

Child abuse and neglect, investigating allegations of, use of high potency synthetic opioid testing strips when: HB 2447  
 Child abuse and neglect, legal liaison positions to work with DCYF and AG's office to assist preparation of court cases, establishing: HB 2447  
 Child abuse or neglect, applying reporting requirements to clergy except in certain situations: SB 6298  
 Child custody and parenting plans, in dissolution proceedings, parental residential time limitations to protect child from abuse or harm: HB 2237  
 Child custody/visitation, in dissolution proceedings with domestic violence/child abuse allegations, court requirements and prohibitions: HB 2010  
 Child protective services, certain infants impacted by high potency synthetic opioids, pilot program for child care slots for: HB 2447  
 Child protective services, families receiving, home visiting programs for: HB 2259, HB 2447, HB 2479  
 Child protective services, safety planning by, including third-party safety plan participants and public health nurses in, pilot program for: HB 2447  
 Child protective services, workers not required to go alone to private location when risk of violence, requirements: HB 1673  
 Child support schedule, revisions to income, standards, economic table, worksheets, and instructions for determining support obligations: HB 2254  
 Child support, 2023 child support schedule work group, implementing recommendations of: HB 2254  
 Child support, in dissolution proceedings with domestic violence/child abuse allegations, court requirements and prohibitions: HB 2010  
 Child support, minimizing DCS use of social security numbers: **\*SB 5842, CH 126 (2024)**  
 Child support, processing and reporting of lump-sum payments by employers to responsible parent: **\*HB 1262, CH 248 (2023)**  
 Child support, removing limits on department pass through and exempting from temporary assistance eligibility: HB 1652  
 Child support, when person required to pay is incapacitated, abating obligation due to participation in behavioral health disorder treatment: HB 2254  
 Child welfare cases, indigent parents involved in, access to social service worker for, pilot program: HB 1873  
 Child welfare services, DCYF's child welfare functions, state auditor to conduct evaluation of: HB 1754  
 Child welfare services, families receiving, home visiting programs for: HB 2259, HB 2447, HB 2479  
 Child welfare services, workers not required to go alone to private location when risk of violence, requirements: HB 1673  
 Children's legal representation program, extending deadline: **\*SB 5805, CH 25 (2024)**  
 Dependency cases, altering responsibility for public notice: HB 1205  
 Dependency cases, modifying certain evidence and testimony rules for minors: **\*2SSB 6006, CH 298 (2024)**  
 Dependency cases, reporting whether children achieve relational permanency and cases meet statutory guidelines and why timelines are not met: HB 2383, **\*E2SSB 6068, CH 326 (2024)**  
 Dependency cases, when parent has substance use disorder, extending casework supervision when court orders child returned home: HB 1891  
 Dependency cases, when parent uses or possesses high potency synthetic opioids, risk of imminent physical harm standard for removing child, modifying: HB 2259, HB 2447  
 Family and medical leave, paid, disclosure of health care information for qualifying persons to receive benefits: HB 2102  
 Family and medical leave, paid, extending certain requirements to employers with fewer than 50 employees: HB 1959  
 Family and medical leave, paid, impact of job protection standards on equitable utilization of benefits, studying: HB 1502  
 Family and medical leave, paid, pilot program for transportation network companies and drivers, developing: HB 1570  
 Family and medical leave, paid, removing the terms "master" and "slave" from: **\*HB 1107, CH 25 (2023)**

Family connections program, implementing: HB 1204  
 Family law disputes, new chapter governing arbitration: HB 1088  
 Foster care, removing requirement for outcome evaluation of case aides who provide short-term care: **\*SB 5419, CH 156 (2024)**  
 Opioids, considering high-potency synthetic opioids risk in child removal cases: **\*E2SSB 6109, CH 328 (2024)**  
 Parentage, precluding establishment when parent alleges sexual assault caused pregnancy, proceedings for: HB 1808  
 Parental rights, fundamental, enumerating and reserving to parents of a minor child: HB 1601  
 Parental rights, requiring various notifications by schools and parental access to records and educational materials: HI 2081  
 Parenting plans, in dissolution proceedings with domestic violence/child abuse allegations, court requirements and prohibitions: HB 2010  
 Parents with substance use disorder, grant program for providing supports to reduce child welfare placements due to, establishing: HB 2447  
 Parents with young children, evergreen basic income pilot program, establishing: HB 1045  
 Parents' bill of rights, in connection with child's public school education, establishing: HI 2081  
 Termination of parental rights cases, altering responsibility for public notice: HB 1205  
 Uniform child abduction prevention act, enacting new chapter: HB 1121  
 Violence, domestic or other family member or intimate partner violence, comprehensive protections for victims: HB 1715  
 Violence, domestic or other family member or intimate partner violence, keeping children safe from: HB 2010  
 Vlogs, for-profit, of family or individual vlogger, minor children featured on, setting aside earnings on video content for: HB 1627

**DOMESTIC VIOLENCE (See also CRIMES; DOMESTIC RELATIONS; FIREARMS; NAME CHANGES; PROTECTION ORDERS; SENTENCES AND SENTENCING; SEX OFFENSES AND OFFENDERS; TAXES - SALES; TAXES - USE)**

Deferred prosecution, provisions relevant to domestic violence: HB 1104  
 Dissolution proceedings, domestic violence or child abuse allegations in overall context of, court requirements and prohibitions: HB 2010  
 Domestic violence services program, convening work group to review funding: **\*SSB 5398, CH 401 (2023)**  
 Exiting relationship or living situation, evergreen basic income pilot program, establishing: HB 1045  
 Extremism, domestic violence extremism commission, establishing: HB 1333  
 Family court proceedings, judges/commissioners/guardians ad litem/investigators, training and education program completion by, when: HB 2010  
 Gun, gender-based, and other violence, amending unlawful possession of firearms and restoration of firearm rights laws to reduce: HB 1562  
 Nonfatal strangulation, state payment of examination costs, removing L&I reporting requirement: **\*SB 5070, CH 108 (2023)**  
 Orders, emergency no-contact orders, orders to surrender and prohibit weapons, and extreme risk protection orders: **\*ESSB 5231, CH 320 (2023)**  
 Prevention, additional sales and use taxes on, levying to create revenues for: HB 2238  
 Sentencing and supervision of offenders convicted of domestic violence felony offense or repetitive offense, modifying provisions: HB 2048  
 Survivors, state or local agency employees who are, records disclosure exemption for: HB 1533  
 Victims of domestic or other family member or intimate partner violence, comprehensive protections for: HB 1715

**DRIVERS AND DRIVERS' LICENSES (See also CANNABIS; CRIMES; DRUGS; MOTOR VEHICLES; TOWING AND TOW TRUCKS; TRAFFIC; TRAFFIC OFFENSES)**

Driver training schools, curriculum to include sharing road with large vehicles: **\*HB 1540, CH 32 (2023)**  
 Driver training schools, use of school property in districts that do not offer traffic safety education program: HB 2370  
 Driver's abstract, authorizing release to treatment agencies without time limit and by probation officials: **\*SB 5347, CH 118 (2023)**  
 Driving while license suspended or revoked, in third degree, prohibiting stopping or detaining vehicle operator for: HB 1513  
 Enhanced driver's license issuance/renewal/extension, service member or veteran to be charged only fee amount for regular driver's license: HB 2340

Ignition interlock devices, impaired driving provisions: HB 1493  
 Ignition interlock driver's license, limiting assistance from ignition interlock device revolving account: HB 1864  
 Incarcerated individuals, ensuring each has a valid identicard or driver's license before release from total confinement: HB 2099  
 Insurance requirement, authorizing law enforcement to prevent driving in violation of: HB 1865  
 Licenses and learner's permits, commercial, role of drug and alcohol clearinghouse query: HB 1448, **\*SB 5041, CH 35 (2023)**  
 Licenses, commercial driver's license online renewal, examination fees, and CDL or CLP standards waiver: **\*HB 1058, CH 57 (2023)**  
 Licenses, driver's license or intermediate license, when applicant under age 18, responsible adult to sign application: HB 1953, **\*SB 5800, CH 162 (2024)**  
 Licenses, motorcycle endorsement, when applicant under age 18, responsible adult to sign application: HB 1953, **\*SB 5800, CH 162 (2024)**  
 Licensing facilities, automatic voter registration of license and identicard applicants at, updating process for: HB 1229, **\*E2SSB 5112, CH 466 (2023)**  
 Negligent driving with a vulnerable user victim, differentiating 1st and 2nd degree offenses: **\*HB 1112, CH 471 (2023)**  
 Transportation network companies, applicability of death benefits: HB 2382  
 Veterans, drivers' licenses, expanding definition of "veteran" for purposes of: HB 2014

**DRUGS (See also ALCOHOLIC BEVERAGES; CANNABIS; COURTS; CRIMES; DRIVERS AND DRIVERS' LICENSES; SUBSTANCE USE DISORDER; TRAFFIC OFFENSES)**

Asthma inhalers, insurance coverage for, capping total cost paid by enrollee: HB 1979  
 Cannabis, prospective employee consumption when seeking substance use disorder professional or related position, screening for: HB 2047  
 Clinical trials, diversity in clinical trials of drugs and medical devices, increasing: HB 1745  
 Clinical trials, diversity in clinical trials program, establishing for trials of drugs and medical devices: SSB 5388  
 Contraception, over-the-counter emergency contraceptive medication, in vending machines on college campuses: HB 1837  
 Controlled substances, equipment to test for fentanyl in, "drug paraphernalia" prohibitions exemption: ESB 5022  
 Controlled substances, expanding offenses and penalties: HB 1162  
 Controlled substances, illegal use by parent while caring for child, grounds for removal of child to prevent imminent harm due to abuse or neglect: HB 2233  
 Controlled substances, juveniles to be delivered to an evaluation and treatment facility if use witnessed: HB 1116  
 Controlled substances, knowingly or intentionally smoking fentanyl or methamphetamine in a public space near another person: HB 2002  
 Controlled substances, knowingly possessing fentanyl without prescription, class C felony: HB 1520  
 Controlled substances, knowingly possessing or knowingly using in public place, as gross misdemeanor with encouragement for diversion: **\*E2SSB 5536, CH 1 (2023)**  
 Controlled substances, knowingly possessing, as gross misdemeanor: HB 1613  
 Controlled substances, knowingly possessing, gross misdemeanor: HB 1415  
 Controlled substances, knowingly possessing, reintroducing E2SSB 5536 for consideration during 2023 first special session: **\*SCR 8409 (2023)**  
 Controlled substances, person under 18 in vehicle with driver under 21 who possesses, officer notification of parent of: HB 1802  
 Controlled substances, prohibiting tableting and encapsulating machines for use in violation of law: **\*EHB 1209, CH 66 (2023)**  
 Controlled substances, testing equipment "drug paraphernalia" prohibitions exemption: HB 1006, ESB 5022  
 Controlled substances, uniform act, knowing delivery or distribution of fentanyl/precursor chemicals/counterfeit substance with bodily harm/impairment/death as major violation: HB 2477  
 Controlled substances, various, unlawful manufacture, delivery, or possession with intent to manufacture or deliver, as "violent offenses": HB 2220  
 Counterfeit substances, expanding offenses and penalties: HB 1162  
 Counterfeit substances, knowingly possessing or knowingly using in public place, as gross misdemeanor with encouragement for diversion: **\*E2SSB 5536, CH 1 (2023)**  
 Counterfeit substances, knowingly possessing, as gross misdemeanor: HB 1613

- Counterfeit substances, knowingly possessing, reintroducing E2SSB 5536 for consideration during 2023 first special session: **\*SCR 8409 (2023)**
- Drug and alcohol clearinghouse, query of, for commercial vehicle driver licensing or learner permitting purposes: HB 1448, **\*SB 5041, CH 35 (2023)**
- Ephedrine/pseudoephedrine/phenylpropanolamine/their salts, isomers, or salts of isomers, restrictions on wholesaler sales of, reclassifying violation as class B felony: HB 2504
- Epi-pens, in schools, prescriptions, supplies, and use for anaphylaxis: HB 1608
- Epinephrine and epinephrine autoinjectors, in schools, prescriptions, supplies, and use for anaphylaxis: HB 1608
- Epinephrine and epinephrine autoinjectors, insurance coverage for, capping total cost paid by enrollee: HB 1979
- Fentanyl, adding to crime of endangerment with a controlled substance: HB 2222, ESSB 5010
- Fentanyl, and other high potency synthetic opioids, when parent uses or possesses, risk of imminent physical harm standard for removing child, modifying: HB 2259, HB 2447
- Fentanyl, and other synthetic opioids, hospital toxicology screening grant program, residue in vehicles study, outreach campaign, and SUD treatment information: HB 2396
- Fentanyl, detection of, training and certification of police canine teams for, developing model standards: **\*HB 1635, CH 305 (2024)**
- Fentanyl, DOH drug awareness campaign to emphasize risks of as well as opioids and methamphetamines: **\*ESB 5906, CH 216 (2024)**
- Fentanyl, fentanyl strips and naloxone to be available for students on higher education institution campuses: HB 2112
- Fentanyl, fentanyl-specific risk assessment tool for investigating allegations of child abuse and neglect, developing: HB 2233
- Fentanyl, higher education institutions to provide prevention education and awareness information to all students: HB 2112
- Fentanyl, knowing delivery or distribution of fentanyl/precursor chemicals/counterfeit substances with bodily harm/impairment/death as major violation (VUCSA): HB 2477
- Fentanyl, knowingly or intentionally combusting or exhaling in a public space near another person: HB 2002
- Fentanyl, provisions concerning: HB 1520, ESB 5022
- Fentanyl, role of high-potency synthetic opioids in child cases: **\*E2SSB 6109, CH 328 (2024)**
- Fentanyl, substance use prevention education in schools concerning, materials review and standards for: HB 1956
- Human immunodeficiency virus postexposure prophylaxis drugs or therapies, hospitals to dispense: **\*ESSB 6127, CH 251 (2024)**
- Insulin for individuals under the age of 21 bulk purchasing and distribution program, establishing: HB 1725
- Insulin, removing expiration date of cost-sharing cap: **\*SSB 5729, CH 16 (2023)**
- Legend drugs, knowingly possessing or knowingly using in public place, misdemeanor, encouragement for diversion: **\*2E2SSB 5536, CH 1 (2023)**
- Legend drugs, knowingly possessing, misdemeanor: HB 1613
- Legend drugs, knowingly possessing, reintroducing E2SSB 5536 for consideration during 2023 first special session: **\*SCR 8409 (2023)**
- Medications, athletic trainer purchase, storing, and administration in accordance with education and training: HB 1275
- Mental health medication, barring health carriers' substitution with preferred drugs for certain drugs: **\*SSB 5300, CH 325 (2023)**
- Methamphetamine, knowingly or intentionally combusting or exhaling in a public space near another person: HB 2002
- Midwives, specifying prescriptive authority for legend drugs: **\*SB 6178, CH 102 (2024)**
- Naloxone and fentanyl strips, to be available for students on higher education institution campuses in various locations: HB 2112
- Naloxone, strips availability on higher education campuses and administration education and training for residence hall staff: HB 2112
- Narcotics, bureau of narcotics enforcement, creating and authorizing to create new regionalized framework to oversee coordination of investigations: HB 2324
- Offenses, cannabis, home production and possession of 16 or more plants by one person, class C felony: HB 2194
- Offenses, cannabis, home production and possession of more than 6 but fewer than 16 plants by one person, class 1 civil infraction: HB 2194
- Offenses, convictions for knowingly possessing controlled substances/counterfeit substances/legend drugs, vacating, when: HB 1613
- Offenses, endangerment with a controlled substance, adding all schedule I, II, III, or IV substances to crime of: HB 2367

Offenses, endangerment with a controlled substance, adding fentanyl and synthetic opioids to crime of: HB 2222, ESSB 5010

Offenses, illegal controlled substance use by parent while caring for child, grounds for removal of child to prevent imminent harm due to abuse or neglect: HB 2233

Offenses, involving controlled substances/legend drugs/imitations, officer recording/disclosure of oral communications concerning: HB 1602

Offenses, involving knowingly possessing controlled substances/counterfeit substances/legend drugs, suspended sentence, when: HB 1613

Offenses, knowing delivery or distribution of fentanyl/precursor chemicals/counterfeit substances with bodily harm/impairment/death as major violation (VUCSA): HB 2477

Offenses, knowingly or intentionally smoking fentanyl or methamphetamine in a public space near another person: HB 2002

Offenses, knowingly possessing or knowingly using in public place, indigent adults facing charges, public defense services for: **\*2E2SSB 5536, CH 1 (2023)**

Offenses, knowingly possessing, reintroducing E2SSB 5536 for consideration during 2023 first special session: **\*SCR 8409 (2023)**

Offenses, pretrial diversion program as option, eligibility and procedures, when: **\*2E2SSB 5536, CH 1 (2023)**

Offenses, pretrial diversion to recovery navigator, arrest and jail alternative, or law enforcement assisted diversion programs: **\*2E2SSB 5536, CH 1 (2023)**

Offenses, qualifying controlled substance/legend drug/counterfeit substance convictions, vacation of/resentencing for, when: HB 1492

Offenses, qualifying convictions or nonconvictions affected by State v. Blake, vacation/legal financial obligations refund: HB 1492

Offenses, qualifying drug paraphernalia possession convictions, vacation of, when: HB 1492

Offenses, seizure and forfeiture of property: HB 1385

Offenses, State v. Blake, comprehensive statutory changes in response to: **\*2E2SSB 5536, CH 1 (2023)**

Offenses, unlawful manufacture, delivery, or possession with intent to manufacture or deliver various controlled substances, as "violent offenses": HB 2220

Opiates, unlawful manufacture, delivery, or possession with intent to manufacture or deliver various controlled substances, as "violent offenses": HB 2220

Opioids, expanding high school requirement for opioid overdose reversal medication: HB 2029

Opioids, expanding public school requirement for opioid overdose reversal medication: **\*SSB 5804, CH 214 (2024)**

Opioids, fentanyl and other, higher education institutions to provide prevention education and awareness information to all students: HB 2112

Opioids, fentanyl and other, naloxone and fentanyl strips to be available for students on higher education institution campuses: HB 2112

Opioids, fentanyl and other, substance use prevention education in schools concerning, materials review and standards for: HB 1956

Opioids, fentanyl and synthetic opioids, adding to crime of endangerment with a controlled substance: HB 2222, ESSB 5010

Opioids, fentanyl and synthetic opioids, hospital toxicology screening grant program, residue in vehicles study, outreach campaign, and SUD treatment information: HB 2396

Opioids, fentanyl, equipment to test controlled substances for, drug paraphernalia prohibitions exemption: ESB 5022

Opioids, fentanyl, knowing delivery or distribution of fentanyl/precursor chemicals/counterfeit substances with bodily harm/impairment/death as major violation (VUCSA): HB 2477

Opioids, fentanyl, knowingly or intentionally combusting or exhaling in a public space near another person: HB 2002

Opioids, fentanyl, knowingly possessing without prescription, class C felony: HB 1520

Opioids, fentanyl-specific risk assessment tool for investigating allegations of child abuse and neglect, developing: HB 2233

Opioids, high potency synthetic, court to give great weight in dependency cases to their lethality when applying risk of imminent physical harm standard: HB 2447

Opioids, high potency synthetic, when parent uses or possesses, risk of imminent physical harm standard for removing child, modifying: HB 2259, HB 2447

Opioids, opioid treatment programs, off-site mobile and fixed-site medication units: **\*2E2SSB 5536, CH 1 (2023)**

Opioids, opioid treatment rural access and expansion: **\*2E2SSB 5536, CH 1 (2023)**



Opioids, overdose reversal medication and training for DCYF caseworkers and employees/staff: **\*2E2SSB 5536, CH 1 (2023)**

Opioids, prescribing for chronic pain, practitioner liability immunity for, requirements: HB 1546

Opioids, unlawful manufacture, delivery, or possession with intent to manufacture or deliver various controlled substances, as "violent offenses": HB 2220

Optometrists, permitting purchase of diagnostic and therapeutic pharmaceutical agents: **\*SSB 5389, CH 400 (2023)**

Paraphernalia, state preemption of regulation: **\*2E2SSB 5536, CH 1 (2023)**

Paraphernalia, various provisions: **\*2E2SSB 5536, CH 1 (2023)**

Prenatal substance exposure, availability of services for children: HB 1168

Prescription drug affordability board, modifying membership, duties, and related provisions: HB 1269

Prescription, authorizing development of rules for prescribing of drugs and devices by pharmacists: HB 2116

Prescription, authorizing DOH secretary to issue prescriptions or standing orders for drugs, devices, or products: **\*ESB 6095, CH 100 (2024)**

Prescription, for advanced metastatic cancer, coverage for, prohibiting certain carrier or managed care requirements: HB 1884

Prescription, interchangeable biosimilar products, health carrier or utilization management entity requiring use of: HB 1356

Prescription, labeling requirement exceptions for abortion medications: HB 2115

Prescription, mail order pharmacies, pharmacy benefit manager filling prescription through, requirements: HB 1253

Prescription, regulating pharmacy benefit managers and nonresident pharmacies: **\*E2SSB 5213, CH 242 (2024)**

Psilocybin, authorizing psilocybin purchase, possession, delivery, et al., for nonprofit organizations: HB 2281

Safety, updating and provision of department of health information for school websites: **\*HB 1230, CH 173 (2023)**

Tribal opioid prevention and treatment account, creating to address opioid epidemic in tribal communities: **\*SSB 6099, CH 210 (2024)**

#### **ECOLOGY, DEPARTMENT**

Agricultural activities violating certain water pollution statutes, person engaged in, notification by ecology and report by: HB 2288

Airports, lead exposure associated with operating practices of, best management practices for reducing, ecology role: HB 1554

Allowances, specifying budget reduction: HB 1887

Alternative jet fuel, requiring allowance of biomethane to be claimed as feedstock: HB 1505, **\*ESSB 5447, CH 232 (2023)**

Anesthetic gases used in medical/dental/veterinary settings, guidance document for reducing greenhouse gas emissions from certain, ecology to develop and publish: HB 2073

Anesthetic gases with high global warming potential and sulfuranyl fluoride, studying to reduce emissions of, ecology role: HB 2073

Appliance stewardship, department role: HB 1164

Batteries, electric vehicle propulsion battery requirements, prohibitions, end-of-life management, and producer responsibility, ecology role: HB 2501

Battery stewardship programs, requirements for, ecology role: HB 1553, **\*E2SSB 5144, CH 434 (2023)**

Beverage container redemption programs, as deposit return systems via distributor responsibility organizations, ecology role: HB 2144

Biochar production, fees and permits for burning: HB 2483

Cannabis, private cannabis testing laboratories, accreditation by ecology, reassigning to department of agriculture: HB 2151

Carbon monoxide poisoning, interagency carbon monoxide work group, ecology to convene: HB 1779

Center for sustainable food management grants, landfill-emissions-reducing organic materials diversion and food waste reduction grant programs for, roles of ecology and the center: HB 2301

Center for sustainable food management, convening work group to study food donation by businesses: HB 2301

Center for sustainable food management, duties of, adding additional duties to: HB 2301

Challis basin, office of, flood risk reduction waiver for restrictions on residential improvements: **\*SSB 5649, CH 187 (2024)**

Clean air act, silvicultural burning and portable flame cap kilns: **\*SSB 6121, CH 280 (2024)**

Clean energy projects of statewide significance, coordinated permitting process for, ecology role: HB 1216

Clean energy, solar energy and green electrolytic or renewable hydrogen projects, nonproject EISs for, ecology role: HB 1216

Climate commitment act, carbon offset credits under, assessment of state-owned assets in natural and built environments with potential to generate, ecology role: HB 2333

Climate commitment act, general market participants in cap and invest program, acquisition and sale of compliance instruments by, ecology role: HB 2249

Climate commitment act, purchases of exempt fuel to which surcharge was applied, remittance of surcharge value, ecology role: HB 1780

Climate-related disclosure, developing recommendations addressing and evaluating adequacy of SEC requirements: E2SSB 6092

Commodities donation grant program, Washington, establishing to procure potential food waste for hunger relief: HB 2301

Composting, compostable product management standards, stakeholder advisory committee, ecology to convene: HB 1033

Crude oil, nations importing to WA, developing website listing nations, their imports, and UW symposium on their human rights records: HB 2143

Emissions, cap and invest program, requiring study considering independent entity for oversight of markets and auctions: HB 1659

Emissions, convening work group to review and recommend rules for exemptions: HB 1887

Emissions, remittance program for exempted entities, establishing: HB 1887

Emissions, requiring additional methods for implementing motor fuel exemption exemptions: HB 1887

Engines, California small off-road engine and equipment standards, adoption of, ecology role: HB 2051

Fashion industry, environmental due diligence and performance targets for fashion retail sellers and manufacturers, ecology role: HB 2068

Flows, minimum instream, withdrawals in WRIA in conflict with, authorizing in certain cases, ecology role: HB 2105

Fluorinated refrigerant gases, including hydrofluorocarbons, refrigerant stewardship organizations for, ecology role: HB 2401

Geothermal resources, development of, identifying opportunities and risks of, ecology role in collaborative process: HB 2129, **\*ESSB 6039, CH 350 (2024)**

Greenhouse gas content calculation, under clean energy transformation act, repealing: **\*HB 1955, CH 83 (2024)**

Greenhouse gas emissions, synchronizing rules to facilitate links to other carbon markets: HB 2201, **\*E2SSB 6058, CH 352 (2024)**

Greenhouse gases, developing center for sustainable food management grants to reduce emissions from landfills and certain related facilities, ecology role: HB 2301

Integrated climate resilience strategy, department role: HB 1170

Interagency agreements, eliminating requirement to list various information on website: HB 1362

Interagency clean energy siting coordinating council, establishing, ecology role: HB 1216

Lead, cookware and cookware components containing, prohibiting manufacture, sale, and distribution, ecology role: HB 1551

Lead-based paint activities training program report, replacing with posting on ecology website: HB 1362

Linkage agreements, department notification requirements: **\*E2SSB 6058, CH 352 (2024)**

Mercury-containing lights, product stewardship program for end-of-life management and phase-out, extending and expanding: HB 1185

Mercury-containing lights, product stewardship program for end-of-life management and phase-out, modifying: HB 1185

Outdoor power equipment grant program for switching to zero emissions equipment, administering: HB 1868, HB 2051

Outdoor power equipment, engine exhaust and emissions from, ecology rules adoption for preventing: HB 1868

Overburdened communities and tribal nations, community-based health assessments of, ecology role: HB 1347

Packaging and paper products, producer responsibility programs, organizations, and plans, ecology role: HB 2049

Permitting, exemption for maintenance of fish and wildlife department fisheries: HB 1225

PFAS chemicals, forming advisory committee for sampling or testing biosolids for: SSB 6163

Polluted waters of Washington state, inventory of, ecology to compile and submit to certain legislative committees: HB 2235

Polychlorinated biphenyls, certain uses and exclusions from federal prohibitions, petitioning EPA to reassess, ecology role: HB 1314, **\*SB 5369, CH 399 (2023)**

Polychlorinated biphenyls, paints and printing inks as priority consumer products for PCB chemicals, ecology role: HB 1314

Puget Sound shoreline, conducting baseline survey of, ecology role: **\*SB 5104, CH 465 (2023)**

Puget Sound, office of Puget Sound water quality, establishing within ecology: HB 1365

Recyclability of products/packaging, material characterization study for information for evaluating, ecology role: HB 1900

Recycling, requirements and materials recyclability, advisory committee concerning, creating: HB 1900

Sewage, untreated discharges into Puget Sound by municipal wastewater sewerage system or treatment plant, fees for, ecology role: HB 2290

Sewage, untreated discharges into state waters by municipal wastewater sewerage systems, reporting of, ecology role: HB 1365

Solid waste management outcomes, improving via responsibility organizations and studies, ecology role: HB 1131

Stormwater, NPDES municipal permit, monitoring urban heat island effect impact on salmon via: HB 1381

Sulfuryl fluoride and certain gases used for anesthetic purposes, studying to reduce emissions of, ecology role: HB 2073

Sulfuryl fluoride, used as a fumigant pesticide, identifying availability and feasibility of safer alternatives to, ecology role: HB 2073

Sustainable food management grants, landfill-emissions-reducing organic materials diversion and food waste reduction grant programs for, ecology role: HB 2301

Sustainable food management policy implementation grants, ecology development and administration role: HB 2301

Sustainable food management, center for, adding additional duties: HB 2301

Toxic-free cosmetics act, including initiative to support certain small businesses, ecology role: HB 1047

Transportation fuels transition plan, collaboration with utilities and transportation commission: HB 2232

Vehicle license fees, reduction via joint calculation with OFM: HB 1887

Walla Walla water 2050 plan, integrated strategy and concurrent benefits while addressing challenges, ecology role: HB 1322

Washington commodities donation grant program, ecology to implement: HB 2301

Waste reduction, office of, waste not Washington awards program for schools, raising monetary award limits for: HB 2301

Water-quality trading program, department requirement to offer: HB 1166

#### **ECONOMIC AND REVENUE FORECAST COUNCIL**

Transportation revenue forecast for transportation budget, transferring forecast to council and modifying council statutes: HB 1838

#### **ECONOMIC DEVELOPMENT (See also COMMUNITY ECONOMIC REVITALIZATION BOARD; TOURISM; TRADE)**

Associate development organizations, grant program for recruitment, hiring, and retention of grant writers by, establishing: HB 1783

Data, requiring commerce department to collect from certain agencies: HB 1912

Economic development and international relations, legislative committee on, modifying provisions concerning: HB 2000

Federal economic development funding, assistance for local communities applying for: HB 1870

Federal economic development funding, for clean energy/transportation/buildings and broadband, efforts to obtain, reporting on: HB 1767

Frontier county, defining for certain economic development and excise taxation purposes: HB 1835

Local communities applying for federal funding, moving assets towards community health program for, establishing: HB 1870

Regional economic development vision and action plan, for each region of state, development of: HB 1623

Site readiness and predevelopment work, grants for public facility improvements to enable development: HB 1231, **\*SSB 5229, CH 93 (2023)**

Washington's international engagement and economic development, strategic international engagement plan for, developing: HB 2000

#### **EDUCATION, STATE BOARD OF (See also REVISED CODE OF WASHINGTON; SCHOOLS AND SCHOOL DISTRICTS; SUPERINTENDENT OF PUBLIC INSTRUCTION, OFFICE (OSPI))**

Charter schools and charter school commission, board oversight and role, extending and clarifying: HB 1744

Competency-based education, identifying and designating schools implementing: ESSB 6264

Computer science, requiring report on learning standards and opportunities: E2SSB 5849

Graduation pathway options, reviewing and monitoring implementation of, board role: **\*HB 1308, CH 349 (2023)**

High school juniors and seniors, learning about WA promise program, WA college grant, and benefits of postsecondary education, board role: HB 2374

Residential private schools, accreditation standards and procedures for, board role: **\*ESSB 5515, CH 441 (2023)**

State-tribal education compacts, new or revised, provisions relating to board, OSPI to consult with board on: HB 2335

**ELECTIONS (See also INITIATIVE AND REFERENDUM; PUBLIC DISCLOSURE COMMISSION; REDISTRICTING COMMISSION; SCHOOLS AND SCHOOL DISTRICTS)**

Advertising, political, removal of signs that are not lawfully placed, clarifying by defining "lawfully placed": HB 2371

Advertising, political, requiring disclosures to commercial advertisers and amending certain requirements: HB 1677

Advertising, political, synthetic media of candidates, new chapter regulating: HB 1442, **\*ESSB 5152, CH 360 (2023)**

Advertising, political, yard signs, reducing size that qualifies for sponsor disclosure exemption: **\*HB 2032, CH 148 (2024)**

Advisory votes on tax legislation, repealing and removing from statutes: HB 1158, **\*ESSB 5082, CH 109 (2023)**

Ballots and other election materials and information, providing in language of covered language minority groups, when: HB 2023

Ballots, candidate party preference on primary or general election ballot, prohibiting: HB 1826

Ballots, prohibiting forwarding of, and specifying county auditor requirements: HB 1816

Ballots, statewide online ballot portal, establishing for electronic access and online ballot submission: HB 1475

Ballots, unique voter election-specific serial number for, and online portal for voter to view votes cast, creating: HB 1708

Campaign disclosure and contribution, creating a new title that breaks chapter 42.17A into multiple chapters: **\*SSB 5857, CH 164 (2024)**

Campaign finances, candidate certification that contributions not financed by foreign national, adjusting threshold: HB 1330

Campaign finances, candidates and committees and their treasurers, various reporting requirements, modifying: HB 1677

Campaign finances, changing various reporting dates before an election and certain reporting requirements: HB 1677

Campaign finances, contributions by controlled entities, aggregating with those by same controlling person(s): HB 1426, ESSB 5207

Campaign finances, contributions by foreign-influenced for-profit corporations and limited liability companies, prohibiting, when: HB 1885

Candidacy, candidate statement for voters' pamphlet, limiting party preference identification to: HB 1826

Candidacy, candidate statement for voters' pamphlet, prohibiting false or misleading statements about military service in: HB 1671

Candidacy, candidates who are ineligible for office, processes for determining ineligibility of and for disqualifying: HB 2150

Candidacy, declaration of candidacy procedures and deadlines, modifying: **\*SSB 5182, CH 394 (2023)**

Candidacy, qualified state candidates in connection with democracy voucher program, requirements for: HB 1755

Canvassing, expanding auditor contact of voters for ballot signatures: **\*ESSB 5890, CH 269 (2024)**

Cities and towns, allowing general elections to be held in even-numbered years: HB 1882

Cities and towns, allowing or requiring general elections to be held in even-numbered years, when: HB 1932

Committees, political and incidental, modifying various provisions: HB 1677

Data, Washington election database, establishing to evaluate voting and elections laws and practices: SB 5837

Election officials, including in crime of harassment: HB 1139

Election officials, treating as criminal justice participants for harassment: HB 1241

Future voters, limiting disclosure of information: **\*SB 5153, CH 361 (2023)**

General elections, allowing cities and towns to hold in even-numbered years: HB 1882

General elections, allowing or requiring cities and towns and special purpose districts to hold in even-numbered years, when: HB 1932

Jail voting plans, new chapter: HB 1174

Language assistance, for limited English proficient members of single language minority group in a county, when: HB 1861

Media, required disclosures for purchasing political advertising from commercial advertisers: 2ESSB 5284

Observers, restrictions on observer behavior: **\*SB 5843, CH 28 (2024)**

Presidential primaries and elections, candidates who are ineligible for office, processes for determining and disqualifying: HB 2150

- Ranked choice voting, authorizing and providing guidelines: HB 2250
- Ranked choice voting, instituting for presidential primaries: HB 1592
- Records, requiring request submission to the secretary of state, creating exemptions, and repealing section: **\*SB 5459, CH 404 (2023)**
- Registration materials and information, providing in language of covered language minority groups, when: HB 2023
- School district bonds and payment levies, at least 55% of voters to authorize: HB 1843, HJR 4207
- School district bonds and payment levies, simple majority to authorize: HB 1353, HJR 4203
- Security, expanding election-related crimes: **\*SB 5843, CH 28 (2024)**
- Security, requiring electronic network monitoring and breach reporting: **\*SB 5843, CH 28 (2024)**
- Special purpose districts, allowing or requiring general elections to be held in even-numbered years, when: HB 1932
- Voters' pamphlet, candidate statement for, committee to adjudicate claims of false or misleading statements about military service in: HB 1671
- Voters' pamphlet, candidate statement for, prohibiting false or misleading statements about military service in: HB 1671
- Voters' pamphlets, state and local, provisions concerning format, publication, distribution, and related matters: HB 1272
- Voters' pamphlets, state and local, submission of candidate statements, contact information, and photographs: HB 1272
- Voters' pamphlets, state voter's pamphlet, budgets/budget bills/budgeted funds/expenditures information in: HB 1158
- Voters' pamphlets, state voter's pamphlet, limiting party preference identification to candidate's statement: HB 1826
- Voters' pamphlets, statewide and local, submission of candidate statements and photographs: **\*SSB 5182, CH 394 (2023)**
- Voters, national voter registration day, public high schools to observe on third Tuesday of September with certain activities: HB 2192
- Voters, registered, challenges to voter's right to vote, expanding grounds and modifying process for: ESB 5856
- Voters, registered, eligible or ineligible voters and active or inactive registrations, updating provisions: HB 1229, **\*E2SSB 5112, CH 466 (2023)**
- Voters, registered, statewide voter registration database, secure online access to voters for replacement ballots and updating registration: HB 2206
- Voters, registered, voter address change processes, modifying: **\*HB 1962, CH 56 (2024)**
- Voting materials and information, providing in language of covered language minority groups, when: HB 2023
- Voting rights act, modifying provisions: HB 1048
- Voting rights, revoking only when person convicted of a state crime punishable by death: HB 2030
- Voting, registration online, applicant authentication not using WA state identification, submitting signature image: **\*SSB 5208, CH 363 (2023)**
- Voting, registration online, applicant authentication using last 4 digits of social security number: HB 1443, **\*SSB 5208, CH 363 (2023)**
- Voting, registration online, applicant authentication using tribal identification number, submitting signature image: HB 1443
- Voting, registration online, applicant to confirm U.S. citizenship by reviewing registration oath online: HB 1443, **\*SSB 5208, CH 363 (2023)**
- Voting, registration, automatic voter registration at state agencies, acknowledgement notices and other provisions for: HB 1229, **\*E2SSB 5112, CH 466 (2023)**
- Voting, registration, mandatory registration and voting with waiver option, establishing via universal civic duty voting: HB 1220
- Voting, registration, various processes and requirements, updating and modifying: HB 1229, **\*E2SSB 5112, CH 466 (2023)**
- Voting, universal civic duty voting, establishing mandatory voting with waiver option: HB 1220

#### **ELECTRICIANS AND ELECTRICAL INSTALLATIONS (See also APPRENTICES AND APPRENTICESHIP PROGRAMS; CONTRACTORS; PROFESSIONS)**

- Electrical inspectors, eliminating certain alternatives from experience requirements: **\*ESB 6089, CH 196 (2024)**
- Electrical inspectors, state, salaries of, requirements: HB 1526
- High voltage lines and equipment, defibrillator accessible availability for employees working with or near: **\*HB 1542, CH 253 (2023)**
- Journey level certification, allowing certain trainees to gain required experience without apprenticeship: **\*ESSB 5320, CH 95 (2023)**
- Journey level certification, becoming a journey level electrician via experience working with small electrical contractor: HB 2159

Journey level certification, expanding qualifying experience to include out-of-state and military: **HB 1462, \*ESSB 5320, CH 95 (2023)**  
 Journey level certification, journey level electrical apprenticeship programs, availability and accessibility of, studying: **HB 1393**  
 Journey level certification, with experience and training equivalent to apprenticeship program, delaying effective date: **HB 1393**  
 Residential maintenance specialty electrician certificate, allowing maintenance experience as substitute qualification: **HB 1594**

**ELECTRONIC PRODUCTS (See also COMPUTERS; TELECOMMUNICATIONS)**

Digital electronic equipment, repairing of, manufacturer and repair provider requirements, fair repair act concerning: **HB 1392**  
 Digital electronic products, repairing of, manufacturer and repair provider requirements, right to repair act concerning: **HB 1933**  
 Electronic tracking devices, role in the crime of stalking, adding, and providing exclusions: **\*HB 1696, CH 461 (2023)**

**EMERGENCIES (See also EMERGENCY MANAGEMENT AND SERVICES)**

Business licenses, renewal application handling and delinquency fees when business unable to operate due to theft/fire/flood, waivers of: **HB 2430**  
 Drought emergency, issuance of order of, use of moneys from emergency drought response account: **HB 1138**  
 Insurance commissioner, confidentiality of federal data provided for emergencies: **\*SSB 5806, CH 123 (2024)**  
 Public emergency, paid sick leave use when employee's child's school or place of care closed due to: **\*ESSB 5793, CH 356 (2024)**  
 Public emergency, paid sick leave use when employee's child's school or place of care closed due to weather or: **HB 1991**  
 Recovery, statewide framework and long-term community recovery assistance program, establishing: **HB 1952**

**EMERGENCY MANAGEMENT AND SERVICES (See also COVID-19 AND CORONAVIRUS; EMERGENCIES; EMERGENCY MEDICAL SERVICES; EMERGENCY, STATE OF; FIRST RESPONDERS; MILITARY DEPARTMENT; NATURAL DISASTERS)**

911 communications officers/dispatchers/operators, pilot program for loans to certain workers for certain home purchase costs: **HB 1633**  
 911, public safety telecommunicators for, PSERS plan 2 membership, when: **\*HB 1055, CH 199 (2023)**  
 911, regional 911 emergency communications system, county-operated, telephone access line tax revenue transfers to municipal 911 system by, when: **HB 2258**  
 988 contact hubs, designation recommended by behavioral health administrative service organizations: **\*E2SSB 6251, CH 368 (2024)**  
 Communication plans, requiring notification of citizens at risk from a hazardous material spill: **\*SSB 6164, CH 331 (2024)**  
 Cybersecurity advisory committee, creating as subcommittee of emergency management council: **\*2SSB 5518, CH 124 (2023)**  
 Disasters or emergencies, statewide recovery framework and long-term community recovery assistance program, establishing: **HB 1952**  
 Emergency management division, emergency worker program, including tribes as part of, requirements for: **\*HB 2135, CH 205 (2024)**  
 Hospitals, requiring prompt emergency room acceptance from ambulances or paying reimbursement for time: **HB 2466**  
 Intrastate mutual aid system, adding special purpose districts and junior taxing districts to: **\*HB 1978, CH 16 (2024)**  
 Public infrastructure damage caused by disaster, emergency assistance to county governments and tribes that experience, creating: **HB 2020**  
 Public safety telecommunicators, as uniformed personnel for collective bargaining including interest arbitration: **\*SSB 5808, CH 124 (2024)**  
 Public safety telecommunicators, provisions: **HB 1134**  
 Search and rescue organizations, back country search and rescue grant program and account, establishing: **HB 2257**  
 Statewide resiliency program, emergency management division to develop and administer: **HB 1728**  
 Weather, extreme weather protection act, grant program: **HB 1012**

**EMERGENCY MEDICAL SERVICES (See also EMERGENCY MANAGEMENT AND SERVICES; FIRST RESPONDERS)**

- 988 behavioral health crisis response and suicide prevention system, American Indian and Alaska Native crisis lines to function via call center platform with same communication methods: HB 2408
- 988 behavioral health crisis response and suicide prevention system, ongoing implementation of: HB 1134
- 988 system, implementation timeline: **\*SB 6308, CH 364 (2024)**
- Ambulance services, ambulance transport fund, extending expiration: HB 1321, **\*SB 5122, CH 11 (2023)**
- Ambulances, limiting certain staffing options to ambulances that do not provide advanced life support: HB 1588
- Crisis co-response/co-responders, workforce development via training academy, certificates, programs, and activities: HB 2245
- Crisis responders, for behavioral health crises, liability protections for crisis team staff, agencies/officers/staff, and governmental units/employees: **\*EHB 2088, CH 370 (2024)**
- Crisis situations, mental illness/homelessness/addiction, emergency crisis assistance team pilot project, establishing: HB 1661
- Emergency medical technicians and paramedics, certification as medical assistant-EMT, creating: HB 1907, **\*SSB 5940, CH 217 (2024)**
- Emergency medical technicians, pilot program for loans to certain workers/occupations for home down payment/closing costs: HB 1633
- Emergency treatment, person's preference for, portable orders for life-sustaining treatment form and alternative evidence of: HB 2166
- Emergency treatment, person's preference for, portable orders for life-sustaining treatment form registry, establishing: HB 2166
- Local sales/use taxes, for criminal justice or fire protection, adding emergency medical services to allowed uses: HB 1820
- Medicaid ground emergency medical transportation, public provider supplemental reimbursement for private provider contract costs, when: HB 1980
- Medical assistant-EMT certification, creating: HB 1907, **\*SSB 5940, CH 217 (2024)**
- Organ transport vehicles and services, requirements for: HB 1271

**EMERGENCY, STATE OF (See also ADMINISTRATIVE PROCEDURE; COVID-19 AND CORONAVIRUS; EMERGENCIES; GOVERNOR; LEGISLATURE; NATURAL DISASTERS; VACCINATION AND VACCINES)**

- Business licenses, renewal application handling and delinquency fees when business unable to operate due to emergency or disaster, waivers of: HB 2430
- Emergency orders by governor, requiring closure of religious institutions or interfering with their regular operation, prohibiting with exception: HB 2488
- Emergency orders, content and duration, and role of legislature: HB 1535
- Emergency proclamations by governor, emergency orders after issuance of, provisions: HB 2488
- Ferry system, state, requesting that governor declare state of emergency to expedite acquisition of two nonhybrid electric ferries for: HB 2498
- Homelessness, emergency related to, state agency to lease vacant property to qualifying city during, requirements: HB 2172
- Wildfires, existing or threatened in 2023, budget stabilization account appropriations for DNR fire suppression costs: HB 2170, **\*SSB 6100, CH 198 (2024)**
- Wildfires, rebuilding property damaged by, state building code and energy code compliance flexibility and options for, when: HB 1899

**EMPLOYMENT AND EMPLOYEES (See also BUSINESSES; CONTRACTORS; CORRECTIONAL FACILITIES AND JAILS; CORRECTIONS, DEPARTMENT; DISCRIMINATION; FARMS AND FARMING; HOURS; LABOR; LOW-INCOME PERSONS; PROFESSIONS; PUBLIC EMPLOYMENT AND EMPLOYEES; PUBLIC WORKS; UNEMPLOYMENT COMPENSATION; WAGES AND SALARIES; WORKERS' COMPENSATION)**

- Adult entertainers, working in adult entertainment establishments, workplace conditions and safety standards for, modifying: HB 2036
- Cannabis, employees lawfully consuming away from work, prohibiting employer discrimination in hiring against: **\*ESSB 5123, CH 359 (2023)**
- Cannabis, prospective employee consumption when seeking substance use disorder professional or related position, screening for: HB 2047

Child care, for children or wards of employees, requiring that employers receiving B&O tax preferences provide: HB 2322

Child support, processing and reporting of lump-sum payments by employers to responsible parent: \***HB 1262, CH 248 (2023)**

Construction, requiring payment for accrued and unused paid sick leave: \***SB 5979, CH 39 (2024)**

Credentials, educational and professional, Washington credential registry, creation of: HB 2155

Discharge of employee, reasons and effective date, employer to provide: HB 1320

Emergency worker program, of emergency management division, including tribes as part of, requirements for: \***HB 2135, CH 205 (2024)**

Employee ownership, Washington employee ownership program, commission, and revolving loan program account, creating: HB 1743

Employee reimbursement, requiring for necessary expenditures and losses: HB 1136

Employees, in a position requiring baccalaureate or advanced degree, employer receiving tax preference to provide student loan payment assistance to: HB 2261

Equal pay and opportunities act, requiring written notice and correction opportunity before penalties can be assessed: HB 2349

Family and medical leave, paid, disclosure of health care information for qualifying persons to receive benefits: HB 2102

Family and medical leave, paid, extending certain requirements to employers with fewer than 50 employees: HB 1959

Family and medical leave, paid, impact of job protection standards on equitable utilization of benefits, studying: HB 1502

Family and medical leave, paid, pilot program for transportation network companies and drivers, developing: HB 1570

Family and medical leave, paid, removing the terms "master" and "slave" from: \***HB 1107, CH 25 (2023)**

Grocery employees, protection during 180-day transition employment period after change in control: \***ESSB 6007, CH 129 (2024)**

Hospitality industry, restaurants etc., persons 18 years or older with duties not related to alcohol, conditions for employing: \***HB 1730, CH 158 (2023) PV**

Interpreters, for deaf/deaf and blind/hard of hearing employees, shortage of American and protactile sign language interpreters, work group on, establishing: HB 2221

Juror service, wages paid to employees during, B&O and public utility tax credits for employers: HB 1883

Large employers, requiring reimbursement of state Medicaid costs for employees: HB 1227

Liquor manufacturers/producers, production facilities of, allowing employees and some interns 18 to 21 years of age to work in: HB 1299

Long-term services and supports trust program, active duty service members concurrently engaged in off-duty civilian employment, exemption for: HB 2272

Long-term services and supports trust program, addressing recommendations of long-term services and supports trust commission: HB 2272

Long-term services and supports trust program, expanding access to benefits under: HB 2272

Long-term services and supports trust program, participants who relocate outside of WA, option to continue participation: HB 2272, HB 2467

Long-term services and supports trust program, pilot project to assess administrative processes and system capabilities of, developing and conducting: HB 2272

Long-term services and supports trust program, program summary statement, sending to each employee assessed a premium: HB 2271

Long-term services and supports trust program, providing all employees and self-employed persons with option to opt out of: HI 2124

Long-term services and supports trust program, various additional changes: HB 2272

Long-term services and supports trust program, voluntary private market supplemental long-term care insurance option, establishing: HB 2272

Long-term services and supports, employer requirements and ESD role: ESB 6072

Mass layoffs, demographic survey for and rapid response partner access to terminated employees, employer duties: HB 2100

Military spouses, employment of, assistance and removal of barriers: HB 1009

Minor league baseball players, exempting from employee status: HB 2364, \***SB 6088, CH 132 (2024)**

Minors, 16 or 17 years old, working same number and frequency of hours as during school vacations/holidays, when: HB 2035



Noncompetition covenants, modifying and expanding definition: **\*SSB 5935, CH 36 (2024)**

Paid sick leave, expanding definition of "family member" and related terms for purposes of: HB 1991, **\*ESSB 5793, CH 356 (2024)**

Paid sick leave, requiring L&I to develop materials and conduct outreach to inform individuals and businesses of new provisions: **\*ESSB 5793, CH 356 (2024)**

Paid sick leave, using when employee's child's school or place of care closed due to public emergency: **\*ESSB 5793, CH 356 (2024)**

Paid sick leave, using when employee's child's school or place of care closed due to weather or public emergency: HB 1991

Paid sick leave, using when transportation network company driver's child's school or place of care closed due to public emergency: **\*ESSB 5793, CH 356 (2024)**

Paid sick leave, using when transportation network company driver's child's school or place of care closed due to weather or public emergency: HB 1991

Personnel file, employer to furnish complete copy to employee, when: HB 1320

Railroad workers, requiring paid and unpaid leave for various purposes, new chapter: HB 1548, ESSB 5267

Retaliation, prohibiting against employee nonattendance at primarily political or religious meetings: HB 1940, **\*ESSB 5778, CH 357 (2024)**

Vehicles of employees, employer searches of, prohibitions: HB 1491

Warehouse distribution centers, employees subject to quotas, rights/health/safety of, and employer requirements: HB 1762

Washington saves, employer role: HB 2244, **\*ESSB 6069, CH 327 (2024)**

Washington state multiple employer retirement plan, establishing: HB 2437

Worker's compensation, providing temporary light-duty stay-at-work employment via nonprofit organizations: ESSB 5368

Workers' compensation, allowing off-site light duty return to work via nonprofit organizations: HB 1137

**EMPLOYMENT SECURITY DEPARTMENT (See also EMPLOYMENT AND EMPLOYEES; MILITARY; PROFESSIONS; UNEMPLOYMENT COMPENSATION)**

Agricultural and seasonal workforce services, office of, requiring annual wage survey of certain harvest workers: HB 2226

Apprenticeship program participant barriers when seeking unemployment insurance benefits, work group on, convening: HB 1458

Dislocated worker, redefining to include persons separated as a result of commercial finfish lease denials: **\*HB 1712, CH 156 (2023)**, SB 5621

Economic security for all grant program, creating within ESD, role of ESD: HB 2230

Eligibility determinations, creating pilot project to assess management of: ESB 6072

Family and medical leave, paid, disclosure of health care information for qualifying persons to receive benefits: HB 2102

Family and medical leave, paid, extending certain requirements to employers with fewer than 50 employees: HB 1959

Family and medical leave, paid, impact of job protection standards on equitable utilization of benefits, studying: HB 1502

Family and medical leave, paid, removing the terms "master" and "slave" from: **\*HB 1107, CH 25 (2023)**

Field checks, requiring collection, compilation, and comparison of H-2A worker data: HB 2226

Job search, requiring report on impacts of flexibilities in methods, monitoring, and outcomes: **\*SB 5331, CH 117 (2023)**

Long-term services and supports trust program, active duty service members concurrently engaged in off-duty civilian employment, exemption for: HB 2272

Long-term services and supports trust program, addressing recommendations of long-term services and supports trust commission: HB 2272

Long-term services and supports trust program, exemption for off-duty employment of active duty service member in U.S. armed forces: HB 2162

Long-term services and supports trust program, expanding access to benefits under: HB 2272

Long-term services and supports trust program, participants who relocate outside of WA, option to continue participation: HB 2272, HB 2467

Long-term services and supports trust program, pilot project to assess administrative processes and system capabilities of, developing and conducting, ESD role: HB 2272

Long-term services and supports trust program, program summary statement, sending to each employee assessed a premium, ESD role: HB 2271

Long-term services and supports trust program, providing all employees and self-employed persons with option to opt out of: **HI 2124**

Long-term services and supports trust program, repealing: **HB 1011**

Long-term services and supports trust program, various additional changes: **HB 2272**

Long-term services and supports trust program, voluntary private market supplemental long-term care insurance option, establishing: **HB 2272**

Long-term services and supports, employer requirements and ESD role: **ESB 6072**

Mass layoffs, demographic survey for and rapid response partner access to terminated employees, ESD duties: **HB 2100**

Paid family and medical leave program, altering premium calculation: **\*SSB 5286, CH 116 (2023)**

Paid family and medical leave, maintaining health benefits for firefighters in small fire districts: **HB 2328**

Paid family and medical leave, specifying records access: **\*SSB 5586, CH 375 (2023)**

Paid family and medical leave, transportation network companies and drivers pilot program, developing, ESD role: **HB 1570**

Public school staff, comparative labor market analysis of salaries and other compensation for, conducting, ESD role: **HB 2148**

Unemployment compensation, eligibility for, transportation network companies, drivers, and part-time work: **HB 1570**

Wage replacement program, for unemployed workers ineligible for unemployment insurance, ESD role: **HB 1095**

**ENERGY (See also BUILDING CODES AND PERMITS; ENVIRONMENTAL HEALTH AND SAFETY; FUELS; OIL AND GAS; UTILITIES; UTILITIES AND TRANSPORTATION COMMISSION)**

Buildings, tiers 1 and 2 covered, state energy performance standard for, incentive payments for upgrades, increasing, when: **\*HB 1976, CH 85 (2024)**

Clean energy fund program, creating to fund clean energy projects: **HB 2388**

Clean energy transformation act, affected market customer provisions of, extending to consumer-owned utility customers: **\*HB 1416, CH 233 (2023)**

Clean energy transformation act, greenhouse gas content calculation under, repealing: **\*HB 1955, CH 83 (2024)**

Clean energy, designating clean energy projects of statewide significance and providing coordinated permitting process: **HB 1216**

Clean energy, fusion energy facilities as projects of statewide significance: **HB 1924**

Conservation, Washington state green schools program, establishing: **HB 1935**

Electric generating facilities, nonutility-owned, eligibility for cost-mitigating allowance allocation: **HB 1965**

Electrical transmission facilities, requiring nonproject environmental impact statements: **\*SSB 5165, CH 229 (2023)**

Electrical transmission industry in Washington, employment and workforce education needs of, studying: **HB 2082**

Electrical transmission industry work group, convening: **HB 2082**

Electricity, generation or storage projects, innovative net zero grid transition, creating program for financial assistance for: **HB 1908**

Electricity, light and power business sales to green electrolytic or renewable hydrogen business, public utility tax exemption: **HB 1768**

Energy equipment and services, municipality/state agency/school district performance-based contracting for, options: **\*HB 1777, CH 309 (2023)**

Energy facility site evaluation council, applicants using renewable resources and seeking certification, adequate water supply requirement: **HB 2042**

Energy facility site evaluation council, applications for site certification, process for council to make recommendations for a project: **HB 2429**

Energy facility site evaluation council, modifying authority: **HB 1123**

Federal power marketing administrations, allowing registration as opt-in entity: **\*E2SSB 6058, CH 352 (2024)**

Fusion energy, certain facilities as projects of statewide significance: **HB 1924**

Geothermal resources, competitive geothermal exploration cost-share grant program, establishing: **HB 2129, \*ESSB 6039, CH 350 (2024)**

Geothermal resources, subsurface geologic information, DNR lease rates, and development opportunities and risks: **HB 2129, \*ESSB 6039, CH 350 (2024)**

Greenhouse gas emissions, synchronizing rules to facilitate links to other carbon markets: **HB 2201, \*E2SSB 6058, CH 352 (2024)**

Heat, waste heat generated by municipal wastewater facility, defining thermal renewable energy credit with respect to: **HB 1836**

Hydroelectric facilities, clarifying liability for water injuries: **\*SSB 5145, CH 183 (2023)**

Hydrogen, green electrolytic or renewable projects, nonproject environmental impact statements for: HB 1216  
 Interagency clean energy siting coordinating council, fusion energy role of: HB 1924  
 Interagency clean energy siting coordinating council, new chapters and sections: HB 1216  
 Nuclear energy, nuclear fuel or assemblies, manufacturers or processors for hire or sellers of, preferential B&O tax rate: HB 1981  
 Nuclear fuel manufacturing facility projects, requiring NRC certification, additional time to qualify for targeted urban area property tax exemption: HB 2120  
 Nuclear power/advanced nuclear reactor technology, state energy strategy to include consideration of: HB 1584  
 Renewable energy generating systems, using as electric power source, imposing excise tax on: HB 1756  
 Renewable energy production, suitability of unused/underutilized state lands when not suitable for agriculture: HB 2336  
 Renewable energy projects, development of renewable energy for Washington revolving loan program and account, establishing/creating: HB 2417  
 Renewable energy resources, facilities seeking EFSEC certification, adequate water supply requirement: HB 2042  
 Renewable energy resources, natural gas company investments in, to reduce emissions: HB 1619  
 Renewable energy, personal property used for generating, exemption from state property taxes for: HB 1756  
 Renewable energy, thermal credit, defining with respect to municipal wastewater facility generating waste heat: HB 1836  
 Renewable energy, voluntary purchases of, excluding from a utility's electric load calculation, when: **\*HB 1948, CH 278 (2024)**  
 Secure power from American resources center (SPARC), establishing: HB 1194  
 Solar canopy facility, utility-scale, siting on highly erodible land with conservation plan, maintaining plan compliance: HB 2499  
 Solar energy systems, persons selling or installing for cost in excess of 1,000 dollars, license and installation contract requirements for: HB 2156  
 Solar energy systems, public school installation on new school buildings, grant awards for, requirements: HB 2297  
 Solar energy systems, work in excess of 1,000 dollars, license and installation contract requirements for: SSB 6256  
 Solar energy, customer purchasing installation of system, contract with solar energy contractor, requirements: HB 1427  
 Solar energy, projects in Columbia basin, nonproject environmental impact statements for: HB 1216  
 Solar, community projects, implementing community solar program and providing community solar bill credit: HB 1509  
 Solar, community solar credits and requirements for community solar managers: HB 2253  
 State energy office, all-hazard contingency plans, modifying contents to include human, natural, and cybersecurity hazards: HB 1480  
 State energy office, energy strategy to include fusion energy: HB 1924  
 State energy strategy, including consideration of nuclear power/advanced nuclear reactor technology: HB 1584  
 Thermal energy networks, nonemitting network deployment and nonemitting thermal energy network pilot project program, establishing: HB 2131  
 Transmission assessments, requiring that they take into account state emission reduction plans: HB 1192, **\*SSB 5165, CH 229 (2023)**  
 Urban heat island effects, stormwater permittee monitoring of impact on salmon via permit: HB 1381  
 Wind energy alternative energy resource facilities, light pollution mitigation requirements: HB 1173  
 Wind energy, cumulative effects of offshore wind generation on oceanographic processes, studying: HB 2341  
 Wind energy, utility-scale wind energy facilities, permit for, authority to address aerial firefighting and wildfire suppression concerns: HB 2117

**ENTERPRISE SERVICES, DEPARTMENT (See also BUILDING CODE COUNCIL; BUILDINGS, STATE; CAPITOL CAMPUS, STATE)**

Billy Frank Jr., statue of, duplicate cast to be created and installed at legislative building, DES role: HB 1639  
 Irving R. Newhouse building, naming new office building replacing: HCR 4405  
 Lands managed by DSHS, leases up to 99 years when for certain purposes, DES role: HB 1506  
 Naselle Youth Camp residential school property, transferring to Chinook Indian Nation, DES role: HB 1496  
 Performance-based contract, reporting requirements: **\*HB 1777, CH 309 (2023)**  
 Procurement, energy equipment and services, state agency or school district performance-based contracting for, DES role: **\*HB 1777, CH 309 (2023)**  
 State capitol committee, campus memorial commemorating eastern Washington, committee or subcommittee role: HB 1700  
 State property, assets in natural and built environments with potential to generate carbon offset credits under climate commitment act, assessing: HB 2333

State vehicle fleet, transition to electric vehicles, life-cycle greenhouse gas emissions tradeoffs analysis of, DES role: HB 1372

**ENVIRONMENT (See also ENVIRONMENTAL HEALTH AND SAFETY; GROWTH MANAGEMENT; INVESTMENT BOARD, STATE; LAND USE PLANNING AND DEVELOPMENT)**

Accessory dwelling units, construction and use in urban growth areas, city and county requirements: \*EHB 1337, CH 334 (2023) PV

Building materials manufacturing, environmental product declarations, build clean act: HB 1342

Building materials manufacturing, environmental product declarations, buy clean and buy fair Washington act: HB 1282

Climate resilience and environmental equity campus, establishing for workforce training and internships for certain postsecondary students: HB 2298

Ecosystem services and carbon offset projects on state lands, authorizing contracting: HB 1789

Environmental boards, final decisions in adjudicative proceedings, appealing directly to court of appeals, modifying procedures: HB 2039

Green schools program, Washington state, establishing: HB 1935

Justice, environmental justice council, duties of: HB 1347

Justice, environmental, environmental justice council, membership of, at least one-half to be rural county residents: HB 1664

Justice, environmental, permits and impact statements for potentially impactful projects in pollution burdened communities: HB 2070

Middle housing unit density increases, authorization by cities via ordinances and regulations, administrative and judicial appeals exemption: HB 1110

Net ecological gain as voluntary element under GMA, consistent with regional salmon recovery plans: HB 1735

Net ecological gain, joint oversight body on, with work group within, establishing for certain public projects: HB 1735

Permits, potentially impactful projects in pollution burdened communities, assessing environmental and public health stressors: HB 2070

Pollution, authorizing courts to order restitution for criminal harm to resources or environment: \*SB 5884, CH 342 (2024)

Right to clean/healthy environment, and state/political subdivisions as natural resources trustees: HJR 4210

SEPA exemptions, categorical, for certain trail or path development or extension located on inactive railroad right-of-way: HB 2394

SEPA projects, permits and impact statements for potentially impactful projects in pollution burdened communities: HB 2070

SEPA, categorical exemptions, residential housing unit development in urban growth area: HB 1293

SEPA, clean energy projects of certain types, environmental impact statements and review content for siting of: HB 1216

SEPA, exempting certain trail or path extensions from compliance: SSB 6010

State environmental policy act, projects in overburdened communities and subject to review under, requirements: HB 1347

**ENVIRONMENTAL HEALTH AND SAFETY (See also CONSERVATION; ECOLOGY, DEPARTMENT; ENERGY; ENVIRONMENT; FIRE PROTECTION; FOOD AND FOOD PRODUCTS; FOREST PRACTICES AND PRODUCTS; GROWTH MANAGEMENT; HEALTH AND SAFETY, PUBLIC; PEST CONTROL AND PESTICIDES; SOLID WASTE; WATER)**

Anesthetic gases used in medical/dental/veterinary settings, guidance document for reducing greenhouse gas emissions from certain, developing and publishing: HB 2073

Anesthetic gases with high global warming potential and sulfuryl fluoride, studying to reduce emissions of: HB 2073

Appliance stewardship organizations, creating: HB 1164

Appliance stewardship plan, requiring for producers of covered appliances: HB 1164

Batteries, electric vehicle propulsion battery requirements, prohibitions, end-of-life management, and producer responsibility: HB 2501

Battery stewardship programs, requirements for stewardship organizations, new chapter: HB 1553, \*E2SSB 5144, CH 434 (2023)

Beverage container redemption programs, as deposit return systems via distributor responsibility organizations: HB 1131, HB 2144

Beverage containers, plastic, postconsumer recycled content requirements for: HB 1131, HB 1900, HB 2049

Biosolids, establishing PFAS testing requirements: SSB 6163

\* - Passed Legislation

Carbon monoxide poisoning, interagency carbon monoxide work group, convening: HB 1779

Carbon tax credit trading, prohibiting state agencies from implementing any type of, and repealing climate commitment act: HI 2117

Clean air act, fees and permits for biochar production: HB 2483

Clean air act, silvicultural burning and portable flame cap kilns: **\*SSB 6121, CH 280 (2024)**

Climate commitment act, allowances and emissions exemptions, revising: HB 1887

Climate commitment act, amounts from receipt/generation/purchase/sale/transfer/retirement of allowances/offset credits/price ceiling units under, B&O and public utility tax exemptions: **\*EHB 2199, CH 115 (2024)**

Climate commitment act, carbon offset credits under, assessment of state-owned assets in natural and built environments with potential to generate: HB 2333

Climate commitment act, establishing carbon auction rebate (CAR) program to mitigate financial impacts on vehicle owners: HB 2040

Climate commitment act, general market participants in cap and invest program, acquisition and sale of compliance instruments by, evaluating impact: HB 2249

Climate commitment act, municipal gas utilities under, annual decline in allowances at no cost and increase in allowances to be auctioned: HB 2376

Climate commitment act, nonutility-owned electric generating facilities to be eligible for cost-mitigating allowance allocation: HB 1965

Climate commitment act, purchases of exempt fuel to which surcharge was applied, remittance of surcharge value: HB 1780

Climate commitment act, repealing, and prohibiting state agencies from implementing any type of carbon tax credit trading: HI 2117

Climate mitigation, funding from outdoor recreation and climate adaptation account: HB 1190

Climate resilience and environmental equity campus, establishing for workforce training and internships for certain postsecondary students: HB 2298

Cosmetic products, toxic chemicals in, prohibitions: HB 1047

Derelict aquatic structures, authorizing taking possession of and removing, new chapter: HB 1378, **\*SSB 5433, CH 227 (2023)**

Disparities, health disparities, environmental harms, and vulnerable populations in overburdened communities, reducing: HB 1347

Engines, California small off-road engine and equipment standards, adoption of: HB 2051

Environmental justice, permits and impact statements for potentially impactful projects in pollution burdened communities: HB 2070

Expanded or extruded plastic foam, prohibition for overwater structures: HB 1085

Fashion industry, impacts of, environmental due diligence and performance targets for fashion retail sellers and manufacturers: HB 2068

Ferries, funding transition to hybrid ferries with climate commitment act revenues: HB 1904

Fire-resistant materials, requiring training and certification for applicators, and related provisions: HB 1323

Fluorinated regulated refrigerants and substitutes, refrigerant stewardship organizations for, implementation by producers: HB 2401

Greenhouse gas content calculation, under clean energy transformation act, repealing: **\*HB 1955, CH 83 (2024)**

Greenhouse gas emissions reduction subelement, as part of climate change and resiliency element under GMA: HB 1181

Greenhouse gas emissions, developing recommendations for business disclosure requirements: E2SSB 6092

Greenhouse gas emissions, energy performance standard incentive payments for tiers 1 and 2 covered buildings, increasing, when: **\*HB 1976, CH 85 (2024)**

Greenhouse gas emissions, fluorinated refrigerant gases, including hydrofluorocarbons, refrigerant stewardship organizations for: HB 2401

Greenhouse gas emissions, fossil fuel nonproliferation treaty, urging U.S. government to join the global community in developing: HJM 4003

Greenhouse gas emissions, from building materials manufacturing, build clean act: HB 1342

Greenhouse gas emissions, from building materials manufacturing, buy clean and buy fair Washington act: HB 1282

Greenhouse gas emissions, grid reliability innovation for decarbonization program, creating as grant program: HB 1908

Greenhouse gas emissions, requiring study considering independent entity for oversight of markets and auctions: HB 1659

Greenhouse gas emissions, state vehicle fleet transition to electric vehicles, life-cycle emission tradeoffs analysis of: HB 1372

Greenhouse gas emissions, statewide building energy upgrade navigator program for reducing, establishing: HB 1391

Greenhouse gas emissions, sulfuryl fluoride and certain gases used for anesthetic purposes, studying, reporting on, and regulating: HB 2073

Greenhouse gas emissions, synchronizing rules to facilitate links to other carbon markets: HB 2201, **\*E2SSB 6058, CH 352 (2024)**

Greenhouse gas emissions, zero emission school bus grant program and district zero emission bus requirement: HB 1368

Greenhouse gases, developing center for sustainable food management grants to reduce emissions from landfills and certain related facilities via food waste reduction: HB 2301

Integrated climate response strategy, updating: HB 1170

Labeling, increasing requirements for disposable wipes: HB 1213

Lands, agricultural and erodible with conservation plan, siting of utility-scale solar canopy facility on, maintaining plan compliance through life of facility: HB 2499

Landscaping equipment, all-electric zero emission, encouraging use via program and tax preferences: HB 1868, HB 2051

Lead, cookware and cookware components containing, prohibiting manufacture, sale, and distribution, new chapter: HB 1551

Lead, in aviation gasoline used at airports, mitigating exposure impacts and transitioning to unleaded gasoline, new chapter: HB 1554

Mercury-containing lights, product stewardship program for end-of-life management and phase-out, extending and expanding: HB 1185

Mercury-containing lights, product stewardship program for end-of-life management and phase-out, modifying: HB 1185

Outdoor power equipment, zero emissions, encouraging use via program and tax preferences: HB 1868, HB 2051

Overburdened communities and tribal nations, community-based health assessments of: HB 1347

Overburdened communities, as statewide building energy upgrade navigator program services priority: HB 1391

Overburdened communities, planning and development measures to aid, publication of guidelines for: HB 1181

Overburdened communities, role of freight mobility strategic investment board: HB 1084

Packaging and paper products, postconsumer recycled content and covered product registration and reporting: HB 1900

Packaging and paper products, producer responsibility programs, organizations, and plans: HB 1131, HB 2049

Penalties under certain chapters in Title 70A RCW, authority to appeal to pollution control hearings board: HB 2039

Permitting, covered emissions not subject to evaluation for permit denial or mitigation requirements: HB 1224

Petroleum underground storage tanks, creating state financial assurance program: HB 1175

Polluted waters of Washington state, inventory of, compiling and submitting to certain legislative committees: HB 2235

Pollution burdened communities, potentially impactful projects in, environmental justice impact statements/hearings/ permit decisions for: HB 2070

Pollution, regulating vehicles tires containing 6PPD as toxic pollutant: **\*SSB 5931, CH 343 (2024)**

Refrigerants, refrigerant stewardship organizations for fluorinated regulated refrigerants and substitutes, implementation by producers: HB 2401

Solar canopy facility, utility-scale, siting on highly erodible land with conservation plan, maintaining plan compliance: HB 2499

Solid waste management outcomes, improving via responsibility organizations: HB 1131, HB 2049

Sulfuryl fluoride, used as a fumigant pesticide, studying emissions of and identifying availability and feasibility of safer alternatives to: HB 2073

Water systems, public, fluoridation of drinking water, systems considering discontinuation of, requirements for: HB 1251

Wildfires, requiring risk assessment, public safety evacuation strategies, community resilience programming, et al.: HB 1578

#### **EQUITY, WASHINGTON STATE OFFICE OF (See also GUBERNATORIAL APPOINTMENTS)**

Digital equity among underserved communities and populations, office role, modifying provisions: HB 2313

Digital equity among underserved communities and populations, state digital equity plan for, office role: HB 2313

Nothing about us without us act, statutory entity participation for persons with direct lived experience, office role: HB 1541

Statutory entities, issues-based, representation for underrepresented populations on various, office role: HB 1541

**ESTATES, TRUSTS, AND PROBATE (See also GUARDIANSHIP; TAXES - ESTATE)**

- Conservators, expanded court authority over: **\*SSB 5825, CH 267 (2024)**
- Electronic records, use of electronic nontestamentary estate planning documents: **\*SSB 5787, CH 188 (2024)**
- Estate recovery, barring liens to recover medical assistance: SSB 5318
- Partition of heirs property act, uniform, adopting: **\*SSB 5005, CH 6 (2023)**
- Property, modifying family support and attachment, execution, and forced sale exemptions after death: **\*ESSB 5589, CH 20 (2024)**
- Residences, eliminating tax filing requirement for estates involving certain qualifying familial residences: **\*HB 1867, CH 82 (2024)**

**ETHICS IN GOVERNMENT**

- Building code council, ethics training for members, employees, and technical advisory groups: HB 1404
- Legislative employees, collective bargaining activities by or on behalf of, ethics exemption for: HB 2484
- Legislators, permitting letters to constituents of recommendation or recognition if requested or extraordinary: **\*SSB 5381, CH 226 (2023)**
- Legislators, who are regional or national legislative association elected officials, funds solicitation for conference by: **\*SSB 5170, CH 91 (2023)**

**EVIDENCE**

- Interrogations, in custody, use of deception by officers, inadmissibility of statement due to: HB 1062
- Recordings made in law enforcement vehicle, sound or video, modifying specified limitations for handling of: HB 2438
- Sex offenses, evidence of victim credibility or consent, social media account inadmissibility exception: ESSB 5576
- Unions, recognizing employee and union representative communications as privileged communication: HB 1187

**EXPLOSIVES**

- Violations, explosives act, property seizure and forfeiture: HB 1385

**FARMS AND FARMING (See also AGRICULTURE; FOOD AND FOOD PRODUCTS; PEST CONTROL AND PESTICIDES)**

- Aquaculture, prohibiting octopus farming: **\*HB 1153, CH 45 (2024)**
- Compost products, purchase and use by farming operations, compost reimbursement program eligibility provisions, modifying: HB 2301
- Crop damage, expanding limits for deer and elk claims and limiting to appropriated funds: **\*2SSB 5784, CH 264 (2024) PV**
- Custom farming services, person performing, or person performing other services for, sales/use tax exemption: **\*2EHB 1757, CH 222 (2024)**
- Custom farming services, persons performing for a farmer, retroactive B&O tax exemption for: HB 1604
- Employees, farm internship program, migrant farm worker background requirements: **\*SSB 5156, CH 269 (2023)**
- Employees, farm internship program, renaming pilot as, and extending to all counties without expiration: **\*SSB 5156, CH 269 (2023)**
- Family farms, certain family farms deemed to be in public interest for water appropriations purposes: HB 2187
- Farmers, certain conservation grant recipients or program participants, B&O tax credit for certain expenditures by: HB 1936
- Farmworkers education and assistance program for displaced workers, creating: HB 2487
- Farmworkers seeking education to career program, developing: HB 2487
- Fur farms, prohibiting, and establishing fur farm transition grant program: HB 1034
- Milk producers, small-scale farms, direct sales by, milk testing requirements: HB 1490
- Organic and regenerative agriculture task force, creating: HB 2461, SSB 6278
- Sustainable farms and fields program, creating climate-smart grant funding requirements: HB 1574
- Taxes, modifying exemption for hazardous substances solely used for crop protection: **\*HB 2454, CH 241 (2024), SB 5915**
- Workers, displaced, creating farmworkers education and assistance program for: HB 2487
- Workers, seasonal, requiring study of educational needs of children: HB 1866

**FERRIES**

- County ferry maintenance, indefinite-quantity contracts for, authorizing use and providing requirements: HB 2391
- Electric ferries, state, vessel and terminal electrification program, repealing: HB 2498

Emissions, funding transition to hybrid ferries with climate commitment act revenues: HB 1904  
 Fuel purchasing for state ferry system, cost fluctuation strategies technical advice and adoption by oversight committee: HB 2385  
 Fuel surcharge, limiting imposition to certain situations and evaluating and reevaluating need: HB 1833  
 Hybrid diesel-electric ferry vessels, requiring purchase of up to 5 new vessels: **\*EHB 1846, CH 429 (2023) PV**  
 Hybrid electric olympic class (144-auto) vessel #5 project, debt service repayment appropriation for, repurposing: HB 1103  
 State ferry facilities, adding to locations where a person can be guilty of unlawful transit conduct: HB 2431  
 Terminals or docking facilities, easements via DNR aquatic land for, public transportation benefit area obtaining of: **\*HB 1334, CH 146 (2023), SB 5292**  
 Wahkiakum county ferry, DOT monthly payments to county for deficit, increasing amounts: **\*EHB 1782, CH 428 (2023)**  
 Washington state ferries 75 commission, establishing: HB 2492  
 Washington state ferries 75 work group, establishing: HB 2497  
 Washington state ferries, addressing workforce training needs and creating Seattle maritime training academy joint plan: HB 1831  
 Washington state ferries, captains of, including in the combined masters, mates, and pilots collective bargaining unit, when: HB 2496  
 Washington state ferries, economic impact of ferry service disruptions, institute for public policy to study: HB 2497  
 Washington state ferries, economic impact of reduced ferry service, WWU center for economic and business research to study: HB 2492  
 Washington state ferries, employees being hired or rehired, prohibiting vaccination proof requirement for: HB 1871  
 Washington state ferries, employees, salary survey by classification for use in collective bargaining and arbitration: HB 1842  
 Washington state ferries, fuel purchasing, cost fluctuation strategies technical advice and adoption by oversight committee: HB 2385  
 Washington state ferries, human resources management during staffing shortage, contracting out for administration of: HB 1831, HB 1841  
 Washington state ferries, repealing electrification program and requesting state of emergency to expedite acquiring of two nonhybrid electric ferries for: HB 2498  
 Washington state ferries, requiring formal strategy to implement diversity, equity, and inclusion directives: **\*SB 5550, CH 188 (2023)**  
 Washington state ferries, requiring formal strategy to implement workforce diversity, equity, and inclusion: HB 1831, HB 1841  
 Washington state ferries, requiring workforce development and maritime credentialing programs: **\*SB 5550, CH 188 (2023)**

**FINANCIAL INSTITUTIONS (See also CREDIT AND DEBIT CARDS; CREDIT HISTORY AND CREDIT REPORTING; LOANS)**

Account, private self-controlled, opportunity for dependent youth to open, developing program for: HB 2342  
 Banks, uniform special deposits act, establishing: **\*ESSB 5801, CH 23 (2024)**  
 Digital automated services, exempting from sales and use taxes if solely for business purposes: HB 1557  
 Money transmitters, small, serving diverse communities, impact of financial institution de-risking on, federal action to reduce: **\*ESJM 8005 (2024)**  
 Payment card processing companies, creating B&O tax deduction and rate changes: HB 1815  
 Real estate evaluations for institutions, by state-licensed or -certified residential real estate appraisers, when: **\*EHB 1797, CH 464 (2023)**  
 Securities act, investigations or proceedings under, financial institutions director not authorized to compel production of customer banking records: **\*HB 2213, CH 232 (2024)**

**FINANCIAL INSTITUTIONS, DEPARTMENT (See also EMPLOYMENT AND EMPLOYEES; FINANCIAL INSTITUTIONS; PROFESSIONS)**

Securities division, administrator of securities, whistleblower award and protection act role of: **\*HB 1370, CH 149 (2023)**



**FINANCIAL MANAGEMENT, OFFICE (See also BUDGETS)**

- Budgets, budget bills, budgeted funds, and expenditures, website presentation of, OFM role: **\*ESSB 5082, CH 109 (2023)**
- Carbon auction rebate (CAR) program, establishment of, OFM role: HB 2040
- Certificates of annexation, modifying outdated procedures: **\*SB 5885, CH 30 (2024)**
- Civil service, state, removing certain statutory provisions and modifying OFM role: HB 1361
- Education data center, adding center representation to students in foster care or experiencing homelessness work group: **\*HB 1679, CH 300 (2023)**
- Education data center, contracting with WSU child and family research unit to update 2015 report: HB 1411
- Education data center, education staff cross-sector trainings, center reporting and analysis role: HB 1411
- Education data center, transition to kindergarten program data collection role of: HB 1550
- Fiscal impact statements, for bills increasing or decreasing state tax revenues: HB 1158
- Frontier county, defining for certain excise taxation and economic development purposes, OFM role: HB 1835
- Higher education tuition operating fees, maximum increase for resident undergraduates, OFM role: **\*SB 5079, CH 9 (2023)**
- Home security fund account, OFM review of funds use for private market rental housing for homeless, eliminating: HB 1367
- Housing, department of, to be new state agency focused solely on housing and homelessness issues, studying and transitioning programs to, OFM role: HB 2270
- Human resource director, revising reporting period for certain reporting requirement: HB 1361
- Job classifications, allowing changes for inequities in salary survey data and barring without collective negotiation: HB 1774
- Public service loan forgiveness program, public safety employer certification of employees' employment for, modifying: **\*HB 1950, CH 2 (2024)**
- Salary survey, requiring contracting for survey on nurse educator compensation: **\*E2SSB 5582, CH 126 (2023)**
- Serve Washington, administration of Washington climate corps network: HB 1176
- Washington climate corps network, creating: HB 1176
- Washington state ferries, employees, salary survey for use in collective bargaining and arbitration, OFM role: HB 1842
- Working families fiscal impact statements, establish methodology: HB 1172

**FIRE PROTECTION**

- Certification, allowing for certified sprinkler trainees to work under supervision: **\*2SSB 5425, CH 329 (2023)**
- Contractors, prohibiting fee raises until 2028 and increasing infraction penalties: **\*2SSB 5425, CH 329 (2023)**
- Director of fire protection, firefighter training administration and expenses reimbursement rule making by: **\*HB 1726, CH 46 (2024)**
- Districts, public works, craft or trade involvement/prudent utility management/lowest responsible bidder provisions: HB 1621
- Fire commissioners, boards of, capping per diem compensation of certain commissioners: **\*SSB 5925, CH 35 (2024)**
- Fire-resistant materials, requiring training and certification for applicators, and related provisions: HB 1323
- Kennels for dogs and cats, fire safety requirements for kennel operators: HB 2403
- Rangeland fire protection association pilot project, conducting, and requirements for associations: HB 1971
- Rural counties, fire protection services capital projects grant program: HB 1014
- Rural fire district stations, certain subdivisions of land for siting of, exempting from requirements of chapter 58.17 RCW: **\*SSB 5869, CH 190 (2024)**
- Wildfires, aerial firefighting and wildfire suppressions concerns, permit for utility-scale wind energy facilities authority to address: HB 2117
- Wildfires, comprehensive statewide wildland fire risk map, proposed: HB 1032
- Wildfires, establishing strengthen Washington homes program for grants for wildfire-resistance retrofitting or mitigation standards evaluation: HB 2330
- Wildfires, existing or threatened in 2023, budget stabilization account appropriations for DNR fire suppression costs: HB 2170, **\*SSB 6100, CH 198 (2024)**
- Wildfires, permitting cities, counties, and towns to complete their own hazard and base-level risk maps: **\*ESB 6120, CH 133 (2024)**
- Wildfires, prevention, Smokey Bear special license plates, creating: HB 2108, HB 2489
- Wildfires, rebuilding property damaged by, state building code and energy code compliance flexibility and options for: HB 1899

Wildfires, reforestation grant program to incentivize and invest in reforestation after large forest stand replacement events, administering: HB 2446  
 Wildfires, requiring risk assessment, public safety evacuation strategies, community resilience programming, et al.: HB 1578  
 Wildfires, responding to, aviation assurance funding program, administering of, and creating office and convening board for: HB 1498  
 Wildfires, utility wildland fire prevention advisory committee, adding members and duties: HB 1032  
 Wildfires, wildfire risk model, insurer who takes adverse action against consumer based on a, transparency and reporting by: HB 2330  
 Wildfires, wildland fire risk reduction/prevention/suppression, state agency coordination of: HB 1032

**FIREARMS (See also CRIMES; PROTECTION ORDERS; SENTENCES AND SENTENCING)**

Ammunition, additional retail sales and use taxes on, levying to create revenues for prevention of gun and domestic violence and suicide: HB 2238  
 Assault weapon, expanding definition of: HB 1180  
 Assault weapons, defining and restricting manufacture, import, distribution, sale, or offer: HB 1240  
 Assault weapons, prohibiting manufacture, import, distribution, sale, or offering for sale, gross misdemeanor: HB 1180  
 Background checks for transactions and licenses, behavior health court proceedings records access for: **\*HB 1599, CH 298 (2023)**  
 Background checks for transactions and licenses, sealed juvenile records information access for: HB 1600  
 Background checks, delay and denial of transfer for outstanding warrants: HB 1902  
 Background checks, removing persons with expired suspensions from national instant check system: **\*ESSB 5985, CH 289 (2024)**  
 Courts, restoration of right to possess in competency cases: **\*ESB 6246, CH 290 (2024)**  
 Dealers, business operations of, requirements for dealer business building location and background checks of employees: HB 2118  
 Delivery, by dealer to purchaser or transferee, limiting to one firearm in 30-day period, with exceptions: HB 2054  
 Delivery, semiautomatic weapon restrictions: HB 1144  
 Enhancements, violent crimes involving prohibited from eligibility for early release credits: HB 1161  
 Firearm bounty program, establishing to aid recovery of firearms used in commission of a crime: HB 2332  
 Firearm industry responsibility and gun violence victims' access to justice act: HB 1130, **\*SSB 5078, CH 163 (2023)**  
 Gun and other violence, amending unlawful possession of firearms and restoration of firearm rights laws to reduce: HB 1562  
 Gun clubs, non-profit, creating sales and use tax exemption for clay targets: HB 2269  
 Gun violence, prevention of, using additional sales/use taxes on ammunition to create revenues for: HB 2238  
 Open carry, prohibiting in parks or hospitals: HB 1195  
 Permit to purchase, requiring for delivery: HB 1902  
 Possession, unlawful possession of a firearm in the 1st and 2nd degree, increasing seriousness levels of: HB 1770  
 Possession, unlawful possession of a firearm in the 1st degree, expanding criteria for: HB 1562  
 Possession, unlawful, after voluntary waiver of firearm rights, civil infraction: **\*SSB 5006, CH 262 (2023)**  
 Prohibited areas, including libraries, zoos, aquariums, and transit facilities: **\*2SSB 5444, CH 285 (2024)**  
 Public nuisance, firearm industry member creating or maintaining, prohibition: **\*SSB 5078, CH 163 (2023)**  
 Public nuisance, firearm industry member creating or maintaining, prohibition and victim right of action: HB 1130  
 Purchase, permit to purchase firearms issued by state patrol firearms background check program, requirements: HB 1143  
 Regulation, repealing state preemption and adding certain restrictions: HB 1178  
 Relinquished firearms, obtained by agencies through buy-back programs, disposition other than destruction, when: HB 2021  
 Rights, voluntary waiver of firearm rights, modifying: **\*SSB 5006, CH 262 (2023)**  
 Safety, certified firearms safety training program completion, waiting period, and background checks: HB 1143, HB 1144  
 Safety, firearms safety training programs, certification by state patrol via new program: HB 1143, HB 1144  
 Safety, updating and provision of department of health information for school websites: **\*HB 1230, CH 173 (2023)**  
 Sentencing enhancements for firearms, serving consecutively, when: HB 1268  
 Shooting sports and activities sweepstakes permitting wagers, charitable or nonprofit organization conduct of, authorizing: HB 1438, HB 1824  
 Theft, requiring report within 24 hours of discovery: HB 1903

Transfer, modifying requirements for: HB 1143, HB 1144

Transfers, exempting transfer, loan, gift, or bequest to museum or historical society from transfer rules: HB 1629, \***SSB 5436, CH 403 (2023)**

**FIREFIGHTERS (See also FIRE PROTECTION; FIRST RESPONDERS; PUBLIC FUNDS AND ACCOUNTS; RETIREMENT AND PENSIONS)**

Death benefits,, increasing payment from municipal firefighters pension board to defray funeral expenses: \***SB 6263, CH 169 (2024)**

Employers of firefighters, safety intervention assessments and training participation by, industrial insurance premiums use for: HB 1986, \***SB 5886, CH 31 (2024)**

Employment, dropping language restriction: SB 5274

Fallen firefighter memorial, establishing: HB 2091

Fire service training account, increasing funding from fire insurance premiums: HB 2402, \***ESB 6087, CH 279 (2024)**

Health benefits, maintaining through paid family and medical leave for small fire districts: HB 2328

Home purchase by firefighters, pilot program for loans to certain workers/occupations for home down payment/closing costs: HB 1633

Jackson, Michael, division chief of Clark-Cowlitz fire rescue and 2022 state fire marshal of the year, honoring: \***HR 4609 (2023)**

Training, firefighter I training expenses, reimbursement of public fire agencies, director of fire protection rule making: \***HB 1726, CH 46 (2024)**

**FIRST RESPONDERS (See also EMERGENCY MANAGEMENT AND SERVICES; HOMELESS PERSONS; MENTAL HEALTH; SUBSTANCE USE DISORDER)**

Counseling, first responder peer support counselors, developing training programs and peer support network and establishing grant program: HB 2311

Crisis co-response/co-responders, workforce development via training academy, certificates, programs, and activities: HB 2245

Responders, home purchase by, pilot program for loans to certain workers/occupations for certain costs for: HB 1633

Responders, task force on first responder wellness in Washington state, convening: HB 2311

**FISH (See also FISH AND WILDLIFE, DEPARTMENT; FISHING; FOOD AND FOOD PRODUCTS; JOINT RESOLUTIONS; RIVERS AND STREAMS)**

Barriers to passage, "adopt a fish barrier" programs and supporting donations, requirements for acknowledging: HB 2045  
Carp, freshwater smelt, and crawfish, requiring recreational license for fishing for: \***HB 1226, CH 77 (2024)**

Disease interdiction and control check stations, new chapter authorizing establishment: \***SSB 5306, CH 318 (2024)**

Habitat recovery pilot program, allowing application to be filed ahead of other requirements: HB 2085

Habitat restoration, limiting liability for regional fisheries enhancement groups performing: \***HB 1775, CH 260 (2023)**

Hatcheries, DFW- or tribe-operated, exempting maintenance activities from certain permit/other requirements under SMA: HB 1758

Hatcheries, salmonid, state-managed and tribal comanagers-managed, auditing and identifying areas of improvement: HB 2292

Octopus, prohibiting aquaculture: \***HB 1153, CH 45 (2024)**

Puget Sound salmon purse seine license buyback and retirement program, establishing and ranking licensees: HB 2426

Salmon planning and recovery, conducting JLARC performance audit: HB 2463

Salmon recovery account, deposits into, to include fees for discharges of untreated municipal sewage into Puget Sound: HB 2290

Salmon recovery account, transfers of funds from general fund to, and to be used for certain salmon recovery purposes: HB 2294

Salmon recovery, high-risk salmon and steelhead capital grant program, establishing: HB 2286

Salmon recovery, projects, labor and services for construction of and/or equipment/materials/tangible personal property for, sales/use tax exemptions: HB 2289

Salmon riparian habitat policy task force, establishing in salmon recovery office: HB 1215, HB 1720

Salmon, avian salmon predation work group, convening to identify species, remedies, and restrictions for overpopulated species: HB 2293

Salmon, impact of urban heat island effect on waters bearing, activities to reduce: HB 1381

Salmon, interagency riparian committee, establishing in salmon recovery office: HB 1215

Salmon, international year of the salmon, as wild salmon global initiative, recognizing: HJM 4000  
 Salmon, joint salmon recovery and reform committee, creating: HB 1686  
 Salmon, recovery projects and programs, environmental restoration accelerator for, establishing: HB 2193  
 Salmon, regional salmon recovery plans, and net ecological gain as voluntary element under GMA: HB 1735  
 Salmon, relationship between state water pollution and mortality of, to be included in inventory of polluted waters of WA state: HB 2235  
 Salmon, riparian grant program, establishing to aid salmon recovery via critical riparian management zones: HB 1215, HB 1720  
 Salmon, salmonid hatcheries, state-managed and tribal comanagers-managed, auditing and identifying areas of improvement: HB 2292  
 Salmon, voluntary salmon recovery program: HB 1076  
 Shrimp, establishing nonspot shrimp pot fishery license and limiting licenses: SSB 6020  
 Southern resident orcas, increasing required boating distance: HB 1145  
 Steelhead recovery, high-risk salmon and steelhead capital grant program, establishing: HB 2286

**FISH AND WILDLIFE COMMISSION**

Dissolving the commission and transferring its authority and duties to the director of the department of fish and wildlife: HB 2434  
 Members, annual salary for, citizens' commission on salaries for elected officials to establish: HB 1699  
 Wolves, gray, managing as protected or endangered in counties meeting criteria, commission role: HB 1698

**FISH AND WILDLIFE, DEPARTMENT (See also BRIDGES; FISH AND WILDLIFE COMMISSION; FISHING; HUNTING; PUBLIC LANDS)**

Commercial crops, expanding limits for deer and elk damage claims: **\*SSB 5784, CH 264 (2024) PV**  
 Conservation programs for fish passage barrier removal, salmon recovery, stormwater, and model toxics control grants, DFW to study: HB 1735  
 Director, as executive and administrative head after dissolving of fish and wildlife commission: HB 2434  
 Disease interdiction and control check stations, new chapter authorizing establishment: **\*SSB 5306, CH 318 (2024)**  
 Elk, statewide elk management program, establishing, DFW role: HB 1849  
 Enforcement, property seizure by DFW and forfeiture: HB 1385  
 Fish hatcheries, operated by DFW, exempting maintenance activities from certain permit and other requirements under SMA: HB 1758  
 Fisheries-related information from another coastal state, DFW to maintain confidentiality, when: **\*HB 1876, CH 48 (2024)**  
 Fishing/hunting/recreational opportunities, DFW director to maximize for tribal and nontribal persons after dissolving of fish and wildlife commission: HB 2434  
 Green crab infestation reporting, increasing required intervals between reports to governor: HB 1362  
 Habitat recovery pilot program, allowing application to be filed ahead of other requirements: HB 2085  
 Hunting licenses, small game/big game and supplemental migratory bird permit, free to enrolled tribal member with off-reservation hunting rights: HB 2107  
 Joint oversight body on net ecological gain, with work group within, establishing for certain public projects, DFW role: HB 1735  
 Licenses, minor modifications for combination licenses, license discounts, two-pole stamps, etc.: HB 1235  
 Nonprofits, authorizing DFW cooperation with nonprofit and volunteer organizations: **\*SSB 5785, CH 160 (2024)**  
 Officers, fish/wildlife, outreach/retention program, with recruitment/new-hire/retention programs, DFW to establish: HB 1380  
 Officers, permitting off-duty private law enforcement employment: HB 1369  
 Permits, eliminating and repealing daily-use pass, vehicle access pass, and discover pass: HB 1212  
 Permitting, exemption for maintenance of department fisheries: HB 1225  
 Puget Sound salmon purse seine license buyback and retirement program, establishing and ranking licensees: HB 2426  
 Puget Sound shoreline, conducting baseline survey of, fish and wildlife role: **\*SB 5104, CH 465 (2023)**  
 Recreational fishing, requiring license to fish for carp, freshwater smelt, and crawfish: **\*HB 1226, CH 77 (2024)**  
 Salmon, avian salmon predation work group, DFW to convene to identify species, remedies, and restrictions for overpopulated species: HB 2293  
 Salmon, salmonid hatcheries, state-managed and tribal comanagers-managed, auditing and identifying areas of improvement, DFW role: HB 2292

\* - Passed Legislation

Salmon, statewide salmon recovery advisory committee and salmon recovery technical panel, establishing: HB 1076  
 Salmon, voluntary salmon recovery program: HB 1076  
 Shrimp, establishing nonspot shrimp pot fishery license and limiting licenses: SSB 6020  
 Southern resident orcas, recreational boating near, convening diverse work group for outreach and education strategies for: **\*ESSB 5371, CH 452 (2023) PV**  
 Wildlife habitat connectivity alliance, establishing for safe passage of wildlife and motorists: HB 2456  
 Wolves, gray, DFW to manage as protected or endangered in counties meeting criteria: HB 1698  
 Wolves, gray, in eastern WA where not designated as threatened or endangered, work group for developing regional management plan for, DFW to form: HB 2423  
 Wolves, management on Colville reservation, aligning DFW management on "the north half" with, DFW to engage with confederated tribes for: HB 2424

#### **FISHING (See also FISH; FISH AND WILDLIFE, DEPARTMENT; JOINT RESOLUTIONS; SHELLFISH)**

Enforcement, property seizure and forfeiture: HB 1385  
 Fisheries-related information from another coastal state, maintaining confidentiality, when: **\*HB 1876, CH 48 (2024)**  
 Fishing opportunities, DFW director to maximize for tribal and nontribal persons after dissolving of fish and wildlife commission: HB 2434  
 Inalienable right to forage, hunt, fish, trap, and harvest wildlife and fish, with traditional methods as preferred means, constitutional amendment: HJR 4212  
 Licenses, combination fishing license for certain veterans, expanding definition of "veteran" for purposes of: HB 2014  
 Licenses, for nonresident college students, issuing combination fishing license at nondisabled resident cost: SB 5862  
 Licenses, minor modifications for combination licenses, license discounts, two-pole stamps, etc.: HB 1235  
 Licenses, requiring recreational license to fish for carp, freshwater smelt, and crawfish: **\*HB 1226, CH 77 (2024)**  
 Recreational fishing, requiring license to fish for carp, freshwater smelt, and crawfish: **\*HB 1226, CH 77 (2024)**

#### **FLOODS AND FLOOD CONTROL**

Challis basin, office of, flood risk reduction waiver for restrictions on residential improvements: **\*SSB 5649, CH 187 (2024)**

#### **FOOD AND FOOD PRODUCTS (See also COLLEGES AND UNIVERSITIES; COMMUNITY AND TECHNICAL COLLEGES; FARMS AND FARMING; SCHOOLS AND SCHOOL DISTRICTS; SHELLFISH)**

Center for sustainable food management, convening work group to study food donation by businesses: HB 2301  
 Center for sustainable food management, duties of, adding additional duties to: HB 2301  
 Cookware and cookware components containing lead, prohibiting manufacture, sale, and distribution, when: HB 1551  
 Cottage food operations, maximum sales limit for permit, increasing: HB 1500  
 Dairy processors, extending B&O tax exemption: **\*HB 1573, CH 422 (2023)**, SB 5277  
 Donation of food by businesses, mechanisms to improve the rescue of edible food waste from commercial generators, convening work group to study: HB 2301  
 Food and food ingredients, defining for sales tax exemption and excluding food that when sold requires additional cooking: HB 1809  
 Food assistance, basic food, appropriations to support people most impacted by the loss of: HB 1784  
 Food banks and other hunger relief organizations, funds appropriation to provide grants for: HB 1784  
 Food banks, department of agriculture food assistance program funding for, using for essential nonfood items: HB 1499  
 Food services/retail establishments/processors, mechanisms to improve the rescue of edible food waste from commercial generators, convening work group to study: HB 2301  
 Food waste reduction, activities for reducing landfill emissions via, developing center for sustainable food management grants for funding to support: HB 2301  
 Food waste reduction, Washington commodities donation grant program for procuring certain foods at risk of becoming food waste, implementing: HB 2301  
 Food waste, edible, from commercial generators, mechanisms to improve the rescue of, convening work group to study: HB 2301  
 Fresh food, access to, studying urban agricultural opportunities and barriers: **\*HB 1552, CH 178 (2023)**  
 Fruit and vegetable incentives program, appropriation for: HB 1784  
 Fruit and vegetable processors, extending B&O tax exemption: **\*HB 1573, CH 422 (2023)**, SB 5277  
 Greenhouses, redefining structures to increase food production for personal use: **\*SB 5508, CH 19 (2024)**  
 Halal food consumer protection act, establishing: HB 2059, **\*SB 5799, CH 245 (2024)**

Hospitality industry, restaurants etc., persons 18 years or older with duties not related to alcohol, conditions for employing: **\*HB 1730, CH 158 (2023) PV**

Hospitality industry, restaurants, retail sales tax deposits in statewide tourism marketing account, raising collections limit: HB 1258

Kimchi day, designating the twenty-second of November as: HB 2392

Kimchi, celebrating November 22nd as Kimchi Day: **\*HR 4679 (2024)**

Labeling, date labeling of food items for human consumption, standardizing: HB 2301

Labeling, plastic produce stickers prohibition and compostable product labeling requirements: HB 2301

Local food and agricultural products, voluntary location-based program to brand and promote, advisory committee for: HB 1603

Microenterprise home kitchen operations, regulation of, and permits and pilot program for: HB 1706

Milk, small-scale-farm producers, direct sales by, milk testing requirements: HB 1490

Packaging and paper products, postconsumer recycled content and covered product registration and reporting: HB 1900

Packaging and paper products, producer responsibility programs, organizations, and plans: HB 1131, HB 2049

Seafood processors, extending B&O tax exemption: **\*HB 1573, CH 422 (2023)**, SB 5277

Senior nutrition services programs, appropriation to support: HB 1784

Substances added to food, prohibiting brominated vegetable oil, potassium bromate, propylparaben, and red dye 3: HB 1921

Sustainable food management policy implementation grants, development and administration of: HB 2301

Washington food and agricultural product branding and promotion act, new chapter: HB 1603

**FOREIGN GOVERNMENTS (See also BUSINESS ORGANIZATIONS; CORPORATIONS; ELECTIONS)**

British Columbia, Washington state--British Columbia interparliamentary exchange group, creating: HB 2000

Crude oil, nations exporting to Washington and their human rights records, UW biennial symposium and ecology website concerning: HB 2143

Economic development and international relations, legislative committee on, modifying provisions concerning: HB 2000

Taiwan, bond between Taiwan and Washington state, recognizing: **\*HR 4665 (2024)**

Taiwan, shared friendship, history, and successes shared between people of Washington and, recognizing: **\*HR 4643 (2023)**

Washington's international engagement and economic development, strategic international engagement plan for, developing: HB 2000

**FOREST PRACTICES AND PRODUCTS (See also FORESTLANDS)**

Biochar production, fees and permits for burning: HB 2483

Cities, allowing regulation of all forest practices within corporate limits: HB 1689

Clean air act, silvicultural burning and portable flame cap kilns: **\*SSB 6121, CH 280 (2024)**

Forestry riparian easement program, modifying participation of qualifying small forestland owners: HB 1740, **\*SSB 5667, CH 158 (2024)**

Funding, provision from outdoor recreation and climate adaptation account: HB 1190

Hog fuel, sales and use tax exemptions, extending expiration of: **\*HB 1018, CH 341 (2023)**

Northern spotted owl, authorizing voluntary programmatic safe harbor agreements for private landowners: **\*SB 5390, CH 119 (2023)**

Reforestation grant program, to incentivize and invest in reforestation after large forest stand replacement events, administering: HB 2446

Riparian programs, Washington's, review of and report concerning: HB 2291

Sustainable harvest study, removing litigation barrier: HB 2362

Timber harvesting and road maintenance, immunity from liability of person in possession of land for injuries to recreational users in connection with: HB 2480

Urban forestry, requiring regulations to be satisfied by use of tree banks: HB 1078

Urban forestry, Washington state green schools program, establishing: HB 1935

**FORESTLANDS (See also FOREST PRACTICES AND PRODUCTS; NATURAL RESOURCES, DEPARTMENT; PUBLIC LANDS)**

Children's social equity land trust, creating, and DNR to acquire forested lands for purposes of: HB 2243

Dumping hazardous materials or petroleum-containing products on public and private forestland, public education efforts to reduce, grants for: HB 2207

Forestland, land designated as, exclusion from compensating tax when sold or transferred to governmental entity, requirements for: HB 1818

Reforestation grant program, to incentivize and invest in reforestation after large forest stand replacement events, administering: HB 2446

Timber harvesting and road maintenance, immunity from liability of person in possession of land for injuries to recreational users in connection with: HB 2480

Timberland, land classified as, exclusion from compensating tax when sold or transferred to governmental entity, requirements for: HB 1818

Working forests, working forests special license plates, creating: HB 1488, HB 2489

#### **FOSTER CARE (See also DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH)**

Adoption, defining open adoption and requiring training for prospective adoptive parents and child welfare workers: HB 1591

Adoption, requiring identification and provision of culturally appropriate mental health and other services: HB 1591

Child welfare housing assistance program, alternative when housing instability is barrier: HB 1186, **\*SSB 5256, CH 321 (2023)**

Child welfare services, caregivers for, automated notification system for communicating with: HB 1430, HB 1970

Child welfare services, DCYF's child welfare functions, state auditor to conduct evaluation of: HB 1754

Dependency cases, reporting whether children achieve relational permanency and cases meet statutory guidelines and why timelines are not met: HB 2383, **\*E2SSB 6068, CH 326 (2024)**

Emergency initial care for children entering foster care, resource and assessment centers to provide: HB 1685, ESB 5691

Exiting foster care system, evergreen basic income pilot program, establishing: HB 1045

Extended foster care services, medicaid waiver services for eligible individuals with developmental disability who have received: HB 1188

Extended foster care, providing for youths up to age 21 including supervised independent living subsidy: HB 2218, **\*E2SSB 5908, CH 192 (2024)**

Families with a child who is a foster care candidate, home visiting programs for: HB 2259, HB 2479

Financial institution account, private self-controlled, opportunity for dependent youth to open, developing program for: HB 2342

Foster parents, compromise and settlement judgments against, interest accrual: HB 1649

Guardianship, eligibility and subsidy expansion: HB 1278, **\*ESSB 5124, CH 221 (2023)**

Students in foster care, as special passengers, transportation outside normal boundaries: E2SSB 5174

Students in foster care, individual transportation outside normal boundaries: HB 1248

Students in foster care, students experiencing homelessness and foster youth program, replacing college pilot programs with: HB 1693, **\*ESSB 5702, CH 339 (2023)**

Students in foster care, work group on students experiencing homelessness or, to include students in or exiting juvenile facilities: **\*HB 1679, CH 300 (2023)**

Youth, providing with private, self-controlled bank accounts and monthly payments: 2SSB 5591

#### **FUELS (See also ECOLOGY, DEPARTMENT; ENERGY; ENVIRONMENTAL HEALTH AND SAFETY; OIL AND GAS)**

Aircraft fuel, strengthening fuel taxation enforcement: **\*EHB 1964, CH 1 (2024)**

Aircraft fuel, unleaded, tax exemptions for: HB 2393

Alternative jet fuels, expanding tax preference to include businesses in distressed areas of the state: HB 2410

Aviation gasoline, leaded, mitigating exposure impacts and transitioning to unleaded gasoline: HB 1554

Aviation gasoline, leaded, sale or distribution by airport operators and aviation retail establishments, prohibiting: HB 1554

Biofuels, redefining, including biomass fuels and biomass-derived fuels: HB 1887

Climate commitment act, purchases of exempt fuel to which surcharge was applied, remittance of surcharge value: HB 1780

Emissions, additional methods for implementing exemptions: HB 1887

Ferry fuel surcharge, limiting imposition to certain situations and evaluating and reevaluating need: HB 1833

Ferry system fuel purchasing, cost fluctuation strategies technical advice and adoption by oversight committee: HB 2385

Fossil fuel nonproliferation treaty, urging U.S. government to join the global community in developing: HJM 4003

Gas, renewable natural gas, gas company provisions: HB 1619

Hog fuel, sales and use tax exemptions, extending expiration of: **\*HB 1018, CH 341 (2023)**

Hydrogen fuel products, research/development/production/sale, B&O tax preferential rate and credits: HB 1729  
 Hydrogen, green electrolytic and renewable, production et al. by and for public transportation agencies: HB 1236  
 Hydrogen, green electrolytic or renewable, electricity sales to businesses producing et al., public utility tax exemption: HB 1768  
 Hydrogen, green electrolytic or renewable, project siting, nonproject environmental impact statements for: HB 1216  
 Motor fuel, sticker on pumps showing rate of each fuel tax for each type of fuel, producing and displaying: HB 2050  
 Motor vehicle fuel and special fuel, taxation of, strengthening enforcement: **\*EHB 1964, CH 1 (2024)**  
 Nuclear fuel or assemblies, manufacturers or processors for hire or sellers of, preferential B&O tax rate: HB 1981  
 Petroleum market oversight, division of, establishing to for transportation fuels markets: HB 2232  
 Refineries, requiring reporting: HB 2232  
 Taxation of aircraft/motor vehicle/special fuels, establishing prorated and fuel tax discovery team to detect and investigate violations: **\*EHB 1964, CH 1 (2024)**  
 Transportation fuels transition plan, convening work group to prepare: HB 2232

### **GAMBLING (See also FIREARMS; NONPROFIT ORGANIZATIONS; SPORTS AND RECREATION)**

Amusement games, unlicensed and conducted by charitable or nonprofit organizations, raising gross revenue threshold for: HB 2317  
 Bingo, conducted by nonprofit organization, shifting principal location requirement from county to state: **\*HB 1707, CH 155 (2023)**  
 Bingo, conducted by nonprofit/charitable organization, limiting number of licenses for: **\*HB 1707, CH 155 (2023)**  
 Bingo, unlicensed and conducted by charitable or nonprofit organizations, raising gross revenue threshold for: HB 2317  
 Courts, gambling treatment diversion court pilot program, conducting: HB 2055  
 Problem gambling and gambling disorder informational signs with toll-free helpline number, amending requirement: HB 1681, **\*E2SSB 5634, CH 284 (2023)**  
 Problem gambling, program for prevention/treatment and identification/treatment professionals, advisory committee for, modifying: HB 1681, **\*E2SSB 5634, CH 284 (2023)**  
 Problem gambling, program for prevention/treatment and identification/treatment professionals, modifying: HB 1681, **\*E2SSB 5634, CH 284 (2023)**  
 Raffles, unlicensed and conducted by charitable or nonprofit organizations, raising gross revenue threshold for: HB 2317  
 Sports wagering, new chapter allowing through pools and online pools by a cardroom or racetrack: HB 1630

### **GAMBLING COMMISSION**

Licensing, authorizing sports wagering licenses for cardrooms and racetracks: HB 1630

### **GENDER**

Gender-based violence, authorizing county sales and use tax to address: HB 2470

### **GENDER IDENTITY (See also DISCRIMINATION; MINORITIES; NAME CHANGES; SEXUAL ORIENTATION)**

Gender affirming treatment, exempting persons sheltering minors from reporting requirements in cases of protected services: **\*ESSB 5599, CH 408 (2023)**  
 Gender affirming treatment, lawful participation by health professionals in, harmonizing statutory language relating to: **\*HB 1954, CH 14 (2024)**  
 Gender transition surgery and puberty blocking medications and cross-sex hormones for minors, prohibiting: HB 2241  
 Gender transition, prohibiting for individuals under age 18: HB 1214  
 Gender, prohibiting housing of inmates with those of different biological sex in cases of certain sex offenders: HB 1233  
 Gender-affirming treatment, access to, civil and criminal procedural protections: HB 1469  
 LGBTQ+ youth, the Oasis Youth Center for, celebrating the work of: **\*HR 4680 (2024)**  
 Liquor licensed establishments, clothing/attire and conduct/acts at, requiring updating/replacing of WAC rules for consistency with legal standard for indecent exposure: HB 2495  
 Reproductive health care services, access to, criminal and civil procedural protections: HB 1469  
 Reproductive health care services, shield law, claim for interference with protected health care services lawful in WA: HB 1469  
 Transgender students, school district policies and procedures related to, primary district contact for: HB 1207  
 Veterans separated from service in connection with gender identity or expression, expanding "veteran" to include, when: HB 2014  
 Veterans separated from service in connection with gender identity or expression, state veterans' benefits eligibility for, when: HB 2014



**GEOLOGY AND GEOLOGISTS**

- Geological survey, subsurface geologic information database, survey to compile and maintain for access via website: HB 2129, **\*ESSB 6039, CH 350 (2024)**
- Geothermal resources, competitive geothermal exploration cost-share grant program, establishing: HB 2129, **\*ESSB 6039, CH 350 (2024)**
- Geothermal resources, development of, identifying opportunities and risks of, collaborative process for: HB 2129, **\*ESSB 6039, CH 350 (2024)**
- Geothermal resources, lease rates for, DNR to update: HB 2129, **\*ESSB 6039, CH 350 (2024)**

**GOVERNOR (See also GUBERNATORIAL APPOINTMENTS; HEALTH, STATE BOARD OF; INDEPENDENT INVESTIGATIONS, OFFICE; REGULATORY INNOVATION AND ASSISTANCE, OFFICE)**

- Bill vetoes, line item vetoes by governor, eliminating, constitutional amendment for: HJR 4211
- Broadband office, governor's statewide, duties of, various: HB 1746, HB 2313
- Cannabis, authority to enter interstate cannabis agreements: HB 1159
- Cannabis, interstate agreements for cross-jurisdictional purposes, governor authority to enter into: **\*SB 5069, CH 264 (2023)**
- Career connected learning cross-agency work group, revising membership and role: HB 1374
- Corrections ombuds, office of, ombuds advisory board to the, governor to convene: HB 2287
- Corrections ombuds, office of, oversight committee for incarcerated persons' access to construction-related training programs, convening: HB 2084
- DCYF, oversight board for, authority over, transferring from governor's office to legislature and modifying board provisions: HB 2185
- Education ombuds, office of, special education ombuds for each educational service district region, delegating/certifying: E2SSB 5311
- Education ombuds, office of, special education ombuds for each educational service district region, removing provision of: HB 1914
- Education ombuds, office of, special education services available through and contact information for, providing to parents: HB 1914
- Emergency orders by governor, content and duration, and role of legislature: HB 1535
- Emergency orders by governor, requiring closure of religious institutions or interfering with their regular operation, prohibiting with exception: HB 2488
- Emergency proclamation by governor, requesting emergency declaration to expedite state procurement of two nonhybrid electric ferries: HB 2498
- Emergency proclamations by governor, duration of, and role of legislature: HB 1535
- Emergency proclamations by governor, emergency orders after issuance of, provisions: HB 2488
- Emergency proclamations, building code and energy code compliance options when rebuilding wildfire-damaged property: HB 1899
- Extraordinary release of incarcerated offender, granting by governor, removing clemency and pardons board role: HB 1640
- Fish and wildlife, director of department of, to be appointed by governor with consent of senate and house of representatives: HB 2434
- Gubernatorial appointments, to parks and recreation commission, modifying guidelines for: HB 1997
- Jail oversight board, creating for transparency and independent oversight, new chapter: HB 2473
- Medal of valor, presentation of, revising provisions: **\*HB 1031, CH 131 (2023)**
- Pardons, clemency, and commutations, governor's power/authority to grant, removing certain limits to: HB 1640
- Proclamations, restricting interference with religious institutions: HB 1154
- State of the state address, joint legislative session for: **\*HCR 4400 (2023), \*HCR 4406 (2024)**

**GROWTH MANAGEMENT (See also COMMERCE, DEPARTMENT; HOUSING AND HOMES; LAND USE PLANNING AND DEVELOPMENT; SHORELINES AND SHORELINE MANAGEMENT)**

- Accessory dwelling units, authorizing local governments to waive or defer fees and taxes: **\*EHB 1337, CH 334 (2023)**  
**PV**
- Accessory dwelling units, detached units in rural areas, requirements for certain counties planning under GMA: HB 2126
- Affordable housing and major transit stops, modifying certain provisions: HB 2321
- Affordable housing, accessory dwelling unit construction and use in urban growth areas, city and county role: **\*EHB 1337, CH 334 (2023) PV**

Affordable housing, accessory dwelling units, encouraging development of: HB 1276, SSB 5235

Affordable housing, alternative density requirements: HB 1110

Affordable housing, co-living housing, providing authority to create via GMA planning: HB 1998

Affordable housing, courtyard apartments, removing attached dwelling units limit: HB 2321

Affordable housing, design review, definition, use, application, and processes: HB 1293

Affordable housing, detached accessory dwelling units in rural areas, requirements for certain counties under GMA: HB 2126

Affordable housing, GMA housing element requirements compliance, review and final decision, process for: HB 2113

Affordable housing, housing development minimum parking requirements, prohibiting under GMA, when: HB 1351

Affordable housing, in unincorporated areas with urban growth areas, large county eligibility for property tax exemption for: HB 2141

Affordable housing, middle housing minimum unit density requirements, decreasing: HB 2228

Affordable housing, middle housing unit density increases, cities to authorize via ordinances and local regulations: HB 1110

Affordable housing, minimum residential densities and middle housing types, establishing requirements in relation to city population: HB 2321

Affordable housing, minimum residential densities, in relation to single-family detached houses and critical aquifer recharge areas: HB 2321

Affordable housing, multiple-unit dwellings in residential targeted area in unincorporated area within urban growth area, removing certain criteria for property tax exemption: HB 2353

Child care centers, authorizing to locate near elementary schools: HB 2468

Cities, allowing regulation of all forest practices: HB 1689

Comprehensive planning, affordable housing and major transit stops, modifying certain provisions: HB 2321

Comprehensive planning, cities and counties to expand urban growth area boundaries to include certain parcels: HB 2158

Comprehensive planning, counties authorizing development of detached accessory dwelling units in rural areas, requirements for: HB 2126

Comprehensive planning, design review, definition, use, application, and processes: HB 1293

Comprehensive planning, housing element requirements compliance, review and final decision, process for: HB 2113

Comprehensive planning, housing element, encouraging development of accessory dwelling units via: HB 1276, SSB 5235

Comprehensive planning, land use and transportation elements, commercial truck parking/deliveries/highway corridors: HB 1787

Comprehensive planning, land use element to consider environmental justice and mitigate wildfire risk: HB 1181

Comprehensive planning, middle housing minimum unit density requirements, decreasing: HB 2228

Comprehensive planning, middle housing unit density increases, cities to authorize via ordinances and local regulations: HB 1110

Comprehensive planning, net ecological gain as voluntary element, consistent with regional salmon recovery plans: HB 1735

Comprehensive planning, requiring climate change and resiliency element and subelements: HB 1181

Comprehensive planning, residential lot splitting in cities to increase housing options: HB 1245

Comprehensive planning, transportation element climate change response role: HB 1181

Comprehensive plans, delaying revision schedule for certain counties and their cities: HB 2296, SSB 6150

Comprehensive plans, requiring environmental justice element reducing environmental and health disparities: HB 1723

Comprehensive plans, requiring to collaborate with vulnerable populations and overburdened communities: HB 1723

County planning, allowing small cities and towns to opt out of full review under certain circumstances: **\*SB 5457, CH 280 (2023)**

Critical areas used for agriculture, voluntary stewardship program, updating allowed participation date: HB 1421, **\*SSB 5353, CH 187 (2023)**

Critical areas, allowing small cities to adopt county regulations: **\*SSB 5374, CH 225 (2023)**

Detached accessory dwelling units, allowing outside urban growth areas: HB 1133

Development, floor area ratios for residential and mixed-use: HB 2160

Environmental analysis, project requirements: **\*2SSB 5412, CH 368 (2023)**

Essential rural retail services, allowing size exemptions for designated limited areas far from growth areas: **\*SSB 6140, CH 135 (2024)**

Hearings board, final decisions of environmental boards in adjudicative proceedings, appealing directly to court of appeals: HB 2039

Housing development permit applications, administrative design review to be sufficient without public meeting: HB 1026

Housing needs, cities and counties to expand urban growth area boundaries to include certain parcels for residential development: HB 2158

Housing, allowing creation of standardized permit process for development: HB 1401

Housing, co-living housing, providing authority to create via GMA planning: HB 1998

Housing, residential, new construction meeting passive house requirements, modifications: HB 2071

Housing, residential, retrofits of existing buildings to be used for, modifying requirements: HB 2071

Housing, SEPA exemptions and transportation impact: ESSB 6061

Impact fees, requiring identifying intended use for capital facilities plans: HB 2451

Manufactured/mobile home communities, authorizing communities outside initially designated urban growth areas: HB 2464

Master planned resorts, transfer of water right established as family farm permit to, when: HB 1285

Multifamily housing, prohibiting certain prohibitions in station areas: HB 2160

Multifamily residential housing, barring regulations that prohibit in station areas: HB 1517, ESSB 5466

Multiplex housing, lessening restrictions and barring setbacks for some urban growth areas: HB 1167

Off-street parking, barring regulations that require in station areas: HB 1517, ESSB 5466

Parking, in relation to residential development rules: HB 2321

Parking, new section for residential development rules: **\*SSB 6015, CH 274 (2024)**

Public facilities, siting requirements to include opioid/substance use disorder treatment program facilities: **\*2E2SSB 5536, CH 1 (2023)**

Rural development, limited area of more intensive, rural infill within area and between area and certain outside development: HB 1467

Rural development, limited area of more intensive, transfer of water right established as family farm permit to, when: HB 1285

Salmon recovery element, voluntary salmon recovery program: HB 1076

Urban growth areas, accessory dwelling unit construction and use in, city and county requirements: **\*EHB 1337, CH 334 (2023) PV**

Urban growth areas, accessory dwelling unit construction in, prohibiting prohibition of: HB 1276, SSB 5235

Urban growth areas, affordable housing in unincorporated areas with, large county eligibility for property tax exemption for: HB 2141

Urban growth areas, allowing boundary expansion in response to undeveloped land: HB 1402

Urban growth areas, allowing revision to accommodate patterns of development: **\*SSB 5834, CH 26 (2024)**

Urban growth areas, cities and counties to expand boundaries to include certain parcels for residential development: HB 2158

Urban growth areas, exempting certain housing developments from restrictions: **\*2SSB 5412, CH 368 (2023)**

Urban growth areas, residential lot splitting in cities to increase housing options: HB 1245

Work group, convening to develop antidisplacement guiding principles and strategies: HB 2160

#### **GUARDIANSHIP (See also COURTS; DOMESTIC VIOLENCE)**

Petitions, changes for guardianship and conservatorship: **\*2SSB 5825, CH 267 (2024)**

Public guardianship, office of, to offer training on aging, mental health, and dementia: **\*2SSB 5825, CH 267 (2024)**

Subsidies, expanding eligibility: HB 1278, **\*ESSB 5124, CH 221 (2023)**

#### **HARASSMENT (See also COLLEGES AND UNIVERSITIES; COMMUNITY AND TECHNICAL COLLEGES; PROTECTION ORDERS; SEX OFFENSES AND OFFENDERS)**

Hazing, felony, as harassment, when: **\*HB 1002, CH 196 (2023)**

Schools, harassment and intimidation in, policies and complaint procedures using model student handbook language, posting: HB 1207

Schools, sexual harassment and discrimination in, policies and complaint procedures using model student handbook language, posting: HB 1207

Survivors, state or local agency employees who are, records disclosure exemption for: HB 1533

**HAZARDOUS MATERIALS (See also HAZARDOUS WASTE; OIL AND GAS; PEST CONTROL AND PESTICIDES)**

- Agricultural activities violating certain water pollution statutes, person engaged in, notification of by registered mail and required report from: HB 2288
- Ammonia, in form of pressurized ammonia gas or gas solution, theft of, reclassifying as class B felony: HB 2504
- Cosmetic products, toxic chemicals in, prohibitions: HB 1047
- Fluorinated refrigerant gases, including hydrofluorocarbons, refrigerant stewardship organizations for, ecology role: HB 2401
- Herbicides, clopyralid and similar, organic waste materials likely to be contaminated with, providing to or use by organic materials management facilities, prohibiting: HB 2301
- Lead, cookware and cookware components containing, prohibiting manufacture, sale, and distribution, when: HB 1551
- Lead, in aviation gasoline used at airports, mitigating exposure impacts and transitioning to unleaded gasoline: HB 1554
- Mercury-containing lights, product stewardship program for end-of-life management and phase-out, extending and expanding: HB 1185
- Mercury-containing lights, product stewardship program for end-of-life management and phase-out, modifying: HB 1185
- Polychlorinated biphenyls (PCBs), certain uses and exclusions from federal prohibitions, petitioning EPA to reassess: HB 1314, **\*SB 5369, CH 399 (2023)**
- Polychlorinated biphenyls (PCBs), paints and printing inks as priority consumer products for PCB chemicals: HB 1314
- Spill or release, requiring department of ecology to hold public meeting to inform public: **\*SSB 6164, CH 331 (2024)**
- Sulfuryl fluoride and certain gases used for anesthetic purposes, studying, reporting on, and regulating to reduce emissions: HB 2073
- Sulfuryl fluoride, used as a fumigant pesticide, identifying availability and feasibility of safer alternatives to: HB 2073
- Tires, regulating vehicles tires containing 6PPD as toxic pollutant: **\*SSB 5931, CH 343 (2024)**

**HAZARDOUS WASTE (See also HAZARDOUS MATERIALS; SOLID WASTE)**

- Batteries, electric vehicle propulsion battery requirements, prohibitions, end-of-life management, and producer responsibility: HB 2501
- Batteries, various, battery stewardship programs, requirements for: HB 1553, **\*E2SSB 5144, CH 434 (2023)**
- Beverage container redemption programs, as deposit return systems via distributor responsibility organizations: HB 1131, HB 2144
- Mercury-containing lights, product stewardship program for end-of-life management and phase-out, extending and expanding: HB 1185
- Mercury-containing lights, product stewardship program for end-of-life management and phase-out, modifying: HB 1185
- Packaging and paper products, postconsumer recycled content and covered product registration and reporting: HB 1900
- Packaging and paper products, producer responsibility programs, organizations, and plans: HB 1131, HB 2049
- Plastic products, degradability restrictions, plastic produce stickers prohibition, plastic film bags tinting, and use of fiber-based substrates: HB 2301

**HEALTH AND SAFETY, PUBLIC (See also ABORTION; CONTRACEPTION; EMERGENCY MANAGEMENT AND SERVICES; ENVIRONMENTAL HEALTH AND SAFETY; HEALTH CARE; HEALTH CARE FACILITIES; HEALTH, DEPARTMENT; HEALTH, STATE BOARD OF; LAW ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL; SCHOOLS AND SCHOOL DISTRICTS; SHELLFISH; TRAFFIC; VACCINATION AND VACCINES; VAPOR PRODUCTS)**

- 988 contact hubs, designation recommended by behavioral health administrative service organizations: **\*E2SSB 6251, CH 368 (2024)**
- Activity-dependent neuroprotective protein (ADNP) syndrome, Sandra Bedrosian Sermone, ADNP kids research foundation founder, honoring: **\*HR 4640 (2023)**
- Allergic reactions, insurance coverage for prescription epinephrine autoinjectors, capping total cost paid by enrollee: HB 1979
- Anaphylaxis, in school context, epinephrine and epinephrine autoinjectors prescriptions, supplies, and use: HB 1608
- Asthma, insurance coverage for asthma inhalers, capping total cost paid by enrollee: HB 1979
- Boilers, adopting national standards for deputy inspectors: **\*SB 5952, CH 167 (2024)**
- Bone marrow donation, awareness of, public school instruction in: **\*SB 5065, CH 219 (2023)**

- Cancer, advanced metastatic cancer prescription drug coverage, prohibiting certain carrier or managed care requirements: HB 1884
- Cannabis, high-THC products, point-of-sale information about potential harms of, requirements for retailers: HB 1641
- Carbon monoxide poisoning, interagency carbon monoxide work group, convening: HB 1779
- Cardiopulmonary resuscitation and automated external defibrillator use, required instruction for high school students in: HB 2315
- Cardiovascular disease, plight and courage of women with, recognizing during national heart health month: **\*HR 4664 (2024)**
- Cold-water shock and drowning, due to jumping from bridges into waterways, signs to deter: **\*HB 1004, CH 54 (2023)**
- Community health, federal funding for, moving assets towards community health program for, establishing: HB 1870
- Contraception, over-the-counter emergency medication and other forms, in vending machines on college campuses: HB 1837
- Contraceptive purposes, sterilization procedures/treatments/operations access for, protecting reproductive autonomy act: HB 2502
- Council of health care coordination for justice-involved youth and adults, creating to improve communication: HB 2314
- COVID-19 and similar diseases, as occupational diseases for workers' compensation purposes: HB 1785
- Crimes, victims and survivors of, honoring, and recognizing their plight: **\*HR 4626 (2023)**
- Cytomegalovirus, congenital, screening tests for newborns: HB 2067
- Defibrillator use, automated external, and cardiopulmonary resuscitation, required instruction for high school students in: HB 2315
- Defibrillators, automated external, accessible availability for employees working with or near high voltage lines/equipment: **\*HB 1542, CH 253 (2023)**
- Defibrillators, semiautomatic external, requiring fitness centers to have on premises and provide instruction for personnel: HB 1968, **\*ESB 5592, CH 186 (2024)**
- Diapers, baby diaper changing stations in public restrooms, requiring, when: HB 2052
- Drugs, DOH to create statewide overdose prevention and education campaign to increase awareness: **\*ESB 5906, CH 216 (2024)**
- Dyslexia, elementary school students with, educator training program, dyslexia handbook, principles of structured literacy, and student supports: HB 2284
- Embryos and fertilized eggs, human, excluding from definition of unborn child/minor child/natural person when outside the uterus: HB 2500
- Epipens, cost-sharing requirements for prescription epinephrine autoinjectors: HB 1979
- Fluoridation of drinking water, public water systems considering discontinuation of, requirements for: HB 1251
- Health and wellness, establishing 3 "parks Rx" pilot programs: HB 1718
- Health care, prohibiting cost sharing for reproductive health services: **\*SB 5242, CH 194 (2023)**
- Health, department of, authorizing issue of prescriptions or standing orders as needed for threats to public health: **\*ESB 6095, CH 100 (2024)**
- Heart health month, national, recognizing the plight and courage of women with cardiovascular disease during: **\*HR 4664 (2024)**
- Heart health month, recognizing February as: **\*HR 4656 (2024)**
- High THC products, requiring proposals and targeted messages for those most likely to suffer from: HB 2320
- Infertility diagnosis and treatment and standard fertility preservation services, insurance coverage for: HB 1151
- Jail oversight board, creating as health oversight agency for information access: HB 2473
- Laser hair removal, laser practitioners practicing, authorizing certain health professionals and other persons to practice as: HB 2377
- Local health departments, authorizing request, retention, and sharing of data for child fatality reviews: ESSB 6110
- Malnutrition, child malnutrition field guide for DCYF staff, production and availability of, requirements: **\*EHB 1274, CH 70 (2023)**
- Minors, exempting persons sheltering minors from reporting requirements in cases of protected services: **\*ESSB 5599, CH 408 (2023)**
- Musculoskeletal injuries and disorders, industry or risk class standards for preventing in workplace: **\*ESSB 5217, CH 112 (2023)**
- Newborn children, 31 days or younger, safe transfer under safe haven law via "newborn safety devices": HB 1888
- Organ donation, national donate life month, recognizing April as: **\*HR 4637 (2023)**
- Organ donation, remembering donors and celebrating the lives of recipients: **\*HR 4637 (2023)**

Organ transport vehicles and services, requirements for: HB 1271  
 Pollution burdened communities, assessing public health and environmental stressors for permits for potentially impactful projects: HB 2070  
 Prevention services, providing through timely interventions to medical assistance programs enrollees, by certain providers: HB 2197  
 Primary care providers, requiring to offer hepatitis B and hepatitis C screening test in certain circumstances: ESB 5629  
 Protected health care services, host home program reporting requirements: **\*ESSB 5599, CH 408 (2023)**  
 Reproduction, assisted, fraud in, convening work group to evaluate: HB 1300  
 Reproduction, assisted, provider implanting own of gametes or reproductive material without consent, as 3rd degree assault: HB 1300  
 Reproduction, assisted, statutory right to access assisted reproduction treatments or procedures, establishing: HB 2500  
 Reproductive autonomy, access to sterilization for contraceptive purposes, protecting reproductive autonomy act: HB 2502  
 Reproductive freedom, right to choose to have abortion or use contraception: HJR 4201  
 Reproductive health care services, access to, civil and criminal procedural protections: HB 1469  
 Reproductive health care services, exempting persons sheltering minors from reporting requirements for protected services: **\*ESSB 5599, CH 408 (2023)**  
 Reproductive health care services, lawful participation by health professionals in, harmonizing statutory language relating to: **\*HB 1954, CH 14 (2024)**  
 Reproductive health care services, shield law, claim for interference with protected health care services lawful in WA: HB 1469  
 Reproductive health care, access to, in relation to health care entity material change transactions: HB 1263, ESB 5241  
 Reproductive health, labeling requirement exceptions for abortion medications: HB 2115  
 Service animals, public accommodation and accessibility for dogs and miniature horses: **\*ESSB 5788, CH 161 (2024)**  
 Sexually protective devices, nonconsensual removal of or tampering with, as civil cause of action for damages: **\*HB 1958, CH 254 (2024)**  
 Sexually transmitted diseases, furnishing of care for, raising age for consent of minor to 17 years of age for: HB 1788  
 State medical reserve corps, establishing to deploy during public health threats or emergency: HB 1452  
 Sterilization for contraceptive purposes, access to medical procedures/treatments/operations for, protecting reproductive autonomy act: HB 2502  
 Syphilis, allowing medical assistant-registered to provide treatment injections with telemedicine supervision: **\*ESSB 5983, CH 248 (2024)**  
 Temperature standards for public school facilities, indoor, advisory committee for developing recommendations for, appointing: HB 2198  
 Tobacco and vapor products, increasing penalties for sales to minors: HB 1497, **\*ESSB 5365, CH 398 (2023)**  
 Tobacco and vapor products, modifying sanctions and fines for purchase or possession by person under 18: **\*ESSB 5365, CH 398 (2023)**  
 Trafficking, requiring transient accommodation employee education and written certification from licensees: SSB 6056  
 Traumatic brain injury account, using funds for support groups, programs, and facilitation training curricula: HB 2248  
 Traumatic brain injury strategic partnership advisory council, Washington, modifying membership, duties, meetings, and funding provisions: HB 2248  
 Turner syndrome, individuals with, honoring, supporting, and acknowledging courage of: **\*HR 4618 (2023)**  
 Vaccines, modifying definition for purposes of Washington vaccine association: HB 2157, **\*SB 5982, CH 41 (2024)**  
 WA state penitentiary east complex, improving environment for officers, staff, and incarcerated persons, pilot project for, establishing: HB 2169

**HEALTH BENEFIT EXCHANGE**

Health plans, phasing in requirements for standardized plans: HB 2361  
 Qualified health plans, increasing biosimilar product utilization: HB 1356  
 Voter registration, automatic, updating exchange implementation provision: HB 1229, **\*E2SSB 5112, CH 466 (2023)**

**HEALTH CARE (See also ABORTION; CANNABIS; CONTRACEPTION; CRIMINAL OFFENDERS; DENTISTS AND DENTISTRY; DRUGS; EMERGENCY MEDICAL SERVICES; GENDER IDENTITY; HEALTH AND SAFETY, PUBLIC; HEALTH CARE AUTHORITY; HEALTH CARE FACILITIES; HEALTH CARE PROFESSIONS AND PROVIDERS; HEALTH, DEPARTMENT; INSURANCE; MENTAL HEALTH; PUBLIC**

\* - Passed Legislation

**ASSISTANCE; SUBSTANCE USE DISORDER; VACCINATION AND VACCINES; WOMEN; WORKERS' COMPENSATION)**

- Anesthetic gases used in medical/dental/veterinary settings, guidance document for reducing greenhouse gas emissions from certain, developing and publishing: HB 2073
- Anesthetic gases with high global warming potential, studying to reduce emissions of: HB 2073
- Asthma inhalers, insurance coverage for, capping total cost paid by enrollee: HB 1979
- Biomarker testing, insurance and medicaid coverage for, when: HB 1450
- Bone marrow donation, awareness of, public school instruction in: **\*SB 5065, CH 219 (2023)**
- Breast examinations, barring health plan cost sharing for supplemental and diagnostic: **\*SSB 5396, CH 366 (2023)**
- Breast examinations, supplemental and diagnostic, cost sharing requirements for health insurance carriers: HB 1261
- Breast implant surgery, informed consent, requirements: ESSB 5050
- Cardiopulmonary resuscitation and automated external defibrillator use, required instruction for high school students in: HB 2315
- Colorectal cancer, noninvasive preventive screening tests and resulting colonoscopies, medical assistance coverage for: **\*HB 1626, CH 299 (2023)**
- Data privacy, restricting consumer health data collection and sharing, requiring disclosures, and prohibiting sale: HB 1155
- Deaf/deaf and blind/hard of hearing persons, accommodations for, shortage of American and protactile sign language interpreters, work group on, establishing: HB 2221
- Defibrillators, automated external, accessible availability for employees working with or near high voltage lines/equipment: **\*HB 1542, CH 253 (2023)**
- Diabetes, insulin for individuals under the age of 21 bulk purchasing and distribution program, establishing: HB 1725
- Entities, hospitals/hospital systems and provider organizations, material change transactions involving, provisions: HB 1263, ESB 5241
- Entities, impact of mergers, acquisitions, and contracting affiliations between, studying: HB 1263, ESB 5241
- Epinephrine and epinephrine autoinjectors, in schools, prescriptions, supplies, and use for anaphylaxis: HB 1608
- Epinephrine and epinephrine autoinjectors, insurance coverage for, capping total cost paid by enrollee: HB 1979
- Expedited partner therapy, authorizing for sexually transmitted infections: **\*ESSB 5983, CH 248 (2024)**
- Gender affirming treatment, barring consideration as unprofessional conduct: HB 1340
- Gender affirming treatment, exempting persons sheltering minors from reporting requirements in cases of protected services: **\*ESSB 5599, CH 408 (2023)**
- Gender affirming treatment, lawful participation by health professionals in, harmonizing statutory language relating to: **\*HB 1954, CH 14 (2024)**
- Gender-affirming care, access to, when health entity material change transactions occur, requirements: HB 1263, ESB 5241
- Health conditions, tests and treatment for, pharmacist authority for testing and treating certain conditions: HB 1665
- Health services providers, expanding definitions for workers' compensation: **\*HB 1197, CH 171 (2023)**
- Hearing aids, mandating insurance coverage for hearing instruments: HB 1222
- Hospital at home services, authorizing continuation: HB 2295, ESSB 6101
- Incarcerated individuals, extraordinary medical placement, waiving electronic monitoring in certain cases: **\*SSB 5101, CH 358 (2023)**
- Informed consent, by minor under age 17, prohibition of, and abolishing mature minor rule if in conflict with: HB 1788
- Informed consent, for breast implant surgery, requirements: ESSB 5050
- Laser hair removal, practice of by laser practitioners, requirements: HB 2377
- Life-sustaining treatment or no resuscitative efforts, portable orders for life-sustaining treatment form and alternative evidence of preference: HB 2166
- Medical debt, judgments arising from, prohibiting garnishment of earnings for: HB 2119
- Medical devices, diversity in clinical trials of drugs and medical devices, increasing: HB 1745
- Medical devices, diversity in clinical trials program, establishing for drugs and medical devices: SSB 5388
- Mobility enhancing equipment, for use by or for complex needs patient, sales and use tax exemption: **\*SSB 5218, CH 319 (2023)**
- Oversight, joint select committee on health care and behavioral health oversight, extending expiration date: **\*SSB 5121, CH 10 (2023)**
- Oversight, joint select committee on health care oversight, decodifying due to expiration: **\*HB 1066, CH 470 (2023) PV**
- Oversight, joint select committee on health care oversight, extending expiration date: HB 1119

Palliative care, convening work group to design benefit and payment model: **\*SSB 5936, CH 166 (2024)**

Prevention services, providing through timely interventions to medical assistance programs enrollees, by certain providers: HB 2197

Psilocybin services, authorizing for nonprofits with goal of wellness or assistance of military and first responders: HB 2281

Psilocybin, use of for behavioral health treatment, new chapter: **\*2SSB 5263, CH 364 (2023) PV**

Psychiatric care, prohibiting requirement of certificate of need for expansion of hospitals and beds: **\*SSB 5920, CH 165 (2024)**

Records, making records of juveniles in detention available to managed care and behavioral health organizations: **\*SB 6079, CH 99 (2024)**

Reproduction, assisted, fraud in, convening work group to evaluate: HB 1300

Reproduction, assisted, provider implanting own of gametes or reproductive material without consent, as 3rd degree assault: HB 1300

Reproduction, assisted, statutory right to access treatments or procedures, establishing: HB 2500

Reproductive autonomy, access to sterilization for contraceptive purposes, protecting reproductive autonomy act: HB 2502

Reproductive health care services, access to, civil and criminal procedural protections: HB 1469

Reproductive health care services, exempting persons sheltering minors from reporting requirements for protected services: **\*ESSB 5599, CH 408 (2023)**

Reproductive health care services, lawful participation by health professionals in, harmonizing statutory language relating to: **\*HB 1954, CH 14 (2024)**

Reproductive health care services, shield law, claim for interference with protected health care services lawful in WA: HB 1469

Reproductive health care, allowing employers to recover damages for permitted services: HB 1286

Reproductive health services, barring consideration as unprofessional conduct: HB 1340

Reproductive health, establishing department of corrections program to distribute abortion medication: HB 1854, **\*SB 5768, CH 195 (2023)**

Respite care, providing for persons with disabilities as part of aggregate services under DSHS waivers: HB 2365

Ryan White HIV/AIDS program, grant awards from, using funds from medication rebate revenue account for services via: HB 1408

Ryan White HIV/AIDS program, using funds from rebates generated by purchases from grant program: **\*ESSB 5142, CH 12 (2023)**

Services, certificate of need program, certificate of need modernization task force, establishing: HB 2128

Standard of care, actions alleging violation of accepted standards, repealing section: **\*SSB 5087, CH 102 (2023)**

Sterilization for contraceptive purposes, access to medical procedures/treatments/operations for, protecting reproductive autonomy act: HB 2502

Telemedicine, audio-only, creating uniform standard for "established relationship": HB 1881, **\*SB 5821, CH 215 (2024)**

Telemedicine, audio-only, patient/provider "established relationship" before providing: HB 1027, **\*SB 5036, CH 8 (2023)**

Turner syndrome, individuals with, honoring, supporting, and acknowledging courage of: **\*HR 4618 (2023)**

Ultrasound, restricting provision to licensed providers or persons supervised by licensed providers: **\*ESB 6151, CH 329 (2024)**

Universal health care program, national single-payer, requesting that the federal government create: ESJM 8006

**HEALTH CARE AUTHORITY (See also INSURANCE; LONG-TERM CARE; PUBLIC ASSISTANCE)**

Addiction, disease of, contracting with national organization for technical assistance: **\*2E2SSB 5580, CH 213 (2024)**

Behavioral health, Indian tribal system, state system coordination with, improving, HCA role: HB 1877

Benefit enrollment, exempting personal information from records requests: **\*SB 5421, CH 45 (2023)**

Certified peer specialist, requiring development of course of instruction: **\*2SSB 5555, CH 469 (2023) PV**

Children, prenatal substance exposure, expanding treatment: **\*E2SSB 6109, CH 328 (2024)**

Civil commitment, convening focus groups with experience to make recommendations: HB 2469

Civil commitment, developing proposal for transport of patients: HB 2469

Civil commitment, developing training program for social workers with related responsibilities: HB 2469

Colorectal cancer, noninvasive preventive screening tests and resulting colonoscopies, medical assistance coverage for: **\*HB 1626, CH 299 (2023)**

Community behavioral health system, requiring oversight to be aware of, nurture, and protect relationships: 2SSB 5438



Community grants, appropriations to maintain memorandum of understanding with criminal justice training commission: **\*2E2SSB 5536, CH 1 (2023)**

Deferred coverage, allowing enrollment for retired or disabled employees denied for failure to timely notify of: **\*SSB 5490, CH 15 (2023)**

Drug offenses, pretrial diversion for, data platform for recovery navigator, arrest and jail alternative, and law enforcement assisted diversion programs: **\*2E2SSB 5536, CH 1 (2023)**

Fetal alcohol spectrum disorders, contracting for support groups, HCA role: HB 1168

First approach skills training program, funding and implementing of, HCA role: HB 1851

Health benefit exchange, qualified health plan utilization of interchangeable biosimilar products, increasing: HB 1356

Health care cost transparency board, analysis of impact of cost drivers on health care spending, board duties for: HB 1508

Health care cost transparency board, authorizing rulemaking by the authority: **\*SB 5700, CH 51 (2023)**

Health care cost transparency board, duties involving data collection/analysis, performance improvement plans, fees/ fines, etc.: HB 1508

Health care cost transparency board, health care cost growth benchmark enforcement duties of, expanding: HB 1508

Health care cost transparency board, health care stakeholder advisory committee of, expanding membership: HB 1508

Health care cost transparency board, standing advisory committees of, provisions involving: HB 1508

Health care cost transparency board, tax preferences et al. for non-profit providers and payers, studying certain impact of: HB 1508

Health engagement hubs, pilot program for testing and recommendations concerning, HCA role: **\*2E2SSB 5536, CH 1 (2023)**

Health engagement hubs, requiring development of payment structures for, HCA role: **\*2E2SSB 5536, CH 1 (2023)**

Health engagement hubs, role and duties of, HCA role: **\*2E2SSB 5536, CH 1 (2023)**

Health information technology office, locating within the authority: **\*SB 5700, CH 51 (2023)**

Home care safety net assessment, developing, and home care safety net assessment work group, establishing, HCA role: HB 1435

Insulin for individuals under the age of 21 bulk purchasing and distribution program, HCA to establish: HB 1725

Insurance, aligning medical and prescription drug language for retired state and school employees with historical interpretation: **\*SB 6094, CH 197 (2024)**

Law enforcement assisted diversion, procedures for, and making pilot project a grant program: **\*2E2SSB 5536, CH 1 (2023)**

Long-term services and supports trust program, pilot project to assess administrative processes and system capabilities of, developing and conducting, HCA role: HB 2272

Maternal and perinatal care, medicaid, collecting and reporting quality measures: SB 6148

Maternity support services program, requiring update to increase equity and healthier birth outcomes: **\*2E2SSB 5580, CH 213 (2024)**

Medicaid, ambulance providers transporting recipients, ambulance transport fund for, extending expiration: HB 1321, **\*SB 5122, CH 11 (2023)**

Medicaid, behavioral health services contracting and procurement of, treatment needs/managed care/payment/provider networks: HB 1515

Medicaid, coverage for advanced metastatic cancer prescription drugs, prohibiting certain requirements: HB 1884

Medicaid, coverage for biomarker testing: HB 1450

Medicaid, covered lives assessment collected from managed care organizations, imposing, depositing in new account, and using, HCA role: HB 2476

Medicaid, covered lives assessment professional services rate account, creating: HB 2476

Medicaid, difficult to discharge patients in acute care hospitals, payment for hospital stay, HCA role: **\*2SSB 5103, CH 315 (2023)**

Medicaid, federal funds from HCA/transformation project received by accountable community of health or public hospital, B&O tax deduction: **\*EHB 1812, CH 313 (2023)**

Medicaid, ground emergency medical transportation, public provider supplemental reimbursement for private provider contract costs, when: HB 1980

Medicaid, health homes enrollment for children with medically complex conditions eligible for, state plan amendment for allowing: HB 1941

Medicaid, hospital safety net program modifications in relation to, HCA role: HB 1850

Medicaid, insulin for individuals under the age of 21 bulk purchasing and distribution program, establishing, managed care role: HB 1725

Medicaid, medicaid directed payment program for certain designated public hospital care, HCA role: HB 1850

Medicaid, medicaid fraud false claims act, removing termination and repeal of: **\*SB 5163, CH 90 (2023)**

Medicaid, noninvasive preventive colorectal cancer screening tests and resulting colonoscopies, coverage for: **\*HB 1626, CH 299 (2023)**

Medicaid, occupational therapy services for persons with behavioral health disorders: **\*SB 5228, CH 113 (2023)**

Medicaid, offering certain medicare savings programs to clients entitled to medicare part A, when: HB 1313

Medicaid, paying certain rural hospitals for recipients eligible for medical assistance: HB 1748, **\*2SSB 5532, CH 443 (2023) PV**

Medicaid, paying certain sole community hospitals for recipients eligible for medical assistance: HB 1662

Medicaid, personal needs allowance for clients in medical institutions or residential settings, raising: **\*HB 1128, CH 201 (2023)**

Medicaid, prevention services for enrollees, provision of and training of providers to provide: HB 2197

Medicaid, prior authorization standards for standard, expedited, provider-initiated, denied requests, and electronic requests: HB 1357

Medicaid, professional service rates, creating professional health care services rate enhancement account for cannabis excise tax deposits for enhancements to: HB 2449

Medicaid, rebalancing payments for providers and facilities serving rural/underserved/marginalized populations: HB 1713

Medicaid, requiring oversight of program integrity activities: **\*SB 5497, CH 439 (2023)**

Medicaid, requiring reimbursement of state costs for employees of large corporations: HB 1227

Medicaid, telemedicine, audio-only, patient/provider "established relationship" before providing: HB 1027, **\*SB 5036, CH 8 (2023)**

Medicaid, transitional housing, postinpatient housing program for young adults exiting inpatient behavioral health treatment, establishing, HCA role: HB 1929

Medicare, savings programs, offering certain programs to medicaid clients entitled to medicare part A, when: HB 1313

Mental health advance directive effective implementation work group, convening: **\*2SSB 5660, CH 374 (2024)**

Mental health sentencing alternative, reimbursing certain services: **\*SSB 5588, CH 373 (2024)**

Policy review, requiring to eliminate policies that undermine family integrity or discourage family involvement: 2SSB 5438

Postdelivery and transitional care program, creating for people with a substance use disorder: **\*2E2SSB 5580, CH 213 (2024)**

Prenatal substance exposure, expanding availability of services for children and youth with, HCA role: HB 2447

Prenatal substance exposure, requiring recommendations to the legislature, HCA role: HB 1168

Prescription drug affordability board, modifying membership, duties, and related provisions: HB 1269

Problem gambling, program for prevention/treatment and identification/treatment professionals, advisory committee for, modifying: HB 1681, **\*E2SSB 5634, CH 284 (2023)**

Problem gambling, program for prevention/treatment and identification/treatment professionals, modifying: HB 1681, **\*E2SSB 5634, CH 284 (2023)**

Psilocybin task force, establishing: **\*2SSB 5263, CH 364 (2023) PV**

Public employees' benefits board (PEBB), modifying eligibility for retired or disabled political subdivision employees, when: HB 1804, SSB 5696

Public employees' benefits board, audio-only telemedicine, "established relationship" before providing: HB 1027, **\*SB 5036, CH 8 (2023)**

Public employees' benefits board, behavioral health disorders, medically necessary, mandatory coverage health plan coverage for: HB 2145

Public employees' benefits board, carrier prior authorization requirements, modifying standards for: HB 1357

Public employees' benefits board, coverage for advanced metastatic cancer drugs, prohibiting certain requirements: HB 1884

Public employees' benefits board, coverage for biomarker testing: HB 1450

Public employees' benefits board, coverage for infertility diagnosis and treatment and standard fertility preservation services: HB 1151

Public employees' benefits board, deceased retired or disabled employee's health coverage premiums for month of their death, waiving, and enrolling surviving dependents in same plan: **\*HB 2481, CH 185 (2024)**

- Public employees' benefits board, health insurance subsidy rate limit for retired state employees and retired or disabled school employees, raising: HB 2188
- Public employees' benefits board, insulin for individuals under the age of 21 bulk purchasing and distribution program, board role: HB 1725
- Public employees' benefits board, separated PERS/SERS/TRS plan 2 member insurance participation: **\*HB 1008, CH 164 (2023)**
- School employee's benefits board (SEBB), including representative organizations and tribal schools: **\*SSB 5275, CH 13 (2023)**
- School employees' benefits board, audio-only telemedicine, "established relationship" before providing: HB 1027, **\*SB 5036, CH 8 (2023)**
- School employees' benefits board, behavioral health disorders, medically necessary, mandatory coverage health plan coverage for: HB 2145
- School employees' benefits board, carrier prior authorization requirements, modifying standards for: HB 1357
- School employees' benefits board, coverage for advanced metastatic cancer drugs, prohibiting certain requirements: HB 1884
- School employees' benefits board, coverage for biomarker testing: HB 1450
- School employees' benefits board, coverage for infertility diagnosis and treatment and standard fertility preservation services: HB 1151
- School employees' benefits board, employees of more than one SEBB organization, eligibility and employer role: HB 1246
- School employees' benefits board, insulin for individuals under the age of 21 bulk purchasing and distribution program, board role: HB 1725
- School employees' benefits board, school employees' benefits board organizations work group, convening: HB 1246
- Substance use disorder inpatient program for treating pregnant and parenting women using family preservation model, HCA to establish: HB 2447
- Substance use disorder intakes/assessments, streamlining to broaden workforce for, convening work group for: **\*2E2SSB 5536, CH 1 (2023)**
- Substance use disorder, convening work group to streamline requirements for inpatient or residential services: **\*2SSB 6228, CH 366 (2024)**
- Substance use disorder, education and employment pathways for persons recovering from, establishing grant program: **\*2E2SSB 5536, CH 1 (2023)**
- Substance use disorder, parents of adolescents/transition-age youth with, training for, HCA role: **\*2E2SSB 5536, CH 1 (2023)**
- Substance use disorder, pretrial diversion programs, developing data integration platform for, HCA role: **\*2E2SSB 5536, CH 1 (2023)**
- Substance use disorder, recovery navigator and related programs, developing data integration platform for, HCA role: **\*2E2SSB 5536, CH 1 (2023)**
- Substance use disorder, statewide behavioral health treatment/recovery support services mapping tool/database/referral system, HCA role: **\*2E2SSB 5536, CH 1 (2023)**
- Substance use disorder, SUD prevalence and interactions of persons with SUDs with providers and agencies, HCA to assess: **\*2E2SSB 5536, CH 1 (2023)**
- Updates, modifying terminology and repealing and decodifying sections: **\*SB 5700, CH 51 (2023)**

**HEALTH CARE FACILITIES (See also HEALTH CARE PROFESSIONS AND PROVIDERS; LONG-TERM CARE; MENTAL HEALTH; SEX OFFENSES AND OFFENDERS; SUBSTANCE USE DISORDER)**

- Ambulatory surgical facilities, providing measure against non-compliance: HB 1434, **\*ESSB 5271, CH 121 (2024)**
- Behavioral health facilities, child abuse or neglect at, referrals of alleged incidents of, investigation of: **\*ESSB 5515, CH 441 (2023)**
- Behavioral health facilities, providing measures against non-compliance: HB 1434, **\*ESSB 5271, CH 121 (2024)**
- Birthing centers, providing measures against non-compliant and unlicensed centers: HB 1434, **\*ESSB 5271, CH 121 (2024)**
- Certificate of need program, certificate of need modernization task force, establishing: HB 2128
- Employees, mandatory overtime provisions, expanding definition of health care facility employee for purposes of: HB 2061
- Firearms, prohibiting open carry in hospitals: HB 1195
- Hospital at home services, authorizing continuation: HB 2295, ESSB 6101

- Hospitals, additional regulation for hospital staffing committees and hospital staffing plans: **\*E2SSB 5236, CH 114 (2023)**
- Hospitals, affiliated providers and provider-based clinics, facility fees charged by, provider/clinic/hospital/health system/facility requirements: HB 2378
- Hospitals, barring discharge to 23-hour crisis relief centers without formal relationship: **\*2SSB 5120, CH 433 (2023)**
- Hospitals, controlling costs via restrictions on market power: HB 2066
- Hospitals, county, additional regular property tax levy for certain expenses and bond payment, removing certain limitations: HB 2348
- Hospitals, election to participate in hospital-based nurse student loan repayment assistance program: HB 1643
- Hospitals, hospital safety net program, modifying: HB 1850
- Hospitals, material change transactions involving, requirements for and studies of: HB 1263, ESB 5241
- Hospitals, medicaid directed payment program, designing and implementing: HB 1850
- Hospitals, medicaid patients difficult to discharge to long-term care, payment for hospital stay: **\*2SSB 5103, CH 315 (2023)**
- Hospitals, paying certain rural hospitals for recipients eligible for medical assistance: HB 1748, **\*2SSB 5532, CH 443 (2023) PV**
- Hospitals, paying certain sole community hospitals for recipients eligible for medical assistance: HB 1662
- Hospitals, provider-based clinics and affiliated providers, charging a facility fee, notice requirements: HB 2378
- Hospitals, providers and clinics charging facility fee, limited to fee for services provided on hospital's campus: HB 2378
- Hospitals, receiving NIH funding for drug/medical device clinical trials, increasing diversity of participants: HB 1745
- Hospitals, requiring dispensing of human immunodeficiency virus postexposure prophylaxis drugs or therapies: **\*ESSB 6127, CH 251 (2024)**
- Hospitals, requiring prompt emergency room acceptance from ambulances or paying reimbursement for time: HB 2466
- Hospitals, staffing plans, nurse-to-patient minimum staffing, and break and overtime requirements: **\*E2SSB 5236, CH 114 (2023)**
- Hospitals, suspected victims of human trafficking, hospitals and employees to report: HB 1937
- Hospitals, use of toxicology screenings capable of detecting fentanyl/other synthetic opioids, grant program to encourage: HB 2396
- Hospitals/systems and provider organizations, mergers and acquisitions between health carriers and, studying impact: HB 1263, ESB 5241
- In-home health services, providing measures against non-compliant and unlicensed agencies: HB 1434, **\*ESSB 5271, CH 121 (2024)**
- Kidney disease centers, creating exemptions from certificate of need requirements due to temporary emergency situations: HB 1690
- Kidney disease centers, creating temporary exemptions from certificate of need requirements: **\*SSB 5569, CH 48 (2023)**
- Laser hair removal facilities, for practice of laser hair removal by laser practitioner with physician oversight, regulation of: HB 2377
- Medicaid clients, personal needs allowance for, raising: **\*HB 1128, CH 201 (2023)**
- Medical test sites, providing measures against non-compliant and unlicensed sites: HB 1434, **\*ESSB 5271, CH 121 (2024)**
- Newborn children, facilities as locations under safe haven law for transfer via "newborn safety devices": HB 1888
- Nursing facilities, medicaid payment system: HB 2208, **\*SSB 5802, CH 246 (2024)**
- Provider contracts, barring certain hospital/carrier clauses including all-or-nothing, antitiering, and antisteering: HB 1379
- Public hospitals, federal funds for medicaid transformation project received from HCA by, B&O tax deduction for: **\*EHB 1812, CH 313 (2023)**
- Serving rural/underserved/marginalized populations, medicaid rebalancing payments when: HB 1713
- State hospitals, eastern and western, ensuring each consenting patient has an identicaid prior to release from care: HB 2099
- State hospitals, western state hospital, bond authorization for new forensic hospital at: HB 1148

**HEALTH CARE PROFESSIONS AND PROVIDERS (See also COUNSELORS AND COUNSELING; DENTISTS AND DENTISTRY; DRUGS; HEALTH AND SAFETY, PUBLIC; HEALTH CARE; HEALTH CARE FACILITIES; HEALTH, DEPARTMENT; LONG-TERM CARE; MENTAL HEALTH; MILITARY; PROFESSIONS; SUBSTANCE USE DISORDER)**

- Affiliated health care providers and provider-based clinics, facility fees charged by, provider/clinic/hospital/health system/facility requirements: HB 2378

Allied professions, allied health professions career and technical education core plus program for secondary students, developing: HB 2236

Anesthesiologist assistants, licensure and duties of: HB 1038, **\*SB 5184, CH 362 (2024)**

Athletic trainers, modifying definitions, relation to licensed health care provider, and provision of medications: HB 1275

Audiology and speech-language pathology interstate compact and compact commission, enacting: **\*HB 1001, CH 53 (2023)**

Background checks, increasing professions requiring: HB 1292, **\*SB 5252, CH 223 (2023)**

Birth doulas, requiring culturally congruent care: HB 2350

Continuing education, voluntary for certain providers: **\*SB 5811, CH 322 (2024)**

Credentialing, of health and health-related professions, eligibility regardless of immigration or citizenship status: HB 1889

Crisis co-response/co-responders, workforce development via training academy, certificates, programs, and activities: HB 2245

Death with dignity act, qualified medical providers and related provisions, modifying: HB 1281, **\*ESSB 5179, CH 38 (2023)**

Dental and dental hygienist compact, creating for interstate practices with new chapter: HB 1576

Family and medical leave, paid, provider disclosure of health care information for qualifying persons to receive benefits: HB 2102

Female genital mutilation, prohibiting as unprofessional conduct: **\*SSB 5453, CH 122 (2023)**

Forensic pathologists, creating loan repayment program: **\*SSB 5523, CH 442 (2023)**

Gender affirming treatment, lawful participation by health professionals in, harmonizing statutory language relating to: **\*HB 1954, CH 14 (2024)**

Gender transition surgery and puberty blocking medications and cross-sex hormones for minors, provider prohibitions: HB 2241

Gender transition, prohibiting for individuals under age 18: HB 1214

Ground ambulance services, certain prohibitions on requiring prior authorization: HB 2285, **\*SSB 5986, CH 218 (2024)**

Ground ambulance services, prohibiting balance billing and fining for violations: HB 2285, **\*SSB 5986, CH 218 (2024)**

Health care authority, requiring managed care organization contracts to detail program integrity requirements: **\*SB 5497, CH 439 (2023)**

Health care cost transparency board, granting authority for civil fines if providers violate data submission rules: HB 1508

Health professional loan repayment and scholarship program, adding forensic pathology: **\*SSB 5523, CH 442 (2023)**

Health professional loan repayment and scholarship program, including penalty interest rate, supports, and exceptions: **\*HB 1763, CH 159 (2023)**

Home care aides, department of health to reduce delays in and barriers to testing: **\*E2SSB 5278, CH 323 (2023)**

Home care aides, exempting from payment of certain certificate renewal and late fees: HB 1568

Home care aides, expanding certification exemption for family members: HB 1969, **\*SB 5811, CH 322 (2024)**

Home care aides, licensing requirements, modifying: HB 1568

Home care aides, limiting department sharing of state and federal background check results: HB 1292, **\*SB 5252, CH 223 (2023)**

Home care aides, long-term care workers certification as, mandatory renewal every two years: HB 2339

Hospitals, provider-based clinics and affiliated providers, charging a facility fee, notice requirements: HB 2378

Hospitals, providers and clinics charging facility fee, limited to fee for services provided on hospital's campus: HB 2378

Human trafficking, sexual and labor, health care professionals/providers to report suspected victims of: HB 1937

Human trafficking, sexual and labor, reporting of suspected victims of, role of medical commission and boards: HB 1937

Immunization registry, requirements and mandatory enrollment or submission to immunization tracking, role of providers: HB 1827

Indian health care providers, licensing as establishments for community behavioral health services act purposes: HB 2075

Information, health care entity limiting of provider's provision of, prohibition: HB 1035

Laser practitioners, authorizing certain health professionals and other persons to practice laser hair removal as: HB 2377

Licenses, at time of application or renewal, applicant or licensee to provide certain personal and practice information: HB 1503

Licensure, of health care professionals, eligibility regardless of immigration or citizenship status: HB 1889

Long-term care workers, home care workforce, encouraging and implementing ways to increase: HB 1694

Long-term care workers, reinstatement of expired certificates and delaying home care aide certification requirement: HB 1568

Magnetic resonance imaging technologist, establishing certification: HB 2355, SSB 5880

Market power, controlling via provisions including prohibiting all-or-nothing, antisteering, and antitiering clauses: HB 2066

Massage therapists, interstate massage compact commission, creating and establishing: HB 1437

Massage therapists, interstate massage compact, enacting, and including multistate license to practice: HB 1437

Medicaid, behavioral health services contracting and procurement of, payment standards and provider networks: HB 1515

Medical assistant-certified, eligibility to work including as medical assistant-phlebotomist: HB 1073

Medical assistant-EMT certification, creating: HB 1907, **\*SSB 5940, CH 217 (2024)**

Medical assistant-registered, allowing syphilis treatment injections with telemedicine supervision: **\*ESSB 5983, CH 248 (2024)**

Midwives, specifying prescriptive authority for legend drugs: **\*SB 6178, CH 102 (2024)**

Minor child, provider providing, soliciting, or arranging services or prescribing drugs for, parental consent requirement: HB 1601

Music therapy, music therapist licensing and music therapy advisory committee: HB 1247

Nurse anesthesia residents, requiring board of nursing to create grant program to incentivize precepting of: HB 2462

Nurse educator loan repayment program, including penalty interest rate, supports, and exceptions: **\*HB 1763, CH 159 (2023)**

Nurses, advanced registered nurse practitioner, changing title to advanced practice registered nurse: **\*HB 2416, CH 239 (2024)**

Nurses, advanced registered nurse practitioners, insurance reimbursement at same rate as physicians, requiring: HB 1495

Nurses, bachelor of science degrees in nursing, authorizing certain community or technical colleges to offer: HB 1733

Nurses, direct care registered, posttraumatic stress disorder affecting, occupational disease presumption for: HB 1593, **\*2SSB 5454, CH 370 (2023)**

Nurses, interstate commission of nurse licensure compact administrators, creating and establishing: HB 1417

Nurses, interstate nurse licensure compact, enacting, and including multistate license to practice: HB 1417

Nurses, substance use disorder monitoring and treatment programs, participation by RNs, LPNs, and ARNPs: HB 1255

Nursing assistants, exempting from payment of certain certificate renewal and late fees: HB 1568

Nursing assistants, licensing requirements, modifying: HB 1568

Nursing assistants, mandatory renewal every two years of registrations, certifications, and medication assistant endorsements: HB 2339

Nursing care quality assurance commission, altering licensing by endorsement training standards: **\*E2SSB 5582, CH 126 (2023)**

Nursing care quality assurance commission, high school student pilot projects for rural hospitals, creating: **\*E2SSB 5582, CH 126 (2023)**

Nursing care quality assurance commission, permitting education programs not to require doctorate: **\*E2SSB 5582, CH 126 (2023)**

Nursing care quality assurance commission, renaming as board of nursing: **\*SSB 5499, CH 123 (2023)**

Nursing, board of, renaming nursing care quality assurance commission as: **\*SSB 5499, CH 123 (2023)**

Nursing, creating multistate licensure privilege via Interstate nurse licensure compact: **\*SSB 5499, CH 123 (2023)**

Nursing, requiring report and public disclosure of ownership by operators of nursing pools: **\*SSB 5547, CH 100 (2023)**

Occupational therapists, formation of professional service corporations: **\*HB 1082, CH 60 (2023)**

Opioid drugs, prescribing for chronic pain, practitioner liability immunity for, requirements: HB 1546

Optometrists, permitting purchase of diagnostic and therapeutic pharmaceutical agents: **\*SSB 5389, CH 400 (2023)**

Optometrists, requirements to perform advanced procedures and reporting requirements: **\*SSB 5389, CH 400 (2023)**

Optometry, redefining: **\*SSB 5389, CH 400 (2023)**

Out-of-state providers, authority to practice in state for health care entity, requirements for: HB 1547

Peer support services, authorizing certification with new chapter: HB 1583

Physical therapists, formation of professional service corporations: **\*HB 1082, CH 60 (2023)**

Physical therapists, intramuscular needling endorsement: HB 1039

Physician assistants, collaborative practice and collaboration agreements with physicians, authorizing and regulating: HB 1310, HB 2041

Physician assistants, insurance reimbursement at same rate as physicians, requiring: HB 1495

- Physician assistants, new chapter for physician assistant licensure compact: **\*HB 1917, CH 53 (2024)**, SSB 5815
- Physician wellness program, records relating to participants to be confidential and exempt from disclosure: HB 2122
- Physicians health program, Washington, increasing health care professionals license surcharge fees that fund: **\*HB 1972, CH 15 (2024)**
- Physicians, fellow/residents, higher education schools of medicine, collective bargaining by, process for: HB 1307
- Physicians, fellow/residents, U. of Washington school of medicine, collective bargaining by, process for: HB 1307
- Physicians, performing breast implant surgery, patient information and informed consent: ESSB 5050
- Physicians, removing insurance requirement for supervisors of international medical graduate students: **\*SB 5394, CH 14 (2023)**
- Prevention services, providing through timely interventions to medical assistance programs enrollees, by whom and when: HB 2197
- Primary care providers, requiring to offer hepatitis B and hepatitis C screening test in certain circumstances: ESB 5629
- Professionals, cannabis consumption by prospective employee seeking SUD treatment services position, screening for: HB 2047
- Professionals, home purchase by, pilot program for loans to certain workers/occupations for certain costs for: HB 1633
- Provider contracts, barring certain hospital/carrier clauses including all-or-nothing, antitiering, and antisteering: HB 1379
- Provider organizations and hospitals/systems, mergers and acquisitions between health carriers and, studying impact: HB 1263, ESB 5241
- Provider organizations, material change transactions involving, requirements for and studies of: HB 1263, ESB 5241
- Providers, requiring private, non-hospital health carrier contracts to increase compensation with inflation: HB 1655
- Psychological associates, licensure and practice requirements for, and as health plan and medicaid providers: HB 2247
- Psychologists, granting license to applicant holding a license in good standing in another state, territory, or county, when: HB 2247
- Psychologists, prescribing psychologist prescriptive authority certification: HB 1041
- Psychologists, probationary license, removing practice restriction for licensees: HB 1724
- Psychologists, reviewing licensure requirements to remove barriers to entering and remaining in behavioral health workforce: HB 1724
- Psychologists, school, conducting evaluations for special education, funds distribution for: HB 1305
- Reproduction, assisted, treatments or procedures, provider statutory right to perform or assist with performance of, establishing: HB 2500
- Reproductive health care services, lawful participation by health professionals in, harmonizing statutory language relating to: **\*HB 1954, CH 14 (2024)**
- Serving rural/underserved/marginalized populations, medicaid rebalancing payments when: HB 1713
- State medical reserve corps, establishing to deploy during public health threats or emergency: HB 1452
- Sterilization for contraceptive purposes, medical procedures/treatments/operations for, requirements for providers performing: HB 2502
- Telehealth, audiology and speech-language pathology interstate compact role: **\*HB 1001, CH 53 (2023)**
- Telehealth, authorizing with the same professional practice standards as in-person care: **\*ESSB 5481, CH 212 (2024)**
- Telehealth, provision at patient's location: **\*ESSB 5481, CH 212 (2024)**
- Telehealth, regulating out-of-state practitioners: **\*ESSB 5481, CH 212 (2024)**
- Telemedicine, audio-only, creating uniform standard for "established relationship": HB 1881, **\*SB 5821, CH 215 (2024)**
- Telemedicine, audio-only, patient/provider "established relationship" before providing: HB 1027, **\*SB 5036, CH 8 (2023)**
- Trafficking, sexual and labor, health care professionals/providers to report suspected victims of: HB 1937
- Trafficking, sexual and labor, reporting of suspected victims of, role of medical commission and boards: HB 1937
- U. of Washington, center for health workforce studies, studying workforce shortages in anesthesia care: **\*ESSB 6286, CH 363 (2024)**
- Ultrasound, restricting provision to licensed providers or persons supervised by licensed providers: **\*ESB 6151, CH 329 (2024)**
- Unprofessional conduct, barring consideration of reproductive health care services or gender affirming treatment as: HB 1340
- Veterans, health care professions licensing, expanding definition of "veteran" for purposes of: HB 2014
- Washington health corps, behavioral health loan repayment program, modifying to include scholarships: **\*HB 1946, CH 369 (2024)**

Washington health corps, conditional scholarships, including penalty interest rate, supports, and service member exception: **\*HB 1763, CH 159 (2023)**

Washington health corps, creating the hospital-based nurse student loan repayment assistance program: HB 1643

#### **HEALTH DEPARTMENTS, LOCAL**

Microenterprise home kitchen operations, regulation of, and permits and pilot program for, role of local jurisdictions: HB 1706

Private detention facilities, routine unannounced inspections of, role of local health jurisdictions: HB 1470

#### **HEALTH, DEPARTMENT (See also HEALTH AND SAFETY, PUBLIC; HEALTH CARE PROFESSIONS AND PROVIDERS; MILITARY; PROFESSIONS; WATER)**

988 behavioral health crisis response and suicide prevention system, ongoing implementation of: HB 1134

988 crisis hotline, developing informational materials and social media campaign, DOH role: HB 1134

988 crisis hotline, state designated 988 crisis contact center hubs, renaming crisis call center hubs as: HB 1134

988 geolocation subcommittee, creating: HB 1134

Advisory committee on hospital staffing, convening: **\*E2SSB 5236, CH 114 (2023)**

Airports, blood lead testing to include children living near, DOH to update guidance for health care providers: HB 1554

Airports, lead exposure associated with operating practices of, best management practices for reducing, DOH role: HB 1554

Assisted reproduction, fraud in, evaluation by work group to be convened by DOH: HB 1300

Background checks, limiting sharing of results from DSHS for home care aide certification: HB 1292, **\*SB 5252, CH 223 (2023)**

Behavioral health agencies, providing voluntary inpatient or residential SUD or withdrawal management services, modifying DOH role: HB 2319

Behavioral health crisis response services, coordinated by administrative service organizations: **\*E2SSB 6251, CH 368 (2024)**

Behavioral health support specialists, certification and duties of, DOH role: HB 1348, **\*SSB 5189, CH 270 (2023)**

Behavioral health workforce, various strategies for increasing, DOH role: HB 1724

Behavioral health, 23-hour crisis relief centers, licensing or certifying, DOH role: **\*2SSB 5120, CH 433 (2023)**

Behavioral health, triage facilities, repealing of, and licensing or certifying as crisis stabilization units: **\*2SSB 5120, CH 433 (2023)**

Behavioral health, work group convening to discuss demand for services, workforces shortages, etc.: HB 1242

Biotoxin testing and monitoring by DOH, required reporting concerning, eliminating: HB 1362

Board of nursing, requiring grant program to incentivize precepting of nurse anesthesia residents: HB 2462

Cannabis, high-THC products, public health messages and social media campaigns about potential harms of, DOH role: HB 1641

Certificate of need program, certificate of need modernization task force, establishing: HB 2128

Certificate of need, prohibiting requirement for expansion of psychiatric hospitals and beds: **\*SSB 5920, CH 165 (2024)**

Certified peer specialist advisory committee, Washington state, establishing: HB 1583

Certified peer specialists, requiring analysis and report: **\*2SSB 5555, CH 469 (2023) PV**

Council of health care coordination for justice-involved youth and adults, new chapter creating: HB 2314

Credentials, professional, Washington credential registry, creation of: HB 2155

Crisis response improvement steering committee, creating: HB 1134

Cytomegalovirus, congenital, requiring educational material: **\*SSB 5829, CH 96 (2024)**

Cytomegalovirus, congenital, screening tests for newborns: HB 2067

Dental and dental hygienist compact, creating for interstate practices with new chapter: HB 1576

Dental quality assurance commission, membership, adding two licensed dental therapists: HB 1678

Dental therapists, licensing to practice in federally qualified health centers and regulating, DOH role: HB 1678

Drugs, DOH to create statewide overdose prevention and education campaign to increase awareness: **\*ESB 5906, CH 216 (2024)**

Emergency rooms, DOH to determine reimbursement rates for slow acceptance of ambulance patients: HB 2466

Emergency treatment, person's preference for, portable orders for life-sustaining treatment form and alternative evidence of, DOH role: HB 2166

Emergency treatment, person's preference for, portable orders for life-sustaining treatment form registry, establishing, DOH role: HB 2166

Epinephrine and epinephrine autoinjectors, in schools, prescriptions and supplies for anaphylaxis, DOH role: HB 1608



Examining board of psychology, certifying prescribing psychologists and adding member: HB 1041

Female genital mutilation, establishing education program for prevention: **\*SSB 5453, CH 122 (2023)**

Fentanyl and other synthetic opioids, hospital use of toxicology screenings capable of detecting, grant program to encourage, DOH role: HB 2396

Fentanyl and other synthetic opioids, public outreach campaign concerning risks due to misuse of, DOH to develop and operate: HB 2396

Fentanyl, dangers of consuming, public outreach campaign concerning, DOH role: HB 1520

Forensic nurse coordination program, statewide, creating: **\*E2SSB 5937, CH 297 (2024)**

Forensic pathologists, contracting with WA association of coroner and medical examiners to study shortage: **\*SSB 5523, CH 442 (2023)**

Fruit and vegetable incentives program, appropriation for, DOH role: HB 1784

Health and wellness, establishing 3 "parks Rx" pilot programs: HB 1718

Health care facilities, various, providing measures against non-compliance and non-licensure: HB 1434, **\*ESSB 5271, CH 121 (2024)**

Hepatitis B and hepatitis C, requiring awareness campaign: ESB 5629

High THC products, developing optional training for retail cannabis staff regarding health and safety impacts: HB 2320

High THC products, requiring proposals and targeted messages for those most likely to suffer from: HB 2320

Home care aides, requiring rules to improve access to timely testing: **\*E2SSB 5278, CH 323 (2023)**

Home care safety net assessment, developing, and home care safety net assessment work group, establishing, DOH role: HB 1435

Immunization registry, requirements for, and prohibiting mandatory enrollment or submission to immunization tracking: HB 1827

Indian health care providers, licensing as establishments for community behavioral health services act purposes: HB 2075

Local health departments, authorizing request, retention, and sharing of data for child fatality reviews: ESB 6110

Medical assistant-EMT certification, creating, DOH role: HB 1907, **\*SSB 5940, CH 217 (2024)**

Medical commission, anesthesiologist assistants licensure and regulatory role of: HB 1038, **\*SB 5184, CH 362 (2024)**

Microenterprise home kitchen operations, regulation of, and permits and pilot program for, DOH role: HB 1706

Mobile rapid response crisis teams, implementing endorsement, training standards, and grant program, DOH role: HB 1134

Music therapy, music therapist licensing and music therapy advisory committee, DOH role: HB 1247

Nursing care quality assurance commission, nurse participation in substance use disorder program, NCQAC role: HB 1255

Nursing pools, requiring report and public disclosure of ownership by operators: **\*SSB 5547, CH 100 (2023)**

Nursing pools, various employment regulations: **\*SSB 5547, CH 100 (2023)**

Nursing, board of, developing grant program to incentivize precepting nurse anesthesia residents: **\*ESSB 6286, CH 363 (2024)**

Opioid treatment programs, including off-site mobile and fixed-site medication units, DOH role: **\*2E2SSB 5536, CH 1 (2023)**

Opioid treatment programs, licensing, certification, and siting of, DOH role: **\*2E2SSB 5536, CH 1 (2023)**

Organ transport vehicles and services, licensing of, DOH role: HB 1271

Overburdened communities and tribal nations, community-based health assessments of, DOH role: HB 1347

Peer support services, authorizing certification with new chapter: HB 1583

Peer support services, creating certification requirements: **\*2SSB 5555, CH 469 (2023) PV**

Pharmacy quality assurance commission, authorizing rules for prescribing of drugs and devices by pharmacists: HB 2116

Pharmacy quality assurance commission, membership of, modifying: HB 1909

Prescriptions, authorizing secretary or designee to issue prescriptions or standing orders as needed: **\*ESB 6095, CH 100 (2024)**

Prevention services, for medical assistance programs enrollees, training program for educational programs for providers, DOH role: HB 2197

Private detention facilities, routine unannounced inspections of, DOH role: HB 1470

Promotoras, funding to provide lay health education to at least two Latinx communities: **\*E2SSB 6109, CH 328 (2024)**

Psilocybin, specifying relevant duties, functions, and powers: **\*2SSB 5263, CH 364 (2023) PV**

Safety information, updating and provision for school websites: **\*HB 1230, CH 173 (2023)**

Shellfish, crab, biotoxin contamination regulation of: HB 1010

Social workers, LMHCs, and LMFTs, program to facilitate placement of associates with clinical supervision services, DOH to develop: **HB 1724**

State medical reserve corps, establishing, DOH role: **HB 1452**

Student nurse preceptor grant problem, appropriations for: **\*E2SSB 5582, CH 126 (2023)**

Substance use disorder, requiring model policy for transfers from inpatient or residential services without consent: **\*2SSB 6228, CH 366 (2024)**

Substance use disorder, statewide behavioral health treatment/recovery support services mapping tool/database/referral system, DOH role: **\*2E2SSB 5536, CH 1 (2023)**

Trafficking, requiring transient accommodation employee education and written certification from licensees: **SSB 6056**

Washington psilocybin advisory board, establishing: **\*2SSB 5263, CH 364 (2023) PV**

Water system plans, updating guidebook and provision of technical assistance: **SSB 5094**

#### **HEALTH, STATE BOARD OF (See also HEALTH, DEPARTMENT; SHELLFISH)**

Branched-chain ketoacid dehydrogenase kinase deficiency, evaluating addition to newborn screening: **\*SB 6234, CH 105 (2024)**

Cytomegalovirus, congenital, to consider adding to screening tests for newborns: **\*SSB 5829, CH 96 (2024)**

Health disparities, governor's interagency coordinating council on, modifying membership, duties, and procedures: **HB 2346**

Health disparities, governor's interagency coordinating council on, renaming as governor's council for health justice and equity: **HB 2346**

Microenterprise home kitchen operations, regulation of, and permits and pilot program for, state board role: **HB 1706**

#### **HISTORICAL SOCIETIES**

Walla Walla valley historical society, recognizing as a state historical society and trustee of the state: **HB 2427**

Washington state historical society, Billy Frank Jr. statue role of: **HB 1639**

#### **HOLIDAYS AND OBSERVANCES**

Asian Pacific American affairs, Washington state commission on, recognizing and celebrating during its 50th anniversary: **\*HR 4694 (2024)**

Billy Frank Jr. day, recognizing the ninth day of March as: **HB 1639**

Black history month, celebrating, and recognizing the legacy and contributions of Black Americans: **\*HR 4619 (2023), \*HR 4667 (2024)**

Burke museum, 125th anniversary of, celebrating: **\*HR 4666 (2024)**

Children's day, celebrating: **\*HR 4616 (2023)**

Chinese American month, designating January as: **HB 1759**

Chinese Americans/Americans of Chinese descent history month, designating January as: **\*SB 5000, CH 357 (2023)**

Daffodil festival, ninetieth anniversary of, recognizing: **\*HR 4620 (2023)**

Daffodil festival, ninety-first anniversary of, recognizing: **\*HR 4662 (2024)**

Data privacy day, commemorating: **\*HR 4607 (2023)**

Donate life month, national, recognizing April as: **\*HR 4637 (2023)**

Executive order 9066, eighty-first anniversary, acknowledging: **\*HR 4615 (2023)**

Executive order 9066, eighty-second anniversary, acknowledging: **\*HR 4672 (2024)**

First around the world flight, centennial of, recognizing in connection with Seattle's Magnuson park and the aeronautics and aviation community's contributions: **\*HR 4687 (2024)**

First round-the-world flight, centennial anniversary celebration of, in connection with Seattle's Magnuson park: **\*HR 4646 (2023)**

Heart health month, national, February as, recognizing plight and courage of women with cardiovascular disease: **\*HR 4664 (2024)**

Heart health month, recognizing February as: **\*HR 4656 (2024)**

Holocaust remembrance day, recognizing: **\*HR 4642 (2023)**

International genocide prevention and awareness month, designating April as: **HB 2037**

Kimchi day, celebrating November 22nd as: **\*HR 4679 (2024)**

Kimchi day, designating the twenty-second of November as: **HB 2392**

King, Dr. Martin Luther, Jr. day, observing: **\*HR 4603 (2023), \*HR 4653 (2024)**

Lincoln, Abraham, sixteenth president, honoring on presidents' day: **\*HR 4605 (2023), \*HR 4671 (2024)**

Lunar New Year, acknowledging: **\*HR 4604 (2023), \*HR 4660 (2024)**

Lunar New Year, designating as state legal holiday: HB 1516  
 Lunar New Year, recognizing second or third new moon following winter solstice as: \***HB 2209, CH 76 (2024)**  
 Nowruz, the Persian new year, celebrating the spring equinox as: \***HR 4629 (2023), \*HR 4678 (2024)**  
 Office of Program Research 50th anniversary, congratulating: \***HR 4644 (2023)**  
 Presidents' day, celebrating: \***HR 4605 (2023), \*HR 4671 (2024)**  
 Saint Patrick's Day, the Feast of St. Patrick, patron saint of Ireland, commemorating the celebration of: \***HR 4628 (2023)**  
 Washington, George, first president, honoring on presidents' day: \***HR 4605 (2023), \*HR 4671 (2024)**  
 Water safety day, recognizing May 15 as: \***HB 1750, CH 181 (2023)**

**HOMELESS PERSONS (See also HOUSING AND HOMES; LOW-INCOME PERSONS; MENTAL HEALTH; SUBSTANCE USE DISORDER)**

Crisis situations, mental illness/homelessness/addiction, emergency crisis assistance team pilot project, establishing: HB 1661  
 Encampments, encampment cleanup grant program and encampment cleanup account, creating: HB 1373  
 Encampments, online data dashboard with performance metrics regarding sites: HB 1373  
 Encampments, prohibiting camping on public property within 500 feet of schools, parks, courthouses, and child care centers: HB 1373  
 Evergreen basic income pilot program, establishing: HB 1045  
 Homelessness, emergency related to, state agency to lease vacant property to qualifying city during, requirements: HB 2172  
 Homelessness, reducing via Washington housing crisis response act: HB 1149  
 Housing and assistance, county coordination meetings of qualifying local providers of housing and services, requirements: HB 2229  
 Housing and assistance, grant programs for, accountability requirements for grantees/subgrantees, establishing: HB 1872  
 Housing and assistance, home security fund account, review of funds use for private market rental housing, eliminating: HB 1367  
 Housing and assistance, local homeless housing and assistance document-recording surcharge, revising use of: HB 1367  
 Housing for formerly homeless, co-living housing as, providing authority to create via growth management act: HB 1998  
 Indigent defendants, facing charges of drug possession or use in public place, public defense services for: \***2E2SSB 5536, CH 1 (2023)**  
 Indigent offenders, convicted, office of public defense to provide counsel for: \***2SSB 5046, CH 261 (2023)**  
 Services, county coordination meetings of qualifying local providers of housing and services, requirements: HB 2229  
 Students experiencing homelessness and foster youth program, replacing college pilot programs with: HB 1693, \***ESSB 5702, CH 339 (2023)**  
 Students experiencing homelessness, grant program for identification of and support for, expanding provisions: \***HB 1622, CH 386 (2023)**  
 Students experiencing homelessness, grant program to link families with housing, expanding provisions: \***HB 1622, CH 386 (2023)**  
 Students experiencing homelessness, work group on students in foster care or, to include students in or exiting juvenile facilities: \***HB 1679, CH 300 (2023)**  
 Students, homeless, as special passengers, transportation arrangements for: E2SSB 5174  
 Students, homeless, individual transportation arrangements for: HB 1248

**HORSE RACING**

Equine products/services/uses, state sales/use tax on, using receipts for horse racing and recreation: HB 1529  
 Legalized racing and recreational use of horses, assistance from new account for: HB 1529

**HORSE RACING COMMISSION (See also HORSE RACING; HORSES)**

Washington equine industry reinvestment account, funds for commission activities and operating costs from: HB 1529

**HORSES (See also HORSE RACING; HORSE RACING COMMISSION)**

Equine products/services/uses, state sales/use tax on, using receipts for horse recreation and racing: HB 1529  
 Recreational use of horses, and legalized horse racing, assistance from new account for: HB 1529  
 Wild horse training, holding, and farrier program at a state corrections center, feasibility study and plan: HB 2210  
 Wild horse training, holding, and farrier program at Coyote Ridge corrections center, feasibility study and plan: HB 1543

**HOURS**

Minors, 16 or 17 years old, working same number and frequency of hours as during school vacations/holidays, when: HB 2035  
 Overtime, exempting agricultural workers for up to 50 hours for 12 weeks a year: HB 1523  
 Overtime, health care facility employees, expanding definition of employee for purposes of mandatory overtime provisions: HB 2061

**HOUSE RESOLUTIONS**

Aeronautics and aviation community, contributions to Washington state by: \*HR 4687 (2024)  
 Aeronautics and military community, contributions to Washington State by: \*HR 4646 (2023)  
 Alvarado-Ramos, Lourdes E. "Alfie", director of department of veterans affairs: \*HR 4606 (2023)  
 Apple blossom festival, 2023 apple blossom festival royal court: \*HR 4630 (2023)  
 Arnold, Cindy, Battleground school district, career and technical education, region V administrator of the year: \*HR 4611 (2023)  
 Asian Pacific American affairs, Washington state commission on: \*HR 4694 (2024)  
 Atkinson, Dean, Jr., Washington state trooper: \*HR 4627 (2023)  
 Bellingham high school varsity boys swimming and diving team: \*HR 4645 (2023)  
 Black history month and the legacy and contributions of Black Americans: \*HR 4619 (2023), \*HR 4667 (2024)  
 Burke museum, 125th anniversary of: \*HR 4666 (2024)  
 Cardiovascular disease, women with: \*HR 4664 (2024)  
 Chelan High School volleyball team: \*HR 4613 (2023)  
 Chelan High School volleyball team, 2023 1A volleyball state champions: \*HR 4695 (2024)  
 Children's day: \*HR 4616 (2023)  
 Cochran, Terry, wrestling official: \*HR 4669 (2024)  
 Curtis Senior High School, boys varsity basketball team: \*HR 4634 (2023)  
 Curtis Senior High School, girls bowling team: \*HR 4635 (2023)  
 Daffodil festival: \*HR 4620 (2023), \*HR 4662 (2024)  
 Data privacy day: \*HR 4607 (2023)  
 Delissio, James A., Medal of Honor and two-time Medal of Valor recipient: \*HR 4681 (2024)  
 Developmental disabilities, Washingtonians with: \*HR 4632 (2023)  
 Domestic maritime industry in Washington state: \*HR 4677 (2024)  
 Donate life month, national, and organ donors and recipients: \*HR 4637 (2023)  
 Drahos, Harvey J., decorated U.S. army World War II veteran: \*HR 4657 (2024)  
 Executive order 9066, eighty-first anniversary: \*HR 4615 (2023)  
 Executive order 9066, eighty-second anniversary: \*HR 4672 (2024)  
 Fenton, Lisa, republican caucus chief of staff, Washington state house of representatives: \*HR 4699 (2024)  
 Filipino Hall of the Yakima Valley, designation on national register of historic places: \*HR 4676 (2024)  
 First around the world flight, centennial of: \*HR 4687 (2024)  
 First round-the-world flight, centennial anniversary of: \*HR 4646 (2023)  
 Frank, Billy, Jr. and his vision: \*HR 4625 (2023)  
 Frost, Sydney, a 2024 Poetry Out Loud regional champion: \*HR 4684 (2024)  
 Futrell, Rocky, deputy sheriff and 2023 deputy of the year, Clark county sheriff's office: \*HR 4675 (2024)  
 Girl Scouts: \*HR 4683 (2024)  
 Harrer, Barbara, retired mayor of Harrah: \*HR 4673 (2024)  
 Heart health month: \*HR 4656 (2024)  
 Heart health month, national: \*HR 4664 (2024)  
 Hewes, Hezekiah, gold and bronze medalist at 2022 Special Olympics spring games: \*HR 4631 (2023)  
 Holocaust remembrance day: \*HR 4642 (2023)  
 House business during interim, providing for: \*HR 4650 (2023), \*HR 4696 (2024)  
 House organized, notification of governor: \*HR 4600 (2023), \*HR 4652 (2024)  
 House rules, permanent: \*HR 4617 (2023), \*HR 4651 (2023)  
 House rules, standing committees, changes in temporary house rules to: \*HR 4601 (2023)  
 House rules, standing committees, permanent rules: \*HR 4617 (2023), \*HR 4651 (2023)  
 House rules, temporary: \*HR 4601 (2023)  
 Hyslop, William D. "Bill", attorney and two-time United States attorney for Eastern Washington: \*HR 4638 (2023)  
 Jackson, Michael, division chief of Clark-Cowlitz fire rescue and 2022 state fire marshal of the year: \*HR 4609 (2023)

Japanese American veterans, incarcerated, and civil rights activists: \*HR 4615 (2023), \*HR 4672 (2024)  
 Johnson, Glenn, retired mayor of Pullman, WSU professor emeritus, and voice of the Cougars: \*HR 4658 (2024)  
 Kilmer, Derek, U.S. representative and former Washington state representative and senator: \*HR 4674 (2024)  
 Kimchi day: \*HR 4679 (2024)  
 Kimura, Fumiko, sumi artist: \*HR 4622 (2023)  
 King, Dr. Martin Luther, Jr.: \*HR 4603 (2023), \*HR 4653 (2024)  
 Konopaski, Keenan, retired legislative auditor, joint legislative audit and review committee: \*HR 4608 (2023)  
 Kretz, Joel, state representative and former house republican deputy leader: \*HR 4700 (2024)  
 Legislative session, interim period, providing for house business during: \*HR 4650 (2023), \*HR 4696 (2024)  
 Lincoln, Abraham, sixteenth president, on presidents' day: \*HR 4605 (2023), \*HR 4671 (2024)  
 Lunar New Year and Asian American community in Washington: \*HR 4604 (2023)  
 Lunar New Year and Asian American Native Hawaiian Pacific Islander community in Washington: \*HR 4660 (2024)  
 Lynden Christian High School boys varsity basketball team: \*HR 4648 (2023)  
 Lynden High School boys varsity basketball team: \*HR 4649 (2023)  
 Magnuson Park, Friends of: \*HR 4646 (2023), \*HR 4687 (2024)  
 Manson High School girls cross country team, 2023 fall WIAA academic state champions: \*HR 4685 (2024)  
 Manson High School volleyball team, 2023 2B state volleyball champions: \*HR 4690 (2024)  
 Maritime industry in Washington state: \*HR 4677 (2024)  
 McCoy, John, former Washington state representative and senator: \*HR 4682 (2024)  
 McMorris Rodgers, Cathy, U.S. representative and former Washington state representative: \*HR 4691 (2024)  
 Moeller, Jim, former state representative: \*HR 4633 (2023)  
 Moore, Patty, chief clerk's office, Washington state house of representatives: \*HR 4698 (2024)  
 Mueller, Maureen, workroom supervisor, Washington state house of representatives: \*HR 4697 (2024)  
 National Conference of State Legislatures: \*HR 4654 (2024)  
 National donate life month: \*HR 4637 (2023)  
 National guard, Washington: \*HR 4610 (2023), \*HR 4661 (2024)  
 National heart health month: \*HR 4664 (2024)  
 Nelms, Dick, World War II U.S. army air forces pilot and designer of official state seal: \*HR 4670 (2024)  
 Nooksack Valley High School girls varsity basketball team: \*HR 4641 (2023)  
 Nowruz, the Persian new year: \*HR 4629 (2023)  
 Nowruz, the Persian new year, and the communities that celebrate Nowruz: \*HR 4678 (2024)  
 O'Neal, Colleen, teacher and principal at Battle Ground Public Schools and president of Battle Ground Education Foundation: \*HR 4663 (2024)  
 Oasis Youth Center: \*HR 4680 (2024)  
 Office of Program Research 50th anniversary: \*HR 4644 (2023)  
 Organ donors and recipients: \*HR 4637 (2023)  
 Prairie High School wrestling team: \*HR 4623 (2023)  
 Presidents' day: \*HR 4605 (2023), \*HR 4671 (2024)  
 Ridgeline High School volleyball team, 2023 3A WIAA academic state champions: \*HR 4689 (2024)  
 Roberts, Libby, girls 105-pound wrestling state champion in 3A/4A class: \*HR 4688 (2024)  
 Russell, Bill, former NBA basketball player and coach: \*HR 4621 (2023)  
 Saint Patrick's Day, the Feast of St. Patrick, patron saint of Ireland: \*HR 4628 (2023)  
 Salisbury, Casey, former sheriff, Mason county sheriff's office: \*HR 4612 (2023)  
 Senn, Deborah, former insurance commissioner: \*HR 4624 (2023)  
 Sermone, Sandra Bedrosian, 2022 gold presidential volunteer service award recipient: \*HR 4640 (2023)  
 Simon, Dee, chief executive officer of the Holocaust Center for Humanity: \*HR 4655 (2024)  
 Squalicum high school girls varsity wrestling team: \*HR 4647 (2023)  
 Stalking, victims of: \*HR 4659 (2024)  
 Stoltz, Burton, decorated U.S. navy World War II veteran: \*HR 4639 (2023)  
 Survivors of crimes: \*HR 4626 (2023)  
 Tahoma High School, We the People program students as "Warriors of the Constitution": \*HR 4636 (2023), \*HR 4668 (2024)  
 Taiwan, people of, importance of strong and enduring partnership between people of Washington state and: \*HR 4665 (2024)  
 Taiwan, shared friendship, history, and successes shared between people of Washington and: \*HR 4643 (2023)

Tarrant, Faith, girls 235-pound wrestling state champion in 3A/4A class: \***HR 4686 (2024)**  
 Turner syndrome, individuals with: \***HR 4618 (2023)**  
 University High School girls wrestling team, 2024 WIAA academic state champions: \***HR 4692 (2024)**  
 University High School slowpitch team, 2023 Greater Spokane League champions and second in state: \***HR 4693 (2024)**  
 Victims and survivors of crimes: \***HR 4626 (2023)**  
 Walsh, Jamie MacKinnon, architect and former Aberdeen public school board member: \***HR 4602 (2023)**  
 Washington, George, first president, on presidents' day: \***HR 4605 (2023)**, \***HR 4671 (2024)**  
 Wenatchee High School football team, 4A WIAA academic champions: \***HR 4614 (2023)**  
 Wilcox, J.T., state representative and former house republican leader: \***HR 4701 (2024)**

**HOUSING AND HOMES (See also COMMERCE, DEPARTMENT; ESTATES, TRUSTS, AND PROBATE; GROWTH MANAGEMENT; IMPACT FEES; INSURANCE; JOINT RESOLUTIONS; LANDLORD AND TENANT; LODGING; MANUFACTURED AND MOBILE HOMES; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - ESTATE)**

Accessory dwelling unit, as "residence" that qualifies for seniors/veterans/retired-disabled property tax exemption program: \***HB 2375, CH 119 (2024)**  
 Accessory dwelling units, construction and use in urban growth areas, city and county requirements: \***EHB 1337, CH 334 (2023) PV**  
 Accessory dwelling units, detached units in rural areas, requirements for certain counties planning under GMA: HB 2126  
 Accessory dwelling units, eliminating county population threshold for tax exemption: SB 6030  
 Accessory dwelling units, exemption from property taxation by county: \***E2SSB 5045, CH 335 (2023)**  
 Accessory dwelling units, lifting several regulatory restrictions and incentivizing use for long-term housing: HB 1276, SSB 5235  
 Affordable housing and major transit stops, modifying certain provisions under GMA: HB 2321  
 Affordable housing, adding funding application and preconstruction technical assistance priorities: HB 1709, \***ESSB 5301, CH 275 (2023)**  
 Affordable housing, adding via expedited licensing of private vocational schools offering training for building code officials et al.: HB 1539  
 Affordable housing, adjusting income threshold for housing and services provision: HB 2413, \***SB 6173, CH 136 (2024)**  
 Affordable housing, affordable housing incentive program, local establishment of, with owner property tax exemption: HB 1343  
 Affordable housing, affordable housing program, "first-time home buyer" for purposes of, expanding definition: HB 1366  
 Affordable housing, allowing cities to offer tax exemptions for converting certain properties to: HB 2308  
 Affordable housing, authorizing local government lodging tax to fund: ESSB 5334  
 Affordable housing, cities to allow creation of additional units in existing buildings: HB 1042  
 Affordable housing, co-living housing, providing authority to create via growth management act: HB 1998  
 Affordable housing, courtyard apartments, removing attached dwelling units limit under GMA: HB 2321  
 Affordable housing, creating housing gap voucher program: HB 2453  
 Affordable housing, creating workforce housing accelerator revolving loan fund program: HB 1149  
 Affordable housing, design review, definition, use, application, and processes: HB 1293  
 Affordable housing, detached accessory dwelling units in rural areas, requirements for certain counties under GMA: HB 2126  
 Affordable housing, development of, revising residential or certain mixed use permit applications process and time frames: HB 1611  
 Affordable housing, establishing housing benefit districts: HB 1111  
 Affordable housing, GMA housing element requirements compliance, review and final decision, process for: HB 2113  
 Affordable housing, housing authority developments, raising income eligibility threshold for renting: \***HB 1046, CH 133 (2023)**  
 Affordable housing, housing development minimum parking requirements, prohibiting under GMA, when: HB 1351  
 Affordable housing, in unincorporated areas with urban growth areas, large county eligibility for property tax exemption for: HB 2141  
 Affordable housing, increasing supply via affordable homes act: HB 2276  
 Affordable housing, labor and services or tangible personal property sales or use by nonprofit, sales/use tax exemption for: HB 2219  
 Affordable housing, leasing lands managed by DSHS for up to 99 years for, requirements: HB 1506

\* - Passed Legislation

- Affordable housing, middle housing minimum unit density requirements under GMA, decreasing: HB 2228
- Affordable housing, middle housing unit density increases, cities to authorize via ordinances and local regulations: HB 1110
- Affordable housing, minimum residential densities and middle housing types under GMA, establishing requirements in relation to city population: HB 2321
- Affordable housing, minimum residential densities under GMA, in relation to single-family detached houses and critical aquifer recharge areas: HB 2321
- Affordable housing, modifying state and local real estate excise tax to provide funding for: HB 1628, HB 2276
- Affordable housing, multifamily property tax exemption, modifying: HB 1350, HB 2353, HB 2422
- Affordable housing, multiple-unit dwellings in residential targeted area in unincorporated area within urban growth area, removing certain criteria for property tax exemption: HB 2353
- Affordable housing, multiple-unit dwellings with multifamily units, in counties unable to designate a residential targeted area, 12- and 20-year property tax exemptions: HB 2422
- Affordable housing, new chapter allowing property tax exemption: HB 1596
- Affordable housing, property tax exemption for nonprofit entity providing: HB 1052
- Affordable housing, property tax exemption for nonprofit providing rental housing built with city and county funds: HB 2012
- Affordable housing, sales and use tax deferral for converting commercial property: **\*E2SSB 6175, CH 332 (2024)**
- Affordable housing, surplus public property disposal for, defining as public benefit purpose: **\*HB 1695, CH 301 (2023)**
- Affordable housing, when placed on public lands, leasehold excise tax exemption, when: HB 2003
- Affordable or certain other housing, entity providing, waiver or delay of municipal utility connection charges: HB 1326
- Affordable or supportive housing developments, early learning facilities colocated with, reimbursement for 90% of eligible costs, when: HB 2195
- Attached accessory dwelling units, modifying definition under GMA: HB 1276, SSB 5235
- Co-living housing, providing authority to create via growth management act: HB 1998
- Common interest communities, 2021 uniform amendments and additional amendments: **\*ESSB 5796, CH 321 (2024)**
- Common interest communities, accessory dwelling unit restrictions imposed by, limiting within UGA: **\*EHB 1337, CH 334 (2023) PV**
- Common interest communities, association limits on unrelated occupants, prohibition: **\*HB 1054, CH 139 (2024)**
- Common interest communities, association records, maintaining and supervising access: HB 1043
- Common interest communities, condominiums as homeownership options, supply and affordability of: HB 1298, **\*E2SSB 5258, CH 337 (2023)**
- Common interest communities, first and second notices of delinquency, contents, mailing, and timing of: **\*EHB 1636, CH 214 (2023)**
- Common interest communities, officers or board members, fair housing laws training for: HB 1507
- Common interest communities, prohibition of additional middle housing units by, prohibiting: HB 1110
- Common interest communities, unit owner association requiring that owner intending to lease use tenant screening service: HB 1101
- Common interest communities, unlawful restrictions in governing documents: **\*ESSB 5796, CH 321 (2024)**
- Condominium unit or townhouse, sale to person using down payment assistance, real estate excise tax revenue from, deposit and use of: **\*E2SSB 5258, CH 337 (2023)**
- Condominium unit or townhouse, sale when constructed in building qualifying for multifamily property tax exemption, real estate excise tax exemption: **\*E2SSB 5258, CH 337 (2023)**
- Condominium unit, sale to person eligible for first-time homebuyer program, real estate excise tax exemption: HB 1298
- Condominiums and townhouses, as homeownership options, supply and affordability of: HB 1298, **\*E2SSB 5258, CH 337 (2023)**
- Condominiums, accessory dwelling unit restrictions, limiting imposition within UGA: **\*EHB 1337, CH 334 (2023) PV**
- Condominiums, apartment or unit owner association requiring that owner intending to lease use tenant screening service: HB 1101
- Condominiums, apartment or unit owner associations, prohibition of additional middle housing units by, prohibiting: HB 1110
- Condominiums, apartment owner or unit owner association records, maintaining and supervising access: HB 1043
- Condominiums, association limits on unrelated apartment or unit occupants, prohibition: **\*HB 1054, CH 139 (2024)**
- Condominiums, association officers or board members, fair housing laws training for: HB 1507
- Condominiums, first and second notices of delinquency, contents, mailing, and timing of: **\*EHB 1636, CH 214 (2023)**

Condominiums, modifying construction, developer, purchaser, seller, tax, code, impact fee, and subdivision provisions: HB 1298

Condominiums, modifying construction, developer, purchaser, seller, tax, impact fee, and subdivision provisions: **\*E2SSB 5258, CH 337 (2023)**

Cost, legislative task force on housing cost driver analysis, establishing: HB 2008

Covenant homeownership program, establishing with oversight committee, and creating account and conducting initial study: HB 1474

Covenant homeownership program, to include special purpose credit programs to reduce racial disparities: HB 1474

Covenants, restrictive, redacting void covenants from recorded property documents, clarifying process for: HB 2240

Department of housing, to be new state agency focused solely on housing and homelessness issues, studying and facilitating transition to: HB 2270

Detached accessory dwelling units, allowing outside urban growth areas: HB 1133

Development, SEPA exemptions and transportation impact: ESSB 6061

Development, various requirements and prohibitions: HB 2160

Developments, administrative design review for permit applications to be sufficient without public meeting: HB 1026

Emergency housing and shelters, indoor, permit application for, city to submit ordinance or regulations addressing certain issues to department of commerce: HB 2474

Emergency shelter, entity providing, waiver or delay of municipal utility connection charges: HB 1326

Enhanced behavior support homes program, establishing: HB 1654

Exempt community purpose, service benefitting affordable housing development tenants or the public as, real estate sales excise tax exemption for, when: HB 2276

Growth management, allowing creation of standardized permit process for development: HB 1401

Growth management, exempting certain urban growth area housing from restrictions: **\*2SSB 5412, CH 368 (2023)**

Heat pumps, prohibiting prohibitions by common interest communities: **\*ESSB 5973, CH 128 (2024)**

Highway lands, unused, renting to agency or nonprofit for community purposes, offsetting rent for lessee provision of housing: HB 2491

Home affordability sustainment act, establishing a new rental support program to help low-income families to rent manufactured homes and rental housing units: HB 2425

Home energy assessors, licensing and regulation of: HB 1433

Home energy performance, asset-based home energy score adoption for evaluating: HB 1433

Home equity sharing agreements, defining and including in residential mortgage loans: ESSB 5968

Home equity sharing agreements, limitations and restrictions: HB 2081

Homeless housing and assistance grant programs, accountability requirements for grantees/subgrantees, establishing: HB 1872

Homeless housing and assistance, county coordination meetings of qualifying local providers of housing and services, requirements: HB 2229

Homeowner recovery program, creating for claims against construction entity contractor-successors, when: HB 1534

Homeowner relief property tax exemption, creating and calculating partial state levy exemption: HB 2419

Homeowners facing foreclosure, roles of foreclosure mediation program and homeowner assistance fund program: **\*HB 1349, CH 206 (2023)**

Homeowners' associations, accessory dwelling unit restrictions imposed by, limiting within UGA: **\*EHB 1337, CH 334 (2023) PV**

Homeowners' associations, first and second notices of delinquency, contents, mailing, and timing of: **\*EHB 1636, CH 214 (2023)**

Homeowners' associations, limits on unrelated lot occupants, prohibition: **\*HB 1054, CH 139 (2024)**

Homeowners' associations, officers or board members of, fair housing laws training for: HB 1507

Homeowners' associations, prohibition of additional middle housing units by, prohibiting: HB 1110

Homeowners' associations, records of, maintaining and supervising access: HB 1043

Homeowners' associations, requiring lot owner intending to lease lot to use tenant screening service: HB 1101

Homeownership development property tax exemption, extending to nonprofits for mutual self-help housing program: **\*SB 6013, CH 273 (2024)**

Homeownership, as affordable housing for which surplus public property is disposed of, defining in terms of public benefit: **\*HB 1695, CH 301 (2023)**

Homeownership, residential lot splitting in cities to increase housing options: HB 1245



- Homes for heroes act, pilot program for loans to certain workers/professions for down payment and closing costs: HB 1633
- Homes, establishing strengthen Washington homes program for grants for wildfire-resistance retrofitting or mitigation standards evaluation: HB 2330
- Homes, ownership housing, sales by facilitator to qualifying low-income first-time homebuyers, real estate excise tax exemption for: HB 2064
- Homes, sales to qualifying low-income first-time homebuyers, real estate excise tax exemption for: HB 2063
- Housing assistance program, recodifying and repealing sections: HB 1709, **\*ESSB 5301, CH 275 (2023)**
- Housing authorities, developments for low-income persons, rebenchmarking income eligibility for renting: **\*HB 1046, CH 133 (2023)**
- Housing authorities, local, authorizing administration of home affordability sustainment act rental support program by: HB 2425
- Housing authorities, permitting joint housing authorities formed by multiple cities: **\*HB 1890, CH 12 (2024)**
- Housing authorities, providing emergency shelter or certain housing, waiver or delay of municipal utility connection charges: HB 1326
- Housing authorities, sale of qualified space in development qualifying for property tax exemption to, real estate sales excise tax exemption for, when: HB 2276
- Housing gap voucher program, implementing by public housing authorities for low-income, seniors, marginalized: HB 1817
- Housing needs, cities and counties to expand urban growth area boundaries to include certain parcels for residential development: HB 2158
- Housing providers, contracted community housing for sexually violent predators, fair share principles and regional map: HB 2093
- Housing providers, for less restrictive alternative placements for sexually violent predators, requirements prior to contracting with: HB 2096
- Housing providers, receiving housing trust fund resources and serving extremely low-income households, property/liability insurance available to, studying: HB 2329
- Housing, for homeless students and their families, grant program to link families with housing, expanding provisions: **\*HB 1622, CH 386 (2023)**
- Housing, postinpatient housing program for young adults exiting inpatient behavioral health treatment, establishing: HB 1929
- Indoor emergency housing and emergency shelters, permit application for, city to submit ordinance or regulations addressing certain issues to department of commerce: HB 2474
- Kit homes, defining and exempting from building code regulations: ESSB 5657
- Low-income home rehabilitation grant program, creating: HB 1250
- Low-income home rehabilitation revolving loan program, termination of: HB 1250
- Manufactured/mobile home communities, sale notification requirements and restrictions: HB 2421, **\*SSB 6059, CH 325 (2024)**
- Minors, contracting for residential dwelling unit and utility services when at least 16 years old, allowing, when: HB 2016
- Multifamily property tax exemption, to include conversion of existing multifamily units to affordable housing: HB 1350
- Multifamily, cities to allow creation of additional units in existing buildings: HB 1042
- Multiple-unit residential dwellings with multifamily units, in counties unable to designate a residential targeted area, 12- and 20-year property tax exemptions: HB 2422
- Multiple-unit residential dwellings, in residential targeted area in unincorporated area within urban growth area, removing certain criteria for property tax exemption: HB 2353
- Multiplex and middle housing, reducing impediments: HB 1167
- Multiplex housing, exempting from international building code and applying international residential code, technical advisory group for: HB 2071
- Multiunit residential and multifamily housing, code and impact fee provisions: HB 1298
- Multiunit residential and multifamily housing, impact fee provisions: **\*E2SSB 5258, CH 337 (2023)**
- Multiunit residential buildings, exempting certain buildings from definition: **\*SB 5792, CH 122 (2024)**
- Multiunit residential buildings, exempting certain buildings from definition for construction defect disputes purposes: **\*SB 5058, CH 263 (2023)**
- Parking, in relation to residential development rules: HB 2321
- Parking, new section for residential development rules: **\*SSB 6015, CH 274 (2024)**

Rent control and stabilization, repealing prohibitions: HB 1625

Rental housing, as affordable housing for which surplus public property is disposed of, defining in terms of public benefit: **\*HB 1695, CH 301 (2023)**

Rental property, renter's credit as partial rent refund up to maximum primary residence property tax exemption amount: HJR 4205

Rental property, renter's credit as refund of rent amount constituting state property tax on the property rented: HB 1556

Rental support program for helping low-income families to rent manufactured homes and rental housing units, establishing: HB 2425

Rents, requiring landlord to report on-time rent payments to consumer reporting agencies at tenant's request: HB 2323

Residential buildings, statewide building energy upgrade navigator program, establishing: HB 1391

Residential development, prohibiting minimum parking requirements under GMA for, when: HB 1351

Residential housing unit development in urban growth areas, streamlining development regulations: HB 1293

Residential housing unit development, streamlining development regulations: HB 1293

Residential housing, new construction meeting passive house requirements, modifications: HB 2071

Residential housing, retrofits of existing buildings to be used for, modifying requirements: HB 2071

Residential housing, subject to international residential code, compliance pathway meeting or exceeding energy code regulations for: HB 2071

Residential property, establishing strengthen Washington homes program for grants for wildfire-resistance retrofitting or mitigation standards evaluation: HB 2330

Residential property, primary residence state property tax exemption: HB 1556

Residential property, primary residence state property tax exemption, constitutional amendment to allow: HJR 4205

Residential real property, exemption from portion of property taxes levied for state purposes: HB 2419

Residential real property, exemption from property taxes levied for state purposes, constitutional amendment to allow: HJR 4209

Senior independent living facilities, defining and providing rights for all residents: HB 2275

Senior independent living facilities, office of senior housing concerning, studying possibility of creating: HB 2275

Senior independent living facilities, technical advisory group concerning, convening: HB 2275

Station areas, promoting transit-oriented development in: HB 1517, ESSB 5466

Supportive housing services for assisted living facility residents, delivery by assisted living facilities: HB 2263

Supportive housing, permanent, permit application for, city to submit ordinance or regulations addressing certain issues to department of commerce: HB 2474

Townhouses and condominiums, as homeownership options, supply and affordability of: HB 1298, **\*E2SSB 5258, CH 337 (2023)**

Transitional housing, permit application for, city to submit ordinance or regulations addressing certain issues to department of commerce: HB 2474

Transitional housing, postinpatient housing program for young adults exiting inpatient behavioral health treatment, establishing: HB 1929

Transitional or permanent supportive housing, entity providing, waiver or delay of municipal utility connection charges: HB 1326

Utilities, barring involuntary shut-off for nonpayment in hot weather: HB 1329

Workforce housing accelerator revolving loan fund program, creating: HB 1892

Workforce housing, affordable housing infrastructure and facilities, using rural public facilities sales and use tax moneys for: **\*HB 1987, CH 58 (2024)**

Working families' tax credit, expanding for eligible persons who lease or rent residence: HB 2418

#### **HOUSING FINANCE COMMISSION**

Covenant homeownership program, commission role: HB 1474

Down payment assistance account, modifying authorization: HB 2200, **\*ESB 6098, CH 168 (2024)**

Down payment assistance, sale of condominium unit or townhouse to person using, real estate excise tax revenue from, deposit and use of: **\*E2SSB 5258, CH 337 (2023)**

First-time homebuyer program, sale of condominium unit to person eligible for, real estate excise tax exemption: HB 1298

Homeowner assistance fund program, role of program in relation to foreclosure sales: **\*HB 1349, CH 206 (2023)**

Homes for heroes act, pilot program for loans to certain workers/professions for down payment and closing costs, commission role: HB 1633

Workforce housing accelerator revolving loan fund program, creating, commission to administer: HB 1149

**HUMAN REMAINS**

- Cemeteries, state veterans' cemeteries, using veterans stewardship account funds for maintaining: HB 1288, **\*SB 5323, CH 327 (2023)**
- Dental records, dental patient consent for release to dental ID system if patient becomes subject of missing person investigation: HB 2009
- Disposition of remains, after lawful possession, shortening required period to 30 days and authorizing counties to dispose: HB 1974
- Disposition of remains, of deceased indigent county resident who dies in adjacent county outside WA: **\*HB 1100, CH 62 (2023)**
- Family burial grounds, designating: HB 1037
- Funeral and cemetery board, extending expiration for permits, licenses, and endorsements: **\*SSB 5261, CH 185 (2023)**
- Mutilation, as aggravating circumstances for sentencing: HB 1160
- Prearrangement funeral service contracts, excluding certain merchandise and agreement moneys from requirements for: HB 1886

**HUNTING (See also FISH AND WILDLIFE, DEPARTMENT; JOINT RESOLUTIONS; WILDLIFE)**

- Enforcement, property seizure and forfeiture: HB 1385
- Hunting opportunities, DFW director to maximize for tribal and nontribal persons after dissolving of fish and wildlife commission: HB 2434
- Inalienable right to forage, hunt, fish, trap, and harvest wildlife and fish, with traditional methods as preferred means, constitutional amendment: HJR 4212
- Licenses, any hunting license for certain veterans, expanding definition of "veteran" for purposes of: HB 2014
- Licenses, for nonresident college students, issuing any hunting license at nondisabled resident cost: SB 5862
- Licenses, small game/big game and supplemental migratory bird permit, free to enrolled tribal member with off-reservation hunting rights: HB 2107

**IDENTIFICATION**

- Biometric age verification, permitting for purpose of procuring liquor: ESSB 6179
- Identicard, applications for: HB 1953, **\*SB 5800, CH 162 (2024)**
- Identicard, ensuring each incarcerated individual has a valid identicard or driver's license before release from total confinement: HB 2099
- Identicard, feasibility of offering reduced-fee identicard, studying: HB 1953, **\*SB 5800, CH 162 (2024)**
- Identicard, for participant in women, infants, and children program when applicant eligibility verified by documentation: HB 1953, **\*SB 5800, CH 162 (2024)**
- Identicard, individuals in custody of county or multijurisdictional jails, support for obtaining a state-issued identicard: HB 2099
- Identicards, enhanced, automatic voter registration when applying for, renewing, or updating, provisions: HB 1229, **\*E2SSB 5112, CH 466 (2023)**
- Identicards, enhanced, issuance/renewal/extension, service member or veteran to be charged only fee amount for regular identicard: HB 2340
- Incarcerated individuals, department of corrections identification card for, and for individuals in community custody: HB 2099
- Social security numbers, minimizing DCS use for identifying child support claimants: **\*SB 5842, CH 126 (2024)**
- Voter registration, online, applicant authentication using last 4 digits of social security number: HB 1443, **\*SSB 5208, CH 363 (2023)**
- Voter registration, online, applicant authentication using tribal identification number, submitting signature image: HB 1443
- Voter registration, online, applicant to confirm U.S. citizenship by reviewing registration oath online: HB 1443, **\*SSB 5208, CH 363 (2023)**
- Voting, registration online, applicant authentication not using WA state identification, submitting signature image: **\*SSB 5208, CH 363 (2023)**

**IMMIGRATION, IMMIGRANTS, AND IMMIGRATION STATUS (See also ATTORNEYS; DRIVERS AND DRIVERS' LICENSES; IDENTIFICATION; LAW ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL; MINORITIES; NAME CHANGES; PROFESSIONS)**

- Business professions, eligibility for credentialing regardless of immigration or citizenship status: HB 1889

DACA, requiring agencies to clearly identify services for which applicants are not ineligible due to: SB 5631  
Firearms, authorizing for certain peace officers including deferred action for childhood arrivals recipients (DACA):

**\*SSB 6157, CH 330 (2024)**

Health and health-related professions, eligibility for licensure/credentialing regardless of immigration or citizenship status: HB 1889

Immigrants/refugees/asylees, evergreen basic income pilot program, establishing: HB 1045

Immigration status of college students, to be irrelevant for determining working connections child care eligibility: **\*2SSB 5225, CH 222 (2023)**

Money transmitters, small, serving diverse communities, impact of de-risking on, requesting federal action to reduce: **\*ESJM 8005 (2024)**

Refugee and immigrant assistance, office of, scope of refugee and immigrant assistance administered within DSHS by: HB 2368

Refugee resettlement, state plan for, DSHS to be single state agency responsible for development, review, and administration of: HB 2368

School employees, certificated or paraeducator, eligibility for certification regardless of immigration or citizenship status: HB 1889

Wage replacement program, for unemployed workers ineligible for unemployment insurance: HB 1095

### **IMPACT FEES**

Deferred collection, for single-family residential construction, clarifying/limiting options and removing/repealing provisions: EHB 1468

Residential construction, single-family detached and attached, impact fees deferral, options for: HB 1252

### **INDEPENDENT INVESTIGATIONS, OFFICE (See also LAW ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL)**

Investigations, obtaining and sharing of information and current operations and practices, modifying provisions: HB 1930, HB 2086

### **INDETERMINATE SENTENCE REVIEW BOARD (See also SENTENCES AND SENTENCING)**

Community custody, conditions of, modifying based on offender's crime of conviction, risk of reoffense, and risk to community safety, board role: HB 2303

Early release, petitioning board after reaching age 24 when crime committed before age 18: HB 1383

Early release, rental vouchers for offender petitioning successfully after reaching age 24 for: HB 1383

Long sentences, for offenses committed before age of 25, release from confinement, when, board role: HB 1325

### **INITIATIVE AND REFERENDUM**

Empowering Washington voters act, requiring referendum for tax increases: HB 1091

Initiative 2081, to legislature, establishing parents' bill of rights in connection with child's public school education: HI 2081

Initiative 2109, to legislature, repealing capital gains tax: HI 2109

Initiative 2111, to legislature, prohibiting taxing of any individual person by the state and/or any local jurisdiction on any form of personal income: HI 2111

Initiative 2113, to legislature, vehicular pursuits by peace officers, reasonable suspicion standard and safety requirement for: HI 2113

Initiative 2117, to legislature, repealing climate commitment act and prohibiting state agencies from implementing any type of carbon tax credit trading: HI 2117

Initiative 2124, to legislature, long-term services and supports trust program, providing all employees and self-employed persons with option to opt out of: HI 2124

Initiative 976, Bring Back Our \$30 Car Tabs, uncodified session law 2020 chapter 1 sections, repealing: **\*HB 2213, CH 232 (2024)**

Petitions, barring certain activities within certain distances of person collecting signatures for or signing, when: HB 2205

Public investment impact disclosure, requiring for certain alternative measures to initiatives: HB 2459

Tax acts that raise taxes, automatic referendum on: HJR 4202

### **INSTITUTIONAL REVIEW BOARD, WASHINGTON STATE**

Diversity in clinical trials of drugs and medical devices, increasing, board role: HB 1745

Diversity in clinical trials program, establishing for trials of drugs and medical devices, board role: SSB 5388

**INSURANCE (See also DENTISTS AND DENTISTRY; HEALTH CARE AUTHORITY; INSURANCE COMMISSIONER; PUBLIC ASSISTANCE)**

- Advertisement, prohibiting certain uses of group capital calculations and stress tests: **\*SB 6027, CH 42 (2024)**
- Annuities, producer purchase recommendations to consumers, best interest standard and system for: SSB 5210
- Annuities, standards for and supervision of recommendations: **\*HB 1120, CH 64 (2023)**
- Automobiles, physical damage coverage, basic contract of automobile insurance: HB 2011
- Benefit managers, health care, excluding pharmacy benefit managers from: HB 1253
- Benefit managers, pharmacy, excluding from health care benefit managers and creating new chapter for: HB 1253
- Benefit managers, pharmacy, registration and regulation of, and comprehensive requirements for: HB 1253
- Claimants, restricting use of social security numbers for child support debt: **\*SB 5842, CH 126 (2024)**
- Commercial property insurance, removing exemption from actions to reduce losses: **\*SSB 5720, CH 446 (2023)**
- Credit information, insurers that use, exceptions to rates/underwriting rules/etc. due to extraordinary life circumstances: HB 1811
- Day care centers or outdoor nature-based child care or family day care providers, requiring posting of insurance coverage proof and coverage liability limits: HB 2503
- Domestic mutual insurers, reorganization as domestic stock insurer and mutual holding company: HB 1060
- Essential health benefits benchmark plan, review to consider impacts of including various treatments: **\*SSB 5338, CH 87 (2023)**
- Essential worker health care program, establishing for high quality affordable health care coverage for nursing home and assisted living workers: HB 2351
- Health benefit exchange, qualified health plan utilization of interchangeable biosimilar products, increasing: HB 1356
- Health care benefit managers, contracts and amendments with health carriers, filing of: **\*SB 5066, CH 107 (2023) PV**
- Health care, advanced metastatic cancer prescription drug coverage, prohibiting certain requirements: HB 1884
- Health care, allowing enrollment for retired or disabled employees denied for failure to timely notify of deferral: **\*SSB 5490, CH 15 (2023)**
- Health care, asthma inhalers and epinephrine autoinjectors, capping total cost paid by enrollee: HB 1979
- Health care, barring cost sharing for supplemental or diagnostic breast examinations: **\*SSB 5396, CH 366 (2023)**
- Health care, barring hospital contracts with certain clauses including all-or-nothing, antitiering, and antisteering: HB 1379
- Health care, breast supplemental and diagnostic examinations, cost sharing requirements for health carriers: HB 1261
- Health care, cost-sharing requirements for prescription epinephrine autoinjectors and asthma inhalers: HB 1979
- Health care, coverage for biomarker testing: HB 1450
- Health care, covered lives assessment collected from health carriers, imposing, depositing in new account, and using: HB 2476
- Health care, covered lives assessment professional services rate account, creating: HB 2476
- Health care, inpatient treatment, limiting use of abstinence as medical necessity criteria: **\*SSB 6228, CH 366 (2024)**
- Health care, interchangeable biosimilar prescription products, health carrier or utilization management entity requiring use of: HB 1356
- Health care, mandating coverage for hearing aids/hearing instruments: HB 1222
- Health care, mandatory coverage for medically necessary treatment of mental health and substance use disorders: HB 2145
- Health care, medicare savings programs to be offered to medicaid clients entitled to medicare part A, when: HB 1313
- Health care, mental health medication, barring carriers' substitution with preferred drugs for certain drugs: **\*SSB 5300, CH 325 (2023)**
- Health care, mergers/acquisitions between carriers and hospitals/systems/provider organizations, studying impact: HB 1263, ESB 5241
- Health care, preventive services without cost sharing, preserving by updating provision of: HB 1855, HB 1957
- Health care, prior authorization for certain codes, prohibiting carriers from requiring: HB 1357
- Health care, prior authorization standards for standard, expedited, provider-initiated, denied requests, and electronic requests: HB 1357
- Health care, prior authorization, civil actions by patients against health carriers, removing certain requirements: HB 1357
- Health care, prohibiting cost sharing for abortion: HB 1115
- Health care, prohibiting cost sharing for reproductive health services: **\*SB 5242, CH 194 (2023)**
- Health care, prohibiting reimbursement or coverage for gender affirming treatment for individuals under 18: HB 1214

Health care, requiring plans to cover infertility diagnosis and treatment and standard fertility preservation services: HB 1151

Health care, requiring rebate pass-through for cost sharing: HB 1465

Health care, requiring reimbursement of ARNPs and physician assistants at same rate as physicians: HB 1495

Health care, restricting pharmacy benefit manager income for services except fees: HB 1465

Health care, telemedicine, audio-only, patient/provider "established relationship" before providing: HB 1027, **\*SB 5036, CH 8 (2023)**

Health, applied behavior analysis coverage, requiring: HB 1776

Health, certain carriers offering dental only coverage, denturist dental care coverage addition: HB 1683

Health, health care service and limited health care service contractors and disability insurers offering dental only coverage, provisions: HB 1683

Health, insulin for individuals under the age of 21 bulk purchasing and distribution program, establishing, carrier role: HB 1725

Human immunodeficiency virus postexposure prophylaxis drugs, prohibiting cost-sharing and prior authorization: **\*ESSB 6127, CH 251 (2024)**

Insurance company holding systems, requiring group capital calculations with certain exemptions: **\*SB 6027, CH 42 (2024)**

Insurers, premium tax, annual adjustment by insurance commissioner: HB 1339

Insurers, requiring filing of liquidity stress tests: **\*SB 6027, CH 42 (2024)**

Liability insurance, requiring insurer compliance with online verification system: ESSB 5326

Long-term services and supports trust program, active duty service members concurrently engaged in off-duty civilian employment, exemption for: HB 2272

Long-term services and supports trust program, addressing recommendations of long-term services and supports trust commission: HB 2272

Long-term services and supports trust program, exemption for off-duty employment of active duty service member in U.S. armed forces: HB 2162

Long-term services and supports trust program, expanding access to benefits under: HB 2272

Long-term services and supports trust program, participants who relocate outside of WA, option to continue participation: HB 2272, HB 2467

Long-term services and supports trust program, pilot project to assess administrative processes and system capabilities of, developing and conducting: HB 2272

Long-term services and supports trust program, program summary statement, sending to each employee assessed a premium: HB 2271

Long-term services and supports trust program, providing all employees and self-employed persons with option to opt out of: HI 2124

Long-term services and supports trust program, repealing: HB 1011

Long-term services and supports trust program, various additional changes: HB 2272

Long-term services and supports trust program, voluntary private market supplemental long-term care insurance option, establishing: HB 2272

Malpractice, removing requirement for supervising physicians of international medical graduate students: **\*SB 5394, CH 14 (2023)**

Motor vehicle liability insurance, authorizing officers to prevent driving in violation of requirement: HB 1865

Motor vehicles, automobile physical damage, coverage and repair requirements: HB 2011

Motor vehicles, basic contract of automobile insurance, definition and provisions: HB 2011

Motor vehicles, damaged, actual cash value/amount of loss, appraisal clause in contracts: HB 2011

Notices, increasing time for nonrenewal notification: **\*SSB 5798, CH 244 (2024)**

Pet insurance, new chapter: HB 1208, **\*SB 5319, CH 42 (2023)**

Premium tax, depositing portion of revenues into Washington auto theft prevention authority account: HB 1669

Premium tax, variable rate calculations with mandatory maximum: HB 1646

Producers and adjusters, providing commissioner with email address but failing to respond, violations resulting from: HB 1266

Producers, prelicensing education requirements for applicants, eliminating: **\*HB 1061, CH 21 (2023)**

Property and liability, available to housing providers receiving housing trust fund resources and serving extremely low-income households, studying: HB 2329

Protection product guarantee providers, demonstration of financial responsibility or assurance of faithful performance of obligations by: HB 1928

Records, disclosure exemption for certain market study data requested by the insurance commissioner: **\*SSB 5806, CH 123 (2024)**

Residential insurance policies, insurer denial or discontinuation due to insured having certain breed of dog, prohibiting, when: HB 1634

Service contract providers, demonstration of financial responsibility or assurance of faithful performance of obligations by: HB 1928

Supplemental long-term care, policy restrictions and actions: ESB 6072

Surplus line brokers, providing commissioner with email address but failing to respond, violations resulting from: HB 1266

Title insurance agents, providing commissioner with email address but failing to respond, violations resulting from: HB 1266

Wildfire risk model, insurer who takes adverse action against consumer based on a, transparency and reporting by: HB 2330

Wildfires, establishing strengthen Washington homes program for grants for wildfire-resistance retrofitting or mitigation standards evaluation: HB 2330

### **INSURANCE COMMISSIONER (See also INSURANCE)**

Essential health benefits benchmark plan, review to consider impacts of including various treatments: **\*SSB 5338, CH 87 (2023)**

Essential worker health care program, establishing for quality health care coverage for nursing home and assisted living workers, commissioner role: HB 2351

Ground ambulance services, reviewing reasonableness of rates: HB 2285, **\*SSB 5986, CH 218 (2024)**

Health benefit exchange, requiring plan access assistance program for workers who lose coverage to labor disputes: **\*ESB 5632, CH 263 (2024)**

Health care, convening work group to design palliative care benefit and payment model: **\*SSB 5936, CH 166 (2024)**

Health care, prior authorization for certain codes, prohibiting carriers from requiring, commissioner role: HB 1357

Health care, requiring analysis of maternity care services: **\*SSB 5581, CH 444 (2023)**

Health care, requiring recommendations to health carriers for appropriate use of peer specialists and trainees: **\*SSB 5555, CH 469 (2023) PV**

Health carriers, covered lives assessment collected from, imposing, depositing in new account, and using, commissioner role: HB 2476

Health carriers, covered lives assessment professional services rate account, creating: HB 2476

Health plan rates, mandating study of other states' approach to affordability and anticompetitive behavior: HB 1379

Health providers, care requiring private health carrier contracts to increase compensation with inflation: HB 1655

Insurance company holding systems, requiring group capital calculations with certain exemptions: **\*SB 6027, CH 42 (2024)**

Insurers, premium tax, annual adjustment by insurance commissioner: HB 1339

Insurers, requiring filing of liquidity stress tests: **\*SB 6027, CH 42 (2024)**

Licenses, providing commissioner with email address but failing to respond, violations resulting from: HB 1266

Pharmacy benefit managers, appointing commissioner as attorney to receive service of: **\*E2SSB 5213, CH 242 (2024)**

Pharmacy benefit managers, registration and regulation of, role of commissioner: HB 1253

Premium tax, variable rate calculations with mandatory maximum, commissioner role: HB 1646

Property/liability insurance, available to housing providers receiving housing trust fund resources and serving extremely low-income households, studying: HB 2329

Records, exemption of certain material from public disclosure: **\*SSB 5806, CH 123 (2024)**

Reimbursement, by health carriers, of ARNPs and physician assistants at same rate as physicians, reporting requirement: HB 1495

Senn, Deborah, first woman to serve as insurance commissioner, recognizing and remembering: **\*HR 4624 (2023)**

Strengthen Washington homes program, establishing within office of insurance commissioner: HB 2330

Supplemental long-term care, requiring education guide and disclosure standards: ESB 6072

### **INVESTMENT BOARD, STATE**

Climate change-related risks, impact on board's operations, and environmental sustainability of board's decision-making process: HB 2405

Climate risks, board's proxy voting guidelines on, comprehensive evaluation of: HB 2405  
 Private and public market portfolios, analyzing climate-related financial risk, social responsibility, and corporate governance within: HB 1283  
 Public fund investments, board to integrate sustainability factors in investment strategies and proxy voting guidelines on climate risks: HB 2405  
 Self-directed investment funds, board to provide options consistent with certain environmental, social, and corporate policies: HB 1283  
 Washington future fund program and account, creating, role of board: HB 1094  
 Washington state multiple employer retirement plan, establishing of, board to be investment manager of: HB 2437

#### JOINT MEMORIALS

Artificial intelligence, Blueprint for an AI Bill of Rights, affirming Washington's commitment to: HJM 4005  
 Cowlitz County Deputy Sheriff Justin DeRosier memorial highway, requesting designation of section of Interstate 5 as: HJM 4001  
 Fossil fuel nonproliferation treaty, urging U.S. government to join the global community in developing: HJM 4003  
 Harbor maintenance tax, federal, requesting certain appropriations, allocations, and data collection and reports: **\*SSJM 8009 (2024)**  
 Individuals with disabilities education act, requesting that congress fully fund 40 percent of the costs of: **\*SJM 8007 (2024)**  
 Infrastructure bank, national, legislation to establish, requesting that congress pass: **\*SJM 8001 (2023)**  
 International year of the salmon, as wild salmon global initiative, recognizing: HJM 4000  
 Legislation, including joint memorials, cutoff dates: **\*HCR 4407 (2024), \*SCR 8401 (2023)**  
 Memorials, resolutions, and bills from 2023 regular session, returning to house of origin: **\*HCR 4403 (2023)**  
 Memorials, resolutions, and bills, reintroduction for 2024 regular session: HCR 4408, **\*SCR 8411 (2024)**  
 Money transmitters, small, serving diverse communities, impact of de-risking on, requesting federal action to reduce: **\*ESJM 8005 (2024)**  
 U.S. government and congress, limits on, U.S. constitutional amendment convention: HJM 4002  
 Universal health care program, national single-payer, requesting that the federal government create: ESJM 8006  
 Washington State Patrol Trooper Justin R. Schaffer memorial highway, requesting designation of portion of SR 6 as: HJM 4006, **\*SJM 8008 (2024)**  
 Washington, D.C., statehood for the people of, urging congress and the president to enact legislation to grant: HJM 4004

#### JOINT RESOLUTIONS

Bill vetoes, line item vetoes by governor, eliminating, constitutional amendment for: HJR 4211  
 Gendered terms, amending state constitution to remove and replace: HJR 4208  
 Hunting/fishing, right to forage, hunt, fish, trap, and harvest wildlife and fish, with traditional methods as preferred means, constitutional amendment: HJR 4212  
 Legislation, including joint resolutions, cutoff dates: **\*HCR 4407 (2024), \*SCR 8401 (2023)**  
 Persistent poverty, funds held for reducing, constitutional amendment to authorize investment of: HJR 4204  
 Property taxation, personal property, raising upper limit for exemption of portion by legislature, constitutional amendment for: HJR 4206  
 Property taxes, state, primary residence property tax exemption, as rebate, constitutional amendment to allow: HJR 4205  
 Renter's credit, refund of portion of rent paid on tenant's primary residence, as rebate, constitutional amendment to allow: HJR 4205  
 Reproductive freedom, right to choose to have abortion or use contraception, constitutional amendment to set forth: HJR 4201  
 Resolutions, memorials, and bills from 2023 regular session, returning to house of origin: **\*HCR 4403 (2023)**  
 Resolutions, memorials, and bills, reintroduction for 2024 regular session: HCR 4408, **\*SCR 8411 (2024)**  
 Right to clean/healthy environment, and state/political subdivisions as natural resources trustees, constitutional amendment: HJR 4210  
 School district bonds and payment levies, at least 55% of voters to authorize, constitutional amendment: HJR 4207  
 School district bonds and payment levies, simple majority to authorize, constitutional amendment: HJR 4203  
 State property taxes, levied for state purposes, residential real property exemption from, constitutional amendment to allow: HJR 4209  
 Tax acts that raise taxes, automatic referendum on, constitutional amendment for: HJR 4202



Taxable value, maximum, of primary owner-occupied residential property to be purchase price, constitutional amendment: HJR 4200

### **JUDGES (See also COURTS; RETIREMENT AND PENSIONS)**

Administrative law judges, substitution for pollution control hearings board members for derelict vessel appeals: HB 1081, \***SB 5192, CH 39 (2023)**

Appeals, court of, divisions and panels of, certain chief judge and chief justice authority concerning, removing: \***SB 5155, CH 184 (2023)**

District court judges, Snohomish county, adding additional judge: \***SB 5003, CH 5 (2023)**

District courts, allowing county legislative authorities to increase number of judges: \***SB 6222, CH 103 (2024)**

Judiciary, state of the, joint legislative session for message: \***SCR 8400 (2023)**

Marriage, authorizing federal judges and judicial officers to solemnize marriages: \***HB 1657, CH 86 (2023)**

Pro tempore, for superior court, modifying judge pro tempore compensation: \***HB 1102, CH 24 (2023)**

Sentences, modification via judicial discretion, authorizing person under confinement or supervision to petition for: HB 2001

Superior court judges, Clark county, adding additional judge: \***SB 5836, CH 125 (2024)**

Superior court judges, Whatcom county, adding additional judge: \***HB 1992, CH 112 (2024)**

### **JUDGMENTS**

Bankruptcy, personal property exemptions from execution et al., increasing value limits for, when: HB 1400, \***ESSB 5173, CH 393 (2023)**

Business entity with unsatisfied judgment or owing penalties/fees, denying registration application of contractor-successor to: HB 1534

Debt, personal property exemptions from execution/attachment/garnishment, various modifications of: HB 1400, \***ESSB 5173, CH 393 (2023)**

Interest accrual, compromise and settlement judgments against state or its officers/employees/volunteers arising out of tortious conduct: HB 1649

Interest, compromise and settlement judgments against a foster parent: HB 1649

Medical debt, judgments arising from, prohibiting garnishment of earnings for: HB 2119

Prejudgment interest accrual, when judgment founded on tortious conduct of individual, entity, or public agency: HB 1649

Prejudgment interest accrual, when judgment founded on tortious conduct when plaintiff was a minor: HB 1649

### **JUVENILES AND JUVENILE COURT (See also CHILDREN; CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT; CIVIL ACTIONS AND PROCEDURE; CRIMES; CRIMINAL PROCEDURE; DRUGS; NAME CHANGES; SEX OFFENSES AND OFFENDERS)**

Adjudications, deferred, modifying provisions concerning: HB 2186

Adjudications/convictions, certain juvenile, adult offender scores increase due to, prohibition: \***EHB 1324, CH 415 (2023)**

Adjudications/convictions, no-longer-scorable juvenile, recalculating incarcerated individual's offender score if it increased due to: HB 2065

Administrative sealing hearings, requiring six months' notice: HB 1769

Age, assuming innocence up to 13 except rebuttable for 1st or 2nd degree murder for 8-13: HB 1440

Biological samples, from confined persons for DNA analysis, requiring prior to release, when: ESSB 5576

Controlled substances, knowingly possessing, gross misdemeanor: HB 1415

Council of health care coordination for justice-involved youth and adults, creating to improve communication: HB 2314

Crime victim penalty assessment, eliminating: HB 1169

Decline hearings, discretionary, offenses for which hearing shall be set after motion filed, adding additional: HB 1828

Dependency and termination cases, indigent parents involved in, access to social service worker for, pilot program (SCEEP): HB 1873

Dependency, children's legal representation program, extending deadline: \***SB 5805, CH 25 (2024)**

Dependency, medicaid waiver services for eligible individuals with developmental disability who have received certain child welfare services: HB 1188

Dependency, transfer of newborn child under safe haven law via "newborn safety devices" or "baby boxes": HB 1888

Dependency, when parent has substance use disorder, extending casework supervision when court orders child returned home: HB 1891

Dependency, when parent uses or possesses high potency synthetic opioids, risk of imminent physical harm standard for removing child, modifying: HB 2259, HB 2447

DNA database fee, eliminating: HB 1169

Early release, petitioning after reaching age 24 when crime committed before age 18: HB 1383

Early release, rental vouchers for offender petitioning successfully after reaching age 24 for: HB 1383

Family and juvenile court improvement grant program, training for family and juvenile court professionals in connection with, modifications: HB 2447

Guardianship, eligibility and subsidy expansion: HB 1278, **\*ESSB 5124, CH 221 (2023)**

Indigent offenders, convicted, office of public defense to provide counsel for: **\*2SSB 5046, CH 261 (2023)**

Interpreters, for juvenile courts, for youth with limited English proficiency and their families: HB 2006

Interrogation of juvenile in custody, use of deception by officers, inadmissibility of statement due to: HB 1062

Jurisdiction, raising age to 20: HB 1440

Justice-involved students in institutional education, delivery/oversight of basic education services to, OSPI to assume: HB 1701

Juvenile justice system, creating community compensation program and eliminating juvenile legal financial obligations: HB 1432

Juvenile justice system, emphasizing community service and prohibiting juvenile legal financial obligations: HB 1432

Juvenile justice system, exiting, evergreen basic income pilot program, establishing: HB 1045

Juvenile offenses, requiring notice of sealed record: HB 1769

Juvenile offenses, specifying the confidentiality of juvenile records: HB 1769

Juvenile rehabilitation facilities, students in foster care or experiencing homelessness work group to include students in or exiting: **\*HB 1679, CH 300 (2023)**

Legal financial obligations, eliminating debts created by certain unenforceable judgements against juveniles: HB 2251, **\*ESSB 5974, CH 38 (2024)**

Legal financial obligations, for juveniles, eliminating, and creating community compensation program: HB 1432

Less restrictive alternative treatment, conditions for: ESB 5130

Murder, 1st or 2nd degree, committed at age 14 or 15, commitment of offender to DCYF facility up to 23rd birthday: HB 2217

Offenders, community transition services program, modifying exclusion from eligibility for: HB 1382

Offenses committed when under age 18, commitment to DCYF facility when under age 21, conditions and related provisions: HB 2217

Private detention facilities, prohibition of operation of or utilizing contract with, extending to juvenile facilities: HB 1470

Proceedings in basic juvenile court act, various, superior courts to retain original jurisdiction over: **\*HB 2213, CH 232 (2024)**

Rape, 1st degree, committed at age 15, commitment of offender to DCYF facility up to 23rd birthday: HB 2217

Records, juvenile, sealed, access for criminal justice agencies for firearms background checks, when: HB 1600

Records, making records of juveniles in detention available to managed care and behavioral health organizations: **\*SB 6079, CH 99 (2024)**

Sex offenders, evaluation and treatment programs funding for defense attorneys/counties, developing grant program for: HB 1394

Sex offenders, requirement for juveniles to register in registry as, limiting, and reducing period of registration: HB 1394

Sexually explicit conduct of minors, fabricated depictions of, crimes involving minor dealing in, financing, or selling, establishing: HB 1999

Sexually explicit conduct of minors, fabricated depictions of, establishing multiple crimes involving: HB 1999

Substance use, delivery of juveniles to an evaluation and treatment facility: HB 1116

Suspects, statements and physical evidence admissibility, law enforcement and defendant attorney requirements: HB 1607

Youth court programs, changing age to 14-17: HB 1440

Youth development programs grant program, including expanded learning opportunities, developing and implementing: HB 1386

**LABOR (See also COLLECTIVE BARGAINING; DISCRIMINATION; EMPLOYMENT AND EMPLOYEES; HOURS; MILITARY; PROFESSIONS; PUBLIC EMPLOYMENT AND EMPLOYEES; WAGES AND SALARIES)**

Adult entertainers, working in adult entertainment establishments, workplace conditions and safety standards for, modifying: HB 2036

Adult entertainment establishments, employee training, security staffing, leasing fees, panic buttons/blocklists, and local enforcement: HB 2036

Cabin crews, exempting from certain labor regulations if covered by collective bargaining agreement: SB 5725

Cannabis, employees lawfully consuming away from work, prohibiting employer discrimination in hiring against: **\*ESSB 5123, CH 359 (2023)**

Employee reimbursement, requiring for necessary expenditures and losses: HB 1136

Employees, discharged, employer to furnish written statement of reason and date to: HB 1320

Employees, personnel file, employer to furnish complete copy to employee, when: HB 1320

Employees, working with or near high voltage lines and equipment, defibrillator accessible availability for: **\*HB 1542, CH 253 (2023)**

Ergonomics initiative statutes, repealing: **\*ESSB 5217, CH 112 (2023)**

Family and medical leave, paid, disclosure of health care information for qualifying persons to receive benefits: HB 2102

Family and medical leave, paid, extending certain requirements to employers with fewer than 50 employees: HB 1959

Family and medical leave, paid, impact of job protection standards on equitable utilization of benefits, studying: HB 1502

Family and medical leave, paid, pilot program for transportation network companies and drivers, developing: HB 1570

Family and medical leave, paid, removing the terms "master" and "slave" from: **\*HB 1107, CH 25 (2023)**

Health insurance, requiring program for workers who lose coverage due to a labor dispute: **\*ESB 5632, CH 263 (2024)**

Human trafficking, including labor, law enforcement officer interception/recording/disclosure of oral communications concerning: HB 1602

Human trafficking, including labor, trafficking in first and second degrees, modifying provisions: HB 2076

Minors, 16 or 17 years old, working same number and frequency of hours as during school vacations/holidays, when: HB 2035

Musculoskeletal injuries and disorders, industry or risk class standards for preventing in workplace: **\*ESSB 5217, CH 112 (2023)**

Overtime, exempting agricultural workers for up to 50 hours for 12 weeks a year: HB 1523

Paid sick leave, expanding definition of "family member" and related terms for purposes of: HB 1991, **\*ESSB 5793, CH 356 (2024)**

Paid sick leave, requiring L&I to develop materials and conduct outreach to inform individuals and businesses of new provisions: **\*ESSB 5793, CH 356 (2024)**

Paid sick leave, using when employee's child's school or place of care closed due to public emergency: **\*ESSB 5793, CH 356 (2024)**

Paid sick leave, using when employee's child's school or place of care closed due to weather or public emergency: HB 1991

Paid sick leave, using when transportation network company driver's child's school or place of care closed due to public emergency: **\*ESSB 5793, CH 356 (2024)**

Paid sick leave, using when transportation network company driver's child's school or place of care closed due to weather or public emergency: HB 1991

Prohibited practices, civil action option for persons aggrieved by violations of RCW 49.44: SSB 5110

Public employees, requiring provision of employee information to exclusive bargaining representatives: HB 1200

Public school districts, prohibiting district engagement in activity condoning or supporting a strike: HB 1429

Public school employees and employee organizations, prohibiting striking and involvement with strikes by: HB 1429

Public school staff, comparative labor market analysis of salaries and other compensation for, conducting: HB 2148

Public works contractors, promoting high labor standards in manufacturing via buy clean and buy fair Washington act: HB 1282

Railroad workers, requiring paid and unpaid leave for various purposes, new chapter: HB 1548, ESSB 5267

School employee's benefits board (SEBB), including representative organizations and tribal schools: **\*SSB 5275, CH 13 (2023)**

Trafficking, labor, health care providers and hospitals to report suspected victims of: HB 1937

Trafficking, labor, trafficking in first and second degrees, modifying provisions: HB 2076

Unemployment compensation, removing disqualification for certain lockout workers: HB 1893

Unions, recognizing employee and union representative communications as privileged communication: HB 1187

Warehouse distribution centers, employees subject to quotas, rights/health/safety of, and employer requirements: HB 1762

**LABOR AND INDUSTRIES, DEPARTMENT (See also APPRENTICES AND APPRENTICESHIP PROGRAMS; APPRENTICESHIP AND TRAINING COUNCIL, WASHINGTON STATE; VICTIMS OF CRIMES; WORKERS' COMPENSATION)**

Adult entertainment establishments and entertainers, workplace safety and operational standards for, modifying, L&I role: HB 2036

Adult entertainment, requiring training of establishment employees: ESSB 5614

Advisory committee on hospital staffing, convening: \*E2SSB 5236, CH 114 (2023)

Crime victims compensation, nonfatal strangulation exam costs payment, removing L&I reporting requirement: \*SB 5070, CH 108 (2023)

Electrical inspectors, eliminating certain alternatives from experience requirements: \*ESB 6089, CH 196 (2024)

Electrical inspectors, state, salaries of, requirements, L&I duties: HB 1526

Factory assembled structures advisory board, expanding and diversity consideration: \*SB 5089, CH 36 (2023)

Homeowner recovery program, L&I to create and administer: HB 1534

Journey level electrical apprenticeship programs, availability and accessibility of, L&I to study: HB 1393

Juvenile justice system, creating community compensation program in place of juvenile legal financial obligations, L&I role: HB 1432

Minors, convening work group to assess employment restrictions and recommend policies: HB 2406

Musculoskeletal injuries and disorders, industry or risk class standards for preventing in workplace, L&I role: \*ESSB 5217, CH 112 (2023)

Paid sick leave, requiring L&I to develop materials and conduct outreach to inform individuals and businesses of new provisions: \*ESSB 5793, CH 356 (2024)

Prevailing wage rate, requiring online accessibility of collective bargain agreements used to determine: HB 1398

Prevailing wage, allowing disputable discretion for the industrial statistician: HB 1667

Private detention facilities, workplace conditions for employees and detained persons, L&I to inspect: HB 1470

Recreational vehicles, permitting sale of insignia to manufacturers with approved quality control programs: \*HB 1514, CH 78 (2023)

Safety, requiring rules for tower crane direction and assembly, disassembly, and reconfiguration: HB 2022

Safety, timeline for issuing violation citation: \*SSB 5980, CH 40 (2024)

Wage complaint, authorizing department collection and barring department waiver: HB 1217

Wage recovery pilot program and wage recovery fund, L&I to create: HB 2097

Wage recovery, work group to develop strategies for workers seeking, L&I to convene: HB 2097

Wage theft, convening work group to assist workers: HB 1217

Warehouse distribution centers, employees subject to quotas, rights/health/safety of, and employer requirements, L&I role: HB 1762

Washington saves, L&I role: HB 2244, \*ESSB 6069, CH 327 (2024)

Workers' compensation, requiring rule making for duty to act in good faith: HB 1521

**LAKES AND RESERVOIRS**

Adopt-a-waterway program, establishing for cleaning, protecting, and preserving natural waterways: HB 2400

Riparian programs, Washington's, review of and report concerning: HB 2291

Road maintenance and timber harvesting along waters, immunity from liability of person in possession of land for injuries to recreational users in connection with: HB 2480

Safety, encouraging water safety and rescue and drowning prevention, and recognizing May 15 as water safety day: \*HB 1750, CH 181 (2023)

**LAND USE PLANNING AND DEVELOPMENT (See also COMMUNITY ECONOMIC REVITALIZATION BOARD; ENVIRONMENT; GROWTH MANAGEMENT)**

Community preservation and development authorities, local sales/use tax imposition at taxable events inside certain stadiums: HB 1847

Community preservation and development authorities, use of impact fee assessment on price of admission to certain stadiums: HB 1510

Land use decisions, superior court transfer of judicial review to court of appeals, criteria for: HB 2039

Local project review, affordable housing, local government objective review and public meetings: HB 1293

Local project review, city and county annual reports explaining delays in project permit application processing: HB 1449

Local project review, creating type, timeline, and data reporting requirements for permit applications: \*2SSB 5290, CH 338 (2023)

Local project review, requiring procedural and timeline changes for applications: HB 1519  
 Local project review, requiring site plan review exclusion for permits for certain interior alterations: HB 1296, \*SSB 5290, CH 338 (2023)  
 Local project review, residential use or certain mixed use permit applications, revising process and time frames: HB 1611  
 Site readiness and predevelopment work, grants for public facility improvements to enable development: HB 1231, \*SSB 5229, CH 93 (2023)

**LANDLORD AND TENANT (See also HOUSING AND HOMES; MANUFACTURED AND MOBILE HOMES; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; UTILITIES)**

Eviction, forcible or unlawful detainer proceeding, modifying forms and procedures: \*ESSB 5197, CH 336 (2023)  
 Eviction, redefining sale of property for purposes of: HB 2460  
 Forcible entry and forcible and unlawful detainer cases, service of notice by certified mail to last known address: HB 2389  
 Landlords, engaging in predatory residential rent practices, prohibiting: HB 1388  
 Landlords, intending to increase rent and fees combined by 3% or more, providing at least 180 days' notice: HB 2114  
 Landlords, limiting increases of rent and fees combined by and requiring certain notices from: HB 2114  
 Landlords, online landlord resource center for, creating to distribute information about resources and programs: HB 2114  
 Landlords, rent relief incentive program for, creating as a grant program: HB 2033  
 Landlords, violations of residential landlord-tenant act or manufactured/mobile home landlord-tenant act by, tenant protections enforcement: HB 2161  
 Leases, for year to year tenancies, modifying general provision concerning acknowledgment and term or period: \*SSB 5840, CH 27 (2024)  
 Manufactured/mobile home landlord-tenant act violations by landlord, tenant protections against, enforcement process for: HB 2161  
 Rent and fees combined, landlord intending to increase by 3% or more, termination of tenancy by tenant with 20 days' notice: HB 2114  
 Rent and fees combined, limiting increases of, and requiring certain notices from landlord: HB 2114  
 Rent and fees combined, maximum annual increase percentage for: HB 2114  
 Rent and fees combined, prohibiting raising more than once in 12-month period: HB 2114  
 Rent for residential tenants, banked capacity program, allowing postponed rent increases: HB 1389  
 Rent for residential tenants, landlord predatory rent practices, prohibiting: HB 1388  
 Rent for residential tenants, limiting landlord's ability to raise and requiring notice: HB 1389, HB 2114  
 Rent for residential tenants, limiting late fees for late payment of rent: HB 2114  
 Rent for residential tenants, limiting rent increases without advance notice and capping late fees: HB 1124  
 Rent for residential tenants, maximum annual increase percentages for: HB 1388  
 Rent relief incentive program for landlords, creating as a grant program: HB 2033  
 Renter's credit, as refund of rent amount constituting state property tax on the property rented: HB 1556  
 Renter's credit, refund of portion of rent paid on tenant's primary residence, constitutional amendment to allow: HJR 4205  
 Rents, requiring landlord to report on-time rent payments to consumer reporting agencies at tenant's request: HB 2323  
 Residential landlord-tenant act violations by landlord, tenant protections against, enforcement process for: HB 2161  
 Residential landlord-tenant act, task force on revising the, establishing, with 24-month prohibition on certain city or county regulation: HB 2345  
 Sale and leaseback of property, residential landlord-tenant act exemption: HB 1070  
 Security deposits, requiring documentation for charges and exempting ordinary wear: HB 1074  
 Storage facilities, self-service, not to be used for residential purposes and not subject to residential landlord-tenant act: HB 2139  
 Tenant protections, rules for security deposits: HB 1074  
 Tenants, excess income from property sale when eviction or death, updating cross-references to unclaimed property act: \*HB 1742, CH 258 (2023)  
 Tenants, limiting move-in fee and deposit amounts: HB 2114  
 Tenants, seizure and forfeiture of property of: HB 1385  
 Termination of tenancy, by tenant with 20 days' notice, when landlord intends to increase rent and fees combined by 3% or more: HB 2114  
 Unfair practices, discrimination by landlord against tenant, civil action or process for relief, petition in superior court for: HB 2161

Utilities, barring involuntary residential shut-off for nonpayment in hot weather: HB 1329

Violations by landlord, payment of rent condition to exercising remedies, repealing provisions concerning: HB 2161

**LAW ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL (See also CORRECTIONAL FACILITIES AND JAILS; CORRECTIONS, DEPARTMENT; CRIMES; CRIMINAL OFFENDERS; CRIMINAL PROCEDURE; DOMESTIC VIOLENCE; FIRST RESPONDERS; PROTECTION ORDERS; RETIREMENT AND PENSIONS; SEX OFFENSES AND OFFENDERS; TOWING AND TOW TRUCKS; TRAFFIC OFFENSES)**

Additional officers, authorizing local sales and use tax to fund and mandating training: HB 1446

Agencies, general or limited authority, extending eligibility for employment to all U.S. citizens or lawful permanent residents: **\*HB 1530, CH 11 (2024)**

Agencies, local in WA, funding and staffing levels of, studying: HB 1380

Agencies, new-hire/retention/body camera programs funding awards, one-time: HB 1380

Agencies, relinquished firearms obtained through buy-back programs, disposition other than destruction, when: HB 2021

Agencies, violations of state constitution or state law by, investigations of, and actions against an agency: HB 1445

Automated traffic safety cameras, requiring provision of records in response to search warrant or subpoena: SSB 5722

Background checks, expanding requirements for various peace officers and corrections officers: HB 2027

Cannabis, medical use of, arrest protections for: **\*HB 1563, CH 254 (2023)**

Certification, requirements for peace officers including marshals, sheriffs, chiefs, and reserve officers: HB 2027

Civil forfeiture, seizing of animal in cases of abuse or neglect: HB 1234

Community engagement grant project, extending expiration date: **\*SSB 5561, CH 189 (2023)**

Controlled substances, person under 18 in vehicle with driver under 21 who possesses, notification of parent of: HB 1802

Dashboard camera recordings, applying body worn camera public records disclosure exemption to: HB 2438

Deadly force, alleged criminal offenses by police using, establishing independent prosecutions unit for: HB 1579

Delissio, James A., honoring for his more than 40 years in and contributions to law enforcement: **\*HR 4681 (2024)**

Dogs, canine teams, training and certification to detect fentanyl, model standards for: **\*HB 1635, CH 305 (2024)**

Fentanyl and other synthetic opioids, presence and dangers of residue in vehicles seized and subject to auction or stolen but recovered, studying: HB 2396

Firearms, authorizing for certain peace officers including deferred action for childhood arrivals recipients (DACA): **\*SSB 6157, CH 330 (2024)**

Fish and wildlife officers, outreach/retention, recruitment/new-hire/retention programs, establishing: HB 1380

Fish and wildlife officers, permitting off-duty private law enforcement employment: HB 1369

Fund the police act of 2023, concerning recruitment, retention, and support of law enforcement officers: HB 1380

Gender-based violence with adult victims, officer and investigator training on: HB 1028

Harm, requiring reporting of incidents of personnel harmed while performing duties: ESSB 5299

Hate crimes, establishing hotline for hate crimes and bias incidents and requiring referral: HB 1410, **\*SSB 5427, CH 299 (2024)**

Independent investigations, office of, investigative information and current operations and practices, modifying provisions: HB 1930, HB 2086

Independent prosecutions unit, establishing for alleged criminal offenses by police using deadly force: HB 1579

Indigent public defense, assistance with costs for, creating state indigent defense and law enforcement assistance account for: HB 2202

Interrogations, in custody, use of deception by officers, inadmissibility of statement due to: HB 1062

Juvenile suspects, statements and physical evidence admissibility, officer requirements: HB 1607

Juveniles, delivered to evaluation and treatment facility if controlled substance use witnessed: HB 1116

Law enforcement facilities, adding to list of public facilities eligible for funding by impact fees: HB 1476

Lawful permanent residents, expanding employment opportunities: SB 5274

Limited authority Washington peace offer, including public transportation benefit areas: HB 1198

Limited authority Washington peace officers, training and certification standards: HB 1132

Metal theft, comprehensive state law enforcement strategy targeting, adding certain annual reporting: HB 1840

Missing persons, permitting request of information about public assistance access: **\*SSB 6186, CH 208 (2024)**

Motor vehicle liability insurance, authorizing prevention of driving in violation of requirement: HB 1865

Off-duty personnel, treating assault in certain situations as 3rd degree assault: ESSB 5299

Officers, allowing general and limited authority to work part-time or alternative shifts or schedules: HB 1413, **\*ESSB 5424, CH 319 (2024)**

Officers, attracting and retaining, local sales and use tax for, authorizing imposition of: HB 2231

Officers, reporting requirement when traffic collision results in substantial bodily harm: **\*HB 1319, CH 29 (2023)**

Oral communications concerning certain crimes, officer interception/recording/disclosure of, when: HB 1602

Peace and reserve officers, home purchase by, pilot program for loans to certain workers/occupations for certain costs: HB 1633

Peace officers, certification requirements for, including marshals, sheriffs, chiefs, and reserve officers: HB 2027

Peace officers, flexible policies allowing general and limited authority to work part-time or alternative shifts or schedules: HB 2024

Peace officers, general authority, when CJTC-certified and employed full-time by tribe, LEOFF plan 2 membership: **\*HB 1481, CH 77 (2023)**

Peace officers, pool of candidates for hiring by local law enforcement agencies, program to recruit/certify, establishing: HB 1387

Personnel, development outreach, retention, and support programs for, developing/implementing/expanding: HB 1380

Recordings made in law enforcement vehicle, sound or video, modifying specified limitations for handling of: HB 2438

Reserve officer, defining: SB 6181

Restraints, prohibiting hog-tying: HB 2414, **\*ESSB 6009, CH 291 (2024)**

Searches of vehicle or operator or passengers, by consent, requirements for peace officers: HB 1513

Sexual assault kits, DNA system hits, lab exam requests, agency investigations, and limitation periods: HB 1028

Sexual assault, authorizing agencies filing protection orders on behalf of minors: **\*2SSB 6006, CH 298 (2024)**

Sheriff's office, Clark county, deputy Rocky Futrell, 2023 Clark county sheriff's office deputy of the year, recognizing and commending: **\*HR 4675 (2024)**

Sheriff's office, Cowlitz county, deputy Justin DeRosier, naming of I-5 section as Cowlitz County Deputy Sheriff Justin DeRosier memorial highway, requesting: HJM 4001

Sheriff's office, Mason county, former sheriff Casey Salisbury, recognizing: **\*HR 4612 (2023)**

Sheriffs, certification requirements for peace officers including marshals, sheriffs, chiefs, and reserve officers: HB 2027

State patrol, background check program, establishing permit to purchase firearms: HB 1902

State patrol, background check program, removing persons with expired suspensions from national system: **\*ESSB 5985, CH 289 (2024)**

State patrol, bureau of forensic laboratory services, drug offenses role of and appropriations for: **\*2E2SSB 5536, CH 1 (2023)**

State patrol, catalytic converter marking requirements for vehicle dealers, developing process for dealer exemption from: HB 2153

State patrol, certification of firearms safety training programs via new program: HB 1143, HB 1144

State patrol, classification of registered light trucks and certain sport utility vehicles, use by WSP: HB 1674

State patrol, creating bureau of narcotics enforcement with authority to create framework to oversee coordination of investigations: HB 2324

State patrol, dental identification system, dental patient consent for release of dental records to, when, WSP role: HB 2009

State patrol, director of fire protection, firefighter training administration and expenses reimbursement rule making by: **\*HB 1726, CH 46 (2024)**

State patrol, establishing program to certify firearms safety training programs: HB 1902

State patrol, firearms background division, behavioral health court proceedings records use for background checks: **\*HB 1599, CH 298 (2023)**

State patrol, off-duty uniformed employment providing traffic control services to DOT or other agencies, authorizing use of WSP vehicle for: HB 2386

State patrol, requiring inspections of catalytic converter purchasers and developing inspection form and training and authorizing inspectors: HB 2153

State patrol, requiring study of electric vehicle fires and appropriation: **\*SSB 5812, CH 189 (2024)**

State patrol, sexual assault kit tracking system report to legislature, changing frequency of: HB 1362

State patrol, speed safety cameras use in infractions, WSP enforcement and reporting role: HB 1807, **\*ESSB 5272, CH 17 (2023)**

State patrol, speed safety cameras use in state highway work zones, WSP rule-making role: HB 1807, **\*ESSB 5272, CH 17 (2023)**

State patrol, state patrol longevity bonus pilot program, establishing: HB 2357

State patrol, state trooper expedited recruitment incentive program, WSP to develop and implement: HB 1638

State patrol, statewide sexual assault kit tracking system duties: HB 1028

State patrol, trooper Dean Atkinson, Jr., commending, saluting, and honoring: **\*HR 4627 (2023)**

State patrol, trooper Justin R. Schaffer, requesting designation of portion of SR 6 as Washington State Patrol Trooper Justin R. Schaffer memorial highway: HJM 4006, **\*SJM 8008 (2024)**

State patrol, trooper outreach/retention program, with recruitment/new-hire/retention programs, WSP to establish: HB 1380

State patrol, WA state identification system, sealed juvenile records information access for agency firearms background checks: HB 1600

State patrol, Washington state patrol firearms background check program, expanding use: HB 1143, HB 1144

Stopping or detaining vehicle operator, for moving violations or equipment failure, requirements for peace officers: HB 1513

Stopping or detaining vehicle operator, prohibiting for nonmoving violations, most misdemeanor warrants, et al.: HB 1513

Stopping or detaining vehicle operator, when primary reason is an equipment failure violation that threatens safety: HB 1513

Substance use disorder, law enforcement assisted diversion, procedures for, and making pilot project a grant program: **\*2E2SSB 5536, CH 1 (2023)**

Tear gas, use by peace officers, replacing "county legislative authority" with "county sheriff" in "highest elected official" definition: **\*HB 2213, CH 232 (2024)**

Training, eastern WA, basic law enforcement academy pilot project: HB 1461

Training, for tribal officers/employees, provided by CJTC, limiting certain reimbursement of CJTC for 25% of costs to 2024 fiscal year, when: HB 2420

Training, modifying commission reimbursement by employing agency: SB 6242

Training, provision of facilities/supplies/materials/board and room by CJTC, extending period of exception when agencies will reimburse CJTC: HB 2420

Tribal officer certification, role of written agreements with criminal justice training commission: **\*HB 1290, CH 72 (2023)**

Tribal officers, home purchase by, pilot program for loans to certain workers and occupations for certain costs: HB 1633

Unlawful conduct by peace officer, injury in person or property due to, cause of action: HB 1025

Vehicles, seized and subject to auction or stolen but recovered, presence and dangers of fentanyl/synthetic opioid residue in, studying: HB 2396

Vehicular pursuits, attempting to elude, when driver may be committing vehicle theft, class C felony at seriousness level III: HB 1691

Vehicular pursuits, convening work group on, and implementing vehicular pursuit technology grant program: HB 1586

Vehicular pursuits, reasonable suspicion standard and other requirements for: HB 1053

Vehicular pursuits, reasonable suspicion standard and safety requirement for: HI 2113

Vehicular pursuits, reasonable suspicion standard and safety requirements for: HB 1363, **\*ESB 5352, CH 235 (2023)**

Warrants, specifying procedures for warrants of certified and non-certified tribes: HB 2305, **\*SSB 6146, CH 207 (2024)**

Washington state law enforcement memorial names committee, establishing to select names of fallen officers to appear on memorial on capitol campus: HB 2442

#### **LEGISLATIVE AUDIT AND REVIEW COMMITTEE, JOINT (JLARC)**

Cannabis, social equity program, JLARC to review prior canopy studies and examine levels of production: **\*E2SSB 5080, CH 220 (2023)**

Child care, for children or wards of employees, requiring that employers receiving B&O tax preferences provide, JLARC to review outcome of: HB 2322

Digital equity programs, increased funding from taxes and donations for, effectiveness of, JLARC to study: HB 2327

Konopaski, Keenan, retired legislative auditor, honoring: **\*HR 4608 (2023)**

Office of transparency ombuds, establishing as nonpartisan and independent agency, studying efficacy of, JLARC role: HB 1856

Performance audit work plans, modifying conditions: HB 2362

Performance audit, conducting on in-home services agencies regarding monitoring, licensure, and validation surveys: ESSB 5716

Review, requiring for affordable housing and development density requirements: HB 2160

Riparian programs, Washington's, JLARC to review and report concerning: HB 2291

Salmon planning and recovery, conducting performance audit: HB 2463



State patrol, state patrol longevity bonus pilot program, establishment of, JLARC to conduct performance review of: HB 2357

**LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM (LEAP) COMMITTEE**

Budgets, budget bills, budgeted funds, and expenditures, website presentation of, LEAP role: \*ESSB 5082, CH 109 (2023)

**LEGISLATURE (See also ELECTIONS; LOBBYING AND LOBBYISTS; PUBLIC DISCLOSURE COMMISSION; PUBLIC EMPLOYMENT AND EMPLOYEES; REDISTRICTING COMMISSION)**

Bill vetoes, line item vetoes by governor, eliminating, constitutional amendment for: HJR 4211

Bills, memorials, and joint resolutions, cutoff dates for: \*HCR 4407 (2024), \*SCR 8401 (2023)

Bills, memorials, and resolutions from 2023 regular session, returning to house of origin: \*HCR 4403 (2023)

Bills, memorials, and resolutions, reintroduction for 2024 regular session: HCR 4408, \*SCR 8411 (2024)

Bills, Second Substitute Senate Bill No. 5536, reintroducing for consideration during 2023 first special session: \*SCR 8409 (2023)

Building code council, managing director to be subject to senate confirmation: HB 1404

Civic health, joint select committee on, creating: \*SCR 8414 (2024)

Collective bargaining, for state legislative employees, defining "employee" and "employer" for purposes of: HB 2325, \*E2SSB 6194, CH 333 (2024)

Collective bargaining, for state legislative employees, limiting interference with legislative function: HB 2325, \*E2SSB 6194, CH 333 (2024)

Collective bargaining, for state legislative employees, provisions concerning: HB 2325, \*E2SSB 6194, CH 333 (2024)

Committees, economic development and international relations, expanding: SB 5705

DCYF, oversight board for, authority over, transferring from governor's office to legislature and modifying board provisions: HB 2185

Deceased former members, joint session to honor: \*SCR 8403 (2023)

Down payment assistance program, appropriation requirement: \*E2SSB 5258, CH 337 (2023)

Economic development and international relations, legislative committee on, modifying provisions concerning: HB 2000

Emergency orders, content and duration of, role of legislature: HB 1535

Emergency proclamations, duration of, role of legislature: HB 1535

Employees and employers, defining for state legislative employee collective bargaining purposes: HB 2325, \*E2SSB 6194, CH 333 (2024)

Employees, collective bargaining activities by or on behalf of, ethics exemption for: HB 2484

Employees, legislative, collective bargaining and related provisions for: HB 2325, \*E2SSB 6194, CH 333 (2024)

Fenton, Lisa, republican caucus chief of staff, house of representatives, saluting and celebrating: \*HR 4699 (2024)

Fiscal notes, requiring working families fiscal impact statements for certain notes: HB 1172

Governance and funding for institutional education, joint select committee on, establishing: HB 1701

Health care and behavioral health oversight, joint select committee on, extending expiration date: \*SSB 5121, CH 10 (2023)

Health care oversight, joint select committee on, changing name: \*SSB 5121, CH 10 (2023)

Health care oversight, joint select committee on, decodifying due to expiration: \*HB 1066, CH 470 (2023) PV

Health care oversight, joint select committee on, extending expiration date: HB 1119

House business during interim, providing for: \*HR 4650 (2023), \*HR 4696 (2024)

House organized, notification of governor: \*HR 4600 (2023), \*HR 4652 (2024)

House rules, permanent: \*HR 4617 (2023), \*HR 4651 (2023)

House rules, temporary: \*HR 4601 (2023)

House, Lisa Fenton, republication caucus chief of staff, saluting and celebrating: \*HR 4699 (2024)

House, Maureen "Moe" Mueller, workroom supervisor, celebrating and honoring: \*HR 4697 (2024)

House, Patty Moore, chief clerk's office, celebrating and honoring: \*HR 4698 (2024)

House, remote participation during 2023 first special session: \*HR 4651 (2023)

House, remote participation in floor sessions and committee hearings: \*HR 4601 (2023), \*HR 4617 (2023)

House, standing committees, permanent house rules: \*HR 4617 (2023), \*HR 4651 (2023)

House, standing committees, temporary house rules: \*HR 4601 (2023)

International trade account, legislative, modifying account expenditures provisions: HB 2000

Joint rules, house and senate, 2023-2024, adopting: \*HCR 4401 (2023)

Joint rules, house and senate, 2023-2024, amending conference committee in-person and remote meetings provisions:

**\*SCR 8407 (2023)**

Joint session, for address of H.E. Sauli Niinistö, president of the Republic of Finland: **\*SCR 8404 (2023)**

Joint session, state of the judiciary message: **\*SCR 8400 (2023)**

Joint session, state of the state address: **\*HCR 4400 (2023), \*HCR 4406 (2024)**

Joint session, to honor deceased former members of legislature: **\*SCR 8403 (2023)**

Kilmer, Derek, former Washington state representative and senator and current U.S. representative, recognizing and honoring: **\*HR 4674 (2024)**

Konopaski, Keenan, retired legislative auditor, joint legislative audit and review committee, honoring: **\*HR 4608 (2023)**

Kretz, Joel, state representative and former house republican deputy leader, recognizing and honoring: **\*HR 4700 (2024)**

Legislative youth advisory council, duties involving student representative network and legislative district student councils: HB 1692

Legislators and candidates for legislature, falsely claiming or misrepresenting military service, misdemeanor: HB 1671

Legislators, who are regional or national legislative association elected officials, funds solicitation for conference by:

**\*SSB 5170, CH 91 (2023)**

McCoy, John, former Washington state representative and senator, honoring and remembering: **\*HR 4682 (2024)**

McMorris Rodgers, Cathy, former Washington state representative and current U.S. representative, recognizing and honoring: **\*HR 4691 (2024)**

Medal of valor, presentation only during joint session, removing requirement: **\*HB 1031, CH 131 (2023)**

Members, permitting letters to constituents of recommendation or recognition if requested or extraordinary: **\*SSB 5381, CH 226 (2023)**

Moore, Patty, chief clerk's office, house of representatives, celebrating and honoring: **\*HR 4698 (2024)**

Mueller, Maureen "Moe", workroom supervisor, house of representatives, celebrating and honoring: **\*HR 4697 (2024)**

National Conference of State Legislatures, recognizing and commending: **\*HR 4654 (2024)**

Newhouse, Irving R., former state representative and senator, naming Newhouse building replacement after: HCR 4405

Pension policy, select committee on, ongoing TRS and PERS plan 1 cost-of-living adjustment, studying: HB 1057, **\*SB 5350, CH 397 (2023)**

Remote participation during 2023 first special session: **\*HR 4651 (2023)**

Remote participation in floor sessions and committee hearings: **\*HR 4601 (2023), \*HR 4617 (2023)**

Salmon recovery and reform committee, joint, creating: HB 1686

Session, first special 2023, adjourning SINE DIE: **\*SCR 8410 (2023)**

Session, first special 2023, reintroducing Second Substitute Senate Bill No. 5536 for consideration during: **\*SCR 8409 (2023)**

Session, house business during interim, providing for: **\*HR 4650 (2023), \*HR 4696 (2024)**

Session, regular 2023, adjourning SINE DIE: HCR 4404, **\*SCR 8406 (2023)**

Session, regular 2023, returning bills, memorials, and resolutions to house of origin: **\*HCR 4403 (2023)**

Session, regular 2024, adjourning SINE DIE: **\*SCR 8417 (2024)**

Sexually violent predators, siting of secure community transition facilities for, legislative work group on, establishing: HB 1813

Standing committees, permanent house rules: **\*HR 4617 (2023), \*HR 4651 (2023)**

Standing committees, temporary house rules: **\*HR 4601 (2023)**

Students, legislative district student councils, establishing in each district: HB 1692

Students, student representative network, forming: HB 1692

Task force, on housing cost driver analysis, establishing: HB 2008

Tax increases, tax acts that raise taxes, automatic referendum on, role of legislature: HJR 4202

Tax revenue, bills increasing or decreasing state tax revenues, fiscal impact statements for: HB 1158

Taxation, personal property, raising upper limit for exemption of portion by legislature, constitutional amendment for: HJR 4206

Transparency, joint legislative committee on, establishing in connection with office of transparency ombuds study: HB 1856

Transportation committee, joint, convening work group to examine motor vehicle fuel pricing: HB 1887

Transportation committee, joint, establishing Washington state ferries 75 commission: HB 2492

Transportation committee, joint, establishing Washington state ferries 75 work group: HB 2497

Water supply during drought, joint legislative committee on, convening during drought advisory: HB 1138

Wilcox, J.T., state representative and former house republican leader, recognizing: **\*HR 4701 (2024)**

**LIBRARIES**

Districts, rural county/intercounty rural/island, city or town annexed into, voting on district dissolution and receiving board representation: HB 2106

Intercounty rural library districts, regular property tax levies by, exclusion from tax increment financing: HB 1680

Public libraries and public library districts, modifying dissolution procedure: **\*ESB 5824, CH 266 (2024)**

Public school libraries, district boards of directors to provide systems for receiving/considering/acting upon written complaints about library materials: HB 2399

Schools, library information and technology programs access for all students: HB 1609, ESSB 5102

Schools, public, shifting certain teacher-librarian staffing-enrichment allocations to minimum instructional program of basic education: HB 2223

**LICENSING, DEPARTMENT (See also BOATS AND BOATING; DRIVERS AND DRIVERS' LICENSES; EMPLOYMENT AND EMPLOYEES; GUBERNATORIAL APPOINTMENTS; IDENTIFICATION; MILITARY; MOTOR VEHICLES; PROFESSIONS)**

Carbon auction rebate (CAR) program, DOL to establish and implement: HB 2040

Credentials, professional, Washington credential registry, creation of: HB 2155

Data brokers, registration and regulation of, DOL role: HB 1799, HB 2277

Driver training education requirement, requiring comprehensive plan for expansion for ages 18 to 24: **\*ESSB 5583, CH 445 (2023)**

Driver's education, requiring publication of an interactive map for driver training education course providers: **\*ESSB 5583, CH 445 (2023)**

Home energy assessors, licensing and regulation of, DOL role: HB 1433

Home inspector advisory licensing board, home energy inspector licensing and regulation duties of: HB 1433

Identocard, applications for: HB 1953, **\*SB 5800, CH 162 (2024)**

Identocard, feasibility of offering reduced-fee identocard, DOL to conduct study of: HB 1953, **\*SB 5800, CH 162 (2024)**

Identocard, for participant in women, infants, and children program when applicant eligibility verified by documentation: HB 1953, **\*SB 5800, CH 162 (2024)**

Incarcerated individuals, ensuring each has a valid DOL-issued identocard or driver's license before release from total confinement, DOL role: HB 2099

Interpreters and translators, requiring examinations for Cantonese, Mandarin, Korean, Russian, Spanish, Vietnamese: ESSB 5995

Liability insurance, requiring establishment of accessible common carrier online verification system: ESSB 5326

License plates, charging state sport special license plate fees: SB 5333

Licensed interpreter and translator advisory committee, creating: ESSB 5995

Licenses, annual professional licenses review and analysis by DOL, professional licenses review act for: **\*HB 1301, CH 412 (2023)**

Motor vehicle registration and renewal, DOL to require odometer mileage reading in application for, when: HB 1736

Motor vehicle registration, requiring notice of open safety recalls to accompany renewal notice: **\*SSB 5504, CH 440 (2023)**

Motor vehicle registration, requiring recall check with national highway traffic safety administration: **\*SSB 5504, CH 440 (2023)**

Motorcycle safety education advisory board, expanding: HB 1171

Patients in eastern or western state hospital, ensuring each has a valid DOL-issued identocard prior to release from care, DOL role: HB 2099

Permanent cosmetics artists and enhanced permanent cosmetics artists, licensing and regulation of, DOL role: HB 2109

Professional licenses, expediting for new Washington residents, establishing procedures for, DOL role: HB 1359

Speed safety cameras, authorizing forwarding of information from other agencies: HB 2356, **\*SSB 6115, CH 308 (2024)**

Taxation and fees, prorate and fuel tax discovery team, DOL to establish to detect and investigate fuel tax and proportional registration violations: **\*EHB 1964, CH 1 (2024)**

Ticket sellers and resellers, licensing and regulation, DOL role: HB 1648

Tow truck operators, program to compensate for law enforcement-directed impound of indigent person's vehicle, DOL to create: HB 1688

Uniform commercial code, filing office, DOL annual report to governor concerning, repealing: HB 1362

Vehicle subagents, indexing service fees for inflation: HB 1687

Vehicles, light trucks and midsize or large sport utility vehicles, records, list, and information requirements, DOL role: HB 1674

Vehicles, registered, classification as light trucks and midsize or large sport utility vehicles, DOL role: HB 1674  
 Voluntary road usage charge program, per mile fee collection via per mile system, establishing, DOL role: HB 1832  
 Voter registration, automatic, at DOL or driver's licensing facilities, updating provisions: HB 1229, **\*E2SSB 5112, CH 466 (2023)**

#### LIENS

Continuing lien on earnings, modifying writ for community property: **\*ESSB 5173, CH 393 (2023)**  
 Home equity sharing agreements, limitations and restrictions: HB 2081  
 Retained percentage, authorizing for nonpublic works projects and allowing retainage bonds: HB 1524  
 Retained percentage, authorizing for private construction projects and allowing retainage bonds: **\*ESSB 5528, CH 373 (2023)**

#### LIEUTENANT GOVERNOR

Project for civic health, establishing joint select committee on civic health to build on the work of: **\*SCR 8414 (2024)**

#### LIGHTING

Mercury-containing lights, product stewardship program for end-of-life management and phase-out, extending and expanding: HB 1185  
 Mercury-containing lights, product stewardship program for end-of-life management and phase-out, modifying: HB 1185

#### LIQUOR AND CANNABIS BOARD (See also ALCOHOLIC BEVERAGES; CANNABIS)

Cannabis central reporting system, board to audit data to locate inversion or diversion involving unauthorized persons: EHB 2255  
 Cannabis licenses, regulating qualifications, suspension, and reissuance: HB 1341  
 Cannabis, retail signage restrictions: ESB 5363  
 Cannabis, social equity program, modifying board role: HB 1790, **\*E2SSB 5080, CH 220 (2023)**  
 Cannabis/cannabis products, regulation and licensing of production, processing, and testing of, transferring from board to department of agriculture: HB 2334  
 Establishments, liquor licensed, clothing/attire and conduct/acts at, requiring updating/replacing of WAC rules by board for consistency with legal standard for indecent exposure: HB 2495  
 Liquor licenses, nonapplicability of certain restrictions to adult entertainment: ESSB 5614  
 Liquor licenses, requiring timely application approval: SSB 5291  
 Liquor, selling, giving, or supplying to person under 21 years from a business and by an employee, optional civil penalties, board role: **\*HB 2260, CH 71 (2024)**  
 Producers or processors, authorizing sale of non-hazardous cannabis waste to unlicensed persons: **\*SSB 5376, CH 243 (2024)**  
 Regulated substances, liquor/cannabis/cigarettes/tobacco products/vapor products, board to track policies/funding/outcomes related to: HB 2182  
 Subpoena power, expanding to include cannabis and medical cannabis investigations: SSB 5405  
 THC concentration, requiring collection of data and plan for revenue-neutral excise on: SB 6271  
 Tobacco and vapor products, increasing penalties for sales to minors: HB 1497, **\*ESSB 5365, CH 398 (2023)**

#### LIVESTOCK (See also FARMS AND FARMING; HORSES; WILDLIFE)

Cattle, increasing per-head levy on sales: **\*2ESSB 5150, CH 155 (2024)**  
 Cattle, requesting levy refunds: **\*2ESSB 5150, CH 155 (2024)**  
 Compost feedstock, banning organic waste likely to be contaminated with certain herbicides from use as: HB 2301  
 Fees, eliminating call out fees for inspection by certified veterinarian or field livestock inspector: **\*SSB 5439, CH 46 (2023)**  
 Livestock identification program, requiring advisory committee review of fees: **\*SSB 5439, CH 46 (2023)**  
 Wolves, gray, conflict with livestock, in eastern WA where wolf not designated as threatened or endangered, work group for developing management plan, forming: HB 2423

#### LOANS

Dogs and cats, licensee financing or making of loan to purchase, prohibiting and voiding: HB 1424  
 Home equity sharing agreements, defining and including in residential mortgage loans: ESSB 5968  
 Home equity sharing agreements, limitations and restrictions under consumer loan act: HB 2081

Home purchase, down payment and closing costs for, pilot program for loans to certain workers and professions for: HB 1633

Mortgage, making any mortgage or deed of trust prior to any encumbrances not recorded beforehand: **\*HB 1420, CH 76 (2023)**

Predatory consumer loans in form of money or credit, predatory loan prevention act, establishing: HB 1874, **\*SSB 6025, CH 249 (2024)**

Small loans, payday lending, limiting annual percentage rate and defining and further modifying small loans: HB 1918, HB 2083

**LOBBYING AND LOBBYISTS (See also PUBLIC DISCLOSURE COMMISSION)**

Grass roots lobbying campaigns, to influence legislation, expanding disclosure requirements: **\*HB 1317, CH 413 (2023)**

Lobbyists, excluding from building code council membership: HB 1404

**LOCAL GOVERNMENT (See also BRIDGES; BUILDING CODES AND PERMITS; BUILDINGS, COMMERCIAL; CITIES AND TOWNS; COUNTIES; ELECTIONS; EMERGENCY MANAGEMENT AND SERVICES; ENVIRONMENT; FIRE PROTECTION; FORESTLANDS; GROWTH MANAGEMENT; HEALTH CARE AUTHORITY; HOMELESS PERSONS; HOUSING AND HOMES; LAND USE PLANNING AND DEVELOPMENT; OPEN PUBLIC MEETINGS; PUBLIC FACILITIES DISTRICTS; PUBLIC LANDS; PUBLIC WORKS; REAL ESTATE AND REAL PROPERTY; RECORDS; ROADS AND HIGHWAYS; SPECIAL AND SPECIAL PURPOSE DISTRICTS; TAXES - PROPERTY)**

Aerial imagery services, for local governments, establishing Washington state aerial imagery program: HB 1990

Affordable housing, authorizing local government lodging tax to fund: ESSB 5334

Affordable housing, new chapter allowing property tax exemption: HB 1596

Bridges, signage for new bridges to deter jumping into cold waterways, role of cities/towns/counties: **\*HB 1004, CH 54 (2023)**

Broadband, open-access broadband networks, rural grant and loan program for local governments and tribes for developing: **\*HB 1982, CH 86 (2024)**

Cannabis retail facilities, prohibiting siting of, restricting county/city/town authority for, and requiring voter approval: HB 1650

Child care centers, authorizing to locate near elementary schools: HB 2468

Commercial truck parking and parking facilities, including various truck and driver accommodations, facilitating: HB 1787

Community redevelopment financing act, repealing chapter: HB 1090, **\*SSB 5087, CH 102 (2023)**

Contracting, increasing limit for community service organizations without competitive bidding: **\*EHB 1086, CH 238 (2023)**

Debt collection, retaining collection agency for, governmental entity fee in addition to agency's fee, specifying amount: HB 1666

Development, requiring consistency with community needs for water, storm, and sanitary sewer systems: HB 1403

Economic development funding, efforts to obtain federal grants and loans for, assisting local governments: HB 1767

Elections, permitting use of own ballot title and process for alternative ballot measures: HB 2455

Employees separated due to COVID vaccination mandate, hiring preference and retirement system service credit: HB 1814

Entities, local governmental, relinquished firearms obtained through buy-back programs, disposition other than destruction, when: HB 2021

Environment, clean/healthy, right to, and state/political subdivisions as natural resources trustees: HJR 4210

Extreme weather protection act, grant program for political subdivisions and tribes: HB 1012

Firearms, repealing state preemption of regulations: HB 1178

Harrer, Barbara, retired mayor of Harrah and longest serving mayor in Yakima county, recognizing and honoring: **\*HR 4673 (2024)**

Housing, repealing prohibitions on rent control and stabilization: HB 1625

Impact fees, limiting use to 50% of system improvements and requiring limited timeframe: HB 2450

Income tax, taxing any individual person on any form of personal income, prohibiting both the state and any local jurisdiction from: HI 2111

Income tax, taxing any individual person on any form of personal income, prohibiting both the state and any political subdivision from: HB 2439

Indigent persons acquitted by reason of insanity and committed, transferring public defense responsibility: **\*SSB 5415, CH 120 (2023)**

Lands managed by DSHS, leasing for up to 99 years for local government purposes, requirements: HB 1506

Law enforcement, authorizing funding for additional officers with local sales and use tax: HB 1446

Local tax increment financing program, updating: **\*HB 1527, CH 354 (2023)**

Manufactured/mobile homes, requiring good faith approval of additional homes within communities: HB 2464

Municipalities, public works apprenticeship utilization, modifying requirements: HB 1050

Personal income, taxing any individual person on any form of, prohibiting both the state and any local jurisdiction from: HI 2111

Personal income, taxing any individual person on any form of, prohibiting both the state and any political subdivision from: HB 2439

Procurement, energy equipment and services, municipality performance-based contracting for, adding options: **\*HB 1777, CH 309 (2023)**

Property, seizure by agencies and forfeiture: HB 1385

Property, surplus public, political subdivision/municipality disposal for affordable housing, requirements for: **\*HB 1695, CH 301 (2023)**

Public safety telecommunicators, as uniformed personnel for collective bargaining including interest arbitration: **\*SSB 5808, CH 124 (2024)**

Ranked choice voting, authorizing for elections and providing guidelines: HB 2250

Real property of local government, authorizing transfers to recognized tribes for substance use disorder services and programs: EHB 2372

Sales and use taxes, local, including counties and in use of funds for modifying existing mental health facilities: **\*SSB 5604, CH 101 (2023)**

Site readiness and predevelopment work, grants for public facility improvements to enable development: HB 1231, **\*SSB 5229, CH 93 (2023)**

Tax increment areas, provisions concerning governing body role, project analysis, and expiration ahead of sunset date, modifying: HB 2354

Tower crane worksites, requiring street closures and public notification: HB 2022

Traffic safety cameras, automated, for detecting certain infractions, county and city authority, restrictions, locations, infraction issuance, review, penalties, and additional requirements: HB 2384

Utilities, barring involuntary residential shut-off for nonpayment in hot weather: HB 1329

Vaccination or postinfection recovery documentation, prohibiting governmental entity from requiring for services etc.: HB 1827

Wildfires, permitting cities, counties, and towns to complete their own hazard and base-level risk maps: **\*ESB 6120, CH 133 (2024)**

## LODGING

Plastic containers, prohibition of health or beauty products in small plastic packaging: HB 1085

Retail sales tax, revenue deposits in statewide tourism marketing account, raising collections limit: HB 1258

Short-term rentals, annual permit allowing complimentary pre-rolled useable cannabis product for rental guests: HB 1822

Short-term rentals, annual special liquor permit allowing complimentary bottle of wine for rental guests: HB 1731

Short-term rentals, authorizing excise tax to fund affordable housing operating or capital costs: ESSB 5334

Stay-to-play, specific-lodging requirement for extracurricular tournament or event participation by nonlocal teams and individuals, prohibiting: HB 1860

Trafficking, requiring transient accommodation employee education and written certification from licensees: SSB 6056

## LONG-TERM CARE (See also DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH; HEALTH CARE AUTHORITY; PUBLIC ASSISTANCE; VETERANS)

Adult family homes, extending federal rights for nursing home residents to other long-term care facilities: HB 1859

Adult family homes, for persons with development/intellectual disabilities, property tax exemption, when: **\*HB 1265, CH 69 (2023)**

Adult family homes, increasing beds to 7 or 8, application and inspection process when, modifying: HB 2015

Adult family homes, listing with statements of deficiencies and notices of return to compliance on DSHS consumer oriented website: HB 2347

Assisted living facilities, certain exclusions from medicaid payment system if receiving rental subsidies: HB 2397

Assisted living facilities, delivery of supportive housing services to facility residents by: HB 2263

Assisted living facilities, essential worker health care program, establishing for high quality affordable health care coverage through employers: HB 2351

Assisted living facilities, extending federal rights for nursing home residents to other facilities: HB 1859

Assisted living facilities, with tenant meals as part of rental agreement, not subject to sales and use tax: HB 1431

Complex medical needs, parents of children under 18 with, paying parents to provide care, studying feasibility of: HB 1694

Complex medical needs, person with, spouse providing home care services for, pilot project: HB 1694

Consumer directed employers and certain in-home services agencies, information reporting requirements: HB 1435

Consumer directed employers, standards for minimum wage and compensable overtime for individual providers employed by: HB 1942

Continuing care retirement communities, with tenant meals as part of rental agreement, not subject to sales and use tax: HB 1431

Direct care workers, pilot program for loans to certain workers/occupations for home down payment/closing costs: HB 1633

Enhanced services facilities, extending federal rights for nursing home residents to other facilities: HB 1859

Health homes, enrollment for medicaid-eligible children with medically complex conditions, state plan amendment to allow: HB 1941

Home care aides, expanding certification exemption for family members: HB 1969, **\*SB 5811, CH 322 (2024)**

Home care safety net assessment, developing, and home care safety net assessment work group, establishing: HB 1435

In-home services agencies, providing home care, hospice, or home health services, information reporting by: HB 1435

Long-term services and supports trust program, active duty service members concurrently engaged in off-duty civilian employment, exemption for: HB 2272

Long-term services and supports trust program, addressing recommendations of long-term services and supports trust commission: HB 2272

Long-term services and supports trust program, exemption for off-duty employment of active duty service member in U.S. armed forces: HB 2162

Long-term services and supports trust program, expanding access to benefits under: HB 2272

Long-term services and supports trust program, participants who relocate outside of WA, option to continue participation: HB 2272, HB 2467

Long-term services and supports trust program, pilot project to assess administrative processes and system capabilities of, developing and conducting: HB 2272

Long-term services and supports trust program, program summary statement, sending to each employee assessed a premium: HB 2271

Long-term services and supports trust program, prohibiting discrimination: HB 2467

Long-term services and supports trust program, providing all employees and self-employed persons with option to opt out of: HI 2124

Long-term services and supports trust program, repealing: HB 1011

Long-term services and supports trust program, various additional changes: HB 2272

Long-term services and supports trust program, voluntary private market supplemental long-term care insurance option, establishing: HB 2272

Long-term services and supports, allowing participation for persons relocating outside of Washington: ESB 6072

Medicaid clients, personal needs allowance for, raising: **\*HB 1128, CH 201 (2023)**

Nursing facilities, medicaid payment system: HB 2208, **\*SSB 5802, CH 246 (2024)**

Nursing facilities, medicaid payment system, adjusting case mix and indirect care calculations: HB 1571

Nursing homes, essential worker health care program, establishing to provide high quality affordable health care coverage through employers: HB 2351

Providers, contracted assisted living/adult residential care/enhanced adult residential care, specialty rate enhancement for: HB 2263

Workers, assisted living, essential worker health care program, establishing to provide high quality affordable health care coverage through employers: HB 2351

Workers, certification as home care aides, mandatory renewal every two years: HB 2339

Workers, certification as home care aides, reducing barriers to testing and certification: HB 1694

Workers, home care workforce, encouraging and implementing ways to increase: HB 1694

Workers, individual providers employed by a consumer directed employer, minimum wage and compensable overtime for: HB 1942

Workers, nursing homes, essential worker health care program, establishing to provide high quality affordable health care coverage through employers: HB 2351

Workers, providers caring only for sibling or relative, home care aide certification exemption and required training: HB 1694

Workers, workforce data collection and public reporting monitoring system, establishing: HB 1694

#### LOTTERY, STATE

Personal information, exempting from public inspection: **\*HB 1221, CH 346 (2023)**

Shared game lottery proceeds, transfer to problem gambling account, increasing annual rate of: HB 1681, **\*E2SSB 5634, CH 284 (2023)**

#### LOW-INCOME PERSONS (See also HOMELESS PERSONS; HOUSING AND HOMES; MANUFACTURED AND MOBILE HOMES; SCHOOLS AND SCHOOL DISTRICTS)

Accessory dwelling units, for low-income persons, exemption from property taxation by county: **\*E2SSB 5045, CH 335 (2023)**

Affordable housing, adding funding application and preconstruction technical assistance priorities: HB 1709, **\*ESSB 5301, CH 275 (2023)**

Affordable housing, adjusting income threshold for housing and services provision: HB 2413, **\*SB 6173, CH 136 (2024)**

Affordable housing, creating housing gap voucher program: HB 2453

Affordable housing, new chapter allowing property tax exemption: HB 1596

Assisted living facilities, certain exclusions from medicaid payment system if receiving rental subsidies: HB 2397

Digital equity account, state, radio communications/local exchange/interconnected voice over internet protocol services companies to request donations for: HB 2327

Digital equity among underserved communities and populations, amending broadband and related provisions concerning: HB 2313

Digital equity programs, increasing tax revenues and donations to provide funding for, and studying effectiveness of new funds: HB 2327

Energy assistance, utility low-income household energy assistance, programs availability requirements for: HB 2234

Evergreen basic income pilot program, establishing: HB 1045

Food assistance, basic food, appropriations to support people most impacted by the loss of: HB 1784

Homeownership development property tax exemption, extending to nonprofits for mutual self-help housing program: **\*SB 6013, CH 273 (2024)**

Homes, ownership housing, sales by facilitator to qualifying low-income first-time homebuyers, real estate excise tax exemption for: HB 2064

Homes, sales to qualifying low-income first-time homebuyers, real estate excise tax exemption for: HB 2063

Housing gap voucher program, implementing by public housing authorities: HB 1817

Housing providers, for extremely low-income households and receiving housing trust fund resources, property/liability insurance available to, studying: HB 2329

Housing, affordable, co-living housing, providing authority to create via growth management act: HB 1998

Housing, affordable, creating workforce housing accelerator revolving loan fund program: HB 1149

Housing, affordable, incentive program to aid very low-income households and provide owner property tax exemption: HB 1343

Housing, affordable, property tax exemption for nonprofit entity providing: HB 1052

Housing, allowing creation of standardized permit process for development: HB 1401

Housing, housing authority developments, raising income eligibility threshold for renting: **\*HB 1046, CH 133 (2023)**

Housing, workforce housing accelerator revolving loan fund program, creating: HB 1892

Indigent defendants, facing charges of drug possession or use in public place, public defense services for: **\*E2SSB 5536, CH 1 (2023)**

Indigent offenders, convicted, office of public defense to provide counsel for: **\*2SSB 5046, CH 261 (2023)**

Indigent parents, in child dependency and termination cases, access to social service worker to aid, pilot program for: HB 1873

Indigent persons, county resident who dies in adjacent county outside WA, disposition of remains of: **\*HB 1100, CH 62 (2023)**



Indigent persons, law enforcement impound of vehicle owned by, program to compensate tow truck operators for, creating: HB 1688

Indigent persons, limiting assistance from ignition interlock device revolving account: HB 1864

Indigent petitioner/respondent attorneys in proceeding to preclude establishment of parentage due to sexual assault allegation: HB 1808

Indigent public defense, assistance with local costs for, creating state indigent defense and law enforcement assistance account for: HB 2202

Low-income home rehabilitation grant program, creating: HB 1250

Low-income home rehabilitation revolving loan program, termination of: HB 1250

Low-income households, as statewide building energy upgrade navigator program services priority: HB 1391

Manufactured/mobile home parks, tenant relocation assistance, when selling or gifting home to third party: **\*HB 1771, CH 259 (2023)**

Persistent poverty, funds held for reducing, constitutional amendment to authorize investment of: HJR 4204

Poverty, people experiencing, creating economic security for all grant program for coordinating poverty reduction resources and benefits: HB 2230

Rental support program for helping low-income families to rent manufactured homes and rental housing units, establishing: HB 2425

Solar energy, community projects, community solar program and community solar bill credit to increase access to: HB 1509

Solar, community solar credits and low-income requirements: HB 2253

Students first education savings account program, establishing for home-based instruction or private schooling: HB 1615

Students, free or low-cost meal plans or vouchers for low-income college students, creating pilot program: HB 1559

Subsidized child care, clarifying eligibility: **\*HB 2111, CH 67 (2024)**

Traffic violations, nonmoving, solution-oriented responses to, for low-income road users: HB 1513

Washington future fund program, creating to address opportunity deficit: HB 1094

Working connections child care, expanding eligibility for persons enrolled in apprenticeship programs: HB 1525

Working families' tax credit, eligibility and clarifying as refundable: **\*HB 1895, CH 3 (2024)**

Working families' tax credit, expanding eligibility and increasing refund: HB 1000

Working families' tax credit, expanding for eligible persons who lease or rent residence: HB 2418

Working families' tax credit, lowering eligibility to age 18: HB 1075

Working families' tax credit, modifying eligibility, refund, and reporting provisions: HB 1477

#### **MANUFACTURED AND MOBILE HOMES**

Communities and/or parks, landlord predatory residential rent practices, prohibiting: HB 1388

Communities and/or parks, notices of closure and opportunity to purchase, and relocation assistance: HB 1129, **\*E2SSB 5198, CH 40 (2023)**

Communities and/or parks, purchase or lease of, resident nonprofit cooperatives as eligible organizations: HB 1129, **\*E2SSB 5198, CH 40 (2023)**

Communities and/or parks, state preemption of certain regulations: **\*E2SSB 5198, CH 40 (2023)**

Communities and/or parks, tenant rights, protections, and opportunities in event of voluntary sale of: HB 1129, **\*E2SSB 5198, CH 40 (2023)**

Installation, updating requirements: **\*SB 5089, CH 36 (2023)**

Landlords, intending to increase rent and fees combined by 3% or more, providing at least 180 days' notice: HB 2114

Manufactured homes, helping low-income families to rent, establishing new rental support program for: HB 2425

Manufactured housing units, exemption from international wildland urban interface code for, until building code council adopts rules with exemption: HB 2452

Manufactured or mobile home, assessed at certain value or less, property tax exemption for: HB 1796

Manufactured/mobile home rental assistance program, creating to assist low-income tenants: HB 1810

Parks, tenant relocation assistance, when selling or gifting home to third party: **\*HB 1771, CH 259 (2023)**

Rent and fees combined, landlord intending to increase by 3% or more, termination of tenancy by tenant with 30 days' notice: HB 2114

Rent and fees combined, limiting increases of, and requiring certain notices from landlord: HB 2114

Rent and fees combined, maximum annual increase percentage for: HB 2114

Rent and fees combined, prohibiting raising more than once in 12-month period: HB 2114

Rent for residential tenants, banked capacity program, allowing postponed rent increases: HB 1389

Rent for residential tenants, landlord predatory rent practices, prohibiting: HB 1388

Rent for residential tenants, limiting landlord's ability to raise and requiring notice: HB 1389  
 Rent for residential tenants, limiting rent increases without advance notice: HB 1124  
 Rent for residential tenants, maximum annual increase percentages for: HB 1388  
 Rent, limiting late fees for late payment of: HB 2114  
 Rents, limiting landlord's ability to raise and requiring notice: HB 2114  
 Rents, requiring landlord to report on-time rent payments to consumer reporting agencies at tenant's request: HB 2323  
 Sale, community, notification requirements and restrictions: HB 2421, **\*SSB 6059, CH 325 (2024)**  
 Tenants, limiting move-in fee and deposit amounts: HB 2114  
 Termination of tenancy, by tenant with 30 days' notice, when landlord intends to increase rent and fees combined by 3% or more: HB 2114

**MANUFACTURING AND TECHNOLOGY (See also ENVIRONMENTAL HEALTH AND SAFETY; FOOD AND FOOD PRODUCTS; HAZARDOUS MATERIALS; MANUFACTURED AND MOBILE HOMES; MOTOR VEHICLES)**

Aerial imagery services technology, establishing Washington state aerial imagery program: HB 1990  
 Artificial intelligence, automated decision tools, developer impact statement and policy for, requirements: HB 1951  
 Artificial intelligence, Blueprint for an AI Bill of Rights, affirming Washington's commitment to: HJM 4005  
 Artificial intelligence, use and regulation of generative AI systems, task force concerning standards for, establishing: HB 1934, **\*E2SSB 5838, CH 163 (2024)**  
 Automated vehicles, including definitions, liability, computer driver duty of care, and general and manufacturer requirements: HB 2444  
 Batteries, electric vehicle propulsion battery requirements, prohibitions, end-of-life management, and producer responsibility: HB 2501  
 Batteries, large-format, possible battery stewardship programs participation requirements for: HB 1553  
 Batteries, medium-format and portable, battery stewardship programs, stewardship organization participation in: HB 1553  
 Batteries, various types, battery stewardship programs, stewardship organization participation in: **\*E2SSB 5144, CH 434 (2023)**  
 Building materials manufacturing, environmental product declarations, build clean act: HB 1342  
 Building materials, manufacturers of, environmental product declarations and high labor standards for: HB 1282  
 Cannabis/tetrahydrocannabinol, consumable products containing beer/wine/spirits/other liquor in combination with, prohibiting: **\*HB 1772, CH 217 (2023)**  
 Cookware and cookware components containing lead, prohibiting manufacture, sale, and distribution, when: HB 1551  
 Cosmetic products, tested using animals, sale of, prohibiting: HB 1097  
 Digital electronic equipment, repairing of, manufacturer and repair provider requirements, fair repair act concerning: HB 1392  
 Digital electronic products, repairing of, manufacturer and repair provider requirements, right to repair act concerning: HB 1933  
 Fashion industry, impacts of, environmental due diligence and performance targets for fashion retail sellers and manufacturers: HB 2068  
 Foreign export markets, diversifying to avoid particular-market dependence, assistance for businesses in: HB 1778  
 Hydrogen fuel products manufacturers, research/development/production/sale, B&O tax preferential rate and credits: HB 1729  
 Industrial strategy, commerce department requirements: **\*2SSB 5269, CH 322 (2023) PV**  
 Nuclear fuel manufacturing facility projects, requiring NRC certification, additional time to qualify for targeted urban area property tax exemption: HB 2120  
 Nuclear fuel or assemblies, manufacturers or processors for hire or sellers of, preferential B&O tax rate: HB 1981  
 Recreational vehicles, manufacturers and dealers of, new chapter: HB 1996  
 Research and development equipment, sales/use tax paid on, exemption in form of a remittance, authorizing: HB 1794  
 Research and development expenditures, credit against B&O tax on, authorizing: HB 1794  
 Semiconductor materials manufacturing, B&O/sales/use/property tax preferences for, extending two and reinstating six preferences and adding contingency and requirements: HB 2482  
 STEM subjects and careers, establishing climate resilience and environmental equity campus for workforce training for certain postsecondary students: HB 2298

**MAPS AND MAPPING**

Statewide broadband map, developing and maintaining, and repealing existing broadband mapping/account provisions:  
HB 1746

**MARINE WATERS, STATE (See also FERRIES; OCEAN WATERS AND RESOURCES; PUBLIC LANDS; SHORELINES AND SHORELINE MANAGEMENT)**

Harbors, harbor maintenance tax, federal, requesting certain appropriations, allocations, and data collection and reports:  
\*SSJM 8009 (2024)

Maritime training academy at Seattle Central Community College, state ferries training needs role of: HB 1831

Nautical Northwest special license plates, creating: HB 1364

Ports, public, qualified cargo and passenger ports, authority to coordinate actions with other qualified ports: \*HB 1257,  
CH 347 (2023)

Puget Sound shoreline, conducting baseline survey of: \*SB 5104, CH 465 (2023)

Puget Sound, office of Puget Sound water quality, establishing: HB 1365

Puget Sound, untreated sewage discharged by municipal wastewater sewerage system or treatment plant into, fees for,  
depositing into salmon recovery account: HB 2290

Safety, encouraging water safety and rescue and drowning prevention, and recognizing May 15 as water safety day: \*HB  
1750, CH 181 (2023)

Sewage, untreated discharges into state waters by municipal wastewater sewerage systems, operators to report: HB 1365

**MARRIAGE AND MARRIED PERSONS (See also CHILDREN; DOMESTIC RELATIONS)**

Debt, personal property exemptions from execution et al., entitlement of both spouses to: HB 1400, \*ESSB 5173, CH  
393 (2023)

Dissolution or legal separation proceedings, with domestic violence or child abuse allegations, requirements and  
prohibitions: HB 2010

Dissolution proceedings and parenting plans, child abuse in context of, residential time limitations to protect child from:  
HB 2237

Judges, authorizing federal judges and judicial officers to solemnize marriages: \*HB 1657, CH 86 (2023)

Legal age for marriage, age 18, prohibiting marrying before: \*HB 1455, CH 10 (2024)

Military and national guard members/veterans, spouses/domestic partners/dependents of, early higher education course  
registration for: \*HB 2004, CH 89 (2024)

Military members or veterans, spouses of, tax credits for businesses hiring: HB 1005

Military spouses, credentialing and employment of, expedited process and assistance: HB 1009

Military spouses, WA health corps conditional scholarships, armed forces service member/spouse/dependent exceptions:  
\*HB 1763, CH 159 (2023)

National guard members, spouses/domestic partners/dependents of, early higher education course registration for: \*HB  
2004, CH 89 (2024)

National guard, Washington, postsecondary education grant program, eligibility for spouses and dependents: \*HB 1943,  
CH 178 (2024)

**MEN AND BOYS (See also HOUSE RESOLUTIONS; SENATE RESOLUTIONS; SPORTS AND RECREATION)**

Gender-based disparities and negative outcomes for men, male youth, and boys, efforts to reduce: HB 1270

Washington state commission on boys and men, establishing: HB 1270

**MENTAL HEALTH (See also COUNSELORS AND COUNSELING; DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH; FIRST RESPONDERS; HEALTH AND SAFETY, PUBLIC; HEALTH, DEPARTMENT; SEX OFFENSES AND OFFENDERS; SUBSTANCE USE DISORDER; VULNERABLE ADULTS)**

988 behavioral health crisis response and suicide prevention system, American Indian and Alaska Native crisis lines to  
function via call center platform with same communication methods: HB 2408

988 behavioral health crisis response and suicide prevention system, ongoing implementation of: HB 1134

988 crisis hotline, requiring information display by behavioral health agencies: HB 1134

Assisted outpatient treatment, conditions for less restrictive alternative treatment for juveniles: ESB 5130

Behavioral health administrative service organizations, recovery navigator programs role of: \*2E2SSB 5536, CH 1  
(2023)

Behavioral health agencies, various requirements for substance use disorder treatment and withdrawal management:  
\*2SSB 6228, CH 366 (2024)

- Behavioral health court proceedings records, use by state patrol firearms background division for background checks: **\*HB 1599, CH 298 (2023)**
- Behavioral health crisis response services, coordinated by administrative service organizations: **\*E2SSB 6251, CH 368 (2024)**
- Behavioral health disorders, health plan mandatory coverage for medically necessary treatment of mental health and substance use disorders: HB 2145
- Behavioral health disorders, persons with, evergreen basic income pilot program, establishing: HB 1045
- Behavioral health facilities, child abuse or neglect at, referrals of alleged incidents of, investigation of: **\*ESSB 5515, CH 441 (2023)**
- Behavioral health facilities, providing measures against non-compliance: HB 1434, **\*ESSB 5271, CH 121 (2024)**
- Behavioral health loan repayment and scholarship program, changing name of behavioral health loan repayment program to: **\*HB 1946, CH 369 (2024)**
- Behavioral health loan repayment program, including penalty interest rate, supports, and service member exception: **\*HB 1763, CH 159 (2023)**
- Behavioral health support specialists, certification and duties of: HB 1348, **\*SSB 5189, CH 270 (2023)**
- Behavioral health workforce, various strategies for increasing: HB 1724
- Behavioral health, emotional or behavioral distress in students, developing plans for recognition/screening/response to, grant program to support: HB 2280
- Behavioral health, Indian tribal system, state system coordination with, improving: HB 1877
- Behavioral health, regional school-based mental and behavioral health student assistance program, establishing: HB 2280
- Behavioral health, state-level coordination to help identify and connect students to supports in school and interconnected community settings, OSPI role: HB 2280
- Cannabis, high-THC products, point-of-sale information about potential harms of, requirements for retailers: HB 1641
- Cannabis, high-THC products, public health messages and social media campaigns about potential harms of: HB 1641
- Child support, when person required to pay is participating in court-ordered treatment for a behavioral health disorder, requirements: HB 2254
- Children and youth behavioral health work group, modifying goals, membership, duties, and strategic plan provisions: HB 2256
- Children, first approach skills training program, to provide behavioral therapy for youth and families, funding and implementation: HB 1851
- Commitment, civil, certain DSHS employees at institutions/residential sites serving persons under, PSERS membership for, when: HB 1949, **\*SSB 6106, CH 359 (2024)**
- Commitment, civil, Indian tribal behavioral health system coordination with state system, improving: HB 1877
- Community behavioral health system, requiring oversight to be aware of, nurture, and protect relationships: 2SSB 5438
- Competency restoration workers, employed at certain DSHS institutions/residential sites, PSERS membership for, when: HB 1949
- Competency, providing procedure for doubts of, including evaluation and restoration: **\*E2SSB 5440, CH 453 (2023)**
- Conditional releases, modifying partial conditional releases, less restrictive alternatives, and role of transition teams: ESSB 5690
- Criminal insanity and competency to stand trial, updating terminology relating to the ability or inability to proceed to trial: HB 2152
- Criminally insane, certain DSHS employees at institutions/residential sites serving, PSERS membership for, when: HB 1949, **\*SSB 6106, CH 359 (2024)**
- Crisis co-response/co-responders, workforce development via training academy, certificates, programs, and activities: HB 2245
- Crisis responders, for behavioral health crises, liability protections for crisis team staff, agencies/officers/staff, and governmental units/employees: **\*EHB 2088, CH 370 (2024)**
- Crisis response, 23-hour crisis relief centers, establishing: **\*2SSB 5120, CH 433 (2023)**
- Crisis response, 23-hour crisis relief centers, extending to include services for minors: **\*E2SSB 5853, CH 367 (2024)**
- Crisis response, triage facilities, repealing of, and licensing or certifying as crisis stabilization units: **\*2SSB 5120, CH 433 (2023)**
- Crisis situations, mental illness/homelessness/addiction, emergency crisis assistance team pilot project, establishing: HB 1661
- Crisis training and secondary trauma program to support training for crisis responders, UW to establish: HB 1134

- Deferred prosecution, due to SUD/mental health disorder, for DUI/physical control of vehicle under influence: HB 1104, HB 1493
- Disorders, local sales and use tax revenues for programs for, providing state matching funds for: HB 2472
- Enhanced behavior support homes program, establishing: HB 1654
- Facilities, allowing county use of local sales and use taxes to modify: **\*SSB 5604, CH 101 (2023)**
- Firearm rights, voluntary waiver of, role of mental health professionals: **\*SSB 5006, CH 262 (2023)**
- Firearms, restoration of right to possess in competency cases: **\*ESB 6246, CH 290 (2024)**
- First approach skills training program, funding and implementing in relation to partnership access lines and psychiatric consultation line: HB 1851
- Funding, mental health services or persons with developmental disabilities property tax levy: HB 1022
- Funding, mental health services or persons with developmental disabilities property tax levy by counties, deducting from state levy: HB 1703
- Funding, various appropriations to provide behavioral health treatment and supports: **\*2E2SSB 5536, CH 1 (2023)**
- Hospitals, state, eastern and western, ensuring each consenting patient has an identicard prior to release from care: HB 2099
- Hospitals, state, western state hospital, bond authorization for new forensic hospital at: HB 1148
- Indian behavioral health system, improving state system coordination with: HB 1877
- Indian health care providers, licensing as establishments for community behavioral health services act purposes: HB 2075
- Indigent persons acquitted by reason of insanity and committed, providing public defense services: **\*SSB 5415, CH 120 (2023)**
- Insanity, not guilty by reason of, certain DSHS employees at institutions/residential sites serving, PSERS membership for, when: HB 1949, **\*SSB 6106, CH 359 (2024)†**
- Medicaid, behavioral health services contracting and procurement of, treatment needs/managed care/payment/provider networks: HB 1515
- Medication, barring health carriers' substitution of nonpreferred with preferred drugs for certain drugs: **\*SSB 5300, CH 325 (2023)**
- Music therapy, music therapist licensing and music therapy advisory committee: HB 1247
- Occupational therapy services for persons with behavioral health disorders, medicaid coverage for: **\*SB 5228, CH 113 (2023)**
- Peer support services, establishing with new chapter: **\*2SSB 5555, CH 469 (2023) PV**
- Posttraumatic stress disorder (PTSD), affecting county coroner and medical examiner personnel, occupational disease presumption: HB 2031
- Posttraumatic stress disorder (PTSD), affecting direct care registered nurses, occupational disease presumption: HB 1593, **\*2SSB 5454, CH 370 (2023)**
- Professionals, expertise in mental health and substance use disorder counseling and treatment of first responders, training by: HB 2311
- Professionals, home purchase by, pilot program for loans to certain workers/occupations for certain costs for: HB 1633
- Psilocybin, use of for behavioral health treatment, new chapter: **\*2SSB 5263, CH 364 (2023) PV**
- Psychiatric care, prohibiting requirement of certificate of need for expansion of hospitals and beds: **\*SSB 5920, CH 165 (2024)**
- Psychological associates, licensure and practice requirements for, and as health plan and medicaid/managed care organization providers: HB 2247
- Psychologists, defining as providers for workers' compensation: **\*HB 1197, CH 171 (2023)**
- Psychologists, granting license to applicant holding a license in good standing in another state, territory, or county, when: HB 2247
- Psychologists, prescribing psychologist prescriptive authority certification: HB 1041
- Psychologists, probationary license, removing practice restriction for licensees: HB 1724
- Psychologists, school, conducting evaluations for special education, funds distribution for: HB 1305
- Records, making records of juveniles in detention available to managed care and behavioral health organizations: **\*SB 6079, CH 99 (2024)**
- Specified workers, employed at certain DSHS institutions/residential sites, PSERS membership for, when: **\*SSB 6106, CH 359 (2024)**
- Students, social-emotional learning skills, instruction and funding for, recommendations and requirements: HB 2239
- Substance use disorder, ASAM criteria update policy: **\*2SSB 6228, CH 366 (2024)**

Suicide, prevention of, additional sales and use taxes on, levying to create revenues for: HB 2238  
 Treatment, court-ordered, abating child support obligation due to incapacitation of obligated person who is participating in: HB 2254  
 Treatment, evaluation and treatment facilities, provisions: HB 1788  
 Treatment, inpatient, postinpatient housing program for young adults exiting, establishing: HB 1929  
 Treatment, inpatient, voluntary admission to, raising age for consent of minor to 17 years of age for: HB 1788  
 Treatment, involuntary, Indian tribal behavioral health system coordination with state system, improving: HB 1877  
 Treatment, outpatient, raising age for minor to request/receive to 17 years of age: HB 1788  
 Voluntary treatment, presumption that certain persons will not seek in good faith: HB 2469  
 Washington health corps, behavioral health loan repayment program, modifying to include scholarships: **\*HB 1946, CH 369 (2024)**  
 Work group, convening to discuss demand for behavioral health services, workforces shortages, etc.: HB 1242  
 Youth and families, first approach skills training program to provide behavioral therapy for, funding and implementation: HB 1851

**METALS (See also ENVIRONMENTAL HEALTH AND SAFETY; HAZARDOUS MATERIALS)**

Catalytic converters, adding inspection fee to license fees for scrap processors and vehicle wreckers: HB 2153  
 Catalytic converters, knowingly possessing, selling, or offering for sale without proper marking by person removing it from vehicle as gross misdemeanor or class C felony, when: HB 2153  
 Catalytic converters, prohibiting disassembly or decanning except by a licensed scrap processor: HB 2153  
 Catalytic converters, removed from a vehicle and sold to wrecker or scrap processor, payment to individual sellers for, requirements: HB 2153  
 Catalytic converters, removed from certain vehicles, state patrol to conduct inspections of purchasers of: HB 2153  
 Catalytic converters, scrap metal business purchase offenses, certain involving certain numbers or marks on, class C felony, when: HB 1840  
 Catalytic converters, scrap metal business purchase offenses, knowing property is stolen, gross misdemeanor: HB 1840  
 Catalytic converters, scrap metal business transactions involving, as precious metals transactions: HB 1840  
 Catalytic converters, scrap metal business transactions involving, purchase and payment provisions, revising: HB 1840  
 Catalytic converters, theft in 2nd degree of private metal property, special allegation and special verdict, when: HB 1840  
 Catalytic converters, trafficking in, creating first degree as class B felony and second degree as class C felony: HB 2153  
 Catalytic converters, transaction restrictions: HB 2153  
 Catalytic converters, vehicle dealer to mark prior to sale and transfer the last 8 digits of vehicle's VIN on, requiring: HB 2153  
 Commercial metal property, defining electric vehicle supply equipment components as: **\*SSB 5542, CH 125 (2023)**  
 Metal property crimes, property seizure and forfeiture: HB 1385  
 Metal property, scrap metal business purchase offenses, certain involving certain numbers or marks on, class C felony, when: HB 1840  
 Metal property, scrap metal business purchase offenses, knowing property is stolen, gross misdemeanor: HB 1840  
 Metal property, theft in 2nd degree of private metal property, special allegation and special verdict, when: HB 1840  
 Scrap metal businesses, ongoing electronic statewide no-buy list database program, adding certain annual reporting: HB 1840  
 Scrap metal businesses, transactions involving catalytic converters, as precious metals transactions: HB 1840  
 Scrap metal businesses, transactions involving catalytic converters, purchase and payment provisions, revising: HB 1840  
 Scrap processors, adding catalytic converter inspection fee to license fees for: HB 2153  
 Scrap processors, catalytic converters removed from a vehicle, payment to individual sellers for, requirements: HB 2153

**MILITARY (See also AERONAUTICS; HOUSE RESOLUTIONS; SENATE RESOLUTIONS; VETERANS)**

Aeronautics and military community, contributions to Washington State by, recognizing and honoring: **\*HR 4646 (2023)**  
 Children, military, interstate compact on educational opportunity for, correcting certain cross-references in: **\*HB 1066, CH 470 (2023) PV**  
 Defense community compatibility account, altering grant rules and including federally recognized tribes: **\*SB 5324, CH 438 (2023)**  
 Enhanced driver's license or identicaid issuance/renewal/extension, service member to be charged only fee amount for regular driver's license or identicaid: HB 2340  
 Federal military reservations, tax exemptions for adaptive recreational and rehabilitation facilities on: HB 1862

Higher education institutions, early course registration for military members and their spouses, domestic partners, and dependents: **\*HB 2004, CH 89 (2024)**

Japanese American veterans, incarcerated, and civil rights activists, recognizing and remembering: **\*HR 4615 (2023), \*HR 4672 (2024)**

License plates, special, United States Naval Academy, creating: HB 1858

Long-term services and supports trust program, active duty service members concurrently engaged in off-duty civilian employment, exemption for: HB 2272

National guard, early higher education course registration for members and their spouses/domestic partners/dependents: **\*HB 2004, CH 89 (2024)**

National guard, Washington national guard member referral incentive program, creating: HB 1869, **\*SSB 5803, CH 24 (2024)**

National guard, Washington, honoring and recognizing the value of: **\*HR 4610 (2023), \*HR 4661 (2024)**

National guard, Washington, national guard reenlistment bonus program, creating: HB 1869

National guard, Washington, postsecondary education grant program, eligibility for spouses and dependents: **\*HB 1943, CH 178 (2024)**

School districts, military friendly, purple star award to recognize, creating: HB 1346

Seizure and forfeiture of property, service member protections: HB 1385

Service members, long-term services and supports trust program premiums exemption for off-duty employment of: HB 2162

Service, falsely claiming or misrepresenting military service, by state elected official or candidate for state elected office, misdemeanor: HB 1671

Servicemembers, home purchase, pilot program for loans to certain workers/occupations for certain costs: HB 1633

Spouses of members, businesses hiring, tax credits: HB 1005

Spouses of members, credentialing and employment of, expedited process and assistance: HB 1009

Spouses of members, military spouse employment act: HB 1009

Spouses, domestic partners, and dependents of military or national guard members, early higher education course registration for: **\*HB 2004, CH 89 (2024)**

US army corps of engineers, requesting certain actions by corps in connection with federal harbor maintenance tax: **\*SSJM 8009 (2024)**

Vehicles, military surplus, operation on public highways, authorization and requirements: HB 1486

Washington health corps conditional scholarship programs, armed forces service member/spouse/dependent exceptions: **\*HB 1763, CH 159 (2023)**

World War II, Burton Stoltz, decorated U.S. navy veteran, thanking and honoring: **\*HR 4639 (2023)**

World War II, Harvey J. Drahos, decorated U.S. army veteran, honoring and expressing thanks and appreciation to: **\*HR 4657 (2024)**

World War II, Japanese American veterans from Washington, recognizing: **\*HR 4615 (2023), \*HR 4672 (2024)**

World War II, U.S. army air forces pilot captain Dick Nelms, recognizing and honoring: **\*HR 4670 (2024)**

**MILITARY DEPARTMENT (See also EMERGENCY MANAGEMENT AND SERVICES; MILITARY)**

Back country search and rescue grant program, establishing, department role: HB 2257

Emergency management division, emergency crisis assistance team pilot project, establishing: HB 1661

Emergency management division, statewide resiliency program, division to develop and administer: HB 1728

Functional recovery of buildings and critical infrastructure right after an earthquake and earthquake and tsunami resiliency, department to study: HB 2273

Washington national guard member referral incentive program, creating, department role: HB 1869, **\*SSB 5803, CH 24 (2024)**

Washington national guard, national guard reenlistment bonus program, creating, department role: HB 1869

**MINORITIES (See also CANNABIS; DISCRIMINATION; IMMIGRATION, IMMIGRANTS, AND IMMIGRATION STATUS; SCHOOLS AND SCHOOL DISTRICTS; SENATE RESOLUTIONS; TRIBES AND TRIBAL MEMBERS)**

American Indian and Alaska Native crisis lines, to function via 988 behavioral health crisis response and suicide prevention system call center platform with same communication methods: HB 2408

American Indian and Alaska Native students, convening work group to develop literacy supports for: HB 1228

Asian American community in Washington, and Lunar New Year, appreciating: **\*HR 4604 (2023)**

Asian American Native Hawaiian Pacific Islander community in Washington, and Lunar New Year, acknowledging: **\*HR 4660 (2024)**

Asian, Native Hawaiian, and Pacific Islander communities in Washington, recognizing and celebrating contributions of state commission on Asian Pacific American affairs to: **\*HR 4694 (2024)**

Cannabis, social equity program, modifying provisions: HB 1790, **\*E2SSB 5080, CH 220 (2023)**

Chinese American month, designating January as: HB 1759

Chinese Americans/Americans of Chinese descent history month, designating January as: **\*SB 5000, CH 357 (2023)**

Digital equity account, state, radio communications/local exchange/interconnected voice over internet protocol services companies to request donations for: HB 2327

Digital equity among underserved communities and populations, amending broadband and related provisions concerning: HB 2313

Digital equity programs, increasing tax revenues and donations to provide funding for, and studying effectiveness of new funds: HB 2327

Disparities, health disparities, environmental harms, and vulnerable populations in overburdened communities, reducing: HB 1347

Elections, ballots and registration and voting materials and information, providing in language of covered language minority groups: HB 2023

Elections, language assistance for limited English proficient members of single language minority group in a county, when: HB 1861

Environmental justice council, duties of: HB 1347

Environmental justice council, membership of, at least one-half to be rural county residents: HB 1664

Executive order 9066, eighty-first anniversary, acknowledging: **\*HR 4615 (2023)**

Executive order 9066, eighty-second anniversary, acknowledging: **\*HR 4672 (2024)**

Farmworkers education and assistance program, designing and implementing: HB 2487

Farmworkers seeking education to career program, developing: HB 2487

Ferries, Washington state, requiring formal strategy to implement diversity, equity, and inclusion directives: **\*SB 5550, CH 188 (2023)**

Ferries, Washington state, requiring formal strategy to implement workforce diversity, equity, and inclusion: HB 1831, HB 1841

Filipino Americans, historical/cultural contributions of, K-12 public school instruction about, materials/resources for: HB 1749

Filipino Hall of the Yakima Valley, designation on national register of historic places, recognizing and celebrating: **\*HR 4676 (2024)**

High school graduation ceremonies and events, wearing item or object of cultural significance on gown, districts to permit: HB 2267

Historically marginalized groups, community reconciliation account funds use for agricultural and economic services for: HB 1737

Historically marginalized people and communities, Washington digital empowerment and workforce inclusion act establishment to support: HB 2360

Holocaust Center for Humanity, chief executive officer Dee Simon, honoring and recognizing: **\*HR 4655 (2024)**

Holocaust remembrance day, recognizing: **\*HR 4642 (2023)**

Homeownership, racial disparities in, developing special purpose credit programs to reduce: HB 1474

Housing gap voucher program, implementing by public housing authorities: HB 1817

Interpreters, for courts, for persons with limited English proficiency: HB 2006

Iranian-American and Afghan-American communities, recognizing by celebrating the spring equinox as Nowruz, the Persian new year: **\*HR 4629 (2023)**

Irish Americans, annual celebration of Saint Patrick's Day, commemorating: **\*HR 4628 (2023)**

Japanese American veterans, incarcerated, and civil rights activists, recognizing and remembering: **\*HR 4615 (2023), \*HR 4672 (2024)**

Korean American community, and South Korea's celebration of November 22nd as Kimchi Day: **\*HR 4679 (2024)**

Mass layoffs of employees, demographic survey for terminated employees to determine impact on protected classes: HB 2100

Middle Eastern and Central Asian communities, recognizing by celebrating the spring equinox as Nowruz, the Persian new year: **\*HR 4678 (2024)**



Middle Eastern and Central Asians, recognizing by celebrating the spring equinox as Nowruz, the Persian new year: **\*HR 4629 (2023)**

Money transmitters, small, serving diverse communities, impact of de-risking on, requesting federal action to reduce: **\*ESJM 8005 (2024)**

Nothing about us without us act, access and representation in policy-making processes for underrepresented populations: HB 1541

Office of minority and women's business enterprises, increasing public works opportunities: HB 1306, **\*2SSB 5268, CH 395 (2023)**

Overburdened communities and tribal nations, community-based health assessments of: HB 1347

Overburdened communities, as statewide building energy upgrade navigator program services priority: HB 1391

Parks and recreation commission, gubernatorial appointments to, modifying guidelines to include diversity of lived experience: HB 1997

Pollution, airport noise and air pollution mitigation for certain communities: HB 2103

Protected classes, defining and including in Washington equal pay and opportunities act provisions: HB 1905

Protected classes, demographic survey for terminated employees to determine impact of mass layoffs on: HB 2100

Small, women, minority-owned, or disadvantaged businesses, reviewing payment promptness: **\*ESSB 6040, CH 276 (2024)**

Statutory entities, issues-based, representation for underrepresented populations via persons with direct lived experience on: HB 1541

Taiwanese Americans living in Washington, recognizing their contributions to our communities: **\*HR 4665 (2024)**

Underrepresented communities, diversity in clinical trials for drugs and medical devices to include: HB 1745

Underrepresented demographic groups, diversity in clinical trials program for drugs and medical devices to include: SSB 5388

Voting rights act, concerning protected classes, modifying provisions: HB 1048

**MOTOR VEHICLES (See also DRIVERS AND DRIVERS' LICENSES; FUELS; ROADS AND HIGHWAYS; SCHOOLS AND SCHOOL DISTRICTS; TAXES - MOTOR VEHICLE FUEL; TOWING AND TOW TRUCKS; TRAFFIC; TRAFFIC OFFENSES; TRANSPORTATION)**

Abandoned, setting minimum bid for recreational vehicles sold at auction: HB 1660

All-terrain vehicles, wheeled, modifying definition for off-road and nonhighway licensing, registration, and use provisions: HB 1830

Auto theft prevention authority account, Washington, limiting use for confinement matters and costs to local level: HB 1682

Auto theft prevention authority and account, Washington, modifying provisions: HB 1669

Automated vehicles, including definitions, liability, computer driver duty of care, and general and manufacturer requirements: HB 2444

Car tabs, initiative 976, Bring Back Our \$30 Car Tabs, uncodified session law chapter 2020 chapter 1 sections, repealing: **\*HB 2213, CH 232 (2024)**

Catalytic converters, adding inspection fee to license fees for scrap processors and vehicle wreckers: HB 2153

Catalytic converters, knowingly possessing, selling, or offering for sale without proper marking by person removing it from vehicle as gross misdemeanor or class C felony, when: HB 2153

Catalytic converters, prohibiting disassembly or decanning except by a licensed scrap processor: HB 2153

Catalytic converters, removed from a vehicle and sold to wrecker or scrap processor, payment to individual sellers for, requirements: HB 2153

Catalytic converters, removed from certain vehicles, state patrol to conduct inspections of purchasers of: HB 2153

Catalytic converters, scrap metal business purchase offenses, certain involving certain numbers or marks on, class C felony, when: HB 1840

Catalytic converters, scrap metal business purchase offenses, knowing property is stolen, gross misdemeanor: HB 1840

Catalytic converters, scrap metal business transactions involving, as precious metals transactions: HB 1840

Catalytic converters, scrap metal business transactions involving, purchase and payment provisions, revising: HB 1840

Catalytic converters, theft in 2nd degree of private metal property, special allegation and special verdict, when: HB 1840

Catalytic converters, trafficking in, creating first degree as class B felony and second degree as class C felony: HB 2153

Catalytic converters, transaction restrictions: HB 2153

Catalytic converters, vehicle dealer to mark prior to sale and transfer the last 8 digits of vehicle's VIN on, requiring: HB 2153

Climate commitment act, establishing carbon auction rebate (CAR) program to mitigate financial impacts on vehicle owners: HB 2040

Collector vehicles, allowing towing of trailers for certain purposes: **\*SB 6084, CH 131 (2024)**

Collisions, resulting in substantial bodily harm, police officer reporting requirement: **\*HB 1319, CH 29 (2023)**

Commercial vehicles, driver's license or learner's permit, downgrade after drug and alcohol clearinghouse query: HB 1448, **\*SB 5041, CH 35 (2023)**

Damaged vehicles, actual cash value/amount of loss, appraisal clause in insurance contracts: HB 2011

Dealers, manufacturer and new dealer franchise agreements, adding provisions: HB 2028

Dealers, marking last 8 digits of vehicle's VIN on the catalytic converter prior to vehicle sale and transfer, requiring: HB 2153

Dealers, report of sale, optional filing for owner trading in, selling, or transferring ownership of vehicle to dealer: HB 1302

Dealers, selling or leasing light trucks or sport utility vehicles, disclosure requirements: HB 1674

Driving under the influence, various offenses, restitution for death or disability of parent of minor child: SSB 5841

Electric vehicles, designating supply equipment components as commercial metal property to deter theft: **\*SSB 5542, CH 125 (2023)**

Electric vehicles, propulsion batteries for, requirements, prohibitions, end-of-life management, and producer responsibility: HB 2501

Electric vehicles, state vehicle fleet transition to, life-cycle greenhouse gas emissions tradeoffs analysis of: HB 1372

Electric vehicles, transportation electrification fee, eliminating for hybrid electric vehicles not rechargeable via external power source: HB 2189

Electric vehicles, requiring study of electric vehicle fires by state patrol: **\*SSB 5812, CH 189 (2024)**

Emissions, repealing adoption of California standards: HB 1183

Employee vehicles, employer searches of, prohibitions: HB 1491

Fentanyl and other synthetic opioids, presence and dangers of residue in vehicles seized and subject to auction or stolen but recovered, studying: HB 2396

Hybrid vehicles, not rechargeable via external power source, eliminating transportation electrification fee for: HB 2189

Impounded vehicle residences, protections for, and procedures for impounding, redeeming, and related actions: HB 2359

Impounded vehicles, reenacting regulations: **\*SSB 5317, CH 326 (2023)**

Inspection facilities, requiring provision of written notice of all open safety recalls: **\*SSB 5504, CH 440 (2023)**

Inspection facilities, requiring recall check with national highway traffic safety administration: **\*SSB 5504, CH 440 (2023)**

Inspection, by official or licensed private facility, when vehicle subject to open safety recall, notice requirements: HB 1280

Insurance requirement, authorizing law enforcement to prevent operation in violation of: HB 1865

Large vehicle awareness, including commercial vehicles and buses, driver training school curriculum to include: **\*HB 1540, CH 32 (2023)**

Liability insurance, establishing accessible common carrier online verification system: ESSB 5326

License plate technology fees, exemptions: HB 1853

License plates, charging state sport special license plate fees: SB 5333

License plates, expanding definition of "veteran" for purposes of certain plates: HB 2014

License plates, special, collector vehicle plates, adding military surplus vehicles to definition of: HB 1486

License plates, special, expanding definition of "veteran" for purposes of certain plates: HB 2014

License plates, special, keep Washington evergreen plates, creating: HB 1647

License plates, special, LeMay-America's Car Museum plates, creating: HB 1829, HB 2489

License plates, special, Mount St. Helens plates, creating: HB 1489, HB 2489, ESB 5590

License plates, special, nautical Northwest plates, creating: HB 1364

License plates, special, Seattle Sounders FC, redirecting fees to RAVE foundation: HB 2490

License plates, special, Smokey Bear plates, creating: HB 2108, HB 2489

License plates, special, United States Naval Academy, creating: HB 1858

License plates, special, working forests plates, creating: HB 1488, HB 2489

License plates, using cover that makes plate illegible, prohibiting, with written warning for violations: **\*HB 1963, CH 84 (2024)**

License service fees, exemptions: HB 1853

Manufacturers and distributors, manufacturer and new dealer franchise agreements, adding provisions: HB 2028

- Metal property, scrap metal business purchase offenses, certain involving certain numbers or marks on, class C felony, when: HB 1840
- Metal property, scrap metal business purchase offenses, knowing property is stolen, gross misdemeanor: HB 1840
- Metal property, theft in 2nd degree of private metal property, special allegation and special verdict, when: HB 1840
- Military surplus vehicles, operation on public highways, authorization and requirements: HB 1486
- Motor carriers, requiring shippers and receivers to provide restroom access in certain circumstances: HB 1457
- Motorcycle safety education advisory board, expanding: HB 1171
- Motorcycles, operating between lanes of traffic, requirements for: HB 1063
- Motorcycles, operating in the right shoulder of limited access roadway, authorization and requirements: HB 1487
- Motorcycles, operator passing vehicle in same lane: HB 1063
- Organ transport vehicles and services, requirements for: HB 1271
- Pedestrians, allowing crossing at any point given reasonable care: HB 1428
- Permits, eliminating and repealing daily-use pass, vehicle access pass, and discover pass: HB 1212
- Physical damage to automobile, basic contract of automobile insurance, requirements: HB 2011
- Physical damage to automobile, coverage and repair requirements, basic contract: HB 2011
- Proportional registration and fuel taxation, detecting and investigating violations of, modifying provisions concerning: **\*EHB 1964, CH 1 (2024)**
- Proportional registration and fuel taxation, prorate and fuel tax discovery team, establishing to detect and investigate fuel tax and proportional registration violations: **\*EHB 1964, CH 1 (2024)**
- Racing, prohibiting and subjecting vehicles to impounding or forfeiture: HB 1631, **\*SB 5606, CH 283 (2023)**
- Recreational vehicle manufacturer and dealer law, establishing in new chapter: HB 1996
- Recreational vehicles, manufacturers and dealers of, new chapter: HB 1996
- Recreational vehicles, permitting sale of insignia to manufacturers with approved quality control programs: **\*HB 1514, CH 78 (2023)**
- Registration and renewal, requiring odometer mileage reading in application for, when: HB 1736
- Rest areas, limiting parking for vehicles including disabled vehicles: HB 1518, SB 5487
- Sales, authorizing dealers to file reports on behalf of sellers: **\*SB 5282, CH 273 (2023)**
- Sport utility vehicles, midsize or large, protections for pedestrians and other vulnerable roadway users from: HB 1674
- Taxation, sales and use taxes on motor vehicles, dedicating to transportation budget: HB 1472
- Tires, regulating vehicles tires containing 6PPD as toxic pollutant: **\*SSB 5931, CH 343 (2024)**
- Tires, rolling resistance of replacement tires for passenger cars and light duty trucks, strategies and requirements for reducing: HB 2262
- Tow truck operators, requiring compensation when dispatched to clear roads: HB 1722, **\*SSB 5652, CH 320 (2024)**
- Truck and trailer combinations, increasing maximum allowable length: HB 1072
- Trucks, light trucks, protections for pedestrians and other vulnerable roadway users from: HB 1674
- Unauthorized vehicles, authorizing removal when obstructing high capacity transportation: HB 1414, **\*SSB 5317, CH 326 (2023)**
- Used vehicles, sale warranties and notice requirement: HB 1184
- Vehicle identification number, redistributing inspection fee to the state patrol highway account: **\*HB 1237, CH 139 (2023)**
- Vehicle license fees, reduction via join calculation: HB 1887
- Vehicle owners, establishing carbon auction rebate (CAR) program to mitigate financial impacts of climate commitment act on: HB 2040
- Vehicle residences, protections for, and procedures for impounding, redeeming, and related actions: HB 2359
- Wreckers, adding catalytic converter inspection fee to license fees for: HB 2153
- Wreckers, catalytic converters removed from a vehicle and sold to wrecker, payment to individual sellers for, requirements: HB 2153

## MUSEUMS

- Burke museum, 125th anniversary of, celebrating: **\*HR 4666 (2024)**
- LeMay-America's Car Museum, creating special license plates: HB 1829, HB 2489

## MUSIC AND MUSICIANS (See also PERFORMING ARTS AND PERFORMANCE FACILITIES)

- Music therapy, music therapist licensing and music therapy advisory committee: HB 1247
- Schools, music instruction for elementary level students, requiring, and specifying per-week amount: HB 1819

**NAME CHANGES (See also CIVIL ACTIONS AND PROCEDURE)**

Action for name change, modifying reasons, locations, petitions, sealing of file, and fees: **\*SSB 5028, CH 34 (2023)**

**NAMED ACTS**

Affordable homes act, increasing supply of affordable and workforce housing: HB 2276  
 Affordable homes act, modifying state and local real estate excise tax to provide affordable housing funding: HB 1628  
 Antitrust penalties improvement act, providing stronger penalties for antitrust violations: HB 2072  
 Arthur Anderson and Raymond Mitchell tow operators safety act: HB 1485, **\*SB 5023, CH 33 (2023)**  
 Build clean act, embodied carbon emission reductions from structural building products in state-funded projects: HB 1342  
 Building families act, Washington state, insurance coverage for infertility diagnosis/treatment and fertility preservation: HB 1151  
 Business corporation act, new mergers and acquisitions rules: **\*SSB 5786, CH 22 (2024)**  
 Business corporation act, Washington, revisions: **\*SB 5004, CH 432 (2023)**  
 Buy clean and buy fair Washington act, public building construction and renovation material and labor standards reporting: HB 1282  
 Cascading impacts of wildfires act, establishing: HB 1578  
 Charles Cate II act: **\*SSB 5687, CH 190 (2023)**  
 Climate commitment act, repealing: HI 2117  
 College athlete protection act: HB 2352  
 Common interest ownership act, uniform, amending: **\*ESSB 5796, CH 321 (2024)**  
 Community redevelopment financing act, repealing chapter: HB 1090, **\*SSB 5087, CH 102 (2023)**  
 Consumer loan act, defining home equity sharing agreements: ESSB 5968  
 Consumer loan act, limiting home equity sharing agreements under: HB 2081  
 Covenant homeownership account and program act: HB 1474  
 Cruelty free cosmetics act, new chapter prohibiting sale of cosmetics tested using animals: HB 1097  
 Death with dignity act, modifying to expand access to provisions of: HB 1281, **\*ESSB 5179, CH 38 (2023)**  
 Death with dignity act, Washington, modifying provisions: HB 1035  
 Dental and dental hygienist compact, establishing: HB 1576  
 Easement relocation act, uniform, adopting: **\*SSB 5005, CH 6 (2023)**  
 Educator workforce act, establishing: HB 1565  
 Electric vehicle battery management act, concerning propulsion battery requirements and end-of-life management: HB 2501  
 Employee free choice act, establishing: HB 1940, **\*ESSB 5778, CH 357 (2024)**  
 Empowering Washington voters act, adopting: HB 1091  
 Equal pay and opportunities act, requiring written notice and correction opportunity before penalties can be assessed: HB 2349  
 Expanding employee ownership act, establishing: **\*SSB 5096, CH 392 (2023)**  
 Expanding employee ownership act, supporting businesses considering sale to an employee ownership structure: HB 1743  
 Extreme weather protection act, grant program for political subdivisions and tribes: HB 1012  
 Fair repair act, concerning digital electronic equipment and manufacturer and repair provider requirements: HB 1392  
 Family care act, establishing: 2SSB 5438  
 Firearm industry responsibility and gun violence victims' access to justice act: HB 1130, **\*SSB 5078, CH 163 (2023)**  
 Food and agricultural product branding and promotion act, Washington, new chapter: HB 1603  
 Free the vote act, revoking voting rights only when person convicted of a state crime punishable by death: HB 2030  
 Fund the police act of 2022, concerning recruitment, retention, and support of law enforcement officers: HB 1380  
 Good faith pain act, health care practitioner liability immunity when prescribing opioid drugs for chronic pain: HB 1546  
 Grid reliability innovation for decarbonization (GRID) act, financial assistance for emission-reducing electricity projects: HB 1908  
 Halal food consumer protection act, establishing: HB 2059, **\*SB 5799, CH 245 (2024)**  
 Home affordability sustainment act, establishing a new rental support program to help low-income families to rent manufactured homes and rental housing units: HB 2425  
 Homes for heroes act, pilot program for loans to certain workers/professions for down payment and closing costs: HB 1633

Housing accountability act, concerning GMA housing element requirements compliance review and final decision: HB 2113

Housing crisis response act, Washington, funding for capital programs and projects to reduce homelessness: HB 1149

Improving consumer protection to restore trust in public health act, establishing: HB 1610

Industrial safety and health act, timeline for issuing violation citation: **\*SSB 5980, CH 40 (2024)**

Interstate nurse licensure compact, including multistate license to practice as registered, practical, or vocational nurse: HB 1417

Interstate nurse licensure compact, new chapter authorizing: **\*SSB 5499, CH 123 (2023)**

Ivan's law, addressing the misuse and abuse of fentanyl and other synthetic opioids: HB 2396

John McCoy (luliláš) memorial tribal history, culture, and government act, renaming certain school curriculum via: **\*HB 1879, CH 200 (2024)**

Judicial discretion act, concerning judicial discretion to modifying sentences in the interests of justice: HB 2001

Keep our care act, concerning health care market participant material change transactions: HB 1263, ESB 5241

Keeping our Washington guard strong act, establishing to create two national guard-related programs: HB 1869

Kimberly Bender's law: **\*SSB 5033, CH 7 (2023)**

Mary's law, convening interagency carbon monoxide work group: HB 1779

Medicaid fraud false claims act, removing termination and repeal of: **\*SB 5163, CH 90 (2023)**

Medical freedom act, preventing discrimination based on vaccination or immunity status: HB 1827

Military spouse employment act, expedited credentialing and assistance: HB 1009

Missing and murdered indigenous women and persons and Lucian act, missing persons toolkit on attorney general website: **\*HB 1512, CH 212 (2023)**

Nothing about us without us act, access and representation in policy-making processes for persons with direct lived experience: HB 1541

Oakley Carlson act, establishing: HB 1397

Oil industry accountability act, new chapter establishing: HB 2232

Partition of heirs property act, uniform, adopting: **\*SSB 5005, CH 6 (2023)**

People's privacy act, rights and opt-in consent before entity use of individual's personal information: HB 1616

Pesticide control act, restricting neonicotinoids: **\*SSB 5972, CH 338 (2024)**

Predatory loan prevention act, protections for consumers: HB 1874, **\*SSB 6025, CH 249 (2024)**

Professional license review act, department of licensing annual professional licenses review and analysis: **\*HB 1301, CH 412 (2023)**

Protecting children's bodies act, establishing: HB 1214

Protecting reproductive autonomy act, concerning access to sterilization for contraceptive purposes: HB 2502

Public records act, state and local government compliance challenges, examining and making recommendations to alleviate: HB 2190

Ransomware protection act, Washington state, protecting constituent and state operational data: HB 1464

Real labor real wages act, labor and income of incarcerated persons: HB 1024

Reconciliation act, renaming account as community reconciliation account and using for community support: HB 1737

Residential landlord-tenant act, task force on revising the, establishing: HB 2345

Richard Lenhart act: HB 2133, **\*ESSB 5891, CH 302 (2024)**

Right to repair act, concerning servicing and right to repair certain digital electronic products: HB 1933

Sam Martinez stop hazing law, hazing at postsecondary educational institutions: **\*HB 1002, CH 196 (2023)**

Shahraim C. Allen safe leave act for Washington railroad workers, establishing: HB 1548, ESB 5267

Solitary confinement restriction act, adopting: HB 1087

State medical reserve corps act: HB 1452

Statement of student rights act, for public school students: EHB 1478

Sunset act, extending: HB 2362

Ticket sales warrant integrity, fairness, and transparency for consumer protection act, or TSWIFT consumer protection act: HB 1648

Toxic-free cosmetics act, prohibiting toxic chemicals in cosmetic products: HB 1047

Tribal warrants act, new chapter: HB 2305, **\*SSB 6146, CH 207 (2024)**

Tyler Lee Yates act: **\*EHB 1209, CH 66 (2023)**

Uniform child abduction prevention act, enacting new chapter: HB 1121

Uniform civil remedies for unauthorized disclosure of intimate images act, new chapter: HB 1165

Uniform electronic estate planning documents act, establishing: **\*SSB 5787, CH 188 (2024)**

Uniform family law arbitration act, adopting: HB 1088  
 Uniform guardianship, conservatorship, and other protective arrangements act, modifying: **\*2SSB 5825, CH 267 (2024)**  
 Uniform special deposits act, establishing: **\*ESSB 5801, CH 23 (2024)**  
 Uniform telehealth act, establishing new chapter: **\*ESSB 5481, CH 212 (2024)**  
 Used motor vehicles express warranties act, new chapter: HB 1184  
 Voting rights act, modifying provisions: HB 1048  
 Washington 13 free guarantee act, providing up to 45 credits of tuition free community or technical college: HB 2309  
 Washington cities' and towns' freedom to choose even-numbered elections act: HB 1882  
 Washington clean manufacturing leadership act, establishing: **\*2SSB 5269, CH 322 (2023) PV**  
 Washington cosmetologists, hair designers, barbers, manicurists, and estheticians act, adding permanent cosmetics to name: HB 2109  
 Washington decarbonization act for large gas companies and combination utilities, establishing new chapter: HB 1589  
 Washington digital empowerment and workforce inclusion act, establishing to support historically marginalized people and communities: HB 2360  
 Washington fashion sustainability accountability act, concerning environmental impact of fashion industry: HB 2068  
 Washington food and agricultural product promotion act: **\*ESB 5341, CH 276 (2023)**  
 Washington my health my data act, new chapter: HB 1155  
 Washington promise program, establishing to provide tuition free community or technical college and support degree or certificate completion: HB 2374  
 Washington psilocybin services act, establishing: **\*2SSB 5263, CH 364 (2023) PV**  
 Washington regulation of laser hair removal act, concerning laser hair removal, laser practitioners, and laser hair removal facilities: HB 2377  
 Washington state ransomware protection act, protecting constituent and state operational data: HB 1464  
 Whistleblower award and protection act, when providing information leading to state/federal securities laws enforcement: **\*HB 1370, CH 149 (2023)**  
 Wild or exotic animal protection act, prohibiting display for entertainment: HB 1157  
 Worker health care protection act, establishing: **\*ESB 5632, CH 263 (2024)**  
 Yori's law, recognizing May 15 as water safety day and encouraging water safety and rescue and drowning prevention: **\*HB 1750, CH 181 (2023)**  
 Zack's law, signs about cold-water shock hazards to deter jumping from bridges into cold waterways: **\*HB 1004, CH 54 (2023)**

**NATURAL DISASTERS (See also EMERGENCIES; EMERGENCY MANAGEMENT AND SERVICES; EMERGENCY, STATE OF; FLOODS AND FLOOD CONTROL)**

Business licenses, renewal application handling and delinquency fees when business unable to operate due to emergency or disaster, waivers of: HB 2430  
 Domestic maritime industry in Washington state, recognizing and supporting its ability to serve Washingtonians in the event of a natural disaster: **\*HR 4677 (2024)**  
 Earthquakes, functional recovery of buildings and critical infrastructure right after, and earthquake and tsunami resilience, studying: HB 2273  
 Recovery, statewide framework and long-term community recovery assistance program, establishing: HB 1952  
 Reforestation grant program, to incentivize and invest in reforestation after large forest stand replacement events, administering: HB 2446  
 Statewide resiliency program, emergency management division to develop and administer: HB 1728

**NATURAL RESOURCES, DEPARTMENT (See also FIRE PROTECTION; FOREST PRACTICES AND PRODUCTS)**

Aquatic lands, DNR, public transportation benefit area easement for ferry terminal or docking facility: **\*HB 1334, CH 146 (2023)**, SB 5292  
 Children's social equity land trust, DNR to acquire forested lands for purposes of: HB 2243  
 Climate commitment act, carbon offset credits under, assessment of state-owned assets in natural and built environments with potential to generate, DNR role: HB 2333  
 Climate resilience and environmental equity campus, establishing for workforce training and internships for certain postsecondary students, DNR role: HB 2298  
 Derelict aquatic structures, authorizing taking possession of and removing, new chapter: HB 1378, **\*SSB 5433, CH 227 (2023)**

Derelict vessels, terrestrial derelict vessel removal pilot project, DNR to operate: HB 2207  
 Ecosystem services projects, authorizing contracting: HB 1789  
 Fallen firefighter memorial, establishing: HB 2091  
 Geoduck comanagement task force, DNR to convene: HB 1297  
 Geological survey, subsurface geologic information database, survey to compile and maintain for access via website: HB 2129, **\*ESSB 6039, CH 350 (2024)**  
 Geothermal resources lease rates, DNR to update: HB 2129, **\*ESSB 6039, CH 350 (2024)**  
 Habitat stewardship, establishing grant program to assist lessees of state-owned aquatic land: HB 1378, **\*SSB 5433, CH 227 (2023)**  
 Housing, affordable, when placed on public lands, leasehold excise tax exemption, when, DNR role: HB 2003  
 Jennifer Belcher building, renaming natural resources building as: HCR 4402  
 Land and facilities, authority to purchase for structure removal or repurposing: HB 1378, **\*SSB 5433, CH 227 (2023)**  
 Northern spotted owl, authorizing voluntary programmatic safe harbor agreements for private landowners: **\*SB 5390, CH 119 (2023)**  
 Permits/licenses, not to be considered fees for certain purposes: HB 2165  
 Rangeland fire protection association pilot project, conducting, DNR role: HB 1971  
 Reforestation grant program, to incentivize and invest in reforestation after large forest stand replacement events, DNR to administer: HB 2446  
 Seashore conservation area, requiring access permits and easements for qualified infrastructure project owners: SB 5818  
 Trust assets, authorizing leasing of: HB 2299  
 Trust land transfer program, creating to transfer economically-underperforming lands to parks, preserves, etc.: HB 1423, HB 1460  
 Urban forestry, requiring regulations to be satisfied by use of tree banks, DNR role: HB 1078  
 Utility wildland fire prevention advisory committee, adding members and duties: HB 1032  
 Wildfires, existing or threatened in 2023, budget stabilization account appropriations for DNR fire suppression costs: HB 2170, **\*SSB 6100, CH 198 (2024)**  
 Wildfires, prevention, Smokey Bear special license plates, creating: HB 2108, HB 2489  
 Wildfires, requiring risk assessment, public safety evacuation strategies, community resilience programming, et al.: HB 1578  
 Wildfires, wildland fire risk map, utility wildfire mitigation plans, and state agency wildland fire coordination, DNR role: HB 1032

#### NEWS MEDIA

Newspapers, "legal newspapers", publication of legal notices in, requiring primary compilation/printing/distribution in WA: HB 1315  
 Newspapers, publishing and/or printing of, or publishing eligible digital content, B&O tax deduction for: HB 1206  
 Newspapers, publishing and/or printing of, or publishing eligible digital content, B&O tax exemption for: **\*E2SSB 5199, CH 286 (2023)**

#### NONPROFIT ORGANIZATIONS (See also HOMELESS PERSONS; HOUSING AND HOMES; MUNICIPAL RESEARCH AND SERVICES CENTER; PUBLIC LANDS; ROADS AND HIGHWAYS; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; UTILITIES)

Adult family homes, for persons with developmental disabilities, nonprofit-owned property for, property tax exemption: **\*HB 1265, CH 69 (2023)**  
 Affordable housing, in development qualifying for property tax exemption, sale to nonprofit to be exempt from real estate sales excise tax, when: HB 2276  
 Affordable housing, labor and services or tangible personal property sales or use by nonprofit, sales/use tax exemption for: HB 2219  
 Affordable housing, property tax exemption for nonprofit providing rental housing built with city and county funds: HB 2012  
 Amusement games, unlicensed and conducted by charitable or nonprofit organizations, raising gross revenue threshold for: HB 2317  
 Animal adoption, exempting fess from B&O taxes: HB 1653  
 Bingo, conducted by nonprofit organization, shifting principal location requirement from county to state: **\*HB 1707, CH 155 (2023)**  
 Bingo, conducted by nonprofit/charitable organization, limiting number of licenses for: **\*HB 1707, CH 155 (2023)**

Bingo, unlicensed and conducted by charitable or nonprofit organizations, raising gross revenue threshold for: HB 2317  
Charitable organizations, bingo conducted by, shifting principal location requirement from county to state: **\*HB 1707, CH 155 (2023)**

Cooperative finance organizations, making loans to utility services providers, B&O tax deduction for: HB 1191, **\*SB 5166, CH 317 (2023)**

Emergency shelter or certain housing, organization providing, waiver/delay of municipal utility connection charges: HB 1326

Fish and wildlife, department of, authorizing cooperation: **\*SSB 5785, CH 160 (2024)**

Gun clubs, creating sales and use tax exemption for clay targets: HB 2269

Liquor licenses, special occasion for not-for-profit society or organization, enhanced special occasion license, creating: HB 1765

Non-profit health care providers and payers, tax preferences et al. for, impact on calculation of total health care expenditures: HB 1508

Psilocybin services, authorizing for nonprofits with goal of wellness or assistance of military and first responders: HB 2281

Raffles, unlicensed and conducted by charitable or nonprofit organizations, raising gross revenue threshold for: HB 2317

Rental support program for helping low-income families to rent manufactured homes and rental housing units, authorizing nonprofit to administer: HB 2425

Resident nonprofit cooperatives, as eligible organizations for manufactured/mobile home community purchase or lease: HB 1129, **\*E2SSB 5198, CH 40 (2023)**

Search and rescue organizations, conducting search and rescue and back country search and rescue, definitions and provisions: HB 2257

Shooting sports and activities sweepstakes permitting wagers, charitable or nonprofit organization conduct of, authorizing: HB 1438, HB 1824

Substance use disorder, parents with, grant program for nonprofits to provide supports to reduce child welfare placements due to: HB 2447

Veterans and military members, disabled, tax exemptions for adaptive recreational and rehabilitation facilities for: HB 1862

Veterans' service organizations, spirits purchased as fund-raising prize for event by, sales tax exemption for: HB 1672

Washington physicians health program, increasing health care professionals license surcharge fees that fund: **\*HB 1972, CH 15 (2024)**

Worker's compensation, providing temporary light-duty stay-at-work employment: ESSB 5368

Workers' compensation, allowing off-site light duty return to work via nonprofit organizations: HB 1137

#### **OCEAN WATERS AND RESOURCES (See also MARINE WATERS, STATE)**

Pacific ocean along western U.S. coast, cumulative effects of offshore wind generation on oceanographic processes, studying: HB 2341

#### **OIL AND GAS (See also FUELS; TAXES - EXCISE)**

Agricultural activities violating certain water pollution statutes, person engaged in, notification of by registered mail and required report from: HB 2288

Biogas-processing coproducts, permitting sale by public utility districts: HB 2069, **\*SSB 5919, CH 271 (2024)**

Crude oil, nations exporting to Washington and their human rights records, UW biennial symposium and ecology website concerning: HB 2143

Gas, requiring large gas companies to develop decarbonization plans: HB 1589

Gas, restricting large gas companies from supplying new locations: HB 1589

High hazard facilities, prevailing hourly wage rate for skilled journeypersons: HB 1067

Municipal gas utilities, under climate commitment act, annual decline in allowances at no cost and increase in allowances to be auctioned: HB 2376

Natural gas, renewable, gas company renewable natural gas programs, removing customer charge limit: HB 1619

Natural gas, renewable, machinery and equipment for generating, sales and use tax exemptions: HB 1619

Petroleum market oversight, division of, establishing to for transportation fuels markets: HB 2232

Petroleum products, eliminating public utility tax exemption for certain products: ESB 5309

Petroleum products, hazardous substances tax pollution tax rate for, periodic adjustment: HB 1254

Petroleum underground storage tanks, creating state financial assurance program: HB 1175

Refineries, requiring reporting: HB 2232



Refinery fuel gas, value of the article for use tax purposes, method(s) for determining: HB 1254

### **OPEN PUBLIC MEETINGS**

Climate commitment act, public entities under, authorizing executive sessions to consider market sensitive information about auction of allowances: HB 2376

County legislative authorities, meetings at alternate locations, frequency: \***HB 1645, CH 84 (2023)**, SB 5067

Health care cost transparency board, requiring hearing on growth of health care expenditures: HB 1508

Health care entity material change transactions, AG to conduct meetings during preliminary review: ESB 5241

Housing development permit under GMA, removing meeting requirement for application review: HB 1026

Public agencies, soliciting written public comment, notice of deadline for comment: HB 1105

Washington national primate research center at UW, open public meetings requirements: HB 2304

### **OPERATING AGENCIES**

Educational training facilities and centers for career education and on-the-job experiences, authorizing agencies to own and operate: HB 2298

### **PARKING**

Commercial truck parking and parking facilities, including various truck and driver accommodations, facilitating: HB 1787

Development, prohibiting off-street parking requirements for certain residential and mixed-use areas: HB 2160

Minimum parking requirements for residential or commercial developments, prohibiting under GMA, when: HB 1351

Parking, in relation to residential development rules: HB 2321

Parking, new section for residential development rules: \***SSB 6015, CH 274 (2024)**

### **PARKS (See also PARKS AND RECREATION COMMISSION)**

Firearms, prohibiting open carry: HB 1195

Health and wellness, establishing 3 "parks Rx" pilot programs: HB 1718

Homeless encampments, requiring county and city prohibition on public property within 500 feet of parks: HB 1373

Julia Butler Hansen state park heritage center, creating and managing: HB 2310

Magnuson park, and the Friends of Magnuson Park, recognizing and honoring: \***HR 4646 (2023)**

Magnuson Park, Friends of, recognizing and honoring: \***HR 4687 (2024)**

Permits, eliminating and repealing daily-use pass, vehicle access pass, and discover pass: HB 1212

State, facilities that may be used for outdoor educational purposes, survey of, conducting: HB 2138

State, lifetime veteran's pass at no cost, extending to all veterans: HB 1384

State, outdoor learning opportunities and outdoor education events in, promoting: HB 2138

State, Saint Edward state park, parks and recreation commission leasing provisions for, removing limitations on: HB 2445

### **PARKS AND RECREATION COMMISSION (See also PARKS )**

Gubernatorial appointments to commission, modifying guidelines to include different regions and diversity of lived experience: HB 1997

Julia Butler Hansen state park heritage center conservation site, commission to establish and operate: HB 2310

Jumping into cold waterways from bridges, signage to deter, commission role: \***HB 1004, CH 54 (2023)**

Passes for state parks, extending lifetime no-cost pass for veterans with disabilities to all veterans: HB 1384

Safety, establish standards and provide accreditation for human-powered vessel safety education courses: HB 1781

Safety, requiring paddle education card via boating education courses to operate human-powered vessels: HB 1781

Saint Edward state park, commission leasing provisions for, removing limitations on: HB 2445

Seashore conservation area, requiring access permits and easements for qualified infrastructure project owners: SB 5818

State park system, reinvesting revenue of various accounts to support: SSB 5902

State parks, facilities that may be used for outdoor educational purposes, survey of, commission to conduct: HB 2138

State parks, outdoor learning opportunities and outdoor education events in, promoting, commission role: HB 2138

Waterways, adopt-a-waterway program, commission to establish for cleaning, protecting, and preserving natural waterways: HB 2400

**PERFORMING ARTS AND PERFORMANCE FACILITIES (See also ALCOHOLIC BEVERAGES; MUSIC AND MUSICIANS)**

Poetry Out Loud program, Sydney Frost, a 2024 regional champion, congratulating as she progresses to the state final:

**\*HR 4684 (2024)**

Theaters, liquor licenses for, various provisions: HB 2043

Ticket sales, requirements for pricing, technologies, purchases, tickets, out-of-state businesses, and ticket sellers and resellers: HB 1648

**PERSONAL PROPERTY (See also ANIMALS; HOUSING AND HOMES; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)**

Bankruptcy, personal property exemptions from execution et al., increasing value limits for, when: HB 1400, **\*ESSB 5173, CH 393 (2023)**

Crimes against property, sentencing for, habitual property offender special allegation and enhancements: SSB 5056

Debt, personal property exemptions from execution/attachment/garnishment, various modifications of: HB 1400, **\*ESSB 5173, CH 393 (2023)**

Forfeiture of seized property, procedures and reporting: HB 1385

Gift certificates and cards, presumed abandoned, updating cross-references to unclaimed property act: **\*HB 1742, CH 258 (2023)**

Gift certificates, abandoned, reporting by businesses as unclaimed property: HB 2095

Packing materials, for personal property, renting or leasing through sharing and reuse program, sales/use tax exemption: HB 1422

Personality rights, minor children featured on for-profit vlog, setting side earnings on video content for: HB 1627

Private moorage facilities, excess income from abandoned vessel sale, unclaimed property act cross-reference updates:

**\*HB 1742, CH 258 (2023)**

Property taxation, raising amount of personal property exempted from: HB 1761

Property taxation, raising upper limit for exemption of portion by legislature, constitutional amendment for: HJR 4206

Self-service storage facilities, personal property lien for unpaid rent, updating cross-references to unclaimed property act:

**\*HB 1742, CH 258 (2023)**

Tenants, excess income from property sale when eviction or death, updating cross-references to unclaimed property act:

**\*HB 1742, CH 258 (2023)**

Theft, definition of, to include concealing another's property to deprive them of its use or benefit: HB 1456

Unclaimed property act, replacing uniform act citation with revised uniform act citation in certain cross-references to:

**\*HB 1742, CH 258 (2023)**

Unclaimed property, duties and property/amounts/penalties/interest due, DOR agreements with holders concerning: **\*HB 1742, CH 258 (2023)**

Unclaimed property, presumption of abandonment of excess sale proceeds/income/funds, time periods for: **\*HB 1742, CH 258 (2023)**

Unclaimed property, surplus foreclosure proceeds, excessive fees or charges for locating and recovering, prohibiting:

**\*HB 1349, CH 206 (2023)**, HB 1637

**PEST CONTROL AND PESTICIDES**

Agricultural pest and disease response account, creating for responding to emerging threats: HB 2147, SSB 6036

Commission on pesticide registration, renaming to commission on integrated pest management: **\*ESSB 5143, CH 37 (2023)**

Herbicides, clopyralid and similar, organic waste materials likely to be contaminated with, providing to or use by organic materials management facilities, prohibiting: HB 2301

Low-risk pesticides, farmer expenditures for purchase of, B&O tax credit for: HB 1857

Neonicotinoids, designating state restricted use and imposing restrictions: **\*SSB 5972, CH 338 (2024)**

Pesticide advisory board, establishing: HB 1019

Pesticide application act, updating definitions, requiring immediate supervision, and removing age exception: **\*SB 5330, CH 186 (2023)**

Pesticide application safety committee, extending and eliminating work group teleconferencing requirement: HB 2302, SB 6166

Sulfuryl fluoride, used as a fumigant pesticide, studying emissions of and identifying availability and feasibility of safer alternatives to: HB 2073

**PHARMACIES AND PHARMACISTS**

Health, department of, measures against non-compliance: HB 1434, \***ESSB 5271, CH 121 (2024)**  
 Pharmacies, license of location extension to remote dispensing site for opioid treatment medications: \***2E2SSB 5536, CH 1 (2023)**  
 Pharmacy benefit managers, excluding from health care benefit managers and creating new chapter for: HB 1253  
 Pharmacy benefit managers, registration and regulation of, and comprehensive requirements for: HB 1253  
 Pharmacy benefit managers, requirements and restrictions: \***E2SSB 5213, CH 242 (2024)**  
 Pharmacy quality assurance commission, membership of, modifying: HB 1909  
 Prescription drugs, authorizing development of rules for prescribing of drugs and devices by pharmacists: HB 2116  
 Tests for certain health conditions, ordering/administering/reviewing/interpreting, pharmacist authority for, when: HB 1665  
 Treatment for certain health conditions, pharmacist authority to test for, initiate, and administer: HB 1665

**POLLUTION CONTROL HEARINGS BOARD**

Batteries, electric vehicle propulsion battery requirements and end-of-life management, board role: HB 2501  
 Board, final decisions of environmental boards in adjudicative proceedings, appealing directly to court of appeals: HB 2039  
 Cosmetic products, toxic chemicals in, prohibitions, board enforcement role: HB 1047  
 Derelict vessel appeals, substitution of administrative law judge for board member for: HB 1081, \***SB 5192, CH 39 (2023)**  
 Derelict vessels, hearing request contesting public entity obtaining of custody, modifying: HB 1753  
 Fashion industry, appeals concerning civil penalties and orders under fashion sustainability accountability act, board authority: HB 2068  
 Jurisdiction to hear and decide appeals, adding various civil penalties, orders, and decisions to: HB 2039  
 Lead, cookware and cookware components containing, prohibition violation appeals, board role: HB 1551  
 Lead, in aviation gasoline, prohibition violation appeals, board role: HB 1554  
 Penalties under certain chapters in Title 70A RCW, authority to appeal to board: HB 2039  
 Projects, more than one appeal arising from same project, consolidation of appeals for hearing, criteria for: HB 2039  
 Refrigerant stewardship organizations, hearings in connection with: HB 2401

**POLLUTION LIABILITY INSURANCE AGENCY**

Petroleum underground storage tanks, creating state financial assurance program, role of agency: HB 1175

**PORT DISTRICTS**

Airports, administering grant program to assist qualifying port districts with noise mitigation expenses: \***E2SSB 5955, CH 194 (2024)**  
 Airports, dedicating some property tax revenue to noise and air pollution mitigation: HB 2103  
 Bridges, signage for new bridges to deter jumping into cold waterways, role of districts: \***HB 1004, CH 54 (2023)**  
 Districts, two or more under mutual agreement, joint collection of levied property taxes, when: \***EHB 1663, CH 215 (2023)**  
 Ports, commercial truck parking and parking facilities, including various truck and driver accommodations, facilitating: HB 1787  
 Ports, qualified cargo and passenger ports, authority to coordinate actions with other qualified ports: \***HB 1257, CH 347 (2023)**  
 Property of district, sale and conveyance value limit, periodic adjustment: HB 1254  
 Ranked choice voting, authorizing for elections and providing guidelines: HB 2250  
 Supply chain competitiveness infrastructure program, funding grant and loans to public ports: SSB 6302

**PRIVATE INVESTIGATORS**

Licensure, eligibility regardless of immigration or citizenship status: HB 1889

**PRODUCTIVITY BOARD**

Reestablishing board and revising requirements: \***ESB 5015, CH 106 (2023)**

**PROFESSIONAL EDUCATOR STANDARDS BOARD (PESB) (See also MILITARY; PROFESSIONS; PUBLIC EMPLOYMENT AND EMPLOYEES; SCHOOLS AND SCHOOL DISTRICTS)**

Continuing education on equity-based practices and certain national standards, to be approved by PESB: HB 1377

Credentials, educational and professional, Washington credential registry, creation of: HB 2155  
 Cultural competency, diversity, equity, and inclusion standards developed by PESB, aligning certain school staff provisions with: HB 1376  
 Educator preparation program, improvement report on, PESB to prepare: HB 1565  
 Educator workforce programs, quality and effectiveness of, data collection and determinations about, PESB role: HB 1565  
 Ethics, providing recommendations for code of educator ethics: HB 1239  
 Membership, adding student representation to the board: SB 5903  
 Reading and writing literacy, improving via structured literacy, K-4 literacy program, educator refresher course, teacher endorsements, and dyslexia handbook and supports, PESB role: HB 2284  
 Reading and writing literacy, teacher endorsements with reading and writing literacy competencies, revised standards for, PESB to adopt: HB 2284  
 Reprimands, adoption of rules for reviewing and vacating: HB 1113  
 Teacher residency program/grants/advisory council/conditional scholarship, establishing, PESB role: HB 1565

**PROFESSIONS (See also ACCOUNTANTS AND ACCOUNTING; BAIL AND BAIL BONDS; CONTRACTORS; CURRENCY; HEALTH CARE PROFESSIONS AND PROVIDERS; HEALTH, DEPARTMENT; INSURANCE; LICENSING, DEPARTMENT; PRIVATE INVESTIGATORS; REAL ESTATE AND REAL PROPERTY; SCHOOLS AND SCHOOL DISTRICTS; SECURITY GUARDS)**

Adult entertainers, working in adult entertainment establishments, workplace conditions and safety standards for, modifying: HB 2036  
 Applying for license/certificate/state recognition, preliminary application process for, licensing authorities to provide information on website: HB 2225  
 Architects, increasing board discretion in certificate examinations: HB 1880, SSB 5794  
 Barbers, licensing examination course instruction hours requirement: **\*HB 1017, CH 55 (2023)**  
 Business professions, eligibility for credentialing regardless of immigration or citizenship status: HB 1889  
 Certification, applicant with criminal record, allowing informal meeting with licensing authority before determination as to possible disqualification: HB 2225  
 Cosmetics, permanent cosmetic artists and enhanced permanent cosmetic artists, training, licensing, and regulation of: HB 2109  
 Cosmetologists, licensing examination course instruction hours requirement: **\*HB 1017, CH 55 (2023)**  
 Cosmetology, hair design, barbering, esthetics, and manicuring advisory board, adding master esthetics, permanent cosmetics, and enhanced permanent cosmetics to: HB 2109  
 Credentialing, for various professions, eligibility regardless of immigration or citizenship status: HB 1889  
 Credentials, Washington credential registry, creating: HB 2155  
 Electrical inspectors, state, salaries of, requirements: HB 1526  
 Engineers and land surveyors, waiving fundamentals examination for qualified persons: **\*SB 5283, CH 274 (2023)**  
 Estheticians, licensing examination course instruction hours requirement: **\*HB 1017, CH 55 (2023)**  
 Hair designers, licensing examination course instruction hours requirement: **\*HB 1017, CH 55 (2023)**  
 Home energy assessors, licensing and regulation of: HB 1433  
 Interpreters and translators, creating licensing, examination, and renewal requirements, new chapter: ESSB 5995  
 Interpreters, for courts, for persons with limited English proficiency, credentialing program for, establishing: HB 2006  
 Licenses, annual professional licenses review and analysis, professional licenses review act for: **\*HB 1301, CH 412 (2023)**  
 Licenses, expediting for new Washington residents, establishing procedures for: HB 1359  
 Licensing, applicant with criminal record, allowing informal meeting with licensing authority before determination as to possible disqualification: HB 2225  
 Licensing, competency-based licensing assessment and requirements, as alternative licensing approach: HB 1360  
 Licensing, newly licensed professions, standards for choosing to regulate and least restrictive alternative method: HB 1358  
 Licensing, postsecondary credentials, credential transparency work group, creating: HB 1821  
 Manicurists, licensing examination course instruction hours requirement: **\*HB 1017, CH 55 (2023)**  
 Military spouses, credentialing of, expedited process and assistance: HB 1009  
 Pawnbrokers, modifications to interest and fee rates, payments, and sale of pledged property: HB 1910  
 Plumbers, correcting definitions and limiting trainee supervision: HB 2412, **\*ESB 5997, CH 97 (2024)**

State recognition, applicant with criminal record, allowing informal meeting with licensing authority before determination as to possible disqualification: HB 2225

Veterans, professional and business licenses, expanding definition of "veteran" for purposes of: HB 2014

**PROTECTION ORDERS (See also DOMESTIC VIOLENCE; FIREARMS; HARASSMENT; SEX OFFENSES AND OFFENDERS; STALKING; VULNERABLE ADULTS)**

Extreme risk protection orders, in cases of domestic violence, process for and issuance of: **\*ESSB 5231, CH 320 (2023)**  
 Hope card program, for issuance of cards by superior and district courts for protection order recipients, developing: HB 1766

Insanity, acquittal by reason of, allowing no-contact orders to protect victims: **\*SSB 6227, CH 137 (2024)**

Interpreters, for court proceedings, for persons with limited English proficiency: HB 2006

Violence, domestic or other family member or intimate partner violence, modifying order provisions to protect victims of: HB 1715

**PUBLIC ASSISTANCE (See also DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH; HEALTH CARE AUTHORITY; LONG-TERM CARE)**

Accountable communities of health, federal funds for medicaid transformation project received from HCA by, B&O tax deduction for: **\*EHB 1812, CH 313 (2023)**

Aged, blind, or disabled assistance program, concurrent receipt of supplemental security income not a debt: HB 1260

Aged, blind, or disabled, assistance program, modifying eligibility provisions: HB 1260

Aged, blind, or disabled, assistance program, payment level minimums under consolidated standards of need: HB 1447

Cash assistance, evergreen basic income pilot program, establishing: HB 1045

Child protective services, certain infants impacted by high potency synthetic opioids, pilot program for child care slots for: HB 2447

Child protective services, families receiving, home visiting programs for: HB 2259, HB 2447, HB 2479

Child protective services, safety planning by, including third-party safety plan participants and public health nurses in, pilot program for: HB 2447

Child protective services, workers not required to go alone to private location when risk of violence, requirements: HB 1673

Child welfare housing assistance program, making permanent and adding counties: HB 1186, **\*SSB 5256, CH 321 (2023)**

Child welfare services, caregivers for, automated notification system for communicating with: HB 1430, HB 1970

Child welfare services, caregivers for, caregiver communication specialist position within DCYF, establishing: HB 1430, HB 1970

Child welfare services, DCYF's child welfare functions, state auditor to conduct evaluation of: HB 1754

Child welfare services, families receiving, home visiting programs for: HB 2259, HB 2447, HB 2479

Child welfare services, investigations, including certain voluntary placement agreement cases, public defense counsel for parents: HB 1295

Child welfare services, opportunity for dependent youth to open private self-controlled account with financial institution, developing program for: HB 2342

Child welfare services, workers not required to go alone to private location when risk of violence, requirements: HB 1673

Child welfare workers, de-escalation training as part of minimum training standards for: HB 1673

Child welfare workers, going to private location when risk of violence, second trained individual requirement: HB 1673

Children, resource and assessment centers for, expanding provision of care by: HB 1685, ESB 5691

Colorectal cancer noninvasive preventive screening tests and resulting colonoscopies, coverage for: **\*HB 1626, CH 299 (2023)**

Essential needs and housing support program, vocational rehabilitation services for persons receiving benefits: HB 1260

Essential needs and housing support, payment level minimums under consolidated standards of need: HB 1447

Extended foster care, providing for youths up to age 21 including supervised independent living subsidy: HB 2218, **\*E2SSB 5908, CH 192 (2024)**

Food assistance, basic food, appropriations to support people most impacted by the loss of: HB 1784

Food assistance, persons receiving or eligible for, eligibility for working connections and birth to three programs for: HB 1945

Guardianship, eligibility and subsidy expansion: HB 1278, **\*ESSB 5124, CH 221 (2023)**

Jurors, altering compensation: HB 1598

Language access providers, developing and administering oral and written tests for fluency: **\*SSB 5304, CH 94 (2023)**

Maternal and perinatal care, medicaid, collecting and reporting quality measures: SB 6148

Medicaid, ambulance providers transporting recipients, ambulance transport fund for, extending expiration: HB 1321, **\*SB 5122, CH 11 (2023)**

Medicaid, behavioral health inpatient treatment, postinpatient housing program for young adults exiting, establishing: HB 1929

Medicaid, behavioral health services contracting and procurement of, treatment needs/managed care/payment/provider networks: HB 1515

Medicaid, case mix weights for nursing facilities: HB 2208, **\*SSB 5802, CH 246 (2024)**

Medicaid, coverage for advanced metastatic cancer prescription drugs, prohibiting certain requirements: HB 1884

Medicaid, coverage for biomarker testing: HB 1450

Medicaid, covered lives assessment collected from managed care organizations, imposing, depositing in new account, and using: HB 2476

Medicaid, covered lives assessment professional services rate account, creating: HB 2476

Medicaid, difficult to discharge patients in acute care hospitals, payment for hospital stay, HCA role: **\*2SSB 5103, CH 315 (2023)**

Medicaid, federal funds from HCA/transformation project received by accountable community of health or public hospital, B&O tax deduction: **\*EHB 1812, CH 313 (2023)**

Medicaid, ground emergency medical transportation, public provider supplemental reimbursement for private provider contract costs, when: HB 1980

Medicaid, health homes enrollment for children with medically complex conditions eligible for, state plan amendment for allowing: HB 1941

Medicaid, hospital safety net program modifications in relation to: HB 1850

Medicaid, insulin for individuals under the age of 21 bulk purchasing and distribution program, establishing, managed care role: HB 1725

Medicaid, medicaid directed payment program for certain designated public hospital care: HB 1850

Medicaid, medicaid fraud false claims act, removing termination and repeal of: **\*SB 5163, CH 90 (2023)**

Medicaid, minor children with developmental disabilities, authorizing payment for parental caregivers of: HB 2184

Medicaid, noninvasive preventive colorectal cancer screening tests and resulting colonoscopies, coverage for: **\*HB 1626, CH 299 (2023)**

Medicaid, occupational therapy services for persons with behavioral health disorders: **\*SB 5228, CH 113 (2023)**

Medicaid, offering certain medicare savings programs to clients entitled to medicare part A, when: HB 1313

Medicaid, paying certain rural hospitals for recipients eligible for medical assistance: HB 1748, **\*2SSB 5532, CH 443 (2023) PV**

Medicaid, paying certain sole community hospitals for recipients eligible for medical assistance: HB 1662

Medicaid, personal needs allowance for clients in medical institutions or residential settings, raising: **\*HB 1128, CH 201 (2023)**

Medicaid, prevention services for enrollees, provision of and training of providers to provide: HB 2197

Medicaid, prior authorization standards for standard, expedited, provider-initiated, denied requests, and electronic requests: HB 1357

Medicaid, professional service rates, creating professional health care services rate enhancement account for cannabis excise tax deposits for enhancements to: HB 2449

Medicaid, rebalancing payments for providers and facilities serving rural/underserved/marginalized populations: HB 1713

Medicaid, requiring reimbursement of state costs for employees of large corporations: HB 1227

Medicaid, setting pregnancy or postpartum coverage income level equal to or below 210% federal poverty level: **\*2E2SSB 5580, CH 213 (2024)**

Medicaid, telemedicine, audio-only, patient/provider "established relationship" before providing: HB 1027, **\*SB 5036, CH 8 (2023)**

Medicaid, whole genome sequencing, coverage for age 21 and younger with medical necessity: HB 1079

Medicare, savings programs, offering certain programs to medicaid clients entitled to medicare part A, when: HB 1313

Missing persons, permitting law enforcement request of information to verify status of recipient: **\*SSB 6186, CH 208 (2024)**

Pregnant women assistance program, modifying eligibility provisions: HB 1260

Pregnant women assistance program, payment level minimums under consolidated standards of need: HB 1447

Public assistance services, DSHS and others to develop: HB 1988, SB 5889  
 Refugee and immigrant assistance, office of, scope of refugee and immigrant assistance administered within DSHS by: HB 2368  
 Refugee assistance, payment level minimums under consolidated standards of need: HB 1447  
 Resources, exempted for cash assistance, adding retirement funds and accounts, pension plans, one motor vehicle, and certain other resources: HB 1447  
 Respite care, resource and assessment centers for children to provide: HB 1685, ESB 5691  
 Student financial aid, WA college grants, eligibility of recipients of certain assistance for, expanding to include certain food assistance programs: HB 2214  
 Women, infants, and children program, identicard for participant in, when applicant eligibility verified by documentation: HB 1953, **\*SB 5800, CH 162 (2024)**  
 WorkFirst TANF program, earning and keeping 100 percent of new earnings for up to 6 months, when: HB 1447  
 WorkFirst TANF program, expanding diversion assistance for persons eligible for: **\*HB 2415, CH 154 (2024)**  
 WorkFirst TANF program, good cause hardship exemption for non-participation in WorkFirst components: HB 1447  
 WorkFirst TANF program, ineligibility after 60 months, exempting child-only TANF from: HB 1447  
 WorkFirst TANF program, ineligibility after 60 months, exemption from, hardship standard for, expanding criteria: HB 2007  
 WorkFirst TANF program, ineligibility after 60 months, exemption from, hardship standard for, when: HB 1447  
 WorkFirst TANF program, ineligibility when monthly gross income exceeds certain level: HB 1447  
 WorkFirst TANF program, payment level minimums under consolidated standards of need: HB 1447  
 WorkFirst TANF program, statewide public assistance customer voice council, establishing: HB 1988, SB 5889

#### **PUBLIC DEFENSE, OFFICE**

Clients, direct representation by office, exceptions to prohibition on: HB 1911  
 Criminal defense training academy program, expanding capacity and emphasizing rural and underserved areas: **\*2SSB 5780, CH 293 (2024)**  
 Indigent defendants, knowingly possessing or knowingly using drugs in public place, public defense services for, office role: **\*2E2SSB 5536, CH 1 (2023)**  
 Indigent offenders, convicted, office to provide counsel for: **\*2SSB 5046, CH 261 (2023)**  
 Indigent parents, in child dependency and termination cases, access to social service worker for, pilot program, office role: HB 1873  
 Law student rural public defense program, creating: **\*2SSB 5780, CH 293 (2024)**  
 Parents under investigation by DCYF, including certain voluntary placement agreement cases, legal counsel for: HB 1295  
 Service areas, including indigent persons acquitted by reason of insanity and in state psychiatric care: **\*SSB 5415, CH 120 (2023)**  
 Shelter care early engagement project (SCEEP), as pilot for studying social service worker access in certain cases: HB 1873

#### **PUBLIC DISCLOSURE COMMISSION (See also ADVERTISING; ELECTIONS; LOBBYING AND LOBBYISTS)**

Advertising, political, yard signs, reducing size that qualifies for sponsor disclosure exemption: **\*HB 2032, CH 148 (2024)**  
 Campaign disclosure and contribution, creating a new title that breaks chapter 42.17A into multiple chapters: **\*SSB 5857, CH 164 (2024)**  
 Democracy voucher program, establishing, PDC role: HB 1755  
 Duties of commission, various, amending: HB 1677  
 Synthetic media, new chapter regulating: HB 1442, **\*ESSB 5152, CH 360 (2023)**

#### **PUBLIC EMPLOYMENT AND EMPLOYEES (See also COLLECTIVE BARGAINING; EMPLOYMENT AND EMPLOYEES; FINANCIAL MANAGEMENT, OFFICE; HEALTH CARE AUTHORITY; LABOR; LAW ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL; LEGISLATURE; PUBLIC EMPLOYMENT RELATIONS COMMISSION; RETIREMENT AND PENSIONS; SCHOOLS AND SCHOOL DISTRICTS; UNEMPLOYMENT COMPENSATION; WAGES AND SALARIES; WORKERS' COMPENSATION)**

Appointed or elected officials, violations of state constitution or state law by, private right of action for harm from: HB 1844  
 Bargaining units, accepting electronic signatures on petitions: **\*SSB 6060, CH 98 (2024)**

Child welfare workers, assaulting worker as assault in 3rd degree and class C felony: HB 1875  
 Child welfare workers, de-escalation training as part of minimum training standards for: HB 1673, HB 1875, HB 2407  
 Child welfare workers, going to private location when risk of violence, second trained individual requirement: HB 1673, HB 1875, HB 2407  
 Civil service, state, exemption for state veterans' homes' administrators and directors of nursing services: HB 1288, **\*SB 5323, CH 327 (2023)**  
 Civil service, state, exemption for various DSHS personnel from, extending to various other personnel: HB 2062  
 Civil service, state, removing certain statutory provisions: HB 1361  
 Collective bargaining, requiring provision of employee information to exclusive bargaining representatives: HB 1200  
 Elected officials, appearance of name on remittances resulting from lawsuit, prohibiting: HB 2183  
 Elected or appointed officials, violations of state constitution or state law by, private right of action for harm from: HB 1844  
 Examinations, adding credit for certain qualifications such as language and education: **\*SSB 6157, CH 330 (2024)**  
 Fire commissioners, boards of, capping per diem compensation of certain commissioners: **\*SSB 5925, CH 35 (2024)**  
 Insurance, aligning medical and prescription drug language for retired state and school employees with historical interpretation: **\*SB 6094, CH 197 (2024)**  
 Lawful permanent residents, expanding employment opportunities and dropping language restrictions: SB 5274  
 Local employees, dismissed/separated due to COVID vaccination mandate, hiring preference and retirement service credit: HB 1814  
 Postsecondary educational institutions, employment applicants, sexual misconduct-related situations at association events: HB 1522  
 Public safety employers, certifying employees' employment for public service loan forgiveness program, modifying requirements: **\*HB 1950, CH 2 (2024)**  
 Public safety telecommunicators, as uniformed personnel for collective bargaining including interest arbitration: **\*SSB 5808, CH 124 (2024)**  
 Shared leave, allowing access for employees in emergency or disaster areas: HB 2283  
 State employees or elected or appointed officials, transportation provided by state from jobsite to home, when: HB 1463  
 State employees, dismissed/separated due to COVID vaccination mandate, hiring preference and retirement service credit: HB 1814  
 State employees, ferry system hiring or rehiring, employee vaccination proof requirement for, prohibiting: HB 1871  
 State employees, increasing maximum leave accrual to 280 hours: HB 1566  
 State employees, legislative, collective bargaining activities by or on behalf of, ethics exemption for: HB 2484  
 State employees, reemploying/rehiring of, preserving seniority for: HB 1878  
 State employees, right of reversion to classified position, suspension during certain workplace investigations: HB 1361  
 State employees, vacation leave accrual, increasing cap: **\*HB 2246, CH 151 (2024)**  
 State employees, with certain authority, violations of state constitution or state law by, private right of action for harm, when: HB 1844  
 State executive branch agencies, COVID vaccination requirement for new or prospective employees, prohibiting: HB 1801  
 State executive branch agencies, employees not vaccinated for COVID then dismissed, reemployment of: HB 1029  
 State officers and employees, payment for salaries by electronic funds transfer, requiring: HB 1361  
 State officials, elected or appointed, violations of state constitution or state law by, private right of action for harm from: HB 1844  
 State or local agency employees, domestic violence/sexual assault/stalking/harassment survivors, records disclosure exemption: HB 1533  
 State, employment positions unnecessarily requiring 2-year or 4-year college degree, eliminating: HB 2216  
 Washington management service, granting right to collectively bargain: HB 1122

#### **PUBLIC EMPLOYMENT RELATIONS COMMISSION**

Ferries, Washington state, captains of, including in the combined masters, mates, and pilots collective bargaining unit, when, PERC role: HB 2496  
 Legislative employees collective bargaining, commission role: HB 2325, **\*E2SSB 6194, CH 333 (2024)**

#### **PUBLIC FACILITIES DISTRICTS**

Aquatics and sports facilities, authority of additional district when created by multiple cities/towns/counties: **\*E2SSB 5001, CH 218 (2023)**



Regional centers, local sales and use taxing authority of district, extending time limit before expiration: HB 2432

**PUBLIC FUNDS AND ACCOUNTS (See also INVESTMENT BOARD, STATE)**

Affordable housing for all account, deposits into: HB 1628, HB 2276

Agricultural pest and disease response account, creating for responding to emerging threats: HB 2147, SSB 6036

Air quality and health disparities improvement account, certain deposits into: HB 1887

Air quality and health disparities improvement account, funds use for salmon recovery projects and programs: HB 2193

Air quality and health disparities improvement account, repealing: HI 2117

Allowance price containment reserve account, certain deposits into: HB 1887

Ambulance transport fund, extending expiration of: HB 1321, **\*SB 5122, CH 11 (2023)**

Apple health and homes account, deposits into: HB 1628, HB 2276

Associate development organization grant writing account, creating: HB 1783

Associate development organization innovation, sustainability, partnerships, and equity grant account, creating: HB 1717

Auto theft prevention authority account, altering funding to \$7,000,000 plus inflation instead of surcharges: SSB 5672

Back country search and rescue account, creating: HB 2257

Billy Frank Jr. national statuary hall collection fund, using funds from: HB 1639

Broadband mapping account, repealing existing provisions: HB 1746

Budget stabilization account, appropriations from, for 2023 DNR wildfire suppression costs: HB 2170, **\*SSB 6100, CH 198 (2024)**

Business and professions account, updating name of chapter 18.16 RCW for purposes of: HB 2109

Business license account, balance calculation for fee adjustment: HB 1894, **\*SB 5897, CH 270 (2024)**

Capital vessel replacement account--state, bond proceeds transfer to transportation partnership account--state: HB 1103

Carbon auction rebate account, creating: HB 2040

Carbon emissions reduction account, certain deposits into: HB 1887

Carbon emissions reduction account, funding ferry construction and electrification infrastructure: HB 1904

Carbon emissions reduction account, repealing: HI 2117

Child care trust account, creating for children's social equity land trust revenue and DCYF's child care grant program: HB 2243

Child sexual abuse and sex trafficking prevention and identification public-private partnership account, creating: **\*ESB 5355, CH 328 (2023)**

City-county assistance account, deposits into: HB 2276

Clean and renewable energy workforce capital account, creating: HB 1194

Clean energy fund program, creating to fund clean energy projects: HB 2388

Clean fuels credit account, creating: HB 2200, **\*ESB 6098, CH 168 (2024)**

Climate commitment account, depositing certain penalties in connection with refrigerant stewardship organizations: HB 2401

Climate commitment account, funding electrically chargeable ferries for island communities: HB 1904

Climate commitment account, outdoor power equipment grant program-related uses of funds from: HB 1868, HB 2051

Climate commitment account, repealing: HB 1190, HI 2117

Climate commitment account, use of funds from, funds use for salmon recovery projects and programs: HB 2193

Climate commitment account, use of funds from, revising: HB 1900

Climate commitment account, using funds for community-based health assessments: HB 1347

Climate commitment act remittance account, creating: HB 1887

Climate investment account, certain deposits into: HB 1887

Climate investment account, depositing certain penalties in: HB 2039

Climate investment account, funding hybrid ferry design, purchase, and construction and associated infrastructure: HB 1904

Climate investment account, funds use for salmon recovery projects and programs: HB 2193

Climate investment account, repealing: HI 2117

Coastal protection fund, depositing certain penalties in: HB 2039

Common school construction fund, prioritizing school construction assistance program grants: HB 1444, SSB 5126

Common school construction fund, using for district programs serving preschool-age students and students in before-and-after school care: HB 2092

Community benefit account, creating to benefit overburdened communities and vulnerable populations: HB 2068

Community preservation and development authority local account, creating: HB 1510

Community reconciliation account, renaming community reinvestment account as, and using for reconciliation purposes:  
 HB 1737

Community reinvestment account, reenacting: HB 1203

Community reinvestment account, reenacting and amending: **\*ESSB 5293, CH 435 (2023)**

Consolidated technology services revolving account, funds use by technology services board, when: HB 1464

Cooper Jones active transportation safety account, depositing certain funds designated by legislature in: HB 2384

County criminal justice assistance account, using funds from account for firearm bounty program payments: HB 2332

Covenant homeownership program account, creating: HB 1474

Covered lives assessment professional services rate account, creating: HB 2476

Criminal justice treatment account, funds use for substance use disorder treatment within drug court program, modifying:  
**\*HB 1983, CH 179 (2024)**

Debt-limit general fund bond retirement account, using funds in: HB 1148

Defense community compatibility account, altering grant rules and including federally recognized tribes: **\*SB 5324, CH 438 (2023)**

Deposit return organization program account, creating: HB 1131, HB 2144

Depreciation subfunds, authorizing creation by school districts: **\*SB 5403, CH 402 (2023)**

Derelict structure removal account, creating: HB 1378, **\*SSB 5433, CH 227 (2023)**

Development of renewable energy for Washington revolving loan account, creating: HB 2417

Developmental disabilities housing and services account, creating: HB 2276

Developmental disabilities trust account, creating: HB 1628

Digital equity account, depositing certain donations into: HB 2327

Disabilities care trust account, creating: HB 1473

Distributor opioid abatement settlement account, creating: HB 1203

DNA database account, modifying source of deposits into and use of funds from: HB 1169

Down payment assistance account, creating for certain real estate excise tax revenues: **\*E2SSB 5258, CH 337 (2023)**

Down payment assistance account, modifying authorization: HB 2200, **\*ESB 6098, CH 168 (2024)**

Driver licensing technology support account, authorizing expenditure for insurance verification system: ESSB 5326

Education legacy trust account, certain deposits into: HB 1473, HB 2276

Education legacy trust account, use for family empowerment scholarship program: HB 1093

Electric vehicle incentive account, reenacting: HB 1203, **\*ESSB 5293, CH 435 (2023)**

Electronic products recycling account, depositing certain penalties in: HB 2039

Emergency drought response account, creating for certain transfers from general fund: HB 1138

Employee ownership revolving loan program account, creating: HB 1743

Employee ownership revolving loan program account, establishing: **\*SSB 5096, CH 392 (2023)**

Encampment cleanup account, creating: HB 1373

Fallen firefighter memorial account, creating: HB 2091

Farm and forest account, transferring certain bond proceeds to: HB 1148

Fern Lodge maintenance account, creating: HB 2200, **\*ESB 6098, CH 168 (2024)**

Fire service training account, increasing funding from fire insurance premiums: HB 2402, **\*ESB 6087, CH 279 (2024)**

Fisheries capital projects account, repealing: HB 1202, **\*SB 5295, CH 41 (2023)**

Forest development account, children's social equity land trust revenue deposits into: HB 2243

Foundational public health services account, amending: **\*ESSB 5293, CH 435 (2023)**

Fur farm transition account, creating: HB 1034

GOV central service account, creating: HB 1203, **\*ESSB 5293, CH 435 (2023)**

Habitat conservation account, transferring certain bond proceeds to: HB 1148

Higher education construction account, repealing: HB 1202, **\*SB 5295, CH 41 (2023)**

Higher education personnel service fund, amending: **\*ESSB 5293, CH 435 (2023)**

Higher education personnel service fund, limiting expenditure authorization: HB 1203

Higher education reimbursable short-term bond account, repealing: HB 1202, **\*SB 5295, CH 41 (2023)**

Highway safety fund, depositing speed safety camera systems use revenue into: HB 1807, **\*ESSB 5272, CH 17 (2023)**

Home security fund account, funds use for private market rental housing for homeless: HB 1367

Homeowner recovery account, creating in connection with homeowner recovery program: HB 1534

Homeowner relief property tax exemption administration account, creating: HB 2419

Hospital safety net assessment fund, using for medicaid prospective payment system hospitals and designated public hospitals: HB 1850

Hospital-based nurse student loan repayment assistance program account, creating: HB 1643

Housing stability account, creating: HB 2276

Housing trust fund account, adding grant and loan programs: HB 1709, **\*ESSB 5301, CH 275 (2023)**

Housing trust fund, housing providers serving extremely low-income households and receiving funds from, property/liability insurance available to, studying: HB 2329

Ignition interlock device revolving account, limiting assistance to one vehicle: HB 1864

Inflation reduction elective pay account, creating: **\*ESB 6098, CH 168 (2024)**

Insulin account, creating: HB 1725

Interfund transfers and loans, authorizing for certain purposes: **\*ESSB 5293, CH 435 (2023)**

Interstate 5 bridge replacement project account, creating: HB 1852, **\*SB 5765, CH 377 (2023)**

Learning device and technology account, creating: HB 2327

Learning device and technology account, creating for revenues from tax on retail sales of smart wireless devices: HB 1793

Legislative international trade account, allowing travel and lodging expenditures: SB 5705

Legislative international trade account, modifying account expenditures provisions: HB 2000

Low-income home rehabilitation account, renaming low-income home rehabilitation revolving loan program account as: HB 1250

Main street trust fund or programs, contributions to, B&O and public utility tax credits for, use of remaining credits by programs: HB 2306

Medication for people living with HIV rebate revenue account, creating: **\*ESSB 5142, CH 12 (2023)**

Medication rebate revenue account, creating for certain revenue deposits and using for certain services: HB 1408

Model toxics control operating account, depositing certain penalties in: HB 2039

Model toxics control operating account, depositing certain pollution tax revenues in, for reducing certain illegal dumping: HB 2207

Municipal criminal justice assistance account, using funds from account for firearm bounty program payments: HB 2332

Native American apprentice assistance account, creating: HB 2019

Native American scholarship account, creating: HB 1399

Natural climate solutions account, appropriations from account to DNR for reforestation grant program: HB 2446

Natural climate solutions account, funds use for salmon recovery projects and programs: HB 2193

Natural climate solutions account, repealing: HB 1190, HI 2117

Natural resources real property replacement account, deposits into, for trust land transfer program purposes: HB 1460

Nondebt-limit general fund bond retirement account, using funds in: HB 1149

Office of financial management central service account, creating: HB 1203, **\*ESSB 5293, CH 435 (2023)**

Opioid abatement settlement account, appropriations for health care authority use from: **\*E2SSB 5536, CH 1 (2023)**

Opioid abatement settlement account, creating: **\*ESSB 5293, CH 435 (2023)**

Outdoor recreation account, transferring certain bond proceeds to: HB 1148

Outdoor recreation and climate adaptation account, creating: HB 1190

Packaging financial assistance account, creating: HB 2049

Parkland trust revolving fund, purchasing forestland as trust land transfer program replacement: HB 1423, HB 1460

Persistent poverty, funds held for reducing, constitutional amendment to authorize investment of: HJR 4204

Personnel service fund, amending: **\*ESSB 5293, CH 435 (2023)**

Personnel service fund, limiting expenditure authorization: HB 1203

Pollution liability insurance program trust account, various deposits into: HB 1175

Pollution liability insurance program, expanding funding sources and uses: HB 1175

Port district environmental equity fund, creating: HB 2103

Port district equity fund, creating: **\*E2SSB 5955, CH 194 (2024)**

Primary care workforce development account, creating: **\*ESB 6098, CH 168 (2024)**

Problem gambling account, depositing increased B&O tax revenues from higher tax rate for contests of chance into: HB 1681, **\*E2SSB 5634, CH 284 (2023)**

Problem gambling account, depositing increased B&O tax revenues from higher tax rate for parimutuel wagering into: HB 1681, **\*E2SSB 5634, CH 284 (2023)**

Professional health care services rate enhancement account, creating for cannabis excise tax deposits to be used for medicaid professional service rates: HB 2449

Progressive policy account, creating: HB 1795

Public disclosure transparency account, restricting use: HB 1677

Public disclosure transparency account, use of funds for purposes of administering democracy voucher program: HB 1755

Public health services account, repealing: HB 1202, \***SB 5295, CH 41 (2023)**

Public works assistance account, deposits into: HB 2276

Public works revolving trust account, creating: SSB 5303

Public-private partnerships account, creating: SSB 6277

Reclamation account, depositing certain penalties in: HB 2039

Recycled content account, penalties to be deposited in and use of funds from, revising: HB 1900

Recycled content account, repealing: HB 2049

Recycling enhancement account, depositing certain penalties in: HB 2039, HB 2049

Recycling enhancement account, depositing certain penalties into: HB 1131, HB 2144

Recycling enhancement account, penalties to be deposited in, revising: HB 1900

Reinvesting in youth account, repealing: HB 1202, \***SB 5295, CH 41 (2023)**

Renewable energy local benefit account, creating: HB 1756

Repeals, eliminating various funds and accounts and transferring funds: HB 2200, \***ESB 6098, CH 168 (2024)**

Reserve officers' principal fund, creating: \***EHB 1336, CH 73 (2023)**

Responsible appliance disposal account, creating: HB 1164

Responsible battery management account, creating: HB 1553, \***E2SSB 5144, CH 434 (2023)**

Responsible packaging management account, creating: HB 1131, HB 2049, HB 2144

Responsible refrigerant disposal account, creating: HB 2401

Road usage charge account, creating for voluntary road usage charge program receipts: HB 1832

Ruth LeCocq Kagi early learning facilities development account, depositing certain capital gains tax revenues into: HB 2195

Ruth Lecocq Kagi early learning facilities development account, transferring certain bond proceeds to: HB 1148

Ruth Lecocq Kagi early learning facilities revolving account, transferring certain bond proceeds to: HB 1148

Salmon recovery account, deposits into, to include fees for discharges of untreated municipal sewage into Puget Sound: HB 2290

Salmon recovery account, transfers of funds from general fund to, and to be used for certain salmon recovery purposes: HB 2294

School bus safety account, creating: HB 1118

Securities prosecution fund, using funds for whistleblower award and protection act purposes: \***HB 1370, CH 149 (2023)**

Self-insurance reserve fund, creating in state treasurer's office: HB 1558, \***SB 5084, CH 110 (2023)**

Sexual assault kit account, transfer of funds on expiration: HB 2200, \***ESB 6098, CH 168 (2024)**

Snowmobile account, reinvesting revenue: SSB 5902

Stadium and exhibition center construction account, decodifying: HB 1202, \***SB 5295, CH 41 (2023)**

Stadium world cup capital account, creating: \***ESB 6098, CH 168 (2024)**

State building construction account, transferring certain bond proceeds to: HB 1148

State crime victim and witness assistance account, creating: HB 1169

State drought preparedness account, renaming state drought preparedness and response account as: HB 1138

State drought preparedness account, transfers from general fund into, when: HB 1138

State hazard mitigation revolving loan account, creating: HB 1203, \***ESSB 5293, CH 435 (2023)**

State higher education construction account, repealing: HB 1202, \***SB 5295, CH 41 (2023)**

State indigent defense and law enforcement assistance account, creating, and annually deposit certain sum into: HB 2202

State parks renewal and stewardship account, reinvesting revenue: SSB 5902

State patrol highway account, appropriation for study of electric vehicle fires: \***SSB 5812, CH 189 (2024)**

State patrol highway account, depositing catalytic converter inspection fee into: HB 2153

State patrol highway account, receiving fee for vehicle identification number inspections: \***HB 1237, CH 139 (2023)**

State taxable building construction account, transferring certain bond proceeds to: HB 1148

Statewide 988 behavioral health crisis response and suicide prevention line account, line tax revenue deposits use: HB 1134

Statewide broadband account, funding a statewide broadband map from: HB 1746

Statewide imagery service account, creating in connection with establishment of state aerial imagery program: HB 1990

Statewide tourism marketing account, changing matching requirement to one-to-one for expenditures from: HB 1258

Statewide tourism marketing account, specifying funding: HB 1896, \***SB 6080, CH 130 (2024)**

Strengthen Washington homes account, creating: HB 2330

Students first program account, creating: HB 1615

Supply chain competitiveness infrastructure account, creating for infrastructure, freight, and transport spending: SSB 6302

Taxpayer justice account, creating: HB 1473

Technology access devices for job seekers fund, creating: HB 2360

Transit-oriented development housing partnership account, creating: HB 1517, ESSB 5466

Transitional housing operating and rent account, repealing: **\*SSB 5386, CH 277 (2023)**

Transportation partnership account--state, bond proceeds transfer from capital vessel replacement account--state to: HB 1103

Transportation preservation and maintenance account, creating for motor vehicle sales and use tax deposits and use: HB 1472

Traumatic brain injury account, using funds for support groups, programs, and facilitation training curricula: HB 2248

Treasury income account, creating: **\*ESSB 5293, CH 435 (2023)**

Tribal opioid prevention and treatment account, creating and transferring funds: **\*SSB 6099, CH 210 (2024)**

Underground storage tank account, depositing certain penalties in: HB 2039

Universal communications services account, removing expiration date: HB 1617

Veterans service officer fund, using for additional purposes: HB 1925

Veterans stewardship account, using funds partly for maintaining all state veterans' cemeteries: HB 1288, **\*SB 5323, CH 327 (2023)**

Volunteer firefighters' and reserve officers' relief and pension principal fund, splitting into two funds: **\*EHB 1336, CH 73 (2023)**

Volunteer firefighters' principal fund, creating: **\*EHB 1336, CH 73 (2023)**

Vulnerable roadway user education account, depositing certain additional fines for certain infractions into: HB 1674

Wage recovery fund, creating in connection with wage recovery pilot program: HB 2097

Washington auto theft prevention authority account, depositing portion of premium tax revenues into: HB 1669

Washington auto theft prevention authority account, limiting use for confinement matters and costs to local level: HB 1682

Washington auto theft prevention authority account, modifying provisions: HB 1669

Washington college athlete protection fund, establishing: HB 2352

Washington equine industry reinvestment account, creating: HB 1529

Washington future fund account, creating: HB 1094

Washington hate crime and bias incident account, creating: HB 1410

Washington horse racing commission operating account, modifying provisions: HB 1529

Washington housing crisis response account, creating: HB 1149

Washington housing crisis response taxable account, creating: HB 1149

Washington housing trust fund, certain deposits into: HB 1473, HB 2276

Washington housing trust fund, deposits into: HB 1628, HB 2276

Washington saves administrative treasury trust account, creating for program expenses: HB 2244, **\*ESSB 6069, CH 327 (2024)**

Washington saves investment account, creating with governing board as trustee: HB 2244, **\*ESSB 6069, CH 327 (2024)**

Washington state attorney general humane detention account, creating: HB 1470

Washington state eastern Washington memorial account, creating: HB 1700

Washington state multiple employer retirement plan administrative account, creating: HB 2437

Washington state multiple employer retirement plan trust account, creating, and operating as a trust: HB 2437

Washington student loan account, modifying requirements for: **\*EHB 1823, CH 389 (2023)**

Washington wage replacement account, creating: HB 1095

Waste reduction, recycling, and litter control account, depositing litter cleanup restitution payments and certain litter tax receipts in: HB 2207

Waste reduction, recycling, and litter control account, depositing litter cleanup restitution payments into, when: SSB 5178

Waste reduction, recycling, and litter control account, forwarding community restitution payments for graffiti offenses to: HB 1800

Water quality capital account, repealing: HB 1202, **\*SB 5295, CH 41 (2023)**

Wildfire response, forest restoration, and community resilience account, expenditures from: HB 1498

Wildlife corridors account, establishing: HB 2456  
 Wildlife crossings account, establishing: HB 2456  
 Winter recreational program account, reinvesting revenue: SSB 5902  
 Workforce housing accelerator revolving loan fund program, creating: HB 1892

**PUBLIC LANDS (See also BRIDGES; FORESTLANDS; ROADS AND HIGHWAYS; SHORELINES AND SHORELINE MANAGEMENT; TAXES - PROPERTY)**

Aquatic lands, derelict vessel appeals, administrative law judge substitution for pollution control hearings board member: HB 1081, **\*SB 5192, CH 39 (2023)**  
 Aquatic lands, derelict vessels on, public entity notice of intent to obtain custody and related hearing request, modifying: HB 1753  
 Aquatic lands, harbors, federal harbor maintenance tax, requesting certain actions by congress and army corps of engineers: **\*SSJM 8009 (2024)**  
 Aquatic lands, state owned, requiring lessees to pay for surveys, prohibiting: HB 1863  
 Children's social equity land trust, creating, and DNR to acquire forested lands for purposes of: HB 2243  
 Highway lands, unused, renting to agency or nonprofit for community purposes, offsetting rent for benefits from lessee: HB 2491  
 Housing, affordable, when placed on public lands, leasehold excise tax exemption, when: HB 2003  
 Lessees, sale of exchanged land to lessee with owned house on land: HB 1423, HB 1460  
 Natural resource infractions, authorizing commissioner to delegate enforcement via tribal interlocal agreements: HB 2312  
 Permits/licenses, not to be considered fees for certain purposes: HB 2165  
 Recreational lands, Saint Edward state park, parks and recreation commission leasing provisions for, removing limitations on: HB 2445  
 SEPA, exempting certain trail or path extensions from compliance: SSB 6010  
 State lands, assets in natural and built environments with potential to generate carbon offset credits under climate commitment act, assessing: HB 2333  
 State lands, carbon offset and ecosystem services projects on, DNR role: HB 1789  
 State lands, signage for new bridges to deter jumping into cold waterways, role of certain agencies: **\*HB 1004, CH 54 (2023)**  
 State or local government real property, authorizing transfers to recognized tribes for substance use disorder services and programs: EHB 2372  
 State-owned lands, unused and underutilized, performing assessments to determine suitability for agriculture and for renewable energy production: HB 2336  
 Trail or path, located on inactive railroad right-of-way, development or extension of, SEPA categorical exemption: HB 2394  
 Trust assets, authorizing leasing of: HB 2299  
 Trust land transfer program, creating to transfer economically-underperforming lands to parks, preserves, etc.: HB 1423, HB 1460

**PUBLIC POLICY, INSTITUTE FOR**

Climate commitment act, general market participants in cap and invest program, acquisition and sale of compliance instruments by, evaluating impact: HB 2249  
 Conservation district elections, requiring examination of costs: HB 1567  
 Driving under the influence, lowering blood alcohol minimum level, requiring policy evaluation after two years of implementation: HB 2196  
 Foster care, removing requirement for outcome evaluation of case aides who provide short-term care: **\*SB 5419, CH 156 (2024)**  
 Greenhouse gas emissions, requiring study considering independent entity for oversight of markets and auctions: HB 1659  
 Hospitals, requiring study on staffing standards: **\*E2SSB 5236, CH 114 (2023)**  
 Public records act, state and local government compliance challenges, institute to examine and make recommendations to alleviate: HB 2190  
 Study, emergency medical services as essential health service: HB 2285, **\*SSB 5986, CH 218 (2024)**  
 Substance use disorder, recovery navigator programs etc., assessing current status and fidelity to core principles: **\*2E2SSB 5536, CH 1 (2023)**

Substance use disorder, recovery navigator programs, studying effectiveness of: **\*2E2SSB 5536, CH 1 (2023)**  
 Washington state ferries, economic impact of ferry service disruptions, institute to study: HB 2497

**PUBLIC RECORDS EXEMPTIONS ACCOUNTABILITY COMMITTEE (See also RECORDS)**

Office of transparency ombuds, establishing as nonpartisan and independent agency, studying efficacy of, committee role: HB 1856

**PUBLIC TRANSIT**

Ferries, state ferry facilities, adding to locations where a person can be guilty of unlawful transit conduct: HB 2431

Hydrogen, green electrolytic hydrogen and renewable hydrogen production et al. by and for public transportation agencies: HB 1236

Parking in relation to transit stops and developments, minimum requirements for, prohibiting under GMA, when: HB 1351

Public transportation benefit area authorities, adding two appointed transit-using voting members: HB 2191

Public transportation benefit area authorities, authorizing production, distribution, and sale of clean hydrogen fuel: HB 1236

Public transportation benefit area authorities, meetings to occur at time and place reasonably accessible by transit, when: HB 2191

Regional transit authorities, authorizing to remove unauthorized vehicles obstructing right-of-way: HB 1414, **\*SSB 5317, CH 326 (2023)**

Rolling stock, exempting transit agencies from interlocal agreement requirements for procurement: **\*SB 5342, CH 43 (2023)**

Transit mobility, office of, certain reporting requirement, eliminating: HB 1362

Unlawful transit conduct, adding state ferry facilities to locations where a person can be guilty of: HB 2431

**PUBLIC WORKS (See also APPRENTICES AND APPRENTICESHIP PROGRAMS; COLLEGES AND UNIVERSITIES; COMMUNITY AND TECHNICAL COLLEGES; FERRIES; SCHOOLS AND SCHOOL DISTRICTS; WAGES AND SALARIES)**

Apprenticeship utilization, requirements for municipality, DOT, school districts, and 4-year college contracts: HB 1050  
 Capital projects advisory review board, reviewing payment promptness for small businesses: **\*ESSB 6040, CH 276 (2024)**

Change orders, requiring and requesting for additional work: **\*SSB 6192, CH 199 (2024)**

Colleges, raising dollar thresholds for construction, renovation, etc. projects to require public bidding: **\*SB 5385, CH 97 (2023)**

Contracting, building materials, environmental product declarations and reporting requirements for: HB 1282

Contracting, increasing local government limit for community service organizations without competitive bidding: **\*EHB 1086, CH 238 (2023)**

Contractors with state, discrimination prohibitions and nondiscrimination contract clauses: **\*ESSB 5186, CH 468 (2023)**

Contractors, debarment of, establishing application of statutes to plumbing, elevator, and electrical contractors: HB 1309, **\*SB 5088, CH 88 (2023)**

Funding, allowing allocations from public works revolving trust account: SSB 5303

Infrastructure bank, national, legislation to establish, requesting that congress pass: **\*SJM 8001 (2023)**

Office of minority and women's business enterprises, increasing opportunities for businesses: HB 1306, **\*2SSB 5268, CH 395 (2023)**

Plumbing contractors, establishing application of certain public works statutes to: HB 1309, **\*SB 5088, CH 88 (2023)**

Prevailing wages, establishing application of certain statutes to plumbing and elevator contractors: HB 1309, **\*SB 5088, CH 88 (2023)**

Prevailing wages, extending contractor sanctions, penalties, and debarment to their substantially identical companies: HB 2136

Prevailing wages, hourly minimum rate to be at least wage rate at time work is performed: HB 1099

Procurement, applying effective dates: ESB 6167

Procurement, craft or trade involvement, prudent utility management, and lowest responsible bidder, for cities/towns/certain districts: HB 1621

Procurement, rules for cities and towns/public utility districts/water-sewer districts/fire protection districts, standardizing: HB 1621

Public works small business certification program, creating: HB 1306, **\*2SSB 5268, CH 395 (2023)**

Small businesses, increasing opportunities: HB 1306, **\*2SSB 5268, CH 395 (2023)**

Small works roster, replacing and repealing certain rules: HB 1306, **\*2SSB 5268, CH 395 (2023)**

State-funded projects, embodied carbon emission reductions from structural building products in, build clean act: HB 1342

Tax increment areas, provisions concerning governing body role, project analysis, and expiration ahead of sunset date, modifying: HB 2354

Tax increment financing for public improvements, excluding intercounty rural library district regular property tax levies from: HB 1680

Veteran-owned businesses, increasing opportunities: HB 1306, **\*2SSB 5268, CH 395 (2023)**

#### **RAILROADS (See also BRIDGES; PUBLIC LANDS)**

Freight railroad infrastructure, improvement of, various tax preferences as incentives for: HB 1371

Inactive railroad right-of-way, trail or path development or extension located on, SEPA categorical exemption: HB 2394

Length of trains, permissible for common carriers, limiting to 7,500 feet and creating penalties for violations: HB 1839

Workers, requiring paid and unpaid leave for various purposes, new chapter: HB 1548, ESSB 5267

#### **REAL ESTATE AND REAL PROPERTY (See also BUILDING CODES AND PERMITS; BUILDINGS, COMMERCIAL; ESTATES, TRUSTS, AND PROBATE; HOUSING AND HOMES; IMPACT FEES; INSURANCE; LANDLORD AND TENANT; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - ESTATE; TAXES - PROPERTY)**

Adverse possession, by adjacent owner in line boundaries dispute, prohibiting divestment when owner/boundaries properly recorded: HB 2140

Affordable housing, allowing cities to offer tax exemptions for converting certain properties to: HB 2308

Affordable housing, sales and use tax deferral for converting commercial property: **\*E2SSB 6175, CH 332 (2024)**

Appraisers, state-licensed or -certified residential or general or -registered trainee, qualifying and continuing education courses for: **\*EHB 1797, CH 464 (2023)**

Appraisers, state-licensed or -certified residential, real estate valuations for financial institutions, when: **\*EHB 1797, CH 464 (2023)**

Brokers, consumer disclosures, brokerage relationships law pamphlet, and written services agreements: HB 1284, **\*SSB 5191, CH 318 (2023)**

Brokers, statutory duties of, owing not only to their principal but to all parties, when: HB 1284, **\*SSB 5191, CH 318 (2023)**

Common interest communities, 2021 uniform amendments and additional amendments: **\*ESSB 5796, CH 321 (2024)**

Common interest communities, accessory dwelling unit restrictions imposed by, limiting within UGA: **\*EHB 1337, CH 334 (2023) PV**

Common interest communities, association limits on unrelated occupants, prohibition: **\*HB 1054, CH 139 (2024)**

Common interest communities, association records, maintaining and supervising access: HB 1043

Common interest communities, prohibition of additional middle housing units by, prohibiting: HB 1110

Common interest communities, unit owner association requiring that owner intending to lease use tenant screening service: HB 1101

Common interest communities, unlawful restrictions in governing documents: **\*ESSB 5796, CH 321 (2024)**

Condominiums, accessory dwelling unit restrictions, limiting imposition within UGA: **\*EHB 1337, CH 334 (2023) PV**

Condominiums, applying consumer protection act applicability, records clarifications, and managing agent contracts: HB 1569

Condominiums, barring prohibition of multifamily housing or parking requirements in station areas: HB 1517, ESSB 5466

Condominiums, construction defect claims and impact fees, modifying provisions: **\*E2SSB 5258, CH 337 (2023)**

Condominiums, construction defect claims, warranties, and impact fees, modifying provisions: HB 1298

Condominiums, prohibiting restrictions on family day care or child care centers: **\*HB 1199, CH 203 (2023)**

Construction defect claims/assessment reports/professionals, and relevance to condominium units: HB 1298

Construction defect claims/professionals/written reports and responses, and relevance to condominium units: **\*E2SSB 5258, CH 337 (2023)**

Construction warranties, for condominium construction, modifying developer and purchaser/seller provisions: HB 1298

Easement relocation act, uniform, adopting: **\*SSB 5005, CH 6 (2023)**

Fences, battery-charged electric security fencing systems, various provisions: HB 1304



- Foreclosure, homeowners facing, roles of foreclosure mediation program and homeowner assistance fund program: **\*HB 1349, CH 206 (2023)**
- Foreclosure, mediation referrals, foreclosure mediation program, and federally insured depository institutions: **\*HB 1349, CH 206 (2023)**
- Foreclosure, surplus proceeds of, excessive fees or charges for locating and recovering, prohibiting: **\*HB 1349, CH 206 (2023)**, HB 1637
- Future listing right purchase contracts, convening work group to examine: **\*SSB 5399, CH 367 (2023)**
- Future listing right purchase contracts, specifying limits and restrictions including 2 year duration: **\*SSB 5399, CH 367 (2023)**
- Home energy assessors, licensing and regulation of: HB 1433
- Home energy performance, asset-based home energy score adoption for evaluating: HB 1433
- Home equity sharing agreements, defining and including in residential mortgage loans: ESSB 5968
- Home equity sharing agreements, limitations and restrictions: HB 2081
- Home purchase, down payment and closing costs for, pilot program for loans to certain workers and professions for: HB 1633
- Homeowner's associations, consumer protection act applicability, records clarifications, and managing agent contracts: HB 1569
- Homeowner's associations, prohibiting restrictions on family day care or child care centers: **\*HB 1199, CH 203 (2023)**
- Homeowners' associations, accessory dwelling unit restrictions imposed by, limiting within UGA: **\*EHB 1337, CH 334 (2023) PV**
- Homeowners' associations, barring prohibition of multifamily housing or parking requirements in station areas: HB 1517, ESSB 5466
- Lease recording, acknowledgment of lessee's and lessor's signatures for: **\*SSB 5840, CH 27 (2024)**
- Mortgage, making any mortgage or deed of trust prior to any encumbrances not recorded beforehand: **\*HB 1420, CH 76 (2023)**
- Multitunit residential buildings, exempting certain buildings from definition for construction defect disputes purposes: **\*SB 5058, CH 263 (2023)**
- Owners, city or county street projects paid for by, period for reimbursement of owner by other benefitting owners, increasing, and allowing extensions: HB 2343
- Owners, municipal water or sewer system extensions paid for by, period for reimbursing owner when others connect, increasing, and allowing extensions: HB 2343
- Owners, water-sewer district system extensions paid for by, period for reimbursing owner when others connect, increasing, and allowing extensions: HB 2343
- Partition of heirs property act, uniform, adopting: **\*SSB 5005, CH 6 (2023)**
- Pollinators, encouraging habitats through project and building permit process: **\*SSB 5934, CH 337 (2024)**
- Property tax, valuation at 75 percent of true and fair value for state levies: HB 1092
- Public property, surplus, disposal for affordable housing as public benefit purpose, requirements for: **\*HB 1695, CH 301 (2023)**
- Real estate or real property, defining to exclude and exempt certain machinery and equipment from real estate excise taxation of: HB 1966
- Residential lots, lot splitting in cities, easing restrictions and expanding opportunities: HB 1245
- Residential real property, exemption from portion of property taxes levied for state purposes: HB 2419
- Residential real property, exemption from property taxes levied for state purposes, constitutional amendment to allow: HJR 4209
- Residential, improved, seller to disclose impact fees paid: HB 2451
- Solicited real estate, transactions in which potential buyer actively solicits purchase, consumer protections for solicited owners: HB 2274
- State or local government real property, authorizing transfers to recognized tribes for substance use disorder services and programs: EHB 2372
- State property, assets in natural and built environments with potential to generate carbon offset credits under climate commitment act, assessing: HB 2333
- Vacant state agency property, within qualifying city, leasing to city during emergency related to homelessness, requirements: HB 2172
- Valuations of real estate for financial institutions, by state-licensed or -certified residential real estate appraisers, when: **\*EHB 1797, CH 464 (2023)**

Wildfires, rebuilding property damaged by, state building code and energy code compliance flexibility and options for:  
HB 1899

**RECORDS (See also SECRETARY OF STATE)**

Archives and records management, organizing, cataloging, and storing artifacts and documents of Lakeland Village:

**\*SSB 6125, CH 134 (2024)**

Automated traffic safety cameras, requiring provision of records in response to search warrant or subpoena: SSB 5722

Criminal history records, permitting sharing of nonconviction data with state auditor for audit and review: **\*HB 1179,**

**CH 26 (2023)**

Data, brokered personal data, data brokers registration and regulation: HB 1799, HB 2277

Data, consumer health data, restricting collection and sharing, requiring disclosures, and prohibiting sale: HB 1155

Data, personal, data privacy day, commemorating: **\*HR 4607 (2023)**

Data, state agency use of immutable data protection and reliable disaster recovery, ransomware protection act: HB 1464

Data, TikTok's stealing of information and data, protecting users by prohibiting TikTok from operating in Washington:

HB 2435

Disclosure exemptions, certain fisheries-related information from another coastal state, when: **\*HB 1876, CH 48 (2024)**

Disclosure exemptions, certain records of the insurance commissioner: **\*SSB 5806, CH 123 (2024)**

Disclosure exemptions, data for child fatality reviews: ESSB 6110

Disclosure exemptions, information collected for oil industry accountability act: HB 2232

Disclosure, exemptions, body worn camera recording: HB 1080

Disclosure, exemptions, certain crime victim offender release/escape/etc. notification records: **\*SSB 5081, CH 391**

**(2023)**

Disclosure, exemptions, certain private detention facility records: HB 1470

Disclosure, exemptions, dashboard camera recordings, applying body worn camera exemption provisions to: HB 2438

Disclosure, exemptions, state lottery personal and financial information: **\*HB 1221, CH 346 (2023)**

Disclosure, exemptions, state/local agency employees who are domestic violence/sexual assault/stalking/harassment survivors: HB 1533

Elections, requiring request submission to the secretary of state, creating exemptions, and repealing section: **\*SB 5459,**

**CH 404 (2023)**

Future voters, limiting disclosure of information: **\*SB 5153, CH 361 (2023)**

Paid family and medical leave, specifying records access: **\*SSB 5586, CH 375 (2023)**

Personal identifying information, harmful disclosure without consent, prohibiting: HB 1335

Personal information and data, TikTok's stealing of, protecting users by prohibiting TikTok from operating in

Washington: HB 2435

Personal information, captured biometric, people's privacy act provisions concerning: HB 1616

Personal information, captured, processing by business entities, individual's rights and opt-in consent for: HB 1616

Personal information, collected from consumers at point of sale, prohibiting selling or sharing without consumer's permission: HB 2149

Personal information, exempting benefit enrollment information from records requests: **\*SB 5421, CH 45 (2023)**

Physician assistant licensure compact, exempting from public disclosure certain data received from: SSB 5815

Public records act, state and local government compliance challenges, examining and making recommendations to alleviate: HB 2190

Public utilities, allowing to abide by confidentiality requirement for climate auctions: HB 2173, **\*SSB 6047, CH 277**

**(2024)**

Requests, creating administrative review process for records request denials prior to judicial review: HB 1597, HB 2307

Requests, giving court discretion not to award costs or fees for requests made for an improper purpose: HB 1597, HB 2307

School board meetings, requirements for availability of recordings: **\*EHB 1210, CH 67 (2023)**

Schools, redacting personal information of students for public inspection: **\*SSB 5127, CH 182 (2023)**

State operational and constituent data, protecting under WA state ransomware protection act: HB 1464

Transparency, joint legislative committee on transparency, establishing in connection with office of transparency ombuds study: HB 1856

Transparency, Washington office of transparency ombuds, establishing as nonpartisan and independent agency, studying efficacy of: HB 1856

Washington national primate research center at UW, nonhuman primates information disclosure and public records requirements: HB 2304

**RECREATION AND CONSERVATION OFFICE**

Fish passage barriers, "adopt a fish barrier" programs and supporting donations, acknowledging, office role: HB 2045  
 Salmon and steelhead, high-risk salmon and steelhead capital grant program, establishing, and appointing advisory committee, office role: HB 2286  
 Salmon recovery office, governor's, establishing salmon riparian habitat policy task force and interagency riparian committee in: HB 1215  
 Salmon recovery office, governor's, establishing salmon riparian habitat policy task force in: HB 1720

**REGULATORY INNOVATION AND ASSISTANCE, OFFICE**

Residential housing, requiring standard plan for energy code compliance pathway, office role: HB 2071

**RELIGION AND RELIGIOUS ORGANIZATIONS (See also SCHOOLS AND SCHOOL DISTRICTS)**

Child abuse or neglect, applying reporting requirements to clergy except in certain situations: SB 6298  
 Clergy, child abuse or neglect reporting by, requirements: HB 1036, HB 1098, SB 5280  
 Employees, prohibiting retaliation for nonattendance at primarily political or religious meetings: HB 1940, \*ESSB 5778, CH 357 (2024)  
 Institutions, restricting interference by gubernatorial proclamation: HB 1154  
 Religious institutions, during state of emergency, gubernatorial orders requiring closure or interfering with regular operation of, prohibiting with exception: HB 2488  
 Saint Patrick's Day, the Feast of St. Patrick, patron saint of Ireland, commemorating the celebration of: \*HR 4628 (2023)

**RETIREMENT AND PENSIONS (See also HEALTH CARE AUTHORITY)**

Bus drivers, exempting from retirement system if part-time serving naval shipyards while full-time federal employees: HB 2316, \*SB 5881, CH 247 (2024)  
 COVID vaccination mandate, public employees separated due to, retirement system contributions and service credit: HB 1814  
 Firefighters, pensions/1947 act, veterans' interruptive military service credit: HB 1007  
 Insurance, aligning medical and prescription drug language for retired state and school employees with historical interpretation: \*SB 6094, CH 197 (2024)  
 IRAs, automatic enrollment via Washington saves: HB 2244, \*ESSB 6069, CH 327 (2024)  
 Judicial retirement systems, payment of benefits until end of month in which retiree or beneficiary dies: HB 2013  
 LEOFF plan 2, exempting retirement board employees from civil service: HB 2337, SSB 6198  
 LEOFF plan 2, liability for overpayment and refiling for occupational disease disability: HB 2338, \*SSB 6197, CH 304 (2024)  
 LEOFF, law enforcement officers employed on part-time basis to be eligible for: HB 1413, \*ESSB 5424, CH 319 (2024)  
 LEOFF, payment of benefits until end of month in which retiree or beneficiary dies: HB 2013  
 LEOFF, plan 2, membership for general authority peace officers when CJTC-certified and employed full-time by tribe: \*HB 1481, CH 77 (2023)  
 LEOFF, plan 2, participation of law enforcement officers employed on less than full-time basis: HB 2024  
 LEOFF, plan 2, retirees separated from service then employed part-time as law enforcement officer or firefighter without suspension of benefits, when: HB 2167  
 LEOFF, plans 1 and 2, full-time fire department-employed firefighter with required experience as member: HB 1279  
 LEOFF, specifying no statute of limitations on death benefit: \*SSB 6197, CH 304 (2024)  
 LFOFF, specifying no statute of limitations on death benefit: HB 2338  
 Military service credit, interruptive, "veteran" for purposes of, when: HB 1007  
 PERS and TRS, plan 1, ongoing cost-of-living adjustment: HB 1294  
 PERS and TRS, plan 1, ongoing cost-of-living adjustment, select committee on pension policy to study: HB 1057, \*SB 5350, CH 397 (2023)  
 PERS, altering funding for amortizing unfunded actuarial accrued liabilities: HB 1201, \*ESSB 5294, CH 396 (2023)  
 PERS, payment of benefits until end of month in which retiree or beneficiary dies: HB 2013  
 PERS, plan 1, annual adjustment of benefits, adjusting long-term investment rate of return assumption: HB 1459  
 PERS, plan 1, benefit increase, when: HB 1057, HB 1985, \*SB 5350, CH 397 (2023)  
 PERS, plan 1, veterans' interruptive military service credit: HB 1007  
 PERS, plan 2 and 3, increasing retirement allowance per year of service: HB 2471  
 PERS, plan 2 or 3, dual membership with PSERS plan 2 for public safety telecommunicators for 911 calls, when: \*HB 1055, CH 199 (2023)

PERS, plan 2, separated members of, PEBB insurance participation: **\*HB 1008, CH 164 (2023)**  
 PERS, plan 2, service credit for authorized unpaid leave as labor organization officer: SB 6247  
 PERS, plans 2 and 3, certain postretirement employment restrictions before age 65, repealing: HB 1056  
 Police pensions, in first-class cities, veterans' interruptive military service credit: HB 1007  
 Post-retirement employment, permitting part-time nursing for state agencies without pension effect: **\*SSB 5538, CH 99 (2023)**  
 Private retirement savings program, state-sponsored, studying feasibility of establishing and WA residents' preparedness: HB 1632  
 PSERS, altering funding for amortizing unfunded actuarial accrued liabilities: HB 1201, **\*ESSB 5294, CH 396 (2023)**  
 PSERS, payment of benefits until end of month in which retiree or beneficiary dies: HB 2013  
 PSERS, plan 2, membership for certain DSHS workers: **\*SSB 6106, CH 359 (2024)**  
 PSERS, plan 2, membership for certain PERS members employed as competency restoration workers: HB 1949  
 PSERS, plan 2, membership for public safety telecommunicators for 911 calls, when: **\*HB 1055, CH 199 (2023)**  
 Reserve officers' plan, separating relief and pension system into volunteer firefighters' plan and: **\*EHB 1336, CH 73 (2023)**  
 Retired state employees and retired or disabled school employees, health insurance subsidy rate limit for, raising: HB 2188  
 Self-insured pensions, creating self-insurance reserve fund for: HB 1558, **\*SB 5084, CH 110 (2023)**  
 SERS, altering funding for amortizing unfunded actuarial accrued liabilities: HB 1201, **\*ESSB 5294, CH 396 (2023)**  
 SERS, payment of benefits until end of month in which retiree or beneficiary dies: HB 2013  
 SERS, plan 2 and 3, increasing retirement allowance per year of service: HB 2471  
 SERS, plan 2, separated members of, PEBB insurance participation: **\*HB 1008, CH 164 (2023)**  
 SERS, plans 2 and 3, certain postretirement employment restrictions before age 65, repealing: HB 1056  
 TRS and PERS, plan 1, ongoing cost-of-living adjustment: HB 1294  
 TRS and PERS, plan 1, ongoing cost-of-living adjustment, select committee on pension policy to study: HB 1057, **\*SB 5350, CH 397 (2023)**  
 TRS, altering funding for amortizing unfunded actuarial accrued liabilities: HB 1201, **\*ESSB 5294, CH 396 (2023)**  
 TRS, payment of benefits until end of month in which retiree or beneficiary dies: HB 2013  
 TRS, plan 1, annual adjustment of benefits, adjusting long-term investment rate of return assumption: HB 1459  
 TRS, plan 1, benefit increase, when: HB 1057, HB 1985, **\*SB 5350, CH 397 (2023)**  
 TRS, plan 2 and 3, increasing retirement allowance per year of service: HB 2471  
 TRS, plan 2, separated members of, PEBB insurance participation: **\*HB 1008, CH 164 (2023)**  
 TRS, plans 2 and 3, certain postretirement employment restrictions before age 65, repealing: HB 1056  
 Veterans, adding eligibility for expeditionary badge or medal: SB 5296  
 Volunteer firefighters' and reserve officers' relief and pension system, splitting principal fund into two funds: **\*EHB 1336, CH 73 (2023)**  
 Volunteer firefighters' plan, separating relief and pension system into reserve officers' plan and: **\*EHB 1336, CH 73 (2023)**  
 Washington saves, creating governing board: HB 2244, **\*ESSB 6069, CH 327 (2024)**  
 Washington saves, establishing to encourage retirement plans, new chapter: HB 2244, **\*ESSB 6069, CH 327 (2024)**  
 Washington state multiple employer retirement plan and plan board, establishing: HB 2437  
 WSPRS, payment of benefits until end of month in which retiree or beneficiary dies: HB 2013

**REVENUE, DEPARTMENT (See also GUBERNATORIAL APPOINTMENTS; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - AIRCRAFT FUEL; TAXES - EXCISE; TAXES - MOTOR VEHICLE FUEL; TAXES - PROPERTY; TAXES, GENERALLY)**

Business licensing service, business license delinquency fee, adding additional cause for canceling: **\*HB 1742, CH 258 (2023)**  
 Business licensing service, DOR reporting of information from agencies, repealing: HB 1362  
 Business licensing service, only one handling fee and waiver of delinquency fee for late renewal application when business unable to operate, when: HB 2430  
 Business licensing service, partnering with cities, progress report requirement, eliminating: HB 1362  
 Child care assistance, employer providing to employees, credit against B&O tax for, DOR reporting requirement: HB 1716  
 Down payment assistance program, reporting requirements: **\*E2SSB 5258, CH 337 (2023)**

Homeownership development property tax exemption, extending to nonprofits for mutual self-help housing program:

**\*SB 6013, CH 273 (2024)**

Hospital benefit zones, local sales and use taxation, reporting requirement, eliminating: HB 1362

Local revitalization financing, certain required report, eliminating: HB 1362

Periodic adjustments, of hazardous substances tax pollution tax rate for petroleum products, department role: HB 1254

Periodic adjustments, of port district sales and conveyance value limit, department role: HB 1254

Periodic adjustments, of refinery fuel gas value of the article for use tax purposes, department role: HB 1254

Property tax exemption for service-connected disabled veterans and senior citizens process and improvement work group, convening: HB 1560

Property tax exemptions, local assessor requirements, DOR to establish grant program to support: HB 1560

Single-family residences, recalculating median value for proximate school districts for regionalization factors: **\*SB 6215, CH 252 (2024)**

Taxing districts, property tax levy limit factors for, DOR and county assessors' roles in determining: HB 1670

Unclaimed property, duties and property/amounts/penalties/interest due, DOR agreements with holders concerning: **\*HB 1742, CH 258 (2023)**

Working families' tax credit, DOR reporting requirement: HB 1477

Working families' tax credit, eligibility and clarifying as refundable: **\*HB 1895, CH 3 (2024)**

#### **REVISED CODE OF WASHINGTON (See also CIVIL ACTIONS AND PROCEDURE; CRIMES; SENTENCES AND SENTENCING)**

Campaign disclosure and contribution, creating a new title that breaks chapter 42.17A into multiple chapters: **\*SSB 5857, CH 164 (2024)**

Community, trade, and economic development, department, eliminating references to: **\*SB 5089, CH 36 (2023)**

Defects and omissions, repealing and amending: HB 1090, **\*HB 2213, CH 232 (2024)**, **\*SSB 5087, CH 102 (2023)**

Department of community, trade, and economic development, replacing in RCW with department of commerce: **\*HB 1066, CH 470 (2023) PV**

High school graduation requirements, reorganizing statutory requirements via reordering, nonsubstantive revisions, and removal of expired sections: **\*HB 2110, CH 66 (2024)**

Multiple amendments, various, merging: **\*HB 1066, CH 470 (2023) PV**

Technical corrections, making, and removing obsolete language: **\*HB 1066, CH 470 (2023) PV**

Terminology relating to the ability to stand trial, updating: HB 2152

Titles 50 and 50A, removing the terms "master" and "slave" from: **\*HB 1107, CH 25 (2023)**

Veteran, re-defining for purposes of various RCW provisions as persons who received a "qualifying discharge": HB 2014

#### **RIVERS AND STREAMS (See also BRIDGES; FISH; FLOODS AND FLOOD CONTROL; PUBLIC LANDS)**

Adopt-a-waterway program, establishing for cleaning, protecting, and preserving natural waterways: HB 2400

Columbia river basin flood hazard mitigation, unissued bonds for, expiration date: HB 1148

Columbia river basin project, water rights held by U.S. bureau of reclamation for water use within, applying for acreage change: **\*HB 1752, CH 108 (2024)**

Columbia river, Interstate 5 bridges over, prohibiting tolls on existing bridges but allowing replacement project bridges after their completion: HB 2268

Flows, minimum instream, withdrawals in conflict with, authorizing in public health emergency or when impact in WRIA will be offset: HB 2105

Riparian programs, Washington's, review of and report concerning: HB 2291

Road maintenance and timber harvesting along waters, immunity from liability of person in possession of land for injuries to recreational users in connection with: HB 2480

Safety, encouraging water safety and rescue and drowning prevention, and recognizing May 15 as water safety day: **\*HB 1750, CH 181 (2023)**

Walla Walla river basin, Walla Walla water 2050 plan as integrated strategy including Oregon, tribes, and others: HB 1322

#### **ROADS AND HIGHWAYS (See also BRIDGES; DRIVERS AND DRIVERS' LICENSES; MOTOR VEHICLES; PUBLIC LANDS; PUBLIC WORKS; TOWING AND TOW TRUCKS; TRAFFIC; TRAFFIC OFFENSES; TRANSPORTATION; TRANSPORTATION, DEPARTMENT)**

Adopt-a-highway program, refocusing as public-private partnership, using related signage, and adding program eligibility criteria: HB 2373

Automated speed safety cameras, automated highway speed safety camera pilot program, developing: HB 2485  
 Automated traffic safety cameras, requiring provision of records in response to search warrant or subpoena: SSB 5722  
 Fish passage barriers, "adopt a fish barrier" programs and supporting donations, requirements for acknowledging: HB 2045  
 Funding, dedicating state sales and use taxes on motor vehicles to: HB 1472  
 Graffiti abatement and reduction program, creating: HB 1989  
 Highway lands, unused, renting to agency or nonprofit for community purposes, offsetting rent for benefits from lessee: HB 2491  
 Interstate 405, express toll lanes, not allowing toll charge assessment during certain hours: HB 1719  
 Interstate 405, high occupancy vehicle lanes, limiting operation to certain hours: HB 1719  
 Interstate 5 bridge replacement project, designating as eligible toll facility and authorizing bistate agreement: HB 1852, **\*SB 5765, CH 377 (2023)**  
 Interstate 5, requesting naming of section as Cowlitz County Deputy Sheriff Justin DeRosier memorial highway: HJM 4001  
 Large debris removal and highway cleanup, litter cleanup restitution payments for: SSB 5178  
 Lummi Nation, authorizing department of transportation to enter agreement for new public road: **\*SSB 5753, CH 448 (2023)**  
 Military surplus vehicles, operation on public highways, authorization and requirements: HB 1486  
 Obstructing highways in disregard for public safety, crime of, establishing as class C felony: HB 2358  
 Obstructing highways, crime of, establishing as gross misdemeanor or class C felony: HB 2358  
 Paving, self-manufactured asphalt and aggregates, use taxes on, public road construction market adjustment for, when: HB 1764  
 Pedestrians, allowing crossing at any point given reasonable care: HB 1428  
 Racing, prohibiting and subjecting vehicles to impounding or forfeiture: HB 1631, **\*SB 5606, CH 283 (2023)**  
 Rest areas, limiting parking for vehicles including disabled vehicles: HB 1518, SB 5487  
 Right turns at red lights, prohibiting in the vicinity of certain facilities: HB 1582  
 Right-of-way, unauthorized vehicles obstructing high capacity transportation, regional transit authority removal of: HB 1414, **\*SSB 5317, CH 326 (2023)**  
 Road usage charge program, voluntary, per mile fee collection via per mile system, establishing: HB 1832  
 Speed safety cameras, advance placement of radar speed feedback signs where constructive: **\*ESSB 5272, CH 17 (2023)**  
 Speed safety cameras, automated highway speed safety camera pilot program, developing: HB 2485  
 Speed safety cameras, use in infractions: HB 1807, **\*ESSB 5272, CH 17 (2023)**  
 Speed safety cameras, use in state highway work zones: HB 1807, **\*ESSB 5272, CH 17 (2023)**  
 State route number 167, express toll lanes, not allowing toll charge assessment during certain hours: HB 1719  
 State route number 501, modifying description in provision establishing: **\*HB 2318, CH 73 (2024)**  
 State route number 520, SR 520 corridor improvements west end project, deferral of state and local use taxes for 24 years after completion of: **\*SSB 6316, CH 281 (2024)**  
 State route number 6, mileposts 45 to 51, requesting designation as Washington State Patrol Trooper Justin R. Schaffer memorial highway: HJM 4006, **\*SJM 8008 (2024)**  
 Street projects, city or county, paid for by property owners, period for reimbursement of owner by other benefitting owners, increasing, and allowing extensions: HB 2343  
 Toll facilities, Interstate 5 Columbia river bridges, prohibiting tolls on existing bridges but allowing on replacement project bridges after their completion: HB 2268  
 Tow truck operators, requiring compensation when dispatched to clear roads: HB 1722, **\*SSB 5652, CH 320 (2024)**  
 Trucks, commercial truck parking and accommodations near national highway system, facilitating: HB 1787  
 Trucks, heavy commercial truck planned highway corridors, via transportation element under GMA: HB 1787  
 Work or emergency zone, reducing speed when approaching: HB 1485, **\*SB 5023, CH 33 (2023)**

**ROCKS AND MINERALS**

Tenino sandstone, designating as official state rock: HB 1977

**SALES (See also ALCOHOLIC BEVERAGES; BUSINESSES; CANNABIS; CONSUMER PROTECTION; CRIMES; ENVIRONMENTAL HEALTH AND SAFETY; FIREARMS; FOOD AND FOOD PRODUCTS; FUELS;**

\* - Passed Legislation

**HAZARDOUS MATERIALS; MANUFACTURING AND TECHNOLOGY; MOTOR VEHICLES; SENTENCES AND SENTENCING; TAXES - SALES; TOBACCO AND TOBACCO PRODUCTS; VAPOR PRODUCTS)**

Cannabis/tetrahydrocannabinol, consumable products containing beer/wine/spirits/other liquor in combination with, prohibiting: \***HB 1772, CH 217 (2023)**

Dogs and cats, prohibiting pet store sales, and voiding leases, installment transactions, and loans for purchase, when: HB 1424

Electronic commerce platforms, liability to consumer under product liability claims statutes: HB 1606

Gift certificates and cards, presumed abandoned, updating cross-references to unclaimed property act: \***HB 1742, CH 258 (2023)**

Gift certificates and cards, retailer acts and practices involving, improving consumer protections with prohibitions and requirements: HB 2094

Online marketplaces, high-volume third-party sellers on platform, requirements: HB 1065

Personal information, collected from consumers at point of sale, prohibiting selling or sharing without consumer's permission: HB 2149

Pricing difference for goods on basis of gender, prohibiting: HB 1152, SSB 5171

Telephone solicitation, prohibiting via robocalling or automatic dialing and to persons on do not call registry: HB 1051

Ticket sales warrant integrity, fairness, and transparency for consumer protection act, or TSWIFT consumer protection act: HB 1648

Ticket sales, requirements for pricing, technologies, purchases, tickets, out-of-state businesses, and ticket sellers and resellers: HB 1648

Ticket sellers and resellers, licensing and regulation: HB 1648

**SCHOOL DIRECTORS' ASSOCIATION, WASHINGTON STATE**

Model policy and procedure, requiring development for inclusive curricula: \***ESB 5462, CH 157 (2024)**

Model policy, requiring review and update for nutrition, health, and physical education: HB 1504, \***ESSB 5257, CH 272 (2023)**

Music instruction for elementary level students, model policy and procedure for, WSSDA to adopt: HB 1819

Student mobile device use during instructional hours, model policy and procedures for restricting, WSSDA to develop: HB 2018

Student representative network, association to form: HB 1692

**SCHOOLS AND SCHOOL DISTRICTS (See also BLIND; BLIND, STATE SCHOOL FOR THE; CHARTER SCHOOLS; CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT; COLLECTIVE BARGAINING; DEAF; DEAF AND HARD OF HEARING YOUTH, WASHINGTON CENTER FOR; DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH; DISABILITIES, PERSONS WITH; EDUCATION, STATE BOARD OF; HEALTH CARE AUTHORITY; PROFESSIONAL EDUCATOR STANDARDS BOARD (PESB); PUBLIC WORKS; RETIREMENT AND PENSIONS; SCHOOL DIRECTORS' ASSOCIATION, WASHINGTON STATE; SUPERINTENDENT OF PUBLIC INSTRUCTION, OFFICE (OSPI); TRIBES AND TRIBAL MEMBERS)**

Academic credit, requiring for skill center courses: \***SSB 5617, CH 407 (2023)**

Administrators, building-level certificated, increasing allocations for: HB 2212

Administrators, certificate renewal, aligning continuing education on equity-based practices and cultural competency standards: HB 1376

Administrators, certificate renewal, continuing education on equity-based practices, etc., to be approved by PESB: HB 1377

Administrators, educator preparation program improvement report, preparation of: HB 1565

Administrators, educator workforce programs quality and effectiveness, data collection and determinations about: HB 1565

Administrators, increasing salary allocations for professional development purposes: HB 1741

Advanced placement (AP) exams and courses, subsidizing fees for students taking exams and studying outcomes of subsidy: HB 2326

Advanced placement, increasing AP course options for career and college readiness graduation pathway: HB 1549

Apprenticeship programs, regional apprenticeship pilot program, establishing: HB 1013

Athletic activities, officials and volunteers at, interference with by force or violence, class C felony: HB 2079

Athletic activities, officials and volunteers at, intimidation of by threat of force or violence, class C felony: HB 2079

Attendance, students who are chronically absent, grant program to support, establishing: HB 2146

Attendance, students who are chronically absent, including in dropout prevention grants and grant usage: ESSB 5850

Basic education, authority to grant OSPI waivers to schools including charter schools and state-tribal schools: SSB 5648

Behavioral health, emotional or behavioral distress in students, developing plans for recognition/screening/response to, grant program to support: HB 2280

Behavioral health, regional school-based mental and behavioral health student assistance program, establishing: HB 2280

Behavioral health, state-level coordination to help identify and connect students to supports in school and interconnected community settings: HB 2280

Bellingham high school varsity boys swimming and diving team, recognizing, commending, and congratulating: **\*HR 4645 (2023)**

Biliteracy, Washington state seal of, requiring awarding to certain graduating high school students and modifying certain provisions: HB 1228

Bonds and payment levies, school district, at least 55% of voters to authorize: HB 1843, HJR 4207

Bonds and payment levies, school district, simple majority to authorize: HB 1353, HJR 4203

Bone marrow donation, awareness of, public school instruction in: **\*SB 5065, CH 219 (2023)**

Bullying, policies/complaint procedures related to intimidation/harassment/discrimination and, posting: HB 1207

Bullying, school bullying and harassment work group, decodifying section due to previous termination: **\*HB 1066, CH 470 (2023) PV**

Buses, automated safety cameras and seat belt requirement on school buses: HB 1118

Buses, drivers employed by private entity contractor, entity to provide health benefits for: HB 1248

Buses, school bus replacement incentive program, modifying in keeping with transitioning to zero emissions buses: HB 1368

Buses, school bus replacement incentive program, revising provisions: HB 1118

Buses, school bus trespass as class C felony: HB 2133

Buses, school bus trespass as gross misdemeanor: **\*ESSB 5891, CH 302 (2024)**

Buses, transitioning to zero emissions: HB 1368

Buses, zero emission school bus grant program, establishing: HB 1368

Buses, zero emission school bus purchase and use requirement, implementing: HB 1368

Cambridge international exams and courses, subsidizing fees for students taking exams and studying outcomes of subsidy: HB 2326

Cardiopulmonary resuscitation and automated external defibrillator use, required instruction for high school students in: HB 2315

Career and technical education, allied health professions career and technical education core plus program, developing: HB 2236

Career and technical education, Cindy Arnold, director for Battleground school district, region V administrator of the year, honoring: **\*HR 4611 (2023)**

Career and technical education, dual credit courses: HB 1003

Career and technical education, dual credit or concurrent enrollment courses: HB 1316

Career and technical education, early childhood development and services career pathway, provisions: HB 1451

Career and technical education, minor 16 or 17 years of age enrolled in, working hours allowed during school year: HB 2035

Career and technical education, skill center students, funding/equivalency/apportionment for certain small districts: HB 1605

Career and technical education, skill centers, modifying minimum allocation: HB 1721

Career and technical education, statewide career and technical education core plus advancement task force, establishing: HB 2236

Career-connected learning coordinators, establishing in educational service districts: HB 1374

Certified instructional staff, modifying experience factors: HB 2458

Charter schools, grant eligibility and enrichment grants for: HB 1418, HB 1897

Chelan High School volleyball team, 2023 1A volleyball state champions, congratulating: **\*HR 4695 (2024)**

Chelan High School volleyball team, honoring: **\*HR 4613 (2023)**

Child care worker pilot program, for students, establishing: HB 1451

Children's day, celebrating: **\*HR 4616 (2023)**

Chinese Americans and Americans of Chinese descent, encouraging activities to commemorate: **\*SB 5000, CH 357 (2023)**



- Cochran, Terry, wrestling official for school league, district, regional, and state tournaments, honoring and congratulating: **\*HR 4669 (2024)**
- College bound scholarship program, enhancing and adding reporting requirements: **\*HB 1232, CH 174 (2023)**
- College in the high school program, provisions: HB 1003, HB 1316, HB 2441, **\*SSB 5048, CH 314 (2023)**
- Colleges, four-year, Washington guaranteed admissions program, modifying, and providing student notifications: HB 2077
- Competency-based education, identifying and designating schools implementing: ESSB 6264
- Complaints, developing uniform system for complaints about conduct by individuals in schools: HB 1239
- Computer science, showing competency in high school learning standards, as high school graduation requirement: E2SSB 5849
- Concurrent enrollment courses, cost subsidy program for students: HB 1316
- Concurrent enrollment courses, various changes: HB 1316
- Conduct, bullying/discrimination/harassment/intimidation, model handbook language for policies/complaint procedures for: HB 1207
- Conservation, Washington state green schools program, establishing to expand resource conservation practices: HB 1935
- Conservation, Washington state green schools program, new grant program in connection with establishing of: HB 1935
- Construction, aging schools assistance program, creating as grant program for replacing or modernizing aged facilities: HB 2017
- Construction, solar energy systems, public school installation on new school buildings, grant awards for, requirements: HB 2297
- Construction, supplementary modernization and new construction grants and planning grants for certain districts: HB 1044
- Continuous improvement coaches, adding staffing allocations for: HB 1741
- Counselors, increasing staffing allocations to support professional development participation: HB 1741
- Counselors, meeting with students in 12th grade to explain grant options under WA college grant and WA 13 free guarantee: HB 2309
- Credentials, educational and professional, Washington credential registry, creation of: HB 2155
- Cultural competency, diversity, equity, and inclusion standards, aligning certain school district staff provisions with: HB 1376
- Curriculum, African American studies, for students in grades 7 through 12, work group to identify curricula, methods, and materials, convening: HB 2282
- Curriculum, concerning tribes, renaming as John McCoy (luliláš) since time immemorial curriculum: **\*HB 1879, CH 200 (2024)**
- Curriculum, financial education as high school graduation requirement and in elementary and middle schools: HB 1915
- Curriculum, inclusive curricula development and promotion, various provisions: **\*ESB 5462, CH 157 (2024)**
- Curriculum, tribal sovereignty curriculum implementation, compliance monitoring, and evaluations: HB 1332
- Curtis Senior High School, boys varsity basketball team, commending: **\*HR 4634 (2023)**
- Curtis Senior High School, girls bowling team, commending: **\*HR 4635 (2023)**
- Days, required for school year, waivers of requirement, increasing eligibility for: HB 2381
- Debt, contracting indebtedness for construction requiring lack of binding conditions: HB 2411
- Depreciation sub funds, authorizing creation for preventative maintenance and emergency facility needs: **\*SB 5403, CH 402 (2023)**
- Diplomas, withholding for student damage to property, requirements when: **\*HB 1536, CH 384 (2023)**
- Disabilities, individuals with disabilities education act, requesting that congress fully fund 40 percent of the costs of: **\*SJM 8007 (2024)**
- Discipline, actions due to student damage to property, revising provisions: **\*HB 1536, CH 384 (2023)**
- Discrimination and bullying/harassment/sexual harassment/intimidation, policies and complaint procedures for, posting: HB 1207
- Discrimination, compliance with nondiscrimination requirements, primary contact person for, designation by each district: HB 1207
- Districts, Aberdeen, Jamie MacKinnon Walsh, former school board member, honoring and remembering: **\*HR 4602 (2023)**
- Districts, Battle Ground, Colleen O'Neal, teacher and principal, and president of Battle Ground Education Foundation, recognizing and honoring: **\*HR 4663 (2024)**

Districts, Battleground, Cindy Arnold, career and technical education director and region V administrator of the year, honoring: **\*HR 4611 (2023)**

Districts, boards of directors, instructional materials committees established by, parent representation on: HB 2398

Districts, boards of directors, providing public school library systems for receiving/considering/acting upon written complaints about library materials: HB 2399

Districts, eliminating barriers to high school completion, funding to districts for: HB 2146

Districts, financially distressed, supplementary modernization and new construction grants and planning grants: HB 1044

Districts, public and private grants application assistance for, grant program to provide, establishing: HB 2448

Districts, public works apprenticeship utilization, modifying requirements: HB 1050

Driver training schools, use of school property in districts that do not offer traffic safety education program: HB 2370

Dropout reengagement programs, expanding eligibility to all students under 21 eligible to be enrolled in high school: HB 1938

Dual credit programs, cost subsidy and incentive rebate for low-income students: HB 1003

Dual credit programs, cost subsidy program for students: HB 1316

Dual credit programs, requiring public schools to provide notice of available programs and financial assistance: **\*HB 1146, CH 44 (2024)**

Dual credit programs, various changes: HB 1003, HB 1316, **\*2SSB 5048, CH 314 (2023)**

Dual credit programs, WA dual enrollment scholarship pilot program, repealing: HB 1003, HB 1316

Dual language education, establishing or expanding, grant program to support districts and tribal schools for: HB 1228

Dual language education, stipends and standards for certain multilingual certificated instructional staff and paraeducators: HB 1228

Education ombuds, office of, special education ombuds for each educational service district region, delegating/certifying: E2SSB 5311

Education ombuds, office of, special education ombuds for each educational service district region, removing provision of: HB 1914

Education ombuds, office of, special education services available through and contact information for, providing to parents: HB 1914

Educational service district regions, special education ombuds for each: E2SSB 5311

Educational service district regions, special education ombuds for each, removing provision of: HB 1914

Educational service districts, elections for membership on boards, declarations of candidacy and voting, revising: **\*HB 1624, CH 83 (2023)**

Educational service districts, eliminating barriers to high school completion, funding to ESDs for: HB 2146

Educational service districts, establishing career-connected learning coordinators in: HB 1374

Educational service districts, regional apprenticeship pilot program, role of districts in establishing: HB 1013

Educational service districts, special education services to be contracted for by, providing various: HB 1914

Educator preparation program, improvement report on, preparation of: HB 1565

Educators, beginning educator support team program, revising goals, requirements, and definitions: HB 1565

Educators, educator workforce programs quality and effectiveness, data collection and determinations about: HB 1565

Emergency expulsion, replacing "expulsion" with "removal" in provisions and student's education record: HB 1207

Employees and employee organizations, prohibiting striking and involvement with strikes by: HB 1429

Employees, annual salary inflationary increase, modifying inflationary adjustment index for: HB 1732

Employees, certificated administrative staff, increasing salary allocations for professional development purposes: HB 1741

Employees, certificated and classified, developing online portal for recruiting and hiring: HB 1565

Employees, certificated instructional staff, increasing salary allocations for professional development purposes: HB 1741

Employees, certificated staff professional learning communities, fostering: SSB 5054

Employees, certificated, eligibility for certificate or permit regardless of immigration or citizenship status: HB 1889

Employees, certificated, evaluation systems training program for, aligning with cultural competency standards: HB 1376

Employees, classified staff, allocations for providing teaching assistance and educational instructional services and addressing learning loss, increasing: HB 2387

Employees, classified staff, educational and office support/noninstructional aides, increasing staffing allocations: **\*2SSB 5882, CH 191 (2024)**

Employees, classified staff, educational instructional services and office support/noninstructional aides, additional staffing units for: HB 1960

Employees, classified staff, increasing salary allocations for professional development purposes: HB 1741

- Employees, educational/certificated, collective bargaining, provision of employee information to exclusive bargaining representatives: HB 1200
- Employees, interest arbitration as exclusive means of settling labor disputes for: HB 1429
- Employees, public school staff, comparative labor market analysis of salaries and other compensation for, conducting: HB 2148
- Enrichment levies, multiplying by regionalization factor: HB 2215
- Epi-pens, in schools, prescriptions, supplies, and use for anaphylaxis: HB 1608
- Epinephrine and epinephrine autoinjectors, in schools, prescriptions, supplies, and use for anaphylaxis: HB 1608
- Extracurricular tournaments or events, stay-to-play specific-lodging requirement for nonlocal teams and individuals, prohibiting: HB 1860
- Family engagement coordinators, increasing staffing allocations to support professional development participation: HB 1741
- Fentanyl and other opioids, substance use prevention education concerning, materials review and standards for: HB 1956
- Filipino Americans, historical/cultural contributions of, K-12 public school instruction about, materials/resources for: HB 1749
- Financial literacy education, certificated staff professional development grant program, limiting amount of funds received: EHB 1714
- Force, use of force on children, requirements: HB 1239
- Foster care, students in, as special passengers, transportation outside normal boundaries: E2SSB 5174
- Foster care, students in, individual transportation outside normal boundaries: HB 1248
- Foster care, students in, work group on students experiencing homelessness or, to include students in or exiting juvenile facilities: **\*HB 1679, CH 300 (2023)**
- Funding, for basic education, increasing allocations for instructional professional development for staff: HB 2494
- Funding, for basic education, increasing or adding various staffing allocations: HB 1741
- Funding, for basic education, increasing staffing allocations to support professional development participation: HB 1741
- Funding, for basic education, paraeducators and noninstructional aides, increasing staffing allocations: **\*2SSB 5882, CH 191 (2024)**
- Funding, for basic education, shifting certain staffing-enrichment allocations for teacher-librarians to minimum instructional program of basic education: HB 2223
- Funding, for basic education, teaching assistance and noninstructional aides, additional prototypical school staffing units for: HB 1960
- Funding, for student transportation, revising student transportation allocation formula: HB 1248
- Funding, state, allocations distribution formula for, revisions: HB 2494, SB 5019
- Funding, state, increasing allocations for material, supplies, and various operating costs: HB 2494
- Funding, through grants, public and private grants application assistance for districts, grant program to provide, establishing: HB 2448
- Grades, revised standardized high school transcript with a weighted grade point average recognizing accelerated coursework, developing: HB 2005
- Graduation ceremonies and events, high school, wearing item or object of cultural significance on gown, districts to permit: HB 2267
- Graduation requirements, career and college ready, provisions: HB 1549
- Graduation requirements, computer science competency in high school learning standards, requiring: E2SSB 5849
- Graduation requirements, graduation pathway options, adding approved advanced placement courses: HB 1549
- Graduation requirements, graduation pathway options, informing students and parents and monitoring implementation: **\*HB 1308, CH 349 (2023)**
- Graduation requirements, graduation pathway options, K-12 credentials, credential transparency work group, creating: HB 1821
- Graduation requirements, graduation pathway options, performance-based learning experience as additional option: **\*HB 1308, CH 349 (2023)**
- Graduation requirements, graduation pathway options, test-based and course-based, modifications: **\*HB 1308, CH 349 (2023)**
- Graduation requirements, reorganizing statutory requirements via reordering, nonsubstantive revisions, and removal of expired sections: **\*HB 2110, CH 66 (2024)**
- High school and beyond plans, adopting common online platform: HB 1273, **\*E2SSB 5243, CH 271 (2023)**
- High school and beyond plans, modifying requirements: HB 1273, **\*E2SSB 5243, CH 271 (2023)**

Highly capable students, universal screening, equity, and funding for programs and services: **\*SSB 5072, CH 265 (2023)**  
 Holocaust and genocide education, including crimes against humanity, instruction and stand-alone elective focusing on:  
 HB 2037  
 Home schooling, funding via family empowerment scholarship program: HB 1093  
 Home-based instruction, student withdrawing from public school to receive, online survey for parents concerning,  
 creating: HB 2038  
 Home-based instruction, students first education savings account program, establishing: HB 1615  
 Homeless encampments, requiring county and city prohibition on public property within 500 feet of schools: HB 1373  
 Homeless students, as special passengers, transportation arrangements for: E2SSB 5174  
 Homeless students, individual transportation arrangements for: HB 1248  
 Homelessness, students experiencing, grant program for identification of and support for, expanding provisions: **\*HB  
 1622, CH 386 (2023)**  
 Homelessness, students experiencing, grant program to link families with housing, expanding provisions: **\*HB 1622,  
 CH 386 (2023)**  
 Homelessness, students experiencing, work group on students in foster care or, to include students in or exiting juvenile  
 facilities: **\*HB 1679, CH 300 (2023)**  
 Institutional education, delivery and oversight of basic education services to justice-involved students, assigning to  
 OSPI: HB 1701  
 Institutional education, provider staff cross-sector trainings, requirements for offering: HB 1411  
 Institutional education, provider staff professional learning, aligning racial literacy and cultural competency standards:  
 HB 1376  
 Instructional materials committees, appointed by school districts, parent representation on: HB 2398  
 International baccalaureate exams and courses, subsidizing fees for student taking exams and studying outcomes of  
 subsidy: HB 2326  
 International genocide prevention and awareness month, role of public schools: HB 2037  
 Interpreters, for deaf/deaf and blind/hard of hearing persons, shortage of American and protactile sign language  
 interpreters, work group on, establishing: HB 2221  
 K-12 data governance group, modifying provisions: HB 1565  
 K-12 education data improvement system, comprehensive, establishing and modifying: HB 1565  
 Kindergarten, transition to kindergarten program, establishing in place of transitional kindergarten programs: HB 1550  
 Learning recovery and acceleration, funding for tutoring and extended learning programs: HB 1710  
 Learning recovery grant program, establishing to provide funding for postpandemic learning recovery programs: HB  
 2404  
 Learning standards, state, updating at all grade levels to include contributions of historically marginalized groups: **\*ESB  
 5462, CH 157 (2024)**  
 Legislature, legislative district student councils, establishing in each district: HB 1692  
 Legislature, legislative youth advisory council, student representative network and legislative district student councils  
 duties of: HB 1692  
 Legislature, student representative network, forming: HB 1692  
 Levies for schools, enrichment, maximum per-pupil limit for, modifying for collection in 2025 through 2031: HB 2215  
 Levies for schools, school district bonds and payment, at least 55% of voters to authorize: HB 1843, HJR 4207  
 Levies for schools, school district bonds and payment, simple majority to authorize: HB 1353, HJR 4203  
 Levies for schools, state property tax levies for common schools, reducing, and establishing new basis for levies: HB  
 1483  
 Librarians, teacher-librarians, shifting certain staffing-enrichment allocations to minimum instructional program of basic  
 education: HB 2223  
 Libraries, in public schools, systems for receiving/considering/acting upon written complaints about library materials,  
 each school district to provide: HB 2399  
 Libraries, school library information and technology programs access for all students: HB 1609, ESSB 5102  
 Low-income students, dual credit programs cost subsidy and incentive rebate: HB 1003  
 Lynden Christian High School boys varsity basketball team, recognizing, commending, and congratulating: **\*HR 4648  
 (2023)**  
 Lynden High School boys varsity basketball team, recognizing, commending, and congratulating: **\*HR 4649 (2023)**  
 Manson High School girls cross country team, 2023 fall WIAA academic state champions, congratulating: **\*HR 4685  
 (2024)**

Manson High School volleyball team, 2023 2B state volleyball champions, congratulating: **\*HR 4690 (2024)**

Materials, supplies, and various operating costs, increasing state funding for: HB 2494

Meals, free breakfast and lunch for all requesting students: HB 1238

Meals, free breakfast and lunch for all requesting students, modifications to increase student access to: HB 2058

Middle and high school-aged youth caring for younger relatives, model program manual for program to assist: HB 1451

Military children, interstate compact on educational opportunity for, correcting certain cross-references in: **\*HB 1066, CH 470 (2023) PV**

Military friendly school districts, purple star award to recognize, creating: HB 1346

Modernization loan program, for districts and schools with significant building system deficiencies: ESB 5344

Mount Spokane High School, Sydney Frost, a 2024 Poetry Out Loud regional champion, congratulating: **\*HR 4684 (2024)**

Music instruction, for elementary level students, requiring, and specifying per-week amount: HB 1819

National voter registration day, public high schools to observe on third Tuesday of September with certain activities: HB 2192

Ninth grade success grant program, establishing: HB 2053

Nooksack Valley High School, girls varsity basketball team, commending: **\*HR 4641 (2023)**

Outdoor learning and education in state parks, school districts needs for: HB 2138

Paraeducator board, code of educator ethics, board recommendations concerning: HB 1239

Paraeducator board, paraeducator fundamental course of study, board to convene work group and update rules: HB 1277

Paraeducators, adding additional staffing allocations: **\*SSB 5882, CH 191 (2024)**

Paraeducators, eligibility for paraeducator certificate regardless of immigration or citizenship status: HB 1889

Paraeducators, fundamental course of study, minimum of one day in person unless exemption adopted by board: HB 1277

Paraeducators, increasing wages: HB 2380

Paraeducators, minimum employment requirements, modifying assessment provision: HB 1015

Paraeducators, various provisions concerning: HB 1565

Paraeducators, with multilingual skills and instructional knowledge, stipend for, when: HB 1228

Parental involvement in school system, developing policy to promote, requirements for, including parental rights: HB 1601

Parental rights, requiring various notifications and parental access to records and educational materials: HI 2081

Parents' bill of rights, in connection with child's public school education, establishing: HI 2081

Parents, fundamental rights to direct upbringing, education, health care, and mental health of minor child reserved to: HB 1601

Phones, student mobile device use during instructional hours, strategies for restricting: HB 2018

Prairie High School boys and girls wrestling team, honoring: **\*HR 4623 (2023)**

Prairie High School, Faith Tarrant, girls 235-pound wrestling state champion in 3A/4A class, recognizing and honoring: **\*HR 4686 (2024)**

Principals and assistant principals and other building-level administrators, increasing allocations for: HB 2212

Principals and assistant principals, increasing salary allocations for professional development purposes: HB 1741

Principals, written contracts between school boards and, limiting term of: **\*ESB 5175, CH 362 (2023)**

Private schools, student withdrawing from public school to attend, online survey for parents concerning, creating: HB 2038

Private schools, students first education savings account program, establishing: HB 1615

Procurement, energy equipment and services, school district performance-based contracting for, adding options: **\*HB 1777, CH 309 (2023)**

Professional learning, certificated staff professional learning communities, fostering: SSB 5054

Psychologists and other providers, conducting evaluations for special education, funds distribution for: HB 1305

Public school facilities, indoor temperature standards for, advisory committee for developing recommendations for, appointing: HB 2198

Race and ethnicity reporting guidelines task force, decodifying obsolete section: **\*HB 1066, CH 470 (2023) PV**

Ranked choice voting, authorizing for elections and providing guidelines: HB 2250

Reading and writing literacy, comprehensive K-4 literacy program using evidence-based instructional practices to promote: HB 2284

Reading and writing literacy, improving via structured literacy, K-4 literacy program, educator refresher course, teacher endorsements, and dyslexia handbook and supports: HB 2284

Reading to ensure academic development (READ) grant program, establishing to improve early elementary student literacy: HB 2142

Recess, mandating with requirements and minimum time: HB 1504, \*ESSB 5257, CH 272 (2023)

Recycling and reduction of waste, waste not Washington awards program for schools, raising monetary award limits for: HB 2301

Regionalization factors, recalculating with proximate school districts: \*SB 6215, CH 252 (2024)

Residential private schools, definition of, and investigation of referrals of alleged incidents of child abuse or neglect at schools: \*ESSB 5515, CH 441 (2023)

Residential private schools, determining accreditation standards and procedures for: \*ESSB 5515, CH 441 (2023)

Residential private schools, licensing of living accommodations provided by: \*ESSB 5515, CH 441 (2023)

Residential schools, including students with disabilities, provisions: HB 2130

Residential schools, Naselle Youth Camp property, transferring to Chinook Indian Nation: HB 1496

Ridgeline High School volleyball team, 2023 3A WIAA academic state champions, honoring: \*HR 4689 (2024)

Running start for the trades grant program, establishing to offer preapprenticeship opportunities for students: HB 1944

Running start program, financial assistance and eligibility provisions: HB 1316

Running start program, financial assistance and summer school program: HB 1003

Running start programs, allowing post-10th grade enrollment: \*E2SSB 5670, CH 159 (2024)

Running start, summer running start for the trades grant program, establishing to offer apprenticeship preparation program opportunities for students: HB 2123

Safety, authorizing funding for school resource officers: HB 1071

Safety, classified staff providing student and staff safety, changing funding for: SB 5019

Safety, expanding requirement for opioid overdose reversal medication in high schools: HB 2029

Safety, expanding requirement for opioid overdose reversal medication in public schools: \*SSB 5804, CH 214 (2024)

Safety, requiring bleeding control equipment and training in schools: \*ESB 5790, CH 365 (2024)

Safety, requiring safe school plans to include education of substitute teachers and temporary employees: \*SB 5647, CH 21 (2024)

Safety, requiring seismic risk assessments and prioritization of remediation projects: HB 1747

Safety, safety and security staff training program, aligning bias free policing and cultural competency standards: HB 1376

Safety, school safety capital grant program, administering: HB 1064

Safety, school safety data, school safety dashboard for, creating: HB 1675

School board meetings, requirements for availability of recordings: \*EHB 1210, CH 67 (2023)

School board members, allowing school employee benefits board (SEBB) participation: \*SSB 5275, CH 13 (2023)

School construction assistance grant program, unissued bonds for, expiration date: HB 1148

School construction assistance program, adjusting calculation for taxation: SB 5789

School construction assistance program, funding for preschool and before-and-after school care program enrollments: HB 2092

School construction assistance program, prioritizing for common school construction fund: HB 1444, SSB 5126

School districts, prohibiting the prohibition of curriculum because it relates to the role of protected class members: HB 2331

School districts, requiring policies and procedures for requested reviews and removals of material: HB 2331

School enrichment levies, increasing with inflation: HB 1244

Schools, aging schools assistance program, creating as grant program for replacing or modernizing aged facilities: HB 2017

Schools, state-tribal education compacts, new or revised, provisions relating to state board of education, OSPI to consult with board on: HB 2335

Sex trafficking, mandating instruction in prevention and identification before grade 12: \*ESB 5355, CH 328 (2023)

Skill center facilities, unissued bonds for, expiration date: HB 1148

Skill center students, certain small sending districts, funding, equivalency, and apportionment for: HB 1605

Skill centers, modifying minimum allocation: HB 1721

Social studies curriculum, to include tribal sovereignty and history/culture/government, with grant program for schools: HB 1332

Social-emotional learning skills, instruction and funding for, recommendations and requirements: HB 2239

Special education, allowing contracting for private schools: \*E2SSB 5315, CH 436 (2023)

Special education, burden of proof in due process hearings: HB 2121, \*SB 5883, CH 29 (2024)

Special education, conducting extraordinarily high numbers of initial evaluations: HB 1109

Special education, extending to the end of the school year in which the student turns 22: HB 2130

Special education, from nonpublic agency outside WA for high-cost student, safety net awards: SB 5031

Special education, full funding of: HB 1436

Special education, funded enrollment limit, adjustments to: HB 1923

Special education, funding districts for, identification of eligible students and district spending plans, monitoring, and reviewing: HB 2174

Special education, funding, enrollment limit for, removing: HB 2175

Special education, general apportionment funding, development of allocation and cost accounting methodology: E2SSB 5311

Special education, improving access to and provision of services: HB 1305

Special education, increasing excess cost multiplier, removing enrollment funding cap, and providing additional funding: HB 1436

Special education, individual transportation of students with IEP: HB 1248

Special education, individualized education programs, development of: HB 1305

Special education, initial evaluations and IEPs, program for reimbursing public schools for certain costs: HB 1109

Special education, overidentifying students as eligible and overproviding services beyond IEPs, monitoring/corrective actions: HB 1923

Special education, raising enrollment funding cap: HB 2180

Special education, raising excess cost funding multipliers for pre-K and K-12 students and enrollment funding cap: HB 1211, E2SSB 5311

Special education, raising excess cost funding multipliers for pre-K and K-12 students and removing enrollment funding cap: HB 1436

Special education, safety net awards, determining eligibility and amounts and conducting application process survey: HB 1973, **\*SB 5852, CH 127 (2024)**

Special education, safety net awards, modifying process for determining eligibility for high-need student: E2SSB 5311

Special education, school psychologists and other providers conducting evaluations for, funds distribution for: HB 1305

Special education, state safety net oversight committee, consideration of costs differences due to service delivery choice: E2SSB 5311

Special education, state safety net oversight committee, consideration of extraordinary costs of evaluations and IEPs by: HB 1109

Special education, student services and public education, reports for parents and due process hearings concerning: HB 1914

Special education, students with IEP or section 504 plan, restraint and isolation of: HB 1479

Special education, transportation of special passengers with IEP: E2SSB 5174

Special education, various services for students to be contracted for by educational service districts: HB 1914

Sports, tournament or event stay-to-play specific-lodging requirement for nonlocal teams and individuals, prohibiting: HB 1860

Squalicum high school girls varsity wrestling team, recognizing, commending, and congratulating: **\*HR 4647 (2023)**

Staff, cross-sector trainings on such topics as social-emotional learning and antiharassment, intimidation, and bullying: HB 1411

Staff, interference with by force or violence at schools or their athletic activities, class C felony: HB 2079

Staff, intimidation of by threat of force or violence at schools or their athletic activities, class C felony: HB 2079

Staff, redefining physical, social, and emotional support staff for funding purposes: SB 5019

Student success, supporting, 2015 WSU report and recommendations on, updating: HB 1411

Students in foster care or experiencing homelessness work group, to include students in or exiting juvenile rehabilitation facilities: **\*HB 1679, CH 300 (2023)**

Students not meeting academic standards, supplemental student supports and family stipends to aid: HB 1328

Students, chronically absent, grant program to support, establishing: HB 2146

Students, dropout reengagement programs eligibility, expanding to all students under 21 eligible to be enrolled in high school: HB 1938

Students, isolation or mechanical or chemical restraint of, prohibiting: HB 1479

Students, providing academic credit for approved paid work experience: HB 1658

Students, redacting personal information for public inspection: **\*SSB 5127, CH 182 (2023)**

Students, restraint and isolation of, including students with IEP or section 504 plan, requirements: HB 1479

Students, statement of student rights for public school students, statement of student rights act: EHB 1478

Students, transfers and withdrawals of students from public schools/districts, online survey for parents concerning, creating: HB 2038

Substance use prevention education, including fentanyl and other opioids as part of, materials review and standards for: HB 1956

Supplies, increasing classroom supplies allocation per FTE student: HB 1741

Tahoma High School, We the People program students as "Warriors of the Constitution", honoring: **\*HR 4636 (2023), \*HR 4668 (2024)**

Teacher exchange program, possible establishment of, report on and recommendations for: HB 1565

Teacher residency program/grants/advisory council/conditional scholarship, establishing: HB 1565

Teachers, beginning educator support team program, revising goals, requirements, and definitions: HB 1565

Teachers, certificate renewal, aligning continuing education on equity-based practices and cultural competency standards: HB 1376

Teachers, certificate renewal, continuing education on equity-based practices, etc., to be approved by PESB: HB 1377

Teachers, educator preparation program improvement report, preparation of: HB 1565

Teachers, educator workforce programs quality and effectiveness, data collection and determinations about: HB 1565

Teachers, expanding eligibility for high poverty school bonus: HB 1238

Teachers, increasing salary allocations for professional development purposes: HB 1741

Teachers, interstate teacher mobility compact, adopting: **\*SB 5180, CH 317 (2024)**

Teachers, setting inflation salary adjustment: **\*ESB 5650, CH 50 (2023)**

Teachers, substitute, basing allocation on 12 days per classroom teacher and specifying daily rate: HB 1741

Teaching assistance, adding additional prototypical school staffing units for: HB 1960

Temperature standards for facilities, indoor, advisory committee for developing recommendations for, appointing: HB 2198

Traffic safety cameras, automated, authorizing use to detect certain violations in school zones and school walk zones: HB 2384

Traffic safety education program, driver training school use of school property in certain school districts that do not offer: HB 2370

Transfers and withdrawals of students from public schools/districts, online survey for parents concerning, creating: HB 2038

Transgender students, school district policies and procedures related to, primary district contact for: HB 1207

Transitional bilingual instruction program, indicating preferred program models and modifying allocations: HB 1228

Transportation safety net awards, requiring provision for districts with additional needs for special passengers: E2SSB 5174

Transportation, district costs, annual and one-time allocations, and allowable expenditures for special passengers: HB 1248

Transportation, funding for student transportation not dependent on vehicle type: ESSB 6031

Transportation, individual arrangements for certain students, costs/allocations and certain reports: HB 1248

Transportation, private entity contractors providing, entity to provide health benefits for its employees: HB 1248

Transportation, restrictions on private entities contracted to provide transportation services: SSB 5873

Transportation, special passengers, costs/allocations and certain reports: E2SSB 5174

Transportation, student transportation allocation formula, revising: HB 1248

Transportation, zero emission school buses, purchase and use requirement and grant program: HB 1368

Tribal language education programs, establishing or expanding, grant program to support districts and tribal schools for: HB 1228

Tribal language education, program to support, developing: HB 1228

University High School girls wrestling team, 2024 WIAA academic state champions, honoring: **\*HR 4692 (2024)**

University High School slowpitch team, 2023 Greater Spokane League champions and second in state, honoring: **\*HR 4693 (2024)**

University High School, Libby Roberts, girls 105-pound wrestling state champion in 3A/4A class, recognizing and honoring: **\*HR 4688 (2024)**

Vaccination or postinfection recovery documentation, requiring for attendance etc., prohibition and certain exception: HB 1827

Vape detectors in public schools, grant program for, establishing: HB 1922

Volunteers, schools and school districts, criminal records checks: HB 1354



Weapons, spring blade knives, at schools, prohibiting: HB 2366, SB 5860  
 Websites, requiring health department information on substance use, drug use, firearm storage, et al: **\*HB 1230, CH 173 (2023)**  
 Wenatchee High School football team, 4A WIAA academic champions, honoring: **\*HR 4614 (2023)**  
 Withdrawals and transfers of students from public schools/districts, online survey for parents concerning, creating: HB 2038  
 Year, school days in, waivers of requirement, increasing eligibility for: HB 2381

## SCIENCE

Burke museum, 125th anniversary of, celebrating: **\*HR 4666 (2024)**  
 STEM subjects and careers, establishing climate resilience and environmental equity campus for workforce training for certain postsecondary students: HB 2298

## SECRETARY OF STATE (See also ELECTIONS; RECORDS)

Archives and records management, organizing, cataloging, and storing artifacts and documents of Lakeland Village: **\*SSB 6125, CH 134 (2024)**  
 Candidate statements, committee to adjudicate claims of false or misleading statements about military service in, secretary role: HB 1671  
 Chief of staff, adding signing authority for: **\*HB 1259, CH 142 (2023) PV**  
 Elections, authorizing certifying results when county canvassing board refuses: **\*SB 5843, CH 28 (2024)**  
 Elections, establishing alternative verification options pilot project to develop and test signature alternatives: **\*SSB 6269, CH 138 (2024)**  
 Elections, reviewing standards and adopting training manual for voter signature determinations: **\*ESSB 5890, CH 269 (2024)**  
 Ranked choice voting work group, creating to develop support and voter education materials: HB 2250  
 State constitution, Article IX, section 1, requesting that office publish without "Preamble" caption because not in original source: **\*HB 2213, CH 232 (2024)**

## SECURITIES

Law violations, information leading to enforcement, whistleblower award and protection act: **\*HB 1370, CH 149 (2023)**  
 Securities act, investigations or proceedings under, financial institutions director not authorized to compel production of customer banking records: **\*HB 2213, CH 232 (2024)**

## SECURITY GUARDS

Private security guards, licensure of, eligibility regardless of immigration or citizenship status: HB 1889

## SENIOR CITIZENS

Aged, blind, or disabled assistance program, concurrent receipt of supplemental security income not a debt: HB 1260  
 Aged, blind, or disabled, assistance program, modifying eligibility provisions: HB 1260  
 Housing gap voucher program, implementing by public housing authorities: HB 1817  
 Low-income home rehabilitation grant program, creating with senior citizens as a priority: HB 1250  
 Medicare, savings programs, offering certain programs to medicaid clients entitled to medicare part A, when: HB 1313  
 Property tax exemption for service-connected disabled veterans and senior citizens process and improvement work group, convening: HB 1560  
 Property tax exemption program, accessory dwelling unit as residence that qualifies for: **\*HB 2375, CH 119 (2024)**  
 Property tax exemption program, combined disposable income, adding income from renting living space in principal residence to: HB 2026  
 Property tax exemption program, maintaining eligibility despite COLA to social security benefits, SSI, or pension benefits: HB 1482  
 Property tax exemption program, updating and adjusting combined disposable income thresholds for: HB 1355, HB 1560  
 Property tax exemption, adjusting disposable income calculation for senior citizens and disabled veterans: SB 5732  
 Rural county optional local sales/use tax imposition, using for senior citizen programs and deducting from sales and use taxes: HB 1702  
 Senior independent living facilities, defining and providing rights for all residents: HB 2275  
 Senior independent living facilities, office of senior housing concerning, studying possibility of creating: HB 2275  
 Senior independent living facilities, technical advisory group concerning, convening: HB 2275

**SENTENCES AND SENTENCING (See also CRIMES; FIREARMS; INDETERMINATE SENTENCE REVIEW BOARD; SEX OFFENSES AND OFFENDERS)**

Aggravated first degree murder, allowing downward departure for mitigating factors for ages 18-20: HB 1396

Aggravated first degree murder, offender sentenced to term of life without possibility of parole for offense when age 18-20, resentencing of: HB 1396

Aggravating circumstances, including mutilation or dismemberment of human remains: HB 1160

Ammonia, theft of, reclassifying as class B felony: HB 2504

Animal cruelty, 1st degree, seriousness level table listing of, revising: **\*HB 1961, CH 55 (2024)**

Assault, 3rd degree, assaulting a child welfare worker, class C felony: HB 1875

Assault, 3rd degree, assaulting an amateur sports official, class C felony: HB 1096

Assault, 3rd degree, implanting own gametes or reproductive material into patient without consent as, class C felony: HB 1300

Assault, targeting off-duty law enforcement personnel in certain situations as 3rd degree assault: ESSB 5299

Branding, creating as class B felony: HB 1150

Cannabis, knowing possession of, misdemeanor, encouragement for diversion for: **\*2E2SSB 5536, CH 1 (2023)**

Capital punishment, repealing and amending language: HB 1090, **\*SSB 5087, CH 102 (2023)**

Catalytic converters, knowingly possessing, selling, or offering for sale without proper marking by person removing it from vehicle as gross misdemeanor or class C felony, when: HB 2153

Catalytic converters, scrap metal business purchase offenses, certain involving certain numbers or marks on, class C felony, when: HB 1840

Catalytic converters, scrap metal business purchase offenses, knowing property is stolen, gross misdemeanor: HB 1840

Catalytic converters, theft in 2nd degree of private metal property, special allegation and verdict and additional sentence, when: HB 1840

Catalytic converters, trafficking in, creating first degree as class B felony and second degree as class C felony: HB 2153

College athletic activities, officials/judges/referees/volunteers at, interference with by force or violence, class C felony: HB 2078

College athletic activities, officials/judges/referees/volunteers at, intimidation of by threat of force or violence, class C felony: HB 2078

College staff, interference with by force or violence at institutions or their athletic activities, class C felony: HB 2078

College staff, intimidation of by threat of force or violence at institutions or their athletic activities, class C felony: HB 2078

Community custody, conditions of, modifying based on offender's crime of conviction, risk of reoffense, and risk to community safety: HB 2303

Conditional release to less restrictive alternative, sexually violent predators ineligibility for supervision compliance credit: HB 1926

Conditional releases, modifying partial conditional releases, less restrictive alternatives, and role of transition teams: ESSB 5690

Controlled substances, increasing penalties: HB 1162

Controlled substances, knowingly possessing or knowingly using in public place, as gross misdemeanor with encouragement for diversion: **\*2E2SSB 5536, CH 1 (2023)**

Controlled substances, knowingly possessing, as gross misdemeanor: HB 1613

Controlled substances, knowingly possessing, to be gross misdemeanor: HB 1415

Controlled substances, prohibiting tableting and encapsulating machines as class C felony: **\*EHB 1209, CH 66 (2023)**

Controlled substances, providing suspended sentence for knowingly possessing when agreeing to substance use disorder treatment: HB 1613

Cosmetics, performance of practice of permanent or enhanced permanent cosmetics on any minor under 18, misdemeanor: HB 2109

Counterfeit substances, knowingly possessing or knowingly using in public place, as gross misdemeanor with encouragement for diversion: **\*2E2SSB 5536, CH 1 (2023)**

Counterfeit substances, knowingly possessing, as gross misdemeanor: HB 1613

Counterfeit substances, providing suspended sentence for knowingly possessing when agreeing to substance use disorder treatment: HB 1613

Deferred prosecution, cases of substance abuse disorder or mental health: ESB 5032

Distribution to a minor, mandating minimum sentence: HB 1162

Domestic violence felony offense or repetitive offense, sentencing and supervision of offenders, modifying provisions: HB 2048

Driving under the influence, provisions: HB 1104, HB 1385, HB 1493, HB 1562, HB 2196, HB 2227, ESB 5032

Driving under the influence, various offenses, restitution for death or disability of parent of minor child: SSB 5841

Drug offenses, encouraging diversion to assessment and treatment services: **\*2E2SSB 5536, CH 1 (2023)**

Drug offenses, endangerment with a controlled substance, adding all schedule I, II, III, or IV substances to crime of: HB 2367

Drug offenses, endangerment with a controlled substance, adding fentanyl and synthetic opioids to crime of: HB 2222, ESSB 5010

Drug offenses, knowing delivery or distribution of fentanyl/precursor chemicals/counterfeit substances with bodily harm/impairment/death as major violation (VUCSA): HB 2477

Drug offenses, knowingly or intentionally using fentanyl or methamphetamine in public space near another person, gross misdemeanor or class C felony: HB 2002

Drug offenses, knowingly possessing or knowingly using in public place, indigent adults facing charges, public defense services for: **\*2E2SSB 5536, CH 1 (2023)**

Drug offenses, knowingly possessing, reintroducing E2SSB 5536 for consideration during 2023 first special session: **\*SCR 8409 (2023)**

Drug offenses, State v. Blake, comprehensive statutory changes in response to: **\*2E2SSB 5536, CH 1 (2023)**

Drug offenses, unlawful manufacture, delivery, or possession with intent to manufacture or deliver various controlled substances, as "violent offenses": HB 2220

Drugs, knowingly possessing, vacating convictions after substance use disorder treatment completion: HB 1613

Drugs, qualifying controlled substance/legend drug/counterfeit substance convictions, vacation of/resentencing for, when: HB 1492

Drugs, qualifying convictions or nonconvictions affected by State v. Blake, vacation/legal financial obligations refund: HB 1492

Drugs, qualifying drug paraphernalia possession convictions, vacation of, when: HB 1492

Drugs, special drug offender sentencing alternative for felony driving under the influence, creating: ESB 5032

Early release, eligibility prohibited for violent crimes with firearm enhancements: HB 1161

Enhancements, deadly weapon, serving consecutively, when: HB 1268

Enhancements, earned release time accrual by any offender confined in a facility, with certain exceptions: HB 1798

Enhancements, firearm, serving consecutively, when: HB 1268

Enhancements, for alcohol/drug violations when 3 or more prior offenses, serving in total confinement: HB 1268

Enhancements, for habitual property offender special allegation: SSB 5056

Erotic material, violations/criminal penalties/wholesaler civil liability, repealing three sections concerning: **\*HB 2213, CH 232 (2024)**

Exceptional sentences, to avoid persistent offender sentence when robbery in second degree, resentencing hearing: HB 1108

Failure to register as a sex offender, as gross misdemeanor: HB 1394

Felony offenses, community-based intermediate sanctions sentencing alternative option providing certain services and programs, developing: HB 2504

Felony offenses, new sentencing grid, aggravated departure caps, and various changes to offense classifications and seriousness levels: HB 2504

Female genital mutilation, as gross misdemeanor: **\*SSB 5453, CH 122 (2023)**

Firearm and deadly weapon enhancements, various, provisions: HB 1268

Firearms, restricting assault weapon manufacture, import, distribution, sale, or offer, violation to be gross misdemeanor: HB 1240

First-time offender waiver, excluding persons convicted of hit and run resulting in death from: HB 1967

Fur farms, prohibition, misdemeanor: HB 1034

Gangs, criminal street gang tagging and graffiti, community or clean-up restitution for: HB 1800

Hazing, postsecondary educational institutions, gross misdemeanor or class C felony, when: **\*HB 1002, CH 196 (2023)**

Highways, crime of obstructing highways in disregard for public safety, establishing as class C felony: HB 2358

Highways, crime of obstructing highways, establishing as gross misdemeanor or class C felony: HB 2358

Intermediate sanctions sentencing alternative option providing intermediate sanctions and access to rehabilitative and reintegration services and programs, developing: HB 2504

Legend drugs, knowingly possessing or knowingly using in public place, misdemeanor, encouragement for diversion for: **\*2E2SSB 5536, CH 1 (2023)**

Legend drugs, knowingly possessing, misdemeanor: HB 1613

Legend drugs, providing suspended sentence for knowingly possessing when agreeing to substance use disorder treatment: HB 1613

Life without possibility of parole, for offense committed when 16 to 24 years of age, resentencing and release: HB 1325

Long sentences, for offenses committed before age of 25, release from confinement, when: HB 1325

Malicious mischief, 3rd degree, community or clean-up restitution for: HB 1800

Mental health sentencing alternative, permitting court to waive compliance and treatment report requirements: **\*SSB 5588, CH 373 (2024)**

Metal property, scrap metal business purchase offenses, certain involving certain numbers or marks on, class C felony, when: HB 1840

Metal property, scrap metal business purchase offenses, knowing property is stolen, gross misdemeanor: HB 1840

Metal property, theft in 2nd degree of private metal property, special allegation and verdict and additional sentence, when: HB 1840

Military service, falsely claiming or misrepresenting, by state elected official or candidate for state elected office, misdemeanor: HB 1671

Modification of sentences in the interests of justice, authorizing person under confinement or supervision to petition for: HB 2001

Murder, 1st or 2nd degree, committed at age 14 or 15, commitment of offender to DCYF facility up to 23rd birthday: HB 2217

Negligent driving with a vulnerable user victim, 1st degree offense as gross misdemeanor: **\*HB 1112, CH 471 (2023)**

Offender scores, increase due to certain juvenile adjudications/convictions, prohibition: **\*EHB 1324, CH 415 (2023)**

Offender scores, recalculating for incarcerated individuals with score increased by juvenile adjudications no longer scorable: HB 2065

Offender transfer or conditional release to supervision or partial confinement, providing with money, clothes, and transportation when: HB 1995, **\*2SSB 5893, CH 32 (2024)**

Pardons, clemency, and commutations, governor's power/authority to grant, removing certain limits to: HB 1640

Physical control of vehicle under the influence, provisions: HB 1104, HB 1385, HB 1493, HB 1562, HB 2196, HB 2227, HB 2504, ESB 5032

Police vehicle, attempting to elude, special allegation of endangerment by eluding, when: HB 1691

Police vehicle, attempting to elude, when driver may be committing vehicle theft, class C felony at seriousness level III: HB 1691

Pollution, authorizing courts to order restitution for criminal harm to resources or environment: **\*SB 5884, CH 342 (2024)**

Property, crimes against, habitual property offender special allegation and enhancements: SSB 5056

Public transit, unlawful transit conduct, as misdemeanor, adding state ferry facilities to locations where a person can be guilty of: HB 2431

Robbery, second degree, when committed with threat of immediate force, violence, or bodily injury, as most serious offense: HB 1805

Robbery, second degree, when exceptional sentence to avoid persistent offender sentence, resentencing hearing: HB 1108

School athletic activities, officials and volunteers at, interference with by force or violence, class C felony: HB 2079

School athletic activities, officials and volunteers at, intimidation of by threat of force or violence, class C felony: HB 2079

School staff, interference with by force or violence at schools or their athletic activities, class C felony: HB 2079

School staff, intimidation of by threat of force or violence at schools or their athletic activities, class C felony: HB 2079

Sentencing guidelines commission, developing community-based intermediate sanctions sentencing alternative option, commission role: HB 2504

Sentencing guidelines commission, expanding membership: **\*HB 1114, CH 241 (2023)**

Sentencing guidelines commission, requiring report on plea negotiations, transparency, and victim participation: HB 1196

Theft, in 2nd degree, stealing of private metal property, special allegation and verdict and additional sentence, when: HB 1840

Theft, organized retail theft in 2nd degree, with multiple accomplices participating in, class C felony: SB 5160

Transit, unlawful transit conduct, as misdemeanor, adding state ferry facilities to locations where a person can be guilty of: HB 2431

Trespass, school bus trespass as class C felony: HB 2133

Trespass, school bus trespass as gross misdemeanor: **\*ESSB 5891, CH 302 (2024)**

Vacation of misdemeanor convictions, modifying eligibility timeframe and including satisfaction of financial obligations: **\*SSB 5998, CH 296 (2024)**

Vehicle homicide, victim with minor child or children, offender to pay child maintenance as restitution: HB 1668

Violent offenses, unlawful manufacture, delivery, or possession with intent to manufacture or deliver various controlled substances as: HB 2220

### SEWAGE AND SEWERS

Municipal systems, extensions paid for by property owners, period for reimbursing owner when others connect, increasing, and allowing extensions: HB 2343

Municipal wastewater sewerage systems, discharges of untreated sewage into state waters by, operators to report: HB 1365

Wastewater, municipal facilities generating waste heat, defining thermal renewable energy credit with respect to: HB 1836

Water-sewer districts, public works, craft or trade involvement/prudent utility management/lowest responsible bidder provisions: HB 1621

Water-sewer districts, system extensions paid for by property owners, period for reimbursing owner when others connect, increasing, and allowing extensions: HB 2343

### SEX OFFENDER POLICY BOARD

Duties of board, to include training, team building, and conferences, as well as consulting with office of crime victims advocacy: HB 2177

Membership, modifying: HB 2177

Sex offense policy board, renaming board as: HB 2177

### SEX OFFENSES AND OFFENDERS (See also PROTECTION ORDERS; SEX OFFENDER POLICY BOARD)

Abuse of child, allegations in overall context of dissolution proceedings, court requirements and prohibitions: HB 2010

Abuse, childhood sexual abuse, removing time limit for commencing an action based on: HB 1618

Assault and harassment, sexual, and gender-based violence, higher education students who are survivors of, supports for: HB 2242

Assault, sexual, and gender-based violence, training for peace officers, investigators, and prosecutors on: HB 1028

Assault, sexual, examination of state resident victim by out-of-state facility, WA state reimbursement of costs: HB 1028

Assault, sexual, forensic examination, authorization for information disclosure to law enforcement by provider, period for validity of: HB 1028

Assault, sexual, over-the-counter sexual assault kits, defining and prohibiting sale or providing of: **\*HB 1564, CH 296 (2023)**

Assault, sexual, precluding establishment of parentage when parent alleges pregnancy caused by, proceedings for: HB 1808

Assault, sexual, regional multidisciplinary community response teams, grant program to support, establishing: HB 1028

Assault, sexual, requiring biological samples (DNA) from confined persons prior to their release: ESSB 5576

Assault, sexual, sexual assault forensic examination best practices advisory group, establishing: HB 1028

Assault, sexual, sexual assault kit tracking, testing, and investigations, various provisions: HB 1028

Assault, sexual, statewide resource prosecutor grant program for sexual assault cases, establishing: HB 1028

Assault, sexual, survivors of, state or local agency employees who are, records disclosure exemption for: HB 1533

Biological samples, from confined persons for DNA analysis, requiring prior to release, when: ESSB 5576

Certified sex offender treatment providers and affiliate providers, expanding definitions to include certain mental health associates: HB 1394

Commercial sexual abuse of a minor, including promoting of, officer interception/recording/disclosure of oral communication concerning: HB 1602

Commercial sexual exploitation of children, receiving center programs for and transportation of victims, modifying: HB 1028

Commercially sexually exploited children statewide coordinating committee, re-establishing: HB 2076

Gender, prohibiting housing of inmates with those of different biological sex in cases of certain sex offenders: HB 1233

Human trafficking, including sexual, law enforcement officer interception/recording/disclosure of oral communications concerning: HB 1602

Human trafficking, including sexual, trafficking in first and second degrees, modifying provisions: HB 2076

Intimate images, disclosing fabricated intimate images, establishing crime of: HB 1999

Juvenile offenders, evaluation and treatment programs funding for defense attorneys/counties, developing grant program for: HB 1394

Juvenile offenders, failure to register as sex offender, as gross misdemeanor: HB 1394

Juvenile offenders, required registration in sex offender registry, limiting, and reducing period of registration: HB 1394

Less restrictive alternative placement, requiring public notice and comment when expanding housing options: HB 1734

Minors, sexually explicit conduct of, fabricated depictions of, establishing multiple crimes involving: HB 1999

Minors, sexually explicit conduct, selling depictions of self engaged in, when no other minor in depictions: HB 1059

Misconduct, custodial sexual misconduct in 1st degree, as class B felony: **\*SSB 5033, CH 7 (2023)**

Misconduct, custodial sexual misconduct in 2nd degree, as class C felony: **\*SSB 5033, CH 7 (2023)**

Offenders, convicted, Sex offenders, convicted, community custody discharges: HB 2178

Offenses, seizure and forfeiture of property: HB 1385

Postsecondary educational institutions, employment applicants, sexual misconduct-related situations at association events: HB 1522

Rape, 1st degree, committed at age 15, commitment of offender to DCYF facility up to 23rd birthday: HB 2217

Sex offenses, evidence of victim credibility or consent, social media account inadmissibility exception: ESSB 5576

Sex trafficking victims, provision of healing, support, and transition services for: HB 1089, **\*SSB 5114, CH 268 (2023)**

Sex trafficking, criminalizing branding as part of trafficking as class B felony: HB 1150

Sex trafficking, health care providers and hospitals to report suspected victims of: HB 1937

Sex trafficking, law enforcement officer interception/recording/disclosure of oral communications concerning: HB 1602

Sex trafficking, mandating school instruction in prevention and identification before grade 12: **\*ESB 5355, CH 328 (2023)**

Sex trafficking, statewide coordinating committee on, decodifying section due to expiration: **\*HB 1066, CH 470 (2023)**

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Sex trafficking, trafficking in first and second degrees, modifying provisions: HB 2076

Sexual exploitation of a minor, reclassifying as class A felony: HB 2504

Sexual exploitation of a minor, when minor is unconscious or unaware of being depicted: HB 1059

Sexually violent predators, civil commitment of, community safety and justice improvements in: HB 2093

Sexually violent predators, conditional release to a less restrictive alternative, moratorium with certain exceptions: HB 1813

Sexually violent predators, conditional release to a less restrictive alternative, supervision compliance credit ineligibility: HB 1926

Sexually violent predators, conditional release to secure community transition facilities, temporarily limiting: HB 1813

Sexually violent predators, contracted community housing and treatment providers for, fair share principles and regional map: HB 2093

Sexually violent predators, establishing special commitment center communications manager with duties in connection with: HB 2093

Sexually violent predators, less restrictive alternative placements for, requirements for DSHS prior to contracting with housing provider for: HB 2096

Sexually violent predators, siting of secure community transition facilities, legislative work group on, establishing: HB 1813

Sexually violent predators, siting of secure community transition facilities, temporarily prohibiting: HB 1813

Sexually violent predators, siting of secure community transition facility, superior court role: HB 1751

Statute of limitations, for commencing sexual offense prosecution, extending limitation period: HB 1028

Victims' rights, requiring consideration of safety in bail determinations and notification services: E2SSB 5635

Victims, compensation for billing for out-of-state sexual assault examinations: **\*E2SSB 5937, CH 297 (2024)**

**SEXUAL ORIENTATION (See also DISCRIMINATION; GENDER IDENTITY)**

LGBTQ+ youth, the Oasis Youth Center for, celebrating the work of: **\*HR 4680 (2024)**

Liquor licensed establishments, clothing/attire and conduct/acts at, requiring updating/replacing of WAC rules for consistency with legal standard for indecent exposure: HB 2495

Moeller, Jim, former state representative, honoring: **\*HR 4633 (2023)**

Veterans separated from service in connection with sexual orientation, expanding "veteran" to include, when: HB 2014

Veterans separated from service in connection with sexual orientation, state veterans' benefits eligibility for, when: HB 2014

**SHELLFISH (See also FISHING; FOOD AND FOOD PRODUCTS)**

Crab, commercially harvested, biotoxin contamination regulation of: HB 1010

Geoducks, geoduck comanagement task force, convening: HB 1297

Pacific razor clam, designating as official state clam: HB 1984

**SHERIFFS AND POLICE CHIEFS, WASHINGTON ASSOCIATION OF (WASPC)**

Fentanyl and other synthetic opioids, presence and dangers of residue in vehicles seized and subject to auction or stolen but recovered, WASPC to study: HB 2396

Fund the police act of 2022, recruitment/retention/support of law enforcement officers, WASPC role: HB 1380

Law enforcement agencies, local in WA, funding and staffing levels of, studying, WASPC role: HB 1380

Law enforcement agencies, one-time body camera programs funding awards, WASPC role: HB 1380

Law enforcement recruitment efforts and related programs, WASPC role: HB 1380

Metal theft, comprehensive state law enforcement strategy targeting, WASPC to report funds received for: HB 1840

Scrap metal businesses, ongoing electronic statewide no-buy list database program, WASPC to report funds received for: HB 1840

**SHORELINES AND SHORELINE MANAGEMENT (See also MARINE WATERS, STATE; PUBLIC LANDS; RIVERS AND STREAMS)**

Fish hatcheries, DFW- or tribe-operated, exempting maintenance activities from certain permit/other requirements under SMA: HB 1758

Master programs, county and city review and revision schedules, extending periodic deadlines: **\*HB 1544, CH 80 (2023)**

Master programs, department of ecology guidelines for, updating to address climate change impact: HB 1181

Puget Sound shoreline, baseline survey with georeferenced oblique aerial and 360 degree on-the-water imagery, conducting: **\*SB 5104, CH 465 (2023)**

Riparian grant program, establishing to aid salmon recovery: HB 1215, HB 1720

**SHORELINES HEARINGS BOARD**

Board, final decisions of environmental boards in adjudicative proceedings, appealing directly to court of appeals: HB 2039

Projects, more than one appeal arising from same project, consolidation of appeals for hearing, criteria for: HB 2039

**SOCIAL AND HEALTH SERVICES, DEPARTMENT (See also DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH; DOMESTIC RELATIONS; LONG-TERM CARE; PROFESSIONS; PUBLIC ASSISTANCE)**

Adult protective services, expanding mandated reporter status and updating information sharing restrictions: HB 1528, **\*SB 5370, CH 44 (2023)**

Clinical intervention specialists, role: **\*E2SSB 5440, CH 453 (2023)**

Competency restoration workers, employed at certain DSHS institutions/residential sites, PSERS membership for, when: HB 1949

Complex medical needs, parents of children under 18 with, paying parents to provide care, DSHS to study feasibility of: HB 1694

Complex medical needs, person with, spouse providing home care services for, pilot project, DSHS role: HB 1694

Continuing education, convening work group on availability for long-term care workers: **\*SB 5811, CH 322 (2024)**

Deaf and hard of hearing, office of the, work group to find solutions to shortage of American and protactile sign language interpreters, establishing: HB 2221

Developmental disabilities, barring redetermination of eligibility for services based solely on age if under 18: **\*HB 1407, CH 207 (2023)**

Domestic violence services program, convening work group to review funding: **\*SSB 5398, CH 401 (2023)**

Essential worker health care program, establishing within DSHS for high quality affordable health care coverage for nursing home and assisted living workers: HB 2351

Evergreen basic income pilot program, and board of directors, DSHS to establish: HB 1045

Independent living residents' rights work group, establishing to recommend bill of rights for assisted living facilities: ESSB 5640

Indigent persons acquitted by reason of insanity and committed, transferring public defense responsibility: **\*SSB 5415, CH 120 (2023)**

Institutions/residential sites, certain DSHS employees serving civilly committed/criminally insane persons, PSERS membership for, when: HB 1949, **\*SSB 6106, CH 359 (2024)**

Lands managed by DSHS, leases up to 99 years when for certain purposes, requirements: HB 1506

Language access providers, developing and administering oral and written tests for fluency: **\*SSB 5304, CH 94 (2023)**

Language access work group, convening: **\*SSB 5304, CH 94 (2023)**

Less restrictive alternative placement, requiring public notice and comment when expanding housing options: HB 1734

Long-term care workers, workforce data collection and public reporting monitoring system, DSHS to establish: HB 1694

Long-term services and supports trust program, pilot project to assess administrative processes and system capabilities of, developing and conducting, DSHS role: HB 2272

Long-term services and supports, participation by persons relocating outside of Washington, DSHS role: ESB 6072

Medical assistance, barring estate recovery liens: SSB 5318

Nursing facilities, convening stakeholder work group to study impacts of low-wage funding: HB 1571

Personnel, various, exemption from state civil service for, extending to various other DSHS personnel: HB 2062

Policy review, requiring to eliminate policies that undermine family integrity or discourage family involvement: 2SSB 5438

Public assistance, development of public assistance services, DSHS role: HB 1988, SB 5889

Public assistance, statewide public assistance customer voice council, DSHS to establish: HB 1988, SB 5889

Refugee and immigrant assistance, office of, scope of refugee and immigrant assistance administered within DSHS by: HB 2368

Refugee resettlement, state plan for, DSHS to be single state agency responsible for development, review, and administration of: HB 2368

Residential habilitation centers, Fircrest School, leasing property for up to 99 years when for certain purposes: HB 1506

Resource data tool, advisory group and feasibility study on use to connect public to state services: 2SSB 5943

Respite care, provided under basic plus waiver and children's intensive in-home behavioral support waiver: HB 2365

Senior nutrition services programs, appropriation to support, DSHS role: HB 1784

Sexually violent predators, contracted community housing and treatment providers for, DSHS fair share principles and regional map: HB 2093

Sexually violent predators, less restrictive alternative placements for, requirements for DSHS prior to contracting with housing provider for: HB 2096

Sexually violent predators, secure community transition facilities, moratorium on siting and using, DSHS role: HB 1813

Special commitment center communications manager, DSHS to establish position for: HB 2093

Specified workers, employed at certain DSHS institutions/residential sites, PSERS membership for, when: **\*SSB 6106, CH 359 (2024)**

Substance use disorder, statewide behavioral health treatment/recovery support services mapping tool/database/referral system, DSHS role: **\*E2SSB 5536, CH 1 (2023)**

Traumatic brain injury account, using funds for support groups, programs, and facilitation training curricula, DSHS role: HB 2248

Vulnerable adult abuse registry, creating: HB 1127

Wraparound services and housing supports program, requiring development for certain individuals: **\*E2SSB 5440, CH 453 (2023)**

**SOLID WASTE (See also ECOLOGY, DEPARTMENT; ENVIRONMENTAL HEALTH AND SAFETY; FOOD AND FOOD PRODUCTS; HAZARDOUS WASTE)**

Anaerobic digesters, facility operators training requirements, establishing: HB 2301

Anaerobic digesters, including in funding requirements for sustainable farms and fields program: HB 1574

Batteries, electric vehicle propulsion batteries, recycling and disposal in connection with end-of-life management: HB 2501

Batteries, electric vehicle propulsion battery requirements, prohibitions, end-of-life management, and producer responsibility: HB 2501

Batteries, various, battery stewardship programs, requirements for: HB 1553, **\*E2SSB 5144, CH 434 (2023)**

Beverage container redemption programs, as deposit return systems via distributor responsibility organizations: HB 1131, HB 2144

Beverage containers, plastic, postconsumer recycled content requirements for: HB 1131, HB 1900, HB 2049

Biosolids, establishing PFAS testing requirements: SSB 6163



Cannabis, authorizing sale of non-hazardous cannabis waste to unlicensed persons: **\*SSB 5376, CH 243 (2024)**

Collection rates, for city/town/county services, detailing whether fees/rates are proportionate to costs: HB 1264

Collection services, containers for, requiring color-coding of bins for garbage, recycling, and organic material: HB 2301

Collection services, for organic solid waste, requirements for source separation, acceptance of food waste, discarding of unwanted organic materials, and certain determinations: HB 2301

Compost facilities, facility operators training requirements, establishing: HB 2301

Compost feedstock, banning organic waste likely to be contaminated with certain herbicides from use as: HB 2301

Compost products, procurement by cities and counties, modifying reporting requirements: HB 2301

Compost products, purchase and use by farming operations, compost reimbursement program eligibility provisions, modifying: HB 2301

Composting, compostable product management standards, stakeholder advisory committee, convening: HB 1033

Composting, labeling of products as "compostable" and "home compostable" and city and county concurrent enforcement of degradability labeling requirements: HB 2301

Covered appliances, public requirement to use approved collection methods: HB 1164

Derelict vessels, terrestrial derelict vessel removal pilot project, operating: HB 2207

Dumping, illegal, various measures and funding sources aimed at reducing impacts of: HB 2207

Hazardous waste, requiring notification of citizens at risk from a hazardous material spill: **\*SSB 6164, CH 331 (2024)**

Litter control, establishing adopt-a-waterway program for cleaning, protecting, and preserving natural waterways: HB 2400

Litter, large debris along highways, litter cleanup restitution payments for removal and cleanup: SSB 5178

Littering, replacing criminal provisions with natural resource infractions, higher restitution payments, and specified monetary penalties: HB 2207

Organic materials management facilities, providing of materials treated with certain herbicides to or use of such materials by, prohibiting: HB 2301

Organic solid waste collection services, requirements for source separation, acceptance of food waste, discarding of unwanted organic materials, and certain determinations: HB 2301

Packaging and paper products, postconsumer recycled content and covered product registration and reporting: HB 1900

Packaging and paper products, producer responsibility programs, organizations, and plans: HB 1131, HB 2049

Packing materials, renting or leasing through sharing and reuse program, sales and use tax exemption: HB 1422

Plastic products, degradability restrictions, plastic produce stickers prohibition, plastic film bags tinting, and use of fiber-based substrates: HB 2301

Recyclability of products/packaging, material characterization information for evaluating, studying: HB 1900

Recycling and reduction of waste, waste not Washington awards program for schools, raising monetary award limits for: HB 2301

Recycling purposes, allowing local governments to adjust building codes affecting multifamily residential buildings for: HB 2301

Recycling rates, improving within solid waste management system, strategies for: HB 1900

Recycling, covered product producer truth in labeling requirements: HB 1900

Recycling, electric vehicle propulsion batteries, role of recyclers in end-of-life management of: HB 2501

Recycling, postconsumer recycled content and producer responsibility organizations, requirements: HB 1131, HB 2049

Recycling, postconsumer recycled content, requirements: HB 1900

Solid waste management outcomes, improving via producer and distributor responsibility organizations: HB 1131

Solid waste management outcomes, improving via producer responsibility organizations: HB 2049

Waste not Washington awards program, for recycling and waste reduction in schools, raising monetary award limits for: HB 2301

Waste reduction, Washington state green schools program, establishing: HB 1935

**SPECIAL AND SPECIAL PURPOSE DISTRICTS (See also FIRE PROTECTION; HOUSING AND HOMES; LIBRARIES; PORT DISTRICTS; PUBLIC FACILITIES DISTRICTS; SEWAGE AND SEWERS; UTILITIES; WATER)**

Aerial imagery services, for special purpose districts, establishing Washington state aerial imagery program: HB 1990

Elections, allowing or requiring general elections to be held in even-numbered years, when: HB 1932

Governing bodies, altering board vacancy appointment rules to include public nominations: **\*SSB 5437, CH 369 (2023)**

Governing body members, official misconduct, county prosecutor and county legislative authority prosecution of: HB 1538

Intrastate mutual aid system, adding special purpose districts and junior taxing districts to: **\*HB 1978, CH 16 (2024)**

Procurement, craft or trade involvement, prudent utility management, and lowest responsible bidder, for certain districts:  
HB 1621

**SPORTS AND RECREATION (See also COLLEGES AND UNIVERSITIES; COMMUNITY AND TECHNICAL COLLEGES; SCHOOLS AND SCHOOL DISTRICTS; STADIUMS AND OTHER VENUES)**

Amateur sports officials, assault in 3rd degree to include assault of: HB 1096  
Athletes and personnel, barring from ownership of, control of, or employment by sports wagering licensee: HB 1630  
Athletics, intercollegiate, agent/marketing/financial advising services, certifying an individual or entity to provide to athletes: HB 2352  
Athletics, intercollegiate, college athlete protection act: HB 2352  
Athletics, intercollegiate, institutions to establish degree completion fund for its college athletes who receive athletic grants: HB 2352  
Athletics, intercollegiate, rights of college athletes, including distribution of notice of rights to all athletes: HB 2352  
Athletics, intercollegiate, Washington college athlete protection program, establishing: HB 2352  
Basketball, Bill Russell, former NBA player and coach, honoring life and accomplishments of: **\*HR 4621 (2023)**  
Basketball, Curtis Senior High School boys varsity team, commending: **\*HR 4634 (2023)**  
Basketball, Lynden Christian High School boys varsity team, recognizing, commending, and congratulating: **\*HR 4648 (2023)**  
Basketball, Lynden High School boys varsity team, recognizing, commending, and congratulating: **\*HR 4649 (2023)**  
Basketball, Nooksack Valley High School girls varsity basketball team, commending: **\*HR 4641 (2023)**  
Bowling, Curtis Senior High School girls team, commending: **\*HR 4635 (2023)**  
Cross country, Manson High School girls cross country team, 2023 fall WIAA academic state champions, congratulating: **\*HR 4685 (2024)**  
Facilities for aquatics and sports, additional public facilities district role, when: **\*E2SSB 5001, CH 218 (2023)**  
Fitness centers, requiring semiautomatic external defibrillators on premises and instruction for personnel: HB 1968, **\*ESB 5592, CH 186 (2024)**  
Football, Wenatchee High School football team, 4A WIAA academic champions, honoring: **\*HR 4614 (2023)**  
Minor league baseball players, exempting from employee status: HB 2364, **\*SB 6088, CH 132 (2024)**  
Recreation, leasing lands managed by DSHS for up to 99 years for, requirements: HB 1506  
Rock climbing, climbing facilities for practicing, operator licensure and operator and participant requirements and liability: HB 2265  
Shooting sports and activities sweepstakes permitting wagers, charitable or nonprofit organization conduct of, authorizing: HB 1438, HB 1824  
Soccer, men's professional, Seattle Sounders FC special license plates, redirecting fees to RAVE foundation: HB 2490  
Softball, University High School slowpitch team, 2023 Greater Spokane League champions and second in state, honoring: **\*HR 4693 (2024)**  
Special Olympics spring games, Hezekiah Hewes, gold and bronze medalist, congratulating: **\*HR 4631 (2023)**  
Swimming and diving, Bellingham high school boys varsity team, recognizing, commending, and congratulating: **\*HR 4645 (2023)**  
Swimming, Hezekiah Hewes, gold and bronze medalist at Special Olympics spring games, congratulating: **\*HR 4631 (2023)**  
Tournaments and events, extracurricular, stay-to-play specific-lodging requirement for nonlocal teams and individuals, prohibiting: HB 1860  
Trainers, athletic, modifying definitions, relation to licensed health care provider, and provision of medications: HB 1275  
Volleyball, Chelan High School volleyball team, 2023 1A volleyball state champions, congratulating: **\*HR 4695 (2024)**  
Volleyball, Chelan High School volleyball team, honoring: **\*HR 4613 (2023)**  
Volleyball, Manson High School volleyball team, 2023 2B state volleyball champions, congratulating: **\*HR 4690 (2024)**  
Volleyball, Ridgeline High School volleyball team, 2023 3A WIAA academic state champions, honoring: **\*HR 4689 (2024)**  
Wrestling, Faith Tarrant, Prairie High School, girls 235-pound wrestling state champion in 3A/4A class, recognizing and honoring: **\*HR 4686 (2024)**  
Wrestling, Libby Roberts, University High School, girls 105-pound wrestling state champion in 3A/4A class, recognizing and honoring: **\*HR 4688 (2024)**  
Wrestling, Prairie High School boys and girls wrestling team, honoring: **\*HR 4623 (2023)**  
Wrestling, Squalicum high school girls varsity team, recognizing, commending, and congratulating: **\*HR 4647 (2023)**

Wrestling, University High School girls wrestling team, 2024 WIAA academic state champions, honoring: **\*HR 4692 (2024)**

Wrestling, wrestling official Terry Cochran, honoring and congratulating: **\*HR 4669 (2024)**

### **STADIUMS AND OTHER VENUES**

Arenas, certain exemptions from leasehold excise tax: HB 1163

Qualified facilities, impact fee assessment on price of admission, community preservation and development authority use: HB 1510

Qualified facilities, local sales/use tax at taxable events inside, community preservation and development authority imposition of: HB 1847

Ticket sales, requirements for pricing, technologies, purchases, tickets, out-of-state businesses, and ticket sellers and resellers: HB 1648

### **STALKING (See also PROTECTION ORDERS)**

Cyberstalking, repealing crime of, and transferring certain electronic device provisions to crime of stalking: **\*HB 1696, CH 461 (2023)**

Electronic tracking devices, role in the crime of stalking, adding, and providing exclusions: **\*HB 1696, CH 461 (2023)**

Survivors, state or local agency employees who are, records disclosure exemption for: HB 1533

Victims of stalking, honoring, and plight of those affected and victimized by stalking, recognizing: **\*HR 4659 (2024)**

### **STATE AGENCIES AND DEPARTMENTS (See also ADMINISTRATIVE PROCEDURE; BUDGETS; BUILDINGS, STATE; COURTS; ECONOMIC AND REVENUE FORECAST COUNCIL; ENTERPRISE SERVICES, DEPARTMENT; ETHICS IN GOVERNMENT; FINANCIAL MANAGEMENT, OFFICE; FORESTLANDS; GOVERNOR; JUDGMENTS; LEGISLATURE; OPEN PUBLIC MEETINGS; PRODUCTIVITY BOARD; PUBLIC EMPLOYMENT AND EMPLOYEES; PUBLIC LANDS; RECORDS; RETIREMENT AND PENSIONS; ROADS AND HIGHWAYS; STATE GOVERNMENT; TAXES - PROPERTY; WAGES AND SALARIES)**

Aerial imagery services, for state agencies, establishing Washington state aerial imagery program: HB 1990

Agencies/political subdivisions, employees separated due to COVID vaccination mandate, hiring preference/retirement service credit: HB 1814

Boards, convening aviation assurance fund board for aviation assurance funding program and fund office: HB 1498

Boards, cosmetology, hair design, barbering, esthetics, and manicuring advisory board, adding master esthetics, permanent cosmetics, and enhanced permanent cosmetics to: HB 2109

Boards, ombuds advisory board to the office of the corrections ombuds, governor to convene: HB 2287

Boards, pesticide advisory board, establishing: HB 1019

Boards, productivity board, reestablishing, and revising provisions: **\*ESB 5015, CH 106 (2023)**

Boards, Washington state multiple employer retirement plan board, establishing: HB 2437

Boards/commissions/councils/advisory committees et al., representation of underrepresented populations on: HB 1541

Carbon tax credit trading, prohibiting agencies from implementing any type of, and repealing climate commitment act: HI 2117

Clinical drug and medical device trials, increasing diversity in, requirements for agencies receiving NIH funding for: HB 1745

Clinical drug/medical device trials, diversity in clinical trials program requirements for agencies receiving NIH funding for: SSB 5388

Commission on pesticide registration, renaming to commission on integrated pest management: **\*ESSB 5143, CH 37 (2023)**

Commissions, audiology and speech-language pathology compact commission, establishing: **\*HB 1001, CH 53 (2023)**

Commissions, creating counseling compact commission as joint public agency: HB 1069

Commissions, creating social work licensure compact commission as joint government agency: HB 1939

Commissions, domestic violence extremism commission, establishing: HB 1333

Commissions, establishing joint commission as part of dental and dental hygienist compact: HB 1576

Commissions, interstate commission of nurse licensure compact administrators, creating and establishing: HB 1417

Commissions, interstate massage compact commission, creating and establishing: HB 1437

Commissions, long-term services and supports trust commission, repealing trust program and: HB 1011

Commissions, Washington employee ownership commission, creating: HB 1743

Commissions, Washington employee ownership commission, establishing: **\*SSB 5096, CH 392 (2023)**

Commissions, Washington state cannabis commission, establishing: HB 1581

Commissions, Washington state cannabis commission, establishing by referendum of producers: 2ESSB 5546  
 Commissions, Washington state commission on boys and men, establishing: HB 1270  
 Commissions, Washington state ferries 75 commission, establishing: HB 2492  
 Commissions, Washington state women's commission, authority to solicit public and private gifts, grants, and endowments: HB 2098  
 Communications, constituting trade and commerce for purposes of consumer protection: HB 1610  
 Data, state agency protection of constituent and state operational data, ransomware protection act: HB 1464  
 Debt collection, retaining collection agency for, governmental entity fee in addition to agency's fee, specifying amount: HB 1666  
 Enterprise technology standards, for malware and ransomware protection, and prevention education: HB 1464  
 Entities, state governmental, relinquished firearms obtained through buy-back programs, disposition other than destruction, when: HB 2021  
 Executive branch agencies, employees not vaccinated for COVID then dismissed, reemployment of: HB 1029  
 Executive branch agencies, new or prospective employees, prohibiting COVID vaccination requirement for: HB 1801  
 Freight mobility strategic investment board, developing 6-year program for highest priority investments: HB 1084  
 Freight mobility strategic investment board, expanded size: HB 1084  
 Housing benefit district advisory board, establishing: HB 1111  
 Housing finance commission, administering housing benefit grant program: HB 1111  
 Housing, department of, to be new state agency focused solely on housing and homelessness issues, studying and transitioning programs to: HB 2270  
 Interpreters, for deaf/deaf and blind/hard of hearing employees and customers, shortage of American and protactile sign language interpreters, work group on, establishing: HB 2221  
 Interstate commission of nurse licensure compact administrators, creating joint public entity: **\*SSB 5499, CH 123 (2023)**  
 Procurement, energy equipment and services, state agency performance-based contracting for, adding options: **\*HB 1777, CH 309 (2023)**  
 Procurement/contracting, building material environmental product declarations and high labor standards for: HB 1282  
 Procurement/contracting, modifying sole source, convenience, and emergency contracts and repealing sections: **\*HB 1471, CH 140 (2024)**  
 Property of state agency, vacant, within qualifying city, leasing to city during emergency related to homelessness, requirements: HB 2172  
 Property, seizure by agencies and forfeiture: HB 1385  
 Property, surplus public, political subdivision/municipality disposal for affordable housing, requirements for: **\*HB 1695, CH 301 (2023)**  
 Property/lands of state agencies, lands managed by DSHS, leasing for up to 99 years for certain purposes: HB 1506  
 Real property of state government, authorizing transfers to recognized tribes for substance use disorder services and programs: EHB 2372  
 Reporting by agencies, eliminating, revising, or replacing various requirements for: HB 1362  
 Staff, allowing access to shared leave for employees in emergency or disaster areas: HB 2283  
 State emission limits, denying any additional agency authority and barring certain use in decision making: HB 1223  
 Statutory entities, including task forces/boards/commissions/councils et al., persons with direct lived experience on: HB 1541  
 Vaccination or postinfection recovery documentation, prohibiting governmental entity from requiring for services etc.: HB 1827  
 Washington technology solutions, renaming CTSA as, and revising its role and eliminating the office of the chief information officer: HB 1947

#### **STATE DESIGNATIONS, OFFICIAL (See also HOLIDAYS AND OBSERVANCES)**

Clam, official state, designating Pacific razor clam as: HB 1984  
 Dinosaur, official state, Suciasaurus rex as: **\*HB 1020, CH 330 (2023)**  
 Evergreen state, designating Washington as: SB 5595  
 Rock, official state, designating Tenino sandstone as: HB 1977  
 State seal, official, recognizing and honoring Dick Nelms as WWII veteran and creator of the: **\*HR 4670 (2024)**

#### **STATE GOVERNMENT (See also BUDGETS; ECONOMIC AND REVENUE FORECAST COUNCIL; FOREIGN GOVERNMENTS; STATE AGENCIES AND DEPARTMENTS; STATE DESIGNATIONS, OFFICIAL)**

Environment, clean/healthy, right to, and state/political subdivisions as natural resources trustees: HJR 4210

Income tax, taxing any individual person on any form of personal income, prohibiting both the state and any local jurisdiction from: HI 2111

Income tax, taxing any individual person on any form of personal income, prohibiting both the state and any political subdivision from: HB 2439

International relations and protocol, office of, duties of and advisory committees created by, modifying provisions: HB 2000

International relations and protocol, office of, strategic international engagement plan for Washington, developing: HB 2000

Personal income, taxing any individual person on any form of, prohibiting both the state and any local jurisdiction from: HI 2111

Personal income, taxing any individual person on any form of, prohibiting both the state and any political subdivision from: HB 2439

State of the state address, joint legislative session for: **\*HCR 4400 (2023), \*HCR 4406 (2024)**

Taiwan, bond between Taiwan and Washington state, recognizing: **\*HR 4665 (2024)**

Taiwan, shared friendship, history, and successes shared between people of Washington and, recognizing: **\*HR 4643 (2023)**

Vaccination or postinfection recovery documentation, prohibiting governmental entity from requiring for services etc.: HB 1827

Washington state--British Columbia interparliamentary exchange group, creating: HB 2000

**STUDENT ACHIEVEMENT COUNCIL (SAC) (See also COLLEGES AND UNIVERSITIES; GUBERNATORIAL APPOINTMENTS; STUDENT FINANCIAL ASSISTANCE, OFFICE OF)**

Benefits navigator grant program, requiring creation: HB 1559

College bound scholarship program, enhancing and adding reporting requirements: **\*HB 1232, CH 174 (2023)**

College in the high school program, pilot program for private not-for-profit institutions serving rural/underserved areas to offer courses at no cost, SAC role: HB 2441

Credentials, educational and professional, Washington credential registry, creation of: HB 2155

Data sharing, requiring collaboration with institutions of higher education and OSPI including financial aid: HB 2443, **\*SSB 6053, CH 324 (2024)**

Degree-granting postsecondary institutions, consumer protections for students: EHB 2164

Dual credit or concurrent enrollment programs and courses, SAC role: HB 1316

Dual credit programs, SAC role: HB 1003

Family empowerment scholarship program, establishing: HB 1093

Meal plans or food vouchers, free or low-cost for low-income students, creating pilot program: HB 1559

Office of career connect Washington, creating: HB 1374

Postsecondary basic needs work group, convening: HB 1559

Postsecondary wrestling grant program, creating to establish or maintain intercollegiate wrestling programs: **\*SSB 5687, CH 190 (2023)**

Students experiencing homelessness and foster youth program, making permanent and adding tribal college: HB 1693, **\*ESSB 5702, CH 339 (2023)**

Students first education savings account program, establishing for home-based instruction or private schooling, SAC role: HB 1615

Teacher residency conditional scholarship program, administering: HB 1565

Transfer associate degrees, development of, eliminating progress reports requirement: HB 1362

Washington 13 free guarantee, sustainability of, SAC and state board for community and technical colleges to study: HB 2309

Washington college athlete protection program, establishing in SAC, to be administered by Washington college athlete protection panel: HB 2352

Washington college grant program, extending eligibility: HB 1156, SB 5711

Washington promise program, establishing and studying effectiveness of, SAC role: HB 2374

Washington student loan program, provisions, SAC role: **\*EHB 1823, CH 389 (2023)**

Work-study program, state, shifting administration to office of student financial assistance: HB 2025

Workforce education investment and accountability oversight board, provision of staff support by SAC: **\*ESB 5534, CH 282 (2023)**

**STUDENT FINANCIAL ASSISTANCE, OFFICE OF**

Dual credit program incentive rebate, office role in creating: HB 1003  
 Farmworkers education and assistance program, designing and implementing, and convening advisory committee to assist with, office role: HB 2487  
 Farmworkers seeking education to career program, developing, role of office: HB 2487  
 Forensic pathology loan repayment program, establishing: **\*SSB 5523, CH 442 (2023)**  
 Hospital-based nurse student loan repayment assistance program, requiring to establish award amount: HB 1643  
 Native American apprentice assistance program, establishment and administration by office: HB 2019  
 Native American scholarship program, establishing and administration by office: HB 1399  
 Washington 13 free guarantee, establishing, office administrative and grant-awarding role: HB 2309  
 Washington college grants, eligibility of recipients of certain public assistance, expanding to include certain food assistance programs, office role: HB 2214  
 Washington health corps, conditional scholarships, including penalty interest rate, supports, and service member exception, office role: **\*HB 1763, CH 159 (2023)**  
 Washington promise program, establishing, office role: HB 2374  
 Washington student loan program, provisions, office role: **\*EHB 1823, CH 389 (2023)**  
 Work-study program, state, shifting administration to office: HB 2025

**STUDIES**

Advanced placement, international baccalaureate, and Cambridge international exams and courses, subsidizing fees for students taking exams: HB 2326  
 Anesthetic gases and sulfuryl fluoride, emissions of, and inclusion of sulfuryl fluoride as a greenhouse gas: HB 2073  
 Beverage container redemption programs, as deposit return systems via distributor responsibility organizations, impact of: HB 2144  
 Complex medical needs, parents of children under 18 with, paying parents to provide care: HB 1694  
 Conservation programs for fish passage barrier removal, salmon recovery, stormwater, and model toxics control grants: HB 1735  
 Covenant homeownership program, initial study: HB 1474  
 DCYF risks, strengths, and needs assessment tool used in risk assessment process when investigating allegations of child abuse and neglect: HB 2224  
 DCYF risks, strengths, and needs assessment tool used in risk assessment process when investigating allegations of child abuse and neglect, via pilot study: HB 2259  
 Department of housing, as new state agency to be focused solely on housing and homelessness issues: HB 2270  
 Digital equity programs, increased funding from taxes and donations for, effectiveness of: HB 2327  
 Edible food waste from commercial generators, mechanisms to improve the rescue of: HB 2301  
 Education, needs of children of seasonal farmworkers: HB 1866  
 Electric utilities, retail rate net metering by, ratepayer cost shifts due to: HB 1427  
 Electric vehicle fires: **\*SSB 5812, CH 189 (2024)**  
 Electrical transmission industry in Washington, employment and workforce education needs of: HB 2082  
 Emergency medical services, WSIPP study as essential health service: HB 2285  
 Emergency medical services, WSIPP study of funding methods of other states: **\*SSB 5986, CH 218 (2024)**  
 Family and medical leave, paid, impact of job protection standards on equitable utilization of benefits: HB 1502  
 Fentanyl and other synthetic opioids, presence and dangers of residue in vehicles seized and subject to auction or stolen but recovered: HB 2396  
 Food donation by businesses: HB 2301  
 Functional recovery of buildings and critical infrastructure right after an earthquake and earthquake and tsunami resilience: HB 2273  
 Health care entity material change transactions in Washington state, impact of: HB 1263, ESB 5241  
 Health care mergers/acquisitions between health carriers and hospitals/systems/provider organizations, impact of: HB 1263, ESB 5241  
 Health workforce council, requiring study workforce shortages in anesthesia care: HB 2462  
 Housing providers, receiving housing trust fund resources and serving extremely low-income households, property/liability insurance available to: HB 2329  
 Identcards, feasibility of reduced-fee identcard: HB 1953, **\*SB 5800, CH 162 (2024)**  
 Journey level electrical apprenticeship programs, availability and accessibility of: HB 1393  
 Law enforcement agencies, local in WA, funding and staffing levels of: HB 1380

Non-profit health care providers and payers, tax preferences et al. for, impact on calculation of total health care expenditures: HB 1508

Personal information, captured, processing by business entities, individual's opt-in consent for, obtaining: HB 1616

Public records act, state and local government compliance challenges: HB 2190

Public school student mobile device use during instructional hours, different strategies via pilot program: HB 2018

Recyclability of products and packaging, material characterization information for evaluation of: HB 1900

Retirement preparedness of residents and feasibility of establishing state-sponsored private retirement savings program: HB 1632

Senior independent living facilities, office of senior housing concerning, possibility of creating: HB 2275

Social service worker access for indigent parents in dependency and termination cases, SCEEP as pilot for studying: HB 1873

Solid waste management outcomes, improving of, certain studies part of: HB 1131, HB 2144

Substance use disorder recovery navigator programs, effectiveness of: **\*2E2SSB 5536, CH 1 (2023)**

Substance use disorder, recovery navigator programs etc., assessing current status and fidelity to core principles: **\*2E2SSB 5536, CH 1 (2023)**

Sulfuryl fluoride and certain gases used for anesthetic purposes, emissions of, and inclusion of sulfur dioxide as a greenhouse gas: HB 2073

TRS and PERS, plan 1, ongoing cost-of-living adjustment: HB 1057, **\*SB 5350, CH 397 (2023)**

U. of Washington, center for health workforce studies, studying workforce shortages in anesthesia care: **\*ESSB 6286, CH 363 (2024)**

Urban agricultural opportunities and barriers: **\*HB 1552, CH 178 (2023)**

Washington 13 free guarantee, sustainability of: HB 2309

Washington office of transparency ombuds, establishing as nonpartisan and independent agency, efficacy of: HB 1856

Washington promise program, effectiveness of: HB 2374

Washington state ferries, economic impact of ferry service disruptions: HB 2497

Washington state ferries, economic impact of reduced ferry service: HB 2492

Wild horse training, holding, and farrier program at a state corrections center, feasibility of: HB 2210

Wild horse training, holding, and farrier program at Coyote Ridge corrections center, feasibility of: HB 1543

Wind generation, cumulative effects of offshore wind development on oceanographic processes: HB 2341

## SUBDIVISIONS

Rural fire district stations, certain subdivisions of land for siting of, exempting from requirements of chapter 58.17 RCW: **\*SSB 5869, CH 190 (2024)**

Unit lot subdivisions, plat regulations to allow parent lot division into separately owned unit lots: HB 1298, **\*E2SSB 5258, CH 337 (2023)**

## SUBSTANCE USE DISORDER (See also DRUGS; EMERGENCY MEDICAL SERVICES; FIRST RESPONDERS; MENTAL HEALTH)

988 behavioral health crisis response and suicide prevention system, American Indian and Alaska Native crisis lines to function via call center platform with same communication methods: HB 2408

988 behavioral health crisis response and suicide prevention system, ongoing implementation of: HB 1134

988 crisis hotline, requiring information display by behavioral health agencies: HB 1134

Assisted outpatient treatment, conditions for less restrictive alternative treatment for juveniles: ESB 5130

Behavioral health administrative service organizations, recovery navigator programs role of: **\*2E2SSB 5536, CH 1 (2023)**

Behavioral health agencies, providing voluntary inpatient or residential SUD or withdrawal management services, modifying provisions: HB 2319

Behavioral health agencies, various requirements for substance use disorder treatment and withdrawal management: **\*2SSB 6228, CH 366 (2024)**

Behavioral health court proceedings records, use by state patrol firearms background division for background checks: **\*HB 1599, CH 298 (2023)**

Behavioral health crisis response services, coordinated by administrative service organizations: **\*E2SSB 6251, CH 368 (2024)**

Behavioral health disorders, health plan mandatory coverage for medically necessary treatment of mental health and substance use disorders: HB 2145

Behavioral health disorders, persons with, evergreen basic income pilot program, establishing: HB 1045

Behavioral health facilities, child abuse or neglect at, referrals of alleged incidents of, investigation of: **\*ESSB 5515, CH 441 (2023)**

Behavioral health loan repayment and scholarship program, changing name of behavioral health loan repayment program to: **\*HB 1946, CH 369 (2024)**

Behavioral health support specialists, certification and duties of: HB 1348, **\*SSB 5189, CH 270 (2023)**

Behavioral health workforce, various strategies for increasing: HB 1724

Behavioral health, emotional or behavioral distress in students, developing plans for recognition/screening/response to, grant program to support: HB 2280

Behavioral health, Indian tribal system, state system coordination with, improving: HB 1877

Behavioral health, regional school-based mental and behavioral health student assistance program, establishing: HB 2280

Behavioral health, state-level coordination to help identify and connect students to supports in school and interconnected community settings, OSPI role: HB 2280

Chemical dependency, local sales and use tax revenues for programs for, providing state matching funds for: HB 2472

Child support, when person required to pay is participating in court-ordered treatment for a behavioral health disorder, requirements: HB 2254

Children and youth behavioral health work group, modifying goals, membership, duties, and strategic plan provisions: HB 2256

Community behavioral health system, requiring oversight to be aware of, nurture, and protect relationships: 2SSB 5438

Competency, providing procedure for doubts of, including evaluation and restoration: **\*E2SSB 5440, CH 453 (2023)**

Criminal offenders, knowingly possessing, reintroducing E2SSB 5536 for consideration during 2023 first special session: **\*SCR 8409 (2023)**

Criminal offenders, requiring vacation of certain convictions upon completing treatment: **\*2E2SSB 5536, CH 1 (2023)**

Crisis co-response/co-responders, workforce development via training academy, certificates, programs, and activities: HB 2245

Crisis responders, for behavioral health crises, liability protections for crisis team staff, agencies/officers/staff, and governmental units/employees: **\*EHB 2088, CH 370 (2024)**

Crisis response, 23-hour crisis relief centers, establishing: **\*2SSB 5120, CH 433 (2023)**

Crisis response, 23-hour crisis relief centers, extending to include services for minors: **\*E2SSB 5853, CH 367 (2024)**

Crisis response, triage facilities, repealing of, and licensing or certifying as crisis stabilization units: **\*2SSB 5120, CH 433 (2023)**

Crisis situations, mental illness/homelessness/addiction, emergency crisis assistance team pilot project, establishing: HB 1661

Crisis training and secondary trauma program to support training for crisis responders, UW to establish: HB 1134

Deferred prosecution, due to SUD/mental health disorder, for DUI/physical control of vehicle under influence: HB 1104, HB 1493

Drug offenses, knowingly possessing or knowingly using in public place, indigent adults facing charges, public defense services for: **\*2E2SSB 5536, CH 1 (2023)**

Drug offenses, knowingly possessing, reintroducing E2SSB 5536 for consideration during 2023 first special session: **\*SCR 8409 (2023)**

Drug offenses, State v. Blake, comprehensive statutory changes in response to: **\*2E2SSB 5536, CH 1 (2023)**

Education and employment pathways for persons recovering from SUD, establishing grant program for: **\*2E2SSB 5536, CH 1 (2023)**

Facilities, allowing county use of local sales and use taxes to modify: **\*SSB 5604, CH 101 (2023)**

Facilities, substance use disorder treatment facilities, alleged incidents of child abuse or neglect at, investigation of referrals of: **\*ESSB 5515, CH 441 (2023)**

Firearm rights, voluntary waiver of, role of substance use disorder professionals: **\*SSB 5006, CH 262 (2023)**

Funding, various appropriations to provide SUD treatment and supports: **\*2E2SSB 5536, CH 1 (2023)**

Health engagement hubs, pilot program for testing and recommendations concerning: **\*2E2SSB 5536, CH 1 (2023)**

Health engagement hubs, requiring development of payment structures for: **\*2E2SSB 5536, CH 1 (2023)**

Health engagement hubs, role and duties of: **\*2E2SSB 5536, CH 1 (2023)**

Incarcerated persons, requiring assessment before transferring to graduated reentry program: **\*2SSB 5502, CH 405 (2023)**

Indian behavioral health system, improving state system coordination with: HB 1877



Indian health care providers, licensing as establishments for community behavioral health services act purposes: HB 2075

Intakes/assessments, for substance use disorder, streamlining to broaden workforce for, convening work group for: **\*2E2SSB 5536, CH 1 (2023)**

Medicaid, behavioral health services contracting and procurement of, treatment needs/managed care/payment/provider networks: HB 1515

Nurses, substance use disorder monitoring and treatment programs, participation by RNs, LPNs, and ARNPs: HB 1255

Occupational therapy services for persons with behavioral health disorders, medicaid coverage for: **\*SB 5228, CH 113 (2023)**

Opioid use disorder or alcohol use disorder, patients with, treatment options counseling for, requirements for behavioral health agencies: HB 2319

Overdose reversal, opioid overdose reversal medication and training for DCYF caseworkers and employees/staff: **\*2E2SSB 5536, CH 1 (2023)**

Parent with a substance use disorder, extending casework supervision when court orders child returned home: HB 1891

Parent, requiring demonstration of sobriety for return of children: HB 1397

Parents of adolescents/transition-age youth with SUD, training for: **\*2E2SSB 5536, CH 1 (2023)**

Parents with substance use disorder, grant program for providing supports to reduce child welfare placements due to, establishing: HB 2447

Peer support services, establishing with new chapter: **\*2SSB 5555, CH 469 (2023) PV**

Postdelivery and transitional care program, creating for people with a substance use disorder: **\*2E2SSB 5580, CH 213 (2024)**

Professional certification, limiting fees: **\*2SSB 6228, CH 366 (2024)**

Professionals, expertise in substance use disorder and mental health counseling and treatment of first responders, training by: HB 2311

Recovery navigator programs et al., developing data integration platform to support: **\*2E2SSB 5536, CH 1 (2023)**

Recovery navigator programs, studying effectiveness of: **\*2E2SSB 5536, CH 1 (2023)**

Recovery residences, funds to establish/operator voucher program/rural and underserved areas outreach/provider training: **\*2E2SSB 5536, CH 1 (2023)**

Recovery residences, property tax exemption for nonprofits: **\*2E2SSB 5536, CH 1 (2023)**

Recovery, statewide behavioral health treatment/recovery support services mapping tool/database/referral system: **\*2E2SSB 5536, CH 1 (2023)**

Schools, substance use prevention education in, to include fentanyl and other opioids as part of: HB 1956

Substance use disorder professional trainees, certified, certificate renewal after four-renewal limit: HB 2247

Substance use disorder professionals, probationary license, removing practice restriction for licensees: HB 1724

Substance use disorder professionals, prospective employee cannabis consumption when seeking position as, screening for: HB 2047

Substance use disorder professionals, removing barriers to entering and remaining in behavioral health workforce: HB 1724

Substance use disorders, SUD prevalence and interactions of persons with SUDs with providers and agencies, assessing: **\*2E2SSB 5536, CH 1 (2023)**

Treatment, court-ordered, abating child support obligation due to incapacitation of obligated person who is participating in: HB 2254

Treatment, criminal justice treatment account funds use within and after drug court program for, modifying: **\*HB 1983, CH 179 (2024)**

Treatment, evaluation and treatment facilities, provisions: HB 1788

Treatment, for fentanyl/synthetic opioids addiction, providing information to persons released from custody by jails: HB 2396

Treatment, inpatient program for treating pregnant and parenting women using family preservation model, establishing: HB 2447

Treatment, inpatient, postinpatient housing program for young adults exiting, establishing: HB 1929

Treatment, inpatient, voluntary admission to, raising age for consent of minor to 17 years of age for: HB 1788

Treatment, involuntary, Indian tribal behavioral health system coordination with state system, improving: HB 1877

Treatment, modifying treatment options, transfer or discharge without consent, medical necessity, utilization review, shared decision-making, and related provisions: HB 2319

Treatment, opioid treatment programs, establishment of off-site mobile and fixed-site medication units by: **\*2E2SSB 5536, CH 1 (2023)**

Treatment, opioid treatment programs, licensing/certification/siting of: **\*2E2SSB 5536, CH 1 (2023)**

Treatment, opioid/substance use disorder treatment programs, as public facilities under GMA, licensing/certification/siting: **\*2E2SSB 5536, CH 1 (2023)**

Treatment, opioid/substance use disorder treatment rural access and expansion: **\*2E2SSB 5536, CH 1 (2023)**

Treatment, outpatient, raising age for minor to request/receive to 17 years of age: HB 1788

Treatment, pretrial diversion programs, developing data integration platform to support: **\*2E2SSB 5536, CH 1 (2023)**

Treatment, pretrial diversion to recovery navigator, arrest and jail alternative, or law enforcement assisted diversion programs: **\*2E2SSB 5536, CH 1 (2023)**

Treatment, statewide behavioral health treatment/recovery support services mapping tool/database/referral system: **\*2E2SSB 5536, CH 1 (2023)**

Treatment, substance use disorder treatment programs, in underserved/rural areas, construction costs for, grant program: **\*2E2SSB 5536, CH 1 (2023)**

Treatment, vacating convictions for knowingly possessing certain drugs after completion of: HB 1613

Tribes, transfers of state and local government real property to, for substance use disorder services and programs: EHB 2372

Voluntary treatment, presumption that certain persons will not seek in good faith: HB 2469

Washington health corps, behavioral health loan repayment program, modifying to include scholarships: **\*HB 1946, CH 369 (2024)**

Work group, convening to discuss demand for behavioral health services, workforces shortages, etc.: HB 1242

**SUPERINTENDENT OF PUBLIC INSTRUCTION, OFFICE (OSPI) (See also SCHOOLS AND SCHOOL DISTRICTS)**

Advanced placement (AP) exams and courses, subsidizing fees for students taking exams, OSPI role: HB 2326

African American studies, for students in grades 7 through 12, work group to identify curricula, methods, and materials, OSPI to convene: HB 2282

American Indian and Alaska Native students, convening work group to develop literacy supports for, OSPI role: HB 1228

Apprenticeship programs, regional apprenticeship pilot program, OSPI role in establishing: HB 1013

Basic education, authority to grant waivers to schools including charter schools and state-tribal schools: SSB 5648

Behavioral health, emotional or behavioral distress in students, developing plans for recognition/screening/response to, grant program to support, OSPI role: HB 2280

Behavioral health, regional school-based mental and behavioral health student assistance program, establishing, OSPI role: HB 2280

Behavioral health, state-level coordination to help identify and connect students to supports in school and interconnected community settings, OSPI role: HB 2280

Buses, school bus replacement incentive program, modifying in keeping with transitioning to zero emissions buses, OSPI role: HB 1368

Buses, zero emission school buses, purchase and use requirements and grant program, OSPI role: HB 1368

Cambridge international exams and courses, subsidizing fees for students taking exams, OSPI role: HB 2326

Career and technical education, allied health professions career and technical education core plus program, OSPI to develop: HB 2236

Career and technical education, statewide career and technical education core plus advancement task force, establishing in OSPI: HB 2236

Certified instructional staff, modifying experience factors: HB 2458

Charter schools, grant eligibility and enrichment grants for: HB 1418, HB 1897

Child care worker pilot program, establishing, OSPI role: HB 1451

Classroom supplies, increasing allocation per FTE student, OSPI rule making concerning: HB 1741

Competency-based education, requiring authorization of enrollment funding and alternative transcripts: ESSB 6264

Complaints, developing uniform system for complaints about conduct by individuals in schools: HB 1239

Computer science, requiring assessment of demographic impact of graduation requirement: E2SSB 5849

Conduct, policies and complaint procedures for bullying, discrimination, harassment, and intimidation, OSPI role: HB 1207

Construction, solar energy systems, public school installation on new school buildings, grant awards for, requirements, OSPI role: HB 2297

- Construction, supplementary modernization and new construction grants and planning grants for districts, OSPI role: HB 1044
- Credentials, educational and professional, Washington credential registry, creation of: HB 2155
- Cross-sector trainings for school district staff and institutional education providers, OSPI funds distribution role: HB 1411
- Data sharing, facilitating transfer of student information to higher education for college awareness and admission: **\*2SSB 5593, CH 406 (2023)**
- Digital equity programs, review of as part of JLARC study: HB 2327
- Dual credit or concurrent enrollment programs and courses, OSPI role: HB 1316
- Dual credit programs, OSPI role: HB 1003
- Dual language education, establishing or expanding, grant program to support districts and tribal schools for, OSPI role: HB 1228
- Educator workforce programs, quality and effectiveness of, data collection and determinations about, OSPI role: HB 1565
- Educators, beginning educator support team program, revising goals, requirements, and definitions, OSPI role: HB 1565
- Farmworkers, seasonal, requiring study of needs of children of: HB 1866
- Filipino Americans, contributions of, K-12 public school instruction about, materials/resources for, OSPI role: HB 1749
- Funding, public and private grants application assistance for school districts, grant program to provide, OSPI to establish and administer: HB 2448
- Grade point average, revised standardized high school transcript with a weighted GPA recognizing accelerated coursework, OSPI to develop: HB 2005
- Green schools program, Washington state, new grant program in connection with establishing of, OSPI role: HB 1935
- Green schools program, Washington state, OSPI to establish: HB 1935
- Health science programs, establishing grant program for supporting: **\*E2SSB 5582, CH 126 (2023)**
- High school and beyond plans, facilitating adoption of online platform and requirements: HB 1273, **\*E2SSB 5243, CH 271 (2023)**
- High school juniors and seniors, learning about WA promise program, WA college grant, and benefits of postsecondary education, OSPI role: HB 2374
- Holocaust and genocide education, including instruction and stand-alone elective, OSPI role: HB 2037
- Homelessness, students experiencing, grant program for identification of and support for, OSPI role: **\*HB 1622, CH 386 (2023)**
- Homelessness, students experiencing, grant program to link families with housing, OSPI role: **\*HB 1622, CH 386 (2023)**
- Institutional education, delivery and oversight of basic education services to justice-involved students, OSPI to assume: HB 1701
- International baccalaureate exams and courses, subsidizing fees for student taking exams, OSPI role: HB 2326
- Kindergarten, transition to kindergarten program, establishing and administering, OSPI role: HB 1550
- Learning recovery and acceleration, establishing state matching grant program: HB 1710
- Learning recovery and acceleration, federal account appropriation for tutoring and extended learning programs: HB 1710
- Learning recovery grant program, establishing and administering to provide funding for postpandemic learning recovery programs, OSPI role: HB 2404
- Libraries, school library information and technology programs access for all students, OSPI role: HB 1609, ESSB 5102
- Meals, reimbursing local education agencies for free breakfast and lunch for all students: HB 1238
- Media literacy and digital scholarship, establishing program to integrate into subject areas via cadre of teachers: SSB 5626
- Media literacy, establishing grant program to integrate into K-12 education: SSB 5626
- Military friendly school districts, purple star award to recognize, creating, OSPI role: HB 1346
- Modernization loan program, administering for districts and schools with significant building system deficiencies: ESB 5344
- Music instruction for elementary level students, requiring, and specifying per-week amount, OSPI role: HB 1819
- Native education, office of, grant program to support districts and tribal schools establishing or expanding tribal language education programs: HB 1228
- Native education, office of, tribal sovereignty curriculum implementation compliance monitoring and evaluations: HB 1332
- Ninth grade success grant program, establishing: HB 2053

Outdoor learning and education in state parks, OSPI needs for: HB 2138

Reading and writing literacy, improving via structured literacy, K-4 literacy program, educator refresher course, teacher endorsements, and dyslexia handbook and supports, OSPI role: HB 2284

Reading to ensure academic development (READ) grant program, establishing, OSPI role: HB 2142

Reprimands, notification of those eligible for review and vacating: HB 1113

Running start for the trades grant program, establishing to offer preapprenticeship opportunities for students, OSPI role: HB 1944

Running start, summer running start for the trades grant program, establishing to offer apprenticeship preparation program opportunities for students, OSPI role: HB 2123

School construction assistance program, adjusting calculation for taxation: SB 5789

School employees, developing online platform for recruiting and hiring, OSPI role: HB 1565

School safety capital grant program, OSPI to administer: HB 1064

School safety data, school safety dashboard for, OSPI to create and maintain: HB 1675

Schools, aging schools assistance program, creating as grant program for replacing or modernizing aged facilities, OSPI role: HB 2017

Social studies curriculum, to include tribal sovereignty and history/culture/government, grant program for schools, OSPI role: HB 1332

Social-emotional learning skills, instruction and funding for, recommendations and requirements, OSPI role: HB 2239

Special education, full funding of, OSPI role: HB 1436

Special education, funding districts for, identification of eligible students and district spending plans, monitoring, and reviewing, OSPI role: HB 2174

Special education, funding for extraordinary initial evaluations: HB 1109

Special education, general apportionment funding, development of allocation and cost accounting methodology by OSPI: E2SSB 5311

Special education, improving access to and provision of services, OSPI role: HB 1305, HB 1914

Special education, increasing excess cost multiplier, removing enrollment funding cap, and providing additional funding: HB 1436

Special education, initial evaluations and IEPs, program for reimbursing public schools for certain costs, OSPI role: HB 1109

Special education, overidentifying students as eligible and overproviding services, monitoring/corrective actions, OSPI role: HB 1923

Special education, raising enrollment funding cap: HB 2180

Special education, raising excess cost funding multipliers for pre-K and K-12 students and enrollment funding cap, OSPI role: HB 1211, E2SSB 5311

Special education, raising excess cost funding multipliers for pre-K and K-12 students and removing enrollment funding cap: HB 1436

Special education, requiring approval, monitoring, etc. for private schools: **\*E2SSB 5315, CH 436 (2023)**

Special education, requiring website publication of complaint process: **\*E2SSB 5315, CH 436 (2023)**

Special education, safety net awards, determining eligibility and amounts and conducting application process survey, OSPI role: HB 1973, **\*SB 5852, CH 127 (2024)**

Special education, school psychologists and other providers conducting evaluations for, funds distribution for: HB 1305

Special education, state safety net oversight committee, consideration of extraordinary costs of evaluations and IEPs by: HB 1109

State-tribal education compacts, new or revised, provisions relating to state board of education, OSPI to consult with board on: HB 2335

Student mobile device use during instructional hours, pilot program to study strategies for, OSPI to establish: HB 2018

Students in foster care or experiencing homelessness work group, to include students in or exiting juvenile rehabilitation facilities: **\*HB 1679, CH 300 (2023)**

Students not meeting academic standards, supplemental student supports and family stipends to aid, OSPI role: HB 1328

Substance use prevention education in schools, to include fentanyl and other opioids as part of, OSPI role: HB 1956

Teacher exchange program, possible establishment of, OSPI report on and recommendations for: HB 1565

Teacher residency program/grants/advisory council/conditional scholarship, establishing, OSPI role: HB 1565

Teacher-librarians, shifting certain staffing-enrichment allocations to minimum instructional program of basic education, OSPI role: HB 2223

Technical working group, convening to develop course equivalency for technology-based competitive activities: **\*SSB 5617, CH 407 (2023)**

Technology grant program, modifying provisions of: HB 2313

Temperature standards for public school facilities, indoor, advisory committee for developing recommendations for, OSPI to appoint: HB 2198

Transportation safety net awards, requiring provision for districts with additional needs for special passengers: E2SSB 5174

Transportation, developing funding model to address diverse needs of schools and districts: SSB 5873

Transportation, of students, individual arrangements for, costs/allocations, OSPI role: HB 1248

Transportation, of students, special passengers, costs/allocations, OSPI role: E2SSB 5174

Transportation, one-time allocation to districts with certain increasing costs: SSB 5873

Tribal language education programs, establishing or expanding, grant program to support districts and tribal schools for: HB 1228

Tribal language education, program to support, developing, OSPI role: HB 1228

Vape detectors in public schools, grant program for, OSPI to establish and administer: HB 1922

Withdrawals and transfers of students from public schools/districts, online survey for parents concerning, OSPI to create: HB 2038

Work group, convening to examine educational impact of free meals: HB 1238

#### **TAX APPEALS, BOARD**

Administrative provisions, concerning membership, personnel, compensation, procedures, and proceedings, modifying: HB 2440

Appeals filed with board, updating cross-reference concerning: **\*HB 1303, CH 28 (2023)**

#### **TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC. (See also LANDLORD AND TENANT; TAXES - SALES; TAXES - USE; TAXES, GENERALLY)**

Accessory dwelling units, eliminating county population threshold for tax exemption: SB 6030

Accessory dwelling units, exemption from property taxation by county: **\*E2SSB 5045, CH 335 (2023)**

Adult family homes, for persons with developmental disabilities, nonprofit-owned property for, property tax exemption: **\*HB 1265, CH 69 (2023)**

Affordable housing, allowing cities to offer tax exemptions for converting certain properties to: HB 2308

Affordable housing, sales and use tax deferral for converting commercial property: **\*E2SSB 6175, CH 332 (2024)**

Aircraft fuel, unleaded, tax exemptions for: HB 2393

Airports, international, county-owned eligible maintenance repair operators in certain counties, sales tax exemptions, when: HB 1318

Airports, public use, new construction at, sales/use tax exemptions for labor/services/materials/equipment for: HB 1331

Airports, public use, private operator-held leasehold interests on new leases, exemption for: HB 1331

Alternative jet fuel, B&O and utility tax credits: HB 1505, **\*ESSB 5447, CH 232 (2023)**

Alternative jet fuels, expanding tax preference to include businesses in distressed areas of the state: HB 2410

Animal adoption, exempting fees from B&O taxes for nonprofit organizations: HB 1653

B&O tax, exempting appliance stewardship organizations: HB 1164

Broadband communications providers, sales and use tax exemption for sales of network machinery and equipment to: HB 1848

Businesses converting to employee ownership, B&O tax credit for: HB 1743

Capital gains tax, repeal of B&O tax credit and replacement with capital gains tax credit: HB 2278

Child care assistance, employer providing to employees, credit against B&O tax for: HB 1716

Child care providers, B&O tax exemption: **\*ESSB 6038, CH 195 (2024)**

Child care, for children or wards of employees, requiring that employers receiving B&O tax preferences provide: HB 2322

Climate commitment act, amounts from receipt/generation/purchase/sale/transfer/retirement of allowances/offset credits/price ceiling units under, B&O and public utility tax exemptions: **\*EHB 2199, CH 115 (2024)**

Commute trip reduction program, tax credit program, extending: HB 2486

Condominiums or townhouses, sale of unit constructed in building qualifying for multifamily property tax exemption, real estate excise tax exemption: **\*E2SSB 5258, CH 337 (2023)**

Condominiums, sale of unit to person eligible for first-time homebuyer program, real estate excise tax exemption: HB 1298

Cooperative finance organizations, making loans to utility services providers, B&O tax deduction for: **HB 1191, \*SB 5166, CH 317 (2023)**

Custom farming services, person performing, or person performing other services for, sales/use tax exemption: **\*2EHB 1757, CH 222 (2024)**

Custom farming services, persons performing for a farmer, retroactive B&O tax exemption for: HB 1604

Dairy processors, extending B&O tax exemption: **\*HB 1573, CH 422 (2023)**, SB 5277

Electricity generating machinery and equipment, repealing exemptions: HB 1194

Employee ownership conversion, B&O tax exemption: **\*SSB 5096, CH 392 (2023)**

Employers receiving a tax preference, requiring providing of student loan payment assistance to certain employees by: HB 2261

Farmers, certain conservation grant recipients or program participants, B&O tax credit for certain expenditures by: HB 1936

Farms, modifying exemption for hazardous substances solely used for crop protection: **\*HB 2454, CH 241 (2024)**, SB 5915

Food and food ingredients, defining for sales tax exemption and excluding food that when sold requires additional cooking: HB 1809

Forestland, land designated as, exclusion from compensating tax when sold or transferred to governmental entity, requirements for: HB 1818

Fruit and vegetable processors, extending B&O tax exemption: **\*HB 1573, CH 422 (2023)**, SB 5277

Gun clubs, non-profit, creating sales and use tax exemption for clay targets: HB 2269

Hog fuel, sales and use tax exemptions, extending expiration of: **\*HB 1018, CH 341 (2023)**

Homeowner relief property tax exemption, creating and calculating partial state levy exemption: HB 2419

Homeownership development property tax exemption, extending to nonprofits for mutual self-help housing program: **\*SB 6013, CH 273 (2024)**

Homes, ownership housing, sales by facilitator to qualifying low-income first-time homebuyers, real estate excise tax exemption for: HB 2064

Homes, sales to qualifying low-income first-time homebuyers, real estate excise tax exemption for: HB 2063

Housing, affordable, in unincorporated areas with urban growth areas, large county eligibility for property tax exemption for: HB 2141

Housing, affordable, incentive program to preserve, owner property tax exemption: HB 1343

Housing, affordable, labor and services or tangible personal property sales or use by nonprofit, sales/use tax exemption for: HB 2219

Housing, affordable, multifamily property tax exemption, modifying: HB 1350, HB 2353, HB 2422

Housing, affordable, multiple-unit dwellings with multifamily units, in counties unable to designate a residential targeted area, 12- and 20-year property tax exemptions: HB 2422

Housing, affordable, multiple-unit, in residential targeted area in unincorporated area within urban growth area, removing certain criteria for property tax exemption: HB 2353

Housing, affordable, property tax exemption for nonprofit entity providing: HB 1052

Housing, affordable, property tax exemption for nonprofit entity providing rental housing built with city and county funds: HB 2012

Housing, affordable, sale of development space by qualified entity to certain purchasers, real estate sales excise tax exemption for: HB 1628

Housing, affordable, when placed on public lands, leasehold excise tax exemption, when: HB 2003

Hydrogen fuel products, research/development/production/sale, B&O tax preferential rate and credits: HB 1729

Hydrogen, green electrolytic or renewable, electricity sales to businesses producing et al., public utility tax exemption: HB 1768

International services, B&O tax credit for, adding expiration date: HB 1913

Internet/telecommunications infrastructure, tribe and business entity deploying in coastal county, sales/use tax exemption: HB 1711

Juror service, wages paid to employees during, B&O and public utility tax credits for employers: HB 1883

Lawn and garden equipment, sales and use tax preferences for zero emissions outdoor power equipment: HB 1868, HB 2051

Leasehold excise tax, exempting certain arenas: HB 1163

Local sales and use tax, for attracting and retaining law enforcement officers and criminal justice purposes, as credit against state sales/use tax: HB 2231

- Machinery and equipment, certain, excluding from "real estate" and "real property" to provide real estate excise tax exemption: HB 1966
- Main street programs, allowing use of remaining statewide main street program contribution tax credits by, when: HB 2306
- Main street trust fund credit, specifying city or town population threshold to qualify for credits and deadline for sending contribution: **\*ESB 5336, CH 96 (2023)**
- Manufactured or mobile home, assessed at certain value or less, property tax exemption for: HB 1796
- Medicaid, federal funds from HCA/transformation project received by accountable community of health or public hospital, B&O tax deduction: **\*EHB 1812, CH 313 (2023)**
- Mobility enhancing equipment, for use by or for complex needs patient, sales and use tax exemption: **\*SSB 5218, CH 319 (2023)**
- Multiple-unit residential dwellings with multifamily units, in counties unable to designate a residential targeted area, 12- and 20-year property tax exemptions: HB 2422
- Multiple-unit residential dwellings, in residential targeted area in unincorporated area within urban growth area, removing certain criteria for property tax exemption: HB 2353
- Natural gas, renewable, machinery and equipment for generating, sales and use tax exemptions: HB 1619
- Newspapers, publishing and/or printing of, or publishing eligible digital content, B&O tax deduction for: HB 1206
- Newspapers, publishing and/or printing of, or publishing eligible digital content, B&O tax exemption for: **\*E2SSB 5199, CH 286 (2023)**
- Nuclear fuel manufacturing facility projects, requiring NRC certification, additional time to qualify for targeted urban area property tax exemption: HB 2120
- Nuclear fuel or assemblies, manufacturers or processors for hire or sellers of, preferential B&O tax rate: HB 1981
- Outdoor power equipment, zero emissions, sales and use tax preferences for: HB 1868, HB 2051
- Packing materials, renting or leasing through sharing and reuse program, sales and use tax exemption: HB 1422
- Payment card processing companies, creating B&O tax deduction and rate changes: HB 1815
- Pesticides, low-risk, farmer expenditures for purchase of, B&O tax credit for: HB 1857
- Petroleum products, eliminating public utility tax exemption for certain products: ESB 5309
- Pipe tobacco, preferential tobacco products tax rate for: HB 2181
- Primary residence property tax exemption, including renter's credit, creating new title: HB 1556
- Property tax exemption program, for seniors/veterans/retired-disabled, various provisions: HB 1355, HB 1482, HB 1560, HB 2026, **\*HB 2375, CH 119 (2024)**
- Property tax, adjusting disposable income calculation for senior citizens' and disabled veterans' tax exemption: SB 5732
- Property tax, hydrogen fuel products, buildings used for manufacture of, B&O tax credit for property and leasehold excise taxes: HB 1729
- Property tax, new chapter allowing exemption for affordable housing: HB 1596
- Property taxation, personal property, raising exempted amount: HB 1761
- Property taxation, personal property, raising upper limit for exemption of portion by legislature, constitutional amendment for: HJR 4206
- Property taxes, state, deducting certain county levies for certain services or assistance from: HB 1703
- Property taxes, state, exemption for personal property used for generating renewable energy: HB 1756
- Property taxes, state, levied for state purposes, residential real property exemption from portion of: HB 2419
- Property taxes, state, levied for state purposes, residential real property exemption from, constitutional amendment to allow: HJR 4209
- Property taxes, state, primary residence property tax exemption: HB 1556
- Property taxes, state, primary residence property tax exemption, as rebate, constitutional amendment to allow: HJR 4205
- Public utility tax exemption, increasing threshold and annually adjusting for inflation: HB 1561
- Railroads, freight railroad infrastructure improvement, various tax preferences as incentives for: HB 1371
- Recovery residences, for persons with substance use disorder, property tax exemption for nonprofits: **\*E2SSB 5536, CH 1 (2023)**
- Renewable energy, personal property used for generating, exemption from state property taxes for: HB 1756
- Renter's credit, as partial rent refund up to maximum primary residence property tax exemption amount: HJR 4205
- Renter's credit, as refund of rent amount constituting state property tax on the property rented: HB 1556
- Reproductive health care, B&O and public utility credits for charitable contributions to organizations: HB 1286
- Research and development equipment, sales/use tax paid on, exemption in form of a remittance, authorizing: HB 1794
- Research and development expenditures, credit against B&O tax on, authorizing: HB 1794

Sales and use taxes, deducting rural county-imposed local sales/use tax from: HB 1702  
 Salmon recovery projects, labor and services for construction of and/or equipment/materials/tangible personal property for, sales/use tax exemptions: HB 2289  
 Seafood processors, extending B&O tax exemption: **\*HB 1573, CH 422 (2023)**, SB 5277  
 Semiconductor materials manufacturing, B&O/sales/use/property tax preferences for, extending two and reinstating six preferences and adding contingency and requirements: HB 2482  
 Solar canopy facility, utility-scale, siting on highly erodible land, failure to maintain conservation plan compliance to result in ineligibility for preferences: HB 2499  
 Spirits, exemption for purchases on a military base to be used as fundraising prize by service organizations: HB 1587  
 Spirits, purchased by veterans' service organization as fund-raising prize for event, sales tax exemption for: HB 1672  
 Spirits, retail sale in original package, mini-bottles exclusion from sales tax, removing expiration date: HB 1375  
 Stamp tax, exemption for first 20,000 gallons sold by a winery: HB 1182  
 State property taxes, levied for state purposes, residential real property exemption from portion of: HB 2419  
 State property taxes, levied for state purposes, residential real property exemption from, constitutional amendment to allow: HJR 4209  
 State route number 520, SR 520 corridor improvements west end project, deferral of state and local use taxes for 24 years after completion of: **\*SSB 6316, CH 281 (2024)**  
 Timberland, land classified as, exclusion from compensating tax when sold or transferred to governmental entity, requirements for: HB 1818  
 Veterans and military members, disabled, nonprofit adaptive recreational and rehabilitation facilities for, tax exemptions: HB 1862  
 Veterans and spouses of veterans and military members, businesses hiring, tax credits: HB 1005  
 Wealth tax, on financial intangible assets, certain preferences in connection with: HB 1473  
 Widows and widowers of veterans, modifying property tax exemption: **\*SB 6238, CH 334 (2024)**  
 Working families' tax credit, eligibility and clarifying as refundable: **\*HB 1895, CH 3 (2024)**  
 Working families' tax credit, expanding eligibility and increasing refund: HB 1000  
 Working families' tax credit, expanding for eligible persons who lease or rent residence: HB 2418  
 Working families' tax credit, lowering eligibility to age 18: HB 1075  
 Working families' tax credit, modifying eligibility, refund, and reporting provisions: HB 1477  
 Written digital content, publishing, B&O tax deduction for, when: HB 1206  
 Written digital content, publishing, B&O tax exemption for, when: **\*E2SSB 5199, CH 286 (2023)**

#### **TAXES - AIRCRAFT FUEL**

Aircraft fuel, taxation of, strengthening enforcement: **\*EHB 1964, CH 1 (2024)**  
 Fuel taxation, establishing prorate and fuel tax discovery team to detect and investigate violations: **\*EHB 1964, CH 1 (2024)**

#### **TAXES - BUSINESS AND OCCUPATION (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)**

Apportionable income reconciliation returns, modifying requirements, including penalties and penalty relief, when: HB 1834  
 B&O tax, replacing with margin tax to simplify tax code and repealing sections: HB 1644  
 Contests of chance, operating, B&O tax on, increasing rate and amount of revenue deposited in problem gambling account: HB 1681, **\*E2SSB 5634, CH 284 (2023)**  
 Margin tax, replacing B&O tax with calculation of taxable margins: HB 1644  
 Parimutuel wagering, B&O tax on, increasing rate and amount of revenue deposited in problem gambling account: HB 1681, **\*E2SSB 5634, CH 284 (2023)**  
 Payment card processing companies, creating tax deduction and rate changes: HB 1815

#### **TAXES - CAPITAL GAINS**

Modifications, various, including good faith penalty waiver, repeal of B&O tax credit and replacement with capital gains tax credit, and others: HB 2278  
 Repealing capital gains tax: HI 2109  
 Revenues, to include deposits into Ruth LeCocq Kagi early learning facilities development account: HB 2195

#### **TAXES - ESTATE**

Applicable exclusion amounts, updating: HB 1484



Filing requirement, for certain estates involving familial residence, eliminating: **\*HB 1867, CH 82 (2024)**

Residences, eliminating filing requirement for estates involving certain qualifying familial residences: **\*HB 1867, CH 82 (2024)**

Restructuring, raising exclusion amount and instituting tax increases to make tax more progressive: HB 1795

**TAXES - EXCISE (See also ALCOHOLIC BEVERAGES; IMPACT FEES; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)**

Cannabis, revenues generated by certain cities/towns/counties, disbursing for substance abuse and cannabis purposes: HB 1650

Cannabis, revenues, creating professional health care services rate enhancement account for certain deposits of: HB 2449

Cannabis, scaling tax rate by THC content: HB 1595, HB 1641

Clean energy workforce investment tax, imposing per megawatt hour with option for local tax: HB 1194

Commute trip reduction program, tax credit program, extending: HB 2486

Frontier county, defining for certain excise taxation and economic development purposes: HB 1835

Impact fees, adjusting for smaller housing units, including multifamily and condominium units: HB 1298, **\*E2SSB 5258, CH 337 (2023)**

Impact fees, authorizing use for bicycle and pedestrian facilities for multimodal commuting: HB 1135, **\*SB 5452, CH 121 (2023)**

Impact fees, limiting increase to CPI growth: HB 2451

Impact fees, limiting use to 50% of system improvements and requiring limited timeframe: HB 2450

Law enforcement facilities, adding to list of public facilities eligible for funding by impact fees: HB 1476

Lodging, authorizing excise tax on short-term rentals to fund affordable housing operating or capital costs: ESSB 5334

Low-proof beverages, altering taxation to per-gallon: HB 1344

Margin tax, replacing B&O tax with calculation of taxable margins: HB 1644

Petroleum products tax, modifying: HB 1175

Renewable energy generating systems, using as electric power source, imposing excise tax on: HB 1756

Smart wireless devices, with wireless access to internet, tax on retail sales of, levying: HB 1793

Sports wagering licensees, establishing 10% tax on gaming revenue: HB 1630

Statewide 988 behavioral health crisis response and suicide prevention line tax, revising use of funds: HB 1134

THC concentration, requiring collection of data and plan for revenue-neutral excise on: SB 6271

Wireless device tax, levying on each retail sale of a smart wireless device, and depositing revenues in learning device and technology account: HB 2327

**TAXES - HAZARDOUS SUBSTANCES**

Pollution tax, depositing certain revenues in model toxics control operating account to be used for certain public participation grants: HB 2207

Pollution tax, rate for petroleum products, periodic adjustment of: HB 1254

**TAXES - LEASEHOLD EXCISE (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)**

Public use airports, leasehold interests held by private operators on new leases, tax levy in connection with exemptions: HB 1331

**TAXES - LITTER**

Receipts, certain, depositing in waste reduction, recycling, and litter control account for certain uses: HB 2207

**TAXES - MOTOR VEHICLE FUEL**

Border area motor vehicle fuel tax, expanding possible transportation uses of revenue for certain jurisdictions: **\*SB 6017, CH 275 (2024)**

Fuel taxation and proportional registration, establishing prorated and fuel tax discovery team to detect and investigate violations: **\*EHB 1964, CH 1 (2024)**

Motor fuel, sticker on pumps showing rate of each fuel tax for each type of fuel, producing and displaying: HB 2050

Motor vehicle fuel and special fuel, taxation of, strengthening enforcement: **\*EHB 1964, CH 1 (2024)**

Vehicle owners, establishing carbon auction rebate (CAR) program to provide partial prospective rebate of fuel taxes paid: HB 2040

**TAXES - PROPERTY (See also TAX APPEALS, BOARD; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES, GENERALLY)**

- Administration of property taxes, various provisions, modifying: \***HB 1303, CH 28 (2023)**
- Forestland, land designated as, exclusion from compensating tax when sold or transferred to governmental entity, requirements for: HB 1818
- Levies, adjustments to correct levy errors, requirements in relation to maximum allowed tax rates: \***HB 1303, CH 28 (2023)**
- Levies, first levy by new taxing districts after consolidation, calculating maximum allowed levy amount: \***HB 1303, CH 28 (2023)**
- Levies, first levy by taxing district in 6 or 7 years, maximum allowed levy amount requirements: \***HB 1303, CH 28 (2023)**
- Levies, for county hospitals, additional regular levy for certain expenses and bond payment, removing certain limitations: HB 2348
- Levies, for persons with developmental disabilities or mental health services: HB 1022
- Levies, for persons with developmental disabilities or mental health services by counties, deducting from state levy: HB 1703
- Levies, for school district bonds and payment, at least 55% of voters to authorize: HB 1843, HJR 4207
- Levies, for school district bonds and payment, simple majority to authorize: HB 1353, HJR 4203
- Levies, for schools, enrichment, maximum per-pupil limit for, modifying for collection in 2025 through 2031: HB 2215
- Levies, for schools, state property tax levies for common schools, reducing, and establishing new basis for levies: HB 1483
- Levies, for state purposes, residential real property exemption from portion of: HB 2419
- Levies, for state purposes, residential real property exemption from, constitutional amendment to allow: HJR 4209
- Levies, for two or more port districts under mutual agreement, joint collection of assessments, when: \***EHB 1663, CH 215 (2023)**
- Levies, for veterans' assistance programs and veterans' assistance fund: HB 1022
- Levies, for veterans' assistance programs and veterans' assistance fund by counties, deducting from state levy: HB 1703
- Levies, requirement that funds raised by certain levies not supplant existing funds for limited purpose, removing: \***HB 2044, CH 114 (2024)**
- Limit factor for increases, factor of 101% or less for taxing districts other than the state, repealing section: HB 1670
- Limit factor for increases, raising to increase local revenue and including population change and inflation: HB 1670
- Payments, delinquency deadlines for automated check processing services or without postmark: \***SSB 5714, CH 376 (2023)**
- Personal property, raising amount exempted from property taxation: HB 1761
- Personal property, raising upper limit for exemption of portion by legislature, constitutional amendment for: HJR 4206
- Privately-owned improvement on public land, updating local tax increment financing program: \***HB 1527, CH 354 (2023)**
- Recovery, clarifying court venue rules: HB 1572
- Revenues, dedicating some property tax revenue to airport noise and air pollution mitigation: HB 2103
- School enrichment levies, increasing with inflation: HB 1244
- School enrichment levies, multiplying by regionalization factor: HB 2215
- State property tax, primary residence property tax exemption: HB 1556
- State property tax, primary residence property tax exemption, as rebate, constitutional amendment to allow: HJR 4205
- State property taxes, for schools, reducing, and establishing new basis for levies: HB 1483
- State property taxes, levied for state purposes, residential real property exemption from portion of: HB 2419
- State property taxes, levied for state purposes, residential real property exemption from, constitutional amendment to allow: HJR 4209
- Taxable value, maximum, of primary owner-occupied residential property, purchase price to be: HJR 4200
- Timberland, land classified as, exclusion from compensating tax when sold or transferred to governmental entity, requirements for: HB 1818
- Valuation, after publicly owned property loses its exempt status, valuation and listing date for: \***HB 1303, CH 28 (2023)**
- Valuation, state levies at 75 percent of true and fair value: HB 1092

**TAXES - PUBLIC UTILITY TAX (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)**

- Light and power business electricity sales to green electrolytic or renewable hydrogen business, exemption for: HB 1768

**TAXES - REAL ESTATE SALES EXCISE**

- Additional tax for funding affordable housing, when nonprofit entity provides housing via: HB 1052
- Affordable housing, modifying state and local real estate excise tax to provide funding for: HB 1628, HB 2276
- Condominium unit or townhouse, sale to person using down payment assistance, real estate excise tax revenue from, deposit and use of: **\*E2SSB 5258, CH 337 (2023)**
- Real estate or real property, defining to exclude and exempt certain machinery and equipment from real estate excise taxation of: HB 1966
- Real estate transfer tax, imposing: HB 2276

**TAXES - SALES (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - USE)**

- Aircraft fuel, distribution sales and use tax portion to aeronautics account: HB 1395
- Alcoholic beverages, spirits, retail sales taxes on, extending to certain sales of ready-to-serve alcoholic beverages and to such sales by certain distributor licensees: HB 2493
- Ammunition, additional retail sales and use taxes on, levying to create revenues for prevention of gun and domestic violence and suicide: HB 2238
- Criminal justice, authorizing counties to impose special sales and use tax to fund: HB 2211
- Cultural access programs funding, allowing cities to impose tax if counties do not: **\*HB 1575, CH 179 (2023)**
- Digital automated services, exempting financial institutions if solely for business purposes: HB 1557
- Equine products/services/uses, state sales/use tax on, depositing in new account for horse racing and recreation: HB 1529
- Gender-based violence, authorizing county tax to address: HB 2470
- Hospital benefit zones, local sales and use taxation, reporting requirement, eliminating: HB 1362
- Law enforcement, authorizing funding for additional officers with local tax credited against state tax: HB 1446
- Local sales/use, community preservation and development authority imposition at taxable events inside certain stadiums: HB 1847
- Local sales/use, county or city authority to impose additional tax: HB 2436
- Local sales/use, for attracting and retaining law enforcement officers and for criminal justice purposes, authorizing imposition of: HB 2231
- Local sales/use, for criminal justice or fire protection, adding emergency medical services to allowed uses: HB 1820
- Local sales/use, for public facilities district regional centers, authority to impose, extending time limit before expiration: HB 2432
- Local sales/use, for public facilities in rural counties, providing revenue, project, and expenditure information on auditor website: HB 1267
- Local sales/use, impact assessment fee on price of admission to certain stadiums, for certain uses: HB 1510
- Local sales/use, imposition when city-county interlocal agreement regarding annexation of unincorporated areas: HB 1425
- Local sales/use, rural county optional imposition of, using for senior citizen programs and deducting from sales and use taxes: HB 1702
- Local sales/use, rural public facilities tax moneys, using for affordable workforce housing infrastructure and facilities: **\*HB 1987, CH 58 (2024)**
- Local sales/use, state matching funds for revenues for mental health disorders, chemical dependency, and therapeutic courts, providing: HB 2472
- Lodging, car rental, and restaurant revenue, biennium limit for collections of, raising: HB 1258
- Motor vehicles, state sales and use taxes on, dedicating to transportation budget: HB 1472
- Retail sales tax, state, reducing rate of: HB 1704, HB 2436
- Revenues, from general purpose sales and use tax, agreements between cities and towns to share, authorizing: HB 2428
- Senior living communities, with tenant meals as part of rental agreement, not subject to sales and use tax: HB 1431
- Smart wireless devices, sales tax revenues collected on sales of, depositing portion in learning device and technology account: HB 2327
- Spirits, retail sale in original package, mini-bottles exclusion from sales tax, removing expiration date: HB 1375
- Statewide tourism marketing account, specifying funding: HB 1896, **\*SB 6080, CH 130 (2024)**

**TAXES - TELEPHONE ACCESS LINE USE**

- Revenues, for county-operated regional 911 emergency communications system, transfers to municipal 911 system, when: HB 2258

**TAXES - TOBACCO PRODUCTS**

Pipe tobacco, preferential tax rate for: HB 2181

**TAXES - USE (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - SALES)**

Aircraft fuel, distribution sales and use tax portion to aeronautics account: HB 1395

Ammunition, additional retail sales and use taxes on, levying to create revenues for prevention of gun and domestic violence and suicide: HB 2238

Asphalt and aggregates, self-manufactured, use taxes on, public road construction market adjustment for, when: HB 1764

Criminal justice, authorizing counties to impose special sales and use tax to fund: HB 2211

Cultural access programs funding, allowing cities to impose tax if counties do not: **\*HB 1575, CH 179 (2023)**

Digital automated services, exempting financial institutions if solely for business purposes: HB 1557

Equine products/services/uses, state sales/use tax on, depositing in new account for horse racing and recreation: HB 1529

Gender-based violence, authorizing county tax to address: HB 2470

Hospital benefit zones, local sales and use taxation, reporting requirement, eliminating: HB 1362

Law enforcement, authorizing funding for additional officers with local tax credited against state tax: HB 1446

Local sales/use, community preservation and development authority imposition at taxable events inside certain stadiums: HB 1847

Local sales/use, county or city authority to impose additional tax: HB 2436

Local sales/use, for attracting and retaining law enforcement officers and for criminal justice purposes, authorizing imposition of: HB 2231

Local sales/use, for criminal justice or fire protection, adding emergency medical services to allowed uses: HB 1820

Local sales/use, for public facilities district regional centers, authority to impose, extending time limit before expiration: HB 2432

Local sales/use, for public facilities in rural counties, providing revenue, project, and expenditure information on auditor website: HB 1267

Local sales/use, imposition when city-county interlocal agreement regarding annexation of unincorporated areas: HB 1425

Local sales/use, rural public facilities tax moneys, using for affordable workforce housing infrastructure and facilities: **\*HB 1987, CH 58 (2024)**

Local sales/use, state matching funds for revenues for mental health disorders, chemical dependency, and therapeutic courts, providing: HB 2472

Motor vehicles, state sales and use taxes on, dedicating to transportation budget: HB 1472

Refinery fuel gas, value of the article with respect to, method(s) for determining: HB 1254

Revenues, from general purpose sales and use tax, agreements between cities and towns to share, authorizing: HB 2428

Senior living communities, with tenant meals as part of rental agreement, not subject to sales and use tax: HB 1431

State use tax, reducing rate of: HB 1704, HB 2436

**TAXES, GENERALLY (See also BUDGETS; ECONOMIC AND REVENUE FORECAST COUNCIL; TAX APPEALS, BOARD; TAXES - EXCISE)**

Advisory votes on tax legislation, repealing and removing from statutes: HB 1158, **\*ESSB 5082, CH 109 (2023)**

Clarifications, making technical corrections, easing compliance, and providing administrative efficiencies: **\*SSB 5565, CH 374 (2023) PV**

Empowering Washington voters act, requiring referendum for tax increases: HB 1091

Harbor maintenance tax, federal, requesting certain appropriations, allocations, and data collection and reports: **\*SSJM 8009 (2024)**

Income tax, taxing any individual person on any form of personal income, prohibiting both the state and any local jurisdiction from: HI 2111

Income tax, taxing any individual person on any form of personal income, prohibiting both the state and any political subdivision from: HB 2439

Increases, tax acts that raise taxes, automatic referendum on: HJR 4202

Insurers, premium tax, annual adjustment by insurance commissioner: HB 1339

Personal income, taxing any individual person on any form of, prohibiting both the state and any local jurisdiction from: HI 2111

Personal income, taxing any individual person on any form of, prohibiting both the state and any political subdivision from: HB 2439

Revenue, forecast for transportation budget, transferring to economic and revenue forecast council: HB 1838  
 Revenues, bills increasing or decreasing state tax revenues, fiscal impact statements for: HB 1158  
 Tax increment areas, provisions concerning governing body role, project analysis, and expiration ahead of sunset date, modifying: HB 2354  
 Tax increment financing for public improvements, excluding intercounty rural library district regular property tax levies from: HB 1680  
 Taxing districts, adding junior taxing districts to the intrastate mutual aid system: **\*HB 1978, CH 16 (2024)**  
 Wealth tax, on financial intangible assets, imposing: HB 1473

**TELECOMMUNICATIONS (See also EMERGENCY MANAGEMENT AND SERVICES; EMERGENCY MEDICAL SERVICES; MENTAL HEALTH; RETIREMENT AND PENSIONS; SUBSTANCE USE DISORDER)**

911, regional 911 emergency communications system, county-operated, telephone access line tax revenue transfers to municipal 911 system by, when: HB 2258  
 988 behavioral health crisis response and suicide prevention system, American Indian and Alaska Native crisis lines to function via call center platform with same communication methods: HB 2408  
 Advance equity in information technology careers mentorship program, establishing: HB 2360  
 Broadband communications providers, sales and use tax exemption for sales of network machinery and equipment to: HB 1848  
 Broadband, governor's statewide broadband office, duties of, various: HB 1746, HB 2313  
 Broadband, open-access broadband networks, rural grant and loan program for local governments and tribes for developing: **\*HB 1982, CH 86 (2024)**  
 Broadband, statewide broadband map, developing and maintaining, and repealing existing broadband mapping/account provisions: HB 1746  
 Commercial solicitation, prohibiting via robocalling or automatic dialing and to persons on do not call registry: HB 1051  
 Companies, altering requirements and restrictions for classification as competitive: HB 1454  
 Digital empowerment and workforce inclusion act, Washington, establishing to support historically marginalized people and communities: HB 2360  
 Digital equity account, state, radio communications/local exchange/interconnected voice over internet protocol services companies to request donations for: HB 2327  
 Digital equity among underserved communities and populations, amending broadband provisions concerning: HB 2313  
 Digital equity forum, modifying provisions of: HB 2313  
 Digital equity opportunity program, modifying provisions of: HB 2313  
 Digital equity planning grant program, modifying provisions of: HB 2313  
 Digital equity programs, increasing tax revenues and donations to provide funding for, and studying effectiveness of new funds: HB 2327  
 Digital literacy credential program, Washington, for achieving the workplace digital literacy credential, creating: HB 2360  
 Internet access, smart wireless devices with, tax on retail sales of, levying: HB 1793  
 Internet, disclosing fabricated intimate images, establishing as crime and providing depicted person with cause of civil action: HB 1999  
 Internet, TikTok social networking service, prohibiting operation or availability for downloading within territorial jurisdiction of Washington: HB 2435  
 Internet, viewing fabricated depictions of a minor engaged in sexually explicit conduct, establishing crime of: HB 1999  
 Internet/telecommunications infrastructure, tribe and business entity deploying in coastal county, sales/use tax exemption: HB 1711  
 Intimate images, disclosing fabricated intimate images, establishing crime of: HB 1999  
 Mobile devices, public school student use during instructional hours, strategies for restricting: HB 2018  
 Public safety telecommunicators, as uniformed personnel for collective bargaining including interest arbitration: **\*SSB 5808, CH 124 (2024)**  
 Public safety telecommunicators, provisions: **\*HB 1055, CH 199 (2023)**, HB 1134  
 Schools, technology grant program, modifying provisions of: HB 2313  
 Sexually explicit conduct of minors, fabricated depictions of, establishing multiple crimes involving: HB 1999  
 State universal communications services program, extending expiration date: SSB 5600  
 State universal communications services program, extending expiration of: HB 1738  
 Technology access devices for job seekers fund, creating: HB 2360  
 Uniform telehealth act, establishing new chapter: **\*ESSB 5481, CH 212 (2024)**

Universal communications services program, removing expiration and revising: HB 1617  
 Vlogs, for-profit, of family or individual vlogger, minor children featured on, setting aside earnings on video content for:  
 HB 1627  
 Washington digital empowerment and workforce inclusion act, establishing to support historically marginalized people  
 and communities: HB 2360  
 Wireless devices, smart, new tax on retail sales of, levying: HB 2327  
 Wireless devices, smart, tax on retail sales of, levying: HB 1793

#### **TELEVISION AND TELEVISIONS**

Synthetic media, new chapter regulating: HB 1442, **\*ESSB 5152, CH 360 (2023)**

#### **TOBACCO AND TOBACCO PRODUCTS (See also TAXES - TOBACCO PRODUCTS; VAPOR PRODUCTS)**

Access to minors, reporting requirements for law enforcement: **\*ESSB 5365, CH 398 (2023)**  
 Purchasing or possessing, by person under 18, modifying sanctions and fines: **\*ESSB 5365, CH 398 (2023)**  
 Retailers, increasing penalties for sales to minors: HB 1497, **\*ESSB 5365, CH 398 (2023)**  
 Tobacco and tobacco products, tracking policies/funding/program and health outcomes related to sales/consumption/use  
 of: HB 2182

#### **TOURISM (See also ECONOMIC DEVELOPMENT)**

Statewide tourism marketing account, changing matching requirement to one-to-one for expenditures from: HB 1258  
 Statewide tourism marketing account, specifying funding: HB 1896, **\*SB 6080, CH 130 (2024)**  
 Statewide tourism marketing account, tax revenue deposits from lodging/car rental/restaurant retail sales, raising limit:  
 HB 1258  
 Tourism promotion area assessments, applicability of lodging charge exemption to lodging businesses, units, or guests,  
 clarifying: **\*HB 2137, CH 68 (2024)**, SB 6202

#### **TOWING AND TOW TRUCKS**

Operators, impoundment and redemption of vehicle residence, procedures, protections, and related actions: HB 2359  
 Operators, program to compensate for law enforcement-directed impound of indigent person's vehicle, creating: HB  
 1688  
 Operators, requiring compensation when dispatched to clear roads: HB 1722, **\*SSB 5652, CH 320 (2024)**  
 Safety measures, red/blue lights use and speed reduction for emergency, accident, or work zone: HB 1485, **\*SB 5023,  
 CH 33 (2023)**

#### **TRADE (See also ECONOMIC DEVELOPMENT; STATE GOVERNMENT)**

Foreign export markets, diversifying to avoid particular-market dependence, assistance for businesses in: HB 1778  
 Taiwan, bond between Taiwan and Washington state, recognizing: **\*HR 4665 (2024)**  
 Taiwan, shared friendship, history, and successes shared between people of Washington and, recognizing: **\*HR 4643  
 (2023)**

#### **TRAFFIC (See also LAW ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL; ROADS AND HIGHWAYS; TRAFFIC OFFENSES; TRAFFIC SAFETY COMMISSION; TRANSPORTATION, DEPARTMENT)**

Attempting to elude police vehicle, conditions requiring electronic monitoring: HB 2390  
 Attempting to elude police vehicle, when vehicle used, impoundment, forfeiture, and taking possession: HB 2390  
 Automated speed safety cameras, automated highway speed safety camera pilot program, developing: HB 2485  
 Automated traffic safety cameras, provisions: HB 2384  
 Cameras, automated traffic safety camera pilot program provisions, temporary provisions to be permanent: HB 2384  
 Cameras, automated traffic safety cameras for detecting certain infractions, authority, restrictions, locations, infraction  
 issuance, review, penalties, and additional requirements: HB 2384  
 Circular intersections, driver to signal intention to exit: HB 1532  
 Collisions, resulting in substantial bodily harm, officer reporting requirement: **\*HB 1319, CH 29 (2023)**  
 Commute trip reduction program, tax credit program, extending: HB 2486  
 Driving under the influence, various offenses, restitution for death or disability of parent of minor child: SSB 5841  
 Emergency or work zone, reducing speed when approaching: HB 1485, **\*SB 5023, CH 33 (2023)**  
 Infractions, requiring notice of opportunity to enter into payment plan and barring enforcement after 3 years: HB 1651  
 Large vehicles, sharing road with, driver training school curriculum to include importance of: **\*HB 1540, CH 32 (2023)**  
 Motorcycles, operating between lanes of traffic, requirements for: HB 1063

Motorcycles, operating in the right shoulder of limited access roadway, authorization and requirements: HB 1487  
 Motorcycles, operator passing vehicle in same lane: HB 1063  
 Organ transport vehicles and services, requirements for: HB 1271  
 Pedestrians, allowing crossing at any point given reasonable care and repealing section: HB 1428  
 Pedestrians, protections from dangers posed by light trucks and midsize or large sport utility vehicles: HB 1674  
 Pursuits, vehicular pursuits by peace officers, expanding authority to conduct: HB 1053  
 Right turns at red lights, prohibiting in the vicinity of certain facilities: HB 1582  
 Right-of-way, unauthorized vehicles obstructing high capacity transportation, regional transit authority removal of: HB 1414, **\*SSB 5317, CH 326 (2023)**  
 Road usage charge program, voluntary, per mile fee collection via per mile system, establishing: HB 1832  
 Speed safety cameras, automated highway speed safety camera pilot program, developing: HB 2485  
 Speed safety cameras, infraction and warning rules: HB 2356  
 Speed safety cameras, infraction penalties: **\*SSB 6115, CH 308 (2024)**  
 Speed safety cameras, use in infractions: HB 1807, **\*ESSB 5272, CH 17 (2023)**  
 Speed safety cameras, use in state highway work zones: HB 1807, **\*ESSB 5272, CH 17 (2023)**  
 Traffic control, state patrol off-duty uniformed officers providing services to DOT or other agencies, authorizing use of WSP vehicle for: HB 2386  
 Traffic safety cameras, automated, for detecting certain infractions, authority, restrictions, locations, infraction issuance, review, penalties, and additional requirements: HB 2384  
 Traffic safety education program, driver training school use of school property in certain school districts that do not offer: HB 2370  
 Vehicular pursuits by law enforcement, convening work group on, and implementing vehicular pursuit technology grant program: HB 1586  
 Vehicular pursuits by peace officers, reasonable suspicion standard and safety requirement for: HI 2113  
 Vehicular pursuits by peace officers, reasonable suspicion standard and safety requirements for: HB 1363, **\*ESB 5352, CH 235 (2023)**  
 Vulnerable roadway users, protections from dangers posed by light trucks and midsize or large sport utility vehicles: HB 1674

#### **TRAFFIC OFFENSES (See also DRIVERS AND DRIVERS' LICENSES; TRAFFIC)**

Alcohol and drug violators, offender with 3 or more prior offenses, serving enhancements in total confinement: HB 1268  
 Alcohol violations, seizure and forfeiture of property: HB 1385  
 Alcohol, person under 18 in vehicle with driver under 21 who possesses, notification of parent of: HB 1802  
 Cameras, automated traffic safety camera pilot program provisions, temporary provisions to be permanent: HB 2384  
 Cameras, automated traffic safety cameras for detecting certain infractions, authority, restrictions, locations, infraction issuance, review, penalties, and additional requirements: HB 2384  
 Cameras, traffic safety cameras, provisions: HB 2384  
 Driving under the influence, blood alcohol minimum level, lowering: HB 2196  
 Driving under the influence, deferred prosecution of, when substance use or mental health disorder: HB 1104, HB 1493  
 Driving under the influence, deferred prosecution, license suspension/probationary license/ignition interlock provisions: HB 1493  
 Driving under the influence, felony, as serious offense for unlawful possession of firearm in 1st degree purposes: HB 1562  
 Driving under the influence, felony, special drug offender sentencing alternative for, creating: ESB 5032  
 Driving under the influence, prior offense time limitation/lookback period, extending: ESB 5032  
 Driving under the influence, seizure and forfeiture of property: HB 1385  
 Driving under the influence, vacating conviction for DUI or physical control of vehicle under influence, conditions for: HB 2227  
 Driving while license suspended or revoked, in third degree, prohibiting stopping or detaining vehicle operator for: HB 1513  
 Hit and run resulting in death, persons convicted of, excluding from first-time offender waiver: HB 1967  
 Impaired driving, provisions: HB 1493  
 Infractions, automated traffic safety cameras for detecting certain traffic infractions, authorizing use of: HB 2384  
 Infractions, by driver of light truck or sport utility vehicle, additional fine for certain infractions: HB 1674  
 Infractions, ten dollar fee for each, diverting deposits to general fund: HB 1669  
 Misdemeanor warrants, prohibiting stopping or detaining vehicle operator in most cases: HB 1513

Motorcycle operator operating between lanes, impeding, traffic infraction: HB 1063  
 Moving violations or certain equipment failures, peace officer stopping or detaining vehicle operator for, requirements: HB 1513  
 Nonmoving violations for low-income road users, solution-oriented responses to, grant program for: HB 1513  
 Nonmoving violations, prohibiting stopping or detaining vehicle operator for: HB 1513  
 Obstructing highways in disregard for public safety, crime of, establishing as class C felony: HB 2358  
 Obstructing highways, crime of, establishing as gross misdemeanor or class C felony: HB 2358  
 Physical control of vehicle under the influence, provisions: HB 1104, HB 1385, HB 1493, HB 1562, HB 2196, HB 2227, HB 2504, ESB 5032  
 Police vehicle, attempting to elude, special allegation of endangerment by eluding, when: HB 1691  
 Police vehicle, attempting to elude, when driver may be committing vehicle theft, class C felony at seriousness level III: HB 1691  
 Speed safety cameras, automated highway speed safety camera pilot program, developing: HB 2485  
 Speed safety cameras, use in infractions: HB 1807, \*ESSB 5272, CH 17 (2023)  
 Vehicular homicide, victim with minor child or children, offender to pay child maintenance as restitution: HB 1668

#### **TRAFFIC SAFETY COMMISSION (See also TRAFFIC; TRAFFIC OFFENSES)**

Driving under the influence, lowering blood alcohol minimum level, requiring public information campaign about: HB 2196  
 Grant program, for solution-oriented responses to nonmoving violations for low-income road users, commission role: HB 1513  
 Light trucks and certain sport utility vehicles, risks to vulnerable roadway users, educational campaigns by commission: HB 1674  
 Motor vehicle liability insurance, requiring awareness campaign: HB 1865  
 Negligent driving with a vulnerable user victim, 1st degree, materials explaining penalties for, commission role: \*HB 1112, CH 471 (2023)  
 Right turns at red lights, prohibiting near certain facilities, statewide public awareness campaign about, commission role: HB 1582

#### **TRAFFIC SAFETY EDUCATION**

Traffic safety education program, driver training school use of school property in certain school districts that do not offer: HB 2370

#### **TRANSPORTATION (See also BRIDGES; BUDGETS; DRIVERS AND DRIVERS' LICENSES; ECONOMIC AND REVENUE FORECAST COUNCIL; EMERGENCY MEDICAL SERVICES; FERRIES; PUBLIC TRANSIT; RAILROADS; ROADS AND HIGHWAYS; SCHOOLS AND SCHOOL DISTRICTS; TRAFFIC; TRANSPORTATION, DEPARTMENT; UTILITIES AND TRANSPORTATION COMMISSION)**

Active transportation facilities, as comprehensive plan transportation element component under GMA: HB 1181  
 Border area motor vehicle fuel tax, expanding possible transportation uses of revenue for certain jurisdictions: \*SB 6017, CH 275 (2024)  
 Budget, 2023-2025: HB 1125  
 Budget, dedicating state sales and use taxes on motor vehicles to: HB 1472  
 Budget, revenue forecast for, transferring to economic and revenue forecast council: HB 1838  
 Budget, supplemental 2021-2023: HB 1126  
 Budget, supplemental 2023-2025: HB 2134  
 Car rentals, retail sales tax, revenue deposits in statewide tourism marketing account, raising collections limit: HB 1258  
 Commercial vehicle drivers, license or learner's permit, downgrade after drug and alcohol clearinghouse query: HB 1448, \*SB 5041, CH 35 (2023)  
 Commute trip reduction program, tax credit program, extending: HB 2486  
 Freight mobility, repealing certain RCW sections: HB 1084  
 Funding, general obligation bonds, proceeds from 2019-2021 bond issuance for transportation projects, repurposing: HB 1103  
 Goals, of transportation system policy, safety goal to include commercial truck parking near certain areas: HB 1787  
 Green transportation capital grant program, increasing department discretion for matching funds: \*SB 6229, CH 104 (2024)  
 High capacity transportation systems, regional mobility grant program fund eligibility: HB 1853



Housing development, SEPA exemptions and transportation impact: ESSB 6061

Hybrid diesel-electric ferry vessels, requiring purchase of up to 5 new vessels: **\*EHB 1846, CH 429 (2023) PV**

Interstate 5 bridge replacement project, designating as eligible toll facility and authorizing bistate agreement: HB 1852, **\*SB 5765, CH 377 (2023)**

Interstate 5 Columbia river bridges, prohibiting tolls on existing bridges but allowing on replacement project bridges after their completion: HB 2268

Log truck and pole trailer combinations, increasing maximum allowable length: HB 1072

Motor carriers, requiring shippers and receivers to provide restroom access in certain circumstances: HB 1457

Organ transport vehicles and services, requirements for: HB 1271

Public port authorities, creating revolving loan program for certain purposes: SSB 6302

Public transportation benefit areas, authorizing as limited authority Washington peace offer: HB 1198

Public transportation benefit areas, making labor representative a voting member: HB 1219

Public transportation benefit areas, obtaining easements via DNR aquatic land for ferry terminals or docking facilities: **\*HB 1334, CH 146 (2023)**, SB 5292

Public-private partnerships, developing processes to govern and evaluate for purposes of transporting people: SSB 6277

Regional mobility grant program funds, eligibility with zero-fare possibility: SSB 5743

Resources, making corrective changes to chapter 182, laws of 2022: SSB 5743

Rolling stock, exempting transit agencies from interlocal agreement requirements for procurement: **\*SB 5342, CH 43 (2023)**

Sandy Williams connecting communities program, removing expiration date: **\*SB 6283, CH 106 (2024)**

Sandy Williams connecting communities program, renaming to honor legacy of community advocacy: HB 1853

State vehicle fleet, transition to electric vehicles, life-cycle greenhouse gas emissions tradeoffs analysis of: HB 1372

Supply chain competitiveness infrastructure program, funding grant and loans to public ports: SSB 6302

Transit support grant program, aligning zero-fare policies with equity and environmental justice principles: HB 1853

Transportation network companies, applicability of death benefits: HB 2382

Transportation network companies, driver's use of paid sick leave when child's school or place of care closed due to public emergency: **\*ESSB 5793, CH 356 (2024)**

Transportation network companies, driver's use of paid sick leave when child's school or place of care closed due to weather or public emergency: HB 1991

Transportation network companies, paid family and medical leave, pilot program for companies and drivers: HB 1570

Transportation network companies, unemployment compensation eligibility, including companies, drivers, and part-time work: HB 1570

Transportation resources, correcting errors in enactment of ch. 182, laws of 2022: HB 1853

Truck and trailer combinations, increasing maximum allowable length: HB 1072

Trucks and trailer combinations, creating special permit for double milk trailers: HB 1786, **\*SB 5531, CH 281 (2023)**

Trucks, commercial truck parking and parking facilities, including various truck and driver accommodations, facilitating: HB 1787

Wildlife habitat connectivity alliance, establishing for safe passage of wildlife and motorists: HB 2456

#### **TRANSPORTATION COMMISSION**

Cowlitz County Deputy Sheriff Justin DeRosier memorial highway, requesting designation by commission of I-5 section as: HJM 4001

Fuel surcharge, limiting imposition to certain situations and evaluating and reevaluating need, commission role: HB 1833

Washington State Patrol Trooper Justin R. Schaffer memorial highway, requesting designation by commission of portion of SR 6 as: HJM 4006, **\*SJM 8008 (2024)**

#### **TRANSPORTATION, DEPARTMENT (See also BRIDGES; PUBLIC LANDS; PUBLIC WORKS; ROADS AND HIGHWAYS; TRANSPORTATION)**

144-vehicle hybrid electric Olympic class vessel, requiring availability of design for bidders: **\*EHB 1846, CH 429 (2023) PV**

Adopt-a-highway program, refocusing as public-private partnership, using related signage, and adding program eligibility criteria, DOT role: HB 2373

Airports, lead exposure associated with operating practices of, best management practices for reducing, DOT role: HB 1554

Aviation and aerospace advisory committee, appointing and maintaining to advise secretary: HB 1040, HB 1531

Aviation division, requiring report on airport aid grant program: HB 1395

Bicycle and pedestrian grant program, creating to improve pedestrian and bicyclist safety and mobility: **\*SSB 5742, CH 447 (2023)**

Commercial truck parking facilities and driver accommodations, DOT to develop and implement assistance program: HB 1787

Competitive grant program, establishing to assist finance of housing in rapid transit corridors: HB 1517, ESSB 5466

Connecting Washington projects, authorizing \$9,600,000,000 of general obligation bonds to support: SB 5763

Express toll lanes on interstate 405 and state route number 167, limiting hours of operation, DOT reporting role: HB 1719

Ferry system fuel purchasing, cost fluctuation strategies technical advice and adoption by oversight committee, DOT role: HB 2385

Ferry system, acquisition of two nonhybrid electric ferries, expediting permitting and conducting emergency procurement for, DOT role: HB 2498

Freight rail investment bank program, establishing to provide loans per rail preservation program: **\*SSB 5742, CH 447 (2023)**

Fuel surcharge, limiting imposition to certain situations and evaluating and reevaluating need, DOT role: HB 1833

Goals, of transportation system policy, safety goal to include commercial truck parking near certain areas, DOT role: HB 1787

Graffiti abatement and reduction program, DOT to create: HB 1989

High occupancy vehicle lanes on interstate 405, limiting hours of operation, DOT reporting role: HB 1719

Highway lands, unused, renting to agency or nonprofit for community purposes, offsetting rent for benefits from lessee, DOT role: HB 2491

Paratransit and special needs grant program, establishing for transit service for people with disabilities: **\*SSB 5742, CH 447 (2023)**

Project approval, creating new or expanded division to facilitate and liaise with local governments: HB 2160

Projects, public works apprenticeship utilization, modifying requirements: HB 1050

Public transit ride share program, establishing for ride share vehicles, incentives, outreach, and capital costs: **\*SSB 5742, CH 447 (2023)**

Public-private partnerships, developing processes to govern and evaluate for purposes of transporting people: SSB 6277

Right turns at red lights, prohibiting near certain facilities, statewide public awareness campaign about, DOT role: HB 1582

Roads, authorizing to enter agreement for new public road through Lummi Nation: **\*SSB 5753, CH 448 (2023)**

Speed safety cameras, automated highway speed safety camera pilot program, DOT development of: HB 2485

Speed safety cameras, developing public-facing website for educating travelling public: HB 2356, **\*SSB 6115, CH 308 (2024)**

Speed safety cameras, use in state highway work zones, DOT enforcement and reporting role: HB 1807

Speed safety cameras, use in state highway work zones, DOT reporting role: **\*ESSB 5272, CH 17 (2023)**

State commercial aviation coordinating work group, creating and funding, DOT role: HB 1791

State ferries division, Seattle maritime training academy management and operation role of: HB 1831

State route number 520, SR 520 corridor improvements west end project, deferral of state and local use taxes for DOT for 24 years after completion of: **\*SSB 6316, CH 281 (2024)**

Statewide emergent freight rail assistance program, establishing to provide loans per rail preservation program: **\*SSB 5742, CH 447 (2023)**

Transit mobility, office of, certain reporting requirement, eliminating: HB 1362

Wahkiakum county ferry, DOT monthly payments to county for deficit, increasing amounts: **\*EHB 1782, CH 428 (2023)**

Wildlife habitat connectivity alliance, establishing for safe passage of wildlife and motorists: HB 2456

#### **TREASURER, STATE**

Self-insurance reserve fund, creating in treasurer's office: HB 1558, **\*SB 5084, CH 110 (2023)**

Washington future fund program and committee, creating, role of office of treasurer: HB 1094

#### **TRIBES AND TRIBAL MEMBERS (See also COLLEGES AND UNIVERSITIES; DISCRIMINATION; EMERGENCY MANAGEMENT AND SERVICES; FIRE PROTECTION; MINORITIES; SCHOOLS AND SCHOOL DISTRICTS; SPECIAL AND SPECIAL PURPOSE DISTRICTS)**

Aerial imagery services, for tribal governments, establishing Washington state aerial imagery program: HB 1990

American Indian and Alaska Native crisis lines, to function by way of 988 behavioral health crisis response and suicide prevention system call center platform with same communication methods: HB 2408

American Indian and Alaska Native students, convening work group to develop literacy supports for: HB 1228

Apprenticeships, Native American apprentice assistance program, establishing: HB 2019

Behavioral health, Indian tribal system, improving state system coordination with: HB 1877

Billy Frank Jr. day, recognizing the ninth day of March as: HB 1639

Billy Frank Jr. national statutory hall selection committee, revising membership and duties of and cultural competency for: HB 1639

Billy Frank Jr. statue, duplicate cast to be created and installed at legislative building: HB 1639

Bone marrow donation, awareness of, public school instruction in: **\*SB 5065, CH 219 (2023)**

Broadband, open-access broadband networks, rural grant and loan program for tribes and local governments for developing: **\*HB 1982, CH 86 (2024)**

Chinook Indian Nation, transferring Naselle Youth Camp residential school property to: HB 1496

Climate change mitigation, funding from outdoor recreation and climate adaptation account: HB 1190

Colville reservation, confederated tribes of, 1998 cooperative fish and wildlife management agreement between DFW and, updating wolf management approach: HB 2424

Conservation commission, state, requiring one governor's appointee to be a tribal member: SB 5921

Council of health care coordination for justice-involved youth and adults, creating to improve communication: HB 2314

County investment pools, authorized tribal official authority to invest tribal funds in: HB 1352

Defense community compatibility account, altering grant rules and including federally recognized tribes: **\*SB 5324, CH 438 (2023)**

Dental therapists, certified by tribal governing board, limited license to practice and opportunity for state licensure: HB 1678

Digital equity among underserved communities and populations, amending broadband provisions concerning: HB 2313

Digital equity programs, increasing tax revenues and donations to provide funding for, and studying effectiveness of new funds: HB 2327

Disasters or emergencies, statewide recovery framework and long-term community recovery assistance program, establishing: HB 1952

Economic development funding, efforts to obtain federal grants and loans for, assisting tribes: HB 1767

Elections, language assistance for limited English proficient members of single language minority group in a county, when: HB 1861

Elk, statewide elk management program, establishing, role of tribal comanagers: HB 1849

Emergency worker program, of emergency management division, including tribes as part of, requirements for: **\*HB 2135, CH 205 (2024)**

Extradition of an Indian from or to tribal jurisdiction, authority and requirements: HB 1555

Extreme weather protection act, grant program for political subdivisions and tribes: HB 1012

Fish hatcheries, operated by tribe, exempting maintenance activities from certain permit/other requirements under SMA: HB 1758

Fishing/hunting/recreational opportunities, DFW director to maximize for tribal and nontribal persons after dissolving of fish and wildlife commission: HB 2434

Foster care, allowing child-specific licenses for families of Indian children: **\*SB 5683, CH 127 (2023)**

Frank, Billy, Jr., Billy Frank Jr. day, national statutory hall selection committee, and statue duplicate cast: HB 1639

Frank, Billy, Jr., reflecting in gratitude on, and honoring his vision: **\*HR 4625 (2023)**

Geoducks, geoduck comanagement task force, concerning tribal and state harvest, DNR to convene: HB 1297

Guardianship, eligibility and subsidy expansion: HB 1278, **\*ESSB 5124, CH 221 (2023)**

High school graduation ceremonies and events, wearing item or object of cultural significance on gown, districts to permit: HB 2267

Higher education institutions, tribal, benefits navigator grant program for higher education funding, requiring creation: HB 1559

Higher education or apprenticeship programs, financial aid, Native American scholarship program, establishing: HB 1399

Hunting licenses, small game/big game and supplemental migratory bird permit, free to enrolled tribal member with off-reservation hunting rights: HB 2107

Indian health care providers, licensing as establishments for community behavioral health services act purposes: HB 2075

Internet/telecommunications infrastructure, tribe and business entity deploying in coastal county, sales/use tax exemption: HB 1711

Lummi Nation, authorizing department of transportation to enter agreement for new public road: **\*SSB 5753, CH 448 (2023)**

McCoy, John, his service to his community, to Native Nations, and to the state of Washington, honoring and remembering him for: **\*HR 4682 (2024)**

Missing and murdered indigenous women and people task force, Washington state, establishing: 2SSB 5477

Missing and murdered indigenous women and people, creating cold case unit: HB 1177

Missing indigenous women and persons, missing persons toolkit for locating and recovering: **\*HB 1512, CH 212 (2023)**

Native education, office of, grant program to support districts and tribal schools establishing or expanding tribal language education programs: HB 1228

Natural resource infractions, authorizing commissioner of public lands to delegate enforcement to certain tribes: HB 2312

Nisqually tribe, Billy Frank Jr., national statuary hall selection committee, statue duplicate cast, and Billy Frank Jr. day: HB 1639

Nisqually tribe, Billy Frank Jr., reflecting in gratitude on, and honoring his vision: **\*HR 4625 (2023)**

Office of native education, reporting duties and tribal sovereignty curriculum compliance monitoring and evaluations: HB 1332

Officer certification, extent of reimbursement for training costs: **\*HB 1290, CH 72 (2023)**

Officers, home purchase by, pilot program for loans to certain workers and occupations for certain costs: HB 1633

Outdoor learning and education in state parks, tribes' needs for: HB 2138

Overburdened communities and tribal nations, community-based health assessments of, role of tribes: HB 1347

Overburdened communities, tribal communities as statewide building energy upgrade navigator program services priority: HB 1391

Parks and recreation commission, gubernatorial appointments to, modifying guidelines to include diversity of lived experience: HB 1997

Peace officers, general authority, when CJTC-certified and employed full-time by tribe, LEOFF plan 2 membership: **\*HB 1481, CH 77 (2023)**

Police officers and employees, tribal, provision of training by CJTC, limiting certain reimbursement of CJTC for 25% of costs to 2024 fiscal year, when: HB 2420

Public infrastructure damage caused by disaster, emergency assistance to tribes that experience, creating: HB 2020

Public lands, requiring access permits and easements for qualified infrastructure project owners: SB 5818

Salmon, international year of the salmon, as wild salmon global initiative, recognizing: HJM 4000

Salmon, salmonid hatcheries, state-managed and tribal comanagers-managed, auditing and identifying areas of improvement, role of tribes: HB 2292

School buses, transitioning to zero emissions, purchase and use requirements and grant program: HB 1368

School curriculum, concerning tribes, renaming as John McCoy (luliláš) since time immemorial curriculum: **\*HB 1879, CH 200 (2024)**

School employee's benefits board (SEBB), including representative organizations and tribal schools: **\*SSB 5275, CH 13 (2023)**

Schools, state-tribal education compacts, curriculum and education program requirements, exempting a school only if option is included in compact: HB 2335

Schools, state-tribal education compacts, new or revised, provisions relating to state board of education, OSPI to consult with board on: HB 2335

Schools, tribal, establishing or expanding dual language education, grant program to support districts and tribal schools for: HB 1228

Schools, tribal, establishing or expanding tribal language education programs, grant program to support districts and tribal schools for: HB 1228

Schools, tribal, public and private grants application assistance for, grant program to provide, establishing: HB 2448

Schools, tribal, public school staff, comparative labor market analysis of salaries and other compensation for, conducting: HB 2148

Schools, tribal, student mobile device use during instructional hours, strategies for restricting: HB 2018

Schools, tribal, tribal sovereignty curriculum implementation, compliance monitoring, and evaluations: HB 1332

Site readiness and predevelopment work, grants for public facility improvements to enable development: HB 1231, **\*SSB 5229, CH 93 (2023)**

Substance use and alcohol use disorders services and programs, authorizing government real property transfers to tribes for: **EHB 2372**

Tribal language education programs, establishing or expanding, grant program to support districts and tribal schools for: **HB 1228**

Tribal language education, program to support, developing: **HB 1228**

Tribal opioid prevention and treatment account, creating to address opioid epidemic in tribal communities: **\*SSB 6099, CH 210 (2024)**

Unemployment compensation, standard occupational classifications or job titles of workers, optional reporting by tribes of: **\*HB 1684, CH 256 (2023)**

Voting rights act, modifying provisions: **HB 1048**

Walla Walla river basin, Walla Walla water 2050 plan as integrated strategy including tribes, Oregon, and others: **HB 1322**

Warrants, convening work group for implementation of tribal warrants act: **\*SSB 6146, CH 207 (2024)**

Warrants, specifying procedures for warrants of certified and non-certified tribes: **HB 2305, \*SSB 6146, CH 207 (2024)**

#### **UNEMPLOYMENT COMPENSATION (See also EMPLOYMENT AND EMPLOYEES; EMPLOYMENT SECURITY DEPARTMENT)**

Benefits, appeal procedure, concerning determination or redetermination of benefits allowance or denial: **\*HB 1656, CH 85 (2023)**, SB 5240

Benefits, apprenticeship program participant barriers when seeking, work group on, convening: **HB 1458**

Benefits, apprenticeship program participants, waiving one week waiting period, when: **HB 1458**

Benefits, eligibility for, good cause reasons for voluntarily leaving work: **HB 1106**

Benefits, for officers of employee-owned cooperatives, modifying provisions: **\*SSB 5176, CH 92 (2023)**

Benefits, overpayments, charging of interest on assessments for, prohibiting, when: **\*HB 1975, CH 8 (2024)**, SB 6028

Benefits, paid, not charging to employer experience rating account, modifying provisions: **\*HB 1898, CH 51 (2024)**

Benefits, rates for employer voluntary contribution to experience rating account, making certain provisions permanent: **\*HB 1901, CH 52 (2024)**

Benefits, removing disqualification for certain lockout workers: **HB 1893**

Benefits, transportation network companies, provisions concerning companies, drivers, and part-time work: **HB 1570**

Title 50 RCW, removing the terms "master" and "slave" from: **\*HB 1107, CH 25 (2023)**

Tribes, standard occupational classifications or job titles of workers, optional reporting of: **\*HB 1684, CH 256 (2023)**

Unemployment insurance voluntary contribution program, removing sunset on certain provisions: **\*HB 1901, CH 52 (2024)**

#### **UNIFORM COMMERCIAL CODE (UCC)**

Controllable electronic records, adding new article addressing: **\*SSB 5077, CH 266 (2023)**

Emerging technologies, 2022 amendments to UCC addressing virtual currencies and other, adoption of: **\*SSB 5077, CH 266 (2023)**

Filing office, annual report by department of licensing concerning, repealing: **HB 1362**

#### **UTILITIES (See also ENERGY; FIRE PROTECTION; SEWAGE AND SEWERS; SOLID WASTE; TELECOMMUNICATIONS; WATER)**

Carbon tax credit trading, prohibiting state agencies from implementing any type of, and repealing climate commitment act: **HI 2117**

Clean energy projects of statewide significance, designation of, and coordinated permitting process and SEPA review: **HB 1216**

Clean energy transformation act, greenhouse gas content calculation under, repealing: **\*HB 1955, CH 83 (2024)**

Climate commitment act, allowing public utilities to abide by confidentiality requirement for auctions: **HB 2173, \*SSB 6047, CH 277 (2024)**

Climate commitment act, amounts from receipt/generation/purchase/sale/transfer/retirement of allowances/offset credits/price ceiling units under, B&O and public utility tax exemptions: **\*EHB 2199, CH 115 (2024)**

Climate commitment act, carbon offset credits under, assessment of state-owned assets in natural and built environments with potential to generate: **HB 2333**

Climate commitment act, general market participants in cap and invest program, acquisition and sale of compliance instruments by, evaluating impact: **HB 2249**

Climate commitment act, municipal gas utilities under, annual decline in allowances at no cost and increase in allowances to be auctioned: HB 2376

Climate commitment act, public entities under, authorizing executive sessions to consider market sensitive information about auction of allowances: HB 2376

Climate commitment act, repealing, and prohibiting state agencies from implementing any type of carbon tax credit trading: HI 2117

Combination utilities, requiring electrification plan as part of decarbonization plan: HB 1589

Electric generating facilities, nonutility-owned, eligibility for cost-mitigating allowance allocation: HB 1965

Electric, consumer-owned, applying certain affected market customer provisions to nonresidential customers of: **\*HB 1416, CH 233 (2023)**

Electric, customer-generator premises, net metering on: HB 1427

Electric, customer-generators, various provisions: HB 1427

Electric, electric utility service shutoff for nonpayment during extreme heat, preventing: HB 1329

Electric, electric utility wildfire mitigation plans with best practices, developing, reviewing, and revising: HB 1032

Electric, emission-reducing generation or storage projects, grid reliability innovation for decarbonization program, creating: HB 1908

Electric, facilities using renewable resources and seeking EFSEC certification, adequate water supply requirement: HB 2042

Electric, future of net metering work group, convening: HB 1427

Electric, light and power business sales to green electrolytic or renewable hydrogen business, public utility tax exemption: HB 1768

Electric, natural gas-generated electricity, gas company facilities and projects to reduce emissions, utility investments for: HB 1619

Electric, net metering: HB 1427

Electric, retail rate net metering, ratepayer cost shifts due to, studying: HB 1427

Electric, transmission capacity expansion via planning, conditional firm service, and certain facility projects: HB 1192, **\*SSB 5165, CH 229 (2023)**

Electric, utility low-income household energy assistance, programs availability requirements for: HB 2234

Electrical transmission industry in Washington, employment and workforce education needs of, studying: HB 2082

Electrical transmission industry work group, convening: HB 2082

Energy facility site evaluation council, applicants using renewable resources and seeking certification, adequate water supply requirement: HB 2042

Energy facility site evaluation council, applications for site certification, process for council to make recommendations for a project: HB 2429

Energy facility site evaluation council, modifying authority: HB 1123

Energy independence act, utility's electric load calculation under, excluding voluntary renewable energy purchases from, when: **\*HB 1948, CH 278 (2024)**

Fusion energy facilities, as projects of statewide significance: HB 1924

Gas, natural gas companies, facilities and projects to reduce emissions, utility investments for and cost recovery from: HB 1619

Gas, requiring large gas companies to develop decarbonization plans: HB 1589

High voltage lines and equipment, defibrillator accessible availability for employees working with or near: **\*HB 1542, CH 253 (2023)**

Investor- or consumer-owned utilities, representative of, building code council to add as member: HB 1404

Involuntary residential shut-off, barring for non-payment in hot weather and requiring reporting: HB 1329

Minors, contracting for residential dwelling unit and utility services when at least 16 years old, allowing, when: HB 2016

Municipal gas utilities, under climate commitment act, annual decline in allowances at no cost and increase in allowances to be auctioned: HB 2376

Municipal, connection charges waiver or delay for entities providing shelter or transitional, supportive, or affordable housing: HB 1326

Nuclear fuel manufacturing facility projects, requiring NRC certification, additional time to qualify for targeted urban area property tax exemption: HB 2120

Providers of utility services, cooperative finance organizations making loans to, B&O tax deduction for: HB 1191, **\*SB 5166, CH 317 (2023)**

Public utility districts, certain reporting requirement, eliminating: HB 1362

Public utility districts, permitting the sale of biogenic carbon dioxide and other biogas-processing coproducts: HB 2069, **\*SSB 5919, CH 271 (2024)**

Public utility districts, public works, craft or trade involvement/prudent utility management/lowest responsible bidder provisions: HB 1621

Public utility districts, residential space heating shutoff for nonpayment during extreme heat, preventing: HB 1329

Renewable energy production, suitability of unused/underutilized state lands when not suitable for agriculture: HB 2336

Renewable energy resources, natural gas company investments in, to reduce emissions: HB 1619

Rural electric cooperatives, cooperative finance organizations making loans to, B&O tax deduction for: HB 1191, **\*SB 5166, CH 317 (2023)**

Shutoffs of electric or water service for nonpayment during extreme heat, preventing: HB 1329

Solar canopy facility, utility-scale, siting on highly erodible land with conservation plan, maintaining plan compliance: HB 2499

Solar energy project siting in Columbia basin, nonproject environmental impact statements for: HB 1216

Solar energy systems, community projects, community solar program and community solar bill credit to increase access to: HB 1509

Solar energy systems, customer purchasing installation of, contract with solar energy contractor, requirements: HB 1427

Solar, community solar credits and requirements for community solar managers: HB 2253

Thermal energy networks, nonemitting, ownership, operation, and/or management by PUDs and certain utilities: HB 2131

Underground facilities, safe excavation practices and policies for, contracting entity safety committee authority limits: HB 2409

Underground facilities, safe excavation practices and policies for, modifications to: HB 2409

Universal communications services program, removing expiration and revising: HB 1617

Water, water utility service shutoff for nonpayment during extreme heat, preventing: HB 1329

**UTILITIES AND TRANSPORTATION COMMISSION (See also RAILROADS; SOLID WASTE; TRANSPORTATION; UTILITIES)**

Fuels, requiring quarterly publication of report: HB 2232

Gas decarbonization plans and electrification plans, requirements and establishment of cost targets for, UTC role: HB 1589

Joint commerce department meeting, requirement to address rolling blackout and power inadequacy risk: HB 1117

Petroleum market oversight, division of, establishing to for transportation fuels markets: HB 2232

Solar energy, implementing community solar program and providing community solar bill credit, UTC role: HB 1509

Solar, requiring workshops for interested parties on community solar program: HB 2253

Solid waste collection rates, local, detailing whether fees/rates are proportionate to costs, UTC role: HB 1264

Transportation fuels transition plan, convening work group with department of ecology to prepare: HB 2232

Underground facilities, safe excavation practices and policies for, contracting entity safety committee authority limits: HB 2409

Wind energy, utility-scale wind energy facilities, aerial firefighting and wildfire suppression concerns, UTC role: HB 2117

**VACCINATION AND VACCINES**

COVID-19 vaccination, proof requirement for state ferry employees being hired or rehired, prohibiting: HB 1871

COVID-19 vaccination, state executive branch agency employees not vaccinated then dismissed, reemployment of: HB 1029

COVID-19 vaccination, state executive branch agency requirement that new or prospective employees have, prohibiting: HB 1801

COVID-19 vaccination, state/local employees separated due to mandate, hiring preference/retirement service credit for: HB 1814

Higher education students, online-only, prohibiting vaccination or immunization requirement for: HB 1545

Immunization registry, requirements for, and prohibiting mandatory enrollment or submission to immunization tracking: HB 1827

Vaccination or immunity status, preventing discrimination based on, medical freedom act for: HB 1827

Vaccination or postinfection recovery documentation, prohibiting business entity from requiring for services etc.: HB 1827

Vaccines, modifying definition for purposes of Washington vaccine association: HB 2157, **\*SB 5982, CH 41 (2024)**

**VAPOR PRODUCTS (See also TAXES - TOBACCO PRODUCTS)**

- Access to minors, reporting requirements for law enforcement: **\*ESSB 5365, CH 398 (2023)**
- Purchasing or possessing, by person under 18, modifying sanctions and fines: **\*ESSB 5365, CH 398 (2023)**
- Retailers, increasing penalties for sales to minors: HB 1497, **\*ESSB 5365, CH 398 (2023)**
- Vape detectors in public schools, grant program for, establishing: HB 1922
- Vapor products, tracking policies/funding/program and health outcomes related to sales/consumption/use of: HB 2182

**VETERANS (See also MILITARY; RETIREMENT AND PENSIONS; VETERANS AFFAIRS, DEPARTMENT)**

- Alvarado-Ramos, Lourdes E. "Alfie", U.S. army veteran and director of department of veterans affairs: **\*HR 4606 (2023)**
- Assistance programs, veterans' assistance fund, property tax levies by counties for, deducting from state levy: HB 1703
- Assistance programs, veterans' assistance fund, property tax levies for: HB 1022
- Benefits, state veterans' benefits, eligibility for, expanding: HB 2014
- Businesses hiring veterans and their spouses, tax credits: HB 1005
- Definition of "veteran", for state benefits and programs eligibility, adding persons who have received a "qualifying discharge": HB 2014
- Disabilities, veterans with, property tax exemption program, accessory dwelling unit as residence that qualifies for: **\*HB 2375, CH 119 (2024)**
- Disabilities, veterans with, property tax exemption program, eligibility despite COLA to social security, SSI, or pension benefits: HB 1482
- Disabilities, veterans with, property tax exemption program, updating/adjusting combined disposable income thresholds: HB 1355, HB 1560
- Disabled, tax exemptions for nonprofit adaptive recreational and rehabilitation facilities for: HB 1862
- Drahos, Harvey J., decorated U.S. army World War II veteran, honoring and expressing thanks and appreciation to: **\*HR 4657 (2024)**
- Enhanced driver's license or identicaid issuance/renewal/extension, veteran to be charged only fee amount for regular driver's license or identicaid: HB 2340
- Higher education institutions, early course registration for veterans and their spouses, domestic partners, and dependents: **\*HB 2004, CH 89 (2024)**
- Home purchase, pilot program for loans to certain workers/occupations for home down payment/closing costs: HB 1633
- Homes, colony of the state soldiers' home, repealing certain sections: HB 1288, **\*SB 5323, CH 327 (2023)**
- Homes, domiciliary and nursing care, repealing one section: HB 1288, **\*SB 5323, CH 327 (2023)**
- Homes, Eastern Washington veterans' home, repealing one section: HB 1288, **\*SB 5323, CH 327 (2023)**
- Homes, state veterans' homes, administrators and directors of nursing services at each, civil service exemption: HB 1288, **\*SB 5323, CH 327 (2023)**
- Homes, state veterans' homes, directors of nursing services at each, appointing: HB 1288, **\*SB 5323, CH 327 (2023)**
- Incarcerated, reintegration support for incarcerated veterans pilot project, initiating to aid transition to civilian life: HB 2057, HB 2203
- Japanese American veterans, incarcerated, and civil rights activists, recognizing and remembering: **\*HR 4615 (2023), \*HR 4672 (2024)**
- Long-term care facilities, extending federal rights for nursing home residents to veterans' homes: HB 1859
- Low-income home rehabilitation grant program, creating with veterans as a priority: HB 1250
- Nelms, Dick, decorated U.S. army air forces World War II pilot, recognizing and honoring: **\*HR 4670 (2024)**
- Programs, state programs for veterans, eligibility for, expanding: HB 2014
- Property tax exemption for service-connected disabled veterans and senior citizens process and improvement work group, convening: HB 1560
- Property tax exemption program, combined disposable income, adding income from renting living space in principal residence to: HB 2026
- Property tax exemption, adjusting disposable income calculation for senior citizens and disabled veterans: SB 5732
- Sexual orientation, gender identity, or gender expression, veterans separated in connection with, state veterans benefits eligibility for: HB 2014
- State parks, lifetime veteran's pass at no cost, extending to all veterans: HB 1384
- Stoltz, Burton, decorated U.S. navy World War II veteran, thanking and honoring: **\*HR 4639 (2023)**
- Tax exemptions, for purchases of spirits on a military base as fundraising prize by service organizations: HB 1587
- Veteran discharge or separation documents, disclosure by veterans affairs department, exemption and exceptions: HB 1288, **\*SB 5323, CH 327 (2023)**



Veteran service officer and peer mentoring program, increasing funding and requiring report: **\*SSB 5358, CH 224 (2023)**

Veteran status, granting for expeditionary badge or medal: SB 5296

Veteran, defined for interruptive military service credit for certain retirement systems: HB 1007

Veteran-owned businesses, increasing public works opportunities: HB 1306, **\*2SSB 5268, CH 395 (2023)**

Veterans service officer program, modifying: HB 1925

Veterans' service organizations, spirits purchased as fund-raising prize for event by, sales tax exemption for: HB 1672

Widows and widowers, modifying property tax exemption: **\*SB 6238, CH 334 (2024)**

World War II, Japanese American veterans from Washington, recognizing: **\*HR 4615 (2023), \*HR 4672 (2024)**

### **VETERANS AFFAIRS, DEPARTMENT (See also GUBERNATORIAL APPOINTMENTS; MILITARY; PROFESSIONS; VETERANS)**

Director Lourdes E. "Alfie" Alvarado-Ramos, honoring: **\*HR 4606 (2023)**

Homes, state veterans' homes, directors of nursing services at each, appointing: HB 1288, **\*SB 5323, CH 327 (2023)**

Incarcerated veterans, reintegration support for incarcerated veterans pilot project, DVA to initiate: HB 2057, HB 2203

Lesbian, gay, bisexual, transgender, and queer coordinator, report requirement, eliminating: HB 1362

Reporting, eliminating certain requirements: HB 1362

State veterans benefits and programs, outreach program for veterans with a qualifying discharge, DVA to develop: HB 2014

Veteran discharge or separation documents, disclosure by department, exemption and exceptions: HB 1288, **\*SB 5323, CH 327 (2023)**

Veterans service officer program, modifying, department role: HB 1925

Veterans stewardship account, using funds partly for maintaining all state veterans' cemeteries: HB 1288, **\*SB 5323, CH 327 (2023)**

### **VETERINARIANS**

Anesthetic gases used in medical/dental/veterinary settings, guidance document for reducing greenhouse gas emissions from certain, developing and publishing: HB 2073

Anesthetic gases with high global warming potential, studying to reduce emissions of: HB 2073

Veterinarian health program, implemented via contract with WA physicians health program, increasing license surcharge fees: **\*HB 1972, CH 15 (2024)**

### **VICTIMS OF CRIMES (See also CIVIL LEGAL AID, OFFICE; DOMESTIC RELATIONS; FIREARMS; JUVENILES AND JUVENILE COURT; RECORDS; SECRETARY OF STATE; SEX OFFENSES AND OFFENDERS)**

Advocacy, office of crime victims advocacy, duties of: HB 1089, HB 1937, **\*SSB 5114, CH 268 (2023)**

Advocacy, office of crime victims advocacy, role in creation of office of the crime victims ombuds: HB 1845

Assault, 2nd degree, by strangulation or suffocation, victim consent to being strangled or suffocated not a defense to: HB 2395

Assault, sexual, counseling services program for victims with kits in testing backlog, establishing: HB 1028

Assault, sexual, examination of state resident victim by out-of-state facility, WA state reimbursement of costs: HB 1028

Assault, sexual, forensic examination, authorization for information disclosure to law enforcement by provider, period for validity of: HB 1028

Assault, sexual, over-the-counter sexual assault kits, defining and prohibiting selling or providing to survivor: **\*HB 1564, CH 296 (2023)**

Assault, sexual, state or local agency employees who are survivors of, records disclosure exemption for: HB 1533

Body worn cameras, provision of recordings: HB 1080

Commercially sexually exploited children statewide coordinating committee, re-establishing: HB 2076

Commercially sexually exploited children, receiving center programs for and transportation of, modifying: HB 1028

Compensation, removing cooperation requirement: **\*2SSB 6006, CH 298 (2024)**

Court proceedings, ensuring access and permitting remote attendance: **\*E2SSB 5937, CH 297 (2024)**

Crime victim penalty assessment, eliminating: HB 1169

Domestic violence and other family member or intimate partner violence, comprehensive protections for victims: HB 1715

Domestic violence, nonfatal strangulation victims, state payment of exam costs, removing reporting requirement: **\*SB 5070, CH 108 (2023)**

Domestic violence, state or local agency employees who are survivors of, records disclosure exemption for: HB 1533  
 Emergency housing, establishing grant program to provide for persons at risk from domestic violence: HB 2457  
 Harassment or stalking, state or local agency employees who are survivors of, records disclosure exemption for: HB 1533

Homicide, immediate family members of victims of, additional counseling services for: HB 1501

Human trafficking, sexual and labor, health care providers and hospitals to report suspected victims of: HB 1937

Notification of victim, when offender released, escapes, etc., public records exemption for certain records: **\*SSB 5081, CH 391 (2023)**

Ombuds, office of the crime victims ombuds, creating: HB 1845

Rights of victims and witnesses, commitment or criminal proceedings, recourse when denied a right: HB 1028

Sex offenses, evidence of victim credibility or consent, social media account inadmissibility exception: ESSB 5576

Sex trafficking victims, provision of healing, support, and transition services for, funding for providers of: HB 1089, **\*SSB 5114, CH 268 (2023)**

Sexual assault and harassment and gender-based violence, higher education students who are survivors of, supports for: HB 2242

Stalking, honoring victims and recognizing the plight of those affected and victimized by the crime of: **\*HR 4659 (2024)**

State crime victim and witness assistance account, creating: HB 1169

Survivors of crimes, honoring, and recognizing their plight: **\*HR 4626 (2023)**

Trafficking, sexual and labor, health care providers and hospitals to report suspected victims of: HB 1937

Victims and survivors of crimes, honoring, and recognizing their plight: **\*HR 4626 (2023)**

Violence, domestic or other family member or intimate partner violence, comprehensive protections for victims: HB 1715

#### **VOCATIONAL EDUCATION**

Credentials, postsecondary, credential transparency work group, creating: HB 1821

Incarcerated individuals, postsecondary education programs, participation goals and individual and program priorities: HB 1338

Private vocational schools, training building code officials et al. and adding affordable housing via expedited licensing of: HB 1539

Vaccination or postinfection recovery documentation, prohibiting institutions from requiring for attendance etc.: HB 1827

#### **VOLUNTEERS AND VOLUNTEERING**

Adopt-a-highway program, refocusing as public-private partnership, using related signage, and adding program eligibility criteria: HB 2373

Fish and wildlife, department of, authorizing cooperation: **\*SSB 5785, CH 160 (2024)**

Schools and school districts, prospective volunteer criminal records checks: HB 1354

Search and rescue, back country search and rescue grant program, establishing to support organizations and volunteers: HB 2257

Sermone, Sandra Bedrosian, ADNP kids research foundation founder and 2022 gold presidential volunteer service award recipient, honoring: **\*HR 4640 (2023)**

Waterways, adopt-a-waterway program, establishing for cleaning, protecting, and preserving natural waterways: HB 2400

#### **VULNERABLE ADULTS (See also GUARDIANSHIP; PROTECTION ORDERS)**

Adult protective services, expanding mandated reporter status and updating information sharing restrictions: HB 1528, **\*SB 5370, CH 44 (2023)**

Endangerment with a controlled substance, adding all schedule I, II, III, or IV substances to crime of: HB 2367

Endangerment with a controlled substance, adding fentanyl and synthetic opioids to crime of: HB 2222, ESSB 5010

Vulnerable adult abuse registry, creating: HB 1127

#### **WAGES AND SALARIES (See also CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS; HOURS; PUBLIC ASSISTANCE; PUBLIC WORKS)**

Construction workers covered under NAICS code 23, employer payment of unused paid sick leave, when: **\*ESSB 5111, CH 267 (2023)**

Consumer directed employers, standards for minimum wage and compensable overtime for individual providers employed by: HB 1942

Contracting, requiring wage adjustment per prevailing wage rate: ESSB 5726  
 Electrical inspectors, state, salaries of, requirements: HB 1526  
 Employees, public school staff, comparative labor market analysis of salaries and other compensation for, conducting: HB 2148  
 Equal pay and opportunities act, including protected classes in provisions of: HB 1905  
 Equal pay and opportunities act, requiring written notice and correction opportunity before penalties can be assessed: HB 2349  
 Fish and wildlife commission, annual salary for members, establishing: HB 1699  
 Incarcerated persons, real labor real wages act: HB 1024  
 Long-term care individual providers employed by a consumer directed employer, minimum wage and compensable overtime standards for: HB 1942  
 Prevailing wage, hourly rate for skilled journeypersons in petroleum high hazard facilities: HB 1067  
 School district employees, annual salary inflationary increase, modifying inflationary index for: HB 1732  
 State officers and employees, payment for salaries by electronic funds transfer, requiring: HB 1361  
 Wage complaint, authorizing department collection and barring department waiver: HB 1217  
 Wage recovery pilot program and wage recovery fund, creating: HB 2097  
 Wage recovery, work group to develop strategies for workers seeking, convening: HB 2097  
 Wage replacement program, for unemployed workers ineligible for unemployment insurance: HB 1095  
 Washington state ferries, employees, salary survey by classification for use in collective bargaining and arbitration: HB 1842

#### **WATER (See also BOATS AND BOATING; ENERGY; UTILITIES)**

Conservation, Washington state green schools program, establishing: HB 1935  
 Covered emissions, use of compliance instruments: HB 1224  
 Critical areas used for agriculture, voluntary stewardship program, delaying participation in watershed until adequate funding: **\*SSB 5353, CH 187 (2023)**  
 Critical areas used for agriculture, voluntary stewardship program, updating participating watershed allowed participation date: HB 1421  
 Derelict aquatic structures, authorizing taking possession of and removing, new chapter: HB 1378, **\*SSB 5433, CH 227 (2023)**  
 Derelict aquatic structures, requiring owner to reimburse public cost of removal: HB 1378  
 Drought emergency, issuance of order of, use of moneys from emergency drought response account: HB 1138  
 Drought planning and preparedness, authorizing additional funding for: HB 1138  
 Drought resilience, funding from outdoor recreation and climate adaptation account: HB 1190  
 Drought, water supply during, joint legislative committee on, convening during drought advisory: HB 1138  
 Irrigation and rehabilitation districts, adjusting rehabilitation budget limit: **\*SSB 5460, CH 371 (2023)**  
 Irrigation and rehabilitation districts, assessment equalization hearings and collection with general taxes: HB 1494, **\*SSB 5460, CH 371 (2023)**  
 Irrigation and rehabilitation districts, using forestland, farm, agricultural land, or open space in assessment: HB 1494, **\*SSB 5460, CH 371 (2023)**  
 Irrigation districts, modifying elections including security measures and mail-in ballots: SSB 5709  
 Permitting, exemption for maintenance of fish and wildlife department fisheries: HB 1225  
 Polluted waters of Washington state, inventory of, compiling and submitting to certain legislative committees: HB 2235  
 Public water systems, fluoridation, systems considering discontinuation of, requirements for: HB 1251  
 Public water systems, inclusion of climate resilience element for group A community public water systems: SSB 5094  
 Utilities, barring involuntary shut-off for nonpayment in hot weather: HB 1329  
 Water code, civil penalties levied under, prohibiting levying against landowner when landowner's lessee is the violator: HB 2074  
 Water-sewer districts, public works, craft or trade involvement/prudent utility management/lowest responsible bidder provisions: HB 1621  
 Water-sewer districts, system extensions paid for by property owners, period for reimbursing owner when others connect, increasing and allowing extensions: HB 2343

#### **WATER POLLUTION**

Agricultural activities violating certain requirements, person engaged in, notification of by registered mail and required report from: HB 2288

Sewage, untreated discharges into Puget Sound by municipal wastewater sewerage system or treatment plant, fees for, depositing into salmon recovery account: HB 2290

Sewage, untreated discharges into state waters by municipal wastewater sewerage systems, operators to report: HB 1365

Stormwater, NPDES municipal permit, permittee monitoring urban heat island effect impact on salmon via: HB 1381

Wastewater, municipal facilities generating waste heat, defining thermal renewable energy credit with respect to: HB 1836

Water-quality trading program, availability for national pollutant discharge permit holders not in compliance: HB 1166

## **WATER RIGHTS**

Adjudication, appointment of water commissioners and referees: HB 1993, **\*ESSB 5828, CH 268 (2024)**

Adjudication, consent of parties not required for court-appointed referee to hear: HB 1993, **\*ESSB 5828, CH 268 (2024)**

Determination of water rights, adjudication filed in water resource inventory area 1, timeline and procedures for: **\*HB 1792, CH 160 (2023)**

Family farms, certain family farms deemed to be in public interest for water appropriations purposes: HB 2187

Flows, instream, appropriations with adverse impacts on, authorizing only with mitigation: HB 2187

Flows, minimum instream, withdrawals in conflict with, authorizing in public health emergency or when impact in WRIA will be offset: HB 2105

Master planned resorts, transfer of water right established as family farm permit to, when: HB 1285

Rights, established as family farm permit, transfer to beneficial uses at location within certain boundaries: HB 1285

U.S. bureau of reclamation, rights for water use within Columbia river basin project held by, application for acreage change: **\*HB 1752, CH 108 (2024)**

Walla Walla water 2050 plan, applications for rights implementing, one-third instream/two-thirds out-of-stream exemption: HB 1322

## **WEAPONS (See also FIREARMS)**

Knives, spring blade, at child care centers, schools, and certain other places, prohibiting: HB 2366, SB 5860

Knives, spring blade, legalizing manufacture, sale, and possession: HB 2366, SB 5860

Sentencing enhancements for deadly weapons, serving consecutively, when: HB 1268

Weapons-related violence, orders to surrender and prohibit weapons, in relation to firearms law and violence reduction: HB 1562

## **WILDLIFE (See also FARMS AND FARMING; FISH AND WILDLIFE, DEPARTMENT; HUNTING; JOINT RESOLUTIONS)**

Birds, avian salmon predation work group, convening to identify species/remedies/restrictions for overpopulated species: HB 2293

Deer and elk, expanding limits for commercial crop damage claims: **\*2SSB 5784, CH 264 (2024) PV**

Elk, statewide elk management program, establishing: HB 1849

Orcas, southern resident, increasing required boating distance and creating notice and educational requirements: **\*ESSB 5371, CH 452 (2023) PV**

Orcas, southern resident, recreational boating near, convening diverse work group for outreach and education strategies for: **\*ESSB 5371, CH 452 (2023) PV**

Primates, nonhuman, WA national primate research center at UW information disclosure and public records and meetings requirements: HB 2304

Whales, southern resident orcas, increasing required boating distance and creating notice and educational requirements: **\*ESSB 5371, CH 452 (2023) PV**

Whales, southern resident orcas, recreational boating near, convening diverse work group for outreach and education strategies for: **\*ESSB 5371, CH 452 (2023) PV**

Wild animals, prohibiting display for entertainment via wild or exotic animal protection act: HB 1157

Wild horse training, holding, and farrier program at a state corrections center, feasibility study and plan: HB 2210

Wild horse training, holding, and farrier program at Coyote Ridge corrections center, feasibility study and plan: HB 1543

Wolves, gray, in eastern WA where not designated as threatened or endangered, work group for developing regional management plan for, forming: HB 2423

Wolves, gray, managing as protected or endangered in counties meeting criteria and developing management plan: HB 1698

Wolves, management on Colville reservation, aligning DFW management on "the north half" with, DFW to engage with confederated tribes for: HB 2424

**WOMEN (See also ABORTION; DISCRIMINATION; HOUSE RESOLUTIONS; LAW ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL; SENATE RESOLUTIONS; SEX OFFENSES AND OFFENDERS; SPORTS AND RECREATION; VICTIMS OF CRIMES)**

- Assisted reproduction services, statutory right to access treatments or procedures, establishing: HB 2500
- Assisted reproduction, provider implanting of own gametes or reproductive material without consent, as 3rd degree assault: HB 1300
- Breast examinations, supplemental and diagnostic, cost sharing requirements for health insurance carriers: HB 1261
- Breast implant surgery, informed consent, requirements: ESSB 5050
- Cardiovascular disease, plight and courage of women with, recognizing during national heart health month: **\*HR 4664 (2024)**
- Construction, requiring accommodation for workers who menstruate or express milk: **\*EHB 2266, CH 258 (2024)**
- Contraception, over-the-counter emergency medication and other forms, in vending machines on college campuses: HB 1837
- Gender-based and other violence, amending unlawful possession of firearms and restoration of firearm rights laws to reduce: HB 1562
- Gender-based violence and sexual assault and harassment, higher education students who are survivors of, supports for: HB 2242
- Gender-based violence with adult victims, peace officer and investigator training on: HB 1028
- Girl Scouts, recognizing: **\*HR 4683 (2024)**
- Julia Butler Hansen state park heritage center, creating and managing: HB 2310
- Maternity support services program, requiring update to increase equity and healthier birth outcomes: **\*2E2SSB 5580, CH 213 (2024)**
- Missing and murdered indigenous women and people task force, Washington state, establishing: 2SSB 5477
- Missing indigenous women and persons, missing persons toolkit for locating and recovering: **\*HB 1512, CH 212 (2023)**
- Parks and recreation commission, gubernatorial appointments to, modifying guidelines to include diversity of lived experience: HB 1997
- Pregnancy, currently pregnant, evergreen basic income pilot program, establishing: HB 1045
- Pregnancy, health care entity limiting of provider's provision of information, prohibition: HB 1035
- Pregnant and parenting women with substance use disorder, inpatient program for treatment using family preservation model, establishing: HB 2447
- Reproductive autonomy, access to sterilization for contraceptive purposes, protecting reproductive autonomy act: HB 2502
- Reproductive freedom, right to choose to have abortion or use contraception: HJR 4201
- Reproductive health care services, access to, civil and criminal procedural protections: HB 1469
- Reproductive health care services, exempting persons sheltering minors from reporting requirements for protected services: **\*ESSB 5599, CH 408 (2023)**
- Reproductive health care services, lawful participation by health professionals in, harmonizing statutory language relating to: **\*HB 1954, CH 14 (2024)**
- Reproductive health care services, shield law, claim for interference with protected health care services lawful in WA: HB 1469
- Senn, Deborah, first woman to serve as insurance commissioner, recognizing and remembering: **\*HR 4624 (2023)**
- Sterilization for contraceptive purposes, access to medical procedures/treatments/operations for, protecting reproductive autonomy act: HB 2502
- Turner syndrome, individuals with, honoring, supporting, and acknowledging courage of: **\*HR 4618 (2023)**
- Women's commission, Washington state, authorizing soliciting of gifts, grants, and endowments from public and private sources by: HB 2098

**WORKER TRAINING AND WORKFORCE NEEDS (See also FARMS AND FARMING; SCHOOLS AND SCHOOL DISTRICTS; VOCATIONAL EDUCATION)**

- Behavioral health workforce, various strategies for increasing: HB 1724
- Clean and renewable energy workforce training center (CREW), establishing: HB 1194
- Co-response and co-responders, workforce development via training academy, certificates, programs, and activities: HB 2245
- Credentials, educational and professional, Washington credential registry, creation of: HB 2155
- Credentials, postsecondary, credential transparency work group, creating: HB 1821

Digital literacy and information technology-enabled careers, advance equity in information technology careers mentorship program, establishing: HB 2360

Digital literacy and information technology-enabled careers, reentry and targeted community workforce development program, establishing: HB 2360

Digital literacy and information technology-enabled careers, technology access devices for job seekers fund, creating: HB 2360

Digital literacy and information technology-enabled careers, Washington digital literacy credential program, creating: HB 2360

Educator workforce programs, quality and effectiveness of, data collection and determinations about: HB 1565

Electrical transmission industry in Washington, employment and workforce education needs of, studying: HB 2082

Electrical transmission industry work group, convening to consider industry workforce needs for meeting climate goals: HB 2082

High hazard facilities, prevailing hourly wage rate for skilled journeypersons: HB 1067

Liquor manufacturers/producers, production facilities of, allowing employees and some interns 18 to 21 years of age to work in: HB 1299

Long-term care workers, certification as home care aides, reducing barriers to testing and certification: HB 1694

Long-term care workers, workforce data collection and public reporting monitoring system, establishing: HB 1694

Statewide building energy upgrade navigator program, community workforce agreements in connection with: HB 1391

Washington digital empowerment and workforce inclusion act, establishing: HB 2360

Washington state ferries, addressing workforce training needs and creating Seattle maritime training academy joint plan: HB 1831

Washington state ferries, human resources management during staffing shortage, contracting out for administration of: HB 1831, HB 1841

Washington state ferries, requiring formal strategy to implement diversity, equity, and inclusion directives: **\*SB 5550, CH 188 (2023)**

Washington state ferries, requiring formal strategy to implement workforce diversity, equity, and inclusion: HB 1831, HB 1841

Washington state ferries, requiring workforce development and maritime credentialing programs: **\*SB 5550, CH 188 (2023)**

Workforce housing accelerator revolving loan fund program, creating: HB 1892

Workforce housing, affordable housing infrastructure and facilities, using rural public facilities sales and use tax moneys for: **\*HB 1987, CH 58 (2024)**

#### **WORKERS' COMPENSATION (See also LABOR; LABOR AND INDUSTRIES, DEPARTMENT)**

County coroner and medical examiner personnel, posttraumatic stress disorder affecting, occupational disease presumption for: HB 2031

COVID-19 and similar diseases, as occupational diseases caused by employment or work conditions: HB 1785

Debt, exempting all paid or payable compensation amounts from execution/attachment/garnishment: HB 1400, **\*ESSB 5173, CH 393 (2023)**

Disability, temporary total, compensation for day of injury and 3-days following, reducing length of period for qualifying for: **\*HB 1927, CH 144 (2024)**

Employers, self-insured and lay representative administrators, creating duty to act in good faith: HB 1521

Firefighters risk classes premiums, using portion for employers for safety intervention assessment and training participation: HB 1986, **\*SB 5886, CH 31 (2024)**

Health services providers, expanding definitions including attending provider: **\*HB 1197, CH 171 (2023)**

Industrial insurance, right to recording and witness for compelled examination: HB 1068

Industrial insurance, self-insured pensions and assessments, creating self-insurance reserve fund for: HB 1558, **\*SB 5084, CH 110 (2023)**

Nurses, direct care registered, posttraumatic stress disorder affecting, occupational disease presumption for: HB 1593, **\*2SSB 5454, CH 370 (2023)**

Occupational disease presumptions, posttraumatic stress disorder (PTSD) affecting county coroner and medical examiner personnel: HB 2031

Occupational disease presumptions, posttraumatic stress disorder (PTSD) affecting direct care registered nurses: HB 1593, **\*2SSB 5454, CH 370 (2023)**

Plumbing contractors, establishing application of certain industrial insurance and workers' compensation statutes to: HB 1309, **\*SB 5088, CH 88 (2023)**

Return to work, allowing off-site light duty via nonprofit organizations: HB 1137  
Return to work, monetary incentives and basic skills development training: HB 2127  
Self-insurance, modifying affected employers: HB 2168  
Stay-at-work program, expanding light-duty opportunities via placement at non-profit organizations: ESSB 5368  
Transportation network companies, applicability of death benefits: HB 2382

#### **WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD**

Advance equity in information technology careers mentorship program, establishing, board role: HB 2360  
Behavioral health workforce, board to review licensure requirements to remove barriers to entering and remaining in:  
HB 1724  
Clean energy technology workforce advisory committee, establishing: HB 1176  
Clean energy, requiring reporting on workforce needs: HB 1176  
Credentials, Washington credential registry, board to create: HB 2155  
Digital empowerment and workforce inclusion workforce advisory committee, establishing within the board: HB 2360  
Health workforce council, requiring study workforce shortages in anesthesia care: HB 2462  
Home care aid to licensed practical nurse apprenticeship pathway pilot program, creating and guaranteeing admission:  
**\*E2SSB 5582, CH 126 (2023)**  
Marketing plan, contracting to publicize training and job opportunities for nursing professions: **\*E2SSB 5582, CH 126 (2023)**  
Postsecondary credentials, credential transparency work group, creating, board role: HB 1821  
Technology access devices for job seekers fund, creating, board role: HB 2360  
Washington digital empowerment and workforce inclusion office, creating within the board: HB 2360  
Workforce education investment and accountability oversight board data dashboard, requiring on a public portal: **\*ESB 5534, CH 282 (2023)**  
Workforce education investment and accountability oversight board, transferring staff support to SAC: **\*ESB 5534, CH 282 (2023)**